Table of Contents

Agenda 5

Consider approval of the minutes from the December 17, 2018 regular city council meeting, and take any action necessary.

12.17.18 CC Mtg Mins 9

Blank Page 30

Z2018-043 - Consider a request by Michael Worrell of Rockwall Honda for the approval of an ordinance amending SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary (2nd Reading).

Ord_2nd Reading 31

Blank Page 38

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2nd Reading 39

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P2018-044 - Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Russell Frank for the approval of a final plat for Lot 1, Block A, Hacienda Car Wash Addition being a 2.008-acre tract of land identified as portions of Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 Ridge Road [FM-740], and take any action necessary.

P2018-044 48

Blank Page 53

P2018-045 - Consider a request by Jennifer Haynes of Urban Structure on behalf of Andrew Malzer of RaceTrac Petroleum, Inc. the approval of a replat for Lots 4 & 5, Block A, the Woods at Rockwall Addition being a 4.47-acre tract of land identified as Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 & 2205 Ridge Road [FM-740], and take any action necessary.

P2018-045 54

Blank Page 59

P2018-046 - Consider a request by David Ellis for the approval of a replat for Lots 5, 6 & 7, Block A, Ellis Centre, Phase 2 Addition being a 2.62-acre tract of land identified as Lots 1 & 3, Block A, Ellis Centre, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1930 & 1950 Alpha Road, and take any action necessary.

P2018-046 . . . 60
Blank Page . . . 65

Consider approval of a resolution terminating Ascensus Trust Company as Passive Trustee of the City of Rockwall 457(b) Plan; appointing Reliance Trust Company as Passive Trustee (in Place of Ascensus Trust) with respect to the city's 457(b) plan, and take any action necessary.

Memo_457(b) plan adjustment . . . 66
Resolution . . . 67
Blank Page . . . 68

Appointment with Dewayne Cain to discuss amending the Unified Development Code (UDC) to allow accessory buildings in an Agricultural (AG) District, and take any action necessary.

Memorandum . . . 69
Blank Page . . . 79

Z2018-049 - Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an ordinance for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary (1st Reading).

Z2018-049 . . . 80
Blank Page . . . 117

Z2018-052 - Discuss and consider a request by Russell Phillips on behalf of Rockwall Retail Investors, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for a mini-warehouse facility on a 7.489-acre tract of land identified as Lot 23, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally situated north of Horizon Road and east of Ranch Trail Road, and take any action necessary (2nd Reading).

Z2018-052 . . . 118
2nd Reading . . . 119
Blank Page . . . 127

Z2018-048 - Discuss and consider a request by Amanda Henry for the approval of an ordinance for a Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 0.253-acre tract of land identified as part of Lot 47B of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary (2nd Reading).

Z2018-048 . . . 128
2nd Reading Ord . . . 129

Blank Page . . . 135
Z2018-054 - Discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on behalf of the owner Vinod Miranda for the approval of an ordinance for a Specific Use Permit (SUP) for an office building that will exceed 36-feet in height within the Scenic Overlay (SOV) District on a 9.7-acre tract of land identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary. (2nd Reading)
Memorandum . . . 136
Ord_2nd Reading . . . 139
Blank Page . . . 145
A2018-004 - Discuss and consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017 LLC for the approval of an ordinance for the voluntary annexation of a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and take any action necessary. (1st reading)
A2018-004 . . . 146
Blank Page . . . 159
Discuss and consider approval of a concept plan for Harbor Urban Beach Park, and take any action necessary.
memo . . . 160
Concept Plan . . . 161
Blank Page . . . 162
Discuss and consider a recommendation of the City Council Naming Subcommittee regarding approval of a resolution naming a parks and recreation venue in the City, and take any action necessary.
Resolution . . . 163
Blank Page . . . 165
Discuss and consider legislative topics for the 86th Session of the Texas Legislature, and take any action necessary.
Legislative . . . 166
Blank Page . . . 167
Discuss and consider (re)appointments to the city's Main Street Advisory Board, and take any action necessary.
Memo . . . 168
Cannon Application . . . 169
Blank page . . . 170
Building Inspections Monthly Report - November 2018
B.I. Report . . . 171
Blank Page . . . 183
Fire Department Monthly Report - November 2018
Rockwall Fire Department November Monthly Report . . . 184
Blank Page . . . 190
GIS Division Monthly Report - November 2018

GIS Monthly Report (November 2018) . . . 191
Blank Page . . . 192
Harbor PD Monthly Report - November 2018
Harbor PD . . . 193
Blank Page . . . 194
Internal Operations Monthly Report - November 2018
IO Report . . . 195
Airport Report . . . 196
Blank Page . . . 197
Police Department Monthly Report - November 2018
11November Rockwall Police Monthly Activity Report 2018 - External . . . 198
Blank Page . . . 200
Recreation Monthly Report - November 2018
Rec Monthly . . . 201
Blank Page . . . 206
Rockwall Animal Adoption Center Monthly Report - November 2018
RAAC-November 2018 . . . 207
Blank Page . . . 210
Rockwall Meals on Wheels Senior Services Quarterly Report
MOW Report . . . 211
Blank Page . . . 212
STAR Transit Monthly Report - November 2018
STAR November . . . 213
Blank Page . . . 215
STAR Transit Quarterly Report
STAR Quarterly . . . 216
Blank page . . . 218

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, January 07, 2019 - 5:00 PM

City Hall - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding "Petition for Consent to include Land in a Municipal Utility District (MUD)" within the city's northern extraterritorial jurisdiction (ETJ), pursuant to Section §551.071 (Consultation with Attorney)
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

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

VII. OPEN FORUM

VIII. CONSENT AGENDA

p.9 1. Consider approval of the minutes from the December 17, 2018 regular city council meeting, and take any action necessary.

p.31 2. Z2018-043 - Consider a request by Michael Worrell of Rockwall Honda for the approval of an ordinance amending SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary (2nd Reading).

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IX. Appointment Items

p.69 1. Appointment with Dewayne Cain to discuss amending the Unified Development Code (UDC) to allow accessory buildings in an Agricultural (AG) District, and take any action necessary.

X. Public Hearing Items

p.80 1. Z2018-049 - Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an ordinance for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary (1st Reading).

XI. Action Items

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p.160 5. Discuss and consider approval of a concept plan for Harbor Urban Beach Park, and take any action necessary.

p.163 6. Discuss and consider a recommendation of the City Council Naming Subcommittee regarding approval of a resolution naming a parks and recreation venue in the City, and take any action necessary.

p.166 7. Discuss and consider legislative topics for the 86th Session of the Texas Legislature, and take any action necessary.

p.168 8. Discuss and consider (re)appointments to the city's Main Street Advisory Board, and take any action necessary.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.171 Building Inspections Monthly Report - November 2018
p.184 Fire Department Monthly Report - November 2018
p.191 GIS Division Monthly Report - November 2018
p193 Harbor PD Monthly Report - November 2018
p.195 Internal Operations Monthly Report - November 2018
p.198 Police Department Monthly Report - November 2018
p.201 Recreation Monthly Report - November 2018
p.207 Rockwall Animal Adoption Center Monthly Report - November 2018
p.211 Rockwall Meals on Wheels Senior Services Quarterly Report

p.213 STAR Transit Monthly Report - November 2018

p.216 STAR Transit Quarterly Report

2. City Manager's Report

XIII. EXECUTIVE SESSION

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

1. Discussion regarding "Petition for Consent to include Land in a Municipal Utility District (MUD)" within the city's northern extraterritorial jurisdiction (ETJ), pursuant to Section §551.071 (Consultation with Attorney)
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XV. ADJOURNMENT

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of January, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES
ROCKWALL CITY COUNCIL
Monday, December 17, 2018
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

The public meeting was called to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza.

II. WORK SESSION

1. Hold a work session with Rick Bernas of Republic Waste.

Rick Bernas of Republic Waste came forth and briefed the Council on proposed modifications to the city's recycling program and associated services. He also indicated that it is now time for the city to consider Republic's annual rate increase, in accordance with the contract. An Action Item regarding the rate increase has been included on this evening's agenda for the Council to consider.

Assistant City Manager Mary Smith went on to share that the city has annually offered a "Household Hazardous Waste (Collection) Day." She explained that there has been an unexpected increase in cost from the vendor ("Clean Harbors") that has been used for the last several years. They will be increasing the cost from approximately $105,000 to $170,000. The city has been evaluating the possibility of providing an "on demand" curbside program to assist residents in disposing of hazardous waste disposal. Disposal of tires, electronics, and shredding has traditionally been a part of the city's annual collection event; however, these particular collection services may not be able to be offered curbside if in fact the city moves to curbside. Mrs. Smith shared that the city budgeted $120,000 in the current fiscal year budget for the annual event. She went on to explain that the event has been very popular among our residents, with lines being consistently long all day long and cars not being able to make it through the line for at least an hour after the event was supposed to have ended. Mrs. Smith indicated that this topic may be further discussed by Council at a later date; however, she wanted the council members to be aware and to be thinking about it.

Council took no action as a result of this discussion item.

2. Hold a work session with the city's utility rate consultant to discuss utility rates.

Dan Jackson of Willdan, the city's utility rate consultant, came forth and made a presentation concerning a recent water and wastewater rate study and associated financial forecast. The goal, overall, is to minimize the impact on users while also ensuring that the city achieves the revenue it needs to fund the system, including future capital improvement projects (which are costly). He went on to share details pertaining to different rate structure options the city may wish to consider when setting water/wastewater rates moving forward.

He spoke at length about ways the city may be able to minimize the impact on users, especially those who are on fixed incomes and/or do not utilize as much water.

Following the consultant's presentation, Council held brief discussion, generally indicating a preference for Scenario 2 that the consultant outlined.

Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session at 4:35 p.m.

III. EXECUTIVE SESSION.

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

1. Discussion regarding possible purchase, sale or lease of real property/land in the vicinity of SH 205 and Washington pursuant to Section §551.072 (Real Property).
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 4:45 p.m.

V. RECONVENE PUBLIC MEETING

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

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Council took no action as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

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

VIII. PROCLAMATIONS / AWARDS

1. Presentation of Award by TX Turfgrass Association

Two representatives from the Texas Turfgrass Association came forth and presented an award to Parks Director, Andy Hesser and his staff in recognition of Tuttle ball fields.

Following this brief presentation, Mayor Pruitt called forth Assistant City Manager Brad Griggs. He then spoke favorably about Brad's past work history, mainly related to Parks & Recreation, and thanked him for his years of service to the city. He announced that Mr. Griggs is retiring and moving to Boerne, TX. So this is the last Rockwall city council meeting he will be attending.

Councilmember Daniels commented that the city council's "naming" subcommittee will be recommending at the first meeting in January that the Council consider approving the naming of the amphitheater/stage at the Harbor the "Brad Griggs Amphitheater and Stage at the Harbor."

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the December 03, 2018 regular city council meeting, and take any action necessary

2. Consider approval of agreements related to the provision of Rockwall Municipal Court Judge and Associate Judge services, and take any action necessary.

3. Consider approval of Engineering Service Agreement with Pipeline Analysis, LLC, to provide engineering services for Sanitary Sewer Condition Assessments and authorize the City Manager to execute a contract for $134,797.80, to be funded by the Sewer Operations Budget, and take any action necessary.

4. Consider approval of an interlocal agreement for municipal judge services between Rockwall County and the City of Rockwall pertaining to "No Refusal Weekends," and take any action necessary.

5. Consider approval of an Engineering Services Agreement with Binkley & Barfield, Inc. to provide general engineering services for the preparation and review of all Traffic Impact Analysis (TIAs) submitted to the City of Rockwall to be funded by the 2018-2019 Engineering Consulting budget with developer reimbursements, and take any action necessary.

6. Consider awarding a bid to Interstate Trailers Inc. and authorizing the City Manager to execute a Purchase Order for a new heavy equipment trailer in the amount of $26,105 to be funded out of the General Fund Streets and Drainage Operating budget, and take any action necessary.

7. Consider awarding a bid to Maverick Harley Davidson and authorizing the City Manager to execute a Purchase Order for a new 2019 Police Pursuit Motorcycle in the amount of $34,979.84 to be funded out of the General Fund Police Patrol budget, and take any action necessary.

8. Consider awarding contracts and authorizing the City Manager to execute said contracts for the purchase and install of new Ticket Writer Hardware in the amount of $72,039 to be funded out of the Public Safety Fund, and take any action necessary.

9. **P2018-035** - Consider a request by Bart A. Tinsley of the Alders at Rockwall Property, LLC for the approval of a final plat for Lot 1, Block A, Alders at Rockwall Addition, being a 10.310-acre parcel of land identified as Lot 2, Block A, Rockwall Seniors Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 86 (PD-86) for Multi-Family 14

(MF-14) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located south of the intersection of T. L. Townsend Drive and Justin Road, and take any action necessary.

10. **P2018-041** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance III, LLC. for the approval of a preliminary plat for the Breezy Hill, Phase XI containing 78 single-family lots on a 23.849-acre tract of land identified as a portion of Tract 7 and all of Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses, generally located adjacent to Breezy Hill Road north of the intersection of Breezy Hill Road and FM-552, and take any action necessary.

11. **P2018-042** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 8, LLC for the approval of a final plat for Breezy Hill, Phase VIII containing 61 single-family residential lots on 27.822-acres of land identified as a portion of Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located along the eastern side of Breezy Hill Lane, and take any action necessary.

12. P2018-043 - Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a final plat for the Whisper Rock Subdivision containing 28 single-family lots on a 9.477-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 3231 Ridge Road, and take any action necessary.

13. Consider Park Board recommendation to authorize the City Manager to negotiate a contract with PROS Consulting to perform an athletic facility feasibility study in an amount not to exceed $70,000 to be funded in the Recreation Development budget, and take any action necessary.

Councilmember Trowbridge moved to approve all of the Consent Agenda items (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13). Following brief comments, Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. APPOINTMENTS

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

Chairman of the P&Z, Johnny Lyons, came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda. Council took no action following Mr. Lyons' briefing.

2. Appointment with William Spencer of MHS Planning and Design to view a presentation regarding recommendation for the Harbor Urban Beach neighborhood park concept plan, and take any action necessary.

Mr. Spencer from MHS Planning & Design came forth and made a presentation to Council regarding a proposed Harbor Urban Beach neighborhood park along the Lake Ray Hubbard shoreline (behind what is currently the "Eclipse Fitness" and adjacent offices). The proposed park is being planned to serve the approximately 1,200 residential units that are being developed in the PD-32 area. It is anticipated that the primary residents of this area will be young professionals and "empty nesters". This implies that the percentage of school aged children may be minimal as compared to typical single family home developments. With this unique situation in mind, the park development plan attempts to design for these nearby residents in mind as well as a potential destination area for other local residents and potential visitors to The Harbor area. The approved budget for phase 1 development costs is $484,000 to be paid from Developer Fee contributions in accordance with the Mandatory Park Land Dedication Ordinance. At the December 4th Park Board meeting, a public hearing was held to review and hear input regarding the concept plan. A summary of the input was provided to the Council in its meeting packet. Indication was given that the city's Park Board voted unanimously to recommend that Council approve the concept plan as submitted, with particular attention to addressing concerns raised by adjacent business owners regarding restrooms, parking and fencing to separate the park from the buildings. Following a set of questions and answers among the council members, Mr. Spencer, and city Parks Director Andy Hesser, the Council took no formal action concerning this agenda item. It will be brought back to the Council at a later date for further consideration, as some concerns expressed by the Council will need to first be addressed.

3. Appointment with resident Jillian Gaines to hear concerns related to water around her home and neighborhood (address: 1305 Clear Meadow Court), and take any action necessary.

Ms. Gaines came forth and generally explained that there are water-related leaks that are adversely impacting her home, the adjacent retaining wall and her neighbors' homes. She would like the city's help in stopping the water that is leaking. Ms. Williams, City Engineer, commented that city crews have gone out to this location three times and have used specialized equipment to test for leaks. No leaks have been detected. Also, the HOA's irrigation meter was deactivated / turned off towards the end of October. Since that time, it was turned on one time (towards the end of November). Ms. Gaines shared that there is proof of leaking water because her front yard and the portion of her back yard that abuts to Dalton Road is consistently saturated.

Councilmember Fowler asked how Ms. Gaines has ruled out that the water is not naturally occurring "ground water." Ms. Gaines and her neighbor offered a brief explanation. Brief discussion took place related to the possibility of putting a lock on the city's supply line (re: the HOA water supply).

The mayor conveyed to Ms. Gaines that the city has cut off the water. So, he does not believe there is much more that the city can do at this point. Ms. Williams shared that the city Building Official, Jeffrey Widmer, indicated to staff on Friday that the HOA is aware of the concerns, and they are working to address the issue of possible leaks within its irrigation system. When asked by Ms. Gaines if the city will put a lock on the supply line (water meter box), the mayor indicated that it is a possibility; however, he pointed out that it cannot be locked during the time when the HOA is working to address any leak(s).

Following the discussion, Council took no formal action related to this appointment item.

XII. PUBLIC HEARING ITEMS

1. **Z2018-046** - Hold a public hearing to discuss and consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary **(1st Reading).**

On November 19, 2018, the City Council continued the public hearing for Case No. Z2018-046 for the purpose of allowing the applicant time to provide a plan concerning the temporary education buildings on the subject property. On December 11, 2018, Brad Helmer of Heritage Christian Academy (HCA) submitted a plan to staff laying out a timeline for the construction of a new building and the removal of the temporary educational buildings. In Mr. Helmer's plan, he has laid out several items that need to be accomplished in the next 180-days, which will be followed by a presentation to the City Council concerning the course of action HCA will take moving forward. In response to this proposal, staff has adjusted the SUP Ordinance to expire in six months, in June of 2019 (i.e. 180 days). Based on the ordinance and HCA's presentation, the City Council will have the discretion to extend the ordinance for a two (2) year period, which should be a sufficient amount of time for the applicant to complete construction of the proposed educational building and remove the temporary education buildings.

Mayor Pruitt opened the public hearing, calling the applicant forth to speak at this time.

Mr. Brad Helmer
2917 Chuckwagon Drive
Rockwall, TX

Mr. Helmer came forth and provided explanatory comments to the Council related to the school's plan to phase out the temporary, portable classroom buildings. He expressed that getting a new building funded and built by 2021 is a hefty goal; however, they will be working on it. He offered to provide quarterly updates to the city council between Sept. 2019 and December of 2022.

Following the public hearing, Councilmember Fowler moved to approve Z2018-046. Councilmember Daniels seconded the motion. Following additional dialogue, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___
SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THREE (3)

TEMPORARY EDUCATIONAL BUILDINGS ON A 6.64-ACRE PARCEL OF LAND ZONED MULTI-FAMILY 14 (MF-14) DISTRICT AND IDENTIFIED AS LOT 1, BLOCK A, HERITAGE CHRISTIAN ACADEMY ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

2. **Z2018-043** - Hold a public hearing to discuss and consider a request by Michael Worrell of Rockwall Honda for the approval of an **ordinance** amending SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. He explained that the proposed shade structures will be located on the east side of the property and will be utilized provide shade for the display of vehicles. The applicant is also requesting to provide decomposed granite with a hard edge in order to contain the material -- along IH-30 -- for the display areas, which are located on the east and south sides of the property (see Exhibit 'C' of the draft ordinance). These areas are currently grass surfaces and once constructed using the decomposed granite, will provide stability for the displayed vehicles. Additionally, the applicant is requesting to allow for the display area to be expanded within the ten (10) foot landscape buffer along East IH-30. It should be known that staff has met with the applicant regarding the landscaping of this display area and Mr. Worrell has agreed to provide potted trees and plantings within the display area along IH-30. The purpose of this type of landscape scheme is due to a 16-inch water main that runs parallel within an existing 20-ft water easement located at the property line. This solution is to mimic the use of trees and other landscaping that would normally appear within the ten (10) foot landscape buffer, and has been included as a condition of approval.

Seventeen public notices were sent out to adjacent property owners; however, no responses have been received back by city staff at this time. The Planning & Zoning Commission has recommended approval of this request.

The applicant, Mr. Worrell, came forth and provided brief comments to Council concerning his request. Councilmember Macalik then moved to approve Z2018-043. Councilmember Trowbridge seconded the motion. Mayor Pruitt opened the public hearing, asking if anyone would like to speak. There being no one wishing to come forth and speak, Mayor Pruitt then closed the public hearing.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-__
SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND

SPECIFIC USE PERMIT NO. S-76 [*ORDINANCE NO. 10-26*], WHICH ALLOWS FOR A MOTORCYCLE DEALERSHIP WITH ACCESSORY BOAT AND TRAILER SALES ON A 1.152-ACRE PARCEL OF LAND IDENTIFIED AS LOT 6, BLOCK A, NEWMAN CENTER #1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion was approved by a vote of 7 ayes to 0 nays.

3. **Z2018-048** - Hold a public hearing to discuss and consider a request by Amanda Henry for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 0.253-acre tract of land identified as part of Lot 47B of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided information concerning this agenda item. The applicant is requesting the approval of a Specific Use Permit (SUP) to allow for the construction of a metal accessory building that does not meet the requirements stipulated by Article IV, Permissible Uses, of the Unified Development Code (UDC) on a 0.253-acre tract of land. Currently, there is an existing metal accessory building in disrepair that is approximately the same size as the proposed accessory building and will be demolished in order to construct the new structure. According to the submitted site plan, the accessory building will be ~910 SF, 15-feet in height, and be situated to the rear of the primary structure roughly in the same location as the existing accessory building. The accessory building will be at least 20-feet from the side property lines and more than 60-feet from the front and rear property lines. According to the applicant, the current accessory building will be utilized as storage and will not be used for commercial land uses. According to Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code (UDC), no more than two (2) accessory buildings no larger than 225 SF each are permitted in a Single-Family 7 (SF-7) District, provided the exterior cladding contains materials found on the main structure. In this case, since the applicant is proposing to utilize metal and exceeds the maximum allowable size for accessory buildings in a Single-Family 7 (SF-7) District, a Specific Use Permit (SUP) is required. Staff should note the property located to the north of the subject property is located within the Historic District and approval of this request is a discretionary decision for the Planning and Zoning Commission and the City Council. Sixty-nine notices were sent out to adjacent property owners. One notice was received back in favor. The Planning & Zoning Commission has recommended approval of this request. Should the City Council choose the applicant's request, staff offered the following conditions of approval for the council to consider:

1) **The accessory building shall be subject to the following operational conditions, which are contained in the SUP ordinance:**

    a) **The accessory building shall generally conform to the building elevations and site plan depicted in *Exhibits 'B'* & *'C'* of the attached ordinance.**

    b) **The accessory building shall not exceed a maximum size of 910 SF;**

    c) **The existing accessory building situated toward the rear of the property shall be removed prior to the construction of the new accessory building;**

    d) **The subject property shall not have more than two (2) accessory buildings;**

e) The accessory building shall not exceed a maximum overall height of 15-feet;

f) The accessory building shall not be operated as a commercial land use; and,

g) The accessory building is subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.

2) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Following brief comments by Councilman Trowbridge, Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the public hearing.

Councilmember Trowbridge moved to approve Z2018-048 with staff recommendations. Mayor Pro Tem Fowler seconded the motion. Following brief clarification, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___
SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ACCESSORY BUILDING THAT DOES NOT MEET THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE (UDC) ON A 0.253-ACRE PARCEL OF LAND ZONED SINGLE-FAMILY 7 (SF-7) DISTRICT AND IDENTIFIED AS LOT 47B, B. F. BOYDSTUN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve passed by a vote of 5 ayes with 2 nays (Hohenshelt and Daniels).

4. **Z2018-049** - Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an **ordinance** for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information pertaining to this agenda item.

Mike Peoples
1700 E. SH-66
Rockwall, TX

Mr. Peoples came forth and shared that the current structure was placed there after a previously existing structure (at the same location) sustained wind damage. Following Mr. Peoples' brief comments, Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Mayor Pruitt moved to approve the SUP for Z2018-049. Councilmember Macalik seconded the motion. Councilmember Daniels expressed concern related to this request and its outright approval at this time. Mr. Peoples shared that he is waiting on a surveyor to come out to his property to provide him with some of the information that the city has requested.

Mayor Pruitt withdrew his initial motion and offered a new, replacement motion – that the public hearing be "continued" to allow the applicant time to get information submitted to the city that the city has previously requested. The motion passed by a vote of 7 ayes to 0 nays.

Council addressed Public Hearing item #7 next.

5. **Z2018-050** - Hold a public hearing to discuss and consider a request by David Rains for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a covered patio that exceeds the maximum requirements for property located within the Lake Ray Hubbard Takeline leased area that is adjacent to a parcel of land identified as Lot 12, Block A, Chandlers Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary **(1st Reading).**

Mayor Pro Tem Fowler called the public meeting back to order at 7:55 p.m. He noted that Mayor Pruitt has recused himself from this agenda item. Mr. Miller, Planning Director, explained that the applicant is requesting the approval of a Specific Use Permit (SUP) to allow a covered patio that exceeds the maximum requirements for properties in the Lake Ray Hubbard Takeline leased area.

Sixty notices were sent out to adjacent property owners. Overall, staff received four notices back in opposition. One person indicated support, and one notice expressed neutrality concerning approval of this request.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak.

Vincent Walters
608 Severige Court

Mr. Walters came forth and indicated that he has lived at this property since 2017. He showed two photographs and expressed that if this request is approved, he will lose part of his lake view, which will ultimately result in loss of his property's value. (He generally expressed opposition to approval of this request.)

Carol Inman
5806 Constellation
Rockwall, TX

Ms. Inman came forth and shared a photograph of the view she sees of the lake outside of her back window. She generally expressed opposition to approval of this request, as it will be in direct view of her view of the lake. If it is approved, she prefers that it be situated in a different location. She encouraged Council to keep within the guidelines of the takeline.

Mr. Rains, the applicant, came forth to address Council at this time. He explained that this proposed structure is 11' tall. He shared what appeared to be an architectural rendering of the structure he is proposing. He pointed out that he could place another type of structure (gazebo / pergola) in this area without having to receive approval from the city. He went on to request that the Council consider 'continuing' the public hearing at this time.

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

Councilmember Johannesen moved to table (continue) the public hearing for Z2018-050 to the January 21 city council meeting. Councilmember Trowbridge seconded the motion. Councilmember Daniels engaged in brief, clarifying dialogue with resident Carol Inman.

Mayor Pro Tem Fowler strongly encouraged Mr. Rains and his neighbors to try their best to come to some sort of mutually agreeable proposal concerning building of a structure within the takeline. Following Fowler's brief comments, the motion to continue the public hearing passed by a vote of 6 in favor with 1 abstention (Pruitt).

6. **Z2018-052** - Hold a public hearing to discuss and consider a request by Russell Phillips on behalf of Rockwall Retail Investors, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) for a mini-warehouse facility on a 7.489-acre tract of land identified as Lot 23, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally situated north of Horizon Road and east of Ranch Trail Road, and take any action necessary **(1st Reading).**

Indication was given that Mayor Pro Tem Fowler will be excusing himself from this discussion and associated action. Planning Director Ryan Miller then provided background information pertaining to this agenda item. On October 16, 2017, the City Council approved a Specific Use Permit (SUP) for a mini-warehouse on the subject property. Since that approval, the applicant has not made any subsequent submittals, and the Specific Use Permit (SUP) expired on November 6, 2018. In response to this expiration, the applicant has resubmitted a request for a Specific Use Permit (SUP) to allow a 575-unit mini-warehouse facility. According to the concept plan, the subject property will be developed in two (2) phases. Phase 1 will have seven (7) buildings totaling 293 units ranging from 16 units to 121 units per building. Phase 2 will have 12 buildings totaling 282 units ranging from ten (10) units to 32 units per building. The proposed mini-warehouse will have perimeter building that utilizes masonry on all exterior facades visible from the street. The interior buildings will utilize metal and will not be visible from the street. Staff should note that most of the surrounding buildings are constructed of metal. Building One will include the leasing office and climate-controlled units that are accessible internally in the building. The remaining buildings will have drive-up units with roll-up doors, which will be oriented so the roll-up doors will not face Ranch Trail or Horizon Road. The applicant is proposing to utilize landscape screening for the mini-warehouse facility to limit the visibility of the facility from Ranch Trail and Horizon Road. Additionally, the northeast portion of the subject property is wooded and will be preserved to provide landscape screening for adjacent properties. On November 30, 2018, staff sent 29 notices to property owners and residents within 500-feet of the subject property. Two notices in favor

and one notice in opposition were received back by staff. In addition, the Planning & Zoning Commission has recommended approval of this item.

Should the City Council choose to approve the applicant's request for a Specific Use Permit (SUP), Mr. Miller suggested that following conditions of approval be adopted with this case:

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

a) The development shall generally conform to the Concept Plan depicted in Exhibit 'B' of the attached Specific Use Permit (SUP).

b) The building elevations shall generally conform to the Concept Building Elevations depicted in Exhibit 'D' of the attached ordinance.

c) The maximum number of storage units provided shall not exceed 575 units for the facility.

d) The residential unit/caretaker's quarters shall not exceed 1,600 square feet.

e) The residential unit/caretaker's quarters shall not be greater than 36 feet in height.

f) No outside storage of any kind shall be allowed (including, but not limited to the outside storage of boats, recreational vehicles, and motor or self-propelled vehicles).

g) Businesses shall not be allowed to operate within individual storage units.

h) The commercial operation of rental trucks and trailers shall be prohibited

2) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Mayor Pruitt opened the public hearing, asking if anyone would like to speak at this time. There being no one indicating such, he then closed the public hearing and called the applicant forward.

Russell Phillips
521 Moraine Way
Heath, TX

Mr. Phillips came forth and addressed the Council, providing additional explanation concerning his request. He provided a diagram of a plan reflecting what he is proposing to build as far as the mini warehouse facility and associated office are concerned.

Mayor Pruitt moved to approve Z2018-052. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-__
SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT, ON A 7.489-ACRE PARCEL OF LAND BEING IDENTIFIED AS LOT 23, RAINBO ACRES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

The motion passed by a vote of 6 in favor with 1 abstention (Fowler).

7. **Z2018-053** - Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an **ordinance** for a Specific Use Permit (SUP) for a detached garage that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary **(1st Reading).**

The applicant, Mike Peoples is requesting the approval of a Specific Use Permit (SUP) to allow for a detached garage that does not meet the requirements stipulated by Article VI, Permissible Uses, of the Unified Development Code (UDC). The ~2,500 SF [i.e. 50-ft x 50-ft] structure stands approximately 16-feet in height and is situated southwest of the primary structure, adjacent to the City of Rockwall Municipal Airport. The detached garage was built without a permit in 2013, and has increase in size by two (2) times structures according to aerial images (see Exhibit 'B' of the draft ordinance). These additions appear to have taken place in the years 2015 & 2017. This has created one (1) large structure, of which the exact measurements are not known. With this being said, there are a total of three (3) structures that have been built concurrently with this request [i.e. Z2018-049]. The other structure lies within the designated 100-year flood plain. This structure is required to be demolished and has been added as a condition of approval of the SUP for the third structure (i.e. the detached garage).

Although Section 2, of Article V, Agricultural (AG) District of the Unified Development Code (UDC), allows for an accessory use (i.e. detached garage) to be a permitted with a main use (i.e. single-family home) on more than ten (10)-acres within an Agricultural (AG) District, Section 2.1.2, of Article IV, Permissible Uses, of the UDC, allows for one (1) detached garage that does not exceed 900 SF in area or 15 feet in height provided the exterior cladding contains the same materials as is found on the main structure. In this case, the detached garage appears to be a metal structure (see attached photos). Accessory buildings (i.e. detached garage) not meeting these standards shall require approval of an SUP. The existing detached garage does not meet the material or size requirements as stipulated by the UDC. Approval of a SUP is discretionary for the City Council. On November 30, 2018 staff mailed 33 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Rolling Meadows Homeowner's Association (HOA), which is the only HOA's/Neighborhood Organization that is within 1,500-feet of the subject property

participating in the Neighborhood Notification Program. Staff has received three noticed back in favor and one in opposition of the request.

Mayor Pruitt called the applicant forth and then opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Following additional dialogue, Mayor Pro Tem Fowler moved to approve Z2018-053. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. _____

SPECIFIC USE PERMIT NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A DETACHED GARAGE THAT DOES NOT MEET THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE (UDC), ON A 42.66-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT, IDENTIFIED AS TRACT 7 OF THE D. HARR SURVEY, ABSRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion (to approve) failed by a vote of 2 in favor (Macalik and Fowler) with 5 against (Trowbridge, Hohenshelt, Pruitt, Daniels and Johannesen).

Mayor Pruitt called for a break and recessed the meeting at 7:41 p.m.

8. **Z2018-054** - Hold a public hearing to discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on behalf of the owner Vinod Miranda for the approval of an **ordinance** for a Specific Use Permit (SUP) for an office building that will exceed 36-feet in height within the Scenic Overlay (SOV) District on a 9.7-acre tract of land identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller explained that the subject property is located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard and is zoned Commercial (C) District. The proposed 80,000 SF office building will be comprised of three (3) stories of office space and a single-story of parking that will be located below grade. The office building will reach an overall height of 60-feet; however, the building will be located approximately 156-feet from the right-of-way of Ridge Road and due to the slope of the property the finished floor of the building will be set approximately five (5) to seven (7) feet below the surface of Ridge Road. This means that the first floor of the office building may not be visible from Ridge Road. According to the Special Use Standards located in Section 6.8, Scenic Overlay (SOV) District, of Article V, of the Unified Development Code (UDC), any

structure over 36-feet in height requires a Specific Use Permit (SUP). Should the applicants request be approved, staff has included a condition of approval allowing the structure to have an overall height of four (4) stories, not to exceed 60-feet. Approval of the SUP remains a discretionary act of the City Council. If approved, the applicant will be required to submit a site plan. On November 30, 2018, staff mailed 107 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Turtle Cove and Lakeside Village Homeowner's Associations (HOA's), which are the only HOAs within 500-feet of the subject property participating in the notification program. Staff received two notices back in favor and one in opposition. The Planning & Zoning Commission has recommended approval of this request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Andrew Bennett
1400 Highline
Dallas, TX

Mr. Bennett came forth (on behalf of the applicant) and shared that his company was hired to assist with attempts to obtain this SUP. He went on to provide additional explanation concerning this request for an SUP.

There being no one else wishing to come forth and speak, Councilmember Hohenshelt moved to approve Z2018-054. The motion was seconded by Mayor Pro Tem Fowler. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A STRUCTURE THAT EXCEEDS 36-FT IN HEIGHT WITHIN THE SCENIC OVERLAY (SOV) DISTRICT IN A COMMERCIAL (C) DISTRICT, ON A 9.70-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 15 OF THE E.P.G. CHISUM SURVEY, ABSTRACT NO. 64, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 4 in favor with 3 against (Macalik, Pruitt and Daniels).

XIII. ACTION ITEMS

1. **SP2018-039** - Discuss and consider a request by Matt Moore of Claymoore Engineering on behalf of Phil Wagner of Rockwall Economic Development Corporation (REDC) for the approval of variances and an exception in conjunction with an approved site plan for an industrial building on a 3.634-

acre parcel of land identified as Lot 1, Block E, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, located at the northwest corner of the intersection of Technology Way and Observation Trail, and take any action necessary.

Planning Director Ryan Miller came forth and provided brief background information about this item. On Dec. 11, the Planning & Zoning Commission did approve the placement of a 35, 500 square feet office building at this location. The applicant is asking for variances / exceptions that would allow the applicant to use tilt wall and less than 20% natural stone. The Architectural review s Board and the Planning & Zoning Commission have reviewed these requests and have recommended approval of these requested variances.

Brian Berry
2 Essux Court

Mr. Berry came forth and provided brief comments, generally asking that Council consider approving these variances. Councilmember Hohenshelt moved to approve SP2018-039. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. **SP2018-037** - Discuss and consider a request by Russell Phillips of Sterling One for the approval of waivers and variances in conjunction with an approved site plan for a 265 unit, condo development situated on a 7.58-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict of PD-32, located south of the intersection of Summer Lee Drive and Glen Hill Way, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. On March 10, 2015, the Planning and Zoning Commission approved a site plan for a 265-unit condominium building [Case No. SP2015-004] on a 7.58-acre tract of land. Subsequently, the City Council approved waivers to the building height requirements and variances to the material requirements on March 16, 2015. Following these approvals, the applicant submitted civil engineering plans to the Engineering Department on June 23, 2016. Staff reviewed this submittal and returned the plans to the applicant on July 11, 2016. The applicant made subsequent submittals on September 20, 2016 and January 30, 2017, with staff returning those submittals with comments on October 5, 2016 and February 14, 2017. The last action taken on this case is considered to be February 14, 2017. Based on the inactivity on the civil plans for a period of one (1) year the engineering submittal automatically expired on February 14, 2018. Due to the expiration of the civil engineering plans, the Planning and Zoning Department expired the site plan based on the requirements of Section 2.5.A, Site Plan Expiration, of Article IX, Zoning Related Applications, of the Unified Development Code (UDC). In response to the expiration of the original site plan, the applicant resubmitted the site plan on November 16, 2018 with minor changes.

Requirements of the Unified Development Code (UDC):

1) **Building Material Variances.**

a) Stone Requirements. According to Section 6.8, Scenic Overlay (SOV) District, of theUDC each exterior wall should incorporate a minimum of 20% natural or quarried stone. In this case, the applicant's building elevations indicate the use of Eldorado Stone Veneer, which is a simulated manufactured stone product replicating natural ledge stone. The use of this simulated stone product was approved by the Planning and Zoning Commission on December 11, 2018. Staff should also point out that the north, east and south building elevations fail to provide 20% stone. These elevations incorporate the following percentages of stone: (1) north building elevation contains 19.44%, (2) the east building elevation contains 17.63%, and (3) the south building elevation only contains 17.63%. This variance will require a ¾-majority vote of all City Council members present.
b) Masonry Material Requirements. According to Section 6.8, Scenic Overlay (SOV) District, of the UDC exterior walls should be constructed utilizing a minimum of 90% masonry materials with a maximum of 50% of the building's exterior façade being permitted to be a cementitous material (e.g. Hardy Plank, stucco, or similar material). In this case, the applicant is proposing to use between 72.86% and 82.37% stucco (i.e. the west elevation at 72.86%, the north elevation at 80.56%, the east elevation at 82.37%, and the south elevation at 80.51%). This variance will require a ¾-majority vote of all City Council members present. According to the Unified Development Code (UDC), the approval of any variances is discretionary to the City Council pending a recommendation from the Planning and Zoning Commission. Staff should point out that the variances relating to materials have been granted to other buildings within the Harbor District; however, variances are to be considered on a case-by-case basis by the City Council.

In addition, staff identified the following waivers to the requirements of Ordinance No. 17-22:

1) Building Form and Placement Requirements.

1) Building Form. According to the Interior Subdistrict all buildings must have a minimum of 30% of the length of its façade fronting on Summer Lee Drive located on the 20-foot building setback line. Staff requested the applicant show conformance to this information on the site plan; however, this information was not submitted with the revisions. Based on staff's estimates the building is not in conformance with this requirement and will require a waiver.

2) Build-To-Lines and Building Setbacks. According to the Interior Subdistrict all buildings should be setback a minimum of five (5) feet from the Summer Lee Drive right-of-way line, but have an average setback of 20-feet. In this case, the proposed condominium building does meet the minimum setback, but is exceeding the average setback by more than 22-feet. The applicant is requesting a waiver to this requirement.

3) 1st Floor Height. According to the Interior Subdistrict all buildings should incorporate a first floor that is built to a commercial height with a minimum height of 15-feet. The proposed building incorporates a ~10'-6" first floor height. The applicant is requesting a waiver to this requirement.

4) Building Height. According to the Interior Subdistrict all buildings are permitted to be a maximum height of five (5) stories or 75-feet. Based on the building elevations submitted by the applicant staff estimates the building to have a total building height 81'-8". The applicant is requesting a wavier to this requirement. 81'-8". The applicant is requesting a wavier to this requirement.

2) Parking Requirements.

i. Surface Parking Setback. According to the Interior Subdistrict all surface parking should be setback a minimum of ten (10) feet from the right-of-way line. The site plan shows that the parking is setback an estimated 3'-2" from the right-of-way line. The applicant is requesting a waiver to this requirement.

3) Streetscape Plan

i. Streetscape Plan. According to Planned Development District 32 (PD-32) a streetscape plan showing elements contained in Exhibit 'C-4' of Ordinance No. 17-22 shall be provided with the site plan. In this case, the applicant has not submitted a streetscape plan showing the provision of any street furnishings or enhanced paving. The landscape plan submitted by the applicant does show a tree-planting plan for Glen Hill Way, but fails to show a detail for street furniture or tree leave-outs. In addition, the lighting plan does not show the pedestrian scale street standards or the locations where these standards will be provided. Staff included this as a condition of approval for the site plan case.

With regard to granting waivers, Ordinance No. 17-22 states that "… (w)aivers may only be approved by the City Council following a recommendation by the Planning and Zoning Commission … [and] In order to approve a waiver, the City Council must find that the waiver:

1) **Meets the general intent of the PD District or Subdistrict in which the property is located; and,**
2) **Will result in an improved project which will be an attractive contribution to the PD District or Subdistrict; and,**
3) **Will not prevent the implementation of the intent of this PD District."**

In this case, the proposed project does appear to meet the general intent of the Interior Subdistrict; however, granting any waivers to the requirements of Ordinance No. 17-22 is a discretionary decision for the City Council. Also, the applicant is requesting a waiver in order to be excused from having to provide a "traffic impact analysis" (TIA) to the city associated with this request.

On November 27, 2018, the Architectural Review Board (ARB) reviewed the proposed site plan and building elevations. The ARB did not state any specific issues with the building elevations; however, the board did request that the applicant submit a color rendering and materials sample board for their review. On December 11, 2018, the ARB reviewed the revised building elevations, material samples, and color rendering and approved a motion to recommend approval of the case pending [1] the building elevations are amended to match the color scheme in the color rendering, and [2] the arched windows on the third floor are removed. The motion was approved by a vote of 4-0.

In addition, on December 11, 2018, the Planning and Zoning Commission made a motion to approve the site plan with all staff and ARB recommendations and recommend approval of all variances and waivers requested by the applicant to the City Council. The motion was approved by a vote of 6-0, with Commissioner Moeller absent.

Extensive dialogue and clarifying comments took place between Mayor Pruitt and the applicant. Mayor Pruitt shared that a business partner of Mr. Phillips previously came before Council and made it very clear that these are "apartments" and not condominiums.

Furthermore, the mayor indicated, there is someone out there who is marketing them as "apartments." The mayor explained that this has caused the Council to receive a lot of inquiries and opposition from the public, many of whom have insinuated that the Council has misled the public (or has outright accused the Council of such).

Following extensive back-and-forth dialogue, Mayor Pro Tem Fowler made a motion to approve waiver 1, 2, 3 and 4 (building form, building height, the first floor minimum height and surface parking setbacks). Councilmember Johannesen seconded the motion, which passed by a vote of 5 ayes, 1 nay (Pruitt) and 1 abstention (Hohenshelt).

Mayor Pro Tem Fowler moved to approve variances 1 and 2, which are related to the minimum masonry percentage and the stone requirements. Councilmember Trowbridge seconded the motion, which passed by a vote of 5 ayes, 1 nay (Pruitt) and 1 abstention (Hohenshelt).

3. Discuss and consider a request by Kent Donahue of Donahue Development Corporation for direction concerning the creation of a Public Improvement District (PID), and take any action necessary.

Mr. Miller, Planning Director, indicated that on October 1, 2018, the City Council held a work session with Kent Donahue of Donahue Development Corporation to discuss the potential of establishing a Public Improvement District (PID) in conjunction with a proposed residential subdivision. The proposed PID and residential subdivision would be on a 264.61-acre tract of land (i.e. Tracts 17-13 [50.00-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.3-acres], and 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80), which is currently zoned Agricultural (AG) District and located at the northwest corner of the intersection of Wylie Lane and S. Goliad Street [SH-205] (see attached location map). Based on the work session, the applicant has submitted a petition for the creation of a PID, a legal description of the property, and a Resolution that would set a public hearing to consider the petition on Monday, January 21, 2019. Staff should note that the City Council is not approving the applicant's Resolution and that an additional Resolution may need to be considered by the City Council, depending on the review by staff and the City Attorney. Staff should also point out that regardless of the City Council's direction to the applicant, a zoning case would need to be filed for the subdivision, and that the City Council's direction at the meeting on December 17, 2018 does not constitute approval of any zoning request/application (i.e. the City Council would retain discretion with regard to the proposed zoning case regardless of the direction concerning the PID).

Mr. Donahue came forth and provided a presentation to Council, reminding them of his project proposal and that which was discussed with Council at the October 1st work session that was held. He went on to provide an explanation of what a PID is and how this development would be financed via the establishment of a PID (at Council's approval).

Extensive discussion ensued pertaining to the developer's offer to establish a large (100 acre) regional park. City staff and council acknowledged that the city has $1.3 million dollars in bond dollars for use related to the establishment of a south city park.

Mr. Crowley clarified that the Council is being asked tonight to vote on the creation of the PID. The applicant would then work with a third party to issue debt related to the PID (for a period of thirty (30) years). Dialogue then took place pertaining to annual property assessments of properties located within the PID. Mr. Crowley, City Manager, asked if this

will be a gated community. Mr. Donahue indicated that no, it will not be gated. Councilmember Johannesen asked if the city will or will not own the park. Clarification was given that yes, the city would own the park. Mr. Donahue shared that the price point of the homes in this development will characterize it as a pretty affluent community.

Dialogue took place between the mayor and Mr. Donahue pertaining to some mishaps that have recently occurred with a PID over in McLendon Chisholm.

Mr. Crowley shared that no PIDs currently exist within the city.

Mr. Donahue clarified that this request for a PID mainly focuses on "amenities" rather than "infrastructure." However, he acknowledged that part of it is in fact related to infrastructure. He shared that if the PID is not approved, the zoning application that would be submitted would be characterized by no regional park (only a residential park) and an increase in proposed density.

Councilmember Trowbridge sought direction on what type of motion would be appropriate at this point related to instructing the applicant to move forward with the PID.

Councilmember Hohenshelt made a motion to allow the applicant to apply for his zoning change with the inclusion of creating a PID. Councilmember Trowbridge seconded the motion. Following extensive, additional discussion, the motion passed by a vote of 5 ayes with 2 against (Pruitt and Macalik).

4. Discuss and consider a request by The Standard MCP, LTD. for the approval of a waiver to a facilities agreement with Rockwall Senior Community, L.P., and take any action necessary.

City Engineer Amy Williams provided brief comments pertaining to this waiver request. Mayor Pruitt moved to approve a waiver to a facilities agreement with Rockwall Senior Community, L.P. Councilmember Johannesen seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

5. Discuss and consider adoption of a resolution setting solid waste collection rates, and take any action necessary

Councilmember Macalik moved to approve the resolution. Councilmember Hohenshelt seconded the motion, which, after brief clarifications, passed by a vote of 7 ayes to 0 nays.

6. Discuss and consider adoption of a resolution fixing the water and wastewater rates of the city, and take any action necessary.

Indication was given that a work session was previously held this afternoon concerning this topic. The city's utility rate consultant, Dan Jackson of Willdan, again came forth and provided extensive clarification regarding the impacts associated with each of the scenarios that reflect changes to the city's current rate structure. He explained that this will be a three year plan, with the first year's rates going into effect in January of 2019.

Councilmember Hohenshelt moved to adopt the resolution to reflect the 2019 rate as "scenario 2." Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes with 0 nays.

7. Discuss and consider the City's selection of nominees to the Texas Coalition for Affordable Power (TCAP) Board of Directors for the 2019-2020 term of office, and take any action necessary.

Mayor Pruitt moved to instruct staff member Joey Boyd to select the city's nominees. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes with 0 nays.

XIV. EXECUTIVE SESSION

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

1. Discussion regarding possible purchase, sale or lease of real property/land in the vicinity of SH 205 and Washington pursuant to Section §551.072 (Real Property).
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XVI. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 10:19 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 7th DAY OF JANUARY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 19-01

SPECIFIC USE PERMIT NO. S-199

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT NO. S-76 [*ORDINANCE NO. 10-26*], WHICH ALLOWS FOR A MOTORCYCLE DEALERSHIP WITH ACCESSORY BOAT AND TRAILER SALES ON A 1.152-ACRE PARCEL OF LAND IDENTIFIED AS LOT 6, BLOCK A, NEWMAN CENTER #1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Michael Worrell of Rockwall Honda for the purpose of amending Specific Use Permit (SUP) No. S-76 [*Ordinance No. 10-26*], which allows for a *Motorcycle Dealership with Accessory Boat and Trailer Sales* on a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located within the IH-30 Overlay (IH-30 OV) District, and more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Specific Use Permit (SUP) No. S-131 [*Ordinance No. 15-05*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the enactment of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated in *Ordinance No. 10-26*;

SECTION 2. That Specific Use Permit (SUP) No. S-76 [*Ordinance No. 10-26*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant an amendment to Specific Use Permit (SUP) No. S-76 [*Ordinance No. 10-26*] allowing for a *Motorcycle Dealership with Accessory Boat and Trailer Sales* within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*;

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as stipulated by Section 2.1.8, *Auto and Marine-Related Use Conditions,* of Article IV, *Permissible Uses*; Section 4.1, *General Commercial District Standards*; Section 4.5, *Commercial (C) District*, of Article V, *District Development Standards*; Section 6.6, *IH-30 Overlay (IH-30 OV) District* of the Unified Development Code [*Ordinance No. 04-38*] as

heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following operational conditions and compliance standards:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an existing *Motorcycle Dealership with Accessory Boat and Trailer Sales* on the *subject property* and conformance to these operation conditions are required for continued operations:

1) The outside display of motorcycles and boats shall be limited to the areas depicted in *Exhibit 'C'* of this ordinance. The display areas may be constructed of decomposed granite and shall not be used for public parking spaces.

2) The sale of used boats and trailers is prohibited.

3) The subject property shall maintain a minimum of 15% landscaped area including ten (10) foot landscape buffer along the front of the subject property adjacent to IH-30. In addition, the outside display areas may be counted against the 15% if they are constructed with decomposed granite of a similar hardscape material and incorporate trees and shrubs to soften the impact of the areas.

4) The outside storage of equipment, parts and/or inventory is prohibited, except inventory as depicted in *Exhibit 'C'* of this ordinance.

5) All work shall be performed within an enclosed building.

6) The installation of canopy/shade structures for this site shall be allowed only in the areas depicted in *Exhibit 'C' & Exhibit 'D'* of this ordinance. All canopy/shade structures shall be comparable in materials, color, and size.

7) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 3.2, *Compliance Standards*, of this ordinance.

3.2 COMPLIANCE

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

1) Should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 4. That the official zoning map of the City of Rockwall be corrected to reflect the changes described herein.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed

the sum of *TWO THOUSAND DOLLARS* ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. If any section of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have to adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JANUARY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: December 17, 2018

2nd Reading: January 7, 2019

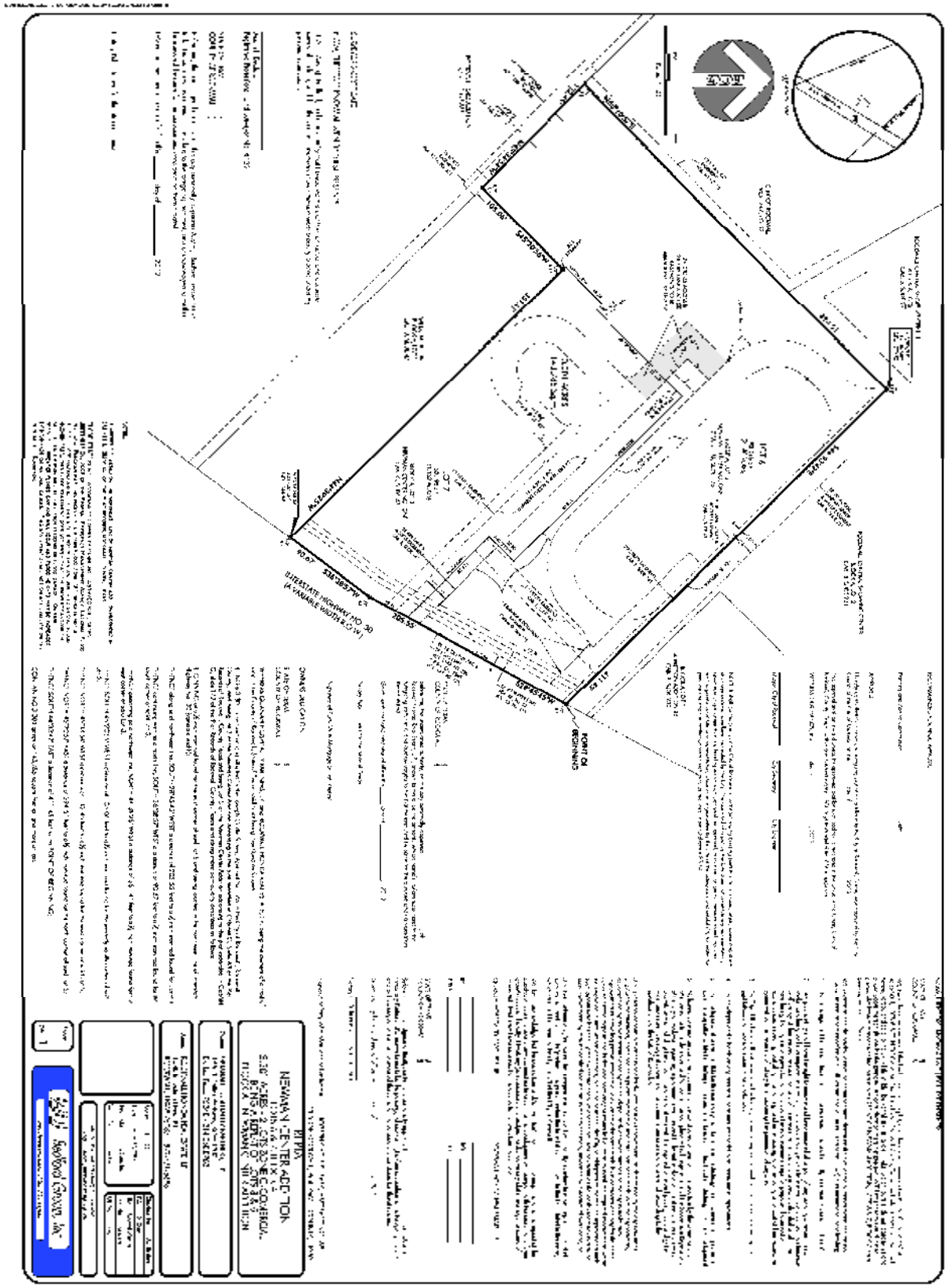
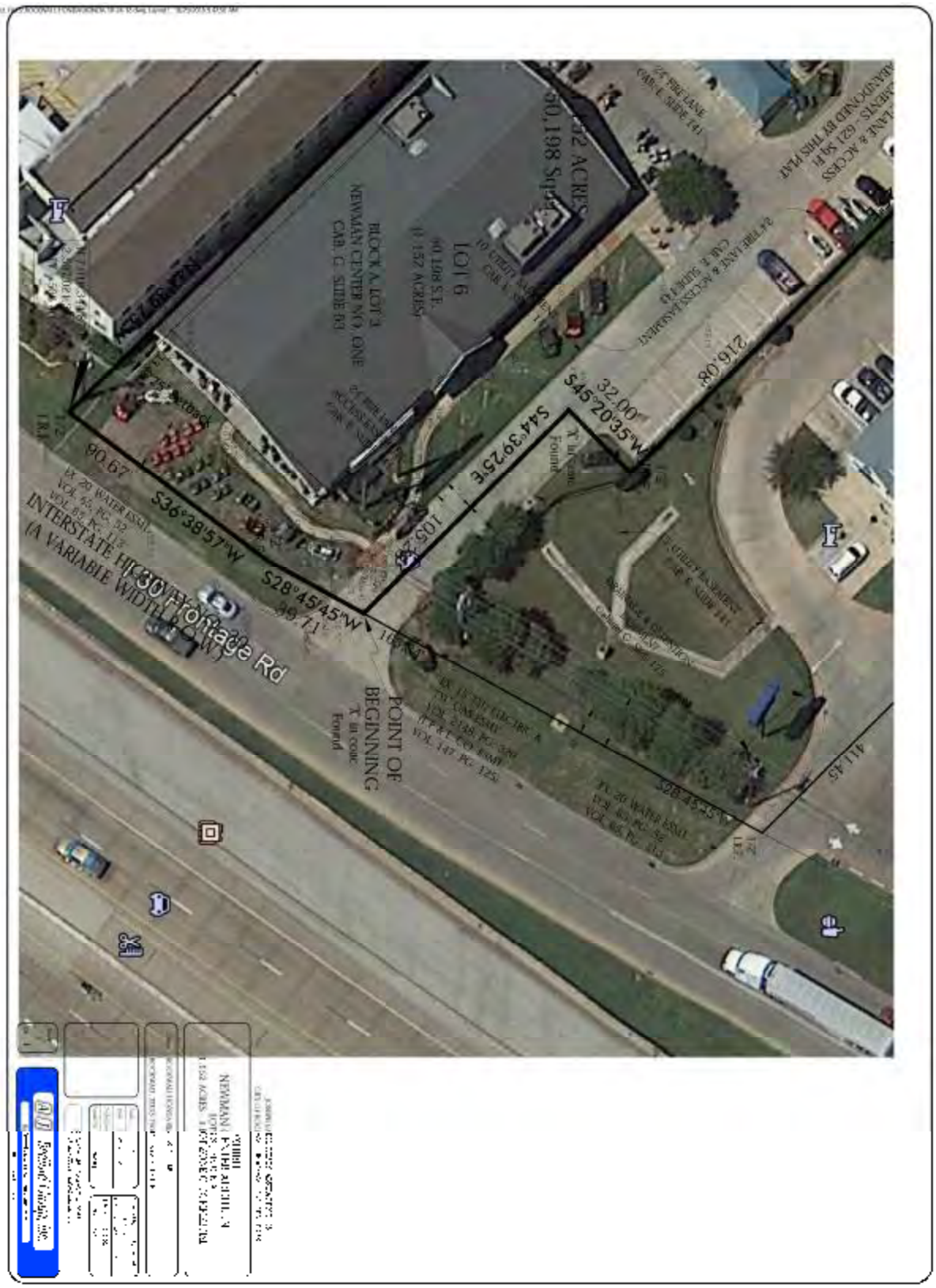


Exhibit 'B': Aerial Description



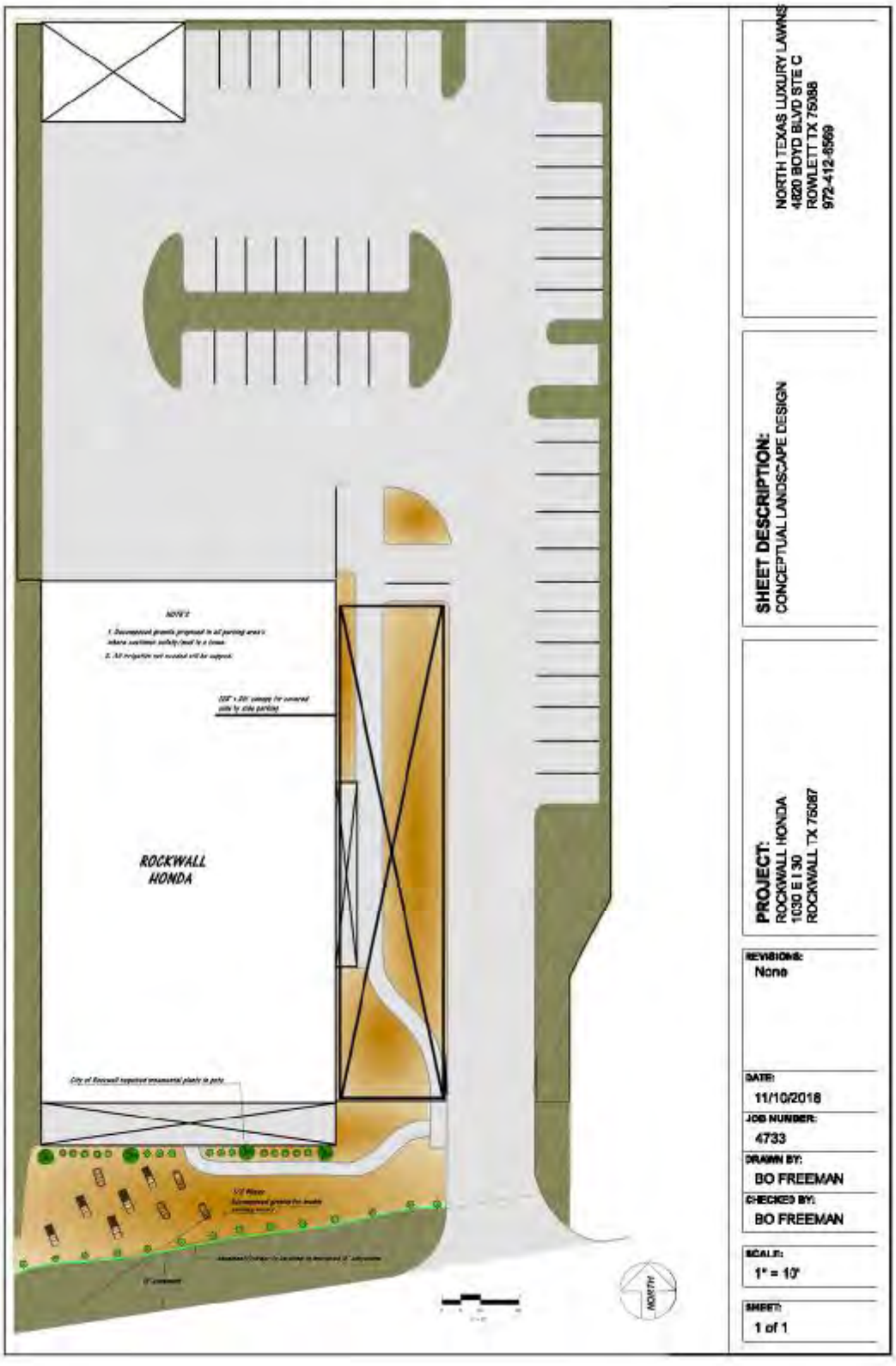

ROCKWALL
HONDA
NORTH TEXAS LUXURY LAWNS
4820 BOYD BLVD STE C
ROWLETT TX 75088
972-412-8569
SHEET DESCRIPTION:
CONCEPTUAL LANDSCAPE DESIGN
PROJECT:
ROCKWALL HONDA
1030 E I 30
ROCKWALL TX 75087
REVISIONS:
None
DATE:
11/10/2018
JOB NUMBER:
4733
DRAWN BY:
BO FREEMAN
CHECKED BY:
BO FREEMAN
SCALE:
1" = 10'
SHEET:
1 of 1

Exhibit 'D': Canopy Shade Plan



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38

CITY OF ROCKWALL

ORDINANCE NO. 19-02

SPECIFIC USE PERMIT NO. S-200

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THREE (3) TEMPORARY EDUCATIONAL BUILDINGS ON A 6.64-ACRE PARCEL OF LAND ZONED MULTI-FAMILY 14 (MF-14) DISTRICT AND IDENTIFIED AS LOT 1, BLOCK A, HERITAGE CHRISTIAN ACADEMY ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of a Specific Use Permit (SUP) allowing existing temporary educational buildings, situated on a 6.64-acre tract of land, zoned Multi-Family 14 (MF-14) District, and being identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, addressed 1408 S. Goliad Street [SH-205], and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] and Specific Use Permit (SUP) No. S-114 [*Ordinance No. 13-44*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in Ordinance No. 13-44; and

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing existing temporary educational buildings in a Multi-Family 14 (MF-14) District as stipulated by Article IV*, Permissible Uses,* and Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 3. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Section 3.9*, Multi-Family 14 (MF-14) District,* of Article V*, District Development Standards,* of the Unified

Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the additional following conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a temporary educational building on the *Subject Property* and conformance to these requirements is necessary for continued operations:

1) The temporary educational buildings shall generally conform to the building elevations and site plan depicted in *Exhibit 'B'* of this ordinance.

2) The subject property shall not have more than three (3) temporary educational buildings;

3) The Specific Use Permit (SUP) shall be valid for a period of six (6) months from the date of approval. At which time the City Council shall review the Specific Use Permit to determine if a two (2) year extension is warranted in accordance with *Exhibits 'C' and 'D'* of this ordinance.

4) The temporary educational buildings are subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] will require compliance to the following:

1) Should the subject property fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC) [*Ordinance No. 04-38*], the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*].

SECTION 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (*$2,000.00*) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage**.**

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JANUARY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: December 17, 2018

2nd Reading: January 7, 2018

Exhibit 'A':
Plat

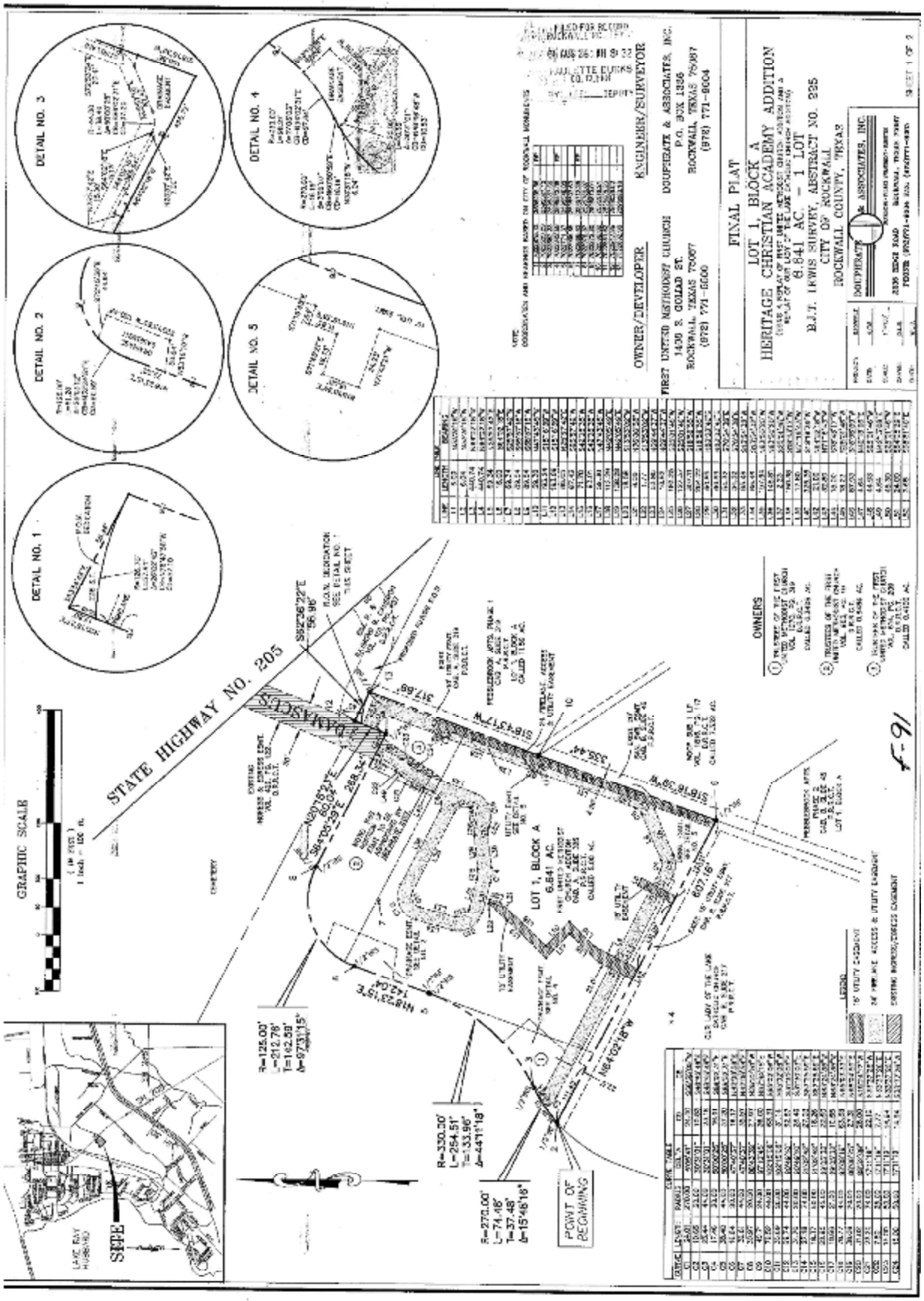


Exhibit 'B':
Site Plan

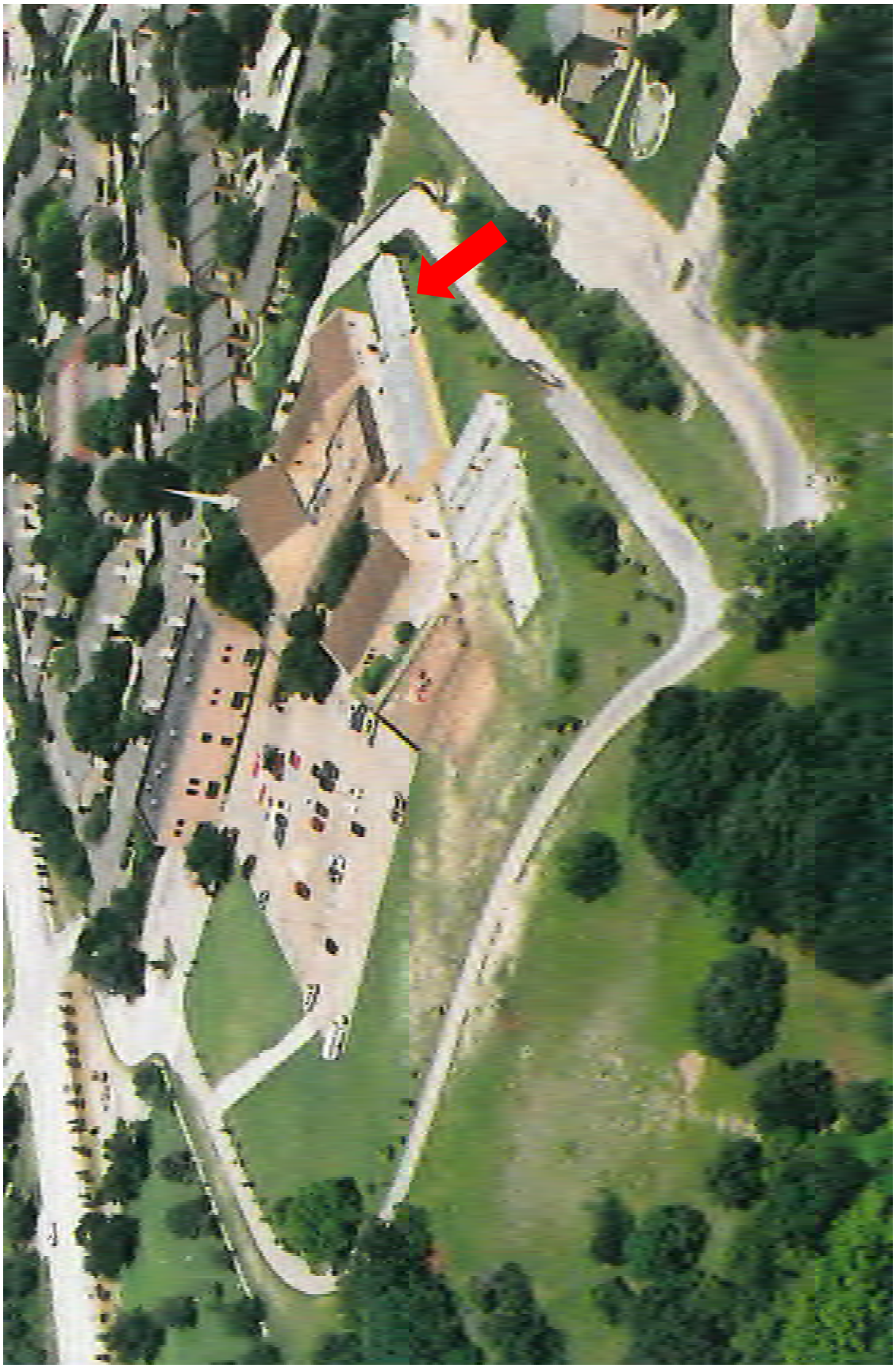


Exhibit 'C':
Applicant's Letter

December 11, 2018

To: Rockwall City Council

By: Brad Helmer, Heritage Christian Academy

Re: Temporary Classroom Buildings Phase Out Schedule Narrative

Please accept the following narrative in conjunction with the provided timeline (schedule) as Heritage Christian Academy's board-approved plan to phase out the 3 temporary classroom buildings located on our property at 1408 S. Goliad. We appreciate the Council's willingness to work with us as we commit to this plan. Additionally, as a 501(c)(3) nonprofit corporation, we must fundraise to support any and all initiatives. As tuition covers typically 80-85% of our operations budget, charitable giving is requisite and vital to our mission. Given this, undertaking a monumental task such as these infrastructure improvements, requires an immense amount of work and faith. We acknowledge and embrace this for our students' sake.

For the past 2 years, we have been in the process of developing and undertaking a capital campaign to build a gymnasium on our property. As the leadership of HCA, we feel that having this building will serve to increase enrollment and allow us to continue becoming even more excellent in fulfilling our mission. We retained the services of Mission Advancement (MAP), a capital campaign consultant company, to guide us through this process. The following timeline was developed in partnership with MAP to guide our efforts.

February, 2017 – December, 2017:

- Campaign Organization
- Leadership Enlistment
- Case Development
- Resource Mapping
- Logic Narrative
- Site maps, renderings and other marketing artifacts finalized

January, 2018 – December, 2018

- Large Donor Relationship Meetings (Top 10% discovered during Resource Mapping)
- Board Commitments
- Large Donor Request for Donation Meeting (Top 10%)

January, 2019 – December, 2019

- Continue Work with Top 10%
- Begin Next 20% Donor Meetings with Requests for Donation
- Possible Public Appeal (After 80% of goal reached)

After January, 2020

- Continue Working Donor Base
- Begin Construction

In early October, 2018, it was brought to our attention that the plan and priority we are currently invested in was not in line with the priority expectation of the City regarding the Temporary Classroom Buildings on our property. We immediately met to begin discussions of how to continue working toward our vision of a

gymnasium and also satisfy a commitment that was made to the City Council by former administration. As evidenced in the provided schedule, the Board has developed a plan that will accomplish both.

We have begun reengaging our architect and general contractor to reevaluate the property to determine the most cost-efficient, and best use of space for adding classrooms into the plan along with a slightly modified gymnasium. As you might expect, while we are not starting completely over, we must duplicate some work that has already been done and paid for to date. Our general contractor feels that we will be able to complete the following items in no more than 180 days, with the goal of presenting to the City Council no later than June, 2019.

The following will need to be accomplished during the 180 days:

- Meetings with architect, engineers, contractors, etc. to share our needs and desires
- Architect finalizes preliminary site plan, floor plan and elevations
- Discussions with City of Rockwall for feasibility of plan
- GC to send out preliminary RFPs to determine new cost of construction
- Garner Board support and approval of new plan
- Prepare for presentation of new plan and more specific timeline to City Council

I, and the HCA Board, commit to offering quarterly updates to the City Council according to the dates on the attached schedule. God willing, donors will share our vision and support this process financially. Thank you in advance for understanding the challenges associated with having to fundraise for initiatives such as this.

The leadership of HCA still remains committed to building a gymnasium on our property. We are also committed, however, to honesty and transparency. Our commitment to the City Council of making classrooms the priority of our plan, and still staying true to our vision of having our own gymnasium will be a testament to this.

Sincerely,

Brad Helmer, Ed.D.
Head of School

Exhibit 'D':
Phase-Out Schedule

Temporary Classroom Buildings
Phase-Out Schedule

Date Proposed	Activity	Date Complete	Outcome
11/27/18	HCA Board Meeting to discuss plan for phase-out of temporary classroom buildings.	11/27/2018	Preliminary information presented to Board regarding planning and zoning committee concerns and city council concerns. Began discussions about slightly altering direction of capital campaign to include classrooms sooner.
11/29/18	HCA building committee meeting with architect and builder	11/29/2018	Began discussions about adding classrooms sooner into the plans we have already vetted. Subsequent meetings were discussed and the first will be set for 2nd week in January.
12/04/18	Board work session to narrow down phase-out plan	12/4/2018	Invited our General Contractor to have conversation with the Board regarding some options to maintain our focus on a gymnasium, but adding classrooms sooner. Consensus is to have architect and GC look at using the current plan's footprint to add classrooms.
12/10/18	Board meeting to finalize phase out plan for presentation to Rockwall City Council on 12/17/18	12/10/2018	A brief history of HCA's capital initiatives was discussed and agreement was reached on a plan that is unanimously backed by the Board. (See attached narrative)
12/11/18	Submit plan to Korey Brooks, St. Planner, for subsequent presentation of plan to the Rockwall City Council prior to the 12/17/18 CC Meeting	12/11/2018	Documents submitted to Ms. Brooks for Council consideration.
12/11/18	With HCA Board approval, begin to speak with current major lead donors to update them on the revised plan and give opportunity to withdraw their donation, or give permission to use their donation toward the revised plan.		Conversations to take place this week 12/11-12/14.
12/17/18	Present phase-out schedule to Rockwall City Council	12/17/2018	
01/2019	2nd meeting with GC and architect to begin the feasibility study, redraw site plan, floor plans and elevation renderings. Meet with donors who have expressed interest in in-kind donations such as roofing, landscaping, etc., as part of determining a new dollar amount for the capital campaign. HCA anticipates no more than 180 days to finalize for presentation to the City Council.	1/1/19 - 6/1/19	
6/3/2019	Update to City Council		
06/2019	Begin meeting with donors to show plans and accept commitments. Begin construction as soon as capital campaign commitments allow and with Board and City of Rockwall permit approval.		
9/2/2019	Quarterly Update to City Council		
12/2/2019	Quarterly Update to City Council		
3/2/2020	Quarterly Update to City Council		
6/8/2020	Quarterly Update to City Council		
9/1/2020	Quarterly Update to City Council		
12/7/2020	Quarterly Update to City Council		
3/8/2021	Quarterly Update to City Council		
6/7/2021	Quarterly Update to City Council		
9/6/2021	Quarterly Update to City Council		
12/6/2021	Quarterly Update to City Council		
3/7/2022	Quarterly Update to City Council		
6/6/2022	Quarterly Update to City Council		
9/5/2022	Quarterly Update to City Council		
12/5/2022	Quarterly Update to City Council		
	Immediate removal of temporary classrooms targeted for occupancy date of new classroom portion of the revised plan, possibly between 7/1/2021 and 8/1/2021 and dependent on approval from the City of Rockwall.		

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47

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/07/2019

APPLICANT: Dub Douphrate of *Douphrate and Associates*

AGENDA ITEM: **P2018-044;** *Lot 1, Block A*, *Hacienda Car Wash Addition*

SUMMARY:

Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Russell Frank for the approval of a final plat for Lot 1, Block A, Hacienda Car Wash Addition being a 2.008-acre tract of land identified as portions of Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 Ridge Road [*FM-740*], and take any action necessary.

PLAT INFORMATION:

- ☑ The objective of this request is to final plat Lot 1, Block A, Hacienda Carwash Addition for the purpose of constructing an approximate 4,396 SF carwash [*i.e. Hacienda Carwash*], and to add the necessary fire lane, public access, and utility easements for the development of this site. The subject property is a 2.008-acre tract identified as portions of Lots 1 & 2, Block A, the Woods at Rockwall Addition. The site is addressed as 2215 Ridge Road [*FM-740*], situated within the Scenic Overlay (SOV) District, and zoned Commercial (C) District.

- ☑ There are two (2) 20-foot drainage easements located off-site and adjacent to the property north of this site [*i.e. Lots 1 & 2, Block A, of the Woods at Rockwall Addition*]. These easements must be recorded and filed (*i.e. by plat*), with the filed instrument number indicated on this plat, for both easements prior to the filing of this plat and the release of a building permit for this site. This has been included as a condition of approval.

- ☑ A Specific Use Permit (*SUP No. S-162*) allowing the carwash within the *Scenic Overlay (SOV) District* was approved on February 6, 2017.

- ☑ A Site Plan [*i.e. SP2017-039*] for the carwash [*i.e. Hacienda Car Wash*] was approved on December 18, 2017. The Planning and Zoning Commission approved a treescape plan showing a mitigation balance of 1,196 inches. This is required to be satisfied at the time the final plat is submitted for filing.

- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

If the Planning and Zoning Commission and City Council choose to approve the final plat for *Lot 1, Block A, Hacienda Carwash Addition*, staff would recommend the following conditions:

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

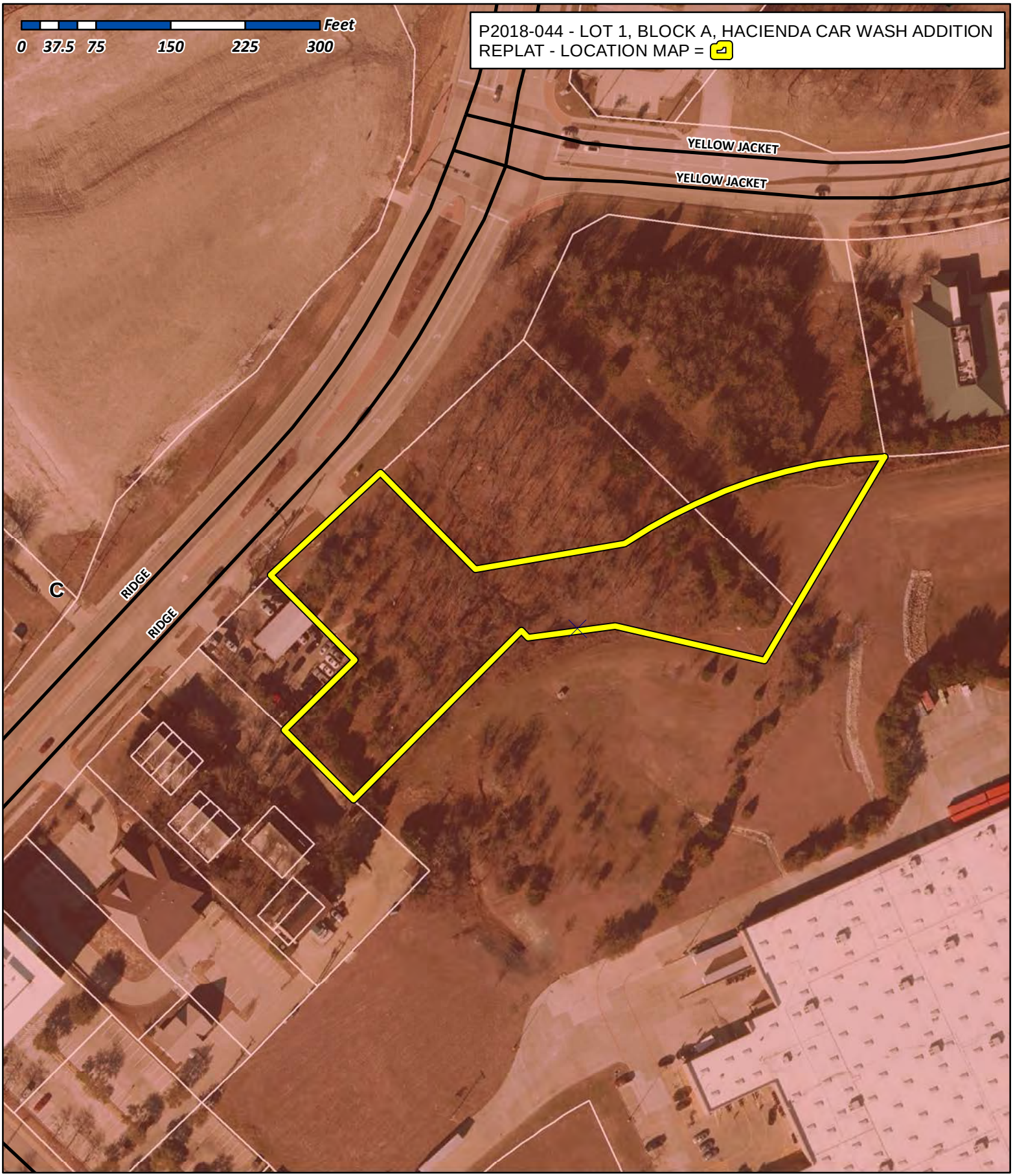
2) The required off-site easements [*i.e. 20-foot drainage easements*], located on the adjacent lot, must be recorded and filed prior to the filing of this plat and the release of a building permit for this site.

3) A tree mitigation balance of 1,196 caliper inches must be satisfied at the time the final plat is submitted for filing.

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

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 2, 2019, the Planning and Zoning Commission's motion to recommend approval of the final plat with staff conditions passed by a vote of 5 to 0 with Commissioners Lyons and Fishman absent.

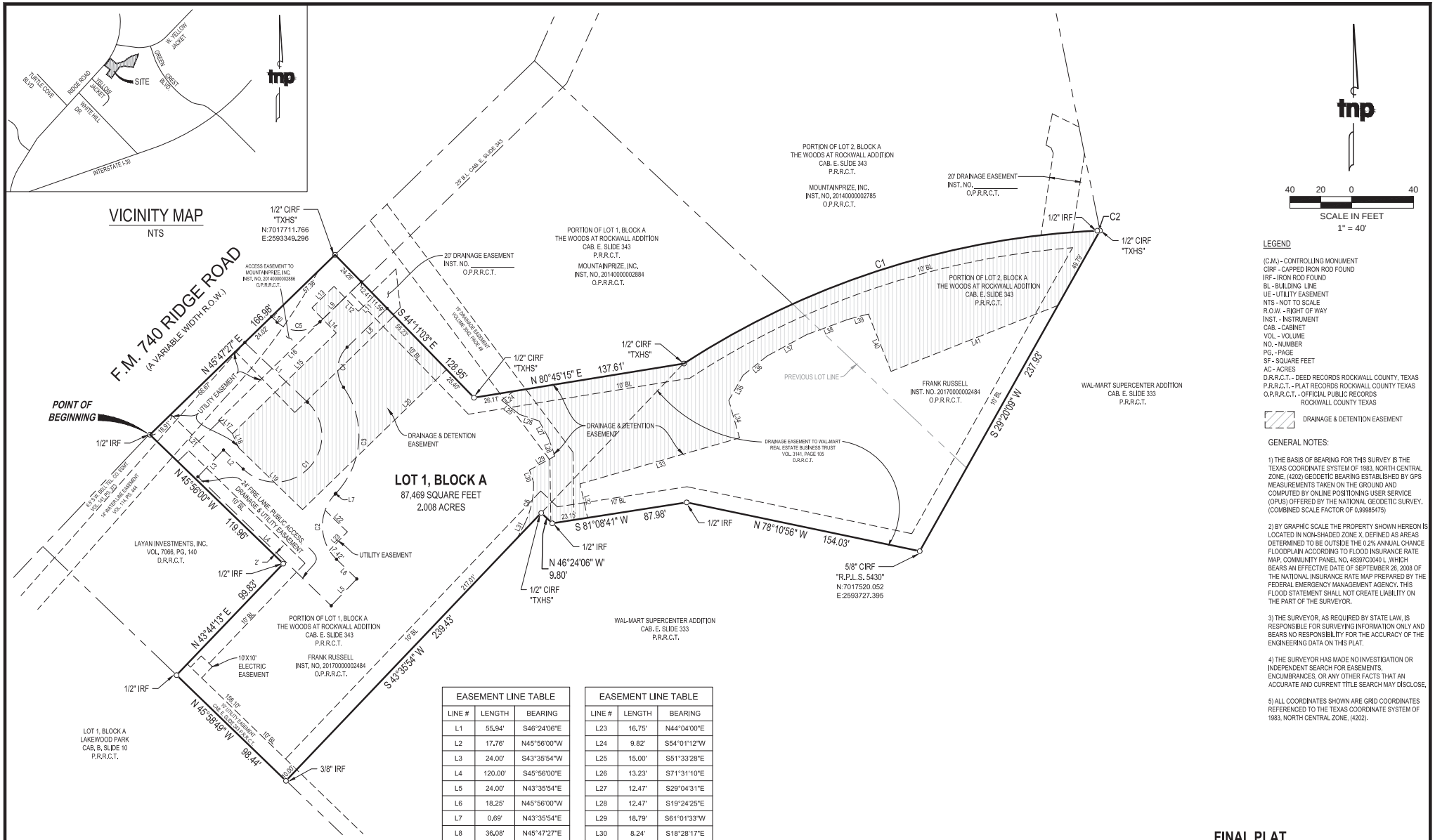


City of Rockwall

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

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

50



BOUNDARY CURVE TABLE					
CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	536.81'	30°19'15"	284.08'	N 72°10'42" E	280.77'
C2	772.78'	0°07'47"	1.75'	N 87°16'31" E	1.75'

EASEMENT CURVE TABLE					
CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	30.00'	180°37'27"	94.58'	S 43°49'57" W	60.00'
C2	30.00'	89°31'54"	46.88'	N 01°10'03" W	42.25'
C3	54.00'	79°02'20"	74.49'	N 04°04'44" E	68.72'
C4	20.00'	81°13'53"	28.36'	N 05°10'31" E	26.04'
C5	20.00'	87°48'27"	30.65'	S 89°41'41" W	27.74'
C6	55.79'	29°26'08"	28.66'	S 12°29'00" W	28.35'

EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
L1	55.94'	S46°24'06"E
L2	17.76'	N45°56'00"W
L3	24.00'	S43°35'54"W
L4	120.00'	S45°56'00"E
L5	24.00'	N43°35'54"E
L6	18.25'	N45°56'00"W
L7	0.69'	N43°35'54"E
L8	36.08'	N45°47'27"E
L9	37.19'	S45°47'27"W
L10	5.10'	N46°24'06"W
L11	14.69'	N45°47'27"E
L12	22.52'	S44°12'33"E
L13	20.00'	N45°47'27"E
L14	22.52'	N44°12'33"W
L15	93.56'	N45°47'27"E
L16	128.62'	N45°47'27"E
L17	12.41'	N45°56'00"W
L18	9.94'	N23°26'00"W
L19	57.56'	N45°56'00"W
L20	130.01'	S45°47'27"W
L21	40.49'	N45°56'00"W
L22	20.00'	S45°56'00"E

EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
L23	16.75'	N44°04'00"E
L24	9.82'	S54°01'12"W
L25	15.00'	S51°33'28"E
L26	13.23'	S71°31'10"E
L27	12.47'	S29°04'31"E
L28	12.47'	S19°24'25"E
L29	18.79'	S61°01'33"W
L30	8.24'	S18°28'17"E
L31	9.47'	S27°12'04"W
L32	22.51'	N12°31'12"W
L33	107.37'	N73°56'01"E
L34	25.26'	N16°03'59"W
L35	18.73'	N29°41'10"E
L36	19.92'	N51°14'59"E
L37	29.17'	N61°37'08"E
L38	28.35'	N69°46'37"E
L39	13.69'	N75°12'10"E
L40	39.89'	S21°34'41"E
L41	116.03'	N68°25'19"E

LEGEND

(C.M.) - CONTROLLING MONUMENT
CIRF - CAPPED IRON ROD FOUND
IRF - IRON ROD FOUND
BL - BUILDING LINE
UE - UTILITY EASEMENT
NTS - NOT TO SCALE
R.O.W. - RIGHT OF WAY
INST. - INSTRUMENT
CAB. - CABINET
VOL. - VOLUME
NO. - NUMBER
PG. - PAGE
SF - SQUARE FEET
AC - ACRES
D.R.R.C.T. - DEED RECORDS ROCKWALL COUNTY, TEXAS
P.R.R.C.T. - PLAT RECORDS ROCKWALL COUNTY TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY TEXAS

DRAINAGE & DETENTION EASEMENT

GENERAL NOTES:

1) THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON THE GROUND AND COMPUTED BY ONLINE POSITIONING USER SERVICE (OPUS) OFFERED BY THE NATIONAL GEODETIC SURVEY, (COMBINED SCALE FACTOR OF 0.99985475)

2) BY GRAPHIC SCALE THE PROPERTY SHOWN HEREON IS LOCATED IN NON-SHADED ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48397C0040 L ,WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

3) THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.

4) THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

5) ALL COORDINATES SHOWN ARE GRID COORDINATES REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202).

FINAL PLAT
HACIENDA CAR WASH ADDITION
LOT 1, BLOCK A
87,469 SQUARE FEET
2.008 ACRES

SITUATED IN THE E.P. GAINS SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A PORTION OF LOT 1, BLOCK A AND LOT 2, BLOCK A OF THE WOODS AT ROCKWALL ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS ACCORDING TO THE PLAT RECORDED IN CABINET E, SLIDE 343 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS

OWNER
FRANK RUSSELL
15 Pringle Lane
Rockwall, Texas 75087

PROJECT INFORMATION
Project No.: DPH 18326
Date: November 30, 2018
Drawn By: GS9
Scale: 1"=60'
SHEET 1 of 2

SURVEYOR
TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com

Drawing: C:\Users\jmaddox\appdata\local\temp\AcPublish_12284\2018 11 30 DPH 18326 FINAL PLAT.dwg at Nov 30, 2018--1:28pm by jmaddox

51

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

I the undersigned owner of the land shown on this plat, and designated herein as *HACIENDA CAR WASH ADDITION* to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

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

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

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

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

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

6. Drainage/Detention Easements/Facilities shall be owned, operated, maintained and repaired by property owner.

7. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

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

Frank Russell

_____
Owner:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

Before me, the undersigned authority, on this day personally appeared Frank Russell, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, 2018.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

Being a tract of land situated in the E.P. Gaines Survey, Abstract No. 64, and being a portion of Lot 1, Block A and Lot 2, Block A of The Woods At Rockwall Addition, an addition to the City of Rockwall, Texas according to the plat recorded in Cabinet E, Slide 343 of the Plat Records of Rockwall County, Texas, same being all of a tract of land to Frank Russell as recorded in Instrument Number 20170000002484 of the Official Public Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found lying on the southeast line of F.M. 740 a variable width right-of-way at the northwest corner of said Woods At Rockwall Addition, same being the northwest corner of said Russell tract ;

THENCE North 45 degrees 47 minutes 27 seconds East along the southeast line of said F.M. 740 and the northwest line of said Lot 1, Block A, a distance of 166.98 feet to a 1/2 inch iron rod with cap stamped "TXHS" found for the northwest corner of a tract of land described by deed to Mountainprize, Inc. recorded in Instrument No. 20140000002884 of the Official Public Records of Rockwall County, Texas;

THENCE South 44 degrees 11 minutes 03 seconds East, along the westerly said Mountanprize tract, a distance of 128.95 feet to a 1/2 inch iron rod with cap stamped "TXHS" found at an angle point in same;

THENCE North 80 degrees 45 minutes 15 seconds East, along the southerly line of said Mountainprize tract, a distance of 137.61 feet to a 1/2 inch iron rod with cap stamped "TXHS" found for the beginning of a non-tangent curve to the right having a radius of 536.81 feet, a central angle of 30 degrees 19 minutes 15 seconds, and a chord which bears North 72 degrees 10 minutes 42 seconds East, 280.77 feet;

THENCE continuing along the southerly line of said Mountainprize tract and said non-tangent curve to the right, an arc distance of 284.08 feet to a 1/2 inch iron rod found for the beginning of a reverse curve to the left having a radius of 772.78 feet, a central angle of 00 degree 07 minutes 47 seconds, and a chord which bears North 87 degrees 16 minutes 31 seconds East, 1.75 feet;

THENCE along said reverse curve to the left, an arc distance of 1.75 feet to a 1/2 inch iron rod with cap stamped "TXHS" found for the northeast corner of said Russell tract, and the northwest corner of Wal-Mart Supercenter Addition, an addition to the City of Rockwall, Rockwall County, Texas according to the Plat recorded in Cabinet E, Slide 333 of the Plat Records of Rockwall County, Texas;

THENCE South 29 degrees 20 minutes 09 seconds West, along the northwest line of said Wal-Mart Supercenter Addition, a distance of 237.93 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 found for corner lying on the northerly line of same;

THENCE along the northerly line of said Wal-Mart Super Center Addition the following courses and distances:

North 78 degrees 10 minutes 56 seconds West, a distance of 154.03 feet to a 1/2 inch iron rod found for corner;

South 81 degrees 08 minutes 41 seconds West, a distance of 87.98 feet to a 1/2 inch iron rod found for corner;

North 46 degrees 24 minutes 06 seconds West, a distance of 9.80 feet to a 1/2 inch iron rod with cap stamped "TXHS" found for corner;

South 43 degrees 35 minutes 54 seconds West, a distance of 239.43 feet to a 3/8 inch iron rod found for the northwest corner of said Wal-Mart Supercenter Addition and the south corner of said Lot 1, Block A, also lying on the northeast line of Lot 1, Block A of Lakewood Park, an addition to the City of Rockwall according to the plat recorded in Cabinet B, Slide 10 of the Plat Records of Rockwall County, Texas;

THENCE North 45 degrees 58 minutes 49 seconds West along the common line of said Lot 1, Block A, Woods At Rockwall Addition and said Lot 1, Block A, Lakewood Park Addition, a distance of 98.44 feet to a 1/2 inch iron rod found for the south corner of a tract of land described by deed to Layan Investments, Inc., recorded in Volume 7066, Page 140 of the Official Public Records of Rockwall County, Texas;

THENCE North 43 degrees 44 minutes 13 seconds East along the southeast line of said Layan Investments tract, a distance of 99.83 feet to a 1/2 inch iron rod found for the east corner of same, also for an ell corner of said Lot 1, Block A, Woods At Rockwall Addition;

THENCE North 45 degrees 56 minutes 00 seconds West along the common line of said Lot 1, Block A, Woods At Rockwall Addition and said Layan Investments tract, a distance of 119.96 feet to the PLACE OF BEGINNING, and containing 87,469 square feet or 2.008 acres of land.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2018

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

_____ _____
Planning & Zoning Commission, Chairman — Date

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the ____ day of _____, 2018.

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

Witness our hands this the ____ day of _____, 2018.

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

FINAL PLAT
HACIENDA CAR WASH ADDITION
LOT 1, BLOCK A
87,469 SQUARE FEET
2.008 ACRES

SITUATED IN THE E.P. GAINS SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A PORTION OF LOT 1, BLOCK A AND LOT 2, BLOCK A OF THE WOODS AT ROCKWALL ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS ACCORDING TO THE PLAT RECORDED IN CABINET E, SLIDE 343 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS

OWNER
FRANK RUSSELL
15 Pringle Lane
Rockwall, Texas 75087

PROJECT INFORMATION
Project No.: DPH 18326
Date: November 30, 2018
Drawn By: GS9
Scale: 1"=60'
SHEET 2 of 2

SURVEYOR
TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com

Drawing: C:\Users\jmaddox\appdata\local\temp\AcPublish_12264\2018 11 30 DPH 18326 FINAL PLAT.dwg at Nov 30, 2018 - 1:28pm by jmaddox

52

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53

CITY OF ROCKWALL
CITY COUNICL MEMO

AGENDA DATE: 01/07/2019

APPLICANT: Jennifer Haynes of *Urban Structure*

AGENDA ITEM: **P2018-045;** *Lots 4 & 5, Block A*, *the Woods at Rockwall Addition*

SUMMARY:

Consider a request by Jennifer Haynes of Urban Structure on behalf of Andrew Malzer pf RaceTrac Petroleum, Inc. the approval of a replat for Lots 4 & 5, Block A, the Woods at Rockwall Addition being a 4.47-acre tract of land identified as Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 & 2205 Ridge Road [*FM-740*], and take any action necessary.

PLAT INFORMATION:

- ☑ The objective of this request is to replat a 4.47-acre tract of land [*i.e. Lots 1 & 2, Block A, the Woods at Rockwall Addition*] to create Lots 4 & 5, Block A, the Woods at Rockwall Addition for the purpose of abandoning certain easements and establishing firelane, public access, and utility easements. Additionally, the replat will establish lot lines for two (2) developments consisting of a 5,411 SF convenience store with gasoline sales [*i.e. RaceTrac*] on Lot 4 and a 4,396 SF carwash facility [*i.e. Hacienda Carwash*] on Lot 5. The subject property is a 4.47-acre tract identified as Lots 1 & 2, Block A, of the Woods at Rockwall Addition. The site is addressed as 2205 & 2215 Ridge Road [*FM-740*], situated within the Scenic Overlay (SOV) District, and zoned Commercial (C) District.

- ☑ There are two (2) 20-foot drainage easements located on the proposed Lot 4 [*i.e. RaceTrac*] that are needed for the development of the proposed Lot 5 [*i.e. Hacienda Carwash*]. These easements are to be recorded by this plat prior to the development of Lot 5. A final plat application [*i.e. P2018-044*] for Lot 5 has been requested concurrently with this request. Approval of this plat with these two (2) drainage easements has been included as a condition of approval for the proposed Lot 5. Additionally, it shall be required that the replat of Lots 4 & 5, Block A, the Woods at Rockwall Addition be filed prior to the filing of the final plat being considered by Case No. P2018-044.

- ☑ A Specific Use Permit (*SUP No. S-104*) allowing a convenience store with gasoline sales within the *Scenic Overlay (SOV) District* was approved on April 15, 2013.

- ☑ An amended Site Plan [*i.e. SP2018-019*] for a convenience store with gasoline sales [*i.e. RaceTrac*] was approved on September 25, 2018. In addition, the City Council approved an alternative tree mitigation settlement agreement in the amount of $225,000 on May 6, 2013 that will be due at the time this plat is submitted for filing. This has been included as a condition of approval.

- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for a *replat* as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

If the Planning and Zoning Commission and City Council choose to approve the *replat* for *Lots 4 & 5, Block A, of the Woods at Rockwall Addition*, staff would recommend the following conditions:

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

2) A balance of $225,000 for the tree mitigation settlement agreement approved by the City Council shall be due at the time the replat is submitted for filing.

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

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 2, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 5 to 0 with Commissioners Lyons and Fishman absent.



City of Rockwall

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

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

VARIABLE WIDTH DRAINAGE & DETENTION EASEMENT CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	11.41'	10.00'	65°21'38"	N78° 48' 15"E 10.80'
C2	38.19'	29.93'	73°06'10"	S48° 11' 11"E 35.65'
C3	11.00'	34.00'	18°32'11"	S2° 03' 17"W 10.95'
C4	3.23'	5.00'	36°57'21"	S29° 48' 03"W 3.17'
C5	22.55'	65.42'	19°45'16"	S58° 09' 22"W 22.44'
C6	22.33'	19.26'	66°26'04"	N76° 04' 52"W 21.10'
C7	13.02'	9.00'	82°52'40"	N2° 25' 37"W 11.91'

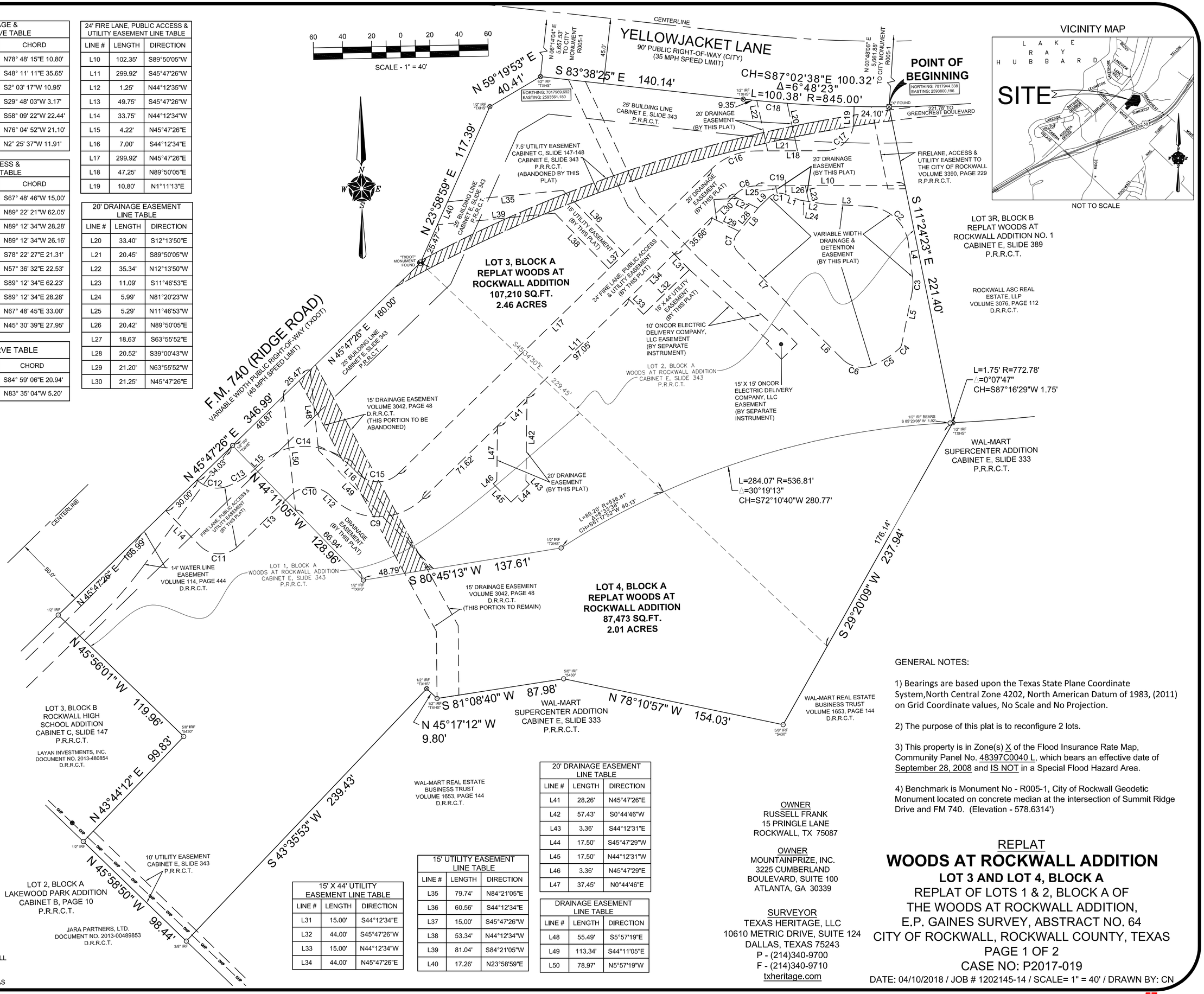
24' FIRE LANE, PUBLIC ACCESS & UTILITY EASEMENT CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C8	15.37'	20.00'	44°02'40"	S67° 48' 46"W 15.00'
C9	68.87'	44.00'	89°40'22"	N89° 22' 21"W 62.05'
C10	31.42'	20.00'	90°00'00"	N89° 12' 34"W 28.28'
C11	29.06'	18.50'	90°00'00"	N89° 12' 34"W 26.16'
C12	22.48'	20.00'	64°23'49"	S78° 22' 27"E 21.31'
C13	22.69'	55.00'	23°38'13"	N57° 36' 32"E 22.53'
C14	69.12'	44.00'	90°00'00"	S89° 12' 34"E 62.23'
C15	31.42'	20.00'	90°00'00"	S89° 12' 34"E 28.28'
C16	33.82'	44.00'	44°02'39"	N67° 48' 45"E 33.00'
C17	30.94'	20.00'	88°38'52"	N45° 30' 39"E 27.95'

20' DRAINAGE EASEMENT CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C18	20.94'	845.00'	1°25'12"	S84° 59' 06"E 20.94'
C19	5.26'	10.00'	30°08'16"	N83° 35' 04"W 5.20'

VARIABLE WIDTH DRAINAGE & DETENTION EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	11.30'	S68°30'56"E
L2	17.74'	S81°20'23"E
L3	30.12'	S87°05'02"E
L4	24.91'	S7°12'49"E
L5	36.21'	S11°19'23"W
L6	39.76'	N45°06'45"W
L7	62.74'	N43°51'53"W
L8	23.29'	N39°00'43"E
L9	10.68'	N46°07'26"E

24' FIRE LANE, PUBLIC ACCESS & UTILITY EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L10	102.35'	S89°50'05"W
L11	299.92'	S45°47'26"W
L12	1.25'	N44°12'35"W
L13	49.75'	S45°47'26"W
L14	33.75'	N44°12'34"W
L15	4.22'	N45°47'26"E
L16	7.00'	S44°12'34"E
L17	299.92'	N45°47'26"E
L18	47.25'	N89°50'05"E
L19	10.80'	N1°11'13"E

20' DRAINAGE EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L20	33.40'	S12°13'50"E
L21	20.45'	S89°50'05"W
L22	35.34'	N12°13'50"W
L23	11.09'	S11°46'53"E
L24	5.99'	N81°20'23"W
L25	5.29'	N11°46'53"W
L26	20.42'	N89°50'05"E
L27	18.63'	S63°55'52"E
L28	20.52'	S39°00'43"W
L29	21.20'	N63°55'52"W
L30	21.25'	N45°47'26"E



15' X 44' UTILITY EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L31	15.00'	S44°12'34"E
L32	44.00'	S45°47'26"W
L33	15.00'	N44°12'34"W
L34	44.00'	N45°47'26"E

15' UTILITY EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L35	79.74'	N84°21'05"E
L36	60.56'	S44°12'34"E
L37	15.00'	S45°47'26"W
L38	53.34'	N44°12'34"W
L39	81.04'	S84°21'05"W
L40	17.26'	N23°58'59"E

20' DRAINAGE EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L41	28.26'	N45°47'26"E
L42	57.43'	S0°44'46"W
L43	3.36'	S44°12'31"E
L44	17.50'	S45°47'29"W
L45	17.50'	N44°12'31"W
L46	3.36'	N45°47'29"E
L47	37.45'	N0°44'46"E

DRAINAGE EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L48	55.49'	S5°57'19"E
L49	113.34'	S44°11'05"E
L50	78.97'	N5°57'19"W

LEGEND

⊗ IRF	IRON ROD FOUND
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS

VICINITY MAP

NOT TO SCALE

GENERAL NOTES:

1) Bearings are based upon the Texas State Plane Coordinate System,North Central Zone 4202, North American Datum of 1983, (2011) on Grid Coordinate values, No Scale and No Projection.

2) The purpose of this plat is to reconfigure 2 lots.

3) This property is in Zone(s) X of the Flood Insurance Rate Map, Community Panel No. 48397C0040 L, which bears an effective date of September 28, 2008 and IS NOT in a Special Flood Hazard Area.

4) Benchmark is Monument No - R005-1, City of Rockwall Geodetic Monument located on concrete median at the intersection of Summit Ridge Drive and FM 740. (Elevation - 578.6314')

OWNER
RUSSELL FRANK
15 PRINGLE LANE
ROCKWALL, TX 75087

OWNER
MOUNTAINPRIZE, INC.
3225 CUMBERLAND BOULEVARD, SUITE 100
ATLANTA, GA 30339

SURVEYOR
TEXAS HERITAGE, LLC
10610 METRIC DRIVE, SUITE 124
DALLAS, TEXAS 75243
P - (214)340-9700
F - (214)340-9710
txheritage.com

REPLAT
WOODS AT ROCKWALL ADDITION
LOT 3 AND LOT 4, BLOCK A
REPLAT OF LOTS 1 & 2, BLOCK A OF
THE WOODS AT ROCKWALL ADDITION,
E.P. GAINES SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
PAGE 1 OF 2
CASE NO: P2017-019
DATE: 04/10/2018 / JOB # 1202145-14 / SCALE= 1" = 40' / DRAWN BY: CN

57

OWNER'S CERTIFICATE:

STATE OF TEXAS
COUNTY OF ROCKWALL
CITY OF ROCKWALL

WHEREAS, Mountainprize, Inc. and Russell Frank are the sole owners of a tract of land situated in the E.P. Gaines Survey, Abstract No. 64 in the City of Rockwall, Rockwall County, Texas, being all of Lots 1 and 2, Block A of THE WOODS AT ROCKWALL ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet E, Slide 343, Plat Records, Rockwall County, Texas and being more particularly described by metes and bounds as follows:

Beginning at an "X" found in the South right-of-way line of Yellowjacket Lane (90 foot public right-of-way), said point being the Northwest corner of Lot 3R, Block B of REPLAT WOODS AT ROCKWALL ADDITION NO. 1, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Slide 389 of the Plat Records of Rockwall County, Texas, same being the Northeast corner of said Lot 2, same being the Northeast corner of herein described tract;

Thence South 11 Degrees 24 Minutes 23 Seconds East, along the West line of said Lot 3R, a distance of 221.40 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS", said point being the Southwest corner of said Lot 3R, same being the Northwest corner of Wal-Mart Supercenter Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Slide 333 of the Plat Records of Rockwall County, Texas;

Thence South 29 Degrees 20 Minutes 09 Seconds West, along the Northwest line of said Wal-Mart Supercenter Addition, passing the East corner of said Lot 1, same being the South corner of said Lot 2, at a distance of 176.14 feet and continuing for a total distance of 237.94 feet to a 5/8 inch iron rod found for corner with a cap stamped "5430", said point being the South corner of herein described tract;

Thence North 78 Degrees 10 Minutes 57 Seconds West, continuing along the North line of said Wal-Mart Supercenter Addition, a distance of 154.03 feet to a 5/8 inch iron rod found for corner with a cap stamped "5430";

Thence South 81 Degrees 08 Minutes 40 Seconds West, continuing along the North line of said Wal-Mart Supercenter Addition, a distance of 87.98 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS";

Thence North 45 Degrees 17 Minutes 12 Seconds West, continuing along the North line of said Wal-Mart Supercenter Addition, a distance of 9.80 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS";

Thence South 43 Degrees 35 Minutes 53 Seconds West, continuing along the North line of said Wal-Mart Supercenter Addition, a distance of 239.43 feet to a 3/8 inch iron rod found for corner in the Northeast line of Lot 2, Block A of Lakewood Park Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet B, Page 10 of the Plat Records of Rockwall County, Texas, said point being the West corner of said Wal-Mart Supercenter Addition, same being the South corner of said Lot 1, same being the South corner of herein described tract;

Thence North 45 Degrees 58 Minutes 50 Seconds West, along the Northeast line of said Lakewood Park Addition, a distance of 98.44 feet to a 1/2 inch iron rod found for corner, said point being the South corner of Lot 3, Block B of Rockwall High School Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 147 of the Plat Records of Rockwall County, Texas, same being the most southerly West corner of said Lot 1 and being the most southerly West corner of herein described tract;

Thence North 43 Degrees 44 Minutes 12 Seconds East, along the Southeast line of said Lot 3, a distance of 99.83 feet to a 5/8 inch iron rod found for corner, said point being the East corner of said Lot 3, same being an interior ell corner of said Lot 1 and of herein described tract;

Thence North 45 Degrees 56 Minutes 01 Seconds West, along the Northeast line of said Lot 3, a distance of 119.96 feet to a 1/2 inch iron rod found for corner in the Southeast right-of-way line of F.M. 740 (Ridge Road) (variable width public right-of-way), said point being the North corner of said Lot 3, same being the most northerly West corner of said Lot 1 and being the most northerly West corner of herein described tract;

Thence North 45 Degrees 47 Minutes 26 Seconds East, along the Southeast right-of-way line of said F.M. 740, a distance of 346.99 feet to a TXDOT Monument found for corner, said point being the North corner of said Lot 1, same being the West corner of said Lot 2;

Thence North 23 Degrees 58 Minutes 59 Seconds East, continuing along the Southeast right-of-way line of said F.M. 740, a distance of 117.39 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS" at the intersection of the Southeast right-of-way line of said F.M. 740 and the South right-of-way line of said Yellowjacket Lane, said point being the Northwest corner of said Lot 2, and being the Northwest corner of herein described tract;

Thence North 59 Degrees 19 Minutes 53 Seconds East, along the South right-of-way line of said Yellowjacket Lane, a distance of 40.41 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS";

Thence South 83 Degrees 38 Minutes 25 Seconds East, continuing along the South right-of-way line of said Yellowjacket Lane, a distance of 140.14 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS", said point being the beginning of a curve to the left;

Thence, continuing along the South right-of-way line of said Yellowjacket Lane, and along said curve to the left, through a central angle of 6°48'23", a radius of 845.00 feet, a chord bearing and distance of South 87°02'38" East, 100.32 feet and an arc length of 100.38 feet to the POINT OF BEGINNING and containing 194,683 square feet or 4.47 acres of land.

SURVEYORS CERTIFICATE:

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

Gary E. Johnson, R.P.L.S. No. 5299

STATE OF TEXAS
REGISTERED
GARY E. JOHNSON
5299
PROFESSIONAL
LAND SURVEYOR

STATE OF TEXAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Gary E. Johnson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2018.

_____ My commission expires: _____
Notary Signature

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL
CITY OF ROCKWALL

That, Mountainprize, Inc. and Russell Frank, do hereby adopt this plat designating the hereinabove described property as **REPLAT WOODS AT ROCKWALL ADDITION, LOT 3 AND LOT 4, BLOCK A**, a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purposes and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the REPLAT WOODS AT ROCKWALL ADDITION, LOT 1R, BLOCK A, subdivision have been notified and sighed this plat.

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

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

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

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

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

Mountainprize, Inc.

_____
Brian Thornton, Vice President of Real Estate and Engineering

_____
Russell Frank

STATE OF TEXAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Brian Thornton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2018.

_____ My commission expires: _____
Notary Signature

LEGEND

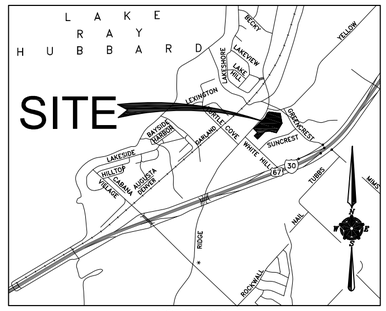
○ IRF	IRON ROD FOUND
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS

OWNER
MOUNTAINPRIZE, INC.
3225 CUMBERLAND
BOULEVARD, SUITE 100
ATLANTA, GA 30339

OWNER
RUSSELL FRANK
15 PRINGLE LANE
ROCKWALL, TX 75087

SURVEYOR
TEXAS HERITAGE, LLC
10610 METRIC DRIVE, SUITE 124
DALLAS, TEXAS 75243
P - (214)340-9700
F - (214)340-9710
txheritage.com

VICINITY MAP



NOT TO SCALE

STATE OF TEXAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Russell Frank, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2018.

_____ My commission expires: _____
Notary Signature

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that that the foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on this the _____ day of _____, 2018.

WITNESS OUR HANDS, on this the _____ day of _____, 2018.

_____
Mayor, City of Rockwall

_____
City Secretary, City of Rockwall

_____
Engineer, City of Rockwall

GENERAL NOTES:

1) Bearings are based upon the Texas State Plane Coordinate System, North Central Zone 4202, NorthAmerican Datum of 1983, (2011) on Grid Coordinate values, No Scale and No Projection.

2) The purpose of this plat is to reconfigure 2 lots.

3) This property is in Zone(s) X of the Flood Insurance Rate Map, Community Panel No. 48397C0040 L, which bears an effective date of September 28, 2008 and IS NOT in a Special Flood Hazard Area.

4) Benchmark is Monument No - R005-1, City of Rockwall Geodetic Monument located on concrete median at the intersection of Summit Ridge Drive and FM 740. (Elevation - 578.6314')

REPLAT
WOODS AT ROCKWALL ADDITION
LOT 3 AND LOT 4, BLOCK A
REPLAT OF LOTS 1 & 2, BLOCK A OF
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PAGE 2 OF 2
CASE NO: P2017-019
DATE: 04/10/2018 / JOB # 1202145-14 / SCALE= 1" = 40' / DRAWN BY: CN

58

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59

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/07/2019

APPLICANT: David Ellis

AGENDA ITEM: **P2018-046;** *Lots 5, 6, & 7, Block A*, *Ellis Centre, Phase 2 Addition*

SUMMARY:

Consider a request by David Ellis for the approval of a replat for Lots 5, 6 & 7, Block A, Ellis Centre, Phase 2 Addition being a 2.62-acre tract of land identified as Lots 1 & 3, Block A, Ellis Centre, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1930 & 1950 Alpha Road, and take any action necessary.

PLAT INFORMATION:

- ☑ The objective of this request is to replat a 2.62-acre tract of land [*i.e. Lots 1 & 3, Block A, of the Ellis Centre, Phase 2 Addition*] to create Lots 5, 6, & 7, Block A, Ellis Centre, Phase 2 Addition. The purpose of the replat is to establish cross access easements that will provide access through the lots. Additionally, this will allow Lot 6 to be developed. The subject property is identified as Lots 1 & 3, Block A, Ellis Centre, Phase 2 Addition, is addressed as 1930 & 1950 Alpha Road, and zoned Light Industrial (LI) District.

- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for a *replat* as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

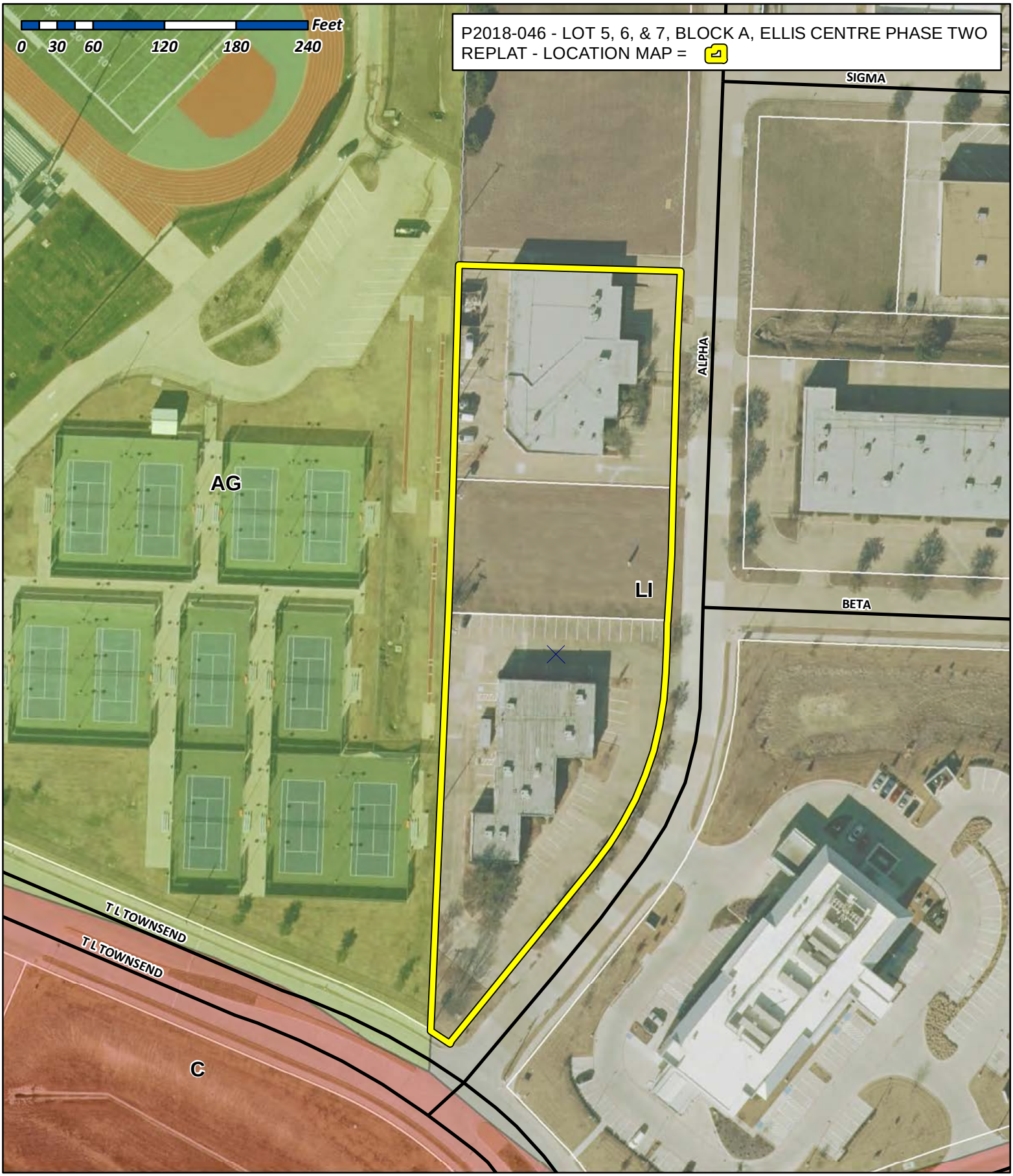
If the Planning and Zoning Commission and City Council choose to approve the replat for *Lots 5, 6, & 7, Block A, Ellis Centre, Phase 2 Addition*, staff would recommend the following conditions:

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

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

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 2, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 5 to 0 with Commissioners Lyons and Fishman absent.

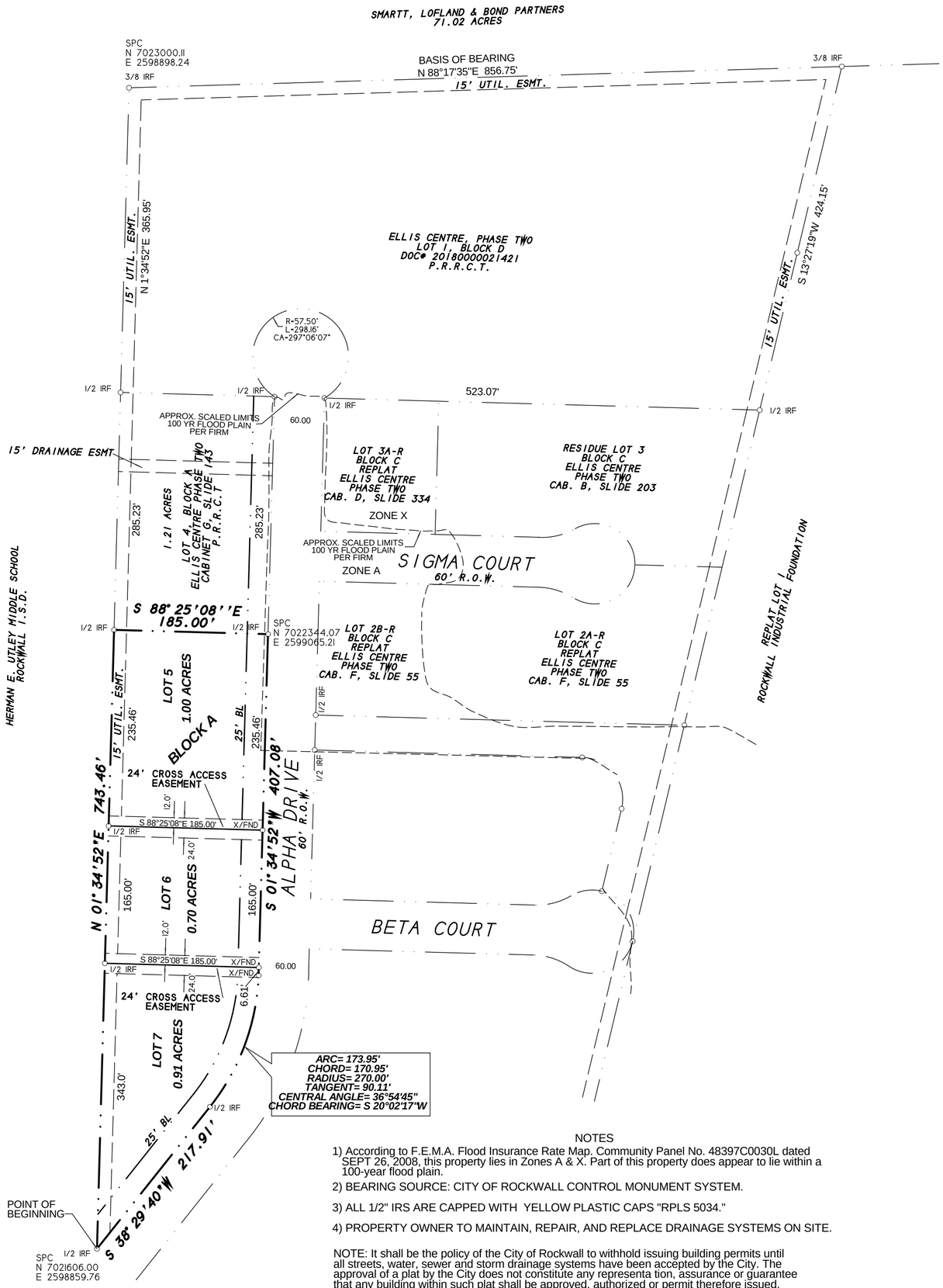


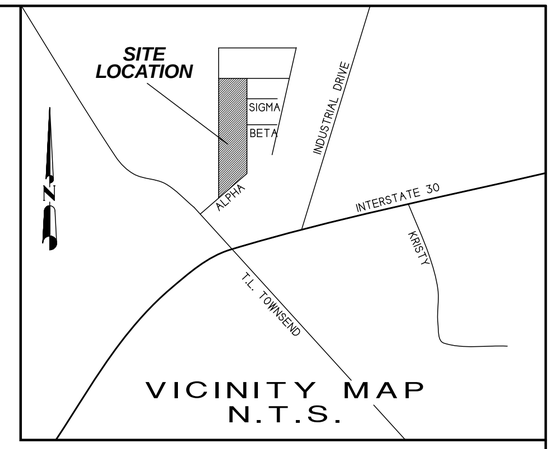
City of Rockwall

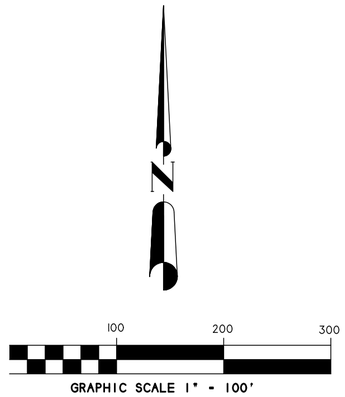
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

62







FINAL PLAT

ELLIS CENTRE, PHASE TWO
LOT 5, 6 & 7, BLOCK A

BEING A REPLAT OF LOT 3, BLOCK A
OF LOTS 3 & 4, BLOCK A
ELLIS CENTRE
AND PART OF LOT 1, BLOCK A
ELLIS CENTRE, PHASE ONE & TWO

3 LOTS
2.62 ACRES OR 113,912 S.F.
A. HANNA SURVEY, A-99
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:
THE FIVE NINE SEVEN
LIMITED PARTNERSHIP
14465 WEBB CHAPEL ROAD
SUITE 119
FARMERS BRANCH, TEXAS 75234

OWNER:
BASK INVESTMENTS, LLC
1930 ALPHA DRIVE
SUITE 300
ROCKWALL, TEXAS 75087

OWNER:
David M. Ellis, Charles M. Ellis,
Jody M. Ellis and Richard M. Ellis III.
16361 LAWDER LANE
DALLAS, TEXAS 75248

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zones A & X. Part of this property does appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SHEET 1 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	PHONE PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC ELEC BOX SUBSURFACE JUNCTION BOX	WATER WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND 1 CORNER 1
FENCE	EASEMENT LINE	PROPERTY LINES	A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE DECEMBER 14, 2018
SCALE 1" = 100' FILE # 20130105-3RP
CLIENT ELLIS

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO. P2018-

63

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS David M. Ellis, Charles M. Ellis, Jody M. Ellis and Richard M. Ellis III, The Five Nine Seven LP, and Bask Investments BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a part of Lot 1, Block A, of ELLIS CENTRE, PHASE ONE & TWO, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet B, Slide 391, of the Plat Records of Rockwall County, Texas, and also being all of Lot 3, Block A of ELLIS CENTRE, PHASE TWO, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet G, Slide 143, of the Plat Records of Rockwall County, Texas, and being more particularly describedas follows:

BEGINNING at a 1/2" iron rod found for corner in the Northwest right-of-way line of Alpha Drive, at the southwest corner of said Lot 1, Block A;

THENCE N. 01 deg. 34 min. 52 sec. E. along the west line of said Lot 1, Block A, a distance of 746.46 feet to a 1/2" iron rod found for corner at the northwest corner of said Lot 3, Block A;

THENCE S. 88 deg. 25 min. 08 sec. E. along the north line of Lots 3 & 4, Block A, a distance of 185.00 feet to a 1/2" iron rod found for corner at the southeast corner of Lot 4, Block A and at the northeast corner of Lot 3, Block A and in the west right-of-way line of Alpha Drive;

THENCE S. 01 deg. 34 min. 52 sec. W. along said right-of-way line, a distance of 407.08 feet to an "X" found for corner;

THENCE in a southwesterly direction along a curve to the right having a central angle of 36°54'45", a radius of 270.00 feet, a tangent of 90.11 feet, a chord of S 20°02'17"W, 170.95 feet along said right-of-way line, an arc distance of 173.95 feet to a 1/2" iron rod found for corner;

THENCE S. 38 deg. 29 min. 40 sec. W. along said right-of-way line, a distance of 217.91 feet to the POINT OF BEGINNING and containing 113,912 square feet or 2.62 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as ELLIS CENTRE, PHASE TWO, LOTS 5, 6 & 7, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the ELLIS CENTRE, PHASE TWO, LOTS 5, 6 & 7, BLOCK A, have been notified and signed this plat.

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

We also understand the following;

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

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

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

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

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

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

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

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

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

David M. Ellis

Charles M. Ellis

Jody M. Ellis

Richard M. Ellis III

for The Five Nine Seven LP

for Bask Investments, LLC

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared David M. Ellis known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires:

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared Charles M. Ellis, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires:

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared Jody M. Ellis known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires:

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared Richard M. Ellis III known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires:

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires:

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of ELLIS CENTRE, PHASE THREE, LOTS 1, 2 & 3, BLOCK E, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

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

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

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

Mayor, City of Rockwall City Secretary City of Rockwall

City Engineer Date

FINAL PLAT

ELLIS CENTRE, PHASE TWO
LOT 5, 6 & 7, BLOCK A

BEING A REPLAT OF LOT 3, BLOCK A
OF LOTS 3 & 4, BLOCK A
ELLIS CENTRE
AND PART OF LOT 1, BLOCK A
ELLIS CENTRE, PHASE ONE & TWO

3 LOTS
2.62 ACRES OR 113,912 S.F.
A. HANNA SURVEY, A-99
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:
THE FIVE NINE SEVEN
LIMITED PARTNERSHIP
14465 WEBB CHAPEL ROAD
SUITE 119
FARMERS BRANCH, TEXAS 75234

OWNER:
BASK INVESTMENTS, LLC
1930 ALPHA DRIVE
SUITE 300
ROCKWALL, TEXAS 75087

OWNER:
David M. Ellis, Charles M. Ellis,
Jody M. Ellis and Richard M. Ellis III.
16361 LAWDER LANE
DALLAS, TEXAS 75248

SHEET 2 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WV WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND 1 CORNER
FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE DECEMBER 14, 2018
SCALE 1" = 100' FILE # 20130105-3RP
CLIENT ELLIS

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO. P2018-

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65

City of Rockwall
The New Horizon

MEMORANDUM

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

FROM: **Cheryl Dunlop, Director of Administrative Services**

DATE: **January 4, 2019**

SUBJECT: **Change to Trustee for employee 457(b) plan**

The City recently received a recommendation from Fiduciary Consulting Group, Inc., our professional consultant for our employee deferred compensation plan, to discontinue services with Ascensus Trust as a passive trustee, and instead, move to Reliance Trust Company since they are the preferred provider of One America. Staff requests that Council consider approval of the attached resolution appointing Reliance Trust Company as Trustee to provide directed trust services, including an annual trust report on the Plan assets, in place of Ascensus Trust.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 19-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, TERMINATING ASCENSUS TRUST COMPANY AS PASSIVE TRUSTEE OF THE CITY OF ROCKWALL 457(b) PLAN; APPOINTING RELIANCE TRUST COMPANY AS PASSIVE TRUSTEE (IN PLACE OF ASCENSUS TRUST) WITH RESPECT TO THE CITY OF ROCKWALL 457(b) PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the **CITY OF ROCKWALL** (the "City") sponsors the **City of Rockwall 457(b) Plan** (the "Plan") for the benefit of its employees, which is intended to be qualified under Section 401(a), 403(b) or 457 of the Internal Revenue Code of 1986 (the "Code") and its related trust to be tax exempt under section 501(a) of the Code; and

WHEREAS, the City currently engages Fiduciary Consulting Group, Inc. as a professional independent fiduciary for the Plan to undertake fiduciary responsibility for the administration and management of the Plan; and

WHEREAS, the City recently received correspondence from Fiduciary Consulting Group, Inc. stating that the City's plan is moving away from Ascensus Trust as a passive trustee and will instead move to Reliance Trust as passive trustee since Reliance Trust is now the preferred provider of One America; and

WHEREAS, the City believes it is prudent to appoint Reliance Trust Company as "Trustee" to provide directed trust services, including an annual trust report on the Plan assets, in place of Ascensus Trust.

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

Section 1. Ascensus Trust is hereby terminated as "Trustee" of the City of Rockwall 457(b) plan; and

Section 2. Reliance Trust Company (1100 Abernathy Road, 500 Northpark Building, Suite 400, Atlanta, GA 30328) is hereby appointed "Trustee" with respect to the City of Rockwall 457(b) Plan; and

Section 3. This change in trustee designation is considered to have been in effect as of November 1, 2018, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of JANUARY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

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68

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*

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

DATE: January 7, 2019

SUBJECT: Appointment with Dewayne Cain

Mr. Dewayne Cain is requesting that the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) be amended to allow an accessory structure on an Agricultural (AG) District zoned property. The subject property is a 10.61-acre tract of land located on Cornelius Road, zoned Agricultural (AG) District, and addressed as 777 and 839 Cornelius Road. The structure that Mr. Cain is proposing would be an ~4,950 SF, metal barn that would contain a storage area for eight (8) vehicles and a *guest quarters/secondary living facility* (*i.e. the facility includes all components of a residential living unit [e.g. kitchen, bathroom, etc.]*). Based on the floor plan provided by the applicant, staff would have to treat this request as a *guest quarters/secondary living facility*; however, a portion of this building would be considered an accessory building, which is not allowed in an Agricultural (AG) District. Based on Mr. Cain's request, staff has prepared possible changes or options for the City Council to consider in amending the code; however, staff should note that the City Council is not obligated to change the code or to choose one of the prepared options.

Currently, the UDC does allow *guest quarters/secondary living units* in an Agricultural (AG) District pending they are [*1*] accessory uses to the primary use (*i.e. single family home*), [*2*] not to exceed 30% of the area of the main structure, and [*3*] that they cannot be sold or conveyed separately without meeting the requirements of the zoning district and subdivision ordinance. In this case, the primary structure is 1,780 SF according to the Rockwall Central Appraisal District (RCAD). This means that the guest quarters/secondary living facility could not exceed a total size of 534 SF. In other residential zoning districts (*i.e. SF-8.4, SF-7, ZL-5 and 2F*) this use is only allowed through a Specific Use Permit (SUP), which gives the City Council the discretion to grant these even if they do not meet the requirements. One solution that the City Council could employ would be to change the code as follows (with the *highlighted, italics* areas indicating the changes):

Residential and Lodging

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
A	A	A	A	A	S	S	S	S	P	Guest Quarters/Secondary Living Unit +								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

Guest quarters/secondary living unit.

(1) Guest quarters or secondary living unit*s* may be allowed on a property in a residential ~~*or commercial*~~ zoning district provided that it is ancillary *to a single family home* ~~*the primary use and that only one such facility is provided.*~~

(2) The area of such quarters shall not exceed 30 percent of the area of the main structure.

(3) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.

(4) Guest quarters or secondary living units not meeting the requirements stated above shall require a Specific Use Permit (SUP).

Another issue that would be required to be addressed with this request is that the current code does not allow accessory buildings in an Agricultural (AG) District. According to Article IV, *Permissible Uses*, of the UDC:

Residential and Lodging

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
	P	P	P	P	P	P	P	P	P	Accessory Building +		P	P	P	P	P	P	P

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

The purpose of this is to incentivize smaller properties (*i.e. properties less than ten [10] acres in size and considered to be legally non-conforming*) to zone in accordance with the Future Land Use Plan, bringing them into conformance with the UDC. Without this requirement, it would be difficult for the City to incentivize smaller properties to change their zoning, which could have the effect of leaving small spots of Agricultural (AG) District zoning on non-conforming lots throughout the City. To address this, the City Council could choose to establish a new land use (*e.g. barn/agricultural accessory building*), which would allow larger buildings in the Agricultural (AG) District. An example of the changes required to establish the new land use would be as follows (with the *highlighted, italics* areas indicating the changes):

Rural and Animal Related

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
S										*Barn or Agricultural Accessory Building+*								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

Barn or Agricultural Accessory Building. A *Barn or Agricultural Accessory Building* is a building that is located on a property that is a minimum of ten (10) acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.

(1) A *Barn or Agricultural Accessory Building* is a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).

(2) A *Barn or Agricultural Accessory Building* is exempt from the masonry requirements stipulated by Section 7.01, *Residential District Development Standards*.

Staff should note that the City Council could choose to establish accessory building standards for the Agricultural (AG) District and amend the *Permissible Use Charts* to allow accessory structures in these areas; however, as stated above this may cause issues with regard to bringing non-conforming properties into conformance with the Future Land Use Plan.

Should the City Council choose to direct staff to amend the code, staff would proceed based on the following schedule:

Planning and Zoning Work Session: January 29, 2019
Planning and Zoning Public Hearing: February 12, 2019
City Council Public Hearing/First Reading: February 18, 2019
City Council Second Reading: March 4, 2019

In the attached packet, Mr. Cain has included information for the City Council with regard to his request, and -- *if the code is amended* -- what he is proposing to build. Should the City Council have any questions concerning this request staff will be available at the meeting on *January 7, 2019*.

Rest Haven

FUNERAL HOMES • CEMETERY • CREMATORY • FLORIST

December 27, 2018

Rockwall City Council
385 S. Goliad
Rockwall, TX 75087

Dear Sirs and Madam,

I hereby request placement on your agenda for the January 7, 2019, meeting of the Rockwall City Council.

I have agricultural zoned land within the Rockwall City limits and have secured plans, hired a contractor and made a deposit for a barn to be constructed on the property. The barn will be used to store our tractors and other cemetery equipment as well as two antique cars. When our contractor tried to apply for a building permit, he was told we would have to go through Planning and Zoning to acquire an SUP before we could build the barn; however, before we were able to obtain placement on the next agenda of P&Z, the council did away with SUPs. At the present time, there is no code of agricultural zoned property, which places me in a definite hardship. The purpose of requesting the meeting is to discuss possible alternatives with you.

Sincerely,

Dewayne Cain
President and Founder

MORTON BUILDINGS, INC.

Morton Buildings, Inc.
3514 N Central Expy
McKinney, TX 75071-2500
Telephone:
(972) 562-3772

RECEIPT

Dewayne Cain
2500 State Hwy 66
Rockwall, Texas 75087

Date: 8/15/2018
Project #/ Sales Order #: B087082326
Receipt #: 087723
Customer Account #: 00010507
Created By: Dionna Lommori
Construction Center #: 87
Method of Payment: Check

Telephone: 214-533-8641

Amount Received For	Dollar Amount
Down Payment on Suburban Storage	$49,155.00

CK#20985

Customer paid $49,155.00 on Down Payment - Total was to be $49,190.00 - Customer will put the remainder $35.00 with the Delivery Payment.

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MBSP

MORTON BUILDINGS, INC.

252 W. Adams, P.O. Box 399 • Morton, Illinois 61550-0399

Job: B08708 2326
Date: 8/15/2018
Page: 1 of 9

Construction Proposal

Owner

Dewayne Cain
2500 State Hwy 66

Rockwall, Texas 75087
Home:
Cell: (214) 533-8641
Work:
Other:

Deliver To

Dewayne Cain
2500 State Hwy 66

Rockwall, Texas 75087
Home:
Cell: (214) 533-8641
Work:
Other:

Building Info

Style	Width	Height	Length	Truss Spacing	Roof Pitch	Lower Chord	Peak Height	Soffit Height
306	54'	13'	75'	10'	6/12	2/12	28' 0.5"	14' 3.5"

306 54'x13'x75' (#1) - Building Use: Suburban - Storage

Payment Terms

Pricing is based on cash terms according to the payment schedule shown. Non-cash payments are subject to Terms and Conditions, #2. All applicable taxes are included in the total price.

Pricing is contingent upon delivery of material on or before November 12, 2018. (See Building Site Specifications, #2)

Approximate delivery after October 15, 2018.

Down payment type: Check #

Down Payment:	**$49,190.00**
Delivery Payment:	**$98,380.00**
Final Payment:	**$16,396.00**
Total:	**$163,966.00**

Customer Signature

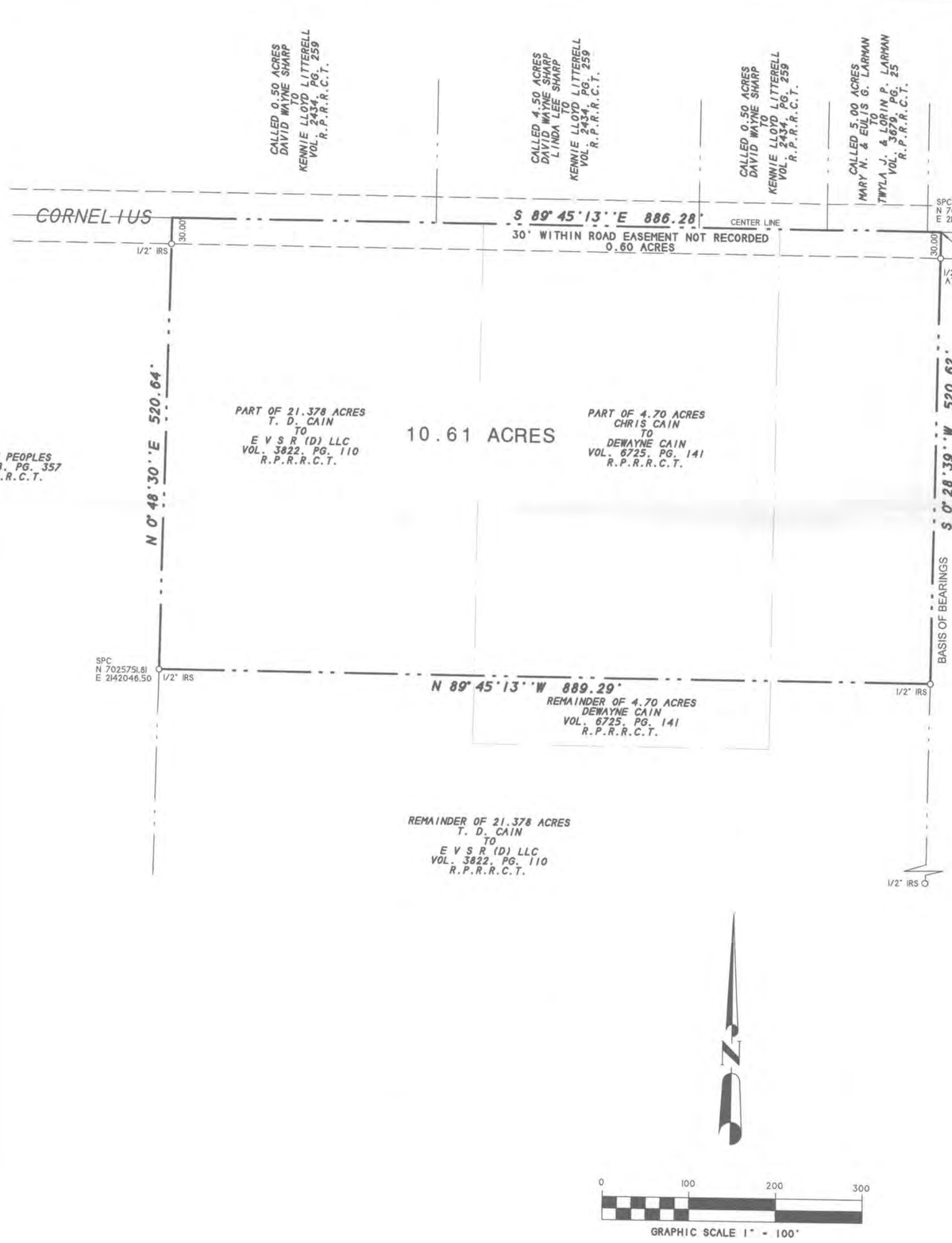
THIS ORDER CONSISTS OF BUILDING SPECIFICATION(S), BUILDING PERSPECTIVE(S), COLUMN PLAN(S), BUILDING COLOR DEFINITION(S), SITE CONDITIONS, BANKERS LETTER, BUILDING SITE SPECIFICATIONS (06/10), TERMS AND CONDITIONS (10/16), CONSTRUCTION PLANNING WARNING (06/10), AND 613 FLUOROFLEX® LIMITED WARRANTY WHICH ARE ATTACHED AND INCORPORATED HEREIN

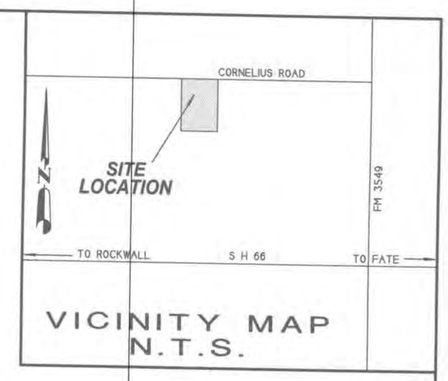
By signature below, I certify that Dewayne Cain hold(s) title to the
(Print Property Owner's Name)
property upon which construction will be performed under this Order and has given permission for construction.

Dewayne Cain
Signature of Dewayne Cain

Aug 15 2018
Signature Date

87-17652-20180815-9113467-9ED1-11





DESCRIPTION

All that certain lot, tract or parcel of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72, City of Rockwall, Rockwall County, Texas, and being a part of a 21.378 acres tract of land as described in a Warranty deed from T.D. Cain to E V S R (D) LLC, as recorded in Volume 3822, Page 110 of the Official Public Records of Rockwall County, Texas, and also a part of a 4.70 acres tract of land as described in a Warranty deed from Chris Cain to Dewayne Cain, as recorded in Volume 6725, Page 141 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point in the center of Cornelius Road, at the northeast corner of said 21.378 acres tract of land and being the northwest corner of a 7.768 acres tract of land as described in a Warranty deed to Deborah Hammons and Scott Hammons, Sr., as recorded in Volume 627, Page 38 of the Real Property Records of Rockwall County, Texas;

THENCE S. 00 deg. 28 min. 39 sec. W., at 30.00 feet pass a 1/2" iron rod found for witness and continuing along the east line of said 21.378 acres tract for a total distance of 520.62 feet to a 1/2" iron rod with yellow plastic cap stamped 'RPLS 5034" set for corner;

THENCE N. 89 deg. 45 min. 13 sec. W. a distance of 889.29 feet to a 1/2" iron rod with yellow plastic cap stamped 'RPLS 5034" set for corner in the west boundary line of said 21.378 acres tract of land;

THENCE N. 00 deg. 48 min. 30 sec. E., at 490.64 feet pass a 1/2" iron rod with yellow plastic cap stamped 'RPLS 5034" set for witness and continuing for a total distance of 520.64 feet to a point in the center of said Cornelius Road and being at the northwest corner of said 21.378 acres tract;

THENCE S. 89 deg. 45 min. 13 sec. E. along the center of said road, a distance of 886.28 feet to the POINT OF BEGINNING and containing 10.61 acres of land.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0035L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for DEWAYNE CAIN at CORNELIUS ROAD, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 5th day of December, 2018.

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

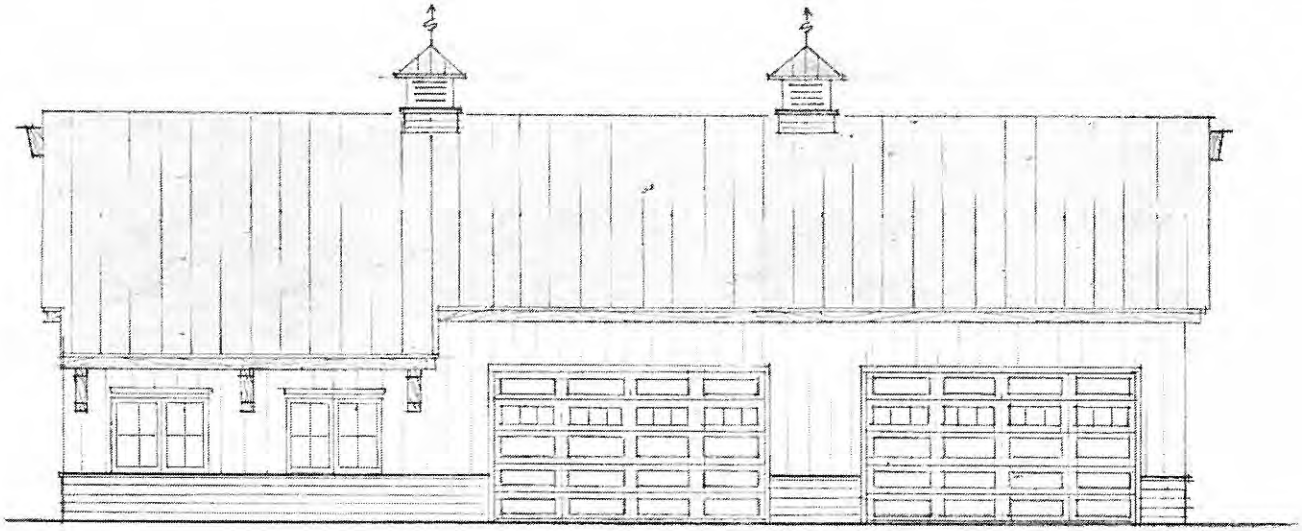
STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

SYMBOL LEGEND

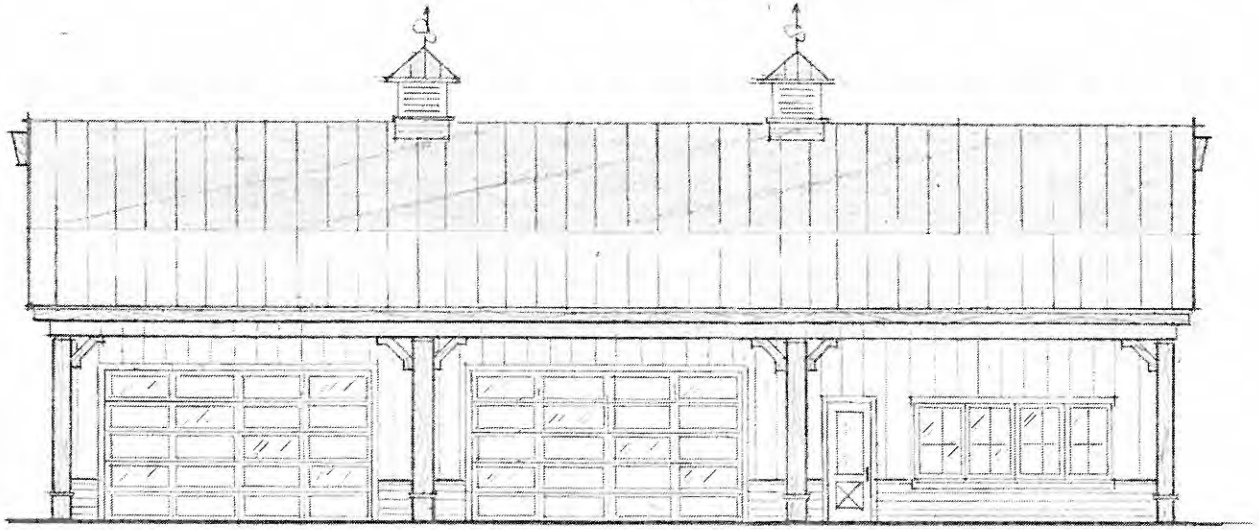
SURVEY DATE DECEMBER 5, 2018
SCALE 1" = 100' FILE # 2018/20010034
CLIENT CAIN

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

75

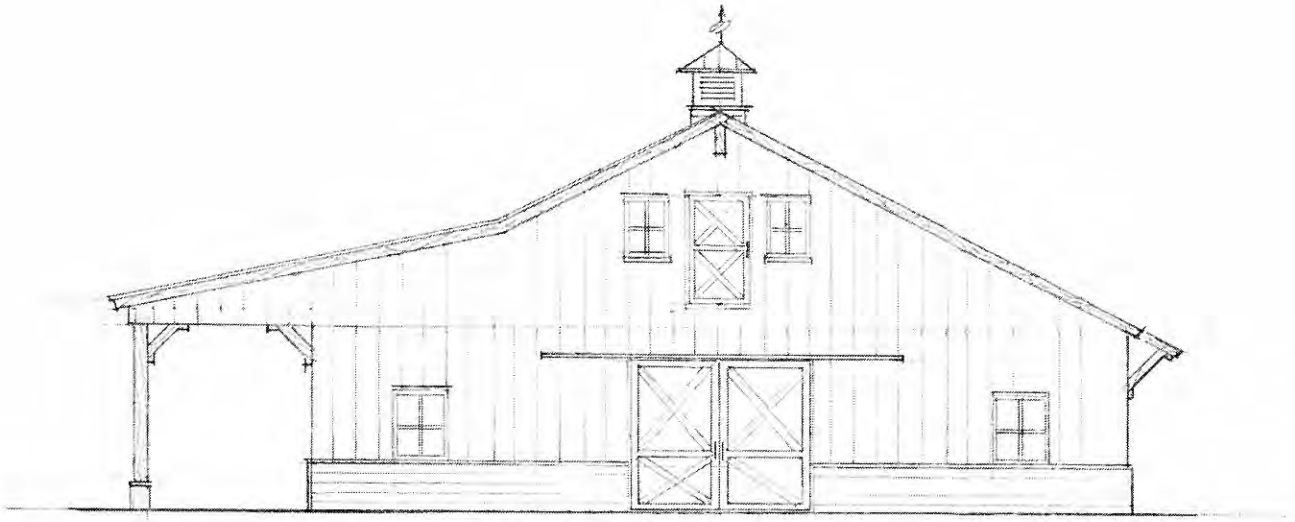


NORTH ELEVATION
SCALE 1/8" = 1'-0"



SOUTH ELEVATION
SCALE 1/8" = 1'-0"

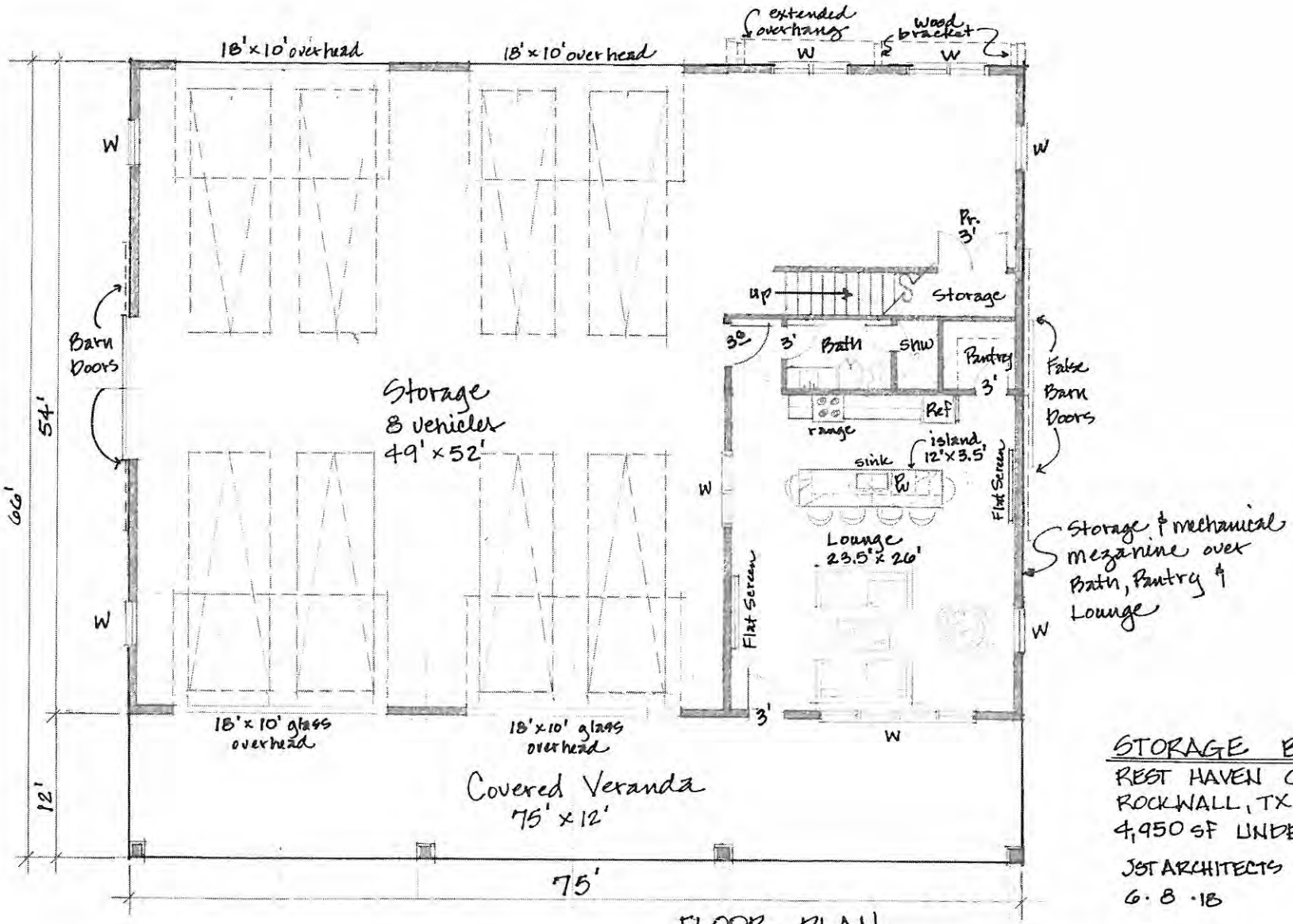
76



EAST ELEVATION (WEST ELEVATION - MIRROR IMAGE)

SCALE 1/8" = 1'-0"

77



FLOOR PLAN
SCALE 1/8" = 1'-0"

STORAGE BARN
REST HAVEN CEMETERY
ROCKWALL, TX
4,950 SF UNDER ROOF
JST ARCHITECTS DALLAS, TX
6.8.18

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79

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Ryan Miller*, Director of Planning and Zoning*

FROM: David Gonzales, *Planning and Zoning Manager*

DATE: January 7, 2019

SUBJECT: Z2018-049 *SUP for an Animal Shelter at 1700 E. SH-66*

On December 17, 2018, the City Council continued the public hearing for *Case No. Z2018-049* by a vote of 7-0. This case involved a request for a Specific Use Permit (SUP) for an animal shelter. The purpose of the City Council's motion was to allow the applicant, Mike Peoples, additional time to prepare a schedule that outlined [*1*] the completion time for the animal shelter (*which is currently partially constructed*), and [*2*] the time needed to demolish the structure situated within the floodplain (*which was constructed without a building permit*). In response to the City Council's action, Mr. Peoples has provided staff with a letter indicating that, weather permitting, he intends to complete the construction of the animal shelter by April 2019 (*see Exhibit 'A'*); however, Mr. Peoples has *not* indicated a timeframe for the demolition of the structure within the floodplain (*see Exhibit 'B'*). It should also be noted that staff requested that Mr. Peoples provide a timeframe for the demolition of the detached garage that was denied by the City Council on December 17, 2018; however, the letter submitted by Mr. Peoples indicates that he does *not* have a timeframe for the removal of this building either. Due to the applicant's in ability to provide staff with a reasonable timeframe for the demolition of the two (2) unpermitted structures, staff has amended the draft ordinance for the animal shelter to require that both structures be removed from the property within six (6) months of the adoption date of the proposed Specific Use Permit (SUP) ordinance. Should the City Council have any questions, staff will be available at the *January 7, 2019* City Council meeting.

Mike Peoples
1700 E SH66
Rockwall Tx 75087.

Building Time Frame

To whom it may Concern:

The completion of the Animal shelter is at my residence is directly related to weather. All I would assume ~~the~~ ground is extremely wet and saturated, However - all materia to complete the structure are on site. Once the weather cooperates, allows for work to continue it will proceed. As you all know I am a republican therefore I work for a living and ~~this~~ the completion of this building will be mixed in with my current jobs. All that being said, it should be complete by April at the latest. of course mother nature will have a thing to say about that.

Yours Sincerely
Mike Peoples

Mike Peoples
1700 E SH 66
Rockwall Tx 75087.

Building Destruction

To whom it may Concern.

In regards to the negative vote on my detached garage and the requirement that it be torn down, I have no timeframe for that as well as the other structure in the flood plain. The plan was to tear the buildings down in the Flood plain to secure the detached garage and animal shelter. I am presently persuing other options.

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ANIMAL SHELTER ON A 42.66-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT, IDENTIFIED AS TRACT 7 OF THE D. HARR SURVEY, ABSRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Mike Peoples for the approval of a Specific Use Permit (SUP) for the purpose of allowing a previously constructed animal shelter, situated on a 42.66-acre tract of land, zoned Agricultural (AG) District, and being identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, addressed 1700 E. SH-66, and being more specifically depicted in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the construction of an animal shelter structure within an Agricultural (AG) District as stipulated by Article IV*, Permissible Uses,* and Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Section *2.1, Agricultural (AG) District,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the following operational conditions and compliance standards:

EXHIBIT 'A' ORDINANCE 19-XX

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an animal shelter, structure on the Subject Property and conformance to these requirements is necessary for continued operations:

1) The animal shelter structure shall generally conform to the elevations and site plan depicted in *Exhibits 'B'* & *'C'* of this ordinance;

2) The animal shelter structure shall not exceed its current size of approximately 2,720 SF or an approximate height of 15-feet;

3) The existing accessory building located within the flood plain of this property, as depicted as #4 in *Exhibit 'D'* of this ordinance, shall be removed/demolished within six (6) months of the date of passage of this ordinance;

4) The existing detached garage located on the subject property, as depicted as #1, 2, & 3 in *Exhibit 'D'* of this ordinance, shall be removed/demolished within six (6) months of the date of passage of this ordinance;

5) The animal shelter structure shall not be operated as a commercial land use;

6) A detention system is required for the addition of structures on the subject property per the Engineering Standards of Design; and,

7) The animal shelter structure is subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] will require compliance to the following:

1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC) [*Ordinance No. 04-38*], the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*].

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 22ND DAY OF JANUARY, 2019.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

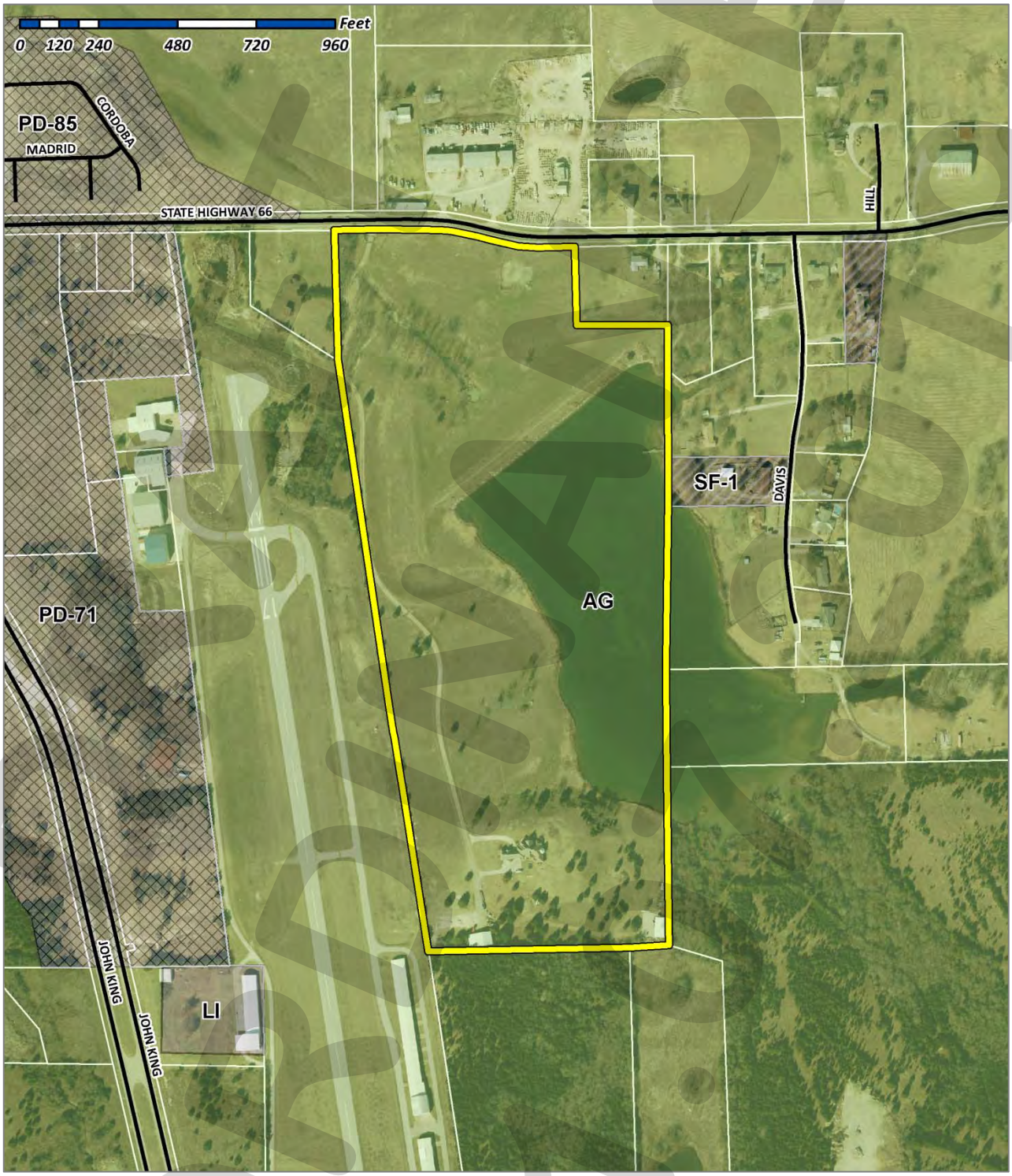
1st Reading: *January 7, 2019*

2nd Reading: *January 22, 2019*

DRAFT ORDINANCE 01.07.2019

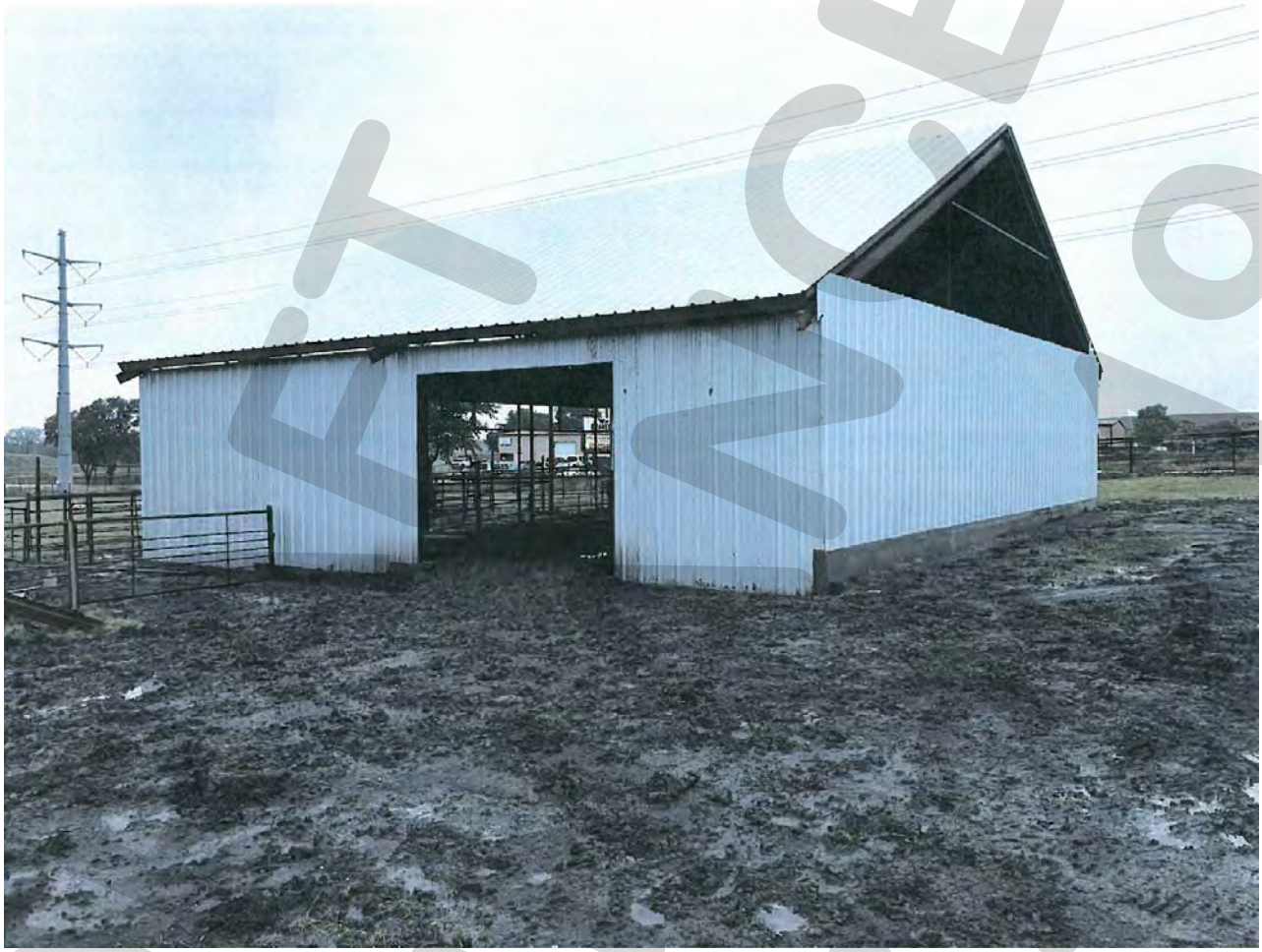
Exhibit 'A':
Legal Description and Property Location

Legal Description: Tract 7 of the D. Harr Survey, Abstract No. 102



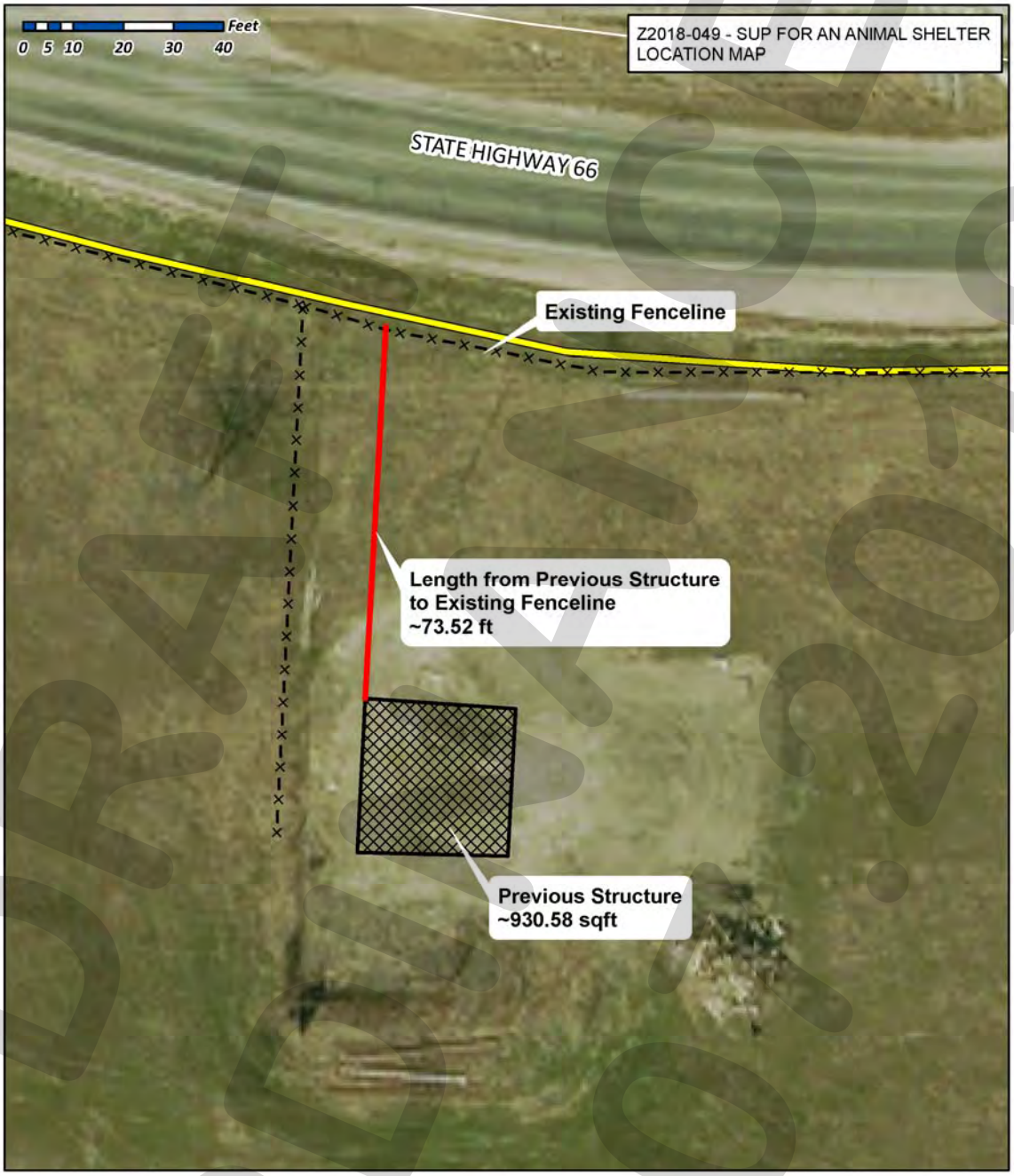
APPROVED

Exhibit 'B':
Animal Shelter – Elevations



DRAFT
ORDINANCE
01.07.19

Exhibit 'C':
Site Plan



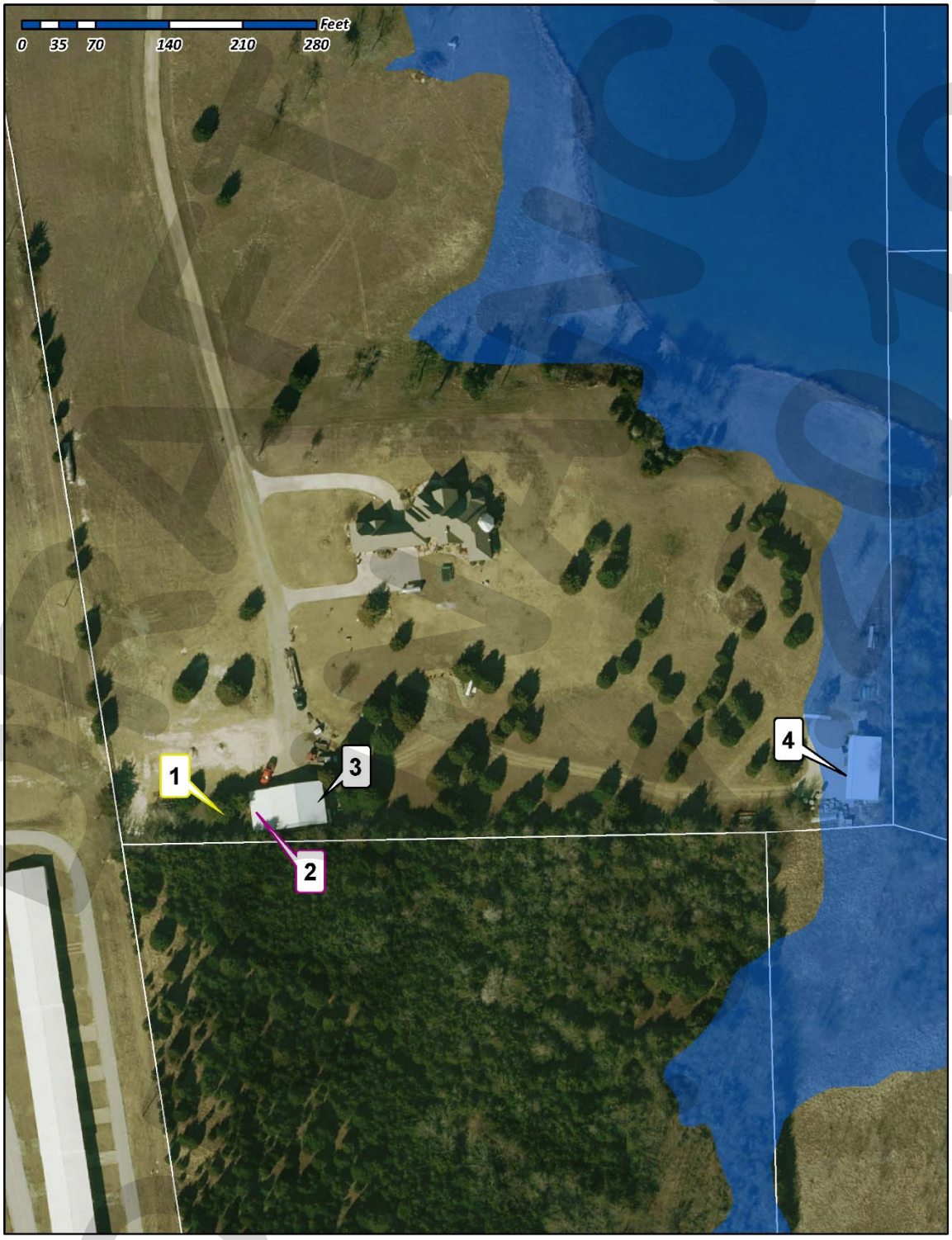
City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

DRAFT 01/07/19

Exhibit 'D';
Building Locations to be Removed

1. *Exiting Structure attached to Detached Garage*
2. *Existing Structure attached to Detached Garage*
3. *Detached Garage*
4. *Existing Structure Located within Designated 100-year Flood Plain*



DRAFT NOT FOR SIGNATURE

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/17/2018

APPLICANT: Mike Peoples

AGENDA ITEM: **Z2018-049;** *SUP for an Animal Shelter at 1700 E. SH-66*

SUMMARY:

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) for an *animal shelter* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

BACKGROUND:

On October 24, 2018, the building inspections department proactively recognized a structure (*i.e. animal shelter*) being constructed without a permit on the *subject property*. The building inspections department then proceeded to confer with planning staff regarding the requirements for building a structure on the *subject property*. During this meeting, additional structures were found to exist based on aerial images dating back to the year 2013. These images depict two (2) structures that have been built without a permit. The aerial image indicates that one (1) of these structures lies within the designated 100-year flood plain. The other structure is a detached garage that has been enlarged on at least two (2) separate occasions. City records indicate that no permits were requested for the construction of either of these structures. Subsequently, a *Stop Work Order* was issued on October 25, 2018 for the *animal shelter* for the purpose of obtaining a building permit. Staff contacted Mr. Peoples and advised him that a Specific Use Permit (SUP) is also required in order to complete construction of the *animal shelter*. On November 6, 2018, Mr. Peoples applied for a building permit, and subsequently submitted an application for the SUP for the *animal shelter* use on November 19, 2018. The photos included with this case were taken from SH-66 by the building inspections department. It should be know that staff has made several requests for the applicant to provide photos of these structures and a survey that would locate the structures on this site. As of the date of this report, staff has not received either of these items.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant, Mike Peoples is requesting the approval of a Specific Use Permit (SUP) to allow for an *animal shelter* as stipulated by Article VI, *Permissible Uses*, of the Unified Development Code (UDC). The ~2,720 SF [*i.e. 40-ft x 68-ft*] metal structure stands approximately 15-feet in height and is situated north of the primary structure, adjacent to SH-66. The *animal shelter* is to be used for the purpose of providing shelter for the animals on the *subject property.* As was noted above, there are two (2) existing accessory buildings on the *subject property* that have been built without a permit and one (1) that lies within the designated 100-year flood plain. This structure is required to be demolished and has been added as a condition of approval of the SUP. The other structure is a detached garage that is being considered for a Specific Use Permit (SUP) concurrently with this request [*i.e. Case No. Z2018-053*].

According to *Section 2*, of Article V, *Agricultural* (AG) *District* of the *Unified Development Code* (UDC), farming and ranching-related activities and accessory uses on more than ten (10)-acres

are permitted uses within an Agricultural (AG) District; however, an animal shelter requires the approval of a Specific Use Permit (SUP). Approval of a SUP is discretionary for the City Council.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is SH-66, which is a TXDOT 4D (*four [4] lane TXDOT Roadway*) on the City's Master Thoroughfare Plan. Beyond this are several tracts of land that are zone Agricultural (AG) District.

South: Directly south of the subject property are two (2) tracts of land zoned Agricultural (AG) District, with the south and east tract owned by the City of Rockwall and is known as the Regional Firearms Training Center.

East: Directly east of the subject property are several tracts of land that are zone Agricultural (AG) District and one property zoned Single-Family 1 (SF-1) District. The majority of these properties have single-family homes.

West: Directly west of the subject property is the City of Rockwall Municipal Airports runway and is zoned Agricultural (AG) District.

NOTIFICATION:

On November 30, 2018 staff mailed 33 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Rolling Meadows Homeowner's Association (HOA), which is the only HOA's/Neighborhood Organization that is within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this case memo was drafted staff had received three (3) notices in favor of and one (1) opposed to the applicant's request.

RECOMMENDATIONS:

Should the Planning and Zoning Commission choose to recommend approval of the applicant's request, staff would offer the following conditions of approval:

1) The animal shelter shall be subject to the following operational conditions, which are contained in the SUP ordinance:

    a. The animal shelter structure shall generally conform to the elevations and site plan depicted in *Exhibits 'B'* & *'C'* of the draft ordinance;

    b. The animal shelter structure shall not exceed its current size of approximately 2,720 SF or an approximate height of 15-feet;

    c. The existing accessory building located within the flood plain of this property, as depicted in *Exhibit 'D'* of the draft ordinance, shall be removed prior to the release of the building permit and/or construction of the animal shelter structure;

    d. The animal shelter structure shall not be operated as a commercial land use;

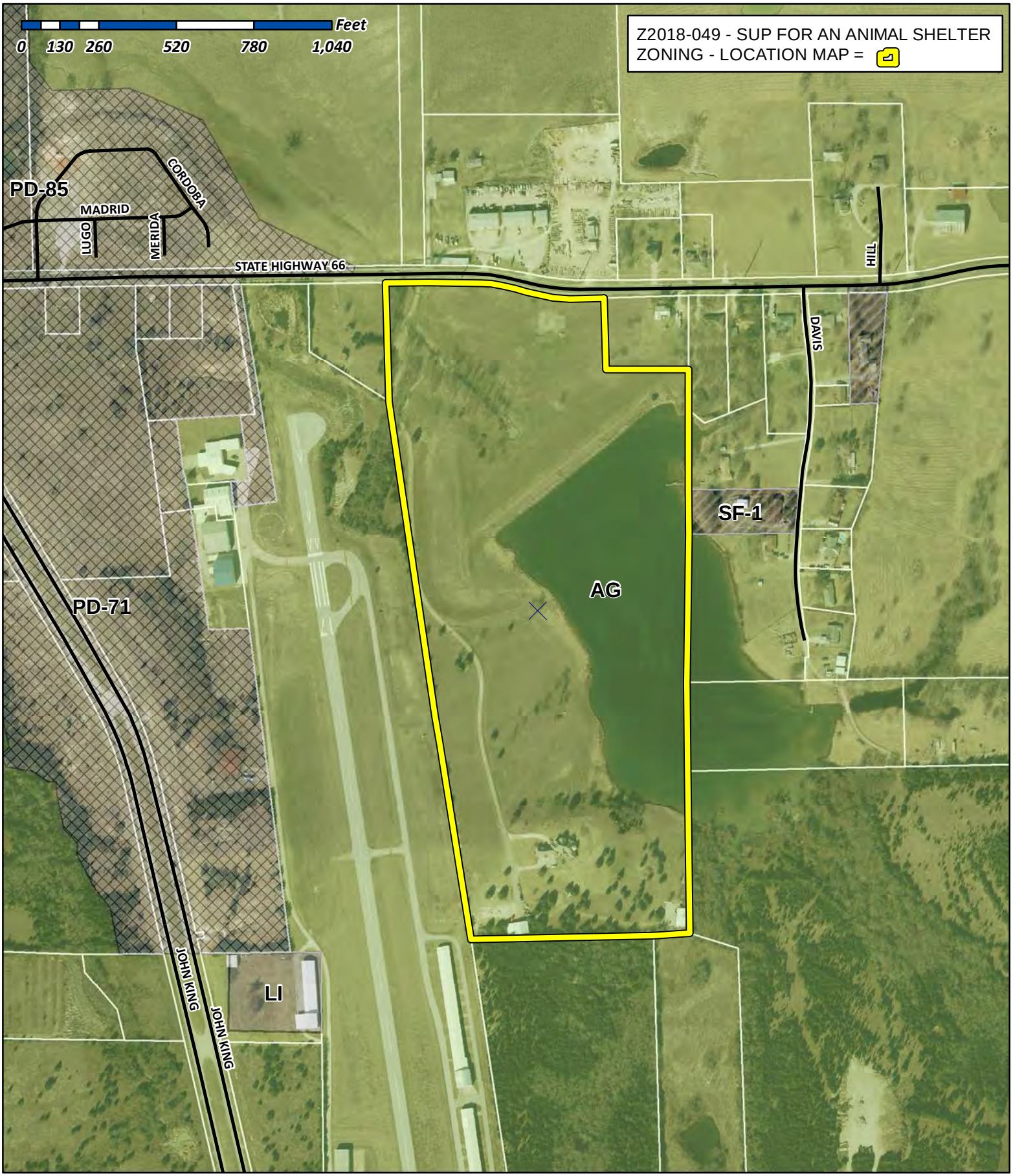
    e. A detention system is required for the addition of structures on the subject property per the Engineering Standards of Design; and,

f. The animal shelter structure is subject to administrative review in the event that the *subject property* is sold, conveyed or altered in any manner.

2) Any construction or building necessary to complete this request must conform to the requirements set forth by the *UDC*, the *International Building Code*, the *Rockwall Municipal Code of Ordinances*, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On December 11, 2018, the Planning and Zoning Commission's motion to recommend approval of the SUP to allow for an animal shelter on the subject property with staff conditions passed by a vote of 5 to 1 with Commissioner Chodun dissenting and Commissioner Moeller absent.



City of Rockwall

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

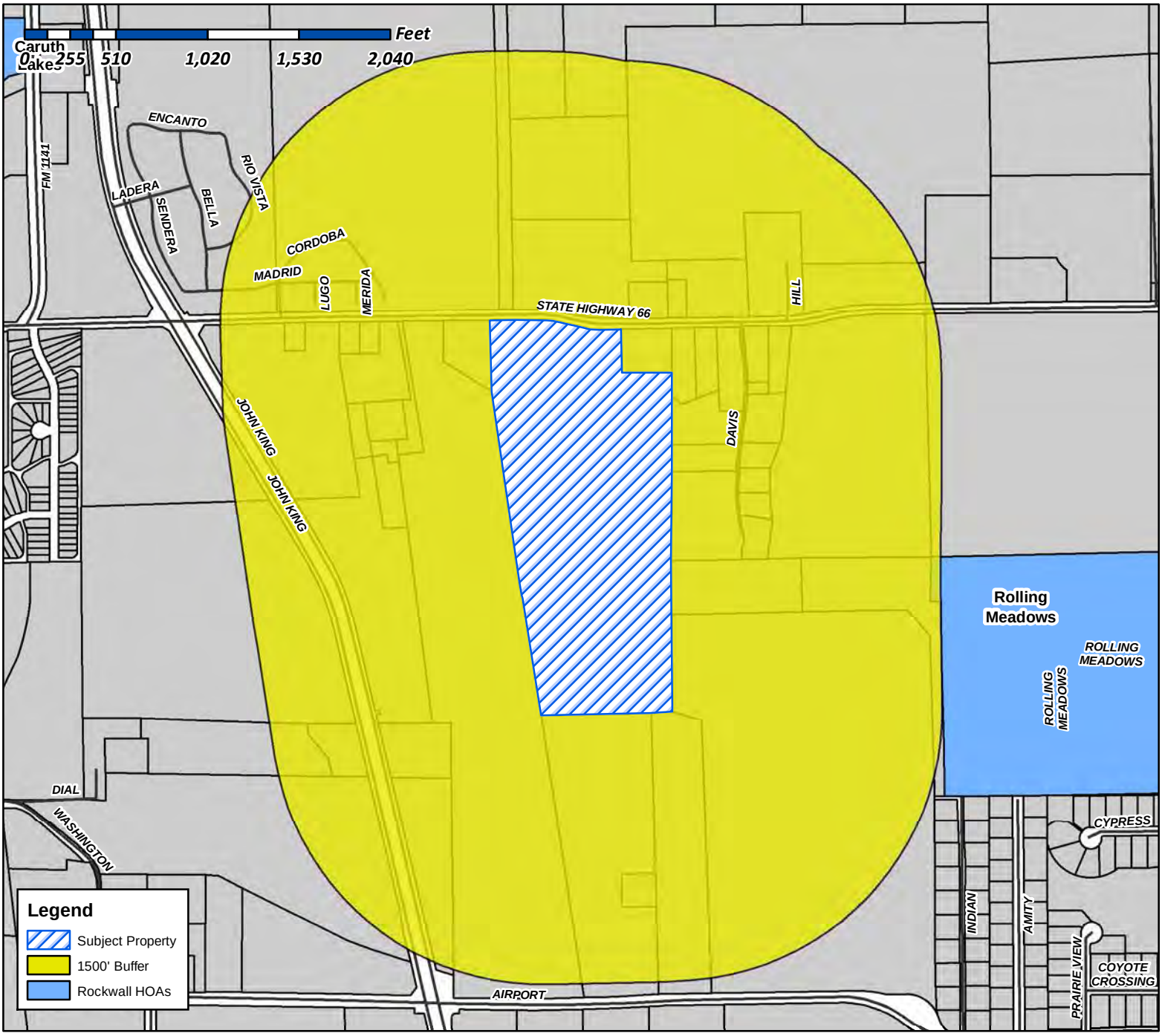
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93

City of Rockwall

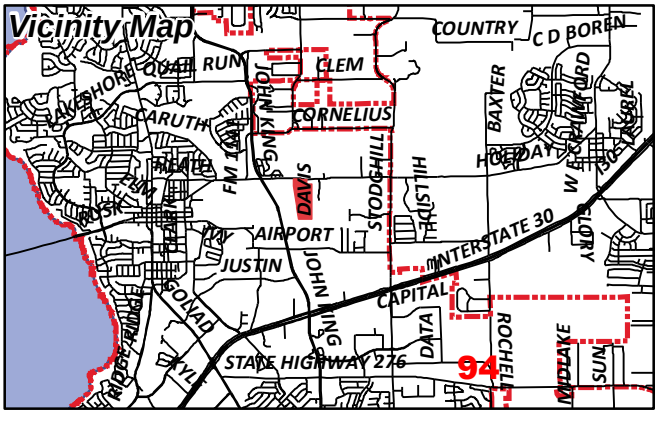
Planning & Zoning Department
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(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2018-049
Case Name: SUP for an Animal Shelter
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1700 E. SH-66

Date Created: ***11/14/2018***
For Questions on this Case Call (972) 771-7745



Gonzales, David

From: Morales, Laura
Sent: Friday, November 30, 2018 12:34 PM
To: [redacted]
Cc: Miller, Ryan; Gonzales, David; Brooks, Korey; Madubuike, Daniella
Subject: Neighborhood Noification Program: Notice of zoning request
Attachments: HOA Notification Map (11.14.2018).pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***November 30, 2018***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 12/11/2018 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday, 12/17/2018 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2018-049- Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) for an *animal shelter* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

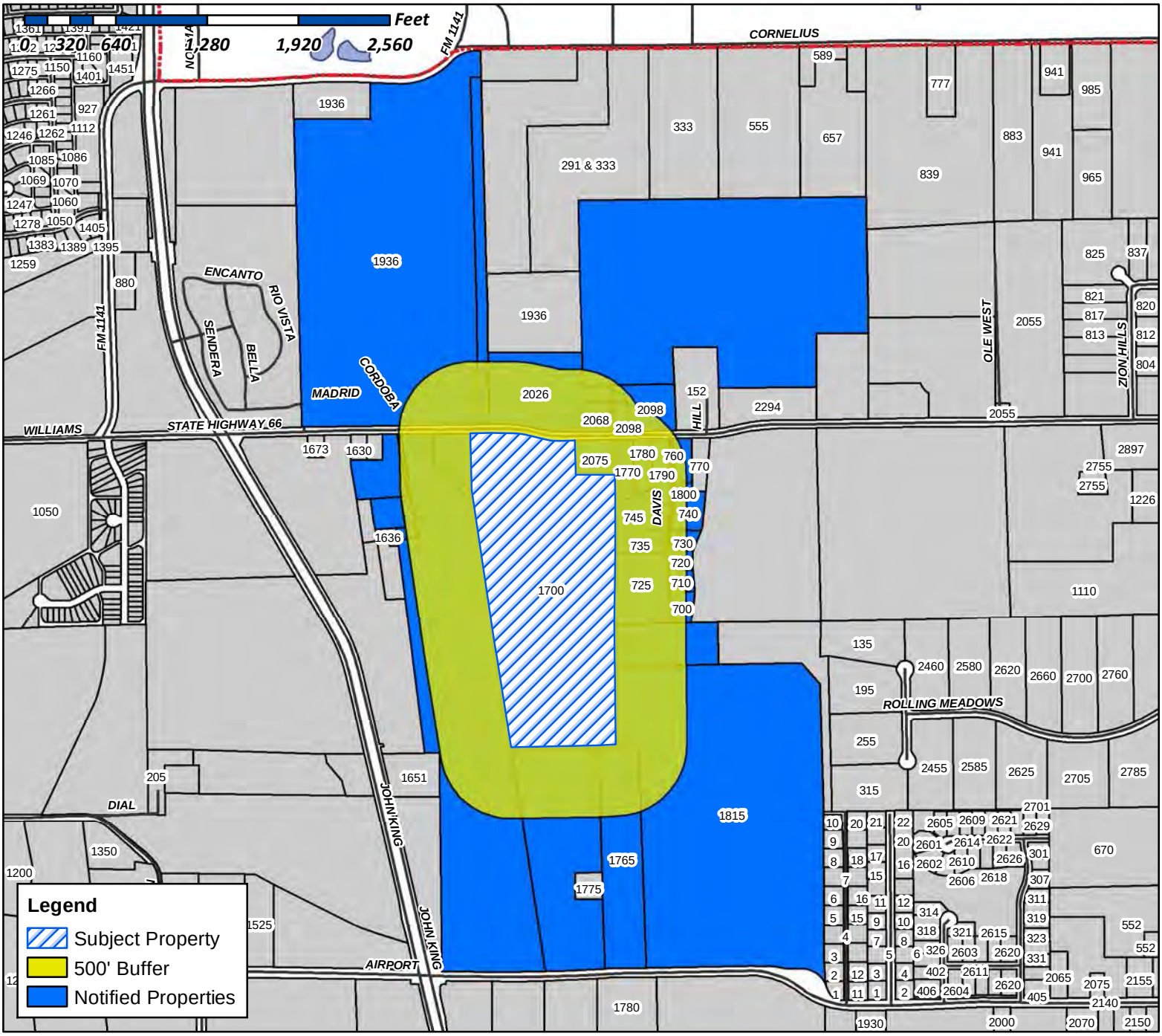
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com/planning/

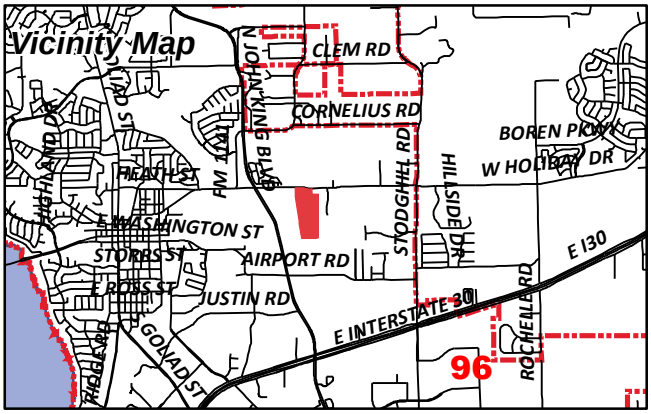
City of Rockwall

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

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Case Number: Z2018-049
Case Name: SUP for an Animal Shelter
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1700 E. SH-66



Date Created: 11/14/2018
For Questions on this Case Call (972) 771-7745

PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
1700 STATE HIGHWAY 66
ROCKWALL, TX 75087

CURRENT RESIDENT
1765 AIRPORT RD
ROCKWALL, TX 75087

CURRENT RESIDENT
1770 E HWY66
ROCKWALL, TX 75087

ATHEY JACK R
1780 AIRPORT RD
ROCKWALL, TX 75087

COLLIER MICHAEL & THERESA ROBBINS
& JUDY KAY COLLIER
1780 WILLIAMS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1790 WILLIAMS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1800 WILLIAMS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1815 AIRPORT RD
ROCKWALL, TX 75087

CURRENT RESIDENT
1936 HWY 66
ROCKWALL, TX 75087

CURRENT RESIDENT
2026 HWY 66
ROCKWALL, TX 75087

EDWARDS VINCENT & RITA
2068 STATE HIGHWAY 66
ROCKWALL, TX 75087

CURRENT RESIDENT
2075 WILLIAMS
ROCKWALL, TX 75087

CURRENT RESIDENT
2098 HWY66
ROCKWALL, TX 75087

BROWNING CAROLYN ESTATE
RITA EDWARDS INDEPENDENT EXECUTOR
2098 S HWY 66
ROCKWALL, TX 75087

CLARK TROY AND JANICE
3025 N GOLIAD ST
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORP
ATTN:BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
308 STONEBRIDGE DR
ROCKWALL, TX 75087

RYAN WILLIAM K
330 VZ CR 2207
CANTON, TX 75103

DAVIS WILLIAM PAUL JR
510 TURTLE COVE BLVD 0
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

TOMLIN MICHAEL E JR & DONYA B
700 DAVIS DR
ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E
710 DAVIS DRIVE
ROCKWALL, TX 75087

MOCK BRUCE W & MARILYN J
720 DAVIS DR
ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

BANUELOS SHERRI L
735 DAVIS DR
ROCKWALL, TX 75087

RINKEVICH JOSEPH W & MARY ANN C TRUSTEES
740 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
745 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
760 DAVIS DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
PO BOX 1119
ROCKWALL, TX 75087

97

PEOPLES BILLY W
PO BOX 35
ROCKWALL, TX 75087

PEOPLES MIKE L
PO BOX 41
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

98

To Whom It May Concern:

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

Case No. Z2018-049: SUP for an Animal Shelter

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 12/11/2018 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 12/17/2018 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **12/17/2018** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2018-049: SUP for an Animal Shelter

Please place a check mark on the appropriate line below:

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

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

Name:	
Address:	

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

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

PLEASE RETURN THE BELOW FORM

Case No. Z2018-049: SUP for an Animal Shelter

Please place a check mark on the appropriate line below:

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

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

42.66 TRACT OF LAND

Name: Bill K. Ryan

Address: 330 VZ CR 2207 Canton, TX 75103

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

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

100

100

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

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

To Whom It May Concern:

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

Case No. Z2018-049: SUP for an Animal Shelter

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

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385 S. Goliad Street
Rockwall, TX 75087

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Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2018-049: SUP for an Animal Shelter

Please place a check mark on the appropriate line below:

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

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

Name: MARK DAILEY

Address: 730 DAVIS DR. ROCKWALL, TX 75087

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

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Case No. Z2018-049: SUP for an Animal Shelter

Please place a check mark on the appropriate line below:

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

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

Name: Mike Peoples

Address: PO Box 41 Rockwall, TX 75087

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

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



102

102

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

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

To Whom It May Concern:

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Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

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Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2018-049: SUP for an Animal Shelter

Please place a check mark on the appropriate line below:

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

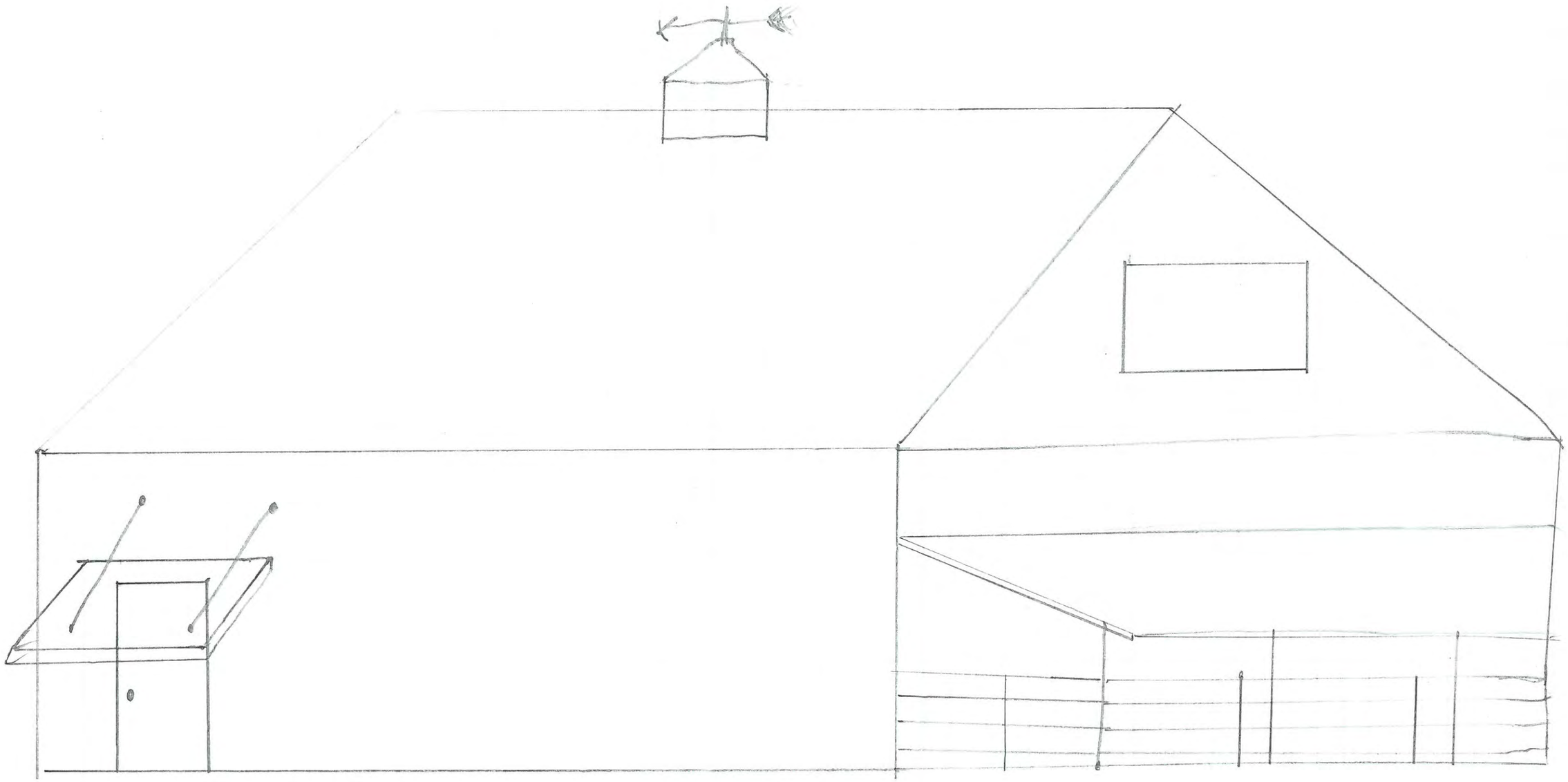
Smell

Name: Judy Collins

Address: 1780 Williams

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

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Hwy 66 side North Facing Elevation

104



105



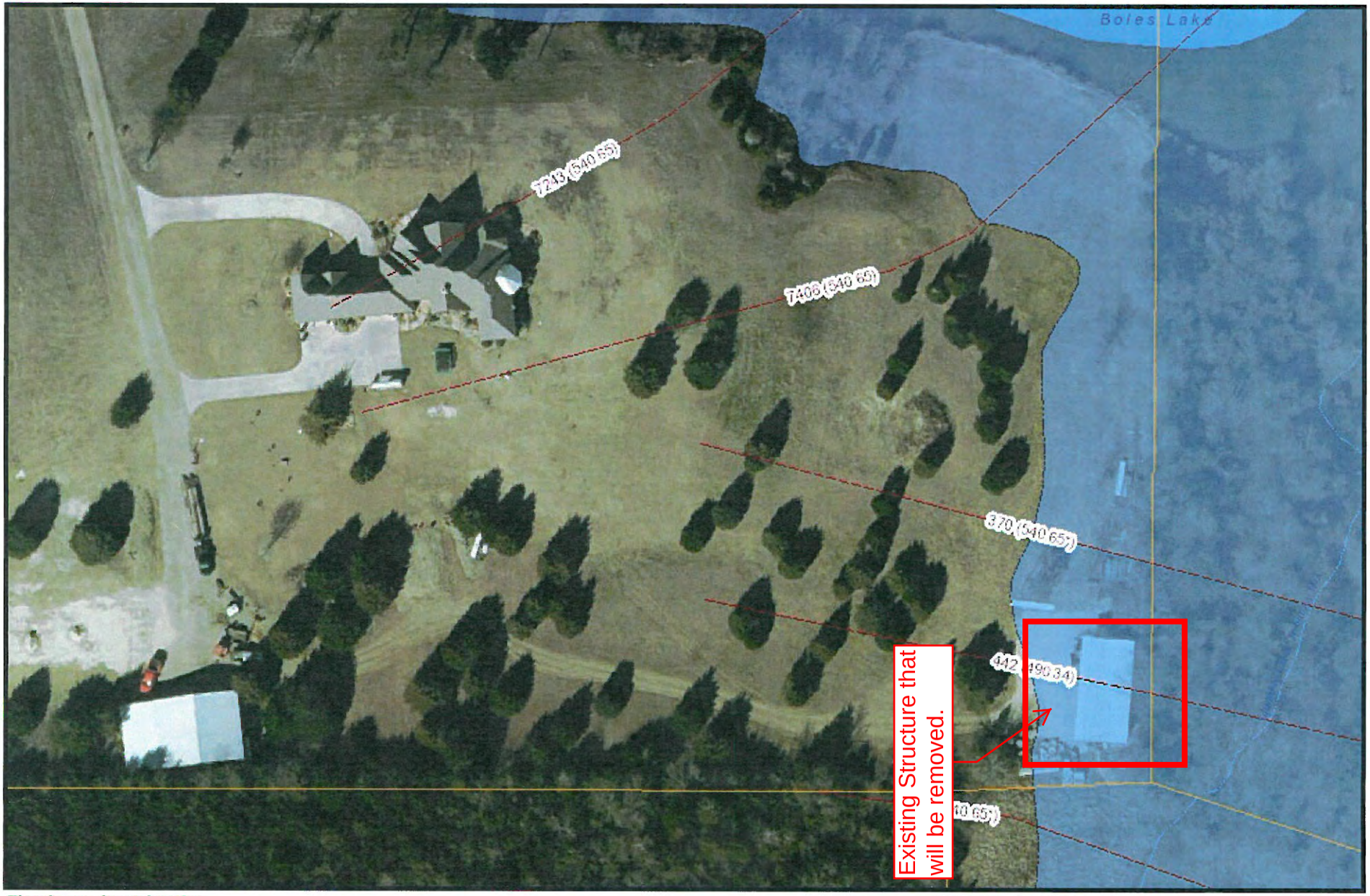
106



107



Web Map



109

Thank you for using the
City of Rockwall
GIS INTERACTIVE MAPPING SITE

10/25/2018, 3:44:54 PM 1:1,128

0 0.0075 0.015 0.03 mi
0 0.01 0.02 mi

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ANIMAL SHELTER ON A 42.66-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT, IDENTIFIED AS TRACT 7 OF THE D. HARR SURVEY, ABSRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Mike Peoples for the approval of a Specific Use Permit (SUP) for the purpose of allowing a previously constructed animal shelter, situated on a 42.66-acre tract of land, zoned Agricultural (AG) District, and being identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, addressed 1700 E. SH-66, and being more specifically depicted in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the construction of an animal shelter structure within an Agricultural (AG) District as stipulated by Article IV*, Permissible Uses,* and Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Section *2.1, Agricultural (AG) District,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the following operational conditions and compliance standards:

EXHIBIT 'A' ORDINANCE NO. 19-XX

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an animal shelter, structure on the Subject Property and conformance to these requirements is necessary for continued operations:

1) The animal shelter structure shall generally conform to the elevations and site plan depicted in *Exhibits 'B'* & *'C'* of this ordinance;

2) The animal shelter structure shall not exceed its current size of approximately 2,720 SF or an approximate height of 15-feet;

3) The existing accessory building located within the flood plain of this property, as depicted in *Exhibit 'D'* of this ordinance, shall be removed prior to the release of the building permit and/or construction of the animal shelter structure;

4) The animal shelter structure shall not be operated as a commercial land use;

5) A detention system is required for the addition of structures on the subject property per the Engineering Standards of Design; and,

6) The animal shelter structure is subject to administrative review in the event that the S*ubject Property* is sold, conveyed or altered in any manner.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] will require compliance to the following:

1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC) [*Ordinance No. 04-38*], the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*].

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

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

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

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

DRAFT ORDINANCE 2018

ordinance shall remain in full force and effect.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JANUARY, 2019.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *December 17, 2018*

2nd Reading: *January 7, 2019*

DRAFT ORDINANCE 12.17.2018

Exhibit 'A':
Legal Description and Property Location

Legal Description: Tract 7 of the D. Harr Survey, Abstract No. 102

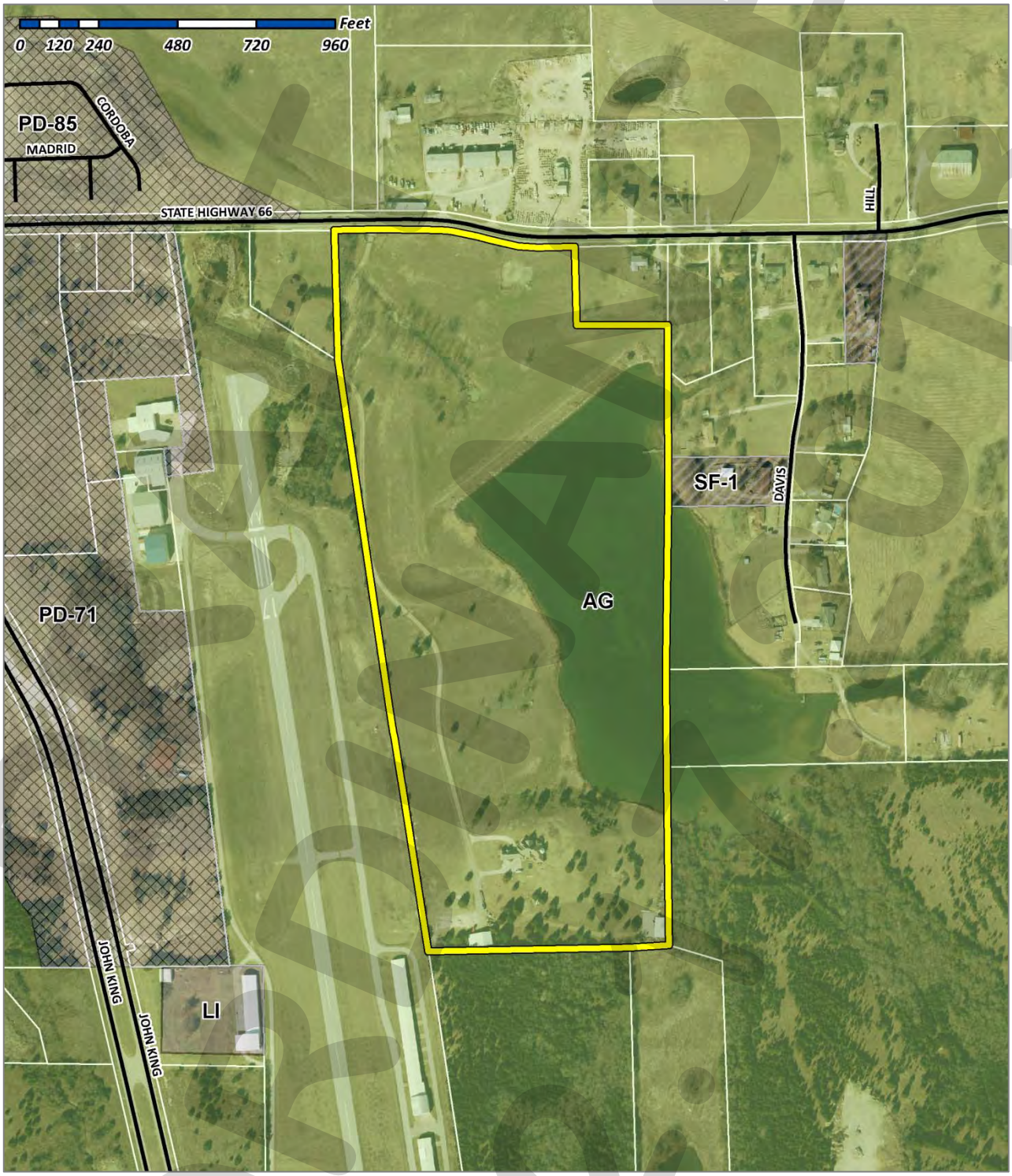
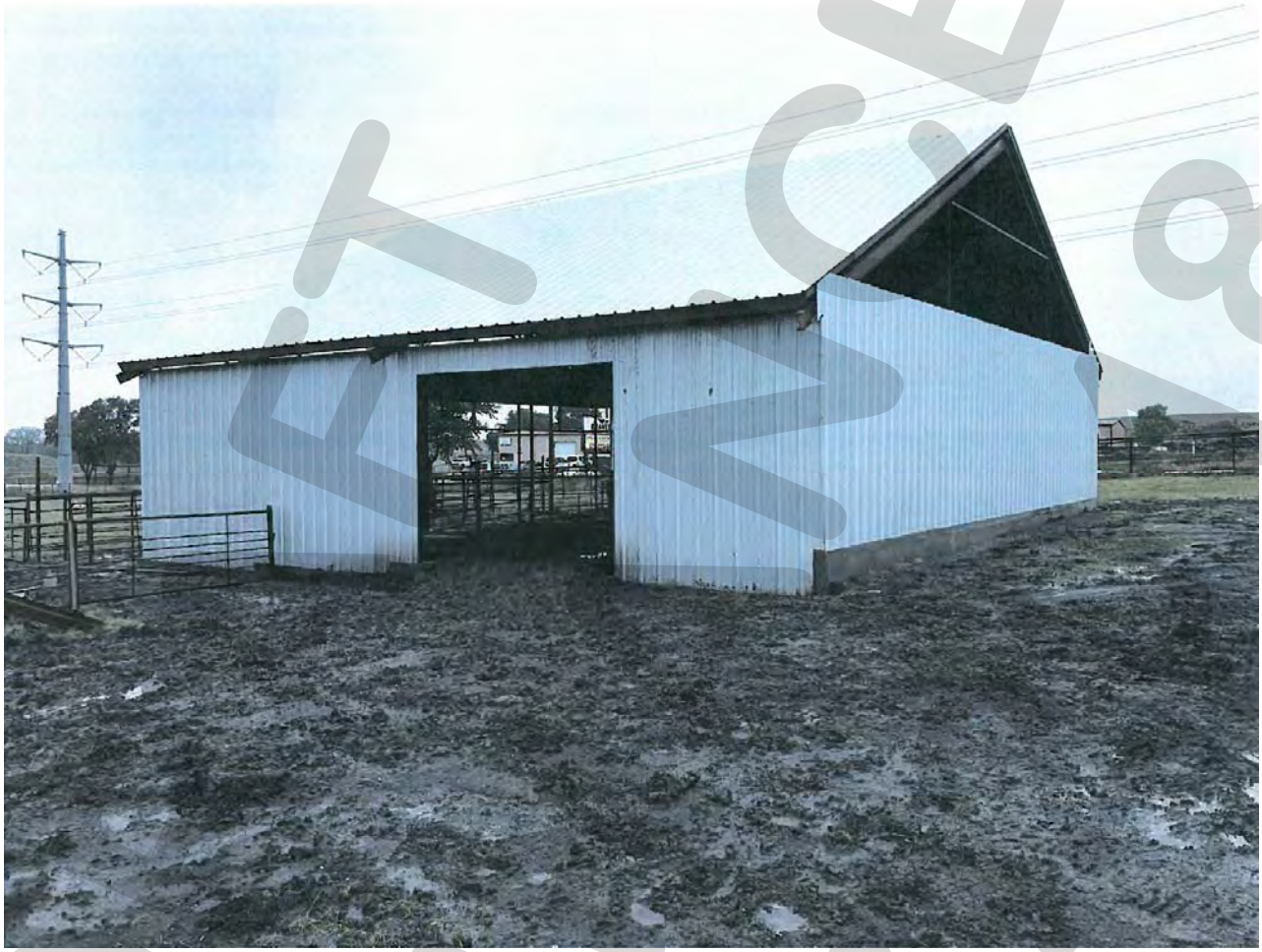
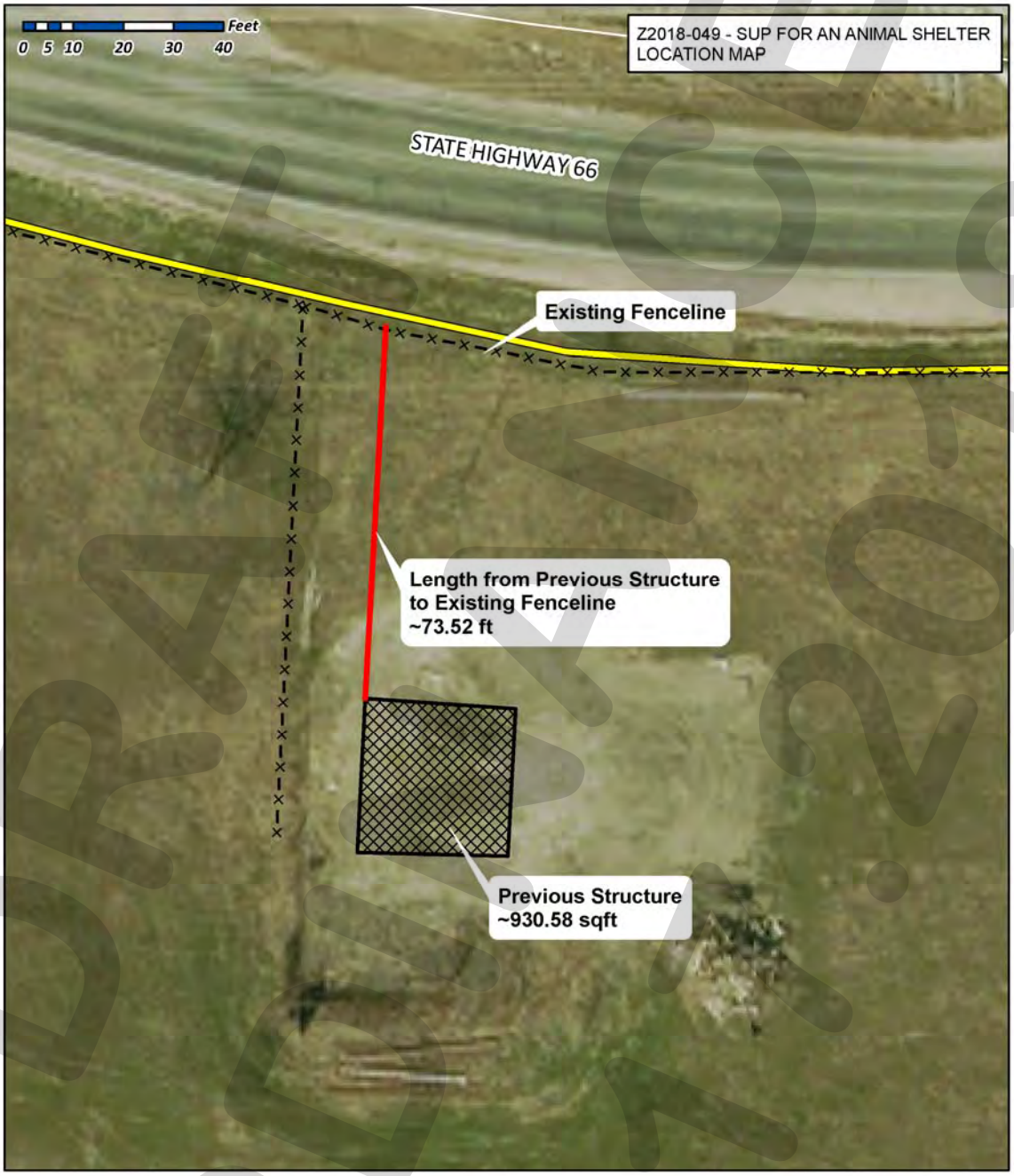


Exhibit 'B':
Animal Shelter – Elevations



DRAFT
ORDINANCE
12.17.18

Exhibit 'C':
Site Plan



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

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DRAFT 12/4/2018

Exhibit 'D':
Accessory Building that will be Removed



DRAFT 12.10.2018

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117

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*

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

DATE: January 7, 2019

SUBJECT: Z2018-052; *SUP for a Mini-Warehouse*

On December 17, 2018, the City Council voted to approve the applicant's request for a Specific Use Permit (SUP) for a mini-warehouse facility by a vote of 6-0, with Council Member Fowler recusing himself from the vote. This will be the second reading of the ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 19-04

SPECIFIC USE PERMIT NO. S-202

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT, ON A 7.489-ACRE PARCEL OF LAND BEING IDENTIFIED AS LOT 23, RAINBO ACRES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City has received a request from Russell Phillips for the approval of a Specific Use Permit (SUP) to allow for a *Mini-Warehouse Facility* in a Commercial (C) District on a 7.489-acre parcel of land being described as Lot 23, Rainbo Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *Mini-Warehouse* within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Subsection 2.1.10, Wholesale, Distribution, and Storage,* of *Section 2*, *Use Standards*, of *Article IV, Permissible Uses, and Subsection 4.5, Commercial (C) District,* of *Section 4*, *Commercial District,* of *Article V*, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended and as may be amended in the future, and shall be subject to the following operational conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions shall pertain to the operation of a *mini-warehouse* facility on the subject property, and conformance to these operations is required for continued operation:

1) The development shall generally conform to the Concept Plan depicted in *Exhibit 'B'* of this ordinance.

2) The building elevations shall generally conform to the Concept Building Elevations depicted in *Exhibit 'C'* of this ordinance.

3) The maximum number of storage units provided shall not exceed 293 units for the facility.

4) The residential unit as an accessory to the permitted use shall not exceed 1,600 square feet.

5) The residential unit may exceed one story, but shall not be greater than 36 feet in height.

6) No outside storage of any kind shall be allowed (including the outside storage of boats, recreational vehicles, trailers, and motor or self-propelled vehicles).

7) Businesses shall not be allowed to operate within individual storage units.

8) The commercial operation of rental trucks and trailers shall be prohibited.

9) The developer shall maintain the treeline at the south, east, and north property lines.

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the

ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JANUARY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: December 17, 2018

2nd Reading: January 7, 2019

Exhibit 'A':
Survey

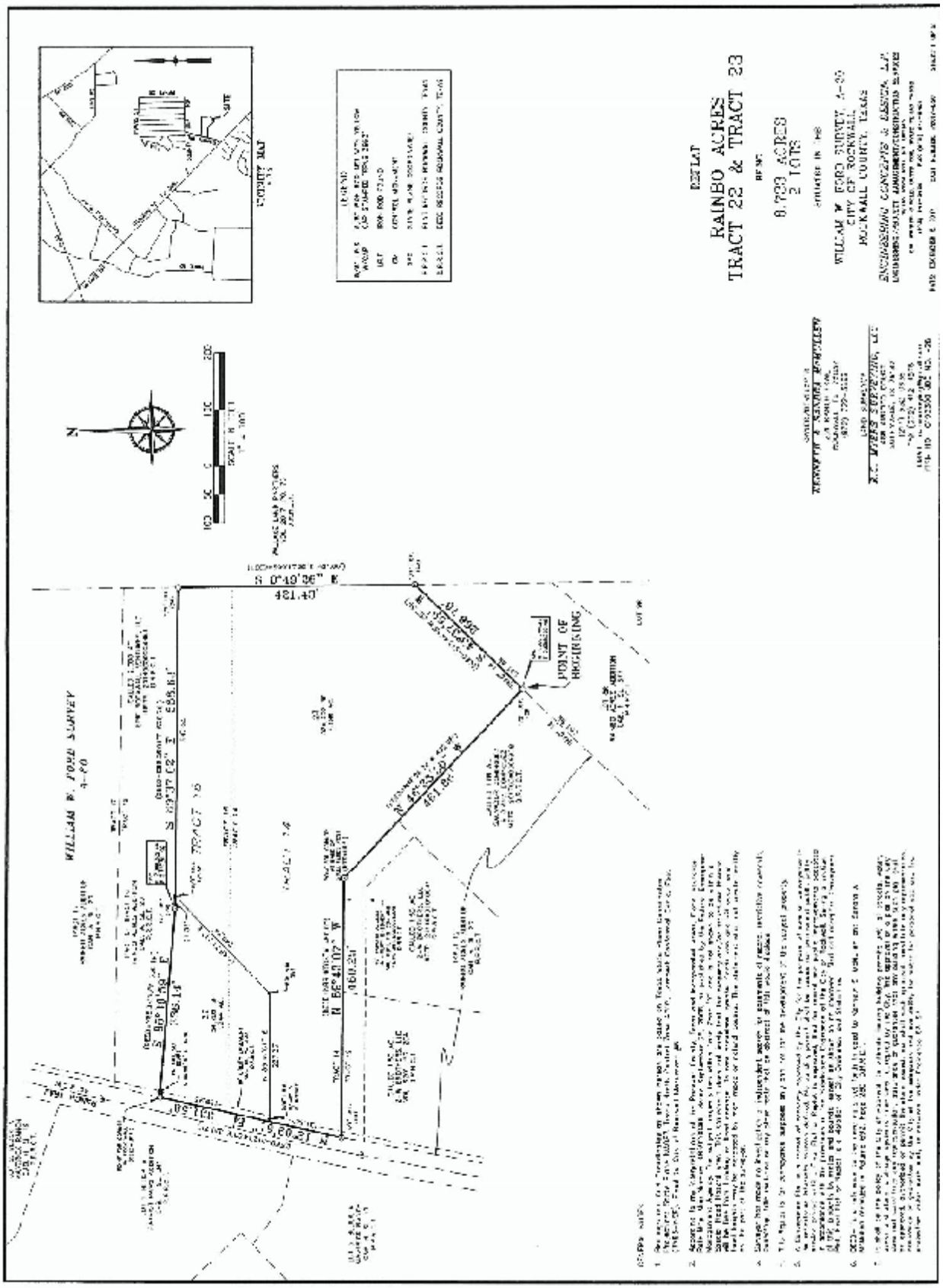


Exhibit 'B':
Concept Plan

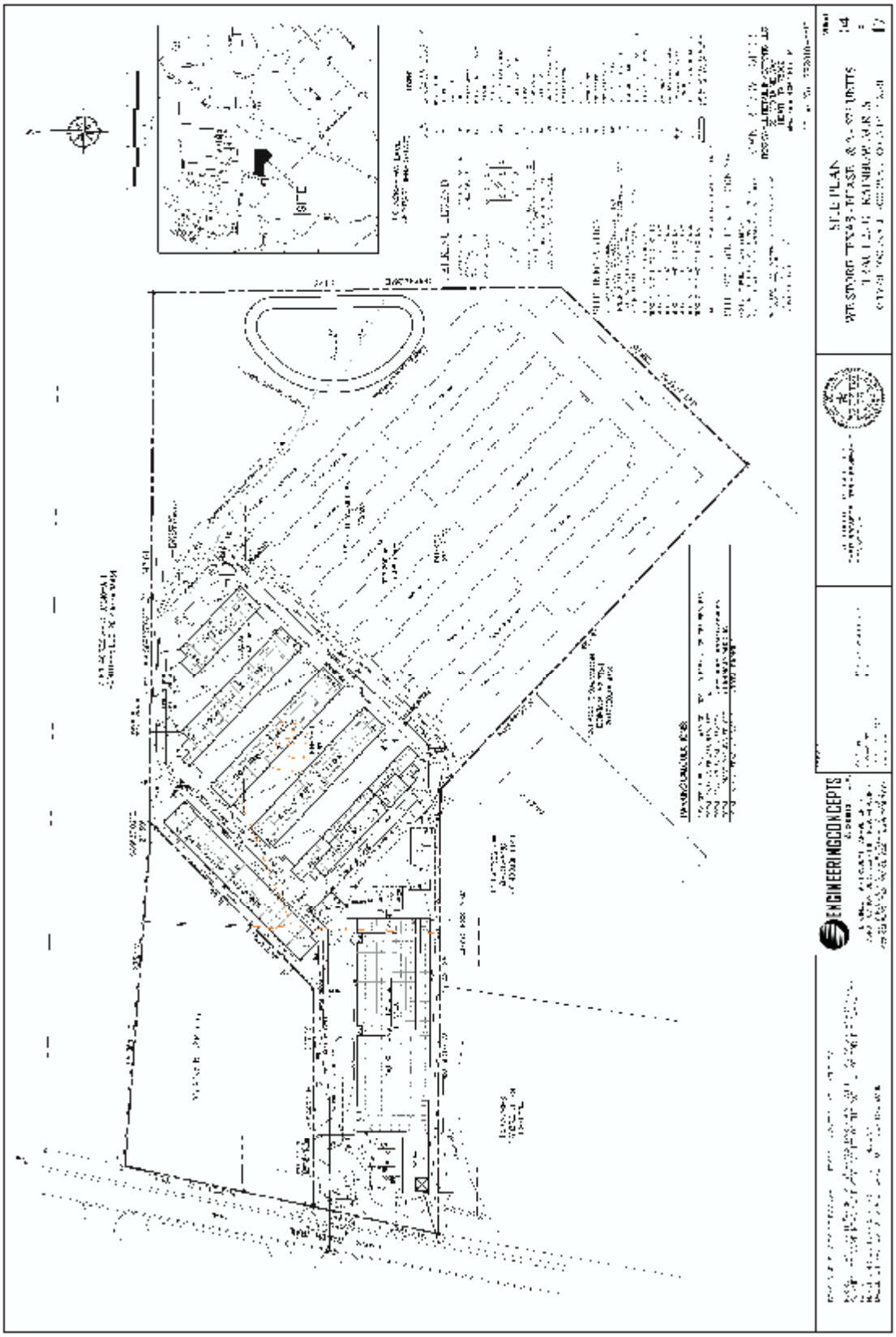


Exhibit 'C':
Concept Building Elevations

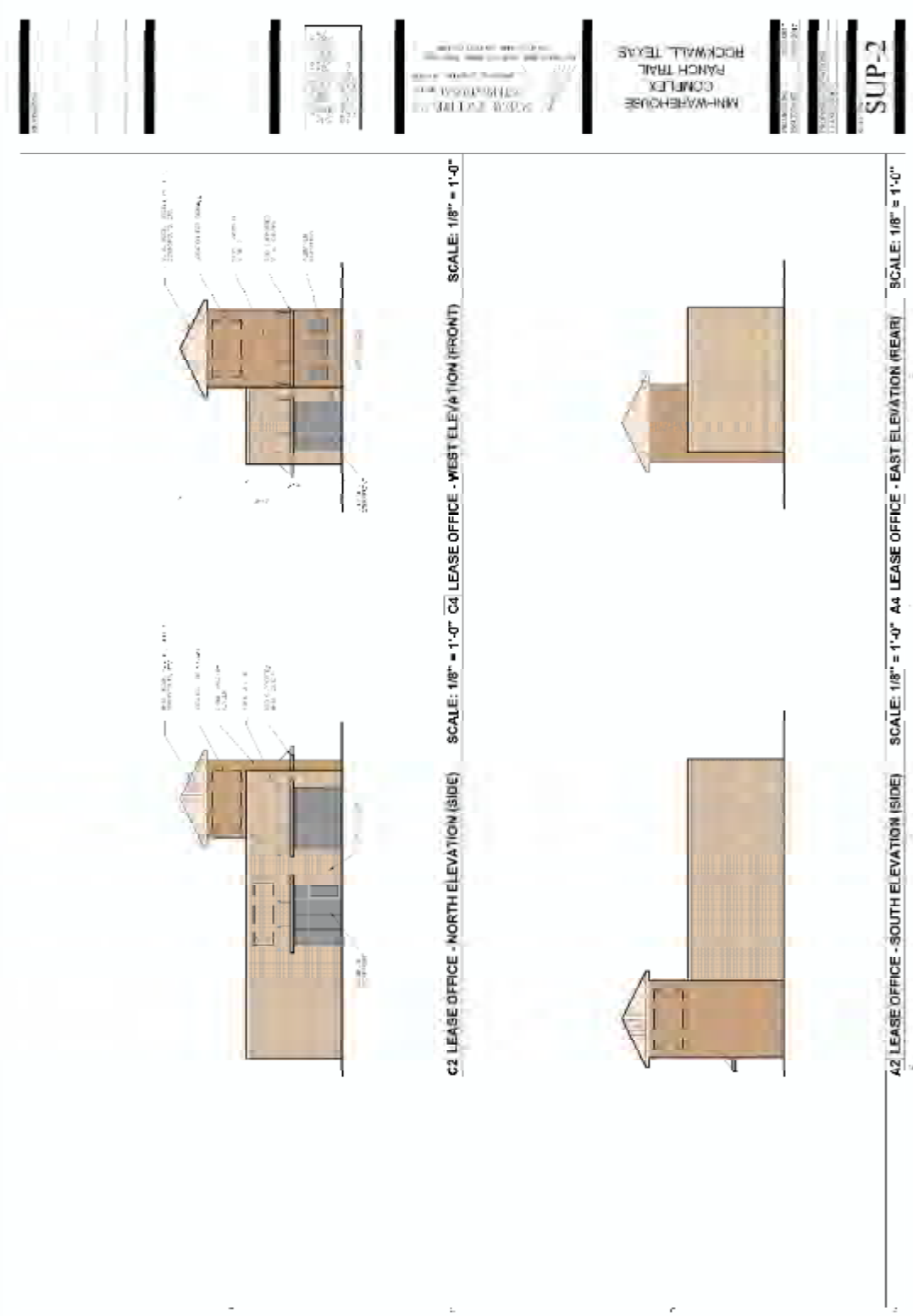


Exhibit 'C':
Concept Building Elevations

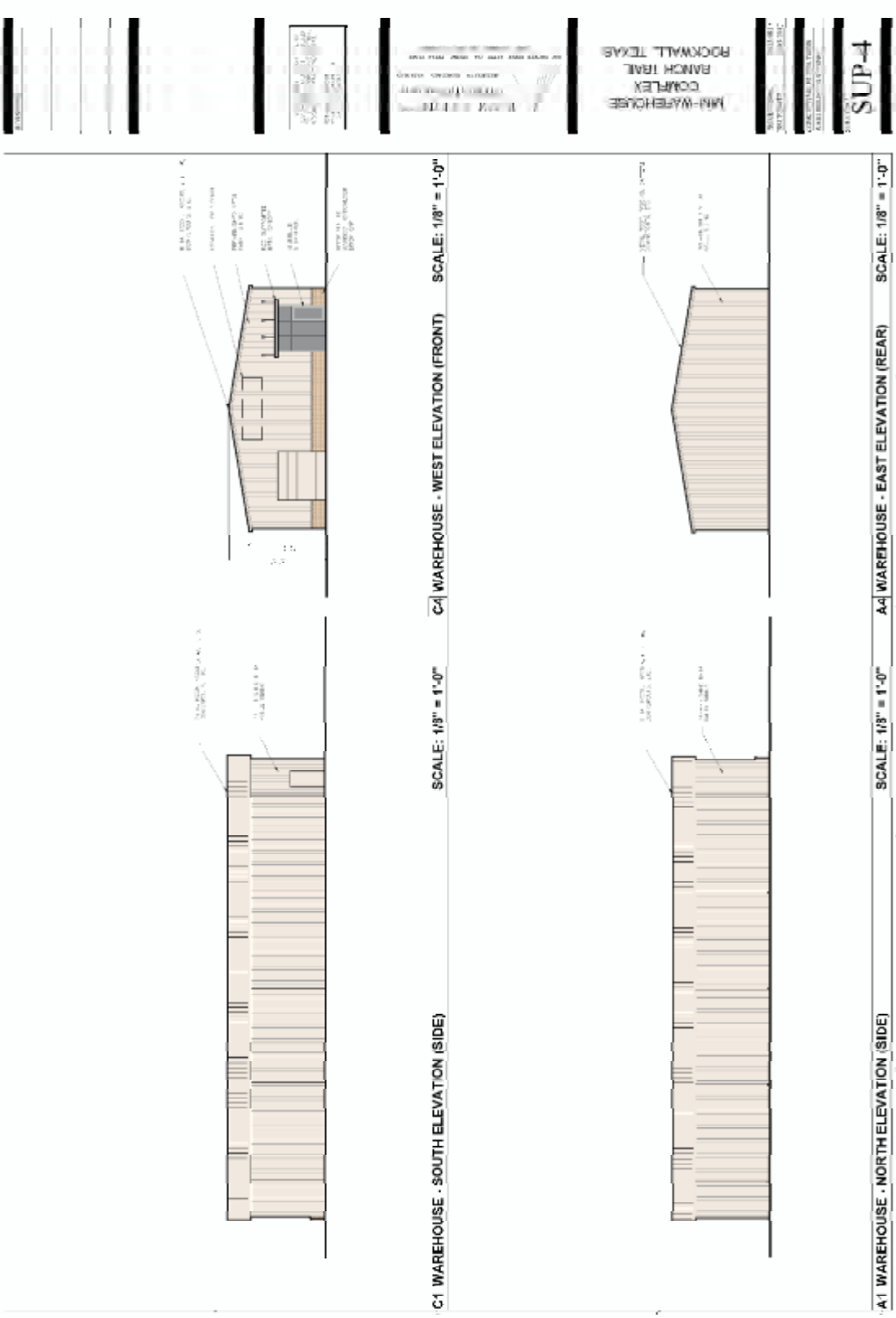
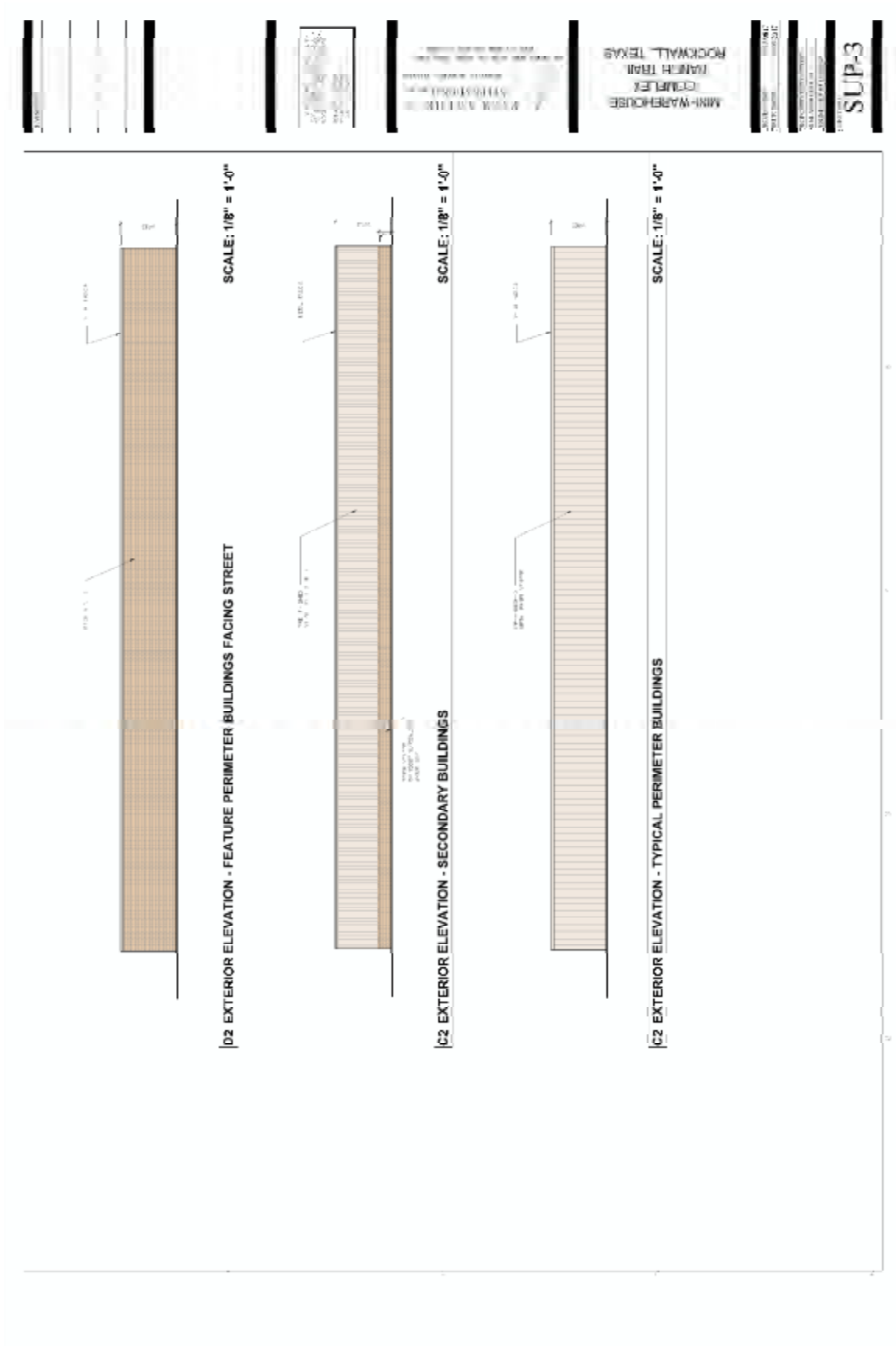


Exhibit 'C':
Concept Building Elevations



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127

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*

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

DATE: January 7, 2019

SUBJECT: Z2018-048; *SUP for an Accessory Building at 205 S. Clark Street*

On December 17, 2018, the City Council voted to approve the applicant's request for a Specific Use Permit (SUP) for an accessory building by a vote of 5-2, with Council Members Hohenshelt and Daniels dissenting. This will be the second reading of the ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 19-03

SPECIFIC USE PERMIT NO. S-201

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ACCESSORY BUILDING THAT DOES NOT MEET THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE (UDC) ON A 0.253-ACRE PARCEL OF LAND ZONED SINGLE-FAMILY 7 (SF-7) DISTRICT AND IDENTIFIED AS LOT 47B, B. F. BOYDSTUN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Amanda Henry for the approval of a Specific Use Permit (SUP) for the purpose of constructing an accessory building that does not meet the masonry requirements and exceeds the maximum size requirements as stipulated by the Unified Development Code (UDC), situated on a 0.253-acre parcel of land, zoned Single-Family 7 (SF-7) District, and being identified as Lot 47B, B. F. Boydstun Addition, City of Rockwall, Rockwall County, Texas, addressed 205 S. Clark Street, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the construction of a metal accessory building that does not conform to the minimum masonry requirements and exceeds the maximum size for accessory buildings in a Single-Family 7 (SF-7) District as stipulated by Article IV*, Permissible Uses,* and Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Section

3.6*, Single-Family 7 (SF-7) District,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the additional following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an accessory building on the *Subject Property* and conformance to these requirements is necessary for continued operations:

1) The accessory building shall generally conform to the building elevations and site plan depicted in *Exhibits 'B' & 'C'* of this ordinance.

2) The accessory building shall not exceed a maximum size of 910 SF;

3) The existing accessory building toward the rear of the property shall be removed prior to the construction of the new accessory building;

4) The subject property shall not have more than one (1) accessory building;

5) The accessory building shall not exceed a maximum overall height of 15-feet;

6) The accessory building shall not be operated as a commercial land use; and,

7) The accessory building is subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] will require compliance to the following:

1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC) [*Ordinance No. 04-38*], the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*].

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JANUARY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: December 17, 2018

2nd Reading: January 7, 2019

Exhibit 'A':
Survey

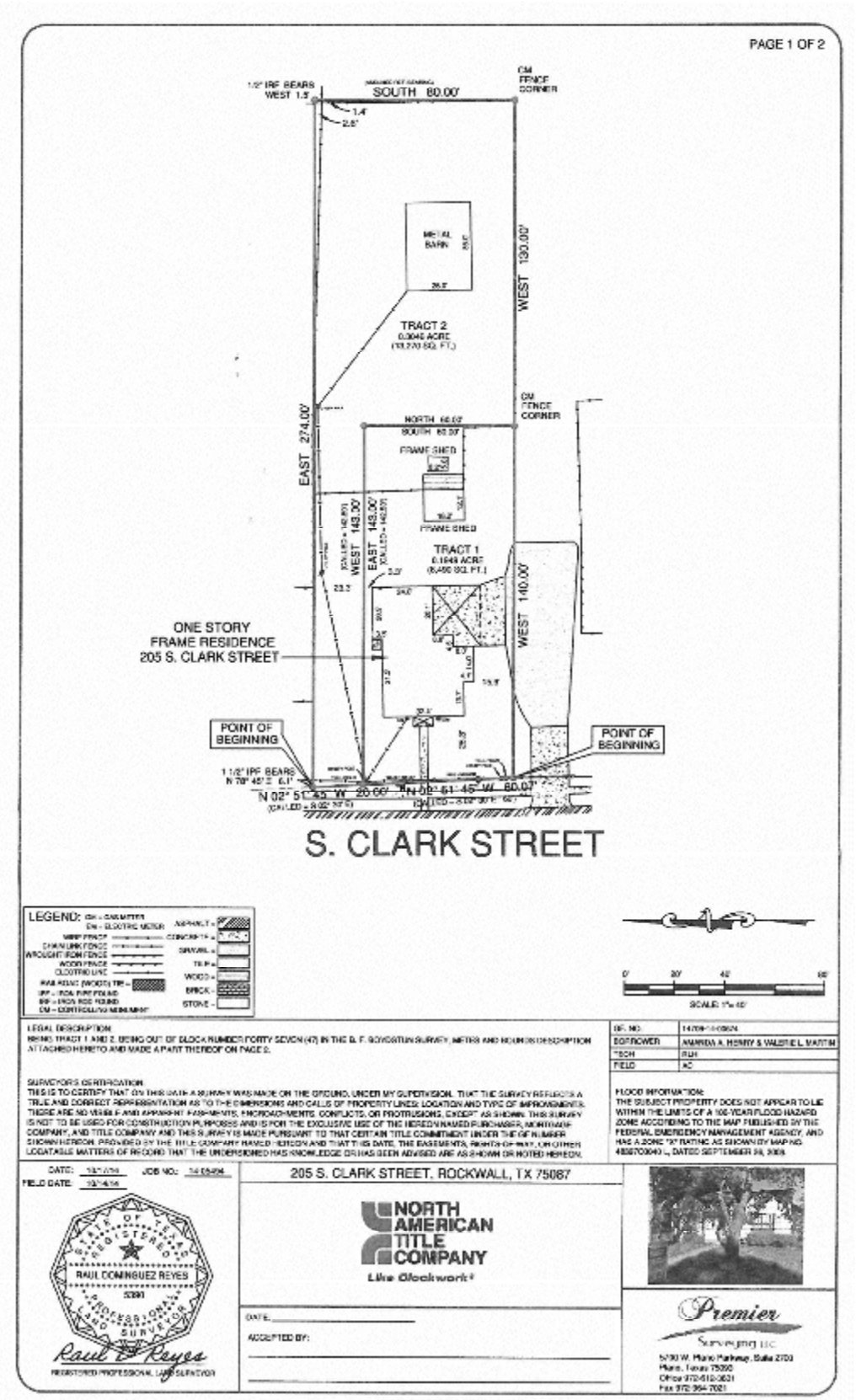


Exhibit 'B':
Building Elevations

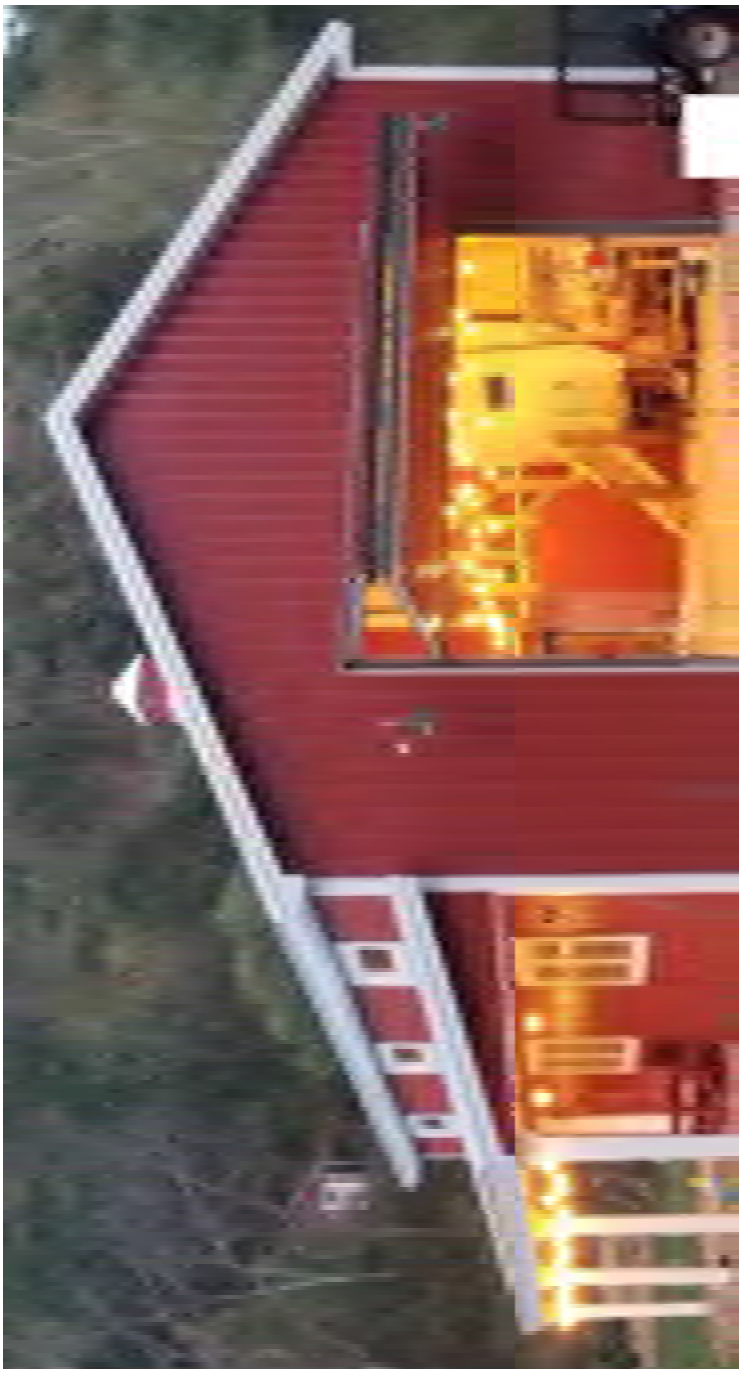
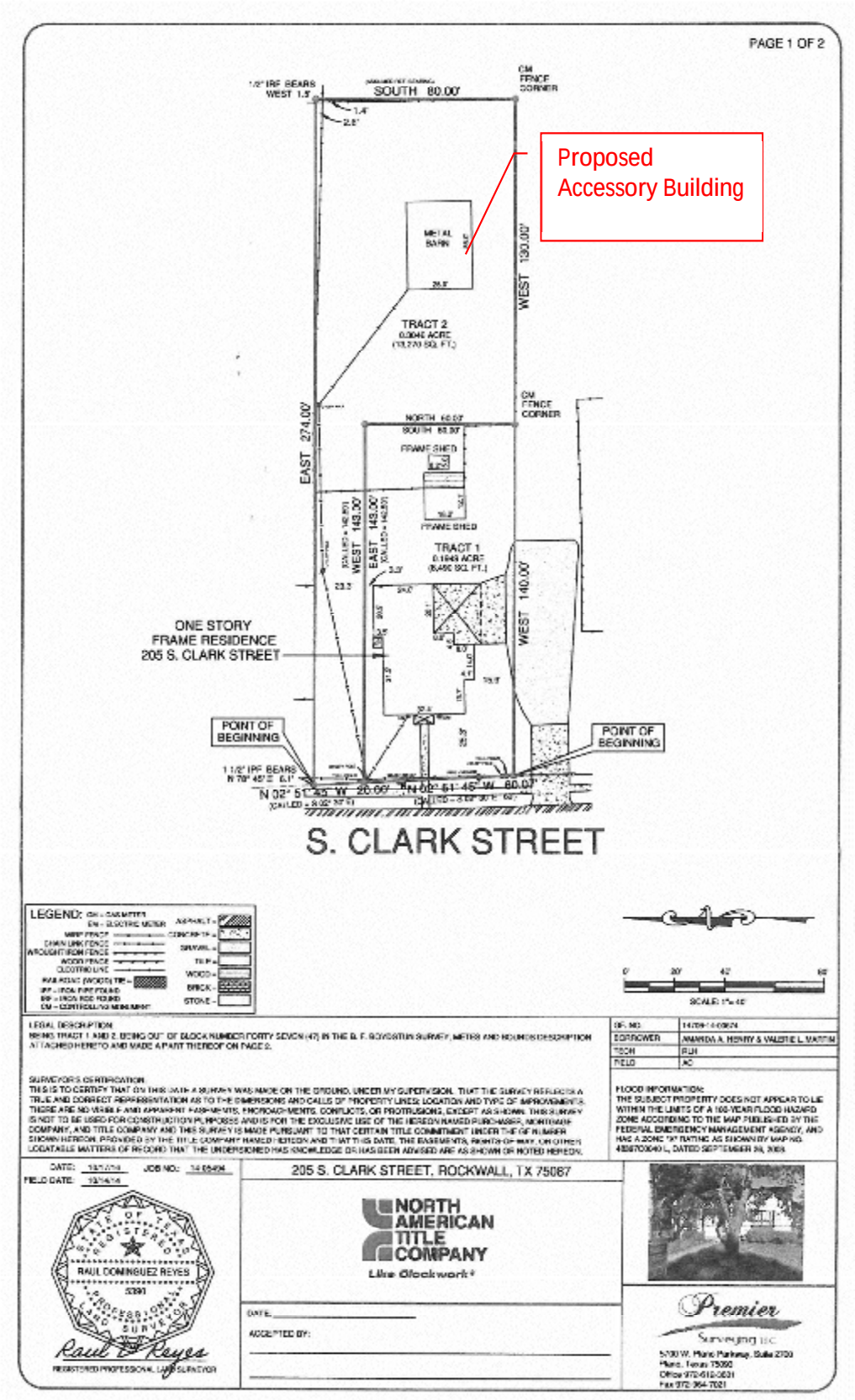


Exhibit 'C':
Site Plan



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135

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Ryan Miller*, Director of Planning and Zoning*

FROM: David Gonzales, *Planning and Zoning Manager*

DATE: January 7, 2019

SUBJECT: Z2018-054; *SUP for Building Exceeding 36-feet in Height in SOV*

On December 17, 2018, the City Council held a public hearing regarding a request for a Specific Use Permit (SUP) [*Case No. Z2018-054*] from Andrew Bennett of BOKA Powell for a proposed office building that would exceed 36-feet in height within the Scenic Overlay (SOV) District. Provided to the City Council were five (5) property owner notifications that had been received from property owners within 500-feet of the subject property that were opposed to this request (*i.e. Paul Davis [two (2) notices] and R.D. Vanderslice [one (1) notice], Sally Meek [one (1) notice], and Steve Mak [email]*). Of these property owners, Mr. Davis and Mr. Vanderslice, have since forwarded staff emails requesting to retract their opposition to this request, and have stated they are now in support of the Specific Use Permit (SUP). This would change the notifications received to four (4) notices in favor of the request, and one (1) notice and (1) email opposed to the request.

Attached to this memorandum are the emails from Mr. Davis and Mr. Vanderslice requesting to *retract* their opposition to this request (*see Exhibit 'A'*). At the last City Council meeting on December 17, 2018, the City Council approved the SUP request by a vote of 4-3 with Mayor Pruitt, and Council Members Macalik and Daniels dissenting. Should the City Council have any questions staff will be available at the *January 7, 2019* City Council meeting.

Gonzales, David

From:	Linda Anderson [redacted]
Sent:	Wednesday, December 19, 2018 3:32 PM
To:	Gonzales, David
Cc:	Paul Davis
Subject:	RE: comments on Case No. Z2018-054 SUP for an Office Building Exceeding 36 ft. in Height
Attachments:	comments on Case No. Z2018-054 SUP for an Office Building Exceeding 36 ft. in Height
Follow Up Flag:	Follow up
Flag Status:	Flagged

David,
We are pulling our opposition. **We will support Mark Andrews project.**
Thank you,



Linda Anderson CISR
Executive Assistant for
Paul Davis, Jr.
President
Texas Specialty Underwriters, Inc.
510 Turtle Cove Blvd., Suite 200
Rockwall, TX 75087
P (972)771-5653, ext. 103

From: Gonzales, David [mailto:DGonzales@rockwall.com]
Sent: Thursday, December 13, 2018 11:25 AM
To: Linda Anderson
Subject: RE: comments on Case No. Z2018-054 SUP for an Office Building Exceeding 36 ft. in Height

Ms. Anderson,

Thank you for your responses regarding the SUP case. These items will forwarded to the City Council for their consideration during the public hearing next week.

Regards,



DAVID GONZALES, AICP
PLANNING & ZONING MANAGER
PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

Gonzales, David

From: rd [redacted]
Sent: Wednesday, December 19, 2018 2:59 PM
To: Gonzales, David
Subject: Case No. Z2018-054

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Gonzales.

I had previously sent in a form opposing this SUP. I have done more research on it and now would like to withdraw my opposition form. I do not oppose the SUP for an office building over 36 ft in height.

Sincerely,
R. D. Vanderslice
Property owner - 2308 Ridge Rd.
Rockwall, Texas 75087

Sent from Mail for Windows 10

CITY OF ROCKWALL

ORDINANCE NO. 19-05

SPECIFIC USE PERMIT NO. S-203

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A STRUCTURE THAT EXCEEDS 36-FT IN HEIGHT WITHIN THE SCENIC OVERLAY (SOV) DISTRICT IN A COMMERCIAL (C) DISTRICT, ON A 9.70-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 15 OF THE E.P.G. CHISUM SURVEY, ABSTRACT NO. 64, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Andrew Bennitt of BODA Powell, LLC on behalf of the owner Vinod Miranda for the approval of a Specific Use Permit (SUP) to allow for a structure that exceeds 36-feet in height within the *Scenic Overlay (SOV) District* on an 9.70-acre tract of land, identified as Tract 15 of the E.P.G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned *Commercial (C) District*, situated within the *Scenic Overlay (SOV) District,* generally located at the southwestern corner of the intersection of Ridge Road [*FM-740*] and Turtle Cove Boulevard, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a structure that exceeds 36-feet in height within the *Scenic Overlay (SOV) District* as stipulated by *Section 4.5, Commercial (C) District* and *Section 6.8, Scenic Overlay (SOV) District, of Article V, District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

Section 2. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 4.5, Commercial (C) District* and *Section 6.8, Scenic Overlay (SOV) District, of Article V, District Development Standards,* of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the additional

following additions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an office building that exceeds 36-feet in height on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

1) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance; and,

2) The maximum overall height of the building shall not exceed four (4)-stories or 60-feet, as depicted in *Exhibit 'C'* of this ordinance.

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict

Section 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS ($2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 8. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JANUARY, 2019.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *December 17, 2018*

2nd Reading: *January 7, 2019*

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the E.P.G. CHISUM SURVEY, ABSTRACT NO. 64, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from James W. Reese to LGI Properties. LTD, dated July 1, 2003 and being recorded in Volume 3075, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a TXDOT brass disk monument found for corner at the intersection of the southwest right-of-way line of Turtle Cove Drive, a 60 foot right-of-way, with the northwest right-of-way line of Ridge Road F.M. 740, a variable width right-of-way per Volume 1582, Page 317 of the Real Property Records of Rockwall County, Texas, and being at the east corner of the above cited tract of land;

THENCE in a southwesterly direction along the northwest right-of-way line of Ridge Road F.M. 740 as follows:

S. 45 deg. 59 min. 50 sec. W. a distance of 113.22 feet to a TXDOT brass disk monument found for corner;
S. 57 deg. 34 min. 20 sec. W. a distance of 103.07 feet to a TXDOT brass disk monument found for corner;
S. 35 deg. 01 min. 32 sec. W. a distance of 101.12 feet to a TXDOT brass disk monument found for corner;
S. 33 deg. 32 min. 12 sec. W. a distance of 204.12 feet to a TXDOT brass disk monument found for corner;
S. 40 deg. 08 min. 27 sec. W. a distance of 136.97 feet to a TXDOT brass disk monument found for corner at the south corner of said Reese to LGI Properties tract and being in the northeast boundary line of Lot 1, Block A,

LAKE POINT HEATH AND SCIENCE CENTER ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slide 216 of the Plat Records of Rockwall County, Texas;

THENCE N. 45 deg. 31 min. 12 sec. W. a distance of 711.59 feet to a 3/8" iron rod found for corner at the west corner of said Reese to LGI Properties tract and being in the southeast right-of-way line of the Union Pacific Railroad, a 100 foot right-of-way;

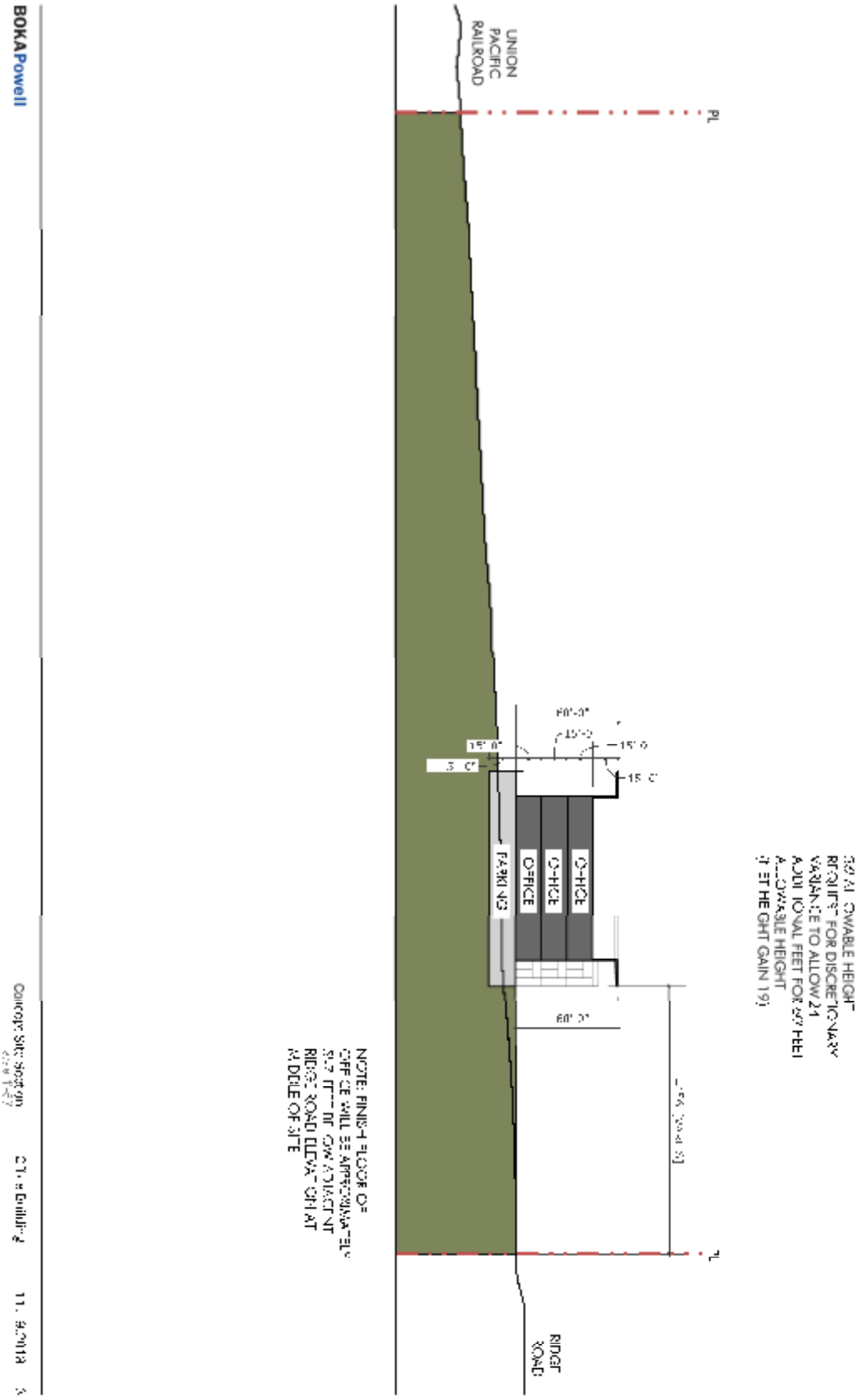
THENCE N. 49 deg. 42 min. 29 sec. E. along said railroad right-of-way, a distance of 658.84 feet to a 1/2" iron rod found for corner in the southwest right-of-way line of Turtle Cove Drive;

THENCE S. 44 deg. 58 min. 41 sec. E. along said right-of-way line, a distance of 612.21 feet to the *POINT OF BEGINNING* and containing 422,730 square feet or 9.70 acres of land.

Exhibit 'B':
Conceptual Site Plan



Exhibit 'C':
Sightline View for Building



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145

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*

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

DATE: January 7, 2019

SUBJECT: A2018-004; *Branch Property Annexation*

On January 7, 2019, the City Council will be considering the first reading of an annexation ordinance proposing the voluntary annexation 14.995-acres of land situated northeast of the intersection of Featherstone Drive and John King Boulevard. The subject property is located within the City's Extraterritorial Jurisdiction (ETJ). Pat Atkins, on behalf of C.D.T. Rockwall/2017 LLC, is requesting the annexation for the purpose of adding additional area to Planned Development District 79 (PD-79), which is also referred to as the Saddle Star Estates Subdivision.

The City Council conducted the required public hearings (*i.e. first and second*) on December 3, 2018, and City staff has followed the procedures for annexations as set forth in Chapter 43, *Municipal Annexations*, of the Texas Local Government Code relative to notifying affected property owners and publishing notices in the newspaper and on the City's website. Attached to this memorandum is a location map, service plan and draft ordinance for the proposed annexation. In addition, the service plan has been made available to the public at City Hall.

The first reading of the annexation ordinance is scheduled for January 7, 2019 and the second (*and final*) reading of the ordinance is scheduled for January 22, 2019.



The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

City of Rockwall

0 100 200 300 400 Feet

1 inch = 333 feet

CITY OF ROCKWALL
GEOGRAPHIC INFORMATION SYSTEMS

JOHN KING BLVD - 14.995-ACRES
ANNEXATION A2013-004
EXHIBIT A

SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2018-004
City and County of Rockwall, Texas

Acreage Annexed: 14.995-acres

Survey Abstract and County: Tracts 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: January 21, 2019

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

(A) Police Services

(1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.

(2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) Fire Services

(1) Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.

(2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) Health and Code Compliance Services

(1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*

(2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

(3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

(4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

(5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

(1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.

(2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) Solid Waste Collection

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

(G) Streets

(1) The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.

(2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.

(3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

(H) Water Services

(1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.

(2) Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.

(3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) Sanitary Sewer Services

(1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.

(2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

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

(J) Public Utilities

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

(K) Miscellaneous

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

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 14.995-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Public Hearings were held before the governing body of the City of Rockwall, Texas, where all interested persons were provided with an opportunity to be heard, on December 3, 2018, at 6:00 p.m. and on December 3, 2018, at 6:30 p.m. at *City Hall, 385 S. Goliad*, Rockwall, Rockwall County, Texas with said dates being not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings, on the proposed annexation of the following described territories;

BEING, a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97 in the County of Rockwall, Texas and generally located contiguous to the existing city limits line east of the intersection of Featherstone Drive and John King Boulevard, depicted and described in *Exhibit 'A'* of this ordinance:

WHEREAS, notice of such public hearings were published in a newspaper having general circulation in the City of Rockwall, Rockwall County, Texas and in the territory described herein on November 16, 2018 and posted on the City of Rockwall's website on November 16, 2018 said dates being not more than twenty (20) days nor less than ten (10) days prior to the dates of such public hearings; and

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

WHEREAS, the territory above contains 14.995-acres;

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

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

SECTION 2. The land and territory more specifically described in *Exhibit 'A'* and incorporated by reference as the *Subject Property*, and containing 14.995-acres which is adjacent to and adjoining the present boundaries of the City of Rockwall, Rockwall County, Texas, is hereby added and annexed to the City of Rockwall, Rockwall County, Texas and said territory as described herein shall hereafter be included within the boundary limits of the City of Rockwall, Rockwall County, Texas and the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City.

DRAFT ORD. 07.20.19

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 22ND DAY OF JANUARY, 2019.

_____

Jim Pruitt, *Mayor*

ATTEST:

_____

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *January 7, 2019*

2nd Reading: *January 22, 2019*

DRAFT ORDINANCE 01.07.2019

BEING 14.955 acres of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and all of a called 15.00 acre tract of land described in a Warranty Deed to Steve L. Branch and wife Judy C. Branch, recorded in Volume 234, Page 527 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the original Hays Road at the common west corner of said 15.00 acre tract and a tract of land described in a deed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 01°10'15" West, continuing along and within Hays Road and with the west line of said 15.00 acre Branch tract, a distance of 596.15 feet, to a 1/2" iron rod found for corner at the northwest corner thereof, common to the southwest corner of a called 15.00 acre tract of land described in a deed to Gerald Glen Cox and wife Rosalba Cox, recorded in Volume 3295 Page 9, (DRRCT);

THENCE North 89°26'26" East, along the common line of last mentioned tracts, a distance of 1,099.11 feet, to a point for corner at the common east corner thereof, and also being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), from which a 1/2" iron rod with a yellow cap stamped "5034" bears South 68°26'26" West, a distance of 0.18 feet;

THENCE South 00°32'13" East, along the common line of said Branch tract and said Park Ridge Estates, a distance of 596.04 feet, to a 1/2" iron rod found for corner at the southeast corner thereof, common to the northeast corner of said Reed tract;

THENCE South 89°26'12" West, along the common line of last mentioned tracts, a distance of 1,092.52 feet to *PLACE OF BEGINNING* and Containing 653,191 square feet, or 14.995 acres of land.

DRAFT ORDINANCE 01.07.2019


City of Rockwall
County/ETJ
Abstract 97 P B Harrison Survey, Tract 1-03, 14.995-Acres
POB
City of Rockwall
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.
City of Rockwall
0 100 200 300 400 Feet
1 inch = 333 feet
CITY OF ROCKWALL
GEOGRAPHIC INFORMATION SYSTEMS
JOHN KING BLVD - 14.995-ACRES
ANNEXATION A2018-004
EXHIBIT A

DRAFT

154

SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2018-004
City and County of Rockwall, Texas

Acreage Annexed: 14.995-acres

Survey Abstract and County: Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: January 21, 2019

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

(A) Police Services

(1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.

(2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) Fire Services

(1) Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.

(2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) Health and Code Compliance Services

(1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*

(2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

DRAFT ORDINANCE 01-07-19

(3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

(4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

(5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

(1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.

(2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) Solid Waste Collection

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

(G) Streets

(1) The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.

DRAFT ORDINANCE 01.07.19

(2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.

(3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

(H) Water Services

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(2) Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.

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(3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

(4) Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are

DRAFT
ORDINANCE
01.07.2019

determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

(J) Public Utilities

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

(K) Miscellaneous

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

DRAFT ORDINANCE 01.07.2019

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159

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

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

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **January 4, 2018**

SUBJECT: HARBOR NEIGHBORHOOD PARK CONCEPT PLAN

At the December 17th Council meeting, William Spencer with MHS Planning and Design presented the concept plan for a neighborhood park located in The Harbor area along the lake that is planned to serve the approximately 1,200 residential units in the PD-32 area. This concept plan attempts to fulfill the goals and strategies within the City's adopted Hometown 2040 Comprehensive Plan as it relates to development of the Harbor District as well as park development along the shores of Lake Ray Hubbard.

As Council may recall, the urban beach concept for this park was discussed in the budget workshop meeting held on August 7th. The approved budget for phase 1 development costs is $484,000 to be paid from Developer Fee contributions collected within park district 17 in accordance with the Mandatory Park Land Dedication Ordinance. Total project costs are estimated to be approximately $825,000. Funding for future phases has not been identified at this time and may be discussed in future budget proposals.

At the December 4th Park Board meeting, a public hearing was held to review and hear input regarding the concept plan. Park Board voted unanimously to recommend that Council approve the concept plan as submitted, with particular attention to addressing concerns raised by adjacent business owners regarding restrooms, parking and fencing to separate the park from the buildings.

Attached is the revised concept plan highlighting the proposed phase 1 scope, which is outlined by a dashed red line. Amenities proposed include the sand beach area, volleyball, ornamental fence adjacent to commercial buildings, southern trail loop around the sand area, drinking fountain, security lighting and the associated grading and drainage for the southern area.

Staff requests that Council consider approving the concept plan and authorize MHS Planning and Design to proceed with phase I construction documents per their previously approved contract.

ROCKWALL URBAN BEACH PARK

North

20' 0' 20' 40'

GRAPHIC SCALE

FUTURE PEDESTRIAL & MAINTENANCE ACESS

RESTROOM (OPTIONAL LOCATION)

3' FENCE

FOOT WASH STATION & WATER FOUNTAIN PHASE I

NINJA COURSE

SEATING NODE

EXISTING BUILDINGS

TRAIL CONNECTION TO PROPOSED TXDOT TRAIL

LANDSCAPE BUFFER

PROGRAM & OPEN PLAY SPACE

PLAY CUBES

8' WIDE CONCRETE TRAIL

YARD GAME LAWN AREA

BEACH AREA W/ VOLLEYBALL COURTS PHASE I

PHASE I BOUNDARY

RESTROOM LOCATION OPTION

EXISTING TREES

GRASSCRETE FOOD TRUCK PARKING AREA

SEATING NODES

CONCRETE TRAIL PHASE I

BOLLARD LIGHTING

KAYAK LAUNCH

LAKE RAY HUBBARD

GATHERING AREA PHASE I

DATE: 03 JANUARY 2019
CONCEPTUAL DRAWING
NOT FOR CONSTRUCTION

MHS PLANNING & DESIGN, LLC
212 WEST NINTH STREET
TYLER, TEXAS 75701
PHONE: 903.597.6606
WWW.MHSPLANNING.COM

ROCKWALL PARKS & RECREATION
GO OUTSIDE AND PLAY
PLAYROCKWALL.COM

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162

City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **December 26, 2018**

SUBJECT: **Naming Subcommittee recommendation to honor Brad Griggs**

The City Council Naming Subcommittee (Councilmembers Hohenshelt, Macalik, and Daniels) recently discussed naming a venue in the City to honor Brad Griggs' 20 years of service to the City of Rockwall. Brad's retirement became official on January 4, 2019.

The Subcommittee recommends the City Council consider naming the amphitheater stage in honor of Brad and that it be referred to in the future as the: "Brad Griggs Amphitheater Stage at The Harbor".

The Subcommittee members and staff will be available to discuss this request at the meeting. A Resolution formally naming this venue at The Harbor is attached for your consideration.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 19-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, NAMING A CERTAIN PARKS & RECREATION VENUE WITHIN THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Brad Griggs served the City of Rockwall for 20 years as Director of Parks & Recreation and Assistant City Manager; and

WHEREAS, on January 4, 2019, he retired after a total of 34 years in public service; and

WHEREAS, Brad served as President of the Texas Recreation & Parks Society and the Texas Amateur Athletic Federation where he advocated for funding grant programs that were beneficial to Rockwall and other cities across the State; and

WHEREAS, during his time in Rockwall, Brad provided leadership in expanding the City's park system and further developing and enhancing the recreation opportunities for citizens of Rockwall; and

WHEREAS, Brad played a significant role in designing, construction, and programming public space for entertainment events at The Harbor; and

WHEREAS, the Rockwall City Council wishes to honor Brad Griggs by naming a specific venue in the City of Rockwall; and

WHEREAS, the Rockwall City Council believes the naming to be a fitting and honorary recognition of Brad Griggs for his service to citizens of Rockwall.

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

Section 1. That the entertainment stage at The Harbor shall hereafter be named the "Brad Griggs Amphitheater Stage at The Harbor;" and

Section 2. That this resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED by the City Council of Rockwall, Texas, this 7th day of JANUARY, 2019.

APPROVED:

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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165

City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **January 2, 2019**

SUBJECT: **Texas Legislative Session**

The 86th Session of the Texas State Legislature will convene on Tuesday, January 8, 2019. In previous years, the City has followed bills related to municipal authority, property taxes, and other bills that propose to directly or indirectly affect the City's ability to provide services. Individual staff members will monitor and be involved with their respective association's agendas, such as Texas Police Chiefs Association, Texas Fire Chiefs Association, and Texas Recreation and Parks Society. Below is a general list of topics for discussion at the City Council meeting.

Topics to Watch

- Transportation Infrastructure Funding
- Property Tax Reform
- Local Government Control
- Annexation, ETJ Regulations, Vesting Rights
- Telecommunications – Small Cell Nodes
- MUDS / PIDS
- Texas Police Chiefs Association – (mental health reform, lab fees, laws related to body cameras, drug legalization, as well as other items of concern within the Association)
- Texas Fire Chiefs Association - (PTSD/Mental Health, Statewide fire response, Texas Intrastate Fire Mutual Aid System (TIFMAS) funding, legislation related to residential sprinkler systems, and other items of concern within the Association)
- Texas Recreation & Park Society – (sporting goods tax to fund grants, other items of interest within TRAPS)

Staff will look for direction from the City Council related to these topics or any other issues you would like to follow throughout the legislative session.

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167

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

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

DATE: **January 4, 2019**

SUBJECT: **(Re)Appointments to Main St. Advisory Board**

The following three (3) Main Street Advisory Board members have terms that expire in Jan. 2019:

- Sarah Freed – is "termed out" (need NEW person appointed)
- Priscylla Bento – would like to be reappointed
- Jeremy Standifer – would like to be reappointed

Councilmember Trowbridge is the council liaison to said board. He will be putting forth a recommendation that Council consider reappointing Ms. Bento and Mr. Standifer and (newly) appointing Mrs. Eva Cannon to replace Mrs. Freed, whose final term is expiring this month. Mrs. Cannon's application is attached here for Council's review and consideration.

Cole, Kristy

Subject: FW: Boards & Commissions Application

Sent: Friday, February 09, 2018 11:47 AM

NAME & ADDRESS
Eva Cannon
1280 Highland Dr Rockwall, TX 75087

VOTER REGISTRATION
Registered Voter: Yes 1074616203

PHONE NUMBERS & EMAIL
Phone: [redacted] Email: [redacted]

PERSONAL DETAILS
I have been a Rockwall resident and business owner since 2005. Having recently sold our company, my husband and I are currently planning a new-build destination brewery and taproom in the downtown area of Rockwall. This will bring visitors, tax dollars and jobs to the local community. In my most recent role as Director of Marketing for wePresent, an AV Technology company, I managed all aspects of the global marketing, from product and brand development to social media and advertising campaigns, to trade show exhibitions and digital marketing. Prior to this, we owned an AV integration firm and managed installations for commercial clients across Texas, including the Dallas Zoo, Mellow Mushroom restaurants, Schindler Elevator Company, and many other customers.

BOARDS & COMMISSIONS

Architectural Review Board Yes		Board of Adjustments No
Building & Standards No		Parks Boards Yes
HPAB No		REDC Yes
P&Z No		Rockwall Housing No
Construction Advisory Yes	Airport Advisory Board No	
ART Commission - Yes Visual Arts Professional - No Environmental Design Field - No Rockwall Alliance for the Arts - No Interested Citizen - Yes		
Main Street Board - Yes Downtown Business Owner - Yes Downtown Property Owner- Yes Interested Citizen - Yes		

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170

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

November 2018

Permits

Total Permits Issued: 273

Building Permits: 36 Contractor Permits: 237

Total Permit Values: $ 6,529,531.63

Building Permits: $4,019,824.00 Contractor Permits: 2,509,707.63

Total Fees Collected: $99,983.92

Building Permits: $82,740.76 Contractor Permits: $17,243.16

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 11/1/2018 thru 11/30/2018

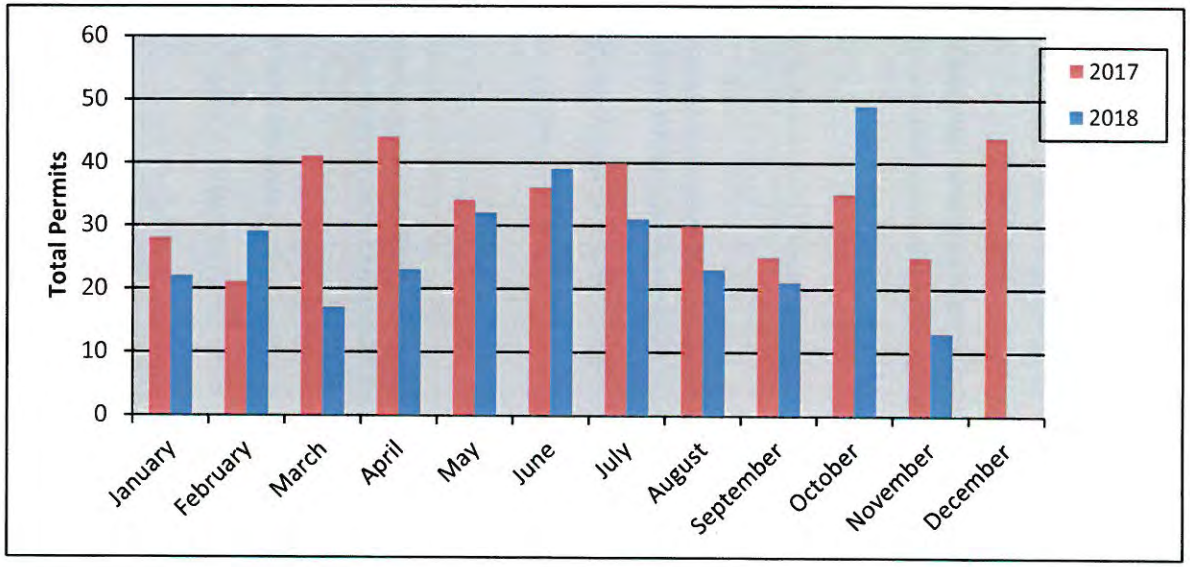
Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	4	$0.00	$203.00
	3	$0.00	$153.00
30 DAY BANNER	1	$0.00	$50.00
CHURCH	2	$152,000.00	$1,450.00
CONCRETE	1	$12,000.00	$220.75
REMODEL	1	$140,000.00	$1,229.25
CLEAN SHOW	1	$0.00	$76.50
	1	$0.00	$76.50
CO	6	$0.00	$456.00
BUSINESS	3	$0.00	$226.50
INTERIOR	3	$0.00	$229.50
COMM	25	$1,387,781.95	$9,068.43
ADDITION	1	$28,000.00	$35.70
CONCRETE	1	$4,500.00	$125.21
CONST TRAILER	1	$0.00	$102.00
ELECTRICAL	5	$115,000.00	$2,238.18
INTERIOR COMP	1	$145,000.00	$1,257.25
MECHANICAL	1	$7,900.00	$164.75
NEW	1	$180,000.00	$1,453.25
PLUMBING	5	$23,500.00	$556.88
REMODEL	3	$267,200.00	$2,289.66
REPAIR	1	$25,000.00	$402.75
ROOF	4	$441,681.95	$142.80
SWIM POOL	1	$150,000.00	$300.00
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
SCHOOL	1	$28,000.00	$433.05
ADDITION	1	$28,000.00	$433.05
SIGNAGE	6	$12,445.00	$532.50
DEVELOPMENT	1	$350.00	$75.00
WALL	5	$12,095.00	$457.50
SINGLE FAMILY	209	$4,949,304.68	$87,200.24
ACC BLDG	4	$10,525.00	$368.98
ADDITION	2	$94,100.00	$1,045.90
ALTERATION	1	$13,000.00	$234.00
CONCRETE	11	$73,100.00	$1,405.21
DECK	3	$16,905.00	$388.87
ELECTRICAL	5	$9,864.00	$373.76
FENCE	28	$75,102.00	$988.70
IRRIGATION	16	$28,800.00	$570.50
MECHANICAL	6	$78,724.00	$1,453.15
MISCELLANEOUS	2	$11,200.00	$70.70
NEW	13	$3,064,499.00	$73,450.90
PATIO COVER	4	$33,000.00	$680.72
PERGOLA	2	$5,300.00	$191.40
PLUMBING	33	$64,032.00	$2,407.45
ROOF	68	$1,013,488.68	$2,419.90
SWIM POOL	7	$327,000.00	$1,008.00
WINDOWS	4	$30,665.00	$142.10
SPECIAL EVENT	18	$0.00	$564.20

City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 11/1/2018 thru 11/30/2018

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
	18	$0.00	$564.20
Totals:	273	$6,529,531.63	$99,983.92

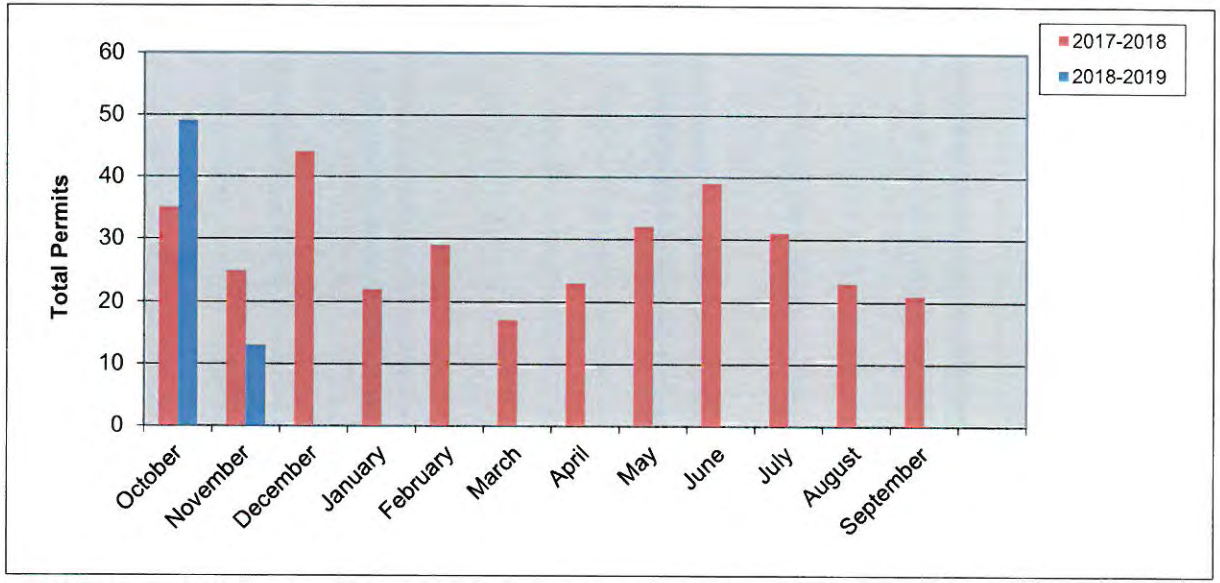
New Residential Permits Calendar Year

	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	
Totals	**403**	299



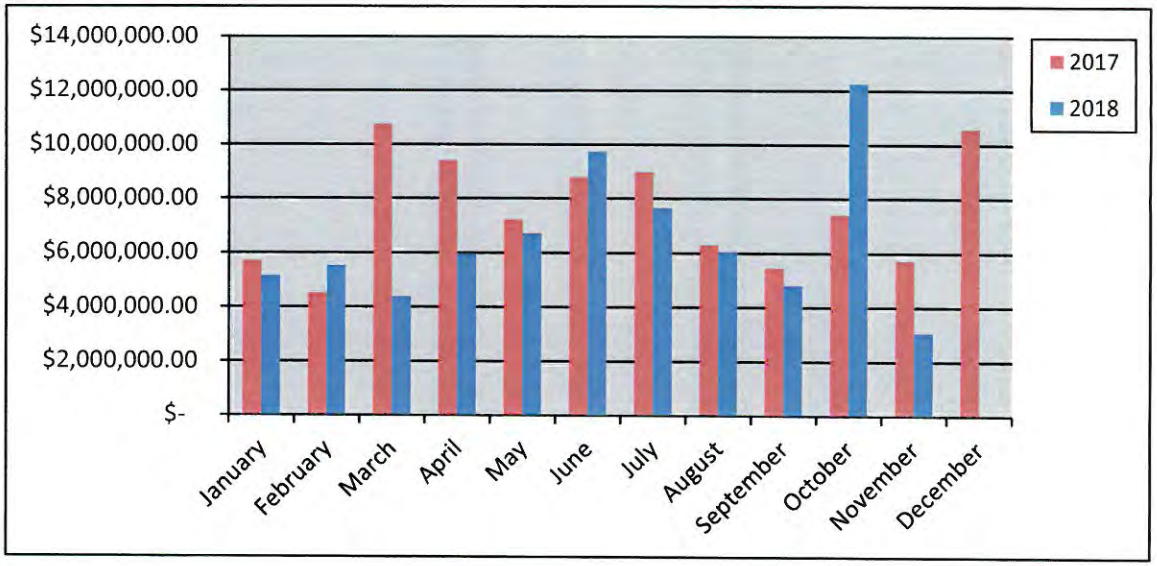
New Residential Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	
January	22	
February	29	
March	17	
April	23	
May	32	
June	39	
July	31	
August	23	
September	21	
Totals	**341**	**62**



New Residential Value Calendar Year

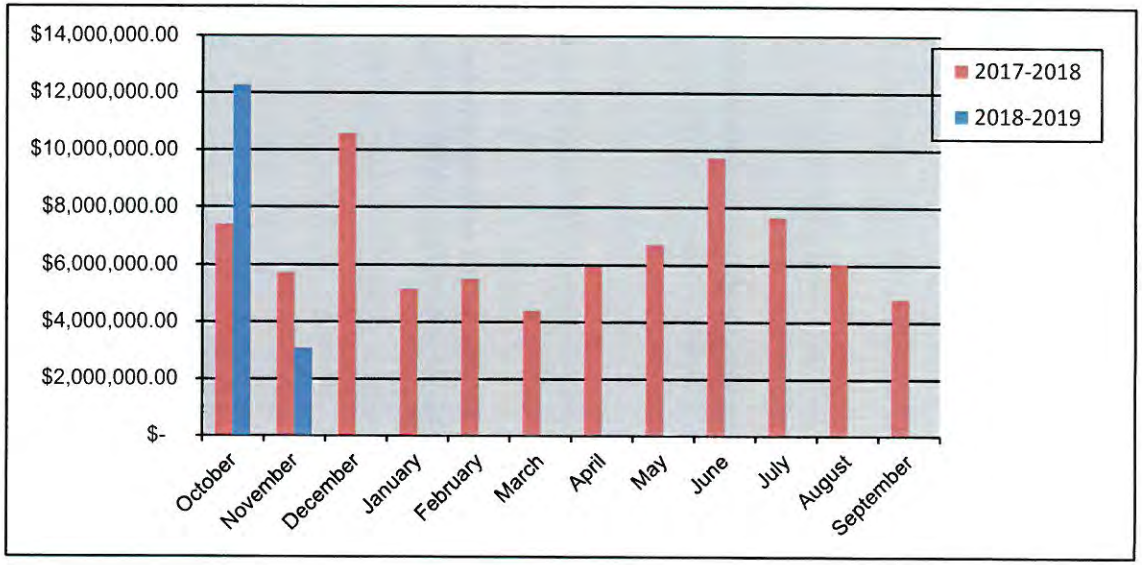
Year	2017	2018
January	$ 5,698,431.00	$ 5,145,624.00
February	$ 4,497,500.00	$ 5,505,704.00
March	$ 10,740,233.00	$ 4,374,886.00
April	$ 9,394,785.27	$ 5,946,813.00
May	$ 7,210,632.79	$ 6,706,301.00
June	$ 8,782,481.00	$ 9,728,069.00
July	$ 8,983,999.47	$ 7,660,917.00
August	$ 6,295,770.00	$ 6,049,208.00
September	$ 5,443,098.00	$ 4,799,404.00
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	
Totals	**$ 90,748,277.89**	**$ 71,245,398.00**



175

New Residential Value Fiscal Year

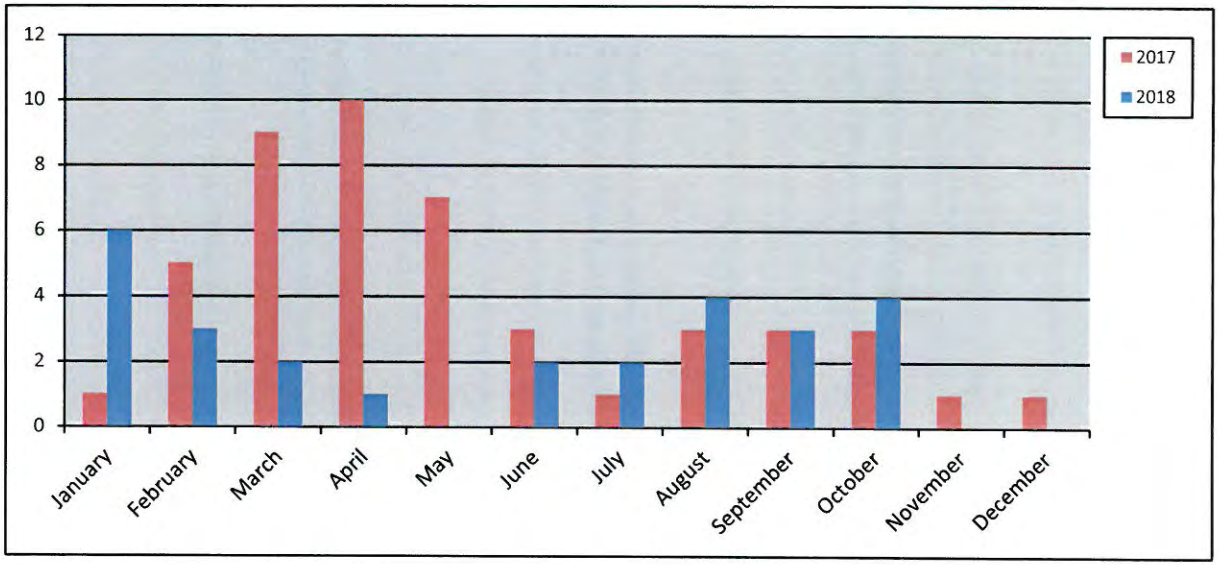
Year	2017-2018	2018-2019
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	
January	$ 5,145,624.00	
February	$ 5,505,704.00	
March	$ 4,374,886.00	
April	$ 5,946,813.00	
May	$ 6,706,301.00	
June	$ 9,728,069.00	
July	$ 7,660,917.00	
August	$ 6,049,208.00	
September	$ 4,799,404.00	
Totals	**$79,618,273.36**	**$ 15,328,472.00**



175

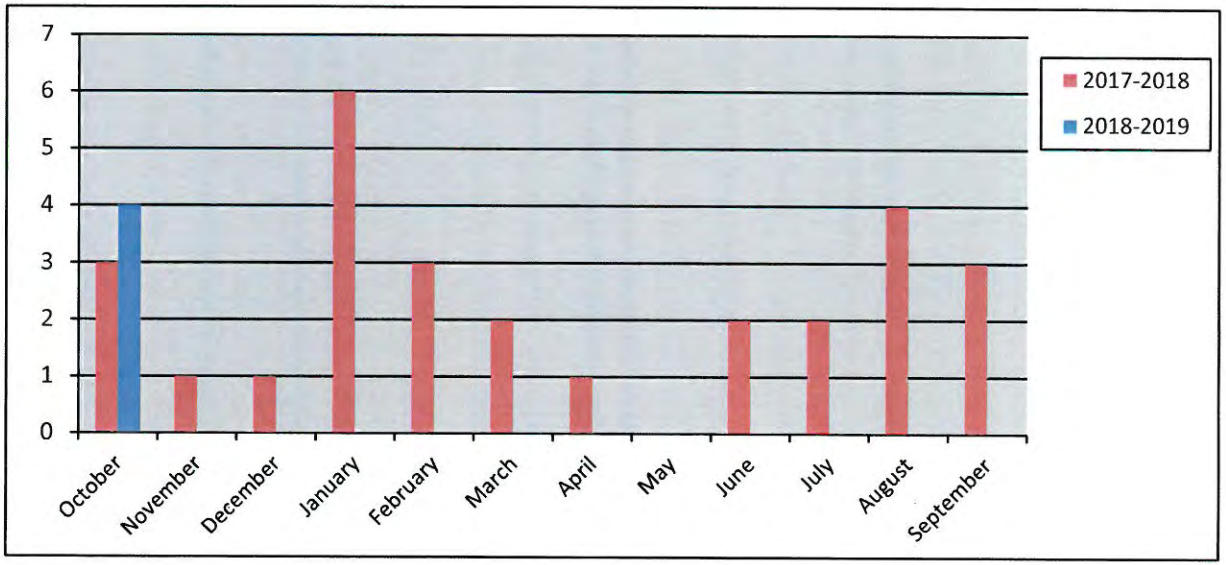
Residential Remodel Permits Calendar Year

	Year	
	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	
Totals	**47**	27



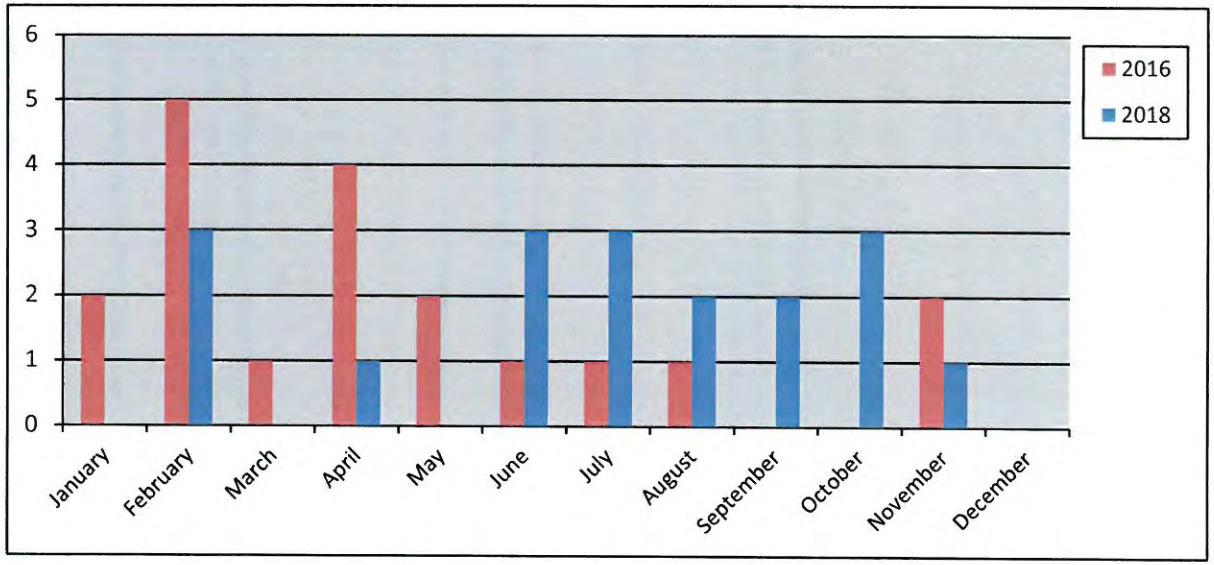
Residential Remodel Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	
January	6	
February	3	
March	2	
April	1	
May	0	
June	2	
July	2	
August	4	
September	3	
Totals	**28**	**4**



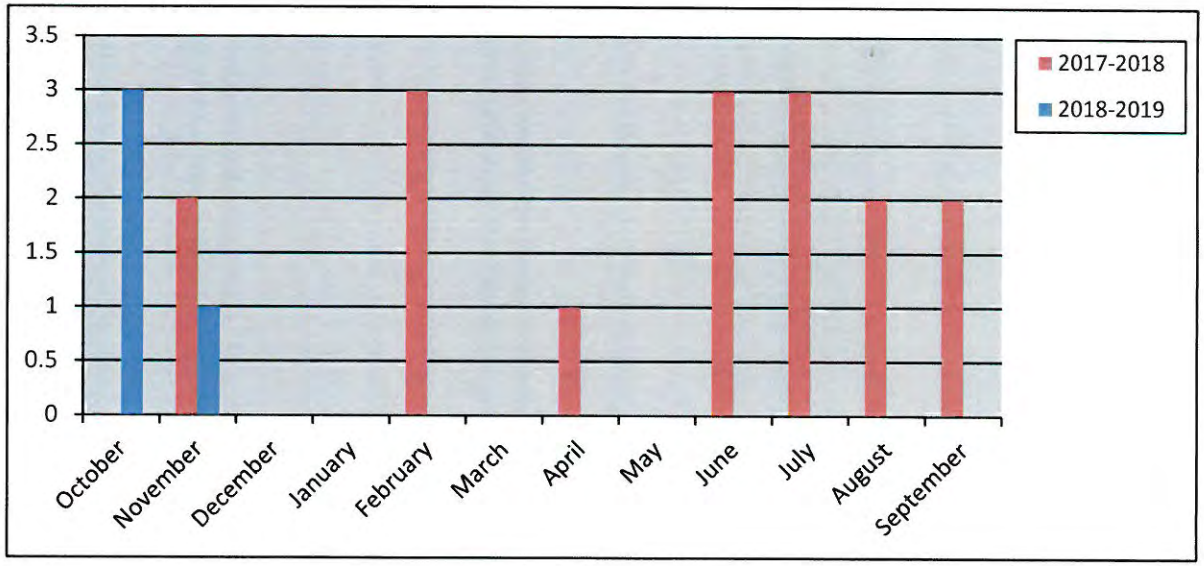
New Commercial Permits Calendar Year

	Year	
	2016	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	
Totals	**19**	**18**



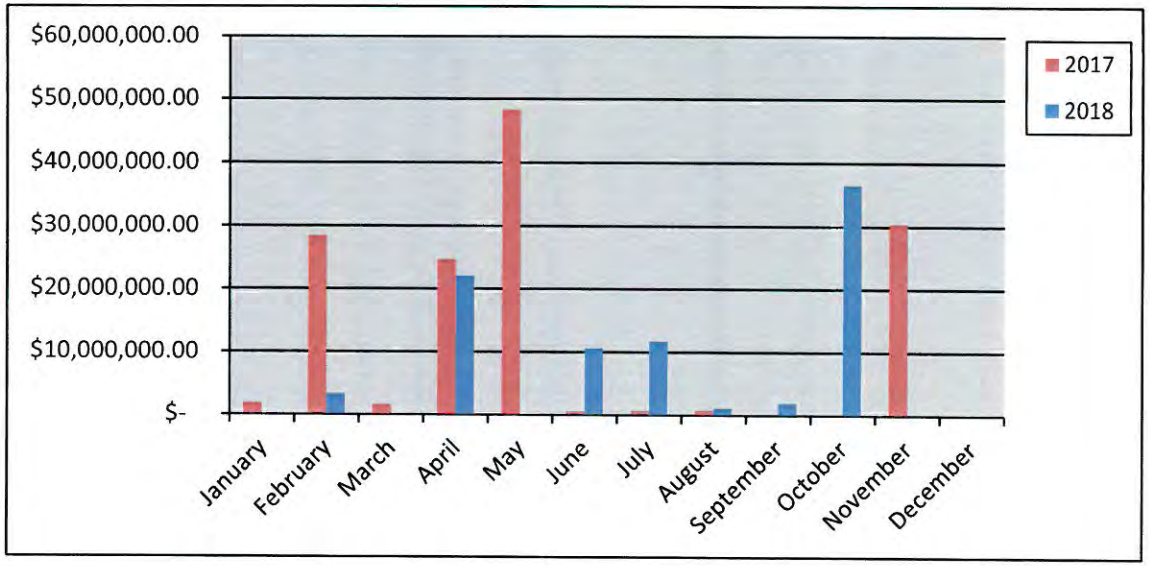
New Commercial Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	
January	0	
February	3	
March	0	
April	1	
May	0	
June	3	
July	3	
August	2	
September	2	
Totals	**16**	**4**



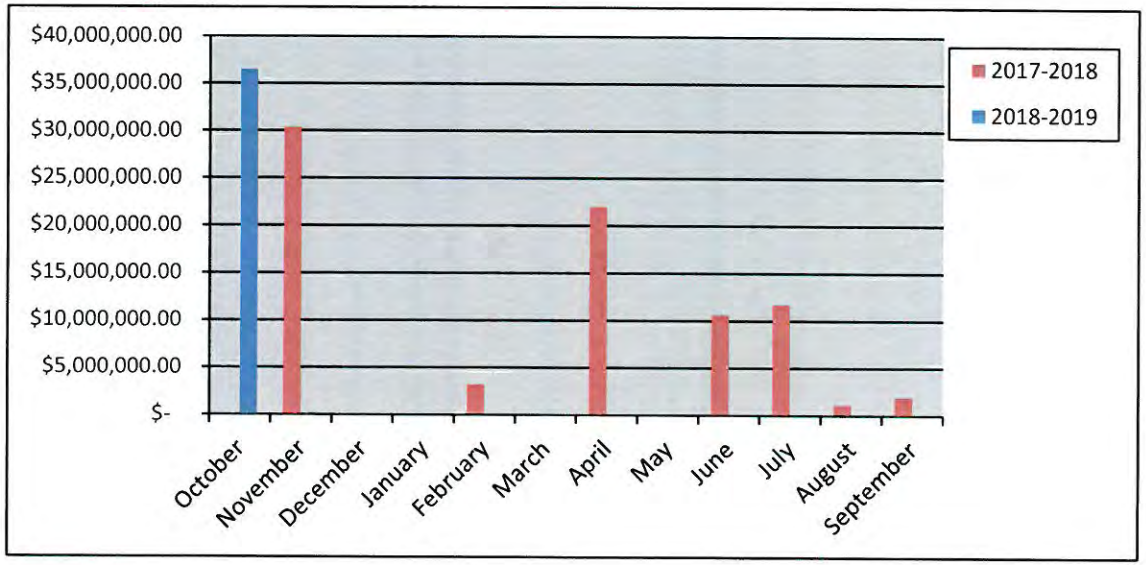
New Commercial Value Calendar Year

Year	2017	2018
January	$ 1,800,000.00	-
February	$ 28,400,000.00	$ 3,221,771.00
March	$ 1,599,026.00	-
April	$ 24,650,000.00	$ 22,000,000.00
May	$ 48,300,000.00	-
June	$ 569,400.00	$ 10,602,430.88
July	$ 700,000.00	$ 11,712,500.00
August	$ 726,506.00	$ 1,111,950.00
September	-	$ 1,930,813.00
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	
Totals	**$ 137,134,932.00**	**$ 87,184,464.88**



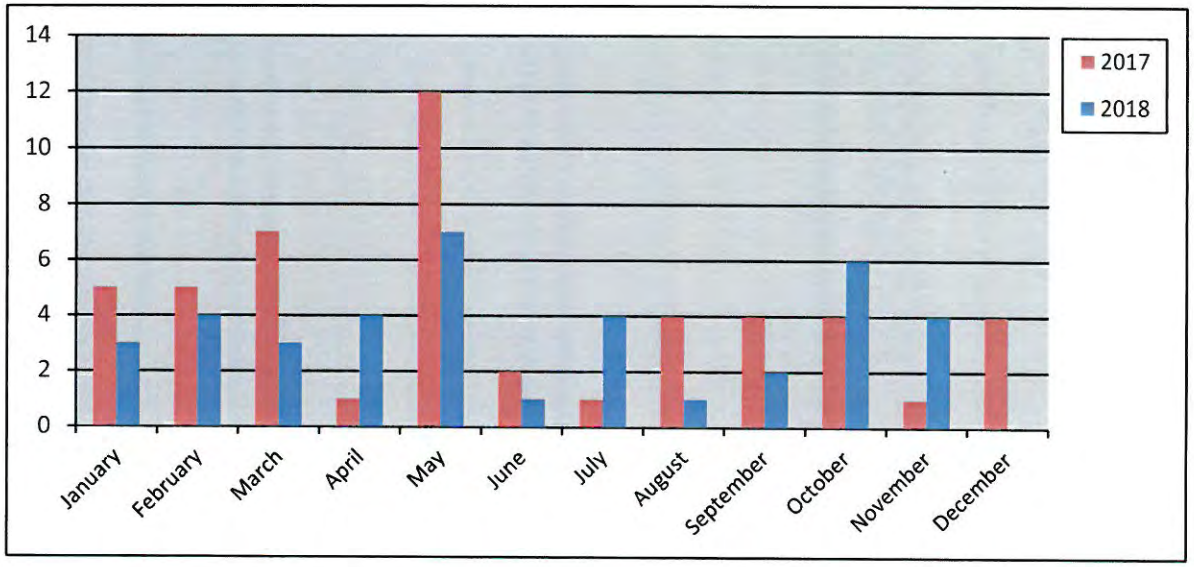
New Commercial Value Fiscal Year

Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	
January	-	
February	$ 3,221,771.00	
March	-	
April	$ 22,000,000.00	
May	-	
June	$ 10,602,430.88	
July	$ 11,712,500.00	
August	$ 1,111,950.00	
September	$ 1,930,813.00	
Totals	**$ 80,969,464.88**	**$ 36,605,000.00**



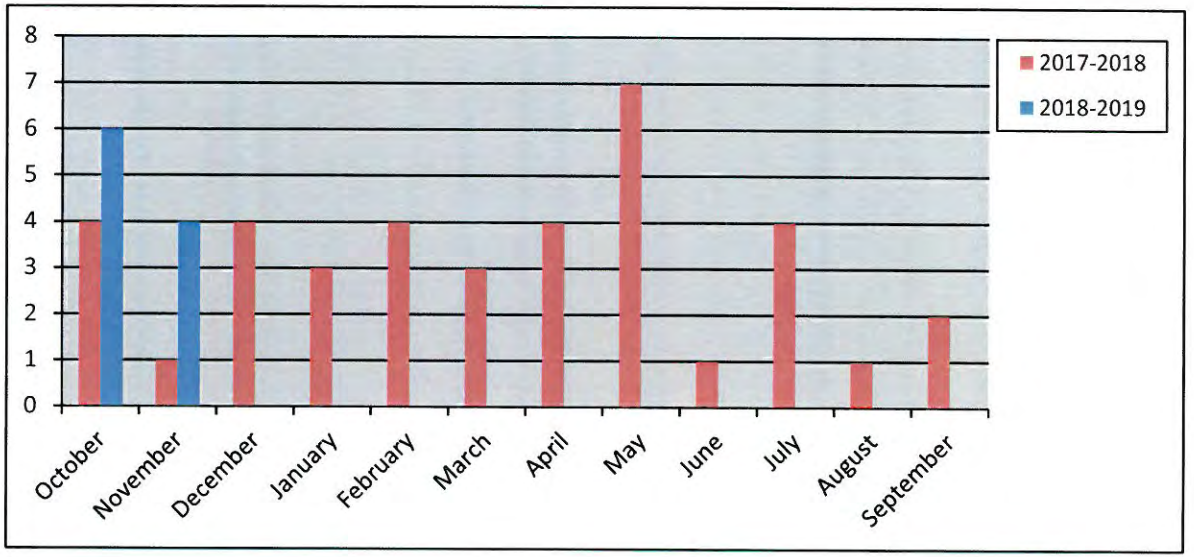
Commercial Remodel Permits Calendar Year

	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	
Totals	**50**	**39**



Commercial Remodel Permits Fiscal Year

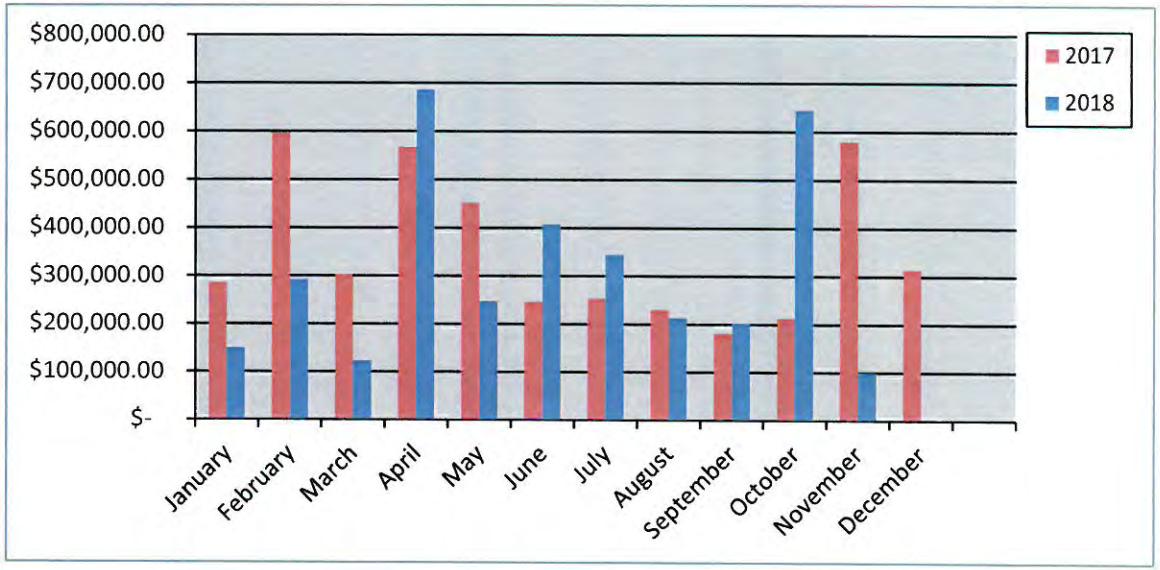
	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	
January	3	
February	4	
March	3	
April	4	
May	7	
June	1	
July	4	
August	1	
September	2	
Totals	**38**	**10**



179

Total Fees Collected Calendar Year

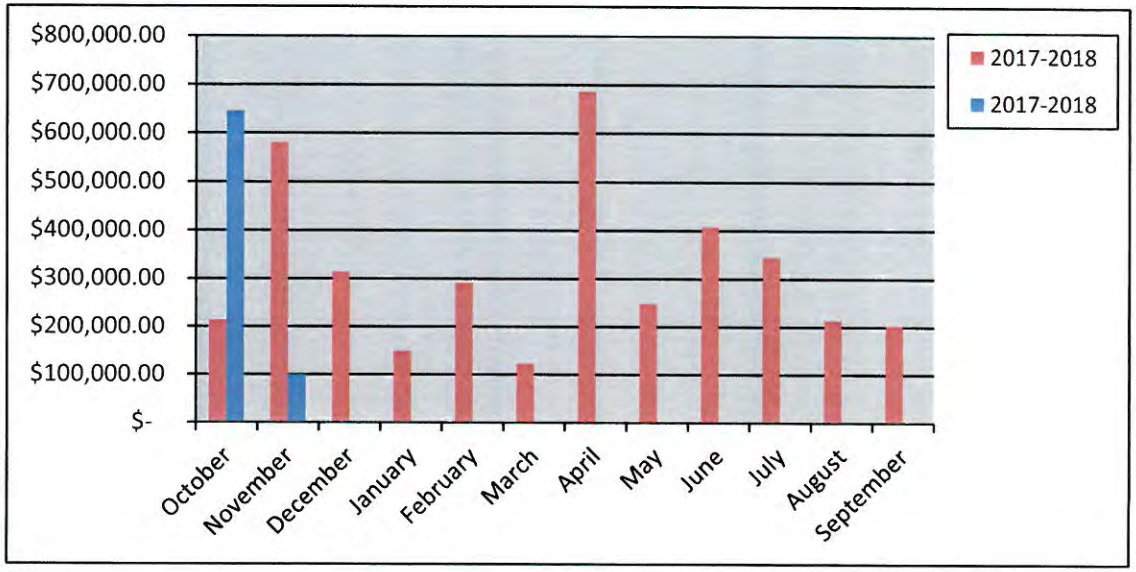
	Year 2017	Year 2018
January	$ 284,774.34	$ 149,088.54
February	$ 595,848.26	$ 291,324.78
March	$ 302,406.79	$ 122,271.28
April	$ 566,291.24	$ 686,154.89
May	$ 451,389.66	$ 247,465.55
June	$ 244,930.08	$ 406,799.91
July	$ 252,374.52	$ 343,682.23
August	$ 229,266.56	$ 212,643.16
September	$ 180,561.41	$ 201,855.47
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	
Totals	**$ 4,213,035.44**	**$ 3,406,781.68**



180

Total Fees Collected Fiscal Year

	Year 2017-2018	Year 2017-2018
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	
January	$ 149,088.54	
February	$ 291,324.78	
March	$ 122,271.28	
April	$ 686,154.89	
May	$ 247,465.55	
June	$ 406,799.91	
July	$ 343,682.23	
August	$ 212,643.16	
September	$ 201,855.47	
Totals	**$ 3,766,478.39**	**$ 745,495.87**



City of Rockwall
PERMITS ISSUED
For the Period 11/1/2018 thru 11/30/2018

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2018-0115 10/04/2018 11/01/2018	CO BUSINESS Active	930 W Ralph Hall Pkwy 102 4009-000A-0008-00-0R Fair Texas Title	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Britt Fair	930 W Ralph Hall Pkwy. Ste 102, Rockwall, TX 75032	(469) 802-0922
BUS OWNER	Britt Fair	930 W Ralph Hall Pkwy Ste 102, Rockwall, TX 75032	(469) 802-0922
BUSINESS	Fair Texas Title	930 W Ralph Hall Pkwy Ste 102, Rockwall, TX 75032	(469) 802-0922
OWNER	Rockwall Horizion Ridge LP	2255 Ridge Rd. Suite 208, Rockwall, TX 75087	(214) 676-6424

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2018-0117 10/15/2018 11/30/2018	CO INTERIOR Active	1209 Ridge Rd. Pizza Cucina	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Dera Yaghi	1209 Ridge Rd., Rockwall, TX 75087	(972) 722-6969
BUS OWNER	Dera Yaghi	1209 Ridge Rd., Rockwall, TX 75087	(972) 722-6969

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2018-0119 10/19/2018 11/05/2018	CO INTERIOR Active	1575 Technology Way 4502-000C-0001-00-0R Standard Supply & Dist. Co., Inc.	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	William Shaw & Spencer Sha	1431 Regal Row, Dallas, TX 75247	(214) 630-7800
BUS OWNER	William Shaw & Spencer Sha	1431 Regal Row, Dallas, TX 75247	(214) 630-7800
OWNER	KRT, ENTERPRISES INC	, ROCKWALL, TX 75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2018-0123 11/01/2018 11/28/2018	CO BUSINESS Active	2095 Summer Lee Dr 105 3809-000A-0002-00-0R Rodeo Goat	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Shannon Wynne	1722 S. Harwood, , 75615	(469) 769-4628
BUS OWNER	Shannon Wynne	2095 Summer Lee Dr. #105, Rockwall, TX 75087	(469) 769-4628
OWNER	PA Harbor Retail LLC	8222 Douglas Ave. #390, Dallas, TX 75225	(469) 232-3462

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2018-0125 11/07/2018 11/14/2018	CO BUSINESS Active	1400 IH 30 3130-0000-0003-B0-0R vinMighty Oak Brewing, Inc.	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	C. Tyler Ropp	1009 Pecan Hill St., Stillwater, OK 74074	(817) 701-5974
BUS OWNER	C. Tyler Ropp	1400 IH 30, Rockwall, TX 75087	(817) 701-5974
OWNER	CSIHAR, JAMES J	, ROCKWALL, TX 75032	

City of Rockwall
PERMITS ISSUED
For the Period 11/1/2018 thru 11/30/2018

Permit Number	Permit Type	Site Address	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name			
CO2018-0127	CO	2014 Goliad St S 138	0.00	76.50	76.50
11/14/2018	INTERIOR	4834-000A-0002-00-0R			
11/21/2018	Active	Salon Effect LLC			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Kim Dennis	1507 Firenza Ct, Rockwall, TX 75032	(214) 796-7727
BUS OWNER	Kim Dennis	2014 Golaid St. S # 138, Rockwall, TX 75087	(214) 796-7727
OWNER	ROCKWALL, CENTRAL SH	, ADDISON, TX 75001	

Total Valuation: 0.00
Total Fees: 456.00
Total Fees Paid: 456.00

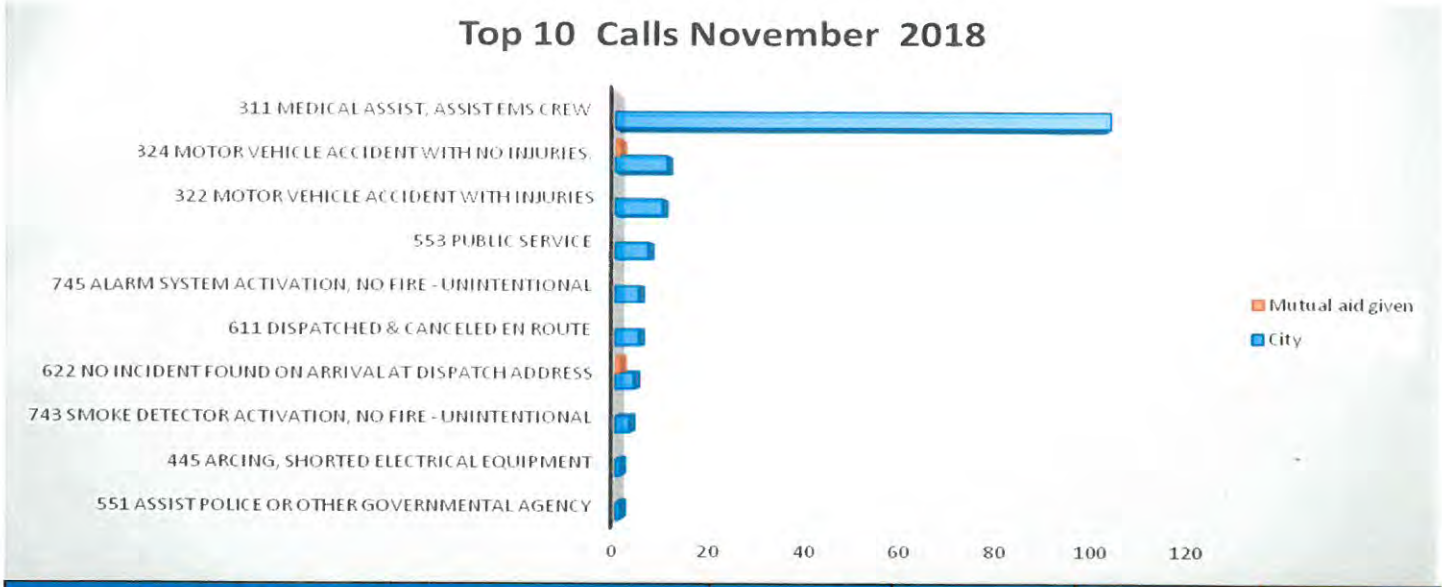
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183

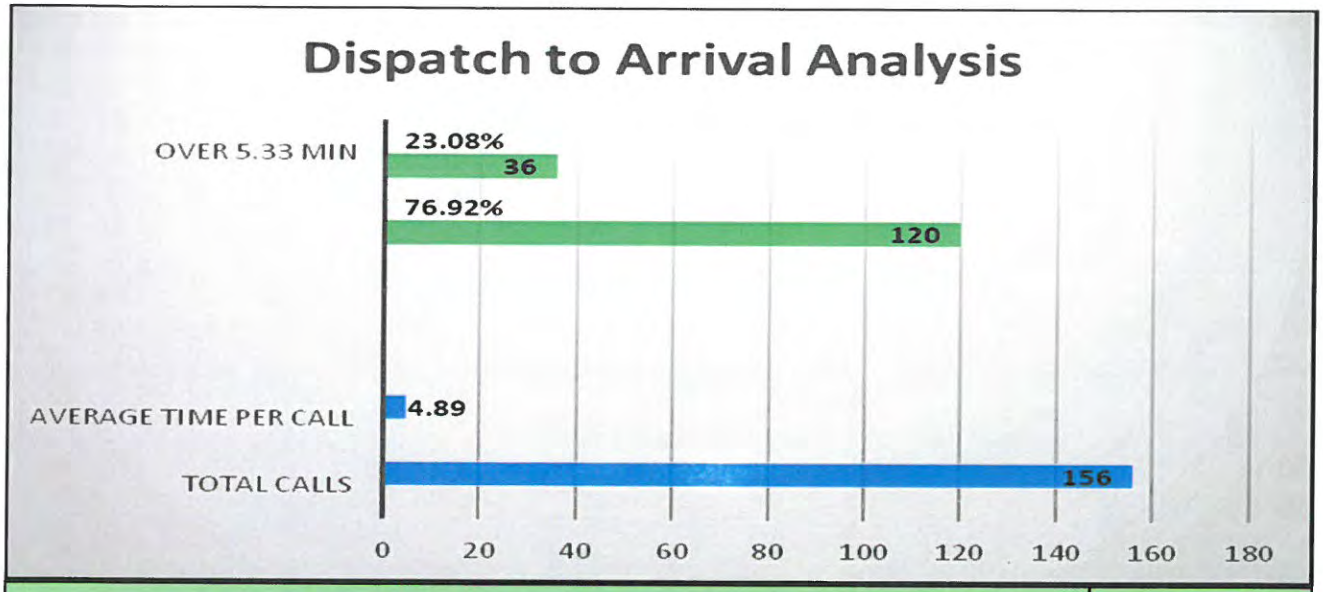
ROCKWALL FIRE DEPARTMENT

Monthly Report

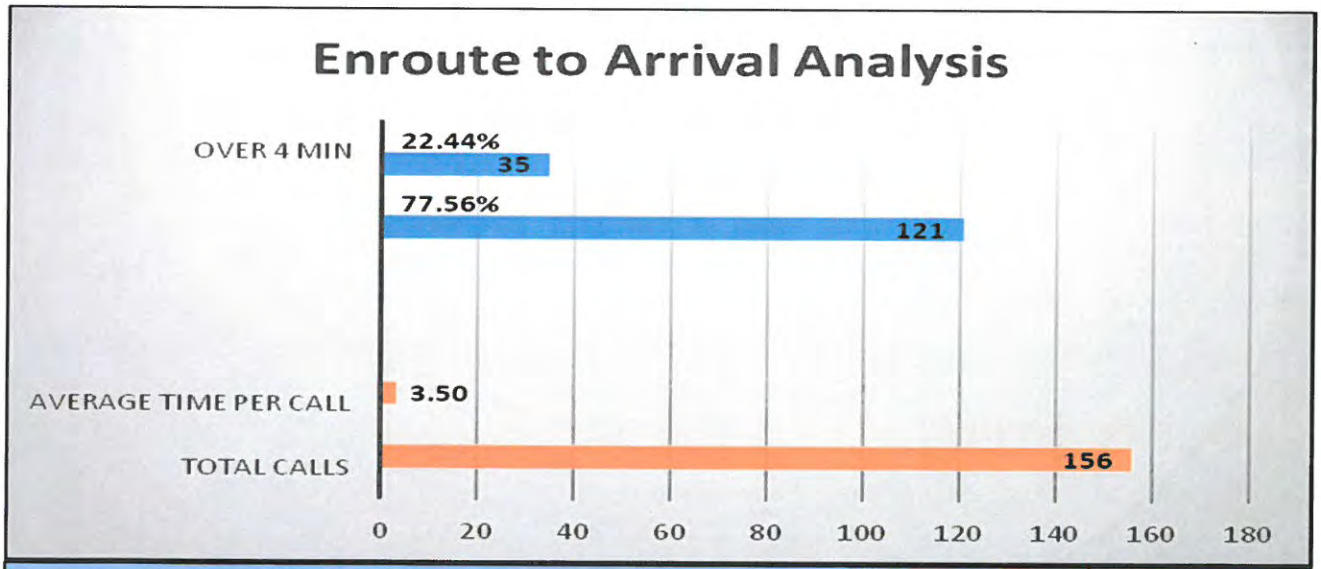
November 2018



November 2018- All Calls				
Situation Type	Automatic aid given	Automatic aid received	Mutual aid given	City
111 Building fire	1		1	1
311 Medical assist, assist EMS crew				105
322 Motor vehicle accident with injuries				10
412 Gas leak (natural gas or LPG)				7
553 Public service				7
611 Dispatched & canceled en route				5
622 No incident found on arrival at dispatch address			1	4
733 Smoke detector activation due to malfunction				2
735 Alarm system sounded due to malfunction				3
743 Smoke detector activation, no fire - unintentional				3
745 Alarm system activation, no fire - unintentional				5
411 Gasoline or other flammable liquid spill				1
131 Passenger vehicle fire (cars, pickups, SUV's)				3
651 Smoke scare, odor of smoke	1			2
736 CO detector activation due to malfunction				2
323 Motor vehicle/pedestrian accident (MV Ped)				2
324 Motor vehicle accident with no injuries.			1	11
251 Excessive heat, scorch burns with no ignition				1
442 Overheated motor				2
551 Assist police or other governmental agency				1
652 Steam, vapor, fog or dust thought to be smoke				1
653 Smoke from barbecue, tar kettle				1
671 HazMat release investigation w/no HazMat				5
740 Unintentional transmission of alarm, other				1
744 Detector activation, no fire - unintentional				2
143 Grass fire				1
160 Special outside fire, other	1	1		1
353 Removal of victim(s) from stalled elevator				3
424 Carbon monoxide incident				1
440 Electrical wiring/equipment problem, other				1
445 Arcing, shorted electrical equipment				1
500 Service Call, other				1
542 Animal rescue				1
550 Smoke Detector Battery Change/Install				2
561 Unauthorized burning				2
631 Authorized controlled burning				2
911 Citizen complaint				1
Totals	**3**	**1**	**3**	**185** 204

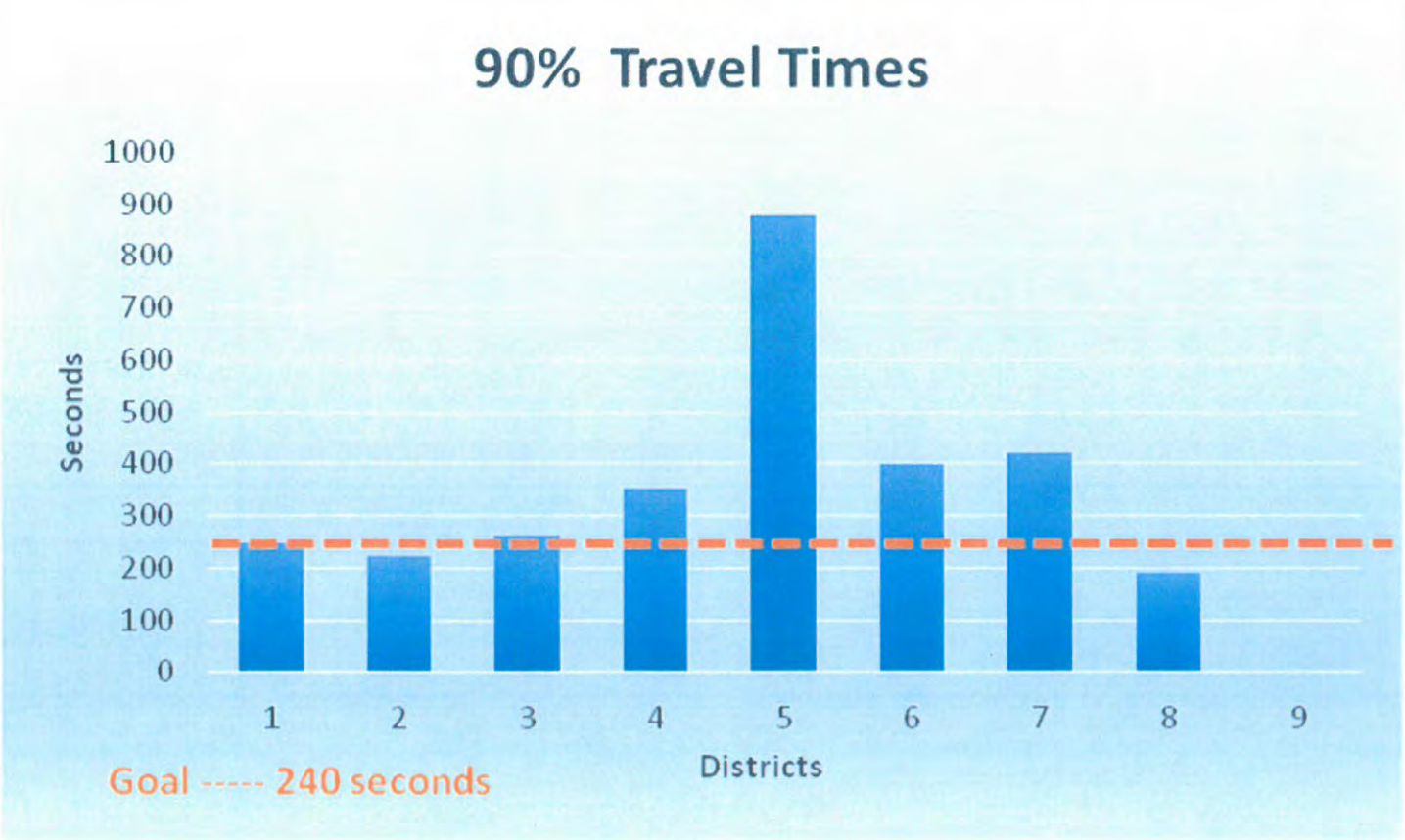


Dispatch to Arrival Analysis-All (No Mutual Aid)				Total Calls
70%	On Scene in	5.3	minutes or less	120
81%	On Scene in	6.0	minutes or less	132
89%	On Scene in	7.0	minutes or less	144
93%	On Scene in	8.0	minutes or less	150
96%	On Scene in	9.0	minutes or less	155
98%	On Scene in	13.0	minutes or less	156



Enroute to Arrival Analysis-All (No Mutual Aid)				Total Calls
75%	On Scene in	4.0	minutes or less	121
86%	On Scene in	5.0	minutes or less	140
91%	On Scene in	6.0	minutes or less	147
95%	On Scene in	7.0	minutes or less	154
96%	On Scene in	8.0	minutes or less	156
99%	On Scene in	17.0	minutes or less	156

Travel Time Analysis-*By District* (No Mutual Aid)				Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% 4 min or less	All Code 3 Calls					
	100s with Station 1					
82%	On Scene in	4.0	minutes or less	57	2.73	36.54%
	200s with Station 2					
91%	On Scene in	4.0	minutes or less	46	2.49	29.49%
	300s with Station 3					
77%	On Scene in	4.0	minutes or less	13	3.50	8.33%
	400s with Station 4					
67%	On Scene in	4.0	minutes or less	24	1.90	15.38%
	500s w/out Station					
20%	On Scene in	4.0	minutes or less	5	9.88	3.21%
	600s w/out Station					
0%	On Scene in	4.0	minutes or less	2	6.10	1.28%
	700s w/out Station					
0%	On Scene in	4.0	minutes or less	6	5.98	3.85%
	800s w/out Station					
100%	On Scene in	4.0	minutes or less	3	2.76	1.92%
	900s w/out Station					
N/A	On Scene in	4.0	minutes or less			
	1000s w/out Station					
N/A	On Scene in	4.0	minutes or less			
			Total Calls	156		



Total Dollar Losses

November 2018

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 12/18/2018 16:24
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$36,000.00	$6,000.00	$608,248.00	$410,383.49
Total Content Loss:	$0.00	$0.00	$0.00	$170,216.80	$217,605.51
Total Property Pre-Incident Value:	$0.00	$6,233,940.00	$0.00	$8,137,170.00	$1,152,379.15
Total Contents Pre-Incident Value	$0.00	$1,000,000.00	$0.00	$1,696,573.00	$646,811.49
Total Losses:	$.00	$36,000.00	$6,000.00	$778,464.80	$.00
Total Value:	$.00	$7,233,940.00	$.00	$9,833,743.00	$1,799,190.64

188

Fire Marshal Division

Monthly Report - November 2018

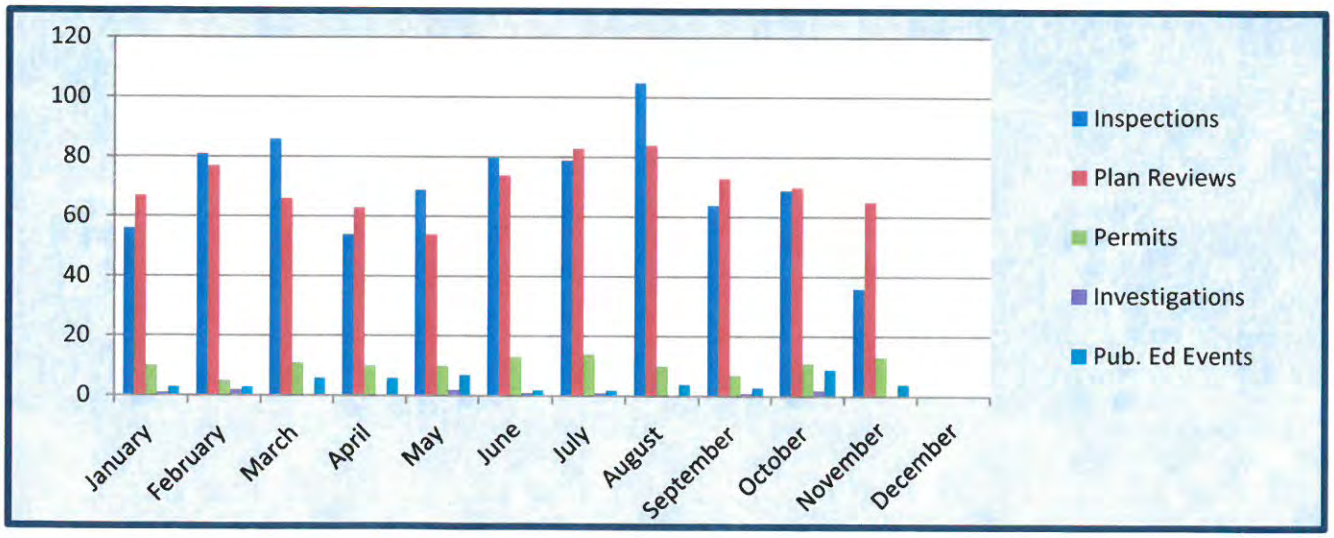
Inspection Status Report	
Finaled Inspections	21
Pending Inspections	15
Total for the Month	**36**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	0
Pending Investigations	0
Total for the Month	**0**

Plan Review Report	
Banner Non-Profit	1
CO	6
COMM	29
Engineering	4
Plat	6
Single Family	2
Site Plan	7
School	1
Zoning	9
Total for the Month	**65**

Fire Permit Report	
Bon Fire	1
CO2	1
Doors- Access Control	2
Fire Alarm	3
Fire Sprinkler	5
Traffic Calming Device	1
Total for the Month	**13**

Public Education Events	
Total for the Month	**4**



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190

Key Projects:

(1) **Asset Management System**. Maintenance, Reports
Permitting & Project Tracking System. Advertised RFP

(2) **Outside Agencies & Citizens Request**. RCAD, AT&T Lakeshore Commons request, NTMWD - ETJ Data Request

(3) **Engineering/Public Works**. Cityworks Admin Changes, Floodplain Meeting / Edits, Consultant GIS Data Request, Cityworks AMS Issues, Number of Res Units - Water 780 District, NEC Quail Run / Goliad Exhibit, Construction Noise Notification Map, S Lakeshore Mail-outs, County Line Rd CIP Map, Lakeshore/Summit Ridge CIP Map, CIP Project Mailers (6), Utility edits

(4) **Parks and Rec**. Harbor Urban Beach Data, Santa Cop 5K Run Parking Map, Harbor Beach Locator Map, Christmas Tree Lighting Layout Map

(5) **Planning Department**. Land Use Assumption Data, NEC FM548 / SH276 Map, Vol. Annexation SH276 Exhibit and Legal, Action & Implementation Schedule, Planning Case Maps, Comp Plan Meeting Boards, P&Z Public Notice QR Code, Comp Plan Prep

(6) **GIS**. NCTCOG NG911 maintenance, Building Footprint (planimetrics) clean up, Trak-it issues, Cellular Node Antennas Data, Retail App Redo, Restaurant App Redo, Arc Collector, Market Tapestry, City Works, GIS Day Event Prep

(7) **Police.** NWS Aerial Set Up, 3089 Wildflower Sex Offender Map, 315 Lakeside Dr Sex Offender Map, 367 Tubbs Rd Sex Offender Map

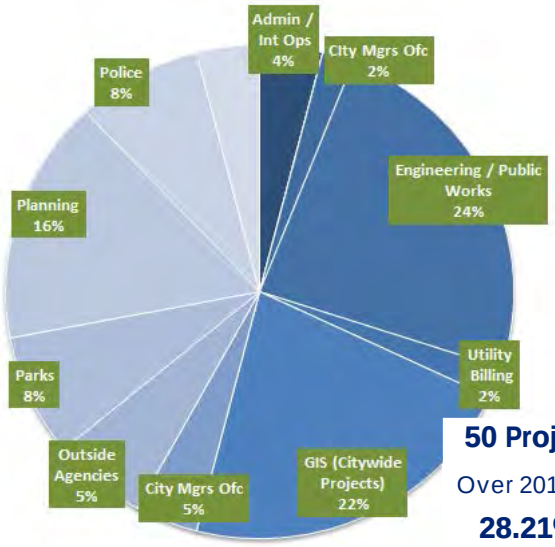
(8) **Main Street.** Hometown Christmas Citizen Map, Hometown Christmas Layout Map

(9) **Admin / CMO / Internal Ops.-** Waze App Set Up, Rockwall Safe Room Updates, TXDOT IH30 Renderings

(10) **Utility Billing.** Recycle Coach Address List

(11) **REDC.** South RPZ Airport Map, REDC Information Request

Monthly Project Request by Department:



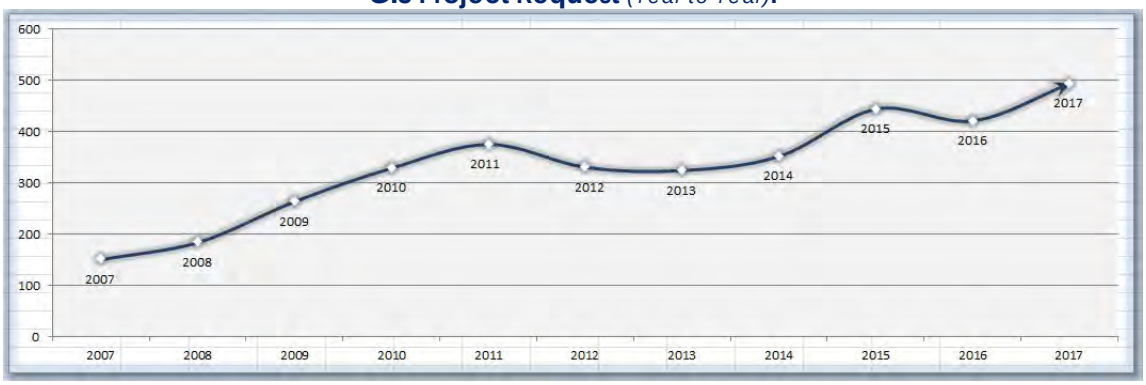
50 Projects

Over 2017 mo.

28.21% ↑

Admin / HR / Internal Ops	2
Building Inspections	0
Citizen Request	0
City Council	0
City Manager's Office	1
Neighborhood Improvement Services	0
Engineering / Public Works	12
Finance / Utility Billing	1
Fire Department	0
GIS (Citywide Projects)	11
IT	0
Main Street Program	2
Outside Agencies	3
Parks and Recreation	4
Planning	8
Police Department	4
REDC	2
Total	**50**

GIS Project Request *(Year to Year)*:



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192

Rockwall Police Department
Harbor District Call For Service
November 2018

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2018-00035062	11/04/2018	11:04:49	Sideways BBQ	Assault	No Report
2018-00035131	11/05/2018	08:31:56	Hilton Hotel	Assault	No Report
2018-00037024	11/23/2018	20:11:49	Glorias Restaurant	Disturbance	No Report
2018-00037352	11/26/2018	22:49:17	Hilton Hotel	Disturbance	Report
2018-00035429	11/07/2018	23:36:28	Cinemark Movies 12	Intoxicated	No Report
2018-00034935	11/02/2018	22:23:02	The Harbor	Investigation	No Report
2018-00035452	11/08/2018	08:52:54	The Harbor	Meet Complainant	Arrest
2018-00037257	11/25/2018	18:50:58	Cinemark Movies 12	Motor Vehicle Theft	Report
2018-00036647	11/20/2018	10:48:58	Cinemark Movies 12	Suspicious Activity	No Report
2018-00037407	11/27/2018	13:54:38	Hilton Hotel	Theft	No Report
2018-00036275	11/16/2018	22:24:27	Campisi's	Theft	Report

Common Name	
Campisi's	1
Cinemark Movies 12	3
Glorias Restaurant	1
Hilton Hotel	3
Sideways BBQ	1
The Harbor	2
	11

193

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194

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
NOVEMBER 2018

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	7	7	0	100%
ADMINISTRATIVE SERVICES	5	5	0	100%
AIRPORT	4	4	0	100%
ANIMAL SERVICES	7	7	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	3	3	0	100%
ENGINEERING	3	3	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	32	32	0	100%
INTERNAL OPERATIONS	126	126	0	100%
MUNICIPAL COURT	12	12	0	100%
PARKS & RECREATION	15	15	0	100%
PLANNING & ZONING	11	11	0	100%
POLICE DEPARTMENT	17	17	0	100%
PUBLIC WORKS	9	9	0	100%
UTILITY BILLING	2	2	0	100%
TOTAL	253	253	0	100%

195

F46 Ralph M Hall Rockwall Municipal Airport

Operations Report NOVEMBER 2018

Fuel Sales

	Gallons Sold	Gross Sales
Jet - A Sales	352	$1,408.00
Av-Gas Sales	2757.6	$11,857.68
Total Fuel Sales	3109.6	$13,265.68

Hangar Rental Revenue

Overnight Tiedown	
Covered Overnight Tiedown	
Open T Hangar	$2,975.00
Enclosed Hangar	$120.00
Community Hangar	$290.00
Total Hangar Rentals	$3,385

Hangar Occupancy

	Total Hangars	Qty Rentable	Quantity Leased	Occupancy Rate
Open T Hangars	46	43	37	80%
Enclosed Hangars	2	1	1	50%
Community Hangar	1	1	1	100%
Total Hangar Occupancy				77%

City Revenue	Fee Rate	Hangar Rental	Fuel Flowage	Total Due
Fuel Sales (Gallons Sold)	$0.10		3,109.60	$310.96
Hangars	5.00%	$3,385.00		$169.25
Total Fees Due				$480.21

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197

Rockwall Police Department

Monthly Activity Report

November-2018

ACTIVITY	CURRENT MONTH NOVEMBER	PREVIOUS MONTH OCTOBER	YTD 2018	YTD 2017	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	1	0	**100.00%**
Sexual Assault	0	4	11	10	**10.00%**
Robbery	0	1	6	6	**0.00%**
Aggravated Assault	2	3	19	20	**-5.00%**
Burglary	2	2	31	68	**-54.41%**
Larceny	46	52	603	585	**3.08%**
Motor Vehicle Theft	6	1	45	41	**9.76%**
TOTAL PART I	**56**	**63**	**716**	**730**	**-1.92%**
TOTAL PART II	**172**	**139**	**1648**	**1801**	**-8.50%**
TOTAL OFFENSES	**228**	**202**	**2364**	**2531**	**-6.60%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	16	18	186	203	**-8.37%**
D.W.I.	22	17	232	190	**22.11%**
ARRESTS					
FELONY	36	42	337	341	**-1.17%**
MISDEMEANOR	71	67	801	869	**-7.83%**
WARRANT ARREST	13	11	142	172	**-17.44%**
JUVENILE	5	9	56	72	**-22.22%**
TOTAL ARRESTS	**125**	**129**	**1336**	**1454**	**-8.12%**
DISPATCH					
CALLS FOR SERVICE	1405	1444	15229	16370	**-6.97%**
ACCIDENTS					
INJURY	2	4	110	184	**-40.22%**
NON-INJURY	63	82	625	591	**5.75%**
FATALITY	0	0	2	5	**-60.00%**
TOTAL	**65**	**86**	**737**	**780**	**-5.51%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**7**
Arrests	**2**
Arrest Warrants	**2**
Search Warrants	**2**
Seized	
Pistol	1
Cocaine	2.4 Ounces
Methamphetamine	17,007 Grams
Heroin	8 Grams
Marijuana	8 Ounces
Prescription Meds	Multiple Pills

Rockwall Police Department

Dispatch and Response Times

November 2018

Police Department

	Average Response Time		
Priority 1		Number of Calls	**88**
Call to Dispatch	0:01:22		
Call to Arrival	0:06:23		
% over 7 minutes	28%		

	Average Response Time		
Priority 2		Number of Calls	**288**
Call to Dispatch	0:03:29		
Call to Arrival	0:10:03		
% over 7 minutes	56%		

	Average Response Time		
Priority 3		Number of Calls	**63**
Call to Dispatch	0:05:50		
Call to Arrival	0:12:41		
% over 7 minutes	63%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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200



NOVEMBER 2018
MONTHLY REPORT

ROCKWALL PARKS & RECREATION

PARTICIPATION



SNAP SUPPER SPECTACULAR: 61 PARTICIPANTS



FISHING DERBY: 61 PARTICPANTS



OUTDOOR FAMILY CAMPOUT:
RAINED OUT

MONTHLY OVERVIEW	*NOV '18*
Part Time Labor Hours	62
Program Offerings	6
Program Participants	148
Resident Participants	72
Non-Resident Participants	76
Programs that Made	6
Cancelled Programs	0
% of Programs Cancelled	0%

FEE BASED RESIDENT VS NON-RESIDENT

6 programs

48%	52%

VOLUNTEER IN THE PARKS (V.I.P.)



EVENT SUPPORT
ALL NOV EVENTS RAINED OUT

TOTAL # OF VOLUNTEER HOURS

# OF VOLUNTEERS	NA
# OF VOLUNTEER HOURS	NA

NA

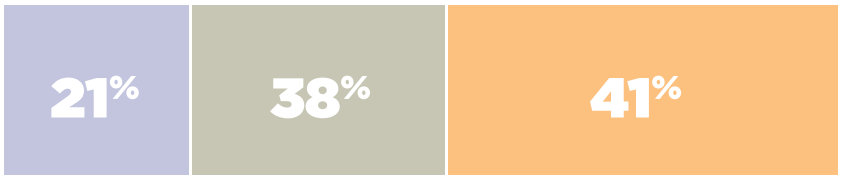


HMCC	NOV '18
Time Blocks Rented	53
Monthly Revenue	$2120

HMCC RENTAL ACTIVITY BY TIME BLOCK

53 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM





PAVILIONS	NOV '18
Time Blocks Rented	11
Monthly Revenue	$440

PAVILION RENTAL ACTIVITY BY TIME BLOCK

11 Rentals

6 AM - 3 PM | 3 - 11 PM



202

PARKS





FACILITY MANAGEMENT:

Athletic field renovations complete a Tuttle Yellow Jacket and Myers.

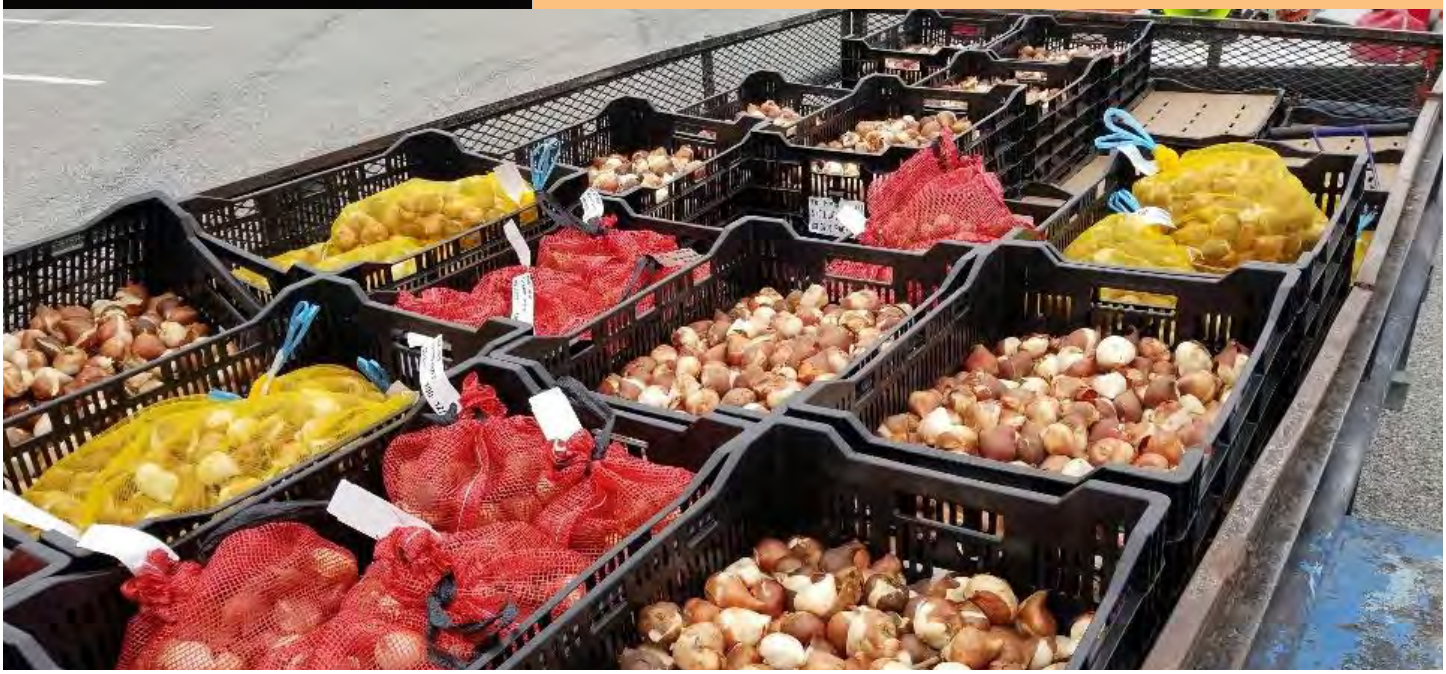
FACILITY ACCOLADES:

Tuttle awarded 2018 Multi Use Facility Field of the Year Award by Texas Turfgrass Association



FACILITY MAINTENANCE:

18,000 bulbs installed for spring flower program



203

MARKETING

FACEBOOK PAGE LIKES

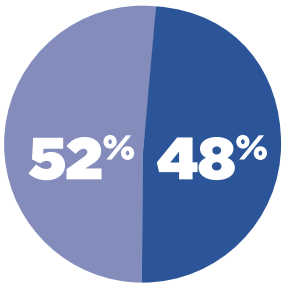
	GAIN OR LOSS
OCT	+113
NOV	+81

TOTAL LIKES THRU 11/30/2018

Like **12,204**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
OCT	7376	+453
NOV	7441	+139



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

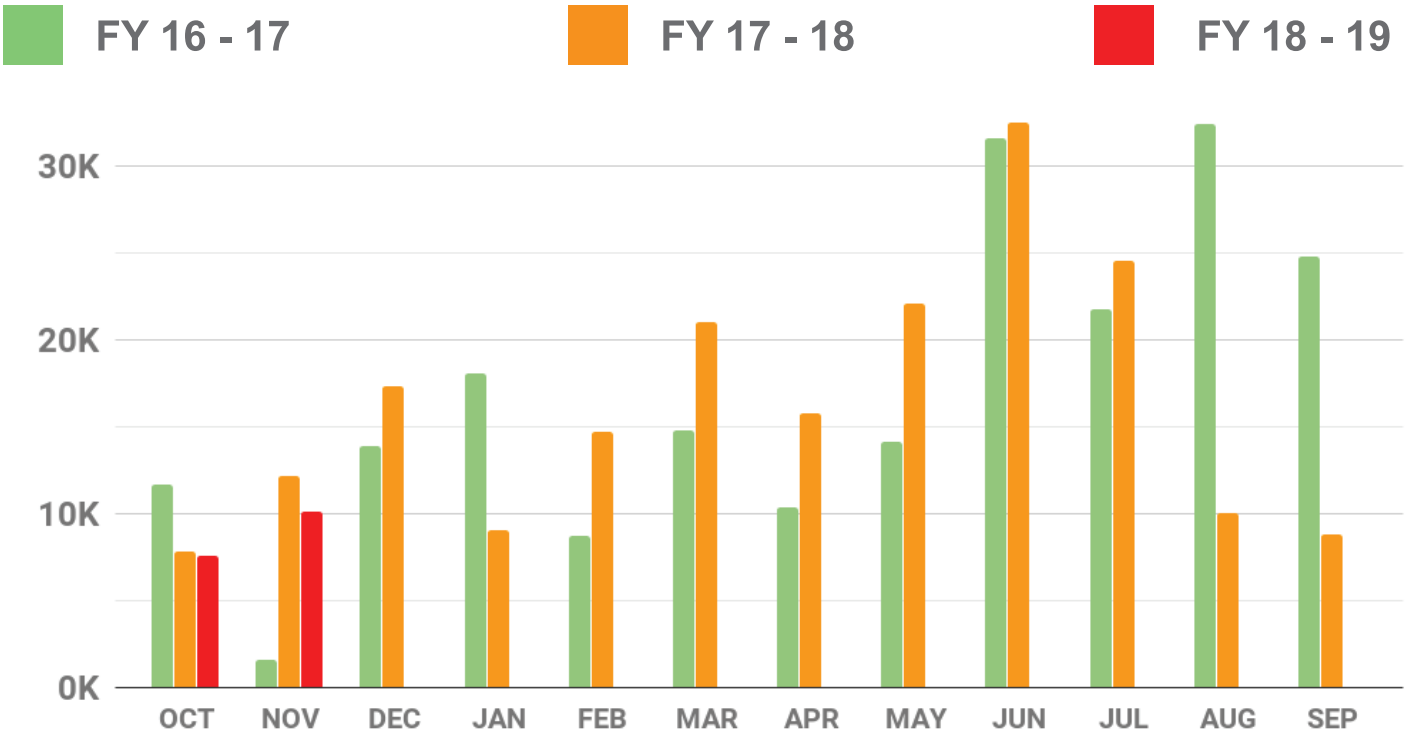
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of November 2018.	38,848
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	7,596
USERS Visitors to playrockwall.com	5,420

REVENUE

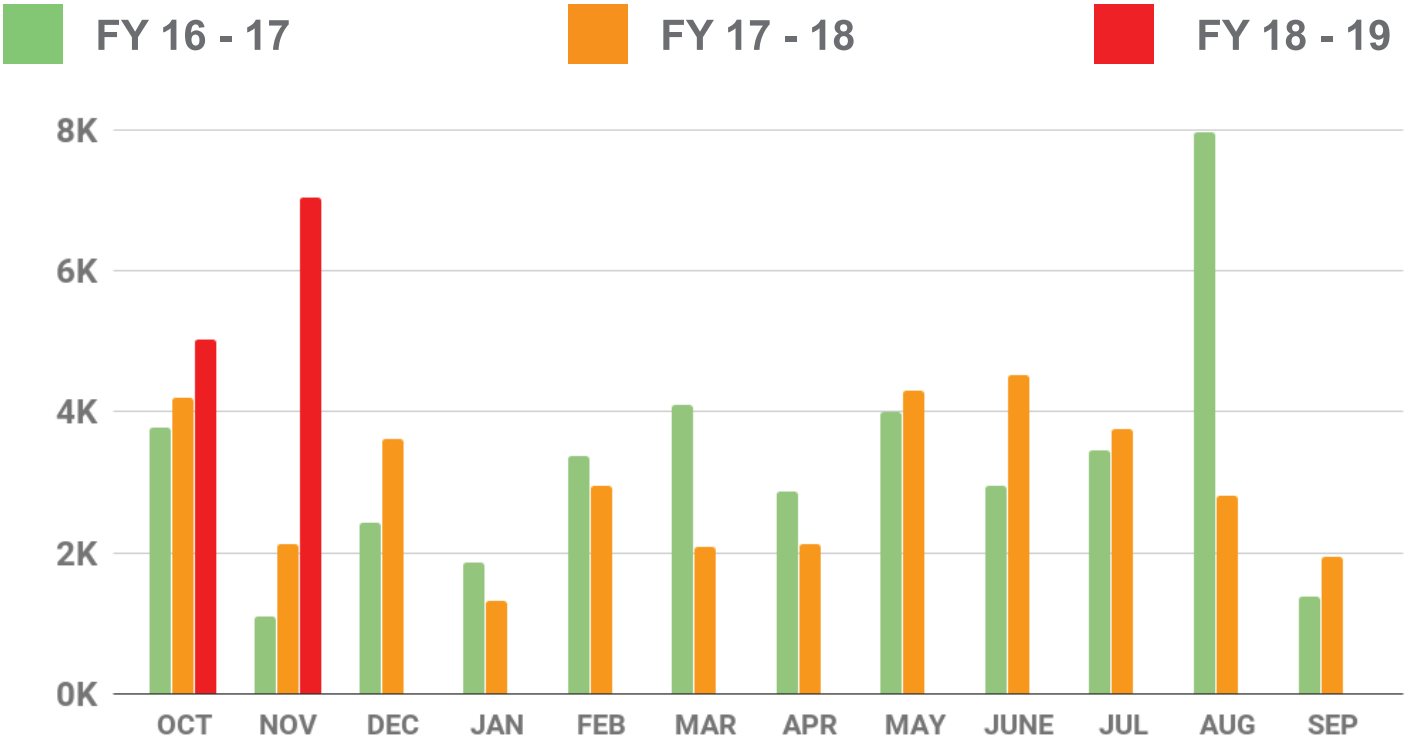
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



205

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206

Rockwall Adoption Center

2018 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '18	75-78%	7-7%	11-12%	0-0%	0-0%	112	95	**97%**
Feb '18	90-69%	15-12%	23-18%	2-1%	0-0%	121	130	**99%**
March '18	63-56%	15-13%	28-25%	3-3%	3-3%	110	112	**94%**
April '18	52-60%	8-1%	22-25%	4-1%	0-0%	90	87	**86%**
May '18	80-63%	20-16%	19-15%	2-2%	6-5%	137	127	**94%**
June '18	75-58%	20-16%	21-16%	4-3%	9-7%	128	129	**90%**
July '18	83-65%	17-13%	27-21%	0-0%	1-1%	150	128	**99%**
August '18	90-63%	15-11%	28-20%	4-3%	5-4%	117	142	**94%**
September '18	66-58%	13-11%	29-25%	2-2%	4-4%	125	114	**94%**
October '18	66-69%	13-14%	14-15%	2-2%	0-0%	108	96	**98%**
November '18	76-63%	12-10%	30-25%	0-0%	2-2%	96	120	**98%**
December '18								

207

Rockwall Animal Adoption Center

PROFIT AND LOSS

November 2018

	TOTAL
Income	
4000 City of Rockwall	117,617.88
4100 Adoption Fee	
4111 Adoption Fee - Dog	4,325.00
4112 Adoption Fee - Cat	2,147.00
Total 4100 Adoption Fee	**6,472.00**
4200 Impound Fee	804.00
4300 Owner Surrender	725.00
4350 Quarantine Fee	680.00
4400 Direct Public Support	
4410 Corporate Contributions	373.50
Total 4400 Direct Public Support	**373.50**
46400 Other Types of Income	
46430 Miscellaneous Revenue	150.00
Total 46400 Other Types of Income	**150.00**
4650 Medical	215.00
4700 General Donations	2,881.73
Unapplied Cash Payment Income	0.00
Total Income	**$129,919.11**
GROSS PROFIT	**$129,919.11**
Expenses	
5200 - Shelter Expense	
5202 - Micro Chip	3,496.50
5203 - Medication	3,629.94
5209 - Shelter Supplies	952.49
5210 - Cleaning	170.00
5220 - Truck Maintenance	416.34
5230 - Misc	9.00
Total 5200 - Shelter Expense	**8,674.27**
5215 - Insurance	5,411.15
5300 - Veterinary Expense	11,147.41
5400 - Professional Services	2,083.34
65000 5000 - Administative Expense	
5004 - Paypal/Intuit fee	208.12
5005 - Postage	10.56
5006 - Bank Fees	113.91
5025 - Staff Uniforms	743.03
5040 - Retirement srvs - 401K	254.00
5050 - Payroll	24,080.95
5055 - Payroll Tax	1,879.39
5056 - 401K Employer/Healthcare	739.42
5099 - Misc	615.92
65030 5003 - Printing and Copying	752.89

	TOTAL
65040 5001 - Supplies	578.49
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**30,216.68**
Total Expenses	**$57,532.85**
NET OPERATING INCOME	**$72,386.26**
NET INCOME	**$72,386.26**

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210

FY2019 City of Rockwall In kind values /Meals1st Quarter
Meals on Wheels Senior Services

Oct-18 — Days served 23

ROUTES	MILES	$
A	125	$67.50
B	245	$132.30
C	695	$378.00
E & EC	635	$361.95
F& K	430	$232.20
H	277	$151.05
I&J	1235	$666.90
RM & R	319	$172.26
	3961	$2,162.16

	HOURS	$
A	23	$320.16
B	33	$459.36
C	23	$320.16
E	23	$320.16
F & K	44	$612.48
H	23	$320.16
I&J	28	$389.76
RM & R	33	$459.36
	230	$3,201.60

$ Value in kind volunteer services **$5,363.76**

Total October In-kind value(only for Nutrition program) **$5,363.76**

ROCKWALL PROGRAM MEALS
2,112 Home Delivered and Disabled
422 Congregate Centers

Total purchased Meals **2,534**

Nov-18 — Days served 21

ROUTES	MILES	$
A	115	$62.10
B	230	$128.80
C	695	$389.20
E	635	$355.60
F& K	415	$232.40
H	265	$148.40
I&J	1240	$683.20
RM & R	316	$176.96
	3911	$2,176.66

	HOURS	$
A	21	$292.32
B	32	$445.44
C	21	$292.32
E	21	$292.32
F & K	42	$584.64
H	21	$292.32
I&J	21	$292.32
RM & R	32	$445.44
	211	$2,937.12

$ Value in kind volunteer services **$5,113.78**

Total November In-kind value (only for Nutrition program) **$5,113.78**

ROCKWALL PROGRAM MEALS
2,067 Home Delivered and Disabled
439 Congregate Centers

Total purchased Meals **2,506**

Dec-18 — Days served 20

ROUTES	MILES	$
A	100	$56.00
B	200	$112.00
C	680	$380.80
E	620	$347.20
F& K	400	$224.00
H	250	$140.00
I&J	1150	$655.50
RM & R	301	$168.56
	3701	$2,084.06

	HOURS	$
A	20	$278.40
B	30	$417.60
C	20	$278.40
E	20	$278.40
F & K	42	$584.64
H	20	$278.40
I&J	25	$348.00
RM & R	30	$417.60
	207	$2,881.44

$ Value in kind volunteer services **$4,965.50**

Christmas Holiday Meal **$850.00**
Zanata
New Years Eve Holiday Meal **$500.00**

Volunteer Hrs. & Miles **$440.00**

Total December In-kind value (only for Nutrition Program) **$6,755.50**

ROCKWALL PROGRAM MEALS
2,152 Home Delivered and Disabled
394 Congregate Centers
360 Holiday Meals

Total Purchased Meals **2,906**

THANK YOU FOR YOUR SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program **7,946**

In-kind VALUE Donated 1st Quarter FY19 **Total $ 17,233.04**

211

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212

STAR TRANSIT
Phone: 877-631-5278 | Fax: 972-563-0048 | Website: STARtransit.org
PO Box 703 | Terrell | TX 75160

December 5, 2018

To: City of Rockwall

From: Ashley Ando, Grant Director

Re: November 2018 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
NOVEMBER	20	885

Non-Service Days: November 22nd and 23rd

NO. OF TRIPS	PURPOSE
0	Contract Service
36	Education
2	Government
88	Medicaid
226	Medical
13	Nutrition (Senior Center)
167	Other (adult-day care, beauty salon, friend's homes, etc.)
223	Shopping
130	Work

NOVEMBER UNDUPLICATED PASSENGERS
94
YEAR TO DATE UNDUPLICATED PASSENGERS
144

Adjusted Trip Total	797

*Trip Totals without Contracts or Medicaid

> = 60	393
DIS >60	137
	530
% E & D Trip Total	66%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: 3,523
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: NOVEMBER 2017 TRIP TOTAL= 1,587 (79% DECREASE) DIRECTLY RELATED TO LAKEPOINTE CHURCH SERVICE CONTRACT

ROCKWALL CITY	1Q	2Q	3Q	4Q	PURPOSE TOTALS
CONTRACT	1,015	0	0	0	*1,015*
EDU	77	0	0	0	*77*
GOV	5	0	0	0	*5*
MDE	219	0	0	0	*219*
MED	632	0	0	0	*632*
NUT	34	0	0	0	*34*
OTH	544	0	0	0	*544*
SHP	533	0	0	0	*533*
WORK	464	0	0	0	*464*
	3,523	0	0	0	*3,523*

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
(UPT) Unlinked Passenger Trips	1,413	1,225	885										3,523	*1,174*
CONTRACT	709	306	0										1,015	*338*
EDU	0	41	36										77	*26*
GOV	1	2	2										5	*2*
MDE	62	69	88										219	*73*
MED	171	235	226										632	*211*
NUT	10	11	13										34	*11*
OTH	130	247	167										544	*181*
SHP	171	139	223										533	*178*
WORK	159	175	130										464	*155*
TOTAL DR TRIPS	1,413	1,225	885	0	0	0	0	0	0	0	0	0	3,523	*294*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Medicaid	62	69	88	0	0	0	0	0	0	0	0	0	219	*18*
Lakepointe Church Contract	709	306	0										1,015	*338*
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	0	*0*
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	*375*	*88*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*1,234*	*103*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Adjusted Trip Total	642	850	797	0	0	0	0	0	0	0	0	0	2,289	*43,511*
	*Trip Totals without Contracts or Medicaid													

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
> = 60	345	477	393										1,215	*405*
DIS <60	142	167	137										446	*149*
	487	*644*	*530*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*1,661*	*138*
% of Adjusted Trip Total	76%	76%	66%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
GENERAL PUBLIC	155	206	267	0	0	0	0	0	0	0	0	0	628	*52*
% of Adjusted Total	24%	24%	34%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20										62
NoShow/Cancel	527	474	476										1,477
UNDUPLICATED M2M	82	88	94										264
UNDUPLICATED YTD		114	144										258
			30	*-144*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	323	440	360										1,123
Percent Subs of Total Trips	23%	36%	41%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	
SUBS Can/NoShow	119	136	210										465

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215

December 5, 2018

TO: City of Rockwall

FROM: Ashley Ando, Grant Director

Re: STAR Transit First Quarter FY 2018 Demand Response

TOTAL TRIPS FOR 1ST QUARTER = 3,523

Days of Service: September 1, 2018 to November 30, 2018
62 Service Days

Holidays: 3 Days
September 4th, Labor Day
November 23rd and 24th, Thanksgiving and the Day after

MONTH	NO. OF SERVICE DAYS	TRIPS
SEPTEMBER	19	1,413
OCTOBER	23	1,225
NOVEMBER	20	885
	62	**3,523**

NO. OF TRIPS	PURPOSE
1,015	CONTRACT SERVICE
77	EDUCATION
5	GOVERNMENT
219	MEDICAID
632	MEDICAL
34	NUTRITION
544	OTHER
533	SHOPPING
464	WORK

ELDERLY AND DISABLED RIDERSHIP	
393	Disabled Trips
137	Elderly (&/or Dis) Trips

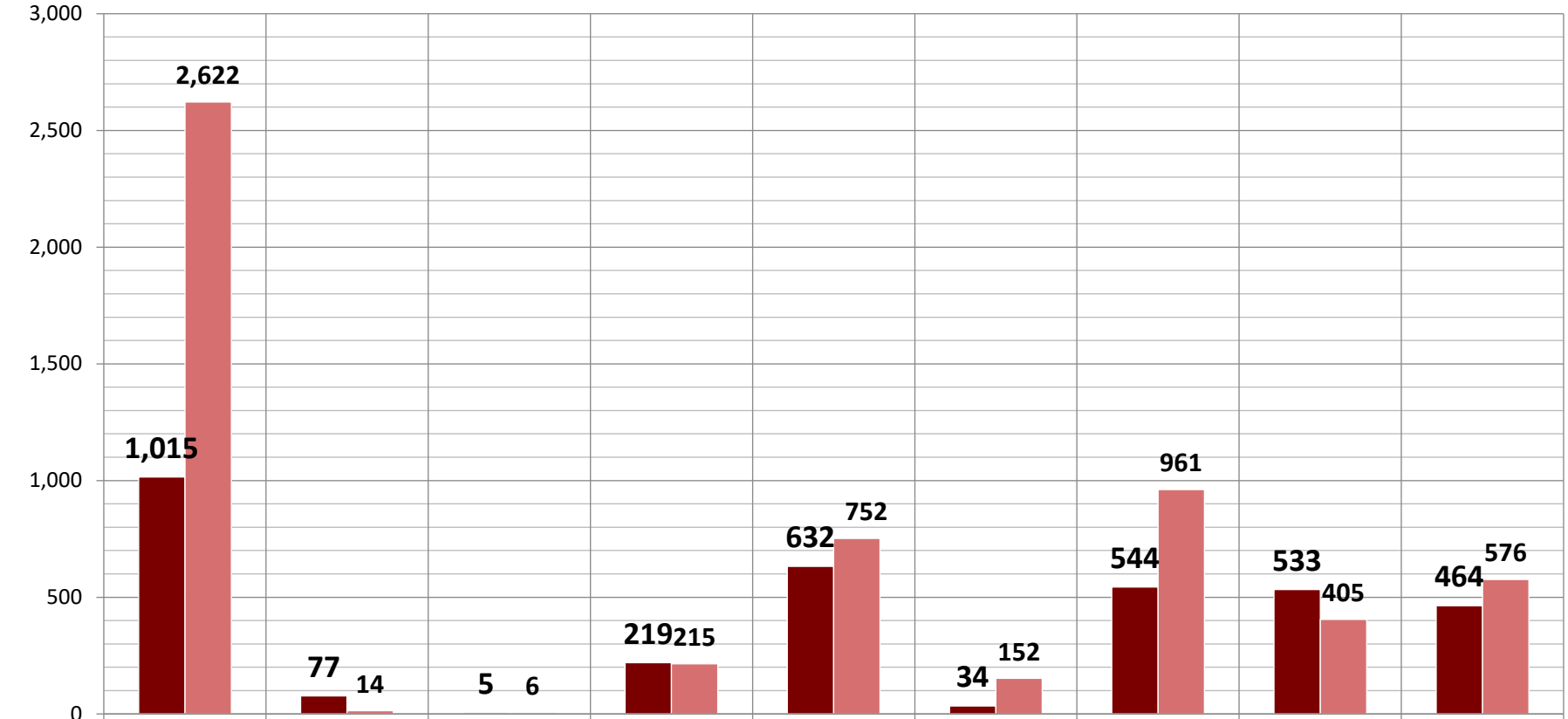
530 *E &D Total Rides*
E & D Percent of Public Transportation – 66%

FY 2019 Year to Date Total Rides – **3,523**

Prior Year FY2018 1st Q Total Rides – 5,703 (38% DECREASE) DIRECTLY RELATED TO LAKEPOINTE CHURCH SERVICE CONTRACT

216

1ST QUARTER COMPARISON OF FY19 TO FY18



	Contract Service	Education	Government	Medicaid	Medical	Nutrition Senior Center	Other	Shopping	Work
FY2019	1,015	77	5	219	632	34	544	533	464
FY2018	2,622	14	6	215	752	152	961	405	576

217

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218

Table of Contents

Agenda 4

Health for Humanity Yogathon

Proclamation 8

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Consider approval of the minutes from the January 7, 2019 regular city council meeting, and take any action necessary.

Mins 10

Blank Report 20

Z2018-049 - Consider a request by Mike Peoples for the approval of an ordinance for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary (2nd Reading).

Ord 21

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A2018-004 - Consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017 LLC for the approval of an ordinance for the voluntary annexation of a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and take any action necessary (2nd reading).

Ord 29

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P2018-047 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH West Pods, LTD for the approval of a preliminary plat for Breezy Hill, Phase XII containing 35 single-family residential lots on 44.525-acres of land identified as a portion of Tract 7-1 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located west of the intersection of John King Boulevard and Cozy View Drive, and take any action necessary.

P2018-047 38

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Consider approval of the Contract Amendment #1 with Brinkley & Barfield, Inc., in the amount of $87,030 to be funded from the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

Memo 48

Contract Amendment 49

Contract 59

Consider authorizing the City Manager to negotiate and execute a contract with Baseball Nation LLC regarding the city's baseball umpire services for an amount not to exceed $120,000 to be funded from baseball registration proceeds in the Recreation Development Fund, and take any action necessary.

memo 82
RFP 83
Blank Page 97
Consider authorizing the City Manager and the Chief of Police to execute an Interlocal Agreement (ILA) with NCT911 to provide 911 services in the City, and take any action necessary.
Memo 98
Blank Page 99
A2018-005 (6:00 PM) – Hold a public hearing to discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary.
A2018-005 100
Blank Page 106
Z2018-050 - Hold a public hearing to discuss and consider a request by David Rains for the approval of an ordinance for a Specific Use Permit (SUP) allowing a covered patio that exceeds the maximum requirements for property located within the Lake Ray Hubbard Takeline leased area that is adjacent to a parcel of land identified as Lot 12, Block A, Chandlers Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary (1st Reading).
Z2018-050 107
Blank Page 109
Z2018-055 - Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary [1st Reading].
Z2018-055 110
Blank Page 142
Z2018-057 - Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an ordinance amending Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary [1st Reading].
Z2018-057 143

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A2018-005 (6:30 PM) – Hold a public hearing to discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary.

A2018-005 187

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Z2018-058 - Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an ordinance for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary [1st Reading].

Z2018-058 194

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Z2018-059 - Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of an ordinance for a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary [1st Reading].

Z2018-059 218

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SP2018-043 - Discuss and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a waiver in conjunction with an approved site plan for a 375-unit condominium building on a 6.2-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary.

SP2018-043 237

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AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, January 22, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. PROCLAMATIONS

pg.8 **1.** Health for Humanity Yogathon

VIII. OPEN FORUM

IX. CONSENT AGENDA

pg.10 **1.** Consider approval of the minutes from the January 7, 2019 regular city council meeting, and take any action necessary.

pg.21 **2. Z2018-049** - Consider a request by Mike Peoples for the approval of an **ordinance** for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary **(2nd Reading).**

pg.29 **3.** **A2018-004** - Consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017 LLC for the approval of an **ordinance** for the voluntary annexation of a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and take any action necessary **(2nd reading).**

pg.38 **4.** **P2018-047** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH West Pods, LTD for the approval of a preliminary plat for Breezy Hill, Phase XII containing 35 single-family residential lots on 44.525-acres of land identified as a portion of Tract 7-1 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located west of the intersection of John King Boulevard and Cozy View Drive, and take any action necessary.

pg.48 **5.** Consider approval of the Contract Amendment #1 with Brinkley & Barfield, Inc., in the amount of $87,030 to be funded from the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

pg.82 **6.** Consider authorizing the City Manager to negotiate and execute a contract with Baseball Nation LLC regarding the city's baseball umpire services for an amount not to exceed $120,000 to be funded from baseball registration proceeds in the Recreation Development Fund, and take any action necessary.

pg.92 **7.** Consider authorizing the City Manager and the Chief of Police to execute an Interlocal Agreement (ILA) with NCT911 to provide 911 services in the City, and take any action necessary.

X. PUBLIC HEARING ITEMS

pg.100 **1.** **A2018-005 (6:00 PM)** – Hold a public hearing to discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary.

pg.107 **2.** **Z2018-050** - Hold a public hearing to discuss and consider a request by David Rains for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a covered patio that exceeds the maximum requirements for property located within the Lake Ray Hubbard Takeline leased area that is adjacent to a parcel of land identified as Lot 12, Block A, Chandlers Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned

Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary **(1st Reading).**

pg.110 **3.** **Z2018-055** - Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary **[1st Reading].**

pg.143 **4.** **Z2018-057** - Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an **ordinance** amending Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary **[1st Reading].**

pg.187 **5.** **A2018-005 (6:30 PM)** – Hold a public hearing to discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary.

pg.194 **6.** **Z2018-058** - Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary **[1st Reading]**.

pg.218 **7.** **Z2018-059** - Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of an **ordinance** for a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas,

zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary **[1st Reading]**.

XI. ACTION ITEMS

pg.237 **1.** **SP2018-043** - Discuss and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a waiver in conjunction with an approved site plan for a 375-unit condominium building on a 6.2-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary.

XII. EXECUTIVE SESSION

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XIV. ADJOURNMENT

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of January, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, Texas

Proclamation

Whereas, YOGA is an ancient process of keeping the human mind and body in good health, and Spiritual training is considered a part of physical training from ancient times in India; and

Whereas, the Surya Namaskar (also known as "Sun Salutation") is a special sequence of YOGA postures that provides the key health benefits of YOGA in a very succinct package; and

Whereas, Hindu Swayamsevak Sangh (HSS) is a voluntary, non-profit, social and cultural organization which aims to preserve and pass on an ancient Hindu heritage and cultural values to the next generation and raise awareness around the world; and

Whereas, HSS is organizing a Health for Humanity Yogathon with the goal of bringing awareness and health benefits of yoga to the community at large by adopting a healthy lifestyle with regular practice of Surya Namaskar; and

Whereas, during this period HSS is organizing various free yoga sessions for interested individuals; and

Whereas, YOGA enthusiasts, YOGA Studios, local schools, and other organizations are participating in this event as a part of physical activity and/or spiritual training.

NOW, THEREFORE, I, Jim Pruitt, Mayor of the City of Rockwall TX, do hereby proclaim Jan. 12-27, 2019 as "Health for Humanity Yogathon Period" in the City of Rockwall and encourage all citizens to become more aware of the enjoyment and many benefits of yoga.

In Witness Whereof, I hereunto set my hand and official seal this 22nd day of January, 2019.

Jim Pruitt, Mayor

8

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MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, January 07, 2019 - 5:00 PM

City Hall - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Councilmembers Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

II. EXECUTIVE SESSION.

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

1. Discussion regarding "Petition for Consent to include Land in a Municipal Utility District (MUD)" within the city's northern extraterritorial jurisdiction (ETJ), pursuant to Section §551.071 (Consultation with Attorney)
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:57 p.m.

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

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler indicated that no action was necessary as a result of Executive Session.

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

Mayor Pro Tem Fowler delivered the invocation and led the Pledge of Allegiance.

VII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the December 17, 2018 regular city council meeting, and take any action necessary.
2. **Z2018-043** - Consider a request by Michael Worrell of Rockwall Honda for the approval of an **ordinance** amending SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary **(2nd Reading)**.
3. **Z2018-046** - Consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary **(2nd Reading)**.
4. **P2018-044** - Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Russell Frank for the approval of a final plat for Lot 1, Block A, Hacienda Car Wash Addition being a 2.008-acre tract of land identified as portions of Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 Ridge Road [FM-740], and take any action necessary.
5. **P2018-045** - Consider a request by Jennifer Haynes of Urban Structure on behalf of Andrew Malzer of RaceTrac Petroleum, Inc. the approval of a replat for Lots 4 & 5, Block A, the Woods at Rockwall Addition being a 4.47-acre tract of land identified as Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 & 2205 Ridge Road [FM-740], and take any action necessary.
6. **P2018-046** - Consider a request by David Ellis for the approval of a replat for Lots 5, 6 & 7, Block A, Ellis Centre, Phase 2 Addition being a 2.62-acre tract of land identified as Lots 1 & 3, Block A, Ellis Centre, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1930 & 1950 Alpha Road, and take any action necessary.
7. Consider approval of a resolution terminating Ascensus Trust Company as Passive Trustee of the City of Rockwall 457(b) Plan; appointing Reliance Trust Company as Passive Trustee (in Place of Ascensus Trust) with respect to the city's 457(b) plan, and take any action necessary.

Mayor Pro Tem Fowler moved to approve the entire Consent Agenda. Councilmember Macalik seconded the motion. The ordinances were read as follows:

ORDINANCE NO. 19-01
SPECIFIC USE PERMIT NO. S-199

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT NO. S-76 [*ORDINANCE NO. 10-26*], WHICH ALLOWS FOR A MOTORCYCLE DEALERSHIP WITH ACCESSORY BOAT AND TRAILER SALES ON A 1.152-ACRE PARCEL OF LAND IDENTIFIED AS LOT 6, BLOCK A, NEWMAN CENTER #1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-02
SPECIFIC USE PERMIT NO. S-200

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THREE (3) TEMPORARY EDUCATIONAL BUILDINGS ON A 6.64-ACRE PARCEL OF LAND ZONED MULTI-FAMILY 14 (MF-14) DISTRICT AND IDENTIFIED AS LOT 1, BLOCK A, HERITAGE CHRISTIAN ACADEMY ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

IX. APPOINTMENT ITEMS

1. Appointment with Dewayne Cain to discuss amending the Unified Development Code (UDC) to allow accessory buildings in an Agricultural (AG) District, and take any action necessary.

Dewayne Cain
305 Stonebridge
Rockwall, TX

Mr. Cain came forth and addressed the Council regarding this agenda item. He explained that he is the owner of Resthaven Memorial Park and that he owns about 200 acres of agriculturally zoned land. He hired an architect to design an elaborate barn / storage type facility that would be placed close to one of the homes he owns on Cornelius Road. He explained that his property was annexed into the city several years ago. In addition to Mr. Cain having hired an architect and having plans drawn up, a deposit was put down, a general contractor was hired, dirt work was done, and lime injection was performed. When the contractor came to the city to take out a building permit, he was told by staff that an SUP would be required before a permit could be issued. In the meantime, the city council made changes that disallowed an SUP to be requested. He went on to explain that a barn / accessory building is not currently allowed within an agriculturally zoned district, so there is no longer a means by which he is able to apply for a "specific use permit" (SUP). He is coming before the Council this evening to see if there is a way to work something out such

that he would be allowed to build this large accessory building on his agriculturally zoned property.

Planning Director Ryan Miller provided clarifying comments to the Council concerning this matter. He generally explained that currently, there is no SUP process by which a property owner may request to approve a 'barn' type accessory structure on "agriculturally zoned" land, and there is also not a means by which an owner may build 'private guest quarters.' It was generally explained that the "agriculture" zoning designation is assigned to newly annexed land "by default" (essentially), and it is the most restrictive zoning designation within the city's regulations. It exists this way as a means by which annexed land will be eventually pushed into a different zoning land designation; however, it unfortunately has an (unintended) adverse effect on (larger parcels of) land that truly are more 'agricultural' in nature. One change that would need to occur is for SUPs to be able to be requested, on a case-by-case basis, for "guest quarters" which are proposed to be built on 'agriculturally zoned' land. Right now, no SUP process exists to potentially allow those types of structures.

Mr. Cain clarified that "guest quarters" is a little more elaborate than what he is wanting to build. He essentially wants to build a (large) "man cave" to have folks over and watch sports games and store some of his car collection.

Following extensive discussion, the Council generally expressed a desire for staff to bring back some options for the council to consider relative to making some changes to the UDC to allow requests (by SUP) for accessory buildings (both ones to be utilized as 'barns' and ones to be utilized for 'private guest quarters'), on a case-by-case basis, on agriculturally zoned land.

Council took no formal action related to this agenda item at this time.

X. PUBLIC HEARING ITEMS

1. **Z2018-049** - Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an **ordinance** for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller, provided background information pertaining to this agenda item, indicating that back on December 17, 2018, the City Council continued the public hearing for Case No. Z2018-049 by a vote of 7 to 0. This case involved a request for a Specific Use Permit (SUP) that would allow for an animal shelter on the property. The purpose of the City Council's motion was to allow the applicant, Mike Peoples, additional time to prepare a schedule that outlined [1] the completion time for the animal shelter (which is currently partially constructed), and [2] the time needed to demolish the structure situated within the floodplain (which was constructed without a building permit). In response to the City Council's action, Mr. Peoples provided staff with a letter indicating that, weather permitting, he intends to complete the construction of the animal shelter by April 2019; however, Mr. Peoples has not indicated a timeframe for the demolition of the structure within the floodplain (see Exhibit 'B'). It should also be noted that staff requested that Mr. Peoples provide a timeframe for the demolition of the detached garage that was denied by the City Council on December 17, 2018; however, the letter submitted by Mr. Peoples indicates that he does not have a timeframe for the removal of this building either. Due to the applicant's in ability to provide staff with a reasonable timeframe for the demolition of the two (2) unpermitted structures, staff has

amended the draft ordinance for the animal shelter to require that both structures be removed from the property within six (6) months of the adoption date of the proposed Specific Use Permit (SUP) ordinance.

Councilmember Hohenshelt and Mayor Pruitt both indicated that their preference is to require that Mr. People demolish the existing structure (in the floodplain) prior to finishing the newest structure he wanting to complete.

Mr. Miller shared that Mr. Peoples has continued to work on the existing (unpermitted, unauthorized "animal shelter") structure during the time he has been going through the process associated with seeking formal approval of it being built. It was pointed out that when Mr. Peoples spoke to staff about the (currently under construction) structure needing an SUP and building permit, Mr. Peoples gave indication that he still planned to continue working on the structure. Staff explained to Mr. Peoples that if he continued working on the structure before it (potentially) received Council's approval, he would be doing so at his own risk. Mr. Peoples subsequently submitted a letter to staff, generally expressing that he understood that. General discussion took place pertaining to the existing structure (that Mr. Peoples has continued to work on) and how stopping its construction and having it torn down will be an enforcement-related issue, should it come to that in the future. Indication was given that, related to 'enforcement,' any daily or other fines would be up to the judge.

Following extensive discussion and clarifications, Councilmember Hohenshelt moved to call for all of the improper structures to be removed before this particular SUP may be granted and that Mr. Peoples must do so within six (6) months. The motion was clarified – that Mr. Peoples should not perform further work on this current structure and that the other, existing (improper) structures must be removed within six (6) months. Councilmember Trowbridge seconded the motion.

Pruitt reopened the public hearing (that was continued from the last council meeting) and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then called for the vote.

The above noted motion then passed by a vote of 7 ayes to 0 nays. The ordinance (caption) was read into the record as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___
SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ANIMAL SHELTER ON A 42.66-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT, IDENTIFIED AS TRACT 7 OF THE D. HARR SURVEY, ABSRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

XI. ACTION ITEMS

1. **Z2018-05**2 - Discuss and consider a request by Russell Phillips on behalf of Rockwall Retail Investors, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) for a mini-warehouse facility on a 7.489-acre tract of land identified as Lot 23, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally situated

north of Horizon Road and east of Ranch Trail Road, and take any action necessary **(2nd Reading).**

Mayor Pro Tem Fowler recused himself from this agenda item. Following brief, introductory comments by Mr. Miller, Councilmember Hohenshelt moved to approve Z2018-052. Councilmember Trowbridge seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___
SPECIFIC USE PERMIT NO. S-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT, ON A 7.489-ACRE PARCEL OF LAND BEING IDENTIFIED AS LOT 23, RAINBO ACRES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

The motion passed by a vote of 6 ayes with 1 abstention (Fowler).

2. **Z2018-048** - Discuss and consider a request by Amanda Henry for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 0.253-acre tract of land identified as part of Lot 47B of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary **(2nd Reading)**.

Mr. Miller explained that Councilmen Hohenshelt and Daniels dissented on the vote to approve this item at the last city council meeting. Mayor Pro Tem Fowler then moved to approve Z2018-048. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___
SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ACCESSORY BUILDING THAT DOES NOT MEET THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE (UDC) ON A 0.253-ACRE PARCEL OF LAND ZONED SINGLE-FAMILY 7 (SF-7) DISTRICT AND IDENTIFIED AS LOT 47B, B. F. BOYDSTUN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes and 2 nays (Hohenshelt and Daniels).

3. **Z2018-054** - Discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on behalf of the owner Vinod Miranda for the approval of an **ordinance** for a Specific Use Permit (SUP) for an office building that will exceed 36-feet in height within the Scenic Overlay (SOV) District on a 9.7-acre tract of land identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary **(2nd Reading).**

Planning Director Ryan Miller and Councilman Trowbridge provided brief comments pertaining to this agenda item. Councilmember Trowbridge then moved to approve Z2018-054. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A STRUCTURE THAT EXCEEDS 36-FT IN HEIGHT WITHIN THE SCENIC OVERLAY (SOV) DISTRICT IN A COMMERCIAL (C) DISTRICT, ON A 9.70-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 15 OF THE E.P.G. CHISUM SURVEY, ABSTRACT NO. 64, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 in favor with 2 against (Macalik and Daniels).

4. **A2018-004** - Discuss and consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017 LLC for the approval of an **ordinance** for the voluntary annexation of a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and take any action necessary **(1st reading).**

Planning Director Ryan Miller provided brief background information pertaining to this agenda item. The applicant, Mr. Atkins, came forth and explained that this annexation will bring additional land into the city that will be utilized for an extension of the Saddlestar subdivision (it will be "Saddlestar South"). He indicated that some builders have already been retained for the future building of homes in this neighborhood.
Councilmember Hohenshelt moved to approve A2018-004. Councilmember Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 14.995-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, ROCKWALL COUNTY, TEXAS,

WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

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

5. Discuss and consider approval of a concept plan for Harbor Urban Beach Park, and take any action necessary.

Director of Parks & Recreation, Andy Hesser, came forth and addressed the Council concerning this agenda item. He shared a visual concept plan that showed renderings of the proposed lakeside (Urban Beach) park area. Extensive discussion ensued regarding a proposed Phase I and Phase II of this park project, including whether or not a restroom facility should be included in Phase I and the options for where that facility might possibly be located. Discussion also took place pertaining to what funds have already been budgeted versus what funds would possibly need to be taken out of the General Fund to ensure adequate funding for a restroom facility. Mayor Pruitt indicated that he prefers to include a restroom facility as part of this plan because he anticipates that the city will receive complaints if it is not included. Regarding the topic of parking, Mr. Hesser explained that a the public parking garage on the nearest side of the Cinemark movie theater is slated to be constructed by Pegasus-Abalon prior to this park area being developed. So, that would be the nearest available parking area for those visiting this park. Mr. Hesser shared brief comments about some of the proposed amenities, including a sand beach area, volleyball amenities, vegetation separation between the park and the facilities up the hill from it, walking trail areas, etc.

Following extensive discussion, Mr. Crowley, City Manager, suggested that staff bring back a financing plan for Phase I (with a restroom facility included in the numbers). Further discussion then ensued pertaining to where the restroom facility might ultimately be located. Mr. Hesser showed the Council the two different options that have been identified for possible placement of the restroom facility. One option will include obtaining an easement from the City of Dallas, and it may not be ideally located for whatever ultimately gets constructed up the hill from the restroom facility. The other possible placement for the restroom facility may ultimately have fewer complications as far as easements are concerned, but it would be located on the far end, just around the corner. Concern was expressed by some Council members regarding possibly placing the restroom on the far end, around the corner, as it may be too far for visitors to walk. However, concern was also expressed by some members of Council who wonder if those who occupy the buildings up the hill from the park may not appreciate looking at the back of a restroom facility if one were placed at the other potential location that's been identified.

Following extensive discussion regarding the placement of the restroom facility, Council generally indicated agreement with it being placed over near IH-30 (around the corner on the far end of the park); however, staff will need to return to the Council with more specific details related to how much Phase I will cost if the restroom facility is added and if the trail that leads to the restrooms is constructed. No formal action was taken as a result of this discussion item at this time.

6. Discuss and consider a recommendation of the City Council Naming Subcommittee regarding approval of a resolution naming a parks and recreation venue in the City, and take any action necessary.

On behalf of the subcommittee, Councilmember Daniels shared that a recommendation is being put forth to name the amphitheater at The Harbor the "Brad Griggs Amphitheater Stage at The Harbor." He then moved to approve the resolution to do so. Mayor Pruitt seconded the motion, which passed unanimously (7 ayes to 0 nays).

7. Discuss and consider legislative topics for the 86th Session of the Texas Legislature, and take any action necessary.

Assistant City Manager Joey Boyd provided background information pertaining to this agenda item, generally indicating that staff has compiled and made available to Council in tonight's informational meeting packet a bullet pointed list of topics that may be of interest to the City during the upcoming state legislative session. Mayor Pruitt commented that the list looks like a pretty good list. Council took no formal action concerning this agenda item.

8. Discuss and consider (re)appointments to the city's Main Street Advisory Board, and take any action necessary.

Councilmember Trowbridge moved to reappoint Pricylla Bento and Jeremy Standifer to continue serving on the Main Street Advisory Board for an additional two-year term. Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilman Trowbridge moved to appoint Eva Cannon to replace Sarah Freed on the Main Street Advisory Board (for a two-year term). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. City Manager's Report, Departmental Reports and related discussions pertaining to current city activities, upcoming meetings, future legislative activities, and other related matters.

1. **Departmental Reports**

   Building Inspections Monthly Report - November 2018
   Fire Department Monthly Report - November 2018
   GIS Division Monthly Report - November 2018
   Harbor PD Monthly Report - November 2018
   Internal Operations Monthly Report - November 2018
   Police Department Monthly Report - November 2018
   Recreation Monthly Report - November 2018
   Rockwall Animal Adoption Center Monthly Report - November 2018
   Rockwall Meals on Wheels Senior Services Quarterly Report
   STAR Transit Monthly Report - November 2018
   STAR Transit Quarterly Report

2. **City Manager's Report**

Mayor Pruitt informed the Council that he will be appointing Joe Lynch to serve on the Rockwall Housing Authority Board, explaining that board members are (solely) appointed to the board by the city's mayor. He explained that Joe is a war hero, and grew up in the south side of Boston in the housing projects. So, he will bring a unique perspective to this board. Following the mayor's comments, no discussion took place pertaining to departmental or "city manager's" reports.

XIII. Executive Session

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

1. Discussion regarding "Petition for Consent to include Land in a Municipal Utility District (MUD)" within the city's northern extraterritorial jurisdiction (ETJ), pursuant to Section §551.071 (Consultation with Attorney)
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 7:10 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21st DAY OF JANUARY, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 19-08

SPECIFIC USE PERMIT NO. S-204

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ANIMAL SHELTER ON A 42.66-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT, IDENTIFIED AS TRACT 7 OF THE D. HARR SURVEY, ABSRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Mike Peoples for the approval of a Specific Use Permit (SUP) for the purpose of allowing a previously constructed animal shelter, situated on a 42.66-acre tract of land, zoned Agricultural (AG) District, and being identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, addressed 1700 E. SH-66, and being more specifically depicted in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the construction of an animal shelter structure within an Agricultural (AG) District as stipulated by Article IV*, Permissible Uses,* and Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Section *2.1, Agricultural (AG) District,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the following operational conditions and compliance standards:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an animal shelter, structure on the Subject Property and conformance to these requirements is necessary for continued operations:

1) The animal shelter structure shall generally conform to the elevations and site plan depicted in *Exhibits 'B'* & *'C'* of this ordinance;

2) The animal shelter structure shall not exceed its current size of approximately 2,720 SF or an approximate height of 15-feet;

3) The existing accessory building located within the flood plain of this property, as depicted as #4 in *Exhibit 'D'* of this ordinance, shall be removed/demolished within six (6) months of the date of passage of this ordinance;

4) The existing detached garage located on the subject property, as depicted as #1, 2, & 3 in *Exhibit 'D'* of this ordinance, shall be removed/demolished within six (6) months of the date of passage of this ordinance;

5) The animal shelter structure shall not be operated as a commercial land use;

6) A detention system is required for the addition of structures on the subject property per the Engineering Standards of Design; and,

7) The animal shelter structure is subject to administrative review in the event that the S*ubject Property* is sold, conveyed or altered in any manner.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] will require compliance to the following:

1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC) [*Ordinance No. 04-38*], the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*].

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 22ND DAY OF JANUARY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: January 7, 2019

2nd Reading: January 22, 2019

Exhibit 'A':
Legal Description and Property Location

Legal Description: Tract 7 of the D. Harr Survey, Abstract No. 102

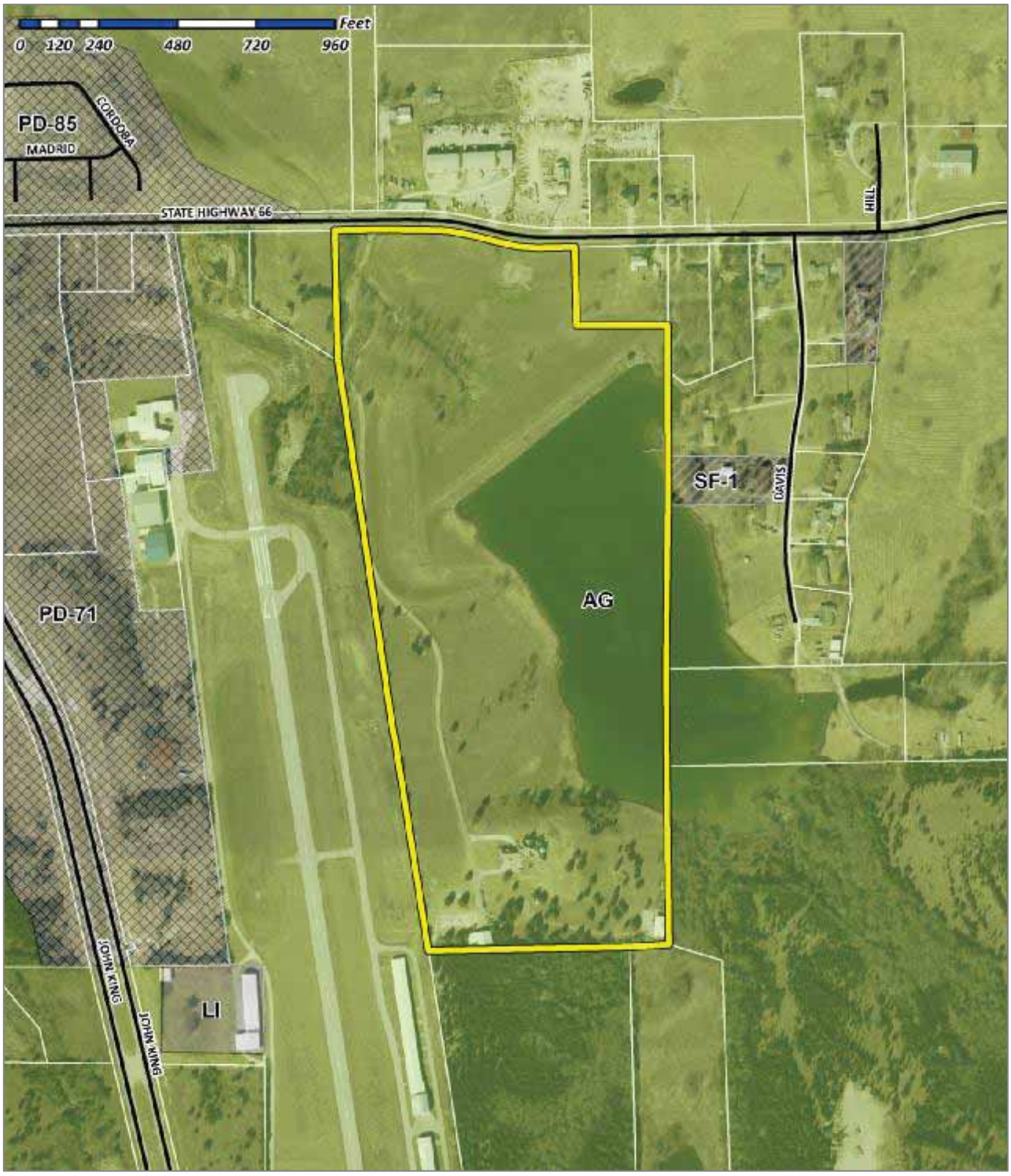


Exhibit 'B':
Animal Shelter – Elevations

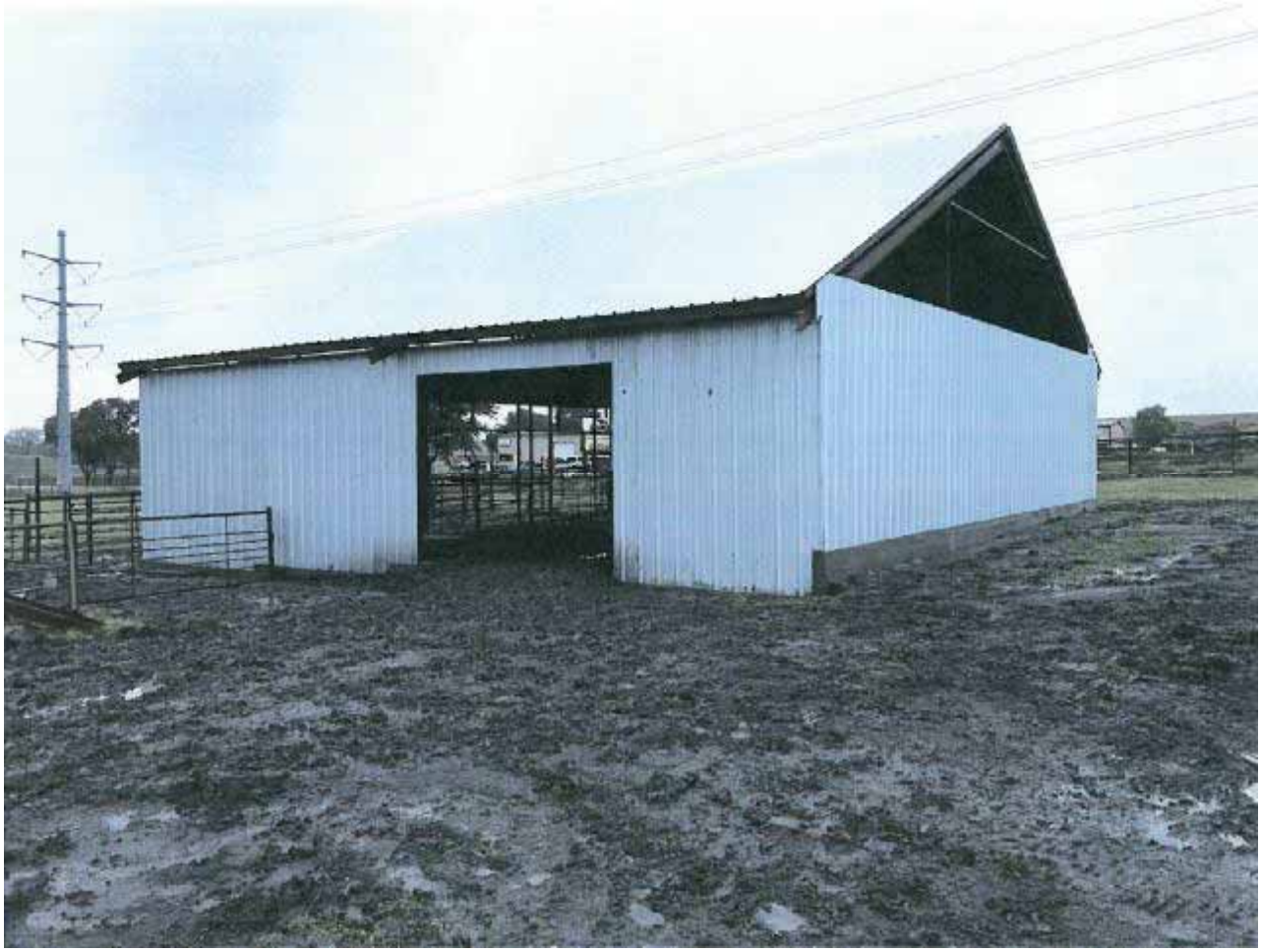
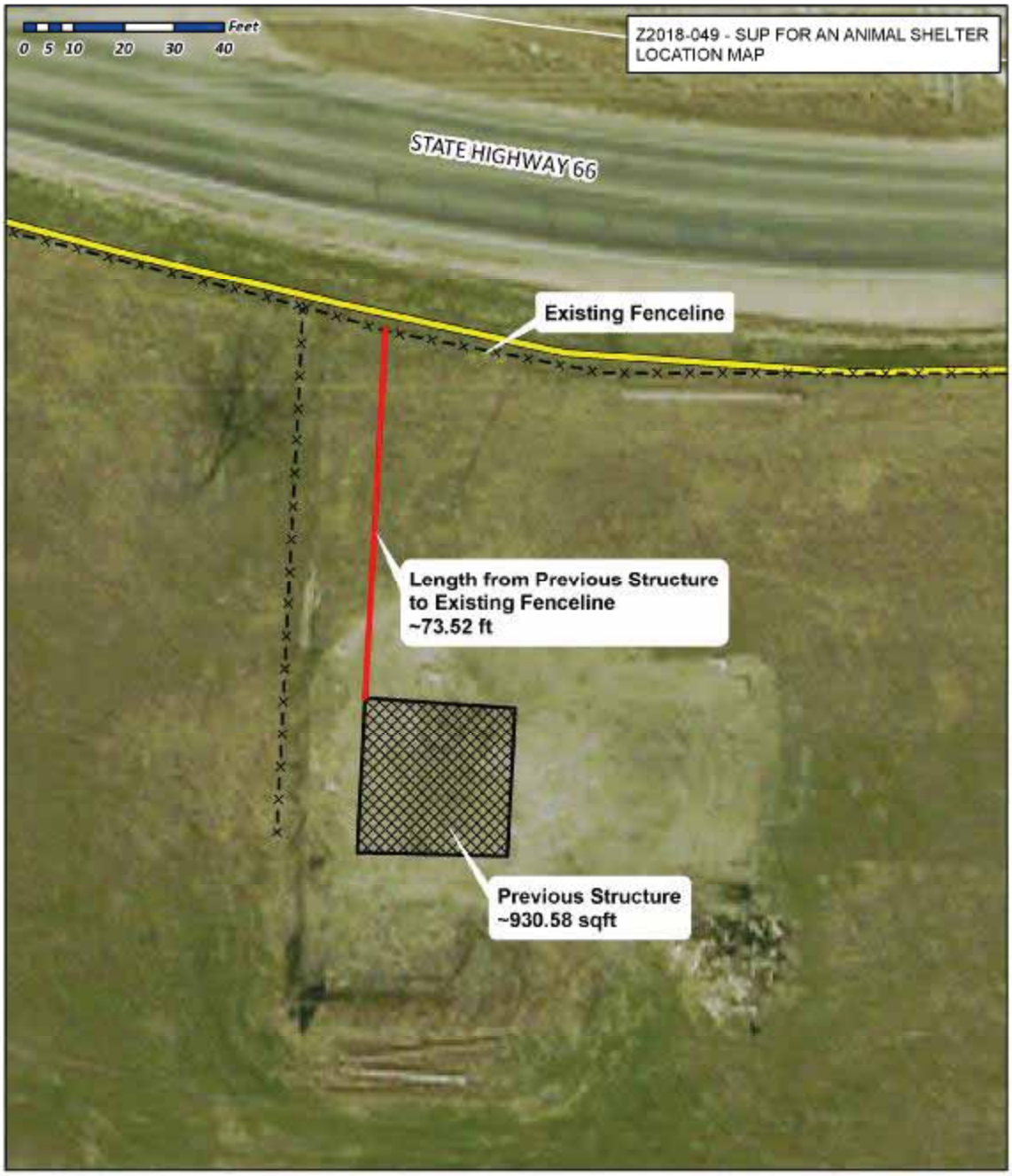


Exhibit 'C':
Site Plan

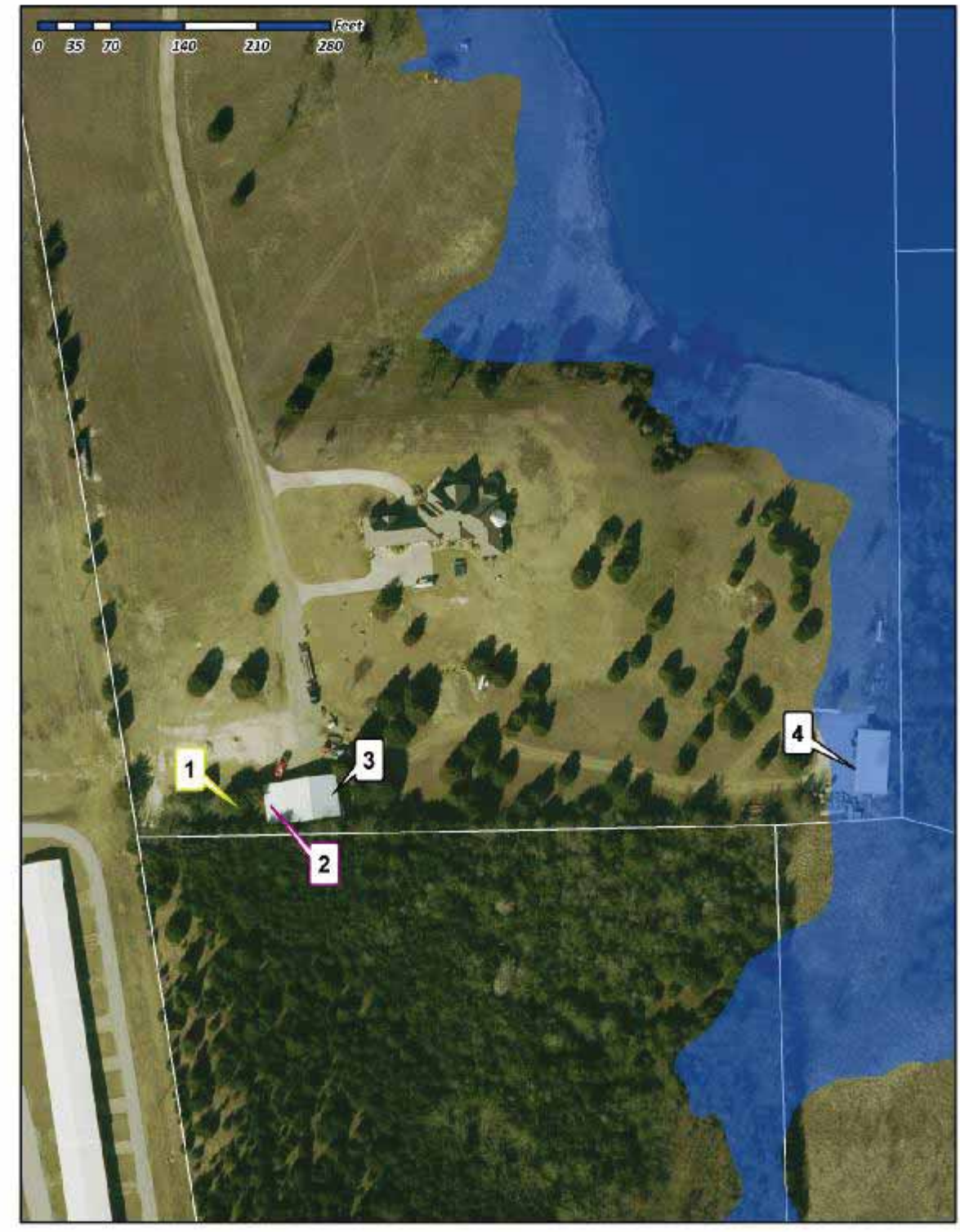


City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

Exhibit 'D';
Building Locations to be Removed

1. *Exiting Structure attached to Detached Garage*
2. *Existing Structure attached to Detached Garage*
3. *Detached Garage*
4. *Existing Structure Located within Designated 100-year Flood Plain*



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28

CITY OF ROCKWALL

ORDINANCE NO. 19-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 14.995-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Public Hearings were held before the governing body of the City of Rockwall, Texas, where all interested persons were provided with an opportunity to be heard, on December 3, 2018, at 6:00 p.m. and on December 3, 2018, at 6:30 p.m. at *City Hall, 385 S. Goliad*, Rockwall, Rockwall County, Texas with said dates being not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings, on the proposed annexation of the following described territories;

BEING, a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97 in the County of Rockwall, Texas and generally located contiguous to the existing city limits line east of the intersection of Featherstone Drive and John King Boulevard, depicted and described in *Exhibit 'A'* of this ordinance:

WHEREAS, notice of such public hearings were published in a newspaper having general circulation in the City of Rockwall, Rockwall County, Texas and in the territory described herein on November 16, 2018 and posted on the City of Rockwall's website on November 16, 2018 said dates being not more than twenty (20) days nor less than ten (10) days prior to the dates of such public hearings; and

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

WHEREAS, the territory above contains 14.995-acres;

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

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

SECTION 2. The land and territory more specifically described in *Exhibit 'A'* and incorporated by reference as the *Subject Property*, and containing 14.995-acres which is adjacent to and adjoining the present boundaries of the City of Rockwall, Rockwall County, Texas, is hereby added and annexed to the City of Rockwall, Rockwall County, Texas and said territory as described herein shall hereafter be included within the boundary limits of the City of Rockwall, Rockwall County, Texas and the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City.

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 22ND DAY OF JANUARY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: January 7, 2019

2nd Reading: January 22, 2019

Exhibit 'A'
Legal Description/Location Map

BEING 14.955 acres of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and all of a called 15.00 acre tract of land described in a Warranty Deed to Steve L. Branch and wife Judy C. Branch, recorded in Volume 234, Page 527 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the original Hays Road at the common west corner of said 15.00 acre tract and a tract of land described in a deed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 01°10'15" West, continuing along and within Hays Road and with the west line of said 15.00 acre Branch tract, a distance of 596.15 feet, to a 1/2" iron rod found for corner at the northwest corner thereof, common to the southwest corner of a called 15.00 acre tract of land described in a deed to Gerald Glen Cox and wife Rosalba Cox, recorded in Volume 3295 Page 9, (DRRCT);

THENCE North 89°26'26" East, along the common line of last mentioned tracts, a distance of 1,099.11 feet, to a point for corner at the common east corner thereof, and also being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), from which a 1/2" iron rod with a yellow cap stamped "5034" bears South 68°26'26" West, a distance of 0.18 feet;

THENCE South 00°32'13" East, along the common line of said Branch tract and said Park Ridge Estates, a distance of 596.04 feet, to a 1/2" iron rod found for corner at the southeast corner thereof, common to the northeast corner of said Reed tract;

THENCE South 89°26'12" West, along the common line of last mentioned tracts, a distance of 1,092.52 feet to *PLACE OF BEGINNING* and Containing 653,191 square feet, or 14.995 acres of land.

Exhibit 'A'
Legal Description/Location Map



SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2018-004
City and County of Rockwall, Texas

Acreage Annexed: 14.995-acres

Survey Abstract and County: Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: January 21, 2019

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

(A) Police Services

(1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.

(2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) Fire Services

(1) Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.

(2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) Health and Code Compliance Services

(1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*

(2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

(3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

(4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

(5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

(1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.

(2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) Solid Waste Collection

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

(G) Streets

(1) The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.

(2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.

(3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

(H) Water Services

(1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.

(2) Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.

(3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) Sanitary Sewer Services

(1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.

(2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

(4) Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are

determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

(J) Public Utilities

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

(K) Miscellaneous

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

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37

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Chase Finch; *Corwin Engineering*

AGENDA ITEM: **P2018-047;** *Preliminary Plat for Breezy Hill, Phase XII*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH West Pods, LTD for the approval of a preliminary plat for Breezy Hill, Phase XII containing 35 single-family residential lots on 44.525-acres of land identified as a portion of Tract 7-1 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located west of the intersection of John King Boulevard and Cozy View Drive, and take any action necessary.

PLAT INFORMATION:

☑ The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 750 single-family lots on 371.45-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows.

Lot Types	*A*	*B*	*C*	*D*	*E*	*F*	*G*
Minimum Lot Frontage (Feet)	*60'*	*70'*	*80'*	*100'*	*60'*	*100'*	*70'*
Minimum Lot Depth (Feet)	*120'*	*120'*	*125'*	*200'*	*110'*	*180'*	*120'*
Minimum Lot Size (SF)	*7,200 SF*	*8,400 SF*	*10,000 SF*	*20,000 SF*	*7,200 SF*	*18,000 SF*	*8,400 SF*
Number of Units	*164*	*131*	*137*	*140*	*40*	*44*	*94*
Dwelling Unit %	*21.86%*	*17.46%*	*18.27%*	*18.67%*	*5.34%*	*5.87%*	*12.53%*

☑ The applicant is requesting to *preliminary plat* Phase XII of the Breezy Hill Subdivision for the purpose of laying out 35 of the 750 lots on ~44.525-acres. The 35 proposed lots will be constructed to the *Type 'D'* standards (*all standards are displayed in the above table*). In addition to the preliminary plat, the applicant has also submitted a preliminary water and sanitary sewer plan and a drainage plans establishing that the developer can provide adequate utilities to service the proposed phase.

☑ On January 4, 2019 the Parks and Recreation Board reviewed the *preliminary plat* and made a recommendation to approve the plat with the following conditions:

- The developer is to pay the pro-rata equipment fees required in the amount of $8,925 [*i.e. 35 Lots @ $255.00 Per Lot*].

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for preliminary plats as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

Should the City Council chose to approve the *preliminary plat* for *Breezy Hill, Phase XII,* staff would recommend the following conditions:

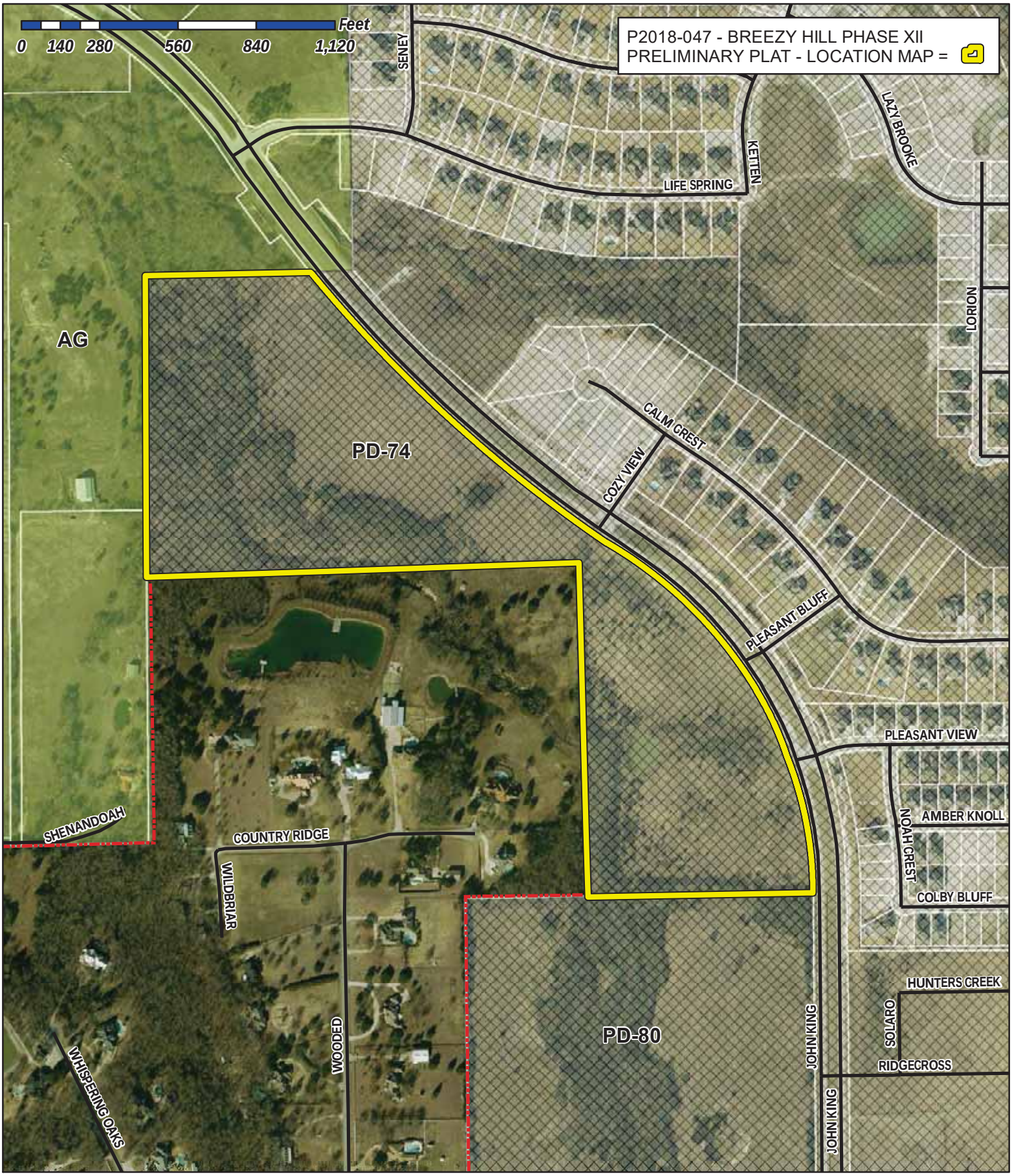
1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) The developer shall construct a ten (10) foot sidewalk along John King Blvd; and

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

PLANNING AND ZONING COMMISSION:

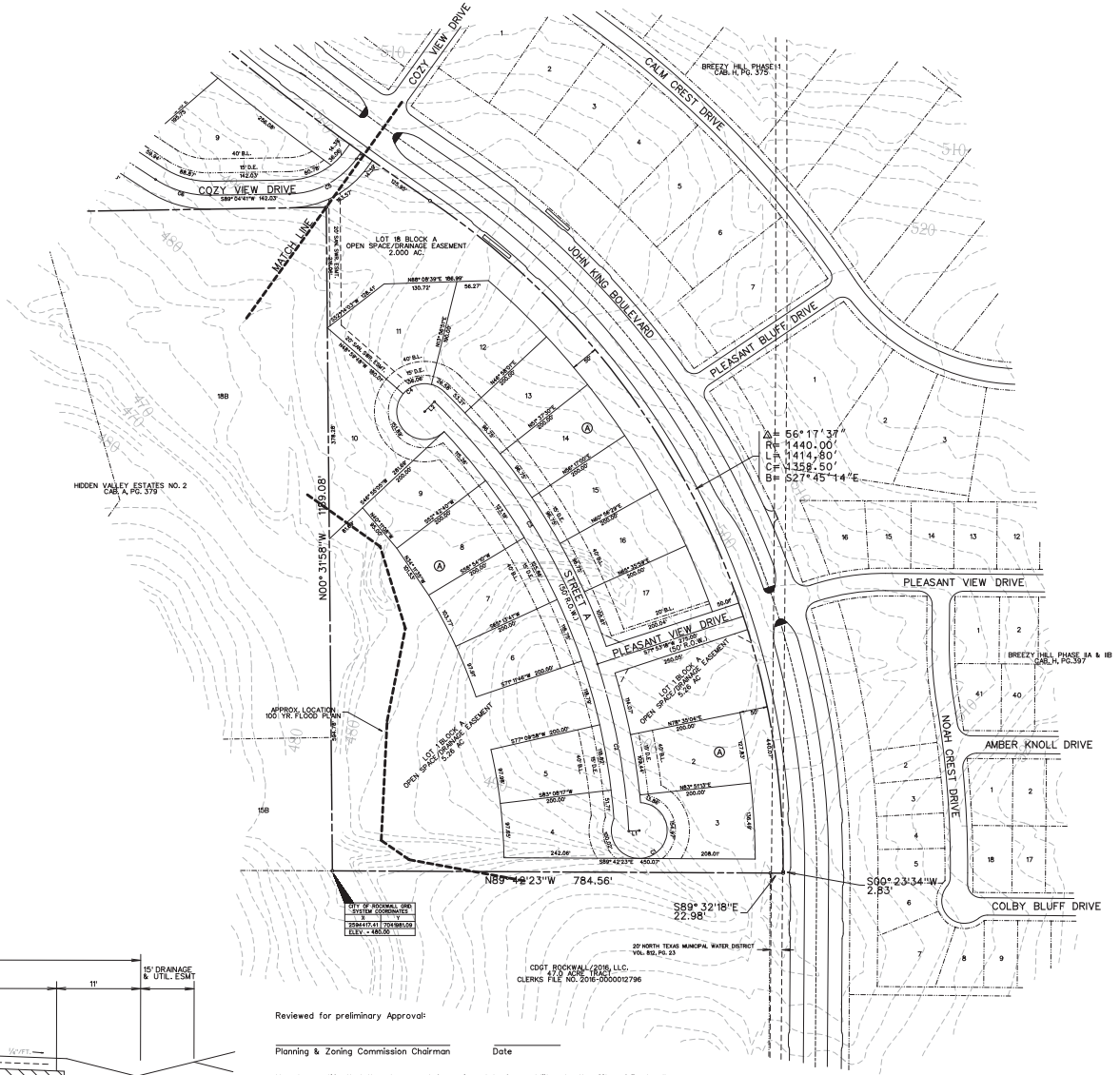
On January 15, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff recommendations passed by a vote of 6-0 with Commissioner Moeller absent.

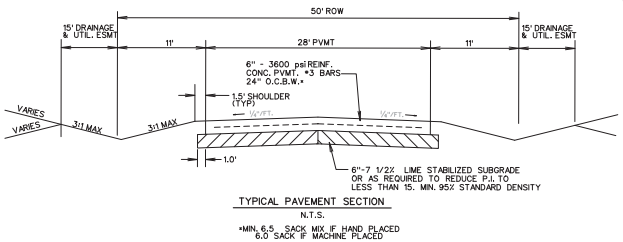


City of Rockwall

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TYPICAL PAVEMENT SECTION

N.T.S.

*MIN. 6.5 SACK MIX IF HAND PLACED
6.0 SACK IF MACHINE PLACED

Reviewed for preliminary Approval:

Planning & Zoning Commission Chairman — Date

I hereby certify that the above and foregoing plat of an addiiton to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall, on the _____ of _____, 2018.

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

Mayor, City of Rockwall — City Secretary — City Engineer

Zoning: Planned Development District (PD-74)
Single Family Residential (Lot Type D)

TOTAL ACRES 44.525

TOTAL RESIDENTAL LOTS 35

DENSITY 1.272

LEGEND

B.L. - BUILDING LINE
D.E. - DRAINAGE EASEMENT
U.E. - UTILITY EASEMENT
R.O.W. - RIGHT OF WAY
H.O.A. - HOMEOWNERS ASSOCIATION

NOTES:

ALL OPEN SPACE AREAS WILL BE MAINTAINED BY THE HOA.

HOA/PROPERTY OWNER TO MAINTAIN, REPLACE AND REPAIR ALL DRAINAGE, DETENTION, AND OPEN SPACE EASEMENTS AND LOTS.

PRELIMINARY PLAT
OF

BREEZY HILL PHASE XII

LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.525 ACRES

OUT OF THE

J. STRICKLAND SURVEY, ABSTRACT NO. 187

IN THE

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER

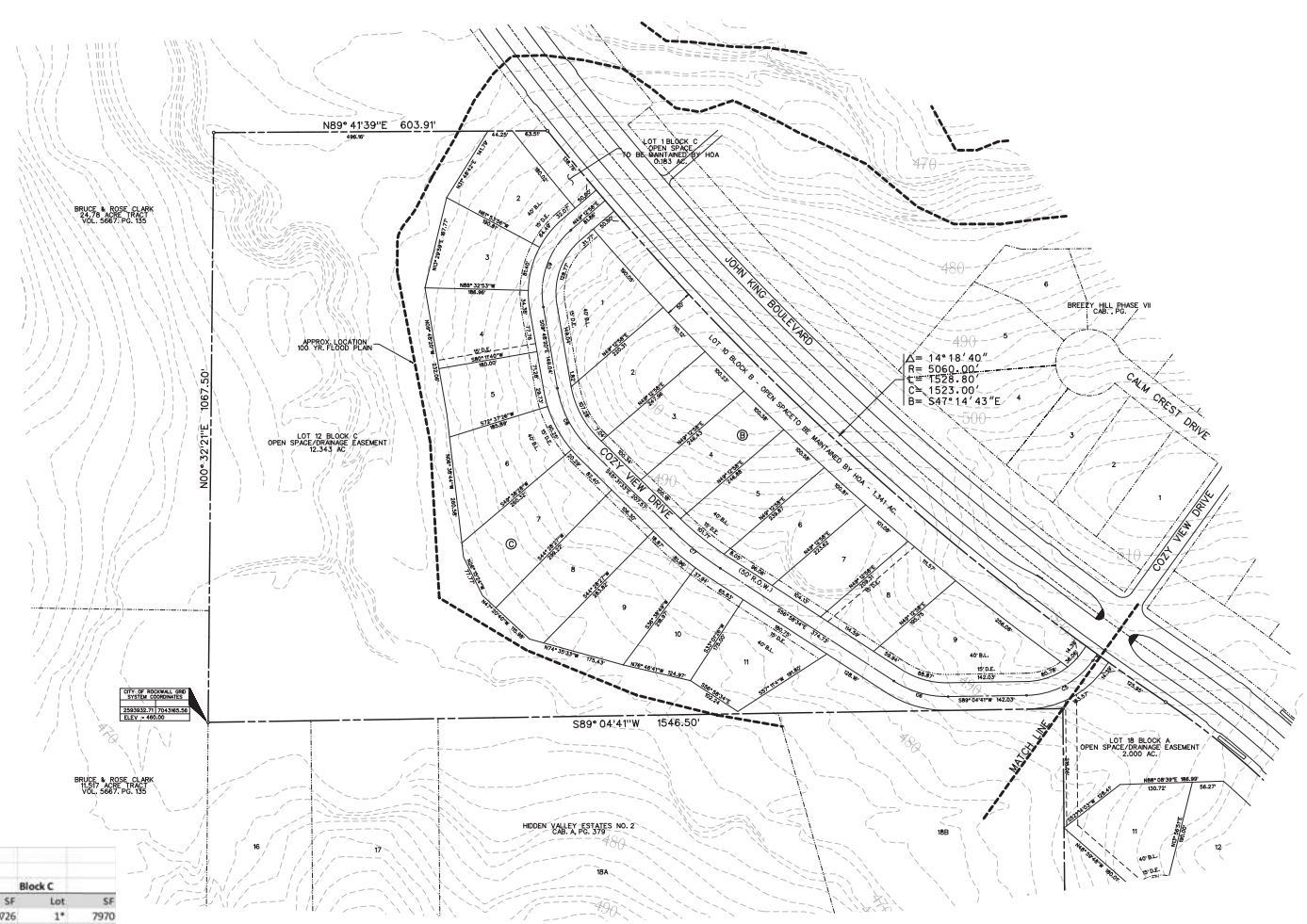
BH WEST PODS, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

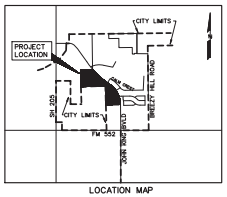
PREPARED BY

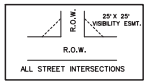
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

NOVEMBER 2018 SCALE 1" = 100'

CASE #P2018-XXX







CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING
1.	67°48'17"	50.00'	254.99'	55.78'	N58°48'45"E
2.	15°01'41"	1165.0'	305.57'	304.69'	S10°35'52"E
3.	27°29'00"	1165.0'	558.82'	553.48'	N31°51'12"W
4.	91°15'24"	50.00'	234.52'	71.48'	S00°02'00"W
5.	53°33'09"	150.00'	140.20'	135.15'	S62°18'06"W
6.	33°56'45"	175.00'	103.68'	102.17'	N73°56'57"W
7.	11°27'01"	575.00'	114.91'	114.72'	N51°15'04"W
8.	35°43'13"	200.00'	124.69'	122.68'	N27°39'57"W
9.	59°01'19"	150.00'	154.52'	147.78'	N19°42'19"E

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 86°54'29" E	18.91'
2.	S 44°24'18" W	25.00'
3.	S 35°31'32" W	14.21'

BREEZY HILL PHASE XII

Block A		Block B		Block C	
Lot	SF	Lot	SF	Lot	SF
1*	229342	1	29726	1*	7970
2	23726	2	26401	2	26280
3	21698	3	24702	3	22572
4	22125	4	24529	4	23530
5	21679	5	24199	5	20434
6	21665	6	23160	6	28777
7	22962	7	21529	7	33213
8	22570	8	22265	8	31489
9	21105	9	35573	9	29368
10	35842	10	58142	10	21585
11	28263			11	24761
12	27746			12*	537688
13	20978				
14	20975				
15	20975				
16	20975				
17	23317				
18*	87122				

* Denotes Open Space

LEGEND

B.L. - BUILDING LINE
D.E. - DRAINAGE EASEMENT
U.E. - UTILITY EASEMENT
R.O.W. - RIGHT OF WAY
H.O.A. - HOMEOWNERS ASSOCIATION

NOTES:

ALL OPEN SPACE AREAS WILL BE MAINTAINED BY THE HOA.

HOA/PROPERTY OWNER TO MAINTAIN, REPLACE, AND REPAIR ALL DRAINAGE, DETENTION, AND OPEN SPACE EASEMENTS AND LOTS.

Zoning: Planned Development District (PD-74)
Single Family Residential (Lot Type D)

TOTAL ACRES 44.525

TOTAL RESIDENTAL LOTS 35

DENSITY 1.272

PRELIMINARY PLAT
OF

BREEZY HILL PHASE XII

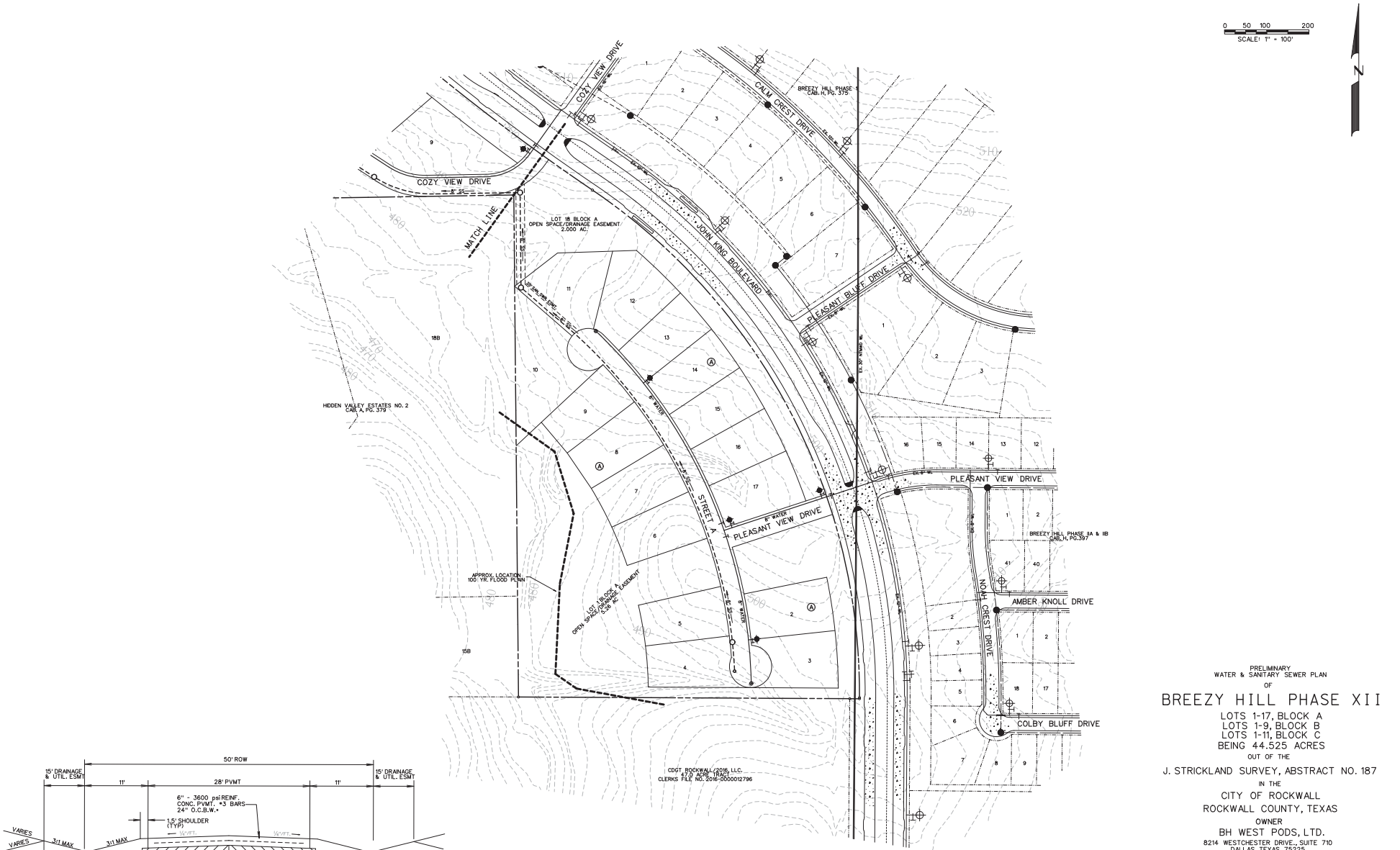
LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.525 ACRES
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
BH WEST PODS, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

NOVEMBER 2018 SCALE 1" = 100'

CASE #P2018-xxx



TYPICAL PAVEMENT SECTION

N.T.S.

*MIN. 6.5 SACK MIX IF HAND PLACED
6.0 SACK IF MACHINE PLACED

Zoning: Planned Development District (PD-74)
Single Family Residential (Lot Type C, F & G)

TOTAL ACRES 44.525

TOTAL RESIDENTAL LOTS 35

DENSITY 1.272

PRELIMINARY
WATER & SANITARY SEWER PLAN
OF

BREEZY HILL PHASE XII

LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.525 ACRES

OUT OF THE

J. STRICKLAND SURVEY, ABSTRACT NO. 187

IN THE

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER

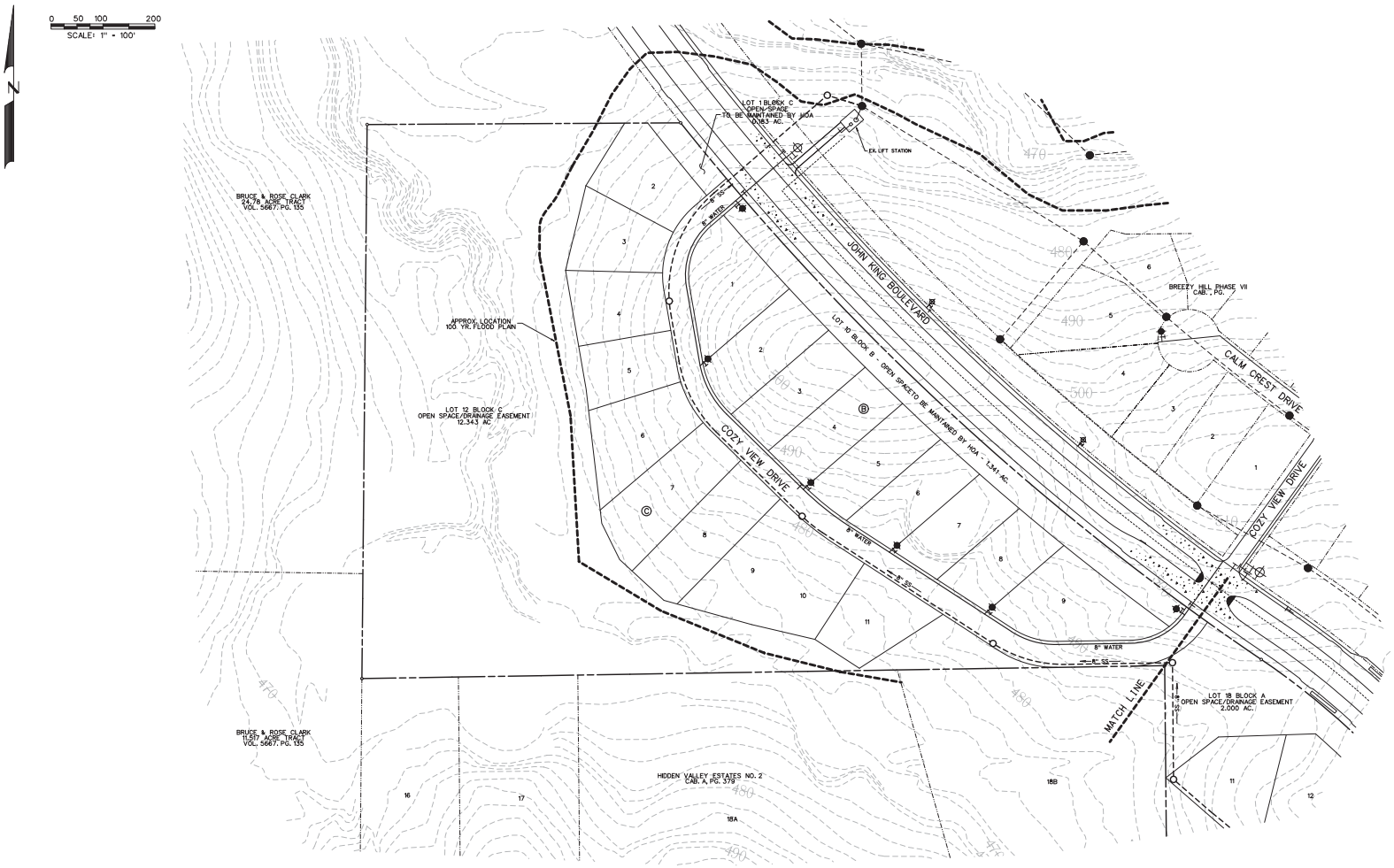
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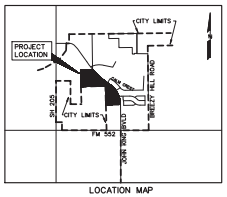
PREPARED BY

CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

NOVEMBER 2018 SCALE 1" = 100'

CASE #P2018-XXX





LOCATION MAP
N.T.S.

LEGEND

- PROP. WATER LINE
- PROP. FIRE HYDRANT AND VALVE
- PROP. GATE VALVE
- PROP. FLUSH VALVE
- EXIST. WATER LINE
- EXIST. FIRE HYDRANT AND VALVE
- PROP. SANITARY SEWER
- PROP. MANHOLE
- PROP. CLEANOUT
- EXIST. SANITARY SEWER
- EXIST. MANHOLE
- PROP. STORM SEWER
- PROP. CURB INLETS
- PROP. CONC. HEADWALL

PRELIMINARY
WATER & SANITARY SEWER PLAN
OF

BREEZY HILL PHASE XII

LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.525 ACRES
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Zoning: Planned Development District (PD-74)
Single Family Residential (Lot Type D)

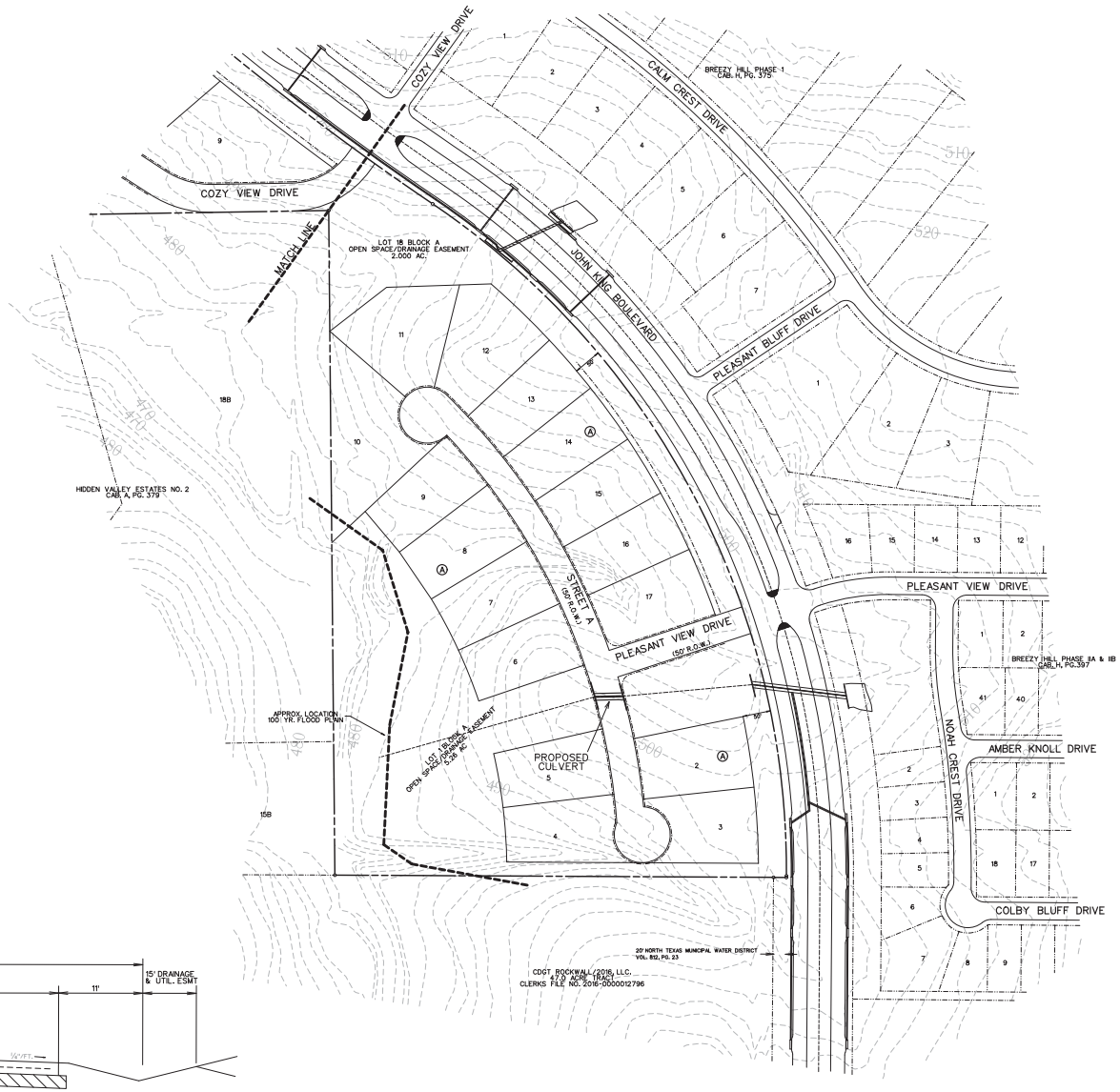
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TOTAL RESIDENTAL LOTS 35
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OWNER
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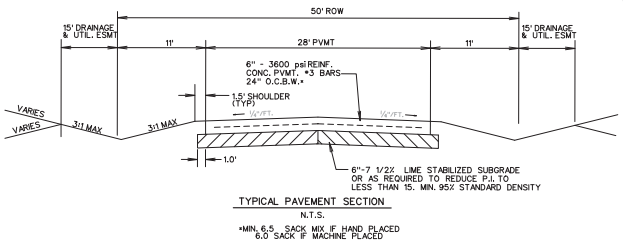
NOVEMBER 2018 SCALE 1" = 100'

CASE #P2018-xxx



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SCALE: 1" = 100'

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TYPICAL PAVEMENT SECTION

N.T.S.

*MIN. 6.5 SACK MIX IF HAND PLACED
6.0 SACK IF MACHINE PLACED

PRELIMINARY
DRAINAGE PLAN
OF

BREEZY HILL PHASE XII

LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.525 ACRES

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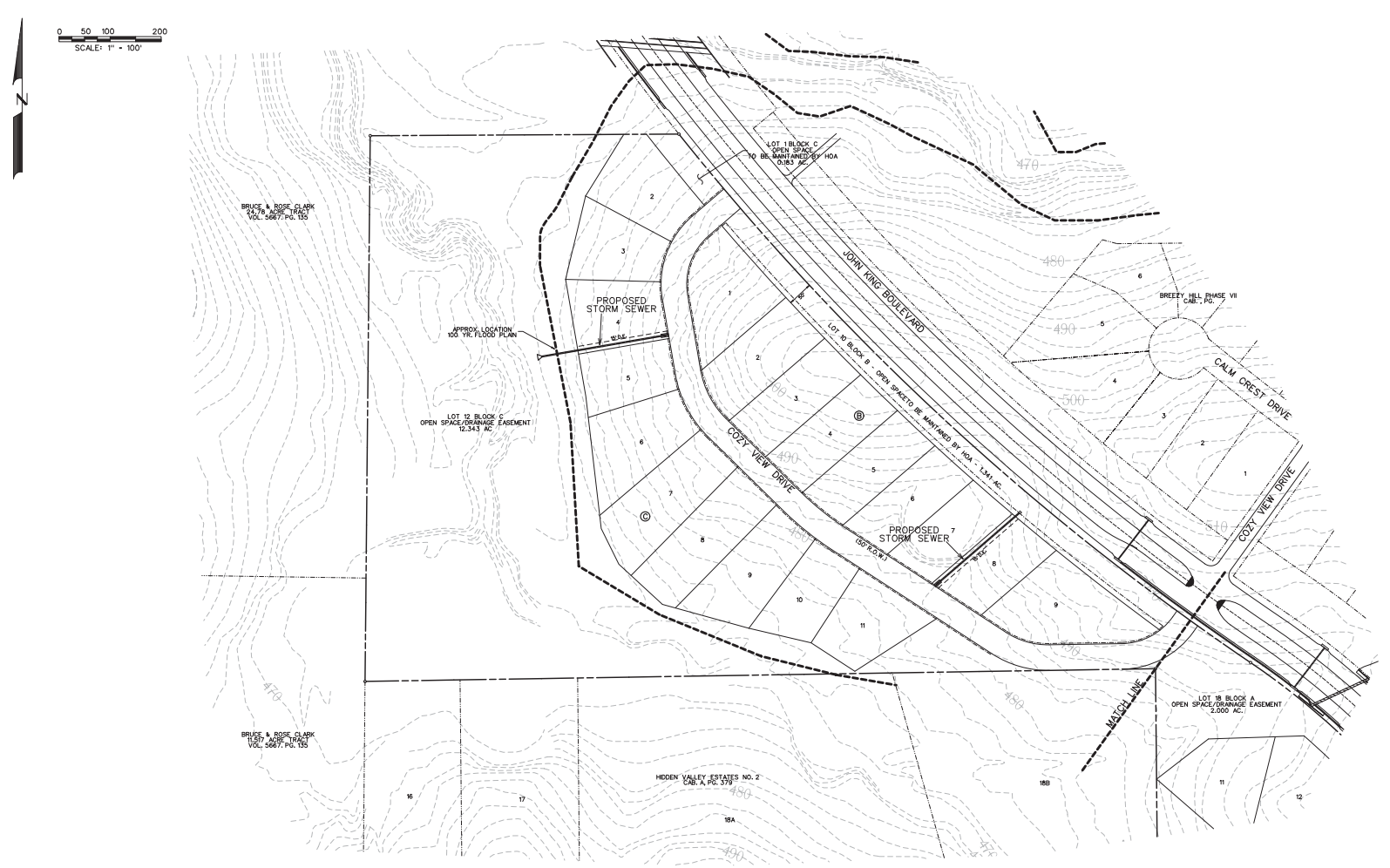
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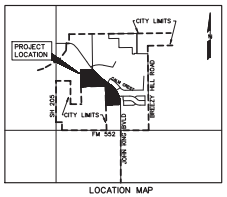
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NOVEMBER 2018 SCALE 1" = 100'

CASE #P2018-XXX

45





LOCATION MAP
N.T.S.

LEGEND

PROP. STORM SEWER

PROP. CURB INLETS

PROP. CONC. HEADWALL

PRELIMINARY
DRAINAGE PLAN
OF

BREEZY HILL PHASE XII

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46

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47

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Public Work Director/City Engineer**

DATE: **January 17, 2019**

SUBJECT: **Professional Engineering Services Contract**
Russwood Drive (S. Lakeshore Drive to Spring Creek Drive)
Reconstruction Project

Funds for the first year of the 2018 Street Bond Program were planned to be allocated for the engineering design for the reconstruction of ten existing streets sections. Designing these projects in the first bond year will allow the City to have "construction ready projects" for the upcoming years of the 2018 Street Bond Program. The City Council, to date, has approved the engineering contracts for ten roadway sections to be designed. The total engineering design contract costs for these projects was below the estimated first year's budgeted amount, and the additional funds can be used to design additional streets.

Russwood Drive from South Lakeshore Drive to Spring Creek Drive (approximately 700 feet) is a street to be reconstructed in the 2018 Street Bond Program, but the design was not included in the first year's bond funds. Due to additional funds being available, Russwood can be considered for engineering design in the first year of the Street Bond Program.

On October 1, 2018, City Council awarded Binkley & Barfield, Inc. the engineering design contract for South Lakeshore in the amount of $508,770. Russwood Drive is adjacent to this section of South Lakeshore Drive which is currently being designed under the above mentioned contract. Since Russwood is adjacent to this design area, staff requested that the consultant provide an amendment to their engineering contract (Contract Amendment #1) to include the design and construction document preparation for Russwood Drive. The amendment is in the amount of $87,030 for the additional services, which would revise the total contract amount to be $595,800.

Staff is requesting City Council's consideration for approval of the Contract Amendment #1 in the amount of $87,030 to be paid out of the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

AW:jmw

Attachments

Cc: Jeremy White, P.E., CFM, Civil Engineer
File

Memo

Binkley & Barfield
consulting engineers

CONTRACT AMENDMENT#1

To: **Jeremy White, PE, CFM**
Civil Engineer, Public Works – Engineering Division
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

Date: January 14, 2019

Project Description: S. Lakeshore Drive Reconstruction Project (Summit Ridge Drive to Tanya Drive)

Description of Services Added/Deleted: The City of Rockwall wishes to reconstruct Russwood Street, an existing two (2) lane undivided concrete roadway, from S. Lakeshore Drive to Spring Creek Drive, approximately 750 feet in length. Additional design will include sanitary sewer and water improvements. This segment will be included in the submittal schedule for the S. Lakeshore Drive Reconstruction Project.

A detailed description of the Scope of Services is listed in Attachment "A".

Basic Services:
Schematic Conceptual Design (30%)
Construction Documents

- 60% Design
- 90% Design
- 100% Design

Special Services:
Data Collection & Property Research/Topographic and Design Survey
Right-of-Way/Easement Instruments of Conveyance

- (2 ROW documents are assumed @ $2,400/document)

Geotechnical

Deliverables:
Submitted in conjunction with deliverables for the S. Lakeshore Drive Reconstruction Project.

Project Schedule: The overall project schedule for S. Lakeshore Drive Reconstruction Project shall be adjusted as follows:

Task Name	Duration	Start	Finish
Notice to Proceed	1 day	Tue 1/22/19	Tue 1/22/19
Design Survey	2 weeks	Wed 1/23/19	Tue 2/5/19
Schematic Design 30%	4 weeks	Wed 2/6/19	Tue 3/5/19
City Review	4 weeks	Wed 3/6/19	Tue 4/2/19
Construction Documents 60%	4 months	Wed 4/3/19	Tue 7/23/19
City Review	4 weeks	Wed 7/24/19	Tue 8/20/19
Construction Documents 90%	3 months	Wed 8/21/19	Tue 11/12/19
City Review	1 month	Wed 11/13/19	Tue 12/10/19
Construction Documents 100%	2 weeks	Wed 12/11/19	Tue 12/24/19
City Review	2 weeks	Wed 12/25/19	Tue 1/7/20

Binkley & Barfield
consulting engineers

Compensation shall be as follows:

	Task	Original Fee	Amend #1	Revised Fee
Basic Services				
1	Schematic Conceptual Design (30%)	$109,497.00	$25,659.00	$135,156.00
2.1	Construction Documents (60% Design)	$130,589.00	$25,262.00	$155,851.00
2.2	Construction Documents (90% Design)	$85,834.00	$19,603.00	$105,437.00
2.3	Construction Documents (100% Design)	$27,160.00	$5,206.00	$32,366.00
	Basic Services Sub-Total =	**$353,080.00**	**$75,730.00**	**$428,810.00**
Basic Services				
3	Topographic and Design Survey	$46,000.00	$4,000.00	$50,000.00
4	Right of Way/Easements			
4.1	2 ROW Documents @ $2,400/each	$4,800.00	$4,800.00	$9,600.00
4.2	2 Easement Documents @ $2,400/each	$4,800.00		$4,800.00
5	Subsurface Utility Engineering (SUE)			
5.1	SUE - Level 'C' & Level 'D'	$4,250.00		$4,250.00
5.2	SUE - Level 'B' (11,800 LF @ $1.10/LF)	$12,980.00		$12,980.00
5.3	SUE - Level 'A'	$19,210.00		$19,210.00
6	Geotechnical	$5,400.00	$2,500.00	$7,900.00
7	TV Inspection (2,000 LF @ $4.50/LF)	$9,000.00		$9,000.00
8	TDLR Registration & Inspection	$3,000.00		$3,000.00
	Special Services Sub-Total =	**$109,440.00**	**$11,300.00**	**$120,740.00**
9	Engineering Services Contingency	$46,250.00		$46,250.00
	Special Services Sub-Total =	**$508,770.00**	**$87,030.00**	**$595,800.00**

Original Contract Amount = $508,770.00

Amount This Authorization = $87,030.00

Revised Total Contract = $595,800.00

APPROVALS:

BINKLEY & BARFIELD, INC.

BY: TSR II P.E.

Tony Romo II P.E.
Print or Type Name

TITLE: REGIONAL VICE PRESIDENT

DATE: 1/16/19

CITY OF ROCKWALL

BY: _____

_____
Print or Type Name

TITLE: _____

DATE: _____

Attachment "A" – Scope of Services – Amendment #1
S. Lakeshore Drive Reconstruction Project (Summit Ridge Drive to Tanya Drive)
For
City of Rockwall

Project Understanding

The City of Rockwall (City) wishes to reconstruct Russwood Street, an existing two (2) lane undivided concrete roadway, from S. Lakeshore Drive to Spring Creek Drive, approximately 7,200 feet in length. The roadway lies within a residential area of the City of Rockwall. Reconstruction will be two lanes undivided: one vehicle lane (12.5') in each direction with concrete curb and gutter and 5 ft sidewalks on each side. (Final width to be confirmed in 30% Schematic Alignment). These improvements will be with the existing 50' Right of Way (ROW); however, the contract will include a provision for 2 parcel takes or easements in the event that they are required. No Traffic Signals modifications are necessary for the new roadway improvements.

Additional design will include storm sewer, sanitary sewer and water improvements. The existing storm sewer will be analyzed using current City drainage criteria and improvements will be designed where the existing system is inadequate. Sanitary sewer will be evaluated for capacity and for physical condition, and will be replaced or augmented based upon the capacity and condition analysis. Water lines will be evaluated to be place within the back of curb and the right-of-way line where possible.

Other design components include coordinating with ONCOR for street lighting, utility coordination, TDLR compliance with ADA and traffic control plans.

Binkley & Barfield, Inc. will provide plans, specifications, estimates, and permits for the project and will support the City of Rockwall's advertising/bidding and construction phase services.

This project will be included as part of the S. Lakeshore Drive Reconstruction Project from Summit Ridge Drive to Tanya Drive.

Scope of Services

Basic Services

1. Schematic Conceptual Design (30%)

1.1. Public Meetings and Public Input Surveys
1.1.1. Meetings
1.1.1.1. Attend two (2) public involvement meeting as directed by City staff. Provide exhibits suitable for public meeting use depicting street section, alignments etc. Support City staff during meetings by providing technical information, responding to citizen questions, and recording citizen input.
1.1.1.1.1. First Public Meeting will be with adjacent property owners and residents.
- Mail out all first public meeting notification for the City.
- Revise 30% Schematics Roll Plots based on public input from first public meeting and City direction to be used in second public meeting.

1.1.1.1.2. Second Public Meeting will be with adjacent property owners and residents as well as the neighborhood.

51

- Mail out all second meeting public meeting notification for the City (Neighborhood to be at a typical 500ft buffer off the street)
- Revise 30% Schematics Roll Plots based on public input from second public meeting and City direction to be used in City Council presentation for schematic and typical section approval.

1.1.2. Public Input Surveys

1.1.2.1 Work with City to develop Public Input Survey to be sent to adjacent property owners and residents.

1.1.2.2 Mail out surveys to adjacent property owner and residents.

1.1.2.3 Tally survey results and other received public input into presentable format to City Staff and City Council.

1.2. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.2.1 Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.

1.2.2 Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:

- City of Rockwall Master Thoroughfare Plan
- City of Rockwall Water/Wastewater Master Plan
- City of Rockwall Standards of Design and Construction
- City of Rockwall Trail Master Plan

1.2.3 Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities.

1.2.4 Develop and evaluate typical sections (up to two (2)) to use for Russwood Street and other intersecting streets with in the project limits.

1.2.5 Develop drainage area maps and analyze street and inlet capacities.

1.2.6 Develop horizontal alignments for roadway

1.2.7 Develop horizontal alignments for sidewalk & barrier free ramps

1.2.8 Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.

1.2.9 Develop vertical alignment for roadway and cut cross sections at critical points, at center of driveways, alley approaches, cross streets, lead walks, at alignment geometric points and at 25’ intervals to evaluate the grading. Determine and show approximate location of sidewalk retaining walls.

1.2.10 Review City Master Trail Plan and incorporate hike and bike trails if necessary.

1.2.11 Prepare 30% schematic paving plan and profile roll plots, produced at 1” =40’ horizontal scale and 1” =5’ vertical scale. The horizontal alignment of proposed water lines and sewer lines will be included in the roll plots.

1.2.12 Prepare cross sections sheets.

1.2.13 Meet with City staff and present concept paving plan and profile roll plots.

1.2.14 Incorporate comments and feedback from City staff and other stakeholders prior to public meetings.

1.3. Existing Traffic Analysis and Recommendation (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.3.1 City will conduct Traffic Counts, Speed Studies, and Accident Reports from Police Department along Russwood Street.

1.3.2 Consultant shall take the data provide by the City and analysis in order to provide a recommendation in memo format signed and sealed of proposed improvements along the corridor.

2. Construction Documents

2.1. Construction Plans, Specifications and Estimates (60%, 90%, 100%)

2.1.1. Submittals

Binkley & Barfield, Inc. will submit 60%, 90% and 100% submittals for the City for review and comment. The following will be required for each submittal:

- Construction Plans
  - Two (2) Full Size copies – 22"x34"
  - Two (2) Half Size copies – 11"x17"
  - One (1) PDF copy
  - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract Template/Specification Book

2.1.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City's Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

This design will be submitted with the S. Lakeshore Drive Reconstruction Project. Below is a table of the additional construction plan sheets required and which submittals they are required.

Plan Sheets	**60%**	**90%**	**100%**
Existing Condition Plan (1"=20' scale)	X	X	X
Horizontal/Vertical Control Sheet (1"=40' scale)	X	X	X
Typical Sections (Existing and Proposed)	X	X	X
Demolition/Removals Plan (1"=20' scale)	X	X	X
Roadway Plan/Profiles (1"=20'H, 1'=5'V scale)	X	X	X
Alley and Driveway Plan/Profile (1"=20'H, 1'=5'V scale)		X	X
Intersection Grading Plan (major and critical intersections)		X	X
Pavement Signage and Striping Plan (1"=20' scale)		X	X
Water Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Sanitary Sewer Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Retaining Wall Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Lighting/Illumination Plan		X	X
Traffic Signal Plans (Existing and Proposed)		X	X
Construction Sequencing Phasing Narrative	X	X	X
Detour Plan (for each Phase)		X	X
Traffic Control Plan (for each phase & typ. sections) (1"=40' scale)		X	X
Roadway Cross-Sections (25' int. & crit. pts.) (1"=20'H, 1'=5'V scale)	X	X	X
Structural Layout Sheets		X	X
Details (for each section of plans)		X	X

Each subsection below details out the services to be perform for each section of the construction plan set.

2.1.2.1. Roadway Design

- Incorporate the preliminary design submittal review comments
- Prepare plan / profile sheets (24"x36" plan sheets at a scale of 1"=20' horizontal, and 1"=5' vertical).
- Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Typically driveways will be defined vertically by profiles.
- Develop design cross-sections
    - Develop on 25' station intervals and other critical points.
    - Show pavement and subgrade, right-of-way limits, sides slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
    - Cross-sections will be provided in the plan set.
- Prepare roadway details to clarify intent of design
- Modify standard details as needed and include

2.1.2.2. Utilities

2.1.2.2.1. Public (Water, Wastewater, Storm Drainage, etc.)

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information

2.1.2.2.2. Franchise Utility Coordination

- Identify franchise utility contacts
- Notify the City if any relocations are required
- Binkley & Barfield, Inc. shall perform the coordination with the franchise utilities if any relocations are required.

2.1.2.2.3. Water

- Prepare all water plan and profiles.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.1.2.2.4. Wastewater

- Prepare all wastewater plans and profiles.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.1.2.3. Lighting/Illumination

- Plans will include relocation of light fixtures, conduit locations, and design of electrical service.
- Engineer will design the street lighting based on the standard ONCOR foundation and lighting standards.
- Layout will be provided for ONCOR approval.
- ONCOR will be responsible for installation of standards and conductors.

2.1.2.4. Traffic Control Plans, Detour Plans, Construction Sequencing/Phasing

- Develop construction sequence plan showing:
    - Construction area for each phase of construction and closure of existing travel lanes (if needed).

- Temporary signing and striping, barricades, and other channelization device
- Narrative of the sequence of work.
- Detour Plan for each construction phase
- Storm sewer construction phasing.
- Public utilities relocation phasing.
- Pedestrian routing during construction.

- Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
- Develop typical driveway staging plans for similar driveways. Develop custom driveway staging layouts for special conditions.
- Prepare traffic control details to clarify intent of design.

2.1.3. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
  - City of Rockwall standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid form (Bid-Tab) – Electronic for Bidding
  - Standard construction contract
  - Performance bond
  - Payment bond
  - Maintenance bond
  - Certificate of insurance
  - General conditions
  - Special conditions
  - Technical specifications
  - Permits (TXDOT, City of Dallas, etc.)
  - Geotechnical Report

2.1.4. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out in to separate schedules for each section of the job.

2.2. Agency Permitting/Coordination (City of Dallas, NTMWD, TDLR, etc.)

2.2.1. City of Dallas

- Binkley & Barfield, Inc. to coordinate with the City of Dallas on items related to the project for work within the Lake Ray Hubbard Takeline. This shall include all coordination meetings, plan submittals, permit submittals, etc. in order to achieve acceptance of proposed improvements.

2.2.2. NTMWD

- Binkley & Barfield, Inc. to coordinate with the NTMWD on items related to the project where any improvements cross any NTMWD line or facility. This shall include all coordination meetings, plan submittals, permit submittals, etc. in order to achieve acceptance of proposed improvements.

Special Services

3. Data Collection & Property Research / Topographic and Design Survey

3.1. Data Collection and Property Research

3.1.1. Gather existing plat information

3.1.2. Collect property owner and record information

3.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.).

3.1.4. Notify residents within survey limits by mail to inform them of pending field work.

3.2. Topographic and Design Survey

3.2.1. The limits of the survey shall be from the intersection of Russwood Street and S. Lakeshore Drive to the intersection of Russwood Street and Spring Creek Drive. The survey shall be from ROW line to ROW line (50-foot ROW) of Russwood Street. Survey will include intersecting roadways extending 200 feet along each leg of the minor intersections. (The intersection of Russwood Street and S. Lakeshore Drive plus the first 200 feet of Russwood Street have already been surveyed as part of the S. Lakeshore Drive Reconstruction Project.

3.2.2. Establish horizontal control points at 500' maximum spacing.

3.2.3. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.

3.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.

3.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall not limited to the following:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.
- Roadway and lane striping
- Driveways
- Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
- Outfalls, bridges and erosion control
- Existing driveway culverts and swales (flowlines, sizes, types, etc.)
- Guardrail
- Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
- Traffic Signal poles, cabinets, pull boxes and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (all sizes)
- Landscape planters, Shrubs, rocks and other features.
- Buildings and permanent structures
- Retaining walls
- Fencing walls
- Fence limits and material types (excluding temporary fences)
- Mailboxes (types – wood, brick, stone)
- Other applicable physical features that could impact design

3.2.6. Perform cross-sections throughout project limits at 25-foot intervals and at grade breaks and prepare cross-section field notes.

3.2.7. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

3.2.8. Binkley & Barfield, Inc. will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

4. Right-of-Way / Easement Instruments of Conveyance

4.1. Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field

4.1.1. Up to two (2) ROW parcels

4.2. Individual parcel exhibits shall be on 8"x11" paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:

4.2.1. Parcel number

4.2.2. Area required

4.2.3. Area remaining

4.2.4. Legal description

4.2.5. Current owner

4.2.6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies

4.2.7. All physical features

4.2.8. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.

4.3. Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference

4.4. Binkley & Barfield, Inc. will provide the information listed in Section 2 to the City and/or their selected ROW and easement acquisition agent. This task will include the following:

4.4.1. Transmittal of survey and existing property information.

5. Geotechnical

5.1. Subsurface Exploration

5.1.1. Two (5) borings are planned for this project. The borings and report will be thru a subconsultant.

The locations are as follows:

- One boring will be located east of the intersection of Russwood Street and S. Lakeshore Drive.
- One boring will be located west of the intersection of Russwood Street and Spring Creek Drive.

5.1.2. Boring Services – Pavement borings will be sampled to 15 feet. A total of 75 feet for drilling is planned.

- Check samples for consistency with a hand penetrometer
- Stake the boring locations using normal taping procedures
- Backfill bore holes and plug at the surface

5.2. Laboratory Services

5.2.1. Considering the planned facilities, anticipated soil conditions, and geology, the following laboratory test will be required for classification purpose and to determine strength characteristics:

- Visual Classification

57

- Moisture content and soil identification
- Liquid and plastic limit determinations
- Unconfined compression
- Calibrated hand penetrometer tests
- Lime/ph series tests
- Soluble sulfate tests (to determine lime-induced heaving potential)

5.3. Engineering Services

5.3.1. Prepare an engineering report presenting the following:

- Sample boring location map
- Boring logs and laboratory results
- General soil and ground-water conditions
- Recommendations will be based on a 30 year design life.
- Subgrade design recommendations for lime treated and cement treated
- Pavement design recommendation for reinforced concrete, asphalt or combination of concrete and asphalt system (including pavement thickness, strength, reinforcement size and spacing, and joint spacing)
- Recommendations for retaining walls
- Earthwork recommendations

5.3.2. The geotechnical engineer's design recommendations shall be relied upon by the civil and structural engineers for their design.

5.3.3. Submit one (1) paper copy and one pdf file copy of the report to the City

End of Amendment #1 Scope of Services

STATE OF TEXAS ♦
♦
COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and **Binkley & Barfield, Inc.**, ("ENGINEER"), located at 1801 Gateway Boulevard, Suite 101, Richardson, Texas, 75080, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for **S. Lakeshore Drive Reconstruction from Summit Ridge Drive to Tanya Drive**.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed five hundred eight thousand, seven hundred seventy dollars and no cents ($508,770.00) and billed as a **lump sum** basis per rates provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "B". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the

CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the

Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insured on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES,

DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Antonio "Tony" S. Romo II, P.E.
Binkley & Barfield, Inc.
1801 Gateway Boulevard, Suite 101
Richardson, Texas 75080

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract

without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of

any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 27 day of SEPTEMBER 2018.

Binkley & Barfield, Inc.

By: _____

Name: Antonio "Tony" S. Romo II P.E.
Title: Regional Vice President

EXECUTED in triplicate originals on this 2nd day of October 2018.

ATTEST:

Laura Peden
Executive Secretary

City of Rockwall, Texas

Richard Crowley

Richard Crowley
City Manager

Attachment "A"
S. Lakeshore Drive Reconstruction Project (Summit Ridge Drive to Tanya Drive)
For
City of Rockwall

Scope of Services

Project Understanding

The City of Rockwall (City) wishes to reconstruct S. Lakeshore Drive, an existing two (2) lane undivided concrete roadway, from Summit Ridge Drive to Tanya Drive, approximately 2,500 feet in length. The roadway lies within a residential area of the City of Rockwall. Reconstruction will be two lanes undivided: one vehicle lane (12.5') in each direction with concrete curb and gutter and 5 ft sidewalks on each side. (Final width to be confirmed in 30% Schematic Alignment). These improvements will be with the existing 50' Right of Way (ROW); however, the contract will include a provision for 4 parcel takes or easements in the event that they are required. No Traffic Signals modifications are necessary for the new roadway improvements.

Additional design will include storm sewer, sanitary sewer and water improvements. The existing storm sewer will be analyzed using current City drainage criteria and improvements will be designed where the existing system is inadequate. Sanitary sewer will be evaluated for capacity and for physical condition, and will be replaced or augmented based upon the capacity and condition analysis. Water lines will be evaluated to be place within the back of curb and the right-of-way line where possible.

Other design components include coordinating with ONCOR for street lighting, utility coordination, TDLR compliance with ADA and traffic control plans.

Binkley & Barfield, Inc. will provide plans, specifications, estimates, and permits for the project and will support the City of Rockwall's advertising/bidding and construction phase services.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

1.1.1. Conduct internal project kickoff meeting with entire project team and City Staff.

1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.

1.1.3. Develop design criteria and design decisions tables.

1.1.4. Prepare and submit project schedule to City staff and provide general project management activities.

1.1.5. Project Administration

- Prepare project correspondence and invoicing documents

1.2. Project stakeholder coordination

- Develop project stakeholder contact list including but not limited to franchise utilities, City's water and sewer department, traffic department, and other governmental entity stakeholders City of Dallas and the North Texas Municipal Water District, etc.

- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) meetings with the City staff regarding project status and coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.

1.3. Public Meetings and Public Input Surveys

1.3.1. Meetings

1.3.1.1. Attend two (2) public involvement meeting as directed by City staff. Provide exhibits suitable for public meeting use depicting street section, alignments etc. Support City staff during meetings by providing technical information, responding to citizen questions, and recording citizen input.

1.3.1.1.1. First Public Meeting will be with adjacent property owners and residents.

- Mail out all first public meeting notification for the City.
- Revise 30% Schematics Roll Plots based on public input from first public meeting and City direction to be used in second public meeting.

1.3.1.1.2. Second Public Meeting will be with adjacent property owners and residents as well as the neighborhood.

- Mail out all second meeting public meeting notification for the City (Neighborhood to be at a typical 500ft buffer off the street)
- Revise 30% Schematics Roll Plots based on public input from second public meeting and City direction to be used in City Council presentation for schematic and typical section approval.

1.3.2. Public Input Surveys

1.3.2.1 Work with City to develop Public Input Survey to be sent to adjacent property owners and residents.

1.3.2.2 Mail out surveys to adjacent property owner and residents.

1.3.2.3 Tally survey results and other received public input into presentable format to City Staff and City Council.

1.4. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.4.1 Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.

1.4.2 Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:

- City of Rockwall Master Thoroughfare Plan
- City of Rockwall Water/Wastewater Master Plan
- City of Rockwall Standards of Design and Construction
- City of Rockwall Trail Master Plan

1.4.3 Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities.

1.4.4 Develop and evaluate typical sections (up to two (2)) to use for S. Lakeshore Drive and other intersecting streets with in the project limits.

1.4.5 Develop drainage area maps and analyze street and inlet capacities.

1.4.6 Develop horizontal alignments for roadway

1.4.7 Develop horizontal alignments for sidewalk & barrier free ramps

1.4.8 Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.

1.4.9 Develop vertical alignment for roadway and cut cross sections at critical points, at center of driveways, alley approaches, cross streets, lead walks, at alignment geometric points and at 25' intervals to evaluate the grading. Determine and show approximate location of sidewalk retaining walls.

1.4.10 Review City Master Trail Plan and incorporate hike and bike trails if necessary.

1.4.11 Prepare 30% schematic paving plan and profile roll plots, produced at 1" =40' horizontal scale and 1" =5' vertical scale. The horizontal alignment of proposed water lines and sewer lines will be included in the roll plots.

1.4.12 Prepare cross sections sheets.

1.4.13 Meet with City staff and present concept paving plan and profile roll plots.

1.4.14 Incorporate comments and feedback from City staff and other stakeholders prior to public meetings.

1.5. Drainage Analysis (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.5.1 Review and research existing construction plans and record documents, historical flooding events and other pertinent information related to the existing drainage infrastructure along, upstream and downstream of the proposed project.

1.5.2 Prepare a hydrologic and hydraulic analysis of the existing drainage infrastructure and prepare a report in memo format signed and sealed. Analysis/report shall include the following.

1.5.2.1 Existing drainage infrastructure analysis

- Drainage Area Map of existing conditions/infrastructure.
- Analysis effect on existing system of proposed off-site development or infrastructure improvements currently being planned.
- Drainage calculations – Drainage Area, Inlet, Storm Sewer, Culvert, etc. (to be in City Standard's tabular format)
- Synopsis of hydraulic deficiencies in written and plan format, includes downstream off-site drainage infrastructure.
- Synopsis of structural deficiencies of drainage system as a result of TV inspection in written and plan format.

1.5.2.2 Recommendation of improvements to existing drainage system to meet the City's current 100-year design storm criteria.

- Drainage Area Map of proposed improvements
- Proposed drainage calculations – Drainage Area, Inlet, Storm Sewer, Culvert, etc. (to be in City Standard's tabular format)
- Summary of proposed improvement of drainage infrastructure in written and plan format to fix hydraulic and structural deficiencies in order to meet current City drainage criteria standards.

1.6. Existing Traffic Analysis and Recommendation (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.6.1 City will conduct Traffic Counts, Speed Studies, and Accident Reports from Police Department along S. Lakeshore Drive.

1.6.2 Consultant shall take the data provide by the City and analysis in order to provide a recommendation in memo format signed and sealed of proposed improvements along the corridor.

2. Construction Documents

2.1. Project Management

- Conduct progress meetings at each stage of the construction documents phase to monitor the development of the project regarding project status, coordination issues and go over City review comments of the plans.
- Coordinate with other utilities, (electric power, cable TV, phone, gas, optic fiber, etc.)
- Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- Update project schedule and interim milestones (coordinate with City staff as necessary)
- Project site visits (up to three (3) trips)

2.2. Construction Plans, Specifications and Estimates (60%, 90%, 100%)

2.2.1. Submittals

Binkley & Barfield, Inc. will submit 60%, 90% and 100% submittals for the City for review and comment. The following will be required for each submittal:

- Construction Plans
  - Two (2) Full Size copies – 22"x34"
  - Two (2) Half Size copies – 11"x17"
  - One (1) PDF copy
  - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract Template/Specification Book

2.2.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City's Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

Below is a table of the required construction plan sheets and which submittals they are required.

Plan Sheets	**60%**	**90%**	**100%**
Cover Sheet	X	X	X
Legend Sheet	X	X	X
General Notes Sheet	X	X	X
Existing Condition Plan (1"=20' scale)	X	X	X
Horizontal/Vertical Control Sheet (1"=40' scale)	X	X	X
Typical Sections (Existing and Proposed)	X	X	X
Erosion Control Plan (1"=40' scale)		X	X
Demolition/Removals Plan (1"=20' scale)	X	X	X
Roadway Plan/Profiles (1"=20'H, 1'=5'V scale)	X	X	X
Alley and Driveway Plan/Profile (1"=20'H, 1'=5'V scale)		X	X
Intersection Grading Plan (major and critical intersections)		X	X
Pavement Signage and Striping Plan (1"=20' scale)		X	X

Drainage Area Map (Existing and Proposed)	X	X	X
Drainage Calculations (Area, Inlet, Storm, Culvert)		X	X
Drainage Plan/Profile (Trunks and Laterals) (1"=20'H, 1'=5'V scale)	X	X	X
Water Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Sanitary Sewer Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Retaining Wall Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Lighting/Illumination Plan		X	X
Traffic Signal Plans (Existing and Proposed)		X	X
Construction Sequencing Phasing Narrative	X	X	X
Detour Plan (for each Phase)		X	X
Traffic Control Plan (for each phase & typ. sections) (1"=40' scale)		X	X
Roadway Cross-Sections (25' int. & crit. pts.) (1"=20'H, 1'=5'V scale)	X	X	X
Structural Layout Sheets		X	X
Details (for each section of plans)		X	X

Each subsection below details out the services to be perform for each section of the construction plan set.

2.2.2.1. Roadway Design

- Incorporate the preliminary design submittal review comments
- Prepare plan / profile sheets (24"x36" plan sheets at a scale of 1"=20' horizontal, and 1"=5' vertical).
- Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Typically driveways will be defined vertically by profiles.
- Develop design cross-sections
    - Develop on 25' station intervals and other critical points.
    - Show pavement and subgrade, right-of-way limits, sides slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
    - Cross-sections will be provided in the plan set.
- Prepare roadway details to clarify intent of design
- Modify standard details as needed and include

2.2.2.2. Drainage

- Create Drainage Area Maps (existing and proposed)
- Create Drainage Calculation Sheets (Tables to be formatted to match City Standard's tabular format)
- Identify the need for additional drainage easements to accommodate the proposed offsite drainage improvements (if required)
- Perform final storm sewer sizing and alignment design. Prepare final inlet design sheets and hydraulic design sheets for inclusion in the plans.
- Prepare storm sewer plan/profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, utility crossings and the hydraulic grade lines.
- Prepare profiles for all trunks and laterals (to be profiled along centerline of pipe)
- If drainage flow patterns/areas are changing due to proposed improvements then existing downstream and upstream systems will be analyses and included in plan set to prove that there are no adverse impacts as a result. Full Hydrologic and Hydraulic Calcs Sheets and storm sewer plan and profiles sheets for these existing upstream and downstream systems are to be included in the plan set.

- Prepare drainage details to clarify intent of design.
- Compile applicable City standard details. Modify standard details as needed.
- Prepare erosion control plan.

2.2.2.3. Utilities

2.2.2.3.1. Public (Water, Wastewater, Storm Drainage, etc.)

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information

2.2.2.3.2. Franchise Utility Coordination

- Identify franchise utility contacts
- Send one set of plans to each franchise utility for their review will be submitted at each phase. Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
- Notify the City if any relocations are required
- Binkley & Barfield, Inc. shall perform the coordination with the franchise utilities if any relocations are required.
- Attend City ran Franchise Utility Coordination Meetings (typically 2-4 meetings per year are held). Binkley & Barfield, Inc. will give back ground on particular project and coordinate with franchise utility companies on foreseen conflicts and pass out current plan set.

2.2.2.3.3. Water

- Prepare all water plan and profiles.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.3.4. Wastewater

- Prepare all wastewater plans and profiles.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.4. Lighting/Illumination

- Plans will include relocation of light fixtures, conduit locations, and design of electrical service.
- Engineer will design the street lighting based on the standard ONCOR foundation and lighting standards.
- Layout will be provided for ONCOR approval.
- ONCOR will be responsible for installation of standards and conductors.

2.2.2.5. Traffic Control Plans, Detour Plans, Construction Sequencing/Phasing

- Develop construction sequence plan showing:
    - Construction area for each phase of construction and closure of existing travel lanes (if needed).
    - Temporary signing and striping, barricades, and other channelization device
    - Narrative of the sequence of work.
    - Detour Plan for each construction phase
    - Storm sewer construction phasing.
    - Public utilities relocation phasing.
    - Pedestrian routing during construction.

- Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
- Develop typical driveway staging plans for similar driveways. Develop custom driveway staging layouts for special conditions.
- Prepare traffic control details to clarify intent of design.

2.2.3. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
  - City of Rockwall standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid form (Bid-Tab) – Electronic for Bidding
  - Standard construction contract
  - Performance bond
  - Payment bond
  - Maintenance bond
  - Certificate of insurance
  - General conditions
  - Special conditions
  - Technical specifications
  - Permits (TXDOT, City of Dallas, etc.)
  - Geotechnical Report

2.2.4. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out in to separate schedules for each section of the job.

2.3. Agency Permitting/Coordination (City of Dallas, NTMWD, TDLR, etc.)

2.3.1. City of Dallas

- Binkley & Barfield, Inc. to coordinate with the City of Dallas on items related to the project for work within the Lake Ray Hubbard Takeline. This shall include all coordination meetings, plan submittals, permit submittals, etc. in order to achieve acceptance of proposed improvements.

2.3.2. NTMWD

- Binkley & Barfield, Inc. to coordinate with the NTMWD on items related to the project where any improvements cross any NTMWD line or facility. This shall include all coordination meetings, plan submittals, permit submittals, etc. in order to achieve acceptance of proposed improvements.

SPECIAL SERVICES

3. Data Collection & Property Research / Topographic and Design Survey

3.1. Data Collection and Property Research

3.1.1. Gather existing plat information

3.1.2. Collect property owner and record information

3.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.).

3.1.4. Notify residents within survey limits by mail to inform them of pending field work.

3.2. Topographic and Design Survey

3.2.1. The limits of the survey shall be from the intersection of S. Lakeshore Drive and Summit Ridge Drive to the intersection of S. Lakeshore Drive and Tanya Drive. The survey shall be from ROW line to ROW line (50-foot ROW) of S. Lakeshore Drive. Survey will include intersecting roadways extending 400 feet along each leg of the major intersections and 200 feet along each leg of the minor intersections.

3.2.2. Establish horizontal control points at 500' maximum spacing.

3.2.3. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.

3.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.

3.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall not limited to the following:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.
- Roadway and lane striping
- Driveways
- Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
- Outfalls, bridges and erosion control
- Existing driveway culverts and swales (flowlines, sizes, types, etc.)
- Guardrail
- Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
- Traffic Signal poles, cabinets, pull boxes and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (all sizes)
- Landscape planters, Shrubs, rocks and other features.
- Buildings and permanent structures
- Retaining walls
- Fencing walls
- Fence limits and material types (excluding temporary fences)
- Mailboxes (types – wood, brick, stone)
- Other applicable physical features that could impact design

3.2.6. Perform cross-sections throughout project limits at 25-foot intervals and at grade breaks and prepare cross-section field notes.

3.2.7. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

3.2.8. Binkley & Barfield, Inc. will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

4. Right-of-Way / Easement Instruments of Conveyance

4.1. Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field

4.1.1. Up to two (2) ROW parcels

4.2. Prepare easement instruments (narrative and graphic exhibits of easements required for drainage, City utilities, temporary construction, etc.)

4.2.1. Up to two (2) easement parcels

4.3. Individual parcel exhibits shall be on 8"x11" paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:

4.3.1. Parcel number

4.3.2. Area required

4.3.3. Area remaining

4.3.4. Legal description

4.3.5. Current owner

4.3.6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies

4.3.7. All physical features

4.3.8. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.

4.4. Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference

4.5. Binkley & Barfield, Inc. will provide the information listed in Section 2 to the City and/or their selected ROW and easement acquisition agent. This task will include the following:

4.5.1. Transmittal of survey and existing property information.

5. Subsurface Utility Engineering (S.U.E.) Services

5.1. Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and /or prior to the field survey.

5.1.1 S.U.E. Level 'C' & 'D' will be provided for the entire project limits.

5.1.2 S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities up to 11,800 linear feet.

5.1.3 S.U.E. Level 'A' Services will be provided as follows:

- Up to ten (10) test holes of 0-5 ft depth will be provided
- Up to two (2) test holes of 5-10 ft depth will be provided
- Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.

5.2. The Binkley & Barfield, Inc. shall arrange and make provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.

5.3. The City shall be responsible for the coordination of all ROW and easement acquisitions. Binkley & Barfield, Inc. will provide survey information and easement/ROW documents (sketch and legal description) to the City. Additional ROW and easement documentation services are detailed below in Section 2.

6. Geotechnical

6.1. Subsurface Exploration

6.1.1. Five (5) borings are planned for this project. The borings and report will be thru a subconsultant.

The locations are as follows:

- One boring will be located near S. Lakeshore Drive and Summit Ridge Drive.
- One boring will be located near S. Lakeshore Drive and Rockbrook Drive.
- One borings will be located between the S. Lakeshore Drive and Stonecrest Drive.
- One borings will be located between the S. Lakeshore Drive and Meadowdale Drive.
- One boring will be located near S. Lakeshore Drive and Tanya Drive.

6.1.2. Boring Services – Pavement borings will be sampled to 15 feet. A total of 75 feet for drilling is planned.

- Check samples for consistency with a hand penetrometer
- Stake the boring locations using normal taping procedures
- Backfill bore holes and plug at the surface

6.2. Laboratory Services

6.2.1. Considering the planned facilities, anticipated soil conditions, and geology, the following laboratory test will be required for classification purpose and to determine strength characteristics:

- Visual Classification
- Moisture content and soil identification
- Liquid and plastic limit determinations
- Unconfined compression
- Calibrated hand penetrometer tests
- Lime/ph series tests
- Soluble sulfate tests (to determine lime-induced heaving potential)

6.3. Engineering Services

6.3.1. Prepare an engineering report presenting the following:

- Sample boring location map
- Boring logs and laboratory results
- General soil and ground-water conditions
- Recommendations will be based on a 30 year design life.
- Subgrade design recommendations for lime treated and cement treated
- Pavement design recommendation for reinforced concrete, asphalt or combination of concrete and asphalt system (including pavement thickness, strength, reinforcement size and spacing, and joint spacing)
- Recommendations for retaining walls
- Earthwork recommendations

6.3.2. The geotechnical engineer's design recommendations shall be relied upon by the civil and structural engineers for their design.

6.3.3. Submit one (1) paper copy and one pdf file copy of the report to the City

7. Video Inspection (Storm Sewer)

7.1. Video inspection of existing storm sewer pipe as required to determine structural integrity of existing storm sewer.

7.2. Video inspection of existing sanitary sewer pipe to be inspected by City. Inspection reports, video and analysis of existing line to be submitted to Binkley & Barfield, Inc. for review.

8. Accessibility Review (TDLR)

- Prepare a completed application for submittal to the Texas Department of Licensing and Regulation for review in accordance with the Elimination of Architectural Barriers Act.
- Binkley & Barfield, Inc. to complete application and submit with set of plans to a Registered Accessibility Specialist (RAS) from review and TDLR project registration. All coordination and fees with TDLR compliance will be done by the Consultant.
- While we do not anticipate accessibility revisions to be required, we will address minor revisions to the plans based on review comments from the RAS.

9. Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Fee for services shall be negotiated at the time of need. Such services shall include, but are not limited to the following:

9.1. Construction staking

9.2. Bid Phase Services

9.2.1. Furnishing the City a construction bid set one (1) 11"x17" hard copy and Bid Spec Book.

9.2.2. City will be responsible for advertisement of the project in the Local Paper

9.2.3. Binkley & Barfield, Inc. will make the plans and specifications will be made available from the Bid document distribution site CityCast.

9.2.4. During this phase service to be provided are:

9.2.5. Respond to contractor questions and provide design clarifications.

9.2.6. Attendance at the pre-bid meeting.

9.2.7. Production of all Addenda items and designs changes, submittal to City for review and correction before issuance.

9.2.8. Attendance of Bid Opening

9.2.9. Tabulating Bids and checking for errors.

9.2.10. Checking references and other qualification information for the low bidder and writing a letter of recommendation concerning award of the contract.

9.2.11. Returning Bid Bonds to all non-low bidders.

9.3. Construction Phase Services

9.3.1. Coordinate with City on needs during the construction phase. The services available are listed below, and may be provided upon the request of the City of Rockwall.

9.3.2. Binkley & Barfield, Inc. to provide five (5) full size set of construction plans and contract documents.

9.3.3. Consultant to provide survey control staking of baselines for construction of the project.

9.3.4. *Pre-Construction Meeting*, Prepare for and attend the Pre-Construction Meeting prior to commencement of Work at the Site.

9.3.5. *Visits to Site and Observation of Construction.* If required by City, provide on-site construction observation services to clarify design concepts or assist with solutions needed to overcome obstacles in construction or to study and evaluate possible practical alternative solutions. Makes visits to the Site at intervals as directed by City in order to observe the progress of the Work. Such visits and observations by Binkley & Barfield, Inc. are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on Binkley & Barfield, Inc. 's exercise of professional judgment. Based on information obtained during such visits and such observations, Binkley & Barfield, Inc. will determine if Contractor's work is

generally proceeding in accordance with the Contract Documents, and Binkley & Barfield, Inc. shall keep City informed of the general progress of the Work.

9.3.6. The purpose of Binkley & Barfield, Inc. 's visit to the site will be to enable Binkley & Barfield, Inc. to better carry out the duties and responsibilities assigned in this Agreement to Binkley & Barfield, Inc. during the construction phase by City, and, in addition, by the exercise of Binkley & Barfield, Inc. efforts, to provide City a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as in Binkley & Barfield, Inc. indicated in the Contract documents has been implemented and preserved by Contractor. Binkley & Barfield, Inc. shall not, during such visits or as a result of such observation of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall Binkley & Barfield, Inc. have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Binkley & Barfield, Inc. _neither guaranties the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

9.3.7. Clarifications and Interpretations. Issue clarifications and interpretations of the Contract documents to City as appropriate to the orderly completion of contractor's work. Such clarifications and interpretations will be consistent with the intent of the Contract Documents. Field Orders authorizing variations from the requirements of the Contract Documents will be made by City.

9.3.8. Shop Drawings and Samples. Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contract is required to Submit, but only for conformance with the information given in the Contract Document and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

9.3.9. Substitutes and "or-equal". Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract documents, but subject to the provisions of applicable standards of state or local government entities.

9.3.10. Limitation of Responsibilities. Binkley & Barfield, Inc. shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work, Binkley & Barfield, Inc. shall not have the authority or responsibility to stop the work of any Contractor.

9.3.11. *Final Construction Walk Through.* Binkley & Barfield, Inc. shall be present at the final construction walk through and develop a final "punch/checklist" for the contractor to use to achieve final project acceptance.

9.3.12. Record Drawings, Prepare project "Record Drawing" based on information provided by the Contractor, and/or City as to the actual field placement of the work including any changes or deletions. Binkley & Barfield, Inc. will provide the following deliverables:

9.3.13. Electronic copy of the record drawings shall be submitted on CD/DVD or flash drive in all of the following formats.

- AutoCAD (.dwg) format
- Adobe Portable Document (.pdf) 400 dpi (min) (24"x36")

9.3.14. Electronic copy of geotechnical reports, survey data, photographs, and exhibits used for the project, in .pdf or jpg format.
9.3.15. Electronic copy of project specifications in Microsoft Word (.doc) and PDF format.
9.3.16. Record drawings shall be sealed by the engineer of record in accordance with the Texas Board of Professional Engineers Policy Advisory Opinion Regarding Record Drawings.
9.3.17. All field changes and revisions shall be shown and noted in the revision block.
9.3.18. Revisions shall be drawn using accepted drafting standards and shall be clear and legible.
9.3.19. Line work and notes related to work deleted or changed shall be omitted from the Record Drawing.

9.4. Structural Design

9.4.1.1. Structural

- Structural design and layout of retaining wall (plan and profile)
- Structural design and layout for other elements of the project not covered in the standard details (Junction boxes, stairs, etc.)

9.5. Traffic Signal Design

9.5.1.1. Traffic

9.5.1.1.1. Traffic Signals

- Adjustments to the existing traffic signals
  - Propose adjustments of ground boxes to meet proposed grade.
  - Identify pedestrian accommodations and make adjustments (crosswalks, ADA barrier free ramps, pedestrian signals and push-buttons)
  - Finalize adjustments of ground boxes to meet proposed grade.

-End of Scope of Service-

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Tasks 1-2 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee
	BASIC SERVICES	
1.	Schematic Conceptual Design (30%)	$109,497.00
2.	Construction Documents	
2.1	60% Design	$130,589.00
2.2	90% Design	$85,834.00
2.3	100% Design	$27,160.00
	Basic Services Subtotal:	**$353,080.00**
Compensation for special services under Tasks 5-8 shall be a labor fee plus expense (reimbursable) basis with the max fee shown below.		
	SPECIAL SERVICES	
3.	Data Collection & Property Research / Topographic and Design Survey	$46,000.00
4.	Right-of-Way/Easement Instruments of Conveyance	
	(2 ROW documents are assumed @ $2,400/document)	$4,800.00
	(2 Easement documents are assumed @ $2,400/document)	$4,800.00
5.	Subsurface Utility Engineering (S.U.E.) Services	
5.1	Quality Level 'C/D' S.U.E. Services	$4,250.00
5.2	Quality Level 'B' S.U.E. Services (assumes 11,800 LF @ $1.10/LF)	$12,980.00
5.3	Quality Level 'A' S.U.E. Services	$19,210.00
6.	Geotechnical	$5,400.00
7.	Video Inspection (Storm Sewer) (assumes 2,000 LF @ $4.50)	$9,000.00
8.	Accessibility Review (TDLR)	$3,000.00
	Special Services Subtotal*	**$109,440.00**
	ENGINEERING SERVICES CONTINGENCY**	**$46,250.00**
	***(This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)*	
	Project Total*	**$508,770.00**

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT "C"

Project Schedule

Task Name	Duration	Start	Finish
Notice to Proceed	1 day	Mon 10/15/18	Mon 10/15/18
Design Survey	6 wks	Tue 10/16/18	Mon 11/26/18
Schematic Design 30%	3 mons	Tue 11/27/18	Mon 2/18/19
City Review	1 mon	Tue 2/19/19	Mon 3/18/19
Construction Documents 60%	3 mons	Tue 3/19/19	Mon 6/10/19
City Review	1 mon	Tue 6/11/19	Mon 7/8/19
Construction Documents 90%	3 mons	Tue 7/9/19	Mon 9/30/19
City Review	1 mon	Tue 10/1/19	Mon 10/28/19
Construction Documents 100%	2 wks	Tue 10/29/19	Mon 11/11/19
City Review	1 wk	Tue 11/12/19	Mon 11/18/19

ATTACHMENT "D"

Sub-Consultants

1. **Sub-Consultant:**
   Company Name: **ECS Southwest, LLP**
   Services of the Scope Being Provided: Geotechnical Services
   Contact Person: Michael Batuna, P.E. Title: Geotechnical Department Manager
   Email: mbatuna@ecslimited.com Phone: 972-392-3222

2. **Sub-Consultant:**
   Company Name: **Baseline Corporation**
   Services of the Scope Being Provided: Design Survey/ROW/Easement Docs
   Contact Person: Heather Welch Westfall, RPLS, PLS, ISA Certified Arborist
   Title: Director of Surveying, DFW Region
   Email: hwestfall@baselinesurveyors.net Phone: 972-535-6325

3. **Sub-Consultant:**
   Company Name: **Solaray Engineering**
   Services of the Scope Being Provided: Subsurface Utility Engineering (S.U.E.)
   Contact Person: Don Johnson Jr, P.E. Title: Senior Project Manager
   Email: djohnson@solarayengineering.com Phone: 972-247-1516

4. **Sub-Consultant:**
   Company Name: **BCAC Underground**
   Services of the Scope Being Provided: Pipeline TV Service
   Contact Person: Ben Goodall Title:
   Email: ben@bcacunderground.com Phone: 817-492-1504

5. **Sub-Consultant:**
   Company Name: **EMCUE Company**
   Services of the Scope Being Provided: TDLR Inspection & Registration
   Contact Person: Michael Quimbey RAS#0102
   Title: Registered Accessibilty Specialist
   Email: emcuecompany@aol.com Phone: 214-755-2525

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

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

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **January 17, 2019**

SUBJECT: **BASEBALL UMPIRE SERVICES CONTRACT**

In December of 2018, staff issued a request for proposals (RFP) to provide professional baseball umpiring services for our Rockwall Baseball & Softball League (RBSL). One qualified response was received. Baseball Nation LLC was the successful respondent. The RFP is included in the packet.

Costs for the umpiring services are covered by registration fees collected from each participant, which are deposited into the Recreation Development Fund. Invoices are paid regularly from the Recreation Development Fund to the umpiring company for actual games played. A not to exceed amount of $120,000 is estimated based on maximum number of possible games to be played for leagues and tournaments. Actual amount could be less depending on league registration numbers, lost games due to rainouts, and tournament participation.

Contingent on City Attorney approval, staff asks that Council consider authorizing the City Manager to negotiate and execute a contract with Baseball Nation LLC in an amount not to exceed $120,000. Staff is available to answer any questions.

City of Rockwall
The New Horizon

CITY OF ROCKWALL, TEXAS
REQUEST FOR PROPOSALS
FOR
UMPIRE SERVICES

PROPOSAL DUE:	3:00 PM, JANUARY 7, 2019
OPENING:	CITY HALL COUNCIL CHAMBERS 385 S. GOLIAD, ROCKWALL, TX 75087
SUBMIT TO:	LEA ANN EWING PURCHASING AGENT CITY OF ROCKWALL 385 S. GOLIAD, ROCKWALL, TX 75087

REQUEST FOR PROPOSAL
City of Rockwall
UMPIRE SERVICES
February 2019

I) INTRODUCTION

The City of Rockwall, Texas is planning to contract for Umpire services for all youth Baseball leagues and tournaments at the following locations: Leon Tuttle Sports Complex (8 Fields), Yellow Jacket Park (3 Fields), and Harry Myers Park (2 Fields). The City hosts and facilitates multiple leagues and tournaments throughout the year. The City's RBSL (Rockwall Baseball & Softball League) will host:

- Three seasons of youth baseball: spring, summer, and fall.
- A growing number of youth baseball tournaments

II) EXPERIENCE

Preference will be given to companies having demonstrated experience in services of similar scope and complexity. A company resume shall be submitted as part of the proposal. The resume will be attached as part of the Umpire Agreement and shall include, at a minimum, the following items:

- The background and experience of operator in providing quality service through similar umpire operations.
- The background and experience of operator in related professional experience.
- Demonstration of qualifications necessary to operate, train, and evaluate umpires in a highly professional manner.
- The background and experience in training and evaluating umpires.
- Three (3) references with name of contact person and telephone number.

III) CRITERIA FOR AWARD OF CONTRACT

Proposal amounts proposed by responding Umpire service operators for the privilege to provide umpire services will not be the sole determining factor in selecting the umpire operator. The criteria for evaluating the Proposals will be based upon a combination of the following:

- The background and experience of operator in providing quality service through similar umpire operations. 10%
- The background and experience of operator in related professional experiences. 10%
- Proposal amount – 30%
- Demonstration of qualifications necessary to operate the umpires in a highly professional manner. 20%
- The background and experience in training and evaluating umpires. 20%
- Reference responses 10%

The City reserves the right to add other umpire services at their discretion to any of the above-mentioned facilities.

IV) SCOPE OF WORK

Professional services normally required in the operation of umpire services in both league and tournament formats.

The City acknowledges this will be a non-exclusive agreement and the winning umpire provider may provide similar officiating services to other organizations located in the City. The chosen umpire provider must also acknowledge that the City of Rockwall may use other umpires if the chosen provider cannot supply the required umpires for either youth baseball or on a tournament-by-tournament basis. The chosen umpire provider will acknowledge and agrees to give the City priority in umpire assignments during the terms of the awarded agreement.

V) OTHER REQUIREMENTS

Each Proposer should include information as needed to qualify. Proposals must address the following items to be given further consideration for the project: experience with similar projects; availability to perform requested services; ability to perform services within the given timeframe; understanding of the project scope; familiarity with the site; proof of insurance as required by the City of Rockwall.

GAME RATES

Rates based on the following game lengths:

- 50-60 minute games, with 1 umpire
- 75 minute games, with 2 umpires
- 90 minute games, with 2 umpires
- 105 minute games, with two umpires
- Scheduling fee per assigned game
- On site UIC (Umpire in charge)

Estimated game count:
Spring Season- 1200 games
Summer Season-560 games
Fall Season- 800 games

The above game count does not include tournaments.

BACKGROUND CHECKS:

It is the city's position to protect all program participants. The winning provider will demonstrate the ability to conduct Background checks on all umpires. This will be done using a mutually agreed upon process that reflects the intent of the city's "coaches eligibility policy".

TRAINING:

The chosen service provider shall train all umpires. The chosen service provider must demonstrate an ability to execute a clear and concise training program.

REVIEW AND EVALUATION:

Umpire service provider must demonstrate the ability to conduct performance evaluations of each umpire annually.

AFFILIATION:

The chosen service provider must agree to be affiliated with the same governing organizations for tournament and league play if such organizations require them to do so. Service provider will be responsible for paying the registrations fees for each umpire. The City will be affiliated with USSSA. City Reserves the right to offer tournaments under alternative governing bodies.

VI) PROPOSAL CONTENTS

The proposal shall contain the following information:

1. Name of firm(s) and company history.
2. Professional Liability Policy in the amount of $1,000,000.00 minimum.
3. The background and experience of operator in providing quality service through similar umpire operations.
4. Demonstration of qualifications necessary to operate the umpires in a highly professional manner.
5. The background and experience in training and evaluating umpires.
6. Proposal for contracted services cost.
7. References for performance of like services.

VII) SELECTION CRITERIA

The City will select the umpire service provider considered most qualified to provide the desired services. In addition, the organization that proposes an agreement that allows for the maximum customer service potential for the City will be given the highest ranking(s).

If the City is unable to negotiate a satisfactory proposal, it may commence negotiations with another selected firm. The City reserves the right to reject any and all proposals.

Two (2) copies of the RFP response shall be submitted by 3:00 PM, January 7, 2019:

Lea Ann Ewing
Purchasing Agent
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

For questions, contact:

David Wilson
Athletic Supervisor
City of Rockwall
972-771-7761

I have read and agree to the conditions and requirements stated within this document.

Umpire Services Provider Date

CITY OF ROCKWALL, TEXAS
General Provisions of the Proposal

1.0 **Submission of Proposal**

1.1 **One (1) original and (1) copy of all Proposal documents shall be submitted in a sealed package or container. Proposal Title and Vendor's name/address and any addenda received should be marked on the outside of the package or container. Facsimile transmittals or offers communicated by telephone will not be accepted. Proposals that are not submitted in a sealed package or container will not be considered.**

1.2 **Mail Proposals to:**

Purchasing Agent
City of Rockwall
385 South Goliad
Rockwall, TX 75087

1.3 **Proposals may also be delivered in person to:**

Purchasing Agent
City of Rockwall
385 South Goliad
Rockwall, TX 75087

1.4 **Delivery of Proposals must be received in the Purchasing Agent's Office no later than the time indicated in this solicitation or subsequent addendum. The Vendor is responsible for the means of delivering the Proposal documents to the location listed in 1.2 or 1.3 on time. Delays due to any instrumentality used to transmit the Proposal including delay occasioned by the Vendor or the City of Rockwall internal mailing system will be the responsibility of the Vendor. The Proposal must be completed and delivered in time to avoid disqualification for lateness due to difficulties in delivery. The time clock in the City's Council Chambers is the official clock for determining whether Proposals are submitted timely. Late Proposals will not be accepted under any circumstances.**

3.0 **Proposal Due Date and Public Opening**

3.1 Proposals will be opened and publicly read aloud at the following location, date and time:

Location: City of Rockwall
City Hall
Council Chambers
385 South Goliad
Rockwall, TX 75087

Due Date: January 7, 2019

Time: 3:00 p.m., local time

Vendors, their representatives and interested persons may be present.

After the contract is awarded, all Proposals will be open for public inspection, to the extent permitted by the law. Proposals received by the Purchasing Agent after the above stated time and date shall not be considered and will be returned to the Vendor unopened.

4.0 Proprietary Information

4.1 If a Vendor does not desire proprietary information in the Proposal to be disclosed, they are required to identify all proprietary information in the Proposal. This identification will be done by individually marking each page with the words "Proprietary Information" on which such proprietary information is found. If the Vendor fails to identify proprietary information, they agree that by submission of their Proposal that those sections shall be deemed non-proprietary and made available upon public request.

4.2 Vendors are advised that the confidentiality of the Proposals will be protected by the City to the extent permitted by law. Vendors are advised to consider the implications of the Texas Open Records Act, particularly after the Proposal process has ceased and the contract has been awarded. While there is provision in the Texas Open Records Act to protect proprietary information, particularly under Section 3(9) and Section 3(10) of this act where the Vendor can meet certain evidentiary standards, please be advised that a determination on whether those standards have been met will not be decided by the Purchasing Department of the City of Rockwall, but by the Office of the Attorney General of the State of Texas.

5.0 Completion of Proposal

Statements made by a Vendor shall be without ambiguity, and with adequate elaboration, where necessary, for clear understanding.

6.0 Explanations

Any explanation, clarification, or interpretation desired by a Vendor regarding any part of this Request for Proposals (RFB) must be requested in writing from the Purchasing Agent at least seven (7) days prior to published submission deadline, as referenced on the cover of the RFB or addenda. Interpretations, corrections or changes to the RFB made in any other manner are not binding upon the City, and Vendors shall not rely upon such interpretations, corrections or changes. Oral explanations or instructions given before the award of the Contract are not binding. Requests for explanations or clarifications may be emailed to Attn: Purchasing Agent lewing@rockwall.com and the e-mail must clearly identify the RFB by Title.

7.0 Addendum

Any interpretations, corrections or changes to the RFB will be made by addendum. Sole issuing authority of addendum shall be vested in the City of Rockwall Purchasing Agent. Addenda will be emailed to all Vendors who are known to have received a copy of this RFB.

8.0 Withdrawal of Proposal

A Vendor's Proposal may be withdrawn by a duly authorized representative of the Business at any time prior to the Proposal submission deadline, upon presentation of accepted identification as such a representative of the Vendor.

9.0 Award of Proposal

The City of Rockwall reserves the right to accept or reject any and all Proposals and to re-solicit for Proposals, as it shall deem to be in the best interest of the City. Receipt of any Proposal shall under no circumstances obligate the City to accept the lowest cost Proposal. The award of this contract shall be made to the responsible Vendor whose Proposal is determined to be the best-evaluated offer, taking into consideration demonstrated competence and qualifications to provide the equipment solicited in the RFB. Proposal may be awarded on Monday, February 6, 2017 at the regular scheduled City Council meeting.

10.0 Period of Acceptance

Vendor acknowledges that by submitting the Proposal contained herein, Vendor makes an offer, which, if accepted in whole or part by the City of Rockwall, constitutes a valid and binding contract as to any and all items accepted in writing by the City of Rockwall. The period of acceptance of this Proposal is 60 calendar days from the date of opening.

11.0 Tax Exemption

The City of Rockwall is exempt from Federal Excise and State Sales Tax for equipment or material incorporated into the Project; therefore, tax must not be included in this Proposal for these items.

12.0 Cost Incurred in Responding

All costs directly or indirectly related to the preparation of a response to the RFB or any oral presentation required to supplement and/or clarify a Proposal that may be required by the City shall be the sole responsibility of and shall be borne by Vendor(s).

13.0 Negotiations

Any attempt to negotiate or give information on the contents of this Proposal with the City or its representative prior to award shall be grounds for disqualification.

14.0 Contract Incorporation

Vendors should be aware that the contents of this successful Proposal would become a part of the subsequent contractual documents. Failure of a Vendor to accept this obligation may result in the cancellation of any award. Any damages occurring to the City as a result of the Vendor's failure to contract may be recovered from the Vendor.

15.0 Non-Endorsement

If a Proposal is accepted, the awardee shall not issue any news releases or other statements pertaining to the award or servicing of the agreement that state or imply the City of Rockwall endorsement of awardee services.

CITY OF ROCKWALL, TEXAS
Standard Terms and Conditions

These standard terms and conditions and any other special terms and conditions listed in General Provisions shall become part of any contract entered into should any or all parts of the Proposal are accepted by the City of Rockwall.

1.0 **Error - Quantity**

Proposals must be submitted on units of quantity specified - extend and show total where applicable. In the event of discrepancies in extension, the unit price shall govern. The quantities shown on the Proposal form are estimates only and not a guarantee to purchase by the City of Rockwall.

2.0 **FOB - Damage**

Items shall be Proposal F.O.B. Delivered, City of Rockwall, Rockwall, Texas 75087 and shall include all delivery and packaging costs. The City of Rockwall assumes no liability for goods delivered in damaged or unacceptable condition. The successful Proposer shall handle all claims with carriers, and in case of damaged goods, shall ship replacement goods immediately upon notification by the City of damage.

3.0 **Authorized Signature**

Proposals MUST show full firm name and address of Proposer, and be manually signed. Failure to do so will disqualify Proposal. Person signing Proposal must show title or AUTHORITY TO BIND HIS FIRM IN A CONTRACT.

4.0 **Withdrawal - Alteration of Proposal**

Proposals CANNOT be altered or amended after Proposal closing. Alterations made before Proposal closing must initialed by Proposer guaranteeing authenticity. No Proposal may be withdrawn after Proposal closing without acceptable reason in writing and with the approval of the Director of Finance.

5.0 **Invoices**

Invoices bill to: Accounts Payable, City of Rockwall, 385 South Goliad, Rockwall, Texas 75087

6.0 **Payment Terms**

Normal payment terms are Net 30 provided the goods and/or services received are in satisfactory condition. Any discounts available to the City for early payment should be noted. Discounts may be considered in determining Proposal award. Contractor may be allowed to make weekly draws based on work completed.

7.0 **Warranty - Maintenance Agreement**

Vendor shall submit with the Proposal response all information regarding warranties and/or maintenance agreements pertaining to said Proposal items. Vendor shall provide the City with a minimum 1-year warranty on labor and materials.

8.0 **Delivery Promise - Penalties**

Proposals MUST show the number of calendar days required to place the materials in the possession of the City. DO NOT quote shipping dates. Failure to specify the delivery date will obligate Proposer to complete delivery in two (2) weeks from the date the Proposal is awarded. Unrealistically short or undue long delivery promises may cause the Proposal to be disregarded. Consistent failure of a Proposer to meet his delivery promises without a valid reason may cause removal from the Proposal list.

When delivery delay can be foreseen, the Proposer shall give prior notice to the Purchasing Agent, who shall have the right to extend the delivery date if reasons for delay appear acceptable. The Proposer must keep the Purchasing Agent informed at all times of the status of the order. Default in promised delivery, without acceptable reasons, or failure to meet specifications, authorizes the Purchasing Agent to purchase the goods elsewhere, and charge any increase in cost and handling to the defaulting Proposer. Every effort will be made by Purchasing to locate the goods at the same or better price as that originally contracted.

9.0 Delivery Time

Deliveries will be accepted only during normal working hours, 8:00 A.M. to 5:00 P.M. CST, Monday through Friday, at the designated City facility.

10.0 Price Fixing

In submitting a Proposal response to this request, the Proposer thereby certifies that the Proposer has not participated in nor been party to any collusion, price fixing or any other agreements with any company, firm or person concerning the pricing on the enclosed Proposal. Consistent and continued tie Proposals on any commodity could be cause for rejection of all Proposals by the Purchasing Agent and/or investigation by the Attorney General to determine possible Anti-Trust violations.

11.0 Proposal Evaluation and Award

Vendors shall propose on all of the work to be considered. The City reserves the right to make one award and use the best value method for Proposal award. Vendors are to submit Proposals on the form provided in this Proposal packet. Freight / shipping costs are to be included in the Unit Price. Vendors are encouraged to submit any additional information with their Proposal including warranty documentation and additional warranty period cost for the equipment.

All Proposals are evaluated for compliance with qualifications/specifications before the Proposal price is considered. Response to qualification/specification is primary.

12.0 Gratuities

The City may, by written notice to the successful Proposer, cancel this contract without liability to successful Proposer if it is determined by the City that gratuities in the form of entertainment, gifts, or otherwise, were offered or given by the successful Proposer, or any agent or representative of the successful Proposer, to any officer or employee of the City with a view toward securing or amending, or the making of any determinations with respect to the performing of such a contract.

13.0 Indemnity

Vendor shall defend, indemnify and hold harmless the City of Rockwall and all its officers, agents and employees from all suits, actions, or other claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property due to any negligent act or fault of the Vendor, or of any agency, employee, subVendor or supplier in the execution of, or performance under, any contract which may result from Proposal award. Vendor indemnifies and will indemnify and hold harmless the City of Rockwall from liability, claim or demand on their part, agents, servants, customers and/or employees whether such liability, claim or demand arise from event or casualty happening or within the occupied premises themselves or happening upon or in the halls, elevators, entrances, stairways or approaches of or the facilities within which the occupied premises are located. Successful Vendor shall pay any judgment which costs that may be obtained against the City of Rockwall growing out of such injury or damages.

14.0 Period of Performance

If this RFP results in a contract, it shall remain in effect until contract expires, delivery and acceptance of products and/or performance of services ordered. Further, the City of Rockwall may cancel this contract without expense to the City in the event that funds have not been appropriated for expenditures under this contract. The contract may be written with a possible annual renewal up to three (3) consecutive years.

15.0 Right to Assurance

Whenever the City has reason to question the Vendor's intent to perform, the City may demand that the Vendor give written assurance of Vendor's intent to perform. In the event a demand is made, and no assurance is given within ten (10) calendar days, the City may treat this failure as an anticipatory repudiation of the contract.

16.0 **Cancellation**

The City shall have the right to cancel this contract immediately for default on all or any part of the undelivered portion of this order if Vendor breaches any of the terms hereof, including warranties of seller, or if seller files bankruptcy. Such right of cancellation is in addition to and not in lieu of any other remedies that the City may have in law or equity.

17.0 **Termination**

The performance of work under this contract may be terminated in whole or in part by the City, with or without cause, at any time upon the delivery to Vendor of a written "Notice of Termination" specifying the extent to which performance of work under the contract is terminated and the date upon which such termination becomes effective. Such right of termination is in addition to and not in lieu of rights of the City as set forth in clause 4.0, herein.

18.0 **Assignment – Delegation**

No right, interest or obligation of Vendor under this contract shall be assigned or delegated without the written agreement of the City. Any attempted assignment or delegation of Vendor shall be wholly void and totally ineffective for all purposes unless made in conformity with this paragraph.

19.0 **Waiver**

No claim or right arising out of a breach of this contract may be discharged in whole or in part by a waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration, is in writing, and is signed by the aggrieved party.

20.0 **Modifications**

This contract can be modified or rescinded only by a written agreement signed by both parties.

21.0 **Interpretation and Parole Evidence**

The contract resulting from the RFP is intended by the parties as a final expression of their agreement and intended as a complete and exclusive statement of the terms of their agreement. No course of prior dealings between the parties and no usage of trade shall be relevant to supplement or explain any term used in this agreement. Acceptance of or acquiescence in a course of performance under this agreement shall not be relevant to determine the meaning of this agreement even though the accepting or acquiescing party has knowledge of the performance and opportunity for objection. Whenever a term defined by the Uniform Commercial Code is used in this agreement, the definition contained in the Code shall control.

22.0 **Applicable Law**

This agreement shall be governed by the Uniform Commercial Code. Whenever the term "Uniform Commercial Code" is used, it shall be construed as meaning the Uniform Commercial Code as adopted and amended in the State of Texas. Both parties agree that venue for any litigation arising from this contract shall be in Rockwall, Rockwall County, Texas. This contract shall be governed, construed and enforced by the laws of the State of Texas.

23.0 **Independent Contractor**

Vendor shall operate hereunder as an independent and not as an officer, agent, servant or employee of the City. Vendor shall have exclusive control of, the exclusive right to control, the details of its operations hereunder, and all persons performing same, and shall be solely responsible for the acts and omissions for its officers, agents, employees, vendors, and subcontractors. The doctrine of respondent superior shall not apply as between the City and Vendor, its officers, agents, employees, contractors and subcontractors. Nothing herein shall be construed as creating a partnership or joint enterprise between the City and Vendor, its officers, agents, employees, contractors and subcontractors.

24.0 Force Majeure

If, by any reason of force majeure, either party hereto shall be rendered unable wholly or in part to carry out its obligations under this agreement, such party shall give notice and full particulars of such force majeure in writing to the other party within a reasonable time after occurrence of the event or cause relied upon, and obligation of the party giving such notice, so far as it is affected by such force majeure, shall be suspended during the continuance of the inability then claimed, except hereinafter provided, but not for longer period, and such party shall endeavor to remove or overcome such inability with all reasonable diligence.

25.0 Conflict of Interest

No public official shall have interest in this contract, in accordance with Vernon's Texas Codes Annotated, Local Government Code Title 5, Subtitle C., Chapter 171.

26.0 Laws, Statutes and Other Governmental Requirements

Vendor agrees that he shall be in compliance with all laws, statues, and other governmental provisions prevailing during the term of this agreement.

27.0 Notices to Parties

Notices addressed to the City pursuant to the provisions hereof shall be conclusively determined to have been delivered at the time same is deposited in the United States mail, in a sealed envelope with sufficient postage attached, addressed to Purchasing Agent, City of Rockwall, 385 South Goliad, Rockwall, Texas 75087, and notices to Vendor shall be conclusively determined to have been delivered at the time same is deposited in the United States mail, in a sealed envelope with sufficient postage attached, addressed to the address given by Vendor in its response to this RFB.

28.0 Severability

In case any one or more of the provisions contained in this agreement shall, for any reason, be held to invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this agreement, which agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

29.0 Fiscal Funding Limitation

In the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable by any means whatsoever in any fiscal period for payments due under this contract, then the City will immediately notify Vendor of such occurrence and this contract shall be terminated on the last day of the fiscal period for which appropriations were received without penalty or expense to the City of any kind whatsoever, except to the portions of annual payments herein agreed upon for which funds shall have been appropriated and budgeted or are otherwise available.

30.0 Rights to Proposal and Contractual Material

All reports, charts, schedules, or other appended documentation to any Proposal, content of basic Proposal, or contracts and any responses, inquiries, correspondence, and related material submitted by Vendor shall become property of the City of Rockwall upon receipt.

31.0 Copyrights and Rights in Data

Where activities supported by this project produce original computer programs, writings, sound recordings, pictorial reproduction, drawings, or other graphical representation and works of any similar nature (the term computer program includes executable computer programs and supporting data in any form), the City of Rockwall has the right to use, duplicate, and disclose, in whole or in part, in any manner, for any purpose whatsoever and have others do so. If the material is copyrightable, the Vendor may copyright such, and the City of Rockwall reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish and use such materials, in whole or in part to authorize others to do so.

32.0 **Disability**

In accordance with the provisions of the Americans With Disabilities Act of 1990 (ADA), Vendor warrants that it and any and all of its subcontractors will not unlawfully discriminate on the basis of disability in the provision of services to general public, nor in the availability, terms and/or conditions of employment for applicants for employment with, or employees of Vendor or any of its subcontractors. Vendor warrants it will fully comply with ADA provisions and any other applicable federal, state and local laws concerning disability and will defend, indemnify and hold City harmless against any claims or allegations asserted by third parties or subcontractors against City arising out of Vendor's and/or its subcontractors alleged failure to comply with the above-referenced laws concerning disability discrimination in the performance of this agreement.

33.0 **DISCLOSURE OF CERTAIN RELATIONSHIPS (HB 914)**. Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of Rockwall not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. Forms may be obtained on the City's website at www.rockwall.com, City Departments, Finance Department, Purchasing page.

34.0 **Insurance Requirements:**

Liability insurance and/or workers' compensation are required by the City for said Proposal item(s), **proof of insurance and/or workers' compensation should be submitted with the Proposal.** The City reserves the right to review all insurance policies pertaining to Proposal item(s) to guarantee that the proper coverage is obtained by the Proposer. CONTRACTOR shall purchase, at his own expense, and maintain such insurance as will protect him from claims under worker's compensation laws, disability benefit laws or other similar employee benefit laws; from claims for damages because of bodily injury, occupational sickness or disease, or death of his employees, and claims insured by usual personal injury liability coverage; from claims for damages because of bodily injury, sickness or disease, or death of any person other than his employees including claims insured by usual personal injury liability coverage; and from claims for injury to or destruction of tangible property, including loss or use resulting there from - any or all of which may arise out of or result of Contractor's operations under the Contract Documents, whether such operations be by himself or by any Subcontractor or anyone directly or indirectly employed by any of them or for whose acts any of them may be legally liable. This insurance shall include the specific coverage and be written for not less than any limits of liability and maximum deductibles specified in the Supplemental Conditions or required by law, whichever is greater, shall include contractual liability insurance and **shall include the City as an additional insured.** The CONTRACTOR shall maintain such additional insurance, as he may deem appropriate. With the exception of the Agreement, CONTRACTOR shall file with the City his Accord certificates of such insurance, acceptable to City; these certificates shall contain a provision that the coverage afforded under the policies will not be canceled or materially changed until at least thirty (30) days prior written notice has been given to City.

- Limits:
  Such insurance as will protect the Contractor for damages because of bodily injury, sickness, disease or death of his employees apart from that imposed by Statutory Worker's Compensation laws with such insurance having a minimum limit of liability of not less than $500,000.

- Such insurance as will protect the Contractor from claims from damages because of bodily injury, personal injury, sickness, disease or death with minimum limits of liability of not less than $500,000 each occurrence and $500,000 aggregate.

- Such insurance as will protect the Contractor from claims for damages for injury to or destruction of tangible property of others, including loss of use thereof. Such coverage shall include Broad Form Property Damage and removal of XCU exclusions where applicable. The minimum limits of liability shall be $1,000,000 per occurrence and $1,000,000 aggregate.

- Such insurance as will protect the Contractor from claims for damages arising out of the maintenance, operation, or use of any owned, non-owned or hired vehicles. Minimum limits of liability for bodily injury and property damage shall be not less than $1,000,000 for each occurrence.

- Property insurance including materials not in place at the site to the full insurable value thereof.

All insurance coverages required are MINIMUM coverages and limit amounts, and it shall be the Contractor's responsibility to determine which limits are adequate for the scope and size of this work. These minimum limits may be basic policy limits or any combination of basic limits and umbrella limits. In any event, the Contractor is fully responsible for all losses arising out of, resulting from or connected with operations under this contract whether or not said losses are covered by insurance. The City's acceptance of Certificates of Insurance that in any respect do not comply with the Contract requirements does not release the Contractor from compliance herewith.

The City and Contractor waive all rights against each other for damages caused by fire or other perils to the extent their interests are covered by insurance under this Section, except such rights as they may have to the proceeds of such insurance when held by the City as trustee. The Contractor shall require similar waivers by Subcontractors and Sub-subcontractors.

35.0 **CERTIFICATE OF INTERESTED PARTIES FORM 1295**
Definition and Instructions

Section 2252.908 of the Texas Government Code states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least $1 million.

All vendors entering into a contract that is approved by City Council must complete a Form 1295.

A business entity must enter the required information on Form 1295 online at https://www.ethics.state.tx.us/File/ and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form and have the form notarized. The completed Form 1295 with the certification of filing must be filed with City.

36.0 Piggyback Contract/Other Entity Clause:

It is the intent of this solicitation that other governmental organizations and agencies throughout the continental United States may purchase identical items at the same unit pricing and the same general terms and conditions, subject to the applicable state laws. Freight/shipping charges are included in the proposal prices for Texas cooperative members. Additional freight/shipping charges that may be required by other organizations and agencies are outside the scope of the base proposal. The City authorizes each governmental entity to make payment directly to the successful proposer. The term of this agreement is one (1) year from the date of contract execution.

PUBLIC NOTICE
CITY OF ROCKWALL, TEXAS

Advertisement for Proposal

The City of Rockwall will receive sealed Proposals for Umpire Services until January 7, 2019 at 3:00 PM. Proposals should be delivered to the Purchasing Agent, City of Rockwall, 385 S. Goliad, Rockwall TX 75087 on or before the above due date and time. Proposals will be publicly opened and the names of the proposers read aloud in the City Council Chambers, Rockwall City Hall, 385 S. Goliad, Rockwall, TX 75087. General and Professional liability and statutory Worker's Compensation insurances are required. Proposal document is on file at City of Rockwall Purchasing office and on line at www.rockwall.com. The City of Rockwall reserves the right to reject any and all Proposals or to waive any informalities in the Proposal.

Publish: Herald Banner December 21, 2018
December 28, 2018

I. Baseball Nation LLC
1210 W Scyene Rd Ste A
Mesquite, TX 75149

II. Insurance Certificate available upon request

III. Baseball Nation opened its doors September 7, 2009. The company originally started with the single focus of a professional indoor training facility in Mesquite, Texas. That focus soon changed in the Spring of 2010 after the acquisition of Chiesl Baseball Complex in Balch Springs, Texas. After hosting league and tournament play for only 6 months the company grew again in the fall of 2010 with the purchase of the BBI complex in Mesquite, Texas. In November 2013, Baseball Nation made its most recent addition when it acquired Triple Creek Academy in McKinney, Texas. Baseball Nation now hosts USSSA league and tournament play at each complex from February—November each year. The indoor facilities operate year-round and accommodate local professional players in the DFW area in the off-season. Baseball Nation currently operates 12 baseball fields and 2 indoor training facilities.

The following number of teams competed in Baseball Nation events over the last 3 calendar years:

2016 | 3,471 Teams (approximately 7,000 games)
2017 | 3,605 Teams (approximately 7,300 games)
2018 | 3,338 Teams (approximately 6,900 games)

Baseball Nation also hosts a High School Fall baseball league each year hosting approximately 50 teams (approximately 300 games).

IV. Leonard Meyer is a full-time employee of Baseball Nation LLC and handles all umpire scheduling for Baseball Nation events (league & tournaments). Leonard has been an umpire and UIC in North Texas for more than 20 years.

V. Umpires are contracted from a number of organizations across North and Central Texas.

VI. Contracted Services Cost:

$30 | 50-60 minute games, with 1 umpire
$70 | 75 minute games, with 2 umpires
$80 | 90 minute games, with 2 umpires
$90 | 105 minute games, with 2 umpires
$5 | Scheduling fee per assigned game
$90 | On site UIC (Umpire in Charge)

VII. References:

Ben Montgomery | 214.455.6227
Corey Thornton | 214.500.4843
Jeremiah Haar | 817.308.5597

96

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97

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **January 18, 2019**

SUBJECT: **911 Services Contract**

The Council may recall the City's recent action in passing a resolution authorizing the establishment of this entity to enhance funding opportunities for regional 911 services. The sole source of funding for 911 services are the fees that are charged and collected on telephone bills; however, the obligations of the City are noted in the contract.

This item is to secure City Council authorization for the City Manager and Chief of Police to execute the contract documents with NCT911 to provide 911 services in the City.

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99

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*

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

DATE: January 22, 2019

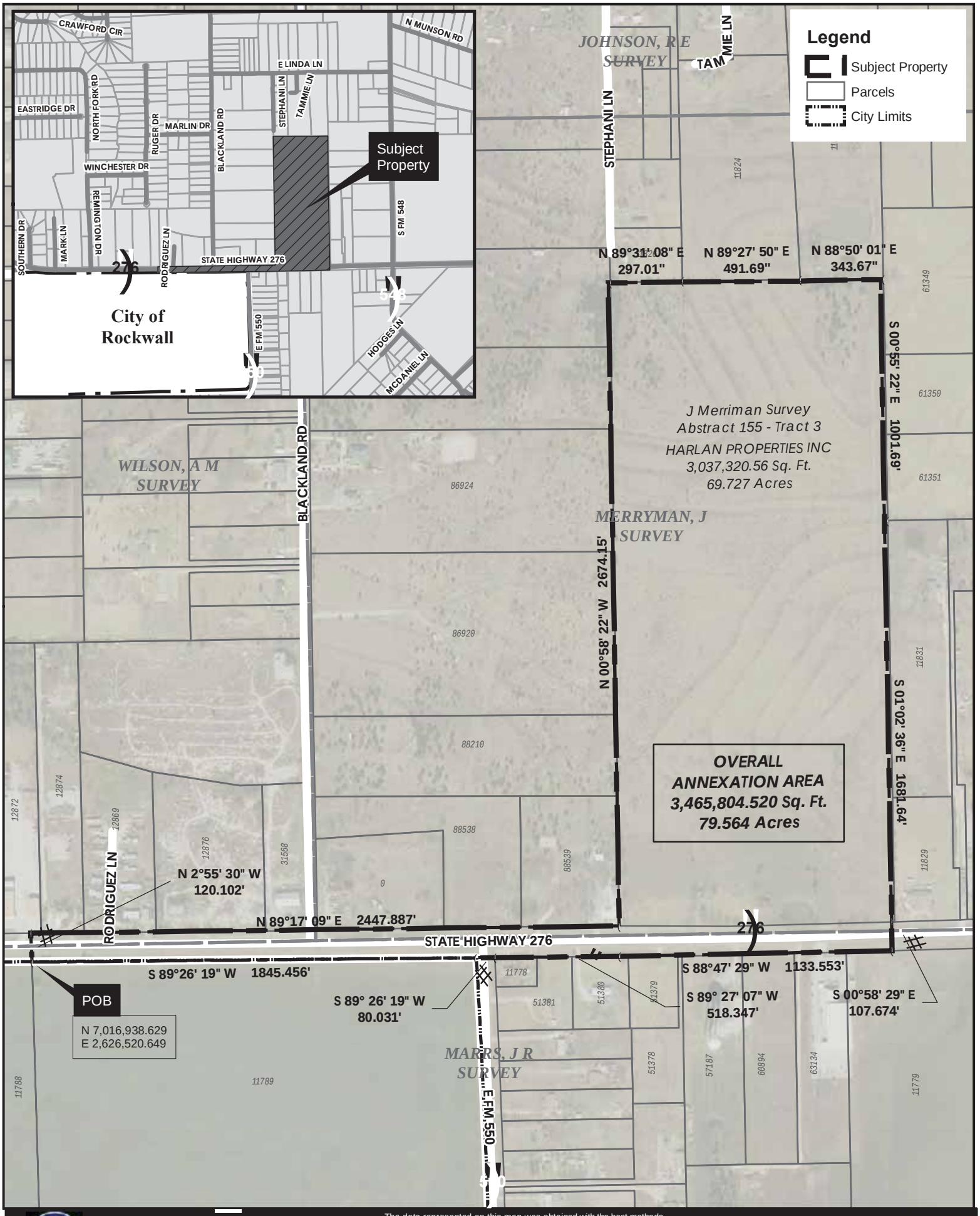
SUBJECT: A2018-005; *Harlan Properties Inc. Annexation*

On January 22, 2019, the City Council will be holding the first (*6:00 PM*) and second (*6:30 PM*) public hearings to consider the voluntary annexation of 79.564-acres of land located within the City's Extraterritorial Jurisdiction (ETJ). Suresh Shridharani, on behalf of Harlan Properties Inc., is requesting the annexation for the purpose of incorporating the property into the City of Rockwall to develop a residential subdivision.

Staff has followed the procedures for annexations as set forth in Chapter 43, *Municipal Annexations*, of the Texas Local Government Code relative to notifying affected property owners and publishing notices in the newspaper and on the City's website. Attached to this memorandum is a location map and service plan for the proposed annexation. In addition, this document has been made available to the public at City Hall and on the City's website.

No action on this matter is required by the City Council on January 22, 2019. The 1st reading of the annexation ordinance is scheduled for February 18, 2019 and the 2nd (*and final*) reading of the ordinance is scheduled for March 4, 2019.

100



City of Rockwall

Date: 11/7/2018
0 100 200 300
Feet
CITY OF ROCKWALL GIS

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

STATE HWY 276 EAST ANNEXATION
79.564 Acres

LEGAL DESCRIPTION

BEING an approximate 79.564 acre tract of land situated in the J. Merriman Survey, Abstract 155, A.M. Wilson Survey, Abstract 223, and J.R. Marr's Survey, Abstract 152 as recorded in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point in the Northwestern corner of Abstract J.R. Marr's Survey, Tract 10-1 (105.925 acres) and the South Right of Way line of State Highway 276, (NAD83- State Plane Coordinates, North Central Texas Zone 4202, N 7,016,938.629, E 2,626,520.649), said point being the **POINT OF BEGINNING**;

THENCE N.02°55'30"W., crossing State Highway 276, a distance of 120.102 feet for a corner;

THENCE N.89°17'09"E., along the North Right of Way line of State Highway 276, a distance of 2447.887 feet for a corner;

THENCE N.00°58'22"W., along the West property line of Abstract 155, Tract 3 (a 69.727 acre tract) a distance of 2674.15 feet for a corner;

THENCE N.89°31'08"E., along the North property line of said tract, a distance of 297.01 feet for a point;

THENCE N.89°27'50"E., along the North property line, a distance of 491.69 feet for a point;

THENCE N.88°50'01"E., along the North property line, a distance of 343.67 feet for a corner;

THENCE S.00°55'22"E., along the East property line, a distance of 1001.69 feet for a point;

THENCE S.01°02'36"E., along the East property line, a distance of 1681.64 feet for a point;

THENCE S.00°58'29"E., crossing State Highway 276, a distance of 107.674 feet for a corner;

THENCE S.88°47'29"W., along the South Right of Way line of State Highway 276, a distance of 1133.553 feet for a corner;

THENCE S.89°27'07"W., along said Right of Way line, a distance of 518.347 feet for a corner;

THENCE S.89°26'19"W., crossing Farm to Market 550, a distance of 80.031 feet for a corner;

THENCE S.89°26'19"W., continuing along the South Right of Way line of State Highway 276, a distance of 1845.456 feet to the **POINT OF BEGINNING**. Containing 3,465,804.520 square feet or 79.564 acres, more or less.

This description is intended to follow any adjacent recorded tract lines and existing City Limits or Road Right of Way lines.

END OF DESCRIPTION.

SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2018-005
City and County of Rockwall, Texas

Acreage Annexed: 79.564-acres

Survey Abstract and County: Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: March 4, 2019

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

(A) Police Services

(1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.

(2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) Fire Services

(1) Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.

(2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) Health and Code Compliance Services

(1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*

(2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

(3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

(4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

(5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

(1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.

(2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) Solid Waste Collection

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

(G) Streets

(1) The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.

(2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.

(3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

(H) Water Services

(1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.

(2) Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.

(3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) Sanitary Sewer Services

(1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.

(2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

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

(J) Public Utilities

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

(K) Miscellaneous

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

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106

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*

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

DATE: January 22, 2019

SUBJECT: Z2018-050; *SUP for Covered Patio at 5808 Constellation Circle*

On January 10, 2019, the Board of Adjustments (BOA) approved a variance [*Order No. BOA 2019-1-V*] to reduce the required rear setback from ten (10) feet to three (3) feet in order to allow the applicant to construct a covered patio on the subject property. Based on this, the applicant has requested to withdraw the Specific Use Permit (SUP) request. According to Section 5, *Application Withdrawal*, of the Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC), any case that has been published in the newspaper and notifications of a public hearing sent out must be placed on the public hearing agenda and acted upon by the applicable body. Staff should note, should the City Council choose to accept the applicant's request, a motion would be required.

From: David Rains
To: Miller, Ryan
Subject: RE: SUP Case No. Z2018-050
Date: Thursday, January 17, 2019 9:28:22 AM
Attachments: PCR@182371639491567.png
PCR@551325546915678.png

Ryan,
Please forgive me as it slipped my mind. Please accept this notice to cancel the SUP and consider that case closed. Thank you very for your and your staff's effort and please extend my appreciation to the council for their consideration.

Warm Regards,

David A. Rains, President
Commercial Finance Consultants | Factorhelp, Inc.
Office: 469-402-4000 | Fax: 469-698-3075
Website: www.searchcf.com | www.factorhelp.com
Email: dar@searchcf.com | Linkedin: www.linkedin.com/in/davidrains
International Factoring Association's Endorsed Agency
"If you take care of the relationship, the revenue takes care of itself"
This communication (including any attachments) may contain privileged or confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this communication and/or shred the materials and any attachments and are hereby notified that any disclosure, copying, or distribution of this communication, or the taking of any action based on it, is strictly prohibited. Thank you.

----- Original Message -----
To: 'David Rains (dar@searchcf.com)' <dar@searchcf.com>
From: Miller, Ryan <RMiller@rockwall.com>
Sent: 1/17/2019 8:16:11 AM
Subject: SUP Case No. Z2018-050

David ... I have not received a withdraw letter from you to include in the City Council's packet, and I have to send out packets today. Could you please let me know if you are still wishing to move forward with your SUP case or not so that we can prepare the memo for the City Council. If I have not heard back from you today I will prepare a memo as if you are still moving forward. Thanks.

<![if !vml]>**RYAN C. MILLER, AICP**
DIRECTOR OF PLANNING & ZONING ▪ PLANNING & ZONING DIVISION ▪ CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET ▪ ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

108

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109

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Kyle Jenkins; *Jenkins Organization*

AGENDA ITEM: **Z2018-055**; *SUP for Mini-Warehouse*

SUMMARY:

Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant is requesting approval of a Specific Use Permit (SUP) to allow a *mini-warehouse* (*i.e. Lakeview Storage*) in a Commercial (C) District. The proposed mini-warehouse will be three (3) stories, ~126,600 SF, and contain 800 climate-controlled units. According to the applicant, the mini-warehouse will be constructed to resemble an office building, and is intended to blend in with the surrounding buildings. The facility will be accessible from 6 AM to 10 PM. The majority of the units will be accessed from internal corridors and any exterior doors will be limited to the rear building elevation. The applicant has also stated that the existing tree line will be preserved to provide a natural buffer from the residential properties to the northwest.

According to Section 1.01, *Use of Land and Building*s, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) a mini-warehouse facility is permitted in a Commercial (C) District by Specific Use Permit (SUP). Furthermore, section 2.1.10, *Wholesale, Distribution, and Storage*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) details the specific land use requirements for a *mini-warehouse facility*. The following is a summary of the applicant's proposal and its compliance to these land use requirements:

Code Requirement	*Proposed Plan*	*Compliance*
The maximum site area shall not exceed five (5) acres.	2.6-Acres	In Conformance
The maximum number of storage units shall not exceed 125 units per acre.	800 total units.	*Not In Conformance*[1]
The maximum height shall not exceed one (1) story, except for the residential unit which shall be less that 36-feet.	The proposed buildings is three (3) stories and ~34-feet in height	*Not In Conformance*
The minimum number of parking spaces required is two (2). Parking requirement is three (3) spaces plus one (1) per 100 units.	11 parking spaces are required and 11 parking spaces are provided.	In Conformance
No direct access from FM740, SH205, SH66, SH276, FM3097, FM552, FM549 or John King Boulevard.	The concept plan shows one (1) driveway on FM-740.	*Not In Conformance*
Overhead doors shall not face adjacent streets.	The buildings are not visible from any adjacent streets or roadways.	In Conformance

All exterior walls facing the front, side and rear property lines shall be 100% brick construction.	All exterior walls facing the street will incorporate brick.	In Conformance
The front, side and rear building setback areas shall incorporate clustered landscaping.	The concept rendering shows clustered landscaping along the perimeter of the facility.	In Conformance
Gates shall be incorporated limiting access to the facility.	Wrought iron gates are being proposed.	In Conformance
Screening fences shall be wrought iron or masonry.	Landscape screening and wrought Iron fencing are shown on the site plan.	In Conformance
Concrete shall be used for all paving.	All paving will be concrete.	In Conformance
Roof shall have a minimum roof pitch of 1:3 and be constructed with metal standing seam.	The applicant is proposing to utilize a flat roof design.	*Not In Conformance*
Lighting standards shall be limited to a maximum of 20-feet in height.	Will be handled at the time of site plan submittal on the Photometric Plan. The SUP Ordinance include this requirement under the Operational Conditions.	Photometric Plan (Site Plan)
A single residential unit not exceeding 1,600 SF in size is permitted.	There will be no residential unit.	In Conformance
Outside Storage shall be prohibited.	The site will not have outside storage.	In Conformance

Notes:
[1]: At 2.6-acres a maximum of 325 units are permitted.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are all follows:

North: Directly north of the subject property is a vacant tract of land zoned Commercial (C) District followed by a railroad (*i.e. Union Pacific/Dallas Garland N. E.*). Beyond this is a single-family residential subdivision (*i.e. Lakeridge Park*). This area is zoned Single-Family 10 (SF-10) District.

South: Directly south of the subject property is Ridge Road [FM 740], which is identified as a *M4D (Major Collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan. Beyond this is an office building and several commercial businesses (*e.g. Big D Auto Care, Wal-Mart, etc*.) This area is zoned Commercial (C) District.

East: Directly east of the subject property a vacant tract of land followed by Ridge Road [FM-740], which is identified as a *M4D (Major Collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan. Beyond this are several commercial businesses (*e.g. Little Caesar's, Everybody Massage, etc*.) These areas are zoned Commercial (C) District.

West: Directly west of the subject property is a house of worship (*i.e. Great Faith Church*) and several commercial businesses (*e.g. State Farm, Family Dental, etc*.) followed by a railroad (*i.e. Union Pacific/Dallas Garland N. E.*). Beyond this is a single-family residential subdivision (*i.e. Turtle Cove Subdivision*). This area is zoned Planned Development District 2 (PD-2) for single-family land uses.

STAFF ANALYSIS:

When looking at the requirements contained in the Unified Development Code (UDC), it is important to note that these requirements were drafted with the intent of regulating campus style mini-warehouse facilities. Campus style mini-warehouse facilities typically incorporate multiple buildings that are generally one (1) story in height, and have non-climate controlled storage

units accessible from the exterior of the building. Due to the mini-warehouse requirements, the applicant is seeking variances to the number of units per acre, the maximum number of stories, the pitched roof requirement, and to allow direct access from Ridge Road [FM-740]. The facility proposed by the applicant is a compact design, which allows more units in a smaller footprint. Although the proposed building is three (3) stories, the proposed building is ~34-feet in height, which conforms to the maximum height requirement of 36-feet. Additionally, only two (2) stories will be visible from Ridge Road [FM-740]. The proposed facility is intended to have the appearance of an office building with all units being climate controlled and accessible from the interior of the building. Specifically, the proposed structure is three (3) stories in height--in which only two (2) stories are visible from Ridge Road--and utilizes a flat roof design with a parapet (more typical of an office or commercial development). Since these do not meet the mini-warehouse requirements, variances are required. The proposed driveway shown on the concept plan will require permission from TxDOT as well as a traffic impact analysis (TIA) at the time of site plan. In addition, the applicant is proposing to limit the hours of operation from 6:00 AM to 10 PM, which is consistent to a non-residential land use. The mini-warehouse land use is considered to be a lower-intensity land use that does not generate high volumes of traffic (*i.e. ~15-20 visitors per day according to the applicant*). With that being said, the three (3) requirements not in compliance with the Unified Development Code (UDC) do not appear to negatively impact the surrounding developments. Additionally, the proposed design of the facility (*i.e. appearance of an office building*) provides for easier redevelopment opportunities than the traditional campus style mini-warehouse facilities should the use transition in the future. Staff should note, approval of the applicant's request is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission. Should this request be approved, the applicant will be required to submit a site plan, landscape plan, photometric plan, and building elevations to the Architectural Review Board (ARB) and the Planning and Zoning Commission. Attached is a concept plan and building elevations, and conformance to these plans is a requirement of the draft ordinance.

NOTIFICATION:

On December 28, 2018, staff sent 77 notices to property owners and residents within 500-feet of the subject property. Additionally, staff notified the Lakeside Village and Turtle Cove Homeowner's Associations (HOA's) which are the only HOA's/Neighborhood Associations within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this report was drafted, staff had received one (1) email and two (2) notices in opposition and one (1) notice in favor of this request.

RECOMMENDATIONS:

Should the City Council choose to approve the Specific Use Permit (SUP) request, the following conditions of approval should be adopted with this case:

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

    a) The development shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the attached ordinance.

    b) The building elevations shall generally conform to the *Concept Building Elevations* depicted in *Exhibit 'C'* of the attached ordinance.

    c) The maximum number of storage units provided shall not exceed 800 units for the facility.

d) The maximum number of floors is limited to three (3) stories.

e) The mini-warehouse facility shall not be greater than 36-feet in height.

f) No outside storage of any kind shall be allowed (*including the outside storage of boats, recreational vehicles, trailers, and motor or self-propelled vehicles*).

g) Businesses shall not be allowed to operate within individual storage units.

h) The commercial operation of rental trucks and trailers shall be prohibited.

i) The developer shall maintain the treeline adjacent to the northwest property line.

2. Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On January 15, 2019, the Planning and Zoning Commission's motion to deny the request for approval of a Specific Use Permit (SUP) for a mini-warehouse in a Commercial (C) District passed by a vote of 5-2 with Commissioners Moeller and Lyons dissenting. In accordance with Subsection 8.4, *Protest of Proposed Zoning Change*, of Section 8, *City Council Authority*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC), should the Planning and Zoning Commission recommend denial of a change in zoning, a favorable vote of 3/4 majority of all Council Members present is required in order to be approved.



City of Rockwall

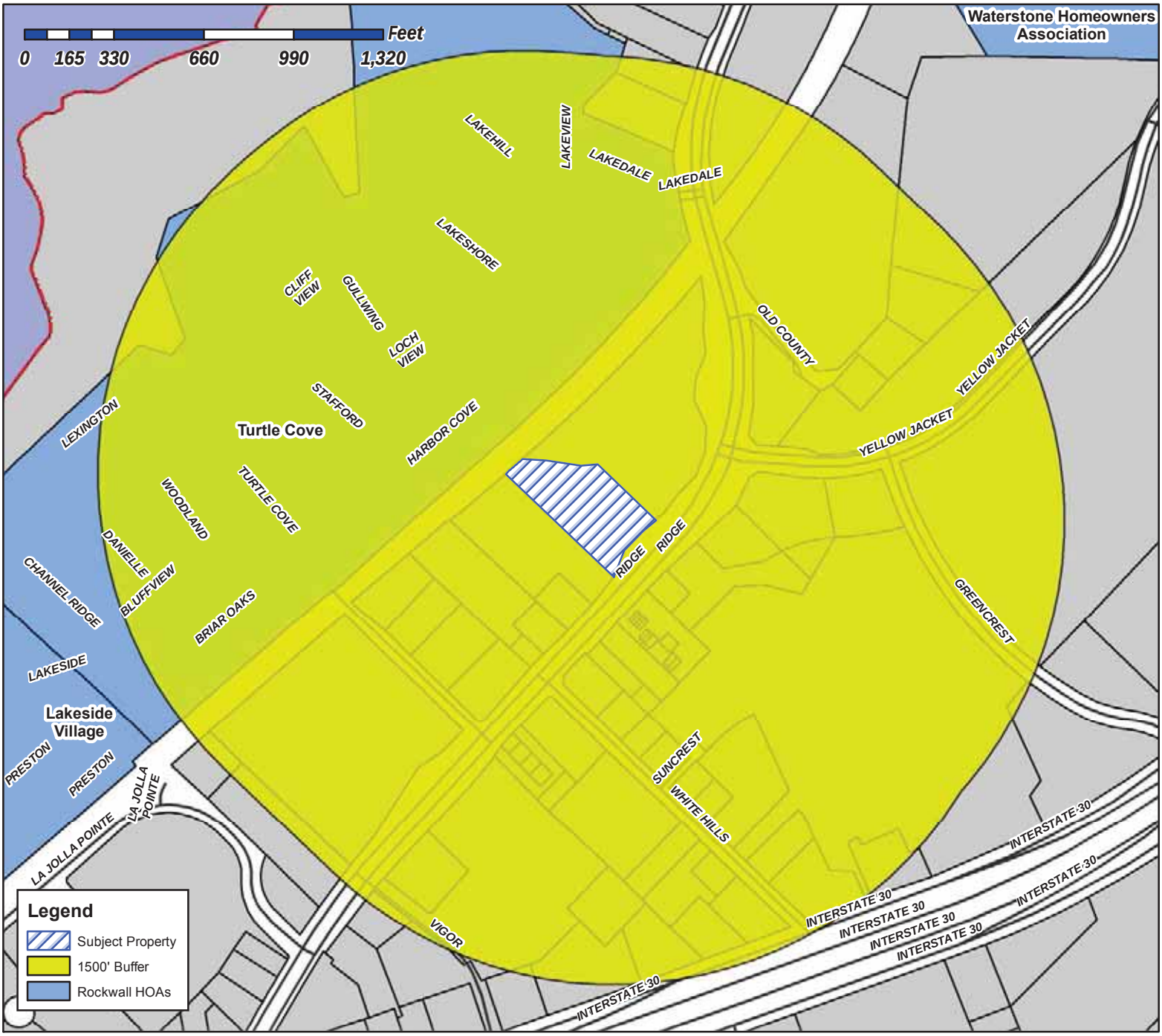
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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City of Rockwall

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

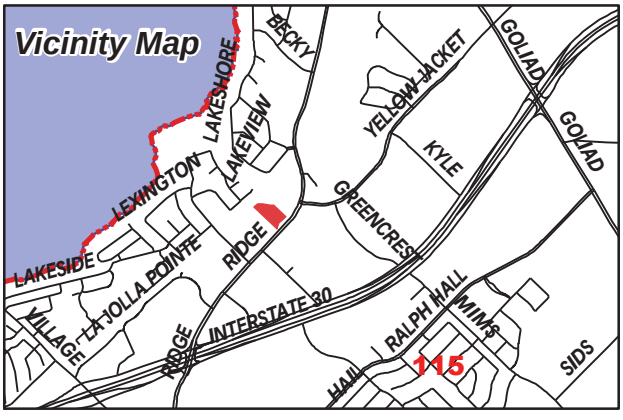
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Case Number: Z2018-055
Case Name: SUP for a Mini-Warehouse
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: SWC of the Intersection of Ridge Road and Yellow Jacket Lane

Date Created: ***12/17/2018***

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



From:	Morales, Laura
To:	[redacted]
Cc:	Miller, Ryan; Gonzales, David; Brooks, Korey
Subject:	Neighborhood Noification Program: Notice of zoning request
Date:	Friday, December 28, 2018 2:40:55 PM
Attachments:	Z2018-HOA Map.pdf PUBLIC NOTICE.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***December 28, 2018***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 1/15/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Tuesday 1/22/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2018-055- Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of a Specific Use Permit (SUP) for a *Mini-Warehouse* facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [*FM-740*], and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

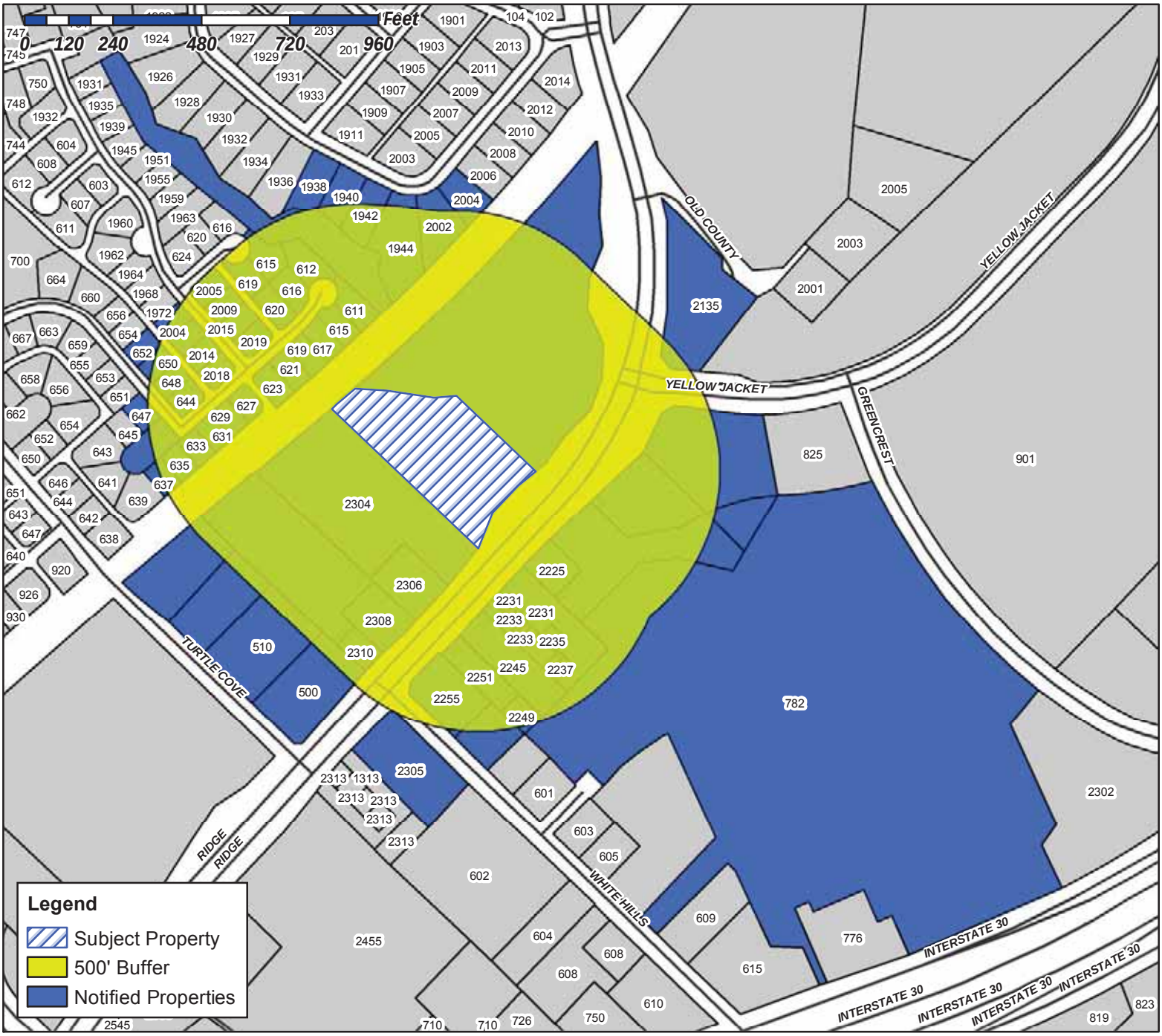
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com/planning/

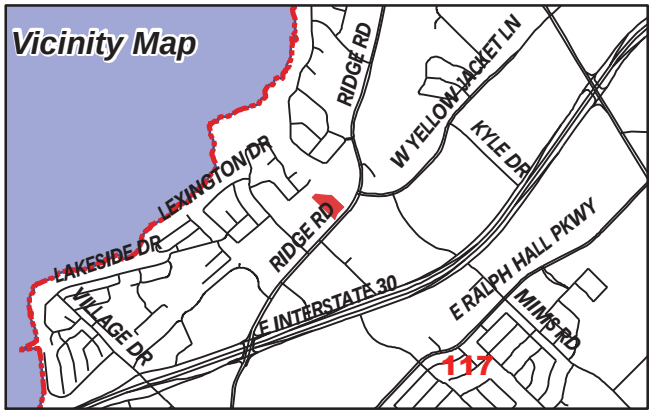
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2018-055
Case Name: SUP for a Mini-Warehouse
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: SWC of the Intersection of Ridge Road and Yellow Jacket Lane



Date Created: 12/12/2018
For Questions on this Case Call (972) 771-7745

7.1 RIDGE LLC
106 E RUSK SUITE 200
ROCKWALL, TX 75087

ONE RIDGE PLACE LP
1121 E SPRING CREEK PKWY STE 110-312
PLANO, TX 75074

VANDERSLICE ROBERT
1408 S LAKESHORE DR
ROCKWALL, TX 75087

JARA PARTNERS LTD
1425 HUNTERS GLEN
ROYSE CITY, TX 75189

FRANK RUSSELL
15 PRINGLE LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1710 WEISKOPF DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1721 FAIR OAKS LN
ROYSE CITY, TX 75189

WHITE JUDY GAIL
1807 BAYHILL DR
ROCKWALL, TX 75087

STORMS STEWART M
1938 S LAKESHORE DR
ROCKWALL, TX 75087

MORIARTY TIMOTHY I & PAMELA E
1940 S LAKESHORE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1942 LAKESHORE DR
ROCKWALL, TX 75032

PORTELE MICHAEL & PAIGE
1944 LAKESHORE DRIVE
ROCKWALL, TX 75087

BENTO SERGIO
2002 S LAKESHORE DR
ROCKWALL, TX 75087

CHAPMAN BOBBY E II
2004 GULLWING DR
ROCKWALL, TX 75087

CROSS STEVEN C
2004 S LAKESHORE DR
ROCKWALL, TX 75087

BOWLES MARK S II AND
2005 GULLWING DR
ROCKWALL, TX 75087

GIESE DIANE LYNN DOOLIN
2008 GULLWING DR
ROCKWALL, TX 75087

HAYNES NANCY W
2009 GULLWING DR
ROCKWALL, TX 75087

WILLIAMSON KEEGAN DANIEL AND TERRY KING
2014 GULLWING DR
ROCKWALL, TX 75087

LOTT CHERYL R
2015 GULLWING DR
ROCKWALL, TX 75087

HINKLE RONALD E AND DEBRA D
2018 GULLWING DRIVE
ROCKWALL, TX 75087

TANKERSLEY VICKI A
2019 GULLWING DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2135 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2231 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2233 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2235 RIDGE RD STE 200
ROCKWALL, TX 75087

CURRENT RESIDENT
2237 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2245 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2249 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2251 RIDGE RD
ROCKWALL, TX 75032

MMF INVESTMENTS LLC
2255 RIDGE RD SUITE 333
ROCKWALL, TX 75087

CURRENT RESIDENT
2304 RIDGE RD
ROCKWALL, TX 75032

HUDSPETH WARD
2304 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2305 RIDGE RD
ROCKWALL, TX 75032

MCKENNEY CARL K
2306 RIDGE RD STE 2
ROCKWALL, TX 75087

CURRENT RESIDENT
2308 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2310 RIDGE RD
ROCKWALL, TX 75032

MOUNTAINPRIZE INC
3225 CUMBERLAND BLVD SUITE 100
ATLANTA, GA 30339

CHACKO & ABRAHAM INVESTMENTS LLC
4102 NORWICH DRIVE
GARLAND, TX 75043

CURRENT RESIDENT
500 TURTLE COVE BLVD
ROCKWALL, TX 75032

CURRENT RESIDENT
510 TURTLE COVE BLVD
ROCKWALL, TX 75032

PSB INDEMNITY FAMILY LTD PTRN
510 TURTLE COVE BLVD STE 200
ROCKWALL, TX 75087

IN KYUNG H &
512 SUNSTONE DR
IRVING, TX 75060

GUERRIERO LISA HUDSPETH
537 STANFORD AVE
DALLAS, TX 75209

CURRENT RESIDENT
601 CARRIAGE TRL
ROCKWALL, TX 75087

COIT RIDGE PROPERTIES LLC
6031 SHERRY LN SUITE C
DALLAS, TX 75225

JORDAN MARK S
607 HIGHLAND COLONY PKWY SUITE 200
RICHLAND, MS 39157

BRUCE SCOTT L & CRISTINA V
611 HARBOR COVE DR
ROCKWALL, TX 75087

GIBSON ROBIN S & JOHN
612 HARBOR COVE DRIVE
ROCKWALL, TX 75087

FLORENCIA HECTOR J
615 HARBOR COVE DR
ROCKWALL, TX 75087

FEDDERSON WILLIAM R & PATRICIA L
615 LOCH VIEW COURT
ROCKWALL, TX 75087

BURMANIA DARLENE M & IAN J
616 HARBOR COVE DR
ROCKWALL, TX 75087

CHERRY BEVERLY A REVOCABLE LIVING TRUST
617 HARBOR COVE DR
ROCKWALL, TX 75087

GRIFFITH JOHN E IV & VIVIAN
619 HARBOR COVE DR
ROCKWALL, TX 75087

PRATT CHARLES A AND PATRICIA L
619 LOCH VIEW CT
ROCKWALL, TX 75087

SHAW STEPHANIE AND BRYAN
620 HARBOR COVE DR
ROCKWALL, TX 75087

ROTRAMEL CHRISTIE &
621 HARBOR COVE DR
ROCKWALL, TX 75087

SEAY KENNETH WAYNE & ELIZABETH CAUFIELD
623 HARBOR COVE DRIVE
ROCKWALL, TX 75087

LITHERLAND LORILEE
627 HARBOR COVE DR
ROCKWALL, TX 75087

RICE CARINE
629 HARBOR COVE DR
ROCKWALL, TX 75087

119

DELAY MANAGEMENT TRUST DELORES
631 HARBOR COVE DRIVE
ROCKWALL, TX 75087

BARROW KYLE
633 HARBOR COVE DR
ROCKWALL, TX 75087

ALFORD JIM AND BARBARA
635 STAFFORD CIR
ROCKWALL, TX 75087

PACHECO ENRIQUE AND JOANN T
637 STAFFORD CIR
ROCKWALL, TX 75087

LAYAN INVESTMENTS INC
6403 CRESTMOOR LN
SACHSE, TX 75048

LEBRESCU JODIE AND ROGER
644 STAFFORD CIRCLE
ROCKWALL, TX 75087

FISH WADE W
647 STAFFORD CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
648 STAFFORD CIR
ROCKWALL, TX 75032

WHITESIDE JANIS G
650 STAFFORD CIR
ROCKWALL, TX 75087

WEST WILLIAM MARSHALL &
652 STAFFORD CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
782 I30
ROCKWALL, TX 75032

CURRENT RESIDENT
9615 COUNTY ROAD 2432
ROCKWALL, TX 75160

TURTLE COVE RESIDENTIAL ASSOC
C/O TURTLE COVE HOA 3102 OAK LAWN AVE
SUITE #202
DALLAS, TX 75219

DAIKER PARTNERS LTD.
PO BOX 1059
ROCKWALL, TX 75087

DAIKER PARTNERS LTD
PO BOX 1059
ROCKWALL, TX 75087

STORMS STEWART M
PO BOX 12632
DALLAS, TX 75225

WAL-MART REAL ESTATE
PO BOX 8050
BENTONVILLE, AR 72712

120

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. 22018-055: SUP for Mini Warehouse-Opposed
Date:	Friday, January 11, 2019 10:35:18 AM

From: cmrotramel@att.net [redacted]
Sent: Friday, January 11, 2019 5:24 AM
To: Planning
Subject: Case No. 22018-055: SUP for Mini Warehouse-Opposed

I received a letter for a zoning request for a mini warehouse and I am very much opposed to this.
This will add to congestion on Ridge Road and devalue property values.

Christie Rotramel
621 Harbor Cove Drive
Turtlecove Subdivision

Sent from Windows Mail

121

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

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

To Whom It May Concern:

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

Case No. Z2018-055: SUP for Mini Warehouse

Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre tract of land ~~being a portion of Lot 1, Block A, Sky Ridge~~ Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located ~~southwest of the intersection~~ of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/15/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Tuesday, 1/22/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **1/22/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2018-055: SUP for Mini Warehouse

Please place a check mark on the appropriate line below:

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

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

1. This is a scenic overlay district - Mini warehouses have never been considered scenic.
2. Ridge Rd + Hwy 205 are the entrance to the City - As a property owner of these (3) properties on these streets I want it to remain + stay professional/inviting
3. Mini warehouses are ok but they tend to bring truck traffic, loitering, and sometimes (inviting) illegal activities.

Name: R.D. Vanderslice R.D. Vanderslice

Address: 1408 S. Lakeshore Dr. Rockwall, Tx 75087

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

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

PLEASE RETURN THE BELOW FORM

Case No. Z2018-055: SUP for Mini Warehouse

Please place a check mark on the appropriate line below:

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

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

I Am opposed to this Zoning change because I would like to See this Neighborhood remain somewhat Commercial free. this neighborhood is located close to town, yet it remains fairly Quiet and with low traffic. Adding these warehouses changes the dynamics of this neighborhood in a bad way. Thanks

Name: Kyle Barrow

Address: 633 HARBOR Cove Dr

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

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

Case No. Z2018-055: SUP for Mini Warehouse

Please place a check mark on the appropriate line below:

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

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

THERE MUST BE A SEPARATE DRIVEWAY. THEY CAN NO LONGER USE THE DRIVEWAY THAT BELONGS TO THIS PROPERTY. THERE SHOULD BE A BARRIER OR SOME KIND OF VISUAL WALL BETWEEN THIS PROPERTY AND THAT.

Name: NONA HUDSPETH

Address: 2304 RIDGE RD. ROCKWALL, TX 75087

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

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

Letter of Explanation

TJO – Ridge Road & Yellow Jacket

On behalf of The Jenkins Organization, Masterplan requests a Specific Use Permit to construct a 3-story, approximately 126,600-square foot, upscale climate controlled self-storage facility on a 2.6-acre property located southwest of the intersection of Ridge Road and Yellow Jacket Lane. It is projected that the balance of the property to the north would be developed with a future neighborhood retail building.

TJO develops and operates best in class self storage facilities in affluent Texas communities such as Craig Ranch in McKinney, Southlake, Frisco, and Bee Cave in the Austin area. TJO is interested in developing a neighborhood friendly facility with excellent customer service in the Rockwall community.

The development proposal includes the following features:

1. Premium architecturally inspired building design
2. Vast majority of units would be accessed from interior corridors
3. Well-lit, safe and secure facility
4. Building will be positioned to minimize height from street and align with adjacent retail
5. Building will step down from Ridge Rd following the topography of the site
6. Low-traffic generator – 15 visitors per day
7. Hours of access and operation from Monday-Sunday 6AM-10PM.

The proposal includes a request for relief from certain provisions of the Unified Development Code as follows:

Pitched roof. TJO's building design is modern with clean lines. The roof would be flat with parapets to align with the overall modern design.

Perimeter screening adjacent to residential districts. The grade at the rear driveway will sit well below the grade of Turtle Cove. Moreover, the tree line will be preserved to provide a natural buffer from Turtle Cove to the northwest. Moreover, the elevated railroad berm provides a solid screen and fully blocks view of the subject property from Turtle Cove. A screening wall would sit well below the adjacent property, serving minimal to no purpose. Please refer to the enclosed sight line exhibit for additional information.

Floor-to-area ratio. A maximum floor-to-area ratio of 1.2. Use intensity for a self-storage facility is disproportionately low compared to other commercial uses. This facility would generate approximately 15-20 visitors spread out over an entire day.

One direct access point to Ridge Road. Access is necessary to serve the facility.

ZONING SUMMARY

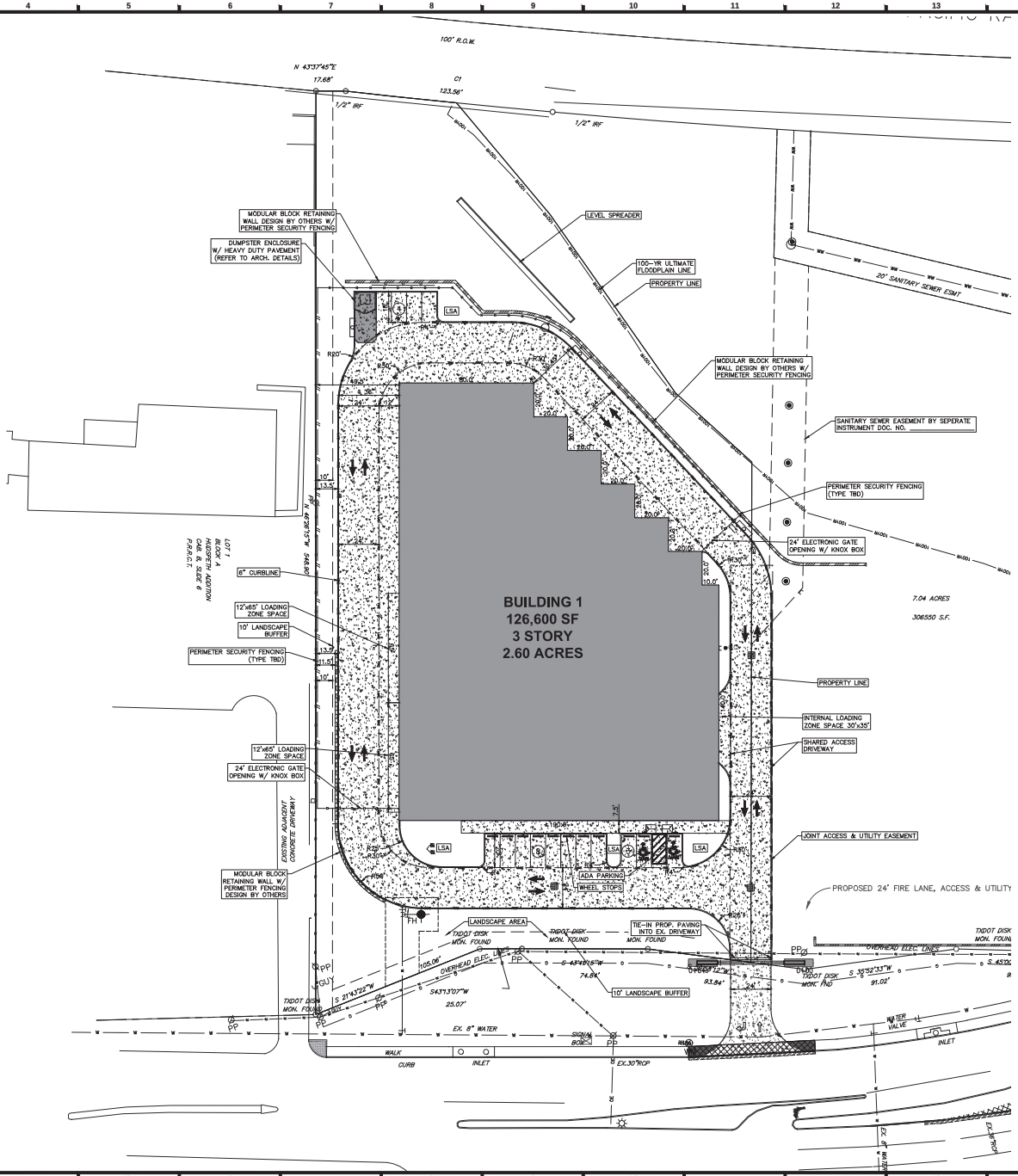
SETBACK / REGULATION	REQ'D	PROPOSED	NOTES
ZONING:	TBD		
PROPOSED USE:	SELF STORAGE		
MIN. LOT SIZE:	10,000 SF	113,184 SF	2.60 AC
FRONT YARD SETBACK:	15 FT	> 15 FT	
SIDE YARD SETBACK:	0 FT	> 10 FT	
REAR YARD SETBACK:	0 FT	> 50 FT	
MAX BUILDING HEIGHT:	60 FT	3 STORIES < 45 FT	
MAX BLDG. COVERAGE	–	42,000 SF	
BLDG. COVERAGE %	60 %	37.1 %	
MAX IMPERVIOUS AREA:	–	85,000 SF	
MAX IMPERVIOUS AREA:	85 %	75.1 %	
GROSS FLOOR AREA:	–	126,000 SF	
MAX FLOOR AREA RATIO:	4:1	1.06	
LANDSCAPE AREA:	–	20,500 SF	
LANDSCAPE %:	15 %	18.1 %	
FOUNDATION TYPE:	BASEMENT / SLAB ON GRADE		

PARKING SUMMARY

TYPE	AREA / UNITS	RATIO	REQ'D PARKING
MINI STORAGE / WAREHOUSE	126,000 SF 800 UNITS	3+ 1/100 UNITS	11.0
			11
SPACE TYPE	DIMENSION	#	
BUILDING SPACES	9'x20'	9	
REGULAR SPACES	9'x18'	4	
HC (VAN)	9'x18'	2	
	TOTAL	15	

IMPERVIOUS SUMMARY

TYPE	AREA, SF	NOTES
PAVING	34,800	ALL PAVING TYPES
SIDEWALK	1,200	##
BUILDING	42,200	FOOTPRINT
RETAINING WALL, MISC.	600	
TOTAL	78,800	



GENERAL LEGEND

EXISTING	PROPOSED	DESCRIPTION
IPS		SURVEY FEATURES
IPF		IRON PIN SET
TP		IRON PIN FOUND
BM		CONTROL POINT
ROM		BENCHMARK
		RIGHT OF WAY MARKER
		BEARING & DISTANCE
		SITE
		CURB & GUTTER
		EDGE OF PAVEMENT
		SIDEWALK
		CENTERLINE
		FIRE LANE
		TREELINE
		SIGN
	R @ 9.0'	PRKG. COUNT- REGULAR
	HC @ 9.0	PRKG. COUNT - HC
	⊥ @ 9.0'	PRKG. COUNT- LARGE
		TRAFFIC FLOW ARROWS
		HC SYMBOL
		ADA RAMP
		ADA ROUTE
		BICYCLE PARKING
		BOLLARDS
		WHEEL STOPS
		LIGHT POLE
		RETAINING WALL
		FENCE W/ TYPE
		STORM
		STORM PIPE
		GRATE INLET
		CURB INLET
		SANITARY SEWER
		WASTEWATER & MANHOLE
		CLEAN-OUT
		FORCE MAIN
		WATER DISTRIBUTION
		WATER MAIN
		IRRIGATION LINE
		FIRE HYDRANT
		FIRE DEPT. CONNECTION
		METER BOX
		WATER FITTINGS & BENDS
		GATE VALVE & REDUCER
		POWER, GAS, TV
		ELECTRIC
		ELEC. MANHOLE & METER
		TELEPHONE
		TELEPHONE RISER
		CABLE
		CABLE TV RISER
		FIBER OPTIC
		UTILITY POLE & GUY WIRE
		LIGHT POLE
		GAS LINE
		GAS VALVE & METER
		TREE
		TREE TO BE REMOVED
		TREE TO BE SAVED

CONTACTS

DEVELOPER:
THE JENKINS ORGANIZATION
2900 S. CONGRESS AVE. SUITE 204
AUSTIN, TEXAS 78704

KYLE JENKINS
512.448.9551

ENGINEER:
M3 ENGINEERING
2593 S. GESSNER ROAD, SUITE 13
HOUSTON, TEXAS 77063

TROY MOORE, P.E
512.820.3265

ARCHITECT:
DAVID BACA STUDIO
100 N. TRAVIS S.T. SUITE 500A
SHERMAN, TEXAS TBD

DAVID BACA, AIA
903.893.5800

RESPONSIBILITY NOTE

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

BENCHMARKS

BENCHMARKS: CITY OF ROCKWALL., TEXAS - CONTROL MONUMENTATION

- MON. R005-1 N: 7023593.76795, E: 2594175.58258, ELEVATION: 578.6314. RESET CONCRETE MONUMENT W BRASS CAP LOCATED IN MEDIAN OF SUMMIT RIDGE DRIVE INTERSECTING F.M. HWY. No. 740.
- MON. R007 N: 7013837.484, E: 2595453.327, ELEVATION: 566.223. BEING LOCATED ON THE EAST SIDE OF INTERSECTION I-30 SOUTH SERVICE ROAD & MIMS ROAD.

30% CONSTRUCTION PLANS

DESIGN PROFESSIONAL
imagine | design | build

M3 ENGINEERING
2593 S. GESSNER RD, SUITE 13
HOUSTON, TEXAS 77063
PH: 512.820.3265
FIRM #18863
www.M3engineering.com
CIVIL ENGINEERING | BUILDING DESIGN
CONSTRUCTION MANAGEMENT

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THE JENKINS ORGANIZATION

ISSUE/REVISION RECORD

PROJECT NAME
ROCKWALL STORAGE

2200 RIDGE ROAD
ROCKWALL, TEXAS 75087

MAP GRID # TBD
MAPSCO # TBD

PROJECT NUMBER
18003

DRAWING FILE
18003-SITE.DWG

SCALE 1" = 30'
30 0 15 30

PROFESSIONAL SEAL

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF TROY L. MOORE III #119326 ON THE DATE SHOWN ON THE DATE STAMP. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

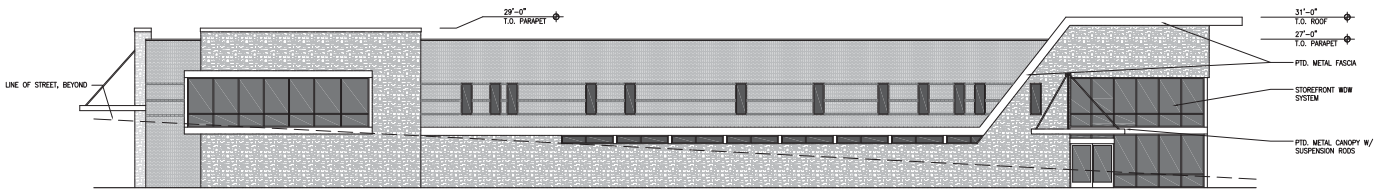
PROJECT STATUS
30% CONSTRUCTION DRAWINGS

SHEET TITLE
MASTER SITE PLAN

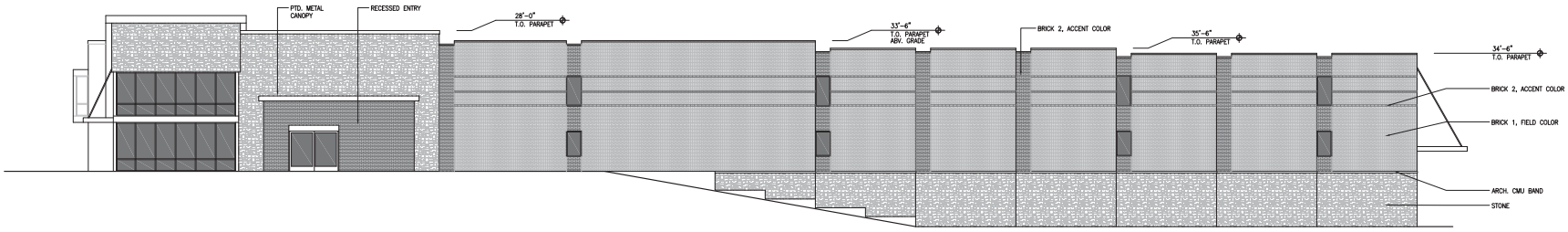
SHEET NUMBER
8 of 20

TBD

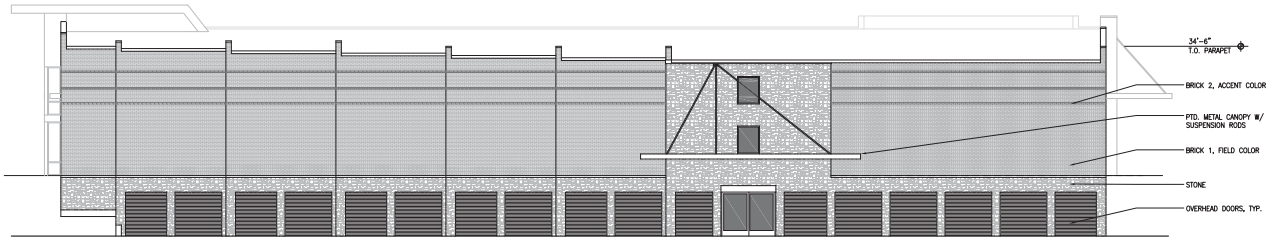
30% CONSTRUCTION PLANS



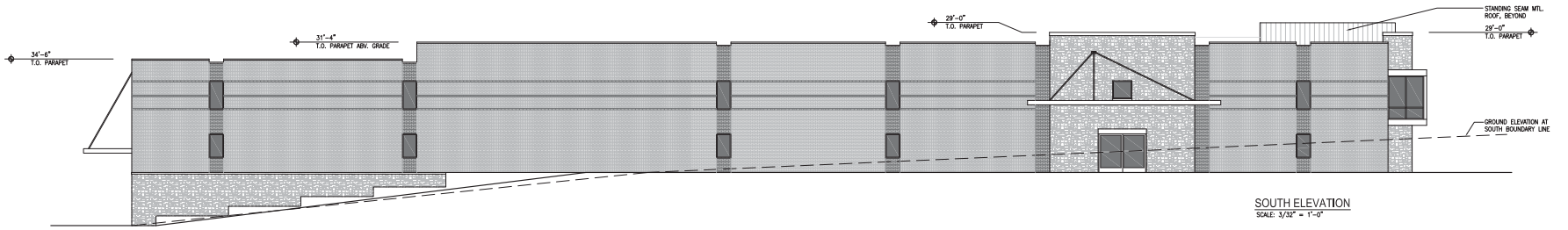
FRONT ELEVATION (RIDGE ROAD)
SCALE: 3/32" = 1'-0"



NORTH ELEVATION
SCALE: 3/32" = 1'-0"



WEST ELEVATION (REAR)
SCALE: 3/32" = 1'-0"



SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

davidbaca STUDIO
100 NORTH TRAVIS STREET
SUITE NO.500A
SHERMAN, TEXAS 75090
903 893 5800
www.davidbacastudio.com

SCHEMATIC DESIGN REVIEW
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

REVISIONS

NO.	DESCRIPTION	DATE

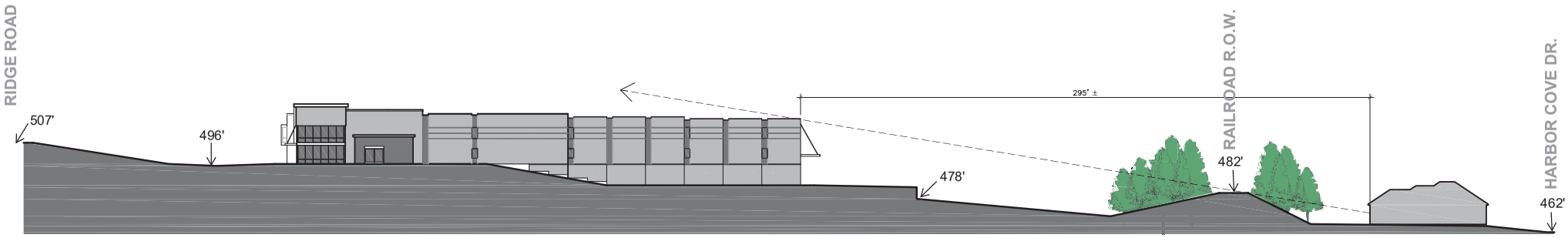
Lakeview Storage
A new facility for The Jenkins Organization
Ridge Road, Rockwall, Texas

PROJECT NUMBER
1830
DATE
11.13.18
SHEET NUMBER
SUP-1

exterior elevations

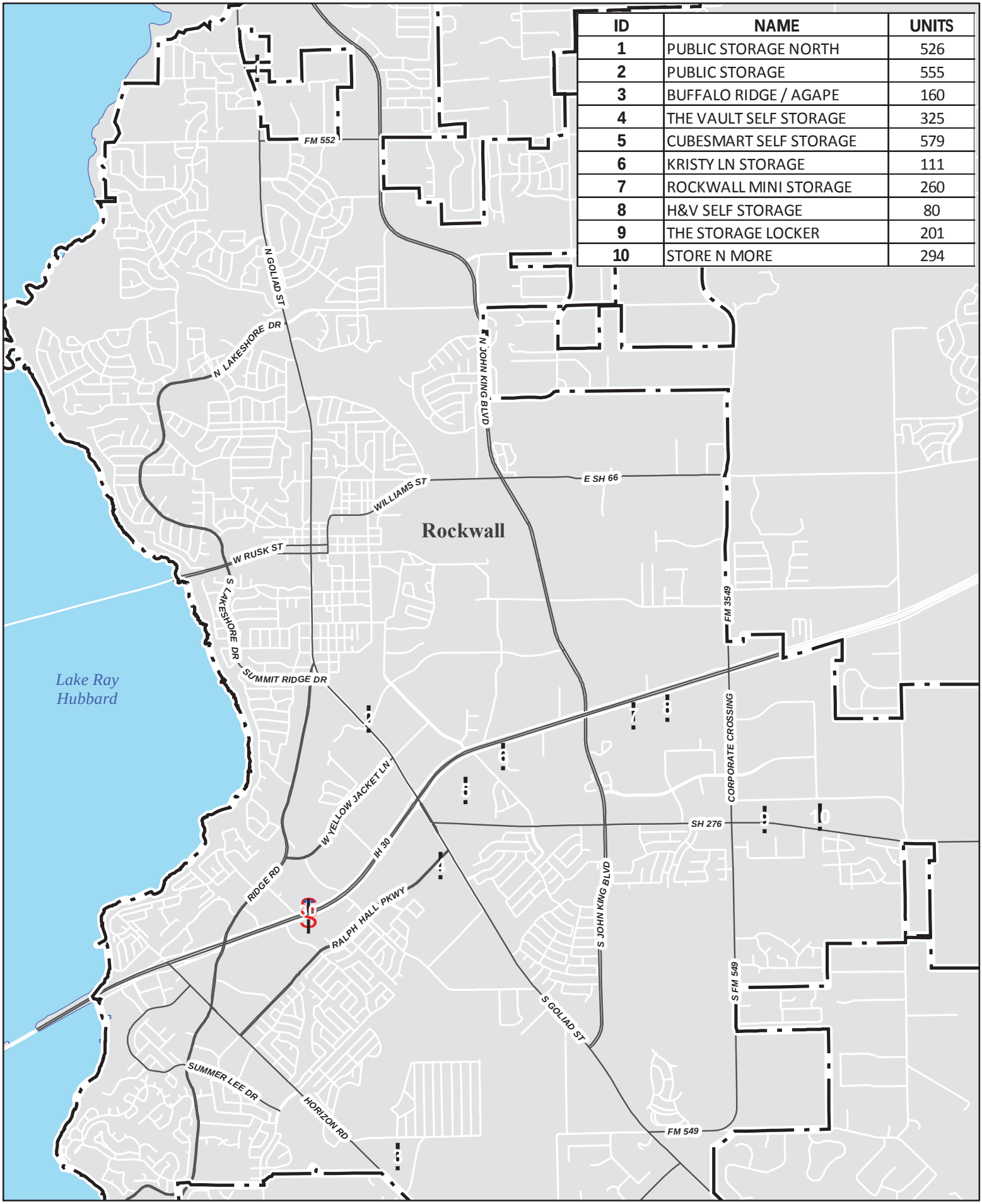
127


LAKEVIEW storage



SITE LINE STUDY

129



ID	NAME	UNITS
1	PUBLIC STORAGE NORTH	526
2	PUBLIC STORAGE	555
3	BUFFALO RIDGE / AGAPE	160
4	THE VAULT SELF STORAGE	325
5	CUBESMART SELF STORAGE	579
6	KRISTY LN STORAGE	111
7	ROCKWALL MINI STORAGE	260
8	H&V SELF STORAGE	80
9	THE STORAGE LOCKER	201
10	STORE N MORE	294

City of Rockwall

0 1,000 2,000 Feet

1 inch = 3,768 feet
Date: 6/21/2018

130

MINI-STORAGE FACILITY LOCATIONS

SHEET SIZE: 11X17

EXHIBIT A

BEING a 2.595 acre tract of land situated in the E.P. Gaines Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas and being a part of Lot 1, Block A, Sky Ridge Addition, an addition to the City of Rockwall, recorded in Volume J, Page 243, Map Records, Rockwall County, Texas, and this tract being more particularly described as follows:

BEGINNING at a point for corner at the south corner of said Lot 1, Block A, Sky Ridge Addition, said corner being in the northeast boundary line of Lot 1, Block A, Hudspeth Addition, an addition to the City of Rockwall, as recorded in Cabinet B, Slide 6, Plat Records, Rockwall, Texas and in the northwest right–of–way line of Farm to Market Road 740 (Ridge Road), a variable width right–of–way from which a TXDOT Monument with an Aluminum Disk found for reference bears South 57 degrees 23 minutes 15 seconds West, a distance of 0.23 feet;

THENCE, North 46 degrees 22 minutes 15 seconds West, along the common boundary line of said Lot 1, Block A, Hudspeth Addition and said Lot 1, Block A, Sky Ridge Addition, a distance of 548.61 feet to a 1/2–inch iron rod found for the west corner of said Lot 1, Block A, Sky Ridge Addition and the north corner of said Lot 1, Block A, Hudspeth Addition, said corner being in the southeast right–of–way line of the Union Pacific Railroad, a 100 ft. right–of–way;

THENCE North 43 degrees 40 minutes 54 seconds East, along the common line of said Railroad and said Lot 1, Block A, Sky Ridge Addition, a distance of 17.68 feet to a point for corner at the beginning of a non–tangent curve to the left having a radius of 5449.50 feet, and a chord which bears North 49 degrees 39 minutes 04 seconds East, a distance of 65.76 feet;

THENCE Northeasterly, along the common line of said Railroad and Lot 1, Block A, Sky Ridge Addition, and with said curve to the left, through a central angle of 00 degrees 41 minutes 29 seconds, an arc distance of 65.76 feet to a point for corner from which a 5/8-inch iron rod with a yellow plastic cap, stamped "RPLS 3963", set for reference, bears South 86 degrees 26 minutes 38 seconds East, a distance of 20.00 feet;

THENCE Southeasterly, traversing across said Lot 1, Block A, Sky Ridge Addition, the following courses:

South 86 degrees 26 minutes 38 seconds East, a distance of 86.16 feet to a 5/8–inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner;

South 81 degrees 33 minutes 11 seconds East, a distance of 129.76 feet to a 5/8–inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner;

North 85 degrees 43 minutes 25 seconds East, a distance of 61.14 feet a 5/8–inch iron rod with yellow plastic cap stamped "RPLS 3963", set for corner;

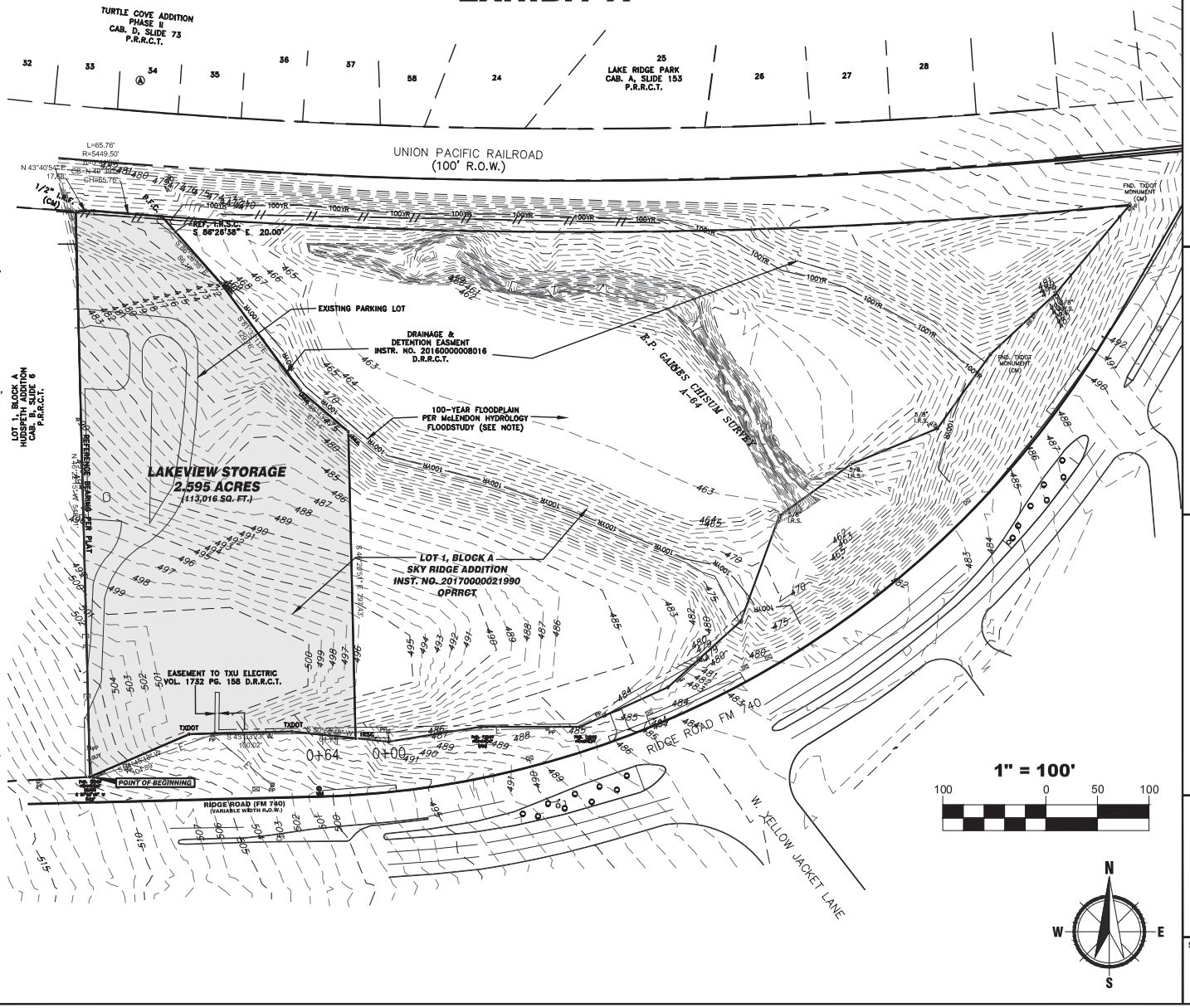
South 46 degrees 20 minutes 51 seconds East, a distance of 297.43 feet a 5/8–inch iron rod with yellow plastic cap stamped "RPLS 3963", set for corner in the northwest line of said FM 740 and the southeast line of said Lot 1, Block A, Sky Ridge Addition;

THENCE Southwesterly, along the common line of said FM 740 and said Lot 1, Block A, Sky Ridge addition, the following courses:

South 50 degrees 59 minutes 46 seconds West, a distance of 61.71 feet to a TXDOT Monument with an Aluminum Disk found for corner;

South 43 degrees 33 minutes 23 seconds West, a distance of 100.02 feet to a point for corner from which a TXDOT Monument with an Aluminum Disk found for reference bears South 12 degrees 53 minutes 00 seconds West, a distance of 0.14 feet;

South 21 degrees 45 minutes 18 seconds West, a distance of 104.89 feet to the POINT OF BEGINNING AND CONTAINING 113,016 square feet or 2.595 acres of land.



M3 ENGINEERING
2503 S. GESSNER RD. SUITE 13
HOUSTON, TX 77063
PH: 512.826.3265
FIRM #18863
www.m3engineering.com

DATE: 20/11/2018

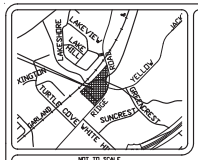
EXHIBIT A SUP
BOUNDARY EXHIBIT

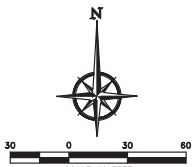
LAKEVIEW STORAGE

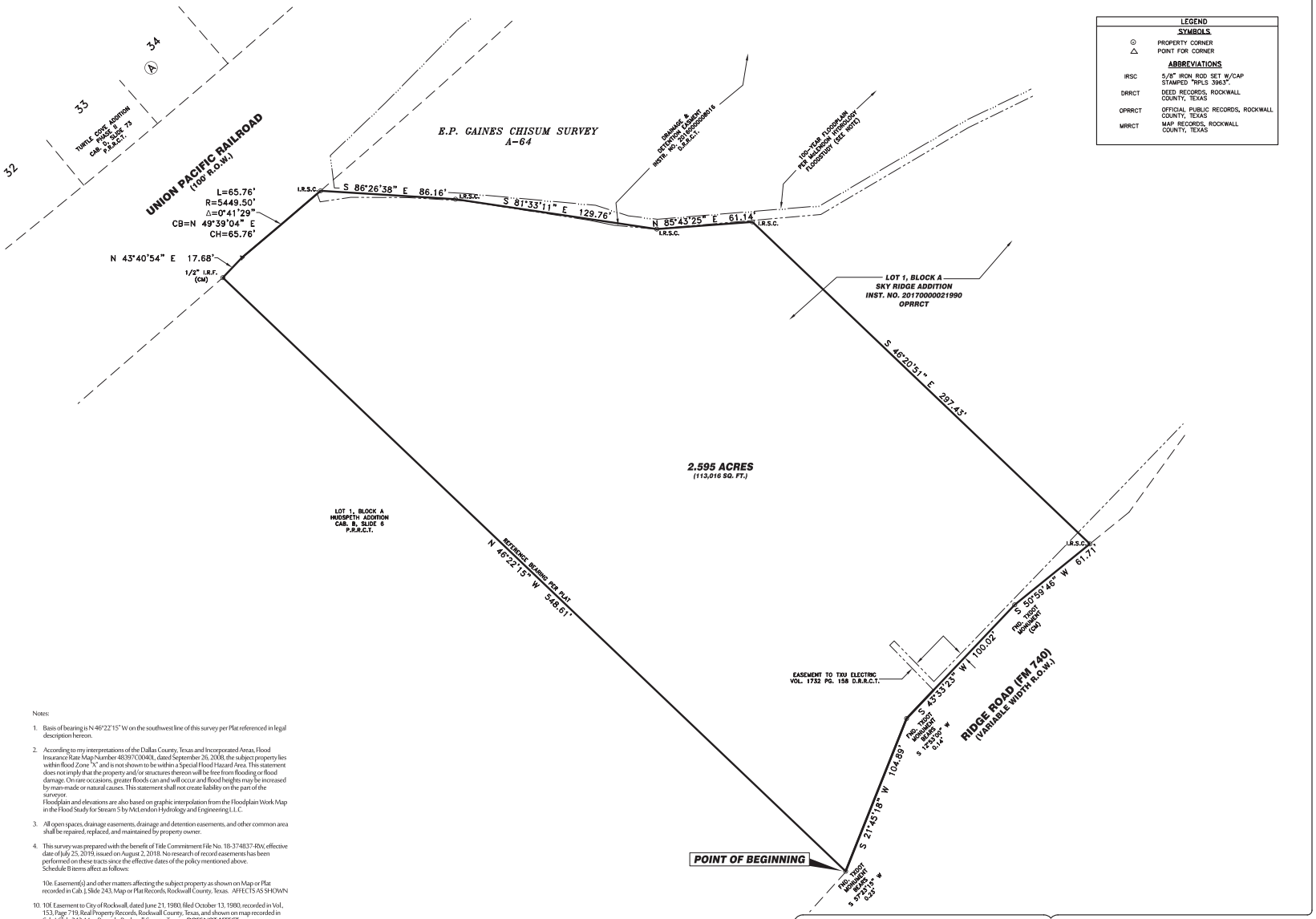
THE JENKINS ORGANIZATION

DRAWN BY: TLM
FILE: 18003-SITE SUP.DWG
SCALE: 1" = 100'
PROJECT No. 18003

SHEET
A







LEGEND	
SYMBOLS	
⊙	PROPERTY CORNER
△	POINT FOR CORNER
ABBREVIATIONS	
IRSC	5/8" IRON ROD SET W/CAP STAMPED "RPLS 3963".
DRRCT	DEED RECORDS, ROCKWALL COUNTY, TEXAS
OPRRCT	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
MRRCT	MAP RECORDS, ROCKWALL COUNTY, TEXAS

BEING a 2.595 acre tract of land situated in the E.P. Gaines Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas and being a part of Lot 1, Block A, Sky Ridge Addition, an addition to the City of Rockwall, recorded in Volume J, Page 243, Map Records, Rockwall County, Texas, and this tract being more particularly described as follows:

BEGINNING at a point for corner at the south corner of said Lot 1, Block A, Sky Ridge Addition, said corner being in the northeast boundary line of Lot 1, Block A, Hudspeth Addition, an addition to the City of Rockwall, as recorded in Cabinet B, Slide 6, Plat Records, Rockwall, Texas and in the northwest right-of-way line of Farm to Market Road 740 (Ridge Road), a variable width right-of-way from which a TXDOT Monument with an Aluminum Disk found for reference bears South 57 degrees 23 minutes 15 seconds West, a distance of 0.23 feet;

THENCE, North 46 degrees 22 minutes 15 seconds West, along the common boundary line of said Lot 1, Block A, Hudspeth Addition and said Lot 1, Block A, Sky Ridge Addition, a distance of 548.61 feet to a 1/2-inch iron rod found for the west corner of said Lot 1, Block A, Sky Ridge Addition and the north corner of said Lot 1, Block A, Hudspeth Addition, said corner being in the southeast right-of-way line of the Union Pacific Railroad, a 100 ft. right-of-way;

THENCE North 43 degrees 40 minutes 54 seconds East, along the common line of said Railroad and said Lot 1, Block A, Sky Ridge Addition, a distance of 17.68 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 5449.50 feet, and a chord which bears North 49 degrees 39 minutes 04 seconds East, a distance of 65.76 feet;

THENCE Northeasterly, along the common line of said Railroad and Lot 1, Block A, Sky Ridge Addition, and with said curve to the left, through a central angle of 00 degrees 41 minutes 29 seconds, an arc distance of 65.76 feet to a 5/8-inch iron rod with a yellow plastic cap, stamped "RPLS 3963", set for corner;

THENCE Southeasterly, traversing across said Lot 1, Block A, Sky Ridge Addition, the following courses:

South 86 degrees 26 minutes 38 seconds East, a distance of 86.16 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner;

South 81 degrees 33 minutes 11 seconds East, a distance of 129.76 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner;

North 85 degrees 43 minutes 25 seconds East, a distance of 61.14 feet a 5/8-inch iron rod with yellow plastic cap stamped "RPLS 3963", set for corner;

South 46 degrees 20 minutes 51 seconds East, a distance of 297.43 feet a 5/8-inch iron rod with yellow plastic cap stamped "RPLS 3963", set for corner in the northwest line of said FM 740 and the southeast line of said Lot 1, Block A, Sky Ridge Addition;

THENCE Southwesterly, along the common line of said FM 740 and said Lot 1, Block A, Sky Ridge addition, the following courses:

South 50 degrees 59 minutes 46 seconds West, a distance of 61.71 feet to a TXDOT Monument with an Aluminum Disk found for corner;

South 43 degrees 33 minutes 23 seconds West, a distance of 100.02 feet to a point for corner from which a TXDOT Monument with an Aluminum Disk found for reference bears South 12 degrees 53 minutes 00 seconds West, a distance of 0.14 feet;

South 21 degrees 45 minutes 18 seconds West, a distance of 104.89 feet to the POINT OF BEGINNING AND CONTAINING 113,016 square feet or 2.595 acres of land.

Notes:

1. Basis of bearing is N 46°22'15" W on the southwest line of this survey per Plat referenced in legal description hereon.
2. According to my interpretations of the Dallas County, Texas and Incorporated Areas, Flood Insurance Rate Map Number 48397C0040L, dated September 26, 2008, the subject property lies within flood Zone "X" and is not shown to be within a Special Flood Hazard Area. This statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the surveyor.
   Floodplain and elevations are also based on graphic interpolation from the Floodplain Work Map in the Flood Study for Stream 5 by McLendon Hydrology and Engineering L.L.C.
3. All open spaces, drainage easements, drainage and detention easements, and other common area shall be repaired, replaced, and maintained by property owner.
4. This survey was prepared with the benefit of Title Commitment File No. 18-374837-RW, effective date of July 25, 2019, issued on August 2, 2018. No research of record easements has been performed on these tracts since the effective dates of the policy mentioned above. Schedule B items affect as follows:

   10e. Easement(s) and other matters affecting the subject property as shown on Map or Plat recorded in Cab. J, Slide 243, Map or Plat Records, Rockwall County, Texas. AFFECTS AS SHOWN

10. 10f. Easement to City of Rockwall, dated June 21, 1980, filed October 13, 1980, recorded in Vol., 153, Page 718, Real Property Records, Rockwall County, Texas, and shown on map recorded in Cab. J, Slide 243, Map Records, Rockwall County, Texas. **DOES NOT AFFECT**

    10g. Easement to Texas Utilities Electric Company, dated September 9, 1999, filed October 12, 1999, recorded in Vol., 1732, Paged 158, Real Property Records, Rockwall County, Texas. **AFFECTS AS SHOWN**

10. 10h. Easement to City of Rockwall, dated May 17, 2016, filed May 17, 2016, recorded as Clerk's No. 20160000008016, Real Property Records, Rockwall County, Texas, and shown on map recorded in Cab. J, Slide 243, Map Records, Rockwall County, Texas. **AFFECTS AS SHOWN**

I, Robert C. Myers, Registered Professional Land Surveyor, do hereby certify that this plat represents the results of a survey made on the ground under my supervision during the month of September, 2018, and substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey. FIELD WORK WAS COMPLETED ON 09-11-18.

PRELIMINARY- FOR REVIEW ONLY
NOT TO BE RECORDED FOR ANY PURPOSE
RELEASED 9-12-18

ROBERT C. MYERS R.P.L.S. NO. 3963

STATE OF TEXAS · ROBERT C. MYERS · 3963 · REGISTERED PROFESSIONAL LAND SURVEYOR

R.C. MYERS SURVEYING, LLC
"Registered Professional Land Surveyors"
488 ARROYO COURT SUNNYVALE, TEXAS 75182
(214) 532-0636 Voice
Firm No. 10192300
Robert "Calvin" Myers, RPLS 3963
rcmsurveying@gmail.com

Client: The Jenkins Organization, Inc.			
Job No.: 377B	Drawn by: MZG	Date: 09-12-18	Revised:

LAND TITLE SURVEY
OF
2.595 ACRES
OUT OF
LOT 1, BLOCK A,
SKY RIDGE ADDITION
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS

132

2.595 ACRES (DWG)

BEING a 2.595 acre tract of land situated in the E.P. Gaines Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas and being a part of Lot 1, Block A, Sky Ridge Addition, an addition to the City of Rockwall, recorded in Volume J, Page 243, Map Records, Rockwall County, Texas, and this tract being more particularly described as follows:

BEGINNING at a point for corner at the south corner of said Lot 1, Block A, Sky Ridge Addition, said corner being in the northeast boundary line of Lot 1, Block A, Hudspeth Addition, an addition to the City of Rockwall, as recorded in Cabinet B, Slide 6, Plat Records, Rockwall, Texas and in the northwest right-of-way line of Farm to Market Road 740 (Ridge Road), a variable width right-of-way from which a TXDOT Monument with an Aluminum Disk found for reference bears South 57 degrees 23 minutes 15 seconds West, a distance of 0.23 feet;

THENCE, North 46 degrees 22 minutes 15 seconds West, along the common boundary line of said Lot 1, Block A, Hudspeth Addition and said Lot 1, Block A, Sky Ridge Addition, a distance of 548.61 feet to a 1/2-inch iron rod found for the west corner of said Lot 1, Block A, Sky Ridge Addition and the north corner of said Lot 1, Block A, Hudspeth Addition, said corner being in the southeast right-of-way line of the Union Pacific Railroad, a 100 ft. right-of-way;

THENCE North 43 degrees 40 minutes 54 seconds East, along the common line of said Railroad and said Lot 1, Block A, Sky Ridge Addition, a distance of 17.68 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 5449.50 feet, and a chord which bears North 49 degrees 39 minutes 04 seconds East, a distance of 65.76 feet;

THENCE Northeasterly, along the common line of said Railroad and Lot 1, Block A, Sky Ridge Addition, and with said curve to the left, through a central angle of 00 degrees 41 minutes 29 seconds, an arc distance of 65.76 feet to a point for corner from which a 5/8-inch iron rod with a yellow plastic cap, stamped “RPLS 3963”, set for reference, bears South 86 degrees 26 minutes 38 seconds East, a distance of 20.00 feet;

THENCE Southeasterly, traversing across said Lot 1, Block A, Sky Ridge Addition, the following courses:

South 86 degrees 26 minutes 38 seconds East, a distance of 86.16 feet to a 5/8-inch iron rod with a yellow plastic cap stamped “RPLS 3963”, set for corner;

South 81 degrees 33 minutes 11 seconds East, a distance of 129.76 feet to a 5/8-inch iron rod with a yellow plastic cap stamped “RPLS 3963”, set for corner;

North 85 degrees 43 minutes 25 seconds East, a distance of 61.14 feet a 5/8-inch iron rod with yellow plastic cap stamped “RPLS 3963”, set for corner;

South 46 degrees 20 minutes 51 seconds East, a distance of 297.43 feet a 5/8-inch iron rod with yellow plastic cap stamped “RPLS 3963”, set for corner in the northwest line of said FM 740 and the southeast line of said Lot 1, Block A, Sky Ridge Addition;

THENCE Southwesterly, along the common line of said FM 740 and said Lot 1, Block A, Sky Ridge addition, the following courses:

South 50 degrees 59 minutes 46 seconds West, a distance of 61.71 feet to a TXDOT Monument with an Aluminum Disk found for corner;

South 43 degrees 33 minutes 23 seconds West, a distance of 100.02 feet to a point for corner from which a TXDOT Monument with an Aluminum Disk found for reference bears South 12 degrees 53 minutes 00 seconds West, a distance of 0.14 feet;

South 21 degrees 45 minutes 18 seconds West, a distance of 104.89 feet to the POINT OF BEGINNING AND CONTAINING 113,016 square feet or 2.595 acres of land.

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A MINI-WAREHOUSE FACILITY IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 2.595-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF LOT 1, BLOCK A, SKY RIDGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky for the approval of a Specific Use Permit (SUP) to allow a *mini-warehouse facility* in a Commercial (C) District on a 2.595-acre tract of land being described as a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, and being more specifically depicted in *Exhibit 'A'* and described in *Exhibit 'B'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *mini-warehouse facility* within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in Subsection 2.1.10*, Wholesale, Distribution, and Storage,* of Section 2, *Use Standards*, of Article IV, *Permissible Uses, and* Subsection 4.5*, Commercial (C) District,* of Section 4, *Commercial District and* Subsection 6.8, *Scenic Overlay (SOV) District*, of Section 6, *Overlay Districts* of Article V, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*], as

DRAFT ORDINANCE 01.07.19

heretofore amended and as may be amended in the future, and shall be subject to the following operational conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions shall pertain to the operation of a *mini-warehouse facility* on the subject property, and conformance to these operations is required for continued operation:

1) The development shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.

2) The building elevations shall generally conform to the *Concept Building Elevations* depicted in *Exhibit 'C'* of this ordinance.

3) The maximum number of storage units provided shall not exceed 400 units for the facility.

4) The maximum number of floors is limited to three (3) stories.

5) The mini-warehouse facility shall not be greater than 36-feet in height.

6) No outside storage of any kind shall be allowed (*including the outside storage of boats, recreational vehicles, trailers, and motor or self-propelled vehicles*).

7) Businesses shall not be allowed to operate within individual storage units.

8) The commercial operation of rental trucks and trailers shall be prohibited.

9) The developer shall maintain the treeline adjacent to the northwest property line.

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

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

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

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

DRAFT ORDINANCE 01-15-2019

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF FEBRUARY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

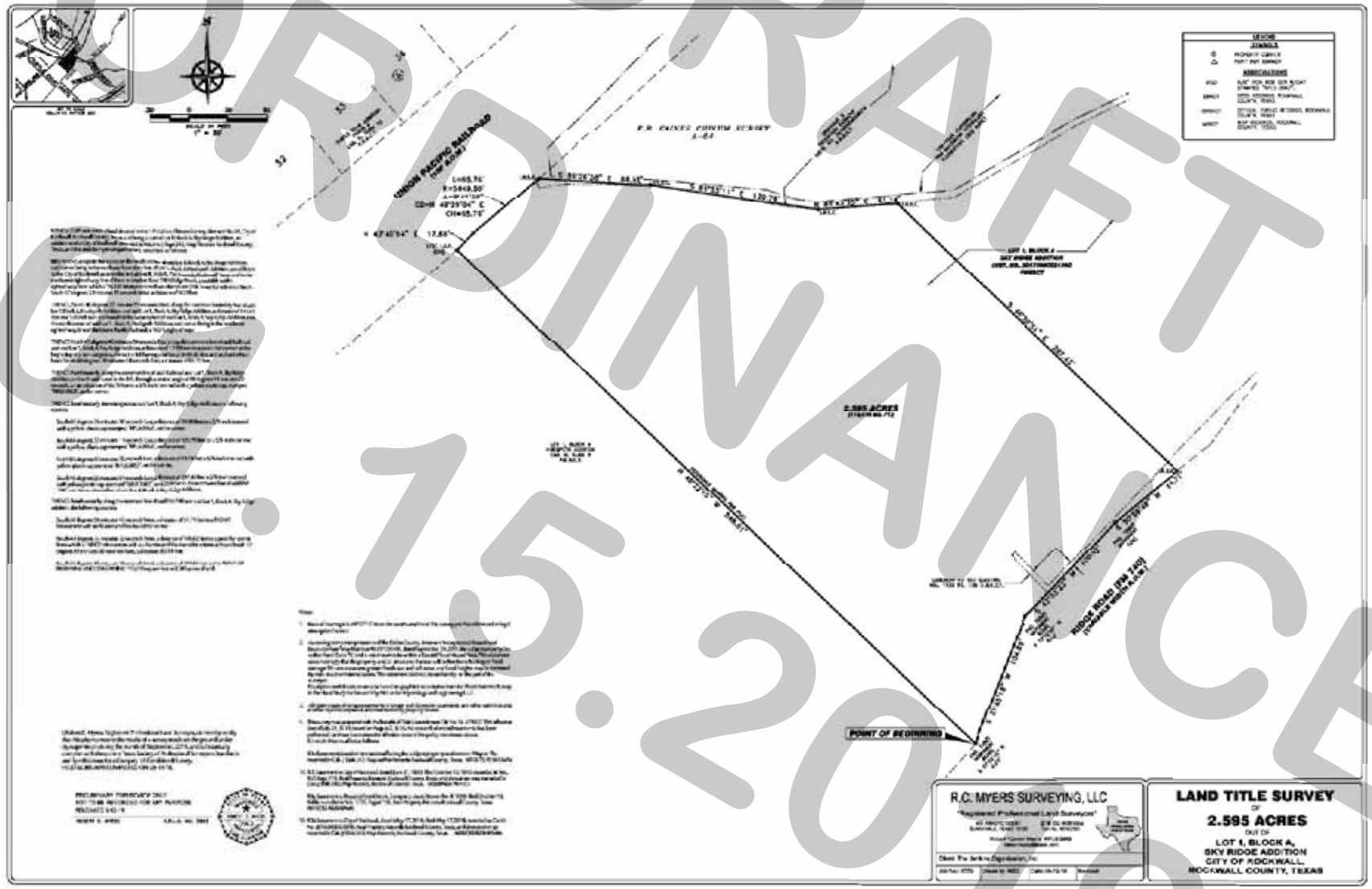
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *January 22, 2019*

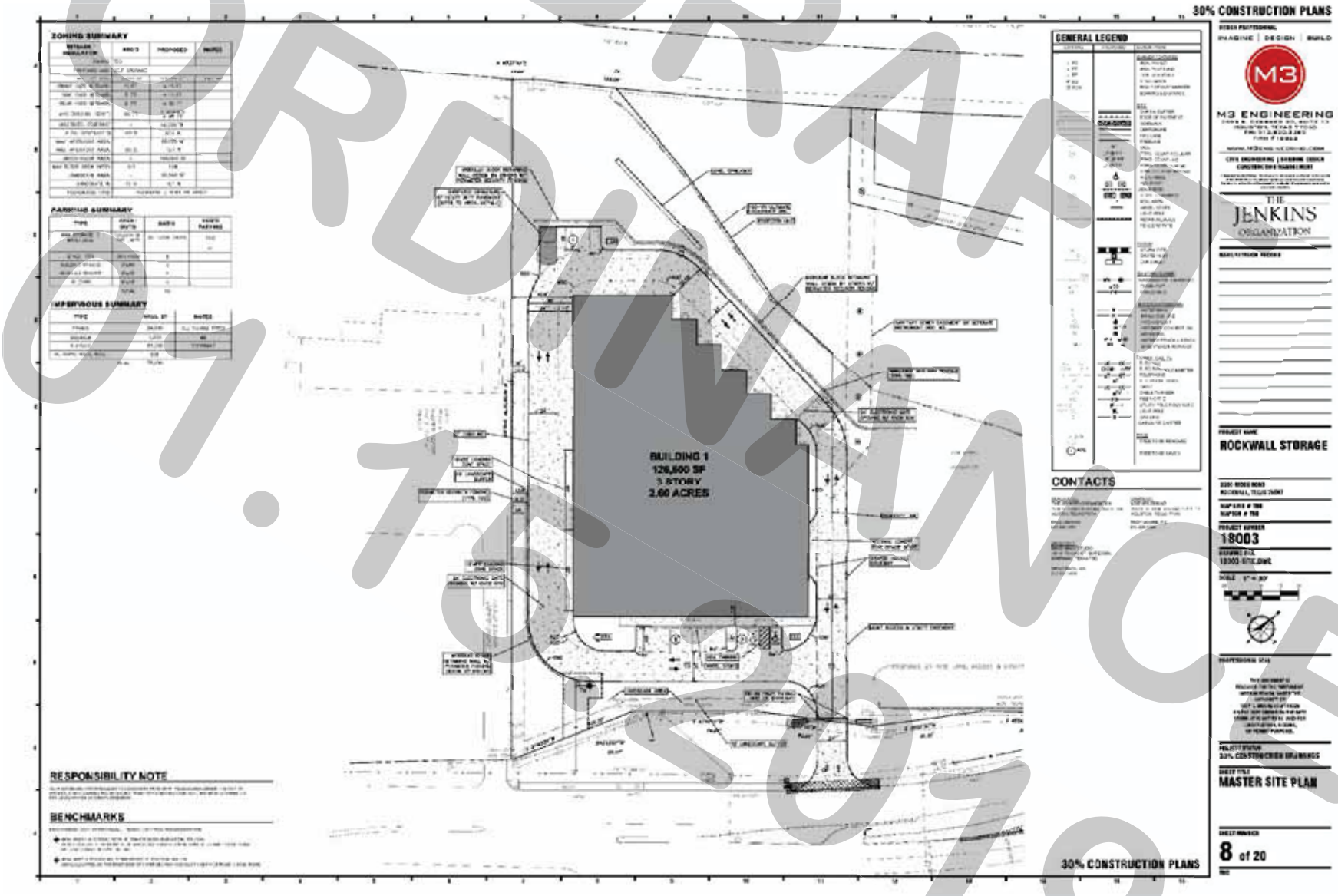
2nd Reading: *February 4, 2019*

DRAFT ORDINANCE 01.15.2019



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01-2019

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Bill Bricker, *Columbia Development Company, LLC*

AGENDA ITEM: **Z2018-057**; *Amendment to Planned Development 59 (PD-59)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

PURPOSE & BACKGROUND:

The subject property is a 0.786-acre tract of land that is located between Washington Street and T. L. Townsend Drive and is currently part of Planned Development District 52 (PD-52) for Heavy Commercial (HC) District land uses. The tract of land is currently vacant and is adjacent to Planned Development District 59 (PD-59). The applicant is requesting the approval of an amendment to Planned Development District 59 (PD-59) to incorporate the subject property and designate it for Residential-Office (RO) District land uses.

On October 18, 2004, the City Council passed *Ordinance No. 04-59*, establishing Planned Development District 59 (PD-59) as the Park Place Subdivision. In its current configuration, Park Place consists of the following Phases: [1] Phase 1, which is zoned for Neighborhood Services (NS) District land uses; [2] Phase 2, which is zoned for Single-Family 7 (SF-7) District land uses; and [3] Phase 3, which is zoned for Single-Family 7 (SF-7) and Residential-Office (RO) District (*i.e. live/work*) land uses. The applicant is proposing to establish Phase 4 by incorporating the subject property for Residential-Office (RO) District land uses and removing the Residential-Office (RO) District land uses from Phase 3 (*i.e. Phase 3 will only allow SF-7 land uses*). A concept plan has been submitted showing that the new Phase will be adjacent to the western boundary of Phase 3 and will consist of five (5) additional lots accessible via Park Place Boulevard. One (1) of the lots currently exists in Phase 3.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a vacant tract of land within the Park Place Subdivision followed by several single-family homes. These areas are zoned Planned Development District 52 (PD-52) for Heavy Commercial (HC) District land uses, Single-Family 7 (SF-7) District, and Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses.

South: Directly south of the subject property is a railroad (*i.e. Union Pacific/Dallas Garland N. E.*) followed by several vacant tracts of land and the Rockwall County maintenance facility.

Beyond this is Whitmore Drive and two (2) commercial businesses (*i.e. Ensearch Bail Bonds and Back Street Salon*). These areas are zoned Commercial (C) District and Light Industrial (LI) District.

East: Directly east of the subject property are several single-family homes within the Park Place Subdivision followed by a horizontal mixed-use development containing residential, retail/office, and industrial land uses (*i.e. Park Station*) that is currently in the development phase. These areas are zoned Planned Development District 59 (PD-59) and Planned Development District 87 (PD-87).

West: Directly west of the subject property is Townsend Drive, which is identified as an M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. This is followed by the RSID bus barn. Beyond this are metal buildings followed by several single-family homes. These areas are zoned Planned Development District 52 (PD-52) for Heavy Commercial (HC) District land uses and Single-Family 7 (SF-7) District.

CHARACTERISTICS OF THE REQUEST:

The applicant has submitted a concept plan and development standards for the existing and proposed Phases of the Park Place Subdivision. The characteristics and development standards for each phase are as follows:

Phase 1: Neighborhood Services (1.8-Acres)

Phase 1 is existing and no changes are being proposed. This phase is subject to the Neighborhood Services (NS) District land uses. A summary of the density and dimensional requirements for *Phase 1* is as follows:

Minimum Lot Width [1]	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback [2]	15'
Minimum Side Yard Setback	20'
Minimum Distance Between Buildings	15'
Maximum Height	36'
Minimum Rear Yard Setback	20'
Maximum Lot Coverage	60%
Maximum Building Size	5,000 SF

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

Phases 2 & 3: Single-Family 7 (53.6-Acres)

Phases 2 & 3 are existing and both phases allow single-family land uses; however, Phase 3 also allows Residential-Office (RO) District (*i.e. live/work*) land uses. The applicant is proposing to remove the Residential-Office (RO) District land uses from Phase 3, and transition it to Phase 4. This means that Phase 3 will be subject to the Single-Family 7 (SF-7) District land uses. A summary of the density and dimensional requirements for *Phases 2 & 3* are as follows:

Minimum Lot Width [1]	40'
Minimum Lot Area	4,000 SF
Minimum Average Lot Area	7,000 SF
Minimum Front Yard Setback [2] & [3]	10'
Minimum Side Yard Setback [4]	5'
Minimum Side Yard Adjacent to a Street	10
Minimum Distance Between Buildings	15'

Maximum Height [3]	36’
Minimum Rear Yard Setback [4, 5]	10’
Maximum Lot Coverage	60%

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
[4]: The minimum side yard setback for an internal lot or a lot abutting open space or HOA common area is five (5) feet. For yards abutting a street, the minimum side yard setback shall be 10-feet.
[5]: Lots with double frontage shall have a minimum rear yard setback of 15 feet.

Phase 4 Residential-Office (1.3-Acres)

The proposed Phase 4 will contain approximately five (5) residential-office units and will be designed to a residential scale (*i.e. the buildings will be designed to look like the existing homes within Park Place*). Since the phase will have residential adjacency, the applicant is proposing to prohibit certain uses within Phase 4 (*e.g. assisted living facility, landfill, transit passenger facility, etc.*) and allow other uses (*e.g. general store larger than 2,000 SF, hair salon, office building more than 5,000 SF*) with a Specific Use Permit (SUP). This phase will be subject to the Residential-Office (RO) District land uses with the exception of the uses outlined in the attached ordinance. A summary of the density and dimensional requirements is as follows:

Minimum Lot Width [1]	60’
Minimum Lot Depth	100’
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback [2]	10’
Minimum Side Yard Setback	5’
Minimum Distance Between Buildings	15’
Maximum Height [3]	36’
Minimum Rear Yard Setback	10’
Maximum Lot Coverage	60%

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the residential-office structure.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Plan adopted with the OurHometown Vision 2040 Comprehensive Plan designates the subject property for *Medium-Density Residential* land uses, which is characterized as developments containing greater than 2½ units-per-acre, but not higher than three (3) units-per-acre unless an increased amenity is provided, in which event 3½ units-per-acre can be allowed. Should this request be approved, the designation would need to be changed to *Live/Work* land uses, which is characterized as low-intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties. Although this does not conform to the Future Land Use Plan, given the subject property’s current zoning of Heavy Commercial (HC) District, this request will bring the property closer to conformance with the Future Land Use Plan. The change of designation has been made a condition of approval.

STAFF ANALYSIS:

When looking at the applicant’s request (*i.e. to amend PD-59 to incorporate a tract of land for residential-office land uses*), the live/work units provide a transition from the single-family residential land uses east of the subject property to the light industrial and heavy commercial land uses to the west of the subject property. The incorporation of the subject property as residential-office units seems to be appropriate given its proximity to the adjacent railroad, does not appear to negatively affect the adjacent properties, and will not preclude the properties from being single-family units.

With that being said, approval of this request is discretionary to the City Council, pending a recommendation from the Planning and Zoning Commission.

NOTIFICATION:

On December 28, 2018, staff mailed 194 notices to property owners and occupants within 500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this report was drafted, staff had received seven (7) notices in favor and one (1) notice in opposition of this case.

RECOMMENDATIONS:

Should the City Council choose to approve the applicant's request to amend Planned Development District 59 (PD-59) to incorporate a 0.786-acre tract of land for Residential-Office (RO) District land uses, staff would propose the following conditions of approval:

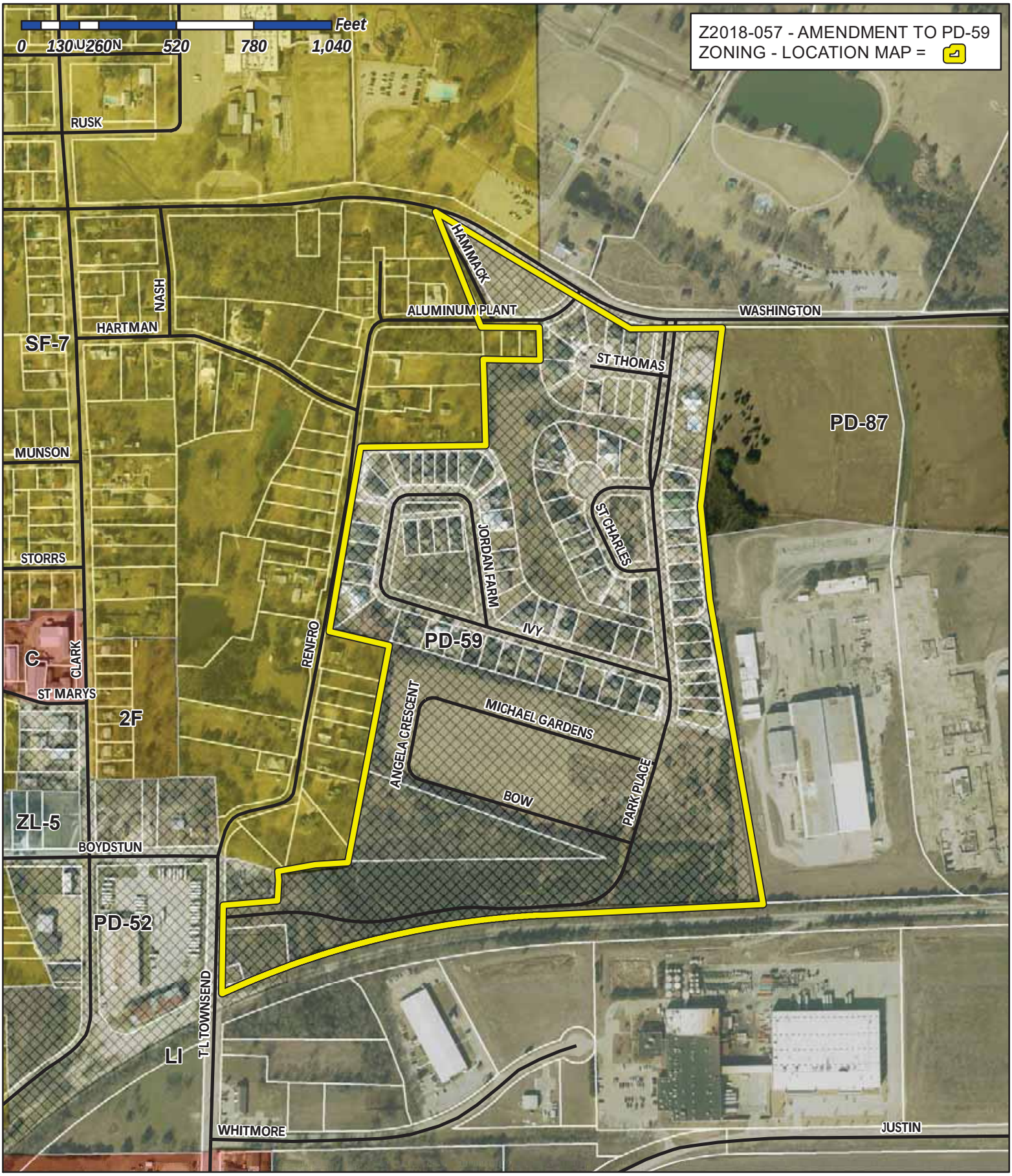
1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Plan. Specifically, this will change the designation of the subject property from a *Medium-Density Residential* designation to a *Live/Work* designation; and

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

PLANNING AND ZONING COMMISSION:

On January 15, 2019, the Planning and Zoning Commission's motion to recommend approval of the amendment to Planned Development 59 (PD-59) with staff recommendations passed by a vote of 7-0.



City of Rockwall

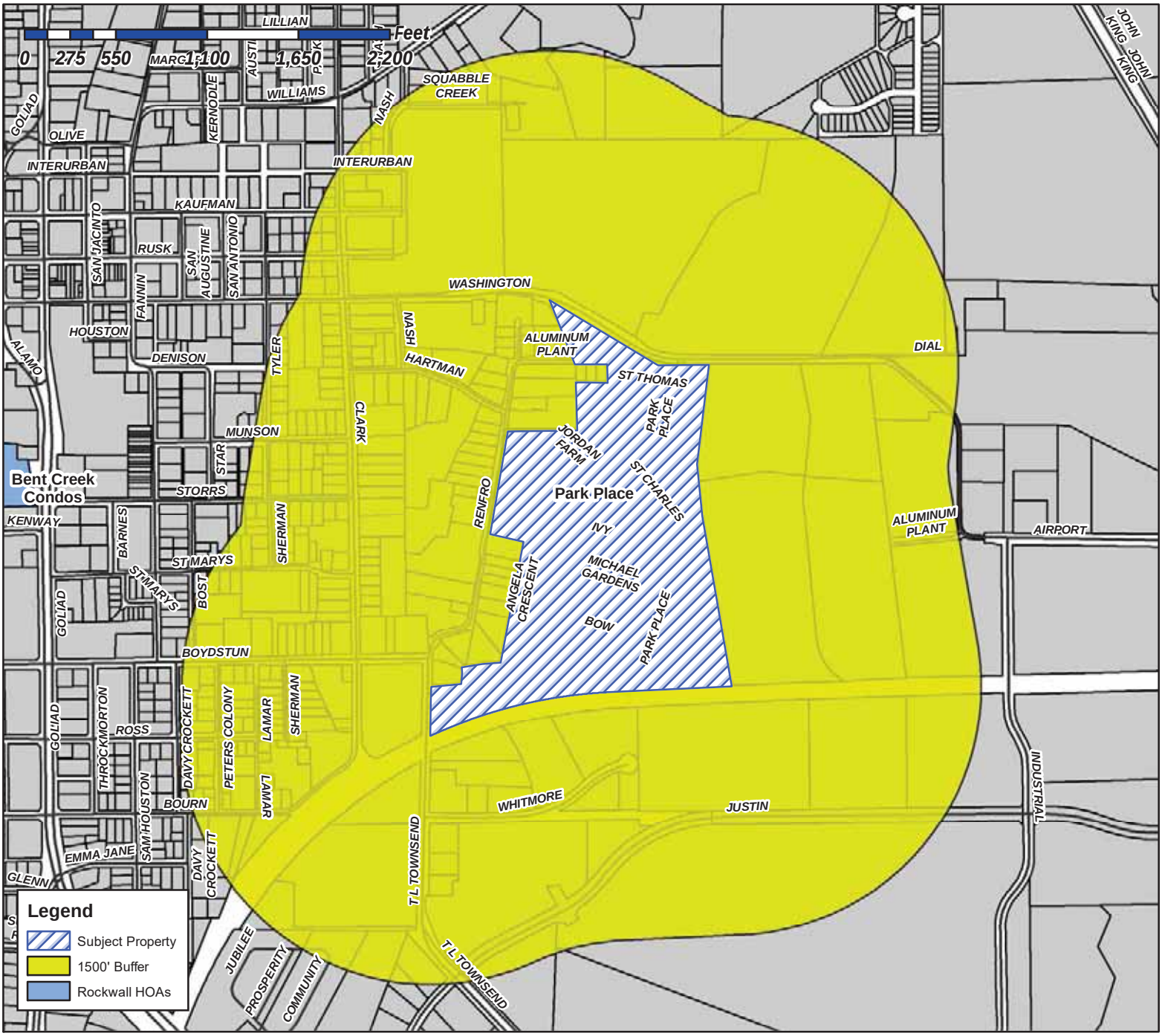
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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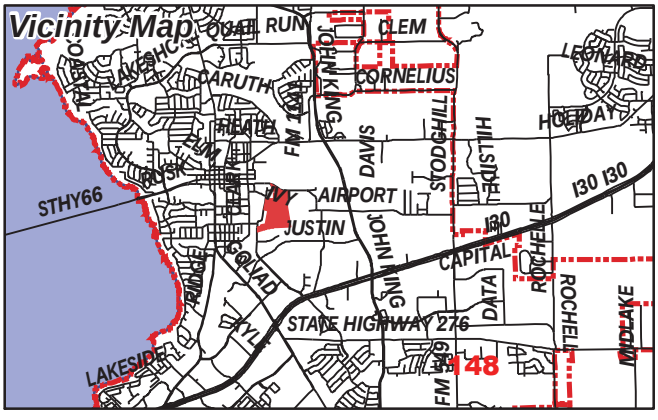
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Case Number: Z2018-057
Case Name: Amendment to PD-59
Case Type: Zoning
Zoning: PD-59 & PD-57
Case Address: Between W. Washington Street and T.L. Townsend Drive

Date Created: ***12/17/2018***

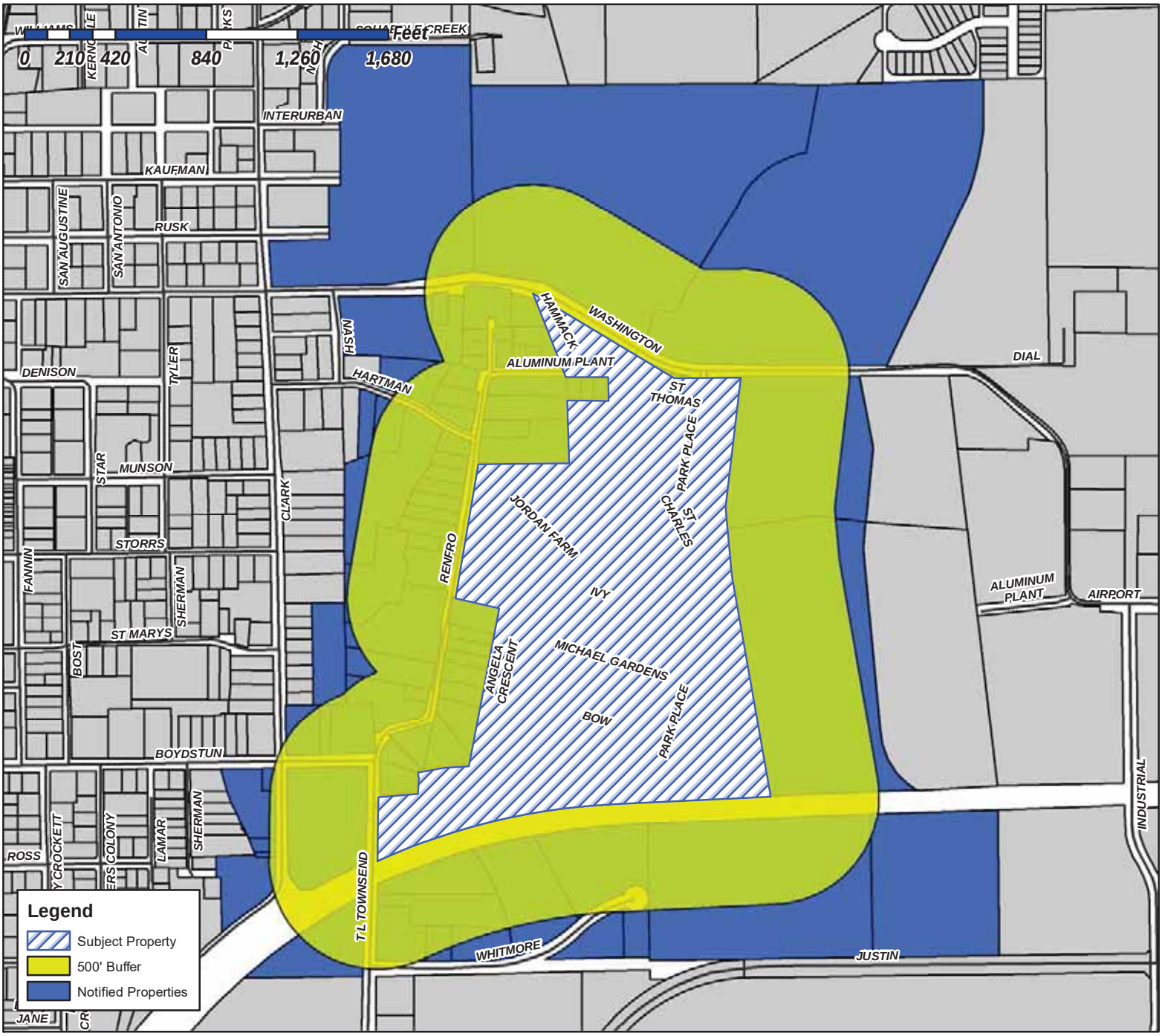
For Questions on this Case Call (972) 771-7745



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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(P): (972) 771-7745
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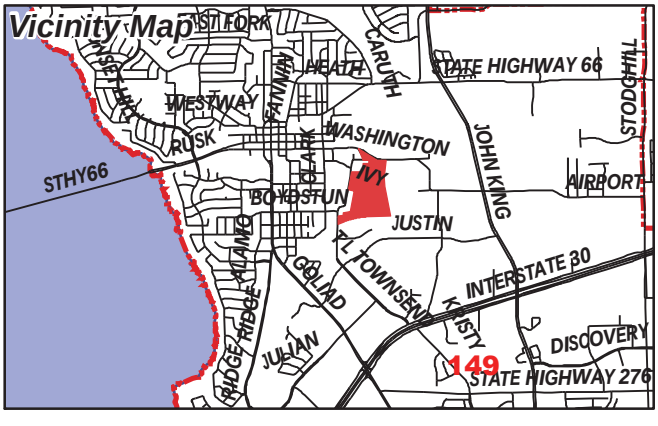
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Case Number: Z2018-057
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For Questions on this Case Call (972) 771-7745



CURRENT RESIDENT
1001 ST CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1002 ST CHARLES CT
ROCKWALL, TX 75087

TENNEY LYNN H III AND CHRISTINE L
1002 IVY LN
ROCKWALL, TX 75087

TROSPER MARK AND GLORIA
1007 ST. CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1008 ST CHARLES CT
ROCKWALL, TX 75087

RIPP KEEGAN & NICOLA
1008 IVY LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1009 IVY LN
ROCKWALL, TX 75087

ROCKWALL COUNTY
C/O COUNTY TREASURER
101 E RUSK ST SUITE 101
ROCKWALL, TX 75087

CURRENT RESIDENT
1014 ST CHARLES CT
ROCKWALL, TX 75087

MOORE BECKY INEZ AND
CYNTHIA ANN HUDDLESTON
1014 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1015 ST CHARLES CT
ROCKWALL, TX 75087

BUCKNER DANA RENEE
1015 IVY LN
ROCKWALL, TX 75087

ARCHER ADAM AND SHAUNA
1020 IVY LANE
ROCKWALL, TX 75087

DAVID DAVID A AND CHRISTINE A
1020 SAINT CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1021 IVY LN
ROCKWALL, TX 75087

LEWIS WANDA C
1023 SAINT THOMAS CT
ROCKWALL, TX 75087

FECHT JARED W & JULIE
1026 IVY LN
ROCKWALL, TX 75087

YOUNG PHIL & KATHY
1026 SAINT CHARLES COURT
ROCKWALL, TX 75087

IVEY BRUCE AND TINA
1026 ST THOMAS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1027 IVY LN
ROCKWALL, TX 75087

FOX DENNIS AND KAREN
1027 ST THOMAS CT
ROCKWALL, TX 75087

BCL REAL ESTATE LLC
103 GROSS RD
MESQUITE, TX 75149

CONFIDENTIAL
1031 SAINT THOMAS COURT
ROCKWALL, TX 75087

JACKSON JOEY W AND ANITA L
1032 IVY LANE
ROCKWALL, TX 75087

FIELDS SHAY AND JONI
1032 ST CHARLES COURT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

JOHNSON RICHARD ERIC AND DIANNA MUNRO
1035 SAINT THOMAS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1038 ST THOMAS CT
ROCKWALL, TX 75087

150

ALMQUIST DANA
1038 IVY LANE
ROCKWALL, TX 75087

BEER TERRY L AND
CYNTHIA OLSON
1039 ST THOMAS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1040 ST CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1042 ST THOMAS CT
ROCKWALL, TX 75087

SMITH TAMMY WILLIAMS AND RICHARD
1044 IVY LN
ROCKWALL, TX 75087

SMITH RICHARD AND TAMMY
1044 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1046 ST CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1046 ST THOMAS CT
ROCKWALL, TX 75087

CONFIDENTIAL
1050 IVY LANE
ROCKWALL, TX 75087

HOULE GARY AND AYURNI NAKAMURA
114 MISCHIEF LN
ROCKWALL, TX 75032

TUCKER JANA
120 PLEASANT HILL LN
FATE, TX 75189

CURRENT RESIDENT
1200 E WASHINGTON
ROCKWALL, TX 75087

OLIVARES JAIME
1209 QUAIL DR
GARLAND, TX 75040

CURRENT RESIDENT
1250 JUSTIN RD
ROCKWALL, TX 75087

SOMMER RICHELLE AND RICHARD
131 COPTER LN
FATE, TX 75189

ARCHULETA JOSEPH AND KATHY
1403 ST THOMAS
ROCKWALL, TX 75087

CHADICK CABE
1403 WINDSOR DRIVE
MCKINNEY, TX 75070

HOGUE MIKE AND VICKY
1498 HUBBARD DR
FORNEY, TX 75126

TAH MS BORROWER LLC
C/O TRICON AMERICAN HOMES LLC
1508 BROOKHOLLOW DRIVE
SANTA ANA, CA 92705

VRANA MARK AND
PAM VRANA
1650 JOHN KING BLVD APT 3107
ROCKWALL, TX 75032

LAKEVIEW SUMMIT PROPERTIES LLC
1870 HILLCROFT DR
ROCKWALL, TX 75087

CURRENT RESIDENT
202 HAMMACK LN
ROCKWALL, TX 75087

CURRENT RESIDENT
202 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
203 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
204 RENFRO ST
ROCKWALL, TX 75087

CANNEDY ELIZABETH R AND RANDY D
206 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
207 S NASH ST
ROCKWALL, TX 75087

POWELL SEAN DAVID
208 DWYER CT
ROCKWALL, TX 75032

RIJU LTD PARTNERSHIP, A TEXAS LTD
PARTNERSHIP
210 GLENN AVE
ROCKWALL, TX 75087

P & P ENTERPRISES
230 MYERS RD
HEATH, TX 75032

SHERMAN JOCELYN D
233 WILLINGHAM DR
COPPELL, TX 75019

JOE & DAVID TACOS LTD
2455 RIDGE RD #135
ROCKWALL, TX 75087

LIGHTFOOT MARSHALL & CYNTHIA
256 WINDY LN
ROCKWALL, TX 75087

PIGEON MICHAEL AND COLLEEN
2603 W 10TH ST
DALLAS, TX 75211

CORDOSO FRANCISCO
2848 TANGLEGLEN DR
ROCKWALL, TX 75032

CURRENT RESIDENT
301 RENFRO ST
ROCKWALL, TX 75087

GLASS JO KAY HARRIS
301 MEADOWDALE
ROCKWALL, TX 75087

CHERRY JOHN T
303 RENFRO STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
305 PARK PLACE
ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

PRATER SAMUEL LEE AND LAUREN NICOLE
305 RENFRO ST
ROCKWALL, TX 75087

WERCHAN ALLEN AND KELLI
309 GLENN AVE
ROCKWALL, TX 75087

COX GERALD GLEN & ROSALBA
3150 HAYS LN
ROCKWALL, TX 75087

BUCHANAN DAVID
365 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

STRADTMANN TROY H
366 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
369 JORDAN FARM CIR
ROCKWALL, TX 75087

CLINE DAVID W AND INA L
373 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
374 RENFRO ST
ROCKWALL, TX 75087

JOHNSON JENNIFER
377 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
381 JORDAN FARM CIR
ROCKWALL, TX 75087

HALL JESSIE MARIE AND
JAMIE KATE HALL
382 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
385 JORDAN FARM CIR
ROCKWALL, TX 75087

CITY OF ROCKWALL
ATTN;MARY SMITH
385 S GOLIAD ST
ROCKWALL, TX 75087

CAVAZOS BRUNO III AND STACI
389 JORDAN FARM CIR
ROCKWALL, TX 75087

PEURIFOY REBECCA
393 JORDAN FARM CIR
ROCKWALL, TX 75087

BIETENDORF GUY A AND CYNTHIA K
BIETENDORF
397 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
400 RENFRO ST
ROCKWALL, TX 75087

CLARK JERRY W & PAMELA
401 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
402 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
404 RENFRO ST
ROCKWALL, TX 75087

FREDERICK MARSHA
405 JORDAN FARM CIR
ROCKWALL, TX 75087

BARRON GARY S AND DELL S
405 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
406 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
408 JORDAN FARM CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
408 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
410 RENFRO ST
ROCKWALL, TX 75087

KESSLAR MARILYNN
411 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

JONES KENNETH AND CINDY
411 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
412 RENFRO ST
ROCKWALL, TX 75087

FLYNT GARY & NANCY
414 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
417 JORDAN FARM CIR
ROCKWALL, TX 75087

COLBERT PHILIP AND MARGIE
417 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
420 JORDAN FARM CIR
ROCKWALL, TX 75087

HOWARD DALE E AND JOYCE
420 JORDAN FARM CIRLCE
ROCKWALL, TX 75087

RADNEY STEPHEN P AND MARTHA M
423 JORDAN FARM CIR
ROCKWALL, TX 75087

STANLEY STEVE AND ROBIN
423 PARK PLACE BLVD
ROCKWALL, TX 75087

STANLEY STEVEN B AND ROBIN
423 PARK PLACE BLVD
ROCKWALL, TX 75087

DALLAS-GARLAND & NORTHEASTERN RAILROAD
C/O GENESEE & WYOMING RAILROAD
425 E SOUTHLAKE BLVD #100
SOUTHLAKE, TX 76092

WALKER ANTHONY W AND JENNIFER
426 JORDAN FARM CIR
ROCKWALL, TX 75087

RADNEY FAMILY TRUST
STEPHEN P AND MARTHA RADNEY
429 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

MORGAN WILBUR J AND NANCY F
429 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
434 JORDAN FARM CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
435 JORDAN FARM CIR
ROCKWALL, TX 75087

ROLLINS DANNY & JONNA
4505 LAKE HILL DR
ROWLETT, TX 75089

KRAEMER TERESA A
4525 COLE AVENUE #1105
DALLAS, TX 75205

CURRENT RESIDENT
500 RENFRO ST
ROCKWALL, TX 75087

LOVOI JOSEPH J SR AND VELMA J
501 PARK PLACE BLVD
ROCKWALL, TX 75087

SAMPLES CLARENCE E & ELVA NELL
502 RENFRO ST
ROCKWALL, TX 75087

SAMPLES CLARENCE E & ELVA NELL
502 RENFRO ST
ROCKWALL, TX 75087

SAMPLES CLARENCE E & ELVA NELL
502 RENFRO ST
ROCKWALL, TX 75087

153

WARDELL JOHN P AND JULIE ANN C
506 RENFRO STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
507 RENFRO ST
ROCKWALL, TX 75087

RASMUSSEN MICHAEL AND DELILA RASMUSSEN
507 PARK PLACE BLVD
ROCKWALL, TX 75087

GARCIA MELISSA P AND
JOE DOWELL LOFTIS JR AKA JOE DOWELL LOFTIS
513 PARK PLACE BLVD
ROCKWALL, TX 75087

HOGUE ALLEN
513 RIDGEVIEW DR
ROCKWALL, TX 75087

BLACKWOOD SCOTT W & GLENITA G
5205 S FM 549
ROCKWALL, TX 75032

CURRENT RESIDENT
523 PARK PLACE BLVD
ROCKWALL, TX 75087

PROPER GROUP, LLC
5250 TX-78 SUITE 750-299
SACHSE, TX 75048

CURRENT RESIDENT
535 PARK PLACE BLVD
ROCKWALL, TX 75087

HENRY PATRICIA A
541 PARK PLACE BLVD
ROCKWALL, TX 75087

DUKE JERI L
5911 PINEY BIRCH COURT
KINGWOOD, TX 77345

CURRENT RESIDENT
601 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
601 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
601 RENFRO ST
ROCKWALL, TX 75087

HOGUE MARVIN E & JOYCE M
LIFE ESTATE
602 RENFRO ST
ROCKWALL, TX 75087

CONWAY MICHAEL AND JEAN
603 S GOLIAD ST
ROCKWALL, TX 75087

CALDWELL KEVIN L & LINDA D
605 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
606 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
607 PARK PLACE BLVD
ROCKWALL, TX 75087

GOOD EARTH FUNDING INC
607 HIGHLAND COLONY PKWY SUITE 200
RIDGELAND, MS 39157

GOOD EARTH FUNDING INC
607 HIGHLAND COLONY PKWY SUITE 200
RIDGELAND, MS 39157

HARRINGTON DEBORAH
607 RENFRO ST
ROCKWALL, TX 75087

RUFF DAVE & ANNE
6105 LAKESHORE DR
ROWLETT, TX 75089

RUFF DAVID & ANNE
6105 LAKESHORE DR
ROWLETT, TX 75089

CURRENT RESIDENT
613 PARK PLACE BLVD
ROCKWALL, TX 75087

ABBOTT TODD & WHITNEY
619 RENFRO ST
ROCKWALL, TX 75087

ABBOTT TODD & WHITNEY
619 RENFRO STREET
ROCKWALL, TX 75087

KAUFMANN PROPERTIES LLC
% DOUGLAS A KAUFMANN
627 SORITA CIR
HEATH, TX 75032

CURRENT RESIDENT
702 S CLARK ST
ROCKWALL, TX 75087

CURRENT RESIDENT
703 TOWNSEND DR
ROCKWALL, TX 75087

154

CURRENT RESIDENT
703 E BOYSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
705 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
706 S CLARK ST
ROCKWALL, TX 75087

CURRENT RESIDENT
707 TOWNSEND
ROCKWALL, TX 75087

CURRENT RESIDENT
707 S CLARK
ROCKWALL, TX 75087

CURRENT RESIDENT
709 E BOYDSTUN AVE
ROCKWALL, TX 75087

GILLIAM ROBERT W JR & PERRILYN
712 HARTMAN ST
ROCKWALL, TX 75087

PIERCY DUANE AND JENNIFER
713 HARTMAN
ROCKWALL, TX 75087

HOOVER LINDA WEST-
716 HARTMAN STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
720 E WASHINGTON
ROCKWALL, TX 75087

CURRENT RESIDENT
724 E WASHINGTON ST
ROCKWALL, TX 75087

DANIEL MICHAEL D
801 ALUMINUM PLANT RD
ROCKWALL, TX 75087

ROCKWALL INDEPENDENT SCHOOL
DISTRICT PUBLIC FACILITY CORP
801 E WASHINGTON ST
ROCKWALL, TX 75087

WISE ALICE
803 ALUMINUM PLANT ROAD
ROCKWALL, TX 75087

CURRENT RESIDENT
805 ALUMINUM PLANT RD
ROCKWALL, TX 75087

VARNER ROBERT R JR &
GLEN COX
815 TL TOWNSEND
ROCKWALL, TX 75087

POOL STOP INC
838 STEGER TOWN RD
ROCKWALL, TX 75032

WOOD WILLIAM AND SANDIE
8718 CLEARLAKE DR
ROWLETT, TX 75088

WARDELL JOHN P & JULIE C
880 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
886 IVY LN
ROCKWALL, TX 75087

OGDEN DONNA AND WENDELL
891 IVY LN
ROCKWALL, TX 75087

HARRILL EVELYN
892 IVY LN
ROCKWALL, TX 75087

RAGSDALE ELIZABETH J LIFE ESTATE
LISA JANE BAKER & DONALD KIRK RAGSDALE
895 IVY LN
ROCKWALL, TX 75087

MASON MARSHA
901 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
902 ALUMINUM PLANT RD
ROCKWALL, TX 75087

WILLMON WENDY LYNN
904 ALUMINUM PLANT RD
ROCKWALL, TX 75087

CURRENT RESIDENT
905 IVY LN
ROCKWALL, TX 75087

STATON CARL E & BOBBIE JANE
906 ALUMINUM PLANT RD
ROCKWALL, TX 75087

BENEDETTO MATT
907 W HOLIDAY RD
ROCKWALL, TX 75087

MOORE CONNIE JO
908 COUNTRY CLUB DR
HEATH, TX 75032

155

BUCHANAN BARRY D & MELISSA M
908 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
914 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
915 WHITMORE
ROCKWALL, TX 75087

CURRENT RESIDENT
920 WHITEMORE
ROCKWALL, TX 75087

WHITMORE MANUFACTURING CO
930 WHITMORE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
930/1250 JUSTIN RD
ROCKWALL, TX 75087

RUSHING JOE L & DONNA S
9414 SHEARER ST
ROWLETT, TX 75088

MARTIN CHARLES TED & RHONDA K
995 ST CHARLES CT
ROCKWALL, TX 75087

HITT FLOYD ESTATE
DOROTHY SUE HITT MATTHIES AND
LYNDEL RAY TIPTON JR INDEPENDENT CO
EXECUTORS 7836 YAMINI DR
DALLAS, TX 75230

COX STEPHEN
M/R
, TX

CCO TRANSFERS LLC
ATTN; PROPERTY TAX DEPT
P.O. BOX 7467
CHARLOTTE, NC 28241

CCO TRANSFERS LLC
ATTN; PROPERTY TAX DEPT
P.O. BOX 7467
CHARLOTTE, NC 28241

PODINA HERB AND LAURA
PO BOX 1586
ROCKWALL, TX 75087

ALLISON DEANNA JO
PO BOX 1624
ROCKWALL, TX 75087

MISHLER MICHAEL L AND RHONDA
PO BOX 38
ROCKWALL, TX 75087

DAVIS SHAUNTE AND JACOB
PO BOX 462311
GARLAND, TX 75046

HOWELL RONALD L AND MICHELE L
PO BOX 761
ROCKWALL, TX 75087

156

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

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

To Whom It May Concern:

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

Case No. Z2018-057: Amendment to PD-59

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/15/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/22/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **1/22/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2018-057: Amendment to PD-59

Please place a check mark on the appropriate line below:

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

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

I am a current resident of Park Place. I believe this request by Bill Bricker & Columbia should be granted as Bill has done a great job developing Park Place.

Name: Shay A. Fields

Address: 1032 St. Charles Ct – Rockwall

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

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

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

To Whom It May Concern:

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

Case No. Z2018-057: Amendment to PD-59

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

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

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

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Sincerely,

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Director of Planning & Zoning

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Case No. Z2018-057: Amendment to PD-59

Please place a check mark on the appropriate line below:

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

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

I am familar with the details of the zoning change request and am in favor of it. It is a good change for the neighborhood of Park Place.

Barry Buchanan

Name: BARRY BUCHANAN

Address: 908 IVY LN, Rockwall, TX 75087

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

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Sincerely,

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Director of Planning & Zoning

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Case No. Z2018-057: Amendment to PD-59

Please place a check mark on the appropriate line below:

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

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

Name: Dennis Fox

Address: 1627 St Thomas Ct Rockwall 75087

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

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Michael Rasmussen

To: planning@rockwall.com
Subject: Subject: Case No Z2018-057 PZ 1/15 City Council 1/22

Expires: Thursday, January 17, 2019 12:00 AM

Korey Brooks planning@rockwall.com
Rockwall Planning and Zoning Dept
385 S. Goliad Street
Rockwall, TX 75087

Subject: Case No Z2018-057 PZ 1/15 City Council 1/22
Request to consider Bill Bricker of Columbia Development amendment to add .786 acre tract of land.....

I am in agreement to the proposed change adding additional acreage and RO (Residential Office) designation to new addition. However in addition it should be noted that Mr. Bricker has indicated simultaneously removing the existing 20 lots currently designated as LW (See Item A Below)
I do not see this language in the zoning notice.

A) "At the same time we will remove the LW from the 20 lots in the current Ph III, so that at no time in the future can the use be office or commercial related."

Original Request Sent to HOA From Mr. Bricker
3) "Our case is simple. I want to bring this acre of HC land into Park Place as Residential Office (RO) use. It will be combined with one lot on the south side of Park Place Blvd to create a total of 5 lots. RO zoning is the new name which is a more restrictive designation for LW and is the same as the zoning for the North Goliad district. This RO area along Goliad is looking nice, and has some very compatible uses with surrounding residential homes. In bringing them into the HOA, we will control the architecture and the buildings will look to be Park Place homes."

Respectfully,
Michael Rasmussen
507 Park Place Blvd
Rockwall TX 75087

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EMAIL: PLANNING@ROCKWALL.COM

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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Case No. Z2018-057: Amendment to PD-59

Please place a check mark on the appropriate line below: – See Attached Letter

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

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

Name:

Address:

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

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Case No. Z2018-057: Amendment to PD-59

Please place a check mark on the appropriate line below:

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

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

GREAT PLAN!

Name: JOHN WARPOOL, OWNER

Address: 506 RENFRO, ROCKWALL, TX 75087

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

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Rockwall Planning and Zoning Dept.
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Rockwall, TX 75087

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

GREAT PLAN!

Name: JOHN WARDELL, RESIDENT

Address: 880 IVY, ROCKWALL, TX, 75087

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

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Case No. Z2018-057: Amendment to PD-59

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

Improves the subdivision.

Name: Mike Mishler
Address: 1009 Fay Ln. Rockwall, TX 75087

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

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

Good use of an awkward piece of land - Probably would have difficulty of other uses because of shape, size, & proximity to railroad tracks

Name: Mike & JEAN CONWAY

Address: 435 JORDAN FARM CIRCLE

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

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

See Attached Letter

Name: Debbie + Paul Harrington

Address: 607 Renfro Street, Rockwall, TX 75087

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

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January 11, 2019

Paul & Debbie Harington
607 Renfro Street
Rockwall, Texas 75087

RE: Park Place III Development
Case No. Z2018-057: Amendment PD-59

To whom it may concern at City Hall,

While improvements are welcome, the negative impact of the modifications being made to the current 100 year flood plain in this area is not. The flood plain has been narrowed and the water has no place to channel, but into our backyards. Our yards are turning to mush. The development has changed the grade of the land and the ground is not absorbing the water as it did. The proposed drainage systems will not handle the heavy spring rains that come in less than 30 minutes. This is affecting our property value, and the enjoyment of use of our backyard and garden areas.

In addition, we are opposed to anymore residential/office housing in our neighborhood. Our residential street currently does not handle the normal traffic flow let alone adding additional traffic will make it worse and not safe.

If you don't live here, you don't know!

Sincerely,
Paul & Debbie Harrington

cc: Whitney Abbott
Sarah Hager
Bill Bricker

Columbia Development Company, L.L.C.

305 Park Place Blvd.
Rockwall, Texas 75087
Tel 972.722.2439
Cell 214.801.6157
bill@parkplacerockwall.com

December 28, 2018

City of Rockwall
385 S. Goliad St
Rockwall, TX 75087

Columbia Development Company, LLC is requesting a zoning case to amend and add some desired uses for Park Place West. There are two driving thoughts behind this request.

One, to bring a tract of land currently zoned as PD-52 which is generally Heavy Commercial (HC) into the PD_59 of Park Place. This will allow restricting uses to be more compatible with Park Place residents and residential development and at the same time allow controlled live/work units as well as some commercial use. These lots would be part of the HOA and be subject to HOA approval as far as the designs.

The second is to remove the Area 3 commercial use from PD-59 on up to 19 lots leaving them as residential lots only. Original planning for Ph III included this "Live/Work" component as this was a popular idea. As time has passed and the demand for Park Place residential lots is strong enough, I feel the Live/Work use would be incompatible with the balance of the community.

By rezoning the area we will eliminate potential unwanted use of some of the lots now and in the future while adding a viable and useful area zoned for services to the neighborhood and community.

Sincerely;

C.W. Bricker
President

ZONING DESCRIPTION – PD 59

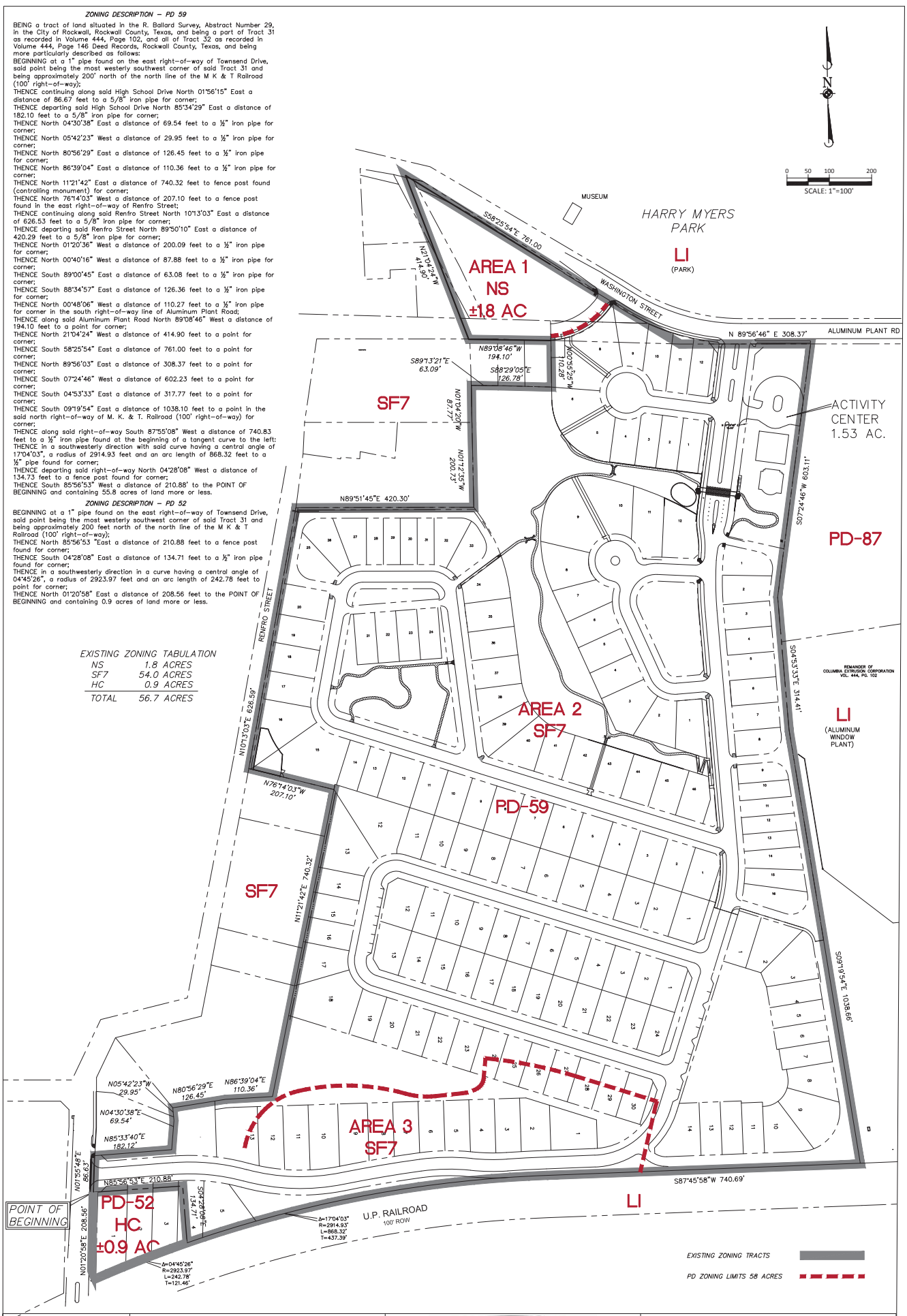
BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31 as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:
BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right-of-way);
THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;
THENCE departing said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;
THENCE North 04°30'38" East a distance of 69.54 feet to a ½" iron pipe for corner;
THENCE North 05°42'23" West a distance of 29.95 feet to a ½" iron pipe for corner;
THENCE North 80°56'29" East a distance of 126.45 feet to a ½" iron pipe for corner;
THENCE North 86°39'04" East a distance of 110.36 feet to a ½" iron pipe for corner;
THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;
THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Renfro Street;
THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;
THENCE departing said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;
THENCE North 01°20'36" West a distance of 200.09 feet to a ½" iron pipe for corner;
THENCE North 00°40'16" West a distance of 87.88 feet to a ½" iron pipe for corner;
THENCE South 89°00'45" East a distance of 63.08 feet to a ½" iron pipe for corner;
THENCE South 88°34'57" East a distance of 126.36 feet to a ½" iron pipe for corner;
THENCE North 00°48'06" West a distance of 110.27 feet to a ½" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;
THENCE along said Aluminum Plant Road North 89°08'46" West a distance of 194.10 feet to a point for corner;
THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;
THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;
THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;
THENCE South 07°24'46" West a distance of 602.23 feet to a point for corner;
THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;
THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;
THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a ½" iron pipe found at the beginning of a tangent curve to the left;
THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a ½" pipe found for corner;
THENCE departing said right-of-way North 04°28'08" West a distance of 134.73 feet to a fence post found for corner;
THENCE South 85°56'53" West a distance of 210.88' to the POINT OF BEGINNING and containing 55.8 acres of land more or less.

ZONING DESCRIPTION – PD 52

BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200 feet north of the north line of the M K & T Railroad (100' right-of-way);
THENCE North 85°56'53 "East a distance of 210.88 feet to a fence post found for corner;
THENCE South 04°28'08" East a distance of 134.71 feet to a ½" iron pipe found for corner;
THENCE in a southwesterly direction in a curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to point for corner;
THENCE North 01°20'58" East a distance of 208.56 feet to the POINT OF BEGINNING and containing 0.9 acres of land more or less.

EXISTING ZONING TABULATION

NS	1.8 ACRES
SF7	54.0 ACRES
HC	0.9 ACRES
TOTAL	56.7 ACRES



EX A

PARK PLACE

PD 59
ROCKWALL TEXAS
EXISTING ZONING PLAN

TOMDEN ENGINEERING, L.L.P.
5815 MEADOWCREST
DALLAS, TX 75230
(214) 679 - 1679
FIRM No. 19244 tjones@tomden.com

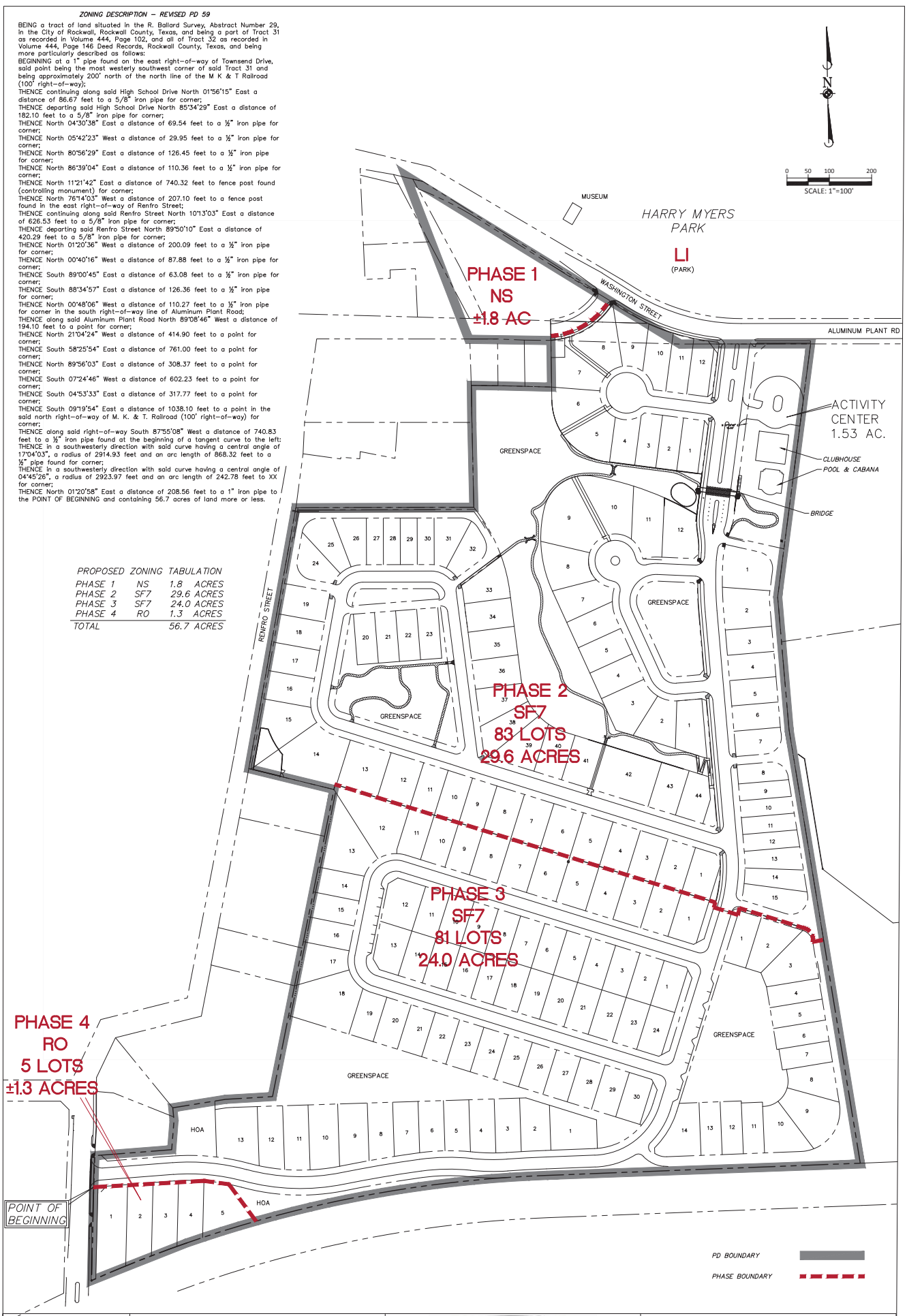
12.11.2018

ZONING DESCRIPTION – REVISED PD 59

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31 as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:
BEGINNING at a 1" pipe found on the east right–of–way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right–of–way);
THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;
THENCE departing said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;
THENCE North 04°30'38" East a distance of 69.54 feet to a ½" iron pipe for corner;
THENCE North 05°42'23" West a distance of 29.95 feet to a ½" iron pipe for corner;
THENCE North 80°56'29" East a distance of 126.45 feet to a ½" iron pipe for corner;
THENCE North 86°39'04" East a distance of 110.36 feet to a ½" iron pipe for corner;
THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;
THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right–of–way of Renfro Street;
THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;
THENCE departing said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;
THENCE North 01°20'36" West a distance of 200.09 feet to a ½" iron pipe for corner;
THENCE North 00°40'16" West a distance of 87.88 feet to a ½" iron pipe for corner;
THENCE South 89°00'45" East a distance of 63.08 feet to a ½" iron pipe for corner;
THENCE South 88°34'57" East a distance of 126.36 feet to a ½" iron pipe for corner;
THENCE North 00°48'06" West a distance of 110.27 feet to a ½" iron pipe for corner in the south right–of–way line of Aluminum Plant Road;
THENCE along said Aluminum Plant Road North 89°08'46" West a distance of 194.10 feet to a point for corner;
THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;
THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;
THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;
THENCE South 07°24'46" West a distance of 602.23 feet to a point for corner;
THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;
THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right–of–way of M. K. & T. Railroad (100' right–of–way) for corner;
THENCE along said right–of–way South 87°55'08" West a distance of 740.83 feet to a ½" iron pipe found at the beginning of a tangent curve to the left;
THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a ½" pipe found for corner;
THENCE in a southwesterly direction with said curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;
THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.

PROPOSED ZONING TABULATION

PHASE 1	*NS*	*1.8 ACRES*
PHASE 2	*SF7*	*29.6 ACRES*
PHASE 3	*SF7*	*24.0 ACRES*
PHASE 4	*RO*	*1.3 ACRES*
TOTAL		*56.7 ACRES*



EX B

PARK PLACE

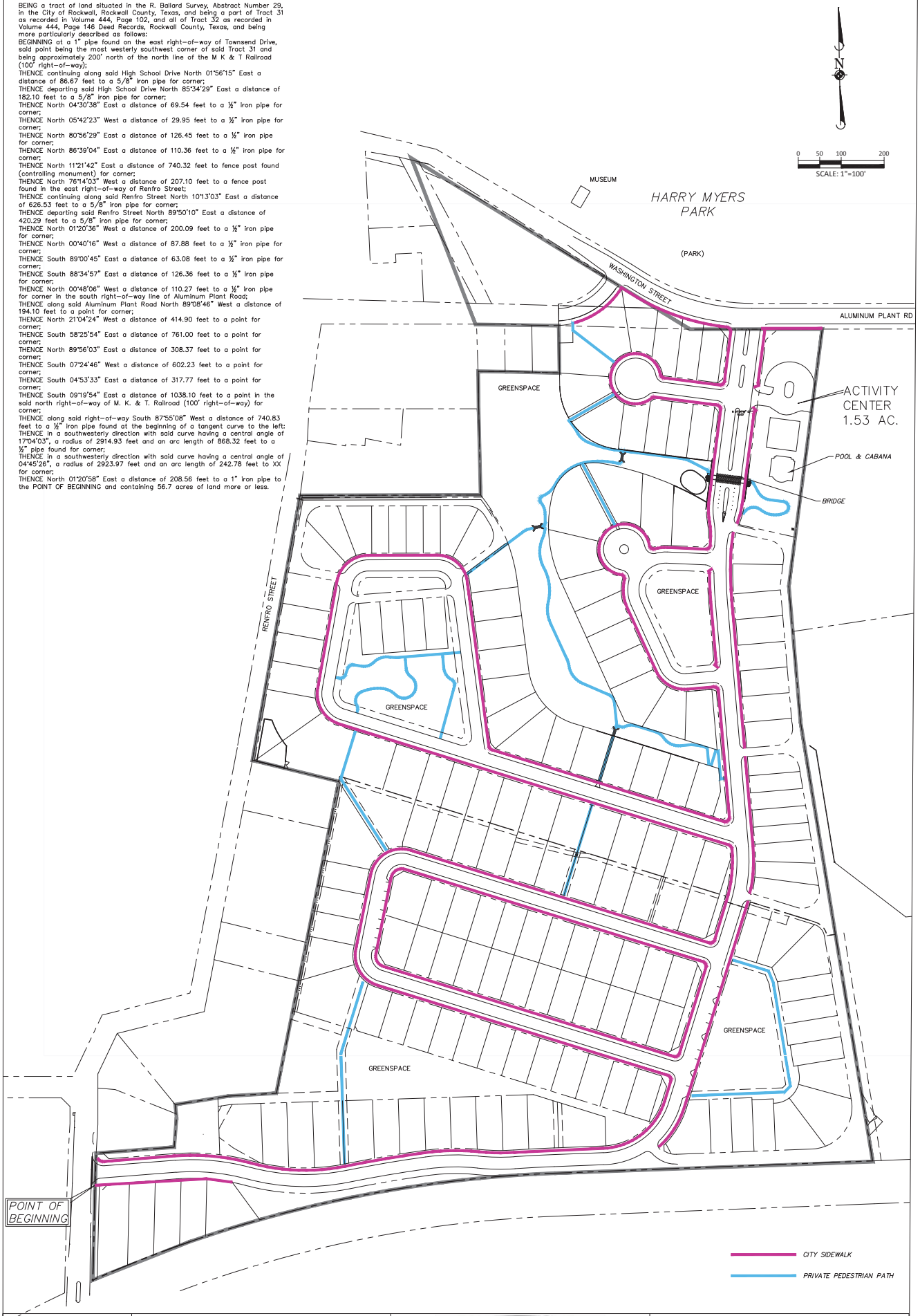
PD 59
ROCKWALL TEXAS
CONCEPT PLAN

TOMDEN ENGINEERING, L.L.P.
5815 MEADOWCREST
DALLAS, TX 75230
(214) 679 - 1679
FIRM No. 19244 tjones@tomden.com

12.11.2018

ZONING DESCRIPTION – REVISED PD 59

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31 as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:
BEGINNING at a 1" pipe found on the east right–of–way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right–of–way);
THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;
THENCE departing said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;
THENCE North 04°30'38" East a distance of 69.54 feet to a ½" iron pipe for corner;
THENCE North 05°42'23" West a distance of 29.95 feet to a ½" iron pipe for corner;
THENCE North 80°56'29" East a distance of 126.45 feet to a ½" iron pipe for corner;
THENCE North 86°39'04" East a distance of 110.36 feet to a ½" iron pipe for corner;
THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;
THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right–of–way of Renfro Street;
THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;
THENCE departing said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;
THENCE North 01°20'36" West a distance of 200.09 feet to a ½" iron pipe for corner;
THENCE North 00°40'16" West a distance of 87.88 feet to a ½" iron pipe for corner;
THENCE South 89°00'45" East a distance of 63.08 feet to a ½" iron pipe for corner;
THENCE South 88°34'57" East a distance of 126.36 feet to a ½" iron pipe for corner;
THENCE North 00°48'06" West a distance of 110.27 feet to a ½" iron pipe for corner in the south right–of–way line of Aluminum Plant Road;
THENCE along said Aluminum Plant Road North 89°08'46" West a distance of 194.10 feet to a point for corner;
THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;
THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;
THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;
THENCE South 07°24'46" West a distance of 602.23 feet to a point for corner;
THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;
THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right–of–way of M. K. & T. Railroad (100' right–of–way) for corner;
THENCE along said right–of–way South 87°55'08" West a distance of 740.83 feet to a ½" iron pipe found at the beginning of a tangent curve to the left;
THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a ½" pipe found for corner;
THENCE in a southwesterly direction with said curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;
THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.



EX C

PARK PLACE

PD 59
ROCKWALL TEXAS
PEDESTRIAN PLAN

TOMDEN ENGINEERING, L.L.P.
5815 MEADOWCREST
DALLAS, TX 75230
(214) 679 - 1679
FIRM No. 19244 tjones@tomden.com

12.11.2018

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52) [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF LAND FOR RESIDENTAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the applicant Bill Bricker of Columbia Development Company, LLC, for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses, being a 56.586-acre tract of land identified as a portion of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) [*Ordinance No. 16-45*] and Planned Development District 59 (PD-59) [*Ordinance No.'s 04-59 and 06-51*], located between W. Washington Street and T. L. Townsend Drive and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 59 (PD-59) [*Ordinance No.'s 04-59 and 06-51*], Planned Development District 52 (PD-52) [*Ordinance No. 16-45*], and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 04-59 and 06-51*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall be in accordance with the *Development Standards*, described in *Exhibit 'F'* of this ordinance, attached hereto and incorporated herein by

172

reference as *Exhibit 'F'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 8. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF FEBRUARY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *January 22, 2019*

2nd Reading: *February 4, 2019*

DRAFT ORDINANCE 01.22.19

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31, as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:

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THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;

THENCE deporting said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;

THENCE North 04°30'38" East a distance of 69.54 feet to a ½" iron pipe for corner;

THENCE North 05°42'23" West a distance of 29.95 feet to a ½" iron pipe for corner;

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THENCE North 00°40'16" West a distance of 87.88 feet to a ½" iron pipe for corner:

THENCE South 89°00' 45" East a distance of 63.08 feet to a ½" iron pipe for corner;

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THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a ½" iron pipe found at the beginning of a tangent curve to the left;

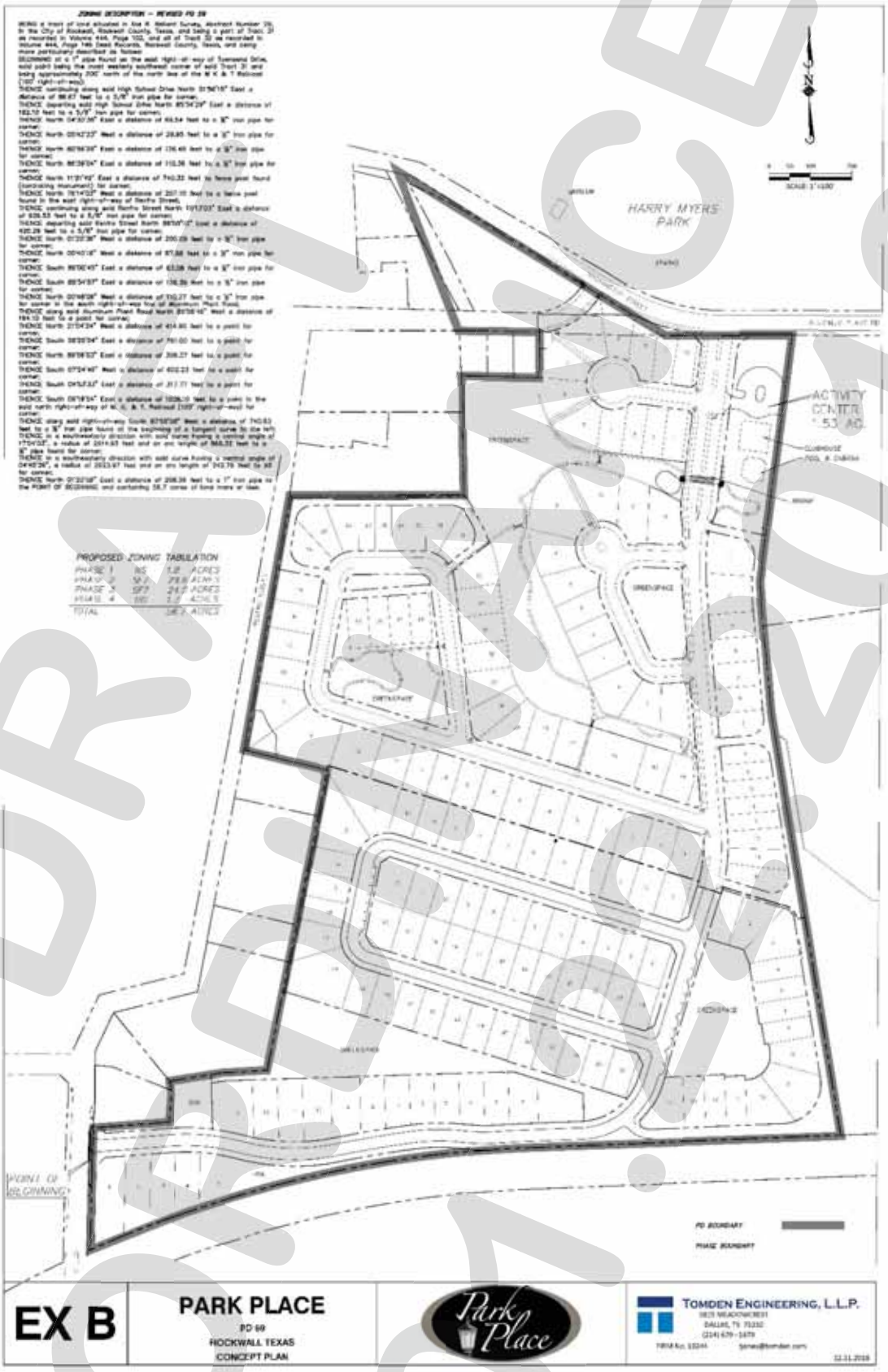
THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a ½" pipe found for corner;

THENCE In a southwesterly direction with sold curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;

THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.

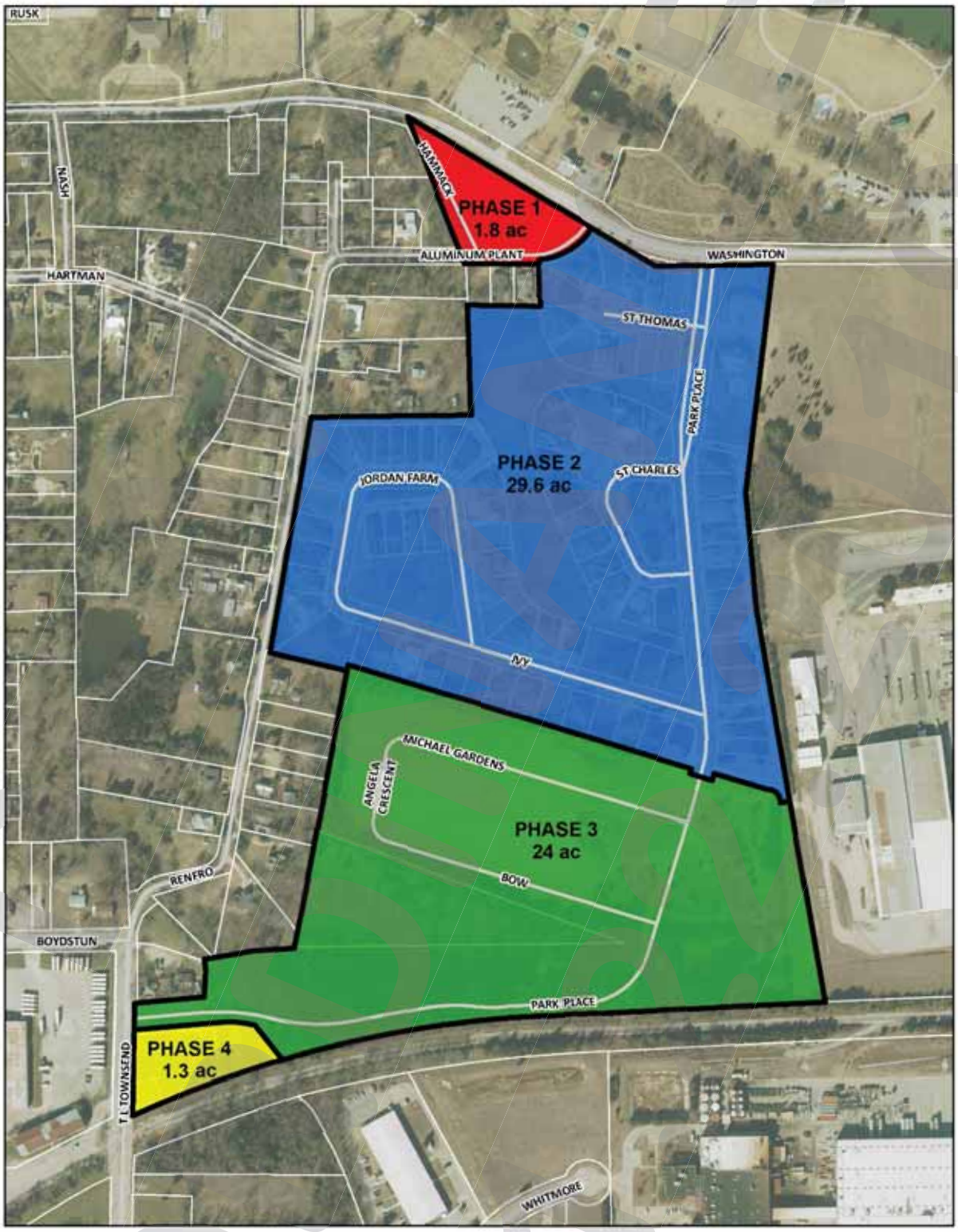
DRAFT 04.12.2019

174

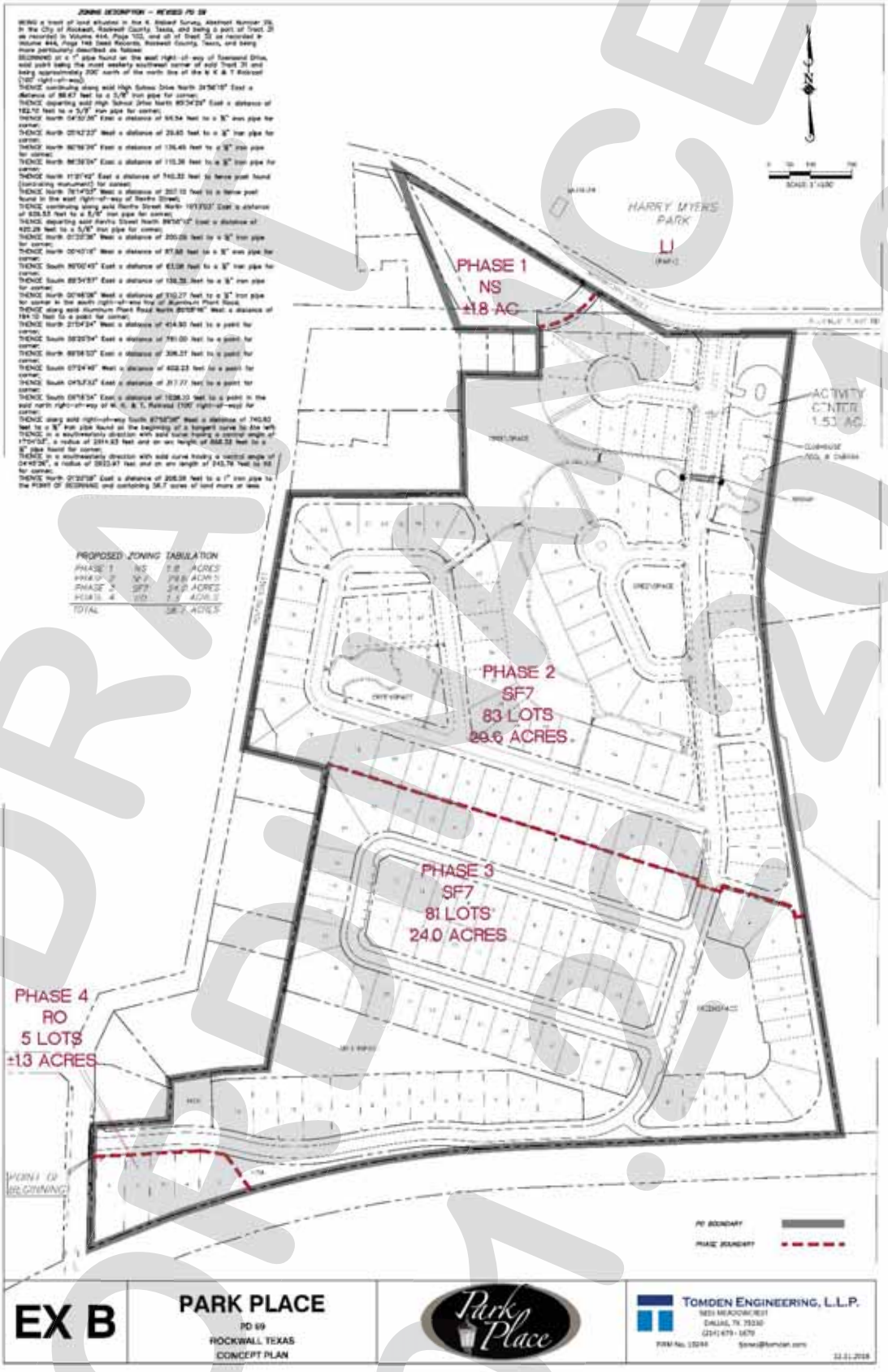


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OCT 2019

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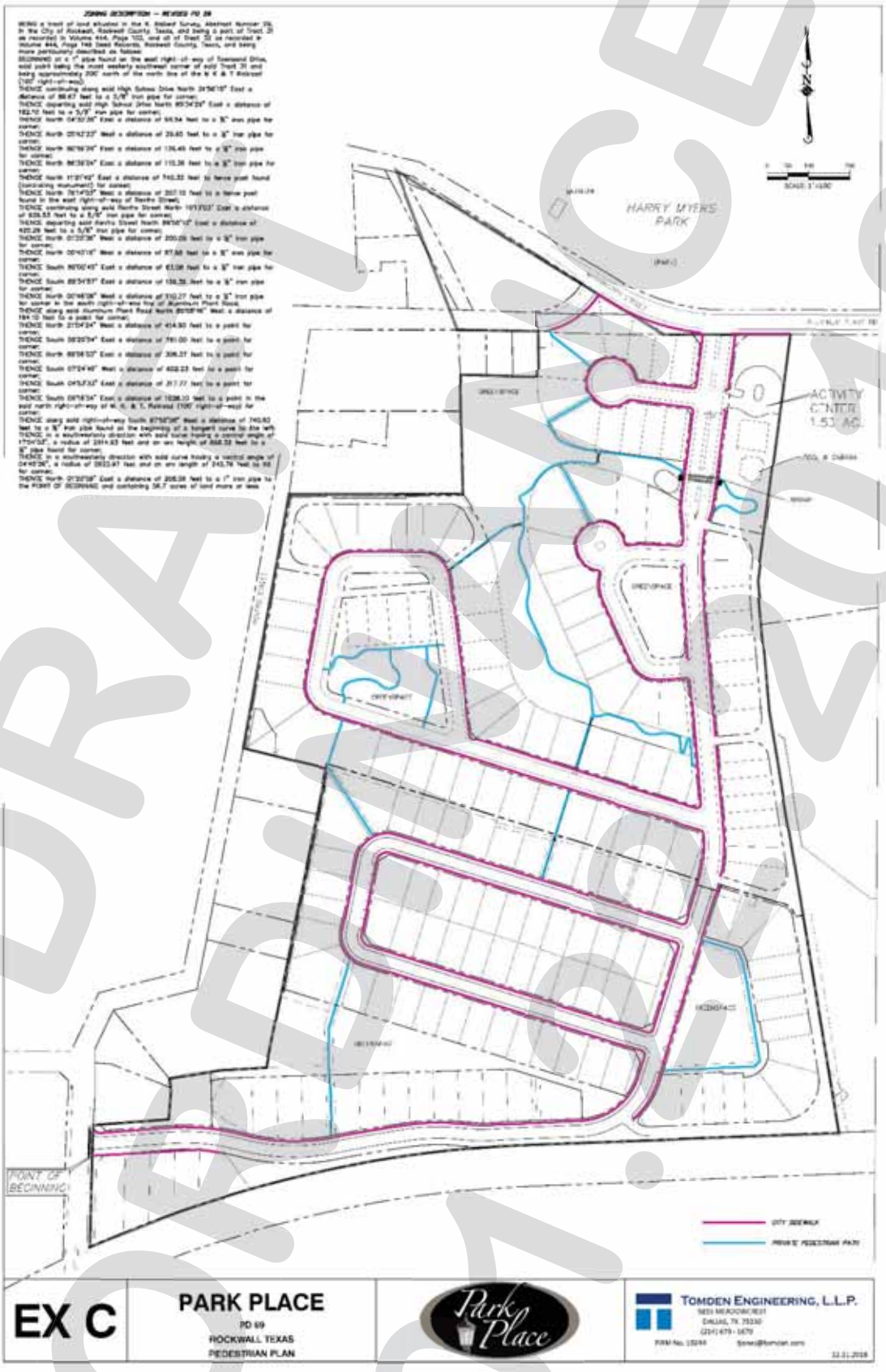

RUSK
NASH
HARTMAN
HAMMACK
PHASE 1
1.8 ac
ALUMINUM PLANT
WASHINGTON
ST THOMAS
PARK PLACE
PHASE 2
29.6 ac
JORDAN FARM
ST CHARLES
IVY
MICHAEL GARDENS
ANGELA CRESCENT
PHASE 3
24 ac
BOW
RENFRO
BOYDSTUN
PARK PLACE
PHASE 4
1.3 ac
T L TOWNSEND
WHITMORE

176



DRAFT
01.01.2019

177



DRAFT
01.09.2019

178

Phases 1-4 (56.586-Acres): Development Standards for all Phases

(1) *Streetscape Standards.* The following aspects of development shall be reviewed in conjunction with a preliminary plat and/or site plan:

(a) *Street Lighting.* Street lighting shall be compatible with neo-traditional design methods, the Old Town Rockwall Historic District guidelines, and any proposed guidelines for the City's Downtown Plan.

(b) *Street Signage and Traffic Control.* Signage and traffic control methods shall be compatible with neo-traditional design and complement the surrounding historic areas of the City.

(c) *Street Sections*. A PD Development Plan shall include any alternative street and alley cross-sections, paving methods, use of street trees, and other proposed engineering details.

(2) *Private Parks and Open Space.* Details for private parks and open space as indicated in *Exhibit 'B'* shall be subject to the following requirements and approved as part of the preliminary plat and/or site plan:

(a) A site/landscape plan for all open space, pocket parks, the community center, and trail systems. The development plan and/or preliminary plat shall also be reviewed by the City's Parks and Recreation Board.

(b) All city-required trails and public sidewalks shall be constructed with concrete and meet all City standards.

(c) Drainage area trails, which shall be maintained by the HOA, may be constructed with asphalt.

(d) The developer shall install a screening fence adjacent to the railroad along the south boundary of the subject property. The exact location, construction material(s), and height of the screening fence shall be reviewed and approved as part of the required site plan.

(3) *Hardscape.* Hardscape plans--depicted in *Exhibit 'E'*--indicating the location of all sidewalks and trails shall be reviewed and approved with the preliminary plat and/or final plat.

(4) *Fence Standards.* All fences shall be required to be wrought iron or tubular steel and vinyl shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height unless situated in the front yard. Front yard fences shall meet the following requirements:

(a) No front yard fences shall be located within a public right-of-way;

(b) The maximum height for a front yard fence is 42-inches (*i.e. 3 ½ feet*); and

(c) All front yard fences shall be open or *picket-style* fencing constructed of wrought iron, tubular steel, or vinyl.

Phase 1: Neighborhood Services (1.8-Acres)

(1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Neighborhood Services (NS) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance*

DRAFT ORDINANCE 01-20

(2) *No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

(3) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards for the Neighborhood Services (NS) District as stipulated in Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. All lots shall conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Density and Dimensional Requirements

Minimum Lot Width [1]	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback [2]	15'
Minimum Side Yard Setback	20'
Minimum Distance Between Buildings	15'
Maximum Height	36'
Minimum Rear Yard Setback	20'
Maximum Lot Coverage	60%
Maximum Building Size	5,000 SF

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

(4) *Building Standards.* All development shall be subject to site plan and Architectural Review Board (ARB) review and shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementitious products may be used for up to *100%* of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.

(b) *Roof Design Requirements.* All structures having a footprint of 6,000 SF or less shall be constructed with a pitched roof system.

(c) *Architectural Requirements.* All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space. This should include the detailing and features. This will be reviewed by the Architectural Review Board (ARB) for conformance.

(5) *Landscape Buffer.* A minimum 10-foot landscape buffer shall be required along all street frontages. The buffer shall include a minimum of one (1) tree per 30 linear feet.

(6) *Signage.* Permanent, free-standing signage for Phase 1 shall be limited to one (1) monument not exceeding five (5) feet in height or a maximum of 60 SF in area.

(7) *Lighting.* In addition to the outdoor lighting requirements stipulated in Article VII, Environmental Performance, of the Unified Development Code (UDC), no light pole, pole base, or combination thereof shall exceed 20-feet in height. All lighting fixtures shall focus downward and be contained on the subject property

DRAWING ORD. 20-09

Phases 2 & 3: Single-Family 7 (53.6-Acres)

(1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Phases 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Single-Family 7 (SF-7) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

(2) *Density and Dimensional Requirements.* Any development on *Phases 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for properties in a Single-Family 7 (SF-7) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

Table 2: SF-7 Lot Dimensional Requirements

Minimum Lot Width [1]	40'
Minimum Lot Area	4,000 SF
Minimum Average Lot Area	7,000 SF
Minimum Front Yard Setback [2] & [3]	10'
Minimum Side Yard Setback [4]	5'
Minimum Side Yard Adjacent to a Street	10
Minimum Distance Between Buildings	15'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4, 5]	10'
Maximum Lot Coverage	60%

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
[4]: The minimum side yard setback for an internal lot or a lot abutting open space or HOA common area is five (5) feet. For yards abutting a street, the minimum side yard setback shall be 10-feet.
[5]: Lots with double frontage shall have a minimum rear yard setback of 15 feet.

(3) *Building Standards.* Housing type and construction shall generally conform to the *Architectural Styles* depicted in *Exhibit 'G'* of this ordinance; however, all development shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for all exterior façades (*excluding walls on a porch, patio, courtyard, or breezeway*) greater than 100 SF shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementitious products may be used for up to *100%* of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.

(b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than five (5) houses apart on either side of the street.

(c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s)

(d) *Guest Quarters/Secondary Living Unit.* A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:

(i) Such quarters must be ancillary to the primary use;

(ii) The area of such quarters shall not exceed 30% of the area of the main structure;

(iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot;

(iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*; and

(v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.

(4) *Access.* Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.

Phase 4: Residential-Office (1.3-Acres)

(1) *Permitted Uses.* Unless specifically provided by this Planned Development District Ordinance, *Phase 4* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Residential-Office (RO) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on the *Phase 4*:

- ☑ Accessory Building
- ☑ Bed and Breakfast
- ☑ Convent or Monastery
- ☑ Daycare (7 or more children)
- ☑ Residential Care Facility
- ☑ Assisted Living Facility
- ☑ Convalescent Care Facility/Nursing Home
- ☑ Congregate Care Facility
- ☑ General Retail Store*
- ☑ Group or Community Home
- ☑ Halfway House
- ☑ Library, Art Gallery, or Museum (Public)
- ☑ Railroad Yard or Shop
- ☑ Studio-Art, Photography, or Music
- ☑ Shoe and Boot Repair and Sales
- ☑ Transit Passenger Facility
- ☑ Antenna, Accessory
- ☑ Antenna, Commercial
- ☑ Antenna, Amateur Radio
- ☑ Antenna, Dish
- ☑ Wireless Communication Tower
- ☑ Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill and Wastewater Treatment
- ☑ Municipally Owned or Controlled Facilities, Utilities, and Use

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*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

The following land uses shall be permitted by Specific Use Permit (SUP) on the *Phase 4*:

- ☑ General Retail Store*
- ☑ Hair Salon, Manicurist
- ☑ Office Building, 5,000 SF or More
- ☑ Restaurant, Less Than 2,000 SF w/o Drive-Thru
- ☑ Solar Energy Collector Panels and Systems

*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

(2) *Density and Dimensional Requirements.* Any development on *Phase 4* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for properties in a Residential-Office (RO) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development shall adhere to the following building standards:

Table 3. Density and Dimensional Requirements

Minimum Lot Width [1]	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback [2]	10'
Minimum Side Yard Setback	5'
Minimum Distance Between Buildings	15'
Maximum Height [3]	36'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	60%

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the residential-office structure.

(3) *Building Standards. Building Standards.* Housing type and construction shall generally conform to the *Architectural Styles* depicted in *Exhibit 'G'* of this ordinance; however, all development shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for all exterior façades (*excluding walls on a porch, patio, courtyard, or breezeway*) greater than 100 SF shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementitious products may be used for up to *100%* of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.

(b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than five (5) houses apart on either side of the street.

DRAFT ORDINANCE 04-2019

(c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s).

(d) *Guest Quarters/Secondary Living Unit.* A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:

(i) Such quarters must be ancillary to the primary use;

(ii) The area of such quarters shall not exceed 30% of the area of the main structure;

(iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot; and

(iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*.

(v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.

(4) *Access.* Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.

(5) *Parking Requirements*. Parking requirements for Phase 4 shall be all follows:

(a) Two (2) parking spaces per lot for single-family uses.

(b) One (1) additional space per 500 SF for non-residential uses as permitted by this ordinance. Off-site common or shared parking agreements shall be considered for Phase 4, subject the review of the proposed parking area(s) with the required development plan.

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185

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186

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*

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

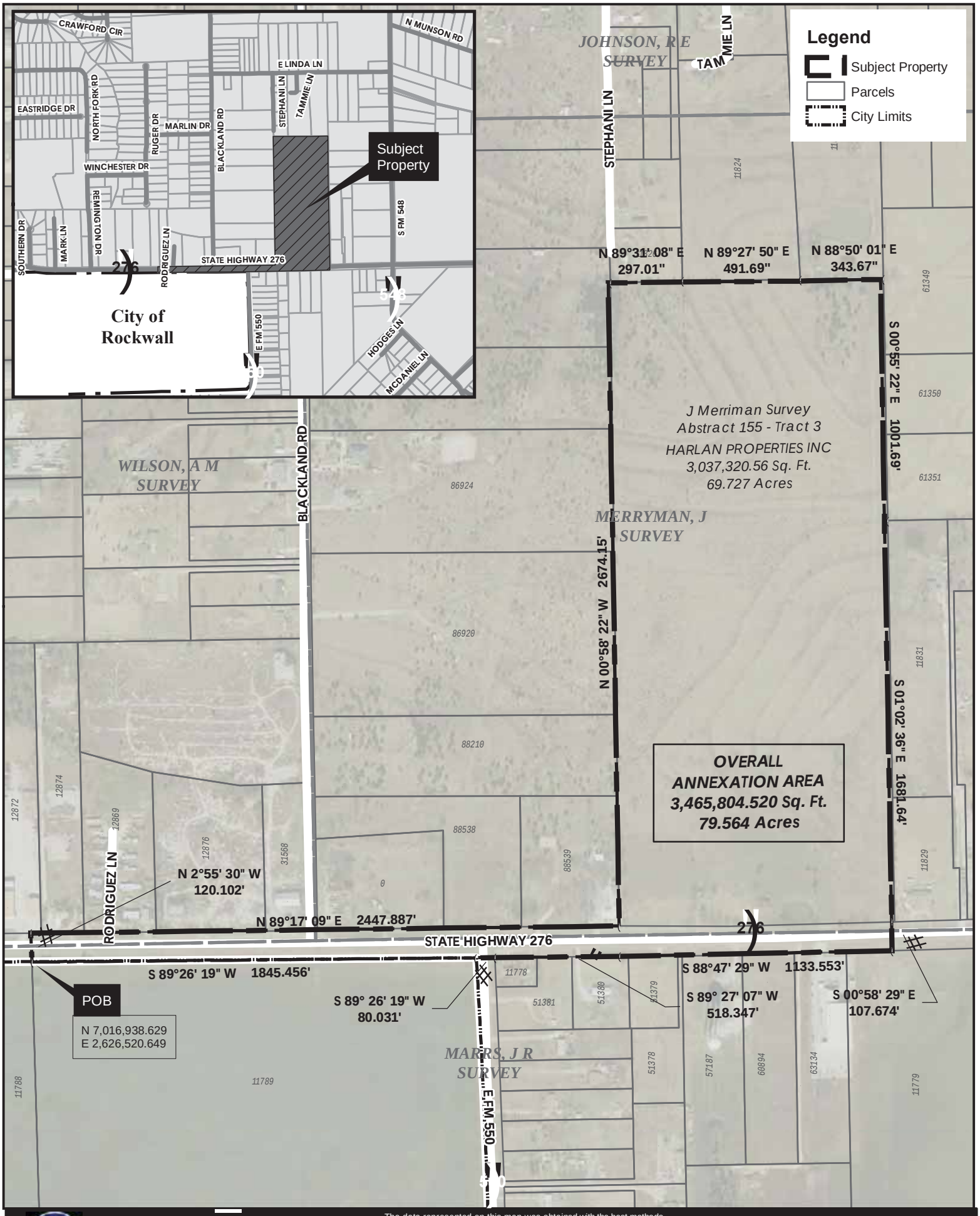
DATE: January 22, 2019

SUBJECT: A2018-005; *Harlan Properties Inc. Annexation*

On January 22, 2019, the City Council will be holding the first (*6:00 PM*) and second (*6:30 PM*) public hearings to consider the voluntary annexation of 79.564-acres of land located within the City's Extraterritorial Jurisdiction (ETJ). Suresh Shridharani, on behalf of Harlan Properties Inc., is requesting the annexation for the purpose of incorporating the property into the City of Rockwall to develop a residential subdivision.

Staff has followed the procedures for annexations as set forth in Chapter 43, *Municipal Annexations*, of the Texas Local Government Code relative to notifying affected property owners and publishing notices in the newspaper and on the City's website. Attached to this memorandum is a location map and service plan for the proposed annexation. In addition, this document has been made available to the public at City Hall and on the City's website.

No action on this matter is required by the City Council on January 22, 2019. The 1st reading of the annexation ordinance is scheduled for February 18, 2019 and the 2nd (*and final*) reading of the ordinance is scheduled for March 4, 2019.



City of Rockwall

Date: 11/7/2018
0 100 200 300
Feet
CITY OF ROCKWALL GIS

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

STATE HWY 276 EAST ANNEXATION
79.564 Acres

LEGAL DESCRIPTION

BEING an approximate 79.564 acre tract of land situated in the J. Merriman Survey, Abstract 155, A.M. Wilson Survey, Abstract 223, and J.R. Marr's Survey, Abstract 152 as recorded in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point in the Northwestern corner of Abstract J.R. Marr's Survey, Tract 10-1 (105.925 acres) and the South Right of Way line of State Highway 276, (NAD83- State Plane Coordinates, North Central Texas Zone 4202, N 7,016,938.629, E 2,626,520.649), said point being the **POINT OF BEGINNING**;

THENCE N.02°55'30"W., crossing State Highway 276, a distance of 120.102 feet for a corner;

THENCE N.89°17'09"E., along the North Right of Way line of State Highway 276, a distance of 2447.887 feet for a corner;

THENCE N.00°58'22"W., along the West property line of Abstract 155, Tract 3 (a 69.727 acre tract) a distance of 2674.15 feet for a corner;

THENCE N.89°31'08"E., along the North property line of said tract, a distance of 297.01 feet for a point;

THENCE N.89°27'50"E., along the North property line, a distance of 491.69 feet for a point;

THENCE N.88°50'01"E., along the North property line, a distance of 343.67 feet for a corner;

THENCE S.00°55'22"E., along the East property line, a distance of 1001.69 feet for a point;

THENCE S.01°02'36"E., along the East property line, a distance of 1681.64 feet for a point;

THENCE S.00°58'29"E., crossing State Highway 276, a distance of 107.674 feet for a corner;

THENCE S.88°47'29"W., along the South Right of Way line of State Highway 276, a distance of 1133.553 feet for a corner;

THENCE S.89°27'07"W., along said Right of Way line, a distance of 518.347 feet for a corner;

THENCE S.89°26'19"W., crossing Farm to Market 550, a distance of 80.031 feet for a corner;

THENCE S.89°26'19"W., continuing along the South Right of Way line of State Highway 276, a distance of 1845.456 feet to the **POINT OF BEGINNING**. Containing 3,465,804.520 square feet or 79.564 acres, more or less.

This description is intended to follow any adjacent recorded tract lines and existing City Limits or Road Right of Way lines.

END OF DESCRIPTION.

SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2018-005
City and County of Rockwall, Texas

Acreage Annexed: 79.564-acres

Survey Abstract and County: Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: March 4, 2019

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

(A) Police Services

(1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.

(2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) Fire Services

(1) Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.

(2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) Health and Code Compliance Services

(1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*

(2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

(3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

(4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

(5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

(1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.

(2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) Solid Waste Collection

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

(G) Streets

(1) The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.

(2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.

(3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

(H) Water Services

(1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.

(2) Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.

(3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) Sanitary Sewer Services

(1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.

(2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

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

(J) Public Utilities

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

(K) Miscellaneous

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

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193

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Ryan Miller, *Director of Planning and Zoning*

FROM: David Gonzales, *Planning and Zoning Manager*

DATE: January 22, 2019

SUBJECT: Z2018-058; *SUP for a Craft Winery & Commercial Amusement/Recreation (Outdoor)*

At the Planning and Zoning Commission meeting on January 15, 2019, the Planning and Zoning Commission held a public hearing and approved a motion to recommend approval of a Specific Use Permit (SUP) to allow for a *Craft Winery* and *Commercial Amusement/Recreation* (*Outdoor*). The motion was approved by a vote of 5 to 2 with Commissioners Lyons and Chodun dissenting. The applicant, Tim McCallum, has requested to postpone the public hearing scheduled for *Tuesday, January 22, 2019,* due to a conflict in his schedule that will not allow him to be present at this meeting. This means that the proposed City Council public hearing for this case will be held on *February 4, 2018*.

According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II, Authority and Administrative Procedures, of the Unified Development Code (UDC), a public hearing may be postponed by announcing the postponement at the public hearing and indicating the time and place the new hearing is scheduled to begin. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

Gonzales, David

From: Tim McCallum [redacted]
Sent: Friday, January 18, 2019 9:07 AM
To: Gonzales, David
Cc: Miller, Ryan
Subject: Re: SUP for Winery

David,

Please accept this email as a formal request to move our initial public hearing to the following meeting, February 4th, 2019. That would make our second public hearing on February 18th, 2019 according to the City Council meeting schedule. When you have time, I would appreciate your confirmation of those days. Unfortunately, I was called out of town for work on the 21st and 22nd, prohibiting me from being available for the originally scheduled time next week. I appreciate your help and thank you.

Respectfully,

Tim McCallum
He Wines She Dines, LLC

1

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Tim McCallum

AGENDA ITEM: **Z2018-058;** *SUP for a Craft Winery and Commercial Amusement/ Recreation (Outdoor)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of a Specific Use Permit (SUP) for a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant, Tim McCallum, has submitted a request for a Specific Use Permit (SUP) to allow a *Craft Winery* and *Commercial Amusement/Recreation* (*Outdoor*) facility to be located within a Commercial (C) District. Currently, the subject property -- *at 203 County Line Road* -- is being operated as a warehouse and shipping facility for the applicant's wine club (*i.e. no retail sales*). The applicant has stated that they would like the opportunity to expand this use to a *Craft Winery* for the purpose of allowing wine to be mixed, produced and sold on-site. With this request, the applicant has submitted a floor plan showing the proposed *Craft Winery* layout, which will be situated in a 1,250 SF building. Of this area, 500 SF of the building [*i.e. 40% of total SF*] will be dedicated for the retail sales and tasting component of the on-site manufactured product. The remaining 750 SF will be used for wine display racks, an overhead storage area, blending tanks, and wine barrels. Additionally, the applicant has provided a concept plan for the *Commercial Amusement/Recreation (Outdoor)* use [*i.e. outdoor venue*], which will be located outdoors in front of the facility. The applicant has indicated to staff that this area will be used on a limited and infrequent basis. In addition, Mr. McCallum has submitted a letter indicating that the use of the outdoor venue will only take place on a scheduled basis, Thursday through Monday (*i.e. nights, weekends, and occasionally on Mondays and holidays*). The outdoor venue will include a seating area, space for food vendors, and space for live music [*e.g. acoustic guitar*].

According to Section 1.1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), both the *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* land uses require approval of a Specific Use Permit (SUP) in a Commercial (C) District. Additionally, Section 2.1.6, of Article IV, *Permissible Uses*, of the UDC, defines a *Craft Winery* as being a small scale manufacturing and retail operation that is subject to the following conditions: (1) the total building area (*i.e. area under roof*) is less than 12,000 SF, and (2) the total floor area dedicated to the direct sale of the on-site manufactured product does not exceed a maximum of 40% of the total floor area. The section also goes on to list the permitted accessory uses as:

(a) a tasting room to dispense product manufactured on site for on premise consumption,
(b) a meeting/banquet facility,

(c) a restaurant, and/or
(d) the retail sales of on-site manufactured product for off-premise consumption.

Included in the attached packet is the applicant's letter outlining the proposed business plan, a concept plan depicting the outdoor venue, a floor plan for the *Craft Winery*, and a draft ordinance containing regulations for the proposed land uses. Based on staff's review, the applicant's request does appear to be in conformance with these requirements; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

ADJACENT LAND USES AND ACCESS:

The subject property is generally situated north of the intersection of Horizon Road [*FM-3097*] and County Line Road, and is addressed as 203 County Line Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 14.374-acre tract of land, restricted as open space and drainage per the requirements of Planned Development District 75 (PD-75).

South: Directly south of the subject property is a continuation of the Buffalo Creek Business Park, LTD, which represents a 6.841-acre portion of a larger 9.84-acre tract of land identified as Tracts 20, 20-05, and 20-06 of the W. W. Ford Survey, Abstract No. 80. Currently on this property are several non-residential structures, which are occupied (*i.e. multi-tenant strip centers and individual standing buildings*). All of these properties are zoned Commercial (C) District.

East: Directly east of the subject property is a continuation of Buffalo Creek Business Park, LTD, which represents a 1.00-acre portion of a larger 9.84-acre tract of land identified as Tracts 20-03 of the W. W. Ford Survey, Abstract No. 80. This property is currently occupied with a non-residential structure, and is zoned Commercial (C) District.

West: Directly west of the subject property and beyond the Buffalo Creek Business Park, LTD is Horizon Road [*FM-3097*], which is identified as an TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, roadway*) on the City's Master Thoroughfare Plan. Beyond this thoroughfare is a 39.347-acre tract of land identified as Tract 93-01, of the E. Teal Survey, Abstract No. 207 and is zoned Agricultural (AG) District. The Buffalo Creek Business Park, LTD is zoned Commercial (C) District.

NOTIFICATION:

On January 2, 2019, staff mailed 63 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there were no Home Owners Associations (HOA's) participating in the Neighborhood Notification Program within 1500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this report was drafted, staff had received one e-mail opposed to the applicant's request.

RECOMMENDATIONS:

Should the City Council choose to approve the applicant's request, staff would offer the following conditions of approval:

1) The operation of the *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* on the subject property shall be subject to the following operational conditions, which are contained in the SUP ordinance:

A. *Craft Winery:*

1) The maximum square footage of the building used for a winery shall not exceed 12,000 SF in total building area, and is depicted in *Exhibit 'C'* of the draft ordinance.

2) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building, and is depicted in *Exhibit 'D'* of the draft ordinance.

3) The hours open to the public for this facility shall be limited to Sunday through Saturday, 11:00 AM to 12:00 AM.

B. *Commercial Amusement/Recreation (Outdoor)*

1) The operation of a *Commercial Amusement/Recreation* (*Outdoor*) use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.

2) The *Subject Property* may be used for all permitted accessory uses as well as the use of an *outdoor venue* that may include live music and food truck vendors as depicted in *Exhibit 'B'* of this ordinance. The use of temporary tents or similar uses must be made of fire retardant materials and meet the City's fire codes.

3) The hours of operation associated with the *Outdoor Venue* for this facility shall be limited to Thursday through Monday, 11:00 AM to 12:00 AM.

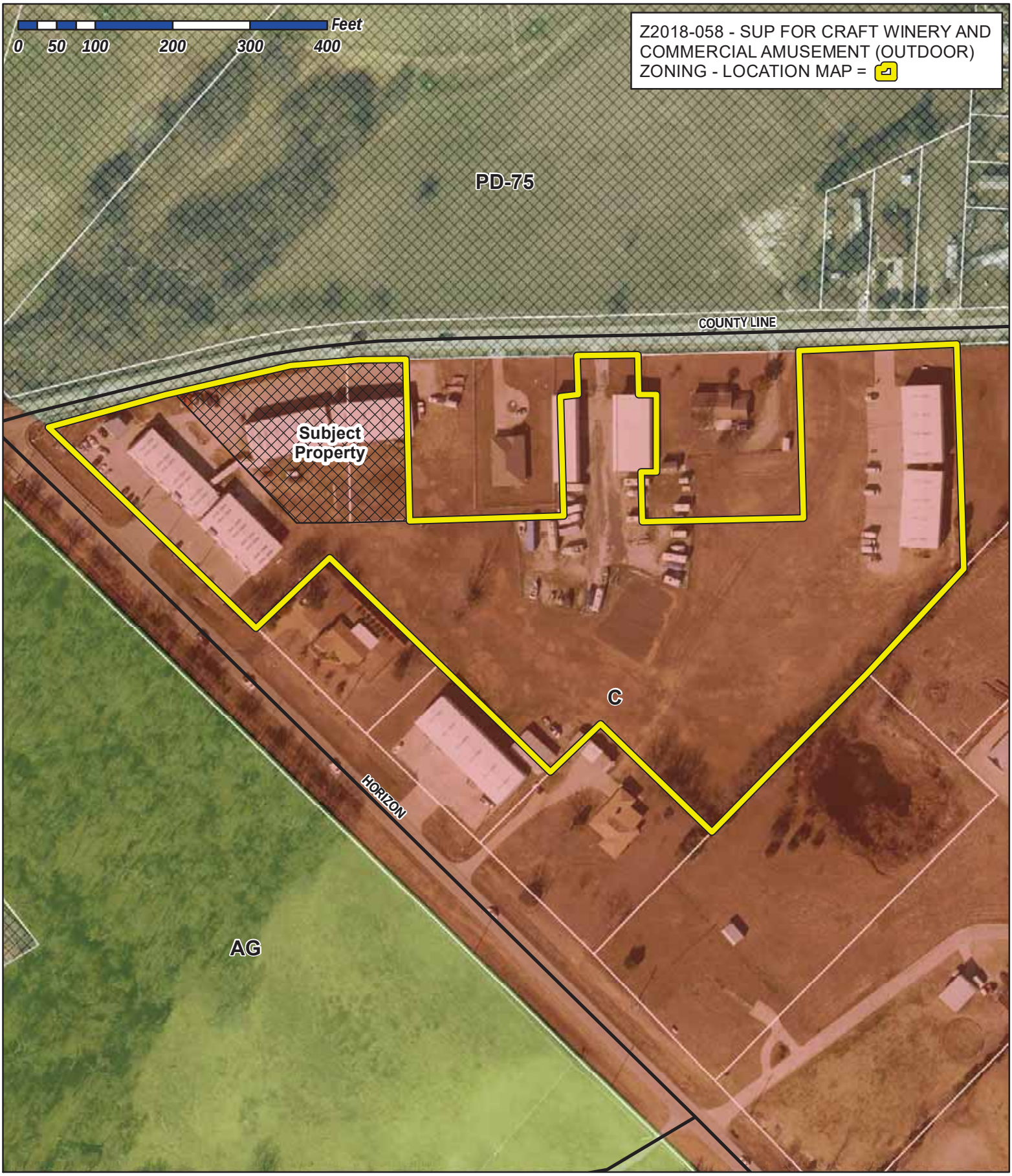
4) There shall be no outside storage of equipment, furniture, or other materials associated with the operation of this business or from any outdoor gatherings on the *Subject Property*.

5) No parking associated with the uses permitted on the *Subject Property* shall be permitted along County Line Road or Horizon Road [*FM-3097*].

2) Any construction or building necessary to complete this request must conform to the requirements set forth by the *UDC*, the *International Building Code*, the *Rockwall Municipal Code of Ordinances*, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 15, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) to allow for a Craft Winery and *Commercial Amusement/Recreation* (*Outdoor*) with staff conditions passed by a vote of 5 to 2 with Commissioners Lyons and Chodun dissenting.



City of Rockwall

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

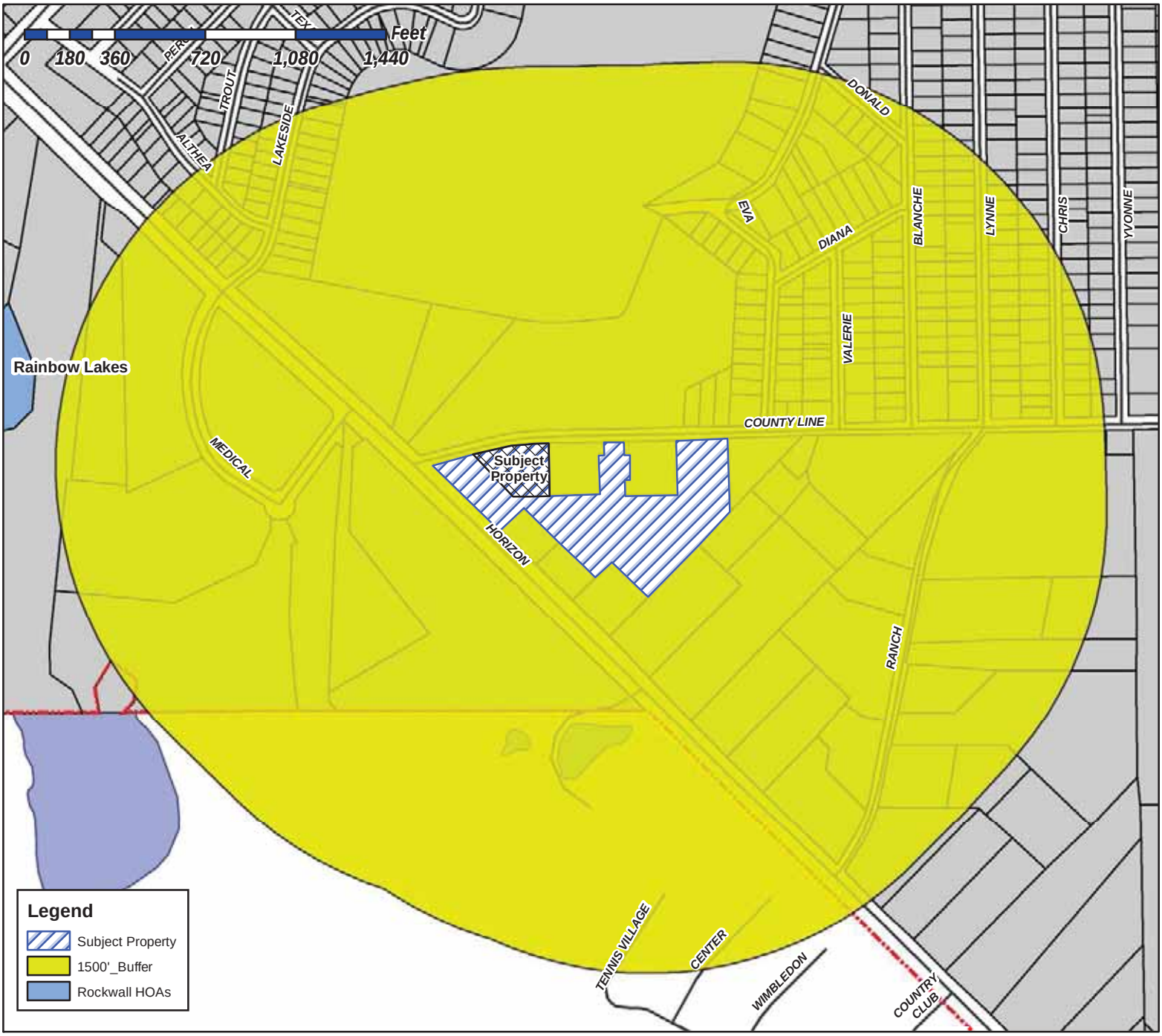
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

199

City of Rockwall

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

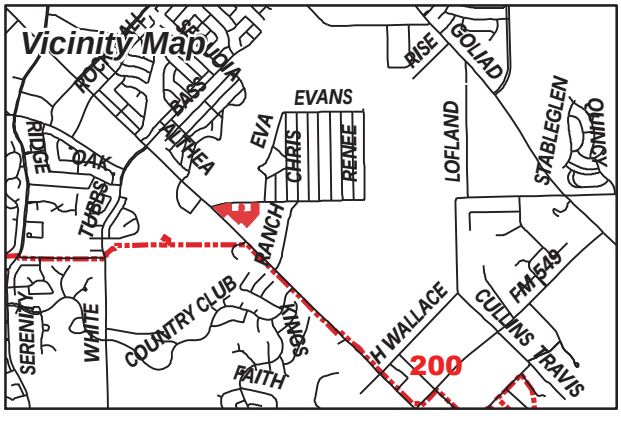
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Case Number: Z2018-058
Case Name: SUP for a Craft Winery and Commercial Amusement (Outdoor)
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 203 County Line Road

Date Created: ***12/18/2018***

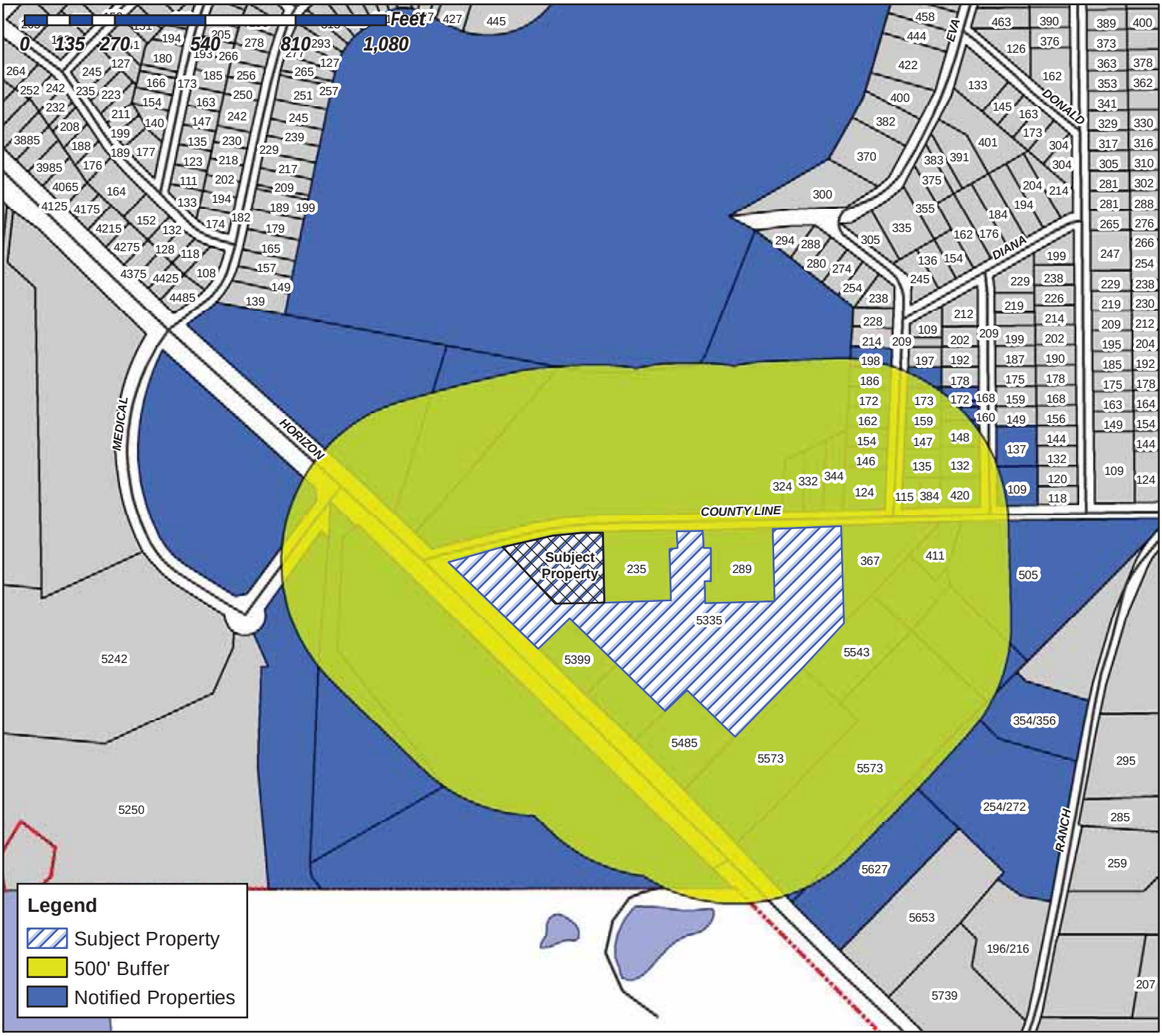
For Questions on this Case Call (972) 771-7745



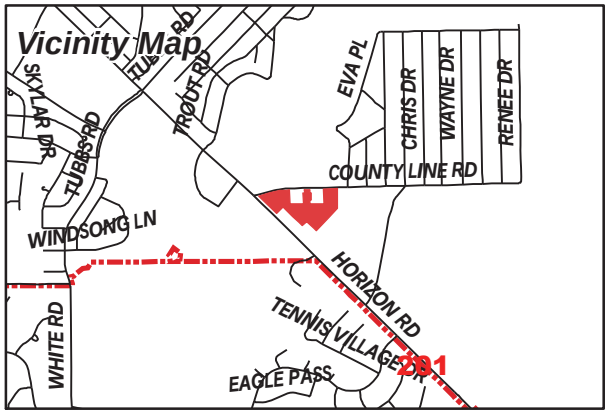
City of Rockwall

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

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Date Created: ***12/18/2018***
For Questions on this Case Call (972) 771-7745

WOLFORD BILLY E & KATHY
103 EAGLE NEST
MABANK, TX 75156

SILVA BERTHA
1041 E FM 552
ROCKWALL, TX 75087

SALAS ALBERTO R & ADELA A
109 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
115 EVA PL
ROCKWALL, TX 75032

GRIZZEL ROYCE LEE JR
124 EVA PLACE
ROCKWALL, TX 75032

PAVON MARISOL
132 VALERIE PL
ROCKWALL, TX 75032

MONTELONGO MOISES
135 EVA PLACE
ROCKWALL, TX 75032

MOONEY GERALD M & JEWELL F REV LIV TR
137 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
146 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
147 EVA PL
ROCKWALL, TX 75032

VALDEZ MARY ESTHER
148 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
154 EVA PL
ROCKWALL, TX 75032

MORALES RAMIRO JR
159 EVA PLACE
ROCKWALL, TX 75032

DURAN ROCIO
160 VALERIE PL
ROCKWALL, TX 75032

DEL RIO ALBERTO & MONICA
162 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
168 VALERIE PL
ROCKWALL, TX 75032

LOZANO ISIDRO
1705 HIGH MEADOW DR
GARLAND, TX 75040

CURRENT RESIDENT
172 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
172 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
173 EVA PL
ROCKWALL, TX 75032

5543 FM3097 LLC
1809 BRISTOL LANE
ROCKWALL, TX 75032

SILVA MARIA
186 EVA PL
ROCKWALL, TX 75032

ORTEGA RUBEN
187 EVA PL
ROCKWALL, TX 75032

BARRON BENICIO
195 ROSEMARIE DR
LEBANON, OH 45036

CONTRERAS MANUEL AND MARIA G
198 EVA PL
ROCKWALL, TX 75032

BUFFALO CREEK BUSINESS PARK LTD
2324 EAST I 30
ROYSE CITY, TX 75189

BUFFALO CREEK BUSINESS PARK LTD
2324 W INTERSTATE 30
ROYSE CITY, TX 75189

CURRENT RESIDENT
235 COUNTY LINE RD
ROCKWALL, TX 75032

PATRIOT PAWS SERVICE DOGS
254 RANCH TRL
ROCKWALL, TX 75032

CURRENT RESIDENT
254/272 RANCH TRL
ROCKWALL, TX 75032

KELLY EDDY D & SHARON RENEE REV LIV TR
289 COUNTY LINE RD
ROCKWALL, TX 75032

JIMENEZ TERESA HERNANDEZ &
321 PANOLA CT
ROYSE CITY, TX 75189

CURRENT RESIDENT
324 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
332 COUNTY LINE RD
ROCKWALL, TX 75032

SILVA JUAN C
332 E LINDA LN
ROYSE CITY, TX 75189

CURRENT RESIDENT
344 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
354/356 RANCH TRL
ROCKWALL, TX 75032

RAMIREZ RAUL & TERESA
358 TROUT ST
ROCKWALL, TX 75032

RAMIREZ RAUL
358 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
367 COUNTY LINE RD
ROCKWALL, TX 75032

RAMIREZ PETRA & JOSE ARTURO
384 COUNTY LINE RD
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC
405 CHATHAM ST
SUNNYVALE, TX 75182

CURRENT RESIDENT
411 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
420 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
505 COUNTY LINE RD
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC
505 COUNTY LINE RD
ROCKWALL, TX 75032

LEJ PARTNERS LTD
5100 ELDORADO PKWY 0
MCKINNEY, TX 75070

MARKSQUARED INVESTMENTS LLC
517 COYOTE RD
SOUTHLAKE, TX 76092

CURRENT RESIDENT
5335 FM3097
ROCKWALL, TX 75032

KELLY REX ALLEN
5399 FM 3097
ROCKWALL, TX 75032

KELLY A R
5485 FM 3097
ROCKWALL, TX 75032

RANGELL JUAN JOSE
554 WILLOW RIDGE CIR
ROCKWALL, TX 75032

CURRENT RESIDENT
5543 FM3097
ROCKWALL, TX 75032

MATTHEWS GERALD W & DONNA C
5550 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
5573 FM3097
ROCKWALL, TX 75032

ALONZO JOSE O
5627 HORIZON RD
ROCKWALL, TX 75032

JWS LAND LTD
5900 S LAKE FOREST DR 0
MCKINNEY, TX 75070

GAMEZ DAVID
614 E BOYDSTUN ST
ROCKWALL, TX 75087

JERRY KISICK CUSTOM HOMES INC
6505 W PARK BLVD 0
PLANO, TX 75093

FINCHER LINDA
916 BROWNFIELD
MESQUITE, TX 75150

NORTH TEXAS MUNICIPAL WATER DIST
P O BOX 2408
WYLIE, TX 75098

PEOPLES BILLY
P O BOX 35
ROCKWALL, TX 75087

NORTH TEXAS MUNICIPAL WATER DIST
PO BOX 2408
WYLIE, TX 75098

204

Gonzales, David

From: Planning
Sent: Tuesday, January 15, 2019 8:45 AM
To: Gonzales, David
Subject: FW: Craft Winery

From: Patty Ramirez [mailto:[redacted]
Sent: Monday, January 14, 2019 5:44 PM
To: Planning
Subject: Craft Winery

It has come to my notice that we were sent a letter over the proposition of a winery in our neighborhood. Although some individuals would be in favor of said winery, we would oppose the construction of the winery in our neighborhood to avoid issues with intoxicated people near the area that is home to many families. The traffic that builds up in the area would rather be an inconvenience to this business.

Sincerely,
Jose Arturo and Petra Ramirez
384 County Line Rd. Rockwall, Tx 75032

he WINES she DINES

TASTY REVIEWS FROM BOTH PERSPECTIVES

To Whom It May Concern:

He Wines She Dines began as a food review and blog website in 2014. We are a husband and wife team that travels the world looking for the best places to eat, drink and enjoy time together! After garnering thousands of followers, we had so many people asking us about wines to drink, what to buy, and how to order, that we decided we would start a wine club. Pursuing that effort, we quickly realized we needed to be a winery to ship product to our followers. With that in mind, we got our federal winery permit and import license and begin working with wineries in California and France to produce amazing wines to bring to Rockwall. We began operating in the Fall of 2016 at 203 County Line Rd, Rockwall, TX 75032. Until the Fall of 2018, we had never been open to the public. We are predominately an online business that sells to individual members through an e-commerce business model and directly to restaurants. To date, 100% of our production has been done in either Lodi, California or Champagne, France. Additionally, we buy wines from other distributors and wineries to offer a diverse mix of high-quality wines to our members.

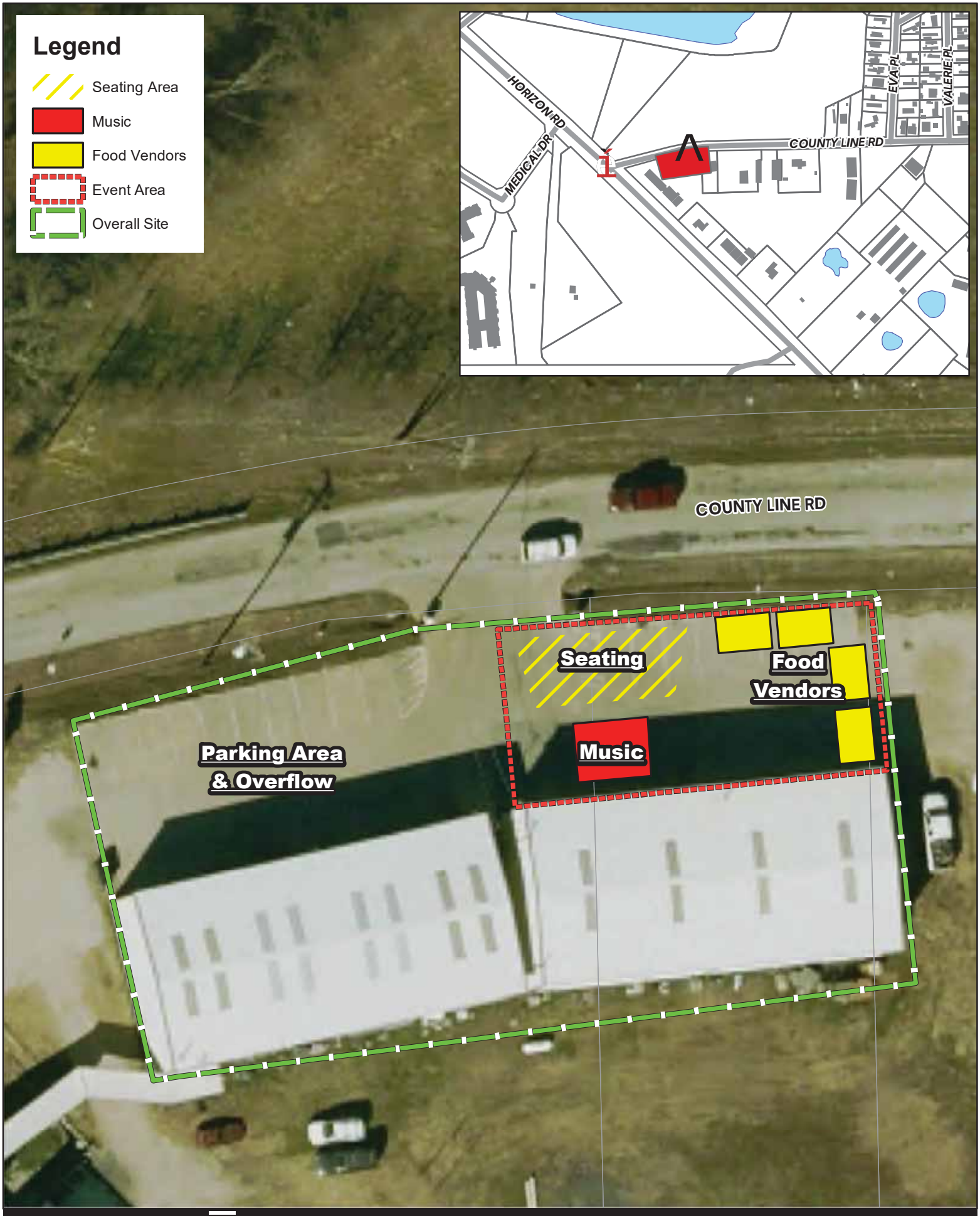
In October of 2018, we began hosting a series of periodic "warehouse sales and tastings". During these periodic Saturday events we have been open for limited hours(12-5pm) for patrons to come, try and purchase our wines at lower than retail prices. We have only hosted 3 events this year and they have been very well received.

Moving forward we need a SUP for two primary reasons. First, we are preparing to begin limited production runs, barrel storage and some blending operations at our facility. A new SUP is required for this. Second, we want to expand our ability to have tastings and host events at our facility. These events would be limited in scope, but would potentially include live music, food trucks and seating areas for patrons to enjoy our wines. During these events, the guest area would be contained with a temporary barrier. We may use temporary tents or other covers, umbrellas, etc. for sun and rain protection. We plan to keep a conservative schedule but would like for these events to be held on nights, weekends and holidays ranging from Thursdays-Sundays with occasional Mondays or key National holidays. Our maximum operating hours would be between 11am-12am. No equipment, furniture or materials would be stored outside of the facility.

Thank you for your consideration and Cheers!

Tim and Jennifer McCallum
He Wines She Dines

206



City of Rockwall

Date: 12/19/2018

0 40 Feet

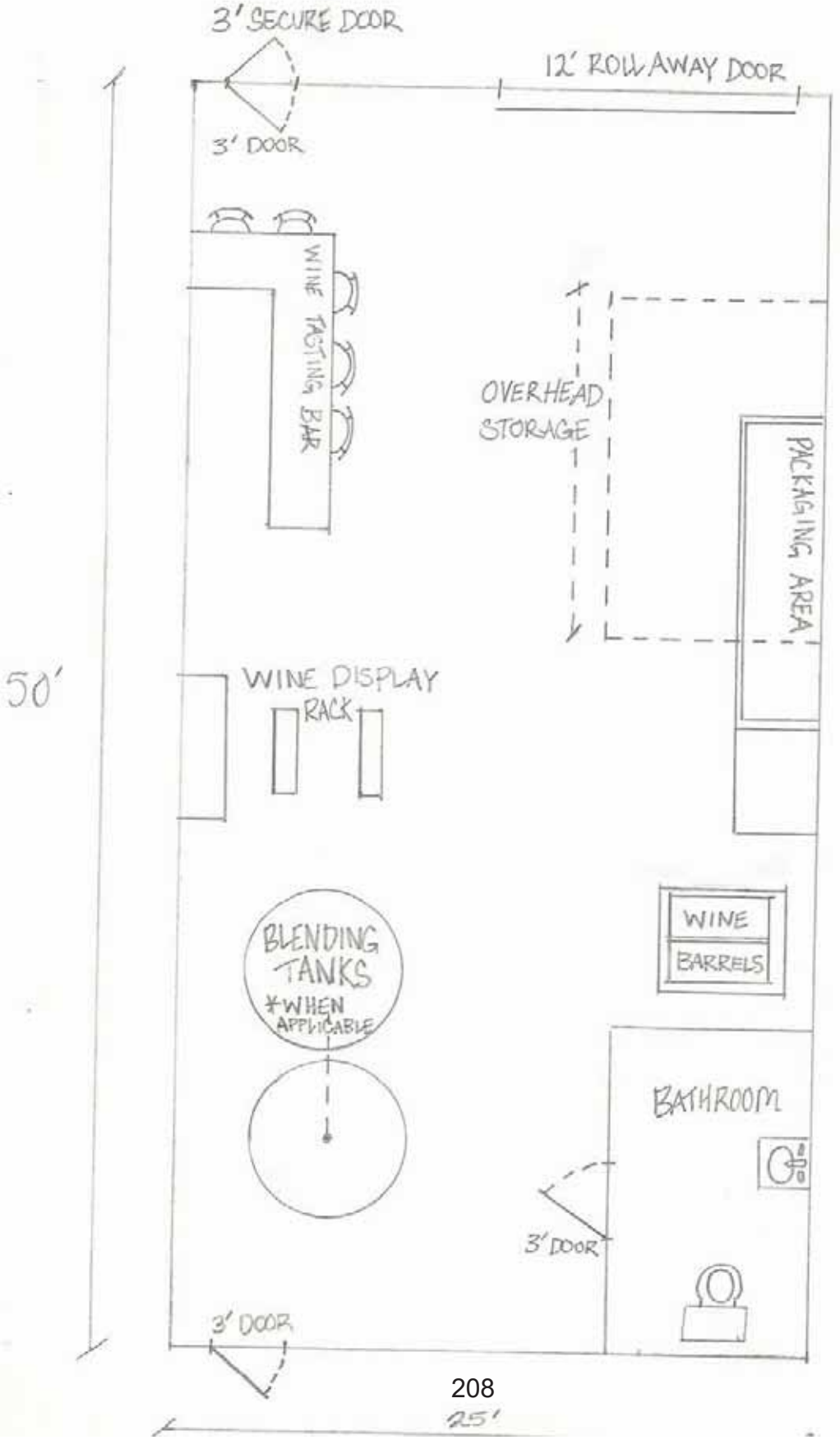
GEOGRAPHIC INFORMATION SYSTEMS

Z2018-058

COUNTY LINE RD.

HE WINES SHE DINES, LLC
203 COUNTY LINE RD.
ROCKWALL TX, 75032

Sqft 1,250

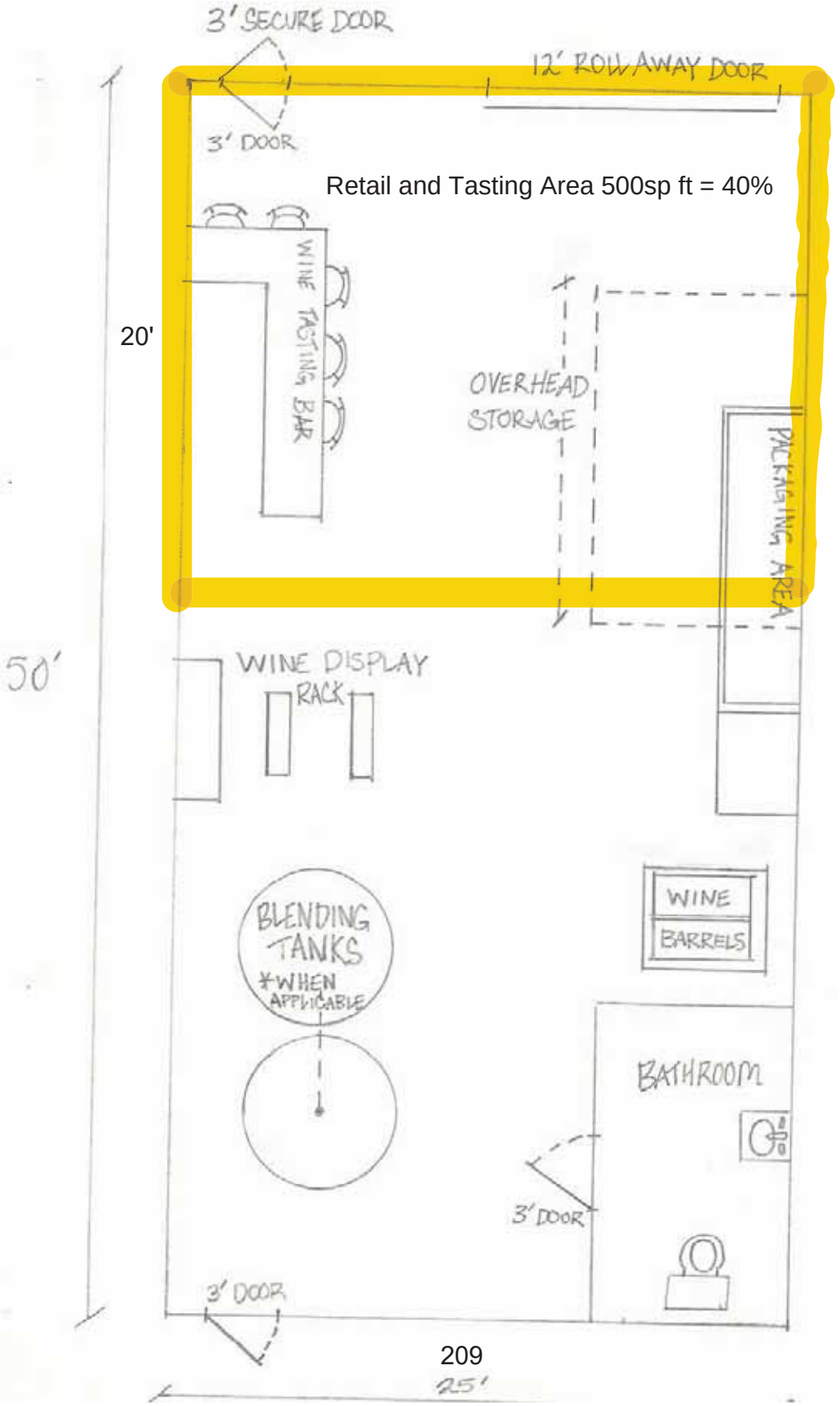


208

COUNTY LINE RD

HE WINES SHE DINES, LLC
203 COUNTY LINE RD.
ROCKWALL TX, 75032

Sqft 1,250



209

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *CRAFT WINERY* AND *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* ON A 7.2-ACRE TRACT OF LAND, ADDRESSED AS 203 COUNTY LINE ROAD AND BEING IDENTIFIED AS TRACTS 20-01 & 20-07 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Tim McCallum of He Wines She Dines, LLC for the approval of a Specific Use Permit (SUP) for a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* for the purpose of establishing a *Craft Winery* in conjunction with an outdoor venue on a 7.2-acre Tract of land, zoned Commercial (C) District, being identified as Tract 20-01 & 20-07 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, addressed as 203 County Line Road, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* as stipulated by Article *IV, Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule,* of *Article IV, Permissible Uses,* and *Section 4.5, Commercial (C) District,* of *Article V, District Development Standards,* of the Unified

PRELIMINARY ORDINANCE 2019

Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the additional following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

A. *Craft Winery:*

1) The maximum square footage of the building used for a winery shall not exceed 12,000 SF in total building area, and is depicted in *Exhibit 'C'* of the draft ordinance;

2) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building, and is depicted in *Exhibit 'D'* of the draft ordinance; and,

3) The hours open to the public for this facility shall be limited to Sunday through Saturday, 11:00 AM to 12:00 AM.

B. *Commercial Amusement/Recreation (Outdoor)*

1) The development and operation of a *commercial amusement/recreation* (*outdoor*) use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The *Subject Property* may be used for all permitted accessory uses as well as the use of an *outdoor venue* that may include live music and food truck vendors as depicted in *Exhibit 'B'* of this ordinance. The use of temporary tents or similar uses must be made of fire retardant materials and meet the City's fire codes;

3) The hours of operation associated with the *outdoor venue* for this facility shall be limited to Thursday through Monday, 11:00 AM to 12:00 AM;

4) There shall be no outside storage of equipment, furniture, or other materials associated with the operation of this business or from any outdoor gatherings on the *Subject Property*; and,

5) No parking associated with the uses permitted on the *Subject Property* shall be permitted along County Line Road or Horizon Road [FM-3097].

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified

DRAFT ORDINANCE 02.19

Development Code (UDC).

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF FEBRUARY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *January 22, 2019*

2nd Reading: *February 4, 2019*

DRAFT ORDINANCE 01.22.19

Exhibit 'A':

Legal Description: Tracts 20-01 & 20-7 of the W.W. Ford Survey, Abstract No. 80

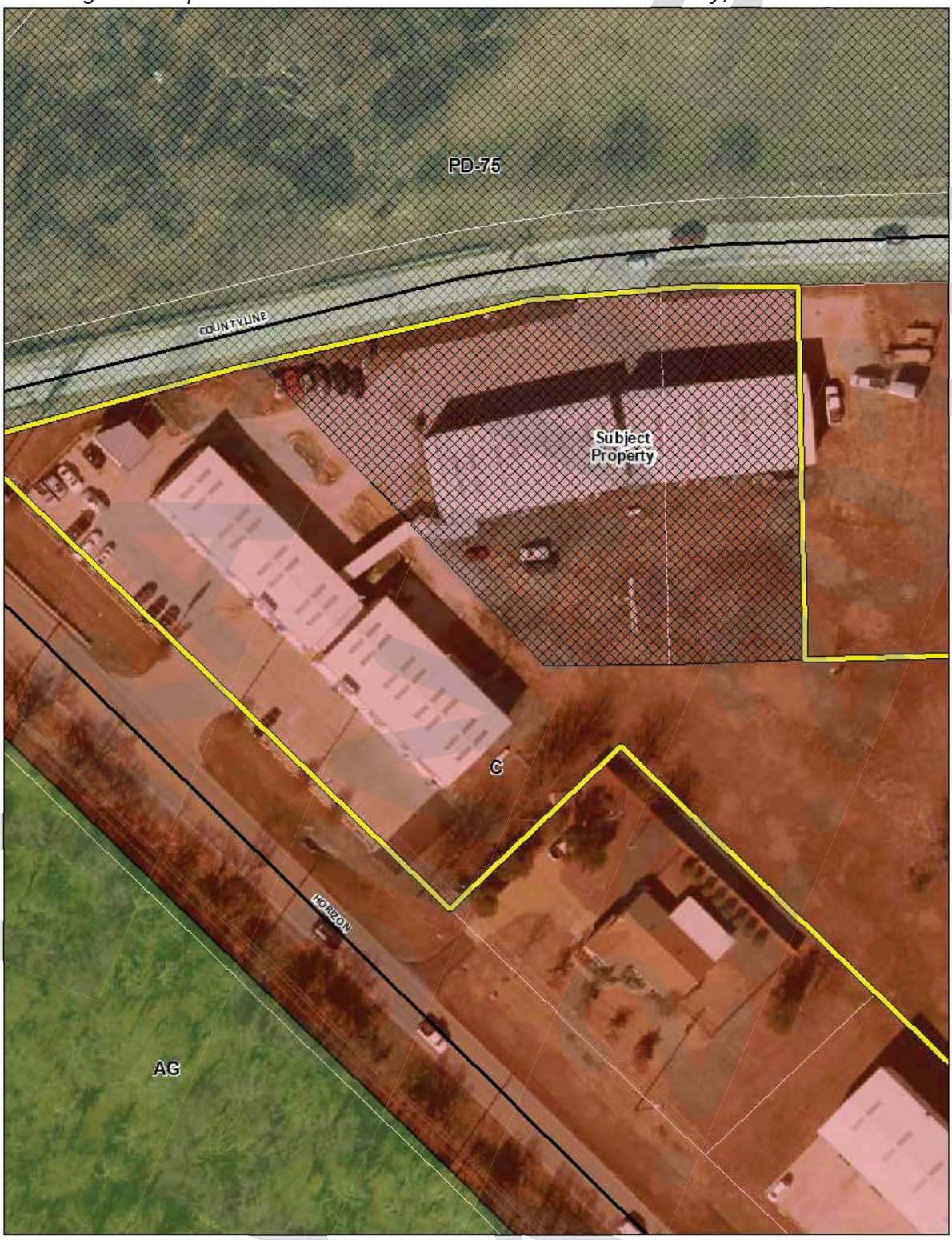


Exhibit 'B':
Concept Plan

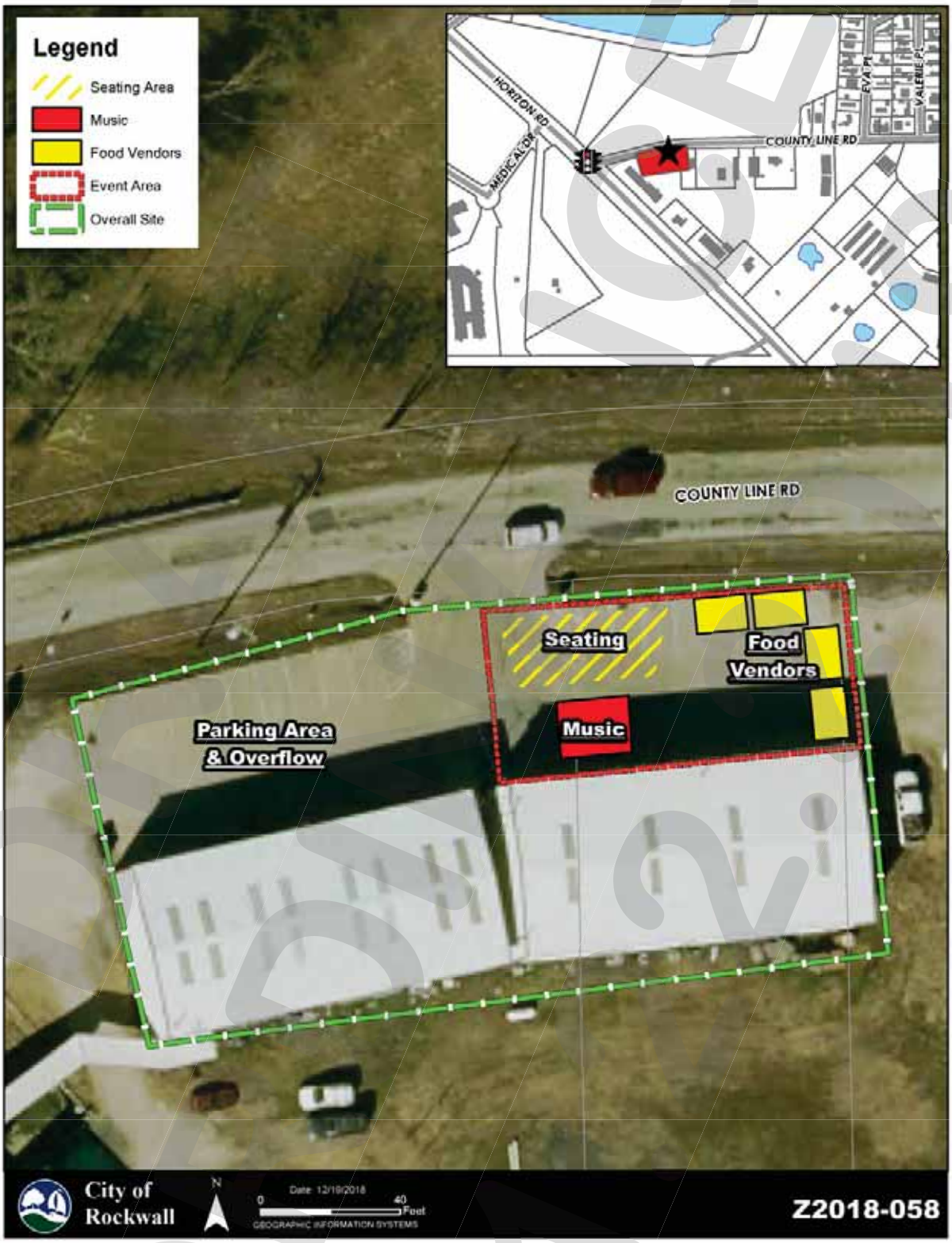
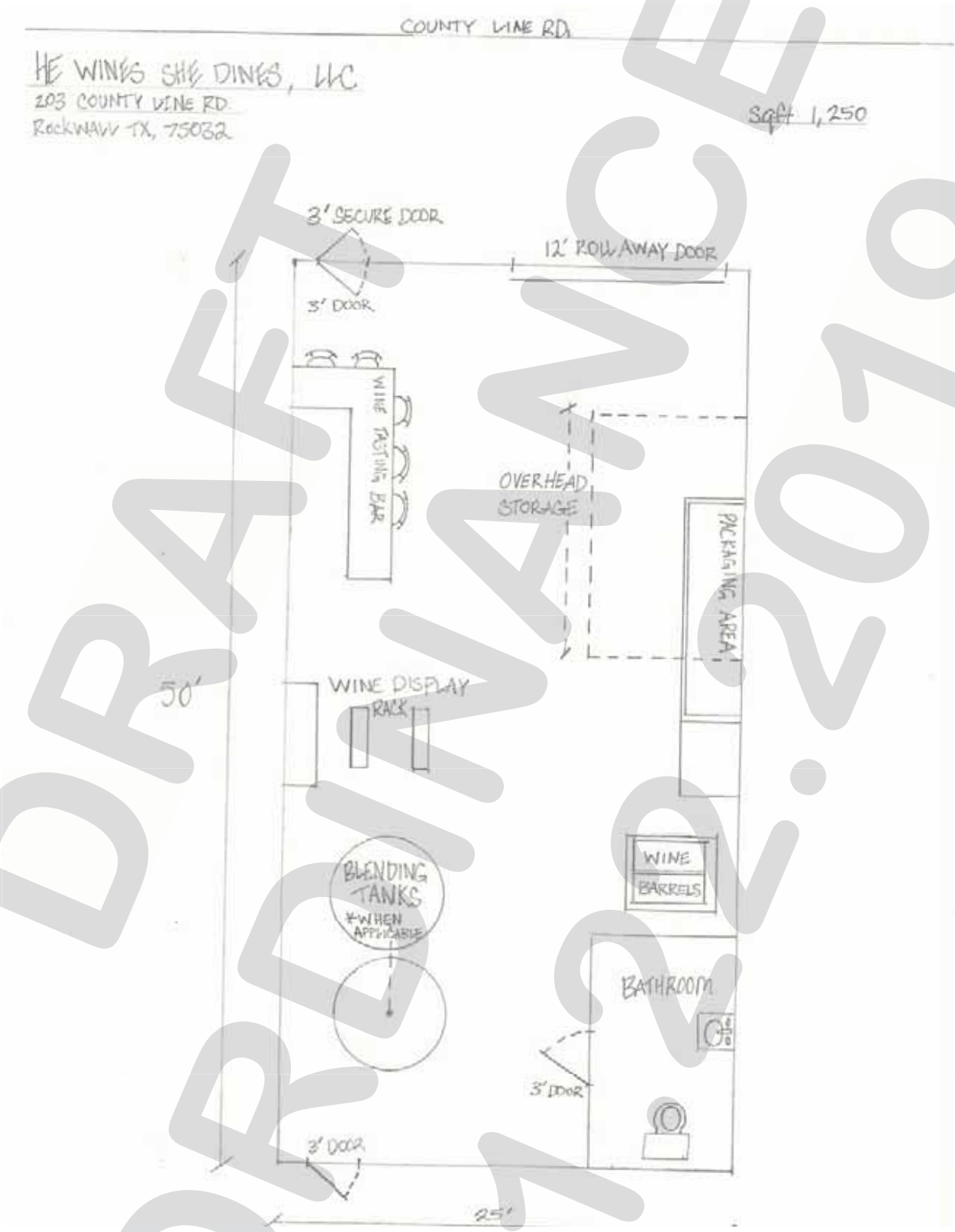
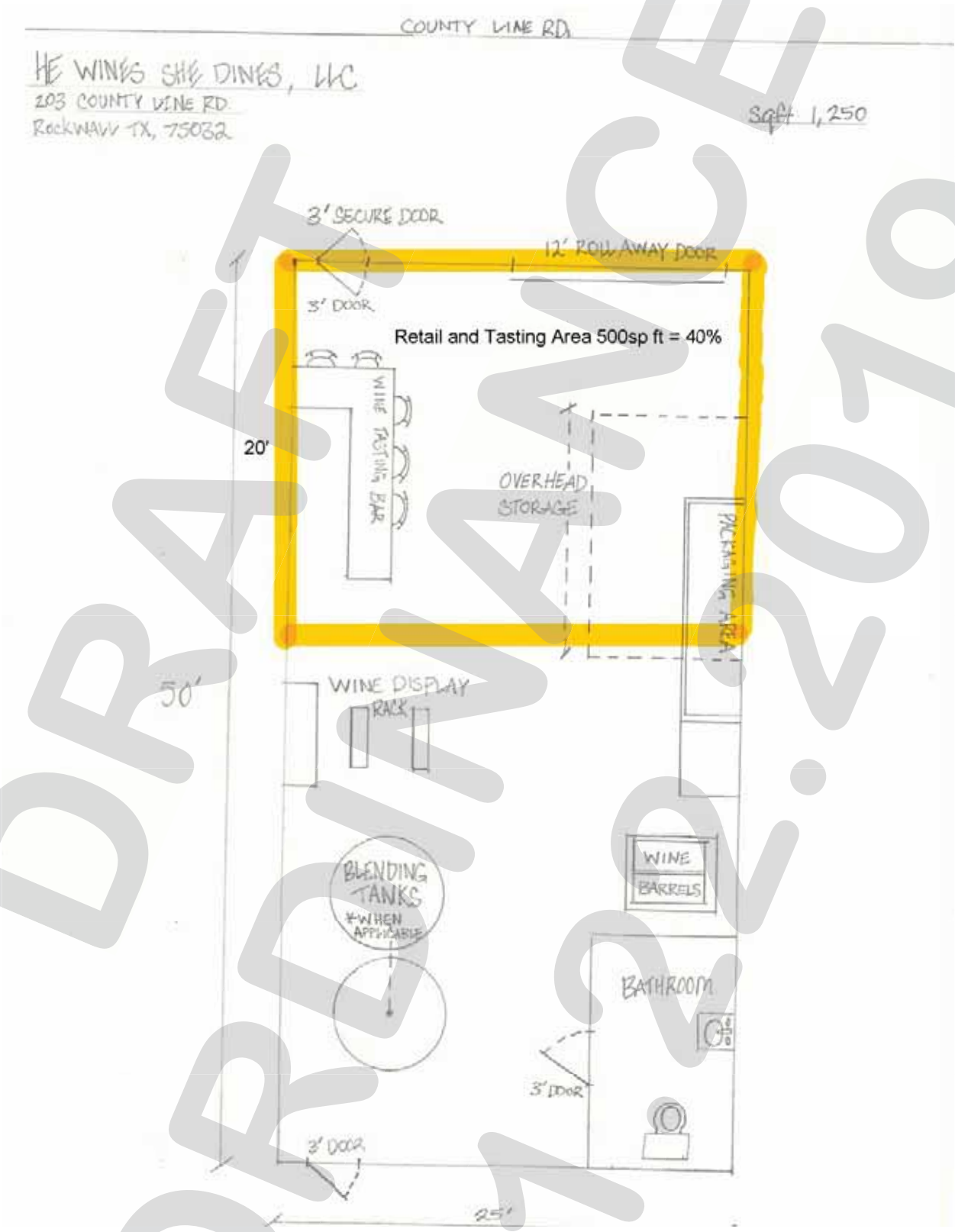


Exhibit 'C':
Floor Plan



DRAFT ORDINANCE 01.22.2019

Exhibit 'D':
Retail and Tasting Area Plan



DRAFT ORDINANCE 01.22.2019

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217

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Heather Cullins

AGENDA ITEM: **Z2018-059;** *Zoning Change (SFE-2.0 to SFE-1.5)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary.

BACKGROUND INFORMATION AND PURPOSE:

The applicant is requesting a change in zoning from a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District for the purpose of subdividing the subject property. The subject property is situated on a 3.03-acre tract of land, zoned Single-Family Estate 2.0 (SFE-2.0) District, and is addressed as 1085 Dalton Road.

The subject property was annexed in 1983 [*Ordinance No. 83-57*] and was part of a larger tract of land. In 2018, the previous property owner requested to rezone the subject property from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District [*Z2017-045*] and platted [*P2017-049*] the tract of land. As part of this case, the previous property owner stated the purpose of platting the property was to create two (2) lots (*i.e. Lots 1 & 2, Hodgdon Addition*) to construct a single-family home on Lot 1. The applicant purchased the subject property (*i.e. Lot 1*) in 2017 for the purpose of constructing a single-family home. According to the applicant, after purchasing the subject property, another property was discovered and the plan to construct a single-family home on the subject property was abandoned. The applicant as also stated there have been inquiries about purchasing the subject property; however, the size of the lot (*i.e. 3.05-acres*) was too large, and potential buyers only wanted half or a portion of the lot. Based on this, the applicant is requesting to re-zone the subject property with the intent of subdividing the tract of land into two (2) ~1½-acre lots. Currently, floodplain traverses the property and should any improvements impact the floodplain, a flood study could be required.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are all follows:

North: Directly north of the subject property is Dalton Road, which is identified as a M4U (*Major Collector, four [4] lane, undivided roadway)*. Beyond this is a tract of vacant land that is zoned Agriculture (AG) District.

South: Directly south of the subject property is a single-family residential subdivision [*i.e. Promenade Harbor*] zoned Single-Family 10 (SF-10) District. Beyond this is Asbourne Drive which is identified as a *Minor Collector*.

East: Directly east of the subject property is a single-family residential subdivision [*i.e. The Shores*] zoned Planned Development District 3 (PD-3). Beyond this is a large tract of land that is zoned Agricultural (AG) District.

West: Directly west of the subject property is a single-family residential subdivision [*i.e. Promenade Harbor*] zoned Single-Family 10 (SF-10) District. Beyond this is a large tract of land [*i.e. the Takeline*] that is outside of the City Limits.

UNIFIED DEVELOPMENT CODE:

According to the purpose statements stipulated in Subsection 3.02, *Single-Family Estate 1.5 (SFE-1.5) District*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family Estate 1.5 (SFE-1.5) District is the "…proper zoning classification for rural, estate lots that are a minimum of 1½-acres. Since the subject property is 3.03-acres, it conforms to the requirements of the Single-Family Estate 1.5 (SFE-1.5) District development standards. The following is a summary of the minimum development standards for a property within a Single-Family 1.5 (SFE-1.5) District:

Ordinance Provisions	*Zoning District Standards*
Minimum Lot Area	*65,340 SF*
Minimum Lot Width	*150-Feet*
Minimum Lot Depth	*250-Feet*
Minimum Front Yard Setback	*50-Feet*
Minimum Rear Yard Setback	*10-Feet*
Minimum Side Yard Setback	*25-Feet*
Maximum Height	*36-Feet*
Minimum Masonry Requirement	*80%*
Minimum Dwelling SF	*2,500*
Maximum Building Coverage	*35%*
Minimum Length of Driveway	*20-Feet*

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Plan adopted with the OurHometown Vision 2040 Comprehensive Plan, designates the subject property for *Low Density Residential* land uses, which is defined as developments with two (2) units per acre or less. The applicant's request is in conformance with this designation and will not require any changes to the Future Land Use Map.

STAFF ANALYSIS:

When analyzing the applicant's request (*i.e. to rezone the subject property for the purpose of subdividing the tract of land*) and the size of the subject property (*i.e. three [3]-acres*), the Single-Family Estate 1.5 (SFE-1.5) District appears to be an appropriate zoning district. Although the subject property could be divided into two (2) smaller estate lots (*i.e. two [2] 1½ - acre lots*) if this zoning change is approved, this request would not change the *Low Density Residential (LDR)* land use designation on the property. With that being said, approval of a zoning change is discretionary for the City Council, pending a recommendation by the Planning and Zoning Commission.

NOTIFICATION:

On December 28, 2018, staff mailed 68 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Promenade Harbor and the Shores/Ray Hubbard Homeowner's Associations (HOA's) which are the only HOA's/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Staff also advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received one (1) notice in opposition of this case. Since this represents more than 20% of the properties within the 200-foot notification buffer, a 3/4 majority vote of all Council Members present is required for this request to be approved.

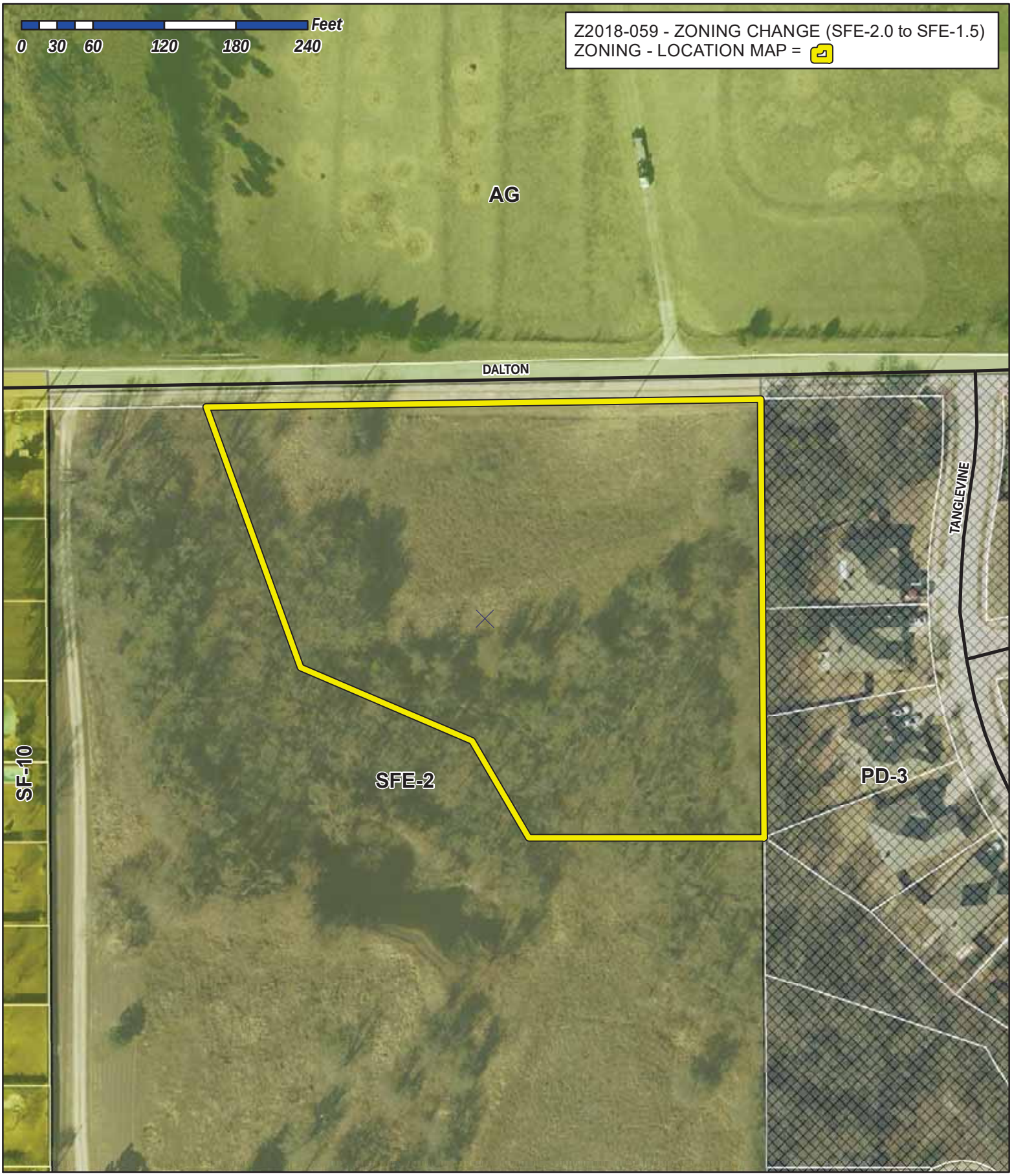
RECOMMENDATIONS:

Should the City Council approve the change in zoning, staff would recommend the following conditions of approval:

1) Any construction or building necessary to complete this change in zoning request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On January 15, 2019, the Planning and Zoning Commission's motion to recommend approval of the zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family 1.5 (SFE-1.5) District with staff recommendations passed by a vote of 7-0.



City of Rockwall

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

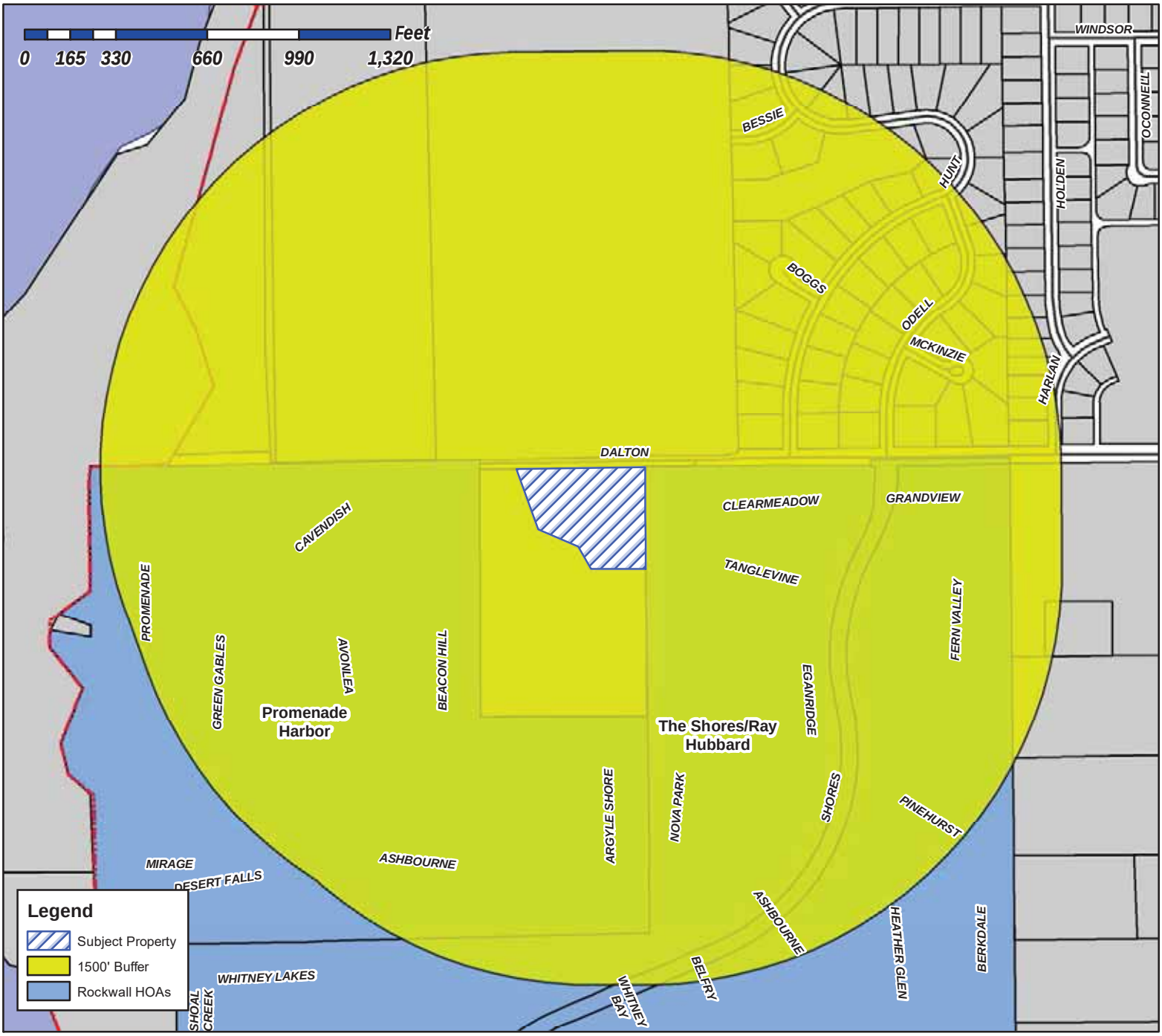
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

221

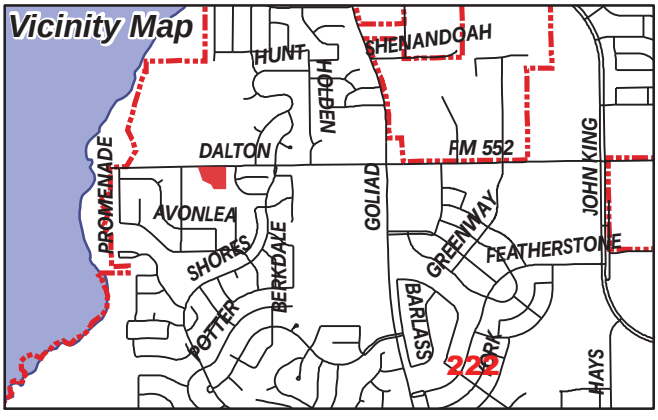
City of Rockwall

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

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Case Number: Z2018-059
Case Name: Zoning Change (SFE-2.0 to SFE-1.5)
Case Type: Zoning
Zoning: SFE-2 District
Case Address: 1085 Dalton Road



Date Created: ***12/17/2018***
For Questions on this Case Call (972) 771-7745

From:	Morales, Laura
To:	[redacted]
Cc:	Miller, Ryan; Gonzales, David; Brooks, Korey
Subject:	Neighborhood Noification Program: Notice of zoning request
Date:	Friday, December 28, 2018 2:46:40 PM
Attachments:	PUBLIC NOTICE.pdf Z2018-059 HOA Map.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***December 28, 2018***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 1/15/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Tuesday 1/22/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2018-059- Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

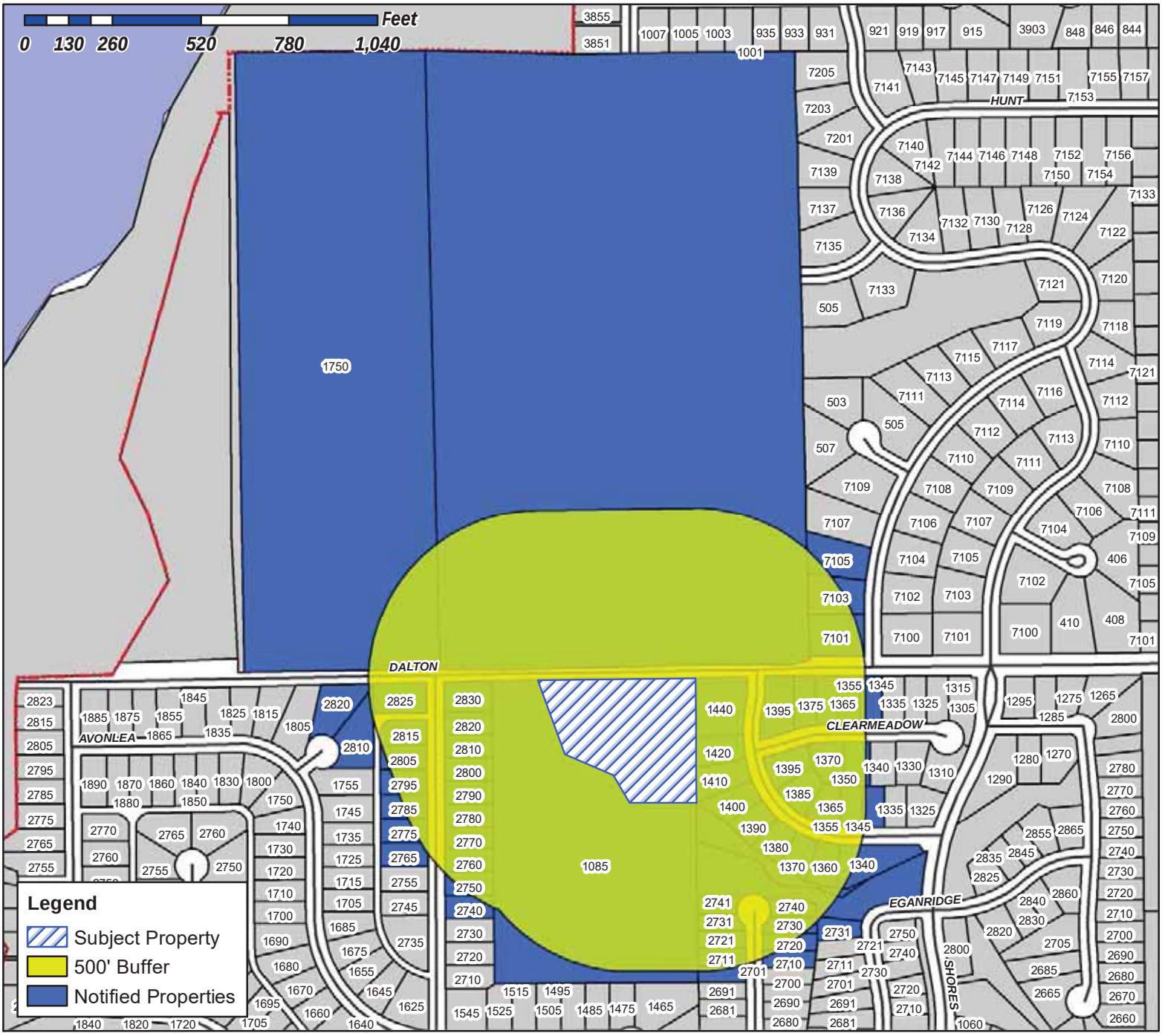
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com/planning/

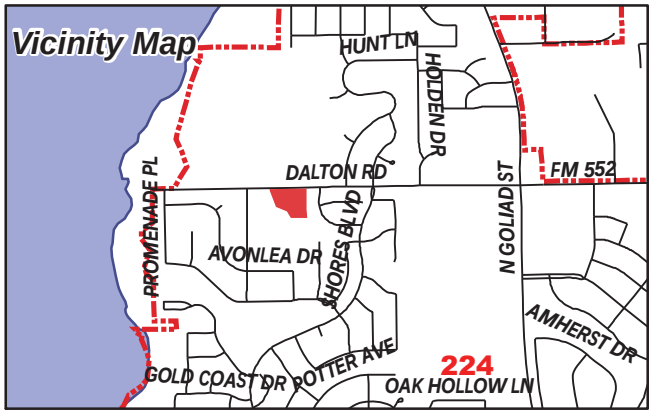
City of Rockwall

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

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Case Number: Z2018-059
Case Name: Zoning Change (SFE-2.0 to SFE-1.5)
Case Type: Zoning
Zoning: SFE-2 District
Case Address: 1085 Dalton Road



Date Created: 12/17/2018
For Questions on this Case Call (972) 771-7745

CULLINS KENNETH & HEATHER
1020 TIMBERLINE DR
HEATH, TX 75032

CURRENT RESIDENT
1085 DALTON RD
ROCKWALL, TX 75087

WALKER LEONARD A JR & TRESSIA Y
1340 TANGLEVINE LN
ROCKWALL, TX 75087

SWAN OLGA MARIE GARCIA AND
REGINA K SWAN
1345 CLEAR MEADOW COURT
ROCKWALL, TX 75087

JESTER IRVING P & ALICE
1345 TANGLEVINE LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1350 CLEARMEADOW CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1355 TANGLEVINE DR
ROCKWALL, TX 75087

SANDERS BRIAN PETER AND CASSANDRA ALICE
1355 CLEAR MEADOW CT
ROCKWALL, TX 75087

SAMPLES CHRISTINA ELISE
1360 TANGLEVINE LN
ROCKWALL, TX 75087

THOMSON MARTA CAGLE AND WARREN KIT
1365 CLEARMEADOW CT
ROCKWALL, TX 75087

HEARN LESLIE
1365 TANGLEVINE DR
ROCKWALL, TX 75087

VANDERVER WES A & SARA A
1370 CLEAR MEADOW COURT
ROCKWALL, TX 75087

HOLMES WILLIAM JR
1370 TANGLEVINE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1375 CLEARMEADOW CT
ROCKWALL, TX 75087

LANGFORD JAMES GORDON & PEGGY
1380 TANGLEVINE LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1385 TANGLEVINE DR
ROCKWALL, TX 75087

NEECE DAVID W SR & LYNNE MARIE
1390 TANGLEVINE LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1395 TANGLEVINE DR
ROCKWALL, TX 75087

HOWARD STEPHANIE RAMAGE AND
GREGORY MAYO HOWARD
1395 CLEAR MEADOW CT
ROCKWALL, TX 75087

ALLEN DARONDA RENEE
1400 TANGLEVINE LN
ROCKWALL, TX 75087

BRINKLEY JESSE K
1410 TANGLEVINE DR
ROCKWALL, TX 75087

SHOLTIS EUGENE J JR AND SHANNON L
1420 TANGLEVINE LN
ROCKWALL, TX 75087

COFFMAN THOMAS E &
LINDA DARNELL
1431 COASTAL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1440 TANGLEVINE DR
ROCKWALL, TX 75087

CLARK CHARLES L & SANDRA J TRUSTEES
CHARLES L & SANDRA J CLARK FAMILY TRUST
1739 MORLEY STREET
SIMI VALLEY, CA 93065

WILLIS MICHAEL & LISA
1750 DALTON RD
ROCKWALL, TX 75087

ALVES SAMUEL
2080 BERKDALE LN
ROCKWALL, TX 75087

LANGSTON TIFFINI S
215 HARRIS COVE
LONGVIEW, TX 75605

PARKS NADINE R
2701 NOVA PARK CT
ROCKWALL, TX 75087

SMITHERS VICTORIA & DAVID
2710 NOVA PARK CT
ROCKWALL, TX 75087

225

MICHIE JOHN D & PHYLLIS R
2711 NOVA PARK CT
ROCKWALL, TX 75087

IZAK MARY L
2720 NOVA PARK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
2721 NOVA PARK CT
ROCKWALL, TX 75087

GILMORE PATRICK
2730 NOVA PARK CT
ROCKWALL, TX 75087

NIEBUR ALAN R & COURTNEY
2731 EGANRIDGE LN
ROCKWALL, TX 75087

LOWRANCE ALVA BERNICE LIFE ESTATE AND PAMELA KAY GUTHRIE AND ROBERT LYNN LOWRANCE
2731 NOVA PARK CT
ROCKWALL, TX 75087

KEEL DON E & NANCY A
2740 BEACON HILL DR
ROCKWALL, TX 75087

NABI HOSNI A & LYNN
2740 NOVA PARK CT
ROCKWALL, TX 75087

WOODDELL SCOTT W AND DEBBIE L
2741 NOVA PARK CT
ROCKWALL, TX 75087

GRASTY RAYMOND B
2750 BEACON HILL DR
ROCKWALL, TX 75087

SIMMONS JANAH
2760 BEACON HILL DR
ROCKWALL, TX 75087

SCHAFFHAUSER SUSAN K
2765 BEACON HILL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2770 BEACON HILL DR
ROCKWALL, TX 75087

THOMPSON DONALD AND MARY
2775 BEACON HILL DR
ROCKWALL, TX 75087

BRITTAIN WAYNE W & BARBARA J
2780 BEACON HILL DR
ROCKWALL, TX 75087

BERGMANN KATHARINA
2785 BEACON HILL DR
ROCKWALL, TX 75087

PALMIERI SALVATORE & THERESE A
2790 BEACON HILL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2795 BEACON HILL DR
ROCKWALL, TX 75087

ONEILL KATHLEEN E
2800 BEACON HILL DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
2810 BEACON HILL DR
ROCKWALL, TX 75087

MCDANIEL DAVID L & LINDA D
2810 CAVENDISH CT
ROCKWALL, TX 75087

WALKER DONALD H
2815 BEACON HILL DR
ROCKWALL, TX 75087

HOLBROOK SANDRA
2820 BEACON HILL DR
ROCKWALL, TX 75087

EDWARDS SUSAN L
2820 CAVENDISH CT
ROCKWALL, TX 75087

JOHNSON DAVID J
2825 BEACON HILL DR
ROCKWALL, TX 75087

JACOBSON KYLE AND CHLOE A REED
2830 BEACON HILL DR
ROCKWALL, TX 75087

CHIU THOMAS
301 CRESTBROOK
ROCKWALL, TX 75087

AMH 2015-2 BORROWER LLC
30601 AGOURA RD 0
AGOURA HILLS, CA 91301

ALEJOS ERIK J
6500 CHAMPION GRANDVIEW WAY APT 33201
AUSTIN, TX 78750

NABORS MIKE N ETUX JULIE
7101 HUNT LN
ROCKWALL, TX 75087

226

DOWNS MICHAEL
7103 HUNT LN
ROCKWALL, TX 75087

CURRENT RESIDENT
7105 HUNT LN
ROCKWALL, TX 75087

CSH 2016-2 BORROWER LLC
8665 EAST HARTFORD DR 0
SCOTTSDALE, AZ 85255

ARP 2014-1 BORROWER LLC
ATTN: PROPERTY TAX DEPARTMENT
AGOURA HILLS, CA 91301

HODGDON DAVID L & SUE WYCHE
PO BOX 1106
ROCKWALL, TX 75087

ESB PRIVATE TRUST
FROST BANK TRUSTEE
PO BOX 226657
DALLAS, TX 75222

FLORES JAMES AND
PATRICIA ORR FLORES
PO BOX 237
ROCKWALL, TX 75087

FLORES JAMES & PATRICIA
PO BOX 992
ROCKWALL, TX 75087

227

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

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

To Whom It May Concern:

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

Case No. Z2018-059: Zoning Change (SFE 2.0-SFE-1.5)

Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/15/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/22/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **1/22/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2018-059: Zoning Change (SFE 2.0-SFE-1.5)

Please place a check mark on the appropriate line below:

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

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

This property was rezoned AG to SFE-2.0 in Nov 2017 at the request of Heather Cullins. 50% of the 3.03 Acres is in a FEMA Flood Plane A with a buildable area of 30,315 Sq Ft. The creation of the proposed SFE-1.5 lots would bring the buildable area down to 11,940 Sq Ft due to side setbacks. This is not a desirable situation.

Name: David Hodgdon

Address: 1085 Dalton Road, Rockwall, TX 75087 214-514-5599

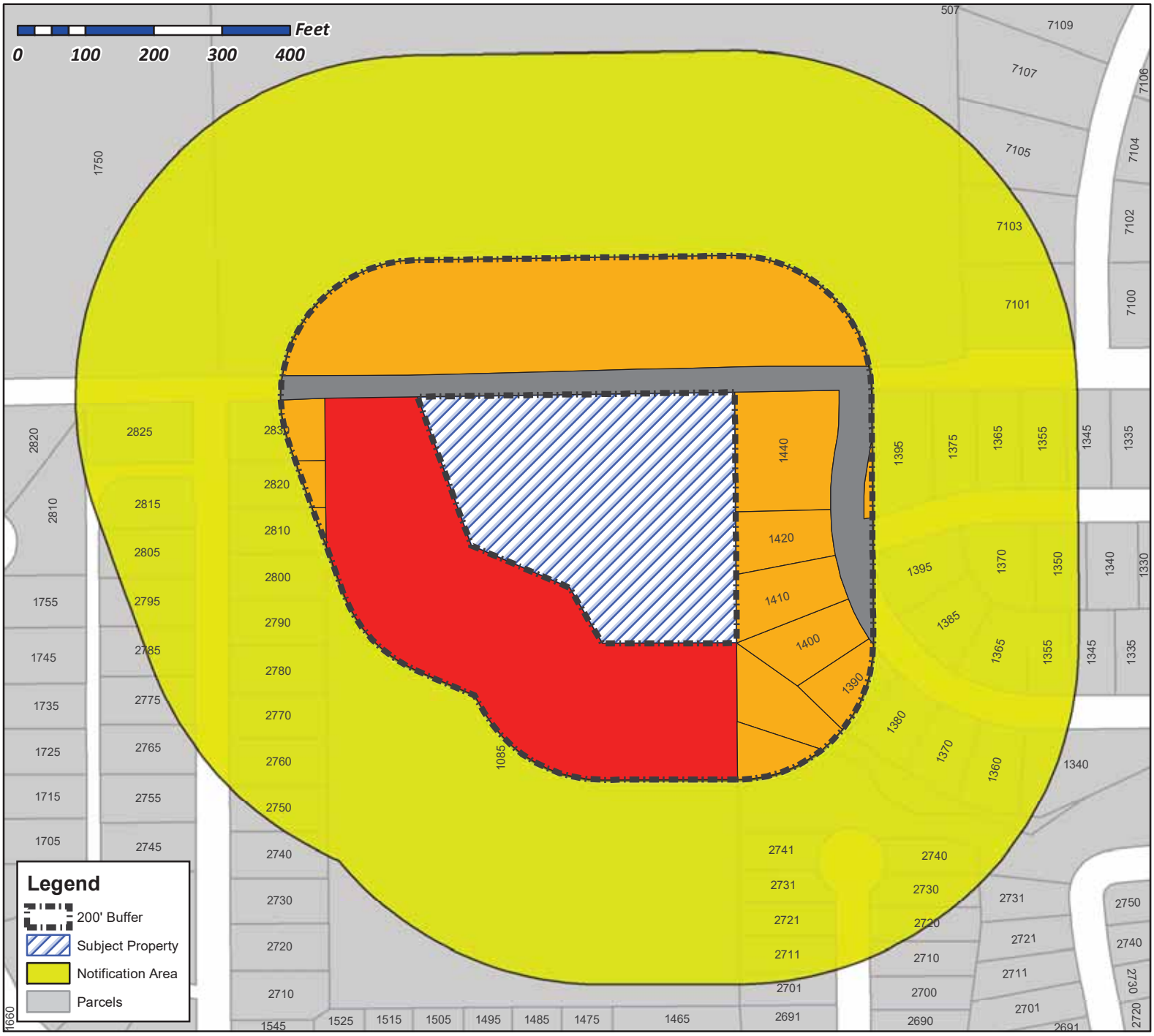
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written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

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

City of Rockwall

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

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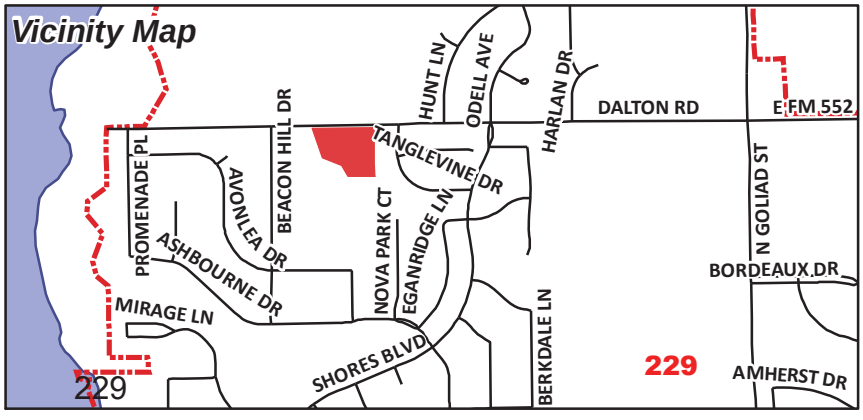


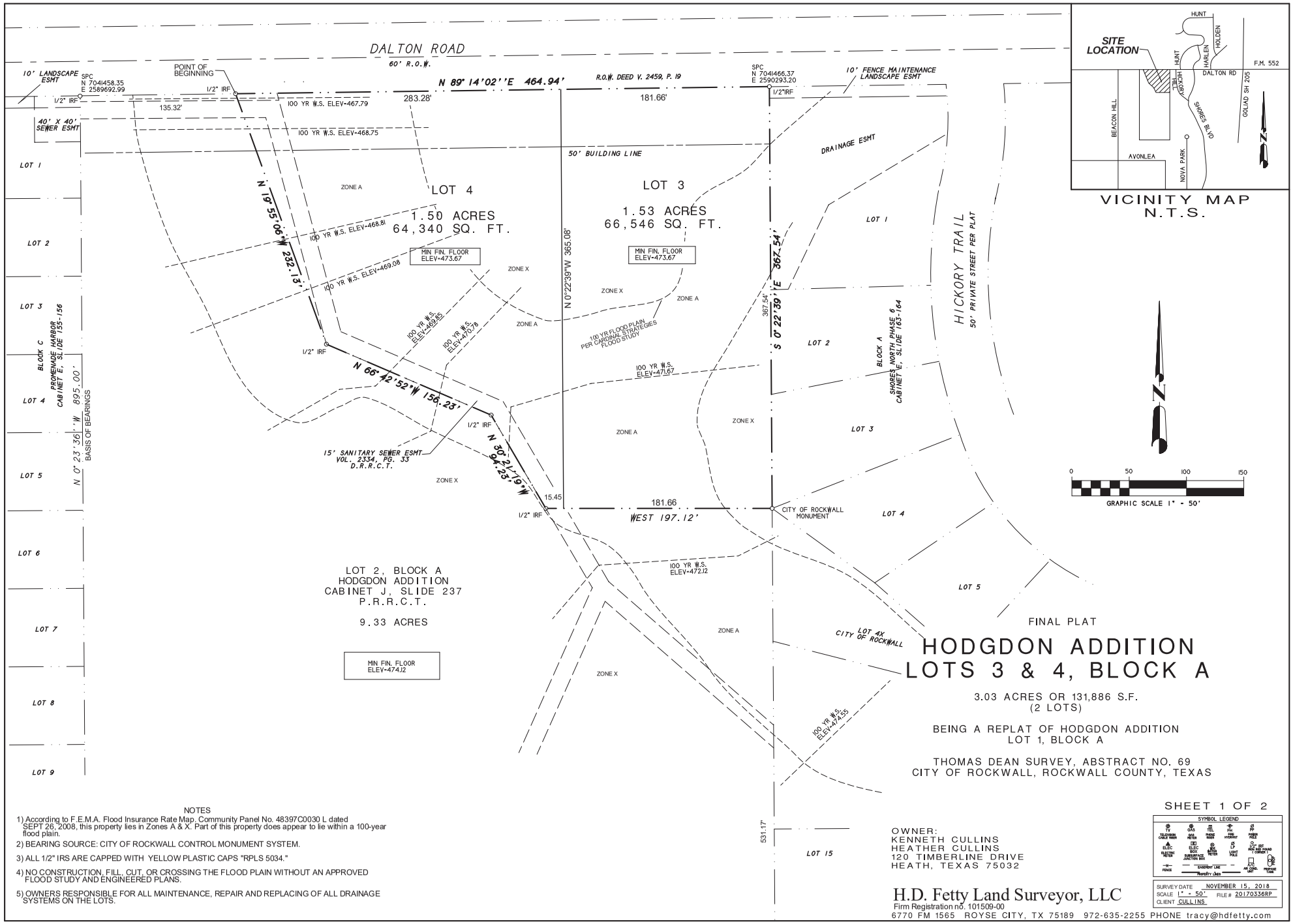
Z2018-059 - ZONING CHANGE (SFE 2.0 - SFE 1.5)

- AGAINST 37.13%
- FOR 0.00%
- NO RESPONSE 52.06%
- ROW 10.81%

Date Created: 1/15/2019

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





VICINITY MAP
N.T.S.

FINAL PLAT

HODGDON ADDITION
LOTS 3 & 4, BLOCK A

3.03 ACRES OR 131,886 S.F.
(2 LOTS)

BEING A REPLAT OF HODGDON ADDITION
LOT 1, BLOCK A

THOMAS DEAN SURVEY, ABSTRACT NO. 69
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated SEPT 26, 2008, this property lies in Zones A & X. Part of this property does appear to lie within a 100-year flood plain.
2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
4) NO CONSTRUCTION, FILL, CUT, OR CROSSING THE FLOOD PLAIN WITHOUT AN APPROVED FLOOD STUDY AND ENGINEERED PLANS.
5) OWNERS RESPONSIBLE FOR ALL MAINTENANCE, REPAIR AND REPLACING OF ALL DRAINAGE SYSTEMS ON THE LOTS.

OWNER:
KENNETH CULLINS
HEATHER CULLINS
120 TIMBERLINE DRIVE
HEATH, TEXAS 75032

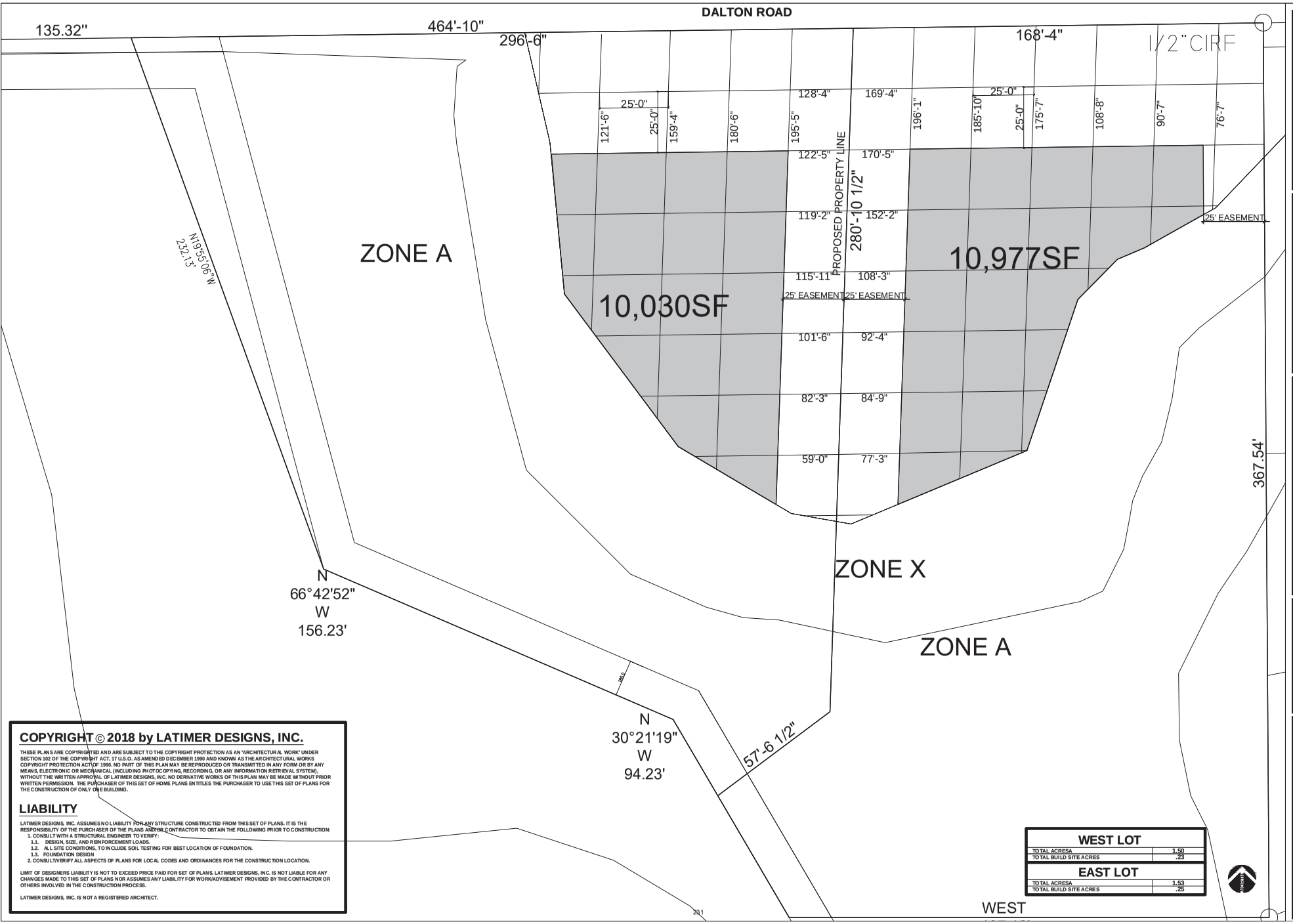
SYMBOL LEGEND

SURVEY DATE NOVEMBER 15, 2018
SCALE 1" = 50' FILE # 20170336RP
CLIENT CULLINS

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CASE P2018

230



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LIABILITY

LATIMER DESIGNS, INC. ASSUMES NO LIABILITY FOR ANY STRUCTURE CONSTRUCTED FROM THIS SET OF PLANS. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THE PLANS AND/OR CONTRACTOR TO OBTAIN THE FOLLOWING PRIOR TO CONSTRUCTION:

1. CONSULT WITH A STRUCTURAL ENGINEER TO VERIFY:
   - 1.1. DESIGN, SIZE, AND REINFORCEMENT LOADS.
   - 1.2. ALL SITE CONDITIONS, TO INCLUDE SOIL TESTING FOR BEST LOCATION OF FOUNDATION.
   - 1.3. FOUNDATION DESIGN
2. CONSULT/VERIFY ALL ASPECTS OF PLANS FOR LOCAL CODES AND ORDINANCES FOR THE CONSTRUCTION LOCATION.

LIMIT OF DESIGNERS LIABILITY IS NOT TO EXCEED PRICE PAID FOR SET OF PLANS. LATIMER DESIGNS, INC. IS NOT LIABLE FOR ANY CHANGES MADE TO THIS SET OF PLANS NOR ASSUMES ANY LIABILITY FOR WORK/ADVISEMENT PROVIDED BY THE CONTRACTOR OR OTHERS INVOLVED IN THE CONSTRUCTION PROCESS.

LATIMER DESIGNS, INC. IS NOT A REGISTERED ARCHITECT.

LEE ANN LATIMER
ROCKWALL, TEXAS 75087
PHONE: 903.268.1167
EMAIL: latimerdesigngroup@gmail.com

LATIMER DESIGNS INC
CUSTOM HOUSE PLANS
INTERIOR DESIGN
RENOVATIONS

REVISIONS:

PROJECT/CLIENT: CULLINS PROPERTY
LOCATION: 1085 DALTON RD. • ROCKWALL • TX
DATE: 09.17.2018

DRAWING: SITE PLAN
SCALE: 1/16" = 1'-0"
SHEET SIZE: 24 x 36
SHEET NO. 1 OF 1

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT ON A 3.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-01 OF THE T. DEAN SURVEY, ABSTRACT NO. 69, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Heather Cullins for a change in zoning from a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family 2.0 (SFE-2.0) District and more fully depicted in *Exhibit 'A'* and described in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from a Single-Family 2.0 (SFE-2.0) District to a Single-Family 1.5 (SFE-1.5) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Single-Family 1.5 (SFE-1.5) District as stipulated in Section 1.1*, Use of Land and Buildings,* of Article IV, *Permissible Uses* and Section 3.2*, Single-Family Estate 1.5 (SFE-1.5) District,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

DRAFT 01.25.19

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF FEBRUARY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *January 22, 2019*

2nd Reading: *February 4, 2019*

DRAFT ORDINANCE 01.22.19

Legal Description: *Tract 1-01 of the T. Dean Survey, Abstract No. 169*



234

All that certain lot, tract or parcel of land situated in the THOMAS DEAN SURVEY, ABSTRACT NO. 69, City of Rockwall, Rockwall County, Texas, and being all of Lot 1, Block A, HODGDON ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet J, Slide 237 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap found for corner at the north most Northeast corner of Lot 2, and at the northwest corner of Lot 1, Block A of said Hodgdon Addition, and in the South right-of-way line of Dalton Road, per Volume 2459, Page 19 of the Real Property Records of Rockwall County, Texas;

THENCE N. 89 deg. 14 min. 02 sec. E. along the South right-of-way line of Dalton Road, a distance of 464.94 feet to a 1/2" iron rod with plastic cap found for corner at the northwest corner of Lot 1, Block A of SHORES NORTH PHASE 6, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet E, Slide 163 of the Plat Records of Rockwall County, Texas;

THENCE S. 00 deg. 22 min. 39 sec. E. along the west of said Addition and the east line of Hodgdon tract, a distance of 367.54 feet to a concrete City of Rockwall monument found for corner at the southeast corner of said Lot 1, Block A, Hodgdon Addition;

THENCE WEST along the south boundary line of said Lot 1, a distance of 197.12 feet to a 1/2" iron rod found for corner;

THENCE N. 30 deg. 21 min. 19 sec. W. along the west line of Lot 1, a distance of 94.23 feet to a 1/2" iron rod found for corner;

THENCE N. 66 deg. 42 min. 52 sec. W. a distance of 156.23 feet to a 1/2" iron rod found for corner;

THENCE N. 19 deg. 55 min. 06 sec. W. a distance of 232.13 feet to the POINT OF BEGINNING and containing 131,886 square feet or 3.03 acres of land.

DRAFT ORDINANCE 01.22.19

235

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236

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Kevin Hickman; *PegasusAblon*

AGENDA ITEM: **SP2018-043**; *Harbor Village*

SUMMARY:

Discuss and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a waiver in conjunction with an approved site plan for a 375-unit condominium building on a 6.2-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary.

PURPOSE AND BACKGROUND:

On January 15, 2019, the Planning and Zoning Commission approved a site plan for a 375-unit condominium development [*Case No. SP2018-043*] for the subject property. Prior to this approval and on June 17, 2013, the City Council approved *Ordinance No. 13-16*, which allocated 399 urban residential units (*i.e. condominiums*) to a concept plan that showed two (2) condominium buildings being constructed on the subject property (i*.e. one [1] adjacent to Lakefront Trail consisting of 349-units and one [1] adjacent to the Harbor Fountain consisting of 50-units*). This approval was later amended on December 18, 2017, when the City Council approved *Ordinance No. 17-64*. The new amendment allocated an additional 51-units to the previously entitled 399-units, bringing the total number of entitled units to 450 urban residential units. This PD Development Plan establishes provisions for the construction of two (2) condominium buildings (*i.e. construction schedule*). The 375-unit condominium development -- *adjacent to Lakefront Trail* -- will be the first of two (2) buildings and, based on the conditions of *Ordinance No. 17-64*, will be required to obtain a building permit by June 1, 2019. Additionally, the development is required to have civil engineering plans and a final plat approved prior to the issuance of a building permit. Should a building permit *not* be issued by June 1, 2019, staff will provide a report to the Planning and Zoning Commission and City Council indicating the progress of the development. After review, the Planning and Zoning Commission and City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 26 urban residential units.

DENSITY AND DIMENSIONAL REQUIREMENTS:

The proposed five (5) story condominium building will be located within the *Harbor Residential Subdistrict* and will be comprised of a total of 335,224 SF. Off-street parking for future residents will be provided via a parking garage that is integrated into the design of the building, and is accessible from Lakefront Trail and the IH-30 Frontage Road. Additionally, the applicant is showing a two (2) level public parking garage consisting of 180 parking spaces. The public parking garage will be located along Lakefront Trail, southeast of and adjacent to the 50-foot pedestrian walkway. The applicant has indicated that this parking garage will be constructed prior to the condominium building.

The proposed pedestrian walkway, located in between the public parking garage and the condominium building, will incorporate all of the streetscape elements required by PD-32 [*Ordinance No. 17-22*], and provide an upgraded pavestone paver (*i.e. antique terra-cotta; herringbone pattern*), decorative trees with up-lighting, assorted plantings, pedestrian benches, and pedestrian scaled lighting features. In addition, the plan shows that units facing onto the walkway will have stoops allowing direct access to the pedestrian path. The pedestrian walkway is intended to provide access to the Harbor Fountain and the potential future public park site from the 180 space public parking garage being constructed with this project.

According to Planned Development District 32 (PD-32) [*Ordinance No. 17-22*], the subject property is located within the *Harbor Residential Subdistrict*, which allows *Urban Residential (Condominium Units Only)* as a *by-right* land use. Based on the submitted site plan package -- *site plan, landscape/streetscape plan, treescape plan, photometric plan, and building elevations* -- the proposed case is in conformance with the requirements stipulated by *Ordinance No. 17-22*, *Resolution No. 10-40*, and the UDC with the exception of the waiver being requested in the *Waiver Request* section of this case memo. A summary of the applicable requirements for this case are as follows:

Ordinance Provisions	*Interior Subdistrict Standards*	*Conformance to the Standards*
Setback Distance from ROW (Lakefront Trail)	*0-Feet*	*30-ft; In Conformance*
Building Form	*45% Building Façade Fronting Lakefront Trail & IH-30 Frontage Road*	*x>45%; In Conformance*
Ground Floor Land Uses	*Retail, Restaurant, Residential*	*Residential; In Conformance*
Upper Floor Land Uses	*Residential & Office*	*Residential; In Conformance*
Maximum Building Height	*5-Stories or 75-Feet*	*x=5-Stories/75-ft Height; In Conformance*
First Floor Minimum Commercial Height	*15-Feet*	*x<15-ft (variable heights); Waiver Requested*
Encroachments to Street	*5-Feet*	*0-Feet; In Conformance*
Surface Parking Setbacks from ROW	*10-Feet*	*NA; structured parking provided*
Maximum Surface Parking	*10% Surface Parking*	*x<10%; Lakefront Trail In Conformance*
Minimum Number of Pedestrian Ways	*1 Per Block Face*	*1; In Conformance*
Minimum Masonry Percentage	*90%*	*x>90%; In Conformance*
Minimum Stone Requirement	*20% Each Façade*	*x≥20%; In Conformance*
Minimum Landscaping Percentage	*With Streetscape Plan Elements*	*Streetscape Elements Incorporated with Landscape Plan; In Conformance*
Maximum Lot Coverage	*80%*	*x<80%; In Conformance*

WAIVER REQUEST:

According to *Ordinance No. 17-22*, "(i)n order to provide flexibility and create high quality projects, an applicant for development within the PD District [*PD*-32] may request a waiver of the following District or Subdistrict standards: (1) Building Placement Requirements, (2) Landscape Standards, (3) Parking Requirements, (4) Parking Garage Design Standards, and (5) Increased Building Height in any Subdistrict." Based on the applicant's submittal, staff has identified the following waiver to the requirements of *Ordinance No. 17-22*:

1) *Building Form and Placement Requirements*.

   i. *1st Floor Height.* According to the *Harbor Residential Subdistrict* all buildings should incorporate a first floor that is built to a commercial height with a minimum height of 15-feet. The proposed building incorporates a variable height of 9'-1 1/8" to 14'-1 1/8" and

is less than the required first floor height. The applicant is requesting a waiver to this requirement.

With regard to granting waivers, *Ordinance No. 17-22* states that "… (w)aivers may only be approved by the City Council following a recommendation by the Planning and Zoning Commission … [and] In order to approve a waiver, the City Council must find that the waiver:

1) Meets the general intent of the PD District or Subdistrict in which the property is located; and,
2) Will result in an improved project which will be an attractive contribution to the PD District or Subdistrict; and,
3) Will not prevent the implementation of the intent of this PD District."

In this case, the proposed project does appear to meet the general intent of the *Harbor Residential Subdistrict*. It should be noted that the first floor height requirement has been waived for all other condominium projects in the Harbor District; however, granting any waivers to the requirements of *Ordinance No. 17-22* is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission, and should be taken on a case-by-case basis. *The waiver for this case requires a simple majority vote for approval.*

ARCHITECTURAL REVIEW BOARD (ARB):

On January 2, 2019, the Architectural Review Board (ARB) did *not* establish a quorum. The following Board Members were absent: Roberts, Mitchell, Tovar, Miller, Johnson, and Niell. On January 15, 2019, the Architectural Review Board (ARB) reviewed the building elevations. A motion to recommend approval of the elevations passed by a vote of 6 to 1 with Board Member Miller dissenting. Additionally, the motion included a recommendation of approval of the waiver to the 1st floor building height as indicated in staff's report.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

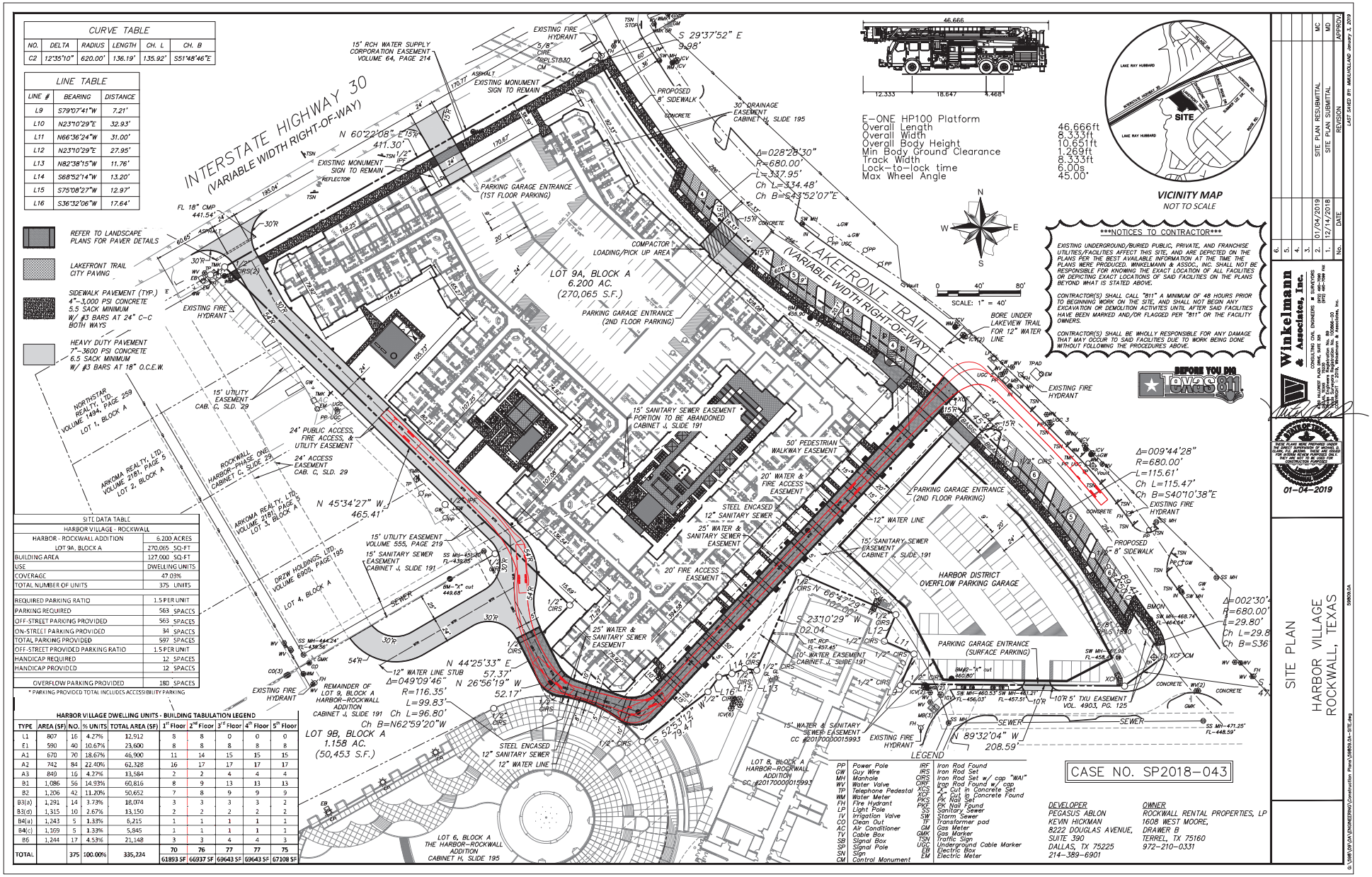
On January 15, 2019, the Planning and Zoning Commission's motion to approve the site plan with staff conditions and Architectural Review Board's (ARB) recommendations passed by a vote of 7 to 0. Additionally, the motion included a recommendation of approval for the waiver to the 1st floor building height as indicated in staff's report.



City of Rockwall

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

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


CURVE TABLE
NO. DELTA RADIUS LENGTH CH. L CH. B
C2 12°35'10" 620.00' 136.19' 135.92' S51°48'46"E
LINE TABLE
LINE # BEARING DISTANCE
L9 S79°07'41"W 7.21'
L10 N23°10'29"E 32.93'
L11 N66°36'24"W 31.00'
L12 N23°10'29"E 27.95'
L13 N82°38'15"W 11.76'
L14 S68°52'14"W 13.20'
L15 S75°08'27"W 12.97'
L16 S36°32'06"W 17.64'
REFER TO LANDSCAPE PLANS FOR PAVER DETAILS
LAKEFRONT TRAIL CITY PAVING
SIDEWALK PAVEMENT (TYP.) 4"–3,000 PSI CONCRETE 5.5 SACK MINIMUM W/ #3 BARS AT 24" C–C BOTH WAYS
HEAVY DUTY PAVEMENT 7"–3600 PSI CONCRETE 6.5 SACK MINIMUM W/ #3 BARS AT 18" O.C.E.W.
INTERSTATE HIGHWAY 30
(VARIABLE WIDTH RIGHT-OF-WAY)
LAKEFRONT TRAIL
(VARIABLE WIDTH RIGHT-OF-WAY)
N 60°22'08" E 411.30'
S 29°37'52" E 9.98'
N 45°34'27" W 465.41'
N 44°25'33" E 57.37'
N 26°56'19" W 52.17'
S 52°53'12" W 79.47'
N 89°32'04" W 208.59'
S 23°10'29" W 102.00'
Δ=028°28'30" R=680.00' L=337.95' Ch L=334.48' Ch B=S43°52'07"E
Δ=009°44'28" R=680.00' L=115.61' Ch L=115.47' Ch B=S40°10'38"E
Δ=002°30' R=680.00' L=29.80' Ch L=29.8 Ch B=S36
LOT 9A, BLOCK A 6.200 AC. (270,065 S.F.)
LOT 9B, BLOCK A 1.158 AC. (50,453 S.F.)
LOT 6, BLOCK A THE HARBOR–ROCKWALL ADDITION CABINET H, SLIDE 195
LOT B, BLOCK A HARBOR–ROCKWALL ADDITION CC #20170000015993
REMAINDER OF LOT 9, BLOCK A HARBOR–ROCKWALL ADDITION CABINET J, SLIDE 191
NORTHSTAR REALTY, LTD. VOLUME 1494, PAGE 259 LOT 1, BLOCK A
ARKOMA REALTY, LTD. VOLUME 2161, PAGE 5 LOT 2, BLOCK A
ARKOMA REALTY, LTD. VOLUME 2161, PAGE 5 LOT 3, BLOCK A
DRZW HOLDINGS, LTD. VOLUME 6905, PAGE 195 LOT 4, BLOCK A
ROCKWALL HARBOR–PHASE ONE CABINET C, SLIDE 29
15' RCH WATER SUPPLY CORPORATION EASEMENT VOLUME 64, PAGE 214
EXISTING FIRE HYDRANT
EXISTING MONUMENT SIGN TO REMAIN
PROPOSED 8' SIDEWALK
30' DRAINAGE EASEMENT CABINET H, SLIDE 195
PARKING GARAGE ENTRANCE (1ST FLOOR PARKING)
PARKING GARAGE ENTRANCE (2ND FLOOR PARKING)
COMPACTOR / LOADING/PICK UP AREA
BORE UNDER LAKEVIEW TRAIL FOR 12" WATER LINE
15' UTILITY EASEMENT CAB. C, SLD. 29
24' PUBLIC ACCESS, FIRE ACCESS, & UTILITY EASEMENT
24' ACCESS EASEMENT CAB. C, SLD. 29
15' UTILITY EASEMENT VOLUME 555, PAGE 219
15' SANITARY SEWER EASEMENT CABINET J, SLIDE 191
15' SANITARY SEWER EASEMENT PORTION TO BE ABANDONED CABINET J, SLIDE 191
50' PEDESTRIAN WALKWAY EASEMENT
20' WATER & FIRE ACCESS EASEMENT
STEEL ENCASED 12" SANITARY SEWER
25' WATER & SANITARY SEWER EASEMENT
20' FIRE ACCESS EASEMENT
12" WATER LINE
12" WATER LINE STUB
HARBOR DISTRICT OVERFLOW PARKING GARAGE
PARKING GARAGE ENTRANCE (SURFACE PARKING)
10' WATER EASEMENT CABINET J, SLIDE 191
10'R 5' TXU EASEMENT VOL. 4903, PG. 125
15' WATER & SANITARY SEWER EASEMENT CC #20170000015993
STEEL ENCASED 12" SANITARY SEWER 12" WATER LINE
SEWER
SITE
VICINITY MAP
NOT TO SCALE
SCALE: 1" = 40'
E-ONE HP100 Platform
Overall Length 46.666ft
Overall Width 8.333ft
Overall Body Height 10.651ft
Min Body Ground Clearance 1.269ft
Track Width 8.333ft
Lock-to-lock time 6.00s
Max Wheel Angle 45.00°
46.666
12.333
18.647
4.468
NOTICES TO CONTRACTOR
EXISTING UNDERGROUND/BURIED PUBLIC, PRIVATE, AND FRANCHISE UTILITIES/FACILITIES AFFECT THIS SITE, AND ARE DEPICTED ON THE PLANS PER THE BEST AVAILABLE INFORMATION AT THE TIME THE PLANS WERE PRODUCED. WINKELMANN & ASSOC., INC. SHALL NOT BE RESPONSIBLE FOR KNOWING THE EXACT LOCATION OF ALL FACILITIES OR DEPICTING EXACT LOCATIONS OF SAID FACILITIES ON THE PLANS BEYOND WHAT IS STATED ABOVE.
CONTRACTOR(S) SHALL CALL "811" A MINIMUM OF 48 HOURS PRIOR TO BEGINNING WORK ON THE SITE, AND SHALL NOT BEGIN ANY EXCAVATION OR DEMOLITION ACTIVITES UNTIL AFTER SAID FACILITIES HAVE BEEN MARKED AND/OR FLAGGED PER "811" OR THE FACILITY OWNERS.
CONTRACTOR(S) SHALL BE WHOLLY RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO SAID FACILITIES DUE TO WORK BEING DONE WITHOUT FOLLOWING THE PROCEDURES ABOVE.
BEFORE YOU DIG TEXAS 811
SITE DATA TABLE
HARBOR VILLAGE - ROCKWALL
HARBOR - ROCKWALL ADDITION 6.200 ACRES
LOT 9A, BLOCK A 270,065 SQ-FT
BUILDING AREA 127,000 SQ-FT
USE DWELLING UNITS
COVERAGE 47.03%
TOTAL NUMBER OF UNITS 375 UNITS
REQUIRED PARKING RATIO 1.5 PER UNIT
PARKING REQUIRED 563 SPACES
OFF-STREET PARKING PROVIDED 563 SPACES
ON-STREET PARKING PROVIDED 34 SPACES
TOTAL PARKING PROVIDED 597 SPACES
OFF-STREET PROVIDED PARKING RATIO 1.5 PER UNIT
HANDICAP REQUIRED 12 SPACES
HANDICAP PROVIDED 12 SPACES
OVERFLOW PARKING PROVIDED 180 SPACES
* PARKING PROVIDED TOTAL INCLUDES ACCESSIBILITY PARKING
HARBOR VILLAGE DWELLING UNITS - BUILDING TABULATION LEGEND
TYPE AREA (SF) NO. % UNITS TOTAL AREA (SF) 1st Floor 2nd Floor 3rd Floor 4th Floor 5th Floor
L1 807 16 4.27% 12,912 8 8 0 0 0
E1 590 40 10.67% 23,600 8 8 8 8 8
A1 670 70 18.67% 46,900 11 14 15 15 15
A2 742 84 22.40% 62,328 16 17 17 17 17
A3 849 16 4.27% 13,584 2 2 4 4 4
B1 1,086 56 14.93% 60,816 8 9 13 13 13
B2 1,206 42 11.20% 50,652 7 8 9 9 9
B3(a) 1,291 14 3.73% 18,074 3 3 3 3 2
B3(d) 1,315 10 2.67% 13,150 2 2 2 2 2
B4(a) 1,243 5 1.33% 6,215 1 1 1 1 1
B4(c) 1,359 5 1.33% 5,845 1 1 1 1 1
B6 1,244 17 4.53% 21,148 3 3 4 4 3
TOTAL 375 100.00% 335,224 70 76 77 77 75
61893 SF 66937 SF 69643 SF 69643 SF 67108 SF
LEGEND
PP Power Pole
GW Guy Wire
MH Manhole
WV Water Valve
TP Telephone Pedestal
WM Water Meter
FH Fire Hydrant
LP Light Pole
IV Irrigation Valve
CO Clean Out
AC Air Conditioner
TV Cable Box
SB Signal Box
SP Signal Pole
SN Sign
CM Control Monument
IRF Iron Rod Found
IRS Iron Rod Set
CIRS Iron Rod Set w/ cap "WAI"
CIRF Iron Rod Found w/ cap
XCS "X" Cut in Concrete Set
XCF "X" Cut in Concrete Found
PKS PK Nail Set
PKF PK Nail Found
SS Sanitary Sewer
SW Storm Sewer
TF Transformer pad
GM Gas Meter
GMK Gas Marker
TSN Traffic Sign
UGC Underground Cable Marker
EB Electric Box
EM Electric Meter
CASE NO. SP2018-043
DEVELOPER
PEGASUS ABLON
KEVIN HICKMAN
8222 DOUGLAS AVENUE, SUITE 390
DALLAS, TX 75225
214-389-6901
OWNER
ROCKWALL RENTAL PROPERTIES, LP
1608 WEST MOORE, DRAWER B
TERRELL, TX 75160
972-210-0331
Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
01-04-2019
SITE PLAN
HARBOR VILLAGE
ROCKWALL, TEXAS
5/8/2019
REVISION DATE
SITE PLAN RESUBMITTAL 01/04/2019 MC
SITE PLAN SUBMITTAL 12/14/2018 MD
LAST SAVED BY: MWILKINS January 3, 2019
APPROVED
© COPYRIGHT 2019 WINKELMANN & ASSOCIATES, INC.



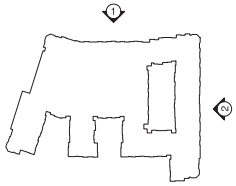
1 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	6,248 S.F.	40%
BRICK	3,690 S.F.	24%
STONE	3,472 S.F.	22%
SPLIT FACE CMU	2,211 S.F.	14%
TOTAL	15,621 S.F.	100%



2 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	5,665 S.F.	40%
BRICK	3,838 S.F.	27%
STONE	2,836 S.F.	20%
SPLIT FACE CMU	1,824 S.F.	13%
TOTAL	14,163 S.F.	100%



3 BUILDING KEY

CASE NO. SP2018-043

REVISIONS

HARBOR VILLAGE

DWELLING UNITS IN ROCKWALL, TEXAS FOR
PEGASUS ABLON

ISSUED FOR:
SITE PLAN APPROVAL
01-04-19

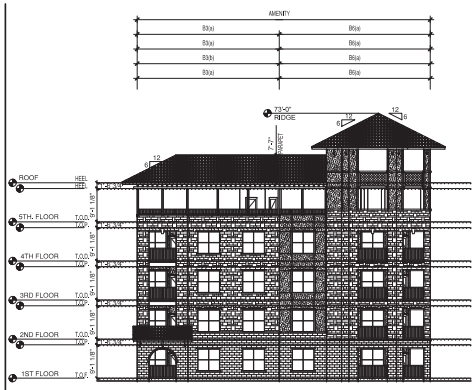
BGO ARCHITECTS
4202 Beltway Drive
Addison, TX 75001
214.520.8878
bgoarchitects.com

DATE
12-14-18

PROJECT
17126

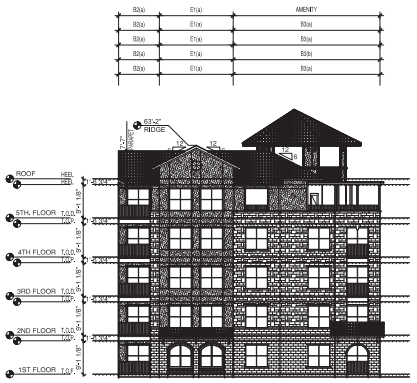
SHEET NUMBER
A4-10
BUILDING ELEVATION

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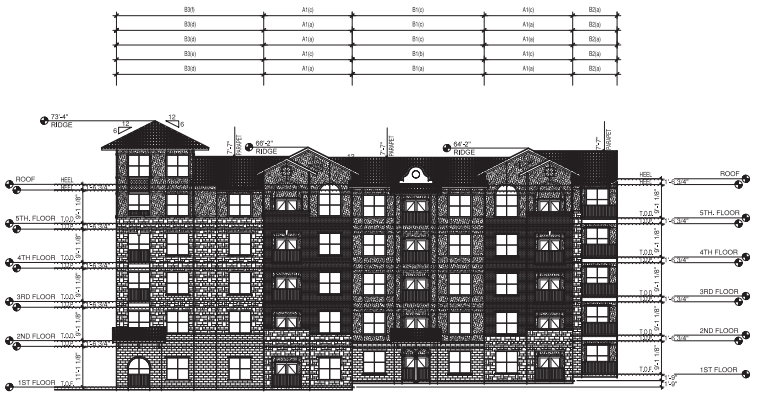
1 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	794 S.F.	29%
BRICK	0 S.F.	0%
STONE	1,410 S.F.	51%
SPLIT FACE CMU	576 S.F.	20%
TOTAL	2,780 S.F.	100%



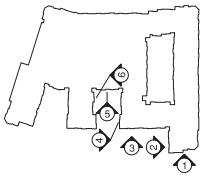
2 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	996 S.F.	43%
BRICK	0 S.F.	0%
STONE	933 S.F.	40%
SPLIT FACE CMU	417 S.F.	17%
TOTAL	2,346 S.F.	100%

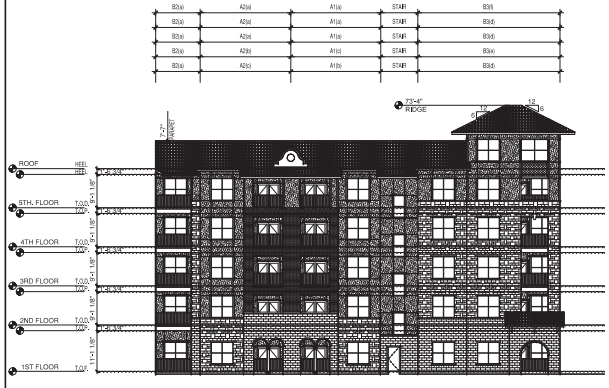


3 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	2,014 S.F.	40%
BRICK	930 S.F.	19%
STONE	1,408 S.F.	28%
SPLIT FACE CMU	676 S.F.	13%
TOTAL	5,028 S.F.	100%

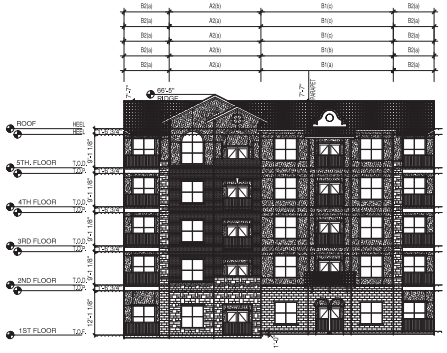


7 BUILDING KEY



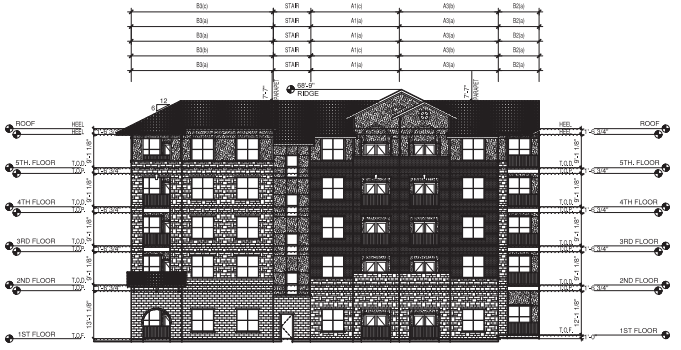
4 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	1,831 S.F.	46%
BRICK	365 S.F.	10%
STONE	992 S.F.	25%
SPLIT FACE CMU	766 S.F.	19%
TOTAL	3,954 S.F.	100%



5 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	1,425 S.F.	52%
BRICK	492 S.F.	18%
STONE	434 S.F.	16%
SPLIT FACE CMU	373 S.F.	14%
TOTAL	2,724 S.F.	100%



6 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	1,134 S.F.	27%
BRICK	1,024 S.F.	24%
STONE	1,515 S.F.	35%
SPLIT FACE CMU	596 S.F.	14%
TOTAL	4,269 S.F.	100%

TOTAL SOUTH-WEST ELEVATION (A4-11 # 1,3,5) (A4-12 # 1,3,5)	
TOTAL BLDG. FACADE:	19,391 SF.
TOTAL STONE AMOUNT:	6,721 SF.
TOTAL STONE %:	35%

CASE NO. SP2018-043

HARBOR VILLAGE

DWELLING UNITS IN ROCKWALL, TEXAS FOR
PEGASUS ABLON

REVISIONS

ISSUED FOR:
SITE PLAN APPROVAL
01-04-19

BGO ARCHITECTS
4202 Beltway Drive
Addison, TX 75001
214.520.8878
bgoarchitects.com

DATE
12-14-18

PROJECT
17126

SHEET NUMBER
A4-11

BUILDING ELEVATION

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243



1 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	778 S.F.	22%
BRICK	0 S.F.	0%
STONE	1,712 S.F.	50%
SPLIT FACE CMU	1,004 S.F.	28%
TOTAL	3,494 S.F.	100%



2 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	2,215 S.F.	52%
BRICK	394 S.F.	9%
STONE	850 S.F.	20%
SPLIT FACE CMU	819 S.F.	19%
TOTAL	4,278 S.F.	100%



3 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	1,283 S.F.	68%
BRICK	0 S.F.	0%
STONE	161 S.F.	9%
SPLIT FACE CMU	443 S.F.	23%
TOTAL	1,887 S.F.	100%



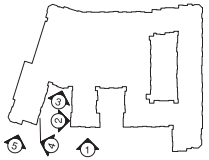
4 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	2,155 S.F.	43%
BRICK	492 S.F.	10%
STONE	1,012 S.F.	20%
SPLIT FACE CMU	1,359 S.F.	27%
TOTAL	5,018 S.F.	100%



5 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	1,089 S.F.	31%
BRICK	0 S.F.	0%
STONE	1,596 S.F.	46%
SPLIT FACE CMU	793 S.F.	23%
TOTAL	3,478 S.F.	100%



6 BUILDING KEY

TOTAL SOUTH-WEST ELEVATION (A4-11 # 1,3,5) (A4-12 # 1,3,5)	
TOTAL BLDG. FACADE:	19,391 SF.
TOTAL STONE AMOUNT:	6,721 SF.
TOTAL STONE %:	35%

CASE NO. SP2018-043

REVISIONS

HARBOR VILLAGE

DWELLING UNITS IN ROCKWALL, TEXAS FOR
PEGASUS ABLON

ISSUED FOR:
SITE PLAN APPROVAL
07-04-19

BGO ARCHITECTS
4202 Beltway Drive
Addison, TX 75001
214.520.8878
bgoarchitects.com

DATE
12-14-18

PROJECT
17126

SHEET NUMBER
A4-12
BUILDING ELEVATION

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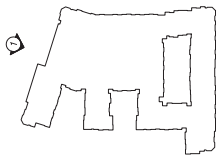
244



1 BUILDING ELEVATION

SCALE: 1/16" = 1'-0"

STUCCO	6,792 S.F.	47%
BRICK	1,481 S.F.	10%
STONE	2,914 S.F.	20%
SPLIT FACE CMU	3,380 S.F.	23%
TOTAL	14,567 S.F.	100%



2 BUILDING KEY

CASE NO. SP2018-043

REVISIONS

HARBOR VILLAGE

DWELLING UNITS IN ROCKWALL, TEXAS FOR
PEGASUS ABLON

ISSUED FOR:
SITE PLAN APPROVAL
07-04-19

BGO ARCHITECTS
4202 Beltway Drive
Addison, TX 75001
214.520.8878
bgoarchitects.com

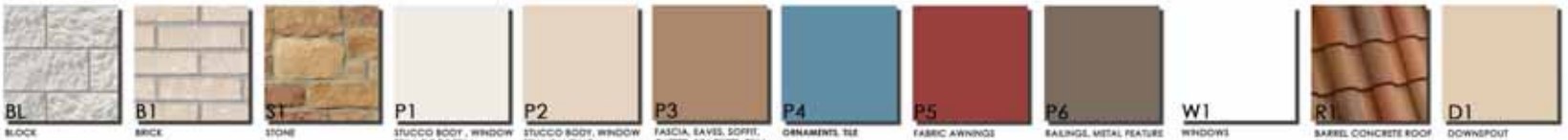
DATE
12-14-18

PROJECT
17126

SHEET NUMBER
A4-13
BUILDING ELEVATION

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HARBOR VILLAGE DWELLING UNITS MATERIAL BOARD

ROCKWALL, TEXAS

BGO ARCHITECTS

17126
12.14.2018
Pegasus Ablon

246

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247

Table of Contents

Agenda 6

Hold a work session to hear staff presentation regarding the Harbor Urban Beach Park Concept Plan and Phase One.

Memo 10

Blank Page 11

Hold a work session with PROS Consulting to discuss an athletic facility feasibility study.

Memo 12

Blank Page 13

STEM Gals Day

Proclamation 14

Blank Page 15

Presentation of The Patriot Award

Memo_Patriot Award 16

Blank Page 17

Consider approval of the minutes from the January 22, 2019 city council meeting, and take any action necessary.

01/22 Mtg Mins 18

Blank Page 27

Z2018-057 - Consider approval of a request by Bill Bricker of Columbia Development Company, LLC for the approval of an ordinance amending Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary [2nd Reading].

Ordinance 28

Blank Page 43

Z2018-059 - Consider approval of a request by Heather Cullins for the approval of an ordinance for a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary [2nd Reading].

Ordinance 44

Blank Page 48

P2019-002 - Consider a request by Gerald Houser of Collin-G Properties, LTD for the approval of a replat for Lot 2, Block A, Houser Addition being a 6.19-acre parcel of land identified Lot 1, Block A, Houser Addition, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 1611 SH-276, and take any action necessary.

1

P2019-002 49
Blank Page 53
P2019-003 - Consider a request by Maria C. Bonilla of Winkelmann & Associates, Inc. on behalf of Jill Fisher of Dunhill Partners, Inc. for the approval of a replat for Lot 2, Block B, R. W. Marketcenter Addition being a replat of a 21.424-acre parcel identified as Lot 1A, Block B, R. W. Marketcenter Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated at the southwest corner of Market Center Drive and the E. IH-30 Frontage Road, and take any action necessary.
P2019-003 54
Blank Page 60
P2019-004 - Consider a request by Tony Degelia of A & W Surveyors on behalf of Michael Fisher for the approval of a replat for Lot 7, Block A, Temunovic Addition being a 1.082-acre parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District, situated within the Scenic Overlay (SOV) District, addressed as 1306 Summer Lee Drive, and take any action necessary.
P2019-004 61
Blank Page 66
Consider approving emergency pump replacements for the large fountain at The Harbor and authorizing the City Manager to expend $25,830.83 out of the General Fund Harbor Operations Budget for this purpose, and take any action necessary.
memo 67
Blank Page 68
Consider approving the work and authorizing the City Manager to execute a Purchase Order to XIT Paving and Construction for the Service Center Yard Pavement Replacement project in the amount of $352,390 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.
memo 69
Blank Page 70
Consider approving the work and authorizing the City Manager to execute a Purchase Order to Texas Bit for the National Drive Reconstruction Project in the amount of $300,997 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.
memo 71
Blank Page 72
Consider awarding a bid to Riverstone Fence and authorizing the City Manager to execute a Contract for new fencing at three city lift station sites in the amount of $43,500 to be funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any action necessary.
memo 73
Blank Page 74

Consider authorizing the City Manager to execute Supplemental Agreement No. 1 with Teague Nall & Perkins, Inc. to design portions of Carriage Trail, Westway Drive, and Aspen Court in the amount of $432,000 to be paid out of the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

Memo . . . 75
Map . . . 76
Amendment . . . 77
Contract - Orginal . . . 99
Blank Page . . . 130

Consider approval of the Rockwall Police Department's 2018 Racial Profiling Report, and take any action necessary.

Memo_Chief Riggs . . . 131
RP Report_2018 . . . 139
Blank Page . . . 236

Consider approval of a resolution calling the May 4, 2019 General Election for the purpose of electing the mayor and city council members for Places 1, 3, and 5, and take any action necessary.

Memo_Election Order . . . 237
Resolution calling election . . . 238
Blank Page . . . 242

Appointment with the city's ART Commission Chairman to hear a presentation regarding a public art fiberglass guitar project and to consider authorizing associated funding in the amount of $5,500 from the city's "Art in Public Places" funds, and take any action necessary.

Memo, Exhibits . . . 243
Blank Page . . . 254

Appointment with resident Jillian Gaines to hear concerns related to water around her home and neighborhood (address: 1305 Clear Meadow Court), and take any action necessary.

Email Request . . . 255
Blank Page . . . 258

Z2018-058 - Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an ordinance for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary [1st Reading].

Z2018-058 . . . 259
Blank Page . . . 280

Z2018-056 - Hold a public hearing to discuss and consider a request by Tom Jones on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary (1st Reading).
Z2018-056 . . . 281
Blank Page . . . 297
Discuss and consider the overall concept plan and proposed Phase I of the Harbor Urban Beach Park, and take any action necessary.
Memo . . . 298
Blank Page . . . 299
Building Inspections Monthly Report - December 2018
December Report . . . 300
Blank Page . . . 310
Fire Department Monthly Report - December 2018
Rockwall Fire Department Monthly Report-December 2018 . . . 311
Blank Page . . . 317
GIS Division Monthly Report - December 2018
GIS Monthly (December 2018) . . . 318
Blank Page . . . 319
Harbor PD Monthly Report - December 2018
Harbor PD Monthly - Dec 2018 . . . 320
Blank Page . . . 321
Internal Operations Department Monthly Report - December 2018
IO Report . . . 322
Airport . . . 323
Blank Page . . . 325
Police Department Monthly Report - December 2018
12December Rockwall Police Monthly Activity Report 2018 - External . . . 326
Blank Page . . . 328
Recreation Monthly Report - December 2018
Dec 2018 . . . 329
Blank Page . . . 334
Rockwall Animal Adoption Center Monthly Report - December 2018
RAAC-December 2018 . . . 335
Blank Page . . . 338
STAR Transit Monthly Report - December 2018
STAR . . . 339

Blank Page 341

5

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, February 04, 2019 - 4:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.10 1. Hold a work session to hear staff presentation regarding the Harbor Urban Beach Park Concept Plan and Phase One.

p.12 2. Hold a work session with PROS Consulting to discuss an athletic facility feasibility study.

III. EXECUTIVE SESSION.

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Consultation with Attorney)
2. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

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

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNESEN

VIII. PROCLAMATIONS

p.14 1. STEM Gals Day

p.16 2. Presentation of The Patriot Award

IX. OPEN FORUM

X. CONSENT AGENDA

p.18 1. Consider approval of the minutes from the January 22, 2019 city council meeting, and take any action necessary.

p.28 2. Z2018-057 - Consider approval of a request by Bill Bricker of Columbia Development Company, LLC for the approval of an **ordinance** amending Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary [2nd Reading].

p.44 3. Z2018-059 - Consider approval of a request by Heather Cullins for the approval of an **ordinance** for a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary [2nd Reading].

p.49 4. P2019-002 - Consider a request by Gerald Houser of Collin-G Properties, LTD for the approval of a replat for Lot 2, Block A, Houser Addition being a 6.19-acre parcel of land identified Lot 1, Block A, Houser Addition, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 1611 SH-276, and take any action necessary.

p.54 5. P2019-003 - Consider a request by Maria C. Bonilla of Winkelmann & Associates, Inc. on behalf of Jill Fisher of Dunhill Partners, Inc. for the approval of a replat for Lot 2, Block B, R. W. Marketcenter Addition being a replat of a 21.424-acre parcel identified as Lot 1A, Block B, R. W. Marketcenter Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated at the southwest corner of Market Center Drive and the E. IH-30 Frontage Road, and take any action necessary.

p.61 6. P2019-004 - Consider a request by Tony Degelia of A & W Surveyors on behalf of Michael Fisher for the approval of a replat for Lot 7, Block A, Temunovic Addition being a 1.082-acre parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District, situated within the Scenic Overlay (SOV) District, addressed as 1306 Summer Lee Drive, and take any action necessary.

p.67 7. Consider approving emergency pump replacements for the large fountain at The Harbor and authorizing the City Manager to expend $25,830.83 out of the General Fund Harbor Operations Budget for this purpose, and take any action necessary.

p.69 8. Consider approving the work and authorizing the City Manager to execute a Purchase Order to XIT Paving and Construction for the Service Center Yard Pavement Replacement project in the amount of $352,390 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

p.71 9. Consider approving the work and authorizing the City Manager to execute a Purchase Order to Texas Bit for the National Drive Reconstruction Project in the amount of $300,997 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

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p.75 11. Consider authorizing the City Manager to execute Supplemental Agreement No. 1 with Teague Nall & Perkins, Inc. to design portions of Carriage Trail, Westway Drive, and Aspen Court in the amount of $432,000 to be paid out of the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

131 12. Consider approval of the Rockwall Police Department's 2018 Racial Profiling Report, and take any action necessary.

p.237 13. Consider approval of a resolution calling the May 4, 2019 General Election for the purpose of electing the mayor and city council members for Places 1, 3, and 5, and take any action necessary.

XI. Appointment Items

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

p.243 2. Appointment with the city's ART Commission Chairman to hear a presentation regarding a public art fiberglass guitar project and to consider authorizing associated funding in the amount of $5,500 from the city's "Art in Public Places" funds, and take any action necessary.

p.255 3. Appointment with resident Jillian Gaines to hear concerns related to water around her home and neighborhood (address: 1305 Clear Meadow Court), and take any action necessary.

XII. Public Hearing Items

p.259 1. Z2018-058 - Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary [1st Reading].

p.281 2. Z2018-056 - Hold a public hearing to discuss and consider a request by Tom Jones on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary [1st Reading].

XIII. ACTION ITEMS

p.298 1. Discuss and consider the overall concept plan and proposed Phase I of the Harbor Urban Beach Park, and take any action necessary.

XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.300 Building Inspections Monthly Report - December 2018
p.311 Fire Department Monthly Report - December 2018
p.318 GIS Division Monthly Report - December 2018
p.320 Harbor PD Monthly Report - December 2018
p.322 Internal Operations Department Monthly Report - December 2018
p.326 Police Department Monthly Report - December 2018
p.329 Recreation Monthly Report - December 2018
p.335 Rockwall Animal Adoption Center Monthly Report - December 2018
p.339 STAR Transit Monthly Report - December 2018

2. City Manager's Report

XV. EXECUTIVE SESSION

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Consultation with Attorney)
2. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XVII. ADJOURNMENT

This facility is wheelchair accessible. Accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hrs prior. Please contact the City Secretary (972) 771-7700 or FAX (972) 771-7727 for info.
The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)
I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 1st day of Feb., 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary Date Removed

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

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

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **January 30, 2019**

SUBJECT: **HARBOR URBAN BEACH PARK**

During the work session, staff will present additional information regarding the Harbor Urban Beach Park concept plan and phase one options and associated costs. Staff will also provide copies of three possible phase one options and estimated costs for each option. We are seeking direction on the concept plan, preferred phase one amenities and timing of project construction.

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11

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

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

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **January 30, 2019**

SUBJECT: **ATHLETIC FACILITY FEASIBILITY STUDY**

A work session will be held to hear a presentation from Mike Svetz of PROS Consulting to review the project plan for the athletic facility feasibility study approved in the 2019 budget. He will be seeking any additional comments and feedback regarding the project plan process and how Council expects it to proceed.

As the first step in the process, he will be conducting focus groups February 5th and 6th to hear input from various community stakeholders including Council, Park Board, YMCA, RISD, Lake Point Sports and various other outdoor sports providers. Staff will be available to answer any questions.

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13

Rockwall, Texas

Proclamation

Whereas, STEM is an acronym that stands for "Science, Technology, Engineering and Mathematics;" and

Whereas, by the year 2022, it is believed that the United States will be approximately 1 million STEM workers short; and

Whereas, of the STEM-related workforce that exists today, it is estimated that women currently make up only about 25%; and

Whereas, in the words of Woodie Flowers, "Technology needs women, more than women need technology;" and

Whereas, the Rockwall High School Robotics Team - known as "FIRST Robotics Competition Team 1296 Full Metal Jackets" - has created an off season event called "STEM Gals" to promote and encourage women in "STEM;" and

Whereas, "STEM Gals" is a robotics competition for high school students that aims to change the world by encouraging females to pursue careers in STEM.

NOW, THEREFORE, I, Jim Pruitt, Mayor of the City of Rockwall TX, do hereby proclaim October 5, 2019 as

STEM GALS DAY

in the City of Rockwall and encourage all young citizens to evaluate and consider the pursuit of both educations and careers in the field of Science, Technology, Engineering and/or Mathematics.

In Witness Whereof, I hereunto set my hand and official seal this 4th day of February, 2019.

Jim Pruitt, Mayor

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15

City of Rockwall
The New Horizon

MEMORANDUM

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

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

DATE: **February 1, 2019**

SUBJECT: **The Patriot Award**

Representatives from an organization associated with support of the National Guard and Reserve will be present at the city council meeting Monday evening to explain more about this award. Tia Hambrick (Deputy Court Clerk) who currently serves in the Reserves, her supervisor, Debbie Waters (Court Administrator), and other court staff will be guests Monday evening for this portion of the meeting.

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17

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Tuesday, January 22, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and the city's legal counsel, Patrick Lindner. Councilmember Patrick Trowbridge was absent from the meeting. Mayor Pruitt read the following discussion items into the record before recessing the public meeting to go into Executive Session.

II. EXECUTIVE SESSION.

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:40 p.m.

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

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler made a motion that prior to initiating annexation of the +/- 4,000 acres of land in the city's ETJ, staff is directed by Council to communicate with those affected property owners and bring the results of those communications back to Council. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

Mayor Pro Tem Fowler authorized the city attorney to file intervention in the new rate case regarding the appeal to the Public Utility Commission. Councilmember Macalik seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

Mayor Pro Tem Fowler made a motion to move Stuart Smith up from an "alternate" to a voting member to fill the vacancy on the city's Board of Adjustments (thru Aug. 2019). Mayor Pruitt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

Mayor Pro Tem Fowler moved to appoint Glenn Carr to fill the "second alternate position" on the city's Board of Adjustments (thru Aug. 2020). Mayor Pruitt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

VI. Invocation and Pledge of Allegiance – Councilmember Daniels

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

VII. Proclamations

1. Health for Humanity Yogathon

Mayor Pruitt invited city resident Ashwini Gurwale and her husband to come forth at this time. He then read and presented this proclamation. Mrs. Gurwale then gave a brief yoga demonstration.

VIII. Open Forum

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

IX. Consent Agenda

1. Consider approval of the minutes from the January 7, 2019 regular city council meeting, and take any action necessary.
2. Z2018-049 - Consider a request by Mike Peoples for the approval of an ordinance for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary (2nd Reading).
3. A2018-004 - Consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017 LLC for the approval of an ordinance for the voluntary annexation of a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and take any action necessary (2nd reading).
4. P2018-047 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH West Pods, LTD for the approval of a preliminary plat for Breezy Hill, Phase XII containing 35 single-family residential lots on 44.525-acres of land identified as a portion of

Tract 7-1 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located west of the intersection of John King Boulevard and Cozy View Drive, and take any action necessary.

5. Consider approval of the Contract Amendment #1 with Brinkley & Barfield, Inc., in the amount of $87,030 to be funded from the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

6. Consider authorizing the City Manager to negotiate and execute a contract with Baseball Nation LLC regarding the city's baseball umpire services for an amount not to exceed $120,000 to be funded from baseball registration proceeds in the Recreation Development Fund, and take any action necessary.

7. Consider authorizing the City Manager and the Chief of Police to execute an Interlocal Agreement (ILA) with NCT911 to provide 911 services in the City, and take any action necessary.

Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6 and 7). Councilmember Johannesen seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-08
SPECIFIC USE PERMIT NO. S-204

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ANIMAL SHELTER ON A 42.66-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT, IDENTIFIED AS TRACT 7 OF THE D. HARR SURVEY, ABSRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 14.995-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

X. PUBLIC HEARING ITEMS

1. A2018-005 (6:00 PM) – Hold a public hearing to discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary.
2. Z2018-050 - Hold a public hearing to discuss and consider a request by David Rains for the approval of an ordinance for a Specific Use Permit (SUP) allowing a covered patio that exceeds the maximum requirements for property located within the Lake Ray Hubbard Takeline leased area that is adjacent to a parcel of land identified as Lot 12, Block A, Chandlers Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary (1st Reading).

Indication was given that the applicant for this case has submitted a request to withdraw. Mayor Pruitt moved to allow the applicant to withdraw the case, as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

3. Z2018-055 - Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary [1st Reading].

Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant then came forth to speak.

Maxwell Fisher
900 Jackson Street
Dallas, TX

Mr. Fisher came forth and provided comments pertaining to this proposed warehouse storage facility. He showed renderings of what the facility will look like, generally highlighting that it will look like an office building (not a storage facility).

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. Caprice Michelle (no address given) came forth and provided brief comments in support of Council approving this SUP.

Sergio Bento
2002 S. Lakeshore Dr.
Rockwall, TX 75087

Mr. Bento shared that he and his family moved to Rockwall in 2002. He used to contract with the Department of Defense and he subsequently did economic development training with economic development staff throughout the country. He went on to share his past experience in Arlington pertaining to the old Cowboys stadium. He generally spoke in opposition of Council approving this SUP request.

Priscylla Bento (no address given) came forth and shared that she is working towards obtaining her PhD in Urban Planning & Public Policy, and her dissertation will focus on Economic Development. She generally spoke in opposition of the Council approving this SUP request.

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker came forth and commented on this proposed storage facility. He commented that the renderings show what he believes is a nice looking building. He is generally in favor of approval of this SUP.

Johnny Lyons, Chairman of the City's Planning & Zoning Commission, came forth and shared that the Commission has recommended that this item not be approved. Commissioner Moeller and he were 'for' this; however, the other commissioners were 'against' this proposal. Those who were in opposition seemed to indicate the belief that this was not the best fit or use for this particular property.

Mr. Jerry Welch of the city's Planning & Zoning Commission came forth and generally indicated that the Commission did not feel like this was the best location for a mini warehouse storage facility. For this reason, the P&Z recommended its denial.

Following various comments from council members, Councilman Johannesen moved to deny this item (Z2018-055). Councilmember Daniels seconded the motion, which passed by a vote of 6 in favor with 1 absence (Trowbridge).

Johnny Lyons, Chairman of the P&Z, then came forth and provided brief comments to Council concerning recommendations of the Commission relative to the remaining planning-related items on tonight's meeting agenda.

4. Z2018-057 - Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an ordinance amending Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-

59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary [1st Reading].

Planning Director Ryan Miller provided background information pertaining to this agenda item. Staff mailed 194 notices to property owners and residents located within 500' of the subject property. So far staff has received seven notices in favor of the request and one in opposition. The Planning & Zoning Commission has recommended approval of this item.

Bill Bricker
505 Westway Drive
Rockwall, TX

Mr. Bricker came forth and briefly addressed the Council. Thereafter, Mayor Pruitt asked if anyone would like to come forth and speak during this Public Hearing. There being no one indicating such, he then closed the public hearing.

Councilmember Hohenshelt moved to approve Z2018-057. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52) [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF LAND FOR RESIDENTAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absence (Trowbridge).

5. A2018-005 (6:30 PM) – Hold a public hearing to discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing. No action was taken at this time.

6. Z2018-058 - Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an ordinance for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary [1st Reading].

Indication was given that the applicant could not be present this evening, so he has requested that this item be postponed. Mayor Pruitt moved to postpone this agenda item until the February 4, 2019 regular city council meeting. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

7. Z2018-059 - Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of an ordinance for a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary [1st Reading].

Planning Director Ryan Miller provided background information pertaining to this agenda item, generally explaining that the applicant purchased this property a little over a year ago and had planned to build a home on the property; however, since that time, the applicant found a different piece of property that they like better. As a result, they have been trying to sell this property, but they've been having difficulty. They are therefore requesting that the Council consider allowing them to essentially split this property into two different tracts.

Kenneth Cullins
3114 Stoney Hollow Lane
Rockwall, TX

Mr. Cullins came forth and briefly addressed the Council, generally explaining his and his wife's reasoning behind the request to rezone, and asking Council to consider approval of said request.

David Hodgdon
1085 Dalton Road
Rockwall, TX

Mr. Hodgdon spoke during the public hearing, explaining that he sold this piece of property to Mr. and Mrs. Cullins, and his property is located directly adjacent to this one. He went on to express that he is in opposition of the Council approving this request for the applicant to subdivide the property into two, separate lots.

Councilmember Daniels moved to approve Z2018-059. Councilmember Macalik seconded the motion. Following additional, brief comments, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT ON A 3.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-01 OF THE T. DEAN SURVEY, ABSTRACT NO. 69, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

XI. Action Items

1. SP2018-043 - Discuss and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a waiver in conjunction with an approved site plan for a 375-unit condominium building on a 6.2-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary.

Planning Director Ryan Miller provided brief, introductory comments pertaining to this agenda item. Mayor Pruitt then moved to approve the requested waiver. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

XII. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)

3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Council did not reconvene in Executive Session following the close of the public meeting agenda. See action taken at the start of the 6:00 p.m. public meeting for action taken as a result of the earlier Executive Session.

XIV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 7:29 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4th DAY OF FEBRUARY, 2019.

_____

ATTEST: **Jim Pruitt, Mayor**

_____

Kristy Cole, City Secretary

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27

CITY OF ROCKWALL

ORDINANCE NO. 19-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52) [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF LAND FOR RESIDENTAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the applicant Bill Bricker of Columbia Development Company, LLC, for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses, being a 56.586-acre tract of land identified as a portion of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) [*Ordinance No. 16-45*] and Planned Development District 59 (PD-59) [*Ordinance No.'s 04-59 and 06-51*], located between W. Washington Street and T. L. Townsend Drive and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 59 (PD-59) [*Ordinance No.'s 04-59 and 06-51*], Planned Development District 52 (PD-52) [*Ordinance No. 16-45*], and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in

Ordinance No.'s 04-59 and 06-51;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall be in accordance with the *Development Standards*, described in *Exhibit 'F'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'F'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 8. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF FEBRUARY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: January 22, 2019

2nd Reading: February 4, 2019

Exhibit 'A':
Legal Description

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31, as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right-of-way);

THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;

THENCE deporting said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;

THENCE North 04°30'38" East a distance of 69.54 feet to a ½" iron pipe for corner;

THENCE North 05°42'23" West a distance of 29.95 feet to a ½" iron pipe for corner;

THENCE North 80°56'29" East a distance of 126.45 feet to a ½" iron pipe for corner;

THENCE North 86°39'04" East a distance of 110.36 feet to a ½" iron pipe for corner;

THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;

THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Renfro Street;

THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;

THENCE deporting said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;

THENCE North 01°20'36" West a distance of 200.09 feet to a ½" iron pipe for corner;

THENCE North 00°40'16" West a distance of 87.88 feet to a ½" iron pipe for corner:

THENCE South 89°00' 45" East a distance of 63.08 feet to a ½" iron pipe for corner;

THENCE South 88°34'57" East a distance of 126.36 feet to a ½" iron pipe for corner;

THENCE North 00°48'06" West a distance of 110.27 feet to a ½" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;

THENCE along said Aluminum Plant Road North 89°08'46" West o distance of 194.10 feet to a point for corner;

THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;

THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;

THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;

THENCE South 07°24' 46" West a distance of 602.23 feet to a point for corner;

THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;

THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;

THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a ½" iron pipe found at the beginning of a tangent curve to the left;

THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a ½" pipe found for corner;

THENCE In a southwesterly direction with sold curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;

THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.

Exhibit 'B':
Survey

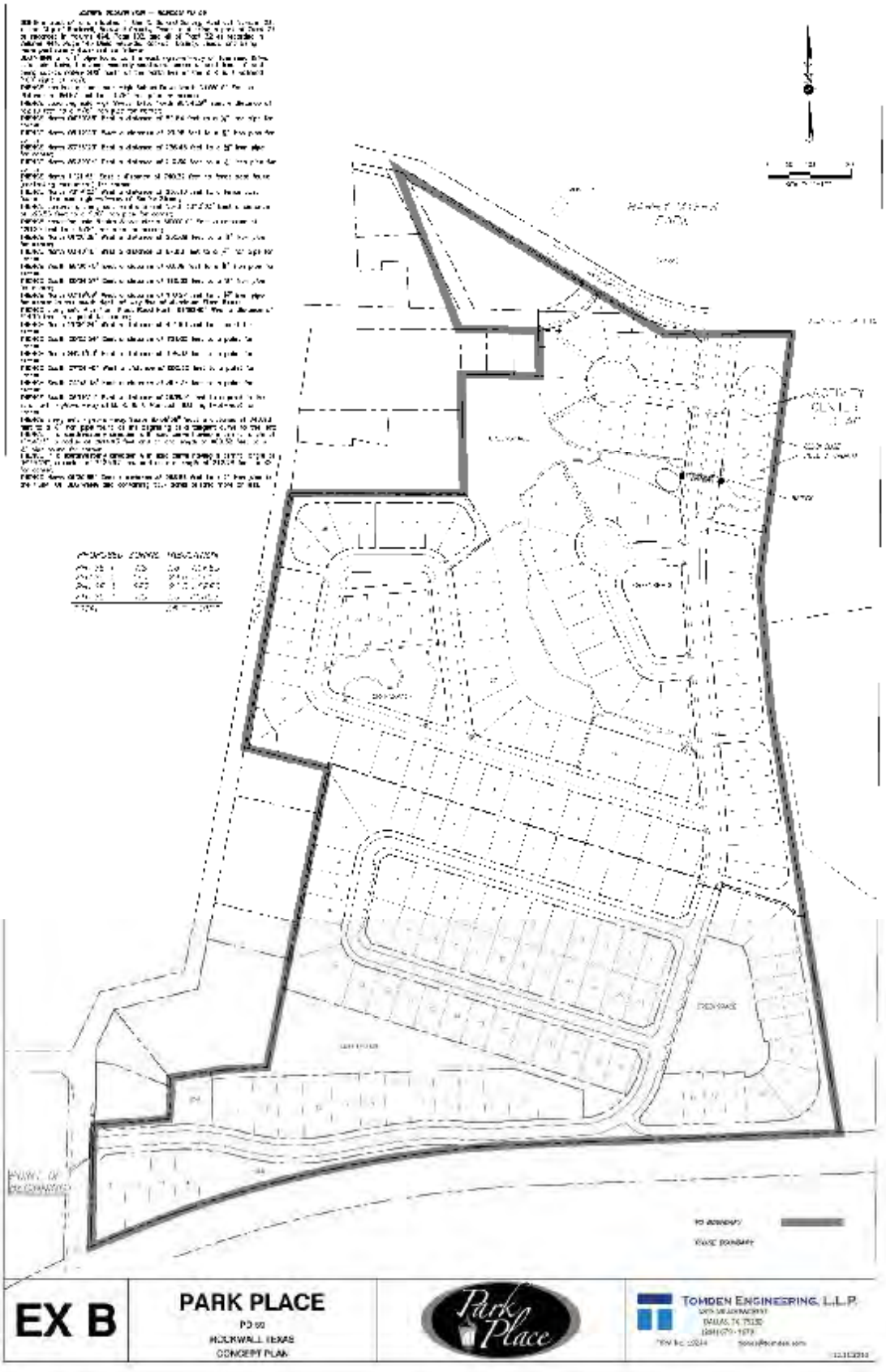


Exhibit 'C':
Area Map

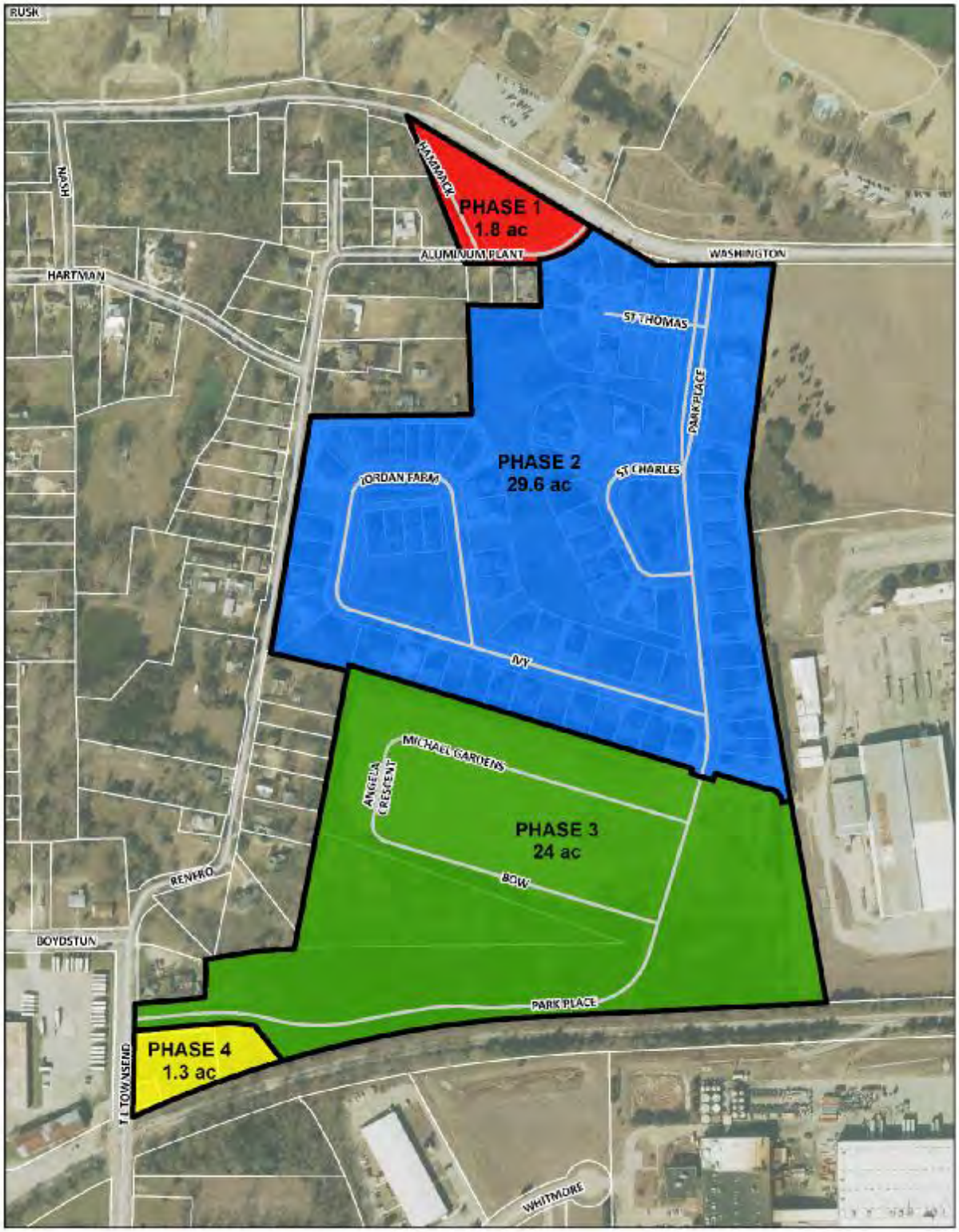


Exhibit 'D':
Concept Plan

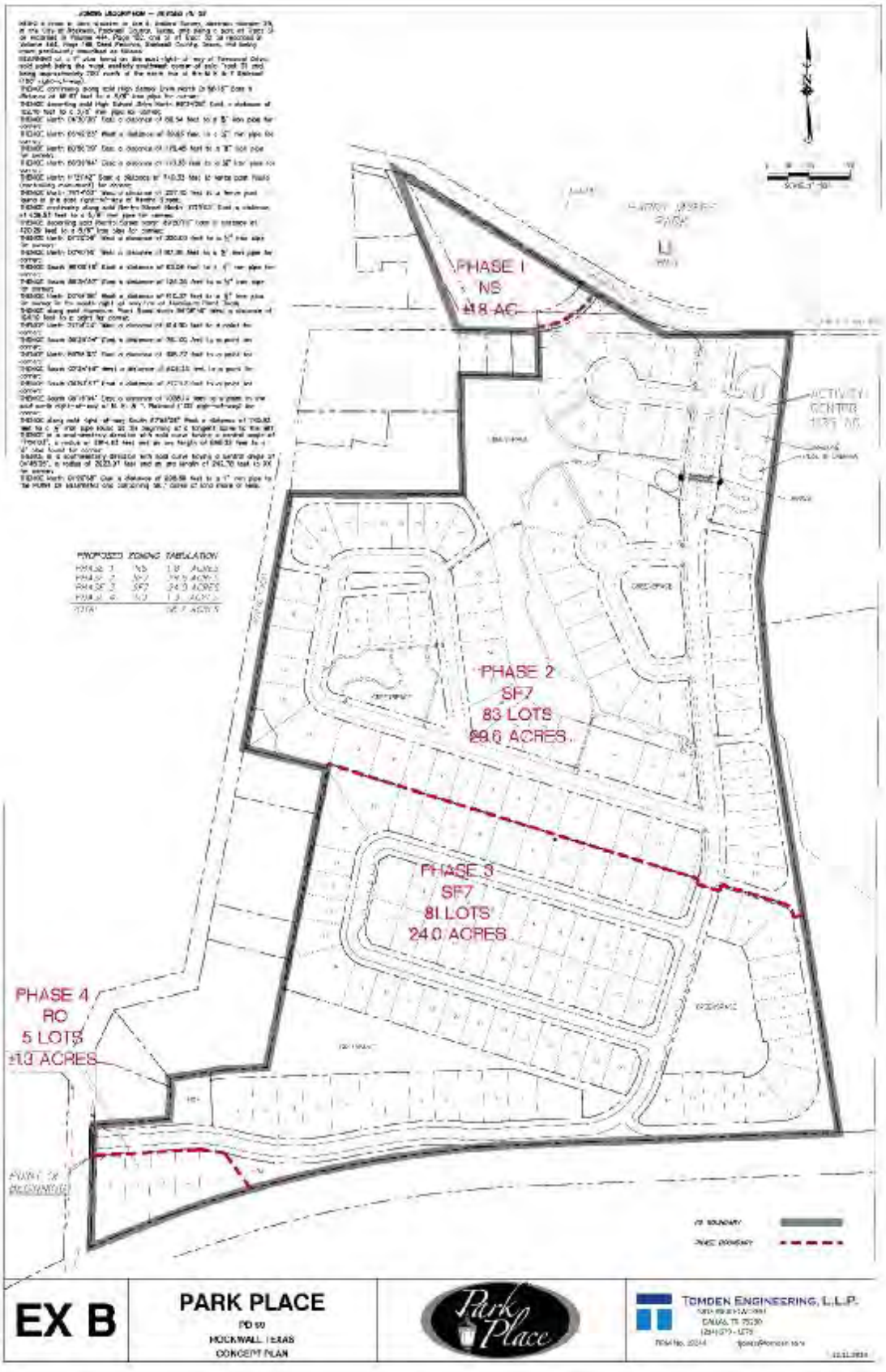


Exhibit 'E':
Hardscape Plan

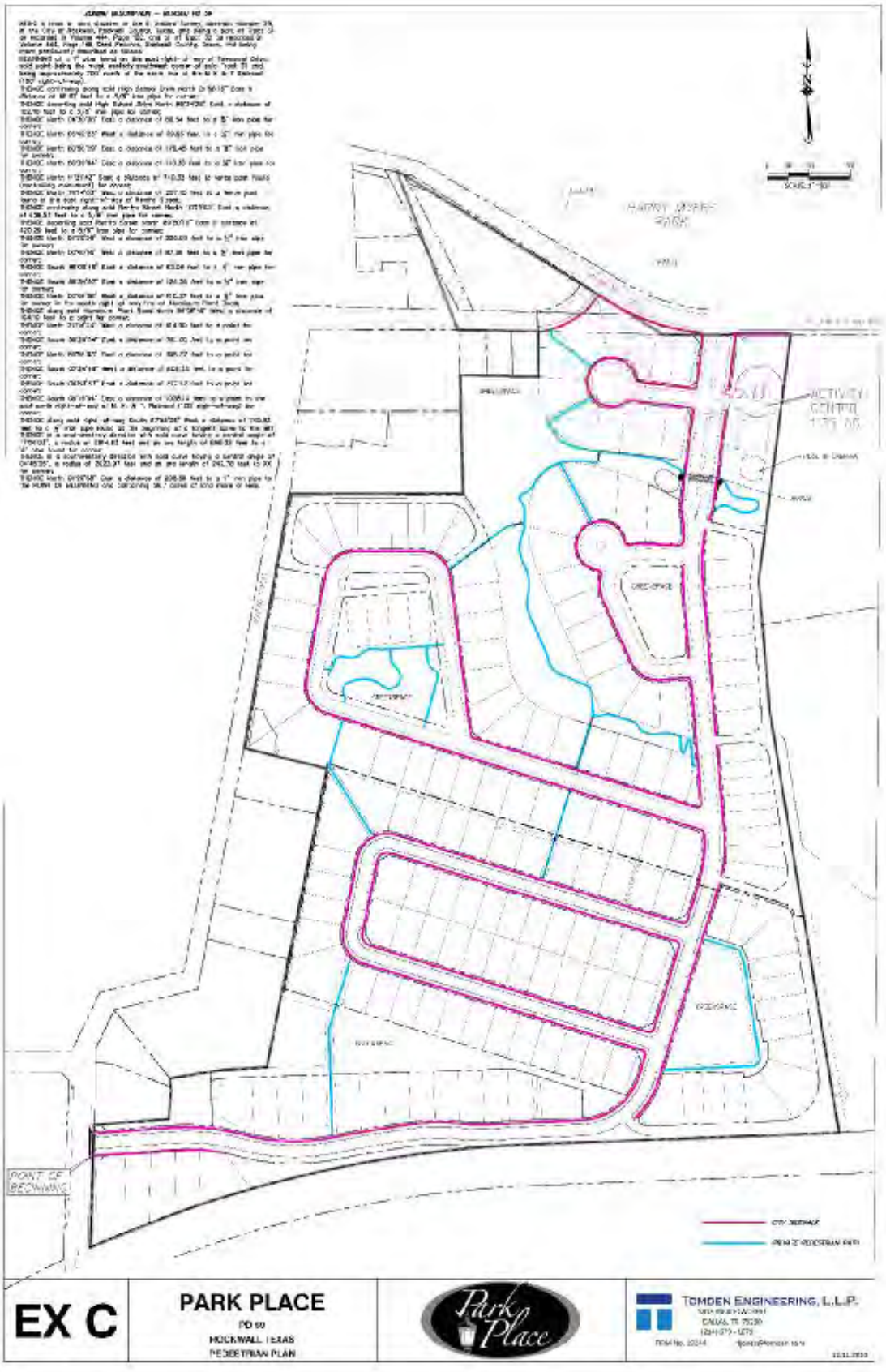


Exhibit 'F':
PD Development Standards

Phases 1-4 (56.586-Acres): Development Standards for all Phases

(1) *Streetscape Standards.* The following aspects of development shall be reviewed in conjunction with a preliminary plat and/or site plan:

(a) *Street Lighting.* Street lighting shall be compatible with neo-traditional design methods, the Old Town Rockwall Historic District guidelines, and any proposed guidelines for the City's Downtown Plan.

(b) *Street Signage and Traffic Control.* Signage and traffic control methods shall be compatible with neo-traditional design and complement the surrounding historic areas of the City.

(c) *Street Sections*. A PD Development Plan shall include any alternative street and alley cross-sections, paving methods, use of street trees, and other proposed engineering details.

(2) *Private Parks and Open Space.* Details for private parks and open space as indicated in *Exhibit 'B*' shall be subject to the following requirements and approved as part of the preliminary plat and/or site plan:

(a) A site/landscape plan for all open space, pocket parks, the community center, and trail systems. The development plan and/or preliminary plat shall also be reviewed by the City's Parks and Recreation Board.

(b) All city-required trails and public sidewalks shall be constructed with concrete and meet all City standards.

(c) Drainage area trails, which shall be maintained by the HOA, may be constructed with asphalt.

(d) The developer shall install a screening fence adjacent to the railroad along the south boundary of the subject property. The exact location, construction material(s), and height of the screening fence shall be reviewed and approved as part of the required site plan.

(3) *Hardscape.* Hardscape plans--depicted in *Exhibit 'E'*--indicating the location of all sidewalks and trails shall be reviewed and approved with the preliminary plat and/or final plat.

(4) *Fence Standards.* All fences shall be required to be wrought iron or tubular steel and vinyl shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height unless situated in the front yard. Front yard fences shall meet the following requirements:

(a) No front yard fences shall be located within a public right-of-way;

(b) The maximum height for a front yard fence is 42-inches (*i.e. 3 ½ feet*); and

(c) All front yard fences shall be open or *picket-style* fencing constructed of wrought iron, tubular steel, or vinyl.

Phase 1: Neighborhood Services (1.8-Acres)

(1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Neighborhood Services (NS) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance*

(2) *No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

(3) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards for the Neighborhood Services (NS) District as stipulated in Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. All lots shall conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Density and Dimensional Requirements

Minimum Lot Width [1]	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback [2]	15'
Minimum Side Yard Setback	20'
Minimum Distance Between Buildings	15'
Maximum Height	36'
Minimum Rear Yard Setback	20'
Maximum Lot Coverage	60%
Maximum Building Size	5,000 SF

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

(4) *Building Standards.* All development shall be subject to site plan and Architectural Review Board (ARB) review and shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementitious products may be used for up to *100%* of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.

(b) *Roof Design Requirements.* All structures having a footprint of 6,000 SF or less shall be constructed with a pitched roof system.

(c) *Architectural Requirements.* All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space. This should include the detailing and features. This will be reviewed by the Architectural Review Board (ARB) for conformance.

(5) *Landscape Buffer.* A minimum 10-foot landscape buffer shall be required along all street frontages. The buffer shall include a minimum of one (1) tree per 30 linear feet.

(6) *Signage.* Permanent, free-standing signage for Phase 1 shall be limited to one (1) monument not exceeding five (5) feet in height or a maximum of 60 SF in area.

(7) *Lighting.* In addition to the outdoor lighting requirements stipulated in Article VII, Environmental Performance, of the Unified Development Code (UDC), no light pole, pole base, or combination thereof shall exceed 20-feet in height. All lighting fixtures shall focus downward and be contained on the subject property

Phases 2 & 3: Single-Family 7 (53.6-Acres)

(1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Phases 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Single-Family 7 (SF-7) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

(2) *Density and Dimensional Requirements.* Any development on *Phases 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for properties in a Single-Family 7 (SF-7) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

Table 2: SF-7 Lot Dimensional Requirements

Minimum Lot Width [1]	40'
Minimum Lot Area	4,000 SF
Minimum Average Lot Area	7,000 SF
Minimum Front Yard Setback [2] & [3]	10'
Minimum Side Yard Setback [4]	5'
Minimum Side Yard Adjacent to a Street	10
Minimum Distance Between Buildings	15'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4, 5]	10'
Maximum Lot Coverage	60%

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
[4]: The minimum side yard setback for an internal lot or a lot abutting open space or HOA common area is five (5) feet. For yards abutting a street, the minimum side yard setback shall be 10-feet.
[5]: Lots with double frontage shall have a minimum rear yard setback of 15 feet.

(3) *Building Standards.* Housing type and construction shall generally conform to the *Architectural Styles* depicted in *Exhibit 'G'* of this ordinance; however, all development shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for all exterior façades (*excluding walls on a porch, patio, courtyard, or breezeway*) greater than 100 SF shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementitious products may be used for up to *100%* of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.

(b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than five (5) houses apart on either side of the street.

(c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s)

(d) *Guest Quarters/Secondary Living Unit.* A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:

(i) Such quarters must be ancillary to the primary use;

(ii) The area of such quarters shall not exceed 30% of the area of the main structure;

(iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot;

(iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*; and

(v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.

(4) *Access.* Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.

Phase 4: Residential-Office (1.3-Acres)

(1) *Permitted Uses.* Unless specifically provided by this Planned Development District Ordinance, *Phase 4* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Residential-Office (RO) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on the *Phase 4*:

- Accessory Building
- Bed and Breakfast
- Convent or Monastery
- Daycare (7 or more children)
- Residential Care Facility
- Assisted Living Facility
- Convalescent Care Facility/Nursing Home
- Congregate Care Facility
- General Retail Store*
- Group or Community Home
- Halfway House
- Library, Art Gallery, or Museum (Public)
- Railroad Yard or Shop
- Studio-Art, Photography, or Music
- Shoe and Boot Repair and Sales
- Transit Passenger Facility
- Antenna, Accessory
- Antenna, Commercial
- Antenna, Amateur Radio
- Antenna, Dish
- Wireless Communication Tower
- Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill and Wastewater Treatment
- Municipally Owned or Controlled Facilities, Utilities, and Use

*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

The following land uses shall be permitted by Specific Use Permit (SUP) on the *Phase 4*:

- General Retail Store*
- Hair Salon, Manicurist
- Office Building, 5,000 SF or More
- Restaurant, Less Than 2,000 SF w/o Drive-Thru
- Solar Energy Collector Panels and Systems

*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

(2) *Density and Dimensional Requirements.* Any development on *Phase 4* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for properties in a Residential-Office (RO) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development shall adhere to the following building standards:

Table 3. Density and Dimensional Requirements

Minimum Lot Width [1]	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback [2]	10'
Minimum Side Yard Setback	5'
Minimum Distance Between Buildings	15'
Maximum Height [3]	36'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	60%

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the residential-office structure.

(3) *Building Standards. Building Standards.* Housing type and construction shall generally conform to the *Architectural Styles* depicted in *Exhibit 'G'* of this ordinance; however, all development shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for all exterior façades (*excluding walls on a porch, patio, courtyard, or breezeway*) greater than 100 SF shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementitious products may be used for up to *100%* of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.

(b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than five (5) houses apart on either side of the street.

(c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s).

(d) *Guest Quarters/Secondary Living Unit.* A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:

(i) Such quarters must be ancillary to the primary use;

(ii) The area of such quarters shall not exceed 30% of the area of the main structure;

(iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot; and

(iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*.

(v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.

(4) *Access.* Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.

(5) *Parking Requirements*. Parking requirements for Phase 4 shall be all follows:

(a) Two (2) parking spaces per lot for single-family uses.

(b) One (1) additional space per 500 SF for non-residential uses as permitted by this ordinance. Off-site common or shared parking agreements shall be considered for Phase 4, subject the review of the proposed parking area(s) with the required development plan.

Exhibit 'G':
Conceptual Architectural Styles



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43

CITY OF ROCKWALL

ORDINANCE NO. 19-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT ON A 3.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-01 OF THE T. DEAN SURVEY, ABSTRACT NO. 69, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Heather Cullins for a change in zoning from a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family 2.0 (SFE-2.0) District and more fully depicted in *Exhibit 'A'* and described in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from a Single-Family 2.0 (SFE-2.0) District to a Single-Family 1.5 (SFE-1.5) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Single-Family 1.5 (SFE-1.5) District as stipulated in Section 1.1*, Use of Land and Buildings,* of Article IV*, Permissible Uses* and Section 3.2*, Single-Family Estate 1.5 (SFE-1.5) District,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF FEBRUARY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: January 22, 2019

2nd Reading: February 4, 2019

Exhibit 'A'
Zoning Exhibit

Legal Description: *Tract 1-01 of the T. Dean Survey, Abstract No. 169*



Exhibit 'B'
Legal Description

All that certain lot, tract or parcel of land situated in the THOMAS DEAN SURVEY, ABSTRACT NO. 69, City of Rockwall, Rockwall County, Texas, and being all of Lot 1, Block A, HODGDON ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet J, Slide 237 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap found for corner at the north most Northeast corner of Lot 2, and at the northwest corner of Lot 1, Block A of said Hodgdon Addition, and in the South right-of-way line of Dalton Road, per Volume 2459, Page 19 of the Real Property Records of Rockwall County, Texas;

THENCE N. 89 deg. 14 min. 02 sec. E. along the South right-of-way line of Dalton Road, a distance of 464.94 feet to a 1/2" iron rod with plastic cap found for corner at the northwest corner of Lot 1, Block A of SHORES NORTH PHASE 6, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet E, Slide 163 of the Plat Records of Rockwall County, Texas;

THENCE S. 00 deg. 22 min. 39 sec. E. along the west of said Addition and the east line of Hodgdon tract, a distance of 367.54 feet to a concrete City of Rockwall monument found for corner at the southeast corner of said Lot 1, Block A, Hodgdon Addition;

THENCE WEST along the south boundary line of said Lot 1, a distance of 197.12 feet to a 1/2" iron rod found for corner;

THENCE N. 30 deg. 21 min. 19 sec. W. along the west line of Lot 1, a distance of 94.23 feet to a 1/2" iron rod found for corner;

THENCE N. 66 deg. 42 min. 52 sec. W. a distance of 156.23 feet to a 1/2" iron rod found for corner;

THENCE N. 19 deg. 55 min. 06 sec. W. a distance of 232.13 feet to the POINT OF BEGINNING and containing 131,886 square feet or 3.03 acres of land.

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48

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/04/2019

APPLICANT: Gerald Houser of *Collin-G Properties, LTD*

AGENDA ITEM: **P2019-002;** *Lot 2, Block A*, *Houser Addition*

SUMMARY:

Consider a request by Gerald Houser of Collin-G Properties, LTD for the approval of a replat for Lot 2, Block A, Houser Addition being a 6.19-acre parcel of land identified Lot 1, Block A, Houser Addition, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 1611 SH-276, and take any action necessary.

PLAT INFORMATION:

☑ The objective of this request is to replat a 6.19-acre tract of land [*i.e. Lot 1, Block A, Houser Addition*] for the purpose of the replat is to establishing firelane, public access & utility easements to construct an office building. Additionally, the replat will abandon a portion of a 15-ft utility easement that is located on the southern and western property boundaries. The subject property is addressed as 1611 SH-276, and zoned Heavy Commercial (HC) District.

☑ On October 11, 2016, the Planning and Zoning Commission approved a site plan [*i.e. SP2016-022*] for the subject property. Additionally, the City Council approved variances and exceptions associated with the site plan on October 27, 2016.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for a *replat* as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

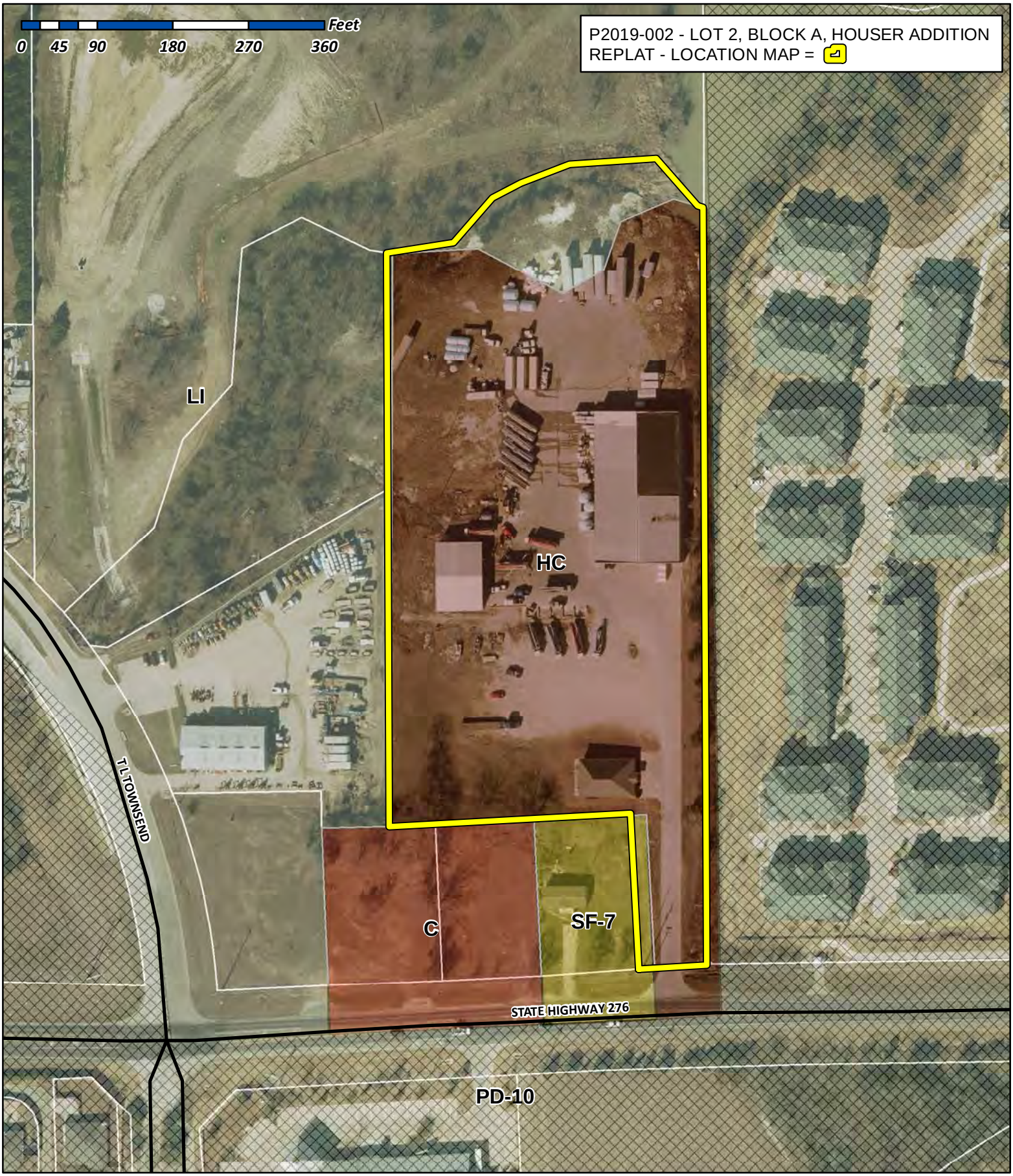
If the City Council choses to approve the replat for *Lot 2, Block A, Houser Addition*, staff would recommend the following conditions:

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

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

PLANNING AND ZONING COMMISSION RECOMMENDATION:

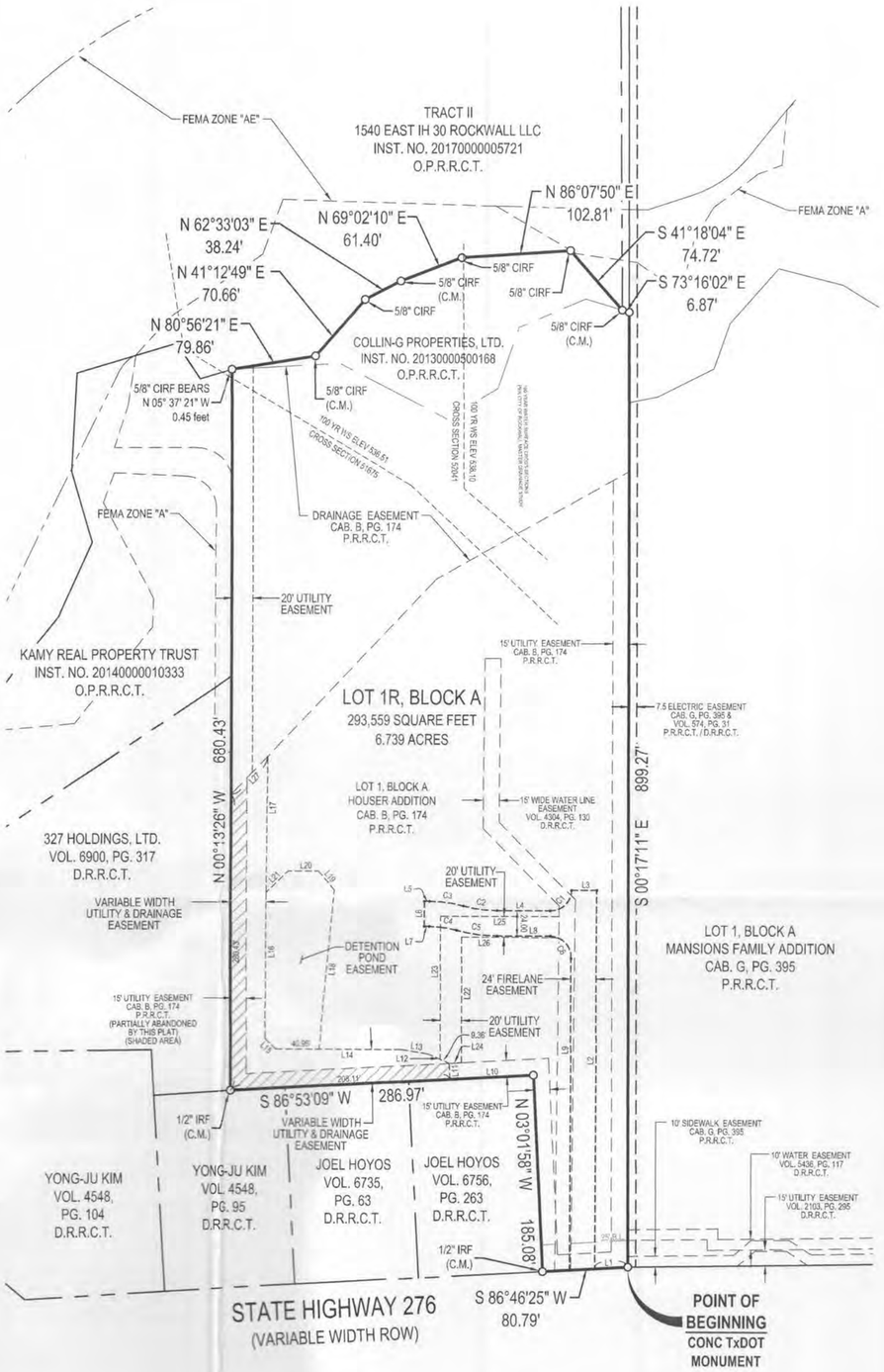
On January 29, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 7 to 0.



City of Rockwall

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

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



OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

I the undersigned owner of the land shown on this plat, and designated herein as COLLIN-G PROPERTIES, LTD., to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

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

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

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

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

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

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

7. The Property Owner is responsible for all maintenance , repair , and replacement of storm drain / detention facilities in easements.

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

COLLIN-G PROPERTIES, LTD.,

_____

Representative:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____ day of _____, 2018.

_____

Notary Public in and for the State of Texas

_____

My Commission Expires:

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, Collin-G Properties, LTD., being the owner of a tract of land out of the N.M. Ballard Survey, Abstract No. 24, in the City of Rockwall, Rockwall County, Texas, Being all of a Lot 1, Block A ,Houser Addition, an addition to The City of Rockwall as recorded in Cabinet B, Page 174 of the Plat Records of Rockwall County, Texas., and all of a tract of land to Collin-G Properties as recorded in Instrument Number 20130000500168 Official Public Records Rockwall County Texas, and being more particularly described as follows:

BEGINNING at a Concrete TxDOT Monument found lying on the Northerly Right-of-Way Line of State Highway 276, (a variable width public right-of-way) at the southwest corner of Lot 1, Block A, Mansions Family Addition, an addition to the City of Rockwall as recorded in Cabinet G, Page 395, Plat Records Rockwall County Texas and the southeast corner of said Lot 1, Block A ,Houser Addition;

THENCE South 86 degrees 46 minutes 25 seconds West along the Northerly right-of-way of said State Highway 276, a distance of 80.79 feet to a 1/2 inch iron rod found for the southeast corner of a tract of land to Joel Hoyos as recorded in Volume 6756, Page 263 of the Deed Records Rockwall County Texas, said point also being the most southerly southwest corner of said Lot 1, Block A ,Houser Addition;

THENCE North 03 degrees 01 minutes 58 seconds West along a common line of said Hoyos tract and said Lot 1, Block A ,Houser Addition, a distance of 185.08 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner at an inner ell corner of said Lot 1, Block A ,Houser Addition;

THENCE South 86 degrees 53 minutes 09 seconds West, a distance of 286.97 feet to a 1/2 inch rod found lying on the northerly line of a tract of land to to Yong-Ju Kim as recorded in Volume 4548, Page 95 of the Deed Records Rockwall County Texas, said point also being the most westerly southwest corner of said Lot 1, Block A ,Houser Addition and the southeast corner of a tract of land to 327 Holdings, LTD as recorded in Volume 6900, Page 317, of the Deed Records Rockwall County Texas;

THENCE North 00 degrees 13 minutes 26 seconds West along the common line of said 327 Holdings, LTD tract and said Lot 1, Block A ,Houser Addition, passing the northeast corner of said 327 Holdings, LTD tract, same being the southeast corner of a tract of land to Kamy Real Property Trust as recorded in Instrument number 20140000010333 of the Official Public Records Rockwall County Texas and continuing along the common line of said Kamy tract and said Lot 1, Block A ,Houser Addition, a distance of 680.43 feet to the northwest corner of said Lot 1, Block A ,Houser Addition said point also lying on the southerly line of a tract of land called Tract II to 1540 East IH 30 Rockwall LLC as recorded in Instrument Number 20170000005721 of the Official Public Records Rockwall County Texas and being the west corner of said Collin-G Properties tract, from which 5/8 inch iron rod with cap stamped "R-DELTA ENGINEERS" found for reference bears North 05 degrees 37 minutes 21 seconds West, a distance of 0.45 feet;

THENCE along the common line of said Collin-G Properties tract and said Tract II the following courses and distances:

North 80 degrees 56 minutes 21 seconds East, a distance of 79.86 feet to a 5/8 inch iron rod with cap stamped "R-DELTA ENGINEERS" found for corner;

North 41 degrees 12 minutes 49 seconds East, a distance of 70.66 feet to a 5/8 inch iron rod with cap stamped "R-DELTA ENGINEERS" found for corner;

North 62 degrees 33 minutes 03 seconds East, a distance of 38.24 feet to a 5/8 inch iron rod with cap stamped "R-DELTA ENGINEERS" found for corner;

North 69 degrees 02 minutes 10 seconds East, a distance of 61.40 feet to a 5/8 inch iron rod with cap stamped "R-DELTA ENGINEERS" found for corner;

North 86 degrees 07 minutes 50 seconds East, a distance of 102.81 feet to a 5/8 inch iron rod with cap stamped "R-DELTA ENGINEERS" found for corner;

South 41 degrees 18 minutes 04 seconds East, a distance of 74.72 feet to a 5/8 inch iron rod with cap stamped "R-DELTA ENGINEERS" found for the common southeast corner of said Collin-G Properties tract and said Tract II, said point also lying on the north line of said Lot 1, Block A ,Houser Addition;

THENCE South 73 degrees 16 minutes 02 seconds East along the north line of said Lot 1, Block A ,Houser Addition, a distance of 6.87 feet to a 5/8 inch iron rod with cap stamped "TNP" set for the northeast corner of same lying on the west line of said Lot 1, Block A, Mansions Family Addition;

THENCE South 00 degrees 17 minutes 11 seconds East along the common line of said Mansions Family Addition and said Lot 1, Block A ,Houser Addition, a distance of 899.27 feet to the POINT OF BEGINNING containing 293,559 square feet, or 6.739 acres of land.

SURVEYOR'S CERTIFICATE

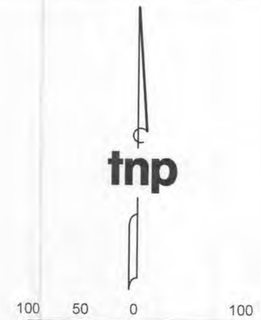
NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ___ DAY OF _____, 2018

_____

BRIAN J. MADDOX, R.P.L.S. NO. 5430



LEGEND

IRF-IRON ROD FOUND
(C.M.)-CONTROLLING MONUMENT
5/8" CIRF- 5/8" CAPPED IRON ROD FOUND "R-DELTA ENGINEERS"
WS ELEV- WATER SURFACE ELEVATION
VOL.-VOLUME
PG.-PAGE
CAB.-CABINET
NO.-NUMBER
P.R.R.C.T.-PLAT RECORDS ROCKWALL COUNTY, TEXAS
D.R.R.C.T.-DEED RECORDS ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T.-OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY, TEXAS

EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
L1	31.41'	S86°46'12"W
L2	356.57'	S00°01'43"E
L3	24.00'	S89°57'09"E
L4	50.05'	S89°49'20"E
L5	4.71'	S89°49'20"E
L6	24.00'	N00°10'40"E
L7	4.71'	N89°49'20"W
L8	50.29'	N89°49'58"W
L9	293.95'	N90°00'00"W
L10	78.86'	S86°53'09"W
L11	15.00'	S03°23'13"E
L12	21.99'	N66°19'50"W
L13	25.79'	N80°36'40"W
L14	118.88'	S89°47'55"W
L15	13.96'	S45°36'22"E

EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
L16	138.65'	S00°09'01"W
L17	128.95'	N00°09'02"E
L18	151.78'	S05°13'08"W
L19	23.61'	S39°46'52"E
L20	28.73'	N69°46'34"E
L21	29.17'	N44°46'34"E
L22	118.07'	N00°11'18"W
L23	134.80'	N00°11'31"W
L24	11.46'	N86°53'09"E
L25	112.05'	S89°55'06"E
L26	91.85'	S89°53'13"E
L27	49.74'	N43°33'56"E

EASEMENT CURVE TABLE					
CURVE #	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	90°12'19"	20.00'	N 45°04'31" E	28.33'	31.49'
C2	14°57'36"	123.96'	S 82°20'32" E	32.27'	32.37'
C3	14°57'36"	123.96'	S 82°20'32" E	32.27'	32.37'
C4	8°51'17"	99.96'	N 79°17'23" W	15.43'	15.45'
C5	14°57'36"	147.96'	N 82°20'32" W	38.52'	38.63'
C6	89°47'41"	20.00'	N 44°55'29" W	28.23'	31.34'



VICINITY MAP
NOT TO SCALE

NOTES:

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON THE GROUND AND COMPUTED BY ONLINE POSITIONING USER SERVICE (OPUS) OFFERED BY THE NATIONAL GEODETIC SURVEY.
2. BY GRAPHIC SCALE THE PROPERTY SHOWN HEREON IS LOCATED IN ZONES "A" AND "AE" (AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT DETERMINED BY DETAILED METHODS. BASE FLOOD ELEVATIONS ARE ESTABLISHED) AND ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD HAZARD) ACCORDING TO MAP NO. 48397C0045L, DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
3. THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
4. THE PORTION OF THE EASEMENT SHOWN SHADED IS TO BE PARTIALLY ABANDONED BY THIS PLAT.
5. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
6. ALL CORNERS ARE 5/8 INCH IRON ROD WITH CAP STAMPED "TNP" UNLESS OTHERWISE SHOWN.

_____ _____
Planning & Zoning Commission, Chairman *Date*

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the ____ day of _____, 2018.

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

Witness our hands this the ____ day of _____, 2018.

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

REPLAT
HOUSER ADDITION
LOT 1R, BLOCK A
293,559 SQUARE FEET
6.739 ACRES

BEING ALL OF LOT 1, BLOCK A, HOUSER ADDITION AND ALL OF A TRACT OF LAND TO COLLIN-G PROPERTIES AS RECORDED IN INSTRUMENT NUMBER 20130000500168 SITUATED IN THE N.M. BALLARD SURVEY ABSTRACT NO. 24 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEER
DOUPHRATE & ASSOCIATES, INC.
P.O. BOX 1336
Rockwall, Texas 75087
Rockwall County, Texas

OWNER
COLLIN-G PROPERTIES, LTD.
P.O. Box 847
Rockwall, TX. 75087-0847
Rockwall County, Texas

PROJECT INFORMATION
Project No.: DPH 18146
Date: NOVEMBER 26, 2018
Drawn By: GS9
Scale: 1"=100'
SHEET 1 of 1

tnp

SURVEYOR
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com

52

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/04/2019

APPLICANT: Maria C. Bonilla of *Winkelmann & Associates, Inc.*

AGENDA ITEM: **P2019-003;** *Lot 2, Block B, R.W. Marketcenter Addition*

SUMMARY:

Consider a request by Maria C. Bonilla of Winkelmann & Associates, Inc. on behalf of Jill Fisher of Dunhill Partners, Inc. for the approval of a replat for Lot 2, Block B, R. W. Marketcenter Addition being a replat of a 21.424-acre parcel identified as Lot 1A, Block B, R. W. Marketcenter Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated at the southwest corner of Market Center Drive and the E. IH-30 Frontage Road, and take any action necessary.

PLAT INFORMATION:

- ☑ The objective of this request is to replat a 21.424-acre tract of land [*i.e. Lot 1A, Block B, R. W. Marketcenter Addition*] for the purpose of the replat is to abandoning a portion of an existing firelane, access & utility easement and realigning the easement to accommodate the expansion of an existing Bath and Body Works retail store [*i.e. SP2018-034*]. The site is located on the southeastern portion of the lot, adjacent to Ralph Hall Parkway and Market Center Drive, and is zoned Commercial (C) District.

- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for a *replat* as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

If the City Council choses to approve the replat for *Lot 2, Block B, Marketcenter Addition*, staff would recommend the following conditions:

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

2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the International Building Code, the Rockwall

Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 29, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 7 to 0.



City of Rockwall

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

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MATCHLINE A ~ SEE SHEET 2

MATCHLINE B ~ SEE SHEET 2

MARKET CENTER DRIVE
(60' RIGHT-OF-WAY)

C1

RALPH M. HALL PARKWAY
(85' PUBLIC RIGHT-OF-WAY)

15' DRAINAGE EASEMENT
CABINET D, PAGE 134

10' WATER EASEMENT
CABINET D, PAGE 134

20' SANITARY
SEWER EASEMENT
VOLUME 147, PAGE 917

20'x15' WATER EASEMENT
CABINET D, PAGE 134

FIRE LANE, ACCESS &
UTILITY EASEMENT
CABINET D, PAGE 134

DRAINAGE EASEMENT
CABINET D, PAGE 134

2'x10' WATER EASEMENT
CABINET D, PAGE 134

10'x10' WATER EASEMENT
CABINET D, PAGE 134

10' WATER EASEMENT
CABINET D, PAGE 134

15' DRAINAGE EASEMENT
CABINET D, PAGE 134

LOT 1A, BLOCK B
R W MARKETCENTER ADDITION
CABINET D, PAGE 134

FIRE LANE, ACCESS &
UTILITY EASEMENT
CABINET D, PAGE 134

TXU ELECTRIC EASEMENT
VOLUME 1682, PAGE 167

5'x184' WATER EASEMENT
CABINET D, PAGE 134

10' WATER EASEMENT
CABINET D, PAGE 134

FIRE LANE, ACCESS &
UTILITY EASEMENT
CABINET D, PAGE 134

LOT 1A-R, BLOCK B
R W MARKETCENTER ADDITION

21.424 ACRES
(933,244 SQ. FT.)

DRAINAGE EASEMENT
CABINET D, PAGE 134

10' WATER EASEMENT
CABINET D, PAGE 134

15'X10' WATER EASEMENT
CABINET D, PAGE 134

DETENTION POND
EASEMENT
CABINET D, PAGE 57
CABINET D, PAGE 134

E.P.G. CHISUM SURVEY, ABSTRACT No. 64
JAMES SMITH SURVEY, ABSTRACT No. 200

24' FIRE LANE, ACCESS &
UTILITY EASEMENT
CABINET D, PAGE 134

10' WATER EASEMENT
CABINET D, PAGE 134

DRAINAGE EASEMENT
CABINET D, PAGE 134

WATER EASEMENT
CABINET D, PAGE 134

7' LONE STAR GAS
EASEMENT
VOLUME 227, PAGE 540

7' LONE STAR GAS
EASEMENT TRACT 2
VOLUME 1617, PAGE 126

7' LONE STAR GAS
EASEMENT
VOLUME 227, PAGE 540

1,010.21'

WATER EASEMENT
CABINET D, PAGE 134

WATER EASEMENT
CABINET D, PAGE 134

1/2" CIRF

C5

1/2" CIRS

227.00'

N 29°42'01" W

5/8" CIRF "KHA" BEARS
N02°49'56 "W, 0.62'

C4

1/2" CIRS

1/2" CIRS

L2

1/2"
CIRS

C3

XCF

521.68'

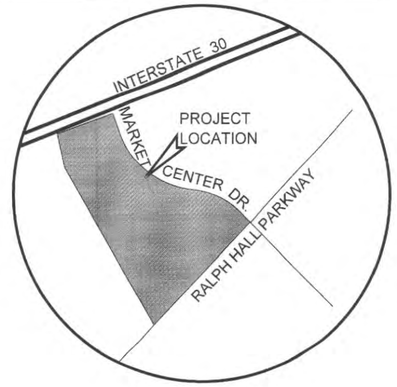
N 29°26'15" W

XCF CM

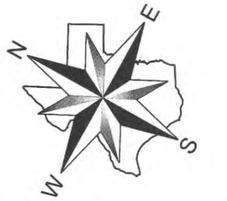
24' JOINT FIRE LANE &
ACCESS EASEMENT
CABINET D, PAGE 134

TXU ELECTRIC EASEMENT
VOLUME 1682, PAGE 167

2019-003



VICINITY MAP
NOT TO SCALE



0 30 60 120
Scale 1" = 60'

ABBREVIATION LEGEND

ABBR.	DEFINITION
IRF	IRON ROD FOUND
CIRF	IRON ROD FOUND w/CAP
CIRS	1/2" IRON ROD w/ RED PLASTIC CAP "W.A.I."
XCS	"X" CUT IN CONCRETE SET
XCF	"X" CUT IN CONCRETE FOUND
PKF	PK NAIL FOUND
CC#	COUNTY CLERK'S INSTRUMENT No.
CM	CONTROLLING MONUMENT

CONSULTING ENGINEERS:
Winkelmann & Associates Inc.
6750 Hillcrest Plaza Drive
Suite 325
Dallas, TX 75230
(972) 490-7090

OWNER: (Lot 1A)
ROCKWALL DUNHILL, LLC
3100 Monticello Avenue
Suite 300
Dallas, Texas 75205
Phone: 214-261-9588

REPLAT
R W MARKETCENTER ADDITION
LOT 1A-R, BLOCK B
BEING A REPLAT OF LOT 1A, BLOCK B
R W MARKETCENTER ADDITION
BEING 21.424 ACRES OUT OF THE
JAMES SMITH SURVEY, ABSTRACT NO. 200 and
the E. P. GAINES SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. _____

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 100866-00 Expires 12/31/2018
COPYRIGHT © 2018, Winkelmann & Associates, Inc.

JAMES SMITH, ABSTRACT NO. 200 and the E. P. GAINES SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ROCKWALL DUNHILL, LLC
3100 MONTICELLO AVENUE, SUITE 300
ROCKWALL COUNTY, TEXAS

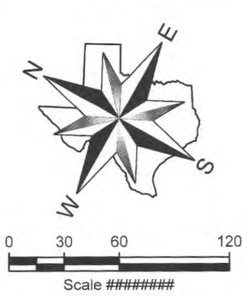
REPLAT
R W MARKETCENTER ADDITION
LOT 1A-R, BLOCK B
21.424 ACRES

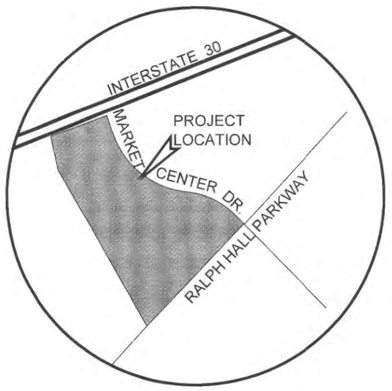
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Project No. : 50402.0B

SHEET 1 OF 3

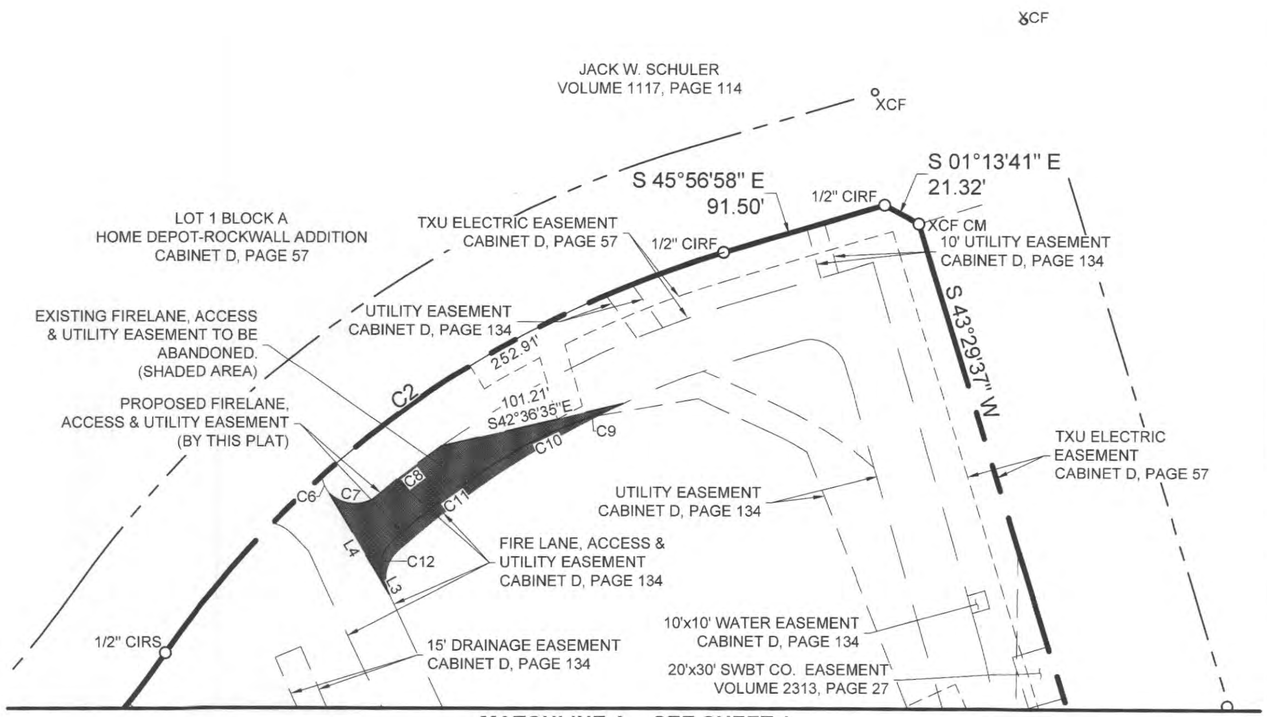
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57

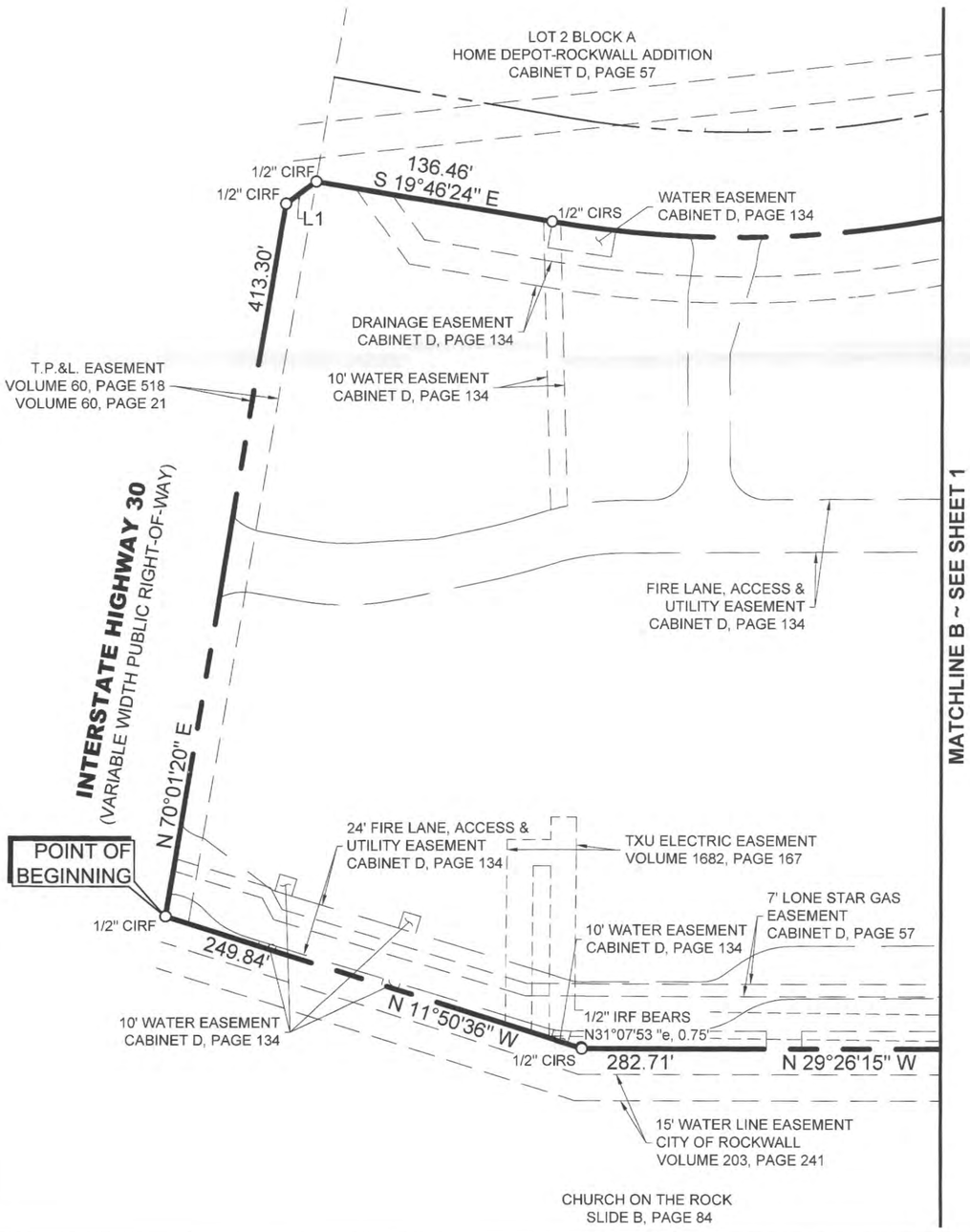




VICINITY MAP
NOT TO SCALE



MATCHLINE A ~ SEE SHEET 1



MATCHLINE B ~ SEE SHEET 1

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S64°52'32"E	21.18'
L2	N41°07'33"W	94.02'
L3	S32°55'18"W	6.10'
L4	N29°46'18"E	63.24'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	64°32'45"	630.00'	709.72'	672.78'	S52°02'46"E
C2	38°22'10"	570.00'	381.71'	374.62'	S65°08'03"E
C3	11°41'18"	190.00'	38.76'	38.69'	N35°16'54"W
C4	11°25'32"	210.00'	41.88'	41.81'	N35°24'47"W
C5	30°23'13"	210.00'	111.37'	110.07'	N14°30'24"W

CONSULTING ENGINEERS:
Winkelmann & Associates Inc.
6750 Hillcrest Plaza Drive
Suite 325
Dallas, TX 75230
(972) 490-7090

OWNER: (Lot 1A)
ROCKWALL DUNHILL, LLC
3100 Monticello Avenue
Suite 300
Dallas, Texas 75205
Phone: 214-261-9588

REPLAT
R W MARKETCENTER ADDITION
LOT 1A-R, BLOCK B
BEING A REPLAT OF LOT 1A, BLOCK B
R W MARKETCENTER ADDITION
BEING 21.424 ACRES OUT OF THE
JAMES SMITH SURVEY, ABSTRACT NO. 200 and
the E. P. GAINES SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. _____

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325
DALLAS, TEXAS 75230
(972) 490-7090
(972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086500 Expires 12/31/2018
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JAMES SMITH, ABSTRACT NO. 200 and the E. P. GAINES SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ROCKWALL DUNHILL, LLC
3100 MONTICELLO AVENUE, SUITE 300
ROCKWALL COUNTY, TEXAS

REPLAT
R W MARKETCENTER ADDITION
LOT 1A-R, BLOCK B
21.424 ACRES

Date : 12.26.18
Scale : 1" = 60'
File : 50402.0B-PPLT
Project No. : 50402.0B

SHEET 2 OF 3

58

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS, ROCKWALL DUNHILL, LLC being the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a tract of land situated in the JAMES SMITH SURVEY, ABSTRACT No. 200, and the E. P. GAINES SURVEY, ABSTRACT NO. 64, in the City of Rockwall, Rockwall County, Texas, being all of Lot 1A, Block B, R W Marketcenter Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet D, Page 134, Official Public Records of Rockwall County, Texas, and all of a tract of land described in Warranty Deed with Vendor's Lien to R W Marketplace Associates, Ltd. as recorded in Volume 1522, Page 279, Official Public Records, Rockwall County, Texas, said tract being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for the Northwest corner of said Lot 1A and the Northeast corner of Church on the Rock Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet B, Slide 84, Official Public Records of Rockwall County, Texas, on the Southeast right-of-way of Interstate Highway 30, a variable width right-of-way;

THENCE North 70 deg 01 min 20 sec East, with the Southeast right-of-way of said Interstate Highway 30 and the Northwest line of said Lot 1A, a distance of 413.30 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for corner at the Northwest end of a corner clip at the intersection of the Southeast right-of-way of said Interstate Highway 30 and the West right-of-way for Market Center Drive, a 60-foot right-of-way, as established by Home Depot-Rockwall Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet D, Page 57, Official Public Records of Rockwall County, Texas:

THENCE South 64 deg 52 min 32 sec East, along said corner clip, a distance of 21.18 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for corner at the Southeast end of said corner clip on the West right-of-way of said Market Center Drive;

THENCE in a Southeasterly direction with the Southwest right-of-way of said Market Center Drive and the Northeast lines of said Lot 1A, the following courses and distances:

South 19 deg 46 min 24 sec East, a distance of 136.46 feet to a 1/2-inch iron rod with plastic cap stamped "W.A.I. 5714" set for corner, said point being the beginning of a curve to the left having a radius of 630.00 feet, a central angle of 64 deg 32 min 45 sec, a chord bearing of South 52 deg 02 min 46 sec East, and a chord length of 672.78 feet;

Along said curve to the left, an arc distance of 709.72, to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for, said point being the beginning of a curve to the right having a radius of 570.00 feet, a central angle of 38 deg 22 min 10 sec, a chord bearing of South 65 deg 08 min 03 sec East, and a chord length of 374.62 feet;

Along said curve to the right, an arc distance of 381.71 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for corner;

South 45 deg 56 min 58 sec East, a distance of 91.50 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for corner at the North end of a corner clip at the intersection of the West right-of-way with the Northwest right-of-way of Ralph M. Hall Parkway, an 85-foot right-of-way, as established by Plat of said Home Depot-Rockwall Addition;

THENCE South 01 deg 13 min 41 sec East, along said corner clip, a distance of 21.32 feet to an "X" cut in concrete found for corner on the Northwest right-of-way of said Ralph M. Hall Parkway;

THENCE South 43 deg 29 min 37 sec West, along the Northwest right-of-way of said Ralph M. Hall Parkway and the Southeast line of said Lot 1A, a distance of 1,010.21 feet to an "X" cut in concrete found for the Southwest corner of said Lot 1A on the Northeast line of said Church on the Rock Addition;

THENCE North 29 deg 26 min 15 sec West, along the Southwest line of said Lot 1A and the Northeast line of said Church on the Rock Addition, a distance of 521.68 feet to an "X" cut in concrete found for the Southeast corner of said R W Marketplace Associates tract, said point being the beginning of a curve to the left having a radius of 190.00 feet, a central angle of 11 deg 41 min 18 sec, a chord bearing of North 35 deg 16 min 54 sec West, and a chord length of 38.69 feet;

THENCE along the Southwest lines of said R W Marketplace Associates tract, the following courses and distances:

Along said curve to the left, an arc distance of 38.76 feet, to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 41 deg 07 min 33 sec West, a distance of 94.02 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said point being the beginning of a curve to the right having a radius of 210.00 feet, a central angle of 11 deg 25 min 32 sec, a chord bearing of North 35 deg 24 min 47 sec West, and a chord length of 41.81 feet;

Along said curve to the right, an arc distance of 41.88 feet, to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner from which a 5/8-inch iron rod with plastic cap stamped "KHA" found bears North 02 deg 49 min 56 sec West, a distance of 0.62 feet;

North 29 deg 42 min 01 sec West, a distance of 227.00 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said point being the beginning of a curve to the right having a radius of 210.00 feet, a central angle of 30 deg 23 min 48 sec, a chord bearing of North 14 deg 30 min 06 sec West, and a chord length of 110.11 feet;

Along said curve to the right, an arc distance of 111.41 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for the Northwest corner of said R W Marketplace Associates tract;

THENCE North 29 deg 26 min 15 sec West, along the Southwest line of said Lot 1A and the Northeast line of said Church on the Rock Addition, a distance of 282.69 feet to a 1/2-inch iron rod with plastic cap stamped "W.A.I. 5714" set for corner from which a 1/2-inch iron rod found bears North 31 deg 07 min 53 sec East, a distance of 0.75 feet;

THENCE North 11 deg 50 min 36 sec West, along the Southwest line of said Lot 1A and the Northeast line of said Church on the Rock Addition, a distance of 249.84 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 933,244 square feet or 21.424 acres of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 22nd day of August, 2013, utilizing the Southeast line of Lot 1A, Block B, R W Marketcenter Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet D, Page 134, Official Public Records of Rockwall County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §
COUNTY OF ROCKWALL §

We the undersigned owner(s) of the land shown on this plat, and designated herein as the **R W MARKETCENTER ADDITION**, Lots 1A-R, Block B, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the R W Marketcenter Addition subdivision have been notified and signed this plat.

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

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

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

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

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

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

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

7. All detention systems to be maintained and repaired by property owner.

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

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

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

Rockwall Dunhill LLC

By: _____
Name: Tim Denker
Title: Authorized Person

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned Notary Public in and for said county and state on this day personally appeared Stephen Brookshire, and acknowledge that he executed this instrument on behalf of the corporation, which acted for the partnership.

Given upon my hand and seal of office this _____day of _____, 2019.

_____ _____ _____
Notary Public in and for the State of _____ My Commission Expires:

STATE OF TEXAS §

CONSULTING ENGINEERS:
Winkelmann & Associates Inc.
6750 Hillcrest Plaza Drive
Suite 325
Dallas, TX 75230
(972) 490-7090

OWNER: (Lot 1A)
ROCKWALL DUNHILL, LLC
3100 Monticello Avenue
Suite 300
Dallas, Texas 75205
Phone: 214-261-9588

COUNTY OF _____ §

Before me, the undersigned Notary Public in and for said county and state on this day personally appeared Randall H. Noe and acknowledge that he executed this instrument on behalf of the corporation, which acted for the partnership.

Given upon my hand and seal of office this _____day of _____, 2019.

_____ _____ _____
Notary Public in and for the State of _____ My Commission Expires:

SURVEYOR'S CERTIFICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

_____
Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration No. 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas 75230
(972) 490-7090
l.lueker@winkelmann.com

STATE OF TEXAS §
COUNTY OF DALLAS §

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

Given upon my hand and seal of office this _____day of _____, 2019.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

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

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

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

REPLAT
R W MARKETCENTER ADDITION
LOT 1A-R, BLOCK B
BEING A REPLAT OF LOT 1A, BLOCK B
R W MARKETCENTER ADDITION
BEING 21.424 ACRES OUT OF THE
JAMES SMITH SURVEY, ABSTRACT NO. 200 and
the E. P. GAINES SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. _____

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090 FAX
DALLAS, TEXAS 75230 (972) 490-7099
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12/31/2015

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JAMES SMITH, ABSTRACT NO. 200 and the E. P. Gaines SURVEY, ABSTRACT NO. ##
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ROCKWALL DUNHILL, LLC
3100 MONTICELLO AVENUE, SUITE 300
ROCKWALL COUNTY, TEXAS

REPLAT
R W MARKETCENTER ADDITION
LOTS 1A-R, BLOCK B
21.424 ACRES

Date : 9.12.18	Scale : N/A	File : 50402.0B-PPLT	Project No. : 50402.0B

SHEET 3 OF 3

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59

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60

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/04/2019

APPLICANT: Tony Degeli of *A & W Surveyors.*

AGENDA ITEM: **P2019-004;** *Lot 7, Block A*, *Temunovic Addition*

SUMMARY:

Consider a request by Tony Degeli of A & W Surveyors on behalf of Michael Fisher for the approval of a replat for Lot 7, Block A, Temunovic Addition being a 1.082-acre parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District, situated within the Scenic Overlay (SOV) District, addressed as 1306 Summer Lee Drive, and take any action necessary.

PLAT INFORMATION:

- ☑ The objective of this request is to replat a 1.082-acre tract of land [*i.e. Lot 6, Block A, Temunovic Addition*] for the purpose of establishing firelane, public access, drainage & utility easements to allow for the construction of a medical office building. The subject property is situated within the Scenic Overlay (SOV) District, addressed as 1306 Summer Lee Drive, and zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses.

- ☑ A Specific Use Permit (SUP) [*i.e. Ordinance No. 17-52, S-175*] was approved by the City Council on October 2, 2017 allowing for a structure to exceed 36-feet in height within the Scenic Overlay District (SOV).

- ☑ A site plan [*i.e. SP2017-023*] was approved by the Planning and Zoning Commission on September 26, 2017.

- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for a *replat* as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

If the City Council choses to approve the replat for *Lot 7, Block A*, *Temunovic Addition*, staff would recommend the following conditions:

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

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

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 29, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 7 to 0.

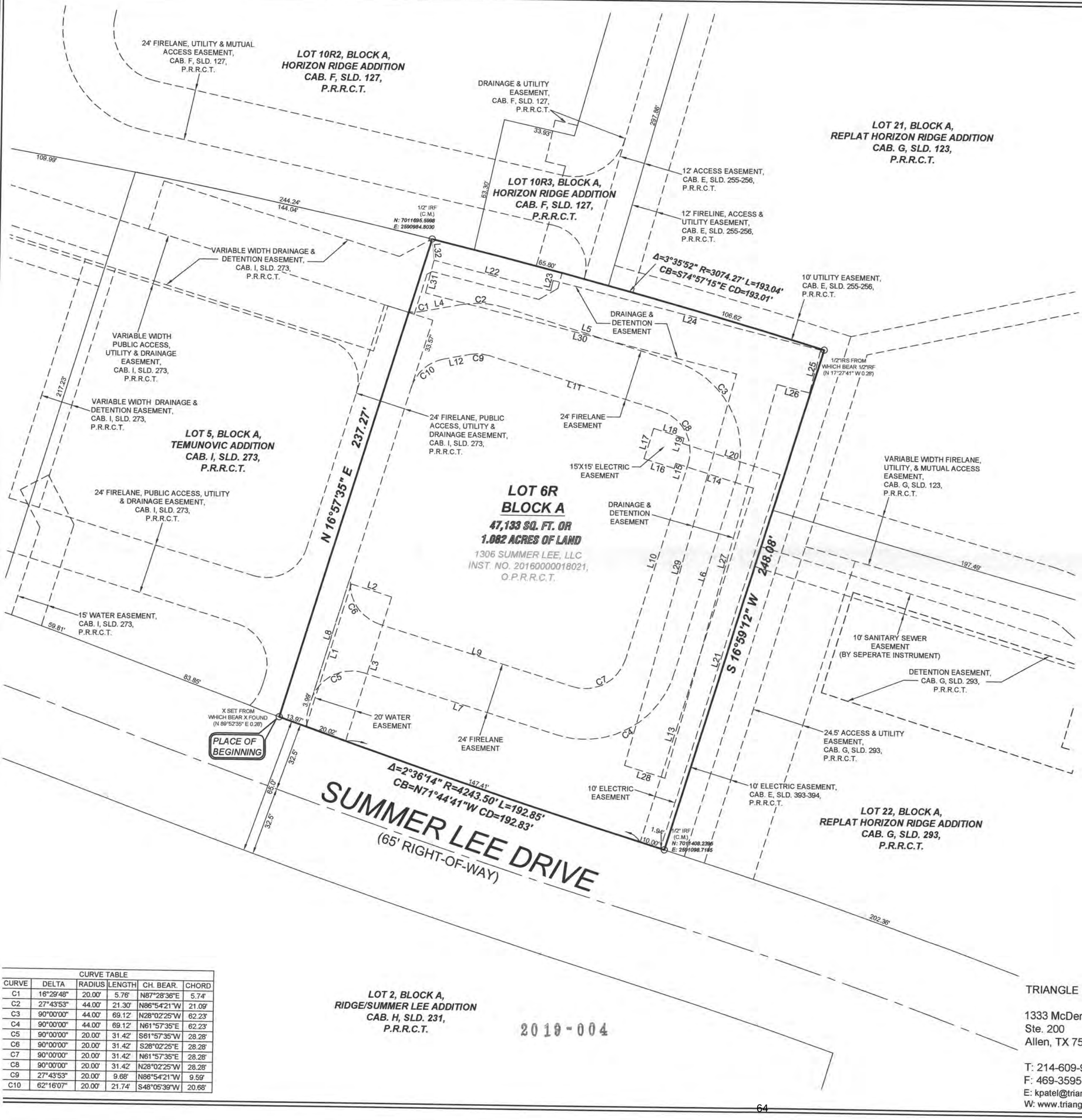


City of Rockwall

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

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

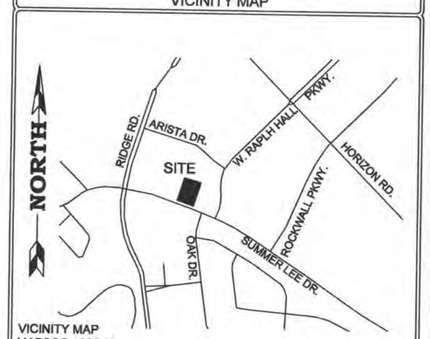
63



LINE TABLE		
LINE	LENGTH	BEARING
L1	70.66'	N16°57'35"E
L2	20.00'	S73°02'25"E
L3	71.45'	S16°57'35"W
L4	19.18'	N79°13'42"E
L5	84.96'	S73°02'25"E
L6	96.90'	S16°57'35"W
L7	95.82'	N73°02'25"W
L8	64.00'	S16°57'17"W
L9	95.82'	N73°02'25"W
L10	96.90'	S16°57'35"W
L11	84.96'	S73°02'25"E
L12	12.27'	N79°13'42"E
L13	175.80'	N16°57'35"E
L15	2.50'	S16°57'35"W
L17	15.00'	N16°57'35"E
L18	15.00'	S73°02'25"E
L19	2.50'	S16°57'35"W
L20	48.63'	S73°02'25"E
L21	185.82'	S16°57'35"W
L22	57.00'	S76°10'25"E
L23	5.00'	N13°49'35"E
L24	131.00'	S76°10'25"E
L25	21.00'	S13°49'35"W
L26	15.79'	N76°10'25"W
L27	193.50'	S15°10'47"W
L28	20.01'	N73°02'25"W
L29	192.41'	N15°10'47"E
L30	152.20'	N76°10'25"W
L31	16.00'	N13°49'35"E
L32	10.07'	S05°37'20"E

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH. BEAR.	CHORD
C1	16°29'48"	20.00'	5.76'	N87°28'36"E	5.74'
C2	27°43'53"	44.00'	21.30'	N86°54'21"W	21.09'
C3	90°00'00"	44.00'	69.12'	N28°02'25"W	62.23'
C4	90°00'00"	44.00'	69.12'	N61°57'35"E	62.23'
C5	90°00'00"	20.00'	31.42'	S61°57'35"W	28.28'
C6	90°00'00"	20.00'	31.42'	S28°02'25"E	28.28'
C7	90°00'00"	20.00'	31.42'	N61°57'35"E	28.28'
C8	90°00'00"	20.00'	31.42'	N28°02'25"W	28.28'
C9	27°43'53"	20.00'	9.68'	N86°54'21"W	9.59'
C10	62°16'07"	20.00'	21.74'	S48°05'39"W	20.68'

VICINITY MAP



VICINITY MAP
MAPSCO: 30C-K
NOT TO SCALE

GENERAL NOTES

1) Any structure new or existing may not extend across new property lines.

2) The purpose of this Replat is to define easements conditional to new development.

3) Basis of bearing determined by Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 (2011).

4) Coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale, No Projection

5) 16" Water lines shown are approximate location.

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

LEGEND

D.R.R.C.T.	Deed Records, Rockwall County, Texas
P.R.R.C.T.	Plat Records, Dallas County, Texas
O.P.R.R.C.T.	Official Public Records, Rockwall County, Texas
C.M.	Controlling Monument
VOL.	Volume
PG.	Page
CAB.	Cabinet
SLD.	Slide
INST. NO.	Instrument Number
IRF	iron rod found
IRS	1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set
SQ. FT.	square feet

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

Owner: 1306 Summer Lee, LLC
~ 2344 Harvest Ridge Drive, Rockwall, Texas75032 ~

Job No: 18-0032 | Drawn by: 517 | Date: 01-08-2018 | Revised:

"A professional company operating in your best interest"

TRIANGLE ENGINEERING

1333 McDermott Drive
Ste. 200
Allen, TX 75013

T: 214-609-9271
F: 469-3595-6709
E: kpatel@triangle-engr.com
W: www.triangle-engr.com

PAGE 1 OF 2

REPLAT
LOT 6R, BLOCK A TEMUNOVIC ADDITION

1.082 ACRES OF LAND
BEING A REPLAT OF LOT 6, BLOCK A
TEMUNOVIC ADDITION
AN ADDITION TO THE CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS
EDWARD TEAL SURVEY ABSTRACT NO. 207
CASE FILE NO. SP2017-023

64

OWNER'S CERTIFICATE

WHEREAS 1306 Summer Lee, LLC is the sole owner of a tract of land located in the EDWARD TEAL SURVEY, Abstract No. 207, City of Rockwall, Rockwall County, Texas, and being Lot 6, Block A, of Temunovic Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet I, Slide 237, Plat Records, Rockwall County, Texas, and being the same tract of land described in deed to 1306 Summer Lee, LLC, recorded in Instrument No. 20160000018021, Official Public Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at an "X" set in the North line of Summer Lee Drive, a 65' right-of-way, at the common Southerly corner of Lot 5, and said Lot 6, Block A, of said Temunovic Addition;

Thence North 16°57'35" East, a distance of 237.27' to a 1/2" iron rod found in the South line of Lot 10R2, Block A, of Horizon Ridge Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet F, Slide 127, Plat Records, Rockwall County, Texas, said point being at the beginning of a non-tangent curve to the right, having a central angle of 03°35'52", a radius of 3074.27', and a chord bearing and distance of South 74°57'15" East, 193.01';

Thence Southeasterly, along said curve to the right, an arc distance of 193.04' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the interior 'el' corner of Lot 21, Block A, of Replat Horizon Ridge Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, SLide 123, Plat Records, Rockwall County, Texas, same being the Northeast corner of said Lot 6, Block A;

Thence South 16°59'12" West, a distance of 248.08' to a 1/2" iron rod found in the said North line of Summer Lee Drive, at the Southwest corner of Lot 22, Block A, of Replat Horizon Ridge Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, SLide 293, Plat Records, Rockwall County, Texas, same being the Southeast corner of said Lot 6, Block A, and being at the beginning of a non-tangent curve to the left, having a central angle of 02°36'14", a radius of 4243.50', and a chord bearing and distance of North 71°44'41" West, 192.83';

Thence Northwesterly, along said curve to the left and said North line, an arc distance of 192.85' to the PLACE OF BEGINNING and containing 47,133 square feet or 1.082 of an acre of land.

SURVEYOR'S CERTIFICATE

THAT I, John S. Turner, do hereby certify that I prepared this amending plat from an actual survey on the land and that the corner monuments shown thereon were found and/or properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the Planning and Zoning Commission of the City of Rockwall, Texas.

Witness my hand at Mesquite, Texas,
This _____ day of _____, 20__.

_____
John S. Turner
Registered Professional Land Surveyor #5310

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office,
This _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

That, 1306 Summer Lee, LLC, the undersigned owners of the land shown on this plat, designated herein as ***LOT 6R, BLOCK A, TEMUNOVIC ADDITION*** to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the TEMUNOVIC ADDITION have been notified and signed this plat.
I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.
7. All drainage and detention on site will be maintained, repaired, and replaced by the property owner.

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

_____
Name:
Title:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20__.

_____
Notary Public in and for The State of Texas

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission *Date*

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 20___.

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

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

TRIANGLE ENGINEERING

1333 McDermott Drive
Ste. 200
Allen, TX 75013

T: 214-609-9271
F: 469-3595-6709
E: kpatel@triangle-engr.com
W: www.triangle-engr.com

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

Owner: 1306 Summer Lee, LLC
~ 2344 Harvest Ridge Drive, Rockwall, Texas75032 ~

Job No: 18-0032 | Drawn by: 517 | Date: 01-08-2018 | Revised:

"A professional company operating in your best interest"

REPLAT

LOT 6R, BLOCK A TEMUNOVIC ADDITION

1.082 ACRES OF LAND
BEING A REPLAT OF LOT 6, BLOCK A
TEMUNOVIC ADDITION
AN ADDITION TO THE CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS
EDWARD TEAL SURVEY ABSTRACT NO. 207
CASE FILE NO. SP2017-023

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66

City of Rockwall
The New Horizon

MEMORANDUM

To: **Rick Crowley, City Manager**

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

Date: **January 30, 2019**

Subject: **Emergency Repair – Replace Pumps at Harbor Fountain**

During a routine inspection of the Harbor large fountain, staff found that both submerged pumps (one runs the inside ring and the other pump runs the outside ring) had failed. The pumps are 12 years old. Staff contacted Control Specialists to come out to examine the pumps to determine repair or replacement. Through the Buy Board Purchasing cooperative contract, Public Works and Parks uses Control Specialists for a majority of their pump repair and replacement needs.

Given the age and condition of the two pumps, Control Specialists recommended full replacement. Work began that week to get the fountain back up. A proposal estimating the cost of replacement was $24,962 not including any unforeseen conditions. Harbor operating budget, pool repairs account had adequate funds to cover the cost of this work. Once the work was complete, the final cost was $25,830.83.

For Council's consideration is the approval of this emergency repair and authorize the City Manager to execute a check to Control Specialists for $25,830.83.

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68

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

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

DATE: **January 23, 2019**

SUBJECT: **Service Center Yard Pavement Replacement**

Approved is $375,000 in the General Fund, Streets and Drainage Construction and Repair budget to remove the Service Center Yard failing asphalt pavement and replace with 8" reinforced concrete pavement. Total cost for this project is $352,390. The City has a current Concrete Pavement Maintenance contract with XIT Paving and Construction (XIT) for this type of work.

For Council consideration is the approval of this work for $352,390 and authorize the City Manager to execute a purchase order to XIT.

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70

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

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

DATE: **January 23, 2019**

SUBJECT: **National Drive Reconstruction Project**

Approved in the General Fund, Streets and Drainage Construction and Repair budget is the full depth asphalt pavement and base reclamation for National Drive. Total cost for this project is $300,997 and this amount is within budget. The City has a current Asphalt Pavement Maintenance contract with Texas Bit Paving and Construction for this type of work.

For Council consideration is the approval of this work for $300,997 and authorize the City Manager to execute a purchase order to Texas Bit.

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72

City of Rockwall
The New Horizon

MEMORANDUM

To: **Rick Crowley, City Manager**

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

Date: **January 30, 2019**

Subject: **New Fencing at 3 Lift Station Sites**

Approved in the Water Sewer Fund, Wastewater operating budget is $61,000 to install new aluminum fencing at three lift stations. Sealed competitive bids were solicited for new fencing at the Soroptimist, Community Building and Chevy House lift stations. The bid opening was held on January 11, 2019. Bids were received from Riverstone Fence $43,500, Firehouse Fence $61,247, Axis Construction $64,580, Swift Corp $78,000 and K Tillman Construction $94,439.

Apparent low bidder is Riverstone Fence.

For Council consideration is the bid award to Riverstone Fence for $43,500 and authorize the City Manager to execute a contract for the new fencing.

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74

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Public Work Director/City Engineer**

DATE: **January 29, 2019**

SUBJECT: **Professional Engineering Services Contract**
Carriage Trail (Aspen Court to Alta Vista Drive), Westway Drive (Carriage Trail to Highland Drive), and Aspen Court (Highview Lane to Carriage Trail) Reconstruction Project

Funds for the first year of the 2018 Street Bond Program were planned to be allocated for the engineering design for the reconstruction of ten existing streets sections. Designing these projects in the first bond year will allow the City to have "construction ready projects" for the upcoming years of the 2018 Street Bond Program. The City Council, to date, has approved the engineering contracts for eleven roadway sections to be designed. The total engineering design contract costs for these projects was below the estimated first year's budgeted amount, and the additional funds can be used to design additional streets.

Carriage Trail from Aspen Court to Alta Vista Drive (approximately 1,350 feet), Westway Drive from Carriage Trail to Highland Drive (approximately 2,000 feet), and Aspen Court from Highview Lane to Carriage Trail (approximately 300 feet) are streets to be reconstructed in the 2018 Street Bond Program, but the design was not included in the first year's bond funds. Due to additional funds being available, Carriage Trail, Westway Drive, and Aspen Court can be considered for engineering design in the first year of the Street Bond Program.

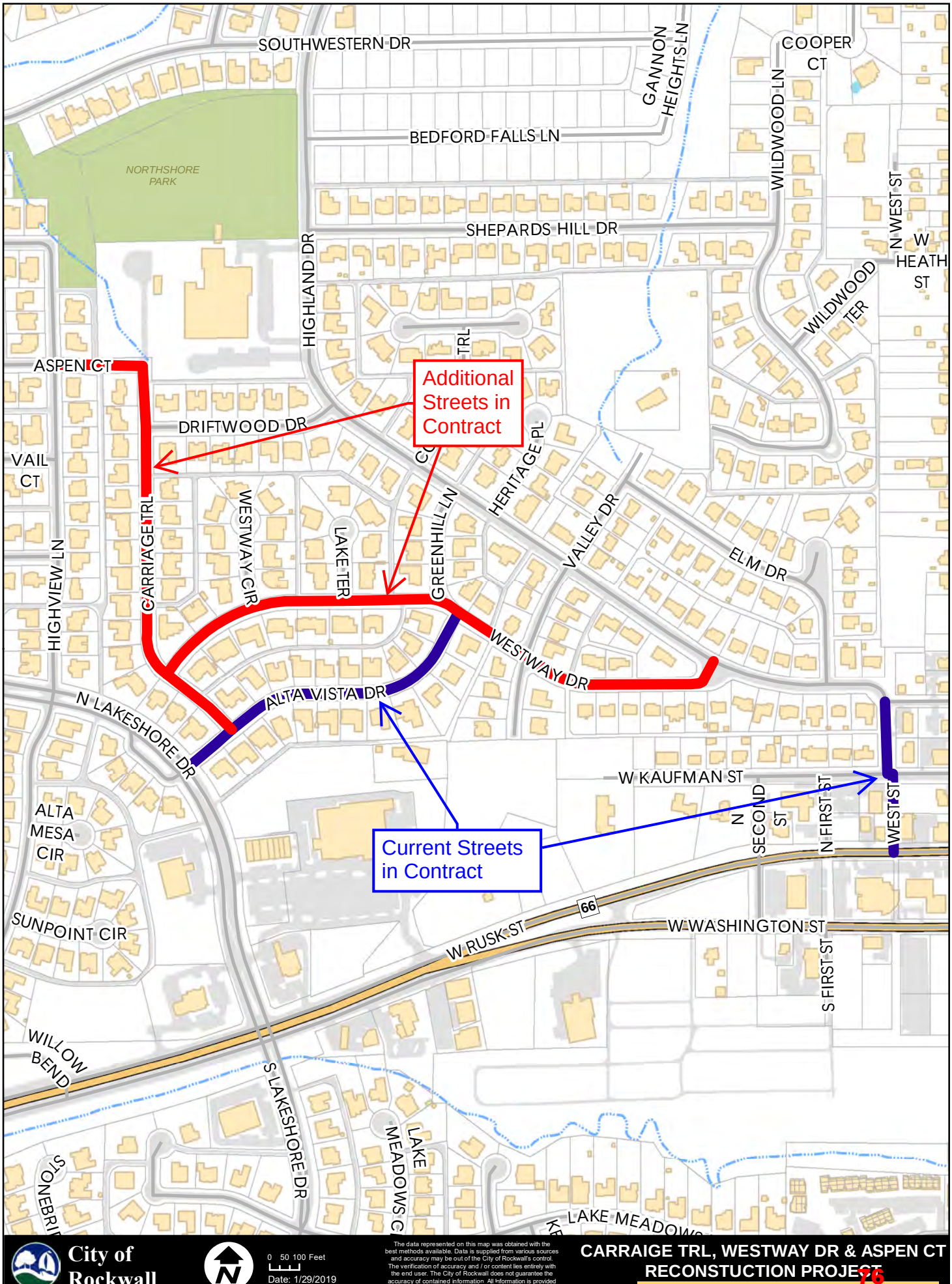
On October 15, 2018, City Council awarded Teague Nall and Perkins. the engineering design contract for Alta Vista Drive and Westway Drive in the amount of $313,500. Carriage Trail, Westway Drive, and Aspen Court are adjacent to this section of Alta Vista Drive which is currently being designed under the above mentioned contract. Since Carriage Trail, Westway Drive, and Aspen Court are adjacent to this design area, staff requested that the consultant provide a supplement to their engineering contract (Supplemental Agreement No. 1) to include the design and construction document preparation for Carriage Trail, Westway Drive, and Aspen Court. The amendment is in the amount of $432,000.00 for the additional services, which would revise the total contract amount to be $745,500.00.

Staff is requesting City Council's consideration for approval of the Supplemental Agreement No. 1 in the amount of $432,000.00 to be paid out of the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

AW:jmw

Attachments

Cc: Jeremy White, P.E., CFM, Civil Engineer
File



City of Rockwall

0 50 100 Feet

Date: 1/29/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made either expressed or implied.

CARRAIGE TRL, WESTWAY DR & ASPEN CT RECONSTUCTION PROJECT

SUPPLEMENTAL AGREEMENT # 1
FOR ENGINEERING SERVICES
BETWEEN THE CITY OF ROCKWALL, TEXAS AND
TEAGUE NALL AND PERKINS, INC.

I. INTRODUCTION

This Supplemental Agreement is executed by and between The City of Rockwall, Texas, a municipal corporation located in Rockwall County, Texas, (hereinafter called "CITY"), and Teague Nall and Perkins, Inc., a Texas corporation, (hereinafter called "ENGINEER"), located at 825 Watters Creek Boulevard, Suite M300, Allen, Texas. Engineers duly licensed and practicing under the laws of the State of Texas.

WITNESSETH, that CITY desires professional surveying and engineering services in connection with the Reconstruction of Alta Vista Drive (from Lakeshore Drive to Westway Drive) and West Street (from Rusk Street to Highland Drive) project.

NOW, THEREFORE, CITY and ENGINEER, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

II. PROJECT

In this Supplemental Agreement, the "PROJECT" means additional surveying and engineering services for Paving, Drainage, Water Line, and Wastewater Improvements for Westway Drive (from Carriage Trail to Highland Drive), Carriage Trail (from Alta Vista Drive to Aspen Court), and Aspen Court (from Carriage Trail to Valleyview Drive) in accordance with the applicable CITY codes, regulations and standards. A map with approximate project limits is attached in Attachment "E". This Supplemental Agreement shall serve as an addendum to the Agreement for the Reconstruction of Alta Vista Drive (from Lakeshore Drive to Westway Drive), and West Street (from Rusk Street to Highland Drive) project executed between CITY and ENGINEER on October 16, 2018.

III. BASIC AGREEMENT AND TERMS

CITY agrees to employ ENGINEER and ENGINEER agrees to perform professional surveying and engineering services in connection with the PROJECT, as stated in the original Agreement. All standard terms and conditions of the original Agreement apply to the additional services to be performed under this Supplemental Agreement.

IV. SCOPE OF SERVICES

ENGINEER shall render the professional services necessary for development of the PROJECT, in accordance with the schedule in Attachment "C": "Project Schedule" and scope as detailed in Attachment "A": "Scope of Services", said exhibits being attached hereto and incorporated herein for all purposes. ENGINEER shall be responsible, to the

level of competency presently maintained by other practicing professional engineers in the same type of work in the Dallas/Fort Worth Metroplex area, for professional and technical soundness, accuracy, and adequacy of all designs, drawings, specifications, and other work and materials furnished under this Agreement.

V. COMPENSATION

Total payments including without limitation salary and reimbursable expenses, to ENGINEER by CITY for the Scope of Services stated in Section IV above shall not exceed Four Hundred Thirty-Two Thousand Dollars ($432,000.00) billed as lump sum/hourly/unit price basis as indicated in Attachment "B".

EXECUTED in triplicate originals on this 29th day of January 2019.

Teague Nall and Perkins, Inc.

By:_____

Name: Michael G. DeMotte, P.E.
Title: Director of Engineering Services-Allen Office

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____

Richard Crowley
City Manager

ATTACHMENT "A"

Scope of Services

Attachment "A"
Reconstruction of
Westway Drive from Carriage Trail to Highland Drive,
Carriage Trail from Alta Vista Drive to Aspen Court,
and Aspen Court from Carriage Trail to Valleyview Drive
For
City of Rockwall

Scope of Services

Project Understanding

The City of Rockwall (City) wishes to reconstruct Westway Drive (from Carriage Trail to Highland Drive), Carriage Trail (from Alta Vista Drive to Aspen Court), and Aspen Court (from Carriage Trail to Valleyview Drive) existing two-lane residential roadways, approximately 3,700 feet in total length. The roadways lie within an area zoned Single Family (SF-10) of the City of Rockwall. Improvements generally be within the existing 50' Right-of-Way (ROW) for all streets. The contract will include a provision for up to fourteen (14) parcels for corner clip takes or easements in the event that they are required. There will be no traffic signal modifications necessary for the roadway improvements. For Westway Drive, the paving improvements will begin at the eastern curb return of the intersection of Westway Drive and Highland Drive, and end at the intersection of Westway Drive and Carriage Trail. For Carriage Trail, the paving improvements will begin at the intersection of Carriage Trail and Alta Vista Drive and end at the intersection of Carriage Trail and Aspen Court. For Aspen Court, the paving improvements will be from eastern curb return of the interaction of Aspen Court and Valleyview Drive to the intersection of Aspen Count and Carriage Trail.

Additional design will include storm sewer, sanitary sewer and water line improvements. The existing storm sewer will be analyzed using current City drainage criteria. Storm drain improvements are limited to analyzing the existing system from the existing outfall north of the intersection of Carriage Trail and Aspen Court to the existing sump inlets in Driftwood Street. The existing storm drain will be evaluated for capacity and ENGINEER will make recommendations if undersized. The proposed system begins at the intersection of Alta Vista Drive and Carriage Trail and ends at the intersection of Alta Vista Drive and Westway Drive. Sanitary sewer and water lines will be replaced, and upsized if required by the City's Wastewater and Water Master Plans. Wastewater and water lines will be evaluated to be placed behind the back of curb and within the right-of-way line where possible. The scope of services also includes replacement of existing wastewater line by open cut or trenchless method in the alley located between Valley Drive and Greenhill Drive. The limits of improvements will be from Highland Drive to Westway Drive.

Other design components include coordination with ONCOR for street lighting, coordination with franchise utilities, TDLR compliance with ADA, erosion control plans, and traffic control plans.

ENGINEER will provide plans, specifications, estimates, and permits (if applicable) for the project. Support services for the project bidding, and the construction phase is excluded from the scope of services at the CITY's request. The scope of services also includes splitting the plan set into up to three (3) sets including Alta Vista Drive and West Street.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

1.1.1. TNP will update the Project Work Plan to include the additional scope of services.
1.1.2. TNP will conduct a kickoff meeting with City to discuss the key design elements for the additional streets.
1.1.3. Revise and submit project schedule to City staff to incorporate the additional services and provide general project management activities.

1.2. Project stakeholder coordination

1.2.1. Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) additional meetings with the City staff regarding project status and coordination issues.

1.3. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.3.1. Review and research previously prepared construction plans record documents, and other pertinent information related to additional streets.
1.3.2. Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities.
1.3.3. Develop and evaluate typical sections (up to two (2)) to use for Westway Drive, Carriage Trail, Aspen Court, and other intersecting streets and alleys with in the project limits.
1.3.4. Develop horizontal alignments for roadways.
1.3.5. Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.
1.3.6. Develop vertical alignment for roadway and cut cross sections at critical points, at center of driveways, alley approaches, cross streets, lead walks, at alignment geometric points and at 25' intervals to evaluate the grading.
1.3.7. Review City Master Trail Plan and incorporate hike and bike trails if necessary.
1.3.8. Prepare 30% schematic paving plan and profile roll plots, produced at 1"=20' horizontal scale and 1" =5' vertical scale. The horizontal alignment of proposed water lines and sewer lines will be included in the roll plots.
1.3.9. Prepare cross sections sheets.
1.3.10. It is anticipated that the 30% submittal for the added streets, and Alta Vista Drive and West Street will be at the same time and will follow the updated overall project schedule.
1.3.11. Meet with City staff and present concept paving plan and profile roll plots.
1.3.12. Incorporate comments and feedback from City staff and other stakeholders prior to public meetings.

1.4. Drainage Analysis (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.4.1. Review and research existing construction plans and record documents, historical flooding events and other pertinent information related to the existing drainage infrastructure within the project limits, and upstream and downstream of the proposed project.
1.4.2. Prepare a hydrologic and hydraulic analysis of the existing drainage infrastructure and prepare a report in memo format signed and sealed. Analysis/report shall include the following.

- Existing drainage infrastructure analysis
  - Drainage Area Map of existing conditions/infrastructure.

- Analysis effect on existing system of proposed off-site development or infrastructure improvements currently being planned.
- Drainage calculations – Drainage Area, Inlet, Street Capacity, Storm Sewer grade line computations in City Standard's tabular format.
- Synopsis of hydraulic deficiencies in written and plan format, includes downstream off-site drainage infrastructure (if any).

- The drainage analysis will also include any proposed storm drain system to remedy the existing drainage problems in Westway Drive, Carriage Trail and Aspen Court.
- The proposed infrastructure analysis will include drainage areas delineation, evaluation of street capacities, and performing hydraulic grade line computations for proposed systems. Starting hydraulic grade line of existing storm drain at the outfall will be determined either from record drawings or free outfall will be assumed.
- The drainage analysis will include analysis of existing and proposed storm drain systems in Carriage Trail. There are two existing systems in Carriage Trail. One at the south end (South system) which begins at Lakeshore Drive and ends at the intersection of Carriage Trail and Westway Drive. Another system (North system) begins at existing outfall located north of the intersection of Carriage Trail and Aspen Court and ends at the existing sump inlets in Driftwood street. The proposed south system will be analyzed to reroute the existing storm drain system through Carriage Trail and Alta Vista Drive.
- The drainage analysis will also include analysis of existing and proposed systems.
- Recommendation of improvements to existing drainage system to meet the City's current 100-year design storm criteria. The recommendations will be limited to
  - Drainage Area Map of proposed improvements
  - Proposed drainage calculations – Drainage Area, Inlet, and Street Capacity, and Storm Sewer HGL Calculations (to be in City Standard's tabular format).
  - Summary of proposed improvement of drainage infrastructure in written and plan format to fix hydraulic deficiencies in order to meet current City drainage criteria standards.

1.5. Existing Traffic Analysis and Recommendation (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.5.1. City will conduct Traffic Counts, Speed Studies, and will provide Accident Reports from Police Department along Westway Drive, Carriage Trail and Aspen Court.

1.5.2. ENGINEER shall take the data provided by the City and analyze in order to provide recommendations to the City. Such recommendations will serve as basis of design of speed calming devices, traffic signage or striping plans. The recommendations will be provided in memo format signed and sealed of proposed improvements along the corridor.

1.5.3. The recommendations will be in one memorandum which will include Westway Drive, Carriage Trail and Aspen Court.

1.5.4. A Traffic Impact Analysis (TIA) is not anticipated for this project and excluded from the scope of services.

2. Construction Documents

The preparation of construction documents (60%, 90%, and 100%) will generally follow the original scope and will include:

2.1. Project Management

2.1.1. Conduct progress meetings at each stage of the construction documents phase to monitor the development of the project regarding the project status, coordination issues and go over City review comments of the plans for the added scope of services.

2.1.2. Coordinate with franchise utilities, (electric power, cable TV, phone, gas, optic fiber, etc.) for the additional streets.

2.1.3. Update project schedule and interim milestones (coordinate with City staff as necessary)

2.1.4. Additional site visits (up to two (2) trips)

2.2. Construction Plans, Specifications and Estimates (60%, 90%, 100%)

2.2.1. Submittals

ENGINEER will submit 60%, 90% and 100% submittals for Westway Drive, Carriage Trail and Aspen Court for the City for review and comments. The following will be required for each submittal:

- Construction Plans
  - Two (2) Full Size copies – 22"x34"
  - Two (2) Half Size copies – 11"x17"
  - One (1) PDF copy
  - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract /Specification Book
- City to provide the front end documents, and City special provisions to NCTCOG standard in electronic format.

2.2.2. Construction Plans (60%, 90%, 100%)

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City's Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

The scope of services also includes preparation of up to two (2) plan sets which will include Alta Vista Drive and West Street improvements.

Below is a table of the required construction plan sheets and which submittals they are required.

Plan Sheets	**60%**	**90%**	**100%**
Cover Sheet	X	X	X
Legend Sheet	X	X	X
General Notes Sheet	X	X	X
Summary of Quantities	X	X	X
Existing Condition Plan (1"=20' scale)	X	X	X
Horizontal/Vertical Control Sheet (1"=40' scale)	X	X	X
Typical Sections (Existing and Proposed)	X	X	X
Erosion Control Plan (1"=40' scale)		X	X
Demolition/Removals Plan (1"=20' scale)	X	X	X
Roadway Plan/Profiles (1"=20'H, 1'=5'V scale)	X	X	X
Alley and Driveway Plan/Profile (1"=20'H, 1'=5'V scale)		X	X

Intersection Grading Plan (major and critical intersections)		X	X
Pavement Signage and Striping Plan (1"=20' scale)		X	X
Drainage Area Map (Existing and Proposed)	X	X	X
Drainage Calculations (Runoff, Street Capacity, Inlet, and Storm Sewer Pipes)	X	X	X
Drainage Plan/Profile (Trunks and Laterals) (1"=20'H, 1'=5'V scale)	X	X	X
Water Line Plan (1"=20'H)	X	X	X
Wastewater Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Retaining Wall Plan/Profile (1"=20'H, 1'=5'V scale) (if applicable)	X	X	X
Construction Sequencing Phasing Narrative	X	X	X
Detour Plan (for each Phase)		X	X
Traffic Control Plan (for each phase & typ. sections) (1"=40' scale)		X	X
Roadway Cross-Sections (25' int. & crit. pts.) (1"=20'H, 1'=5'V scale)	X	X	X
Details (for each section of plans)		X	X

Each subsection below details out the services to be perform for each section of the construction plan set.

2.2.3. Roadway Design

- Incorporate the previous design submittal review comments
- Prepare plan / profile sheets (224"x34" plan sheets at a scale of 1" =20' horizontal, and 1" =5' vertical).
- Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Typically, driveways will be defined vertically by profiles.
- Develop design cross-sections
  - Develop on 25' station intervals and other critical points.
  - Show pavement and subgrade, right-of-way limits, sides slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
  - Cross-sections will be provided in the plan set.
- Prepare roadway details to clarify intent of design
- Modify and include standard details as needed

2.2.4. Drainage

- Create Drainage Area Maps (existing and proposed). Proposed Drainage Area Map will be only prepared if there is no change in the drainage pattern from the existing conditions.
- Create Drainage Calculation Sheets (Tables to be formatted to match City Standard's tabular format)
- Identify the need for additional drainage easements to accommodate the proposed offsite drainage improvements (if required)
- Perform final storm sewer sizing and alignment design. Prepare final inlet design sheets and hydraulic design sheets for inclusion in the plans.
- The design of storm drain system is limited to a proposed line in Alta Vista Drive from Lakeshore Drive to Carriage Trail. The proposed line will be stubbed out at Carriage Trail for future connection to existing storm drain in Carriage Trail. The intent of proposed line is to eliminate the existing 18" storm drain line between the lots with address 303 and 305 Carriage Trail.

- The design of storm drain system also includes addition of two flanking inlets in Alta Vista Drive at Lakeshore Drive intersection.
- Analysis of existing storm drain system in Lakeshore Drive is not anticipated for this project; however, it may be provided as additional services if it is discovered and needed during the design phase.
- The starting hydraulic grade line of existing storm drain in Lakeshore Drive will be either derived from the record documents or an assumed starting HGL will be utilized. Calculation of the existing HGL is not included in this scope, but may be provided as an Additional Service.
- Storm drain improvements is not anticipated for West street.
- The proposed grading for West Street will be evaluated to collect the discharge from the alley between Kaufman Street and Highland Drive.
- Prepare storm sewer plan/profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, utility crossings and the hydraulic grade lines.
- Prepare profiles for all trunks and laterals (to be profiled along centerline of pipe)
- Prepare drainage details to clarify intent of design.
- Compile applicable City standard details. Modify standard details as needed.
- Prepare erosion control plan.

2.2.5. Utilities

- Public (Water, Wastewater, Storm Drainage, etc.)
  - Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information
- Franchise Utility Coordination
  - Send one set of plans to each franchise utility for their review at each phase. Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
  - Notify the City if any relocations are required
  - ENGINEER shall perform the coordination with the franchise utilities if any relocations are required.
  - Attend City ran Franchise Utility Coordination Meetings (typically 2-4 meetings per year are held). ENGINEER will give back ground on particular project and coordinate with franchise utility companies on foreseen conflicts and pass out current plan set.

2.2.6. Water

- Prepare all water plan sheets. Water line profiles are not anticipated as the proposed water lines will be 8 inches in diameter.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.7. Wastewater

- Prepare all wastewater plans and profiles for proposed line in Westway Drive, Carriage Trail and Aspen Court.
- City will provide the video of existing sewer lines to verify the service connections.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.8. Street Lighting

- ENGINEER will coordinate with ONCOR for the relocation of street lights.

- It is assumed that the ONCOR is responsible for the design and installation of street lights.
- ENGINEER shall coordinate with ONCOR for the location of proposed street lights and underground conduits.

2.2.9. Structural

- Structural design is not anticipated; however, structural design services can be provided as an Additional Services if it is needed or discovered during the design.

2.2.10. Traffic

- Traffic Signals
  - The project does not include traffic signals. Traffic signal improvements are not anticipated for this project.

- Pavement Marking and Signing Plans
  - Determine potential conflicts with existing signs and propose sign relocations.
  - Prepare crosswalk pavement marking and signing layouts in accordance with City design standards and the Texas Manual on Uniform Traffic Control Devices (TMUTCD) if required.
  - Prepare details to clarify intent design
  - Compile applicable City standard details. Modify standard details as needed.

2.2.11. Traffic Control Plans, Detour Plans, Construction Sequencing/Phasing

- Develop construction sequence plan showing:
  - Construction area for each phase of construction and closure of existing travel lanes (if needed).
  - Temporary signing and striping, barricades, and other channelization device
  - Narrative of the sequence of work.
  - Detour Plan for each construction phase
  - Storm sewer construction phasing shall be incorporated by sequencing notes.
  - Public utilities relocation phasing.
  - Pedestrian routing during construction.
- Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
- Develop typical driveway staging plans for similar driveways. Develop custom driveway staging layouts for special conditions.
- Prepare traffic control details to clarify intent of design.

2.2.12. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
  - City of Rockwall standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid form (Bid-Tab) – Electronic for Bidding
  - Pay Items Description

- Standard construction contract
- Performance bond
- Payment bond
- Maintenance bond
- Certificate of insurance
- General conditions
- Special conditions
- Technical specifications
- Permits (TXDOT, City of Dallas, etc.)
- Geotechnical Report

- The scope of services includes preparation of up to two (2) Specifications/Construction Contracts which will incorporate Alta Vista Drive and West Street improvements.

2.2.13. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out in to separate schedules for each section of the job.

2.3. Agency Permitting/Coordination (TDLR)

2.3.1. Accessibility Review (TDLR)

- Prepare a completed application for submittal to the Texas Department of Licensing and Regulation for review in accordance with the Elimination of Architectural Barriers Act.
- ENGINEER to complete application and submit with set of plans to a Registered Accessibility Specialist (RAS) from review and TDLR project registration. All coordination and fees with TDLR compliance will be done by the ENGINEER.
- While we do not anticipate accessibility revisions to be required, we will address minor revisions to the plans based on review comments from the RAS.

SPECIAL SERVICES

3. Public Meetings and Public Input Survey

3.1. **Meetings**

3.1.1. It is assumed that the City hold the public meeting for Westway Drive, Carriage Trail, and Aspen Court Improvements at the same time as for Alta Vista Drive and West Street.

3.1.2. It is assumed that the Public Input Survey for Westway Drive, Carriage Trail, and Aspen Court Improvements will be mailed at the same time as for Alta Vista Drive and West Street.

3.1.3. Attendance of Public Involvement Meetings (up to two (2)) and Public Input Survey is included under the original scope of services for Alta Vista Drive and West Street.

4. Data Collection & Property Research / Topographic and Design Survey

4.1. Data Collection and Property Research

4.1.1. Gather existing plat information

4.1.2. Collect property owner and record information

4.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.). Undocumented easements may not be identified.

4.2. Topographic and Design Survey

4.2.1. The limits of the survey for Westway Drive shall be from the intersection of Carriage Trail and Westway Drive to the intersection of Westway Drive and Highland Drive. The limits of the survey for Carriage Trail shall be from the intersection of Alta Vista Drive and Carriage Trail. The limits of the survey for Aspen Court shall be from the intersection of Carriage Trail and Aspen Court to the intersection of Aspen Court and Valleyview Drive. The survey shall extend twenty (20) feet outside of the ROW (50-foot ROW for Westway Drive, Carriage Trail and Aspen Court where accessible. Survey will include intersecting roadways extending 250 feet along each leg of the major intersections and 100 feet along each leg of the minor intersections. The survey will include the entire intersection of Westway Drive and Highland Drive and Aspen Court and Valleyview Drive. The topographic survey also includes approximately 300 feet of existing alley between Valley Drive and Greenhill Lane. The limits of survey for alley will be from Highland Drive to Westway Drive.

4.2.2. Establish horizontal control points at 500' maximum spacing.

4.2.3. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.

4.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.

4.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall include but not limited to the following:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.
- Roadway and lane striping
- Driveways
- Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
- Existing driveway culverts and swales (flowlines, sizes, types, etc.)
- Guardrail
- Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
- Traffic Signal poles, cabinets, pull boxes and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (all sizes)
- Landscape planters, Shrubs, rocks and other features.
- Buildings and permanent structures
- Retaining walls
- Fencing walls
- Fence limits and material types (excluding temporary fences)
- Mailboxes (types – wood, brick, stone)
- Other applicable physical features that could impact design

4.2.6. Perform cross-sections throughout project limits at 25-foot intervals and at grade breaks and prepare cross-section field notes.

4.2.7. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

4.2.8. ENGINEER will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

4.2.9. ENGINEER shall arrange and make provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.

4.2.10. The City shall be responsible for the coordination of all ROW and easement acquisitions. ENGINEER will provide survey information and easement/ROW documents (sketch and legal description) to the City. Additional ROW and easement documentation services are detailed below in Section 6.

5. Subsurface Utility Engineering (S.U.E.) Services

Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and /or prior to the field survey.

5.1. S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities up to 5,600 linear feet for Westway Drive, Carriage Trail and Aspen Court. The Quality Level 'B' also includes Quality Level 'C/D' S.U.E. services.

5.1.1. Determine horizontal location of utilities up to 5,600 linear feet which will include 2,000 linear feet along Westway Drive from Highland Drive to Carriage Trail, 280 linear feet along Aspen Court from Carriage Trail to Highview Drive, and 100 LF along each cross streets and alleys (11 individual intersections).

5.1.2. Engineer will create and call in locate tickets for Texas811 for the project corridor. Timing of locates will be coordinated to help ensure that locates are performed in conjunction with surveying operations.

5.1.3. As part of the services provided in the Topographic and Boundary Survey Phase, Engineer will visibly investigate surface features and appurtenances or all utility systems shown on the record drawings that are included within the project site, including but not limited to:

- sanitary sewer manholes (including measure down)
- storm sewer manholes (including measure down)
- communication/fiber manholes
- hand holds
- pull boxes
- water valves
- water meters
- fire hydrants
- cleanouts
- blow-offs
- pedestals (communication, fiber, electric)
- gas meters
- signal boxes
- electric poles (transmission and distribution)
- electric transformers
- light poles
- utility signs

5.1.4. Investigate all utility systems shown on the record drawings that are included within the project site. Visible surface features and appurtenances of subsurface utilities found within the project site will also be evaluated. Using appropriate surface geophysical methods, Engineer will search for detectible indications of the horizontal location of anticipated subsurface utilities.

5.1.5. Mark all locations that can be validated, using paint, flags or other devices.

5.1.6. These services are for the purpose of aiding the design of the project by providing information related to subsurface utilities in order to allow potential utility conflicts to be minimized or eliminated.

5.1.7. Prepare documentation of the utilities encountered and marked, including their general location, orientation, type & size, if known.

5.1.8. Deliverable will consist of a Quality Level B – AutoCad DWG 2D file depicting all sub-surface utilities found and verified and above ground appurtenances. The drawing will be signed and sealed by a Professional Engineer licensed in the State of Texas.

5.2. Provide Quality Level 'A' S.U.E. Services for the purpose of vertically locating the utility lines.

5.2.1. Provide S.U.E. Quality Level 'A' Services will be provided as defined in CI/ASCE 38-02.

- Quality Level A (QL-"A") – Generally, QL-"A" indicates precise horizontal and vertical location of utilities obtained by the actual exposure (or verification of previously exposed and surveyed utilities) and subsequent measurement of subsurface utilities, usually at a specific point. Minimally intrusive excavation equipment is typically used to minimize the potential for utility damage. A precise horizontal and vertical location, as well as other utility attributes, is shown on plan documents. Accuracy is typically set to 15-mm vertical and to applicable horizontal survey and mapping accuracy as defined or expected by the project owner.

5.2.2. Provide all necessary personnel, equipment, supplies, management and supervision needed for the test hole excavation, backfill and restoration.

5.2.3. Coordinating with CLIENT, property owner, and/or permitting authorities, as needed and assisting the City in obtaining any required permits, permission or rights-of-entry.

5.2.4. Contacting the appropriate One-call system to request utilities to be marked on-the-ground prior to beginning excavation of test holes.

5.2.5. Providing and utilizing appropriate traffic control devices, as necessary, in conformance with the MUTCD, including any state or locally adopted supplements.

5.2.6. Excavate by air-vacuum or other minimally invasive methods up to ten (10) test holes, at locations yet to be determined within the project limits in order to identify the exact horizontal & vertical locations of crucial utilities. For the purpose of the scope, five of such test holes are assumed will be in the paved area and five will be in outside paving area. Furthermore, following assumptions are made for the depth of test holes:

- Up to Ten (10) test holes of 0-12 ft depth will be provided

5.2.7. Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.

5.2.8. Prepare documentation for each test hole attempted. This documentation will include the horizontal and vertical position of the targeted utility or structure, a general description of the target utility, with condition, material and general orientation noted a generalized description of the material encountered in the test hole, and any other field observations noted during the excavation.

5.2.9. Deliverable will consist of a Quality Level A – AutoCA DWG 2d (DGN) file showing X, Y and Z w/ depth, a PDF of the same signed and sealed, Utility Summary Sheet, Individual Sheets on Test Holes and ASCII Point List.

6. Right-of-Way / Easement Instruments of Conveyance

6.1. Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field.

6.2. For the purpose of the scope services, fourteen (14) corner clips ROW documents are planned.

6.3. Individual parcel exhibits shall be on 8”x11” paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:
  6.3.1. Parcel number
  6.3.2. Area required
  6.3.3. Area remaining
  6.3.4. Legal description
  6.3.5. Current owner
  6.3.6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
  6.3.7. All physical features
  6.3.8. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.
6.4. Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference
6.5. ENGINEER will provide the information listed in Section 6.2 to the City and/or their selected ROW and easement acquisition agent. This task will include the following:
  6.5.1. Transmittal of survey and existing property information.

7. Geotechnical

7.1. Subsurface Exploration
  7.1.1. Four (4) borings are planned for this project. The borings and geotechnical report will be thru a subconsultant.
  The locations are as follows (or as determined by Geotechnical Engineer):
    - Two borings will be located approximately every 1,000 feet along Westway Drive, and
    - Two borings will be located approximately every 1,000 feet along Carriage Trail and Aspen Court.
  7.1.2. Boring Services – Pavement borings will be sampled to 15 feet. A total of 60 feet for drilling is planned.
    - Check samples for consistency with a hand penetrometer
    - Stake the boring locations using normal taping procedures
    - Backfill bore holes and plug at the surface

7.2. Laboratory Services
  7.2.1. Considering the planned facilities, anticipated soil conditions, and geology, the following laboratory test will be required for classification purpose and to determine strength characteristics:
    - Visual Classification
    - Moisture content and soil identification
    - Liquid and plastic limit determinations
    - Unconfined compression
    - Calibrated hand penetrometer tests
    - Lime/ph series tests
    - Soluble sulfate tests (to determine lime-induced heaving potential)

7.3. Engineering Services
  7.3.1. Prepare an engineering report presenting the following:
    - Sample boring location map
    - Boring logs and laboratory results
    - General soil and ground-water conditions

- Recommendations will be based on a 30-year design life.
- Subgrade design recommendations for lime treated and cement treated subgrade.
- Pavement design recommendation for reinforced concrete, (including pavement thickness, strength, reinforcement size and spacing, and joint spacing)
- Pavement design alternatives: Provide recommendations for the following street sections:
  - Reinforced concrete pavement on lime and or cement treated subgrade.
  - Reinforced concrete pavement on flex base.
  - Reinforced concrete pavement on compacted subgrade.
- Earthwork recommendations

7.3.2. The geotechnical engineer's design recommendations shall be relied upon by the civil and structural engineers for their design.

7.3.3. Submit one (1) paper copy and one pdf file copy of the report to the City

8. Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Such services shall include, but are not limited to the following:

8.1. Construction staking.
8.2. Geotechnical recommendations for the design of retaining wall.
8.3. Structural design of retaining walls, junction boxes or any other structures.
8.4. Photometric or coverage study/analysis for street lighting.
8.5. Design or modification of traffic signal.
8.6. Traffic Impact Analysis
8.7. Quality control and testing services during construction.
8.8. Offsite storm drains design and analysis.
8.9. Environmental or Archeological study and permitting through state agencies.
8.10. Support services for Project Bidding
8.11. Support services for Right-of-Way Acquisition and Negotiation
8.12. Flood study for streams/creeks and permitting through FEMA or US Army Corps of Engineers.
8.13. Construction phase services, including responding contractor questions, reviewing contractor pay application, performing site visits to observe construction, reviewing shop drawings/submittals, preparation of record drawings etc.

-End of Scope of Service-

ATTACHMENT "B"
Payment Schedule

Compensation for Basic Services in Tasks 1-2 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

No.	Task	Fee Basis	Original Agreement	Supplemental Agreement # 1	Project Total
	BASIC SERVICES				
1.	Schematic Conceptual Design (30%)	Fixed Fee	$ 57,000	$ 73,900	$ 130,900
2.	Construction Documents				
2.1	60% Design	Fixed Fee	$ 67,000	$ 102,200	$ 169,200
2.2	90% Design	Fixed Fee	$ 49,500	$ 70,000	$ 119,500
2.3	100% Design	Fixed Fee	$ 24,200	$ 38,300	$ 62,500
	Basic Services Subtotal:		**$ 197,700**	**$ 284,400**	**$ 482,100**
Compensation for Special Services under Tasks 3-7 shall be on a lump sum, unit price, or labor fee plus expense (reimbursable) basis with the estimated fee shown below.					
	SPECIAL SERVICES				
3.	Public Meetings and Public Input Surveys	Fixed Fee	$ 6,000	-	$ 6,000
4.	Data Collection & Property Research / Topographic and Design Survey	Fixed Fee	$ 26,500	$ 38,800	$ 65,300
5.	Subsurface Utility Engineering (S.U.E.) Services				
5.1	Quality Level 'B' (Including Level "C/D") S.U.E. Services	Hourly*	$ 23,400	$ 15,400	$ 38,800
5.2	Quality Level 'A' S.U.E. Services ($1,800/test holes)	Unit Price	$ 9,000	$ 18,000	$ 27,000
6.	Right-of-Way/Easement Instruments of Conveyance ($1,250/document)	Unit Price	$ 7,500	$ 18,600	$ 26,100
7.	Geotechnical	Fixed Fee	$ 14,900	$ 17,500	$ 32,400
	Special Services Subtotal*		**$ 87,300**	**$ 108,300**	**$ 195,600**
	ENGINEERING SERVICES CONTINGENCY**		**$ 28,500**	**$ 39,300**	**$ 67,800**
	***(This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)*				
	Total*		**$ 313,500**	**$ 432,000**	**$ 745,500**

*Estimate only (see notes below).

Notes:

Hourly Consulting Services: Services shall be provided on an hourly, reimbursable basis at the ENGINEER'S standard hourly rates when the Fee Basis is defined as hourly. Actual fees for the services will be based on actual hours required to perform the services, and will vary based upon actual cost, and could potentially exceed the estimates provided above. ENGINEER shall notify the City in writing before exceeding the budgeted fees, and obtain written authorization from City to exceed the contract amount.

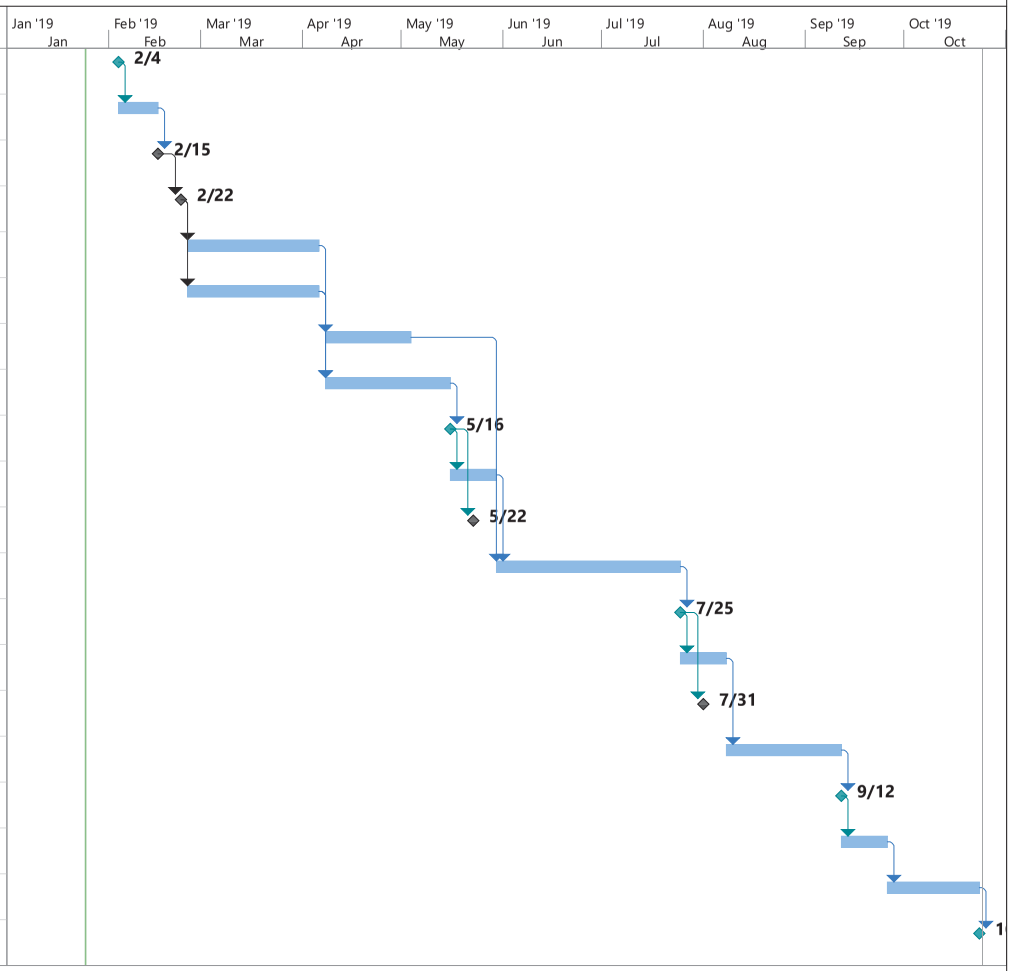
Please refer to attached schedule of TNP's standard hourly rates. Services shall be billed monthly based on actual time spent working on the project by the ENGINER'S staff. Actual out-of-pocket expenses that are incurred during the progress of the work for hourly services tasks shall be billed at TNP's cost plus 10%. Any project related fees paid by the ENGINEER on behalf of the City shall be reimbursed by the City under the hourly services task. Examples of these type fees include, but are not limited to, application fees, filing fees, permit fees, review fees, title company/closing fees, or fees related to the purchase or acquisition of information or documents requested by the City for inclusion in the Project's deliverables.

1. **Fixed Fee Consulting Services**: Fees for tasks described as "fixed fee" (lump sum) are total fees for all labor and expenses associated with those tasks. Lump Sum fee for each task will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT C”
Project Schedule

Schedule for Alta Vista Drive, West Street, Westway Drive, Carriage Trail and Aspen Court - Paving, Drainage, Water, and Wastewater Improvements

ID	Task Name	Duration	Start	Finish	Predecessors
1	Design contract approved by Council	0 days	Mon 2/4/19	Mon 2/4/19	
2	Contract execution by City	10 days	Mon 2/4/19	Fri 2/15/19	1
3	NTP issued by City	0 days	Fri 2/15/19	Fri 2/15/19	2
4	Conduct project kickoff meeting with City staff	0 days	Fri 2/22/19	Fri 2/22/19	3FS+5 days
5	Geotech services	30 days	Mon 2/25/19	Fri 4/5/19	4
6	Topographic design survey	30 days	Mon 2/25/19	Fri 4/5/19	4
7	Level B SUE services	20 days	Mon 4/8/19	Fri 5/3/19	6
8	Prepare concept roll plots (30%)	28 days	Mon 4/8/19	Wed 5/15/19	6,5
9	Submit concept roll plots (30%) to City	0 days	Thu 5/16/19	Thu 5/16/19	8
10	Receive comments on 30% plans from City	10 days	Thu 5/16/19	Wed 5/29/19	9
11	Attend 1st public public meeting	0 days	Wed 5/22/19	Wed 5/22/19	9FS+5 days
12	Prepare preliminary plans (60%)	40 days	Thu 5/30/19	Wed 7/24/19	7,10
13	Submit preliminary plans (60%) to City	0 days	Thu 7/25/19	Thu 7/25/19	12
14	Receive comments on 60% plans from City	10 days	Thu 7/25/19	Wed 8/7/19	13
15	Attend 2nd public meeting	0 days	Wed 7/31/19	Wed 7/31/19	13FS+5 days
16	Prepare pre-final plans (90%)	25 days	Thu 8/8/19	Wed 9/11/19	14
17	Submit pre-final plans (90%) to City	0 days	Thu 9/12/19	Thu 9/12/19	16
18	Receive comments on 90% plans from City	10 days	Thu 9/12/19	Wed 9/25/19	17
19	Prepare 100% plans (Bid Documents)	20 days	Thu 9/26/19	Wed 10/23/19	18
20	Submit 100% plans (Bid Documents) to City	0 days	Thu 10/24/19	Thu 10/24/19	19



Project: Schedule
Date: Fri 1/25/19

Task	Project Summary	Manual Task	Start-only	Deadline			
Split	Inactive Task	Duration-only	Finish-only	Progress			
Milestone	Inactive Milestone	Manual Summary Rollup	External Tasks	Manual Progress			
Summary	Inactive Summary	Manual Summary	External Milestone				

ATTACHMENT "D"

Sub-Consultants

1. **Sub-Consultant:**
   Company Name: HVJ Associates
   Services of the Scope Being Provided: *Geotechnical Engineering*
   Contact Person: Fadi Faraj, P.E. Title: Vice President/Office Manager
   Email: ffaraj@hvj.com Phone: 214-678-0227

ATTACHMENT "E"
Approximate Project Limits



STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Teague Nall and Perkins, Inc., ("ENGINEER"), located at 825 Watters Creek Boulevard, Suite M300, Allen, Texas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage ENGINEER as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Reconstruction of Alta Vista Drive from Lakeshore Drive to Westway Drive, and West Street from Rusk Street to Highland Drive

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, ENGINEER shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount of One Hundred Ninety-Seven Thousand Seven Hundred Dollars ($197,700.00) billed as a *lump sum* basis for Basic Services, and Eighty-Seven Thousand Three Hundred Dollars ($87,300.00) billed on a *lump sum/hourly/unit price* basis for Special Services, per rates provided in Attachment "B". ENGINEER is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C". In the event of termination, ENGINEER will assist the CITY

in arranging a smooth transition process. However, ENGINEER's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay ENGINEER its fees based on the presentation by ENGINEER to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay ENGINEER its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of ENGINEER for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

ENGINEER shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. ENGINEER represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to ENGINEER any unsatisfactory performance of ENGINEER personnel for appropriate corrective action. ENGINEER shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

ENGINEER will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay ENGINEER for the professional services to be rendered under this Contract, ENGINEER agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by ENGINEER, will remain the property of the CITY. ENGINEER will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the ENGINEER. ENGINEER shall have the right to use such work products for ENGINEER's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the ENGINEER will be at reuser's sole risk and without liability or legal exposure to the ENGINEER, and CITY to the extent allowed by law, shall hold harmless the Engineer from all

claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the ENGINEER's consent. The granting of such consent will entitle the ~~Engineer~~ ENGINEER to further compensation at rates to be agreed upon by CITY and the ENGINEER. The above notwithstanding, ENGINEER shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. ENGINEER agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. ENGINEER also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. ENGINEER shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. ENGINEER shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. ENGINEER agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Michael G. DeMotte, P.E.
Director of Engineering Services-Allen Office
Teague, Nall, and Perkins, Inc.
825 Watters Creek Blvd, Suite M300
Allen, TX, 75013

All notices and communications under this Contract shall be mailed or delivered to **CITY** and ENGINEER at the above addresses.

9. Successors and Assigns

CITY and ENGINEER each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor ENGINEER shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

ENGINEER and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of ENGINEER to be performed hereunder. Such changes, including any increase or decrease in the amount of ENGINEER**'s** compensation, or time for performance, which are mutually agreed upon by and between CITY and ENGINEER, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and ENGINEER.

13. Reports and Information

ENGINEER, at such times and in such forms as CITY may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish CITY periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the CITY does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and ENGINEER waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 11th day of October 2018.

Teague Nall and Perkins, Inc.

By: _____

Name: Michael G. DeMotte, P.E.
Title: Director of Engineering Services-
Allen Office

EXECUTED in triplicate originals on this 16 day of October 2018.

ATTEST:

Laura Perez
Exec. Secretary

City of Rockwall, Texas

_____

Richard Crowley
City Manager

ATTACHMENT "A"

Scope of Service

Attachment "A"
Reconstruction of Alta Vista Drive from Lakeshore Drive to Westway Drive and
West Street from Rusk Street to Highland Drive
For
City of Rockwall

Scope of Services

Project Understanding

The City of Rockwall (City) wishes to reconstruct Alta Vista Drive (from Lakeshore Drive to Westway Drive) and North West Street (from Rusk Street to Highland Drive), existing two-lane residential roadways, approximately 1670 feet in total length. The roadways lie within an area zoned Single Family (SF-10) of the City of Rockwall. Improvements generally be within the existing 50' Right-of-Way (ROW) for Alta Vista Drive, and within the existing 60' Right-of-Way for West Street from Kaufman Street to Highland Drive, and within the 28'(+/-) Right-of-Way for West Street from Rusk Street to Kaufman Drive. The contract will include a provision for up to six (6) parcels for corner clip takes or easements in the event that they are required. There will be no traffic signal modifications necessary for the roadway improvements. For Alta Vista Drive, the paving improvements will begin at the eastern curb return of the intersection of Alta Vista Drive and Lakeshore Drive, and end at the western curb return of the intersection of Alta Vista Drive and Westway Drive. For West Street, the paving improvements will begin at the northern curb return of the intersection of West Street and Rusk Street, and end approximately at the northern curb return of the intersection of West Street and Highland Drive. The West Street improvements also includes the intersection of West Street and Kaufman Street.

Additional design will include storm sewer, sanitary sewer and water line improvements. The existing storm sewer will be analyzed using current City drainage criteria. Storm drain improvements are limited to rerouting of the existing storm drain pipe between the lots with address 303 and 305 Carriage Trail. The proposed storm drain will begin at the intersection of Alta Vista Drive and Lakeshore Drive, and end at the intersection of Alta Vista Drive and Carriage Trail. Sanitary sewer and water lines will be replaced, and upsized if required by the City's Wastewater and Water Master Plans. Wastewater and water lines will be evaluated to be placed behind the back of curb and within the right-of-way line where possible.

Other design components include coordinating with ONCOR for street lighting, support services for TXDOT permit application for West Street improvements, utility coordination, TDLR compliance with ADA, erosion control plans, and traffic control plans.

ENGINEER will provide plans, specifications, estimates, and permits (if applicable) for the project. Support services for the project bidding, and the construction phase is excluded from the scope of services at the CITY's request.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

1.1.1. Prepare a detailed Project Work Plan for TNP internal use. The work plan will serve as guide and communication tool for the TNP project team and will include the following elements:

- Project description
- Client critical success factors and project budget

- TNPs project goals
- Contract provisions
- Scope of services, person-hour estimate and fees
- List and description of deliverables
- Schedule and milestones
- Project contracts
- Communication protocols
- Quality control plan
- Filing and project administration requirements
- Design standards and criteria
- Applicable codes
- Permitting requirements
- CADD standards (if applicable)
- Mock plans
- Labor and expense phases (billings)
- Project close-out requirements

1.1.2. Conduct TNP internal project kickoff meeting with entire project team and City Staff.

1.1.3. Conduct weekly TNP internal project review meetings to review project status, review and update schedule, identify and assign next action items, etc.

1.1.4. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.

1.1.5. Develop design criteria and design decisions tables.

1.1.6. Prepare project correspondence and invoicing documents.

1.1.7. Prepare and submit project schedule to City staff and provide general project management activities.

1.1.8. Project Administration

- Prepare project correspondence and invoicing documents

1.2. Project stakeholder coordination

- Develop project stakeholder contact list including but not limited to franchise utilities, City's water and sewer department, traffic department, and TXDOT.
- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) meetings with the City staff regarding project status and coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.

1.3. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.
- Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:
  - City of Rockwall Master Thoroughfare Plan
  - City of Rockwall Water/Wastewater Master Plan
  - City of Rockwall Standards of Design and Construction

- City of Rockwall Trail Master Plan

- Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities.
- Develop and evaluate typical sections (up to two (2)) to use for Alta Vista Drive and West Street and other intersecting streets with in the project limits.
- Develop drainage area maps and analyze street and inlet capacities, and proposed storm drain system to reroute the existing 18" RCP between the lots with address 303 Carriage Trail and 305 Carriage Trail. The proposed storm drain system will begin at the intersection of Lakeshore Drive and Alta Vista Drive and will end the intersection of Alta Vista Drive and Carriage Trail. The analysis will also include addition to flanking inlets in Alta Vista Drive east of the intersection of Lakeshore Drive.
- Develop horizontal alignments for roadway,
- Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.
- Develop vertical alignment for roadway and cut cross sections at critical points, at center of driveways, alley approaches, cross streets, lead walks, at alignment geometric points and at 25' intervals to evaluate the grading.
- Review City Master Trail Plan and incorporate hike and bike trails if necessary.
- Prepare 30% schematic paving plan and profile roll plots, produced at 1" =420' horizontal scale and 1" =5' vertical scale. The horizontal alignment of proposed water lines and sewer lines will be included in the roll plots.
- Prepare cross sections sheets.
- Meet with City staff and present concept paving plan and profile roll plots.
- Incorporate comments and feedback from City staff and other stakeholders prior to public meetings.

1.4. Drainage Analysis (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- Review and research existing construction plans and record documents, historical flooding events and other pertinent information related to the existing drainage infrastructure within the project limits, and upstream and downstream of the proposed project.
- Prepare a hydrologic and hydraulic analysis of the existing drainage infrastructure and prepare a report in memo format signed and sealed. Analysis/report shall include the following.
  - Existing drainage infrastructure analysis
    - Drainage Area Map of existing conditions/infrastructure.
    - Analysis effect on existing system of proposed off-site development or infrastructure improvements currently being planned.
    - Drainage calculations – Drainage Area, Inlet, Street Capacity, Storm Sewer grade line computations in City Standard's tabular format.
    - Synopsis of hydraulic deficiencies in written and plan format, includes downstream off-site drainage infrastructure (if any). The drainage study will also include evaluation of flooding issue in or around the alley for a lot with address 305 Highland Drive. Recommendations will be included in the drainage memo to resolve the drainage issue.
  - The drainage analysis will include analysis of proposed storm drain system beginning at the existing storm drain in Lakeshore Drive and end at the intersection of Alta Vista Drive and Carriage Trail. This proposed system will be analyzed to reroute the existing storm drain system of Carriage Trail. The proposed system will be stubbed out in Carriage Trail for future connection.

- The proposed infrastructure analysis will include drainage areas delineation, evaluation of street capacities, and performing hydraulic grade line computations for proposed system in Alta Vista Drive. Starting hydraulic grade line of existing storm drain in Lakeshore Drive will be either derived from the record documents or an assumed starting HGL will be utilized.
- Analysis of existing storm drain system in Lakeshore Drive is not anticipated for this project; however, it may be provided as additional services if it is discovered and needed during the design phase.
- Recommendation of improvements to existing drainage system to meet the City's current 100-year design storm criteria. The recommendations will be limited to
  - Drainage Area Map of proposed improvements
  - Proposed drainage calculations – Drainage Area, Inlet, and Street Capacity, and Storm Sewer HGL Calculations (to be in City Standard's tabular format).
  - Summary of proposed improvement of drainage infrastructure in written and plan format to fix hydraulic deficiencies in order to meet current City drainage criteria standards.

1.5. Existing Traffic Analysis and Recommendation (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- City will conduct Traffic Counts, Speed Studies, and Accident Reports from Police Department along Alta Vista Drive and West Street.
- ENGINEER shall take the data provided by the City and analyze in order to provide recommendations to the City. Such recommendations will serve as basis of design of speed calming devices, traffic signage or striping plans. The recommendations will be provided in memo format signed and sealed of proposed improvements along the corridor.
- A Traffic Study (TIA) is not anticipated for this project and excluded from the scope of services.

2. Construction Documents

2.1. Project Management

- Conduct progress meetings at each stage of the construction documents phase to monitor the development of the project regarding the project status, coordination issues and go over City review comments of the plans.
- Coordinate with other utilities, (electric power, cable TV, phone, gas, optic fiber, etc.)
- Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- Update project schedule and interim milestones (coordinate with City staff as necessary)
- Project site visits (up to two (2) trips)

2.2. Construction Plans, Specifications and Estimates (60%, 90%, 100%)

2.2.1. Submittals

ENGINEER will submit 60%, 90% and 100% submittals for the City for review and comments. The following will be required for each submittal:

- Construction Plans
  - Two (2) Full Size copies – 22"x34"
  - Two (2) Half Size copies – 11"x17"

- One (1) PDF copy
- One (1) PDF copy– Scanned City comments previous submittal

- Engineers Opinion of Construction Cost
- Construction Contract /Specification Book
- City to provide the front end documents, and City special provisions to NCTCOG standard in electronic format.

2.2.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City's Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

Below is a table of the required construction plan sheets and which submittals they are required.

Plan Sheets	**60%**	**90%**	**100%**
Cover Sheet	X	X	X
Legend Sheet	X	X	X
General Notes Sheet	X	X	X
Summary of Quantities	X	X	X
Existing Condition Plan (1"=20' scale)	X	X	X
Horizontal/Vertical Control Sheet (1"=40' scale)	X	X	X
Typical Sections (Existing and Proposed)	X	X	X
Erosion Control Plan (1"=40' scale)		X	X
Demolition/Removals Plan (1"=20' scale)	X	X	X
Roadway Plan/Profiles (1"=20'H, 1'=5'V scale)	X	X	X
Alley and Driveway Plan/Profile (1"=20'H, 1'=5'V scale)		X	X
Intersection Grading Plan (major and critical intersections)		X	X
Pavement Signage and Striping Plan (1"=20' scale)		X	X
Drainage Area Map (Existing and Proposed)	X	X	X
Drainage Calculations (Runoff, Street Capacity, Inlet, and Storm Sewer Pipes)	X	X	X
Drainage Plan/Profile (Trunks and Laterals) (1"=20'H, 1'=5'V scale)	X	X	X
Water Line Plan (1"=20'H)	X	X	X
Wastewater Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Retaining Wall Plan/Profile (1"=20'H, 1'=5'V scale) (if applicable)	X	X	X
Construction Sequencing Phasing Narrative	X	X	X
Detour Plan (for each Phase)		X	X
Traffic Control Plan (for each phase & typ. sections) (1"=40' scale)		X	X
Roadway Cross-Sections (25' int. & crit. pts.) (1"=20'H, 1'=5'V scale)	X	X	X
Details (for each section of plans)		X	X

Each subsection below details out the services to be perform for each section of the construction plan set.

- Roadway Design

- Incorporate the previous design submittal review comments
- Prepare plan / profile sheets (224"x34" plan sheets at a scale of 1" =20' horizontal, and 1" =5' vertical).
- Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Typically, driveways will be defined vertically by profiles.
- Develop design cross-sections
    - Develop on 25' station intervals and other critical points.
    - Show pavement and subgrade, right-of-way limits, sides slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
    - Cross-sections will be provided in the plan set.
- Prepare roadway details to clarify intent of design
- Modify and include standard details as needed

- Drainage
    - Create Drainage Area Maps (existing and proposed). Proposed Drainage Area Map will be only prepared if there is no change in the drainage pattern from the existing conditions.
    - Create Drainage Calculation Sheets (Tables to be formatted to match City Standard's tabular format)
    - Identify the need for additional drainage easements to accommodate the proposed offsite drainage improvements (if required)
    - Perform final storm sewer sizing and alignment design. Prepare final inlet design sheets and hydraulic design sheets for inclusion in the plans.
    - The design of storm drain system is limited to a proposed line in Alta Vista Drive from Lakeshore Drive to Carriage Trail. The proposed line will be stubbed out at Carriage Trail for future connection to existing storm drain in Carriage Trail. The intent of proposed line is to eliminate the existing 18" storm drain line between the lots with address 303 and 305 Carriage Trail.
    - The design of storm drain system also includes addition of two flanking inlets in Alta Vista Drive at Lakeshore Drive intersection.
    - Analysis of existing storm drain system in Lakeshore Drive is not anticipated for this project; however, it may be provided as additional services if it is discovered and needed during the design phase.
    - The starting hydraulic grade line of existing storm drain in Lakeshore Drive will be either derived from the record documents or an assumed starting HGL will be utilized. Calculation of the existing HGL is not included in this scope, but may be provided as an Additional Service.
    - Storm drain improvements is not anticipated for West street.
    - The proposed grading for West Street will be evaluated to collect the discharge from the alley between Kaufman Street and Highland Drive.
    - Prepare storm sewer plan/profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, utility crossings and the hydraulic grade lines.
    - Prepare profiles for all trunks and laterals (to be profiled along centerline of pipe)
    - Prepare drainage details to clarify intent of design.
    - Compile applicable City standard details. Modify standard details as needed.
    - Prepare erosion control plan.

- Utilities

2.2.2..1. Public (Water, Wastewater, Storm Drainage, etc.)

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information

2.2.2..2. Franchise Utility Coordination

- Identify franchise utility contacts
- Send one set of plans to each franchise utility for their review at each phase. Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
- Notify the City if any relocations are required
- ENGINEER shall perform the coordination with the franchise utilities if any relocations are required.
- Attend City ran Franchise Utility Coordination Meetings (typically 2-4 meetings per year are held). ENGINEER will give back ground on particular project and coordinate with franchise utility companies on foreseen conflicts and pass out current plan set.

2.2.2..3. Water

- Prepare all water plan sheets. Water line profiles are not anticipated as the proposed water lines will be 8 inches in diameter.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2..4. Wastewater

- Prepare all wastewater plans and profiles for proposed line in Alta Vista Drive and West Street.
- The proposed wastewater improvements include replacement of existing wastewater lines in Alta Vista Drive, and replacement of existing 6" line between lots with address 206 and 208 Alta Vista Drive by pipe bursting or other trenchless method. City will provide the video of line to evaluate the adequacy of the replacement by pipe bursting method.
- The rerouting of existing 6" line between the lots with address 206 and 208 Alta Vista Drive will also be evaluated.
- The proposed wastewater improvements for West Street include replacements of existing 4" line from Rusk Street to Kaufman Street, existing 4" line from Kaufman Street to existing manhole at 400 feet north of the intersection of Interurban and Highland Drive.
- Evaluate options to eliminate the existing 4" line between lots with address 202 Interurban Street and 302 Highland Drive. ENGINEER shall coordinate with City of Rockwall Sewer Department to verify the location and depth of the existing 4" line and service locations.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

- Street Lighting
  - ENGINEER will coordinate with ONCOR for the relocation of street lights.
  - It is assumed that the ONCOR is responsible for the design and installation of street lights.
  - ENGINEER shall coordinate with ONCOR for the location of proposed street lights and underground conduits.

- Structural
  - Structural design is not anticipated for this project; however, structural design services can be provided as an Additional Services if it is needed or discovered during the design.

- Traffic

2.2.2..1. Traffic Signals

- The project does not include traffic signals. Traffic signal improvements are not anticipated for this project.

2.2.2..2. Pavement Marking and Signing Plans

- Determine potential conflicts with existing signs and propose sign relocations
- Prepare crosswalk pavement marking and signing layouts in accordance with City design standards and the Texas Manual on Uniform Traffic Control Devices (TMUTCD).
- Prepare details to clarify intent design
- Compile applicable City standard details. Modify standard details as needed.

- Traffic Control Plans, Detour Plans, Construction Sequencing/Phasing
  - Develop construction sequence plan showing:
    - Construction area for each phase of construction and closure of existing travel lanes (if needed).
    - Temporary signing and striping, barricades, and other channelization device
    - Narrative of the sequence of work.
    - Detour Plan for each construction phase
    - Storm sewer construction phasing shall be incorporated by sequencing notes.
    - Public utilities relocation phasing.
    - Pedestrian routing during construction.
  - Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
  - Develop typical driveway staging plans for similar driveways. Develop custom driveway staging layouts for special conditions.
  - Prepare traffic control details to clarify intent of design.

2.2.3. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
  - City of Rockwall standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid form (Bid-Tab) – Electronic for Bidding
  - Standard construction contract
  - Performance bond
  - Payment bond
  - Maintenance bond
  - Certificate of insurance
  - General conditions

- Special conditions
- Technical specifications
- Permits (TXDOT, City of Dallas, etc.)
- Geotechnical Report

2.2.4. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out in to separate schedules for each section of the job.

2.3. Agency Permitting/Coordination (TXDOT, TDLR, etc.)

2.3.1. TXDOT

- ENGINEER to coordinate with City for the items related to the project for work within the TXDOT right-of-way. This will include preparation of package for TXDOT submittal to achieve the acceptance of proposed improvements. West Street improvements within the Highway 66 right-of-way is anticipated to be permitted through TXDOT. ENGINEER will prepare the necessary documents and City will apply for the permit.

2.3.2. Accessibility Review (TDLR)

- Prepare a completed application for submittal to the Texas Department of Licensing and Regulation for review in accordance with the Elimination of Architectural Barriers Act.
- ENGINEER to complete application and submit with set of plans to a Registered Accessibility Specialist (RAS) from review and TDLR project registration. All coordination and fees with TDLR compliance will be done by the ENGINEER.
- While we do not anticipate accessibility revisions to be required, we will address minor revisions to the plans based on review comments from the RAS.

SPECIAL SERVICES

3. Public Meetings and Public Input Survey

3.1. **Meetings**

- Attend two (2) public involvement meeting as directed by City staff. Provide exhibits suitable for public meeting use depicting street section, alignments etc. Support City staff during meetings by providing technical information, responding to citizen questions, and recording citizen input.

3.1.1. First Public Meeting will be with adjacent property owners and residents.

- Mail out all first public meeting notification for the City.
- Revise 30% Schematics Roll Plots based on public input from first public meeting and City direction to be used in second public meeting.

3.1.2. Second Public Meeting will be with adjacent property owners and residents as well as the neighborhood.

- Mail out all second meeting public meeting notification for the City (Neighborhood to be at a typical 500ft buffer off the street)
- Revise 30% Schematics Roll Plots based on public input from second public meeting and City direction to be used in City Council presentation for schematic and typical section approval.

3.2. Public Input Surveys

- Work with City to develop Public Input Survey to be sent to adjacent property owners and residents.

- Mail out surveys to adjacent property owner and residents.
- Tally survey results and other received public input into presentable format to City Staff and City Council.

4. Data Collection & Property Research / Topographic and Design Survey

4.1. Data Collection and Property Research

4.1.1. Gather existing plat information

4.1.2. Collect property owner and record information

4.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.). Undocumented easements may not be identified.

4.2. Topographic and Design Survey

4.2.1. The limits of the survey for Alta Vista Drive shall be from the intersection of Alta Vista Drive and Lakeshore Drive to the intersection of Alta Vista Drive and Westway Drive. The limits of the survey for West Street shall be from the intersection of West Street and Rusk Street to the intersection of West Street and Highland Drive. The survey shall extend twenty (20) feet outside of the ROW (50-foot ROW for Alta Vista Drive and Variable width ROW for West Drive) where accessible of Alta Vista Drive and West Street. Survey will include intersecting roadways extending 250 feet along each leg of the major intersections and 100 feet along each leg of the minor intersections. The survey will only include the east half (from median east ROW line) of Lakeshore Drive at the intersection of Alta Vista Drive. The survey will include entire intersection of West Street and Rusk Street.

4.2.2. The Alta Vista Drive survey also includes survey of area between the houses with address 206 Alta Vista Drive and 208 Alta Vista Drive. The survey shall extend to alley and existing sewer manhole located at the southeast corner of a lot with address 206 Alta Vista Drive. The survey limits shall be sufficient for the replacement of wastewater line between the lots with address 206 Alta Vista Drive and 208 Alta Vista Drive.

4.2.3. The West Street survey includes survey of approximately 300 feet alley between the houses with address 202 Interurban Street and 302 Highland Drive. This survey shall extend approximately 300 feet north of the intersection of West Street and Highland Drive. The survey shall be sufficient for the replacement of existing 4" wastewater line to a manhole located approximately 250 feet north of the intersection of West Street and Highland Drive.

4.2.4. The West Street Survey also includes survey of approximately 400 feet long alley (from ROW to ROW) located between Kaufman Street and Highland Drive. The survey limits shall be from the intersection of the alley and West Street to the west lot line of lot with address 307 Highland Drive. The design survey shall be sufficient for the drainage study to surface drain the alley on the back of lots with address 301, 303, 305, and 307 Highland Drive, to West Street.

4.2.5. Establish horizontal control points at 500' maximum spacing.

4.2.6. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.

4.2.7. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.

4.2.8. Perform a field survey to identify and locate existing topographic elements within the roadway corridor. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall include but not limited to the following:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.

- Roadway and lane striping
- Driveways
- Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
- Existing driveway culverts and swales (flowlines, sizes, types, etc.)
- Guardrail
- Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
- Traffic Signal poles, cabinets, pull boxes and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (all sizes)
- Landscape planters, Shrubs, rocks and other features.
- Buildings and permanent structures
- Retaining walls
- Fencing walls
- Fence limits and material types (excluding temporary fences)
- Mailboxes (types – wood, brick, stone)
- Other applicable physical features that could impact design

4.2.9. Perform cross-sections throughout project limits at 25-foot intervals and at grade breaks and prepare cross-section field notes.

4.2.10. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

4.2.11. ENGINEER will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

4.2.12. ENGINEER shall arrange and make provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.

4.2.13. The City shall be responsible for the coordination of all ROW and easement acquisitions. ENGINEER will provide survey information and easement/ROW documents (sketch and legal description) to the City. Additional ROW and easement documentation services are detailed below in Section 6.

5. Subsurface Utility Engineering (S.U.E.) Services

Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and /or prior to the field survey.

5.1. S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities up to 3,150 linear feet. The Quality Level 'B' also includes Quality Level 'C/D' S.U.E. services.

- S.U.E. Quality Level 'B' Services will be provided as defined in CI/ASCE 38-02.
  - Quality Level B (QL-"B") – Generally, QL-"B" indicates information obtained through the application of appropriate surface geophysical methods to determine the existence and approximate horizontal position of subsurface utilities. Quality level B data should be reproducible by surface geophysics at any point of their depiction. This information is surveyed to applicable tolerances defined by the project and reduced onto plan documents.
- Determine horizontal location of utilities up to 3,150 linear feet which will include 1,150 linear feet along Alta Vista Drive from Lakeshore Drive to Westway Drive, 650 linear feet

along West Street from Rusk Street to Highland Drive, 100 LF along each cross street (7 individual intersections), and 4" wastewater line to an existing manhole approximately 220 feet north of the intersection of Interurban and West Street. Level "B" S.U.E. shall also include around the existing wastewater manhole in the alley at the southeast corner of the property with address 206 Alta Vista Drive.

- Engineer will create and call in locate tickets for Texas811 for the project corridor. Timing of locates will be coordinated to help ensure that locates are performed in conjunction with surveying operations.
- As part of the services provided in the Topographic and Boundary Survey Phase, Engineer will visibly investigate surface features and appurtenances or all utility systems shown on the record drawings that are included within the project site, including but not limited to:
  - sanitary sewer manholes (including measure down)
  - storm sewer manholes (including measure down)
  - communication/fiber manholes
  - hand holds
  - pull boxes
  - water valves
  - water meters
  - fire hydrants
  - cleanouts
  - blow-offs
  - pedestals (communication, fiber, electric)
  - gas meters
  - signal boxes
  - electric poles (transmission and distribution)
  - electric transformers
  - light poles
  - utility signs
- Investigate all utility systems shown on the record drawings that are included within the project site. Visible surface features and appurtenances of subsurface utilities found within the project site will also be evaluated. Using appropriate surface geophysical methods, Engineer will search for detectible indications of the horizontal location of anticipated subsurface utilities.
- Mark all locations that can be validated, using paint, flags or other devices.
- These services are for the purpose of aiding the design of the project by providing information related to subsurface utilities in order to allow potential utility conflicts to be minimized or eliminated.
- Prepare documentation of the utilities encountered and marked, including their general location, orientation, type & size, if known.
- Deliverable will consist of a Quality Level B – AutoCad DWG 2D file depicting all sub-surface utilities found and verified and above ground appurtenances. The drawing will be signed and sealed by a Professional Engineer licensed in the State of Texas.

5.2. Provide Quality Level 'A' S.U.E. Services for the purpose of vertically locating the utility lines.

- Provide S.U.E. Quality Level 'A' Services will be provided as defined in CI/ASCE 38-02.
  - Quality Level A (QL-"A") – Generally, QL-"A" indicates precise horizontal and vertical location of utilities obtained by the actual exposure (or verification of previously exposed and surveyed utilities) and subsequent measurement of subsurface utilities, usually at a specific point. Minimally intrusive excavation equipment is typically used to minimize the potential for utility damage. A precise horizontal and

vertical location, as well as other utility attributes, is shown on plan documents. Accuracy is typically set to 15-mm vertical and to applicable horizontal survey and mapping accuracy as defined or expected by the project owner.

- Provide all necessary personnel, equipment, supplies, management and supervision needed for the test hole excavation, backfill and restoration.
- Coordinating with CLIENT, property owner, and/or permitting authorities, as needed and assisting the City in obtaining any required permits, permission or rights-of-entry.
- Contacting the appropriate one-call system to request utilities to be marked on-the-ground prior to beginning excavation of test holes.
- Providing and utilizing appropriate traffic control devices, as necessary, in conformance with the MUTCD, including any state or locally adopted supplements.
- Excavate by air-vacuum or other minimally invasive methods up to ten (10) test holes, at locations yet to be determined within the project limits in order to identify the exact horizontal & vertical locations of crucial utilities. For the purpose of the scope, five of such test holes are assumed will be in the paved area and five will be in outside paving area. Furthermore, following assumptions are made for the depth of test holes:
  - Up to Five (5) test holes of 0-12 ft depth will be provided
- Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.
- Prepare documentation for each test hole attempted. This documentation will include the horizontal and vertical position of the targeted utility or structure, a general description of the target utility, with condition, material and general orientation noted a generalized description of the material encountered in the test hole, and any other field observations noted during the excavation.
- Deliverable will consist of a Quality Level A – AutoCA DWG 2d (DGN) file showing X, Y and Z w/ depth, a PDF of the same signed and sealed, Utility Summary Sheet, Individual Sheets on Test Holes and ASCII Point List.

6. Right-of-Way / Easement Instruments of Conveyance

6.1. Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field. For the purpose of the scope services, six (6) corner clips ROW documents are planned.

6.1.1. Up to Six (6) parcels

6.2. Individual parcel exhibits shall be on 8"x11" paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:

6.2.1. Parcel number
6.2.2. Area required
6.2.3. Area remaining
6.2.4. Legal description
6.2.5. Current owner
6.2.6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
6.2.7. All physical features
6.2.8. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.

6.3. Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the

proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference

6.4. ENGINEER will provide the information listed in Section 6.2 to the City and/or their selected ROW and easement acquisition agent. This task will include the following:

6.4.1. Transmittal of survey and existing property information.

7. Geotechnical

7.1. Subsurface Exploration

7.1.1. Three (3) borings are planned for this project. The borings and report will be thru a subconsultant.

The locations are as follows (or as determined by Geotechnical Engineer):

- One boring will be located nearby the intersection of Lakeshore Drive and Alta Vista Drive.
- One boring will be located nearby the intersection of Alta Vista Drive and Westway Drive.
- One boring will be located nearby the intersection of West Street and Kaufman Street.

7.1.2. Boring Services – Pavement borings will be sampled to 15 feet. A total of 45 feet for drilling is planned.

- Check samples for consistency with a hand penetrometer
- Stake the boring locations using normal taping procedures
- Backfill bore holes and plug at the surface

7.2. Laboratory Services

7.2.1. Considering the planned facilities, anticipated soil conditions, and geology, the following laboratory test will be required for classification purpose and to determine strength characteristics:

- Visual Classification
- Moisture content and soil identification
- Liquid and plastic limit determinations
- Unconfined compression
- Calibrated hand penetrometer tests
- Lime/ph series tests
- Soluble sulfate tests (to determine lime-induced heaving potential)

7.3. Engineering Services

7.3.1. Prepare an engineering report presenting the following:

- Sample boring location map
- Boring logs and laboratory results
- General soil and ground-water conditions
- Recommendations will be based on a 30-year design life.
- Subgrade design recommendations for lime treated and cement treated subgrade.
- Pavement design recommendation for reinforced concrete, (including pavement thickness, strength, reinforcement size and spacing, and joint spacing)
- Pavement design alternatives: Provide recommendations for the following street sections:
  - Reinforced concrete pavement on lime and or cement treated subgrade.
  - Reinforced concrete pavement on flex base.
  - Reinforced concrete pavement on compacted subgrade.
- Earthwork recommendations

7.3.2. The geotechnical engineer's design recommendations shall be relied upon by the civil and structural engineers for their design.

7.3.3. Submit one (1) paper copy and one pdf file copy of the report to the City

8. Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Such services shall include, but are not limited to the following:

8.1. Construction staking.
8.2. Geotechnical recommendations for the design of retaining wall.
8.3. Structural design of retaining walls, junction boxes or any other structures.
8.4. Photometric or coverage study/analysis for street lighting.
8.5. Design or modification of traffic signal.
8.6. Traffic Impact Analysis
8.7. Quality control and testing services during construction.
8.8. Offsite storm drains design and analysis.
8.9. Environmental or Archeological study and permitting through state agencies.
8.10. Support services for Project Bidding
8.11. Support services for Right-of-Way Acquisition and Negotiation
8.12. Flood study for streams/creeks and permitting through FEMA or US Army Corps of Engineers.
8.13. Construction phase services, including responding contractor questions, reviewing contractor pay application, performing site visits to observe construction, reviewing shop drawings/submittals, preparation of record drawings etc.

-End of Scope of Service-

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Tasks 1-2 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee Basis	Fee
	BASIC SERVICES		
1.	Schematic Conceptual Design (30%)	Fixed Fee	$ 57,000
2.	Construction Documents		
2.1	60% Design	Fixed Fee	$ 67,000
2.2	90% Design	Fixed Fee	$ 49,500
2.3	100% Design	Fixed Fee	$ 24,200
	Basic Services Subtotal:		**$ 197,700**
Compensation for Special Services under Tasks 3-7 shall be on a lump sum, unit price, or labor fee plus expense (reimbursable) basis with the estimated fee shown below.			
	SPECIAL SERVICES		
3.	Public Meetings and Public Input Surveys	Fixed Fee	$ 6,000
4.	Data Collection & Property Research / Topographic and Design Survey	Fixed Fee	$ 26,500
5.	Subsurface Utility Engineering (S.U.E.) Services		
5.1	Quality Level 'B' (Including Level "C/D") S.U.E. Services (assumes 3,150 LF)	Hourly*	$ 23,400
5.2	Quality Level 'A' S.U.E. Services (5 test holes assumed @ 1,800/test holes)	Unit Price	$ 9,000
6.	Right-of-Way/Easement Instruments of Conveyance (6 ROW documents are assumed @ $1,250/document)	Unit Price	$ 7,500
7.	Geotechnical	Fixed Fee	$ 14,900
	Special Services Subtotal*		**$ 87,300.00**
	ENGINEERING SERVICES CONTINGENCY**		**$ 28,500**
	***(This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)*		
	Project Total*		**$ 313,500.00**

*Estimate only (see notes below).

Notes:

1. **Hourly Consulting Services**: Services shall be provided on an hourly, reimbursable basis at the ENGINEER'S standard hourly rates when the Fee Basis is defined as hourly. Actual fees for the services will be based on actual hours required to perform the services, and will vary based upon actual cost, and could potentially exceed the estimates provided above. ENGINEER shall notify the City in writing before exceeding the budgeted fees, and obtain written authorization from City to

exceed the contract amount. Please refer to attached schedule of TNP's standard hourly rates. Services shall be billed monthly based on actual time spent working on the project by the ENGINER'S staff. Actual out-of-pocket expenses that are incurred during the progress of the work for hourly services tasks shall be billed at TNP's cost plus 10%. Any project related fees paid by the ENGINEER on behalf of the City shall be reimbursed by the City under the hourly services task. Examples of these type fees include, but are not limited to, application fees, filing fees, permit fees, review fees, title company/closing fees, or fees related to the purchase or acquisition of information or documents requested by the City for inclusion in the Project's deliverables.

2. **Fixed Fee Consulting Services**: Fees for tasks described as "fixed fee" (lump sum) are total fees for all labor and expenses associated with those tasks. Lump Sum fee for each task will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT "B"
TEAGUE NALL AND PERKINS, INC.
Standard Rate Schedule for Time and Expense Contracts
Effective January 1, 2018 to December 31, 2018*

Engineering /Landscape Architecture/ROW	From	-	To	
Principal	$200	-	$250	Per Hour
Team Leader	$190	-	$230	Per Hour
Senior Project Manager	$160	-	$220	Per Hour
Project Manager	$120	-	$175	Per Hour
Senior Engineer	$180	-	$225	Per Hour
Project Engineer	$120	-	$160	Per Hour
Engineer III/IV	$95	-	$120	Per Hour
Engineer I/II	$ 90	-	$110	Per Hour
Landscape Architect / Planner	$110	-	$200	Per Hour
Landscape Designer	$80	-	$110	Per Hour
Senior Designer	$110	-	$150	Per Hour
Designer	$100	-	$130	Per Hour
Senior CAD Technician	$90	-	$120	Per Hour
CAD Technician	$70	-	$110	Per Hour
IT Consultant	$100	-	$170	Per Hour
Clerical	$50	-	$90	Per Hour
Construction Inspector II	$75	-	$100	Per Hour
Construction Inspector III	$90	-	$110	Per Hour
Senior Construction Inspector	$100	-	$125	Per Hour
Construction Superintendent	$150	-	$180	Per Hour
ROW Manager	$120	-	$150	Per Hour
Senior ROW Agent	$90	-	$130	Per Hour
ROW Agent	$80	-	$110	Per Hour
Relocation Agent	$100	-	$130	Per Hour
Senior Utility Coordinator	$90	-	$140	Per Hour
Utility Coordinator	$80	-	$130	Per Hour
Intern	$50	-	$70	Per Hour
Surveying				
Survey Manager	$190	-	$230	Per Hour
Registered Professional Land Surveyor (RPLS)	$140	-	$190	Per Hour
Field Coordinator	$100	-	$130	Per Hour
S.I.T. or Senior Survey Technician	$70	-	$120	Per Hour
Survey Technician	$65	-	$100	Per Hour
1-Person Field Crew w/Equipment**	$125			Per Hour
2-Person Field Crew w/Equipment**	$160			Per Hour
3-Person Field Crew w/Equipment**	$180			Per Hour
4-Person Field Crew w/Equipment**	$200			Per Hour
Flagger	$40			Per Hour
Abstractor (Property Deed Research)	$85			Per Hour
Subsurface Utility Engineering (SUE)				
SUE Project Manager	$185 Per Hour			
SUE Engineer	$160 Per Hour			
Sr. Utility Location Specialist	$100 Per Hour			
Utility Location Specialist	$ 85 Per Hour			
1-Person Designator Crew w/Equipment***	$120 Per Hour			
2-Person Designator Crew w/Equipment***	$145 Per Hour			
2-Person Vac Excavator Crew w/Equip (Exposing Utility Only)	$250 Per Hour (4 hr. min.)			
2-Person Vac Excavator Crew w/Equip for QL-A ****	$450 Per Hour (4 hr. min.)			
Core Drill (equipment only)	$750 Per Day			

All subcontracted and outsourced services shall be billed at rates comparable to TNP's billing rates above or cost times a multiplier of 1.10.

** Rates shown are for calendar year 2018 and are subject to change in subsequent years.*

*** Survey equipment may include truck, ATV, Robotic Total Station, GPS Units and Digital Level.*

**** Includes crew labor, vehicle costs, and field supplies.*

***** Rate applies to Quality Level A (QL-A) test holes on utilities that were designated by TNP as QL-B.*

TEAGUE NALL AND PERKINS, INC.

Standard Rate Schedule for Time and Expense Contracts
Reimbursed Direct Cost Items
Effective January 1, 2018 to December 31, 2018*

Direct Cost Reimbursables

Photocopies:	$0.154/sf	letter, legal and 11" x 17" size bond paper, B&W
	$0.7701/sf	letter, legal and 11" x 17" bond paper, color
Prints:	$0.154/sf	letter, legal and 11" x 17" bond paper, B&W
	$0.7701/sf	letter, legal and 11" x 17" bond paper, color
Plots:	$0.154/sf	letter, legal and 11" x 17" bond paper, B&W
	$0.7701/sf	letter, legal and 11" x 17" bond paper, color
	$0.50/sf	22" x 34" and larger bond paper or vellum, B&W
	$1.00/sf	22" x 34" and larger mylar or acetate, B&W
Mileage	$0.545/mile	
Plans on CD	$20/each	

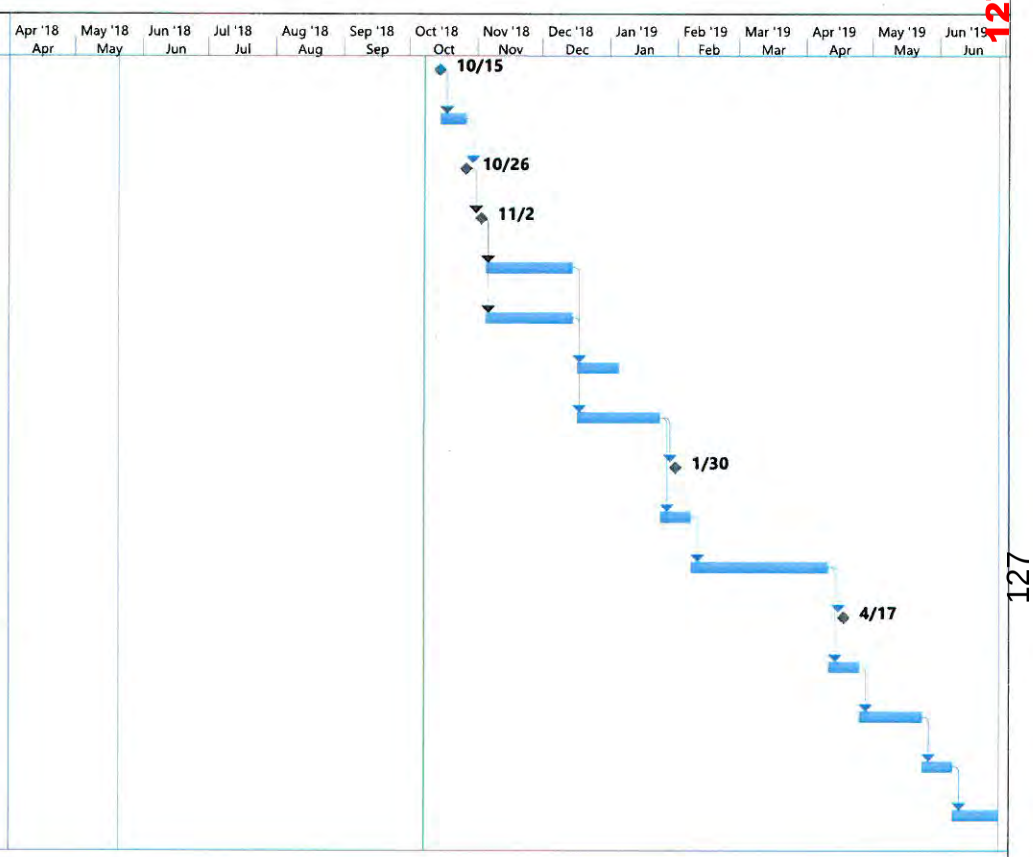
125

ATTACHMENT "C"

Project Schedule

Alta Vista Drive and West Street- Paving, Drainage, Water, and Wastewater Improvements

ID	Task Name	Duration	Start	Finish	Predecessors
1	Design contract approved by Council	0 days	Mon 10/15/18	Mon 10/15/18	
2	Contract execution by City	10 days	Mon 10/15/18	Fri 10/26/18	1
3	NTP issued by City	0 days	Fri 10/26/18	Fri 10/26/18	2
4	Conduct project kickoff meeting with City staff	0 days	Fri 11/2/18	Fri 11/2/18	3FS+5 days
5	Geotech services	30 days	Mon 11/5/18	Fri 12/14/18	4
6	Topographic design survey	30 days	Mon 11/5/18	Fri 12/14/18	4
7	Level B SUE services	15 days	Mon 12/17/18	Fri 1/4/19	6
8	Submit concept roll plots (30%) to City	28 days	Mon 12/17/18	Wed 1/23/19	6,5
9	Attend 1st public public meeting	0 days	Wed 1/30/19	Wed 1/30/19	8FS+5 days
10	Receive comments on 30% plans from City	10 days	Thu 1/24/19	Wed 2/6/19	8
11	Submit preliminary plans (60%) to City	45 days	Thu 2/7/19	Wed 4/10/19	10
12	Attend 2nd public meeting	0 days	Wed 4/17/19	Wed 4/17/19	11FS+5 days
13	Receive comments on 60% plans from City	10 days	Thu 4/11/19	Wed 4/24/19	11
14	Submit final plans (90%) to City	21 days	Thu 4/25/19	Thu 5/23/19	13
15	Receive comments on 100% plans from City	10 days	Fri 5/24/19	Thu 6/6/19	14
16	Submit 100% plans (Bid Documents) to City	15 days	Fri 6/7/19	Thu 6/27/19	15



Project: Schedule
Date: Mon 10/8/18

Task	Project Summary	Manual Task	Start-only	Deadline	
Split	Inactive Task	Duration-only	Finish-only	Progress	
Milestone	Inactive Milestone	Manual Summary Rollup	External Tasks	Manual Progress	
Summary	Inactive Summary	Manual Summary	External Milestone		

ATTACHMENT "D"

Sub-Consultants

1. **Sub-Consultant:**
   Company Name: HVJ Associates
   Services of the Scope Being Provided: *Geotechnical Engineering*
   Contact Person: Fadi Faraj, P.E. Title: Vice President/Office Manager
   Email: ffaraj@hvj.com Phone: 214-678-0227

ATTACHMENT "E"
Approximate Project Limits



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130

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Kirk Riggs, Chief of Police**

DATE: **January 29, 2019**

SUBJECT: **2018 Racial Profiling Report**

To comply with Article 2.132 of the Texas Code of Criminal Procedure addressing racial profiling, each law enforcement agency must collect information relating to motor vehicle stops where a citation has been issued or an arrest has been made. The law enforcement agency must also report this information to the governing body no later than March 1st of the following year and must submit the report to the Texas Commission on Law Enforcement (TCOLE), who is the designated central depository for all reports in the state.

There was one racial profiling complaint made against a Rockwall Police Officer in 2018. The complaint was investigated by Internal Affairs and the outcome of the investigation found no violation of departmental policies. The complaint was classified as unfounded.

Attached is our comparative analysis report and annual report that was prepared by Del Carmen Consulting LLC, and submitted to TCOLE on the racial breakdown resulting from motor vehicle stops by the Rockwall Police Department for 2018.

131

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Kirk H. Riggs, Chief of Police**

FROM: **Kirk Aldridge, Assistant Chief of Police**

DATE: **January 24, 2019**

SUBJECT: **Racial Profiling Comparative Analysis Report for 2018**

The Racial Profiling analysis for the calendar year of 2018 has been completed. The data showed the Department conducted 13,996 traffic stops in 2018. Results of the traffic stops showed 64% received warnings, 33% received citations and 3% of the stops resulted in an arrest. The race and ethnicity of the persons stopped showed 61% White, 19% Hispanic, 17% Black, 1.5% Asian/Pacific Islander and 0.40% Alaska Native/American Indian. The percentage of minorities stopped equaled 39% compared to city population makeup of minorities which is estimated at 31.7%. It should also be noted that the race or ethnicity was known prior to the stop only 2% of the time. Data collected also showed that a search was conducted during 5% of the traffic stops, 55% of those searches were consensual and contraband was discovered in 40% of the searches.

During the 2018 calendar year, the Department received one racial profiling complaint. The complaint was investigated by Internal Affairs and the outcome of the investigation found no violation of departmental policies and the complaint was classified as *unfounded*. In reviewing the Police Department's public education efforts concerning the racial profiling complaint process, printed information on how to file a racial profiling complaint was found in the police department lobby and on the police department's webpage at www.rockwallpolice.org.

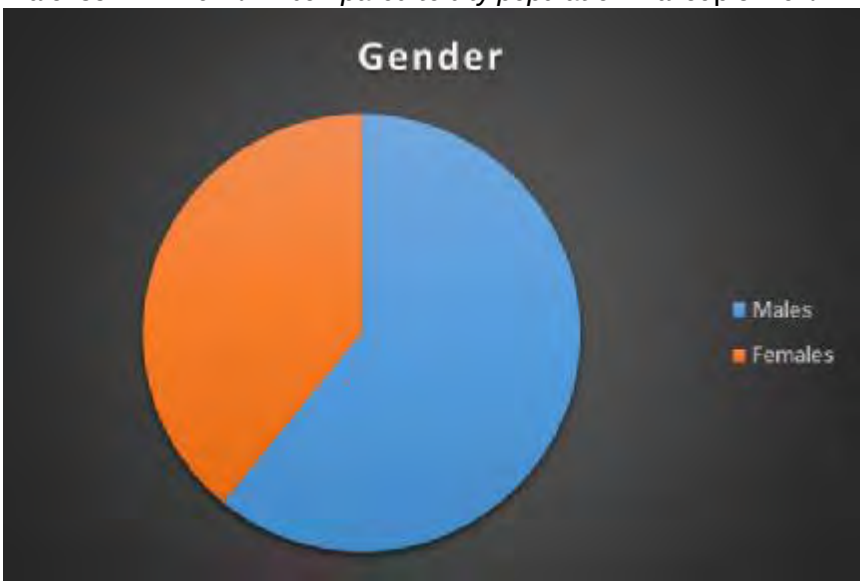
A review of documentation also showed that the patrol supervisors completed the required monthly audits for their assigned officers. During the audits, there were no indicators found that officers were acting outside of state law and/or departmental policies.

Attached to this memo is the comparative analysis of the data collected for 2018. Based on this review and analysis, it appears that officers and supervisors are following the procedures outlined in the Rockwall Police Department General Orders Policy 412.00 Bias Based Profiling. It is my recommendation that no changes be made to our current policies and/or procedures regarding Racial Profiling.

Rockwall Police Department

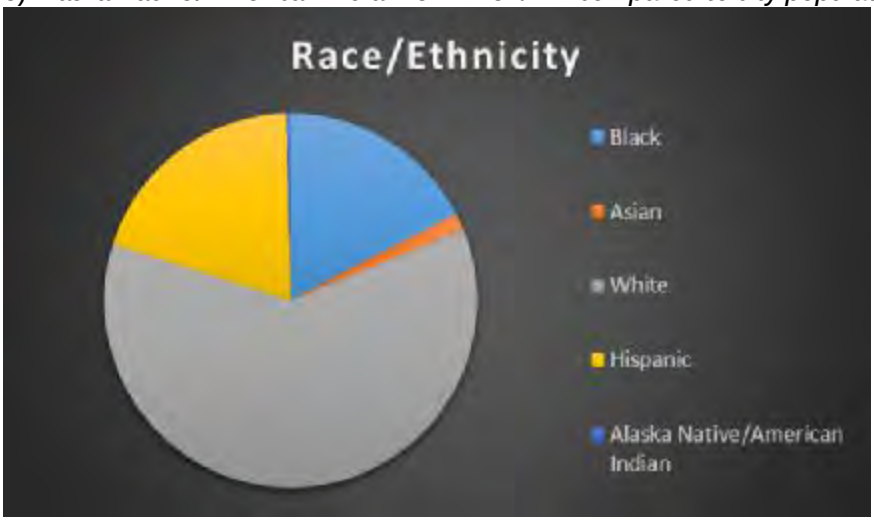
1. *Gender*

Female: 5474 39% compared *to city population* makeup of 51%
Male: 8522 61% *compared to city population* makeup of 49%



2. *Race or Ethnicity*

a) Black: 2423 17% *compared to city population* makeup of 7.2%
b) Asian/Pacific Islander: 203 1.5% *compared to city population makeup of 4.2%*
c) White: 8557 61% *compared to city population makeup of 78.1%*
d) Hispanic/Latino: 2759 19% *compared to city population makeup of 19.7%*
e) Alaska Native/American Indian: 54 .5% *compared to city population makeup of 0.6%*



3. *Race or Ethnicity known prior to stop?*

a) Yes: 724 2%
b) No: 13272 98%



4. *Reason for stop*

a) Violation of law: 5850 42%
b) Pre-existing knowledge (i.e. warrant): 219 2%
c) Moving traffic violation: 4958 35%
d) Vehicle traffic violation: 2969 21%



5. *Location of the stop*

134

a) City Street: 9366 70%
b) US Highway: 1787 12%
c) State Highway: 139 1%
d) County Road: 33 .2
e) Private Property or other: 2671 17%



6. *Was a search conducted?*

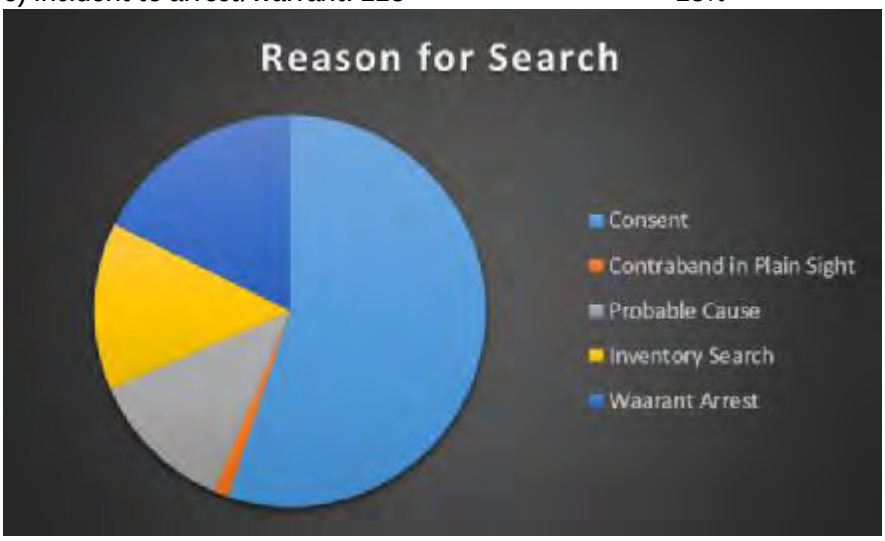
Yes: 667 5%
No: 13329 95%



7. *Reason for Search*

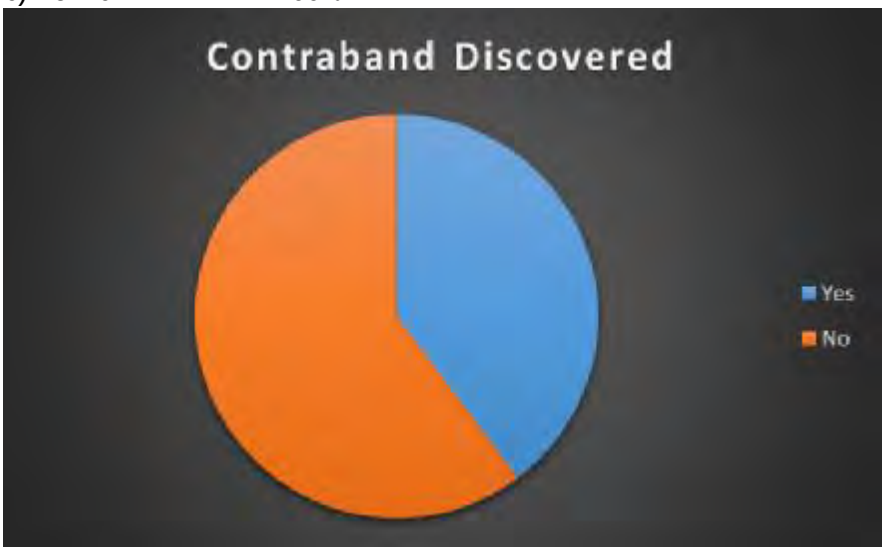
135

a) Consent: 368 55%
b) Contraband/evidence in plain sight: 8 1%
c) Probable cause or reasonable suspicion: 81 12%
d) Inventory search performed (towing): 92 14%
e) Incident to arrest/warrant: 118 18%



8. *Was Contraband discovered?*

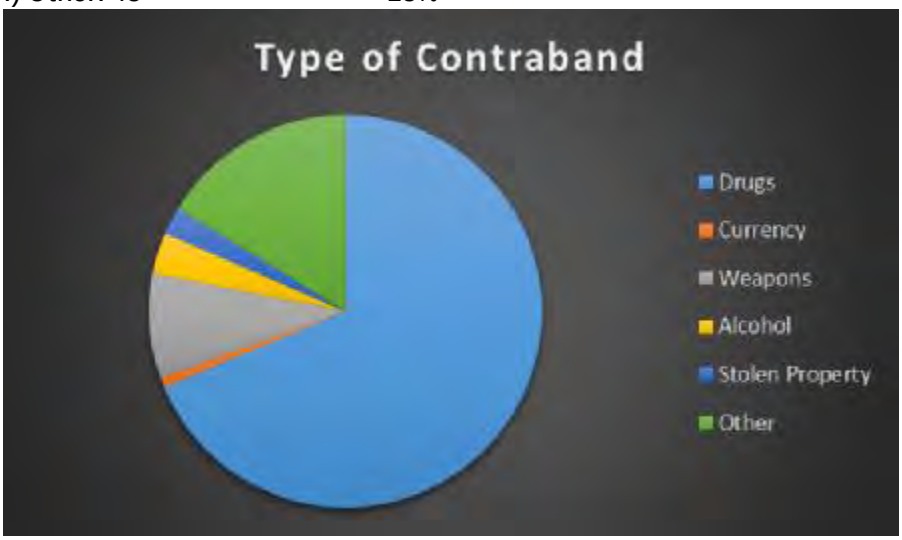
a) Yes: 265 40%
b) No: 402 60%



9. *Description of contraband*

136

a) Drugs: 182 67%
b) Currency: 2 1%
c) Weapons: 23 9%
d) Alcohol: 9 3%
e) Stolen property: 6 2%
f) Other: 43 18%



10. *Result of the stop*

a) Verbal warning: 8894 64%
b) Written warning: 2 0.01%
c) Citation: 4668 33%
d) Written warning and arrest: 0 0.0
e) Citation and arrest: 54 0.38
f) Arrest: 378 2.7%



11. *Arrest based on*

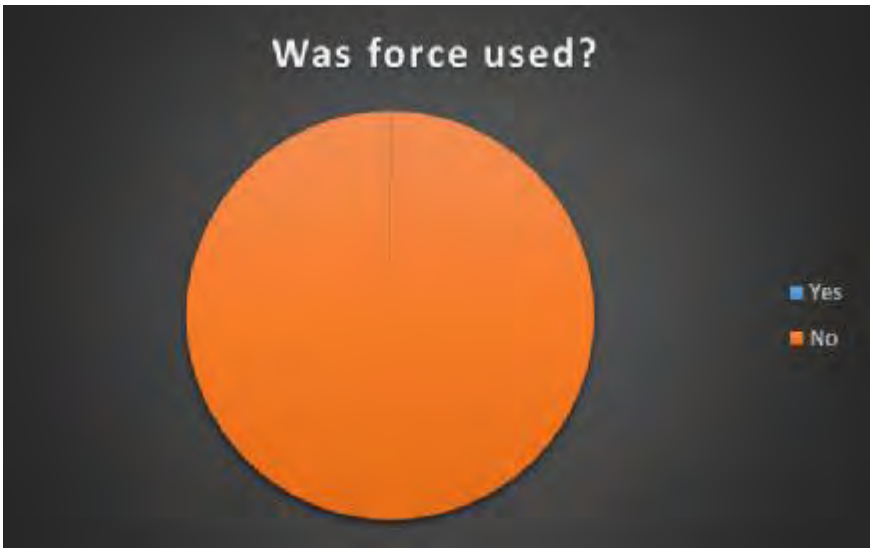
137

Violation of Penal Code: 251 58%
Violation of Traffic Law: 69 16%
Violation of City Ordinance: 0 0.0%
Outstanding Warrant: 112 26%



12. *Was physical force resulting in bodily injury used during stop?*

Yes: 8 0.5%
No: 13988 99.5%



138



DEL CARMEN CONSULTING, LLC

2018

Rockwall Police Department ANNUAL REPORT

139

January19, 2019

www.texasracialprofiling.com dcconsulting@sbcglobal.net
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Rockwall City Council
385 S. Goliad St.
Rockwall, Texas 75087

Dear Distinguished Members of the City Council,

The Texas Legislature, with the intent of addressing the issue of racial profiling in policing, enacted in 2001, the Texas Racial Profiling Law. During the past year, the Rockwall Police Department, in accordance with the law, has collected and reported traffic and motor vehicle-related contact data for the purpose of identifying and addressing (if necessary) areas of concern regarding racial profiling practices. In the 2009 Texas legislative session, the Racial Profiling Law was modified and additional requirements were implemented. Moreover, in 2017, the Sandra Bland Act was passed and signed into law (along with HB 3051 which introduced new racial and ethnic designations). The Sandra Bland Law requires that law enforcement agencies in the state collect additional data and provide a more detailed analysis. All of these requirements have been met by the Rockwall Police Department and are included in this report.

This particular report contains three sections with information on motor vehicle- related contact data. In addition, when appropriate, documentation is also a component of this report, aiming at demonstrating the manner in which the Rockwall Police Department has complied with the Texas Racial Profiling Law. In section 1, you will find the table of contents in addition to the Texas Senate Bill (SB1074); which later became the Texas Racial Profiling Law. Further, you will find the Texas HB 3389, which, in 2009, introduced new requirements relevant to racial profiling as well as the Sandra Bland Act. Also, in this section, a list of requirements relevant to the Racial Profiling Law as established by TCOLE (Texas Commission on Law Enforcement) is included. In addition, you will find, in sections 2 and 3 documentation which demonstrates compliance by the Rockwall Police Department relevant to the requirements as established in the Texas Racial Profiling Law. That is, you will find documents relevant to the implementation of an institutional policy banning racial profiling, the incorporation of a racial profiling complaint process and the training administered to all law enforcement personnel.

The last section of this report includes statistical data relevant to contacts, made during the course of motor vehicle stops and in accordance with the law, between 1/1/18 and 12/31/18. In addition, this section contains the TCOLE Tier 2 form, which is required to be submitted to this particular organization by March 1st of each year. The data in this report has been analyzed and compared to data derived from the U.S. Census Bureau's Fair Roads Standard. The final analysis and recommendations are also included in this report. The findings in this report serve as evidence of the Rockwall Police Department's commitment to comply with the Texas Racial Profiling Law.

Sincerely,

Alex del Carmen, Ph.D.
Del Carmen Consulting, LLC

Table of Contents

(I) Introduction

a) Letter to Council Members

b) Table of Contents

c) TCOLE Guidelines

d) The Texas Law on Racial Profiling (S.B. 1074)

e) Modifications to the Original Law (H.B. 3389)

f) Designations for Racial and Ethnic Categories (H.B. 3051)

g) The Sandra Bland Act (S.B. 1849)

(II) Responding to the Texas Racial Profiling Law

a) Institutional Policy on Racial Profiling

b) Public Education on Filing Compliments and Complaints—
Addressing Allegations of Racial Profiling Practices

c) Racial Profiling Training of Law Enforcement Personnel

d) Report on Compliments and Racial Profiling Complaints Filed on Officers
(includes outcome of investigation)

e) Tier 2 Tables, Known Ethnicity and Race and TCOLE Form

f) Comprehensive Analysis and Interpretation of Data

(III) Summary

a) Checklist

b) Contact Information

TCOLE GUIDELINES

142

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of ***what*** must be accomplished by an agency but allows wide latitude in determining ***how*** the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an "agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties."

The article further defines race or ethnicity as being of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American." The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person's race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer's best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, "the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose."

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide and analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for "tier one" data for traffic stops in which a citation results are:

1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American");
2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
3) whether there was a custody arrest.

The minimum requirements for reporting on "tier two" reports include traffic and pedestrian stops. Tier two data include:

1) the detained person's gender and race or ethnicity;
2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
3) whether a search was conducted, and if so whether it was based on consent or probable cause;
4) facts supporting probable cause;
5) the type, if any, of contraband that was collected;
6) disposition of the stop, e.g., arrest, ticket, warning, or release;
7) location of stop; and
8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary
None

Standard 6
Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- Video and audio documentation is retained for at least 90 days.

Commentary
The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7
Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary
Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

The Texas Law on Racial Profiling

147

S.B. No. 1074

AN ACT

relating to the prevention of racial profiling by certain peace officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used

to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. (a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle

regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as

described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling; and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [~~(7)~~] the date of conviction; and

(9) [~~(8)~~] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as

required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established

under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 200

_____ _____

President of the Senate Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

_____

Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

_____

Chief Clerk of the House

Approved:

_____

Date

_____
Governor

Modifications to the Original Law (H.B. 3389)

159

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

(A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);

(B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);

(C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);

(D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a), (b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle [~~traffic~~] stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, [~~or~~] Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle [~~traffic~~] stops in which a citation is issued and to arrests made as a result of [~~resulting from~~] those [~~traffic~~] stops,

including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the individual [~~person~~] detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit [~~to the governing body of each county or municipality served by the agency~~] an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle [~~traffic~~] stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle [~~traffic~~] stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle [~~traffic~~] stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

SECTION ____. Article 2.133, Code of Criminal Procedure, is amended to read as follows:

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE [~~TRAFFIC AND PEDESTRIAN~~] STOPS. (a) In this article, "race[~~:~~

[~~(1) "Race~~] or ethnicity" has the meaning assigned by Article 2.132(a).

[~~(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.~~]

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance [~~regulating traffic or who stops a pedestrian for any suspected offense~~] shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any [~~each~~] person operating the motor vehicle who is detained as a result of the stop,

including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop [~~traffic law or ordinance alleged to have been violated or the suspected offense~~];

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description [~~the type~~] of the contraband or evidence [~~discovered~~];

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle [~~existed and the facts supporting the existence of that probable cause~~];

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop[~~, including a description of the warning or a statement of the violation charged~~].

SECTION ____. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Motor vehicle[~~, "pedestrian~~] stop" has the meaning assigned by Article 2.132(a) [~~means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest~~].

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each [~~local~~] law enforcement agency shall submit a report containing the incident-based data [~~information~~] compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency [~~in a manner approved by the agency~~].

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or

appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities [~~determine the prevalence of racial profiling by peace officers employed by the agency~~]; and

(B) examine the disposition of motor vehicle [~~traffic and pedestrian~~] stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from [~~the~~] stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle [~~traffic or pedestrian~~] stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION ____. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle [~~traffic and pedestrian~~] stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that

the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle [~~traffic and pedestrian~~] stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle [~~traffic or pedestrian~~] stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION _____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of $1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of $1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION _____. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as

appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.

(i) Funds collected under this article are subject to audit by the comptroller.

SECTION ____. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $20;

(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . $40;

(3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . $25;

(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $3;

(5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . $50 [~~$5~~]; [~~and~~]

(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5; and

(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.

(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION ____. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made

to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $20;

(2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . $40;

(3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . $25;

(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $3;

(5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . $50 [~~$5~~]; [~~and~~]

(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5; and

(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.

(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION ____. Section 102.101, Government Code, is amended to read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $3;

(2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . $3;

(3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of $3;

(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $4;

(5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . $4;

(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5;

(7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed $30; [~~and~~]

(8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed $7; and

(9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.

SECTION ____. Section 102.121, Government Code, is amended to read as follows:

Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . $3;

(2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . $3;

(3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of $3;

(4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . $3;

(5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed $4; [~~and~~]

(6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed $5; and

(7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . $0.10.

SECTION ____. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:

Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.

SECTION ____. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:

(1) this chapter;

(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure; or

(3) a commission rule.

SECTION ____. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former

law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051

AN ACT

relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) [~~of a particular descent, including Caucasian, African, Hispanic,~~] Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino [~~, Native American, or Middle Eastern descent~~].

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:

(a) In this section, "race or ethnicity" means the following categories:

(1) Alaska native or American Indian;

(2) [~~of a particular descent, including Caucasian, African, Hispanic,~~] Asian or Pacific Islander;

(3) black;

(4) white; and

(5) Hispanic or Latino [~~, or Native American descent~~].

SECTION 3. This Act takes effect September 1, 2017.

_____ _____

President of the Senate Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

_____

Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

_____

Secretary of the Senate

APPROVED: _____

Date

_____

Governor

The Sandra Bland Act
(S.B. 1849)

171

S.B. No. 1849

AN ACT

relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental

illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision (2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:

(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003, Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and

(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision (1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision (1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the

173

collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's

observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article:

175

(1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental

entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

(2) establishing or expanding collaboratives that serve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

177

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation]

authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

179

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

(a) The commission shall:

(1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;

(2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;

(3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;

(4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;

(5) revise, amend, or change rules and procedures if necessary;

180

(6) provide to local government officials consultation on and technical assistance for county jails;

(7) review and comment on plans for the construction and major modification or renovation of county jails;

(8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;

(9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules and procedures adopted under this chapter;

(10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;

(11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;

(12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;

(13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;

(14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the

181

commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;

(15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;

(16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:

(A) common issues concerning jail administration;

(B) examples of successful strategies for maintaining compliance with state law and the rules, standards, and procedures of the commission; and

(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:

(A) determine if a prisoner is pregnant; and

(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under

the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:

(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and

(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:

(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and

(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure

the safety of prisoners, including rules and procedures that require a county jail to:

(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;

(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and

(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

(1) appropriations of money to the fund by the legislature; and

(2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

(1) a suicide;

(2) an attempted suicide;

(3) a death;

(4) a serious bodily injury, as that term is defined by Section 1.07, Penal Code;

(5) an assault;

(6) an escape;

(7) a sexual assault; and

(8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail,

the commission shall appoint a law enforcement agency, other than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection (a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes.

ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows:

commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection

[section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1) topics selected by the agency; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A) civil rights, racial sensitivity, and

cultural diversity;

(B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]

(C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those

requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to

motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;

(E) the location of the stop; and

(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Texas Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a

191

body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

193

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

SECTION 5.05. Article 2.1385(a), Code of Criminal

Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed $5,000 [of $1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and

(B) a glossary of terms relating to the information to make the information readily understandable to the public.

this Act takes effect September 1, 2017.

_____ _____ President of the Senate Speaker of the House

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote: Yeas 31, Nays 0.

_____

Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote: Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,

Approved:

_____

Date

_____

Governor

_____

Chief Clerk of the House

(II) Responding to the Law

198

Institutional Policy on Racial Profiling

199

412.00 BIAS BASED PROFILING

The purpose of this policy is to reaffirm the Rockwall Police Department's commitment to unbiased policing in all its encounters between officer and any person, to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion, and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

A. It is the policy of this department to police in a proactive manner and, to aggressively investigate suspected violations of the law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in bias based profiling, and especially bias based profiling as defined in this policy. Bias based profiling is an unacceptable police tactic and will not be condoned.

B. This General Order is adopted in compliance with requirements of Articles 2.131 through 2.138, Texas Code of Criminal Procedure, which prohibits Texas peace officers from engaging in bias based profiling.

412.01 DEFINITIONS

A. Bias Based Profiling - A law enforcement-initiated action based on an individual's cultural group, sexual orientation, economic status, age, gender, background, or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Bias based profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance or other citizen contacts.

B. Race or Ethnicity – Persons of particular descent, including Alaska Native or American Indian, White, Black, Hispanic or Latino, Asian or Pacific Islander.

C. Acts Constituting Bias Based Profiling – Acts initiating law enforcement action, such as a traffic stop, a detention, a search, issuance of a citation or an arrest based solely upon an individual's race, ethnicity or national origin or on the basis of racial or ethnic stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.

D. Motor Vehicle Contacts – Means an occasion in which a peace officer stops a motor vehicle for an alleged violation of law or ordinance.

412.02 PROHIBITION

A. Officers of the Rockwall Police Department are strictly prohibited from engaging in bias based profiling. The prohibition against bias based profiling does not preclude the use of race, ethnicity or national origin as factors in such a decision when used as part of a description of a suspect or witness for whom an officer is searching.

B. Officers of the Rockwall Police Department shall not engage in profiling based solely on gender, sexual orientation, religion, economic status, age, culture or any other identifiable group.

412.03 COMPLAINT PROCESS

A. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because they filed such a complaint.

B. Any person who believes that a peace officer employed by the Rockwall Police Department has engaged in bias based profiling with respect to that person, may file a complaint in accordance with the provisions of General Order 507, Complaint Processing and Investigation.

1. An employee who is contacted regarding a complaint against an officer shall follow the procedures set forth in General Orders 507, Section 507.01, Action upon Receipt of Complaint.
2. Citizens who appear in person wishing to file a complaint shall be provided with a departmental brochure, “Bias Based Profiling Complaint Procedures”. Brochures are maintained in the Rockwall Police Department lobby and at Rockwall City Hall. Citizens may also be directed to the departmental website to file a complaint.

C. Any supervisor who becomes aware of an alleged or suspected violation of the General Order shall report the alleged violation in accordance with General Order 504, Responsibilities in Internal Complaints, Section 504.01, Supervisors Responsibilities.

D. Complaints of bias based profiling shall be investigated by the Internal Affairs Division, unless otherwise directed by the Chief of Police. A log of all Bias based profiling Complaints will be maintained by the Internal Affairs Division.

412.04 DISCIPLINARY AND CORRECTIVE ACTIONS

A. Any officer of this department, who is found, after investigation, to have engaged in bias based profiling in violation of the General Order, may be subject to disciplinary action, up to and including termination. Disciplinary or corrective actions may include diversity, sensitivity or other appropriate training or counseling, as determined by the Chief of Police.

412.05 PUBLIC EDUCATION

A. This department shall provide education to the public concerning the bias based profiling complaint process. The primary method of public education shall be through a brochure, “Bias Based Profiling Complaint Procedures”, which are maintained in the lobby of the Rockwall Police Department and at the Rockwall City Hall. These brochures are available in both English and Spanish versions. Other education methods may be utilized to inform the public include local newspapers, news media, service or civic presentations, the Internet, as well as City Council Meetings.

B. This department shall provide public education relating to our agency’s compliment and complaint process, including providing the:

1. Telephone number
2. Mailing address
3. Email address

412.06 COLLECTION OF INFORMATION AND ANNUAL REPORT WHEN CITATION ISSUED, ARREST MADE, OR WARNING ISSUED

A. For each motor vehicle contact in which a citation or warning is issued and/or for each arrest resulting from a motor vehicle contact, an officer involved in the stop shall collect the following information:

1. The physical description of any person operating the motor vehicle who is being detained as well as a result of the stop, including:

   a. Gender
   b. Race or Ethnicity (as stated by the person or as determined by the officer to the best of the officer’s ability)

2. Race or Ethnicity means the following categories:

   a. White
   b. Black
   c. Hispanic or Latino

d. Asian or Pacific Islander
e. Alaska Native or American Indian

3. Initial reason for the stop:

a. Violation of the law
b. Pre-existing knowledge (i.e. warrant)
c. Moving Traffic Violation
d. Vehicle Traffic Violation (Equipment, Inspection, Registration)

4. If a search was conducted as a result of the stop?

a. If so, did the person detained consent to the search?

5. Was contraband or other evidence discovered as a result of the search?
6. Description of the contraband or evidence found?

a. Illegal drugs/drug paraphernalia
b. Currency
c. Weapons
d. Alcohol
e. Stolen Property
f. Other

7. Reason for search:

a. Consent
b. Contraband/Evidence in Plain Sight
c. Probable Cause or Reasonable Suspicion
d. Inventory Search Performed as a Result of Towing
e. Incident to Arrest/Warrant

8. Information on arrests:

a. Did officer make an arrest as a result of the stop or search?
b. Reasons for Arrest:
    i. Violation of Penal Code
    ii. Violation of Traffic Law
    iii. Violation of City Ordinance
    iv. Outstanding Warrant

9. Street address or approximate location of the stop:

a. City Street
b. US Highway
c. County Road
d. Private Property or Other

10. Verbal or Written Warning or a Ticket or Citation as a result of the stop?
11. Whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code (“means physical pain, illness, or any impairment of physical condition”), during the stop;

a. The location of the stop, and
b. The reason for the stop

B. The information collected shall be entered in to a database by entering Bias Based Profiling data utilizing the in-car Mobile Data Computer (MDC) or the computers available in the department. All contacts requiring Bias Based Profiling data collection must be entered.

1. In the event the data is unable to be collected electronically, the data will be recorded on temporary forms and entered in the database at a later date.

C. The Assistant Chief of Police shall ensure all Bias Based Profiling Data is collected and reported to the Chief of Police. The data collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the governing body of the City of Rockwall no later than March 1 of the following year. The report must include:

1. A comparative analysis of the information compiled (under Article 2.133):
    a. Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
    b. Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;
    c. Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches (SEARCH ANALYSIS).
2. Information related to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.
3. Number of searches that were consensual;
4. Number of citations that resulted in custodial arrest; and
5. Public education efforts concerning the Bias Based Profiling complaint process.

D. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.

E. Bias based profiling Data will also be reported to the Texas Commission on Law Enforcement (TCOLE) by March 1 of each year, following the Commission's prescribed format.

412.07 AUDIO AND VIDEO EQUIPMENT

A. Each motor vehicle regularly used by this department to make motor vehicle contacts shall be equipped with a mobile video camera system capable of recording video and audio, and each motorcycle regularly used by this department to make motor vehicle contacts shall be equipped with video and audio recording equipment.

B. Each motor vehicle contact made by an officer of this department capable of being recorded by video and audio, shall be recorded, both on the in car video and issued body worn camera.

C. Supervisors and officers shall ensure that mobile video camera equipment and/or audio equipment is properly functioning prior to commencing their tour of duty. Police units with malfunctioning or inoperable mobile video camera equipment shall not be utilized under normal circumstances.

D. This department shall retain the video and audiotape of each motor vehicle stop. If a complaint is filed with this department alleging that one of our officers has engaged in bias based profiling with respect to a motor vehicle contact, this department shall retain the video and audiotapes, or the audiotape of the stop until final disposition of the complaint.

412.08 REVIEW OF VIDEO AND AUDIO DOCUMENTATION

A. The Patrol Lieutenants shall ensure that all audio and recordings are properly stored and retained in accordance with applicable laws and this General Order.

B. If a complaint is received alleging that an officer has engaged in bias based profiling, the audio/video recording shall be forwarded through the Chain of Command to the Internal Affairs Division. The Internal Affairs Division shall retain the video until final disposition of the complaint has been made.

C. Supervisors will ensure officers of this department are recording their motor vehicle contacts. A recording of each officer will be reviewed at least once every thirty (30) days.

1. Written documentation shall include:

   a. The names of the officers whose contacts were reviewed;
   b. The date(s) of the videos reviewed;
   c. The date the actual review was conducted; and
   d. The name of the person conducting the review.

2. The Patrol Division Lieutenants shall forward the required documentation to the Internal Affairs Division.
3. The Internal Affairs Division shall maintain a file of all video review documentation performed, in compliance with this General Order.

D. In reviewing audio and video recordings, the Patrol Division Lieutenant or his designee, shall seek to determine if the officer(s) reviewed have engaged in a pattern of Bias Based Profiling, which includes multiple acts constituting bias based profiling for which there no reasonable, credible explanation is based on established police and law enforcement procedures.

E. This agency shall review the data collected to identify any improvements this agency could make in its practices and policies regarding motor vehicle stops.

412.09 TRAINING

A. Each peace officer employed by the department shall complete the comprehensive education and training program on bias based profiling established by the Texas Commission of Law Enforcement (TCOLE) no later than the second anniversary of the date the officer was licensed, or the date the officer applies for an Intermediate Proficiency Certificate, whichever date is earlier. A person, who on September 1, 2001, held a TCOLE Intermediate Proficiency Certificate, or who had held a peace officer license issued by TCOLE for at least two years, shall complete a TCOLE training and education program on bias based profiling not later than September 1, 2003.

The Chief of Police shall, in completing the training required by Section 96.941, Texas Education Code, complete the program on Bias Based Profiling established by the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT), not later than September 1, 2003.

Public Education on Filing Compliments and Complaints

205

Informing the Public on the Process of Filing a Compliment or Complaint with the Rockwall Police Department

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Rockwall Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Rockwall Police officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

Racial Profiling Training

207

Racial Profiling Training

All Rockwall Police officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Rockwall Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Rockwall has been included in this report.

It is important to recognize that the Chief of the Rockwall Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Rockwall Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.

208

Racial Profiling
Course Number 3256
Texas Commission on Law Enforcement
September 2001

Racial Profiling 3256

Instructor's Note:
You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

Abstract

This instructor guide is designed to meet the educational requirement for racial profiling established by
legislative mandate: 77R-SB1074.

Target Population: Licensed law enforcement personnel in Texas

Prerequisites: Experience as a law enforcement officer

Length of Course: A suggested instructional time of 4 hours

Material Requirements: Overhead projector, chalkboard and/or flip charts, video tape player,
handouts, practical exercises, and demonstrations

Instructor Qualifications: Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

Evaluation Process and Procedures

An examination should be given. The instructor may decide upon the nature and content of the
examination. It must, however, sufficiently demonstrate the mastery of the subject content by the
student.

Reference Materials

Reference materials are located at the end of the course. An electronic copy of this instructor guide
may be downloaded from our web site at http://www.tcleose.state.tx.us.

Racial Profiling 3256

1.0 RACIAL PROFILING AND THE LAW

1.1 UNIT GOAL: The student will be able to identify the legal aspects of racial profiling.

1.1.1 LEARNING OBJECTIVE: The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.

Racial Profiling Requirements:

Racial profiling CCP 3.05
Racial profiling prohibited CCP 2.131
Law enforcement policy on racial profiling CCP 2.132
Reports required for traffic and pedestrian stops CCP 2.133
Liability CCP 2.136
Racial profiling education for police chiefs Education Code 96.641
Training program Occupations Code 1701.253
Training required for intermediate certificate Occupations Code 1701.402
Definition of "race or ethnicity" for form Transportation Code 543.202

A. Written departmental policies
1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

B. Not prima facie evidence

C. Feasibility of use of video equipment

D. Data does not identify officer

E. Copy of complaint-related video evidence to officer in question

F. Vehicle stop report
1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

210

G. Compilation and analysis of data

H. Exemption from reporting – audio/video equipment

I. Officer non-liability

J. Funding

K. Required training in racial profiling
1. Police chiefs
2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) – see legislation 77R-SB1074

1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.

A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)
1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)
1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

C. Other cases
1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)

2.0 RACIAL PROFILING AND THE COMMUNITY

2.1 UNIT GOAL: The student will be able to identify logical and social arguments against racial profiling.

2.1.1 LEARNING OBJECTIVE: The student will be able to identify logical and social arguments against racial profiling.

A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism

B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole

C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers

D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop

E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources

3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION

3.1 UNIT GOAL: The student will be able to identify the elements of both inappropriate and appropriate traffic stops.

3.1.1 LEARNING OBJECTIVE: The student will be able to identify elements of a racially motivated traffic stop.

A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements

B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug
courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)

C. A typical traffic stop resulting from racial profiling
1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers
2. The driver and passengers are questioned about things that do not relate to the traffic violation

3. The driver and passengers are ordered out of the vehicle
4. The officers visually check all observable parts of the vehicle

5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside
6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)

3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.
A. Drug courier profile (adapted from a profile developed by the DEA)
1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
3. Vehicle is rented
4. Driver is a young male, 20-35
5. No visible luggage, even though driver is traveling
6. Driver was over-reckless or over-cautious in driving and responding to signals
7. Use of air fresheners

B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.
A. Thinking about the totality of circumstances in a vehicle stop

B. Vehicle exterior
1. Non-standard repainting (esp. on a new vehicle)
2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)

C. Pre-stop indicators
1. Not consistent with traffic flow
2. Driver is overly cautious, or driver/passengers repeatedly look at police car
3. Driver begins using a car- or cell-phone when signaled to stop
4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)

D. Vehicle interior
1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

213

Resources

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)
Web address for legislation 77R-SB1074:
http://tlo2.tlc.state.tx.us/tlo/77r/billtext/SB01074F.htm

214

Report on Compliments and Racial Profiling Complaints

215

Report on Complaints

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/18---12/31/18, based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.

☐

A check above indicates that the Rockwall Police Department has not received any complaints, on any members of its police force, for having violated the Texas Racial Profiling Law during the time period of 1/1/18 ---- 12/31/18.

Complaints Filed for Possible Violations of The Texas Racial Profiling Law

Complaint No.	Alleged Violation			Disposition of the Case
18-04 RP	Harassment/Intimidation			Unfounded

Additional Comments:

216

Tables Illustrating Motor Vehicle-Related Contacts

217

Tier 2 Data

218

Total stops: 13,996

1. Gender

1.1 Female: 5,474

1.2 Male: 8,522

2. Race or ethnicity

2.1 Black: 2,423

2.2 Asian/Pacific Islander: 203

2.3 White: 8,557

2.4 Hispanic/Latino: 2,759

2.5 Alaska Native/American Indian: 54

3. Was race or ethnicity known prior to stop?

3.1 Yes: 723

3.2 No: 13,996

4. Reason for stop?

4.1 Violation of law: 5,850

4.2 Pre-existing knowledge: 219

4.3 Moving traffic violation: 4,958

4.4 Vehicle traffic violation: 2,969

219

5. Street address or approximate location of the stop

5.1 City street: 9,366

5.2 US highway: 1,787

5.3 County road: 33

5.4 State Highway: 139

5.5 Private property or other: 2,671

6. Was a search conducted?

6.1 Yes: 667

6.2 No: 13,996

7. Reason for Search?

7.1 Consent: 368

7.2 Contraband in plain view: 8

7.3 Probable cause: 81

7.4 Inventory: 92

7.5 Incident to arrest: 118

8. Was Contraband discovered?

8.1 Yes: 265

220

8.2 No: 402

9. Description of contraband

9.1 Drugs: 182

9.2 Currency: 2

9.3 Weapons: 23

9.4 Alcohol: 9

9.5 Stolen property: 6

9.6 Other: 43

10. Result of the stop

10.1 Verbal warning: 8,894

10.2 Written warning: 2

10.3 Citation: 4,668

10.4 Written Warning and Arrest: 0

10.5 Citation and Arrest: 54

10.6 Arrest: 378

11. Arrest based on

11.1 Violation of Penal Code: 251

11.2 Violation of Traffic Law: 69

11.3 Violation of City Ordinance: 0

221

11.4 Outstanding Warrant: 112

12. Was physical force resulting in bodily injury used during stop?

12.1 Yes: 8

12.2 No: 13,996

Table 1. Motor Vehicle-Contacts and Fair Roads Standard Comparison

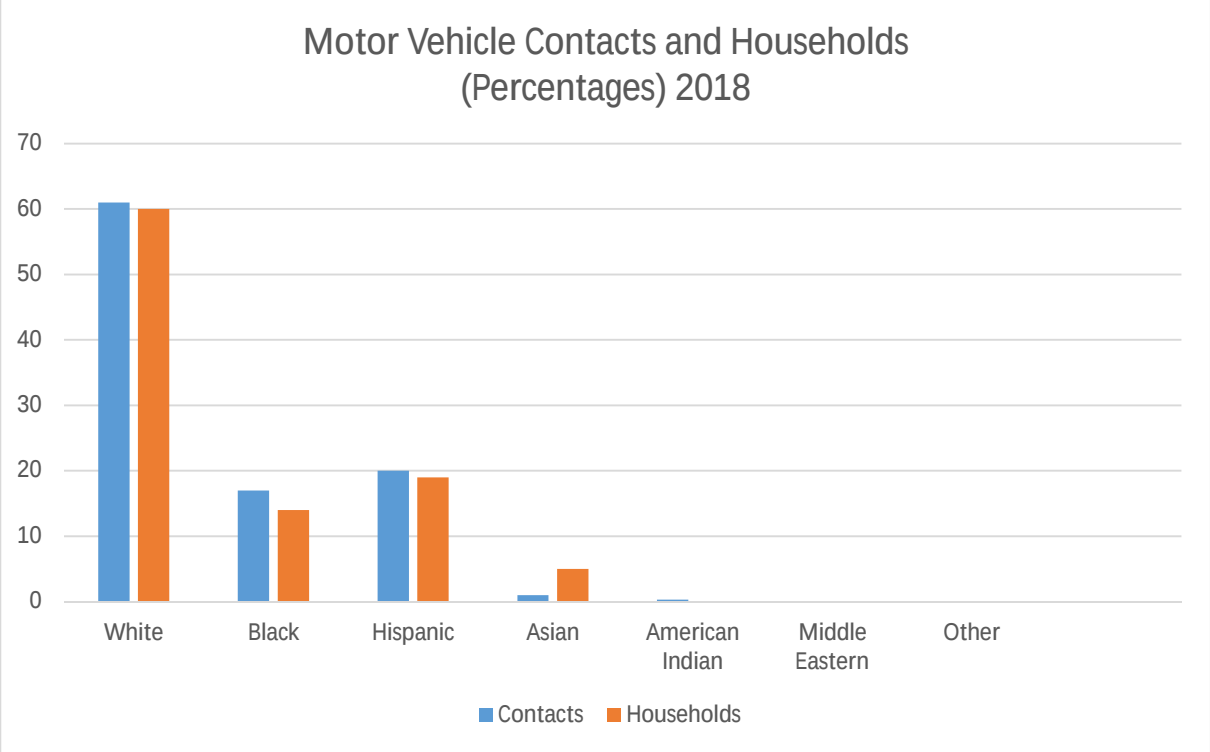
Comparison of motor vehicle-related contacts with households in DFW that have vehicle access (in percentages). (1/1/18—12/31/18)

Race/Ethnicity*	Contacts (in percentages)	Households with vehicle access (in percentages)
White	51	60
Black	17	14
Hispanic	20	19
Asian	1	5
American Indian	.3	N/A
Middle Eastern	0	N/A
Other	0	N/A
Total	100	98**

* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American and Middle Eastern".

**Represents rounded figure

223


Motor Vehicle Contacts and Households
(Percentages) 2018
70
60
50
40
30
20
10
0
White
Black
Hispanic
Asian
American Indian
Middle Eastern
Other
Contacts
Households

224

Analysis and Interpretation of Data

225

Analysis

In order to understand the analysis provided in this report, it is imperative that the evolution of the Texas Racial Profiling Law and its requirements, is discussed. That is, in 2001, the Texas legislature passed Senate Bill 1074 which became the Texas Racial Profiling Law. Thus, the law came into effect on January 1, 2002 and required all police departments in Texas, to collect traffic-related data and report this information to their local governing authority by March 1st of each year. In 2009, the racial profiling law was modified to include the collection and reporting of all motor vehicle related contacts where a citation was issued or arrest made. In addition, the modification to the law further requires that all police officers indicate whether or not they knew the race or ethnicity of the individual before detaining them. Further, it was required that agencies report motor vehicle related data to their local governing authority and to the Texas Commission on Law Enforcement (TCOLE) by March 1st of each year. The purpose in collecting and presenting this information is to determine if police officers in a particular municipality are engaging in the practice of racially profiling minority motorists.

The Texas Racial Profiling Law also requires police departments to interpret motor vehicle-related data. Even though most researchers would probably agree with the fact that it is within the confines of good practice for police departments to be accountable to the citizenry while carrying a transparent image before the community, it is very difficult to determine if individual police officers are engaging in racial profiling, from a review and analysis of aggregate/institutional data. In other words, it is challenging for a reputable researcher to identify specific "individual" racist behavior from aggregate-level "institutional" data on traffic or motor vehicle-related contacts.

As stated previously, in 2009, the Texas Legislature passed House Bill 3389, which modified the Racial Profiling Law by adding new requirements; this took effect on January 1st, 2010. These changes included, but are were not limited to, the re-definition of a contact to include motor vehicles where a citation was issued or an arrest made. In addition, it required police officers to indicate if they knew the race or ethnicity of the individual before detaining

226

them. Also, the 2009 law required adding "middle eastern" to the racial and ethnic category and submitting the annual data report to TCOLE before March 1st of each year.

In 2017, the Texas Legislators passed H.B. 3051 which removed the Middle Eastern data requirement but standardized the racial and ethnic categories relevant to the individuals that came in contact with the police. In addition, the Sandra Bland Act (S.B. 1849) was passed and became law. Thus, the most significant legislative act in Texas history regarding data requirements on law enforcement contacts, became law and took effect on January 1, 2018. The Sandra Bland Act not only requires the extensive collection of data relevant to police motor vehicle contacts, but it also mandates for the data to be analyzed while addressing the following:

1. *A comparative analysis of the information compiled (under Article 2.133):*
    a. *Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;*
    b. *Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;*
    c. *Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches.*
2. *Information related to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling*.

In an effort to comply with The Texas Racial Profiling/Sandra Bland Law, the Rockwall Police Department commissioned the analysis of its 2018 contact data. Thus, two different types of data analyses were performed. The first of these involved a careful evaluation of the 2018 motor vehicle-related data. This particular analysis measured, as required by the law, the number and percentage of Whites, Blacks, Hispanics or Latinos, Asians and Pacific Islanders, Alaska Natives and American Indians (Middle Easterners and individuals belonging to the "other" category, as optional categories), that came in contact with the police in the course of a motor vehicle related contact, and were either issued a ticket, citation, warning were issued or an arrest was made. Also, included in this data were instances where a motor vehicle contact took place for an alleged violation of the law or ordinance. The Tier 2 data analysis included, but was not limited to, information relevant to the number and percentage of contacts by race/ethnicity,

gender, reason for the stop, location of stop, searches while indicating the type of search performed, result of stop, basis of an arrest and use of physical force resulting in bodily injury,

The additional data analysis performed was based on a comparison of the 2018 motor vehicle contact data with a specific baseline. When reviewing this particular analysis, it should be noted that there is disagreement, in the literature, regarding the appropriate baseline to be used when analyzing motor vehicle-related contact information. Of the baseline measures available, the Rockwall Police Department opted to adopt, as a baseline measure, the Fair Roads Standard. This particular baseline is based on data obtained through the U.S. Census Bureau (2010) relevant to the number of households that have access to vehicles while controlling for the race and ethnicity of the heads of households.

It is clear that census data presents challenges to any effort made at establishing a fair and accurate racial profiling analysis. That is, census data contains information on all residents of a particular community, regardless of the fact they may or may not be among the driving population. Further, census data, when used as a baseline of comparison, presents the challenge that it captures information related to city residents only. Thus, excluding individuals who may have come in contact with the Rockwall Police Department in 2018 but live outside city limits. In some cases, the percentage of the population that comes in contact with the police but lives outside city limits represents a substantial volume of all motor vehicle-related contacts made in a given year.

Since 2002, several civil rights groups in Texas expressed their desire and made recommendations to the effect that all police departments should rely, in their data analysis, on the Fair Roads Standard. This source contains census data specific to the number of "households" that have access to vehicles. Thus, proposing to compare "households" (which may have multiple residents and only a few vehicles) with "contacts" (an individual-based count). This, in essence, constitutes a comparison that may result in ecological fallacy. Despite this, the Rockwall Police Department accepted the recommendation to utilize this form of comparison (i.e., census data relevant to households with vehicles) in an attempt to demonstrate its "good will" and "transparency" before the community. Thus, the Fair Roads Standard data obtained and used in this study is specifically relevant to the Dallas Fort-Worth (DFW) Metroplex).

Tier 2 (2018) Motor Vehicle-Related Contact Analysis

When analyzing the enhanced Tier 2 data collected in 2018, it was evident that most motor vehicle-related contacts were made with males and most of the contacts were made with White drivers. This was followed by Hispanic and Black drivers. In most instances, police officers report not knowing the race or ethnicity prior to the stop. Further, they cite as the primary reason for the stop to have been a "violation of the law". This was followed by "moving traffic violation".

In 2018, most of the contacts made took place in city streets. The Rockwall Police Department cites that most contacts did not result in a search. Of those searches made, most were

consensual. The second most significant reason for a search was "incident to arrest". In addition, contraband was not found as a result of most searches. Of the contraband found, in most instances, drugs were cited as the most frequent contraband found.

The data also shows that the majority of stops resulted in a verbal warning. This was followed by "citations". When an arrest was made, the most frequent reason provided was a violation of the penal code. Also, 8 of the contacts resulted in the use of physical force which caused bodily injury.

Comparative Analysis

The data analysis of motor vehicle contacts to the census data relevant to the number of "households" in DFW who indicated, in the 2010 census, that they had access to vehicles, produced interesting findings. Specifically, the percentage of Blacks and Hispanics that came in contact with the police was higher than the percentage of Black and Hispanic households in DFW that claimed, in the 2010 census, to have access to vehicles. It should be noted that in the case of Blacks and Hispanics, the percentage difference was within the margin of error and is considered to be statistically insignificant. With respect to Whites and Asians, a lower percentage of contacts were detected. That is, the percentage of White and Asian drivers that came in contact with the police in 2018 was the lower than the percentage of White and Asian households in DFW with access to vehicles. The analysis of the searches performed shows that most searches did not produce contraband. This is consistent with national law enforcement trends.

Summary of Findings

The most recent Texas Racial Profiling Law requires that police department perform data audits in order to validate the data being reported. Consistent with this requirement, the Rockwall Police Department reports having conducted at least one internal data audit. Further, as required by law, this report also includes an analysis on the searches performed. This analysis includes information on whether contraband was found as a result of the search while controlling for race/ethnicity. The search analysis demonstrates that the police department is engaging in search practices consistent with national trends in law enforcement.

While considering the findings made in this analysis, it is recommended that the Rockwall Police Department should continue to collect and evaluate additional information on motor vehicle contact data (i.e., reason for probable cause searches, contraband detected) which may prove to be useful when determining the nature of the contacts police officers are making with all individuals.

As part of this effort, the Rockwall Police Department should continue to:

1) Perform an independent analysis on contact and search data in future years.

229

2) Commission data audits in 2019 in order to assess data integrity; that is, to ensure that the data collected is consistent with the data being reported.

The comprehensive analysis of the data included in this report demonstrates that the Rockwall Police Department has complied with the Texas Racial Profiling Law and all of its requirements. Further, the report demonstrates that the police department has incorporated a comprehensive racial profiling policy, currently offers information to the public on how to file a compliment or complaint, performs internal audits in order to ensure validity and reliability, collects and commissions the analysis of tier 2 data, and ensures that the practice of racial profiling is not tolerated.

(III) Summary

Checklist

231



Checklist

The following requirements **were** met by the Rockwall Police Department in accordance with The Texas Racial Profiling Law:

☒ Implement a Racial Profiling Policy citing act or actions that constitute racial profiling.

☒ Include in the racial profiling policy, a statement indicating prohibition of any peace officer employed by the Rockwall Police Department from engaging in racial profiling.

☒ Implement a process by which an individual may file a complaint regarding racial profiling violations.

☒ Provide public education related to the compliment and complaint process.

☒ Implement disciplinary guidelines for officers found in violation of the Texas Racial Profiling Law.

☒ Collect, report and analyze motor vehicle data (Tier 2).

☒ Commission Data Audits and a Search Analysis.

☒ Indicate total number of officers who knew and did not know, the race/ethnicity of individuals before being detained.

☒ Produce an annual report on police contacts (Tier 2) and present this to the local governing body and TCOLE by March 1, 2019.

☒ Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation.

Contact Information

Contact Information

For additional questions regarding the information presented in this report, please contact:

Del Carmen Consulting, LLC
817.681.7840
www.texasracialprofiling.com
www.delcarmenconsulting.com

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235

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236

City of Rockwall
The New Horizon

MEMORANDUM

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

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

DATE: **February 1, 2019**

SUBJECT: **Order (resolution) Calling May 4, 2019 General Election**

Included in the packet for Council's consideration is an order calling the Saturday, May 4, 2019 General Election. The purpose of the election will be to elect the Mayor and City Council Members for Places 1, 3, and 5.

A joint elections contract between the City, (possibly) the school district, and the Rockwall County Elections Administrator, will be brought forth for Council consideration, likely at the next regular meeting, depending on if there ends up being contested races.

Staff will be available to answer any questions the Council may have at the meeting Monday evening.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 19-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CALLING A GENERAL TO BE HELD JOINTLY WITH THE ROCKWALL INDEPENDENT SCHOOL DISTRICT (RISC) AND DESIGNATING ROCKWALL COUNTY ELECTIONS ADMINISTRATOR AS THE ELECTION ADMINISTRATOR TO CONDUCT SAID GENERAL ELECTION ON BEHALF OF THE CITY ON SATURDAY, MAY 4, 2019 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE (3) COUNCIL MEMBERS, ONE (1) FOR PLACE 1, ONE (1) FOR PLACE 3, AND ONE (1) FOR PLACE 5, EACH FOR TWO (2) YEAR TERMS; DESIGNATING THE ENTIRE CITY AS ONE ELECTION PRECINCT; DESIGNATING POLLING PLACES, DATES AND TIMES; DESIGNATING FILING DEADLINES: ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SAID ELECTION; PROVIDING FOR OTHER ELECTION-RELATED PROCEDURES; PROVIDNG A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 41.001 of the Texas Election Code, as amended (the "Code") specifies that the first Saturday in May shall be a "uniform election date" and that a general election of a city may be held on such day; and

WHEREAS, the City Council of the City of Rockwall, Texas (hereinafter referred to as the "City"), in accordance with the Rockwall City Charter, Section 5.01, has determined that a general municipal election shall be conducted on the first Saturday in May 2019; and

WHEREAS, Section 271.002 of the Texas Election Code authorizes two or more political subdivisions to enter into an agreement to hold elections jointly in the election precincts that can be served by common polling places; and

WHEREAS, the City of Rockwall, the Rockwall Independent School District, and Rockwall County desire that a joint election be held in order to provide a convenient, simple, and cost-saving election for the voters; and

WHEREAS, the City of Rockwall, the Rockwall Independent School District, and Rockwall County will enter into a joint agreement setting out each entity's respective duties , responsibilities and costs associated with the May 4, 2019 election; and

WHEREAS, by this Resolution, it is the intention of the Rockwall City Council to: (1) call for said election to be held on the above named date, (2) designate the entire City as one election precinct, (3) designate the Rockwall County Library as the polling place for the election and (4) establish and set forth general procedures for conducting said election; and

WHEREAS, it is hereby officially found and determined that said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

Section 1. Findings. The statements contained in the preamble of this Resolution are true and correct and are adopted as findings of fact hereby, which findings are conclusive and incontestable.

Section 2. Election Date, Purpose of Election, Officers and Terms of Office. That a General Election is hereby ordered to be held jointly with the Rockwall Independent School District in and throughout the City on Saturday, May 4, 2019, for the purpose of electing a (1) Mayor and three (3) Council Members - one (1) for Place 1, one (1) for Place 3, and one (1) for Place 5, each for two (2) year terms.

Section 3. Eligibility for Candidacy & Winner(s) Declared via Plurality Vote. That in accordance with Section 5.02 of the City Charter of the City of Rockwall, no person shall be eligible for the office of Council Member, unless he is at least twenty-one years of age at the time of the election for which he is filing; is a qualified voter (of the City); has resided within the corporate limits of the City, or recently annexed territory, for at least twelve (12) months prior to the filing deadline; after notice of any delinquency, not in arrears in payment of taxes or other liabilities due the City. In accordance with Section 5.04(1) of the City Charter, a plurality vote is required to be elected and declared the winner.

Section 4. Application for a Place on the Ballot. That in accordance with Section 143.007 of the Texas Election Code, any eligible and qualified person may have his name printed upon the official ballot as a candidate for the offices herein before set forth by filing his sworn application with the City Secretary not earlier than 8:00 a.m., January 16, 2019 and not later than 5:00 p.m., February 15, 2019. Each such application shall be on a form as prescribed by Section 141.031 of the Texas Election Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Code. Notice of the time and place for said drawing shall be given in accordance with the Code.

Section 5. Election Precinct, Polling Place, and Election Hours. That the entire City of Rockwall, Texas shall constitute one (1) election precinct for the election, and the polling place is hereby designated to be located at the Rockwall County Library, 1215 E. Yellowjacket Lane, Rockwall, Texas 75087. In accordance with and pursuant to the requirements of the Code, said polling place shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

Section 6. Early & Election Day Voting and Ballots by Mail. That early voting by personal appearance shall be administered by the Rockwall County Elections Administrator as set forth in the Election Contract and the Code. Early voting shall be conducted on/at the dates, times and locations specified below with the exception of Sunday and State holidays, and the designated Election Day polling location for Rockwall voters shall be: Rockwall County Library (1215 E. Yellowjacket Ln. Rockwall, TX 75087).

MONDAY (Lunes)	TUESDAY (Martes)	WEDNESDAY (Miercoles)	THURSDAY (Jueves)	FRIDAY (Viernes)	SATURDAY (Sabado)
APR 22 8am–5pm Early Voting	**APR 23** 7am–7pm Early Voting	**APR 24** 8am – 5pm Early Voting	**APR 25** 7am – 7pm Early Voting	**APR 26** 8am - 5pm Early Voting	**APR 27** 10am - 3pm Early Voting

MONDAY (Lunes)	TUESDAY (Martes)	WEDNESDAY (Miercoles)	THURSDAY (Jueves)	FRIDAY (Viernes)	SATURDAY (Sabado)
APR 29 8am–5pm Early Voting	**APR 30** 8am–5pm Early Voting				**MAY 4** 7am-7pm ELECTION DAY

CITY (ciudad)	LOCATION & ADDRESS (lugar y direccion)
ROCKWALL	COUNTY LIBRARY 1215 E. YELLOWJACKET LN
HEATH	HEATH CITY HALL 200 LAURENCE DR
FATE	FATE CITY HALL 1900 CD BOREN PKWY
ROYSE CITY	ROYSE CITY HALL 200 N. ARCH ST
MCLENDON-CHISHOLM	MCLENDON-CHISHOLM CITY HALL 1371 W FM 550

Applications for ballot by mail shall be requested from and mailed to the Rockwall County Election Administrator and Early Voting Clerk, Attn: Christopher Lynch, 915 Whitmore Drive, Suite D, Rockwall, TX 75087 (e-mail: clynch@rockwallcountytexas.com). Applications for ballots by mail must be received (not postmarked) no later than the close of business on Tuesday, April 23, 2019. If application to vote by mail is made by personal delivery, the application must be delivered by the close of business on Friday, April 19, 2019.

Section 7. Governing Law and Qualified Voters. That the election shall be held in accordance with the constitution of the State of Texas, the City Charter, and the Texas Election Code, and all resident, qualified electors of the city, shall be eligible to vote at the election.

Section 8. Notice and Conduct of the Election. Proper notice of the Election shall be given and, in all respects, the Election shall be conducted in accordance with the Code.

Section 9. Election Officers and Authorization of Further Procedures. That the Elections Administrator, early ballot board, voting judges, voting clerks and all other election officers and officials designated or to be designated pursuant to law and the Election Contract are hereby appointed and confirmed to hold the Election at said polling places and all early voting places. The Elections Administrator, the City and the County may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary for the Election, to ensure the timely delivery of supplies during early voting and on Election Day

The City Council hereby authorizes and directs the Mayor, City Manager, Assistant City Manager, City Secretary, and all other officers, employees and agents of the City, in consultation with the City Attorney, if necessary, to do and perform all such acts and to execute, acknowledge and deliver in the name and on behalf of the City such documents, agreements, certificates and other instruments, whether or not mentioned in this Resolution, as may be necessary or desirable in order to carry out the terms, provisions and actions provided for in this Resolution.

Section 10. Delivery of Returns and Preservation of Election Records. That in accordance with the Code and the City's contract with the Rockwall County Elections Administrator, immediately after the closing of the poll on the day of the election, the election officers shall make and deliver the returns of the election in triplicate as follows: one copy shall be retained by the Presiding Election Judge and by the Presiding Election Judge of the Early Voting Ballot Board, one copy shall be delivered to the Mayor of the City, and one copy of the returns, together with the ballot boxes and all election supplies, shall be delivered to the Rockwall County Elections Administrator. All election records and supplies shall be preserved in accordance with the Code.

Section 11. Representatives. That the following slate of officials and other designated persons are hereby authorized to be present to observe the election counting process:

a. The Mayor and members of the City Council of the City of Rockwall;
b. Candidates for Mayor and City Council of the City of Rockwall;
c. The Rockwall City Secretary or his/her designated representative.

Section 12. Canvassing of Returns. That the City Council of the City shall convene between May 7, 2019 and May 15, 2019 to canvass the returns of the election in accordance with the Texas Election Code.

Section 13. Severability. That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

Section 14. Effective Date. That this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of February, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

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242

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Councilmembers**

FROM: **Judge David Sweet, ART Commission Chair**

DATE: **February 4, 2019**

SUBJECT: **Art in Public Places – Fiberglass Guitar Project**

Overview:
At their November meeting, the Art Commission voted unanimously to recommend the fiberglass art project to City Council for their consideration and approval. Each fiberglass guitar measures approximately 5' in stature; bases included they should stand approximately 6'. Guitars will be painted by local artists and the City's "Free Live Music Capital of North Texas" logo will be included on the base of each guitar. The project embodies both the visual and performing arts. The Commission has chosen five public venues for installation: San Jacinto Plaza, The Harbor, Ted Cain's Corner Park, City Hall and Harry Myers Park. Five local artists volunteered to paint the guitars at no cost to the City. They include: Kenyon Walter, Nancy Kuntz, James Kuntz, Suzy Varner and Jake Bays. Samples of their work along with a few conceptual drawings are included in your packet. The Commission will return to Council in the coming weeks with the artists' renderings for Council's final approval.

Installation/Promotion:
The Art Commission worked with City staff in the selection process of the venues listed above. Guitars will be mounted to a concrete base and situated in visible areas with high pedestrian traffic. The target date for installation is June 2019 – with an unveiling and public display slated for Founders Day on May 18, 2019. This year marks the 20th Anniversary of the Concert by the Lake Music Series, providing an additional promotional opportunity this summer. The Commission recognizes this is a tight schedule and that it is dependent on manufacturing and delivery of statues.

Maintenance:
Fiberglass is a relatively low maintenance product. Per the manufacturer, anticipated maintenance will include an annual cleaning and reapplication of the clear coat every 5-7 years.

Funding:
The Art Commission is requesting $5,500.00 from the Art in Public Places fund for the purchase of five fiberglass guitars, paint supplies, logo and concrete bases. Current Art fund balance is $77,000.00. Future CIP funds are projected at $63,000.00 bringing the overall balance to $140,000.00.

243

Cost Breakdown:

$2800.00	Fiberglass Guitars
$ 500.00	Shipping
$ 500.00	Bases
$ 500.00	Paint
$ 200.00	Adhesive Logo
$ 500.00	Clear Coating
$ 500.00	Contingency
$5,500.00	Total

$

Fiberglass Guitar Manufacturer: Cowpainters: http://cowpainters.com/

Art Commission Members:
David Sweet, Chair
Kathleen Morrow, Vice-Chair
Betty Jean Hoaglund
Jane Braddock
Doug Agee

Exhibits:
Exhibit A: Fiberglass guitars
Exhibit B: Map
Exhibit C: Artists' information

EXHIBIT A

UNPAINTED FIBERGLASS MOLD OF ELECTRIC GUITAR



245

EXHIBIT A

PAINTED GUITAR – STREET VIEW



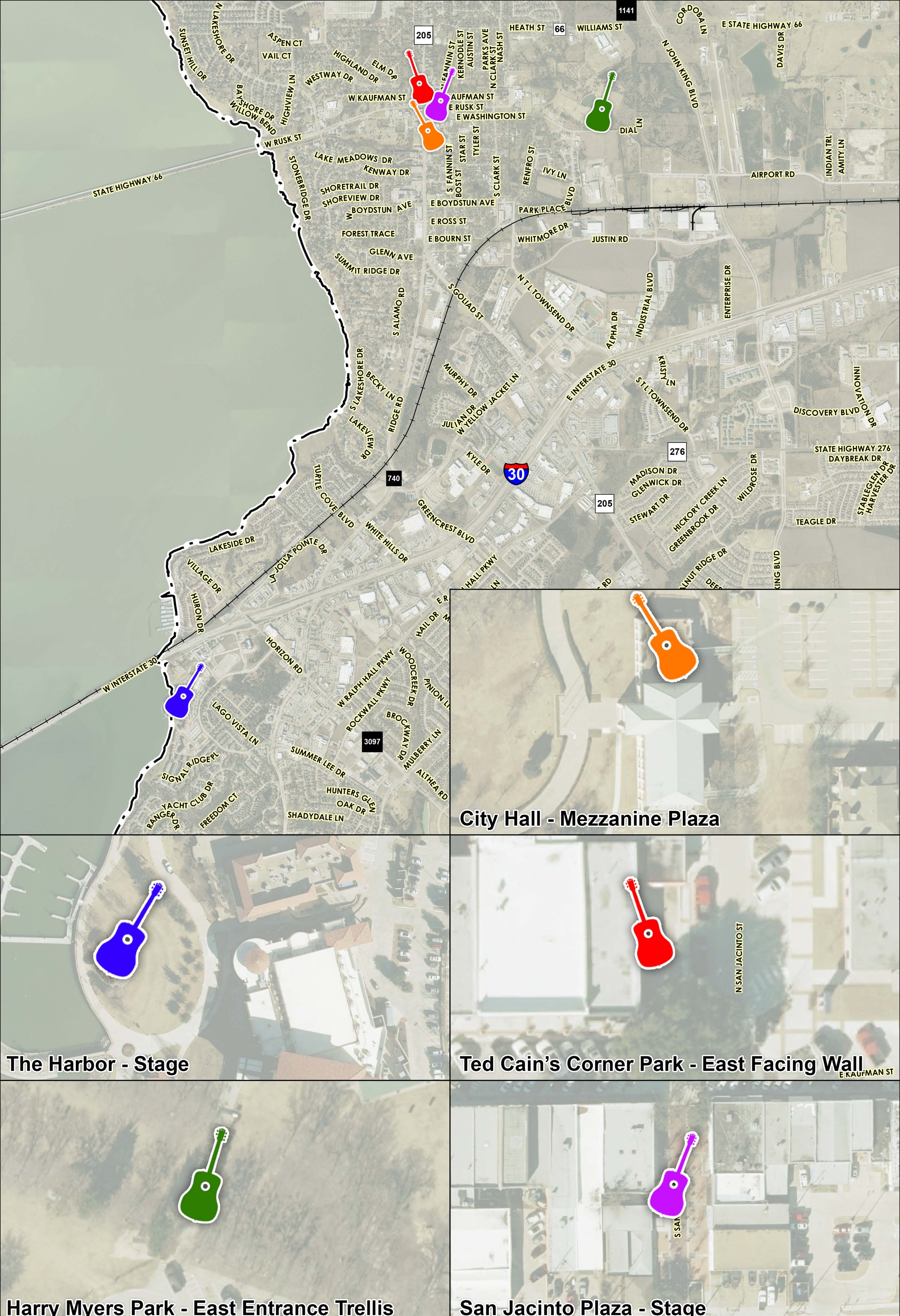
246

EXHIBIT B

LOCATION MAP

(See next page)

247



City of Rockwall

Date: 2/1/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

GUITAR SITE LOCATIONS

EXHIBIT C

Kenyon Hill Walters

Sample of her Artwork/Guitar Concept to Follow



249

EXHIBIT C

Nancy Kuntz

Actual Guitar Concept

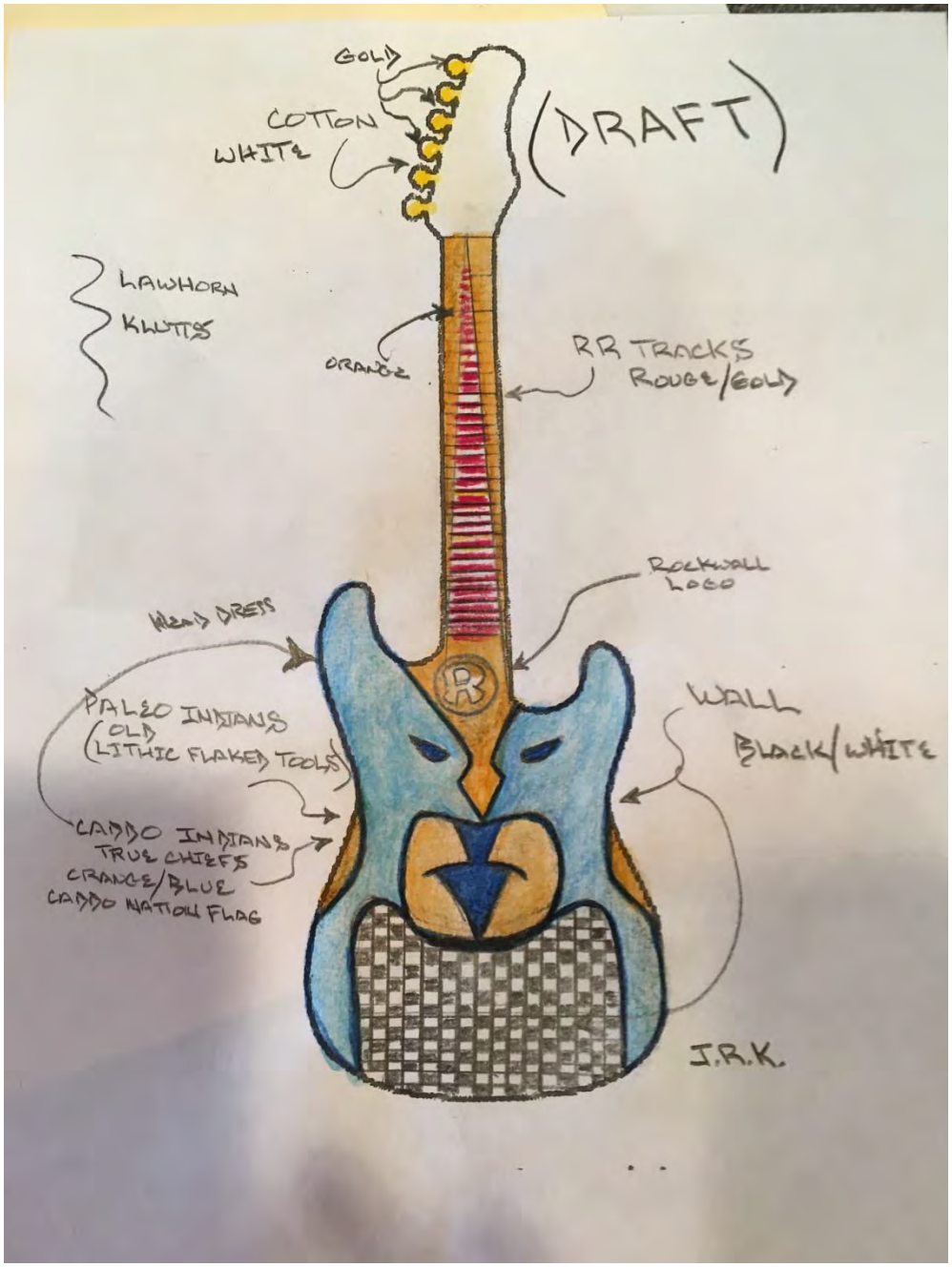


250

EXHIBIT C

James Kuntz

Actual Guitar Concept



251

EXHIBIT C

Susan Varner

Sample of Her Artwork/Guitar Concept to Follow



252

EXHIBIT C

Jake Bays

Actual Guitar Concept



253

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254

Cole, Kristy

Subject: FW: City Council Meeting

From: Jillian Gaines [mailto:[redacted]]
Sent: Tuesday, January 29, 2019 11:33 AM
To: Cole, Kristy
Cc: Tim Rodgers-NB; [redacted]; Rhonda-Next Door; [redacted]; [redacted]
Subject: Re: City Council Meeting

Mrs. Cole,
My neighbors and I plan on being at the Rockwall City Council meeting on Monday, Feb. 4 at 6 p.m. We are currently putting together and plan on showing a power point presentation when addressing the City Council as well.

Thank you for confirming. See you soon.

Thank you,
Jillian Gaines

On Jan 29, 2019, at 9:37 AM, Cole, Kristy <KCole@rockwall.com> wrote:

> Ms. Gaines
>
> Just want to confirm with you that you still would like to come address the city council this coming Mon., Feb. 4 at the 6PM meeting. Please let me know, and please also let me know if you plan to send me information for inclusion in their informational meeting packet by noon tomorrow, Jan. 30.
>
> Thank you,
>
> *Kristy Cole*
> **Assistant to the City Manager/**
> **City Secretary, TRMC**
> City of Rockwall
> Ph: (972) 772-6406
>
> **From:** Jillian Gaines [mailto:[redacted]]
> **Sent:** Wednesday, January 16, 2019 2:41 PM
> **To:** Cole, Kristy
> **Cc:** Rhonda-Next Door; Tim Rodgers; Gail Wong; Nathan Fieldsmith; Gene Sholtis; Brian Sanders ([redacted]); Leslie Hearn; C Samples; [redacted]; Lennie Walker; [redacted] Brittany Darcangelo; [redacted]; Alvin Sissel; [redacted]; Landon Fisher; [redacted]; Nolan Merrill; [redacted] Rudy Barron; Hali Bauman; Cherie Raymond; Emilie Mendala-Mathew; [redacted] Sandra Saenz; Mark Olgin
> **Subject:** Re: City Council Meeting

Thank you, Mrs. Cole. I will be presenting a power point presentation that will include photos, videos, and maps of the water that has been invading the properties and homes in the surrounding area. I will try to have to documents sent to you before Jan. 30 at noon.

Please let me know if you have any questions or concerns.
Hope you enjoy the rest of your day.

Thank you,
Jillian Gaines

On Wed, Jan 16, 2019 at 11:16 AM Cole, Kristy <KCole@rockwall.com> wrote:

> Yes, ma'am. I will place you on the agenda as an "appointment item." Will you be sending me any information in advance for me to pass along to the Council in their informational meeting packet? If so, please let me know. I'll need to receive it from you by Wed., Jan. 30 at noon.
>
> Thank you!
>
> *Kristy Cole*

From: Jillian Gaines [mailto:[redacted]]
Sent: Wednesday, January 16, 2019 11:05 AM
To: Cole, Kristy
Cc: Rhonda-Next Door; Tim Rodgers; Gail Wong; Nathan Fieldsmith; Gene Sholtis; Brian Sanders [redacted]); Leslie Hearn; C Samples; [redacted]; Lennie Walker; [redacted] Brittany Darcangelo; [redacted]; Alvin Sissel; [redacted]; Landon Fisher; [redacted] olan Merrill; [redacted]; Rudy Barron; Hali Bauman; Cherie Raymond; Emilie Mendala-Mathew; [redacted] Sandra Saenz; Mark Olgin
Subject: Re: City Council Meeting

Mrs. Cole,

I was just following up from my last email to see if I can be scheduled to speak to the City Council on Monday, February 4 2019. Is this possible?

Please let me know if you have any questions or concerns.

Thank you,

Jillian Gaines

On Jan 13, 2019, at 3:03 PM, Jillian Gaines <[redacted]> wrote:

> Mrs. Cole,
>
> I would like to speak at the Rockwall City Council Meeting on Monday, February, 4 about the Water Issues my neighbors and I are still suffering from to this day. I will be presenting a power point presentation that will include

photos, videos, and maps of the water that has been invading the properties and homes in the North Shores of Rockwall.

Please let me know if you have any questions or concerns.

Thank you,

Jillian Gaines

1305 Clear Meadow Court

512.968.6295 cell

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258

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/04/2019

APPLICANT: Tim McCallum

AGENDA ITEM: **Z2018-058;** *SUP for a Craft Winery and Commercial Amusement/ Recreation (Outdoor)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of a Specific Use Permit (SUP) for a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant, Tim McCallum, has submitted a request for a Specific Use Permit (SUP) to allow a *Craft Winery* and *Commercial Amusement/Recreation* (*Outdoor*) facility to be located within a Commercial (C) District. Currently, the subject property -- *at 203 County Line Road* -- is being operated as a warehouse and shipping facility for the applicant's wine club (*i.e. no retail sales*). The applicant has stated that they would like the opportunity to expand this use to a *Craft Winery* for the purpose of allowing wine to be mixed, produced and sold on-site. With this request, the applicant has submitted a floor plan showing the proposed *Craft Winery* layout, which will be situated in a 1,250 SF building. Of this area, 500 SF of the building [*i.e. 40% of total SF*] will be dedicated for the retail sales and tasting component of the on-site manufactured product. The remaining 750 SF will be used for wine display racks, an overhead storage area, blending tanks, and wine barrels. Additionally, the applicant has provided a concept plan for the *Commercial Amusement/Recreation (Outdoor)* use [*i.e. outdoor venue*], which will be located outdoors in front of the facility. The applicant has indicated to staff that this area will be used on a limited and infrequent basis. In addition, Mr. McCallum has submitted a letter indicating that the use of the outdoor venue will only take place on a scheduled basis, Thursday through Monday (*i.e. nights, weekends, and occasionally on Mondays and holidays*). The outdoor venue will include a seating area, space for food vendors, and space for live music [*e.g. acoustic guitar*].

According to Section 1.1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), both the *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* land uses require approval of a Specific Use Permit (SUP) in a Commercial (C) District. Additionally, Section 2.1.6, of Article IV, *Permissible Uses*, of the UDC, defines a *Craft Winery* as being a small scale manufacturing and retail operation that is subject to the following conditions: (1) the total building area (*i.e. area under roof*) is less than 12,000 SF, and (2) the total floor area dedicated to the direct sale of the on-site manufactured product does not exceed a maximum of 40% of the total floor area. The section also goes on to list the permitted accessory uses as:

(a) a tasting room to dispense product manufactured on site for on premise consumption,
(b) a meeting/banquet facility,

(c) a restaurant, and/or
(d) the retail sales of on-site manufactured product for off-premise consumption.

Included in the attached packet is the applicant's letter outlining the proposed business plan, a concept plan depicting the outdoor venue, a floor plan for the *Craft Winery*, and a draft ordinance containing regulations for the proposed land uses. Based on staff's review, the applicant's request does appear to be in conformance with these requirements; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

ADJACENT LAND USES AND ACCESS:

The subject property is generally situated north of the intersection of Horizon Road [*FM-3097*] and County Line Road, and is addressed as 203 County Line Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 14.374-acre tract of land, restricted as open space and drainage per the requirements of Planned Development District 75 (PD-75).

South: Directly south of the subject property is a continuation of the Buffalo Creek Business Park, LTD, which represents a 6.841-acre portion of a larger 9.84-acre tract of land identified as Tracts 20, 20-05, and 20-06 of the W. W. Ford Survey, Abstract No. 80. Currently on this property are several non-residential structures, which are occupied (*i.e. multi-tenant strip centers and individual standing buildings*). All of these properties are zoned Commercial (C) District.

East: Directly east of the subject property is a continuation of Buffalo Creek Business Park, LTD, which represents a 1.00-acre portion of a larger 9.84-acre tract of land identified as Tracts 20-03 of the W. W. Ford Survey, Abstract No. 80. This property is currently occupied with a non-residential structure, and is zoned Commercial (C) District.

West: Directly west of the subject property and beyond the Buffalo Creek Business Park, LTD is Horizon Road [*FM-3097*], which is identified as an TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, roadway*) on the City's Master Thoroughfare Plan. Beyond this thoroughfare is a 39.347-acre tract of land identified as Tract 93-01, of the E. Teal Survey, Abstract No. 207 and is zoned Agricultural (AG) District. The Buffalo Creek Business Park, LTD is zoned Commercial (C) District.

NOTIFICATION:

On January 2, 2019, staff mailed 63 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there were no Home Owners Associations (HOA's) participating in the Neighborhood Notification Program within 1500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this report was drafted, staff had received one e-mail opposed to the applicant's request.

RECOMMENDATIONS:

Should the City Council choose to approve the applicant's request, staff would offer the following conditions of approval:

1) The operation of the *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* on the subject property shall be subject to the following operational conditions, which are contained in the SUP ordinance:

A. Craft Winery:

1) The maximum square footage of the building used for a winery shall not exceed 12,000 SF in total building area, and is depicted in *Exhibit 'C'* of the draft ordinance.

2) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building, and is depicted in *Exhibit 'D'* of the draft ordinance.

3) The hours open to the public for this facility shall be limited to Sunday through Saturday, 11:00 AM to 12:00 AM.

B. Commercial Amusement/Recreation (Outdoor)

1) The operation of a *Commercial Amusement/Recreation* (*Outdoor*) use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.

2) The *Subject Property* may be used for all permitted accessory uses as well as the use of an *outdoor venue* that may include live music and food truck vendors as depicted in *Exhibit 'B'* of this ordinance. The use of temporary tents or similar uses must be made of fire retardant materials and meet the City's fire codes.

3) The hours of operation associated with the O*utdoor Venue* for this facility shall be limited to Thursday through Monday, 11:00 AM to 12:00 AM.

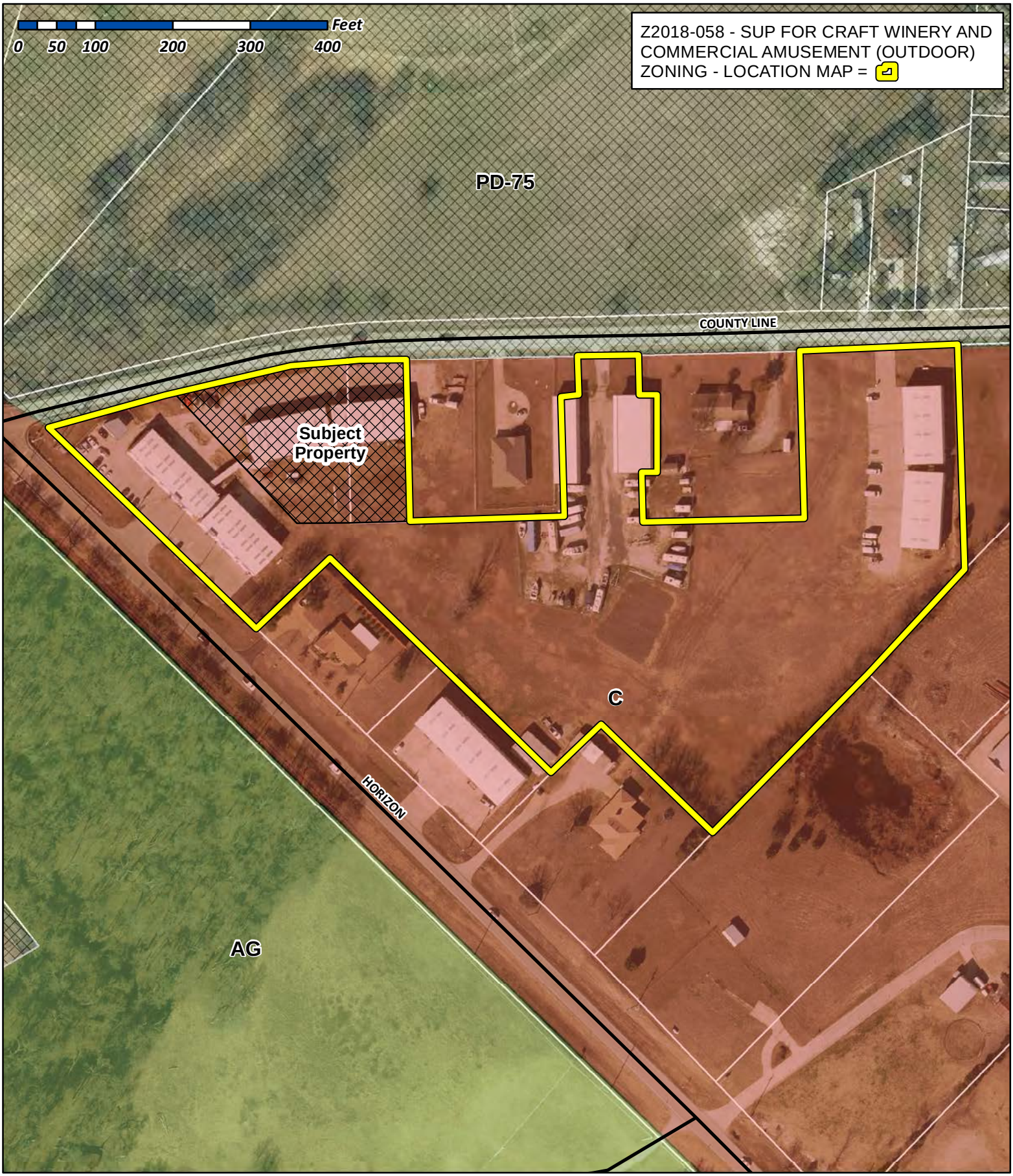
4) There shall be no outside storage of equipment, furniture, or other materials associated with the operation of this business or from any outdoor gatherings on the *Subject Property*.

5) No parking associated with the uses permitted on the *Subject Property* shall be permitted along County Line Road or Horizon Road [*FM-3097*].

2) Any construction or building necessary to complete this request must conform to the requirements set forth by the *UDC*, the *International Building Code*, the *Rockwall Municipal Code of Ordinances*, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 15, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) to allow for a Craft Winery and *Commercial Amusement/Recreation* (*Outdoor*) with staff conditions passed by a vote of 5 to 2 with Commissioners Lyons and Chodun dissenting.



City of Rockwall

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

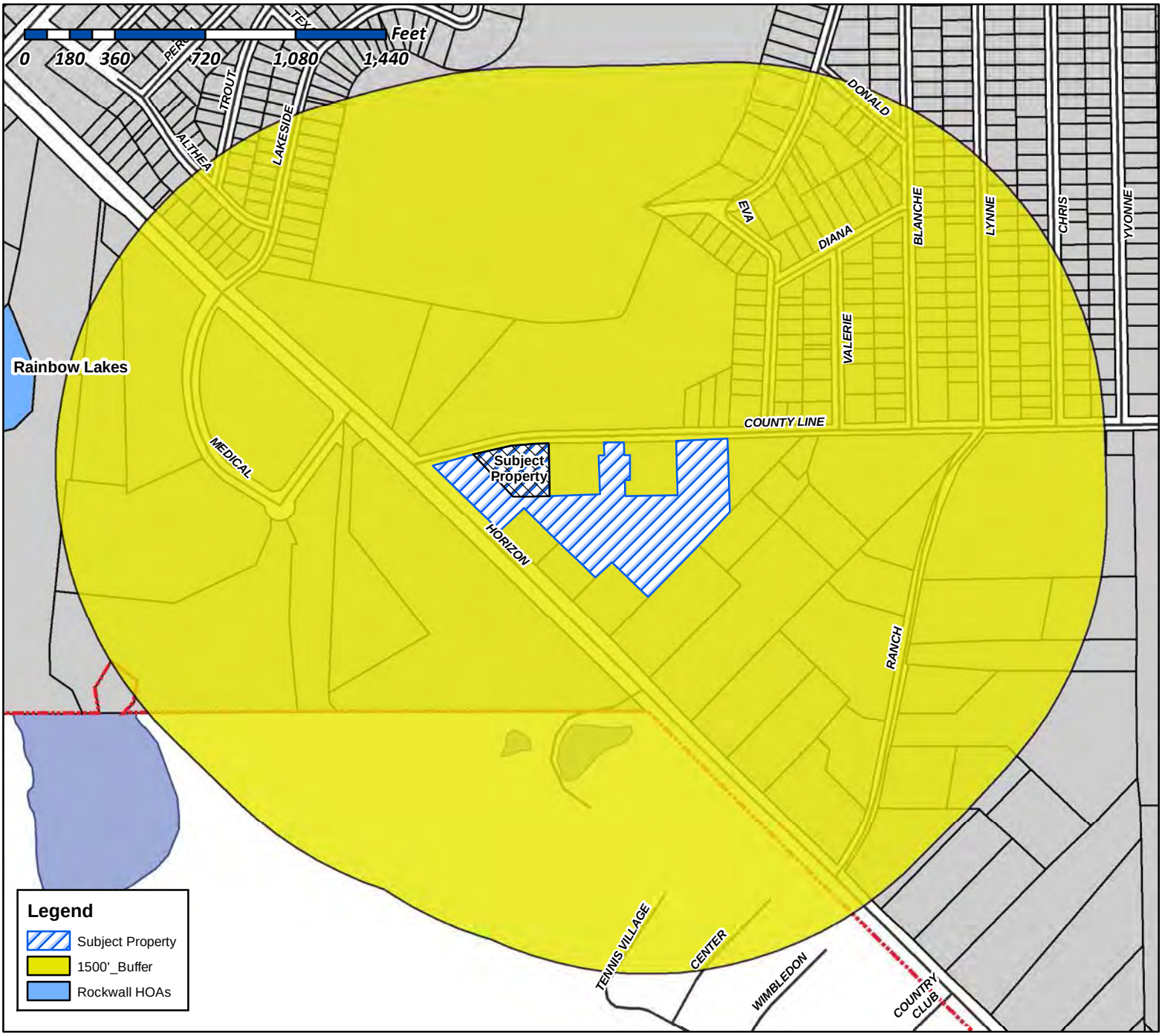
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

262

City of Rockwall

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

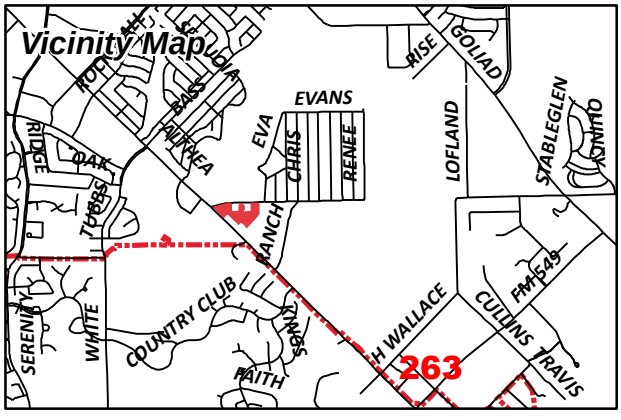
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Case Number: Z2018-058
Case Name: SUP for a Craft Winery and Commercial Amusement (Outdoor)
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 203 County Line Road

Date Created: ***12/18/2018***

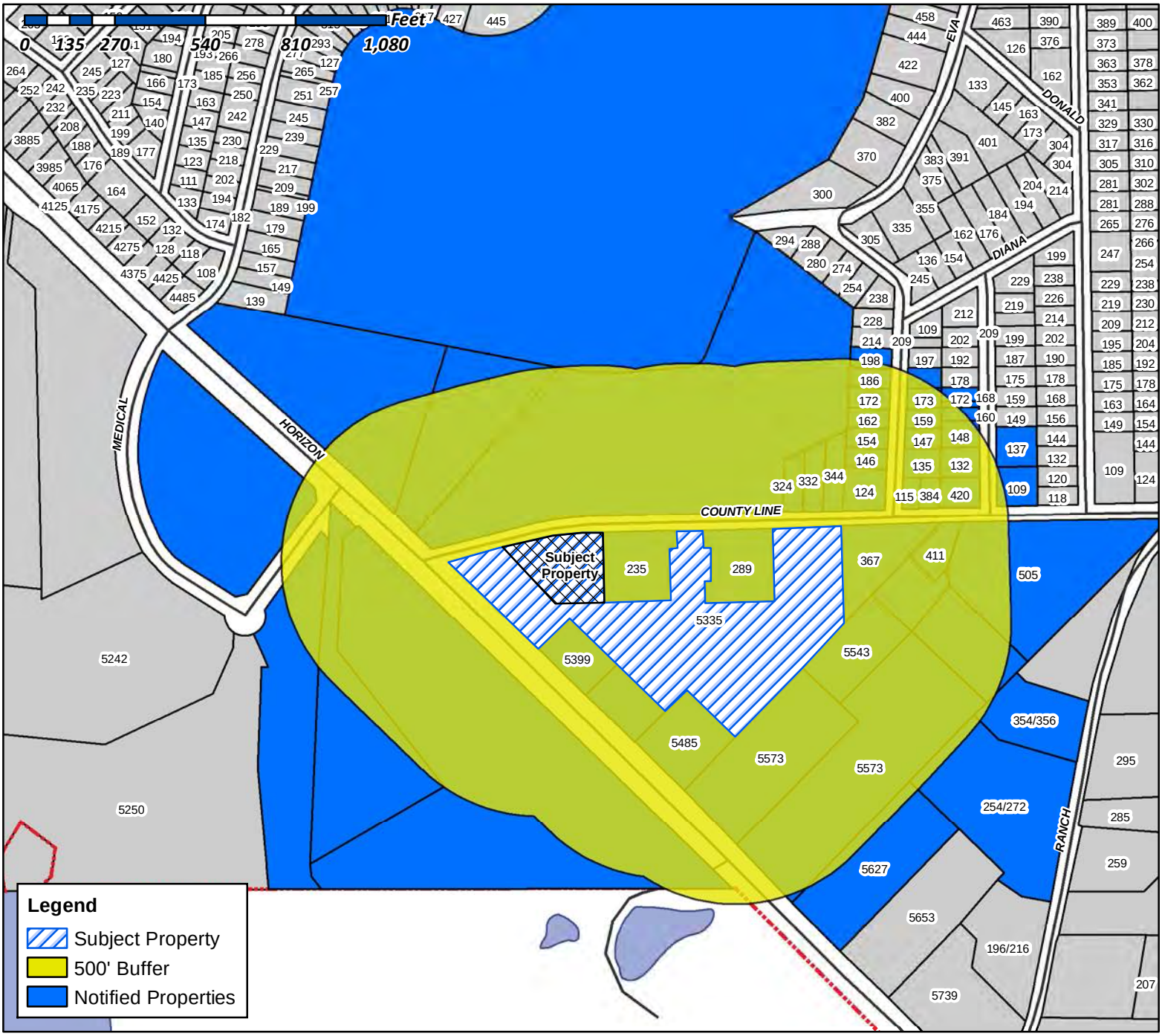
For Questions on this Case Call (972) 771-7745



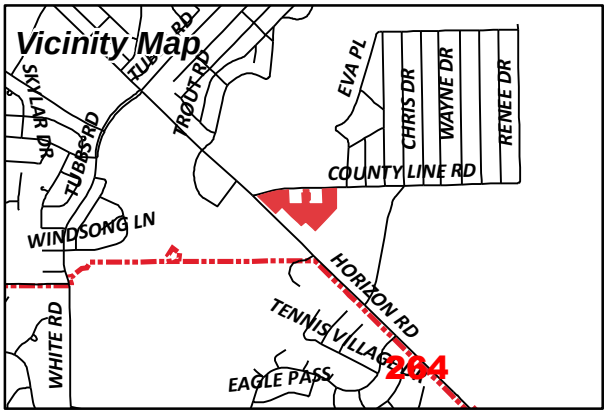
City of Rockwall

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

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Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 203 County Line Road



Date Created: ***12/18/2018***
For Questions on this Case Call (972) 771-7745

WOLFORD BILLY E & KATHY
103 EAGLE NEST
MABANK, TX 75156

SILVA BERTHA
1041 E FM 552
ROCKWALL, TX 75087

SALAS ALBERTO R & ADELA A
109 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
115 EVA PL
ROCKWALL, TX 75032

GRIZZEL ROYCE LEE JR
124 EVA PLACE
ROCKWALL, TX 75032

PAVON MARISOL
132 VALERIE PL
ROCKWALL, TX 75032

MONTELONGO MOISES
135 EVA PLACE
ROCKWALL, TX 75032

MOONEY GERALD M & JEWELL F REV LIV TR
137 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
146 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
147 EVA PL
ROCKWALL, TX 75032

VALDEZ MARY ESTHER
148 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
154 EVA PL
ROCKWALL, TX 75032

MORALES RAMIRO JR
159 EVA PLACE
ROCKWALL, TX 75032

DURAN ROCIO
160 VALERIE PL
ROCKWALL, TX 75032

DEL RIO ALBERTO & MONICA
162 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
168 VALERIE PL
ROCKWALL, TX 75032

LOZANO ISIDRO
1705 HIGH MEADOW DR
GARLAND, TX 75040

CURRENT RESIDENT
172 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
172 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
173 EVA PL
ROCKWALL, TX 75032

5543 FM3097 LLC
1809 BRISTOL LANE
ROCKWALL, TX 75032

SILVA MARIA
186 EVA PL
ROCKWALL, TX 75032

ORTEGA RUBEN
187 EVA PL
ROCKWALL, TX 75032

BARRON BENICIO
195 ROSEMARIE DR
LEBANON, OH 45036

CONTRERAS MANUEL AND MARIA G
198 EVA PL
ROCKWALL, TX 75032

BUFFALO CREEK BUSINESS PARK LTD
2324 EAST I 30
ROYSE CITY, TX 75189

BUFFALO CREEK BUSINESS PARK LTD
2324 W INTERSTATE 30
ROYSE CITY, TX 75189

CURRENT RESIDENT
235 COUNTY LINE RD
ROCKWALL, TX 75032

PATRIOT PAWS SERVICE DOGS
254 RANCH TRL
ROCKWALL, TX 75032

CURRENT RESIDENT
254/272 RANCH TRL
ROCKWALL, TX 75032

265

KELLY EDDY D & SHARON RENEE REV LIV TR
289 COUNTY LINE RD
ROCKWALL, TX 75032

JIMENEZ TERESA HERNANDEZ &
321 PANOLA CT
ROYSE CITY, TX 75189

CURRENT RESIDENT
324 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
332 COUNTY LINE RD
ROCKWALL, TX 75032

SILVA JUAN C
332 E LINDA LN
ROYSE CITY, TX 75189

CURRENT RESIDENT
344 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
354/356 RANCH TRL
ROCKWALL, TX 75032

RAMIREZ RAUL & TERESA
358 TROUT ST
ROCKWALL, TX 75032

RAMIREZ RAUL
358 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
367 COUNTY LINE RD
ROCKWALL, TX 75032

RAMIREZ PETRA & JOSE ARTURO
384 COUNTY LINE RD
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC
405 CHATHAM ST
SUNNYVALE, TX 75182

CURRENT RESIDENT
411 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
420 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
505 COUNTY LINE RD
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC
505 COUNTY LINE RD
ROCKWALL, TX 75032

LEJ PARTNERS LTD
5100 ELDORADO PKWY 0
MCKINNEY, TX 75070

MARKSQUARED INVESTMENTS LLC
517 COYOTE RD
SOUTHLAKE, TX 76092

CURRENT RESIDENT
5335 FM3097
ROCKWALL, TX 75032

KELLY REX ALLEN
5399 FM 3097
ROCKWALL, TX 75032

KELLY A R
5485 FM 3097
ROCKWALL, TX 75032

RANGELL JUAN JOSE
554 WILLOW RIDGE CIR
ROCKWALL, TX 75032

CURRENT RESIDENT
5543 FM3097
ROCKWALL, TX 75032

MATTHEWS GERALD W & DONNA C
5550 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
5573 FM3097
ROCKWALL, TX 75032

ALONZO JOSE O
5627 HORIZON RD
ROCKWALL, TX 75032

JWS LAND LTD
5900 S LAKE FOREST DR 0
MCKINNEY, TX 75070

GAMEZ DAVID
614 E BOYDSTUN ST
ROCKWALL, TX 75087

JERRY KISICK CUSTOM HOMES INC
6505 W PARK BLVD 0
PLANO, TX 75093

FINCHER LINDA
916 BROWNFIELD
MESQUITE, TX 75150

266

NORTH TEXAS MUNICIPAL WATER DIST
P O BOX 2408
WYLIE, TX 75098

PEOPLES BILLY
P O BOX 35
ROCKWALL, TX 75087

NORTH TEXAS MUNICIPAL WATER DIST
PO BOX 2408
WYLIE, TX 75098

267

Gonzales, David

From: Planning
Sent: Tuesday, January 15, 2019 8:45 AM
To: Gonzales, David
Subject: FW: Craft Winery

From: Patty Ramirez [mailto:[redacted]
Sent: Monday, January 14, 2019 5:44 PM
To: Planning
Subject: Craft Winery

It has come to my notice that we were sent a letter over the proposition of a winery in our neighborhood. Although some individuals would be in favor of said winery, we would oppose the construction of the winery in our neighborhood to avoid issues with intoxicated people near the area that is home to many families. The traffic that builds up in the area would rather be an inconvenience to this business.

Sincerely,
Jose Arturo and Petra Ramirez
384 County Line Rd. Rockwall, Tx 75032

he WINES she DINES

TASTY REVIEWS FROM BOTH PERSPECTIVES

To Whom It May Concern:

He Wines She Dines began as a food review and blog website in 2014. We are a husband and wife team that travels the world looking for the best places to eat, drink and enjoy time together! After garnering thousands of followers, we had so many people asking us about wines to drink, what to buy, and how to order, that we decided we would start a wine club. Pursuing that effort, we quickly realized we needed to be a winery to ship product to our followers. With that in mind, we got our federal winery permit and import license and begin working with wineries in California and France to produce amazing wines to bring to Rockwall. We began operating in the Fall of 2016 at 203 County Line Rd, Rockwall, TX 75032. Until the Fall of 2018, we had never been open to the public. We are predominately an online business that sells to individual members through an e-commerce business model and directly to restaurants. To date, 100% of our production has been done in either Lodi, California or Champagne, France. Additionally, we buy wines from other distributors and wineries to offer a diverse mix of high-quality wines to our members.

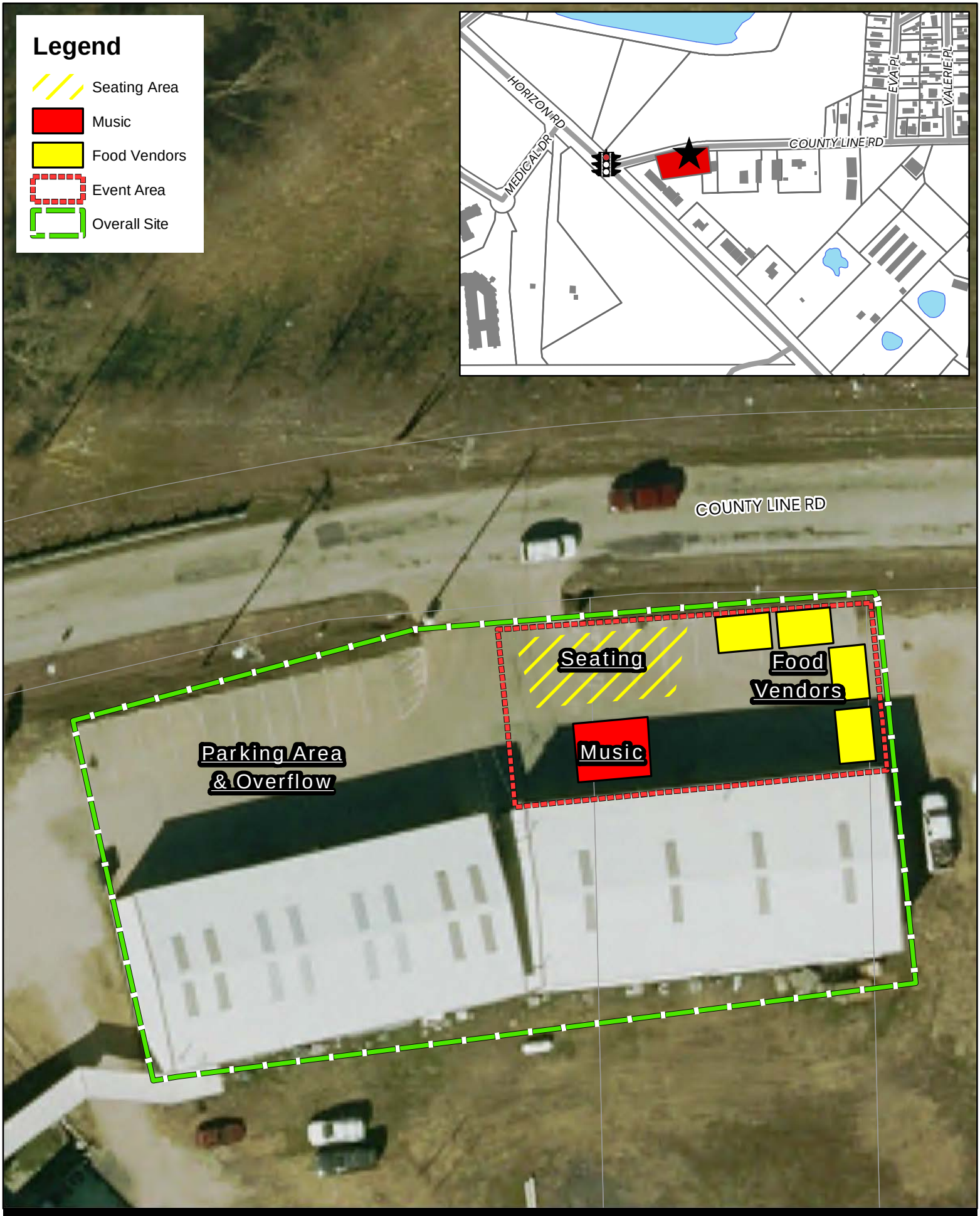
In October of 2018, we began hosting a series of periodic "warehouse sales and tastings". During these periodic Saturday events we have been open for limited hours(12-5pm) for patrons to come, try and purchase our wines at lower than retail prices. We have only hosted 3 events this year and they have been very well received.

Moving forward we need a SUP for two primary reasons. First, we are preparing to begin limited production runs, barrel storage and some blending operations at our facility. A new SUP is required for this. Second, we want to expand our ability to have tastings and host events at our facility. These events would be limited in scope, but would potentially include live music, food trucks and seating areas for patrons to enjoy our wines. During these events, the guest area would be contained with a temporary barrier. We may use temporary tents or other covers, umbrellas, etc. for sun and rain protection. We plan to keep a conservative schedule but would like for these events to be held on nights, weekends and holidays ranging from Thursdays-Sundays with occasional Mondays or key National holidays. Our maximum operating hours would be between 11am-12am. No equipment, furniture or materials would be stored outside of the facility.

Thank you for your consideration and Cheers!

Tim and Jennifer McCallum
He Wines She Dines

269



City of Rockwall

N

Date: 12/19/2018

0 40 Feet

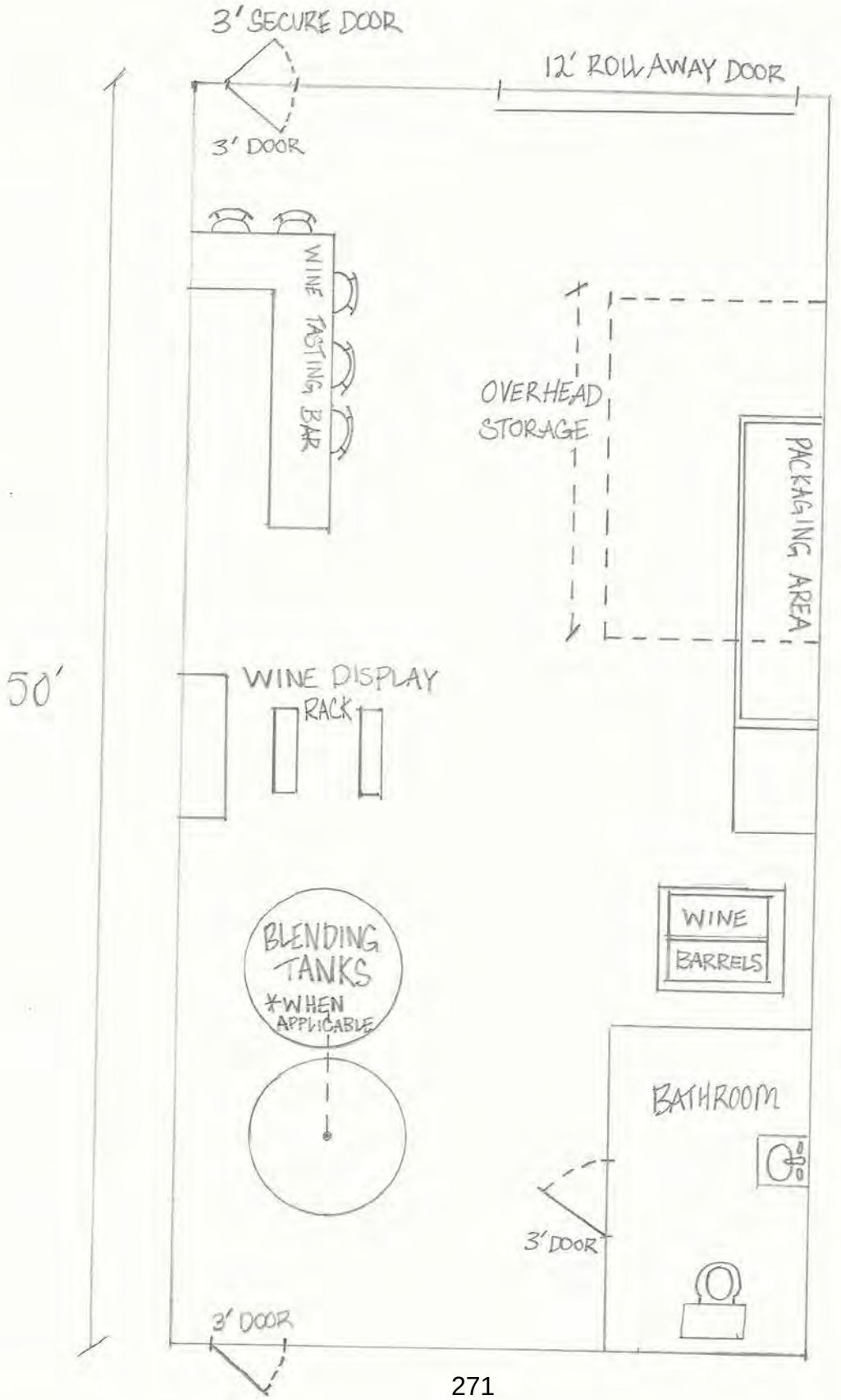
GEOGRAPHIC INFORMATION SYSTEMS

Z2018-058

COUNTY LINE RD.

HE WINES SHE DINES, LLC
203 COUNTY LINE RD.
ROCKWALL TX, 75032

Sqft: 1,250

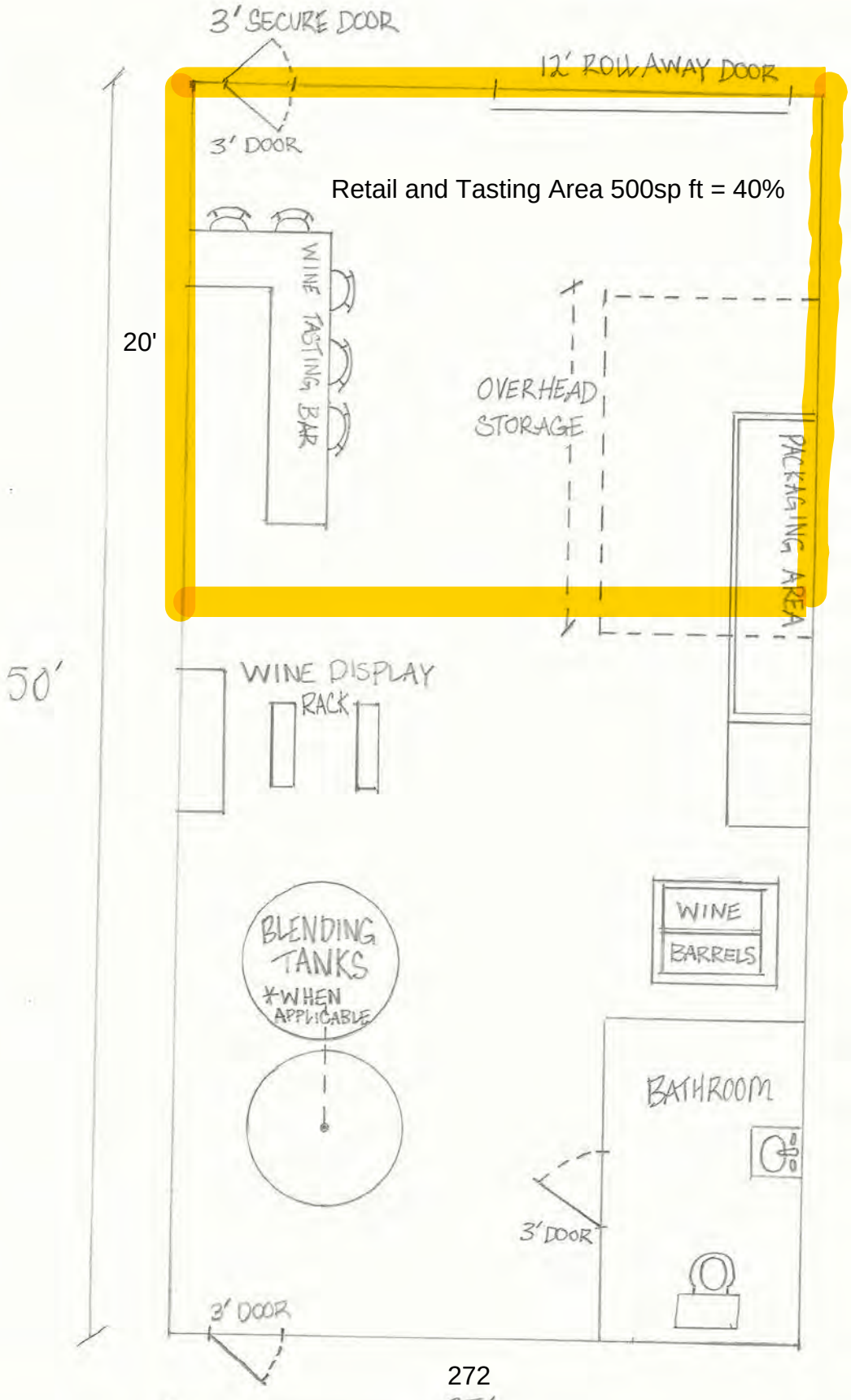


271

COUNTY LINE RD.

HE WINES SHE DINES, LLC
203 COUNTY LINE RD.
ROCKWALL TX, 75032

Sqft: 1,250



272

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *CRAFT WINERY* AND *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* ON A 7.2-ACRE TRACT OF LAND, ADDRESSED AS 203 COUNTY LINE ROAD AND BEING IDENTIFIED AS TRACTS 20-01 & 20-07 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Tim McCallum of He Wines She Dines, LLC for the approval of a Specific Use Permit (SUP) for a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* for the purpose of establishing a *Craft Winery* in conjunction with an outdoor venue on a 7.2-acre Tract of land, zoned Commercial (C) District, being identified as Tract 20-01 & 20-07 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, addressed as 203 County Line Road, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* as stipulated by Article *IV, Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule,* of *Article IV, Permissible Uses,* and *Section 4.5, Commercial (C) District,* of *Article V, District Development Standards,* of the Unified

PRELIMINARY PLAT 03.01.19

Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the additional following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

A. *Craft Winery:*

1) The maximum square footage of the building used for a winery shall not exceed 12,000 SF in total building area, and is depicted in *Exhibit 'C'* of the draft ordinance;

2) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building, and is depicted in *Exhibit 'D'* of the draft ordinance; and,

3) The hours open to the public for this facility shall be limited to Sunday through Saturday, 11:00 AM to 12:00 AM.

B. *Commercial Amusement/Recreation (Outdoor)*

1) The development and operation of a *commercial amusement/recreation* (*outdoor*) use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The *Subject Property* may be used for all permitted accessory uses as well as the use of an *outdoor venue* that may include live music and food truck vendors as depicted in *Exhibit 'B'* of this ordinance. The use of temporary tents or similar uses must be made of fire retardant materials and meet the City's fire codes;

3) The hours of operation associated with the *outdoor venue* for this facility shall be limited to Thursday through Monday, 11:00 AM to 12:00 AM;

4) There shall be no outside storage of equipment, furniture, or other materials associated with the operation of this business or from any outdoor gatherings on the *Subject Property*; and,

5) No parking associated with the uses permitted on the *Subject Property* shall be permitted along County Line Road or Horizon Road [FM-3097].

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified

DRAFT ORDINANCE 03-04-19

Development Code (UDC).

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 19TH DAY OF FEBRUARY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

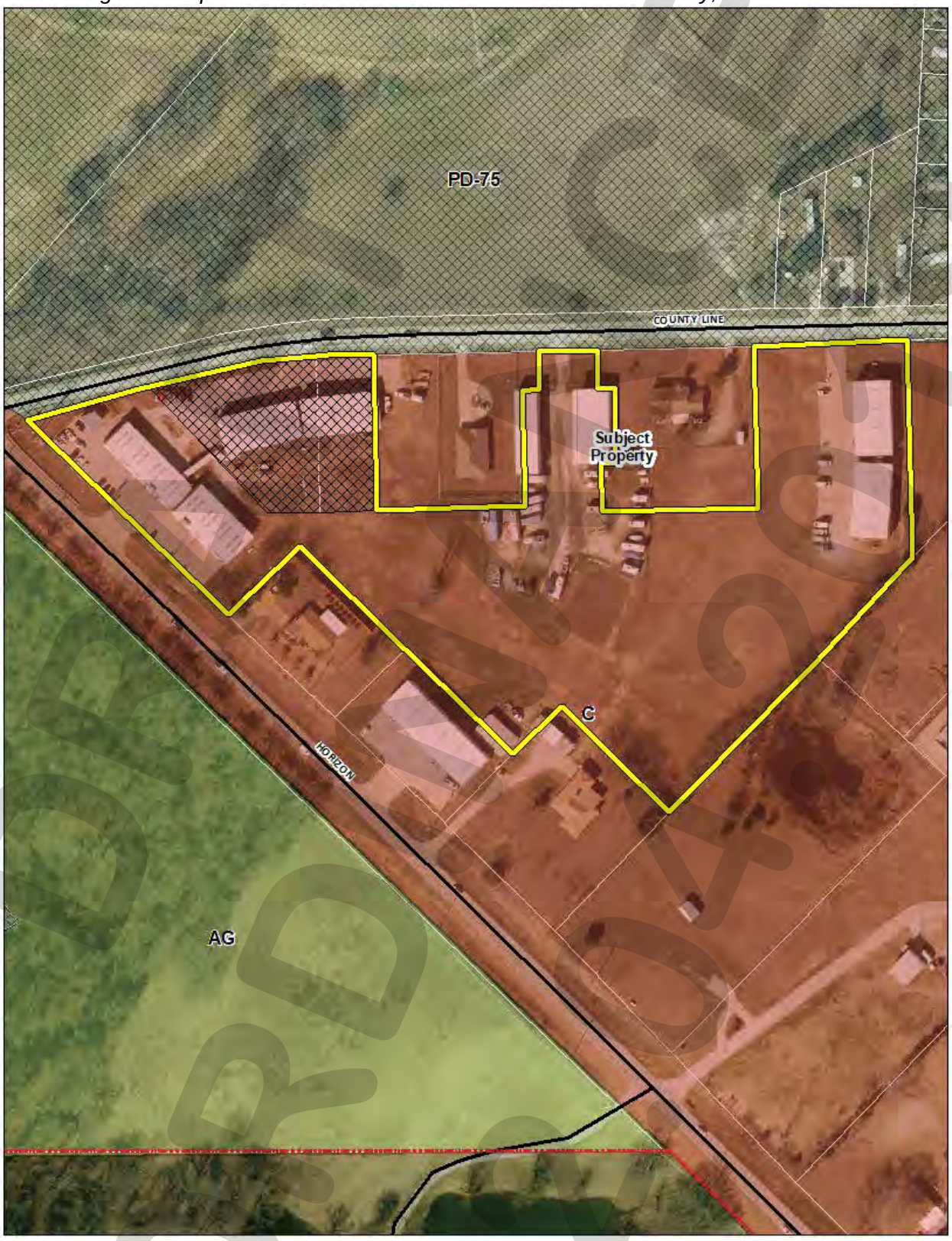
1st Reading: *February 4, 2019*

2nd Reading: *February 19, 2019*

DRAFT ORDINANCE 02.04.19

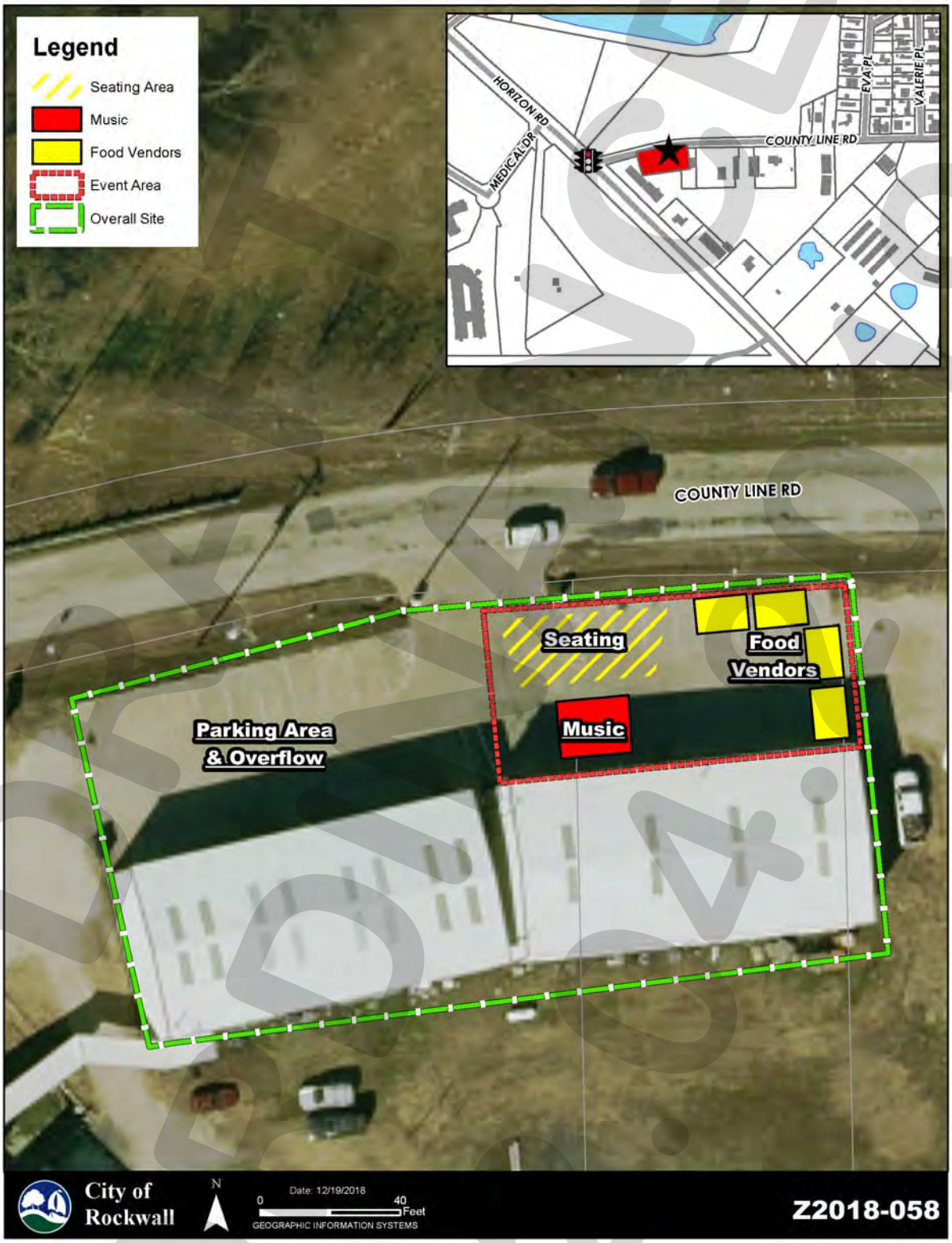
Exhibit 'A':

Legal Description: Tracts 20-01 & 20-7 of the W.W. Ford Survey, Abstract No. 80



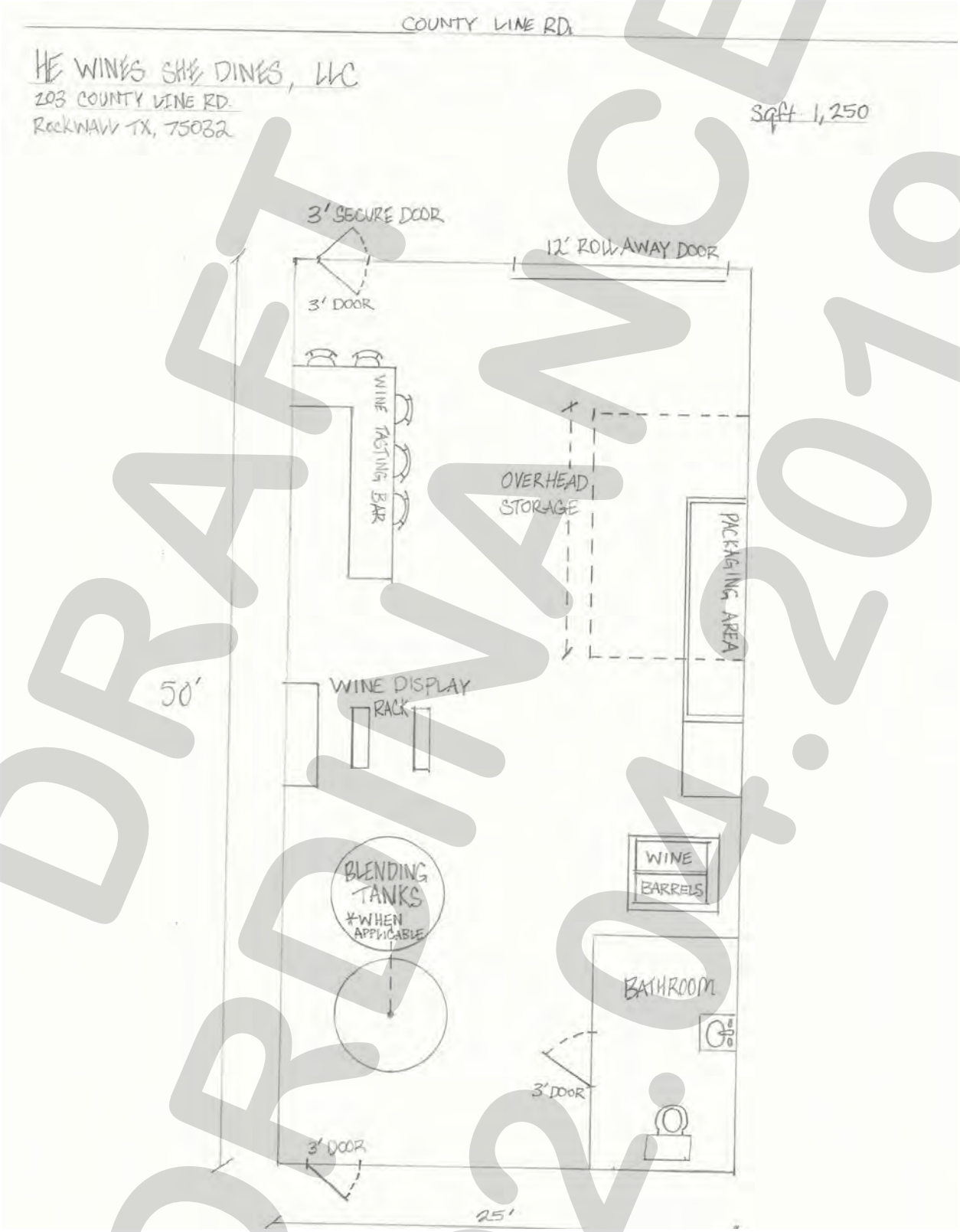
DRAFT 02/07/19

Exhibit 'B':
Concept Plan



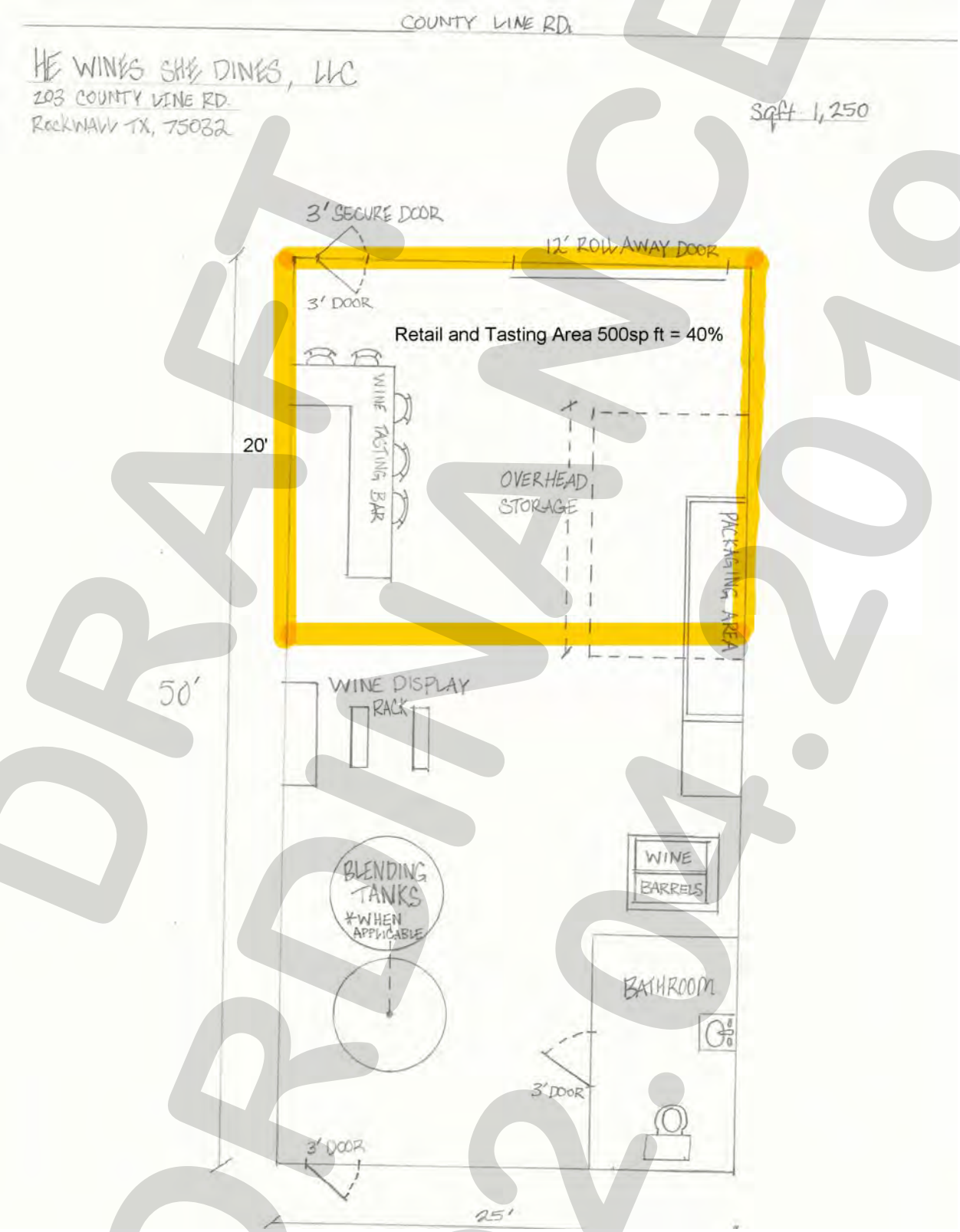
DRAFT 04.09

Exhibit 'C':
Floor Plan



DRAFT ORDINANCE 02.04.2019

Exhibit 'D':
Retail and Tasting Area Plan



DRAFT ORDINANCE 02.04.2019

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280

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/04/2019

APPLICANT: Tom Jones

AGENDA ITEM: **Z2018-056;** *Zoning Change (AG to LI)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Tom Jones on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary.

PURPOSE AND BACKGROUND:

The applicant is requesting a change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District for the purpose of constructing a *house of worship* on the subject property. The subject property is situated on a 6.03-acre tract of land, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, and located east of the intersection of Justin Road and John King Boulevard. The subject property was annexed in 1985 [*Ordinance No. 85-69*] and is zoned Agricultural (AG) District. The Agricultural (AG) District is a holding district with the intent that a property will be rezoned in conformance with the Future Land Use Plan contained in the Comprehensive Plan. According to Section 1.0, *Use of Land and Buildings*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), a house of worship is permitted in an Agricultural (AG) District by Specific Use Permit (SUP) or permitted by-right in a Light Industrial (LI) District. The proposed request to rezone the property to Light Industrial (LI) District is in conformance with the City's Future Land Use Plan.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are all follows:

North: Directly north of the subject property is a railroad (*i.e. Union Pacific/Dallas Garland N. E.*) followed by several vacant tracts of land. Beyond this is Airport Road which is identified as a M4U (*Major Collector, four [4] lane, undivided roadway)* on the City's Master Thoroughfare Plan. Beyond this is the Rockwall Municipal Airport. These areas are zoned Agriculture (AG) District.

South*:* Directly south of the subject property is Justin Road, which is identified M4D (*Major Collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan. Beyond this are several vacant tracts of land zoned Light Industrial (LI) District and Commercial (C) District followed by IH-30*,* which is identified as a TxDOT roadway on the City's Master Thoroughfare Plan.

East: Directly east of the subject property are several vacant tracts of land zoned Agricultural (AG) District and Light Industrial (LI) District. Beyond this is FM-3549, which is identified as a TxDOT Roadway, which delineates the city limits of Rockwall.

West: Directly west of the subject property is a small vacant tract of land followed by S. John King Boulevard, which is identified as a P6D (*Principal Arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this are two (2) manufacturing companies (*i.e. Channell Commercial Corporation and Graham Packaging Technologies*). These areas are zoned Light Industrial (LI) District.

UNIFIED DEVELOPMENT CODE:

According to the purpose statements stipulated in Subsection 5.02, *Light Industrial (LI) District*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), the Light Industrial (LI) District is intended for industrial parks and larger cleaner types of industries and located close to an arterial capable of carrying commercial traffic. In this case, the subject property is located at the intersection of an arterial and a major collector (*i.e. S. John King Blvd and Airport Road*) and conforms to these requirements. The following is a summary of the minimum development standards for a property within a Light Industrial (LI) District:

Ordinance Provisions	*Zoning District Standards*
Minimum Lot Area	*12,500 SF*
Minimum Lot Width	*100-Feet*
Minimum Lot Depth	*125-Feet*
Minimum Front Yard Setback	*25-Feet*
Minimum Rear Yard Setback	*10-Feet*
Minimum Side Yard Setback	*15-Feet 1/2 Building Height*
Maximum Height	*60-Feet*
Minimum Masonry Requirement	*90%*
Maximum Impervious Parking	*90-95%*
Maximum Building Coverage	*60%*
Floor Area Ratio	*2:1*

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Plan adopted with the OurHometown Vision 2040 Comprehensive Plan, designates the subject property for *Technology/Employment* land uses, which is characterized by employment-oriented businesses, typically situated in larger centers that have access to key transportation networks. In this case, the applicant's request to rezone the property to Light Industrial (LI) District is in conformance with the Future Land Use Plan; however the land use (*i.e. a house of worship*) is considered to be a *Quasi-Public* land use. This will necessitate a change in the Future Land Use Plan and this change has been made a condition of approval.

STAFF ANALYSIS:

According to the Future Land Use Plan, the subject property is located within the Central District and is designated for *Technology/Employment* land uses. The *Technology/Employment* designation is typically associated with Light Industrial (LI) District zoning. Alternatively, the plan allows the City Council to consider requests conforming to the *Special Commercial Corridor*, which is typically associated with Commercial (C) District zoning. In this case, the applicant originally submitted a request for Commercial (C) District zoning; however, after reviewing the case staff suggested that the applicant consider Light Industrial (LI) District zoning. The reason for this suggestion is two (2) fold: (1) this property is directly adjacent to John King Boulevard and would hinder the visibility of adjacent properties that do not front onto John King Boulevard, therefore it is a reasonable expectation that the adjacent properties will develop in accordance with the *Technology/Employment* designation, and (2) the adjacent properties proximity to the existing railroad tracks may make the adjacent property better suited to Light Industrial (LI) District zoning in the future.

Staff should also note that while the Church could maintain its Agricultural (AG) District zoning by requesting a Specific Use Permit (SUP), a SUP would necessitate that the Church amend

said SUP with every proposed change on the property. The Light Industrial (LI) District zoning will allow the church the flexibility to make improvements to the property in conformance with the UDC without the burden of a public hearing process for every proposed improvement. With that being said, approval of a zoning change is discretionary to the City Council, pending a recommendation from the Planning and Zoning Commission. In this case, the Planning and Zoning Commission and City Council have the discretion to approve the request as submitted (*i.e. Light Industrial [LI] District*) or choose to downzone the property to a Commercial (C) District. Either zoning district allows the *House of Worship* land use *by-right.*

NOTIFICATION:

On January 14, 2019, staff mailed 10 notices to property owners and residents within 500-feet of the subject property. There are no HOA's/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Staff also advertised the public hearings in the Rockwall Herold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had not received any notices concerning this case.

RECOMMENDATIONS:

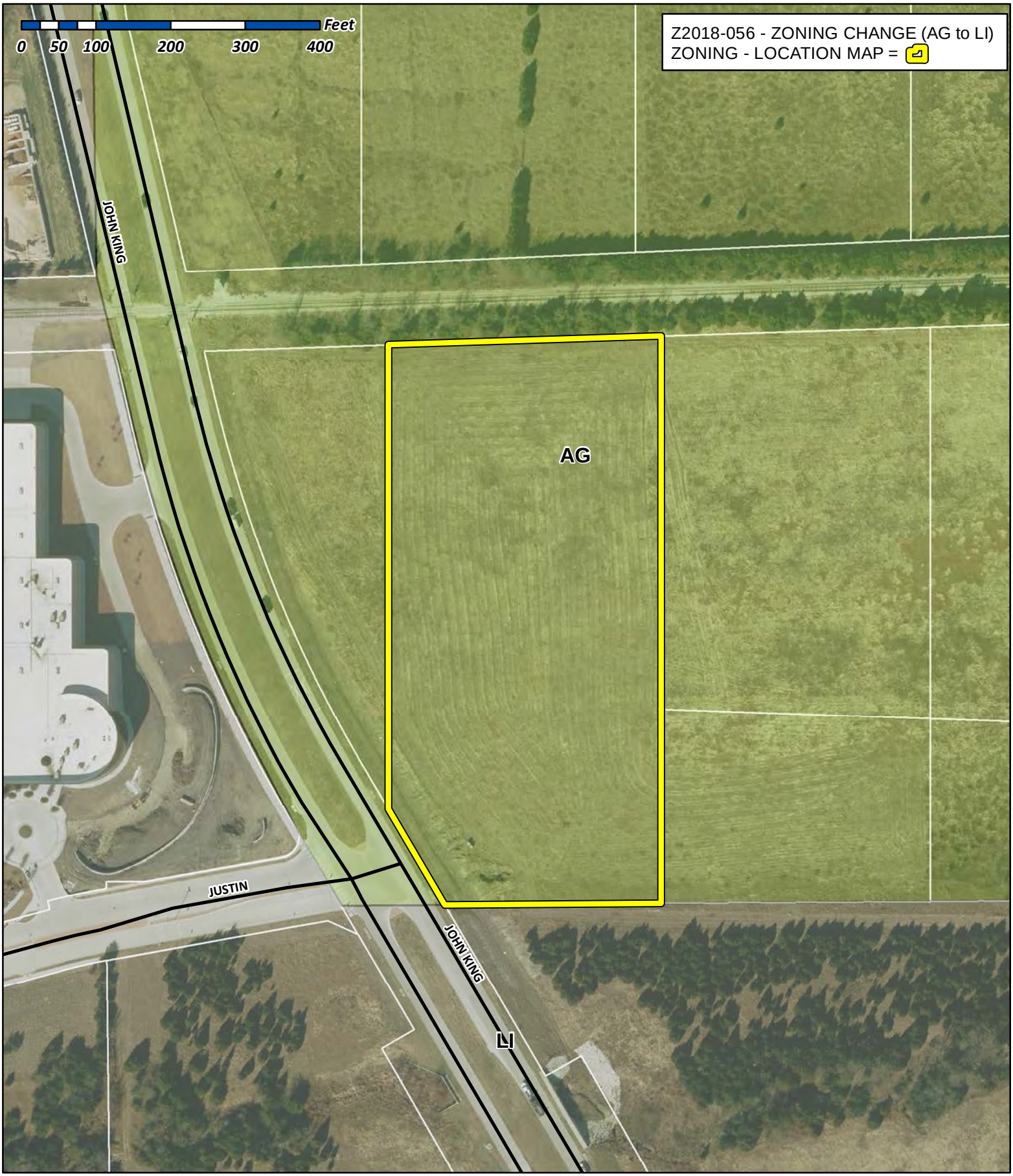
Should the City Council approve the change in zoning, staff would recommend the following conditions of approval:

1) Any construction or building necessary to complete this change in zoning request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Plan. Specifically, this will change the designation of the subject property from a *Technology/Employment* land use designation to a *Quasi-Public* land use designation;

PLANNING AND ZONING COMMISSION:

On January 29, 2019, the Planning and Zoning Commission's motion to recommend approval of the change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District passed by a vote of 7-0.



City of Rockwall

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

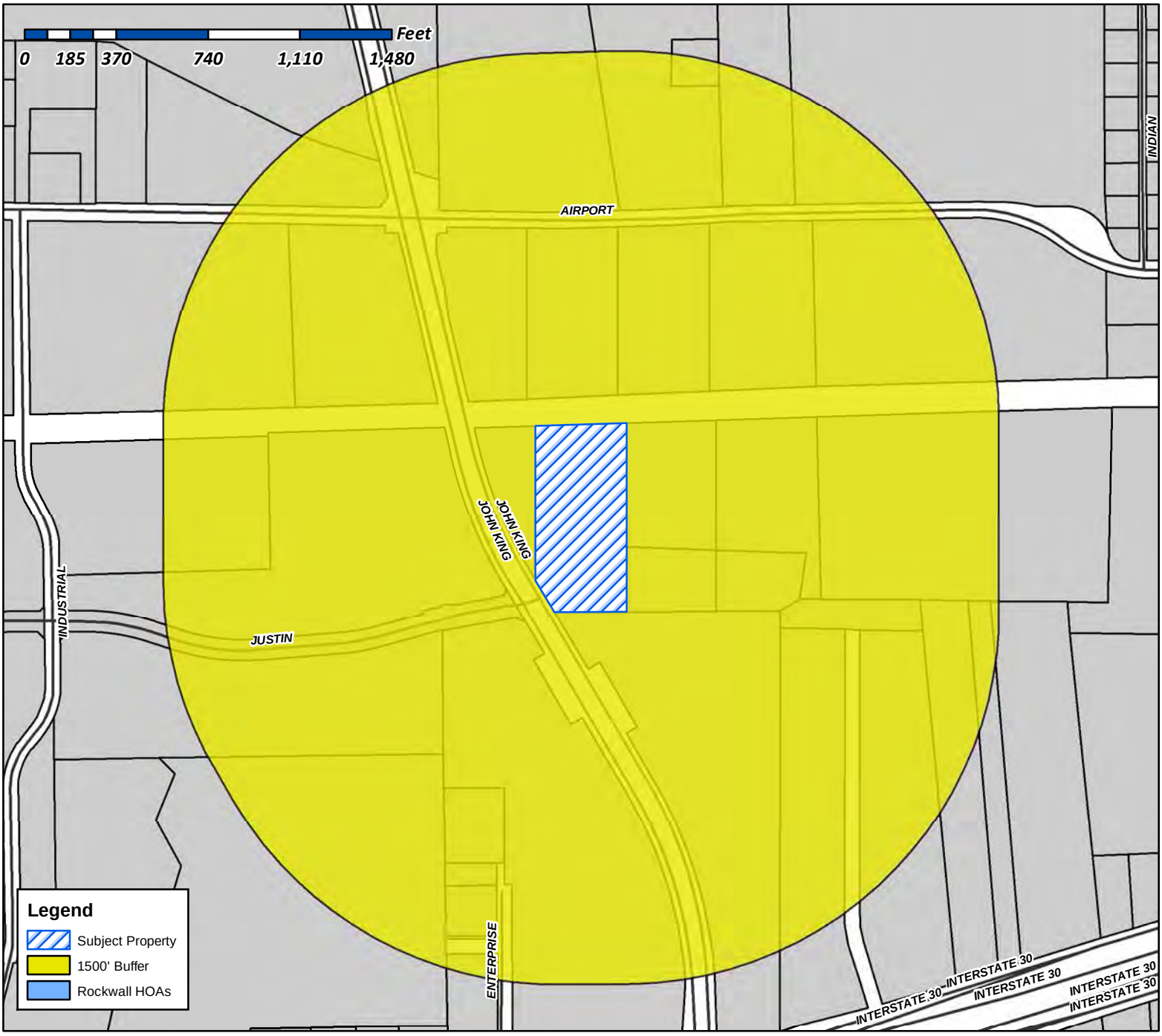
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

284

City of Rockwall

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

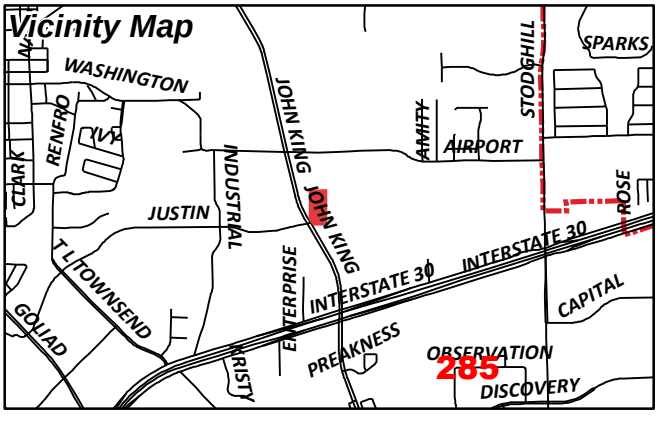
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Case Number: Z2018-056
Case Name: Zoning Change (AG to LI)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: East of the Intersection of Justin Road and John King Blvd.

Date Created: *1/25/2019*

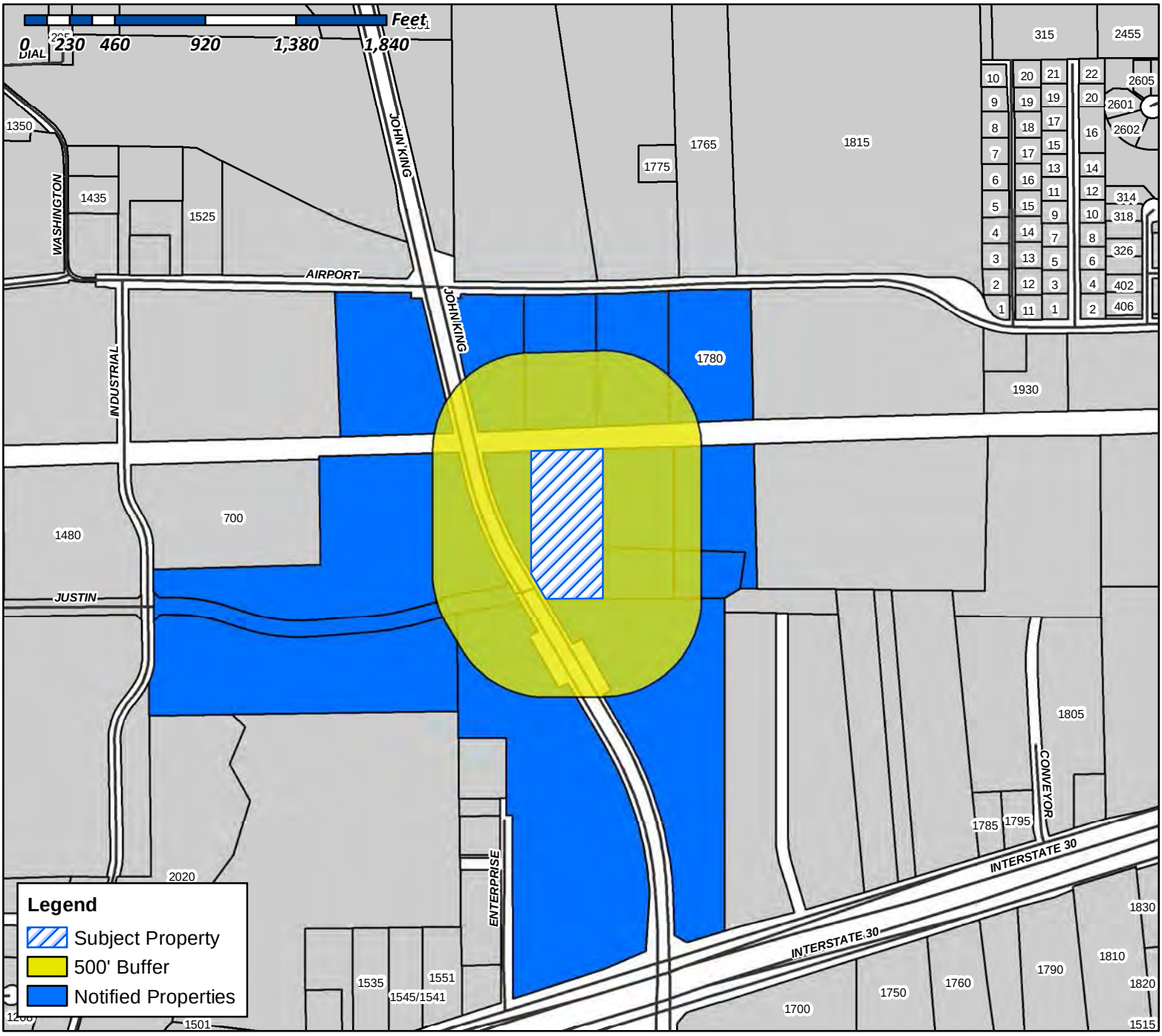
For Questions on this Case Call (972) 771-7745



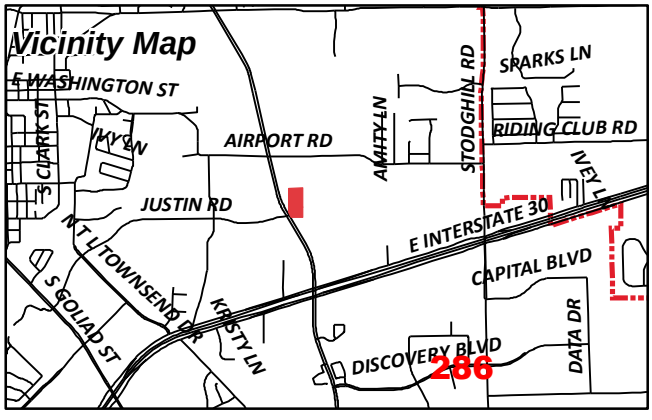
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2018-056
Case Name: Zoning Change (AG to LI)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: East of the Intersection of Justin Road and John King Blvd.



Date Created: 12/14/2018
For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT
1780 AIRPORT RD
ROCKWALL, TX 75087

ATHEY JACKIE RAY
1780 AIRPORT RD
ROCKWALL, TX 75087

VALK RON
1834 S FM 551
FATE, TX 75189

WILLCAR HOLDINGS LLC
ATTN: WILLIAM H CHANNELL JR
26040 YNEZ ROAD
TEMECULA, CA 92591

TEMUNOVIC PARTNERSHIP LTD
3021 RIDGE RD SUITE A57
ROCKWALL, TX 75032

ROCKWALL FRIENDSHIP BAPTIST CHURCH
REV SHANON THOMAS, PASTOR
5651 STATE HIGHWAY 276
ROYSE CITY, TX 75189

ATHEY JO ANN
PO BOX 219
LAVON, TX 75166

ATHEY BOBBY FRANK
PO BOX 472051
GARLAND, TX 75047

ATHEY BOBBY FRANK
PO BOX 472051
GARLAND, TX 75047

ROCKWALL ECONOMIC DEVELOPMENT
PO BOX 968
ROCKWALL, TX 75087

287

01 CENTRAL DISTRICT

DISTRICT DESCRIPTION

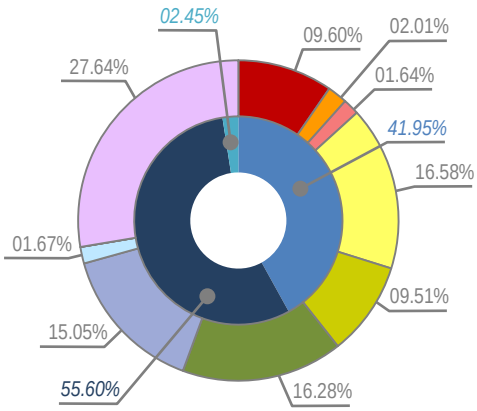
The *Central District* is composed of a wide range of land uses that very from single-family to industrial. The district's residential areas consist of suburban residential (*e.g. Park Place*), estate and rural residential (*e.g. Rolling Meadows Subdivision*), and higher density residential developments (*e.g. Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- *and City* -- in an east/west direction. The Ralph Hall Municipal Airport and several other large public/school facilities are also located within the boundaries of this district.

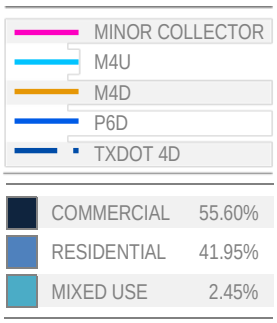
John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon

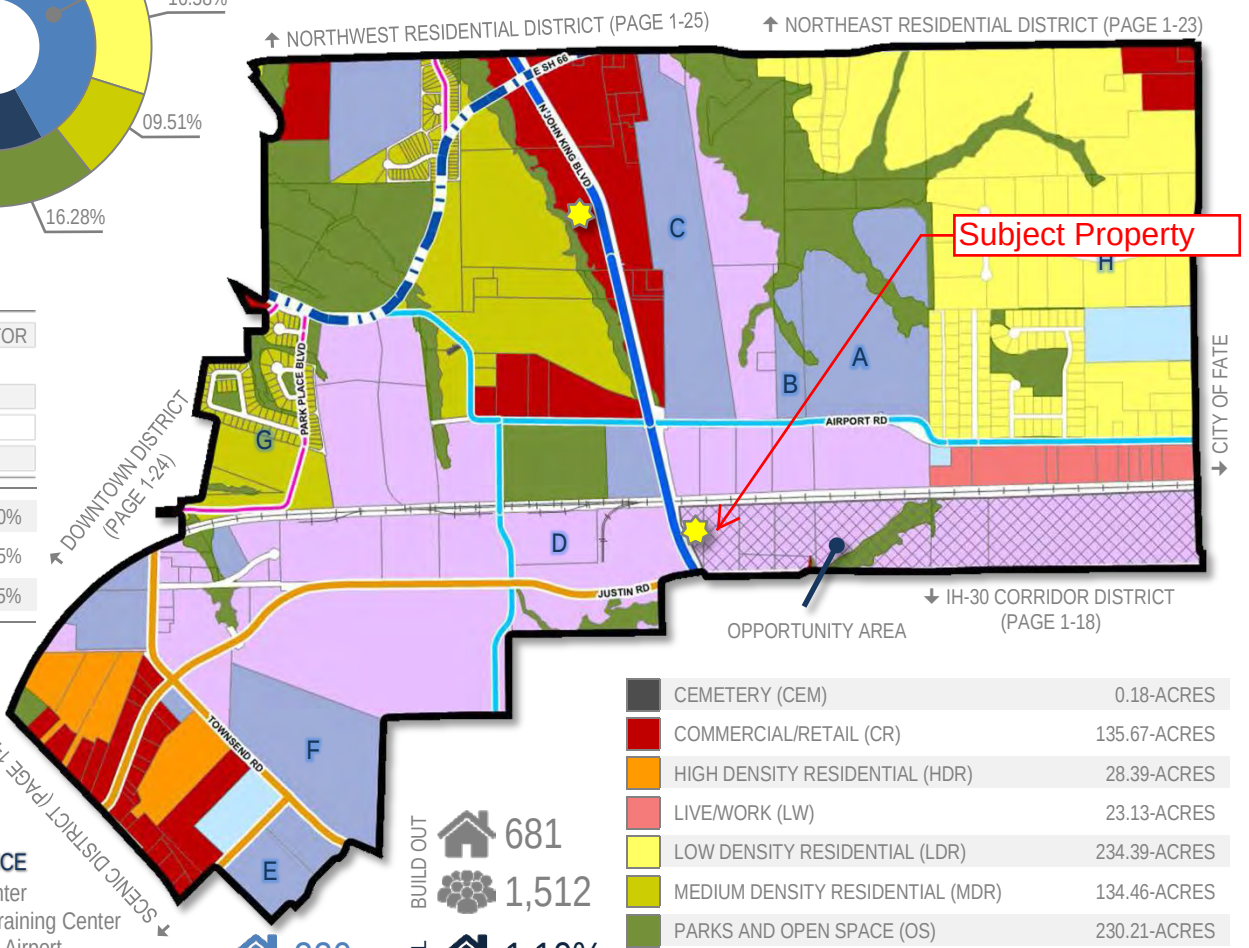
DISTRICT STRATEGIES

The *Central District* still has some key vacant and underutilized tracts of land that are anticipated to shape the area moving forward. Taking these areas into consideration the following are the strategies for this district:

1. *Live/Work*. The live/work designation in this district is intended to provide flexibility for land owners, adjacent to the railroad tracks, to transition their properties -- *when appropriate* -- to low intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties.
2. *Suburban Residential*. While many of the larger tracts in this area are not large enough to support a master planned community (*which is characteristic of Northern Estates and Northwest Residential Districts*), any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should *not* be smaller than existing *Suburban Residential* lots in this district, but should be comparable in size to newer developments (*i.e. Ridgecrest Subdivision*). In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition *(e.g. larger lots or a large landscape buffer*) adjacent to the existing subdivision.
3. *Commercial/Retail Centers*. The commercial/retail centers in this district are intended to support existing and proposed residential developments, and should be compatible in scale with adjacent residential structures (*i.e. are more characteristic of neighborhood/convenience centers*); however, areas adjacent to John King Boulevard should be capable of accommodating mid to large-scale commercial users. All commercial developments should incorporate appropriate screening (*e.g. berms, landscaping and large buffers*) to transition uses.
4. *Industrial/Special Commercial Corridor Opportunity Area*. The area south of the railroad tracks that is indicated by a crosshatched pattern represents an opportunity area in the City of Rockwall. Due to its adjacency to the railroad tracks, the land is naturally suitable for *Technology/Industrial* land uses; however, due to the land's adjacency to strategically located parcels along IH-30 the land could be utilized as part of a larger development in the *Special Commercial Corridor.*
5. *John King Boulevard Trail Plan*. A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.







POINTS OF REFERENCE

A. Animal Adoption Center
B. Regional Firearms Training Center
C. Ralph Hall Municipal Airport
D. Leon Tuttle Athletic Complex
E. Rockwall County Courthouse
F. Utley Middle School
G. Park Place Subdivision
H. Rolling Meadows Subdivision

	CURRENT	BUILD OUT	% OF ROCKWALL
	220	681	1.10%
	71	1,512	3.91%
	488		0.82%

CEMETERY (CEM)	0.18-ACRES
COMMERCIAL/RETAIL (CR)	135.67-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	28.39-ACRES
LIVE/WORK (LW)	23.13-ACRES
LOW DENSITY RESIDENTIAL (LDR)	234.39-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	134.46-ACRES
PARKS AND OPEN SPACE (OS)	230.21-ACRES
PUBLIC (P)	212.77-ACRES
QUASI-PUBLIC (QP)	23.65-ACRES
SPECIAL COMMERCIAL CORRIDOR (SC)	0.07-ACRES
TECHNOLOGY/EMPLOYMENT CENTER (TEC)	390.78-ACRES

288

ROCKWALL FRIENDSHIP BAPTIST CHURCH

NEW WORSHIP CENTER

CROSSPOINTE CHURCH ARCHITECTS
designing buildings that grow churches

289



ROCKWALL FRIENDSHIP BAPTIST CHURCH

MASTER SITE PLAN

CROSSPOINTE CHURCH ARCHITECTS
designing buildings that grow churches

290

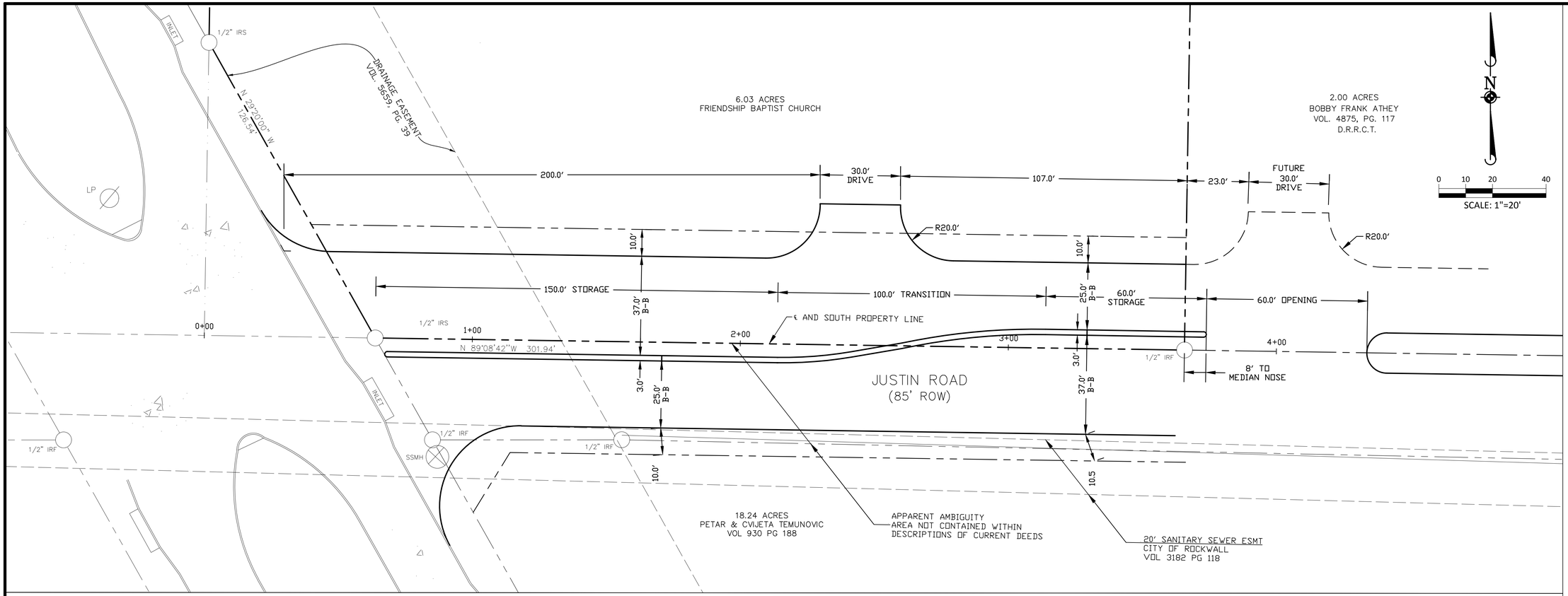


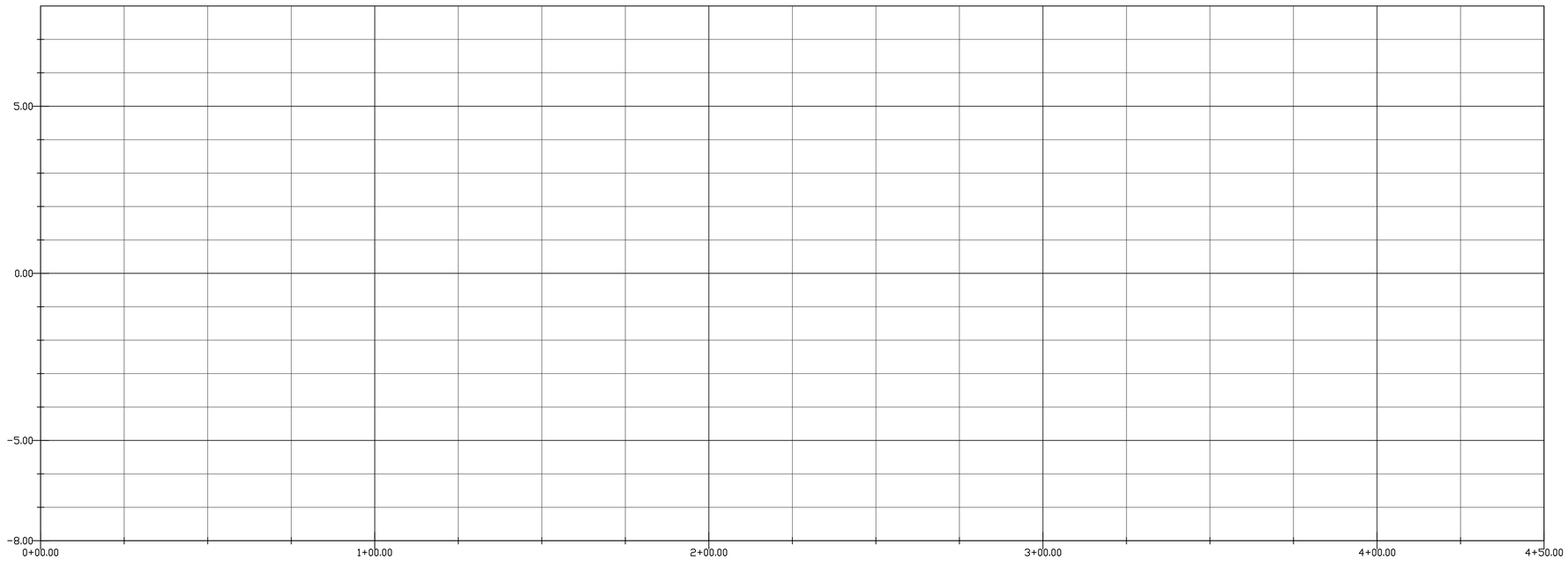
ROCKWALL FRIENDSHIP BAPTIST CHURCH

FLOOR PLAN

CROSSPOINTE CHURCH ARCHITECTS
designing buildings that grow churches

291





DRAWN BY | REVISIONS | DATE

TOMDEN ENGINEERING, L.L.P.
5815 MEADOWCREST
DALLAS, TX 75230
(214) 679 - 1679
tjones@tomden.com
FIRM No. 19244

JUSTIN ROAD EXTENSION
FRIENDSHIP BAPTIST CHURCH
PRELIMINARY ROADWAY LAYOUT

THOMAS P. JONES, P.E.
TEXAS P.E. No. 58887

ISSUED THIS DATE:
DECEMBER 10, 2018

PROJ. MGR.: TJ
PROJ. ASSOC.: AC
DRAWN BY: AC
DATE: 12/10/2018
SCALE: ---

SHEET 1 OF 1

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT ON A 6.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-4 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Tom Jones on behalf of Susan Thomas of Rockwall Friendship Baptist Church for a change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District on a 6.03-acre tract of land identified as Tract 2-4 of the D. Harr Survey, Abstract No. 103, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and more fully depicted in *Exhibit 'A'* and described in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Light Industrial (LI) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated in Section 1.1*, Use of Land and Buildings,* of Article IV*, Permissible Uses* and Subsection 5.02*, Light Industrial (LI) District,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

DRAFT 01.07.19

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 19TH DAY OF FEBRUARY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

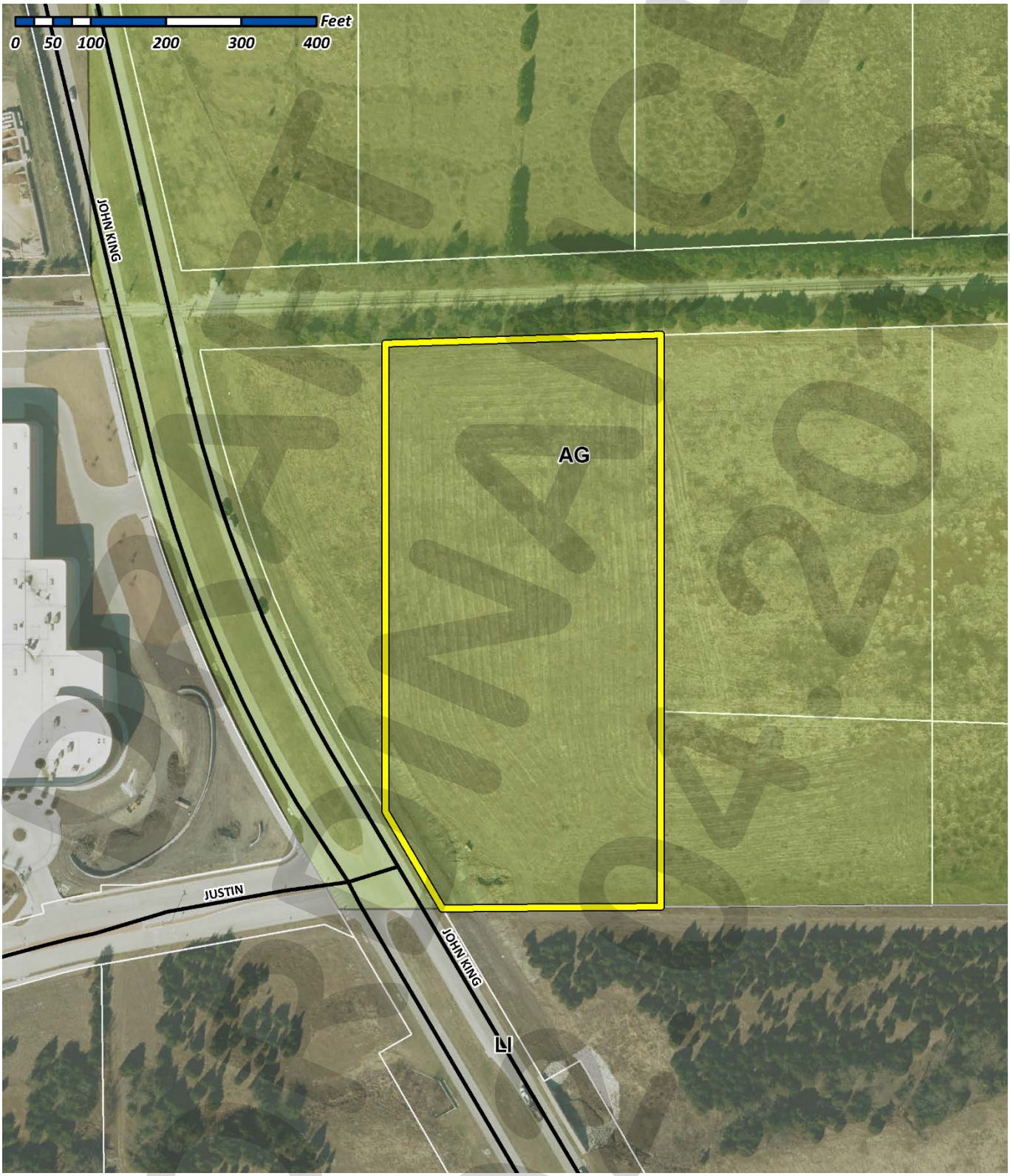
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Frank J. Garza, *City Attorney*

1st Reading: *February 4, 2019*

2nd Reading: *February 19, 2019*

DRAFT ORDINANCE 02.04.19

Legal Description: Tract 2-4 of the D. Harr Survey, Abstract No. 102



DRAFT 04.2024

295

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 120, City of Rockwall, Rockwall County, Texas, and being a part of a 50 acres tract of land as described in a Warrantydeed to F.B. Athey, as recorded in Volume 42, Page 91 of the Deed Records of Rockwall County, Texas, and being a part of Tract B2 as described in a Deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the south right-of-way line of M.K. & T. Railroad, said point being at the northwest corner of Tract B2, said point being N. 89 deg. 23 min. 21 sec. E, a distance of 360.54 feet from the intersection of the west boundary of said 50 acres and said railroad right-of-way;

THENCE N. 89 deg. 23 min. 21 sec. E. along said right-of-way line, a distance of 365.97 feet to a 1/2" iron rod found for corner;

THENCE S. 00 deg. 56 min. 05 sec. W. a distance of 732.64 feet to a 1/2" iron rod found for corner;

THENCE N. 89 deg. 08 min. 42 sec. W. a distance of 301.94 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the northeast right-of-way line of John King Boulevard, per Volume 5659, Page 39 of the Official Public Records of Rockwall County, Texas;

THENCE N. 29 deg. 20 min. 00 sec. W. along said right-of-way line, a distance of 126.54 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 00 deg. 55 min. 26 sec. E. a distance of 613.93 feet to the POINT OF BEGINNING and containing 262,780 square feet or 6.03 acres of land.

DRAFT
ORDINANCE
02.04.19

296

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297

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

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

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **January 30, 2019**

SUBJECT: **HARBOR URBAN BEACH PARK**

During the work session, staff will present additional information regarding the Harbor Urban Beach Park concept plan and phase one options and associated costs. Staff will also provide copies of three possible phase one options and estimated costs for each option. We are seeking direction on the concept plan, preferred phase one amenities and timing of project construction.

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299

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

December 2018

Permits

Total Permits Issued: 267
Building Permits: 47 Contractor Permits: 220

Total Permit Values: $ 17,368,700.45
Building Permits: $15,955,176.57 Contractor Permits: 1,413,523.88

Total Fees Collected: $266,328.43
Building Permits: $252,635.26 Contractor Permits: $13,693.17

Board of Adjustment

Board of Adjustment Cases 0

300

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

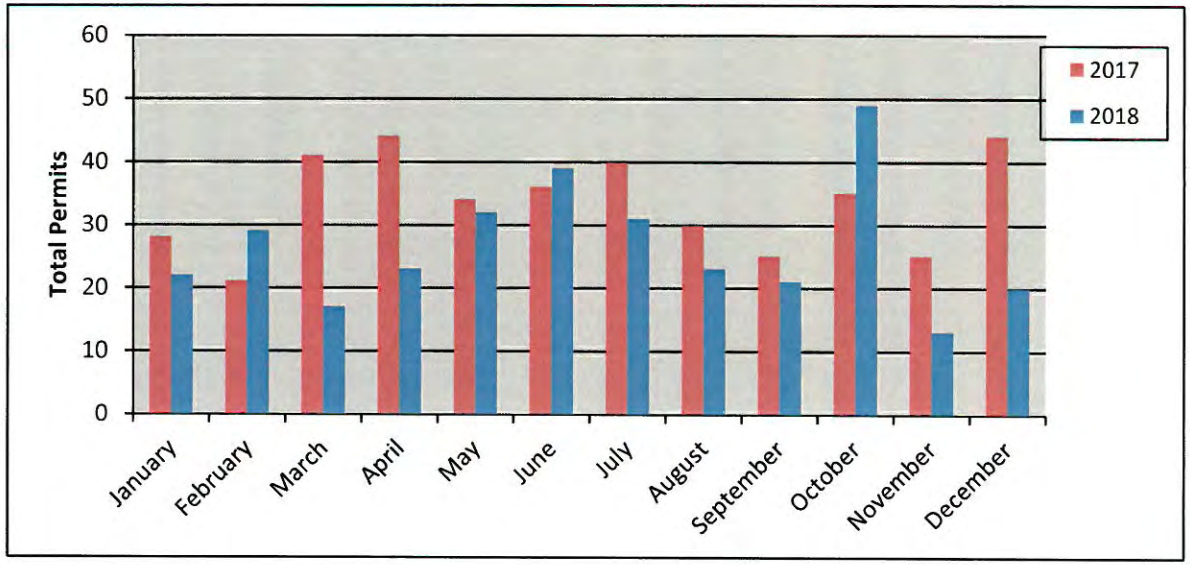
For the Period 12/1/2018 thru 12/31/2018

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	2	$0.00	$101.50
	2	$0.00	$101.50
BOARD OF ADJUSTMENTS	1	$0.00	$200.00
	1	$0.00	$200.00
CLEAN SHOW	1	$0.00	$75.00
	1	$0.00	$75.00
CO	1	$0.00	$76.50
INTERIOR	1	$0.00	$76.50
COMM	18	$10,618,346.00	$134,215.73
CONST TRAILER	1	$2,000.00	$102.00
ELECTRICAL	1	$1,800.00	$0.00
FENCE	1	$3,500.00	$35.00
INTERIOR COMP	3	$879,869.00	$5,966.90
MECHANICAL	3	$70,500.00	$1,112.81
NEW	3	$9,427,800.00	$124,744.34
REMODEL	4	$207,800.00	$2,183.98
ROOF	1	$20,000.00	$35.70
WINDOWS	1	$5,077.00	$35.00
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	3	$7,500.00	$376.50
WALL	3	$7,500.00	$376.50
SINGLE FAMILY	237	$6,742,854.45	$131,223.20
ACC BLDG	3	$14,425.57	$368.31
ADDITION	1	$5,000.00	$122.75
ALTERATION	1	$1,864.00	$35.70
CONCRETE	1	$10,000.00	$196.60
DECK	1	$9,000.00	$182.33
DEMO	1	$15,000.00	$51.00
ELECTRICAL	2	$4,280.00	$154.59
FENCE	78	$145,142.00	$2,741.20
IRRIGATION	31	$60,800.00	$1,104.60
MECHANICAL	16	$150,980.00	$3,056.74
NEW	20	$5,072,758.00	$116,703.90
PATIO COVER	7	$56,260.00	$1,184.71
PERGOLA	2	$9,400.00	$245.50
PLUMBING	30	$38,520.48	$1,679.69
REMODEL	3	$280,000.00	$1,079.17
RETAINING WALL	1	$15,000.00	$35.00
ROOF	29	$479,823.90	$1,033.20
SWIM POOL	7	$362,000.00	$1,053.00
WINDOWS	3	$12,600.50	$195.21
SPECIAL EVENT	3	$0.00	$60.00
	3	$0.00	$60.00
Totals:	267	$17,368,700.45	$266,328.43

CRW SYSTEMS

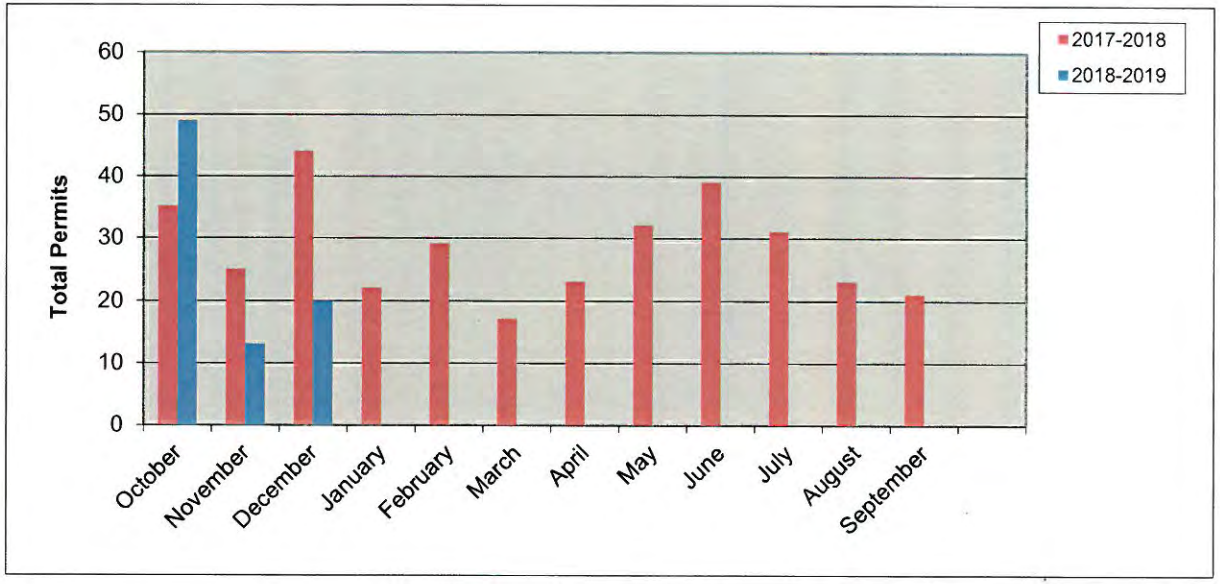
New Residential Permits Calendar Year

	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
Totals	**403**	319



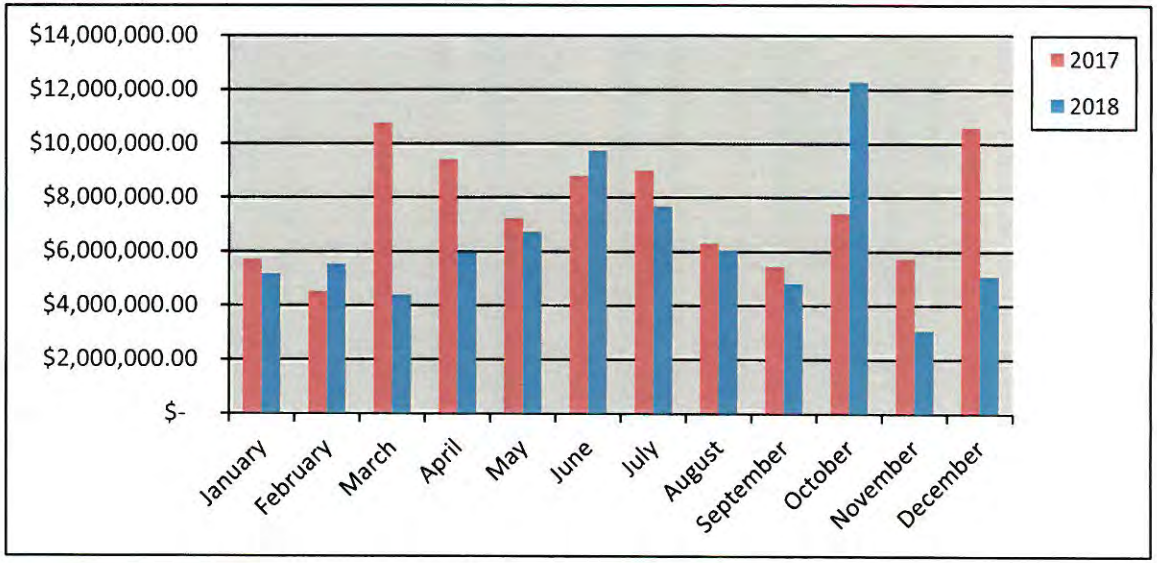
New Residential Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	
February	29	
March	17	
April	23	
May	32	
June	39	
July	31	
August	23	
September	21	
Totals	**341**	**82**



New Residential Value Calendar Year

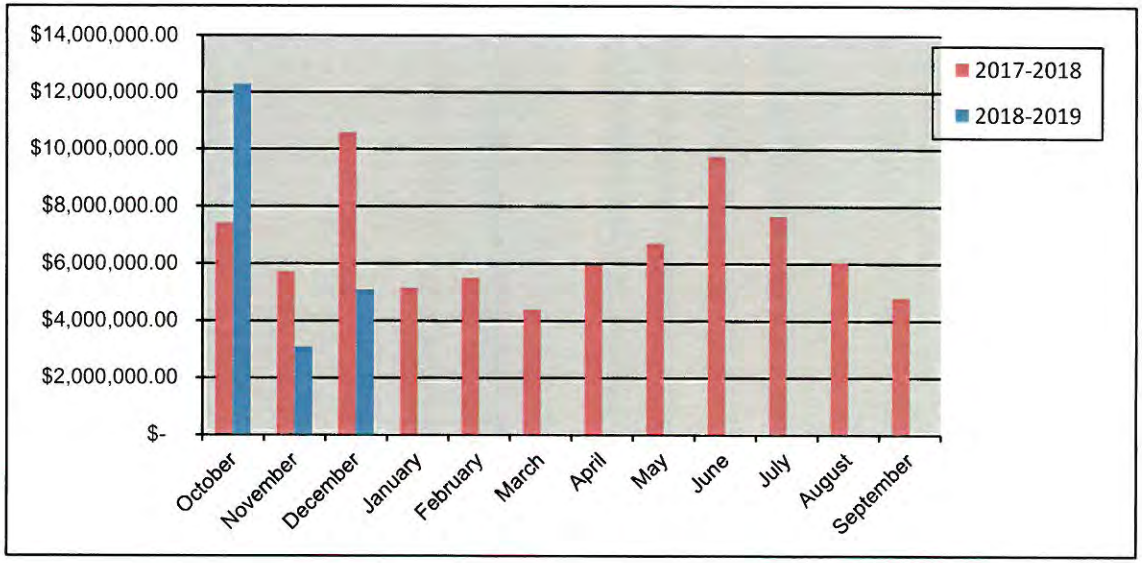
Year	2017	2018
January	$ 5,698,431.00	$ 5,145,624.00
February	$ 4,497,500.00	$ 5,505,704.00
March	$ 10,740,233.00	$ 4,374,886.00
April	$ 9,394,785.27	$ 5,946,813.00
May	$ 7,210,632.79	$ 6,706,301.00
June	$ 8,782,481.00	$ 9,728,069.00
July	$ 8,983,999.47	$ 7,660,917.00
August	$ 6,295,770.00	$ 6,049,208.00
September	$ 5,443,098.00	$ 4,799,404.00
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
Totals	**$ 90,748,277.89**	**$ 76,318,156.00**



303

New Residential Value Fiscal Year

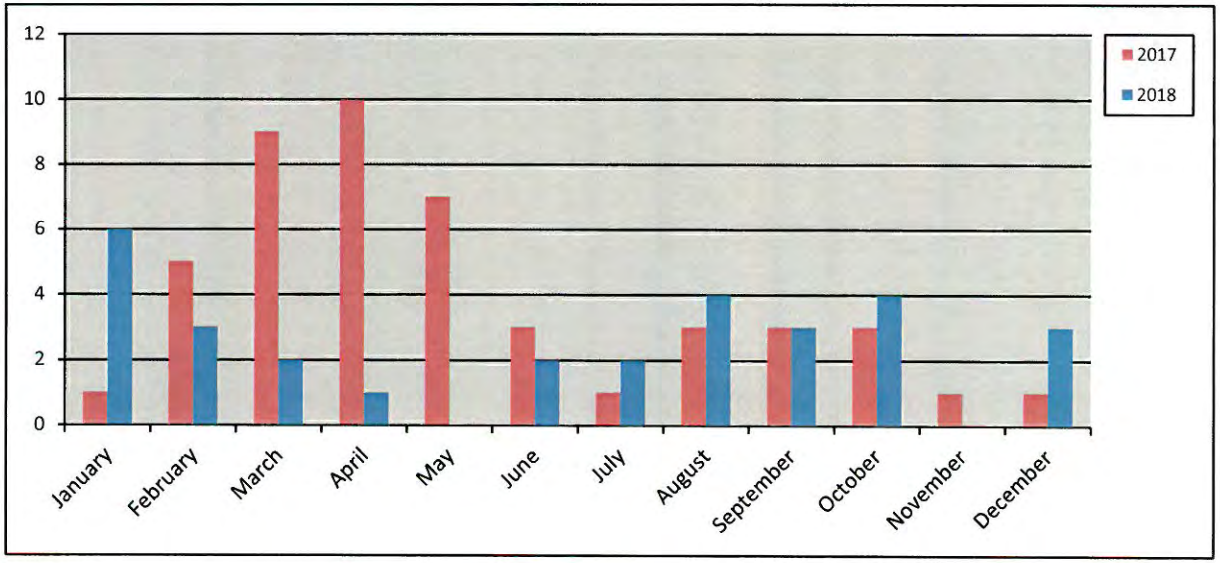
Year	2017-2018	2018-2019
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
January	$ 5,145,624.00	
February	$ 5,505,704.00	
March	$ 4,374,886.00	
April	$ 5,946,813.00	
May	$ 6,706,301.00	
June	$ 9,728,069.00	
July	$ 7,660,917.00	
August	$ 6,049,208.00	
September	$ 4,799,404.00	
Totals	**$79,618,273.36**	**$ 20,401,230.00**



303

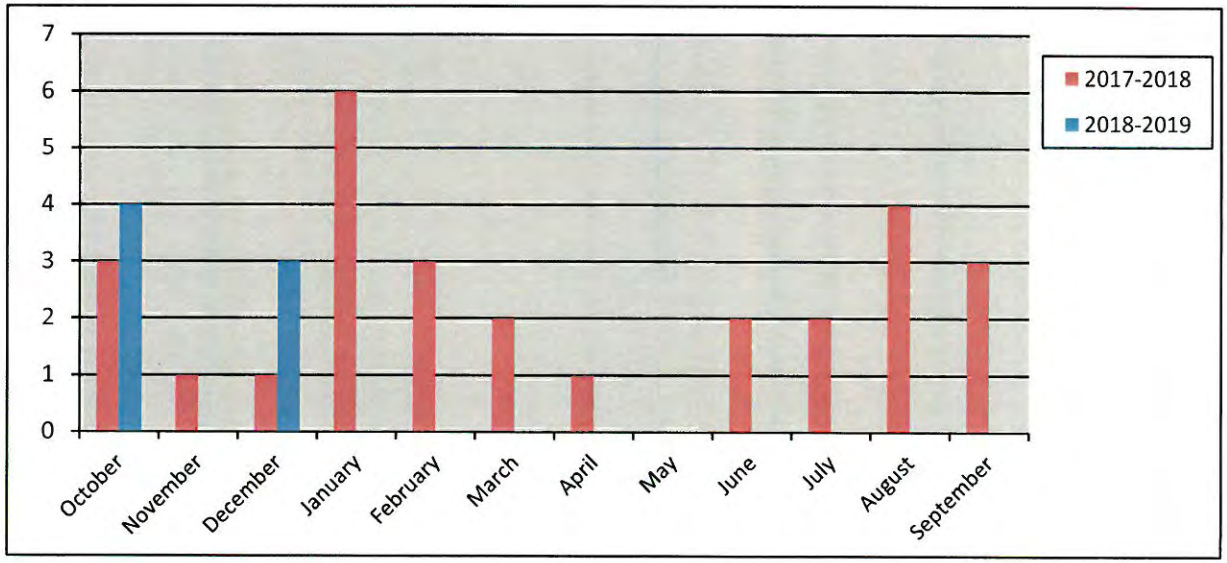
Residential Remodel Permits Calendar Year

	Year	
	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
Totals	**47**	30



Residential Remodel Permits Fiscal Year

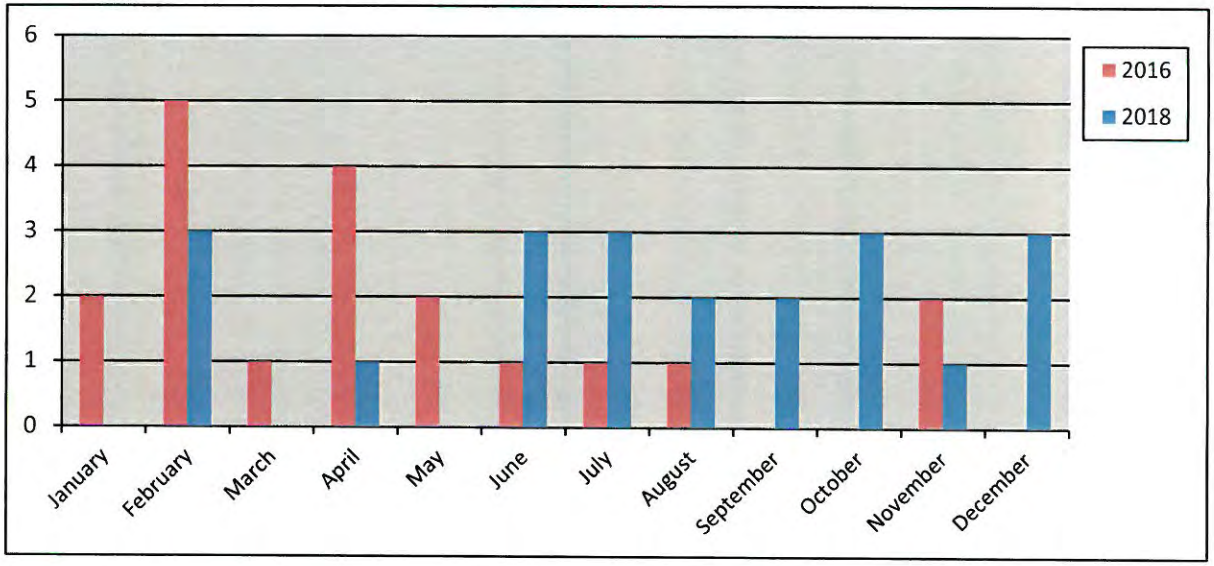
	Year	
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	
February	3	
March	2	
April	1	
May	0	
June	2	
July	2	
August	4	
September	3	
Totals	**28**	**7**



304

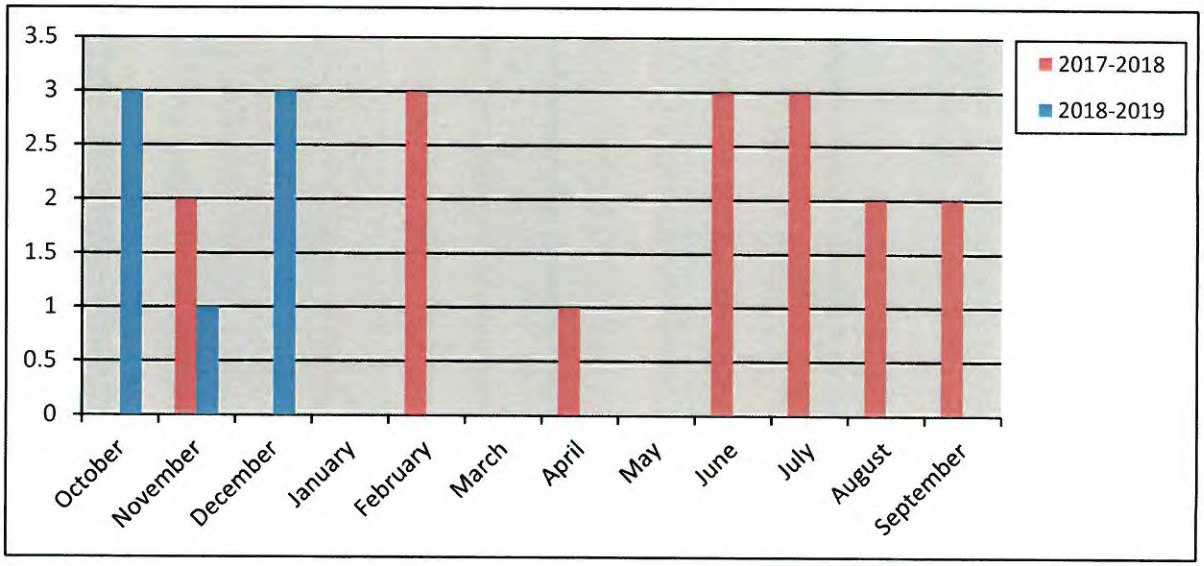
New Commercial Permits Calendar Year

	Year	
	2016	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
Totals	**19**	**21**



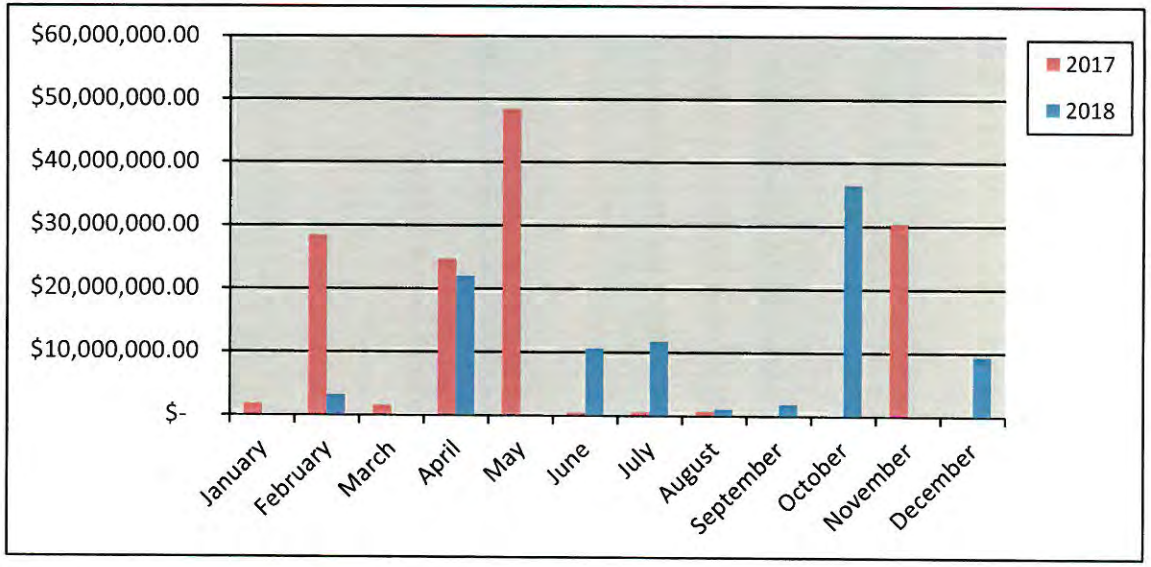
New Commercial Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	
February	3	
March	0	
April	1	
May	0	
June	3	
July	3	
August	2	
September	2	
Totals	**16**	**7**



New Commercial Value Calendar Year

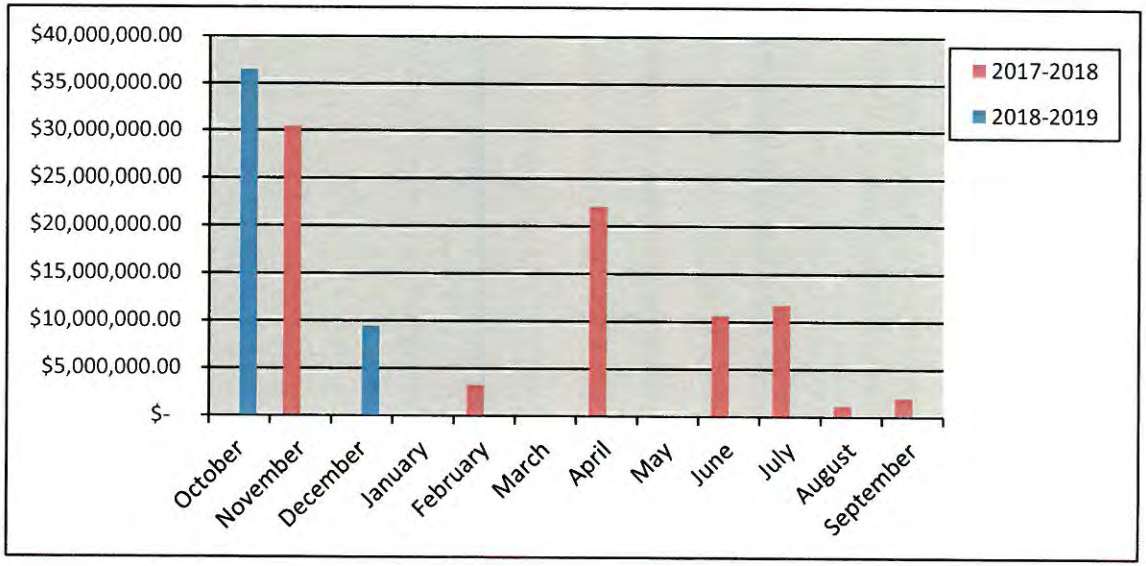
Year	2017	2018
January	$ 1,800,000.00	-
February	$ 28,400,000.00	$ 3,221,771.00
March	$ 1,599,026.00	-
April	$ 24,650,000.00	$ 22,000,000.00
May	$ 48,300,000.00	-
June	$ 569,400.00	$ 10,602,430.88
July	$ 700,000.00	$ 11,712,500.00
August	$ 726,506.00	$ 1,111,950.00
September	-	$ 1,930,813.00
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
Totals	**$ 137,134,932.00**	**$ 96,612,264.88**



306

New Commercial Value Fiscal Year

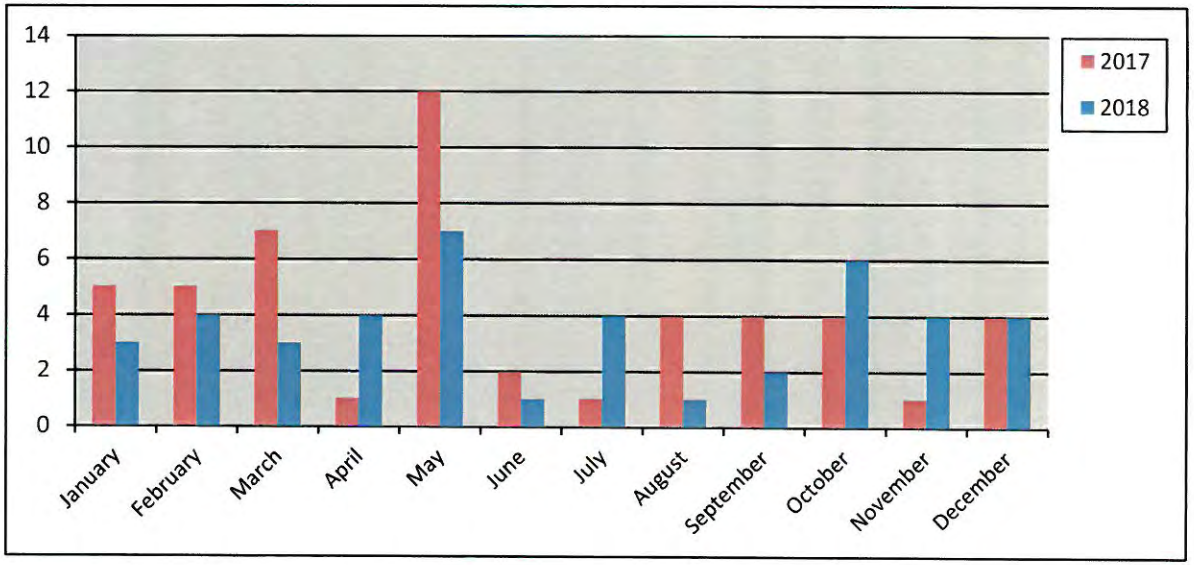
Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
January	-	
February	$ 3,221,771.00	
March	-	
April	$ 22,000,000.00	
May	-	
June	$ 10,602,430.88	
July	$ 11,712,500.00	
August	$ 1,111,950.00	
September	$ 1,930,813.00	
Totals	**$ 80,969,464.88**	**$ 46,032,800.00**



306

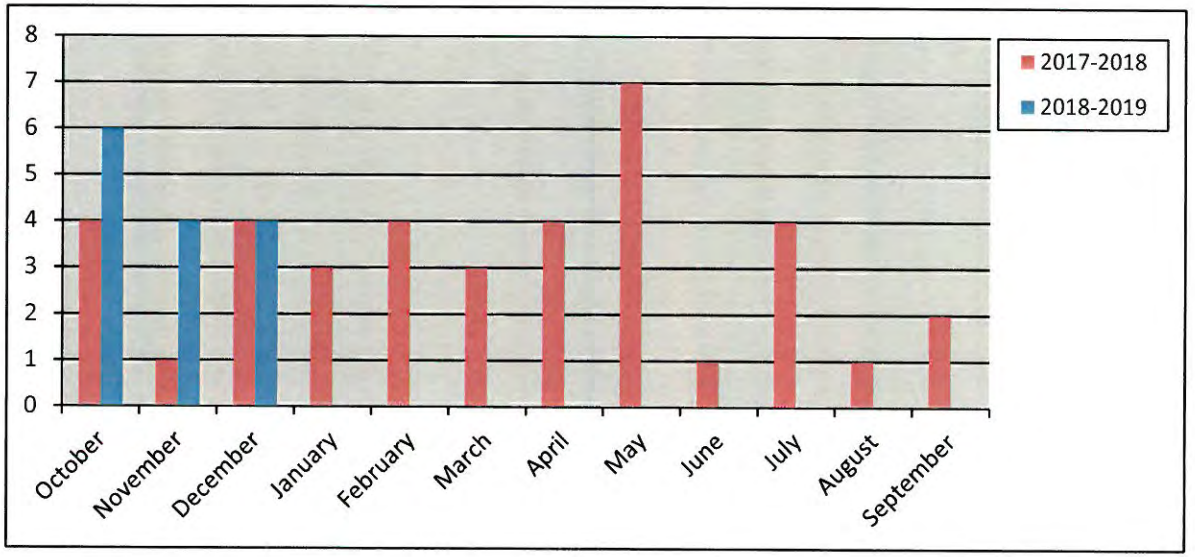
Commercial Remodel Permits Calendar Year

	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
Totals	**50**	**43**



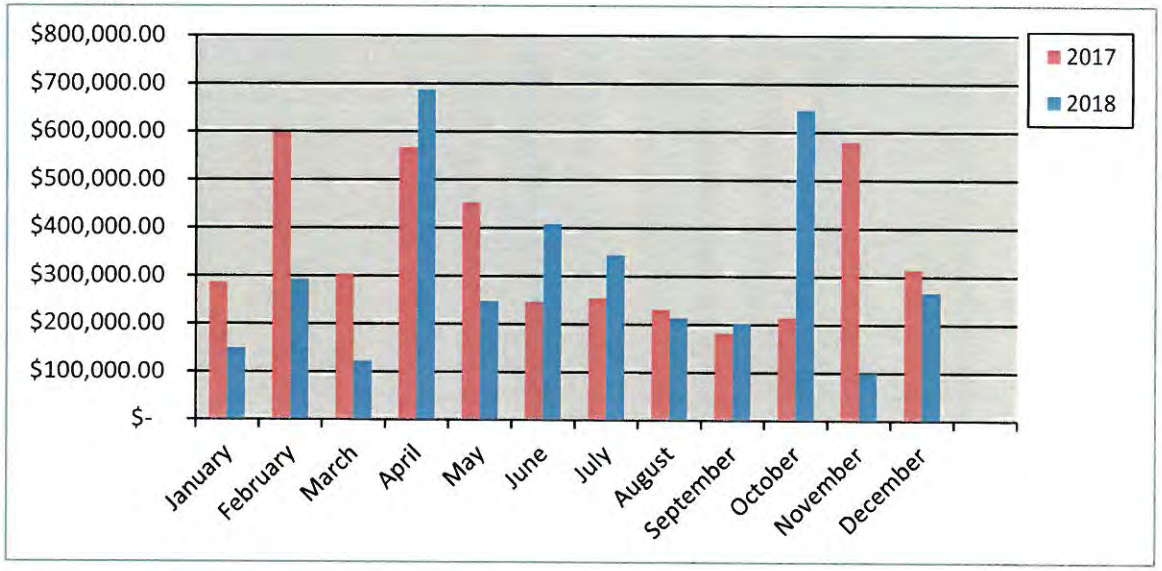
Commercial Remodel Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	
February	4	
March	3	
April	4	
May	7	
June	1	
July	4	
August	1	
September	2	
Totals	**38**	**14**



Total Fees Collected Calendar Year

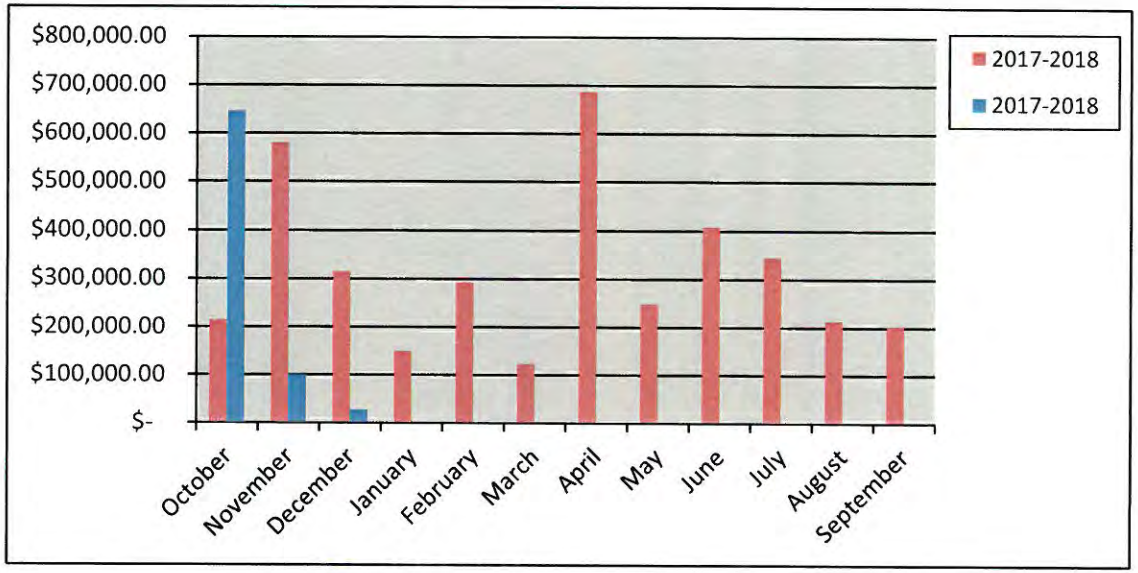
	Year	
	2017	2018
January	$ 284,774.34	$ 149,088.54
February	$ 595,848.26	$ 291,324.78
March	$ 302,406.79	$ 122,271.28
April	$ 566,291.24	$ 686,154.89
May	$ 451,389.66	$ 247,465.55
June	$ 244,930.08	$ 406,799.91
July	$ 252,374.52	$ 343,682.23
August	$ 229,266.56	$ 212,643.16
September	$ 180,561.41	$ 201,855.47
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
Totals	**$ 4,213,035.44**	**$ 3,673,110.11**



308

Total Fees Collected Fiscal Year

	Year	
	2017-2018	2017-2018
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 26,328.43
January	$ 149,088.54	
February	$ 291,324.78	
March	$ 122,271.28	
April	$ 686,154.89	
May	$ 247,465.55	
June	$ 406,799.91	
July	$ 343,682.23	
August	$ 212,643.16	
September	$ 201,855.47	
Totals	**$ 3,766,478.39**	**$ 771,824.30**



City of Rockwall
PERMITS ISSUED
For the Period 12/1/2018 thru 12/31/2018

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2018-0124 11/05/2018 12/07/2018	CO INTERIOR Active	1300 Ralph Hall pkwy 104 4832-000B-0001-00-0R Minced Meal Prep, LLC	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Courtney Aspelund	1300 Ralph Hall Pkwy# 104, Rockwall, TX 75032	(469) 786-5313
OWNER	DALLAS, EAST	ATTN; JIM VAUDAGNA, SAN JOSE, CA 95126	

Total Valuation: 0.00
Total Fees: 76.50
Total Fees Paid: 76.50

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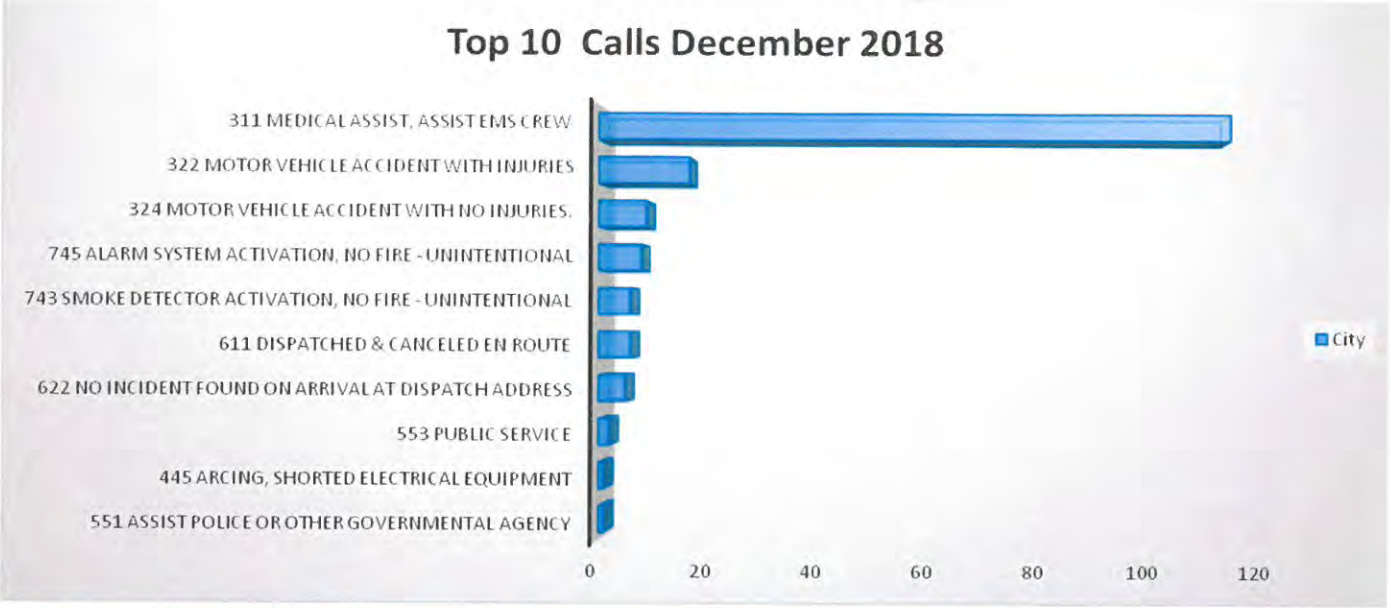
310

ROCKWALL FIRE DEPARTMENT

Monthly Report

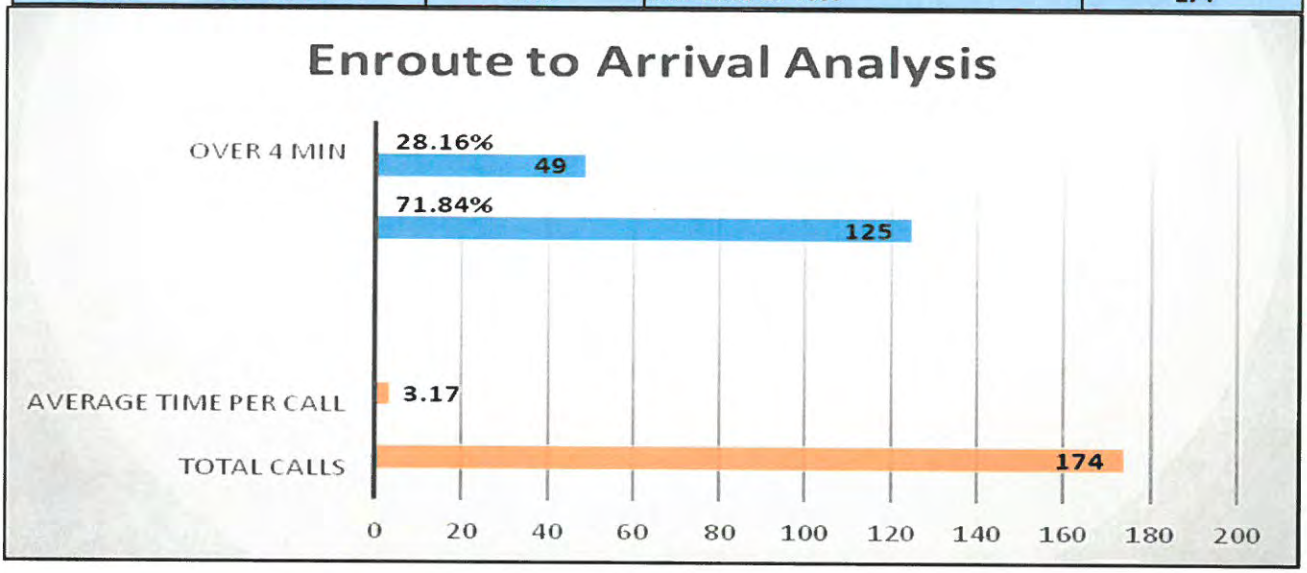
December 2018

311

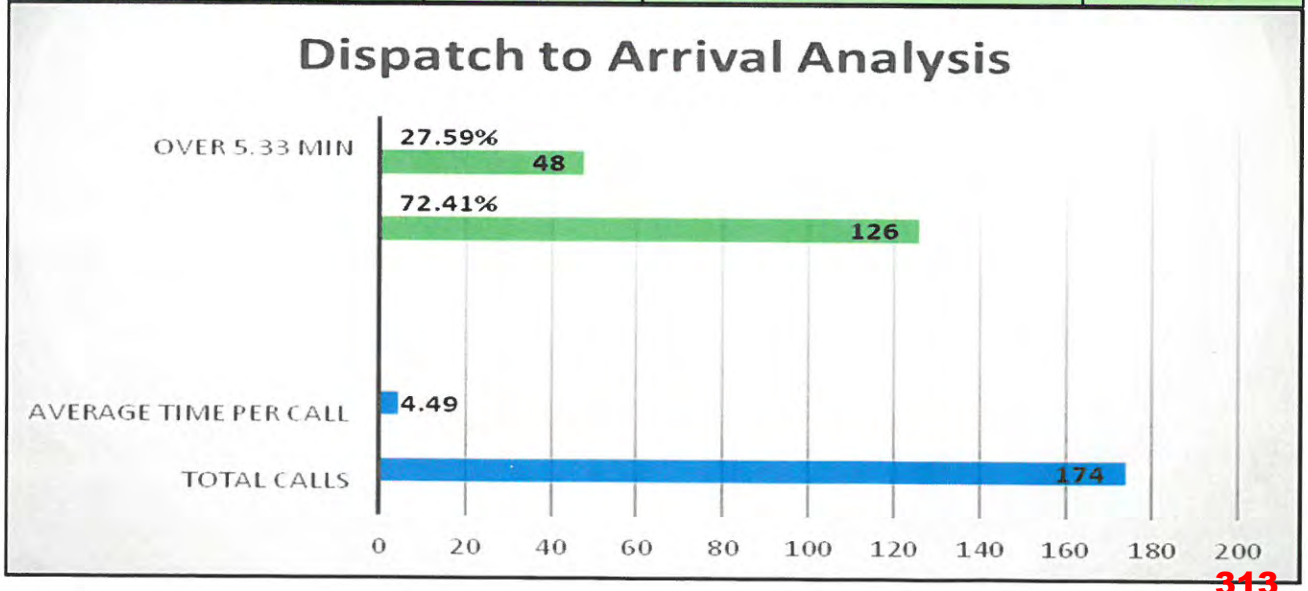


December- All Calls	
Situation Type	City
111 Building fire	4
311 Medical assist, assist EMS crew	117
322 Motor vehicle accident with injuries	17
412 Gas leak (natural gas or LPG)	3
553 Public service	2
611 Dispatched & canceled en route	6
622 No incident found on arrival at dispatch address	5
733 Smoke detector activation due to malfunction	3
735 Alarm system sounded due to malfunction	3
743 Smoke detector activation, no fire - unintentional	6
745 Alarm system activation, no fire - unintentional	8
411 Gasoline or other flammable liquid spill	1
131 Passenger vehicle fire (cars, pickups, SUV's)	2
651 Smoke scare, odor of smoke	3
736 CO detector activation due to malfunction	4
323 Motor vehicle/pedestrian accident (MV Ped)	2
324 Motor vehicle accident with no injuries.	9
442 Overheated motor	2
551 Assist police or other governmental agency	1
652 Steam, vapor, fog or dust thought to be smoke	1
671 HazMat release investigation w/no HazMat	3
740 Unintentional transmission of alarm, other	1
353 Removal of victim(s) from stalled elevator	1
424 Carbon monoxide incident	1
440 Electrical wiring/equipment problem, other	1
445 Arcing, shorted electrical equipment	1
550 Smoke Detector Battery Change/Install	2
561 Unauthorized burning	1
113 Cooking fire, confined to container	1
151 Outside rubbish, trash or waste fire	1
352 Extrication of victim(s) from vehicle	1
441 Heat from short circuit (wiring), defective/worn	1
462 Aircraft standby	1
531 Smoke or odor removal	1
554 Assist invalid	1
711 Municipal alarm system, malicious false alarm	1
714 Central station, malicious false alarm	1
746 Carbon monoxide detector activation, no CO	2
Unknown	1
Totals 312	**222** 312

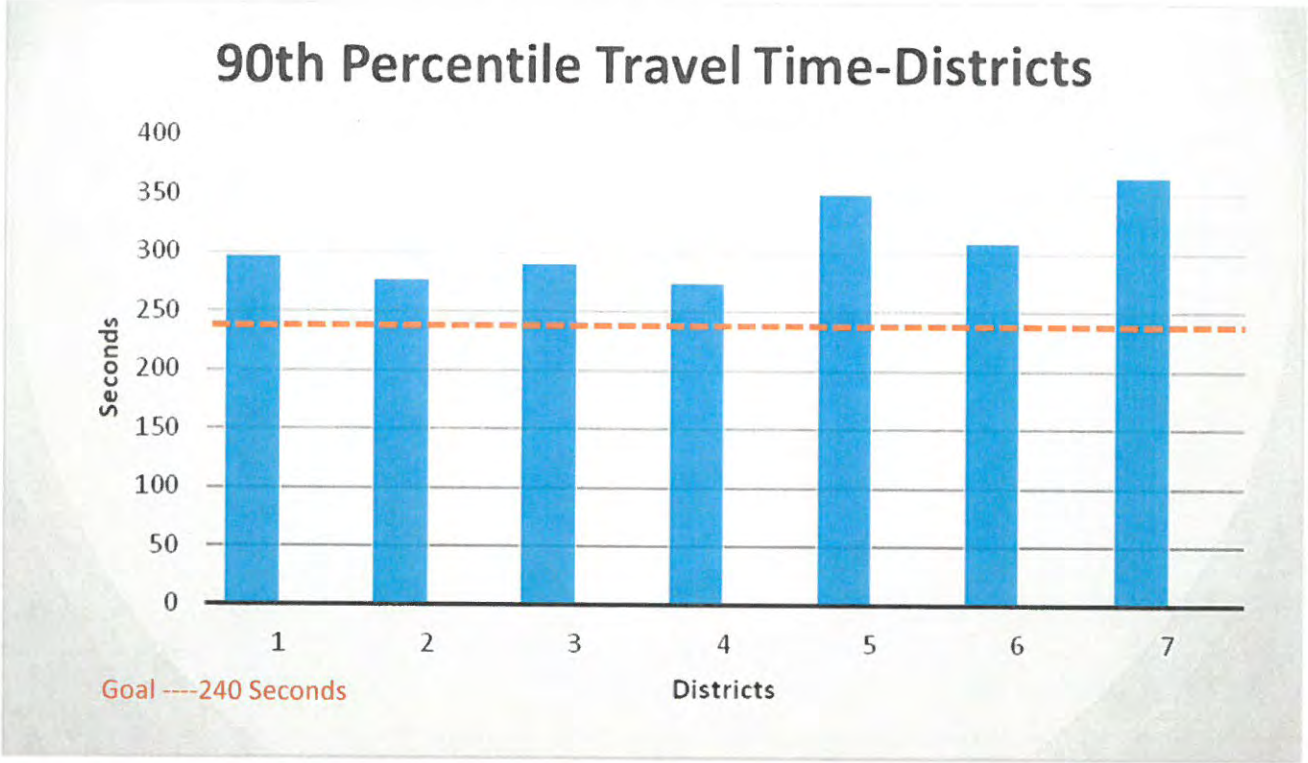
Enroute to Arrival Analysis-All (No Mutual Aid)				Total Calls
71%	On Scene in	4.0	minutes or less	125
87%	On Scene in	5.0	minutes or less	152
94%	On Scene in	6.0	minutes or less	165
97%	On Scene in	7.0	minutes or less	170
99%	On Scene in	8.0	minutes or less	173
99%	On Scene in	10.0	minutes or less	174



Dispatch to Arrival Analysis-All (No Mutual Aid)				Total Calls
71%	On Scene in	5.3	minutes or less	126
79%	On Scene in	6.0	minutes or less	139
90%	On Scene in	7.0	minutes or less	158
97%	On Scene in	8.0	minutes or less	170
99%	On Scene in	9.0	minutes or less	173
99%	On Scene in	10.0	minutes or less	174



313



Travel Time Analysis-*By District* (No Mutual Aid)					Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% 4 min or less	All Code 3 Calls						
	100s with Station 1						
73%	On Scene in	4.0	minutes or less		55	2.83	35.26%
	200s with Station 2						
78%	On Scene in	4.0	minutes or less		50	2.29	32.05%
	300s with Station 3						
85%	On Scene in	4.0	minutes or less		21	2.17	13.46%
	400s with Station 4						
76%	On Scene in	4.0	minutes or less		35	1.30	22.44%
	500s w/out Station						
0%	On Scene in	4.0	minutes or less		3	16.47	1.92%
	600s w/out Station						
0%	On Scene in	4.0	minutes or less		2	6.10	1.28%
	700s w/out Station						
14%	On Scene in	4.0	minutes or less		8	4.49	5.13%
	800s w/out Station						
N/A	On Scene in	4.0	minutes or less				
	900s w/out Station						
N/A	On Scene in	4.0	minutes or less				
	1000s w/out Station						
N/A	On Scene in	4.0	minutes or less				
				Total Calls	174		

Total Dollar Losses

December 2018

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 01/18/2019 16:37
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$0.00	$400,000.00	$608,248.00	$810,383.49
Total Content Loss:	$15,000.00	$0.00	$0.00	$185,216.80	$217,605.51
Total Property Pre-Incident Value:	$0.00	$0.00	$483,000.00	$8,137,170.00	$1,635,379.15
Total Contents Pre-Incident Value	$0.00	$0.00	$0.00	$1,696,573.00	$646,811.49
Total Losses:	$15,000.00	$.00	$400,000.00	$793,464.80	$15,000.00
Total Value:	$.00	$.00	$483,000.00	$9,833,743.00	$2,282,190.64

Fire Marshal Division

Annual Report for 2018

Inspection Status Report	
Total for 2018	828

Fire Investigations Status Report	
Total for 2018	11

Plan Review Report	
Above Ground Storage	2
Banner Non-Profit	1
Capital Improvements	1
Church	3
COMM	426
CO	130
Engineering	52
Industrial	2
Miscellaneous	3
Multi Family	3
Plat	43
School	2
Signage	2
Single Family	15
Site Plan	56
Special Event	20
TCO	11
Zoning	59
Total for 2018	831

Fire Permit Report	
Aboveground Tank	2
Bonfire/Rec Fire	1
CO2 System	3
Doors - Access Control	8
Fire Alarm	28
Fire Sprinkler	37
Fire Sprinkler Monitoring System	1
Fireworks	6
Gates - Access Control	1
Haz Mat	2
High-Rack/Pile	1
Kitchen Suppression	9
Open Burn	2
Special Hazard	1
Temp Aboveground Tank	4
Tents	2
Traffic Calming Device	1
Underground Sprinkler	12
Underground Tank	3
UST Removal	1
Total for 2018	125

Public Education Events	
Total for 2018	54

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317

Key Projects:

(1) **Asset Management System**. Maintenance, Reports
Permitting & Project Tracking System. RFP Addendums

(2) **Outside Agencies & Citizens Request**. RCAD, NTMWD, Citizen (Addressing)

(3) **Engineering/Public Works**. Engineering CIP Mailout, CIP Base map Build, Pipeline Analytics Data / Calc's, Infrastructure Report Data / Images, Wastewater Asset ID Listing, Water Meter Geocode, Rockwall Floodplain Updates, Utility edits, GPS assets

(4) **Parks and Rec**. Total Participants Data, RBSL Data, Pool Usage Data

(5) **Planning Department**. I30 Restaurant Pad Site Availability Maps and Demographic Data, Comp Plan Map Changes, Population Research, For & Against Map, Impact Fee / Land Use Assumption / Employment Data, Case Exhibit, Land Use Map Inset, Service Area Maps, Location Map, Master Thoroughfare Update with Cross Sections, Planning Cases, Barn Pic Edit, Historical Scanning

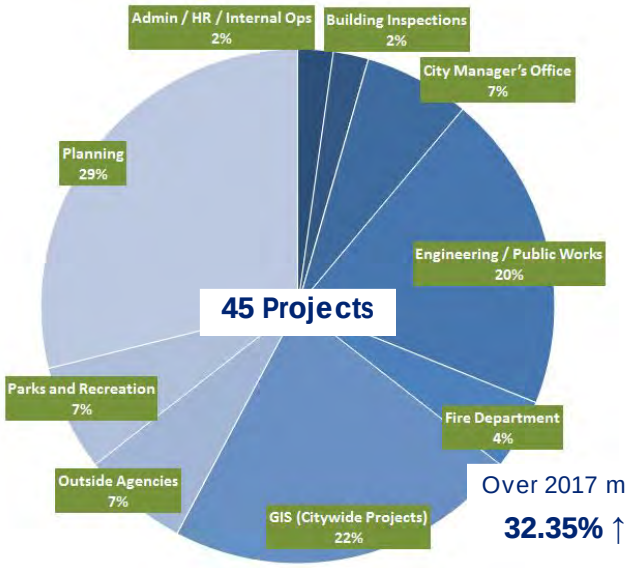
(6) **GIS**. NCTCOG NG911 maintenance, Building Footprint (planimetrics) clean up, Cityworks Changes, Cellular Node Antennas Data, Breezy Hill Parcels Benchmark Coordinates, Trak-it Support Case Calls, Community Maps Update (ESRI), GIS Updates, Online App Improvements

(7) **Fire Dept.** Fire Department Community Risk Assessment Data, Overall Fire District Area Calculations

(8) **Building Inspections.** BOA Mailout

(9) **Admin / CMO / Internal Ops.-** Waze App / Geo Event & Connector, Warning Siren Map Update 2019, FCC Cell Tower Data / City Owned Maps, City Christmas Party Posters

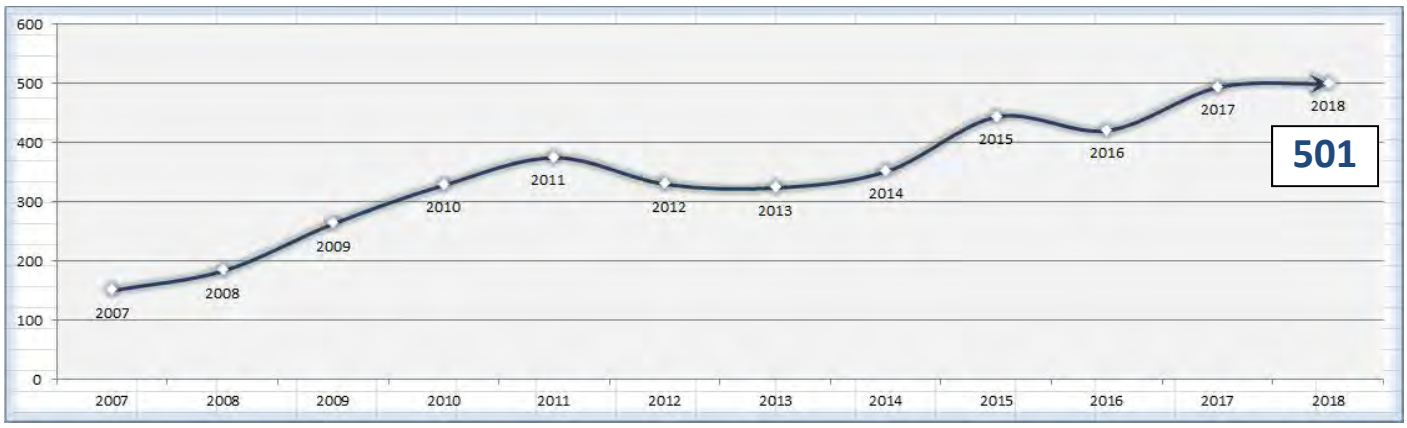
Monthly Project Request by Department:



Over 2017 mo.
32.35% ↑

Admin / HR / Internal Ops	1
Building Inspections	1
Citizen Request	0
City Council	0
City Manager's Office	3
Neighborhood Improvement Services	0
Engineering / Public Works	9
Finance / Utility Billing	0
Fire Department	2
GIS (Citywide Projects)	10
IT	0
Main Street Program	0
Outside Agencies	3
Parks and Recreation	3
Planning	13
Police Department	0
REDC	0
Total	**45**

GIS Project Request *(Year to Year)*:



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319

Rockwall Police Department

Harbor District Call For Service

December 2018

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2018-00039285	12/15/2018	14:30:49	Hilton Hotel	Civil Matter	No Report
2018-00040913	12/31/2018	21:31:06	Hilton Hotel	Meet Complainant	No Report
2018-00039070	12/13/2018	19:20:08	The Harbor	Motor Vehicle Theft	Report
2018-00039854	12/20/2018	17:53:27	Hilton Hotel	Motor Vehicle Theft	Report
2018-00038535	12/08/2018	18:53:33	The Harbor	Open Door/Window	No Report
2018-00039930	12/21/2018	11:18:59	Hilton Hotel	Theft	Report
2018-00037778	12/01/2018	07:19:55	Hilton Hotel	Welfare Concern	No Report
2018-00038629	12/09/2018	18:25:24	Cold Stone Creamery	Welfare Concern	No Report

Common Name	
Cold Stone Creamery	1
Hilton Hotel	5
The Harbor	2
	8

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321

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
DECEMBER 2018

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	5	5	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	2	2	0	100%
ANIMAL SERVICES	10	10	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	1	1	0	100%
FINANCE	2	2	0	100%
FIRE DEPARTMENT	31	31	0	100%
INTERNAL OPERATIONS	92	92	0	100%
MUNICIPAL COURT	4	4	0	100%
PARKS & RECREATION	12	12	0	100%
PLANNING & ZONING	5	5	0	100%
POLICE DEPARTMENT	24	24	0	100%
PUBLIC WORKS	7	7	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	199	199	0	100%

322

F46 Ralph M Hall Rockwall Municipal Airport

Operations Report DECEMBER 2018

Fuel Sales

	Gallons Sold	Gross Sales
Jet - A Sales	287	$1,133.00
Av-Gas Sales	1759.5	$7,918.00
Total Fuel Sales	2046.5	$9,051.00

Hangar Rental Revenue

Overnight Tiedown	$14.00
Covered Overnight Tiedown	
Open T Hangar	$3,315.00
Enclosed Hangar	$120.00
Community Hangar	$440.00
Total Hangar Rentals	$3,889

Hangar Occupancy

	Total Hangars	Qty Rentable	Quantity Leased	Occupancy Rate
Open T Hangars	46	43	40	87%
Enclosed Hangars	2	1	1	50%
Community Hangar	1	1	1	100%
Total Hangar Occupancy				77%

City Revenue	Fee Rate	Hangar Rental	Fuel Flowage	Total Due
Fuel Sales (Gallons Sold)	$0.10		2,046.50	$204.65
Hangars	5.00%	$3,889.00		$194.45
Total Fees Due				$399.10

2018 December

Day		Piston			Turbo Prop			JET	
		Single Engine	Multi-Engine	Helicopter	Single Engine	Multi-Engine	Helicopter		
Sat	1	6		5					
Sun	2								
Mon	3	36		8					
Tues	4	21	1	3					
Wed	5	9		4			1		
Thurs	6	5		2	1`				
Fri	7								
Sat	8								
Sun	9								
Mon	10	42		5					
Tues	11			7	1				
Wed	12	24		12	1				
Thurs	13	4				1			rain
Fri	14								
Sat	15	32	1	9					
Sun	16								
Mon	17	17		18					
Tues	18	31		5					
Wed	19			5					fog/low ceilings
Thurs	20	5		6					windy
Fri	21	23							
Sat	22	32							
Sun	23								
Mon	24	12		2	1				
Tues	25								
Wed	26	3							rain/ lightning
Thurs	27	8		1	1				
Fri	28	41		1					
Sat	29	17							
Sun	30								
Mon	31								
TOTALS:		368	2	93	4	1	1	0	

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325

Rockwall Police Department

Monthly Activity Report

December-2018

ACTIVITY	CURRENT MONTH DECEMBER	PREVIOUS MONTH NOVEMBER	YTD 2018	YTD 2017	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	1	0	**100.00%**
Sexual Assault	2	0	13	10	**30.00%**
Robbery	0	0	6	6	**0.00%**
Aggravated Assault	0	2	19	20	**-5.00%**
Burglary	1	2	32	72	**-55.56%**
Larceny	62	46	665	636	**4.56%**
Motor Vehicle Theft	6	6	51	48	**6.25%**
TOTAL PART I	**71**	**56**	**787**	**792**	**-0.63%**
TOTAL PART II	**159**	**172**	**1807**	**1938**	**-6.76%**
TOTAL OFFENSES	**230**	**228**	**2594**	**2730**	**-4.98%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	21	16	207	228	**-9.21%**
D.W.I.	26	22	258	206	**25.24%**
ARRESTS					
FELONY	24	36	361	359	**0.56%**
MISDEMEANOR	84	71	885	947	**-6.55%**
WARRANT ARREST	12	13	154	186	**-17.20%**
JUVENILE	6	5	62	78	**-20.51%**
TOTAL ARRESTS	**126**	**125**	**1462**	**1570**	**-6.88%**
DISPATCH					
CALLS FOR SERVICE	1484	1405	16713	17895	**-6.61%**
ACCIDENTS					
INJURY	8	2	118	200	**-41.00%**
NON-INJURY	84	63	709	643	**10.26%**
FATALITY	0	0	2	5	**-60.00%**
TOTAL	**92**	**65**	**829**	**848**	**-2.24%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**4**
Arrests	**3**
Arrest Warrants	
Search Warrants	
Seized	
Cocaine	.5 Kilograms
Methamphetamine	3 Kilograms

Rockwall Police Department

Dispatch and Response Times

December 2018

Police Department

	Average Response Time		
Priority 1		Number of Calls	**93**
Call to Dispatch	0:01:26		
Call to Arrival	0:06:01		
% over 7 minutes	29%		

	Average Response Time		
Priority 2		Number of Calls	**295**
Call to Dispatch	0:03:28		
Call to Arrival	0:10:42		
% over 7 minutes	61%		

	Average Response Time		
Priority 3		Number of Calls	**61**
Call to Dispatch	0:07:31		
Call to Arrival	0:13:44		
% over 7 minutes	61%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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328



PARTICIPATION



XMAS TREE LIGHITNG: 250 ATTENDEES



BREAKFAST W/ SANTA: 225 PARTICPANTS



SANTA'S NORTH POLE WORKSHOP:
50 PARTICPANTS

MONTHLY OVERVIEW	*DEC '18*
Part Time Labor Hours	**97**
Program Offerings	**9**
Program Participants	**1387**
Resident Participants	**834**
Non-Resident Participants	**553**
Programs that Made	**9**
Cancelled Programs	**0**
% of Programs Cancelled	**0%**

FEE BASED RESIDENT VS NON-RESIDENT

9 programs



VOLUNTEER IN THE PARKS (V.I.P.)



ALL DEC EVENTS POSTPONED

TOTAL # OF VOLUNTEER HOURS

# OF VOLUNTEERS	NA
# OF VOLUNTEER HOURS	NA

NA

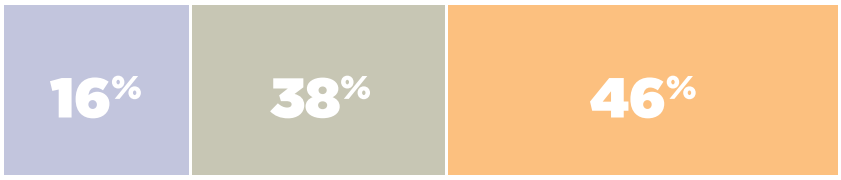


HMCC	DEC '18
Time Blocks Rented	68
Monthly Revenue	**$2720**

HMCC RENTAL ACTIVITY BY TIME BLOCK

68 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM





PAVILIONS	DEC '18
Time Blocks Rented	3
Monthly Revenue	**$120**

PAVILION RENTAL ACTIVITY BY TIME BLOCK

3 Rentals

6 AM - 3 PM | 3 - 11 PM



330

PARKS



FACILITY MANAGEMENT:

Re-lamping of Tuttle Sports field and scoreboard repairs for spring season.

EQUIPMENT MAINTENANCE:

Equipment maintenance for spring maintenance season



FACILITY MAINTENANCE:

Power washing walls and top caps at Downtown Square, and tree trimming and shrub trimming at 66 Cemetery.



MARKETING

FACEBOOK PAGE LIKES

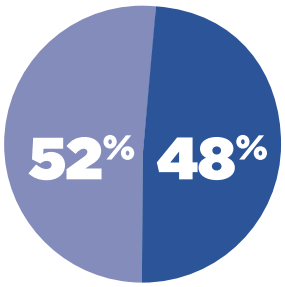
	GAIN OR LOSS
NOV	+81
DEC	+15

TOTAL LIKES THRU 12/31/2018

Like **12,224**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
NOV	7441	+139
DEC	7642	+201



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

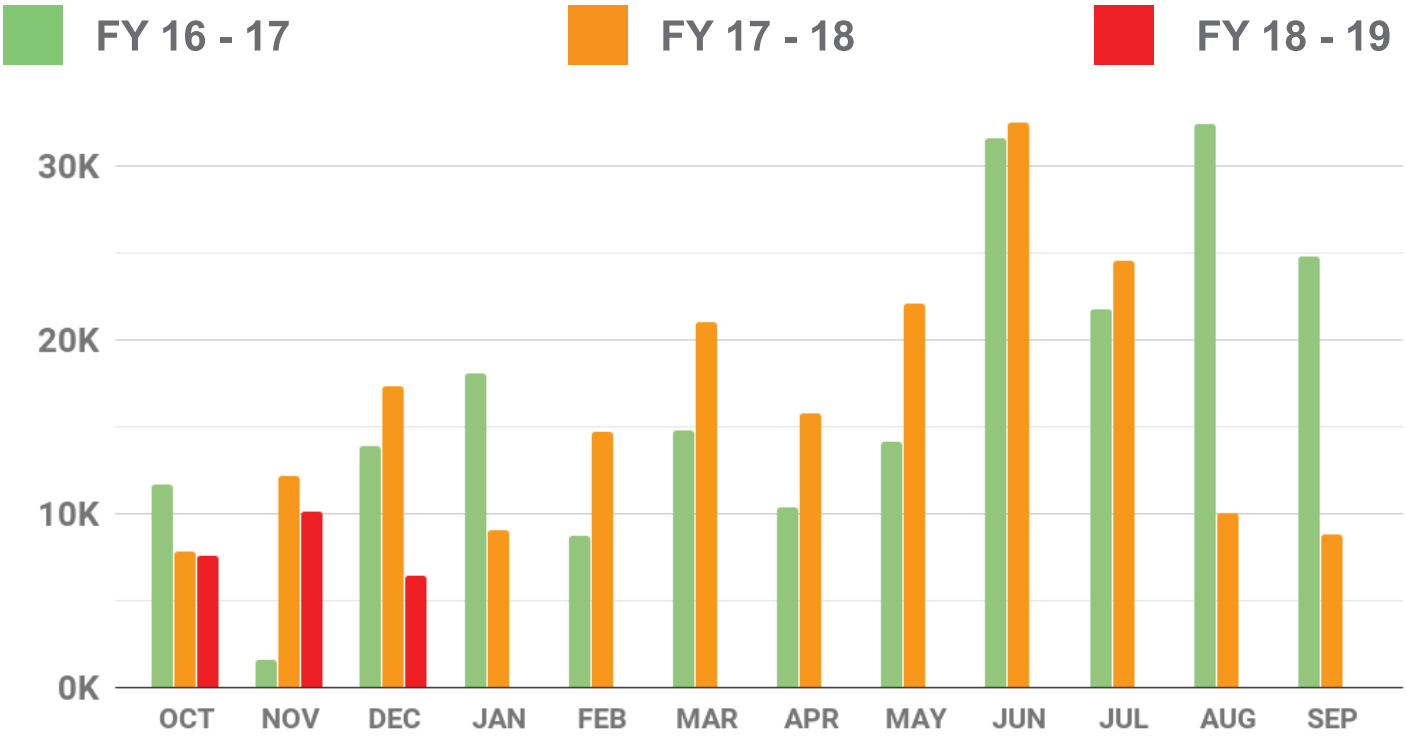
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of December 2018.	40,511
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	7,573
USERS Visitors to playrockwall.com	5,582

REVENUE

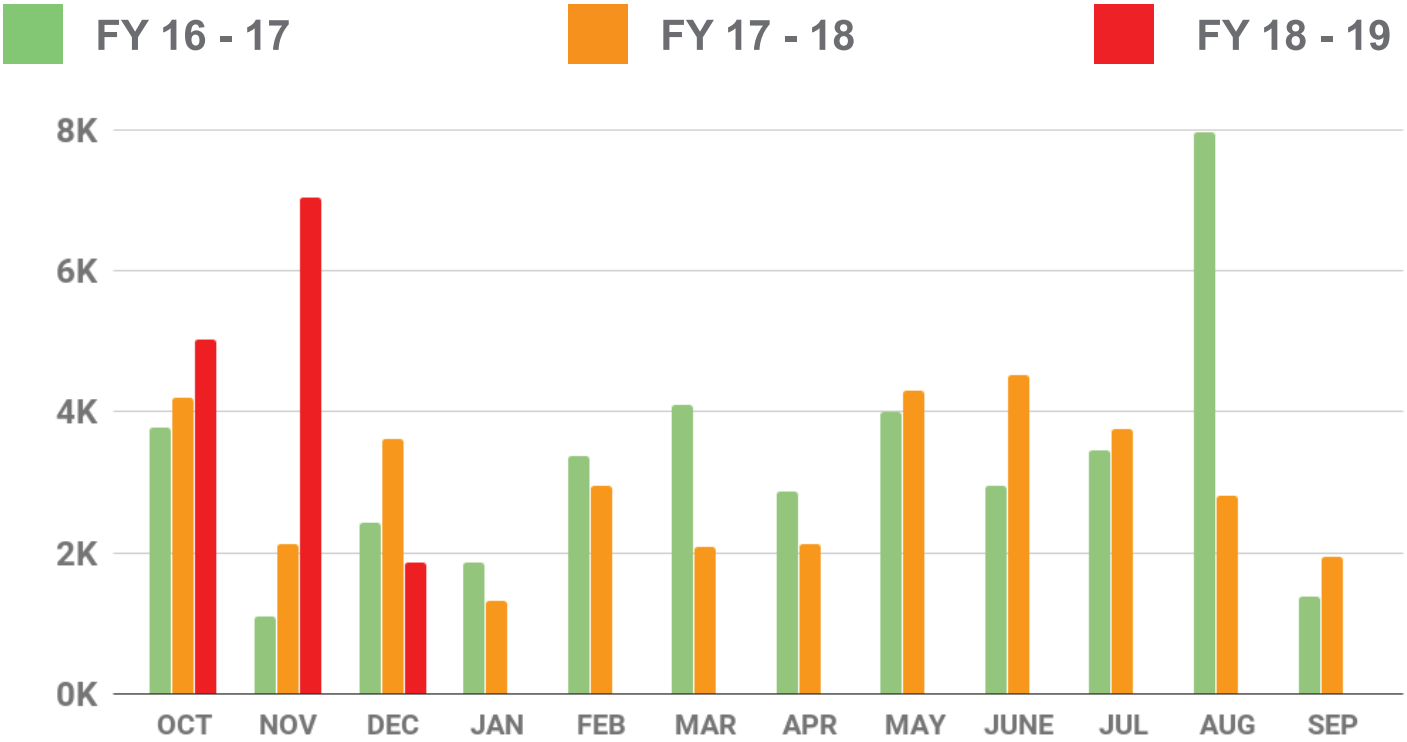
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



333

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334

Rockwall Adoption Center

2018 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '18	75-78%	7-7%	11-12%	0-0%	0-0%	112	95	**97%**
Feb '18	90-69%	15-12%	23-18%	2-1%	0-0%	121	130	**99%**
March '18	63-56%	15-13%	28-25%	3-3%	3-3%	110	112	**94%**
April '18	52-60%	8-1%	22-25%	4-1%	0-0%	90	87	**86%**
May '18	80-63%	20-16%	19-15%	2-2%	6-5%	137	127	**94%**
June '18	75-58%	20-16%	21-16%	4-3%	9-7%	128	129	**90%**
July '18	83-65%	17-13%	27-21%	0-0%	1-1%	150	128	**99%**
August '18	90-63%	15-11%	28-20%	4-3%	5-4%	117	142	**94%**
September '18	66-58%	13-11%	29-25%	2-2%	4-4%	125	114	**94%**
October '18	66-69%	13-14%	14-15%	2-2%	0-0%	108	96	**98%**
November '18	76-63%	12-10%	30-25%	0-0%	2-2%	96	120	**98%**
December '18	61-67%	2-2%	25-27%	3-3%	0-0%	73	91	**96%**

335

Rockwall Animal Adoption Center

PROFIT AND LOSS

December 2018

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	4,105.00
4112 Adoption Fee - Cat	1,480.00
Total 4100 Adoption Fee	**5,585.00**
4200 Impound Fee	750.00
4300 Owner Surrender	640.00
4350 Quarantine Fee	220.00
46400 Other Types of Income	
46430 Miscellaneous Revenue	166.75
Total 46400 Other Types of Income	**166.75**
4650 Medical	109.31
4700 General Donations	11,829.96
Total Income	**$19,301.02**
GROSS PROFIT	**$19,301.02**
Expenses	
5200 - Shelter Expense	
5202 - Micro Chip	999.00
5203 - Medication	5,709.54
5209 - Shelter Supplies	606.21
5210 - Cleaning	202.86
5220 - Truck Maintenance	180.41
5230 - Misc	18.00
Total 5200 - Shelter Expense	**7,716.02**
5215 - Insurance	119.00
5300 - Veterinary Expense	5,184.57
5400 - Professional Services	9,303.14
62800 Facilities and Equipment	
62840 Equip Rental and Maintenance	216.49
Total 62800 Facilities and Equipment	**216.49**
65000 5000 - Administative Expense	
5004 - Paypal/Intuit fee	238.44
5005 - Postage	29.05
5006 - Bank Fees	113.91
5040 - Retirement srvs - 401K	254.00
5050 - Payroll	29,808.96
5055 - Payroll Tax	2,633.09
5056 - 401K Employer/Healthcare	729.54
5099 - Misc	2,576.81
65040 5001 - Supplies	683.24
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**37,307.04**
68300 Travel and Meetings	149.52

	TOTAL
Total Expenses	**$59,995.78**
NET OPERATING INCOME	**$ -40,694.76**
NET INCOME	**$ -40,694.76**

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338

STAR TRANSIT
Phone: 877-631-5278 | Fax: 972-563-0048 | Website: STARtransit.org
PO Box 703 | Terrell | TX 75160

January 3, 2019

To: City of Rockwall

From: Ashley Ando, Grant Director

Re: December 2018 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
DECEMBER	19	743

Non-Service Days: December 24th and 25th

NO. OF TRIPS	PURPOSE
0	Contract Service
12	Education
4	Government
90	Medicaid
200	Medical
17	Nutrition (Senior Center)
161	Other (adult-day care, beauty salon, friend's homes, etc.)
135	Shopping
124	Work

DECEMBER UNDUPLICATED PASSENGERS
80
YEAR TO DATE UNDUPLICATED PASSENGERS
161

Adjusted Trip Total	653

*Trip Totals without Contracts or Medicaid

> = 60	375
DIS >60	108
	483
% E & D Trip Total	74%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **4,266**
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: DECEMBER 2017 TRIP TOTAL= 1,145 (35% DECREASE) DIRECTLY RELATED TO LAKEPOINTE CHURCH SERVICE CONTRACT

340

ROCKWALL CITY	1Q	2Q	3Q	4Q	PURPOSE TOTALS
CONTRACT	1,015	0	0	0	1,015
EDU	77	12	0	0	89
GOV	5	4	0	0	9
MDE	219	90	0	0	309
MED	632	200	0	0	832
NUT	34	17	0	0	51
OTH	544	161	0	0	705
SHP	533	135	0	0	668
WORK	464	124	0	0	588
	3,523	743	0	0	4,266

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743									4,266	1,067
CONTRACT	709	306	0	0									1,015	254
EDU	0	41	36	12									89	22
GOV	1	2	2	4									9	2
MDE	62	69	88	90									309	77
MED	171	235	226	200									832	208
NUT	10	11	13	17									51	13
OTH	130	247	167	161									705	176
SHP	171	139	223	135									668	167
WORK	159	175	130	124									588	147
TOTAL DR TRIPS	1,413	1,225	885	743	0	0	0	0	0	0	0	0	4,266	356

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Medicaid	62	69	88	90	0	0	0	0	0	0	0	0	309	26
Lakepointe Church Contract	709	306	0	0									1,015	254
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	375	88	90	0	0	0	0	0	0	0	0	1,324	110

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Adjusted Trip Total	642	850	797	653	0	0	0	0	0	0	0	0	2,942	43,511
*Trip Totals without Contracts or Medicaid														

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
> = 60	345	477	393	375									1,590	398
DIS <60	142	167	137	108									554	139
	487	644	530	483	0	0	0	0	0	0	0	0	2,144	179
% of Adjusted Trip Total	76%	76%	66%	74%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
GENERAL PUBLIC	155	206	267	170	0	0	0	0	0	0	0	0	798	67
% of Adjusted Total	24%	24%	34%	26%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19									81
NoShow/Cancel	527	474	476	370									1,847
UNDUPLICATED M2M	82	88	94	80									344
UNDUPLICATED YTD		114	144	161									419
			30	17	-161	0	0	0	0	0	0	0	
	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	323	440	360	319									1,442
Percent Subs of Total Trips	23%	36%	41%	43%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	
SUBS Can/NoShow	119	136	210	211									676

340

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341

Table of Contents

Agenda 4

Hold a work session to discuss and consider implementing the use of a tool created by the Planning and Zoning Department in conjunction with zoning cases, and take any action necessary.

Memorandum 7

Blank Page 22

Hold a work session to discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.

Memorandum 23

Blank Page 48

Hold work session to discuss the "Staffing and Adequate Fire and Emergency Response" (S.A.F.E.R.) Grant Program through the Federal Emergency Management Agency (F.E.M.A.)

Informational PowerPoint 49

Memo 54

Blank Page 55

Consider approval of the minutes from the February 4, 2019 regular city council meeting, and take any action necessary.

02/04 CC Mtg Mins 56

Blank Page 66

Z2018-058 - Consider request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an ordinance for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary. (2nd Reading)

Ord 67

Blank Page 74

Consider authorizing City Manager to negotiate and execute a facility use agreement with Lake Pointe Sports and take any action necessary.

Memo 75

Agreement 77

Blank Page 87

Consider adopting official logo for the "Free Live Music Capital of North Texas," and take any action necessary.

Memo 88

Logo 89

Blank Page 90

Consider authorizing the City Manager to execute a professional engineering services contract with Kimley-Horn and Associates, Inc. to perform the engineering design services and specifications for the W. Boydstun Avenue (Forest Trace to S. Goliad Street) and Forest Trace (S. Lakeshore Drive to W. Boydstun Avenue) Reconstruction Project in an amount not to exceed $532,000.00, to be paid for by 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

Memo . . . 91
Map . . . 92
Contract . . . 93
Blank Page . . . 115

Consider authorizing the City Manager to execute a professional engineering services contract with Burgess & Niple, Inc. to perform the engineering design and construction plans for the Squabble Creek Sanitary Sewer Interceptor Rehabilitation Phase 3 Project in an amount not to exceed $30,000.00 to be funded by water/wastewater funds, and take any action necessary.

Memo . . . 116
Map . . . 117
Contract . . . 118
Blank Page . . . 129

Consider authorizing the City Manager to execute a professional engineering services contract with Freese & Nichols, Inc. to perform the engineering design services and specifications for the N. Alamo Road (Live Oak Street to Downtown Couplet) Reconstruction Project in an amount not to exceed $360,580.00, to be funded by the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

Memo . . . 130
Map . . . 131
Contract . . . 132
Blank Page . . . 158

Consider a request by Matt Moore of ClayMoore Engineering, Inc. for the approval of an alternative tree mitigation plan in conjunction with an approved site plan for for a multi-tenant office/warehouse complex on a 7.52-acre portion of a larger 9.76-acre tract of land identified as Lot 18 and the south portion of Lot 19, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 407 Ranch Trail, and take any action necessary.

Memorandum . . . 159
Blank Page . . . 163

Appointment with Ralph Oltmann, President of Mclenco Construction Services, Inc. to hear request concerning temporary closure of Laguna Drive related to Hyatt Place construction, and take any action necessary.

Letter (request to appear and why) . . . 164
Proposed Detour Map . . . 166
Aerial Photos . . . 167
Storm Sewer Plan . . . 170

Trench Safety Plan 171
Blank Page 196

Z2019-001 - Hold a public hearing to discuss and consider approval of an ordinance for a text amendment to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary Living Unit land use, and take any action necessary (1st Reading).

Z2019-001 197
Blank Page 203

Z2018-056 - Discuss and consider a request by Tom Jones on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary [2nd Reading].

Z2018-056 204
Ord 205
Blank Page 209

A2018-005 - Discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of an ordinance for the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary (1st Reading).

A2018-005 210
Blank Page 221

Discuss and consider authorizing staff to submit application to the "Staffing and Adequate Fire and Emergency Response" (S.A.F.E.R.) Grant Program on behalf of the Rockwall Fire Department, and take any action necessary.

Memo 222
Blank Page 223

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, February 19, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

pg.7 1. Hold a work session to discuss and consider implementing the use of a tool created by the Planning and Zoning Department in conjunction with zoning cases, and take any action necessary.

pg.23 2. Hold a work session to discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.

pg.49 3. Hold work session to discuss the "Staffing and Adequate Fire and Emergency Response" (S.A.F.E.R.) Grant Program through the Federal Emergency Management Agency (F.E.M.A.)

III. EXECUTIVE SESSION.

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

1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

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

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

VIII. [Blank / Omitted]

IX. OPEN FORUM

X. CONSENT AGENDA

pg.56 1. Consider approval of the minutes from the February 4, 2019 regular city council meeting, and take any action necessary.

pg.67 2. Z2018-058 - Consider request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an ordinance for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary. (2nd Reading)

pg.75 3. Consider authorizing City Manager to negotiate and execute a facility use agreement with Lake Pointe Sports and take any action necessary.

pg.88 4. Consider adopting official logo for the "Free Live Music Capital of North Texas," and take any action necessary.

pg.91 5. Consider authorizing the City Manager to execute a professional engineering services contract with Kimley-Horn and Associates, Inc. to perform the engineering design services and specifications for the W. Boydstun Avenue (Forest Trace to S. Goliad Street) and Forest Trace (S. Lakeshore Drive to W. Boydstun Avenue) Reconstruction Project in an amount not to exceed $532,000.00, to be paid for by 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

pg.116 6. Consider authorizing the City Manager to execute a professional engineering services contract with Burgess & Niple, Inc. to perform the engineering design and construction plans for the Squabble Creek Sanitary Sewer Interceptor Rehabilitation Phase 3 Project in an amount not to exceed $30,000.00 to be funded by water/wastewater funds, and take any action necessary.

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pg.159 8. Consider a request by Matt Moore of ClayMoore Engineering, Inc. for the approval of an alternative tree mitigation plan in conjunction with an approved site plan for for a multi-tenant office/warehouse complex on a 7.52-acre portion of a larger 9.76-acre tract of land identified as Lot 18 and the south portion of Lot 19, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 407 Ranch Trail, and take any action necessary.

XI. APPOINTMENT ITEMS

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

pg.164 2. Appointment with Ralph Oltmann, President of Mclenco Construction Services, Inc. to hear request concerning temporary closure of Laguna Drive related to Hyatt Place construction, and take any action necessary.

XII. PUBLIC HEARING ITEMS

pg.197 1. Z2019-001 - Hold a public hearing to discuss and consider approval of an ordinance for a text amendment to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary Living Unit land use, and take any action necessary (1st Reading).

XIII. Action Items

pg.204 1. Z2018-056 - Discuss and consider a request by Tom Jones on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary (2nd Reading).

pg.210 2. A2018-005 - Discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of an ordinance for the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary (1st Reading).

pg.222 3. Discuss and consider authorizing staff to submit application to the "Staffing and Adequate Fire and Emergency Response" (S.A.F.E.R.) Grant Program on behalf of the Rockwall Fire Department, and take any action necessary.

XIV. Executive Session

The City of Rockwall City Council will recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XVI. Adjournment

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of February, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, City Manager Mary Smith, Assistant City Manager Joey Boyd, Assistant City Manager
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	February 19, 2019
SUBJECT:	Zoning Cost/Benefit Tool Background, Methodology, and Instructions

SUMMARY

At the City Council's direction staff has prepared a model that is intended to project the potential costs associated with a proposed zoning change compared to the existing and anticipated costs of the current zoning of a property. In addition, the model is intended to show the City Council how a proposed zoning change brings the City's land use mix closer to or further away from the chosen ratio of 67% residential value to 33% non-residential value (*i.e. estimated to equate to an 80% residential/20% non-residential mix of land uses*). The following memorandum outlines the background and purpose of the model, the methodology used to create the model, and how the model is setup and used to evaluate zoning requests. This memorandum has been drafted for transparency purposes concerning the methodology used to create the model, and to provide appointed/elected officials, the development community, and interested parties with a basis for how the model is intended to be utilized. This memorandum is broken up into the following sections:

(1) Background
(2) Model Methodology
(3) Limitations of the Model
(4) Setting Up the Models Variables
(5) Using the Model
(6) Updating the Model

BACKGROUND

In 2012, the City of Rockwall contracted with Insight, Inc. -- *an economic consultant* -- to purchase *Z-Snap*, a software program that is intended to help quantify the potential fiscal impacts of zoning. This proprietary tool allowed City staff to estimate the economic impact of a zoning proposal based on a set of variables that included an estimate of the City's Cost of Community Service (COCS). Unfortunately, the model designed by Insight, Inc. does not allow staff the ability to view or adjust its variables to account for changes in economic conditions annually, and -- *due to the inability to update the software* -- the model is no longer relevant for 2019 conditions.

More recently, the City Council has requested a similar tool to the one created by Insight, Inc. that could also show how a zoning request will bring the City closer to or further away from its stated goal of 67% residential value to 33% non-residential value (*i.e. estimated to equate to an 80% residential/20% non-residential mix of land uses*). This tool was also referred to in both the Planning and Zoning Department's strategic plan and in the newly adopted OURHometown Vision 2040 Comprehensive Plan. Based on this direction, the Planning and Zoning Department staff have created a tool that: [*1*] shows the estimated shift in land use/land value proposed by a zoning request, [*2*] shows

conformance/non-conformance to the City's Future Land Use Plan, and [*3*] estimates the potential costs associated with the zoning request based on its current zoning versus the proposed zoning. The only criteria that City staff had when approaching the creation of this model -- *beyond the direction of the City Council* -- was to create a model that was easily updated, and could yield results using as little staff time as possible.

It should be noted that if the City Council chooses to use this tool in evaluating zoning cases, the results of this model are not a reasonable basis for the denial of a zoning request; rather, the results generated by this model are only meant to provide a general estimate of the potential fiscal impact of changing the zoning of a particular tract of land. When changing zoning the City Council should take into account other qualitative variables that exist outside the model (*e.g. conformance to the Future Land Use Map and Plan, the adjacent land uses and the potential impacts on these properties, the social impact of the zoning change on the community, etc.*).

MODEL METHODOLOGY

Fiscal Impact Analysis (FIA) is a tool that allows a rough comparison to be made showing the anticipated changes in municipal costs against the anticipated changes in municipal revenues. In preparing the model described above, it was postulated that a tool utilizing FIA would be the most efficient and most relevant way to show the nexus between land use changes and their impact on municipal revenues and expenditures. The following section details the methodology used by City staff in the creation of this tool.

1) *Land Value by Zoning Designation*. In order to estimate the potential changes in land and improvement values resulting from a change in zoning, City staff used an *Average Cost Method* to calculate the potential cost of land values and improvement values for one (1) square foot of land by zoning designation. The *Average Cost Method* assumes that the added value of land and improvements resulting from a zoning change are based on the average cost of land and improvement values that are currently contained within the City's limits. This method is summarized as follows:

$$x = \frac{(\sum b + \sum c)}{\sum(43{,}560a)}$$

WHERE:

x = *Estimated Price/SF*
a = *Sum of Total Square Feet for a Specific Zoning District*
b = *Sum of Total Estimated Land Value for a Specific Zoning District*
c = *Sum of Total Estimated Improvement Value for a Specific Zoning District*

To achieve this, the City's Geographic Information Systems (GIS) division used the City's zoning and parcel layers to extract the *2018 Certified Tax Roll* values -- *provided by the Rockwall Central Appraisal District (RCAD)* --, and break them down into a per square foot cost by each zoning designation. Once the average cost per square foot of land and improvement values was calculated for each zoning district, the model uses the proposed zoning change to calculate the potential increase/decrease in total taxable value (*i.e. land and improvement values*), less the loss of the land's current taxable value based on the *2018 Certified Tax Roll*. This calculation is summarized through the following formula:

$$d = (ab_x) - (ab_y)$$

WHERE:

d = *Change in Taxable Value*

a = *Land Area Proposed to be Rezoned*
b_x = *Estimated Value of Land and Improvements per Proposed Zoning Designation*
b_y = *Value of Current Land and Improvements per the 2018 Certified Tax Roll*

Once the estimated land value and improvements of a proposed zoning change have been calculated these are then used to show the shift in present versus proposed land values. This is done to visually display how the zoning change will either bring the City closer to or further away from its stated goal of 67% residential value versus 33% non-residential value. This model also translates the proposed zoning change to its impact on the Future Land Use Map, and shows how the projected change compares to the desired 80% residential land uses versus 20% non-residential land uses.

2) *Estimated Property Taxes for Residential and Non-Residential Land Uses*. Once the land and improvement values of the proposed zoning change have been established, the model calculates the estimated residential and non-residential property tax revenues anticipated from a project. This is calculated by taking the total value of the land (*i.e. the sum of the land and improvement values*) and dividing it by $100.00 to obtain the value per $100.00 valuation. This is then multiplied by the effective tax rate to determine the estimated tax collections. A summary of this formula is as follows:

$$x = \left(\frac{(a+b)}{\$100.00}\right)c$$

WHERE:

x = *Estimated Tax Revenue*
a = *Land Value of the Land*
b = *Improvement Values of the Land*
c = *Effective Tax Rate*

3) *Cost of Community Service*. To calculate the Cost of Community Service (COCS), City staff used an *Average-Cost* approach. The *Average-Cost a*pproach is a basic methodology of Fiscal Impact Analysis (FIA), which calculates costs and revenues based on the average cost per unit of service multiplied by the demand for that unit. This type of FIA can be achieved through various techniques (*e.g. Per-Capita Multiplier, Service Standard, Proportional Evaluation, etc.*); however, for this model staff utilized the *Per Capita Multiplier* and *Proportional Valuation* techniques.

(a) *Per-Capita Multiplier Approach for COCS for Residential Land Uses.* The *Per-Capita Multiplier* approach is obtained by dividing expenditures in the budget by the current population to obtain a cost per person. This can then be extrapolated using the projected population increase of a particular residential development to estimate the cost required to serve said development. This approach assumes that each of the service levels will be maintained in the future, and that the addition of each resident will generate the same level of costs to the municipality as each existing resident currently generates. This can be summarized by the following formula:

$$x = \frac{(ab)}{c}$$

WHERE:

x = *Cost of Expenditure per Person*
a = *Expenditure*
b = *Percent of Expenditure Attributed to Residential Development*
c = *Current Population*

(b) *Proportional Valuation Approach for COCS for Commercial Land Uses.* The *Proportional Valuation* approach is obtained by calculating the proportional percentage increase in non-residential property values anticipated by a particular development, and multiplying the expenditures in the budget associated with non-residential property by the proportional increase. This method assumes that the assessed property values are directly related to public service costs. This approach can be summarized by the following formula:

$$x = ab$$

$$y = \frac{(c + d)}{c}$$

$$z = xy$$

WHERE:

x = *Expenditure Attributed to Non-Residential Development*
a = *Percent Proportion of Non-Residential Value*
b= *Municipal Expenditure*
y = *Proportional Increase in Non-Residential Development*
c = *Value of Existing Non-Residential Value*
d = *Value of Proposed Development*
z = *Costs Allocated to New Facility*

To estimate the anticipated COCS for residential and non-residential land uses, City staff took the line item expenditures from the *Debt Services* and *Operating Expenditures* sections of the City's *FY2019 Budget*. For each of the line item expenditures, a percentage share was then assigned to either residential or non-residential costs with the total sum of the two (2) percentage shares equaling 100%. These shares were the perceived costs that were attributable to either residential land uses or non-residential land uses. In cases where staff is unable to ascertain the percentage of responsibility for the expenditure, a default value equal to the percentage of the residential value versus non-residential value currently existing in the city is used (*i.e. 76.31% residential value to 23.69% commercial value*). Once all expenditures are accounted for, the *Per-Capita Multiplier* and *Proportional Valuation* methods are applied to the percentage share for each expenditure. The sum of the *Per-Capita Multiplier* method (*i.e. percent share of expenditure divided by the current population*) represents the estimated cost attributable to one (1) resident. This is then multiplied by the anticipated number of residents for a given development (*i.e. the number of households determined by the acreage and zoning designation multiplied by the anticipated people per household*) to determine the total anticipated cost of a proposed residential development. The sum of the *Proportional Valuation* method (*i.e. the percent share of expenditure multiplied by the proportional increase less the original expenditure*) represents the cost attributable to a proposed non-residential development. The *Proportional Valuation* method is used in this model to calculate both the proposed non-residential zoning change and the estimated potential of the current non-residential zoning.

4) *Estimated Sales Tax.* When estimating sales tax revenues associated with residential and non-residential land uses, City staff used two (2) different types of sales tax categories to calculate the potential impacts of a change in zoning. These are *Direct Sales Tax* and *Indirect Sales Tax*.

(a) *Direct Sales Tax*. For this model, *Direct Sales Tax* refers to sales tax that is directly attributable to non-residential, non-industrial property. To calculate the *Direct Sales Tax*, City staff used an *Average Cost Method*. This method assumes that the sales tax generated by adding of one (1) square foot of non-residential land will be equal to the average sales tax generated by one (1)

square foot of non-residential land currently located in the City. The *Direct Sales Tax* calculation can be summarized by the following formula:

$$x = \left(43{,}560\left(\frac{b}{(43{,}560a)}\right)\right)c$$

WHERE:

x = *Estimated Direct Sales Tax*
a = *Total Acreage of Sales Tax Producing Land in the City*
b = *Estimated City Sales Tax*
c = *Acreage of Proposed Sales Tax Producing Land Associated with the Zoning Change*

(b) *Indirect Sales Tax*. *Indirect Sales Tax* refers to sales tax that is associated with the increase in residents resulting from a residential development. This is calculated using the *Per-Capita Multiplier* method described above. In this case, the total sales tax collected by the City is divided by the City's current population to establish the per-capita sales tax (*i.e. sales tax associated with one [1] person*). This per-capita number is then multiplied by the additional number of residence anticipated to be added to the population by a particular zoning change. The *Indirect Sales Tax* calculation can be summarized by the following formula:

$$x = \left(\frac{b}{a}\right)(cd)$$

WHERE:

x = *Estimated Direct Sales Tax*
a = *Current Population*
b = *Estimated City Sales Tax*
c = *Number of Households Associated with the Zoning Change*
d = *Average People Per Household*

5) *Estimated Annual Revenues, Expenditures and Total Cost.* Annual revenues are calculated by adding the [*1*] residential property tax, [*2*] non-residential property tax, [*3*] direct sales tax, and [*4*] indirect sales tax. Annual expenditures are calculated by adding the COCS for residential and non-residential land uses. Once these numbers are calculated the estimated total annual cost to the municipality is obtained by adding the total expenditures to the total revenues.

LIMITATIONS OF THE MODEL

Staff should point out that while the methodology contained in this model is based on general practices, there are some limitations associated with Fiscal Impact Analysis (FIA) and the model itself that are important to understand when analyzing the model's outputs. For starters, FIA can have the effect of placing an emphasis on alternatives and the perceived expenses associated with these alternatives, and take away the emphasis on other factors that are less easily quantified (*e.g. the social and political constraints of zoning*). FIA can also be misleading to outside parties that are not trained to interpret the data. When looking at the techniques used in this model (*i.e. Per-Capita Multiplier and Proportional Valuation approaches*) both are intended to provide a broad analysis, and will be less accurate than a detailed economic study of the proposed zoning case.

From the model's perspective, the determination of the proportional share relating to the City's cost is somewhat subjective to the person calibrating the model. This speaks to the elusiveness of the true valuation of Cost of Community Service (COCS). The model also lacks the ability to account for future

bond elections for infrastructure and public improvements. Finally, the sales tax estimates in this model attempt to account for both the direct and indirect forms of sales tax; however, it does not account for the overlap between the per-capita sales tax expenditures of a new resident and the direct sales tax generated by commercial/retail land uses when a zoning case deals with both residential and non-residential land uses.

All of these items should be understood by elected and appointed officials when interpreting the results generated by this model. In addition, the merits of a zoning case should be decided by weighing all available information including the zoning changes conformance to the City's Comprehensive Plan. This model should *not* be a basis for the denial of a request to change the zoning of a property.

SETTING UP THE MODEL

The following are the steps necessary to setting up the model prior to use. The model should be recalibrated on an annual basis to ensure that the information provided by the model is accurate. During the annual update, all information in the *Zoning Cases* tab should be removed as these cases will be accounted for in the updated zoning and future land use acreages.

STEP 1. The first step in preparing the model is to utilize ArcMap to extract the acreages for each land use designation from the *Future Land Use* layer (*i.e. Feature Class*). These should be summarized by each of the *Land Use Districts* contained in the OURHometown Vision 2040 Comprehensive Plan. These acreages are then input into the green cells on the *Future Land Use* tab of the spreadsheet. By doing this the *Pre-Adjusted* and *Adjusted* tabs of the spreadsheet will auto populate with the acreages.

Figure 1. Future Land Use

BASE YEAR ACREAGES
UPDATED: 8/27/2018

		RESIDENTIAL			COMMERCIAL				SPECIAL DISTRICTS				PUBLIC LAND AND OPEN SPACE			
#	LAND USE DISTRICTS	LDR	MDR	HDR	CR	CI	BC	TEC	LW	MU	DT	SC	OS	P	QP	CEM
01	Central District	234.39	134.46	30.62	133.44			390.78	23.13			0.07	228.02	212.77	23.65	0.18
02	Downtown District		248.09	6.27	24.06	5.82			23.73		38.24		51.16	35.21	18.89	17.11
03	Employment District	0.03	355.53		67.72		86.38	640.37					106.27	14.31	39.12	
04	Far North Estates District	2,265.23	131.27		48.50								981.02			
05	Harbor District		35.22	48.42	14.25					83.60			9.97			1.43
06	IH-30 Corridor District											957.15	37.03	28.31	39.49	
07	Innovation District		1,374.03		107.49		140.62			247.86			270.30			
08	Marina District		317.63	14.04	2.80								100.71		5.18	0.03
09	Medical District				65.95		36.01						38.65	1.27	26.14	
10	North Lakeshore District		1,237.77		56.94				12.29				541.83	40.53	5.58	3.76
11	Northeast Residential District	1,646.83			13.02								178.54	92.45	3.25	32.34
12	Northern Estates District	1,643.65	0.04		68.87								341.15		7.33	
13	Northwest Residential District		581.43		60.20								315.22	38.11	9.66	
14	Scenic District		28.04	54.77	20.89				2.63	33.21			38.13	52.63	14.31	
15	South Lakeshore District		381.87		34.92				3.66				123.68		2.93	0.75
16	South Central Residential District	1,102.26	200.85		144.84								283.44	40.36	161.33	0.99
17	South Central Estates District	1,336.88	624.93	38.71	162.92		106.13	7.79					332.01		7.79	
18	Southwest Residential District	1,025.90	481.39		277.44	120.50							570.30		8.67	
19	Technology District	425.14	27.22	74.61	78.42			530.85				6.76		1.95	0.61	
20	Southeast Estates District	3,266.62			242.68								578.64			
	TOTAL:	12,946.93	6,159.77	267.44	1,625.35	126.32	369.14	1,569.79	65.44	364.67	38.24	963.98	5,126.07	557.90	373.93	56.59

Financials | Adjusted | Pre-Adjusted | Zoning | Future Land Use
Ready

STEP 2. The next step is to utilize ArcMap to extract the acreages, land values and improvement values for each parcel by its zoning designation. This requires that the *Zoning* layer be joined to the *Parcel* layer through a union. In addition, all Planned Development District acreages should be removed from the *Zoning* layer. For Planned Development Districts, the model requires these acreages be summarized by their base zoning. The *PD Base Zoning* layer has this information and will need to be joined to the *Parcel* layer through a union. Once this information is collected, the two (2) tables can be exported and merged in

Microsoft Excel. This information is then input into the green cells on the *Zoning* tab of the spreadsheet.

Figure 2. Zoning

CURRENT ZONING ACREAGES

UPDATED: 8/27/2018

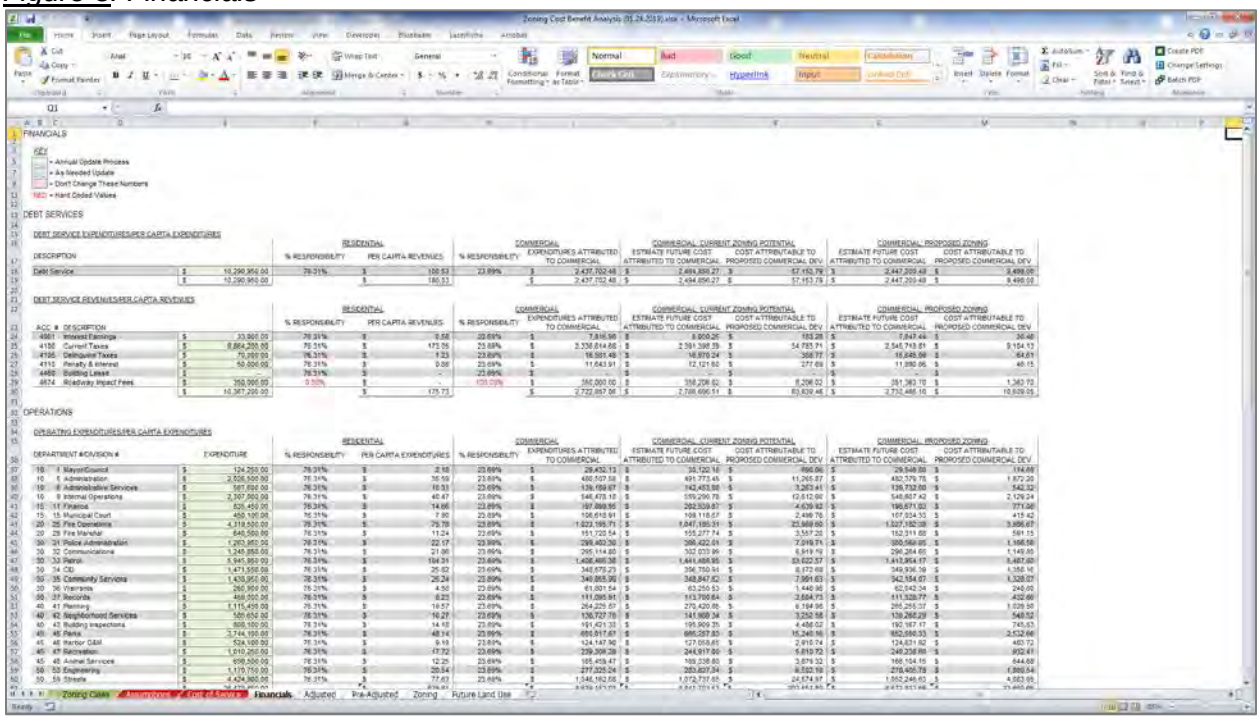
#	ZONING DISTRICTS	ACREAGES	TOTAL EST. LAND	TOTAL EST. IMPROVEMENTS	TOTAL EST. VALUES	EST. PRICE/SF	
01	Agricultural (AG) District	1,417.03	$ 24,881,120.00	$ 88,253,208.00	$ 113,134,328.00	$ 1.83	
02	Commercial (C) District	861.96	$ 276,332,839.00	$ 417,168,322.00	$ 693,501,161.00	$ 18.47	
03	Cemetery (CEM) District	25.00	$ 660,740.00	$ -	$ -	$ -	
04	Downtown (DT) District	43.11	$ 26,628,680.00	$ 27,708,559.00	$ 54,337,239.00	$ 28.94	
05	General Retail (GR) District	308.01	$ 100,251,270.00	$ 245,842,857.00	$ 346,094,127.00	$ 25.80	
06	Heavy Commercial (HC) District	76.85	$ 5,808,030.00	$ 9,518,250.00	$ 15,326,280.00	$ 4.58	
07	Heavy Industrial (HI) District				$ -	$ -	
08	Light Industrial (LI) District	410.77	$ 48,076,490.00	$ 158,496,419.00	$ 206,572,909.00	$ 11.54	
09	Multi-Family 14 (MF-14) District	187.33	$ 39,653,416.00	$ 205,444,114.00	$ 245,097,530.00	$ 30.04	
10	Neighborhood Services (NS) District	0.40	$ 92,570.00	$ 136,400.00	$ 228,970.00	$ 13.02	
11	Open Space (OS)	9,365.99	$ 211,480,117.95	$ 40,494,155.00	$ 251,974,272.95	$ 0.62	
12	Residential-Office (RO) District	33.72	$ 7,648,040.00	$ 11,627,106.00	$ 19,275,146.00	$ 13.12	
13	Single Family (SF) District	351.18	$ 116,878,380.00	$ 270,426,994.00	$ 387,305,374.00	$ 25.32	
14	Single Family Townhomes (SF-TH) District	5.52	$ 47,000.00	$ 41,110.00	$ 88,110.00	$ 0.37	
15	Single-Family 1 (SF-1) District	8.51	$ 367,860.00	$ 497,340.00	$ 865,200.00	$ 2.33	
16	Single-Family 10 (SF-10) District	1,388.80	$ 347,054,200.00	$ 961,625,207.00	$ 1,308,679,407.00	$ 21.63	
17	Single-Family 16 (SF-16) District	248.93	$ 27,182,820.00	$ 131,908,231.00	$ 159,091,051.00	$ 14.67	
18	Single-Family 6 (SF-6) District	1,833.00	$ 102,682,850.00	$ 269,009,916.00	$ 371,692,766.00	$ 4.66	
19	Single-Family 7 (SF-7) District	926.04	$ 234,684,950.00	$ 607,617,436.00	$ 842,302,386.00	$ 20.88	
20	Single-Family 8.4 (SF-8.4) District	384.25	$ 99,429,815.00	$ 366,251,591.00	$ 465,681,406.00	$ 27.82	
21	Single-Family Estate 1.5 (SFE 1.5) District	251.39	$ 13,375,570.00	$ 50,560,556.00	$ 63,936,126.00	$ 5.84	
22	Single-Family Estate 2.0 (SFE 2.0) District	53.02	$ 1,398,000.00	$ 4,285,320.00	$ 5,683,320.00	$ 2.46	
23	Single-Family Estate 4.0 (SFE 4.0) District	185.43	$ 4,595,230.00	$ 19,843,418.00	$ 24,438,648.00	$ 3.03	
24	Two-Family (2F) District	13.32	$ 1,868,650.00	$ 3,729,514.00	$ 5,598,164.00	$ 9.65	
25	Zero Lot Line (ZLL-5) District	179.00	$ 37,093,500.00	$ 62,991,120.00	$ 100,084,620.00	$ 12.84	
	TOTAL:	18,558.57	$ 1,728,172,137.95	$ 3,953,477,143.00	$ 5,680,988,540.95	$ 7.03	= AVG. PRICE/SF

Worksheet | Zoning Cases | Assumptions | Cost of Service | Financials | Adjusted | Pre-Adjusted | Zoning | Future Land Use

Ready

STEP 3. The third step in the process is to update the financial information using the current year's budget. This includes all expenditures and revenues for the City. The dollar amounts for each line item are input into the green cells on the *Financials* tab of the spreadsheet.

Figure 3. Financials



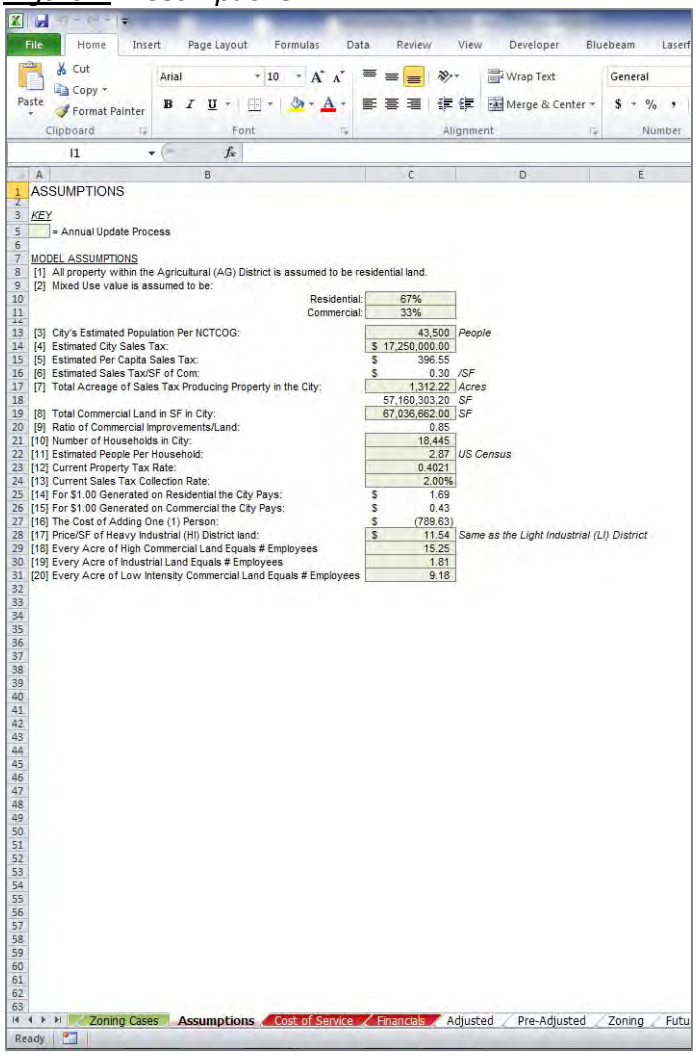
STEP 4. The next step involves inputting the models assumptions, which are located on the *Assumptions* tab in the spreadsheet. Each of the green cells on this tab represents

13

variables used by the model to make the calculations detailed in the methodology section. These assumptions can come from various sources; however, in the original setup of the model the following sources were used for each variable:

(1) *Mixed Use Value*: OURHometown Vision 2040 Comprehensive Plan [*using the desired land use mix*]
(2) *Population*: North Central Council of Governments (NCTCOG)
(3) *Sales Tax*: City's Annual Budget
(4) *Total Acreage of Sales Tax Producing Property*: GIS Division [*using the Current Land Use layer*]
(5) *Total Non-Residential Land in the City*: GIS Division [*using the Current Land Use layer*]
(6) *Number of Households in the City*: GIS Division [*using residential address points from the Address Point layer*]
(7) *Estimated People Per Household*: United States Census Bureau
(8) *Effective Tax Rate*: City's Annual Budget
(9) *Current Sales Tax Collection Rate*: City's Annual Budget
(10) *Price Per Square Foot of Heavy Industrial (HI) District Land*: Light Industrial (LI) District Land Per Square Foot
(11) *Employment Data for Land Uses*: ESRI Business Analyst and GIS Division

Figure 4. Assumptions



ASSUMPTIONS

KEY

= Annual Update Process

MODEL ASSUMPTIONS

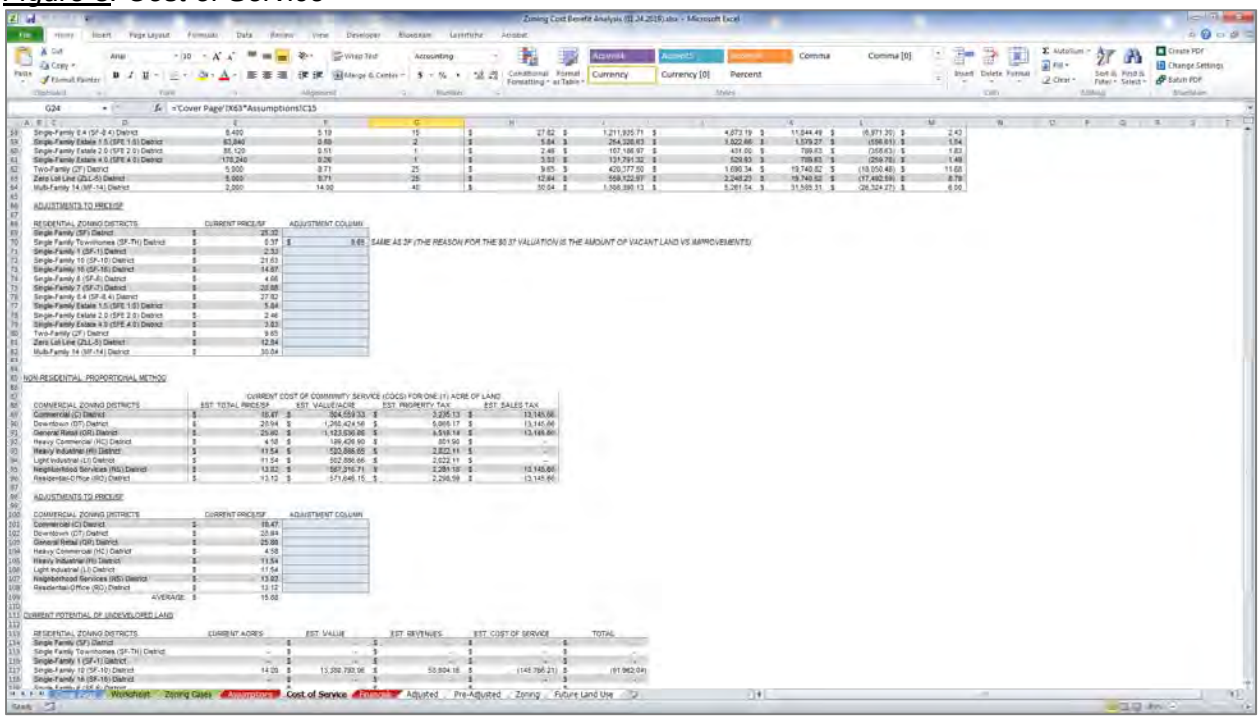
[1] All property within the Agricultural (AG) District is assumed to be residential land.
[2] Mixed Use value is assumed to be:

Residential:	67%
Commercial:	33%

[3]	City's Estimated Population Per NCTCOG:	43,500	*People*
[4]	Estimated City Sales Tax:	$ 17,250,000.00	
[5]	Estimated Per Capita Sales Tax:	$ 396.55	
[6]	Estimated Sales Tax/SF of Com:	$ 0.30	*/SF*
[7]	Total Acreage of Sales Tax Producing Property in the City:	1,312.22	*Acres*
		57,160,303.20	*SF*
[8]	Total Commercial Land in SF in City:	67,036,662.00	*SF*
[9]	Ratio of Commercial Improvements/Land:	0.85	
[10]	Number of Households in City:	18,445	
[11]	Estimated People Per Household:	2.87	*US Census*
[12]	Current Property Tax Rate:	0.4021	
[13]	Current Sales Tax Collection Rate:	2.00%	
[14]	For $1.00 Generated on Residential the City Pays:	$ 1.69	
[15]	For $1.00 Generated on Commercial the City Pays:	$ 0.43	
[16]	The Cost of Adding One (1) Person:	$ (789.63)	
[17]	Price/SF of Heavy Industrial (HI) District land:	$ 11.54	*Same as the Light Industrial (LI) District*
[18]	Every Acre of High Commercial Land Equals # Employees	15.25	
[19]	Every Acre of Industrial Land Equals # Employees	1.81	
[20]	Every Acre of Low Intensity Commercial Land Equals # Employees	9.18	

STEP 5. The final step in the process is optional depending on the accuracy of the calculations for per square foot land values in each zoning district. The blue cells on the *Cost of Service* tab of the spreadsheet allow the price per square foot to be adjusted for each zoning district. This may be necessary if there is a large amount of vacant land in any district, which could skew the overall price per square foot of land in that district.

Figure 5. Cost of Service



USING THE MODEL

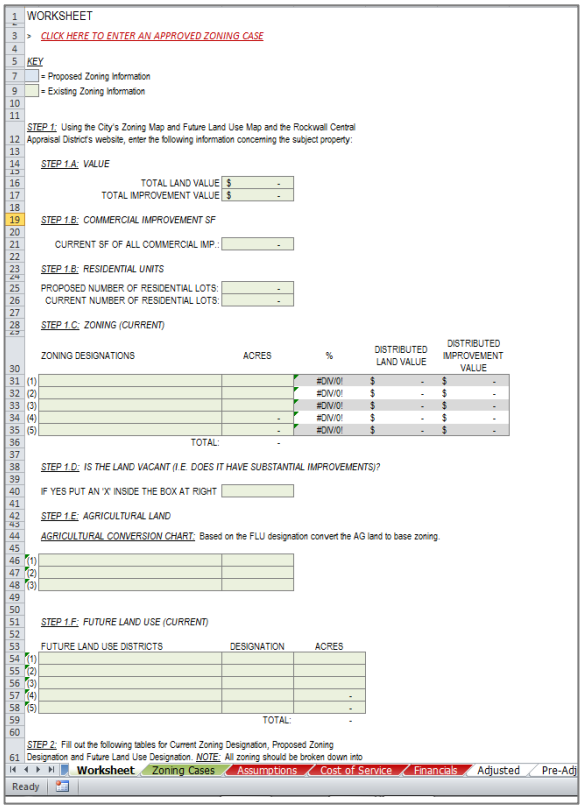
The following steps lay out the process of inputting a zoning case into the model and generating the summary page that will be provided to appointed and elected officials.

STEP 1.A. The first step in the process requests that the user input the land and improvement values of the subject property. This information is obtained from the Rockwall Central Appraisal District (RCAD).

STEP 1.B. The next step requests that the user submit the total square footage of all non-residential improvements on the property and/or the number of proposed/current residential lots on the property. This information is obtained from the Rockwall Central Appraisal District (RCAD) and/or the subdivision plat for the property.

STEP 1.C. This step requests the current zoning by acreage of the property. If the property has multiple zoning designations, the user will need to get the acreages from the

Figure 6. Worksheet (Step 1)



Geographical Information Systems (GIS) Division.

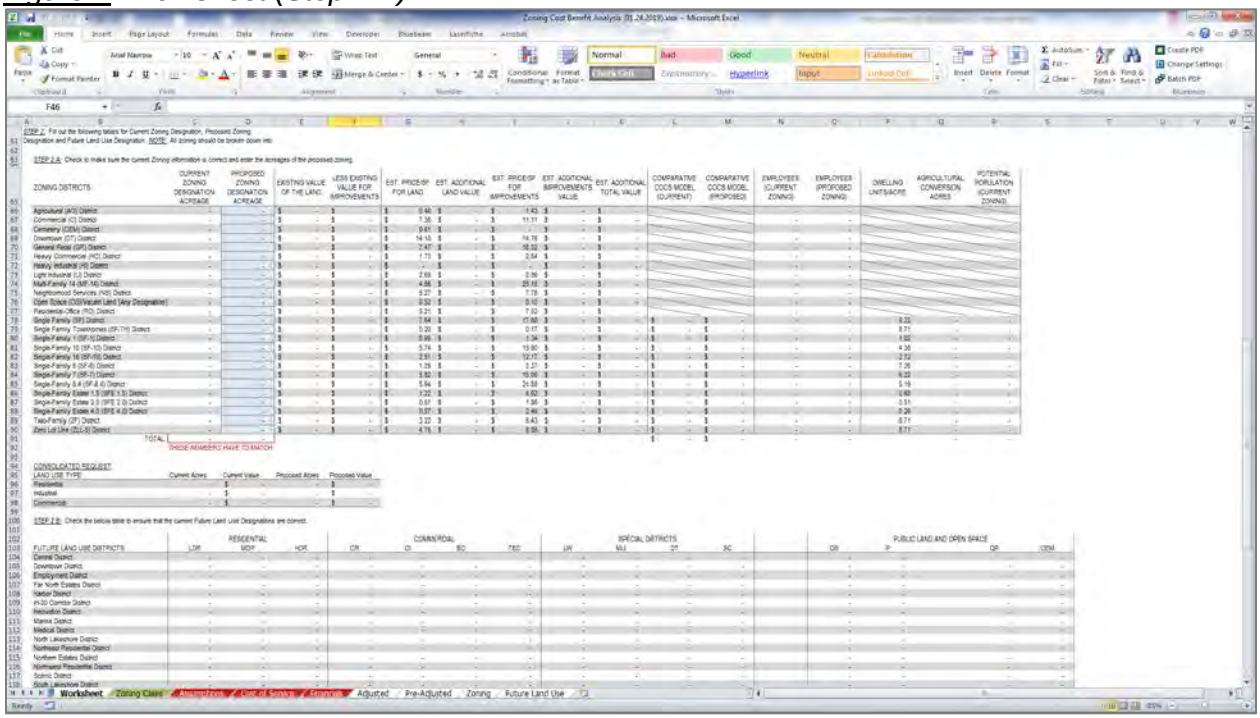
STEP 1.D. The next step asks the user if the subject property has any improvements currently existing on the property or if it is vacant. If the property is vacant, the user will need to put an 'X' inside the box. If the property has improvements, the box will need to be left blank.

STEP 1.E. The *Agricultural Conversion Chart* is intended to convert agricultural land to its intended base zoning based on the Future Land Use designation for the subject property. For example, if the subject property is designated for *Low Density Residential* land uses a base zoning of Single Family 10 (SF-10) District or Single Family 16 (SF-16) District would be appropriate.

STEP 1.F. The next step asks the user to input the Future Land Use designation and acreage of the subject property. If the property has multiple zoning designations, the user will need to get the acreages from the Geographical Information Systems (GIS) Division.

STEP 2.A. This step asks the user to fill in the proposed zoning acreages into the table in the blue cells. The bottom numbers should match to ensure that all the land associated with the zoning change is being accounted for.

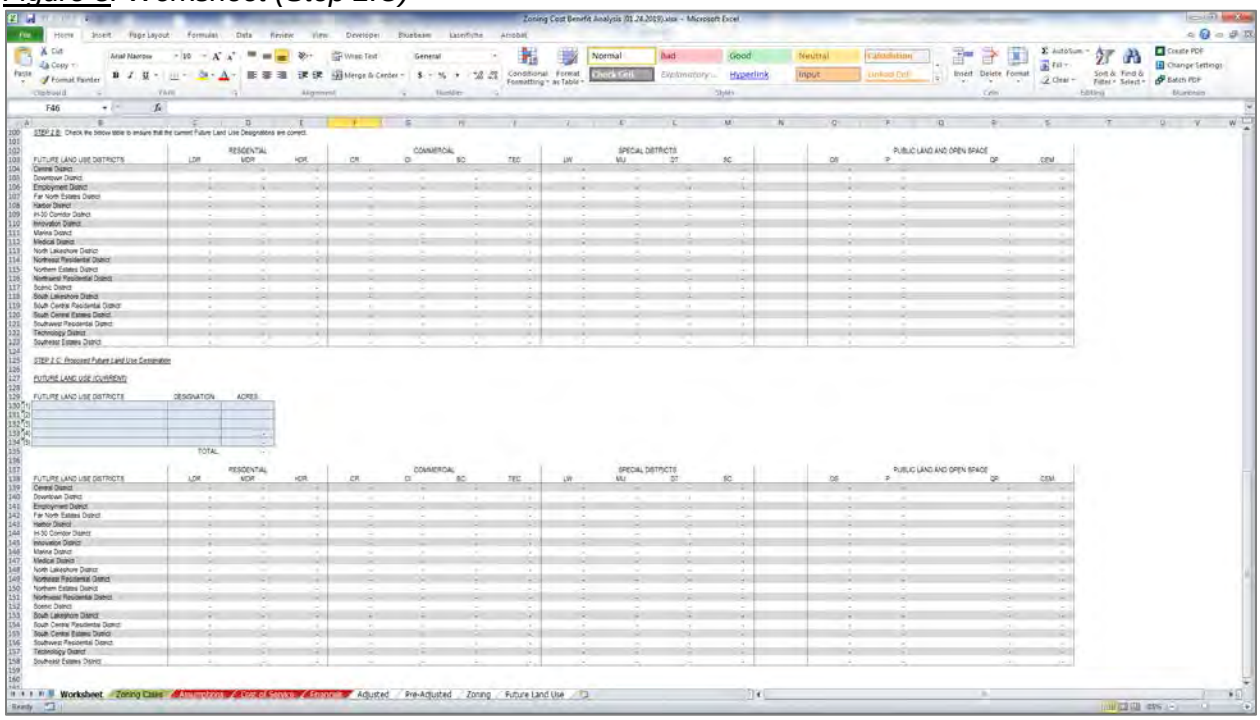
Figure 7. Worksheet (Step 2.A)



STEP 2.B. This step asks the user to check the information contained in the Future Land Use table to ensure that the current Future Land Use designation is correct with regard to the designation, acreage, and district.

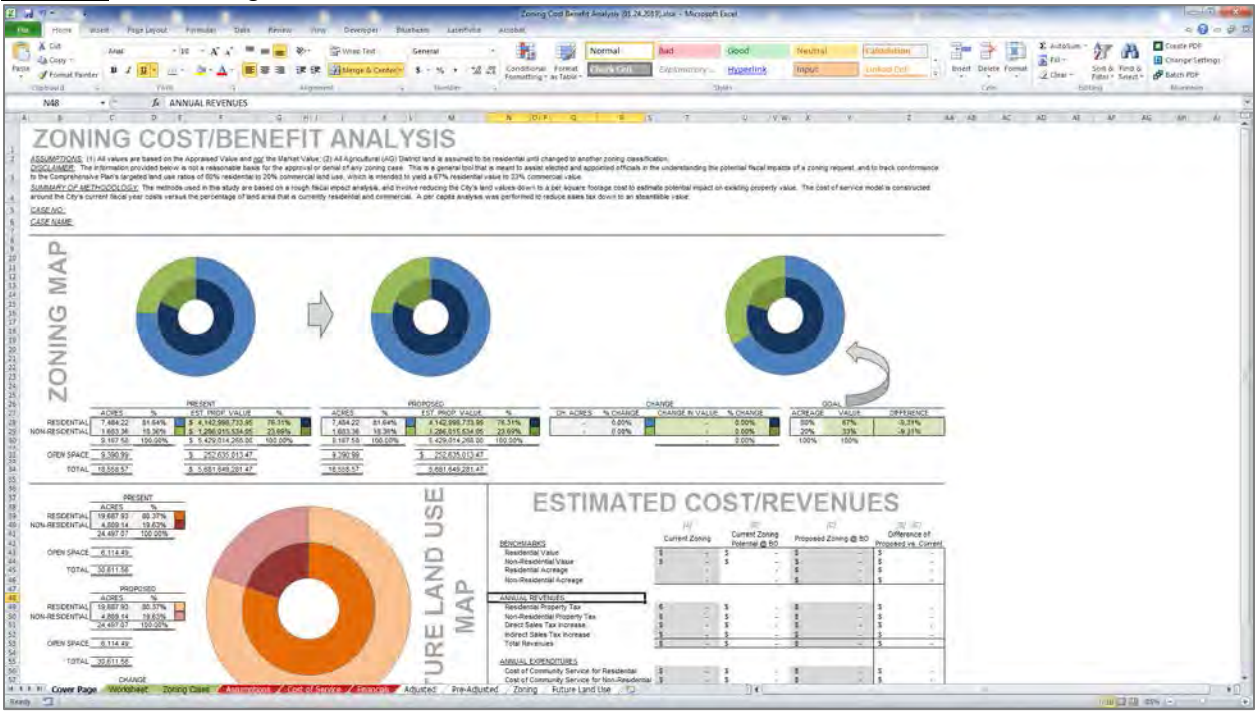
STEP 2.C. The next step asks the user to input the Land Use District and Future Land Use designations that will result from the zoning change if approved, and their associated acreages. This may require assistance from the Geographical Information Systems (GIS) Division to determine the acreages.

Figure 8. Worksheet (Step 2.C)



STEP 3. Once all information has been entered on the *Worksheet* tab, the user should click on the *Cover Page* tab and fill out the *CASE NO.* and *CASE NAME* blanks at the top of the page. The cover page can then be printed or exported to a .pdf file.

Figure 9. Cover Page



17

UPDATING THE MODEL

To ensure that the model is providing the most accurate information possible it is necessary to input approved zoning cases into the *Zoning Cases* tab of the model. To do this the model requires that the table entitled *Changes to the Zoning Map* be updated as well as the *Changes to the Future Land Use Map*. These two (2) tables should have one (1) entry for each zoning/future land use change resulting from a change in zoning. The red arrows below indicate the tables that should be updated.

Figure 10. Changes to the Zoning Map

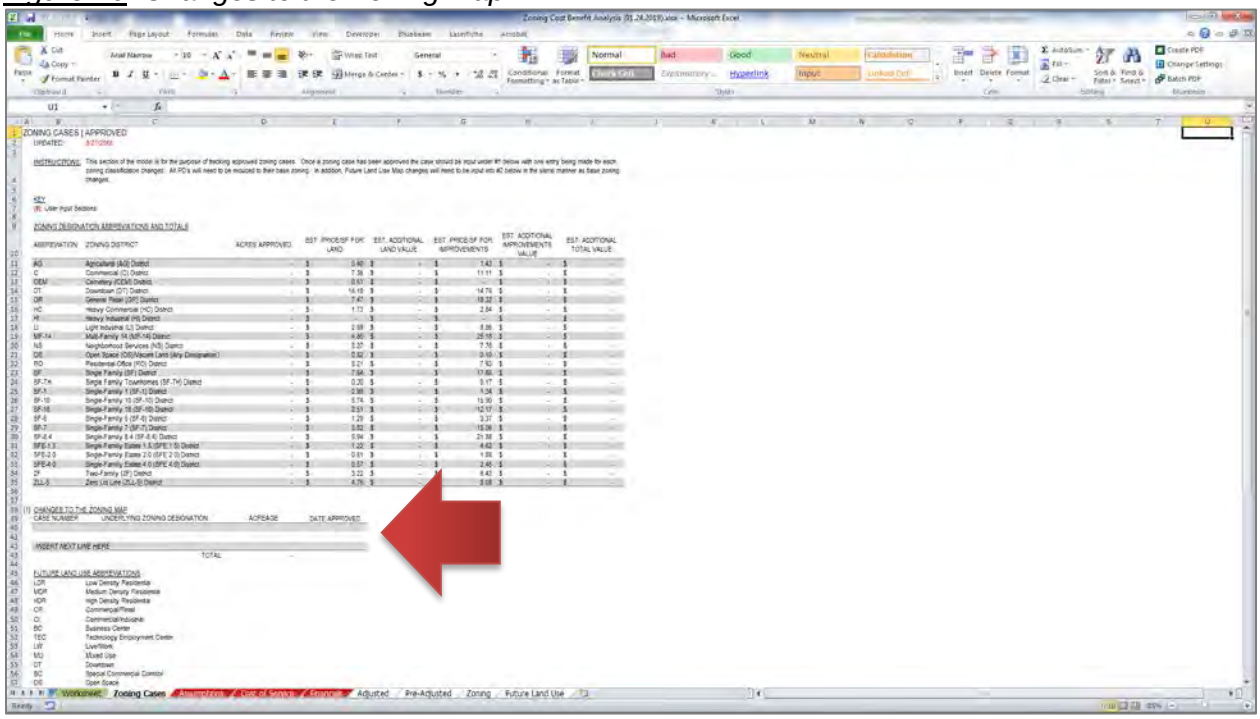
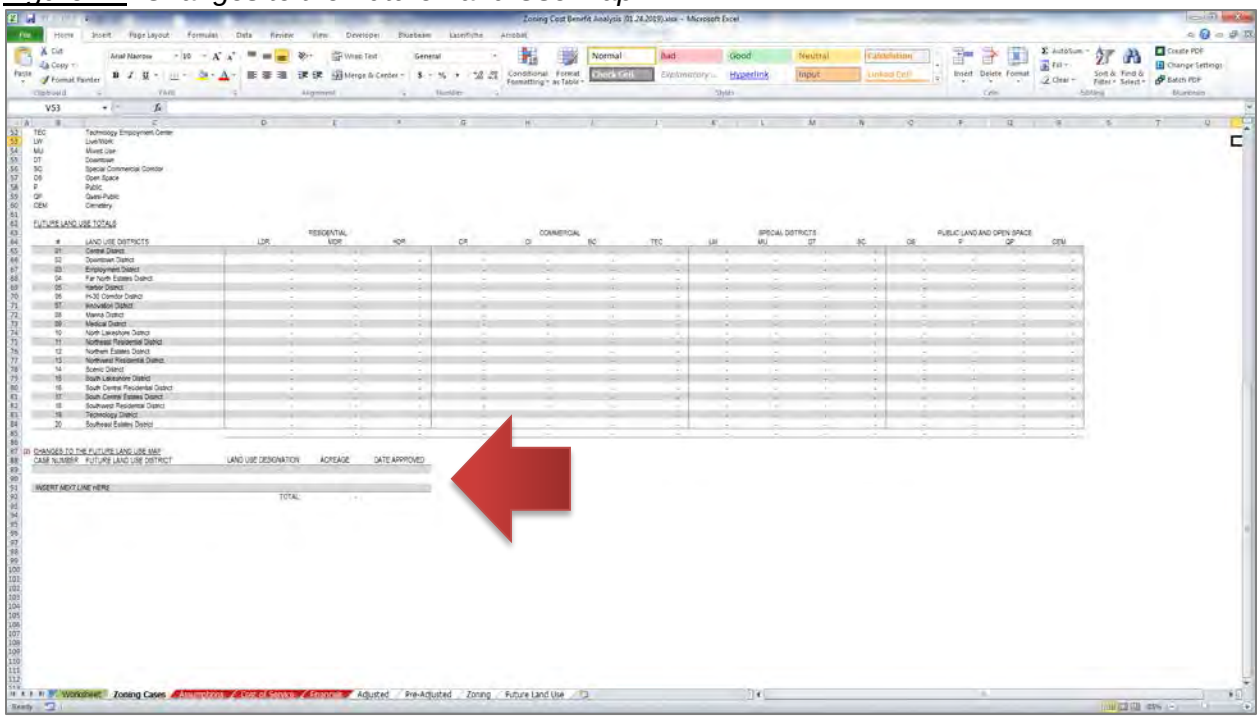


Figure 11. Changes to the Future Land Use Map

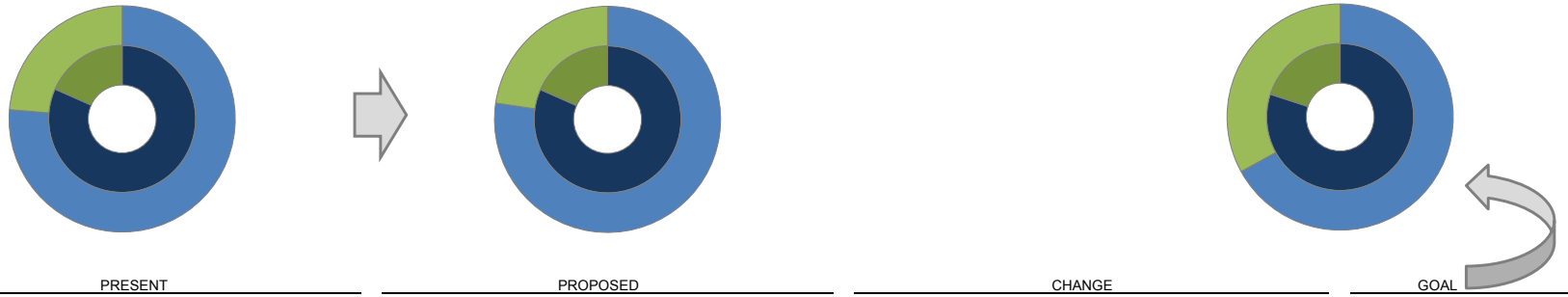


ZONING COST/BENEFIT ANALYSIS

ASSUMPTIONS: (1) All values are based on the Appraised Value and *not* the Market Value; (2) All Agricultural (AG) District land is assumed to be residential until changed to another zoning classification.
DISCLAIMER: The information provided below is not a reasonable basis for the approval or denial of any zoning case. This is a general tool that is meant to assist elected and appointed officials in the understanding the potential fiscal impacts of a zoning request, and to track conformance to the Comprehensive Plan's targeted land use ratios of 80% residential to 20% commercial land use, which is intended to yield a 67% residential value to 33% commercial value.
SUMMARY OF METHODOLOGY: The methods used in this study are based on a rough fiscal impact analysis, and involve reducing the City's land values down to a per square footage cost to estimate potential impact on existing property value. The cost of service model is constructed around the City's current fiscal year costs versus the percentage of land area that is currently residential and non-residential. A per capita multiplier and average cost method were used to estimate sales tax.

CASE NO.: *Z2018-010*
CASE NAME: *Wallace Tract (AG to PD)*

ZONING MAP



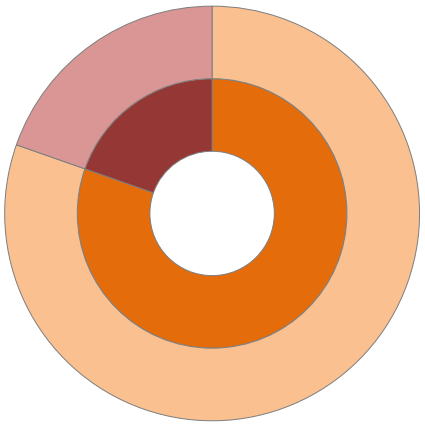
	PRESENT				PROPOSED				CHANGE				GOAL		
	ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE	ACREAGE	VALUE	DIFFERENCE
RESIDENTIAL	7,484.22	81.64%	$ 4,142,998,733.95	76.31%	7,484.22	81.64%	4,381,314,568.16	77.31%	-	0.00%	238,315,834.21	4.39%	80%	67%	-10.31%
NON-RESIDENTIAL	1,683.36	18.36%	$ 1,286,015,534.05	23.69%	1,683.36	18.36%	1,286,015,534.05	22.69%	-	0.00%	-	0.00%	20%	33%	-10.31%
	9,167.58	100.00%	$ 5,429,014,268.00	100.00%	9,167.58	100.00%	5,667,330,102.21	100.00%			238,315,834.21	4.39%	100%	100%	
OPEN SPACE	9,390.99		$ 252,635,013.47		9,390.99		$ 252,635,013.47								
TOTAL	18,558.57		$ 5,681,649,281.47		18,558.57		5,919,965,115.67								

FUTURE LAND USE MAP

	PRESENT	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	PROPOSED	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	CHANGE	
	ACRES	%
RESIDENTIAL	-	0.00%
NON-RESIDENTIAL	-	0.00%



ESTIMATED COST/REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
BENCHMARKS				
Residential Value	$ 47,210.00	$ 169,436,635.19	$ 238,315,834.21	$ 68,879,199.02
Non-Residential Value	$ -	$ -	$ -	$ -
Residential Acreage	262.06	262.06	$ 262.06	$ -
Non-Residential Acreage	-	-	$ -	$ -
ANNUAL REVENUES				
Residential Property Tax	$ 189.83	$ 681,304.71	$ 958,267.97	$ 276,963.26
Non-Residential Property Tax	$ -	$ -	$ -	$ -
Direct Sales Tax Increase	$ -	$ -	$ -	$ -
Indirect Sales Tax Increase	$ 5,690.52	$ 310,600.07	$ 734,076.72	$ 423,476.65
Total Revenues	$ 5,880.35	$ 991,904.78	$ 1,692,344.69	$ 700,439.91
ANNUAL EXPENDITURES				
Cost of Community Service for Residential	$ -	$ (1,845,790.24)	$ (3,724,760.85)	$ (1,878,970.61)
Cost of Community Service for Non-Resident	$ -	$ -	$ -	$ -
Total Estimated Expenditures	$ -	$ (1,845,790.24)	$ (3,724,760.85)	$ (1,878,970.61)
EST. ANN. COST/REVENUES	$ 5,880.35	$ (853,885.46)	$ (2,032,416.16)	$ (1,178,530.70)
OTHER BENCHMARKS				
Additional Citizens Added to Population		783	1,851	1,068
Estimated Non-Resident Consumers in City		0	-	-

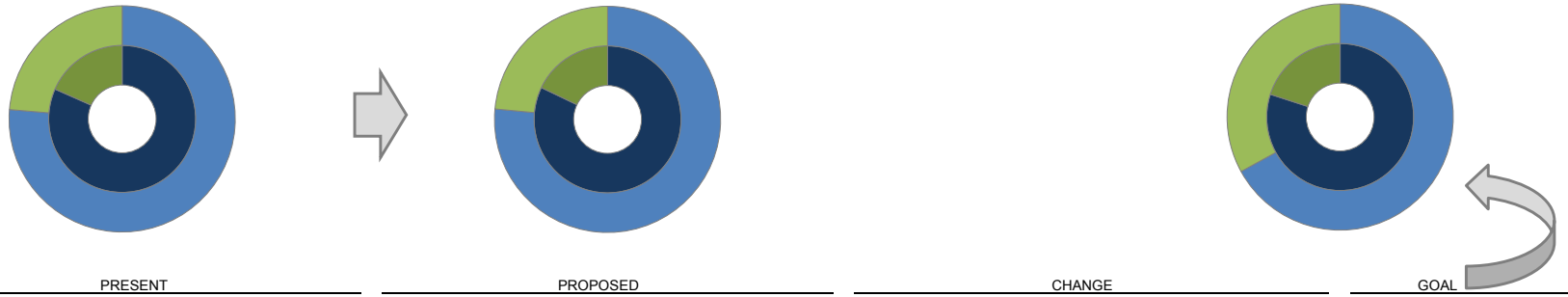
19

ZONING COST/BENEFIT ANALYSIS

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DISCLAIMER: The information provided below is not a reasonable basis for the approval or denial of any zoning case. This is a general tool that is meant to assist elected and appointed officials in the understanding the potential fiscal impacts of a zoning request, and to track conformance to the Comprehensive Plan's targeted land use ratios of 80% residential to 20% commercial land use, which is intended to yield a 67% residential value to 33% commercial value.
SUMMARY OF METHODOLOGY: The methods used in this study are based on a rough fiscal impact analysis, and involve reducing the City's land values down to a per square footage cost to estimate potential impact on existing property value. The cost of service model is constructed around the City's current fiscal year costs versus the percentage of land area that is currently residential and commercial. A per capita analysis was performed to reduce sales tax down to an steamtable value.

CASE NO.: *Z2018-030*
CASE NAME: *Zoning Change (AG, C & HC to PD) for the Enclave*

ZONING MAP



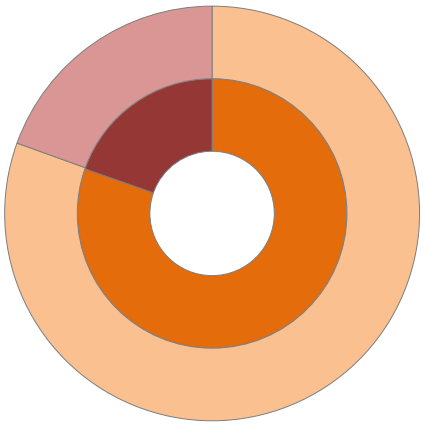
	PRESENT				PROPOSED				CHANGE				GOAL		
	ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE	ACREAGE	VALUE	DIFFERENCE
RESIDENTIAL	7,484.22	81.64%	$ 4,142,998,733.95	76.31%	7,528.43	82.12%	4,195,856,052.86	76.47%	44.21	0.48%	52,857,318.91	0.97%	80%	67%	-9.47%
NON-RESIDENTIAL	1,683.36	18.36%	$ 1,286,015,534.05	23.69%	1,639.15	17.88%	1,291,026,225.86	23.53%	(44.21)	-0.48%	5,010,691.81	0.09%	20%	33%	-9.47%
	9,167.58	100.00%	$ 5,429,014,268.00	100.00%	9,167.58	100.00%	5,486,882,278.72	100.00%			57,868,010.72	1.07%	100%	100%	
OPEN SPACE	9,390.99		$ 252,635,013.47		9,390.99		$ 252,635,013.47								
TOTAL	18,558.57		$ 5,681,649,281.47		18,558.57		5,739,517,292.19								

FUTURE LAND USE MAP

PRESENT	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

PROPOSED	ACRES	%
RESIDENTIAL	19,722.63	80.51%
NON-RESIDENTIAL	4,774.44	19.49%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

CHANGE	ACRES	%
RESIDENTIAL	34.70	0.14%
NON-RESIDENTIAL	(34.70)	-0.14%



ESTIMATED COST/REVENUES

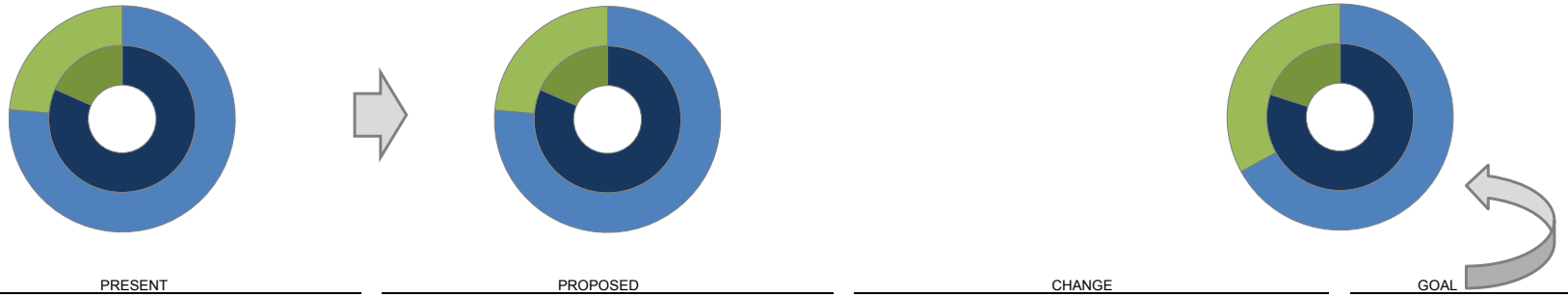
	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
BENCHMARKS				
Residential Value	$ 270,916.65	$ 13,380,792.06	$ 52,857,318.91	$ 39,476,526.85
Non-Residential Value	$ 944,583.35	$ 30,151,613.58	$ 5,010,691.81	$ (25,140,921.77)
Residential Acreage	14.20	14.20	$ 58.41	$ 44.21
Non-Residential Acreage	49.51	49.51	$ 5.30	$ (44.21)
ANNUAL REVENUES				
Residential Property Tax	$ 1,089.36	$ 53,804.16	$ 212,539.28	$ 158,735.11
Non-Residential Property Tax	$ 3,798.17	$ 121,239.64	$ 20,147.99	$ (101,091.65)
Direct Sales Tax Increase	$ -	$ 440,511.12	$ 69,672.01	$ (370,839.11)
Indirect Sales Tax Increase	$ -	$ 24,528.79	$ 139,986.72	$ 115,457.94
Total Revenues	$ 4,887.53	$ 640,083.71	$ 442,346.00	$ (197,737.71)
ANNUAL EXPENDITURES				
Cost of Community Service for Residential	$ -	$ (145,766.21)	$ (830,204.08)	$ (684,437.87)
Cost of Community Service for Commercial	$ -	$ (249,982.82)	$ (41,542.95)	$ 208,439.88
Total Estimated Expenditures	$ -	$ (395,749.03)	$ (871,747.03)	$ (475,998.00)
EST. ANN. COST/REVENUES	$ 4,887.53	$ 244,334.68	$ (429,401.03)	$ (673,735.71)
OTHER BENCHMARKS				
Additional Citizens Added to Population		62	353	291
Estimated Non-Resident Consumers in City		337	49	(288)

ZONING COST/BENEFIT ANALYSIS

ASSUMPTIONS: (1) All values are based on the Appraised Value and *not* the Market Value; (2) All Agricultural (AG) District land is assumed to be residential until changed to another zoning classification.
DISCLAIMER: The information provided below is not a reasonable basis for the approval or denial of any zoning case. This is a general tool that is meant to assist elected and appointed officials in the understanding the potential fiscal impacts of a zoning request, and to track conformance to the Comprehensive Plan's targeted land use ratios of 80% residential to 20% commercial land use, which is intended to yield a 67% residential value to 33% commercial value.
SUMMARY OF METHODOLOGY: The methods used in this study are based on a rough fiscal impact analysis, and involve reducing the City's land values down to a per square footage cost to estimate potential impact on existing property value. The cost of service model is constructed around the City's current fiscal year costs versus the percentage of land area that is currently residential and non-residential. A per capita multiplier and average cost method were used to estimate sales tax.

CASE NO.: *Z2018-022*
CASE NAME: *Zoning Change (SF-7 to RO) for 506 Barnes Street*

ZONING MAP



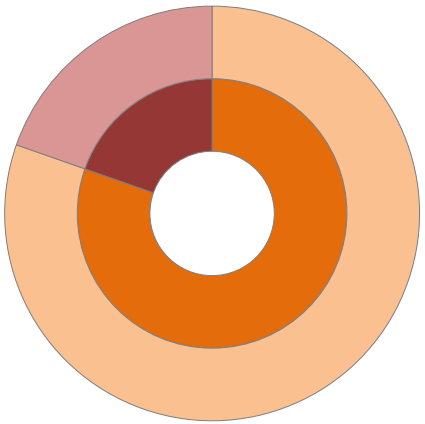
	PRESENT				PROPOSED				CHANGE				GOAL		
	ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE	ACREAGE	VALUE	DIFFERENCE
RESIDENTIAL	7,484.22	81.64%	$ 4,142,998,733.95	76.31%	7,484.05	81.64%	4,143,137,505.36	76.31%	(0.16)	0.00%	138,771.41	0.00%	80%	67%	-9.31%
NON-RESIDENTIAL	1,683.36	18.36%	$ 1,286,015,534.05	23.69%	1,683.52	18.36%	1,286,109,855.64	23.69%	0.16	0.00%	94,321.59	0.00%	20%	33%	-9.31%
	9,167.58	100.00%	$ 5,429,014,268.00	100.00%	9,167.58	100.00%	5,429,247,361.00	100.00%			233,093.00	0.00%	100%	100%	
OPEN SPACE	9,390.99		$ 252,635,013.47		9,390.99		$ 252,635,013.47								
TOTAL	18,558.57		$ 5,681,649,281.47		18,558.57		5,681,882,374.46								

FUTURE LAND USE MAP

	PRESENT	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	PROPOSED	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	CHANGE	
	ACRES	%
RESIDENTIAL	-	0.00%
NON-RESIDENTIAL	-	0.00%



ESTIMATED COST/REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
BENCHMARKS				
Residential Value	$ 52,730.00	$ 454,787.16	$ 138,771.41	$ (316,015.75)
Non-Residential Value	$ -	$ -	$ 94,321.59	$ 94,321.59
Residential Acreage	0.50	0.50	$ 0.34	$ (0.17)
Non-Residential Acreage	-	-	$ 0.17	$ 0.17
ANNUAL REVENUES				
Residential Property Tax	$ 212.03	$ 1,828.70	$ 558.00	$ (1,270.70)
Non-Residential Property Tax	$ -	$ -	$ 379.27	$ 379.27
Direct Sales Tax Increase	$ -	$ -	$ 2,169.03	$ 2,169.03
Indirect Sales Tax Increase	$ 1,138.10	$ 1,233.84	$ -	$ (1,233.84)
Total Revenues	$ 1,350.13	$ 3,062.54	$ 3,106.30	$ 43.76
ANNUAL EXPENDITURES				
Cost of Community Service for Residential	$ (7,106.69)	$ (7,106.69)	$ -	$ 7,106.69
Cost of Community Service for Non-Resident	$ -	$ -	$ (782.01)	$ (782.01)
Total Estimated Expenditures	$ (7,106.69)	$ (7,106.69)	$ (782.01)	$ 6,324.69
EST. ANN. COST/REVENUES	$ (5,756.56)	$ (4,044.15)	$ 2,324.29	$ 6,368.45
OTHER BENCHMARKS				
Additional Citizens Added to Population		3	-	(3)
Estimated Non-Resident Consumers in City		0	8	8

21

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22

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, City Manager Mary Smith, Assistant City Manager Joey Boyd, Assistant City Manager
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	February 19, 2019
SUBJECT:	IH-30 Commercial Corridor Planning Study Work Session

On December 3, 2018, staff provided a copy of the IH-30 Commercial Corridor Planning Study to the City Council with the intention of holding a work session in February 2019. As the City Council may recall, this document was prepared by the Planning and Zoning Department in accordance with the City's *Strategic Plan* and the recently adopted OURHometown Vision 2040 Comprehensive Plan. Under the *Strategic Initiatives* for *Goal #2 -- maintain or increase the current per capita sales tax revenue* -- of the Planning and Zoning Department's section of the City's *Strategic Plan*, the Planning and Zoning Department was tasked with creating an IH-30 Commercial Corridor Plan that would emphasize strategic properties and development opportunities in the corridor. In addition, the document was intended to provide the City Council with a comprehensive list of strategies that could work in tandem with the implementation plan contained in this document to ensure the long-term commercial success of the corridor.

The objective of this work session is to discuss and consider the list of strategies based on the information contained in the IH-30 Commercial Corridor Planning Study, and provide direction to staff concerning which strategies -- *if any* -- are appropriate for the City to employ. It should be noted that this plan was anticipated when drafting the OURHometown Vision 2040 Comprehensive Plan, and that one of the implementation strategies contained in *Chapter 06 | Economic Development* of the Comprehensive Plan refers to the creation of "…a long term-plan for the IH-30 Corridor that provides recommendations and implementation strategies targeted at protecting, supporting, and adopting land uses situated within the corridor." In addition, the *IH-30 Corridor District* in the land use plan contained in *Chapter 01 | Land Use and Growth Management* of the Comprehensive Plan was labeled as *RESERVED* in anticipation of the City Council's direction regarding the IH-30 Commercial Corridor Plan. Ultimately, it is the intent of the Comprehensive Plan to incorporate a summary of the plan -- based on the City Council's direction -- into *Appendix B | Corridor Plans*, and to update the *IH-30 Corridor District* in *Chapter 01 | Land Use and Growth Management* with the City Council's chosen *District Strategies*. This can be achieved through the annual update process.

Attached to this memorandum is a copy of Chapter 5, *Framework*, and Chapter 6, *Corridor Strategies & Implementation Plan*, for the City Council's review. Staff has also provided a map summary of the plan framework and all strategies listed in the document. Should the City Council have any questions about this memorandum or the attached information, staff will be available to discuss at the *February 19, 2019* work session meeting.

CHAPTER 5 PLAN FRAMEWORK

24

25

SECTION 1 PLAN FRAMEWORK

Broad planning ideas, goals and objectives form the framework used to develop strategies intended to support existing land uses and to target and attract new regional land uses. From the existing conditions analysis, the retail trade area analysis, the benchmark analysis and the stakeholder engagement workshop, the Staff Planning Committee (SPC) created the broad framework depicted in *Figure 5.1: Plan Framework* below and in *Map 5.6: Plan Framework Map*. This framework was later used to identify strategies for business retention/attraction in the corridor and to draft an implementation plan. This framework includes:

CORRIDOR ZONES

The *Corridor Zones* (*i.e. Preservation, Transition and Opportunity Zones*) -- *which were established by citizens and stakeholders as part of Station 3: Plan Framework of the stakeholder engagement workshop* -- were reviewed by the SPC. For the most part the SPC agreed with the findings from the stakeholder engagement workshop; however, they identified three (3) clarifications in the way the zones were broken down. Specifically, the SPC identified the following: [*1*] *Zone #3* should be broken down into two (2) parts and the portion between Greencrest Boulevard and S. Goliad Street (*SH-205*) be identified as a *Transition Zone* as opposed to a *Preservation Zone*; [*2*] *Zone #7 (i.e. Zone #'s 5 & 7 below*) be broken into two (2) parts and the portion between T. L. Townsend Drive and John King Boulevard be identified as *Transition Zone* as opposed to an *Opportunity Zone*; and, [*3*] *Zone #6* (*i.e. Zone #'s 6 & 8 below*) be broken into two (2) parts and the portion in between S. Goliad Street (*SH-205*) and T. L. Townsend Drive be identified as a *Preservation Zone* as opposed to a *Transition Zone*. By breaking the corridor down into these zones, the SPC was better able to look at specific strategies that could be applied to each individual area.

NOTE: See Station #3: Plan Framework in Section 3, Workshop, of Chapter 4, Stakeholder Engagement & Public Participation, of this document for definitions of each zone (i.e. Preservation, Transition, and Opportunity).

The final corridor zones are as follows (*and depicted in Map 5.1: Corridor Zones Map*):

- ☑ *Corridor Zone #1:* This zone is situated between Horizon Road (*FM-3097*) and Ridge Road (*FM-740*) on the north side of IH-30 and is designated as a *Transitional Zone*. This designation is due to the large amount of vacant property that currently exists in this area, and the uncertainty of how the development of this land will affect adjacent/existing land uses.
- ☑ *Corridor Zone #2:* This triangular shaped zone is situated within the bounds of Ridge Road (*FM-740*), Horizon Road (*FM-3097*), and IH-30, and is identified as a *Transition Zone*. This area contains an older shopping center (*i.e. Carlisle Plaza*) that is currently in the process of transitioning. The public also identified this area as a *Strategically Located Property* in the stakeholder engagement meeting. Due to its redevelopment opportunity.
- ☑ *Corridor Zone #3:* This zone is divided between two (2) designations due to discrepancies between the public's map and the SPC's map. The portion from Ridge Road (*FM-740*) to Greencrest Boulevard is identified as a *Preservation Zone*, and the area between Greencrest Boulevard and N. Goliad Street (SH-205) is identified as a *Transition Zone*. The split designation indicates a difference in the development of these two (2) areas, and of how these businesses have changed overtime. This split is also attributed to the new development currently taking place in the area between Greencrest Boulevard and S. Goliad Street (*SH-205*).
- ☑ *Corridor Zone #4:* This zone is directly south of *Corridor Zone #3* and extends from Ridge Road (*FM-740*) to N. Goliad Street (*SH-205*). This area is identified as a *Preservation Zone*, which is primarily attributed to recently developed shopping centers in this zone. These properties are currently considered highly performing commercial/retail properties.
- ☑ *Corridor Zone #5:* This zone extends from N. Goliad Street (*SH-205*) to T. L. Townsend Drive and is identified as an *Opportunity Zone*.

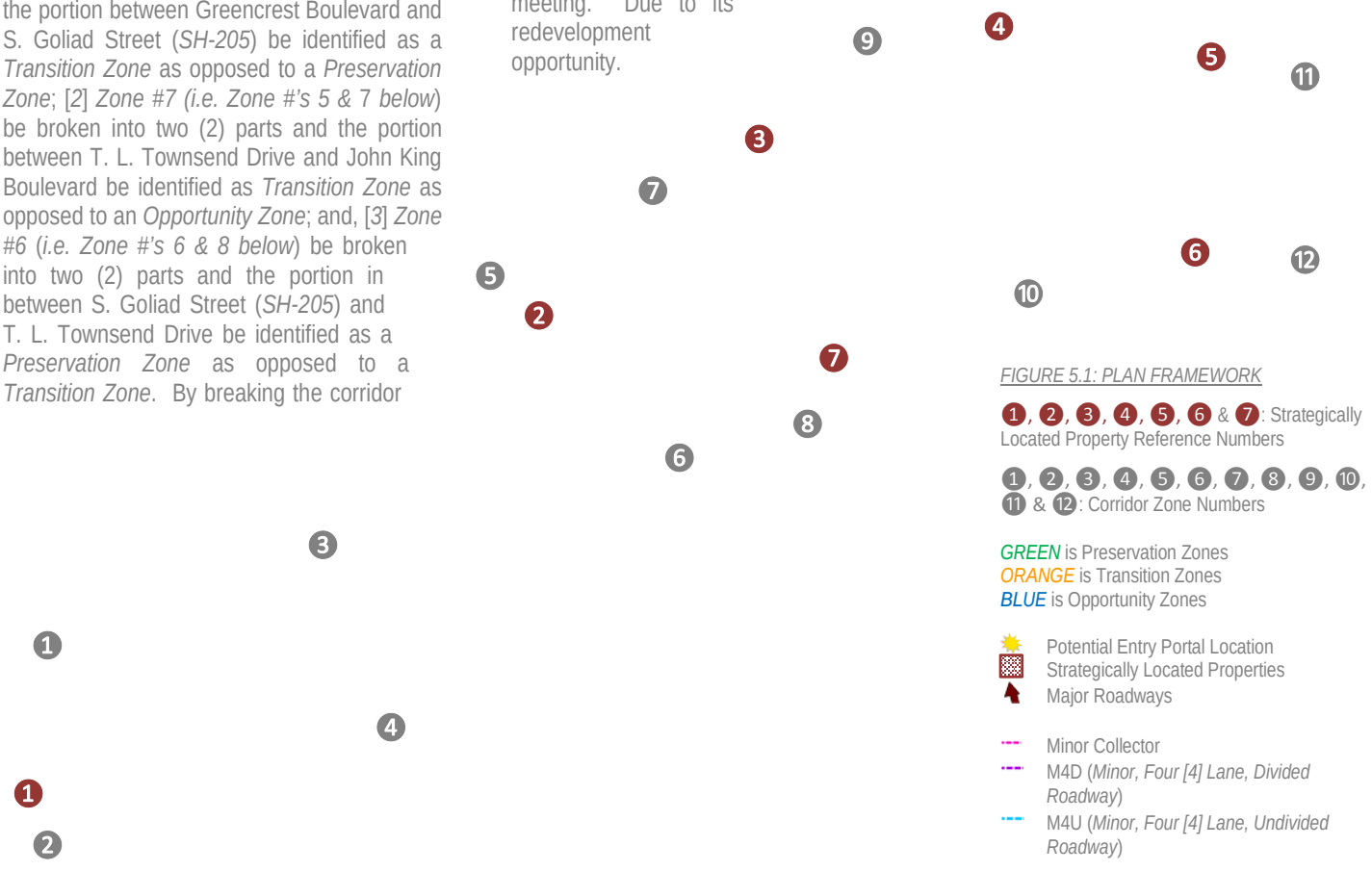


FIGURE 5.1: PLAN FRAMEWORK

1, 2, 3, 4, 5, 6 & 7: Strategically Located Property Reference Numbers

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12: Corridor Zone Numbers

GREEN is Preservation Zones
ORANGE is Transition Zones
BLUE is Opportunity Zones

Potential Entry Portal Location
Strategically Located Properties
Major Roadways

Minor Collector
M4D (*Minor, Four [4] Lane, Divided Roadway*)
M4U (*Minor, Four [4] Lane, Undivided Roadway*)

26

The purpose of this designation is tied to the large vacant property in front of the County Courthouse, and to other potential redevelopment opportunities within this area.

- ☑ *Corridor Zone #6:* This zone extends from S. Goliad Street (*SH-205*) to T. L. Townsend Drive and is identified as a *Preservation Zone*. This area includes newer development in the IH-30 corridor (*i.e. the CostCo shopping center and adjacent land uses*) that should be preserved moving forward.
- ☑ *Corridor Zone #7:* This zone is identified as a *Transition Zone* and extends from T. L. Townsend Drive to John King Boulevard. This area incorporates industrial and interim land uses that are considered to be transitioning. In addition, this land also incorporates strategically located vacant property adjacent to the John King Boulevard.
- ☑ *Corridor Zone #8:* This zone is also situated between T. L. Townsend Drive and John King Boulevard, south of IH-30. The area is identified as a *Transition Zone*, due to the large amount of transitional or interim land uses along the IH-30 frontage road. In addition, the property has several large tracts of land that are currently vacant. When developed these properties could change the land use pattern for the area. This zone also has a strategically located, vacant property at the southwest corner of John King Boulevard and IH-30.
- ☑ *Corridor Zone #9:* This corridor zone extends from John King Boulevard to Stodgehill Road (*FM-3549*). Since the majority of these tracts are currently vacant, this zone is identified as an *Opportunity Zone* and all property in this area is identified as strategically located property.
- ☑ *Corridor Zone #10:* This zone is situated between John King Boulevard and Corporate Crossing, and is identified as a *Transitional Zone*. The purpose of this designation is tied to the existing land uses and parcelization pattern of the area (*i.e. the way the property has been subdivided over time*).
- ☑ *Corridor Zone #11:* This corridor zone is identified as an *Opportunity Zone* and is located north of IH-30, east of Stodgehill Road (*FM-3549*). This zone is vacant and is directly adjacent to the City's eastern City limit line. This entire zone is considered to be a strategically located property.
- ☑ *Corridor Zone #12:* The final corridor zone is south of IH-30, east of Corporate Crossing. This zone is primarily vacant and only contains a few interim land uses. Due to the largely undeveloped area in this zone, it is identified as an *Opportunity Zone.* In addition, the zone contains strategically located property at the southeast corner of the intersection of John King Boulevard and IH-30.

STRATEGICALLY LOCATED PROPERTIES

Using the findings from the *Benchmark Analysis -- detailed in Chapter 3, Benchmark Analysis for Strategically Located Properties, of this document* -- the SPC identified potentially appropriate developments for each of the strategically located properties. The models used in this exercise are as follows:

(1) Strip Retail Center Model
(2) Mixed-Use Center Model
(3) Town Center Model
(4) Regional Destination Center Model

NOTE: See Section 3, Benchmark Analysis Findings, of Chapter 3, Benchmark Analysis for Strategically Located Properties, of this document for definitions/characteristics of each model.

The findings by the SPC are as follows (*and depicted in Map 5.2: Strategically Located Properties*):

- ☑ *Strategically Located Property #1:* The first strategically located property represents the only redevelopment possibility that was identified by the SPC and/or the public, and could benefit from an adaptive reuse or redevelopment plan. Taking this into consideration the SPC did not apply any of the models to this property. It was simply identified as a *redevelopment opportunity*.
- ☑ *Strategically Located Property #2:* This strategically located property is situated at the southwest corner of T. L. Townsend Drive and the IH-30 frontage road, and is currently owned by Rockwall County. The SPC unanimously identified this property as being suitable for a *Strip Retail Center*. It should also be pointed out that this property is currently entitled for this type of development under the Commercial (C) District as defined by the UDC. The SPC felt that despite being a highly visible site this model was appropriate due to the limited access caused by the location of the on/off ramps at John King Boulevard and S. Goliad Street (*SH-205*).
- ☑ *Strategically Located Property #3:* This strategic area is located adjacent to the western right-of-way line of John King Boulevard, and is partially zoned Commercial (C) District with the remainder being zoned Light Industrial (LI) District. The SPC identified this property as being suitable for a *Mixed-Use Center* or a *Town Center*. This designation is due to the location and visibility of the property, and that it is located near and accessible from two (2) major roadways (*i.e. John King Boulevard and Justin Road*) and a major highway (*i.e. IH-30*). With this being said the property is situated below the highway overpass and as a result the site has limited visibility for a single story structure. Structures that are two (2) to three (3) stories in height would be better suited for this property.
- ☑ *Strategically Located Property #4:* This area is located between John King Boulevard and Stodgehill Road (*FM-3549*), north of IH-30. The properties in this area are zoned as Commercial (C), Light Industrial (LI) and Agricultural (AG) Districts. Due to the large acreage of these strategic properties, the SPC broke the designation of this area into three (3) zones. The first was directly adjacent to John King Boulevard and was identified as being suitable for *Strip Retail Center* by the SPC. The second area was located between Security Drive and the golf course (*i.e. A1 Golf*) and was identified as being suitable for a *Town Center* development. The third area was the remainder of the property and was identified as being suitable for a *Regional Destination Center*. These designations stem from the good visibility and close proximity to major roadways. In addition, this property is in an ideal location for a large commercial/retail development/regional center.
- ☑ *Strategically Located Property #5:* This property is located at the northeast corner of Stodgehill Road (FM-3549) and IH-30 and is zoned Commercial (C) District. Due to the linear nature of this strategically located property, the SPC identified the *Mixed-Use Center* and *Strip Retail Center* as being potentially appropriate models for development. This property does have limited access and poor visibility from east bound traffic, but is located directly adjacent to *Strategic Located Property # 4* making the possibility for a major

intersection at IH-30 and Stodgehill Road (*FM-3549*) highly likely.

- ☑ *Strategically Located Property #6:* This strategically located property is situated at the southeast corner of Corporate Crossing and IH-30 and is currently zoned Commercial (C) District. The SPC identified this property as being appropriate for both a *Mixed-Use Center* or a *Town Center* based on the location, acreage and its relation to the highway and Corporate Crossing. A *Strip Retail Center* and *Regional Destination Center* were also identified by the SPC as being viable alternatives for this property.
- ☑ *Strategically Located Property #7:* The final strategically located property is situated at the southwest corner of John King Boulevard and IH-30. The SPC identified this property as predominantly being suitable for a *Strip Retail Center*; however, it was also thought to be a suitable location for a *Mixed-Use Center*. It was ultimately decided by the SPC that this property has the acreage and carrying capacity for both types of centers, but is probably best suited for a *Strip Retail Center* that incorporates a grocery store or other large neighborhood service retailer as a primary anchor. The purpose of this designation is due to the poor visibility caused by the highway overpass and the close proximity to a large amount of residential homes and apartment units. The property is currently zoned Commercial (C) District.

ENTRY PORTALS

Entry portals are an essential element to creating a sense of place and distinguishing a City's boundaries. Currently, the City's western boundary is well defined by Lake Ray Hubbard and the Harbor District. The portals create a defined natural and built edge to the City. The eastern boundary of the City, on the other hand, is undefined. When the SPC examined this area it was decided that an entry portal was an important element in the plan moving forward; however, the SPC was of the opinion that it was somewhat difficult to define what an entry portal in this area should look like since these properties remain largely undeveloped. With this the SPC choose several locations where an eastern entry portal could be incorporated at the time the adjacent properties develop. The thinking behind this was that the portal would match the architecture of future development if constructed at the same time as the properties. *Map 5.5: Entry Portal Locations* shows the four (4) possible portal locations identified by the SPC along with all existing and proposed monumentation throughout the corridor.

TRANSPORTATION FACILITIES

Looking at the existing and proposed roadway facilities, the corridor is already well circulated, and the future facilities are a good approximation of what will be needed to circulate any future development; however, without knowing exactly what will be developed on these parcels the SPC felt that the current number of roadways depicted on the property between John King Boulevard and Stodgehill Road (*FM-3549*) could be a deterrent to development. With Justin Road extending through the property from east to west and a M4U (*minor, four [4] lane, undivided roadway*) curving through the property from east to west, two (2) Minor Collectors extending north to south were deemed unnecessary. The SPC was also of the opinion that Commerce Street should be continue in a southwardly direction connecting the IH-30 Frontage Road to T. L. Townsend Drive. These were the only changes to the existing and proposed transportation facilities that appeared to be necessary as a result of this study. *Map 5.3: Transportation Facilities* depicts the proposed roadway amendments.

Staff should point out that these changes were incorporated into the revised Master Thoroughfare Plan contained in the proposed OURHOMETOWN Vision 2040 Comprehensive Plan, and that no additional actions would be required with regard to transportation facilities. This was incorporated after the Comprehensive Plan Advisory Committee (CPAC) made similar findings about these areas.

LAND USE PLAN

Looking at the current Future Land Use Plan for the IH-30 Corridor, only about 37.56% of the corridor is identified as a *Special Commercial Corridor*. The remainder of the corridor is scheduled for *Commercial* (38.35%), *Technology/Light Industrial* (13.33%), *Special District* (4.70%), and to a lesser degree *Parks and Open Space, High Density Residential*, *Public Uses* and *Quasi-Public Uses*. After reviewing the goals and objectives of this study, the SPC recommended that the majority of the corridor should be designated as a *Special Commercial Corridor*. The only area that the SPC wanted to deviate from this land use scheme, was the area directly adjacent to the railroad tracks between John King Boulevard and Stodgehill Road (*FM-3549*). The SPC felt that this area should be flexible in nature and be designated for either *Technology/Employment Center* and/or *Special Commercial Corridor*. The purpose of this flexibility was to allow industrial or technology firms the ability to locate within the corridor, adjacent to the existing railroad facilities; however, the flexibility would provide for an easy transition to commercial uses should a regional land use be identify for this area. *Map 5.4: Future Land Use Map* shows the SPC's recommendations concerning land use. As a note, the OURHOMETOWN Vision 2040 Comprehensive Plan incorporated this land use change into the revised Future Land Use Plan, after the Comprehensive Plan Advisory Committee (CPAC) made a similar finding with this area.

SECTION 2 SUMMARY

Putting all this information together forms the *Plan Framework* of this study. A map of this framework is depicted in *Map 5.6: Plan Framework Map*. A summary of the recommendations provided by this framework are as follows:

(1) The corridor zones that were established as part of this study are intended to guide policy decisions for the final recommendations contained in Chapter 6, *Corridor Strategies & Implementation Plan*, of this document.

(2) The strategically located properties identified by the SPC were classified based on their potential carrying capacity for retail/regional land uses. This part of the plan framework was to draw attention to these properties and provide various possibilities that would fit the City's desire for regional development.

(3) Monumentation locations were identified for the purpose of creating an eastern entry portal. The design of these monumentation markers should be incorporated into the site plan approval process to allow for review prior to adoption by the City's Planning and Zoning Commission and City Council.

(4) The SPC identified potential changes to two (2) roadways on the Master Thoroughfare Plan. This involves an extension of Commerce Street and the removal of a proposed street running parallel to Security Drive.

(5) Finally, a coherent land use plan that is tied to the goals of this study was laid out. This plan primarily promotes the future of the corridor being zoned and developed in

28

accordance with the *Special Commercial Corridor* designation in the Comprehensive Plan; however, it does make some allowances for flexible land use (*i.e. office/industrial*).

As previously mentioned the OURHOMETOWN Vision 2040 Comprehensive Plan incorporated the changes to the Future Land Use Plan and Master Thoroughfare Plan; however, the recommendations contained in this framework would still need to be adopted into the appendices of the Comprehensive Plan in order to draft model policies targeted at attracting the desired regional commercial/retail centers. The adoption of this plan will be covered in the implementation section of this document.

MAP INDEX

(1) MAP 5.1: CORRIDOR ZONES MAP
(2) MAP 5.2: STRATEGICALLY LOCATED PROPERTIES MAP
(3) MAP 5.3: TRANSPORTATION FACILITIES MAP
(4) MAP 5.4: FUTURE LAND USE MAP
(5) MAP 5.5: ENTRY PORTAL LOCATIONS
(6) MAP 5.6: PLAN FRAMEWORK MAP

5.1 CORRIDOR ZONES

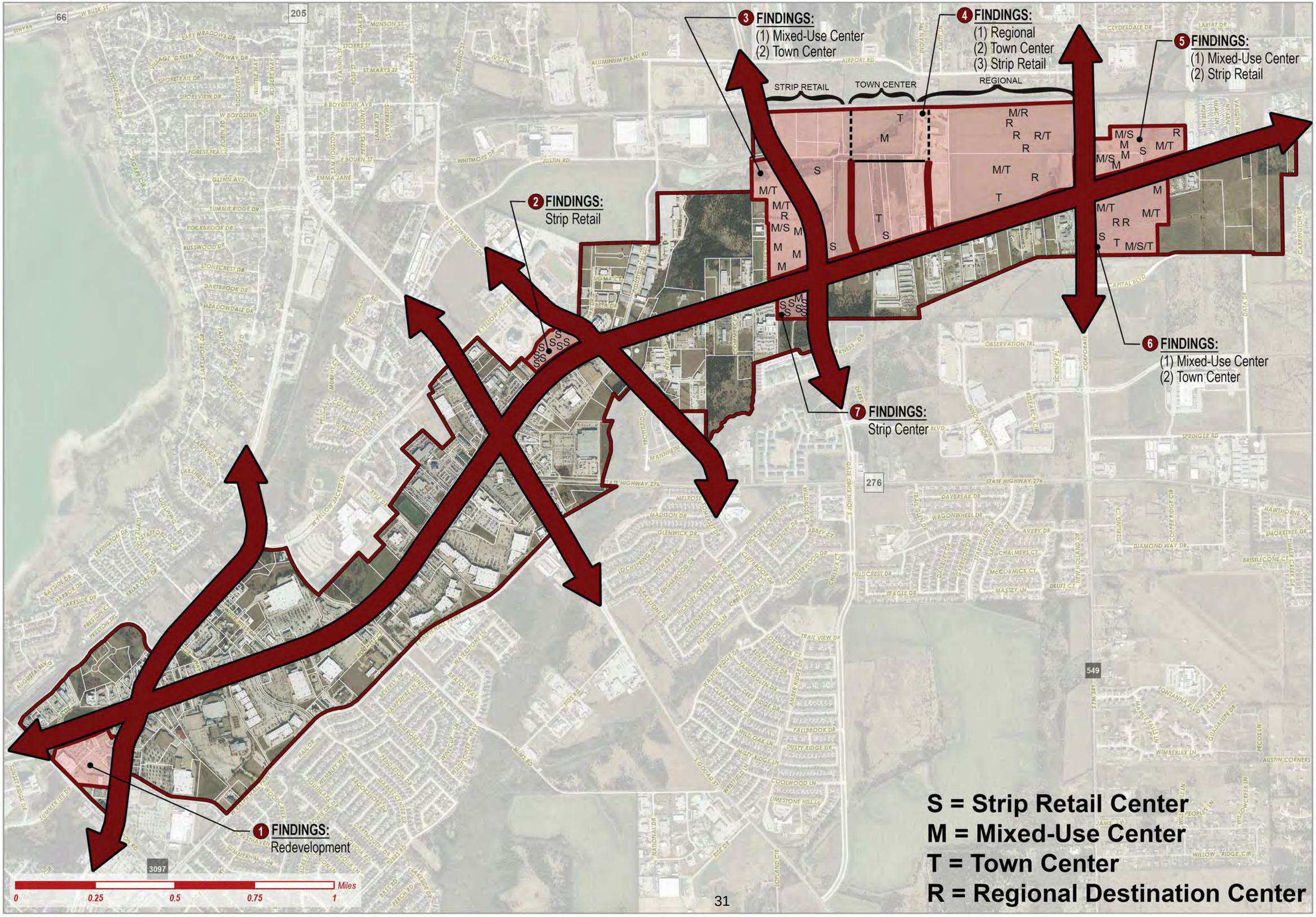
30 CORRIDOR PLAN

ROCKWALL'S

Legend

- Opportunity
- Preservation
- Transitional

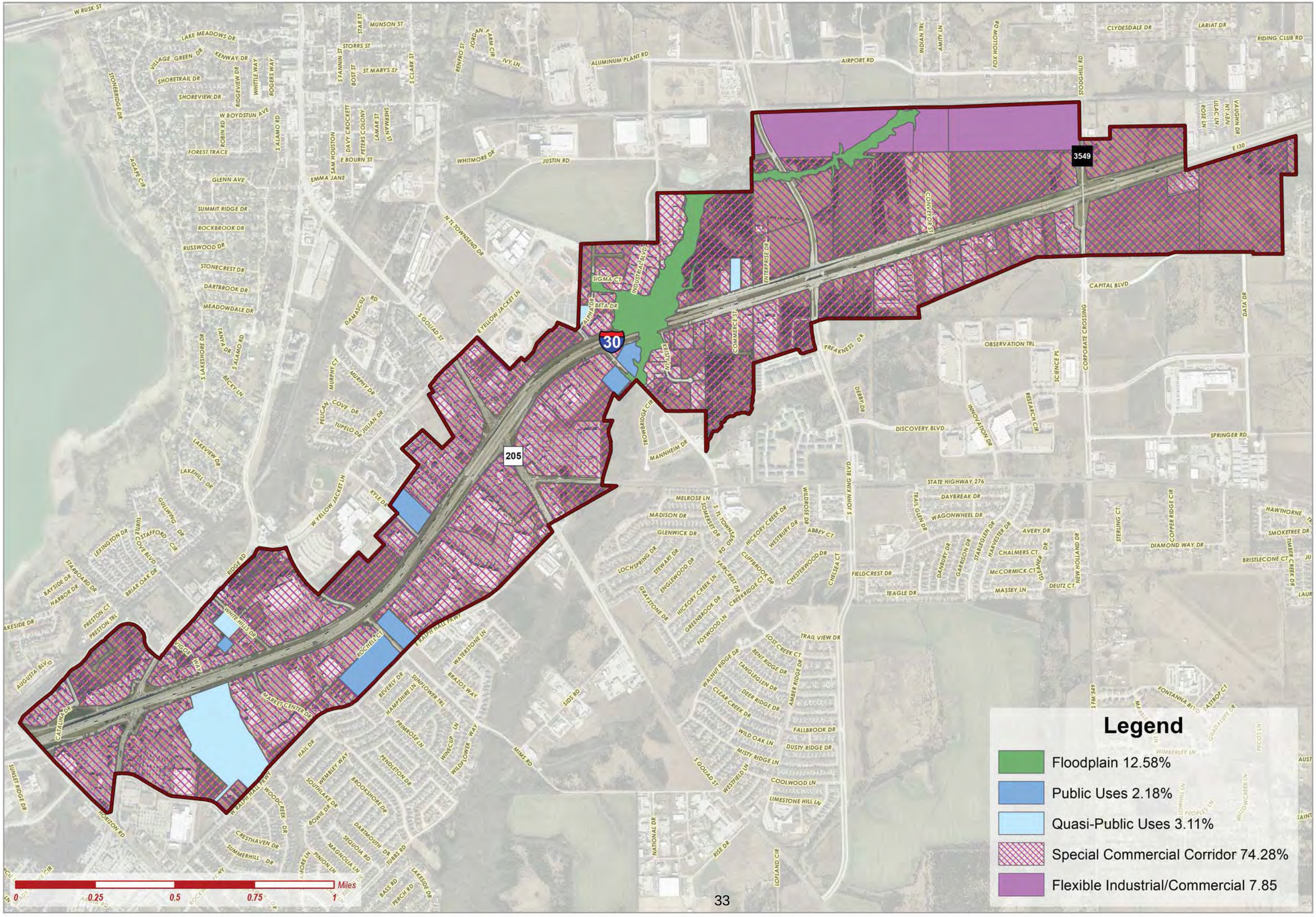
0 0.25 0.5 0.75 1 Miles


1 FINDINGS:
Redevelopment
2 FINDINGS:
Strip Retail
3 FINDINGS:
(1) Mixed-Use Center
(2) Town Center
4 FINDINGS:
(1) Regional
(2) Town Center
(3) Strip Retail
5 FINDINGS:
(1) Mixed-Use Center
(2) Strip Retail
6 FINDINGS:
(1) Mixed-Use Center
(2) Town Center
7 FINDINGS:
Strip Center
STRIP RETAIL
TOWN CENTER
REGIONAL
S = Strip Retail Center
M = Mixed-Use Center
T = Town Center
R = Regional Destination Center
0 0.25 0.5 0.75 1 Miles

1. ADD MINOR ROADWAY
2. REMOVE MINOR ROADWAY

FUTURE THOROUGHFARES
- M4D
- M4U
- Minor
- Remove

0 0.25 0.5 0.75 1 Miles


Legend
Floodplain 12.58%
Public Uses 2.18%
Quasi-Public Uses 3.11%
Special Commercial Corridor 74.28%
Flexible Industrial/Commercial 7.85
Miles
0
0.25
0.5
0.75
1
30
205
3549
W RUSK ST
LAKE MEADOWS DR
VILLAGE GREEN DR
KENWAY DR
SHORETRAIL DR
SHOREVIEW DR
STONEBRIDGE DR
RIDGEVIEW DR
WHITTLE WAY
ROGERS WAY
W BOYDSTUN AVE
ROBIN RD
S ALAMO RD
FOREST TRACE
AGAPE CIR
GLENN AVE
SUMMIT RIDGE DR
ROCKBROOK DR
RUSSWOOD DR
STONECREST DR
DARTBROOK DR
MEADOWDALE DR
TANYA DR
S LAKESHORE DR
BECKY LN
LAKEVIEW DR
LAKEHILL DR
STAR ST
MUNSON ST
STORRS ST
S FANNIN ST
BOST ST
ST MARYS ST
S CLARK ST
RENFRO ST
JORDAN FARM CIR
IVY LN
ALUMINUM PLANT RD
AIRPORT RD
INDIAN TRL
AMITY LN
FOX HOLLOW DR
CLYDESDALE DR
LARIAT DR
RIDING CLUB RD
STODGHILL RD
ROSE LN
JACK LN
LEAN LN
VAUGHN DR
E 130
SAM HOUSTON
DAVY CROCKETT
PETERS COLONY
LAMAR ST
SHERMAN ST
E BOURN ST
EMMA JANE
WHITMORE DR
JUSTIN RD
N TL TOWNSEND DR
S TL TOWNSEND DR
S GOLIAD ST
DAMASCUS RD
E YELLOW JACKET LN
W YELLOW JACKET LN
SIGMA CT
INDUSTRIAL BLVD
ENTERPRISE DR
CONVEYOR ST
ALPHA DR
BETA DR
COMMERCE ST
KRISTI CT
PREAKNESS DR
DERBY DR
TROWBRIDGE CIR
MANNHEIM DR
CAPITAL BLVD
CORPORATE CROSSING
OBSERVATION TRL
SCIENCE PL
RESEARCH CIR
INNOVATION DR
DISCOVERY BLVD
SPRINGER RD
DATA DR
MURPHY CT
MURPHY DR
PELICAN COVE DR
TUPELO DR
JULIAN DR
KYLE DR
RIDGE RD
STAFFORD CIR
GULLWING DR
TURTLE COVE BLVD
LEXINGTON DR
BAYSIDE DR
HARBOR DR
STARBOARD DR
BRIAR OAK DR
PRESTON CT
PRESTON TRL
AUGUSTA BLVD
LAKESIDE DR
SUNSET RIDGE DR
HORIZON RD
CATALINA DR
VIGOR WAY
WHITE HILLS DR
ROCHELL CT
W RALPH HALL PKWY
MARKET CENTER DR
BEVERLY DR
HAMPSHIRE LN
SUNFLOWER TRL
PRIMROSE LN
BRAZOS WAY
WATERSTONE LN
WINECUP LN
WILDFLOWER WAY
HAIL DR
WEMBLEY WAY
SOUTHLAKE DR
BOWIE DR
BROOKSHORE DR
PENDLETON DR
WOODCREEK DR
CRESTHAVEN DR
SUMMERHILL DR
DARTMOUTH DR
SEQUOIA RD
MAGNOLIA LN
PINION LN
TUBBS RD
BASS RD
PEACH RD
LAKESIDE DR
NIMS RD
SIDS RD
MELROSE LN
MADISON DR
GLENWICK DR
LOCHSPRING DR
STEWART DR
ENGLEWOOD DR
HICKORY CREEK LN
GRAYSTONE DR
GREENBROOK DR
FOXWOOD LN
SOMERSET DR
HICKORY CREEK DR
CLIFFBROOK DR
FAIRCREST DR
CREEKRIDGE CT
WESTBURY DR
WILDROSE DR
ABBEY CT
CHESTERWOOD DR
CHELSEA CT
S JOHN KING BLVD
STATE HIGHWAY 276
TRAIL GLEN DR
DAYBREAK DR
WAGONWHEEL DR
FIELDCREST DR
TEAGLE DR
DANBURY DR
GARRISON DR
STABLEGLEN DR
HARVESTER DR
AVERY DR
CHALMERS CT
McCORMICK CT
MASSEY LN
GLEANER DR
NEW HOLLAND DR
DEUTZ CT
STERLING CT
COPPER RIDGE CIR
DIAMOND WAY DR
HAWTHORNE
SMOKETREE DR
BRISTLECONE CT
TIMBER CREEK DR
LAUR
TRAIL VIEW DR
LOST CREEK CT
BENT RIDGE DR
TANGLEGLEN DR
DEER RIDGE DR
AMBER RIDGE DR
WALNUT RIDGE DR
CLEAR CREEK DR
WILD OAK LN
MISTY RIDGE LN
FALLBROOK DR
DUSTY RIDGE DR
WESTFIELD LN
COOLWOOD LN
LIMESTONE HILL LN
S FM 549
FONTANNA BLVD
ASTROP CT
GUADALUPE CIR
WIMBERLEY LN
PECOS LN
TOWNHILL LN
PEOPLES LN
WILLOWCREEK LN
NATIONAL DR
RISE DR
LOFLAND CIR

ENTRY PORTALS

Legend
FUTURE THOROUGHFARES
M4D
M4U
Minor
P6D
TxDOT4D
MTP DESIGNATION DISTRICTS
Opportunity
Preservation
Transitional
Opportunities for Eastern Entry Portal
Strategically Located Properties
0
0.25
0.5
0.75
1
Miles
3549
3097
30
205
276
549
66
W RUSK ST
STHY66
LAKE MEADOWS DR
VILLAGE GREEN DR
KENWAY DR
SHORETRAIL DR
SHOREVIEW DR
STONEBRIDGE DR
RIDGEVIEW DR
WHITTLE WAY
ROGERS WAY
W BOYDSTUN AVE
E BOYDSTUN AVE
ROBIN RD
FOREST TRACE
AGAPE CIR
S ALAMO RD
GLENN AVE
SUMMIT RIDGE DR
ROCKBROOK DR
RUSSWOOD DR
STONECREST DR
DARTBROOK DR
MEADOWDALE DR
TANYA DR
S LAKESHORE DR
BECKY LN
MUNSON ST
STORRS ST
ST MARYS ST
STAR ST
S FANNIN ST
BOST ST
S CLARK ST
SHERMAN ST
LAMAR ST
PETERS COLONY
E BOURN ST
SAM HOUSTON
EMMA JANE
RENFRO ST
IVY LN
ALUMINUM PLANT RD
AIRPORT RD
WHITMORE DR
JUSTIN RD
N TL TOWNSEND DR
INDIAN TRL
AMITY LN
FOX HOLLOW DR
CLYDESDALE DR
LARIAT DR
RIDING CLUB RD
ROSE LN
LILAC LN
MT LEAN
VAUGHN DR
CARRINGTON DR
CAPITAL BLVD
DATA DR
CORPORATE
SCIENCE PL
OBSERVATION TRL
RESEARCH CIR
INNOVATION DR
DISCOVERY BLVD
SPRINGER RD
DERBY DR
SIGMA CT
INDUSTRIAL BLVD
PHI DR
BETA DR
E YELLOW JACKET
DAMASCUS RD
MURPHY CT
MURPHY DR
PELICAN COVE DR
TUPELO DR
JULIAN DR
TROMBRIDGE
MANNHEIM
S JOHN KING BLVD
STATE HIGHWAY 276
MELROSE
SOMERSET DR
MADISON DR
GLENWICK DR
LOCHSPRING DR
STEWART DR
ENGLEWOOD DR
GRAYSTONE DR
HICKORY CREEK LN
GREENBROOK DR
FOXWOOD LN
HICKORY CREEK DR
CLIFFBROOK DR
FAIRCREST DR
CREEKRIDGE CT
WESTBURY DR
CHESTERWOOD DR
WILDROSE DR
ABBEY CT
CHELSEA CT
FIELDCREST DR
TEAGLE DR
DAYBREAK DR
TRAIL GLEN DR
WAGONWHEEL DR
DANBURY DR
GARRISON DR
STABLEGLEN DR
HARVESTER DR
AVERY DR
CHALMERS CT
McCORMICK CT
MASSEY LN
DEUTZ CT
NEW HOLLAND DR
STERLING CT
COPPER RIDGE CIR
DIAMOND WAY DR
HAWTHORNE TRL
SMOKETREE DR
TIMBER CREEK DR
BRISTLECONE CT
S FM 549
FONTANNA BLVD
BASTROP CT
GUADALUPE DR
PECOS LN
WIMBERLEY LN
AUSTIN CORNERS
MARBLE FALLS
TRAIL VIEW DR
LOST CREEK CT
BENT RIDGE DR
TANGLEGLEN DR
DEER RIDGE DR
AMBER RIDGE DR
WALNUT RIDGE DR
CLEAR CREEK DR
WILD OAK LN
MISTY RIDGE LN
FALLBROOK DR
DUSTY RIDGE DR
COOLWOOD LN
LIMESTONE HILL LN
WESTFIELD LN
S GOLIAD ST
MIMS RD
SIDS RD
NATIONAL DR
RISE DR
LOFLAND CIR
E RALPH HALL PKWY
WATERSTONE LN
BRAZOS WAY
SUNFLOWER TRL
HAMPSHIRE LN
BEVERLY DR
PRIMROSE LN
WINECUP LN
WILDFLOWER WAY
HAIL DR
WEMBLEY WAY
SOUTHLAKE DR
WOODCREEK DR
PENDLETON DR
BROOKSHORE DR
MARKET CENTER DR
BOWIE DR
CRESTHAVEN DR
SUMMERHILL DR
DARTMOUTH DR
SEQUOIA RD
MAGNOLIA LN
TUBBS RD
PINION LN
BASS RD
PERCH RD
LAKESIDE DR
SUNSET RIDGE DR
SUMMER LEE DR
AUGUSTA BLVD
BAYSIDE DR
HARBOR DR
LAKESIDE DR
PRESTON CT
PRESTON TRL
BRIAR OAK DR
LEXINGTON DR
STAFFORD CIR
TIMBERCOVE BLVD
GULLWING DR
LAKEVIEW DR
LAKEHILL DR
W YELLOW JACKET LN
KYLE DR
RIDGE RD

CHAPTER 6 CORRIDOR STRATEGIES & IMPLEMENTATION PLAN

36

37

SECTION 1 CORRIDOR STRATEGIES

The final objective of the Staff Planning Committee (SPC) was to assemble a list of strategies that could be utilized as part of the implementation plan of this study. In doing this the SPC talked about *Offensive* and *Defensive Strategies*. In this case, the *Defensive Strategies* were thought to be pre-emptive strategies centered on regulation or policy actions that the City could implement for the purpose of addressing potential or perceived issues. *Offensive Strategies*, on the other hand, included proactive actions that involved activities like offering incentives, waivers and assistance. In doing this, the SPC also talked about what zone each strategy would affect and who would be responsible for implementing the strategy. A key to the corridor zones and implementation organizations is as follows:

DEPARTMENTS, BOARDS & COMMISSIONS
- ☑ City Council: CC
- ☑ Planning and Zoning Commission: PZC
- ☑ Architecture Review Board: ARB
- ☑ City Manager/Administration: M
- ☑ City Attorney: CA
- ☑ Building Inspections Department: BI
- ☑ Fire Marshals Division: FM
- ☑ Planning and Zoning Department: PZD
- ☑ Engineering Department: E
- ☑ Neighborhood Improvement Services: NIS

CORRIDOR ZONES
- Transitional Zone
- Preservation Zone
- Opportunity Zone

It should be noted that the SPC has compiled the following list of strategies to start the conversation concerning the creation of possible implementation tools that the City can enact to achieve the goals stated by this study. With this being said, it is ultimately the decisions of the elected members of the City of Rockwall to direct staff to implement their chosen strategies. In addition, all of these strategies may not be appropriate for the City of Rockwall. The strategies identified by the SPC include:

DEFENSIVE STRATEGIES

STRATEGY 1 PREVENT THE OVERSATURATION OF CERTAIN LAND USES IN THE CORRIDOR

Prevent the oversaturation of certain land uses in the corridor by prohibiting and/or requiring discretionary approvals of these land uses. Currently, the study area has a high percentage of automotive (8.99%) and industrial (8.37%) land uses, which are typically incompatible with higher end retail users. In addition, these land uses -- *specifically automotive land uses* -- consume a large portion of the current frontage along IH-30 (~26.69%), which means these uses also have high visibility in the corridor. If the intent of the City is to create a commercial/retail corridor, special attention needs to be paid to what land uses are established on the remaining 45.35% vacant land. This is specifically important with the remaining 28.77% of vacant land with frontage on IH-30. To achieve this staff can review Article IV, *Permissible Uses*, of the Unified Development Code to look for possibilities to incorporate discretionary approvals or limit undesirable land uses along IH-30. In addition, staff can look to prohibit certain land uses (*e.g. outside storage*) that are currently allowed through discretionary approval, but may not be desirable for attracting and establishing a regional retail use.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): Since this is a policy change, there are no anticipated hard costs to be incurred by the City as a result of implementing this strategy. In addition, this strategy can be implemented without assistance from outside consultants.

Estimated Implementation Time: This is estimated to take between 20 to 40- hours of staff time to review the Unified Development Code and draft an ordinance addressing the proposed changes for the City Council's review. If directed to make the changes, this text amendment would be required to be advertised and adopted in accordance with the procedures of the Unified Development Code (*i.e. approximately eight [8] weeks*).

STRATEGY 2 INCONSISTENT ZONING REQUESTS

Zoning approvals that are inconsistent with the *Future Land Use Plan* contained in the Comprehensive Plan should be limited. The *Future Land Use Plan* is a document intended to guide zoning in the City of Rockwall. In addition, zoning approvals not consistent with the *Future Land Use Plan* could have a negative impact on existing land uses, and could have an undesirable effect on the economic stability of the corridor (*i.e. create conditions not conducive for retail land uses*). Moreover, inconsistent zoning approvals change the *Future Land Use* mix, which will be designed to yield an 80% Residential/20% Commercial mix (*i.e. intended to yield a 67% residential value/33% commercial value tax base*) when adopted in the *2018 Comprehensive Plan Update*. To better address inconsistent changes in zoning, staff should develop a process to convey how the approval of inconsistent zoning would change the *Future Land Use Plan*. This should be provided with or in staff's case memos to the Planning and Zoning Commission and City Council.

Implementation Responsibility: PZD, CA, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: The Planning Division can implement this policy amendment through changes in the current procedures and through the creation and implementation of a tool that will clearly convey the desired information. This will need to be studied after the completion and adoption of the *2018 Comprehensive Plan Update*. It should be pointed out that the creation of this process is currently a *strategic goal* on the City's *Strategic Plan*.

STRATEGY 3 DISCOURAGE STRIP DEVELOPMENT

The City of Rockwall has several *Strip Retail Centers* as defined in the findings from the benchmark analysis contained in Chapter 3, *Benchmark Analysis*, of this document. The establishment of new strip retail centers could have the effect of cannibalizing the businesses that are currently located in the City's existing strip retail centers. This could also create a larger problem for the existing centers due to the transient nature of small businesses that tend to locate in these areas (*i.e. businesses in these shopping centers tend to move to newer developments as they progress along the highway*). To combat this possibility, the City could take steps to discourage strip retail centers by amending the design standards contained in the Unified Development Code. Examples of these changes would include policies targeted at requiring shared facilities (*i.e. parking, access, drive facilities, etc.*), limiting parking fields in the fronts of buildings, requiring the provision of open space, restricting signage, etc. This would also require provisions that target mixed-used development (*e.g. office land uses mixed with retail/commercial land uses*). It should be

noted that while the SPC did identify some of the strategically located properties as being ideal for *Strip Retail Centers*, this would ultimately depend on the carrying capacity of the corridor (*i.e. to avoid cannibalizing existing businesses the demand of the community would need to increase to justify an additional strip retail center*).

Implementation Responsibility: PZD, ARB, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: This policy change requires a comprehensive review of the City's commercial design standards, and would take time to prepare the necessary text amendments. The total time necessary to complete this strategy will vary depending on the extent staff will have to amend the ordinances. Staff estimates this could take between 30 to 40-hours to complete. In addition, if the City Council chooses to pursue this strategy it may be advantageous to use the Planning and Zoning Commission and/or Architectural Review Board (ARB) as design committees to assist staff in drafting the desired changes. Any ordinance changes would need to be adopted in accordance with the procedures contained in the Unified Development Code (*i.e. approximately eight [8] weeks*).

STRATEGY 4 LIMIT SINGLE USE BIG-BOX DEVELOPMENT

Single use big-boxes can have an immediate and positive effect on a City's ad valorem tax value; however, if abandoned they can also have an effect on the perception of economic health in an area. Currently, the City's big-boxes appear to be economically sound with little to no risk of being abandoned; however, it is a good idea to take a pro-active approach to this issue. Single use big-boxes are typically attractive to businesses that are considered to be category killers and/or discount warehouse stores (*e.g. Wal-Mart, Home Depot, Costco, etc.*). Developing a single big-box is also the typical suburban model for these types of stores. By creating policies that force co-location and mixed-uses the City ensures that these businesses adapt their models to meet the vision of the community, as opposed to allowing these businesses to dictate the community's appearance. By limiting single use big-boxes moving forward, it also has the added effect of protecting the City's current big-boxes, and perhaps staving off the possibility of having ghost boxes (*i.e. empty big-boxes*) in the future.

To achieve this, the City Council could look at development standards that discourage single use big-box users. These types of policies would include regulations like imposing size caps on single use big-box developments (*i.e. limit individual users to discretionary approvals on buildings that are greater than 20,000 – 30,000 SF*), drafting requirements that provide for roof and façade modulation to allow the buildings to be broken up in the case of abandonment, adopting parking requirements that require parking to be located behind the front façade of the buildings, creating a window requirement, and etcetera.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: This policy change would require staff to review the City's current *General Commercial Building Standards*, and draft an ordinance with the necessary text amendments. The total time necessary to complete this strategy could vary; however, staff estimates a completion time of 30 to 40-hours with an additional eight (8) weeks for the adoption of an ordinance change to the Unified Development Code.

STRATEGY 5 ADAPTIVE REUSE ORDINANCE OR STRATEGY

Building on the previous strategy, one of the main reasons that City's end up with vacant big-box developments are changes in the economics of a property's location (*i.e. the site can no longer support/sustain a larger retail user*). This may mean that a particular site or location is no longer viable as a large retailer. *Adaptive Reuse* ordinances, also referred to as *Ghost Box* ordinances, are ordinances intended to address this common problem. As previously stated, the City of Rockwall has not had issues with empty big-boxes; however, a proactive approach to this issue could prove to be valuable in the future. Below is a picture of the vacant *Sports Authority* building, which is a single user big-box that was vacated in 2016. Luckily, this building was quickly replaced with an *Academy Sports and Outdoors*; however, this quick replacement may not always be the case.

The City's current ordinance does incorporate an accountability clause that states that "(f)or those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan indicating potential entrances and exits and loading areas for multiple tenants." This language could be strengthened and the requirement for this accountability clause could be lowered to buildings greater than 30,000 SF. In addition, the City Council could look into establishing ordinances that: (1) creates a fee waiver program for the adaptive reuse of buildings greater than 30,000 SF (*i.e. creating a waiver for building permit fees*), (2) establish a bonding program that is tied to the demolition of the big-box, (3) creates a program that stipulates companies building big-boxes be required to pay into a *Land Conservation Fund*, which can be used for re-greening or converting an abandoned big-box to allow for infill development (*these ordinances are referred to as White Elephant Ordinances*), and/or (4) creates an incentive zone that deals with alternative use/requirements for conversion/redevelopment efforts.



Figure 6.1: Vacant Sports Authority building prior to being converted to an Academy this year.

Implementation Responsibility: PZD, CA, CM, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: The time necessary to create an *Adaptive Reuse Ordinance* or policy will depend on the scope that the City Council chooses. These programs also would need to be vetted by the City Attorney. In this case, it may take several months to prepare and adopt an ordinance creating each of these programs.

STRATEGY 6 PROMOTE THE INCORPORATION OF OPEN SPACE IN LARGER DEVELOPMENTS

As was seen in the *Benchmark Analysis* in Chapter 3, *Benchmark Analysis*, of this document, nearly all of the regional developments surveyed by the SPC contained open/green space. The importance of incorporating open/green space in commercial developments was further validated through the stakeholder engagement process. In both exercises that requesting participants to identify their preferred development choice -- *with the choices being those reviewed by the SPC as part of the benchmark analysis* -- the top results were developments incorporating large amounts of open/green space (*e.g. Grandscapes at 26% open space and Toyota Stadium at 5% open space and 35% sports fields*). In addition, the exercise asking participants to prioritize issues/priorities in the corridor indicated that open/green space was important. Both *Parks/Trail/Walkability* and *Increased Open Space* scored in the top five (5) items identified by the public as priorities and issues. Moving forward provisions requiring a percentage of functional open space -- *above and beyond the required landscape buffer and detention ponds* -- could be incorporated into the design standards for large commercial developments. This would need to be scaled to the development and would not be applicable across the board (*i.e. would not be appropriate for developments with less than 20-acres*).

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): Since this strategy would affect future development the implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: The implementation of this policy could be completed with an estimated ten (10) to 20-hours of staff time required to prepare an ordinance amendment to the Unified Development Code (*i.e. approximately eight [8] weeks for approval*).

STRATEGY 7 REVAMP THE CITY'S PARKING STANDARDS

Commercial developments along the corridor are exclusively made up of surface parking lots situated in the fronts of buildings. Often times these parking areas are two (2) to three (3) times larger than the building it services (*see image below*).



Figure 6.2: Kohl's Parking Lot

In most of these cases the parking lot is rarely if ever full. To address this issue the City Council could choose to establish parking maximums that would limit inefficient uses of land within the corridor. These policies could also promote shared parking agreements and structured parking.

Typically, the argument against structured parking is the high initial cost to establish these facilities; however, if a district wide approach that discourages single use big-boxes is taken by the City, it is not inconceivable to expect more efficient parking solutions. In addition, the City should, where possible, promote shared parking arrangements that are mutually beneficial to developers, property owners and tenants by accounting for varying peak demand. This should have the benefit of increasing the buildable land within the corridor.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: The implementation of this policy change is anticipated to take between ten (10) to 20-hours of staff time to research and prepare an ordinance amending the parking requirements contained in the Unified Development Code. The ordinance would take approximately eight (8) weeks for approval/adoption.

STRATEGY 8 CREATE MODEL ZONING ORDINANCE FOR REGIONAL MIXED-USE DEVELOPMENT

Article V, *District Development Standards*, of the Unified Development Code currently contains standards for a Mixed-Use Overlay (MUO) District; however, this district has not been applied to the zoning map. Building off the current standards contained in this section of the code, staff could create a model zoning ordinance for either an overlay district that can be applied to the strategic properties in the corridor or model regulations for a planned development district ordinance -- *similar to the residential standards contained in Article X, Planned Development Regulations, of the Unified Development Code* -- intended to regulate mixed-use development in the corridor. This could include the information observed by the SPC as part of the *Benchmark Analysis*. This type of ordinance would also layout the City's desired site and building design standards, as well as, address any *incentive zoning* practices intended to incentivize regional development.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: Staff estimates that a model zoning ordinance could be drafted in two (2) to three (3) weeks. Should the City Council choose to codify the ordinance into the Unified Development Code the ordinance would take approximately eight (8) weeks for approval.

STRATEGY 9 ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES

As part of the *Benchmark Analysis*, the SPC noticed that many of the regional centers they surveyed (*specifically mixed-use centers*) were built with a larger focus on smaller lease spaces. This is directly opposed to the classic anchor model, which is prevalent in *Strip Retail Centers* and until recently was the preferred model for suburban development by developers. This shift, however, signifies the importance that developers are now placing on small businesses. This may be due to the idea that small businesses have several understated benefits that extend beyond a City's bottom line. For example, small businesses that are successful in a community can shape a unique identity, create a sense of place and enhance community character. In addition, small businesses also have the added benefit of being well suited for adaptive reuse situations, which could play a major role in the economic vitality of the corridor in the

future. Rockwall, as a whole, has a healthy history of supporting small businesses -- *especially in the downtown area* -- and there is no reason for this not to continue in the City's primary commercial/retail corridor. To ensure that small businesses are supported in the corridor, staff should look to remove any unintentional barriers in the zoning code that might hinder a small business' ability to open in Rockwall. The majority of these barriers will be in the City's land-use categories, which are somewhat outdated for many of the new types of uses that have been established recently. Addressing this subject, the July 2016 issue of *Zoning Practice* (*a periodical released by the American Planning Association*) identifies four (4) examples of new land uses that have emerged as small businesses recently: (1) specialty food production, (2) industrial design, (3) artisan industrial, and (4) local alcohol production facilities. Under our current use charts these uses, in most cases, would be classified under an *Industrial and Manufacturing* label allowing them to locate in Heavy Commercial (HC), Light Industrial (LI) and Heavy Industrial (HI) Districts; however, these uses typically depend on the foot traffic generated by commercial-retail areas and would not fare well in the City's industrial districts. An example of this dilemma was recently addressed by the City Council with the text amendment incorporating the *Craft Brewery, Distillery and/or Winery* land use. Prior to the amendment, the code treated all breweries the same, and did not make a distinction between large industrial breweries and small-scale craft brewers. As a result, these uses were relegated to only being permitted in a Light Industrial (LI) or Heavy Industrial (HI) District, when in reality they operate more as a retail/restaurant type of business. By changing the code to allow this use by a Specific Use Permit (SUP), the City Council created discretional flexibility that allows this land use into areas of the City that could be better suited to the long-term viability of the business. This flexibility could be beneficial to other land use categories that have undergone fundamental changes in the way they operate. This can be achieved by not only reviewing the City's *Permissible Use Charts*, but also the design standards in the corridor to ensure there are no unreasonable barriers of entry for small businesses.

Another approach the City could take to support small businesses is the continued release of information pertaining to demographics and market analysis. Many small businesses and startups have limited capital to spend on expensive reports and demographic breakdowns of the City. Staff can support these businesses by making reports and studies (*e.g. 2017 Existing Conditions Report and this report*) available online to the public.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: Staff estimates that a comprehensive look into the City's *Permissible Use Charts* and commercial design standards could take between 60 to 70-hours to prepare an ordinance making the necessary amendments. The ordinance would take eight (8) weeks for adoption.

With regard to making reports and demographic information online, this has become standard operating procedure for staff and unless directed otherwise staff will continue to make these items available.

STRATEGY 10 RESIDENTIAL DENSITY BONUSES FOR PROJECTS THAT INCORPORATE A MIXTURE OF LAND USES

The City Council could choose to implement policies that would allow high-density residential land uses along IH-30 pending the project incorporate a mix of land uses (*e.g. hotel, restaurant, retail, entertainment, etc.*). Through the public survey, many citizens indicated a want for higher end retailers and specialty grocers. These uses typically are attracted to areas with high intensity developments that incorporate a higher density residential component. The City Council could use the City's high demand for multi-family, to incentivize a developer proposing a regional mixed-use development along IH-30 by granting density bonuses. This would involve granting densities greater than the current 14 dwelling units per acre permitted in the City's Multi-Family 14 (MF-14) District. It should be noted that this type of strategy would depend on the residential units being integrated into the overall development (*i.e. structured or block styled apartments above retail or office use, which is common in traditional mixed-use developments, would be more desirable under this strategy than garden style apartments – similar to the condominiums constructed at the Harbor*). This strategy depends on the City's demand for multi-family remaining high, which may require other land use strategies moving forward (*e.g. balancing the City's mix of housing units and limiting multi-family development to areas along the IH-30 corridor, away from other single-family neighborhoods, and from any other areas in the city*). Under the City's current housing mix, this policy would only be viable if the multi-family percentage were decreased below an estimated 12%. Currently, this percentage is around 18%. By reducing the percentage and not approving subsequent projects, the City ensures that a high level of demand exists, and that this demand can be leveraged to attract the desired commercial/retail development. It should also be noted that this could be done under an ownership model as opposed to a rental model by using townhomes or condominiums.

Implementation Responsibility: PZD, M, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: This policy change would have implications on the policies being incorporated in the *2018 Comprehensive Plan Update*. The implementation of this strategy should be reflected in this document and would require staff to review the procedures and design standards in the Unified Development Code to ensure compatibility with the intended objective. Staff estimates this could take between 50 to 60-hours to complete, and would need to be adopted in accordance with the procedures contained in the Unified Development Code (*i.e. approximately eight [8] weeks*). In addition, since this policy is driven by the demand of multi-family, its implementation would depend on the current multi-family percentage being decreased to a level that can be leveraged for the desired commercial/retail development.

STRATEGY 11 ACTIVELY MARKET THE CORRIDOR

The City could take a proactive approach to marketing the corridor to prospective businesses. This could include any of the following initiatives:

(1) *Branding Campaign*. In recent years, branding campaigns have become popular tools used to market places as products. This tool has been used for downtowns and commercial corridors with

a varying degree of success. If done correctly a branding campaign can have the effect of saving time and money by focusing strategies and resources in the same direction, enhancing investor confidence by showing an overall game plan for an area, and expanding market share by making the brand more recognizable. In this case, the City may consider a retail branding campaign for the entire City focusing on Rockwall's major retail areas (*i.e. the Downtown, Harbor and IH-30 Corridor*) and highlighting their differences.

(2) *Education.* Currently, the City holds an educational workshop for residential realtors each year informing them about changes in development patterns of the City, about city provided tools that could be helpful, and introducing key members of the City staff. This should be duplicated for commercial real estate agents/brokers and include similar information with more of a commercial focus. This event would include information concerning workforce and consumer statistics, information concerning key plans (*e.g. this plan*), and other pertinent information concerning the City's role in commercial development and support.

(3) *Business Assistance.* This item could include anything from assisting small businesses with finding vacant property in the corridor to providing incubator space for startups through the Rockwall Economic Development Corporation (REDC).

(4) *Active Marketing Campaigns*. The City currently relies on passive marketing (*i.e. marketing associated with reaching customers through smart positioning, word-of-mouth, or anticipatory strategies*) to attract commercial retail businesses. Active marketing (*i.e. action-based strategies taking a deliberate and purposeful approach*) can be utilized to target businesses the City identifies as a good fit for the community. This can be achieved through several approaches including the creation of targeted marketing materials sent directly to certain businesses and reaching out to these businesses.

Staff should note that this strategy could work well with *Offensive Strategy #7* below.

Implementation Responsibility: M & CC

Anticipated Cost(s): The cost of this could vary depending on what approach the City Council chooses to take. Some approaches could be taken without outside consultants and other approaches may require outside assistance.

Estimated Implementation Time: The estimated time to implement this strategy will depend on the approach and scope the City Council chooses.

STRATEGY 12 WORK WITH THE REDC AND CHAMBER OF COMMERCE TO COORDINATE BUSINESS RECRUITMENT AND RETENTION EFFORTS

Intergovernmental cooperation between the City, Rockwall Economic Development Corporation (REDC) and the Chamber Commerce to create a Community Business Retention and Recruitment Program may be advantageous to retaining the businesses we have while targeting a regional commercial retail user. In addition, this cooperation ensures that all agencies are aware of the strategies and efforts of other agencies.

Implementation Responsibility: M

Anticipated Cost(s): This strategy is not anticipated to have any additional costs to any of the agencies listed above.

Estimated Implementation Time: Since this strategy requires coordination between a government, a quasi-government and a private service organization it is difficult to establish a implementation timeline.

STRATEGY 13 WORK WITH TXDOT

Work with the Texas Department of Transportation (TxDOT) to improve circulation and connectivity in the corridor, and to regulate traffic patterns and speed limits. This could also include plans for improved multi-modal mobility and pedestrian access in the corridor.

Implementation Responsibility: E & M

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and will not require the assistance of outside consultants.

Estimated Implementation Time: The City currently works closely with TxDOT, and is in the process of planning the IH-30 corridor for the proposed IH-30 improvements scheduled for 2021.

OFFENSIVE STRATEGIES

STRATEGY 1 INCENTIVES

The most common offensive strategy used by City's to attract development is the use of incentives. Incentives can be used to move development and redevelopment projects in a direction that is in conformance with the recommendations of any planning effort. In addition, incentives have proven to be an effective tool at attracting businesses to communities and acting as a catalyst to certain industries. For example, as part of the Grandscape development in the Colony, Texas -- *which was one of the benchmarks reviewed by the SPC* -- the City of the Colony used tax incentives to attract Nebraska Furniture Mart. This involved a large investment by the City (*in the ballpark of $802 million[1] for the construction of the store and the surrounding development*) with the hope that this retailer would attract other retailers and generate enough jobs and sales tax revenue to justify the cost of the incentive package.

With this being said, incentives for commercial retail businesses are not without drawbacks. For example, the Domain -- *which was one of the benchmarks reviewed by the SPC* -- received a large 20-year, $37 million tax break package in 2007 by the City of Austin, and as of 2013 the project had only generated ~$17 million in city sales and property tax for the ~$9.25 million refunded by the City as part of the incentive payments. This incentive package led the City of Austin to establish new City policies against offering incentives for retail projects[2]. In addition, incentivizing retail projects for job creation, as opposed to manufacturing or corporate offices, generally leads to the creation of lower paying jobs that typically do not match the incentives granted.

Taking all this into consideration the following is a list of various incentive tools that the City Council could choose to use to attract regional developments:

(1) *Tax Incremental Financing District*. Chapter 311 of the Texas Tax Code allows City's to establish Tax Incremental Financing (TIF) Districts. TIF's are considered to be both a financing and economic development tool because they allow the improvements within the district to be repaid by the future tax revenues of each taxing entity that levies taxes against a property. Developers can benefit from a TIF because a city can agree to apply the accrued increment directly to a developer's project to assist in the development costs.

(2) *Chapter 380 Incentives Agreement*. An agreement under Chapter 380 of the Texas Local Government Code allows municipalities to offer incentives designed to promote economic development for specific commercial/retail properties or projects. These incentives can include

loans, use of city funds, and tax incentives (*i.e. sales/property tax reimbursements*).

(3) *Neighborhood Empowerment Zone*. A Neighborhood Empowerment Zone (NEZ) is an area that is designated to be eligible for incentives pending projects meet certain criteria. In these areas the City can setup incentives that will waive impact fees for roads/sewer/water and fee waivers for building permits, plan review, etc. These fee waivers could encourage developers to create a mixed-use regional development. Under Chapter 378 of the Texas Local Government Code, these agreements are valid for a period of ten (10) years, and if the program is not working the City could simply let it lapse.

(4) *Public Improvement District.* Chapter 372 of the Texas Local Government Code gives the city the ability to establish a Public Improvement District (PID). These special taxing districts are generally used to fund projects or improvements within the district that are typically above and beyond a city's development scope. These tools are useful when being utilized to fund operational and maintenance programs after the initial project is finished. They can also be used to provide infrastructure that is required as part of the development.

(5) *Incentive Zoning.* Incentive zoning is a planning tool that can be employed by local governments to entice developers to provide a public good/want by offering incentives (*e.g. increased density, additional land uses, etc.*). This was addressed above in *Defensive Strategy #3*.

In addition to these incentive tools, the City Council could look at increasing the current scope of the Rockwall Economic Development Corporation (REDC) from a 4A to a 4A/4B, which would allow the REDC to fund or offer incentives for community development initiatives, and for new and expanded business developments. An alternative to this would be to designate an employee or department, with the task of promoting Rockwall as a retail destination and educating retailers on the City's strong purchasing power and thriving consumer market (*see Offensive Strategy #7*).

Implementation Responsibility: CA, M, REDC, & CC

Anticipated Cost(s): The cost of any incentive program varies depending on the program chosen and the project being proposed.

Estimated Implementation Time: The implementation time will vary depending on the project and incentive being offered.

STRATEGY 2 SMALL AREA PLANS

Using the strategically located properties depicted in *Map 5.2: Strategically Located Properties*, staff could create small area plans for each of the properties using the findings from the benchmark analysis of this document. By providing small area plans for each of these properties, the City would better convey to the development community the desired outcome for each of these areas. This could help to facilitate a regional development.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: The time frame for the completion of the small area plans will vary. Staff estimates that each plan could be completed in approximately one (1) week.

STRATEGY 3 DEMOLITION PERMIT FEE WAIVER

A program creating an administrative waiver of demolition fees could be implemented to assist property owners along IH-30 interested in redeveloping an existing property. While this will not have a major or immediate impact on corridor redevelopment, it is a program that can be implemented easily and can be administered at the staff level (*i.e. as opposed to discretionary oversight of the City Council or other boards or commissions*).

Implementation Responsibility: BI & CC

Anticipated Cost(s): The implementation of this program is not anticipated to have a significant effect on the city's revenues, nor will it be costly to implement. For example, a demolition permit application costs $50.00, and of the 18 demolition permits issued in 2016, six (6) were in the IH-30 corridor. This would represent a total cost to the City of $300.00 for a one-year period.

Estimated Implementation Time: It is estimated that this program could be implemented with five (5) to ten (10) hours staff time to research and prepare an ordinance or resolution outlining the process that can be taken to the City Council for approval. This ordinance can be approved by the City Council without being subject to the requirements of the Unified Development Code (*i.e. approximately four [4] weeks for adoption*).

STRATEGY 4 EXISTING BUILDING CODE

Property owners in the IH-30 corridor interested in redevelopment could be allowed to use the *2015 International Existing Building Code*, which is generally less restrictive than the *2015 International Building Code* (IBC) and *2015 International Fire Code* (IFC). The *2015 International Existing Building Code* is a code that is intended to provide model regulation for existing buildings and is generally less prohibitive than the City's other codes. Currently, the City only utilizes this code in certain circumstances; however, this use could be expanded to ease regulations on existing rehabilitation work. Implementing this strategy would also help to address one (1) of the comments that was expressed at the stakeholder meeting, and which stated that "(e)xisting and older buildings need to grandfathered from any retroactive zoning/building requirements that may be added." While the City does not retroactively apply zoning requirements, new work on existing buildings is typically subject to the building code that is in place at the time of the permit. In this case, it would ease requirements and allow for a code that is expressly intended to regulate existing buildings.

Implementation Responsibility: BI & FM

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: This policy change can be implemented at an administrative level by changing the City's policy and defining when the *2015 International Existing Building Code* can be used.

STRATEGY 5 CIP PROJECTS

Capital Improvement Projects (CIP) scheduled for the study area and intended to support existing businesses could be approached with a higher priority than other projects. Currently, there are no anticipated projects intended for the study area; however, this strategy could be used when projects are identified in the future.

Implementation Responsibility: E, M & CC

Anticipated Cost(s): This strategy is not anticipated to have any additional costs

associated with it since it deals with the future prioritization of projects on the CIP.

Estimated Implementation Time: This strategy is not anticipated to require a great deal of staff time to implement; however, it would require the foresight and consideration of staff when planning the CIP in the future.

STRATEGY 6 IMPLEMENT CORRIDOR BEAUTIFICATION STRATEGIES

The visual aesthetics of the corridor play a major role in attracting consumers, and in attracting and retaining businesses. Specific strategies targeted at creating a uniformed and well-maintained appearance in the corridor can be implemented to ensure the overall beautification of the corridor. Some of these strategies include:

- ☑ An increased code enforcement presence in the corridor targeted at taking a strict approach to the property maintenance code can be implemented. This would be especially important in areas that are designated as *Transition* or *Preservation Zones*.
- ☑ Limiting the approval of variances for properties that have visibility in the corridor will ensure that properties are designed using the same architectural standards and materials, which creates a uniformed look in the corridor. This will help create a sense of place in the corridor and provide for high quality development. In addition, by denying variances this should have the effect of decreasing the number of variances being requested overtime (*i.e. business generally only ask for variances when they know that others have been approved for those variances in the past*).
- ☑ Limiting or prohibiting the height of pole signage and lighting elements in the corridor. This includes LED signage.

NOTE: This strategy can be both offensive and defensive.

Implementation Responsibility: PZD, NIS, BI, PZC, M & CC

Anticipated Cost(s): The implementation of these policy changes is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: The implementation of these strategies would simply be a change in policy. In addition, if implemented this would be an on-going effort.

STRATEGY 7 DEVELOP A POSITION RESPONSIBLE FOR BUSINESS RELATIONS/RETENTION IN THE CORRIDOR

Many of the strategies -- *both offensive and defensive* -- deal with recruitment and retention of businesses, marketing the corridor and working with property owners. The implementation of these strategies may warrant a full time position or a shift in responsibilities of an existing position to allow the time necessary to implement these strategies. In addition, this position could work directly with existing businesses and property owners, assist small businesses with finding locations in the corridor, coordinate planning efforts, and actively market the corridor.

Implementation Responsibility: M & CC

Anticipated Cost(s): The anticipated cost of this strategy would have to evaluated by the Human Resources Department and Management.

Estimated Implementation Time: The time required to implement this strategy would depend on the position being approved by the City Council as part of the budget process.

STRATEGY 8 CITY INITIATED ZONING OF THE CORRIDOR

To avoid undesired and unplanned land uses in the corridor the City Council could consider a City initiated action rezoning all property in the corridor to a Commercial (C) District designation. This strategy would ensure that the corridor develops in accordance with the uses permitted in the targeted zoning district; however, this would need to be carefully evaluated and vetted by the City Attorney to avoid any legal hurdles associated with this method. As an alternative strategy, the City could offer the change in zoning classification to property owners on a mass and voluntary basis. This strategy would allow many of the Agricultural (AG) properties within the district the ability to secure Commercial (C) District zoning without having to pay the fees for initiating a zoning case. In addition, this would allow people to market their properties as commercial property.

While the voluntary method is the most desirable, it does not ensure 100% participation from property owners in the corridor. This method could also have the negative effect of entitling property for Commercial (C) District land uses, while not incentivizing a regional mixed-use center. To prevent this, City Council could consider establishing a new zoning district or planned development district that would have the effect of limiting certain land uses. Under this method, if any residential component was incorporated into the zoning it could fall under *upzoning* (*i.e. allowing a greater range of land uses*), which could make the request more difficult to challenge. Staff should note that any City initiated zoning request should be approached under the advisement of the City Attorney.

Implementation Responsibility: CA, M, PZD, PZC & CC

Anticipated Cost(s): All the anticipated costs for this strategy will vary depending on the involvement of the City Attorney.

Estimated Implementation Time: The implementation time of this strategy will depend on the approach of the City Council.

SECTION 2 IMPLEMENTATION PLAN

The following section lays out the implementation plan in sequential order. Of course, any action with regard to this study will largely depend on the desired direction of the City Council. Each of the following implementation efforts is summarized by an action item followed by the necessary steps to achieve the action.

ACTION 1 PLAN FRAMEWORK ADOPTION

This implementation action involves adopting the recommendations contained in Chapter 5, *Planning Framework*, of this document. These include (1) the corridor zones (*i.e. Transition, Preservation and Opportunity Zones*), (2) the strategically located properties and potential regional development models, (3) monumentation locations, (4) changes to the Master Thoroughfare Plan, and (5) changes to the Future Land Use Plan. If adopted, this plan can be incorporated into the Comprehensive Plan as an appendix with the *2018 Comprehensive Plan Update*. This update is anticipated to be complete in Q1 of FY 2019.

By putting these recommendations into the Comprehensive Plan, the City Council is creating a guide for future policy decisions. In addition, if adopted the Comprehensive Plan is perhaps the best place to convey the City Council's chosen vision for the corridor. This plan can also be reviewed on an annual basis with the annual Comprehensive Plan review process that will be included in the implementation strategies for that document. It

44

will also allow City Council the ability to overhaul the plan on a five (5) year basis with the Comprehensive Plan update.

ACTION 2 STRATEGY ADOPTION

The second step in the implementation plan would be for the City Council to identify and adopt their chosen strategies. The implementation time for these strategies and the organizations responsible for implementation have been outlined above.

ACTION 3 LOOKING TOWARDS THE FUTURE

Perhaps the most important thing to point out is that markets are not static, and have a substantial potential to change. This is especially true with regard to commercial-retail development trends. It will be necessary to update the information in this study on a regular basis and to make sure that the direction of this study is still in-line with the community's vision. This is specifically important with regard to the market analysis contained in this document.

Finally, when making future decisions in the corridor all parties will need to make sure that development requests, policy decisions, discretionary approvals and any other action affecting the study area are looked at in a global sense. Taking a district wide approach to how the corridor develops in the future will ensure that the community is developing in accordance to its vision and not letting individual developments dictate the community's appearance. This will be especially important for staff to relay to applicants looking to develop and/or establish themselves in the IH-30 corridor.

END NOTES

1 *The Colony Goes all in on Big Retail Development (March 2013). Retrieved August 1, 2017, from https://www.dallasnews.com/news/news/2013/03/02/the-colony-goes-all-in-on-big-retail-development*

2 *Austin's Incentives Deals: What City Has Gotten for its Money (June 21, 2014). Retrived August 1, 2017, http://www.mystatesman.com/business/austin-incentives-deals-what-city-has-gotten-for-its-money/v2q4YtvLcLpDp8dZ93kj3l/*

MAP INDEX

(1) *MAP 6.1: SUMMARY OF RECOMMENDATIONS & STRATEGIES*

OFFENSIVE STRATEGIES

- **STRATEGY 1** PREVENT THE OVERSATURATION OF CERTAIN LAND USES IN THE CORRIDOR
- **STRATEGY 2** INCONSISTENT ZONING REQUESTS
- **STRATEGY 3** DISCOURAGE STRIP DEVELOPMENT
- **STRATEGY 4** LIMIT SINGLE USE, BIG-BOX DEVELOPMENT
- **STRATEGY 5** ADAPTIVE REUSE ORDINANCE OR STRATEGY
- **STRATEGY 6** PROMOTE THE INCORPORATION OF OPEN SPACE IN LARGER DEVELOPMENTS
- **STRATEGY 7** REVAMP THE CITY'S PARKING STANDARDS
- **STRATEGY 8** CREATE MODEL ZONING ORDINANCE FOR REGIONAL MIXED-USE DEVELOPMENT
- **STRATEGY 9** ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES
- **STRATEGY 10** RESIDENTIAL DENSITY BONUSES FOR PROJECTS THAT INCORPORATE A MIXTURE OF LAND USES
- **STRATEGY 11** ACTIVELY MARKET THE CORRIDOR
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- **STRATEGY 13** WORK WITH TXDOT

DEFENSIVE STRATEGIES

- **STRATEGY 1** INCENTIVES
- **STRATEGY 2** SMALL AREA PLANS
- **STRATEGY 3** DEMOLITION PERMIT FEE WAIVER
- **STRATEGY 4** EXISTING BUILDING CODE
- **STRATEGY 5** CIP PROJECTS
- **STRATEGY 6** IMPLEMENT CORRIDOR BEAUTIFICATION STRATEGIES
- **STRATEGY 7** DEVELOP A POSITION FOR BUSINESS RELATION/RETENTION IN THE CORRIDOR
- **STRATEGY 8** CITY INITIATED ZONING OF THE CORRIDOR

1 FINDINGS:
Redevelopment

2 FINDINGS:
Strip Retail

3 FINDINGS:
(1) Mixed-Use Center
(2) Town Center

4 FINDINGS:
(1) Regional
(2) Town Center
(3) Strip Retail

5 FINDINGS:
(1) Mixed-Use Center
(2) Strip Retail

6 FINDINGS:
(1) Mixed-Use Center
(2) Town Center

7 FINDINGS:
Strip Center

RECOMMENDATIONS

1) CORRIDOR ZONES
2) STRATEGICALLY LOCATED PROPERTIES AND POTENTIAL REGIONAL DEVELOPMENT MODEL
3) MONUMENTATION LOCATIONS
4) CHANGES TO THE MASTER THOROUGHFARE PLAN
   - A ADD MINOR ROADWAY
   - B REMOVE MINOR ROADWAY
5) CHANGES TO THE FUTURE LAND USE PLAN

LEGEND

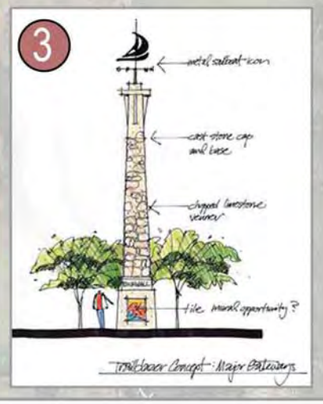
MTP DESIGNATION DISTRICTS
- Opportunity
- Preservation
- Transitional

FUTURE THOROUGHFARES
- M4D
- M4U
- Minor
- Remove

- Existing Western Entry Portal
- Developing Central Entry Portal
- Opportunities for Eastern Entry Portal
- Strategically Located Properties







OFFENSIVE STRATEGIES

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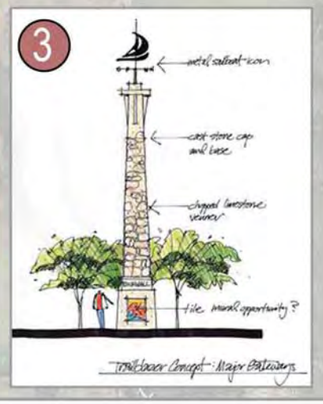
7 FINDINGS:
Strip Center

RECOMMENDATIONS

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3) MONUMENTATION LOCATIONS
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   - B REMOVE MINOR ROADWAY
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LEGEND

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- Preservation
- Transitional

FUTURE THOROUGHFARES
- M4D
- M4U
- Minor
- Remove

- Existing Western Entry Portal
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48

ROCKWALL FIRE DEPARTMENT

Staffing for Adequate Fire and Emergency Response (SAFER) Grant

Objectives

- Overview of the SAFER Grant program
- Review of the RFD strategic plan
- SAFER Grant proposal

Overview

- Provide funding for organizations "to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments"
- Enhance departments' abilities to comply with staffing, response, and operational standards established by the NFPA

Overview (cont.)

- 3-year program
- Grant pays:
  - Year 1 – 75% of the annual cost of a first-year firefighter
  - Year 2 – 75% of the annual cost of a first-year firefighter
  - Year 3 – 35% of the annual cost of a first-year firefighter
  - Year 4 and beyond – City picks up 100% of the cost

Strategic Plan - Staffing

- 16, on-duty personnel in 6 years

Year	Personnel
1 (current year)	6
2	3
3	3
4	3
5	3
TOTAL NEW PERSONNEL in YEARS 2-5	12

SAFER Staffing Levels

- Apply for funding for 12 personnel to take advantage of grant funding
- 13 full-time personnel assigned to each shift
- Significantly compresses the window to achieve increased on-duty staffing
  - Compresses years 2-5 into 1 year at a savings
- Minimum staffing = 12 per shift (3 at each station)

Associated Costs with SAFER Levels

- PPE
- Uniforms
- Officer Positions
- Important to note that these are not *additional* costs, but will be incurred in a shorter period of time than without the grant

Projected Base Salary and Benefits Package Costs (12 Personnel)

SAFER GRANT
12 personnel in Year 1

	TOTAL	GRANT	CITY
YEAR 1	$ 886,209.17	$ 664,656.88	$ 221,552.29
YEAR 2	$ 930,531.31	$ 664,656.88	$ 265,874.43
YEAR 3	$ 977,057.44	$ 310,173.21	$ 666,884.23
YEAR 4	$ 1,025,918.26	$ -	$ 1,025,918.26
TOTAL	**$ 3,819,716.19**	**$ 1,639,486.97**	**$ 2,180,229.22**

NO SAFER GRANT
12 personnel Over 4 Years (3 per year)

YEAR 1	$ 221,552.29
YEAR 2	$ 454,185.12
YEAR 3	$ 698,449.48
YEAR 4	$ 954,929.05
TOTAL	**$ 2,329,115.94**

Savings = $2,329,115.94 - $2,180,229.22 = $148,886.72

Advantages vs. Disadvantages

- Advantages
  - Savings of $148,886
  - Exceeds the expectations of the strategic plan staffing objective
  - 3 – member staffing per station
- Disadvantages
  - Additional “up-front” cost in Year 1

Questions?

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

FROM: **Kenneth Cullins, Fire Chief**

DATE: **February 13, 2019**

SUBJECT: **S.A.F.E.R. Grant Application**

The FY2018 Staffing for Adequate Fire and Emergency Response (SAFER) Grant application period runs from February 15, 2019 to March 22, 2019. The SAFER Grant Program, in part, is designed to provide funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards. The grant is a three year program. In the first and second years it pays for 75% of the usual annual cost of a first-year firefighter. In the third year it covers 35% of the usual annual cost of a first-year firefighter. The city picks up the entire cost of the member after the third year.

The current strategic plan for the Rockwall Fire Department includes consideration for increasing on-duty staffing levels. Specifically, the plan considers increasing staffing by 3 personnel each of the next four years. For council's consideration is the direction to staff to apply for a FY 2018 SAFER grant in order to offset the cost of hiring additional personnel.

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MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, February 04, 2019 - 4:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:02 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Patrick Trowbridge, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Councilmember Dana Macalik was not present at the start of the meeting (but arrived shortly thereafter, at 4:04 P.M.).

II. WORK SESSION

1. Hold a work session to hear staff presentation regarding the Harbor Urban Beach Park Concept Plan and Phase One.

Director of Parks and Recreation, Andy Hesser, came forth and briefed Council on the proposed Urban Beach Park at the Harbor, including various options for amenities and features which could be included in Phase One, at Council's discretion / direction. Councilmember Macalik arrived and joined the meeting at 4:04 p.m. Estimated costs and funding sources were also presented to Council as part of Mr. Hesser's presentation.

Councilmember Fowler expressed that he likes "Option 2," which includes a restroom facility and is estimated at $484,010. He asked if this option could have amenities added to it in the future. Mr. Hesser indicated that, yes, some things could be added. Mr. Fowler shared that the only thing he might immediately add to Option 2 would be an additional seating node.

Councilmember Trowbridge asked for clarification regarding funding. Mrs. Smith clarified that these funds are in no way associated with the city's General Fund. The "Rec Development Fund" is a special, separate pot of money (in part funded by franchise agreements such as "Sail with Scott," for example).

Councilmember Hohenshelt sought clarification regarding to what extent each of the city's neighborhood parks is currently developed / 'improved.' Mr. Crowley, City Manager, clarified that none of the city's neighborhood parks is totally developed or 'built out,' and certainly none are built to "pie in the sky" type specifications. Extensive, general discussion ensued pertaining to costs, other neighborhood parks within the city, amenities, and the like.

Council took no formal action as a result of this work session discussion.

2. Hold a work session with PROS Consulting to discuss an athletic facility feasibility study.

Mike Svetz with PROS Consulting came forth and introduced himself, indicating that PROS will be developing what is essentially an athletic fields 'master plan' for the City of Rockwall. It will help the city better understand supply and demand, both today and fifteen years from now. Mr. Svetz went on to explain the process that will ensue pertaining to the study, including its purpose and what results may be expected. Mr. Svetz indicated that the timing associated with completion of this study is estimated to be early to mid-summer. Council took no action pertaining to this work session discussion.

Mayor Pruitt then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 4:57 p.m.

III. EXECUTIVE SESSION.

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Consultation with Attorney)
2. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:25 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m. (with all seven council members present).

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

There was no action taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNESEN

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

VIII. PROCLAMATIONS

1. STEM Gals Day

Mayor Pruitt called forth Mrs. Taylor, teacher from Rockwall High School who oversees the S.T.E.M. program, and her students. He then read the proclamation for "STEM Gals Day." The program encourages females to pursue educations and careers in the fields of Science, Technology, Engineering and Mathematics.

2. Presentation of The Patriot Award

Mayor Pruitt called forth Mary Smith, Assistant City Manager, Debbie Waters, (Municipal) Court Administrator and Tia Hambrick, Court Clerk as well as a representative from an organization called the ESGR (Employer Support of the Guard and Reserve), which is a Department of Defense program. Indication was given that this organization was established in 1972 to promote cooperation and understanding between Reserve Component Service members and their civilian employers. Ms. Hambrick then read two statements, one addressed to Mrs. Smith and one addressed to Mrs. Waters. Each of them was then presented with an award to recognize and thank them for their support of Ms. Hambrick over the years as she has participated in various military related endeavors while employed by the City of Rockwall for the last fourteen years. The representative from the ESGR also presented a certificate to Mayor Pruitt in recognition of the City of Rockwall for its support of military personnel employed by the City.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time.

Ruth Peck (108 Lakedale Drive) came forth and shared that she has some water related issues occurring in her yard, including some sink holes. She is concerned about this; however, she pointed out she was introduced to City Engineer, Amy Williams, before the start of tonight's meeting. So she will be getting with Ms. Williams to hopefully work through these concerns.

There being no one else coming forth to speak, Mayor Pruitt closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the January 22, 2019 city council meeting, and take any action necessary.
2. Z2018-057 - Consider approval of a request by Bill Bricker of Columbia Development Company, LLC for the approval of an **ordinance** amending Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary [2nd Reading].
3. Z2018-059 - Consider approval of a request by Heather Cullins for the approval of an **ordinance** for a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary [2nd Reading].
4. P2019-002 - Consider a request by Gerald Houser of Collin-G Properties, LTD for the approval of a replat for Lot 2, Block A, Houser Addition being a 6.19-acre parcel of land identified Lot 1, Block A, Houser Addition, City of Rockwall, Rockwall County, Texas, zoned

Heavy Commercial (HC) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 1611 SH-276, and take any action necessary.

5. P2019-003 - Consider a request by Maria C. Bonilla of Winkelmann & Associates, Inc. on behalf of Jill Fisher of Dunhill Partners, Inc. for the approval of a replat for Lot 2, Block B, R. W. Marketcenter Addition being a replat of a 21.424-acre parcel identified as Lot 1A, Block B, R. W. Marketcenter Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated at the southwest corner of Market Center Drive and the E. IH-30 Frontage Road, and take any action necessary.
6. P2019-004 - Consider a request by Tony Degelia of A & W Surveyors on behalf of Michael Fisher for the approval of a replat for Lot 7, Block A, Temunovic Addition being a 1.082-acre parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District, situated within the Scenic Overlay (SOV) District, addressed as 1306 Summer Lee Drive, and take any action necessary.
7. Consider approving emergency pump replacements for the large fountain at The Harbor and authorizing the City Manager to expend $25,830.83 out of the General Fund Harbor Operations Budget for this purpose, and take any action necessary.
8. Consider approving the work and authorizing the City Manager to execute a Purchase Order to XIT Paving and Construction for the Service Center Yard Pavement Replacement project in the amount of $352,390 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.
9. Consider approving the work and authorizing the City Manager to execute a Purchase Order to Texas Bit for the National Drive Reconstruction Project in the amount of $300,997 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.
10. Consider awarding a bid to Riverstone Fence and authorizing the City Manager to execute a Contract for new fencing at three city lift station sites in the amount of $43,500 to be funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any action necessary.
11. Consider authorizing the City Manager to execute Supplemental Agreement No. 1 with Teague Nall & Perkins, Inc. to design portions of Carriage Trail, Westway Drive, and Aspen Court in the amount of $432,000 to be paid out of the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.
12. Consider approval of the Rockwall Police Department's 2018 Racial Profiling Report, and take any action necessary.
13. Consider approval of a resolution calling the May 4, 2019 General Election for the purpose of electing the mayor and city council members for Places 1, 3, and 5, and take any action necessary.

Councilmember Hohenshelt moved to approve the entire Consent Agenda. Councilmember Trowbridge seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52) [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF LAND FOR RESIDENTAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

XI. APPOINTMENT ITEMS

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

Chairman of the city's Planning & Zoning Commission, Johnny Lyons, came forth and addressed the Council, providing brief comments regarding recommendations of the Commission relative to planning-related items on tonight's meeting agenda. No discussion ensued and no action was taken by Council as a result of Mr. Lyons' briefing.

2. Appointment with the city's ART Commission Chairman to hear a presentation regarding a public art fiberglass guitar project and to consider authorizing associated funding in the amount of $5,500 from the city's "Art in Public Places" funds, and take any action necessary.

David Sweet of the city's ART Commission came forth and gave a brief presentation regarding this proposed project. Following his presentation, Mayor Pruitt moved to authorize the expenditure of $5,500 as requested. Councilmember Trowbridge seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

3. Appointment with resident Jillian Gaines to hear concerns related to water around her home and neighborhood (address: 1305 Clear Meadow Court), and take any action necessary.

Ms. Gaines came forth and addressed the Council during this appointment item. She generally expressed concern related to water in and around the streets and properties within the subdivision in which she lives and on the street on which she resides. She also has concerns about water on her own, personal residential property.

Mayor Pruitt indicated that several council members have traveled to the locations in and around Ms. Gaines home in The Shores since the last time Ms. Gaines came before the Council to express water-related concerns. He shared that he personally knows of three other locations (not in The Shores) where groundwater settles on the pavement following rain events within the city. He expressed that there hasn't been any significant rain events lately, so the underground springs and ground water

have not had the opportunity to seep up and stand on the concrete pavement recently. Mayor Pruitt shared that the city cannot make the HOA in which Ms. Gaines lives do anything about concerns related to french drain installation or retaining wall repairs. He understands that there are areas within the city where ground water seeps up and causes standing water to pool; however, he does not believe there is anything that the city or the city council can do regarding ground water. Council took no action as a result of this Appointment Item.

XII. PUBLIC HEARING ITEMS

1. Z2018-058 - Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary [1st Reading].

City Planning Director Ryan Miller provided brief background information pertaining to this agenda item. The applicant is currently running a subscription-based wine business. The venue has been holding special events at this location through the city's "special events" ordinance; however, doing so limits the business to only four events per year, and the applicant would like to hold more than four events annually. Mr. Miller shared that Council may wish to consider the following conditions related to this SUP request:

1) The operation of the *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* on the subject property shall be subject to the following operational conditions, which are contained in the SUP ordinance:

A. Craft Winery:

1) The maximum square footage of the building used for a winery shall not exceed 12,000 SF in total building area, and is depicted in *Exhibit 'C'* of the draft ordinance.

2) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building, and is depicted in *Exhibit 'D'* of the draft ordinance.

3) The hours open to the public for this facility shall be limited to Sunday through Saturday, 11:00 AM to 12:00 AM.

B. Commercial Amusement/Recreation (Outdoor)

1) The operation of a *Commercial Amusement/Recreation* (O*utdoor*) use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.

2) The *Subject Property* may be used for all permitted accessory uses as well as the use of an *outdoor venue* that may include live music and food truck vendors as depicted in *Exhibit 'B'* of this ordinance. The use of temporary tents or similar uses must be made of fire retardant materials and meet the City's fire codes.

3) The hours of operation associated with the O*utdoor Venue* for this facility shall be limited to Thursday through Monday, 11:00 AM to 12:00 AM.

4) There shall be no outside storage of equipment, furniture, or other materials associated with the operation of this business or from any outdoor gatherings on the *Subject Property*.

5) No parking associated with the uses permitted on the *Subject Property* shall be permitted along County Line Road or Horizon Road [*FM-3097*].

2) Any construction or building necessary to complete this request must conform to the requirements set forth by the *UDC*, the *International Building Code*, the *Rockwall Municipal Code of Ordinances*, city adopted engineering and fire codes and with all other regulatory requirements administered and/or enforced by the state and federal government.

On January 2, 2019, staff mailed 63 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood HOA notification, as there were no Home Owners Associations (HOA's) participating in the Neighborhood Notification Program within 1500-feet of the subject property. At the time staff's report was drafted, one e-mail opposed to the applicant's request had been received. In addition, the city's Planning & Zoning Commission recommended approval of this item by a vote of 5-2.

Tim McCallum
5140 Standing Oak Ln.
Rockwall, TX 75087

Mr. McCallum came forth to address the Council concerning this public hearing item. He briefed the Council on his and his wife's existing business, including the business model, which focuses on online direct sales, wine festivals and events.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Brief clarifying questions and answered took place among Council members, staff and the applicant. Councilmember Daniels asked for clarification about "used on a limited and infrequent basis." Mr. Miller clarified that if this SUP is granted, the applicant could (potentially) hold an event there every night of the week from Thursday thru Monday. Mr. Daniels expressed concern about this, especially related to residential homes located nearby. He has a problem with the 'unlimited frequency' timeframe related to how the SUP ordinance drafted (which would allow it to be open five nights out of the week).

Councilman Trowbridge asked for clarification regarding where PD-75 is located. Mr. Miller indicated that this is located in the Lake Rockwall Estates Subdivision area.

Mayor Pruitt expressed concern that the hours would allow wine tastings, for example, until midnight. He would prefer that the time be cut off at about 10:00 p.m. at night.

Councilmember Macalik moved to approve Z2018-058. Councilmember Trowbridge seconded the motion.

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS

PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *CRAFT WINERY* AND *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* ON A 7.2-ACRE TRACT OF LAND, ADDRESSED AS 203 COUNTY LINE ROAD AND BEING IDENTIFIED AS TRACTS 20-01 & 20-07 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDIT IONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

2. Z2018-056 - Hold a public hearing to discuss and consider a request by Tom Jones on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary [1st Reading].

Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant is requesting a change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District for the purpose of constructing a house of worship on the subject property. The subject property is situated on a 6.03-acre tract of land, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, and located east of the intersection of Justin Road and John King Boulevard. The subject property was annexed in 1985 [Ordinance No. 85-69] and is zoned Agricultural (AG) District. The Agricultural (AG) District is a holding district with the intent that a property will be rezoned in conformance with the Future Land Use Plan contained in the Comprehensive Plan. According to Section 1.0, Use of Land and Buildings, of Article IV, Permissible Uses, of the Unified Development Code (UDC), a house of worship is permitted in an Agricultural (AG) District by Specific Use Permit (SUP) or permitted by-right in a Light Industrial (LI) District. The proposed request to rezone the property to Light Industrial (LI) District is in conformance with the City's Future Land Use Plan.

On January 14, 2019, staff mailed 10 notices to property owners and residents within 500-feet of the subject property. There are no HOA's/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time the case memo was drafted, staff had not received any notices concerning this case. On January 29, 2019, the Planning and Zoning Commission's motion to recommend approval of the change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District passed by a vote of 7-0.

Mayor Pruitt opened the public hearing and asked if the applicant has received approval from the FAA, as it is located within a flight path. Mr. Miller shared that the applicant will obtain any necessary 'letter of approval' from the FAA. There being no one wishing to come forth and speak, he then closed the public hearing and called the applicant forth.

Tom Jones
5850 Hillcrest
Dallas, TX

Mr. Jones came forth and briefly addressed the Council.

Clarifying questions and answered then took place between the city council members and staff. Thereafter, Councilman Daniels moved to approve Z2018-056. Mayor Pruitt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52) [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF LAND FOR RESIDENTAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of in favor with 1 against (Hohenshelt).

XIII. ACTION ITEMS

1. Discuss and consider the overall concept plan and proposed Phase I of the Harbor Urban Beach Park, and take any action necessary.

Mayor Pruitt provided opening comments pertaining to this agenda item, indicating that a work session was held with staff and Council earlier this afternoon pertaining to this Action Item. Councilmember Hohenshelt generally expressed that he believes 50% of the park and its amenities should cater to the general populous of Rockwall, and the remaining 50% should cater to the immediate, residential occupants in and around The Harbor area. Council generally indicated that this is a very important park, and the council members really want to be sure they're making right decisions pertaining to its development. Mayor Pruitt pointed out that there are no time constraints associated with making these decisions.

Staff shared that takeline leases, concession agreements and marina fees are all examples of funding sources for the city's "Rec Development Fund," which is the pot of money that will be utilized to fund this park.

Mayor Pruitt asked staff to allow Council time to reflect and then revisit this topic again in one month (first meeting in March). No formal action was taken at this time.

XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - December 2018
Fire Department Monthly Report - December 2018
GIS Division Monthly Report - December 2018
Harbor PD Monthly Report - December 2018
Internal Operations Department Monthly Report - December 2018
Police Department Monthly Report - December 2018
Recreation Monthly Report - December 2018
Rockwall Animal Adoption Center Monthly Report - December 2018
STAR Transit Monthly Report - December 2018

2. City Manager's Report

Mr. Crowley indicated that staffs' departmental reports have been included in the council members' meeting packet this evening, and staff is happy to answer any questions Council may have. None were asked.

XV. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Consultation with Attorney)
2. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XVI. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XVII. Adjournment

Mayor Pruitt adjourned the meeting at 7:43 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 19th DAY OF FEBRUARY, 2019.

ATTEST: _____ **Jim Pruitt, Mayor**

_____
Kristy Cole, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 19-10

SPECIFIC USE PERMIT NO. S-205

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *CRAFT WINERY* AND *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* ON A 7.2-ACRE TRACT OF LAND, ADDRESSED AS 203 COUNTY LINE ROAD AND BEING IDENTIFIED AS TRACTS 20-01 & 20-07 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Tim McCallum of He Wines She Dines, LLC for the approval of a Specific Use Permit (SUP) for a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* for the purpose of establishing a *Craft Winery* in conjunction with an outdoor venue on a 7.2-acre Tract of land, zoned Commercial (C) District, being identified as Tract 20-01 & 20-07 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, addressed as 203 County Line Road, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* as stipulated by Article *IV, Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule,* of *Article IV, Permissible Uses,* and *Section 4.5, Commercial (C) District,* of *Article V, District Development Standards,* of the Unified

Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the additional following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

A. *Craft Winery:*

1) The maximum square footage of the building used for a winery shall not exceed 12,000 SF in total building area, and is depicted in *Exhibit 'C'* of the draft ordinance;

2) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building, and is depicted in *Exhibit 'D'* of the draft ordinance; and,

3) The hours open to the public for this facility shall be limited to Sunday through Saturday, 11:00 AM to 12:00 AM.

B. *Commercial Amusement/Recreation (Outdoor)*

1) The development and operation of a *commercial amusement/recreation* (*outdoor*) use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The *Subject Property* may be used for all permitted accessory uses as well as the use of an *outdoor venue* that may include live music and food truck vendors as depicted in *Exhibit 'B'* of this ordinance. The use of temporary tents or similar uses must be made of fire retardant materials and meet the City's fire codes;

3) The hours of operation associated with the *outdoor venue* for this facility shall be limited to Thursday through Monday, 11:00 AM to 12:00 AM;

4) There shall be no outside storage of equipment, furniture, or other materials associated with the operation of this business or from any outdoor gatherings on the *Subject Property*; and,

5) No parking associated with the uses permitted on the *Subject Property* shall be permitted along County Line Road or Horizon Road [FM-3097].

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified

Development Code (UDC).

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 19TH DAY OF FEBRUARY, 2019.

_____
Jim Pruitt, **Mayor**

ATTEST:

_____
Kristy Cole, ***City Secretary***

APPROVED AS TO FORM:

_____
Frank J. Garza, ***City Attorney***

1st Reading: ***February 4, 2019***

2nd Reading: ***February 19, 2019***

Exhibit 'A':

Legal Description: Tracts 20-01 & 20-7 of the W.W. Ford Survey, Abstract No. 80

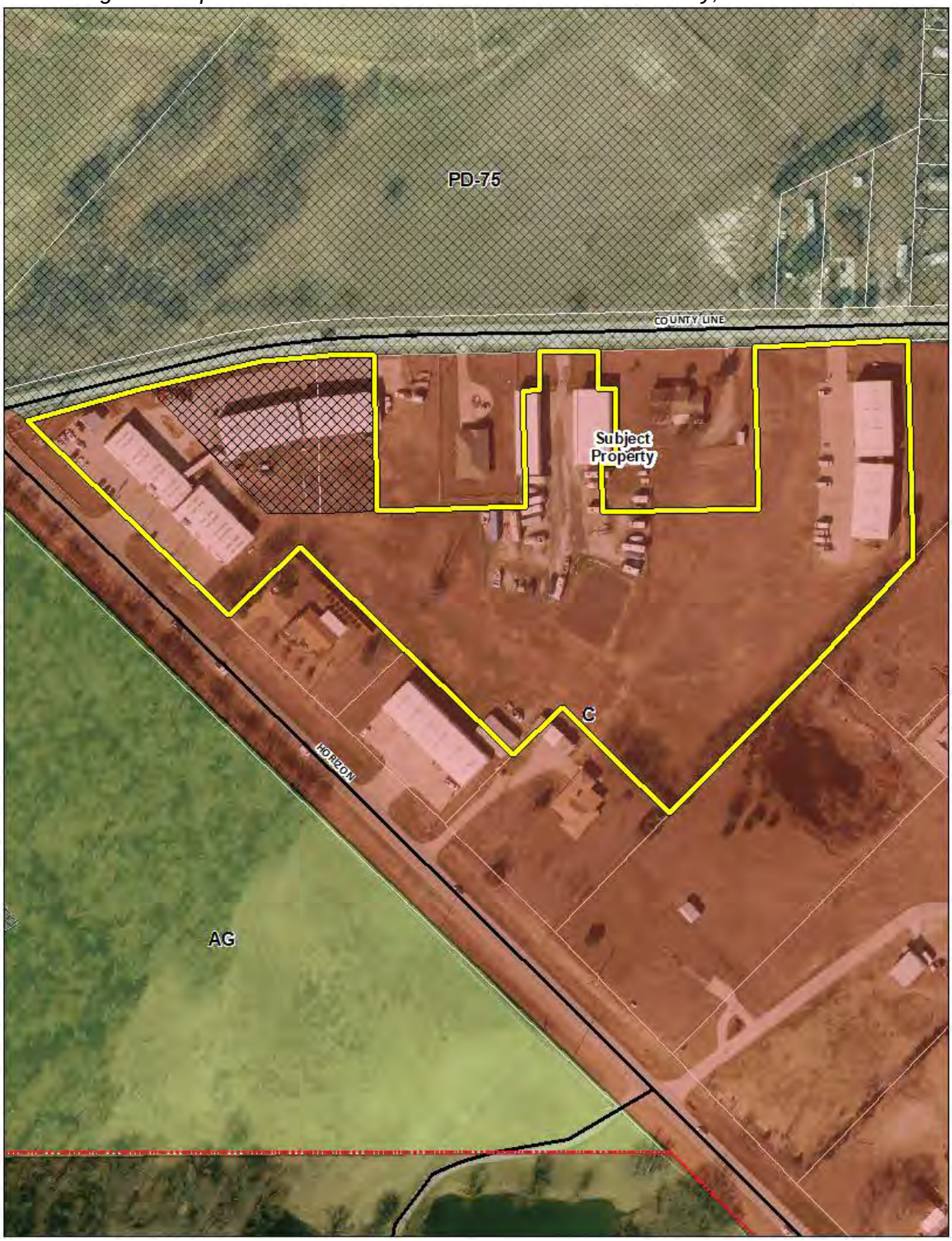


Exhibit 'B':
Concept Plan

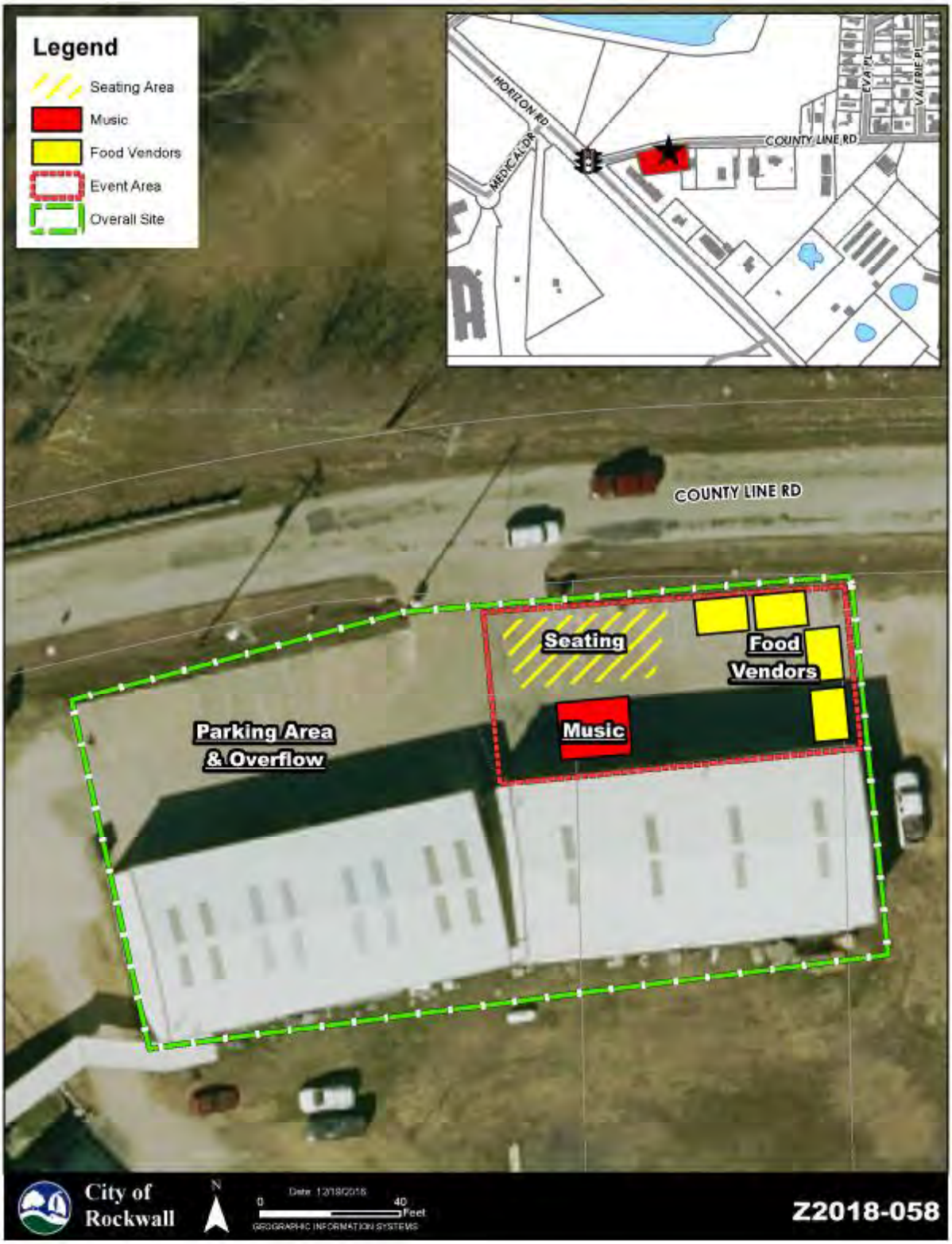


Exhibit 'C':
Floor Plan

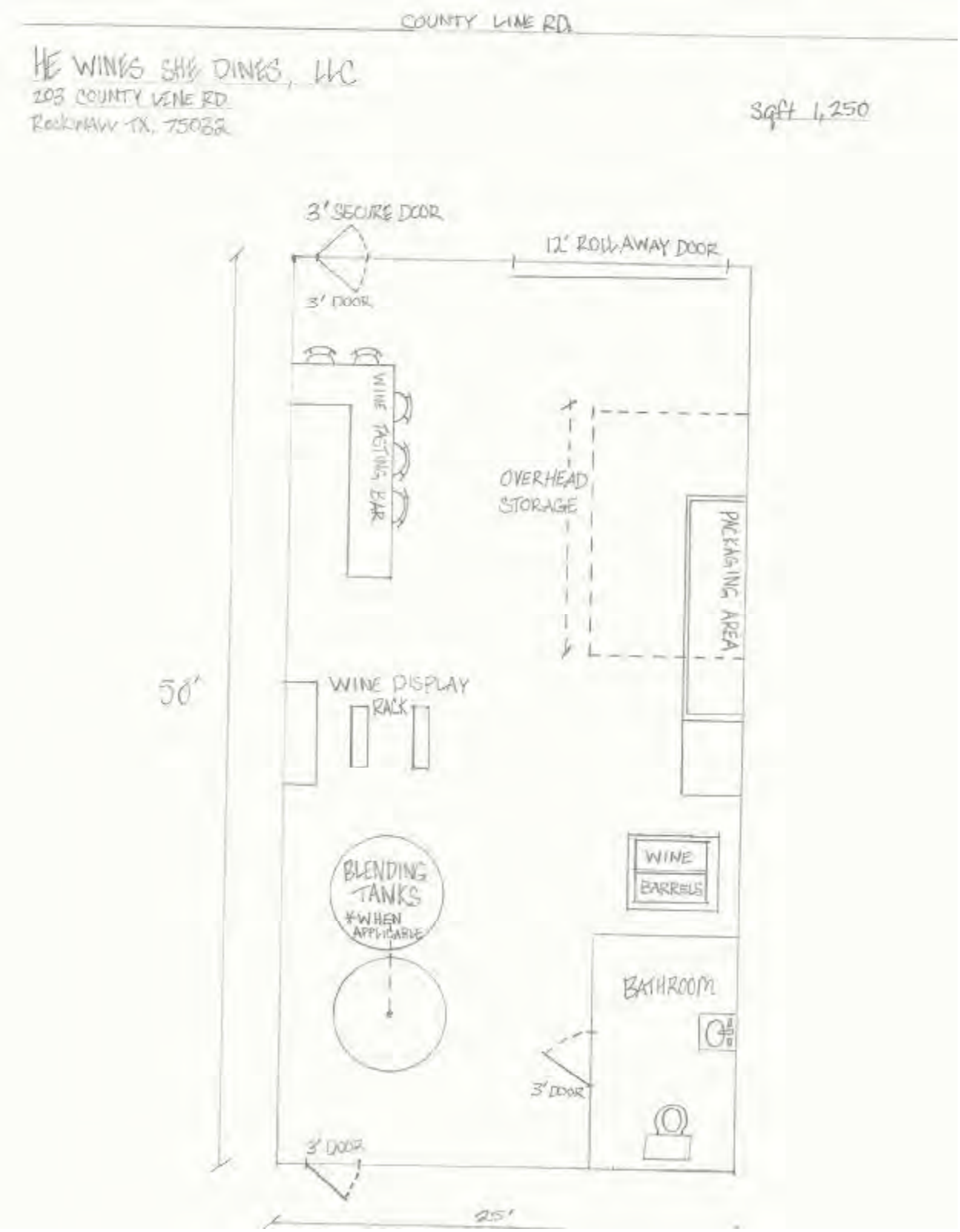


Exhibit 'D':
Retail and Tasting Area Plan



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74

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

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

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **February 12, 2019**

SUBJECT: FACILITY USE AGREEMENT WITH LAKE POINTE SPORTS

In July of 2018, the facility use agreement between the City of Rockwall and Lake Pointe Church expired. This was originally a five year term including any approved extensions. Since that time, staff had not received any communication regarding a renewal of the agreement and had therefore assumed that Lake Pointe Sports would not be offering a baseball program on City owned fields.

On January 16, 2019, staff meet with Brad Bassett of Lake Pointe Sports to hear a request for field usage for their baseball program. Mr. Bassett asked for an appointment with the Park Board to request that the City enter into a new facility agreement for baseball field use.

Included in your packet is a copy of the previous agreement and the basis for which field allocations are determined. It states:

"The City of Rockwall will coordinate the Rockwall Baseball and Softball League for children 5 -14 years old. It is the goal to provide two practice periods per week to each team prior to the season and fields for one practice and {up to} two games per week and once the season has commenced. This goal will be the basis for the allocation of all City owned fields. Once this goal is met, additional fields may be available to LPC. It shall be the goal of LPC to provide one practice time and one game time per week during the season. Fields shall be allocated in a manner to meet the goals of each party."

As the program grows, field availability becomes an increasing challenge for the City's Rockwall Baseball Softball League (RBSL) program as well as any other potential

outside user. At this time, we anticipate another year of approximately 1,200 participants. Since the creation of the program, our commitment to our customers has been to provide adequate practice times and game times. The RBSL program is hosting 13 weekend tournaments that we believe to be in line with the expectations of our participants.

Now that registration has officially closed, staff is currently working on the spring season schedule. This schedule must take into account that between 94 teams need a practice once per week, which is only available on weekends and up to two games each week, Monday through Friday.

We have six lighted fields and seven unlighted fields between three different facilities. Additionally, when tournaments are held on weekends, this displaces RBSL team's practices, normally scheduled at Tuttle. It is our intention to make sure those teams displaced from Tuttle due to the tournaments, can continue to have practice times at Yellowjacket and/or Myers Park fields.

We also factor in make-up games for rainouts to better ensure that we meet our goal of 12 regular season games and an end of the season tournament which is determined by league play seeding. Based on customer feedback, we try to end the spring season before Memorial Day weekend. This allows time for rain-out make-ups

Park Board voted unanimously of those present to recommend that Council authorize the City Manager to enter into a one year agreement in the annual amount of $12,000 in accordance with the terms of the attached agreement with the understanding that the City will first meet its obligation to its customers with any remaining time slots to be made available to Lake Pointe Sports, contingent on City Attorney review.

FACILITY USE AGREEMENT BETWEEN THE CITY OF ROCKWALL, TEXAS, AND THE LAKEPOINTE CHURCH

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

WHEREAS, the City of Rockwall, Texas (City) is a home rule city with all the rights, powers, and privileges set forth by the applicable statutes of the State of Texas and the City Charter; and

WHEREAS, the City is empowered pursuant to those statutes and said City Charter to provide for the regulation and improvement of all public grounds, including parks, located within the City's limits; and

WHEREAS, Lakepointe Church (LPC) desires to operate a baseball program utilizing City athletic fields; and

WHEREAS, the City desires to promote the health, welfare, and safety of its citizens:

WITNESSETH

NOW, THEREFORE, for and in consideration of the mutual promises contained herein and the mutual benefits flowing to both the City and LPC, and other good and valuable considerations recited herein, the receipt and sufficiency of which are hereby acknowledged, the City and the Associations do **CONTRACT, COVENANT, WARRANT, AND AGREE** as follows:

I.

INCORPORATION

All matters contained in the above and foregoing preamble are incorporated herein and made part of this Facilities Use Agreement (Agreement) as if copied herein in its entirety.

II.

DEFINITIONS

A. The terms "athletic facility," "athletic fields," or "fields" mean the eight fields at Leon Tuttle Park, the two fields at Harry Myers Park and the three fields Yellowjacket Park, and any other location made available by the City on which athletic events are or can be held.

B. "Director" means the Director of Parks and Recreation for the City of Rockwall, or his/her designee.

C. "City Manager" means the City Manager for the City of Rockwall, or his/her designee.

III.

FIELD USE

A. Both the City and LPC acknowledge that the fields are owned by the City and are provided for the benefit of citizens of the City. At any time the fields are not being used by LPC, the City may assign such fields to other associations or parties. The City shall maintain approval over the use of the fields at all times. Under terms of this Agreement, the City permits LPC to use the fields to provide youth baseball activities.

B. LPC shall not assign this Agreement or rent out any part of the fields or concession facilities without prior written consent of the City. Any request for assignment or rental made by a third party shall be referred to the Director. All parties understand that LPC's use of the fields is nonexclusive.

C. No use of the City's fields is permitted outside the terms of this Agreement, as set forth herein.

D. The City of Rockwall will coordinate the Rockwall Baseball and Softball League for children 5-14 years old. It is the goal to provide two practice periods per week to each team prior to the season and fields for one practice and two games per week and once the season has commenced. This goal will be the basis for the allocation of all City owned fields. Once this goal is met, additional fields may be available to LPC. It shall be the goal of LPC to provide one practice time and one game time per week during the season. Fields shall be allocated in a manner to meet the goals of each party.

E. At the beginning of each season, a representative from LPC will meet with the Director to work through game and practice schedules. The Director will have final approval over all game and practice schedules of LPC and any other league or organization.

IV.

OBLIGATIONS OF THE CITY

The City shall:

A. Maintain all fences and gates in a safe and secure condition;

B. Maintain all turf areas on the fields to include mowing, weed control, fertilizing and herbicide spraying;

C. Perform all pre-season clay and turf maintenance to include adding clay, clay renovation and cutting infield arcs;

D. Provide sand, soil, etc. to be used in leveling or backfilling low areas when deemed necessary, within normal yearly operating budget constraints;

E. Drag infields daily, Monday through Friday, weather permitting during regularly scheduled league games, and make-up games. The City will drag fields on Saturdays and Sundays upon request subject to applicable fees (see attached fee schedule). Services do not include preparation for foul weather;

F. Painting or chalking of outfield boundary lines on the playing surface of the park areas;

G. Haul off trash **THAT HAS BEEN DEPOSITED** in trash receptacles as warranted. The City shall provide trash receptacles;

H. Maintain structural integrity of concession stands, restrooms and storage buildings, including repair or replacements of damaged roofs, doors, and windows;

I. Maintain all area and field lighting systems where applicable;

J. Repair or replace lights, poles, wiring fuses, transformers and other equipment related to the lighting of each field to be used by LPC where applicable and within normal operating budget constraints;

K. Pay all electric and water bills in connection with use of the fields;

L. Maintain any field irrigation system and watering schedules of turf areas;

M. Maintain any adjacent park irrigation systems and the scheduling of watering turf areas;

N. Maintain restroom facilities;

O. Maintain and repair parking areas; and

P. Provide Hollywood style bases, home plates, and pitching rubbers for use by LPC.

Q. Determine, in its sole discretion, field closures due to weather. Determinations will be made by 3:30 pm on weekdays. Weather will be monitored beyond the determination times if necessary.

R. Perform its duties only to the extent that budgeted funds and manpower are available. If the City is unable to fulfill its obligation due to budget restraints, it will not be obligated to LPC for any monetary damages.

S. Provide pitching mounds and bases according to the rules and regulations of the relevant age group of teams participating in practices and games. The initial field and mound set-up shall be at no charge to LPC. The City shall charge a $50 fee for each additional mound construction and/or demolition that is required for non-regular season games or additional tournaments (see attached fee schedule).

T. To be eligible to be on the field or in the dugout during league games, coaches must pass a criminal history check. The eligibility criteria for coach participation shall be determined by the City of Rockwall Parks and Recreation Advisory Board in accordance with the adopted coach's eligibility policy. LPC coach's eligibility procedure will be accepted in lieu of City program.

V.

OBLIGATIONS OF LPC

LPC shall:

A. Provide a field manager schedule no later than 7 days prior to the beginning of each season. The field manager shall be responsible for unlocking and locking the gates and shall be on site during every regular season game and tournament game, and is responsible for game day policing of all litter on their field(s), to include playing areas, dugouts, fences, backstops, bleachers, concession stands, and adjacent grounds;

B. Monitor any restrooms at the fields and keep them stocked and assist with cleaning when needed;

C. Pay a key deposit prior to commencement of regularly scheduled practices and league games, if applicable;

D. LPC shall pay the City of Rockwall a fee for field use according to the following schedule. The "field use" fee shall include all "non-resident" player fees as well as fee for the field use and the preparation of the playing areas.

2014: Non-resident fees and field use shall be $10,000

2015: Non-Resident fees and field use fees shall be $11,000

2016-2018: Non-Resident Fees and Field use fees shall be $12,000

If the CITY is unable to meet the field use needs of LPC as defined in Section III. D., LPC will pay the City the pro-rata share of the field usage charges (i.e. if LPC field use requests total 100 practice/game times to meet the goals of LPC as described in Section III, D., and the City is only able to provide 93 game/practice times, LPC will pay the CITY 93% of the difference between the total "non-resident" fees and the maximum amount to be paid by LPC).

E. Pay all fees associated with additional services provided, such as pitching mound construction and weekend field preparation, according to attached fee schedule;

F. Obtain advanced written approval from the Director to charge admissions to any field or park for LPC events;

G. Use the fields within the policies, procedures, and rules established for park usage by the Parks and Recreation Department. Policies, procedures, and rules are as follows:

a. No alcoholic beverages allowed in the park. **Ordinance No. 19.3f;**

b. No skates, skateboards, or bikes allowed in the park;

c. Pets must be on leashes at all times. **Ordinance No. 5.18;**

d. No glass containers allowed around the athletic facilities;

e. Users will not use the fields when there is inclement weather or when the fields are unplayable;

f. Users will park in designated parking areas. **Ordinance No. 19.3d;**

g. City field curfew is 11 p.m., **Ordinance No. 19.3e.** This can be waived for tournaments with permission from the Director. (No league games may start after 8:30 p.m.);

h. Illegal entry by players or coaches may result in that team's loss of field use for practice privileges.

H. Not discriminate against any person or persons because of race, color, religion, sex, disability, or national origin;

I. Provide sufficient notice of all scheduled make-up game times (preferably a one-week notice). Notice shall be given to the Director;

J. Not engage in any business on the premises or do anything in connection therewith that shall violate any existing municipal, state, or federal law or ordinance, or use the same in such manner as to constitute a nuisance. The City reserves the right to exclude any individual or group from its facilities based on conduct, which it determines in its sole discretion to be objectionable or contrary to City interests. LPC hereby consents to the exercise of such authority by the City over its members, officials, and agents;

K. Submit all of the following to the Director:

a. A list of current participants, including name and address, as well as coaches, leadership staff, and officials, including the name, address, day and night time telephone numbers, and e-mail address of all adults;

b. A schedule of games with coaches and rosters to be played at the City's fields;

c. A copy of a general liability insurance policy naming the City as additional insured in the amount of at least $1,000,000.00;

d. A schedule with names and contact numbers of on site field representatives during the spring and fall seasons;

e. Policies and procedures for dealing with medical emergencies and hazardous weather conditions;

f. Any proposal to install, construct, alter, or modify any temporary or permanent structures, signs, equipment, or other related items, before commencing any work. All such proposals must be approved in writing by the Director in advance of construction. All applicable City codes must be followed. Approval of the proposal shall rest solely with the Director. Permanent structures shall become property of the City;

L. Designate a point of contact that will be responsible for correspondence with the City;

M. Communicate all necessary repairs and/or service requests to the Director;

N. Account for non-resident use of City fields by requiring a $30.00 payment per non-resident participant, and such amounts shall be remitted to the City by LPC which is included in fee contained in Section V. D.

VI.

CESSATION OF PLAY

A. LPC agrees and understands that the City, acting through an employee designated by the City Manager, the Director, or any Rockwall Police Officer shall have the authority to order cessation of any ball game, practice, or other activity of LPC on City fields. Such a cessation order by any one of said representatives of the City shall be the result of a determination by said representative that continuation of play would be unsafe or not in the interest of the City or the players. Play or use may resume when approved by the representative of the City who issued the cessation order or the City Manager.

VII.

LIABILITY INSURANCE

A. The City, its employees, agents, and landlords shall not be liable to the LPC or to any employee, member, customer, or agent of the LPC for any damage caused by negligence of the LPC, its members, employees, customers, volunteers or agents. The LPC hereby releases, relieves, quit claim and holds harmless, fully indemnifies and agrees to defend the City, its employees, agents, and landlords from any and all claims, damages, injuries, law suits, judgments, or causes of action of ay type (including but not limited to any action taken as a result of the sale of food and beverages at the concession facility) arising out of the Agreement or any reasonable action taken pursuant thereto.

B. LPC agrees to acquire and maintain an insurance policy or policies that will provide liability coverage and medical coverage for medical expenses resulting from injury of players while engaged in the Association's activities. Said coverage shall be with an insurance company and have such limits as shall be acceptable to the City Manager. Evidence of such insurance policies shall be provided to the City prior to use of fields by LPC and the City shall be listed as an additional insured.

VIII.

RULE CHANGES

A. LPC shall submit a copy of all rule changes to the Parks and Recreation Director for approval before the beginning of the season in which the rule changes will be effective.

IX.

FINANCIAL RECORDS

A. The City shall have the right to examine LPC's annual audit, upon request, by the City Director of Parks and Recreation, Assistant City Manager, or City Manager. LPC shall be given reasonable notice and the City will schedule a time convenient for LPC.

X.

DEFAULT BY LPC

A. This Agreement may be canceled in the event of default by LPC. The City may by action of the City Council declare LPC in default of this Agreement and the Agreement canceled if any of the following conditions are present:

a. LPC ceases or is unable to provide or perform the functions listed in this Agreement;

b. LPC becomes inactive or fails to initiate advance planning for any season during the term of this contract;

c. LPC provides a program in any year that is not acceptable to the City.

XI.

TERM OF AGREEMENT

A. This Agreement runs from February 15, 2014, to July 1, 2016 and shall be renewable by consent of each party for a one year period a maximum of two times.

B. Either party may terminate this Agreement by giving thirty days written notice to the other party.

XII.

VENUE

A. Venue for any proceedings under this Agreement shall be in Rockwall County, Texas.

XIII.

SEVERABILITY

A. If any clause, section, paragraph, or portion of this Agreement shall be found to be illegal, unlawful, unconstitutional, or void for any reason, the balance of the contract shall remain in full force and effect and the parties shall be deemed to have contracted as if said clause, section, paragraph, or portion had not been in the Agreement initially.

XIV.

SCHEDULE OF FEES

Key Deposit	$300
Trash Hourly Rate	$25/hour per worker
Weekend Field Preparation	$25/hour
Non-resident Fee	$30 per individual
Pitching Mound Construction/Demolition	$50 per mound each time

LPC'S NON-COMPLIANCE WITH ANY OF THE ABOVE STATED POLICIES, PROCEDURES, OR RULES COULD RESULT IN IMMEDIATE TERMINATION OF THIS AGREEMENT BY THE CITY.

EXECUTED and AGREED this 3rd day of February, 2014.

RICK CROWLEY, CITY MANAGER
CITY OF ROCKWALL, TEXAS

CARTER SHOTWELL, EXECUTIVE PASTOR
LAKEPOINTE CHURCH

#14-05

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87

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

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

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **February 13, 2019**

SUBJECT: **FREE LIVE MUSIC CAPITAL OF NORTH TEXAS**

In May of 2017, Texas legislature approved a resolution granting Rockwall the designation of the official "Free Live Music Capital of North Texas". This moniker represents Rockwall's commitment to its residents to enhance its quality of life by offering 100 to 120 free live music opportunities annually in our downtown and local parks.

The Park Board voted unanimously at the February meeting to recommend that Council consider formally adopting the attached logo as the City's brand and label for all City live music events. Contingent on Council's approval, staff would then seek to trademark the logo to provide the protections associated with that process.



89

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90

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **February 13, 2019**

SUBJECT: **Professional Engineering Services Contract**
W. Boydstun Avenue (Forest Trace to S. Goliad Street)
Forest Trace (S. Lakeshore Drive to W. Boydstun Avenue)
Reconstruction Project

The W. Boydstun Avenue (Forest Trace to S. Goliad Street) and Forest Trace (S. Lakeshore Drive to W. Boydstun Avenue) Reconstruction Project is one of the first roadway projects scheduled for engineering design on the 2018 Street Bond Program. The project, approximately 3,000 feet in length, will consist of roadway, possible sidewalk, water line, sanitary sewer and storm drainage improvements. The project will include a public input process where surveys will be sent out to adjacent property owners. A public meeting will also be held with schematics of the roadway where additional comments from attendees will be received.

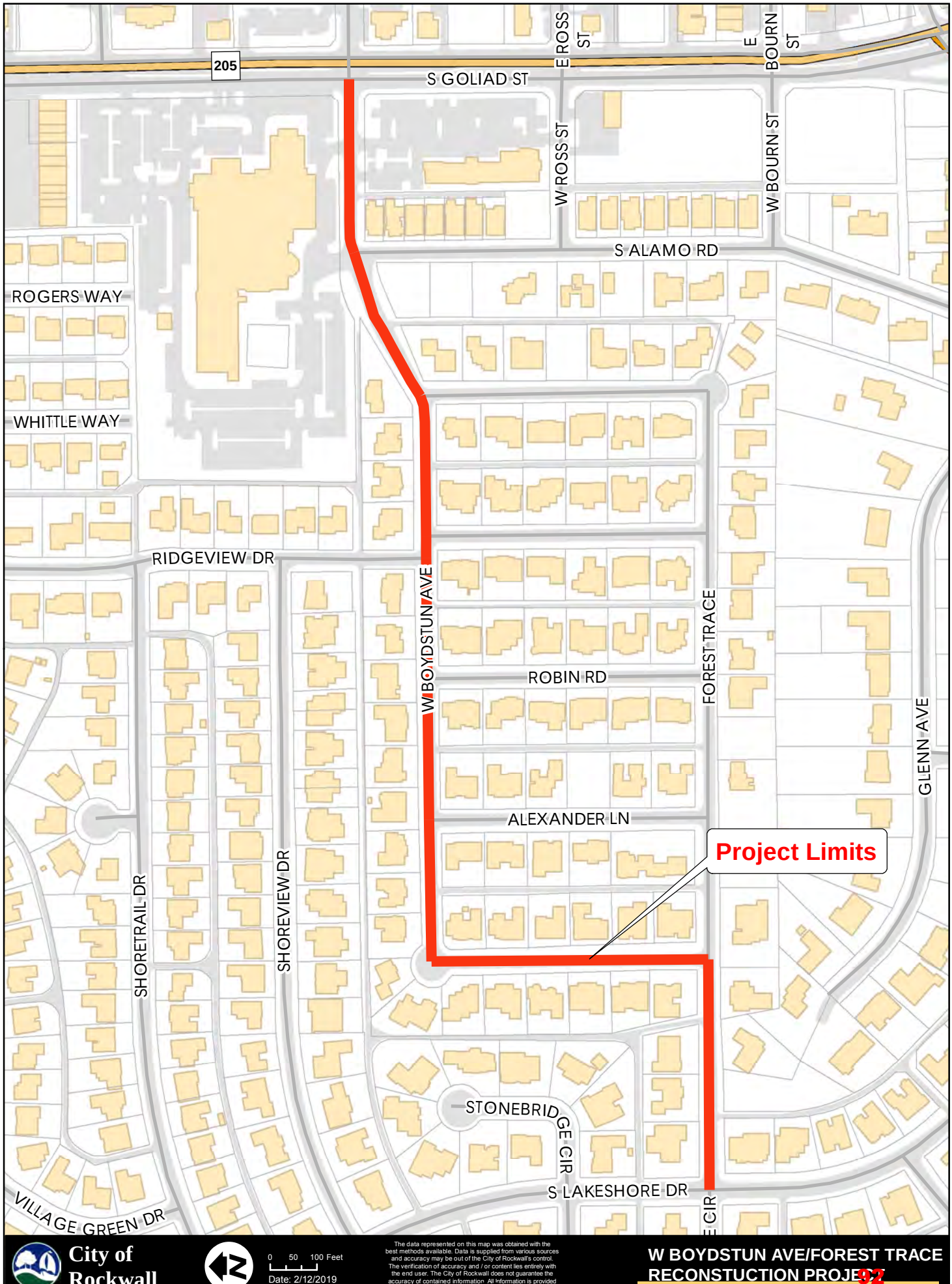
Staff requested a proposal from Kimley-Horn and Associates, Inc. to provide the engineering design and specifications for this project. The engineering fee to reconstruct W. Boydstun Avenue (Forest Trace to S. Goliad Street) and Forest Trace (S. Lakeshore Drive to W. Boydstun Avenue) is $532,000.00. The funding of this project will be provided by the 2018 Street Bond and water/wastewater funds. Staff recommends City Council consider approval of the professional engineering services contract for Kimley-Horn and Associates, Inc. to perform the engineering design services and specifications for the W. Boydstun Avenue (Forest Trace to S. Goliad Street) and Forest Trace (S. Lakeshore Drive to W. Boydstun Avenue) Reconstruction Project in an amount not to exceed $532,000.00, to be paid for out of the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

If you have any questions, please advise.

AJW:jmw

Attachments

Cc: Jeremy White, P.E. CFM, Civil Engineer
File


205
S GOLIAD ST
E ROSS ST
E BOURN ST
W ROSS ST
W BOURN ST
S ALAMO RD
ROGERS WAY
WHITTLE WAY
RIDGEVIEW DR
W BOYDSTUN AVE
FOREST TRACE
ROBIN RD
GLENN AVE
ALEXANDER LN
Project Limits
SHORETRAIL DR
SHOREVIEW DR
STONEBRIDGE CIR
S LAKESHORE DR
VILLAGE GREEN DR
City of Rockwall
0 50 100 Feet
Date: 2/12/2019
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.
W BOYDSTUN AVE/FOREST TRACE RECONSTUCTION PROJECT

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Kimley-Horn and Associates, Inc.), ("ENGINEER" or "Kimley-Horn"), located at 2201 West Royal Lane, Ste. 275, Irving, TX 75063, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for W. Boydstun Avenue (Forest Trace to S. Goliad Street) and Forest Trace (S. Lakeshore Drive to W. Boydstun Avenue) Reconstruction Project (S. Lakeshore Drive to S. Goliad Street)

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed five hundred and thirty-two thousand dollars ($ 532,000.00) and billed as a lump sum and hourly basis per rates provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "B". In the event of termination, Engineer will assist the CITY in

arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without

the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Jacob Reinig, P.E.
Project Manager
2201 West Royal Lane, Ste. 275
Irving, TX 75063

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this ____ day of _____ 201_.

Kimley-Horn & Associates, Inc.

By: _____

Name: G. BRAD TRIBBLE

Title: SENIOR VICE PRESIDENT

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____

Richard Crowley
City Manager

ATTACHMENT "A"

Scope of Services

W. Boydstun Avenue (Forest Trace to S. Goliad Street) and
Forest Trace (S. Lakeshore Drive to W. Boydstun Avenue) Reconstruction Project
For
City of Rockwall

Project Understanding

The City of Rockwall (City) wishes to reconstruct W. Boydstun Avenue from Forest Trace to S. Goliad Street and Forest Trace from S. Lakeshore Drive to W. Boydstun Avenue, existing two lane residential roadway, approximately 3,000 feet in length. The roadway lies within a residential area of the City of Rockwall. Reconstruction will be two lane undivided: two vehicle lanes (28' F-F) with concrete curb and gutter with 5 ft sidewalks on each side. These improvements will be within the existing 50' Right of Way (ROW); however, the contract will include a provision for 10 parcel takes or easements in the event that they are required.

Additional design will include storm sewer, sanitary sewer and water improvements. The existing storm sewer will be analyzed using current City drainage criteria and improvements will be designed where the existing system is inadequate. Sanitary sewer will be evaluated for capacity and for physical condition, and will be replaced or augmented based upon the capacity and condition analysis. Water lines will be evaluated to be placed between the back of curb and the right-of-way line where possible.

Other design components include coordinating with ONCOR for street lighting, utility coordination, TDLR compliance with ADA and traffic control plans.

Kimley-Horn will provide plans, specifications, estimates, and permits for the project and will support the City of Rockwall's advertising/bidding and construction phase services.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

1.1.1. Kimley-Horn will conduct internal project kickoff meeting with entire project team and City Staff.

1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.

1.1.3. Develop design criteria and design decisions tables.

1.1.4. Prepare project correspondence and invoicing documents.

1.1.5. Prepare and submit project schedule to City staff and provide general project management activities.

1.1.6. Project Administration

- Prepare project correspondence and invoicing documents

1.2. Project stakeholder coordination

- Develop project stakeholder contact list including but not limited to franchise utilities, City's water and sewer department, traffic department, and other governmental entity stakeholders etc.
- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) meetings with the City staff regarding project status and coordination issues. The first meeting will be the project kick-off meeting. Additional meetings requested by the City may be provided as an *Additional Services.*
- Project site visits (one (1) trip).
- Prepare for and attend one (1) City council meeting.

1.3. Public Meetings and Public Input Surveys

1.3.1. Meetings

1.3.1.1. Attend two (2) public involvement meetings as directed by City staff. Provide exhibits suitable for public meeting use depicting street section, alignments etc. Support City staff during meetings by providing technical information, responding to citizen questions, and recording citizen input.

1.3.1.1.1. First Public Meeting will be with adjacent property owners and residents.

- Mail out all first public meeting notifications for the City.
  - Names and addresses will be provided to Kimley-Horn by the City.
- Revise 30% Schematics Roll Plots based on public input from first public meeting and City direction to be used in second public meeting.

1.3.1.1.2. Second Public Meeting will be with adjacent property owners and residents as well as the neighborhood.

- Mail out all second meeting public meeting notification for the City (Neighborhood to be within a typical 500ft buffer of the street)
  - Additional names and addresses will be provided to Kimley-Horn by the City.
- Revise 30% Schematics Roll Plots based on public input from second public meeting and City direction to be used in City Council presentation for schematic and typical section approval.

1.3.2. Public Input Surveys

- Work with City to develop Public Input Survey to be sent to adjacent property owners and residents.
- Mail out surveys to adjacent property owner and residents.
  - Names and addresses will be provided to Kimley-Horn by the City.
- Tally survey results and other received public input into presentable format to City Staff and City Council.

1.4. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Schematic Conceptual Design Phase (30%):

- Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.
- Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:
  - City of Rockwall Master Thoroughfare Plan
  - City of Rockwall Water/Wastewater Master Plan

- City of Rockwall Standards of Design and Construction
- City of Rockwall Trail Master Plan

- Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities.
  - Kimley-Horn is entitled to rely upon the information gathered through typical research methodologies (i.e. plats, court house filings, etc.). undocumented easements may not be identified. Title research may be performed as an *Additional Service* only upon written City authorization.
- Develop and evaluate typical sections (up to two (2)) to use for W. Boydstun Avenue and other intersecting streets within the project limits.
- Develop drainage area maps and analyze street and inlet capacities.
- Develop horizontal alignment for roadway. Kimley-Horn assumes the horizontal alignment will be centered within the existing right of way.
- Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.
- Develop vertical alignment for roadway and evaluate critical vertical tie in points along the project limits.
- Review City Master Trail Plan and incorporate hike and bike trails if necessary.
- Prepare 30% schematic paving plan and profile roll plots, produced at 1" =40' horizontal scale and 1" =5' vertical scale. The horizontal alignment of proposed water lines and sewer lines will be included in the roll plots.
- Prepare cross sections sheets.
- Meet with City staff and present concept paving plan and profile roll plots.
- Incorporate comments and feedback from City staff and other stakeholders prior to public meetings.

1.5. Drainage Analysis (30%)

The following services will be provided as part of the Schematic Conceptual Design Phase (30%):

- Review and research existing construction plans and record documents, historical flooding events and other pertinent information related to the existing drainage infrastructure both upstream and downstream of the proposed project.
- Analyze the existing drainage infrastructure hydrologic and hydraulics and prepare a report in memorandum format signed and sealed. Analysis will include considerations for reuse of existing storm drainage trunk line. Analysis/report shall include the following:
  - Existing drainage infrastructure analysis
    - Drainage Area Map of existing conditions/infrastructure.
    - Analyze the effect on existing system of proposed off-site development or infrastructure improvements currently being planned.
    - Drainage calculations – Drainage Area, Inlet, Storm Sewer, Culvert, etc. (to be in City Standard's tabular format)
    - Synopsis of hydraulic conditions (i.e. deficiencies, oversizing, etc.) in written and plan format, includes downstream off-site drainage infrastructure.
    - Synopsis of structural conditions of drainage system as a result of TV inspection in written and plan format.
  - Recommendation of improvements to existing drainage system to meet the City's current 100-year design storm criteria.
    - Drainage Area Map of proposed improvements

- Proposed drainage calculations – Drainage Area, Inlet, Storm Sewer, Culvert, etc. (to be in City Standard tabular format)
- Summary of proposed drainage improvements in written and plan format to address hydraulic and structural deficiencies in order to meet current City drainage criteria standards.

1.6. Existing Traffic Analysis and Recommendation (30%)

The following services will be provided as part of the Schematic Conceptual Design Phase (30%):

- City will collect Traffic Counts, Speed Studies, and Accident Reports from Police Department along Boydstun Avenue.
- Consultant shall take the data provided by the City and analyze in order to provide a recommendation in memo format signed and sealed of proposed improvements along the corridor.

2. Construction Documents

2.1. Project Management

- Conduct up to three (3) progress meetings including one (1) meeting at each stage of the construction documents phase to monitor the development of the project regarding project status, coordination issues and go over City review comments of the plans.
- Coordinate with other utilities, (electric power, cable TV, phone, gas, optic fiber, etc.)
- Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- Update project schedule and interim milestones (coordinate with City staff as necessary)
- Project site visits (up to two (2) trips)

2.2. Construction Plans, Specifications and Estimates (60%, 90%, 100%)

2.2.1. Submittals

Kimley-Horn will submit 60%, 90% and 100% submittals for the City for review and comment. The following will be required for each submittal:

- Construction Plans
  - Two (2) Full Size copies – 22"x34"
  - Two (2) Half Size copies – 11"x17"
  - One (1) PDF copy
  - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract Template/Specification Book

2.2.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City's Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

Below is a table of the required construction plan sheets and which submittals they are required.

Plan Sheets	**60%**	**90%**	**100%**
Cover Sheet	X	X	X
Legend Sheet	X	X	X
General Notes Sheet	X	X	X
Existing Condition Plan (1"=20' scale)	X	X	X
Horizontal/Vertical Control Sheet (1"=40' scale)	X	X	X
Typical Sections (Existing and Proposed)	X	X	X
Erosion Control Plan (1"=40' scale)		X	X
Demolition/Removals Plan (1"=20' scale)	X	X	X
Roadway Plan/Profiles (1"=20'H, 1'=5'V scale)	X	X	X
Alley and Driveway Plan/Profile (1"=20'H, 1'=5'V scale)		X	X
Intersection Grading Plan (major and critical intersections)		X	X
Pavement Signage and Striping Plan (1"=20' scale)		X	X
Drainage Area Map (Existing and Proposed)	X	X	X
Drainage Calculations (Area, Inlet, Storm, Culvert)		X	X
Drainage Plan/Profile (Trunks and Laterals) (1"=20'H, 1'=5'V scale)	X	X	X
Water Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Sanitary Sewer Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Retaining Wall Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Lighting/Illumination Plan		X	X
Traffic Signal Plans (Existing and Proposed) (N/A This Project)		X	X
Construction Sequencing Phasing Narrative	X	X	X
Detour Plan (for each Phase)		X	X
Traffic Control Plan (for each phase & typ. sections) (1"=40' scale)		X	X
Roadway Cross-Sections (25' int. & crit. pts.) (1"=20'H, 1'=5'V scale)	X	X	X
Structural Layout Sheets		X	X
Details (for each section of plans)		X	X

Each subsection below details out the services to be performed for each section of the construction plan set.

2.2.2.1. Roadway Design

- Incorporate the Schematic Conceptual Design submittal review comments
- Prepare plan / profile sheets (22"x34" plan sheets at a scale of 1"=20' horizontal, and 1"=5' vertical).
- Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Typically driveways will be defined vertically by profiles.
- Develop design cross-sections
  - Develop on 25' station intervals and other critical points.
  - Show pavement and subgrade, right-of-way limits, sides slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
  - Cross-sections will be provided in the plan set.
- Prepare roadway details to clarify intent of design
- Modify standard details as needed and include

2.2.2.2. Drainage

- Refine Drainage Area Maps (existing and proposed)
- Refine Drainage Calculation Sheets (Tables to be formatted to match City Standard's tabular format)
- Identify the need for additional drainage easements to accommodate the proposed offsite drainage improvements (if required). Offsite drainage improvements, if required, can be provided as *Additional Services*.
- Perform final storm sewer sizing and alignment design. Prepare final inlet design sheets and hydraulic design sheets for inclusion in the plans.
- Prepare storm sewer plan/profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, utility crossings and the hydraulic grade lines.
- Prepare profiles for all trunks and laterals (to be profiled along centerline of pipe)
- If drainage flow patterns/areas are changing due to proposed improvements, then existing downstream and upstream systems will be analyzed and included in plan set to prove that there are no adverse impacts as a result. Full Hydrologic and Hydraulic Calcs Sheets and storm sewer plan and profile sheets for these existing upstream and downstream systems are to be included in the plan set.
- Prepare drainage details to clarify intent of design.
- Compile applicable City standard details. Modify standard details as needed.
- Prepare erosion control plan.

2.2.2.3. Utilities

2.2.2.3.1. Public (Water, Wastewater, Storm Drainage, etc.)

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information

2.2.2.3.2. Franchise Utility Coordination

- Identify franchise utility contacts
- Send one set of plans to each franchise utility for their review at each phase. Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
- Notify the City if any relocations are required
- Kimley-Horn shall perform the coordination with the franchise utilities if any relocations are required.
- Attend City facilitated Franchise Utility Coordination Meetings (typically 2-4 meetings per year). Kimley-Horn will provide background on particular project and coordinate with franchise utility companies on foreseen conflicts and distribute current plan set.

2.2.2.3.3. Water

- Prepare all water plan layouts, profiles will be prepared for water lines 12-inches in diameter or greater.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.3.4. Wastewater

- Prepare all wastewater plans and profiles.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.4. Lighting/Illumination

- Plans will include location of light foundations, conduit locations, and potential location of electrical service.
- Street lighting locations will be per standard ONCOR foundation and lighting standards.
- Layout will be provided for ONCOR review and approval.
- ONCOR will be responsible for installation of standards and conductors.

2.2.2.5. Structural

- Kimley-Horn does not anticipate structural design as part of this scope of services. Structural design can be provided upon City written authorization as *Additional Services.*

2.2.2.6. Traffic

2.2.2.6.1. Traffic Signals

- Kimley-Horn does not anticipate traffic signal design as part of this scope of services. Traffic signal design can be provided upon City written authorization as *Additional Services*.

2.2.2.6.2. Pavement Marking and Signing Plans

- Determine potential conflicts with existing signs and propose sign relocations
- Prepare crosswalk pavement marking and signing layouts in accordance with City design standards and the Texas Manual on Uniform Traffic Control Devices (TMUTCD).
- Prepare details to clarify intent design
- Compile applicable City standard details. Modify standard details as needed.

2.2.2.7. Traffic Control Plans, Detour Plans, Construction Sequencing/Phasing

- Develop construction sequence plan showing:
  - Construction area for each phase of construction and closure of existing travel lanes (if needed).
  - Temporary signing and striping, barricades, and other channelization device
  - Narrative of the sequence of work.
  - Detour Plan for each construction phase
  - Storm sewer construction phasing.
  - Public utilities relocation phasing.
  - Pedestrian routing during construction.
- Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
- Develop typical driveway staging plans for similar driveways. Develop custom driveway staging layouts for special conditions.
- Prepare traffic control details to clarify intent of design.

2.2.3. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
  - City of Rockwall standard construction contract forms

- Notice to bidders
- Special instructions to bidders
- Bid form (Bid-Tab) – Electronic for Bidding
- Standard construction contract
- Performance bond
- Payment bond
- Maintenance bond
- Certificate of insurance
- General conditions
- Special conditions
- Technical specifications
- Permits (TDLR, etc.)
- Geotechnical Report

2.2.4. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out into separate schedules for each section of the job.

2.3. Agency Permitting/Coordination (TDLR, etc.)

2.3.1. Accessibility Review (TDLR)

- Prepare a completed application for submittal to the Texas Department of Licensing and Regulation (TDLR) for review in accordance with the Elimination of Architectural Barriers Act.
- Kimley-Horn to complete application and submit with set of plans to a Registered Accessibility Specialist (RAS) from review and TDLR project registration. All coordination and fees with TDLR application will be performed by Kimley-Horn.
- While we do not anticipate accessibility revisions to be required, we will address minor revisions to the plans based on review comments from the RAS.

3. Bidding Phase Services

3.1. Furnishing the City a construction bid set one (1) 11"x17" hard copy and Bid Spec Book.

3.2. City will be responsible for advertisement of the project in the Local Paper

3.3. Kimley-Horn will make the plans and specifications available from the Bid document distribution site CivCast.

3.4. During this phase, services to be provided are:

3.4.1. Respond to contractor questions and provide design clarifications.

3.4.2. Attendance at the pre-bid meeting.

3.4.3. Production of all Addenda items and designs changes, submittal to City for review and correction before issuance.

3.4.4. Attendance of Bid Opening

3.4.5. Tabulating Bids and checking for errors.

3.4.6. Checking references and other qualification information for the low bidder and writing a letter of recommendation concerning award of the contract.

3.4.7. Returning Bid Bonds to all non-low bidders.

SPECIAL SERVICES

4. Data Collection & Property Research / Topographic and Design Survey

4.1. Data Collection and Property Research

4.1.1. Gather existing plat information

4.1.2. Collect property owner and record information

4.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.).

4.2. Topographic and Design Survey

4.2.1. The limits of the survey shall be from the intersection of S. Lakeshore Drive and Forest Trace to the intersection of Boydstun Avenue and S. Goliad Street (approximately 3,000 linear feet). The survey shall be from ROW line to ROW line (50 foot ROW) and extend 10 feet beyond ROW limits (70 feet total width). Survey will include intersecting roadways extending 400 feet along each leg of the major intersections and 200 feet along each leg of the minor intersections. Driveways information will extend up to 30 feet beyond ROW limits.

4.2.2. Establish horizontal control points at 500' maximum spacing.

4.2.3. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.

4.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.

4.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall not limited to the following:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.
- Roadway and lane striping
- Driveways
- Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
- Outfalls, bridges and erosion control
- Existing driveway culverts and swales (flowlines, sizes, types, etc.)
- Guardrail
- Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
- Traffic Signal poles, cabinets, pull boxes and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (all sizes)
- Landscape planters, Shrubs, rocks and other features.
- Buildings and permanent structures
- Retaining walls
- Fencing walls
- Fence limits and material types (excluding temporary fences)
- Mailboxes (types – wood, brick, stone)
- Other applicable physical features that could impact design

4.2.6. Perform cross-sections throughout project limits at 25-foot intervals and at grade breaks and prepare cross-section field notes.

4.2.7. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

4.2.8. Kimley-Horn will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

5. Subsurface Utility Engineering (S.U.E.) Services

5.1. Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and /or prior to the field survey.

- S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities up to 13,000 linear feet.
- S.U.E. Level 'A' Services will be provided as follows:
  - Up to six (6) test holes of 0-5 ft depth will be provided
  - Up to four (4) test holes of 5-10 ft depth will be provided
  - Up to two (2) test holes of 10-15 ft depth will be provided
  - Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.

5.2. Kimley-Horn shall arrange and make provisions for access to perform the services specified within this scope.

5.3. The City shall be responsible for the coordination of all ROW and easement acquisitions. Kimley-Horn will provide survey information and easement/ROW documents (sketch and legal description) to the City. Additional ROW and easement documentation services are detailed below in Section 6.

6. Right-of-Way / Easement Instruments of Conveyance

6.1. Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field

6.1.1. ROW instruments may be provided as *Additional Services* upon written authorization by City.

6.2. Prepare easement instruments (narrative and graphic exhibits of easements required for drainage, City utilities, temporary construction, etc.)

6.2.1. Up to ten (10) parcels.

6.3. Individual parcel exhibits shall be on 8"x11" paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:

6.3.1. Parcel number

6.3.2. Area required

6.3.3. Area remaining

6.3.4. Legal description

6.3.5. Current owner

6.3.6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies

6.3.7. All physical features

6.3.8. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.

6.4. Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the

proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference

6.5. Kimley-Horn will provide the information listed in Section 6.3 to the City and/or their selected ROW and easement acquisition agent. This task will include the following:

6.5.1. Transmittal of survey and existing property information.

7. Geotechnical

7.1. Subsurface Exploration

7.1.1. Six (6) borings are planned for this project. The borings and report will be thru a subconsultant.
Boring locations will be spaced at a distance no greater than 500 feet along the project proposed project alignment.

7.1.2. Boring Services —Pavement borings will be sampled to 15 feet. A total of 90 feet for drilling is planned.

- Check samples for consistency with a hand penetrometer
- Stake the boring locations using normal taping procedures
- Backfill bore holes and plug at the surface

7.2. Laboratory Services

7.2.1. Considering the planned facilities, anticipated soil conditions, and geology, the following laboratory test will be required for classification purpose and to determine strength characteristics:

- Visual Classification
- Moisture content and soil identification
- Liquid and plastic limit determinations
- Unconfined compression
- Calibrated hand penetrometer tests
- Lime/ph series tests
- Soluble sulfate tests (to determine lime-induced heaving potential)

7.3. Engineering Services

7.3.1. Prepare an engineering report presenting the following:

- Sample boring location map
- Boring logs and laboratory results
- General soil and ground-water conditions
- Recommendations will be based on a 30 year design life.
- Subgrade design recommendations for lime treated and cement treated
- Pavement design recommendation for reinforced concrete, asphalt or combination of concrete and asphalt system (including pavement thickness, strength, reinforcement size and spacing, and joint spacing)
- Recommendations for retaining walls
- Earthwork recommendations

7.3.2. The geotechnical engineer's design recommendations shall be relied upon by the civil and structural engineers for their design.

7.3.3. Submit one (1) paper copy and one pdf file copy of the report to the City

Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Such services shall include, but are not limited to the following:

- Construction staking.
- Title Research.
- Design of offsite drainage improvements beyond the improvements identified in the scope.
- Design of specialized inlets or gabion mattress erosion control systems.
- Photometric analysis of existing or proposed illumination improvements.
- Structural design
- Traffic signal design
- Preparation of right of way instruments of conveyance
- Furnish additional copies of review documents and/or bid documents in excess of the number of the same identified above.
- Meetings beyond those identified in this scope of services.
- Assisting the City as an expert witness in litigation in connection with the project or in hearings before approving and regulatory agencies.
- Redesign to reflect project scope changes requested by the City, required to address changes in conditions or changes in direction previously approved by the City, mandated by changing governmental laws, or necessitated by the City's acceptance of substitutions proposed by the Contractor.

-End of Scope of Services-

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Tasks 1-3 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee
	BASIC SERVICES	
1.	Schematic Conceptual Design (30%)	$ 48,300
2.	Construction Documents	
2.1	60% Design	$ 83,600
2.2	90% Design	$ 104,100
2.3	100% Design	$ 100,000
3.	Bidding Phase Services	$ 12,800
	Basic Services Subtotal:	**$ 348,800**
Compensation for special services under Tasks 4-7 shall be a labor fee plus expense (reimbursable) basis with the max fee shown below.		
	SPECIAL SERVICES	
4.	Data Collection & Property Research / Topographic and Design Survey	$ 38,700
5.	Subsurface Utility Engineering (S.U.E.) Services	
5.1	Quality Level 'B' S.U.E. Services (assumes 13,000 LF)	$ 31,000
5.2	Quality Level 'A' S.U.E. Services (assumes 12 test holes)	$ 37,200
6.	Right-of-Way/Easement Instruments of Conveyance	$ 15,000
	(10 Easement documents are assumed at $ 1,500/document)	
7.	Geotechnical	$ 12,900
	Special Services Subtotal*	**$134,800**
	ENGINEERING SERVICES CONTINGENCY (To be 10% of Services)**	**$ 48,400**
	***(This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)*	
	Project Total*	**$ 532,000**

Labor fees for tasks 1 - 3 will be invoiced monthly based upon the overall percentage of services performed.

As to these tasks, direct reimbursable expenses such as express delivery services, fees, air travel, and other direct expenses will be billed at 1.15 times cost. A percentage of labor fee will be added to each invoice to cover certain other expenses as to these tasks such as telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Administrative time related to the project may be billed hourly. All permitting, application, and similar project fees will be paid directly by the City unless noted otherwise in Attachment "A".

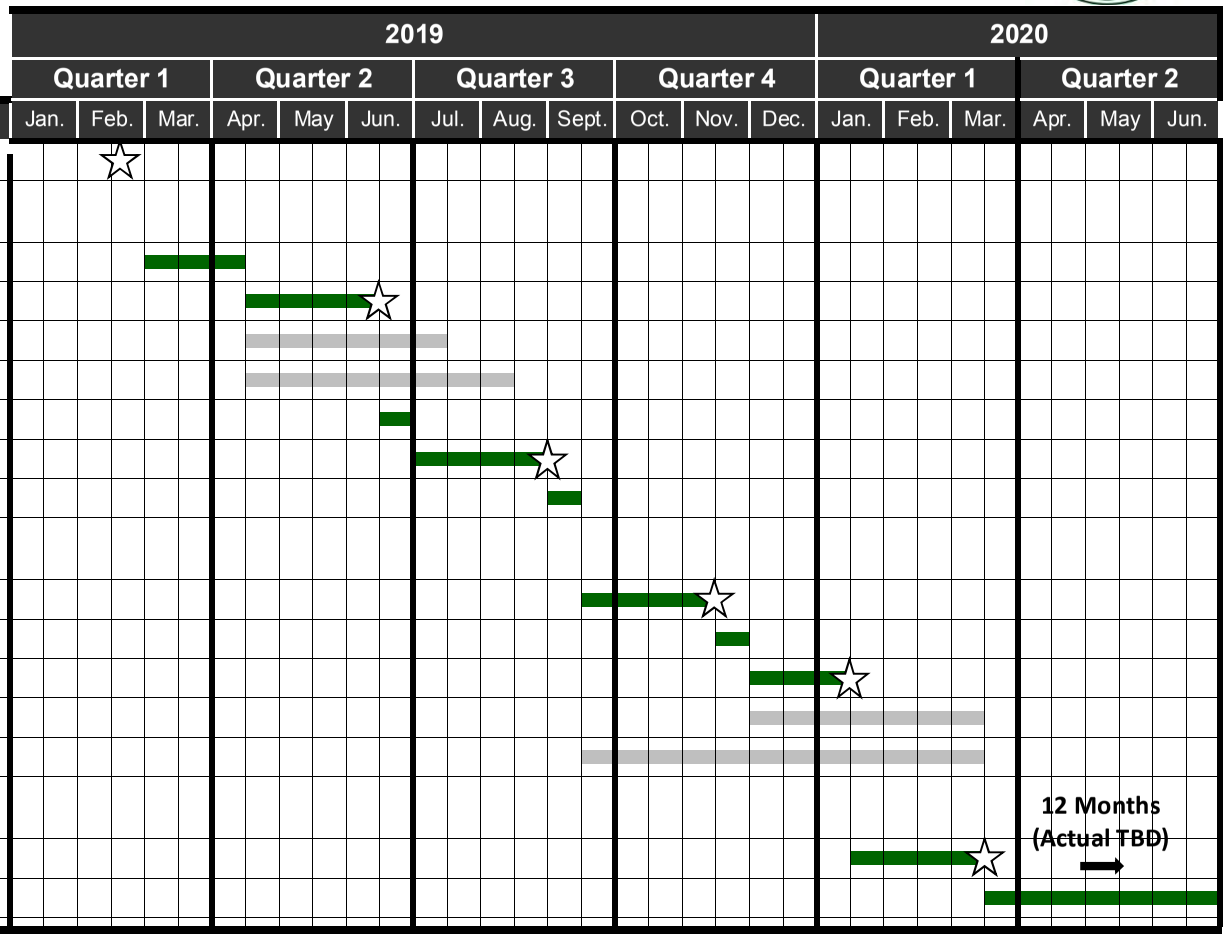
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Boydstun Avenue: Project Schedule

Project No. XXXXXX

Updated: 2/8/2019

Project Schedule



Critical Path Item

Non-critical Path Item

Milestone/Deliverable

Kimley»Horn

ATTACHMENT "C"

113

ATTACHMENT "D"

Sub-Consultants

1. **Sub-Consultant:**
   Company Name: CMJ Engineering, Inc.
   Services of the Scope Being Provided: Geotechnical Engineering
   Contact Person: Matt Kammerdiener, P.E. Title: Project Engineer
   Email: mkammerdiener@cmjeng.com Phone: 817-284-9400

2. **Sub-Consultant:**
   Company Name: CP&Y, Inc.
   Services of the Scope Being Provided: Topographic and Boundary Survey
   Contact Person: Sean Flaherty, R.P.L.S. Title: Director of Surveying
   Email: sflaherty@cpyi.com Phone: 214-276-5405

3. **Sub-Consultant:**
   Company Name: CP&Y, Inc.
   Services of the Scope Being Provided: Subsurface Utility Engineering (SUE)
   Contact Person: Glenn Fox Title: Director of SUE
   Email: gfox@cpyi.com Phone: 214-640-1779

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115

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **February 13, 2019**

SUBJECT: **Professional Engineering Services Contract**
Squabble Creek Sanitary Sewer Interceptor Rehabilitation Phase 3 Project

The Squabble Creek Sanitary Sewer Interceptor is one of the main back bones of the City's wastewater collection system. Over the years, replacement and maintenance of this trunk line has been required to keep it operational and up to Texas Commission on Environmental Quality (TCEQ) standards. The proposed Phase 3 rehabilitation project for this interceptor (shown on the attached map in red) is intended to replace pipe that has collapsed, and pipe that does not meet the required slope per TCEQ requirements. Portions of the interceptor pipe are Vitrified Clay Pipe (VCP), which is currently in disrepair. The City has experienced large amounts of inflow and infiltration into the wastewater system due to the condition of the VCP. This additional flow can increase the treatment costs incurred by the City from North Texas Municipal Water District.

Currently, the City is reviewing development plans for the Alders at Rockwall (shown on the attached map). When this development is constructed, it will make it difficult and more expensive for the City to access a portion of the interceptor line to construct in the future. Based on this, staff has requested Burgess & Niple, Inc. -- *the Alders at Rockwall design engineer* – to provide engineering design and construction plans for the improvements required to the line. Once the plans are complete, staff will bring a Facilities Agreement to the City Council for the consideration of constructing the line simultaneously with the Alders at Rockwall project.

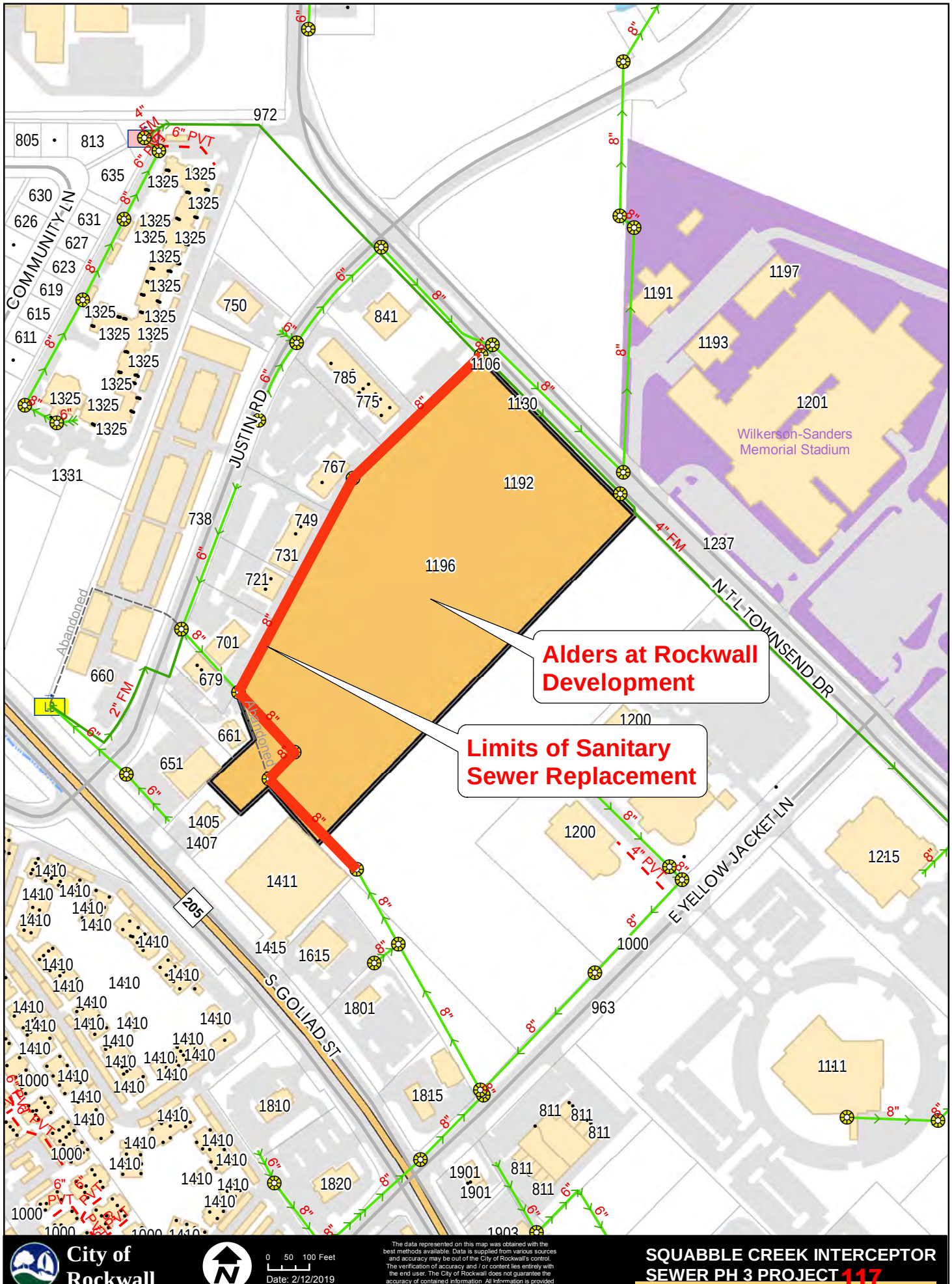
The engineering fee for this project is estimated to be $30,000.00, which can be paid for out of the Water/Wastewater Fund. Staff recommends City Council consider approving the professional engineering services contract for Burgess & Niple, Inc. to perform the engineering design and construction plans for the Squabble Creek Sanitary Sewer Interceptor Rehabilitation Phase 3 Project in an amount not to exceed $30,000.00, and take any action necessary.

If you have any questions staff will be available at the meeting on February 12, 2019.

AJW:jmw

Attachments

Cc: Jeremy White, P.E. CFM, Civil Engineer
File


Alders at Rockwall Development
Limits of Sanitary Sewer Replacement
JUSTIN RD
COMMUNITY LN
S GOLIAD ST
N T L TOWNSEND DR
E YELLOW JACKET LN
Wilkerson-Sanders Memorial Stadium
Abandoned
205
City of Rockwall
0 50 100 Feet
Date: 2/12/2019
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made either expressed or implied.
SQUABBLE CREEK INTERCEPTOR SEWER PH 3 PROJECT 117

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and **Burgess & Niple, Inc.**, ("ENGINEER"), located at 10701 Corporate Drive, Suite 118, Stafford, Fort Bend County, Texas 77477, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for **Design/Replacement of approximately 1,660 linear feet of existing 8-inch sanitary sewer line with a 10-inch sanitary sewer line from the existing sanitary sewer manhole in the center of North Townsend Boulevard to the upstream existing sanitary sewer manhole just south of the Alders at Rockwall Senior Independent Living Community.**

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed **thirty thousand dollars ($30,000.00)** and billed as a **lump sum** basis per rates provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "B". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent

allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Burgess & Niple, Inc.
TBPE Firm Registration No. F-10834
Attention: Joseph T. Reue, P.E.
Vice President
10701 Corporate Drive, Suite 118
Stafford, Texas 77477

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 15TH day of FEBRUARY 2019.

Burgess & Niple, Inc.
TBPE Firm Registration No. F-10834

By: Joseph T. Reue
Name: Joseph T. Reue
Title: Vice President

EXECUTED in triplicate originals on this ____ day of _____ 2019.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley
City Manager

ATTACHMENT "A"

Scope of Service

Civil Engineering Services

Task 1: Final Construction Plans

Design/Replacement of approximately 1,660 linear feet of existing 8-inch sanitary sewer line with a 10-inch sanitary sewer line from the existing sanitary sewer manhole in the center of North Townsend Boulevard to the upstream existing sanitary sewer manhole just south of the Alders at Rockwall Senior Independent Living Community.

a. Cover Sheet;
b. Design survey necessary for sanitary sewer improvements (for reference only – covered under Surveying Services Item 2 below);
c. Sanitary sewer plan (proposed improvements layout);
d. Sanitary sewer profiles;
e. Traffic control plan (if needed for work within right-of-way of North Townsend Boulevard);
f. Erosion control plan and erosion control details;
g. Tree preservation plan and details;
h. Standard construction details for sanitary sewer improvements; and
i. Final construction plan submittal, revisions per City comments and resubmittal(s) necessary to obtain City approval.

Surveying Services

Task 2: Data Collection & Property Research / Topographic, Tree & Design Survey

Design survey necessary for replacement of approximately 1,660 linear feet of existing 8-inch sanitary sewer line with a new 10-inch sanitary sewer line from the existing sanitary sewer manhole in the center of North Townsend Boulevard to the upstream existing sanitary sewer manhole just south of the Alders at Rockwall Senior Independent Living Community. Note: This item includes data collection; property/easement research; ties to existing sanitary sewer line (horizontal/vertical data), ties to franchise utilities and/or visible markers, and ties to existing trees within limits of proposed work area.

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Task 1 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee
	BASIC SERVICES – Civil Engineering Services	
1.	Final Construction Plans	$ 26,000.00
	Basic Services Subtotal:	**$ 26,000.00**
Compensation for special services under Task 2 shall be on a lump sum basis with the max fee shown below.		
	SPECIAL SERVICES – Surveying Services	
2.	Data Collection & Property Research / Topographic, Tree and Design Survey	$ 4,000.00
	Special Services Subtotal	**$ 4,000.00**
	Project Total	**$ 30,000.00**

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT "C"

Project Schedule

Notice to Proceed from City of Rockwall:
Anticipated by February 22nd, 2019

Design Survey and Civil Construction Plans:
Budget 4 weeks (weather permitting): February 25th through March 22nd, 2019

1st Submittal of Civil Construction Plan to City Engineering Dept. for Review:
Week of March 25th, 2019

City Engineering Dept. Review:
Budget 1 week: March 25th through March 29th, 2019

Revisions to Civil Construction Plans Per City Engineering Dept. Comments:
Budget 1 week: April 1st through April 5th, 2019

Resubmittal of Civil Construction Plans to City Engineering Dept. for Final Review/Approval:
Budget 1 week: April 8th through April 12th, 2019

Civil Construction Plans Approval from City Engineering Dept.:
Week of April 15th, 2019

ATTACHMENT "D"

Sub-Consultants

1. **Sub-Consultant:**
   Company Name: _Miller Surveying, Inc. (T.P.L.S. Firm No. 10100400)_____
   Services of the Scope Being Provided: _Surveying Services_____
   Contact Person: _Jason Rawlings, R.P.L.S._ Title: _Chief Operating Officer_____
   Email: _jason@millersurvey.net_____ Phone: _Direct (817) 796-9714_____

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129

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **February 13, 2019**

SUBJECT: **Professional Engineering Services Contract**
N. Alamo Road (Live Oak Street to Downtown Couplet)
Reconstruction Project

The N. Alamo Road (Live Oak Street to Downtown Couplet) Reconstruction Project is one of the roadway projects scheduled for engineering design on the 2018 Street Bond Program. The project, approximately 2,500 feet in length, will consist of roadway, possible sidewalk, water line, sanitary sewer and storm drainage improvements. The project will include a public input process where surveys will be sent out to adjacent property owners. A public meeting will also be held with schematics of the roadway where additional comments from attendees will be received.

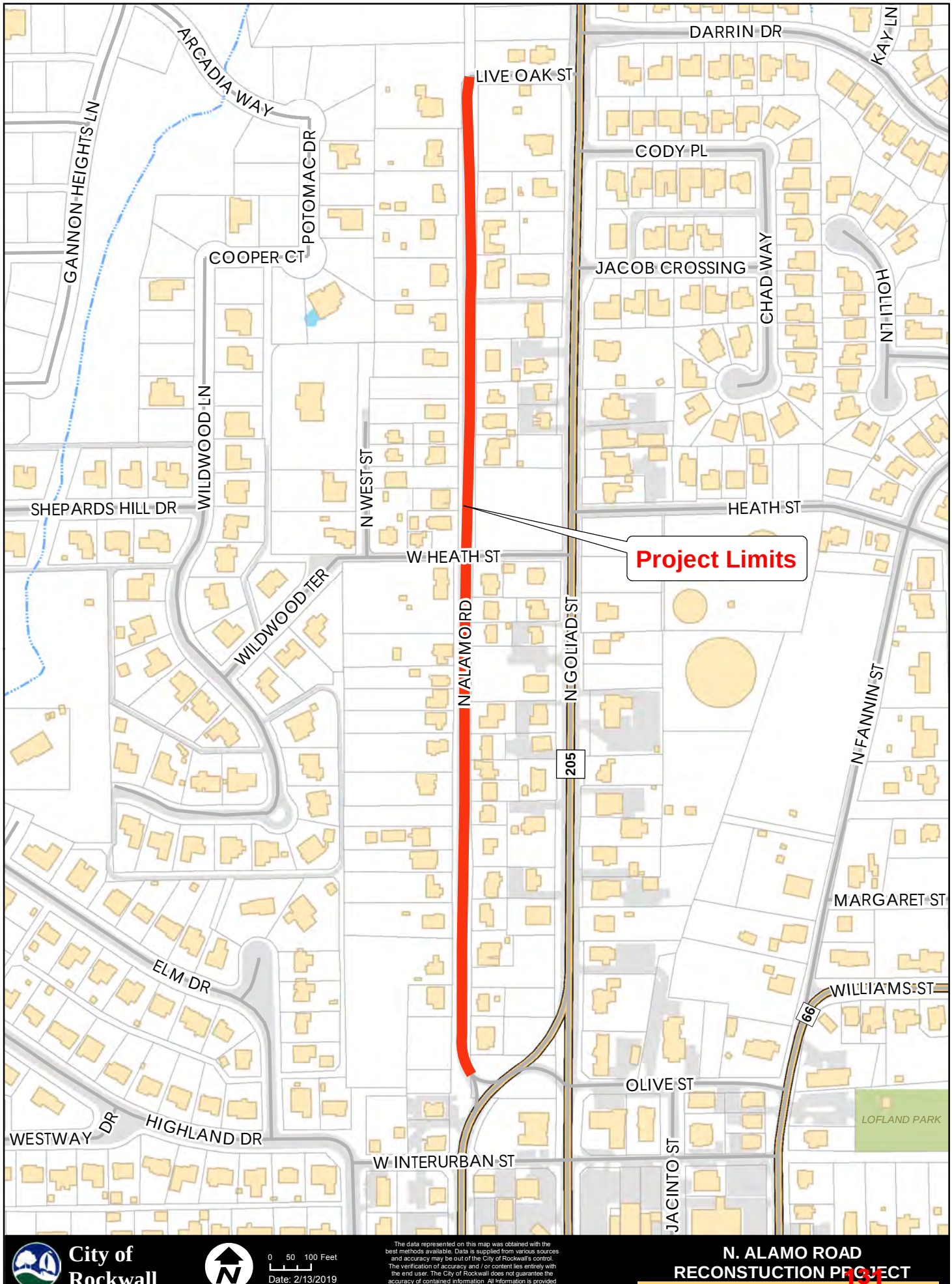
Staff requested a proposal from Freese & Nichols, Inc. to provide the engineering design and specifications for this project. The engineering fee to reconstruct N. Alamo Road (Live Oak Street to Downtown Couplet) is $360,580.00. The funding of this project will be provided by the 2018 Street Bond and water/wastewater funds. Staff recommends City Council consider approval of the professional engineering services contract for Freese & Nichols, Inc. to perform the engineering design services and specifications for the N. Alamo Road (Live Oak Street to Downtown Couplet) Reconstruction Project in an amount not to exceed $360,580.00, to be paid for out of the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

If you have any questions, please advise.

AJW:jmw

Attachments

Cc: Jeremy White, P.E. CFM, Civil Engineer
File


LIVE OAK ST
DARRIN DR
KAY LN
ARCADIA WAY
GANNON HEIGHTS LN
POTOMAC DR
CODY PL
COOPER CT
JACOB CROSSING
CHAD WAY
HOLLI LN
WILDWOOD LN
N WEST ST
SHEPARDS HILL DR
HEATH ST
Project Limits
W HEATH ST
WILDWOOD TER
N ALAMO RD
N GOLIAD ST
205
N FANNIN ST
MARGARET ST
ELM DR
WILLIAMS ST
66
OLIVE ST
LOFLAND PARK
WESTWAY DR
HIGHLAND DR
W INTERURBAN ST
JACINTO ST
City of Rockwall
0 50 100 Feet
Date: 2/13/2019
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made either expressed or implied.
N. ALAMO ROAD
RECONSTUCTION PROJECT
131

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Freese & Nichols, Inc., ("ENGINEER"), located at 2711 N. Haskell Street, Suite 3300, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for N. Alamo Road from SH 205/Goliad to Live Oak Street.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed three hundred sixty thousand five hundred eighty dollars ($360,580.00) and billed as a *lump sum or hourly* basis per rates provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "B". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the

CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at user's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further

compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS

CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Kevin Johnson, P.E.
Principal / Vice President
Freese & Nichols, Inc.
2711 N. Haskell Street, Suite 3300
Dallas, Texas 75204

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of

such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the

other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 14 day of February 2019.

Freese & Nichols, Inc.

By:_____

Name: Kevin Johnson
Title: Principal / Vice President

EXECUTED in triplicate originals on this ____ day of _____ 2019.

ATTEST:

City of Rockwall, Texas

_____

Richard Crowley
City Manager

ATTACHMENT “A”

Scope of Service

Attachment "A"

N. Alamo Reconstruction Project (SH 205/Goliad to Live Oak Street)
For
City of Rockwall

Scope of Services

Project Understanding

The City of Rockwall (City) wishes to reconstruct N. Alamo, an existing 2 lane concrete roadway, from SH 205/Goliad to Live Oak Street, approximately 2,500 feet in length. The roadway lies within the old-town area of the City of Rockwall. Reconstruction will be two-lane residential: two vehicle lanes (29' B-B) with concrete curb and gutter and 6 ft sidewalks (adjacent to the curb) on each side. These improvements will be within the existing variable width Right of Way (ROW); however, the contract will include a provision for up to six (6) parcel takes or easements in the event they are required. Traffic Signals are not included with the new roadway improvements.

Additional design will include limited storm sewer, sanitary sewer and water improvements. The existing storm sewer will be analyzed using current City drainage criteria, and improvements will be designed where the existing system is inadequate. It is not anticipated the existing system will require replacement or overall upgrade; however, minor upgrades may be required to extend the drainage system to construct inlets upstream of existing inlets where gutter capacity may be exceeded. Sanitary sewer is considered to be adequate and will only require minor adjustments or relocations. Water lines are considered to be adequate and will only require minor adjustments or lowerings and fire hydrant replacements.

Other design components include coordination with TxDOT, utility coordination, TDLR compliance with ADA, retaining wall design (assuming the use of City standard details), and traffic control plans.

Freese & Nichols, Inc. (FNI) will provide plans, specifications, estimates, and permits for the project and will support the City of Rockwall's advertising/bidding.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

1.1.1. Conduct FNI internal project kickoff meeting with entire project team and City Staff.

1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.

1.1.3. Develop design criteria and design decisions tables (Includes initial utility involvement and system report)

1.1.4. Prepare and submit project schedule to City staff and provide general project management activities.

1.1.5. Project Administration

- Prepare project correspondence and invoicing documents

1.2. Project stakeholder coordination

- Develop project stakeholder contact list including but not limited to franchise utilities, City's water and sewer department, traffic department, and other governmental entity stakeholders including TxDOT, etc. (Includes one (1) quarterly utility coordination meeting)
- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) meetings with the City staff regarding project status and coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.

1.3. Public Meetings and Public Input Surveys

1.3.1. Meetings

1.3.1.1. Attend two (2) public involvement meeting as directed by City staff. Provide exhibits suitable for public meeting use depicting street section, alignments etc. Support City staff during meetings by providing technical information, responding to citizen questions, and recording citizen input.

1.3.1.1.1. First Public Meeting will be with adjacent property owners and residents.

- Mail out all first public meeting notification for the City (Neighborhood to be at a typical 500 ft buffer off the street)
- Revise 30% Schematics Roll Plots based on public input from first public meeting and City direction to be used in second public meeting.

1.3.1.1.2. Second Public Meeting will be with adjacent property owners and residents as well as the neighborhood.

- Mail out all second meeting public meeting notification for the City
- Revise 30% Schematics Roll Plots based on public input from second public meeting and City direction to be used in City Council presentation for schematic and typical section approval.

1.3.2. Public Input Surveys

- Work with City to develop Public Input Survey to be sent to adjacent property owners and residents.
- Mail out surveys to adjacent property owner and residents.
- Tally survey results and other received public input into presentable format to City Staff and City Council.

1.4. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.
- Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:
  - City of Rockwall Master Thoroughfare Plan
  - City of Rockwall Water/Wastewater Master Plan
  - City of Rockwall Standards of Design and Construction
- Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities.
- Develop and evaluate typical sections (up to two (2)) to use for N. Alamo Rd and other intersecting streets within the project limits.
- Develop drainage area maps and analyze street and inlet capacities. Street and inlet capacities will be analyzed after City approval of the proposed roadway profile grade.
- Develop horizontal alignments for roadway,

- Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines. Alignments shall be limited to short adjustments deemed necessary for the roadway construction. Adjustments shall follow the general alignment of the existing utility and roadway.
- Develop vertical alignment for roadway and cut cross sections at critical points, at center of driveways, alley approaches, cross streets, lead walks, at alignment geometric points and at 25' intervals to evaluate the grading.
- Prepare 30% schematic paving plan and profile roll plots, produced at 1" =40' horizontal scale and 1" =5' vertical scale. The horizontal alignment of existing water lines and sewer lines will be included in the roll plots. Proposed water and sewer line adjustments will be developed and presented in the 60% submittal (plan view only for 60%; plan and profile for 90 and 100%).
- Prepare cross section sheets.
- Meet with City staff and present concept paving plan and profile roll plots.
- Incorporate comments and feedback from City staff and other stakeholders prior to public meetings. FNI will not proceed with 60% until receiving feedback from the City on 30%.

1.5. Drainage Analysis (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- Review and research existing construction plans and record documents, historical flooding events and other pertinent information related to the existing drainage infrastructure along, upstream and downstream of the proposed project.
- Prepare a hydrologic and hydraulic analysis of the existing drainage infrastructure and prepare a report in memo format signed and sealed. Analysis/report shall include the following.
    - Existing drainage infrastructure analysis
        - Drainage Area Map of existing conditions/infrastructure.
        - Analysis effect on existing system of proposed off-site development or infrastructure improvements currently being planned.
        - Drainage calculations – Drainage Area, Inlet, Storm Sewer, Culvert, etc. (to be in City Standard's tabular format)
        - Synopsis of hydraulic deficiencies in written and plan format, includes downstream off-site drainage infrastructure.
        - Synopsis of structural deficiencies of drainage system as a result of TV inspection in written and plan format.
    - Recommendation of improvements to existing drainage system to meet the City's current 100-year design storm criteria.
        - Drainage Area Map of proposed improvements
        - Proposed drainage calculations – Drainage Area, Inlet, Storm Sewer, Culvert, etc. (to be in City Standard's tabular format) (Street and inlet capacities will be analyzed after City approval of the proposed roadway profile grade.)
        - Summary of proposed improvement of drainage infrastructure in written and plan format to fix hydraulic and structural deficiencies in order to meet current City drainage criteria standards.

2. Construction Documents

2.1. Project Management

- Conduct one (1) progress meeting at each stage of the construction documents phase to monitor the development of the project regarding project status, coordination issues and go over City review comments of the plans.

- Coordinate with other utilities, (electric power, cable TV, phone, gas, optic fiber, etc.)
- Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- Update project schedule and interim milestones (coordinate with City staff as necessary)
- Project site visits (up to three (3) trips)

2.2. Construction Plans, Specifications and Estimates (60%, 90%, 100%)

2.2.1. Submittals

FNI will submit 60%, 90% and 100% submittals for the City for review and comment. The following will be required for each submittal:

- Construction Plans
  - Two (2) Full Size copies – 22"x34"
  - Two (2) Half Size copies – 11"x17"
  - One (1) PDF copy
  - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract Template/Specification Book

2.2.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City's Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

Below is a table of the required construction plan sheets and which submittals they are required.

Plan Sheets	**60%**	**90%**	**100%**
Cover Sheet	X	X	X
Legend Sheet	X	X	X
General Notes Sheet	X	X	X
Existing Condition Plan (1"=40' scale)	X	X	X
Horizontal/Vertical Control Sheet (1"=100' scale)	X	X	X
Right of Way Plan (1"=40' scale)	X	X	X
Typical Sections (Existing and Proposed)	X	X	X
Erosion Control Plan (1"=40' scale)		X	X
Demolition/Removals Plan (1"=40' scale)	X	X	X
Roadway Plan/Profiles (1"=20'H, 1'=5'V scale)	X	X	X
Intersection Grading Plan (major and critical intersections)		X	X
Pavement Signage and Striping Plan (1"=20' scale)		X	X
Drainage Area Map (Existing and Proposed)	X	X	X
Drainage Calculations (Area, Inlet, Storm, Culvert)	X	X	X
Drainage Plan/Profile (Trunks and Laterals) (1"=20'H, 1'=5'V scale)	X	X	X
Existing Water & Sanitary Sewer Utilities and Adjustments Plan/Profile (1"=20'H, 1'=5'V scale – profile only for SS)	X	X	X
Retaining Wall Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X

Construction Sequencing Phasing Narrative	X	X	X
Detour Plan (for each Phase)		X	X
Traffic Control Plan (for each phase & typ. sections) (1"=40' scale)		X	X
Roadway Cross-Sections (25' int. & crit. pts.) (1"=20'H, 1'=5'V scale)	X	X	X
Structural Layout Sheets (steps)		X	X
Details (for each section of plans)		X	X

Each subsection below details out the services to be perform for each section of the construction plan set.

2.2.2.1. Roadway Design

- Incorporate the preliminary design submittal review comments
- Prepare plan / profile sheets (22"x34" plan sheets at a scale of 1"=20' horizontal, and 1"=5' vertical).
- Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Typically, driveways will be defined vertically by profiles. (Driveway slope and adjustment details will be shown on the cross sections with removal limits shown on the paving plan/profile sheets.)
- Develop design cross-sections
    - Develop on 25' station intervals and other critical points.
    - Show pavement and subgrade, right-of-way limits, sides slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
    - Cross-sections will be provided in the plan set.
- Prepare roadway details to clarify intent of design
- Modify standard details as needed and include

2.2.2.2. Drainage

- Create Drainage Area Maps (existing and proposed)
- Create Drainage Calculation Sheets (Tables to be formatted to match City Standard's tabular format)
- Identify the need for additional drainage easements to accommodate the proposed offsite drainage improvements (if required)
- Perform final storm sewer sizing and alignment design. Prepare final inlet design sheets and hydraulic design sheets for inclusion in the plans.
- Prepare storm sewer plan/profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, utility crossings and the hydraulic grade lines. The storm sewer shall not be profiled until approval from the City for the alignment.
- Prepare profiles for all trunks and laterals (to be profiled along centerline of pipe)
- If drainage flow patterns/areas are changing due to proposed improvements then existing downstream and upstream systems will be analyses and included in plan set to prove that there are no adverse impacts as a result. Full Hydrologic and Hydraulic Calcs Sheets and storm sewer plan and profiles sheets for these existing upstream and downstream systems are to be included in the plan set.
- Prepare drainage details to clarify intent of design.
- Compile applicable City standard details. Modify standard details as needed.
- Prepare erosion control plan.

2.2.2.3. Utilities

2.2.2.3.1. Public (Water, Wastewater, Storm Drainage, etc.)

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information

2.2.2.3.2. Franchise Utility Coordination

- Identify franchise utility contacts
- Send one set of plans to each franchise utility for their review will be submitted at each phase. Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
- Notify the City if any relocations are required
- FNI shall perform the coordination with the franchise utilities if any relocations are required.
- Attend City ran Franchise Utility Coordination Meetings (typically 2-4 meetings per year are held…assumed 3 meetings during the 60% to 100% design phase). FNI will give background on particular project and coordinate with franchise utility companies on foreseen conflicts and pass out current plan set.

2.2.2.3.3. Water

- Prepare all water plan sheets. Water lines will be consolidated onto Existing Utility and Adjustment sheets with sanitary sewer lines.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.3.4. Wastewater

- Prepare all wastewater plans and profiles (profiles only as needed). Sanitary sewer lines will be consolidated onto Existing Utility and Adjustment sheets with water lines. City approval of alignment will be received before profiling of sanitary sewer.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.4. Lighting/Illumination

- Not used.

2.2.2.5. Structural

- Structural design and layout of retaining wall (plan and profile). Use of typical City standards for retaining walls is assumed to be used on this project.
- Structural design and layout for other elements of the project not covered in the standard details (steps). Typical NCTCOG junction box detail is assumed to be used on this project.

2.2.2.6. Traffic

2.2.2.6.1. Traffic Signals

- Not Used

2.2.2.6.2. Pavement Marking and Signing Plans

- Determine potential conflicts with existing signs and propose sign relocations
- Prepare crosswalk pavement marking and signing layouts in accordance with City design standards and the Texas Manual on Uniform Traffic Control Devices (TMUTCD).
- Prepare details to clarify intent design
- Compile applicable City standard details. Modify standard details as needed.

2.2.2.7. Traffic Control Plans, Detour Plans, Construction Sequencing/Phasing

- At 60% level, develop construction phasing plan to show the intent of each phase prior to adding details at 90%. Develop construction sequence plan showing:
  - Construction area for each phase of construction and closure of existing travel lanes (if needed).
  - Temporary signing and striping, barricades, and other channelization device
  - Narrative of the sequence of work.
  - Detour Plan for each construction phase, if applicable
  - Storm sewer construction phasing.
  - Public utilities relocation phasing (this is assumed to be water and sanitary sewer).
  - Pedestrian routing during construction.
- Develop typical sections showing lane widths, edge conditions, channelization and proposed construction area.
- Prepare traffic control details to clarify intent of design.

2.2.3. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
  - City of Rockwall standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid form (Bid-Tab) – Electronic for Bidding
  - Standard construction contract
  - Performance bond
  - Payment bond
  - Maintenance bond
  - Certificate of insurance
  - General conditions
  - Special conditions
  - Technical specifications
  - Permits (TXDOT, City of Dallas, etc.)
  - Geotechnical Report

2.2.4. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out in to separate schedules for each section of the job.

2.3. Agency Permitting/Coordination (City of Dallas, NTMWD, TDLR, etc.)

2.3.1. Texas Department of Transportation (TxDOT)

- Coordinate with TxDOT, and submit driveway permit, standards and plan sheets for review and approval

2.3.2. NTMWD

- Not applicable.

2.3.3. Accessibility Review (TDLR)

- Prepare a completed application for submittal to the Texas Department of Licensing and Regulation for review in accordance with the Elimination of Architectural Barriers Act.
- FNI to complete application and submit with set of plans to a Registered Accessibility Specialist (RAS) from review and TDLR project registration. All coordination and fees with TDLR compliance will be done by the FNI.
- While we do not anticipate accessibility revisions to be required, we will address minor revisions to the plans based on review comments from the RAS.

3. Bidding Phase Services

3.1. Furnishing the City a construction bid set one (1) 11"x17" hard copy and Bid Spec Book.

3.2. City will be responsible for advertisement of the project in the Local Paper

3.3. FNI will make the plans and specifications available from the Bid document distribution site CivCast.

3.4. During this phase service to be provided are:

3.4.1. Respond to contractor questions and provide design clarifications.

3.4.2. Attendance at the pre-bid meeting.

3.4.3. Production of all Addenda items and designs changes, submittal to City for review and correction before issuance.

3.4.4. Attendance of Bid Opening

3.4.5. Tabulating Bids and checking for errors.

3.4.6. Checking references and other qualification information for the low bidder and writing a letter of recommendation concerning award of the contract.

3.4.7. Returning Bid Bonds to all non-low bidders.

SPECIAL SERVICES

For the following scope items defined as special services Freese & Nichols, Inc (FNI) shall receive written approval from the City for each service separately before proceeding with this work. These services are to be used at the discretion of the City. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of these special services.

4. Data Collection & Property Research / Topographic and Design Survey

4.1. Data Collection and Property Research

4.1.1. Gather existing plat information

4.1.2. Collect property owner and record information

4.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.).

4.2. Topographic and Design Survey

4.2.1. The limits of the survey shall be from the intersection of N. Alamo and SH 205 (Goliad) to the intersection of N. Alamo and Live Oak. The survey shall be from front of house on the east to front of house on the west (approx. 50 foot ROW and additional beyond the ROW on each side) of N Alamo. Survey will include intersecting roadways extending 100 feet along each leg of the major intersections and 200 feet along each leg of the minor intersections. Surveyor will secure rights of entry prior to surveying on private property.

4.2.2. Establish horizontal control points at 500' maximum spacing.

4.2.3. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.

4.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.

4.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall not limited to the following:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.
- Roadway and lane striping
- Driveways
- Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
- Outfalls, bridges and erosion control
- Existing driveway culverts and swales (flowlines, sizes, types, etc.)
- Guardrail
- Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
- Traffic Signal poles, cabinets, pull boxes and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (all sizes)
- Landscape planters, Shrubs, rocks and other features.
- Buildings and permanent structures
- Retaining walls
- Fencing walls
- Fence limits and material types (excluding temporary fences)
- Mailboxes (types – wood, brick, stone)
- Other applicable physical features that could impact design

4.2.6. Collect sufficient topographic data to create a CAD surface from which to prepare cross-sections throughout project limits at 25-foot intervals and at grade breaks.

4.2.7. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

4.2.8. FNI will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

5. Subsurface Utility Engineering (S.U.E.) Services

5.1. Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and /or prior to the field survey.

- S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities up to approx. 3,500 linear feet.
- S.U.E. Level 'A' Services including survey data collection will be provided as needed:
  - Up to two (2) test holes of 0-4 ft depth will be provided (in pavement)
  - Up to two (2) test holes of 4-8 ft depth will be provided (in pavement)
  - Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.

5.2. The FNI shall arrange and make provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.

6. Right-of-Way / Easement Instruments of Conveyance

6.1. Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field

6.1.1. Up to three (3) parcels

6.2. Prepare easement instruments (narrative and graphic exhibits of easements required for drainage, City utilities, temporary construction, etc.)

6.2.1. Up to three (3) parcels

6.3. Individual parcel exhibits shall be on 8"x11" paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:

6.3.1. Parcel number

6.3.2. Area required

6.3.3. Area remaining

6.3.4. Legal description

6.3.5. Current owner

6.3.6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies

6.3.7. All physical features

6.3.8. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.

6.4. Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference

7. Geotechnical

7.1. Subsurface Exploration

7.1.1. Five (5) borings are planned for this project. The borings and laboratory testing on recovered soil samples will be through a subconsultant. The Consultant will coordinate the subsurface exploration activities and will subcontract with a drilling contractor to drill the borings under the direction of the Consultant. The borings will be located at approximate equal intervals within the project limits. A closer spacing may be considered near the locations of existing retaining walls near the northern limits of the project.

7.1.2. Boring Services –Two (2) of the five (5) borings will be drilled and sampled to a depth of 20 feet for the potential replacement of existing retaining walls. (The new walls are assumed to be less than 5 feet tall, exposed wall height.) The three (3) remaining borings will be drilled to a depth of 15 feet. A total of 85 linear feet for drilling is planned.

- All borings will be drilled within City ROW and will require traffic control consisting of a temporary lane closure for safe working conditions
- The boring locations will be marked with paint prior to drilling
- Coordinate with appropriate City personnel and the Texas 811 system to locate existing utilities prior to drilling
- Provide an engineer or geologist to log the borings during drilling and sampling
- Backfill bore holes and patch existing concrete pavement at the surface

7.2. Laboratory Services

7.2.1. Considering the planned facilities, anticipated soil conditions, and geology, the following laboratory test will be required for classification purpose and to determine strength characteristics:

- Visual Classification
- Moisture content and unit dry weight
- Liquid and plastic limit determinations

- Unconfined compression
- Lime/ph series tests
- Soluble sulfate tests (to determine lime-induced heaving potential)

7.3. Engineering Services

7.3.1. Prepare an engineering report presenting the following:

- Sample boring location map
- Boring logs and laboratory results
- General soil and ground-water conditions
- Recommendations will be based on a 30-year design life.
- Subgrade design recommendations for lime treatment and/or cement treatment
- Pavement design recommendations for the new reinforced concrete system (including pavement thickness, subgrade treatment, or other suitable pavement base alternative). Pavement thickness calculations will be based on the traffic study and design traffic volume determined from Basic Service Item 1.6.
- Recommendations for retaining walls, as necessary
- Earthwork recommendations

7.3.2. The geotechnical engineer's design recommendations shall be relied upon by the civil and structural engineers for their design.

7.3.3. Submit one (1) paper copy and one pdf file copy of the report to the City

8. Construction Phase Services

8.1 Not used.

9. Video Inspection (Storm Sewer)

9.1. Collect in-pipe video of existing storm sewer systems to determine condition of pipe.

9.1.1. Approx. 310 linear feet in the sag south of Heath

9.1.2. Approx. 450 linear feet in the N. Alamo / SH 205 (Goliad) intersection.

10. Right-of-way Negotiation and Acquisition Services

10.1.1. Not used.

11. Environmental Permitting

11.1. Not used.

12. Flood Study

12.1. Not used.

13. Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Such services shall include, but are not limited to the following:

13.1. Construction staking.

13.2. Water and sanitary sewer design beyond minor adjustments or lowering. Utility design consisting of route analysis or corridor selection.

13.3. Additional Design Survey and SUE required for the preparation of designs and drawings after the conceptual design submittal.

13.4. Full time construction management and inspection services

13.5. Construction materials testing

13.6. Preparation of Condemnation hearing documentation and attendance at condemnation hearing

13.7. Field layouts or the furnishing of construction line and grade surveys.

13.8. GIS mapping services or assistance with these services.
13.9. Making revisions to drawings, specifications or other documents when such revisions are 1) consistent with approvals or instructions previously given by CITY or 2) due to other causes not solely within the control of CONSULTANT.
13.10. Preparing applications and supporting documents for government grants, loans, or planning advances and providing data for detailed applications.
13.11. Assisting CITY in preparing for, or appearing at litigation, mediation, arbitration, dispute review boards, or other legal and/or administrative proceedings in the defense or prosecution of claims disputes with Contractor(s).
13.12. Performing detailed investigations, studies and analyses of substitutions of equipment and/or materials or deviations from the drawings and specifications.
13.13. Assisting CITY in the defense or prosecution of litigation in connection with or in addition to those services contemplated by this AGREEMENT. Such services, if any, shall be furnished by CONSULTANT on a fee basis negotiated by the respective parties outside of and in addition to this AGREEMENT.
13.14. Providing environmental support services including the design and implementation of ecological baseline studies, environmental monitoring, impact assessment and analyses, permitting assistance, and other assistance required to address environmental issues.
13.15. Phase I/II Environmental Site Assessments
13.16. Performing investigations, studies, and analysis of work proposed by construction contractors to correct defective work.
13.17. Design, contract modifications, studies or analysis required to comply with local, State, Federal or other regulatory agencies that become effective after the date of this AGREEMENT.
13.18. Services required to resolve bid protests.
13.19. Visits to the site in excess of the number of trips included for periodic site visits, coordination meetings, or contract completion activities.
13.20. Any services required as a result of default of the contractor(s) or the failure, for any reason, of the contractor(s) to complete the work within the contract time.
13.21. Providing services after the completion of the construction phase not specifically listed.
13.22. Providing any special structural details for retaining wall and drainage design. This will include any detail that is not covered by CITY, NCTCOG, or TxDOT standard details. (i.e. junction boxes, box culverts, etc.)
13.23. Providing basic or additional services on an accelerated time schedule. The scope of this service include cost for overtime wages of employees and consultants, inefficiencies in work sequence and plotting or reproduction costs directly attributable to an accelerated time schedule directed by CITY.
13.24. Providing services made necessary because of unforeseen, concealed, or differing site conditions or due to the presence of hazardous substances in any form.
13.25. Providing services to review or evaluate construction contractor(s) claim(s), provided said claims are supported by causes not within the control of CONSULTANT.
13.26. Providing value engineering studies or reviews of cost savings proposed by construction contractors after bids have been submitted.
13.27. Provide follow-up professional services during Contractor's warranty period.
13.28. Additional exploratory drilling and associated laboratory testing due to soft or loose soil conditions, other unexpected site conditions, or additional structures.
13.29. Detailed settlement studies or other engineering issues resulting from soft and/or loose soil conditions, or other unexpected site conditions.
13.30. Construction services including site visits, shop drawing reviews, RFIs, changes to plan, record drawings, etc.
13.31. Perform traffic analysis of existing conditions.

13.32. Revisions to completed and approved construction drawings resulting from right of way negotiation and acquisition.

-End of Scope of Service-

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Tasks 1-3 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee
	BASIC SERVICES	
1.	Schematic Conceptual Design (30%)	$61,300
2.	Construction Documents	
2.1	60% Design	$65,200
2.2	90% Design	$52,300
2.3	100% Design	$44,300
3.	Bidding Phase Services	$9,200
	Basic Services Subtotal (Lump Sum):	**$232,300**
Compensation for special services under Tasks 4-10 shall be a labor fee plus expense (reimbursable) basis with the max fee shown below.		
	SPECIAL SERVICES	
4.	Data Collection & Property Research / Topographic and Design Survey	$34,300
5.	Subsurface Utility Engineering (S.U.E.) Services	
5.1	Quality Level 'C/D' S.U.E. Services	NA
5.2	Quality Level 'B' S.U.E. Services (assumes 3,500 LF)	$12,500
5.3	Quality Level 'A' S.U.E. Services	$7,800
6.	Right-of-Way/Easement Instruments of Conveyance	$11,000
	(6 ROW documents are assumed @ $1,500/document)	
7.	Geotechnical	$25,200
8.	Construction Phase Services	NA
9.	Video Inspection (Sanitary Sewer and Storm Sewer)	$4,700
10.	Right-of-way Negotiation and Acquisition Services	NA
11.	Environmental	NA
12.	Flood Study	NA
	Special Services Subtotal (Not-to-Exceed) *	**$95,500**
	ENGINEERING SERVICES CONTINGENCY**	**$32,780**
	***(This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)*	
	Project Total*	**$ 360,580**

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

COMPENSATION

Compensation to Engineer for the Basic Services described in Attachment A shall be the lump sum of Two Hundred Thirty-Two Thousand Three Hundred Dollars ($232,300.00) and the Special Services described in Attachment A shall be a not to exceed fee of Ninety-five Thousand Five Hundred Dollars ($95,500.00). An Engineering Services Contingency shall not exceed Thirty-two Thousand Seven Hundred Eighty Dollars ($32,780.00). If FNI sees the Scope of Services changing so that Additional Services are needed, including but not limited to those services described as Special Services in Attachment A, Engineer will notify City for City's approval before proceeding. Additional Services shall be computed based on this Schedule of Charges.

Schedule of Charges:

Position	Min	Max
Professional 1	73	116
Professional 2	95	140
Professional 3	121	194
Professional 4	131	228
Professional 5	182	283
Professional 6	191	348
Construction Manager 1	77	152
Construction Manager 2	105	158
Construction Manager 3	149	178
Construction Manager 4	160	240
CAD Technician/Designer 1	58	112
CAD Technician/Designer 2	91	132
CAD Technician/Designer 3	107	175
Corporate Project Support 1	43	102
Corporate Project Support 2	62	144
Corporate Project Support 3	83	225
Intern / Coop	39	68

Rates for In-House Services

Technology Charge

$8.50 per hour

Travel

Standard IRS Rates

Bulk Printing and Reproduction

	B&W	Color
Small Format (per copy)	$0.10	$0.25
Large Format (per sq. ft.)		
Bond	$0.25	$0.75
Glossy / Mylar	$0.75	$1.25
Vinyl / Adhesive	$1.50	$2.00
Mounting (per sq. ft.)	$2.00	
Binding (per binding)	$0.25	

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.10. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

These ranges and rates will be adjusted annually in February. Last updated February 2018.

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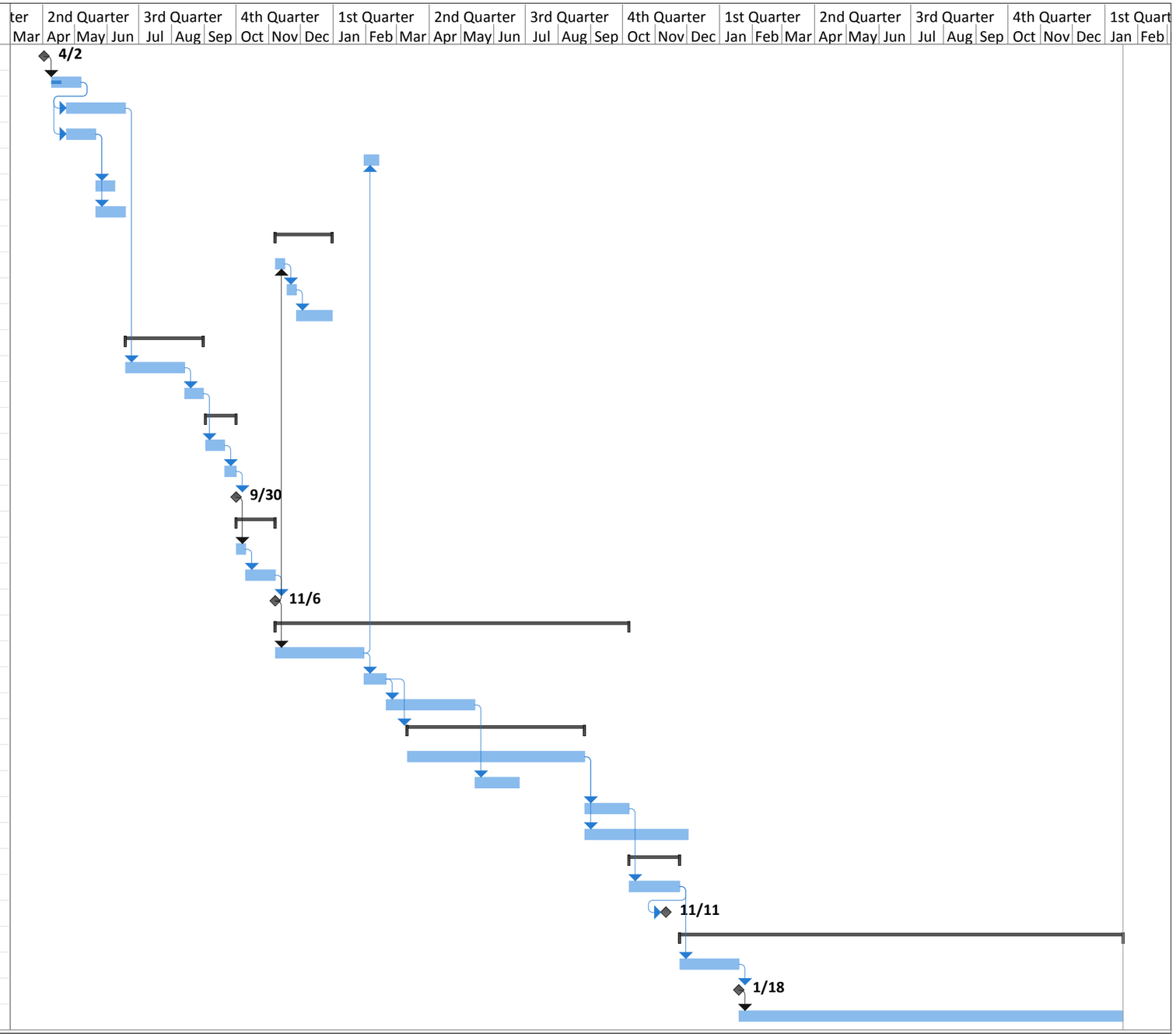
ATTACHMENT "C"

Project Schedule

10.

155

ID	Task Name	Duration	Start	Finish
1	Kickoff Meeting	0 days	Tue 4/2/19	Tue 4/2/19
2	Right-of-Entry Letters	20 days	Tue 4/9/19	Mon 5/6/19
3	Survey (Topo and Boundary)	40 days	Tue 4/23/19	Mon 6/17/19
4	Subsurface Utility Engineering Level B	20 days	Tue 4/23/19	Mon 5/20/19
5	Subsurface Utility Engineering Level A	10 days	Thu 1/30/20	Wed 2/12/20
6	Video Inspection (Storm)	14 days	Tue 5/21/19	Fri 6/7/19
7	Utility Coordination (Data Collection)	20 days	Tue 5/21/19	Mon 6/17/19
8	**Geotech Report**	**38 days**	**Thu 11/7/19**	**Mon 12/30/19**
9	Geotechnical Drilling	7 days	Thu 11/7/19	Fri 11/15/19
10	Geotechnical Laboratory Testing	7 days	Mon 11/18/19	Tue 11/26/19
11	Geotechnical Analysis and Reporting	24 days	Wed 11/27/19	Mon 12/30/19
12	**Schematic Conceptual Design (30%)**	**54 days**	**Tue 6/18/19**	**Fri 8/30/19**
13	Conceptual Design (30%)	40 days	Tue 6/18/19	Mon 8/12/19
14	30% City Design Review	14 days	Tue 8/13/19	Fri 8/30/19
15	**Public Meeting No. 1**	**21 days**	**Mon 9/2/19**	**Mon 9/30/19**
16	Mail Out Notification/ Public Input Surve	14 days	Mon 9/2/19	Thu 9/19/19
17	Revise Schematic	7 days	Fri 9/20/19	Mon 9/30/19
18	Meeting	0 days	Mon 9/30/19	Mon 9/30/19
19	**Public Meeting No.2**	**27 days**	**Tue 10/1/19**	**Wed 11/6/19**
20	Revise Schematic	7 days	Tue 10/1/19	Wed 10/9/19
21	Mail Out Notification	20 days	Thu 10/10/19	Wed 11/6/19
22	Meeting	0 days	Wed 11/6/19	Wed 11/6/19
23	**Design Phase 60,90, and 100**	**239 days**	**Thu 11/7/19**	**Tue 10/6/20**
24	Preliminary Design (60%)	60 days	Thu 11/7/19	Wed 1/29/20
25	60% City design review	15 days	Thu 1/30/20	Wed 2/19/20
26	Final Design (90%)	60 days	Thu 2/20/20	Wed 5/13/20
27	**Prepare ROW descriptions**	**120 days**	**Wed 3/11/20**	**Tue 8/25/20**
28	**ROW Acquisition**	120 days	Wed 3/11/20	Tue 8/25/20
29	90% City Review	30 days	Thu 5/14/20	Wed 6/24/20
30	100% Sign and Seal Plan Submittal	30 days	Wed 8/26/20	Tue 10/6/20
31	**Utility Relocations**	70 days	Wed 8/26/20	Tue 12/1/20
32	**Bid Phase**	**34 days**	**Wed 10/7/20**	**Mon 11/23/20**
33	Advertisement	34 days	Wed 10/7/20	Mon 11/23/20
34	Pre-bid meeting	0 days	Wed 11/11/20	Wed 11/11/20
35	**Construction Phase**	**300 days**	**Tue 11/24/20**	**Mon 1/17/22**
36	Award Contract and Issue NTP	40 days	Tue 11/24/20	Mon 1/18/21
37	Construction NTP	0 days	Mon 1/18/21	Mon 1/18/21
38	Construction	260 days	Tue 1/19/21	Mon 1/17/22



Project: N. Alamo Rd
Date: Tue 2/5/19

Task	Project Summary	Inactive Milestone	Manual Summary Rollup	Deadline
Split	External Tasks	Inactive Summary	Manual Summary	Progress
Milestone	External Milestone	Manual Task	Start-only	Manual Progress
Summary	Inactive Task	Duration-only	Finish-only	

ATTACHMENT "D"

Sub-Consultants

1. **Sub-Consultant:**
   Company Name: Texplor
   Services of the Scope Being Provided: *Geotechnical Drilling*
   Contact Person: Brent L. Thomason Title: Vice President
   Email: brent@texplordrilling.com Phone: (214) 678-0643

2. **Sub-Consultant:**
   Company Name: Gorrondona & Assoc., Inc.
   Services of the Scope Being Provided: *Geotechnical Laboratory Analysis*
   Contact Person: Jenell Strachan Title: Area Manager
   Email: jstrachan@ga-inc.net Phone: (817) 496-1424

3. **Sub-Consultant:**
   Company Name: PJB Surveying
   Services of the Scope Being Provided: *Design Survey/ROW/Easement Docs*
   Contact Person: Pat Baldasaro Title: President
   Email: pat@pjbsurv.com Phone: 972-740-7389

4. **Sub-Consultant:**
   Company Name: K+K Associates, LLP
   Services of the Scope Being Provided: *TDLR registration, review, and inspection*
   Contact Person: Sharon Krueger Title: Registered Accessibility Specialist
   Email: skrueger@kpluskassociates.com Phone: 817-781-3044

5. **Sub-Consultant:**
   Company Name: SurvWest, LLC
   Services of the Scope Being Provided: *Subsurface Utility Engineering (S.U.E.)*
   Contact Person: James Mason Hayes Title: Project Engineer
   Email: jhayes@survwest.com Phone: 217-273-0481

6. **Sub-Consultant:**
   Company Name: Ace Pipe Cleaning
   Services of the Scope Being Provided: *Pipeline CCTV Services*
   Contact Person: Bruce Jameson Title: Asset Manager
   Email: bjameson@acepipe.com Phone: 817-401-3639

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158

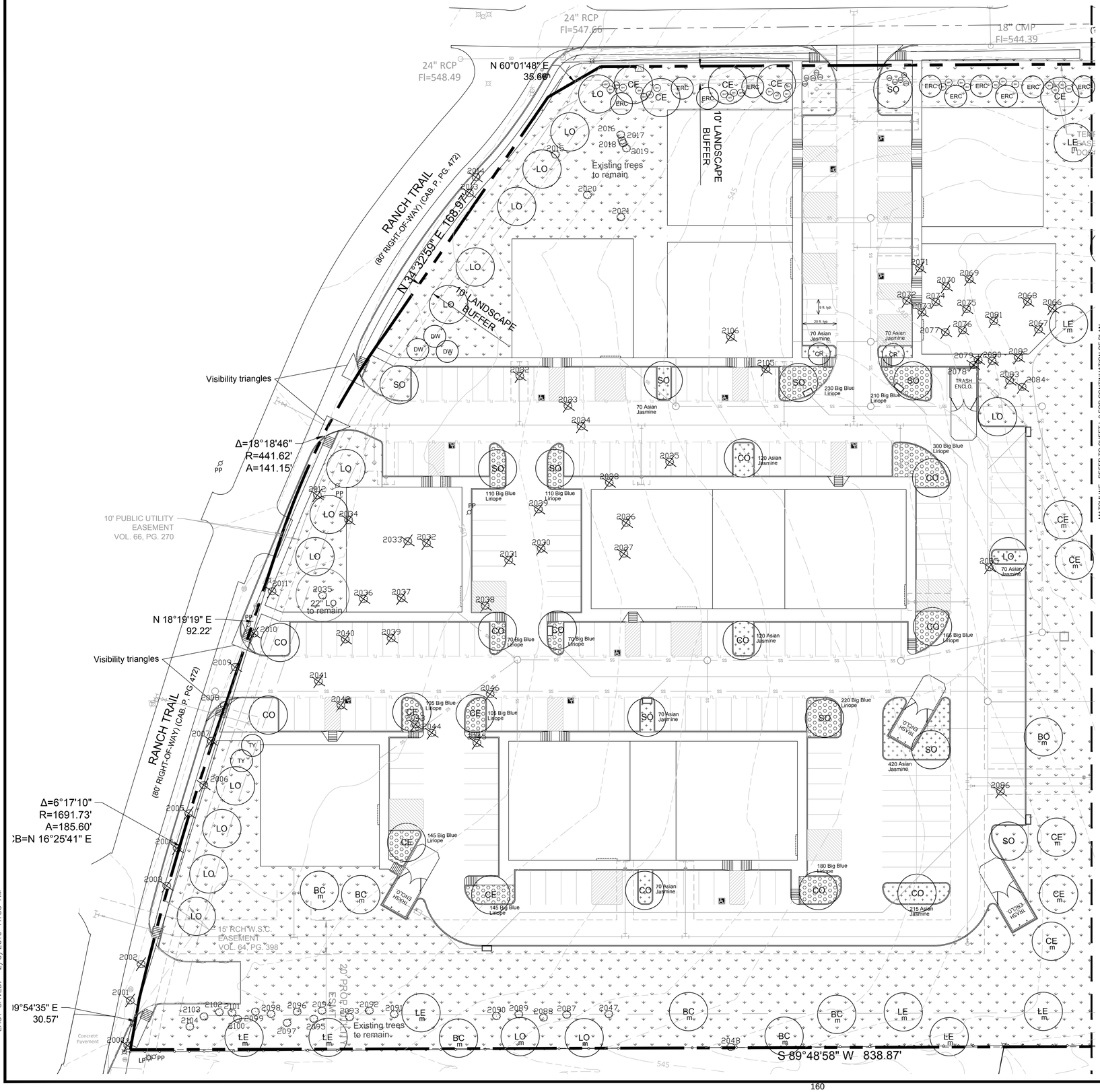
CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	February 19, 2019
SUBJECT:	SP2019-003.; *Alternative Tree Mitigation Plan*

On February 12, 2019, the Planning and Zoning Commission recommended approval of an *alternative tree mitigation plan* in conjunction with an approved site plan (*i.e. SP2019-003*) for a multi-tenant office complex. At the time of submittal, the applicant identified 285 caliper-inches of protected trees that will be required to be removed in order to develop the site. According to the landscape plan, the applicant is planting 150 caliper-inches on site, leaving a balance of 135 caliper-inches requiring mitigation (*i.e. 48% of total mitigation balance*). The Unified Development Code (UDC) allows up to 20% of the total tree mitigation (*i.e. 57 caliper-inches or $5,700)* to be paid to the City's tree fund. The City Council has the ability to review and approve alternative tree mitigation agreements, pending a recommendation from the Planning and Zoning Commission. Since the applicant is proposing to exceed the 20% maximum allowable tree mitigation paid to the City's tree fund (*i.e. proposing 47% of total mitigation balance*), an alternative tree mitigation plan will need to be approved. The remaining balance needing mitigation is $27,000.00 (*i.e. 135 caliper-inches @$200.00 per caliper-inch*); however, since the applicant is planting at least one (1) tree on-site, the balance is reduced by ½ for a total mitigation balance $13,500.00 that will need to be paid to City's tree fund at the time of final plat. Since the applicant is not proposing any alternatives beyond being able to pay beyond the 20%, this has been included on the Consent Agenda. Should the City Council have any questions, staff will be available at the meeting on *February 19, 2019*.



PLOTTED BY: SCOTTFULWILER
PLOT DATE: 2/5/2019 11:35 AM
LOCATION: C:\USERS\SCOTTFULWILER\DOCUMENTS\AUTOCAD_LRD\RANCH TRAIL\RANCH TRAIL_LS.DWG
LAST SAVED: 2/5/2019 11:33 AM

TREE LEGEND

Canopy Trees

SO	Shumard Oak	BO	Bur Oak
LE	Bosque Elm	CO	Chinquapin Oak
LO	Live Oak	CE	Cedar Elm
BC	Bald Cypress		
+ m	Mitigation trees	2021	Existing trees to be removed

Ornamental Trees

CR	Crapemyrtle	TY	Tree Yaupon
DW	Desert Willow		

SHRUB LEGEND

DY	Dwarf Yaupon	TC	Turks Cap
DA	Dwarf Abelia	HD	Harbor Dwf. Nandina
BA	Barberry	GL	Giant Liriope
MF	Mexican Feather Grass	TX	Texas Sage
WM	Dwarf Wax Myrtle	PM	Pink Muhly
RY	Red Yucca	CS	Cherry Sage
DB	Dwarf Burford Holly	GC	Green Cloud Sage
NGL	New Gold Lantana	RO	Rosemary
CO	Coreopsis	AJ	Asian Jasmine
DIH	Dwarf Indian Hawthorne		

HATCH LEGEND

Asian Jasmine

Big Blue Liriope

Solid Sod Bermuda Grass

LANDSCAPE NOTES

1. The project will have an undergound automatic irrigation system to water all new plantings.
2. Install 4" layer of shredded hardwood mulch to all planting beds.
3. Install 4" steel edging between all shrub beds and grass areas.
4. Shrub beds to have 12 inches of prepared planting mix (75% import topsoil, 15% composted amendment, 10% washed sand)
5. Shredded hardwood mulch must contain long strands along with double shred finer material obtained from a local source.
6. Install 4 inches of clean topsoil in all areas of the site disturbed by grading and construction operations. Topsoil shall be free from sticks, debris and rocks larger than 2 inches in diameter and have an organic matter level of 3 percent minimum and a pH range between 5.5 and 7.4 percent. Provide soil test analysis from a soil test laboratory showing soil makeup and organic percentage.
7. Solid sod all areas disturbed by construction activities.
8. No trees within 5' of utilities.
9. No parking space shall be more than 80 feet from a tree.

GRAPHIC SCALE

30 0 15 30 60

1 inch = 30 ft.

site integration studio
Landscape Architecture - Sustainable Site Planning - Natural Resource Design
John F. Murphy, ASLA
7529 Cross Gate Way
Tyler, TX 75703
john@siteint.com
scott@siteint.com
512.632.3822 - Tyler
512.589.9584 - Austin
www.siteint.com

TEXAS REGISTRATION #14199
CLAYMOORE ENGINEERING
PHONE: 817.281.0572
WWW.CLAYMOOREENG.COM
1105 CHERK SPANGER RD. SUITE #1
COLLEYVILLE, TX 76034

REGISTERED LANDSCAPE ARCHITECT JOHN F. MURPHY 973 STATE OF TEXAS
2/5/19

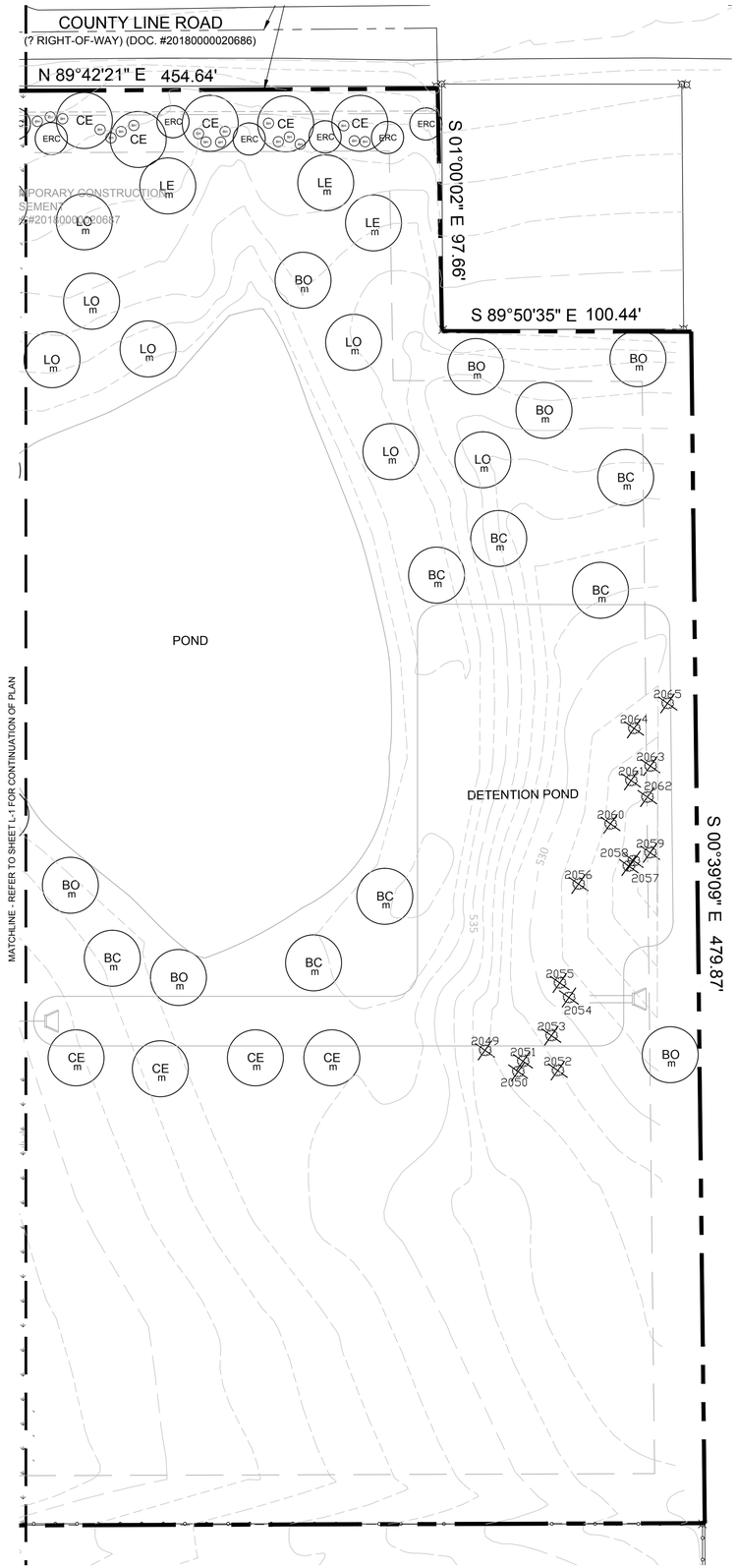
RANCH TRAIL
ROCKWALL, TEXAS

LANDSCAPE PLAN

DESIGN:	CWP
DRAWN:	CWP
CHECKED:	CLC
DATE:	02/05/2019

SHEET
L-1

File No. 2019-001



TREE LEGEND

Canopy Trees

SO	Shumard Oak	BO	Bur Oak
LE	Bosque Elm	CO	Chinquapin Oak
LO	Live Oak	CE	Cedar Elm
BC	Bald Cypress		
+ m	Mitigation trees	2021	Existing trees to be removed

Ornamental Trees

CR	Crapemyrtle	TY	Tree Yaupon
DW	Desert Willow		

SHRUB LEGEND

DY	Dwarf Yaupon	TC	Turks Cap
DA	Dwarf Abelia	HD	Harbor Dwf. Nandina
BA	Barberry	GL	Giant Liriope
MF	Mexican Feather Grass	TX	Texas Sage
WM	Dwarf Wax Myrtle	PM	Pink Muhly
RY	Red Yucca	CS	Cherry Sage
DB	Dwarf Burford Holly	GC	Green Cloud Sage
NGL	New Gold Lantana	RO	Rosemary
CO	Coreopsis	AJ	Asian Jasmine
DIH	Dwarf Indian Hawthorne		

HATCH LEGEND

Asian Jasmine

Big Blue Liriope

Solid Sod
Bermuda Grass

LANDSCAPE NOTES

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REGISTERED LANDSCAPE ARCHITECT
JOHN F. MURPHY
973
STATE OF TEXAS
2/5/19

RANCH TRAIL
ROCKWALL, TEXAS

LANDSCAPE PLAN

DESIGN:	CWP
DRAWN:	CWP
CHECKED:	CLC
DATE:	02/05/2019

SHEET
L-2

File No. 2019-001

PLOTTED BY: SCOTTFULWILER
PLOT DATE: 2/5/2019 11:36 AM
LOCATION: C:\USERS\SCOTTFULWILER\DOCUMENTS\AUTOCAD_LRD\RANCH TRAIL\RANCH TRAIL_LS.DWG
LAST SAVED: 2/5/2019 11:33 AM

PLANT LIST

CANOPY TREES				
11	LE	Lacebark Elm	Ulmus parviflora	3" cal. B&B 12' ht. 5' spread
24	LO	Live Oak	Quercus virginiana	3" cal. B&B 12' ht. 5' spread
11	CO	Chinquapin Oak	Quercus muhlenbergia	3" cal. B&B 12' ht. 5' spread
23	CE	Cedar Elm	Ulmus crassifolia	3" cal. B&B 12' ht. 5' spread
13	BC	Bald Cypress	Taxodium distichum	3" cal. B&B 12' ht. 5' spread
11	SO	Shumard Oak	Quercus shumardii	3" cal. B&B 12' ht. 5' spread
8	BO	Bur Oak	Quercus macrocarpa	3" cal. B&B 12' ht. 5' spread
ORNAMENTAL TREES				
2	TY	Tree Yaupon	Ilex vomitoria	30 gal. 8' ht. multi-trunk female
2	CR	Crapemyrtle	Lagerstroemia indica 'Tuscarora'	30 gal. 8' ht. 3 trunk 2 1/2" cal. min.
3	DW	Desert Willow	Chilopsis linearis 'Timeless Beauty'	30 gal. 6' ht. 2 1/2" cal. min.
16	ERC	Eastern Red Cedar	Juniperus virginiana	30 gal. 6' ht. 2 1/2" cal. min.
SHRUBS & GROUNDCOVERS				
45	BH	Burford Holly	Ilex cornuta burfordii	10 gal. as shown
10	WM	Dwarf Wax Myrtle	Myrica pusilla	5 gal. 36" oc
1,295	AJ	Asian Jasmine	Trachelospermum asiaticum	1 gal. 18" oc
2,165	BBL	Big Blue Liriope	Liriope muscari 'Big Blue'	1 gal. 18" oc

City of Rockwall, Texas
LANDSCAPE CALCULATIONS

		Required	Provided
Total Lot Area	414,665 SF		
Landscape Area 10%		41,467 SF	135,609 SF (32%)

Street Buffer Trees	1 Shade tree 3" cal. per 50 LF of frontage	Required	Provided
Ranch Trail	618.51 LF	13	13
County Line Road	454.64 LF	10	10

Parking Lot Landscape		Required	Provided
Parking Spaces 1 tree per 10 spaces	238	24	26

Tree Mitigation

Primary tree inches removed - 38.5"
Secondary tree inches removed - 493" / 2 = 246.5"
Total protected inches removed - 285"

Diseased trees, ROW trees, preserved trees, and secondary trees under 11" not included in mitigation total

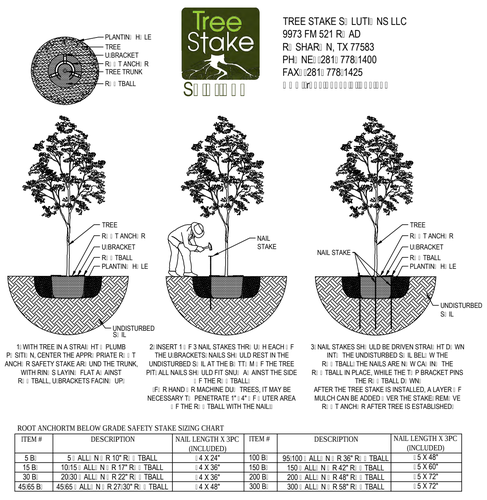
New mitigation inches provided - 150"
Remainder mitigation to be paid into tree fund - 135" (47.3%)

EXISTING TREE LIST

	Number	Size	Type
ROW	2000	8" 8"	Hackberry
ROW	2001	13"	Cedar
ROW	2002	7" 10" 10"	Cedar
ROW	2003	16"	Cedar
ROW	2004	17"	Cedar
ROW	2005	15"	Cedar
ROW	2006	12"	Cedar
ROW	2007	16"	Cedar
ROW	2008	26"	Cedar
ROW	2009	10" 13" 18"	Cedar
ROW	2010	10"	Cedar
	2011	8"	Oak
	2012	12"	Hackberry
ROW	2013	10"	Cedar
ROW	2014	14" 20"	Cedar
*	2015	15" 14"	Cedar-Hackberry
*	2016	10"	Hackberry
*	2017	10"	Hackberry
*	2018	10"	Hackberry
*	2019	10"	Hackberry
*	2020	7" 10"	Hackberry
*	2021	13"	Cedar
	2022	22"	Cedar
	2023	12" 16"	Cedar
	2024	16"	Cedar
	2025	15"	Cedar
	2026	12"	Hackberry
D	2027	12"	Hackberry
	2028	11"	Cedar
	2029	22"	Hackberry
D	2030	27"	Cedar
	2031	8"	Hackberry
D	2032	10"	Hackberry
D	2033	16"	Hackberry
	2034	8"	Hackberry
*	2035	22"	Live Oak
D	2036	23"	Mulberry
D	2037	17"	Mulberry
D	2038	32"	Mulberry
D	2039	17"	Mulberry
D	2040	15"	Mulberry
	2041	18"	Oak
	2042	8"	Cedar
	2043	14"	Mulberry
	2044	12"	Hackberry
	2045	8" 10" 10"	Hackberry
	2046	10"	Hackberry
*	2047	16"	Cedar
*	2048	12"	Cedar
	2049	10"	Hackberry
	2050	10"	Hackberry
	2051	10" 10"	Hackberry
	2052	12"	Hackberry
	2053	8"	Hackberry

Number	Size	Type
2054	8"	Hackberry
2055	10" 17"	Hackberry
2056	7" 9"	Ash
2057	11"	Hackberry
2058	8"	Hackberry
2059	8"	Hackberry
2060	8"	Hackberry
2061	7"	Hackberry
2062	8"	Hackberry
2063	8"	Hackberry
2064	10"	Hackberry
2065	8"	Hackberry
2066	16"	Hackberry
2067	8" 8" 10"	Hackberry
2068	16"	Hackberry
2069	8" 8"	Hackberry
2070	15"	Hackberry
2071	10" 12"	Hackberry
2072	13"	Hackberry
2073	7" 9"	Hackberry
2074	13"	Hackberry
2075	13"	Hackberry
2076	11"	Hackberry
2077	11"	Hackberry
2078	9"	Hackberry
2079	9"	Hackberry
2080	12"	Hackberry
2081	9"	Hackberry
2082	13"	Hackberry
2083	8"	Hackberry
2084	13"	Hackberry
2085	11"	Cedar
2086	13"	Cedar
* 2087	10"	Cedar
* 2088	10"	Cedar
* 2089	10"	Cedar
* 2090	10"	Cedar
* 2091	8"	Cedar
* 2092	12"	Cedar
* 2093	8" 12"	Cedar
* 2094	8"	Cedar
* 2095	10"	Cedar
2096	10"	Cedar
2097	10"	Cedar
2098	12"	Cedar
2099	10"	Cedar
2100	8"	Cedar
2101	10"	Cedar
2102	10"	Cedar
2103	8"	Cedar
2104	15"	Cedar
2105	10"	Hackberry
2106	10"	Hackberry

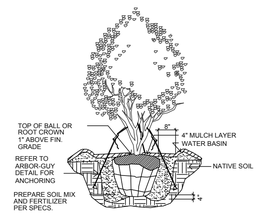
D = DISEASED TREE
ROW = TREE IN RIGHT OF WAY
* = PRESERVED TREE



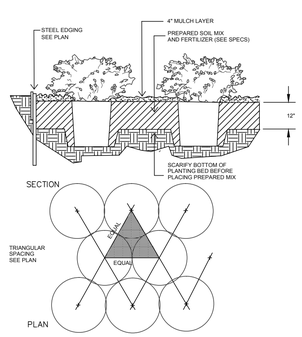
ROOT ANCHORTM BELOW GRADE SAFETY STAKE SIZING CHART

ITEM #	DESCRIPTION	NAIL LENGTH X 3PC (INCLUDED)	ITEM #	DESCRIPTION	NAIL LENGTH X 3PC (INCLUDED)
5 B:	5: I ALL: N: I R 10" R: I TBALL	: I X 24"	100 B:	95:100: I ALL: N: I R 36" R: I TBALL	: I 5 X 48"
15 B:	10:15: I ALL: N: I R 17" R: I TBALL	: I X 36"	150 B:	150: I ALL: N: I R 42" R: I TBALL	: I 5 X 60"
30 B:	20:30: I ALL: N: I R 22" R: I TBALL	: I X 36"	200 B:	200: I ALL: N: I R 48" R: I TBALL	: I 5 X 72"
45:65 B:	45:65: I ALL: N: I R 27:30" R: I TBALL	: I X 48"	300 B:	300: I ALL: N: I R 58" R: I TBALL	: I 5 X 72"

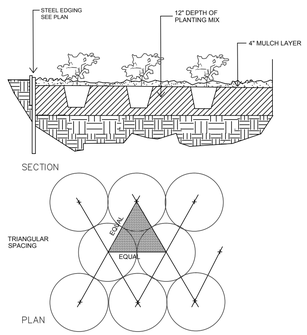
1 CANOPY TREE PLANTING
SCALE: NONE



2 MULTI-TRUNK PLANTING
SCALE: NONE



3 SHRUB PLANTING
SCALE: NONE



4 GROUNDCOVER PLANTING
SCALE: NONE

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WWW.CLAYMOOREENG.COM

REGISTERED LANDSCAPE ARCHITECT JOHN F. MURPHY 973 STATE OF TEXAS
2/5/19

RANCH TRAIL
ROCKWALL, TEXAS

LANDSCAPE DETAILS

DESIGN: CWP
DRAWN: CWP
CHECKED: CLC
DATE: 02/05/2019

SHEET
L-3

File No. 2019-001

PLOTTED BY: SCOTTFULWILER
PLOT DATE: 2/5/2019 11:37 AM
LOCATION: C:\USERS\SCOTTFULWILER\DOCUMENTS\AUTOCAD_LRD\RANCH TRAIL\RANCH TRAIL_LS.DWG
LAST SAVED: 2/5/2019 11:33 AM

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163

Subject Property:

Hyatt Place
1600 La Jolla Pointe Dr
Rockwall, TX 75087

Ms. Cole,

Please accept this letter as our request to appear before the City Council at the February 19th, 2019 Council meeting.

We wish this audience to request permission to temporarily close Laguna Drive to allow the installation of a new outfall drain line on the existing storm water detention pond located on the subject property.

I have attached documentation that shows the extent of the work that needs to be done, the approximate location of the requested closure, and the traffic control plans necessary to route traffic around Laguna during the period of closure.

Because of the size and depth of the outflow piping, we will not be able to close only one lane of Laguna during the time the piping is being installed. The new piping has an inside diameter of 54 inches. It is round concrete pipe (RCP) so the outside dimension of the piping will be approximately 64 inches. This will require a ditch bed of approximately 7 to 8 feet in width to allow proper installation of the piping. Additionally, the flow line (bottom) of the new piping is scheduled to be approximately 15 feet below the surface of Laguna Dr. Because of this depth we will most probably be required to "bench" or slope back the sides of the ditch line to meet OSHA safety regulations, so the ditch line of this width and depth will require quite a large width opening at the surface of Laguna Dr.

Please see below verbiage copied from an email between Corey Caughron with Rumsey Construction, who is the utility contractor, and John Cranson with the City of Rockwall:

John, we plan to start our excavation at the downhill side. We will remove a portion of the old pipe, dig to new depth and install the new pipe. We will continue this process working to the south as we cross La Jolla. As we approach Laguna we may need to close one lane to keep traffic from the excavator swing as we come up the embankment. This closure would only occur during working hours and be opened back at the end of the day.

Once we start open cutting Laguna the street will need to be completely closed as we cross it with the same process. The full closure is primarily due to depth and the safety of the workers and traveling public. We estimate this process will take 3-4 days to completely cross Laguna and have it safely backfilled. We will plan to put street plates over the excavation until paving has been poured back and

reaches appropriate cure time.

No dirt will be stored on the street, and the street will be kept free of debris and trash throughout the installation of the storm drain.

Please let me know if you have any other questions. Anything we can do to expedite approval of this process is greatly appreciated as we are in need of completing this work as soon as possible to not hold up the complete project.

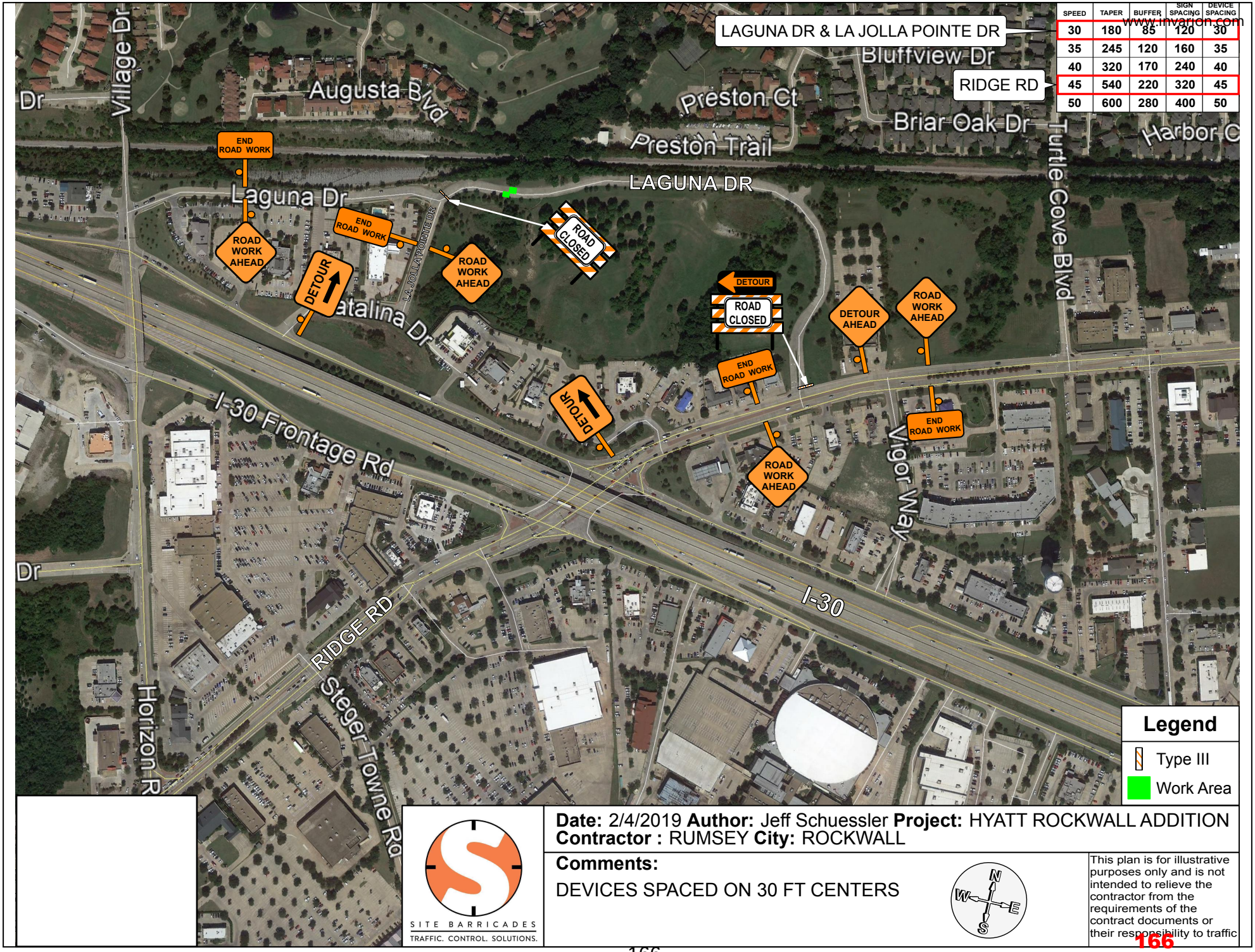
Thank you,
3C
Corey C. Caughron
PH 214-614-8140

I hope this letter provides you with the necessary information. Please do not hesitate to contact me if additional information is required.

Sincerely,

Ralph Oltmann
President,
Mclenco Construction Services, Inc.

Attachments;
Piping plan
Traffic Control Plan



SITE BARRICADES
TRAFFIC. CONTROL. SOLUTIONS.

Date: 2/4/2019 **Author:** Jeff Schuessler **Project:** HYATT ROCKWALL ADDITION
Contractor : RUMSEY **City:** ROCKWALL

Comments:
DEVICES SPACED ON 30 FT CENTERS

This plan is for illustrative purposes only and is not intended to relieve the contractor from the requirements of the contract documents or their responsibility to traffic

166



MCLENCO
construction services

Hyatt Place
Rockwall
167

Print #190214079
Date: 02/14/19
Lat/Lon: 32.898341 -96.472308
Order No. 67432
Aerial Photography, Inc. 954-568-0484

167



MCLENCO
construction services

Hyatt Place
Rockwall
168

Print #190214080
Date: 02/14/19
Lat/Lon: 32.898341 -96.472308
Order No. 67432
Aerial Photography, Inc. 954-568-0484

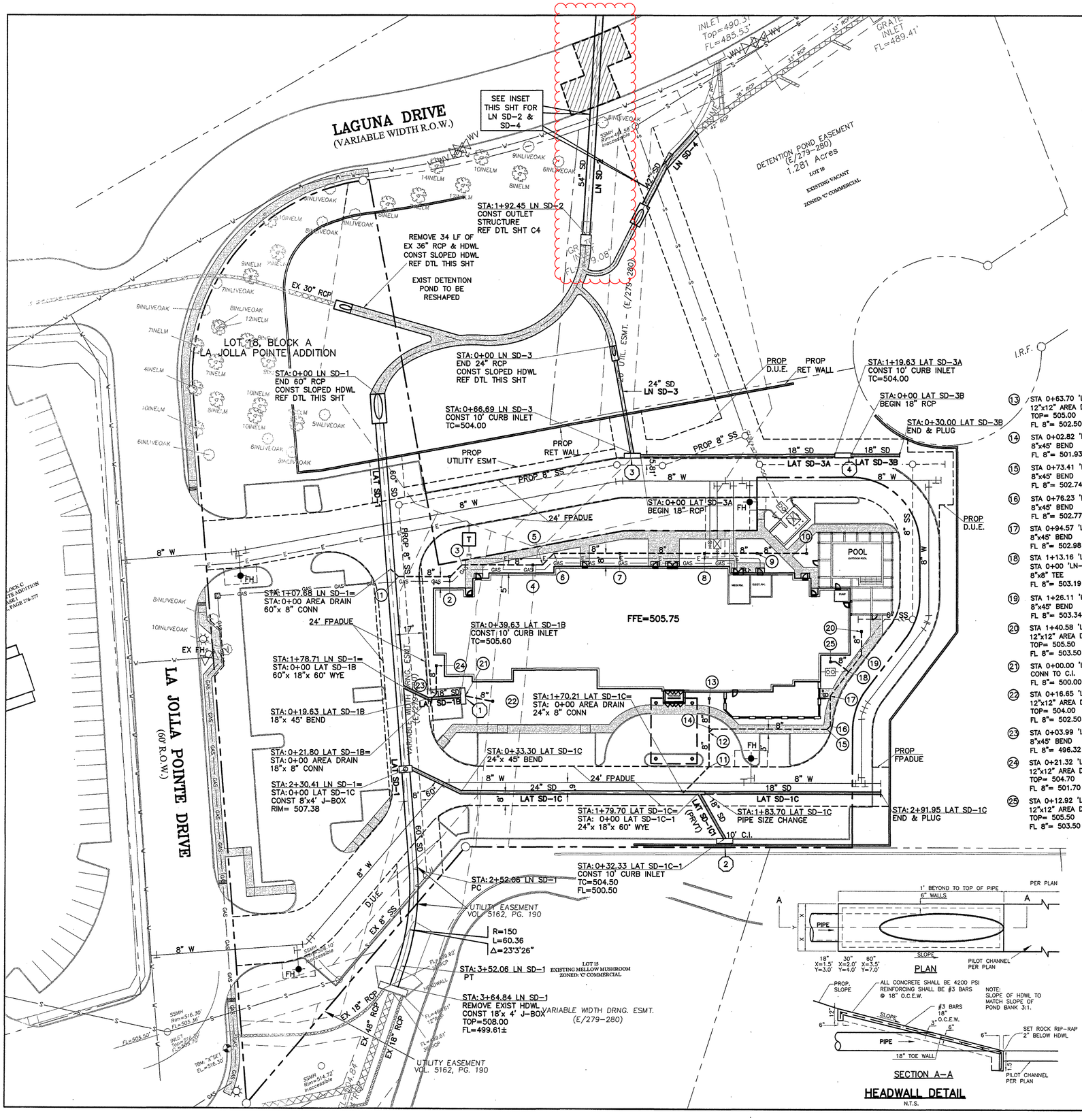


MCLENCO
construction services

Hyatt Place
Rockwall
169

Print #190214081
Date: 02/14/19
Lat/Lon: 32.898341 -96.472308
Order No. 67432
Aerial Photography, Inc. 954-568-0484

169


LAGUNA DRIVE
(VARIABLE WIDTH R.O.W.)
LA JOLLA POINTE DRIVE
(60' R.O.W.)
LOT 18, BLOCK A
LA JOLLA POINTE ADDITION
SEE INSET THIS SHT FOR LN SD-2 & SD-4
DETENTION POND EASEMENT (E/279-280) 1.281 Acres
LOT 18
EXISTING VACANT
ZONED 'C' COMMERCIAL
STA:1+92.45 LN SD-2
CONST OUTLET STRUCTURE
REF DTL SHT C4
REMOVE 34 LF OF EX 36" RCP & HDWL
CONST SLOPED HDWL
REF DTL THIS SHT
EXIST DETENTION POND TO BE RESHAPED
EX 30" RCP
STA:0+00 LN SD-1
END 60" RCP
CONST SLOPED HDWL
REF DTL THIS SHT
STA:0+00 LN SD-3
END 24" RCP
CONST SLOPED HDWL
REF DTL THIS SHT
STA:0+66.69 LN SD-3
CONST 10' CURB INLET
TC=504.00
STA:1+19.63 LAT SD-3A
CONST 10' CURB INLET
TC=504.00
STA:0+00 LAT SD-3B
BEGIN 18" RCP
STA:0+30.00 LAT SD-3B
END & PLUG
PROP D.U.E.
PROP RET WALL
PROP UTILITY ESMT
PROP 8" SS
LAT SD-1
LAT SD-3A
LAT SD-3B
STA:0+00 LAT SD-3A
BEGIN 18" RCP
24' FPADUE
FFE=505.75
POOL
STA:0+39.63 LAT SD-1B
CONST 10' CURB INLET
TC=505.60
STA:1+78.71 LN SD-1=
STA:0+00 LAT SD-1B
60"x 18"x 60' WYE
STA:0+19.63 LAT SD-1B
18"x 45' BEND
STA:0+21.80 LAT SD-1B=
STA:0+00 AREA DRAIN
18"x 8" CONN
STA:2+30.41 LN SD-1=
STA:0+00 LAT SD-1C
CONST 8'x4' J-BOX
RIM= 507.38
STA:1+70.21 LAT SD-1C=
STA: 0+00 AREA DRAIN
24"x 8" CONN
STA:0+33.30 LAT SD-1C
24"x 45" BEND
STA:1+79.70 LAT SD-1C=
STA: 0+00 LAT SD-1C-1
24"x 18"x 60' WYE
STA:1+83.70 LAT SD-1C
PIPE SIZE CHANGE
STA:2+91.95 LAT SD-1C
END & PLUG
STA:0+32.33 LAT SD-1C-1
CONST 10' CURB INLET
TC=504.50
FL=500.50
STA:2+52.06 LN SD-1
PC
R=150
L=60.36
Δ=23°3'26"
STA:3+52.06 LN SD-1
PT
STA:3+64.84 LN SD-1
REMOVE EXIST HDWL
CONST 18'x 4' J-BOX
TOP=508.00
FL=499.61±
STA:1+07.68 LN SD-1=
STA:0+00 AREA DRAIN
60"x 8" CONN
EX 18" RCP
EX 48" RCP
UTILITY EASEMENT VOL. 5162, PG. 190
VARIABLE WIDTH DRNG. ESMT. (E/279-280)
LOT 15
EXISTING MELLOW MUSHROOM
ZONED 'C' COMMERCIAL
INLET Top=490.31' FL=485.53'
GRATE INLET FL=489.41'
EX 42" RCP
EX 36" RCP
EX 54" RCP
LN SD-4
24" SD LN SD-3
54" SD LN SD-2
18" SD
8" W
8" SS
EX 8" SS
EX FH
FH
T
I.R.F.
TBM "X" SET El.=516.30
SSMH Rim=516.30' FL=505.16
SSMH Rim=514.72' Inaccessible
INLET Top=512.70' FL=505.70'
SSMH Rim=516.10' Inaccessible
FL=505.60'
FL=499.62' 12" RCP
FL=499.61' 36" RCP
FL=499.61' 36" RCP
FL=499.61' 36

□ren□h and □□a□a□ion □a□e□□Plan

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Pre□ared □or □

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□A□□□□□□□□□□□XA□75010
21□-61□-81□0
FAX 21□-556-1110

Pre□ared □□□

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□69-951-7□17
□□P□F□□M □□□12380



Pre□ara□ion Da□e□

□o□e□ □er 15□2018

171

1926, Subpart P

Excavation Safety Program

The following excavation safety program is provided only as a guide to assist employers and employees in complying with the requirements of OSHA's Excavation Standard, 29 CFR 1926, Subpart P, as well as to provide other helpful information. It is not intended to supersede the requirements of the standard. An employer should review the standard for particular requirements which are applicable to their individual situation and make adjustments to this program that are specific to their company. An employer will need to add information relevant to their particular facility in order to develop an effective, comprehensive program.

172

1926, Subpart P
Table of Contents
Excavation Safety Program

I. Objective
II. Assignment of Responsibility
  A. Employer
  B. Program Manager
  C. Employees
III. Training
  A. Training Schedule
  B. Training Components
  C. Training and Duties of Program Manager
IV. Excavation Requirements
  A. Utilities and Pre-Work Site Inspection
  B. Surface Encumbrances
  C. Underground Installations
  D. Protection of the Public
  E. Protection of Employees
  F. Exposure to Vehicular Traffic
  G. Exposure to Falling Loads
  H. Warning System for Mobile Equipment
  I. Hazardous Atmospheres
  J. Personal Protective Equipment
  K. Walkways and Guardrails
  L. Protection from Water Accumulation Hazards
  M. Stability of Adjacent Structures
  N. Protection from Falling Objects and Loose Rocks or Soil
  O. Inspection by Program Manager
V. Protective System Requirements
  A. Protection of Employees
  B. Design of Sloping and Benching Systems
  C. Design of Support, Shield, and Other Protective Systems
  D. Materials and Equipment
  E. Installation and Removal of Supports
  F. Sloping and Benching Systems
  G. Shield Systems
VI. Accident Investigations
VII. Changes to Program
VIII. Glossary

173

Excavation Safety Program
for
Rumsey Site Construction

I. OBJECTIVE

This Excavation Safety Program has been developed to protect employees from safety hazards that may be encountered during work in trenches and excavations. This program is intended to assure that:

A. Employees who perform work in excavations are aware of their responsibilities and know how to perform the work safely.

B. ***Rumsey Site Construction*** has appointed one or more individuals within the company to assure compliance with the requirements of this program.

C. The responsibilities of ***Responsible Person(s)*** and workers are clearly detailed.

D. All persons involved in excavation and trenching work have received appropriate training in the safe work practices that must be followed when performing this type of work.

II. ASSIGNMENT OF RESPONSIBILITY

A. Employer

In administering the Excavation Safety Program, ***Rumsey Site Construction*** will:

1. Monitor the overall effectiveness of the program.
2. Provide atmospheric testing and equipment selection as needed.
3. Provide personal protective equipment as needed.
4. Provide protective systems as needed.
5. Provide training to affected employees and supervisors.
6. Provide technical assistance as needed.
7. Preview and update the program on at least an annual basis, or as needed.
8. Assign a ***Responsible Person*** who shall be a competent person (as defined in 29 CFR 1926.650(b) to oversee safety.

B. Program Manager

1. The procedures described in this program are followed.

2. Employees entering excavations or trenches are properly trained and equipped to perform their duties safely.

3. All required inspections, tests, and recordkeeping functions have been performed.

C. Employees

All employees, including contractor personnel, who work in or around excavations must

comply with the requirements of this program. Employees are responsible for reporting hazardous practices or situations to ***Rumsey Site Construction*** management, as well as reporting incidents that cause injury to themselves or other employees to the ***Responsible Person***.

III. TRAINING

A. Training Schedule

1. All personnel involved in trenching or excavation work shall be trained in the requirements of this program by the ***Responsible Person*** with assistance from the appropriate supervisors.

2. Training shall be performed before employees are assigned duties in excavations.

3. Retraining will be performed when work site inspections indicate that an employee does not have the necessary knowledge or skills to safely work in or around excavations, or when changes to this program are made.

4. Training records will be maintained by the ***Responsible Person***, and shall include:

   a. date of the training program;

   b. name(s) of the instructor(s) who conducted the training;

   c. a copy of the written material presented; and

   d. name(s) of the employee(s) who received the training.

B. Training Components

The training provided to all personnel who perform work in excavations shall include:

1. The work practices that must be followed during excavating or working in excavations.

2. The use of personal protective equipment that will typically be required during work in excavations, including but not limited to safety shoes, hardhats, and fall protection devices.

3. Procedures to be followed if a hazardous atmosphere exists or could reasonably be expected to develop during work in an excavation.

4. The OSHA Excavation Standard, 29 CFR 1926, Subpart P.

5. Emergency and non-entry rescue methods, and the procedure for calling rescue services.

6. ***Rumsey Site Construction*** policy on reporting incidents that cause injury to employees.

C. Training and Duties of Program Manager

175

The Program Manager, the ***Responsible Person***, shall receive the training detailed in this program as well as training on the requirements detailed in the OSHA Excavation Standard. The Program Manager shall:

1. Coordinate, actively participate in, and document the training of all employees affected by this program.

2. Ensure on a daily basis, or more often as detailed in this program, that worksite conditions are safe for employees to work in excavations.

3. Determine the means of protection that will be used for each excavation project.

4. Ensure, if required, that the design of a protective system has been completed and approved by a registered professional engineer before work begins in an excavation.

5. Make available a copy of this program and the OSHA Excavation Standard to any employee who requests it.

IV. EXCAVATION REQUIREMENTS

A. Utilities and Pre-Work Site Inspection

Prior to excavation, the site shall be thoroughly inspected by the ***Responsible Person*** to determine if special safety measures must be taken.

B. Surface Encumbrances

All equipment, materials, supplies, permanent installations (i.e., buildings or roadways), trees, brush, boulders, and other objects at the surface that could present a hazard to employees working in the excavation shall be removed or supported as necessary to protect employees.

C. Underground Installations

1. The location of sewer, telephone, fuel, electric, water, or any other underground installations or wires that may be encountered during excavation work shall be determined and marked prior to opening an excavation. Arrangements shall be made as necessary by Responsible Person with the appropriate utility entity for the protection, removal, shutdown, or relocation of underground installations.

2. If it is not possible to establish the exact location of these installations, the work may proceed with caution if detection equipment or other safe and acceptable means are used to locate the utility.

3. Excavation shall be done in a manner that does not endanger the underground installations or the employees engaged in the work. Utilities left in place shall be protected by barricades, shoring, suspension, or other means as necessary to protect employees.

D. Protection of the Public

Barricades, walkways, lighting, and posting shall be provided as necessary for the protection of the public prior to the start of excavation operations.

1. Guardrails, fences, or barricades shall be provided on excavations adjacent to walkways, driveways, and other pedestrian or vehicle thoroughfares. Warning lights or other illumination shall be maintained as necessary for the safety of the public and employees from sunset to sunrise.

2. Wells, holes, pits, shafts, and all similar hazardous excavations shall be effectively barricaded or covered and posted as necessary to prevent unauthorized access. All temporary excavations of this type shall be backfilled as soon as possible.

3. Walkways or bridges protected by standard guardrails shall be provided where employees and the general public are permitted to cross over excavations. Where workers in the excavation may pass under these walkways or bridges, a standard guardrail and toeboard shall be used to prevent the hazard of falling objects. Information on the requirements for guardrails and toeboards may be obtained by contacting the ***Responsible Person***.

E. Protection of Employees

Stairs, ladders, or ramps shall be provided at excavation sites where employees are required to enter trench excavations over five (5) feet deep. The maximum distance of lateral travel (along the length of the trench) necessary to reach the means of egress shall not exceed 25 feet.

1. Structural Ramps

a. Structural ramps used solely by employees as a means of access or egress from excavations shall be designed by a competent person. Structural ramps used for access or egress of equipment shall be designed by a person qualified in structural design, and shall be constructed in accordance with the design.

b. Ramps and runways constructed of two or more structural members shall have the structural members connected together to prevent movement or displacement.

c. Structural members used for ramps and runways shall be of uniform thickness.

d. Cleats or other appropriate means used to connect runway structural members shall be attached to the bottom of the runway or shall be attached in a manner to prevent tripping.

e. Structural ramps used in place of steps shall be provided with cleats or other surface treatments on the top surface to prevent slipping.

2. Ladders

a. When portable ladders are used, the ladder side rails shall extend a minimum of three (3) feet above the upper surface of the excavation,

177

b. Ladders shall have nonconductive side rails if work will be performed near exposed energized equipment or systems.

c. Two or more ladders, or a double-cleated ladder, will be provided where 25 or more employees will be conducting work in an excavation where ladders serve as the primary means of egress, or where ladders serve two-way traffic.

d. Ladders will be inspected prior to use for signs of damage or defects. Damaged ladders will be removed from service and marked with "Do Not Use" until repaired.

e. Ladders shall be used only on stable and level surfaces unless secured. Ladders placed in any location where they can be displaced by workplace activities or traffic shall be secured, or barricades shall be used to keep these activities away from the ladders.

f. Non self-supporting ladders shall be positioned so that the foot of the ladder is one-quarter of the working length away from the support.

g. Employees are not permitted to carry any object or load while on a ladder that could cause them to lose their balance and fall.

F. Exposure to Vehicular Traffic

Employees exposed to vehicular traffic shall be provided with, and shall wear warning vests or other suitable garments marked with or made of reflectorized or high-visibility material. Warning vests worn by flagmen shall be red or orange, and shall be reflectorized material if worn during night work. Emergency lighting, such as spotlights or portable lights, shall be provided as needed to perform work safely.

G. Exposure to Falling Loads

No employee is permitted underneath loads being handled by lifting or digging equipment. Employees are required to stand away from any vehicle being loaded or unloaded to avoid being struck by any spillage or falling materials. Operators may remain in the cabs of vehicles being loaded or unloaded when the vehicles provide adequate protection for the operator during loading and unloading operations.

H. Warning System for Mobile Equipment

A warning system shall be used when mobile equipment is operated adjacent to the edge of an excavation if the operator does not have a clear and direct view of the edge of the excavation. The warning system shall consist of barricades, hand or mechanical signals, or stop logs. If possible, the grade should be away from the excavation.

I. Hazardous Atmospheres

The ***Responsible Person*** will test the atmosphere in excavations over five (5) feet deep if a hazardous atmosphere exists or could reasonably be expected to exist. A hazardous atmosphere could be expected, for example, in excavations in landfill areas, areas where hazardous

substances are stored nearby, or near areas containing gas pipelines.

1. Adequate precautions shall be taken to prevent employee exposure to atmospheres containing less than 19.5 percent oxygen and other hazardous atmospheres. These precautions include providing proper respiratory protection or forced ventilation of the workspace.

2. Forced ventilation or other effective means shall be used to prevent employee exposure to an atmosphere containing a flammable gas in excess of ten (10) percent of the lower flammability limit of the gas.

3. When controls are used that are intended to reduce the level of atmospheric contaminants to acceptable levels, continuous air monitoring will be performed by the ***Responsible Person***. The device used for atmospheric monitoring shall be equipped with an audible and visual alarm.

4. Atmospheric testing will be performed using a properly calibrated direct reading gas monitor. Direct reading gas detector tubes or other acceptable means may also be used to test potentially toxic atmospheres.

5. Each atmospheric testing instrument shall be calibrated by the ***Responsible Person*** on a schedule and in the manner recommended by the manufacturer. In addition:

   a. Any atmospheric testing instrument that has not been used within 30 days shall be recalibrated prior to use.

   b. Each atmospheric testing instrument shall be calibrated at least every six (6) months.

6. Each atmospheric testing instrument will be field checked immediately prior to use to ensure that it is operating properly.

J. Personal Protective Equipment

1. All employees working in trenches or excavations shall wear approved hardhats and steel-toed shoes or boots.

2. Employees exposed to flying fragments, dust or other materials produced by drilling, sawing, sanding, grinding, and similar operations shall wear approved safety glasses with side shields.

3. Employees performing welding, cutting, or brazing operations, or are exposed to the hazards produced by these tasks, shall wear approved spectacles or a welding faceshield or helmet, as determined by the ***Responsible Person***.

4. Employees entering bell-bottom pier holes or other similar deep and confined footing excavations shall wear a harness with a lifeline securely attached to it. The lifeline shall be separate from any line used to handle materials and shall be individually attended at all times while the employee wearing the lifeline is in the excavation.

5. Employees shall wear, as determined by the ***Responsible Person***, approved gloves or other suitable hand protection.

6. Employees using or working in the immediate vicinity of hammer drills, masonry saws, jackhammers, or similar high-noise producing equipment shall wear suitable hearing protection, as determined by the ***Responsible Person***.

7. Each employee working at the edge of an excavation six (6) feet or more deep shall be protected from falling. Fall protection shall include guardrail systems, fences, barricades, covers, or a tie-back system meeting OSHA requirements, as determined by the ***Responsible Person***.

8. Emergency rescue equipment, such as breathing apparatus, a safety harness and line, and a basket stretcher, shall be readily available where hazardous atmospheric conditions exist or may develop during work in an excavation. This equipment shall be attended when in use. Only personnel who have received approved training and have appropriate equipment shall attempt retrieval that would require entry into a hazardous atmosphere. If entry into a known hazardous atmosphere must be performed, then the ***Responsible Person*** shall be given advance notice so that the hazards can be evaluated and rescue personnel placed on standby if necessary.

K. Walkways and Guardrails

Walkways shall be provided where employees or equipment are permitted to cross over excavations. Guardrails shall be provided where walkways, accessible only to on-site project personnel, are six (6) feet or more above lower levels.

L. Protection from Water Accumulation Hazards

1. Employees are not permitted to work in excavations that contain or are accumulating water unless precautions have been taken to protect them from the hazards posed by water accumulation. Precautions may include special support or shield systems to protect from cave-ins, water removal to control the level of accumulating water, or use of safety harnesses and lifelines.

2. If water is controlled or prevented from accumulating by the use of water removal equipment, the water removal equipment and operation shall be monitored by a person trained in the use of that equipment.

3. If excavation work interrupts the natural drainage of surface water (such as streams), diversion ditches, dikes, or other suitable means shall be used to prevent surface water from entering the excavation. Precautions shall also be taken to provide adequate drainage of the area adjacent to the excavation. Excavations subject to runoff from heavy rains shall be reinspected by the ***Responsible Person*** after each rain incident to determine if additional precautions, such as special support or shield systems to protect from cave-ins, water removal to control the level of accumulating water, or use of safety harnesses and lifelines, should be used.

4. The ***Responsible Person*** shall inform affected workers of the precautions or procedures that are to be followed if water accumulates or is accumulating in an excavation.

M. Stability of Adjacent Structures

The ***Responsible Person*** will determine if the excavation work could affect the stability of adjoining buildings, walls, sidewalks, or other structures.

1. Support systems (such as shoring, bracing, or underpinning) shall be used to assure the stability of structures and the protection of employees where excavation operations could affect the stability of adjoining buildings, walls, or other structures.

2. Excavation below the level of the base or footing of any foundation or retaining wall that could be reasonably expected to pose a hazard to employees shall not be permitted, except when:

a. a support system, such as underpinning, is provided to ensure the safety of employees and the stability of the structure;

b. the excavation is in stable rock;

c. a registered professional engineer has approved the determination that the structure is sufficiently removed from the excavation so as to be unaffected by the excavation activity; or

d. a registered professional engineer has approved the determination that such excavation work will not pose a hazard to employees.

3. Sidewalks, pavements, and appurtenant structures shall not be undermined unless a support system or other method of protection is provided to protect employees from the possible collapse of such structures.

4. Where review or approval of a support system by a registered professional engineer is required, the ***Responsible Person*** shall secure this review and approval in writing before the work begins.

N. Protection from Falling Objects and Loose Rocks or Soil

1. Adequate protection shall be provided to protect employees from loose rock or soil that could pose a hazard by falling or rolling from an excavation face. Such protection shall consist of:

a. scaling to remove loose material;

b. installation of protective barricades, such as wire mesh or timber, at appropriate intervals on the face of the slope to stop and contain falling material; or

c. benching sufficient to contain falling material.

2. Excavation personnel shall not be permitted to work above one another where the danger of falling rock or earth exists.

3. Employees shall be protected from excavated materials, equipment, or other materials that could pose a hazard by falling or rolling into excavations.

4. Protection shall be provided by keeping such materials or equipment at least two (2) feet from the edge of excavations, by use of restraining devices that are sufficient to prevent materials or equipment from falling or rolling into excavations, or by a combination of both if necessary.

5. Materials and equipment may, as determined by the ***Responsible Person***, need to be stored further than two (2) feet from the edge of the excavation if a hazardous loading condition is created on the face of the excavation.

6. Materials piled, grouped, or stacked near the edge of an excavation must be stable and self-supporting.

O. Inspection by Program Manager

1. The Program Manager, the ***Responsible Person***, shall conduct daily inspections of excavations, adjacent areas, and protective systems for evidence of a situation that could result in possible cave-ins, failure of protective systems, hazardous atmospheres, or other hazardous conditions. An inspection shall be conducted by the ***Responsible Person*** prior to the start of work and as needed throughout the shift. Inspections shall also be made after every rainstorm or other hazard-increasing occurrence. These inspections are only required when the trench will be or is occupied by employees.

2. Where the ***Responsible Person*** finds evidence of a situation that could result in a possible cave-in, failure of protective systems, hazardous atmosphere, or other hazardous conditions, exposed employees shall be removed from the hazardous area until precautions have been taken to assure their safety.

3. The ***Responsible Person*** shall maintain a written log of all inspections conducted. This log shall include the date, work site location, results of the inspection, and a summary of any action taken to correct existing hazards.

V. PROTECTIVE SYSTEM REQUIREMENTS

A. Protection of Employees

1. Employees in an excavation shall be protected from cave-ins by using either an adequate sloping and benching system or an adequate support or protective system. The only exceptions are:

a. excavations made entirely in stable rock; or

b. excavations less than five (5) feet in depth where examination of the ground by the ***Responsible Person*** provides no indication of a potential cave-in.

2. Protective systems shall be capable of resisting all loads that could reasonably be expected to be applied to the system.

B. Design of Sloping and Benching Systems

The slope and configuration of sloping and benching systems shall be selected and constructed by the ***Responsible Person*** in accordance with the following options:

1. Allowable configurations and slopes

a. Excavations shall be sloped at an angle no steeper than one and one-half (1 ½) horizontal to one (1) vertical (34 degrees measured from the horizontal), unless one of the options listed below is used.

b. Slopes shall be properly excavated depending on soil type as shown in 29 CFR 1926, Subpart P, Appendix B.

2. Determination of slopes and configurations using 29 CFR 1926, Subpart P, Appendices A and B

The maximum allowable slopes and allowable configurations for sloping and benching systems shall meet the requirements set forth in these appendices.

3. Designs using other tabulated data

The design of sloping or benching systems may be selected from, and shall be constructed in accordance with, other tabulated data, such as tables and charts. The tabulated data used must be in written form and include the following:

a. Identification of the factors that affect the selection of a sloping or benching system.

b. Identification of the limits of the use of the data, including the maximum height and angle of the slopes determined to be safe.

c. Other information needed by the user to make correct selection of a protective system.

d. At least one copy of the tabulated data that identifies the registered professional engineer who approved the data shall be maintained at the jobsite during construction of the protective system. After that time, the data may be stored off the jobsite, and shall be maintained by the ***Responsible Person***.

4. Design by a registered professional engineer

a. Sloping or benching systems designed in a manner other than those described

in the preceding three options shall be approved by a registered professional engineer.

b. Designs shall be in written form and shall include at least the following information:

i. the maximum height and angle of the slopes that were determined to be safe for a particular project; and

ii. the identity of the registered professional engineers who approved the design.

c. At least one copy of the design shall be maintained at the jobsite while the slope is being constructed. After that time, the design may be stored off the jobsite, and shall be maintained by the ***Responsible Person***.

C. Design of Support, Shield, and Other Protective Systems

The design of support systems, shield systems, and other protective systems shall be selected and constructed by the ***Responsible Person*** in accordance with the following requirements:

1. Designs using 29 CFR 1926, Subpart P, Appendices A, C and D

a. Timber shoring in trenches shall be designed in accordance with the requirements of the OSHA guidelines.

b. Aluminum hydraulic shoring shall be designed in accordance with the manufacturer's tabulated data or the requirements of the OSHA guidelines.

2. Designs using manufacturer's tabulated data

a. Support systems, shield systems, and other protective systems designed from manufacturer's tabulated data shall be constructed and used in accordance with all specifications, recommendations, and limitations issued or made by the manufacturer.

b. Deviation from the specifications, recommendations, and limitations issued or made by the manufacturer shall be allowed only after the manufacturer issues specific written approval.

c. Manufacturer's specifications, recommendations, and limitations, as well as the manufacturer's written approval to deviate from the specifications, recommendations, and limitations, shall be kept in written form at the jobsite during construction of the protective system(s). After that time, the information may be stored off the jobsite, and shall be maintained by the ***Responsible Person***.

3. Designs using other tabulated data

Designs of support systems, shield systems, and other protective systems shall be selected from and constructed in accordance with tabulated data, such as tables and charts.

a. The tabulated data shall be in written form and shall include all of the following:

i. identification of the factors that affect the selection of a protective system drawn from such data;

ii. identification of the limits of the use of such data; and

iii. information needed by the user to make a correct selection of a protective system from the data.

b. At least one written copy of the tabulated data, which identifies the registered professional engineer who approved the data, shall be maintained at the jobsite during construction of the protective system. After that time, the data may be stored off the jobsite, and shall be maintained by the ***Responsible Person***.

4. Design by a registered professional engineer

Support systems, shield systems, and other protective systems designed in a manner other than the preceding three options shall be approved by a registered professional engineer.

a. Designs shall be in written form and shall include:

i. a plan indicating the sizes, types, and configurations of the materials to be used in the protective system; and

ii. the identity of the registered professional engineer who approved the design.

b. At least one copy of the design shall be maintained at the jobsite during construction of the protective system. After that time, the design may be stored off the jobsite, and shall be maintained by the ***Responsible Person***.

D. Materials and Equipment

1. Materials and equipment used for protective systems shall be free from damage or defects that might affect their proper function.

2. Manufactured materials and equipment used for protective systems shall be used and maintained in accordance with the recommendations of the manufacturer, and in a manner that will prevent employee exposure to hazards.

3. When materials or equipment used for protective systems are damaged, the ***Responsible Person*** shall ensure that these systems are examined by a competent person

to evaluate suitability for continued use. If the competent person cannot assure that the material or equipment is able to support the intended loads or is otherwise suitable for safe use, then such material or equipment shall be removed from service. The material or equipment shall then be evaluated and approved by a registered professional engineer before being returned to service.

E. Installation and Removal of Supports

1. General

a. Members of support systems shall be securely connected together to prevent sliding, falling, kickouts, or other potential hazards.

b. Support systems shall be installed and removed in a manner that protects employees from cave-ins, structural collapses, or from being struck by members of the support systems.

c. Individual members of the support systems shall not be subjected to loads exceeding those that they were designed to support.

d. Before temporary removal of individual support members begins, additional precautions shall be taken as directed by the ***Responsible Person*** to ensure the safety of employees (i.e., the installation of other structural members to carry the loads imposed on the support system).

e. Removal of support systems shall begin at, and progress from, the bottom of the excavation. Members shall be released slowly. If there is any indication of possible failure of the remaining members of the structure or possible cave-in of the sides of the excavation, the work shall be halted until it can be examined by the ***Responsible Person***.

f. Backfilling shall progress in conjunction with the removal of support systems from excavations.

2. Additional Requirements

a. Excavation of material to a level no greater than two (2) feet below the bottom of the members of a support system is allowed, but only if the system is designed to resist the forces calculated for the full depth of the trench. There shall be no indications of a possible loss of soil from behind or below the bottom of the support system while the trench is open.

b. Installation of a support system shall be closely coordinated with the excavation of trenches.

F. Sloping and Benching System

Employees are not permitted to work above other employees in the faces of sloped or benched systems, except when employees at lower levels are protected from the hazards of falling,

rolling, or sliding material or equipment.

G. Shield Systems

1. General

a. Shield systems shall not be subjected to loads that are greater than those they are designed to withstand.

b. Shields shall be installed in a manner that will restrict lateral or other hazardous movement of the shield and could occur during cave-in or unexpected soil movement.

c. Employees shall be protected from the hazard of cave-ins when entering or exiting the areas protected by shields.

d. Employees are not permitted in trenches when shields are being installed, removed, or moved vertically.

2. Additional Requirements

a. Excavation of material to a level no greater than two (2) feet below the bottom of the shield system is allowed, but only if the system is designed to resist the forces calculated for the full depth of the trench.

b. There shall be no indications of a possible loss of soil from behind or below the bottom of the shield system while the trench is open.

VI. ACCIDENT INVESTIGATIONS

All incidents that result in injury to workers, as well as near misses, regardless of their nature, shall be reported and investigated. Investigations shall be conducted by the ***Responsible Person*** as soon after an incident as possible to identify the cause and means of prevention to eliminate the risk of reoccurrence.

In the event of such an incident, the Excavation Safety Program shall be reevaluated by the ***Responsible Person*** to determine if additional practices, procedures, or training are necessary to prevent similar future incidents.

VII. CHANGES TO PROGRAM

Any changes to the Excavation Safety Program shall be approved by the ***Responsible Person***, and shall be reviewed by a qualified person as the job progresses to determine additional practices, procedures, or training needs necessary to prevent injuries. Affected employees shall be notified of procedure changes, and trained if necessary. A copy of this program shall be maintained at the jobsite by the ***Responsible Person***.

VIII. GLOSSARY

Accepted engineering practices: the standards of practice required by a registered professional

engineer.

Aluminum hydraulic shoring: a manufactured shoring system consisting of aluminum hydraulic cylinders (crossbraces) used with vertical rails (uprights) or horizontal rails (wales). This system is designed to support the sidewalls of an excavation and prevent cave-ins.

Bell-bottom pier hole: a type of shaft or footing excavation, the bottom of which is made larger than the cross section above to form a bell shape.

Benching system: a method of protecting employees from cave-ins by excavating the sides of an excavation to form one or more horizontal steps, usually with vertical or near-vertical surfaces between levels.

Cave-in: the movement of soil or rock into an excavation, or the loss of soil from under a trench shield or support system, in amounts large enough to trap, bury, or injure and immobilize a person.

Competent person: a person who has been trained to identify hazards in the workplace, or working conditions that are unsafe for employees, and who has the authority to have these hazards corrected.

Cross braces: the horizontal members of a shoring system installed from side to side of the excavation. The cross braces bear against either uprights or wales.

Excavation: any man-made cut, cavity, trench, or depression in an earth surface formed by earth removal.

Faces or sides: the vertical or inclined earth surfaces formed as a result of excavation work.

Failure: the movement or damage of a structural member or connection that makes it unable to support loads.

Hazardous atmosphere: an atmosphere that is explosive, flammable, poisonous, corrosive, oxidizing, irritating, oxygen deficient, toxic, or otherwise harmful, that may cause death, illness, or injury.

Kickout: the accidental movement or failure of a cross brace.

Program Manager: the individual within the company who oversees excavation work and is responsible for assuring compliance with this program.

Protective system: a method of protecting employees from cave-ins, from material that could fall or roll from an excavation face into an excavation, or from the collapse of adjacent structures. Protective systems include support systems, sloping and benching systems, shield systems, and other systems that provide the necessary protection.

Ramp: an inclined walking or working surface that is used to gain access to one point from another. A ramp may be constructed from earth or from structural materials such as steel or wood.

Sheeting: the members of a shoring system that retain the earth in position and in turn are supported by other members of the shoring system.

Shield system: a structure used in an excavation to withstand cave-ins and which will protect employees working within the shield system. Shields can be permanent structures or portable units moved along as work progresses. Shields used in trenches are usually referred to as **trench boxes** or **trench shields**.

Shoring system: a structure that is built or put in place to support the sides of an excavation to prevent cave-ins.

Sides: see **faces**.

Sloping system: sloping the sides of an excavation away from the excavation to protect employees from cave-ins. The required slope will vary with soil type, weather, and surface or near surface loads that may affect the soil in the area of the trench (such as adjacent buildings, vehicles near the edge of the trench, etc.).

Soil – Type "A": Cohesive soils with an unconfined, compressive strength of 1.5 ton per square foot (tsf) (144 kPa) or greater. Examples of cohesive soils are: clay, silty clay, sandy clay, clay loam and, in some cases, silty clay loam and sandy clay loam. Cemented soils such as caliche and hardpan are also considered Type A. However, no soil is Type A if:

i. The soil is fissured; or
ii. The soil is subject to vibration from heavy traffic, pile driving, or similar effects; or
iii. The soil has been previously disturbed; or
iv. The soil is part of a sloped, layered system where the layers dip into the excavation on a slope of four horizontal to one vertical (4H:1V) or greater; or
v. The material is subject to other factors that would require it to be classified as a less stable material.

Soil – Type "B":

i. Cohesive soil with an unconfined compressive strength greater than 0.5 tsf (48 kPa) but less than 1.5 tsf (144 kPa); or
ii. Granular cohesionless soils including: angular gravel (similar to crushed rock), silt, silt loam, sandy loam and, in some cases, silty clay loam and sandy clay loam.
iii. Previously disturbed soils except those which would otherwise be classed as Type C soil.
iv. Soil that meets the unconfined compressive strength or cementation requirements for Type A, but is fissured or subject to vibration; or
v. Dry rock that is not stable; or
vi. Material that is part of a sloped, layered system where the layers dip into the excavation on a slope less steep than four horizontal to one vertical (4H:1V), but only if the material would otherwise be classified as Type B.

Soil – Type "C":

i. Cohesive soil with an unconfined compressive strength of 0.5 tsf (48 kPa) or less; or
ii. Granular soils including gravel, sand, and loamy sand; or
iii. Submerged soil or soil from which water is freely seeping; or

iv. Submerged rock that is not stable, or
v. Material in a sloped, layered system where the layers dip into the excavation or a slope of four horizontal to one vertical (4H:1V) or steeper.

Stable rock: natural solid mineral material that can be excavated with vertical sides that will remain intact while exposed.

Structural ramp: a ramp built of steel or wood, usually used for vehicle access. Ramps made of soil or rock are not considered structural ramps.

Support system: a structure used as underpinning, bracing or shoring, which provides support to an adjacent structure, underground installation, or the sides of an excavation.

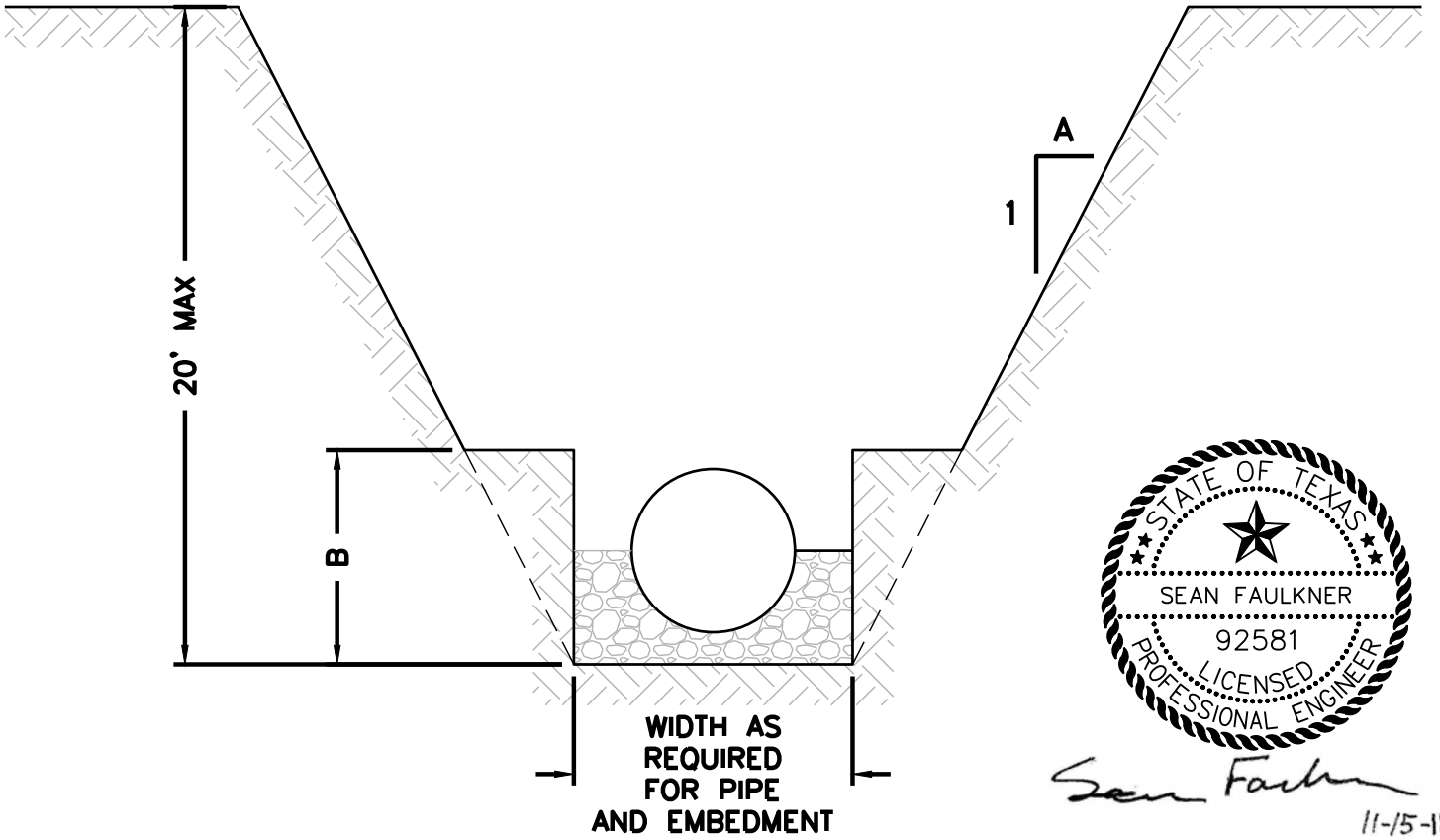
Tabulated data: tables and charts approved by a registered professional engineer and used to design and construct a protective system.

Trench: a narrow excavation (in relation to its height) made below the surface of the ground.

Trench box or trench shield: see **shield**.

Uprights: the vertical members of a trench shoring system placed in contact with the earth and usually positioned so the individual members do not contact each other. Uprights placed so that individual members are closely spaced, in contact with or interconnected to each other, are often called **sheeting**.

Wales: horizontal members of a shoring system placed in the direction of the excavation face whose sides bear against the vertical members of the shoring system or earth (the uprights or sheeting**).**



STATE OF TEXAS
SEAN FAULKNER
92581
LICENSED
PROFESSIONAL ENGINEER

11-15-18

SOIL TYPE	A	B
'A'	3/4	4' MAX
'B'	1	4' MAX
'C'	1-1/2	0' (NO BENCH)

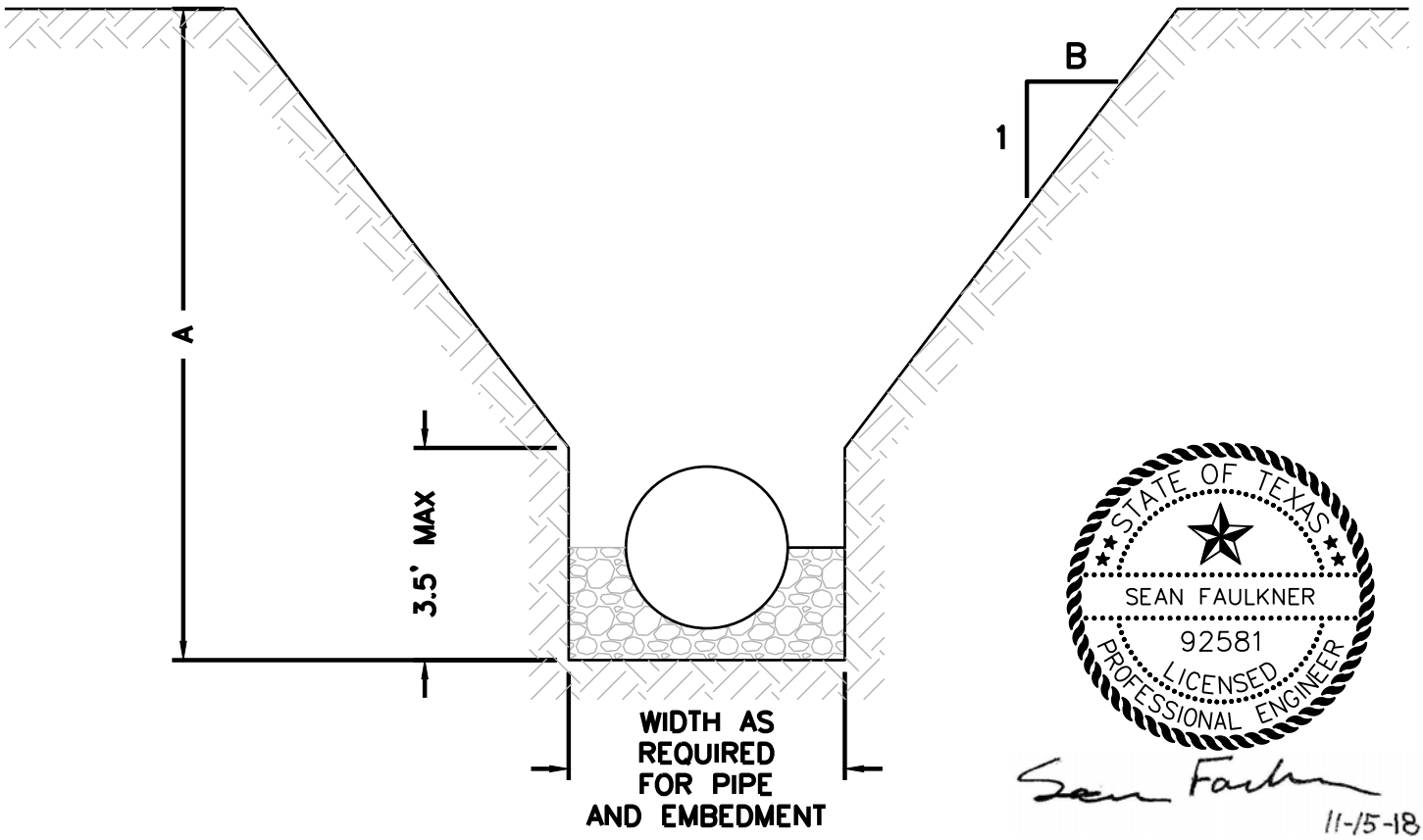
□□A□□P□A□□

□□□□□A□□□□XA□

TRILLIANT ENGINEERING
2713 BISSONET DRIVE
DENTON, TEXAS 76210
469-951-7417
TBPE FIRM REGISTRATION NO. 12380

□□MP□□ □□□□□ D□□A□□

SCALE:	DATE:	SHEET
NA	11/15/2018	1 OF 4



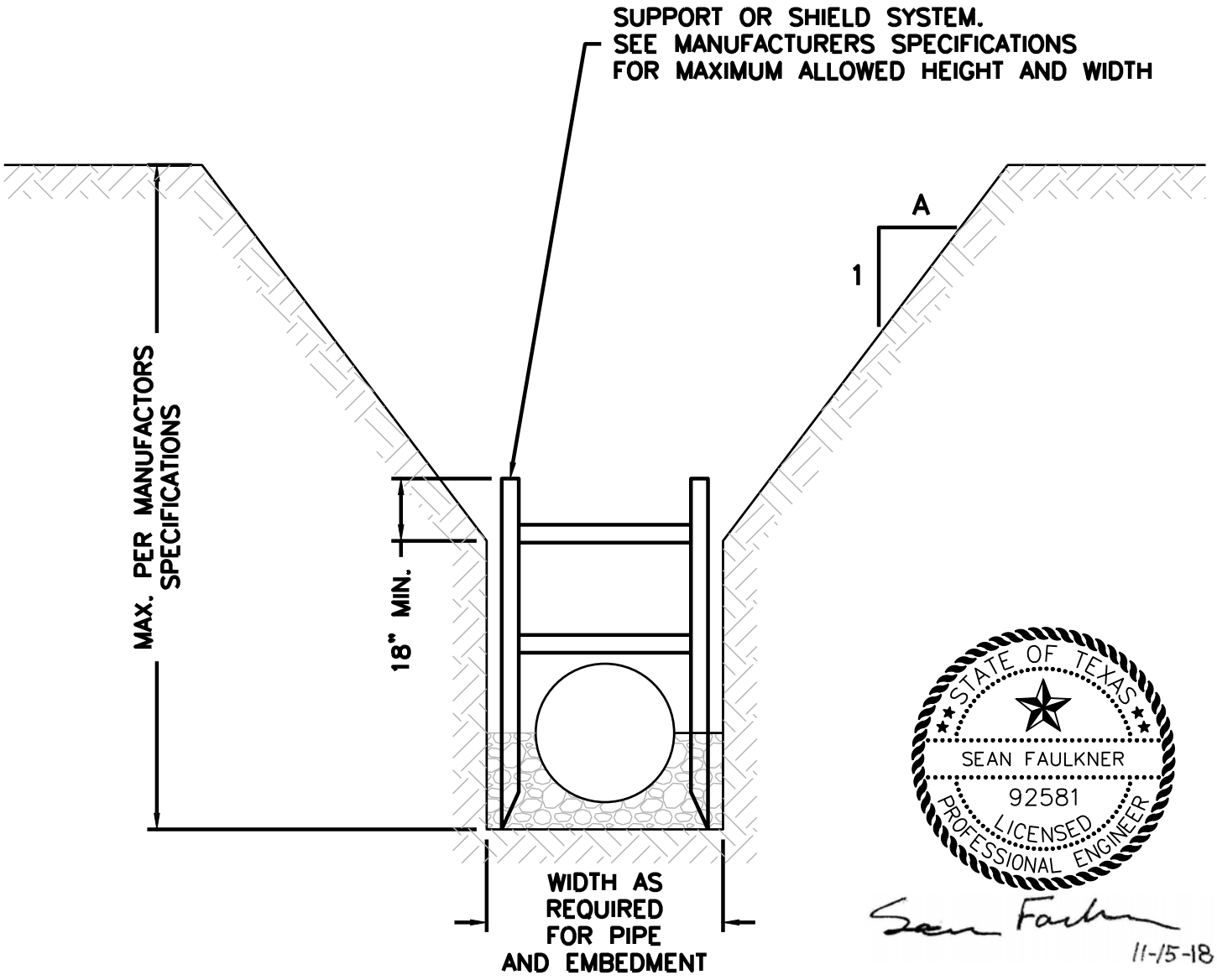
STATE OF TEXAS
SEAN FAULKNER
92581
LICENSED
PROFESSIONAL ENGINEER

11-15-18

SOIL TYPE	A	B
'A'	12'	1
'B'	NOT PERMITTED	
'C'	NOT PERMITTED	

TRILLIANT ENGINEERING
2713 BISSONET DRIVE
DENTON, TEXAS 76210
469-951-7417
TBPE FIRM REGISTRATION NO. 12380

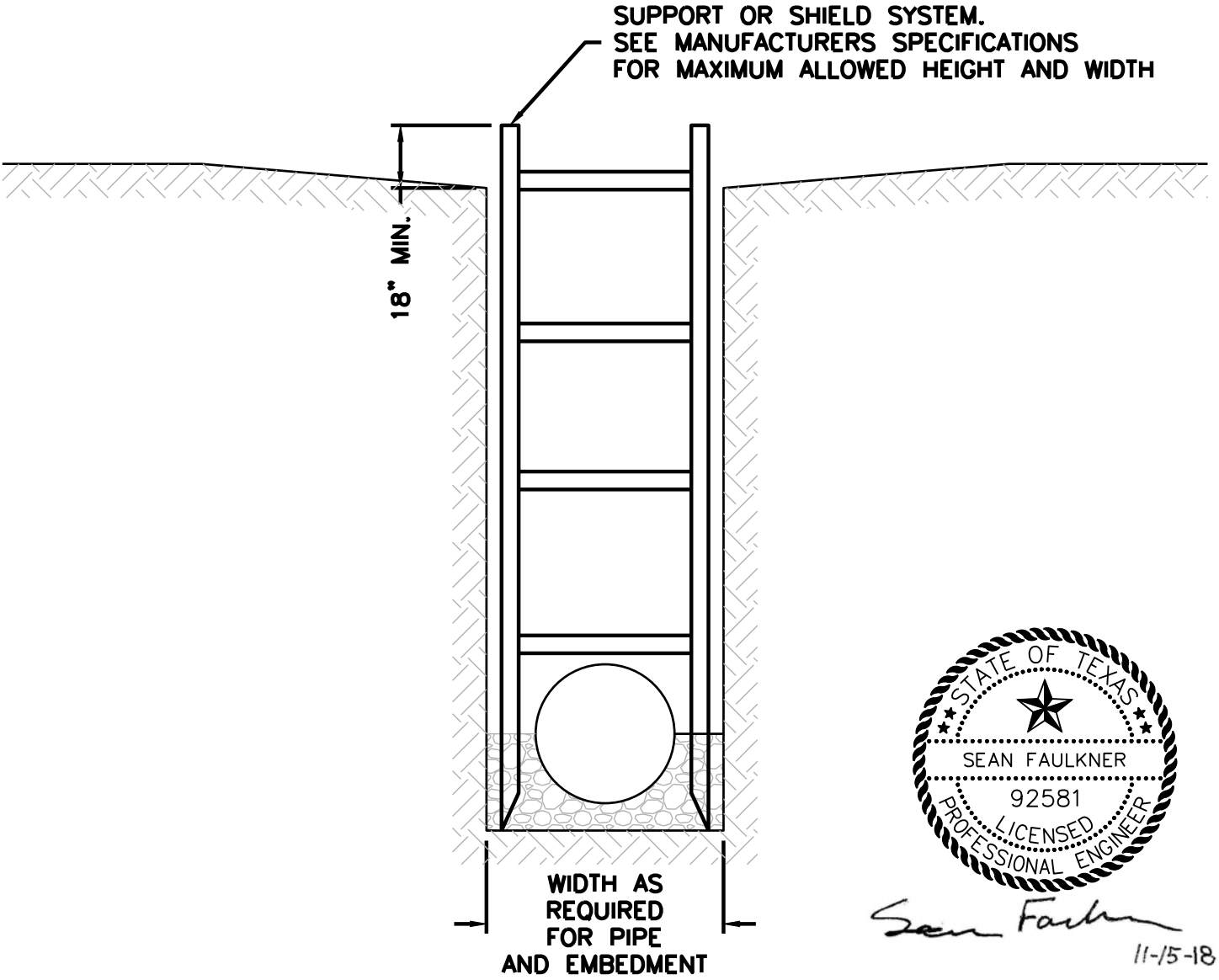
SCALE: NA | DATE: 11/15/2018 | SHEET 2 OF 4



STATE OF TEXAS
SEAN FAULKNER
92581
LICENSED PROFESSIONAL ENGINEER

11-15-18

SOIL TYPE	A
'A'	3/4
'B'	1
'C'	1-1/2



11-15-18

□□A□□P□A□□

□□□□□A□□□□XA□

TRILLIANT ENGINEERING
2713 BISSONET DRIVE
DENTON, TEXAS 76210
469-951-7417
TBPE FIRM REGISTRATION NO. 12380

□□PP□□□□D □□ □□□□D□D
□□□□□□A□□□

SCALE:	DATE:	SHEET
NA	11/15/2018	4 OF 4

Hyatt Place

	Station Range			Depth	Trench Type
Storm Sewer					
SD-1	0+00.	to	3+00.	30	D
	3+00.	to	3+64.84	12	A, B, C, or D
LAT SD-1C	0+00.	to	2+91.95	14	A, C, or D
SD-4	0+00.	to	0+68.84	10	A, B, C, or D
LAT SD-1B	0+00.	to	0+39.63	20	A, C, or D
SD-3	0+00.	to	0+66.69	25	D
SD-3A	0+00.	to	1+19.63	10	A, B, C, or D
SD-3B	0+00.	to	0+30.	9	A, B, C, or D
SD-2	0+00.	to	1+92.45	17	A, C, or D
Sanitary Sewer					
S-1	0+00.	to	4+46.38	27	D
S-2	0+00.	to	2+08.82	12	A, B, C, or D

Water	Station Range	Depth	Trench Type
All		4-12	A, B, C, or D

Trench Types

A Simple Bench
B Unsupported Vertically Sided Lower Portion
C Supported or Shielded Vertically Sided Lower Portion
D Supported or Shielded Vertically

195

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196

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	February 19, 2019
SUBJECT:	Z2019-001; *Amendment to Article IV, Permissible Uses, of the UDC to amend Guest Quarters/Secondary Living Units and to add Barns or Agricultural Accessory Buildings to the Land Use Charts and Land Use Standards*

On January 7, 2019, the City Council directed staff to amend the *Land Use Standards* contained in Article IV, *Permissible Uses*, of the UDC to allow *guest quarters/secondary living units* not meeting the requirements stated in the *Land Use Standards* the ability to request a Specific Use Permit (SUP). In addition, the City Council also directed staff to create a land use for *Barns or Agricultural Accessory Buildings*. This direction came in response to a request by Dewayne Cain to amend the code to allow an ~4,950 SF, metal barn that would contain a storage area for eight (8) vehicles and a *guest quarters/secondary living facility* (*i.e. the facility includes all components of a residential living unit [e.g. kitchen, bathroom, etc.]*) on a property zoned Agricultural (AG) District.

Currently, the UDC does allow *guest quarters/secondary living units* in an Agricultural (AG) District pending they are [*1*] accessory uses to the primary use (*i.e. single family home*), [*2*] not to exceed 30% of the area of the main structure, and [*3*] that they cannot be sold or conveyed separately without meeting the requirements of the zoning district and subdivision ordinance; however, the code does not address *guest quarters/secondary living units* that do not meet these standards. In other residential zoning districts (*i.e. SF-8.4, SF-7, ZL-5 and 2F*) this use is only allowed through a Specific Use Permit (SUP), which gives the City Council the discretion to grant these even if they do not meet the requirements. Based on the City Council's direction staff proposes to change the code as follows (with the *highlighted, italics* areas indicating the changes):

Residential and Lodging

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
A	A	A	A	A	S	S	S	S	P	Guest Quarters/Secondary Living Unit +								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

Guest quarters/secondary living unit.

(1) Guest quarters or secondary living unit*s* may be allowed on a property in a residential ~~*or commercial*~~ zoning district provided that it is ancillary *to a single family home* ~~*the primary use and that only one such facility is provided*~~.

(2) The area of such quarters shall not exceed 30 percent of the area of the main structure.

(3) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.

(4) Guest quarters or secondary living units not meeting the requirements stated above shall require a Specific Use Permit (SUP).

These changes would allow *guest quarters/secondary living units* not meeting the requirements the ability to request a Specific Use Permit (SUP) in the AG, SF-E, SF-1, SF-16, SF-10, and MF districts.

The purpose of creating a *Barns or Agricultural Accessory Buildings* land use came about due to the fact that the current code does not allow accessory buildings in an Agricultural (AG) District. According to Article IV, *Permissible Uses*, of the UDC:

Residential and Lodging

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
	P	P	P	P	P	P	P	P	P	Accessory Building +		P	P	P	P	P	P	P

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

The purpose of this is to incentivize smaller properties (*i.e. properties less than ten [10] acres in size and considered to be legally non-conforming*) to zone in accordance with the Future Land Use Plan, bringing them into conformance with the UDC. Without this requirement, it would be difficult for the City to incentivize smaller properties to change their zoning, which could have the effect of leaving small spots of Agricultural (AG) District zoning on non-conforming lots throughout the City. To address this, the City Council has directed staff to establish a new land use (*e.g. barn/agricultural accessory building*), which would allow larger buildings in the Agricultural (AG) District. Based on this direction the new land use would be created as follows (with the ***highlighted, italics*** areas indicating the changes):

Rural and Animal Related

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
S										*Barn or Agricultural Accessory Building+*								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

Barn or Agricultural Accessory Building. A *Barn or Agricultural Accessory Building* is a building that is located on a property that is a minimum of ten (10) acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.

(1) A *Barn or Agricultural Accessory Building* is a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
(2) A *Barn or Agricultural Accessory Building* is exempt from the masonry requirements stipulated by Section 7.01, *Residential District Development Standards*.
(3) The *Barn or Agricultural Accessory Building* shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

At the meeting on January 7, 2019, the City Council did have a discussion concerning allowing these structures *by-right* as opposed to by Specific Use Permit (SUP); however, staff is obligated to mention that allowing these structures by-right would directly conflict with the City Council's recent action concerning *Case No. Z2018-053*. This case involved a structure that was constructed illegally without a building permit. The structure itself incorporated two (2) logistics containers, connected by wood siding, and covered by a metal roof. This case was ultimately denied by the City Council; however, should the ordinance be passed allowing *Barn or Agricultural Accessory Buildings* by-right, the structure would meet all the criteria and would be permitted to remain on the property after applying for a building

permit. With this being said, any changes to the code are discretionary to the City Council pending a recommendation by the Planning and Zoning Commission.

In accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff brought the proposed text amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. On February 12, 2019, the Planning and Zoning Commission approved a motion to recommend approval of the proposed changes -- *with Barn or Agricultural Accessory Buildings being allowed through a Specific Use Permit (SUP) in the Agricultural (AG)* District -- by a vote of 7-0. Attached to this case memo is a draft ordinance outlining the proposed changes. Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of the UDC. Should the City Council have any questions or further direction concerning this text amendment, staff will be available at the meeting on *February 19, 2019* to discuss.

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV, *PERMISSIBLE USES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*]; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That Article IV, *Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance.

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

SECTION 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF MARCH, 2019.

_____

Jim Pruitt, *Mayor*

DRAFT ORDINANCE 02-19-2019

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *February 18, 2019*

2nd Reading: *March 4, 2019*

DRAFT
ORDINANCE
02.19.2019

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~

SECTION 1: LAND USE SCHEDULE

Section 1.1: Use of Land and Buildings

Residential and Lodging

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
A	A	A	A	A	S	S	S	S	P	Guest Quarters/Secondary Living Unit +								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

Rural and Animal Related

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
S										*Barn or Agricultural Accessory Building+*								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

SECTION 2: USE STANDARDS

Section 2.1.1: Rural and Animal Related

Barn or Agricultural Accessory Building. A *Barn or Agricultural Accessory Building* is a building that is located on a property that is a minimum of ten (10) acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.

(1) A *Barn or Agricultural Accessory Building* is a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
(2) A *Barn or Agricultural Accessory Building* is exempt from the masonry requirements stipulated by Section 7.01, *Residential District Development Standards*.
(3) The Barn or Agricultural Accessory Building shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

Section 2.1.2: Residential and Lodging Use Conditions

Guest quarters/secondary living unit.

(1) Guest quarters or secondary living units may be allowed on a property in a residential ~~*or commercial*~~ zoning district provided that it is ancillary *to a single family home* ~~*the primary use and that only one such facility is provided*~~.
(2) The area of such quarters shall not exceed 30 percent of the area of the main structure.
(3) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.
(4) Guest quarters or secondary living units not meeting the requirements stated above shall require a Specific Use Permit (SUP).

DRAFT ORDINANCE 02.19.19

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203

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	February 19, 2019
SUBJECT:	Z2018-056; *Zoning Change for Friendship Baptist Church (AG to LI)*

On February 4, 2019, the City Council voted to approve the applicant's request for a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District by a vote of 6-1, with Council Member Hohenshelt dissenting. This will be the second reading of the ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 19-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT ON A 6.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-4 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Tom Jones on behalf of Susan Thomas of Rockwall Friendship Baptist Church for a change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District on a 6.03-acre tract of land identified as Tract 2-4 of the D. Harr Survey, Abstract No. 103, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and more fully depicted in *Exhibit 'A'* and described in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Light Industrial (LI) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated in Section 1.1*, Use of Land and Buildings,* of Article IV*, Permissible Uses* and Subsection 5.02*, Light Industrial (LI) District,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 19TH DAY OF FEBRUARY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: February 4, 2019

2nd Reading: February 19, 2019

Exhibit 'A'
Zoning Exhibit

Legal Description: *Tract 2-4 of the D. Harr Survey, Abstract No. 102*

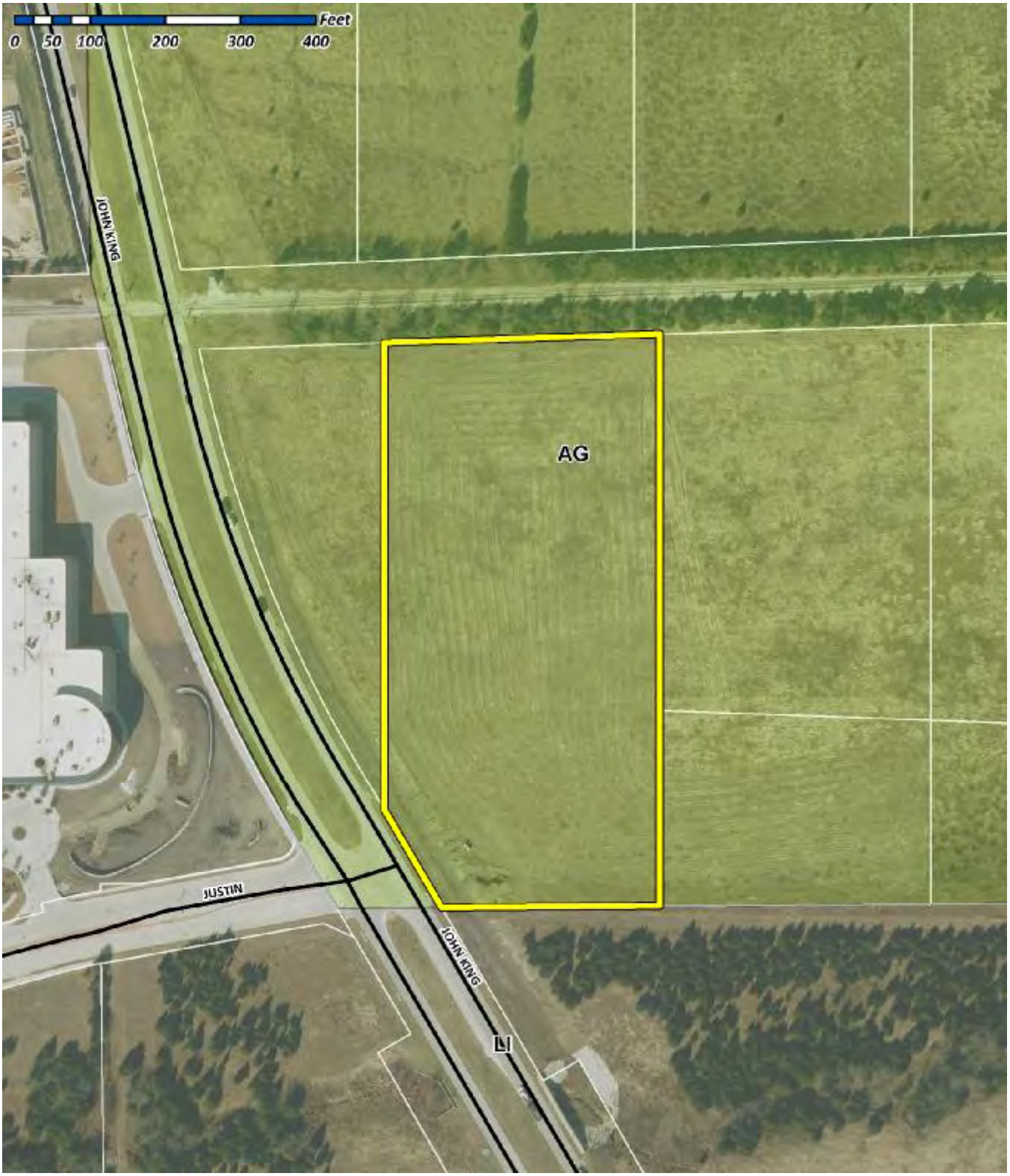


Exhibit 'B'
Legal Description

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 120, City of Rockwall, Rockwall County, Texas, and being a part of a 50 acres tract of land as described in a Warrantydeed to F.B. Athey, as recorded in Volume 42, Page 91 of the Deed Records of Rockwall County, Texas, and being a part of Tract B2 as described in a Deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the south right-of-way line of M.K. & T. Railroad, said point being at the northwest corner of Tract B2, said point being N. 89 deg. 23 min. 21 sec. E, a distance of 360.54 feet from the intersection of the west boundary of said 50 acres and said railroad right-of-way;

THENCE N. 89 deg. 23 min. 21 sec. E. along said right-of-way line, a distance of 365.97 feet to a 1/2" iron rod found for corner;

THENCE S. 00 deg. 56 min. 05 sec. W. a distance of 732.64 feet to a 1/2" iron rod found for corner;

THENCE N. 89 deg. 08 min. 42 sec. W. a distance of 301.94 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the northeast right-of-way line of John King Boulevard, per Volume 5659, Page 39 of the Official Public Records of Rockwall County, Texas;

THENCE N. 29 deg. 20 min. 00 sec. W. along said right-of-way line, a distance of 126.54 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 00 deg. 55 min. 26 sec. E. a distance of 613.93 feet to the POINT OF BEGINNING and containing 262,780 square feet or 6.03 acres of land.

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209

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

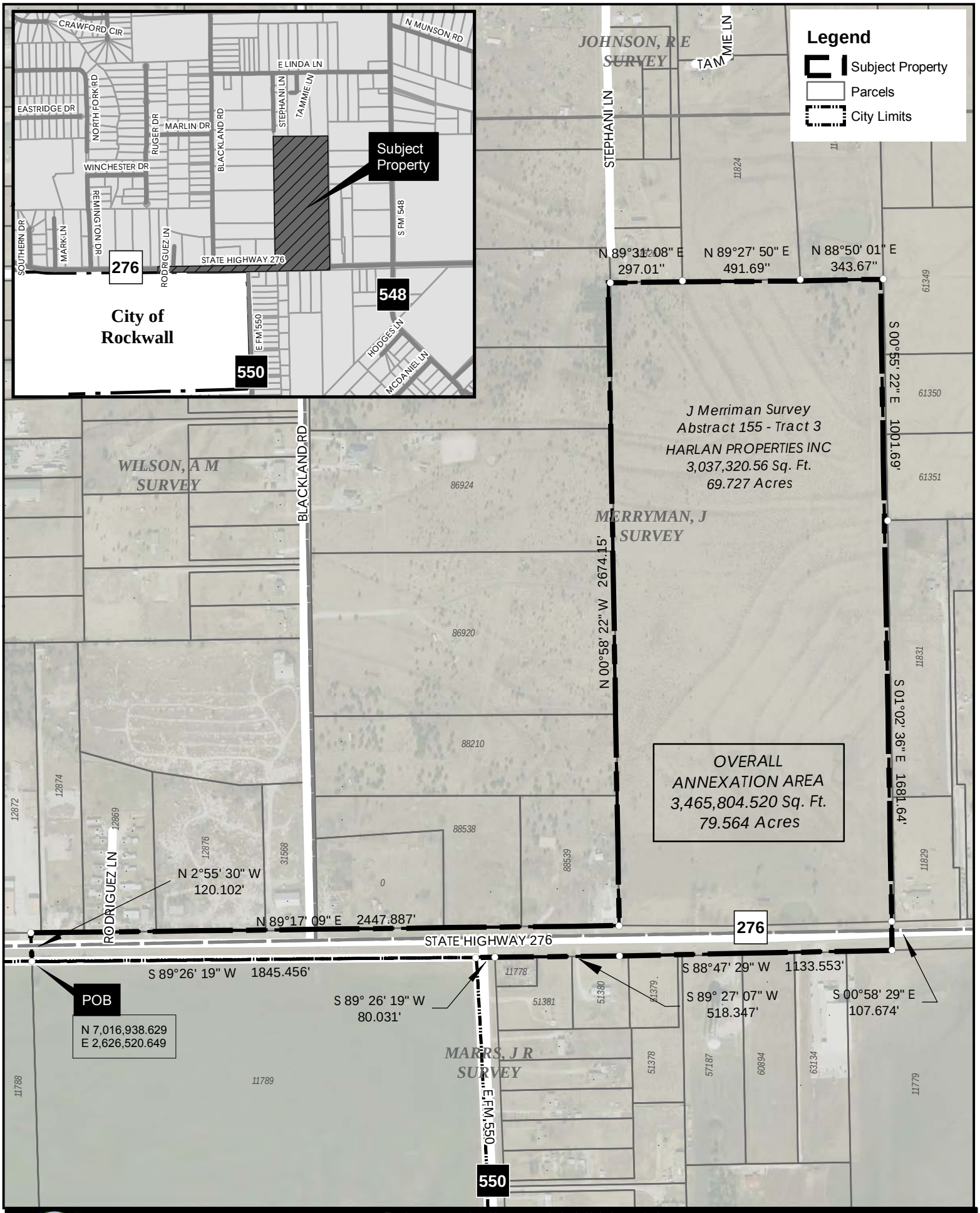
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, City Manager Mary Smith, Assistant City Manager Joey Boyd, Assistant City Manager
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	February 19, 2019
SUBJECT:	A2018-005.; *Harlan Properties, Inc.*

On February 19, 2019, the City Council will be considering the first reading of an annexation ordinance proposing the voluntary annexation of 69.679-acres of land located north and northeast of the intersection of FM-550 and SH-276 and located within the City's Extraterritorial Jurisdiction (ETJ). Suresh Shridharani on behalf of Harlan Properties, Inc. is requesting the annexation for the purpose of incorporating the property into the City of Rockwall to develop a residential subdivision. Staff should note, that since the property is not contiguous to the City's corporate limits, an additional 9.885-acres of SH-276 right-of-way will also need to be annexed along with the subject property. This is depicted in the attached *Annexation Map/Property Boundary* exhibit.

The City Council conducted the required hearings (*i.e. first and second*) on January 22 2019, and staff has followed the procedures for annexations as set forth in Chapter 43, *Municipal Annexations*, of the Texas Local Government Code (TLGC) with regard to notifying affected property owners and publishing notices in the newspaper and on the City's website. Attached to this memorandum is a location map, service plan, and draft ordinance for the proposed annexation. The service plan has been made available to the public at City Hall.

The first reading of the annexation ordinance is scheduled for *February 19, 2019*, and the second (*and final*) reading of the ordinance is scheduled for *March 4, 2019*.



City of Rockwall

N

Date: 11/7/2018

0 100 200 300 Feet

CITY OF ROCKWALL GIS

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

STATE HWY 276 EAST ANNEXATION

79.564 Acres

LEGAL DESCRIPTION

BEING an approximate 79.564 acre tract of land situated in the J. Merriman Survey, Abstract 155, A.M. Wilson Survey, Abstract 223, and J.R. Marr's Survey, Abstract 152 as recorded in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point in the Northwestern corner of Abstract J.R. Marr's Survey, Tract 10-1 (105.925 acres) and the South Right of Way line of State Highway 276, (NAD83- State Plane Coordinates, North Central Texas Zone 4202, N 7,016,938.629, E 2,626,520.649), said point being the **POINT OF BEGINNING**;

THENCE N.02°55'30"W., crossing State Highway 276, a distance of 120.102 feet for a corner;

THENCE N.89°17'09"E., along the North Right of Way line of State Highway 276, a distance of 2447.887 feet for a corner;

THENCE N.00°58'22"W., along the West property line of Abstract 155, Tract 3 (a 69.727 acre tract) a distance of 2674.15 feet for a corner;

THENCE N.89°31'08"E., along the North property line of said tract, a distance of 297.01 feet for a point;

THENCE N.89°27'50"E., along the North property line, a distance of 491.69 feet for a point;

THENCE N.88°50'01"E., along the North property line, a distance of 343.67 feet for a corner;

THENCE S.00°55'22"E., along the East property line, a distance of 1001.69 feet for a point;

THENCE S.01°02'36"E., along the East property line, a distance of 1681.64 feet for a point;

THENCE S.00°58'29"E., crossing State Highway 276, a distance of 107.674 feet for a corner;

THENCE S.88°47'29"W., along the South Right of Way line of State Highway 276, a distance of 1133.553 feet for a corner;

THENCE S.89°27'07"W., along said Right of Way line, a distance of 518.347 feet for a corner;

THENCE S.89°26'19"W., crossing Farm to Market 550, a distance of 80.031 feet for a corner;

THENCE S.89°26'19"W., continuing along the South Right of Way line of State Highway 276, a distance of 1845.456 feet to the **POINT OF BEGINNING**. Containing 3,465,804.520 square feet or 79.564 acres, more or less.

This description is intended to follow any adjacent recorded tract lines and existing City Limits or Road Right of Way lines.

END OF DESCRIPTION.

212

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 79.564-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. MERRIMAN SURVEY, ABSTRACT NO. 155, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Public Hearings were held before the governing body of the City of Rockwall, Texas, where all interested persons were provided with an opportunity to be heard, on January 22 2019, at 6:00 p.m. and on January 22 2019, at 6:30 p.m. at *City Hall, 385 S. Goliad*, Rockwall, Rockwall County, Texas, with said dates being not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings, on the proposed annexation of the following described territories;

BEING, a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155 in the County of Rockwall, Texas and generally located contiguous to the existing city limits line north and northeast of the intersection of FM-550 and SH-276, depicted and described in *Exhibit 'A'* of this ordinance:

WHEREAS, notice of such public hearings were published in a newspaper having general circulation in the City of Rockwall, Rockwall County, Texas and in the territory described herein on November 16, 2018 and posted on the City of Rockwall's website on January 4 2019 said dates being not more than twenty (20) days nor less than ten (10) days prior to the dates of such public hearings; and

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

WHEREAS, the territory above contains 76.564-acres;

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

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

SECTION 2. The land and territory more specifically depicted in *Exhibit 'A'* and incorporated by reference as the *Subject Property*, and containing 79.564-acres which is adjacent to and adjoining the present boundaries of the City of Rockwall, Rockwall County, Texas, is hereby added and annexed to the City of Rockwall, Rockwall County, Texas and said territory as described herein shall hereafter be included within the boundary limits of the City of Rockwall, Rockwall County, Texas and the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City.

DRAFT ORDINANCE 03.04.19

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF MARCH, 2019.

_____

Jim Pruitt, *Mayor*

ATTEST:

_____

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *February 18, 2019*

2nd Reading: *March 4, 2019*

DRAFT ORDINANCE 03.04.2019

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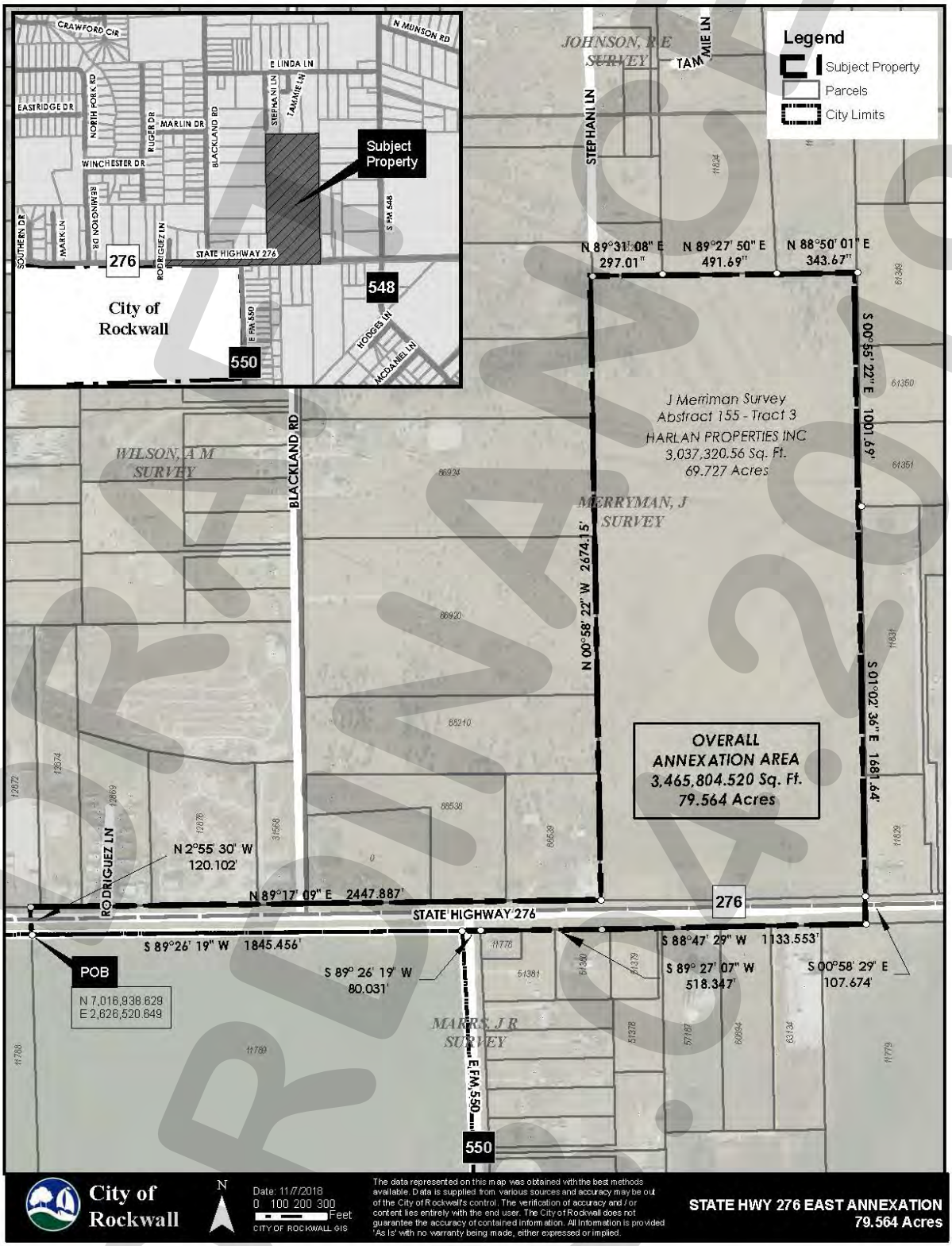
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END OF DESCRIPTION.

DRAFT ORDINANCE 03.04.2019



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216

SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2018-005
City and County of Rockwall, Texas

Acreage Annexed: 79.564-acres

Survey Abstract and County: Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: March 4, 2019

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

(A) Police Services

(1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.

(2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) Fire Services

(1) Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.

(2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) Health and Code Compliance Services

(1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*

(2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

DRAFT ORDINANCE 03-04-19

(3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

(4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

(5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

(1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.

(2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) Solid Waste Collection

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

(G) Streets

(1) The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.

DRAFT ORD 08-04-19

(2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.

(3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

(H) Water Services

(1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.

(2) Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.

(3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) Sanitary Sewer Services

(1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.

(2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

(4) Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are

DRAFT ORDINANCE 09.04.19

219

determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

(J) Public Utilities

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

(K) Miscellaneous

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

DRAFT ORDINANCE 03.04.2019

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221

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

FROM: **Kenneth Cullins, Fire Chief**

DATE: **February 13, 2019**

SUBJECT: **S.A.F.E.R. Grant Application**

The FY2018 Staffing for Adequate Fire and Emergency Response (SAFER) Grant application period runs from February 15, 2019 to March 22, 2019. The SAFER Grant Program, in part, is designed to provide funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards. The grant is a three year program. In the first and second years it pays for 75% of the usual annual cost of a first-year firefighter. In the third year it covers 35% of the usual annual cost of a first-year firefighter. The city picks up the entire cost of the member after the third year.

The current strategic plan for the Rockwall Fire Department includes consideration for increasing on-duty staffing levels. Specifically, the plan considers increasing staffing by 3 personnel each of the next four years. For council's consideration is the direction to staff to apply for a FY 2018 SAFER grant in order to offset the cost of hiring additional personnel.

222

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223

Table of Contents

Agenda . . . 3

Shriners Hospitals for Children "Flip it Forward for Kids" Day

Proclamation . . . 6

Blank Page . . . 7

Consider approval of the minutes from the February 19, 2019 regular city council meeting, and take any action necessary.

Minutes . . . 8

Blank Page . . . 15

Z2019-001 - Consider approval of an ordinance for a text amendment to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary Living Unit land use, and take any action necessary (2nd Reading).

Ord . . . 16

Blank Page . . . 19

A2018-005 - Consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of an ordinance for the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary (2nd Reading)

Ord. . . . 20

Blank Page . . . 28

Consider authorizing staff to execute an amended "First Responder Organization (FRO) Agreement" with Medic Rescue ("Rockwall County EMS") on behalf of the city and the Rockwall Fire Department, and take any action necessary.

Memo . . . 29

FRO Agreement . . . 30

Blank Page . . . 35

Authorize the City Manager to execute the final Change Orders No. 4 for the additional contract amount of $103,142.34 with McMahon Contracting, L.P. for the E. Boydstun Avenue & Throckmorton Street Reconstruction Project and to be funded by Street Bond Fund and the Water / Sewer Fund, and take any action necessary.

Memo . . . 36

Change Orders . . . 37

Blank Page . . . 39

Consider approval of a recommendation from the Hotel Occupancy Tax subcommittee for funding the Terry Fisher American Legion Post #117 commemoration of the 75th Anniversary of D-Day in the amount of $1,300, and take any action necessary.

Subcommittee Recommendation memo . . . 40

American Legion application . . . 41

Blank Page . . . 49
Consider approval of an ordinance cancelling the May 4, 2019 General Election, and take any action necessary [1st Reading].
Memo_Cancelling Election . . . 50
Ordinance . . . 51
Blank Page . . . 54
Discuss and consider a request from Phillip and Mary Weber for a special permit on a front yard fence to be located at 318 Cooper Court, and take any action necessary.
Staff memo and exhibits . . . 55
Blank Page . . . 61
Building Inspections Monthly Report - January 2019
January Report . . . 62
Blank Page . . . 74
Fire Dept Monthly Report - January 2019
January Fire Dept Monthly Report . . . 75
Blank Page . . . 81
GIS Division Monthly Report - January 2019
GIS Monthly (January 2019) . . . 82
Blank Page . . . 83
Harbor PD Monthly Report - January 2019
Harbor Report . . . 84
Blank Page . . . 85
Internal Operations Department Monthly Report - January 2019
IO Report . . . 86
Blank Page . . . 87
Police Department Monthly Report - January 2019
01January Rockwall Police Monthly Activity Report 2019 - External . . . 88
Blank Page . . . 90
Recreation Monthly Report - January 2019
Rec Monthly - Jan 2019 . . . 91
Blank Page . . . 96
Rockwall Animal Adoption Center Monthly Report - January 2019
RAAC-January 2019 . . . 97
Blank Page . . . 99
STAR Transit Monthly Report - January 2019
STAR Report . . . 100
Blank Page . . . 102

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 04, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding legal advice concerning road construction facility agreement(s), pursuant to § Section 551.071 (Consultation with Attorney).
2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to § Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING 6:00 P.M.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MACALIK

VII. PROCLAMATIONS

p.6 1. Shriners Hospitals for Children "Flip it Forward for Kids" Day

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.8 1. Consider approval of the minutes from the February 19, 2019 regular city council meeting, and take any action necessary.

p.16 2. Z2019-001 - Consider approval of an **ordinance** for a text amendment to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary Living Unit land use, and take any action necessary (2nd Reading).

p.20 3. A2018-005 - Consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of an **ordinance** for the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary (2nd Reading).

p.29 4. Consider authorizing staff to execute an amended "First Responder Organization (FRO) Agreement" with Medic Rescue ("Rockwall County EMS") on behalf of the city and the Rockwall Fire Department, and take any action necessary.

p.36 5. Authorize the City Manager to execute the final Change Orders No. 4 for the additional contract amount of $103,142.34 with McMahon Contracting, L.P. for the E. Boydstun Avenue & Throckmorton Street Reconstruction Project and to be funded by Street Bond Fund and the Water / Sewer Fund, and take any action necessary.

p.40 6. Consider approval of a recommendation from the Hotel Occupancy Tax subcommittee for funding the Terry Fisher American Legion Post #117 commemoration of the 75th Anniversary of D-Day in the amount of $1,300, and take any action necessary.

p.50 7. Consider approval of an **ordinance** cancelling the May 4, 2019 General Election, and take any action necessary (1st Reading).

X. Action Items

1. Discuss and consider a request from Phillip and Mary Weber for a special permit on a front yard fence to be located at 318 Cooper Court, and take any action necessary.

XI. City Manager's Report, Departmental Reports and related discussions pertaining to current city activities, upcoming meetings, future legislative activities, and other related matters.

1. Departmental Reports

p.62 Building Inspections Monthly Report - January 2019
p.75 Fire Dept Monthly Report - January 2019
p.82 GIS Division Monthly Report - January 2019
p.84 Harbor PD Monthly Report - January 2019
p.86 Internal Operations Department Monthly Report - January 2019
p.88 Police Department Monthly Report - January 2019
p.91 Recreation Monthly Report - January 2019
p.97 Rockwall Animal Adoption Center Monthly Report - January 2019
p.100 STAR Transit Monthly Report - January 2019

2. City Manager's Report

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

XIV. ADJOURNMENT

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 1st day of March, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, Texas

Proclamation

Whereas, Shriners Hospitals for Children is a national non-profit organization that is committed to giving children an opportunity to live more normal lives; and

Whereas, Shriners for Children helps kids receive treatment for orthopedic problems, severe burns and spinal cord injuries while providing them with a head start in developing a normal life, regardless of their ability to pay; and

Whereas, the opportunities provided by Shriners for Children enable kids to become successful, contributing adults later in life; and

Whereas, Shriners Hospitals have provided medical and rehabilitative care to millions of children at their many orthopedic hospitals, treating scoliosis, brittle bone disease, hand and back problems, limb deficiencies and growth problems; and

Whereas, on Tues., March 12th Shriners Hospitals for Children and I.H.O.P. will join together to encourage people to donate to these worthy causes.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **March 12, 2019** as

SHRINERS HOSPITALS FOR CHILDREN

"FLIP IT FORWARD FOR KIDS" DAY

in the City of Rockwall and urge all citizens to participate in this important campaign to help transform a stack of I.H.O.P. pancakes into free treatment for children with orthopedic problems and severe burns within our community.

In Witness Whereof, I hereunto set my hand and official seal this 4th day of March, 2019.

Jim Pruitt, Mayor

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7

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, February 19, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the public meeting to order at 6:00 p.m. Present were Mayor Pro Tem Kevin Fowler and Council Members Patrick Trowbridge, John Hohenshelt, and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and the city's legal counsel, Patrick Lindner. Council Members Dana Macalik and Trace Johannesen were absent from the meeting. Mayor Pruitt arrived to the meeting at 6:16 p.m. as noted below.

II. WORK SESSION

1. Hold a work session to discuss and consider implementing the use of a tool created by the Planning and Zoning Department in conjunction with zoning cases, and take any action necessary.

Planning Director Ryan Miller addressed the Council concerning this work session item. He shared general details pertaining to a tool that has been created that will help with conducting cost/benefit analyses for zoning cases. Overall, Council seemed to be in favor of the tool and provided positive feedback overall. Council took no action as a result of this work session discussion.

2. Hold a work session to discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.

Mr. Miller also spoke to the Council concerning this work session agenda item. He shared both "defensive" and "offensive" strategies concerning future development (and redevelopment) of the portion of IH-30 that runs through the City of Rockwall. Trends related to "big box stores" and retailers, in general, were discussed. Council did not express any specific concerns about the information Mr. Miller presented. No formal action was taken as a result of these discussions.

3. Hold work session to discuss the "Staffing and Adequate Fire and Emergency Response" (S.A.F.E.R.) Grant Program through the Federal Emergency Management Agency (F.E.M.A.)

Fire Chief Kenneth Cullins came forth and addressed Council concerning this work session item. He explained that this grant program helps communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. He generally indicated that staff would like to evaluate Council's interest in city staff potentially submitting a grant application on behalf of the Rockwall Fire Department, specifically for staffing. He explained that it is a 3-year grant program, and the grant would pay:

- Year 1 – 75% of the annual cost of a first-year firefighter
- Year 2 – 75% of the annual cost of a first-year firefighter
- Year 3 – 35% of the annual cost of a first-year firefighter
- Year 4 and beyond – City picks up 100% of the cost

Staff shared information on projected base salary and benefits package costs to fund 12 personnel (through taking advantage of grant funding). Chief Cullins explained that this proposal, if the grant funds were awarded, would bring minimum staffing to 12 (3 per each of the city's four fire stations). Following the discussion, Mayor Pro Tem Fowler pointed out that this topic appears later on this evening under "Action Items." No action was taken at this time.

At 5:11 p.m., Mayor Pro Tem Fowler read the below discussion items into the public record before recessing the meeting to go into Executive Session.

III. Executive Session.

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

1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. Adjourn Executive Session

Council adjourned from Executive Session at 5:35 p.m.

V. Reconvene Public Meeting (6:00 p.m.)

Mayor Pro Tem Fowler reconvened the public meeting at 6:00 p.m. (Mayor Pruitt and Councilmembers Macalik and Johannesen were absent). Mayor Pruitt joined the meeting at 6:16 p.m. (just prior to "Action Items"), as noted below.

VI. Take Any Action as a Result of Executive Session

Mayor Pro Tem Fowler indicated that no action was needed as a result of Executive Session.

VII. Invocation and Pledge of Allegiance – Councilmember Trowbridge

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

VIII. (Blank / Omitted)

IX. Open Forum

Mayor Pro Tem Fowler explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

X. Consent Agenda

1. Consider approval of the minutes from the February 4, 2019 regular city council meeting, and take any action necessary.
2. Z2018-058 - Consider request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an ordinance for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary. (2nd Reading)
3. Consider authorizing City Manager to negotiate and execute a facility use agreement with Lake Pointe Sports and take any action necessary.
4. Consider adopting official logo for the "Free Live Music Capital of North Texas," and take any action necessary.
5. Consider authorizing the City Manager to execute a professional engineering services contract with Kimley-Horn and Associates, Inc. to perform the engineering design services and specifications for the W. Boydstun Avenue (Forest Trace to S. Goliad Street) and Forest Trace (S. Lakeshore Drive to W. Boydstun Avenue) Reconstruction Project in an amount not to exceed $532,000.00, to be paid for by 2018 Street Bond funds and water/wastewater funds, and take any action necessary.
6. Consider authorizing the City Manager to execute a professional engineering services contract with Burgess & Niple, Inc. to perform the engineering design and construction plans for the Squabble Creek Sanitary Sewer Interceptor Rehabilitation Phase 3 Project in an amount not to exceed $30,000.00 to be funded by water/wastewater funds, and take any action necessary.
7. Consider authorizing the City Manager to execute a professional engineering services contract with Freese & Nichols, Inc. to perform the engineering design services and specifications for the N. Alamo Road (Live Oak Street to Downtown Couplet) Reconstruction Project in an amount not to exceed $360,580.00, to be funded by the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.
8. Consider a request by Matt Moore of ClayMoore Engineering, Inc. for the approval of an alternative tree mitigation plan in conjunction with an approved site plan for for a multi-tenant office/warehouse complex on a 7.52-acre portion of a larger 9.76-acre tract of land identified as Lot 18 and the south portion of Lot 19, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 407 Ranch Trail, and take any action necessary.

Councilman Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, and 8). Councilmember Daniels seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-10
SPECIFIC USE PERMIT NO. S-205

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *CRAFT WINERY* AND *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* ON A 7.2-ACRE TRACT OF LAND, ADDRESSED AS 203 COUNTY LINE ROAD AND BEING IDENTIFIED AS TRACTS 20-01 & 20-07 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL

COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 4 ayes with 3 absent (Macalik, Pruitt and Johannesen).

XI. APPOINTMENT ITEMS

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

Chairman of the city's P&Z Commission, Johnny Lyons, came forth and briefed Council on recommendations of the Commission relative to the planning-related item on tonight's meeting agenda. No questions were asked, no discussion took place, and no action was taken as a result of Mr. Lyons' comments.

2. Appointment with Ralph Oltmann, President of Mclenco Construction Services, Inc. to hear request concerning temporary closure of Laguna Drive related to Hyatt Place construction, and take any action necessary.

Mr. Ralph Oltmann
1320 Buffalo Pass
Waco, TX 76712

Mr. Oltmann came forth and shared that he is seeking permission from the Council for a temporary road closure of Laguna Drive for some construction-related work that needs to be performed. Following Mr. Oltmann's brief comments, Councilmember Daniels made a motion to approve the request for the temporary road closure of Laguna Drive, as requested. Councilman Trowbridge seconded the motion, which passed by a vote of 4 ayes with 3 absences (Macalik, Pruitt and Johannesen).

XII. PUBLIC HEARING ITEMS

1. Z2019-001 - Hold a public hearing to discuss and consider approval of an ordinance for a text amendment to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary Living Unit land use, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided brief background information pertaining to this agenda item, sharing that the City Council directed staff to create a land use for Barns or Agricultural Accessory Buildings. This came after receiving a request from Dewayne Cain to amend the code to allow an ~4,950 SF, metal barn that would contain a storage area for eight (8) vehicles and a guest quarters/secondary living facility (i.e. the facility includes all components of a residential living unit [e.g. kitchen, bathroom, etc.]) on a property zoned Agricultural (AG) District.

Mayor Pro Tem Fowler opened the public hearing and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Following brief discussion, Councilmember Daniels moved to approve Z2019-001. Mayor Pro Tem Fowler seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV, *PERMISSIBLE USES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 4 ayes with 3 absences (Macalik, Pruitt and Johannesen).

Mayor Pruitt arrived to the meeting at this time (6:16 p.m.)

XIII. ACTION ITEMS

1. Z2018-056 - Discuss and consider a request by Tom Jones on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary (2nd Reading).

Mayor Pro Tem Fowler moved to approve Z2018-056. Councilmember Trowbridge seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT ON A 6.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-4 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 4 ayes, 1 nay (Hohenshelt) and 2 absences (Macalik and Johannesen).

2. A2018-005 - Discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of an ordinance for the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. On February 19, 2019, the City Council will be considering the first reading of an annexation ordinance proposing the voluntary annexation of 69.679-acres of land located north and northeast of the intersection of FM-550 and SH-276 and located within the City's Extraterritorial Jurisdiction (ETJ). Suresh Shridharani on behalf of Harlan Properties, Inc. is requesting the annexation for the purpose of incorporating the property into the City of Rockwall to develop a residential subdivision. Staff should note, that since the property is not contiguous to the City's corporate limits, an additional 9.885-acres of SH-276 right-of-way will also need to be annexed along with the subject property. The City Council conducted the required hearings (first and second) on January 22 2019, and staff has followed the procedures for annexations as set forth in Chapter 43, Municipal Annexations, of the Texas Local Government Code (TLGC) with regard to notifying affected property owners and publishing notices in the newspaper and on the City's website.

Indication was given that the applicant has given preliminary indication that they would like to utilize this area for residential homes with septic tank service. Discussion ensued pertaining to one acre versus one-and-a-half acre residential lots. Mayor Pruitt pointed out that if this developer built this subdivision while "in the county," they would have to do so on 1.5 acre lots; however, if the city annexes this area, they have the ability to ask for approval of 1 acre lots (with septic) instead. This would, of course, be at the Council's discretion.

Councilmember Hohenshelt moved to approve A2018-005. Councilmember Trowbridge seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 79.564-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. MERRIMAN SURVEY, ABSTRACT NO. 155, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 4 ayes, 1 against (Pruitt) and 2 absences (Macalik and Johannesen).

3. Discuss and consider authorizing staff to submit application to the "Staffing and Adequate Fire and Emergency Response" (S.A.F.E.R.) Grant Program on behalf of the Rockwall Fire Department, and take any action necessary.

Councilmember Daniels moved to authorize staff to move forward with submission of the grant application. Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those present (Macalik and Johannesen absent).

XIV. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XVI. Adjournment

Mayor Pro Tem Fowler adjourned the meeting at 6:30 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4th DAY OF MARCH, 2019.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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15

CITY OF ROCKWALL

ORDINANCE NO. 19-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV, *PERMISSIBLE USES* TO AMEND THE LAND USE STANDARDS FOR *GUEST QUARTERS/SECONDARY LIVING UNITS*, AND TO ADD A LAND USE FOR *BARNS OR AGRICULTURAL ACCESSORY BUILDINGS* ; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*]; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That Article IV, *Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance.

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

SECTION 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF MARCH, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: February 18, 2019

2nd Reading: March 4, 2019

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~

SECTION 1: LAND USE SCHEDULE

Section 1.1: Use of Land and Buildings

Residential and Lodging

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
A	A	A	A	A	S	S	S	S	P	Guest Quarters/Secondary Living Unit +								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

Rural and Animal Related

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	DT	RO	NS	GR	C	HC	LI	HI
S										*Barn or Agricultural Accessory Building+*								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

SECTION 2: USE STANDARDS

Section 2.1.1: Rural and Animal Related

Barn or Agricultural Accessory Building. A *Barn or Agricultural Accessory Building* is a building that is located on a property that is a minimum of ten (10) acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.

(1) A *Barn or Agricultural Accessory Building* is a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
(2) A *Barn or Agricultural Accessory Building* is exempt from the masonry requirements stipulated by Section 7.01, *Residential District Development Standards*.
(3) The Barn or Agricultural Accessory Building shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

Section 2.1.2: Residential and Lodging Use Conditions

Guest quarters/secondary living unit.

(1) Guest quarters or secondary living units may be allowed on a property in a residential *~~or commercial~~* zoning district provided that it is ancillary *to a single family home ~~the primary use and that only one such facility is provided~~*.
(2) The area of such quarters shall not exceed 30 percent of the area of the main structure.
(3) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.
(4) Guest quarters or secondary living units not meeting the requirements stated above shall require a Specific Use Permit (SUP).

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19

CITY OF ROCKWALL

ORDINANCE NO. 19-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 79.564-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. MERRIMAN SURVEY, ABSTRACT NO. 155, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Public Hearings were held before the governing body of the City of Rockwall, Texas, where all interested persons were provided with an opportunity to be heard, on January 22 2019, at 6:00 p.m. and on January 22 2019, at 6:30 p.m. at *City Hall, 385 S. Goliad*, Rockwall, Rockwall County, Texas, with said dates being not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings, on the proposed annexation of the following described territories;

BEING, a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155 in the County of Rockwall, Texas and generally located contiguous to the existing city limits line north and northeast of the intersection of FM-550 and SH-276, depicted and described in *Exhibit 'A'* of this ordinance:

WHEREAS, notice of such public hearings were published in a newspaper having general circulation in the City of Rockwall, Rockwall County, Texas and in the territory described herein on November 16, 2018 and posted on the City of Rockwall's website on January 4 2019 said dates being not more than twenty (20) days nor less than ten (10) days prior to the dates of such public hearings; and

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

WHEREAS, the territory above contains 76.564-acres;

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

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

SECTION 2. The land and territory more specifically depicted in *Exhibit 'A'* and incorporated by reference as the *Subject Property*, and containing 79.564-acres which is adjacent to and adjoining the present boundaries of the City of Rockwall, Rockwall County, Texas, is hereby added and annexed to the City of Rockwall, Rockwall County, Texas and said territory as described herein shall hereafter be included within the boundary limits of the City of Rockwall, Rockwall County, Texas and the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City.

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF MARCH, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: February 19, 2019

2nd Reading: March 4, 2019

Exhibit 'A'
Legal Description/Location Map

BEING an approximate 79.564 acre tract of land situated in the J. Merriman Survey, Abstract 155, A.M. Wilson Survey, Abstract 223, and J.R. Marr's Survey, Abstract 152 as recorded in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point in the Northwestern corner of Abstract J.R. Marr's Survey, Tract 10-1 (105.925 acres) and the South Right of Way line of State Highway 276, (NAD83- State Plane Coordinates, North Central Texas Zone 4202, N 7,016,938.629, E 2,626,520.649), said point being the POINT OF BEGINNING;

THENCE N.02°55'30"W., crossing State Highway 276, a distance of 120.102 feet for a corner;

THENCE N.89°17'09"E., along the North Right of Way line of State Highway 276, a distance of 2447.887 feet for a corner;

THENCE N.00°58'22"W., along the West property line of Abstract 155, Tract 3 (a 69.727 acre tract) a distance of 2674.15 feet for a corner;

THENCE N.89°31'08"E., along the North property line of said tract, a distance of 297.01 feet for a point;

THENCE N.89°27'50"E., along the North property line, a distance of 491.69 feet for a point;

THENCE N.88°50'01"E., along the North property line, a distance of 343.67 feet for a corner;

THENCE S.00°55'22"E., along the East property line, a distance of 1001.69 feet for a point;

THENCE S.01°02'36"E., along the East property line, a distance of 1681.64 feet for a point;

THENCE S.00°58'29"E., crossing State Highway 276, a distance of 107.674 feet for a corner;

THENCE S.88°47'29"W., along the South Right of Way line of State Highway 276, a distance of 1133.553 feet for a corner;

THENCE S.89°27'07"W., along said Right of Way line, a distance of 518.347 feet for a corner;

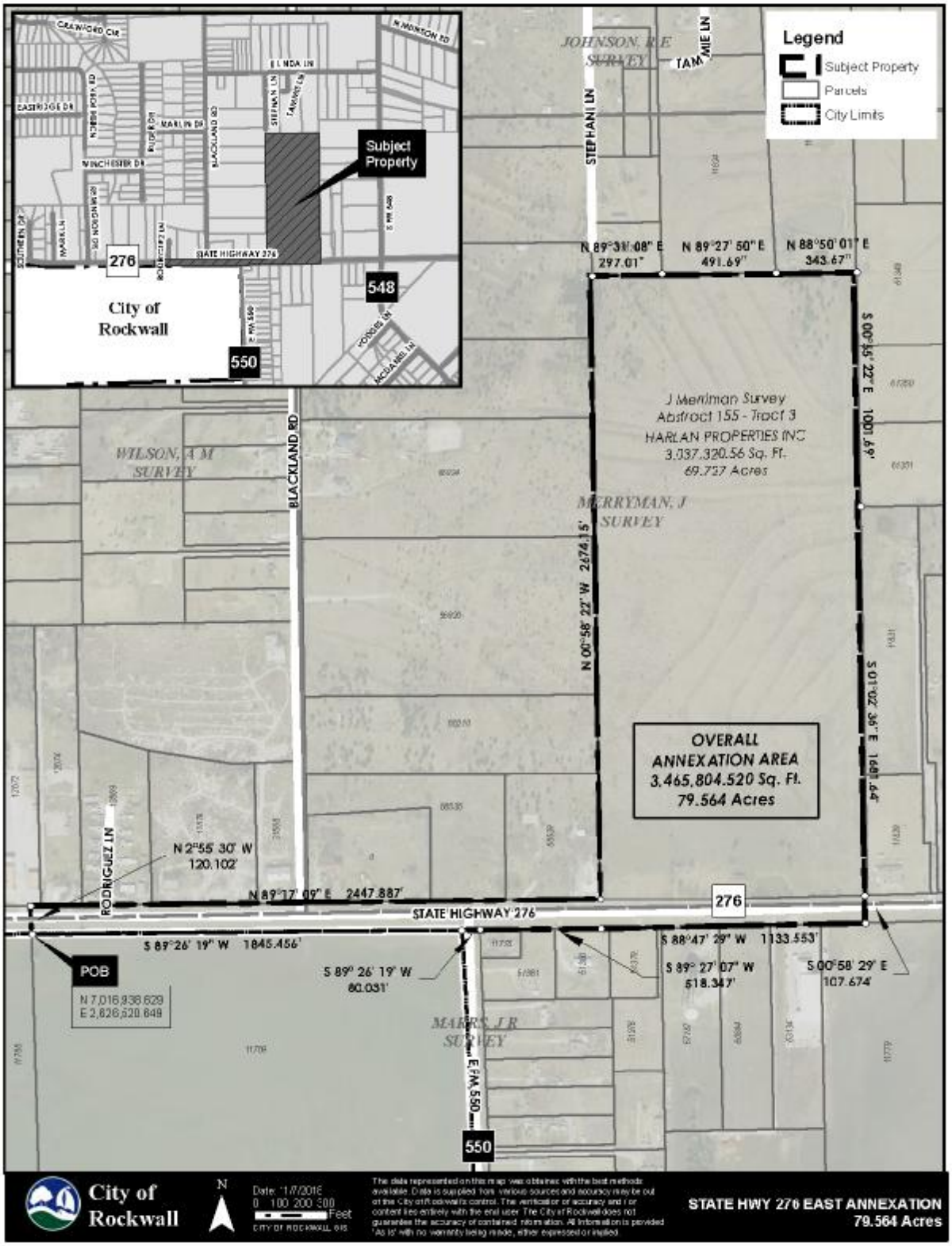
THENCE S.89°26'19"W., crossing Farm to Market 550, a distance of 80.031 feet for a corner;

THENCE S.89°26'19"W., continuing along the South Right of Way line of State Highway 276, a distance of 1845.456 feet to the POINT OF BEGINNING. Containing 3,465,804.520 square feet or 79.564 acres, more or less.

This description is intended to follow any adjacent recorded tract lines and existing City Limits or Road Right of Way lines.

END OF DESCRIPTION.

Exhibit 'A'
Legal Description/Location Map



SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2018-005
City and County of Rockwall, Texas

Acreage Annexed: 79.564-acres

Survey Abstract and County: Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: March 4, 2019

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

(A) Police Services

(1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.

(2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) Fire Services

(1) Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.

(2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) Health and Code Compliance Services

(1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*

(2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

(3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

(4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

(5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

(1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.

(2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) Solid Waste Collection

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

(G) Streets

(1) The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.

(2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.

(3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

(H) Water Services

(1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.

(2) Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.

(3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) Sanitary Sewer Services

(1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.

(2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

(4) Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are

determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

(J) Public Utilities

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

(K) Miscellaneous

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

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28

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

Cc: **Rick Crowley, City Manager**

Mary Smith, Assistant City Manager

FROM: **Kenneth Cullins, Fire Chief**

DATE: **February 22, 2019**

SUBJECT: **Update to Fire Department First Responder Organization (FRO) Agreement**

During a recent review of the Rockwall Fire Department FRO agreement with Rockwall County EMS the City Attorney made some edits to the language in the following sections of the agreement:

- Article 1, sections 18 and 19
- Article 2, sections 6, 7, and 8

The edits will not materially change the manner in which the FRO program operates.

For council's consideration is the authorization for City Manager Rick Crowley to sign the new agreement.

FIRST RESPONDER AGREEMENT FOR EMERGENCY MEDICAL SERVICE BETWEEN CITY OF ROCKWALL AND ROCKWALL COUNTY EMS

Whereas, the City of Rockwall Fire Department (First Responder) and Rockwall County EMS (Provider) are licensed by the Texas Department of State Health Services (TDSHS) as Emergency Medical Providers; and

Whereas, the City of Rockwall Fire Department is holding or seeking registration or re-registration by the Texas Department of State Health Services;

Rockwall County EMS, and the City of Rockwall Fire Department, a first responder organization agree to the following:

ARTICLE I
First Responder and Provider Responsibilities

1. First Responder personnel shall respond twenty-four hours per day, seven days a week for EMS assists.

2. The First Responder shall receive notification of calls via the Rockwall Police Department communications center.

3. First Responder personnel response codes policies shall be prescribed by the Rockwall Fire Department Standard Operating Guidelines.

4. The Provider will assist the First Responder in the development of written protocols and procedures.

5. First Responder patient care shall be done following the protocols and procedures approved by the Medical Director for the Provider.

6. The Provider will assist the First Responder in developing a Quality Assurance Program.

7. The Provider will provide the First Responder Quality Assurance Template.

8. A written report shall be given to responding EMS unit anytime RFD makes patient contact prior to EMS arrival. The written report shall contain at a minimum patient name, chief complaint, pre hospital care provided, dispatch and arrival time and FRO personnel providing care.

9. In the event EMS personnel are unable to obtain patient refusals due to multiple patient care, RFD may obtain refusal signature(s) using appropriate paperwork provided by the EMS Provider.

30

10. First Responders shall be responsible for maintaining written and verbal patient confidentiality.

11. The First Responder shall be held to the same standards of professional ethics, behavior, demeanor and patient care as the Provider.

12. Only the First Responder personnel currently certified, at minimum, at the EMT-Basic level by TDSHS or non-certified responders who have completed the EMS Provider's Medical Director's training curriculum will perform patient care.

13. When on the scene, all of the First Responder personnel will be identified by at least the following: Rockwall Fire Department, first initial and last name of the individual and the level of TDSHS certification.

14. The equipment and supplies will be listed and have written approval by the Medical Director for the Provider.

15. First Responder shall provide all equipment used in patient treatment. The Provider shall replace all supplies used by the First Responder in the course of treatment including oxygen. Equipment and supplies will be inventoried, recovered from the scene if possible or from EMS central office as soon as the run is over, stored and maintained in an appropriate manner. The First Responder will not carry or use ALS supplies.

16. First Responder personnel shall not practice beyond their individual training and shall not exceed the BLS level of patient care outlined in the protocols and procedures.

17. Provider personnel on scene will be in charge of patient care.

18. Anytime First Responder personnel are requested to accompany the Provider in transporting the patient to the hospital they will do so including driving Provider's ambulance in order to allow two paramedics to treat the patient. Upon Paramedic Supervisor request there will be a maximum of one responder per engine allowed to accompany EMS to the Hospital.

19. The Provider shall not be responsible for care rendered, accidents, injuries, exposures or any liability involving First Responder Personnel, equipment, or vehicles. The First Responder shall not be responsible for care rendered, accidents, injuries, exposures or any liability involving Provider Personnel, equipment or vehicles.

20. First Responder personnel are not only allowed, but also invited to attend the Provider monthly CE meetings. Provider will be responsible for all AED, CRP and Protocol training/testing.

21. FRO personnel have the authority to disregard the EMS Provider when the following scenarios are present:

    a. No sick/no injured
    b. Unable to Locate (UTL)

22. **Patient Information.** On the arrival of Providers' ambulance, patient care will be released from the First Responders to the Providers' personnel with the following information:

    a. Description of situation upon arrival;
    b. Patient condition, vital signs, known past and present medical history, medications and allergies;
    c. Care rendered and the patient's response to that care.

23. **Patient Care Forms.** The First Responders will ensure that Patient Care forms are available at every scene, and properly filled out for every patient, including "no transports". Requests for completed patient care forms must be made to the First Responders' Fire Chief and a copy of the completed patient care report form will be sent to the requesting Provider within ten (10) days of the request. The First Responders will maintain copies of all patient report forms.

24. First Responders have the authority to terminate Providers' responding ambulances, in the event of the following, once patient contact is initiated:

    a. Obvious death
    b. Patient refusal as determined by the Provider.

    If the First Responder terminated the Provider response, then the First Responder will responsible for full documentation of the incident.

ARTICLE II
Miscellaneous

I. **Provider Liability.** The Provider will not be liable for patient care rendered, training accidents, injuries, exposures or any liability involving First Responders' personnel, equipment, supplies or vehicles.

2. If any party of this Agreement is sued by a third party for any acts or omissions arising from the performance of this Agreement, the Parties may be a "Governmental Unit" as that term is defined in Section 101.001 (3) of the Texas Civil Practice Code. The Parties further understand and agree that such Parties are entitled to the rights, protections and limitations which Title 5 of the Texas Civil Practice and Remedies Code provides for Governmental Units, including the limitations offered under Chapter 10I of the Texas Civil Practice and Remedies Code.

3. Each party further agrees to defend, at its own expense, and on behalf of itself and the other party, any claim or litigation brought against it in connection with any such injury, death, or damage caused solely through the negligent or other wrongful conduct of either entity in carrying out this Agreement.

4. This Agreement will be interpreted according to the laws of the State of Texas. Venue of any court action brought directly or indirectly by reason of this Agreement shall be in Rockwall County, Texas.

5. This Agreement constitutes the final and entire agreement between the parties. It contains all of the terms and conditions agreed upon. No other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind the parties. This Agreement may be amended by the mutual written agreement of the Parties.

6. Neither this agreement nor any duties or obligations hereunder shall be assignable by any party without the prior written consent of all other party and any assignment without the written consent of a non-assigning party shall be null and void.

7. Term & Effective Date. This Agreement shall become effective on the last date of execution following the approval of this Agreement by the Parties and shall expire on the expiration date of the Provider contract with the Rockwall County Emergency Services Corporation.

8. Notwithstanding the term of the Agreement, either party shall have the right to terminate said agreement upon thirty days' (30) written notice to the other party.

This agreement was executed on the ___ day of_____2018.

Rick Crowley, City Manager
City of Rockwall
Entity Administrator

Date

Kenneth Cullins, Fire Chief
Rockwall Fire Department
FRO Administrator

2/20/19
Date

Mitch Ownby
Medic Rescue Inc. DBA as Rockwall County EMS
EMS Provider

1-9-19
Date

Ramin R. Samadi, M.D.
EMS Provider Medical Director

Date

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35

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E, Public Works Director/City Engineer**

DATE: **February 27, 2019**

SUBJECT: **E. Boydstun Avenue & Throckmorton Street Reconstruction Project (CIP 2015-007 & 008)**

The E. Boydstun Avenue & Throckmorton Street Reconstruction Project which is currently in its final stages of construction. The contractor McMahon Contracting, L.P. is working on final punchlist items to final out the project. Change order #4 is the final consolidating change order for the project. This change order consists of the additions and subtractions to the projects pay items that were encountered during this project. The detailed list of these changes are in the attached change order document.

The original construction contract amount with McMahon Contracting, L.P. is $3,409,273.86. Staff requests City Council authorize the City Manager to execute the final Change Orders No. 4 for the additional contract amount of $103,142.34 with McMahon Contracting, L.P. for the E. Boydstun Avenue & Throckmorton Street Reconstruction Project and to be funded by Street Bond Fund and the Water / Sewer Fund, and take any action necessary.

AJW:jmw

Attachments

Cc:
Mary Smith, Assistant City Manager
Joey Boyd, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
File

E. Boydstun Avenue and
Throckmorton Street Reconstruction
City Contract No. CIP2015-007 & 2015-008

Change Order No. 4

Description and Reason for Change:

This change order is result of the following:

- Items 7, 30A, 42A, 49 and 52A: Additional driveway work, flexbase and drainage pipe and inlets at the east side of E. Boydstun Avenue to fix existing drainage issues.
- Item 44, 50A: Install new 5' curb inlet in fix ponding (bird bath) area at E. Boydstun Avenue/Clark Street Intersection.
- Item 61: Additional 12" Gate Valve added for isolation of water system.
- Item 125: Stairs needed for 501 and 505 E Boydstun Avenue.
- Item 126: Additional pedestrian railing quantity due to change in height requirements and finish type.
- Item 3, 17, 17A, 18, 18A, 20, 22 and 53: These Items quantities where reduce due to less being installed the called out in the contract.
- Items 21, 23, 24, 48, 55, 96, 114, 121, and 124: Additional Quantity was install/constructed due to the ordinal contract quantity being too low.
- Item 86: No smoke testing require for project. Item quantity set to zero.
- Item 30B: Variable Height curb added to back of sidewalk where grade drop of required it.

Plan Changes:

- Plan Sheets 116 and 117 change for railing along wall and stairs.
- Plans Sheet 9A and 14A were added for Driveway grades at 619 and 621 E Boydstun Avenue.
- No other plan changes were made related to the other items.

Contract Time Change:

No additional time added or removed to the contract.

Itemized Change Order Quantities:

Item No.	Description	Unit	Revised Qty	Orginal Qty.	Delta Qty.	Unit Cost	Total Delta Cost
3	Project Signs	EA	4	6	-2	$ 465.67	$ (931.34)
7	Remove and Dispose of Concrete Sidewalk	SY	1069	992	77	$ 7.89	$ 607.53
17	10" Thick Joint Reinforced Concrete Paveme	SY	7761	8097	-335.95	$ 67.31	$ (22,612.79)
17A	Change 10" Thick Concrete to have #4 Bars	SY	6394	6730	-335.95	$ 5.73	$ (1,924.99)
20	6" Thick Concrete Pavement (3,600psi)	SY	2837.00	3000	-163	$ 45.14	$ (7,357.82)
21	6" Thick Concrete Driveways (3,600psi)	SY	1683.00	1296	387	$ 75.66	$ 29,280.42
22	4' Thick Reinforced Concrete Sidewalk (3,600 psi, Varying widths)	SY	2391.90	2439	-47.1	$ 38.14	$ (1,796.39)
23	2" TY D HMAC	SY	375.25	218	157.25	$ 34.09	$ 5,360.65
24	4" TY B HMAC	SY	375.25	218	157.25	$ 43.83	$ 6,892.27
NEW 30A	Flexbase for Driveways	LS	1	0	1	$ 6,586.34	$ 6,586.34
NEW 30B	Variable Height Integral Concrete Curb	LF	166.9	0	166.9	$ 14.23	$ 2,374.99
NEW 42A	18" RCP (CL III) - Infront of 621 & 619 Boydstun	LF	137	0	137	$ 131.60	$ 18,029.20
44	27" RCP (CL III) w/ Embedment	LF	679	661	18	$ 99.05	$ 1,782.90
48	Reinforced Concrete Channel Riprap	SY	335	241	94	$ 169.64	$ 15,895.27
49	10' Reinforced Concrete Inlet	EA	3	2	1	$ 4,248.00	$ 4,248.00
NEW 50A	5' Reinforced Concrete Inlet	EA	1	0	1	$ 3,900.00	$ 3,900.00
NEW 52A	Connect Pipe to Exist Inlet	EA	1	0	1	$ 800.00	$ 800.00
53	Trench Safety	LF	3103	3139	-36	$ 1.32	$ (47.52)
55	Block Sodding	SF	27231	13971	13260	$ 1.00	$ 13,260.00
61	12" Gate Valve	EA	10	9	1	$ 2,754.34	$ 2,754.34
86	Smoke Testing	LS	0	1	-1	$ 4,130.00	$ (4,130.00)
96	ELEC CNDR (NO 8) INSULATED	LF	570	546	24	$ 1.77	$ 42.48
114	TRF SIG CBL (TY A)(12 AWG)(20 CONDR)	LF	565	471	94	$ 9.44	$ 887.36
121	VIVDS COMMUNICATION CABLE (COAXIAL)	LF	695	591	104	$ 3.24	$ 336.96
124	Stone Clad Retaining Wall	SF	1901	1665	236	$ 89.90	$ 21,216.40
125	Concrete Stair System	EA	4	3	1	$ 2,478.00	$ 2,478.00
126	Tubular Metal Railing	LF	538	475	63	$ 82.70	$ 5,210.10

Original Contract Amount	$ 3,409,273.86
Change Order No. 4	$ 103,142.34
Previous Change Orders	$ 28,105.06
Revised Contract Amount	**$ 3,540,521.26**

Approvals:

CITY OF ROCKWALL

Signature: _____

Name (Printed): _____

Title: _____

Date: _____

McMahon Contracting, L.P.

Signature: _____

Name (Printed): James Poulk

Title: Project Manager

Date: 2/21/19

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39

City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council Members

FROM: Hotel Occupancy Tax Sub-committee Members
Mary Smith, Assistant City Manager

DATE: March 1, 2019

SUBJECT: Terry Fisher American Legion Post 117 Application

The City received an application for hotel occupancy taxes for a WWII commeration to be held on May 18th during Founders Day activities. Last year the American Legion focused on WWI Armistice's Day and this year will focus on the 75th Anniversary of the D-Day invasion of France. The initial request was for $1,050 and the Post has since requested an additional $250 for "jumpers" from a WWII era plane. Their total request is for $1,300.

Prior to Council action on the above, the Hotel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 17,904**
Budgeted Revenues	**833,000**
Previously Allocated Funding	**(509,660)**
Projected Fund Balance	**$ 341,244**

Subcommittee members, Dana Macalik, Kevin Fowler, and Bennie Daniels can answer any questions the Council may have regarding their recommendation. Council is asked to consider approving the funding as recommended by the subcommittee.

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2019

Application

MUST BE TYPED or PRINTED

DELIVER TO:
City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name: Terry Fisher American Legion Post 117
Name of Event: 75th Anniversary of D-Day Invasion of France
Date(s) of Event: May 19, 2019 Founders Day
Funding Request $: 1,050.00 +250 = $1300
Website Address: Legionpost 117.org
Mailing Address: Po Box 821, Rockwall 75087
Physical Address:
Telephone: 214-226-8944 Fax:

Primary Contact Name: Mike Donegan
(Project Director)
Mailing Address: 2620 Ridgelake Lane, Rockwall 75032

Email Address: mddow72@gmail.com
Telephone: 214-226-8944 Fax:

Secondary Contact Name:
(President/Board Chairman)
Mailing Address:

Email Address:
Telephone: Fax:

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

☐ **Advertising/Tourism** **Requested funding amount $**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☑ **Historical** **Requested funding amount $** 1050.00
Providing historical restoration, preservation, programs and + 250.
encouragement to visit preserved historic sites or museums located in the
City of Rockwall. # 1,300

2. Describe the program or event for the upcoming fiscal year (Oct. 1 2018 - Sept. 30, 2019) that you are requesting Hotel Tax funding. What is your event and why are you having it? 75th Anniversary of D-Day

3. How does the event/program meet the definition of the categories listed in Item No. 1 above (promotion of tourism and the hotel industry in the City of Rockwall)?
Historical re enactment + recognition

4. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
(Yes) Name location: Founders day, Harry Myers Park

5. Will your organization provide special event insurance coverage for the event/program if held on City property?
Yes Name of Insurance Company:

6. Provide 3 years attendance history for the above listed programs, activities, exhibits or event described in Item No. 2 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms

42

7. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C). National American Legion web site

8. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
   a) Separate checking account without combining with any other revenues or maintained in any other bank account or
   b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

   Will the organization be able to segregate the accounting process in either a) or b) above? Yes

9. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number
Exhibit E	W-9 Form https://www.irs.gov/pub/irs-pdf/fw9.pdf?
Exhibit F	Form 1295 https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a/ result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Date 2/19/2019

Print Name Michael Downshaw

Signature Michael D. Downshaw

Event/Program Director:

Date

Print Name

Signature

Both signatures are required for application to be considered complete.

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2019

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Terry Fisher American Legion Post 117
Event/Program Name: 75th Anniversary of D-Day
Requested Funding: $ 1050 +250 = $1300

Expenses (for this project only)	Total Expenses	HOT Funds Request
1. Personnel		
Administrative		
Artistic		
Technical		
Other personnel		
2. Fees for outside professional service		
Administrative		
Artistic		
Technical		
3. Space Rental		
4. Equipment Rental		
5. Travel/Transportation		
6. Promotion/Printing		1050.00 +250
7. Costumes/Royalties		
8. Other (supplies, postage etc.)		
9. Sub -Totals		
10. Total Expenses		1050.00 +250 = $1300

Revenues (for this project only)	Total Revenues
1. Total Amount of HOT fund request	
2. Admissions (ticket and concessions)	
3. Donations	
4. Organizational funds budgeted	
5. Grants (State)	
6. Other (list):	
7. Other (list):	
8. Other (list):	
9. Other (list):	
10. Total income and contributions	
11. Total In-Kind	
12. Total Revenues	

Financial Information (for this project only)				
Fiscal Year (Oct 1st – Sept 30th)	2016 actual	2017 actual	2018 actual	2019 Projected
Total Revenues				
Total Expenses				
Total Hotel funds awarded				

45

Ewing, Lea Ann

From: Ewing, Lea Ann
Sent: Thursday, January 31, 2019 11:20 AM
To: 'Mike Donegan'
Subject: RE: Request for support for Founders Day for Terry Fisher American Legion Post 117
Attachments: Application.doc

Oh I almost forgot to send you the 2019 HOT application. It is attached. Same app as last year. If I can be of assistance, just let me know.

Thank you,

Lea Ann Ewing
Purchasing Agent
City of Rockwall
385 S. Goliad St.
Rockwall, TX 75087
972-771-7700 x 6418

From: Mike Donegan <mddon72@gmail.com>
Sent: Thursday, January 31, 2019 9:27 AM
To: Ewing, Lea Ann <LEwing@rockwall.com>
Subject: Request for support for Founders Day for Terry Fisher American Legion Post 117
Importance: High

Honorable City Officials

The Terry Fisher Post will present another ambitious exhibit during 2019 Founders Day. The Following segments will be part of our exhibit.

1. 100th Anniversary of The Terry Fisher Post which was founded in 1919.
2. 75th Anniversary of the D-Day Invasion in France
3. Obstacle Course for kids
4. Information about the American Legion which is also 100 years old in 2019

With the emphasis on Historical information and preservation of our past, the Post respectfully.requests the following financial support:c

1. Banner and posters	$250
2. Obstacle Course and Landing craft replica	$375
3. DDay museum support	$240
4. Prints of original members of the Post from 1919	$125
Total	$980

+60 filming cost

Respectfully

Mike Donegan

Form **W-9**
(Rev. December 2014)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Terry Fisher American Legion Post 117

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification; check only **one** of the following seven boxes:
☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate
☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶
Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.
☑ Other (see instructions) ▶ **501c(19)**

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
Exempt payee code (if any)
Exemption from FATCA reporting code (if any)
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.)
P.O.Box 821

Requester's name and address (optional)

6 City, state, and ZIP code
Rockwall, TX 75032

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number
			–			–				

or

Employer identification number
0	8	–	0	1	4	4	1	7	9

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here Signature of U.S. person ▶ [signature] Date ▶ 5 April 2018

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at *www.irs.gov/fw9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

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49

City of Rockwall
The New Horizon

MEMORANDUM

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

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

DATE: **March 1, 2019**

SUBJECT: **Cancelling May 4, 2019 General Election**

Included in the packet for Council's consideration is an ordinance cancelling the May 4, 2019 General Election. The Mayor (Pruitt) and City Council Members for Places 1 (Daniels), 3 (Fowler), and 5 (Macalik) did not draw any opponents by the February 15 filing deadline.

Term of office for the unopposed mayor and council members will commence on May 20, 2019 after the Oath of Office has been administered and executed.

Staff will be available to answer any questions the Council may have.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1, CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas adopted Resolution No. 19-03 on February 4, 2019, ordering a general election to be held on May 4, 2019, for the purpose of electing a Mayor and three additional city officials - City Councilmember Place 1, City Councilmember Place 3, and City Councilmember Place 5; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's general election have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election code, has certified in writing, attached hereto as Exhibit 'A', to the City Council that Jim Pruitt is unopposed for election to the office of Mayor; Bennie Daniels is unopposed for election to the office of Councilmember Place 1; Kevin Fowler is unopposed for election to the office of Councilmember Place 3, and Dana K. Macalik is unopposed for election to the office of Councilmember Place 5; and

WHEREAS, the City Council herby finds and determines that the candidates whose names were to appear on the ballot in said election are unopposed, that there are no declared write-in candidates, and that no propositions are to appear on the ballot for said election.

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct;

Section 2. In accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective offices for a term of two years and shall be issued a certificate of election following the date on which the general election for Councilmembers would have otherwise been held:

- Jim Pruitt - Mayor
- Bennie Daniels - Councilmember, Place 1
- Kevin Fowler - Councilmember, Place 3
- Dana K. Macalik - Councilmember, Place 5

Section 3. Pursuant to Section 2.053(b), Texas Election code, the general municipal election for Mayor and Councilmember Place 1, Councilmember Place 3, and Councilmember Place 5 called and ordered by Resolution No. 19-03, for May 4, 2019, shall not be held and is hereby cancelled.

Section 4. The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 4, 2019, at all posting places that would have been used in said election.

Section 5. Term of office for the unopposed Mayor and Councilmembers shall commence on May 20, 2019 after the Oath of Office has been administered and executed.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7. The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Section 8. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

Section 9. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

Section 10. This ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 4th DAY OF MARCH, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1ST Reading: 03/04/2019

2nd Reading: 03/18/2019

"EXHIBIT A"

CERTIFICATION OF UNOPPOSED CANDIDATES
CERTIFICACIÓN DE CANDIDATOS ÚNICOS

To: Presiding Officer of the City Council
Al: Alcalde del Consejo de la ciudad

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are ***unopposed*** for election to office for the election scheduled to be held May 4, 2019:

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 4 de mayo de 2019:

Jim Pruitt - Mayor
Bennie Daniels - Councilmember, Place 1
Kevin Fowler - Councilmember, Place 3
Dana K. Macalik - Councilmember, Place 5

Jim Pruitt – Alcalde
Bennie Daniels – Miembro del Consejo, Puesto 1
Kevin Fowler – Miembro del Consejo, Puesto 3
Dana K. Macalik – Miembro del Consejo, Puesto 5

Kristy Cole
Signature *(Firma)*

Kristy Cole
Printed name *(Nombre en letra de molde)*

City Secretary
Title *(Puesto)*

March 1, 2019
Date of signing *(Fecha de firma)*

CITY OF ROCKWALL TEXAS
SEAL

(Seal) (sello)

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54

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **March 4, 2019**

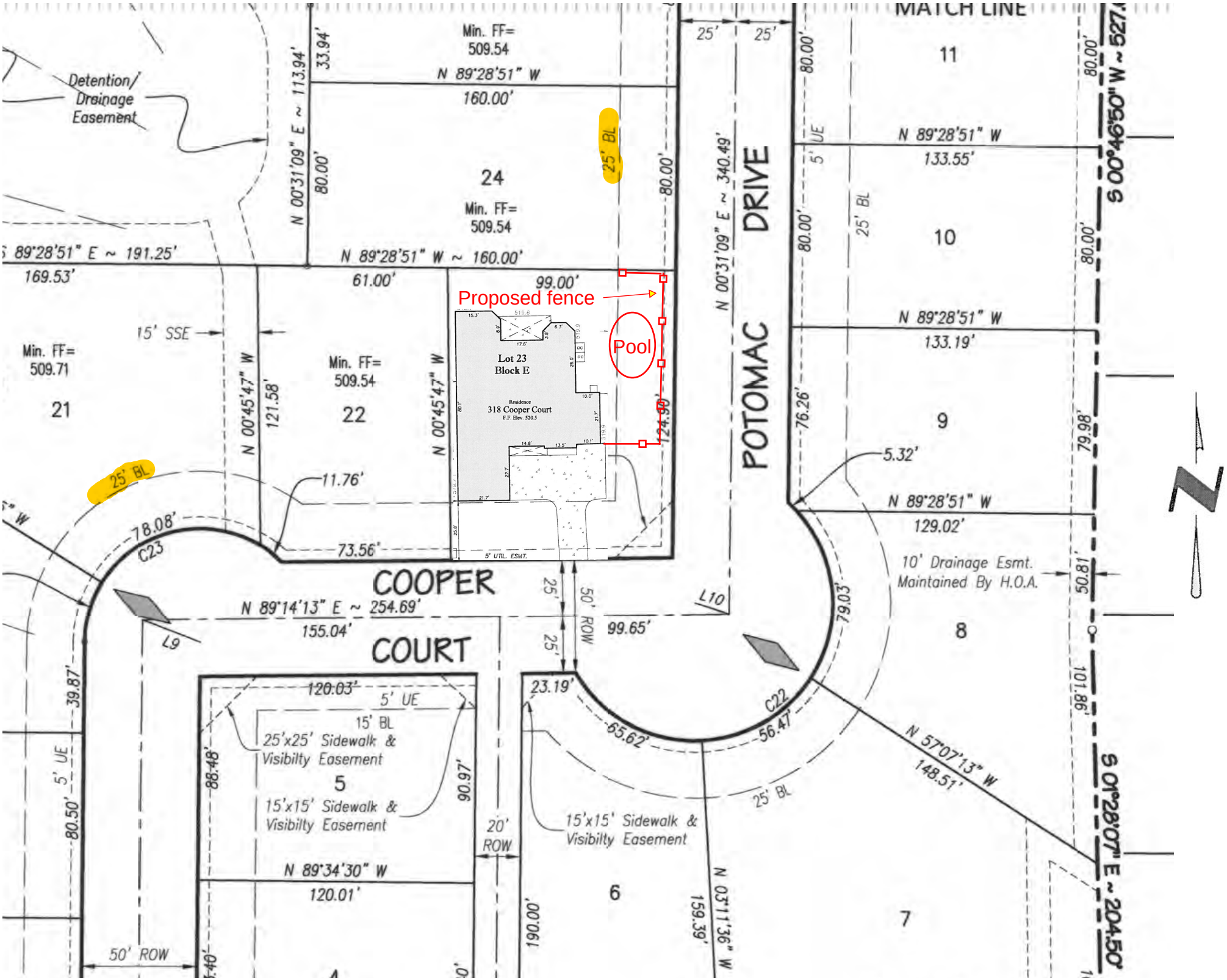
SUBJECT: **Special permit request for a front yard fence at 318 Cooper Court**

Phillip and Mary Weber have requested to appear before the Council to seek approval of a special permit for a front yard fence for their property located at 318 Cooper Court, within The Preserve Phase 1.

Mr. and Mrs. Weber would like to build a 48" wrought iron fence within the front yard of the property to provide the required pool barrier for a proposed pool.

The Weber's property has a double frontage, with a required 25' building line setback. Therefore, the proposed fence location is considered a front yard fence, necessitating City Council approval. The Weber's propose to build a swimming pool in the location depicted on the attached exhibit. Their rear yard is fairly shallow and a drainage swale crosses the rear yard taking drainage from the west to Potomac Drive. Therefore, a very limited area exists to construct a pool within their rear yard.

I am including a portion of the plat, showing the subject property and the proposed location for the pool and fence. In addition, I've provided pictures of the surrounding area for your review.


MATCH LINE
Detention/
Drainage
Easement
Min. FF=
509.54
N 89°28'51" W
160.00'
33.94'
N 00°31'09" E ~ 113.94'
80.00'
24
Min. FF=
509.54
25' BL
80.00'
25'
25'
POTOMAC DRIVE
N 00°31'09" E ~ 340.49'
80.00'
11
N 89°28'51" W
133.55'
5' UE
25' BL
10
N 89°28'51" W
133.19'
9
N 89°28'51" W
129.02'
10' Drainage Esmt.
Maintained By H.O.A.
50.81'
8
79.03'
101.86'
S 01°28'07" E ~ 204.50'
S 00°46'50" W ~ 527.
89°28'51" E ~ 191.25'
169.53'
N 89°28'51" W ~ 160.00'
61.00'
99.00'
Proposed fence
Pool
Lot 23
Block E
Residence
318 Cooper Court
F.F. Elev. 520.5
124.90'
15' SSE
Min. FF=
509.71
21
N 00°45'47" W
121.58'
Min. FF=
509.54
22
N 00°45'47" W
11.76'
25' BL
78.08'
C23
73.56'
5' UTIL. ESMT.
76.26'
5.32'
79.98'
COOPER
COURT
N 89°14'13" E ~ 254.69'
155.04'
L9
L10
99.65'
25'
25'
50' ROW
23.19'
C22
65.62'
56.47'
N 57°07'13" W
148.51'
25' BL
39.87'
5' UE
80.50'
120.03'
5' UE
15' BL
25'x25' Sidewalk &
Visibilty Easement
5
15'x15' Sidewalk &
Visibilty Easement
88.48'
90.97'
20'
ROW
15'x15' Sidewalk &
Visibilty Easement
N 89°34'30" W
120.01'
6
160.00'
N 03°11'36" W
159.39'
7
50' ROW
4



57



Looking to the South


Pool
Proposed front yard fence



60

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61

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

January 2019

Permits

Total Permits Issued: 280

Building Permits: 38 Contractor Permits: 242

Total Permit Values: $ 6,236,458.33

Building Permits: $4,576,854.00 Contractor Permits: 1,659,604.33

Total Fees Collected: $108,325.23

Building Permits: $86,478.37 Contractor Permits: $21,846.86

Board of Adjustment

Board of Adjustment Cases 2

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 1/1/2019 thru 1/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	4	$0.00	$204.60
	3	$0.00	$153.10
30 DAY BANNER	1	$0.00	$51.50
BOARD OF ADJUSTMENTS	1	$0.00	$200.00
	1	$0.00	$200.00
CHURCH	1	$40,000.00	$554.25
ALTERATION	1	$40,000.00	$554.25
CO	6	$0.00	$379.50
BUSINESS	4	$0.00	$229.50
INTERIOR	2	$0.00	$150.00
COMM	27	$3,822,509.00	$57,598.55
CONCRETE	1	$3,500.00	$110.93
DECK	1	$8,000.00	$164.75
ELECTRICAL	5	$68,700.00	$1,231.13
INTERIOR COMP	3	$498,782.00	$4,354.89
IRRIGATION	1	$5,125.00	$35.70
MECHANICAL	1	$20,000.00	$332.75
MISCELLANEOUS	1	$100,302.00	$0.00
NEW	3	$1,530,000.00	$40,310.86
PLUMBING	4	$16,700.00	$472.28
REMODEL	5	$1,535,400.00	$10,113.85
REPAIR	1	$28,000.00	$435.71
ROOF	1	$8,000.00	$35.70
SIGNAGE	15	$45,036.00	$1,351.50
DEVELOPMENT	1	$450.00	$75.00
DIRECTORY	1	$2,000.00	$150.00
MONUMENT	3	$5,675.00	$226.50
WALL	10	$36,911.00	$900.00
SINGLE FAMILY	224	$2,328,913.33	$47,670.83
ACC BLDG	2	$4,700.00	$175.93
ADDITION	2	$11,900.00	$275.87
ALTERATION	1	$2,500.00	$35.70
CONCRETE	6	$26,950.00	$712.50
CONST TRAILER	1	$14,673.00	$4,060.30
DECK	1	$100.00	$0.00
DEMO	1	$5,300.00	$139.50
ELECTRICAL	16	$93,408.00	$2,101.90
FENCE	24	$71,080.00	$843.50
IRRIGATION	36	$81,100.00	$1,283.10
MECHANICAL	11	$125,652.00	$2,415.73
MISCELLANEOUS	1	$2,470.00	$35.70
NEW	4	$681,618.00	$27,743.86
PATIO COVER	11	$92,282.00	$1,847.46
PLUMBING	41	$49,544.45	$2,252.04
REMODEL	4	$88,900.00	$1,148.54
RETAINING WALL	4	$42,500.00	$170.70
ROOF	53	$737,833.28	$1,885.80
SEAWALL	1	$20,000.00	$51.00
SWIM POOL	3	$153,000.00	$456.00
WINDOWS	1	$23,402.60	$35.70

City of Rockwall

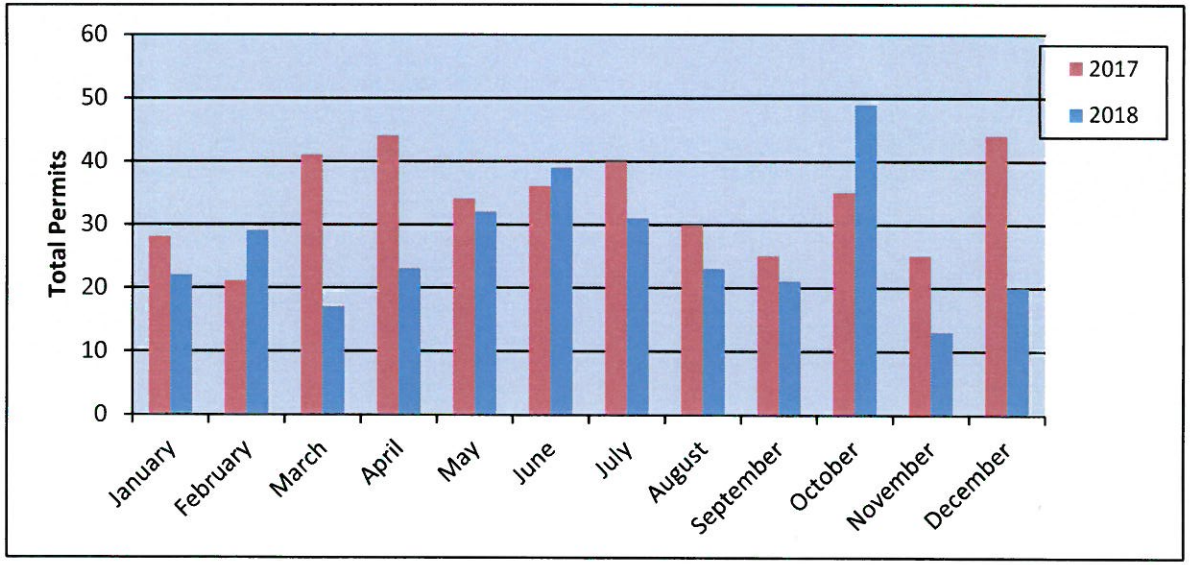
PERMITS ISSUED - Summary by Type and Subtype

For the Period 1/1/2019 thru 1/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
SPECIAL EVENT	1	$0.00	$60.00
	1	$0.00	$60.00
TCO	1	$0.00	$306.00
	1	$0.00	$306.00
Totals:	280	$6,236,458.33	$108,325.23

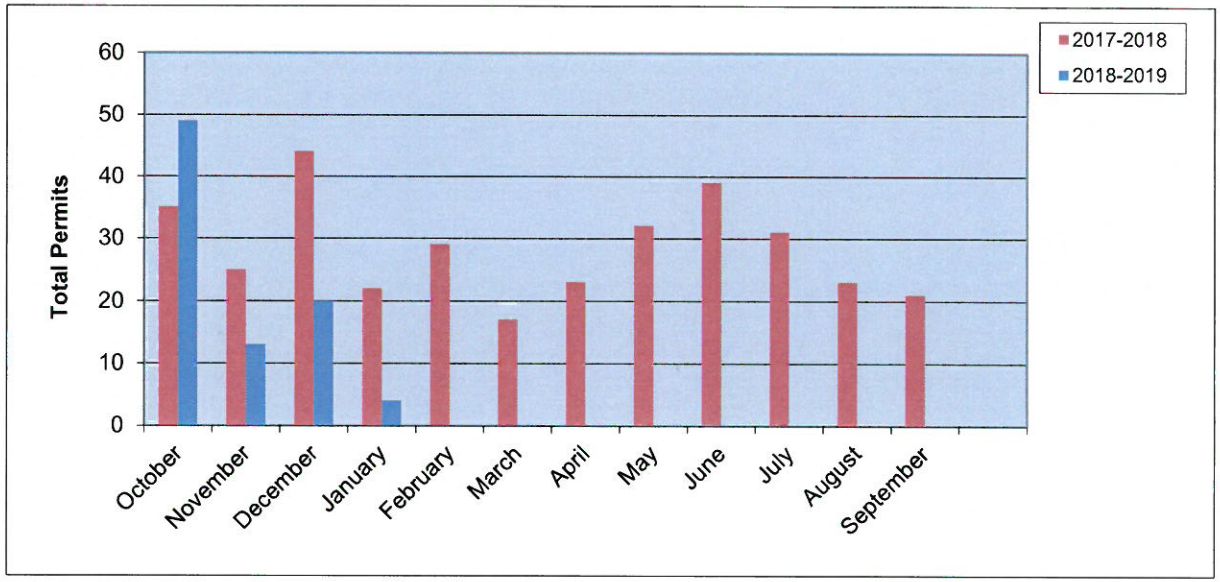
New Residential Permits Calendar Year

	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
Totals	**403**	319



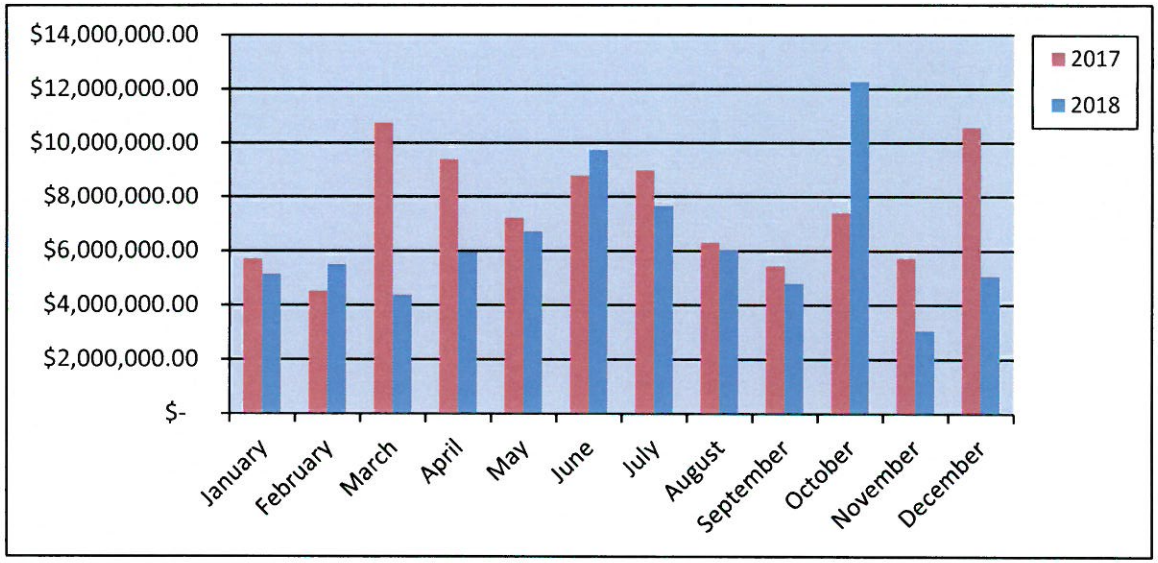
New Residential Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	
March	17	
April	23	
May	32	
June	39	
July	31	
August	23	
September	21	
Totals	**341**	**86**



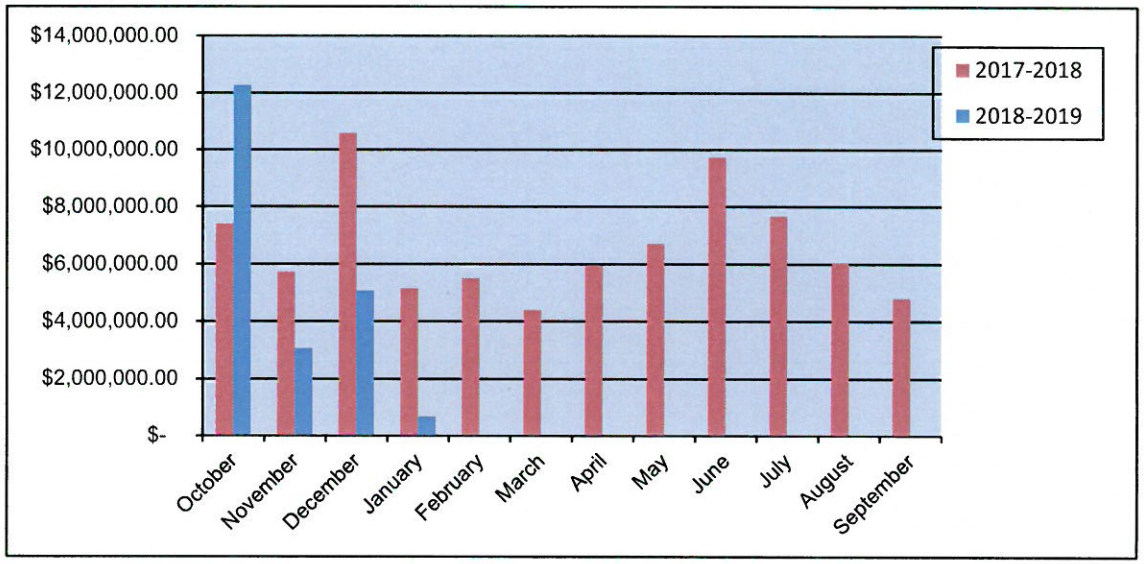
New Residential Value Calendar Year

Year	2017	2018
January	$ 5,698,431.00	$ 5,145,624.00
February	$ 4,497,500.00	$ 5,505,704.00
March	$ 10,740,233.00	$ 4,374,886.00
April	$ 9,394,785.27	$ 5,946,813.00
May	$ 7,210,632.79	$ 6,706,301.00
June	$ 8,782,481.00	$ 9,728,069.00
July	$ 8,983,999.47	$ 7,660,917.00
August	$ 6,295,770.00	$ 6,049,208.00
September	$ 5,443,098.00	$ 4,799,404.00
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
Totals	**$ 90,748,277.89**	**$ 76,318,156.00**



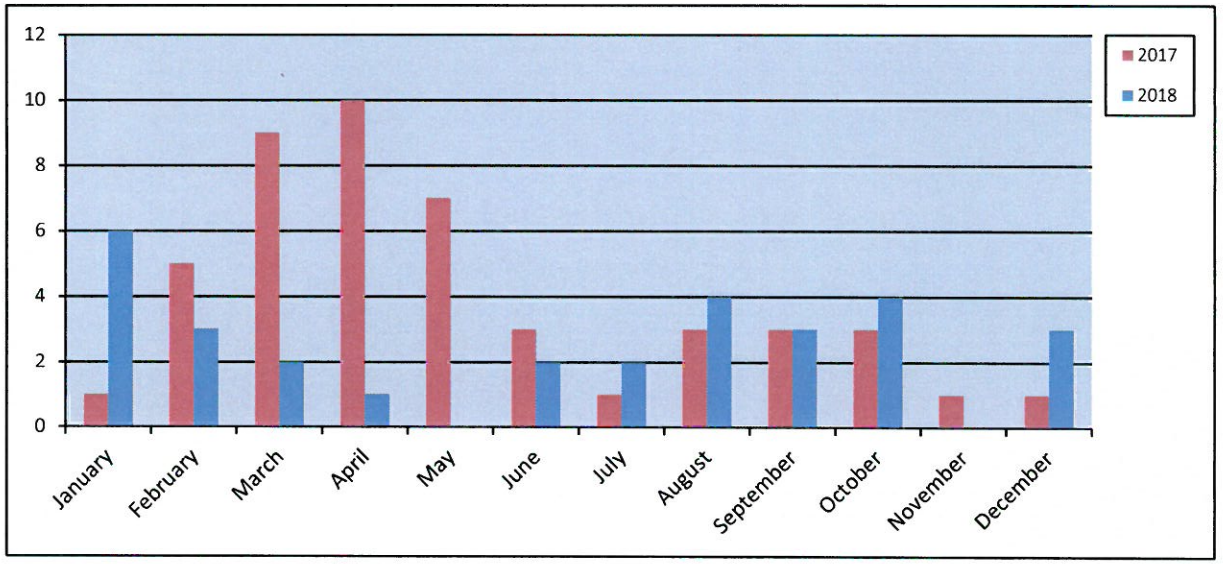
New Residential Value Fiscal Year

Year	2017-2018	2018-2019
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
January	$ 5,145,624.00	$ 681,618.00
February	$ 5,505,704.00	
March	$ 4,374,886.00	
April	$ 5,946,813.00	
May	$ 6,706,301.00	
June	$ 9,728,069.00	
July	$ 7,660,917.00	
August	$ 6,049,208.00	
September	$ 4,799,404.00	
Totals	**$79,618,273.36**	**$ 21,082,848.00**



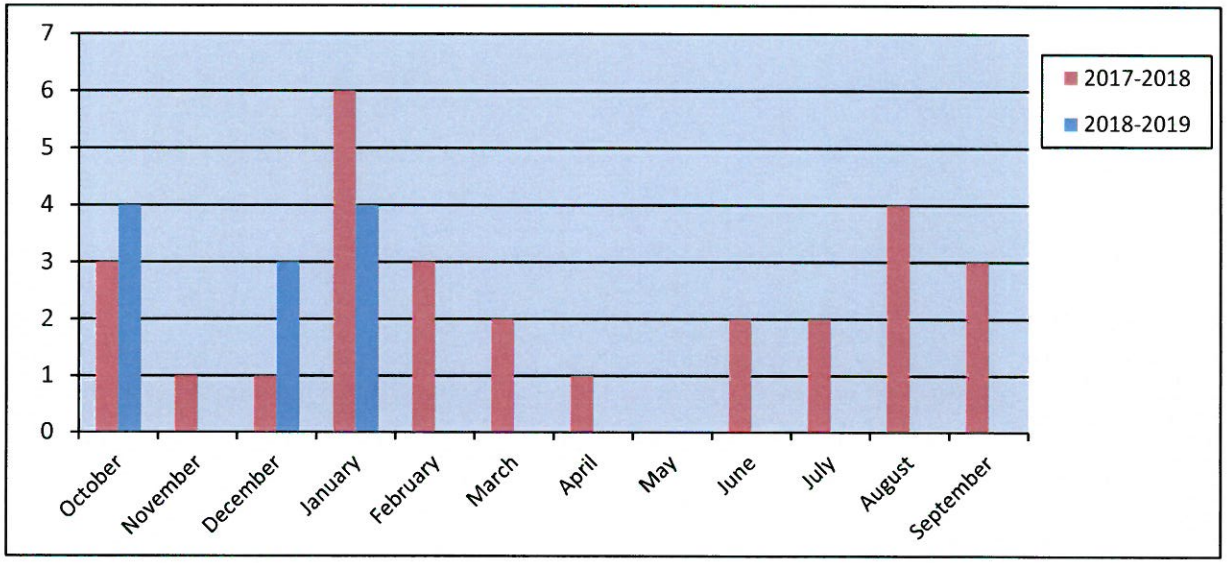
Residential Remodel Permits Calendar Year

Year		
	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
Totals	**47**	30



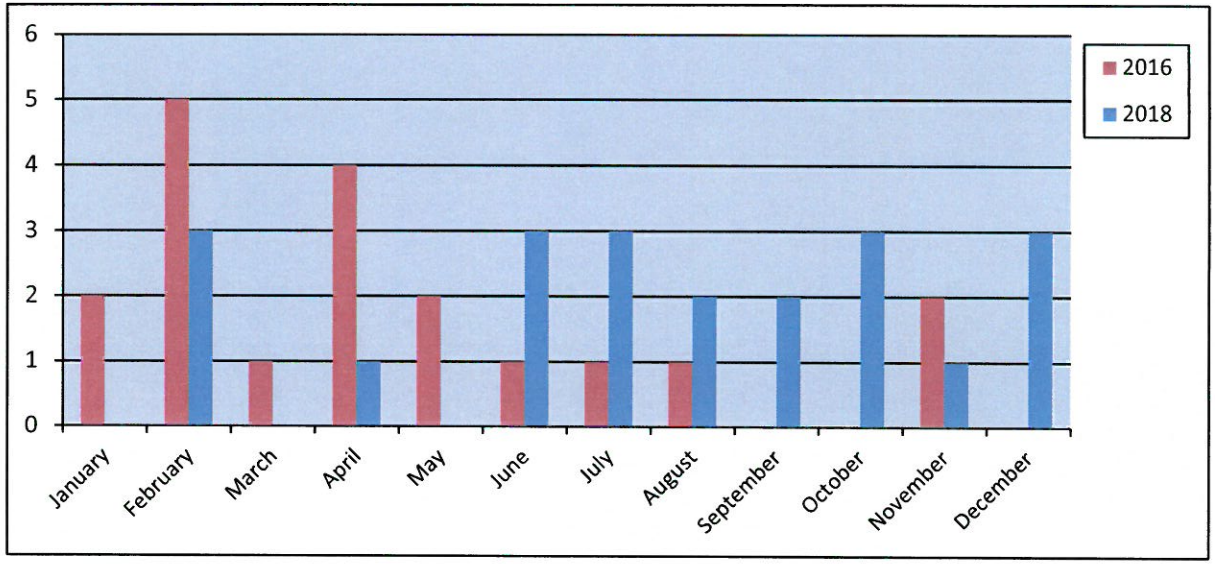
Residential Remodel Permits Fiscal Year

Year		
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	
March	2	
April	1	
May	0	
June	2	
July	2	
August	4	
September	3	
Totals	**28**	**11**



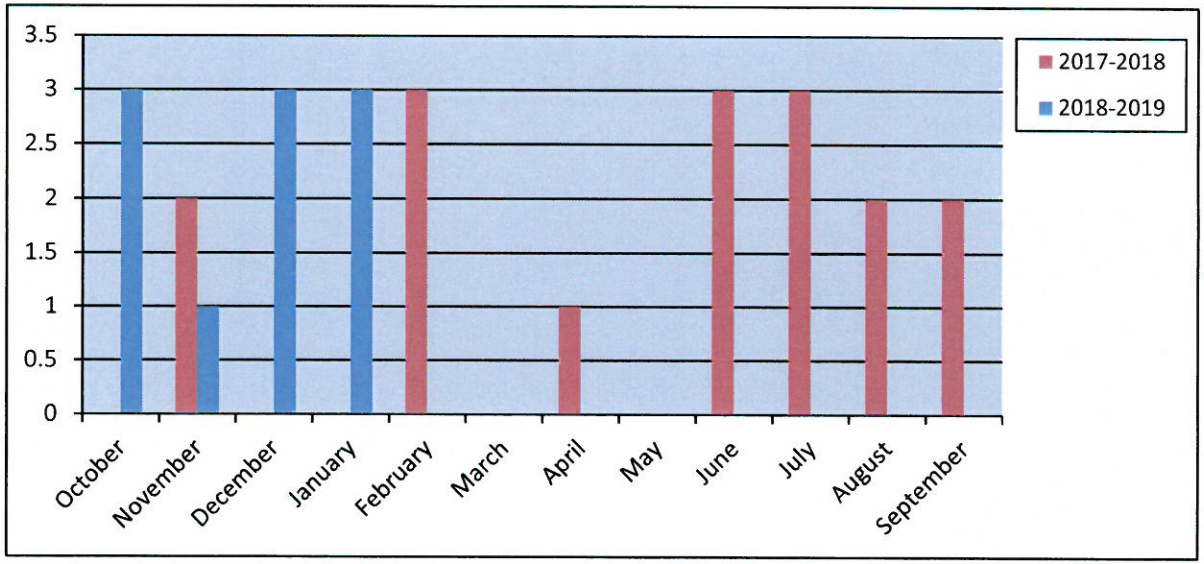
New Commercial Permits Calendar Year

	Year	
	2016	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
Totals	**19**	**21**



New Commercial Permits Fiscal Year

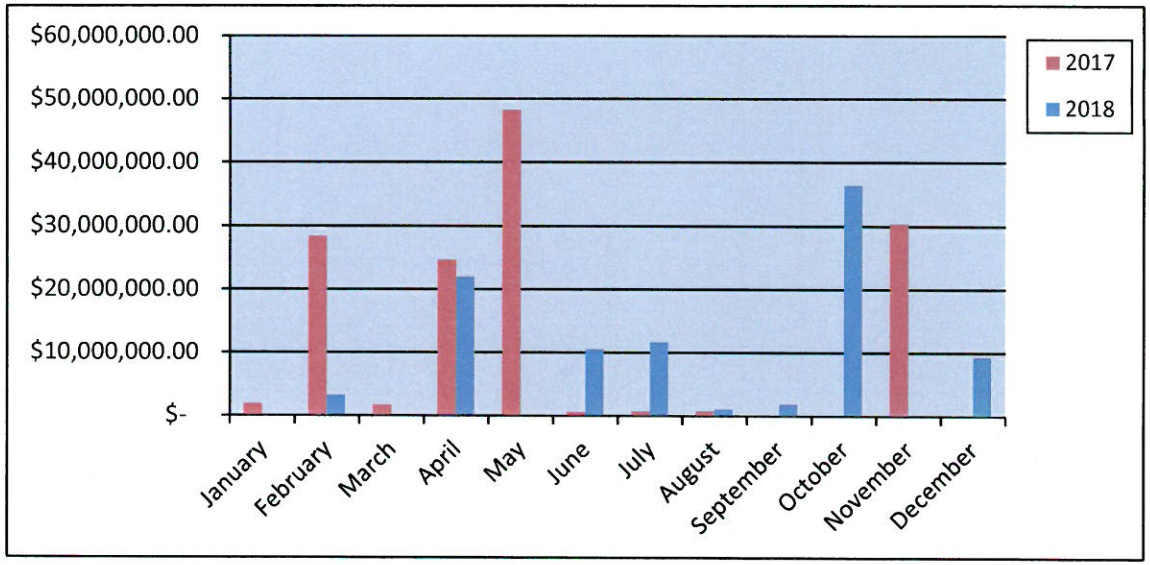
	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	
March	0	
April	1	
May	0	
June	3	
July	3	
August	2	
September	2	
Totals	**16**	**10**



68

New Commercial Value Calendar Year

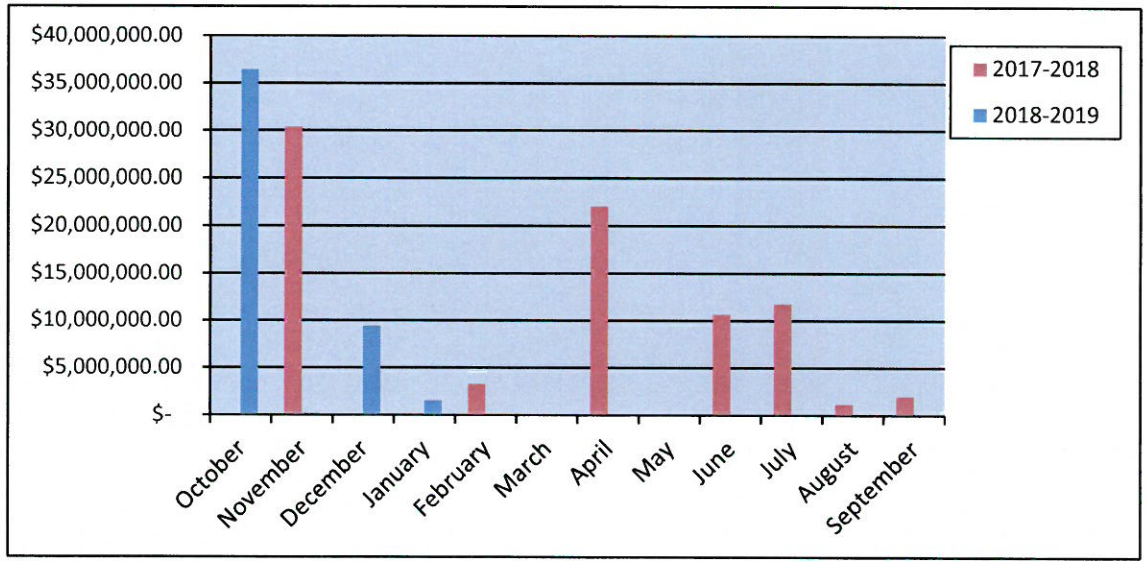
Year	2017	2018
January	$ 1,800,000.00	-
February	$ 28,400,000.00	$ 3,221,771.00
March	$ 1,599,026.00	-
April	$ 24,650,000.00	$ 22,000,000.00
May	$ 48,300,000.00	-
June	$ 569,400.00	$ 10,602,430.88
July	$ 700,000.00	$ 11,712,500.00
August	$ 726,506.00	$ 1,111,950.00
September	-	$ 1,930,813.00
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
Totals	**$ 137,134,932.00**	**$ 96,612,264.88**



69

New Commercial Value Fiscal Year

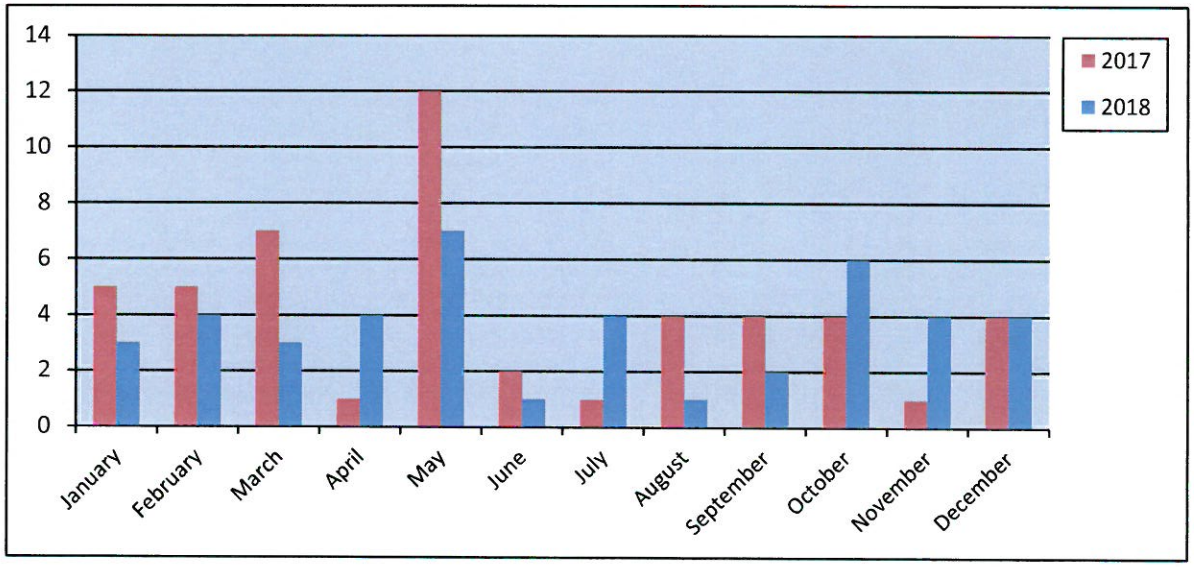
Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
January	-	$ 1,530,000.00
February	$ 3,221,771.00	
March	-	
April	$ 22,000,000.00	
May	-	
June	$ 10,602,430.88	
July	$ 11,712,500.00	
August	$ 1,111,950.00	
September	$ 1,930,813.00	
Totals	**$ 80,969,464.88**	**$ 47,562,800.00**



69

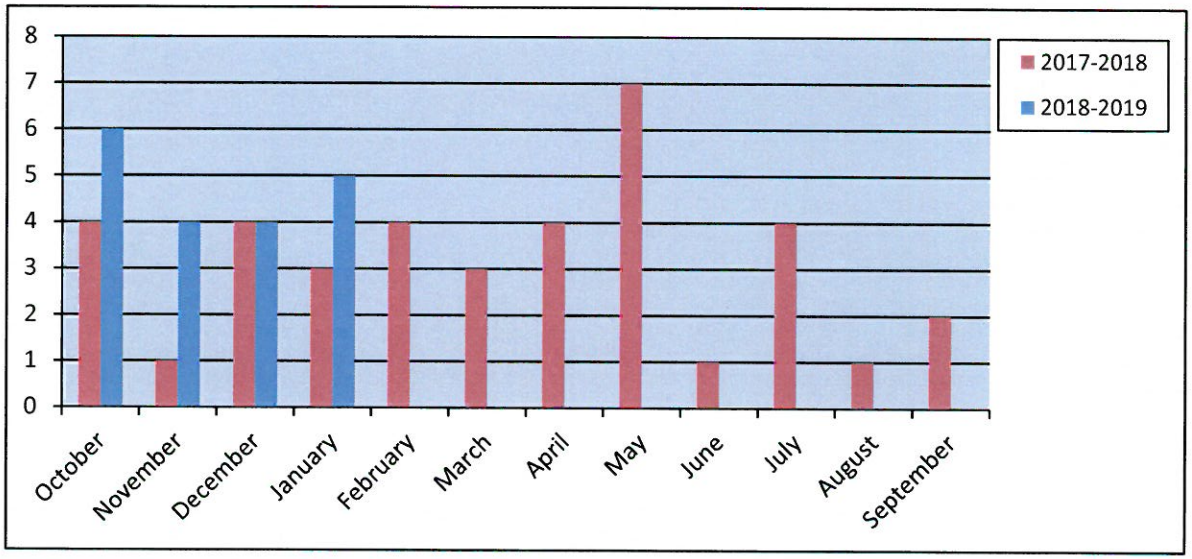
Commercial Remodel Permits Calendar Year

	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
Totals	**50**	**43**



Commercial Remodel Permits Fiscal Year

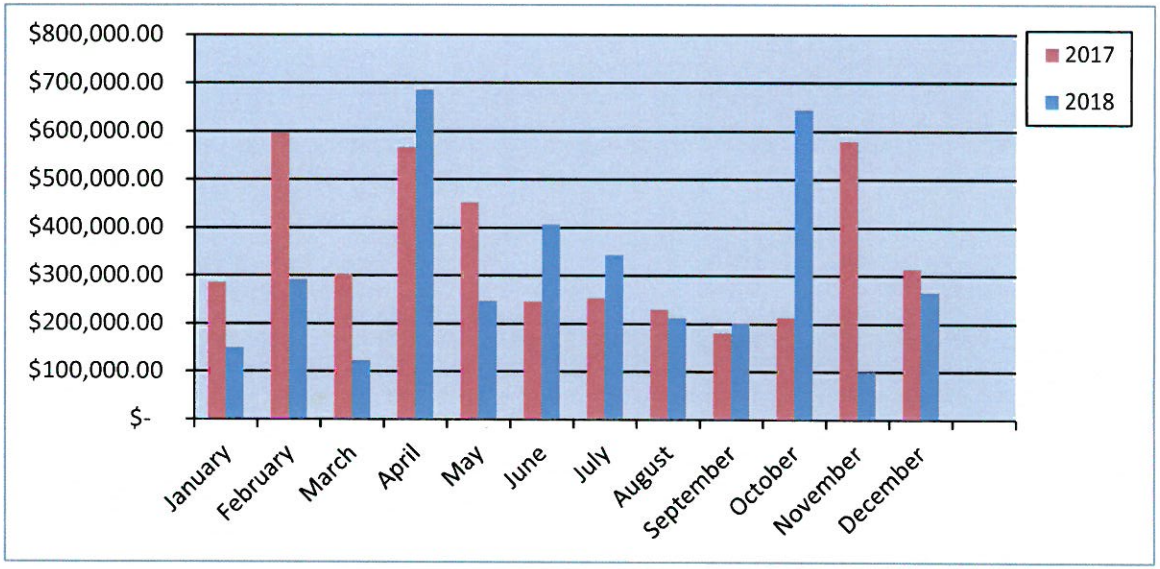
	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	
March	3	
April	4	
May	7	
June	1	
July	4	
August	1	
September	2	
Totals	**38**	**19**



70

Total Fees Collected Calendar Year

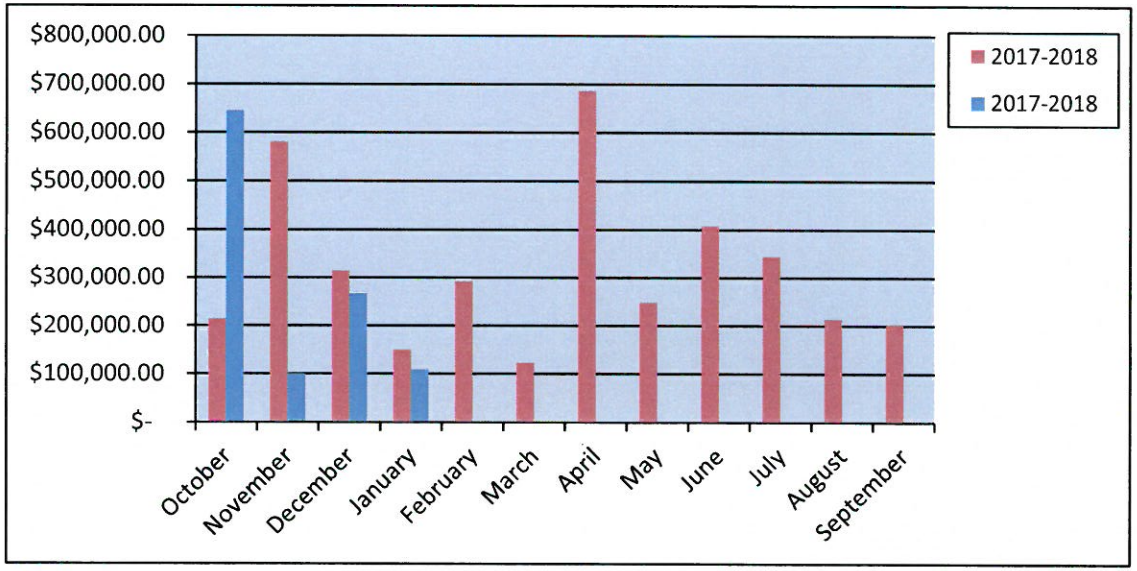
Year	2017	2018
January	$ 284,774.34	$ 149,088.54
February	$ 595,848.26	$ 291,324.78
March	$ 302,406.79	$ 122,271.28
April	$ 566,291.24	$ 686,154.89
May	$ 451,389.66	$ 247,465.55
June	$ 244,930.08	$ 406,799.91
July	$ 252,374.52	$ 343,682.23
August	$ 229,266.56	$ 212,643.16
September	$ 180,561.41	$ 201,855.47
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
Totals	**$ 4,213,035.44**	**$ 3,673,110.11**



71

Total Fees Collected Fiscal Year

Year	2017-2018	2017-2018
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	
March	$ 122,271.28	
April	$ 686,154.89	
May	$ 247,465.55	
June	$ 406,799.91	
July	$ 343,682.23	
August	$ 212,643.16	
September	$ 201,855.47	
Totals	**$ 3,766,478.39**	**$ 1,120,149.53**



71

City of Rockwall
PERMITS ISSUED
For the Period 1/1/2019 thru 1/31/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2018-0122 10/29/2018 01/23/2019	CO BUSINESS Active	711 W Rusk St. Stonebridge Veterinary Hospital	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Vet Cor of Rockwall LLC	350 Lincoln Place, Hingham, MA 02043	(781) 749-8151
BUS OWNER	Vet Cor of Rockwall LLC	350 Lincoln Place, Hingham, MA 02043	(781) 749-8151
OWNER	Vet Cor of Rockwall LLC	350 Lincoln Place, Hingham, MA 02043	(781) 749-8151

CO2018-0132 12/21/2018 01/14/2019	CO INTERIOR Active	506 N Goliad 3002-0000-0001-00-0R Tea Spot Cafe	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Olga Arciniegas	2621 Massey Ln, Rockwall, TX 75032	(972) 722-6727
BUS OWNER	Olga Arciniegas	506 N Goliad St, Rockwall, TX 75087	(972) 722-6727
OWNER	MEYERS, STUART A & BR	, ROCKWALL, TX 75087	

CO2019-0003 01/08/2019 01/22/2019	CO INTERIOR Active	1104 Ridge Rd. B 3570-0484-0002-00-0R Minuteman Press	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Frank McLeod	312 Rockwbrook, Rockwall, TX 75087	(469) 769-1600
BUS OWNER	Frank McLeod	1104 B Ridge, ROCKWALL, TX 75087	(469) 769-1600
OWNER	BENBROOKE, RIDGE PAR	C/O PRETIUM PROPERTY MANAGEMEN, FORT WORTH, TX 7610	

CO2019-0005 01/09/2019 01/14/2019	CO BUSINESS Active	6540 Alliance Dr. 110 3039-0002-0004-00-0R Northrop Gruman Innovation Systems	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Northrop Gruman Innovation	2980 Fairview Park Dr., Falls Church, VA 22042	(952) 351-3000
BUS OWNER	Northrop Gruman Innovation	2980 Fairview Park Dr., Falls Church, VA 22042	(952) 351-3000
OWNER	ROCKWALL, RENTAL PRC	, TERRELL, TX 75160	

CO2019-0006 01/10/2019 01/10/2019	CO BUSINESS APPROVED	630 IH 30 E 4838-000A-0009-00-0R Just Tires	0.00	0.00	0.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Just Tires	630 IH 30 E, ROCKWALL, TX 75087	(972) 771-0821
BUS OWNER	The Goodyear Tire & Rubber	200 Innovation Way, Akron, OH 44316	(330) 796-6003
BUSINESS	Just Tires	630 IH 30 E, ROCKWALL, TX 75087	(972) 771-0821
OWNER	Rockwall II Properties, LLC	PO Box 630768, Houston, TX 77263	(713) 266-1444

City of Rockwall
PERMITS ISSUED
For the Period 1/1/2019 thru 1/31/2019

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0009	CO	876 W. Rusk St.	0.00	76.50	76.50
01/11/2019	BUSINESS	5228-000A-0003-00-0R			
01/22/2019	Active	City Nails			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Van-Thao T. Huynh & Thao I	876 W. Rusk St., ROCKWALL, TX 75087	(972) 961-6259
BUS OWNER	Van-Thao T. Huynh & Thao I	876 W. Rusk St., Rockwall, TX 75087	(972) 961-6259
BUSINESS	City Nails	876 W. Rusk St., ROCKWALL, TX 75087	(972) 772-6916
OWNER	Grace Development	3309 Fairmont Dr., Nashville, TN 37203	(615) 385-5433

Total Valuation: 0.00
Total Fees: 379.50
Total Fees Paid: 379.50

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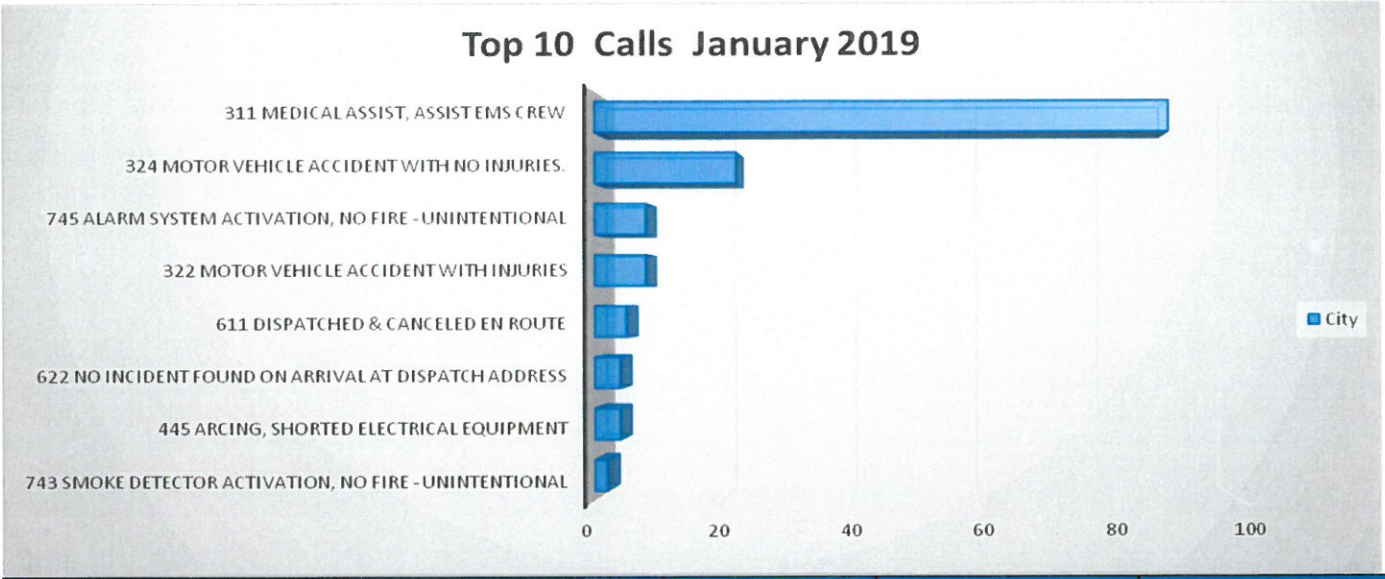
74

ROCKWALL FIRE DEPARTMENT

Monthly Report

January 2019

75

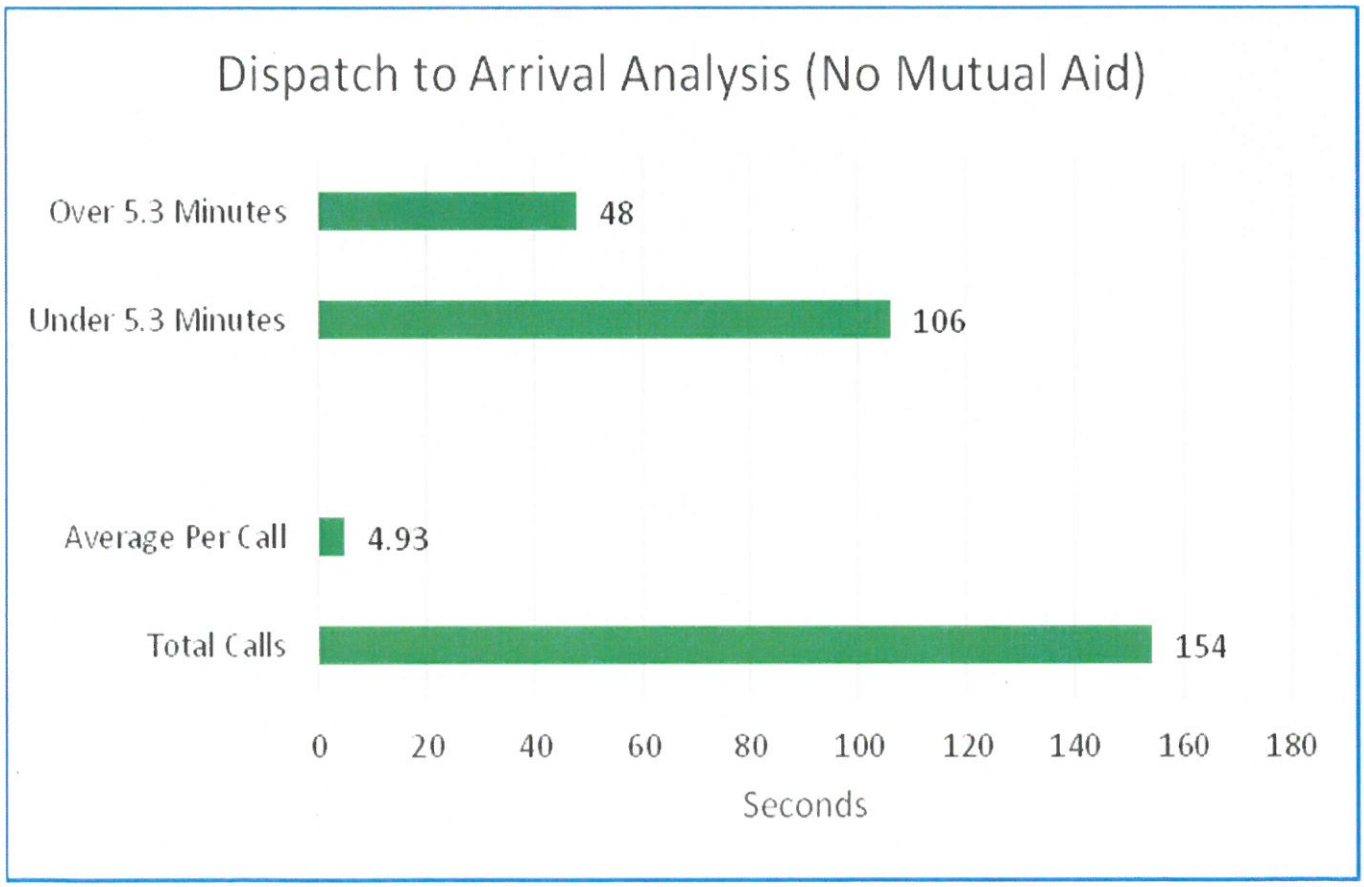


January 2019- All Calls		
Situation Type	Automatic aid given	City
111 Building fire		1
311 Medical assist, assist EMS crew		89
322 Motor vehicle accident with injuries		8
412 Gas leak (natural gas or LPG)		7
611 Dispatched & canceled en route		5
622 No incident found on arrival at dispatch address		4
733 Smoke detector activation due to malfunction		1
735 Alarm system sounded due to malfunction		4
743 Smoke detector activation, no fire - unintentional		2
745 Alarm system activation, no fire - unintentional		8
411 Gasoline or other flammable liquid spill		2
131 Passenger vehicle fire (cars, pickups, SUV's)		2
651 Smoke scare, odor of smoke		7
324 Motor vehicle accident with no injuries.		22
671 HazMat release investigation w/no HazMat		3
740 Unintentional transmission of alarm, other		2
353 Removal of victim(s) from stalled elevator		1
440 Electrical wiring/equipment problem, other		1
445 Arcing, shorted electrical equipment		4
561 Unauthorized burning		1
462 Aircraft standby		1
746 Carbon monoxide detector activation, no CO		1
132 Road freight or transport vehicle fire (Commercial Vehicles)		1
143 Grass fire		2
154 Dumpster or other outside trash receptacle fire	1	1
341 Search for person on land		1
342 Search for person in water		1
365 Watercraft rescue		1
444 Power line down		1
511 Lock-out		1
522 Water or steam leak		2
550 Public service assistance, other		1
631 Authorized controlled burning		1
700 False alarm or false call, other		1
730 System malfunction, other		1
731 Sprinkler activation due to malfunction		2
744 Detector activation, no fire - unintentional		3
400 Hazardous condition, other		1
463 Vehicle accident, general cleanup		1
550 Smoke Detector Battery Change/Install		6
542 Animal rescue		1
554 Assist invalid		1
423 Refrigeration leak		1
Totals	**1**	**207**

76

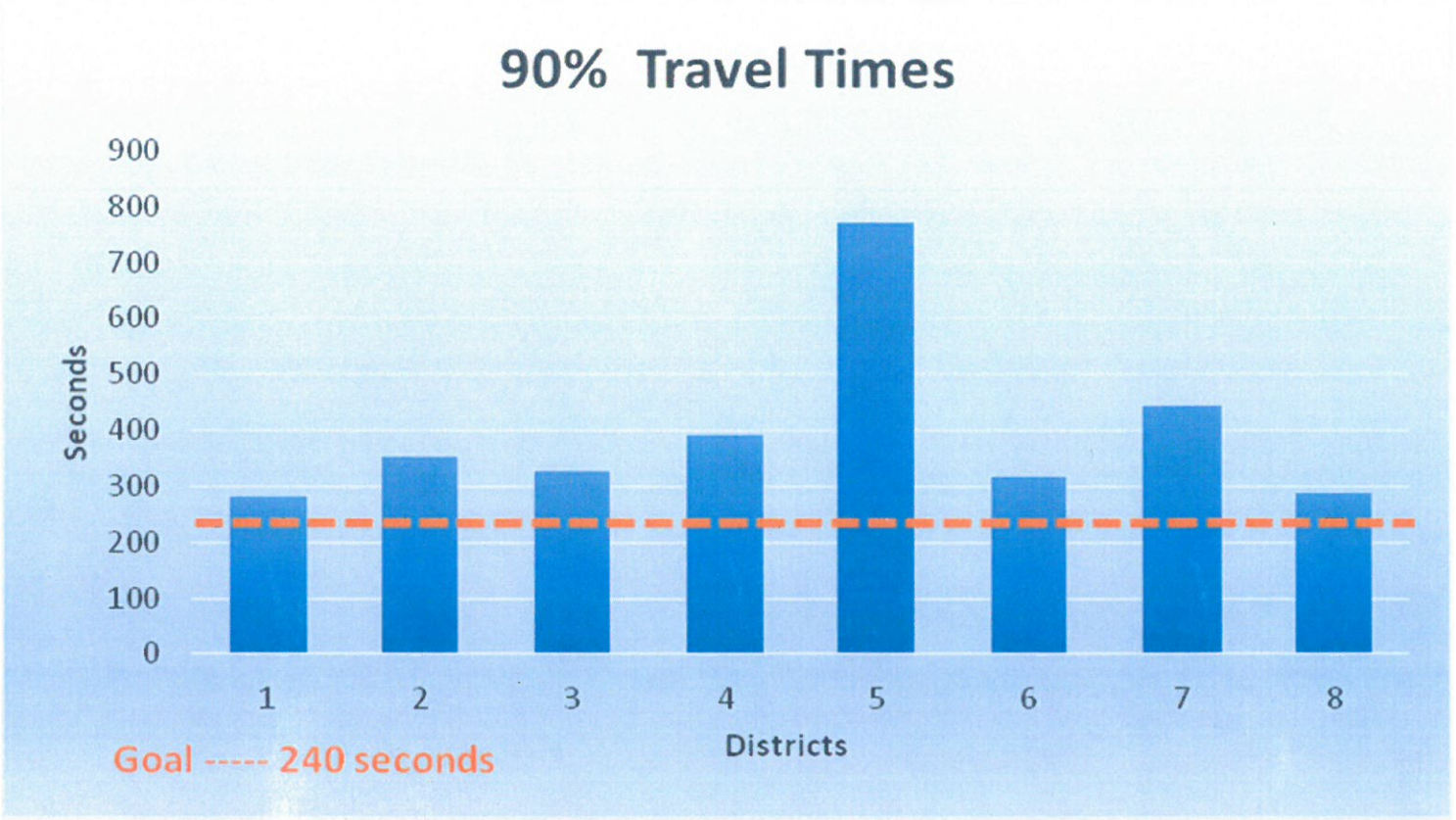
January 2019

Dispatch to Arrival Analysis-All (No Mutual Aid)					Total Calls
63%	On Scene in	5.3	minutes or less		106
75%	On Scene in	6.0	minutes or less		127
84%	On Scene in	7.0	minutes or less		132
90%	On Scene in	8.0	minutes or less		140
92%	On Scene in	9.0	minutes or less		143
99%	On Scene in	19.0	minutes or less		154
	Total Calls		154		



77

January 2019



% 4 min or less	Travel Time Analysis-*By District* (No Mutual Aid) All Code 3 Calls			Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
	100s					
84%	On Scene in	4.0	minutes or less	44	2.62	14.33%
	200s					
69%	On Scene in	4.0	minutes or less	50	3.30	16.29%
	300s					
67%	On Scene in	4.0	minutes or less	15	3.69	4.89%
	400s					
52%	On Scene in	4.0	minutes or less	27	4.30	8.79%
	500s					
29%	On Scene in	4.0	minutes or less	8	5.75	2.61%
	600s					
67%	On Scene in	4.0	minutes or less	3	3.78	0.98%
	700s					
0%	On Scene in	4.0	minutes or less	6	5.71	1.95%
	800s					
0%	On Scene in	4.0	minutes or less	1	4.80	0.33%
	900s					
	On Scene in	4.0	minutes or less	0		
			Total Calls	154		

Total Dollar Losses

January 2019

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 02/21/2019 08:20
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$4,000.00	$0.00	$98,060.00	$4,000.00	$98,060.00
Total Content Loss:	$0.00	$0.00	$58,836.00	$0.00	$58,836.00
Total Property Pre-Incident Value:	$2,601,000.00	$0.00	$98,060.00	$2,601,000.00	$98,060.00
Total Contents Pre-Incident Value	$0.00	$0.00	$58,836.00	$0.00	$58,836.00
Total Losses:	$4,000.00	$.00	$156,896.00	$4,000.00	$4,000.00
Total Value:	$2,601,000.00	$.00	$156,896.00	$2,601,000.00	$156,896.00

Fire Marshal Division

Monthly Report - January 2019

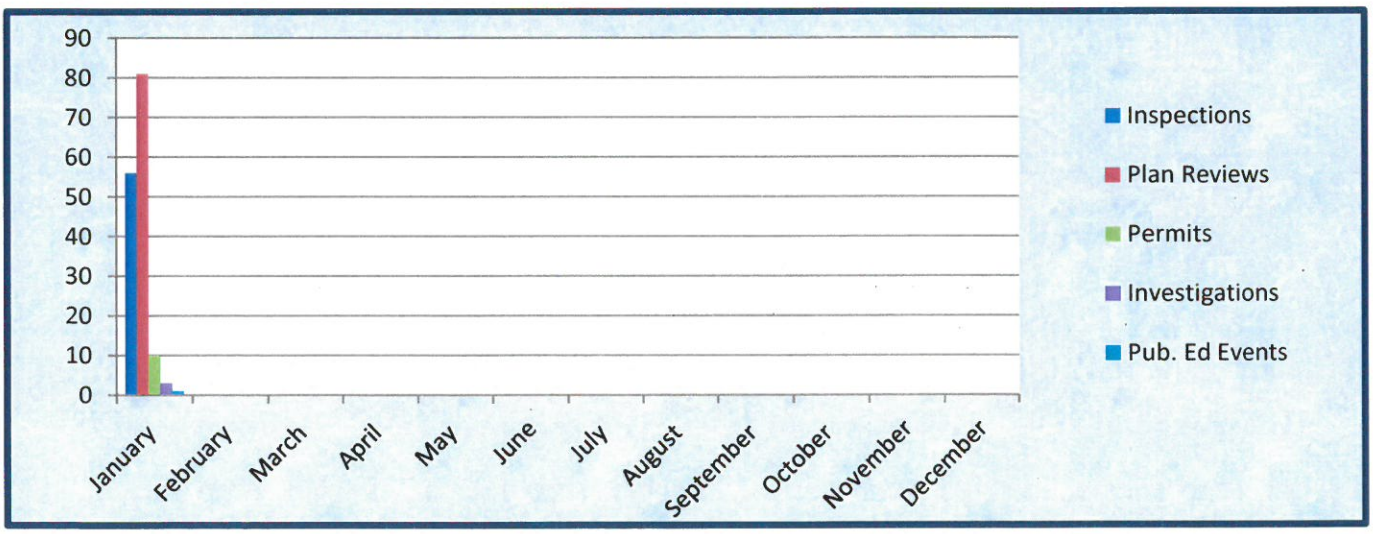
Inspection Status Report	
Finaled Inspections	29
Pending Inspections	27
Total for the Month	**56**

Fire Investigations Status Report	
Active Investigations	2
Closed Investigations	1
Total for the Month	**3**

Plan Review Report	
Clean Show	1
CO	22
COMM	34
Engineering	7
Plat	5
Site Plan	6
Single Family	2
Special Event	1
TCO	1
Zoning	2
Total for the Month	**81**

Fire Permit Report	
Aboveground Tank	1
Fire Alarm	2
Fire Sprinkler	2
Fire Sprinkler Monitoring System	1
Haz-Mat	1
High Rack Pile	1
Kitchen Suppression	1
Open Burn	1
Temp Aboveground Tank	1
Underground Sprinkler	2
Total for the Month	**13**

Public Education Events	
Total for the Month	**1**



80

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81

Key Projects:

(1) **Asset Management Software**. Maintenance

(2) **Outside Agencies / Citizens**. NCTCOG, RCAD, Consultants, Rockwall County Elections Office

(3) **Engineering/Public Works**. Glenn Av. Mail-out , Russ Dr. Mail-out, Water Meter Geocoding, Pipeline Analytics questions/data, Basin (Camera) map, Harbor TIA, GPS data import, Flooding map changes, Utility calculations

(4) **Parks Department**. Harbor exhibits, Pickle Ball exhibit, Non-City park maps

(5) **Planning Department**. Land Use Assumption data, Zoning Tool calculations, Google Fusion table discussion, Update planning cases layer, For and Against map, Assist planners with cases, Future Land Use Map, Restaurant comparative analysis, Planner interviews, Annexation map

(6) **Building Inspections/NIS** Cell Node addressing and research, BOA mail-out (Cracker Barrel)

(7) **GIS**. 911 Addressing, GIS staffing changes, Permitting Software RFP Finalize, Trak-it Fix, Large Format Scanner Issues, GPS Software Fix, End of Year updates, Street Index, Various GPS Projects, Planimetric's update, Scanning, Website updates / changes

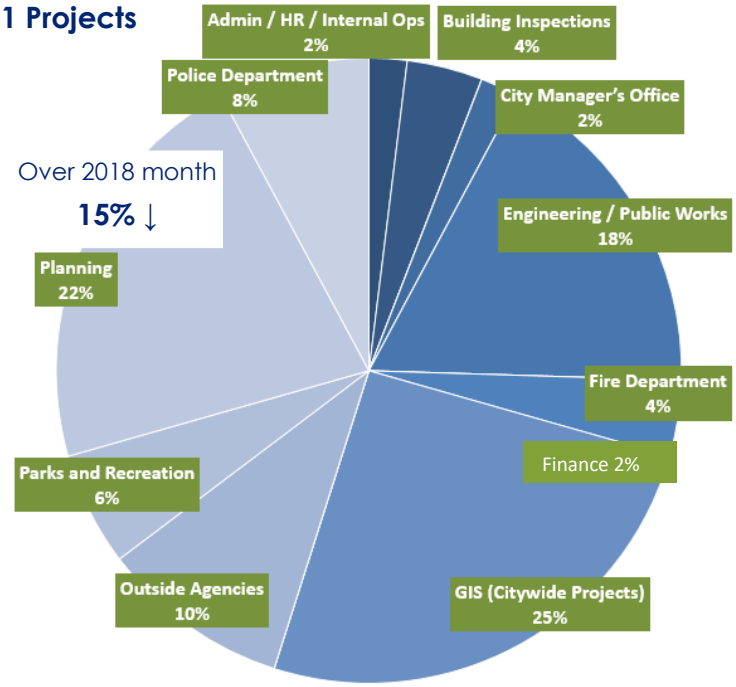
(8) **Police / Fire.** NWS Dispatch CAD Update, PSAP Contract review, Citywide Demographics, Sex Offender Map Update, Community Risk Assessment Data, Urban-Suburban-Rural calculations

(9) **Admin / Int-Ops.** North Lofland Property map, Guitar signage map

(10) **Finance-** Pettinger Preserve boundary map

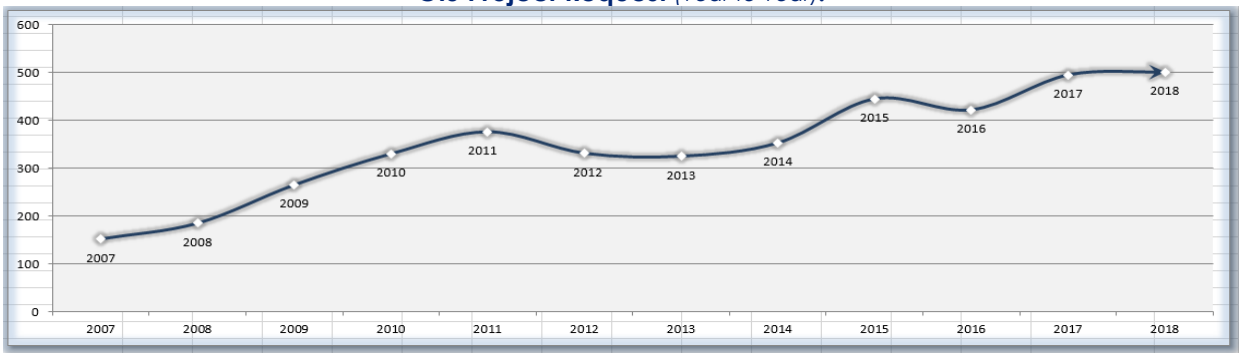
Monthly Project Request by Department:

51 Projects



Admin / HR / Internal Ops	1
Building Inspections	2
Citizen Request	0
City Council	0
City Manager's Office	1
Neighborhood Improvement Services	0
Engineering / Public Works	9
Finance / Utility Billing	0
Fire Department	2
GIS (Citywide Projects)	13
IT	0
Main Street Program	0
Outside Agencies	5
Parks and Recreation	3
Planning	11
Police Department	4
REDC	0
Total	**51**

GIS Project Request *(Year to Year)*:



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83

Rockwall Police Department
Harbor District Call For Service
January 2019

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2019-00000417	01/05/2019	15:27:30	Hilton Hotel	Criminal Mischief	Report
2019-00003112	01/31/2019	20:34:40	The Harbor	Disorderly Conduct	No Report
2019-00001099	01/11/2019	17:29:36	En Fuego Tobacco Shop	Disturbance	Arrest
2019-00003115	01/31/2019	21:01:14	The Harbor	Disturbance	Unable To Locate
2019-00000723	01/08/2019	15:54:56	City Salon and Spa	Harrassment	Report
2019-00001527	01/16/2019	23:32:28	Sideways BBQ	Intoxicated	No Report
2019-00000020	01/01/2019	01:29:19	Hilton Hotel	Intoxicated	Arrest
2019-00001195	01/12/2019	18:42:12	The Harbor	Investigation	No Report
2019-00000335	01/04/2019	19:32:01	Cinemark Movies 12	Property	No Report
2019-00000409	01/05/2019	13:37:19	The Harbor	Theft	No Report
2019-00000264	01/04/2019	03:19:28	The Harbor	Welfare Concern	Unable To Locate

Common Name	
Cinemark Movies 12	1
City Salon and Spa	1
En Fuego Tobacco Shop	1
Hilton Hotel	2
Sideways BBQ	1
The Harbor	5
Total	**11**

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85

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
JANUARY 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	17	17	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	3	3	0	100%
ANIMAL SERVICES	12	12	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	2	2	0	100%
ENGINEERING	3	3	0	100%
FINANCE	1	1	0	100%
FIRE DEPARTMENT	35	35	0	100%
INTERNAL OPERATIONS	60	60	0	100%
MUNICIPAL COURT	6	6	0	100%
PARKS & RECREATION	21	21	0	100%
PLANNING & ZONING	1	1	0	100%
POLICE DEPARTMENT	31	31	0	100%
PUBLIC WORKS	7	7	0	100%
UTILITY BILLING	2	2	0	100%
TOTAL	203	203	0	100%

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87

Rockwall Police Department

Monthly Activity Report

January-2019

ACTIVITY	CURRENT MONTH JANUARY	PREVIOUS MONTH DECEMBER	YTD 2019	YTD 2018	YTD % CHANGE
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	2	2	2	2	**0.00%**
Robbery	0	0	0	0	**0.00%**
Aggravated Assault	2	0	2	1	**100.00%**
Burglary	2	1	2	2	**0.00%**
Larceny	55	62	55	58	**-5.17%**
Motor Vehicle Theft	5	6	5	2	**150.00%**
TOTAL PART I	**66**	**71**	**66**	**65**	**1.54%**
TOTAL PART II	**154**	**137**	**154**	**172**	**-10.47%**
TOTAL OFFENSES	**220**	**208**	**220**	**237**	**-7.17%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	18	21	18	14	**28.57%**
D.W.I.	21	26	21	20	**5.00%**
FELONY	42	24	42	38	**10.53%**
MISDEMEANOR	65	84	65	74	**-12.16%**
WARRANT ARREST	9	12	9	8	**12.50%**
JUVENILE	2	6	2	3	**-33.33%**
TOTAL ARRESTS	**118**	**126**	**118**	**123**	**-4.07%**
DISPATCH					
CALLS FOR SERVICE	1476	1484	1476	1339	**10.23%**
ACCIDENTS					
INJURY	12	8	12	14	**-14.29%**
NON-INJURY	57	84	57	55	**3.64%**
FATALITY	0	0	0	0	**0.00%**
TOTAL	**69**	**92**	**69**	**69**	**0.00%**

ROCKWALL NARCOTICS UNIT

Number of Cases	
Arrests	**3**
Arrest Warrants	
Search Warrants	**1**
Seized	
Marijuana	80 Ounces
Cocaine	492 Grams
THC Oil	650 Grams

Rockwall Police Department

Dispatch and Response Times

January 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**101**
Call to Dispatch	0:01:28		
Call to Arrival	0:06:16		
% over 7 minutes	26%		

	Average Response Time		
Priority 2		Number of Calls	**256**
Call to Dispatch	0:03:05		
Call to Arrival	0:09:46		
% over 7 minutes	58%		

	Average Response Time		
Priority 3		Number of Calls	**55**
Call to Dispatch	0:05:52		
Call to Arrival	0:13:24		
% over 7 minutes	64%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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90



PARTICIPATION



DADDY DAUGHTER DANCE: 750 ATTENDEES



OPENING CEREMONIES-RBSL: 250 PARTICPANTS



BABYSITTING CLASS:
7 PARTICPANTS

MONTHLY OVERVIEW	JAN '19
Part Time Labor Hours	38.5
Program Offerings	8
Program Participants	837
Resident Participants	574
Non-Resident Participants	263
Programs that Made	8
Cancelled Programs	0
% of Programs Cancelled	0%

FEE BASED RESIDENT VS NON-RESIDENT

8 programs

69%	31%

91

VOLUNTEER IN THE PARKS (V.I.P.)



ALL JAN EVENTS POSTPONED

TOTAL # OF VOLUNTEER HOURS

# OF VOLUNTEERS	NA
# OF VOLUNTEER HOURS	NA

NA

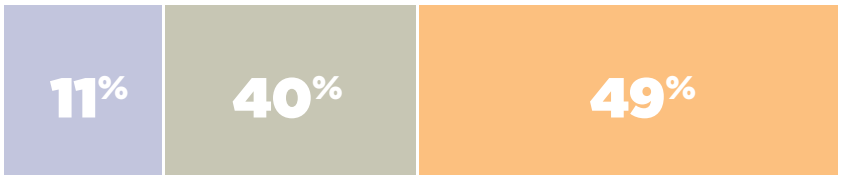


HMCC	JAN '19
Time Blocks Rented	36
Monthly Revenue	$1440

HMCC RENTAL ACTIVITY BY TIME BLOCK

36 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM



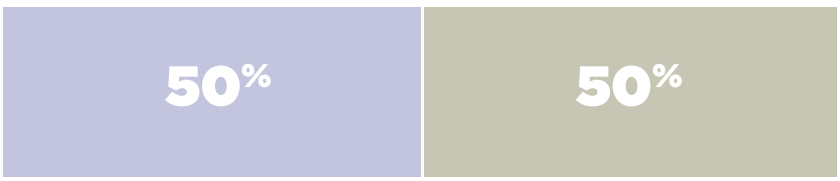


PAVILIONS	JAN '19
Time Blocks Rented	2
Monthly Revenue	$80

PAVILION RENTAL ACTIVITY BY TIME BLOCK

2Rentals

6 AM - 3 PM | 3 - 11 PM



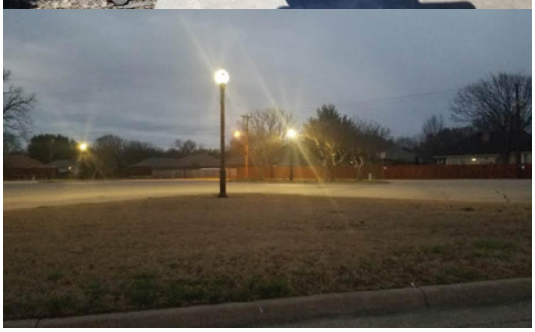
92

PARKS



FACILITY MANAGEMENT:

BBQ grill replacements at Foxchase and Myers pavilions.



FACILITY MANAGEMENT:

New LED light conversion at 66 Boat Ramp in parking lot islands



FACILITY UPGRADES:

Myers Disc Golf Course renovation including new tee boxes, as well as additional radius work with new Tif Tuf sod on Field #2 at Leon Tuttle.



MARKETING

FACEBOOK PAGE LIKES

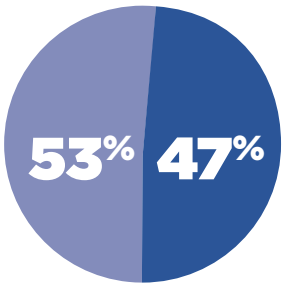
	GAIN OR LOSS
DEC	+15
JAN	+41

TOTAL LIKES THRU 1/31/2019

Like **12,265**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
DEC	7642	+201
JAN	7823	+263



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

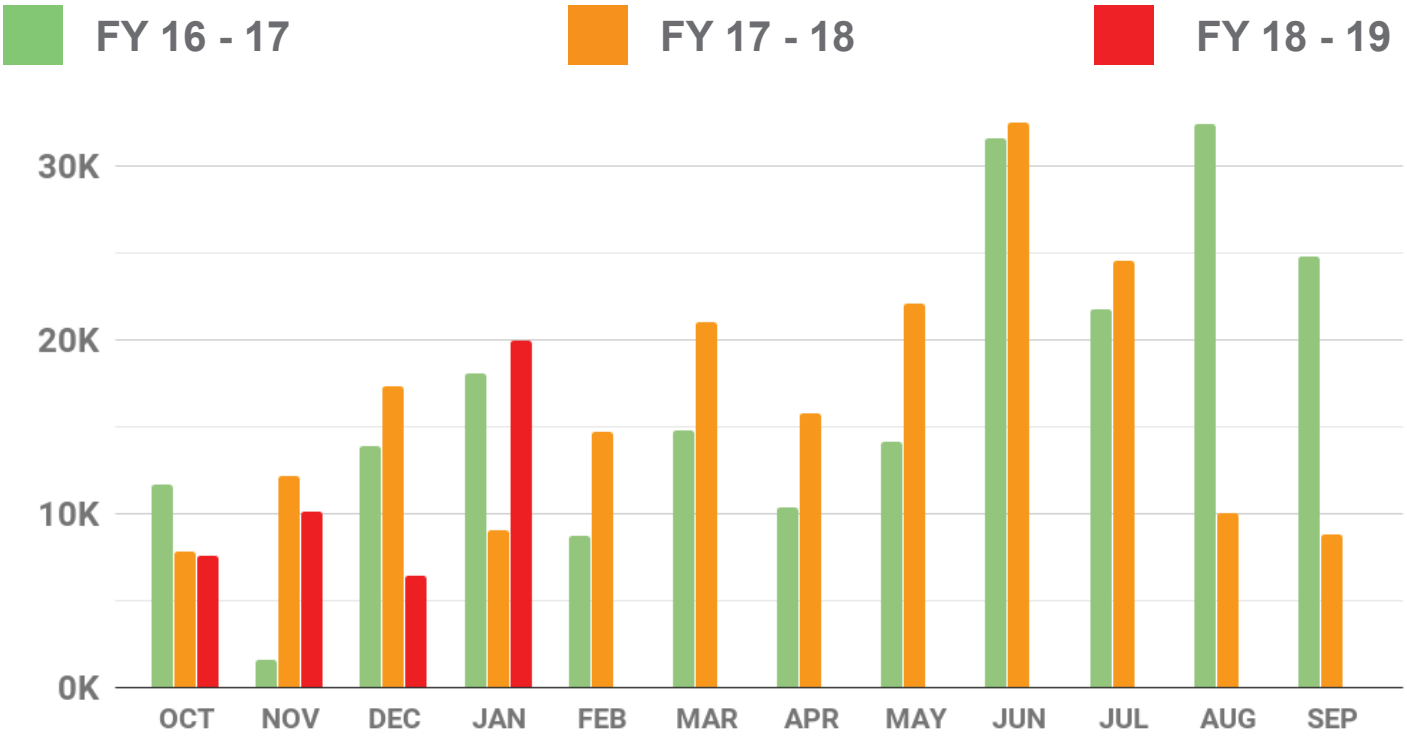
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of January 2019.	91,809
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	14,824
USERS Visitors to playrockwall.com	9,564

REVENUE

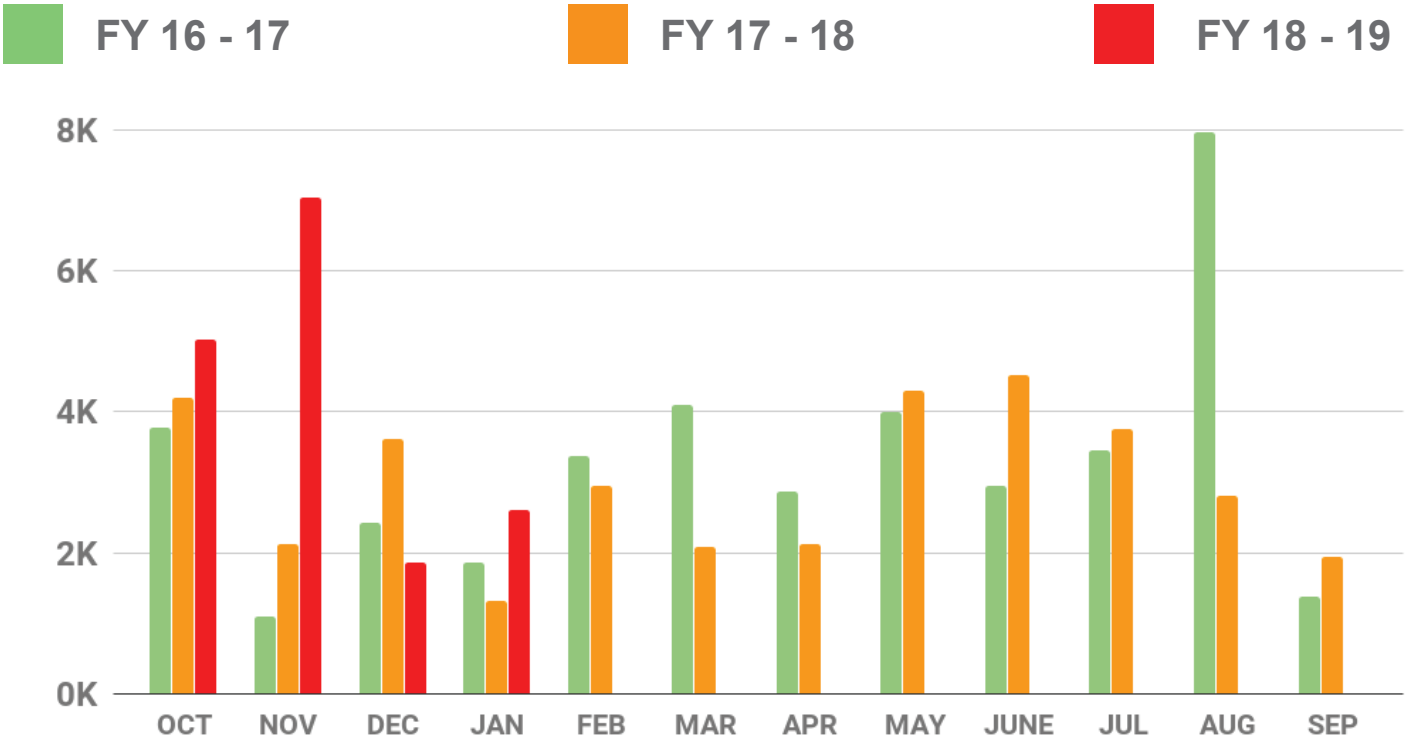
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



95

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96

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19								
March '19								
April '19								
May '19								
June '19								
July '19								
August '19								
September '19								
October '19								
November '19								
December '19								

97

Rockwall Animal Adoption Center

PROFIT AND LOSS

January 2019

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	4,140.00
4112 Adoption Fee - Cat	640.00
Total 4100 Adoption Fee	**4,780.00**
4200 Impound Fee	645.00
4300 Owner Surrender	800.00
4350 Quarantine Fee	200.00
4650 Medical	500.00
4700 General Donations	4,638.47
Total Income	**$11,563.47**
GROSS PROFIT	**$11,563.47**
Expenses	
5200 - Shelter Expense	
5203 - Medication	4,917.19
5204 - Feline Food	41.00
5209 - Shelter Supplies	538.79
5211 - Repair & Maint.	2,152.76
5220 - Truck Maintenance	99.15
Total 5200 - Shelter Expense	**7,748.89**
5300 - Veterinary Expense	4,745.72
62100 Contract Services	
62150 Outside Contract Services	2,083.34
Total 62100 Contract Services	**2,083.34**
65000 5000 - Administative Expense	
5002 - Website	20.25
5004 - Paypal/Intuit fee	275.54
5005 - Postage	28.70
5006 - Bank Fees	83.96
5025 - Staff Uniforms	292.73
5040 - Retirement srvs - 401K	254.00
5050 - Payroll	24,638.93
5055 - Payroll Tax	1,668.13
5056 - 401K Employer/Healthcare	724.53
5099 - Misc	619.28
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**28,846.05**
Total Expenses	**$43,424.00**
NET OPERATING INCOME	**$ -31,860.53**
NET INCOME	**$ -31,860.53**

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99

STAR TRANSIT
Phone: 877-631-5278 | **Fax:** 972-563-0048 | **Website:** STARtransit.org
PO Box 703 | Terrell | TX 75160

February 5, 2019

To: City of Rockwall

From: Ashley Ando, Grant Director

Re: January 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
JANUARY	21	1,206

Non-Service Days: January 1st and 21st

NO. OF TRIPS	PURPOSE
335	Contract Service
17	Education
2	Government
90	Medicaid
203	Medical
12	Nutrition (Senior Center)
209	Other (adult-day care, beauty salon, friend's homes, etc.)
148	Shopping
190	Work

JANUARY UNDUPLICATED PASSENGERS
91
YEAR TO DATE UNDUPLICATED PASSENGERS
187

Adjusted Trip Total	781

*Trip Totals without Contracts or Medicaid

> = 60	424
DIS >60	156
	580
% E & D Trip Total	74%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **5,472**
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: JANUARY 2018 TRIP TOTAL= 1,335 (9% DECREASE)

ROCKWALL CITY	1Q	2Q	3Q	4Q	PURPOSE TOTALS
CONTRACT	1,015	335	0	0	*1,350*
EDU	77	29	0	0	*106*
GOV	5	6	0	0	*11*
MDE	219	180	0	0	*399*
MED	632	403	0	0	*1,035*
NUT	34	29	0	0	*63*
OTH	544	370	0	0	*914*
SHP	533	283	0	0	*816*
WORK	464	314	0	0	*778*
	3,523	1,949	0	0	*5,472*

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743	1,206								5,472	*1,094*
CONTRACT	709	306	0	0	335								**1,350**	*270*
EDU	0	41	36	12	17								**106**	*21*
GOV	1	2	2	4	2								**11**	*2*
MDE	62	69	88	90	90								**399**	*80*
MED	171	235	226	200	203								**1,035**	*207*
NUT	10	11	13	17	12								**63**	*13*
OTH	130	247	167	161	209								**914**	*183*
SHP	171	139	223	135	148								**816**	*163*
WORK	159	175	130	124	190								**778**	*156*
TOTAL DR TRIPS	**1,413**	**1,225**	**885**	**743**	**1,206**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**5,472**	*456*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Medicaid	62	69	88	90	90	0	0	0	0	0	0	0	**399**	*33*
Lakepointe Church Contract	709	306	0	0	335								**1,350**	*270*
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	**0**	*0*
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	*375*	*88*	*90*	*425*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*1,749*	*146*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Adjusted Trip Total	642	850	797	653	781	0	0	0	0	0	0	0	**3,723**	*43,511*
	*Trip Totals without Contracts or Medicaid													

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
> = 60	345	477	393	375	424								**2,014**	*403*
DIS <60	142	167	137	108	156								**710**	*142*
	487	*644*	*530*	*483*	*580*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*2,724*	*227*
% of Adjusted Trip Total	76%	76%	66%	74%	74%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
GENERAL PUBLIC	155	206	267	170	201	0	0	0	0	0	0	0	**999**	*83*
% of Adjusted Total	24%	24%	34%	26%	26%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19	21								102
NoShow/Cancel	527	474	476	370	456								2,303
UNDUPLICATED M2M	82	88	94	80	91								435
UNDUPLICATED YTD		114	144	161	187								606
			30	*17*	*26*	*-187*	*0*	*0*	*0*	*0*	*0*	*0*	

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	323	440	360	319	437								1,879
Percent Subs of Total Trips	23%	36%	41%	43%	36%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	
SUBS Can/NoShow	119	136	210	211	261								937

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102

Table of Contents

Agenda 4

Consider approval of the minutes from the March 4, 2019 regular city council meeting, and take any action necessary.

- Minutes 7
- Blank Page 11

Consider approval of an ordinance cancelling the May 4, 2019 General Election, and take any action necessary (2nd Reading).

- Ord 12
- Blank Page 15

Consider approval of an ordinance establishing the speed limit along SH 205 as fifty miles per hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits), and take any action necessary. (1st reading)

- Memo 16
- Ordinance 17
- Exhibit A 19
- Blank Page 23

Consider authorizing a contract extension for Contract Mowing for one year to Grass Kisser Landscape Maintenance in the amount of $80,437 to be funded from the General Fund, Parks Operations, Ground Maintenance budget, and take any action necessary.

- memo 24
- Blank Page 25

Consider a Park Board recommendation regarding approval of a resolution of the City Council to the 86th Session of the Texas Legislature regarding the distribution of sporting good sales tax to the Texas Recreation and Parks Account, and take any action necessary.

- Memo 26
- Resolution 27
- TRAPS Legislative Items 28
- Sporting Goods Tax 29
- Blank Page 38

Consider approval of a resolution authorizing and consenting to the City of Forney, TX providing sanitary sewer service to 487 additional acres of land through an amendment to the City of Forney's Wastewater Service Contract with Kaufman County Municipal Utility District (MUD) No. 3, and take any action necessary.

- Memo 39
- Resolution 40
- Amendment 41
- Blank Page 47

Consider approval of a resolution for the annual adoption of pro-rata equipment fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.

Memo (Parks Director) . . . 48
Resolution . . . 49
Market Study Ltr . . . 50
Table 2 . . . 86
Blank Page . . . 87

Consider approval of a resolution for the annual adoption of cash-in-lieu of land fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.

Memo (cash in lieu of land) . . . 88
Resolution . . . 89
Market Ltr . . . 90
Table . . . 126
Blank Page . . . 127

Consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an alternative tree mitigation plan in conjunction with an approved site plan for a warehouse/manufacturing facility on a 11.3736-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.

Memorandum . . . 128
Blank Page . . . 138

P2019-009 - Consider a request by Mathias Haubert of Bohler Engineering on behalf of Daniel J. Porter of Dynamic Development for the approval of a replat for Lot 1, Block A, Brakes Plus Addition being a 0.653-acre tract of land currently identified as Lots 1 & 2, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.

P2019-009 . . . 139
Blank Page . . . 146

Z2019-003 - Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an ordinance for a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary (1st Reading).

Z2019-003 . . . 147
Blank Page . . . 181

P2019-008 - Hold a public hearing to discuss and consider a request by Kevin Osornio on behalf of Jeaniffer Osornio for the approval of a replat for Lots 1 & 2, Block A, N. E. & J.O. Addition being a 0.46-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Overlay (SOV) District, addressed as 705 Peters Colony, and take any action necessary.

P2019-008 . . . 182
Blank Page . . . 190

Discuss and consider authorizing the City Manager to execute an agreement with Doliver Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous waste and take any action necessary.

Staff memo . . . 191
Agreement . . . 193
Blank page . . . 201

Discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.

Memo . . . 202
Blank Page . . . 209

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, March 18, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

VII. OPEN FORUM

VIII. CONSENT AGENDA

pg.7 1. Consider approval of the minutes from the March 4, 2019 regular city council meeting, and take any action necessary.

pg.12 2. Consider approval of an **ordinance** cancelling the May 4, 2019 General Election, and take any action necessary **(2nd Reading).**

pg.16 3. Consider approval of an **ordinance** establishing the speed limit along SH 205 as fifty miles per hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits), and take any action necessary**. (1st reading)**

pg.24 4. Consider authorizing a contract extension for Contract Mowing for one year to Grass Kisser Landscape Maintenance in the amount of $80,437 to be funded from the General Fund, Parks Operations, Ground Maintenance budget, and take any action necessary.

pg.26 **5.** Consider a Park Board recommendation regarding approval of a resolution of the City Council to the 86th Session of the Texas Legislature regarding the distribution of sporting good sales tax to the Texas Recreation and Parks Account, and take any action necessary.

pg.39 **6.** Consider approval of a resolution authorizing and consenting to the City of Forney, TX providing sanitary sewer service to 487 additional acres of land through an amendment to the City of Forney's Wastewater Service Contract with Kaufman County Municipal Utility District (MUD) No. 3, and take any action necessary.

pg.48 **7.** Consider approval of a resolution for the annual adoption of pro-rata equipment fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.

pg.88 **8.** Consider approval of a resolution for the annual adoption of cash-in-lieu of land fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.

pg.128 **9.** Consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an alternative tree mitigation plan in conjunction with an approved site plan for a warehouse/manufacturing facility on a 11.3736-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.

pg.139 **10. P2019-009** - Consider a request by Mathias Haubert of Bohler Engineering on behalf of Daniel J. Porter of Dynamic Development for the approval of a replat for Lot 1, Block A, Brakes Plus Addition being a 0.653-acre tract of land currently identified as Lots 1 & 2, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.

IX. APPOINTMENT ITEMS

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

X. PUBLIC HEARING ITEMS

pg.147 **1. Z2019-003** - Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,

situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary **(1st Reading).**

pg.182 **2.** **P2019-008** - Hold a public hearing to discuss and consider a request by Kevin Osornio on behalf of Jeaniffer Osornio for the approval of a replat for Lots 1 & 2, Block A, N. E. & J.O. Addition being a 0.46-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Overlay (SOV) District, addressed as 705 Peters Colony, and take any action necessary.

XI. Action Items

pg.191 **1.** Discuss and consider authorizing the City Manager to execute an agreement with Doliver Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous waste and take any action necessary.

pg.202 **2.** Discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.

XII. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIII. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XIV. Adjournment

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of March, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 04, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Patrick Trowbridge, Dana Macalik, and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Councilmembers John Hohenshelt and Bennie Daniels were absent from the meeting. Mayor Pruitt read the discussion items listed below into the record before recessing the meeting to go into Executive Session at 5:00 p.m.

II. EXECUTIVE SESSION.

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

1. Discussion regarding legal advice concerning road construction facility agreement(s), pursuant to § Section 551.071 (Consultation with Attorney).
2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to § Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned Executive Session at 5:34 p.m.

IV. RECONVENE PUBLIC MEETING 6:00 P.M.

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with five of the seven council members being present (Daniels and Hohenshelt were absent).

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MACALIK

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

VII. PROCLAMATIONS

1. Shriners Hospitals for Children "Flip it Forward for Kids" Day

Mayor Pro Tem Fowler came forth and read and presented this proclamation to several Shriner's who were present to receive it. A fundraising event will be held on March 12 at the local I.H.O.P. restaurant, and everyone was encouraged to attend.

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the February 19, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-001** - Consider approval of an **ordinance** for a text amendment to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary Living Unit land use, and take any action necessary **(2nd Reading)**.
3. **A2018-005** - Consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of an **ordinance** for the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary **(2nd Reading)**.
4. Consider authorizing staff to execute an amended "First Responder Organization (FRO) Agreement" with Medic Rescue ("Rockwall County EMS") on behalf of the city and the Rockwall Fire Department, and take any action necessary.
5. Authorize the City Manager to execute the final Change Orders No. 4 for the additional contract amount of $103,142.34 with McMahon Contracting, L.P. for the E. Boydstun Avenue & Throckmorton Street Reconstruction Project and to be funded by Street Bond Fund and the Water / Sewer Fund, and take any action necessary.
6. Consider approval of a recommendation from the Hotel Occupancy Tax subcommittee for funding the Terry Fisher American Legion Post #117 commemoration of the 75th Anniversary of D-Day in the amount of $1,300, and take any action necessary.
7. Consider approval of an **ordinance** cancelling the May 4, 2019 General Election, and take any action necessary **(1st Reading).**

Mayor Pro Tem Fowler moved to approve the entire Consent Agenda (items # 1, 2, 3, 4, 5, 6, and 7). Councilman Johannesen seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV, *PERMISSIBLE USES* TO AMEND THE LAND USE STANDARDS FOR *GUEST QUARTERS/SECONDARY LIVING UNITS*, AND TO ADD A LAND USE FOR *BARNS OR AGRICULTURAL ACCESSORY BUILDINGS* ; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE;

PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 79.564-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. MERRIMAN SURVEY, ABSTRACT NO. 155, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1, CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of those present (2 absent (Daniels and Hohenshelt)).

X. ACTION ITEMS

1. Discuss and consider a request from Phillip and Mary Weber for a special permit on a front yard fence to be located at 318 Cooper Court, and take any action necessary.

Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt).

XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - January 2019
Fire Dept Monthly Report - January 2019
GIS Division Monthly Report - January 2019
Harbor PD Monthly Report - January 2019
Internal Operations Department Monthly Report - January 2019

Police Department Monthly Report - January 2019
Recreation Monthly Report - January 2019
Rockwall Animal Adoption Center Monthly Report - January 2019
STAR Transit Monthly Report - January 2019

2. City Manager's Report

City Manager Rick Crowley indicated that as of today, the NTMWD has begun its approximately 30 day maintenance program (not adding ammonia to the disinfection program, continuing to provide the same amount of chlorine). Any questions that the public may have may be addressed by the city manager, the assistant city managers, the supervisor over water operations, or the city engineer. Mayor Pruitt clarified that the same amount of chlorine will be present in the city's water system; however, the smell may be more noticeable to residents/water users over the course of the next thirty days or so. Mayor Pruitt briefly mentioned that the city council and staff recently attended "Rockwall County Days" in Austin to meet with our legislators, and it was a successful visit. He went on to point out that the City passed an order on tonight's Consent Agenda to cancel the May election since none of the incumbents drew any opponents. Also, the school district is able to cancel its election as well. So, those monies will be saved this year.

XII. EXECUTIVE SESSION

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

1. Discussion regarding legal advice concerning road construction facility agreement(s), pursuant to § Section 551.071 (Consultation with Attorney).
2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to § Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XIV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 6:17 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th DAY OF MARCH, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

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CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1, CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas adopted Resolution No. 19-03 on February 4, 2019, ordering a general election to be held on May 4, 2019, for the purpose of electing a Mayor and three additional city officials - City Councilmember Place 1, City Councilmember Place 3, and City Councilmember Place 5; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's general election have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election code, has certified in writing, attached hereto as Exhibit 'A', to the City Council that Jim Pruitt is unopposed for election to the office of Mayor; Bennie Daniels is unopposed for election to the office of Councilmember Place 1; Kevin Fowler is unopposed for election to the office of Councilmember Place 3, and Dana K. Macalik is unopposed for election to the office of Councilmember Place 5; and

WHEREAS, the City Council herby finds and determines that the candidates whose names were to appear on the ballot in said election are unopposed, that there are no declared write-in candidates, and that no propositions are to appear on the ballot for said election.

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct;

Section 2. In accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective offices for a term of two years and shall be issued a certificate of election following the date on which the general election for Councilmembers would have otherwise been held:

- Jim Pruitt - Mayor
- Bennie Daniels - Councilmember, Place 1
- Kevin Fowler - Councilmember, Place 3
- Dana K. Macalik - Councilmember, Place 5

Section 3. Pursuant to Section 2.053(b), Texas Election code, the general municipal election for Mayor and Councilmember Place 1, Councilmember Place 3, and Councilmember Place 5 called and ordered by Resolution No. 19-03, for May 4, 2019, shall not be held and is hereby cancelled.

Section 4. The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 4, 2019, at all posting places that would have been used in said election.

Section 5. Term of office for the unopposed Mayor and Councilmembers shall commence on May 20, 2019 after the Oath of Office has been administered and executed.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7. The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Section 8. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

Section 9. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

Section 10. This ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 18th DAY OF MARCH, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1ST Reading: 03/04/2019

2nd Reading: 03/18/2019

"EXHIBIT A"

CERTIFICATION OF UNOPPOSED CANDIDATES
CERTIFICACIÓN DE CANDIDATOS ÚNICOS

To: Presiding Officer of the City Council
Al: Alcalde del Consejo de la ciudad

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are ***unopposed*** for election to office for the election scheduled to be held May 4, 2019:

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 4 de mayo de 2019:

Jim Pruitt - Mayor
Bennie Daniels - Councilmember, Place 1
Kevin Fowler - Councilmember, Place 3
Dana K. Macalik - Councilmember, Place 5

Jim Pruitt – Alcalde
Bennie Daniels – Miembro del Consejo, Puesto 1
Kevin Fowler – Miembro del Consejo, Puesto 3
Dana K. Macalik – Miembro del Consejo, Puesto 5

Kristy Cole
Signature *(Firma)*

Kristy Cole
Printed name *(Nombre en letra de molde)*

City Secretary
Title *(Puesto)*

March 1, 2019
Date of signing *(Fecha de firma)*

CITY OF ROCKWALL TEXAS
SEAL

(Seal) (sello)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **March 11, 2019**

SUBJECT: **SH 205 Speed Zone Study**

State Highway 205 (SH 205) from the downtown couplet north to the City's corporate boundaries is a two lane roadway maintained by the State of Texas through the Texas Department of Transportation (TxDOT). Staff requested TxDOT to perform a speed study along this roadway. Staff has received complaints from citizens regarding the speed of vehicles along SH 205. The current speed limit for SH 205 varies from 45 miles per hour (mph) north of the couplet to 55 miles per hour (mph) at the City's corporate limits.

Staff received a response letter from TxDOT dated February 4, 2019 with the attached speed zone study. The results of the speed study recommend reducing the speed limit along SH 205 from MP.575 (north of FM 552/Dalton Road) to MP.837 (the City's corporate limits) from 55 mph to 50 mph.

TxDOT requires an approved City Ordinance adopting the speed recommended by their study. Upon receiving the executed ordinance from the City, TxDOT will furnish and install the necessary speed limit signs at the appropriate locations along SH 205.

Staff requests City Council consider approving the attached ordinance which establishes the speed limit along SH 205 at 50 mph between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits).

If you have any questions, please advise.

AJW:em

Attachments

Cc:

Joey Boyd, Assistant City Manager
Kirk Riggs, Chief of Police
Jeremy White, P.E., Civil Engineer, CFM
Billy Chaffin, Superintendent of Streets & Drainage
File

CITY OF ROCKWALL, TEXAS

ORDINANCE # 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 205 OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET FORTH IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED SUM OF $200.00 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration that width and condition of the pavement and other circumstances such portion of said street or highway, as well as the traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

SECTION 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

SECTION 2. That from and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway 205 within the corporate limits of the City of Rockwall in excess of speeds now set forth in Exhibit “A.”

SECTION 3. The Mayor of Rockwall is hereby authorized to cause to be erected, appropriated signs indicating such speed zones.

SECTION 4. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars ($200.00).

SECTION 5. That if any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and

applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That this ordinance shall become effective immediately upon its passage and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 1ST DAY OF APRIL, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

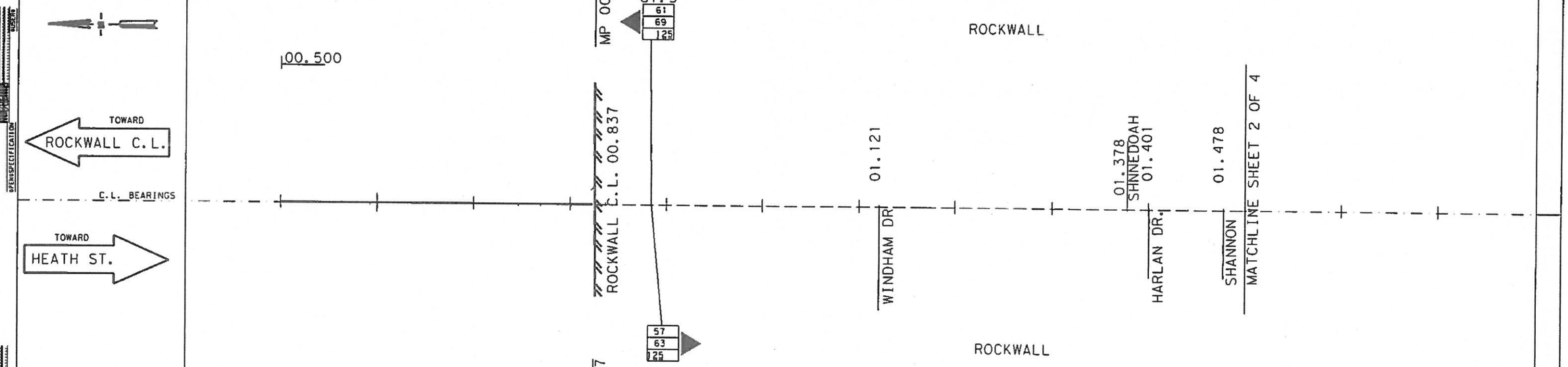
1st Reading: 03/18/2019

2nd Reading: 04/01/2019

EXHIBIT A

SH 205

DEVELOPMENT	OPEN / OPEN/COMM.
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	
R.O.W. AND ROBD. WIDTH	1 LANE
ACCIDENTS	
ZONE LENGTHS (MILES)	2.711
ZONE SPEEDS (M.P.H.)	50 MPH



EXISTING SPEED	60 MPH		
ZONE SPEEDS (M.P.H.)		55 MPH	
ZONE LENGTHS (MILES)		50 MPH	
ACCIDENTS		2.711	
R.O.W. AND RDBD. WIDTH			
SURFACE WIDTH AND TYPE			
GRADES OVER 3%		1 LANE	
CURVES OVER 2°			
BALL BANK OR ADVISORY SPEED			
RES. SIGHT DISTANCE			
DEVELOPMENT			
	OPEN	OPEN/RESI.	OPEN

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 11-01-18 SCALE 1" = 0.1 MILES

MINUTE NO. :		DATE / /
REPLACES :		DATE / /
REPLACED BY :		DATE / /
CANCELLED BY :		DATE / /

LIMITS OF ZONE

	SECTION ONE	LENGTH ___ MILES		SECTION TWO	LENGTH ___ MILES	
	STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
BEGINS	0 + 00	-	( )	+	-	( )
	MP			MP		
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00	-	( )	+	-	( )
	MP			MP		

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

- FATAL ACCIDENT
- PERSONAL INJURY ACCIDENT
- PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FROM ROCKWALL N.C.L. TO N. OF HEATH ST.

SHEET 1 OF 4

Texas Department of Transportation

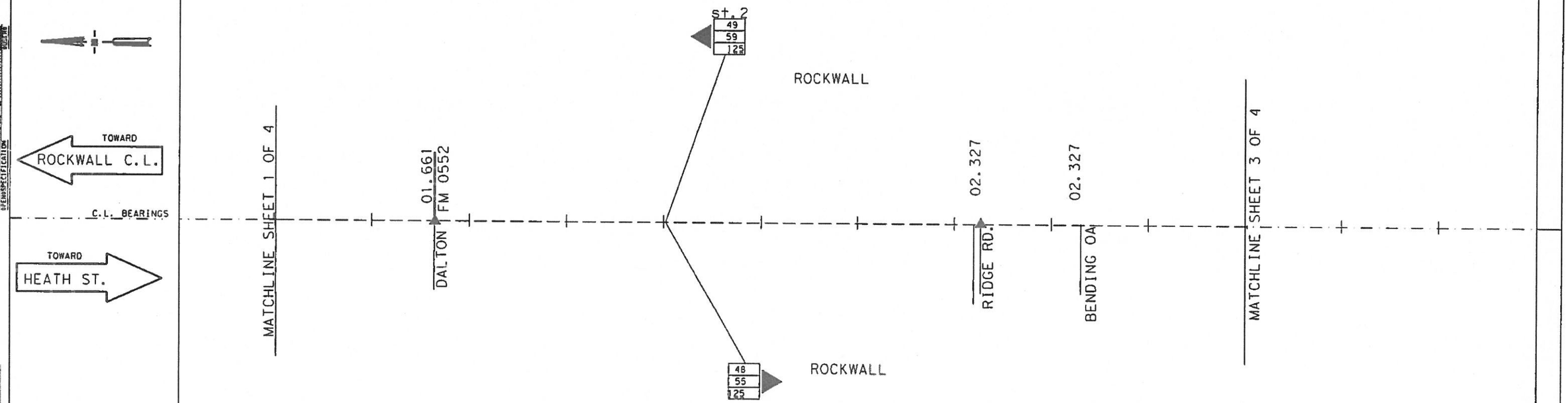
SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN YEAR	FED. AID DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

SH 205

DEVELOPMENT	OPEN/COMM.	OPEN	OPEN
RES. SIGHT DISTANCE			
BALL BANK OR ADVISORY SPEED			
CURVES OVER 2°			
GRADES OVER 3%			
SURFACE WIDTH AND TYPE		1 LANE	
R.O.W. AND RDBD. WIDTH			
ACCIDENTS			
ZONE LENGTHS (MILES)		2.711	
ZONE SPEEDS (M.P.H.)		50 MPH	

ADVISORY SCHOOL SPEED LIMIT= 35 MPH



EXISTING SPEED		SCHOOL SPEED LIMIT= 35 MPH			
ZONE SPEEDS (M.P.H.)		50 MPH			50 MPH
ZONE LENGTHS (MILES)					50 MPH
ACCIDENTS					2.711
R.O.W. AND RDBD. WIDTH	575	SCHOOL ZONE	810		
SURFACE WIDTH AND TYPE	MP	35 MPH WHEN SO SIGNED FOR BOTH DIRECTIONS	MP		1 LANE
GRADES OVER 3%					
CURVES OVER 2°		50 MPH ALL OTHER TIMES			
BALL BANK OR ADVISORY SPEED					
RES. SIGHT DISTANCE					
DEVELOPMENT	OPEN	1241'		OPEN	OPEN/COMM. OPEN/RESI.

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 11-01-18 SCALE 1" = 0.1 MILES

MINUTE NO. : _____ DATE __/__/__

REPLACES : _____ DATE __/__/__

REPLACED BY : _____ DATE __/__/__

CANCELLED BY : _____ DATE __/__/__

LIMITS OF ZONE

	SECTION ONE	LENGTH ___ MILES			SECTION TWO	LENGTH ___ MILES	
	STA. OR M.P.	CONT. AND SECT.	PROJECT		STA. OR M.P.	CONT. AND SECT.	PROJECT
BEGINS	0 + 00	-	( )	BEGINS	+	-	( )
	MP				MP		
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00	-	( )		+	-	( )
	MP				MP		

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

● FATAL ACCIDENT
◕ PERSONAL INJURY ACCIDENT
○ PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

▲ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

SHEET 2 OF 4

LIMITS: FROM ROCKWALL N.C.L. TO N. OF HEATH ST.

Texas Department of Transportation

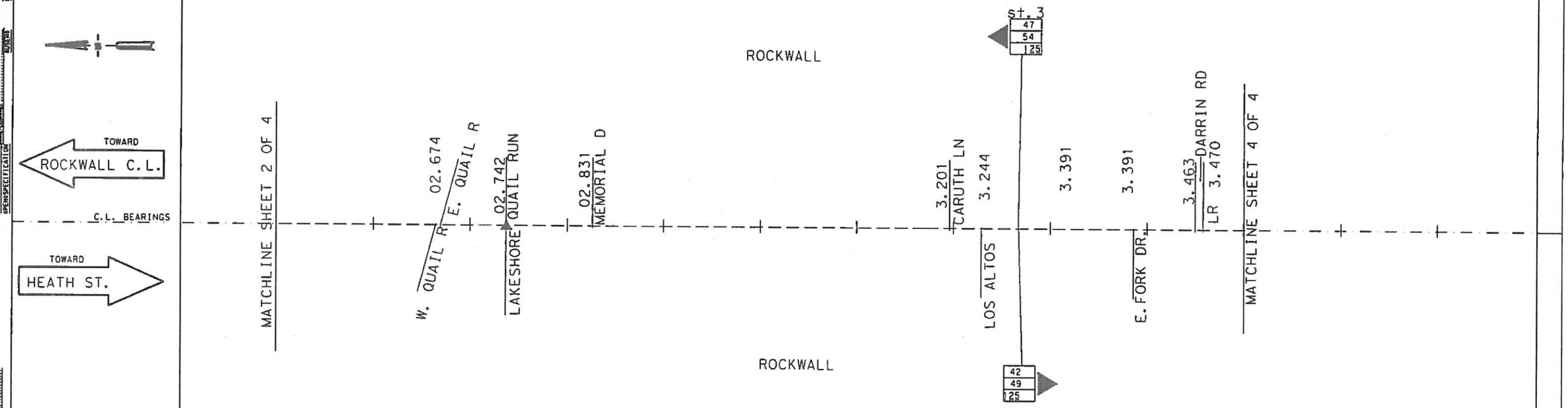
SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

20

SH 205

DEVELOPMENT	OPEN	OPEN/COMM.	OPEN	OPEN/RESI.
RES. SIGHT DISTANCE				
BALL BANK OR ADVISORY SPEED				
CURVES OVER 2°				
GRADES OVER 3%				
SURFACE WIDTH AND TYPE				
R.O.W. AND RDBD. WIDTH	1 LANE			
ACCIDENTS				
ZONE LENGTHS (MILES)	2.711			
ZONE SPEEDS (M.P.H.)	50 MPH			



EXISTING SPEED				
ZONE SPEEDS (M.P.H.)	50 MPH			
ZONE LENGTHS (MILES)	2.711			
ACCIDENTS				
R.O.W. AND RDBD. WIDTH				
SURFACE WIDTH AND TYPE	1 LANE			
GRADES OVER 3%				
CURVES OVER 2°				
BALL BANK OR ADVISORY SPEED				
RES. SIGHT DISTANCE				
DEVELOPMENT	OPEN/COMM.	OPEN	OPEN/COMM.	OPEN

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 11-01-18 SCALE 1" = 0.1 MILES

MINUTE NO. :	DATE / /
REPLACES :	DATE / /
REPLACED BY :	DATE / /
CANCELLED BY :	DATE / /

LIMITS OF ZONE

	SECTION ONE	LENGTH ___ MILES			SECTION TWO	LENGTH ___ MILES	
	STA. OR M.P.	CONT. AND SECT.	PROJECT		STA. OR M.P.	CONT. AND SECT.	PROJECT
BEGINS	0 + 00	-	( )	BEGINS	+	-	( )
	MP				MP		
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00	-	( )		+	-	( )
	MP				MP		

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

● FATAL ACCIDENT
◪ PERSONAL INJURY ACCIDENT
○ PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

▲ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

SHEET 3 OF 4

LIMITS: FROM ROCKWALL N.C.L. TO N. OF HEATH ST.

Texas Department of Transportation

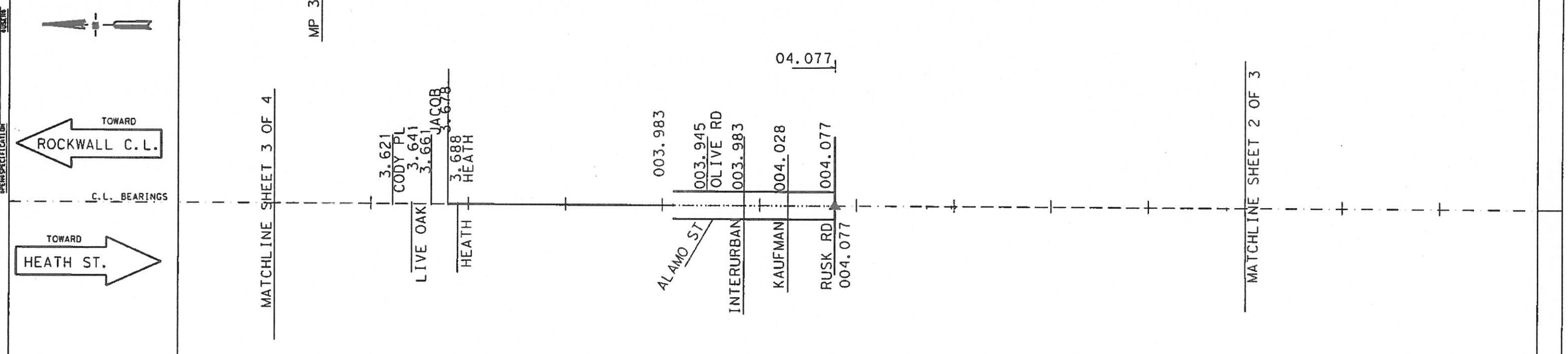
SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	F.C. NO. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

21

SH 205

DEVELOPMENT	OPEN/RESI.
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	1 LANE
R.O.W. AND RDBD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	2.711
ZONE SPEEDS (M.P.H.)	50 MPH



EXISTING SPEED	50 MPH	45 MPH	
ZONE SPEEDS (M.P.H.)	50 MPH		
ZONE LENGTHS (MILES)	2.711		
ACCIDENTS			
R.O.W. AND RDBD. WIDTH			
SURFACE WIDTH AND TYPE	1 LANE		
GRADES OVER 3%			
CURVES OVER 2°			
BALL BANK OR ADVISORY SPEED			
RES. SIGHT DISTANCE			
DEVELOPMENT	OPEN/RESI.	OPEN	OPEN

DISTRICT: DALLAS COUNTY: COLLIN

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 11-01-18 SCALE 1_" = 0.1 MILES

MINUTE NO. : _____ DATE __/__/__

REPLACES : _____ DATE __/__/__

REPLACED BY : _____ DATE __/__/__

CANCELLED BY : _____ DATE __/__/__

LIMITS OF ZONE

	SECTION ONE	LENGTH ___ MILES			SECTION TWO	LENGTH ___ MILES	
	STA. OR M.P.	CONT. AND SECT.	PROJECT		STA. OR M.P.	CONT. AND SECT.	PROJECT
BEGINS	0 + 00	-	( )	BEGINS	+	-	( )
	MP				MP		
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00	-	( )		+	-	( )
	MP				MP		

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

● FATAL ACCIDENT
◐ PERSONAL INJURY ACCIDENT
○ PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

▲ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FROM ROCKWALL N.C.L. TO N. OF HEATH ST.

SHEET 4 OF 4

Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. ROAD DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

22

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23

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **March 5, 2019**

SUBJECT: **Contract Mowing Agreement Extension**

Contract mowing service includes mowing of and debris removal from large tracks of land, right-of-ways, street medians**, two closed landfill locations and drainage easements**. The City receives competitive sealed bids for this service when applicable. The last sealed bid and contract was awarded to Grass Kisser Landscape Management by the City Council for an April 1, 2017 start date. This contract was renewed in 2018 with no amendments. The mowing contract amount is $80,437.

The contract terms allow for annual extension at the end of the initial contract period for up to three consecutive years should the scope of work, pricing and bid terms/conditions remain the same. The contractor has agreed to a contract extension with no amendments for 2019. Grass Kisser has performed satisfactorily and staff has determined that it would be in the best interest of the City to renew the current contract at 2017 unit prices.

Staff asks the City Council to consider this extension amount of $80,437. Funding for contract mowing service is approved in FY 2019 General Fund, Parks Department operating budget and the renewal contract is within budget.

24

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25

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Andy Hesser, Parks and Recreation Director

DATE: March 11, 2019

SUBJECT: RESOLUTION FOR PARK GRANT FUNDING PROGRAM

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

The Sporting Good Sales Tax (SGST) is also used to fund TPWD operations. In 2018 the SPST is estimated to be approximately $277 million. A summary of the proceeds is included in your packet.

Though the source of the funding for the program is determined by state law, the amount of the funding is subject to budgetary appropriation procedures. In past sessions as much as 96% of those mandated proceeds were cut from the Texas Parks and Wildlife Department Grants programs, thus severely impacting local communities' park development opportunities.

Therefore Texas Senate Bill 526 and companion Texas House Bill 1214 were filed in the 86th Legislature to permanently dedicate the sporting good sales tax proceeds by means of an amendment to the Texas Constitution. If approved by the Texas Legislature, it would then go to the Texas voters in November for consideration.

Since 2001, the City of Rockwall has received approximately $2,000,000 from the local grant program and over $600,000 from the Boating Access Grant program. Rockwall has greatly benefitted from these programs with significant funding for Myers Park Phases II and III, the SH66 Public Boat Ramp, Stone Creek and Breezy Hill parks and 2003 recipient for the Community Outdoor Outreach Program (COOP) grant to fund the outdoor recreation programs.

Park Board voted unanimously to recommend that City Council consider passing a resolution to support the constitutional and therefore permanent dedication of the SGST to fund TPWD operations and the Texas Local Grants Program. Contingent on approval, a copy of the resolutions will be forwarded to our local state representatives as well as state wide via the Texas Recreation and Parks Society Legislative Committee.

26

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 19-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REQUESTING THE MEMBERS OF THE 86th LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES STEWARDSHIP, HEALTH AND WELL BEING, AND CONNECTIVITY FOR LOCAL AND STATE PARKS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Texas communities, counties, and the State provide stewardship by protecting and enhancing the investments in all parks and open spaces throughout this great state; and

WHEREAS, conservation of open spaces and making public lands accessible for public use is achieved through support of the state's sporting goods sales tax and the land and water conservation fund; and

WHEREAS, supporting water and natural resources through conservation ensures the public's right to access nature, the outdoors and recreational amenities; and

WHEREAS, physical activity and improving health and wellness is made possible through the utilization of parks and recreation amenities and services; and

WHEREAS, political subdivisions throughout the State of Texas depend on funding for services and programs to ensure access for all people to connect to nature and the outdoors; and

WHEREAS, Texas Parks & Wildlife local grants help create livable, safe, and responsible communities by supporting safe recreational amenities, pathways and trails; and

WHEREAS, the Parks and Recreation Industry supports and celebrates the positive economic impacts that are realized by connecting our communities to nature and the outdoors; and

WHEREAS, it is the desire of the Rockwall City Council that a copy of this resolution with appropriate names affixed be presented to the Governor of Texas and the leadership of the 86th Texas Legislature.

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

SECTION 1. That members of the 86th Legislature of Texas are urged to seek support of legislation that provides stewardship, connectivity, health and well-being for local and state parks.

SECTION 2. That this resolution shall become effective immediately upon its passage, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 18TH DAY OF MARCH, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

27

ADVOCACY ISSUES and OPPORTUNITIES for Texas Recreation & Park Society & 86th Texas Legislature (12.6.18)

- ***Protect and enhance our investments in all public parks, and open space*** **(Stewardship)**
  - Sporting Good Sales Tax
    - Support constitutional dedication of full amount
    - Oppose Tax Free weekend on sporting goods
    - Oppose appropriation riders to the TPWD – local park grant programs.
  - Support conservation of open space and making public lands accessible for public use.
  - Support tree preservation.
  - Federal Funding
    - Support the Land Water Conservation Fund
    - Support the Sport Fish Restoration Boat Access program
    - Support the United States Department of Transportation Recreation Trails
  - Water and Natural Resources
    - Support conservation
    - Support rights and access to recreational amenities.
  - Unfunded Mandates
    - Oppose exemptions that substantially erode the tax base.
    - Oppose tax limit on Municipalities.

- ***Increase physical activity and improve health and wellness by utilizing parks and recreation amenities & services*** **(Health & Well-Being)**
  - Support funding for services and programs that ensure access for people with disabilities.
    - Such as, reducing the Medicaid Waiver waitlist.
  - Support legislation in reducing the obesity and diabetes epidemics.
  - Support funding for the connection of communities to nature and the outdoors.

- ***Create livable, safe, and responsible communities.*** **(Connectivity & Safety)**
  - Support safe pathways, trails … create safety zones
  - Transportation
    - Support the United States Department of Transportation Recreation Trails
    - Support accessibility, so long as it does not impose an unfunded mandate.
  - Support the progress of connecting our communities to nature and the outdoors
  - Support the findings of the positive economic impact from the Parks & Recreation Industry.
  - Easement & Acquisition
    - Oppose eminent domain limits
    - Support the inclusion of commercial development in Parkland Dedication requirements.

TRAPS Board approved 2/27/18
TML Policy Committee approved 8/27/18
(Removed Safe Zone Item)

28

LEGISLATIVE BUDGET BOARD

Sporting Goods Sales Tax



PRESENTED TO THE SENATE COMMITTEE ON FINANCE

LEGISLATIVE BUDGET BOARD STAFF **FEBRUARY 2018**

Statement of Interim Charge

Sporting Goods Sales Tax: Identify state and local park needs and determine whether the Sporting Goods Sales Tax is meeting those needs.

Methods of Financing Parks: Sporting Goods Sales Tax

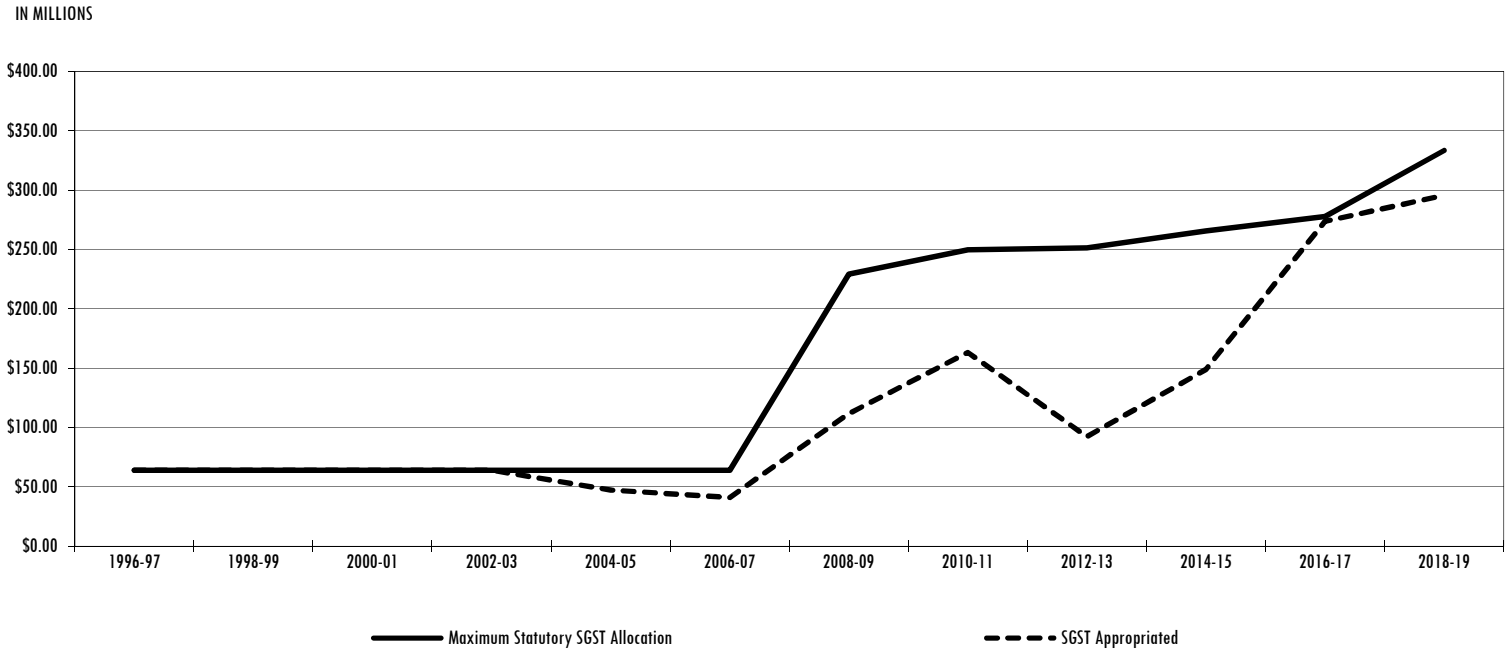
Sporting Goods Sales Tax (SGST) is not a separate tax, but is the portion of state tax revenue estimated to be generated from the sale, storage, or use of sporting goods by the Comptroller of Public Accounts. SGST is revenue within the General Revenue Fund. Under current law, the Texas Parks and Wildlife Department (TPWD) is eligible to receive up to 94 percent of the total amount available and the Historical Commission is eligible to receive up to six percent.

In the TPWD budget, SGST may be transferred up to the maximum amount estimated in the Biennial Revenue Estimate between the four General Revenue-Dedicated accounts as determined by the Legislature during the appropriations process.

Account	Allowable Uses	2018-19 Allocations (Millions)*	Percentage of TPWD Allocation
State Parks Account No. 64	State Parks operations and support.	$188.1	67.7%
Texas Recreation and Parks Account No. 467	Grants to city or county with population under 500,000 for local parks or other recreation opportunities.	$20.6	7.4%
Large County and Municipality Recreation and Parks Account No. 5150	Grants to cities or counties with populations over 500,000 for local parks or other recreation opportunities.	$11.6	4.2%
Conservation and Capital Account No. 5004	Acquisition and development, maintenance, and operation of state parks.	$57.3	20.6%
TOTAL		$277.6	100.0%
*Note: 2018-19 allocations include estimated amounts for employee benefits and debt service			

SGST Appropriations Since the 1996-97 Biennium

The Eighty-fifth Legislature appropriated the 88.6 percent of SGST available in the 2018-19 biennium. In addition to amounts in TPWD and THC bill patterns ($223.2 million), SGST appropriations also include estimated amounts for debt service on bonds for state parks-related projects and for payroll benefits ($72.4 million).



General Revenue-Dedicated Accounts Receiving SGST Transfers

State Parks Account No. 64

Uses: The operation and maintenance of state parks, including facilities and services at parks, park employee salaries, capital improvements, and administration of the state park system. This account provides funding for state parks peace officers, which are distinct from game wardens.

Revenue Sources (Fiscal Year 2017 Amounts):

- SGST transfer, which is tracked as a separate item of appropriation (TPWD direct appropriation of $60.1 million excluding benefits and debt service);
- State park entrance fees and passes ($56.2 million);
- Grants, gifts, and donations ($1.2 million);
- Oil and gas royalties on state parks properties ($1.5 million);
- Federal Receipts ($1.9 million);
- Publication Sales ($1.0 million); and
- A transfer of up to 15 percent of boat registration and titling fees from the General Revenue-Dedicated Game, Fish, and Water Safety Account No. 9 ($2.9 million).

General Revenue-Dedicated Accounts

Conservation and Capital Account No. 5004

Uses: The Conservation and Capital Account No. 5004 (GR-D) can be used for the acquisition and development, maintenance, or operation of state parks, fisheries, and wildlife projects.

Revenue Source: The only active revenue source for the account in the 2018-19 biennium is SGST transfers, totaling $57.3 million.

Texas Recreation and Parks Account No. 467

Uses: To provide assistance grants and direct state matching grants to local governments with populations under 500,000 to acquire and develop parks, recreation opportunities, open spaces, or programs.

Revenue Source: The only active revenue source for the account in the 2018-19 biennium is SGST transfers, totaling $18.0 million ($20.6 million including benefits).

General Revenue-Dedicated Accounts

Large County and Municipality Recreation and Parks Account No. 5150

Uses: To provide assistance grants and direct state matching grants to local governments with populations of 500,000 or more to acquire and develop parks, recreation opportunities, open spaces, or programs.

Revenue Source: The only active revenue source for the account in the 2018-19 biennium is SGST transfers, totaling $9.7 million ($11.6 million including benefits).

Recent Significant Enacted Legislation

The Eighty-fourth Legislature, Regular Session, 2015, enacted two bills amending the allocation process of SGST revenue, increasing flexibility for the Legislature and making all SGST revenue available for appropriation to effectively meet identified priorities. The provisions of HB 158 and SB 1366 made the following changes:

- In addition to the allowable uses of the four receiving accounts, statute requires that transfers of SGST revenue be used to (1) acquire, operate, maintain, or make capital improvements to parks; (2) for grants to local units of government and other entities; and (3) for state contributions for employee benefits; and
- Granted the Legislature greater discretion over the distribution of SGST to the four TPWD accounts that receive SGST transfers by eliminating statutory maximum allocation percentages to each of the four General Revenue-Dedicated accounts.

Contact the LBB

Legislative Budget Board
www.lbb.state.tx.us
512.463.1200

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38

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **March 14, 2019**

SUBJECT: **Resolution Consenting to Forney Addition to Wastewater Interceptor**

The cities of Rockwall, Heath, and Forney share in the debt service and operations cost for a wastewater interceptor line which conveys wastewater from the cities to the NTMWD treatment plant in Mesquite. Each city's proportionate share is determined by their respective flow into the line.

A provision in the contract allows each city to add services outside their respective city limits to the interceptor line with the consent of the other partners. This has happened several times over the life of the agreement with Heath adding Travis Ranch and Forney adding their high school site as well as a portion of the Devonshire development to the line. Rockwall added Sonoma Verde in Mclendon Chisholm to the line and bills the cost back to Mclendon Chisholm.

Forney requested to add just over 114 acres of their ETJ which is served by a MUD back in November 2018 which Rockwall granted by resolution. Forney is now asking for an additional 487 acres of the Devonshire addition to be added. Rockwall has been asked to consider the request at the next Council meeting. All costs for this addition to the interceptor flows will be borne entirely by Forney in keeping with the agreement now in place and staff does not anticipate any issues related to this addition.

The resolution is included on the Council's consent agenda for consideration.

39

CITY OF ROCKWALL
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AUTHORIZING AND CONSENTING TO THE CITY OF FORNEY, TEXAS PROVIDING SANITARY SEWER SERVICE TO 487 ADDITIONAL ACRES OF LAND THROUGH AN AMENDMENT TO THE CITY OF FORNEY WASTEWATER SERVICE CONTRACT WITH KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 3 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the North Texas Municipal Water District (the "District"), the City of Rockwall, the City of Heath, and the City of Forney (collectively, the "Participants") originally entered into a "Buffalo Creek Interceptor System Contract," dated January 22, 2004 (the "Contract"); and

WHEREAS, the City of Forney currently desires the consent of the District and the Participants to provide service from the Interceptor System (as defined in the Contract) to an area outside the municipal limits of Forney; and

WHEREAS, the District and Participants have been requested to consent to the providing of sanitary sewer from the Interceptor System, through the City of Forney, to an area consisting of approximately 487 additional acres of land.

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

SECTION 1. That the City Council does authorize and consent to the City of Forney, Texas providing sanitary sewer service to an additional 487 acres of land through an amendment to the City of Forney Wastewater Service Contract with Kaufman County Municipal Utility District No. 3 as provided in the Second Amendment to Wastewater Service Contract between the City of Forney and the Kaufman County Municipal Utility District No. 3 effective March 5, 2019.

SECTION 2. That this Resolution shall take effect immediately from and upon its approval and it is so resolved.

PRESENTED AND PASSED by the City Council of the City of Rockwall, Texas, this the ____ day of _____, 2019.

CITY OF ROCKWALL, TEXAS

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

40

SECOND AMENDMENT TO WASTEWATER SERVICE CONTRACT

This Second Amendment to Wastewater Service Contract (the "Second Amendment") is executed by and between Kaufman County Municipal Utility District No. 3, a conservation and reclamation district created under the authority of Article XVI, Section 59 of the Texas Constitution by the Texas Commission on Environmental Quality ("KCMUD 3"), and the City of Forney, Texas ("Forney") (each a "Party" and, collectively, the "Parties"), to be effective the ___ day of _____, 2018 (the "Effective Date").

WHEREAS, Forney and Wynne/Jackson West Tract, L.P., a Texas limited partnership ("W/J"), entered into that certain Wastewater Service Contract dated March 1, 2005 (the "Original Contract"); and

WHEREAS, by Assumption of Contract dated June 30, 2006 (the "Assumption of Contract"), KCMUD 3 assumed and accepted all the rights, title, interest, obligations, liabilities, and responsibilities of W/J under the Original Contract; and

WHEREAS, Forney and KCMUD 3 entered into that certain First Amendment to Wastewater Service Contract dated October 16, 2007 (the "First Amendment"); and

WHEREAS, Forney has entered into the Buffalo Creek Interceptor System Contract with the City of Rockwall, the City of Heath and North Texas Municipal Water District, dated January 22, 2004 and a First Amendment to the Buffalo Creek Interceptor System Contract, dated October 28, 2004 (collectively, the "Interceptor Agreement"); and

WHEREAS, Section III.A. of the Original Contract states that the land being serviced pursuant to the Original Contract shall be only the Service Area, unless approved in writing by the parties to the Interceptor Agreement; and

WHEREAS, the Parties desire to amend the Original Contract to expand the Service Area, currently containing approximately 1,040 acres (as further described in Exhibit "A" of the Original Contract, as amended by the First Amendment), to include approximately 487 additional acres, as further set forth herein, and to obtain the approval of the City of Rockwall, City of Heath, and North Texas Municipal Water District of the expanded Service Area in accordance with Section III.A. of the Original Contract;

NOW THEREFORE, for and in consideration of the mutual obligations of the Parties set forth in the Original Contract, the First Amendment, and this Second Amendment, and for other good and valuable consideration the receipt and adequacy of which are acknowledged, the Parties hereto agree as follows:

1. Terms. Capitalized terms not defined herein have the meanings assigned in the Original Contract.

2. Expansion of Service Area. The Service Area is hereby expanded and shall include, in addition to the approximately 1,040 acres described in the Original Contract and First Amendment, the approximately 487 acres described in Exhibit "A" attached to this Second Amendment and incorporated herein for all purposes.

3. Increase in Capacity Requirements. The limitations regarding wastewater capacity shall be amended and increased as described in Exhibit "B" attached hereto and incorporated herein for all purposes.

4. Consent. By execution hereof, the City of Rockwall, City of Heath, and North Texas Municipal Water District hereby consent to the expansion of the Service Area to include the approximately 487 acres described in Exhibit "A."

5. Recitals. The "Recitals" set forth in this Second Amendment are true and correct and form the basis upon which the Parties have entered into this Second Amendment and are incorporated as part of this Second Amendment for all purposes.

6. Full Force and Effect. The Original Contract, as assumed by the Assumption of Contract and amended by the First Amendment and this Second Amendment, remains in full force and effect.

7. Representations and Warranties. Each Party to this Second Amendment represents and warrants that: (a) the execution of this Second Amendment has been approved and authorized by such Party in accordance with all applicable requirements; (b) this Second Amendment is binding upon and enforceable against such Party in accordance with the provisions hereof; (c) each Party has the authority to perform its duties and obligations under this Second Amendment; and (d) that the performance by each such Party of its duties and obligations under this Second Amendment will not violate any other agreement by which such Party is bound.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Executed and delivered as of the Effective Date.

KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

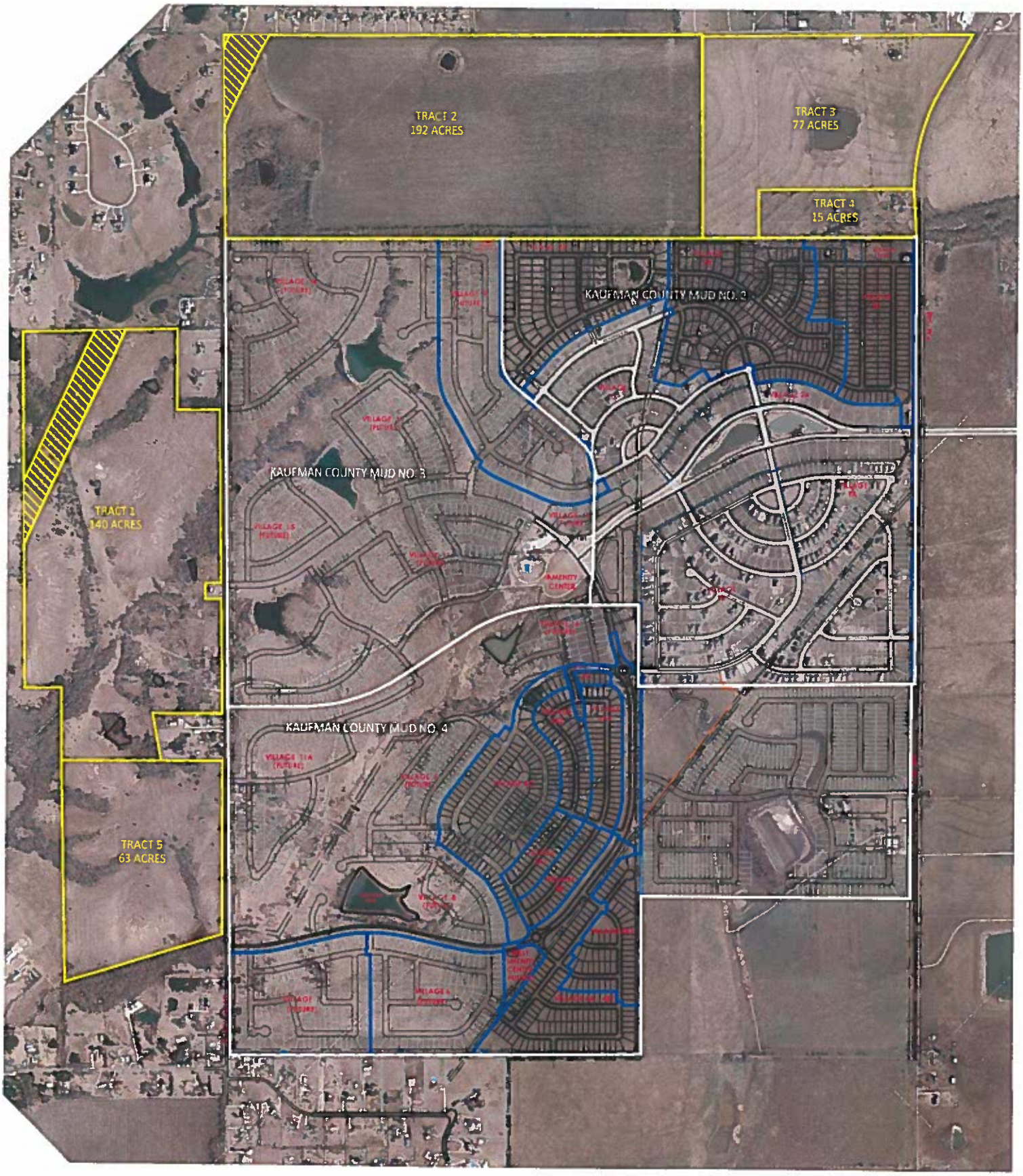
CITY OF FORNEY, TEXAS

By: _____
Mayor

ATTEST:

By: _____
City Secretary

4810-9320-3072.v2



DEVONSHIRE

KAUFMAN COUNTY, TEXAS

FEBRUARY 2019
EXHIBIT "A"

Avanti Properties Group

Haynes Development Company

J. VOLK consulting

45

Exhibit B

DEVONSHIRE WASTEWATER CAPACITY REQUEST

TRACT	SIZE (AC)	SF LOTS	CAPITA PER LOT (gpd)	PROJECTED POPULATION	GALLONS PER CAPITA (gpd)	AVG FLOW (MGD)	PEAKING FACTOR	PEAK FLOW (MGD)
DEVONSHIRE - EXISTING CAPACITY PER CONTRACT	913	2950	3.25	9588	125	**1.20**	**3.5**	**4.19**
DEVONSHIRE CAPACITY INCREASE								
ADDITIONAL SINGLE-FAMILY LOTS		550	3.25	1788	125	0.22	3.5	0.78
FORNEY NORTH HIGH SCHOOL		N/A	N/A	2000	20	0.04	3.5	0.14
FUTURE FISD ELEMENTARY SCHOOL		N/A	N/A	600	20	0.01	3.5	0.04
SUBTOTAL - DEVONSHIRE CAPACITY INCREASE REQUIRED						**0.28**		**0.96**
CAPACITY FOR LAND TO BE ANNEXED BY MUD 3								
TRACT 1	140	560	3.25	1820	125	0.23	3.5	0.80
TRACT 2	192	768	3.25	2496	125	0.31	3.5	1.09
TRACT 3	77	308	3.25	1001	125	0.13	3.5	0.44
TRACT 4	15	60	3.25	195	125	0.02	3.5	0.09
TRACT 5	63	252	3.25	819	125	0.10	3.5	0.36
SUBTOTAL - CAPACITY FOR TRACTS TO BE ANNEXED						**0.79**		**2.77**
TOTAL CAPACITY INCREASE REQUIRED						**1.07**		**3.73**
REVISED TOTAL CACPACITY						**2.27**		**7.93**

46

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47

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Andy Hesser, Parks and Recreation Director

DATE: March 11, 2019

SUBJECT: Mandatory park land dedication ordinance (est. of annual fees)

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

Bryan E. Humphries and Associates completed their appraisal in January of 2019 to determine the average cost per acre of land and provided a final report. To establish comparable parcels, the properties evaluated must have easy access to utilities, public street, not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries' report, the average cost of one acre of neighborhood park land with the above restrictions within the City limits is **$55,000**. I have attached the appraisal study and letter completed by Mr. Humphries.

Each year the cost to develop an 11 acre neighborhood park should be considered and set by Council resolution as well. That cost is estimated to be $1,250,000. A residential developer's portion is 50% of that cost, which is $625,000. This amount is used to set the "per neighborhood park" cost for the calculation of neighborhood park development pro-rata equipment fees.

At the March meeting, Park Board voted unanimously to recommend that Council set the per acre price of park land by resolution in the amount of $55,000. Park Board also voted unanimously to recommend that the neighborhood park cost be set at $625,000. Staff will be available to answer any questions.

48

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 19-04

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

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

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

WHEREAS, in Chapter 38. "Subdivisions," Article II. "Parkland Dedication" of the Code of Ordinances, the City of Rockwall has adopted Mandatory Neighborhood Parkland Dedication regulations designed to facilitate participation by developers (on a pro-rata basis) in acquisition and development of neighborhood parks; and

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

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

SECTION 1. Based upon a recommendation of the City of Rockwall Parks and Recreation Board, **$625,000.00** per neighborhood park is hereby adopted as the "per neighborhood park" park development cost to be used in calculation of pro-rata neighborhood park development equipment fees;

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 18th day of March, 2019.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

49

MARKET STUDY

REAL PROPERTY APPRAISAL CONSULTING REPORT

Prepared For

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

MARKET STUDY
Average Price Per-Acre of Land in the City of Rockwall
The City of Rockwall, Rockwall County, Texas

EFFECTIVE DATE OF CONSULTING ASSIGNMENT
JANUARY 1, 2019

Prepared By

Bryan E. Humphries & Associates
4050 McKinney Avenue
Suite 210
Dallas, Texas 75204

50

BRYAN E. HUMPHRIES & ASSOCIATES
REAL ESTATE VALUATION AND SERVICES

January 15, 2019

Andy Hesser, Park and Recreation Manager
City of Rockwall
108 E. Washington
Rockwall, TX 75807

Re: Average Price Per- Acre of Land in the City of Rockwall
City of Rockwall, Rockwall County, Texas

Mr. Andy Hesser,

We are pleased to transmit this gross market study/real property appraisal consulting report that was prepared for the purpose of valuing typical parkland in the City of Rockwall, This parkland is typically five acres and in the early stages of development. Please refer to identification of project on page 4 for further explanation of the project scope. This report is a gross market study (real property appraisal consulting report) and does not involve analysis of or the inspection of a physical subject property. The purpose of this gross market study is to derive an opinion of a fee simple market value of the average price per-acre of land in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). The effective date of this gross market study is January 1, 2019.

The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes. This consulting report is only intended to assist the City of Rockwall, in establishing a general value trend and current market value of the average price per- acre of land in the City of Rockwall.

4054 McKinney Avenue, Suite 210, Dallas, Texas 75204

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

TABLE OF CONTENTS

Page No.

Table of Contents 1
Certification 2

General Information & Scope of Work

Identification of Subject and Project 4
Inspection Information, Effective Date and Date of Report 4
Identification of the Client 4
Intended Users and Intended Use 4
Objective of the Assignment 4
Appraisal Report Option 5
Analysis Overview 5
Extraordinary Assumptions 5
Jurisdictional Exceptions 6
Hypothetical Conditions 6
Residential Market Analysis 8
Data Analysis 13
Conclusion of Value 21

Addenda

Qualifications of Appraisers
Assumptions and Limiting Conditions
Park Land Dedication Ordinance

52

CERTIFICATE

I certify that, to the best of my knowledge and belief,...

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, unbiased professional analyses, opinions, and conclusions.

As of the date of the appraisal only, I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent on the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

Bryan Humphries has made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the persons signing this certificate.

I have performed a previous appraisal (1/1/13, 1/1/14, 1/1/15, 1/1/16, 1/1/17 and 1/1/18) involving the subject property within the three years prior to this assignment.

The report analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Uniform Standards of Professional Appraisal Practice of the Appraisal Institute.

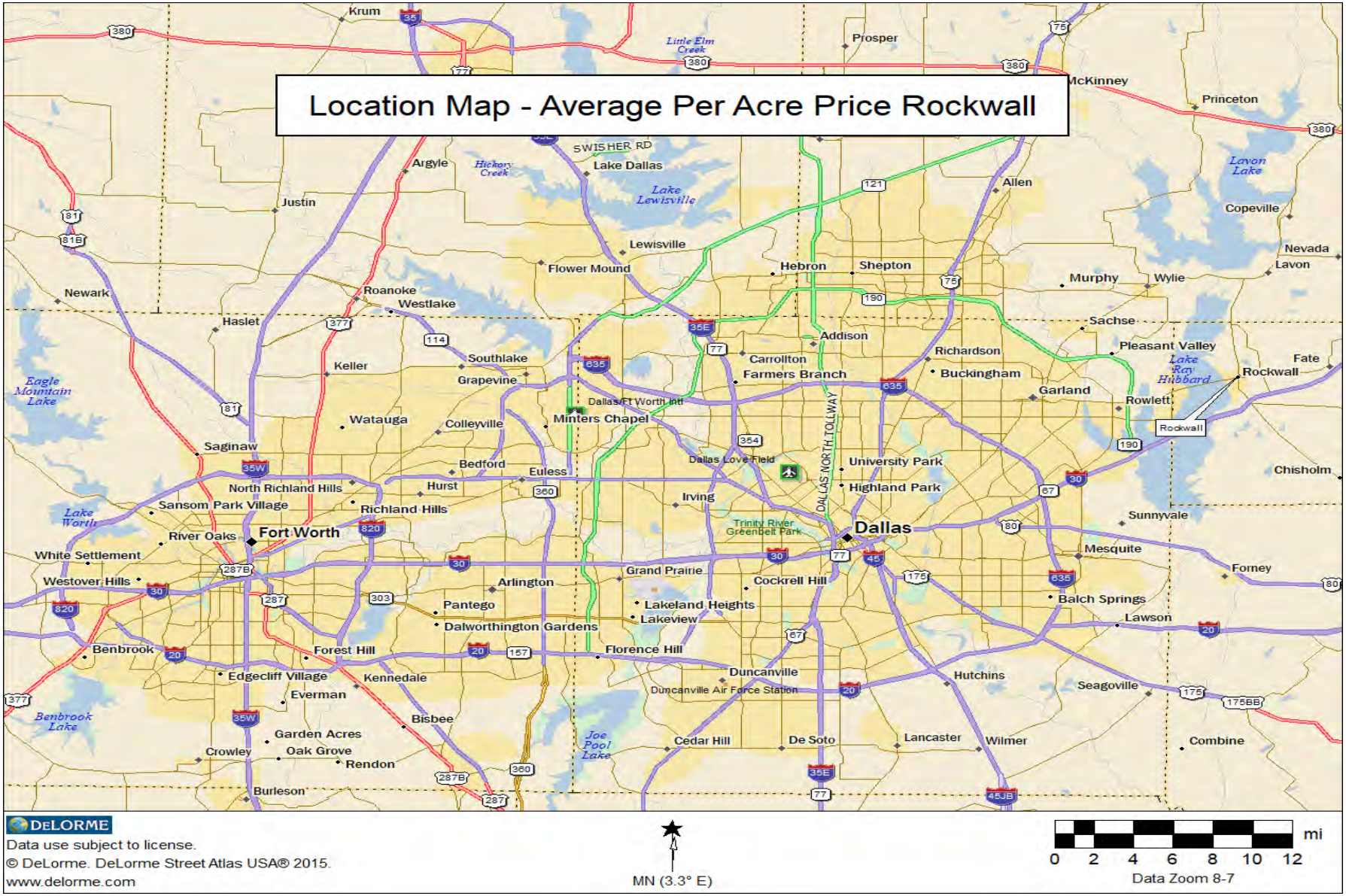
The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this Study, I have completed the requirements of the continuing education program of the Appraisal Institute.



Bryan Humphries, MAI, TX-1320676-G

53


Location Map - Average Per Acre Price Rockwall
Krum
Prosper
McKinney
Princeton
Little Elm Creek
Lake Lewisville
Lake Dallas
Hickory Creek
Argyle
Justin
Lewisville
Flower Mound
Hebron
Shepton
Allen
Lavon Lake
Copeville
Nevada
Lavon
Murphy
Wylie
Sachse
Pleasant Valley
Fate
Rockwall
Lake Ray Hubbard
Garland
Rowlett
Addison
Carrollton
Farmers Branch
Richardson
Buckingham
Dallas/Ft Worth Intl
Minters Chapel
Dallas Love Field
DALLAS NORTH TOLLWAY
University Park
Highland Park
Irving
Trinity River Greenbelt Park
Dallas
Sunnyvale
Mesquite
Forney
Balch Springs
Lawson
Seagoville
Hutchins
Duncanville
Duncanville Air Force Station
Cockrell Hill
Grand Prairie
Arlington
Lakeland Heights
Lakeview
Pantego
Dalworthington Gardens
Florence Hill
Forest Hill
Benbrook
Edgecliff Village
Kennedale
Everman
Bisbee
Garden Acres
Crowley
Oak Grove
Rendon
Burleson
Cedar Hill
De Soto
Lancaster
Wilmer
Combine
Joe Pool Lake
Benbrook Lake
Eagle Mountain Lake
Lake Worth
Fort Worth
River Oaks
White Settlement
Westover Hills
Sansom Park Village
North Richland Hills
Richland Hills
Hurst
Euless
Bedford
Colleyville
Watauga
Saginaw
Grapevine
Southlake
Keller
Roanoke
Westlake
Haslet
Newark
SWISHER RD
DeLORME
Data use subject to license.
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www.delorme.com
MN (3.3° E)
mi
0 2 4 6 8 10 12
Data Zoom 8-7

54

GENERAL INFORMATION & SCOPE OF WORK

Identification of Subject and Project

The subject property is a typical, underdeveloped, Parcel in the City of Rockwall. The parcel represents the average in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). According to the ordinance, from time to time, developers must dedicate land to the City of Rockwall in order to meet the need for park land in the area. If the dedication is not feasible, the developers must then give the City cash in lieu of land that is reflective of typical residential land in Rockwall. The client has indicated that this average residential land is typically 5 acres and in the early stages of development.

Inspection Information, Effective Date and Date of Report

This analysis does not involve a physical subject property, only a hypothetical property, thus no inspection is required. The effective date of the assignment is January 1, 2019. The date of the report is the date of the signature on the first page of this report. Unless otherwise stated, all factors pertinent to a determination of value are considered as of this date.

Identification of the Client/Intended User

This real property appraisal consulting report is prepared for the City of Rockwall, Mr. Andy Hesser, 108 E. Washington, Rockwall, Texas 75087. Any other use or users are not intended or authorized.

Objective of the Assignment/Intended Use

This consulting assignment is only intended to assist the client in establishing an average price per-acre of land. The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes.

55

Appraisal Report Option

This is a real property appraisal consulting assignment that complies with the reporting requirements set forth under Standard 5 of the *Uniform Standards of professional Appraisal Practices (USPAP).* As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly. The depth of discussion contained in this report is specific to the needs of the client and the intended users of this property appraisal consulting report.

Analysis Overview

As part of this consulting assignment, we have completed the following steps to gather, confirm, and analyze the data.

- Physically inspected the subject markets and the surrounding neighborhoods.
- Collected factual information about the surrounding market and confirmed that information with various sources.
- Collected market information needed to consider the three traditional approaches to value: Cost approach, sales comparison approach and income capitalization approach (if applicable).
- Prepared a real property appraisal consulting report setting forth the conclusion derived in this analysis as well as a summary of the information upon which the conclusions are based.

Extraordinary Assumptions

An extraordinary assumption is something that is assumed to be true, but it is not certain. If it turns out to be untrue, the value conclusion could be impacted. Extraordinary assumptions are those assumptions that are specific to the assignment, as opposed to general assumptions, which could be applicable to any assignment. In this assignment, we have assumed typical general assumptions and limiting conditions as cited above. In this particular assignment, the following extraordinary assumptions were made:

- Sales and listing data obtained from the Multiple Listing Service is deemed to be sufficiently reliable data to establish overall market trends and the current market value of an average, price per-acre of land. While some knowledgeable real estate brokers and salespeople have been contacted to obtain and confirm data, the reader should be aware that not all of the sales and listing data analyzed was independently confirmed.

56

- The client should not conclude that an appraisal has been prepared, and this consulting report should not be used for condemnation purposes. This gross market study (real property appraisal consulting report) is only intended to assist the City of Rockwall in establishing a general value trend and current market value of an average price per-acre in the City of Rockwall.

- The purpose of this consultation report is to establish the average price per acre of land in the City of Rockwall. As set forth in the City of Rockwall, Park Land Dedication Ordinance, Section 24-45(b). However, it is beyond the scope of this consultation report to estimate the actual costs of adjacent street and site utilities as stated in the ordinance (see addenda).

Jurisdictional Exceptions

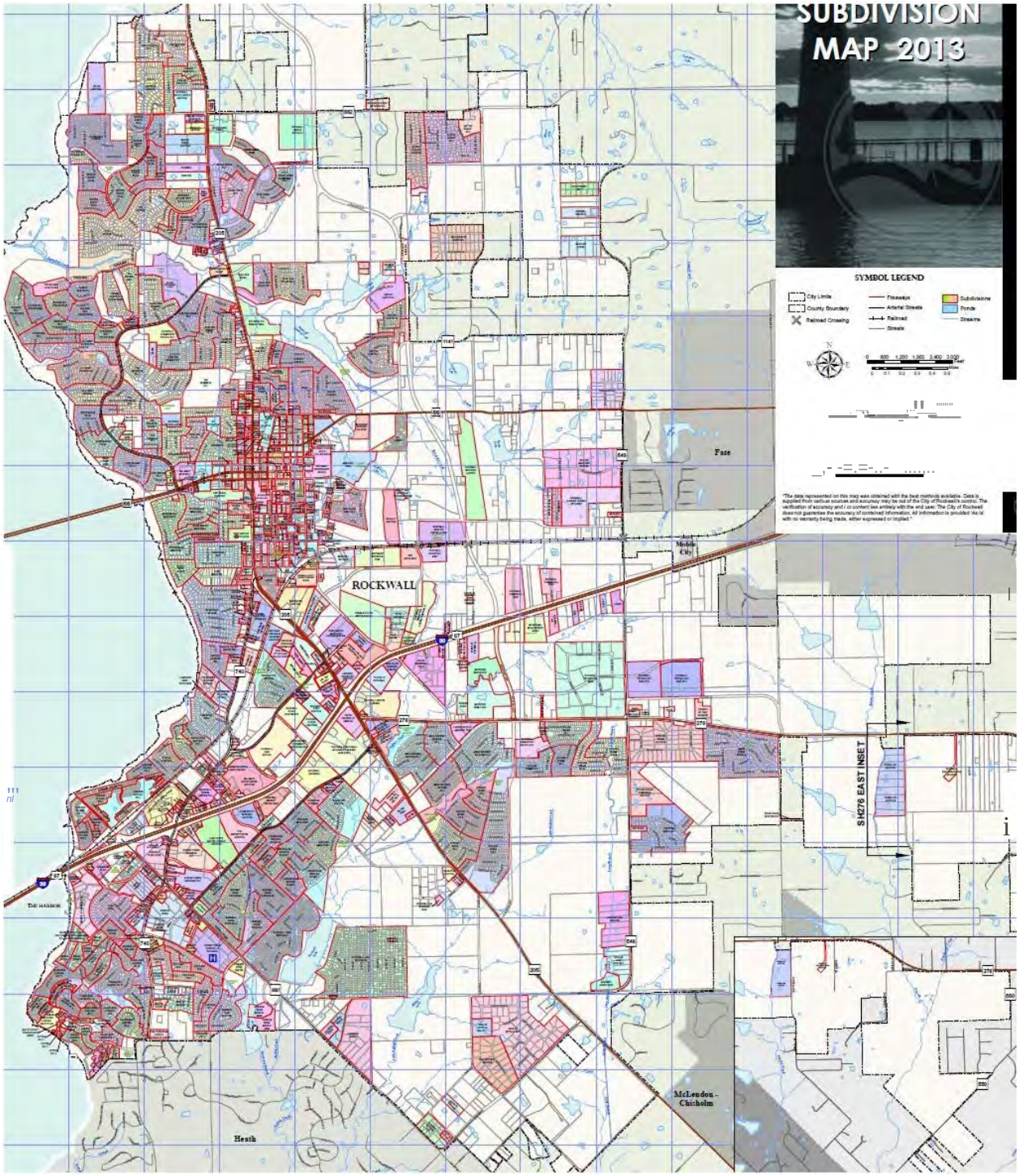
The Jurisdictional Exception Rule provides for severability preserving the balance of the *Uniform Standards of Professional Appraisal Practice (USPAP).* If one or more parts of *USPAP* are "contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction." According to *USPAP*, "A law means a body of rules with binding legal force established by the controlling governmental authority." This includes federal and state constitutions, legislative and court made law, administrative rules, regulations and ordinances. In this assignment, there are no known conflicts of law or public policy that disregard the *USPAP*.

Hypothetical Conditions

A hypothetical condition is that which is contrary to what exists but is supposed for the purpose of analysis. In this particular assignment, the following hypothetical condition was made:

> For purposes of this analysis, the subject property is a hypothetical, undeveloped, parcel in the City of Rockwall.

57


SUBDIVISION
MAP 2013
SYMBOL LEGEND
City Limits
County Boundary
Railroad Crossing
Freeways
Arterial Streets
Railroad
Streets
Subdivisions
Ponds
Streams
ROCKWALL
Fate
Mobile City
SH276 EAST INSET
McLendon-Chisholm
Heath

58

Residential Market Analysis

Boundaries

The neighborhood boundaries are generally defined as follows:
City of Rockwall (Urban)
Outlying areas of the City of Rockwall (Suburban)

Development Activities and Trends

Residential development comprises approximately ±80% of the development in Rockwall. According to ESRI, the median 2018 home value within a 1-mile, 3-mile, and 5-mile radius of the Subject is $240,863, $244,411 and $242,909 respectively.

Recent single family building permit activity in Rockwall County summarized as follows:

Rockwall County Single Family Building Permits[1]				
Year	**Units**	**% Change**	**Average Value**	**% Change**
2000	955	-	$194,400	-
2001	1.267	32.7%	$171,000	-12%
2002	1,224	-3.4%	$171,000	0.0%
2003	1,219	-0.4%	$168,500	-1.5%
2004	1,598	31.1%	$168,100	-0.2%
2005	1,756	9.9%	$183,400	9.1%
2006	1,190	-32.2%	$201,800	10.0%
2007	759	-36.2%	$240,200	19.0%
2008	589	-22.4%	$192,800	-19.7%
2009	545	-7.5%	$166,500	-13.6%
2010	489	-10.3%	$200,800	20.6%
2011	411	-16.0%	$233,800	16.4%
2012	675	+64.2%	$247,700	5.9%
2013	741	+9.8%	$256,900	3.7%
2014	965	+30.2	$288,800	12.4%
2015	1046	+8.4	$284,600	-1.5%
2016	1116	+6.7	$317,000	11.4
2017	1468	+31.5	$293,700	-7.4%
YTD Oct 18	1482		$307,250	

1 Data provided by Texas A&M Real Estate Center

As indicated by the preceding chart, new single family home activity peaked in 2005 at 1,756 permits. Building permit activity dropped significantly in 2006, 2007, and 2008, but slowed to 7.5% in 2009. New construction continued to decline in 2010, but appears to have bottomed in 2011 with 411 homes as 487 building permits were issued through September 2012. For 2012, 2013, 2014, 2015, 2016,2017 and 2018 permits have rebounded significantly, being up over ± 257% from 2011 levels.

59

Demographic Trends

Population growth in Rockwall County had been slow in relation to the Dallas-Fort Worth CMSA after Lake Ray Hubbard was impounded in the 1960's. That changed when IH-30 was upgraded and the bridge widened in the 1990s. While the entire county has benefited, most of the growth has taken place along or near IH-30, and from west to east. Access remains an important factor in Rockwall County's growth pattern.

Area	1980	1990	2000	2010	2010 to 2018 Compounded Annual %Change	Estimated 2018
City of Fate	NA	477	463	6,357	9.6%	13,240
City of Heath	1,459	2,108	4,149	6,921	2.11%	8,180
City of Rockwall	5,939	10,486	17,976	37,490	1.95%	43,750
City of Rowlett	7,522	23,260	44,503	56,199	.57%	58,830
City of Royse City	1,566	2,206	2,957	9,349	3.23%	12,060
Rockwall County	14,528	25,600	43,080	78,337	2.84%	97,990

Source: U.S. Bureau of the Census & State of Texas

The population in the City of Rockwall increased 1.95% compounded annually from 2010 to its 2018 level of 43,750. The Rockwall County grew 2.84% annually to 97,990 during the same period.

Demographics

The following chart summarizes demographic data in the Subject Neighborhood. The data was provided by ESRI, Inc., and is based on demographics in a 1,3, and 5-mile radius from the Subject Property.

60

2010-2018 Demographic Data (Source, ERSI, Inc.)			
Item	**1 Mile**	**3 Mile**	**5 Mile**
2010 Population	6,945	32,537	82,777
2018 Population	7,638	40,792	100,085
2010-2018 Population Growth Rate	10.0%	25.4%	20.9%
Projected 2023 Population	8,607	46,379	114,150
Projected 5-Year Growth Rate- annually	2.42%	2.6%	2.66%
2018 Households	2,762	14,029	32,962
2018 Average Household Size	2.66	2.87	3.01
2018 Median Household Income	$82,062	$88,551	$91,959
2018 Average Household Income	$103,036	$109,546	$113,283
2018 Per Capita Income	$39,008	$38,252	$37,724
2018 Housing Units	2,158	6,590	17,295
2018 Owner Occupied Housing Units	73.9%	73.1%	80.9%
2018 Renter Occupied Housing Units	20.9%	21.4%	14.4%
2018 Vacant Housing Units	5.2%	5.6%	4.6%
Projected 2023 Housing Units	3,250	16,773	38,868
2018 Median Home Value	$240,863	$244,411	$242,909

The following data is compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2018 (includes residential, commercial and farm and ranch) the number of closed transactions year-to-date for lots and vacant land in the Rockwall market area has decreased 12% and the average price has increased 33%. The average sold to list price has remained at ±91% and the average days on market has increased 42%. Pending sales have decreased by 12% and months inventory has increased to 18.8 months. The decrease in pending sales is an indicator of possible decrease transaction levels in the coming months.

Year-to-Date Sales Closed by Area for: December 2018 Lots and Vacant Land – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	138	-12%	$28,087,140	-11%	$203,556	0%	$102,450	+18%

61

Year-to-Date Sales Closed by Area for: December 2018 Lots and Vacant Land – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34			91%	0%	66%	-1%	179	+42%

Year-to-Date Sales Closed by Area for: December 2018 Lots and Vacant Land – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	156	-12%	319	-10%	216	+17%	18.8	+32%

The following data is also compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2018 the number of closed transactions year-to-date for single family residences in the Rockwall market area has remained the same and the average price increased 3%. The average price per square foot has increased 4% and the average days on market has increased 8%. Pending sales have remained the same and months of inventory has increased 22%.

Year-to-Date Sales Closed by Area for: December 2018 Single Family – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	2135	0%	$709,962,225	+3%	$332,535	+3%	$289,000	+2%

Year-to-Date Sales Closed by Area for: December 2018 Single Family – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34	$125	+4%	97%	0%	89%	+2%	53	+8

Year-to-Date Sales Closed by Area for: December 2018 Single Family – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	2,271	0%	2,972	+4%	552	+22%	3.1	+22%

62

Conclusions

Rockwall has shown strong population growth over the past twenty years and employment trends are positive. The area is rapidly being developed with commercial and residential uses. In the future, Rockwall County is anticipated to be a strong growing area of the Metropolex. The neighborhood is considered to be in a growth life stage and the overall aspects are considered to be good.

63

DATA ANALYSIS

Description and Analysis of the Subject

For purposes of this analysis, the subject property is a typical, undeveloped, parcel in the City of Rockwall. According to the client, the City of Rockwall will be using the data to value parklands ranging in size from 1 to 10 acres. The client instructed the appraisers to base adjustments on a typical 5 acre residential parcel.

Description of the Data and Analysis

The purpose of this analysis is to determine the average value of a residential, undeveloped, parcel within the City of Rockwall. The parcel is assumed to have paved street access, utilities and to be in the early stages of development.

Sales and listing data was obtained from the NTREIS Multiple Listing Service. Our queried data included all residential land sales from one tenth of an acre to twenty acres in the City of Rockwall. Included within the data are land sales of parcels improved with typical subdivision infra-structure (i.e. paved streets, utilities, engineering, platting, etc.) and those that do not have these improvements. These sales have been adjusted to reflect their condition above and below the average undeveloped parcel. Within our analysis we have also considered historical land sale prices and trends as these are good indicators of current prices and prices going forward and provide a helpful frame of reference for the overall market. Other factors considered and adjusted for within the sales data include parcel size and location.

Our queries presented the following raw data. The data is not adjusted to reflect the average, undeveloped parcel. The raw average price per acre is heavily biased and influenced by sales of lake front lots.

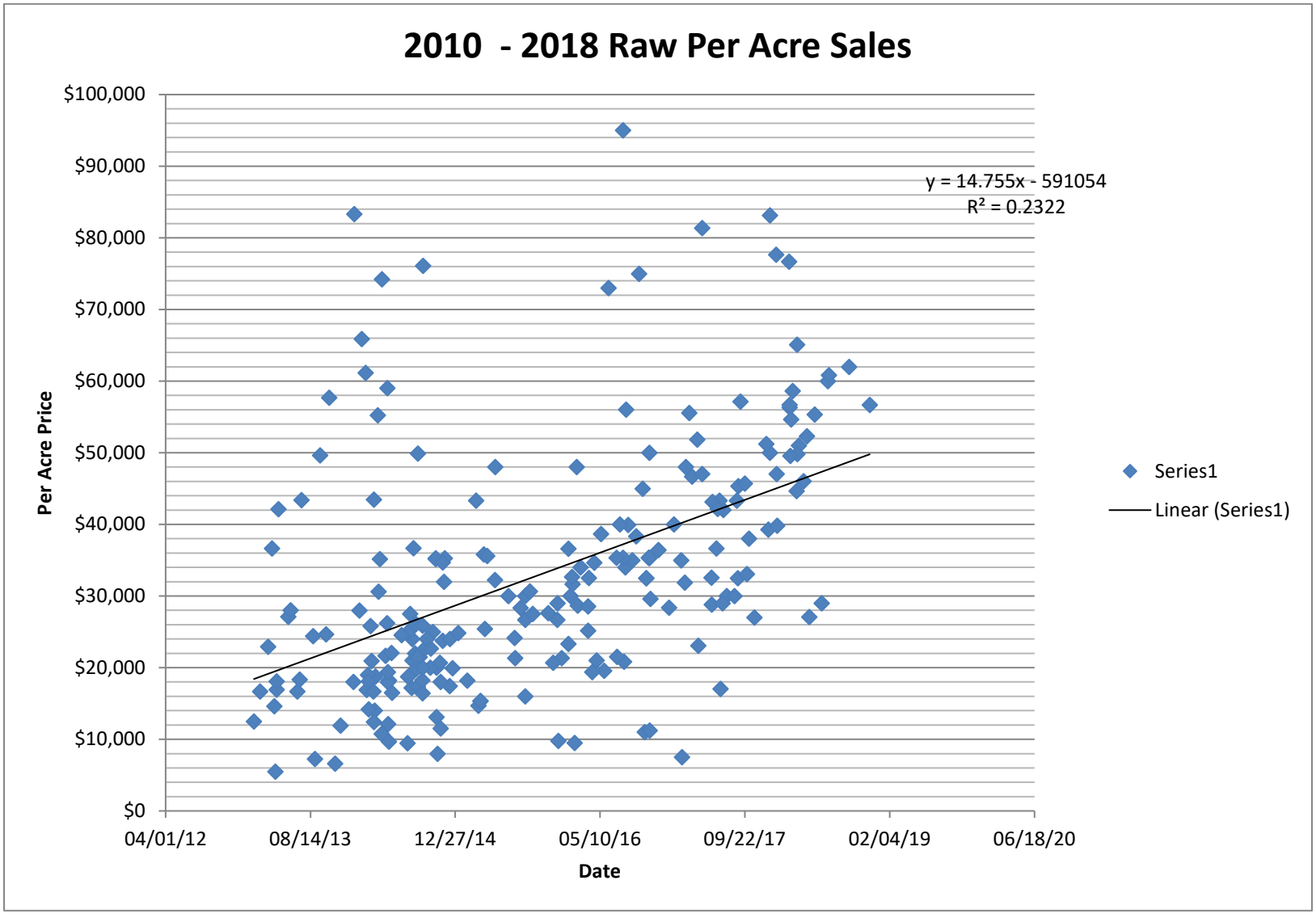
	2011	2012	2013	2014	2015	2016	2017	2018
Total Sales	79	90	97	68	92	84	61	57
Sale to List Ratio	85%	88%	92%	92%	97%	93%	93%	92%
Avg. Price Per Acre	$75,231	$59,877	$89,958	$67,148	$80,105	$84,744	170,548	$163,390
Avg. Days on Market	371	90	282	154	255	247	184	225
Percentage of Sales Under 1 Acre	46%	37%	41%	53%	57%	48%	41%	40%

64

Data Analysis, continued

A trend analysis of the raw price per acre of lot sales listed in MLS from 2010 to 2018 suggests the price trend is to be to slightly increasing. The Trend Line graph is shown on page 15. However, little weight should be given in this data as it is heavily upward biased because of small lots located on or near the lake which sale at a premium price due to location and higher unit prices due to economies of scale. Likewise, at the other end of the spectrum, a few sales sold for $300,000+. Only lot sales stated by MLS to be in the City of Rockwall were considered. In an attempt to reduce the skewing for the 2010 thru 2018 time period, the data set is narrowed to sales greater than 1.00 acres and up to 20 acres with a price ± less than $100,000. The following chart reflects the trend of these sales. The data indicates that the lots sales from 2010 to 2018 had an increasing trend. From 2010, the typical price per acre was ± $20,000, the price per acre increase to ± $53,494 in 2018. The average per acre price was $31,393 for 2010 to 2018.

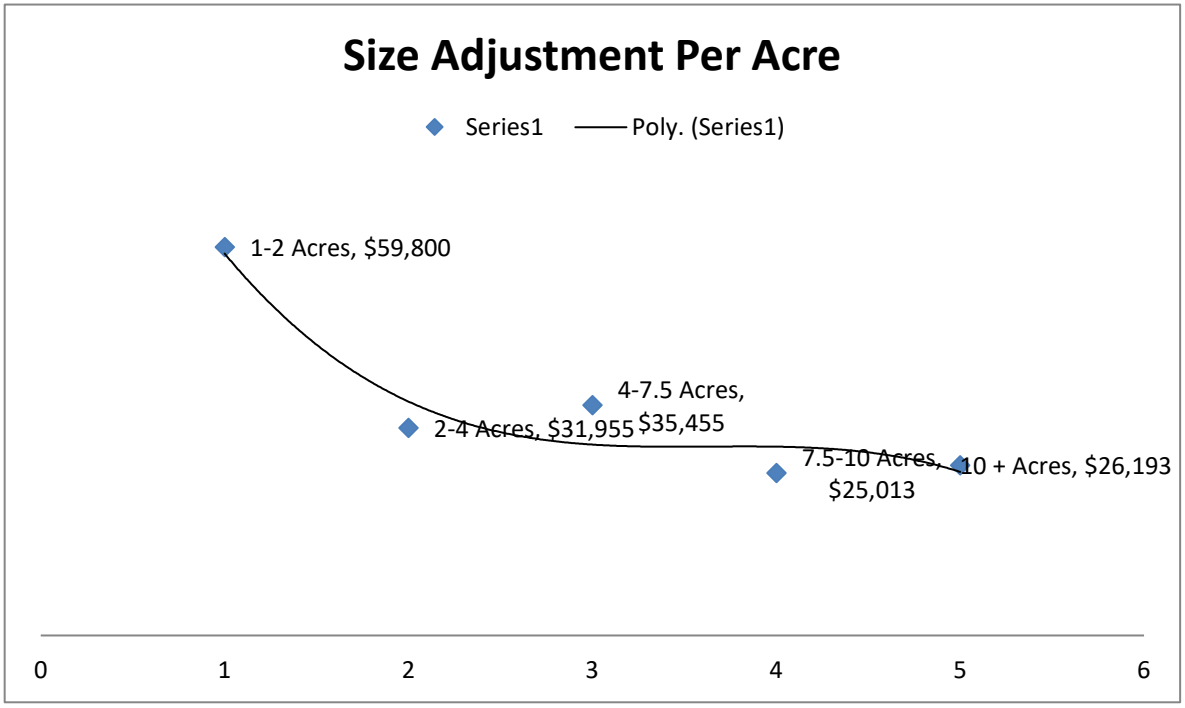
65


2010 - 2018 Raw Per Acre Sales
$100,000
$90,000
$80,000
$70,000
$60,000
$50,000
$40,000
$30,000
$20,000
$10,000
$0
Per Acre Price
04/01/12
08/14/13
12/27/14
05/10/16
09/22/17
02/04/19
06/18/20
Date
y = 14.755x - 591054
R² = 0.2322
Series1
Linear (Series1)

66

The most recent sales of lots is the 2018 data set and our analysis will focus on the 2018 sales. This data set contains 32 sales that MLS lists as in the City of Rockwall. The sales are all greater than 1.00 Acre up to 20 Acre and less than $100,000/acre.

The data will first be adjusted for location and in infrastructure. These adjustments considered information included in the detail MLS write up sheets. The next adjustment is a lot size adjustment. The following chart represents the size adjustment of the data set.

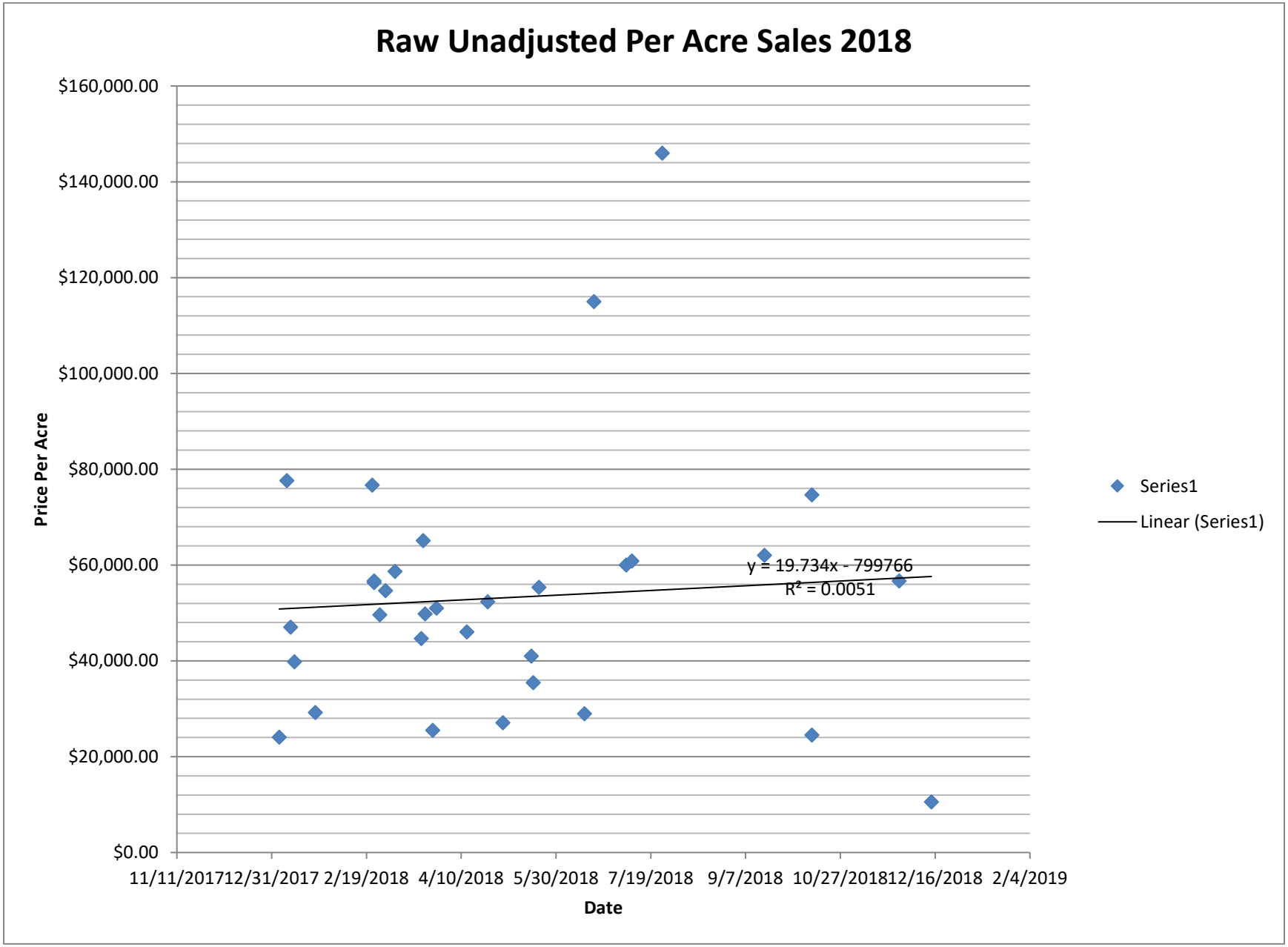


67

Approximately 78% of the data is between 1 to 5 Acres, with 72% being between 1 & 2.5 Acres. Thus, the majority of the data is within the target size range, no size adjustment will be applied to the analysis.

Following are two charts. The first shows the 2018 per acre raw lot sales date unadjusted. This chart shows the data between $10,525 per acre price to a $145,985 per acre price. The average 2018 per acre price was $53,200/Acre. The trend line indicates that the Acre price to be approximately $51,000/Acre at the beginning of 2018 and around $58,000/Acre at the end of 2018.

68

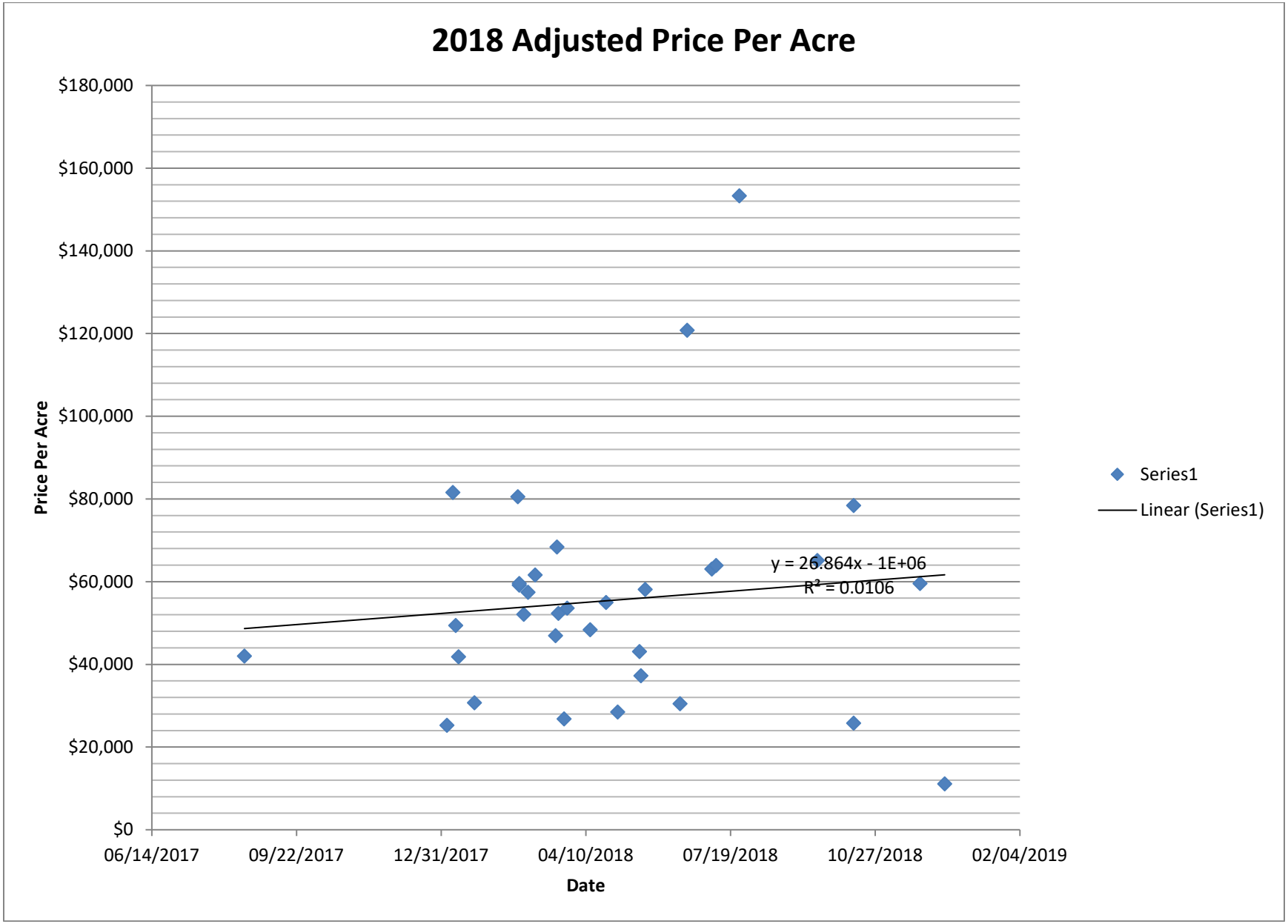

Raw Unadjusted Per Acre Sales 2018
$160,000.00
$140,000.00
$120,000.00
$100,000.00
$80,000.00
$60,000.00
$40,000.00
$20,000.00
$0.00
Price Per Acre
11/11/2017
12/31/2017
2/19/2018
4/10/2018
5/30/2018
7/19/2018
9/7/2018
10/27/2018
12/16/2018
2/4/2019
Date
y = 19.734x - 799766
R² = 0.0051
Series1
Linear (Series1)

69

Data Analysis, continued

The second chart represents the 2018 data after adjustments for location and infrastructure. As shown on the chart, the data is represented in a range from $25,741/Acre to $153,285/Acre. The average for the adjusted data is $55,034/Acre. The trend line indicates the price per acre at the beginning of 2018 to be approximately $48,000/Acre and $60,000/acre toward the end of the year.

70


2018 Adjusted Price Per Acre
$180,000
$160,000
$140,000
$120,000
$100,000
$80,000
$60,000
$40,000
$20,000
$0
Price Per Acre
06/14/2017
09/22/2017
12/31/2017
04/10/2018
07/19/2018
10/27/2018
02/04/2019
Date
y = 26.864x - 1E+06
R² = 0.0106
Series1
Linear (Series1)

71

Data Analysis, continued

Conclusions

Over the last seven years lot sales actively has been improving for both the number of sales as well as the price.

The following list a summary of our data findings over the past three years.

Average Per Acre Price 2010 to 2018 Unadjusted:	$31,393/Acre
Average Per Acre Price 2018 Unadjusted:	$53,494/Acre
Average per Acre Price 2018 Adjusted for Location, Infrastructure and Size:	$55,034/Acre

The adjusted 2018 data represents the most recent range of lot sales. The trend line of the data indicates per acre lot sales increased during 2018 from ±$48,000/Acre to ±$60,000/Acre at the end of the year.

Based upon our analysis and conclusions, subject to parameters defined, my opinion of the average market value price per acre of residential land in the City of Rockwall as of 1/1/2019 is:

$55,000/Acre

Respectfully Submitted,



Bryan Humphries, MAI, TX-1320676-G

72

Addendum

Qualifications

Assumptions & Limiting Conditions

City of Rockwall Park Land Ordinance

73

SUMMARY OF QUALIFICATIONS - Bryan E. Humphries, MAI

Currently

Owner, BRYAN E. HUMPHRIES, INC.

Experience

Over 40 years experience in the appraisal of real properties, including commercial, multi-family, industrial, and special purpose properties, for mortgage bankers, savings and loan associations, insurance companies, attorneys, private individuals, public utilities, and governmental agencies.

Education

Graduated from Texas Tech University in 1974: B.B.A. Business

Graduated from Texas Tech University in 1976: M.S. Finance

Completed college, SREA, and AIREA courses in real estate appraisal

Qualified as "Expert" in real estate valuation in various courts

Professional Designations and Affiliations

MAI	Member (#6514), Appraisal Institute
AI	Admissions Committee, North Texas Chapter 17, 1983-1992 (Chairman, 1989-1990); National Admissions Review (1994-1996); Education Committee (1988); Region 8 Representative (1994, 1996, 1997, 2002); North Texas Chapter 17 Board of Directors (1993 - 1995; 1999 – 2001)
	Appraisal Institute National Screener (1996-2005)
Broker	Licensed Broker (#216136-12), Texas Real Estate Commission
State Certified	Texas State Certified - General Real Estate Appraiser (#TX 1320676-G)
State Certified	Texas State Certified – Property Tax Consultant (00003440)
Member	North Texas Commercial Association of Realtors
Member	Real Estate Financial Executive Association

74

ASSUMPTIONS AND LIMITING CONDITIONS

1. It is assumed that title to the property herein appraised is good and merchantable, and in fee simple. The value is reported without regard to questions of title, boundaries, encroachments, environmental regulations, licenses, or other matters of a legal nature unless noncompliance has been stated, defined, and considered in the appraisal report.

2. The value is estimated under the assumption that there will be no international or domestic political, economic, or military actions that will seriously affect real estate values throughout the country.

3. Certain information concerning market and operating data was obtained from others. This information is verified and checked, where possible, and is used in this appraisal only if it is believed to be accurate and correct. However, such information is not guaranteed. Dimensions and areas of the Subject Property and of the comparables were obtained by various means and are not guaranteed to be exact.

4. Real estate values are influenced by a number of external factors. The information contained herein is all of the data we consider necessary to support the value estimate. We have not knowingly withheld any pertinent facts, but we do not guarantee that we have knowledge of all factors, which might influence the value of the Subject Property. Due to rapid changes in external factors, the value estimate is considered to be reliable only as of the date of the appraisal.

5. Opinions of value contained herein are estimates. This is the definition of an appraisal. There is no guarantee, written or implied, that the Subject Property will sell for the estimated value. The estimated value assumes that the property is under responsible ownership and has competent and prudent management.

6. The appraiser will not be required to provide testimony or attendance in court or before other legal authority by reason of this appraisal without prior agreement and arrangement between the employer and the appraiser.

7. Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any opinions, analyses, or conclusions concerning value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or the M.A.I. or SRA Designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media, prospectus for securities, or any other public means of communication without prior written consent and approval of the undersigned.

75

8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable, except as stated in this report. No responsibility is assumed for such conditions or for engineering, which may be required to discover them. It is assumed that a prudent owner/buyer would allow inspection of the property by a qualified soils or structure engineer if conditions so required.

9. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the land. The allocation of value for land and improvements, if presented, must not be used in conjunction with any other appraisal and are invalid if so used.

10. Estimates of costs to cure deferred maintenance are difficult at best. Contractors approach such problems in various ways. The estimates, if any, provided within this report are probable costs given current market conditions, available information, and the appraiser's expertise.

11. No environmental impact studies were requested or made in conjunction with this appraisal, and the appraiser hereby reserves the right to alter, amend, revise, and/or rescind the value opinions based upon any subsequent environmental impact studies, research, or investigation.

12. This appraisal was prepared by Bryan E. Humphries & Associates and consists of trade secrets and commercial or financial information, which is privileged and confidential and is exempted from disclosure under 5 U.S.C. 552 (b) (4). Please notify Bryan E. Humphries & Associates of any request of reproduction of this appraisal.

13. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is

76

no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.

14. Anyone acting in reliance upon the opinions, judgments, conclusions, or data contained herein, who has the potential for monetary loss due to the reliance thereon, is advised to secure an independent review and verification of all such conclusions and/or facts.

The user agrees to notify the appraiser prior to any irrevocable loan or investment decision of any error, which would reasonably be determined from a thorough and knowledgeable review.

15. By acceptance and use of this report, the user agrees that any liability for errors, omissions or judgment of the appraiser is limited to the amount of the fee charged.

16. The limiting condition relating to the ADA is as follows:

> This appraisal has not considered the effects of the enactment of the Americans with Disabilities Act of 1990 (ADA), which initially became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. Standards of this act are designed to provide access to all public facilities to all persons, regardless of mobility limitations. The act provides forceful encouragement for commercial establishments to enhance their accessibility and requires that renovations after this date fully comply with the access standards established by the Architectural and Transportation Barriers Compliance Board. Enhancements to buildings must be readily achievable and able to be carried out without much difficulty or expense. The act recognizes that "readily achievable" is different for companies depending on their resources. The first priority is to provide access from sidewalks, parking and transportation areas, with the second priority being to provide access to areas where goods and services are available to the public. Finally, access to restroom facilities must accommodate all persons. The modifications and costs that may be necessary for the property to conform to ADA can be ascertained only by a qualified architect. Should such a study be undertaken, and should the retrofit costs, if any, become known, then the appraisers reserve the right to re-evaluate the Subject Property.

77

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. ___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE II. PARK LAND DEDICATION OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS ($500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That the Subdivision Regulations of the Code of Ordinances shall be amended in Article II. Park Land Dedication, which shall hereafter read in its entirety as follows:

"ARTICLE II. PARK LAND DEDICATION

Sec. 24-41. Purpose.

(a) This article [Ordinance Number 87-1] is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision development in the City of Rockwall, Texas.This article is enacted in accordance with the Home Rule powers of the City of Rockwall, granted under the Texas Constitution, in statutes of the State of Texas, including but not by way of limitation, articles 974a and 1175. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

(b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of ten acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the City of Rockwall, Texas, and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the following requirements are adopted to effect the purposes stated. (Ord. No. 87-1, § I, 1-5-87)

Sec. 24-42. Definitions.

For the purposes of this article, the following definitions shall apply:

Develop (VJ: The act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Development (NJ: A parcel or tract of land proposed for subdivision in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Park development. The development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Recreational Improvements - Facilities: The park features set forth for a neighborhood park in the Activity Menu of the Park Plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the City Council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements - facilities.

Pro rata share of required dedication. The amount of land that shall be dedicated (or the acreage figure used to calculate cash in lieu of land donation) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: Pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 10 "acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit(s) is located.

The total number of residential units which a *neighborhood park district is projected to have when fully developed* shall be determined by the Impact Fee Land Use Assumptions as set forth in Table 1, Park Dedication Acreage Factor per Dwelling Unit, below. (Ord. No. 87-1, § II, 1-5-87)

TABLE 1
PARK DEDICATION ACREAGE FACTOR PER DWELLING UNIT

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	653	.015
2	1151	.009
3	962	.010
4	1660	.006
5	1558	.007
6	978	.010
7	1282	.008
8	1856	.005
9	1524	.007
10	1041	.010
11	948	.011

12	2663	.004
13	728	.014
14	1940	.005
15	870	.015
16	728	.014
17	1235	.008
18	801	.012
19	1071	.009
20	699	.014
21	1473	.007
22	1598	.006
Total	27,419	

Sec. 24-43. General Requirement for SF-16, SF-10, SF-7, ZL-5, 2-F and MF-15, to be used for single-family, zero lot line, duplex, and/or apartment multi family residential purposes.

(a) Whenever a final plat is filed of record with the county clerk of Rockwall County for development of a residential area in accordance with the planning and zoning ordinances of the City of Rockwall, such plat shall contain a clear fee simple dedication of an area of land to the City of Rockwall for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the Park Master Plan. In addition, the developer shall make payment of money for pro-rata share and recreational improvement facilities as defined in this article. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.

(b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by Section 24-45(c) of this article, rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

(c) In instances where an area of less than six (6) acres but more than one acre is calculated to be the pro rata share of a development the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with Section 24-45(c) of this article after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the City determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by

expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.

(d) The dedication required by this article shall be made by filing of final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by Section 24-45(c) of this article, or by the conveyance of an entire numbered lot to the city. (Ord. No.87-1, § Ill, 1-5-87)

Sec. 24-44. Prior dedication; absence of prior dedication.

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section. (Ord. No. 87-1, § IV, 1-5-87)

Sec. 24-45. Money in lieu of land.

(a) Subject to the veto of the city council and the terms of Section 24-43 of this article, a land owner responsible for dedication under this article may elect to meet the requirements of Section 24-43 in whole or in part by a cash payment in lieu of land, in an amount set forth in Section 24-45(c). Such payment in lieu of land shall be made at or prior to final plat approval.

(b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of (1) the average price per acre of such land, and (2) the actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs for facilities as set forth in the Park Master Plan for neighborhood parks. Once the city has been reimbursed entirely for all park land within a park zone, this section shall cease to apply and the other sections of this article shall be applicable.

(c) To the extent that Section 24-45(b) is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the City. . Once established the Council shall adopt the value(s) by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the same neighborhood park district as the development in accordance with the Park Master Plan. (Ord. No. 87-1, § V, 1-5-87)

Sec. 24-46. Dedication of more than the pro rata share of park land.

The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required park land area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with the City of Rockwall Subdivision Regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.

The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land cost in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five (5) years from the date of dedication. (Ord. No. 87-1, § VI, 1-5-87)

Sec. 24-47. Special fund established; right to refund.

(a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."

(b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight (8) years from the date received by the city for acquisition and development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first/in first/out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement; in writing, or such rights shall be barred. (Ord. No. 87-1, § VII, 1-5-87)

Sec. 24-48. Additional requirements and provisions.

(a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:

(1) Any area located in the one hundred-year floodplain;

(2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The above characteristics of park land dedication area may be grounds for refusal of a plat.

(b) Each park must have ready access to a public street.

(c) Unless provided otherwise herein, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five (5) members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.

(d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(e) This article shall become effective upon adoption by the city council. (Ord. No. 87-1, § VIII, 1-5-87)

Sec. 24-49. Review and updating park master plan.

The City of Rockwall Parks and Recreation Department shall consider the need to update the Park Master Plan at least annually to insure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Ord. No. 87-1, § XI, 1-5-87)

Sec. 24-50. Waiver of mandatory neighborhood park land dedication in the case of private developments.

If a development is proposed to be a private development where no public streets are dedicated for use by the public the city shall:

(1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.

(2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under Section 24-50(1) above.

(3) Decrease the total acreage shown in the Park Master Plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under Section 24-50(1) above (for the purpose of future calculations of pro rata shares for future developments).

(4) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of park land is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight foot wide trail.

(Ord. No. 87-1, § IX, 1-5-87)

Sec. 24-51. Waiver of article requirements by city council.

The city council of the City of Rockwall, Texas may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the City of Rockwall. (Ord. No. 87-13, § I, 3-16-87)"

Section 2. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordinances.

Section 3. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this day of , 1999.

_____
Mayor
City of Rockwall, Texas

ATTEST:

_____
City Secretary
City of Rockwall, Texas

APPROVED:

_____
City Attorney
City of Rockwall, Texas

Table 2
Mandatory Park Land Dedication Ordinance
Pro-Rata Equipment Fees

Whereas the fee of $625,000 is used as the Park Equipment Fee

Park District	Max. Dwelling Units*	Equipment Fee Per Lot
1	457	$1,368
2	1212	$516
3	1398	$447
4	1295	$483
5	879	$711
6	1227	$509
7	2450	$255
8	1194	$523
9	1822	$343
10	436	$1,433
11	1110	$563
12	1343	$465
13	989	$632
14	2780	$225
15	1256	$498
16	347	$1,801
17	2774	$225
18	687	$910
19	1057	$591
20	1174	$532
21	1212	$516
22	1178	$531
23	1775	$352
24	2115	$296
25	490	$1,276
26	966	$647
27	2079	$301
28	2418	$258
29	2219	$282
30	973	$642
31	994	$629
32	561	$1,114
33	1875	$333
34	2050	$305
35	3004	$208

*Ultimate dwelling unit holding capacity from Park Land Ordinance Amended - May 18, 2015
*Park Equipment Fee Amended Feb 2017

86

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87

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Park Board**

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

DATE: **March 5, 2019**

SUBJECT: **MANDATORY PARK LAND DEDICATION ORDINANCE**

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

Bryan E. Humphries and Associates completed their appraisal in January of 2019 to determine the average cost per acre of land and provided a final report. To establish comparable parcels, the properties evaluated must have easy access to utilities, public street, not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries' report, the average cost of one acre of neighborhood park land with the above restrictions within the City limits is **$55,000**.

Each year the cost to develop an 11 acre neighborhood park should be considered and set by Council resolution as well. It is currently set at $1,250,000. Staff does not foresee that this needs to be increased for 2019. I have attached the appraisal letter completed by Mr. Humphries. $625,000.00 would be the "per neighborhood park" cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with the developer's share of the park.

88

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 19-05

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

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

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

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

WHEREAS, said ordinance provisions provide that the City Council shall annually adopt a resolution establishing the "cost per acre" to be used in calculation of a new development's pro rata share contribution for neighborhood park land;

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

Section 1. Based upon a recommendation of the City of Rockwall Parks and Recreation Board, **$55,000.00** is hereby adopted as the "cost per acre" park development cost to be used in calculation of pro-rata neighborhood park development matters;

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 18th day of March, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

89

MARKET STUDY

REAL PROPERTY APPRAISAL CONSULTING REPORT

Prepared For

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

MARKET STUDY
Average Price Per-Acre of Land in the City of Rockwall
The City of Rockwall, Rockwall County, Texas

EFFECTIVE DATE OF CONSULTING ASSIGNMENT
JANUARY 1, 2019

Prepared By

Bryan E. Humphries & Associates
4050 McKinney Avenue
Suite 210
Dallas, Texas 75204

90

BRYAN E. HUMPHRIES & ASSOCIATES
REAL ESTATE VALUATION AND SERVICES

January 15, 2019

Andy Hesser, Park and Recreation Manager
City of Rockwall
108 E. Washington
Rockwall, TX 75807

Re: Average Price Per- Acre of Land in the City of Rockwall
City of Rockwall, Rockwall County, Texas

Mr. Andy Hesser,

We are pleased to transmit this gross market study/real property appraisal consulting report that was prepared for the purpose of valuing typical parkland in the City of Rockwall, This parkland is typically five acres and in the early stages of development. Please refer to identification of project on page 4 for further explanation of the project scope. This report is a gross market study (real property appraisal consulting report) and does not involve analysis of or the inspection of a physical subject property. The purpose of this gross market study is to derive an opinion of a fee simple market value of the average price per-acre of land in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). The effective date of this gross market study is January 1, 2019.

The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes. This consulting report is only intended to assist the City of Rockwall, in establishing a general value trend and current market value of the average price per- acre of land in the City of Rockwall.

4054 McKinney Avenue, Suite 210, Dallas, Texas 75204

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

TABLE OF CONTENTS

Page No.

Table of Contents 1
Certification 2

General Information & Scope of Work

Identification of Subject and Project 4
Inspection Information, Effective Date and Date of Report 4
Identification of the Client 4
Intended Users and Intended Use 4
Objective of the Assignment 4
Appraisal Report Option 5
Analysis Overview 5
Extraordinary Assumptions 5
Jurisdictional Exceptions 6
Hypothetical Conditions 6
Residential Market Analysis 8
Data Analysis 13
Conclusion of Value 21

Addenda

Qualifications of Appraisers
Assumptions and Limiting Conditions
Park Land Dedication Ordinance

CERTIFICATE

I certify that, to the best of my knowledge and belief,...

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, unbiased professional analyses, opinions, and conclusions.

As of the date of the appraisal only, I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent on the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

Bryan Humphries has made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the persons signing this certificate.

I have performed a previous appraisal (1/1/13, 1/1/14, 1/1/15, 1/1/16, 1/1/17 and 1/1/18) involving the subject property within the three years prior to this assignment.

The report analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Uniform Standards of Professional Appraisal Practice of the Appraisal Institute.

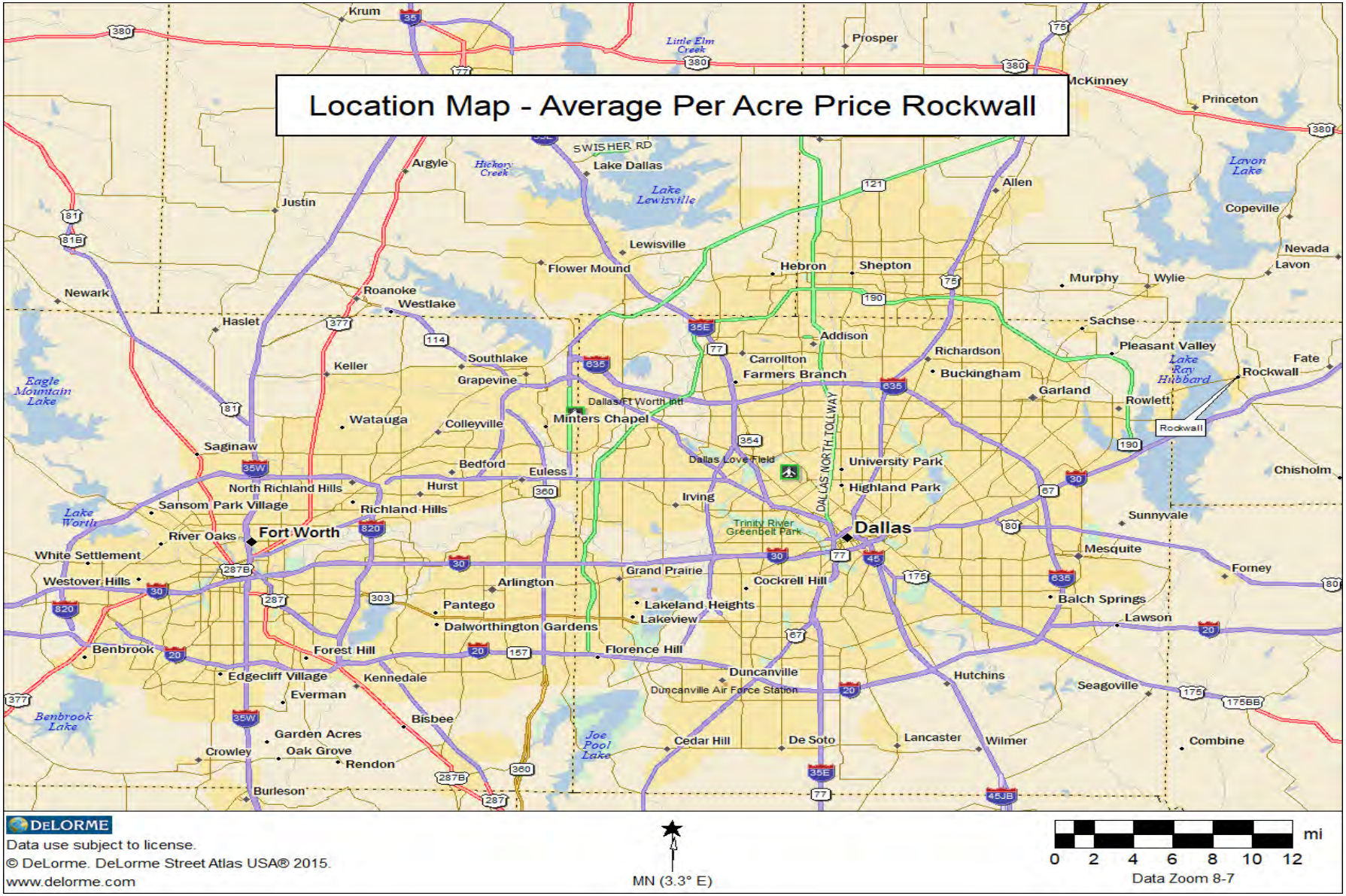
The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this Study, I have completed the requirements of the continuing education program of the Appraisal Institute.



Bryan Humphries, MAI, TX-1320676-G

93


Location Map - Average Per Acre Price Rockwall
Krum
Prosper
McKinney
Princeton
Little Elm Creek
Lake Lewisville
Lake Lavon
Argyle
Hickory Creek
Lake Dallas
SWISHER RD
Justin
Allen
Copeville
Lewisville
Flower Mound
Hebron
Shepton
Murphy
Wylie
Nevada
Lavon
Newark
Roanoke
Westlake
Haslet
Sachse
Addison
Pleasant Valley
Richardson
Carrollton
Farmers Branch
Buckingham
Garland
Rowlett
Fate
Rockwall
Lake Ray Hubbard
Eagle Mountain Lake
Keller
Southlake
Grapevine
Dallas/Ft Worth Intl
Minters Chapel
Watauga
Colleyville
Saginaw
Bedford
Euless
Dallas Love Field
University Park
Highland Park
Chisholm
North Richland Hills
Hurst
Irving
DALLAS NORTH TOLLWAY
Sansom Park Village
Richland Hills
Lake Worth
River Oaks
Fort Worth
Trinity River Greenbelt Park
Dallas
Sunnyvale
Mesquite
White Settlement
Grand Prairie
Cockrell Hill
Forney
Westover Hills
Arlington
Balch Springs
Pantego
Lakeland Heights
Lakeview
Lawson
Dalworthington Gardens
Benbrook
Forest Hill
Florence Hill
Edgecliff Village
Kennedale
Duncanville
Hutchins
Everman
Duncanville Air Force Station
Seagoville
Benbrook Lake
Bisbee
Garden Acres
Joe Pool Lake
Cedar Hill
De Soto
Lancaster
Wilmer
Combine
Crowley
Oak Grove
Rendon
Burleson
DELORME
Data use subject to license.
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www.delorme.com
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0 2 4 6 8 10 12 mi
Data Zoom 8-7

94

GENERAL INFORMATION & SCOPE OF WORK

Identification of Subject and Project

The subject property is a typical, underdeveloped, Parcel in the City of Rockwall. The parcel represents the average in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). According to the ordinance, from time to time, developers must dedicate land to the City of Rockwall in order to meet the need for park land in the area. If the dedication is not feasible, the developers must then give the City cash in lieu of land that is reflective of typical residential land in Rockwall. The client has indicated that this average residential land is typically 5 acres and in the early stages of development.

Inspection Information, Effective Date and Date of Report

This analysis does not involve a physical subject property, only a hypothetical property, thus no inspection is required. The effective date of the assignment is January 1, 2019. The date of the report is the date of the signature on the first page of this report. Unless otherwise stated, all factors pertinent to a determination of value are considered as of this date.

Identification of the Client/Intended User

This real property appraisal consulting report is prepared for the City of Rockwall, Mr. Andy Hesser, 108 E. Washington, Rockwall, Texas 75087. Any other use or users are not intended or authorized.

Objective of the Assignment/Intended Use

This consulting assignment is only intended to assist the client in establishing an average price per-acre of land. The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes.

95

Appraisal Report Option

This is a real property appraisal consulting assignment that complies with the reporting requirements set forth under Standard 5 of the *Uniform Standards of professional Appraisal Practices (USPAP).* As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly. The depth of discussion contained in this report is specific to the needs of the client and the intended users of this property appraisal consulting report.

Analysis Overview

As part of this consulting assignment, we have completed the following steps to gather, confirm, and analyze the data.

- Physically inspected the subject markets and the surrounding neighborhoods.
- Collected factual information about the surrounding market and confirmed that information with various sources.
- Collected market information needed to consider the three traditional approaches to value: Cost approach, sales comparison approach and income capitalization approach (if applicable).
- Prepared a real property appraisal consulting report setting forth the conclusion derived in this analysis as well as a summary of the information upon which the conclusions are based.

Extraordinary Assumptions

An extraordinary assumption is something that is assumed to be true, but it is not certain. If it turns out to be untrue, the value conclusion could be impacted. Extraordinary assumptions are those assumptions that are specific to the assignment, as opposed to general assumptions, which could be applicable to any assignment. In this assignment, we have assumed typical general assumptions and limiting conditions as cited above. In this particular assignment, the following extraordinary assumptions were made:

- Sales and listing data obtained from the Multiple Listing Service is deemed to be sufficiently reliable data to establish overall market trends and the current market value of an average, price per-acre of land. While some knowledgeable real estate brokers and salespeople have been contacted to obtain and confirm data, the reader should be aware that not all of the sales and listing data analyzed was independently confirmed.

96

- The client should not conclude that an appraisal has been prepared, and this consulting report should not be used for condemnation purposes. This gross market study (real property appraisal consulting report) is only intended to assist the City of Rockwall in establishing a general value trend and current market value of an average price per-acre in the City of Rockwall.

- The purpose of this consultation report is to establish the average price per acre of land in the City of Rockwall. As set forth in the City of Rockwall, Park Land Dedication Ordinance, Section 24-45(b). However, it is beyond the scope of this consultation report to estimate the actual costs of adjacent street and site utilities as stated in the ordinance (see addenda).

Jurisdictional Exceptions

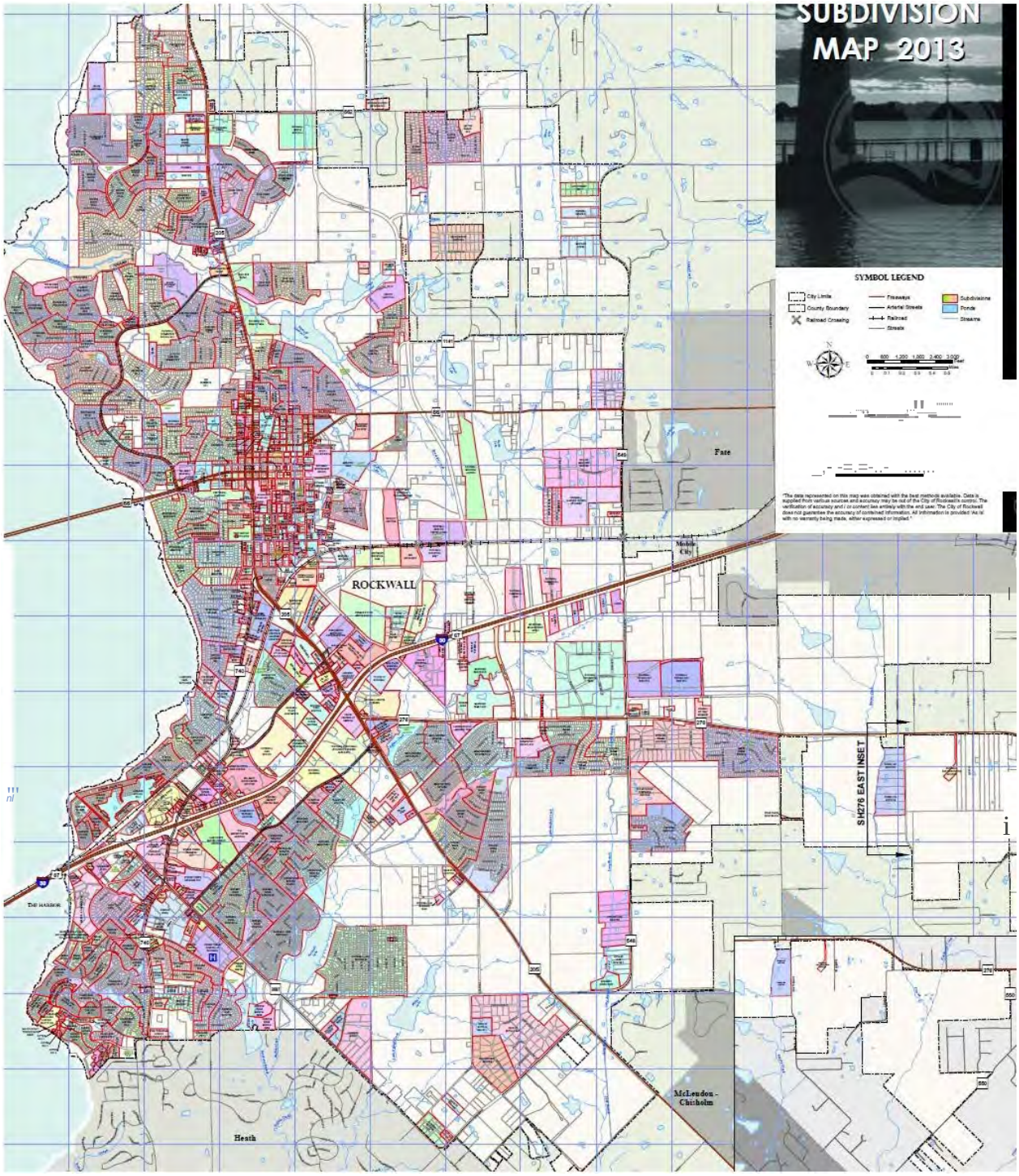
The Jurisdictional Exception Rule provides for severability preserving the balance of the *Uniform Standards of Professional Appraisal Practice (USPAP).* If one or more parts of *USPAP* are "contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction." According to *USPAP*, "A law means a body of rules with binding legal force established by the controlling governmental authority." This includes federal and state constitutions, legislative and court made law, administrative rules, regulations and ordinances. In this assignment, there are no known conflicts of law or public policy that disregard the *USPAP*.

Hypothetical Conditions

A hypothetical condition is that which is contrary to what exists but is supposed for the purpose of analysis. In this particular assignment, the following hypothetical condition was made:

> For purposes of this analysis, the subject property is a hypothetical, undeveloped, parcel in the City of Rockwall.

97


SUBDIVISION
MAP 2013
SYMBOL LEGEND
City Limits
County Boundary
Railroad Crossing
Freeways
Arterial Streets
Railroad
Streets
Subdivisions
Ponds
Streams
Fate
Mobile City
ROCKWALL
SH276 EAST INSET
McLendon-Chisholm
Heath

98

Residential Market Analysis

Boundaries

The neighborhood boundaries are generally defined as follows:
City of Rockwall (Urban)
Outlying areas of the City of Rockwall (Suburban)

Development Activities and Trends

Residential development comprises approximately ±80% of the development in Rockwall. According to ESRI, the median 2018 home value within a 1-mile, 3-mile, and 5-mile radius of the Subject is $240,863, $244,411 and $242,909 respectively.

Recent single family building permit activity in Rockwall County summarized as follows:

Rockwall County Single Family Building Permits[1]				
Year	**Units**	**% Change**	**Average Value**	**% Change**
2000	955	-	$194,400	-
2001	1.267	32.7%	$171,000	-12%
2002	1,224	-3.4%	$171,000	0.0%
2003	1,219	-0.4%	$168,500	-1.5%
2004	1,598	31.1%	$168,100	-0.2%
2005	1,756	9.9%	$183,400	9.1%
2006	1,190	-32.2%	$201,800	10.0%
2007	759	-36.2%	$240,200	19.0%
2008	589	-22.4%	$192,800	-19.7%
2009	545	-7.5%	$166,500	-13.6%
2010	489	-10.3%	$200,800	20.6%
2011	411	-16.0%	$233,800	16.4%
2012	675	+64.2%	$247,700	5.9%
2013	741	+9.8%	$256,900	3.7%
2014	965	+30.2	$288,800	12.4%
2015	1046	+8.4	$284,600	-1.5%
2016	1116	+6.7	$317,000	11.4
2017	1468	+31.5	$293,700	-7.4%
YTD Oct 18	1482		$307,250	

1 Data provided by Texas A&M Real Estate Center

As indicated by the preceding chart, new single family home activity peaked in 2005 at 1,756 permits. Building permit activity dropped significantly in 2006, 2007, and 2008, but slowed to 7.5% in 2009. New construction continued to decline in 2010, but appears to have bottomed in 2011 with 411 homes as 487 building permits were issued through September 2012. For 2012, 2013, 2014, 2015, 2016,2017 and 2018 permits have rebounded significantly, being up over ± 257% from 2011 levels.

99

Demographic Trends

Population growth in Rockwall County had been slow in relation to the Dallas-Fort Worth CMSA after Lake Ray Hubbard was impounded in the 1960's. That changed when IH-30 was upgraded and the bridge widened in the 1990s. While the entire county has benefited, most of the growth has taken place along or near IH-30, and from west to east. Access remains an important factor in Rockwall County's growth pattern.

Area	1980	1990	2000	2010	2010 to 2018 Compounded Annual %Change	Estimated 2018
City of Fate	NA	477	463	6,357	9.6%	13,240
City of Heath	1,459	2,108	4,149	6,921	2.11%	8,180
City of Rockwall	5,939	10,486	17,976	37,490	1.95%	43,750
City of Rowlett	7,522	23,260	44,503	56,199	.57%	58,830
City of Royse City	1,566	2,206	2,957	9,349	3.23%	12,060
Rockwall County	14,528	25,600	43,080	78,337	2.84%	97,990

Source: U.S. Bureau of the Census & State of Texas

The population in the City of Rockwall increased 1.95% compounded annually from 2010 to its 2018 level of 43,750. The Rockwall County grew 2.84% annually to 97,990 during the same period.

Demographics

The following chart summarizes demographic data in the Subject Neighborhood. The data was provided by ESRI, Inc., and is based on demographics in a 1,3, and 5-mile radius from the Subject Property.

100

2010-2018 Demographic Data (Source, ERSI, Inc.)			
Item	**1 Mile**	**3 Mile**	**5 Mile**
2010 Population	6,945	32,537	82,777
2018 Population	7,638	40,792	100,085
2010-2018 Population Growth Rate	10.0%	25.4%	20.9%
Projected 2023 Population	8,607	46,379	114,150
Projected 5-Year Growth Rate- annually	2.42%	2.6%	2.66%
2018 Households	2,762	14,029	32,962
2018 Average Household Size	2.66	2.87	3.01
2018 Median Household Income	$82,062	$88,551	$91,959
2018 Average Household Income	$103,036	$109,546	$113,283
2018 Per Capita Income	$39,008	$38,252	$37,724
2018 Housing Units	2,158	6,590	17,295
2018 Owner Occupied Housing Units	73.9%	73.1%	80.9%
2018 Renter Occupied Housing Units	20.9%	21.4%	14.4%
2018 Vacant Housing Units	5.2%	5.6%	4.6%
Projected 2023 Housing Units	3,250	16,773	38,868
2018 Median Home Value	$240,863	$244,411	$242,909

The following data is compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2018 (includes residential, commercial and farm and ranch) the number of closed transactions year-to-date for lots and vacant land in the Rockwall market area has decreased 12% and the average price has increased 33%. The average sold to list price has remained at ±91% and the average days on market has increased 42%. Pending sales have decreased by 12% and months inventory has increased to 18.8 months. The decrease in pending sales is an indicator of possible decrease transaction levels in the coming months.

Year-to-Date Sales Closed by Area for: December 2018 Lots and Vacant Land – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	138	-12%	$28,087,140	-11%	$203,556	0%	$102,450	+18%

101

Year-to-Date Sales Closed by Area for: December 2018 Lots and Vacant Land – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34			91%	0%	66%	-1%	179	+42%

Year-to-Date Sales Closed by Area for: December 2018 Lots and Vacant Land – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	156	-12%	319	-10%	216	+17%	18.8	+32%

The following data is also compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2018 the number of closed transactions year-to-date for single family residences in the Rockwall market area has remained the same and the average price increased 3%. The average price per square foot has increased 4% and the average days on market has increased 8%. Pending sales have remained the same and months of inventory has increased 22%.

Year-to-Date Sales Closed by Area for: December 2018 Single Family – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	2135	0%	$709,962,225	+3%	$332,535	+3%	$289,000	+2%

Year-to-Date Sales Closed by Area for: December 2018 Single Family – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34	$125	+4%	97%	0%	89%	+2%	53	+8

Year-to-Date Sales Closed by Area for: December 2018 Single Family – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	2,271	0%	2,972	+4%	552	+22%	3.1	+22%

102

Conclusions

Rockwall has shown strong population growth over the past twenty years and employment trends are positive. The area is rapidly being developed with commercial and residential uses. In the future, Rockwall County is anticipated to be a strong growing area of the Metropolex. The neighborhood is considered to be in a growth life stage and the overall aspects are considered to be good.

103

DATA ANALYSIS

Description and Analysis of the Subject

For purposes of this analysis, the subject property is a typical, undeveloped, parcel in the City of Rockwall. According to the client, the City of Rockwall will be using the data to value parklands ranging in size from 1 to 10 acres. The client instructed the appraisers to base adjustments on a typical 5 acre residential parcel.

Description of the Data and Analysis

The purpose of this analysis is to determine the average value of a residential, undeveloped, parcel within the City of Rockwall. The parcel is assumed to have paved street access, utilities and to be in the early stages of development.

Sales and listing data was obtained from the NTREIS Multiple Listing Service. Our queried data included all residential land sales from one tenth of an acre to twenty acres in the City of Rockwall. Included within the data are land sales of parcels improved with typical subdivision infra-structure (i.e. paved streets, utilities, engineering, platting, etc.) and those that do not have these improvements. These sales have been adjusted to reflect their condition above and below the average undeveloped parcel. Within our analysis we have also considered historical land sale prices and trends as these are good indicators of current prices and prices going forward and provide a helpful frame of reference for the overall market. Other factors considered and adjusted for within the sales data include parcel size and location.

Our queries presented the following raw data. The data is not adjusted to reflect the average, undeveloped parcel. The raw average price per acre is heavily biased and influenced by sales of lake front lots.

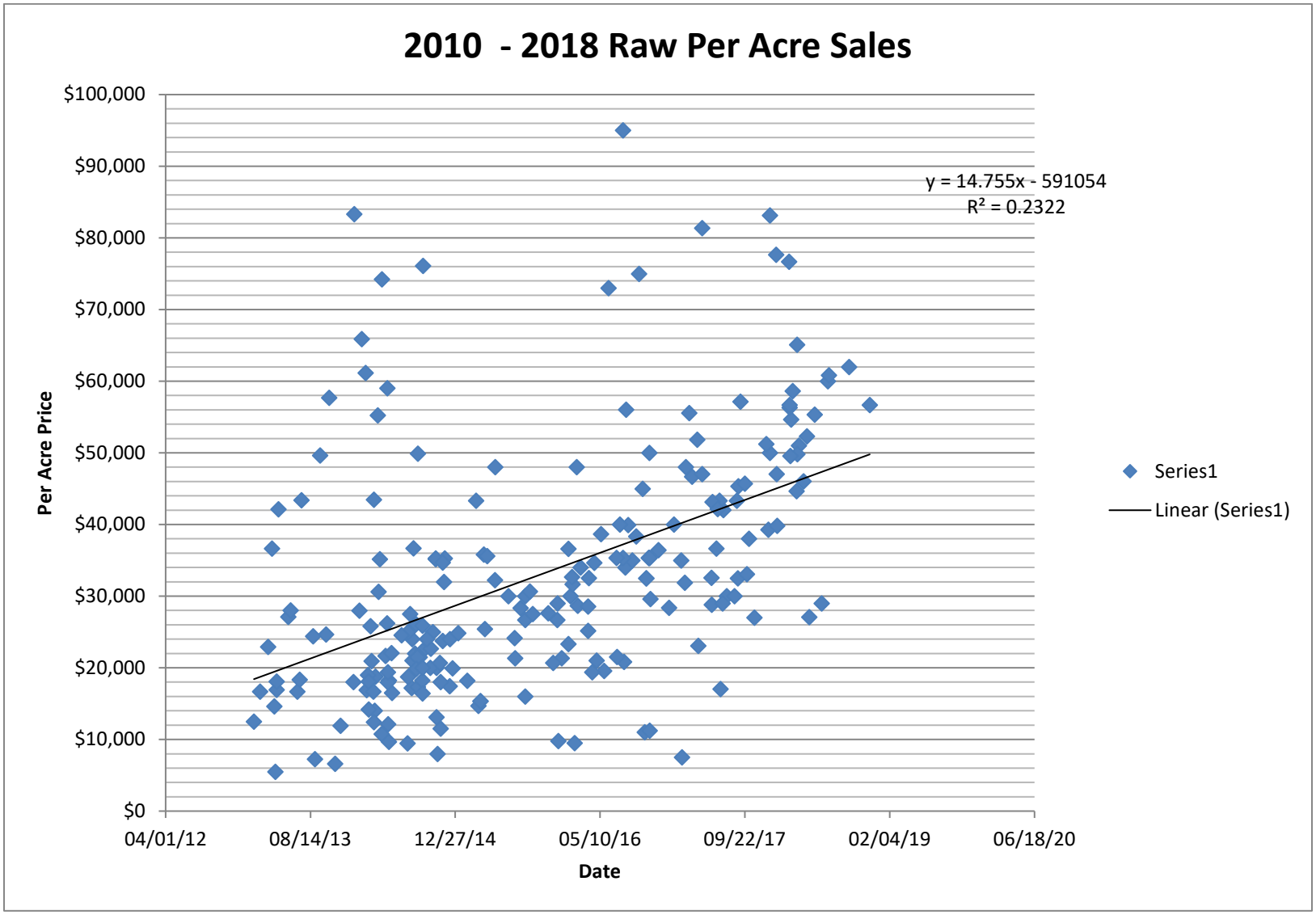
	2011	2012	2013	2014	2015	2016	2017	2018
Total Sales	79	90	97	68	92	84	61	57
Sale to List Ratio	85%	88%	92%	92%	97%	93%	93%	92%
Avg. Price Per Acre	$75,231	$59,877	$89,958	$67,148	$80,105	$84,744	170,548	$163,390
Avg. Days on Market	371	90	282	154	255	247	184	225
Percentage of Sales Under 1 Acre	46%	37%	41%	53%	57%	48%	41%	40%

104

Data Analysis, continued

A trend analysis of the raw price per acre of lot sales listed in MLS from 2010 to 2018 suggests the price trend is to be to slightly increasing. The Trend Line graph is shown on page 15. However, little weight should be given in this data as it is heavily upward biased because of small lots located on or near the lake which sale at a premium price due to location and higher unit prices due to economies of scale. Likewise, at the other end of the spectrum, a few sales sold for $300,000+. Only lot sales stated by MLS to be in the City of Rockwall were considered. In an attempt to reduce the skewing for the 2010 thru 2018 time period, the data set is narrowed to sales greater than 1.00 acres and up to 20 acres with a price ± less than $100,000. The following chart reflects the trend of these sales. The data indicates that the lots sales from 2010 to 2018 had an increasing trend. From 2010, the typical price per acre was ± $20,000, the price per acre increase to ± $53,494 in 2018. The average per acre price was $31,393 for 2010 to 2018.

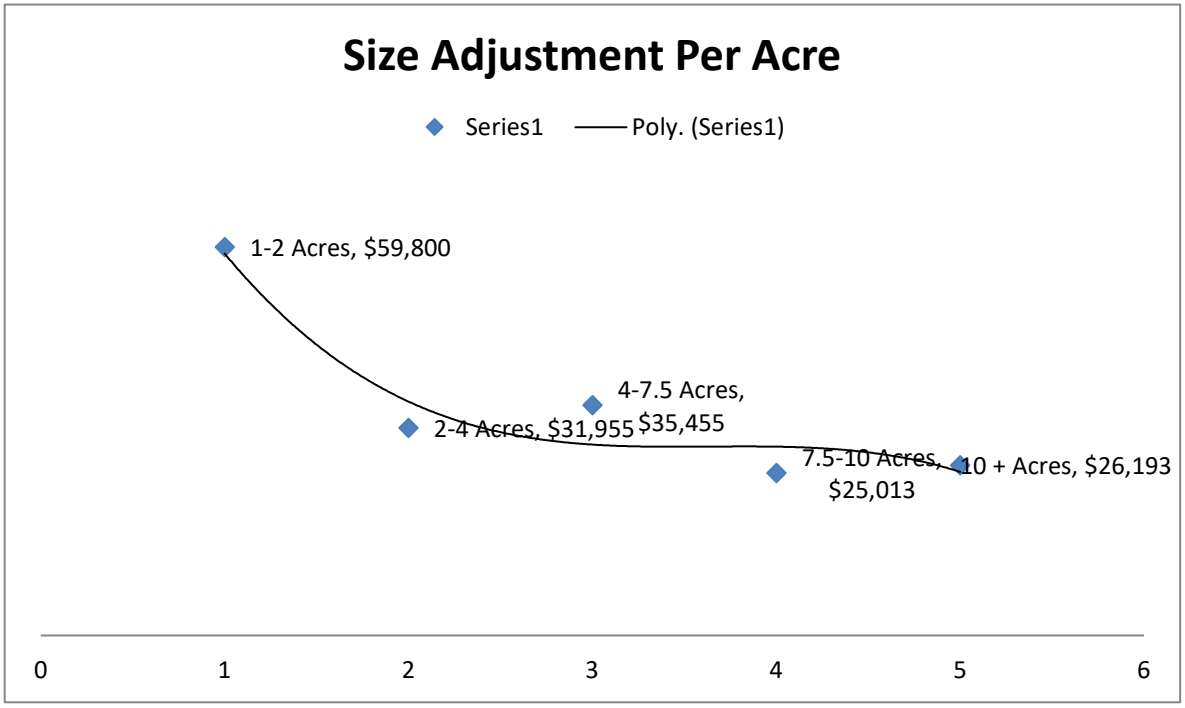
105


2010 - 2018 Raw Per Acre Sales
$100,000
$90,000
$80,000
$70,000
$60,000
$50,000
$40,000
$30,000
$20,000
$10,000
$0
Per Acre Price
04/01/12
08/14/13
12/27/14
05/10/16
09/22/17
02/04/19
06/18/20
Date
y = 14.755x - 591054
R² = 0.2322
Series1
Linear (Series1)

106

The most recent sales of lots is the 2018 data set and our analysis will focus on the 2018 sales. This data set contains 32 sales that MLS lists as in the City of Rockwall. The sales are all greater than 1.00 Acre up to 20 Acre and less than $100,000/acre.

The data will first be adjusted for location and in infrastructure. These adjustments considered information included in the detail MLS write up sheets. The next adjustment is a lot size adjustment. The following chart represents the size adjustment of the data set.

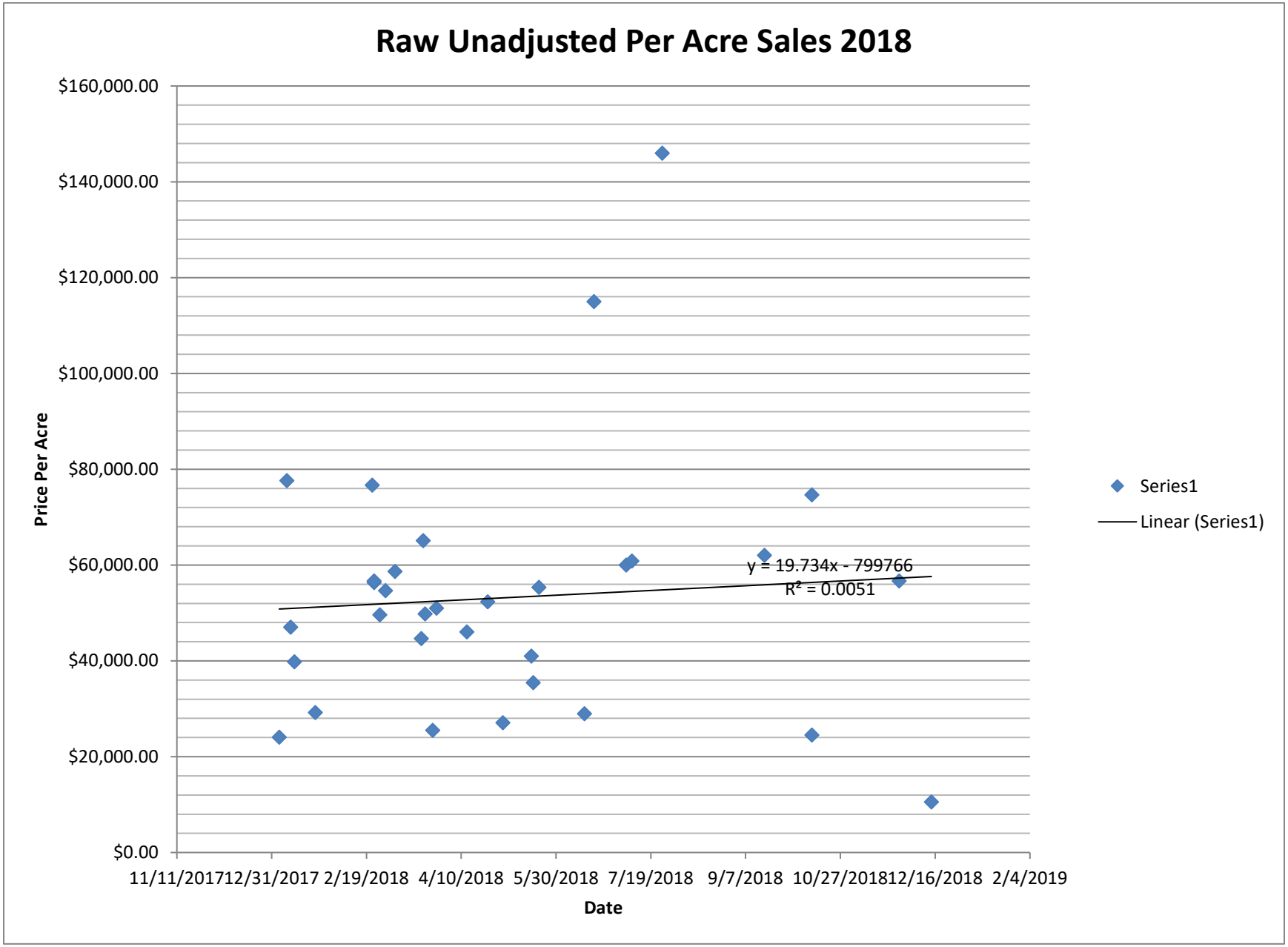


107

Approximately 78% of the data is between 1 to 5 Acres, with 72% being between 1 & 2.5 Acres. Thus, the majority of the data is within the target size range, no size adjustment will be applied to the analysis.

Following are two charts. The first shows the 2018 per acre raw lot sales date unadjusted. This chart shows the data between $10,525 per acre price to a $145,985 per acre price. The average 2018 per acre price was $53,200/Acre. The trend line indicates that the Acre price to be approximately $51,000/Acre at the beginning of 2018 and around $58,000/Acre at the end of 2018.

108

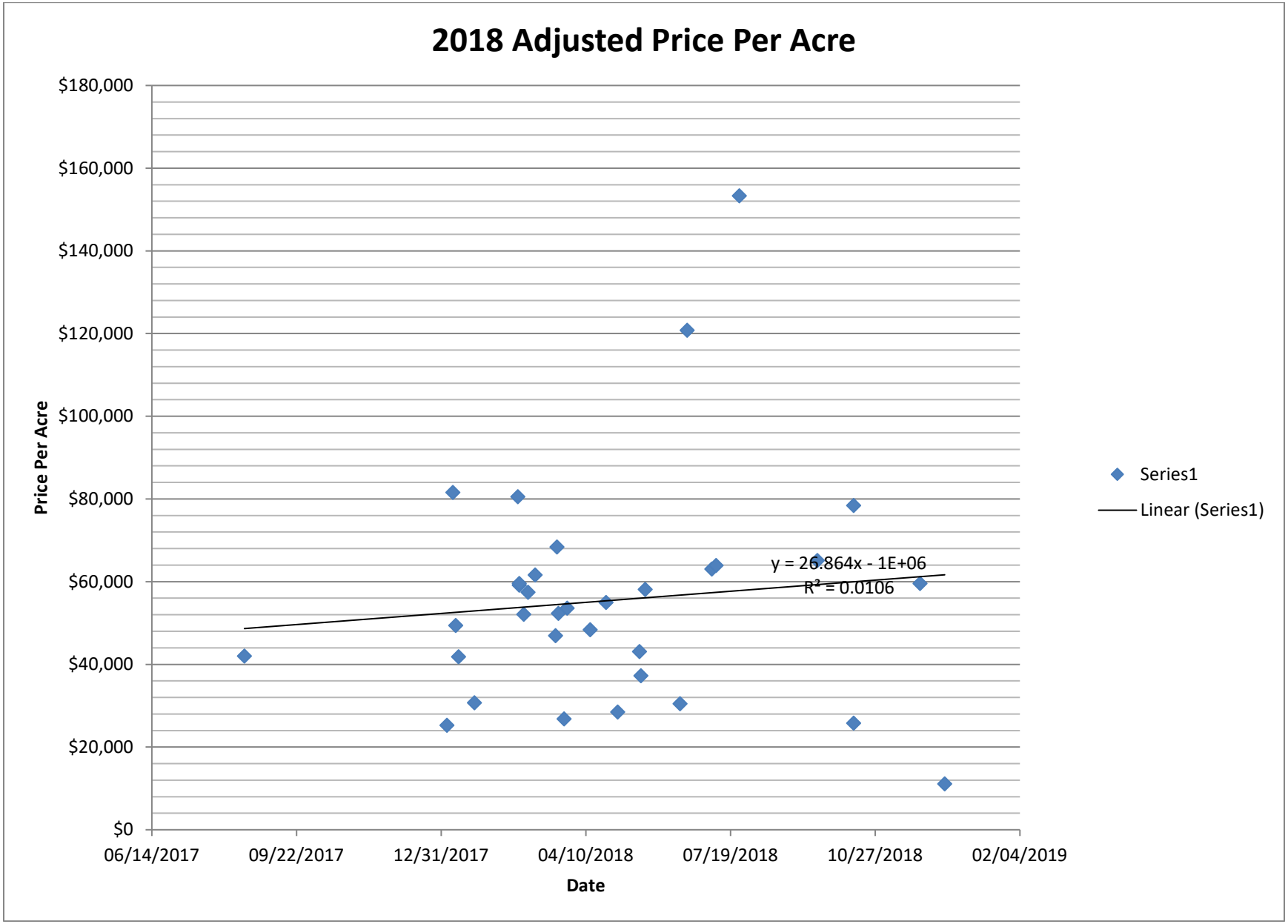

Raw Unadjusted Per Acre Sales 2018
$160,000.00
$140,000.00
$120,000.00
$100,000.00
$80,000.00
$60,000.00
$40,000.00
$20,000.00
$0.00
Price Per Acre
11/11/2017
12/31/2017
2/19/2018
4/10/2018
5/30/2018
7/19/2018
9/7/2018
10/27/2018
12/16/2018
2/4/2019
Date
y = 19.734x - 799766
R² = 0.0051
Series1
Linear (Series1)

109

Data Analysis, continued

The second chart represents the 2018 data after adjustments for location and infrastructure. As shown on the chart, the data is represented in a range from $25,741/Acre to $153,285/Acre. The average for the adjusted data is $55,034/Acre. The trend line indicates the price per acre at the beginning of 2018 to be approximately $48,000/Acre and $60,000/acre toward the end of the year.

110


2018 Adjusted Price Per Acre
$180,000
$160,000
$140,000
$120,000
$100,000
$80,000
$60,000
$40,000
$20,000
$0
Price Per Acre
06/14/2017
09/22/2017
12/31/2017
04/10/2018
07/19/2018
10/27/2018
02/04/2019
Date
y = 26.864x - 1E+06
R² = 0.0106
Series1
Linear (Series1)

111

Data Analysis, continued

Conclusions

Over the last seven years lot sales actively has been improving for both the number of sales as well as the price.

The following list a summary of our data findings over the past three years.

Average Per Acre Price 2010 to 2018 Unadjusted:	$31,393/Acre
Average Per Acre Price 2018 Unadjusted:	$53,494/Acre
Average per Acre Price 2018 Adjusted for Location, Infrastructure and Size:	$55,034/Acre

The adjusted 2018 data represents the most recent range of lot sales. The trend line of the data indicates per acre lot sales increased during 2018 from ±$48,000/Acre to ±$60,000/Acre at the end of the year.

Based upon our analysis and conclusions, subject to parameters defined, my opinion of the average market value price per acre of residential land in the City of Rockwall as of 1/1/2019 is:

$55,000/Acre

Respectfully Submitted,



Bryan Humphries, MAI, TX-1320676-G

112

Addendum

Qualifications

Assumptions & Limiting Conditions

City of Rockwall Park Land Ordinance

113

SUMMARY OF QUALIFICATIONS - Bryan E. Humphries, MAI

Currently

Owner, BRYAN E. HUMPHRIES, INC.

Experience

Over 40 years experience in the appraisal of real properties, including commercial, multi-family, industrial, and special purpose properties, for mortgage bankers, savings and loan associations, insurance companies, attorneys, private individuals, public utilities, and governmental agencies.

Education

Graduated from Texas Tech University in 1974: B.B.A. Business

Graduated from Texas Tech University in 1976: M.S. Finance

Completed college, SREA, and AIREA courses in real estate appraisal

Qualified as "Expert" in real estate valuation in various courts

Professional Designations and Affiliations

MAI	Member (#6514), Appraisal Institute
AI	Admissions Committee, North Texas Chapter 17, 1983-1992 (Chairman, 1989-1990); National Admissions Review (1994-1996); Education Committee (1988); Region 8 Representative (1994, 1996, 1997, 2002); North Texas Chapter 17 Board of Directors (1993 - 1995; 1999 – 2001)
	Appraisal Institute National Screener (1996-2005)
Broker	Licensed Broker (#216136-12), Texas Real Estate Commission
State Certified	Texas State Certified - General Real Estate Appraiser (#TX 1320676-G)
State Certified	Texas State Certified – Property Tax Consultant (00003440)
Member	North Texas Commercial Association of Realtors
Member	Real Estate Financial Executive Association

114

ASSUMPTIONS AND LIMITING CONDITIONS

1. It is assumed that title to the property herein appraised is good and merchantable, and in fee simple. The value is reported without regard to questions of title, boundaries, encroachments, environmental regulations, licenses, or other matters of a legal nature unless noncompliance has been stated, defined, and considered in the appraisal report.

2. The value is estimated under the assumption that there will be no international or domestic political, economic, or military actions that will seriously affect real estate values throughout the country.

3. Certain information concerning market and operating data was obtained from others. This information is verified and checked, where possible, and is used in this appraisal only if it is believed to be accurate and correct. However, such information is not guaranteed. Dimensions and areas of the Subject Property and of the comparables were obtained by various means and are not guaranteed to be exact.

4. Real estate values are influenced by a number of external factors. The information contained herein is all of the data we consider necessary to support the value estimate. We have not knowingly withheld any pertinent facts, but we do not guarantee that we have knowledge of all factors, which might influence the value of the Subject Property. Due to rapid changes in external factors, the value estimate is considered to be reliable only as of the date of the appraisal.

5. Opinions of value contained herein are estimates. This is the definition of an appraisal. There is no guarantee, written or implied, that the Subject Property will sell for the estimated value. The estimated value assumes that the property is under responsible ownership and has competent and prudent management.

6. The appraiser will not be required to provide testimony or attendance in court or before other legal authority by reason of this appraisal without prior agreement and arrangement between the employer and the appraiser.

7. Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any opinions, analyses, or conclusions concerning value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or the M.A.I. or SRA Designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media, prospectus for securities, or any other public means of communication without prior written consent and approval of the undersigned.

115

8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable, except as stated in this report. No responsibility is assumed for such conditions or for engineering, which may be required to discover them. It is assumed that a prudent owner/buyer would allow inspection of the property by a qualified soils or structure engineer if conditions so required.

9. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the land. The allocation of value for land and improvements, if presented, must not be used in conjunction with any other appraisal and are invalid if so used.

10. Estimates of costs to cure deferred maintenance are difficult at best. Contractors approach such problems in various ways. The estimates, if any, provided within this report are probable costs given current market conditions, available information, and the appraiser's expertise.

11. No environmental impact studies were requested or made in conjunction with this appraisal, and the appraiser hereby reserves the right to alter, amend, revise, and/or rescind the value opinions based upon any subsequent environmental impact studies, research, or investigation.

12. This appraisal was prepared by Bryan E. Humphries & Associates and consists of trade secrets and commercial or financial information, which is privileged and confidential and is exempted from disclosure under 5 U.S.C. 552 (b) (4). Please notify Bryan E. Humphries & Associates of any request of reproduction of this appraisal.

13. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is

116

no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.

14. Anyone acting in reliance upon the opinions, judgments, conclusions, or data contained herein, who has the potential for monetary loss due to the reliance thereon, is advised to secure an independent review and verification of all such conclusions and/or facts.

The user agrees to notify the appraiser prior to any irrevocable loan or investment decision of any error, which would reasonably be determined from a thorough and knowledgeable review.

15. By acceptance and use of this report, the user agrees that any liability for errors, omissions or judgment of the appraiser is limited to the amount of the fee charged.

16. The limiting condition relating to the ADA is as follows:

> This appraisal has not considered the effects of the enactment of the Americans with Disabilities Act of 1990 (ADA), which initially became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. Standards of this act are designed to provide access to all public facilities to all persons, regardless of mobility limitations. The act provides forceful encouragement for commercial establishments to enhance their accessibility and requires that renovations after this date fully comply with the access standards established by the Architectural and Transportation Barriers Compliance Board. Enhancements to buildings must be readily achievable and able to be carried out without much difficulty or expense. The act recognizes that "readily achievable" is different for companies depending on their resources. The first priority is to provide access from sidewalks, parking and transportation areas, with the second priority being to provide access to areas where goods and services are available to the public. Finally, access to restroom facilities must accommodate all persons. The modifications and costs that may be necessary for the property to conform to ADA can be ascertained only by a qualified architect. Should such a study be undertaken, and should the retrofit costs, if any, become known, then the appraisers reserve the right to re-evaluate the Subject Property.

117

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. ___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE II. PARK LAND DEDICATION OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS ($500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That the Subdivision Regulations of the Code of Ordinances shall be amended in Article II. Park Land Dedication, which shall hereafter read in its entirety as follows:

"ARTICLE II. PARK LAND DEDICATION

Sec. 24-41. Purpose.

(a) This article [Ordinance Number 87-1] is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision development in the City of Rockwall, Texas.This article is enacted in accordance with the Home Rule powers of the City of Rockwall, granted under the Texas Constitution, in statutes of the State of Texas, including but not by way of limitation, articles 974a and 1175. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

(b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of ten acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the City of Rockwall, Texas, and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the following requirements are adopted to effect the purposes stated. (Ord. No. 87-1, § I, 1-5-87)

Sec. 24-42. Definitions.

For the purposes of this article, the following definitions shall apply:

Develop (VJ: The act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Development (NJ: A parcel or tract of land proposed for subdivision in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Park development. The development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Recreational Improvements - Facilities: The park features set forth for a neighborhood park in the Activity Menu of the Park Plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the City Council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements - facilities.

Pro rata share of required dedication. The amount of land that shall be dedicated (or the acreage figure used to calculate cash in lieu of land donation) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: Pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 10 "acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit(s) is located.

The total number of residential units which a *neighborhood park district is projected to have when fully developed* shall be determined by the Impact Fee Land Use Assumptions as set forth in Table 1, Park Dedication Acreage Factor per Dwelling Unit, below. (Ord. No. 87-1, § II, 1-5-87)

TABLE 1
PARK DEDICATION ACREAGE FACTOR PER DWELLING UNIT

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	653	.015
2	1151	.009
3	962	.010
4	1660	.006
5	1558	.007
6	978	.010
7	1282	.008
8	1856	.005
9	1524	.007
10	1041	.010
11	948	.011

12	2663	.004
13	728	.014
14	1940	.005
15	870	.015
16	728	.014
17	1235	.008
18	801	.012
19	1071	.009
20	699	.014
21	1473	.007
22	1598	.006
Total	27,419	

Sec. 24-43. General Requirement for SF-16, SF-10, SF-7, ZL-5, 2-F and MF-15, to be used for single-family, zero lot line, duplex, and/or apartment multi family residential purposes.

(a) Whenever a final plat is filed of record with the county clerk of Rockwall County for development of a residential area in accordance with the planning and zoning ordinances of the City of Rockwall, such plat shall contain a clear fee simple dedication of an area of land to the City of Rockwall for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the Park Master Plan. In addition, the developer shall make payment of money for pro-rata share and recreational improvement facilities as defined in this article. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.

(b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by Section 24-45(c) of this article, rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

(c) In instances where an area of less than six (6) acres but more than one acre is calculated to be the pro rata share of a development the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with Section 24-45(c) of this article after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the City determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by

expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.

(d) The dedication required by this article shall be made by filing of final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by Section 24-45(c) of this article, or by the conveyance of an entire numbered lot to the city. (Ord. No.87-1, § Ill, 1-5-87)

Sec. 24-44. Prior dedication; absence of prior dedication.

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section. (Ord. No. 87-1, § IV, 1-5-87)

Sec. 24-45. Money in lieu of land.

(a) Subject to the veto of the city council and the terms of Section 24-43 of this article, a land owner responsible for dedication under this article may elect to meet the requirements of Section 24-43 in whole or in part by a cash payment in lieu of land, in an amount set forth in Section 24-45(c). Such payment in lieu of land shall be made at or prior to final plat approval.

(b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of (1) the average price per acre of such land, and (2) the actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs for facilities as set forth in the Park Master Plan for neighborhood parks. Once the city has been reimbursed entirely for all park land within a park zone, this section shall cease to apply and the other sections of this article shall be applicable.

(c) To the extent that Section 24-45(b) is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the City. . Once established the Council shall adopt the value(s) by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the same neighborhood park district as the development in accordance with the Park Master Plan. (Ord. No. 87-1, § V, 1-5-87)

Sec. 24-46. Dedication of more than the pro rata share of park land.

The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required park land area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with the City of Rockwall Subdivision Regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.

The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land cost in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five (5) years from the date of dedication. (Ord. No. 87-1, § VI, 1-5-87)

Sec. 24-47. Special fund established; right to refund.

(a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."

(b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight (8) years from the date received by the city for acquisition and development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first/in first/out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement; in writing, or such rights shall be barred. (Ord. No. 87-1, § VII, 1-5-87)

Sec. 24-48. Additional requirements and provisions.

(a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:

(1) Any area located in the one hundred-year floodplain;

(2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The above characteristics of park land dedication area may be grounds for refusal of a plat.

(b) Each park must have ready access to a public street.

(c) Unless provided otherwise herein, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five (5) members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.

(d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(e) This article shall become effective upon adoption by the city council. (Ord. No. 87-1, § VIII, 1-5-87)

Sec. 24-49. Review and updating park master plan.

The City of Rockwall Parks and Recreation Department shall consider the need to update the Park Master Plan at least annually to insure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Ord. No. 87-1, § XI, 1-5-87)

Sec. 24-50. Waiver of mandatory neighborhood park land dedication in the case of private developments.

If a development is proposed to be a private development where no public streets are dedicated for use by the public the city shall:

(1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.

(2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under Section 24-50(1) above.

(3) Decrease the total acreage shown in the Park Master Plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under Section 24-50(1) above (for the purpose of future calculations of pro rata shares for future developments).

(4) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of park land is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight foot wide trail.

(Ord. No. 87-1, § IX, 1-5-87)

Sec. 24-51. Waiver of article requirements by city council.

The city council of the City of Rockwall, Texas may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the City of Rockwall. (Ord. No. 87-13, § I, 3-16-87)"

Section 2. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordinances.

Section 3. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this day of , 1999.

_____
Mayor
City of Rockwall, Texas

ATTEST:

_____
City Secretary
City of Rockwall, Texas

APPROVED:

_____
City Attorney
City of Rockwall, Texas

Table 1
Land: Cash in Lieu of LAND

Whereas $55,000 is adopted as the per acre amount:

Park District	Max. Dwelling Units*	$ Per Lot
1	457	$1,324
2	1212	$499
3	1398	$433
4	1295	$467
5	879	$688
6	1227	$493
7	2450	$247
8	1194	$507
9	1822	$332
10	436	$1,388
11	1110	$545
12	1343	$450
13	989	$612
14	2780	$218
15	1256	$482
16	347	$1,744
17*	2774	$218
18	687	$881
19	1057	$572
20	1174	$515
21	1212	$499
22	1178	$514
23	1775	$341
24	2115	$286
25	490	$1,235
26	966	$626
27	2079	$291
28	2418	$250
29	2219	$273
30	973	$622
31	994	$609
32	561	$1,078
33	1875	$323
34	2050	$295
35	3004	$201

*Ultimate dwelling unit holding capacity from Park Land Ordinance Amended - May 18, 2015

* Per acre amount amended Feb 2019

126

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127

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager* Ryan Miller, *Director of Planning and Zoning*
FROM:	David Gonzales, *Planning and Zoning Manager*
DATE:	March 18, 2019
SUBJECT:	SP2019-004; *Alternative Tree Mitigation Settlement Agreement*

The applicant, Carolina Molina of Alvaplast US, Inc. (*SPR Packaging*), is requesting the approval of an *Alternative Tree Mitigation Settlement Agreement*. On the approved site plan, the applicant indicated a total of 7,919-caliper inches of tree being removed from the site. Of the caliper inches being removed, 1,554.25-inches require mitigation. In order to satisfy the mitigation balance, the applicant is proposing to plant 660-inches of trees adjacent to the approved Phase I warehouse building and 752-inches of trees adjacent to the Park Place neighborhood. This totals 1,412-caliper inches being replaced on-site and leaves a mitigation balance of 142.25-caliper inches.

According to *Section 5.7*, of *Article IX*, of the *Unified Development Code* (UDC), "(i)n certain cases, the City Council -- *upon recommendation from the Planning and Zoning Commission* -- may consider an *Alternative Tree Mitigation Settlement Agreement* where, due to hardship, the applicant is unable to meet the requirements of this article or where it is determined that adherence to the tree mitigation requirements will create a hardship for an applicant. These funds will be deposited in the City's Tree Mitigation Fund and will be used for planting trees in the City's parks, medians, street right-of-ways, or other similar areas as determined by the Parks and Recreation Department." SPR Packaging prefers to settle the remaining mitigation balance of 142.25-caliper inches through an *Alternative Tree Mitigation Settlement Agreement* by paying into the *City's Tree Mitigation Fund* the full amount due of $14,225.00 (*i.e. 142.25-caliper inches x $100 per inch = $14,225.00*). If approved by the City Council, the applicant will need to satisfy the balance at the time of filing the final plat.

On March 12, 2019, the Planning and Zoning Commission unanimously approved a motion to recommend approval of the *Alternative Tree Mitigation Settlement Agreement* by a vote of 4-0 with Commissioners Lyons, Logan, and Moeller absent. Attached to this memo is the applicant's letter of request, and the approved treescape plan and landscape plan. The approval of the applicant's request is a discretionary decision for the City Council.

March 5, 2019

Mr. David Gonzales
Planner
City of Rockwall
385 South Goliad Street
Rockwall, Texas 75087

Re: **SPR Packaging SP2019-004**

Dear Mr. Gonzales:

Thank you for your comments on the above-mentioned project. In an effort to address your comments concisely and simplify your next review, we have summarized your comments and our responses below.

Tree Mitigation

1. Alternative tree mitigation settlement agreement in the amount of $49,125.00 (i.e. 491.25-inch mitigation) requires approval of the City Council.
   With the additional screening requested, the mitigation cost has been reduced to $14,225.00 or 142.25 inches of mitigation.

Landscape Plan

1. 10-foot Landscape Buffer along Industrial Blvd. and Airport Road to have trees for each 50 linear feet of frontage. Move the necessary number of trees into the landscape buffer strip.
   Per our conversation, the required trees have been moved as close as they can to the 10' Landscape Buffer due to an existing sewer easement that runs the entire length of the street frontage. A 30' landscape buffer has been added to accommodate the required trees along the street frontages.

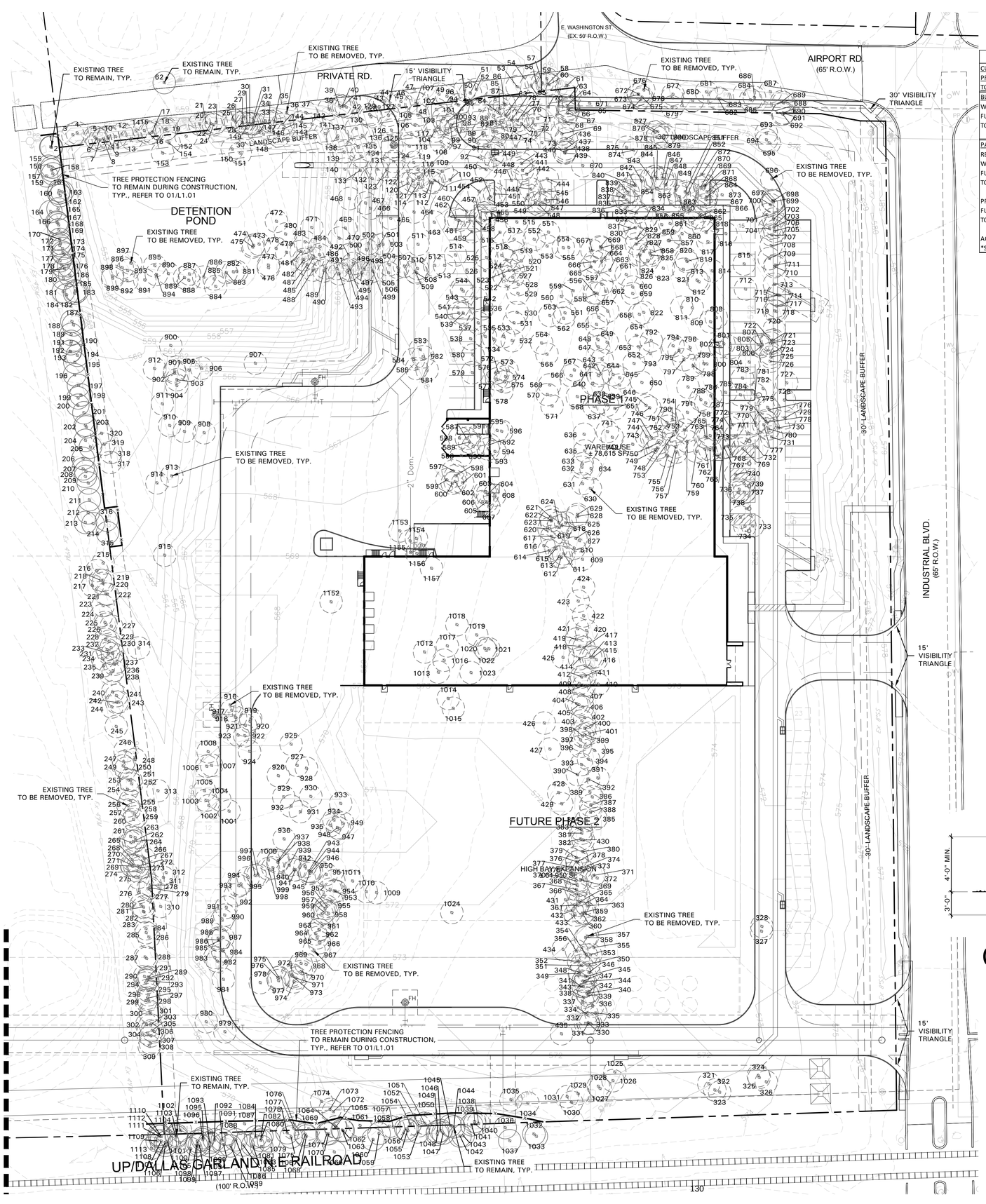
2. The use of hydromulch requires the hydromulch to be established a minimum height of one (1) inch and at a minimum coverage of 75% for disturbed areas prior to the release of a Certificate of Occupancy (CO). Sod is preferred. Change notes regarding the use of hydromulch to reflect the required standard of use sod.
   Hydromulch note has been updated. Please refer to Landscape Plan L2.01, Hydromulch Note #8.

Please let me know if you have any questions or need anything else.

Sincerely,

Kori Haug, ASLA, CLARB
President
Belle Firma, Inc.

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SITE DATA:

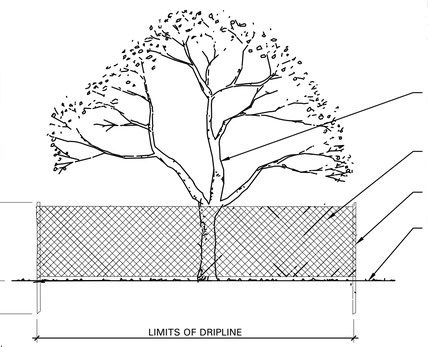
CURRENT ZONING:	(U) LIGHT INDUSTRIAL	
PROPOSED LAND USE:	OFFICE, WAREHOUSE, MANUFACTURING	
TOTAL SITE AREA:	11.37 AC. (495,340 SF)	
BUILDING:		
WAREHOUSE:	68,465	SF
FUTURE WAREHOUSE:	74,750	SF
TOTAL:	143,215	SF
PARKING:		
REQUIRED:		
WAREHOUSE (1 SPACE/1000 SF):	68	SPACES
FUTURE WAREHOUSE (1 SPACE/1000SF):	75	SPACES
TOTAL REQUIRED:	143	SPACES
PROVIDED:	86	SPACES
FUTURE PROVIDED:	79	SPACES
TOTAL PROVIDED:	165	SPACES
ACCESSIBLE SPACES PROVIDED:	5	SPACES
*SPACES ARE INCLUDED IN TOTAL ABOVE		

EXISTING TREE LEGEND

- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- TREE PROTECTION FENCING TO REMAIN DURING CONSTRUCTION REFER TO 01/L1.01

TREE PRESERVATION NOTES

1. EXISTING TREES TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION FROM TREE STRUCTURE DAMAGE AND COMPACTION OF SOIL UNDER AND AROUND DRIP LINE (CANOPY) OF TREE.
2. IF ANY ROOT STRUCTURE IS DAMAGED DURING ADJACENT EXCAVATION / CONSTRUCTION, NOTIFY OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. IT IS RECOMMENDED THAT A LICENSED ARBORIST BE SECURED FOR THE TREATMENT OF ANY POSSIBLE TREE WOUNDS.
3. NO DISTURBANCE OF THE SOIL GREATER THAN 4" SHALL BE LOCATED CLOSER TO THE TREE TRUNK THAN 1/2 THE DISTANCE OF THE DRIP LINE TO THE TREE TRUNK. A MINIMUM OF 75% OF THE DRIP LINE AND ROOT ZONE SHALL BE PRESERVED AT NATURAL GRADE.
4. ANY FINE GRADING DONE WITHIN THE CRITICAL ROOT ZONES OF THE PROTECTED TREES MUST BE DONE WITH LIGHT MACHINERY SUCH AS A BOBCAT OR LIGHT TRACTOR. NO EARTH MOVING EQUIPMENT WITH TRACKS IS ALLOWED WITHIN THE CRITICAL ROOT ZONE OF THE TREES.
5. NO MATERIALS INTENDED FOR USE IN CONSTRUCTION OR WASTE MATERIALS ACCUMULATED DUE TO EXCAVATION OR DEMOLITION SHALL BE PLACED WITHIN THE LIMITS OF THE DRIP LINE OF ANY TREE.
6. NO EQUIPMENT MAY BE CLEANED OR TOXIC SOLUTIONS, OR OTHER LIQUID CHEMICALS, SHALL BE DEPOSITED WITHIN THE LIMITS OF THE DRIP LINE OF A TREE, INCLUDING BUT NOT LIMITED TO: PAINT, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR, PRIMERS, ETC.
7. NO SIGNS, WIRES OR OTHER ATTACHMENTS, OTHER THAN THOSE OF A PROTECTIVE NATURE, SHALL BE ATTACHED TO ANY TREE.
8. NO VEHICULAR / CONSTRUCTION EQUIPMENT TRAFFIC OR PARKING IS ALLOWED WITHIN THE LIMITS OF THE DRIP LINE OF TREES.
9. BORING OF UTILITIES MAY BE PERMITTED UNDER PROTECTED TREES IN CERTAIN CIRCUMSTANCES. THE MINIMUM LENGTH OF THE BORE SHALL BE THE WIDTH OF THE TREE'S CANOPY AND SHALL BE A MINIMUM DEPTH OF FORTY-EIGHT (48") INCHES.
10. IRRIGATION TRENCHING WHICH MUST BE DONE WITHIN THE CRITICAL ROOT ZONE OF A TREE SHALL BE DUG BY HAND AND ENTER THE AREA IN A RADIAL MANNER.
11. ALL TREES TO BE REMOVED FROM THE SITE SHALL BE FLAGGED BY THE CONTRACTOR WITH BRIGHT RED VINYL TAPE (3" WIDTH) WRAPPED AROUND THE MAIN TRUNK AT A HEIGHT OF FOUR (4') FEET ABOVE GRADE. FLAGGING SHALL BE APPROVED BY OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO ANY TREE REMOVAL. CONTRACTOR SHALL CONTACT OWNER'S AUTHORIZED REPRESENTATIVE WITH 72 HOURS NOTICE TO SCHEDULE ON-SITE MEETING.
12. ALL TREES TO REMAIN, AS NOTED ON DRAWINGS, SHALL HAVE PROTECTIVE FENCING LOCATED AT THE TREE'S DRIP LINE. THE PROTECTIVE FENCING MAY BE COMPRISED OF SNOW FENCING, ORANGE VINYL CONSTRUCTION FENCING, CHAIN LINK FENCE OR OTHER SIMILAR FENCING WITH A FOUR (4') FOOT APPROXIMATE HEIGHT. THE PROTECTIVE FENCING SHALL BE LOCATED AS INDICATED ON THE TREE PROTECTION DETAIL.
13. WHEN A LOW HANGING LIMB IS BROKEN DURING THE COURSE OF CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. UNDER NO CIRCUMSTANCE SHALL THE CONTRACTOR PRUNE ANY PORTION OF THE DAMAGED TREE WITHOUT THE PRIOR APPROVAL BY THE OWNER'S AUTHORIZED REPRESENTATIVE.



01 TREE PROTECTIVE FENCING
NOT TO SCALE

KEY MAP
SCALE: 1" = 700'



TREE PRESERVATION PLAN

SCALE: 1" = 40'-0"
0 20 40 80

BELLE FIRMA
4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

#	DATE	DESCRIPTION
	02/14/19	CITY COMMENTS
	03/04/19	CITY COMMENTS

drawn: NAY
checked KAH
date: 01/15/19

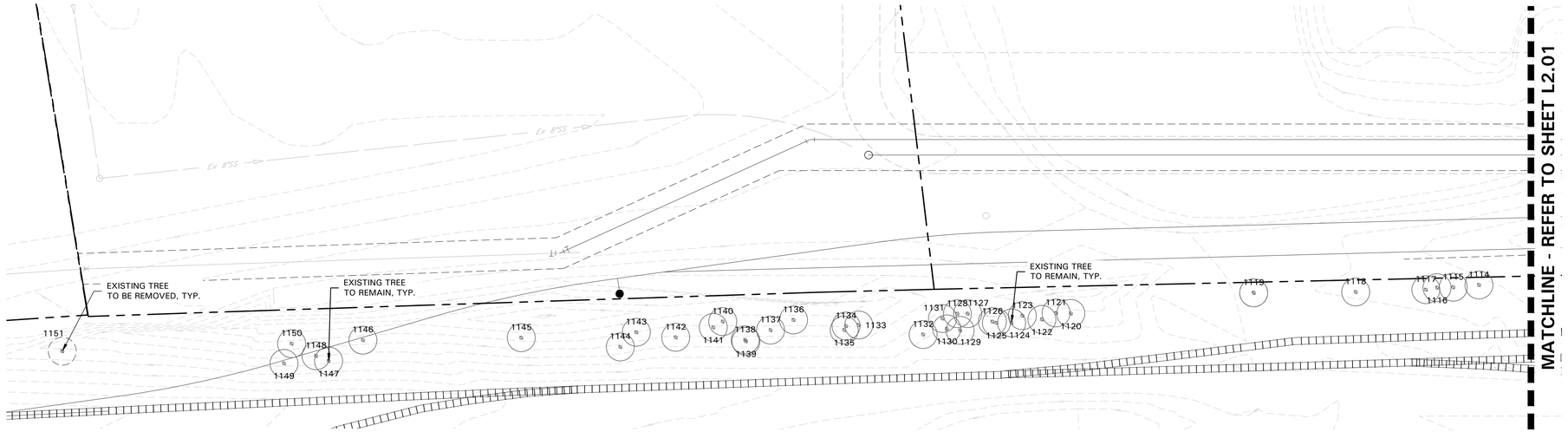
REGISTERED LANDSCAPE ARCHITECT
KRISTI ANN HUNT
2246
STATE OF TEXAS
03/04/19

pdg
pross design group, incorporated
5310 Harvest Hill Road, Suite 180, Dallas, Texas 75230 972/759-1400

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

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EXISTING TREE LEGEND

EXISTING TREE
TO REMAIN

EXISTING TREE
TO BE REMOVED

TREE PROTECTION FENCING
TO REMAIN DURING CONSTRUCTION
REFER TO 01/L1.01

KEY MAP
SCALE: 1" = 700'



TREE PRESERVATION PLAN

N

SCALE: 1" = 40'-0"
0 20 40 80

BELLE FIRMA

4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

#	DATE	DESCRIPTION
	02/14/19	CITY COMMENTS
	03/04/19	CITY COMMENTS

drawn: NAY
checked KAH
date: 01/15/19

REGISTERED LANDSCAPE ARCHITECT
BRIANN HARRIS
2246
STATE OF TEXAS
03/04/19

pross design group, incorporated
5310 Harvest Hill Road, Suite 190, Dallas, Texas 75230, 972/759-1400

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

job no

sheet
L1.02
131

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TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
1	7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
2	6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
3	5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
4	6.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
5	7.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
6	6.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
7	9	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
8	9.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
9	6.5	HACKBERRY	TO BE REMOVED	POOR	WITHIN R.O.W.	NON-PROTECTED	
10	4	HERCULES CLUB	TO BE REMOVED	GOOD	WITHIN R.O.W.	PRIMARY PROTECTED	4
11	8	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
12	14	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	7
13	5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
14	9	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
15	6	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
16	11	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	5.5
17	6.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
18	10	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
19	8	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
20	8	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
21	5.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
22	8.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
23	14.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	7.25
24	7.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
25	5.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
26	8	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
27	7.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
28	4	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
29	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
30	4	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
31	7.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
32	6.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
33	9.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
34	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
35	4.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
36	7.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
37	8.5	HACKBERRY	TO BE REMOVED	POOR	WITHIN R.O.W.	NON-PROTECTED	
38	11	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	5.5
39	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
40	13	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	6.5
41	8	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
42	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
43	9.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
44	10	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
45	5	HACKBERRY	TO BE REMOVED	POOR	WITHIN R.O.W.	NON-PROTECTED	
46	10	HACKBERRY	TO BE REMOVED	POOR	WITHIN R.O.W.	NON-PROTECTED	
47	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
48	19	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	9.5
49	4	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
50	9	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
51	4	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
52	8.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
53	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
54	11	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	5.5
55	10	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
56	5.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
57	4	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
58	10	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
59	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
60	6	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
61	5	HACKBERRY	TO BE REMOVED	POOR	WITHIN R.O.W.	NON-PROTECTED	
62	13	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
63	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
64	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
65	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
66	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
67	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
68	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
69	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
70	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
71	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
72	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
73	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
74	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
75	9	HONEY LOCUST	TO BE REMOVED	GOOD		NON-PROTECTED	
76	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
77	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
78	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
79	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
80	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
81	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
82	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
83	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
84	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
85	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
86	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
87	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
88	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
89	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
90	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
91	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
92	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
93	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
94	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
95	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
96	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
97	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
98	11	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.5
99	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
100	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
101	6.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
102	10.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
103	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
104	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
105	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
106	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
107	8	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
108	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
109	18.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9.25
110	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
111	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
112	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
113	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
114	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
115	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
116	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
117	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
118	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
119	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
120	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
121	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
122	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
123	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
124	6.5	HONEY LOCUST	TO BE REMOVED	GOOD		NON-PROTECTED	
125	12	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
126	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	

TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
127	6	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
128	5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
129	4.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
130	9	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
131	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
132	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
133	4	HONEY LOCUST	TO BE REMOVED	GOOD		NON-PROTECTED	
134	5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
135	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
136	9	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
137	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
138	4	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
139	13.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
140	7	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
141	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
142	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
143	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
144	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
145	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
146	12.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
147	4	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
148	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
149	4.5	HONEY LOCUST	TO BE REMOVED	GOOD		NON-PROTECTED	
150	10	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
151	5.5	BRADFORD PEAR	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5.5
152	45.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
153	10	GREEN ASH	TO BE REMOVED	GOOD		PRIMARY PROTECTED	10
154	4.5	AMERICAN ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
155	5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
156	6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
157	15	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
158	7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
159	7.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
160	12	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
161	11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
162	12	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
163	8.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
164	12	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
165	8	BOIS D'ARC	TO REMAIN	POOR	OFFSITE	NON-PROTECTED	
166	7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
167	6	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
168	9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
169	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
170	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
171	14	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
172	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
173	5	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
174	12	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
175	6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
176	6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
177	6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
178	11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
179	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
180	15	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
181	7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
182	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
183	7.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
184	9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
185	13.5	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
186	10	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
187	9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
188	17.5	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
189	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
190	9.5	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
191	9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
192	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
193	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
194	5	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
195	9	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
196	9.5	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
197	13	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
198	14	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
199	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
200	9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
201	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
202	12.5	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
203	7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
204	13	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
205	5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
206	8	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
207	11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
208	12	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
209	6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
210	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
211	6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
212	7.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
213	11.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
214	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
215	9	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
216	5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
217	10.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
218	11	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
219	7	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
220	7	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
221	5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
222	5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
223	23	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
224	10	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
225	6.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
226	5.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
227	8.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
228	7.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
229	14.5	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
230	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
231	8.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
232	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
233	8.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
234	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
235	7.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
236	7	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
237	6.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
238	14	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
239	6.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
240	8.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
241	25	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
242	5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
243	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
244	7	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
245	5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
246	8.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
247	6.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
248	16	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
249	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
250	16	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
251	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
252	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	

TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
253	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
254	5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
255	6.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
256	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
257	7	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
258	6	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
259	11	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED	5.5
260	7.5	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
261	7	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
262	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
263	9	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
264	15.5	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
265	9	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
266	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
267	8	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
268	4.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
269	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
270	5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
271	13	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED	6.5
272	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
273	8	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
274	11.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED	5.75
275	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
276	7.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
277	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
278	4.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
279	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
280	6.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
281	11	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED	5.5
282	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
283	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
284	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
285	11	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED	5.5
286	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
287	8	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
288	9	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
289	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
290	4.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
291	4.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
292	10	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
293	7	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
294	7.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
295	6.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
296	7	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
297	9.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
298	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
299	7.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
300	10	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
301	9.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
302	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
303	4	HACKBERRY	TO BE REMOVED

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TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
379	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
380	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
381	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
382	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
383	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
384	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
385	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
386	16	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8
387	4.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
388	7	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
389	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
390	16.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8.25
391	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
392	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
393	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
394	33	HACKBERRY	TO BE REMOVED	GOOD		FEATURE TREE	66
395	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
396	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
397	15	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.5
398	19.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9.75
399	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
400	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
401	18	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9
402	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
403	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
404	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
405	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
406	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
407	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
408	22	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	11
409	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
410	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
411	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
412	23	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	11.5
413	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
414	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
415	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
416	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
417	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
418	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
419	27	HACKBERRY	TO BE REMOVED	GOOD		FEATURE TREE	54
420	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
421	14	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7
422	20	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	10
423	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
424	30	HACKBERRY	TO BE REMOVED	GOOD		FEATURE TREE	60
425	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
426	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
427	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
428	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
429	4	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
430	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
431	5.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
432	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
433	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
434	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
435	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
436	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
437	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
438	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
439	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
440	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
441	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
442	14.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.25
443	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
444	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
445	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
446	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
447	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
448	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
449	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
450	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
451	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
452	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
453	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
454	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
455	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
456	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
457	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
458	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
459	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
460	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
461	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
462	11	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.5
463	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
464	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
465	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
466	11	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
467	9	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
468	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
469	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
470	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
471	9.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
472	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
473	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
474	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
475	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
476	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
477	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
478	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
479	10	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
480	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
481	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
482	9	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
483	8	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
484	4	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
485	13	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
486	8.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
487	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
488	13.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.75
489	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
490	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
491	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
492	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
493	11	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.5
494	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
495	15	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.5
496	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
497	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
498	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
499	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
500	8	HONEY LOCUST	TO BE REMOVED	GOOD		NON-PROTECTED	
501	6	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
502	8	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
503	10	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
504	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	

TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
505	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
506	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
507	14.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.25
508	11	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.5
509	17	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8.5
510	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
511	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
512	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
513	8	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
514	16	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
515	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
516	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
517	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
518	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
519	17.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8.75
520	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
521	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
522	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
523	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
524	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
525	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
526	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
527	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
528	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
529	19	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9.5
530	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
531	15	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.5
532	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
533	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
534	34	HACKBERRY	TO BE REMOVED	GOOD		FEATURE TREE	68
535	11	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.5
536	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
537	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
538	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
539	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
540	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
541	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
542	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
543	23	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
544	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
545	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
546	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
547	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
548	7	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
549	7	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
550	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
551	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
552	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
553	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
554	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
555	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
556	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
557	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
558	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
559	5	HONEY LOCUST	TO BE REMOVED	GOOD		NON-PROTECTED	
560	7	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
561	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
562	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
563	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
564	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
565	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
566	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
567	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
568	31.5	BOIS D'ARC	TO BE REMOVED	POOR		NON-PROTECTED	
569	4	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
570	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
571	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
572	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
573	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
574	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
575	19	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9.5
576	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
577	21	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	10.5
578	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
579	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
580	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
581	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
582	18	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9
583	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
584	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
585	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
586	22	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	11
587	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
588	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
589	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
590	16	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8
591	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
592	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
593	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
594	21	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	10.5
595	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
596	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
597	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
598	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
599	17.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8.75
600	14	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7
601	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
602	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
603	20.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	10.25
604	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
605	15	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.5
606	18	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9
607	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
608	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
609	16	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8
610	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
611	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
612	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
613	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
614	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
615	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
616	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
617	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
618	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
619	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
620	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
621	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
622	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
623	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
624	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
625	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
626	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
627	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
628	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
629	25	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	12.5
630	31	HACKBERRY	TO BE REMOVED	GOOD		FEATURE TREE	62

TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
631	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
632	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
633	15	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.5
634	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
635	15	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.5
636	26	HACKBERRY	TO BE REMOVED	GOOD		FEATURE TREE	52
637	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
638	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
639	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
640	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
641	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
642	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
643	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
644	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
645	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
646	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
647	11.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
648	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
649	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
650	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
651	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
652	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
653	20	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	10
654	6	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	6
655	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
656	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
657	14	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7
658	6	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	6
659	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
660	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
661	8	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	8
662	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
663	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
664	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
665	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
666	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
667	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
668	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
669	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
670	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
671	38	BOIS D'ARC	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
672	4.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
673	4	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
674	4.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
675	12	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	6
676	12	BOIS D'ARC	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
677	4	CEDAR ELM	TO BE REMOVED	GOOD	WITHIN R.O.W.	PRIMARY PROTECTED	4
678	20	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	10
679	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
680	23	BOIS D'ARC	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
681	6.5	BOIS D'ARC	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
682	6	CEDAR ELM	TO BE REMOVED	GOOD	WITHIN R.O.W.	PRIMARY PROTECTED	6
683	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
684	4	CEDAR ELM	TO BE REMOVED	GOOD	WITHIN R.O.W.	PRIMARY PROTECTED	4
685	8	EASTERN RED CEDAR	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
686	7	EASTERN RED CEDAR	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
687	35	BOIS D'ARC	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
688	4	CEDAR ELM	TO BE REMOVED	GOOD	WITHIN R.O.W.	PRIMARY PROTECTED	4
689	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
690	6	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
691	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
692	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
693	9	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
694	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
695	14.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.25
696	10	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	10
697	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
698	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECT

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TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
757	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
758	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
759	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
760	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
761	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
762	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
763	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
764	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
765	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
766	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
767	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
768	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
769	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
770	11	EASTERN RED CEDAR	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.5
771	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
772	4	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4
773	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
774	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
775	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
776	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
777	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
778	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
779	15.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.75
780	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
781	4.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
782	7.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	7.5
783	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
784	4.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
785	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
786	5.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
787	9	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
788	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
789	6	EASTERN RED CEDAR	TO BE REMOVED	POOR		NON-PROTECTED	
790	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
791	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
792	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
793	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
794	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
795	19.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9.75
796	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
797	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
798	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
799	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
800	8	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
801	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
802	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
803	21	BOXELDER	TO BE REMOVED	GOOD		PRIMARY PROTECTED	21
804	4.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
805	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
806	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
807	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
808	5	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
809	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
810	4.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
811	6.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	6.5
812	4.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
813	10	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	10
814	4	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4
815	33	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
816	5.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
817	5	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
818	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
819	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
820	5	GREEN ASH	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
821	4	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4
822	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
823	5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
824	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
825	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
826	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
827	5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
828	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
829	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
830	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
831	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
832	4	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4
833	5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
834	5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
835	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
836	4	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4
837	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
838	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
839	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
840	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
841	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
842	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
843	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
844	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
845	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
846	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
847	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
848	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
849	6.5	PECAN	TO BE REMOVED	GOOD		PRIMARY PROTECTED	6.5
850	4.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
851	5.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
852	4	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4
853	6.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	6.5
854	6.5	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	6.5
855	5.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5.5
856	4.5	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
857	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
858	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
859	5	GREEN ASH	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
860	5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
861	5	GREEN ASH	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5
862	4.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
863	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
864	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
865	4	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4
866	4.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
867	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
868	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
869	8.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
870	6.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
871	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
872	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
873	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
874	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
875	5.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5.5
876	5.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5.5
877	4.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
878	5.5	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	5.5
879	7	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	7
880	6	CEDAR ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	6
881	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
882	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	

TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
883	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
884	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
885	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
886	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
887	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
888	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
889	15	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
890	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
891	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
892	14	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7
893	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
894	7	GREEN ASH	TO BE REMOVED	GOOD		PRIMARY PROTECTED	7
895	25	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
896	9.5	HONEY LOCUST	TO BE REMOVED	GOOD		NON-PROTECTED	
897	9.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
898	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
899	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
900	6.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
901	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
902	5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
903	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
904	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
905	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
906	5.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
907	9.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
908	9	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
909	12.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
910	8	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
911	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
912	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
913	8	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
914	7	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
915	7	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
916	5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
917	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
918	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
919	4	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
920	6	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
921	6.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
922	5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
923	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
924	5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
925	8	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
926	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
927	5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
928	7	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
929	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
930	5.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
931	5.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
932	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
933	8.5	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
934	6	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
935	8	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
936	6.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
937	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
938	5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
939	6	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
940	7.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
941	8.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
942	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
943	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
944	6	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
945	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
946	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
947	7.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
948	4.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
949	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
950	5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
951	7.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
952	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
953	6	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
954	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
955	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
956	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
957	7.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
958	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
959	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
960	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
961	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
962	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
963	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
964	7	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
965	6.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
966	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
967	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
968	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
969	6	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
970	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
971	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
972	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
973	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
974	7	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
975	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
976	5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
977	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
978	10	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
979	6	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
980	8	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
981	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
982	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
983	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
984	4.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
985	6.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
986	7.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
987	5.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
988	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
989	6	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
990	10.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
991	10.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
992	14	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
993	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
994	10.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
995	7	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
996	6	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
997	8.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
998	9.5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
999	5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
1000	5	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
1001	4	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1002	5.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1003	4	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1004	4	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1005	5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1006	4.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1007	4	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1008	6	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	

TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
1009	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1010	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1011	4	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
1012	6.5	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1013	8.5	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1014	7	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1015	5.5	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1016	7.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1017	6.5	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1018	5.5	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1019	6.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1020	7	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1021	4.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
1022	6.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1023	9	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1024	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1025	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1026	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1027	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1028	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1029	4.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
1030	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1031	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1032	11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1033	9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1034	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1035	14	BLACK WILLOW	TO BE REMOVED	POOR		NON-PROTECTED	
1036	9	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1037	9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1038	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1039	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
1040	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1041	11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1042	9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1043	15	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1044	7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1045	15	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1046	9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1047	8	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1048	13.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1049	9	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1050	12	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
1051	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1052	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1053	12.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1054	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1055	12.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1056	15.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1057	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1058	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1059	14	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1060	21	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1061	8	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
1062	6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1063	4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1064	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1065	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1066	8	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1067	27	HACKBERRY	TO REMAIN	GOOD	OFFSITE	FEATURE TREE	
1068	9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1069	4.5	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
1070	4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1071	11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1072	8	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
1073	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
1074	11	BLACK WILLOW	TO BE REMOVED	POOR		NON-PROTECTED	
1075	12	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY P

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TREE SURVEY FIELD DATA							
No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
1135	7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1136	13.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1137	13	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1138	4	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1139	6	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1140	6.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1141	4	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1142	7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1143	10.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1144	6	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1145	4.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1146	18.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1147	5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1148	6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1149	9.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1150	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1151	16	EASTERN RED CEDAR	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8.00
1152	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1153	8	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1154	7	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1155	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1156	11	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1157	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	

Total Caliper Inches on Site	**9,344.50**
Total Caliper Inches Removed	**7,919.00**
Total Mitigation Inches Required	**1,554.25**
Total Mitigation Inches Provided (Refer to Landscape Plans)	**1,412.00**
Total Mitigation Inches Remaining	**142.25**
Tree Preservation Credits Purchased (100% of total mitigation inches paid at $100/inch)	**142.25**
	$14,225.00

TREE PRESERVATION NOTES

BELLE FIRMA
4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

drawn: NAY
checked KAH
date: 01/15/19

#	DATE	DESCRIPTION
	02/14/19	CITY COMMENTS
	03/04/19	CITY COMMENTS

REGISTERED LANDSCAPE ARCHITECT
BRIAN HAMM
2246
STATE OF TEXAS
03/04/19

pross design group, incorporated
5310 Harvest Hill Road, Suite 190, Dallas, Texas 75230, 972/759-1400

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

job no

sheet
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KEY MAP
SCALE: 1" = 700'



OVERALL LANDSCAPE PLAN

N

SCALE: 1" = 80'-0"
0 40 80 160

BELLE FIRMA

4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

#	DATE	DESCRIPTION
	02/14/19	CITY COMMENTS
	03/04/19	CITY COMMENTS

drawn: NAY
checked KAH
date: 01/15/19

REGISTERED LANDSCAPE ARCHITECT
KRISTI ANN HUNT
2246
STATE OF TEXAS
03/04/19

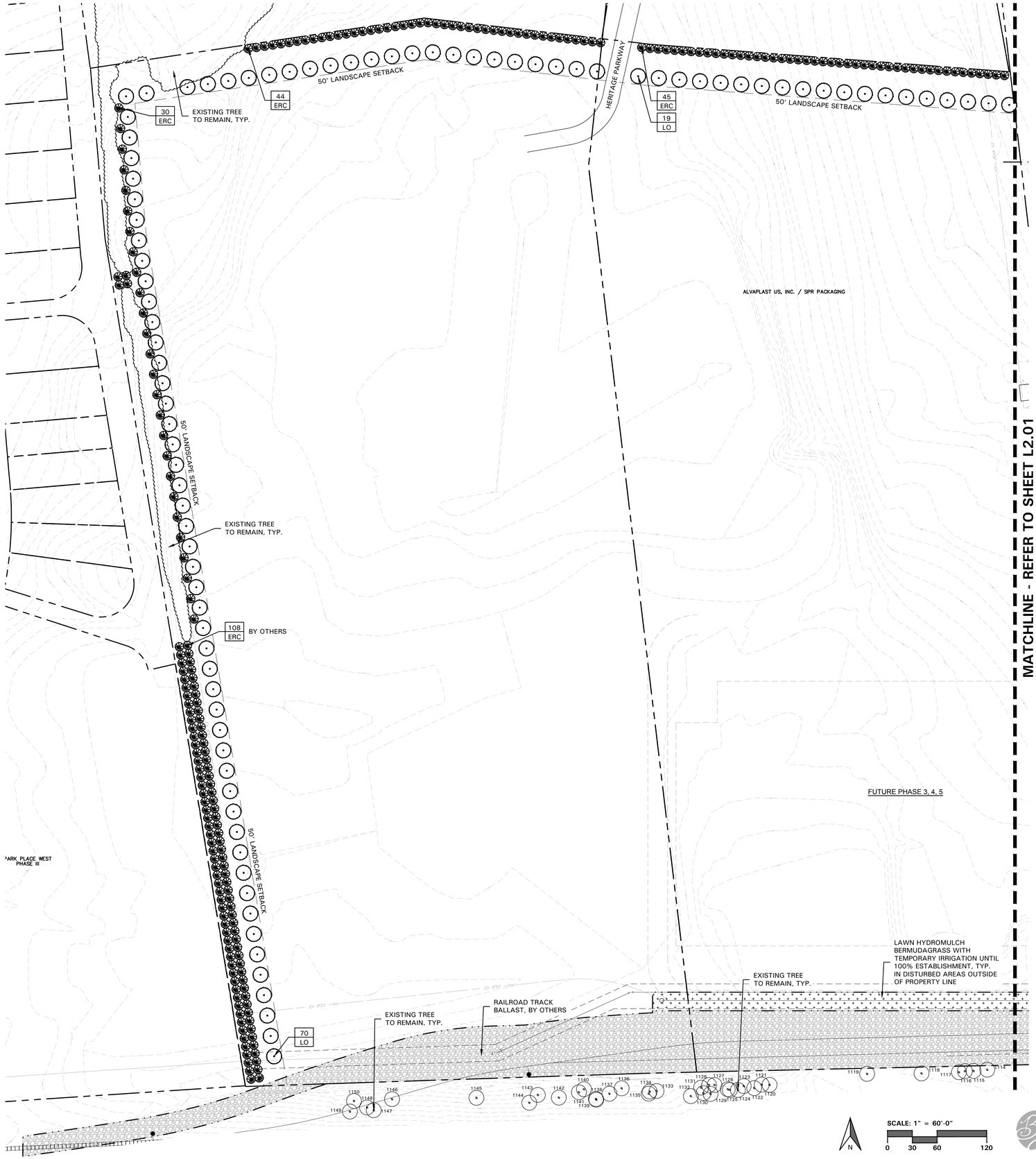
pross design group, incorporated
5510 Harvest Hill Road, Suite 160, Dallas, Texas 75230. 972/759-1400

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PLANT LEGEND

SYMBOL	COMMON NAME
AB	Dwarf Abelia 'Edward Goucher'
AN	Andorra Juniper
BC	Bald Cypress
BO	Bur Oak
CE	Cedar Elm
CO	Chinkapin Oak
ERC	Eastern Redcedar
IH	Indian Hawthorne 'Clara'
LE	Lacebark Elm
LO	Live Oak
MFG	Mexican Feathergrass
SO	Shumard Red Oak

REFER TO L2.03 FOR PLANT LIST

KEY MAP
SCALE: 1" = 700'



BELLE FIRMA

- 4245 North Central Expy
- Suite 501
- Dallas, Texas 75205
- 214.865.7192 office

#	DATE	DESCRIPTION
	02/14/19	CITY COMMENTS
	03/04/19	CITY COMMENTS

drawn: NAY
checked KAH
date: 01/15/19

REGISTERED LANDSCAPE ARCHITECT KRISTI ANN HUNT 2246 STATE OF TEXAS
03/04/19

pross design group, incorporated
5310 Harvest Hill Road, Suite 180, Dallas, Texas 75230. 972/759-1400

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138

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	March 18, 2019
APPLICANT:	Mathias Haubert; *Bohler Engineering*
CASE NUMBER:	P2019-009; *Lot 1, Block A, Brakes Plus Addition*

SUMMARY

Discuss and consider a request by Mathias Haubert of Bohler Engineering on behalf of Daniel J. Porter of Dynamic Development for the approval of a replat for Lot 1, Block A, Brakes Plus Addition being a 0.653-acre tract of land currently identified as Lots 1 & 2, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat a 0.653-acre tract of land for the suppose of combining two (2) lots (*i.e. Lots 1 & 2, Billy Peoples # Addition*) into one (1) lot (*i.e. Lot 1, Block A, Brakes Plus Addition*) for the purpose of constructing a minor auto repair garage (*i.e. Brakes Plus*). A minor auto repair garage is permitted with a Specific Use Permit (SUP) in a General Retail (GR) District. The subject property was annexed prior to 1959, is situated within the SH-205 Overlay (SH-205 OV) District, and is zoned General Retail (GR) District.

☑ On October 1, 2018, the City Council approved a request [*Case No. Z2018-040*] for the approval of a Specific Use Permit (SUP) [*Ordinance No.18-45, SUP No. S-197*] to allow a *minor auto repair garage (i.e. Brakes Plus)* in a General Retail (GR) District. Currently the property has two (2) vacant buildings (*i.e. formerly EZ-Mart Gas Station and Pizza Hut*) that will need to be demolished in order to develop the site.

☑ On November 11, 2018, the Planning and Zoning Commission approved a site plan [*Case No. SP2018-030*] and recommended conditional approval (*i.e. with the condition that two [2] faux windows be added to the east elevation*) of the associated variances (*i.e. variances to the vertical and horizontal articulation requirements and pitched roof requirements*) for a minor auto repair garage (*i.e. Brakes Plus*). Subsequently, on November 19, 2018, the City Council approved the variances associated with the approved site plan.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

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

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 1, Block A, Brakes Plus Addition*, staff would propose the following conditions of approval:

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

(2) The development shall adhere to the *Operational Conditions* stipulated by Specific Use Permit (SUP) No. S-197 [*Ordinance No. 18-45*]; and

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

PLANNING AND ZONING COMMISSION

On March 12, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff's *Conditions of Approval* passed by a vote of 4-0 with Chairman Lyons and Commissioners Logan and Moeller absent.

140

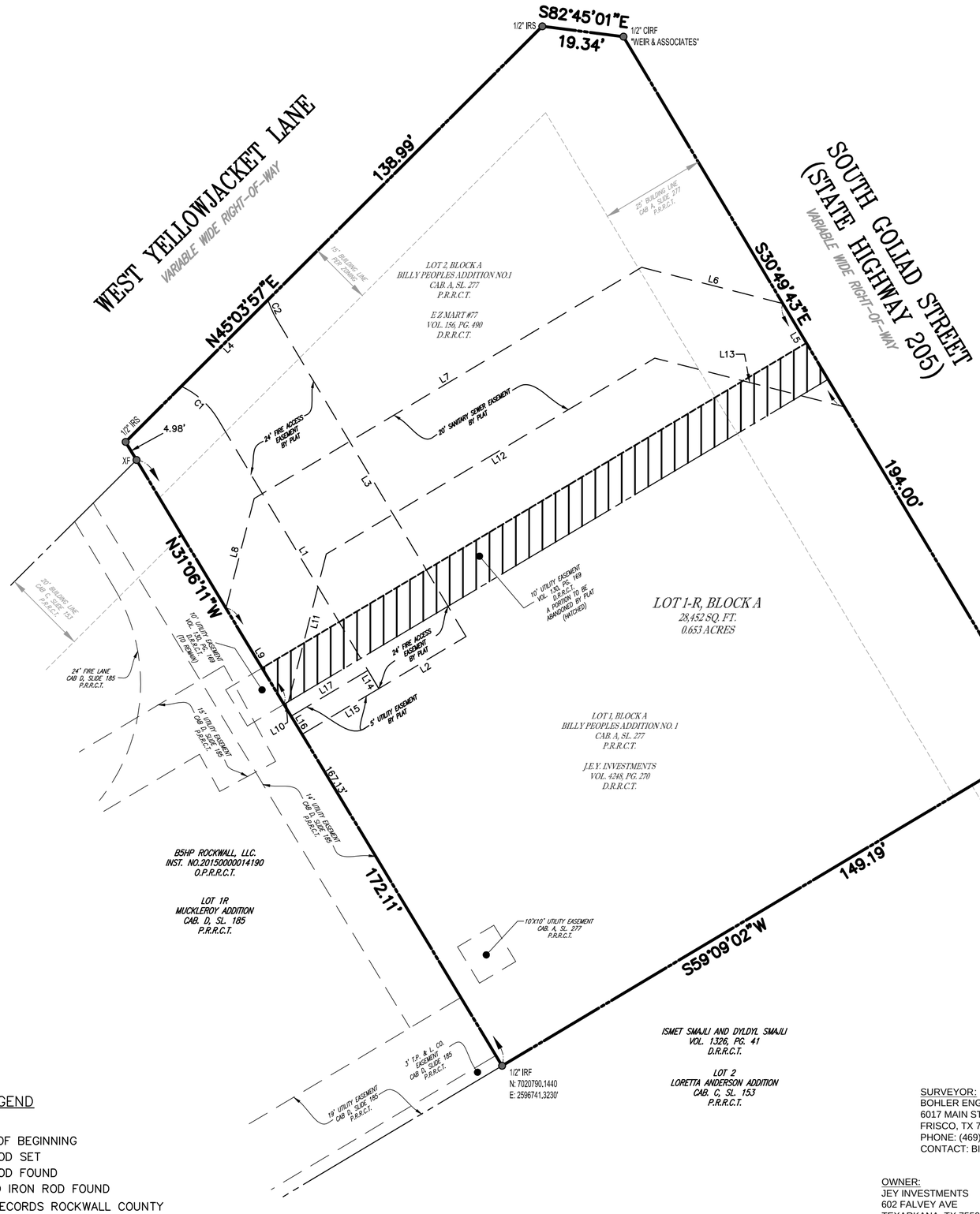


City of Rockwall

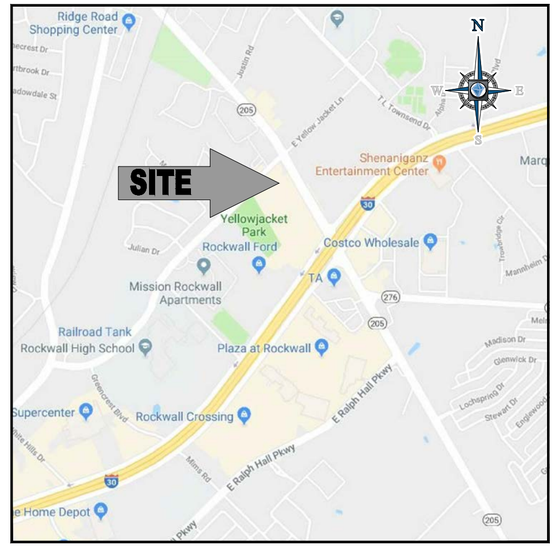
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

141







LOCATION MAP

SCALE: N.T.S.

LINE TABLE		
NO.	BEARING	LENGTH
L1	S30°49'43"E	68.49'
L2	N59°10'17"E	24.00'
L3	N30°49'43"W	81.46'
L4	N45°03'57"E	28.87'
L5	N30°49'43"W	28.40'
L6	N75°35'41"W	34.42'
L7	S59°10'17"W	106.57'
L8	S14°24'19"W	26.74'
L9	S31°05'51"E	26.50'

LINE TABLE		
NO.	BEARING	LENGTH
L10	N59°09'19"E	1.25'
L11	N14°24'19"E	35.97'
L12	N59°10'17"E	90.31'
L13	S75°35'41"E	46.25'
L14	S30°49'43"E	5.00'
L15	S59°10'17"W	21.10'
L16	N31°06'11"W	5.00'
L17	N59°10'17"E	21.12'

CURVE TABLE						
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD
C1	11.90'	034°04'50"	20.00'	6.13'	S47°52'08"E	11.72'
C2	5.31'	012°10'02"	25.00'	2.66'	N24°44'42"W	5.30'

CITY PROJECT NO. FP ___-_____

REPLAT

BRAKES PLUS

LOT 1R, BLOCK A

BEING ALL OF LOT 1 AND LOT 2, BLOCK A
BILLY PEOPLES ADDITION NO. 1
CAB A, PG 277.

0.653 ACRES OUT OF THE
JAMES CADLE SURVEY, ABSTRACT NO. 65;

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

LEGEND

POB	POINT OF BEGINNING
IRS	IRON ROD SET
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
P.R.R.C.T.	PLAT RECORDS ROCKWALL COUNTY
D.R.R.C.T.	DEED RECORDS ROCKWALL COUNTY

SURVEYOR:
BOHLER ENGINEERING
6017 MAIN STREET
FRISCO, TX 76107
PHONE: (469) 458 - 7300
CONTACT: BILLY LOGSDON

ENGINEER
BOHLER ENGINEERING
6017 MAIN STREET
FRISCO, TX 76107
PHONE: (469) 458-7300
CONTACT: MATHIAS HAUBERT

OWNER:
JEY INVESTMENTS
602 FALVEY AVE
TEXARKANA, TX 75501
PHONE: (903) 832-6502

OWNER:
EZ MART #77
PO BOX 1426
TEXARKANA, TX 75504
PHONE: (903) 832 - 6502

APPLICANT:
EXPRESS OIL CHANGE, LLC
1800 SOUTHPARK DR
BIRMINGHAM, AL 35244
PHONE:(205) 397-1164
CONTACT: JOHN DAVIS

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SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES

FILE NO.	DATE	DRAWN	REVIEWED	APPROVED	SCALE	DWG. NO.
TSD180033	12/10/18	ASA	BL	BL	1" = 20'	1 OF 2

O□NER'S CERTI□ICATION□

STATE O□ TE□AS §

CO□NTY O□ ROCK□ ALL §

WHEREAS, E□ MART □77 a□d J.E.Y. INVESTMENTS □e□□ the o□□ers of a tra□t of □□d st□□ated □ the C□t□ of Ro□□□a□, Ro□□□a□Co□□t□, Te□as, a □art of the Ja□es Cad□e S□r□e□, A□stra□t N□□ □er 65, □e□□□ a□of Lot 1 a□d a □art of Lot 2, B□□□A, B□□□ Peo□□e's Add□to□ No. 1, a□ Add□to□ to the C□t□ of Ro□□□a□, as re□orded □ Ca□□et A, S□de 277, P□t Re□ords Ro□□□a□ Co□□t□, Te□as, a□d □e□□□ f□rther des□□ed as fo□o□s:

BEGINNING at a o□e-ha□ f□ ro□ rod□ th□ a□ sta□□ed We□r Asso□ates fo□ d□at the east □or□er of sa□d Lot 1, sa□d □o□t □e□□□ the □orth □or□er of Lot 2, Loretta A□derso□ Add□to□, a□ Add□to□ to the C□t□ of Ro□□□a□, as re□orded □ Ca□□et C, S□de 153, P□t Re□ords Ro□□□a□ Co□□t□, Te□as a□d sa□d □o□t □e□□□ □ the so□th□est □□e of So□th Go□d Street a.□a State H□h□a□205 (a □ar□a□e □dth r□ht-of-□a□);

THENCE So□th 59 de□rees 09 □ □□□tes 02 se□o□ds West, 149.19 feet a□o□□ the so□theast □□e of sa□d Lot 1 (B□□□ Peo□□e's Add□to□ No. 1) a□d a□o□□ the □orth□est □□e of sa□d Lot 2 (Loretta A□derso□ Add□to□) to a o□e-ha□f □□h□ro□ rod fo□□d at the so□th □or□er of sa□d Lot 1 (B□□□ Peo□□e's Add□to□ No. 1), sa□d □o□t □e□□□ the east □or□er of Lot 1R, M□□□ero□ Add□to□, a□ Add□to□ to the C□t□ of Ro□□□a□, as re□orded □ Ca□□et D, S□de 185, P□t Re□ords Ro□□□a□ Co□□t□, Te□as;

THENCE North 31 de□rees 06 □ □□□tes 11 se□o□ds West, a□o□□ the □ortheast □□e of sa□d Lot 1R, at 167.13 feet ass□ a X t fo□ d□ar□ the orth□ or□er of sa□d Lot 1R, o□ t a□o□□ the so□th□est □□e of sa□d Lot 2 (B□□□ Peo□□e's Add□to□ No. 1) □ a□a tota□ dista□□e of 172.11 feet to a o□e-ha□f □h□ro□ rod□ th□ e□o□ a sta□□ed PROP. COR. BOHLER set at the □est □or□er of sa□d Lot 2 (B□□□ Peo□□e's Add□to□ No. 1), sa□d □o□t □e□□□ □ the so□theast □□e of West Ye□o□a□□et La□e (a □ar□a□e □dth r□ht-of-□a□);

THENCE North 45 de□rees 03 □ □□□tes 57 se□o□ds East, 138.99 feet a□o□□ the □orth□est □□e of sa□d Lot 2 (B□□□ Peo□□e's Add□to□ No. 1) a□d a□o□□ the so□theast □□e of West Ye□o□a□□et La□e to a o□e-ha□f □h□ro□ rod□ th□ e□o□ a sta□□ed PROP. COR. BOHLER set at the □est□ed of a □or□er □□□ at the □□tersec□to□ of the so□theast □□e of West Ye□o□a□□et La□e □th the so□th□est □□e of So□th Go□d Street a.□a State H□h□a□205;

THENCE So□th 82 de□rees 45 □ □□□tes 01 se□o□ds East, 19.34 feet a□o□□ sa□d □or□er □□□ to a o□e-ha□f □h□ro□ rod□ th□ a sta□□ed We□r Asso□ates fo□ d□ the ortheast □e of sa□d Lot 2 (B□□□ Peo□□e's Add□to□ No. 1), sa□d □o□t □e□□□ □ the so□th□est □□e of So□th Go□d Street a.□a State H□h□a□205;

THENCE So□th 30 de□rees 49 □ □□□tes 43 se□o□ds East, 194.00 feet a□o□□ the so□th□est □□e of So□th Go□d Street a.□a State H□h□a□205 to the POINT OF BEGINNING a□d □o□ta□□□□ 28,452 s□□are feet or 0.653 of a□ a□re of □a□d.

KNOW ALL MEN THESE PRESENTS:

That I, B□□□ M. Lo□sdo□, Jr, do here□□ □ert□ that I □re□ared th□s □at a□d the f□□d □otes □ade a □art thereof fro□ a□ a□t□a□a□d a□□□rate s□r□e□ of the □a□d a□d that the □or□er □o□□□ e□ts sho□□ thereo□ □ere □ro□er□ □a□ed □□der □ □□erso□a□s□□er□s□o□.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document".

B□□□ M. Lo□sdo□, Jr.
Re□istered Profess□o□a□La□d S□r□e□or No. 6487
FEBRUARY 14, 2019

STATE OF TEXAS

COUNTY OF COLLIN

Before □e, the □□ders□□ed a□thor□□, a Notar□ P□□□□ □□ a□d for the State of Te□as, o□ th□s da□ □erso□a□□ a□□eared BILLY M. LOGSDON, JR, La□d S□r□e□or, □□o□□ to □e to □e the □erso□ □hose □a□e □s s□□s□r□ed to the fore□o□□ □str□□ e□t a□d a□□□o□ed□ed to □e that he e□e□□ted the sa□e for the □□r□ose a□d □o□s□derat□□s there□□ e□□ressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, th□s ____da□ of _____, 2019.

Notar□ P□□□□ □□ a□d for The State of Te□as

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §

COUNTY OF ROCKWALL §

I (□e) the □□ders□□ed o□□er(s) of the □a□d sho□□ o□ th□s □at, a□d des□□ated here□□ as the BRAKES PLUS s□□d□s□□ to the C□t□ of Ro□□□a□, Te□as, a□d □hose □a□e □s s□□s□r□ed hereto, here□□ded□ate to the □se of the □□□□□ fore□er a□streets, a□e□s, □ar□s, □ater □□rses, dra□s, ease□e□ts a□d □□□□□ □a□es thereo□ sho□□ o□ the □□r□ose a□d □o□s□derat□□ there□□ e□□ressed. I (□e) f□rther □ert□f□ that a□other □art□es □ho ha□e a □ort□a□e or □e□ □terest □ the BRAKES PLUS s□□d□s□□ ha□e □ee□ □otified a□d s□□ed th□s □at. I (□e) □□dersta□d a□d do here□□ reser□e the ease□e□t str□s sho□□ o□ th□s □at for the □□r□oses stated a□d for the □ □□t□a□se a□d a□o□ □odat□□ of a□□t□□□es des□□□ to □se or □s□□ sa□e. I (□e) a□so □□dersta□d the fo□o□□□:

1. No □□□d□□s sha□□e □o□str□□ted or □a□ed □□o□, o□er, or a□ross the □□□□ease□e□ts as des□□ed here□.
2. A□□ □□□□□ □t□□□ sha□ha□e the r□ht to re□o□e a□d □ee□re□o□ed a□or □art of a□□ □□□d□□s, fe□□es, trees, shr□□s, or other □ro□ths or □□ro□e□e□ts □h□h □□ a□□ □a□e□da□□er or □nterfere □th □o□str□□to□, □a□te□a□□e or eff□□e□□□ of the□r□res□□t□e s□ste□ o□ a□□ of these ease□e□t str□s□a□d a□□ □□□□□ □t□□□ sha□□at a□□□es ha□e the r□ht of □□ress or e□ress to, fro□ a□d □□o□ the said ease□e□t str□s for □□r□ose of □o□str□□to□, re□o□str□□to□, □s□e□□□, □atro□□□, □a□ta□□□□, a□d e□ther add□□ to or re□o□□□ a□or □art of the□r□res□□t□e s□ste□ □thou□t the □e□ess□□of, at a□□t□e, □ro□r□□ the □er□ss□o□ of a□□o□e.
3. The C□t□ of Ro□□□a□ □□ot □e res□o□s□□e for a□□ □a□s of a□□ □at□re res□□□□ fro□ or o□□as□ed □□ the esta□sh□e□t of □rade of streets □ the s□□d□s□□.
4. The de□e□o□er a□d s□□d□s□□ e□□□eer sha□□ear tota□res□o□s□□□□ for stor□ dra□ □ □ro□e□e□ts.
5. The de□e□o□er sha□□e res□o□s□□e for the □e□essar□fa□□□es to □ro□de dra□a□e □atter□s a□d dra□a□e □o□tro□s s□□h that □ro□erties □th□ the dra□a□e area are □ot ad□erse□affe□ted □□stor□ dra□a□e fro□ the de□e□o□□e□t.
6. No ho□se d□e□□□ □□t, or other str□□t□re sha□□e □o□str□□ted o□a□□ ot □ th□s add□to□ □□ the o□□er or a□□other □erso□ □□t□the de□e□o□er a□d□r o□□er has □o□ □□d □th a□re□□re□e□ts of the S□□d□s□□ Re□□at□□s of the C□t□ of Ro□□□a□re□ard□□□ □ □ro□e□e□ts □th res□e□t to the e□tire □o□□o the street or streets o□ □h□h □ro□ert□a□□ts, □□□□d□□□ the a□t□a□□sta□at□□ of streets □th the re□□□ed □ase a□d □a□□□, □r□a□d □□tter, □ater a□d se□er, dra□a□e str□□t□res, stor□ str□□t□res, stor□ se□ers, a□d a□e□s, a□a□□ord□□□ to the s□e□f□at□□s of the C□t□ of Ro□□□a□□or

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STATE OF TEXAS §

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_____ _____
Director of Planning & Zoning ***City Engineer***

CITY PROJECT NO. FP __-____
REPLAT
BRAKES PLUS

LOT 1R, BLOCK A

BEING ALL OF LOT 1 AND LOT 2, BLOCK A
BILLY PEOPLES ADDITION NO. 1
CAB A, PG 277.

0.653 ACRES OUT OF THE
JAMES CADLE SURVEY, ABSTRACT NO. 65;

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

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LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES

FILE NO.	DATE	DRAWN	REVIEWED	APPROVED	SCALE	DWG. NO.
TSD180033	12□10□18	ASA	BL	BL	NA	2 OF 2

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143

Geometric Closure Report

Client:
Express Oil Change, LLC
Lots 1 and 2, Block A
Billy Peoples Addition No. 1

Date: 2/26/2019 8:35:12 AM

Prepared by:
Aaron Andree
Bohler Engineering
6017Main Street

Parcel Name: Site 1 - 1
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:7,021,624.5346' East:2,596,776.7198'

Segment# 1: Line
Course: S59° 09' 02"W Length: 149.19'
North: 7,021,548.0324' East: 2,596,648.6375'

Segment# 2: Line
Course: N31° 06' 11"W Length: 172.11'
North: 7,021,695.3998' East: 2,596,559.7291'

Segment# 3: Line
Course: N45° 03' 57"E Length: 138.99'
North: 7,021,793.5676' East: 2,596,658.1228'

Segment# 4: Line
Course: S82° 45' 01"E Length: 19.34'
North: 7,021,791.1270' East: 2,596,677.3082'

Segment# 5: Line
Course: S30° 49' 43"E Length: 194.00'
North: 7,021,624.5384' East: 2,596,776.7277'

144

Perimeter: 673.63'
Error Closure: 0.0087
Error North : 0.00374

Area: 28,452.22Sq.Ft.
Course: N64° 33' 28"E
East: 0.00787

Precision 1: 77,428.74

145

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146

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	March 18, 2019
APPLICANT:	Jeff Bresee; *SET Engineers*
CASE NUMBER:	Z2019-003; *SUP for RISD Practice Field*

SUMMARY

Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.

BACKGROUND

The subject property is located at the southeast corner of the intersection of Yellow Jacket Lane and Greencrest Boulevard and is addressed as 901 W, Yellow Jacket Lane. The property was annexed in 1960, is situated within the IH-30 Overlay (IH-30 OV) District, and is zoned Commercial (C) District. On February 18, 1991, the City Council approved a request [*Case No. P&Z 91-03-Z/SP/PP*] for a change in zoning from a Multi-Family 15 (MF-15) District to a Commercial (C) District. Included with that request was the approval of a site plan and a preliminary plat for a school (*i.e. Rockwall High School*). In June, 1991, the City Council approved a request [*Case No. P&Z 91-21-CUP*] for a Conditional Use Permit (CUP) [*Ordinance No. 91-28*] to allow less than 90% masonry materials on the façade of the building, and later amended the Conditional Use Permit (CUP) [*Ordinance No. 91-51*] to include an additional structure. In August 1998, the City Council approved a site plan [*Case No. PZ-1998-39-2*] for an additional parking lot for the existing school (*i.e. Rockwall High School*).

PURPOSE

The applicant is requesting the approval of a Specific Use Permit (SUP) for a *Private Sports Arena, Stadium, or Track* on the subject property. Currently, the Rockwall Independent School District (RISD) utilizes this area as an existing multi-purpose field that serves as a practice facility for various sports (*e.g. softball, baseball, football, soccer, discus, etc.*). According to the applicant, in order to protect vehicles and/or patrons of the commercial businesses (*e.g. Rooms-To-Go, Heritage Buick-GMC, and the future Texas Roadhouse Restaurant and Marriott Towneplace Suites hotel*) adjacent to the field, the school is requesting to construct a 40-foot fence/netting combination around the perimeter of the field.

ADJACENT LAND USES AND ACCESS

The subject property is located 901 W. Yellow Jacket Lane. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Yellow Jacket Lane, which is identified as a M4D (*major collector, four [4]-lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is a sports complex (*i.e. Spring Sports Complex*) followed by a single-family residential subdivision (*i.e. Waterstone Estates*). These areas are zoned Single-Family 7 (SF-7) District.

147

South: Directly south of the subject property are several commercial businesses (*e.g. Rooms-To-Go and the future Texas Roadhouse and Marriott Towneplace Suites hotel*). Beyond this is IH-30, which is identified as a *TxDOT Roadway* on the City's Master Thoroughfare Plan. Following this are several commercial businesses (*e.g. Sleep Experts, FedEx, and Chipotle*) that are zoned Commercial (C) District.

East: Directly east of the subject property is a car dealership (*i.e. Heritage Buick-GMC*) followed by Kyle Drive, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this is a Rockwall Independent School District (RISD) athletics field for track and field events, and a multi-family residential development (*i.e. Missions Rockwall Apartments*). These areas are zoned Commercial (C) and Multi-Family 14 (MF-14) Districts. Beyond this are two (2) car dealerships (*i.e. Rockwall Chrysler and Rockwall Ford*) that are zoned Commercial (C) District.

West: Directly west of the subject property is a tract of land that is being developed for a hotel (*i.e. Marriott Towneplace Suite*s). Beyond this is a vacant tract of land followed by Greencrest Boulevard, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Following, are several commercial businesses (*e.g. Dominos, Fireside Chicken and Tacos, Wal-Mart*) that are zoned Commercial (C) District.

CHARACTERISTICS OF THE REQUEST

The applicant is proposing to replace the existing natural grass field with artificial turf, to utilize a ten (10) foot tall black vinyl coated chain link fence installed one (1) foot inside the boundaries of the practice field. The fence will be topped with 30-foot tall black netting and lights, which will be installed at the top of the poles adjacent to the north and south boundaries of the field. The proposed field will be serve as a practice field for the school's sports teams, intramural sports, physical education classes, and some other uses not identified by the applicant. According to the applicant, the field will be utilized mostly during the day; however, the applicant intends on the field being utilized (on a limited basis) at night. According to the applicant, this project is a part of the Rockwall Independent School District's (RISD's) bond program that includes a provision for a practice facility for the softball and baseball team. Granting this request will enable the field to be more functional and meet that purpose.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 3.3, *Minimum Requirements*, of Section 3, *Outdoor Lighting for Non-Residential Properties*, of Article VII, *Environmental Performance*, of the Unified Development Code (UDC), "…the maximum allowable light intensity measured at the property line of any non-residentially zoned lot shall be 0.2 of one [1] footcandle (FC)…" It goes on to state "...for planned shopping centers or other commercial developments that contain more than one (1) lot, the Planning and Zoning Commission may consider lighting plans that result in light spillover across common lots within the same development…however; in no case shall light levels exceed 0.2 of one [1] footcandle (FC) at the property lines adjacent to the street and/or along the perimeter of the development…" In this case, the photometric plan submitted by the applicant shows that the light intensity along the east and west boundaries range from 0.1 FC to 0.3 FC. Along the north and south boundaries (*i.e. where the lights will be installed*), the light intensity range from 0.1 FC to 0.9 FC. Staff should note, this practice field is located toward the rear of the school (*i.e. away from the property lines adjacent to the street*) and this request does not appear to affect the light intensity levels adjacent to the street (*i.e. adjacent to Yellow Jacket Lane*). With that being said, since the proposed lighting exceeds the maximum light intensity of 0.2 FC at the southeast property line approving this request will effectively waive the lighting requirements with regard to lighting spillover. Additionally, the Unified Development Code (UDC) requires that light sources be oriented down and toward the center of the site or shielded so as not to be visible from the property line. The proposed light fixtures will be oriented toward the center of the site and partially shielded; however, due to the proposed use (*i.e. to light a practice field*) combined the height of the light poles (*i.e. 40-feet in height*), there is a possibility that the lights will be visible from the property line. Since this does not meet the requirements of the Unified Development Code (UDC),

approving this request will effectively waive the lighting requirements with regard to the shielding and orientation of the lights. Subsection 6.01G, *Lighting Standards*, of Subsection 6.01, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), "…any light fixture, light pole, pole base, or a combination thereof shall not exceed a height of 30-feet…" within the IH-30 Corridor Overlay (IH-30 OV) District. In this case, the proposed light fixtures will be mounted on the top of 40-foot tall light poles and oriented toward the field. Since this exceeds the maximum allowable height of 30-feet, approval of this request will effectively waive the lighting requirements with regard to the maximum allowable height of light poles within the IH-30 Overlay (IH-30 OV) District.

Article XI, *Fences*, of Chapter 10, *Buildings and Building Regulations* of the Municipal Code of Ordinances requires all chain link fences to be setback a minimum of 10-feet from the property line unless "…completely screened from the adjacent public areas by a structure or a solid landscape screening…" In this case, the proposed fence appears to be partially screened from Yellow Jacket Lane by the main building and partially screened from IH-30 by the adjacent commercial business (*i.e. Rooms-To-Go and Heritage Buick-GMC*) and will seemingly have limited visibility from Yellow Jacket Lane and IH-30. With that being said, the City Council is tasked with determining if the existing buildings provide sufficient screening of the adjacent public areas, if additional screening/landscaping is required, and/or if approval of this request is warranted.

STAFF ANALYSIS

When analyzing the applicant's request (*i.e. to install fencing, netting, and lighting on the practice field*), it appears that the proposal generally conforms to the Unified Development Code (UDC) with the exception of the items listed above. Given the proposed use (*i.e. a practice field*), one could reasonably expect this type of development to vary from the lighting standard. Typical fields of this type appear to utilize similar light fixtures. According to the applicant, the proposed lighting is designed to provide the *minimum level* of light needed for a practice field *(i.e. the design is lower intensity than typical stadiums and other competition facilities*). The applicant has stated that since the surrounding properties are commercial land uses and utilizes similar lighting, the proposed lighting will not adversely affect the neighboring properties. Staff should note, although the neighboring commercial businesses utilize lighting that is similar in *height*, the light fixtures are shielded and oriented downward. The Unified Development Code (UDC) allows the Planning and Zoning Commission to consider lighting plans that result in spillover for planned shopping centers or other commercial developments with common lot lines. Although Rockwall High School and the adjacent commercial developments are not considered to be a planned shopping center, the adjacent commercial businesses and the main building on campus seem to serve as a buffer from the residential properties to the north. When looking at the proposed chain link fence and netting, the fence appears to have limited visibility from IH-30. Specifically, the Rooms-To-Go, which is located adjacent to the practice field, ranges from 28-feet to 43-feet in height. Additionally, the Room-To-Go appears to rest at a slightly higher elevation than the practice field (*i.e. ~572-feet v. s. 570-feet above sea level*); however, this does not negate the possibility of the netting and lights being visible from IH-30. Given the location of the proposed field combined with the height of the proposed netting and lights, the Planning and Zoning Commission is tasked with considering if this request will adversely affect the neighboring properties and providing a recommendation to the City Council. Should this request be approved, staff has recommended to the applicant to provide a thick vegetative screening along the adjacent property lines (outside of the fence), which consists of a combination of mature trees, bushes, and tall grasses. This will require the applicants to provide staff with an updated concept plan reflecting the proposed screening. Additionally, this may require that the proposed fence is shifted inward to accommodate the additional landscaping. At the Planning and Zoning Commission meeting on March 12, 2019, the applicant stated that he did not wish to provide additional landscaping citing disfavor of maintaining the landscaping.

NOTIFICATIONS

On February 22, 2019, staff mailed notifications to 39 property owners/residents within 500-feet of the subject property. Additionally, staff notified the Turtle Cove and Waterstone Homeowner's Associations

(HOA's), which are the only Homeowner's Associations/Neighborhood Organizations that are within 1,500-feet of the subject property and participating in the Neighborhood Notification Program. At the time this report was written, staff had not received any notices concerning this case.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request, staff would propose the following conditions of approval:

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

a) The private arena, stadium, or track shall generally conform to concept and photometric plans and elevations depicted in Exhibits '*B*', '*C*', and '*D*' of the attached ordinance;

b) The applicant shall provide a thick vegetative screening utilizing a combination of mature trees, bushes, and/or grasses adjacent to the property line;

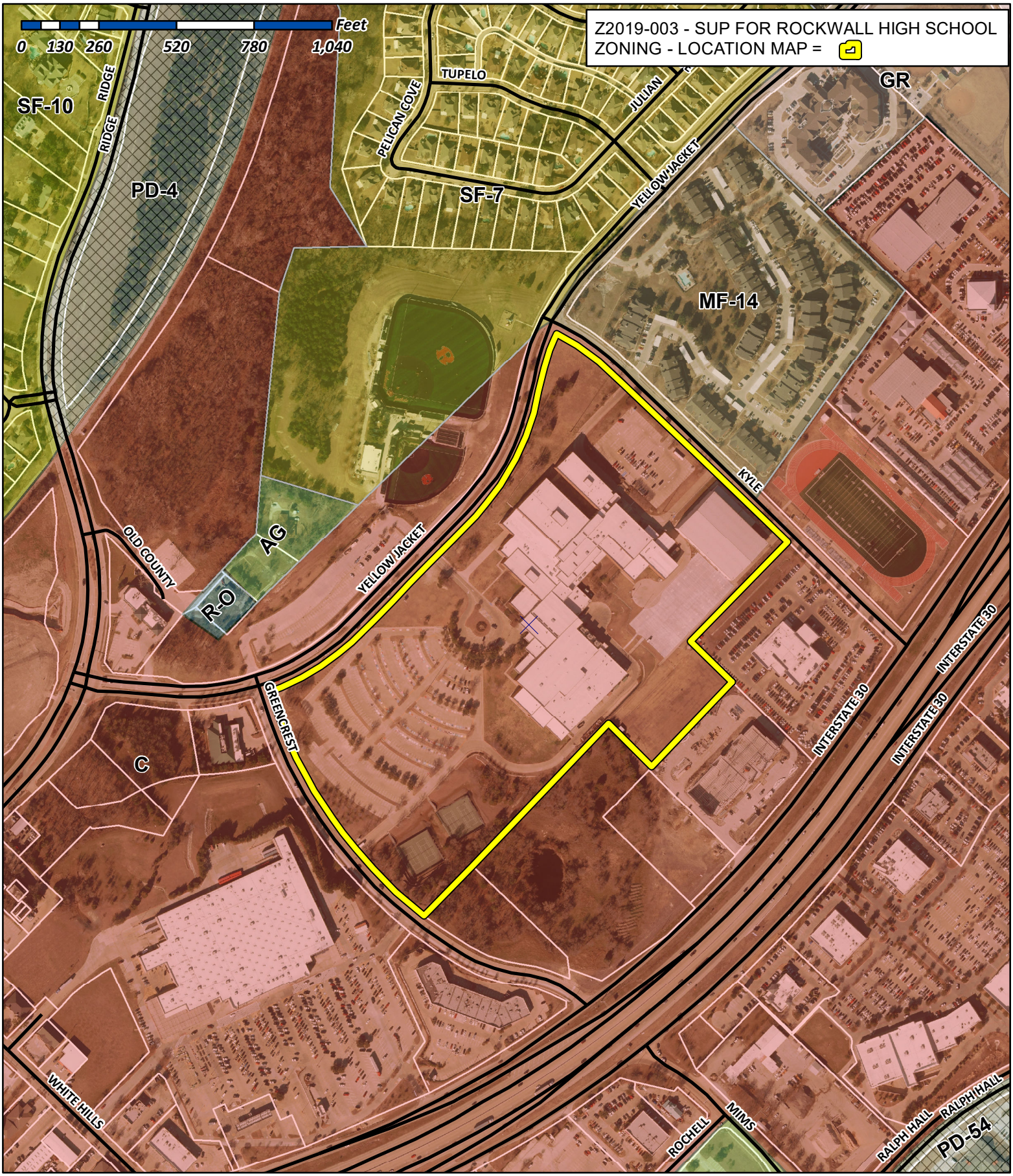
c) The applicant shall submit a revised concept plan showing the location of the proposed landscaping; and

d) The light fixtures shall not be mounted above 40-feet in height.

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

PLANNING AND ZONING COMMISSION:

On March 12, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) with staff's *Conditions of Approval* passed by a vote of 4-0 with Chairman Lyons and Commissioners Logan and Moeller absent.



City of Rockwall

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

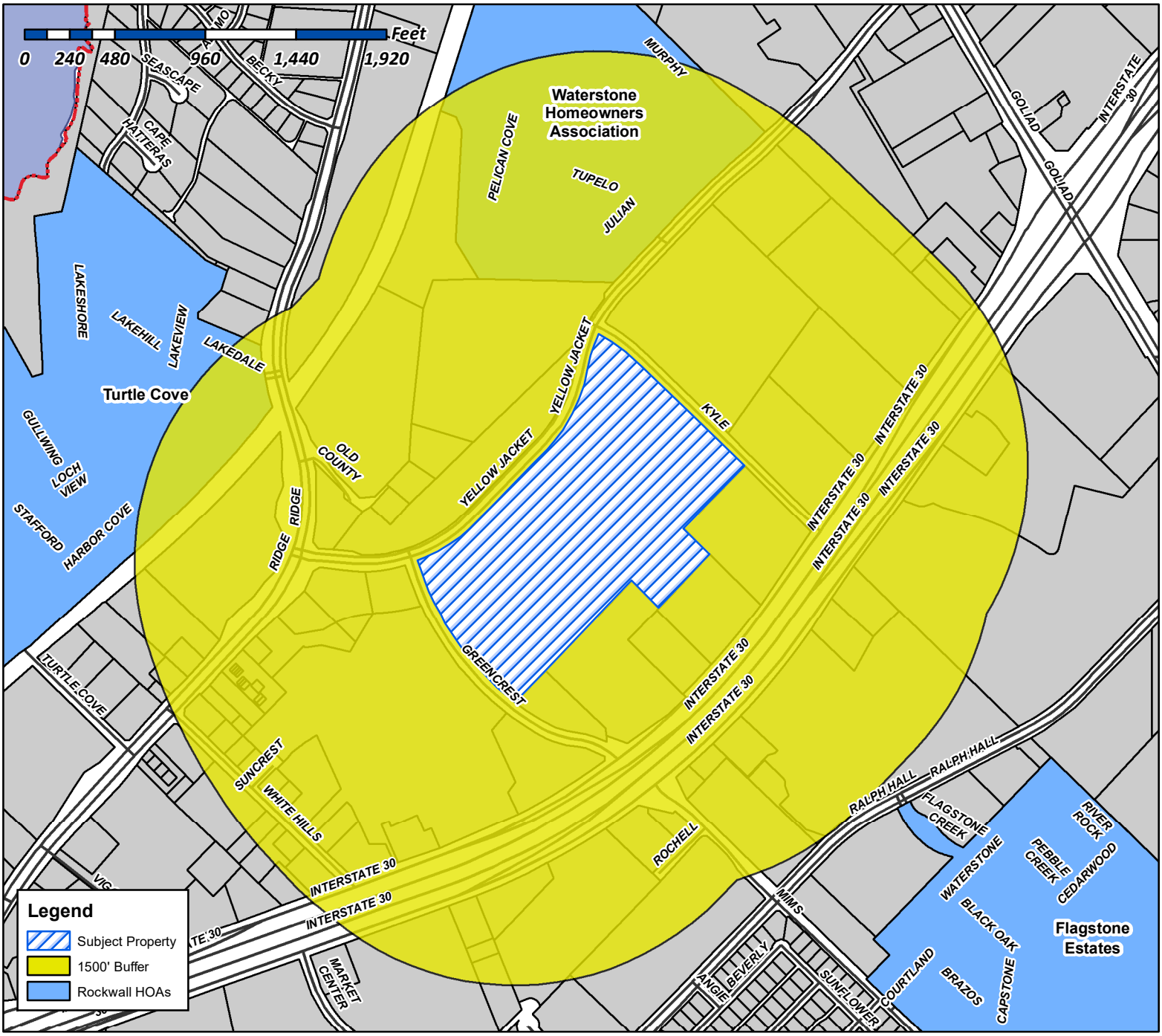
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

151

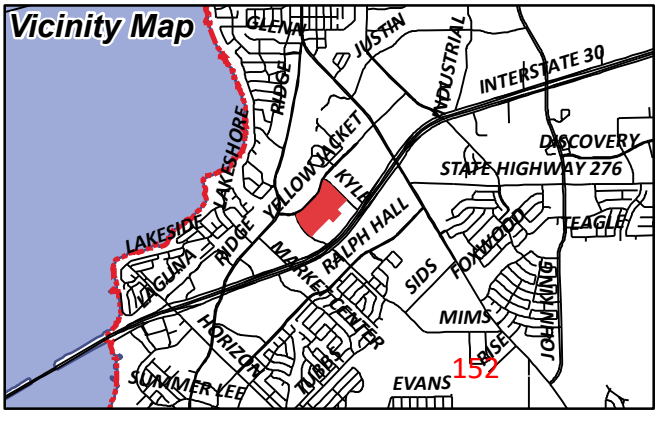
City of Rockwall

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

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Case Number: Z2019-003
Case Name: SUP for Rockwall High School
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 901 W. Yellowjacket Lane



Date Created: ***2/19/2019***
For Questions on this Case Call (972) 771-7745

152

Brooks, Korey

From: Morales, Laura
Sent: Friday, February 22, 2019 1:35 PM
To: [redacted]
Cc: Miller, Ryan; Gonzales, David; Brooks, Korey
Subject: Neighborhood Notification Program: Notice of zoning request
Attachments: HOA Map.pdf; PUBLIC NOTICE.PDF

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***February 22, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 3/12/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Tuesday, 3/18/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at
https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-003 Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) for a *Private Sports Arena, Stadium or Track* on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

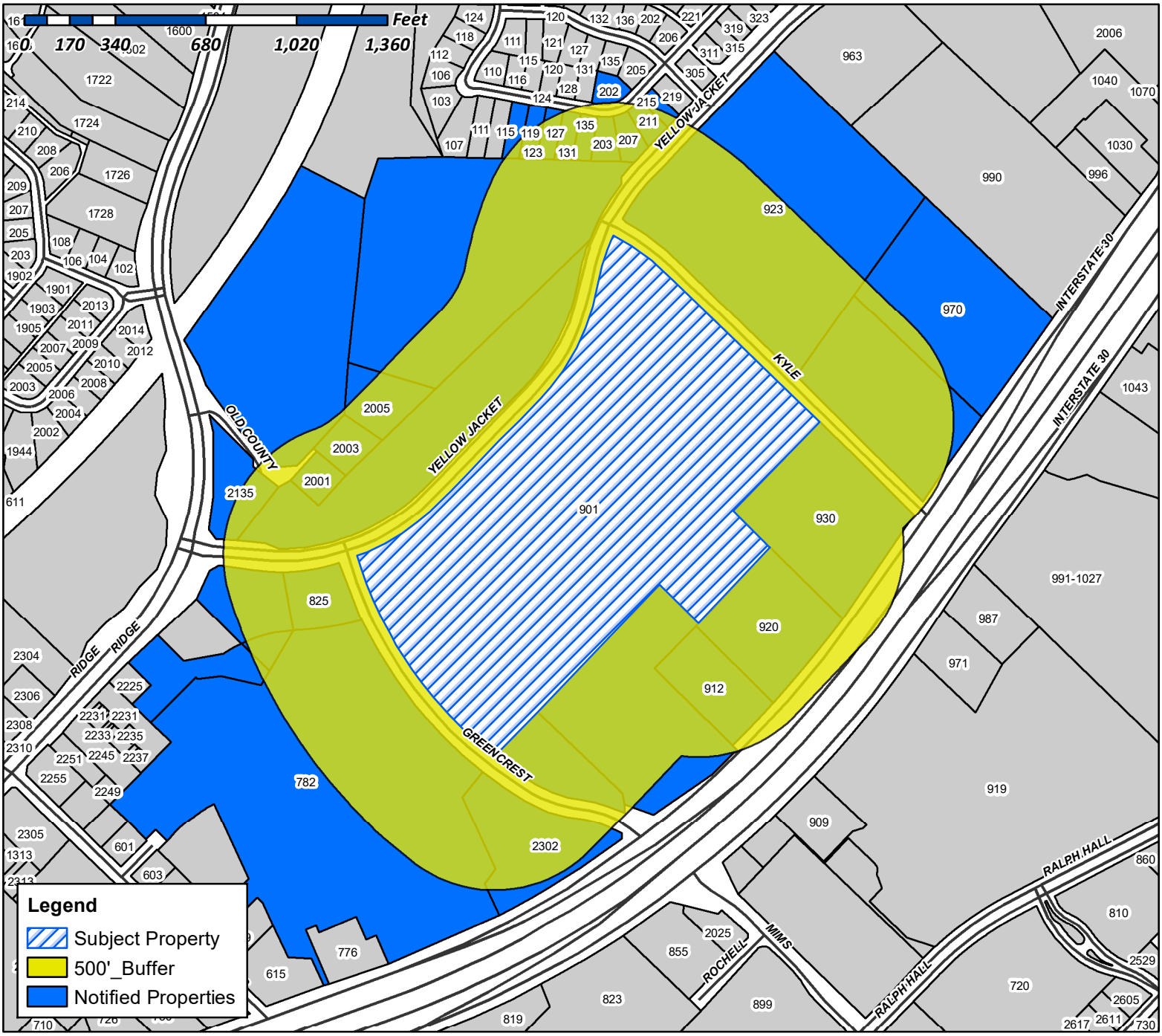
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com/planning/

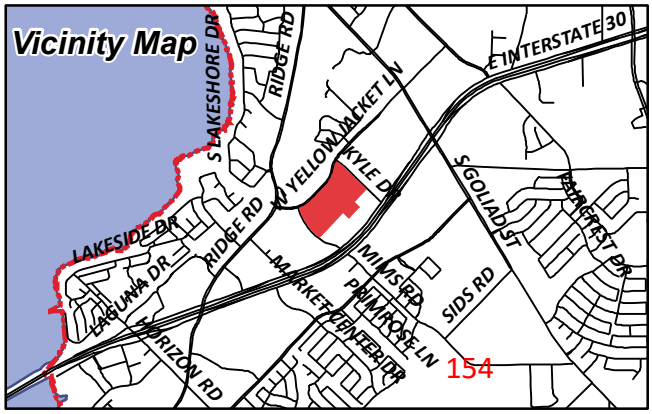
City of Rockwall

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

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Case Number: Z2019-003
Case Name: SUP for Rockwall High School
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 901 W. Yellowjacket Lane



Date Created: ***2/15/2019***
For Questions on this Case Call (972) 771-7745

154

MIKULSKI ANTONY AND MICHELLE
119 JULIAN DR
ROCKWALL, TX 75087

WOODWARD LAURA
123 JULIAN DR
ROCKWALL, TX 75087

RYAN BRIAN
127 JULIAN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
131 JULIAN DR
ROCKWALL, TX 75032

GIPSON CAMERON
135 JULIAN DRIVE
ROCKWALL, TX 75087

FRANK RUSSELL
15 PRINGLE LANE
ROCKWALL, TX 75087

JLIU ASSET MANAGEMENT LTD
1711 E BELTLINE RD
COPPELL, TX 75019

CURRENT RESIDENT
2001 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2003 RIDGE RD
ROCKWALL, TX 75032

FAHERTY FRANK
2005 RIDGE RD
ROCKWALL, TX 75087

SHIPP DONALD W & MAUREEN
202 JULIAN DR
ROCKWALL, TX 75087

ANDREWS GRACE L
203 JULIAN DR
ROCKWALL, TX 75087

SINGH RITU W AND
207 JULIAN DRIVE
ROCKWALL, TX 75087

PROCK CHARLES
209 RUSSELL DR
ROCKWALL, TX 75032

WHITTAKER SANDRA
211 JULIAN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2135 RIDGE RD
ROCKWALL, TX 75032

HARPER EMILY ERIN
215 JULIAN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2302 GREENCREST BLVD
ROCKWALL, TX 75032

MOUNTAINPRIZE INC
3225 CUMBERLAND BLVD SUITE 100
ATLANTA, GA 30339

ROCKWALL-PINE PROPERTIES LLC
400 PERIMETER CENTER TERRACE 0
ATLANTA, GA 30346

IN YUNG H &
512 SUNSTONE DR
IRVING, TX 75060

SYVRUD JAMES P & MARY JEAN
519 E INTERSTATE 30
ROCKWALL, TX 75087

IX MC 923 YELLOW JACKET LANE LP
591 W PUTNAM AVE
GREENWICH, CT 06830

GAMEZ SUSAN AND
602 LAURENCE
HEATH, TX 75032

ROADHOUSE ENTERPRISES INC
6040 DUTCHMANS LANE
LOUSIVILLE, KY 40205

CURRENT RESIDENT
782 I30
ROCKWALL, TX 75032

ROCKWALL DIRT CO LTD
800 GESSNER RD 0
HOUSTON, TX 77024

ROCKWALL I S D
801 E WASHINGTON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
825 YELLOW JACKET LN
ROCKWALL, TX 75032

CURRENT RESIDENT
901 YELLOWJACKET RD
ROCKWALL, TX 75032

155

CURRENT RESIDENT
912 E I30
ROCKWALL, TX 75032

CURRENT RESIDENT
920 I-30
ROCKWALL, TX 75032

CURRENT RESIDENT
923 YELLOW JACKET LN
ROCKWALL, TX 75032

TARBELL AUTOMOTIVE INC
930 E I-30
ROCKWALL, TX 75087

CURRENT RESIDENT
970 E I30
ROCKWALL, TX 75032

AMERICAN RESIDENTIAL LEASING COMPANY LLC
ATTN: PROPERTY TAX DEPARTMENT 0
AGOURA HILLS, CA 91301

ROCKWALL ASC REAL ESTATE LLC
PO BOX 1208
ROCKWALL, TX 75087

WAL-MART REAL ESTATE
PO BOX 8050
BENTONVILLE, AR 72712

ROCKWALL RENTAL PROPERTIES LP
PO BOX B
TERRELL, TX 75160

156

February 13, 2019

David Gonzales, AICP
City of Rockwall Texas
385 S. Goliad Street

Re: Rockwall High School Multipurpose Synthetic Turf Field – Field Netting & Lights

Dear Mr. Gonzales:

Rockwall ISD desires to convert their existing natural grass multipurpose field at Rockwall High School (field that lies immediately North of Rooms-To-Go) into a synthetic turf field. As this field is surrounded by commercial properties on three sides, in order to protect vehicles and/or patrons at these businesses, the school desires to construct a 40-foot tall fence/netting combination (10-foot black coated vinyl chain link fence topped with 30-foot black netting) around the perimeter of the field. This will also enable the fields to be more functional for their intended purpose (project is part of RISD's bond program to provide a practice facility for the softball and baseball teams (although the field will be used for football, soccer, discus and lacrosse practice as well) and it will prevent balls from leaving the field area.

In addition to the netting system, the District desires to install lights atop each of the netting poles that align the North and South sides of the field. As the field will be used by many of the school's sports teams for practice as well intermural teams, PE and other uses, it is desired that the field be made useable during night hours (limited of course by city ordinance).

In adding the lights, the District is seeking variance to the ordinance limiting light spillage to 0.2 lumens or less beyond the line 1-foot outside of the District's property lines. The deign of the proposed lights (for which we have included a photometric plan) is to provide the minimum level of light needed for the practice of school sports (design is not to the level typical for stadiums and other competition facilities). As the surrounding properties are commercial entities that also light their grounds, the District feels that the proposed lighting design will not adversely affect the neighboring properties.

I have included cut sheet information for the netting system and the lights. Please let me know if you need anything further or have any questions.

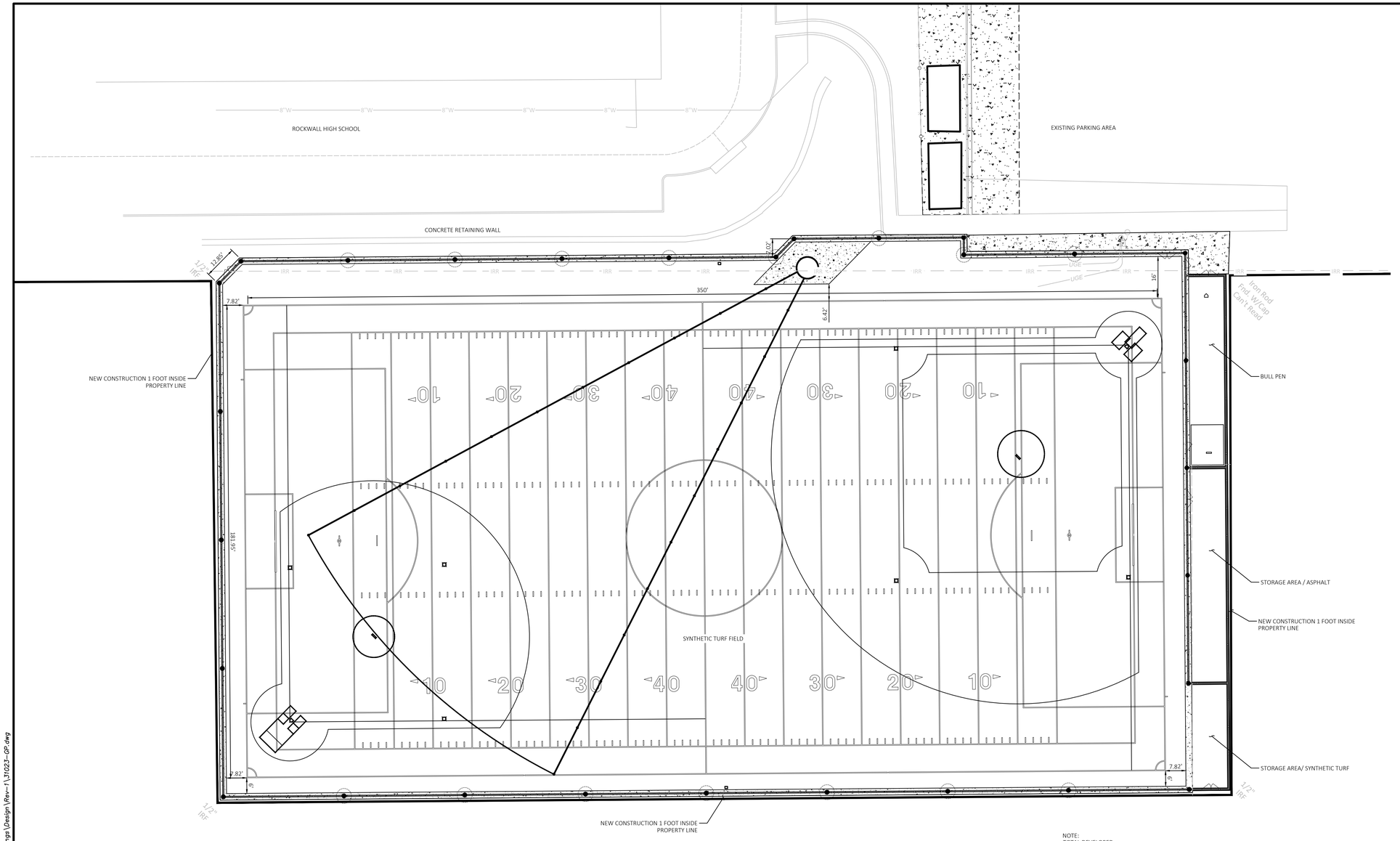
Sincerely,

SET Engineer, Inc.



Jeff Bresee, P.E.

157



NOTE:
TOTAL DEVELOPED AREA= 1.870 ACRES

Know what's below. Call before you dig.

0 20' 30' 40'
SCALE IN FEET

LEGEND

EXISTING

e	EAST OR ELECTRIC	OHT	OVERHEAD TELEPHONE
n	NORTH	OHTV	OVERHEAD TV
oh	OVERHEAD	X"SS	SANITARY SEWER
s	SOUTH OR SEWER	UGE	UNDERGROUND ELECTRIC
t	TELEPHONE	UGE&T	UNDERGROUND ELECTRIC AND TELEPHONE
ug	UNDERGROUND	UGT	UNDERGROUND TELEPHONE
w	WEST OR WATER	UGTV	UNDERGROUND TV
	PROPERTY LINE	X"W	WATER
	RIGHT OF WAY LINE	.5-10-11 50.5	TREE INFO .5 = DIAMETER OF TRUNK IN FEET 10 = HEIGHT OF TREE IN FEET 11 = CANOPY DIAMETER IN FEET 50.5 = ELEVATION AT BASE OF TREE
	STORM DRAIN		
X"G	GAS		
OHE	OVERHEAD ELECTRIC		
OHE&T	OVERHEAD ELECTRIC AND TELEPHONE		

FIELD EQUIPMENTS TO BE PROVIDED BY CONTRACTOR

- SYNTHETIC TURF BASE. SPORTS FIELD SPECIALITIES TURF BASE OR EQUAL 6 BASES TOTAL.
- SYNTHETIC TURF HOME PLATE. SPORTS FIELD SPECIALITIES TURF BASE OR EQUAL 2 PLATES TOTAL.
- SYNTHETIC TURF PITCHERS PLATE. SPORTS FIELD SPECIALITIES TURF BASE OR EQUAL 2 PLATES TOTAL.
- PORTABLE FOOTBALL GOAL POST. AAE SPORTS, ROLLAWAY H GOAL POST (HS), OR EQUAL. TWO GOAL POSTS TOTAL.
- PORTABLE SOCCER GOAL POST KWIK GOAL EVO II. SOCCER GOAL WITH WHEELS OR EQUAL 2 GOALS TOTAL.

F-7524

SET Engineers, Inc.
Experts in Outdoor Sports Design & Construction Management
Licensed Civil Engineers • Planners • Designers
817-507-8305 Phone | 682-518-9825 FAX

CEI Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS

3108 S.W. REGENCY PARKWAY, SUITE 2
Bentonville, AR 72712
(479)273-9472
FAX (479)273-0844

31023	2/14/19	JJB	TKM	SAW	SAW
CEI PROJECT NO.	INITIAL DATE	DPOR	PM	DES	DRW

ROCKWALL HIGH SCHOOL
901 W YELLOWJACKET LANE
ROCKWALL TEXAS

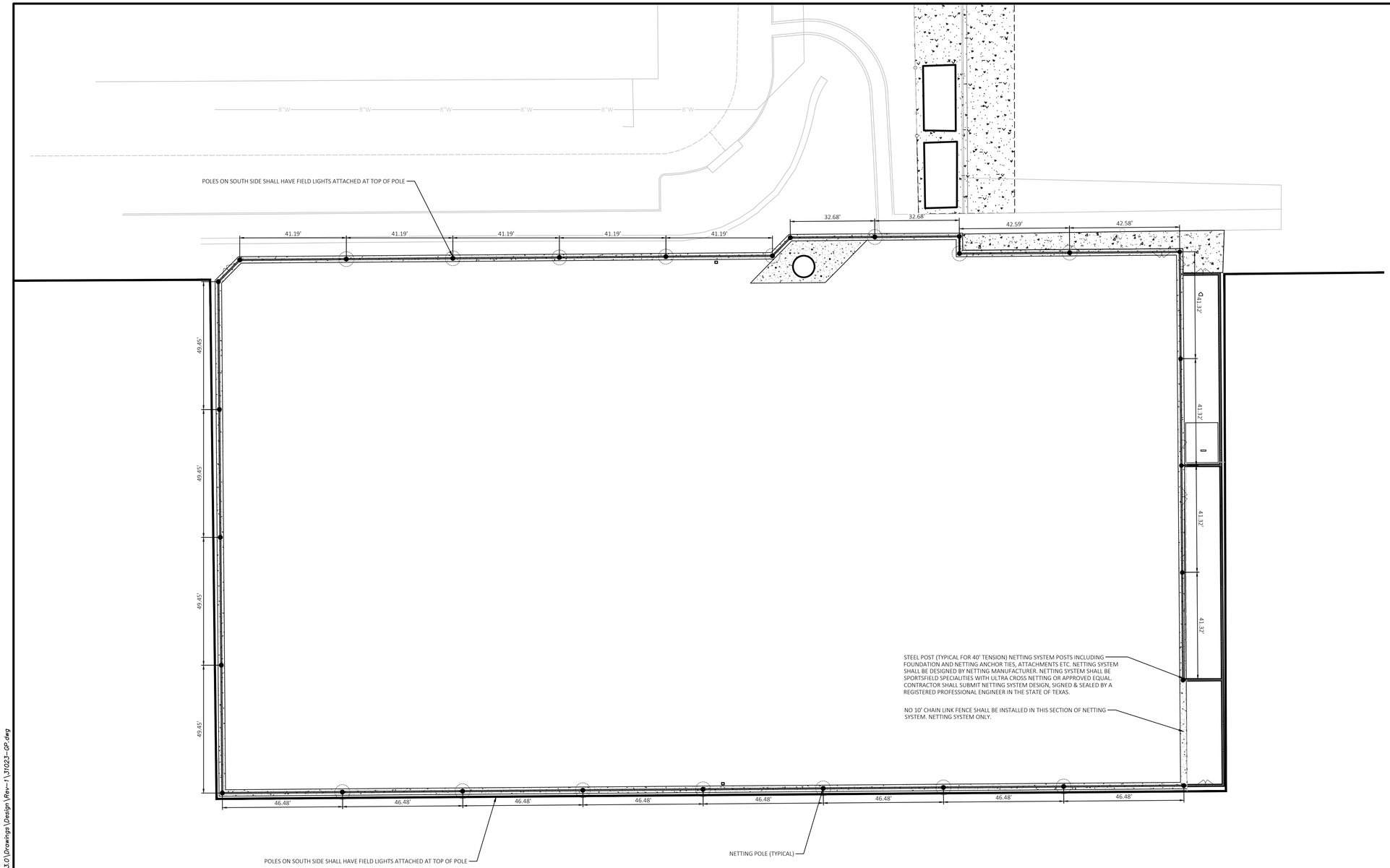
SITE PLAN

REV. DATE	SHEET NO.
2/14/19 REV-0	1 OF 3

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JOB # 31023 DRAWING: 31023-GP.dwg LAST SAVED BY: SALAM LOCATION: P:\31000\31023.01\Drawings\Design\Rev-1\31023-GP.dwg

158



Know what's **below.** **Call** before you dig.

0 20' 30' 40'
SCALE IN FEET

LEGEND

EXISTING

e	EAST OR ELECTRIC	OHT	OVERHEAD TELEPHONE
n	NORTH	OHTV	OVERHEAD TV
oh	OVERHEAD	X"SS	SANITARY SEWER
s	SOUTH OR SEWER	UGE	UNDERGROUND ELECTRIC
t	TELEPHONE	UGE&T	UNDERGROUND ELECTRIC AND TELEPHONE
ug	UNDERGROUND	UGT	UNDERGROUND TELEPHONE
w	WEST OR WATER	UGTV	UNDERGROUND TV
	PROPERTY LINE	X"W	WATER
	RIGHT OF WAY LINE	.5-10-11 50.5	TREE INFO .5 = DIAMETER OF TRUNK IN FEET 10 = HEIGHT OF TREE IN FEET 11 = CANOPY DIAMETER IN FEET 50.5 = ELEVATION AT BASE OF TREE
	STORM DRAIN		
X"G	GAS		
OHE	OVERHEAD ELECTRIC		
OHE&T	OVERHEAD ELECTRIC AND TELEPHONE		

F-7524

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31023	2/14/19	JJB	TKM	SAW	SAW
CEI PROJECT NO.	INITIAL DATE	DPOR	PM	DES.	DRW

E□□□eer□□□ Asso□ates, I□□.
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3108 S.W. REGENCY PARKWAY, SUITE 2
Bentonville, AR 72712
(479)273-9472
FAX (479)273-0844

ROCKWALL HIGH SCHOOL
901 W YELLOWJACKET LANE
ROCKWALL, TEXAS

40- FOOT NETTING POST LOCATIONS

REV DATE 2/14/19 REV-0

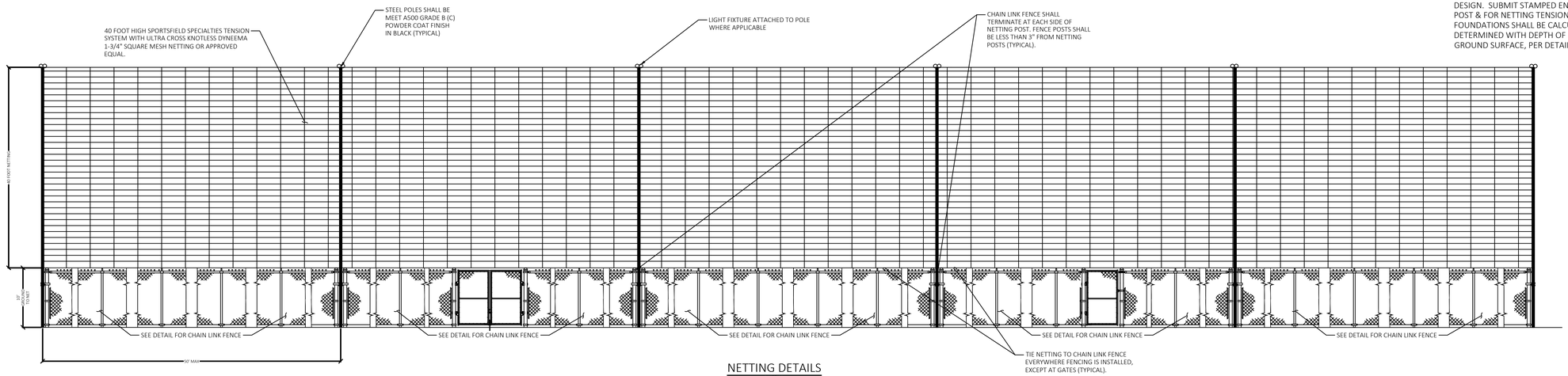
SHEET NO. 2 OF 3

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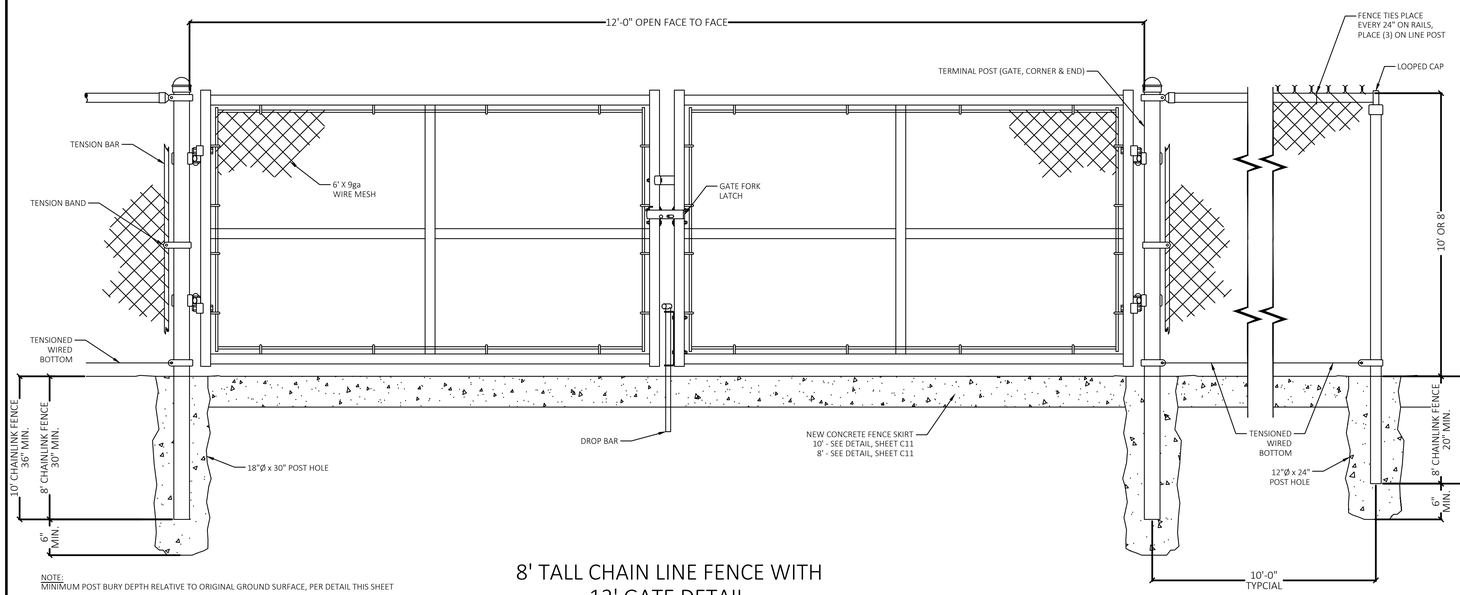
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159

NOTE:
TENSION NETTING SYSTEM SHALL BE INCLUDE MANUFACTURER'S ENGINEERING DESIGN. SUBMIT STAMPED ENGINEERING DETAIL DRAWINGS FOR ALL TENSION POST & FOR NETTING TENSION CABLES & TIE DOWNS. DEPTH OF POLE FOUNDATIONS SHALL BE CALCULATED AND OVERALL LENGTH OF POLES SHALL BE DETERMINED WITH DEPTH OF BURIAL BEING FROM ORIGINAL/PRECONSTRUCTION GROUND SURFACE, PER DETAIL THIS SHEET

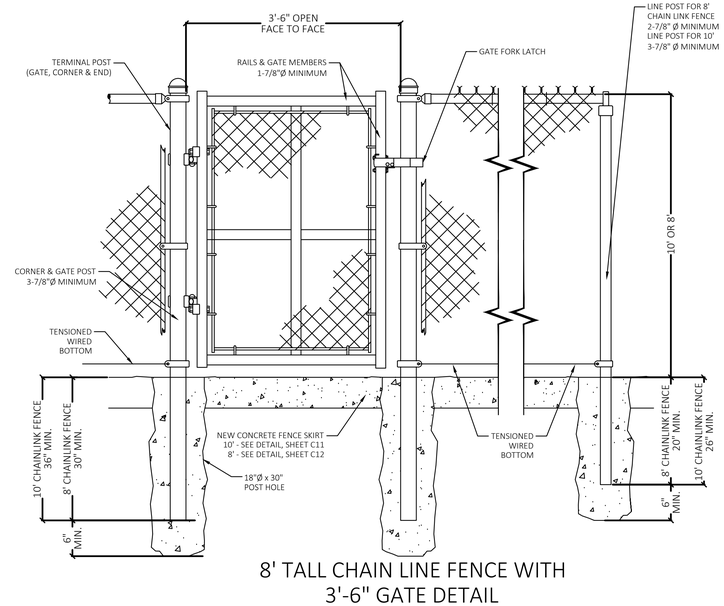


NETTING DETAILS
N.T.S.

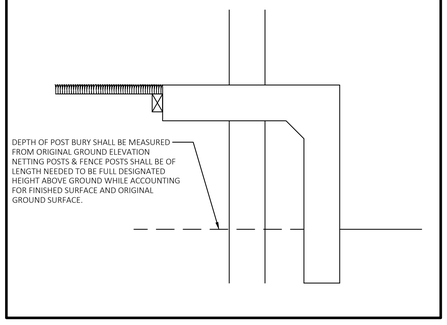


NOTE:
MINIMUM POST BURY DEPTH RELATIVE TO ORIGINAL GROUND SURFACE, PER DETAIL THIS SHEET

8' TALL CHAIN LINE FENCE WITH 12' GATE DETAIL
N.T.S.



8' TALL CHAIN LINE FENCE WITH 3'-6" GATE DETAIL
N.T.S.



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31023	12/18/18	JJB	TKM	SAW	SAW
CEI PROJECT NO.	INITIAL DATE	DPOR	PM	DES	DRW

E□□□eer□□□ Asso□ates, I□□.
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LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS
3108 S.W. REGENCY PARKWAY, SUITE 2
Bentonville, AR 72712
(479)273-9472
FAX (479)273-0844

ROCKWALL HIGH SCHOOL
901 W YELLOWJACKET LANE
ROCKWALL TEXAS

DETAILS SHEET 3

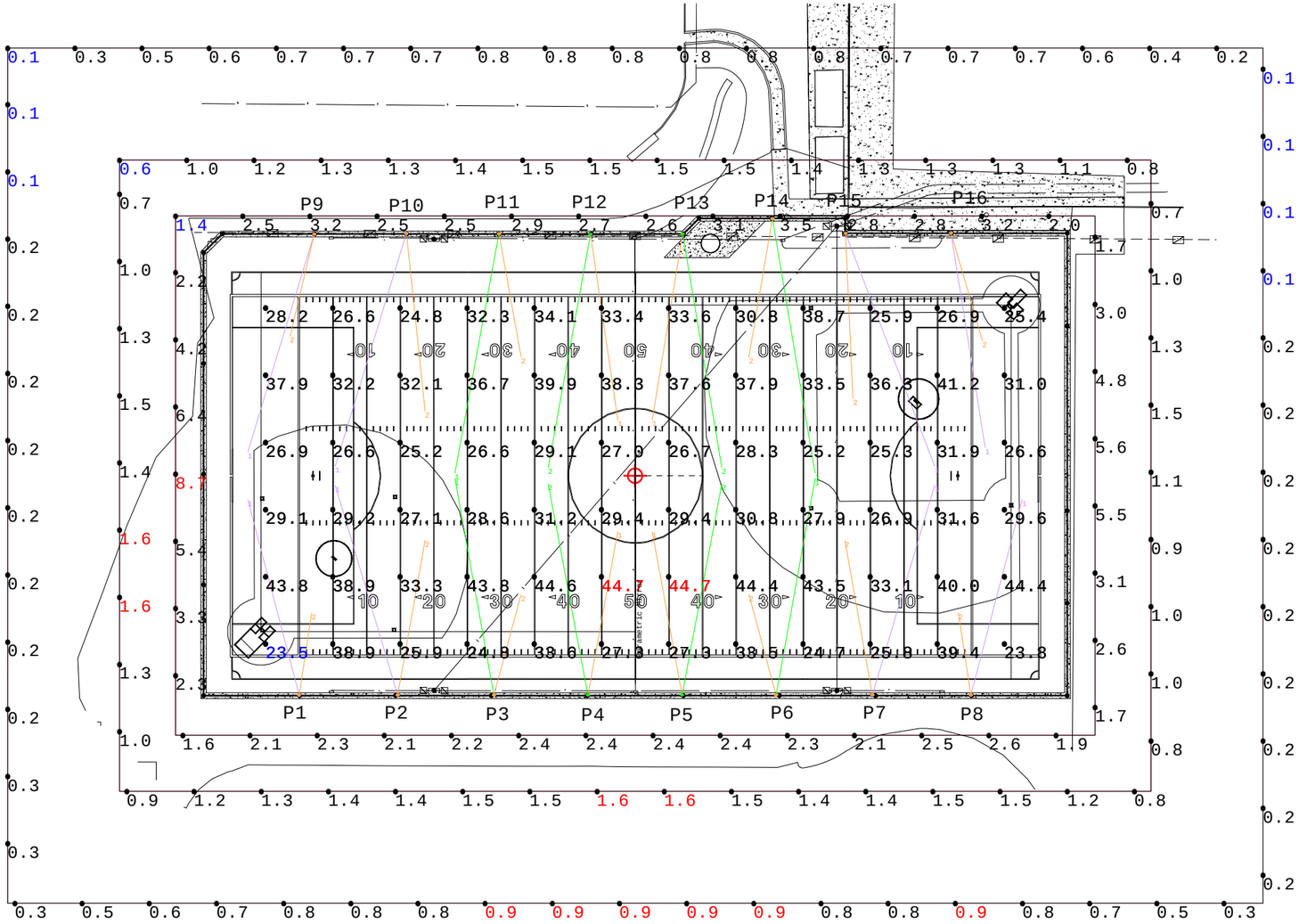
REV. DATE 2/14/19 REV-0

SHEET NO. 3 OF 3

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JOB # 31023 DRAWING: 31023-CS.dwg LAST SAVED BY: SALAM LOCATION: P:\31000\31023.01\Drawings\Design\Rev-01\31023-CS.dwg

160



Pole Summary
Scene: GAME

Poles	# Lums	MH
P01	2	40
P02	2	40
P03	2	40
P04	2	40
P05	2	40
P06	2	40
P07	2	40
P08	2	40
P09	2	40
P10	2	40
P11	2	40
P12	2	40
P13	2	40
P14	2	40
P15	2	40
P16	2	40

Pole Wattage Summary
Scene: GAME

Label	Total Watts
P01	1538
P02	1538
P03	1538
P04	1538
P05	1538
P06	1538
P07	1538
P08	1538
P09	1538
P10	1538
P11	1538
P12	1538
P13	1538
P14	1538
P15	1538
P16	1538
TOTAL	24608

Luminaire Schedule
Scene: GAME

Symbol	Qty	Label	LLF	Lum. Watts	Arrangement
	8	AF-750-3-57	0.950	769	SINGLE
	8	AF-750-4-57	0.950	769	SINGLE
	16	AF-750-5-57	0.950	769	SINGLE

Calculation Summary
Scene: GAME

Label	Area Size	Units	Avg	Max	Min	Max/Min	# Pts	PtSpcLr	PtSpcTb	CV	UG
FOOTBALL	360'x160'	Fc	32.21	44.7	23.5	1.90	72	30	30	0.19	1.87
SOCCER		Fc	32.21	44.7	23.5	1.90	72	30	30	0.19	1.87
SPILL @100'		Fc	0.48	0.9	0.1	9.00	63	30	N.A.	0.60	N.A.
SPILL @25'		Fc	3.01	8.7	1.4	6.21	43	30	N.A.	0.47	N.A.
SPILL @50'		Fc	1.25	1.6	0.6	2.67	50	30	N.A.	0.22	N.A.

TECHLINE SPORTS LIGHTING
WWW.SPORTLIGHTING.COM
1.800.500.3161

ROCKWALL HIGH SCHOOL
ROCKWALL, TEXAS
FOOTBALL/SOCCER/MULTI
19-8660.AGI

1. THIS LIGHTING DESIGN IS BASED ON INFORMATION SUPPLIED BY OTHERS.SITE DETAILS PROVIDED HEREON ARE REPRODUCED ONLY AS A VISUALIZATION AID. FIELD DEVIATIONS MAY SIGNIFICANTLY AFFECT PREDICTED PERFORMANCE. PRIOR TO INSTALLATION, CRITICAL SITE INFORMATION (POLE LOCATIONS, ORIENTATION, MOUNTING HEIGHT, ETC.) SHOULD BE COORDINATED WITH THE CONTRACTOR AND/OR SPECIFIER RESPONSIBLE FOR THE PROJECT.
2. LUMINAIRE DATA IS TESTED TO INDUSTRY STANDARDS UNDER LABORATORY CONDITIONS. OPERATING VOLTAGE AND NORMAL MANUFACTURING TOLERANCES OF LAMP, BALLAST, AND LUMINAIRE MAY AFFECT FIELD RESULTS.
3. CONFORMANCE TO FACILITY CODE AND OTHER LOCAL REQUIREMENTS IS THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.

DRAWN BY: JC
Date:2/12/2019
SCALE: NTS
Page 1 of 1
19-8660.AGI

EATON
ephesus

161

TECHLINE SPORTS LIGHTING

Your Eaton's Ephesus Lighting Authorized Reseller

All-Field 750

Introducing the latest in LED sports lighting innovation



The All-Field 750 is the most versatile LED fixture available for your sporting venue.

Versatile mounting bracket is designed for ease of installation in new or retrofit applications

Weather-tight design ensures durability even in harsh environments

Solid-state design (no moving parts) provides maintenance free operation

Ability to monitor health and status of each light

Low electromagnetic interference (EMI) noise generation eliminates interference with surrounding electrical systems

Wireless control options provide flexibility for operational usage and fan experience enhancements

Custom engineered optics direct light precisely where needed while minimizing glare.

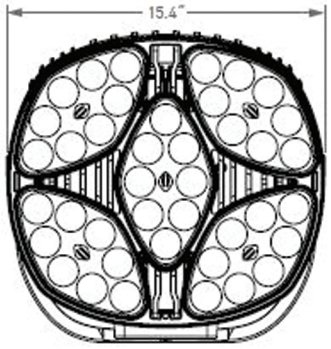
Easy RETROFIT to your existing sports lighting system

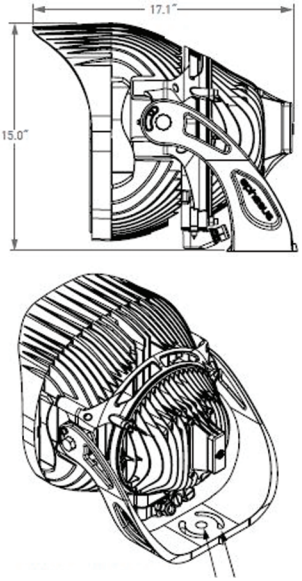
TECHLINE SPORTS LIGHTING

Your Eaton's Ephesus Lighting Authorized Reseller

All-Field 750

Techline Sports Lighting introduces the All-Field 750 Sport LED fixture, the ideal solution for any setting including little league, municipal parks, high school, college and semi-professional outdoor sports venues. The All-Field 750 is the leading choice for all outdoor applications including football, soccer, tennis, baseball, softball, lacrosse, and field hockey. Maintenance free operation and precisely delivered HDTV quality light make the All-Field 750 the perfect choice for any application and provide an excellent return on investment.





PERFORMANCE SPECIFICATIONS

	All Field 750
Lumen Output[1]	>83,000 Lumens
System Watts	750 watts
Input Voltage (High)	277VAC - 480VAC
Input Voltage (Low)	120VAC - 240VAC
CCT	5700K
L70 Hours	>160,000 hours at 25° C
Operating Temp Range	-40°C to 55°C
Surge	6kV
IP Rating	IP66
NEMA Rating	NEMA 4X
Effective Projected Area	1.4 ft^2
Approximate Weight[2]	45 lbs. (20.45 kgs)

The All-Field 750 Sport LED is available with wireless or wired control to provide operational, monitoring and entertainment capabilities. Entertainment options include individual LED cluster control and 0-10V dimming. Fixture connectivity options are available from standard wired DMX to wireless Air-Mesh technology. Cellular, WiFi, or Bluetooth link enables telemetry to monitor health and status of each sport LED fixture.

ORDERING OPTIONS

MODEL	WATTAGE	OPTICS	VOLTAGE	CONTROLS
AF	750	NEMA 2	VH - HIGH VOLTAGE	NC - NO CONTROLS
	550	NEMA 3	VL - LOW VOLTAGE	AM - AIR MESH
	400	NEMA 4		
		NEMA 5	SPILL CONTROL OPTION - EYELID	

1. The specifications listed were obtained under optimal testing conditions. Changes in options, features and conditions may result in slightly different perfomance specifications among fixtures.

2. Weight may vary depending on mounting bracket selection.

Clean power is required to ensure proper function and lifetime of LED fixtures. Prior to installation, an analysis should be performed to verify site power meets these requirements:

- High frequency voltage should be below -40dB or .01V between 3KH and 100KHz
- High frequency current should be below -50dB or .019A between 3KHz and 100KHz

Surge protection alone is not adequate. Techline Sports Lighting will not be liable for damage to fixtures due to poor power quality. Contact Techline Sports Lighting for more information.

Rockwall High School 40’ UltraCross® Dyneema Pole-to-Pole Tension Netting

Prepared for**: Paragon Sports Constructors, LLC**

Prepared by: **Sportsfield Specialties, Inc.**

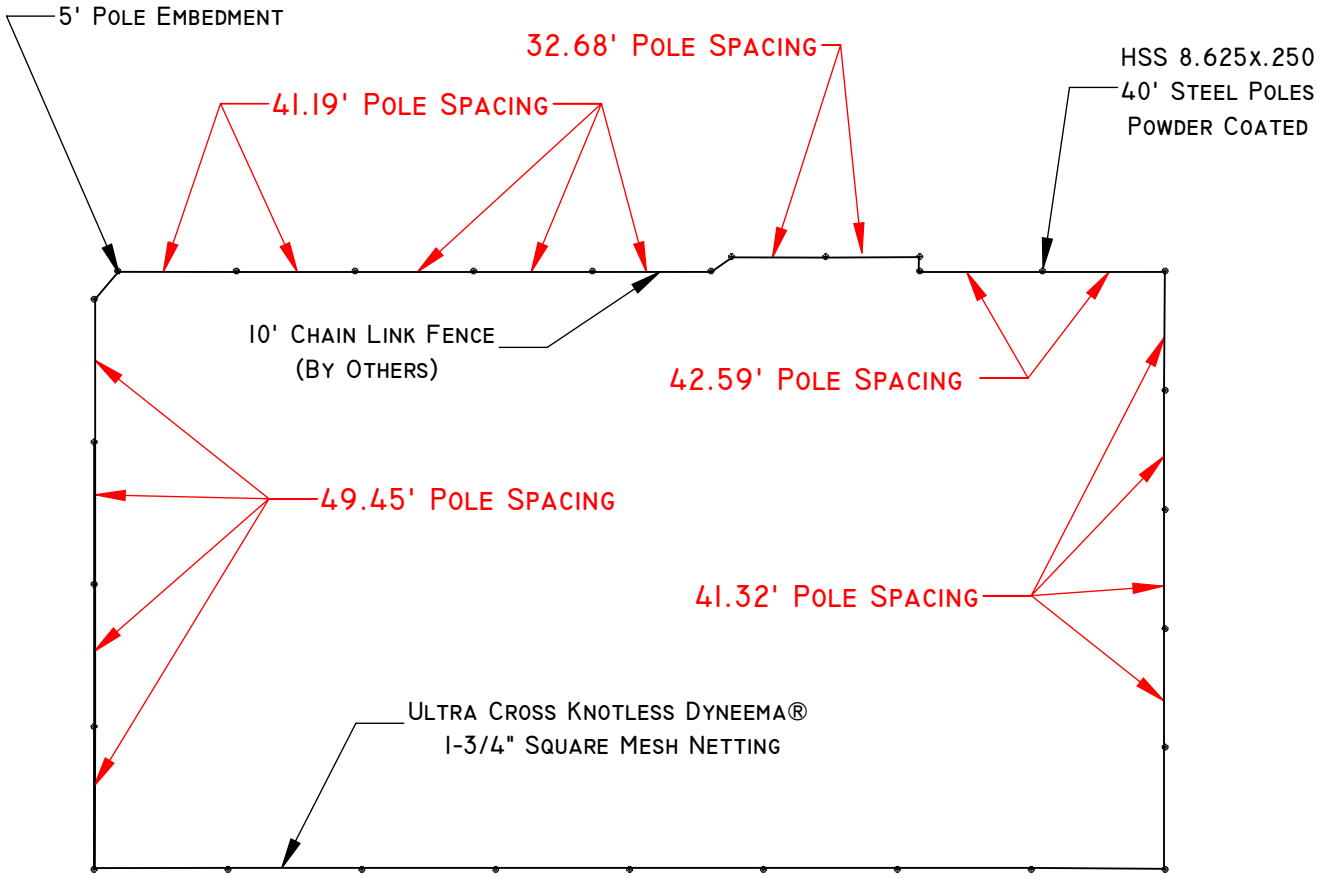
Submitted by: **JJ Darling**
Southwest Regional Sales Manager

January 31, 2019

164

SPORTSFIELD SPECIALTIES
WWW.SPORTSFIELDSPECIALTIES.COM
Excellence from Design to Installation
41155 State Highway 10, PO Box 231, Delhi, NY 13753 CALL: 888-975-3343 FAX: 607-746-8481

SSI TENSION NETTING SYSTEM POLES ARE DESIGNED TO STRENGTH, NOT DEFLECTION.
AS A RESULT, SOME DEFLECTION WILL OCCUR DURING INSTALLATION AND SHOULD BE CONSIDERED NORMAL.
DEFLECTION MAY ALSO BE EVIDENT IN CALM CONDITIONS, PARTICULARLY ON THE OUTER MOST POLES OF A GIVEN TENSION NETTING SYSTEM.



46.48' POLE SPACING EACH

Ball Safety Tension Netting System Product Layout Submittal Disclaimer:

This ball safety tension netting system layout document is intended for the sole use of illustrative product submittal review purposes and should not be construed as a product installation document. All final ball safety tension netting system layouts, field dimensions and/or measurements should be both confirmed on the project plans and/or specifications and approved by the project designer of record prior to the start of the product installation.

Sportsfield Specialties, Inc. dba Promats Athletics cannot be held liable for any use of this ball safety tension netting system layout document that deviates and/or differs from the above stated illustrative product submittal review process and furthermore, Sportsfield Specialties, Inc. dba Promats Athletics cannot be held accountable for these actions.

Sportsfield Specialties, Inc. dba Promats Athletics protective netting systems are designed and intended as a complete netting system. In the event your facility purchases an extension to an existing protective netting system, Sportsfield Specialties, Inc. dba Promats Athletics does not make any representations or warranty relating to the overall design of the combined facility and/or the connection points to and the cables that are part of the existing netting system. Owner's decision to proceed with an extension in lieu of a complete new netting system will be at Owner's sole risk and without liability to Sportsfield Specialties, Inc. dba Promats Athletics and Owner shall indemnify and hold harmless Sportsfield Specialties, Inc. dba Promats Athletics from all claims, damages, losses and expenses arising out of or resulting therefrom.

PROPRIETARY AND CONFIDENTIAL
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ROCKWALL HIGHSCHOOL PERIMETER NETTING
NETTING LAYOUT SUBMITTAL

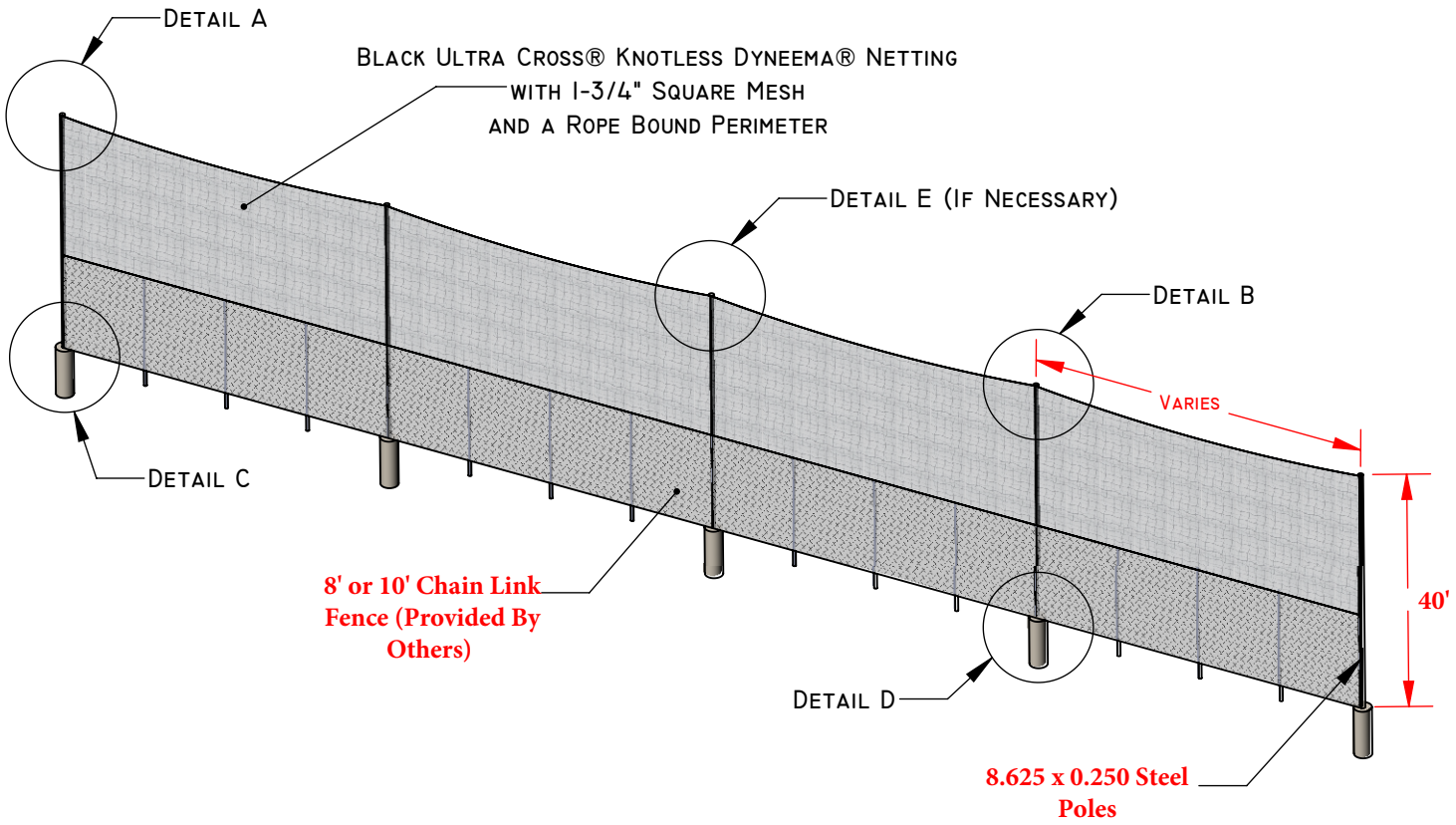
NOT TO SCALE

SPORTSFIELD SPECIALTIES INC 2112019

165

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STANDARD BLACK POWDER COATED FINISH



FOUNDATION REQUIREMENTS BASED ON LOCAL CODES AND SOIL CONDITIONS

ALL CUSTOM TENSION NETTING SYSTEM SIZES AND LAYOUTS REQUIRE DESIGN AND PROFESSIONAL ENGINEERING

SSI TENSION NETTING SYSTEM POLES ARE DESIGNED TO STRENGTH, NOT DEFLECTION. AS A RESULT SOME DEFLECTION WILL OCCUR DURING INSTALLATION AND SHOULD BE CONSIDERED NORMAL. DEFLECTION MAY ALSO BE EVIDENT IN CALM CONDITIONS, PARTICULARLY ON THE OUTER MOST POLES OF A GIVEN TENSION NETTING SYSTEM.

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Rockwall HS UltraCross Tension Netting

NOT TO SCALE

SPORTSFIELD SPECIALTIES INC 111320118

41155 State Highway 10, PO Box 231, Delhi, NY 13753 CALL: 888-975-3343 FAX: 607-746-8481

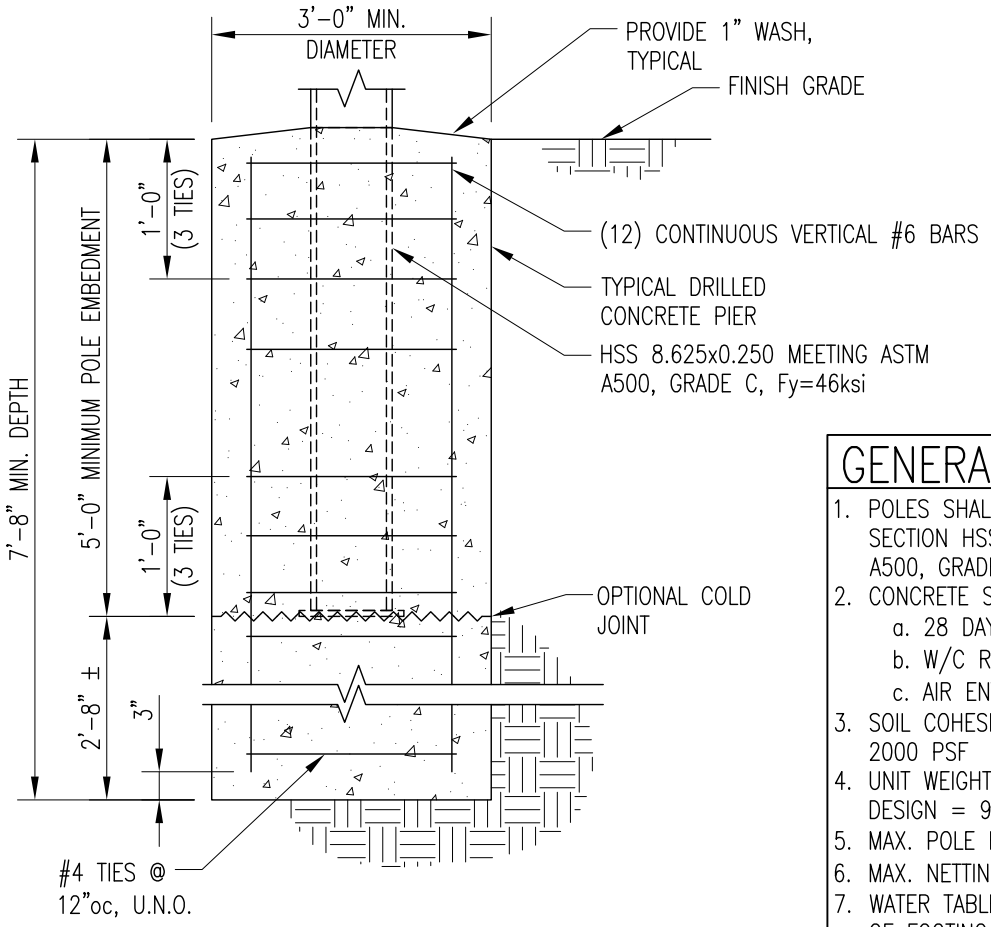


- Length, Height and Configuration as Required
- Ultra Cross Knotless Dyneema® Netting
- Dyneema® Ultra-High Molecular Weight Polyethylene (UHMWPE) SK-75 Black Fiber Construction
- 4 Ply, 1.2 mm (0.0472") Diameter Twine
- 95% Open Mesh Area (See-Through Visibility)
- 58,445 psi Minimum Breaking Strength
- 30% Maximum Elongation at Break
- 1-3/4" (44 mm) Square Mesh Size, 0.009 lbs. per Square Foot
- 4 Strand, Braided, Continuous Monofilament Dyneema® Fiber
- Sewn Perimeter Black Multi-Filament Polypropylene Solid Braid Rope Bound Border - 1/4" Diameter, 530 lb. Minimum Breaking Strength
- Urethane Black Bonded Finish (Other Color Choices Available)
- Strong Resistance to Ultraviolet (UV) Light Degradation
- Excellent Resistance to Chemicals and Water Absorption

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BSSNUC
ULTRA CROSS KNOTLESS DYNEEMA® NETTING - 1-3/4" SQUARE MESH

NOT TO SCALE



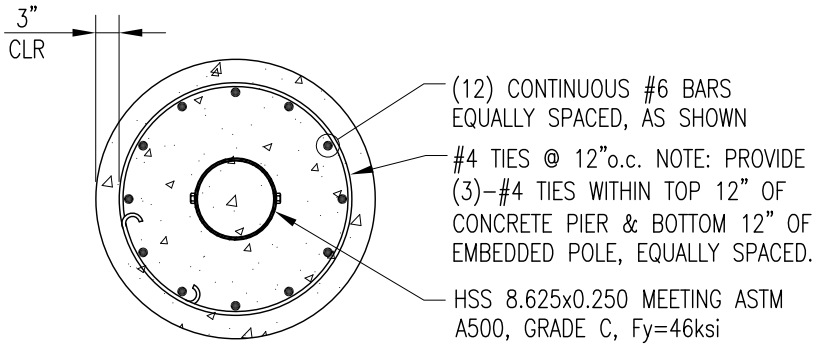
FOUNDATION DESIGN IS APPLICABLE FOR BOTH DIRECT EMBEDMENT AND SLEEVED POLES

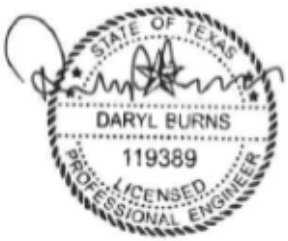
SYSTEM NOTES:

1. FOOTING FOR USE WITH ULTRACROSS 1¾" NETTING & #9 x 1¾" CHAIN LINK FENCE
2. MINIMUM CABLE SAGS 40'-0" SPAN = 12" MIN.
3. DESIGN WIND SPEED FOR BARE POLE = 105mph
4. EXPOSURE CATEGORY B

GENERAL NOTES:

1. POLES SHALL BE HOLLOW STRUCTURAL SECTION HSS 8.625x0.250 AND MEET ASTM A500, GRADE C, Fy=46ksi
2. CONCRETE SHALL MEET THE FOLLOWING:
   a. 28 DAY STRENGTH = 4,000psi (MIN.)
   b. W/C RATIO = 0.46
   c. AIR ENTRAINMENT = 5.5 +/- 1%
3. SOIL COHESION VALUE USED FOR DESIGN = 2000 PSF
4. UNIT WEIGHT OF SOIL FOR FOUNDATION DESIGN = 93 PCF
5. MAX. POLE HEIGHT = 40'-0"
6. MAX. NETTING HEIGHT = 32'-0" (8' FENCE)
7. WATER TABLE ASSUMED TO BE BELOW BOTTOM OF FOOTING FOR DESIGN.
8. IF FOOTING IS NOT AUGURED, COMPACT SOIL SURROUNDING FOOTING TO 95% MODIFIED PROCTOR.





2/6/19

1 / SK-01 — 40' NETTING FOOTING DETAILS

SCALE: NONE

DELTA
ENGINEERS, ARCHITECTS, & LAND SURVEYORS
860 Hooper Road
Endwell, New York 13760
Tel: 607.231.6600
Fax: 607.231.6651
Email: mail@deltaengineers.com
Web: www.deltaengineers.com

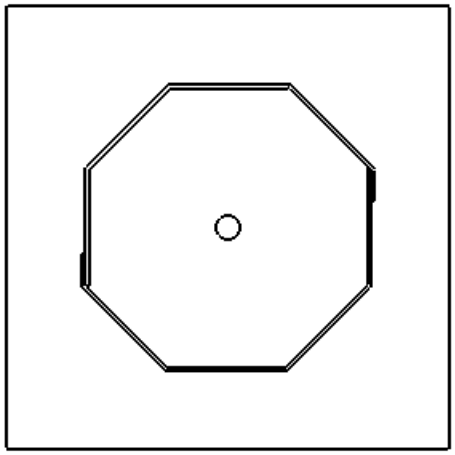
Project Name	ROCKWALL HS POLE-TO-POLE TENSION NETTING SYSTEM
	ROCKWALL TEXAS
Scale	AS SHOWN
Project No.	2019.202.010
Date	FEBRUARY 5, 2019

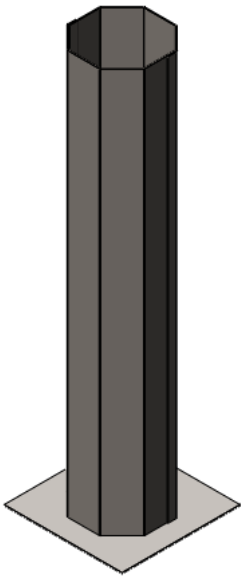
WARNING: THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE PROFESSIONAL, I.E. ARCHITECT FOR AN ARCHITECT, ENGINEER FOR AN ENGINEER, LANDSCAPE ARCHITECT FOR A LANDSCAPE ARCHITECT OR LICENSED SURVEYOR FOR A LICENSED SURVEYOR, IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS 'A' MISDEMEANOR.

Drawing Title: 40' NETTING FOOTING DETAILS

Drawing No.: SK-01

Ground Sleeve Install





1. Mark the locations of the ground sleeves on the field. Being sure to match the center distance to the desired system.

2. Excavate holes for foundations and set the concrete forms.

3. Center the ground sleeve in the form and secure it in a plumb and level position. The top of the ground sleeve should be set according to the site plans (Generally level with Finish Grade).

4. Pour concrete foundation to the top of the sleeve. Allow concrete to adequately cure.

5. Caulk all around the top of the ground sleeve, using backer rod where needed to prevent the caulk from falling into the ground sleeve.

169

2. Assembling Hardware

a) Start by laying out the cables to ensure the proper lengths are present for each run. Cut the cable as necessary based on each run, adding a 6” turn back at each end of the cable.

b) Start the horizontal tensioned cables (5/16” DIA) by assembling a 5/8” x 12” turnbuckle to an eye bolt at one end (Figure 1). The wire will pass through the poles at which the cable run does not terminate (Figure 2). At the poles where the cable run terminates, attach the cable with turn back and rope clips directly to the eye bolt at opposite end (Figure 3).

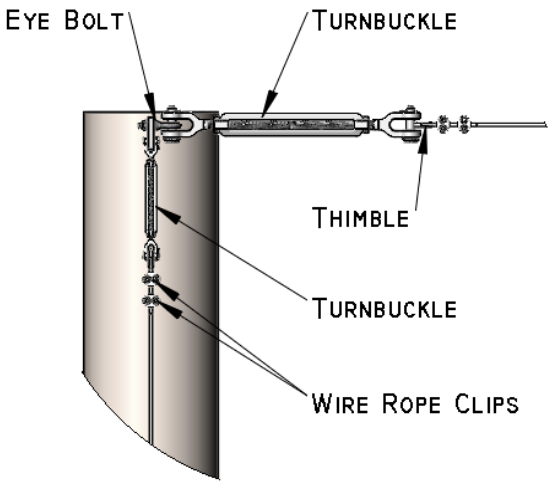


Figure 1

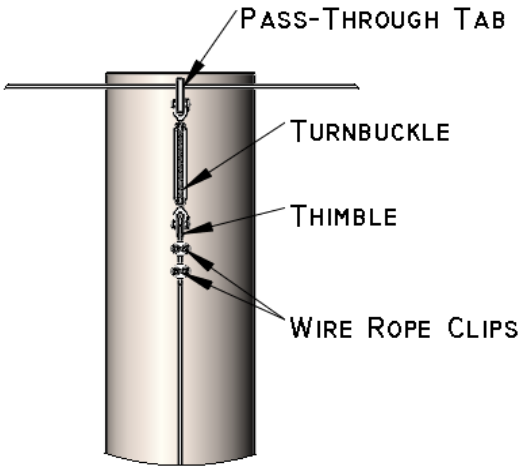


Figure 2

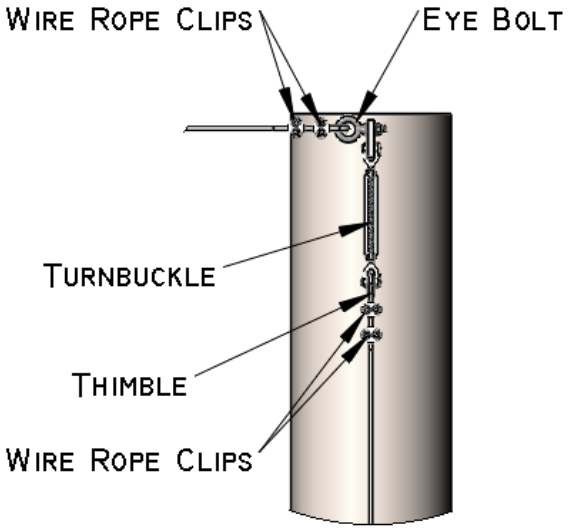


Figure 3

170

c) The horizontal cables can be finished with the bottom (1/4" DIA) cable. This cable is assembled the same way as the tensioned cables. Start the cable by attaching to an eye bolt at one end (Figure 4). The cable will pass through a series of eye bolts (recommended 5' spacing) or equivalent guides, then through the poles at which the cable run does not terminate (Figure 5). At the end pole where the cable run terminates, attach the cable (with turn back and rope clips) directly to the eye bolt (Figure 6).

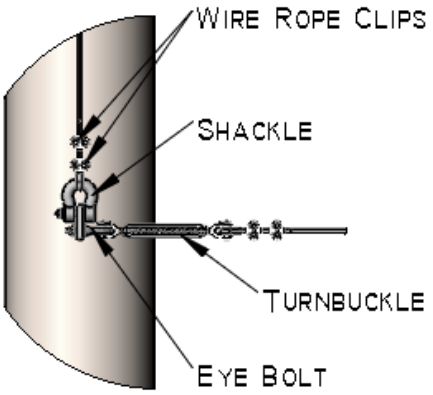


Figure 4

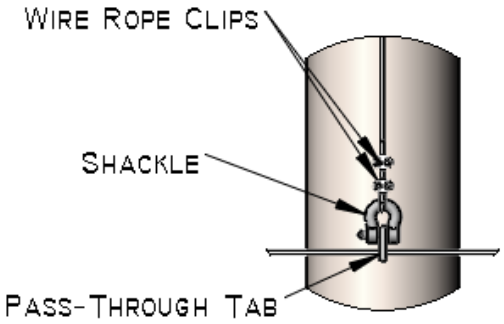


Figure 5

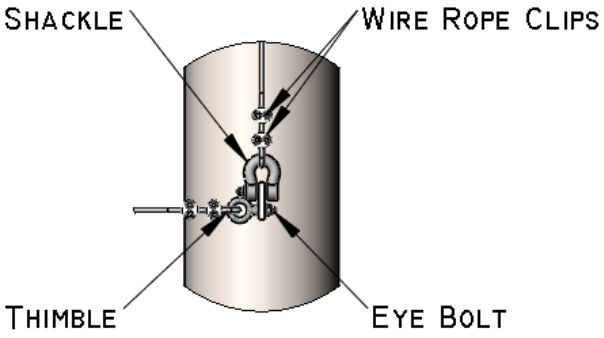


Figure 6

d) Vertical cables (1/4" DIA) can be done the same way as the tensioned cables, with a 1/2" x 9" turnbuckle at the top of the pole (Figure 7) and a heavy-duty shackle at the bottom of the pole (Figure 9). Make sure to thread the vertical cables through the guide tube (Figure 8).

171

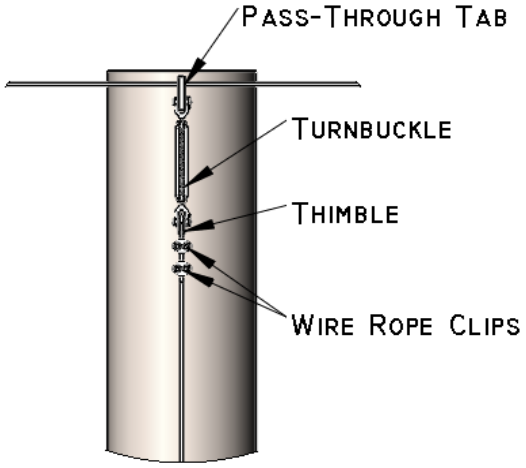


Figure 7

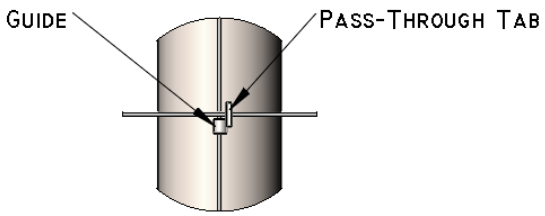


Figure 8

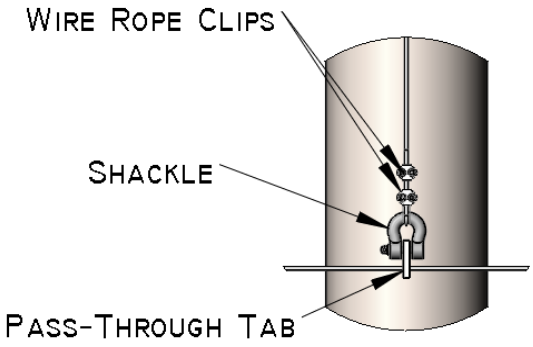


Figure 9

e) Once all of the cables have been mounted on the poles, tension the horizontal and vertical cables with the turnbuckles. Do not tighten turnbuckles so much that the poles themselves deflect.

f) Now the nets can be hung from the assembled cables. Using the zip-ties, pull the net to the top, each side cable, the remaining horizontal cables and then the bottom cable. Finally, the net can be secured to the cables using the supplied braided rope, looping through each square of the net binding and around the cable (Figure 10). For Ultra Cross netting systems, it's important to leave excess material along the net perimeter (i.e. no short tag ends and a minimum of one extra square) so that the net intersection doesn't fail prematurely.



Figure 10

SSI tension netting system poles are designed to strength, not deflection. As a result, some deflection will occur during installation and should be considered normal. Deflection may also be evident in calm conditions, particularly on the outer most poles of a given tension netting system.

173

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *PRIVATE SPORTS ARENA, STADIUM, OR TRACK* IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 35.295-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ROCKWALL HIGH SCHOOL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jeff Breese of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) to allow a *private sports arena, stadium, or track* in a Commercial (C) District on a 35.295-acre parcel of land being described as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *private sports arena, stadium, or track* as stipulated by Section 1, *Land Use Schedule,* of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*], on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 4.4*, Commercial (C) District,* of Section 4*, Commercial Districts,* and Subsection 6.06, *IH-30 Overlay (IH-30 OV) District,* of Section 6, *Overlay Districts*, of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

DRAFT 2019

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *private sports arena, stadium, or track* on the *Subject Property* and conformance to these stipulations is required for continued operations:

1) The *private sports arena, stadium, or track* shall generally conform to the concept plan, photometric plan, and building elevations depicted in *Exhibits 'B'*, *'C'* and *'D'* of this ordinance;

2) The light poles shall not exceed 40-feet in height.

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1st DAY OF APRIL, 2019.

DRAFT ORDINANCE 03.26.19

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

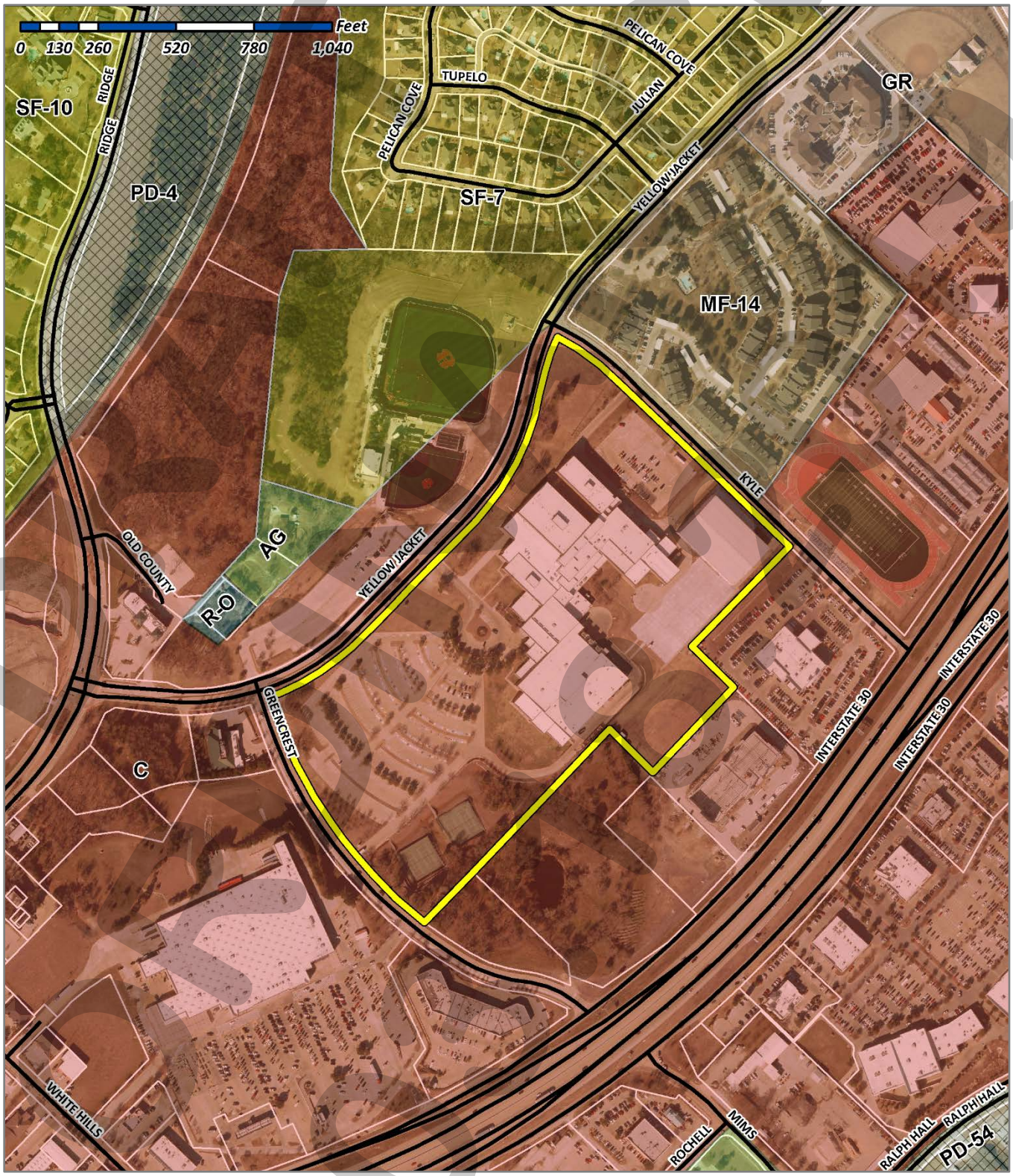
Frank J. Garza, *City Attorney*

1st Reading: *March 18, 2019*

2nd Reading: *April 1, 2019*

DRAFT ORDINANCE 03.18.2019

Address: *901 Yellow Jacket Lane*
Legal Description: *Lot 1, Block A, Rockwall High School Addition*



DRAFT

177

DRAFT
ORDINANCE
03.19.2019

178

Pole Summary

Scene: GAME		
Poles	# Lums	MH
P01	2	40
P02	2	40
P03	2	40
P04	2	40
P05	2	40
P06	2	40
P07	2	40
P08	2	40
P09	2	40
P10	2	40
P11	2	40
P12	2	40
P13	2	40
P14	2	40
P15	2	40
P16	2	40
TOTAL	24	

Pole Wattage Summary

Scene: GAME		
Label	Total Watts	
P01	1538	
P02	1538	
P03	1538	
P04	1538	
P05	1538	
P06	1538	
P07	1538	
P08	1538	
P09	1538	
P10	1538	
P11	1538	
P12	1538	
P13	1538	
P14	1538	
P15	1538	
P16	1538	
TOTAL	24608	

Luminaire Schedule

Scene: GAME							
Symbol	Qty	Label	LLF	Lum. Watts	Arrangement		
	0	AP-750-3-57	0.950	769	SINGLE		
	0	AP-750-4-57	0.950	769	SINGLE		
	16	AP-750-5-57	0.950	769	SINGLE		

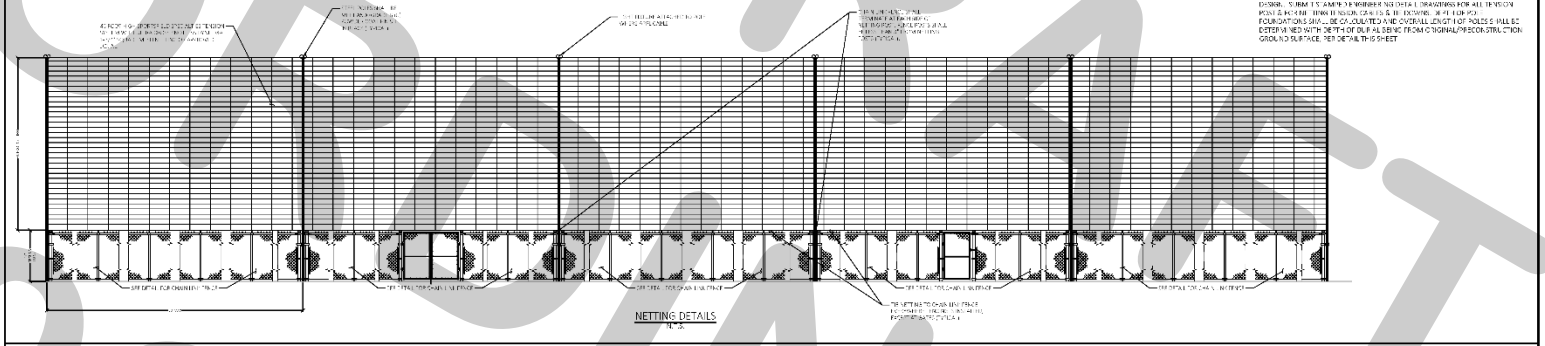
Calculation Summary

Scene: GAME											
Label	Area Size	Units	Avg	Max	Min	Max/Min	# Pts	PtSpcEr	PtSpcPb	CV	UG
FOOTBALL	360'x160'	Fc	38.21	44.7	29.5	1.90	72	20	20	0.19	1.07
		Fc	38.21	44.7	29.5	1.90	72	30	30	0.19	1.07
SOCCER		Fc	0.48	0.9	0.1	9.00	63	30	N.A.	0.60	N.A.
SPILL W160'		Fc	3.01	6.7	1.4	4.21	43	30	N.A.	0.45	N.A.
SPILL 260'		Fc	3.01	6.7	1.4	4.21	43	30	N.A.	0.45	N.A.
SPILL 350'		Fc	1.25	1.6	0.6	2.67	30	30	N.A.	0.22	N.A.

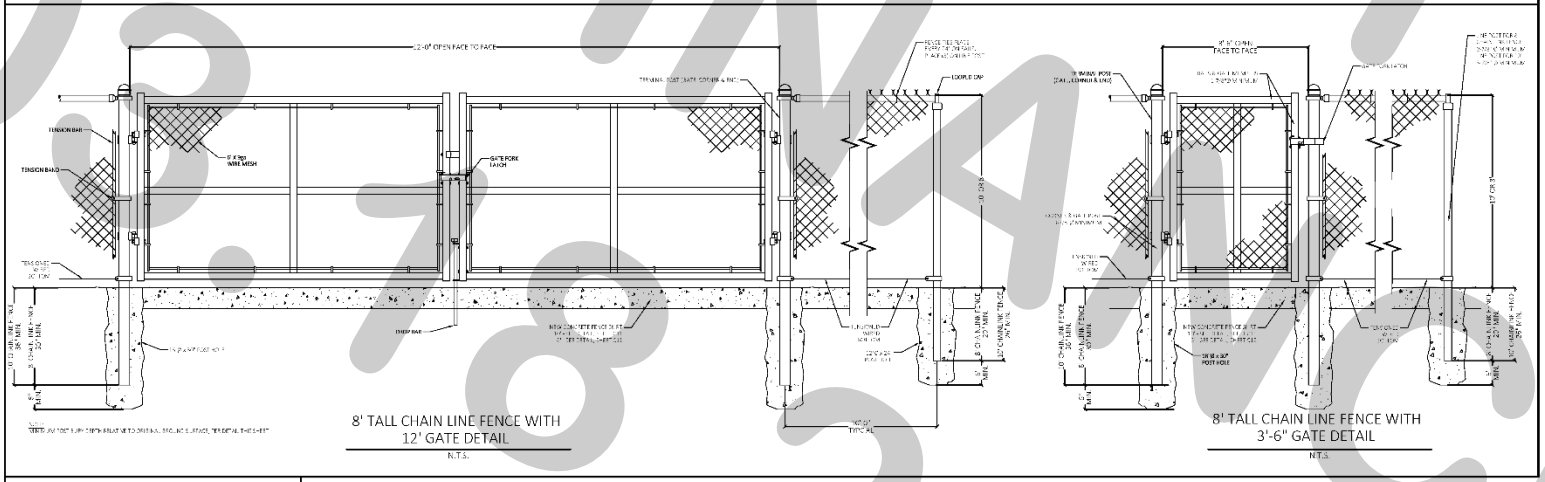
DRAFT ORDINANCE 03.18.2019

179

DRAFT
ORIGINAL
05.13.2019

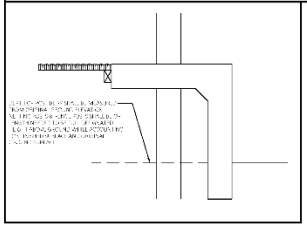


NETTING DETAILS
N.T.S.



8' TALL CHAIN LINE FENCE WITH 12' GATE DETAIL
N.T.S.

8' TALL CHAIN LINE FENCE WITH 3'-6" GATE DETAIL
N.T.S.



SLI Engineers, Inc.

ISSUE	VERIFIED	DR	TRM	SAVE	SURV
LEGEND/DETAILS	INITIAL DATE	DRDR	PM	DES	DRW

Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS

ROCKWALL HIGH SCHOOL
901 W YELLOW JACKET LANE
ROCKWALL TEXAS

DETAILS SHEET 3

REV DATE 5/16/19 REVD | SHEET NO 3 OF 3

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180

180

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181

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	March 18, 2019
APPLICANT:	Kevin Orsonio
CASE NUMBER:	P2019-008; *Lots 1 & 2, Block A, N. E. & J. O. Addition*

SUMMARY

Hold a public hearing to discuss and consider a request by Kevin Osornio on behalf of Jeaniffer Osornio for the approval of a replat for Lots 1 & 2, Block A, N. E. & J.O. Addition being a 0.46-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SOV) District, addressed as 705 Peters Colony, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat a 0.46-acre parcel of land for the purpose of subdividing one (1) lot (*i.e. Lot 2, Block A, Sanger Addition*) into two (2) lots (*i.e. Lots 1 & 2, Block A, N. E. & J. O. Addition*) in order to construct single-family homes on Lots 1 & 2. The subject property was annexed prior to 1959, is situated within the Southside Residential Neighborhood Overlay (SOV) District, and is zoned Single-Family 7 (SF-7) District.

☑ On March 5, 2019, the Parks and Recreation Board reviewed the proposed *replat* and made the following recommendations:

1) The developer shall pay pro-rata equipment fees for Park District No. 21 in the amount of $516.00 for Lot 2. This will need to be paid at time of final plat and is subject to change pending the City Council's adoption of the 2019 fees; and

2) The developer shall pay cash-in-lieu of land fees for Park District No. 21 in the amount of $416.00 for Lot 2. This will need to be paid at time of final plat and is subject to change pending the City Council's adoption of the 2019 fees.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

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

NOTIFICATIONS

On February 22, 2019, staff mailed notifications to 39 property owners/residents within 200-feet of the subject property in accordance with the requirements as stipulated by Texas Local Government Code for residential replats. At the time this report was written, staff had not received any notices concerning this case.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lots 1 & 2, Block A, N. E. & J. O. Addition*, staff would propose the following conditions of approval:

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

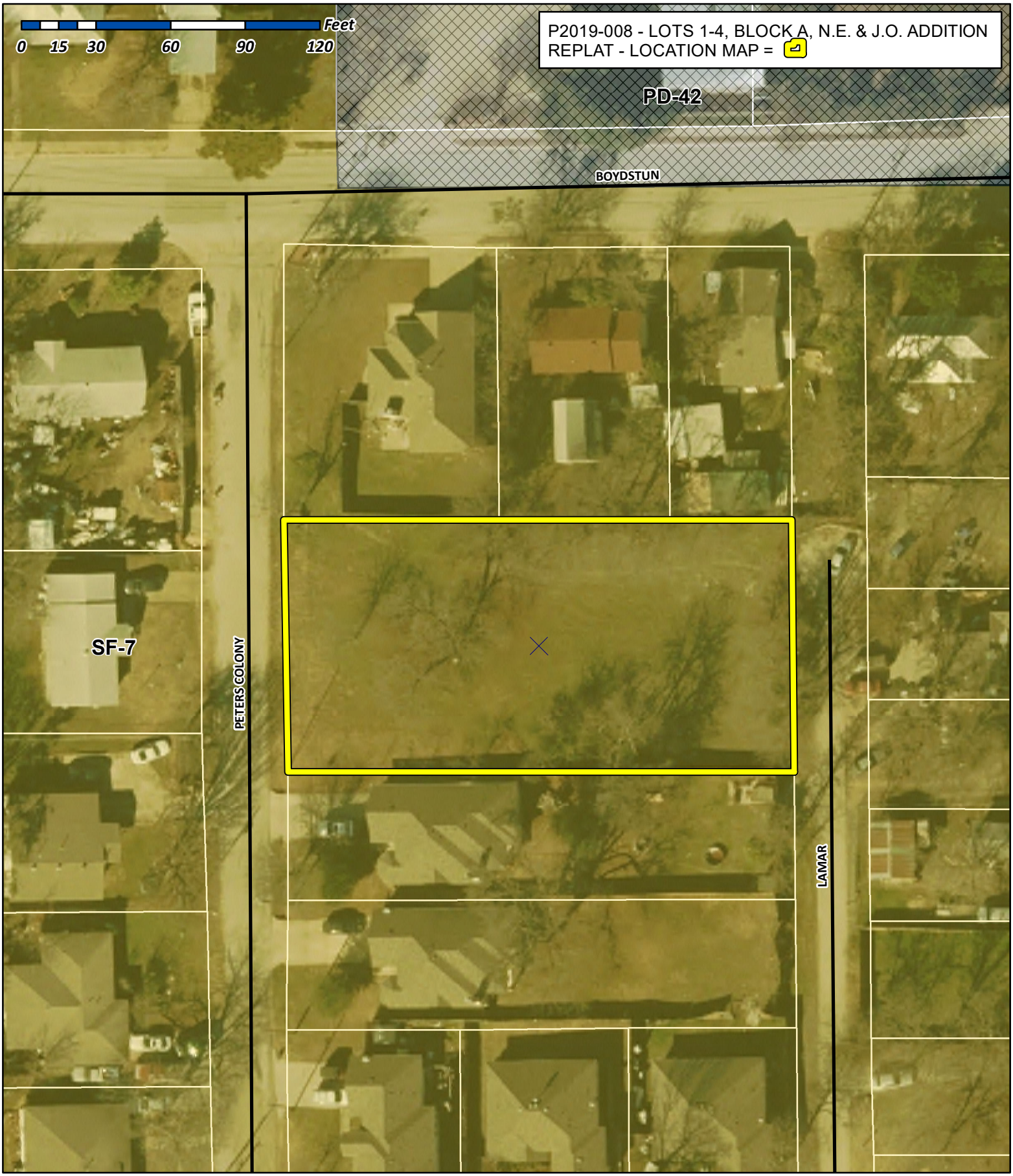
(2) The developer shall be responsible for new water and sewer connections, which may include pavement removal and replacement along Peters Colony;

(3) The developer shall be assessed impact fees for extra water and sewer connections for Lot 2; and

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

PLANNING AND ZONING COMMISSION

On March 18, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff's Conditions of Approval passed by a vote of 4-0 with Chairman Lyons and Commissioners Logan and Moeller absent.



City of Rockwall

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

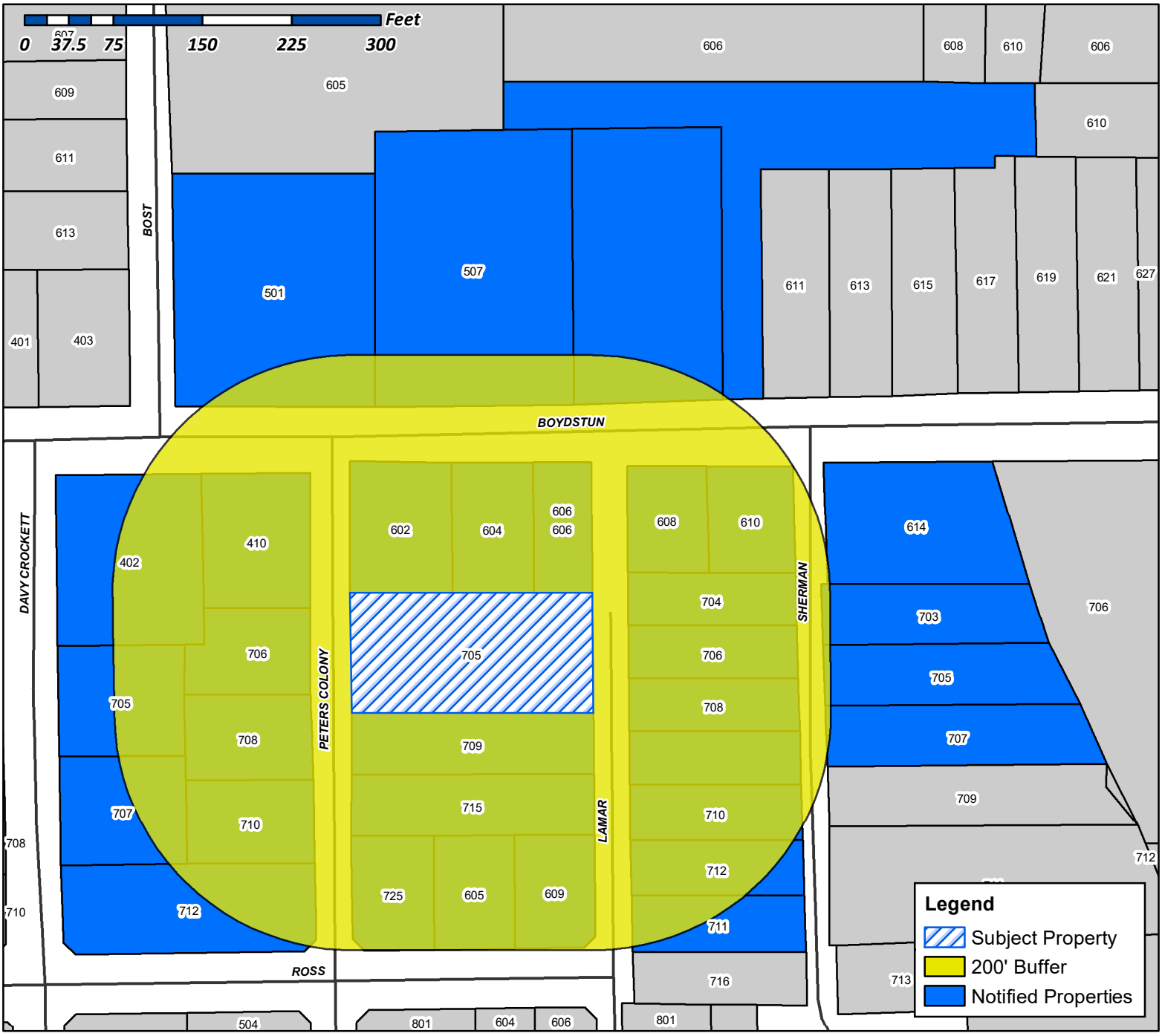
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

184

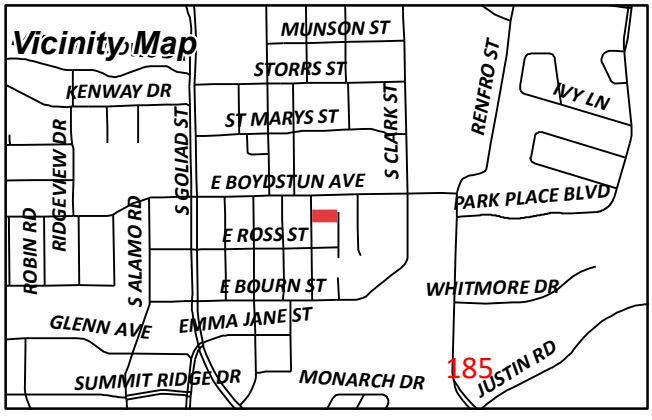
City of Rockwall

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

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Case Number: P2019-008
Case Name: Lots 1-4, Block A, N.E. & J.O. Addition
Case Type: Replat
Zoning: Single Family 7 (SF-7) District
Case Address: 705 Peters Colony



Date Created: ***2/19/2019***
For Questions on this Case Call (972) 771-7745

185

PEREZ MARIA D
1002 E WOODIN BLVD
DALLAS, TX 75126

SLATER RODNEY E
1103 S 29TH ST
COPPERAS COVE, TX 76522

JOHNSON PAMELA
1310 COLONY DR
GARLAND, TX 75040

BALL JUSTIN
1370 FAIRLAKES POINTE
ROCKWALL, TX 75087

PIERATT ALAN & MELODY
1540 MEADOWS CIR
ROCKWALL, TX 75087

HANEY W
2824 MISTY RIDGE
ROCKWALL, TX 75032

HAMANN BRENT
315 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

TAYLOR THOMAS M & KAY D
402 E BOYDSTUN AVE
ROCKWALL, TX 75087

JONES MARGARINE ESTATE
410 E BOYDSTUN AVE
ROCKWALL, TX 75087

GRUBBS JOHN W
501 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
507 E BOYDSTUN AVE
ROCKWALL, TX 75087

LEW AND LIN INVESTING LLC
5221 BEACON LN
MCKINNEY, TX 75071

JACOBS J D
5961 CONNIE LN
ROCKWALL, TX 75032

NIX NICHOLAS & ROSALIA
602 E BOYDSTUN AVE
ROCKWALL, TX 75087

MOORE JAMES L
604 S CLARK
ROCKWALL, TX 75087

BOUAS MARAYA D & JEFFREY D
605 E ROSS STREET
ROCKWALL, TX 75087

GAMEZ DAVID
606 E BOYDSTUN AVE
ROCKWALL, TX 75087

GAMEZ PETRA
606 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
608 E BOYDSTUN AVE
ROCKWALL, TX 75087

HUBBARD ALPHINEEZES
609 E ROSS ST
ROCKWALL, TX 75087

SCHUMANN LAURIE A
610 E BOYDSTUN AVE
ROCKWALL, TX 75087

GAMEZ DAVID
614 E BOYDSTUN AVE
ROCKWALL, TX 75087

ROSS LESLIE
703 SHERMAN ST
ROCKWALL, TX 75087

SCROGGINS MURRAY
704 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
705 DAVY CROCKETT
ROCKWALL, TX 75087

CURRENT RESIDENT
705 PETERS COLONY
ROCKWALL, TX 75087

STRANGE ANTHONY I SR & LISA D
705 N SHERMAN
ROCKWALL, TX 75087

DABNEY AUDRY
706 PETERS COLONY
ROCKWALL, TX 75087

KATELY CHARLES LEE & THELMA S
706 SHERMAN ST
ROCKWALL, TX 75087

CRENSHAW LORENZA
707 DAVY CROCKETT ST
ROCKWALL, TX 75087

186

ABARCA JOANNE
707 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
708 PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
708 SHERMAN ST
ROCKWALL, TX 75087

HEJI PAUL M
709 PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
710 PETERS COLONY
ROCKWALL, TX 75087

SANCHEZ FATIMA L
710 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
711 LAMAR
ROCKWALL, TX 75087

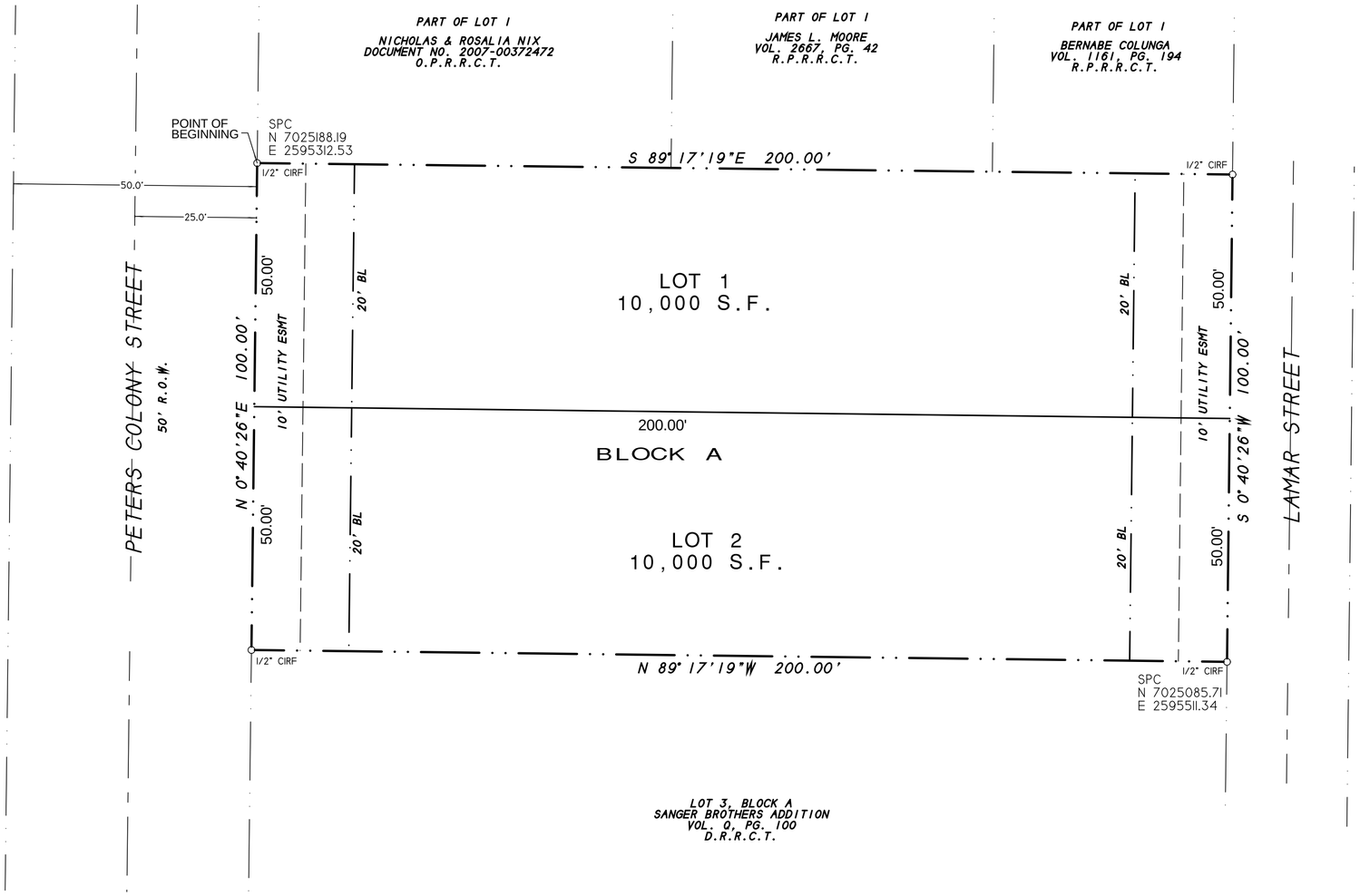
CURRENT RESIDENT
712 SHERMAN ST
ROCKWALL, TX 75087

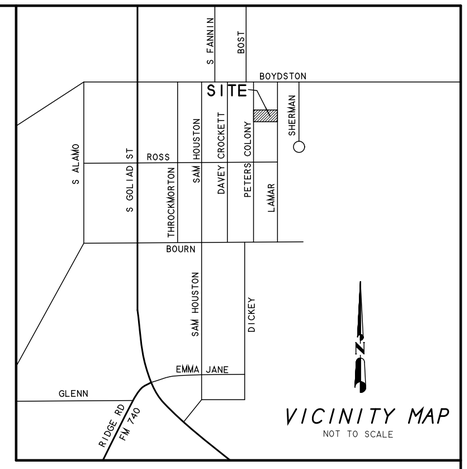
LINVEL MELBA RUTH ESTATE
712 PETERS COLONY
ROCKWALL, TX 75087

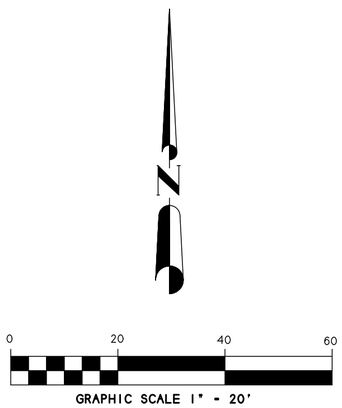
CABERA JUAN R & NOEMI E
715 PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
725 PETERS COLONY
ROCKWALL, TX 75087

187







FINAL PLAT

N.E. & J.O. ADDITION
LOTS 1 & 2, BLOCK A

BEING A REPLAT OF LOT 2, BLOCK A
SANGER BROTHERS ADDITION
0.46 ACRES OR 20,000 S.F.
(2 LOTS)
AN ADDITION TO THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

4) PROPERTY OWNER SHALL MAINTAIN, REPAIR AND REPLACE ALL DRAINAGE AND DETENTION STRUCTURES.

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

OWNER:
JEANIFFER OSORNIO
NOHEMA ESTRADA
705 LAKESIDE DRIVE
ROCKWALL, TEXAS 75032

SHEET 1 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND # CORNER #
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE FEBRUARY 14, 2019
SCALE 1" = 20' FILE # 20190047RP
CLIENT OSORNIO

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO P2019-008

188

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS JEANIFFER OSORNIO and NOHEMA ESTRADA, BEING THE OWNER OF A TRACT of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING all of Lot 2, Block A, Sanger Brothers Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Volume Q, Page 100 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northwest corner of Lot 2, and the southwest corner of Lot 1 and being in the east right-of-way line of Peters Colony Street;

THENCE S. 89 deg. 17 min. 19 sec. E. along the common line of Lot 1 and 2, a distance of 200.00 feet to a 1/2" iron rod found for corner at the northeast corner of Lots 2 and being in the west right-of-way of Lamar Street;

THENCE S. 00 deg. 40 min. 26 sec. W. along said right-of-way line, a distance of 100.00 feet to a 1/2" iron rod found for corner at the southeast corner of Lot 2 and northeast corner of Lot 3;

THENCE N. 89 deg. 17 min. 19 sec. W. along the common line between Lot 2 and Lot 3, a distance of 200.00 feet to a 1/2" iron rod found for corner in the east right-of-way line of Peters Colony Street;

THENCE N. 00 deg. 40 min. 26 sec. E. along said right-of-way line, a distance of 100.00 feet to the POINT OF BEGINNING and containing 20,000 square feet or 0.46 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as N.E. & J. O. ADDITION, LOTS 1 & 2, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in N.E. & J. O. ADDITION, LOTS 1 & 2, BLOCK A, have been notified and signed this plat.

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

I also understand the following;

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

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

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

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

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

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

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

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

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

_____
JEANIFFER OSORNIO

_____
NOHEMA ESTRADA

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III · 5034 · PROFESSIONAL · LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of N.E. & J.O. ADDITION, LOTS 1 & 2, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of_____ ,_____.

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

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

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

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

_____ _____
City Engineer Date

FINAL PLAT

N.E. & J.O. ADDITION
LOTS 1 & 2, BLOCK A

BEING A REPLAT OF LOT 2, BLOCK A
SANGER BROTHERS ADDITION
0.46 ACRES OR 20,000 S.F.
(2 LOTS)
AN ADDITION TO THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC ELECTRIC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND 1 CORNER
FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

OWNER:
JEANIFFER OSORNIO
NOHEMA ESTRADA
705 LAKESIDE DRIVE
ROCKWALL, TEXAS 75032

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE FEBRUARY 14, 2019
SCALE 1" = 20' FILE # 20190047RP
CLIENT OSORNIO

CITY CASE NO P2019-008

189

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190

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **March 15, 2019**

SUBJECT: **Household Hazardous Waste Collection Agreement**

For the past 19 years the City has contracted with a company to manage our single-day household hazardous waste collection event. This has worked well and took tremendous quantities of these materials out of the waste stream in a safe and cost-effective manner. The chief complaints about the event were the long waits – often 2+ hours in line, and a need for an alternative if the resident was out of town on the day. Unfortunately all we could say was hang on to the items until next year. HHW day 2018 had lines all day, with long waits and people still in line an hour past closing time. When the contractor submitted their invoice they informed staff that they had not raised their rate to us in ten-years and needed to immediately do so. The price would have escalated from about $108,000 that we've paid for many years to $170,000 for the day's collection. This doesn't include the costs of staffing, e-waste disposal, and paper shredding.

With the price escalation and an inability to fix the chief two complaints we studied alternatives to the program.

HHW Solutions is a company which provides curb-side or porch pickup of household hazardous waste for several communities around the Metroplex. The company was founded by two former waste company executives who saw an unmet need with communities looking for a means to deal with the collection and disposal of products such as paints, lawn chemicals, pool chemicals, batteries and other such items regularly found in households. Mr. Dick Demien will be at the Council meeting to represent the company and explain in more detail their approach.

HHW Solutions has proposed to provide curb-side collection to residential properties on as much as a monthly basis. They provide an online solution and phone number for the resident to schedule a pickup when they are ready to dispose of items. They will have a designated HHW pickup day in Rockwall – we are working on that being Wednesday, which is not a Republic collection day, so the items won't be confused with those set out for regular trash days. They will set a limit on the number of households which can be collected on the next scheduled day. When the list is full the resident will go on the next week's list. Either way the resident will be

instructed which day to put out their items and how to do so. They will collect e-waste in the same manner.

HHW Solutions will also place a container at our Service Center to collect up to 1,000 tires per year. Residents will be able to bring those to the location for proper disposal. They will also sponsor two shredding events per year for us.

HHW Solutions will charge the City 99 cents per household per month. The City will provide the house count based on the number that we bill for garbage the previous month. We've been assessing 70 cents per month per resident for many years. We've collected $56,000 so far this budget year which can be applied to the cost difference for the remainder of the calendar year. We will pay HHW Solutions 99 cents per household and continue to charge residents 70 cents per month until the next rate adjustment period.

The contract is being reviewed by City Attorney, Frank Garza at this time. If Council desires to move ahead with this program then the authorization for the City Manager should be to finalize contract language and execute the agreement. Upon execution HHW Solutions will complete a notification process to the TCEQ which takes about 45 days and then we can begin the service.

192

NON-EXCLUSIVE AGREEMENT
FOR THE COLLECTION, HAULING, RECYCLING AND DISPOSAL OF
HOUSEHOLD HAZARDOUS WASTE
IN THE CITY OF ROCKWALL, TEXAS

STATE OF TEXAS

COUNTY OF ROCKWALL

THIS NON-EXCLUSIVE AGREEMENT (this "Agreement") is made and entered into as of _____, 2019, by and between Doliver Enterprises, LLC., a Texas Corporation, dba HHW Solutions (the "Service Provider"), and the City of Rockwall, Texas (the "City").

WHEREAS, the City, subject to the terms and conditions set forth herein and the ordinances and regulations of the City, desires to grant to the Service Provider the exclusive license and privilege to collect, haul and recycle or dispose of Household Hazardous Waste (as such terms are defined herein) within the City's corporate limits.

NOW, THEREFORE, in consideration of the premises and the mutual promises, covenants and agreements set forth herein, the Service Provider and the City hereby agree as follows:

SECTION 1. DEFINED TERMS.

The following terms, as used herein, will be defined as follows:

Aggregate - The act of bringing together household hazardous waste that, after being separated from other household waste, is collected from two or more households and accumulated at a collection event, permanent collection center, point of generation pick-up service, mobile collection unit, or transporter's facility for the purpose of reusing, recycling, or disposing the material.

Business Day - Any day that is not a Saturday, a Sunday, or other day on which banks are required or authorized by law to be closed in the City.

Collector - Any person who accepts from two or more households any waste materials that have been separated from other household waste and offered to the collector because the generator either knows or considers the materials to be household hazardous waste.

Hazardous Waste - Waste identified or listed as a hazardous waste by the administrator of the United States Environmental Protection Agency (EPA) under the federal Solid Waste Disposal Act *as* amended by the Resource Conservation and Recovery Act of 1976, as amended, or so classified by any federal or State of Texas statute, rule, order or regulation.

Holidays - The following days:

(1) New Yeats Day (January 1st)
(2) Memorial Day
(3) Independence Day (July 4th)
(4) Labor Day
(5) *Thanksgiving* Day
(6) Christmas Day (December 25th).

Household Hazardous Waste - Any solid waste generated in a household by a consumer which, except for the exclusion provided in 40 Code of Federal Regulations (CFR) §261.4 (b) (1), would be classified as a hazardous waste under 40 CFR Part 261. The term has the same meaning as "hazardous household waste.

Household Hazardous waste processing, storage or disposal facility - A hazardous waste processing, storage, or disposal facility that has received a United States Environmental Protection Agency (EPA) permit (or a facility with interim status) in accordance with the requirements of 40 Code of Federal Regulations (CFR) Parts 270 and 124, or that has received a permit from a state authorized in accordance with 40 CFR Part 271.

Landfill - Any facility or area of land receiving Municipal Solid Waste or Construction and Demolition Waste and operating under the regulation and authority of the Texas Commission on Environmental Quality (TCEQ) within the State of Texas, or the appropriate governing agency for landfills located outside the State of Texas.

Mobile collection unit - A vehicle (such as a truck or trailer) that is used to aggregate household *waste* materials delivered by the public prior to transporting the material to a permanent collection center, collection event, or registered hazardous waste transporter facility.

Operator - A person responsible for the collection, aggregation and storage of household hazardous waste and household materials at a collection event or permanent collection center, in a point of generation pick-up service or mobile collection unit, or in any combination of collection programs.

Personnel - All individuals who perform tasks at or oversee the operations of a collection event, permanent collection center, mobile collection unit, or point of generation pick-up service.

Point of generation pick-up service - A service to collect household hazardous waste at generating households through direct contact with the generators or by collection of household hazardous waste left either at curbside or in another location at the household.

Residential Unit - Any residential dwelling that is either a Single-Family Residential Units or a Multi-Family Residential Units such as a duplex. Excluding Multi-family dwellings such as apartments, townhouses, or hi rise units.

Single-Family Residential Unit - Any residential dwelling that is designed for, and inhabited by, a single person or family unit and that generates and accumulates Household Hazardous Waste.

SECTION 2. OPERATIONS.

A. Scope of Operations. It is expressly understood and agreed that the Service Provider will collect, haul and recycle or dispose of all Household Hazardous Waste (i) generated and accumulated by Residential Units, and (ii) placed for collections by those Residential Units receiving the services of the Service Provider all within the City's corporate limits, including any territories annexed by the City during the term of this Agreement (the Services).

B. Nature of Operations. The City hereby grants to the Service Provider, in accordance with the City's ordinances and regulations governing the collection, hauling and recycling or disposal of Household Hazardous Waste, the title to all Household Hazardous Waste collected, hauled and recycled or disposed of by the Service Provider over, upon, along and across the City's present and future streets, alleys, bridges and public properties. All title to and liability for materials excluded from this Agreement shall remain with the generator of such materials.

SECTION 3. SINGLE·FAMILY RESIDENTIAL UNIT COLLECTIONS.

A. Single-Family Residential Units. The Service Provider will collect Household Hazardous Waste from Single-Family Residential Units once per month; provided that (i) such Household Hazardous Waste items are placed within five (5) feet of the curbside or right of way adjacent to the Single-Family Residential Unit no later than 8:00 a.m. on the scheduled collection day.

Collections will also be made closer to the Residential Unit such as at the doorstep or driveway adjacent to the Unit.

B. Materials accepted include the following:
- Aerosol products
- Ammunition, explosives or fireworks
- Antifreeze
- Auto fluids
- Ballasts (non-PCB & PCB)
- Batteries - auto, sump, power tool & household sizes
- Blacktop sealer - oil based
- Cleaning products
- Cooking Oil
- Fire Extinguishers
- Fluorescent bulbs (tubes and CFLs)
- Gasoline & oil/gas mixtures
- HID (headlight bulbs)
- Hobby & photo chemicals
- Lawn chemicals
- Mercury containing Devices (thermostats, etc.)
- Motor oil
- Oxygen tanks
- Paint (Oil-based paints, stains, varnishes; and Latex Paint)
- Pharmaceuticals/medications
- Pool chemicals 160 3
- Propane tanks • Resins, Glues, Adhesives
- Smoke Detectors
- Solvents
- E-Waste

Items not accepted include the following:
- Acetylene cylinders
- Biological or medical waste
- Business generated waste
- Foam cylinders (Part A/Part B)
- MAPP gases
- Radioactive Material
- Syringes/needles
- Farm machinery oil

Item limits per collection per month:
- Fluorescent light bulbs: Minimum 1, Maximum 8
- Used motor oils or antifreeze: Minimum 1 gallon, Maximum 2 gallons
- Paints and supplies; Pool & Household Chemicals: Minimum 1 gallons, Maximum 4 gallons
- Household Cleaners; Pesticides & Fertilizers: Minimum 1 items, Maximum 8 items
- Household Batteries: Minimum 1; Maximum 20

Year Round Scrap Tire Container
- Container to be placed at City facility
- Tires only, wheels and rims must be removed
- Annual maximum of 1000 tires

Two Paper Shredding Events per Year
- Each event consists of two shred trucks
- Events last four hours or until trucks are full
- Event to occur at a City facility

SECTION 4. RATES AND FEES.

Subject to adjustment, as provided in Section *5* hereof, the rates and fees to be charged and received by the Service Provider are as follows:

A. Single-Family Residential Unit Services. For the Services provided to Single-Family Residential Units under Section 4.A. hereof, the Service Provider shall charge:

1. $0.99 per month for each Single-Family Residential Unit.

These rates apply to all Single Family Residential Units that are located within the City's corporate limits and billed by the City for water and sewer services.

SECTION 5. RATE ADJUSTMENT.

A. CPI-U Adjustment. Rate adjustment shall be considered by the City to be effective January 1st of the contract year following the first full year of the initial contract. On January 1st of this Agreement, the Service Provider shall have the right, and upon giving 60 days prior written notice to the City, to increase or decrease the rates set forth in Section 4 hereof (the "Initial Rates") in accordance with the CPI-U. As used herein, “CPI-U" shall mean the revised Consumer Price Index rate for all urban consumers (all items included) for the nearest available metropolitan area, based on the latest available figures from the Department of Labor's Bureau of Labor Statistics (the "Bureau"). The CPI-U used will be the CPI-U published by the Bureau during the month ninety (90) days preceding the adjustment under this Section 5A. The amount of the increase or decrease under this Section 5A shall be equal to the percentage that the CPI-U has increased or decreased over the previous twelve (12) month period.

SECTION 6. EXCLUSIONS.

Notwithstanding anything to the contrary contained herein, this Agreement shall not cover the collection, hauling, recycling or disposal of any Non-Hazardous Solid Waste, animal or human, dead animals, auto parts or used tires from any Residential Unit.

SECTION 7. TERM OF AGREEMENT.

The term of this Agreement shall be for a period of five (5) years, commencing on _____, 2019 and concluding on _____, 2024. At the expiration of the term of this Agreement, the Agreement may be renewed with mutually agreed upon terms of both parties.

SECTION 8. ASSIGNMENT.

This Agreement shall not be assignable or otherwise transferable by the Service Provider without the prior written consent of the City; provided however that the Service Provider may assign this Agreement to any direct or indirect affiliate or subsidiary of the Service Provider or to any person or entity succeeding to all or substantially all of the Service Provider's assets (whether by operation of law, merger, consolidation or otherwise) without the City's consent.

SECTION *9.* PROCESSING, BILLING AND FEES.

A. Billings for Single-Family Residential Unit Services. On a monthly basis, the City agrees to bill and collect the rates and fees charged under Section 4A. hereto from all Single-Family Residential Units possessing active water meters within the City’s corporate limits, as well as from all other Single-Family Residential Units requiring the collection, hauling, recycling and disposal of Household Hazardous Waste within the City's corporate limits (the Residential Billing) plus any applicable sales, use or services taxes assessed or payable in connection with the Services provided hereunder.

B. Taxes. The City will be responsible to collect any applicable sales taxes that result in the execution of this contract.

SECTION 10. HOURS OF SERVICE.

For all the Services provided hereunder, the Service Provider's hours of service shall be between 8:00 a.m. to 6:00 p.m., Monday through Friday. The Service Provider will not be required to provide service on weekends or Holidays except during natural disasters or emergencies, and may, at its sole discretion, observe Holidays during the term of this Agreement; provided however, that the Service Provider shall provide such services on the immediately following business day. Collection will occur on the same day of the week throughout the year unless Service is affected by Holiday then Service Provider must designate an alternate day of that week.

SECTION 11. CUSTOMER SERVICE.

The Service Provider agrees to field all inquiries from Residential Units relating to the collection, hauling, recycling and disposal of Household Hazardous Waste. The Service Provider and the City agree to cooperate with each other in the response to any such inquiries and the resolution of any such complaints. Service Provider shall provide means for residents to call or use the Service Provider's portal to self-schedule a pick up for HHW and/or E-Waste items.

SECTION 12. COMPLIANCE WITH APPLICABLE LAWS.

The Service Provider shall comply with all applicable federal and state laws regarding the collection, hauling, recycling and disposal of Household Hazardous Waste, including existing and future laws that may be enacted, as well as any regulations reasonably passed by the City that are not in derogation of this Agreement. Nothing in this Agreement shall be construed in any manner to abridge the City's right to pass or enforce necessary police and health regulations for the reasonable protection of its inhabitants. The City shall have the right to make reasonable inspections of the Service Provider in order to insure compliance with this Section 12.

SECTION 13. DUE CARE.

The Service Provider shall exercise due care and caution in providing the Services so that the City's public and private property, including streets and parking areas, will be protected and preserved.

SECTION 14. PERSONNEL AND PERFORANCE STANDARDS.

The Service Provider shall not deny employment to any person on the basis of race, creed or religion, and will insure that all federal and state laws pertaining to salaries, wages and operating requirements are met or exceeded. The Service Provider, its agents, servants and employees shall perform the Services in a courteous, competent and professional manner. During the term of this Agreement and any extension thereof: the Service Provider shall be responsible for the actions of its agents, servants and employees while such agents, servants and employees are acting within the scope of their employment or agency.

SECTION 15. INSURANCE COVERAGE AND BONDS.

Pursuant to this Agreement, the Service Provider shall carry the following types of insurance in an amount equal to or exceeding the limits specified below:

Coverages:
(1) Worker's Compensation
(2) Employer1s Liability
(3) Commercial General Liability

Limits of Liability
Statutory
$1,000,000
$1,000,000 per occurrence,
$2,000,000 in the aggregate,

(4) Automobile Liability
Combined single limit for Bodily Injury and Property Damage Liability
$1,000,000 per occurrence combined single limit for Bodily Injury and Property Damage Liability

The City shall be named as an additional insured on all the above coverages with the exception of workers compensation insurance. To the extent permitted by law, any or all of the insurance coverage required by this Section 15 may be provided under a plan(s) of self-insurance, including coverage provided by the Service Provider's parent corporation. Upon the City's request, the Service Provider shall furnish the City with a certificate of insurance verifying the insurance coverage required by this Section 15.

SECURITY FOR FAITHFUL PERFORMANCE

Service Provider will be required to furnish a performance bond as security for the faithful performance of this Contract. Said performance bond must be in an amount equal to One Hundred and Fifty Thousand Dollars ($150,000) for the contract term. The Service Provider shall pay bond premium as described. A certificate from the surety showing that the bond premiums are paid in full shall accompany the bond. Such certificate shall be submitted to the City with the bond on an annual basis. The surety on the bond shall be a duly authorized corporate surety authorized to do business in the State of Texas.

SECTION 16. INDEMNITY.

To the extent covered by applicable insurance, the Service Provider assumes all risks of loss or injury to property or persons caused by its performance of the Services. The Service Provider agrees to indemnify and hold harmless the City and its agents, directors, employees, officers and servants from and against any and all suits, actions, legal proceedings, claims, demands, damages, cost's, liabilities, losses or expenses (including, but not limited to, reasonable attorneys' fees) caused by a willful or negligent act or omission of the Service Provider, its officers and employees. However, the Service Provider shall not be liable for any legal proceedings, claims, demands, damages, costs, expenses and attorneys' fees caused by a willful or negligent act or omission of the City, its agents, directors, employees, officers and servants.

SECTION 17. SAVINGS PROVISION.

In the event that any term or provision of this Agreement shall be determined by a court of competent jurisdiction to be invalid or unenforceable, this Agreement shall, to the extent reasonably possible, remain in force as to the balance of its terms and provisions as if such invalid term or provision were not a part hereof.

SECTION 18. TERMINATION.

Any failure by either party or its successors and assigns to observe the terms and conditions of this Agreement shall, if continuing or persisting without remedy for more than thirty (30) days after the receipt of due written notice from the other party, constitute grounds for forfeiture and immediate termination of all the defaulting party's rights under this Agreement, and all such rights shall become null and void.

SECTION 19. FORCE MAJEURE.

The performance of this Agreement may be suspended and the obligations hereunder excused in the event and during the period that such performance is prevented by a cause or causes beyond reasonable control of such party. The performance of this Agreement will be suspended and the obligations hereunder excused only until the condition preventing performance is remedied. Such conditions shall include but not be limited to, *acts of God, acts of war, accident, explosion, fire, flood, riot, sabotage, acts of terrorists, unusually severe weather, lack of adequate fuel or judicial or governmental laws or regulations.*

SECTION 20. GOVERNING LAW.

This Agreement shall be governed in all respects including as to validity, interpretation and effect, by the internal laws of the State of Texas, without giving effect to the conflict of laws rules thereof. The parties hereby irrevocably submit to the jurisdiction of the courts of the State of Texas and the Federal courts of the United States located in the State of Texas, solely in respect of the interpretation and enforcement of the provisions of this Agreement, and hereby waive, and agree not to assert as a defense in any action. suit or proceeding for the interpretation or enforcement hereof: that it is not subject thereto or that such action suit or proceeding may not be brought or is not maintainable in said courts or that the venue thereof may not be appropriate or that this Agreement may be enforced in or by said courts, and the parties hereto irrevocably agree that all claims with respect to such action or proceeding shall be heard and determined in such a Texas State or Federal court. The parties hereby consent to and grant any such court jurisdiction over the person of such parties and over the subject matter of any such dispute and agree that mailing of process or other papers in connection with any such action or proceeding to the addresses of the parties listed below, or in such other manner as may be permitted by law, shall be valid and sufficient service thereof.

SECTION 21. NOTICES.

Any notices required or permitted to be delivered hereunder shall be in writing and shall be deemed to be delivered when deposited in the United States mail, postage prepaid- certified mail, return receipt requested, addressed to the respective party at the address set forth below.

If to the City:
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087
Attn: City Manager

If to the Service Provider:
HHW Solutions
1240 Coastal
Rockwall, Texas 75087
Attn: Dick Demien

With a Copy *to:*
HHW Solutions
4090 Hackberry Cir
Caddo Mills, Texas 75135
Attn: Tim Oliver

or such other addresses as the parties may hereafter specify by written notice and delivered in accordance herewith.

SECTION 22. ATTORNEYS' FEES.

The prevailing party in any dispute between the parties arising out of the interpretation, application or enforcement of any provision hereof shall be entitled to recover all of its reasonable attorneys' fees and costs whether suit be filed or not including without limitation costs and attorneys' fees related to or arising out of any trial or appellate proceedings.

SECTION 23. ACCEPTANCE.

PASSED AND APPROVED BY THE CITY OF ROCKWALL COUNCIL MEETING AT A TIME AND PLACE IN COMPLETE CONFORMITY WITH THE OPEN LAWS OF THE STATE OF TEXAS AND ALL OTHER APPLICABLE LAWS THIS DAY OF _____, 2019.

DOLIVER ENTERPRISES, LLC

DBA HHW SOLUTIONS

By: _____

Name: _____

Title: _____

CITY OF ROCKWALL, TEXAS

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

Name: _____

Title: _____

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201

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	March 18, 2019
SUBJECT:	IH-30 Commercial Corridor Planning Study Work Session

At the February 19, 2019 City Council Work Session Meeting, the City Council directed staff to prioritize the strategies listed in the IH-30 Commercial Corridor Planning Study based on the corridor zone that the strategy was intended to support. In response to this direction, staff has prepared several maps that summarize and prioritize the strategies for each of the targeted corridor zones. In prioritizing each strategy, staff took into account [*1*] the estimated costs of the strategy, [*2*] the time needed to implement the strategy, and [*3*] the perceived impact of the strategy.

The following are the priorities identified for each of the targeted zones. Strategies in *RED* indicate strategies that may not be appropriate for the City of Rockwall; however, all strategies would be at the discretion of the City Council. For a more detailed description of each of these strategies please review the language provided in Chapter 6, *Corridor Strategies & Implementation Plan*, of the IH-30 Commercial Corridor Planning Study.

ALL ZONES

(1) Inconsistent zoning requests.
(2) Limit single use, big-box development.
(3) Adopt policies targeted at supporting small businesses.
(4) Revamp the City's parking standards.
(5) Work with the Texas Department of Transportation (TXDOT).
(6) Work with the REDC and Chamber of Commerce to coordinate business recruitment and retention efforts.
(7) Actively market the corridor.
(8) Develop a position for business relation/retention in the corridor.
(9) Implement a corridor beautification strategy.
(10) Incentives.

TRANSITIONAL ZONES

(1) Prevent the oversaturation of certain land uses in the corridor.
(2) Inconsistent zoning requests.
(3) Discourage strip development.
(4) Limit single use, big-box development.
(5) Adaptive reuse ordinance or strategy.
(6) Adopt policies targeted at supporting small businesses.
(7) Revamp the City's parking standards.
(8) Existing building code.
(9) CIP projects.
(10) Demolition permit fee waiver.
(11) Work with the Texas Department of Transportation (TXDOT).
(12) Work with the REDC and Chamber of Commerce to coordinate business recruitment and retention efforts.
(13) Actively market the corridor.
(14) Develop a position for business relation/retention in the corridor.

202

(15) Implement a corridor beautification strategy.
(16) Incentives.

PRESERVATION ZONES

(1) Prevent the oversaturation of certain land uses in the corridor.
(2) Inconsistent zoning requests.
(3) Discourage strip development.
(4) Limit single use, big-box development.
(5) Adopt policies targeted at supporting small businesses.
(6) Adaptive reuse ordinance or strategy.
(7) Revamp the City's parking standards.
(8) CIP projects.
(9) Work with the Texas Department of Transportation (TXDOT).
(10) Work with the REDC and Chamber of Commerce to coordinate business recruitment and retention efforts.
(11) Actively market the corridor.
(12) Develop a position for business relation/retention in the corridor.
(13) Implement a corridor beautification strategy.
(14) Incentives.

OPPORTUNITY ZONES

(1) Inconsistent zoning requests.
(2) City initiated zoning.
(3) Residential density bonuses for projects that incorporate a mixture of land uses.
(4) Limit single use, big-box development.
(5) Promote the incorporation of open space in larger developments.
(6) Adopt policies targeted at supporting small businesses.
(7) Create a model zoning ordinance for regional mixed-use development.
(8) Revamp the City's parking standards.
(9) Small area plans.
(10) Work with the Texas Department of Transportation (TXDOT).
(11) Work with the REDC and Chamber of Commerce to coordinate business recruitment and retention efforts.
(12) Actively market the corridor.
(13) Develop a position for business relation/retention in the corridor.
(14) Implement a corridor beautification strategy.
(15) Incentives.

Based on the priorities listed above, staff is requesting that the City Council consider the information that has been provided and decide which strategies -- *if any* -- should be incorporated into departmental policies and the OURHometown Vision 2040 Comprehensive Plan. In addition, staff is requesting direction concerning the Planning Framework, which provided the following technical recommendations:

(1) Adoption of the corridor zones.
(2) Adoption of the strategically located properties and the potential regional development models.
(3) Adoption of the proposed monumentation locations.
(4) Changes to the Master Thoroughfare Plan.
(5) Changes to the Future Land Use Map (*this has already been adopted by the City Council with the Comprehensive Plan Update*).

All of the proposed changes would be incorporated into the OURHometown Vision 2040 Comprehensive Plan. Should the City Council have any questions staff will be available at the Work Session on *March 18, 2019*.

203

DEFENSIVE STRATEGIES

- **STRATEGY 1** PREVENT THE OVERSATURATION OF CERTAIN LAND USES IN THE CORRIDOR
- **STRATEGY 2** INCONSISTENT ZONING REQUESTS
- **STRATEGY 3** DISCOURAGE STRIP DEVELOPMENT
- **STRATEGY 4** LIMIT SINGLE USE, BIG-BOX DEVELOPMENT
- **STRATEGY 5** ADAPTIVE REUSE ORDINANCE OR STRATEGY
- **STRATEGY 6** PROMOTE THE INCORPORATION OF OPEN SPACE IN LARGER DEVELOPMENTS
- **STRATEGY 7** REVAMP THE CITY'S PARKING STANDARDS
- **STRATEGY 8** CREATE MODEL ZONING ORDINANCE FOR REGIONAL MIXED-USE DEVELOPMENT
- **STRATEGY 9** ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES
- **STRATEGY 10** RESIDENTIAL DENSITY BONUSES FOR PROJECTS THAT INCORPORATE A MIXTURE OF LAND USES
- **STRATEGY 11** ACTIVELY MARKET THE CORRIDOR
- **STRATEGY 12** WORK WITH THE REDC AND CHAMBER OF COMMERCE TO COORDINATE BUSINESS RECRUITMENT AND RETENTION EFFORTS
- **STRATEGY 13** WORK WITH TXDOT

OFFENSIVE STRATEGIES

- **STRATEGY 1** INCENTIVES
- **STRATEGY 2** SMALL AREA PLANS
- **STRATEGY 3** DEMOLITION PERMIT FEE WAIVER
- **STRATEGY 4** EXISTING BUILDING CODE
- **STRATEGY 5** CIP PROJECTS
- **STRATEGY 6** IMPLEMENT CORRIDOR BEAUTIFICATION STRATEGIES
- **STRATEGY 7** DEVELOP A POSITION FOR BUSINESS RELATION/RETENTION IN THE CORRIDOR
- **STRATEGY 8** CITY INITIATED ZONING OF THE CORRIDOR

1 FINDINGS: Redevelopment

2 FINDINGS: Strip Retail

3 FINDINGS:
(1) Mixed-Use Center
(2) Town Center

4 FINDINGS:
(1) Regional
(2) Town Center
(3) Strip Retail

5 FINDINGS:
(1) Mixed-Use Center
(2) Strip Retail

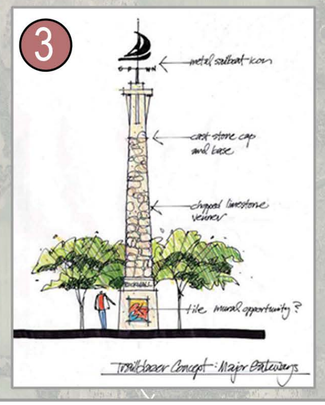
6 FINDINGS:
(1) Mixed-Use Center
(2) Town Center

7 FINDINGS: Strip Center

0 0.25 0.5 0.75 1 Miles







RECOMMENDATIONS

1) CORRIDOR ZONES
2) STRATEGICALLY LOCATED PROPERTIES AND POTENTIAL REGIONAL DEVELOPMENT MODEL
3) MONUMENTATION LOCATIONS
4) CHANGES TO THE MASTER THOROUGHFARE PLAN
   - A ADD MINOR ROADWAY
   - B REMOVE MINOR ROADWAY
5) CHANGES TO THE FUTURE LAND USE PLAN

LEGEND

CORRIDOR ZONES
- Opportunity
- Preservation
- Transitional

FUTURE THOROUGHFARES
- M4D
- M4U
- Minor
- Remove

- Existing Western Entry Portal
- Developing Central Entry Portal
- Opportunities for Eastern Entry Portal
- Strategically Located Properties

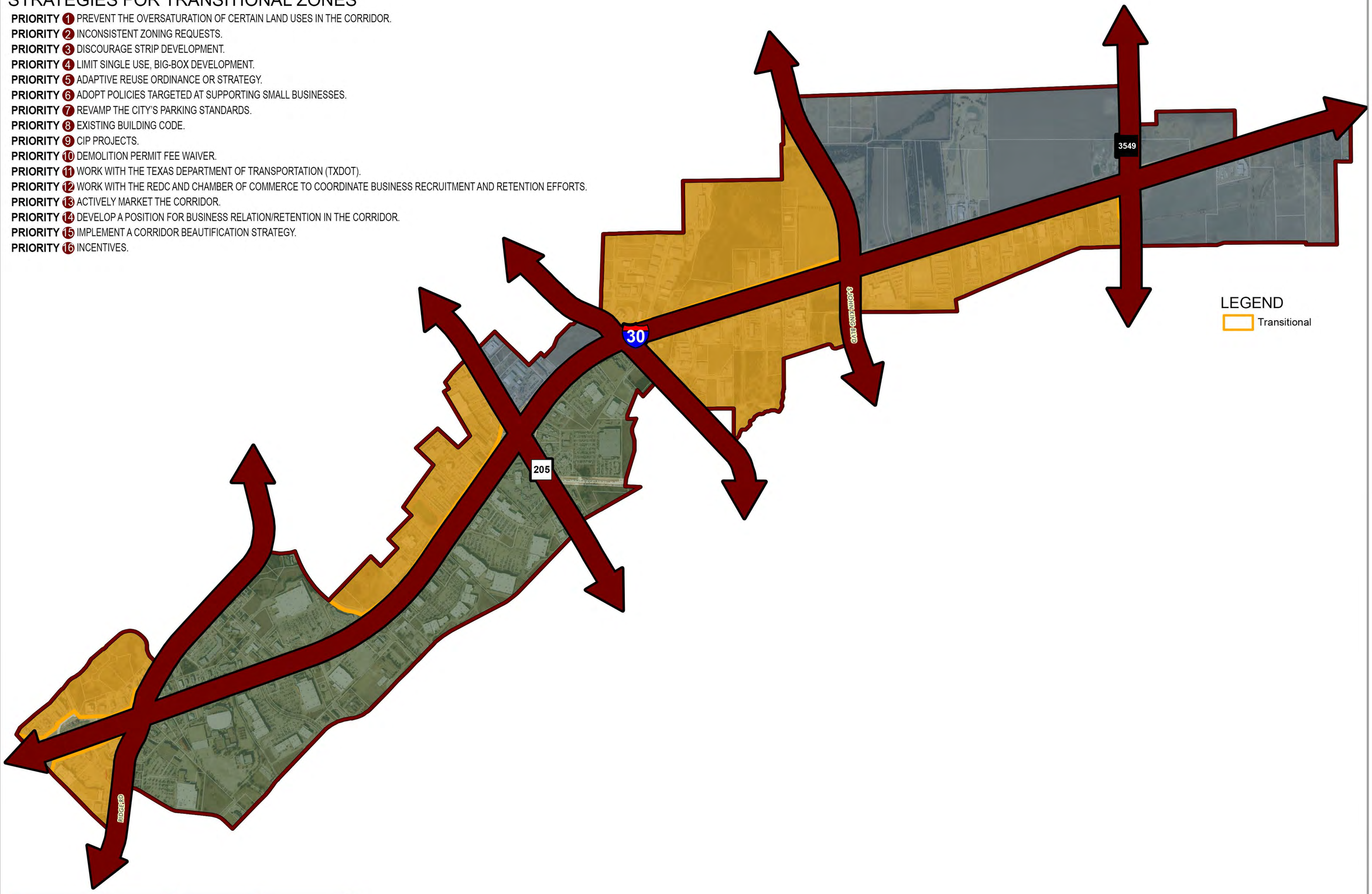
STRATEGIES FOR ALL ZONES

PRIORITY 1 INCONSISTENT ZONING REQUESTS.
PRIORITY 2 LIMIT SINGLE USE, BIG-BOX DEVELOPMENT.
PRIORITY 3 ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES.
PRIORITY 4 REVAMP THE CITY'S PARKING STANDARDS.
PRIORITY 5 WORK WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT).
PRIORITY 6 WORK WITH THE REDC AND CHAMBER OF COMMERCE TO COORDINATE BUSINESS RECRUITMENT AND RETENTION EFFORTS.
PRIORITY 7 ACTIVELY MARKET THE CORRIDOR.
PRIORITY 8 DEVELOP A POSITION FOR BUSINESS RELATION/RETENTION IN THE CORRIDOR.
PRIORITY 9 IMPLEMENT A CORRIDOR BEAUTIFICATION STRATEGY.
PRIORITY 10 INCENTIVES.



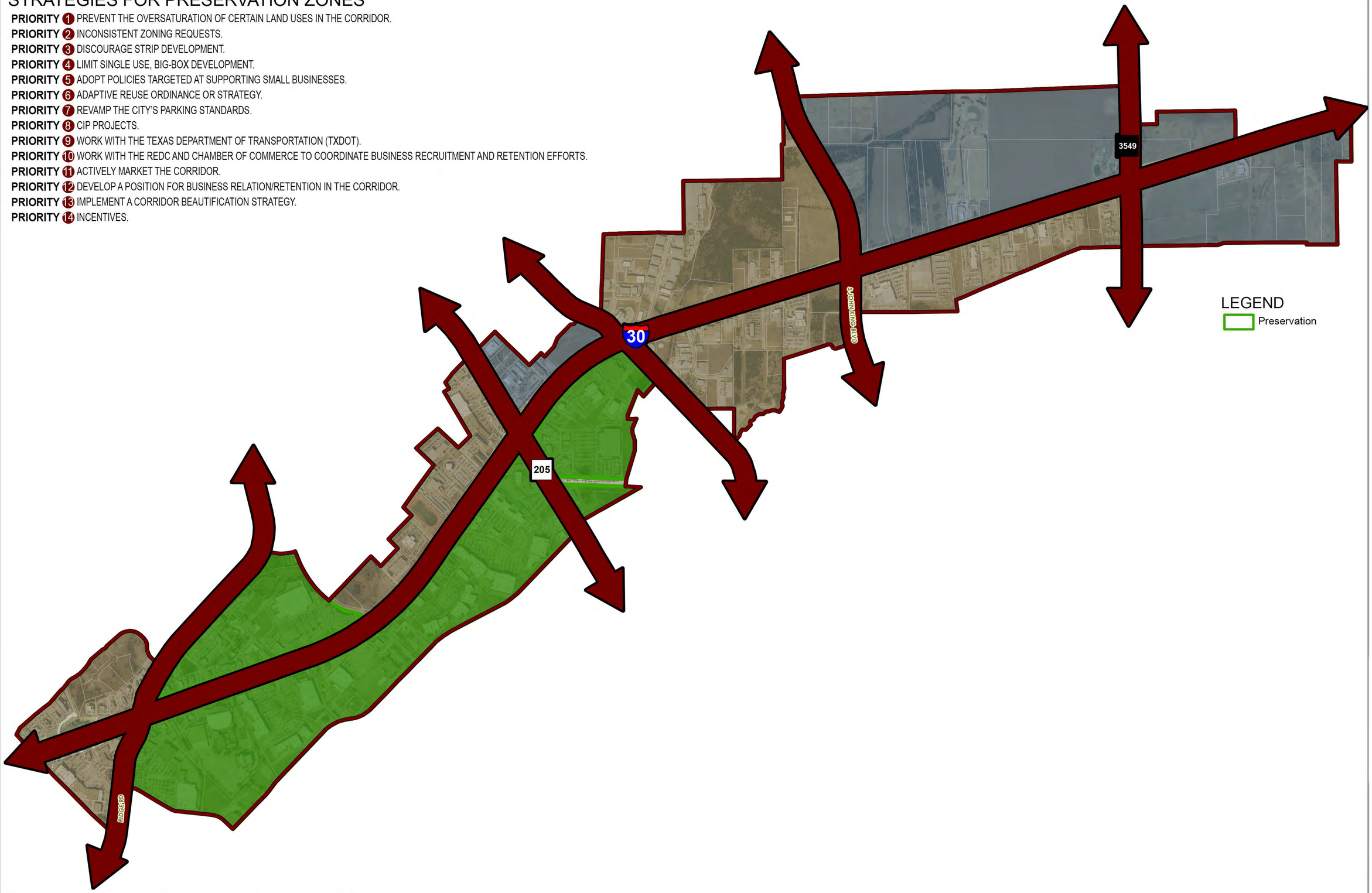
STRATEGIES FOR TRANSITIONAL ZONES

PRIORITY 1 PREVENT THE OVERSATURATION OF CERTAIN LAND USES IN THE CORRIDOR.
PRIORITY 2 INCONSISTENT ZONING REQUESTS.
PRIORITY 3 DISCOURAGE STRIP DEVELOPMENT.
PRIORITY 4 LIMIT SINGLE USE, BIG-BOX DEVELOPMENT.
PRIORITY 5 ADAPTIVE REUSE ORDINANCE OR STRATEGY.
PRIORITY 6 ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES.
PRIORITY 7 REVAMP THE CITY'S PARKING STANDARDS.
PRIORITY 8 EXISTING BUILDING CODE.
PRIORITY 9 CIP PROJECTS.
PRIORITY 10 DEMOLITION PERMIT FEE WAIVER.
PRIORITY 11 WORK WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT).
PRIORITY 12 WORK WITH THE REDC AND CHAMBER OF COMMERCE TO COORDINATE BUSINESS RECRUITMENT AND RETENTION EFFORTS.
PRIORITY 13 ACTIVELY MARKET THE CORRIDOR.
PRIORITY 14 DEVELOP A POSITION FOR BUSINESS RELATION/RETENTION IN THE CORRIDOR.
PRIORITY 15 IMPLEMENT A CORRIDOR BEAUTIFICATION STRATEGY.
PRIORITY 16 INCENTIVES.



STRATEGIES FOR PRESERVATION ZONES

PRIORITY 1 PREVENT THE OVERSATURATION OF CERTAIN LAND USES IN THE CORRIDOR.
PRIORITY 2 INCONSISTENT ZONING REQUESTS.
PRIORITY 3 DISCOURAGE STRIP DEVELOPMENT.
PRIORITY 4 LIMIT SINGLE USE, BIG-BOX DEVELOPMENT.
PRIORITY 5 ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES.
PRIORITY 6 ADAPTIVE REUSE ORDINANCE OR STRATEGY.
PRIORITY 7 REVAMP THE CITY'S PARKING STANDARDS.
PRIORITY 8 CIP PROJECTS.
PRIORITY 9 WORK WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT).
PRIORITY 10 WORK WITH THE REDC AND CHAMBER OF COMMERCE TO COORDINATE BUSINESS RECRUITMENT AND RETENTION EFFORTS.
PRIORITY 11 ACTIVELY MARKET THE CORRIDOR.
PRIORITY 12 DEVELOP A POSITION FOR BUSINESS RELATION/RETENTION IN THE CORRIDOR.
PRIORITY 13 IMPLEMENT A CORRIDOR BEAUTIFICATION STRATEGY.
PRIORITY 14 INCENTIVES.



STRATEGIES FOR OPPORTUNITY ZONES

PRIORITY 1 INCONSISTENT ZONING REQUESTS.
PRIORITY 2 CITY INITIATED ZONING.
PRIORITY 3 RESIDENTIAL DENSITY BONUSES FOR PROJECTS THAT INCORPORATE A MIXTURE OF LAND USES.
PRIORITY 4 LIMIT SINGLE USE, BIG-BOX DEVELOPMENT.
PRIORITY 5 PROMOTE THE INCORPORATION OF OPEN SPACE IN LARGER DEVELOPMENTS.
PRIORITY 6 ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES.
PRIORITY 7 CREATE A MODEL ZONING ORDINANCE FOR REGIONAL MIXED-USE DEVELOPMENT.
PRIORITY 8 REVAMP THE CITY'S PARKING STANDARDS.
PRIORITY 9 SMALL AREA PLANS.
PRIORITY 10 WORK WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT).
PRIORITY 11 WORK WITH THE REDC AND CHAMBER OF COMMERCE TO COORDINATE BUSINESS RECRUITMENT AND RETENTION EFFORTS.
PRIORITY 12 ACTIVELY MARKET THE CORRIDOR.
PRIORITY 13 DEVELOP A POSITION FOR BUSINESS RELATION/RETENTION IN THE CORRIDOR.
PRIORITY 14 IMPLEMENT A CORRIDOR BEAUTIFICATION STRATEGY.
PRIORITY 15 INCENTIVES.



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209

Table of Contents

Agenda 5

Child Abuse Awareness & Prevention Month

Proclamation 10

Blank Page 11

Public Water System Celebration Day

Proclamation 12

Blank Page 13

Consider approval of the minutes from the March 18, 2019 regular city council meeting, and take any action necessary.

03-18-19 CC Mtg Mins 14

Blank Page 22

Z2019-003 - Consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an ordinance for a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary (2nd Reading).

Ordinance 23

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Consider approval of an ordinance establishing the speed limit along SH 205 as fifty miles per hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits), and take any action necessary. (2nd reading)

Ordinance 31

Blank Page 33

Consider approval of the Professional Engineering Services Contract with Cardinal Strategies Engineering Services, LLC to provide professional engineering services for miscellaneous consulting on stormwater issues and floodplain impacts in the City of Rockwall, to be funded by the FY2019 Engineering Consulting Budget and developer reimbursements, and take any action necessary.

Memo 34

Contract 35

Blank Page 51

Consider awarding a bid to TexasBit and authorizing the City Manager to execute a Purchase Order for Asphalt Pavement Repairs for H Wallace Lane, Lofland Road and Police Building Parking Lot in the total amount of $402,730 to be funded by the FY2019 General Fund Streets Operations Budget, and take any action necessary.

Memo 52

Blank Page 53

Consider authorizing the City Manager to execute an agreement with NewEdge Services, LLC for the purchase, installation and support of new permitting, licensing, and land software, in the amount of $190,660 to be funded by the FY2019 Planning Department Budget, and take any action necessary.

Memorandum 54

Blank Page 93

Consider a recommendation of the City Council's Naming Subcommittee regarding approval of a resolution renaming South Nash Street, and take any action necessary.

S Nash Renaming 94

Blank Page 97

P2019-014 - Consider a request by Mike Whittle and Randall Noe of Rockwall Rental Properties, LLC for the approval of a replat for Lots 16 & 17, Block 2, Alliance Addition, Phase 2 being a 0.98-acre tract of land identified as Lots 14 & 15, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6520 & 6530 Alliance Addition, and take any action necessary.

P2019-014 98

Blank Page 103

P2019-015 - Consider a request by Matt Moore of Claymoore Engineering on behalf of Phil Wagner of the Rockwall Economic Development Corporation for the approval of a replat for Lot 4, Block E, Rockwall Technology Park Addition being a 3.634-acre parcel of land identified as Lot 1, Block E, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, located at the northwest corner of the intersection of Technology Way and Observation Trail, and take any action necessary.

P2019-015 104

Blank Page 109

P2019-006 - Consider a request by Debora Allegranti of CBOCS Texas, LLC on behalf of Eric Borkenhagen of Kohls Illinois, Inc. for the approval of a replat for Lots 6 & 7, Market Center East Addition being a 9.012-acre tract of land identified as Lot 1, Market Center East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 823 & 845 E. IH-30, and take any action necessary.

P2019-006 110

Blank Page 115

Consider authorizing the City Manager to execute an agreement with Freese and Nichols, Inc. for the provision of professional services relating to a Roadway Impact Fee Update in the amount of $41,424 to be funded by the FY2019 Planning Department Budget, and take any action necessary.

Memorandum 116

Blank Page 126

Appointment with representatives of the Downtown Rockwall Association to discuss proposed event schedule and potential street closures in downtown, and take any action necessary.

Memo_DRA . . . 127
DRA Presentation . . . 130
Blank Page . . . 148

Appointment with the city's ART Commission Chairman to review artist’s design for the public art fiberglass guitar project, and take any action necessary.

Guitar Artwork . . . 149
Blank Page . . . 157

Hold a public hearing to discuss and consider an ordinance amending the Code or Ordinances in Ch. 44. Utilities; Article V. Water; Division 6. "Water Conservation" for the purpose of adopting a new Water Conservation Plan for the City, and take any action necessary. [1st reading]

Memo . . . 158
Ord._1st Reading . . . 159
Exhibit A . . . 162
Blank Page . . . 218

Hold a public hearing to discuss and consider an ordinance amending the Code or Ordinances in Ch. 44. Utilities; Article V. Water; Division 7. "Drought Contingency & Water Emergency Response Plan" for the purpose of repealing it and adopting the "Water Resource and Emergency Management Plan" for the city, and take any action necessary. [1st reading]

Memo . . . 219
Ordinance . . . 220
Exhibit A . . . 222
Blank Page . . . 251

Discuss and consider the overall concept plan and proposed Phase I of the Harbor Urban Beach Park, and take any action necessary.

Memo . . . 252
PP Presentation . . . 254
Neighborhood Park District Dev Plan . . . 285
Blank Page . . . 287

Discuss and consider authorizing the City Manager to execute an agreement with Doliver Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous waste and take any action necessary.

Staff memo . . . 288
Previous Memo . . . 289
Revised Contract . . . 290
Blank Page . . . 301

Discuss and consider Shores Park crosswalk assessment study, and take any action necessary.

Memos . . . 302
Map . . . 307

Blank Page . . . 308
Discuss and consider recommendations from the Council's Hotel Occupancy Tax Funding (HOT) Subcommittee, and take any action necessary.
Memo . . . 309
Blank Page . . . 333
Discuss and consider adoption of resolutions related to HB3535 / SB1152 and related to HB2439 / SB1266 and other legislative matters, and take any action necessary.
Memo_Legislative items . . . 334
Resolution (HB3535, SB1152) . . . 335
Resolution (HB2439, SB1266) . . . 337
Blank Page . . . 338
Fire Department Monthly Report - February 2019
Fire Deparment February Monthly Report . . . 339
Blank Page . . . 345
GIS Monthly Report - February 2019
GIS Monthly Report (02.2019) . . . 346
Blank Page . . . 347
Harbor PD Monthly Report - February 2019
Harbor PD - Feb 2019 . . . 348
Blank Page . . . 349
Internal Operations Department Monthly Report - February 2019
IO Report . . . 350
Airport Operations . . . 351
Blank Page . . . 353
Police Department Monthly Activity Report - February 2019
02February Rockwall Police Monthly Activity Report 2019 - External . . . 354
Blank Page . . . 356
Recreation Monthly Report - February 2019
Recreation Monthly - Feb 2019 . . . 357
Blank Page . . . 362
Rockwall Animal Adoption Center Monthly Report - February 2019
RAAC-February 2019 . . . 363
Blank Page . . . 366
STAR Transit Quarterly Report
STAR Quarterly . . . 367
Blank Page . . . 369
STAR Transit Monthly Report - February 2019
STAR Monthly . . . 370
Blank Page . . . 372
Blank Page . . . 373

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, April 01, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

1. Hold a work session to hear and discuss an update by PROS Consulting regarding the city's athletic facility feasibility study.

III. EXECUTIVE SESSION.

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding purchase, acquisition, abandonment, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

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

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

VIII. PROCLAMATIONS

p.10 **1.** Child Abuse Awareness & Prevention Month

p.12 **2.** Public Water System Celebration Day

IX. OPEN FORUM

X. CONSENT AGENDA

p.14 **1.** Consider approval of the minutes from the March 18, 2019 regular city council meeting, and take any action necessary.

p.23 **2.** **Z2019-003** - Consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary **(2nd Reading)**.

p.31 **3.** Consider approval of an **ordinance** establishing the speed limit along SH 205 as fifty miles per hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits), and take any action necessary. **(2nd reading)**

p.34 **4.** Consider approval of the Professional Engineering Services Contract with Cardinal Strategies Engineering Services, LLC to provide professional engineering services for miscellaneous consulting on stormwater issues and floodplain impacts in the City of Rockwall, to be funded by the FY2019 Engineering Consulting Budget and developer reimbursements, and take any action necessary.

p.52 **5.** Consider awarding a bid to TexasBit and authorizing the City Manager to execute a Purchase Order for Asphalt Pavement Repairs for H Wallace Lane, Lofland Road and Police Building Parking Lot in the total amount of $402,730 to be funded by the FY2019 General Fund Streets Operations Budget, and take any action necessary.

p.54 **6.** Consider authorizing the City Manager to execute an agreement with NewEdge Services, LLC for the purchase, installation and support of new permitting, licensing, and land software, in the amount of $190,660 to be funded by the FY2019 Planning Department Budget, and take any action necessary.

p.94 **7.** Consider a recommendation of the City Council's Naming Subcommittee regarding approval of a resolution renaming South Nash Street, and take any action necessary.

p.98 **8.** **P2019-014** - Consider a request by Mike Whittle and Randall Noe of Rockwall Rental Properties, LLC for the approval of a replat for Lots 16 & 17, Block 2, Alliance Addition, Phase 2 being a 0.98-acre tract of land identified as Lots 14 & 15, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6520 & 6530 Alliance Addition, and take any action necessary.

p.104 **9.** **P2019-015** - Consider a request by Matt Moore of Claymoore Engineering on behalf of Phil Wagner of the Rockwall Economic Development Corporation for the approval of a replat for Lot 4, Block E, Rockwall Technology Park Addition being a 3.634-acre parcel of land identified as Lot 1, Block E, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, located at the northwest corner of the intersection of Technology Way and Observation Trail, and take any action necessary.

p.110 **10. P2019-006** - Consider a request by Debora Allegranti of CBOCS Texas, LLC on behalf of Eric Borkenhagen of Kohls Illinois, Inc. for the approval of a replat for Lots 6 & 7, Market Center East Addition being a 9.012-acre tract of land identified as Lot 1, Market Center East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 823 & 845 E. IH-30, and take any action necessary.

p.116 **11.** Consider authorizing the City Manager to execute an agreement with Freese and Nichols, Inc. for the provision of professional services relating to a Roadway Impact Fee Update in the amount of $41,424 to be funded by the FY2019 Planning Department Budget, and take any action necessary.

XI. APPOINTMENT ITEMS

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

p.127 **2.** Appointment with representatives of the Downtown Rockwall Association to discuss proposed event schedule and potential street closures in downtown, and take any action necessary.

p.149 **3.** Appointment with the city's ART Commission Chairman to review artist's design for the public art fiberglass guitar project, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p.158 **1.** Hold a public hearing to discuss and consider an **ordinance** amending the Code or Ordinances in Ch. 44. Utilities; Article V. Water; Division 6. "Water Conservation" for the purpose of adopting a new Water Conservation Plan for the City, and take any action necessary. (**1st reading)**

p.219 **2.** Hold a public hearing to discuss and consider an **ordinance** amending the Code or Ordinances in Ch. 44. Utilities; Article V. Water; Division 7. "Drought Contingency & Water Emergency Response Plan" for the purpose of repealing it and adopting the "Water Resource and Emergency Management Plan" for the city, and take any action necessary. (**1st reading)**

XIII. ACTION ITEMS

p.252 **1.** Discuss and consider the overall concept plan and proposed Phase I of the Harbor Urban Beach Park, and take any action necessary.

p.288 **2.** Discuss and consider authorizing the City Manager to execute an agreement with Doliver Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous waste, and take any action necessary.

p.302 **3.** Discuss and consider Shores Park crosswalk assessment study, and take any action necessary.

p.309 **4.** Discuss and consider recommendations from the Council's Hotel Occupancy Tax Funding (HOT) Subcommittee, and take any action necessary.

p.334 **5.** Discuss and consider adoption of resolutions related to HB3535 / SB1152 and related to HB2439 / SB1266 and other legislative matters, and take any action necessary.

XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.339 Fire Department Monthly Report - February 2019
p.346 GIS Monthly Report - February 2019
p.348 Harbor PD Monthly Report - February 2019
p.350 Internal Operations Department Monthly Report - February 2019
p.354 Police Department Monthly Activity Report - February 2019
p.357 Recreation Monthly Report - February 2019
p.363 Rockwall Animal Adoption Center Monthly Report - February 2019
p.367 STAR Transit Quarterly Report
p.370 STAR Transit Monthly Report - February 2019

2. City Manager's Report

XV. EXECUTIVE SESSION

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding purchase, acquisition, abandonment, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XVII. ADJOURNMENT

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 29th day of March, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, Texas

Proclamation

Whereas, child abuse and neglect is a serious problem that affects every segment of our community, causing psychological, emotional and physical impacts that can have lifelong consequences for victims of abuse; and

Whereas, such atrocities not only directly harm children but also increase the likelihood of criminal behavior, substance abuse, health problems such as heart disease and obesity, as well as risky behavior such as smoking; and

Whereas, effective child abuse prevention is cultivated by meaningful connections and partnerships between child welfare, education, health, community and faith-based organizations, businesses and law enforcement agencies; and

Whereas, the Child Advocacy Center of Rockwall County provides a multi-agency coordinated approach to the investigation, prosecution, and treatment of child abuse victims while providing a safe, child-friendly environment to more effectively seek justice and promote healing for Rockwall County's most vulnerable citizens; and

Whereas, Court Appointed Special Advocates - CASA volunteers - are assigned by the court to speak on behalf of a child's best interests, serving as a voice to ensure that children have the opportunity to grow up in a safe, loving, permanent home; and

Whereas, the Rainbow Room is an emergency item resource center for abused children in the CPS system and is accessible 24-hours a day, 7 days a week to provide clothing, shoes and toys to children who need extra support.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **APRIL 2019** as

CHILD ABUSE AWARENESS AND PREVENTION MONTH

in the City of Rockwall and encourage all citizens to work together to promote awareness while taking meaningful actions that benefit children and families in our community.

In Witness Whereof, I hereunto set my hand and official seal this 1st day of April, 2019.

Jim Pruitt, Mayor

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11

Rockwall, Texas

Proclamation

Whereas, staff members in the City of Rockwall's Water Department plan and execute processes and procedures in order to provide superior water to benefit the health and wellbeing of the residents; and

Whereas, once every three years, the Texas Commission on Environmental Quality (TCEQ) conducts an in-depth inspection of our city's local water system, including facilities, maintenance, recordkeeping, and other areas that are vital to ensure the highest quality of water for Rockwall residents; and

Whereas, the TCEQ's inspection consists of 27 items, and no violations were found during the city's most recent inspection of the Rockwall water system, which was completed last month in March; and

Whereas, the City of Rockwall has consistently maintained a "superior" water rating in the State of Texas since 2007; and

Whereas, the recent TCEQ inspector provided positive feedback, including the following comments: "I wish every system maintained records as well as Rockwall does," and "Rockwall has one of the best Nitrification Plans I have seen;" and

Whereas, with volumes of regulations applicable to public water systems, the accomplishments of the City of Rockwall's Water Department are commendable.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim April 1, 2019, as:

ROCKWALL'S PUBLIC WATER SYSTEM CELEBRATION DAY

and encourage all citizens and civic organizations to applaud the City of Rockwall's Water Department, including each and every one of its employees who meticulously and consistently work to ensure the highest water quality for our community.

In Witness Whereof, I hereunto set my hand and official seal this 1st day of April, 2019.

Jim Pruitt, Mayor

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13

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, March 18, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the public meeting to order at 5:00 p.m. Present were Mayor Pro Tem Kevin Fowler and Councilmembers Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Jim Pruitt was absent from the meeting.

Mayor Pro Tem Fowler read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

II. EXECUTIVE SESSION.

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:48 p.m.

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

Mayor Pro Tem Fowler reconvened the public meeting with 6 of the 7 council members being present (Pruitt absent).

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

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

VII. OPEN FORUM

Mayor Pro Tem Fowler explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time.

Nick Grant
1569 E. Quail Run Road
Rockwall, TX

Mr. Grant came forth and shared concerns related to the cancellation of Household Hazardous Waste Disposal Day. He shared that citizens were not communicated with regarding its cancellation. Also, he is concerned about physical safety and environmental-related concerns pertaining to the potential 'replacement' solution if it entails hazardous items being left outside for curbside pick up.

There being no one else wishing to come forth and speak, Mayor Pro Tem Fowler closed Open Forum.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the March 4, 2019 regular city council meeting, and take any action necessary.
2. Consider approval of an **ordinance** cancelling the May 4, 2019 General Election, and take any action necessary **(2nd Reading).**
3. Consider approval of an **ordinance** establishing the speed limit along SH 205 as fifty miles per hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits), and take any action necessary**. (1st reading)**
4. Consider authorizing a contract extension for Contract Mowing for one year to Grass Kisser Landscape Maintenance in the amount of $80,437 to be funded from the General Fund, Parks Operations, Ground Maintenance budget, and take any action necessary.
5. Consider a Park Board recommendation regarding approval of a resolution of the City Council to the 86th Session of the Texas Legislature regarding the distribution of sporting good sales tax to the Texas Recreation and Parks Account, and take any action necessary.
6. Consider approval of a resolution authorizing and consenting to the City of Forney, TX providing sanitary sewer service to 487 additional acres of land through an amendment to the City of Forney's Wastewater Service Contract with Kaufman County Municipal Utility District (MUD) No. 3, and take any action necessary.
7. Consider approval of a resolution for the annual adoption of pro-rata equipment fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.
8. Consider approval of a resolution for the annual adoption of cash-in-lieu of land fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.

9. Consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an alternative tree mitigation plan in conjunction with an approved site plan for a warehouse/manufacturing facility on a 11.3736-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.

10. **P2019-009** - Consider a request by Mathias Haubert of Bohler Engineering on behalf of Daniel J. Porter of Dynamic Development for the approval of a replat for Lot 1, Block A, Brakes Plus Addition being a 0.653-acre tract of land currently identified as Lots 1 & 2, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.

Councilmember Johannesen moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10). Councilman Trowbridge seconded his motion but expressed a desire to ask questions pertaining to Consent Agenda item #3. Clarifying questions and answers took place pertaining to the process involved in having speed limits altered. Following the brief discussion, the ordinances were read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1, CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS

ORDINANCE # 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 205 OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET FORTH IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO

EXCEED SUM OF $200.00 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

IX. APPOINTMENT ITEMS

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

This item was not addressed by Council.

X. PUBLIC HEARING ITEMS

1. **Z2019-003** - Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant is requesting the approval of a Specific Use Permit (SUP) for a Private Sports Arena, Stadium, or Track on the subject property. Currently, the Rockwall Independent School District (RISD) utilizes this area as an existing multi-purpose field that serves as a practice facility for various sports (e.g. softball, baseball, football, soccer, discus, etc.). According to the applicant, in order to protect vehicles and/or patrons of the nearby commercial businesses (e.g. Rooms-To-Go, Heritage Buick-GMC, the future Texas Roadhouse Restaurant and Marriott Towneplace Suites hotel) adjacent to the field, the school is requesting to construct a 40-foot fence/netting combination around the perimeter of the field. Notices were sent out to adjacent property / land owners; however, no responses were received back by staff. The Planning & Zoning Commission has recommended approval of this item by a vote of 4 in favor with 3 absences. If the City Council chooses to approve the applicant's request, staff proposed that the Council consider the following conditions of approval:

The applicant shall be responsible for maintaining compliance with the following conditions:

- **The private arena, stadium, or track shall generally conform to concept and photometric plans and elevations depicted in Exhibits 'B', 'C', and 'D' of the attached ordinance;**

- **The light fixtures shall not be mounted above 40-feet in height.**

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

Tim Listing, Construction Project Manager for RISD, came forth and addressed the Council concerning this agenda item, indicating that he is happy to answer any questions the Council may have.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time.

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker came forth and expressed that as long as there are not loud speakers or offensive lighting, he thinks this will be okay. As a side note, he expressed that he has some input related to changing of speed limits that he would like to share with staff/council.

There being no one else wishing to come forth and speak, Mayor Pro Tem Fowler closed the public hearing.

Councilman Trowbridge moved to approve Z2019-003. Councilmember Macalik seconded the motion. Mayor Pro Tem Fowler shared that he is not crazy about a large, black chain link fence, especially considering that it is visible from IH-30. The applicant briefly came forth and provided comments regarding Fowler's concerns. He also pointed out that the location abuts the rear of "Rooms-to-Go," so putting any sort of landscaping does not seem logical. He clarified that the chain link fence will be about 10' tall, and the netting will begin above that. He went on to briefly describe the netting that will be utilized. Various sport practices only will take place at the location (no games), so the netting will be utilized to essentially help ensure random sports balls do not escape the practice fields. Councilman Daniels expressed concern about the netting. He does not wish for netting like that which is used at a "Top Golf," for example, be visible from IH-30, especially in an "Overlay District." Councilman Johannesen questions why the City might grant all of these exceptions, other than the fact that the applicant is a school district. He is not sure that so many exceptions would be made if the applicant were not a school district. Brief discussion took place related to a grading study / plan. Following extensive discussion, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A PRIVATE SPORTS ARENA, STADIUM, OR TRACK IN A COMMERCIAL (C) DISTRICT, SI TU ATED ON A 35.295-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ROCKWALL HIGH SCHOOL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 0 absences.

2. **P2019-008** - Hold a public hearing to discuss and consider a request by Kevin Osornio on behalf of Jeaniffer Osornio for the approval of a replat for Lots 1 & 2, Block A, N. E. & J.O. Addition being a 0.46-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of

Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Overlay (SOV) District, addressed as 705 Peters Colony, and take any action necessary.

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. The applicant is requesting to replat a 0.46-acre parcel of land for the purpose of subdividing one lot (*i.e. Lot 2, Block A, Sanger Addition*) into two (2) lots (*i.e. Lots 1 & 2, Block A, N. E. & J. O. Addition*) in order to construct single-family homes on Lots 1 & 2. The subject property was annexed prior to 1959, is situated within the Southside Residential Neighborhood Overlay (SOV) District, and is zoned Single-Family 7 (SF-7) District. Thirty-nine public notices were sent out to adjacent land and property owners; however, no notices were received back by staff. The Planning & Zoning Commission has recommended approval of this item by a vote of 4 to 0.

On March 5, 2019, the Parks and Recreation Board reviewed the proposed *replat* and made the following recommendations:

1) The developer shall pay pro-rata equipment fees for Park District No. 21 in the amount of $516.00 for Lot 2. This will need to be paid at time of final plat and is subject to change pending the City Council's adoption of the 2019 fees; and

2) The developer shall pay cash-in-lieu of land fees for Park District No. 21 in the amount of $416.00 for Lot 2. This will need to be paid at time of final plat and is subject to change pending the City Council's adoption of the 2019 fees.

The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- - *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

With the exception of the items listed in the *Conditions of Approval* section of staff's case memo, the plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

Following Mr. Miller's comments, Councilman Trowbridge moved to approve this item, including staff recommendations. Councilman Hohenshelt seconded the motion. The motion passed by a vote of 6 ayes with 1 absence (Pruitt).

XI. ACTION ITEMS

1. Discuss and consider authorizing the City Manager to execute an agreement with Doliver Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous waste and take any action necessary.

Assistant City Manager Mary Smith provided brief, introductory comments pertaining to this agenda item. She generally indicated that the company that had been providing "Household Hazardous Waste Day" services significantly increased its pricing, which caused the city to have to look for a potential alternative. Mr. Dick Demien came forth and briefly introduced himself. He shared that he is a long time Rockwall resident. He went on to share that this service is a "porch pickup" service (not a

curbside pickup). It is currently provided in various other cities within Texas. The company is a viable one with no known complaints against it. Indication was given that this will be a .99 cents per household, per month cost to citizens. His company is heavily regulated by the Texas Commission on Environmental Quality (TCEQ). He shared that their main goal is to allow citizens to come and pick up items and reuse them. They also encourage repurposing of items. Their last resort is taking items to an industrial-type landfill; however, it is not their preference. Councilman Hohenshelt expressed a little concern about extending a five-year contract. He prefers a one or two-year contract to start. Mr. Demien shared that there are provisions in the contract that will allow cancellation of the contract if his company is not 'doing its job.' City Attorney Frank Garza shared that he is still working with the company to clean up some of the language. Councilman Hohenshelt shared that he would like to have a final version of the contract brought back to Council for review and consideration, and he would like the 'cancel the contract' language to be very, very clear. Following the discussion, Councilman Hohenshelt moved to direct the city manager to negotiate the contract and bring it back to Council for approval at a future date. Councilman Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence (Pruitt).

2. Discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item, reminding Council that this topic was discussed at a work session with Council back on February 19. At that time, the City Council directed staff to prioritize the strategies listed in the IH-30 Commercial Corridor Planning Study based on the corridor zone that the strategy was intended to support. In response to this direction, staff has prepared several maps that summarize and prioritize the strategies for each of the targeted corridor zones. In prioritizing each strategy, staff took into account [1] the estimated costs of the strategy, [2] the time needed to implement the strategy, and [3] the perceived impact of the strategy. It was pointed out that staff's memo shows the strategies that staff believes may be more viably doable / workable versus those that may not be as viable. Mr. Miller pointed out that all of the approved strategies would be incorporated into the OURHometown Vision 2040 Comprehensive Plan and would form the framework for how the zone is developed in the future. Following brief discussion, Councilmember Hohenshelt moved to approve the removal of all the items (potential strategies) shown in red font on staff's memo. Councilman Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 absence (Pruitt).

XII. EXECUTIVE SESSION

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XIV. ADJOURNMENT

The meeting was adjourned at 6:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 1st DAY OF APRIL, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

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22

CITY OF ROCKWALL

ORDINANCE NO. 19-16

SPECIFIC USE PERMIT NO. S-206

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *PRIVATE SPORTS ARENA, STADIUM, OR TRACK* IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 35.295-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ROCKWALL HIGH SCHOOL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jeff Breese of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) to allow a *private sports arena, stadium, or track* in a Commercial (C) District on a 35.295-acre parcel of land being described as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *private sports arena, stadium, or track* as stipulated by Section 1, *Land Use Schedule,* of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*], on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 4.4*, Commercial (C) District,* of Section 4*, Commercial Districts,* and Subsection 6.06, *IH-30 Overlay (IH-30 OV) District,* of Section 6, *Overlay Districts*, of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *private sports arena, stadium, or track* on the *Subject Property* and conformance to these stipulations is required for continued operations:

1) The *private sports arena, stadium, or track* shall generally conform to the concept plan, photometric plan, and building elevations depicted in *Exhibits 'B'*, *'C'* and *'D'* of this ordinance;

2) The light poles shall not exceed 40-feet in height.

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1st DAY OF APRIL, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 03/18/2019

2nd Reading: 04/01/2019

Exhibit 'A'
Zoning Exhibit

Address: *901 Yellow Jacket Lane*
Legal Description: *Lot 1, Block A, Rockwall High School Addition*

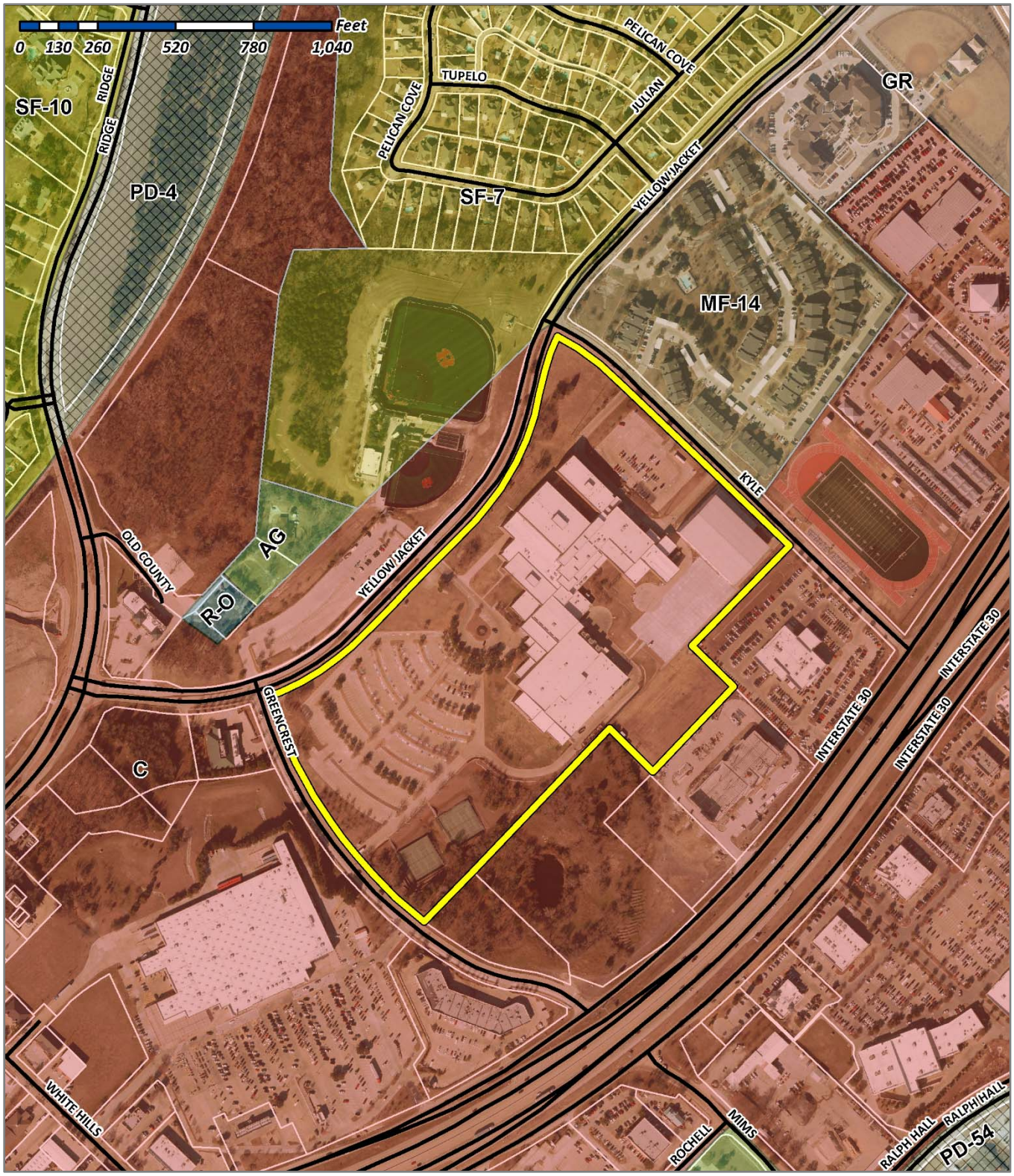


Exhibit 'B':
Concept Plan

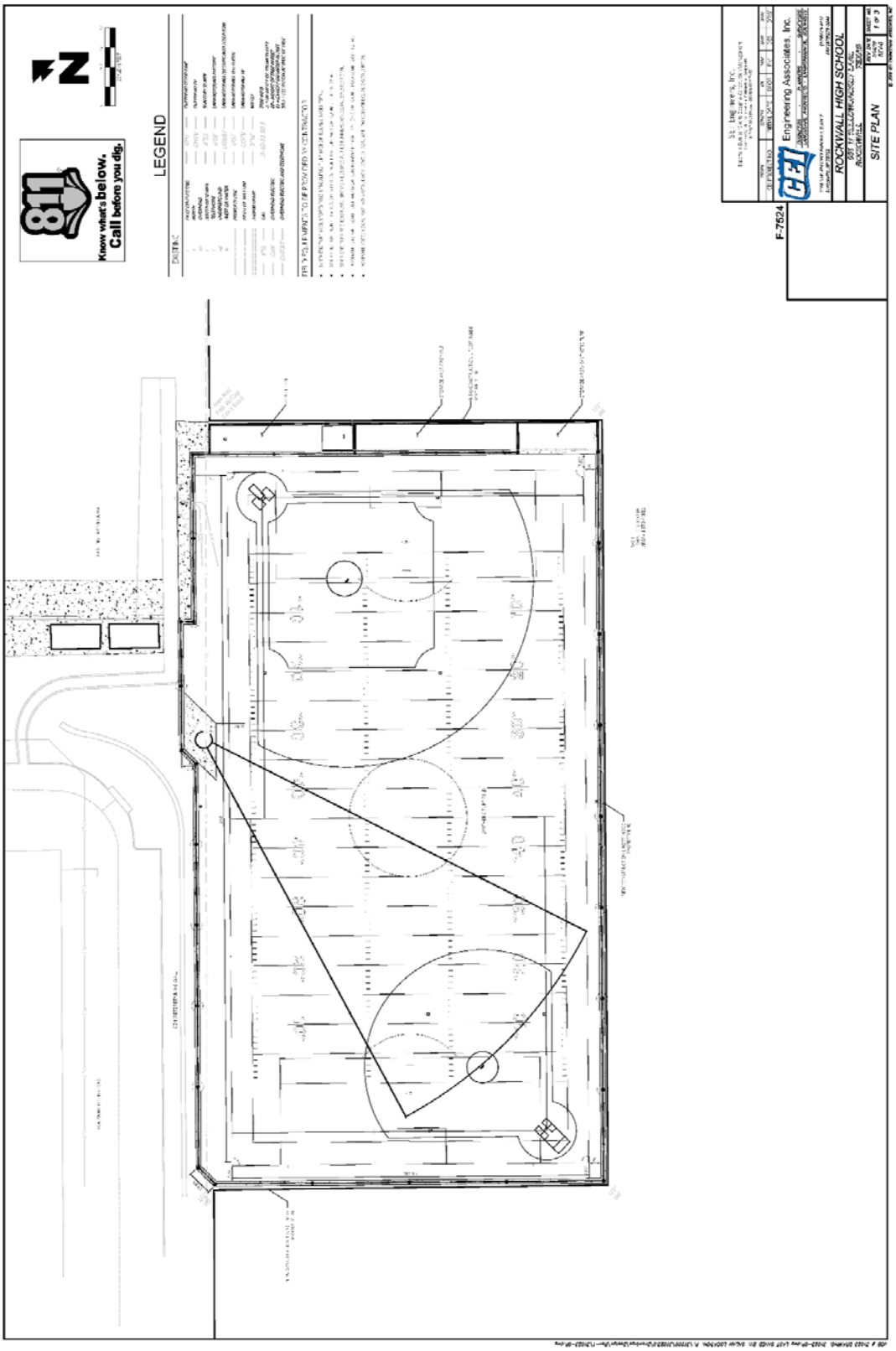
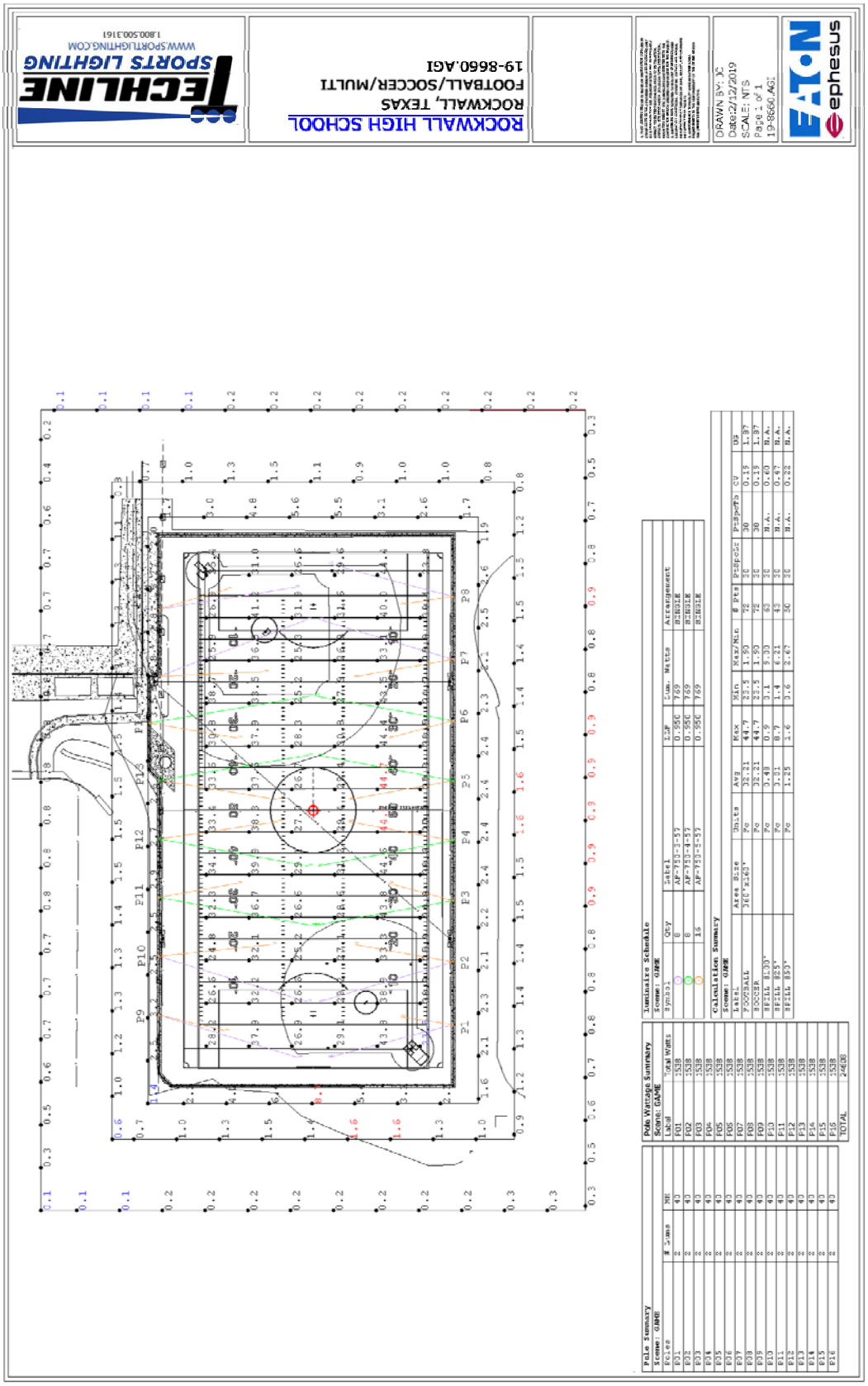


Exhibit 'C':
Photometric Plan

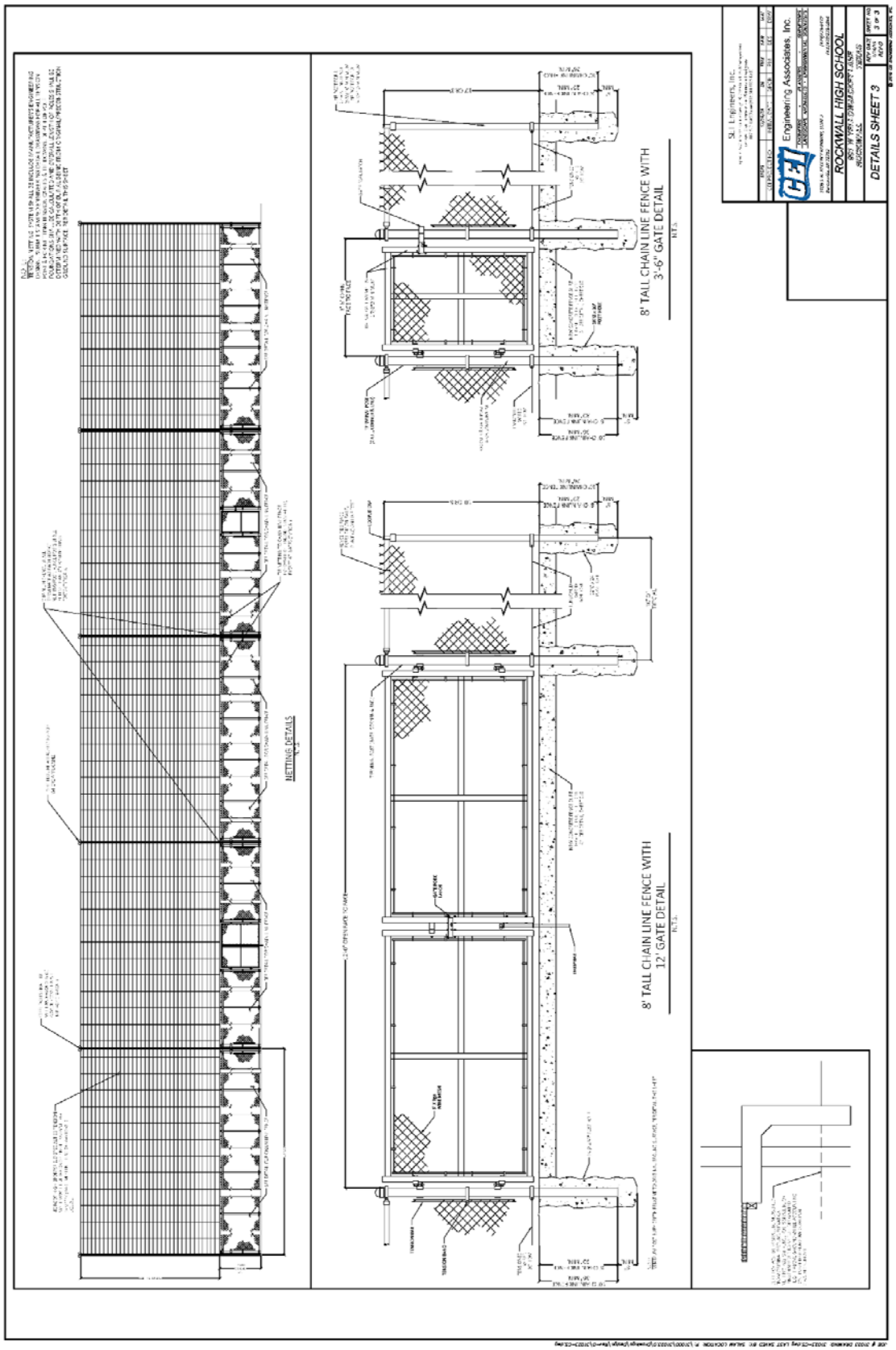


Z201
Ordinance No. 18-XX;

exas

28

Exhibit 'D':
Concept Elevations



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30

CITY OF ROCKWALL, TEXAS

ORDINANCE # 19-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 205 OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET FORTH IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED SUM OF $200.00 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration that width and condition of the pavement and other circumstances such portion of said street or highway, as well as the traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

SECTION 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

SECTION 2. That from and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway 205 within the corporate limits of the City of Rockwall in excess of speeds now set forth in Exhibit “A.”

SECTION 3. The Mayor of Rockwall is hereby authorized to cause to be erected, appropriated signs indicating such speed zones.

SECTION 4. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars ($200.00).

SECTION 5. That if any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and

applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That this ordinance shall become effective immediately upon its passage and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 1ST DAY OF APRIL, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 03/18/2019

2nd Reading: 04/01/2019

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33

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E. Director of Public Works/City Engineer**

DATE: **March 26, 2019**

SUBJECT: **General Engineering Service Agreement**

The City of Rockwall's storm drainage system encompasses approximately 20 separate watersheds located totally or partially within the corporate limits and ETJ of the City. Some of these watersheds have been analyzed for existing and fully developed conditions. Whenever a development occurs that potentially impacts any floodplain area or other properties, development standards require a registered professional engineer to perform a flood study to determine these potential impacts and to provide an engineering solution that minimizes these impacts. Potential impacts may include increases in flood elevations, increases in inundation areas of land, and increases in erosive flood flow velocities.

To recoup the City's review costs, a flood study review fee was implemented in 2013 by the City for developments requiring a flood study. The City currently uses HydroLogical Support Services, LLC, to perform reviews of flood studies and to assist the City in verifying the City's drainage requirement compliance. The Owner and Principal of HydroLogical Support Services, LLC is planning on retiring at the end of 2019 and will no longer be able to perform services for the City of Rockwall. In preparation of the consultant's retirement the Engineering Division called for a Request for Qualification for Professional Engineering Services for Miscellaneous Consulting on stormwater issues to find a new consultant to provided services for the City. The City received nine (9) Statement of Qualifications from professional engineering firms. Cardinal Strategies Engineering Services, LLC was selected to be the most qualified to perform services listed above for the City.

Staff requests the City Council consider approval of the Professional Engineering Services Contract with Cardinal Strategies Engineering Services, LLC to provide professional engineering services for miscellaneous consulting on stormwater issues and floodplain impacts in the City of Rockwall, to be funded by the 2019-2020 Engineering Consulting budget and developer reimbursement, and take any action necessary.

AW:jw

Cc:

Mary Smith, Assistant City Manager
Joey Boyd, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
File

STATE OF TEXAS ♦
♦
COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Cardinal Strategies Engineering Services, LLC), ("ENGINEER")**,** located at 1401 N Central Expressway, Suite 220, Richardson, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for *Miscellaneous Consulting on Stormwater Issues.*

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be based on an as-needed time and material basis and billed as a *hourly* basis per rates provided in Attachment "B". Specific services identified at a later date may be billed as a *lump sum* basis with a not to exceed amount identified around the specific tasks. Engineer is not authorized to perform any work without approval of City.

The term of this Agreement shall commence upon execution of this agreement and follow the

schedule described in Attachment "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse

without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, PE, City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Thomas Caffarel, PE, CFM, Engineering Services Manager
Cardinal Strategies Engineering Services, LLC
1401 N Central Expressway, Suite 220
Richardson, Texas 75080

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this ____ day of _____ 201_.

_____

By:_____
Name: _Michael Anderson_____.
Title: __Principal_____

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley
City Manager

7.

ATTACHMENT “A”

Scope of Service

8.

42

ATTACHMENT “B”

Payment Schedule

9.

43

ATTACHMENT “C”

Project Schedule

10.

44

ATTACHMENT "D"

Sub-Consultants

Sub-Consultant work is not anticipated based on the scope of services for this project.

1. **Sub-Consultant:**
   Company Name: _____
   Services of the Scope Being Provided: _ _____
   Contact Person: _____ Title: _____
   Email:_____ Phone: _____

2. **Sub-Consultant:**
   Company Name: _____
   Services of the Scope Being Provided: _ _____
   Contact Person: _____ Title: _____
   Email:_____ Phone: _____

3. **Sub-Consultant:**
   Company Name: _____
   Services of the Scope Being Provided: _ _____
   Contact Person: _____ Title: _____
   Email:_____ Phone: _____

EXHIBIT A
SCOPE OF SERVICES

TO BE PROVIDED BY CARDINAL STRATEGIES ENGINEERING SERVICES, LLC, TO THE CITY OF ROCKWALL FOR THE MISCELLANEOUS CONSULTING ON STORMWATER ISSUES

Project Description:

The City seeks to engage in professional engineering services for various projects involving stormwater and other water resources matters that will be needed from time to time based on the specific needs to the City. No specific projects have been identified, but as they are identified, specific scopes of service can be prepared accordingly.

A. SPECIAL SERVICES

The Consultant shall receive written approval from the City before proceeding with any of the following services listed below and shall invoice the services as different tasks on a monthly basis.

1. Stormwater Development Reviews –
    a. Consultant shall provide assistance with the review of proposed development projects and other proposed construction within the City's jurisdiction on issues related to stormwater drainage (including but not limited to conformance with the current City Standards of Design and Construction, conformance with the Flood Damage and Prevention Ordinance, review of Detention Studies, review of Floodplain Studies, Reclamation, and modifications within the floodplain); flood hazard and erosion potential and prevention; regulatory issues related to flood damage prevention, and other regulatory compliance issues related to water resources matters, and provide a list of review comments, summary of review, and opinions and recommendations to the City Public Works Department – Engineering Division for consideration.
    b. Upon request, consultant shall be available for project specific meetings with the City staff and developer team to discuss stormwater related challenges with the development.
    c. Consultant shall review development of LOMR, CLOMR, LOMAs that are submitted to the City requesting City approval for FEMA processing.
    d. Consultant shall serve as the City's Floodplain Mapping, Flood Study and digital H&H Model Repository
        i. Consultant shall update the City's Master hydrology and hydraulic models based on proposed developments that are approved and update the City's GIS Floodplain layers to reflect approved developments.
        ii. Consultant shall release flood models and mapping to proposed developers upon City's request along with City Criteria and other information to performing flood and detention studies within the City.

2. Perform and submit for the City upon request FEMA LOMRs, LOMR-Fs, LOMAs, etc.
    a. Consultant shall provide services for the above. Detailed scope of services and fee will be established by separate task.

3. Expert Stormwater Advice/Compliance –
    a. Consultant shall provide assistance to the City in their enforcement of their flood damage prevention and in requirements for compliance with related local, state, and federal regulations. Such assistance may or may not be associated with proposed development, and may include providing opinions, recommendations, advice and other miscellaneous assistance to the City regarding drainage, flood hazard protection, and regulatory issues related to the City's ordinances pertaining to stormwater drainage, in particular the City's

flood damage prevention ordinance and the City's Standards of Design and Construction.

4. Coordination and Meetings –
    a. Consultant shall be in attendance, upon request and when available, for specific meetings with City staff.

5. City Project Reviews
    a. Consultant shall provide assistance with the review of proposed City projects within the City's jurisdiction on issues related to stormwater drainage (including but not limited to conformance with the current City Standards of Design and Construction, conformance with the Flood Damage and Prevention Ordinance, review of Detention Studies, review of Floodplain Studies, Reclamation, and modifications within the floodplain); flood hazard and erosion potential and prevention; regulatory issues related to flood damage prevention, and other regulatory compliance issues related to water resources matters, and provide a list of review comments, summary of review, and opinions and recommendations to the City Public Works Department – Engineering Division for consideration.
    b. Upon request, consultant shall be available for project specific meetings with the City staff to discuss stormwater related challenges with the project area.
    c. Review of City's LOMR, CLOMR, LOMAs that are submitted to the City requesting City approval for FEMA processing.
    d. Consultant shall serve as the City's Floodplain Mapping, Flood Study and digital H&H Model Repository
        i. Consultant shall update the City's Master hydrology and hydraulic models based on proposed City projects that are approved and update the City's GIS Floodplain layers to reflect approved projects.
        ii. Consultant shall release flood models and mapping to City's engineers and project teams upon City's request along with City Criteria and other information to performing flood and detention studies within the City.

6. Stormwater Utility Fee
    a. Consultant shall provide assistance to the City Engineering Division with assistance in developing and justifying a stormwater utility fee in which the City shall have a dedicated funding source to manage stormwater related needs.
    b. Consultant shall provide services for the above. Detailed scope of services and fee will be established by separate task.

7. MS4 Program Support Services
    a. Consultant shall provide assistance to the City Engineering Division with audits, training, coordination with TCEQ, and MS4 stormwater plan renewal support.
    b. Consultant shall provide services for the above. Detailed scope of services and fee will be established by separate task.

8. Consultant shall provide other miscellaneous services as requested by the City and agreed to by the Consultant provided that such services are with in the field of expertise of the Consultant.

B. ADDITIONAL SERVICES

1. Environmental Permitting or Investigations
2. Geotechnical Engineering or Investigations
3. Surveying Services
4. Groundwater Services or Investigations
5. Expert Witness Services

This scope of services is to be provided on a time and materials cost basis in accordance with the attached compensation/pricing schedule. The termination date of this contract is September 30, 2019. Unless agreed in writing by both parties to extend this contract, or unless either party gives notice to other part to terminate this contract prior to this termination date.

EXHIBIT B
COMPENSATION/PRICING SCHEDULE

PROFESSIONAL ENGINEERING SERVICES AGREEMENT
BETWEEN THE CITY OF ROCKWALL AND CARDINAL STRATEGIES ENGINEERING SERVICES, LLC
FOR MISCELLANEOUS CONSULTING ON STORMWATER ISSUES

2019 HOURLY CHARGES FOR PROFESSIONAL SERVICES
Rates include all salaries, salary expense, overhead, and profit.

Principal	$165 - $195 per hour
Project Manager	$150 - $175 per hour
Senior Engineer	$130 - $165 per hour
Engineer	$110 - $140 per hour
Junior Engineer	$90 - $120 per hour
GIS Professional	$90 - $105 per hour
CAD Professional	$65 - $90 per hour
Admin / Clerical	$60 - $75 per hour

Expense Items

Supplies	Cost plus 10%
Travel	IRS rate per mile
Lodging and meals (US Government per diem plus taxes)	Actual cost
Airfare and Rental Car	Cost plus 10%

Unless otherwise agreed in writing to extend this contract, or unless either party to this contract gives notice to terminate, this contract will terminate on September 30, 2019.

EXHIBIT C

SCHEDULE

**PROFESSIONAL ENGINEERING SERVICES AGREEMENT
BETWEEN THE CITY OF ROCKWALL AND CARDINAL STRATEGIES
ENGINEERING SERVICES, LLC
FOR MISCELLANEOUS CONSULTING ON STORMWATER ISSUES**

The term of this agreement shall commence upon execution of the agreement by both parties and will extend through September 30, 2019, unless otherwise terminated or extended as agreed in writing. Consulting services listed in Exhibit A will be scheduled on an as-needed basis during the term of contract and any extension as agreed. Consulting services will end immediately upon termination of the contract.

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51

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

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

DATE: **March 27, 2019**

SUBJECT: **Asphalt Pavement Reconstruction Projects**

Approved in the General Fund, Streets & Drainage Construction and Repair budget is full depth asphalt pavement for H Wallace Lane (cost $240,511), various sections of repair for Lofland Road (cost $75,050) and full depth asphalt pavement requiring base reclamation for the Police Building Parking Lot (cost $87,169). Total cost for these three projects is $402,730 and this amount is within budget. The City has a current Asphalt Pavement Maintenance contract with Texas Bit Paving and Construction for this type of work.

For Council consideration is the approval of this work for $402,730 and authorize the City Manager to execute a purchase order to Texas Bit.

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53

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	April 1, 2019
SUBJECT:	Permitting, Licensing and Land Software (PLL)

The City's Development Services Departments have utilized TRAKiT since ~2003 for all permitting, licensing and land activities, and -- *with the exception of a DotNet upgrade in 2009 and miscellaneous upgrades to various modules* -- the core software has remained relatively unchanged (*i.e. the software is 15-years old*). In the *FY2018-2019 Budget* the Development Services Departments were approved $200,000.00 to seek a replacement to the aging software. Based on this approval, a *Request for Proposals* was sent out with the City's criteria for the new software, and two (2) companies submitted bids. Only one (1) of the bids was within the stated $200,000.00 budget, and as a result City staff recommends the City Council consider authorizing the City Manager to enter into a contract with *CityWorks/NewEdge Services, LLC* for the purchase, installation and support of *CityWorks Permitting, Licensing, and Land* software. This new software is from the same company that supplies the City's asset management software and will allow for an enterprise system to be setup between the City's permitting, licensing and land applications and the City's asset management applications. The total cost indicated in the contract provided by *CityWorks/NewEdge Services, LCC* is $190,660.00 (*i.e. $160,660.00 for NewEdge, LLC's installation and service and $30,000.00 for the software from CityWorks*). Currently, the City Attorney is finalizing the contracts, but all perinate information concerning the contact is attached to this memorandum. Should the City Council have any questions staff will be available at the *April 1, 2019* meeting.

NewEdge Services, LLC

Master Agreement for Material and Services

This Material and Services Agreement (hereinafter "Agreement"), is between NewEdge Services, LLC, a Texas limited liability company, and its subsidiaries, parents, affiliates, successors, and assigns ("NewEdge"), and City of Rockwall, TX, and its subsidiaries, parents, affiliates, successors, and assigns, each of them ("Client"), each of which may be referred to in the singular as "Party" or in the plural as "Parties."

Article I. SCOPE OF AGREEMENT

NewEdge shall provide to Client such Materials and Services as described in Appendix A – Statement of Work at the prices set therein, or any Order executed under this Agreement substantially in the form of Appendix B - Order, subject to the terms and conditions of this Agreement. Any Order in effect on the date when this Agreement expires or is terminated shall continue in effect until such Order either (i) expires by its own terms or (ii) is separately terminated, prior to its own scheduled expiration, as provided in this Agreement. The terms and conditions of this Agreement shall continue to apply to such Order as if this Agreement were still in effect.

Article II. TERM OF AGREEMENT

This Agreement shall commence and be effective on the date when signed by the last Party ("Effective Date") and shall continue for a term of 2 year.

Commented [LC1]: I put 2 years to account for the implementation and also the 6 month and 1-year refresher training.

DEFINITIONS

"Affiliate" with respect to either Party to this Agreement or any Order under this Agreement means a business association that has legal capacity to contract on its own behalf, to sue in its own name, and to be sued, if and only if either (a) such business association owns, directly or indirectly, a majority interest in such Party (its "parent company"), or (b) a thirty percent (30%) or greater interest in such business association is owned, either directly or indirectly, by such Party or its parent company.

"Documentation" means all tangible and intangible written materials including user instructions and training materials or other such materials as necessary in NewEdge's sole and exclusive judgment shall be required to demonstrate or explain a requirement, provision, or other detail.

"Information" means without limitation, with respect to a Party, all information of any sort in any form including without limitation confidential, proprietary or trade secret information of such Party or of a third party that is in the possession of such Party, including discoveries, ideas, concepts, know-how, techniques, processes, procedures, designs, specifications, strategic information, proposals, requests for proposals, proposed products, drawings, blueprints, tracings, diagrams, models, samples, flow charts, data, computer programs, marketing plans, employee personal information, health or financial information, authentication credentials, operations, infrastructure, network and system configurations and settings, user interface designs, class libraries, objects, facilities, products, pricing whether expressed as fixed price or hourly rates, customer lists, regulatory compliance, competitors and other technical, financial or business information, whether disclosed in writing, orally, or visually, in tangible or intangible form, including in electronic mail or by other electronic communication.

NewEdge Services, LLC – Confidential Information
This Agreement is not for use or disclosure outside the Parties to this Agreement, their Affiliates, and their third-party representatives, except under written agreement by the contracting Parties.

"Laws" includes all federal, state, provincial, regional, territorial and local laws, statutes, ordinances, regulations, rules, executive orders, supervisory requirements, directives, circulars, opinions, interpretive letters and other official releases of or by governmental authority.

"Material" means a unit of Documentation or software, whether created by NewEdge for Client as a custom application, un-modified commercial off the shelf software, or commercial off the shelf software modified by NewEdge at NewEdge's election, purchased or licensed hereunder by Client from NewEdge or otherwise provided by or on behalf of NewEdge, including third party Material provided or furnished by NewEdge. "Material" shall be deemed to include any working or preliminary draft or revised draft whenever it shall be provided by NewEdge.

"Services" means anything that is not otherwise Material, including any labor or service, provided in connection with this Agreement or any Order under this Agreement.

"Specifications" means (a) NewEdge's applicable specifications and detailed descriptions in whatever form such may be described in Appendix A – Statement of Work or any Order executed under this Agreement, and (b) Client's requirements, requests, and descriptions specified in, or attached to, Appendix A – Statement of Work or any Order executed under this Agreement, which shall control over an inconsistency with Client's specifications and descriptions wherever they may be stated except as expressly stated in this Agreement or any Order under this Agreement.

"Subcontractor" or "subcontractor" means any person or entity (including an agent) supplying labor or materials to perform any or all of either Party's obligations under this Agreement or any Order under this Agreement, including any person or entity at any tier of subcontractors, and shall not be limited to those persons or entities with a direct relationship with such Party.

Article III. TERMS AND CONDITIONS

1.0 Delivery of Materials and Performance of Services

1.1 Delivery of Materials – NewEdge shall deliver Materials reasonably conforming to the Specifications provided in Appendix A – Statement of Work or any Order executed under this Agreement as provided in the section entitled Electronic Data Transmission and, as determined solely and exclusively in the discretion of NewEdge, such delivery of Materials shall constitute notice of completion ("Notice of Completion") of the NewEdge promise of Materials.

1.2 Delivery of Services – NewEdge shall deliver Services reasonably conforming to the Specifications provided in Appendix A – Statement of Work and, as determined solely and exclusively in the discretion of NewEdge, such delivery of Services shall constitute Notice of Completion of NewEdge promise of Services.

1.3 Acceptance by Client – Client shall notify NewEdge in writing of non-acceptance of any such Materials or Services within 20 business days of receipt of Notice of Completion and, as determined solely and exclusively in the discretion of NewEdge, should any revisions, additions, conversions, or any other such adjustments be required, NewEdge in its sole and exclusive discretion shall deliver such Materials and Services within a time period determined by NewEdge as required to achieve reasonable compliance with the Specifications provided in Appendix A – Statement of Work. At such time as NewEdge determines the Materials and Services have achieved reasonable compliance with the Specifications provided in Appendix A – Statement of Work, NewEdge shall have no further obligation to provide to Client any revisions, additions, conversions, or any other such adjustments. At such time NewEdge shall be deemed to have completely fulfilled its obligations under the Agreement or any Order under this Agreement.

NewEdge Services, LLC – Confidential Information
This Agreement is not for use or disclosure outside the Parties to this Agreement, their Affiliates, and their third-party representatives, except under written agreement by the contracting Parties.

2.0 License Grant

2.1 Client is granted a limited, nonexclusive, non-transferable license to use and distribute NewEdge's Materials solely and exclusively for the purposes of the objectives stated in Appendix A – Statement of Work, provided Client performs its obligations as described in the Agreement, including without limitation payment of fees as provided in the Agreement. Except as provided in the Agreement, no other license or right shall be granted or implied. Client shall not transfer any license granted by this Agreement or any Order under this Agreement to another without prior express consent of NewEdge. Any use, except as granted in this Agreement, shall be at sole risk of Client without liability to NewEdge.

2.2 Should Client utilize NewEdge's Materials in whole or part for any purpose, except as provided in the Agreement, or expressly authorized by NewEdge in a signed writing, Client hereby expressly releases NewEdge from all claims and causes of action resulting from such use, and agrees to defend, indemnify, and hold harmless NewEdge from all costs and expenses related to said claims and causes by any third party. Client's duty under this provision shall not constitute a waiver of any of NewEdge's rights or remedies under this Agreement or any Order under this Agreement or elsewhere.

3.0 Invoicing and Payment

3.1 Invoice Contents – NewEdge shall render an invoice for Materials and Services delivered as provided in Appendix A – Statement of Work specifying in reasonable detail: [i] Materials and Services to which the invoice applies, [ii] total amount due for each such Materials and Services delivered, [iii] total amount due for the invoice, [iv] date on which invoice was submitted ("Invoice Date"), and [v] either the physical address or direct deposit account via electronic fund transfer (EFT) to which payments must be remitted.

3.2 Invoice Payment Deadline – Client must remit payment in full for each invoice submitted pursuant to the Agreement or any Order under this Agreement for Materials and Services delivered as provided in Appendix A – Statement of Work no later than 30 calendar days after the Invoice Date.

a. Temporary Suspension of NewEdge Performance – Should Client fail to pay any invoice within 30 calendar days of the Invoice Date, NewEdge may at its sole and exclusive election, upon written notice to Client, suspend further work until all outstanding invoices are paid in full. Client expressly agrees to indemnify and hold NewEdge harmless from any claim or liability under the Agreement or any Order under this Agreement or otherwise which may result from such suspension.

b. Termination of the Agreement or any Order under this Agreement – Should Client fail to pay any invoice within 90 calendar days of the Invoice Date, NewEdge may at its sole and exclusive election, upon written notice to Client, terminate the Agreement. Upon such written notice of termination, Client shall pay in full all fees due under the Agreement or any Order under this Agreement without regard to what portion of the Materials and Services provided in Appendix A – Statement of Work were actually delivered by NewEdge. Client expressly agrees to indemnify and hold NewEdge harmless from any claim or liability under the Agreement or any Order under this Agreement or otherwise which may result from such suspension.

c. Deemed Valid Invoices – Each invoice will be deemed valid when received by Client and shall be timely paid as provided herein.

d. Unpaid Invoices and Collections – For any invoice not timely paid as provided in this provision, NewEdge may charge and Client agrees to pay interest on any such unpaid at the rate of one point five percent (1.5%)

NewEdge Services, LLC – Confidential Information
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per month (18% APR) for past due payments or the maximum rate allowed by law, whichever is less. Invoices not paid by Client within 90 calendar days may, at the sole and exclusive election of NewEdge, be pursued by collections or legal action. Should NewEdge elect to pursue collections or legal action, Client agrees to pay any reasonable fees incurred by NewEdge including without limitation collection agency fees, attorney fees and court costs in addition to amounts due under any invoice as provided in the Agreement.

3.3 Taxes Included in Invoice – Except as specifically noted on any invoice, all payment made by Client to NewEdge shall be deemed to include all taxes and other charges levied by any government agency on NewEdge relating to its services. Client is a tax exempt entity and shall provide evidence of same to NewEdge prior to receipt of the first invoice.

4.0 Personnel and Provision of Materials and Services

4.1 NewEdge Personnel – Personnel provided by NewEdge shall be considered solely the employees of NewEdge or its Subcontractors and not employees or agents of Client. NewEdge has and shall retain the right to exercise full control of and supervision over the creation of Materials and performance of the Services and full control over the employment, direction, assignment, compensation, and discharge of all personnel creating the Materials and performing the Services. NewEdge and its Subcontractors are and shall be solely responsible for all matters relating to compensation and benefits for all personnel provided by NewEdge.

4.2 Materials and Services Provided by Others – If any part of NewEdge Materials or Services is dependent upon work, information or other condition precedent Materials or Services by others under control of Client, then Client shall inspect to ensure such work, information or other condition precedent Materials or Services sufficiently fulfills the quality needed for NewEdge to create subsequent Materials and or perform subsequent Services. Each Party shall promptly report to the other Party any defect or other deficiency in work, information or other condition precedent materials or services by others under control of Client that renders such materials or services unsuitable for NewEdge's proper performance. In such case, the Parties shall work together to remedy such defects or deficiencies and NewEdge shall not be held in breach of any provision of the Agreement or any Order under this Agreement as a result of such defects or deficiencies.

4.3 Use of Subcontractors – NewEdge may, in its sole and exclusive discretion, use Subcontractors to create any portion of the Materials or perform any portion of the Services. NewEdge shall provide to Client, upon request, information about the Subcontractor including the identity, the location, and a complete description, of the activities to be performed by such Subcontractor. NewEdge shall remain responsible for the acts or omissions of its approved Subcontractors to the same extent as if such acts or omissions were performed by NewEdge.

5.0 Intellectual Property

5.1 Definitions – For purposes of this provision, the following terms govern:

a. "Items" shall mean any or all inventions, discoveries, ideas, (whether patentable or not), and all works and materials, including but not limited to products, devices, computer programs, source codes, designs, files, specifications, texts, drawings, processes, data or other information or Documentation in preliminary or final form, and all Intellectual Property Rights in or to any of the foregoing.

b. "Excluded Materials" shall mean: [i] Client's Pre-Existing Materials; [ii] Client's Independently Developed Materials; and [iii] Client's Mere Reconfigurations.

c. "Client's Pre-Existing Materials" shall mean those Items owned by Client to the extent and in the form that they both existed prior to the date NewEdge began any work under this Agreement or any Order under this

NewEdge Services, LLC – Confidential Information
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Agreement and were created without any use of any NewEdge Items. Client's Pre-Existing Materials shall not, however, include Paid-For Enhancements thereto.

d. "Client's Independently Developed Materials" shall mean those Items that have been developed by Client, or on Client's behalf, both [i] without use of any NewEdge Items; and [ii] independently of any work performed under any Agreements between or among the Parties.

e. "Client's Mere Reconfigurations" means those specific reconfigurations of Client's Pre-Existing Materials performed by NewEdge, or on NewEdge's behalf, but only to the extent that such reconfiguration is an alteration to such Materials required to permit Client's Materials to function as a precondition as described in Appendix A – Statement of Work. In no event shall Mere Reconfigurations include enhancements, modifications, or updates that are not contained in Client's Pre-Existing Materials and that add any features, functionality, or capabilities.

f. "Intellectual Property Rights" means all patents (including all reissues, divisions, continuations, and extensions thereof) and patent applications, trade names, trademarks, service marks, logos, trade dress, copyrights, trade secrets, mask works, rights in technology, know-how, rights in content, or other intellectual property rights, protected under the Laws of any governmental authority having jurisdiction.

g. "Paid-For Development" means any and all Items to the extent produced or developed by or on behalf of Clients or its employees, agents, or direct or indirect contractors or suppliers (and whether completed or in-progress), or forming part of any Materials pursuant to this Agreement or any Order under this Agreement for the development of which NewEdge has been paid monies pursuant to this Agreement. Paid-For Development shall always exclude all Excluded Materials, but shall include (without limitation) any modifications, alterations or updates of any Excluded Materials that otherwise fall within the definition of Paid-For Development. NewEdge's ownership of Paid-For Development shall, of course, be subject to Client's underlying rights and ownership in Client's Excluded Materials.

h. "Provided Items" means Items created by or on behalf of NewEdge or directly or indirectly provided to Client (in any form, including, without limitation, verbally) by or on behalf of NewEdge.

5.2 Reservation of Rights – The Parties hereby acknowledge and agree that notwithstanding any other provision in the Agreement, NewEdge is not transferring or granting to Client any right, title, or interest in or to (or granting to Client any license or other permissions in or to) any or all: a) Items created by or on behalf of Client or directly or indirectly provided to Client (in any form, including, without limitation, verbally) by or on behalf of NewEdge; b) Paid For Development or c) Intellectual Property Rights, including, without limitation, any Intellectual Property Rights in or to any NewEdge Provided Items or Paid-For Development. The sole exceptions to the foregoing reservation of rights are that [1] NewEdge hereby grants Client such license as is described in Section 2.0 License Grant, [2] raw data collected [a] by client without NewEdge assistance or [b] by NewEdge for compensation on Client's behalf, and [3] customized Crystal Reports' reports created by NewEdge for compensation on Client's behalf. In no way expanding the foregoing license, said license in no manner permits Client to (and Client hereby promises not to without the explicit prior written and signed consent of NewEdge) make use of any NewEdge Provided Items, Paid-For Development or Intellectual Property Rights either for the benefit of any third party or other than as agreed in a signed writing by NewEdge or expressly provided in the Agreement.

5.3 Client Acts and Obligations – Client shall promptly take or secure such action (including, but not limited to, the execution, acknowledgment, delivery and assistance in preparation of documents or the giving of testimony) as may be reasonably requested by NewEdge to evidence, transfer, perfect, vest or confirm NewEdge's right, title and interest in any Paid-For Development. Client shall, in all events and without the need of NewEdge's request, secure all Intellectual Property Rights in any Paid-For Development (and any licenses specified above in any

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Excluded Materials) from each employee, agent, subcontractor or sub-supplier of Client who has or will have any rights in the Paid-For Development or Excluded Materials.

5.4 License Grant to Excluded Materials – If and to the extent that Client embeds any Excluded Materials in the Paid-For Development, Client hereby grants and promises to grant and have granted to NewEdge and its Affiliates a royalty-free, nonexclusive, sublicensable, assignable, transferable, irrevocable, perpetual world-wide license, in and to the Excluded Materials and any applicable Intellectual Property Rights of Client to use, copy, modify, distribute, display, perform, import, make, sell, offer to sell, and exploit (and have others do any of the foregoing on or for NewEdge's or any of its Affiliates behalf or benefit) the Excluded Materials but only for purposes of creating the Materials and performing the Services as provided in this Agreement.

6.0 Compliance

6.1 Compliance With Laws – Both Parties shall comply with all Laws attendant upon this Agreement or any Order under this Agreement and Client utilization of the Materials and Services provided in Appendix A – Statement of Work. Client shall procure all approvals, bonds, certificates, insurance, inspections, licenses, and permits that such Laws require for the performance of NewEdge under this Agreement. Client shall create and maintain any necessary records, provide any certificate, affidavit or other information or documentation requested or as otherwise required by NewEdge (a) to show compliance by Client with Laws, (b) to comply or otherwise establish Client's compliance with Laws or (c) to allow NewEdge to timely respond to any complaints, filings, or other proceedings. Client shall, to the extent it becomes aware of any new or previously unknown Law or other such requirement which may affect NewEdge's performance under this Agreement, promptly inform NewEdge of such requirement and agrees to indemnify, defend, and hold harmless NewEdge to the extent such requirements are not promptly communicated by Client to NewEdge.

7.0 Warranties

7.1 General Warranties - Each Party to this Agreement represents and warrants that such party is duly authorized and has legal capacity to execute and deliver this Agreement. Each Party further represents and warrants to the other that the execution and delivery of the Agreement or any Order under this Agreement and the performance of such Party's obligations hereunder have been duly authorized and that the Agreement is a valid and legal agreement binding on such party and enforceable in accordance with its terms. Client further represents and warrants that: (a) all information provided to NewEdge is complete, accurate and correct and any additional time or expense incurred by NewEdge to reperform, revise or otherwise redo work performed by NewEdge on any incomplete, inaccurate or incorrect information provided by Client to NewEdge shall be solely at Client's expense.

7.2 Warranty of Execution - Each Party represents and warrants that the execution and performance of this Agreement or any Order under this Agreement does not violate any applicable law or other contract or obligation to which Client is a party or is otherwise bound.

7.3 Warranty of Quality - NewEdge's services shall be performed in a manner consistent with that degree of skill and care ordinarily exercised by professionals performing similar services in the same locality, at the same site and under the same or similar circumstances and conditions. NewEdge makes no other representations or warranties, whether expressed or implied, with respect to the services rendered hereunder.

7.4 Warranty Disclaimers – Not withstanding any assurance of any type elsewhere in the Agreement, NewEdge does not guarantee any specific result from the Materials or Services provided under the Agreement or any Order under this Agreement or that Client will achieve any specific result or end as a result of the Materials or Services

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provided by NewEdge to Client. THE MATERIALS AND SERVICES ARE PROVIDED "AS IS" AND NewEdge SPECIFICALLY DISCLAIMS ANY AND ALL WARRANTIES OF ANY KIND WITH RESPECT TO THE SERVICES AND THE SUBJECT MATTER OF THIS AGREEMENT, WHETHER EXPRESS, IMPLIED, OR STATUTORY, INCLUDING WITHOUT LIMITATION WARRANTIES OF QUALITY, PERFORMANCE, NONINFRINGEMENT, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE. THE FOREGOING EXCLUSIONS AND DISCLAIMERS ARE AN ESSENTIAL PART OF THIS AGREEMENT AND FORMED THE BASIS FOR DETERMINING THE PRICE CHARGED FOR THE SERVICES. THIS DISCLAIMER SHALL BE ENFORCED TO THE EXTENT PERMITTED BY LAW IN THOSE JURISDICTIONS THAT MAY LIMIT THE EXCLUSION OF IMPLIED WARRANTIES.

7.5 Unascertainable Conditions - NewEdge shall not be required to sign any documents, no matter by whom requested, that would result in NewEdge's having to certify, guaranty, or warrant the existence of conditions that NewEdge cannot independently ascertain with certainty.

8.0 Confidentiality

8.1 General Confidentiality - Both Parties agree that any Information either provides to the other shall be deemed confidential, and shall be the providing Party's property. The receiving Party shall use such Information for the sole purpose of providing the Materials and performing the Services under this Agreement or any Order under this Agreement and such Information shall not be used for any other purpose except as expressly permitted under this Agreement. Upon expiration or termination of this Agreement or any Order under this Agreement or upon the providing Party's request, receiving Party shall promptly (i) return all copies of such Information in written, graphic or other tangible form, or (ii) certify the destruction of all documents and other material in the possession, custody or control of receiving Party, its affiliates, employees, representatives, subcontractors or agents that bear or incorporate any part of providing Party's Information.

8.2 Confidentiality Waivers - Neither Party shall not have an obligation to the other with respect to Information which: (a) at the time of disclosure was already known to the other free of any obligation to keep it confidential (as evidenced by the other Party's written records prepared prior to such disclosure); (b) is or becomes publicly known through no wrongful act (such obligations ceasing at the time such Information becomes publicly known); (c) is lawfully received from a third party, free of any obligation to keep it confidential; (d) is independently developed by a third party or by the Party against whom an obligation to protect such Information is to be enforced, as evidenced by Party's written records, and wherein such development occurred without any direct or indirect use of or access to the Information received from the Party seeking to enforce such obligation; or (e) the providing Party consents in writing to be free of restriction.

8.3 Required Disclosures of Confidential Information

a. Compelled Disclosures of Confidential Information - If either Party is required to provide or disclose Information to any court or government agency pursuant to a written court order, subpoena, regulatory demand, or process of law, such Party must, unless prohibited by applicable law, first provide the other Party with prompt written notice of such requirement and reasonably cooperate with the other Party should it seek reasonable protective arrangements for the production of such Information. Both Parties will take reasonable steps to limit any such provision of Information to the specific Information required by such court or agency, and continue to otherwise protect all Information disclosed in response to such order, subpoena, regulation, or process of law.

b. Limiting Disclosure of Confidential Information – Both Parties will limit the disclosure of Information to employees, representatives, subcontractors or agents with a need to know who: (i) have been advised of the proprietary nature thereof; and (ii) have in writing either acknowledged a specific obligation to

maintain the confidentiality of Information or agreed to protect and keep confidential all proprietary information to which they have access in the scope of their employment.

9.0 Limitation of Damages and Indemnity

9.1 Limitation of Type of Damages - In no event shall either Party be liable to the other or any third party for any consequential or incidental damages regardless of whether either Party or third party has been apprised of such damages, however caused, based on any theory of liability including without limitation breach of contract or tort.

9.2 Limitation of Amount of Damages - THE MAXIMUM LIABILITY OF NewEdge AND NewEdge's OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, CONSULTANTS, SUPPLIERS, AFFILIATES AND SUBCONTRACTORS ARISING OUT OF OR IN ANY WAY CONNECTED TO THIS AGREEMENT SHALL NOT EXCEED THE FEES PAID BY CLIENT TO NewEdge PURSUANT TO THE AGREEMENT DURING THE TWELVE (12) MONTHS IMMEDIATELY PRECEDING THE EVENTS GIVING RISE TO THE CLAIM. THE EXISTENCE OF ONE OR MORE CLAIMS SHALL IN NO EVENT INCREASE NewEdge's TOTAL LIABILITY BEYOND THE TOTAL FEES PAID BY CLIENT TO NewEdge UNDER THE AGREEMENT AND IN NO EVENT SHALL ANY OF NewEdge's OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, CONSULTANTS, SUPPLIERS, AFFILIATES OR SUBCONTRACTORS HAVE ANY LIABILITY ARISING OUT OF OR IN ANY WAY CONNECTED TO THE MATERIALS AND SERVICES PROVIDED UNDER THE AGREEMENT.

9.3 NewEdge Reliance on Client Information - NewEdge shall be entitled to rely, without liability, on the accuracy and completeness of any and all information provided by Client, Client's consultants and contractors, manufacturers, suppliers, publishers of technical standards, and information from public records, without the need for independent verification. To the extent such information appears to be incomplete or inaccurate, NewEdge shall in good faith advise client accordingly and Client shall promptly cooperate to resolve such inaccuracies or provide such information as need to provide NewEdge complete information. To the extent such inaccurate or incomplete information impedes or otherwise delays NewEdge's performance under this Agreement, Client agrees to indemnify, hold harmless, and defend NewEdge and its Affiliates, as well as their respective agents, distributors and subcontractors, individually or collectively, as the case may be, in accordance with this provision against any loss arising from, or in connection with, or resulting from, the Materials or Services furnished by NewEdge under this Agreement or any Order under this Agreement or acts or omissions with respect to this Agreement or any Order under this Agreement.

9.4 Client General Indemnity of NewEdge – To the extent allowed by law, Client agrees to indemnify, hold harmless and defend NewEdge, NewEdge's officers, directors, employees, agents, subcontractors and third-party suppliers or affiliates, at Client's expense, against any and all third-party claims, actions, proceedings, and suits brought against NewEdge or any of NewEdge's officers, directors, employees, agents, subcontractors, third-party suppliers or affiliates, and pay all related liabilities, damages, settlements, penalties, fines, costs or expenses (including, without limitation, reasonable attorneys' fees and other litigation expenses) incurred by NewEdge or any of NewEdge's officers, directors, employees, agents, subcontractors, third-party suppliers or affiliates, arising out of or relating to: (a) Client's breach of any term or condition of this Agreement; (b) Client's fraudulent, illegal or malicious use of the Materials or Services; (c) Client's violation of applicable Laws, rules or regulations in connection with the Materials or Services; (d) NewEdge's use of any content or information provided by Client to NewEdge; or (e) the disclosure of this Agreement. In such a case, NewEdge shall provide Client written or electronic notice of such claim, suit or action. Client shall cooperate as fully as reasonably required in the defense of any claim. NewEdge reserves the right, at NewEdge's own expense, to assume the exclusive defense and control of any matter subject to indemnification by Client.

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10.0 Termination

10.1 Termination for Cause

a. This Agreement or any Order under this Agreement may be terminated in part or whole by either Party for [1] failure to comply with the terms and conditions of the Agreement, or [2] as provided elsewhere in the Agreement.

b. In such case as Client elects to terminate for alleged deficiency in Materials provided or Services performed or alleged failure of NewEdge to comply with the terms and conditions of the Agreement or any Order under this Agreement and such alleged failure relates directly to the quality or consistency of the performance by NewEdge under the Agreement, Client shall provide written notice to NewEdge thirty (30) days in advance of the date of proposed termination. On receipt of such notice, Client shall work with NewEdge in good faith to allow NewEdge a reasonable time, exceeding such thirty (30) day period if reasonably necessary, to remedy such alleged deficiency or failure. If after such remedial effort, the alleged deficiency or failure, as determined by the Parties working together in good faith, has not been reasonably cured, the Agreement or any Order under this Agreement shall be deemed terminated.

10.2 Termination by Agreement – The Agreement or any Order under this Agreement may be terminated by a writing signed by both Parties. In such case, Client shall pay fees for work performed up to and including the date of agreed termination in compliance with the terms of the Agreement.

10.3 Temporary Suspension of Work – Should the Client desire to temporarily suspend work under this Agreement or any Order under this Agreement without terminating the Agreement or any Order under the Agreement, Client shall provide NewEdge thirty (30) days written notice of such suspension, the reasons for such suspension, and the proposed date on which work may recommence. Such temporarily suspended work may be resumed on a mutually agreed date but in no event shall NewEdge be required to agree to a date which unreasonably interferes with previous or anticipated commitments or scheduled events. In such case, Client shall pay fees for work performed up to and including the date of agreed suspension in compliance with the terms of the Agreement.

11.0 Miscellaneous Terms

11.1 Electronic Data Transmission

The Parties may exchange communications, documents, and other relevant Materials ("Data") electronically, in place of tangible documents, and unless otherwise agreed in a signed writing, shall direct such Data to the respective contact listed in the Notices provision of this Agreement. The following additional conditions apply to any such exchanges:

a. Statute of Frauds. All Data transmitted pursuant to this clause shall be deemed to be a "writing" or "in writing" for purposes of the Uniform Commercial Code. Any such Data containing or having affixed to it a Signature shall be deemed for all purposes to: (i) to have been "signed" and "executed," and (ii) to constitute an "original" when printed from electronic files or records established and maintained in the normal course of business.

b. Method of Exchange. Data shall be exchanged by direct electronic or computer systems communication between NewEdge and Client or by indirect communications using a third-party service provider to translate, forward and/or store such Data. Each Party shall be responsible for the cost(s) and associated cost(s) of any such third-party service provider with which it contracts.

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11.2 Independent Contractor - The relationship of the Parties established by this Agreement is that of independent contractors, and nothing contained in this Agreement or any Order under this Agreement shall be construed to (a) constitute Parties as partners, joint venturers, co-owners or otherwise as participants in a joint or common undertaking, or (b) except to the extent expressly set forth in this Agreement, allow any Party hereto to create or assume any obligation on behalf of another Party hereto for any purpose whatsoever.

11.3 Cumulative Remedies - The rights and remedies of the Parties set forth in this Agreement are not exclusive of, but are cumulative to, any rights or remedies now or subsequently existing at law, in equity, by statute or otherwise, except in those cases where this Agreement or any Order under this Agreement specifies that a particular remedy is sole or exclusive, but neither Party may retain the benefit of inconsistent remedies. No single or partial exercise of any right or remedy with respect to one breach of this Agreement or any Order under this Agreement precludes the simultaneous or subsequent exercise of any other right or remedy with respect to the same or a different breach.

11.4 Assignment and Delegation - Neither Party may assign, delegate, or otherwise transfer its rights or obligations under this Agreement, voluntarily or involuntarily, whether by merger, consolidation, dissolution, operation of law, or any other manner, without the prior written consent of the other Party, except as follows:

a. Permitted Assignment of Rights or Delegation of Duties - Without securing the consent of the other, either Party may assign its rights, or delegate its duties, or both, in whole or in part: to any present or future Affiliate of assigning Party, to any lender providing financing to assigning Party, or to any third party that assumes the operation of or otherwise acquires any substantial portion of the business of assigning Party affected by this Agreement.

b. Delegation Permitted by this Agreement - NewEdge may subcontract its performance subject to the Section entitled “Use of Subcontractors.”

c. Assignment of Right to Receive Money – Either Party may assign its right to receive money due hereunder, but any assignment of money is void to the extent (a) the assignor fails to give the non-assigning Party at least thirty (30) days prior notice, (b) the assignment purports to impose upon the non-assigning Party additional costs or obligations in addition to the payment of such money, or (c) the assignment purports to preclude non-assigning Party from dealing solely and directly with assigning Party in all matters pertaining to this Agreement.

d. Non-Compliant Assignment and Delegations are Void - Any assignment, delegation or transfer for which consent is required hereby and which is made without such consent given in writing is void.

11.5 Entire Agreement - This Agreement, including all appendices, exhibits, attachments and documents incorporated by reference, constitutes the final, complete, and exclusive expression of the Parties’ agreement on the matters contained in this Agreement. The terms of this Agreement or any Order under this Agreement shall govern in lieu of all other pre-printed, standardized or other provisions that may otherwise appear in any other paper or electronic record of either Party. All prior written and oral negotiations and agreements, and all contemporaneous oral negotiations and agreements, between the Parties on the matters contained in this Agreement or any Order under this Agreement are expressly merged into and superseded by this Agreement or any Order under this Agreement. The Parties do not intend that the provisions of this Agreement or any Order under this Agreement be explained, supplemented, or qualified through evidence of trade usage or any prior course of dealings or any course of performance under any prior agreement. In entering into this Agreement or any Order under this Agreement, neither Party has relied upon any statement, estimate, forecast, projection, representation, warranty, action or agreement of the other Party except for those expressly contained in this Agreement or any Order under this Agreement. There are no conditions precedent to the effectiveness of this

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Agreement or any Order under this Agreement other than any expressly stated in this Agreement or any Order under this Agreement.

11.6 Orders – Client may order Materials or Services by submitting Orders in connection with this Agreement that are substantially in the form of Appendix B – Order Form.

11.7 Force Majeure - If a Force Majeure Event prevents a party from complying with any one or more obligations under this agreement, that inability to comply will not constitute breach if (1) that party uses reasonable efforts to perform those obligations, (2) that party's inability to perform those obligations is not due to its failure to (a) take reasonable measures to protect itself against events or circumstances of the same type as that Force Majeure Event or (B) develop and maintain a reasonable contingency plan to respond to events or circumstances of the same type as that Force Majeure Event, and (3) that party complies with its obligations under this provision.

a. Definition of Force Majeure Event - For purposes of this agreement, "Force Majeure Event" means, with respect to a Party, any event or circumstance, whether or not foreseeable, that was not caused by that Party (other than a strike or other labor unrest that affects only that Party, an increase in prices or other change in general economic conditions, a change in law, ordinance, or other statutory or regulatory provision with which such Party must comply, or an event or circumstance that results in that party's not having sufficient funds to comply with an obligation to pay money) and any consequences of that event or circumstance.

b. Force Majeure Event Notice Requirement - If a Force Majeure Event occurs, the noncomplying party shall promptly notify the other party of occurrence of that Force Majeure Event, its effect on performance, and how long the noncomplying party expects it to last. Thereafter the noncomplying party shall update that information as reasonably necessary. During a Force Majeure Event, the noncomplying Party shall use reasonable efforts to limit damages to the other Party and to resume its performance under this Agreement.

11.8 Time Not of the Essence – Time is not of the essence.

11.9 Governing Law - This Agreement and all Orders under the Agreement shall be construed in accordance with the Laws of the state of Texas, without regard to principles of conflicts of law and excluding the United Nations Convention on Contracts for the International Sale of Goods. For purposes of applying its Uniform Commercial Code, the Materials and Services provided under this Agreement or any Order under this Agreement shall be deemed to be "goods."

11.10 Forum

Forum for Judicial Actions - Other than to the extent expressly set forth below in this provision, any legal action or proceeding arising out of or relating to this Agreement or the transactions it contemplates shall be brought only in the Fort Worth Division of the United States District Court for the Northern District of Texas or in any Texas state court sitting in Fort Worth, Texas, and each Party consents to the exclusive jurisdiction of such courts (and of the appropriate appellate courts) in any such Judicial Action and waives any claim of forum non conveniens in connection therewith and objection to venue laid therein. Process in any such judicial action may be served on a Party anywhere in the world, whether within or without the State of Texas. The choice of forum above shall not prohibit the enforcement of any judgment obtained in that forum or any other appropriate forum.

11.11 Amendments and Waivers

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a. General Amendment - The Parties may not amend this Agreement or any Order under this Agreement except by a written agreement of the Parties that identifies itself as an amendment to this Agreement or any Order under this Agreement and is signed by both Parties.

b. General Waivers of Rights - No waiver of any right or condition is effective unless given in writing and signed by the Party waiving such right or condition. No delay or omission by either Party to exercise any right or power it has under this Agreement or any Order under this Agreement shall impair or be construed as a waiver of such right or power. A waiver by any Party of any breach, condition or covenant shall not be construed to be a waiver of any succeeding breach or condition or of any other covenant. All waivers must be in writing and signed by the Party waiving its rights.

c. Changes to Scope of Materials or Services - Changes to scope of the Materials or Services as described in this Agreement or any Order under this Agreement must be expressly stated and comply with the terms of this Agreement.

11.12 Severability - If any provision of this Agreement or any Order under this Agreement is determined to be invalid, illegal, or unenforceable, then the remaining provisions of this Agreement or any Order under this Agreement shall remain in full force to the extent both the economic and legal substance of the transactions contemplated by this Agreement or any Order under this Agreement are not affected in any manner that is materially adverse to either Party by severing the provision determined to be invalid, illegal, or unenforceable.

11.13 Construction and Interpretation

a. Joint Drafting and Understanding - This Agreement has been prepared jointly and has been the subject of arm's length and careful negotiation. Each Party has been given the opportunity to independently review this Agreement with legal counsel and other consultants, and each Party has the requisite experience and sophistication to understand, interpret and agree to the particular language of its provisions. Accordingly, the drafting of this Agreement is not to be attributed to either Party.

b. General Construction

(1) Headings contained in this Agreement or any Order under this Agreement are for reference purposes only and are not to affect the meaning or interpretation of this Agreement.

(2) The word "include" in every form means to include without limitation by virtue of enumeration and a derivative of a defined term shall have the meaning appropriate to the context of its use.

(3) References to content posted on any website referred to in this Agreement or any Order under this Agreement shall mean such content as it may be revised from time to time.

(4) Whenever this Agreement or any Order under this Agreement refers to a consent or approval to be given by either Party, such consent or approval is effective only if given in writing and signed by the Party giving approval or consent.

(5) The use of singular words includes the plural and vice versa.

11.14 Third Party Beneficiaries - Except as expressly set forth to the contrary in this Agreement, there are no third-party beneficiaries of this Agreement or any Order under this Agreement, and this Agreement or any Order under this Agreement shall not provide any third person or entity with any remedy, claim, liability, reimbursement, claim of action or other legal or equitable right in excess of those existing without reference to this Agreement. NewEdge's Materials and Services provided through this Agreement or any Order under this Agreement are solely for the benefit of the Client.

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11.15 Survival of Obligations - Obligations and rights under this Agreement or any Order under this Agreement that by their nature would reasonably continue beyond the termination or expiration of this Agreement or any Order under this Agreement (including without limitation those in the Sections entitled "Intellectual Property," "Compliance," "Warranties," "Confidentiality," Limitation of Damages and Indemnity," and "Miscellaneous Terms") shall survive the termination or expiration of this Agreement or any Order under this Agreement.

11.16 Notices

a. Each Party giving or making any notice, consent, request, demand, or other communication pursuant to this Agreement or any Order under this Agreement must give the notice in writing and use one of the following methods, each of which for purposes of this provision is a writing: by hand; certified mail (return receipt requested and postage prepaid); U.S. Postal Service overnight or priority mail; internationally recognized overnight courier (in either case with all fees prepaid); or email. Each Party giving a notice shall address the notice to the appropriate person (the "Addressee") at the receiving Party at the address listed below:

(1) **NewEdge:**
Laura Carr, Chief Operating Officer
9191 Kyser Way, Suite 103
Frisco, TX 75033
469-888-5044 - lcarr@newedgeservices.com

(2) **CLIENT:**
Lance Singleton, GIS Supervisor
385 S. Goliad St.
Rockwall, TX 75087
972-772-6785 – lsingleton@rockwall.com

b. A notice is effective only if the Party giving notice has complied with the foregoing requirements of this Section and the Addressee has received the notice. A notice is deemed to have been received as follows:

(1) If a notice is furnished by hand, on the date of delivery if delivered during business hours on a business day (otherwise on the next business day);

(2) If a notice is sent by certified mail, U.S. Postal Service overnight or priority mail, or internationally recognized overnight courier, upon the date of delivery as indicated by the receipt or other tracking record;

(3) If a notice is sent by e-mail, upon successful transmission to the recipient's email account, if such notice is sent in time to allow it to be accessible by the Addressee before the time allowed for giving such notice expires, and a confirmation copy is sent by one of the other methods.

(4) The addresses and telephone numbers to which notices may be given to either Party may be changed by written notice given by such Party to the other pursuant to this Section.

12.0 Transmission of Original Signatures and Executing Multiple Counterparts
Original signatures transmitted and received via facsimile or other electronic transmission of a scanned document (e.g., pdf or similar format) are true and valid signatures for all purposes hereunder and shall bind the Parties to the same extent as that of original signatures. This Agreement may be executed in multiple counterparts, each of which shall be deemed to constitute an original but all of which together shall constitute only one document.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the Effective Date.

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City of Rockwall	**NewEdge Services, LLC**
_____ Signature	_____ Signature
_____ Printed Name	_____ Printed Name
_____ Title	_____ Title
_____ Date	_____ Date

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APPENDIX A – STATEMENT OF WORK

1) **Description of Materials and Services**:

a) **Implementation of the Cityworks Server PLL Software**

Task 1 – Kick-off Meeting and Technical Review

NewEdge kicks off all Cityworks Server PLL implementation projects with an on-site kick-off meeting. During this meeting, NewEdge staff will collect information that will be input into the Cityworks database such as employee lists, fee schedules, sample permit applications and backup databases if applicable.

NewEdge staff will be on-site for up to 5 days to conduct the kick-off meetings. Sessions scheduled for this day include but are not limited to:

- Introductory Presentation and Project Planning – 1 Hour. NewEdge staff introduces Server PLL to City staff and the plan for the implementation
- Technical Review – 3 Hours. Conducted with GIS and IT staff, NewEdge will review hardware and software versions and configurations and perform a GIS Data Review. Will discuss in-depth UniqueIDs for GIS features and their importance in Cityworks. NewEdge will also evaluate the existing installation and configuration of the Server AMS software.
- Building Inspections Datasource Review – 8 Hours. Review workflows for the issuing and tracking of building permits. Discuss fee structures, application intake data, collect printed out permits, Certificates of Occupancy and discuss reporting needs. During this time Contract Licensing will also be reviewed.
- Planning & Zoning and Land Development Datasource Review – 8 Hours. Review workflows for the issuing and tracking variances, zoning modifications, SUPs, etc. Discuss fee structures, application intake data and discuss reporting needs.
- Code Enforcement (Neighborhood Improvement) Datasource Review – 4 Hours. Review workflows for receiving Code issues, tracking Code cases, fees, documents and reporting requirements.
- Fire Marshal's Office – 4 Hours. Review workflows, review requirements, reporting needs.
- Engineering – 4 Hours - Review workflows for receiving Code issues, tracking Code cases, fees, documents and reporting requirements.

Deliverables:

- Five days on-site for kick-off and technical review meetings.
- Implementation Plan and Strategy

Task 2 – Cityworks Database Design and Configuration

The NewEdge implementation team will take the information collected from the kick-off and technical review meetings and configure the Cityworks Server PLL database. Configuration of the Cityworks database will include but not be limited to:

- Track Reporting from Citizens
- Workflows for all departments and divisions
- Fees
- Case Data (Application Information)
- Print Documents for Permits
- Reporting

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This task is constant across the duration of the project. During reviews and on-site meetings and even into training and on-site support, the Cityworks database will be continuously evolving. Rather than relying on long periods of user testing and user acceptance, NewEdge relies more on regular reviews with the client. With this philosophy, NewEdge staff and our clients are in constant communication and on the same page.
NewEdge does NOT make custom modifications to the Server PLL software. Through our experience with previous permitting and code enforcement clients, we feel the software can be configured, out of the box, to accommodate all workflows for those services and divisions.

Deliverables:

- Configured Cityworks Database

Task 3 – Workflow Assessment
NewEdge will return to the City for an on-site workflow assessment. Conducted by NewEdge staff, the team will review, in detail, the existing workflows and business processes. The workflows will be reviewed using the configured Cityworks database from Task 2. Modifications can be made to the database at this point. The NewEdge team will take this opportunity to review current work flow procedures and propose changes or modifications to current processes that align more closely with practices and procedures utilized by the Cityworks PLL system.

During the workflow assessment meetings, NewEdge will determine the roles and responsibilities of the users accessing the system. The domain, role, and template level security will be established in the configured environment.

Based on reporting needs discovered during the Workflow Assessment, NewEdge will generate 10 custom Crystal Reports templates. These templates are in addition to the print templates required to print and issue Permits, Planning and Zoning letters and Permits and Code Enforcement NOV letters. These reports are more for monthly and weekly reporting needs. Additional reporting needs may be accommodated by Cityworks Reporting tools, Inboxes and Export to Excel or Word.

Deliverables:

- Five Days On-Site for Assessment Meetings.
- Business Process Mapping – diagrams of current workflows for permits and cases and provide recommendations on modifications to the workflows to better work with Server PLL
- Recommended Reports for Server PLL

Task 4 – On-Site Review of the Cityworks Database
NewEdge staff will perform an on-site database review of the Cityworks Database Configuration with City staff. NewEdge staff will review all aspects of the Cityworks database and will verify all workflows. NewEdge staff will configure changes to the database during the review.

Deliverables:

- Four days for Cityworks Database Review

Task 5 – Cityworks Server PLL Training
NewEdge's philosophy of training is to be on-site and interact with the users. During implementations, NewEdge provides two levels of training. The first level is a classroom type training where the trainer walks through the functionality of the software and performs live demonstrations. Users should have their own

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machines for the classroom training so they can interact with the software and perform the exercises given to them by the trainer. The second level of training is the on-site support week. While we call this support, it is actually training. This is the time when NewEdge team members work one-on- one with your software users. It is an opportunity for users to ask questions and receive clarification on the software while performing their daily work activities. NewEdge finds this a critical step in the implementation process. During this week, we typically fine-tune the database and streamline the work flow process.

PLL Administrator and Designer Training (1 day) – This training is targeted for the "super users" of the system. These users will be responsible for the underlying Cityworks database and on-going maintenance of the system.

User Training (5 days) – This training is designed for the system users that interact with the Cityworks system on a regular basis. This training should include users entering permits, performing inspections, code Officers, and those who will use Cityworks to generate reports. Training materials (tip sheets, etc.) will be provided at the training sessions. The City will be responsible for providing a training facility, including computers configured to the correct specifications for the Cityworks software and connectivity to the Cityworks database. The training schedule and sessions will be generated based on how many users of the system and classes will generally be divided by division or discipline.

On-Site Support (5 days) - Once Cityworks is on-line and the staff is trained, NewEdge staff will remain on-site to assist users as they encounter day-to- day business transactions using the Cityworks software. NewEdge sees this as a critical step in the implementation process as it gives our implementers an opportunity to work directly with individual users. During this time, our staff will discover and correct configuration issues, overcome training lapses, and finalize or modify permitting work flows. The City will be responsible for setting up the schedule for on-site support. Each user should dedicate one to two hours of individual support with the NewEdge staff, depending on their roles and responsibilities with the software.

Deliverables:

- One week of training for the Cityworks PLL software
- One week of on-site support

Assumptions

Software Acquisition

Azteca Systems, Inc. is the recognized leader in Enterprise GIS-centric Computerized Maintenance Management Systems. NewEdge understands the City is a current user of the Cityworks Server AMS software for work order management. NewEdge assumes the City will purchase the software and continued maintenance of the Cityworks Server PLL software under a separate contract and license agreement from the NewEdge contract for implementation services.

Installation and Configuration of the Production Database

Since the City is a current Cityworks user, all configurations for Server PLL will be performed on the live Cityworks database and application site. The Cityworks software does not have a reliable domain transfer tool for the Server PLL software. NewEdge will perform the PLL configuration tasks in a manner that will not affect the current users of Cityworks Server AMS software. To perform the database configuration, NewEdge staff must have remote access to the production servers.

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Responsibilities

City of Rockwall

- Remote access to City servers
- Coordination of the training/on-site support schedules and location
- All hardware for the users of the PLL software – desktops and/or field devices
- Dedicated project manager

NewEdge Services

- Bi-weekly meetings will be scheduled but can be moved and modified as needed by NewEdge and/or City staff.

Schedule

Implementation of all tasks in this Scope of Work is estimated to take up to 12 months.

b) **Import of Legacy TRAKiT Data**

As with any significant data conversion process, it is critical to successfully complete the conversion of a pilot project area to establish and test the acceptance criteria and established quality standards, verify proposed conversion processes and methodologies, and verify the validity of the data model design. The pilot area will provide both City stakeholders and our configuration team with the opportunity to undertake a representative sample of the full-system data conversion efforts and perform a critical evaluation of results prior to moving forward with the full system conversion. Our configuration team will develop a mapping process to import the data into Cityworks after backup of the legacy data system has been received.

After a full review of the pilot migration, to verify data integrity inside the Cityworks environment, our configuration team willperform a full migration from the original file formats into the Cityworks database. Our QA/QC program builds quality into the data deliverables from the beginning of the project, as opposed to "fitting it in" at the end, to provide City staff with confidence that the data meets the established quality criteria and will support the forward movement of the Cityworks system. By adhering to the established QA/ QC standards and procedures we will provide the City of Rockwall a proven approach with each conversion process.

Deliverables:

- Data conversion documentation and QA/QC processes and results

Assumptions

Import of historical records into the Cityworks database are not tied geographically to the map. Historical records can be queried, reported on and modified just as any other work order or PLL case, however they will not be represented by a geographic location on the map. Should the Client wish to tie the historical cases to the map, this will require a change order to the contract.

Responsibilities

City of Rockwall

- Supply backup of the TRAKiT database in a format that is useable by NewEdge staff. (Excel, SQL backup, etc). Backups cannot be received in Word or PDF format.

Schedule

Implementation of all tasks in this Scope of Work is estimated to take up to 12 months.

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c) **Implementation of the Cityworks PLL Public Access**
Implementation of the PLL Public Access can occur prior to or after go-live of the PLL software. The current project schedule in this proposal has the PLL Public Access go-live concurrent with the PLL software go-live.

Task 1 – Requirements Meeting
NewEdge staff will meet on-site to review the existing PLL Public Access functionality and determine the City's requirements for an on-line portal for citizen interaction with the permitting process. All configurations and workflows will be taken into consideration from Phase 1 of the project. NewEdge will evaluate payment processing options that are available with the PLL Public Access product.

Deliverables:
- Gap analysis on City requirements and PLL On-line Portal functionality
- Schedule for PLL Public Access project

Task 2 – Configuration of PLL Portal Software
NewEdge will configure PLL Public Access software in the City's test environment. Additional review meetings will be conducted with the City to confirm configuration and testing of the portal.

Once the City approves the Public Access configuration (Task 3 below), then NewEdge will perform the same tasks on the Production Cityworks site.

Deliverables:
- Install and configure Public Access for PLL on a test environment
- Install and configure Public Access for PLL on the City's production environment

Task 3 – Final Review and Administrator Training
NewEdge staff will be on-site to perform a final review of the PLL Public Access configuration. NewEdge will also spend half a day with the City's Server PLL administrators to discuss configuration and maintenance of the Portal.

This meeting and final City approval will initiate configuration of the PLL Portal software on the production environment.

Deliverables:
- On-site review of the PLL Public Access configuration
- Portal administrator training

Assumptions
The purchase of the Cityworks Server PLL software will include the Public Access for PLL Add-on.

Schedule
Implementation of all tasks in this Scope of Work is estimated to take up to 12 months.

d) **Crystal Reports Training**
Crystal Reports is the reporting mechanism used by Cityworks. This implementation package includes development of 10 custom report templates; however, users may need additional custom reports generated after the go-live date. The two- day Crystal Reports training will prepare users to generate these reports for use

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in Cityworks. NewEdge will honor pricing provided in the proposal for up to one year after the City is live with Cityworks.

Assumptions
Crystal Reports training is an optional task in this Scope of Work. Should the City decide not to have Crystal Reports training and exceeds the 10 custom reports in the implementation package, NewEdge will charge the City $150/hour for Crystal Report services.

Responsibilities
City of Rockwall

- City will have a valid number of Crystal Report licenses for users being trained in Crystal Reports.

Schedule
Implementation of all tasks in this Scope of Work is estimated to take up to 12 months.

e) **Cityworks Refresher Training**
Refresher training can be done any time interval after the client has gone live. The Cost Summary includes 6 month and 1-year refresher training for PLL users. The hours for each training interval can be broken down into Classroom training, Question/Answer type training, Advanced Topics, etc. NewEdge staff will work with City personnel to determine the training agendas and best use of the training time.

Assumptions
City will utilize both the 6 month and 1-Year training sessions within 1 year of the go-live date.

Schedule
Schedule of Refresher Training to be determined.

2) **Invoices/Billing Information:**
Invoices and billing information are to be sent to Client at:
Lance Singleton, GIS Supervisor
385 S. Goliad St.
Rockwall, TX 75087
972-772-6785 – lsingleton@rockwall.com

Pricing:
Total cost for implementation of Cityworks PLL for the City of Rockwall: **$160,660.00**

Task Name / Description	Price Estimate
Cityworks Server PLL Implementation (Implementation and Training)	$112,380.00
Import of Legacy TRAKiT Data	$12,000.00
Geographical Reference of Imported TRAKiT Data	$3,000.00

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Installation and Configuration of PLL for Public Access	$10,400.00
Crystal Reports Training	$2,080.00
Refresher Training – 6 month and 1 Year (80 hours)	$20,800.00

Payment Schedule:

Task Completed	***Billing***
Kickoff (33% of Task Totals) • Implementation Services ($37,085.40) • Legacy Data Import ($3,960.00) • PLL for Public Access ($3,432.00)	$44,477.40
Workflow Assessment (60 % of Task Totals) • Implementation Services ($30,342.60) • Legacy Data Import ($3,240.00) • PLL for Public Access ($2,808.00)	$36,390.60
Database Review (75% of Task Totals) • Implementation Services ($16,857.00) • Legacy Data Import ($1,800.00) • PLL for Public Access ($1,560.00)	$20,217.00
Go-Live (90% of Task Totals) • Implementation Services ($16,857.00) • Legacy Data Import ($1,800.00) • PLL for Public Access ($1,560.00)	$20,217.00
Final Implementation Invoice (100% of Task Totals) • Implementation Services ($11,238.00) • Legacy Data Import ($1,200.00) • Legacy Data Geocoded ($3,000.00) • PLL for Public Access ($1,040.00)	$16,478.00
Crystal Reports Training • 100% Billed	$2,080.00
Refresher Training • 6 Month Training (40 Hours)	$10,400.00
Refresher Training • 1-Year Training (40 Hours)	$10,400.00
Total	$ 160,660.00

3) **Project Manager/Point of Contact:**
The Client project manager and/or point of contact shall be:
Lance Singleton, GIS Supervisor
385 S. Goliad St.
Rockwall, TX 75087
972-772-6785 – lsingleton@rockwall.com

4) **Special Terms and Conditions**
N/A Unless specified by client.

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APPENDIX B – ORDER FORM

Order/Statement of Work

This Order is by and between NewEdge Services, LLC, a Texas limited liability company, and its subsidiaries, parents, affiliates, successors, and assigns ("NewEdge"), and **The City of Rockwall** and its subsidiaries, parents, affiliates, successors, and assigns, each of them ("Client"), each of which may be referred to in the singular as "Party" or in the plural as "Parties," and shall be governed pursuant to the terms and conditions of the Material and Services Agreement executed between the Parties on **[effective date]**. Any terms and conditions in this Order that modify or change the terms and conditions of Material and Services Agreement executed between the Parties on **[effective date]** shall apply to this Order only.

1. **Description of Materials and Services**:

   Materials provided and Services performed shall include only:

   _____

   _____

   Assumptions made as preconditions of the Materials and Services provided:

   _____

   _____

2. **Duration of Order:**

   [State the term required to provide the Materials or perform Services.]

3. **Personnel to Perform the Services**:

   The personnel to perform such Services include:

   _____

   _____

4. **Location of Services:**

   Location of Services shall be at the following location:

   _____

   _____

5. **Prices:**

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6. **Payment:**

Payment for all Services shall be at the rate of:

7. **Invoices/Billing Information:**

Invoices and billing information are to be sent to Client at:

8. **Project Manager/Point of Contact:**

The Client project manager and/or point of contact shall be:

9. **Special Terms Applicable Only to This Order**

10. Original signatures transmitted and received via facsimile or other electronic transmission of a scanned document, (e.g., .pdf or similar format) are true and valid signatures for all purposes hereunder and shall bind the Parties to the same extent as that of an original signature. This Order may be executed in multiple counterparts, each of which shall be deemed to constitute an original but all of which together shall constitute only one document.

IN WITNESS WHEREOF, the Parties have caused this Order to be executed as of the Effective Date.

[client name]	**NewEdge Services, LLC**
Signature	Signature
Printed Name	Printed Name
Title	Title

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77

_____ Date	_____ Date

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CITYWORKS®
LICENSE AND MAINTENANCE AGREEMENT

This Software License and Maintenance Agreement made by and between Azteca Systems, LLC ("Azteca Systems") a Delaware limited liability company, with a place of business at 11075 South State, Suite 24, Sandy, Utah 84070 USA and [_____], using certain of Azteca Systems Licensed Products hereinafter referred to as "Licensee." This Agreement is effective immediately upon delivery of Licensed Products (the "Effective Date").

Azteca Systems Products are licensed under the terms and conditions of the Agreement. This agreement, when executed by the licensee named below ("Licensee") and Azteca Systems, LLC (Azteca Systems), as licensor of the Software, Online, Services, and Documentation licensed under the License Agreement, will supersede any previous Agreements including the License Agreement presented in the installation process requiring acceptance by electronic acknowledgement and will constitute a signed License Agreement.

This signed Agreement includes (i) this License and Maintenance Agreement, (ii) Addendum #1 – Product Licensing, (iii) Addendum #2 – Standard Maintenance and Support and (iv) Addendum #3 – Third Party Contractor Acknowledgment.

This signed Agreement may be executed in duplicate by the Parties. An executed Agreement, modification, amendment, or separate signature page shall constitute a duplicate if it is transmitted through electronic means, such as fax or email, and reflects the signing of the document by any Party. Duplicates are valid and binding even if an original paper document bearing each Party's original signature is not delivered.

ARTICLE 1—DEFINITIONS

1.1 Definitions. The terms used are defined as follows:

a. "Agreement" means this Software License Agreement between Azteca Systems and Licensee, inclusive of all schedules, exhibits, attachments, addenda and other documents incorporated by reference.
b. "Authorization Code(s)" means any key, authorization number, enablement code, login credential, activation code, token, account user name and password, or other mechanism required for use of a Product.
c. "Authorized User" or "User" shall mean: (i) a direct user of the Licensed Products, including but not limited to Licensee's employees; (ii) Licensee's consultants who have agreed to maintain the Licensed Property in confidence and use it only for the benefit of Licensee, or (iii) members of the public gaining access to, and only limited use of, the Licensed Products via the Software's public web portal (if applicable). Other than limited use of the Products through the software's web portal, the public is not considered an authorized user.
d. "Client Data" means the data provided or inputted by or on behalf of Licensee, including personally identifiable information, for use with the Software.
e. "Covered Software" shall mean the particular Cityworks Software, scripts, interfaces and custom code identified in Addendum #1.
f. "Deployment Server License" means a license that, in addition to providing staging server License rights, authorizes Licensee to install and use the Software for deployment in Licensee's internal use.
g. "Testing Server License" means a license that authorizes Licensee to install and use the Software on a server in Licensee's internal use to provide testing License rights prior to deployment.
h. "Documentation" means all user reference documentation that is delivered with the Software.
i. "Internal Use" means use of the Licensed Products by employees of Licensee in Licensee's internal operations but does not include access of the Licensed Products by, or use of the Licensed Products in the provisions of services to, Licensee's clients or customers. Internal Use also includes use of the Licensed Products by contractors of Licensee, including contractors providing outsourcing or hosting services, as long as Licensee assumes full responsibility for the compliance with this Agreement in such use. Use of the Licensed Products (or any part thereof) for the benefit of others, whether by means of a software as a service offering, service bureau application, application service provider, outsourcing or other means of providing service to any third party shall not be considered Internal Use.
j. "Licensed Products" or "Products" shall mean the portion of the Cityworks Software and the

Documentation to which Licensee has purchased a License as identified as specified in Addendum #1 attached hereto. Licensed Products shall include any updates or upgrades to the Licensed Products that Azteca Systems may at its discretion deliver to Licensee. Products includes but is not limited to Software, Online Services, and Documentation licensed under the terms of this license Agreement.

k. "Login" means a license that allows Licensee to permit a single authorized named end user to use the Software, Data, and Documentation installed on a server and accessed from a computer device.
l. "Online Services" means any Internet-based system, including applications and associated APIs, hosted by Azteca Systems or its licensors, for storing, managing, publishing, and using Cityworks software and data, and other information.
m. "Ordering Document(s)" means a sales quotation, purchase order, or other document identifying the Products that Licensee orders.
n. "Preview" means any alpha, beta, or prerelease Product.
o. "Sample(s)" means sample code, sample applications, add-ons, or sample extensions of Products.
p. "Server" means each single instance of an operating system, whether physically installed on a computer or within a virtualized environment.
q. "Software" or "Cityworks Software" means all or any portion of Azteca Systems proprietary software technology, excluding data, accessed or downloaded from an Azteca Systems (Cityworks) authorized website or delivered on any media in any format including backups, updates, upgrades, and service packs.
r. "Standard Maintenance" or "Maintenance Addendum" shall mean the Standard Software Maintenance & Support Addendum #2.
s. "Term License" means a license or access provided for use of a Product for a limited time period ("Term") or on a subscription or maintenance basis as specified herein.

ARTICLE 2—INTELLECTUAL PROPERTY RIGHTS AND RESERVATION OF OWNERSHIP

Products are licensed, not sold. Azteca Systems and its licensors own Products and all copies, which are protected by United States and applicable international laws, treaties, and conventions regarding intellectual property and proprietary rights including trade secrets. This Agreement does not transfer ownership rights of any description in the Software, materials, or services to Licensee or any third party. Licensee agrees to use reasonable means to protect Products from unauthorized use, reproduction, distribution, or publication. Azteca Systems and its third-party licensors reserve all rights not specifically granted in this Agreement including the right to change and improve Products.

ARTICLE 3—GRANT OF LICENSE

3.1 Grant of License. Subject to the terms of this Agreement, Azteca Systems grants to Licensee a personal, nonexclusive, nontransferable license solely to use the Products as set forth in Addendum #1 – Product Licensing (i) for which the applicable license fees have been paid; (ii) for Licensee's own internal use; and (iii) in accordance with this Agreement and the configuration ordered by Licensee or as authorized by Azteca Systems; and (iv) for the applicable Term or until terminated in accordance with Article 5. License types may include, but are not limited to Login, Workgroup, Departmental, ELA (Enterprise License) Licenses. Licensee may allow Third Party Contractors to access and use the licensed Software, provided Licensee and Third Party Contractor agree to and are bound by the terms set forth in Addendum 3. In addition to the Scope of Use in Article 4, Addendum #1 – Product Licensing which applies to specific Products, Addendum #2 – Standard Maintenance and Support, and Addendum #3 – Third Party Contractor Acknowledgment (if applicable) collectively, are incorporated in this Agreement.

a. *Software. U*se and License for specific Software products are set forth in Addendum 1- Product Licensing Addendum, which is incorporated by reference.
b. *Maintenance.* Maintenance terms are set forth in Section 9.11 below and in Addendum 2, - Standard Maintenance and Support which terms are incorporated by reference.
c. *Third Party Contractor.* Terms of use for Third Party Contractor software usage (if applicable) are set forth in Addendum #3, which is incorporated by reference.

3.2 Preview Release Licenses. Products acquired under an evaluation license or under a Beta program are intended for evaluation and testing purposes only and not for commercial use. Any such use is at Licensee's own risk, and the Products do not qualify for Azteca or distributor maintenance.

3.3 Special Use Programs. If Licensee acquires Products under a special program for noncommercial, nonprofit, educational, or other limited-use license, Licensee's use of the Products is subject to the terms set forth in the applicable enrollment form or as described on Azteca's website in addition to the non-conflicting terms of this Agreement. All such program terms are incorporated herein by reference.

3.4 Delivery. Unless otherwise requested by Licensee, Azteca Systems shall provide an electronic link to make available to Licensee the Licensed Property by electronic download and a license key to activate the Licensed Property.

ARTICLE 4—SCOPE OF USE

4.1 Permitted Uses

a. For Products delivered to Licensee, Licensee may:

1. Install and store Products on electronic storage device(s);
2. Make archival copies and routine computer backups;
3. Install and use a newer version of Software concurrently with the version to be replaced during a reasonable transition period not to exceed 6 months, provided that the deployment of either version does not exceed the Licensee's licensed quantity; thereafter, Licensee shall not use more Software in the aggregate than Licensee's total licensed quantity; and
4. Move the Software in the licensed configuration to a replacement Server.

b. Licensee may use, copy, or prepare derivative works of Documentation supplied in digital format and thereafter reproduce, display, and redistribute the customized documentation only for Licensee's own internal use. Portions of Documentation supplied in digital format merged with other software and printed or digital documentation are subject to this License Agreement. Licensee shall include the following copyright attribution notice acknowledging the proprietary rights of Azteca and its licensors: "Portions of this document include intellectual property of Azteca and its licensors and are used herein under license. Copyright © [*Licensee will insert the actual copyright date(s) from the source materials*] Azteca Systems, LLC. and its licensors. All rights reserved."

c. *Consultant or Contractor Access.* Subject to Section 3.1 and Addendum #3, Azteca Systems grants Licensee the right to permit Licensee's Third Party Consultants or Contractors to use the Products exclusively and solely for Licensee's benefit. Licensee must comply with terms and provisions of Addendum #3 and provide a copy to Azteca. Licensee shall be solely responsible for compliance by Third Party Consultants and Contractors with this License Agreement and shall ensure that the Third Party Consultant or Contractor discontinues Product use upon completion of work for Licensee. Access to or use of Products by Third Party Consultants or Contractors not exclusively for Licensee's benefit is prohibited.

4.2 Uses Not Permitted. Except to the extent that applicable law prohibits or overrides these restrictions, or as provided herein, Licensee shall not:

a. Sell, rent, lease, sublicense, lend, assign, or time-share Products;
b. Permit persons other than Authorized Users to access or use the Licensed Products (or any part thereof);
c. Act as a service bureau or Commercial ASP;
d. Use Software, Data, or Documentation for a site or service and operate the site or service for profit or generate revenue through direct or indirect methods (e.g., advertising or by charging for access to the site or service);
e. Redistribute Software, Data, or Online Services to third parties, in whole or in part, including, but not limited to, extensions, components, or APIs;
f. Redistribute Authorization Codes;
g. Reverse engineer, decompile, or disassemble Products;
h. Make any attempt to circumvent the technological measure(s) that controls access to or use of Products;

i. Upload or transmit content or otherwise use Products in violation of third-party rights, including intellectual property rights, privacy rights, nondiscrimination laws, or any other applicable law or government regulation;
j. Remove or obscure any Azteca Systems (or its licensors') patent, copyright, trademark, proprietary rights notices, and/or legends contained in or affixed to any Product, Product output, metadata file, or online and/or hard-copy attribution page of any Data or Documentation delivered hereunder;
k. Separate from the licensed use of APIs, Licensee may not unbundle or independently use individual or component parts of the Products, Software, or Online Services;
l. Unbundle or independently use the individual or component parts of Software or Online Services;
m. Incorporate any portion of the Software into a product or service that competes with the Software;
n. Publish the results of benchmark tests run on Software without the prior written permission of Azteca Systems; or
o. Use, incorporate, modify, distribute, provide access to, or combine any computer code provided with the Software in a manner that would subject such code or any part of the Software to open source license terms, which includes any license terms that require computer code to be (i) disclosed in source code form to third parties, (ii) licensed to third parties for the purpose of making derivative works, or (iii) redistributable to third parties at no charge.

ARTICLE 5—TERM AND TERMINATION

5.1. This License Agreement is effective upon date and signature of Licensee below. The initial term of this License Agreement will begin upon the dates set forth in Addendum 1 and provided the fees are paid. This License agreement and its maintenance provisions may then be renewed annually by payment of the then current maintenance fees for the next annual maintenance period as set forth in Addendum 1.

5.2. Either party may terminate this License Agreement or any Product license for a material breach that is not cured within thirty (30) days of written notice to the breaching party, except that termination is immediate for a material breach that is impossible to cure.

5.3. Termination for Convenience: Either party may terminate this Agreement by giving the other party thirty (30) days' written notice prior to the end of the current Term Maintenance Period.

5.4. In the event that either funding from Licensee or other sources is withdrawn, reduced, or limited, or the authority of Licensee to perform any of its duties is withdrawn, reduced, or limited in any way after the Effective Date of this Agreement and prior to normal completion, the parties shall have the authority to exercise the Termination for Convenience option to terminate this Agreement in whole or in part. If a party to this Agreement chooses to terminate for convenience that party may do so by thirty (30) days' written notice to the other party.

5.5. Upon termination of the License and Maintenance Agreement, all Product licenses granted hereunder terminate as well. Upon termination of a License or the License and Maintenance Agreement, Licensee will (i) stop accessing and using affected Product(s); (ii) clear any client-side data cache derived from Online Services; and (iii) uninstall, remove, and destroy all copies of affected Product(s) in Licensee's possession or control, including any modified or merged portions thereof, in any form, and execute and deliver evidence of such actions to Azteca Systems.

5.6. If this Agreement is terminated for convenience, the Licensee is only liable for payment required by the terms of this Agreement for license, maintenance and support services rendered or products and software received and accepted prior to the effective date of termination.

5.7. If this Agreement is terminated under section 5.3 or 5.4 above, Licensee shall then return to Azteca Systems all of the Software, related modules, related updates, and any whole or partial copies, codes, modifications, and merged portions in any form. Azteca will then for no additional charge to Licensee and at Licensee's option either grant a license to the Licensee, for a period of one (1) year, which will allow Licensee to retain the ability to access records and data contained in the Software or allow Licensee to create digital copies of all files needed by the Licensee for the same period. If Licensee needs to retain access to records or data for a period longer than one (1) year, in order to transfer data to another system, Azteca will consider reasonable requests to extend beyond one (1) year.

5.8. The parties hereby agree that all provisions which operate to protect the intellectual rights of Azteca Systems

shall remain in force should breach or termination of any kind occur.

ARTICLE 6—LIMITED WARRANTIES AND DISCLAIMERS

6.1 Limited Warranties. Except as otherwise provided in this Article 6, Azteca Systems warrants for a period of ninety (90) days from the date Azteca Systems issues the Authorization Code enabling use of Software and that the unmodified Software will substantially conform to the published Documentation under normal use and service.

6.2 Special Disclaimer. CONTENT, DATA, SAMPLES, NEW VERSIONS, HOT FIXES, PATCHES, SERVICE PACKS, UPDATES, UPGRADES, AND ONLINE SERVICES PROVIDED ON A NO-FEE BASIS, AND EVALUATION, TEST AND BETA SOFTWARE ARE DELIVERED "AS IS" WITHOUT WARRANTY OF ANY KIND.

6.3 Internet Disclaimer. THE PARTIES EXPRESSLY ACKNOWLEDGE AND AGREE THAT THE INTERNET IS A NETWORK OF PRIVATE AND PUBLIC NETWORKS AND THAT (i) THE INTERNET IS NOT A SECURE INFRASTRUCTURE, (ii) THE PARTIES HAVE NO CONTROL OVER THE INTERNET, AND (iii) NONE OF THE PARTIES SHALL BE LIABLE FOR DAMAGES UNDER ANY THEORY OF LAW RELATED TO THE PERFORMANCE OR DISCONTINUANCE OF OPERATION OF ANY PORTION OF THE INTERNET OR POSSIBLE REGULATION OF THE INTERNET THAT MIGHT RESTRICT OR PROHIBIT THE OPERATION OF ONLINE SERVICES.

6.4 General Disclaimer. EXCEPT FOR THE ABOVE EXPRESS LIMITED WARRANTIES, AZTECA SYSTEMS DISCLAIMS ALL OTHER WARRANTIES OR CONDITIONS OF ANY KIND, WHETHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OR CONDITIONS OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, SYSTEM INTEGRATION, AND NON-INFRINGEMENT OF INTELLECTUAL PROPERTY RIGHTS. AZTECA SYSTEMS DOES NOT WARRANT THAT PRODUCTS, MAINTENANCE OR ANY TECHNICAL SUPPORT SERVICES PROVIDED HEREIN WILL MEET LICENSEE'S NEEDS; THAT LICENSEE'S OPERATION OF THE SAME WILL BE UNINTERRUPTED, ERROR FREE, FAULT-TOLERANT, OR FAIL-SAFE; OR THAT ALL NONCONFORMITIES CAN OR WILL BE CORRECTED. PRODUCTS ARE NOT DESIGNED, MANUFACTURED, OR INTENDED FOR USE IN ENVIRONMENTS OR APPLICATIONS THAT MAY LEAD TO DEATH, PERSONAL INJURY, OR PHYSICAL PROPERTY/ENVIRONMENTAL DAMAGE. LICENSEE SHOULD NOT FOLLOW ANY SUGGESTIONS OR INSTRUCTIONS THAT APPEAR TO BE HAZARDOUS, UNSAFE, OR ILLEGAL. ANY SUCH USE SHALL BE AT LICENSEE'S OWN RISK AND COST.

6.5 Exclusive Remedy. Licensee's exclusive remedy and Azteca Systems' entire liability for breach of the limited warranties set forth in this Article 6 shall be limited, at Azteca Systems' sole discretion, to (i) replacement of any defective media; (ii) repair, correction, or a workaround for Software or Online Services subject to the Azteca Systems Maintenance Services and Support Addendum; or (iii) return of the license fees paid by Licensee for the current period, prorated for the current period, for Software or Online Services that do not meet Azteca Systems limited warranty, provided that Licensee uninstalls, removes, and destroys all copies of Software or Documentation; ceases using the Software or Online Services; and executes and delivers evidence of such actions to Azteca Systems.

6.6 If the performance of any obligation under this Agreement is prevented, restricted, or interfered with by reason of fire, flood, earthquake, explosion, or other casualty or accident; strikes or labor disputes; inability to procure delivery of parts, supplies, services, or power; war, threat of actual terrorist act, cyberattack, or other violence; any law order, proclamation, regulation, ordinance, or demand; or any condition whatsoever beyond the reasonable control of the affected party, the party so affected, upon giving prompt notice to the other party, will be provided a temporary extension for a period of time as may be reasonably necessary to allow for such delay, prevention interference, or restriction.

ARTICLE 7—LIMITATION OF LIABILITY

7.1 Disclaimer of Certain Types of Liability. AZTECA SYSTEMS, ITS AUTHORIZED DISTRIBUTOR (IF ANY), AND ITS LICENSORS SHALL NOT BE LIABLE TO LICENSEE FOR COSTS OF PROCUREMENT OF SUBSTITUTE GOODS OR SERVICES; LOST PROFITS, LOST SALES, OR BUSINESS EXPENDITURES;

INVESTMENTS; BUSINESS COMMITMENTS; LOSS OF ANY GOODWILL; OR ANY INDIRECT, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES ARISING OUT OF OR RELATED TO THIS LICENSE AND MAINTENANCE AGREEMENT OR USE OF PRODUCTS, HOWEVER CAUSED ON ANY THEORY OF LIABILITY, WHETHER OR NOT AZTECA SYSTEMS OR ITS LICENSORS HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGE. THESE LIMITATIONS SHALL APPLY NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY.

7.2 General Limitation of Liability. EXCEPT AS PROVIDED IN ARTICLE 8—INFRINGEMENT INDEMNITY, THE TOTAL CUMULATIVE LIABILITY OF AZTECA SYSTEMS AND ITS AUTHORIZED DISTRIBUTOR HEREUNDER, FROM ALL CAUSES OF ACTION OF ANY KIND, INCLUDING, BUT NOT LIMITED TO, CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, BREACH OF WARRANTY, MISREPRESENTATION, OR OTHERWISE, SHALL NOT EXCEED THE FEES ACTUALLY PAID BY LICENSEE DURING THE CURRENT MAINTENANCE AND SUPPORT PERIOD, FOR THE PRODUCTS THAT GIVE RISE TO THE CAUSE OF ACTION.

7.3 Applicability of Disclaimers and Limitations. Licensee agrees that the limitations of liability and disclaimers set forth in this License Agreement will apply regardless of whether Licensee has accepted Products or any other product or service delivered by Azteca Systems. The parties agree that Azteca Systems has set its fees and entered into this License Agreement in reliance on the disclaimers and limitations set forth herein, that the same reflect an allocation of risk between the parties, and that the same form an essential basis of the bargain between the parties. THESE LIMITATIONS SHALL APPLY NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY.

THE FOREGOING WARRANTIES, LIMITATIONS, AND EXCLUSIONS MAY NOT BE VALID IN SOME JURISDICTIONS AND APPLY ONLY TO THE EXTENT PERMITTED BY APPLICABLE LAW IN LICENSEE'S JURISDICTION. LICENSEE MAY HAVE ADDITIONAL RIGHTS UNDER LAW THAT MAY NOT BE WAIVED OR DISCLAIMED. AZTECA SYSTEMS DOES NOT SEEK TO LIMIT LICENSEE'S WARRANTY OR REMEDIES TO ANY EXTENT NOT PERMITTED BY LAW.

ARTICLE 8—INFRINGEMENT INDEMNITY

8.1 Azteca Systems shall defend, indemnify as described below, and hold Licensee harmless from and against any loss, liability, cost, or expense, including reasonable attorneys' fees, arising out any claims, actions, or demands by a third party legally alleging that Licensee's licensed use of Software or Online Services infringe a US patent, copyright, or trademark, provided:

a. Licensee promptly notifies Azteca Systems in writing of the claim;
b. Licensee provides documents describing the allegations of infringement;
c. Azteca Systems has sole control of the defense of any action and negotiation related to the defense or settlement of any claim; and
d. Licensee reasonably cooperates in the defense of the claim at Azteca Systems' request and expense.

8.2 If Software or Online Services are found to infringe a US patent, copyright, or trademark, Azteca Systems, at its own expense, may either (i) obtain rights for Licensee to continue using the Software or Online Services or (ii) modify the allegedly infringing elements of Software or Online Services while maintaining substantially similar functionality. If neither alternative is commercially reasonable, the license shall terminate, and Licensee shall cease accessing infringing Online Services and shall uninstall and return to Azteca Systems any infringing item(s). Azteca Systems entire liability shall then be to indemnify Licensee pursuant to Section 8.1and refund the unused portion of fees paid, prorated for the current maintenance and support period.

8.3 Azteca Systems shall have no obligation to defend Licensee or to pay any resultant costs, damages, or attorneys' fees for any claims or demands alleging direct or contributory infringement to the extent arising out of (i) the combination or integration of Software or Online Services with a product, process, or system not supplied by Azteca Systems or specified by Azteca Systems in its Documentation; (ii) material alteration of Software or Online Services by anyone other than Azteca Systems or its subcontractors; or (iii) use of Software or Online Services after modifications have been provided by Azteca Systems for avoiding infringement or use after a return is ordered by Azteca Systems under Section 8.2.

8.4 THE FOREGOING STATES THE ENTIRE OBLIGATION OF AZTECA SYSTEMS WITH RESPECT TO INFRINGEMENT OR ALLEGATION OF INFRINGEMENT OF INTELLECTUAL PROPERTY RIGHTS OF ANY THIRD PARTY.

ARTICLE 9—GENERAL PROVISIONS

9.1 Future Updates. New or updated Products and subscription renewals will be licensed under the then-current Azteca Systems license terms and conditions included with the deliverable Products.

9.2 Export Control Regulations. Licensee expressly acknowledges and agrees that Licensee shall not export, re-export, import, transfer, or release Products, in whole or in part, to (i) any US embargoed country; (ii) any person on the US Treasury Department's list of Specially Designated Nationals; (iii) any person or entity on the US Commerce Department's Denied Persons List, Entity List, or Unverified List; or (iv) any person or entity or into any country where such export, re-export, or import violates any US, local, or other applicable import/export control laws or regulations including, but not limited to, the terms of any import/export license or license exemption and any amendments and supplemental additions to those import/export laws as they may occur from time to time.

9.3 Taxes and Fees, Shipping Charges. License fees quoted to Licensee are exclusive of any and all taxes or fees, including, but not limited to, sales tax, use tax, value-added tax (VAT), customs, duties, or tariffs, and shipping and handling charges.

9.4 No Implied Waivers. The failure of either party to enforce any provision of this License Agreement shall not be deemed a waiver of the provisions or of the right of such party thereafter to enforce that or any other provision.

9.5 Severability. The parties agree that if any provision of this License Agreement is held to be unenforceable for any reason, such provision shall be reformed only to the extent necessary to make the intent of the language enforceable.

9.6 Successor and Assigns. Licensee shall not assign, sublicense, or transfer Licensee's rights or delegate Licensee's obligations under this License Agreement without Azteca Systems' prior written consent, and any attempt to do so without consent shall be void. This License Agreement shall be binding on the respective successors and assigns of the parties to this License Agreement. Notwithstanding, a government contractor under contract to the government to deliver Products may assign this License Agreement and Products acquired for delivery to its government customer upon written notice to Azteca Systems, provided the government customer assents to the terms of this License Agreement.

9.7 Survival of Terms. The provisions of Articles 2, 5, 6, 7, 8, and 9 of this License Agreement, and the provisions of section 4.1 of Addendum 2, shall survive the expiration or termination of this License and Maintenance Agreement.

9.8 Equitable Relief. Licensee agrees that any breach of this License Agreement by Licensee may cause irreparable damage and that, in the event of such breach, in addition to any and all remedies at law, Azteca Systems shall have the right to seek an injunction, specific performance, or other equitable relief in any court of competent jurisdiction without the requirement of posting a bond or proving injury as a condition for relief.

9.9 US Government Licensee. The Products are commercial items, developed at private expense, provided to Licensee under this License Agreement. If Licensee is a US government entity or US government contractor, Azteca Systems licenses Products to Licensee in accordance with this License Agreement under FAR Subparts 12.211/12.212 or DFARS Subpart 227.7202. Azteca Systems Data and Online Services are licensed under the same subpart 227.7202 policy as commercial computer software for acquisitions made under DFARS. The commercial license rights in this License Agreement strictly govern Licensee's use, reproduction, or disclosure of Products. Azteca Systems Software source code is unpublished, and all rights to Products are reserved by Azteca Systems and its licensors. Licensee may transfer Software to any licensed government procuring agency facility to which computer(s) on which Software is installed are transferred. If any court, arbitrator, or board holds that Licensee has greater rights to any portion of Products under applicable public procurement law, such rights shall extend only to the portions affected.

9.10 Governing Law, Disputes, and Arbitration. This License Agreement shall be governed by and construed

in accordance with the laws of the State of Utah without reference to conflict of laws principles, except that US federal law shall govern in matters of intellectual property. Except as provided in Section 9.8, any dispute arising out of or relating to this License Agreement or the breach thereof shall be resolved in the following order:

- *Consultation and negotiation in good faith and a spirit of mutual cooperation;*
- Mediation, by a mutually acceptable mediator chosen by the parties, which cost is shared equally;
- If the matter cannot be settled through negotiation or mediation, then it shall be finally settled by arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules. Judgment on the award rendered by the arbitrator may be entered in a court of competent jurisdiction. If Licensee is a US government agency, this License Agreement is subject to the Contract Disputes Act of 1978, as amended (41 USC 601–613), in lieu of the arbitration provisions of this clause. This License Agreement shall not be governed by the United Nations Convention on Contracts for the International Sale of Goods, the application of which is expressly excluded.

9.11 Maintenance. Maintenance for qualifying Software consists of updates and other benefits, such as access to technical support, are provided during the Term of Use. Maintenance is specified as set forth in Addendum #2.

9.12 Feedback. Azteca Systems may freely use any feedback, suggestions, or requests for Product improvements that Licensee provides to Azteca Systems. Regardless of the source of any feedback or suggestions, any improvements to Cityworks Software or Products, and any related intellectual property, are owned by Azteca Systems.

9.13 Patents. Licensee may not seek, and may not permit any other user to seek, a patent or similar right worldwide that is based on or incorporates any Azteca Systems technology or services. This express prohibition on patenting shall not apply to Licensee's software and technology except to the extent that Azteca Systems technology or services, or any portion thereof, are a part of any claim or preferred embodiment in a patent application or a similar application.

9.14 Entire Agreement. This License Agreement, including its incorporated documents, addendums, and exhibits constitutes the sole and entire agreement of the parties as to the subject matter set forth herein and supersedes any previous license agreements, understandings, and arrangements between the parties relating to such subject matter. Additional or conflicting terms set forth in any purchase orders, invoices, or other standard form documents exchanged during the ordering process, other than product descriptions, quantities, pricing, and delivery instructions, are void and of no effect. Any modification(s) or amendment(s) to this License Agreement must be in writing and signed by each party or as otherwise provided in Addendum #1.

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed and made effective by their respective authorized representatives.

AZTECA SYSTEMS, LLC	**[ENTITY NAME] – (LICENSEE)**
By: _____	By: _____
Name: Brian L. Haslam	Name: _____
Title: President - CEO	Title: _____
Date: ____/____/____	Date: ____/____/____

ADDENDUM #1

PRODUCT LICENSING

1. **Licensed Software:**

Additional Software Products & Licenses: Additional Software Products & licenses may be added to this License Agreement with either an acknowledgement of an official Cityworks quote signed by Licensee and additional fees, if necessary or applicable being paid, or receipt of Purchase Order from Licensee in response to an official Cityworks quote and additional fees, if applicable being paid.

2. **Notices & Licensee Information: Until or unless otherwise, modified, all notices relevant to this agreement shall be sent to the following address:**

Azteca Systems, LLC 11075 South State, Suite 24 Sandy, Utah 84070	[Licensee]
	Attn:
	E-mail:
	Phone:

3. **Delivery Date/Effective Date of Software**

MM/DD/YYYY

4. **Schedule of Payments and Fees under License and Maintenance Agreement**

Support Period	Date From/To (mm/dd/yyyy)	Amount
Period 1		**$**
Period 2		**$**
Period 3		**$**

5. **Additional**

Updates to the above licensed software means a subsequent release of the program which Azteca generally makes available to its supported customers as part of the annual maintenance plan for which fees have been paid.

Occasionally, Azteca changes the name of its licensed software as part of its ongoing process to improve and increase the functionality of the software. In the event the software licensed or listed above changes in name, and/or improvements are made, Azteca will provide software with functionality that is similar to or with substantially the same or greater functionality of the originally licensed software, provided all current license fees have been paid.

Updates may not always include any release, option or future program that Azteca licenses separately. Updates are provided when available (as determined by Azteca). Azteca is under no obligation to develop any future programs or functionality. Any updates made available will be delivered to you, or made available to you for download. You shall be responsible for copying, downloading and installing the updates.

ADDENDUM #2

STANDARD MAINTENANCE AND SUPPORT

Standard Maintenance and Support Addendum provisions are between the Licensee and Azteca, Systems, LLC. Maintenance and Support are provided subject to the terms and conditions of the signed License Agreement and which is incorporated by reference.

1. **MAINTENANCE & SUPPORT**: Azteca Systems will provide maintenance and support services to Licensee for qualifying Products during the applicable Term for such Products provided the applicable license fees have been paid for the times and periods and amounts specified in Addendum #1. Maintenance and Support Services consist of the following benefits: Technical support, new version software, service packs, software upgrades, and software updates.

1.1. Azteca Systems will ensure upward compatibility for the Covered Software applications within a reasonable timeframe for minor Esri® ArcGIS and Cityworks supported database revisions. Azteca Systems will not ensure upward compatibility for Covered Software Applications when there are major Esri ArcGIS revisions (for example, from rev 10.x to rev 11.x), however Azteca Systems will make all reasonable efforts to provide upward compatibility.

1.2. Azteca Systems shall, without additional charge (except as allowed for in paragraph 3.4), during the term of this Agreement provide the following:

(a) Software Updates. Software Updates includes Upgrades and service packs which are a collection of files that enhance or correct the Covered Software and which will be available for Licensee to download during the Maintenance Term/Period. Updates and Upgrades may also include new versions;

(b) Provide Telephone Support, Email Support, Web Support, during normal business hours, 8 AM to 5 PM Mountain Time, Monday through Friday (excepting Holidays) and after hour emergency support line, and other benefits deemed appropriate by Azteca Systems (as set forth in Section 2 below); and

(c) Implement and maintain a means of secure, remote direct network access (VPN, Web-access, etc.) to the Licensee's systems in order to perform thorough remote diagnostics.

1.3 The following items, among others, however, are specifically excluded as support services under this section of this Maintenance and Support:

(a) Support for applying or installing upgrades and service packs;

(b) Assistance with questions related to third party software, computer hardware, networking, and other similar items that are not provided by Azteca;

(c) Assistance with computer operating system questions not directly pertinent to the Covered Software or Program Modifications;

(d) Licensee Data debugging and/or correcting;

(e) Services necessitated as a result of any cause other than authorized ordinary and proper use by the Licensee of the Covered Software, including but not limited to neglect, abuse, unauthorized modifications and/or unauthorized updates;

(f) Consulting regarding customizations created to function with the Covered Software unless the customization is identified and listed as Covered Software in Addendum 1;

(g) Assistance with applications which are not part of a standard life cycle, such as preview, beta, or candidate releases; and

(h) Questions such as configuration, implementation and walk-throughs.

1.4 Support Periods are renewable unless terminated as provided in Section 4 below. The Maintenance Services consists of software and documentation updates and access to technical support via telephone, email, web-based (www.MyCityworks.com) and after hours support as set forth in Section 1 of this Addendum.

1.5. Technical support provided pursuant these maintenance provisions shall be performed in a professional and workmanlike manner. Azteca Systems will use commercially reasonable efforts to provide corrections to a technical issue or provide a workaround, but Azteca Systems cannot guarantee that all technical issues can be fixed or resolved.

1.6. **Authorized Callers.** Licensee may designate a limited number of authorized callers per software product listed in Addendum 1. Licensee may replace Authorized Callers at any time by notifying Azteca Systems Support services. Authorized callers may be designated in this Addendum #2 or by email. Azteca may limit the total number of authorized callers as may be reasonably necessary and may request an updated list of authorized callers.

1.7. **Cityworks Online Support and Customer Portal.** Azteca has created a self-help support website center for Authorized Callers to submit technical issues, chat with technical specialists, track technical support incidents through the 'MyCityworks' portal, and view technical articles, updated product documentation, blogs, links to forums, and technology announcements. The support and care website can be found at http://www.mycityworks.com.

2. **PROCEDURES FOR ACCESSING SUPPORT:**

2.1. All problem categories from routine, non-critical and critical that occur during normal business hours shall procedurally occur as follows: 1) Licensee's system administration staff as first line of support, and then 2) Azteca Systems staff as the second line of support. Azteca Systems will make all reasonable efforts to acknowledge all requests for support during normal business hours within 4 hours.

2.2. Prior to calling Azteca Systems for support services, the Licensee will first attempt to isolate any problems that occur within the Licensee's System. The Licensee will try to reduce the problem down to a specific software or system component. If it is determined that the problem is The Cityworks Software component, Licensee will first try and resolve the problem without Azteca Systems' involvement. If Licensee cannot resolve the problem or isolate the problem, Licensee may contact Azteca Systems via telephone, chat, or self-service portal. In each case, Cityworks technical support will log the information and provide, an answer to the question, a resolution to the problem, or submit a verified bug to the development group. Any support request that is not quickly resolved will be assigned to a technical support representative. Phone calls and chat requests are accepted during normal business hours as outlined on the Contact Support page of MyCityworks.com. Voicemails and requests submitted via the self-service portal outside of the posted business hours will be responded to on a first come, first served basis the next business day.

2.3. For critical problems that occur outside of Azteca Systems' normal business hours (8 AM to 5 PM, Mountain Time) and cannot be isolated and resolved by the Licensee, Azteca Systems will provide an after-hours phone number or pager number that will forward the call to the currently assigned Azteca Systems support representative. Azteca Systems will make all reasonable efforts to acknowledge and respond to the request for support for critical problems that occur outside of normal business hours within 4 hours of receipt of the call from a designated and authorized Licensee representative. Critical problems are defined as problems that cause several users to be unable to perform their duties. For routine and non-critical problems Licensee will submit support requests during normal business hours as outline in 2.2 above.

2.4. After a Technical Support Incident is logged, Azteca Systems will use commercially reasonable efforts to provide corrections to a technical issue or provide a work around. While it is Azteca's goal to provide an acceptable solution to technical issues, Azteca cannot guarantee that all technical issues can be fixed or resolved.

2.5. Azteca will use all reasonable efforts to utilize remote support-type services. However, in the event Licensee and Azteca Systems agree it becomes necessary for Azteca Systems to be on-site to provide support for the Covered Software, the parties by mutual negotiation, shall develop a separate agreement that will govern the terms and conditions for any on-site work or services.

3. **CHARGES/FEES**

3.1. License, Maintenance and Support Services herein are included in the payment of annual fees as set forth in Addendum #1, and shall be paid by Licensee. The annual fee for each twelve (12) month period is set forth in Addendum #1, and shall be paid prior to the start for each License and Maintenance Period unless otherwise specified. The annual fee for successive Terms/Periods (twelve-month periods) commencing upon the anniversary of the first maintenance period, shall become due prior to the end of the preceding paid-up Maintenance Period.

3.2. Upon sixty (60) days written notice, the fee for the License and Maintenance Periods listed in Addendum 1 subsequent to year three (3) of the Maintenance Period, may be adjusted by Azteca Systems to reflect increases in costs of providing the services; provided, however, that the fee shall not increase by more than the CPI from the previous annual fee. Azteca Systems will notify Licensee of the new pricing no later than ninety (90) days prior to the annual renewal date of the year preceding the year for which such adjusted pricing applies.

3.3. **Maintenance Expiration.** Azteca Systems will send Licensee a notice of expiration approximately sixty (60) days before the Maintenance term expires. If Azteca Systems does not receive a purchase order prior to the expiration date, Azteca will send the notification to Licensee upon expiration of the Maintenance term. Azteca Systems will continue to provide technical support for an additional thirty (30) days, but Licensee will no longer receive Software updates released after the Maintenance term's expiration. If Licensee does not reinstate Maintenance within thirty (30) days of the expiration date, Licensee will no longer receive technical support. All other Maintenance benefits and Support services will end with the expiration of the Maintenance term.

3.4. **Reinstatement Fee for Lapsed Maintenance**. Azteca Systems will reinstate Maintenance if Licensee sends a purchase order or payment within thirty (30) days of the expiration date. If Licensee does not renew Maintenance within thirty (30) days of the expiration date but at a later date wants to reinstate Maintenance, Maintenance fees will include the Maintenance fees that Licensee would have paid since the expiration date.

4. **MISCELLANEOUS**

4.1. **Data Confidentiality Statement**: Azteca Systems will take reasonable measures to ensure that any Licensee data and/or confidential information provided to Azteca Systems is not inappropriately accessed or distributed to any third-party. Data provided to Azteca Systems by the Licensee may be loaded onto Azteca Systems servers or employee computers for the purpose of testing The Cityworks Software, database structure, or database values, and related Esri® software to resolve database or software performance issues, software enhancements and software defects. At no time will the data be distributed to individuals or organizations who are not Azteca Systems employees without first receiving written approval from Licensee. If requested by the Licensee, and once the testing has been completed, Azteca Systems will delete all data provided by the Licensee.

4.2. **No Implied Waivers**: No failure or delay by Azteca Systems or Licensee in enforcing any right or remedy under this Agreement shall be construed as a waiver of any future or other exercise of such right or remedy by Azteca Systems.

ADDENDUM #3

THIRD PARTY CONSULTANT/CONTRACTOR ACKNOWLEDGMENT

If Licensee engages any Third Party Contractor and desires to grant access to or permission to use the licensed software, the access may be granted subject to the following terms conditions and provisions:

1. Access and use of the Licensed Products by any third party is solely for Licensee's benefit;

2. The Third Party Contractor (or, if applicable, its employee) shall be considered, as applicable, the Authorized User for purposes of the applicable license type, and all use by such contractor shall be in accordance with the terms and conditions of the License and Maintenance Agreement;

3. Before accessing the Licensed Products, the Third Party Contractor agrees in writing that (a) the software shall be used solely in accordance with the terms of this Agreement and solely for Licensee's benefit and (b) said contractor shall be liable to Azteca Systems for any breach by it of this Agreement;

4. Licensee hereby agrees and acknowledges that Licensee will be liable for any and all actions or omissions of the Third Party Contractor with respect to the use of the Licensed Products, as if such actions or omissions were the Licensee's;

5. Upon expiration or termination of this License Agreement, the rights of usage to any Third Party Contractor shall immediately terminate;

6. Use of the Software by such Third Party Contractors on Licensee's behalf will be governed by the terms of this Agreement, and will require that Licensee purchase the appropriate license for each user utilized by such contractor;

7. Any breach of this Agreement by any Third Party Contractor(s) will be deemed to be a breach by Licensee;

8. Licensee will ensure that Third Party Contractor agrees to comply with and does comply with the terms of this Agreement on the same basis as the terms apply to Licensee; and

9. Any Third Party Contractor must sign a copy of this Addendum acknowledging that it has a copy of the License Agreement and agrees to the terms herein, further Licensee shall provide a signed copy of this Addendum for every Third Party contractor to which it has granted permission to access and/or use the licensed software;

The rights granted under Third-Party Contractor Addendum, do not modify the license or increase the number of licenses granted under this Agreement. Third-Party Contractor acknowledges acceptance by signing below, and providing a copy to Azteca Systems at contracts@cityworks.com.

_____
Third Party Contractor Name (Print)

By: _____
Authorized Signature

Date: _____

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93

City of Rockwall

The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **March 25, 2019**

SUBJECT: **Renaming of S. Nash Street**

Sandie Wood, the property owner of 207 S. Nash Street, is requesting the City Council consider changing the name of the street to Seth Lane. It is currently a vacant lot and the Wood family is planning to build a new residence on the site.

Currently, this is the only home that will be located on this street between Hartman Street and E. Washington Street; however, a subdivision plat for a future lot has been submitted and is currently working through the development process. If both lots develop, there would be a total of two (2) homes along this street in the future.

The stated reason for their request is that the southern portion of Nash Street is separated from the northern section by several blocks. Furthermore, the Wood family has a special needs adult son living with them and they want to be able to have an address that is easy for him to remember and spell if he is ever separated from the family. Seth is the name of another member of the family and will be easy to remember for her son. In addition, there has been an instance in the past where the Rockwall Fire Department had difficulty finding this property due to the separation of sections of Nash Street.

The Naming Subcommittee (Council Members Hohenshelt, Macalik, and Daniels) have reviewed and considered the request and recommended the City Council consider the name change for the reasons stated above.

The attached map shows the distance between the sections of Nash Street and the block under consideration is shown in red. A Resolution formally renaming this street is attached for review and consideration by the City Council.

94

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 19-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, NAMING A CERTAIN ROADWAY WITHIN THE CITY OF ROCKWALL, TEXAS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, a southern portion of Nash Street is separated from the northern section by several blocks; and

WHEREAS, the property owners of 207 S. Nash Street have plans to build a new residential home on this vacant land and are requesting to change the name of the 200 block of S. Nash Street; and

WHEREAS, the proposed name change will not affect any current property owners on the 200 block of S. Nash Street; and

WHEREAS, the Rockwall Fire Department has had difficulty in the past finding this property due to the separation of sections of Nash Street; and

WHEREAS, the Rockwall City Council believes said naming to be in the best interest of the public;

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

Section 1. That the 200 block of South Nash Street from E. Washington Street south to Hartman Street shall hereafter be designated as Seth Lane, a map of which is attached hereto and incorporated for all intents and purposes as **"Exhibit A;"**

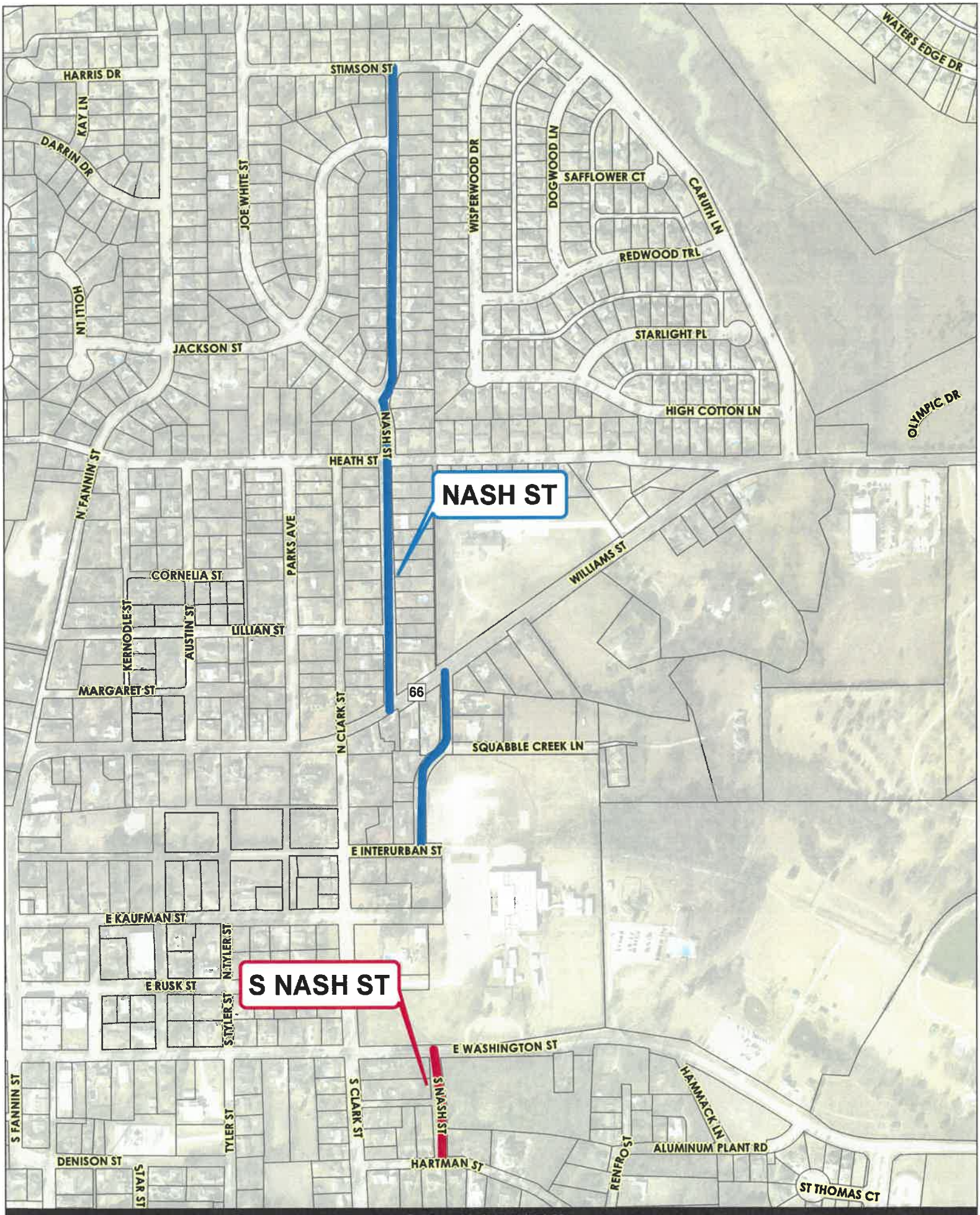
Section 2. That this resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 1st DAY OF APRIL, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary


HARRIS DR
KAY LN
DARRIN DR
STIMSON ST
JOE WHITE ST
WISPERWOOD DR
DOGWOOD LN
SAFFLOWER CT
CARUTH LN
WATERS EDGE DR
REDWOOD TRL
STARLIGHT PL
HOLT LN
JACKSON ST
HIGH COTTON LN
OLYMPIC DR
N NASH ST
HEATH ST
N FANNIN ST
NASH ST
PARKS AVE
WILLIAMS ST
CORNELIA ST
KERNODLE ST
AUSTIN ST
LILLIAN ST
MARGARET ST
66
N CLARK ST
SQUABBLE CREEK LN
E INTERURBAN ST
E KAUFMAN ST
N TYLER ST
E RUSK ST
S TYLER ST
S NASH ST
E WASHINGTON ST
S FANNIN ST
TYLER ST
S CLARK ST
S NASH ST
HAMMACK LN
ALUMINUM PLANT RD
DENISON ST
STARR ST
HARTMAN ST
RENFRO ST
ST THOMAS CT
City of Rockwall
0 150 300 Feet
Date: 3/11/2019
NASH ST EXHIBIT

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97

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	April 1, 2019
APPLICANT:	Mike Whittle and Randall Noe; *Rockwall Rental Properties, LLC*
CASE NUMBER:	P2019-014; *Lots 16 & 17, Block 2, Alliance Addition, Phase 2*

SUMMARY

Discuss and consider a request by Mike Whittle and Randall Noe of Rockwall Rental Properties, LLC for the approval of a replat for Lots 16 & 17, Block 2, Alliance Addition, Phase 2 being a 0.98-acre tract of land identified as Lots 14 & 15, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6520 & 6530 Alliance Addition, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat a 0.98-acre tract of land (*i.e. Lots 14 & 15, Block 2, Alliance Addition, Phase 2*) for the purpose of abandoning a five (5)-foot portion of a 15-foot drainage easement. This process will establish new lot numbers for the subject properties (*i.e. Lots 16 & 17, Block 2, Alliance Addition, Phase 2*). The applicant intends to construct office buildings on these two (2) sites. The subject properties are zoned Planned Development District 57 (PD-57), which designates the subject property for Commercial (C) District land uses.

☑ On March 5, 2018, the City Council approved a replat [*Case No. P2018-004*] for the purpose of constructing two (2) single-story office buildings (*i.e. 4,920 SF each*) and dedicating the necessary easements for the development of these two (2) sites.

☑ On November 14, 2017, the Planning and Zoning Commission approved a site plans for each of these lots [*i.e. SP2017-034 & SP2017-036*].

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

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

CONDITIONS OF APPROVAL

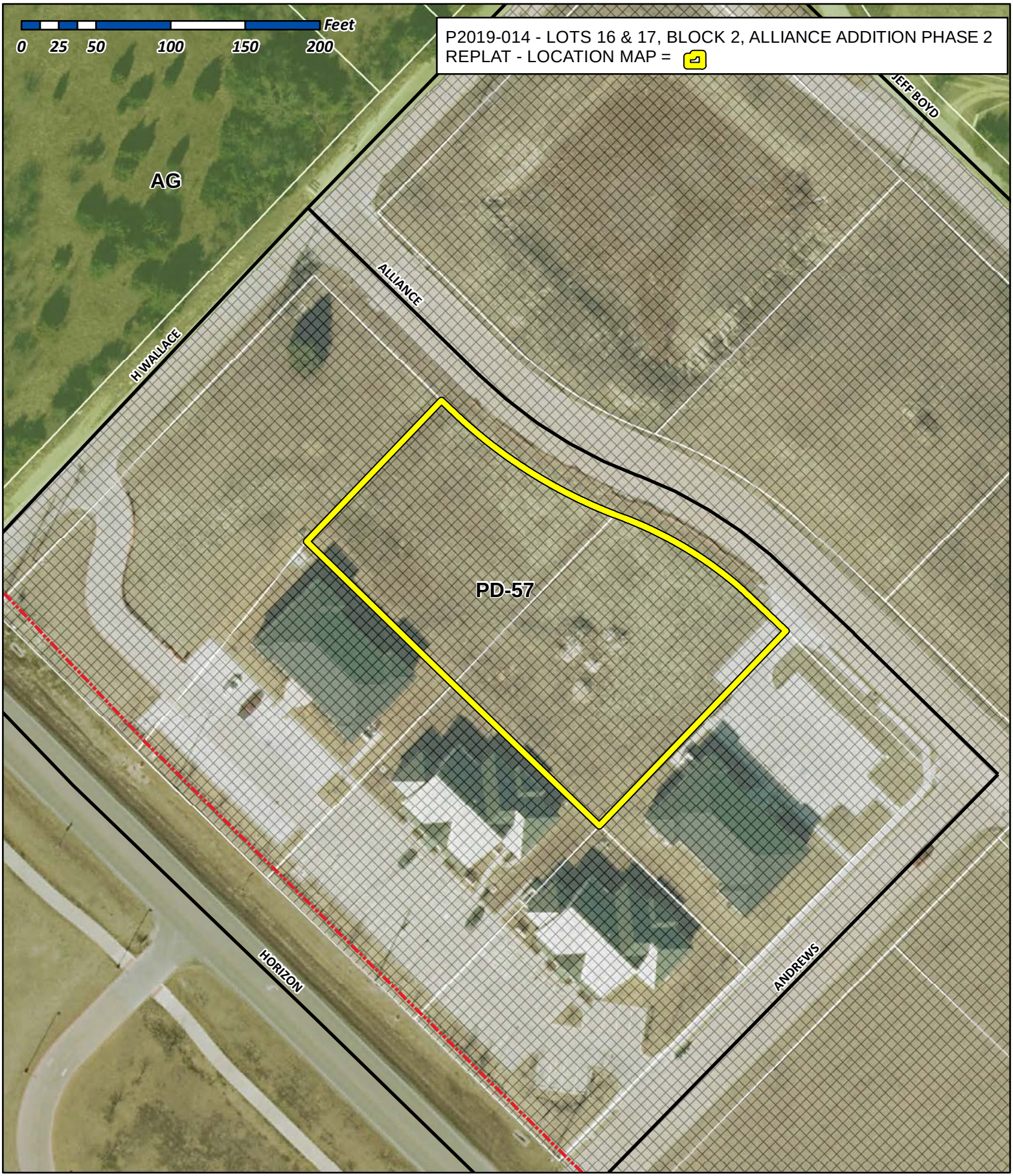
If the City Council chooses to approve the replat for *Lots 16 & 17, Block 2, Alliance Addition, Phase 2,* staff would propose the following conditions of approval:

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

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

PLANNING AND ZONING COMMISSION

On March 26, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote 5 to 0 with Commissioner Chodun and Fishman absent.



City of Rockwall

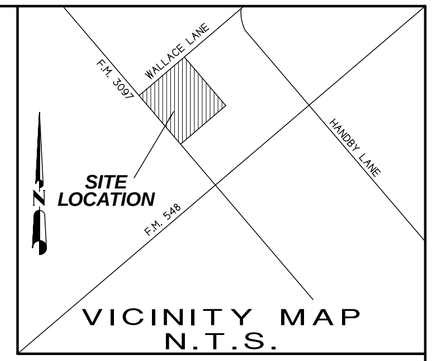
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

100

CURVE TABLE						
Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	23°35'48"	316.81	130.47	66.18	129.55	S 56°11'58"E
2	23°40'38"	278.92	115.26	58.47	114.44	S 56°18'48"E
3	0°08'24"	278.92	0.68	0.34	0.68	S 68°04'55"E
4	23°32'14"	278.92	114.58	58.11	113.78	S 56°14'36"E

LINE TABLE		
Line	Bearing	Distance
1	S 44°28'29"E	9.15'
2	S 44°28'29"E	25.26'



AMENDING PLAT

ALLIANCE ADDITION PHASE 2
LOTS 14-15, BLOCK 2

BEING A REPLAT OF LOTS 2 and 3, BLOCK 2

0.98 ACRES OR 42,900 S.F.
(2 LOTS)
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.
5) THE PURPOSED OF THIS PLAT IS TO ABANDON A PORTION OT THE DRAINAGE EASEMENT IN REAR OF LOTS.

OWNER:
ROCKWALL RENTAL PROPERTIES, LP
CONTACT MIKE WHITTLE
P.O. BOX 369
ROCKWALL, TEXAS 75087
PHONE: 972-771-5253

SHEET 1 OF 2

SYMBOL LEGEND				
TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	E ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE PROPERTY LINES		A/C A/C COND. UNIT	PROPANE TANK

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE	FEBRUARY 9, 2019
SCALE	1" = 40'
FILE #	20170282RP
CLIENT	R.R.P., LP

CITY CASE NO. P2019-

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS ROCKWALL RENTAL PROPERTIES, LP, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING all of Lot 2 and Lot 3, Block 2, ALLIANCE ADDITION, PHASE 2, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet G, Slide 301-302, of the Plat Records of Rockwall County, Texas.and being more particularly described as follows:

BEGINNING at 1/2" iron rod found for corner at the East most corner of Lot 3, Block 2 and west most corner of Lot 13, Block 2, ALLIANCE ADDITION PHASE 2, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet J, Slide 35, of the Plat Records of Rockwall County, Texas, and being in the Southwest right-of-way line of Alliance Drive, a 60 foot right-of-way;

THENCE S. 45 deg. 00 min. 06 sec. W. a distance of 180.69 feet to a 1/2" iron rod found for corner;

THENCE N. 44 deg. 28 min. 29 sec. W. a distance of 273.72 feet to a 1/2" iron rod found for corner at the west most corner of said Lot 2, Block 2;

THENCE N. 44 deg. 59 min. 56 sec. E. along the northwest line of said Lot 2, a distance of 130.88 feet to a 1/2" iron rod found for corner in the southwest right-of-way line of Alliance Drive;

THENCE S. 44 deg. 28 min. 29 sec. E. along said right-of-way line, a distance of 9.15 feet to a 1/2" iron rod found for corner;

THENCE in a southeasterly direction along a curve to the left having a central angle of 23°35'48", a radius of 316.81 feet, a tangent of 66.18 feet, a chord of S 56°11'58"E, 129.55 feet along said right-of-way line, an arc distance of 130.47 feet to a 1/2" iron rod found for corner;

THENCE in a southeasterly direction along a curve to the left having a central angle of 23°40'38", a radius of 278.92 feet, a tangent of 58.47 feet, a chord of S 56°18'48"E, 114.44 feet along said right-of-way line, an arc distance of 115.26 feet to a 1/2" iron rod found for corner;

THENCE S. 44 deg. 28 min. 29 sec. E. along said right-of-wayline, a distance of 25.26 feet to the POINT OF BEGINNING and containing 42,900 square feet or 0.98 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as ALLIANCE ADDITION, PHASE 2, LOTS 14-15, BLOCK 2, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

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

I also understand the following;

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

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

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

4. The developer, subdivision engineer and owner shall bear total responsibility for storm drain improvements. The property owner is responsible for all maintenance, repair, and replacement of all systems in drainage easements

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

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

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

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

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

_____
RANDALL NOE
for ROCKWALL RENTAL PROPERTIES, LP

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of ALLIANCE ADDITION PHASE 2, LOTS 14-15, BLOCK 2, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

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

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

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

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

_____ _____
City Engineer Date

AMENDING PLAT

ALLIANCE ADDITION PHASE 2
LOTS 14-15, BLOCK 2

BEING A REPLAT OF LOTS 2 and 3, BLOCK 2

0.98 ACRES OR 42,900 S.F.
(2 LOTS)
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
ROCKWALL RENTAL PROPERTIES, LP
CONTACT MIKE WHITTLE
P.O. BOX 369
ROCKWALL, TEXAS 75087
PHONE: 972-771-5253

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WV WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE FEBRUARY 9, 2019
SCALE 1" = 40' FILE # 20170282RP
CLIENT R.R.P. LP

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO. P2019-

102

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103

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	April 1, 2019
APPLICANT:	Matt Moore; *Claymoore Engineering*
CASE NUMBER:	P2019-015; *Lots 4, Block E, Rockwall Technology Addition*

SUMMARY

Discuss and consider a request by Matt Moore of Claymoore Engineering on behalf of Phil Wagner of the Rockwall Economic Development Corporation for the approval of a replat for Lot 4, Block E, Rockwall Technology Park Addition being a 3.634-acre parcel of land identified as Lot 1, Block E, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, located at the northwest corner of the intersection of Technology Way and Observation Trail, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat a 3.634-acre parcel of land (*i.e. Lot 1, Block E, Rockwall Technology Park Addition*) located within the *REDC Technology Park.* The purpose of the replat is to establish the necessary easements (*i.e. 24-foot firelane, public access, utility, and drainage easements*) in order to develop the lot (*i.e. Lot 4, Block E, Rockwall Technology Park Addition*).

☑ On December 11, 2018, the Planning and Zoning Commission approved a site plan [*Case No. SP2018-039*] for the purpose of constructing an approximately 35,525 SF manufacturing/office (*i.e. Lime Medial*) on the subject property.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

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

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 4, Block E, Rockwall Technology Park Addition,* staff would propose the following conditions of approval:

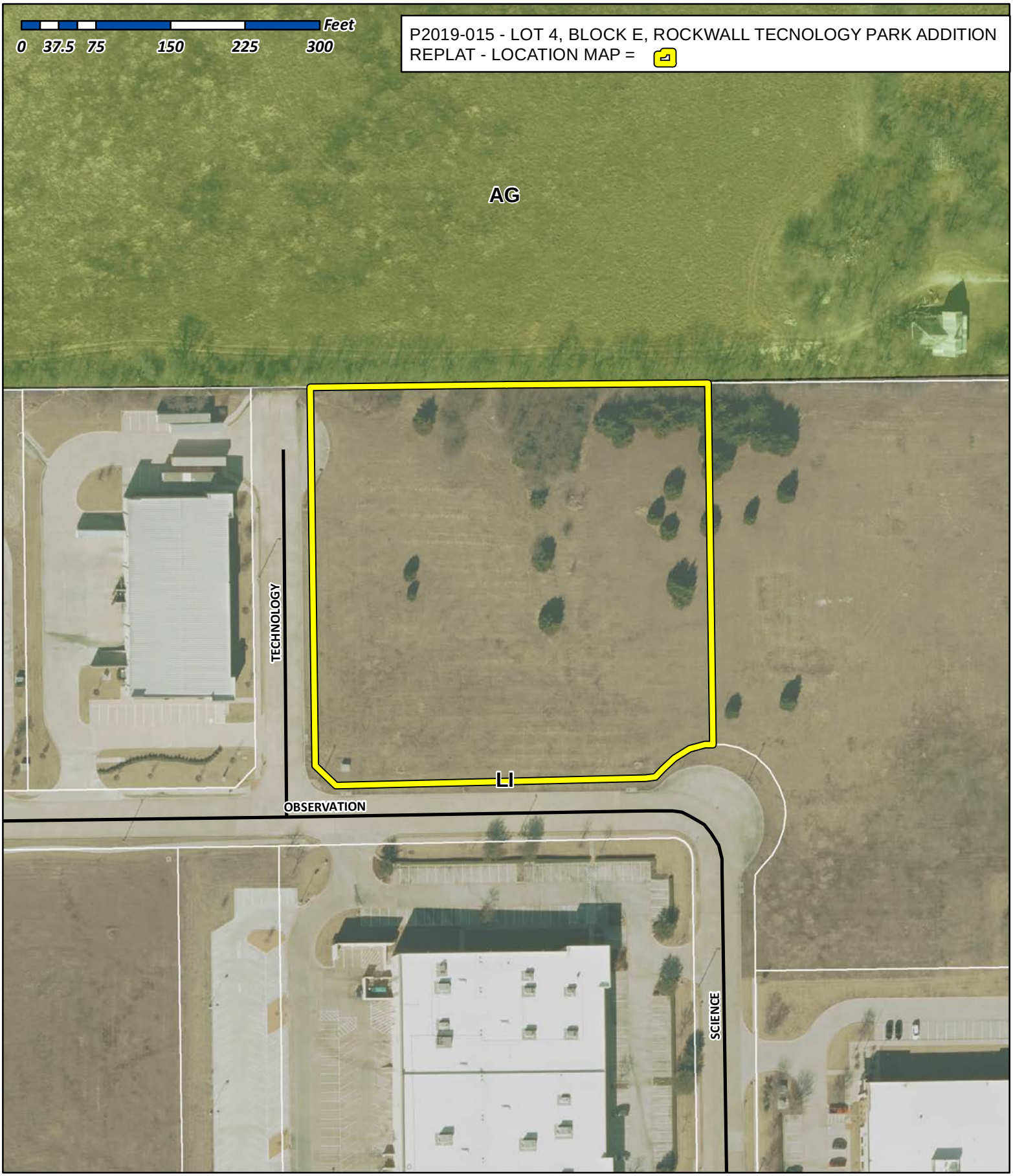
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and

(2) Any construction resulting from the approval of this site plan shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall

Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On March 26, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote 5 to 0 with Commissioner Chodun and Fishman absent.



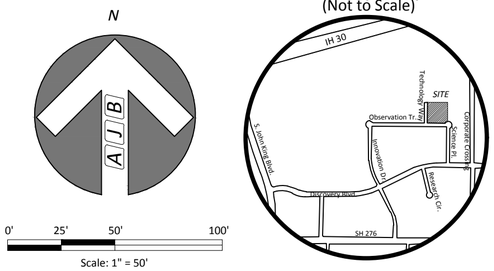
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
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106

Vicinity Map
(Not to Scale)



GENERAL NOTES:

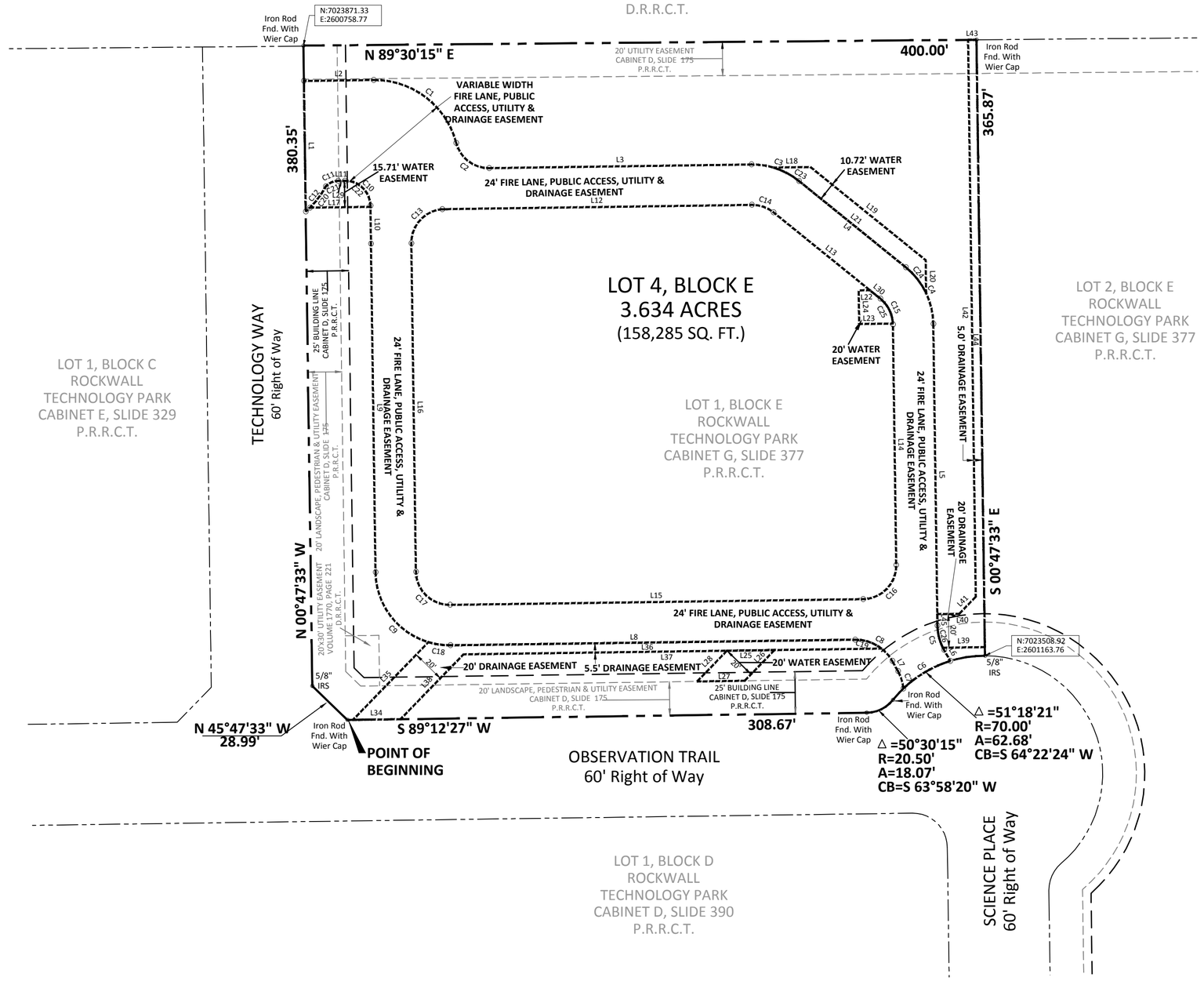
It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have bee accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such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

The use of the word "certify or certificate" used hereon constitutes an expression of professional opinion regarding those facts of findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

Basis of Bearings: Bearings are based on those cited on plat of Rockwall Technology Park Addition recorded in Cabinet G, Slide 377, Map/Plat Records Rockwall County, Texas.

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

LEGEND	
IRF	Iron Rod Found
IRS	Iron Rod Set
DRRCT	Deed Records Rockwall County, Texas
PRRCT	Plat Records Rockwall County, Texas
RPRRCT	Real Property Records Rockwall County, Texas
OPRRCT	Official Public Records Rockwall County, Texas



EASEMENTS LINE & CURVE TABLE

LINE	BEARING	DISTANCE
L1	N 00°47'33" W	77.56'
L2	N 89°12'27" E	41.43'
L3	N 89°12'27" E	155.80'
L4	S 51°04'57" E	81.62'
L5	S 00°47'33" E	179.30'
L6	S 29°30'22" E	7.54'
L7	N 29°30'22" W	6.90'
L8	S 89°12'27" W	240.45'
L9	N 00°47'33" W	195.11'
L10	N 00°47'33" W	22.66'
L11	S 89°12'27" W	4.01'
L12	S 89°12'27" W	184.12'
L13	N 51°04'57" W	81.62'
L14	N 00°47'33" W	142.91'
L15	N 89°12'27" E	245.50'
L16	S 00°47'33" E	195.11'

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING
C1	76°11'13"	50.00'	66.49'	S 52°41'57" E
C2	76°11'13"	20.00'	26.59'	S 52°41'57" E
C3	39°42'36"	44.00'	30.50'	S 70°56'15" E
C4	50°17'24"	44.00'	38.62'	S 25°56'15" E
C5	28°42'49"	30.00'	15.03'	S 15°08'57" E
C6	26°43'11"	70.00'	32.64'	S 59°30'39" W
C7	25°00'43"	25.00'	10.91'	N 17°00'00" W
C8	61°17'11"	25.00'	26.74'	N 60°08'57" W
C9	90°00'00"	44.00'	69.12'	N 45°47'33" W
C10	90°00'00"	15.00'	23.56'	N 45°47'33" W
C11	47°42'38"	10.00'	8.33'	S 65°21'08" W
C12	21°55'40"	50.07'	19.16'	S 38°35'35" W
C13	94°01'50"	20.00'	32.82'	S 46°13'22" W
C14	39°42'36"	20.00'	13.86'	N 70°56'15" W
C15	50°17'24"	20.00'	17.55'	N 25°56'15" W
C16	90°00'00"	20.00'	31.42'	N 44°12'27" E
C17	90°00'00"	20.00'	31.42'	S 45°47'33" E

L17	N 89°12'27" E	35.93'
L18	N 89°12'27" E	21.97'
L19	S 51°04'57" E	88.01'
L20	S 00°47'33" E	19.59'
L21	N 51°04'57" W	81.62'
L22	S 89°12'27" W	6.65'
L23	N 89°12'27" E	20.05'
L24	S 00°47'33" E	20.00'
L25	S 89°12'27" W	28.27'
L26	N 44°10'29" E	25.45'
L27	N 89°12'27" E	28.27'
L28	S 44°10'29" W	25.45'
L29	S 89°12'27" W	4.01'
L30	N 51°04'57" W	8.04'

C20	17°59'58"	50.08'	15.73'	S 36°37'48" W
C21	47°42'38"	10.00'	8.33'	S 65°21'08" W
C22	90°00'00"	15.00'	23.56'	N 45°47'33" W
C23	22°22'07"	44.00'	17.18'	N 62°16'00" W
C24	25°40'12"	44.00'	19.71'	N 38°14'51" W
C25	48°47'39"	20.00'	17.03'	N 26°41'08" W

L34	S 89°12'27" W	28.28'
L35	N 44°12'27" E	64.37'
L36	N 89°12'27" E	240.45'
L37	S 89°12'27" W	248.47'
L38	S 44°12'27" W	53.74'
L39	N 89°12'27" E	24.98'
L40	S 89°12'27" W	13.00'
L41	S 44°12'27" W	14.14'
L42	S 00°47'33" E	330.80'
L43	S 89°30'15" W	5.00'
L44	N 00°47'33" W	360.77'
L45	S 00°47'33" E	6.89'

C18	17°23'29"	44.00'	13.36'	S 82°05'49" E
C19	38°44'22"	25.00'	16.90'	S 71°25'22" E
C26	25°55'04"	30.00'	13.57'	S 13°45'05" E

Case No.: P2019-015

FINAL PLAT
ROCKWALL TECHNOLOGY PARK ADDITION
LOT 4, BLOCK E

1 LOT TOTALING 3.634 ACRES
BEING A REPLAT OF A LOT 1, BLOCK E OF ROCKWALL TECHNOLOGY PARK ADDITION 3.634 ACRES (158,285 SQUARE FEET)
J.M. ALLEN SURVEY, ABSTRACT NO. 2
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
Rockwall Economic Development
697 East Interstate 30, PO Box 968
Rockwall, Texas 75087

Engineer:
ClayMoore Engineering
1903 Central Drive, Suite 406
Bedford, Texas 76021

Scale: 1" = 50'
Date: March 5, 2019
Technician: Bedford
Drawn By: Bedford

Checked By: A.J. Bedford
P.C.: Cryer/Spradling
File: LOT 1 BLOCK E\LIME MEDIA PLAT
Job. No. 552-172
GF No.

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

Sheet: 1 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

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107

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS ROCKWALL ECONOMIC DEVELOPMENT, BEING THE OWNER OF A TRACT OF LAND IN THE COUNTY OF ROCKWALL, STATE OF TEXAS, said tract being described as follows:

BEING a **3.634 acre** tract of land situated in the J.M Allen Survey, Abstract Number 2, in the City of Rockwall, Rockwall County, Texas and being Lot 1, Block E of Rockwall Technology Park according to the plat recorded in Cabinet G, Slide 377 of the Official Public Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at an iron rod with cap found for the southerly southwest corner of said Lot 1 and being the southerly corner of a corner cut-off line for the northerly line of Observation Trail (60' wide) with the easterly line of Technology Way (60' wide);

THENCE with easterly line of said Technology Way, **NORTH 45°47'33" WEST** a distance of **28.99** feet to a 5/8 inch iron rod set for corner;

THENCE continuing with the east line of said Technology Way, **NORTH 00°47'33" WEST** a distance of **380.35** feet to an iron rod with cap found for the northwest corner of said Lot 1;

THENCE departing the east line of said Technology Way, **NORTH 89°30'15" EAST** a distance of **400.00** feet to an iron rod with cap found for the northeast corner of said Lot 1;

THENCE SOUTH 00°47'33" EAST a distance of **365.87** feet to a 5/8 inch iron rod set in the north line of said Observation Trail and being in a non-tangent curve to the left having a radius of 70.00 feet and a chord bearing of South 64°22'24" West;

THENCE along the north line of said Observation Trail with said non-tangent curve to the left through a central angle of **51°18'21"** for an arc length of **62.68** feet to an iron rod with cap found for the beginning of a reverse curve to the right to having a radius 20.50 feet a chord bearing of South 63°58'20" West;

THENCE continuing with the north line of said Observation Trail with said reverse curve to the right through a central angle of **50°30'15"** for an arc length of **18.07** feet to an iron with cap found for corner;

THENCE continuing with the north line of said Observation Trail, **SOUTH 89°12'27" WEST** a distance of **308.67** feet to the **POINT OF BEGINNING**;

CONTAINING within these metes and bounds **3.634 acres** or 158,285 square feet of land more or less.

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

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

WITNESS OUR HANDS, this _____ day of _____, 2019.

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS §
COUNTY OF ROCKWALL §

We, **ROCKWALL ECONOMIC DEVELIPMENT**, the undersigned owner of the land shown on this plat, and designated herein as the **ROCKWALL TECHNOLOGY PARK** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the **ROCKWALL TECHNOLOGY PARK** subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

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

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

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

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

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

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

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

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

7. Property owner shall be responsible for all maintenance, repair, and replacement of all drainage and detention easements.

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

ROCKWALL ECONOMIC DEVELOPMENT

_____
Name:
Title:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____ day of _____, 2019

_____
Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

_____
Austin J. Bedford
Registered Professional Land Surveyor No. 4132
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

Case No.: P2019-015

FINAL PLAT
ROCKWALL TECHNOLOGY PARK ADDITION
LOT 4, BLOCK E

1 LOT TOTALING 3.634 ACRES
BEING A REPLAT OF A LOT 1, BLOCK E OF ROCKWALL TECHNOLOGY PARK ADDITION 3.634 ACRES (158,285 SQUARE FEET)
J.M. ALLEN SURVEY, ABSTRACT NO. 2
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Owner:
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Engineer:
ClayMoore Engineering
1903 Central Drive, Suite 406
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Scale: 1" = 50'
Date: March 5, 2019
Technician: Bedford
Drawn By: Bedford

Checked By: A.J. Bedford
P.C.: Cryer/Spradling
File: LOT 1 BLOCK E\LIME MEDIA PLAT
Job. No. 552-172
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301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com, ajb@ajbedfordgroup.com

Sheet: 2 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

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108

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109

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	April 1, 2019
APPLICANT:	Debora Allengranti; *CBOCS Texas, LLC*
CASE NUMBER:	P2019-006; *Lots 6 & 7, Block A, Rockwall Market Center East Addition*

SUMMARY

Consider a request by Debora Allengranti of CBOCS Texas, LLC on behalf of Eric Borkenhagen of Kohls Illinois, Inc. for the approval of a replat for Lots 6 & 7, Block A, Rockwall Market Center East Addition being a 9.0142-acre tract of land identified Lot 1, Block A, Market Center East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 823 & 845 E. IH-30, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat a 9.0142-acre tract of land (*i.e. Lot 1, Block A, Rockwall Market Center East Addition*) into two (2) parcels of land (*i.e. Lots 6 & 7, Block A, Rockwall Market Center East Addition*) for the purpose of constructing a restaurant (*i.e. Cracker Barrel*) on Lot 6.

☑ On February 15, 1999, the City Council approved a replat [*Case No. PZ1999-10-1-RP*], a site plan [*Case No. PZ-1999-10-2-SP*], and a landscape plan [*Case No. PZ-1999-10-03-LP*] for a department store (*i.e. Kohl's*).

☑ On October 15, 2018, the Planning and Zoning Commission approved a site plan [*Case No. SP2018-028*] for a restaurant (*i.e. Cracker Barrel*) on a 1.629 portion of the existing property.

☑ On February 14, 2019, the Board of Adjustments (BOA) approved a variance [*Order No. BOA 2019-3-V*] to reduce the minimum lot frontage from 200-feet to 189.74 feet for Lot 6 and 167.98-feet for Lot 7.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for replats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

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

CONDITIONS OF APPROVAL

Should the City Council Choose to approve the replat for *Lots 6 & 7, Market Center East Addition,* staff would propose the following conditions of approval:

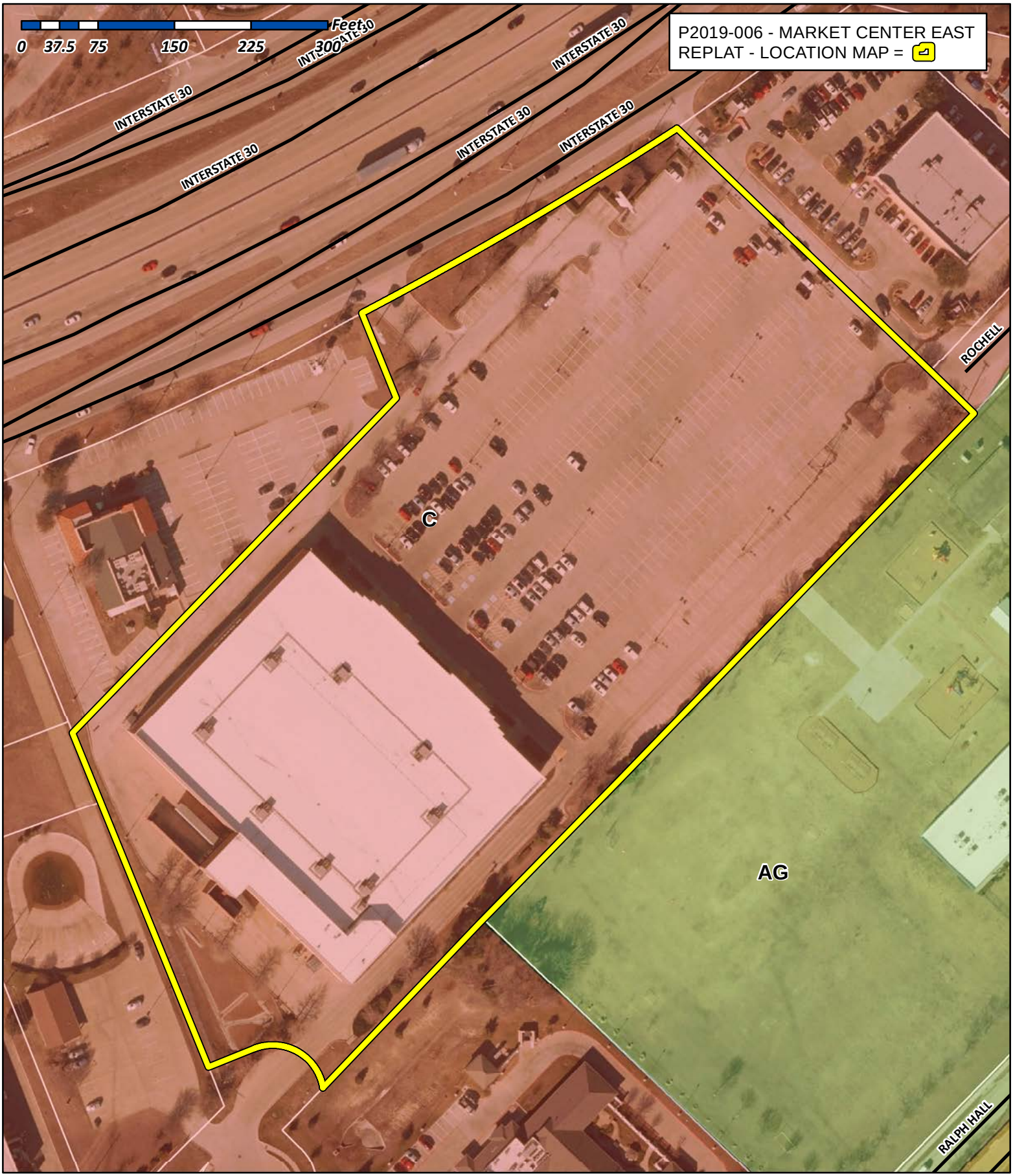
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) The developer is to submit revised site plan, landscape plan, photometric plan, and building elevations to the Planning, Engineering, and Building Inspections Departments; and

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

PLANNING AND ZONING COMMISSION

On March 26, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff's *Conditions of Approval* passed by a vote of 5-0 with Commissioners Fishman and Chodun absent.



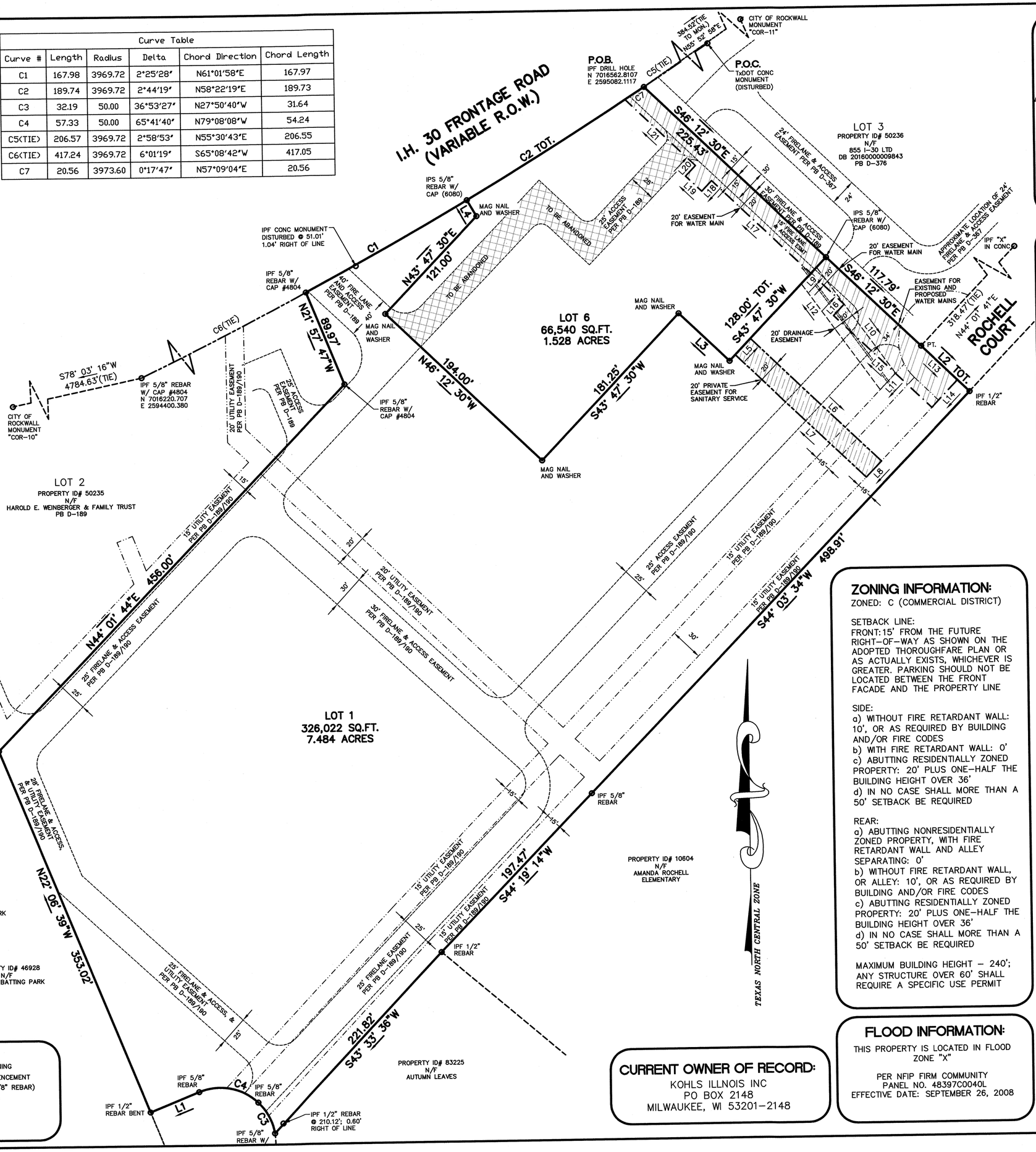
City of Rockwall

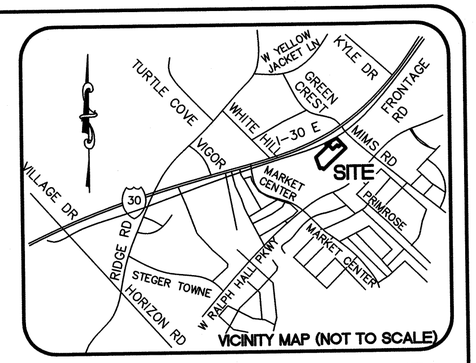
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

Line Table		
Line #	Length	Direction
L1	47.61	S68°01'20"W
L2	60.00	S46°12'30"E
L3	63.00	N46°12'30"W
L4	16.84	N30°15'32"W
L5	20.00	N43°47'30"E
L6	162.36	S46°12'31"E
L7	162.30	N46°12'31"W
L8	20.00	S43°58'08"W
L9	20.33	N43°47'30"E
L10	119.56	S35°56'46"E
L11	20.31	S44°01'41"W
L12	119.47	N35°56'46"W
L13	44.95	S46°12'30"E
L14	34.00	S43°56'24"W
L15	121.50	N46°12'30"W
L16	14.00	N43°34'51"E
L17	164.04	N46°12'30"W
L18	13.00	S43°47'10"W
L19	20.00	N46°12'30"W
L20	13.00	N43°47'10"E
L21	87.23	N46°12'30"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	167.98	3969.72	2°25'28"	N61°01'58"E	167.97
C2	189.74	3969.72	2°44'19"	N58°22'19"E	189.73
C3	32.19	50.00	36°53'27"	N27°50'40"W	31.64
C4	57.33	50.00	65°41'40"	N79°08'08"W	54.24
C5(TIE)	206.57	3969.72	2°58'53"	N55°30'43"E	206.55
C6(TIE)	417.24	3969.72	6°01'19"	S65°08'42"W	417.05
C7	20.56	3973.60	0°17'47"	N57°09'04"E	20.56





SURVEYOR'S NOTES:

1) ZONING PROVIDED BY THE APPROPRIATE GOVERNMENTAL AGENCY: TO BE USED FOR INFORMATIONAL PURPOSES ONLY.

2) THE WORDS "CERTIFY", "CERTIFIES" OR "CERTIFICATION" AS USED HEREIN ARE UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL OPINION BY THE SURVEYOR, BASED UPON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AS SUCH, DO NOT CONSTITUTE A GUARANTEE NOR A WARRANTY, EXPRESSED OR IMPLIED.

3) I HEREBY CERTIFY THAT THE RATIO OF PRECISION OF THE FIELD SURVEY IS 1: 10,000 AS SHOWN HEREON AND THAT THE AREA WAS DETERMINED BY DMD METHOD.

4) ALL IPS ARE MAG NAIL WITH WASHER (6080) UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS:

BEARINGS BASED ON OPUS SOLUTIONS
"OP1521597723686" & "OP1521681978142"
SPC 4202 TXNC – NAD 83

ZONING INFORMATION:

ZONED: C (COMMERCIAL DISTRICT)

SETBACK LINE:
FRONT: 15' FROM THE FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER. PARKING SHOULD NOT BE LOCATED BETWEEN THE FRONT FACADE AND THE PROPERTY LINE

SIDE:
a) WITHOUT FIRE RETARDANT WALL: 10', OR AS REQUIRED BY BUILDING AND/OR FIRE CODES
b) WITH FIRE RETARDANT WALL: 0'
c) ABUTTING RESIDENTIALLY ZONED PROPERTY: 20' PLUS ONE-HALF THE BUILDING HEIGHT OVER 36'
d) IN NO CASE SHALL MORE THAN A 50' SETBACK BE REQUIRED

REAR:
a) ABUTTING NONRESIDENTIALLY ZONED PROPERTY, WITH FIRE RETARDANT WALL AND ALLEY SEPARATING: 0'
b) WITHOUT FIRE RETARDANT WALL, OR ALLEY: 10', OR AS REQUIRED BY BUILDING AND/OR FIRE CODES
c) ABUTTING RESIDENTIALLY ZONED PROPERTY: 20' PLUS ONE-HALF THE BUILDING HEIGHT OVER 36'
d) IN NO CASE SHALL MORE THAN A 50' SETBACK BE REQUIRED

MAXIMUM BUILDING HEIGHT – 240'; ANY STRUCTURE OVER 60' SHALL REQUIRE A SPECIFIC USE PERMIT

FLOOD INFORMATION:

THIS PROPERTY IS LOCATED IN FLOOD ZONE "X"

PER NFIP FIRM COMMUNITY PANEL NO. 48397C0040L
EFFECTIVE DATE: SEPTEMBER 26, 2008

CURRENT OWNER OF RECORD:

KOHLS ILLNOIS INC
PO BOX 2148
MILWAUKEE, WI 53201-2148

LEGEND:

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPS	IRON PIN SET(5/8" REBAR)
IPF	IRON PIN FOUND
PT.	POINT
L/A	LIMITED ACCESS
R/W	RIGHT-OF-WAY

FREELAND
SURVEYORS • ENGINEERS

FREELAND & ASSOCIATES, INC.
323 WEST STONE AVE.
GREENVILLE S.C. 29609
TEL. (864) 271-4924 FAX: (864) 233-0315
EMAIL: info@freeland-associates.com

DRAWN:	JD	PARTY CHIEF:	RH	CHECKED: MVA
REF. PLAT BOOK:	D-189			
REF. DEED BOOK:	5340-143			
TAX MAP :	50234			
DATE OF SURVEY:	3-22-18			
DATE DRAWN:	11-7-18			
DRAWING NO:	69508-SUB C3D			
DATE OF LAST REVISION:	12-17-18			

0' 60' 120' 180'
SCALE: 1" = 60'

STATE OF TEXAS
JAMES RALPH FREELAND
6080
PROFESSIONAL LAND SURVEYOR
1-10-19

PLS: JAMES R. FREELAND
NO: 6080

STATE OF TEXAS
ROCKWALL COUNTY
CITY OF ROCKWALL

RE-PLAT OF ROCKWALL MARKET CENTER EAST BLOCK A - LOT 6

E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64

OWNER'S CERTIFICATION:

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS KOHLS ILLINOIS, INC. BEING THE OWNER OF A TRACT OF LAND IN THE COUNTY OF ROCKWALL, STATE OF TEXAS, SAID TRACT BEING DESCRIBED AS FOLLOWS:

BEING LOT 1 BLOCK A, ROCKWALL MARKET CENTER EAST, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO FINAL PLAT THEREOF RECORDED IN CABINET D, SLIDE 189, OF THE PLAT RECORDS, ROCKWALL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE TXDOT RIGHT-OF-WAY CONCRETE MONUMENT AT THE SOUTHWEST CORNER OF THE INTERSECTION OF INTERSTATE HIGHWAY 30 AND MIMS ROAD; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 3969.72 FEET, AN ARC LENGTH OF 206.57 FEET AND A CHORD BEARING AND DISTANCE OF S 55°30'43" W FOR A DISTANCE OF 206.55 FEET TO A DRILL HOLE FOUND, BEING THE POINT OF BEGINNING;

THENCE S 46°12'30"E FOR 225.43 FEET TO AN IRON ROD;

THENCE S 43°47'30"W FOR 128.00 FEET TO A MAG NAIL AND WASHER;

THENCE N 46°12'30"W FOR 63.00 FEET TO A MAG NAIL AND WASHER;

THENCE S 43°47'30"W FOR 181.25 FEET TO A MAG NAIL AND WASHER;

THENCE N 46°12'30"W FOR 194.00 FEET TO A MAG NAIL AND WASHER;

THENCE N 43°47'30"E FOR 121.00 FEET TO A MAG NAIL AND WASHER;

THENCE N 30°15'32"W FOR 16.84 FEET TO AN IRON ROD;

THENCE ALONG THE SOUTHEASTERN RIGHT-OF-WAY OF INTERSTATE HIGHWAY 30, ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 3969.72 FEET, AN ARC LENGTH OF 189.74 FEET AND A CHORD BEARING AND DISTANCE OF N 58°22'19"E FOR 189.73 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.528 ACRES OR 66,540 SF, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I (WE) THE UNDERSIGNED OWNER (S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE RE-PLAT OF ROCKWALL MARKET CENTER EAST, BLOCK A, LOT 1 SUBDIVISION TO THE CITY OF ROCKWALL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, THEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREET, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN ON THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. I (WE) FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE ON LIEN INTEREST IN THE RE-PLAT OF ROCKWALL MARKET CENTER EAST, BLOCK A, LOT 1 SUBDIVISION HAVE BEEN NOTIFIED AND SIGNED THIS PLAT. I (WE) UNDERSTAND AND DO HEREBY RESERVE THE EASEMENT STRIPS SHOWN ON THIS PLAT FOR THE PURPOSES STATED AND FOR THE MUTUAL USE AND ACCOMMODATION OF ALL UTILITIES DESIRING TO USE OR SUING SAME. I (WE) ALSO UNDERSTAND THE FOLLOWING:

1. NO BUILDINGS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE UTILITY EASEMENTS AS DESCRIBED HEREIN.

2. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS STRIPS; AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS OR EGRESS TO, FROM AND UPON THE SAID EASEMENT STRIPS FOR PURPOSE ON CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING, AND EITHER ADDING TO OR REMOVING ALL OR PART OF THEIR RESPECTIVE SYSTEM WITHOUT THE NECESSITY OF, AT ANY TIME, PROCURING THE PERMISSION OF ANYONE.

3. THE CITY OF ROCKWALL WILL NOT BE RESPONSIBLE FOR ANY CLAIMS OF ANY NATURE RESULTING FROM OR OCCASIONED BY THE ESTABLISHMENT OF GRADE OF STREETS IN THE SUBDIVISION.

4. THE DEVELOPER AND SUBDIVISION ENGINEER SHALL BEAR TOTAL RESPONSIBILITY FOR STORM DRAIN IMPROVEMENTS.

5. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE NECESSARY FACILITIES TO PROVIDE DRAINAGE PATTERNS AND DRAINAGE CONTROL SUCH THAT PROPERTIES WITHIN THE DRAINAGE AREA ARE NOT ADVERSELY AFFECTED BY STORM DRAINAGE FROM THE DEVELOPMENT.

6. NO HOUSE DWELLING UNIT, OR OTHER STRUCTURE SHALL BE CONSTRUCTED ON ANY LOT IN THIS ADDITION BY THE OWNER OR ANY OTHER PERSON UNTIL THE DEVELOPER AND/OR OWNER HAS COMPLIED WITH ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF ROCKWALL REGARDING IMPROVEMENTS WITH RESPECT TO THE ENTIRE BLOCK ON THE STREET OR STREETS ON WHICH PROPERTY ABUTS, INCLUDING THE ACTUAL INSTALLMENT OF STREETS WITH THE REQUIRED BASE AND PAVING, CURB AND GUTTER, WATER AND SEWER, DRAINAGE STRUCTURES, STORM STRUCTURES, STORM SEWERS, AND ALLEYS, ALL ACCORDING TO THE SPECIFICATIONS OF THE CITY OF ROCKWALL; OR

7. PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL MAINTENANCE. REPAIR AND RECONSTRUCTION OF DRAINAGE AND DETENTION SYSTEMS IN EASEMENTS.

UNTIL AN ESCROW DEPOSIT, SUFFICIENT TO PAY FOR THE COST OF SUCH IMPROVEMENTS, AS DETERMINED BY THE CITY'S ENGINEER AND/OR CITY ADMINISTRATOR, COMPUTED ON A PRIVATE COMMERCIAL RATE BASIS, HAS BEEN MADE WITH THE CITY SECRETARY, ACCOMPANIED BY AN AGREEMENT SIGNED BY THE DEVELOPER AND/OR OWNER, AUTHORIZING THE CITY TO MAKE SUCH IMPROVEMENTS AT PREVAILING PRIVATE COMMERCIAL RATES, OR HAVE THE SAME MADE BY A CONTRACTOR AND PAY FOR THE SAME OUT OF THE ESCROW DEPOSIT, SHOULD THE DEVELOPER AND/OR OWNER FAIL OR REFUSE TO INSTALL THE REQUIRED IMPROVEMENTS WITHIN THE TIME STATED IN SUCH WRITTEN AGREEMENT, BUT IN NO CASE SHALL THE CITY BE OBLIGATED TO MAKE SUCH IMPROVEMENTS ITSELF. SUCH DEPOSIT MAY BE USED BY THE OWNER AND/OR DEVELOPER AS PROGRESS PAYMENTS AS THE WORK PROGRESSES IN MAKING SUCH IMPROVEMENTS BY MAKING CERTIFIED REQUISITIONS TO THE CITY SECRETARY, SUPPORTED BY EVIDENCE OF WORK DONE; OR

UNTIL THE DEVELOPER AND/OR OWNER FILES A CORPORATE SURETY BOND WITH THE CITY SECRETARY IN A SUM EQUAL TO THE COST OF SUCH IMPROVEMENTS FOR THE DESIGNATED AREA, GUARANTEEING THE INSTALLATION THEREOF WITH THE TIME STATED IN THE BOND, WHICH TIME SHALL BE FIXED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL.

I (WE) FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTION'S MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; I (WE), MY (OUR) SUCCESSORS AND ASSIGNS HEREBY WAIVE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT I (WE) MAY HAVE AS A RESULT OF THE DEDICATION OF EXACTIONS MADE HEREIN.

_____
PROPERTY OWNER SIGNATURE

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____(PROPERTY OWNER), KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREFOING INSTRUMENT, AND ACKNOWLEDGED TO ME TAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____(DAY) OF _____ (MONTH/YEAR).

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS MY COMMISSION EXPIRES

_____
SIGNATURE OF PARTY WITH MORTGAGE OR LIEN INTEREST

GENERAL NOTES:

1) IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING PERMITS UNTIL ALL STREET, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OF PERMIT THEREFOR ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

SURVEYOR'S CERTIFICATE:

NOW, THEREFORE KNOW THAT ALL MEN BY THESE PRESENTS:

THAT I, JAMES R. FREELAND, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERTY PLACED UNDER MY PERSONAL SUPERVISION.

1-10-19
_____
SURVEYOR SIGNATURE REGISTERED PUBLIC SURVEYOR# 6080

STANDARD CITY SIGNATURE BLOCK:

_____
PLANNING & ZONING COMMISSION, CHAIRMAN DATE

APPROVED:
I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL ON THE _____(DAY) OF _____(MONTH/YEAR).

THIS APPROVAL SHALL BE INVALED UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL COUNTY, TEXAS, WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM SAID DATE OF FINAL APPROVAL.

WITNESS OUR HANDS, THIS _____(DAY) OF _____(MONTH/YEAR).

_____
MAYOR, CITY OF ROCKWALL

_____
CITY SECRETARY

_____
CITY ENGINEER

FREELAND
SURVEYORS • ENGINEERS

FREELAND & ASSOCIATES, INC.
323 WEST STONE AVE.
GREENVILLE S.C. 29609
TEL. (864) 271-4924 FAX: (864) 233-0315
EMAIL: info@freeland-associates.com

DRAWN:	JD	PARTY CHIEF:	RH	CHECKED:	MVA
REF. PLAT BOOK:	D-189				
REF. DEED BOOK:	5340-143				
TAX MAP :	50234				
DATE OF SURVEY:	3-22-18				
DATE DRAWN:	11-7-18				
DRAWING NO:	69508-SUB C3D				
DATE OF LAST REVISION:	12-17-18				

0' 60' 120' 180'
SCALE: 1" = 60'

STATE OF TEXAS
REGISTERED
JAMES RALPH FREELAND
6080
PROFESSIONAL
LAND SURVEYOR
SURVEY
1-10-19

PLS: JAMES R. FREELAND
NO: 6080

STATE OF TEXAS
ROCKWALL COUNTY
CITY OF ROCKWALL

RE-PLAT OF ROCKWALL MARKET CENTER EAST BLOCK A - LOT 6

E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64

S:\LAND PROJECTS\CRACKER-BARREL\ROCKWALL TX\69508\dwg\69508-SUB C3D.dwg 1/10/2019 3:01:25 PM \\main\Dce Plot\eve 450

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115

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	April 1, 2019
SUBJECT:	Water, Wastewater, and Roadway Impact Fee Study

Section 395.052(a) of the Texas Local Government Code (TLGC) requires that a municipality that imposes an impact fee must update the land use assumptions and capital improvements plan at least every five (5) years. The City last updated the Water, Wastewater, and Roadway Impact Fees in 2013-2014. Based on the requirements of the TLGC, staff has engaged Freese & Nichols, Inc. -- *the same consultants that prepared the roadway updates for 2013-2014* -- to perform the roadway impact fee study. The contract proposed by Freese & Nichols, Inc. is for a total cost of $41,424.00, and includes the roadway program update and collection of the required traffic volume data needed to complete the study. Birkoff, Hendricks & Carter, LLP has already been engaged to perform the update to the water and wastewater program. Staff has also completed the land use assumptions update *in-house* and is prepared to move forward as prescribed by the TLGC. Staff requests the City Council consider approving the City Manager to enter into the agreement for the update. It should be noted that the City Attorney is in the process of finalizing the contract, but all perinate information concerning the contract is attached to this memorandum. This was included and approved in the *FY2018-2019 Budget*. Should the City Council have any questions staff will be available at the *April 1, 2019* meeting.

Attachment A to Professional Engineering Services Contract
Scope of Services
Roadway Impact Fee Program Update
City of Rockwall, Texas

Phase 1: Roadway Impact Fee Update

A. Land Use Assumptions

The impact fee capital improvement plan is required to be based upon a set of adopted land use assumptions which includes a "description of the service area(s) and projections of changes in land use, densities, intensities, and population in the service area over at least a ten-year period." Although no format is specified in the State statute, the key components of the land use assumptions include; description and analysis of existing conditions, determination of service area(s) for capital facilities, ten-year growth projections, and discussion of an ultimate or "build out" development scenario.

The CITY will prepare the Land Use Assumptions Report as well as present the Land Use Assumptions to the Capital Improvements Advisory Committee and the City Council during the impact fee Public Hearing. ENGINEER will support the CITY in identifying the necessary report components. Detail of the report requirements are detailed in the Responsibilities of City (Article IV-A) below.

B. Roadway Impact Fee Update

1. Project Kick-off and identification of Data Needs: ENGINEER will conduct an initial meeting with the CITY to review proposed scope of services, approach, goals and deliverables of the study. ENGINEER will provide the CITY with a Data Request Memorandum identifying data needs from all component of the impact fee study. The meeting will include discussion of the following:
   a. Present and discuss methodology and approach
   b. Scheduling and project coordination
   c. Information and data needs from the CITY
   d. A review of recent and proposed developments/future growth in the CITY and planning area
   e. Identification of potential CIP projects for consideration into the impact fee system
   f. Capital Improvements Advisory Committee and Meetings
   g. CITY Coordination for resolutions/postings and public hearings
   h. Coordination of final documentation

   Up to six (6) meetings will be held throughout the study process and include the following; Advisory Committee (3), CITY Staff (2), CITY Council/Public Hearing (1).

   Documents will be prepared as part of the study process and be presented to the CITY and Capital Improvements Advisory Committee (CIAC). To reduce overall project costs throughout the study process, electronic documents (PDF format) will be provide to the CITY for reproduction and dissemination to the Steering Committee and City Council. At project conclusion, one (1) unbound color original hardcopy of the adopted final report will be submitted to the CITY. An electronic version of the file (PDF format), will also be provided.

   As part of project initiation, ENGINEER will meet (Meeting #1) with the Capital Improvements Advisory Committee (CIAC) to provide an overview of the impact fee study update, review Land Use Assumptions and associated growth rate (Task A) and discuss next steps in the program update. The CIAC shall provide comment on the LUA for the study to proceed forward.

2. Update Roadway Impact Fee Service Areas: From the 2013 system update, four service areas have been created for the city's roadway impact fee system. ENGINEER will update the roadway service area structure to incorporate recent municipal annexations. ENGINEER will also review any revised changes to the service area structure to ensure compliance with state legislation (six-mile maximum). Following the completion of this task, CITY Staff will review and approve the service area structure prior to commencement of supplemental tasks. It is anticipated that minimal changes will be made to the service area structure.

3. Existing Roadway Inventory and Analysis: ENGINEER will assemble an inventory and analysis of existing major roadways, by service area (Task 2) in the city. The inventory will contain the following information of existing collector and arterial status roadways; roadway segment name and limits, length (in miles), number of lanes, facility type (divided, undivided) and functional classification (arterial, collector).

   Existing conditions analyses will be prepared to calculate capacity provided and utilized of existing capital improvements within the city. Any roadway deficiencies will be summarized by service area for use in the capital improvements analysis. The existing conditions analysis will be based on PM peak hour directional traffic volume data. ENGINEER will collect such data at up to twenty-five (25) locations throughout the city. ENGINEER will coordinate with the CITY with a map depicting locations for data collection of peak-hour directional traffic count data.

4. Determination of Projected Roadway Demand: Determination of projected roadway demand over the 10-year planning period will be based on socio-demographic data developed in the land use assumptions report prepared as part of the study process. The service unit equivalency table, updated in Task 9, will serve as the basis for determination of the number of service units generated within individual service areas over the ten-year planning period. Service unit equivalencies for residential, general shopping, office and general industrial will be used for service unit generation from growth defined in the land use assumptions report (to be prepared by the CITY).

5. Develop Roadway Capital Improvements Program: The impact fee capital improvements program (CIP) will be updated incorporating growth considerations over the ten-year plan period, the City Thoroughfare Plan, fiscal constraints and City Staff input. The 2013 impact fee CIP project listing will serve as the basis for defining additional needs. Project costing for CP projects will be based on recent unit pricing from city projects. The CITY will provide actual cost information for completed projects and be broken down by; construction, engineering, right-of-way and debt service. ENGINEER will develop cost estimates for project additions to the program and be based on unit cost data to be provided by the CITY. We have assumed that one (1) impact fee CIP scenario will be prepared as part of this study effort.

   Both the 2009 and 2013 roadway impact fee programs credited the cost of the impact fee CIP by 50%. For scoping purposes, it is assumed that a financial analysis determining the maximum that could be charge (in excess of 50%) will not be conducted. Should such study be desired, a revised scope fee will be provided.

6. Meet with CITY to Review Capital Improvement Plans: ENGINEER will prepare maps depicting existing and proposed system improvements eligible for impact fees and will conduct a meeting with CITY to review projects and to obtain comments. (Concurrent with Task 8.)

7. Conduct CIAC Meeting #2: ENGINEER will present the proposed roadway CIP to the CIAC and solicit comments to the plan.

8. Roadway CIP Database Update and Maximum Fee Calculation: Impact fee CIP project data will be compiled and input into a roadway projects database. This database will be prepared by service area and include the following information:

   a. Roadway segment name and limits.
   b. Number of lanes, length and facility type.
   c. Project cost information (construction, engineering, ROW, debt service).
   d. Capacity provided by CIP projects, utilized and percent attributable to new development.
   e. Project cost attributable to new development.

   Based on data compiled into the CIP database, an updated maximum cost per service unit will be calculated for service areas within the CITY

9. Update Service Unit Equivalency Table (SUE) for Roadway System: ENGINEER will update the listing of service unit equivalencies for major land uses within the categories of residential, office, commercial, industrial and institutional uses. Subject to available data, up to five (5) land uses will be added based on city input. The service unit generation table will also be updated to incorporate new trip rate and trip length information. Trip rate information will be based on data contained in the Institute of Traffic Engineers *Trip Generation*, 10th Edition. Trip length data will be based on available data from the North Central Texas Council of Governments Workplace Survey.

   Develop Draft Roadway Impact Fee Report: ENGINEER will prepare and submit a Draft Roadway Impact Fee Report documenting analyses, the CIP, its associated cost, and associated maximum cost per service unit. An electronic version of the draft report (PDF format) will be provided for the CITY to make/disseminate necessary copies for Staff and CIAC review (Tasks 11 and 12).

10. Meet with CITY to Review Draft Impact Fee Report: ENGINEER will discuss the Draft Impact Fee Report and present comparisons with other Cities and obtain comments. The CITY will provide a consolidated list of comments of the draft report.

11. Fee Benchmarking: Up to eight (8) area cities will be benchmarked with Rockwall for comparison of impact fee collections. Up to four (4) land uses will be prepared for comparison.

12. Conduct CIAC Meeting #3: ENGINEER will present the results of the Impact Fee Study to the Citizen Advisory Committee. In addition to the discussion of the resultant cost per service unit, a comparison of the unit cost to area cities will be made.

13. Finalize Roadway Impact Fee Report: Based on comments from the CITY CIAC (Task 8), ENGINEER will finalize the Impact Fee Report for use as part of the impact fee hearing. An electronic version of the final report (PDF format) will be submitted to the CITY printing/dissemination of reports to the City Council.

14. Present Capital Improvements Plan at Public Hearing (#1): ENGINEER will attend one (1) Public Hearing to present the Capital Improvements Plan and updated impact fee calculation and will be available to discuss/answer questions. (This task runs concurrent with the presentation of the Land Use Assumptions.)

The CITY shall take lead in the preparation and submittal of all necessary public noticing, resolutions and ordinance language throughout the study process.

15. Submit Final Sealed Report: At the conclusion of the public hearing process, ENGINEER will submit one (1) unbound color copy original of the final report. The report shall be sealed by a Professional Engineer registered with the State of Texas.

Deliverables:

A. Discussion of data needs, methodology/approach and presentation to the CIAC.

B. Identification of directional PM Peak hour traffic counts.

C. Updated service area structure/boundary map.

D. Updated roadway system inventory/existing utilization (capacity, use, deficiency) by service area.

E. Coordination with land use assumptions; projection of 10-year demands (vehicle-miles) generated by new development for each service area.

F. Updated roadway impact fee CIP and associated costs; analysis of impact fee CIP (capacity made available, use and projection of needs by new development).

G. Updated impact fee database and associated cost per service unit calculation for each service area.

H. Updated land use equivalency table.

I. Report and presentation for public hearing process.

J. Final Sealed Report of the impact fee update.

ARTICLE II

ADDITIONAL SERVICES: Additional Services to be performed by ENGINEER on an hourly, not to exceed fee basis, if authorized by CITY, which are not included in the above described basic services, are described as follows:

A. Additional meetings with the Capital Improvements Advisory Committee and/or the City Council for workshops or other meetings in connection with the impact fee program update.

B. An impact fee finance study should the CITY determine the desire to collect impact fees above the 50% rate. A scope and fee will be provided, if requested.

C. Providing renderings, model, and mock-ups requested by the CITY.

D. Revising study mapping, drawings, specifications or other documents when such revisions are 1) not consistent with approvals or instructions previously given by CITY or 2) due to other causes not solely within the control of ENGINEER.

E. Preparing applications and supporting documents for government grants, loans, or planning advances and providing data for detailed applications.

F. Preparing data and reports for assistance to CITY in preparation for hearings before regulatory agencies, courts, arbitration panels or any mediator, giving testimony, personally or by deposition, and preparations therefore before any regulatory agency, court, arbitration panel or mediator.

G. Assisting CITY in preparing for, or appearing at litigation, mediation, arbitration, dispute review boards, or other legal and/or administrative proceedings in the defense or prosecution of claims disputes.

H. Assisting CITY in the defense or prosecution of litigation in connection with or in addition to those services contemplated by this Agreement. Such services, if any, shall be furnished by ENGINEER on a fee basis negotiated by the respective parties outside of and in addition to this Agreement.

I. Design, contract modifications, studies or analysis required to comply with local, State, Federal or other regulatory agencies that become effective after the date of this Agreement.

J. Visits to the site in excess of the number of trips included in Article I for periodic site visits, coordination meetings, or contract completion activities.

K. Providing basic or additional services on an accelerated time schedule. The scope of this service include cost for overtime wages of employees and consultants, inefficiencies in work sequence and plotting or reproduction costs directly attributable to an accelerated time schedule directed by the CITY.

L. Preparing statements for invoicing or other documentation for billing other than for the standard invoice for services attached to this Professional Engineering Services Agreement.

ARTICLE III

TIME OF COMPLETION: ENGINEER is authorized to commence work on the Project upon execution of this Agreement and agrees to complete the technical portion services, exclusive of the final public hearing, in accordance within 4 – 6 months. This timeframe is dependent on the ability of City Staff and Advisory Committee to provide feedback to all project submittals. It is not anticipated that any special meetings will be needed for the Capital Improvements Advisory Committee (P&Z serving as CIAC) and the City Council.

If ENGINEER's services are delayed through no fault of ENGINEER, ENGINEER shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in CITY or regulatory reviews, delays on the flow of information to be provided to ENGINEER, governmental approvals, etc. These delays may result in an adjustment to compensation as outlined on the face of this AGREEMENT and in Attachment B.

ARTICLE IV

RESPONSIBILITIES OF CITY: CITY shall perform the following in a timely manner so as not to delay the services of ENGINEER:

A. Preparation of Land Use Assumptions (LUA Report) for Roadway Impact Fee Update
   1. The Capital Improvement Plan (CIP) is required to be based upon a set of adopted land use assumptions which includes a "description of the service area(s) and projections of changes in

land use, densities, intensities, and population in the service area over at least a ten-year period." Although no format is specified in the State statute, there are four basic requirements or components of the land use assumptions:

i. Determination of service area(s) for each capital facility
ii. Description and analysis of existing conditions (base data)
iii. Ten-year growth projections
iv. Discussion of an ultimate or "build out" development scenario

It is anticipated that the City staff will use the service area structure established as part of the previous system update as amended in Task 2 (Phase 1, B2) above.

Existing Land Use Development
The report will document existing conditions in terms of land use, land use density, and current population/employment of the study area. As the LUA report will be documenting conditions for both roadway and water/wastewater impact fees, separate tables documenting each program service area boundaries will be needed. For roadways, data will be confined to the city limits. Data should be compiled and documented by traffic service zones (NCTCOG TSZ subareas) in tabular format to all for specific area planning. An accompanying map depicting TSZ boundaries should also be included. A description for the basis of the existing conditions should be provided.

Ten-Year Growth Assumptions
The purpose of ten-year projections is to serve as a basis for unit cost calculations that will be used in the impact fee program. The period of analysis shall be January 2019 through January 2029. Growth assumptions may be based on historic trend of population, recent building permit activity, upcoming anticipated/known developments or some synthesis of both. It is assumed that a growth rate will be prepared and presented to the CIAC, with the CIAC providing approval of such growth rate for study documentation.

Growth assumptions will include and be broken out in the following manner:
Roadway: population, dwelling unit and employment by industry (basic, service, retail) by roadway service areas for year 2019 and 2029.

The growth projections should be coordinated with the CITY's Future Land Use Plan for consistency with long-range community planning efforts. A ten-year figure in terms of land use type, associated acreage and density should also be provided.

Land Use Assumption Report
A draft report documenting items above will be submitted electronically for Study Team review. Subsequent to this review, draft reports will be made available for presentation to the CIAC. Based on comments from the CIAC, a final report will be prepared for the Public Hearing process.

Conduct LUA Meetings with the CIAC and Public Hearing
The CITY will support ENGINEER with meetings with the CIAC and City Council for the approval and public hearing of the LUA Report. Subject to CIAC comments, the CITY will prepare the final report for use in this impact fee program update.

Task Products:
- Electronic copy of initial draft document for Study Team review.
- Presentation of the draft LUA to the CIAC.

- Preparation of the final LUA report to make available for the Public Hearing process.
- Presentation of the final LUA to the City Council as part of the impact fee public hearing.
- Electronic copy of the final approved report in Word and PDF format.

2. Collection of PM peak hour directional traffic volumes at up to 25 locations for analysis of existing demand and deficiencies. ENGINEER will coordinate with City Staff with respect to count locations.

3. Coordinate meeting times and places, including notifying each study team member.

4. Review and comment on ENGINEER recommendations.

5. Publish all public hearing notices, including all notices required in the newspaper, Council resolutions and ordinances for the approval of program update.

6. Provide to ENGINEER all existing population, employment, base maps, and other data which may be relevant to the impact fee program.

7. Make all requests to other public agencies such as NCTCOG (if necessary) for data and/or assistance, as may be appropriate and relevant to the impact fee program.

8. Provide current GIS base map of the city and Thoroughfare Plan in electronic format. ESRI shapefiles would be acceptable.

9. Provide data of existing roadways (arterial and collector streets) within the city limits. Specific information required for the inventory includes the following:
   a. Roadway name
   b. Roadway type (divided, undivided, arterial, collector, etc.)
   c. Existing number of lanes

10. Any available long-range travel forecasts to assist in the preparation of the Capital Improvements Program.

11. Historic roadway unit cost data for the preparation of updates to project costing for proposed impact fee program projects. Unit cost or bid tab data should resemble facility types depicted on the City Thoroughfare Plan.

    Other project costing to be provided include actual project costs for recently completed roadway impact fee projects. Data to be included; construction, engineering, right-of-way and debt service. Any previous collections by the CITY from development should also be submitted.

B. Provide such accounting, independent cost estimating, and insurance counseling services as may be required for the Project, such legal services as CITY may require or ENGINEER may reasonably request about legal issues pertaining to the Project.

C. Furnish, or direct ENGINEER to provide, Additional Services as stipulated in Attachment SC, Article II of this AGREEMENT or other services as required.

D. Bear all costs incident to compliance with the requirements of this Article IV.

ARTICLE V

DESIGNATED REPRESENTATIVES: ENGINEER and CITY designate the following representatives:

CITY's Designated Representative	Mr. Ryan C. Miller, Director of Planning 385 South Goliad Rockwall, Texas 75087 Phone: (972) 771-6441 Fax: (972) 771-7748 E-mail: RMiller@rockwall.com
CITY's Accounting Representative	Name: _____ Address: _____ _____ Phone: _____ Fax: _____ E-mail: _____
ENGINEER's Designated Representative	Edmund Haas, AICP 2711 N. Haskell Ave., Suite 3300 Dallas, Texas 75204 Phone: 214-217-2321 Fax: 214-217-2201 E-mail: eh@freese.com
ENGINEER's Accounting Representative	Stephanie Kirchstein 2711 N. Haskell Ave., Suite 3300 Dallas, Texas 75204 Phone: 214-217-2212 Fax: 214-217-2201 E-mail: Stephanie.Kirchstein@freese.com

COMPENSATION

Compensation to FNI shall be the lump sum fee of Forty-One Thousand Four Hundred Twenty-Four Dollars ($41,424). If ENGINEER sees the Scope of Services changing so that additional services are needed, including but not limited to those services described as Additional Services in Attachment A, ENGINEER will notify CITY for CITY'S approval before proceeding. Additional Services shall be computed based on the Schedule of Charges.

Schedule of Charges:

Position	Min	Max
Professional 1	75	138
Professional 2	101	186
Professional 3	127	208
Professional 4	142	224
Professional 5	170	284
Professional 6	179	365
Construction Manager 1	93	166
Construction Manager 2	102	174
Construction Manager 3	140	192
Construction Manager 4	176	260
CAD Technician/Designer 1	62	119
CAD Technician/Designer 2	91	141
CAD Technician/Designer 3	118	189
Corporate Project Support 1	45	115
Corporate Project Support 2	68	156
Corporate Project Support 3	90	244
Intern / Coop	40	78

Rates for In-House Services

Technology Charge

$8.50 per hour

Travel

Standard IRS Rates

Bulk Printing and Reproduction

	B&W	Color
Small Format (per copy)	$0.10	$0.25
Large Format (per sq. ft.)		
Bond	$0.25	$0.75
Glossy / Mylar	$0.75	$1.25
Vinyl / Adhesive	$1.50	$2.00
Mounting (per sq. ft.)	$2.00	
Binding (per binding)	$0.25	

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.15. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the ENGINEER's office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where ENGINEER provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to ENGINEER if an FNI employee was performing the same or similar services.

These ranges and rates will be adjusted annually in February. Last updated February 2019.

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126

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Councilmembers**

FROM: **Bethany Browning**

DATE: **April 1, 2019**

SUBJECT: **Appointment with Downtown Rockwall Association to Discuss Street Closures**

On February 6, 2019 the Downtown Rockwall Association voted to approve their annual calendar of events which included 8 additional street closures in the 100 block of North San Jacinto Street:
(5) Classic Car Shows (February (past), June, July, August, September)
Easter Event (April)
Corks & Canvas (May)
Yoga on the Square (July)

Since the February 6 meeting, the DRA has stated they would like to utilize the San Jacinto Plaza for the last three events (Easter, Corks & Yoga) versus closing North San Jacinto.

In recent years downtown streets have been closed four times annually for the following major events:

1.Downtown Summer Kick-Off (Opening Weekend of Farmers Market and San Jacinto Plaza Music Series, Craft Market and Cinco de Mayo Celebration)
2. Rib Rub Run & Roll
3. Scare on the Square and
4. Hometown Christmas Celebration.

Tamara Kolleck, DRA President has an appointment with City Council to seek approval for the additional street closures and to discuss their special events. Attached is a copy of the original calendar of events approved at the February 6, 2019 DRA meeting and the powerpoint that will be presented to the City Council on Monday night by the DRA president. Staff will be available to answer questions as well.

127

Downtown Rockwall Association

2019 Calendar of Events (DRAFT)

January: JAN 16TH DRA MEMBERS MEETING @6:15PM STERLING TEA

February:

- Feb 16th Local Lovers Stroll
- Feb 23rd Sidewalk Sale + Classic Cars & Coffee on the Square

March:

- March 16th: Be Crafty Event, St. Patricks's Theme pastry decorating in the plaza
- March 21st vs 23rd: Spring Fling in Downtown (Ladies Late Night Shopping Event)?

April:

- April 20th: Easter Event. Bunny & Pig Yoga, Easter Egg Hunt, Pictures w/ Easter Bunny

May:

- May 2nd: Music Series starts
- May 4th: Farmer's Market begins, Artisan Craft Fair, Downtown summer kickoff & Cinco de Mayo. Local Beer Stroll-Sponsorship from local breweries
- May 18th: Founders Day, Corks & Canvas on the Square
- May 19th: Farm to Feast

June:

-June 15th Family Friendly/Men's themed event, Local brewery Beer Stroll, food trucks & Classic cars

July:

128

-July 13th Goat Yoga on the Square

-July 27th Classic Cars & Coffee

August:

-Aug 9th-11th Shop local Texas Tax free weekend, Side walk sale

-Aug 31st Classic Cars & Coffee

September:

- Sept 11th-14th, 1st responder appreciation shopping weekend 20% off item purchase with ID.
- Sept 28th Classic Cars & Coffee

October:

- October 5 Rib Run and Roll; Beer stroll
- October 13th Farm to Feast
- October 26th Scare on the Square & movie night

November:

- November 8th Holiday Open House
- November 30th Shop Small, Plaza Breakfast & Mimosa Stroll

December:

- December 7th Hometown Christmas
- December 13th & 14Th Downtown District Holiday Tour of Homes & (tour discount promo + Dessert Stroll 14th)
- December 20th Late Night Shopping

129



DOWNTOWN ROCKWALL ASSOCIATION

CALENDAR OF EVENTS REVIEW & NEW REQUESTS

DOWNTOWN ROCKWALL ASSOCIATION

PURPOSE:

1. TO DEVELOP, EXECUTE AND PARTICIPATE IN COMMUNITY EVENTS FOR PROMOTING THE ROCKWALL DOWNTOWN HISTORICAL DISTRICT.
2. TO WORK IN CONJUNCTION WITH THE CITY AND COUNTY GOVERNMENT OFFICES TOWARDS CONTINUED REVITALIZATION AND GROWTH OF THE DOWNTOWN BUSINESS DISTRICT.
3. TO PROMOTE BUSINESS OPPORTUNITIES AND TOURISM OF THE DOWNTOWN ROCKWALL HISTORICAL DISTRICT IN THE CITY OF ROCKWALL FOR THE GOOD OF THE COMMUNITY, AS WELL AS PROMOTING AND MARKETING OUR MEMBERS BUSINESSES TO AREAS OUTSIDE OF ROCKWALL.

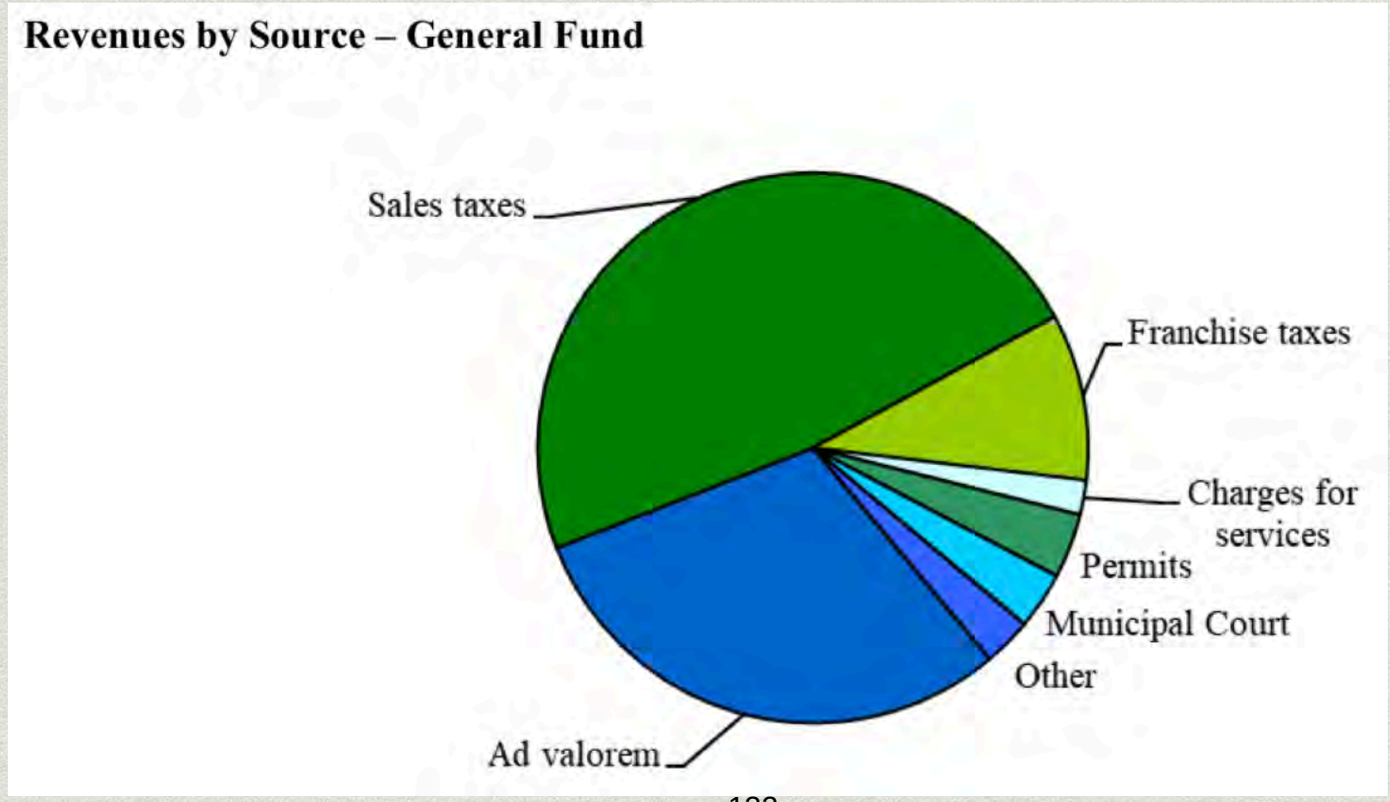
131

City of Rockwall Revenues from local Sales Tax

-2016 FINANCIAL REPORT

Downtown Rockwall underwent extensive reconstruction with completion occurring in 2016 and marked by a full-day celebration of the end of construction. Several new stores have moved into the downtown square following the completion adding to the mix of retail, restaurant and service locations. The City benefits from the attention garnered from Rockwall's being a Texas Main Street City. The City has seen a 5.4% increase in sales taxes in the downtown area in the last fiscal year and 70.4% in the last five years. (EXCERPT TAKEN FROM CITY OF ROCKWALL 2016 FINANCIAL REPORT)

The City's *General Fund* reported an ending unassigned fund balance of $11,165,872. The largest source of general fund revenue is sales tax, it accounted for $15,574,733 (47.98%) of total general fund revenue.



132

CITY OF ROCKWALL
FY 2017-2018
FACTS FROM THE “ADOPTED BUDGET REPORT”

The City of Rockwall will end FY2017 in strong financial position. The City of Rockwall has had a good year in 2017 with overall revenues meeting budgeted expectation; however, revenues have not out-performed budget estimates for Sales Tax to the extent that they have in previous years. 2017 expenditures generally conform to the expenditure plan outlined in the FY2017 budget. Decisions to expend additional reserve funds during the course of the year have not resulted in compromising the City’s financial position, but rates of revenue increases, particularly in Sales Tax collection, have slowed as compared to previous year increases. Budgeted and actual total Sales Tax collections for the past several years are provided below:

Fiscal Year	Proposed Budget	Actual Collections	% Change
2013	$12,076,200	$13,271,760	9.97%
2014	$12,998,000	$13,515,016	3.97%
2015	$13,617,300	$14,302,831	5.03%
2016	$14,941,000	$15,378,895	2.92%
2017	$15,791,200	$15,977,050 (projected)	1.17%

Despite a continued increase from historic per capita sales tax collections ($340/capita - noted in strategic planning data - to the FY2017 rate of about $378/capita), due to the reduced overall rate of increase for the past year, the proposed budget indicates a cautious approach in estimating increased Sales Tax receipts for the coming year as the likelihood of increased online retail sales market share continues.

133

DOWNTOWN RETAIL FINANCIAL TRENDS

- HISTORICALLY LOWEST INCOME EARNING MONTHS IN DOWNTOWN ROCKWALL W/ PROBABLE FACTORS: **PROFITS DECREASED 30-35% IN THESE MONTHS AMONG MERCHANTS.**
  - **JANUARY**-CONSUMERS RECOVERING FROM FINANCIAL DRAIN OF HOLIDAY SPENDING, LACK OF EVENTS TO DRAW TRAFFIC DOWNTOWN.
  - **FEBRUARY**- CONSUMERS PREPARING FOR TAX SEASON, LACK OF EVENTS TO KEEP PUBLIC ENGAGED AND DRAW CONSUMERS DOWNTOWN.
  - **JUNE**- SUMMER VACATIONS, LACK OF RETAIL/RESTAURANT DRIVEN EVENTS TO KEEP PUBLIC ENGAGED AND DRAW CONSUMERS DOWNTOWN.
  - **JULY**-SUMMER VACATIONS, TEXAS HEAT, LACK OF RETAIL/RESTAURANT DRIVEN EVENTS TO KEEP PUBLIC ENGAGED AND DRAW CONSUMERS DOWNTOWN.
  - **AUGUST**- BACK TO SCHOOL TIME, TEXAS HEAT, LACK OF RETAIL/RESTAURANT DRIVEN EVENTS TO KEEP PUBLIC ENGAGED AND DRAW CONSUMERS DOWNTOWN.
  - **SEPTEMBER**- TEXAS HEAT, START OF TEXAS STATE FAIR, LACK OF RETAIL/RESTAURANT DRIVEN EVENTS TO KEEP PUBLIC ENGAGED AND DRAW CONSUMERS DOWNTOWN.

134

In the past 3 years there has been approximately **13+** businesses that have either gone out of business, moved locations, or rebranded in an effort to try continue to survive in business downtown.

135

The average monthly rent cost for commercial retail downtown is $2600.00-$6000.00

Many merchants struggle to make profits in down financial trending months with lack of continual foot traffic and public awareness/exposure of downtown shopping and dining options.

136

During a DRA driven event day, How do these events effect merchant sales profits?

"The average merchant's traffic and sales profits increase 100-150% during DRA driven events where there is individual shop participation and collaborative efforts help to promote the event."

–A poll conducted through the DRA from its merchants.



















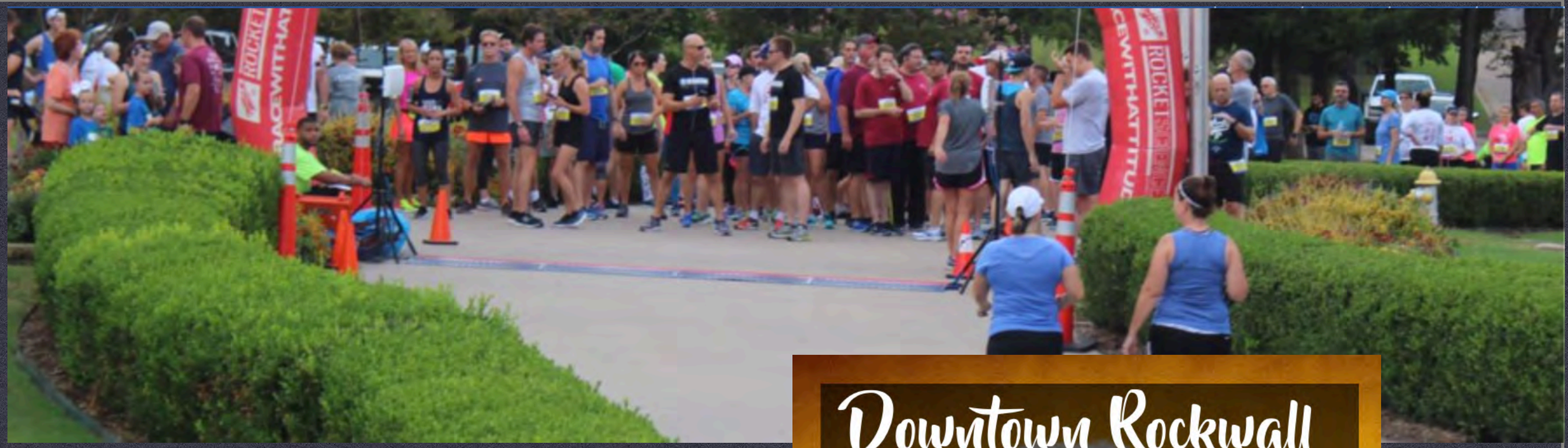



DRA

DOWNTOWN 4 KEYSTONE EVENTS

HISTORICALLY PRE-APPROVED WITH CITY W/STREET CLOSURES

DATE	NAME
MAY 4TH, 2019	DOWNTOWN SUMMER KICKOFF/CINCO DE MAYO







PROJECT

CITY EVENT-RIB, RUB, RUN, & ROLL

DRA EVENT- FREE BEER STROLL

DATE **OCTOBER 5TH, 2019**

NAME **CRAFT BEER STROLL**

139





75,000 PIECES OF FREE CANDY GIVEN OUT TO THE COMMUNITY & PAID BY COURTESY OF EACH DOWNTOWN MERCHANT PERSONALLY.
(ANNUAL COST $6500.00+)





SCARE ON THE SQUARE

OCTOBER 26TH, 2019



DOWNTOWN ROCKWALL ANNUAL TRADITION 10+ YEARS

INCREASING EVENT COSTS $25,000-35,000.00 ANNUALLY

FREE COMMUNITY EVENT

DOWNTOWN HOMETOWN CHRISTMAS

DECEMBER 7TH, 2019

DOWNTOWN STREET CLOSURES

EXISTING APPROVED STREET CLOSURES	NEW STREET CLOSURE REQUESTS
MAY 4TH, Downtown summer kickoff & Cinco de Mayo	**June 15th,** Family Friendly/Men's Father's Day Themed Event
OCT 5TH, Rib Run and Roll; Beer stroll *CITY EVENT*	**July 27th,** Classic Cars & Coffee
OCT 26TH, Scare on the Square	**Aug 31st,** Classic Cars & Coffee
DEC 7TH, Hometown Christmas	**Sept 28th,** Classic Cars & Coffee

142

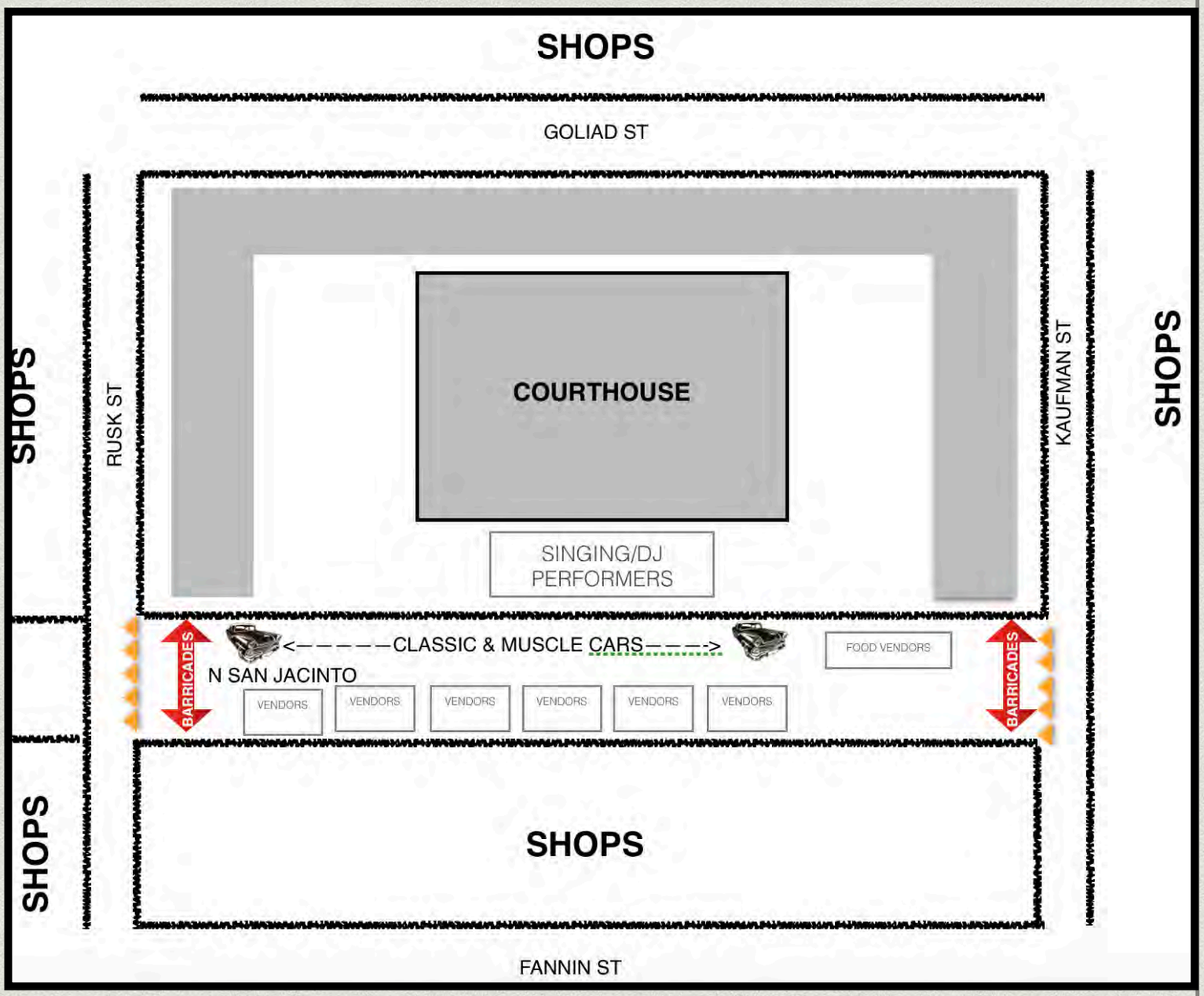
ADDITIONAL 2019 DRA EVENTS
WITHOUT A STREET CLOSURE

- Feb 16th Local Lovers Stroll (Valentine theme), Late Night with merchants & restaurants *NEW
- Feb 23rd Sidewalk Sale
- March 16th: Be Crafty Event, St. Patricks's Theme pastry decorating (SJ PLAZA w/It's for charity) *NEW
- March 21st: Spring Fling in Downtown (SJ PLAZA)
- April 20th: Easter Event. Bunny & Pig Yoga, Pictures w/ Easter Bunny (SJ PLAZA w/It's for Charity /COURTHOUSE STAGE-pictures) *NEW
- May 18th Founders Day, corks and canvas (SJ PLAZA w/RW Art League) *RETURNING
- May 19th Farm to Feast (SJ PLAZA)
- July 13th Goat Yoga on the Square (SJ PLAZA w/It's for Charity) *NEW
- Aug 9th-11th Shop local Texas Tax free weekend, Side walk sale *NEW
- Sept 11th-14th, 1st responder appreciation shopping weekend 20% off item purchase w/ ID. *NEW
- October 13th Farm to Feast (SJ PLAZA)
- November 8th Holiday Open House
- November 30th Shop Small, Donut & FREE Mimosa Stroll
- December 13th & 14Th Downtown District Holiday Tour of Homes & (tour discount promo + Dessert Stroll 14th)
- December 20th Late Night Shopping *NEW

143

JUNE 15TH Family Friendly/Men's Father's Day Themed Event

- AMERICANA/ FATHER'S DAY THEMED EVENT. 9AM-2PM
- MEN'S RELATED VENDORS
- BOUNCE HOUSE FOR KIDS
- FOOD VENDORS
- LIVE MUSIC
- CLASSIC/MUSCLE CARS ON DISPLAY
- BEER STROLL 12PM—3PM
- N SAN JACINTO STREET CLOSURE, 22 PARKING SPOTS EFFECTED.
- **PARTNERSHIP WITH NISSAN OF ROCKWALL TO OFFER FREE SHUTTLE SERVICE TO AND FROM DOWNTOWN ROCKWALL TO HELP ALLEVIATE PARKING STRAINS FROM STREET CLOSURE.**

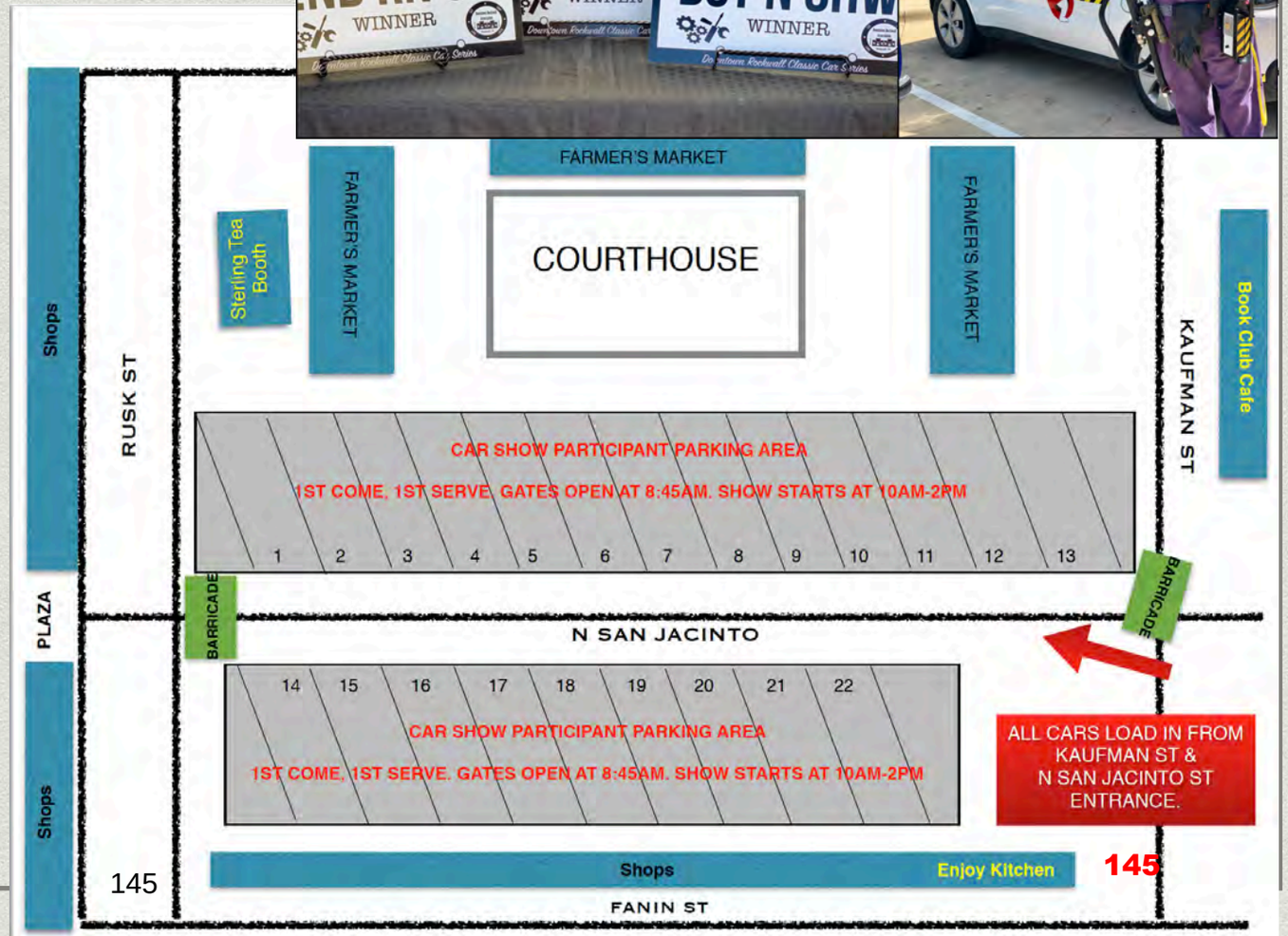


144

CLASSIC CARS & COFFEE

- **CLASSIC/MUSCLE CARS ON DISPLAY 9AM-12PM**
- **FREE WHOLESOME FAMILY FRIENDLY EVENT**
- **ROTATING CAR ERA THEMES.**
- **FOOD VENDORS**
- **LIVE MUSIC**
- **N SAN JACINTO STREET CLOSURE, 22 PARKING SPOTS EFFECTED.**
- **DRA MERCHANT APPROVAL 98% PASSING VOTE.**
- **PARTICIPATING MERCHANT & RESTAURANT INCENTIVES TO CAR SHOW PARTICIPANTS AND VOTING ATTENDEES FOR SPECIAL IN-STORE PROMOTIONS.**
- **FUNDRAISING EVENT FOR DRA TO RE-INVEST BACK INTO OTHER FREE COMMUNITY EVENTS.**
- **PARTNERSHIP WITH NISSAN OF ROCKWALL TO OFFER FREE SHUTTLE SERVICE TO AND FROM DOWNTOWN ROCKWALL TO HELP ALLEVIATE PARKING STRAINS FROM STREET CLOSURE.**





145

HOW MUCH DOES FARMER'S MARKET ACTUALLY CONTRIBUTE TO THE LOCAL DOWNTOWN MERCHANT'S AVERAGE SATURDAY BUSINESS SALES?

"Most downtown merchants average about 30-50 customer transactions to their shops on a regular Saturday. The average customer count that visits the surrounding shops after shopping farmers market is approximately 5 people total. Out of the 5 people that visit the shops, approximately 50% will buy something at an average price point of less than $60.00 per transaction. Overall the farmer's market may contribute 4-6% in sales to the downtown merchants."

–A poll conducted through the DRA from its merchants.

OTHER SUCCESSFUL DOWNTOWNS:



Classics on the Square
Last Saturday of the Month

HISTORIC DOWNTOWN MCKINNEY

-CLASSIC CARS THE LAST SATURDAY OF EVERY MONTH.

HISTORIC DOWNTOWN GRAPEVINE

-CLASSIC CARS EVERY FRIDAY YEAR ROUND.



"CRUISE NIGHT" IN HISTORIC DOWNTOWN GRAPEVINE

604 S. Main St. | Grapevine , TX 76051

147

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council**

FROM: **Kristy Cole, City Secretary**

SUBJECT: **Item to be added Friday**

Supplemental information for this item will be added to the packet this Friday.

City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Councilmembers

FROM: David Sweet, Art Commission Chair

DATE: April 1, 2019

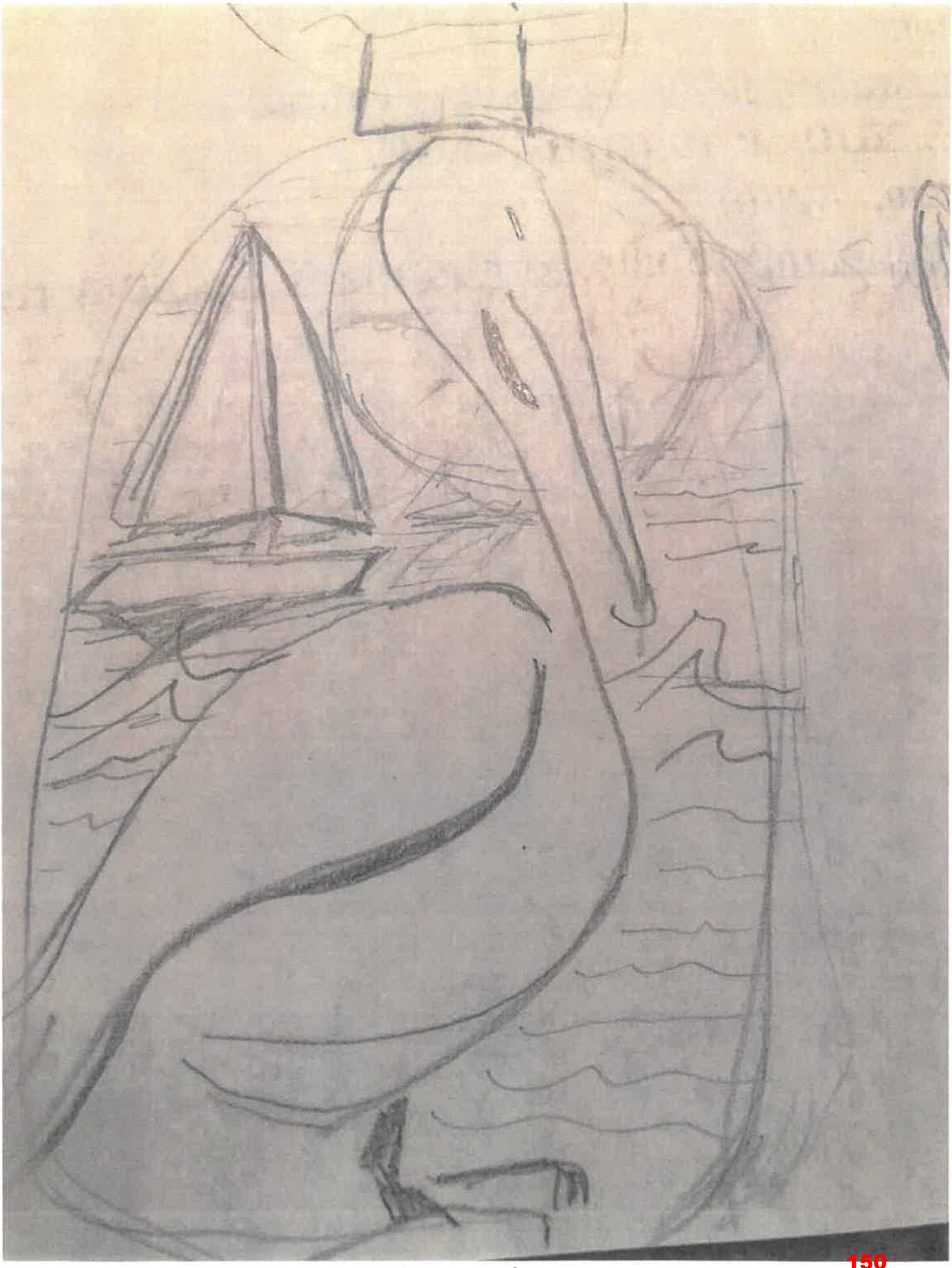
SUBJECT: Approval of Fiberglass Guitar Artwork

City Councilmembers approved the fiberglass guitar project at their February 4, 2019 meeting. At that time, Chairman Sweet stated he would be back before Council in the coming weeks with the artist's concepts. In your packet for your review please find all five designs for your review.
Kenyon Hill: Pelican w/Sailboat
Nancy Kuntz: Rockwall Postcard
Jim Kuntz: Rockwall History
Susan Varner: Longhorn
Jake Bays: Sunset

The guitars are in production with an estimated ship date in mid-April. A meeting with the artists has been held and all are excited to get started upon arrival.

Specs/Recap:
Guitars are 5' tall and weigh approximately 50 lbs. The guitars will incorporate the City's "Free Live Music Capital of North Texas" logo and embody both the visual and performing arts. The Commission has chosen five public venues for installation: San Jacinto Plaza, The Harbor, Ted Cain's Corner Park, City Hall and Harry Myers Park. Artists will paint the guitars at no cost to the City.

Public Relations:
The Art Commission's desire is to unveil the painted guitars at Founders Day on May 18, 2019. Commission members are working very hard to make this happen, however, they recognize this may be difficult if production is delayed. In the event production is delayed, alternative dates for unveiling will be chosen at both the Concert by the Lake and San Jacinto Plaza Music Series.



150

Browning, Bethany

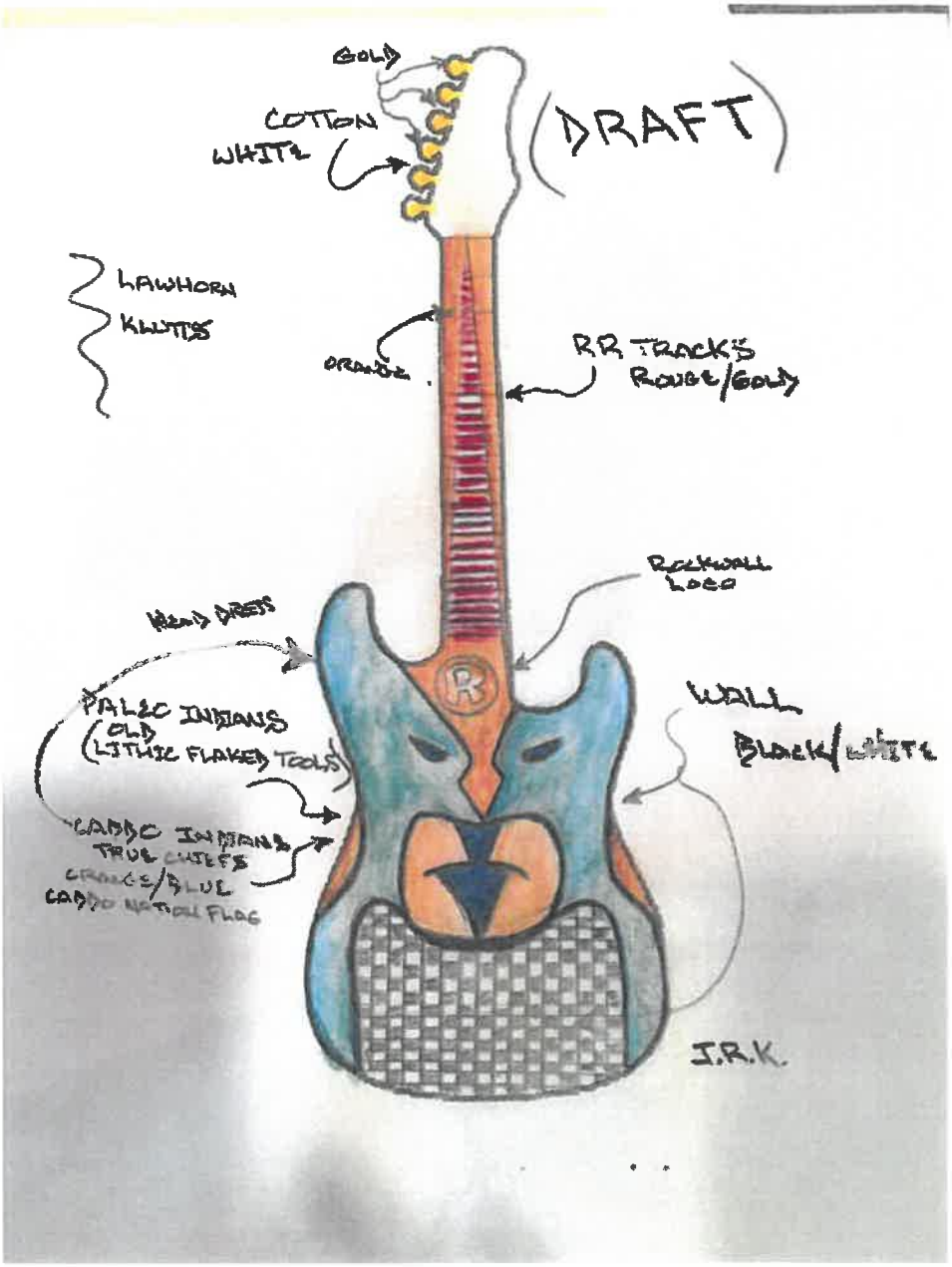
From: betty hoaglund <bettyjean.hoaglund@gmail.com>
Sent: Monday, March 11, 2019 10:56 AM
To: Browning, Bethany
Subject: Kenyons design
Attachments: IMG-2222.JPG; IMG-2223.PNG

Combine the sketch with the design motif/ waves and color scheme

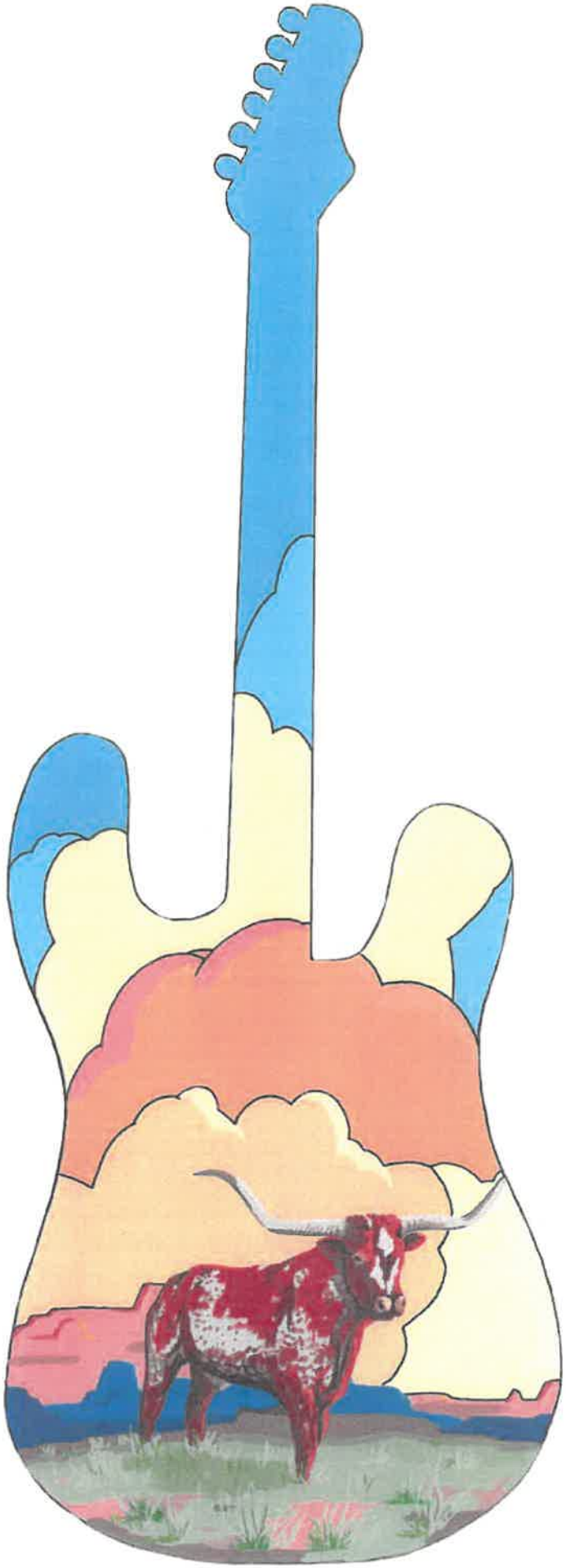




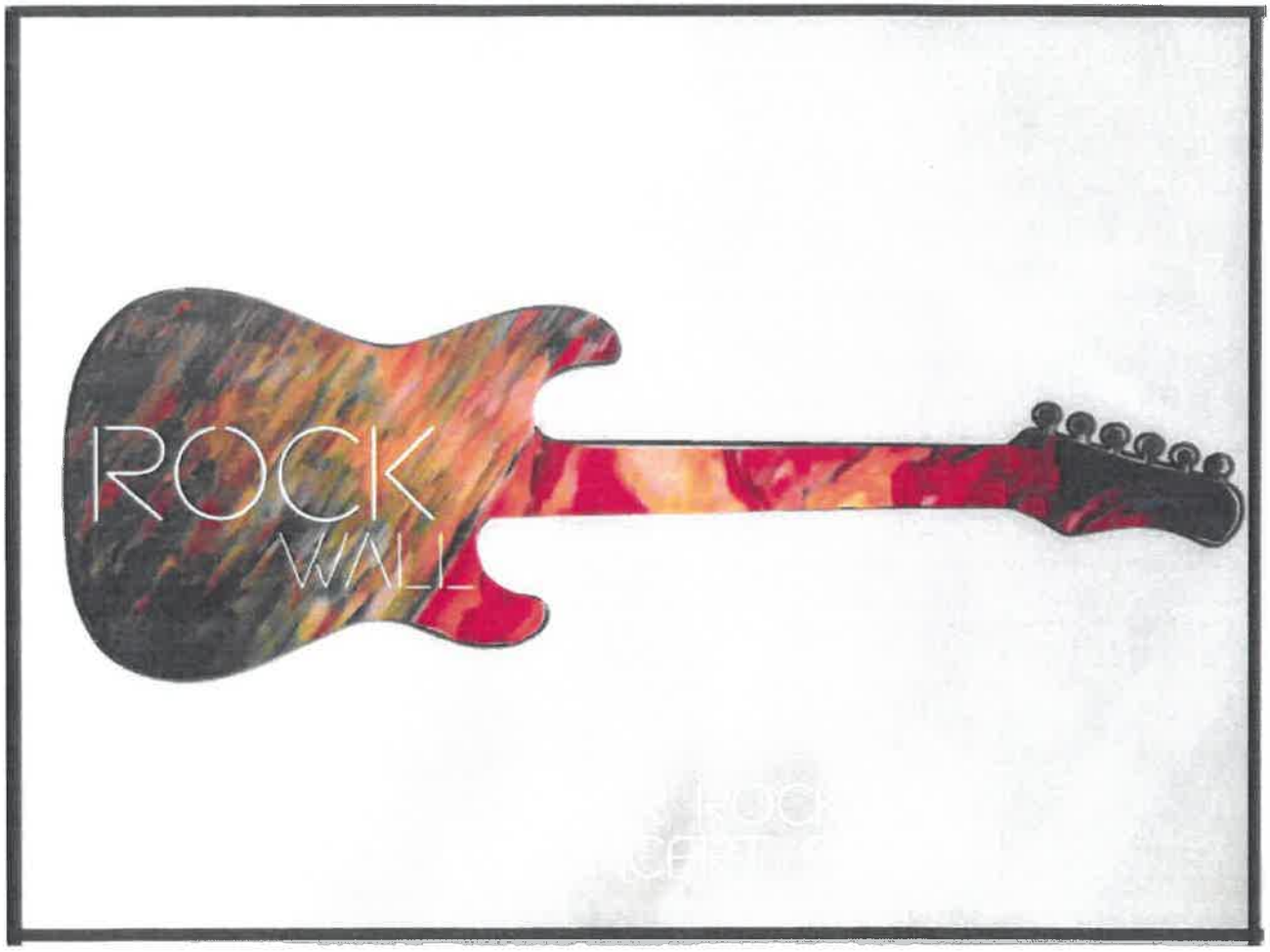
153


GOLD
COTTON
WHITE
DRAFT
LAWHORN
KLUTTSS
ORANGE
RR TRACKS
ROUGE/GOLD
ROCKWALL
LOCO
PALEO INDIANS
(OLD
LITHIC FLAKED TOOLS
WALL
BLACK/WHITE
J.R.K.

154



155



156

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157

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Amy Williams, Director of Public Works/City Engineer

DATE: March 28, 2019

SUBJECT: Water Conservation/Water Resource and Emergency Management Plan

The Texas Commission on Environmental Quality requires every water provider to revise and submit their Water Conservation and Water Resource and Emergency Management Plan every five years. City Council adopted the existing Water Emergency Response Plan and the Water Conservation Plan on August 3, 2009, July 6, 2009, and April 21, 2014. The staff has made revisions to our current plans and will submit these documents to the TCEQ by May 1, 2019, after City Council approves the ordinances.

Changes to the Water Conservation include the addition of definitions, once per week water of landscape beginning November 1st and ending March 31st, and rebates of $100 towards the purchase and installation of high-efficiency card or coin operated commercial clothes washers at commercial laundromats. The refund on commercial washing machines is required as part of the settlement agreement with the Sierra Club and the National Wildlife Federation to move forward with the construction of the Lower Bois d 'Arc Creek Reservoir.

Changes to the Water Resource and Emergency Management Plan are definitions and lake level elevations that trigger different resource management stages in the plan. Another change was to have three stages instead of four. The reasoning for the transition to three stages was that Stage 1 in the previous plan had the same requirements found in the Conservation Plan.

Staff recommends City Council consideration to approve the revised Water Resource Emergency Management and Water Conservation Plan to keep the City in compliance with the Texas Commission on Environmental Quality requirements.

AJW:em

Cc:
Joey Boyd, Assistant City Manager
Rick Sherer, Manager of Water and Wastewater
File

CITY OF ROCKWALL

ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 6. WATER CONSERVATION TO REPEAL DIVISION 6. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 6. TO REFLECT AN UPDATED WATER CONSERVATION PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

WHEREAS, the Rockwall City Council previously adopted a Water Conservation Plan through passage of Ordinance No. 14-17, "Exhibit A"; and

WHEREAS, the City Council has determined the need to repeal the plan (Ord. No. 14-17) in its entirety for the purpose of modifying the Water Conservation Plan, in accordance with Section 288.2 of the Texas Administrative Code.

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

SECTION 1. The Code of Ordinances in Chapter 44. "Utilities," Article V. "Water," Division 6. "Water Conservation" is hereby repealed in its entirety and a new "Water Conservation Plan" is hereby adopted as reflected in **"Exhibit A"** of this ordinance; and

SECTION 2. PLAN ADOPTED

Sec.44-412.

(a) The city council hereby approves and adopts the City of Rockwall Water Conservation Plan, attached to Ordinance No. 19-___ as "Exhibit A," which is incorporated as if fully set forth in this division and on file in the city secretary's office. As contained in Section 9.4 of the plan, the following Landscape Water Management Measures are adopted and required by the City of Rockwall:

- Time of day restrictions prohibit lawn irrigation watering from 10 AM to 6 PM beginning April 1st and ending October 31st of each year.
- Prohibition of watering of impervious surfaces, as provided by the Irrigation Ordinance 09-13, Ch. 10, Art. XVI, Sec. 10-700 of the Code of Ordinances. Wind driven water drift will be taken into consideration.
- Prohibition of outdoor watering during rain or freeze events.
- Lawn and landscape irrigation is limited to twice per week April 1st and ending October 31st, except for irrigation systems installed with an evapo-transpiration controller or the use of a water hose with a shut-off nozzle, and for establishment of new lawn and landscaping for a period of 30 days or as approved in writing by the City of Rockwall.

- Lawn and landscape irrigation is limited to once per week November 1st and ending March 31st.
- Rain and freeze sensors and/or evapo-transpiration controllers must be maintained to function properly.
- At home and fundraising car washing may be done only when using a water hose with a shut-off nozzle.

(b) Any person or customer, defined pursuant to 30 Tex. Admin. Code Ch. 291, failing to comply with the provisions of the plan shall be subjected to a fine of up $2,000.00 and/or discontinuance of water service by the city. Proof of a culpable mental state is not required for a conviction of an offense under this section. Each day a customer fails to comply with the plan is a violation. The city's authority to seek injunctive or other relief available under the law is not limited by this section.

SECTION 3. The City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code and that said Plan meets all the requirements of Section 288.2 of the Texas Administrative Code; and

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

SECTION 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect; and

SECTION 6. The City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof; and

SECTION 7. All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed, and the balance of such ordinance is hereby saved from repeal; and

SECTION 8. The ordinance shall become effective immediately following its approval upon second reading and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15TH DAY OF APRIL, 2019.

Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

1st Reading: 04/01/2019

2nd Reading: 04/15/2019

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

EXHIBIT A

WATER CONSERVATION PLAN

City of Rockwall

The New Horizon

MAY 2019

162

TABLE OF CONTENTS

1. INTRODUCTION AND OBJECTIVES 1-1

2. DEFINITIONS AND ABBREVIATIONS 2-1

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES 3-1

4. WATER UTILITY PROFILE 4-1

5. SPECIFICATIONS OF WATER CONSERVATION GOALS 5-1

6. METERING, WATER USE RECORDS, CONTROL OF UNACCOUNTED WATER AND LEAK DETECTION AND REPAIR 6-1

6.1 Accurate Metering of Treated Water Deliveries from NTMWD 6-1
6.2 Metering of Customer and Public Uses and Meter Testing, Repair and Replacement 6-1
6.3 Record Management System 6-1
6.4 Determination and Control of Unaccounted Water 6-1
6.5 Leak Detection and Repair 6-2
6.6 Monitoring of Effectiveness and Efficiency - Annual Water Conservation Report 6-2
6.7 Water Conservation Implementation Report 6-2

7. CONTINUING PUBLIC EDUCATION AND INFORMATION CAMPAIGN 7-1

8. WATER RATE STRUCTURE 8-1

9. OTHER WATER CONSERVATION MEASURES 9-1

9.1 NTMWD System Operation Plan 9-1
9.2 Reuse and Recycling of Wastewater 9-1
9.3 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures 9-1
9.4 Landscape Water Management Measures (Required) 9-1
9.5 Additional Water Conservation Measures (Not Required) 9-2
9.6 Rebates 9-2
9.7 Requirement for Water Conservation Plans by Wholesale Customers 9-2
9.8 Coordination with Regional Water Planning Group and NTMWD 9-3

10. IMPLEMENTATION AND ENFORCEMENT OF THE WATER CONSERVATION PLAN 10-1

11. REVIEW AND UPDATE OF WATER CONSERVATION PLAN 11-1

APPENDICES

APPENDIX A **List of References**

APPENDIX B **Texas Commission on Environmental Quality Rules on Municipal Water Conservation Plans**

- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.1 – Definitions (Page B-1)
- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.2 – Water Conservation Plans for Municipal Uses by Public Water Suppliers (Page B-4)

APPENDIX C **TCEQ Water Utility Profile**

APPENDIX D **NTMWD Member City and Customer Annual Water Conservation Report**

APPENDIX E **Irrigation Regulations**

APPENDIX F **Letters to Region C and Region D Water Planning Groups**

APPENDIX G **Service Regulation**

- Ordinance Pertaining to Illegal Water Connections and Theft of Water

APPENDIX H **Landscape Ordinance**

APPENDIX I **TCEQ Water Conservation Implementation Report**

1. INTRODUCTION AND OBJECTIVES

Water supply has always been a key issue in the development of Texas. In recent years, the growing population and economic development of North Central Texas has led to increasing demands for water supplies. At the same time, local and less expensive sources of water supply are largely developed. Additional supplies to meet higher demands will be expensive and difficult to develop. It is therefore important that NTMWD and its Member Cities and Customer Cities make the most efficient use of existing supplies. This will delay the need for new supplies, minimize the environmental impacts associated with developing new supplies and delay the high cost of additional water supply development.

Recognizing the need for efficient use of existing water supplies, the Texas Commission on Environmental Quality (TCEQ) has developed guidelines and requirements governing the development of water conservation plans for public water suppliers. TCEQ guidelines and requirements are included in Appendix B. The best management practices established by the Water Conservation Implementation Task Force, established pursuant to SB1094 by the 78th Legislature, were also considered in the development of water conservation measures. This water conservation plan was developed following TCEQ guidelines and requirements.

This water conservation plan includes measures that are intended to result in ongoing, long-term water savings. This plan replaces the previous plans dated August 2004, April 2006, March 2008, and April 2014.

The objectives of this water conservation plan are as follows:

- To reduce water consumption from the levels that would prevail without conservation efforts
- To reduce the loss and waste of water
- To improve efficiency in the use of water
- To document the level of recycling and reuse in the water supply
- To extend the life of current water supplies by reducing the rate of growth and demand

This Water Conservation Plan for the City of Rockwall, Texas applies to all use of the City of Rockwall's water supply.

This plan includes all of the elements required by TCEQ.

2. DEFINITIONS AND ABBREVIATIONS

1. **ATHLETIC FIELD** means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools; professional sports and league play sanctioned by the utility providing retail water supply.

2. **COOL SEASON GRASSES** are varieties of turf grass that grow best in cool climates primarily in northern and central regions of the U.S. Cool season grasses include perennial and annual rye grass, Kentucky blue grass and fescues.

3. **CUSTOMERS** include those entities to which NTMWD provides wholesale water that are not members of NTMWD.

4. **DRIP IRRIGATION** is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.

5. **EVAPOTRANSPIRATION (ET)** represents the amount of water lost from plant material to evaporation and transpiration. The amount of ET can be estimated based on the temperature, wind, and relative humidity.

6. **ET/SMART CONTROLLERS** are irrigation controllers that adjust their schedule and run times based on weather (ET) data. These controllers are designed to replace the amount of water lost to evapotranspiration.

7. **IRRIGATION SYSTEM** means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.

8. **LANDSCAPE** means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass or turf species that is growing or has been planted out of doors.

9. **MEMBER CITIES** include the cities of Allen, Farmersville, Forney, Frisco, Garland, McKinney, Mesquite, Plano, Princeton, Richardson, Rockwall, Royse City, and Wylie, Texas, which are members of NTMWD.

10. **MUNICIPAL USE** means the use of potable water provided by a public water supplier as well as the use of treated wastewater effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

11. **REGULATED IRRIGATION PROPERTY** means any (customer class, i.e. commercial) property that uses (over a certain amount) of water or more for irrigation purposes in a single calendar year or is greater than (certain size).

12. **RESIDENTIAL GALLONS PER CAPITA PER DAY** means (Residential GPCD) the total gallons sold for residential use by a public water supplier divided

by the residential population served and then divided by the number of days in the year.

13. **RETAIL CUSTOMERS** include those customers to whom the utility provides retail water from a water meter.

14. **TOTAL GALLONS PER CAPITA PER DAY** (Total GPCD) means the total amount of water diverted and/or pumped for potable use divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in TAC 288.1 shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

15. **WATER CONSERVATION PLAN** means the Member City or Customer water conservation plan approved and adopted by the utility.

Abbreviations

Abbreviation	Full Nomenclature
BMP	Best Management Practices
NTMWD or District	North Texas Municipal Water District
TCEQ	Texas Commission on Environmental Quality
TWDB	Texas Water Development Board
WCAC	Water Conservation Advisory Council
WCP	Water Conservation Plan

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of water conservation plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code, which is included in Appendix B. For the purpose of these rules, a water conservation plan is defined as "A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water and for preventing the pollution of water." The elements in the TCEQ water conservation rules covered in this Conservation Plan are listed below.

Minimum Conservation Plan Requirements

The minimum requirements in the Texas Administrative Code for Water Conservation Plans for Public Water Suppliers are covered in this report as follows:

- 288.2(a)(1)(A) – Utility Profile – Section 4 and Appendix C
- 288.2(a)(1)(B) – Specification of Goals – Section 5
- 288.2(a)(1)(C) – Specific, Quantified Goals – Section 5
- 288.2(a)(1)(D) – Accurate Metering – Sections 6.1 and 6.2
- 288.2(a)(1)(E) – Universal Metering – Section 6.2
- 288.2(a)(1)(F) – Determination and Control of Unaccounted Water – Section 6.4
- 288.2(a)(1)(G) – Public Education and Information Program – Section 7
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 8
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 9.1
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 10
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 9.8 and Appendix F
- 288.2(c) – Review and Update of Plan – Section 11

Conservation Plan Additional Requirements (Population over 5,000)

The Texas Administrative Code includes additional requirements for water conservation plans for drinking water supplies serving a population over 5,000:

- 288.2(a)(2)(A) – Leak Detection, Repair and Water Loss Accounting – Sections 6.3, 6.4, and 6.5
- 288.2(a)(2)(B) – Record Management System – Section 6.3
- 288.2(a)(2)(C) – Requirement for Water Conservation Plans by Wholesale Customers – Section 9.7

Additional Conservation Strategies

The TCEQ requires that a water conservation implementation report be completed and submitted on an annual basis. This report is included in Appendix H.

In addition to the TCEQ required water conservation strategies, NTMWD also requires the following strategy to be included in Member City and Customer City plans:

- 288.2(a)(3)(F) – Irrigation Ordinance – Section 8.4 and Appendix E

TCEQ rules also include optional, not required, conservation strategies, which may be adopted by suppliers. The NTMWD recommends that the following strategies be included in the Member City and Customer City plans:

- 288.2(a)(3)(A) – Conservation Oriented Water Rates – Section 8
- 288.2(a)(3)(B) – Ordinances, Plumbing Codes or Rules on Water-Conserving Fixtures – Section 9.3
- 288.2(a)(3)(C) – Replacement or Retrofit of Water-Conserving Plumbing Fixtures – Section 9.5
- 288.2(a)(3)(D) – Reuse and Recycling of Wastewater – Section 9.2
- 288.2(a)(3)(F) – Irrigation Ordinance – Appendix E
- 288.2(a)(3)(G) – Monitoring Method – Section 6.6
- 288.2(a)(3)(H) – Additional Conservation Ordinance Provisions – Section 9.5,

4. WATER UTILITY PROFILE

Appendix C to this Water Conservation Plan is a sample water utility profile based on the format recommended by TCEQ. In adopting this Water Conservation Plan, the City of Rockwall will provide a draft water utility profile to NTMWD for review and comment. A final water utility profile will be provided to NTMWD.

5. SPECIFICATIONS OF WATER CONSERVATION GOALS

The goals for this Water Conservation Plan include the following:

- Maintain the per capita municipal water use below the specified amount in gallons per capita per day in a dry year, as shown in Table 5-1.
- Maintain the level (gpcd) of unaccounted water in the system below 12 percent annually in 2018 and subsequent years, as discussed in Section 6.1.3. The 12 percent goal for unaccounted water is recommended, but is not required.
- Implement and maintain a program of universal metering and meter replacement and repair, as discussed in Section 6.1.2.
- Increase efficient water usage through a water conservation ordinance, as discussed in Section 7.4 and Appendix E. This ordinance is required by NTMWD.
- Decrease waste in lawn irrigation by implementation and enforcement of landscape water management regulations, as discussed in Section 7.5.
- Raise public awareness of water conservation and encourage responsible public behavior through a public education and information program, as discussed in Section 6.2.
- Develop a system specific strategy to conserve water during peak demands, thereby reducing the peak use.

Table 5 1 Five-Year and Ten-Year Per Capita Water Use Goals (GPCD)

Description	Current Average (GPCD)	5-Year Goal (GPCD)	10-Year Goal (GPCD)
Current 5-Year Average Total Per Capita Use with Credit for Reuse	179	174	171
Current 5-Year Average Residential Per Capita Use	97	96	95
Water Loss (GPCD)[1]	19	20	21
Water Loss (Percentage)[2]	11.6	10.5	11
Expected Reduction due to Low-Flow Plumbing Fixtures	----------	3	5
Projected Reduction Due to Elements in this Plan	----------	2	4
Water Conservation Goals (with credit for reuse)	**----------**	**174**	**165**

1. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365
2. Water Loss Percentage = (Total Water Loss ÷Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

6. METERING, WATER USE RECORDS, CONTROL OF UNACCOUNTED WATER AND LEAK DETECTION AND REPAIR

One of the key elements of water conservation is tracking water use and controlling loss through illegal diversions and leaks. It is important to carefully meter water use, detect and repair leaks in the distribution system and provide regular monitoring of unaccounted water.

6.1 Accurate Metering of Treated Water Deliveries from NTMWD

Water deliveries from NTMWD are metered by NTMWD using meters with accuracy of ±2%. These meters are calibrated on a monthly basis by NTMWD to maintain the required accuracy.

6.2 Metering of Customer and Public Uses and Meter Testing, Repair and Replacement

The provision of water to all customers, including public and governmental users, will continue to be metered by the City of Rockwall. The City of Rockwall will test and replace their residential customers' meters on a regular basis. Additionally, large meters will be regularly tested and either repaired or replaced when their flow is more than a 3 percent difference from actual flow.

6.3 Record Management System

As required by TAC Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(2)(B), a record management system should allow for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information will be included in an annual water conservation report, as described in Section 5.6.

6.4 Determination and Control of Unaccounted Water

Unaccounted water is the difference between water delivered to Rockwall from NTMWD and metered water sales to customers plus authorized but unmetered uses. Authorized but unmetered uses would include use for fire fighting, releases for flushing of lines, uses associated with new construction, etc. Unaccounted water can include several categories:

- Inaccuracies in customer meters. Customer meters tend to run slower as they age and under-report actual use.
- Meters which are being used but have not yet been added to the billing system.
- Losses due to water main breaks and leaks in the water distribution system.
- Losses due to illegal connections and theft. (Included in Appendix G.)

Measures to control unaccounted water should be part of the routine operations of the City of Rockwall. Maintenance crews and personnel will look for and report evidence of leaks in the water distribution system. A leak detection and repair program is described in Section

6.5 below. Meter readers will watch for and report signs of illegal connections, so they can be quickly addressed.

Unaccounted water will be calculated in accordance with the provisions in Appendix C. With the measures described in this plan, Rockwall will maintain unaccounted water below 12 percent in 2009 and subsequent years. If unaccounted water exceeds this goal, the City of Rockwall will implement a more intensive audit to determine the source(s) of and reduce the unaccounted water. The annual conservation report described in Section 5.6 is the primary tool that will be used to monitor unaccounted water.

6.5 Leak Detection and Repair

As described above, city crews and personnel will look for and report evidence of leaks in the water distribution systems. Areas of the water distribution system, in which numerous leaks and line breaks occur, will be targeted for replacement as funds are available.

6.6 Monitoring of Effectiveness and Efficiency - Annual Water Conservation Report

Appendix D is the form that will be used in the development of an annual water conservation report by the City of Rockwall. This form will be completed by March 31 of the following year and used to monitor the effectiveness and efficiency of the water conservation program and to plan conservation-related activities for the next year. The form records the water use by category, per capita municipal use and unaccounted water for the current year and compares them to historical values. The annual water conservation report will be sent to NTMWD, which will monitor NTMWD Member Cities' and Customers Cities' water conservation trends.

6.7 Water Conservation Implementation Report

Appendix H includes the TCEQ-required water conservation implementation report. The report is due to the TCEQ by May 1 of every year, starting in the year 2010. This report will list the various water conservation strategies that have been implemented, including the date the strategy was implemented. The report also calls for the five-year and ten-year per capita water use goals from the previous water conservation plan. The city will answer whether or not these goals have been met and, if not, why not. The amount of water saved is also requested.

7. CONTINUING PUBLIC EDUCATION AND INFORMATION CAMPAIGN

The continuing public education and information campaign on water conservation includes the following elements:

- Utilize the "Water IQ: Know Your Water" and other public education materials produced by NTMWD.
- Insert water conservation information with water bills. Inserts will include material developed by the City of Rockwall and material obtained from the TWDB, the TCEQ, and other sources.
- Encourage local media coverage of water conservation issues and the importance of water conservation.
- Notify local organizations, schools and civic groups that the City of Rockwall staff and staff of the NTMWD are available to make presentations on the importance of water conservation and ways to save water.
- Promote the *Texas Smartscape* web site (www.txsmartscape.com) and provide water conservation brochures and other water conservation materials available to the public at City Hall and other public places.
- Make information on water conservation available on the City's website and include links to the "Water IQ: Know Your Water" website, *Texas Smartscape* website and the TWDB and TCEQ web sites.
- Encourage customers to subscribe to weekly watering updates through Water My Yard or other similar program in an effort to reduce outdoor water consumption.

8. WATER RATE STRUCTURE

The City of Rockwall will continue to bill customers using an increasing block rate water structure that is intended to encourage water conservation and discourage excessive use and waste of water.

The following monthly rates are hereby established and shall be collected for water and wastewater services billed by the City:

	Meter size		Water Rates	Wastewater Rates
Monthly Minimum Bills:				
Residential:	0.75		$24.99	$22.75
	1.00		29.33	26.57
	1.50		34.06	30.87
	2.00		42.97	38.92
Non-residential:	0.75		$26.54	$22.75
	1.00		29.33	26.57
	1.50		34.06	30.87
	2.00		42.97	38.92
	3.00		60.92	50.19
	4.00		78.76	64.95
	6.00		96.58	79.65
Irrigation Meters:	0.75		$26.54	$N/A
	1.00		29.33	N/A
	1.50		34.06	N/A
	2.00		42.97	N/A
	3.00		60.92	N/A
	4.00		78.76	N/A
	6.00		96.58	N/A
Rate per TH Gallons - Water:	Residential 2,001-8,000 gallons		$3.81	$N/A
	Residential 8,001-16,000 gallons		4.79	
	Residential over 16,000 gallons		6.68	N/A
	Irrigation over 2,000 gallons		6.68	N/A
	Non-residential over 2,000 gallons		5.73	N/A
	Wholesale Contract Rate		4.22	N/A
Rate per TH Gallons - Wastewater:			N/A	3.97

9. OTHER WATER CONSERVATION MEASURES

9.1 NTMWD System Operation Plan

Member Cities and Customers of NTMWD purchase treated water from NTMWD and do not have surface water supplies for which to implement a system operation plan. NTMWD's permits do allow some coordinated operation of its water supply sources, and NTMWD is seeking additional water rights for coordinated operation to optimize its available water supplies.

9.2 Reuse and Recycling of Wastewater

Most Member Cities and Customer Cities do not own and operate their own wastewater treatment plants. Their wastewater is treated by NTMWD. NTMWD currently has the largest wastewater reuse program in the state. NTMWD has water rights allowing reuse of up to 71,882 acre-feet per year of this treated wastewater through Lake Lavon for municipal purposes. In addition, NTMWD has also developed the East Fork Raw Water Supply Project which can divert up to 157,393 acre-feet per year based on treated wastewater discharges by NTMWD. When fully developed, these two reuse projects will provide up to 42 percent of NTMWD's currently permitted water supplies. NTMWD also provides treated effluent from its wastewater treatment plants available for direct reuse for landscape irrigation and industrial use.

The City of Rockwall has a contract agreement with NTMWD to operate the wastewater treatment plants. NTMWD selects reuse arrangements for recycled wastewater effluent.

9.3 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures

The state has required water-conserving fixtures in new construction and renovations since 1992. The state standards call for flows of no more than 2.5 gallons per minute (gpm) for faucets, 2.5 (gpm) for showerheads, and 1.28 gallons per flush for toilets. Similar standards are now required nationally under federal law. These state and federal standards assure that all new construction and renovations will use water-conserving fixtures.

9.4 Landscape Water Management Measures (Required)

The following landscape water management measures are adopted by the City of Rockwall.

- Time of day restrictions prohibit lawn irrigation watering from 10 AM to 6 PM beginning April 1st and ending October 31st of each year.
- Prohibition of watering of impervious surfaces, as provided by the Irrigation Ordinance 09-13, Ch. 10, Art. XVI, Sec. 10-700 of the Code of Ordinances. Wind driven water drift will be taken into consideration.
- Prohibition of outdoor watering during rain or freeze events.
- Lawn and landscape irrigation is limited to twice per week April 1st and ending October 31st, except for irrigation systems installed with an evapo-transpiration

controller or the use of a water hose with a shut-off nozzle, and for establishment of new lawn and landscaping for a period of 30 days or as approved in writing by the City of Rockwall.

- Lawn and landscape irrigation is limited to once per week November 1st and ending March 31st.
- Rain and freeze sensors and/or evapo-transpiration controllers must be maintained to function properly.
- At home and fundraising car washing may be done only when using a water hose with a shut-off nozzle.

9.5 Additional Water Conservation Measures (Not Required)

In addition, the City of Rockwall recommends the following measures:

- Retrofit existing irrigation systems with rain and freeze sensors or evapo-transpiration capable of multiple programming.
- Prohibition planting or watering areas that have been overseeded with cool season grasses (such as rye grass or other similar grasses), except for golf courses and public athletic fields.
- Rehabilitate poorly maintained irrigation systems that waste water to comply with the current Irrigation Ordinance.
- Install separate zones for areas adjacent to athletic fields.
- Plant only native, drought tolerant or adaptive plants.
- Install drip irrigation systems, when applicable.
- Water audits should be performed to find ways in which water can be used more efficiently at a specific location.

9.6 Rebates (Required)

Rebate of $100 towards the purchase and installation of high efficiency card or coin operated commercial clothes washers at commercial laundromats.

9.7 Requirement for Water Conservation Plans by Wholesale Customers

Every contract for the wholesale sale of water by the City of Rockwall that is entered into, renewed or extended after the adoption of this water conservation plan will include a requirement that the wholesale customer and any wholesale customers of that wholesale customer develop and implement a water conservation plan meeting the requirements of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code.

9.8 Coordination with Regional Water Planning Group and NTMWD

Appendix F includes a letter to be sent to the Chair of the Water Planning Group with this Water Conservation Plan. The adopted ordinance and the adopted water utility profile will be sent to the Chair of Appropriate Water Planning Group and to NTMWD.

10. IMPLEMENTATION AND ENFORCEMENT OF THE WATER CONSERVATION PLAN

Appendix E contains a copy of the Irrigation Ordinance, which includes information about enforcement. Appendix G includes a copy of the ordinance that has been adopted related to illegal connections and water theft.

11. REVIEW AND UPDATE OF WATER CONSERVATION PLAN

TCEQ requires that the water conservation plans be updated every five years or as required and appropriate based on new or updated information.

APPENDIX A

LIST OF REFERENCES

APPENDIX A

LIST OF REFERENCES

1. Texas Commission on Environmental Quality Annual Report. http://www.tceq.texas.gov/permitting/water_rights/conserve.html#imple
2. Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.1 and 288.5, and Subchapter B, Rule 288.22, downloaded from http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288, June 2013.
3. Water Conservation Implementation Task Force: "Texas Water Development Board Report 362, Water Conservation Best Management Practices Guide," prepared for the Texas Water Development Board, Austin, November 2004.
4. Water Conservation Advisory Council: Guidance and Methodology for Reporting on Water Conservation and Water Use, December 2012.
5. Freese and Nichols, INC.: Model Water Conservation Plan for NTMWD Members Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, November 2013.
6. Definitions from City of Austin Water Conservation and Drought Contingency Ordinance adopted August 16, 2012. http://www.austintexas.gov/sites/default/files/files/Water/Conservation/Planning_and_Policy/ProposedCodeRevision_DRAFT_with_watering_schedule-8-15-2012.pdf
7. Definition from City of San Antonio Water Conservation Ordinance adopted 2005. http://saws.org/conservation/ordinance/docs/Ch34_Ordinance_2009.pdf
8. Definition developed by Freese and Nichols Inc.
9. Texas Water Development Board, Texas Commission on Environmental Quality, Water Conservation Advisory Council. "DRAFT Guidance and Methodology for Water Conservation Reporting."
10. Freese and Nichols Inc., Alan Plummer and Associates, CP & Y Inc. and Cooksey Communications. "2011 Region C Regional Water Plan"

APPENDIX B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES ON MUNICIPAL WATER CONSERVATION PLANS

APPENDIX B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULESON MUNICIPAL WATER CONSERVATION PLANS

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.1	**Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Agricultural or Agriculture--Any of the following activities:

(A) cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers;

(B) the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media by a nursery grower;

(C) raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value;

(D) raising or keeping equine animals;

(E) wildlife management; and

(F) planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure.

(2) Agricultural use--Any use or activity involving agriculture, including irrigation.

(3) Best management practices--Voluntary efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specific time frame.

(4) Conservation--Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

(5) Commercial use--The use of water by a place of business, such as a hotel, restaurant, or office building. This does not include multi-family residences or agricultural, industrial, or institutional users.

(6) Drought contingency plan--A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

(7) Industrial use--The use of water in processes designed to convert materials of a lower order of value into forms having greater usability and commercial value, and the development of power by means other than hydroelectric, but does not include agricultural use.

(8) Institutional use--The use of water by an establishment dedicated to public service, such as a school, university, church, hospital, nursing home, prison or government facility. All facilities dedicated to public service are considered institutional regardless of ownership.

(9) Irrigation--The agricultural use of water for the irrigation of crops, trees, and pastureland, including, but not limited to, golf courses and parks which do not receive water from a public water supplier.

(10) Irrigation water use efficiency--The percentage of that amount of irrigation water which is beneficially used by agriculture crops or other vegetation relative to the amount of water diverted from the source(s) of supply. Beneficial uses of water for irrigation purposes include, but are not limited to, evapotranspiration needs for vegetative maintenance and growth, salinity management, and leaching requirements associated with irrigation.

(11) Mining use--The use of water for mining processes including hydraulic use, drilling, washing sand and gravel, and oil field re-pressuring.

(12) Municipal use--The use of potable water provided by a public water supplier as well as the use of sewage effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

(13) Nursery grower--A person engaged in the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or nonsoil media, who grows more than 50% of the products that the person either sells or leases, regardless of the variety sold, leased, or grown. For the purpose of this definition, grow means the actual cultivation or propagation of the product beyond the mere holding or maintaining of the item prior to sale or lease, and typically includes activities associated with the production or multiplying of stock such as the development of new plants from cuttings, grafts, plugs, or seedlings.

(14) Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(15) Public water supplier--An individual or entity that supplies water to the public for human consumption.

(16) Residential use--The use of water that is billed to single and multi-family residences, which applies to indoor and outdoor uses.

(17) Residential gallons per capita per day--The total gallons sold for residential use by a public water supplier divided by the residential population served and then divided by the number of days in the year.

(18) Regional water planning group--A group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code, §16.053.

(19) Retail public water supplier--An individual or entity that for compensation supplies water to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants when that water is not resold to or used by others.

(20) Reuse--The authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either

disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

(21) Total use--The volume of raw or potable water provided by a public water supplier to billed customer sectors or nonrevenue uses and the volume lost during conveyance, treatment, or transmission of that water.

(22) Total gallons per capita per day (GPCD)--The total amount of water diverted and/or pumped for potable use divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in this chapter shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

(23) Water conservation plan--A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document(s).

(24) Wholesale public water supplier--An individual or entity that for compensation supplies water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants as an incident of that employee service or tenancy when that water is not resold to or used by others, or an individual or entity that conveys water to another individual or entity, but does not own the right to the water which is conveyed, whether or not for a delivery fee.

(25) Wholesale use--Water sold from one entity or public water supplier to other retail water purveyors for resale to individual customers.

Source Note: The provisions of this §288.1 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective August 15, 2002, 27 TexReg 7146; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective January 10, 2008, 33 TexReg 193; amended to be effective December 6, 2012, 37 TexReg 9515

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.2	**Water Conservation Plans for Municipal Uses by Public Water Suppliers**

(a) A water conservation plan for municipal water use by public water suppliers must provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for municipal uses by public water suppliers must include the following elements:

(A) a utility profile in accordance with the Texas Water Use Methodology, including, but not limited to, information regarding population and customer data, water use data (including total gallons per capita per day (GPCD) and residential GPCD), water supply system data, and wastewater system data;

(B) a record management system which allows for the classification of water sales and uses into the most detailed level of water use data currently available to it, including, if possible, the sectors listed in clauses (i) - (vi) of this subparagraph. Any new billing system purchased by a public water supplier must be capable of reporting detailed water use data as described in clauses (i) - (vi) of this subparagraph:

(i) residential;

(I) single family;

(II) multi-family;

(ii) commercial;

(iii) institutional;

(iv) industrial;

(v) agricultural; and,

(vi) wholesale.

(C) specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in total GPCD and residential GPCD. The goals established by a public water supplier under this subparagraph are not enforceable;

(D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;

(E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;

(F) measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);

(G) a program of continuing public education and information regarding water conservation;

(H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;

(I) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and

(J) a means of implementation and enforcement which shall be evidenced by:

(i) a copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the water supplier; and

(ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(K) documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:

(A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system;

(B) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

(3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the water conservation plan:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

(C) a program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

(D) reuse and/or recycling of wastewater and/or graywater;

(E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;

(F) a program and/or ordinance(s) for landscape water management;

(G) a method for monitoring the effectiveness and efficiency of the water conservation plan; and

(H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan every five years to coincide with the regional water planning group.

Source Note: The provisions of this §288.2 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective December 6, 2012, 37 TexReg 9515

APPENDIX C

TCEQ WATER UTILITY PROFILE

APPENDIX D

NTMWD MEMBER CITY AND CUSTOMER ANNUAL WATER CONSERVATION REPORT

APPENDIX E

IRRIGATION REGULATIONS

CITY OF ROCKWALL

ORDINANCE NO. 09-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS PROVIDING FOR ARTICLE XIV, IRRIGATION CODE, IN CHAPTER 6 OF THE ROCKWALL CODE OF ORDINANCES IN ORDER TO ESTABLISH THE MINIMUM STANDARDS FOR INSTALLATION OF IRRIGATION SYSTEMS WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL; PROVIDING FOR A CRIMINAL PENALTY, CLASS C MISDEMEANOR WITH A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall has determined that water conservation and environmental protection are important issues and concerns affecting the city; and

WHEREAS, properly-installed irrigation systems will conserve water, help avoid wasteful use, and improve the overall quality of life for the citizens of Rockwall; and

WHEREAS, during the 2007 legislative session, the Texas Legislature adopted House Bill 1656; and

WHEREAS, House Bill 1656 amended Chapter 401 of the Texas Local Government Code to require a city with a population of 20,000 or more to regulate the installation of irrigation systems within the corporate limits; and

WHEREAS, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public by creating an urban environment that is protective of the city's water supply and provides an enhanced quality of life for the citizens of the City of Rockwall.

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

SECTION 1. That the code of ordinances shall be and is hereby amended by repealing section P2902.5.3 of the Residential Code and section 608.16.5 of the Plumbing Code and providing for Article XIV to Chapter 6 to read as follows:

ARTICLE XIV
IRRIGATION CODE

Sec. 6-231. Definitions.

The following words and terms, when used in this ordinance, have the following meanings, unless the context clearly indicates otherwise.

(1) **Air gap**--A complete physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel.

(2) **Atmospheric Vacuum Breaker**--An assembly containing an air inlet valve, a check seat, and an air inlet port. The flow of water into the body causes the air inlet valve to close the air inlet port. When the flow of water stops the air inlet valve falls and forms a check against back-siphonage. At the same time it opens the air inlet port allowing air to enter and satisfy the vacuum. Also known as an Atmospheric Vacuum Breaker Back-Siphonage Prevention Assembly.

(3) **Backflow prevention**--The mechanical prevention of reverse flow, or back siphonage, of nonpotable water from an irrigation system into the potable water source.

(4) **Backflow prevention assembly--**Any assembly used to prevent backflow into a potable water system. The type of assembly used is based on the existing or potential degree of health hazard and backflow condition.

(5) **Completion of irrigation system installation**--When the landscape irrigation system has been installed, all minimum standards met, all tests performed, and the irrigator is satisfied that the system is operating correctly.

(6) **Consulting**--The act of providing advice, guidance, review or recommendations related to landscape irrigation systems.

(7) **Cross-connection**--An actual or potential connection between a potable water source and an irrigation system that may contain contaminates or pollutants or any source of water that has been treated to a lesser degree in the treatment process.

(8) **Design**--The act of determining the various elements of a landscape irrigation system that will include, but not be limited to, elements such as collecting site specific information, defining the scope of the project, defining plant watering needs, selecting and laying out emission devices, locating system components, conducting hydraulics calculations, identifying any local regulatory requirements, or scheduling irrigation work at a site. Completion of the various components will result in an irrigation plan.

(9) **Design pressure**--The pressure that is required for an emission device to operate properly. Design pressure is calculated by adding the operating pressure necessary at an emission device to the total of all pressure losses accumulated from an emission device to the water source.

(10) **Double Check Valve**--An assembly that is composed of two independently acting, approved check valves, including tightly closed resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. Also known as a Double Check Valve Backflow Prevention Assembly.

(11) **Emission device**--Any device that is contained within an irrigation system and that is used to apply water. Common emission devices in an irrigation system include, but are not limited to, spray and rotary sprinkler heads, and drip irrigation emitters.

(12) **Employed**--Engaged or hired to provide consulting services or perform any activity relating to the sale, design, installation, maintenance, alteration, repair, or service to irrigation systems. A person is employed if that person is in an employer-employee relationship as defined by Internal Revenue Code, 26 United States Code Service, §3212(d) based on the behavioral control, financial control, and the type of relationship involved in performing employment related tasks.

(13) **Head-to-head spacing**--The spacing of spray or rotary heads equal to the manufacturer's published radius of the head.

(14) **Health hazard**--A cross-connection or potential cross-connection with an irrigation system that involves any substance that may, if introduced into the potable water supply, cause death or illness, spread disease, or have a high probability of causing such effects.

(15) **Hydraulics**--The science of dynamic and static water; the mathematical computation of determining pressure losses and pressure requirements of an irrigation system.

(16) **Inspector**--A licensed plumbing inspector, water district operator, other governmental entity, or irrigation inspector who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor.

(17) **Installer**--A person who actually connects an irrigation system to a private or public raw or potable water supply system or any water supply, who is licensed according to Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(18) **Irrigation inspector**--A person who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor and is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(19) **Irrigation plan**--A scaled drawing of a landscape irrigation system which lists required information, the scope of the project, and represents the changes made in the installation of the irrigation system.

(20) **Irrigation services--**Selling, designing, installing, maintaining, altering, repairing, servicing, permitting, providing consulting services regarding, or connecting an irrigation system to a water supply.

(21) **Irrigation system**--An assembly of component parts that is permanently installed for the controlled distribution and conservation of water to irrigate any type of landscape vegetation in any location, and/or to reduce dust or control erosion. This term does not include a system that is used on or by an agricultural operation as defined by Texas Agricultural Code, §251.002.

(22) **Irrigation technician**--A person who works under the supervision of a licensed irrigator to install, maintain, alter, repair, service or supervise installation of an irrigation system, including the connection of such system in or to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(23) **Irrigation zone**--A subdivision of an irrigation system with a matched precipitation rate based on plant material type (such as turf, shrubs, or trees), microclimate factors (such as sun/shade ratio), topographic features (such as slope) and soil conditions (such as sand, loam, clay, or combination) or for hydrological control.

(24) **Irrigator**--A person who sells, designs, offers consultations regarding, installs, maintains, alters, repairs, services or supervises the installation of an irrigation system, including the connection of such system to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30.

(25) **Irrigator-in-Charge--**The irrigator responsible for all irrigation work performed by an exempt business owner, including, but not limited to obtaining permits, developing design plans, supervising the work of other irrigators or irrigation technicians, and installing, selling, maintaining, altering, repairing, or servicing a landscape irrigation system.

(26) **Landscape irrigation--**The science of applying the necessary amount of water to promote or sustain healthy growth of plant material or turf.

(27) **License**--An occupational license that is issued by the Texas Commission on Environmental Quality under Title 30, Texas Administrative Code, Chapter 30 to an individual that authorizes the individual to engage in an activity that is covered by Title 30, Texas Administrative Code, Chapter 30.

(28) **Mainline**--A pipe within an irrigation system that delivers water from the water source to the individual zone valves.

(29) **Maintenance checklist**--A document made available to the irrigation system's owner or owner's representative that contains information regarding the operation and maintenance of the irrigation system, including, but not limited to: checking and repairing the irrigation system, setting the automatic controller, checking the rain or moisture sensor, cleaning filters, pruning grass and plants away from irrigation emitters, using and operating the irrigation system, the precipitation rates of each irrigation zone within the system, any water conservation measures currently in effect from the water purveyor, the name of the water purveyor, a suggested seasonal or monthly watering schedule based on current evapotranspiration data for the geographic region, and the minimum water requirements for the plant material in each zone based on the soil type and plant material where the system is installed.

(30) **Major maintenance, alteration, repair, or service**--Any activity that involves opening to the atmosphere the irrigation main line at any point prior to the discharge side of any irrigation zone control valve. This includes, but is not limited to, repairing or connecting into a main supply pipe, replacing a zone control valve, or repairing a zone control valve in a manner that opens the system to the atmosphere.

(31) **Master valve**--A remote control valve located after the backflow prevention device that controls the flow of water to the irrigation system mainline.

(32) **Matched precipitation rate**--The condition in which all sprinkler heads within an irrigation zone apply water at the same rate.

(33) **New installation**--An irrigation system installed at a location where one did not previously exist.

(34) **Pass-through contract**--A written contract between a contractor or builder and a licensed irrigator or exempt business owner to perform part or all of the irrigation services relating to an irrigation system.

(35) **Potable water**--Water that is suitable for human consumption.

(36) **Pressure Vacuum Breaker**--An assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. Also known as a Pressure Vacuum Breaker Back-siphonage Prevention Assembly.

(37) **Reclaimed water**--Domestic or municipal wastewater which has been treated to a quality suitable for beneficial use, such as landscape irrigation.

(38) **Records of landscape irrigation activities**—The irrigation plans, contracts, warranty information, invoices, copies of permits, and other documents that relate to the installation, maintenance, alteration, repair, or service of a landscape irrigation system.

(39) **Reduced Pressure Principle Backflow Prevention Assembly**--An assembly containing two independently acting approved check valves together with a hydraulically operating mechanically independent pressure differential relief valve located between the two check valves and below the first check valve.

(40) **Static water pressure**--The pressure of water when it is not moving.

(41) **Supervision--**The on-the-job oversight and direction by a licensed irrigator who is fulfilling his or her professional responsibility to the client and/or employer in compliance with local or state requirements. Also a licensed installer working under the direction of a licensed irrigator or beginning January 1, 2009, an irrigation technician who is working under the direction of a licensed irrigator to install, maintain, alter, repair or service an irrigation system.

(42) **Water conservation**--The design, installation, service, and operation of an irrigation system in a manner that prevents the waste of water, promotes the most efficient use of water, and applies the least amount of water that is required to maintain healthy individual plant material or turf, reduce dust, and control erosion.

(43) **Zone flow**--A measurement, in gallons per minute or gallons per hour, of the actual flow of water through a zone valve, calculated by individually opening each zone valve and obtaining a valid reading after the pressure has stabilized. For design purposes, the zone flow is the total flow of all nozzles in the zone at a specific pressure.

(44) **Zone valve**--An automatic valve that controls a single zone of a landscape irrigation system.

Sec. 6-232. Valid License Required.

Any person who connects an irrigation system to the water supply within the City of Rockwall, must hold a valid license, as defined by Title 30, Texas Administrative Code, Chapter 30 and required by Chapter 1903 of the Texas Occupations Code, or as defined by Chapter 365, Title 22 of the Texas Administrative Code and required by Chapter 1301 of the Texas Occupations Code.

Exemptions

A property owner is not required to be licensed in accordance with Texas Occupations Code, Title 12, §1903.002(c)(1) if he or she is performing irrigation work in a building or on a premises owned or occupied by the person as the person's home. Home or property owner's property must have a current homestead exemption. A home or property owner who installs an irrigation system must meet the standards contained in Title 30, Texas

Administrative Code, Chapter 344 regarding spacing, water pressure, spraying water over impervious materials, rain or moisture shut-off devices or other technology, backflow prevention and isolation valves. The city may, at any point, adopt more stringent requirements for a home or property owner who installs an irrigation system. See Texas Occupations Code §1903.002 for other exemptions to the licensing requirement.

Sec. 6-233. Permit Required.

Any person installing an irrigation system within the City of Rockwall is required to obtain a permit from the city. Any plan approved for a permit must be in compliance with the requirements of this chapter.

Exemptions

(1) An irrigation system that is that an on-site sewage disposal system, as defined by Section 355.002, Health and Safety Code; or

(2) An irrigation system used on or by an agricultural operation as defined by Section 251.002, Agriculture Code; or

(3) An irrigation system connected to a groundwater well used by the property owner for domestic use.

Sec. 6-234. Backflow Prevention Methods and Devices.

(a) Any irrigation system that is connected to the potable water supply must be connected through a backflow prevention method approved by the Texas Commission on Environmental Quality (TCEQ). The backflow prevention device must comply with the 2006 International Plumbing Code and must be certified by the American Society of Sanitary Engineers (ASSE); or the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California; or the International Code Council - Evaluation Service (ICC-ES); or the International Association of Plumbing and Mechanical Code Officials – Research and Testing (IAPMO R&T); or any other certifying agencies that has equivalent capabilities for both the laboratory and field evaluation of backflow prevention assemblies.

(b) If conditions that present a health hazard exist, one of the following methods must be used to prevent backflow;

(1) An air gap may be used if:

(A) there is an unobstructed physical separation; and

(B) the distance from the lowest point of the water supply outlet to the flood rim of the fixture or assembly into which the outlet discharges is at least one inch or twice the diameter of the water supply outlet, whichever is greater.

(2) Reduced pressure principle backflow prevention assemblies may be used if:

(A) the device is installed at a minimum of 12 inches above ground in a location that will ensure that the assembly will not be submerged; and

B) drainage is provided for any water that may be discharged through the assembly relief valve.

(3) Pressure vacuum breakers may be used if:

(A) no back-pressure condition will occur; and

(B) the device is installed at a minimum of 12 inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler.

(4) Atmospheric vacuum breakers may be used if:

(A) no back-pressure will be present;

(B) there are no shutoff valves downstream from the atmospheric vacuum breaker;

(C) the device is installed at a minimum of six inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler;

(D) there is no continuous pressure on the supply side of the atmospheric vacuum breaker for more than 12 hours in any 24-hour period; and

(E) a separate atmospheric vacuum breaker is installed on the discharge side of each irrigation control valve, between the valve and all the emission devices that the valve controls.

(c) Backflow prevention devices used in applications designated as health hazards must be tested upon installation and annually thereafter.

(d) If there are no conditions that present a health hazard, double check valve backflow prevention assemblies may be used to prevent backflow if the device is tested upon installation and test cocks are used for testing only.

(e) If a double check valve is installed below ground:

(1) test cocks must be plugged, except when the double check valve is being tested;

(2) test cock plugs must be threaded, water-tight, and made of non-ferrous material;

(3) a y-type strainer is installed on the inlet side of the double check valve;

(4) there must be a bed of pea gravel a minimum of 4" deep under the double check valve with a minimum of 6" clearance from the bottom of the double check valve to the bed of gravel

(5) there must be a minimum of 6" clearance around the double check valve for testing.

(f) All irrigation systems found to be without backflow prevention protection that are connected to the potable water supply, must be connected to the potable water supply through an approved, properly installed backflow prevention assembly, before any major maintenance, alteration, repair, or service is performed.

(g) If an irrigation system is connected to a potable water supply through a double check valve, pressure vacuum breaker, or reduced pressure principle backflow assembly and includes an automatic master valve on the system, the automatic master valve must be installed on the discharge side of the backflow prevention assembly.

(h) The irrigator shall ensure the backflow prevention device is tested by a licensed Backflow Prevention Assembly Tester prior to being placed in service and the test results provided to the City of Rockwall and the irrigation system's owner or owner's representative within ten business days of testing of the backflow prevention device. Test results must be submitted on an approved Backflow Prevention Assembly Test and Maintenance Report form.

Sec. 6-235. Specific Conditions and Cross-Connection Control.

(a) Before any chemical is added to an irrigation system connected to the potable water supply, the irrigation system must be connected through a reduced pressure principle backflow prevention assembly or air gap.

(b) Connection of any additional water source to an irrigation system that is connected to the potable water supply can only be done if the irrigation system is connected to the potable water supply through a reduced-pressure principle backflow prevention assembly or an air gap.
(c) Irrigation system components with chemical additives induced by aspiration, injection, or emission system connected to any potable water supply must be connected through a reduced pressure principle backflow device.
(d) If an irrigation system is designed or installed on a property that is served by an on-site sewage facility, as defined in Title 30, Texas Administrative Code, Chapter 285, then:

(1) all irrigation piping and valves must meet the separation distances from the On-Site Sewage Facilities system as required for a private water line in Title 30, Texas Administrative Code, Section 285.91(10);
(2) any connections using a private or public potable water source that is not the city's potable water system must be connected to the water source through a reduced pressure principle backflow prevention assembly as defined in Title 30, Texas Administrative Code, Section 344.50; and
(3) any water from the irrigation system that is applied to the surface of the area utilized by the On-Site Sewage Facility system must be controlled on a separate irrigation zone or zones so as to allow complete control of any irrigation to that area so that there will not be excess water that would prevent the On-Site Sewage Facilities system from operating effectively.

Sec. 6-236. Water Conservation.

All irrigation systems shall be designed, installed, maintained, altered, repaired, serviced, and operated in a manner that will promote water conservation as defined in the Definitions section of this ordinance.

Sec. 6-237. Irrigation Plan Design: Minimum Standards.

(a) An irrigator shall prepare an irrigation plan for each site where a new irrigation system will be installed. A paper or electronic copy of the irrigation plan must be on the job site at all times during the installation of the irrigation system. A drawing showing the actual installation of the system is due to each irrigation system owner after all new irrigation system installations. During the installation of the irrigation system, variances from the original plan may be authorized by the licensed irrigator if the variance from the plan does not:

(1) diminish the operational integrity of the irrigation system;
(2) violate any requirements of this ordinance; and
(3) go unnoted in red on the irrigation plan.

(b) The irrigation plan must include complete coverage of the area to be irrigated. If a system does not provide complete coverage of the area to be irrigated, it must be noted on the irrigation plan.

(c) All irrigation plans used for construction must be drawn to scale. The plan must include, at a minimum, the following information:

(1) the irrigator's seal, signature, and date of signing;
(2) all major physical features and the boundaries of the areas to be watered;
(3) a North arrow;
(4) a legend;
(5) the zone flow measurement for each zone;

(6) location and type of each:
(A) controller; and
(B) sensor (for example, but not limited to, rain, moisture, wind, flow, or freeze);
(7) location, type, and size of each:
(A) water source, such as, but not limited to a water meter and point(s) of connection;
(B) backflow prevention device;
(C) water emission device, including, but not limited to, spray heads, rotary sprinkler heads, quick-couplers, bubblers, drip, or micro-sprays;
(D) valve, including but not limited to, zone valves, master valves, and isolation valves;
(E) pressure regulation component; and
(F) main line and lateral piping.
(8) the scale used; and
(9) the design pressure.

Sec. 6-238. Design and Installation: Minimum Requirements.

(a) No irrigation design or installation shall require the use of any component, including the water meter, in a way which exceeds the manufacturer's published performance limitations for the component.
(b) Spacing.
(1) The maximum spacing between emission devices must not exceed the manufacturer's published radius or spacing of the device(s). The radius or spacing is determined by referring to the manufacturer's published specifications for a specific emission device at a specific operating pressure.
(2) New irrigation systems shall not utilize above-ground spray emission devices in landscapes that are less than 48 inches not including the impervious surfaces in either length or width and which contain impervious pedestrian or vehicular traffic surfaces along two or more perimeters. If pop-up sprays or rotary sprinkler heads are used in a new irrigation system, the sprinkler heads must direct flow away from any adjacent surface and shall not be installed closer than four inches from a hardscape, such as, but not limited to, a building foundation, fence, concrete, asphalt, pavers, or stones set with mortar.
(3) Narrow paved walkways, jogging paths, golf cart paths or other small areas located in cemeteries, parks, golf courses or other public areas may be exempted from this requirement if the runoff drains into a landscaped area.

(c) Water pressure. Emission devices must be installed to operate at the minimum and not above the maximum sprinkler head pressure as published by the manufacturer for the nozzle and head spacing that is used. Methods to achieve the water pressure requirements include, but are not limited to, flow control valves, a pressure regulator, or pressure compensating spray heads.

(d) Piping. Piping in irrigation systems must be designed and installed so that the flow of water in the pipe will not exceed a velocity of five feet per second for polyvinyl chloride (PVC) pipe.

(e) Irrigation Zones. Irrigation systems shall have separate zones based on plant material type, microclimate factors, topographic features, soil conditions, and hydrological requirements.

(f) Matched precipitation rate. Zones must be designed and installed so that all of the emission devices in that zone irrigate at the same precipitation rate.

(g) Irrigation systems shall not spray water over surfaces made of concrete, asphalt, brick, wood, stones set with mortar, or any other impervious material, such as, but not limited to, walls, fences, sidewalks, streets, etc.

(h) Master valve. When provided, a master valve shall be installed on the discharge side of the backflow prevention device on all new installations.

(i) PVC pipe primer solvent. All new irrigation systems that are installed using PVC pipe and fittings shall be primed with a colored primer prior to applying the PVC cement in accordance with the International Plumbing Code (Section 605.22.2).

(j) Rain or moisture shut-off devices or other technology. All new automatically controlled irrigation systems must include sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall. Rain or moisture shut-off technology must be installed according to the manufacturer's published recommendations. Repairs to existing automatic irrigation systems that require replacement of an existing controller must include a sensor or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall.

(k) Isolation valve. All new irrigation systems must include an isolation valve between the water meter and the backflow prevention device. The isolation valve must be a ball valve and be equipped with a stainless steel handle. The ball valve must be installed within a plastic valve or meter box large enough as not to hamper operation or repair.

(l) Depth coverage of piping. Piping in all irrigation systems must be installed according to the manufacturer's published specifications for depth coverage of piping.

(1) If the manufacturer has not published specifications for depth coverage of piping, the piping must be installed to provide minimum depth coverage of six inches of select backfill, between the top of the pipe and the natural grade of the topsoil. All portions of the irrigation

system that fail to meet this standard must be noted on the irrigation plan. If the area being irrigated has rock at a depth of six inches or less, select backfill may be mounded over the pipe. Mounding must be noted on the irrigation plan and discussed with the irrigation system owner or owner's representative to address any safety issues.

(2) If a utility, man-made structure, or roots create an unavoidable obstacle, which makes the six-inch depth coverage requirement impractical, the piping shall be installed to provide a minimum of two inches of select backfill between the top of the pipe and the natural grade of the topsoil.

(3) All trenches and holes created during installation of an irrigation system must be backfilled and compacted to the original grade.

(m) Wiring irrigation systems.

(1) Underground electrical wiring used to connect an automatic controller to any electrical component of the irrigation system must be listed by Underwriters Laboratories as acceptable for burial underground.

(2) Electrical wiring that connects any electrical components of an irrigation system must be sized according to the manufacturer's recommendation.

(3) Electrical wire splices which may be exposed to moisture must be waterproof as certified by the wire splice manufacturer.

(4) Underground electrical wiring that connects an automatic controller to any electrical component of the irrigation system must be buried with a minimum of six inches of select backfill.

(n) Water contained within the piping of an irrigation system is deemed to be non-potable. No drinking or domestic water usage, such as, but not limited to, filling swimming pools or decorative fountains, shall be connected to an irrigation system. If a hose bib (an outdoor water faucet that has hose threads on the spout) is connected to an irrigation system for the purpose of providing supplemental water to an area, the hose bib must be installed using a quick coupler key on a quick coupler installed in a covered purple valve box and the hose bib and any hoses connected to the bib must be labeled "non potable, not safe for drinking." An isolation valve must be installed upstream of a quick coupler connecting a hose bib to an irrigation system.

(o) Beginning January 1, 2010, either a licensed irrigator or a licensed irrigation technician shall be on-site at all times while the landscape irrigation system is being installed. When an irrigator is not onsite, the irrigator shall be responsible for ensuring that a licensed irrigation technician is on-site to supervise the installation of the irrigation system.

(p) All new automatically controlled irrigation systems must include sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of freezing weather.

Sec. 6-239. Completion of Irrigation System Installation.

Upon completion of the irrigation system, the irrigator or irrigation technician who provided supervision for the on-site installation shall be required to complete four items:

(1) a final "walk through" with the irrigation system's owner or the owner's representative to explain the operation of the system;

(2) The maintenance checklist on which the irrigator or irrigation technician shall obtain the signature of the irrigation system's owner or owner's representative and shall sign, date, and seal the checklist. If the irrigation system's owner or owner's representative is unwilling or unable to sign the maintenance checklist, the irrigator shall note the time and date of the refusal on the irrigation system's owner or owner's representative's signature line. The irrigation system owner or owner's representative will be given the original maintenance checklist and a duplicate copy of the maintenance checklist shall be maintained by the irrigator. The items on the maintenance checklist shall include but are not limited to:

(A) the manufacturer's manual for the automatic controller, if the system is automatic;

(B) a seasonal (spring, summer, fall, winter) watering schedule based on either current/real time evapotranspiration or monthly historical reference evapotranspiration (historical ET) data, monthly effective rainfall estimates, plant landscape coefficient factors, and site factors;

(C) a list of components, such as the nozzle, or pump filters, and other such components; that require maintenance and the recommended frequency for the service; and

(D) the statement, "This irrigation system has been installed in accordance with all applicable state and local laws, ordinances, rules, regulations or orders. I have tested the system and determined that it has been installed according to the Irrigation Plan and is properly adjusted for the most efficient application of water at this time."

(3) A permanent sticker which contains the irrigator's name, license number, company name, telephone number and the dates of the warranty period shall be affixed to each automatic controller installed by the irrigator or irrigation technician. If the irrigation system is manual, the sticker shall be affixed to the original maintenance checklist. The information contained on the sticker must be printed with waterproof ink and include:

(4) The irrigation plan indicating the actual installation of the system must be provided to the irrigation system's owner or owner representative.

Sec. 6-240. Maintenance, Alteration, Repair, or Service of Irrigation Systems.

(a) The licensed irrigator is responsible for all work that the irrigator performed during the maintenance, alteration, repair, or service of an irrigation system during the warranty period. The irrigator or business owner is not responsible for the professional negligence of any other irrigator who subsequently conducts any irrigation service on the same irrigation system.

(b) All trenches and holes created during the maintenance, alteration, repair, or service of an irrigation system must be returned to the original grade with compacted select backfill.

(c) Colored PVC pipe primer solvent must be used on all pipes and fittings used in the maintenance, alteration, repair, or service of an irrigation system in accordance with the International Plumbing Code (Section 605.22.2).

(d) When maintenance, alteration, repair or service of an irrigation system involves excavation work at the water meter or backflow prevention device, an isolation valve shall be installed, if an isolation valve is not present.

Sec. 6-241. Reclaimed Water.

Reclaimed water may be utilized in landscape irrigation systems if:
(1) there is no direct contact with edible crops, unless the crop is pasteurized before consumption;
(2) the irrigation system does not spray water across property lines that do not belong to the irrigation system's owner;
(3) the irrigation system is installed using purple components;
(4) the domestic potable water line is connected using an air gap or a reduced pressure principle backflow prevention device, in accordance with Title 30, Texas Administrative Code, Section 290.47(i) (relating to Appendices);
(5) a minimum of an eight inch by eight inch sign, in English and Spanish, is prominently posted on/in the area that is being irrigated, that reads, "RECLAIMED WATER – DO NOT DRINK" and "AGUA DE RECUPERACIÓN – NO BEBER"; and
(6) backflow prevention on the reclaimed water supply line shall be in accordance with the regulations of the city's water provider.

Sec. 6-242. Advertisement Requirements.

(a) All vehicles used in the performance of irrigation installation, maintenance, alteration, repair, or service must display the irrigator's license number in the form of "LI_____" in a contrasting color of block letters at least two inches high, on both sides of the vehicle.

(b) All forms of written and electronic advertisements for irrigation services must display the irrigator's license number in the form of "LI_____." Any form of advertisement, including business cards, and estimates which displays an entity's or individual's name other than that of the licensed irrigator must also display the name of the licensed irrigator and the licensed irrigator's license number. Trailers that advertise irrigation services must display the irrigator's license number.

(c) The name, mailing address, and telephone number of the commission must be prominently displayed on a legible sign and displayed in plain view for the purpose of addressing complaints at the permanent structure where irrigation business is primarily conducted and irrigation records are kept.

Sec. 6-243. Contracts.

(a) All contracts to install an irrigation system must be in writing and signed by each party and must specify the irrigator's name, license number, business address, current business

telephone numbers, the date that each party signed the agreement, the total agreed price, and must contain the statement, "Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ), MC-178, P.O. Box 13087, Austin, Texas 78711-3087. TCEQ's website is: www. tceq.state.tx.us." All contracts must include the irrigator's seal, signature, and date.

(b) All written estimates, proposals, bids, and invoices relating to the installation or repair of an irrigation system(s) must include the irrigator's name, license number, business address, current business telephone number(s), and the statement: "Irrigation in Texas is regulated by the Texas Commission On Environmental Quality (TCEQ) (MC-178), P.O. Box 13087, Austin, Texas 78711-3087. TCEQ's web site is: www.tceq.state.tx.us."

(c) An individual who agrees by contract to provide irrigation services as defined in Title 30, Texas Administrative Code, Section 344.30 (relating to License Required) shall hold an irrigator license issued under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations) unless the contract is a pass-through contract as defined in Title 30, Texas Administrative Code, Section 344.1(36) (relating to Definitions). If a pass-through contract includes irrigation services, then the irrigation portion of the contract can only be performed by a licensed irrigator. If an irrigator installs a system pursuant to a pass-through contract, the irrigator shall still be responsible for providing the irrigation system's owner or through contract; the irrigator shall still be responsible for providing the irrigation system's owner or owner's representative a copy of the warranty and all other documents required under this chapter. A pass-through contract must identify by name and license number the irrigator that will perform the work and must provide a mechanism for contacting the irrigator for irrigation system warranty work.

(d) The contract must include the dates that the warranty is valid.

Sec. 6-244. Warranties for Systems.

(a) On all installations of new irrigation systems, an irrigator shall present the irrigation system's owner or owner's representative with a written warranty covering materials and labor furnished in the new installation of the irrigation system. The irrigator shall be responsible for adhering to terms of the warranty. If the irrigator's warranty is less than the manufacturer's warranty for the system components, then the irrigator shall provide the irrigation system's owner or the owner's representative with applicable information regarding the manufacturer's warranty period. The warranty must include the irrigator's seal, signature, and date. If the warranty is part of an irrigator's contract, a separate warranty document is not required.

(b) An irrigator's written warranty on new irrigation systems must specify the irrigator's name, business address, and business telephone number(s), must contain the signature of the irrigation system's owner or owner's representative confirming receipt of the warranty and must include the statement: "Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ), MC-178, P.O. Box 130897, Austin, Texas 78711-3087. TCEQ's website is: www.tceq.state.tx.us."

(c) On all maintenance, alterations, repairs, or service to existing irrigation systems, an irrigator shall present the irrigation system's owner or owner's representative a written document that identifies the materials furnished in the maintenance, alteration, repair, or service. If a warranty is provided, the irrigator shall abide by the terms. The warranty document must include the irrigator's name and business contact information.

Sec. 6-245. Duties and Responsibilities of City Irrigation Inspectors.

A licensed irrigation inspector shall enforce the ordinance of the city, and shall be responsible for:
(1) verifying that the appropriate permits have been obtained for an irrigation system and that the irrigator and installer or irrigation technician, if applicable, are licensed;
(2) inspecting the irrigation system;
(3) determining that the irrigation system complies with the requirements of this chapter;
(4) determining that the appropriate backflow prevention device was installed, tested, and test results provided to the city;
(5) investigating complaints related to irrigation system installation, maintenance, alteration, repairs, or service of an irrigation system and advertisement of irrigation services; and
(6) maintaining records according to this chapter.

Sec. 6-246. Items not covered by this ordinance.

Any item not covered by their ordinance and required by law shall be governed by the Texas Occupations Code, the Texas Water Code, Title 30 of the Texas Administrative Code, and any other applicable state statute or Texas Commission on Environmental Quality rule.

Sec. 6-247. Fees.

Building permit fees shall be established by resolution of the city council.

Sec. 6-248. Irrigation systems within the public right of way.

The city shall not be held liable for any damage of any system, which results from the installation or repair of, or improvement of any street or utility. Any homeowner or irrigator who installs a lawn sprinkler system between the curb and sidewalk or elsewhere within the public right of way shall likewise hold the city harmless against any claim or injury to persons or damage to property that any member of the public may suffer by reason of installation of said lawn sprinkling system between said curb and sidewalk or within the public right of way.

Sec. 6-249. Enforcement.

(a) The city shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person, firm, corporation or agent who shall violate a provision of this code, or fails to comply therewith, or with any of the requirements thereof, is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of the ordinance codified in this chapter is declared to be a nuisance.

(b) Any person violating any provision of chapter shall, upon conviction, be fined a sum not exceeding $2000.00. Each day that a provision of this chapter is violated shall constitute a separate offense. An offense under this chapter is a Class C misdemeanor, punishable by a fine of up to $2000.00.

(c) Nothing in this chapter shall be construed as a waiver of the city's right to bring a civil action

to enforce the provisions of this chapter and to seek remedies as allowed by law, including, but not limited to the following:

(1) Injunctive relief to prevent specific conduct that violates the ordinance or to require specific conduct that is necessary for compliance with the ordinance; and

(2) Other available relief.

Secs. 6-250----6-254 Reserved.

SECTION 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordianances.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED this16th day of March, 2009.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st reading: 03-02-09
2nd reading: 03-16-09

APPENDIX F

LETTERS TO REGION C AND REGION D WATER PLANNING GROUPS

APPENDIX G

SERVICE REGULATIONS

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 09-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 26, ARTICLE V, DIVISION 2, SERVICE REGULATIONS; PROVIDING FOR A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2000.00) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall recognizes that the amount of water available to its water customers is limited; and

WHEREAS, pursuant to Chapter 54 of the Local Government Code, the City is authorized to adopt such policies necessary to preserve and conserve available water supplies; and

WHEREAS, the City seeks to adopt an ordinance pertaining to illegal water connections and theft of water.

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

SECTION 1. That the Code of Ordinances shall be amended in Chapter 26, Article V, Division 2, which shall hereinafter read in the entirety as set forth in Exhibit "A" attached hereto made a part hereof for all purposes.

SECTION 2. That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction, be subject to a fine in accordance with Section 1-7 of the General Provision of the Code of Ordinances.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS this **18th** day of **May, 2009**.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st reading: 05-04-09

2nd reading: 05-18-09

Ord. #09-22 Water Service Regulations

"EXHIBIT A"

CHAPTER 26

ARTICLE V. WATER

DIVISION 2

SERVICE REGULATIONS

Sec. 26-131. Application for service required; who may apply; responsibility for bill.

(a) Each consumer desiring water from the City of Rockwall's water supply system shall make application. The application shall contain the purpose for which the water is desired, and shall agree to the terms and conditions upon which water will be furnished and to the rules, regulations and ordinances of the City. Upon such application being filed with the City, the applicant is authorized the use of water from the City's water system for specified purposes.

(b) No application for the use of water shall be filed by any person other than the owner, renter or duly authorized agent, and such owner, renter or authorized agent when making application, shall be liable for the fees charged for the use of water.

Sec. 26-132. Permits to be approved by the City before water is turned on.
All applications for water from the City's water system, when a new service has been installed, shall be approved by the City after inspection, before the water will be turned on.

Sec. 26-133. Permit required for taps, etc.
No new tap or new service or addition, extension or alteration of any tap or service, shall be made or caused to be made by any consumer, except through a licensed plumber or utility contractor and after obtaining a permit from the City.

Sec. 26-134. Connection permits.
Applications for permits to connect water service pipes or mains with the distribution mains shall be made to the City, together with a fee as specified in Article II of this chapter and Chapter 24, Subdivision Regulations, Article III, paid in advance to the City for inserting the service pipe or main and conveying it to the curb line. Such permit shall be the plumber or utility contractors authority for making the connection with the street service, laying pipes and doing all work necessary to make the service complete. Any application for a second permit to the same premises will be charged an equal fee for inserting the service pipe and conveying it to the curb line.

Sec. 26-135. Permit applications to be made by a licensed plumber or utility contractor.
All applications for permits required by this article shall be made only by a licensed plumber or utility contractor working for the property owner or his authorized agent.

Ord. #09-22 Water Service Regulations

Sec. 26-136. Turn-on of water restricted.
No person may knowingly cause, suffer or allow the initiation or restoration of water service to the property after termination of service(s) without the written consent of the City. For purposes of this section, it shall be assumed that the owner, occupant, or person in control of the property caused, suffered, or allowed the unlawful initiation or restoration of service(s).

Sec. 26-137. Maintenance and conservation requirements of consumer.
All consumers of water from the City's water system shall keep their service pipes and all fixtures connected in good condition and repair to prevent unnecessary waste of water.

Sec. 26-138. Shutoff of water for waste.
Where water is wasted by reason of the water fixtures and service pipe being out of order, through neglect of the consumer, agents or tenants, after notice thereof from the City, if the consumer refuses to repair such fixtures or pipe, the water shall be immediately turned off and withheld from such premises until repairs have been made.

Sec. 26-139. Consumers not to permit others to use water; penalty.
No consumer of City water shall permit any other person to use water from their tap, hydrant, faucet or other device to provide water to an additional property, except when authorized by the City. In the case of a violation of this section, the water shall be immediately turned off in addition to any other penalty otherwise provided.

Sec. 26-140. Use of water from public connections restricted.
No consumer or other person shall take water for private use from any public fire hydrant, hydrant, fountain or similar public water source without the consent of the City.

Sec. 26-141. Interference with system apparatus.
A person may not knowingly tamper, connect to, or alter any component of the City's water system including, but not limited to: valves, meters, meter boxes, lids, hydrants, lines, pump stations, ground storage tanks, and elevated tanks. This shall include direct or indirect efforts to initiate or restore water service without the approval of the City.

Ord. #09-22 Water Service Regulations

APPENDIX H

LANDSCAPE ORDINANCE

APPENDIX I

TCEQ WATER CONSERVATION IMPLEMINTATION REPORT

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218

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Amy Williams, Director of Public Works/City Engineer

DATE: March 28, 2019

SUBJECT: Water Conservation/Water Resource and Emergency Management Plan

The Texas Commission on Environmental Quality requires every water provider to revise and submit their Water Conservation and Water Resource and Emergency Management Plan every five years. City Council adopted the existing Water Emergency Response Plan and the Water Conservation Plan on August 3, 2009, July 6, 2009, and April 21, 2014. The staff has made revisions to our current plans and will submit these documents to the TCEQ by May 1, 2019, after City Council approves the ordinances.

Changes to the Water Conservation include the addition of definitions, once per week water of landscape beginning November 1st and ending March 31st, and rebates of $100 towards the purchase and installation of high-efficiency card or coin operated commercial clothes washers at commercial laundromats. The refund on commercial washing machines is required as part of the settlement agreement with the Sierra Club and the National Wildlife Federation to move forward with the construction of the Lower Bois d 'Arc Creek Reservoir.

Changes to the Water Resource and Emergency Management Plan are definitions and lake level elevations that trigger different resource management stages in the plan. Another change was to have three stages instead of four. The reasoning for the transition to three stages was that Stage 1 in the previous plan had the same requirements found in the Conservation Plan.

Staff recommends City Council consideration to approve the revised Water Resource Emergency Management and Water Conservation Plan to keep the City in compliance with the Texas Commission on Environmental Quality requirements.

AJW:em

Cc:
Joey Boyd, Assistant City Manager
Rick Sherer, Manager of Water and Wastewater
File

CITY OF ROCKWALL

ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN TO REPEAL DIVISION 7. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 7. ADOPTING A WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

WHEREAS, the Rockwall City Council previously adopted a "Drought Contingency and Water Emergency Response Plan" in Chapter 44. Utilities; Article V. Water; Division 7 of the Code of Ordinances; and

WHEREAS, the City Council has determined the need to repeal said plan in its entirety and replace it with a new plan entitled the "Water Resource and Emergency Management Plan," which permits the City Manager of the City of Rockwall to order implementation of certain emergency conservation measures as warranted by an emergency circumstance.

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

SECTION 1. The the Code of Ordinances in Chapter 44. "Utilities," Article V. "Water," Division 7. "Drought Contingency and Water Emergency Response Plan" is hereby repealed in its entirety and a new Division 7. entitled the "Water Resource and Emergency Management Plan" is hereby adopted as reflected in **"Exhibit A"** of this ordinance; and

SECTION 2. PLAN ADOPTED

Sec.44-432

(a) The city council hereby approves and adopts the City of Rockwall "Water Resource and Emergency Management Plan," attached to Ordinance No. 19-___ as "Exhibit A," which is incorporated as if fully set forth in this division and on file in the city secretary's office.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 4. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 5. The City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 6. The City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code, and said Plan meets all the requirements of Section 288.2 of the Texas Administrative Code;

SECTION 7. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this ordinance or as herein specified.

SECTION 8. This ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15TH DAY OF APRIL, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

1st Reading: 04/01/2019

2nd Reading: 04/15/2019

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

EXHIBIT A

WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

City of Rockwall

The New Horizon

MAY 2019

222

FORWARD

This 2019 Model Water Resource and Emergency Management Plan (WREMP) which is an update to the 2014 Drought Contingency and Water Emergency Response Plan was prepared by Freese and Nichols for the North Texas Municipal Water District (NTMWD). It is intended to be used by NTMWD Member Cities and Customers as a guide as they develop their own Water Resource and Emergency Management Plans. This plan was prepared pursuant to Texas Commission on Environmental Quality rules. Some material is based on the existing drought contingency plans listed in Appendix A.

Questions regarding this drought contingency and water emergency response plan should be addressed to the following:

Jeremy Rice
Freese and Nichols, Inc.
(817) 735-7300
jjr@freese.com

Denise Hickey
North Texas Municipal
Water District
(972) 442-5405
dhickey@ntmwd.com

This Model WREMP plan is based on the Texas Administrative Code in effect on January 18, 2019.

223

EXHIBIT A
TABLE OF CONTENTS

Table of Contents

1. INTRODUCTION AND OBJECTIVES 1-1

2. DEFINITIONS AND ABBREVIATIONS 2-2

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES 3-1

4. WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN 4-1

4.1 Provisions to Inform the Public and Opportunity for Public Input 4-1
4.2 Provisions for Continuing Public Education and Information 4-1
4.3 Initiation and Termination of Water Resource and Emergency Management Stages and Targets for Water use Reductions 4-1
4.3.1 Stage 1 4-3
4.3.2 Stage 2 4-5
4.3.2 Stage 3 4-9
4.4 Procedures for Granting Variances to the Plan 4-12
4.5 Procedures for Enforcing Mandatory Water Use Restrictions 4-13
4.6 Coordination with the Regional Water Planning Group and NTMWD 4-13
4.7 Review and Update of Drought Contingency and Water Emergency Response Plan 4-13

APPENDICES

APPENDIX A **List of References**

APPENDIX B **Texas Commission on Environmental Quality Rules on Drought Contingency Plans**
- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule §288.20 – Drought Contingency Plans for Municipal Uses by Public Water Suppliers

APPENDIX C **Letter to Region C and Region D Water Planning Group**

1. INTRODUCTION AND OBJECTIVES

This document has been prepared as a Model Water Resource and Emergency Management Plan (WREMP), intended to be available for use by North Texas Municipal Water District (NTMWD) Member Cities and Customer Cities as they develop their own plans. This model plan addresses all of the current TCEQ requirements for a drought contingency plan. [1] This plan will replace the plans dated August 2004, April 2006, March 2008, and April 2014.

The measures included in this Model WREMP are intended to provide short-term water savings during drought or emergency conditions. Water savings associated with ongoing, long-term strategies are discussed in the *Model Water Conservation Plan for North Texas Municipal Water District Member Cities and Customer Cities*. [2]

- The purpose of this Model WREMP plan is as follows:
- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions

The NTMWD supplies treated water to its Member Cities and Customer Cities. This model plan was developed by NTMWD in consultation with its Member Cities. In order to adopt this model plan, each NTMWD Member City and Customer City will need to adopt ordinance(s) or regulation(s) implementing the plan, including the determination of fines and enforcement procedures. The model plan calls for Member Cities and Customer Cities to adopt Water Resource Stages initiated by NTMWD during a drought or water supply emergency. Member Cities and Customer Cities may also adopt more stringent drought or water emergency response stages than NTMWD if conditions warrant.

In the absence of drought response measures, water demands tend to increase during drought due to increased outdoor irrigation. The severity of the drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies. NTMWD considers a drought to end when all of the NTMWD's supply reservoirs refill to conservation storage pool levels.

[1] Superscripted numbers match references listed in Appendix A.

2. DEFINITIONS AND ABBREVIATIONS

1. AQUATIC LIFE means a vertebrate organism dependent upon an aquatic environment to sustain its life.

2. ATHLETIC FIELD means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools; professional sports and league play sanctioned by the utility providing retail water supply.

3. COMMERCIAL FACILITY means business or industrial buildings and the associated landscaping, but does not include the fairways, greens, or tees of a golf course.

4. COMMERCIAL VEHICLE WASH FACILITY means a permanently-located business that washes vehicles or other mobile equipment with water or water-based products, including but not limited to self-service car washes, full service car washes, roll-over/in-bay style car washes, and facilities managing vehicle fleets or vehicle inventory.

5. CUSTOMERS include those entities to which NTMWD provides wholesale water that are not Member Cities of NTMWD.

6. DESIGNATED OUTDOOR WATER USE DAY means a day prescribed by rule on which a person is permitted to irrigate outdoors.

7. DRIP IRRIGATION is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.

8. DROUGHT, for the purposes of this report, means an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources (in this case reservoirs) to be depleted.

9. EVAPOTRANSPIRATION (ET) represents the amount of water lost from plant material to evaporation and transpiration. The amount of ET can be estimated based on the temperature, wind, and relative humidity.

10. EXECUTIVE DIRECTOR means the Executive Director of the NTMWD and includes a person the Executive Director has designated to administer or perform any task, duty, function, role, or action related to this Plan or on behalf of the Executive Director.

11. FOUNDATION WATERING means an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

12. INTERACTIVE WATER FEATURES means water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.

13. IRRIGATION SYSTEM means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.

14. LANDSCAPE means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass or turf species, that is growing or has been planted out of doors.

15. MEMBER CITIES include the cities of Allen, Farmersville, Forney, Frisco, Garland, McKinney, Mesquite, Plano, Princeton, Richardson, Rockwall, Royse City, and Wylie, Texas, which are members of NTMWD.

16. NEW LANDSCAPE means: (a) vegetation installed at the time of the construction of a residential or commercial facility; (b) installed as part of a governmental entity's capital improvement project; or (c) installed to stabilize an area disturbed by construction.

17. ORNAMENTAL FOUNTAIN means an artificially created structure (up to a certain diameter) from which a jet, stream, or flow of treated water emanates and is not typically utilized for the preservation of aquatic life.

18. RETAIL CUSTOMERS include those customers to whom the Supplier provides retail water from a water meter.

19. SOAKER HOSE means a perforated or permeable garden-type hose or pipe that is laid above ground that provides irrigation at a slow and constant rate.

20. SPRINKLER means an above-ground water distribution device that may be attached to a garden hose.

21. SUPPLIER means a Member City or Customer that purchases wholesale water from NTMWD and provides water to retail and/or wholesale customers.

22. SWIMMING POOL means any structure, basin, chamber, or tank including hot tubs, containing an artificial body of water for swimming, diving, or recreational bathing, and having a depth of two (2) feet or more at any point.

23. WATER RESOURCE MANAGEMENT PLAN means a strategy or combination of strategies for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies required by Texas Administrative Code Title 30, Chapter 288, Subchapter B. This is sometimes called a drought contingency plan.

Abbreviation	Full Nomenclature
ED	NTMWD Executive Director
NTMWD or District	North Texas Municipal Water District
TCEQ	Texas Commission on Environmental Quality
TWDB	Texas Water Development Board
Model WREMP	Model Water Resource and Emergency Management Plan for Member Cities and Customers

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code, a current copy of which is included in Appendix B. For the purpose of these rules, a drought contingency plan is defined as "a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies."[1]

Minimum Requirements

TCEQ's minimum requirements for drought contingency plans are addressed in the following subsections of this report:

- 288.20(a)(1)(A) – Provisions to Inform the Public and Provide Opportunity for Public Input – Section 4.1
- 288.20(a)(1)(B) – Provisions for Continuing Public Education and Information – Section 4.2
- 288.20(a)(1)(C) – Coordination with the Regional Water Planning Group – Section 4.7
- 288.20(a)(1)(D) – Criteria for Initiation and Termination of Drought Stages – Section 4.3
- 288.20(a)(1)(E) – Drought and Emergency Response Stages – Section 4.4
- 288.20(a)(1)(F) – Specific, Quantified Targets for Water Use Reductions – Section 3.4
- 288.20(a)(1)(G) – Water Supply and Demand Management Measures for Each Stage – Section 4.4
- 288.20(a)(1)(H) – Procedures for Initiation and Termination of Drought Stages – Section 3.3
- 288.20(a)(1)(I) - Procedures for Granting Variances – Section 4.5
- 288.20(a)(1)(J) - Procedures for Enforcement of Mandatory Restrictions – Section 3.6
- 288.20(a)(3) – Consultation with Wholesale Supplier – Sections 1 and 4.4
- 288.20(b) – Notification of Implementation of Mandatory Measures – Section 4.3
- 288.20(c) – Review and Update of Plan – Section 4.8

4. WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

4.1 Provisions to Inform the Public and Opportunity for Public Input

The City of Rockwall will provide opportunity for public input in the development of this drought contingency and water emergency response plan by the following means:

- Providing written notice of the proposed plan and the opportunity to comment on the plan by newspaper, posted notice, and notice on the supplier's web site.
- Making the draft plan available on the supplier's web site.
- Providing the draft plan to anyone requesting a copy.
- Holding a public meeting.

4.2 Provisions for Continuing Public Education and Information

The City of Rockwall will inform and educate the public about the Water Resource and Emergency Management Plan by the following means:

- Preparing a bulletin describing the plan and making it available at City Hall and other appropriate locations.
- Making the plan available to the public through the supplier's web site.
- Including information about the Water Resource and Emergency Management on the supplier's web site.
- Notifying local organizations, schools, and civic groups that staff are available to make presentations on the Water Resource and Emergency Management Plan (usually in conjunction with presentations on water conservation programs).

At any time that the drought contingency and water emergency response plan is activated or the drought stage or water emergency response stage changes, Member Cities and Customer Cities will notify local media of the issues, the drought response stage or water emergency response stage (if applicable), and the specific actions required of the public. The information will also be publicized on the supplier's web site (if available). Billing inserts will also be used as appropriate.

4.3 Initiation and Termination of Water Resource and Emergency Management Stages and Targets for Water use Reductions

<u>Initiation of a Water Resource Management Stage</u>

The City Manager or official designee may order the implementation of a Water Resource and Emergency Management response stage when one or more of the trigger conditions for that stage are met.

- Water Resource and Emergency Management Plan stages imposed by NTMWD action must be initiated by Member Cities and Customers.

- For other trigger conditions internal to a city or water supply entity, the City Manager or official designee may decide not to order the implementation of a Water Resource Management Stage or Water Emergency even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented.

The following actions will be taken when a water resource management stage is initiated:

- The public will be notified through local media and the supplier's web site (if available) as described in Section 4.2.
- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax that provides details of the reasons for initiation of the Water Resource Management Stage.
- If any mandatory provisions of the Water Resource and Emergency Management Plan are activated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

Termination of Water Management Stage

The City Manager or official designee may order the termination of a Water Resource Management Stage when the conditions for termination are met or at their discretion.

The following actions will be taken when a water resource management stage is terminated:

- The public will be notified through local media and the supplier's web site as described in Section 4.2.
- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax.
- If any mandatory provisions of the Water Resource and Emergency Management Plan that have been activated are terminated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

The City Manager or official designee may decide not to order the termination of a Water Resource Management stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the Water Resource Management Stage. The reason for this decision should be documented.

Water Resource and Emergency Management Plan Stages and Measures

4.3.1 Stage 1

Initiation and Termination Conditions for Stage 1

The NTMWD has initiated Stage 1, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.
- Water demand is projected to approach the limit of the permitted supply.
- The storage level in Lavon Lake as published by the Texas Water Development Board (TWDB),[3] is less than 70 percent of the total conservation pool capacity during any months or April through October or less than 60 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 1 drought.
- NTMWD has concern that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD source may be limited in availability in the next six (6) months.
- NTMWD water demand exceeds 95 percent of the amount that can be delivered to customers for three (3) consecutive days.
- Water demand for all or part of NTMWD's delivery system approaches delivery capacity because delivery capacity is inadequate.
- Supply source is interrupted or unavailable due contamination, invasive species, equipment failure or other causes.
- NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only the portion of the NTMWD system impacted.

Supplier has initiated Stage 1 due to one or more of the following reasons:

- Supplier's water demand exceeds 95 percent of the amount that can be delivered to customers for three consecutive days.
- Supplier's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 1, which may be terminated due to one or more of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 1.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 75 percent of the total conservation pool capacity during any of the months of April through October or greater than 65 percent of the total conservation pool capacity during any of the months of November through March.
- Other circumstances that caused NTMWD initiation of Stage 1 no longer prevail.

Supplier has terminated Stage 1, which may be terminated due to the cause of the Supplier's initiation of Stage 1 no longer prevail.

Goal for Use Reduction and Actions Available under Stage 1

Stage 1 is intended to raise public awareness of potential drought or water emergency problems. The goal for water use reduction under Stage 1 is a two percent (2%) reduction in the amount of water produced by NTMWD from the previous corresponding annual payment period prior to institution of drought restrictions. **If circumstances warrant, of if required by NTMWD, the City Manager or official designee can set a goal for greater or lesser water use reduction under Stage 1.** The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary, to achieve a two percent (2%) reduction. Measures described as "requires notification to TCEQ" are those that impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if such mandatory measures are implemented.

- Continue actions established by Water Conservation Plan.
- Notify wholesale customers of actions being taken and request implementation of similar procedures.
- Initiate engineering studies to evaluate alternative water sources and/or alternative delivery mechanisms should conditions worsen.
- Increase public education efforts on ways to reduce water use.
- Halt non-essential city government water use:

  (Examples: street cleaning, vehicle washing, operation of ornamental fountains, etc.)
- Encourage the public to wait until the current drought or emergency situation has passed before establishing New Landscape.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires Notification to TCEQ -** Increase enforcement of the following landscape watering restrictions established by the Water Conservation Plan: (1) limit landscape watering with sprinklers or irrigation systems at each service address to no more than two (2) days per week, on designated days, between April

1 and October 31; and (2) limit landscape watering with sprinklers or irrigation systems at each service address to once every week, on designated days, between November 1 and March 31. Exceptions are as follows:

- An exception is allowed for New Landscape associated with new construction that may be watered as necessary for 30 days from the date of installation of new landscape features.
- An exception for additional watering of landscape may be provided by hand-held hose with shutoff nozzle, and/or use of dedicated irrigation drip zones provided no runoff occurs.
- Foundation (within 2 feet), New Landscape watering, watering of new plantings (first year) of shrubs, and watering of trees (within a ten foot radius of its trunk) may occur by a hand-held hose, a soaker hose, or a dedicated zone using a Drip Irrigation system provided no runoff occurs.
- Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as may be regulated by the City of Dallas.

- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water use over a certain level.
- **Requires Notification to TCEQ -** Public athletic fields used for competition may be watered twice per week.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.

4.3.2 Stage 2

Initiation and Termination Conditions for Stage 2

The NTMWD has initiated Stage 2, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.
- Water demand is projected to approach the limit of NTMWD permitted supply.
- The storage in Lavon Lake, as published by the TWDB,[3] is less than 55 percent of the total conservation pool during any of the months of April through October or less than 45 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 2 drought.
- NTMWD has concern that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD source may be limited in availability in the next three (3) months.

- NTMWD water demand exceeds 98 percent of the amount that can be delivered to customers for three (3) consecutive days.
- NTMWD water demand for all or part of the delivery system equals delivery capacity because delivery capacity is inadequate.
- NTMWD's supply source is interrupted or unavailable due contamination, invasive species, equipment failure, or other causes.
- NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only that portion of the system impacted.

Supplier has initiated Stage 2 due to one or more of the following reasons:

- Supplier's water demand exceeds 98 percent of the amount that can be delivered to customers for three (3) consecutive days.
- Supplier's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 2, which may terminate due to one of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 2.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 70 percent of the total conservation pool capacity during any of the months of April through October or greater than 60 percent of the total conservation pool capacity during any of the months of November through March.
- Other circumstances that caused NTMWD initiation of Stage 2 no longer prevail.

Supplier has terminated Stage 2, which may be terminated due to the cause of the Supplier's initiation of Stage 2 no longer prevail.

Goal for Use Reduction and Actions Available under Stage 2

The goal for water use reduction under Stage 2 is a reduction of ten percent (10%) in the amount of water obtained from NTMWD from the previous corresponding annual payment period prior to institution of drought restrictions. **If circumstances warrant, of if required by NTMWD, the City Manager or official designee can set a goal for greater or lesser water use reduction.** The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary, to achieve a two-percent reduction. Measures described as "requires notification to TCEQ" are those that impose mandatory

requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if such mandatory measures are implemented.

- Continue or initiate any actions available under Water Conservation Plan and Stage 1.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.
- Implement viable alternative water supply strategies.
- Further accelerate public education efforts on ways to reduce water use.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires Notification to TCEQ -** Limit landscape watering with sprinklers or irrigation systems at each service address to once per week, on designated days between April 1 and October 31. and (2) limit landscape watering with sprinklers or irrigation systems at each service address to once every week, on designated days, between November 1 and March 31. Exceptions are as follows:
    - An exception is allowed for New Landscape associated with new construction that may be watered as necessary for 30 days from the date of installation of new landscape features.
    - An exception for additional watering of landscape may be provided by hand-held hose with shutoff nozzle, and/or use of dedicated irrigation drip zones provided no runoff occurs.
    - Foundation (within 2 feet), New Landscape Watering, watering of new plantings (first year) of shrubs, and watering of trees (within a ten foot radius of its trunk) may occur by a hand-held hose, a soaker hose, or a dedicated zone using a Drip Irrigation system provided no runoff occurs.
    - Athletic Fields may be watered twice per week.
    - An exemption is allowed for Drip Irrigation system from the designated outdoor water use day limited to no more than one day per week. Drip Irrigation systems are however subject to all other restrictions applicable under this stage.
    - Hand water with shutoff nozzle, drip lines, and Soaker Hoses are allowed before 10 am and after 6 pm, provided no runoff occurs.
    - Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as may be regulated by the City of Dallas.
- **Requires Notification to TCEQ -** Prohibit hydro seeding, hydro mulching, and sprigging.
- **Requires Notification to TCEQ -** Initiate a rate surcharge as requested by NTMWD.

- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water used over a certain level.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.
- **Requires Notification to TCEQ -** If NTMWD has imposed a reduction in water availability, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures:

    - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.

    - A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.

    - The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.

    - Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.

    - At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.

    - City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.

4.3.2 Stage 3

Initiation and Termination Conditions for Stage 3

The NTMWD has initiated Stage 3, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3
- Water demand is projected to approach or exceed the limit of the permitted supply.
- The storage in Lavon Lake, as published by the TWDB, [3] is less than 30 percent of the total conservation pool during any of the months of April through October or less than 20 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in Stage 3.
- The water supplied from Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD water source has become limited in availability.
- NTMWD water demand exceeds the amount that can be delivered to Customers.
- NTMWD water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- NTMWD's supply source is interrupted or unavailable due contamination, invasive species, equipment failure, or other causes.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only that portion of the system impacted.

Supplier has initiated Stage 3 due to one or more of the following reasons:

- Supplier's water demand exceeds the amount that can be delivered to customers.
- Supplier's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 3, which may terminate due to one or more of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 3.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 55 percent of the total conservation pool capacity during any of the months of April

through October or greater than 45 percent of the total conservation pool capacity during any of the months of November through March.

- Other circumstances that caused NTMWD initiation of Stage 2 no longer prevail.

Supplier has terminated Stage 3, which may be terminated due to the cause of the Supplier's initiation of Stage 3 no longer prevail.

Goals for Use Reduction and Actions Available under Stage 3

The goal for water use reduction under Stage 3 is a reduction of whatever amount is designated by NTMWD in the amount of water obtained from NTMWD from the corresponding previous annual payment period prior to institution of drought restrictions. If circumstances warrant or if required by NTMWD, the City Manager or official designee can set a goal for greater water use reduction.

The City Manager or official designee must implement any action(s) required by NTMWD. In addition, the City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if these measures are implemented:

- Continue or initiate any actions available under Stages 1 and 2.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.
- Implement viable alternative water supply strategies.
- **Requires Notification to TCEQ** – Initiate mandatory water use restrictions as follows:
    - Prohibit hosing and washing of paved areas, buildings, windows or other surfaces is prohibited except by variance and performed by a professional service using high efficiency equipment.
    - Prohibit operation of all ornamental fountains or other amenity impoundments to the extent they use treated water.
- **Requires Notification to TCEQ -** Prohibit hydro seeding, hydro mulching, and sprigging.
- **Requires Notification to TCEQ -** Prohibit the use of potable water for the irrigation of new landscape.
- **Requires Notification to TCEQ -** Prohibit commercial and residential landscape watering, except that foundations and trees may be watered for 2 hours on any day with a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system provided no runoff occurs. ET/Smart controllers and drip irrigation systems are not exempt from this requirement.

- **Requires Notification to TCEQ -** Prohibit washing of vehicles except at Commercial Vehicle Wash Facilities, except as necessary for health, sanitation, or safety reasons.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.
- **Requires Notification to TCEQ -** Prohibit the permitting of private pools. Pools already permitted may be completed and filled with water. Existing private and public pools may add water to maintain pool levels but may not be drained and refilled.
- **Requires Notification to TCEQ -** Require all commercial water users to reduce water use by a percentage established by the City Manager or official designee.
- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water use over normal rates for all water use.
- **Requires Notification to TCEQ -** If NTMWD has imposed a reduction in water availability, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures

  In the event that the triggering criteria specified in the Plan for Stage [WA1]3 and Severe Water Shortage Conditions have been met, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures:

  - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.
  - A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.
  - The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource

Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.

- Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.
- At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.
- City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.

4.4 Procedures for Granting Variances to the Plan

The City Manager or official designee may grant temporary variances for existing water uses otherwise prohibited under this Water Resource and Emergency Management Plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity requesting the variance
- Compliance with this plan cannot be accomplished due to technical or other limitations
- Alternative methods that achieve the same level of reduction in water use can be implemented

Variances shall be granted or denied at the discretion of the City Manager or official designee. All petitions for variances should be in writing and should include the following information:

- Name and address of the petitioners
- Purpose of water use
- Specific provisions from which relief is requested
- Detailed statement of the adverse effect of the provision from which relief is requested
- Description of the relief requested
- Period of time for which the variance is sought
- Alternative measures that will be taken to reduce water use
- Other pertinent information

4.5 Procedures for Enforcing Mandatory Water Use Restrictions

Mandatory water use restrictions may be imposed in Stage 1, Stage 2 and Stage 3 through adoption of this Water Resource and Emergency Management Plan by Ordinance of the City of Rockwall.

4.6 Coordination with the Regional Water Planning Group and NTMWD

A copy of this Water Resource and Emergency Management plan will be sent to the Chair of the Region C Water Planning Group and the Chairs of North East Texas Water Planning Group.

4.7 Review and Update of Drought Contingency and Water Emergency Response Plan

As required by TCEQ rules, Member Cities and Customer Cites must review the drought contingency and water emergency response plan every five years. The plan will be updated as appropriate based on new or updated information.

APPENDIX A

LIST OF REFERENCES

243

Appendix A
List of References

(1) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.20, downloaded from http://www.tnrcc.state.tx.us/oprd/rules/pdflib/288a.pdf, July 2018.

(2) Freese and Nichols, Inc.: 2019 Model Water Resource Management Plan for NTMWD Member Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, February 2019.

(3) Texas Water Development Board, Water Data for Texas, Lavon Lake, https://waterdatafortexas.org/reserviors/individual/lavon.

APPENDIX B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES ON DROUGHT CONTINGENCY PLANS

245

APPENDIX B
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER B	DROUGHT CONTINGENCY PLANS
RULE §288.20	**Drought Contingency Plans for Municipal Uses by Public Water Suppliers**

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

(i) reduction in available water supply up to a repeat of the drought of record;

(ii) water production or distribution system limitations;

(iii) supply source contamination; or

(iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include the specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(i) curtailment of non-essential water uses; and

(ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.

(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

Source Note: The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384.

APPENDIX C

Letter to Region C and Region D Water Planning Groups

248

City of Rockwall

The New Horizon

Date:

Kevin Ward
Chair, Region C Water Planning Group
P.O. Box 12071
Longview, TX 75607

Dear Kevin Ward:

Enclosed please find a copy of the recently updated Water Resource and Emergency Management Plan for the City of Rockwall. I am submitting a copy of this model plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The Rockwall City Council adopted the updated Water Conservation Plan on _____ ___, 2019.

Sincerely,

Rick Crowley
City of Rockwall

City of Rockwall

The New Horizon

Date:

Richard LeTourneau
Chair, Region D Water Planning Group
P.O. Box 12071
Longview, TX 75607

Dear Richard Le Tourneau:

Enclosed please find a copy of the recently updated Water Resource and Emergency Management Plan for the City of Rockwall. I am submitting a copy of this model plan to the Region D Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The Rockwall City Council adopted the updated Water Conservation Plan on _____ ___, 2019.

Sincerely,

Rick Crowley
City of Rockwall

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251

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

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

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **March 27, 2019**

SUBJECT: **HARBOR URBAN BEACH PARK**

Since February 4th Council meeting discussion regarding the Harbor Beach Park, staff would like to provide the following new information and additional detail at Council's request:

- Staff met with Texas Parks and Wildlife Department grant staff to review the Harbor Park's potential for grant funding. The project feedback was positive and may be worth considering an application for the December 1st deadline. The cost for MHS Planning and Design to write our grant application has typically been approximately $13,000 in the past.

- An easement request was sent to Dallas Water Utilities to facilitate the restroom utilities. The request was forwarded to the Dallas Engineering Department. They require complete engineering documents for the park utilities before they can submit it to Dallas City Council. This process takes 6 to 9 months.

- Staff had a conference call with TXDOT to discuss access permits to the adjacent I-30 frontage road improvements. Early indications are positive, but will need additional design details to solidify.

- Staff has had discussions with adjacent property owner to the south regarding granting an emergency/maintenance vehicle and pedestrian access easement. No decision has been reached at this time.

Staff is seeking Council direction regarding the overall concept plan and phasing preference. This guidance would be necessary to complete the above mentioned tasks and can be completed concurrently with park final designs. Final construction documents would be presented to Park Board and Council consideration prior to bidding process.

In your packet is a copy of the previous PowerPoint for reference. In the February 4th meeting, Councilman Hohenshelt asked how many neighborhood parks are partially complete. I have included a copy of a spreadsheet that we use to track neighborhood park projects and planning that should help answer that question. That document will be updated once the new future land use assumptions are adopted, as it impacts the number of dwelling units in each district.

Based on questions heard from the Mayor and Councilwoman Macalik regarding photos of the proposed amenities, those slides have been added for your review. Those photos begin on slide 14 and are of the play structure, umbrella shade, volleyball nets, fitness obstacle course and lawn games. Staff will be available to answer any questions.

Harbor Urban Beach Park

CONCEPT PLAN PROCESS

254

Long Range Planning

Consistent with goals, policy statements and strategies of adopted planning documents:

Hometown 2040 Comprehensive Plan

2010 – 2020 Parks, Recreation and Open Space Master Plan

- ✓ Explore opportunities for public access to waterfront for the purpose of parks, green spaces and/or trails.

255

Who are we planning for?

50% Neighborhood

Dwelling Units

- 1161 new dwelling units in PD-32
- Potentially over 2,300 new residents within walking distance (assuming 2 people per unit.)
- Young Professionals
- Empty Nesters

50% Public at-large

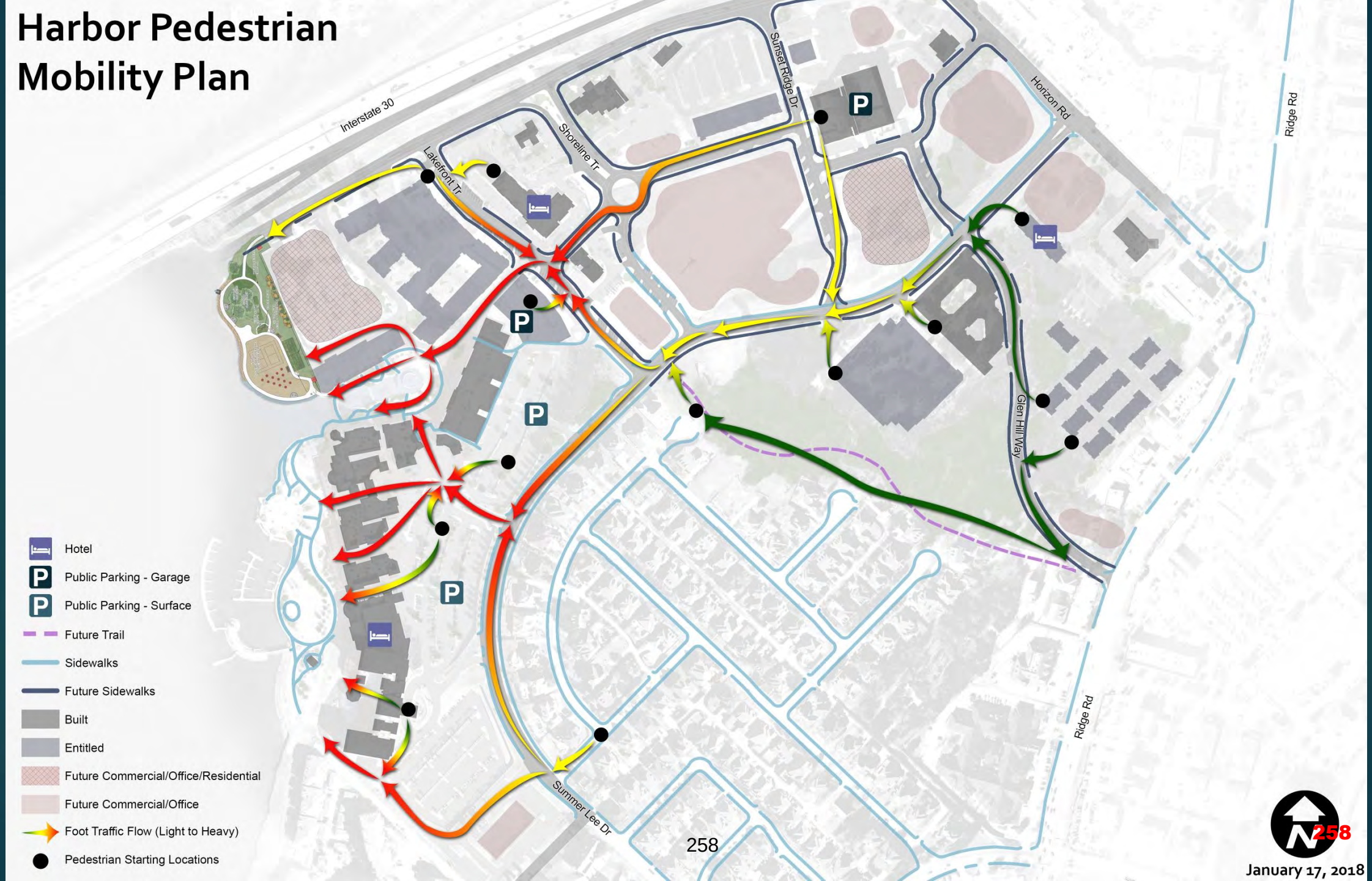
- Visitors from local hotels
- Visitors from local families
- Rockwall residents across town

256


Culpeppers (Restaurant)
(Office)
(Restaurant)
Trend Tower (7 Story Commercial Bldg / Parking Garage)
The Oar House (Restaurant)
Care Now (Medical / Office)
Springhill Marriot Hotel 105 units
(Retail)
Pk. Garage
Tower
Marina Village Condos 375 units
HORIZON RD
E. INTERSTATE 30
HARBOR HEIGHTS DR
SUNSET RIDGE DR
PINNACLE WAY
(Retail)
Parking
A
LAKEFRONT TR
SHORELINE TR
Tru Hilton Hotel 98 units
C
Parking
E
McClintock Bldg (Office)
B
D
Cinemark
SUMMER LEE DR
GLEN HILL WAY
Marina Village Condos (2) (Residential / Retail Flex)
Harbor Urban Ctr Townhomes 42 units
Original Harbor Area (Restaurant / Retail)
Harbor Hill Condos 265 units
Harbor Urban Ctr Condos 228 units
RIDGE RD
Hilton-Rockwall Hotel 190 units
PORTOFINO CIR
N
W
E
S
0 100 200 Feet
Date: 1/4/2019
District Residential Unit Counts
A. 375 Marina Village Condos
B. 265 Harbor Hill Condos
C. 228 Harbor Urban Center
D. 42 Townhomes
E. 75 Marina Village Condos (2)
* 176 Unclaimed
1161 Total Allowed Units
Legend
Status
Built
Entitled
Future Commercial / Office

257

Harbor Pedestrian Mobility Plan



January 17, 2018

Guiding Principles of Rockwall Park Design Philosophy

- Prefer elements that are unique to each neighborhood
- Targeted to the character of the area and residents within it
- Create different senses of place
- Provide the most good for the most people
- Add value to the surrounding properties
- A park within a ½ mile or 10 minute walk
- National and local trends and opportunities

259

A Waterfront Experience is Highly Desirable

- Social spaces
- *Relaxation spaces*
- Activity spaces
- **Boat Watching**
- *Fitness area*

260

Consider Programming Opportunities

- **Volleyball leagues and tournaments.** Sand volleyball not currently in our inventory.
- **Family Fun Friday neighborhood events**: food trucks, music, games, movies, family activities, etc.
- **Bocce ball**: social, family oriented, requested by special needs community.
- **Recreational/Fitness activities**: yoga, boot camps, obstacle course
- **Kayak launch**: instructional classes, tours, and potential rental concession

261

Consider Site Challenges

- Jurisdiction coordination and constraints
  - Dallas Water Utilities
  - TXDOT
- Adjacent properties
  - Existing buildings
  - Future development
- Assuring emergency and maintenance vehicle access
- Restroom site
  - Utility access
  - Easements needed
  - Preserve views

262

Approvals and Coordination

- TXDOT permit for utility and access easement within I-30 frontage ROW. Time frame approx. – 60 days
- Utility easement from Dallas Water Utilities for sewer and water line placement. Time frame approx. 6 to 9 months.
- Meet with Texas Parks and Wildlife Dept. grant department to assess potential eligibility for grant funding.

263

Consider Input

- Security Fence
- Security Lighting
- Maintenance operations and cleanliness
  - Recommend adopting Class A1 category – same as Harbor, Tuttle and downtown. Provides detailed weekly service and daily attention.
- Parking
- Restrooms

264

Final Amenity Selection Incorporates:

DEMOGRAPHICS

+ DESIGN PHILOSOPHY

+ WATERFRONT EXPERIENCES

+ PROGRAMMING OPPORTUNITIES

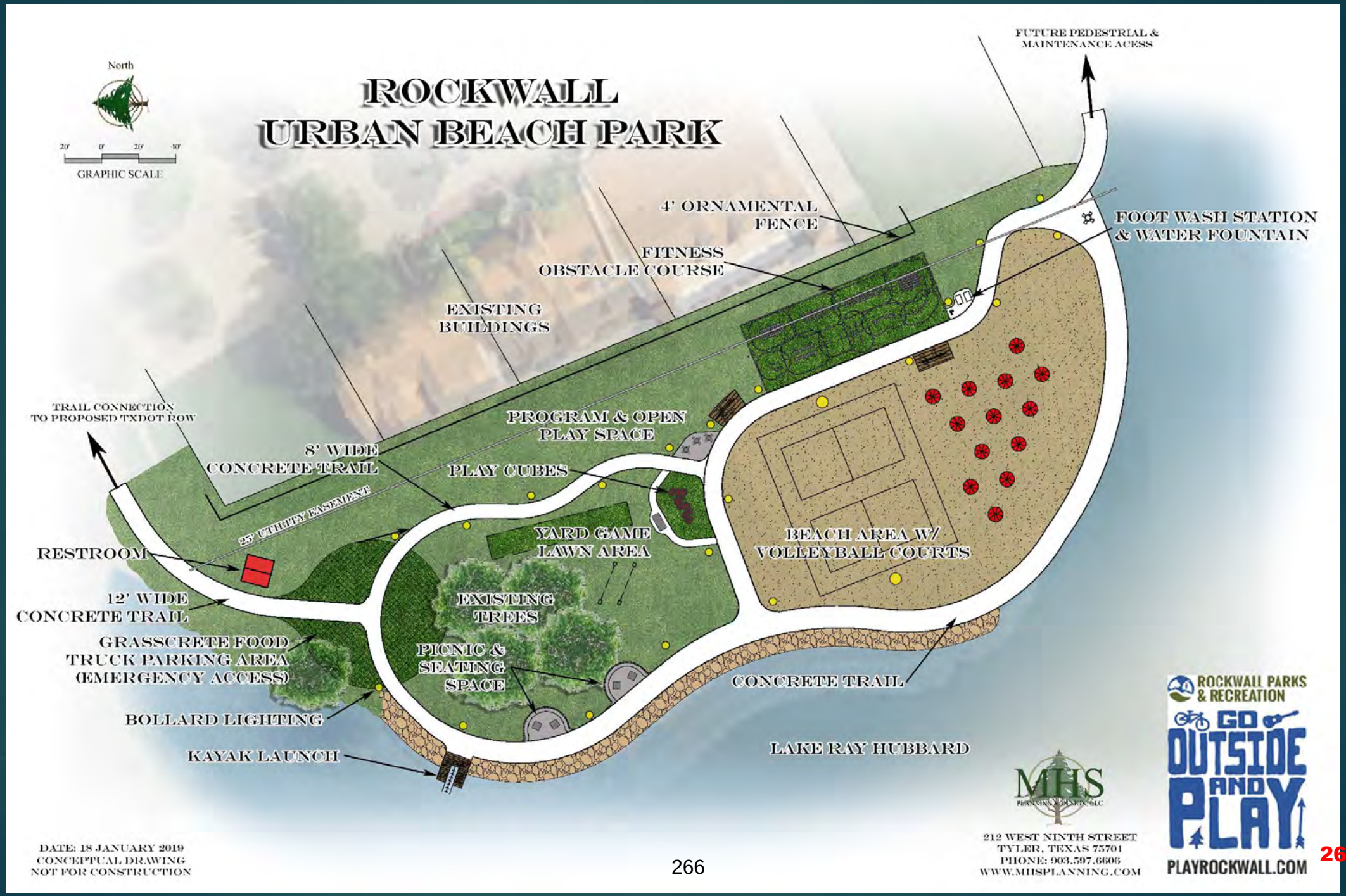
+ SITE CHALLENGES

+ INPUT

+ FUNDING =

Park Features & Amenities

265


ROCKWALL
URBAN BEACH PARK
North
20' 0' 20' 40'
GRAPHIC SCALE
FUTURE PEDESTRIAL & MAINTENANCE ACESS
4' ORNAMENTAL FENCE
FOOT WASH STATION & WATER FOUNTAIN
FITNESS OBSTACLE COURSE
EXISTING BUILDINGS
TRAIL CONNECTION TO PROPOSED TXDOT ROW
PROGRAM & OPEN PLAY SPACE
8' WIDE CONCRETE TRAIL
PLAY CUBES
25' UTILITY EASEMENT
YARD GAME LAWN AREA
BEACH AREA W/ VOLLEYBALL COURTS
RESTROOM
12' WIDE CONCRETE TRAIL
EXISTING TREES
GRASSCRETE FOOD TRUCK PARKING AREA (EMERGENCY ACCESS)
PICNIC & SEATING SPACE
CONCRETE TRAIL
BOLLARD LIGHTING
KAYAK LAUNCH
LAKE RAY HUBBARD
DATE: 18 JANUARY 2019
CONCEPTUAL DRAWING
NOT FOR CONSTRUCTION
MHS
212 WEST NINTH STREET
TYLER, TEXAS 75701
PHONE: 903.597.6606
WWW.MHSPLANNING.COM
ROCKWALL PARKS & RECREATION
GO OUTSIDE AND PLAY
PLAYROCKWALL.COM

266

Stone Outdoor Game Tables







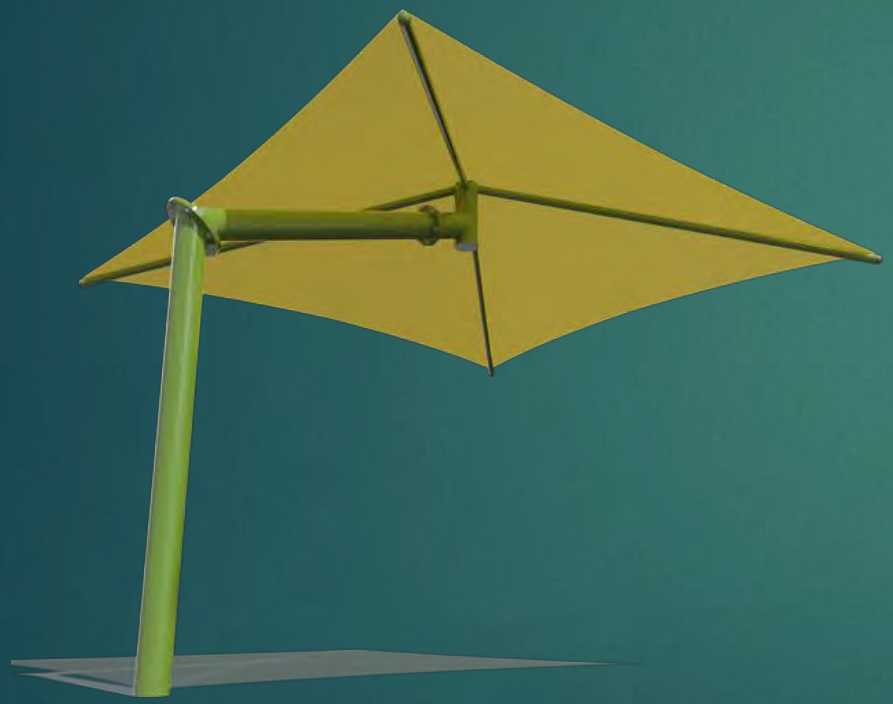
267

Fitness Obstacle Course



268

Shade Umbrellas for Beach Area





269

Volleyball Court and Nets



270

Play Structure





271

Bocce Ball Court



272

Seating Nodes (example)



273

Parkland Dedication Ordinance

The Neighborhood Park District Bucket

50% Funded by developer fees per dwelling units

- Land Dedication and/or…
- Developer Fees
  - Pro-rata equipment fees
  - *Cash-in-lieu of land dedication*

The Public at-large Bucket

50% Funded by other sources

- Grants
- General Fund
- Recreation Development Fund
- Donations
- In-house labor
- Combination of above

274

$484,000 for Phase 1

Approved in FY 2019 Budget

RECREATION DEVELOPMENT FUND $380,000

PARK DISTRICT 17 FEES IN ESCROW $104,000

- 228 Harbor Urban Condos (Atticus)

275

Recreation Development Reimbursed by Developer Fees

Project	Owner	Units	Cash-in-Lieu	Pro-Rata	Total Fees	Estimated Collection Date
Marina Village (Phase 1)	Pegasus Ablon	375	$ 68,625.00	$ 84,375.00	$153,000.00	June 2019 (Site Plan Submitted)
Marina Village (Phase 2)	Russell Phillips/Randal Noe	75	$ 13,725.00	$ 16,875.00	$ 30,600.00	No Timeline
Harbor Urban Townhomes	Atticus	42	$ 7,686.00	$ 9,450.00	$ 17,136.00	No Timeline (Estimated 2019-2020).
Harbor Heights	Russell Phillips	265	$ 48,495.00	$ 59,625.00	$108,120.00	No Timeline (Estimated 2020).
Unclaimed	N/A	176	$ 32,208.00	$ 39,600.00	$ 71,808.00	No Timeline
		933	$170,739.00	$209,925.00	$380,664.00	

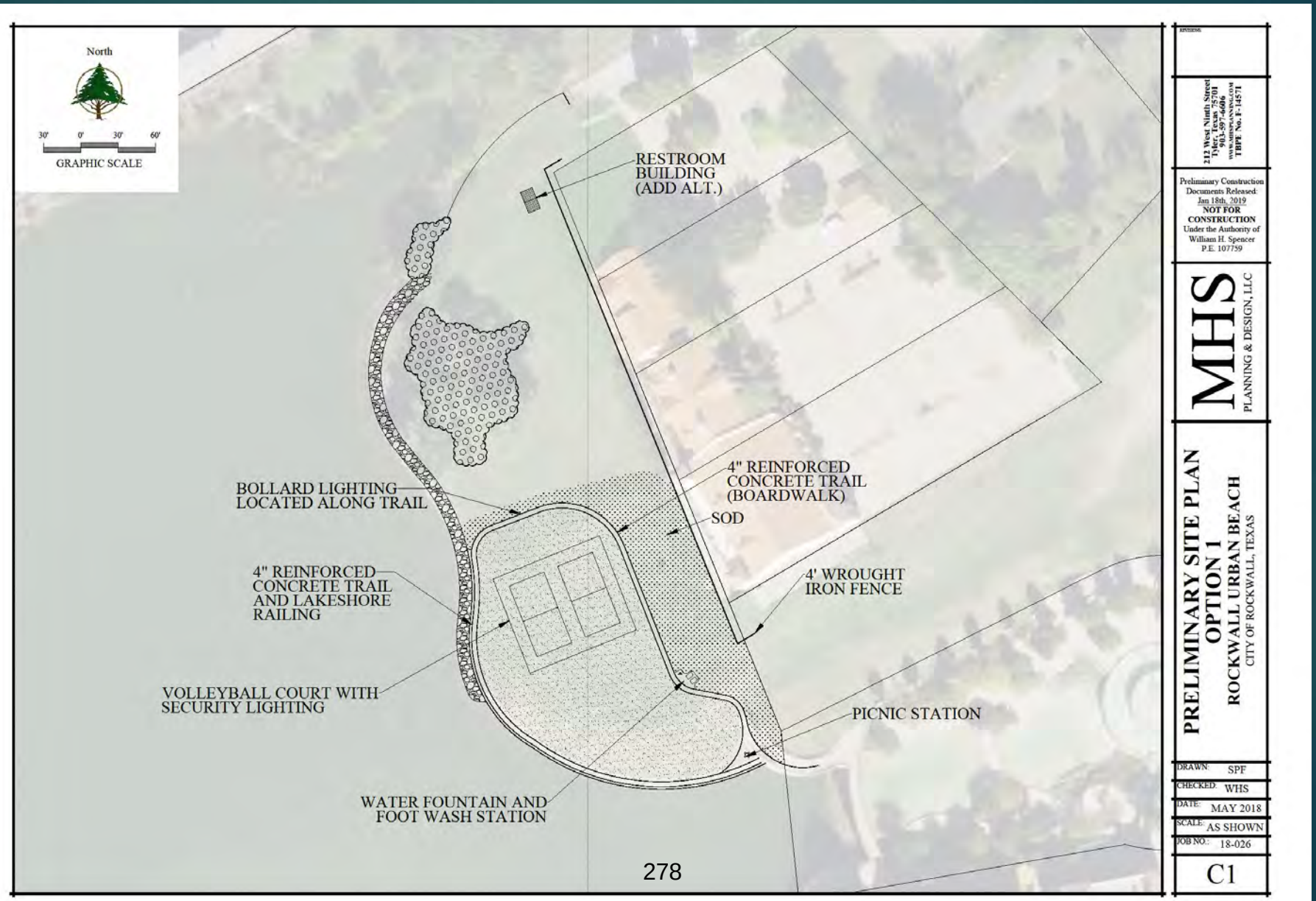
276

Phase One: Option 1

- South trail loop
- Beach area
- Volleyball
- Drinking fountain
- Ornamental fence to separate adjacent properties
- Security lighting
- Two picnic stations
- Add alternate: Restroom, pad and grinder pump: $115,000

277

Opt #1 $482,927 + $115,000 (restroom)



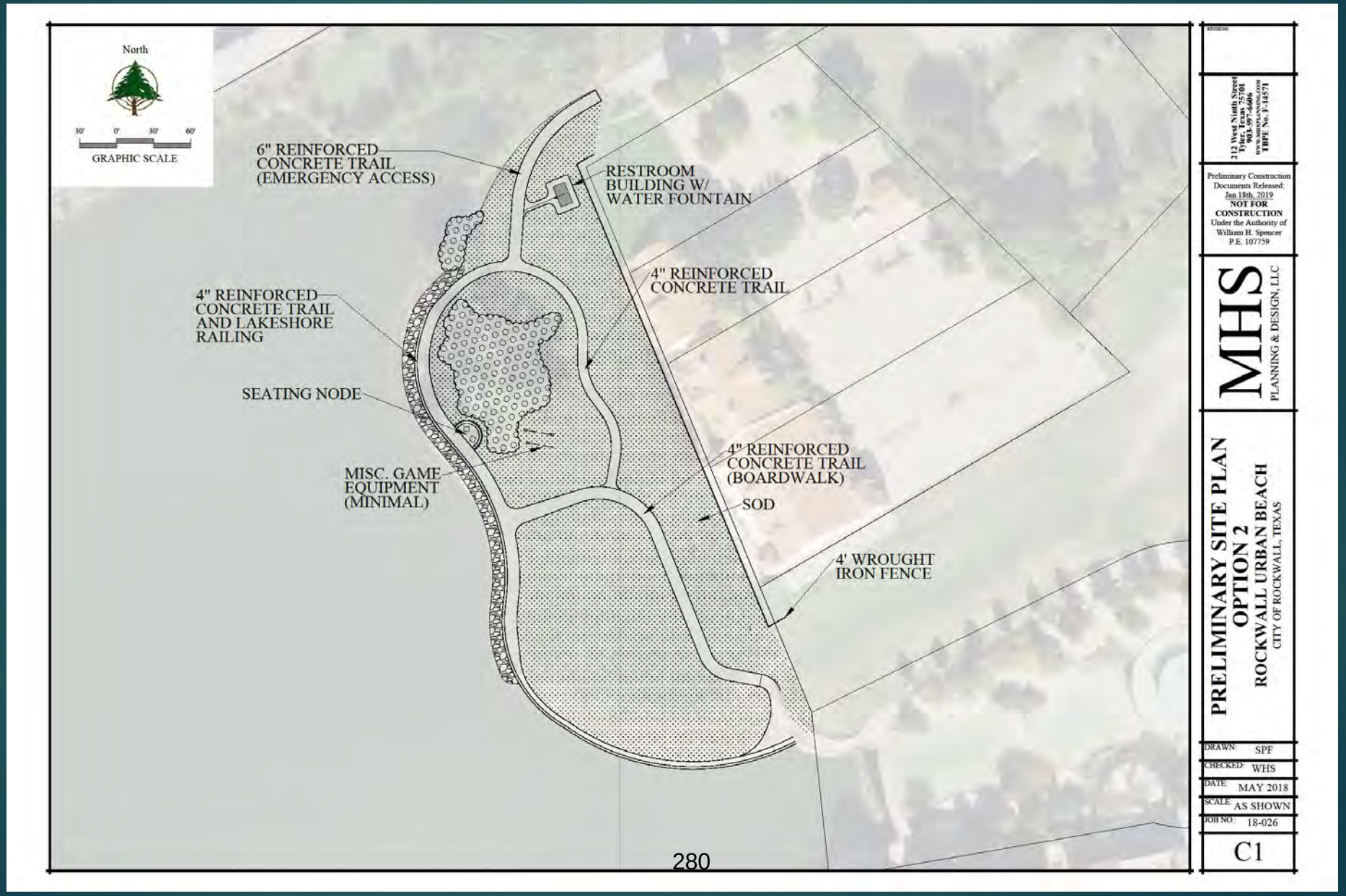
278

Phase One: Option 2

- External loop
- Restroom
- One seating area
- Ornamental fence to separate adjacent properties
- Railing along lake shoreline
- Two park bench stations
- Limited permanent game amenities: bocce ball or game tables

279

Opt #2 $484,010 (includes restroom)



280

Phase One: Option 3

- North loop
- Playground
- Game space: bocce court, game tables, etc.
- Food truck area
- Limited seating and picnic space
- Add alternate: Restroom, pad and utilities: $115,000

281

Opt #3 $484,755 + $115,000 (restroom)



282

Financing Plan Summary
$850,000

Neighborhood Park District Bucket

Funded by District Dwelling Units

- $484,000 in Developer Fees

Public-at-Large Bucket

Funding source of all future phases TBD

- $366,000

283

Consider Action:



284

Neighborhood Parks	Acreage	Park District	Adopted Cost to Develop at Time of Construction	Construction Costs YTD	Approximate Percent Completed	Year Existing Phase Completed	Funding Source	Current Escow Balance (1)	Estimated Future Fees (2)	Estimated Funds Needed for Completion in Today's Dollars (3)
Completed										
Shores	11.9	2	$750,000	$768,984	100%	2007	2005 Bond Funds	$0	$0	$0
Hickory Ridge	13.1	11	$750,000	$679,500	100%	2008	2005 Bond Funds	$0	$0	$0
Emerald Bay	11.9	3	$750,000	$666,200	100%	2008	2005 Bond Funds	$21,056	$35,000	$0
Foxchase	9.8	16	$750,000	$668,720	100%	2007	2005 Bond Funds	$22,364	$1,620	$0
Jewel	3.5	1	$750,000	$65,615		2009	Rec Development	$106,177	$261,972	$0
Windmill Ridge I & II	8.5	15	$750,000	$56,199	100%	2008	Rec Development & Developer	$6,957	$0	$0
Meadow Creek I & II	33	11	$750,000	unknown	100%	unknown	Developer	$0	$0	$0
SUBTOTAL	91.7									$0
Partially Complete			**Cost to complete Based on $100,000/acre**							
Northshore Park	10	4	$1,000,000	$139,703	25%	2010	Rec Development	$53,460	$57,510	$750,000
Chandler	4.2	17	$400,000	$20,000	5%		Rec Development/Pro rata fees	$14,322	$5,670	$360,000
Lofland	1.2	21	$100,000	$40,000	90%	2005 & 2016	Rec Development/Pro rata fees	$52,352	$152,416	$0
Fontanna	5.2	22	$500,000		10%		RISD	$0	$294,806	$205,000
Dalton Ranch	2	6	$200,000		75%		RISD	$108,847	$104,860	$0
The Mansions	5 + 5	25	$500,000	$190,000	50%	2010	Developer	$0	$208,845	$101,000
SUBTOTAL	32.6									**$1,416,000**
Park Designated but Not Started			**Adopted Cost to Develop at Time of Construction**							
Lynden	12	14	$1,050,000		0%			$0	$139,860	$910,000
Breezy Hill	28	7	$1,050,000		Planned to be 50%		$400,000 grant & Pro rata equipment fees	$122,475	$215,284	$312,000
Stone Creek	15	5	$1,050,000		Planned to be 75%		$400,000 grant & Pro rata equipment fees	$221,317	$386,308	$0
SUBTOTAL	55									**$1,222,000**
Districts with no Designated Neighborhood Park										
8			$1,050,000					$0	$87,120	$962,880
10			$1,050,000					$1,757	$72,240	$976,003

285

12*			$1,050,000					$61,524	$303,416	$685,060
13			$1,050,000					$11,974	$363,204	$674,822
14			$1,050,000					$0	$139,860	$910,140
18			$1,050,000					$0	$1,528	$1,048,472
19			$1,050,000					$7,714	$2,982	$1,039,304
23			$1,050,000					$0	$68,968	$981,032
24			$1,050,000					$0	$299,584	$750,416
26			$1,050,000					$0	$169,959	$880,041
30			$1,050,000					$0	$77,760	$972,240
31			$1,050,000					$0	$575,000	$475,000
32			$1,050,000					$0	$0	$1,050,000
33			$1,050,000					$0	$209,440	$840,560
34			$1,050,000					$0	$154,624	$895,376
35			$1,050,000					$0	$193,550	$856,450
SUBTOTAL										**$13,997,796**
TOTAL										$16,635,796

(1) - Developer Contributions - Neighborhood Park District Specific

(2) - Future Developer Contributions - Neighborhood Park District

(3) - Unfunded

2005 Bond Funds Available by Committed Use: $1.3 Million for South Community Park Land

Summary of Recreation Development Fund		
Current Uncommitted Fund Balance	$	103,125
Estimated Annual Revenues (4)		485,000
Recurring Annual Expenditures		334,000

(4) - Revenue Sources: Takeline concessions and leases Recreation Program revenues, Sponsorships

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287

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **March 29, 2019**

SUBJECT: **Update regarding Household Hazardous Waste Collection Agreement**

HHW Solutions, representative, Dick Demien has worked with the City Attorney to further develop contract language for their porch pick up HHW service. The attached contract has been developed with the Council's comments from the prior meeting incorporated.

- A definition of porch pick up has been included to replace the prior for curbside definition
- The definition of e-waste has been added with a limitation of 50 pounds per item
- The termination section has been changed to provide for termination if the service does not meet our standards in section 18.
- The term has been left at five-years with enhanced termination language

One clarification from the prior meeting. We do not call out the HHW fee on the city utility bills – it was previously called out individually but a change was made to the bill print specifications a few years ago and we had to combine the HHW fee in with the garbage rate to allow everything to fit on the face of the bill. As it stands all garbage related fees – Republic's charge for service, the HHW fee, and the optional garbage and/or recycling poly cart fees are added together on the face of the bill. So someone who does not rent carts sees a rate of $16.44 and those who rent one cart sees $20.40 and those who rent two carts see $24.36. We have some residents who choose to rent 3 or more carts and their bills are reflective of those amounts in the garbage rate as well.

Again, the fee charged by HHW Solutions will be .99 cents and the city currently collects .70 cents per household. The city has charged this fee in varying amounts since 2001. The funds collected so far this fiscal year toward funding the household hazardous waste collection will allow the City to continue to charge the .70 cent fee until the next garbage rate increase is considered in December.

The contractor will be available to answer any remaining questions as Council further considers this enhanced service offering.

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **March 29, 2019**

SUBJECT: **Update regarding Household Hazardous Waste Collection Agreement**

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A definition of porch pick up has been included to replace the prior language for curbside pickup
The definition of e-waste has been added
The termination section has been changed to provide for termination if the service does not meet our standards
The term has been left at five-years with the enhanced termination language which allows the City to terminate for service issues.

One clarification from the prior meeting. We do not call out the HHW fee on the city utility bills – it was previously called out individually but a change was made to the bill print specifications a few years ago and we had to combine the HHW fee in with the garbage rate to allow everything to fit on the face of the bill. As it stands all garbage related fees – Republic's charge for service, the HHW fee, and the optional garbage and/or recycling poly cart fees are added together on the face of the bill. So someone who does not rent carts sees a rate of $16.44 and those who rent one cart sees $20.40 and those who rent two carts see $24.36.

Again, the fee charged by HHW Solutions will be .99 cents and the city currently collects .70 cents per household. The city has charged this fee in varying amounts since 2001. The funds collected so far this fiscal year toward funding the household hazardous waste collection will allow the City to continue to charge the .70 cent fee until the next garbage rate increase is considered in December.

NON-EXCLUSIVE AGREEMENT
FOR THE COLLECTION, HAULING, RECYCLING AND DISPOSAL OF
HOUSEHOLD HAZARDOUS WASTE
IN THE CITY OF ROCKWALL, TEXAS

STATE OF TEXAS
COUNTY OF ROCKWALL

THIS **NON-EXCLUSIVE AGREEMENT** (this "Agreement") is made and entered into as of _____, 2019, by and between Doliver Enterprises, LLC., a Texas Corporation, dba HHW Solutions (the "Service Provider"), and the City of Rockwall, Texas (the "City").

WHEREAS, the City, subject to the terms and conditions set forth herein and the ordinances and regulations of the City, desires to grant to the Service Provider the license and privilege to collect, haul and recycle or dispose of Household Hazardous Waste (as such terms are defined herein) within the City's corporate limits; and

WHEREAS, the City Council of the City of Rockwall has determined that this Contract is necessary to preserve and protect the public health of the citizens of the City.

NOW, THEREFORE, in consideration of the premises and the mutual promises, covenants and agreements set forth herein, the Service Provider and the City hereby agree as follows:

SECTION 1. DEFINED TERMS.

The following terms, as used herein, will be defined as follows:

Aggregate - The act of bringing together household hazardous waste that, after being separated from other household waste, is collected from two or more households and accumulated at a collection event, permanent collection center, point of generation pick-up service, mobile collection unit, or transporter's facility for the purpose of reusing, recycling, or disposing the material.

Business Day - Any day that is not a Saturday, a Sunday, or other day on which banks are required or authorized by law to be closed in the City.

Collector - Any person who accepts from two or more households any waste materials that have been separated from other household waste and offered to the collector because the generator either knows or considers the materials to be household hazardous waste.

E-Waste - Computer hardware, TV's, printers, copiers, scanners, faxes, servers, cell phones, corded phones, stereos, DVD players, small household appliances, ink and toner cartridges, and batteries.

Hazardous Waste - Waste identified or listed as a hazardous waste by the administrator of the United States Environmental Protection Agency (EPA) under the federal Solid Waste Disposal Act *as* amended by the Resource Conservation and Recovery Act of 1976, as amended, or so classified by any federal or State of Texas statute, rule, order or regulation.

Holidays - The following days:

(1) New Year's Day (January 1st)
(2) Memorial Day
(3) Independence Day (July 4th)
(4) Labor Day
(5) Thanksgiving Day
(6) Christmas Day (December 25th).

Household Hazardous Waste - Any solid waste generated in a household by a consumer which, except for the exclusion provided in 40 Code of Federal Regulations (CFR) §261.4 (b) (1), would be classified as a hazardous waste under 40 CFR Part 261. The term has the same meaning as "hazardous household waste.

Household Hazardous waste processing, storage or disposal facility - A hazardous waste processing, storage, or disposal facility that has received a United States Environmental Protection Agency (EPA) permit (or a facility with interim status) in accordance with the requirements of 40 Code of Federal Regulations (CFR) Parts 270 and 124, or that has received a permit from a state authorized in accordance with 40 CFR Part 271.

Landfill - Any facility or area of land receiving Municipal Solid Waste or Construction and Demolition Waste and operating under the regulation and authority of the Texas Commission on Environmental Quality (TCEQ) within the State of Texas, or the appropriate governing agency for landfills located outside the State of Texas.

Mobile collection unit - A vehicle (such as a truck or trailer) that is used to aggregate household waste materials delivered by the public prior to transporting the material to a permanent collection center, collection event, or registered hazardous waste transporter facility.

Operator - A person responsible for the collection, aggregation and storage of household hazardous waste and household materials at a collection event or permanent collection center, in a point of generation pick-up service or mobile collection unit, or in any combination of collection programs.

Personnel - All individuals who perform tasks at or oversee the operations of a collection event, permanent collection center, mobile collection unit, or point of generation pick-up service.

Point of generation pick-up service - A service to collect household hazardous waste at generating households through direct contact with the generators or by collection of household hazardous waste left either at curbside or in another location at the household.

Residential Unit - Any residential dwelling that is either a Single-Family Residential Units or a Multi-Family Residential Units such as a duplex. Excluding Multi-family dwellings such as apartments, townhouses, or hi rise units.

Single-Family Residential Unit - A dwelling within the corporate limits of the City occupied by a person or group of persons comprising not more than one family. A residential unit shall be deemed occupied when domestic water or electric services are being supplied thereto, with the exception that an unoccupied home placed on the market for sale shall not be deemed occupied.
.

SECTION 2. OPERATIONS.

A. Scope of Operations. It is expressly understood and agreed that the Service Provider will collect, haul and recycle or dispose of all Household Hazardous Waste (i) generated and accumulated by Residential Units, and (ii) placed for collections by those Residential Units receiving the services of the Service Provider all within the City's corporate limits, including any territories annexed by the City during the term of this Agreement (the Services).

B. Nature of Operations. The City hereby grants to the Service Provider, in accordance with the City's ordinances and regulations governing the collection, hauling and recycling or disposal of Household Hazardous Waste, the title to all Household Hazardous Waste collected, hauled and recycled or disposed of by the Service Provider over, upon, along and across the City's present and future streets, alleys, bridges and public properties. All title to and liability for materials excluded from this Agreement shall remain with the generator of such materials.

C. Safety. Service Provider agrees that all prudent and reasonable safety precautions associated with the performance of work set forth or defined in this Agreement are a part of the Household Hazardous Waste collection and disposal techniques for which the Service Provider is solely responsible. In its execution of the obligations under this Agreement, the Service Provider shall use all proper skills and care, as are typical in the industry, and the Service Provider shall exercise all due and proper precautions to prevent injury to any property or person.

SECTION 3. SINGLE·FAMILY RESIDENTIAL UNIT COLLECTIONS.

A. Single-Family Residential Units. The Service Provider will collect Household Hazardous Waste from Single-Family Residential Units once per week; Items will be collected from the front porch of the home or an area immediately adjacent to the home. i.e. breezeway, at the garage door, driveway. If items are placed at the curb for pickup, Service Provider will collect allowable items and attempt to notify the resident of the preferred collection point.

B. Materials accepted include the following:
- Aerosol products
- Ammunition, explosives or fireworks
- Antifreeze
- Auto fluids
- Ballasts (non-PCB & PCB)
- Batteries - auto, sump, power tool & household sizes
- Blacktop sealer - oil based
- Cleaning products
- Cooking Oil
- Fire Extinguishers

• Fluorescent bulbs (tubes and CFLs)
• Gasoline & oil/gas mixtures
• HID (headlight bulbs)
• Hobby & photo chemicals
• Lawn chemicals
• Mercury containing Devices (thermostats, etc.)
• Motor oil
• Oxygen tanks
• Paint (Oil-based paints, stains, varnishes; and Latex Paint)
• Pharmaceuticals/medications
• Pool chemicals 160 3
• Propane tanks • Resins, Glues, Adhesives
• Smoke Detectors
• Solvents
• E-Waste

Items not accepted include the following:
• Acetylene cylinders
• Biological or medical waste
• Business generated waste
• Foam cylinders (Part A/Part B)
• MAPP gases
• Radioactive Material
• Syringes/needles
• Farm machinery oil

Item limits per collection per month:
• Fluorescent light bulbs: Minimum 1, Maximum 8
• Used motor oils or antifreeze: Minimum 1 gallon, Maximum 2 gallons
• Paints and supplies; Pool & Household Chemicals: Minimum 1 gallons, Maximum 4 gallons
• Household Cleaners; Pesticides & Fertilizers: Minimum 1 items, Maximum 8 items
• Household Batteries: Minimum 1; Maximum 20
• E-Waste: Minimum 1; Maximum 3, no more than 50 pounds per item

Year Round Scrap Tire Container
• Container to be placed at City facility
• Tires only, wheels and rims must be removed
• Annual maximum of 1000 tires

Two Paper Shredding Events per Year
• Each event consists of two shred trucks
• Events last four hours or until trucks are full
• Event to occur at a City facility

SECTION 4. RATES AND FEES.

Subject to adjustment, as provided in Section *5* hereof, the rates and fees to be charged and received by the Service Provider are as follows:

A. Single-Family Residential Unit Services. For the Services provided to Single-Family Residential Units under Section 4.A. hereof, the Service Provider shall charge:

1. $0.99 per month for each Single-Family Residential Unit.

These rates apply to all Single Family Residential Units that are located within the City's corporate limits and billed by the City for water and sewer services.

SECTION 5. RATE ADJUSTMENT.

A. CPI-U Adjustment. Rate adjustment shall be considered by the City to be effective January 1st of the contract year following the first full year of the initial contract. On January 1st of this Agreement, the Service Provider shall have the right, and upon giving 60 days prior written notice to the City, to increase or decrease the rates set forth in Section 4 hereof (the "Initial Rates") in accordance with the CPI-U. As used herein, "CPI-U" shall mean the revised Consumer Price Index rate for all urban consumers (all items included) for the nearest available metropolitan area, based on the latest available figures from the Department of Labor's Bureau of Labor Statistics (the "Bureau"). The CPI-U used will be the CPI-U published by the Bureau during the month ninety (90) days preceding the adjustment under this Section 5A. The amount of the increase or decrease under this Section 5A shall be equal to the percentage that the CPI-U has increased or decreased over the previous twelve (12) month period.

SECTION 6. EXCLUSIONS.

Notwithstanding anything to the contrary contained herein, this Agreement shall not cover the collection, hauling, recycling or disposal of any Non-Hazardous Solid Waste, animal or human, dead animals, auto parts or used tires from any Residential Unit.

SECTION 7. TERM OF AGREEMENT.

The term of this Agreement will be for **five (5) years** from the date services commence subject to performance by the Service Provider per termination language in Section 18. The commencement date of this contract shall be **June 1, 2019.** Service Provider agrees and understands that City is a governmental entity and it has projected costs for this Agreement and City expects to pay all obligations of this Agreement, but all obligations of the City are subject to annual appropriation by the Rockwall City Council in future years. At the expiration of the term of this Agreement, the Agreement may be renewed with mutually agreed upon terms of both parties.

SECTION 8. ASSIGNMENT.

This Agreement shall not be assignable or otherwise transferable by the Service Provider without the prior written consent of the City; provided however that the Service Provider may assign this Agreement to any direct or indirect affiliate or subsidiary of the Service Provider or to any person or entity succeeding to all or substantially all of the Service Provider's assets (whether by operation of law, merger, consolidation or otherwise) without the City's consent.

SECTION *9.* PROCESSING, BILLING AND FEES.

A. Billings for Single-Family Residential Unit Services. On a monthly basis, the City agrees to bill and collect the rates and fees charged under Section 4A. hereto from all Single-Family Residential Units possessing active water meters within the City's corporate limits,

as well as from all other Single-Family Residential Units requiring the collection, hauling, recycling and disposal of Household Hazardous Waste within the City's corporate limits (the Residential Billing) plus any applicable sales, use or services taxes assessed or payable in connection with the Services provided hereunder.

B. Taxes. The City will be responsible to collect any applicable sales taxes that result in the execution of this contract.

SECTION 10. HOURS OF SERVICE.

For all the Services provided hereunder, the Service Provider's hours of service shall be between 8:00 a.m. to 6:00 p.m., Monday through Friday. The Service Provider will not be required to provide service on weekends or Holidays except during natural disasters or emergencies, and may, at its sole discretion, observe Holidays during the term of this Agreement; provided however, that the Service Provider shall provide such services on the immediately following business day. Collection will occur on the same day of the week throughout the year unless Service is affected by Holiday then Service Provider must designate an alternate day of that week.

SECTION 11. CUSTOMER SERVICE.

The Service Provider agrees to field all inquiries from Residential Units relating to the collection, hauling, recycling and disposal of Household Hazardous Waste. The Service Provider and the City agree to cooperate with each other in the response to any such inquiries and the resolution of any such complaints. Service Provider shall provide means for residents to call or use the Service Provider's portal to self-schedule a pick up for HHW and/or E-Waste items.

SECTION 12. COMPLIANCE WITH APPLICABLE LAWS.

The Service Provider shall comply with all applicable federal and state laws regarding the collection, hauling, recycling and disposal of Household Hazardous Waste, including existing and future laws that may be enacted, as well as any regulations reasonably passed by the City that are not in derogation of this Agreement. Nothing in this Agreement shall be construed in any manner to abridge the City's right to pass or enforce necessary police and health regulations for the reasonable protection of its inhabitants. The City shall have the right to make reasonable inspections of the Service Provider in order to insure compliance with this Section 12.

SECTION 13. DUE CARE.

The Service Provider shall exercise due care and caution in providing the Services so that the City's public and private property, including streets and parking areas, will be protected and preserved.

SECTION 14. PERSONNEL AND PERFORANCE STANDARDS.

The Service Provider shall not deny employment to any person on the basis of race, creed or religion, and will insure that all federal and state laws pertaining to salaries, wages and operating requirements are met or exceeded. The Service Provider, its agents, servants and employees shall perform the Services in a courteous, competent and professional manner. During the term of this Agreement and any extension thereof: the Service Provider shall be responsible for the actions of its agents, servants and employees while such agents, servants and employees are acting within the scope of their employment or agency.

SECTION 15. INSURANCE COVERAGE AND BONDS.

Pursuant to this Agreement, the Service Provider shall carry the following types of insurance in an amount equal to or exceeding the limits specified below:

Coverages:
(1) Worker's Compensation
(2) Employer1s Liability
(3) Commercial General Liability

Limits of Liability
Statutory
$1,000,000
$1,000,000 per occurrence,
$2,000,000 in the aggregate,

(4) Automobile Liability
Combined single limit for Bodily Injury and Property Damage Liability
$1,000,000 per occurrence combined single limit for Bodily Injury and Property Damage Liability

The City shall be named as an additional insured on all the above coverages with the exception of workers compensation insurance. To the extent permitted by law, any or all of the insurance coverage required by this Section 15 may be provided under a plan(s) of self-insurance, including coverage provided by the Service Provider's parent corporation. Upon the City's request, the Service Provider shall furnish the City with a certificate of insurance verifying the insurance coverage required by this Section 15.

SECURITY FOR FAITHFUL PERFORMANCE

Service Provider will be required to furnish a performance bond as security for the faithful performance of this Contract. Said performance bond must be in an amount equal to One Hundred and Fifty Thousand Dollars ($150,000) for the contract term. The Service Provider shall pay bond premium as described. A certificate from the surety showing that the bond premiums are paid in full shall accompany the bond. Such certificate shall be submitted to the City with the bond on an annual basis. The surety on the bond shall be a duly authorized corporate surety authorized to do business in the State of Texas and such bond shall be in effect for the initial contract term and any approved options.

SECTION 16. INDEMNITY.

To the extent covered by applicable insurance, the Service Provider SHALL FULLY INDEMNIFY AND HOLD HARMLESS THE CITY AND ITS ELECTED OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS, AGENTS, AND SERVANTS, INDIVIDUALLY OR COLLECTIVELY, FROM AND AGAINST ANY AND ALL COSTS, CLAIMS, LIENS, DAMAGES, LOSSES, EXPENSES, FEES, FINES, PENALTIES, PROCEEDINGS, ACTIONS, CAUSES OF ACTION, LIABILITIES, AND SUITS OF ANY KIND AND NATURE, INCLUDING, BUT NOT LIMITED TO, PERSONAL OR BODILY INJURY OR DEATH AND PROPERTY DAMAGE MADE UPON THE CITY DIRECTLY OR INDIRECTLY ARISING OUT OF, RESULTING FROM, OR RELATED TO THE SERVICE PROVIDER'S ACTIVITIES UNDER THIS CONTRACT, INCLUDING ANY ACTS OR OMISSIONS OF THE SERVICE PROVIDER, ANY AGENT,

OFFICER, DIRECTOR, REPRESENTATIVE, EMPLOYEE, CONSULTANT, OR SUBSERVICE PROVIDER OF THE SERVICE PROVIDER, AND THEIR RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, DIRECTORS, AND REPRESENTATIVES WHILE IN THE EXERCISE OR PERFORMANCE OF THE RIGHTS AND DUTIES UNDER THIS CONTRACT, ALL WITHOUT, HOWEVER, WAIVING GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER STATE LAW AND WITHOUT WAIVING ANY DEFENSE OF THE PARTIES UNDER STATE LAW. THE PROVISIONS OF THIS INDEMNITY ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTED OR OTHERWISE, TO ANY PERSON OR ENTITY. SERVICE PROVIDER SHALL PROMPTLY ADVISE THE CITY IN WRITING OF ANY CLAIM OR DEMAND AGAINST THE CITY OR THE SERVICE PROVIDER KNOWN TO THE SERVICE PROVIDER RELATED TO OR ARISING OUT OF THE SERVICE PROVIDER'S ACTIVITIES UNDER THIS CONTRACT AND SHALL SEE TO THE INVESTIGATION AND DEFENSE OF SUCH CLAIM OR DEMAND AT THE SERVICE PROVIDER'S COST. THE CITY SHALL HAVE THE RIGHT, AT ITS OPTION AND AT ITS OWN EXPENSE, TO PARTICIPATE IN SUCH DEFENSE WITHOUT RELIEVING THE SERVICE PROVIDER OF ANY OF ITS OBLIGATIONS UNDER THIS CONTRACT OR PARAGRAPH. SERVICE PROVIDER ASSUMES THE RESPONSIBILITY AND LIABILITY AND HEREBY AGREES TO INDEMNIFY THE CITY FROM ANY LIABILITY CAUSED BY THE SERVICE PROVIDER'S FAILURE TO COMPLY WITH APPLICABLE FEDERAL, STATE, OR LOCAL LAWS, REGULATIONS, AND INDUSTRY STANDARDS. SERVICE PROVIDER ASSUMES THE RESPONSIBILITY AND LIABILITY AND HEREBY AGREES TO INDEMNIFY THE CITY FROM ANY LIABILITY CAUSED BY THE SERVICE PROVIDER'S FAILURE TO COMPLY WITH APPLICABLE FEDERAL, STATE, OR LOCAL LAWS, REGULATIONS, AND INDUSTRY STANDARDS. THE INDEMNIFICATION APPLIES ONLY TO SERVICE PROVIDER'S ACTIONS AND IN NOT INTENEDED TO INDEMNIFY ANY ACTS BY THE CITY, INCLUDING ANY ACTS OR OMISSIONS OF THE CITY, ANY AGENT, OFFICER OR EMPLOYEE OF THE CITY. .

SECTION 17. SAVINGS PROVISION.

In the event that any term or provision of this Agreement shall be determined by a court of competent jurisdiction to be invalid or unenforceable, this Agreement shall, to the extent reasonably possible, remain in force as to the balance of its terms and provisions as if such invalid term or provision were not a part hereof.

SECTION 18. TERMINATION.

A. Any failure by either party or its successors and assigns to observe the terms and conditions of this Agreement shall, if continuing or persisting without remedy for more than thirty (30) days after the receipt of due written notice from the other party, constitute grounds for forfeiture and immediate termination of all the defaulting party's rights under this Agreement, and all such rights shall become null and void.

B. The City reserves the right to declare this Agreement forfeited and to terminate the same and all rights and privileges of the Service Provider hereunder in the event of a material breach of the terms, covenants, or conditions herein set forth. A material breach by the Service Provider shall include, but not be limited to, the following:

    i. Failure of the Service Provider to provide, as solely determined by the City, the services provided for in this Agreement within ten (10) business days of the receipt of a written demand for performance by the City;

ii. Failure of the Service Provider to repair or replace defective equipment, goods, or products within thirty (30) calendar days of receipt of written demand for performance by the City;

iii. Failure of the Service Provider to repair or replace defective equipment, goods, or products within thirty (30) calendar days of receipt of written demand for performance by the City;

iv. Conviction of any director, officer, employee, or agent of the Service Provider any felony or misdemeanor of moral turpitude; and

v. The revocation or denial of solid waste collection and disposal permit(s) through Federal and State Laws and regulations which would prohibit or interfere with the ability to fulfill the requirements of this Agreement.

SECTION 19. FORCE MAJEURE.

The performance of this Agreement may be suspended and the obligations hereunder excused in the event and during the period that such performance is prevented by a cause or causes beyond reasonable control of such party. The performance of this Agreement will be suspended and the obligations hereunder excused only until the condition preventing performance is remedied. Such conditions shall include but not be limited to, *acts of God, acts of war, accident, explosion, fire, flood, riot, sabotage, acts of terrorists, unusually severe weather, lack of adequate fuel or judicial or governmental laws or regulations.*

SECTION 20. GOVERNING LAW.

This Agreement shall be governed in all respects including as to validity, interpretation and effect, by the internal laws of the State of Texas, without giving effect to the conflict of laws rules thereof. The parties hereby irrevocably submit to the jurisdiction of the courts of the State of Texas and the Federal courts of the United States located in the State of Texas, solely in respect of the interpretation and enforcement of the provisions of this Agreement, and hereby waive, and agree not to assert as a defense in any action. suit or proceeding for the interpretation or enforcement hereof: that it is not subject thereto or that such action suit or proceeding may not be brought or is not maintainable in said courts or that the venue thereof may not be appropriate or that this Agreement may be enforced in or by said courts, and the parties hereto irrevocably agree that all claims with respect to such action or proceeding shall be heard and determined in such a Texas State or Federal court. The parties hereby consent to and grant any such court jurisdiction over the person of such parties and over the subject matter of any such dispute and agree that mailing of process or other papers in connection with any such action or proceeding to the addresses of the parties listed below, or in such other manner as may be permitted by law, shall be valid and sufficient service thereof.

SECTION 21. NOTICES.

Any notices required or permitted to be delivered hereunder shall be in writing and shall be deemed to be delivered when deposited in the United States mail, postage prepaid- certified mail, return receipt requested, addressed to the respective party at the address set forth below.

If to the City:
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087
Attn: City Manager

If to the Service Provider:
HHW Solutions
1240 Coastal
Rockwall, Texas 75087
Attn: Dick Demien

With a Copy *to:*
HHW Solutions
4090 Hackberry Cir
Caddo Mills, Texas 75135
Attn: Tim Oliver

or such other addresses as the parties may hereafter specify by written notice and delivered in accordance herewith.

SECTION 22. ATTORNEYS' FEES.

The prevailing party in any dispute between the parties arising out of the interpretation, application or enforcement of any provision hereof shall be entitled to recover all of its reasonable attorneys' fees and costs whether suit be filed or not including without limitation costs and attorneys' fees related to or arising out of any trial or appellate proceedings.

SECTION 23. MEDIATION

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

SECTION 24. AMENDMENTS

It is understood by the parties that this Agreement constitutes the entire agreement between the parties. It is hereby understood and agreed by the parties to this Agreement t that no alterations or variations to the terms of this Agreement, including all addendums hereto, shall be effective unless made in writing, approved and signed by both parties.

SECTION 25. ACCEPTANCE.

PASSED AND APPROVED BY THE CITY OF ROCKWALL COUNCIL MEETING AT A TIME AND PLACE IN COMPLETE CONFORMITY WITH THE OPEN LAWS OF THE STATE OF TEXAS AND ALL OTHER APPLICABLE LAWS THIS DAY OF _____, 2019.

DOLIVER ENTERPRISES, LLC	**CITY OF ROCKWALL, TEXAS**
DBA HHW SOLUTIONS	
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____
ATTEST:	ATTEST:
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____

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301

City of Rockwall

The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **March 28, 2019**

SUBJECT: **Shores Blvd Crosswalk Study**

The City was contacted concerning the safety of residents crossing Shores Blvd from adjacent neighborhoods to use Shores Park. The Rockwall Police Department was asked to make an assessment for placement of a crosswalk along this section of the roadway. Attached for the City Council's review and consideration is a report prepared by Captain Edward Fowler. Captain Fowler will be at the meeting to answer any questions you may have related to the study and findings.

The cost for two crosswalks is estimated to be $34,000. Funds are budgeted in the Street Department operating budget if the City Council decides to proceed with installation of crosswalks.

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Kirk H. Riggs, Chief of Police**

FROM: **Edward Fowler, Support Services Captain**

DATE: **November 12, 2018**

SUBJECT: **Shores Park Crosswalk Recommendation**

After receiving a request to assess the practicality of a crosswalk at or near the Shores Park, three separate areas were evaluated to determine what would be applicable: Texas Traffic Law and City Ordinances, Expected Customer Service and Citizen Expectations were used to establish a clear perspective of what would be functional, practical and meets the needs of our citizens.

I consulted with Amy Williams from Engineering and Traffic Sergeant Aaron McGrew to review the Traffic Survey Summary and it was our opinion that a single crosswalk positioned at Glencoe Drive was not a practical option. Sgt. McGrew and I spent approximately one hour at the location evaluating line of sight (LOS) distances and field of view (FOV) for both drivers and pedestrians. We began by observing the flow of traffic and pedestrians around the area to obtain a true understanding of what was transpiring on the roadway. The parking spaces in front of the park were full due to activities in the park and several times pedestrians stepped from between parked vehicles and into the roadway without any type of warning, which raised a genuine concern.

The testing was conducted in a controlled manner with Sgt. McGrew standing at specific points along the roadway while I drove a controlled speed of 20 miles per hour. When I observed Sgt. McGrew I would immediately stop and he would verify the LOS through the use of a laser. The distances for a driver's LOS were taken from the Desert Falls Lane and Whitney Bay and were from both the North and South directions. The ultimate goal was to determine the greatest LOS from an intersection that would allow a driver to safely react to a pedestrian (**Table 1.1**).

Line of Sight Analysis – Shores Park

Location	S/B Sight Distance	N/B Sight Distance
Shores and Desert Falls	382 Feet	314 Feet
Shores and Whitney Bay (W Side of Roadway)	539 Feet	398 Feet
Shores and Whitney Bay (E Side of Roadway)	578 Feet	352 Feet
Shores and Glencoe (E Side of Roadway)	396 Feet	216 Feet

Table 1.1

The line of sight testing did not take into account numerous factors that are present in every day driving conditions. These include commonly accepted activities such as manipulating a cell phone, eating or drinking, reading a map or bill of laden, addressing needs of children inside the vehicle, speeding, etc. In addition, there are numerous conditions outside of the driver's control that can increase their overall time to perceive and react, which must be considered. These can be environmental such as weather, lighting, curvature or slope of the roadway, line of sight obstructions (trees, bushes, etc.), medical conditions, type and weight of vehicle (passenger car, tractor-trailer) or other unforeseen conditions. All these factors can greatly increase the overall stopping distance(s) for a motor vehicle.

In addition, activities and environmental factors that we must take into account is the size of a pedestrian that a driver might encounter. The visual acuity of smaller objects traditionally increases the perception and reaction time of a driver and thus increase the overall stopping distance of a vehicle. A child that is 13 years of age will be approximately 5 feet and 1 inch, which is smaller than an average adult. Utilizing this age and height range the overall visual reference point of a child entering the roadway would not increase resulting in a greater potential for a collision. This should also hold true for younger children who would also be smaller in stature (**Table 1.2**).

Median Height Child 13 Years of Age[1]

Gender	Age	Median Height in Centimeters	Median Height Feet and Inches
Female	13	156.4	5 Feet 1.557 Inches
Male	13	156.0	5 Feet 1.416 Inches

Table 1.2

[1]***Source: World Health Organization*** *https://www.who.int/growthref/who2007_height_for_age/en/*

The key component on where to place a crosswalk is to ensure that a driver can visually see and identify a pedestrian entering the roadway and then to appropriately react. A vehicle traveling at or above the speed limit with a simple distraction can increase the overall time to perceive and react in a dramatic manner. An average driver traveling 35 miles per hour with a 3 second distraction in the vehicle will travel approximately 153.93 feet before perceiving and reacting to an object. Once they begin to break and finally stop they will have traveled an additional 74.82 feet for a total stopping distance of 228.75 feet (**Table 1.3**). When reflecting on these stopping distances it becomes clear that the goal is to place the crosswalk in a location that increases or maximizes a driver's LOS to ensure both pedestrian and driver safety, especially when considering that additional factors can increase a vehicle's overall stopping distance.

Average Driver Perception and Reaction Times

Perception and Reaction Time of 1.5 Seconds						
Speed	**30 mph**	**35 mph**	**40 mph**	**45 mph**	**50 mph**	**55 mph**
Feet Per Second[1]	43.98	51.31	58.64	65.97	73.3	80.63
Reaction Distance[2]	65.97'	76.97'	87.96'	98.96'	109.95'	120.95'
Distance to Stop[3]	54.98'	74.83'	97.73'	123.69'	152.71'	184.78'
Total Distance to Stop	**120.95'**	**151.8'**	**185.69'**	**222.65'**	**262.66**	**305.73'**

Perception and Reaction Time of 3 Seconds						
Speed	**30 mph**	**35 mph**	**40 mph**	**45 mph**	**50 mph**	**55 mph**
Feet Per Second[2]	43.98	51.31	58.64	65.97	73.3	80.63
Reaction Distance[2]	131.94'	153.93'	175.92'	197.91'	219.90'	241.89'
Distance to Stop[3]	54.98'	74.83'	97.73'	123.69'	152.71'	184.78'
Total Distance to Stop	**186.92'**	**228.76'**	**273.65'**	**321.6**	**372.61**	**426.67**

Perception and Reaction Time of 5 Seconds						
Speed	**30 mph**	**35 mph**	**40 mph**	**45 mph**	**50 mph**	**55 mph**
Feet Per Second[2]	43.98	51.31	58.64	65.97	73.3	80.63
Reaction Distance[2]	219.90'	256.55'	293.20'	329.85'	366.5'	403.15'
Distance to Stop[3]	54.98	74.83	97.73'	123.69'	152.71'	184.78'
Total Distance to Stop	**274.88'**	**331.38'**	**390.93'**	**453.54'**	**519.21'**	**587.93'**

Table1.3

[1] Conversion from Miles Per Hours (MPH) to Feet Per Second (FPS) is 1.466 x MPH=FPS
[2] Perception and Reaction Times are based upon national traffic safety standards.
[3] Stopping distance is based upon a coefficient of friction of 0.80 on dry concrete without slope, angle or consideration for type of vehicle.

Applicable Law

Applicable state law was considered, specifically the Texas Transportation Code (TTC) 545.302 (Stopping, Standing, or Parking in Prohibited in Certain Places), and stated that a vehicle may not be parked within 20 feet of a crosswalk located at an intersection. This would require the elimination of a minimum of 4 parking spaces if the crosswalk were placed at the intersection of Glencoe and Shores Blvd. This would not take into consideration the need for additional parking spaces to be removed to ensure a proper line of sight for the drivers of approaching motor vehicles.

The distance from the north side of Desert Falls and Shores Blvd to the front of the first parking space was approximately 55 feet and from Whitney Bay and Shores Blvd to the first parking space was approximately 22 feet. If a crosswalk were placed at the Desert Falls intersection there would not be a legal requirement to remove any parking spaces. However, at the Whitney Bay intersection a minimum of 5 spaces would need to be removed to meet the legal guideline of TTC 545.302 and to ensure an appropriate line of sight for drivers traveling north on Shores Blvd. A crosswalk placed at Glencoe and Shores Blvd would require a minimum of 7 parking spaces to provide an appropriate line of sight and comply with state law.

Conclusion

The ultimate objective is to position a crosswalk in a location that will allow drivers the greatest opportunity to locate and react to a pedestrian in the roadway. Unfortunately, the placement of a crosswalk at the intersection of Glencoe and Shore Blvd will not provide the same reactionary gap as crosswalks placed at the intersections of Shores Blvd and Desert Falls and Shores Blvd and Whitney Bay (**Table 1.1**). The reasoning is simplistic in that the curvature of the roadway, visual obstructions (trees, bushes and fencing) and parked motor vehicles do not afford a proper line of sight for drivers. This is exacerbated when internal and external factors are added into the driving equation which can increase perception and reaction time and ultimately stopping distance to avoid a collision. In addition, as stated before a minimum of 7 parking spaces and possibly more would have to be eliminated to meet state law and provide a proper line of sight.

The more viable option is the placement of the crosswalks at the intersections of Shores Blvd and Desert Falls and Shores Blvd and Whitney Bay. These intersections provide a great line of sight, have fewer line of sight obstructions and provide the greatest reactionary gap of the two options. In addition, the curvature of the roadway prior to the intersection is such that crosswalk lighting can be situated to provide a longer distance of visual warning for approaching drivers. Finally, placement of the crosswalk at Glencoe would only serve a small number of residents, whereas positioning them at Whitney Bay and Desert Falls would garner a much greater number of citizens who are on foot in the area.

306

Line of Site

Existing Sidewalks

Shores Park

Parcels

ASHBOURNE DR

ARGYLE SHORE DR

ASHBOURNE DR

1510-

1500-

1490-

1480-

1470-

1460-

1450-

SHORES PARK

PROPOSED CROSSSWALK

8 FT SIDEWALK

BELFRY CT

4 FT SIDEWALK

2089-

2090-

2079-

SHORES BLVD

2091-

2070-

2069-

2081-

2060-

2061-

2100-

2071-

2090-

2050-

2061-

2040-

2080-

2051-

1070-

1080-

2070-

2041-

1090-

2091-

2031-

WHITNEY BAY DR

MONT CASCADES DR

2060-

2021-

2100-

2081-

2050-

2330-

2090-

2071-

2011-

2040-

1085-

2080-

2061-

2001-

DESERT FALLS LN

PROPOSED CROSSSWALK

2030-

1095-

2051-

2070-

2020-

2081-

2041-

2010-

2060-

1070-

2000-

1140-

1080-

1190-

1165-

1150-

1090-

ISLEMERE DR

GLENCOE DR

1135-

1175-

1160-

1145-

1200-

1185-

1170-

POTTER AVE

1140-

GOLD COAST DR

1155-

1180-

1195-

1150-

ABERDEEN LN

1165-

1300-

1205-

1190-

1135-

1175-

1160-

4 FT SIDEWALK

1215-

1145-

1185-

1170-

1820-

1210-

1831-

1195-

1180-

1155-

City of Rockwall

0 200 Feet

Date: 3/28/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

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308

City of Rockwall
The New Horizon

Report:
Hotel Occupancy Tax Fund

Contents:

Transmittal Memorandum

Recommendations for Council Consideration

Attachment No. 1

Attachment No. 2

Term Definitions

Other Data and Information Used in Report

309

City of Rockwall
The New Horizon

Hotel Occupancy Tax Report Recommendations

I. Continue use of “Hotel Tax Two Step” approach
II. Continue to consider local applications
III. Adopt strategic plan for use of HOT Funds
IV. Consider arts & historic preservation in Strategic Plan
V. Increase emphasis and appropriations for direct participation
VI. Continue and improve contract with Rockwall Area Chamber of Commerce
VII. Adopt initial HOT Fund “Target” Reserve Policy

310

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **March 5, 2019**

SUBJECT: **Hotel Occupancy Tax**

One of the elements of our strategic planning is to provide information to the Mayor and Council to facilitate decisions with regard to future uses of the Hotel Occupancy Tax receipts. We have discussed this on several occasions as work session and action items. In these discussions we have made progress in bringing the various discussion items to a point where significant decisions can be made. The attached recommendations seek to further facilitate discussion and decisions related to future fund uses.

Based on the several discussions that we have had, I have taken the liberty to develop a series of recommendations for your consideration on the subject which are attached for your review. Please consider these and as a part of our next discussions they will be revised at the Council's direction.

I recently posed a series of questions about future use of these funds to facilitate discussion. Within the body of the recommendations or the supporting documentation, I hope that sufficient information is made available to help the Council address those questions that are material to future HOT fund uses.

This memorandum and its attachments transmit information in several ways. The memorandum provides the concepts that were used in development, the listing and description of the recommendations (titled "Recommendations for City Council Consideration"), a section containing some of the data examined and used as the recommendations were being developed (titled "Other Data Used Developing Recommendations"), and a section (titled "Definitions") which provides definitions of terms used as they apply to the recommendations made.

Concepts Used in Development of Recommendations for Council Consideration

In a recent presentation by Scott Joslove, the issue of Hotel Occupancy Tax (HOT) use was addressed. Mr. Joslove is a recognized expert in the area of Hotel Occupancy Tax use. He currently serves as chief counsel for the Texas Hotel Association and was previously a Texas Municipal League attorney who worked extensively to provide related legal advice to Texas cities on the subject. His current position and background are significant as we consider his advice for several reasons. Hoteliers are in a unique position to benefit from and to challenge the appropriateness of HOT fund use. On the other hand, his prior works should give him significant understanding of Texas cities with regard to use of HOT funds.

To paraphrase Mr. Joslove's advice:

> To structure the City's program/s for encouraging tourism, encouraging and promoting the arts and supporting historic preservation, don't initially get caught up in the details of the law which has been adopted "piecemeal" since 1970 with numerous amendments. Instead, start with coming to a local consensus on what you want to accomplish with the program/s, and then ask your legal counsel to help determine which of those identified program elements can be accomplished through use of HOT funds. This can then lead to the development of the City's local program/s and the local guidelines for the program.

I think this is a sound recommendation and the mechanism that should generally be used in current discussions about future HOT tax use. Thus, I think that the first issues before us with regard to the use of Hotel Occupancy Tax (HOT) funds and associated policies and planning are to identify a strategic vision for the City's involvement in the several types of activities for which these funds may be legally used. By first agreeing upon the strategic vision, the City can determine the best ways to pursue that vision for the future. In the meantime, short-term planning, a process for completing strategic planning and development of a reserve policy for the HOT Fund are included in a number of current recommendations provided.

I know that for the next several Council meetings, the full Council will not be in attendance due to scheduling conflicts. Since the Council specifically indicated the desire to consider these matters "as a full Council," I will place the next related item on the agenda at the next meeting when all members can be in attendance. In the meantime, please do not hesitate to contact me should you have any questions, comments, or requests for additional information about the information needed before the matter is next considered by the full Council.

RECOMMENDATIONS FOR CITY COUNCIL CONSIDERATION

The following recommendations related to future uses of Hotel Occupancy Tax funds are provided for consideration by the Mayor and Council:

Recommendation I.

Continue use of the "Hotel Tax Two Step" Approach

Continued use of the "Hotel Tax Two Step" approach provided by State Law and outlined by the Texas Comptroller (see Attachment 1.) is recommended.

Recommendation II.

Continue to Consider Local Applications and Prepare

It is recommended that the City continue the current process whereby local organizations submit requests for funding for legally compliant uses of HOT funds with requests submitted in accordance with instructions provided by the City. Upon receipt, the applications are evaluated by a Council-appointed subcommittee for recommendations to the full Council. The full Council then, by motion and majority vote, approves final funding authorization at the levels deemed appropriate.

This recommendation assumes continued use of the annual local **"call for applications"** with enhanced specificity related to the City's strategic priorities. A review of the instructions to applicants, the forms on which applications are submitted, should be conducted before the next "**call for applications**" in June 2019.

Form contracts for HOT fund use should also be reexamined by the City Staff, the City Attorney, and the City Council. All instructions, forms, and process-related documents should include specification of the City's adopted **Strategic Plan for Use of Hotel Occupancy Tax Funds** (see below), and the application forms should be required to describe how the application conforms to the strategic plan.

Recommendation III.

Adopt a Strategic Plan for Use of Hotel Occupancy Tax Funds

The City Staff should, with input and direction from the City Council, prepare a written **Strategic Plan for Use of Hotel Occupancy Tax Funds** for consideration by the

Council. The Plan should contain local priorities for use of HOT funds. A draft of the plan will be provided by the Staff to facilitate discussion and consideration.

The strategic plan should include:

A tie to the overall strategic plan adopted by the City, specifically related to maintenance of comparatively high per-capita local sales tax collections, and, in a very limited number of cases, maintenance of the existing Ad Valorem residential/nonresidential "property tax split."

Specification of outcomes and performance measures for important **reactive services** (see below) may require the allocation of additional resources for their continuation and improvement.

Specification of outcomes and performance measures for enhancing the City's success in attracting more meetings, conferences, and appropriately-sized conventions (**proactive services,** see below) will require additional resource allocation.

Strategic planning work should introduce several categories of appropriations and priorities including:

Appropriations for **reactive** and support services

Appropriations for **proactive** efforts to secure more visitors

Appropriations that are **reasonably speculative** toward adding "heads in beds" and support of encouraging general tourism

Appropriations that only become expenditures upon successful booking of meetings, conferences, and/or appropriately-sized conventions – **contingent appropriations**

During the Council's last discussion of HOT use, the Council made a strategic decision that THE City should not plan to construct and operate a meeting facility. Continued strategic planning may ratify that determination and address other possible strategic positions for use of HOT funds.

Recommendation IV.

Enhance and Further Develop Strategies for the Arts and Historic Preservation

To address the use of HOT funds for the Arts in the **Strategic Plan for Use of Hotel Occupancy Tax Funds**, the City should move forward with planned meetings (involving three (3) designated Council Members) with representatives of the **combined local arts**

groups, and prior to development of arts-related aspects of this plan, the input obtained from these meetings should be considered.

The City should pursue similar, simultaneous (but separate) meetings with representatives of **local historic preservation groups** to be held for the same purpose as the arts meetings but from a historic preservation perspective.

Certain limitations relative to proportions of annual revenues are specified in State Law including:

Expenditures for the Arts can be "not more than 15%"

Expenditures for Historical Preservation may be "not more than 50% if none is allocated for a convention center"

Recommendation V.

Significantly Enhance Proactive Efforts to Attract Meetings, Conferences, and Appropriately-Sized Conventions by Amendment of FY2019 Budget and Planned Appropriations in Subsequent Budget/s

The City should consider **increased** appropriations for **proactive, contingent** efforts to secure additional meetings, conferences, and appropriately-sized conventions. It is recommended that these appropriations be specified in the **Strategic Plan for Use of Hotel Occupancy Tax Funds.** Obligation of these contingent appropriations should be considered at the time when proposals are being developed during booking recruitments. Expenditures would only occur IF bookings materialize.

This will require the allocation of City Staff time to work with organizations, businesses, hoteliers, and meeting planners at the "proposal stage." Based on workable, time-sensitive guidelines, City Management should be provided flexibility to obligate HOT fund participation as proposals are developed with whatever Council oversight is deemed appropriate by the Council.

To begin implementation, it is recommended that the Council consider an amendment to the FY2019 budget to add $50,000 for this purpose. Increases in this appropriation may be considered in future years.

Strategic Initiatives for Proactive, Contingent Implementation

The City should issue a specific **call for proposals** (separate from the **call for applications** addressed above) designed to secure proposals to meet specific strategic plan objectives. The **strategic call for proposals** would seek proposals to accomplish specific elements of the City's **Strategic Plan for Use of Hotel Occupancy Tax Funds** which, if awarded, would be accomplished by contract. Those eligible to submit would

include (but not necessarily be limited to) local hoteliers, the Rockwall Area Chamber of Commerce, businesses, the City, and others.

These proposals would designate whether a **one-time occurrence** or an **ongoing program subject to annual appropriation** is contemplated. No proposal submitted in response to the **call for applications** may be resubmitted in response to the **strategic call for proposals** without written justification for resubmission. Consideration of such resubmissions will be at the discretion of the Council.

Requests for **one-time occurrence** appropriations may be geared toward enhancing **standby capacity** for serving visitors and, attendees who visit Rockwall. They may take the form of specific-purpose "**grants**."

Recommendation VI.

Continuation of Contract Services with Rockwall Area Chamber of Commerce

The City should continue to appropriate funds for the existing services provided by the Rockwall Area Chamber of Commerce. These services are provided by contract. Future contracts between the City and the Chamber should be more specific in and provide for measurement of outcomes (or, at least deliverables). More specificity will allow both the City and the Chamber to direct these resources in accordance with the City's strategic planning.

These mostly **reactive services** currently **contribute significant value** by:

Providing information to potential visitors to Rockwall

Providing answers to questions for those who plan on or consider coming to Rockwall for various reasons

Providing written material for use by those who plan to (or are considering) and those who are currently visiting Rockwall

Providing informational materials in various forms: hard copy, electronic format including internet presence, and by phone

Recommendation VII.

Determination of Continuation of City-Related Funding

The following City projects were funded in FY2017 - FY2019 Budgets:

City	FY 2017	FY 2918	FY 2019 Requests	2019 Use Description	FY2019 Funded
Main Street	35,091	28,000	23,500	Downtown music San Jacinto	**23,500**
Main Street	15,812	9,700	16,700	Advertising	**16,700**
Main Street	-	-	4,000	Destination Rockwall	**4,000**
Concert by the Lake	35,091	38,000	42,000	Harbor concerts	**42,000**
Founders Day	101,156	100,000	100,000	Concert	**100,000**
Memorial Day	3,609	5,000	5,000	Concert	**5,000**
Rib Rub	11,420	15,000	15,000	BBQ contest and 5K	**15,000**
Subtotal	151,276	195,700	206,200		**206,200**

There has been discussion at the Subcommittee level (without unanimous Subcommittee conclusion) as to whether there should be a continuation of these City projects after FY 2019 using HOT funds (or whether they should be continued at all). The full Council's final determination as to the future of these City programs and their funding sources will be critical to the development of the HOT Strategic Plan and the FY 2020 budget and operating preparations for several City departments. **It is recommended that the Council make this final determination (at least related to the FY2020 budget) as soon as possible** since the decision is important to HOT fund use planning, departmental operations, and budget planning.

Recommendation VIII.

HOT Fund Balance Target Policy

A HOT Fund Balance "**target**" should be developed and adopted to help guide future HOT fund use. This "**target**" should be sufficient to provide a comfort level such that:

1. **General reserves** are sufficient to "cover" obligations made at the beginning of each Fiscal Year in the event of an economy downturn during the Fiscal Year that impacts hotel occupancy, and thus, revenue to the HOT Fund. This recommendation suggests consideration of establishing this target at **20%** of current and projected annual revenues, **and**
2. **Unanticipated and supplemental reserves** are provided at the level of Council comfort in the City's ability to respond to unanticipated HOT fund expenditure

needs that may become apparent during the course of any fiscal year. This recommendation suggests consideration of establishing this **target** at **15%** of current and projected annual revenues, **and**

3. **Strategic priority reserves** are provided to achieve a Council comfort level in the City's ability to address priorities that adopted in the **Strategic Plan for Use of Hotel Occupancy Tax Funds**. This recommendation suggests designating the remainder of unbudgeted, available funds for this purpose. This would provide an opportunity for the Council to consider addressing strategic initiatives submitted in response to the **City's Request for Proposals** (discussed above) and other related initiatives.

Application of the three (3) provisions above and application of the recommended fund reserve guidelines would result in the following for FY 2019 and FY 2020:

	FY 2019	**FY 2020**
Beginning Balance	$ 24,453	$ 298,323
Revenues	833,000	993,000
Current Expenditure Continuation	509,130	500,000
Contingent Appropriations*	50,000	100,000
Total Reserve	$298,323	$691,323
Reserve types:		
General (20%)	166,600	198,600
Unanticipated and supplemental (15%)	124,950	148,950
Strategic priorities (remainder)	$ 6,773	$343,773

Readily accessible data for other cities is somewhat suspect because the State reporting form and its instructions for completion are unclear. It does, however, appear that it is not unusual for cities to accumulate significant fund balances in HOT Funds. Fund balances obtained for four (4) cities with annual HOT revenues similar to Rockwall's indicate a range of fund balance (reserve) of between about $600,000 and $7.1 million (see Attachment 2). Anticipated uses of these reserve funds by those cities were not researched, but these accumulated reserves are likely kept available for use in future strategic initiatives in a manner similar to that which is outlined above. It is also important to remember that the more significant levels of fund reserve in Rockwall are projected for FY2020 and will **not** be available until the end of that year. By the time of their receipt and availability, Rockwall will have completed its strategic planning which will largely designate their proposed future use. The City should not be reluctant to build reserves to accomplish its strategic initiatives.

Attachment 1.

According to the Texas Comptroller, under Texas law, local HOT revenue can be used only to directly promote tourism and the convention/hotel industry. This means the proceeds should be spent on projects or events that result in visitors or attendees staying overnight in the community, generating more hotel occupancy tax. The Texas Municipal League describes this as the first part of a two-part test it calls the hotel tax "two-step."

Provided the first test of directly promoting tourism and hotel activity is met, the expenditure then must fit into one of the categories authorized by statute. According to the Comptroller's Data Analysis & Transparency Division, these categories include:

- advertising and promotional programs to attract tourists;
- encouragement and promotion of the arts;
- historical restoration and preservation projects;
- advertising to encourage tourists to visit historic sites and museums;
- certain transportation systems serving tourists and hotel guests;
- and, for certain cities,
- facilities and personnel for the registration of convention delegates;
- signage directing the public to sights and attractions frequently visited by tourists;
- the construction, maintenance and operation of a convention or visitor center;
- sporting events for which the majority of participants come from out of town;
- qualifying sports facilities that routinely host regional or national tournaments; and
- Coliseums or multiuse facilities.

Certain limitations are placed on these authorized uses including:

Expenditures for the Arts can be "not more than 15%

Expenditures for Historical Preservation may be "not more than 50% if none is allocated for a convention center"

Keeping in mind that there are no especially specific prescribed definitions for each of the authorized expenditure categories, the attached file contains the breakdown of expenditures by category of Texas cities that have reported to the Texas State Comptroller.

Many Texas cities have developed local guidelines for application for and use of HOT tax funds. Such local guidelines can be used to pursue the strategic vision of the City with regard to fund use. Local guidelines should be developed after consensus has been reached on the strategic vision.

Reference info:

Texas law for county hotel tax rates (Texas Tax Code 352) has been amended 29 times. Current law sets the cap for county HOTs at between 0.75 percent and 9 percent, depending on factors such as the county's population, the population of cities within its borders and geographical features such as proximity to Mexico, the Gulf of Mexico, the Neches River or a national park.

The statute governing the maximum city hotel tax rate (Texas Tax Code 351) has been amended 11 times, and currently caps the tax at 7 percent, 8.5 percent or 9 percent, depending on factors such as the city's population and its proximity to the Gulf of Mexico, the state of Louisiana, Lake Palestine or a coastal barrier island.

The maximum tax rate for cities and counties levying a tax for sports and community venues (Texas Local Government Code 334 and 335) is 2 percent (or 3 percent for Dallas County only).

In 2013, the Legislature established a maximum cap of 17 percent for all state and local HOT taxes. El Paso's local taxes, however, were put in place before the Legislature established the combined cap; its city and venue taxes total 9 percent combined, on top of a 2.5 percent county tax and the 6 percent state tax, for a total of 17.5 percent.

Attachment 2.

A relatively new reporting requirement from the Texas Comptroller allows for collection of certain data about uses of HOT funds across the state that was not heretofore readily accessible. Despite data limitations due to the format of the report, it may be useful for Rockwall's analysis. The data indicates:

Number of Cities Reporting	334
Rockwall's Rank in Total Revenues (FY 2017)	98
Rockwall's Total Revenue Rank with Projected Revenues (FY 2020)	51
Number of Reporting Cities with Revenue between $750,000 – 1,250,000	17
Number with 2017 Revenue above Rockwall 2020 Projection	6
Number with 2017 Revenue below Rockwall 2020 Projection	10

To examine reporting data for the 16 cities with revenues in the above described ranges:

	Reported Uses by Six (of 9) Authorized Use Categories:					
City	% CVB	% Adv.	% Arts	% Hist.	% Signage	% Expended*
Katy	67	20	12	0	0	99
Kerrville	72	6	5	0	0	83
Stafford	64	0	4	0	0	68
Southlake	17	41	15	0	0	73
Big Spring	44	10	6	3	0	63
Bedford	0	3	43	23	8	97

Subsection Column Average (for those above Rockwall Projected 2020)

	44%	13%	14%	4%	1%	80%
Rockwall	21	69**	7	3	0	100***
Harlingen	30	31	15	3	0	79
Rockport	41	4	14	9	0	68
Desoto	21	5	10	0	1	37
LaPorte	0	87	0	0	0	87
Cedar Park	0	91	0	0	0	100

Euless	49	8	0	1	0	58
Pharr	0	57	0	0	0	57
Portland	11	9	0	0	0	20
Weatherford	13	23	1	47	1	83
Westlake	0	33	5	1	0	39
Subsection Column Average (for those below Rockwall Projected 2020)						
	17%	27%	5%	6%	.33%	63%

*There is some indication that the prescribed form and its instructions may contribute to a variety of interpretations and thus limited reliance on the data for some purposes; however, it is the best data reasonably available.

** Several categories of expenditures were grouped together to be responsive to the instruction provided.

*** Application of the report form instructions listed only six (6) categories of expenditures while at the same time prescribed that the total should include all current year revenues expended. Any use of reserves is not reported.

Reported numbers, despite their limited utility, seem to indicate that some of the cities might have accumulated significant fund balances in their HOT Fund if the reporting year was similar to previous years in those cities. While fund balances were not researched for all of the cities, several were selected for research as to their HOT Fund fund balance. This "spot check" research indicated the following:

City	Reported Revenue	%Expended FY17	Audited Fund Balance
Stafford	$1,188,000	68	$7,164,855
Desoto	$ 903,180	37	$1,509,734
Cedar Park	$ 811,910	100	$1,795.341
Euless	$ 796,900	58	$ 604,024

This lends credibility to the idea that accumulation of significant levels of fund reserve may be somewhat common.

To consider quantification of a fund balance "target" (as noted above), it may be helpful to examine some historic HOT Fund expenditure levels (historic total of awards):

Average of Annual Awards Prior to FY2016	$360,000
FY2016 Estimated Awards Total	383,000
Estimated Awards FY2017, FY2018, FY2019 (+/-)	500,000*

*Contributing to increases after FY2016 were increased expenditures such as:

Funding for enhancement and addition of several City sponsored events
Funding for assisting in the move/renovations to historic Bailey House
Proactive funding to secure specific conferences/conventions
Increased funding to the Rockwall Area Chamber of Commerce

Increasing revenues and projected increases in revenues for FY2019 (3 quarters of HOT collections in this fiscal years after the obligations for rebates to the Hilton) have created additional revenue and thus also influenced fund balance such that:

Beginning Fund balance at the end of FY 2018	$ 24,453
Projected fund balance beginning FY 2020	293,323

TERM DEFINITIONS

HOT Fund
The separate fund in which receipts from the local 7% Hotel Occupancy Tax are deposited. Local HOT taxes collected by local hotels are remitted by the hotels directly to the City. The Annual Operating Budget includes appropriations for expenditures from this fund. Expenditures from the fund are governed by applicable State Law.

Call for Applications
An **existing** process by which the City requests applications for funding from local groups and organizations, hoteliers, businesses, meetings/conferences/conventions sponsors, and applicable City departments to facilitate events or support meetings/conferences/conventions which further the use of HOT funds in accordance with State Law.

Strategic Plan for Use of Hotel Occupancy Tax Funds
A **proposed** addition to the City's Strategic Plan which would state the City's priorities for use of HOT funds and establishing measurements of success for use of these funds in accordance with applicable State Law.

Reactive Services
A term not previously used to describe important services provided in support of the convention and tourism activities which generally apply to activities providing information about Rockwall to prospective tourists, meeting attendees, conference attendees, convention attendees, "staycationers," and other tourists. These services involve making printed and on-line materials available as well as providing information in response to telephone inquiries to current visitors in the City.

Proactive Services
A term not previously used to describe efforts to actively seek tourism, and specifically, to consider and incentivize the successful "booking" of meetings, conferences, events, and appropriately-sized conventions to be held in Rockwall. These may also include encouragement of general leisure tourism. The provision of these services may include consideration of use of HOT funds in accordance with applicable State Law as an incentive for "booking" in Rockwall.

Reasonably Speculative Appropriations
A phrase not previously used to describe an appropriation or expenditure that can reasonably be assumed to result in putting "heads in beds" at local hotel facilities. Activities which may be considered reasonable for consideration include most **reactive services**, directed advertising, and events for which "heads in beds" outcomes cannot be specifically quantified but the desired "heads in beds" outcomes can be reasonably predicted. It is appropriate to consider HOT funding for these services when allowable by appropriate State Law.

Contingent Appropriations
A phrase not previously used to describe specific or non-specific budget line items in the HOT fund budget appropriated for the purpose of reserving funds for consideration for direct contributions to accomplish successful booking of meetings, conferences, appropriately-sized conventions which would result in "heads in beds" in Rockwall. These appropriations are designed to offer HOT fund incentives for bookings and are actually only expended in the event of successful bookings.

Combined local arts groups
A phrase used to describe an ad hoc group with representatives from various existing local arts-supportive groups assembled by the City for the purpose of meeting with a designated City Council subcommittee to provide input into support for the arts locally. Input from this group will be used by the City for strategic planning purposes including possible uses of HOT funds.

Combined local historic groups
A phrase used to describe a proposed ad hoc group with representatives from various existing local historic preservation-supportive groups proposed for assembly by the City for the purpose of meeting with a proposed City Council subcommittee to provide input into support for historic preservation locally. Input from this group would be used by the City for strategic planning purposes including possible uses of HOT funds.

Call for Proposals
This would be a new document that would facilitate the City's receipt of proposals to further the implementation of the proposed **Strategic Plan for Hotel Occupancy Tax Use.** These strategic plan-related proposals could be submitted by hoteliers, event planners and facilitators, other local businesses, and local organizations such as (but not limited to) the

Rockwall Area Chamber of Commerce. Each proposal would be required to directly address the question of how it relates to the relevant adopted strategic planning element. One-time occurrences, programs requiring ongoing funding, and grants to facilitate stand-by capacity for the conduct of meetings, conferences, and appropriately-sized conventions (such as equipping meeting rooms and related facilities) would be eligible for consideration.

One-time occurrence vs. Ongoing Program Funding Requirements
One time occurrences are occurrences that do not require any level of sustained funding after their initial funding or after acquisitions acquired through approved funding. **Ongoing program funding requirements** are, as implied, are costs of programs or acquisitions that would require periodic sustained levels of funding after their initial implementation or their initial acquisition.

Stand-by capacity
Standby capacity refers to an initiative designed to provide tourism "infrastructure" to meet identified needs of tourism service providers and may be either **reactive** or **proactive** in nature.

Grants
Grants involve specific one-time occurrence acquisitions proposed to provide **stand-by capacity** for tourism service providers.

HOT Fund Balance Target
This term not previously used which, if adopted, would establish the desired fund balance (fund reserve) targets for the HOT fund. If adopted the Fund Balance Target would provide the following:

1. It is sufficient to "cover" obligations made at the beginning of each fiscal year in the event of an economy downturn during the fiscal year that would impact hotel occupancy, and thus, revenue to the HOT Fund, and
2. It provides the appropriate level of comfort to the Council that the City will have the ability to respond to any desired, unanticipated HOT fund expenditure needs that may become apparent to the City during the course of any fiscal year, and
3. It provides a comfort level to the City Council that the City will be in a desirable position to respond to the priorities that are included in the

Strategic Plan for Use of Hotel Occupancy Tax Funds as initially adopted (or as this plan may be from time to time amended).

An adopted **HOT Fund Fund Balance Target** would guide consideration of annual budget and other actions geared toward implementation of the **Strategic Plan for Hotel Occupancy Tax Use.**

OTHER DATA AND INFORMATION USED DEVELOPING RECOMMENDATIONS

This section contains data responsive to questions previously posed during discussion of future uses of HOT and other information relative to those questions.

- Does the Council have an interest in expanding the scope of work of the CVB beyond those currently provided? If so, is the Council interested in expanding the CVB efforts through use of HOT receipts expended for that purpose?

To determine if there is interest in expanding CBV efforts beyond those currently provided, it may be helpful to examine current efforts.

The City's contract for CVB services with the Rockwall Area Chamber of Commerce which provides the following for FY2019:

- Establishes the Chamber as a contractor of the City in execution of the programs associated with expending the HOT funds and establishes the acceptable accounting methods associated with HOT funds received
- Obligates the Chamber to advertise a listing of Rockwall establishments with contact information
- Obligates the Chamber to expend the following from HOT funds received:
  $8,296 on CVB website and Kiosk
  $60,955 on CVB staff
  $15,000 on Visitor's Brochure
  $35,000 on Chamber Magazine/Directory
- Establishes Reporting requirements
- Establishes two payment dates of equal payments totaling $119,455

As a strategic initiative, several departments of the City sought to positively influence selection of Rockwall for appropriately sized conferences for organizations about which employees were aware (or were members of) submitting related proposals. The City also reached out to local hoteliers who schedule conferences at their facilities to see if there were opportunities for the use of HOT funds to influence selection of Rockwall for conferences. Over a period of several years, these efforts, though not comprehensive, resulted in the following results:

2009	Kiwanis+	$ 12,000
2013	Kiwanis+	$ 9,000
2014	YAC+	$ 25,000
	TAAF+	$ 9,000
2017	TX Crime Prev+	$ 30,000
	Bldg Off of TX+	$ 25,575
2019	TRAPS+	$ 6,000

In addition, both the local Hilton Hotel and the local Springhill Suites Hotel employ full-time staff engaged in the marketing, scheduling, and attraction of convention/conference business to Rockwall.

- Is the Council interested in re-examining the various structures associated with operation of a CVB as have been employed by other cities and the extent to which they are funded by HOT receipts? Structures used by cities for operation of Convention/Tourism have included:

  Operation of a CVB though contract with a Chamber of Commerce (or other non-profit agency)

  Operation of a CVB through contract/s with a private, for-profit business/s

  Operation of a CVB through contract/s with private for-profit hospitality industry businesses (hotels, etc.)

  Operation of a CVB as a function of the City organization (department or division of the City organization)

  Some combination/s of the above with specific roles defined as a part of the CVB program

- **Expiration of Hilton Rebate**

As a reminder, HOT collections currently total about $425,000 per year. With the expiration of the rebate period to the Hilton ended December 31, 2018, it is anticipated that the total annual collections will increase to about $993,000 in FY 2020.

- Does the Council want to examine various options of incentivizing "head-in-beds" with use of HOT receipts regardless of which structure is selected?

  General Awareness Advertising
  General Destination Advertising
  General Information on Request
  Response to Inquiries
  Active Identification and Recruitment of Prospects
  Response to Solicitations
  Submission of Proposals
  Supporting Efforts of Hotels and other businesses, facilities, and organizations (Also develop standby capacity argument)

- Does the Council want to examine the effectiveness of previous uses of HOT receipts in circumstances where these have been applied directly to incentivizing specific conferences and meetings?

2008	Young Republicans	$ 5,000
2009	Soroptimist	$ 7,000
	Kiwanis+	$ 12,000
2013	Kiwanis+	$ 9,000
2014	YAC+	$ 25,000
	RISD Swim+	$ 10,000
	RISD Gymnastics	$ 10,000
	TAAF+	$ 9,000
2016	Trend HR	$ 5,000
2017	TX Crime Prev+	$ 30,000
	Trend HR	$ 5,000
	Bldg Off of TX+	$ 25,575
2018	RISD Gymnastics	$ 15,000
	Starr Commonwealth	$ 12,000
	Trend HR	$ 2,500
2019	Starr Commonwealth	$ 12,000
	Trend HR	$ 2,000
	TRAPS+	$ 6,000

All of these put heads in beds
+ City Related

- It is my understanding that the Council reached consensus of the following:

The City Council does not currently want to consider the use of funds to build a facility that would be an authorized expenditure under the Law – with the possible exception that the Mayor has suggested that Council Members Macalik, Fowler, and Daniels be designated to hold joint meetings with local arts groups. These meetings may include discussion and consideration of and likely costs of:

Increased monetary support to a unified arts program

Participation in improvements to and financial support for existing building facilities currently used by local arts groups

Increased monetary support for the arts programming offered by a unified arts program

Participation in improved building facilities to serve a unified arts program

These discussions would provide an opportunity to discuss a unified arts program in a manner similar to the current examination of athletics that is now underway.

- Does the Council want to examine prior uses of HOT receipts to determine if review of those uses might warrant policy or process changes?

The following is a listing of historic uses of HOT funds since 2017 and the approved uses as recommended by the Council subcommittee for FY2019.

	2017 Actual	2018 Budget	2019 Event	Council Subcommittee Recommendation
Tourism				
American Legion	-	2,400	WWI 100th Anniversary	-
Art League	4,300	3,500	Fine Art Show	**3,000**
Aspasians	-	2,000	Market Place (April & Oct)	**2,000**
Building Officials of TX	25,575	-	Conference	-
Chamber of Commerce	122,196	123,380	CVB staff & directory/map	**119,455**
Disc Golf	5,000	5,000	Myers Park Tournament	**7,500**
Downtown Association	11,315	15,000	Christmas/Cinco de Mayo/Web site	**23,000**
Duck Regatta	25,000	20,000	Rubber Duck Race B&G Club	**20,000**
Fire Fighters Ball	15,000	20,000	Colbert Project	**20,000**
Friends of the Library	comp space	comp space	Christmas Luncheon	**comp space**
Helping Hands	5,000	7,000	Festival of Trees	**9,000**
HHS Hawk Booster Club	-	15,000	State Gymnastics Meet	-
Hilton	1,485	-	Convention (transportation only)	-
Kiwanis	9,500	9,500	Tri-Rock Triathlon	**11,000**
Lone Star CASA	6,500	7,500	Car Show	**7,500**
Pacific Sports	8,000	20,000	US Open Triathlon	-
Rotary Noon	11,000	11,000	Hot Rocks Bike Race	**12,000**
Sail with Scott	-	7,500	Dallas Race Week - funding app to come later in Sept.	-
Soroptimist	3,000	5,000	Mystery Site Dinner ('17 event moved to '18)	-
Starr Commonwealth	-	12,000	Conference	**12,000**
Texas Crime Prevention	30,000	-	Conference	-
TrendHR	5,000	2,500	Conference	**2,000**
Subtotal	287,871	288,280		**248,455**
Cultural				
Community Playhouse			Various Productions	**3,500**

	5,000	5,000		
Music Fest	13,000	10,000	Concerts	**8,000**
Summer Musicals	4,000	3,500	Musical Productions	**5,000**
subtotal	22,000	18,500		**16,500**
Historical				
Historical Foundation		6,650	Advertising/Brochures	**7,500**
Historical Foundation	40,500	-	Restoration	**25,000**
Subtotal	40,500	6,650		**32,500**
City				
Main Street	35,091	28,000	Downtown music San Jacinto	**23,500**
Main Street	15,812	9,700	Advertising	**16,700**
Main Street	-	-	Destination Rockwall	**4,000**
Concert by the Lake	35,091	38,000	Harbor concerts	**42,000**
Founders Day	101,156	100,000	Concert	**100,000**
Memorial Day	3,609	5,000	Concert	**5,000**
Rib Rub	11,420	15,000	BBQ contest and 5K	**15,000**
TRAPS			Conference	**6,000**
subtotal	151,276	195,700		**212,200**
Totals	501,647	509,130		**509,655**

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333

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **March 29, 2019**

SUBJECT: **Legislative Session**

The Legislative Session is well underway.

Mayor Pruitt testified in opposition to HB 3535/SB1152 last week and will discuss that in the meeting Monday. The companion bill in the Senate will be heard in committee this coming Tuesday.

Another set of bills before the Legislature is HB2439/SB1266 which would restrict collection of right-of-way rental fees (formerly known as franchise fees) from telephone and cable companies in a manner which would reduce revenue to the City of Rockwall of about $100,000 per year.

I have taken the liberty to prepare draft resolutions in opposition to the bills which may be edited by the Council and considered by the Council on Monday night.

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 19-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS OPPOSING TEXAS HOUSE BILL 3535 AND SENATE BILL 1152, RELATED TO REGULATING AND REDUCING MUNICIPAL FRANCHISE FEES FOR CABLE AND PHONE SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, HB3535 (by Representative Phelan) is currently pending before the Texas House of Representatives Committee on State Affairs, and

WHEREAS, SB1152 (by Senator Hancock) has already been voted out of Committee; and

WHEREAS, HB3535 and SB1152 significantly reduce cities' ability to collect rental fees (formerly known as franchise fees) in payment for use of city rights-of-way by providers of telephone and cable services which are currently authorized by the State; and

***WHEREAS**, said limitations would involve allowing any company that provides telephone or cable services to stop paying the lesser of currently authorized statewide access line fees or cable franchise fees; and

WHEREAS, HB 3535 and SB 1152 would remove an important revenue source used by the City of Rockwall to local services including but not limited to public safety and public works; and

***WHEREAS**, these rental fees are currently paid by private businesses for use of tax-payer owned right-of way as a cost of doing business; and

***WHEREAS**, a matter of constitutionality has been brought into question given that the Texas Constitution requires that cities' be compensated at a rate not less than fair market value for private uses of such tax-payer owned properties; and

***WHEREAS**, passage of said legislation into law would reduce City of Rockwall revenues by an estimated $100,000 per year; and

***WHEREAS**, other legislation currently before Texas State Legislative bodies seeks to impose tax revenue caps on Texas cities; and

***WHEREAS**, State mandates both capping revenues and reducing other sources of revenues such as contemplated by HB3535 and SB1152 may result in local service reductions in favor of private service providers at the expense of local tax payers given that any customer rate reductions may be difficult to verify and, even so, would apply only to those taxpayers who are customers of the applicable utilities; and,

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

SECTION I. The City of Rockwall opposes HB 3535 and SB 1152 and requests that its elected State officials consider joining the City in opposition of these Bills.

DRAFT

335

SECTION II. The City Manager or his designee is directed to send copies of this resolution to the members of the Texas Legislature who represent Rockwall.

SECTION III. This Resolution shall become effective immediately upon its passage and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS THE 1st DAY OF APRIL, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

All language in this draft may be edited after discussion by the Council. Those sections proceeded by an * are strictly optional, however, and the Council may/may not want to include them in the final resolution if adopted.

DRAFT

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 19-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, OPPOSING TEXAS HOUSE BILL 2439 AND SENATE BILL 1266, RELATED TO CERTAIN REGULATIONS ADOPTED BY GOVERNMENTAL ENTITIES FOR THE BUILDING PRODUCTS, MATERIALS, OR METHODS USED IN THE CONSTRUCTION OF RESIDENTIAL OR COMMERCIAL STRUCTURES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, HB2439 (by Representative Phelan) is currently pending the Texas House of Representatives Committee on State Affairs; and

WHEREAS, SB1266 (by Senator Buckingham) is scheduled for hearing before the Senate Business and Commerce Committee on Tuesday, April 2, 2109; and

WHEREAS, HB2439 and SB1266 provides that (1) a governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, or other regulation that prohibits, directly or indirectly, the use of a building product, material, or method in the construction, renovation, maintenance, or other alteration of a residential or commercial structure if the building product, material, or method is approved for use by a national model code that: (a) is adopted by the governmental entity; and (b) governs the construction, renovation, use, or maintenance of buildings and building systems; (2) a rule, charter provision, ordinance, order, or other regulation adopted by a governmental entity that conflicts with the bill is void; (3) the attorney general may bring an action in the name of the state to enjoin a violation of the bill; and (4) the attorney general may recover reasonable attorney's fees and costs incurred in bringing an action under the bill; and

WHEREAS, HB2439 and SB1266 if adopted into law as currently written would have substantial negative impact on property owners' property value protections by prohibiting enforcement of the City of Rockwall's locally adopted, preferred, and accepted building standards which have been adopted with substantial input from its citizens.

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

SECTION I. The City of Rockwall opposes HB 2349 and SB 1266 and requests that its elected State officials consider joining the City in opposition of these Bills.

SECTION II. The City Manager or his designee is directed to send copies of this resolution to the members of the Texas Legislature who represent Rockwall.

SECTION III. This Resolution shall become effective immediately upon its passage, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS THE 1st DAY OF APRIL, 2019.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

DRAFT

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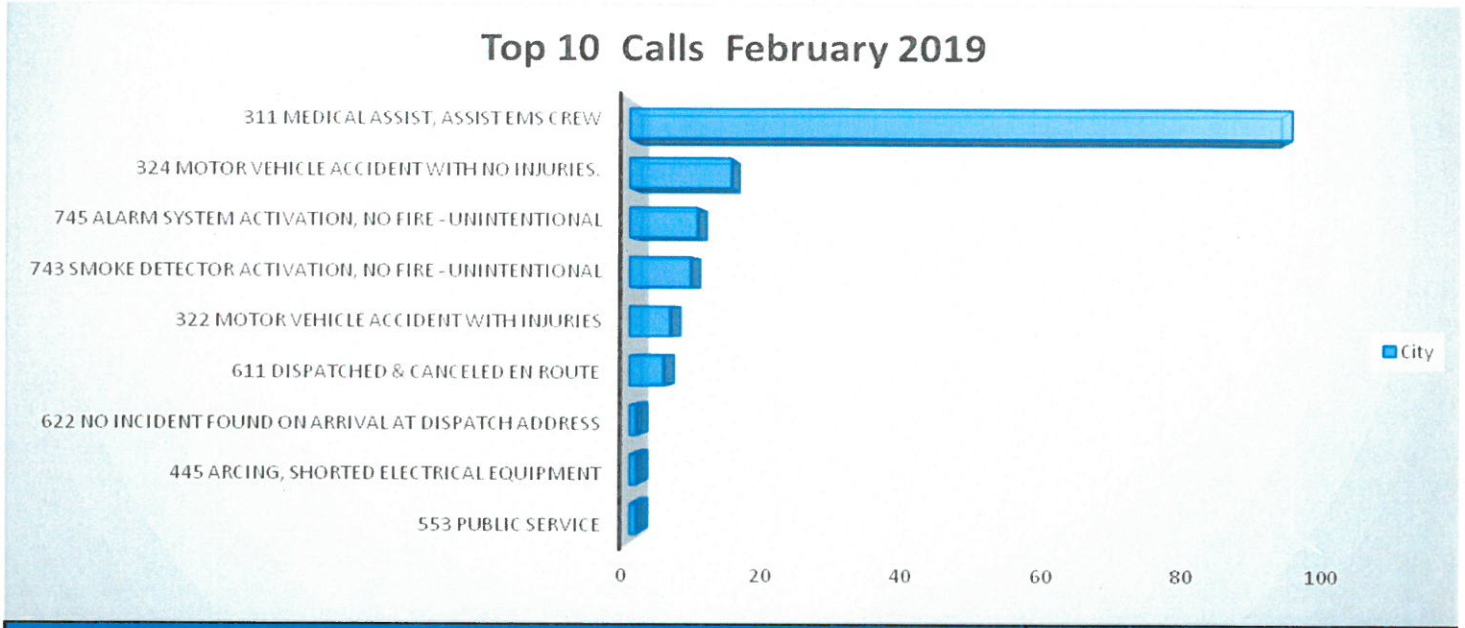
338

ROCKWALL FIRE DEPARTMENT

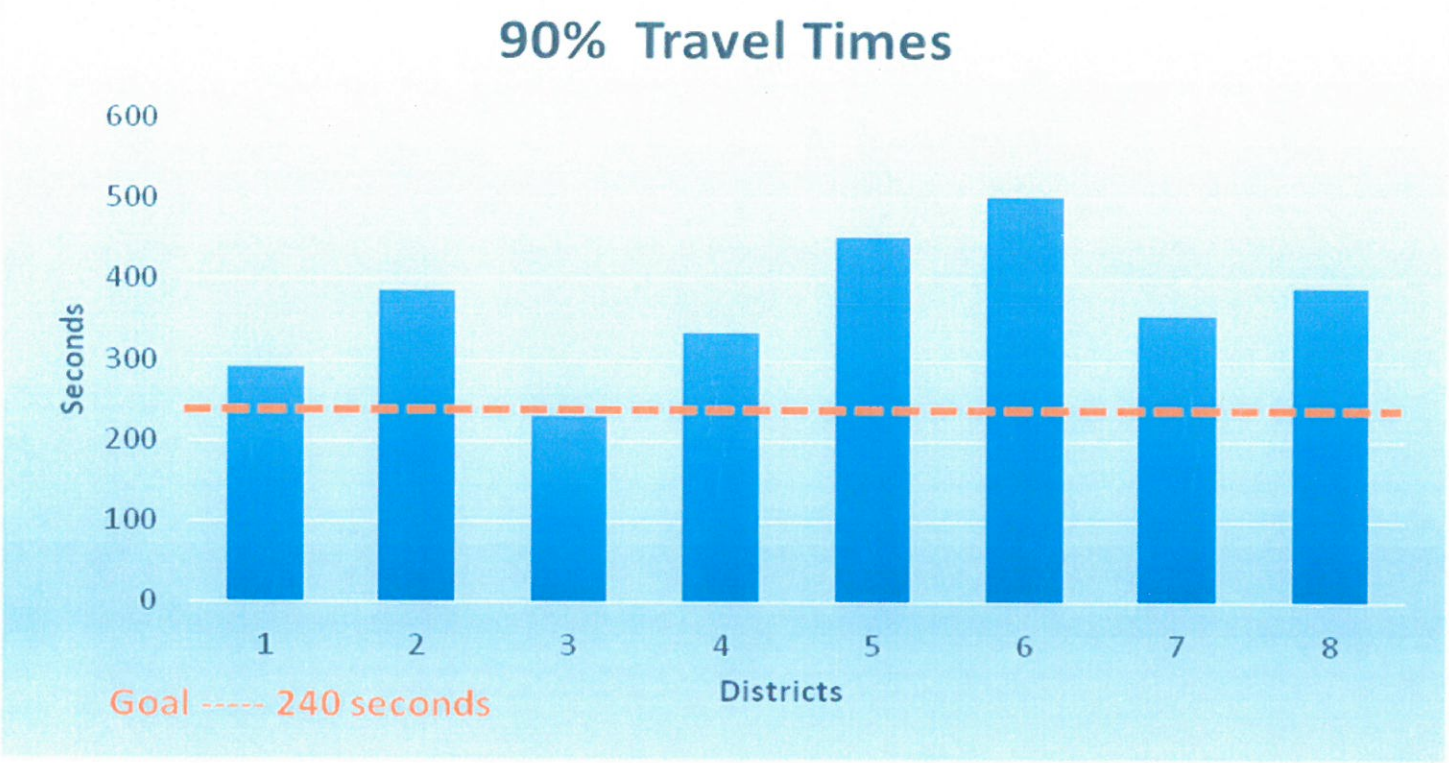
Monthly Report

February 2019

339

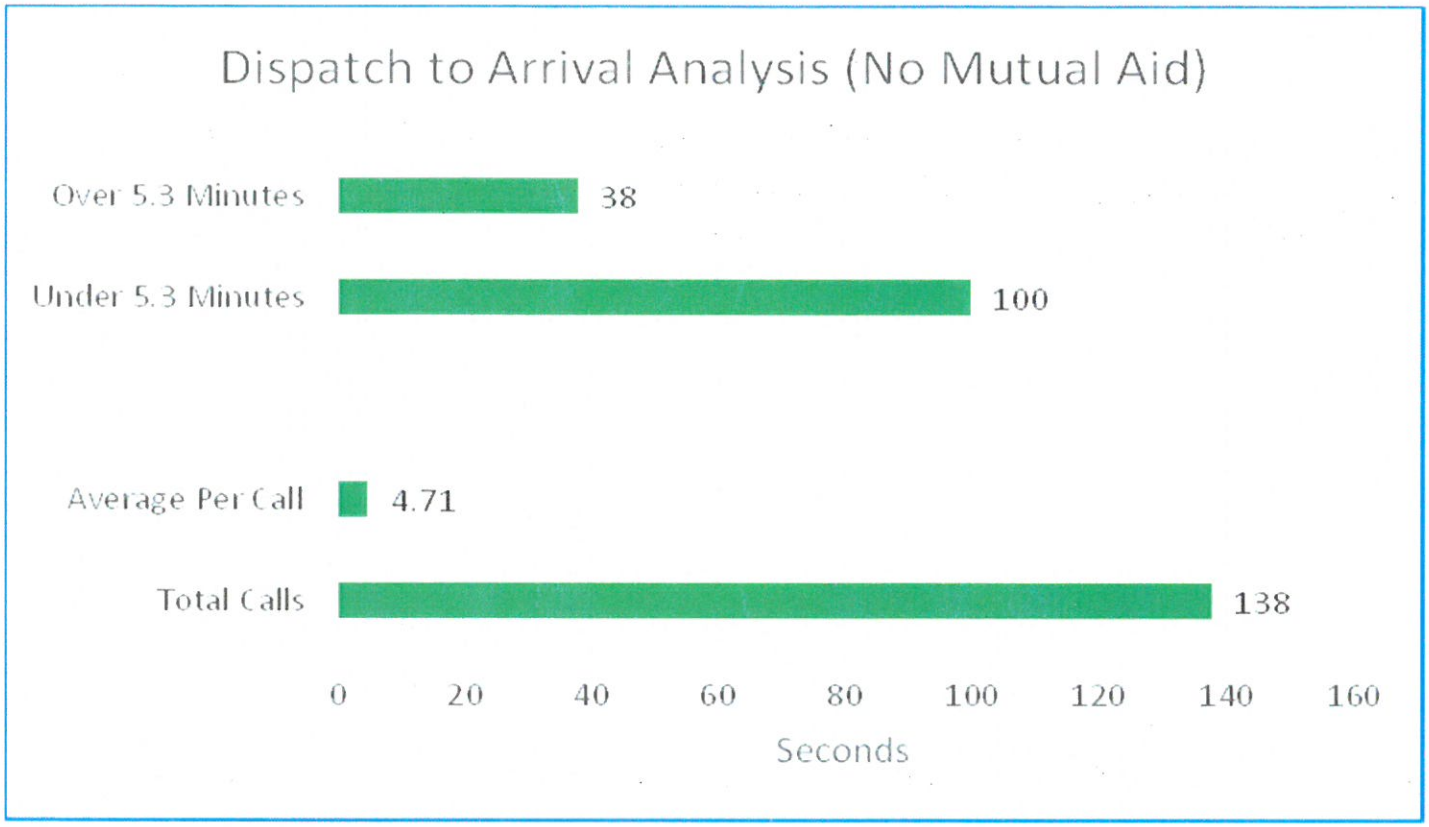


February 2019- All Calls	
Situation Type	City
111 Building fire	2
311 Medical assist, assist EMS crew	97
322 Motor vehicle accident with injuries	6
412 Gas leak (natural gas or LPG)	5
611 Dispatched & canceled en route	5
622 No incident found on arrival at dispatch address	1
733 Smoke detector activation due to malfunction	2
735 Alarm system sounded due to malfunction	2
743 Smoke detector activation, no fire - unintentional	9
745 Alarm system activation, no fire - unintentional	10
411 Gasoline or other flammable liquid spill	1
131 Passenger vehicle fire (cars, pickups, SUV's)	3
651 Smoke scare, odor of smoke	6
324 Motor vehicle accident with no injuries.	15
671 HazMat release investigation w/no HazMat	1
440 Electrical wiring/equipment problem, other	1
445 Arcing, shorted electrical equipment	1
462 Aircraft standby	1
154 Dumpster or other outside trash receptacle fire	1
341 Search for person on land	2
444 Power line down	2
511 Lock-out	3
522 Water or steam leak	1
400 Hazardous condition, other	1
550 Smoke Detector Battery Change/Install	6
140 OTHER Natural vegetation fire	1
300 Rescue, EMS incident, other	1
531 Smoke or odor removal	1
553 Public service	1
715 Local alarm system, malicious false alarm	1
736 CO detector activation due to malfunction	1
Totals	**190** **340**



Travel Time Analysis-*By District* (No Mutual Aid)				Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% 4 min or less	All Code 3 Calls					
	100s					
79%	On Scene in	4.0	minutes or less	44	3.20	31.88%
	200s					
72%	On Scene in	4.0	minutes or less	40	3.31	28.99%
	300s					
92%	On Scene in	4.0	minutes or less	13	2.76	9.42%
	400s					
56%	On Scene in	4.0	minutes or less	26	4.04	18.84%
	500s					
0%	On Scene in	4.0	minutes or less	2	6.82	1.45%
	600s					
25%	On Scene in	4.0	minutes or less	4	5.90	2.90%
	700s					
33%	On Scene in	4.0	minutes or less	6	4.18	4.35%
	800s					
33%	On Scene in	4.0	minutes or less	3	5.12	2.17%
	900s					
	On Scene in	4.0	minutes or less	0		
			Total Calls	138		

341



Dispatch to Arrival Analysis-(No Mutual Aid)					Total Calls
66%	On Scene in	5.3	minutes or less		100
74%	On Scene in	6.0	minutes or less		118
86%	On Scene in	7.0	minutes or less		121
89%	On Scene in	8.0	minutes or less		126
92%	On Scene in	9.0	minutes or less		130
99%	On Scene in	12.0	minutes or less		138
	Total Calls		138		

Total Dollar Losses

February 2019

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 03/19/2019 14:36
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$1,000.00	$4,000.00	$0.00	$5,000.00	$98,060.00
Total Content Loss:	$0.00	$0.00	$1,400.00	$0.00	$60,236.00
Total Property Pre-Incident Value:	$1,000,000.00	$2,601,000.00	$0.00	$3,601,000.00	$98,060.00
Total Contents Pre-Incident Value	$0.00	$0.00	$0.00	$0.00	$58,836.00
Total Losses:	$1,000.00	$4,000.00	$1,400.00	$5,000.00	$1,000.00
Total Value:	$1,000,000.00	$2,601,000.00	$.00	$3,601,000.00	$156,896.00

Fire Marshal Division

Monthly Report - February 2019

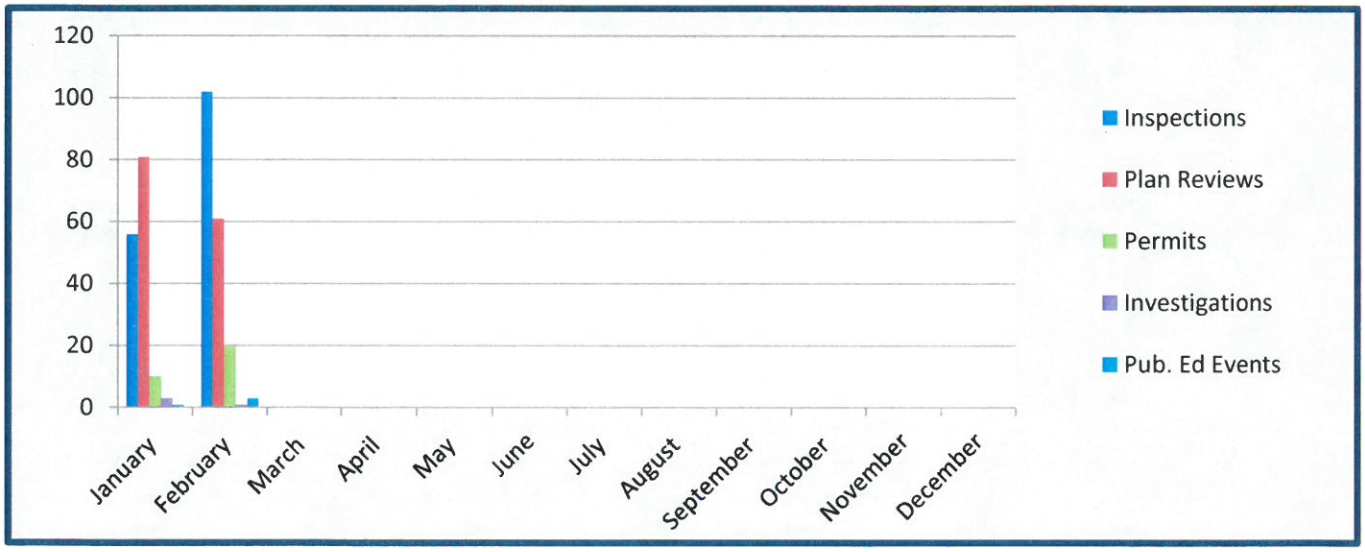
Inspection Status Report	
Finaled Inspections	46
Pending Inspections	56
Total for the Month	**102**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	1
Total for the Month	**1**

Plan Review Report	
Above Ground Storage	1
CO	7
COMM	32
Engineering	5
Plat	6
Site Plan	5
Single Family	1
Special Event	3
Zoning	1
Total for the Month	61

Fire Permit Report	
CO2 System	1
Fire Alarm	5
Fire Sprinkler	8
Fireworks	1
Kitchen Suppression	2
Open Burn	1
Underground Sprinkler	2
Total for the Month	**20**

Public Education Events	
Total for the Month	**3**



344

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345

Key Projects:

(1) **Asset Management Software**. Maintenance and Queries

(2) **Outside Agencies / Citizens**. NCTCOG, US Census Bureau, City of Paris

(3) **Engineering/Public Works**. Manhole ID's for Camera Videos, West Boydstun Mail out, Inspections Mail out, North Alamo Mail out, Outfall Map 2019, Flushing and Sample Sites Geocode Map, Street Listing Signage Data, Basin Identification Map, Consult. Calculations, Multi-Family Basin Counts, Stonebridge Lift Station Elimination, LRE Cityworks Numbers

(4) **Planning Department**. Zoning Tool Calc's, Single Family / Multi-Family Counts at Build-Out, BPP - RCAD Data, Land Use Assumptions (build-out), I-30 Corridor Updates

(5) **GIS**. 911 Addressing, Street Renaming - Wood Case, Census BAS Update, GPS Technician Job Opening, Trak-it Cases – Reconnect, Permitting Software bid review, STEAM Event, Breezy Hill Phase 6, Update Street Wall Map, Update Parcel Layer, Fontanna Ranch Phases 2-3

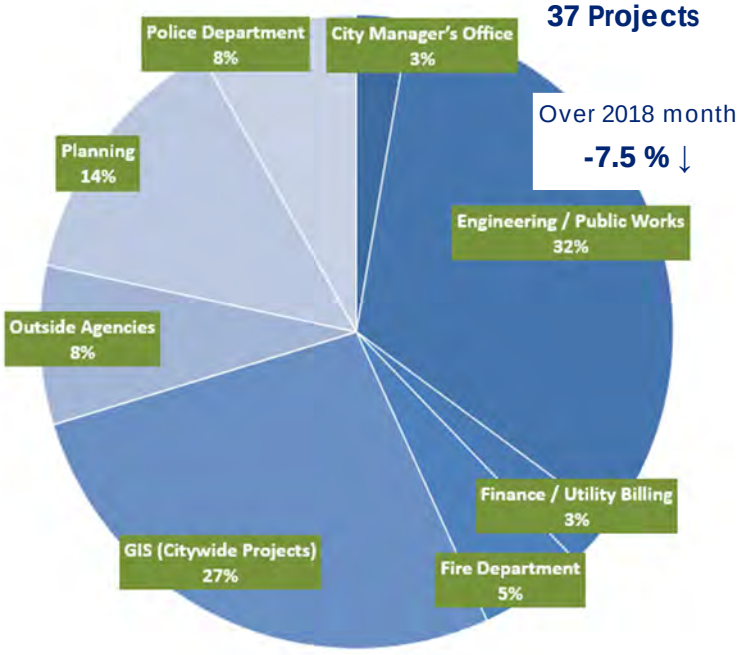
(6) **Police / Fire.** Community Risk Assessment Data, Police Beat Map, Sex Offender - 711 Lakeside Dr, Sex Offender Prohibited Zones Layer, Safer Grant - Fire District Calc's

(7) **Utility Billing.** Water Meter Account – Total Res. Population

Monthly Project Request by Department:

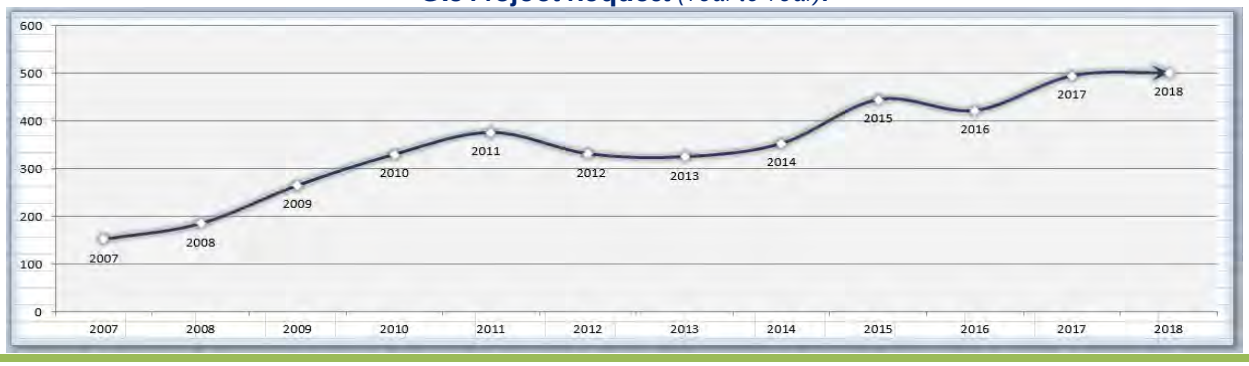
37 Projects

Over 2018 month
-7.5 % ↓



Admin / HR / Internal Ops	0
Building Inspections	0
Citizen Request	0
City Council	0
City Manager's Office	1
Neighborhood Improvement Services	0
Engineering / Public Works	12
Finance / Utility Billing	1
Fire Department	2
GIS (Citywide Projects)	10
IT	0
Main Street Program	0
Outside Agencies	3
Parks and Recreation	0
Planning	5
Police Department	3
REDC	0
Total	**37**

GIS Project Request *(Year to Year)*:



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347

Rockwall Police Department
Harbor District Call For Service
February 2019

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2019-00005704	02/25/2019	19:50:50	Glorias Restaurant	Assault	No Report
2019-00004083	02/10/2019	00:59:06	Hilton Hotel	Disturbance	Arrest
2019-00005450	02/22/2019	20:23:07	The Harbor	Harassment	No Report
2019-00005467	02/22/2019	22:10:30	Hilton Hotel	Intoxicated	Unable To Locate
2019-00005127	02/20/2019	00:48:42	The Harbor	Parking Violation	Citation
2019-00004048	02/09/2019	16:09:11	The Harbor	Suspicious Activity	Unable To Locate
2019-00003402	02/03/2019	15:12:06	The Harbor	Suspicious Vehicle	Unable To Locate
2019-00003537	02/04/2019	16:51:36	Rodeo Goat	Theft	Report

Common Name	
Glorias Restaurant	1
Hilton Hotel	2
The Harbor	4
Rodeo Goat	1
Total	**8**

348

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349

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
FEBRUARY 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	5	5	0	100%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	3	3	0	100%
ANIMAL SERVICES	14	14	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	3	3	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	32	32	0	100%
INTERNAL OPERATIONS	76	76	0	100%
MUNICIPAL COURT	16	16	0	100%
PARKS & RECREATION	20	20	0	100%
PLANNING & ZONING	1	1	0	100%
POLICE DEPARTMENT	34	34	0	100%
PUBLIC WORKS	12	12	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	218	218	0	100%

350

F46 Ralph M Hall Rockwall Municipal Airport

Operations Report February 2019

Fuel Sales

		Gallons Sold	Gross Sales
Jet - A Sales		408	$1,599.40
100LL	Full	648	$2,585.20
100LL	Self	1511.7	$5,139.78
Total	AVGas Sales	1056	$9,324.38

Hangar Rental Revenue

Overnight Tiedown	
Covered Overnight Tiedown	
Open T Hangar	$3,485.00
Enclosed Hangar	$300.00
Community Hangar	$580.00
Total Hangar Rentals	$4,365

Hangar Occupancy

	Total Hangars	Qty Rentable	Quantity Leased	Occupancy Rate
Open T Hangars	46	43	41	87%
Enclosed Hangars	2	2	2	100%
Community Hangar	1	1	1	100%
Total Hangar Occupancy				96%

City Revenue	Fee Rate	Hangar Rental	Fuel Flowage	Total Due
Fuel Sales (Gallons Sold)	$0.10		1,056.00	$105.60
Hangars	5.00%	$4,365.00		$218.25
Total Fees Due				$323.85

351

2019

Feburary

Day		Piston			Turbo Prop			JET	
		Single Engine	Multi-Engine	Helicopter	Single Engine	Multi-Engine	Helicopter		
Fri	1								low ceilings
Sat	2								
Sun	3								
Mon	4	16		5	1				
Tues	5	13		3					low ceilings
Wed	6	1					2		
Thurs	7	10		8	1				windy
Fri	8	16		2			3		
Sat	9	5							
Sun	10								
Mon	11	2							low ceilings, rain
Tues	12	4		2					
Wed	13	21							slight wind
Thurs	14	13		2					windy
Fri	15	31		1					
Sat	16								rain/fog
Sun	17	27							
Mon	18	23		4					
Tues	19	12		3					
Wed	20	17							
Thurs	21	15		5					
Fri	22								rain/fog
Sat	23	8		1			2		rain/fog
Sun	24	42		1					
Mon	25	19		9					
Tues	26	13							
Wed	27								
Thurs	28								
TOTALS:		308	0	46	2	0	7	0	

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353

Rockwall Police Department

Monthly Activity Report

February-2019

ACTIVITY	CURRENT MONTH FEBRUARY	PREVIOUS MONTH JANUARY	YTD 2019	YTD 2018	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	2	2	4	2	**100.00%**
Robbery	0	0	0	0	**0.00%**
Aggravated Assault	2	2	4	4	**0.00%**
Burglary	4	2	6	4	**50.00%**
Larceny	41	55	96	117	**-17.95%**
Motor Vehicle Theft	4	5	9	4	**125.00%**
TOTAL PART I	**53**	**66**	**119**	**131**	**-9.16%**
TOTAL PART II	**132**	**154**	**286**	**308**	**-7.14%**
TOTAL OFFENSES	**185**	**220**	**405**	**439**	**-7.74%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	15	18	33	24	**37.50%**
D.W.I.	17	21	38	25	**52.00%**
ARRESTS					
FELONY	37	42	79	59	**33.90%**
MISDEMEANOR	60	65	125	139	**-10.07%**
WARRANT ARREST	10	9	19	19	**0.00%**
JUVENILE	4	2	6	9	**-33.33%**
TOTAL ARRESTS	**111**	**118**	**229**	**226**	**1.33%**
DISPATCH					
CALLS FOR SERVICE	1276	1476	2752	2484	**10.79%**
ACCIDENTS					
INJURY	6	12	18	28	**-35.71%**
NON-INJURY	67	57	124	97	**27.84%**
FATALITY	0	0	0	0	**0.00%**
TOTAL	**73**	**69**	**142**	**125**	**13.60%**
FALSE ALARMS					
RESIDENT ALARMS	47	42	89	124	**-28.23%**
BUSINESS ALARMS	119	133	252	267	**-5.62%**
TOTAL FALSE ALARMS	**166**	**175**	**341**	**391**	**-12.79%**
Estimated Lost Hours	**109.56**	**115.5**	**225.06**	**258.06**	**-12.79%**
Estimated Cost	**$2,606.20**	**$2,747.50**	**$5,353.70**	**$6,138.70**	**-12.79%**

ROCKWALL NARCOTICS UNIT

Number of Cases	
Arrests	**4**
Arrest Warrants	**1**
Search Warrants	
Seized	
Cocaine	750 grams
Methamphetamine	1.9 kilograms
THC Oil	10 grams

Rockwall Police Department

Dispatch and Response Times

February 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**63**
Call to Dispatch	0:01:23		
Call to Arrival	0:05:43		
% over 7 minutes	25%		

	Average Response Time		
Priority 2		Number of Calls	**257**
Call to Dispatch	0:02:52		
Call to Arrival	0:10:00		
% over 7 minutes	60%		

	Average Response Time		
Priority 3		Number of Calls	**46**
Call to Dispatch	0:09:32		
Call to Arrival	0:17:21		
% over 7 minutes	63%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

355

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356



PARTICIPATION



SNAP PROM: 100 PARTICPANTS



OPENING CEREMONIES: 30 TEAMS



BUTTERFLY CLASS:
20 PARTICPANTS

MONTHLY OVERVIEW	*FEB '19*
Part Time Labor Hours	64.5
Program Offerings	9
Program Participants	201
Resident Participants	92
Non-Resident Participants	109
Programs that Made	9
Cancelled Programs	0
% of Programs Cancelled	0%

FEE BASED RESIDENT VS NON-RESIDENT

9 programs

46%	54%

357

VOLUNTEER IN THE PARKS (V.I.P.)



ALL FEB EVENTS POSTPONED

TOTAL # OF VOLUNTEER HOURS

# OF VOLUNTEERS	NA
# OF VOLUNTEER HOURS	NA

NA



HMCC	FEB '19
Time Blocks Rented	52
Monthly Revenue	$2080

HMCC RENTAL ACTIVITY BY TIME BLOCK

52 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM

23% | 35% | 42%



PAVILIONS	FEB '19
Time Blocks Rented	2
Monthly Revenue	$80

PAVILION RENTAL ACTIVITY BY TIME BLOCK

2Rentals

6 AM - 3 PM | 3 - 11 PM

50% | 50%





EVENT SUPPORT:

RBSL Opening Day at Tuttle Athletic Complex

FACILITY UPGRADE:

New serving window at Tuttle Concession



FACILITY RENOVATION:

Harry Myers Disc Golf Course complete renovation with new tee boxes and hole designs.



359

MARKETING

FACEBOOK PAGE LIKES

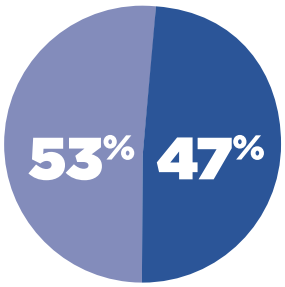
	GAIN OR LOSS
JAN	+41
FEB	+44

TOTAL LIKES THRU 2/28/2019

Like **12,309**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
JAN	7823	+263
FEB	7928	+105



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

PLAYROCKWALL.COM

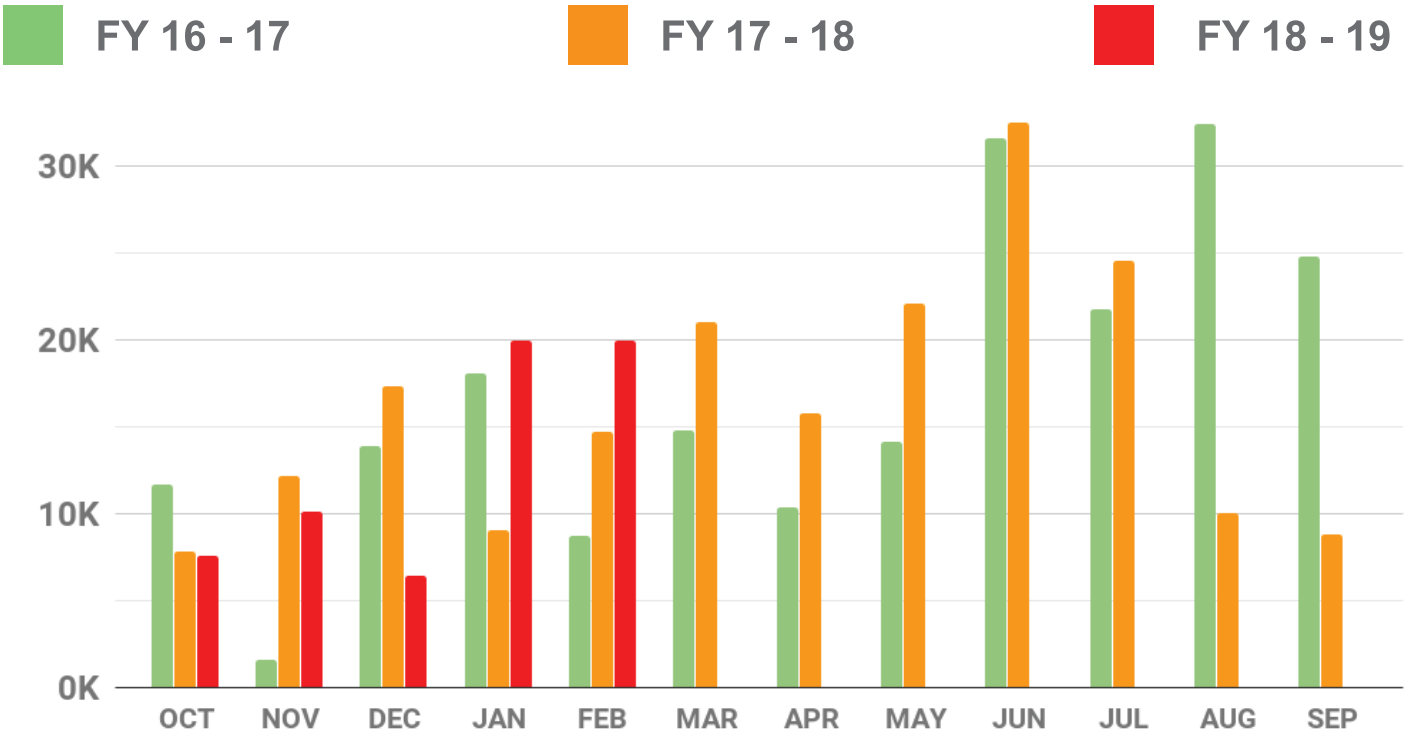
PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of February 2019.	77,060
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	13,440
USERS Visitors to playrockwall.com	8,586

360

REVENUE

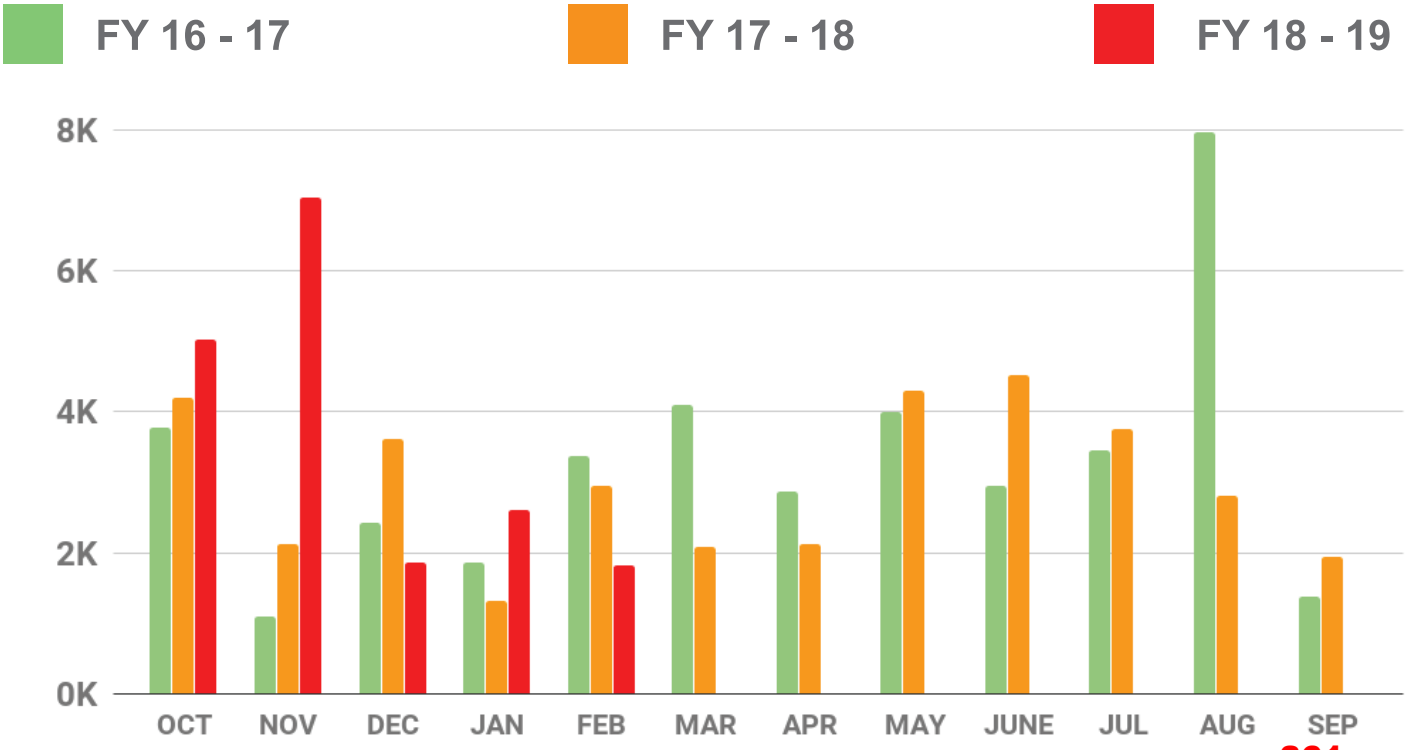
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



361

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362

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	**96%**
March '19								
April '19								
May '19								
June '19								
July '19								
August '19								
September '19								
October '19								
November '19								
December '19								

363

Rockwall Animal Adoption Center

PROFIT AND LOSS

February 2019

	TOTAL
Income	
4000 City of Rockwall	97,617.88
4100 Adoption Fee	
4111 Adoption Fee - Dog	4,600.00
4112 Adoption Fee - Cat	890.00
Total 4100 Adoption Fee	**5,490.00**
4200 Impound Fee	975.00
4300 Owner Surrender	775.00
4350 Quarantine Fee	300.00
4400 Direct Public Support	
4410 Corporate Contributions	568.06
Total 4400 Direct Public Support	**568.06**
4650 Medical	740.00
4700 General Donations	3,560.56
47200 Program Income	
47230 Membership Dues	25.00
Total 47200 Program Income	**25.00**
Total Income	**$110,051.50**
GROSS PROFIT	**$110,051.50**
Expenses	
5200 - Shelter Expense	
5202 - Micro Chip	1,248.75
5203 - Medication	6,693.07
5209 - Shelter Supplies	710.57
5210 - Cleaning	170.00
5211 - Repair & Maint.	3,445.79
5220 - Truck Maintenance	966.39
Total 5200 - Shelter Expense	**13,234.57**
5215 - Insurance	900.00
5300 - Veterinary Expense	2,612.43
5400 - Professional Services	2,475.34
65000 5000 - Administative Expense	
5004 - Paypal/Intuit fee	243.71
5005 - Postage	36.06
5006 - Bank Fees	63.96
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	22,573.65
5055 - Payroll Tax	1,741.65
5056 - 401K Employer/Healthcare	697.52
5099 - Misc	735.20
65030 5003 - Printing and Copying	-61.00
65040 5001 - Supplies	534.70
65050 5060 -Telephone, Telecomm	240.00

	TOTAL
Total 65000 5000 - Administative Expense	**27,069.95**
Total Expenses	**$46,292.29**
NET OPERATING INCOME	**$63,759.21**
NET INCOME	**$63,759.21**

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366

STAR TRANSIT
Phone: 877-631-5278 | **Fax:** 972-563-0048 | **Website:** STARtransit.org
PO Box 703 | Terrell | TX 75160

March 4, 2019

TO: City of Rockwall

FROM: Ashley Ando, Grant Director

Re: STAR Transit Second Quarter FY 2019 Demand Response

TOTAL TRIPS FOR 2ND QUARTER = 4,364

Days of Service: December 1, 2018 – February 28, 2019
59 Service Days

Holidays: 5 Days
December 24th & 25th
January 1st & 21st
February 18th

MONTH	NO. OF SERVICE DAYS	TRIPS
DECEMBER	19	743
JANUARY	21	1,206
FEBRUARY	19	2,415
	59	**4,364**

NO. OF TRIPS	PURPOSE
1,936	CONTRACT SERVICE
74	EDUCATION
8	GOVERNMENT
245	MEDICAID
605	MEDICAL
43	NUTRITION
594	OTHER
380	SHOPPING
479	WORK

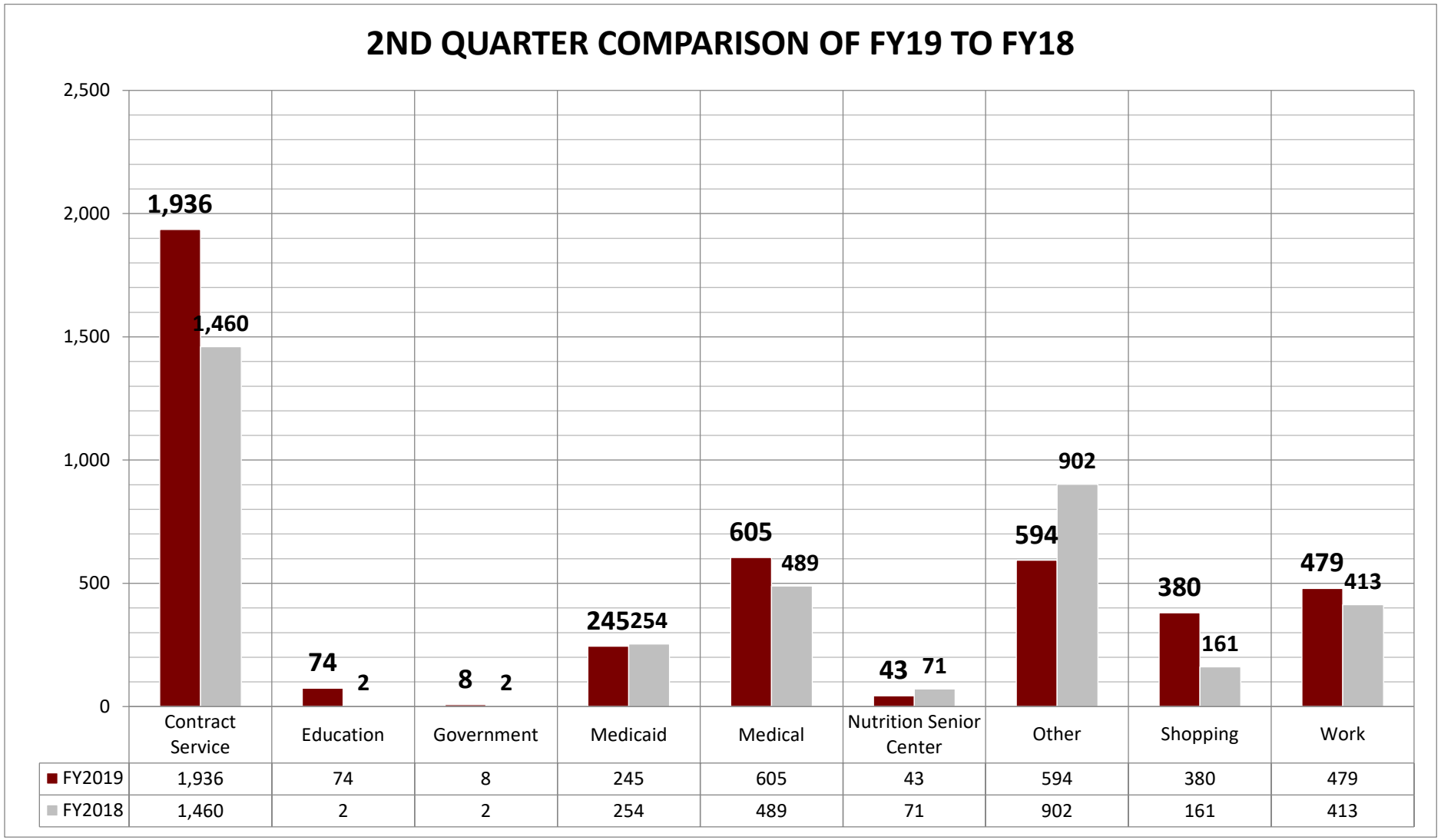
ELDERLY AND DISABLED RIDERSHIP	
379	Disabled Trips
1,246	Elderly (&/or Dis) Trips

1,625 E &D Total Rides

E & D Percent of Public Transportation – 74%

FY 2019 Year to Date Total Rides – **7,887**

Prior Year FY2018 2nd Q Total Rides – 3,754 (14% INCREASE) DIRECTLY RELATED TO LAKEPOINTE CHURCH SERVICE CONTRACT



	Contract Service	Education	Government	Medicaid	Medical	Nutrition Senior Center	Other	Shopping	Work
FY2019	1,936	74	8	245	605	43	594	380	479
FY2018	1,460	2	2	254	489	71	902	161	413

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369

STAR TRANSIT
Phone: 877-631-5278 | **Fax:** 972-563-0048 | **Website:** STARtransit.org
PO Box 703 | Terrell | TX 75160

March 4, 2019

To: City of Rockwall

From: Ashley Ando, Grant Director

Re: February 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
FEBRUARY	19	2,415

Non-Service Days: February 18th

NO. OF TRIPS	PURPOSE
1,601	Contract Service
45	Education
2	Government
65	Medicaid
202	Medical
14	Nutrition (Senior Center)
224	Other (adult-day care, beauty salon, friend's homes, etc.)
97	Shopping
165	Work

FEBRUARY UNDUPLICATED PASSENGERS
78
YEAR TO DATE UNDUPLICATED PASSENGERS
202

Adjusted Trip Total	749

*Trip Totals without Contracts or Medicaid

> = 60	447
DIS >60	115
	562
% E & D Trip Total	75%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **7,887**
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: FEBRUARY 2018 TRIP TOTAL= 1,274 (89% INCREASE)

ROCKWALL CITY	1Q	2Q	3Q	4Q	PURPOSE TOTALS
CONTRACT	1,015	1,936	0	0	*2,951*
EDU	77	74	0	0	*151*
GOV	5	8	0	0	*13*
MDE	219	245	0	0	*464*
MED	632	605	0	0	*1,237*
NUT	34	43	0	0	*77*
OTH	544	594	0	0	*1,138*
SHP	533	380	0	0	*913*
WORK	464	479	0	0	*943*
	3,523	4,364	0	0	*7,887*

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743	1,206	2,415							7,887	*1,315*
CONTRACT	709	306	0	0	335	1,601							2,951	*492*
EDU	0	41	36	12	17	45							151	*25*
GOV	1	2	2	4	2	2							13	*2*
MDE	62	69	88	90	90	65							464	*77*
MED	171	235	226	200	203	202							1,237	*206*
NUT	10	11	13	17	12	14							77	*13*
OTH	130	247	167	161	209	224							1,138	*190*
SHP	171	139	223	135	148	97							913	*152*
WORK	159	175	130	124	190	165							943	*157*
TOTAL DR TRIPS	**1,413**	**1,225**	**885**	**743**	**1,206**	**2,415**	**0**	**0**	**0**	**0**	**0**	**0**	7,887	*657*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Medicaid	62	69	88	90	90	65	0	0	0	0	0	0	464	*39*
Lakepointe Church Contract	709	306	0	0	335	1,601							2,951	*492*
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	0	*0*
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	*375*	*88*	*90*	*425*	*1,666*	*0*	*0*	*0*	*0*	*0*	*0*	*3,415*	*285*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Adjusted Trip Total	642	850	797	653	781	749	0	0	0	0	0	0	4,472	*43,511*
*Trip Totals without Contracts or Medicaid														

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
> = 60	345	477	393	375	424	447							2,461	*410*
DIS <60	142	167	137	108	156	115							825	*138*
	487	*644*	*530*	*483*	*580*	*562*	*0*	*0*	*0*	*0*	*0*	*0*	*3,286*	*274*
% of Adjusted Trip Total	76%	76%	66%	74%	74%	75%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
GENERAL PUBLIC	155	206	267	170	201	187	0	0	0	0	0	0	1,186	*99*
% of Adjusted Total	24%	24%	34%	26%	26%	25%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19	21	19							121
NoShow/Cancel	527	474	476	370	456								2,303
UNDUPLICATED M2M	82	88	94	80	91	78							513
UNDUPLICATED YTD		114	144	161	187	202							808
			30	*17*	*26*	*15*	*-202*	*0*	*0*	*0*	*0*	*0*	

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	323	440	360	319	437	388							2,267
Percent Subs of Total Trips	23%	36%	41%	43%	36%	16%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	
SUBS Can/NoShow	119	136	210	211	261	201							1,138

371

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372

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373

Table of Contents

Agenda 5

Public Safety Telecommunications Week

Proclamation 9

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National Day of Prayer

Proclamation 11

Blank Page 12

Motorcycle Safety & Awareness Month

Proclamation 13

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Consider approval of the minutes from the April 1, 2019 regular city council meeting, and take any action necessary.

04-01-19 CC Mtg Mins 15

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Consider a recommendation of the City Council's Naming Subcommittee regarding approval of a resolution renaming South Nash Street, and take any action necessary.

Nash Street 26

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Consider authorizing the purchase of two submersible pumps from Control Specialists L.P in an amount not to Exceed $38,000 to replace two pumps at The Harbor, with one pump in the amount of $18,000 to be funded from The Harbor General Fund Budget and the balance of $20,000 for the second pump to be funded from General Fund Reserves, and take any action necessary.

Memo 30

quote 32

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P2019-016 - Consider a request by Kevin Patel of Triangle Engineering, LLC for the approval of a replat for Lot 2 of the Cain Properties #1 Addition being a 1.233-acre parcel of land identified as a portion of Lot 1 and Lot 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, located north of the intersection of S. Goliad Street [SH-205] and Storrs Street, and take any action necessary.

P2019-016 34

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P2019-010 - Consider a request by Michael Duval of G&A/McAdams on behalf of John Delin of RW Ladera, LLC for the approval of a final plat for Lot 1, Block A and Lot 1, Block B, Ladera Rockwall Addition being a 47.694-acre tract of land identified as a portion of Tract 4-01 and all of Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85) for General Retail (GR) and Single-Family 7 (SF-7) District land uses, situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast and northwest corners of the intersection of SH-66 and John King Boulevard, and take any action necessary.

P2019-010 44

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Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of a Public Improvement District (PID) on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary.

Memorandum 67

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P2019-013 - Hold a public hearing to discuss and consider a request by Dean Cathey of Dean Cathey Custom Homes, Inc. for the approval of a replat for Lots 3, 4 & 5, Block A, Richard Harris Subdivision No. 3 Addition being a 0.57-acre tract of land identified as Lots 1 & 2, Block A, Richard Harris Subdivision No. 3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 705 & 707 Hartman Street, and take any action necessary.

P2019-013 99

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Z2019-005 - Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary (1st Reading).

Z2019-005 108

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Z2019-006 - Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an ordinance for a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary (1st Reading).

Z2019-006 (1) . . . 111
Z2019-006 (2) . . . 141
Z2019-006 (3) . . . 151
Blank Page . . . 228

Z2019-007 - Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of an ordinance for a Specific Use Permit (SUP) allowing outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary (1st Reading).

Z2019-007 . . . 229
Blank Page . . . 245

Z2019-008 - Hold a public hearing and consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an ordinance for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary (1st Reading).

Z2019-008 . . . 246
Blank Page . . . 279

Discuss and consider authorizing Dallas Skydive Center to perform a parachute jump in a designated area of Harry Myers Park as part of the Founders Day Festival, and take any action necessary.

Parachute jump . . . 280
Blank Page . . . 285

Discuss and consider a height variance request for a pole sign at White Tiger Taekwondo located at 55 East I30 and take any action necessary.

Memo and exhibits . . . 286
Blank Page . . . 294

Discuss and consider an ordinance amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 7. "Drought Contingency & Water Emergency Response Plan" for the purpose of repealing it and adopting the "Water Resource and Emergency Management Plan" for the city, and take any action necessary. (2nd reading)

Memo_2nd Reading . . . 295
Ord (2nd Reading) . . . 296
Exh A . . . 298
Blank Page . . . 327

Discuss and consider an ordinance amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 6. "Water Conservation" for the purpose of adopting a new Water Conservation Plan for the City, and take any action necessary. (2nd reading)

Memo_2nd Reading . . . 328
Ord_2nd Reading . . . 329
Exhibit A . . . 332
Blank Page . . . 406

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, April 15, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

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

VII. PROCLAMATIONS

pg.9 **1.** Public Safety Telecommunications Week

pg.11 **2.** National Day of Prayer

pg.13 **3.** Motorcycle Safety & Awareness Month

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.15 **1.** Consider approval of the minutes from the April 1, 2019 regular city council meeting, and take any action necessary.

pg.26 **2.** Consider a recommendation of the City Council's Naming Subcommittee regarding approval of a resolution renaming South Nash Street, and take any action necessary.

pg.30 **3.** Consider authorizing the purchase of two submersible pumps from Control Specialists L.P in an amount not to Exceed $38,000 to replace two pumps at The Harbor, with one pump in the amount of $18,000 to be funded from The Harbor General Fund Budget and the balance of

$20,000 for the second pump to be funded from General Fund Reserves, and take any action necessary.

pg.34 4. **P2019-016** - Consider a request by Kevin Patel of Triangle Engineering, LLC for the approval of a replat for Lot 2 of the Cain Properties #1 Addition being a 1.233-acre parcel of land identified as a portion of Lot 1 and Lot 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, located north of the intersection of S. Goliad Street [SH-205] and Storrs Street, and take any action necessary.

pg.44 5. **P2019-010** - Consider a request by Michael Duval of G&A/McAdams on behalf of John Delin of RW Ladera, LLC for the approval of a final plat for Lot 1, Block A and Lot 1, Block B, Ladera Rockwall Addition being a 47.694-acre tract of land identified as a portion of Tract 4-01 and all of Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85) for General Retail (GR) and Single-Family 7 (SF-7) District land uses, situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast and northwest corners of the intersection of SH-66 and John King Boulevard, and take any action necessary.

X. Appointment Items

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
2. Appointment with the Lakeshore Composite Squadron of the Civil Air Patrol to report on community activities for the 2018-2019 school year, and take any action necessary.

XI. Public Hearing Items

pg. 67 1. Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of a Public Improvement District (PID) on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary.

pg.99 2. **P2019-013** - Hold a public hearing to discuss and consider a request by Dean Cathey of Dean Cathey Custom Homes, Inc. for the approval of a replat for Lots 3, 4 & 5, Block A, Richard Harris Subdivision No. 3 Addition being a 0.57-acre tract of land identified as Lots 1 & 2, Block A, Richard Harris Subdivision No. 3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 705 & 707 Hartman Street, and take any action necessary.

pg.108 **3.** **Z2019-005** - Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary **(1st Reading).**

pg.111 **4.** **Z2019-006** - Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary **(1st Reading).**

pg.229 **5.** **Z2019-007** - Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary **(1st Reading).**

pg.246 **6.** **Z2019-008** - Hold a public hearing and consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an **ordinance** for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary **(1st Reading).**

XII. Action Items

pg.280 **1.** Discuss and consider authorizing Dallas Skydive Center to perform a parachute jump in a designated area of Harry Myers Park as part of the Founders Day Festival, and take any action necessary.

pg.286 **2.** Discuss and consider a height variance request for a pole sign at White Tiger Taekwondo located at 55 East I30 and take any action necessary.

pg.295 **3.** Discuss and consider an **ordinance** amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 7. "Drought Contingency & Water Emergency Response Plan" for the purpose of repealing it and adopting the "Water Resource and Emergency Management Plan" for the city, and take any action necessary. **(2nd reading)**

pg.328 **4.** Discuss and consider an **ordinance** amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 6. "Water Conservation" for the purpose of adopting a new Water Conservation Plan for the City, and take any action necessary. **(2nd reading)**

XIII. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XV. Adjournment

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of April, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, Texas

Proclamation

Whereas, each year the second week in April is designated as "National Public Safety Telecommunications Week" in the State of Texas; and

Whereas, the week is set aside by the State to recognize the diligent efforts of 9-1-1 operators and other communications specialists who serve our communities; and

Whereas, men and women who work in this capacity are "unseen first responders," providing critical assistance to callers in times of great need; and

Whereas, 9-1-1 dispatchers work in an environment that is often high-paced and stressful, being called upon to utilize their specialized skills and training to make split second decisions, which, at times, could mean the difference between life and death; and

Whereas, the City of Rockwall would like to recognize and applaud its own dispatch personnel for the stellar job each of them performs to ensure the safety and wellbeing of our residents.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim April 14 – 20, 2019 as

PUBLIC SAFETY TELECOMMUNICATIONS WEEK

in the City of Rockwall and urge all citizens to take time to thank these staff members for their dedication and hard work towards protecting and serving both our citizens as well as our Police and Fire Department personnel.

In Witness Whereof, I hereunto set my hand and official seal this 15th day of April, 2019.

Jim Pruitt, Mayor

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10

Rockwall, Texas

Proclamation

Whereas, the first Continental Congress called for a national day of prayer in 1775, as did Abraham Lincoln in 1863; and

Whereas, Congress established the National Day of Prayer as an annual event in 1952 by a joint resolution signed by President Truman; and

Whereas, the law was amended and signed by President Reagan in 1988, officially designating the first Thursday in May for its observance; and

Whereas, the City of Rockwall has consistently maintained a "superior" water rating in the State of Texas since 2007; and

Whereas, this year's theme - "Love One Another" - is based upon the words of Jesus in John 13:34, which ways "Love one another, just as I have loved you;" and

Whereas, on Thursday, May 2nd from 7:30 - 9:30 a.m., mayors from cities throughout Rockwall County will host the annual Mayors' Prayer Breakfast at The Center near Downtown Rockwall.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim **May 2, 2019,** as:

NATIONAL DAY OF PRAYER

in the City of Rockwall, and invite all citizens to join me on this day and every day to pray for our country, our state and our city.

In Witness Whereof, I hereunto set my hand and official seal this 15th day of April, 2019.

Jim Pruitt, Mayor

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12

Rockwall, Texas

Proclamation

Whereas, today's society finds more citizens involved in motorcycling on the roads of our country; and

Whereas, motorcyclists are roughly unprotected and are much more likely to be injured or killed in a crash than other vehicle drivers; and

Whereas, safety-related campaigns have helped inform riders and motorists alike of ways to reduce motorcycle related risks, injuries, and most of all fatalities, through a comprehensive approach to motorcycle safety; and

Whereas, it is the responsibility of all who put themselves behind the wheel to become aware of motorcyclists and to regard them with the same respect as any other vehicle traveling the highways of this country; and

Whereas, we urge our community to be aware of the inherent dangers involved in operating a motorcycle and for drivers to give motorcyclists the respect on the road they deserve.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **May 2019** as:

Motorcycle Safety & Awareness Month

In the City of Rockwall and urge all citizens to do their part to increase safety and awareness of motorcyclists in and around our community.

In Witness Whereof, I hereby affix my official hand and seal this 15th day of April, 2019.

Jim Pruitt, Mayor

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14

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, April 01, 2019 - 4:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the meeting to order at 4:02 p.m. Present were Mayor Pro Tem Kevin Fowler and Council Members Patrick Trowbridge, Dana Macalik, Bennie Daniels and Trace Johannesen. Mayor Jim Pruitt was absent from the work session, and Council Member John Hohenshelt was absent from the entire meeting.

II. WORK SESSION

1. Hold a work session to hear and discuss an update by PROS Consulting regarding the city's athletic facility feasibility study.

Mike Svetz with PROS Consulting came forth and provided an update to the Council regarding the study and its progress thus far. Mr. Svetz sought direction from the council regarding how broad it would like the study to reach - City of Rockwall, the ISD, or regionally? The council generally suggested that the study focus on the ISD (area) but also have information gathered for "city only" so that said information may be utilized for comparison purposes. No formal action was taken as a result of this work session item.

Mayor Pro Tem Fowler then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 4:41 p.m.

III. EXECUTIVE SESSION.

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding purchase, acquisition, abandonment, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

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

Mayor Pruitt reconvened the public meeting at 6:02 p.m. with six of the seven council members being present (Hohenshelt was absent).

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

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

VIII. PROCLAMATIONS

1. Child Abuse Awareness & Prevention Month

Mayor Pruitt called forth representatives from Court Appointed Special Advocates (CASA), Rainbow Room, and the Child Advocacy Center. He then read and presented the proclamation for "Child Abuse Awareness and Prevention Month." Representatives from each of these three organizations introduced themselves and briefly spoke about the services they provide. Mayor Pruitt then called for a short break, recessing the meeting at 6:15 p.m.

2. Public Water System Celebration Day

Mayor Pruitt reconvened the meeting at 6:21 p.m. He then called forth City Engineer/Public Works Director, Amy Williams, Water & Wastewater Manager, Rick Sherer, Water Superintendent, Curtis McAdden, and Aaron McNeill, Water/Wastewater employee. He read and presented them with this proclamation in recognition of a recent TX Commission on Environmental Quality (TCEQ) waster system inspection in which no violations were found. Ms. Williams complimented city staff on their hard, meticulous work and dedication to providing Rockwall citizens with superior water.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Amanda Romero (110 E. Rusk St.), Director of Operations for "Groovy's," came forth and addressed the Council concerning street closures in/around the downtown historic square. She explained she is speaking on behalf of Christie Foster, Owner of Groovy's, who could not be present this evening. She generally expressed concern about downtown special events that involve street closures and/or closing off of parking spaces that might otherwise be used by business patrons wanting to visit shops, business and restaurants downtown. Her company is generally not in favor of additional events with road / parking space closures because there is no evidence that such events help boost business' sales.

Tammy Sharp of T&T Color Supply (202 N. Fannin) came forth and indicated that she has provided Council with correspondence she has collected from 20 downtown merchants. Each business owner 100% supports Farmers Market, and they are 100% against any additional street closures. She went on

to share data related to businesses that have "come and gone" (business turnover) on the downtown square. The occupancy rate is about 95-97%, and properties only stay on the market for an average of 4-6 weeks. She pointed out that some closures cannot be attributed to 'location' alone. There are sometimes several other factors that may be attributed to a business closing. She went on to point out several of the downtown businesses that have survived and done well for several years. She spoke about how some other cities handle car shows, pointing out that they are sometime held 'after hours' when businesses are closed, thereby not adversely impacting businesses. She generally spoke highly of "Farmers Market" and thanked council members for their time.

Claudette Hatfield (1 Shadydale Lane Rockwall, TX) came forth and shared that she and Barb Coleson started Farmer's Market in 2008 because they saw that the downtown area and businesses were struggling. They also started the "Friends of Downtown" organization. She believes that closing additional streets in and around downtown will not be beneficial to businesses and restaurants. She suggested that the driveway beside the city's Parks & Recreation offices and the adjacent public parking lot be considered for a 'car show' if it comes to pass that a car show is an event that is approved to be held in the future.

David Sweet (510 Carriage Trail Rockwall, TX) came forth and provided Council with a historical recap of "Main Street" related programs and activities that have unfolded over the years, beginning in about 2008. He believes that downtown Rockwall is the city's "crown jewel." He thanked the Council for all of its support of the downtown. He believes that Farmers Market is a large success, and he thanked Barb Coleson, Claudette Hatfield, and others for their hard work on events that have helped support downtown. He encouraged Council to consider its support of the downtown area.

Mrs. Hatfield came forth again and commented that Rockwall's Farmers Market is different than any other of its kind because it benefits local charities (she indicated $20,000 in the last two years).

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

Mayor Pruitt then reordered the agenda to address Appointment Item #2 next.

X. CONSENT AGENDA

1. Consider approval of the minutes from the March 18, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-003** - Consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary **(2nd Reading)**.
3. Consider approval of an **ordinance** establishing the speed limit along SH 205 as fifty miles per hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits), and take any action necessary. **(2nd reading)**
4. Consider approval of the Professional Engineering Services Contract with Cardinal Strategies Engineering Services, LLC to provide professional engineering services for miscellaneous consulting on stormwater issues and floodplain impacts in the City of Rockwall, to be funded by

the FY2019 Engineering Consulting Budget and developer reimbursements, and take any action necessary.

5. Consider awarding a bid to TexasBit and authorizing the City Manager to execute a Purchase Order for Asphalt Pavement Repairs for H Wallace Lane, Lofland Road and Police Building Parking Lot in the total amount of $402,730 to be funded by the FY2019 General Fund Streets Operations Budget, and take any action necessary.
6. Consider authorizing the City Manager to execute an agreement with NewEdge Services, LLC for the purchase, installation and support of new permitting, licensing, and land software, in the amount of $190,660 to be funded by the FY2019 Planning Department Budget, and take any action necessary.
7. Consider a recommendation of the City Council's Naming Subcommittee regarding approval of a resolution renaming South Nash Street, and take any action necessary.
8. **P2019-014** - Consider a request by Mike Whittle and Randall Noe of Rockwall Rental Properties, LLC for the approval of a replat for Lots 16 & 17, Block 2, Alliance Addition, Phase 2 being a 0.98-acre tract of land identified as Lots 14 & 15, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6520 & 6530 Alliance Addition, and take any action necessary.
9. **P2019-015** - Consider a request by Matt Moore of Claymoore Engineering on behalf of Phil Wagner of the Rockwall Economic Development Corporation for the approval of a replat for Lot 4, Block E, Rockwall Technology Park Addition being a 3.634-acre parcel of land identified as Lot 1, Block E, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, located at the northwest corner of the intersection of Technology Way and Observation Trail, and take any action necessary.
10. **P2019-006** - Consider a request by Debora Allegranti of CBOCS Texas, LLC on behalf of Eric Borkenhagen of Kohls Illinois, Inc. for the approval of a replat for Lots 6 & 7, Market Center East Addition being a 9.012-acre tract of land identified as Lot 1, Market Center East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 823 & 845 E. IH-30, and take any action necessary.
11. Consider authorizing the City Manager to execute an agreement with Freese and Nichols, Inc. for the provision of professional services relating to a Roadway Impact Fee Update in the amount of $41,424 to be funded by the FY2019 Planning Department Budget, and take any action necessary.

Councilmember Trowbridge pulled item #7 for further discussion. Councilmember Macalik then moved to approve Consent Agenda items # 1, 2, 3, 4, 5, 6, 8, 9, 10, and 11. Councilmember Johannesen seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-16
SPECIFIC USE PERMIT NO. S-206

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,

AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *PRIVATE SPORTS ARENA, STADIUM, OR TRACK* IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 35.295-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ROCKWALL HIGH SCHOOL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE # 19-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 205 OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET FORTH IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED SUM OF $200.00 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absence (Hohenshelt).

Councilmember Trowbridge asked if this particular street is located within the Rockwall Historic District. He expressed that he would love for the city to consider a street name that might be more historical (in lieu of the one being proposed this evening). Mr. Boyd, Assistant City Manager, shared that staff can work with the subcommittee to explore other, possible (more historic) names. So, Council took no formal action pertaining to Consent Agenda item #7 at this time.

Mayor Pruitt addressed Action Item #3 next (Shores Park crosswalk item).

XI. APPOINTMENT ITEMS

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

Mayor Pruitt called the public meeting back to order at 7:53 p.m. Indication was given that this item was not needed, so it was not addressed by Council.

2. Appointment with representatives of the Downtown Rockwall Association to discuss proposed event schedule and potential street closures in downtown, and take any action necessary.

Tamara Desierto Kolleck
20 Intrepid Circle

Ms. Kolleck came forth and shared that she is currently the (new) President of the Downtown Rockwall Association (DRA). She loves downtown, and she recognizes and acknowledges that Rockwall's Farmer's Market has done a lot to lay a good foundation for downtown. She does not wish to see Farmers Market end. However, she would like to propose some new ideas that might help improve the downtown area and its businesses. She indicated that she is a fairly new business owner in the downtown area. She

went on to share a presentation with Council concerning the downtown area, including topics such as business turnover, months in which sales slow down, Recurring DRA events such as Cinco de Mayo, Scare on the Square, Rib Rub Run & Roll, and Hometown Christmas. She went on to explain that the DRA is asking for permission for four additional events that would have street closures. She went on to share details of these event ideas with Council.

Councilmember Trowbridge clarified his understanding that Ms. Kolleck is asking to utilize city owned parking spaces to charge a fee to those who visit. Ms. Kolleck affirmed that she is in fact asking to utilize public parking spaces to charge a fee, the monies of which would be considered a fundraiser that would be reinvested into the downtown area by the "DRA." Clarification also took place related to current members of the DRA and which of those businesses may or may not be in favor of the additional, proposed events that Mrs. Kolleck has explained this evening. Mayor Pruitt shared that he does not believe the city should be supporting events that close streets for things like car shows, food trucks or beer strolls. He explained that the public has the perception that, even if it is not a 'city sponsored' or 'city run' event, the city still assumes responsibility for it. Pruitt, Fowler and Johannesen all expressed concern about there being an apparent 'fracture' or disagreement among and between downtown business owners. Council members generally encouraged Ms. Kolleck to work together with all of the downtown businesses to become unified regarding existing and future proposed events.

Following his lengthy comments and expressions of concern, Mayor Pruitt made a motion to approve closure of the streets for the four key events that have historically been held downtown. Councilmember Daniels seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

Mayor Pruitt then addressed Appointment Item #3 next.

3. Appointment with the city's ART Commission Chairman to review artist's design for the public art fiberglass guitar project, and take any action necessary.

Judge Sweet, current Chairman of the city's ART Commission, came forth and introduced two of his fellow commission members, Kathleen Morrow and Doug Agee. He then briefed the Council on details related to this agenda item. Estimated ship date for the fiberglass guitars is currently mid-April. There will be a total of five (initial) guitars and five artists who will be working to make each of these five guitars unique. They will tie into the city's designation as the "Free Live Music Capital of North Texas." Artist renderings for each of the five guitars have been provided to the Council in their meeting packet. The five artists are local and will be volunteering their time and talents affix their individual, unique artwork on these guitars.

Following additional comments, council generally expressed support for moving forward. However, no formal action was taken by Council concerning this agenda item.

Mayor Pruitt addressed the Consent Agenda next.

XII. PUBLIC HEARING ITEMS

1. Hold a public hearing to discuss and consider an **ordinance** amending the Code or Ordinances in Ch. 44. Utilities; Article V. Water; Division 6. "Water Conservation" for the purpose of adopting a new Water Conservation Plan for the City, and take any action necessary. (**1st reading)**

City Engineer Amy Williams provided brief comments related to this public hearing item. Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. (See next agenda item)

2. Hold a public hearing to discuss and consider an **ordinance** amending the Code or Ordinances in Ch. 44. Utilities; Article V. Water; Division 7. "Drought Contingency & Water Emergency Response Plan" for the purpose of repealing it and adopting the "Water Resource and Emergency Management Plan" for the city, and take any action necessary. (**1st reading)**

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

He went on to share that he has looked into the legal requirements associated with this plan, and he has observed that the law is not very specific about what has to be included in the plan – it only requires that the city have one. He generally has concerns about limiting what residents can and cannot do with water (especially when they are paying for it) when the city is not in a drought. For example, he is not in favor of making citizens criminally responsible for washing their driveway when the city is not in a drought.

Councilmember Johannesen moved to approve the ordinances for Public Hearing Item #1 and #2. Councilmember Trowbridge seconded the motion. The two ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 6. WATER CONSERVATION TO REPEAL DIVISION 6. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 6. TO REFLECT AN UPDATED WATER CONSERVATION PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN TO REPEAL DIVISION 7. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 7. ADOPTING A WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

The motion passed by a vote of 4 ayes, 2 nays (Daniels and Pruitt), and 1 absence (Hohenshelt). Councilmember Fowler shared that he would like for the Council to revisit these ordinances at some

point in the near future, as he believes that Mayor Pruitt expressed some valid concerns and posed some relevant questions. City Attorney Frank Garza shared that the Council may reconsider the ordinances between first and second reading, or it may do so at any time at a later date.

XIII. ACTION ITEMS

1. Discuss and consider the overall concept plan and proposed Phase I of the Harbor Urban Beach Park, and take any action necessary.

Park Director Andy Hesser came forth and addressed Council concerning this agenda item. He provided visual examples for the Council related to the outdoor stone game tables, the fitness obstacle course, the shade umbrellas for the beach area, play structures, Boccee Ball Court, volleyball courts, and seating nodes. He went on to share the various options and associated costs for items and amenities the Council may wish to include in "Phase I." General discussion took place among council members and staff related to the park's development, including possible submission of a grant application in December. Mr. Hesser explained that if the grant were to be awarded to the City, it is possible that up to $500k could be received (local match is required), but the city would not find out about its application status (if it gets awarded or not) until the following June. Mayor Pruitt asked for a visual and for the cost estimate related to building and funding the entire 'wish list' for this park. Mr. Hesser showed the Council the concept plan for the 'full wish list,' indicating that it would cost an estimated $850,000. Council members generally indicated support for staff working with the consultant to submit a $500,000 grant application in December to do the entire project.

Mayor Pruitt then made a motion to approve the concept plan that depicted the full project (including the restroom facility). Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence (Hohenshelt).

2. Discuss and consider authorizing the City Manager to execute an agreement with Doliver Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous waste, and take any action necessary.

Mr. Doliver came forth and briefed the Council on this agenda item. Councilmember Fowler moved to approve Action Item #2. Councilmember Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 absence (Hohenshelt).

3. Discuss and consider Shores Park crosswalk assessment study, and take any action necessary.

Mayor Pruitt addressed this item following the Consent Agenda items. City Manager Rick Crowley provided brief, introductory comments related to this agenda item, thanking Rockwall Police Department Captain Ed Fowler for the work he put in on this study. Mr. Crowley went on to indicate that staff is recommending the Council consider authorizing the funding and installation of two crosswalks. Councilmember Trowbridge moved to approve the two crosswalks, as presented. Mayor Pruitt seconded the motion, which passed by a vote of 6 in favor with 1 absence (Hohenshelt). Mr. Crowley indicated that staff will order the equipment for the crosswalks and provide Council with an update on their future installation and associated timeline once that information is known.

Mayor Pruitt recessed the meeting for a break between 7:36 and 7:53 p.m.

4. Discuss and consider recommendations from the Council's Hotel Occupancy Tax Funding (HOT) Subcommittee, and take any action necessary.

City Manager Rick Crowley addressed the Council concerning this agenda item. Mayor Pruitt indicated that he would like to hold a fairly lengthy work session with staff and Council to discuss this topic in greater, more focused detail at a future council meeting. Following additional comments, Council took no action concerning this agenda item at this time.

5. Discuss and consider adoption of resolutions related to HB3535 / SB1152 and related to HB2439 / SB1266 and other legislative matters, and take any action necessary.

City Manager Rick Crowley provided brief, introductory comments to Council concerning this agenda item. Mayor Pruitt indicated that one of these bills - HB2439 - will essentially do away with a city's ability to have zoning regulations. After lengthy discussion, Mayor Pruitt moved to adopt the resolutions and work with staff on the final language for each of them. Councilman Trowbridge seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Fire Department Monthly Report - February 2019
GIS Monthly Report - February 2019
Harbor PD Monthly Report - February 2019
Internal Operations Department Monthly Report - February 2019
Police Department Monthly Activity Report - February 2019
Recreation Monthly Report - February 2019
Rockwall Animal Adoption Center Monthly Report - February 2019
STAR Transit Quarterly Report
STAR Transit Monthly Report - February 2019

2. City Manager's Report

These items were not addressed by Council, and no action was taken concerning them.

Mayor Pruitt recessed the public meeting at 8:37 p.m. to go back into Executive Session at 8:39 p.m. to discuss: Executive Session items # 2 and # 3 as shown below.

XV. EXECUTIVE SESSION

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding purchase, acquisition, abandonment, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XVI. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council came out of Executive Session at 9:03 p.m. and took no action as a result of Executive Session.

XVII. Adjournment

Mayor Pruitt adjourned the meeting at 9:03 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15TH DAY OF APRIL, 2019.

_____

ATTEST: **Jim Pruitt, Mayor**

_____

Kristy Cole, City Secretary

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25

City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Assistant City Manager

DATE: April 9, 2019

SUBJECT: Renaming of S. Nash Street

Sandie Wood, the property owner of 207 S. Nash Street, is requesting the City Council consider changing the name of this portion of the roadway. It is currently a vacant lot and the Wood family is planning to build a new residence on the site.

The reasons for their request are that the southern portion of Nash Street is separated from the northern section by several blocks. Furthermore, the Wood family has a special needs adult son living with them and they want to be able to have an address that is easy for him to remember and spell if he is ever separated from the family. There has also been an instance in the past where the Rockwall Fire Department had difficulty finding this property due to the separation of sections of Nash Street.

At the previous City Council meeting, the Naming Subcommittee (Council Members Hohenshelt, Macalik, and Daniels) was asked to consider a historically significant name for this street due to the proximity to the historic district. The Subcommittee recommends Wade Drive in recognition of Terry Utley Wade, one of the discoverers of the rock wall formation in 1852.

The attached map shows the distance between the sections of Nash Street and the block under consideration is shown in red. A Resolution formally renaming this street is attached for review and consideration by the City Council.

26

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 19-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, NAMING A CERTAIN ROADWAY WITHIN THE CITY OF ROCKWALL, TEXAS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, a southern portion of Nash Street is separated from the northern section by several blocks; and

WHEREAS, the property owners of 207 S. Nash Street have plans to build a new residential home on this vacant land and are requesting to change the name of the 200 block of S. Nash Street; and

WHEREAS, the 200 block of South Nash Street has a proximity to the historic district of Rockwall; and

WHEREAS, Terry Utley Wade was a discoverer of the rock wall formation in 1852 and the City Council wishes to recognize Mr. Wade's historic contribution; and

WHEREAS, the Rockwall City Council believes said naming to be in the best interest of the public;

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

Section 1. That the 200 block of South Nash Street from E. Washington Street south to Hartman Street shall hereafter be designated as Wade Drive, a map of which is attached hereto and incorporated for all intents and purposes as **"Exhibit A;"**

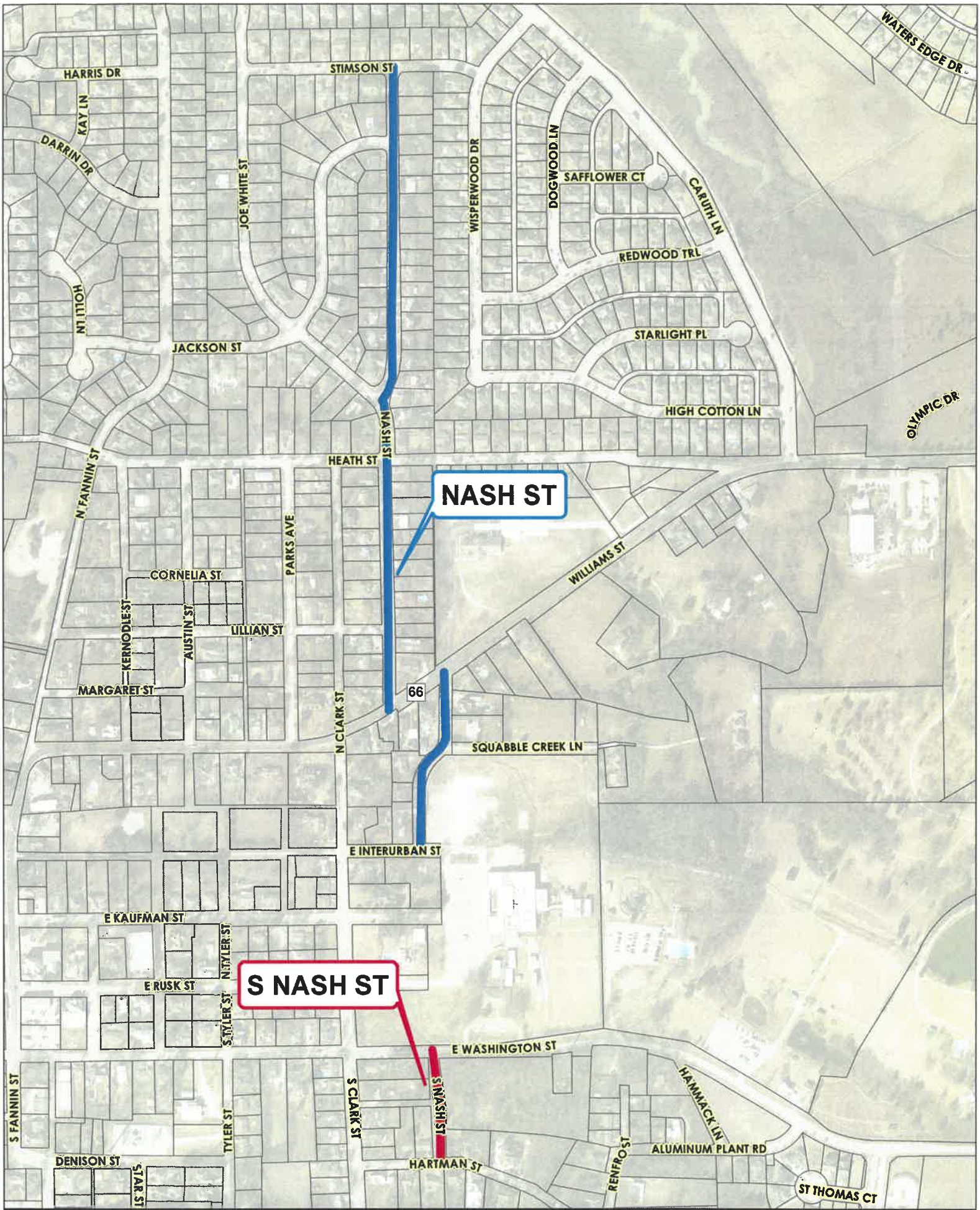
Section 2. That this resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 15th DAY OF APRIL, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary


HARRIS DR
KAY LN
DARRIN DR
STIMSON ST
JOE WHITE ST
WISPERWOOD DR
DOGWOOD LN
SAFFLOWER CT
CARUTH LN
WATERS EDGE DR
REDWOOD TRL
STARLIGHT PL
HIGH COTTON LN
OLYMPIC DR
HOLLI LN
JACKSON ST
N FANNIN ST
HEATH ST
NASH ST
NASH ST
PARKS AVE
WILLIAMS ST
CORNELIA ST
KERNODLE ST
AUSTIN ST
LILLIAN ST
MARGARET ST
N CLARK ST
66
SQUABBLE CREEK LN
E INTERURBAN ST
E KAUFMAN ST
N TYLER ST
E RUSK ST
S TYLER ST
S NASH ST
E WASHINGTON ST
S FANNIN ST
TYLER ST
S CLARK ST
S NASH ST
HAMMACK LN
ALUMINUM PLANT RD
RENFRO ST
HARTMAN ST
DENISON ST
STARR ST
ST THOMAS CT
City of Rockwall
0 150 300 Feet
Date: 3/11/2019
NASH ST EXHIBIT

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29

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

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

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **April 11, 2019**

SUBJECT: **EMERGENCY PUMP REPLACEMENT**

Part of The Harbor fountain system includes two 25 horsepower (HP) pumps submerged in the lake that supplies circular water flow for the waterfall feature (see attached photo). The FY 2019 approved $18,000 to replace one of the two pumps that failed. In order to replace or repair the pumps a crane and a team of divers have to work to disconnect it and hoist it onto land.

Once the pump system was on land and diagnosed, it was determined through an amperage draw test that the second pump was also beyond repair and near failure. Due to the cost and effort to remove and reset the pump system in the lake it was recommended that the second pump be replaced to restore full functionality of the waterfall. Both pumps are the original equipment that were installed in 2006.

Due to the specialty of the type of work and equipment only one company responded to bid requests, Control Specialists LP. This company is a registered Buyboard purchasing cooperative vendor and has also successfully supplied the City's Public Works department with pump repair and replacement services in the past.

Staff requests that Council consider approving this purchase in an amount not to exceed $38,000. Of that amount, $18,000 was originally approved in the FY 2019 budget for one pump, the balance of that would come from General Fund Reserves.

30



31

ESTIMATE

Legacy Contracting, L.P.
Dba Control Specialist Services, L.P.
PO Box 1479
Decatur, TX 76234
www.csi5.com

DATE: March 29, 2019

To: Rockwall
Location: Lake pumps replace
Attn: Trent

This estimate includes the following services:

- Test existing pumps
- Price replacement pumps
- Install in cage
- Wire & test

Material (2 New Ebara pumps/w 100' cords)

1-	2 New mod.#300DLFU618.2 /12" EBARA pumps 25hp 1750 rpm/230v/3ph / **100' cables ($ 15,710.00 ea)**	$ 31,420.00
2-	SS Bolts & gaskets	$ 342.00
	Labor on site, & pick up bring in	$ 990.00
	Labor test & price to replace or rebuild	$ 1,200.00
	Labor receive & reinstall pull wire, terminate	$ 2,400.00
	Trucks	$ 1,000.00
		Total $ 37,352.00

Note: price is an estimate due to any unforeseen developments
Note: price does not include any unforeseen parts or labor
Note: price does not include freight
Note: delivery can be made in 6 to 8 weeks

EXCLUSIONS:
Bypassing of station and/or operating of city valves. It is the responsibility of the city to provide safe working conditions.

If extra labor or materials not described above are required due to unforeseen problems the owner will be notified for approval before work is completed. This ESTIMATE is good for 30 days from the date referenced above. We thank you for considering Control Specialist Services for your service needs.

Please call if you have any questions.

Sincerely,

Ray Reaves
Service Manager
940-626-1415
Email rayr@csi5.com

****Registered Buy Board Vendor**

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33

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	April 15, 2019
APPLICANT:	Kevin Patel; *Triangle Engineering*
CASE NUMBER:	P2019-016; *Lot 2, Cain Properties No. 1 Addition*

SUMMARY

Consider a request by Kevin Patel of Triangle Engineering, LLC for the approval of a replat for Lot 2 of the Cain Properties #1 Addition being a 1.233-acre parcel of land identified as a portion of Lot 1 and Lot 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, located north of the intersection of S. Goliad Street [*SH-205*] and Storrs Street, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat a 1.233-acre parcel of land (*i.e. Lot 1-R, Cain Properties No. 1 Addition*) located within the SH-66 Overlay (SH-66 OV) District. The purpose of the replat is to establish the necessary easements (*i.e. 24-foot firelane, public access, and utility easements*) in order to develop the lot as Lot 2, Cain Properties No. 1 Addition.

☑ On August 20, 2018, the City Council approved S-194 [*Ordinance No. 18-34*] allowing a *Craft Brewery* on the subject property.

☑ On December 11, 2018, the Planning and Zoning Commission approved a site plan [*Case No. SP2018-038*] for the purpose of constructing an approximately 11,931 SF Craft Brewery (*i.e. Siren Rock Brewery*) on the subject property.

☑ That portion of property belonging to the State of Texas (*i.e. TxDOT right-of-way*) and depicted as being within the boundary of the subject property is required to be purchased. This has been included as a condition of approval of the plat.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for replats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

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

CONDITIONS OF APPROVAL

If the City Council chooses to approve of the replat for *Lot 2, Cain Properties No. 1 Addition,* staff would propose the following conditions of approval:

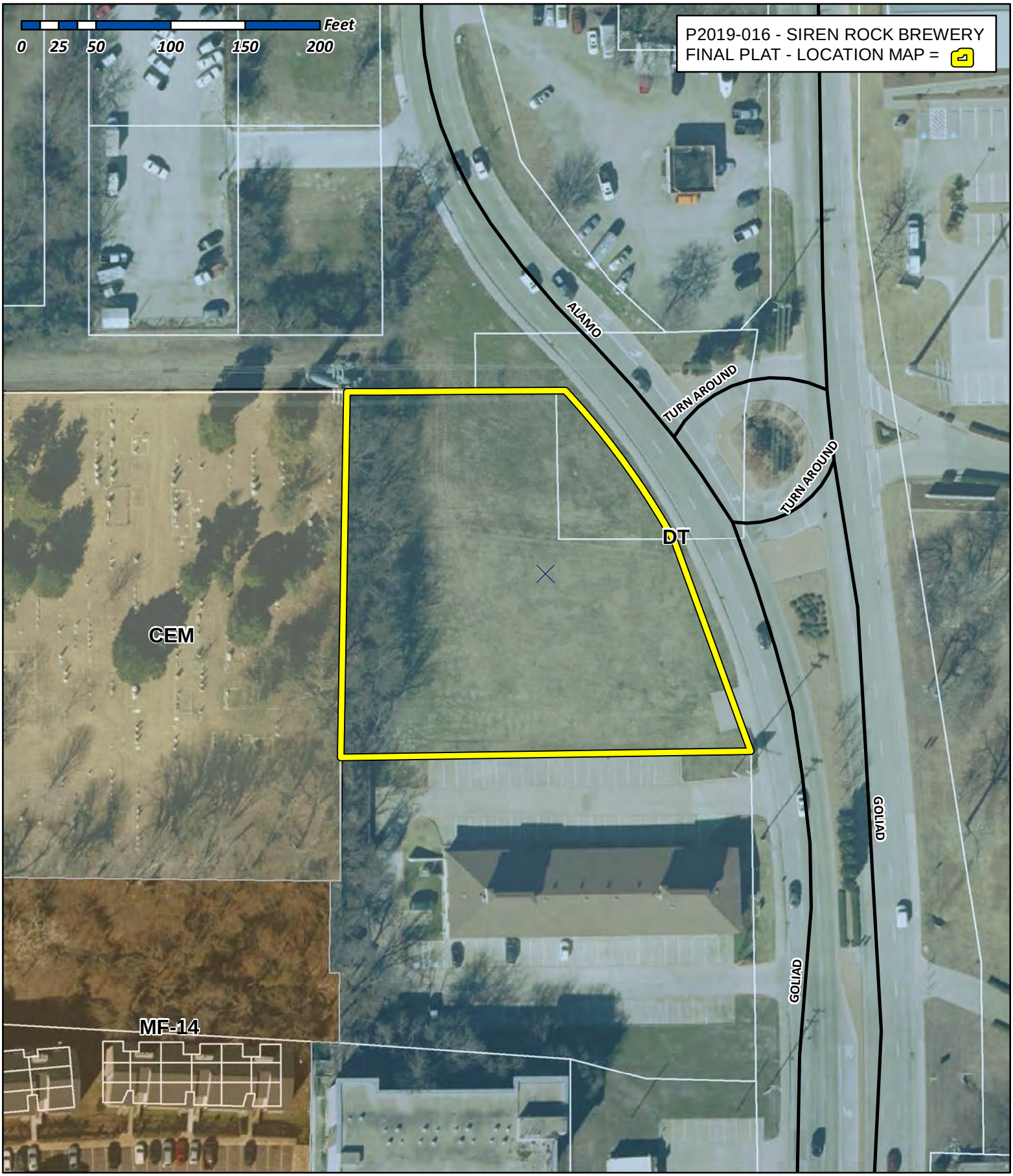
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) The portion of the property that currently exists as Texas Department of Transportation (TXDOT) right-of-way will need to be purchased prior to filing of the final plat for the subject property. A copy of the deed will be required to be submitted once the sales transaction has been completed; and,

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

PLANNING AND ZONING COMMISSION

On April 9, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat for *Lot 2, Cain Properties No. 1 Addition* with staff conditions passed by a vote of 7 to 0.

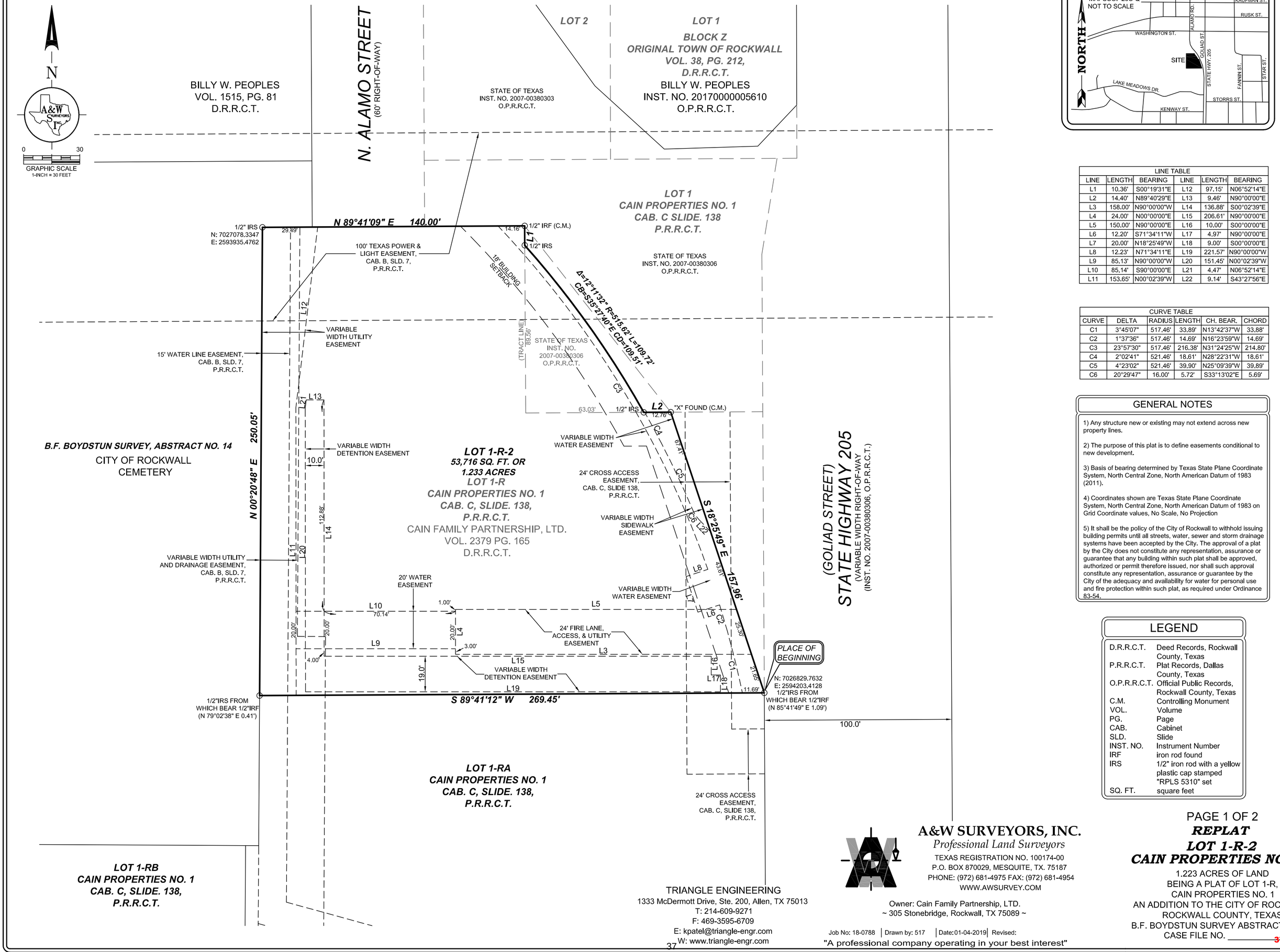


City of Rockwall

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

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

36



LINE TABLE					
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	10.36'	S00°19'31"E	L12	97.15'	N06°52'14"E
L2	14.40'	N89°40'29"E	L13	9.46'	N90°00'00"E
L3	158.00'	N90°00'00"W	L14	136.88'	S00°02'39"E
L4	24.00'	N00°00'00"E	L15	206.61'	N90°00'00"E
L5	150.00'	N90°00'00"E	L16	10.00'	S00°00'00"E
L6	12.20'	S71°34'11"W	L17	4.97'	N90°00'00"E
L7	20.00'	N18°25'49"W	L18	9.00'	S00°00'00"E
L8	12.23'	N71°34'11"E	L19	221.57'	N90°00'00"W
L9	85.13'	N90°00'00"W	L20	151.45'	N00°02'39"W
L10	85.14'	S90°00'00"E	L21	4.47'	N06°52'14"E
L11	153.65'	N00°02'39"W	L22	9.14'	S43°27'56"E

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH. BEAR.	CHORD
C1	3°45'07"	517.46'	33.89'	N13°42'37"W	33.88'
C2	1°37'36"	517.46'	14.69'	N16°23'59"W	14.69'
C3	23°57'30"	517.46'	216.38'	N31°24'25"W	214.80'
C4	2°02'41"	521.46'	18.61'	N28°22'31"W	18.61'
C5	4°23'02"	521.46'	39.90'	N25°09'39"W	39.89'
C6	20°29'47"	16.00'	5.72'	S33°13'02"E	5.69'

GENERAL NOTES

1) Any structure new or existing may not extend across new property lines.

2) The purpose of this plat is to define easements conditional to new development.

3) Basis of bearing determined by Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 (2011).

4) Coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale, No Projection

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

LEGEND

D.R.R.C.T.	Deed Records, Rockwall County, Texas
P.R.R.C.T.	Plat Records, Dallas County, Texas
O.P.R.R.C.T.	Official Public Records, Rockwall County, Texas
C.M.	Controlling Monument
VOL.	Volume
PG.	Page
CAB.	Cabinet
SLD.	Slide
INST. NO.	Instrument Number
IRF	iron rod found
IRS	1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set
SQ. FT.	square feet

TRIANGLE ENGINEERING
1333 McDermott Drive, Ste. 200, Allen, TX 75013
T: 214-609-9271
F: 469-3595-6709
E: kpatel@triangle-engr.com
W: www.triangle-engr.com

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

Owner: Cain Family Partnership, LTD.
~ 305 Stonebridge, Rockwall, TX 75089 ~

Job No: 18-0788 | Drawn by: 517 | Date:01-04-2019 | Revised:

"A professional company operating in your best interest"

PAGE 1 OF 2

REPLAT
LOT 1-R-2
CAIN PROPERTIES NO. 1

1.223 ACRES OF LAND
BEING A PLAT OF LOT 1-R,
CAIN PROPERTIES NO. 1
AN ADDITION TO THE CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS
B.F. BOYDSTUN SURVEY ABSTRACT NO. 14
CASE FILE NO. _____37

OWNER'S CERTIFICATE

WHEREAS Cain Family Partnership, LTD.is the sole owner of a tract of land located in the N.F. BOYDSTUN SURVEY, Abstract No. 14, City of Rockwall, Rockwall County, Texas, and being a portion of Lot 1-R, of the Replat of Cain Properties No. 1, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof, recorded in Cabinet C, Slide 138, Plat Records, Rockwall County, Texas, and being the same tract of land described in deed to Cain Family Partnership, LTD., recorded in Volume 2379, Page 165, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the West line of State Highway No. 205, (Goliad Street), a variable width right-of-way, at the Northeast corner of Lot 1-RA, of said Replat of Cain Properties No. 1;

Thence South 89°41'12" West, a distance of 269.45' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the East line of City of Rockwall Cemetery, at the Northwest corner of said Lot 1-RA;

Thence North 00°20'48" East, along said East line, a distance of 250.05' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the interior 'ell' corner of said City of Rockwall Cemetery, same being the Northeast corner of Lot 1-R;

Thence North 89°41'09" East, a distance of 140.00' to a 1/2" iron rod found at the interior 'ell' corner of a tract of land described in deed to the State of Texas, recorded in Instrument No. 2007-00380306, Official Public Records, Rockwall County, Texas;

Thence South 00°19'31" East, a distance of 10.36' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the beginning of a non-tangent curve to the right, having a central angle of 12°11'32", a radius of 515.62', and a chord bearing and distance of South 35°27'40" East, 109.51';

Thence Southeasterly, along said curve to the right, an arc distance of 109.72' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence North 89°40'29" East, a distance of 14.40' to an "X" found at the Southwest interior corner of said State of Texas tract;

Thence South 18°25'49" East, along said present right-of-way, a distance of 157.96' to the PLACE OF BEGINNING and containing 53,716 square feet or 1.233 acres of land.

SURVEYOR'S CERTIFICATE

THAT I, John S. Turner, do hereby certify that I prepared this amending plat from an actual survey on the land and that the corner monuments shown thereon were found and/or properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the Planning and Zoning Commission of the City of Rockwall, Texas.

Witness my hand at Mesquite, Texas,
This _____ day of _____, 20__.

_____
John S. Turner
Registered Professional Land Surveyor #5310

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office,
This _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

That, Cain Family Partnership, LTD., acting herein by and through its duly authorized officer, does hereby certify and adopt this Replat designating the herein above described property as ***LOT 1-R-2, CAIN PROPERTIES NO. 1*** to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (*we*) further certify that all other parties who have a mortgage or lien interest in the Cain Family Partnership, LTD. have been notified and signed this plat.
I (*we*) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.
7. All drainage and detention on site will be maintained, repaired, and replaced by the property owner.

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

_____
Name:
Title:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20__.

_____
Notary Public in and for The State of Texas

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission *Date*

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 20___.

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

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

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

Owner: Cain Family Partnership, LTD.
~ 305 Stonebridge, Rockwall, TX 75089 ~

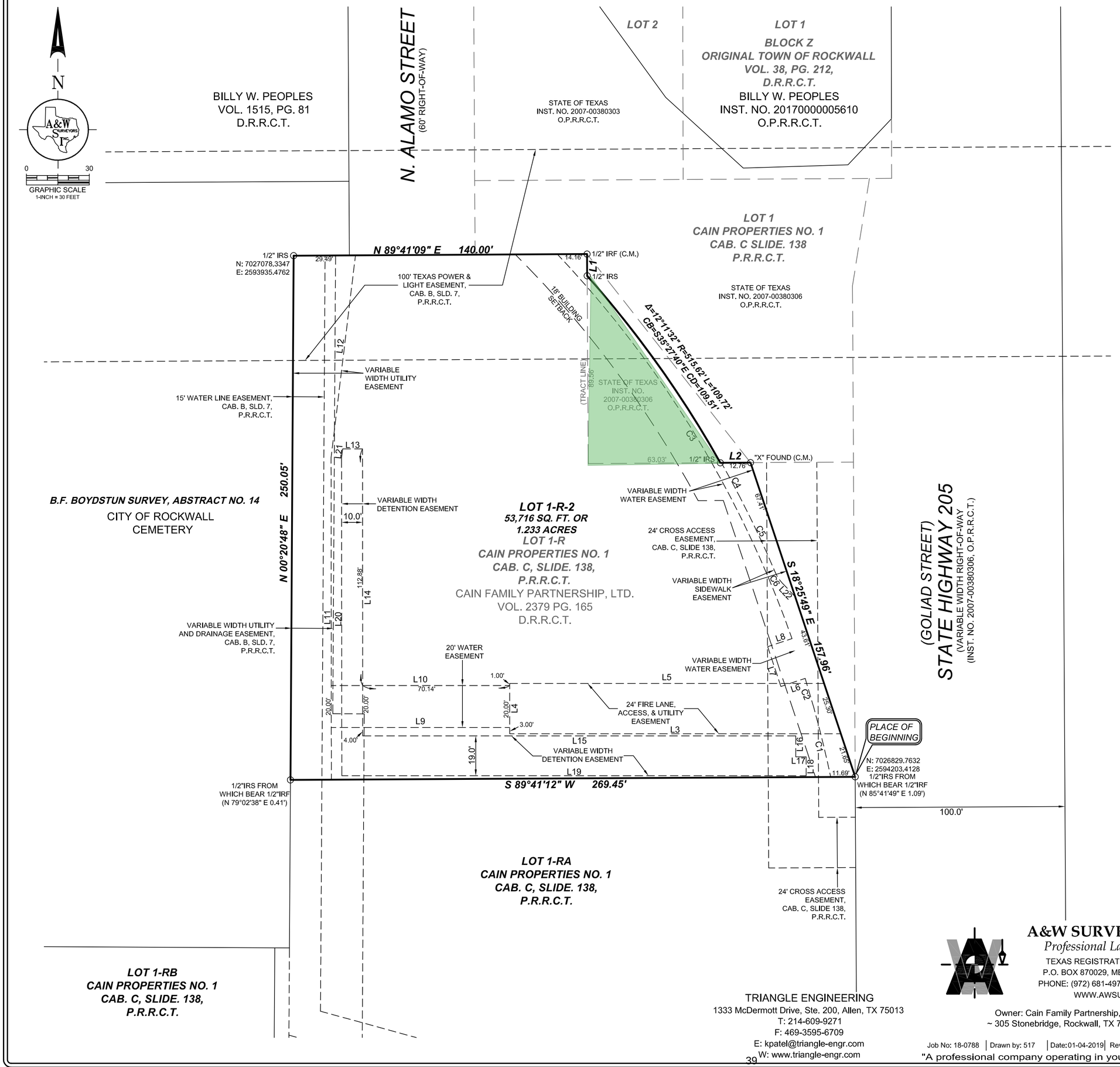
Job No: 18-0788 | Drawn by: 517 | Date:01-04-2019 | Revised:

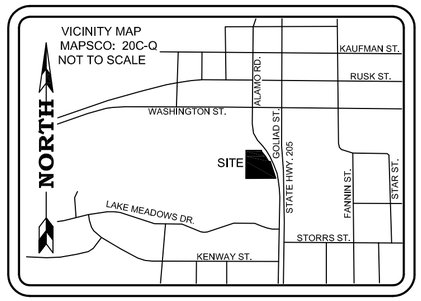
"A professional company operating in your best interest"

PAGE 2 OF 2

REPLAT
LOT 1-R-2
CAIN PROPERTIES NO. 1

1.223 ACRES OF LAND
BEING A PLAT OF LOT 1-R,
CAIN PROPERTIES NO. 1
AN ADDITION TO THE CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS
B.F. BOYDSTUN SURVEY ABSTRACT NO. 14
CASE FILE NO. _____38





LINE TABLE					
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	10.36'	S00°19'31"E	L12	97.15'	N06°52'14"E
L2	14.40'	N89°40'29"E	L13	9.46'	N90°00'00"E
L3	158.00'	N90°00'00"W	L14	136.88'	S00°02'39"E
L4	24.00'	N00°00'00"E	L15	206.61'	N90°00'00"E
L5	150.00'	N90°00'00"E	L16	10.00'	S00°00'00"E
L6	12.20'	S71°34'11"W	L17	4.97'	N90°00'00"E
L7	20.00'	N18°25'49"W	L18	9.00'	S00°00'00"E
L8	12.23'	N71°34'11"E	L19	221.57'	N90°00'00"W
L9	85.13'	N90°00'00"W	L20	151.45'	N00°02'39"W
L10	85.14'	S90°00'00"E	L21	4.47'	N06°52'14"E
L11	153.65'	N00°02'39"W	L22	9.14'	S43°27'56"E

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH. BEAR.	CHORD
C1	3°45'07"	517.46'	33.89'	N13°42'37"W	33.88'
C2	1°37'36"	517.46'	14.69'	N16°23'59"W	14.69'
C3	23°57'30"	517.46'	216.38'	N31°24'25"W	214.80'
C4	2°02'41"	521.46'	18.61'	N28°22'31"W	18.61'
C5	4°23'02"	521.46'	39.90'	N25°09'39"W	39.89'
C6	20°29'47"	16.00'	5.72'	S33°13'02"E	5.69'

GENERAL NOTES

1) Any structure new or existing may not extend across new property lines.

2) The purpose of this plat is to define easements conditional to new development.

3) Basis of bearing determined by Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 (2011).

4) Coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale, No Projection

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

LEGEND

D.R.R.C.T.	Deed Records, Rockwall County, Texas
P.R.R.C.T.	Plat Records, Dallas County, Texas
O.P.R.R.C.T.	Official Public Records, Rockwall County, Texas
C.M.	Controlling Monument
VOL.	Volume
PG.	Page
CAB.	Cabinet
SLD.	Slide
INST. NO.	Instrument Number
IRF	iron rod found
IRS	1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set
SQ. FT.	square feet

TRIANGLE ENGINEERING
1333 McDermott Drive, Ste. 200, Allen, TX 75013
T: 214-609-9271
F: 469-3595-6709
E: kpatel@triangle-engr.com
W: www.triangle-engr.com

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
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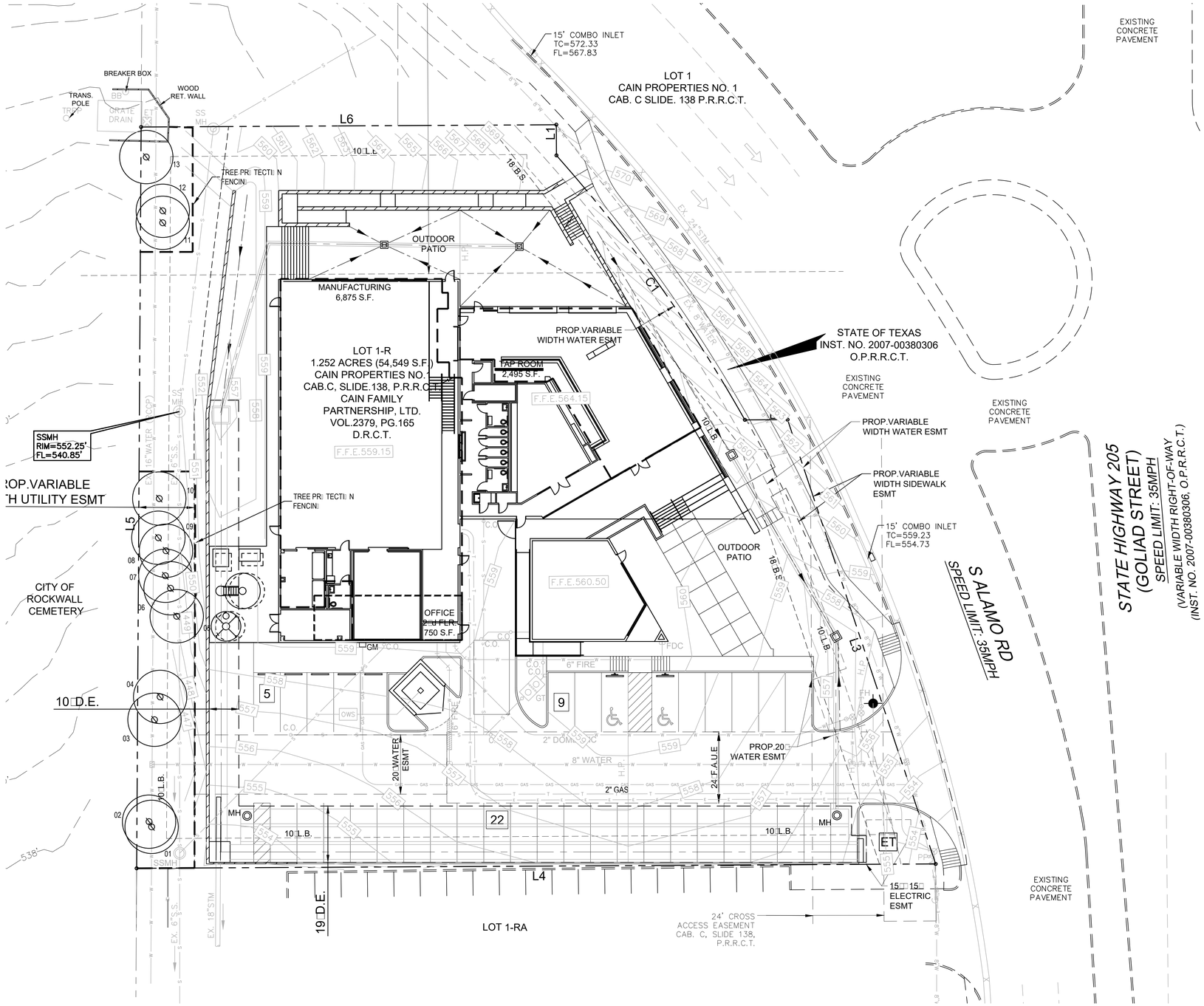
Owner: Cain Family Partnership, LTD.
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Job No: 18-0788 | Drawn by: 517 | Date:01-04-2019 | Revised:

"A professional company operating in your best interest"

REPLAT
LOT 1-R-2
CAIN PROPERTIES NO. 1

1.223 ACRES OF LAND
BEING A PLAT OF LOT 1-R,
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AN ADDITION TO THE CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS
B.F. BOYDSTUN SURVEY ABSTRACT NO. 14
CASE FILE NO. ~~39~~



EXISTING TREE NOTES

1. *Existing trees to remain shall be protected during construction from tree structure damage and compaction of soil under and around dripline (canopy) of tree.*
2. *If any root structure is damaged during adjacent excavation/construction, notify the Architect immediately. It is recommended that a licensed Arborist be secured for the treatment of any possible tree wounds.*
3. *No disturbance of the soil greater than 4" shall be located closer to the tree trunk than 1/2 the distance of the drip line to the tree trunk. A minimum of 75% of the drip line and root zone shall be preserved at natural grade.*
4. *Any fine grading done within the critical root zones of the protected trees must be done with light machinery such as a bobcat or light tractor. No earth moving equipment with tracks is allowed within the critical root zone of the trees.*
5. *Material Storage: No materials intended for use in construction or waste materials accumulated due to excavation or demolition shall be placed within the limits of the dripline of any tree.*
6. *Equipment Cleaning/Liquid Disposal: No equipment may be cleaned, toxic solutions, or other liquid chemicals shall be deposited within the limits of the dripline of a tree. This would include but not be limited to paint, oil, solvents, asphalt, concrete, mortar, primers, etc.*
7. *Tree Attachments: No signs, wires or other attachments, other than those of a protective nature shall be attached to any tree.*
8. *Vehicular Traffic: No vehicular and construction equipment traffic or parking is allowed within the limits of the dripline of trees.*
9. *Boring of Utilities: May be permitted under protected trees in certain circumstances. The minimum length of the bore shall be the width of the tree's canopy and shall be a minimum depth of forty-eight (48") inches.*
10. *Trenching: Any irrigation trenching which must be done within the critical root zone of a tree shall be dug by hand and enter the area in a radial manner.*
11. *Tree Flagging: All trees to be removed from the site shall be flagged by the Contractor with bright red vinyl tape (3" width) wrapped around the main trunk at a height of four (4') feet above grade. Flagging shall be approved by Landscape Architect prior to any tree removal. Contractor shall contact Landscape Architect with 72 hour notice to schedule on-site meeting.*
12. *Protective Fencing: All trees to remain, as noted on drawings, shall have protective fencing located at the tree's dripline. The protective fencing may be comprised of snow fencing, orange vinyl construction fencing, chain link fence or other similar fencing with a four (4') foot approximate height. The protective fencing will be located as indicated on the Tree Protection Detail(s).*
13. *Bark Protection: In situations where a tree remains in the immediate area of intended construction, the tree shall be protected by enclosing the entire circumference of the tree's trunk with lumber encircled with wire or other means that does not damage the tree. Refer to Tree Protection Detail(s).*
14. *Construction Pruning: In a case where a low hanging limb is broken during the course of construction, the Contractor shall notify the Landscape Architect immediately. In no instance shall the Contractor prune any portion of the damaged tree without the prior approval by the Landscape Architect.*

TREE SURVEY FIELD DATA

NO.	DIA. INCHES	SPECIES (COMMON NAME)	REMARKS
1	20	ELM	TO REMAIN
2	14	ELM	TO REMAIN
3	14	HACKBERRY	TO REMAIN
4	20	ELM	TO REMAIN
5	14	HACKBERRY	TO REMAIN
6	16	HACKBERRY	TO REMAIN
7	6	HACKBERRY	TO REMAIN
8	10	ELM	TO REMAIN
9	12	HACKBERRY	TO REMAIN
10	12	ELM	TO REMAIN
11	14	HACKBERRY	TO REMAIN
12	6	HACKBERRY	TO REMAIN
13	6	HACKBERRY	TO REMAIN

NO TREES TO BE REMOVED FROM THE SITE

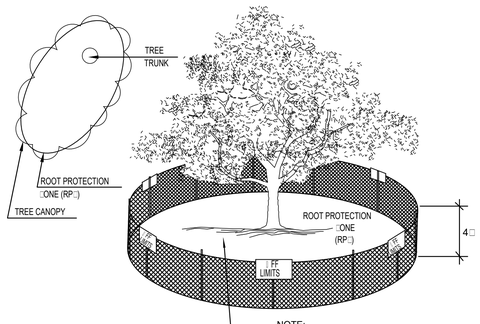
EXISTING TREE LEGEND

EXISTING TREE TO REMAIN

EXISTING TREE TO BE REMOVED

TREE PROTECTION FENCING TO REMAIN DURING CONSTRUCTION REFER TO 01/L1.00

NO TREE TO BE PLANTED WITHIN 5 FEET OF ANY UTILITY LINE



01 TREE PROTECTION FENCE A
NTS SCALE

01 TREE PRESERVATION PLAN
SCALE 1" = 20'-0"
0 10 20 40

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1784 W. M. DERMOTT DR.
SUITE 110
ALLEN, TEXAS 75013
(469) 369-4448
CHRIS STUDIOGREENSPOT.COM

REGISTERED LANDSCAPE ARCHITECT
CHRIS TROY ANDERSON
2042
STATE OF TEXAS

03.26.2019

SIREN ROCK BREWING CO.

ROCKWALL, TEXAS

CASE# SP2018-038

ISSUE:
FOR APPROVAL 01.09.2019
CITY COMMENTS 02.12.2019

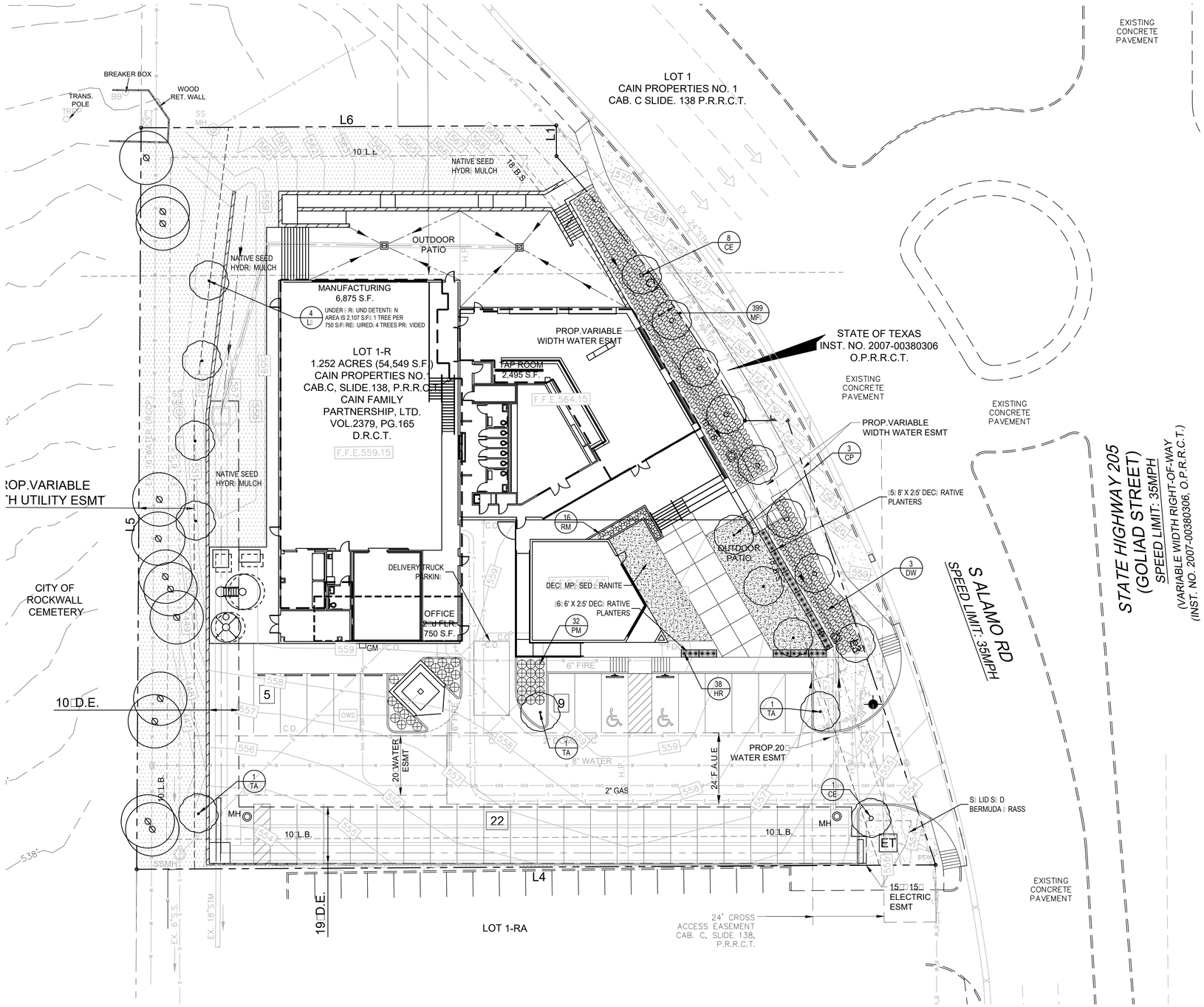
DATE:
03.26.2019

SHEET NAME:
TREE PRESERVATION PLAN

SHEET NUMBER:

L.1

40



GENERAL LAWN NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON CIVIL PLANS.
2. ADJUST C. NTOURS TO ACHIEVE P. SITIVE DRAINAGE AWAY FROM BUILDIN. S. PR. VIDE UNIF. RM FROM UNDIN. AT TO P AND BACK OF SIDEWALK. PES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE S. LID S. D SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINISH GRADE. CONTRACTOR TO MAINTAIN ALL PERMANENT VEGETATION WITHIN ADJACENT RIGHT-OF-WAY AND ON SITE CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.
4. IMPORTED TOPSOIL SHALL BE NATURAL, FRIABLE SILTY LOAM FREE FROM THE FOLLOWING: NOXIOUS WEEDS, GRASS, ROOTS, STUMPS, STONES LARGER THAN 1" IN ANY DIMENSION, LUMPS, CLAY, TOXIC SUBSTANCES, REFUSE, DEBRIS, VEGETATION, STICKS, STONES, AND OTHER EXTRANEOUS MATERIALS HARMFUL TO PLANT GROWTH.
5. *ALL LAWN AREAS TO BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED, AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.*
6. *ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. SHALL BE REMOVED PRIOR TO PLACING TOPSOIL AND ANY LAWN INSTALLATION*
7. CONTRACTOR SHALL PROVIDE 1" MINIMUM INCH OF IMPORTED TOPSOIL IN ALL AREAS TO RECEIVE LAWN.

SOLID SOD NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINISH GRADE DESIRED IN PLANTING AREAS AND 1" BELOW FINISH GRADE IN TURF AREAS.
2. ADJUST C. NTOURS TO ACHIEVE P. SITIVE DRAINAGE AWAY FROM BUILDIN. S. PR. VIDE UNIF. RM FROM UNDIN. AT TOP AND BACK OF SIDEWALK. PES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE S. LID S. D SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINISH GRADE. CONTRACTOR TO MAINTAIN ALL PERMANENT VEGETATION WITHIN ADJACENT RIGHT-OF-WAY AND ON SITE CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.
4. CONTRACTOR TO PROVIDE WITH AN IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS.
5. PLANT S. D BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE EDGES OF S. D ARE TOUCHING EACH OTHER AND PRESSED INTO SOIL BY HAND WITH TOPSOIL. FILL VOIDS.
6. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
7. WATER S. D THOROUGHLY AS S. D PERMITTED ON PREVAILING SOIL CONDITIONS.
8. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
9. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF AN ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM MULCH AS NECESSARY.
10. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, ALL S. D AREAS TO BE OVERSEEDED WITH WINTER RYEGRASS, AT A RATE OF 4 POUNDS PER 1000 SQUARE FEET.

LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
4. CONTRACTOR TO PROVIDE A MINIMUM 2" SLOPE AWAY FROM ALL STRUCTURES.
5. ALL PLANTING BEDS AND LAWN AREAS TO BE SEPARATED BY STEEL EDGING UNLESS NOTED OTHERWISE.
6. ALL LANDSCAPE AREAS TO BE 100% IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS.
7. ALL LAWN AREAS TO BE SOLID SOD BERMUDA GRASS, UNLESS OTHERWISE NOTED IN THE DRAWING.

PLANT MATERIAL SCHEDULE

TREES					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
CE	9	Cedar Elm	*Ulmus crassifolia*	3" Cal	B&B, 13' ht., 5' spread min., 5 main branch
CP	3	Chinese Pistache	*Chinese pistache*	5" Cal	B&B, 15' ht., 6' spread, 6 main branch
DW	3	Desert Willow	*Chilopsis linearis*	8' ht.	Container grown 3 or 5 trunks, tree form
LO	4	Live Oak	*Quercus virginiana*	3" Cal	Container, 12' ht., 4' spread, 5 main branch
TA	3	Texas Ash	*Fraxinus albicans*	3" Cal	Container, 12' ht., 4' spread, 5 main branch

SHRUBS					
TYPE	QTY.	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
HR	38	Horesta Reed	*Equisetum hyemale*	3 Gal	Container full to be rooted
MFG	399	Media Feather Grass	*Nassella tenuissima*	3 Gal	Container full to be rooted
PM	32	Pink Muhly Grass	*Muhlenbergia capillaris*	3 Gal	Container full to be rooted
RM	16	Prostrate Rosemary	*Rosmarinus officinalis 'Prostratus'*	3 Gal	Container, 12" ht., 18" spread

GROUNDCOVERS					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
		419 Bermuda Grass	*Cynodon dactylon '419'*		Sod Sod refer to notes

NOTE: Palette shall add to adders of Contractor shall perform activities of daily. Athletes and spreads are minimums. Adjacent water shall meet or exceed requirements as indicated. Atrees to have straight trunks and be of athletic varieties.

NO TREE TO BE PLANTED WITHIN 5 FEET OF ANY UTILITY LINE

01 LANDSCAPE PLAN
SCALE 1" = 20'-0"
0 10 20 40

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1784 W. M. DERMOTT DR.
SUITE 110
ALLEN, TEXAS 75013
(469) 369-4448
CHRIS STUDIOGREENSPOT.COM

REGISTERED LANDSCAPE ARCHITECT CHRIS TROY MORTENSEN 2042 STATE OF TEXAS

03.26.2019

SIREN ROCK BREWING CO.

ROCKWALL, TEXAS

CASE# SP2018-038

ISSUE:
FOR APPROVAL 01.09.2019
CITY COMMENTS 02.13.2019
CITY COMMENTS 03.26.2019

DATE:
03.26.2019

SHEET NAME:
LANDSCAPE PLAN

SHEET NUMBER:

L.2

41

SECTION 02900 - LANDSCAPE

PART 1 - GENERAL

1.1 REFERENCED DOCUMENTS

Refer to bidding requirements, special provisions, and schedules for additional requirements.

1.2 DESCRIPTION OF WORK

Work included: Furnish all supervision, labor, materials, services, equipment and appliances required to complete the work covered in conjunction with the landscaping covered in these specifications and landscaping plans, including:

1. Planting (trees, shrubs, and grass)
2. Bed preparation and fertilization
3. Notification of sources
4. Water and Maintenance until final acceptance
5. Guarantee

1.3 REFERENCE STANDARDS

A. American Standard for Nursery Stock published by American Association of Nurserymen: 27 October 1980, Edition; by American National Standards Institute, Inc. (Z60.1) – plant material.

B. American Joint Committee on Horticultural Nomenclature: 1942 Edition of Standardized Plant Names.

C. Texas Association of Nurserymen, Grades and Standards.

D. Hortis Third, 1976 - Cornell University

1.4 NOTIFICATION OF SOURCES AND SUBMITTALS

A. The Contractor shall, within ten (10) days following acceptance of bid, notify the Architect/Owner of the sources of plant materials and bed preparation required for the project.

B. Samples: Provide representative quantities of sandy loam soil, mulch, bed mix material, gravel, and crushed stone. Samples shall be approved by Architect before use on project.

C. Product Data: Submit complete product data and specifications on all other specified materials.

D. Submit three representative samples of each variety of ornamental trees, shrubs, and groundcover plants for Architect's approval. When approved, tag, install, and maintain as representative samples for final installed plant materials.

E. File Certificates of Inspection of plant material by state, county, and federal authorities with Architect, if required.

F. Soil Analysis: Provide sandy loam soil analysis if requested by the Architect.

PART 3 - EXECUTION

3.1 BED PREPARATION & FERTILIZATION

A. Landscape Contractor to inspect all existing conditions and report any deficiencies to the Owner.

B. All planting areas shall be conditioned as follows:

1. Prepare new planting beds by scraping away existing grass and weeds as necessary. Till existing soil to a depth of six (6") inches prior to placing compost and fertilizer. Apply fertilizer as per manufacturers recommendations. Add six (6") inches of compost and till into a depth of six (6") inches of the topsoil. Apply organic fertilizer such as Sustane or Green Sense at the rate of twenty (20) pounds per one thousand (1,000) square feet.
2. All planting areas shall receive a two (2") inch layer of specified mulch.
3. Backfill for tree pits shall be as follows: Use existing top soil on site (use imported topsoil as needed) free from large clumps, rocks, debris, caliche, subsoils, etc., placed in nine (9") inch layers and watered in thoroughly.

C. Grass Areas:

1. Areas to be Solid Sod Bermudagrass: Blocks of sod should be laid joint to joint, (staggered joints) after fertilizing the ground first. Roll grass areas to achieve a smooth, even surface. The joints between the blocks of sod should be filled with topsoil where they are evidently gaped open, then watered thoroughly.
2. Areas to be Hydromulch Common Bermudagrass: Hydromulch with bermudagrass seed at a rate of two (2) pounds per one thousand (1,000) square feet. Use a 4' x 8' batter board against the bed areas.

3.2 INSTALLATION

A. Maintenance of plant materials shall begin immediately after each plant is delivered to the site and shall continue until all construction has been satisfactorily accomplished.

B. Plant materials shall be delivered to the site only after the beds are prepared and area ready for planting. All shipments of nursery materials shall be thoroughly protected from the drying winds during transit. All plants which cannot be planted at once, after delivery to the site, shall be well protected against the possibility of drying by wind and sun. Balls of earth of B & B plants shall be kept covered with soil or other acceptable material. All plants remain the property of the Contractor until final acceptance.

C. Position the trees and shrubs in their intended location as per plan.

D. Notify the Landscape Architect for inspection and approval of all positioning of plant materials.

E. Excavate pits with vertical sides and horizontal bottom. Tree pits shall be large enough to permit handling and planting without injury to balls of earth or roots and shall be of such depth that, when planted and settled, the crown of the plant shall bear the same relationship to the finish grade as it did to soil surface in original place of growth.

JOB CONDITIONS

A. General Contractor to complete the following punch list: Prior to Landscape Contractor initiating any portion of landscape installation, General Contractor shall leave planting bed areas three (3") inches below finish grade of sidewalks, drives and curbs as shown on the drawings. All lawn areas to receive solid sod shall be left one (1") inch below the finish grade of sidewalks, drives, and curbs. All construction debris shall be removed prior to Landscape Contractor beginning any work.

B. General Contractor shall provide topsoil as described in Section 02200 - Earthwork.

C. Storage of materials and equipment at the job site will be at the risk of the Landscape Contractor. The Owner cannot be held responsible for theft or damage.

1.6 MAINTENANCE AND GUARANTEE

A. Maintenance:

1. The Landscape Contractor will be held responsible for the maintenance of all work from the time of planting until final acceptance by the Owner. No trees, shrubs, groundcover or grass will be accepted unless they show a healthy growth and satisfactory foliage conditions.
2. Maintenance shall include watering of trees and plants, cultivation, weeding spraying, edging, pruning of trees, mowing of grass, cleaning up and all other work necessary of maintenance.
3. A written notice requesting final inspection and acceptance should be submitted to the Owner at least seven (7) days prior to completion. An on-site inspection by Owner and Landscape Contractor will be completed prior to written acceptance.
4. After final acceptance of installation, the Landscape Contractor will not be required to do any of the above listed work.

B. Guarantee:

1. Trees shall be guaranteed for a twelve (12) month period after acceptance. Shrubs and groundcover shall be guaranteed for twelve (12) months. The Contractor shall replace all dead materials as soon as weather permits and upon notification of the Owner. Plants, including trees, which have partially died so that shape, size, or symmetry has been damaged, shall be considered subject to replacement. In such cases, the opinion of the Owner shall be final.
   a. Plants used for replacement shall be of the same size and kind as those originally planted and shall be planted as originally specified. All work, including materials, labor and equipment used in replacements, shall carry a twelve (12) month guarantee. Any damage, including ruts in lawn or bed areas, incurred as a result of making replacements shall be immediately repaired.
   b. At the direction of the Owner, plants may be replaced at the start of the next year's planting season. In such cases, dead plants shall be removed from the premises immediately.
   c. When plant replacements are made, plants, soil mix, fertilizer and mulch are to be utilized as originally specified and reinspected for full compliance with Contract requirements. All replacements are to be included under "Work" of this section.

F. Shrub and tree pits shall be no less than two (2') feet, twenty-four (24") inches, wider than the lateral dimension of earth ball and six (6") inches deeper than it's vertical dimension. Remove and haul from site all rocks and stones over one (1") inch in diameter. Plants should be thoroughly moist before removing containers.

G. Dig a wide, rough sided hole exactly the same depth as the height of the ball, especially at the surface of the ground. The sides of the hole should be rough and jagged, never slick or glazed.

H. Percolation Test: Fill the hole with water. If the water level does not percolate within 24 hours, the tree needs to move to another location or have drainage added. Install a PVC stand pipe per tree planting detail as approved by the Landscape Architect.

I. Backfill only with 5 parts existing soil or sandy loam and 1 part bed preparation. When the hole is dug in solid rock, topsoil from the same area should not be used. Carefully settle by watering to prevent air pockets. Remove the burlap from the top 1/3 of the ball, as well as all nylon, plastic string and wire mesh. Container trees will usually be pot bound, if so follow standard nursery practice of 'root scoring'.

J. Do not wrap trees.

K. Do not over prune.

L. Mulch the top of the ball. Do not plant grass all the way to the trunk of the tree. Leave the area above the top of the ball and mulch with at least two (2") inches of specified mulch.

M. All plant beds and trees to be mulched with a minimum settled thickness of two (2") inches over the entire bed or pit.

N. Obstruction below ground: In the event that rock, or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this section, alternate locations may be selected by the Owner. Where locations cannot be changed, the obstructions shall be removed to a depth of not less than three (3') feet below grade and no less than six (6") inches below the bottom of ball when plant is properly set at the required grade. The work of this section shall include the removal from the site of such rock or underground obstructions encountered at the cost of the Landscape Contractor.

O. Trees and large shrubs shall be staked as site conditions require. Position stakes to secure tree against seasonal prevailing winds.

P. Pruning and Mulching: Pruning shall be directed by the Architect and shall be pruned in accordance with standard horticultural practice following Fine Pruning, Class I pruning standards provided by National Arborist Association.

1. Dead wood or suckers and broken badly bruised branches shall be removed. General tipping of the branched is not permitted. Do not cut terminal branches.
2. Pruning shall be done with clean, sharp tools.
3. Immediately after planting operations are completed, all tree pits shall be covered with a layer of organic material two (2") inches in depth. This limit of the organic material

Q. Steel Curbing Installation:

1. Curbing shall be aligned as indicated on plans. Stake out limits of steel curbing and obtain Owners approval prior to installation.
2. All steel curbing shall be free of kinks and abrupt bends.
3. Top of curbing shall be 3/4" maximum height above grade.
1. Stakes are to be installed on the planting bed side of the curbing, as opposed to the grass side.
2. Do not install steel edging along sidewalks.
3. Cut steel edging at 45 degree angle where edging meets sidewalk.

3.3 CLEANUP AND ACCEPTANCE

A. Cleanup: During the work, the premises shall be kept neat and orderly at all times. Storage areas for all materials shall be so organized that they, too, are neat and orderly. All trash and debris shall be removed from the site as work progresses. Keep paved areas clean by sweeping or hosing at end of each days work.

END OF SECTION

2. The Owner agrees that for the guarantee to be effective, he will water plants at least twice a week during dry periods and cultivate beds once a month after final acceptance.
3. The above guarantee shall not apply where plants die after acceptance because of injury from storms, hail, freeze, insects, diseases, injury by humans, machines or theft.
4. Acceptance for all landscape work shall be given after final inspection by the Owner provided the job is in a completed, undamaged condition, and there is a stand of grass in all lawn areas. At this time, the Owner will assume maintenance on the accepted work.

C. Repairs: Any necessary repairs under the Guarantee must be made within ten (10) days after receiving notice, weather permitting, and in the event the Landscape Contractor does not make repairs accordingly, the Owner, without further notice to Contractor, may provide materials and men to make such repairs at the expense of the Landscape Contractor.

1.7 QUALITY ASSURANCE

A. General: Comply with applicable Federal, State, County and Local regulations governing landscape materials and work

B. Personnel: Employ only experienced personnel who are familiar with the required work. Provide full time supervision by a qualified foreman acceptable to Landscape Architect.

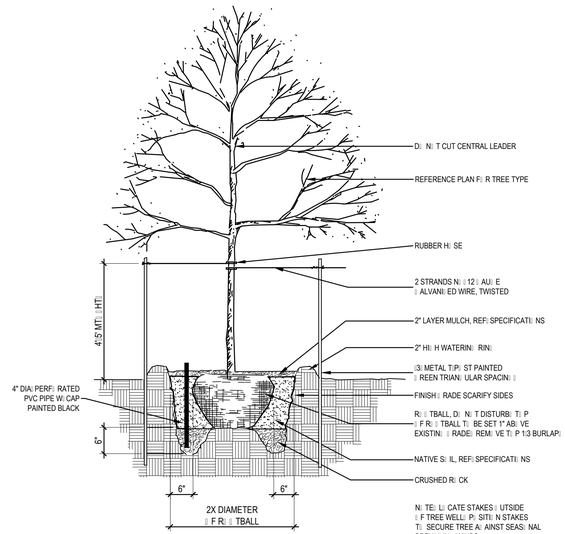
C. Selection of Plant Material:

1. Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will insure the purchased materials will meet and/or exceed project specifications.
2. Landscape Architect will provide a key identifying each tree location on site. Written verification will be required to document material selection, source and delivery schedules to site.
3. Owner and/or Architect shall inspect all plant materials when reasonable at place of growth for compliance with requirements for genus, species, cultivar/variety, size and quality.
4. Owner and/or Architect retains the right to further inspect all plant material upon arrival at the site and during installation for size and condition of root balls, limbs, branching habit, insects, injuries, and latent defects.
5. Owner and/or Architect may reject unsatisfactory or defective material at any time during the process of work. Remove rejected materials from the site immediately. Plants damaged in transit or at job site shall be rejected.

1.8 PRODUCT DELIVERY, STORAGE AND HANDLING

A. Preparation:

1. Balled and Burlapped (B&B) Plants: Dig and prepare shipment in a manner that will not damage roots, branches, shape, and future development.
2. Container Grown Plants: Deliver plants in rigid container to hold ball shape and protect root mass.



01 TREE PLANTING DETAIL
N: T T: SCALE

A. Delivery:

1. Deliver packaged materials in sealed containers showing weight, analysis and name of manufacturer. Protect materials from deterioration during delivery and while stored at site.
2. Deliver only plant materials that can be planted in one day unless adequate storage and watering facilities are available on job site.
3. Protect root balls by heeling in with sawdust or other approved moisture retaining material if not planted within 24 hours of delivery.
4. Protect plants during delivery to prevent damage to root balls or desiccation of leaves. Keep plants moist at all times. Cover all materials during transport.
5. Notify Architect of delivery schedule 72 hours in advance so plant material may be observed upon arrival at job site.
6. Remove rejected plant material immediately from site.
7. To avoid damage or stress, do not lift, move, adjust to plumb, or otherwise manipulate plants by trunk or stems.

PART 2 - PRODUCTS

2.1 PLANTS

A. General: Well-formed No. 1 grade or better nursery grown stock. Listed plant heights are from tops of root balls to nominal tops of plants. Plant spread refers to nominal outer width of the plant, not to the outer leaf tips. Plants will be individually approved by the Architect and his decision as to their acceptability shall be final.

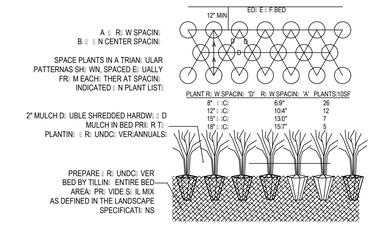
B. Quantities: The drawings and specifications are complimentary. Anything called for on one and not the other is as binding as if shown and called for on both. The plant schedule is an aid to bidders only. Confirm all quantities on plan.

C. Quality and size: Plant materials shall conform to the size given on the plan, and shall be healthy, symmetrical, well-shaped, full branched, and well rooted. The plants shall be free from injurious insects, diseases, injuries to the bark or roots, broken branches, objectionable disfigurements, insect eggs and larvae and are to be of specimen quality.

D. Approval: All plant materials shall be subject to the approval of the Owner. All plants which are found unsuitable in growth, or in any unhealthy, badly shaped, or undersized condition, will be rejected by the Landscape Architect, either before or after planting, and shall be removed at the expense of the Landscape Contractor and replaced with acceptable plants as specified.

E. Trees shall be healthy, full-branched, well-shaped and shall meet the trunk diameter and height requirements of the plant schedule. Balls shall be firm, neat, slightly tapered, and well wrapped in burlap. Any tree loose in the ball or with broken ball at time of planting will be rejected. Balls shall be ten (10") inched in diameter for each one (1") inch of trunk diameter, Measured six (6") inched above ball.
Nomenclature conforms to the customary nursery usage: for clarification, the term "multi-trunk" defines a plant having three (3) or more trunks of nearly equal diameter.

F. Pruning: All pruning of trees and shrubs, as directed by the Landscape Architect, shall be executed by the Landscape Contractor at no additional cost to the Owner.



02 GROUNDCOVER PLANTING DETAIL
N: T T: SCALE

2.2 SOIL PREPARATION MATERIALS

A. Sandy Loam:

1. Friable, fertile, dark, loamy soil, free of clay lumps, subsoil, stones and other extraneous material and reasonably free of weeds and foreign grasses. Loam containing Dallasgrass or Nutgrass shall be rejected.
2. Physical properties as follows:
   Clay – between 7-27 percent
   Silt – between 15-25 percent
   Sand – less than 52 percent
3. Organic matter shall be 3%-10% of total dry weight.
4. If requested, provide a certified soil analysis conducted by an approved soil testing laboratory verifying that sandy loam meets the above requirements.

B. Organic Material: Compost with a mixture of 80% vegetative matter and 20% animal waste. Ingredients should be a mix of course and fine textured material.

C. Premixed Bedding Soil as supplied by Vital Earth Resources, Gladewater, Texas; Professional Bedding Soil as supplied by Living Earth Technology, Dallas, Texas or Acid Gro Municipal Mix as supplied by Soil Building Systems, Dallas, Texas or approved equal.

D. Sharp Sand: Sharp sand must be free of seeds, soil particles and weeds.

E. Mulch: Double Shredded Hardwood Mulch, partially decomposed, dark brown. Living Earth Technologies or approved equal.

F. Organic Fertilizer: Fertilaid, Sustane, or Green Sense or equal as recommended for required applications. Fertilizer shall be delivered to the site in original unopened containers, each bearing the manufacturer's guaranteed statement of analysis.

A. Commercial Fertilizer: 10-20-10 or similar analysis. Nitrogen source to be a minimum 50% slow release organic Nitrogen (SCU or UF) with a minimum 8% sulphur and 4% iron, plus micronutrients.

B. Peat: Commercial sphagnum peat moss or partially decomposed shredded pine bark or other approved organic material.

2.3 MISCELLANEOUS MATERIALS

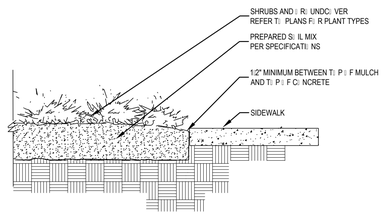
A. Steel Edging: Shall be Ryerson "Estate Curbing", 1/8" x 4" with stakes 4' on center.

B. Staking Material for Shade Trees:

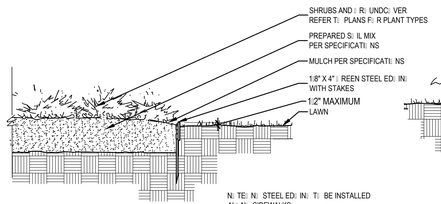
1. Post: Studded T-Post, #1 Armco with anchor plate; 6'-0" length; paint green.
2. Wire: 12 gauge, single strand, galvanized wire.
3. Rubber hose: 2 ply, fiber reinforced hose, minimum ½ inch inside diameter. Color: Black.

C. Gravel: Washed native pea gravel, graded 1 in. to 1-1/2 in.

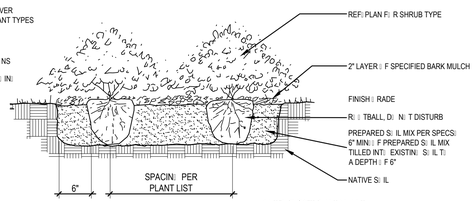
D. Filter Fabric: Mirafi 140N by Celanese Fibers Marketing Company, available at Loftland Co., (214) 631-5250 or approved equal.



03 SIDEWALK MULCH DETAIL
N: T T: SCALE



04 STEEL EDGING DETAIL
N: T T: SCALE



05 SHRUB PLANTING DETAIL
N: T T: SCALE

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1784 W. M. DERMOTT DR.
SUITE 110
ALLEN, TEXAS 75013
(469) 369-4448
CHRIS: STUDIOGREENSPOT.COM

REGISTERED LANDSCAPE ARCHITECT
CHRIS TROY LANGFORD
2042
STATE OF TEXAS

03.26.2019

SIREN ROCK BREWING CO.

ROCKWALL, TEXAS

CASE# SP2018-038

ISSUE:
FOR APPROVAL 01.09.2019

DATE:
03.26.2019

SHEET NAME:
LANDSCAPE SPECIFICATIONS

SHEET NUMBER:
L.3

42

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43

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	April 15, 2019
APPLICANT:	Michael Duval; *G&A/McAdams*
CASE NUMBER:	P2019-010; *Lot 1, Block A, & Lot 1, Block B, Ladera Rockwall Addition*

SUMMARY

Consider a request by Michael Duval of G&A/McAdams on behalf of John Delin of RW Ladera, LLC for the approval of a final plat for Lot 1, Block A and Lot 1, Block B, Ladera Rockwall Addition being a 47.694-acre tract of land identified as a portion of Tract 4-01 and all of Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85) for General Retail (GR) and Single-Family 7 (SF-7) District land uses, situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast and northwest corners of the intersection of SH-66 and John King Boulevard, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a final plat for a 122 lot single-family residential subdivision situated on a single lot [i.e. *Tract 1* (Lot 1, Block A = 37.80-acres)] and a commercial lot zoned for General Retail (GR) District land uses [i.e. *Tract 2* (Lot 1, Block B = 9.894-acres)]. The subject property is a total of 47.694-acres. The development was approved for an age restricted, senior living community with the single-family homes setup in a condominium regime (*i.e. single-family homes are individually owned, but are situated on a single lot/unit owned and maintained by the homeowner's association*). The subject property is identified as a portion of Tract 4-01 and all of Tract 5 of the M. B. Jones Survey, Abstract No. 122 and is located within the 205 By-Pass Overlay (*205 BY-OV*) and SH-66 Overlay (*SH-66 OV*) Districts. The purpose of the replat is to establish the necessary easements (*i.e. firelane, public access, drainage and utility easements*) in order to develop the lots (*i.e. Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition*).

☑ On October 16, 2017, the City Council approved Planned Development District 85 (PD-85) [*i.e. Ordinance No. 17-55*], to allow for an age restricted, senior living community with single-family residential land uses setup in a condominium regime on the *subject property*.

☑ On June 26, 2018, the Planning and Zoning Commission approved an amended treescape plan for the purpose of removing trees in association with the construction of a 12-inch sanitary sewer line that will serve the development [Case No. MIS2018-014]. The total mitigation balance due at that time was 1,443.25 caliper-inches. Through the civil engineering process additional trees were identified for removal, increasing the total mitigation balance due to 1,726.75-caliper inches. The applicant has provided a landscape plan mitigating for all inches on site satisfying the mitigation requirements. Approval of this plat shall constitute the approval of the additional trees being removed for development of the site.

☑ On August 6, 2018, the City Council approved an amendment to Planned Development District 85 (PD-85) [*i.e. Ordinance No. 18-32*], for the purpose of incorporating an additional 9.762-acre tract of land to allow the addition of 38 single-family units totaling 122 single-family units for PD-85.

☑ On September 17, 2018 the City Council approved a preliminary plat [*P2017-068*] for 122 single-family residential lots within Planned Development District 85 (PD-85).

☑ On April 2, 2019, the Parks and Recreation Board reviewed the proposed *final plat* and made the following recommendations:

1) The construction of a ten (10) foot concrete trail along the east side of John King Boulevard, and a five (5) foot concrete sidewalk along north side of SH-66.
2) Cash-in-lieu of land fees are required in the amount of $61,854.00 [i.e. 122 Lots @ $507.00 per lot]. These fees are due at the time of final plat and are subject to change.
3) Pro-rata equipment fees are required in the amount of $63,806.00 [i.e. 122 Lots @ $523.00 per lot]. These fees are due at the time of final plat and are subject to change.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

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

CONDITIONS OF APPROVAL

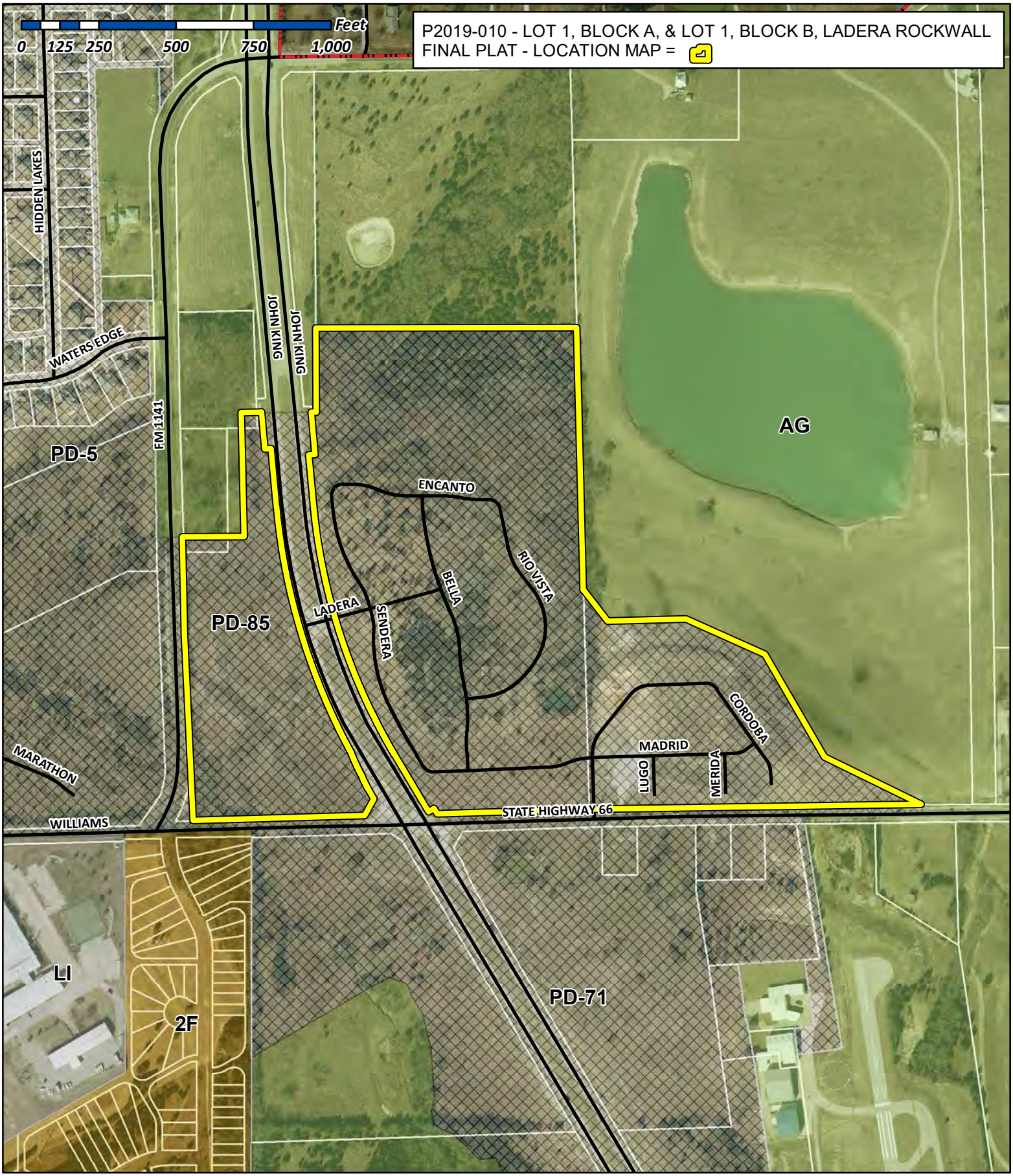
If the City Council chooses to approve of the final plat for *Lot 1 Block A, and Lot 1, Block B, Ladera Rockwall Addition,* staff would propose the following conditions of approval:

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

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

PLANNING AND ZONING COMMISSION

On April 9, 2019, the Planning and Zoning Commission's motion to recommend approval of the final plat for *Lot 1 Block A, and Lot 1, Block B, Ladera Rockwall Addition* with staff conditions passed by a vote of 7 to 0.



City of Rockwall

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

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

100 0 100 200 300 Feet

SCALE: 1"=100'

MATCHLINE

MIKE L. PEOPLES
CALLED 73.2744 ACRES
850/15

Var. Width SSE by Sep. Inst.

Variable Width DDE

S 37°47'00" E 128.76'

N 01°28'10" W 854.41'

1/2" RF

1/2" CRS (G&A)

S 01°28'09" E 845.72'

322.60'

N 7,031,426.5
E 2,600,698.1

317.45'

BETTY BOGARD
TRACT 2
CALLED 16.00 ACRES
2008-00396742

S 45°20'00" E 45.99'

JOHN N. CULLINS
TRACT 3
CALLED 41.921 ACRES
2008-00396743

N 89°54'11" E 842.15'

190.59'

Variable Width Drainage Easement

Variable Width Drainage Easement

EHS

Original Lot Line to be abandoned

S 12°31'00" E 116.73'

S 29°35'10" E 78.50'

S 49°20'00" E 148.41'

S 11°39'10" E 220.66'

S 11°39'10" E 216.49'

Rio Vista Lane

Lot 1, Block A
37.800 Ac.

Encanto Trail

Bella Drive

Madrid Way

Ladera Way

Sendera Lane

Cordoba Lane

S 69°15'55" E 383.01'

S 69°15'55" E 311.32'

S 69°15'55" E 136.64'

S 84°35'00" E 35.14'

N 85°13'00" E 357.83'

269.35'

20' SSE

12.5' UE

10' UE

18' FE

29' MAUE

21' MAUE & FE

15' BL

14.5'

10.5'

20' WLE

25' PAE

58.0' MAUE & FE

25'X25' VE

29' MAUE & FE

30.0' NORTH TEXAS MUNICIPAL WATER DISTRICT OF TEXAS ESMT. VOL. 56, PG. 349

S 88°18'19" W 490.46'

474.86'

STATE HWY 66
(Called 60' R.O.W.)

TXDOT MON. BEARS N 88°18' E 1.0' FROM PROPERTY CORNER

1/2" CRS (G&A)

P.O.B. TRACT 1

1/2" RF
N 7,029,870.9
E 2,600,737.9

8.22'

S 88°18'19" W 234.09'

N 30°39'57" W 211.63'

20' WLE

P.O.B. TRACT 2

1/2" CRS (G&A)

S 88°18'19" W 553.89'

NORTH JOHN KING BLVD.
(Variable Width R.O.W.)

Δ=25°25'15" R=1940.00' L=860.73'
CD=N 17°57'20" W CL=853.69'

Δ=23°19'48" R=2060.00' L=838.80'
CD=S 16°54'36" E 833.02'

CAUSE 1-08-633
CITY OF ROCKWALL
VS.
JOHN N. CULLINS, ET AL
PARCEL 10
CALLED 3.989 ACRES
2009-00410863

N 00°10'47" W 271.63'

N 05°14'42" W 158.73'

S 05°14'42" E 189.30'

169.30'

THE CITY OF ROCKWALL, TEXAS
CALLED 10.942 ACRES
2007-00389123

20' SSE
2019-3397

S 89°26'01" W 65.39'

N 01°20'56" W 400.02'

BETTY BOGARD
TRACT 1
CALLED 1.837 ACRES
2008-00396742

S 89°26'01" W 200.01'

N 01°20'56" W 314.19'

FM 1141
(Variable Width R.O.W.)

Lot 1, Block B
9.894 Ac.

Drainage and Detention Easement

Drainage and Detention Easement

Variable Width Drainage Easement

S 04°17'40" W 149.35'

N 12°10'00" W 88.53'

S 28°30'15" E 129.91'

N 18°03'50" W 112.18'

N 22°43'50" W 120.76'

S 87°19'00" W 58.76'

N 02°54'00" E 115.85'

N 03°10'59" W 157.81'

S 03°16'45" E 74.96'

N 02°39'30" W 601.90'

Approx. Limits of 100-Year Fully Developed Floodplain per Ultimate model; Refer to "Hydrologic and Hydraulic study in support of Ladera Rockwall Development" prepared by JEA-HydroTech Engineering, Inc

1588 = 497.15'
1572 = 497.27'
1578 = 497.03'
1442 = 497.32'
1300 = 496.97'
1265 = 493.55'
1165 = 492.89'
1984= 500.09'
2352=500.17'
2540 = 500.27'
2573 = 500.28'
2881 = 500.34'
2924 = 500.70'
3051 = 501.23'
3185 = 501.88'
3354 = 502.62'
= 503.89'
18705 = 501.90'
18663 = 498.41'
18823 = 502.00'
18886 = 501.81'
18878 = 501.96'

NORMAN TL.
F.M. 1141
JOHN KING BLVD.
WATERS EDGE DR.
F.M. 1141
HIGHWAY 66
PROJECT SITE

LEGEND

RF	=	REBAR FOUND
CRS	=	CAPPED REBAR SET
CRF	=	CAPPED REBAR FOUND
BL	=	BUILDING LINE
UE	=	UTILITY EASEMENT
P.O.B.	=	POINT OF BEGINNING
MAE	=	MUTUAL ACCESS EASEMENT
MAUE	=	MUTUAL ACCESS & UTILITY EASEMENT
SSE	=	SANITARY SEWER EASEMENT
LS	=	LANDSCAPE
DDE	=	DRAINAGE & DETENTION EASEMENT
EHS	=	EROSION HAZADROUS SETBACK
VE	=	VISIBILITY EASEMENT
FE	=	FIRELANE EASEMENT
PAE	=	PEDESTRIAN ACCESS EASEMENT

FINAL PLAT
Lot 1, Block A & Lot 1, Block B LADERA ROCKWALL
47.694 Acres
Zoned: PD-85
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

1/4

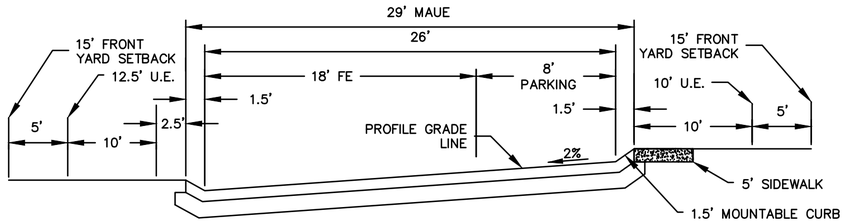
The John R. McAdams Company, Inc.
(DBA, G&A | McAdams)
111 Hillside Drive
Lewisville, Texas 75057
972. 436. 9712
201 Country View Drive
Roanoke, Texas 76262
940. 240. 1012
TBPE: 19762 TBPLS: 10194440
www.gacon.com
www.mcadamsco.com

DRAWN BY: CC DATE: 3/6/2019 SCALE: 1"=100' JOB. No. 17191

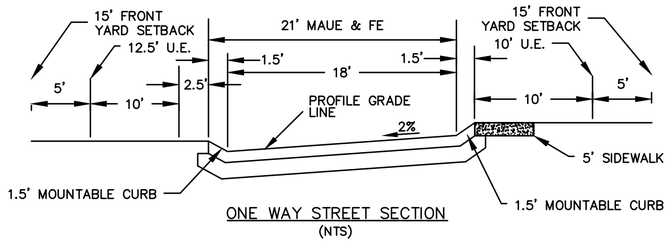
OWNER/DEVELOPER
RW LADERA, LLC.
361 W. BYRON NELSON BLVD. STE. 104
ROANOKE, TX 76262
Ph. 817.430.3318
Contact: John Delin

Case No. P2019-010

File: Z:\2017\17191\Drawings\fp & const plans\17191 FP BASE
Plotted: 3/28/2019 10:38 AM, by Duval, Michael; Saved: 3/28/2019 10:33 AM, by mduval



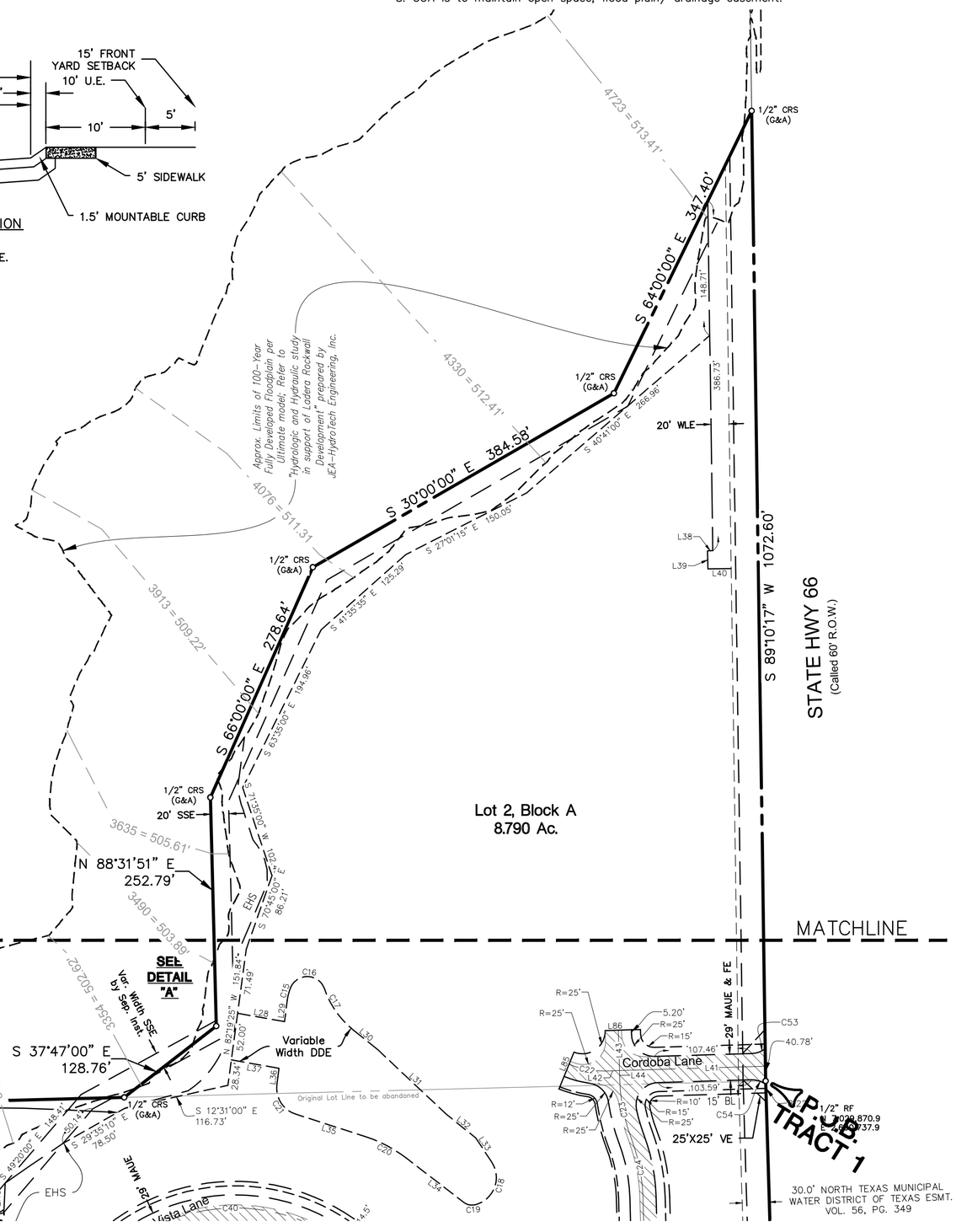
PROPOSED STREET SECTION (NTS)
*PARKING ALLOWED ON ONE SIDE OF STREET ONLY (THE HIGH SIDE OF STREET)

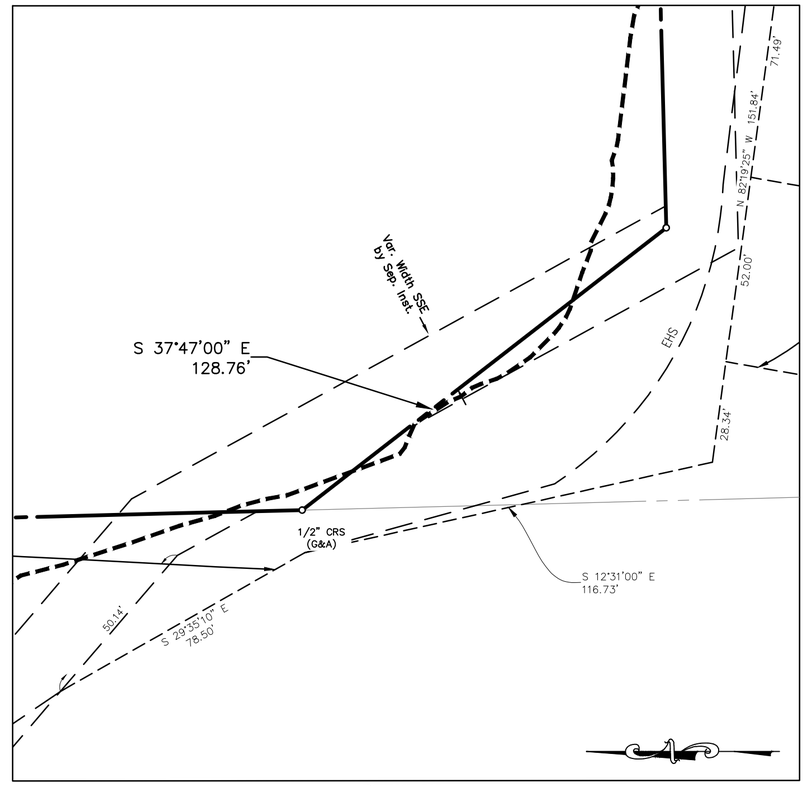


ONE WAY STREET SECTION
(NTS)
*NO PARKING EITHER SIDE.

NOTES:

1. Bearings based on Texas Coordinate System, North Central Zone (4202), NAD '83.
2. The coordinates shown at the Northeast and Southeast corners are based on Texas Coordinate System, Texas Central Zone (4202) NAD '83..
3. Surveyor has made no investigation or independent search for easement of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate abstract of title may disclose.
4. No flood zone area analysis has been performed on the subject property G&A | MCADAMS.
5. All property corners are 1/2" rebar set with cap stamped "G&A | MCADAMS", unless otherwise noted.
6. Refer to Typical Street Section for fire lane information.
7. COA is responsible for all maintenance, repair, and replacement for all systems in drainage and detention easements.
8. COA is to maintain open space, flood plain/ drainage easement.





DETAIL "A"
Scale: 1"=30'

FINAL PLAT
Lot 1 & 2, Block A & Lot 1, Block B LADERA ROCKWALL
47.694 Acres
Zoned: PD-85
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

2/4

The John R. McAdams Company, Inc.
(DBA, G&A | McAdams)
111 Hillside Drive
Lewisville, Texas 75057
972. 436. 9712
201 Country View Drive
Roanoke, Texas 76262
940. 240. 1012
TBPE: 19762 TBPLS: 10194440
www.gacon.com
www.mcadamsco.com

DRAWN BY: CC DATE: 3/6/2019 SCALE: 1"=100' JOB. No. 17191

OWNER/DEVELOPER
RW LADERA, LLC.
361 W. BYRON NELSON BLVD. STE. 104
ROANOKE, TX 76262
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Case No. P2019-010

File: Z:\2017\17191\Drawings\Fp & const plans\17191 FP BASE
Plotted: 3/28/2019 10:39 AM, by Duval, Michael; Saved: 3/28/2019 10:33 AM, by mduval

48

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS We, RW Ladera, LLC, BEING the Owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

LOT 1, BLOCK A
TRACT 1

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921 acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being part of a called 73.2744 acre tract of land described in deed to Mike L. People, recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar found at the southeast corner of said 41.921 acre tract, and the southwest corner of said 73.2744 acre tract and being in the north line of U. S. Highway 66;

THENCE S 88°18'19"W, with the north line of U. S. Highway 66, a distance of 490.46 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most southeasterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Northwesterly with the east line of said 3.989 acre tract and John King Boulevard, the following seven (7) calls:

N 30°39'57" W, a distance of 19.44 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 59°20'03" W, a distance of 21.30 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 30°39'57" W, a distance of 211.63 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

Northwesterly with a curve to the right having a radius of 1940.00 feet, a central angle of 25°25'15", and an arc length of 860.73 feet, whose chord bears N 17°57'20" W, a distance of 853.69 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 158.73 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 136.88 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS" in the south line of a called 10.942 acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, with the south line of said 10.942 acre tract, a distance of 15.52 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof;

THENCE N 00°10'47" W, with the east line of said 10.942 acre tract, a distance of 271.63 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a 16.000 acre tract of land described as Tract 2 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Rockwall County, Texas;

THENCE N 89°54'11" E, with the south line of said 16.000 acres, a distance of 842.15 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof and being in the west line of said 73.2744 acre tract;

THENCE S 01°28'09" E, with the west line of said 73.2744 acre tract of land, a distance of 845.72 feet to a1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

THENCE over, across, and through said 73.2744 acre tract the following five (5) courses and distances:

S 37°47'00" E, a distance of 135.09 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 88°31'51" E, a distance of 259.75 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 66°00'00" E, a distance of 266.78 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 30°00'00" R, a distance of 384.58 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 64°00'00" E, a distance of 352.92 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of said 73.2744 acre tract and the north line of U.S. Highway 66;

THENCE S 89°18'14" W, with the south line of said 73.2744 acre tract, and the north line of U.S. Highway 66, a distance of 1077.53 feet to the POINT OF BEGINNING and containing approximately 37.800 acres of land.

LEGAL DESCRIPTION
LOT 1, BLOCK B
TRACT 2

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921 acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the north line of U. S. Highway 66, from which a 1/2 inch rebar found at the southeast corner of said 41.921 acres bears N 88°18'19" E, a distance 724.55 feet;

THENCE S 88°18'19" W, a distance of 553.89 feet with the north line of U. S. Highway 66, to a wooden right-of-way monument found at the southwest corner of said 41.921 acre tract, and being in the east line of F. M. 1141;

THENCE N 02°39'30" W, a distance of 601.94 feet with the east line of F. M. 1141, to a 1/2 inch rebar found;

THENCE N 01°20'56" W, a distance of 314.19 feet continuing with the east line of F. M. 1141, to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a called 1.837 acre tract of land described as Tract 1 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Denton County, Texas;

THENCE N 89°26'01" E, a distance of 200.01 feet with the south line of said 1.837 acre tract, to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof, and being at an inner ell corner of said 41.921 acre tract;

THENCE N 01°20'56" W, a distance of 400.02 feet with the east line of said 1.837 acre tract, to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of a 10.942 acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, a distance of 65.39 feet with the south line of said 10.942 acre tract, to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most northwesterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Southeasterly with the west line of said 3.989 acre tract and John King Boulevard, the following eight (8) calls:

S 05°14'42" E, a distance of 119.42 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 05°14'42" E, a distance of 189.30 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 2060.00 feet, a central angle of 23°19'48", and an arc length of 838.80 feet, whose chord bears S 16°54'36" E, a distance of 833.02 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

Southeasterly with a curve to the right having a radius of 586.00 feet, a central angle of 07°34'10", and an arc length of 77.42 feet, whose chord bears S 24°47'26" E, a distance of 77.36 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 314.00 feet, a central angle of 09°39'36", and an arc length of 52.94 feet, whose chord bears S 25°50'09" E, a distance of 52.88 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 30°39'57" E, a distance of 32.25 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 28°49'11" W, a distance of 60.93 feet to the POINT OF BEGINNIGN and containing approximately 9.894 acres of land.

STATE OF TEXAS :

COUNTY OF DENTON : WHEREAS We, RW Ladera, LLC, are the owners of the hereinabove described property, and, acting by and through our duly authorized representative, do hereby adopt this Final Plat designating the same as Ladera Rockwall, an addition to the City of Rockwall, and do hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, trails, water courses, storm drainage facilities, easements, rights-of-way and public places, "and any other property necessary to serve the plat and to implement the requirements of the Subdivision Ordinance and Design Criteria thereon shown" for the purpose and consideration therein expressed.

WITNESS OUR HAND this _____ day of _____, 2019.

_____
John Delin, Authorized Representative

STATE OF TEXAS :
COUNTY OF DENTON : BEFORE ME, THE UNDERSIGNED AUTHORITY personally appeared John Delin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2019.

_____
Notary Public

My commission expires the _____ day of _____, 2019.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 05°14'42" E	119.42'
L2	N 84°45'18" E	20.00'
L3	S 30°39'57" E	32.25'
L4	S 28°49'11" W	60.93'
L5	N 30°39'57" W	19.44'
L6	S 59°20'03" W	21.30'
L7	N 84°45'18" E	20.00'
L8	N 05°14'42" W	136.88'
L9	N 89°26'01" E	15.52'
L10	S 84°45'30" W	44.16'
L11	S 13°33'50" W	104.66'
L12	S 13°33'50" W	122.24'
L13	S 84°45'30" W	58.48'
L14	N 80°32'08" E	59.21'
L15	N 89°26'01" E	100.40'
L16	S 00°57'10" W	37.69'
L17	S 43°18'20" W	36.30'
L18	S 59°37'10" W	12.24'
L19	S 00°57'10" W	42.23'
L20	S 43°18'20" W	13.20'
L21	S 01°41'41" E	25.00'
L22	S 01°41'41" E	30.00'

LINE TABLE

LINE	BEARING	DISTANCE
L23	S 66°45'40" E	23.94'
L24	S 82°22'00" E	49.46'
L25	S 21°12'10" E	55.37'
L26	S 22°26'45" E	50.94'
L27	N 52°16'25" W	40.00'
L28	N 10°00'00" E	52.75'
L29	N 83°02'15" W	23.90'
L30	N 38°50'30" E	35.47'
L31	N 43°17'40" E	103.29'
L32	N 38°46'40" E	41.89'
L33	N 56°35'00" E	32.01'
L34	S 37°33'50" W	80.00'
L35	S 17°53'30" W	81.24'
L36	N 83°02'15" W	18.50'
L37	S 10°00'00" W	53.40'
L38	S 00°49'43" E	5.95'
L39	N 88°18'20" E	20.00'
L40	S 00°49'43" E	25.65'
L41	N 01°41'40" W	161.58'
L42	S 01°41'40" E	14.97'
L43	S 88°18'20" W	44.70'
L44	S 88°18'20" W	10.39'

LINE TABLE

LINE	BEARING	DISTANCE
L45	S 88°18'20" W	262.85'
L46	S 88°18'20" W	114.67'
L47	S 88°18'20" W	236.64'
L48	S 87°14'00" E	51.43'
L49	S 88°18'20" W	89.61'
L50	N 30°39'55" W	72.41'
L51	N 15°04'30" W	20.00'
L52	N 15°04'30" W	20.00'
L53	N 90°00'00" E	32.61'
L54	N 90°00'00" E	45.27'
L55	N 90°00'00" E	62.99'
L56	N 81°52'00" W	50.52'
L57	N 85°35'40" E	50.16'
L58	N 90°00'00" E	49.86'
L59	N 90°00'00" E	26.24'
L60	S 11°39'10" E	129.43'
L61	S 37°59'40" E	64.63'
L62	S 83°05'06" W	58.72'
L63	S 01°41'40" E	32.68'
L64	S 00°00'00" E	16.98'
L65	N 74°55'30" E	116.59'
L66	N 74°55'30" E	207.70'

LINE TABLE

LINE	BEARING	DISTANCE
L67	N 69°46'00" E	10.99'
L68	S 57°15'50" E	8.84'
L69	N 79°45'20" W	24.17'
L70	N 59°37'10" E	37.50'
L71	N 59°37'10" E	37.42'
L72	N 02°20'15" W	115.92'
L73	N 02°20'15" W	117.56'
L74	S 42°49'10" E	80.16'
L75	S 42°49'10" E	86.72'
L76	S 84°45'18" W	37.58'
L77	N 84°45'18" E	20.70'
L78	N 28°43'46" W	25.65'
L79	S 59°20'05" W	22.00'
L80	N 30°39'55" W	10.00'
L81	S 59°20'05" W	21.95'
L82	S 74°57'21" E	69.13'
L83	S 52°07'59" E	31.31'
L84	S 28°38'05" E	104.56'
L85	S 67°46'17" E	29.00'
L86	S 01°41'40" E	29.00'
L87	N 59°37'10" E	37.50'

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	LONG CHORD
C1	586.00'	7°34'10"	77.42'	N 24°47'26" W, 77.36'
C2	314.00'	9°39'36"	52.94'	S 25°50'09" E, 52.88'
C3	30.00'	164°03'56"	85.90'	S 08°32'01" E, 59.42'
C4	135.00'	69°12'17"	163.06'	S 38°53'48" W, 153.33'
C5	47.50'	172°31'21"	143.03'	N 89°26'40" W, 94.80'
C6	45.00'	77°38'09"	60.97'	N 41°43'04" E, 56.42'
C7	50.00'	61°09'50"	53.38'	S 51°47'05" E, 50.88'
C8	50.00'	19°05'33"	16.66'	S 11°39'24" E, 16.58'
C9	100.00'	59°20'39"	103.58'	N 31°46'57" W, 99.01'
C10	150.00'	39°00'32"	102.12'	S 41°57'01" E, 100.16'
C11	150.00'	19°09'59"	50.18'	S 12°51'45" E, 49.94'
C12	25.00'	90°35'45"	39.53'	S 42°01'07" W, 35.54'
C13	25.00'	80°31'00"	35.13'	N 52°25'30" W, 32.31'
C14	15.00'	73°37'51"	19.28'	N 54°52'45" W, 17.98'
C15	50.00'	17°02'00"	14.86'	N 74°31'15" W, 14.81'
C16	20.00'	137°10'12"	47.88'	N 02°34'51" E, 37.24'
C18	31.00'	108°46'23"	58.85'	S 69°01'49" E, 50.40'
C19	15.00'	52°12'27"	13.67'	S 11°27'36" W, 13.20'
C20	150.00'	19°40'20"	51.50'	N 27°43'40" E, 51.25'
C21	30.00'	79°04'15"	41.40'	S 57°25'37" W, 38.19'
C22	100.00'	23°55'23"	41.75'	S 10°16'01" W, 41.45'
C23	200.00'	19°01'01"	66.38'	S 78°47'50" W, 66.08'
C24	200.00'	19°01'01"	66.38'	N 78°47'50" E, 66.08'
C25	35.50'	61°01'45"	37.81'	S 61°10'48" E, 36.05'
C26	1879.50'	4°26'24"	145.64'	S 28°26'43" E, 145.61'
C27	500.00'	28°07'41"	245.46'	S 12°09'41" E, 243.01'
C28	200.00'	16°58'40"	59.26'	S 06°35'10" E, 59.05'

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	LONG CHORD
C29	200.00'	19°31'14"	68.14'	N 24°50'07" W, 67.81'
C30	500.00'	28°20'27"	247.32'	S 20°25'30" E, 244.81'
C31	1879.50'	1°36'03"	52.51'	S 05°27'15" E, 52.51'
C32	35.00'	94°39'14"	57.82'	S 42°40'23" W, 51.47'
C33	200.00'	23°36'06"	82.38'	N 78°11'57" W, 81.80'
C34	250.00'	23°36'06"	102.98'	S 78°11'57" E, 102.25'
C35	239.50'	25°36'32"	107.05'	S 79°12'10" E, 106.16'
C36	350.00'	10°27'46"	63.91'	N 84°46'07" W, 63.82'
C37	350.00'	10°27'46"	63.91'	S 84°46'07" E, 63.82'
C38	35.50'	78°20'50"	48.54'	N 50°49'35" W, 44.85'
C39	200.00'	26°20'30"	91.95'	S 24°49'25" E, 91.14'
C40	200.00'	73°03'00"	254.99'	N 01°28'10" W, 238.07'
C41	514.50'	6°07'37"	55.02'	N 38°07'09" E, 54.99'
C42	200.00'	41°54'09"	146.27'	N 62°08'02" E, 143.03'
C43	300.00'	4°45'57"	24.95'	N 04°04'39" W, 24.95'
C44	300.00'	12°13'03"	63.97'	S 00°21'06" E, 63.85'
C45	500.00'	12°40'20"	110.59'	N 00°34'44" W, 110.36'
C46	500.00'	6°06'27"	53.30'	N 09°58'07" W, 53.27'
C47	500.00'	11°53'17"	103.74'	S 07°04'43" E, 103.56'
C48	300.00'	24°01'25"	125.79'	N 13°08'47" W, 124.87'
C49	1000.00'	4°55'30"	85.96'	S 22°41'45" E, 85.93'
C50	1000.00'	15°41'26"	273.85'	S 12°23'17" E, 273.00'
C51	200.00'	4°32'34"	15.86'	S 02°16'17" E, 15.85'
C52	200.00'	5°09'30"	18.01'	N 72°20'45" E, 18.00'
C53	24.50'	37°29'59"	16.04'	S 20°26'39" E, 15.75'
C54	24.50'	39°28'25"	16.88'	N 18°02'33" E, 16.55'

RECOMMENDED FOR FINAL APPROVAL

_____ _____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on this _____ day of _____, 2019.

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

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

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

SURVEYOR'S STATEMENT

I, W. Thad Murley III, a Registered Professional Land Surveyor in the State of Texas, have prepared this plat of the above property from an actual survey on the ground, and this plat represents that survey made by me or under my supervision.

_____
W. Thad Murley III
Texas Registration No. 5802

FINAL PLAT
Lot 1, Block A & Lot 1, Block B LADERA ROCKWALL
47.694 Acres
Zoned: PD-85
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

3/4

The John R. McAdams Company, Inc.
(DBA, G&A | McAdams)
111 Hillside Drive
Lewisville, Texas 75057
972. 436. 9712

201 Country View Drive
Roanoke, Texas 76262
940. 240. 1012

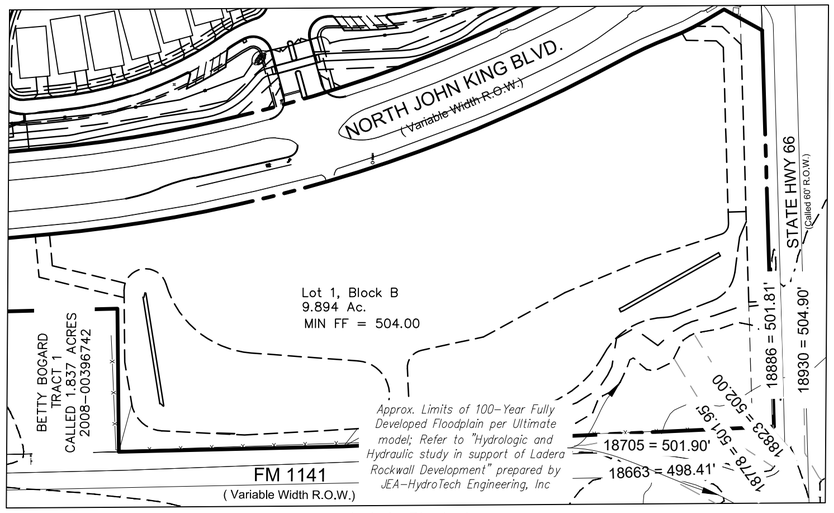
TBPE: 19762 TBPLS: 10194440
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DRAWN BY: CC DATE: 3/6/2019 SCALE: N.T.S. JOB. No. 17191

OWNER/DEVELOPER
RW LADERA, LLC.
361 W. BYRON NELSON BLVD. STE. 104
ROANOKE, TX 76262
Ph. 817.430.3318
Contact: John Delin

Case No. P2019-010

File: Z:\2017\17191\Drawings\Fp & const plans\17191 FP BASE
Plotted: 3/28/2019 10:39 AM, by Duval, Michael; Saved: 3/28/2019 10:33 AM, by mduval



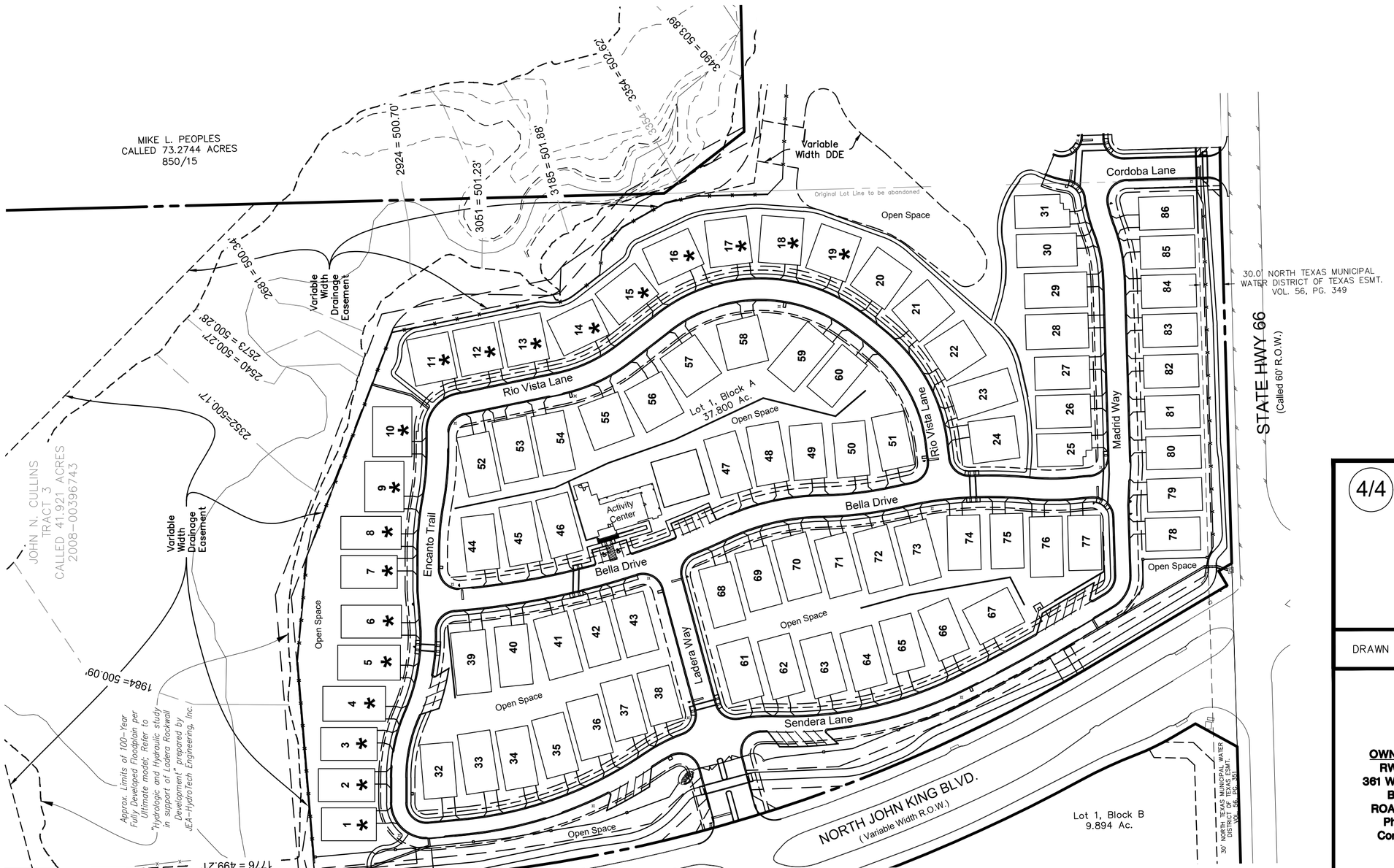
Lot 1, Block A
Scale: 1"=150"

* UNIT #	BFE	MIN FF
1	499.21	501.21
2	499.75	501.75
3	500.00	502.00
4	500.09	502.09
5	500.12	502.12
6	500.14	502.14
7	500.16	502.16
8	500.17	502.17
9	500.23	502.23
10	500.27	502.27
11	500.70	502.70
12	501.23	503.23
13	501.40	503.40
14	501.88	503.88
15	502.25	504.25
16	502.62	504.62
17	503.00	505.00
18	503.00	505.00
19	503.00	505.00
Lot 1, B	502.00	504.00

100 0 100 200 300 Feet
SCALE: 1"=100'

GENERAL NOTE:

1. FOR MORE INFORMATION ON THE CROSS SECTIONS FOR THE ULTIMATE 100 YR FLOODPLAIN REFER TO "HYDROLOGIC AND HYDRAULIC STUDY IN SUPPORT OF LADERA ROCKWALL DEVELOPMENT" PREPARED BY JEA-HYDROTECH ENGINEERING, INC.
2. OPEN SPACES TO BE MAINTAINED BY COA.



UNIT EXHIBIT
Lot 1, Block A & Lot 1, Block B LADERA ROCKWALL
47.694 Acres
Zoned: PD-85
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

4/4

The John R. McAdams Company, Inc.
(DBA, G&A | McAdams)
111 Hillside Drive
Lewisville, Texas 75057
972. 436. 9712
201 Country View Drive
Roanoke, Texas 76262
940. 240. 1012
TBPE: 19762 TBPLS: 10194440
www.gacon.com
www.mcadamsco.com

DRAWN BY: MD DATE: 02/20/2019 SCALE: 1"=100' JOB. No. 17191

OWNER/DEVELOPER
RW LADERA, LLC.
361 W. BYRON NELSON BLVD. STE. 104
ROANOKE, TX 76262
Ph. 817.430.3318
Contact: John Delin

Case No. P2019-010

File: Z:\2017\17191\Drawings\Zp & const plans\Sheets\17191 UNIT
Plotted: 3/28/2019 10:39 AM, by Duval, Michael Saved: 3/27/2019 2:24 PM, by mduval

50



LEGEND

- PROTECTED TREE TO REMAIN
- PROTECTED TREE TO BE REMOVED
- TREE PROTECTION FENCING (TPF)

TREE PRUNING, REMOVAL AND PROTECTION MEASURES

A. QUALITY ASSURANCE
1) Comply with applicable Federal, state, county and local regulations governing landscape work.
2) employ only experienced personnel. Provide adequate supervision by qualified foreman.

B. JOB CONDITIONS
1) Coordination: Coordinate and cooperate with other contractors to enable the work to proceed as rapidly and efficiently as possible.
2) In order to minimize conflict, secure from the Construction Manager copies of layout drawings showing the location of all underground utility lines and other structures

C. PRODUCTS
1) MULCH: Double shredded hardwood mulch free of sticks, dirt and other debris and derived from the site clearing.

D. DEFINITIONS
1) CRZ: Critical Root Zone: The area of undisturbed natural soil around a tree defined by a concentric circle with a radius in feet equal to the the number of inches of trunk diameter.
2) TPF: Tree Protection Fence: The orange safety barrier netting that shall extend around the entire circumference of the tree at the CRZ or as shown on approved plans.

E. PRE-CONSTRUCTION TREE PRUNING
1) Personnel Qualifications: All pruning shall be performed under the supervision of an international Society of Arboriculture (ISA) Certified Arborist.
2) All trees within the project area shall be pruned to:
(i) Clear the crown of diseased, crossing, weak and dead wood to a minimum of 1 ½ inches in diameter
(ii) Provide 14 feet of vertical clearance over streets and 8 feet over sidewalks.
(iii) Remove stubs, cutting outside the woundwood tissue that has formed around the branch.
(iv) Reduce end weight on heavy, horizontal branches by selectively removing small diameter branches, no greater than 2 to 3 inches, near the ends of the scaffolds.
3) Pruning cuts shall be made in accordance with ANSI 300 Pruning Standard and work shall be performed in accordance with ANSI Z133.1 Safety Standards. Pruning shall be in accordance with ISA's Best Management Practices: Tree Pruning
4) No more than 20 percent of live foliage shall be removed from any tree.
5) Brush shall be chipped and chips shall be spread underneath trees within the tree protection zone to a maximum depth of 4 inches, leaving the trunk clear of mulch.

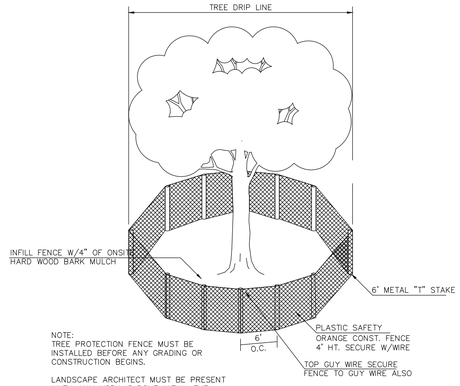
F. TREE REMOVAL
1) Tree preservation requires a commitment to preserving and maintaining retained trees, as well as removal of any unsuited trees within the Project Area.
2) All wood debris from all tree removals at the Project Site is to be chipped and stored on site for use in the tree preservation efforts at the discretion of the Landscape Architect.
3) The limits of all tree protection zones shall be staked in the field and observed by all contractors,
4) Any brush clearing required within the tree protection zone shall be accomplished with hand operated equipment.
5) Trees to be removed from within the tree protection zone shall be removed under the supervision of a Certified Arborist. The trees shall be cut near ground level and the stump ground out.

G. TREE PROTECTION
1) Before beginning work, the Project Manager, Landscape Architect and/or Owner of their agents are required to meet at the site to review all work procedures, access routes, storage areas, and tree protection measures. Any intended construction activities inside the TPZ shall be clearly outlines.
2) Fences shall be erected to protect trees to be preserved prior to construction equipment arriving on the Project Site. Fences will define the specific protection zone for each tree or group trees.
3) Fences are to be maintained and remain until all site work has been completed and final landscape operations begin. Fences may not be relocated or removed without written permission from the Landscape Architect. Fences may be constructed from 6 "T" stakes and orange web fence material
4) All trees to be preserved shall have 4 inches of hardwood mulch applied inside the tree protection zone. This hardwood mulch shall be replenished as necessary to maintain a 4 inch depth.
5) Construction trailers, traffic and storage areas must remain outside fenced areas at all times.
6) Tree roots extend out in a straight, radial direction from the tree much like spokes on a wheel (to a depth generally not exceeding 24"). All underground utilities and drain or irrigation lines shall be routed outside the tree protection zone. If lines must traverse the protection area, they shall be tunneled or bored under the tree. Trenches "airdug" with Air Spade (registered trademark) or similar technology are the exceptions. Irrigation line may routed in any direction outside the dripline of retained trees. Irrigation lines inside the dripline must be in a straight, radial direction towards the tree trunk and terminate in a dead end sprinkler head no grater than 7 feet from a tree trunk (irrigation lines shall not in any way bisect and therefore damage the "spoke-like" root system).
7) No materials, equipment, spoil, or waste or washout water may be deposited, stored, or parked within the tree protection zone.
8) If unintentional injury should occur to any tree during construction, it shall be reported to the Landscape Architect within six hours so that remedial action can be taken, Timeliness is critical to tree health. The cost of any remedial treatments will become the burden of the offending contracting company.
9) Any grading, construction, demolition, or other work that in expected to encounter tree roots must be monitored by the Landscape Architect. Specific locations or tree tag numbers should be identified

NORTH

80 0 80 160 240 Feet

SCALE: 1"=80'



TREE PROTECTION

MITIGATION TOTALS:

NORTHWEST:	472.5	TOTAL WEST OF JOHN KING BLVD: 526.25 inches
SOUTHWEST:	53.75	TOTAL OUTSIDE PROPERTY: 550.75 inches
CENTRAL:	1200.5	TOTAL WITHIN SS EASEMENT: 398.5 inches
SOUTHEAST:	0	

TOTAL: 1726.75 inches

TOTAL PROPOSED MITIGATION: 1,727 inches

OWNER/DEVELOPER
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TBPE: 19762 TBPLS: 10194440
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www.mcadamsco.com

LADERA ROCKWALL PHASE 1

LADERA ROCKWALL PHASE 1
Lot 1, Block A
47.694 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

TREE SURVEY - CENTRAL

REGISTERED LANDSCAPE ARCHITECT
RON A. STEWART
STATE OF TEXAS
3/13/2019

Drawn By: VC
Date: 02/23/2018
Scale: 1"=80'
Revisions:
04/23/2018
07/18/2018
09/06/2018
01/28/2019
02/11/2019
03/11/2019 Signed

17191

T1.0

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Plotted: 3/13/2019 9:05 AM by Verity Cox; Saved: 3/13/2019 9:04 AM by verity

TREE CHART

TREE #	CALIPER (")	COMMON NAME	*BOTANICAL NAME*	PROTECTED	REMOVED	MITIGATION	REMARKS
101	4.5	HICKORY	*Carya texana*	Yes	No		
102	14	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	14	
103	5.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	5.5	
104	4.5	HICKORY	*Carya texana*	Yes	Yes	4.5	
105	5.5	HICKORY	*Carya texana*	Yes	Yes	5.5	
106	5.5	HICKORY	*Carya texana*	Yes	Yes	5.5	
107	4	HICKORY	*Carya texana*	Yes	Yes	4	
108	12.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	12.5	
109	6.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	6.5	
110	13	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	13	
111	8.5	HICKORY	*Carya texana*	Yes	Yes	8.5	
112	7.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	7.5	
113	12.5	HACKBERRY	*Celtis occidentalis*	Yes	No		
114	12.5	HICKORY	*Carya texana*	Yes	Yes	12.5	
115	21	HICKORY	*Carya texana*	Yes	Yes	21	
116	20	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	20	
117	5.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	5.5	
118	8.5	PECAN	*Carya illinoinensis*	Yes	Yes	8.5	
119	8	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	8	SS ESMT
120	8.5	CEDAR ELM	*Ulmus crassifolia*	Yes	No		
121	8.5	CEDAR ELM	*Ulmus crassifolia*	Yes	No		
122	5	HICKORY	*Carya texana*	Yes	No		
123	5	HICKORY	*Carya texana*	Yes	Yes	5	
124	10	HICKORY	*Carya texana*	Yes	Yes	10	
125	6.5	HICKORY	*Carya texana*	Yes	No		
126	8.5	CEDAR ELM	*Ulmus crassifolia*	Yes	No		
127	4	HICKORY	*Carya texana*	Yes	No		
128	7	HICKORY	*Carya texana*	Yes	No		
129	6	HICKORY	*Carya texana*	Yes	No		
130	5	HICKORY	*Carya texana*	Yes	No		
131	7	HICKORY	*Carya texana*	Yes	Yes	7	
132	6	PECAN	*Carya illinoinensis*	Yes	Yes	6	
133	6	PECAN	*Carya illinoinensis*	Yes	Yes	6	
134	6	PECAN	*Carya illinoinensis*	Yes	Yes	6	
135	6	PECAN	*Carya illinoinensis*	Yes	Yes	6	
136	8	HICKORY	*Carya texana*	Yes	Yes	8	SS ESMT
137	7	HICKORY	*Carya texana*	Yes	Yes	7	SS ESMT
138	7	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	7	
139	5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	5	SS ESMT
140	9	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9	SS ESMT
801	36	PECAN	*Carya illinoinensis*	Yes	Yes	72	SS ESMT, feature tree
803	25	PECAN	*Carya illinoinensis*	Yes	Yes	25	SS ESMT
804	7	PECAN	*Carya illinoinensis*	Yes	Yes	7	SS ESMT
805	6.5	PECAN	*Carya illinoinensis*	Yes	Yes	6.5	
806	38	PECAN	*Carya illinoinensis*	Yes	Yes	76	feature tree
807	11	HACKBERRY	*Celtis occidentalis*	Yes	Yes	5.5	
816	18	HACKBERRY	*Celtis occidentalis*	Yes	Yes	9	
817	14	RED CEDAR	*Juniperus virginiana*	Yes	Yes	7	
818	18	RED CEDAR	*Juniperus virginiana*	Yes	Yes	9	

TREE #	CALIPER (")	COMMON NAME	*BOTANICAL NAME*	PROTECTED	REMOVED	MITIGATION	REMARKS
819	12	HACKBERRY	*Celtis occidentalis*	Yes	Yes	6	
820	17	RED CEDAR	*Juniperus virginiana*	Yes	Yes	8.5	
821	11	HACKBERRY	*Celtis occidentalis*	Yes	Yes	5.5	
822	13, 13	HACKBERRY	*Celtis occidentalis*	Yes	Yes	6.5	
823	9	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9	
824	11.5	HACKBERRY	*Celtis occidentalis*	Yes	Yes	5.75	
825	11	CATALPA	*Catalpa bignonioides*	Yes	Yes	11	
826	6	SILVER MAPLE	*Acer saccharinum*	Yes	Yes	6	
827	5	SILVER MAPLE	*Acer saccharinum*	Yes	Yes	5	
828	4.5	BUR OAK	*Quercus macrocarpa*	Yes	Yes	4.5	
829	8	PECAN	*Carya illinoinensis*	Yes	Yes	8	
830	4	PECAN	*Carya illinoinensis*	Yes	Yes	4	
831	5.5	PECAN	*Carya illinoinensis*	Yes	Yes	5.5	
832	6	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	6	
833	7.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	7.5	
834	18	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	18	
835	11	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	11	
836	9.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9.5	
837	9.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9.5	
838	17	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	17	
839	7	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	7	
840	12	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	12	
841	7	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	7	
842	10	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	10	
845	7	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	7	
844	4	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	4	
843	5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	5	
846	12.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	12.5	
847	9	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9	
848	9	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9	
849	9.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9.5	
850	11	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	11	
851	9	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9	
852	11	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	11	
853	8	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	8	
854	8	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	8	
855	4.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	4.5	
856	4	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	4	
857	14	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	14	
858	4	HICKORY	*Carya texana*	Yes	Yes	4	
859	10	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	10	
860	10	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	10	
861	11	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	11	
862	10	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	10	
864	16.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	16.5	
865	8.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	8.5	
866	4	HICKORY	*Carya texana*	Yes	No		
867	21	CEDAR ELM	*Ulmus crassifolia*	Yes	No		
868	12	CEDAR ELM	*Ulmus crassifolia*	Yes	No		
869	6	CEDAR ELM	*Ulmus crassifolia*	Yes	No		

TREE #	CALIPER (")	COMMON NAME	*BOTANICAL NAME*	PROTECTED	REMOVED	MITIGATION	REMARKS
870	11.5	CEDAR ELM	*Ulmus crassifolia*	Yes	No		
871	9.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9.5	
872	10.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	10.5	SS ESMT
873	9.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9.5	
874	14	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	14	SS ESMT
876	19.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	19.5	SS ESMT
877	11	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	11	SS ESMT
878	9.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	9.5	SS ESMT
879	15	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	15	SS ESMT
880	10	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	10	
881	6	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	6	SS ESMT
882	8	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	8	SS ESMT
883	15	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	15	SS ESMT
884	7	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	7	
885	6	HICKORY	*Carya texana*	Yes	No		
886	6	HICKORY	*Carya texana*	Yes	No		
887	6	HICKORY	*Carya texana*	Yes	No		
888	6	HICKORY	*Carya texana*	Yes	No		
889	5	HICKORY	*Carya texana*	Yes	No		
890	6	HICKORY	*Carya texana*	Yes	No		
891	4.5	HICKORY	*Carya texana*	Yes	No		
892	9	HICKORY	*Carya texana*	Yes	No		
893	7.5	HICKORY	*Carya texana*	Yes	Yes	7.5	SS ESMT
894	6	HICKORY	*Carya texana*	Yes	Yes	6	SS ESMT
896	8	HICKORY	*Carya texana*	Yes	Yes	8	
897	5.5	HICKORY	*Carya texana*	Yes	Yes	5.5	
898	7.5	CEDAR ELM	*Ulmus crassifolia*	Yes	No		
899	5.5	CEDAR ELM	*Ulmus crassifolia*	Yes	No		
900	6.5	CEDAR ELM	*Ulmus crassifolia*	Yes	No		
979	11	HACKBERRY	*Celtis occidentalis*	Yes	Yes	5.5	
980	12	HACKBERRY	*Celtis occidentalis*	Yes	Yes	6	
981	13	HACKBERRY	*Celtis occidentalis*	Yes	Yes	6.5	
982	11.5	HACKBERRY	*Celtis occidentalis*	Yes	Yes	5.75	
983	11	HACKBERRY	*Celtis occidentalis*	Yes	Yes	5.5	
984	20.5	HACKBERRY	*Celtis occidentalis*	Yes	Yes	10.25	
985	17	HACKBERRY	*Celtis occidentalis*	Yes	Yes	8.5	
986	24	HACKBERRY	*Celtis occidentalis*	Yes	Yes	12	
987	15	HACKBERRY	*Celtis occidentalis*	Yes	Yes	7.5	
988	17	HACKBERRY	*Celtis occidentalis*	Yes	Yes	8.5	
989	11	HACKBERRY	*Celtis occidentalis*	Yes	Yes	5.5	
990	15.5	HACKBERRY	*Celtis occidentalis*	Yes	Yes	7.75	
991	13	HACKBERRY	*Celtis occidentalis*	Yes	Yes	6.5	
992	10	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	10	
993	6	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	6	
994	13	AMERICAN ELM	*Ulmus americana*	Yes	Yes	13	
995	30	HACKBERRY	*Celtis occidentalis*	Yes	Yes	15	
996	13.5	HACKBERRY	*Celtis occidentalis*	Yes	Yes	6.75	
997	12.5	HACKBERRY	*Celtis occidentalis*	Yes	Yes	6.25	
998	11.5	HACKBERRY	*Celtis occidentalis*	Yes	Yes	5.75	
999	12.5	HACKBERRY	*Celtis occidentalis*	Yes	Yes	6.25	
1000	15	HACKBERRY	*Celtis occidentalis*	Yes	Yes	7.5	
				MITIGATION INCHES:		1200.5	

OWNER/DEVELOPER
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TBPE: 19702 TBPLS: 10194440
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LADERA ROCKWALL PHASE 1

LADERA ROCKWALL PHASE 1
LADERA ROCKWALL
Lot 1, Block A
47.694 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

TREE CHART - CENTRAL

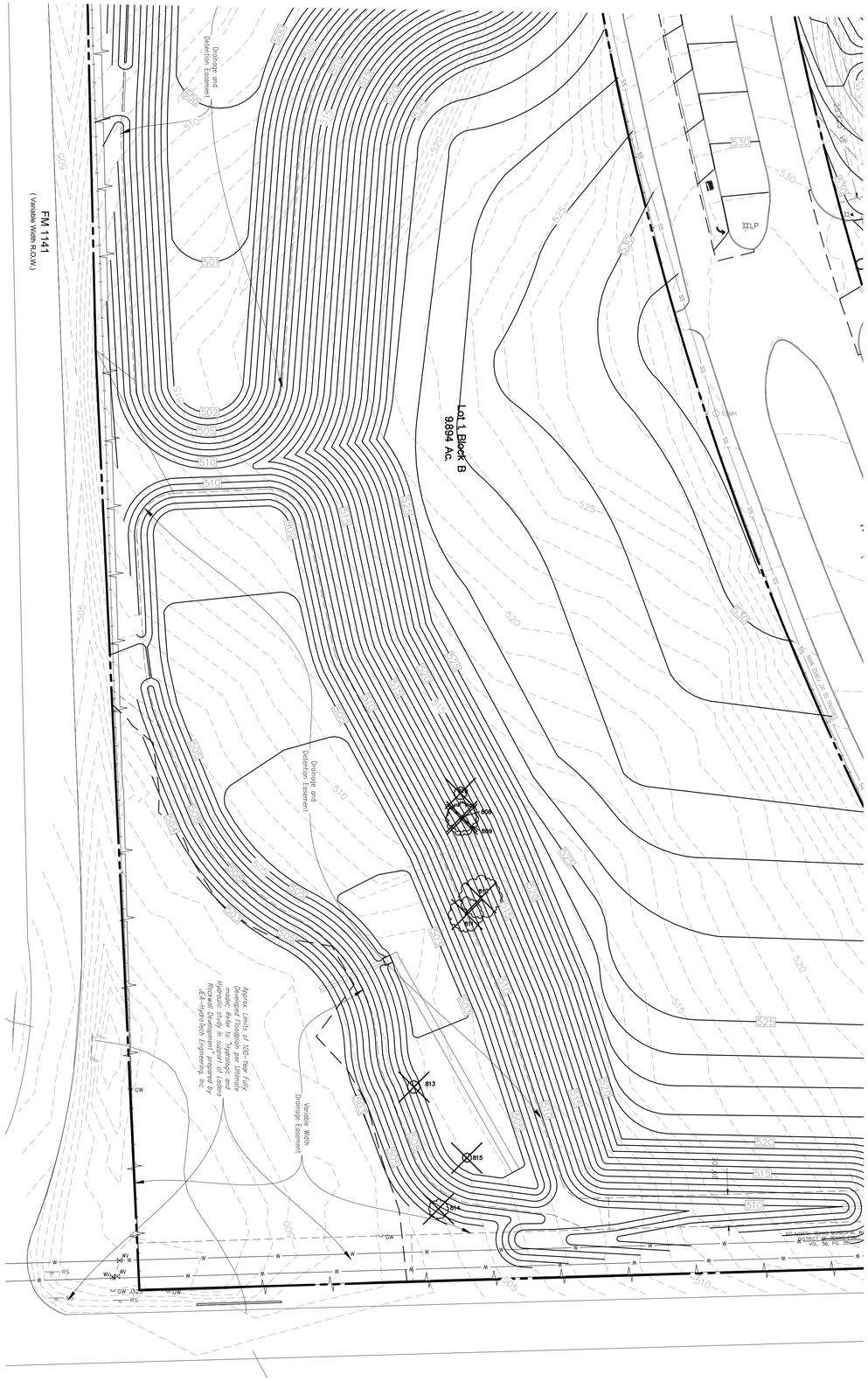
REGISTERED LANDSCAPE ARCHITECT
RON A. STEWART
STATE OF TEXAS
3/13/2019

Drawn By: VC
Date: 02/23/2018
Scale: ######
Revisions:
04/23/2018
07/16/2018
09/06/2018
01/28/2019
02/11/2019
03/11/2019 Signed

17191

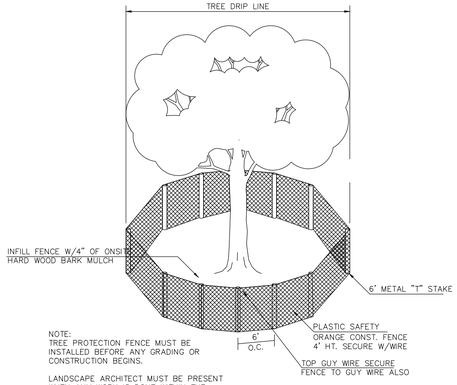
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Plotted: 3/13/2019 9:06 AM, by Verity Cox Saved: 3/13/2019 9:04 AM, by verity



LEGEND

- PROTECTED TREE TO REMAIN
- PROTECTED TREE TO BE REMOVED
- TREE PROTECTION FENCING (TPF)



TREE PROTECTION

TREE CHART

TREE #	CALIPER (")	COMMON NAME	*BOTANICAL NAME*	PROTECTED	REMOVED	MITIGATION
811	15	HACKBERRY	*Celtis occidentalis*	Yes	Yes	7.5
812	18.5	HACKBERRY	*Celtis occidentalis*	Yes	Yes	9.25
809	14	HACKBERRY	*Celtis occidentalis*	Yes	Yes	7
808	13	HACKBERRY	*Celtis occidentalis*	Yes	Yes	6.5
810	5.5	TEXAS ASH	*Fraxinus texensis*	Yes	Yes	5.5
813	5.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	5.5
815	4	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	4
814	8.5	CEDAR ELM	*Ulmus crassifolia*	Yes	Yes	8.5
					MITIGATION INCHES:	53.75

TREE PRUNING, REMOVAL AND PROTECTION MEASURES

A. QUALITY ASSURANCE
1) Comply with applicable Federal, state, county and local regulations governing landscape work.
2) employ only experienced personnel. Provide adequate supervision by qualified foreman.

B. JOB CONDITIONS
1) Coordination: Coordinate and cooperate with other contractors to enable the work to proceed as rapidly and efficiently as possible.
2) In order to minimize conflict, secure from the Construction Manager copies of layout drawings showing the location of all underground utility lines and other structures

C. PRODUCTS
1) MULCH: Double shredded hardwood mulch free of sticks, dirt and other debris and derived from the site clearing.

D. DEFINITIONS
1) CRZ: Critical Root Zone: The area of undisturbed natural soil around a tree defined by a concentric circle with a radius in feet equal to the the number of inches of trunk diameter.
2) TPF: Tree Protection Fence: The orange safety barrier netting that shall extend around the entire circumference of the tree at the CRZ or as shown on approved plans.

E. PRE-CONSTRUCTION TREE PRUNING
1) Personnel Qualifications: All pruning shall be performed under the supervision of an international Society of Arboriculture (ISA) Certified Arborist.
2) All trees within the project area shall be pruned to:
(i) Clear the crown of diseased, crossing, weak and dead wood to a minimum of 1 ½ inches in diameter
(ii) Provide 14 feet of vertical clearance over streets and 8 feet over sidewalks.
(iii) Remove stubs, cutting outside the woundwood tissue that has formed around the branch.
(iv) Reduce end weight on heavy, horizontal branches by selectively removing small diameter branches, no greater than 2 to 3 inches, near the ends of the scaffolds.
3) Pruning cuts shall be made in accordance with ANSI 300 Pruning Standard and work shall be performed in accordance with ANSI Z133.1 Safety Standards. Pruning shall be in accordance with ISA's Best Management Practices: Tree Pruning
4) No more than 20 percent of live foliage shall be removed from any tree.
5) Brush shall be chipped and chips shall be spread underneath trees within the tree protection zone to a maximum depth of 4 inches, leaving the trunk clear of mulch.

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1) Tree preservation requires a commitment to preserving and maintaining retained trees, as well as removal of any unsuited trees within the Project Area.
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ROANOKE, TX 76262
Ph. 817.430.3318
Contact: John Delin

NORTH

40 0 40 80 120 Feet
SCALE: 1"=40'

The John R. McAdams Company, Inc.
(DBA. G&A | McAdams)
111 Hillside Drive
Lewisville, Texas 75057
972. 436. 9712

201 Country View Drive
Roanoke, Texas 76262
940. 240. 1012

TBPE: 19762 TBPLS: 10194440
www.gacon.com
www.mcadams.com

McADAMS

LADERA ROCKWALL PHASE 1

LADERA ROCKWALL PHASE 1
LADERA ROCKWALL
Lot 1, Block A
47.694 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

TREE SURVEY - SOUTHWEST

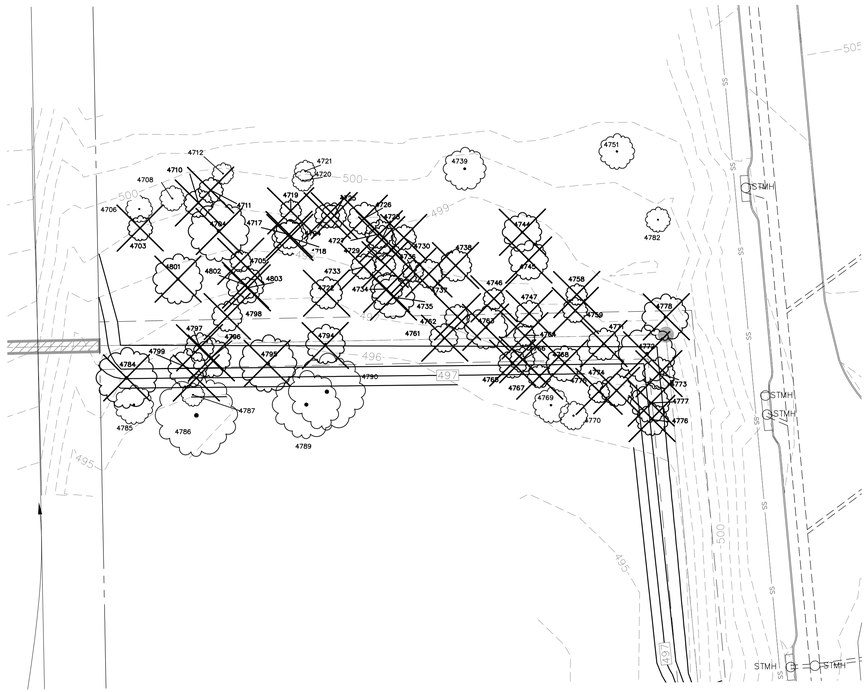
REGISTERED LANDSCAPE ARCHITECT
RON A. STEWART
STATE OF TEXAS
3/13/2019

Drawn By: VC
Date: 02/23/2018
Scale: 1"=40'
Revisions:
04/23/2018
07/16/2018
09/06/2018
01/28/2019
02/11/2019
03/11/2019 Signed

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LEGEND

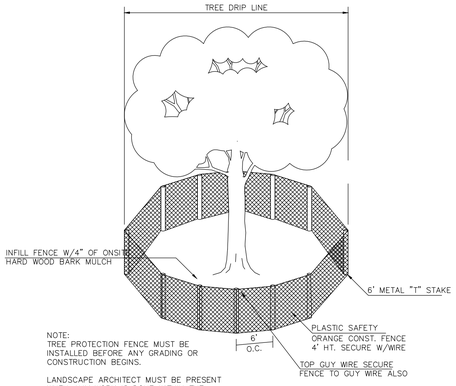
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PROTECTED TREE TO BE REMOVED

TREE PROTECTION FENCING (TPF)

TREE CHART

TREE #	CALIPER (")	COMMON NAME	*BOTANICAL NAME*	PROTECTED	REMOVED	MITIGATION	REMARKS
4703	7	CEDAR ELM	*Ulmus crassifolia*	YES	YES	7	
4704	17	CEDAR ELM	*Ulmus crassifolia*	YES	YES	17	
4705	6	CEDAR ELM	*Ulmus crassifolia*	YES	YES	6	
4706	7.5	CEDAR ELM	*Ulmus crassifolia*	YES	NO		
4708	7	CEDAR ELM	*Ulmus crassifolia*	YES	NO		
4710	8	CEDAR ELM	*Ulmus crassifolia*	YES	YES	8	
4711	7	AMERICAN ELM	*Ulmus americana*	YES	YES	7	
4712	6	CEDAR ELM	*Ulmus crassifolia*	YES	NO		
4717	8	CEDAR ELM	*Ulmus crassifolia*	YES	YES	8	
4718	10	CEDAR ELM	*Ulmus crassifolia*	YES	YES	10	
4719	6	CEDAR ELM	*Ulmus crassifolia*	YES	YES	6	
4720	6	CEDAR ELM	*Ulmus crassifolia*	YES	NO		
4721	6	CEDAR ELM	*Ulmus crassifolia*	YES	NO		
4722	9	CEDAR ELM	*Ulmus crassifolia*	YES	YES	9	
4724	7	CEDAR ELM	*Ulmus crassifolia*	YES	YES	7	
4725	7	CEDAR ELM	*Ulmus crassifolia*	YES	YES	7	
4726	9	CEDAR ELM	*Ulmus crassifolia*	YES	YES	9	
4727	9	CEDAR ELM	*Ulmus crassifolia*	YES	YES	9	
4728	8	CEDAR ELM	*Ulmus crassifolia*	YES	YES	8	
4729	6	CEDAR ELM	*Ulmus crassifolia*	YES	YES	6	
4730	7	CEDAR ELM	*Ulmus crassifolia*	YES	YES	7	
4733	7	CEDAR ELM	*Ulmus crassifolia*	YES	YES	7	
4734	9	CEDAR ELM	*Ulmus crassifolia*	YES	YES	9	
4735	12	RED CEDAR	*Juniperus virginiana*	YES	YES	6	
4736	6	CEDAR ELM	*Ulmus crassifolia*	YES	YES	6	
4737	8	CEDAR ELM	*Ulmus crassifolia*	YES	YES	8	
4738	9	CEDAR ELM	*Ulmus crassifolia*	YES	YES	9	
4739	12	RED CEDAR	*Juniperus virginiana*	YES	NO		
4744	11	RED CEDAR	*Juniperus virginiana*	YES	YES	5.5	
4745	11	RED CEDAR	*Juniperus virginiana*	YES	YES	5.5	
4746	6	CEDAR ELM	*Ulmus crassifolia*	YES	YES	6	
4747	7.5	CEDAR ELM	*Ulmus crassifolia*	YES	YES	7.5	SS ESMT
4751	10	AMERICAN ELM	*Ulmus americana*	YES	NO		
4758	6	CEDAR ELM	*Ulmus crassifolia*	YES	YES	6	
4759	7	AMERICAN ELM	*Ulmus americana*	YES	YES	7	
4761	8	CEDAR ELM	*Ulmus crassifolia*	YES	YES	8	SS ESMT
4762	7	CEDAR ELM	*Ulmus crassifolia*	YES	YES	7	SS ESMT
4763	12	CEDAR ELM	*Ulmus crassifolia*	YES	YES	12	SS ESMT
4764	6	CEDAR ELM	*Ulmus crassifolia*	YES	YES	6	SS ESMT
4765	8	HICKORY	*Carya texana*	YES	YES	8	
4766	7	HICKORY	*Carya texana*	YES	YES	7	SS ESMT
4767	6.5	HICKORY	*Carya texana*	YES	YES	6.5	
4768	10	CEDAR ELM	*Ulmus crassifolia*	YES	YES	10	
4769	10,10	HICKORY	*Carya texana*	YES	NO		
4770	8	HICKORY	*Carya texana*	YES	NO		
4771	9	CEDAR ELM	*Ulmus crassifolia*	YES	YES	9	SS ESMT
4772	16	HICKORY	*Carya texana*	YES	YES	16	SS ESMT
4773	9	AMERICAN ELM	*Ulmus crassifolia*	YES	YES	9	SS ESMT
4774	9	AMERICAN ELM	*Ulmus crassifolia*	YES	YES	9	
4775	6	AMERICAN ELM	*Ulmus americana*	YES	YES	6	
4776	9	HICKORY	*Carya texana*	YES	YES	9	SS ESMT
4777	11	HICKORY	*Carya texana*	YES	YES	11	SS ESMT
4778	13	AMERICAN ELM	*Ulmus americana*	YES	YES	13	SS ESMT
4782	7	AMERICAN ELM	*Ulmus americana*	YES	NO		
4784	17	CEDAR ELM	*Ulmus crassifolia*	YES	YES	17	
4785	11	AMERICAN ELM	*Ulmus americana*	YES	NO		
4786	23	CEDAR ELM	*Ulmus crassifolia*	YES	NO		
4787	6.5	CEDAR ELM	*Ulmus crassifolia*	YES	NO		
4789	19	CEDAR ELM	*Ulmus crassifolia*	YES	NO		
4790	21.5	CEDAR ELM	*Ulmus crassifolia*	YES	NO		
4794	11	CEDAR ELM	*Ulmus crassifolia*	YES	YES	11	SS ESMT
4795	16	CEDAR ELM	*Ulmus crassifolia*	YES	YES	16	SS ESMT
4796	11	CEDAR ELM	*Ulmus crassifolia*	YES	YES	11	SS ESMT
4797	8	CEDAR ELM	*Ulmus crassifolia*	YES	YES	8	SS ESMT
4798	8.5	CEDAR ELM	*Ulmus crassifolia*	YES	YES	8	
4799	11	CEDAR ELM	*Ulmus crassifolia*	YES	YES	11	SS ESMT
4801	14	CEDAR ELM	*Ulmus crassifolia*	YES	YES	14	
4802	10.5	CEDAR ELM	*Ulmus crassifolia*	YES	YES	10.5	
4803	6	CEDAR ELM	*Ulmus crassifolia*	YES	YES	6	
				MITIGATION INCHES:		472.5	



TREE PROTECTION

TREE PRUNING, REMOVAL AND PROTECTION MEASURES

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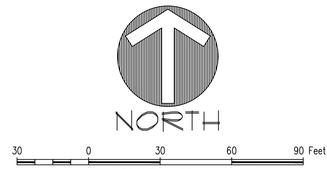
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LADERA ROCKWALL PHASE 1

LADERA ROCKWALL PHASE 1
LADERA ROCKWALL
Lot 1, Block A
47.694 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

TREE SURVEY - NORTHWEST

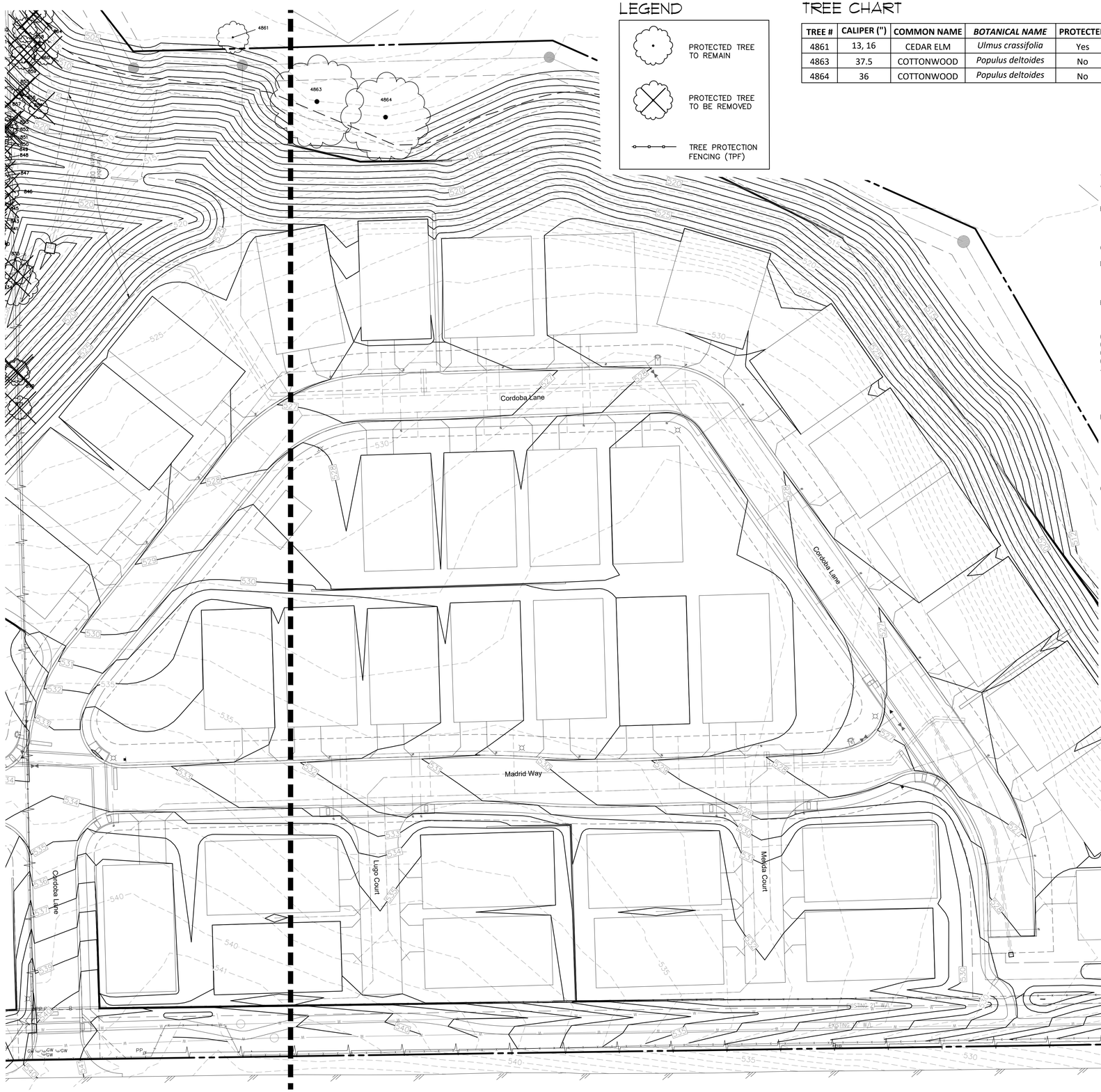
REGISTERED LANDSCAPE ARCHITECT
TOM A. STEWART
STATE OF TEXAS
3/13/2019

Drawn By:	VC
Date:	02/23/2018
Scale:	1"=30'
Revisions:	
04/23/2018	
07/16/2018	
09/06/2018	
01/28/2019	
02/11/2019	
03/11/2019 Signed	

17191

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4863	37.5	COTTONWOOD	*Populus deltoides*	No	No
4864	36	COTTONWOOD	*Populus deltoides*	No	Yes

NORTH

30 0 30 60 90 Feet

SCALE: 1"=30'

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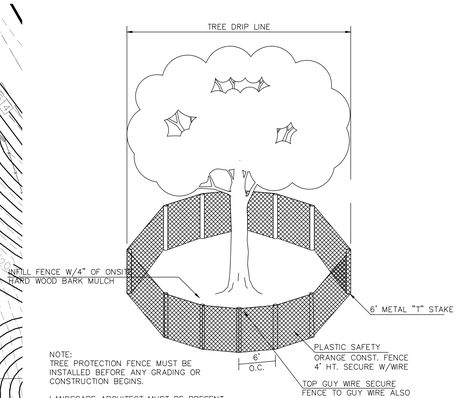
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NOTE:
TREE PROTECTION FENCE MUST BE INSTALLED BEFORE ANY GRADING OR CONSTRUCTION BEGINS.

LANDSCAPE ARCHITECT MUST BE PRESENT WHEN ANY WORK IS DONE WITHIN THE TREE PROTECTION FENCE.

TREE PROTECTION

OWNER/DEVELOPER
RW LADERA, LLC.
361 W. BYRON NELSON BLVD. STE. 104
ROANOKE, TX 76262
Ph. 817.430.3318
Contact: John Delin

The John R. McAdams Company, Inc.
(DBA: G&A | McAdams)
111 Hillside Drive
Lewisville, Texas 75057
972. 436. 9712

201 Country View Drive
Roanoke, Texas 76262
940. 240. 1012

TBPE: 19702 TBPLS: 10194440
www.gacon.com
www.mcadams.com

LADERA ROCKWALL PHASE 1

LADERA ROCKWALL PHASE 1
LADERA ROCKWALL
Lot 1, Block A
47.694 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

TREE SURVEY - SOUTHEAST

REGISTERED LANDSCAPE ARCHITECT — RON A. STEWART — STATE OF TEXAS

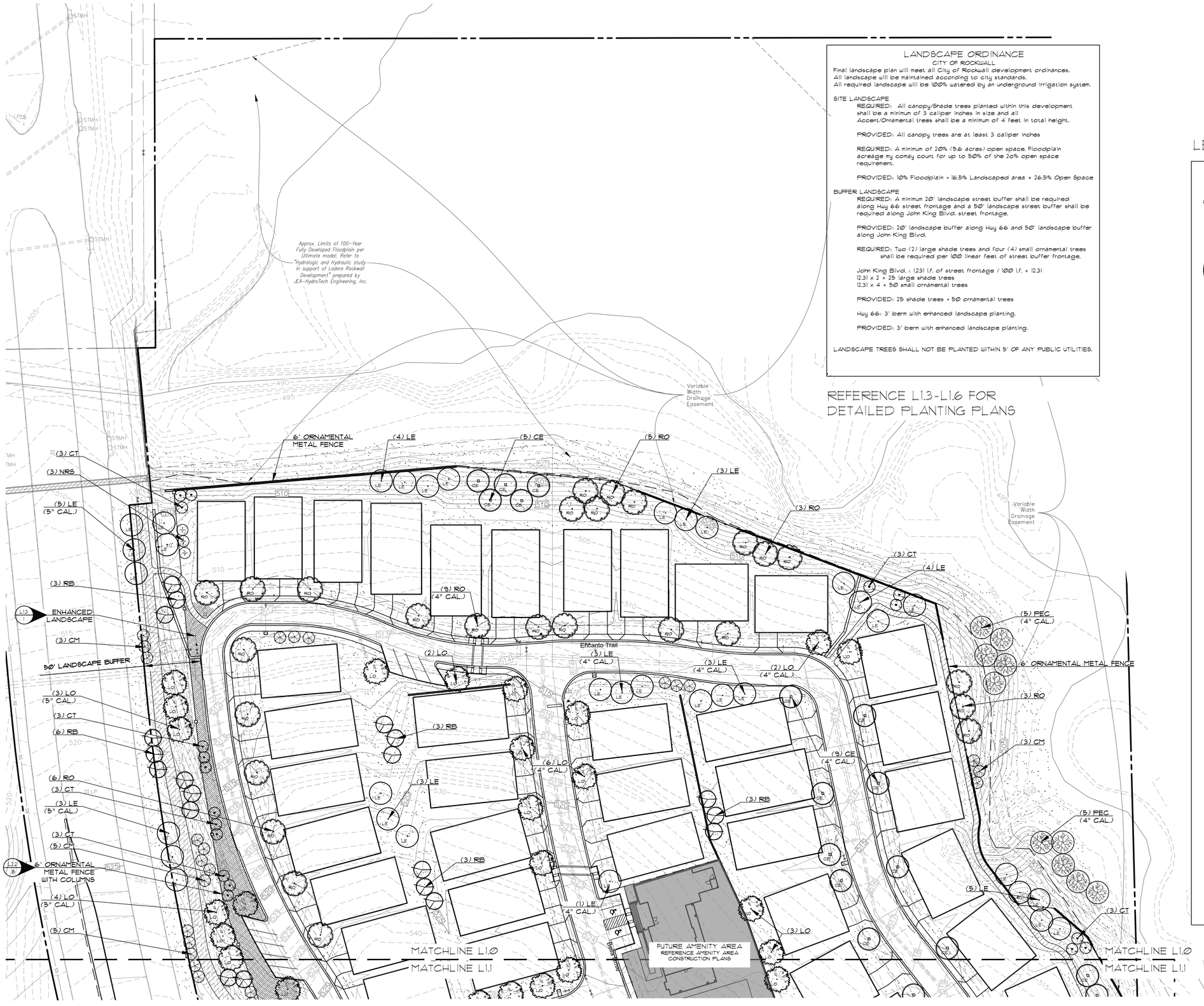
3/13/2019

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	09/06/2018
	01/28/2019
	02/11/2019
	03/11/2019 Signed

17191

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LANDSCAPE ORDINANCE

CITY OF ROCKWALL

Final landscape plan will meet all City of Rockwall development ordinances.
All landscape will be maintained according to city standards.
All required landscape will be 100% watered by an underground irrigation system.

SITE LANDSCAPE

REQUIRED: All canopy/Shade trees planted within this development shall be a minimum of 3 caliper inches in size and all Accent/Ornamental trees shall be a minimum of 4 feet in total height.

PROVIDED: All canopy trees are at least 3 caliper inches

REQUIRED: A minimum of 20% (5.6 acres) open space. Floodplain acreage my comay count for up to 50% of the 20% open space requirement.

PROVIDED: 10% Floodplain + 16.5% Landscaped area = 26.5% Open Space

BUFFER LANDSCAPE

REQUIRED: A minimum 20' landscape street buffer shall be required along Hwy 66 street frontage and a 50' landscape street buffer shall be required along John King Blvd. street frontage.

PROVIDED: 20' landscape buffer along Hwy 66 and 50' landscape buffer along John King Blvd.

REQUIRED: Two (2) large shade trees and four (4) small ornamental trees shall be required per 100 linear feet of street buffer frontage.

John King Blvd. : 1,231 l.f. of street frontage / 100 l.f. = 12.31
12.31 x 2 = 25 large shade trees
12.31 x 4 = 50 small ornamental trees

PROVIDED: 25 shade trees + 50 ornamental trees

Hwy 66: 3' berm with enhanced landscape planting.

PROVIDED: 3' berm with enhanced landscape planting.

LANDSCAPE TREES SHALL NOT BE PLANTED WITHIN 5' OF ANY PUBLIC UTILITIES.

REFERENCE L1.3-L1.6 FOR DETAILED PLANTING PLANS

NORTH

40 0 40 80 120 Feet

SCALE: 1"=40'

LEGEND

- (LO) LIVE OAK — Quercus virginiana
- (RO) RED OAK — Quercus shumardii
- (LE) LACEBARK ELM — Ulmus parvifolia
- (CE) CEDAR ELM — Ulmus crassifolia
- (BC) BALD CYPRESS — Taxodium districhum
- (MO) MONTERREY OAK — Quercus polymorpha
- (PEC) PECAN — Carya illinoinensis
- (TA) TEXAS ASH — Fraxinus texana
- (RB) RED BUD — Cercis canadensis
- (CM) CRAPEMYRTLE — Lagerstroemia indica
- (CT) CHASTETREE — Vitex agnus-castus
- (NRS) NELLIE R. STEVENS HOLLY — Ilex x 'Nellie R. Stevens'
- ENHANCED LANDSCAPE (REF. L1.3-L1.6)
- BERMUDA SOD

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CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

LANDSCAPE PLAN

REGISTERED LANDSCAPE ARCHITECT — RYAN A. STEWART — STATE OF TEXAS

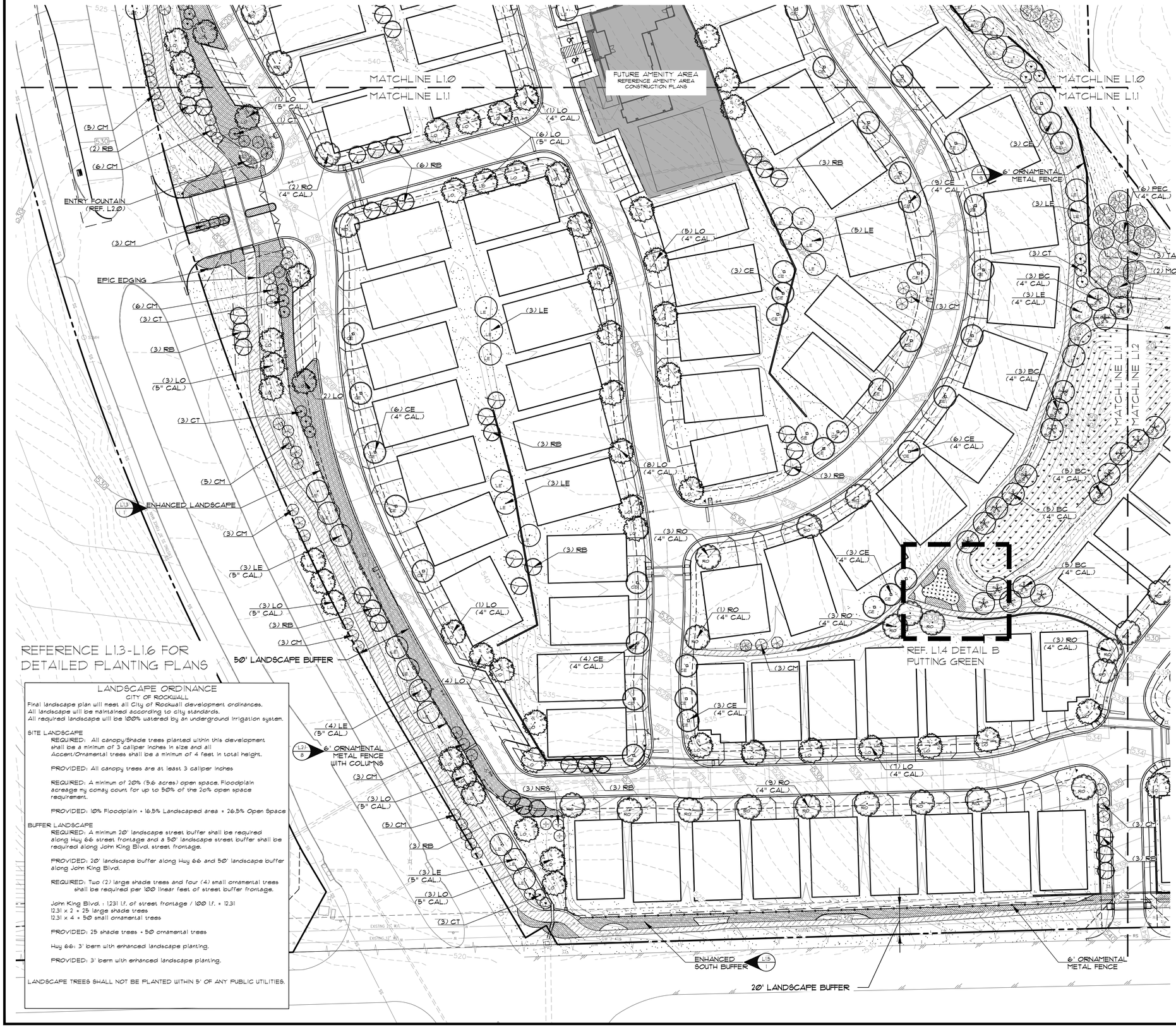
3/13/2019

Drawn By: VC
Date: 02/23/2018
Scale: 1"=40'
Revisions:
04/23/2018
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09/06/2018
01/28/2019
02/11/2019
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17191

L1.0

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Plotted: 3/13/2019 8:50 AM, by Verity Cox; Saved: 3/13/2019 8:48 AM, by verity



LANDSCAPE ORDINANCE
CITY OF ROCKWALL

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SITE LANDSCAPE

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12.31 x 2 = 25 large shade trees
12.31 x 4 = 50 small ornamental trees

PROVIDED: 25 shade trees + 50 ornamental trees

Hwy 66: 3' berm with enhanced landscape planting.

PROVIDED: 3' berm with enhanced landscape planting.

LANDSCAPE TREES SHALL NOT BE PLANTED WITHIN 5' OF ANY PUBLIC UTILITIES.

NORTH

40 0 40 80 120 Feet
SCALE: 1"=40'

LEGEND

- (LO) LIVE OAK — Quercus virginiana
- (RO) RED OAK — Quercus shumardii
- (LE) LACEBARK ELM — Ulmus parvifolia
- (CE) CEDAR ELM — Ulmus crassifolia
- (BC) BALD CYPRESS — Taxodium districhum
- (MO) MONTERREY OAK — Quercus polymorpha
- (PEC) PECAN — Carya illinoinensis
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- (RB) RED BUD — Cercis canadensis
- (CM) CRAPEMYRTLE — Lagerstroemia indica
- (CT) CHASTETREE — Vitex agnus-castus
- (NRS) NELLIE R. STEVENS HOLLY — Ilex x 'Nellie R. Stevens'
- ENHANCED LANDSCAPE (REF. L1.3-L1.6)
- BERMUDA SOD
- NATIVE AMERICAN SEED COMPANY DRAINFIELD SEED MIX

OWNER/DEVELOPER
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ROCKWALL COUNTY, TEXAS

LANDSCAPE PLAN

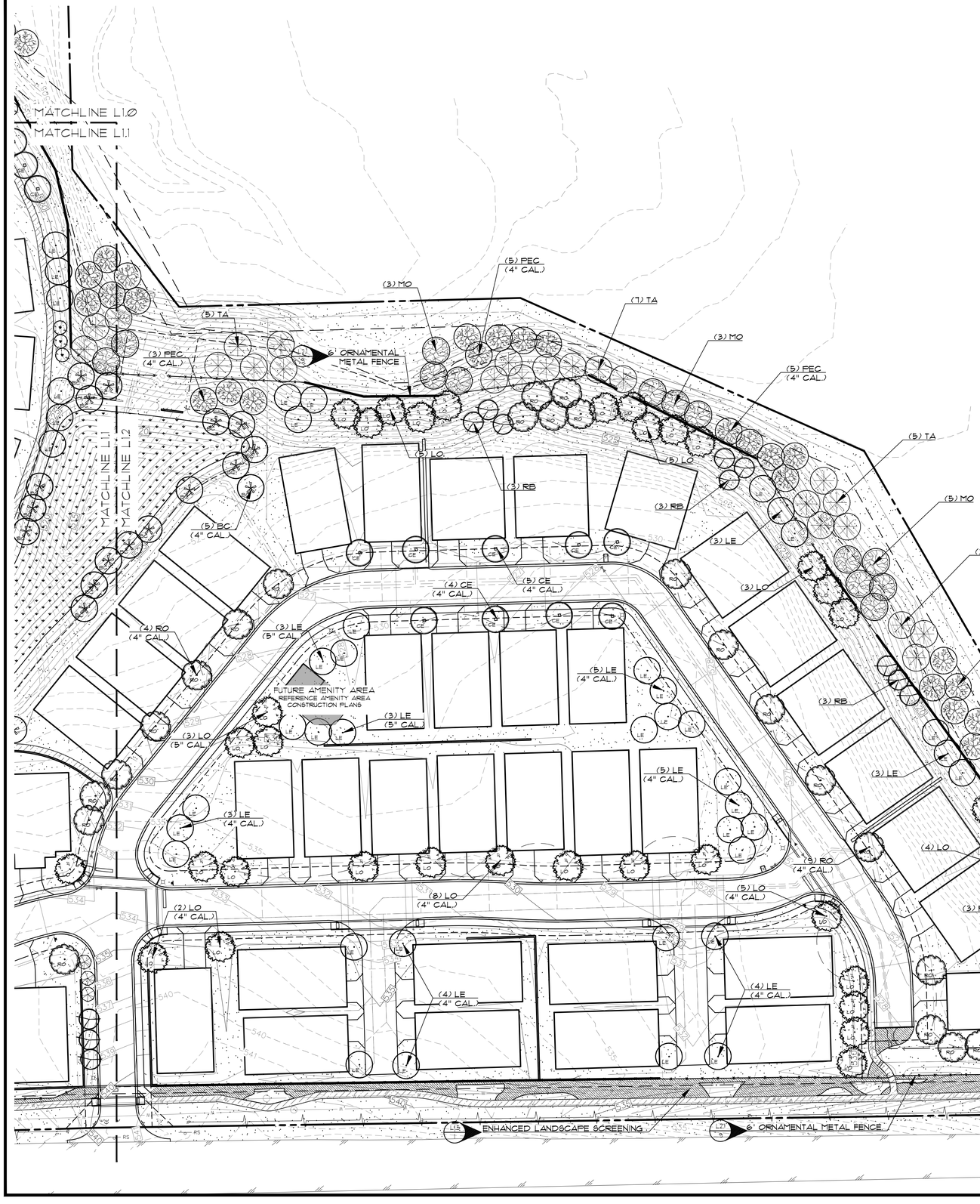
THOM A. STEWART — REGISTERED LANDSCAPE ARCHITECT — STATE OF TEXAS
3/13/2019

Drawn By: VC
Date: 02/23/2018
Scale: 1"=40'
Revisions:
04/23/2018
07/16/2018
09/06/2018
01/28/2019
02/11/2019
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17191

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40 0 40 80 120 Feet

SCALE: 1"=40'

LANDSCAPE ORDINANCE

CITY OF ROCKWALL

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- (CT) CHASTETREE — Vitex agnus-castus
- (NRS) NELLIE R. STEVENS HOLLY — Ilex x 'Nellie R. Stevens'
- ENHANCED LANDSCAPE (REF. L1.3–L1.6)
- BERMUDA SOD
- NATIVE AMERICAN SEED COMPANY DRAINFIELD SEED MIX

OWNER/DEVELOPER
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McADAMS

LADERA ROCKWALL PHASE 1

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LADERA ROCKWALL
Lot 1, Block A
47.694 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

LANDSCAPE PLAN

REGISTERED LANDSCAPE ARCHITECT — RON A. STEWART — STATE OF TEXAS

3/13/2019

Drawn By: VC
Date: 02/23/2018
Scale: 1"=40
Revisions:
04/23/2018
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01/28/2019
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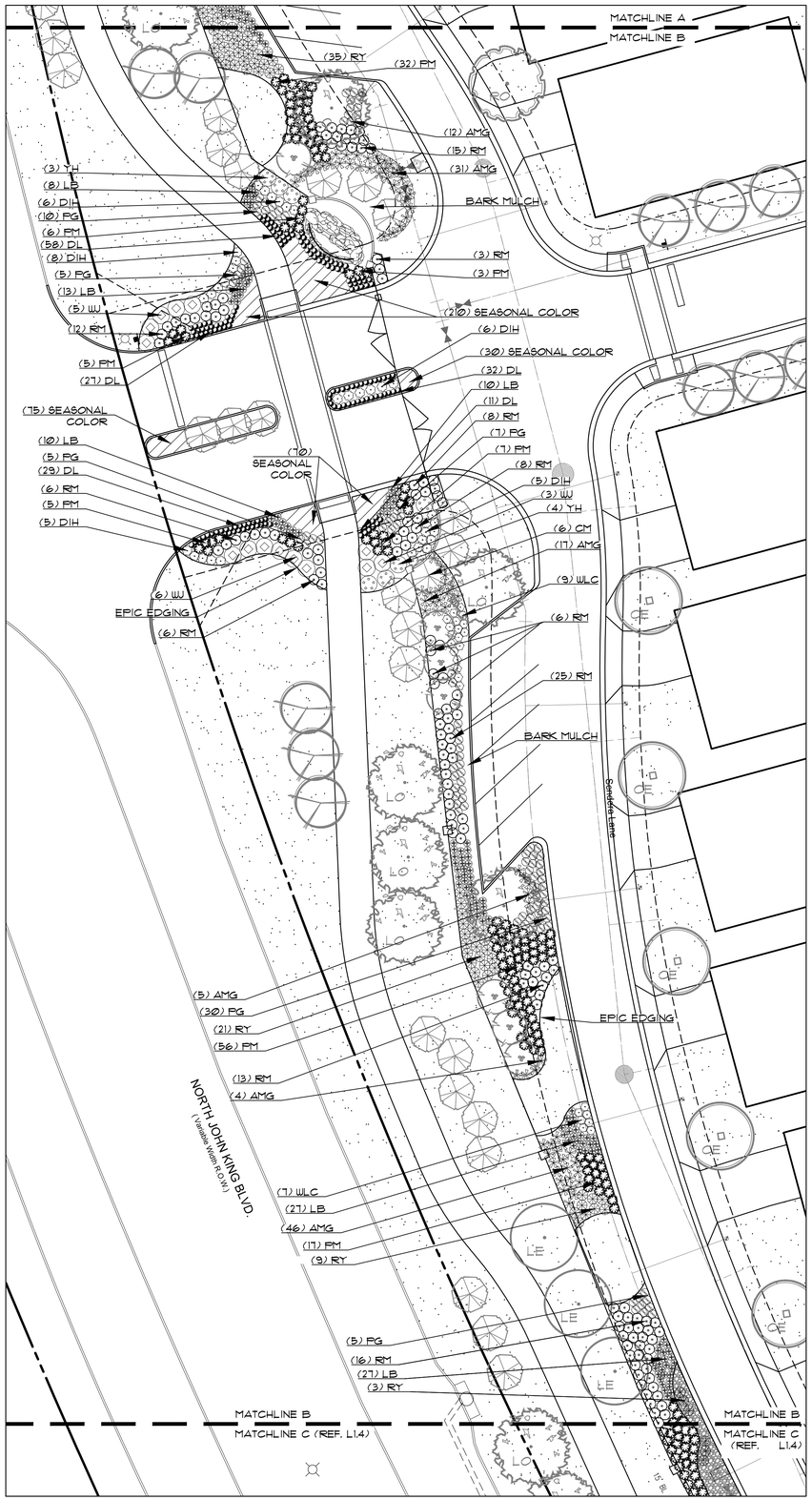
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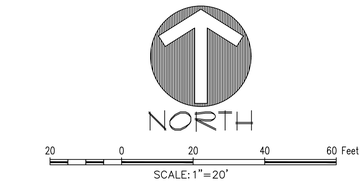
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58



1. DETAIL A
SCALE: 1"=20'





LEGEND

- (YH) YAUPON HOLLY — Ilex vomitoria
- (WJ) WINTER JASMINE — Jasminum nudiflorum
- (RM) ROSEMARY — Rosmarinus officinalis
- (DIH) DWARF INDIAN HAWTHORN — Rhaphiolepis indica
- (AMG) ADAGIO MAIDEN GRASS — Miscanthus sinensis 'Adagio'
- (PM) PINK MUHLY — Muhlenbergi capillaris
- (RY) RED YUCCA — Hesperaloe parvifolia
- (WLC) WALKER'S LOW CATMINT — Nepeta x faassenii 'Walker's Low'
- (PG) PINK GAURA — Gaura lindheimeri 'Siskiyou Pink'
- (LB) LITTLE BLUESTEM — Schizachyrium scoparium 'Prairie Blues'
- (DL) DAYLILLY — Hemerocalis sp.
- SEASONAL COLOR
- BERMUDA SOD
- RIVER ROCK MULCH

OWNER/DEVELOPER
RW LADERA, LLC.
361 W. BYRON NELSON BLVD. STE. 104
ROANOKE, TX 76262
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CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

LANDSCAPE DETAILS

REGISTERED LANDSCAPE ARCHITECT
RON A. STEWART
STATE OF TEXAS
3/13/2019

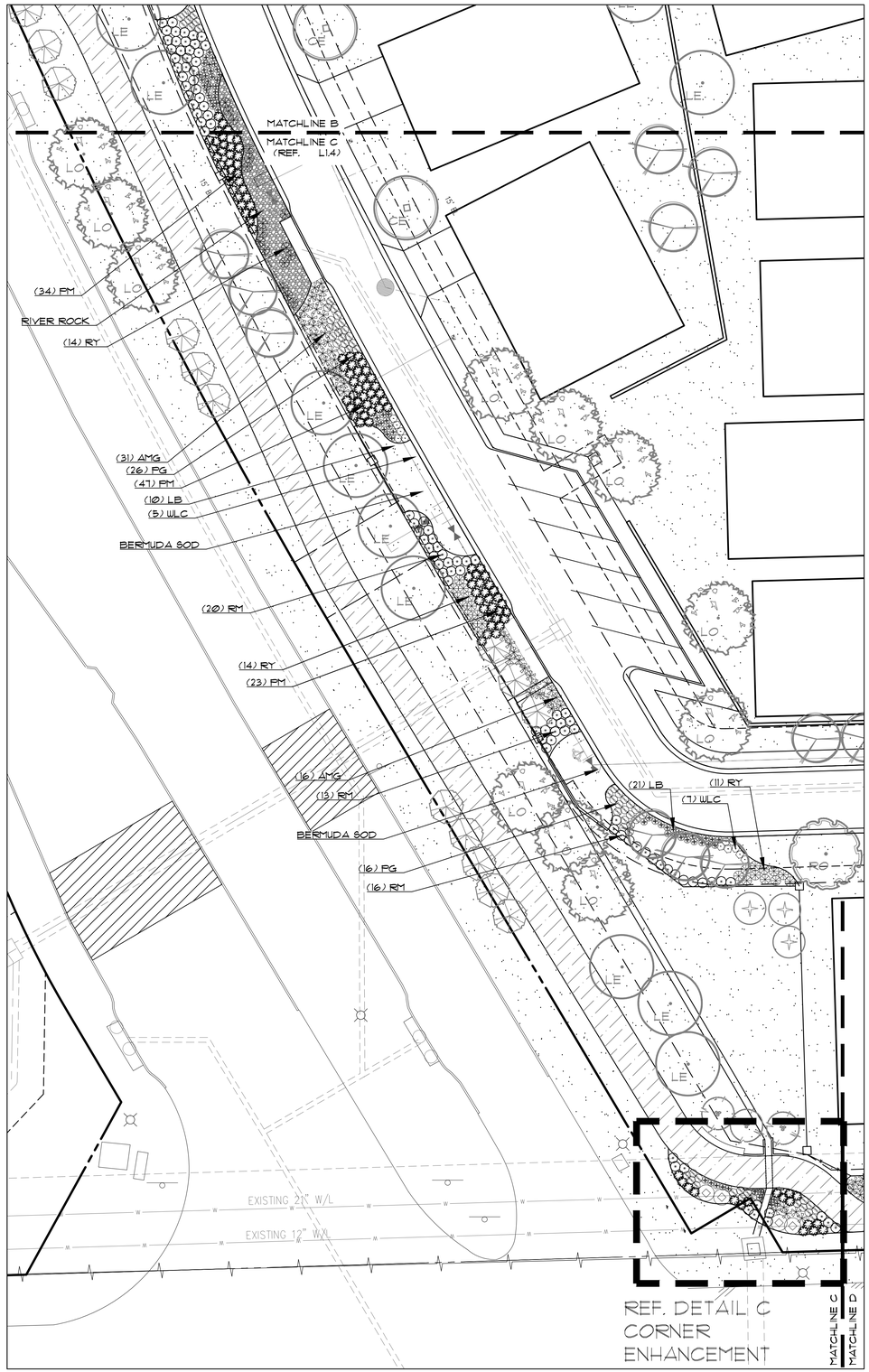
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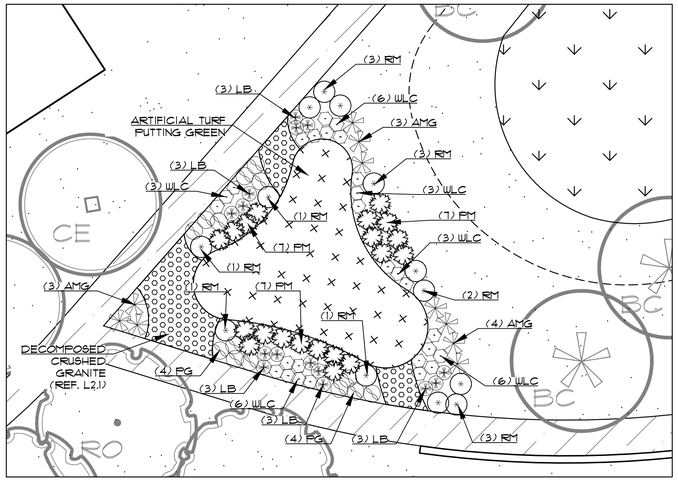
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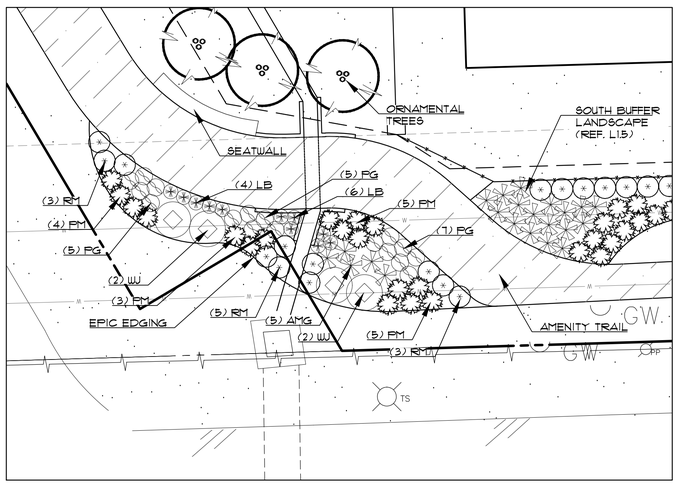
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1. DETAIL A
SCALE: 1"=20'



2. DETAIL B PUTTING GREEN
SCALE: 1"=10'



3. DETAIL C CORNER ENHANCEMENT
SCALE: 1"=10'

NORTH

LEGEND

- (YH) YAUPON HOLLY — Ilex vomitoria
- (WJ) WINTER JASMINE — Jasminum nudiflorum
- (RM) ROSEMARY — Rosmarinus officinalis
- (DIH) DWARF INDIAN HAWTHORN — Rhaphiolepis indica
- (AMG) ADAGIO MAIDEN GRASS — Miscanthus sinensis 'Adagio'
- (PM) PINK MUHLY — Muhlenbergi capillaris
- (RY) RED YUCCA — Hesperaloe parvifolia
- (WLC) WALKER'S LOW CATMINT — Nepeta x faassenii 'Walker's Low'
- (PG) PINK GAURA — Gaura lindheimeri 'Siskiyou Pink'
- (LB) LITTLE BLUESTEM — Schizachyrium scoparium 'Prairie Blues'
- (DL) DAYLILLY — Hemerocalis sp.

- SEASONAL COLOR
- BERMUDA SOD
- RIVER ROCK MULCH
- DECOMPOSED CRUSHED GRANITE
- ARTIFICIAL TURF

OWNER/DEVELOPER
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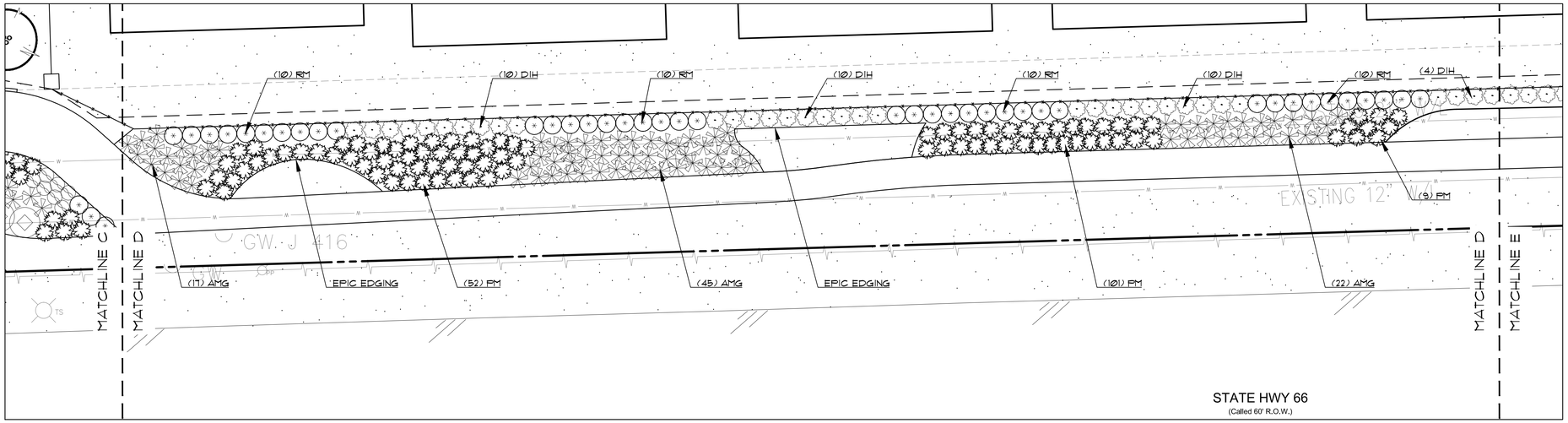
REGISTERED LANDSCAPE ARCHITECT
RON A. STEWART
STATE OF TEXAS
3/13/2019

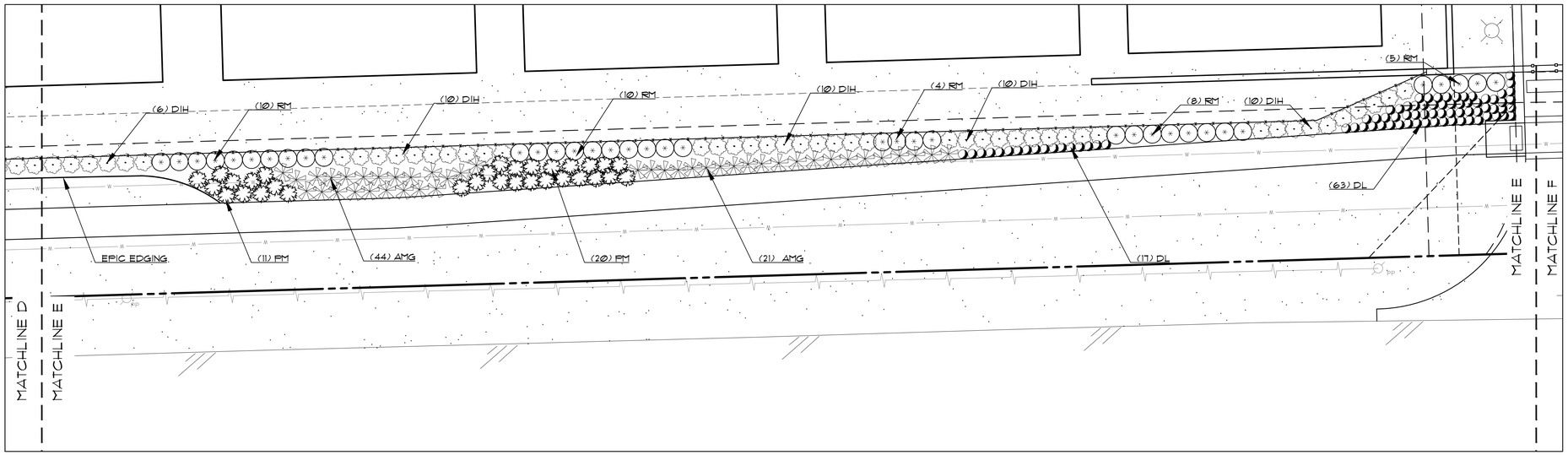
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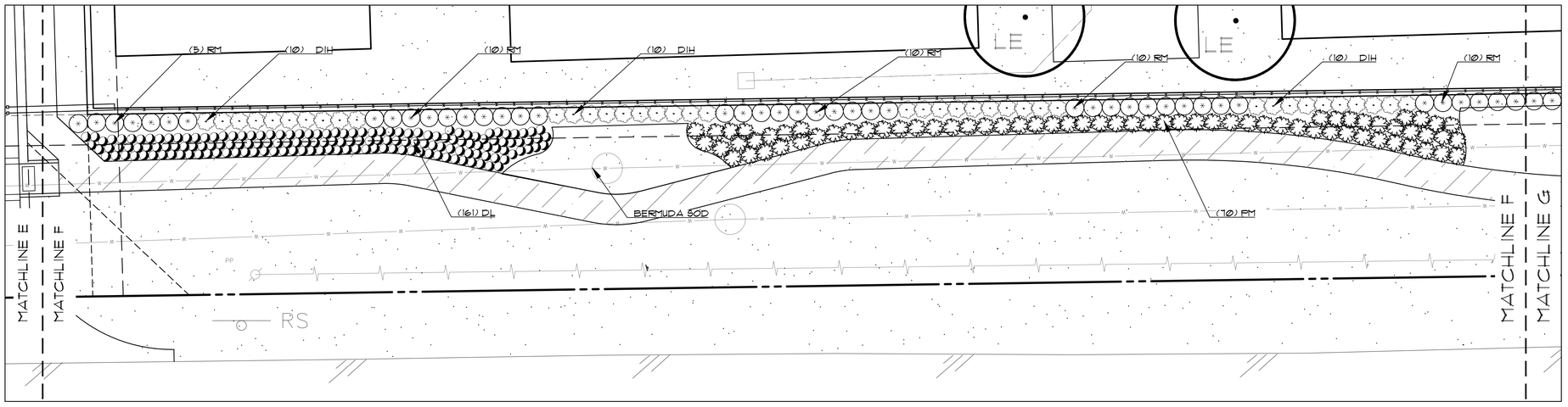
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LEGEND

- (YH) YAUPON HOLLY — Ilex vomitoria
- (WJ) WINTER JASMINE — Jasminum nudiflorum
- (RM) ROSEMARY — Rosmarinus officinalis
- (DIH) DWARF INDIAN HAWTHORN — Rhaphiolepis indica
- (AMG) ADAGIO MAIDEN GRASS — Miscanthus sinensis 'Adagio'
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- (DL) DAYLILLY — Hemerocalis sp.
- SEASONAL COLOR
- BERMUDA SOD
- RIVER ROCK MULCH

NORTH

10 0 10 20 30 Feet

SCALE: 1"=10'

1. DETAIL C
SCALE: 1"=10'

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3/13/2019

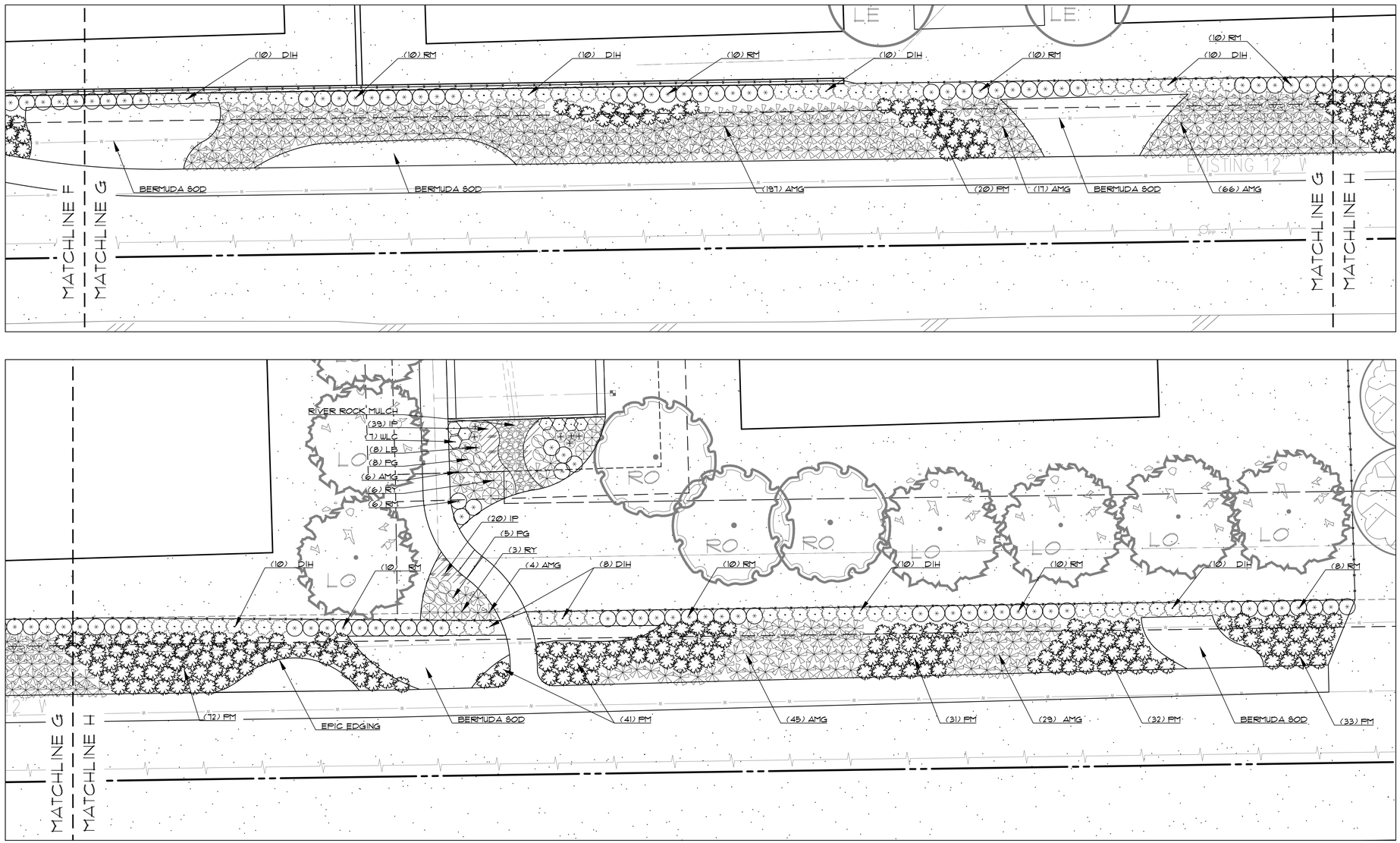
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61



LEGEND

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- (RM) ROSEMARY — Rosmarinus officinalis
- (DIH) DWARF INDIAN HAWTHORN — Rhaphiolepis indica
- (AMG) ADAGIO MAIDEN GRASS — Miscanthus sinensis 'Adagio'
- (PM) PINK MUHLY — Muhlenbergi capillaris
- (RY) RED YUCCA — Hesperaloe parvifolia
- (WLC) WALKER'S LOW CATMINT — Nepeta x faassenii 'Walker's Low'
- (PG) PINK GAURA — Gaura lindheimeri 'Siskiyou Pink'
- (LB) LITTLE BLUESTEM — Schizachyrium scoparium 'Prairie Blues'
- (DL) DAYLILLY — Hemerocalis sp.
- SEASONAL COLOR
- BERMUDA SOD
- RIVER ROCK MULCH

NORTH

10 0 10 20 30 Feet

SCALE: 1"=10'

1. DETAIL C
SCALE: 1"=10'

The John R. McAdams Company, Inc.
(DBA: G&A | McAdams)
111 Hillside Drive
Lewisville, Texas 75057
972. 436. 9712

201 Country View Drive
Roanoke, Texas 76262
940. 240. 1012

TBPE: 19762 TBPLS: 10194440
www.gacom.com
www.mcadams.com

LADERA ROCKWALL PHASE 1
LADERA ROCKWALL
Lot 1, Block A
47.694 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

LANDSCAPE DETAILS

REGISTERED LANDSCAPE ARCHITECT
RON A. STEWART
STATE OF TEXAS

3/13/2019

Drawn By: VC
Date: 02/23/2018
Scale: 1"=10'
Revisions:
04/23/2018
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02/11/2019
03/11/2019 Signed

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L1.6

OWNER/DEVELOPER
RW LADERA, LLC.
361 W. BYRON NELSON BLVD. STE. 104
ROANOKE, TX 76262
Ph. 817.430.3318
Contact: John Delin

File: J:\2017\17191\Drawing\CP & Const Plans\Sheets\17191 LS DETAILS
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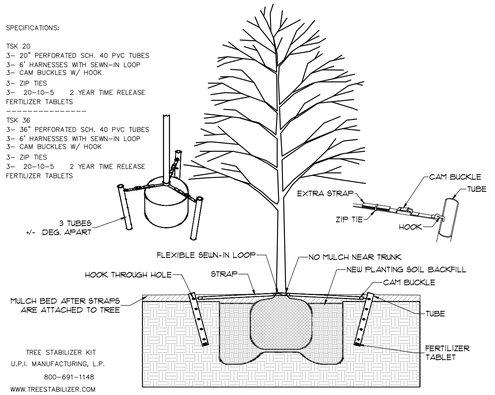
PLANT LIST

QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	MIN. HT.	SPACE	REMARKS
31	LIVE OAK	Quercus virginiana	5" cal.	10'-12'	Per Plan	Single Trunk
24	LACEBARK ELM	Ulmus parvifolia	5" cal.	10'-12'	Per Plan	Single Trunk
45	LIVE OAK	Quercus virginiana	4" cal.	10'-12'	Per Plan	Single Trunk
48	RED OAK	Quercus shumardii	4" cal.	10'-12'	Per Plan	Single Trunk
34	LACEBARK ELM	Ulmus parvifolia	4" cal.	10'-12'	Per Plan	Single Trunk
45	CEDAR ELM	Ulmus crassifolia	4" cal.	10'-12'	Per Plan	Single Trunk
27	BALD CYPRESS	Taxodium distichum	4" cal.	10'-12'	Per Plan	Single Trunk
44	PECAN	Carya illinoinensis	4" cal.	10'-12'	Per Plan	Single Trunk
31	LIVE OAK	Quercus virginiana	3" cal.	10'-12'	Per Plan	Single Trunk
17	RED OAK	Quercus shumardii	3" cal.	10'-12'	Per Plan	Single Trunk
39	LACEBARK ELM	Ulmus parvifolia	3" cal.	10'-12'	Per Plan	Single Trunk
14	CEDAR ELM	Ulmus crassifolia	3" cal.	10'-12'	Per Plan	Single Trunk
21	MONTERREY OAK	Quercus polymorpha	3" cal.	10'-12'	Per Plan	Single Trunk
33	TEXAS ASH	Fraxinus texana	3" cal.	10'-12'	Per Plan	Single Trunk
62	RED BUD	Cercis canadensis	30gal.	7'-8'	Per Plan	Single Trunk
69	CRAPEMYRTLE	Lagerstroemia indica	30gal.	7'-8'	Per Plan	Multitrunk
33	CHASTE TREE	Vitex agnus-castus	30gal.	7'-8'	Per Plan	Multitrunk
6	NELLIE R. STEVENS HOLLY	Ilex x 'Nellie R. Stevens'	30gal.	5'-6'	Per Plan	Full
7	YAUPON HOLLY	Ilex vomitoria	30gal.	7'-8'	Per Plan	Full
18	WINTER JASMINE	Jasminium nudiflorum	5gal.	24"	5'-Ø"	Full
446	ROSEMARY	Rosmarinus officinalis	3gal.	24"	3'-Ø"	Full
236	DWARF INDIAN HAWTHORN	Rhaphiolepis indica	3gal.	24"	3'-Ø"	Full
660	ADAGIO MAIDEN GRASS	Miscanthus sinensis 'Adagio'	3gal.	36"	3'-Ø"	Full
738	PINK MUHLY	Muhlenbergia capillaris	3gal.	24"	3'-Ø"	Full
144	RED YUCCA	Hesperaloe parvifolia	3gal.	24"	3'-Ø"	Full
107	WALKER'S LOW CATMINT	Nepeta x faassenii	1 gal.	12"	3'-Ø"	Full
269	PINK GAURA	Gaura lindheimeri 'Siskiyou Pink'	1 gal.	12"	2'-6"	Full
377	LITTLE BLUESTEM	Schizachyrium scoparium 'Prairie Blues'	1 gal.	12"	2'-Ø"	Full
337	DAYLILY	Hemerocallis	1 gal.	12"	12"	Evergreen
525	SEASONAL COLOR		4" pot		12"	Full
92 lbs	DRAINFIELD SEED MIX					

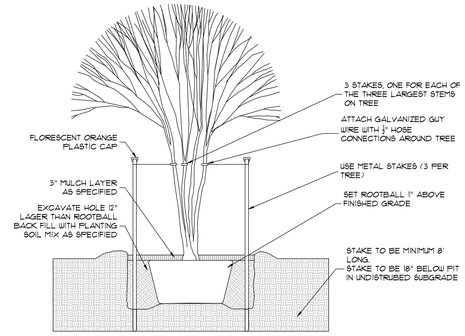
Total Mitigation Required*: 1726.75 in
Total Mitigation Provided: 1727 in
*Ref. T1.0 TREE SURVEY

LANDSCAPE NOTES:

1) Contractor shall stake out tree locations and bed configuration for approval approval by owner prior to installation.
2) Contractor is responsible for verifying location of all underground utilities prior to construction.
3) It is the responsibility of the contractor to advise the owners representative of any condition found on site which prohibits installation as shown on these plans
4) All shrub and groundcover beds shall have a minimum of 3" of hardwood bark mulch
5) Landscape edging shall be located as noted on plan.
6) Trees overhanging walks and parking areas shall have a clear trunk height of seven feet.
7) Multi trunk and ornamental trees will be allowed in the city's right of way with staff approval only. Must be outside any visibility triangles.
8) A visibility triangle must be provided at all intersections as required by the thoroughfare standards code. Trees will have a minimum clear trunk branching height of nine feet.
9) All plant material shall be maintained in a healthy and growing condition,and must be replaced with plant material of similar variety and size if damaged, destroyed, or removed.
10) Landscape areas shall be kept free of trash, litter and weeds.
11) An automatic irrigation system shall be provided to maintain all landscape areas. Over spray on streets and walks is prohibited. A permit from the building inspection department is required for each irrigation system. Impact fees must be paid to the development services department for separate irrigation meters prior to any permit release.
12) Irrigation Controller to have a Rain and Freeze Stat.
13) All landscape is to be greater than 8 feet from all underground utilities.
14) All areas of grading disturbance are to have grass reestablished at 75% coverage prior to letter of acceptance from the city. Means and methods of grass establishment and application of water for grass establishment are at the discretion of the owner and contractor.

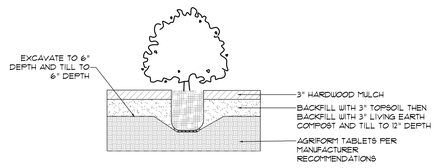


2. TREE STAKING
NOT TO SCALE

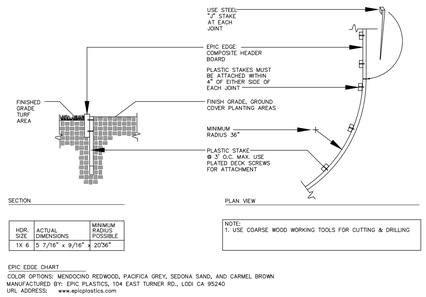


NOTE: ALL THORNLESS MESQUITE TREES TO BE STAKED AS ORNAMENTAL OR MULTI TRUNK TREES.

3. ORNAMENTAL TREE STAKING
NOT TO SCALE



4. SHRUB DETAIL
NOT TO SCALE



HDR. SIZE	ACTUAL DIMENSIONS	MINIMUM RADIUS POSSIBLE
1X 6	5 7/16" x 9/16"	20'6"

NOTE:
1. USE COARSE WOOD WORKING TOOLS FOR CUTTING & DRILLING

EPIC EDGE CHART
COLOR OPTIONS: MENDOCINO REDWOOD, PACIFICA GREY, SEDONA SAND, AND CARMEL BROWN
MANUFACTURED BY: EPIC PLASTICS, 104 EAST TURNER RD., LODI CA 95240
URL ADDRESS: www.epicplastics.com

5. EPIC EDGE COMPOSITE HEADER BOARD DETAIL #210
NOT TO SCALE

The John R. McAdams Company, Inc.
(DBA: G&A | McAdams)
111 Hillside Drive
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940. 240. 1012

TBPE: 19762 TBPLS: 10194440
www.gacorp.com
www.mcadamsco.com

LADERA ROCKWALL PHASE 1

LADERA ROCKWALL PHASE 1
LADERA ROCKWALL
Lot 1, Block A
47.694 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

LANDSCAPE DETAILS

REGISTERED LANDSCAPE ARCHITECT
RYAN A. STEWART
STATE OF TEXAS
3/13/2019

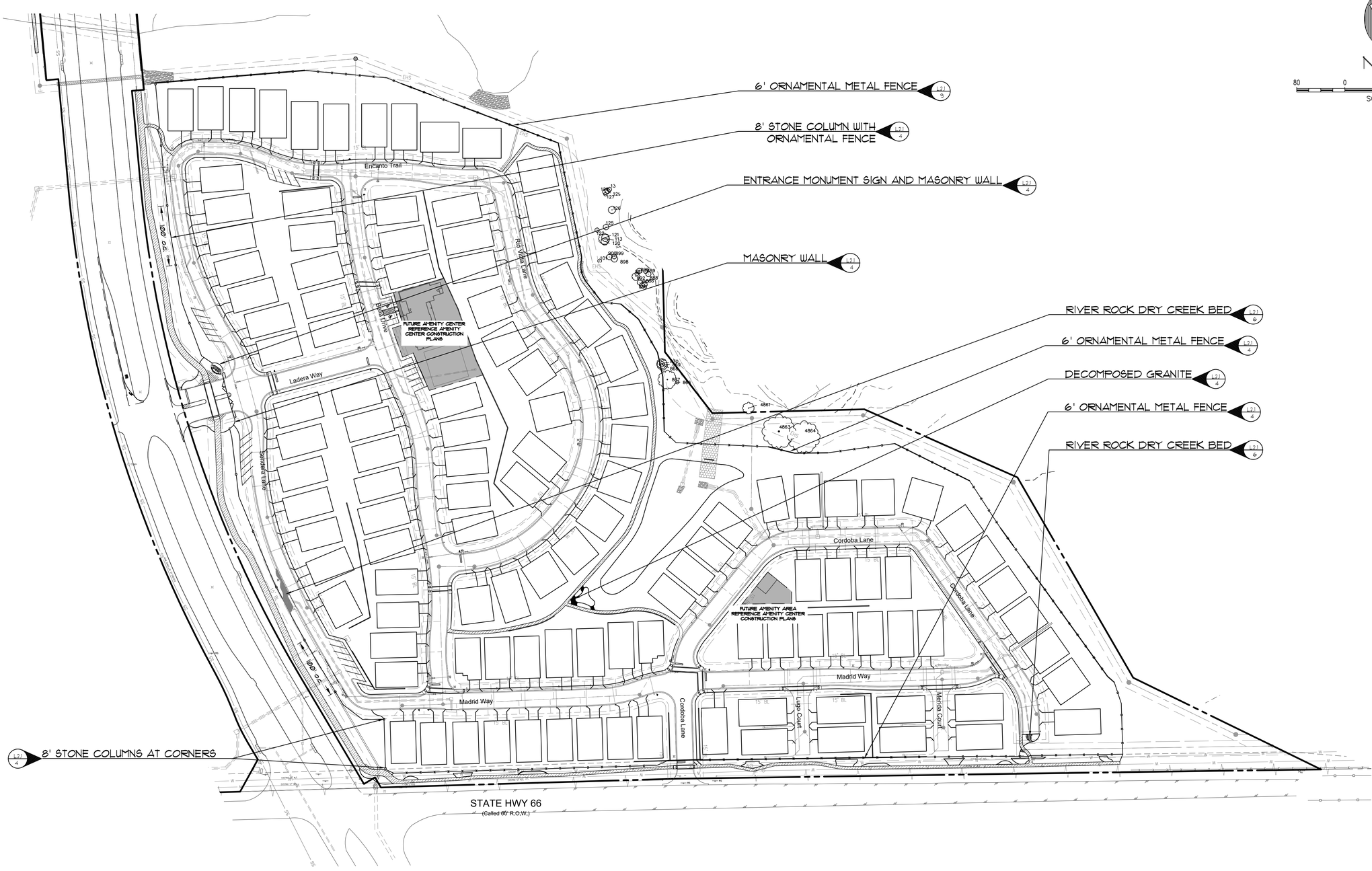
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03/11/2019 Signed

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OWNER/DEVELOPER
RW LADERA, LLC.
361 W. BYRON NELSON BLVD. STE. 104
ROANOKE, TX 76262
Ph. 817.430.3318
Contact: John Delin

File: Z:\2017\17191\Drawing\CP & Civil Plans\Sheets\17191 LS DETAILS
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LADERA ROCKWALL
Lot 1, Block A
47.694 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

HARDSCAPE PLAN

REGISTERED LANDSCAPE ARCHITECT
RON A. STEWART
STATE OF TEXAS
3/13/2019

Drawn By: VC
Date: 02/23/2018
Scale: 1"=80'
Revisions:
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03/11/2019 Signed

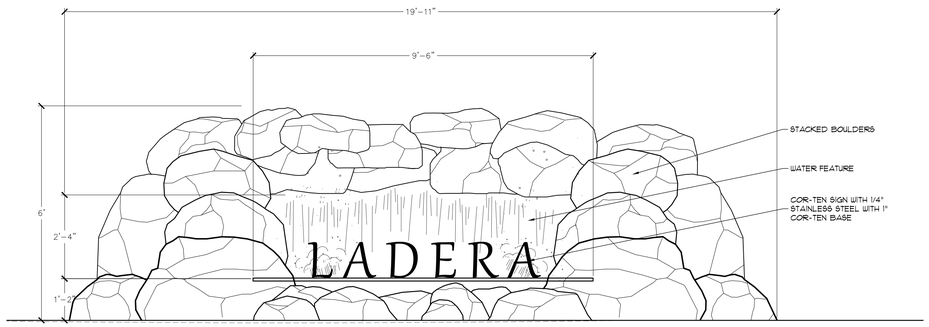
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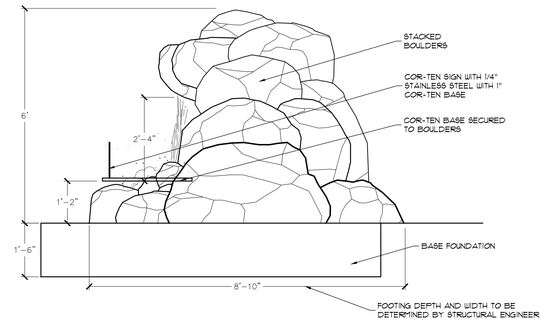
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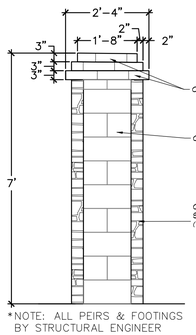
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1"=10'

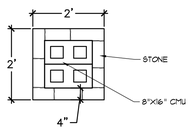


2. ENTRY FOUNTAIN DETAIL A
1/2"=1'

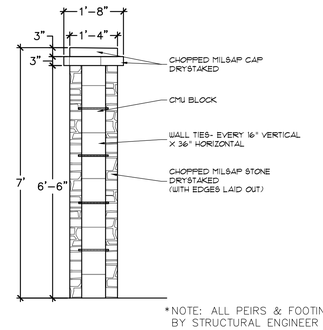


3. ENTRY FOUNTAIN DETAIL B
1/2"=1'

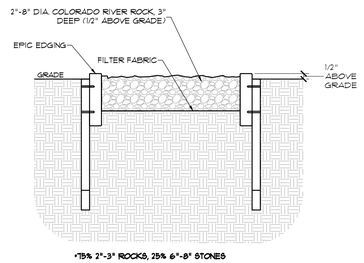




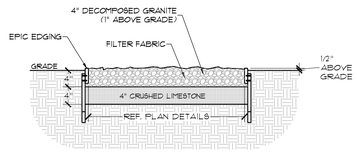
4. STONE COLUMN DETAIL
1/2"=1'



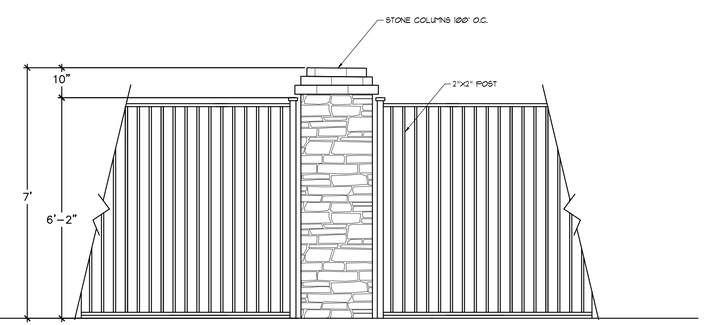
5. STONE WALL DETAIL
1/2"=1'



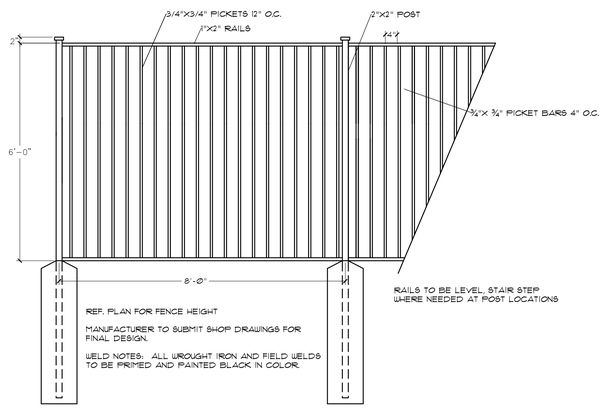
6. RIVER ROCK DRY CREEK
NTS



7. DECOMP. GRANITE PATHWAY
3/4"=1'



8. STONE COLUMN & 6' ORNAMENTAL METAL FENCE - ELEVATION
1/2"=1'



9. 6' ORNAMENTAL METAL FENCE
1/2"=1'

OWNER/DEVELOPER
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RON A. STEWART
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3/13/2019

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66

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	April 15, 2019
SUBJECT:	Public Improvement District (PID)

On March 15, 2019, the applicant -- *Kent Donahue of Donahue Development Corporation* -- submitted an application requesting to change the zoning of a 264.510-acre tract of land (*i.e. Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80*) from an Agricultural (AG) District to a Planned Development District for Single-Family 7 (SF-7) District land uses. The purpose of this application was to establish a 545-lot residential subdivision that will incorporate lots that range in size from 60' x 120' (*i.e. 7,200 SF minimum*) to 70' x 130' (*i.e. 9,100 SF minimum*), and have approximately 94.00-acres of open space and public parkland. In conjunction with this application the applicant also submitted a request for a Public Improvement District (PID). A PID is a geographic district that is established to provide specific types of improvements or maintenance, which are financed by assessments against the properties within the district. In this case, the applicant is requesting improvements in the amount of $17,000,000.00 to finance "…the design, acquisition, and construction of public improvement projects … which public improvements will include, but not be limited to: (i) roadway improvements; storm drainage improvements; water and wastewater system improvements; right-of-way acquisitions related to such improvements; parks, open space and landscaping improvements; and, other similar improvement projects; (ii) payment of expenses incurred in the establishment, administration and operation of the District; and, (iii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with [*the*] issuance and sale of revenue bonds secured by assessments levied against the Property [*the subject property*]."

According to Section 372.009, *Hearing*, of Chapter 372, *Improvement Districts in Municipalities and Counties*, of the Texas Local Government Code (TLGC), the municipality or county is required to hold a public hearing on the advisability of the improvement, and adopt findings by resolution as to:

(1) The advisability of the improvement;
(2) The nature of the improvement;
(3) The estimated cost of the improvement;
(4) The boundaries of the public improvement district;
(5) The method of assessment; and,
(6) The apportionment of the costs between the district and the municipality or county as a whole.

Once the public hearing has been held and the City Council has adopted findings by resolution, the City Council -- *by majority vote* -- may adopt a resolution authorizing the district in accordance with its findings. The City Council shall have six (6) months from the date of the public hearing to take this action. Attached to this packet are the applicant's petition along with a resolution provided by the applicant outlining the required findings above. Staff should note that if the City Council chooses to deny the petition request, a motion to deny and a simple majority vote will constitute sufficient findings with regard to the request, and no resolution will be required. If the City Council has any questions concerning PID's or the applicant's request staff will be available at the *April 15, 2019* meeting.

PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT

THE STATE OF TEXAS §
§
CITY OF ROCKWALL §

TO: THE HONORABLE MAYOR AND COUNCIL OF ROCKWALL

This petition (the "Petition") is submitted and filed with the City Secretary of the City of Rockwall, Texas (the "City"), by ROCKWALL HIGHGATE LTD., a Texas limited partnership (the "Owner"), acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), requesting that the City create a public improvement district (the "District") to include property owned by the Owner and located within the corporate limits of the City (the "Property"), more particularly described in ***Exhibit A*** and depicted in ***Exhibit B***. In support of this Petition, the Owner presents the following:

Section 1. General Nature of the Authorized Improvements. The purposes of the District include the design, acquisition, and construction of public improvement projects authorized by §372.003(b) of the Act that are necessary for development of the Property, which public improvements will include, but not be limited to: (i) roadway improvements; storm drainage improvements; water and wastewater system improvements; right-of-way acquisitions related to such improvements; parks, open space and landscaping improvements; and, other similar improvement projects; (ii) payment of expenses incurred in the establishment, administration and operation of the District; and, (iii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property (collectively, the "Authorized Improvements"). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

Section 2. Estimated Cost of the Authorized Improvements. The Owner estimates that the total costs to design, acquire, and construct the Authorized Improvements is $17,000,000.

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

Section 4. Proposed Method of Assessment. The Public Improvement District shall levy an assessment on each lot within the Property to pay the cost of the Authorized Improvements in a manner that results in imposing equal shares of the cost on property similarly benefited. Each assessment may be paid in full at any time (including accrued and unpaid interest) or may be paid in annual installments (including interest and debt). The annual installments must be paid in amounts necessary to meet annual costs for the Authorized Improvements and must continue for a period necessary to retire the indebtedness on the Authorized Improvements. In addition to the assessment levied by the Public Improvement District, the City of Rockwall will levy its ad valorem tax.

Section 5. Proposed Apportionment of Cost between the District and the City. The City shall not be obligated to provide any funds to finance the Authorized Improvements. The cost of

the Authorized Improvements will be paid from the assessments and from other sources of funds, if any, available to the Owner.

Section 6. Management of the District. The Owner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. Owner Requests Establishment of the District. The persons signing this Petition request the establishment of the District.

Section 8. Advisory Board. The Owner proposes that the District be established and managed without the creation of an advisory body.

This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the City Secretary of the City in support of the creation of the District by the City Council as herein provided. The undersigned request that the City Council grant its consent as above stated.

RESPECTFULLY SUBMITTED, on this the 26th day of March, 2019.

OWNER:

ROCKWALL HIGHGATE LTD.,
a Texas limited partnership

By: _____

Name: James L. Parks

Title: Managing Partner

Exhibit A
Metes and Bounds Description of the Property

LEGAL DESCRIPTION (OVERALL)

BEING a 264.61 acre tract of land situated in the W.M. Ford Survey, Abstract Number 80, Rockwall County, Texas, and being all of a called 43.30 acre tract of land (Tract 1) and a called 212.55 acre tract of land (Tract 2) described by deed to Highgate Equestrian Center Property, L.P., recorded in County Clerk's File Number 2007-375596, Deed Records, Rockwall County, Texas, and being all of that certain tract of land described by deed to Rockwall Highgate, Ltd., recorded in County Clerk's File Number 2008-404731, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the Southeast corner of said called 212.55 acre tract, being at the intersection of the southwest right of way line of State Highway No. 205, and the northwest line of Wylie Lane;

THENCE South 44 Degrees 31 Minutes 24 Seconds West, along the northwest line of said Wylie Lane, a distance of 2609.49 feet, to a point for corner;

THENCE South 45 Degrees 18 Minutes 48 Seconds West, continuing along said northwest line, a distance of 1147.99 feet, to the southwest corner of said called 43.30 acre tract;

THENCE North 45 Degrees 02 Minutes 31 Seconds West, departing said northwest line, and along the southwest line of said called 212.55 acre tract, a distance of 315.56 feet, to the easternmost corner of said called Rockwall Highgate tract;

THENCE South 44 Degrees 22 Minutes 37 Seconds West, departing said West line and along the southeast line of said Rockwall Highgate tract, a distance of 690.66 feet, to the southernmost corner of said Rockwall Highgate tract;

THENCE North 32 Degrees 22 Minutes 19 Seconds West, departing said southeast line and along the West line of Rockwall Highgate tract, a distance of 680.55 feet, to the northwest corner of said Rockwall Highgate tract;

THENCE North 62 Degrees 32 Minutes 45 Seconds East, departing said West line and along the northwest line of said Rockwall Highgate tract, a distance of 110.73 feet;

THENCE North 62 Degrees 13 Minutes 29 Seconds East, continuing along said northwest line, a distance of 43.88 feet;

THENCE North 45 Degrees 26 Minutes 21 Seconds East, continuing along said North line, a distance of 393.74 feet, to the northernmost corner of said Rockwall Highgate tract, being on the southwest line of said called 43.30 acre tract and being on the northeast line of Travis Lane;

THENCE Northerly, departing said North line and along the northeast line of said Travis Lane, the following calls:

North 45 Degrees 00 Minutes 29 Seconds West, a distance of 599.06 feet, to a point for corner;

North 43 Degrees 53 Minutes 14 Seconds West, a distance of 436.95 feet, to a point for corner;

North 48 Degrees 27 Minutes 46 Seconds West, a distance of 237.14 feet, to a point for corner;

North 39 Degrees 48 Minutes 03 Seconds West, a distance of 184.23 feet, to a point for corner;

North 44 Degrees 40 Minutes 42 Seconds West, a distance of 244.69 feet, to a point for corner;

South 45 Degrees 08 Minutes 57 Seconds West, a distance of 12.69 feet, to a point for corner;

North 45 Degrees 01 Minutes 43 Seconds West, a distance of 260.05 feet, to the lower northwest corner of said called 43.30 acre tract, same being the southwest corner of a that certain tract of land described by deed to Bret A. Wilson and Leslie Wilson, recorded in County Clerk's File Number 1998-181246, Deed Records, Rockwall County, Texas;

THENCE North 44 Degrees 58 Minutes 51 Seconds East, departing said East line and along the lower North line of said called 43.30 acre tract, being common with the South line of said Wilson tract, a distance of 467.61 feet, to the southeast corner of said Wilson tract;

North 31 Degrees 15 Minutes 14 Seconds West, departing said common line and along the upper West line of said called 43.30 acre tract, a distance of 857.52 feet, to the northwest corner of said called 43.30 acre tract, being on the South right-of-way line of F.M. Highway No. 549;

THENCE North 45 Degrees 31 Minutes 38 Seconds East, along said South right of way line, a distance of 121.99 feet, to a point for corner;

North 45 Degrees 00 Minutes 31 Seconds East, continuing along said South right-of-way line, a distance of 703.71 feet, to the upper northeast corner of said called 212.55 acre tract, same being the northwest corner of that certain tract of land described by deed to Cody A. Barrick and Wife, recorded in County Clerk's File Number 2010-436143, Deed Records, Rockwall County, Texas;

THENCE South 45 Degrees 05 Minutes 09 Seconds East, departing said South right-of-way line and along the upper East line of said called 212.55 acre tract, being common with the West line of said Barrick tract, a distance of 995.00 feet, to a point for corner;

THENCE South 86 Degrees 43 Minutes 47 Seconds East, continuing along said common line, a distance of 21.21 feet, to a point for corner;

THENCE North 44 Degrees 53 Minutes 41 Seconds East, departing said common line and along the lower North line of said called 212.55 acre tract, being common with the South line of said Barrick tract, a distance of 524.11 feet, to the southeast corner of said Barrick tract, same being the southwest corner of that certain tract of land described by deed to Thomas Enloe and Wife, recorded in County Clerk's File Number 2014-16421, Deed Records, Rockwall County, Texas;

THENCE North 44 Degrees 59 Minutes 41 Seconds East, departing said common line and along the lower North line of said called 212.55 acre tract, being common with the South line of said Enloe tract, a distance of 539.08 feet, to the southeast corner of said Enloe tract, same being the southwest corner of a called 12.493 acre tract of land described by deed to Scott W. Blackwood and Glenita G. Blackwood, recorded in Volume 2884, Page 250, Deed Records, Rockwall County, Texas;

THENCE North 44 Degrees 44 Minutes 22 Seconds East, departing said common line and along the lower North line of said called 212.55 acre tract, being common with the South line of said called 12.493 acre tract, a distance of 541.09 feet, to the southeast corner of said called 12.493 acre tract, same being the southwest corner of that certain tract of land described by deed to Dr. Mahlouin Zeb, recorded in County Clerk's File Number 1935-156072, Deed Records, Rockwall County, Texas;

THENCE North 44 Degrees 56 Minutes 40 Seconds East, departing said common line and along the lower North line of said called 212.55 acre tract, being common with the South line of said Zeb tract, a distance of 606.32 feet, to the southeast corner of said Zeb tract, being on the West right-of-way line of said State Highway No. 205;

THENCE South 45 Degrees 37 Minutes 13 Seconds East, departing said common line and along said West right-of-way line, a distance of 1121.18 feet, to a point for corner;

THENCE South 45 Degrees 51 Minutes 23 Seconds East, continuing along said East right-of-way line, a distance of 621.15 feet, to a point for corner;

THENCE South 45 Degrees 50 Minutes 42 Seconds East, continuing along said East right-of-way line, a distance of 951.25 feet, to the POINT OF BEGINNING, and containing 264.61 acres of land, more or less.

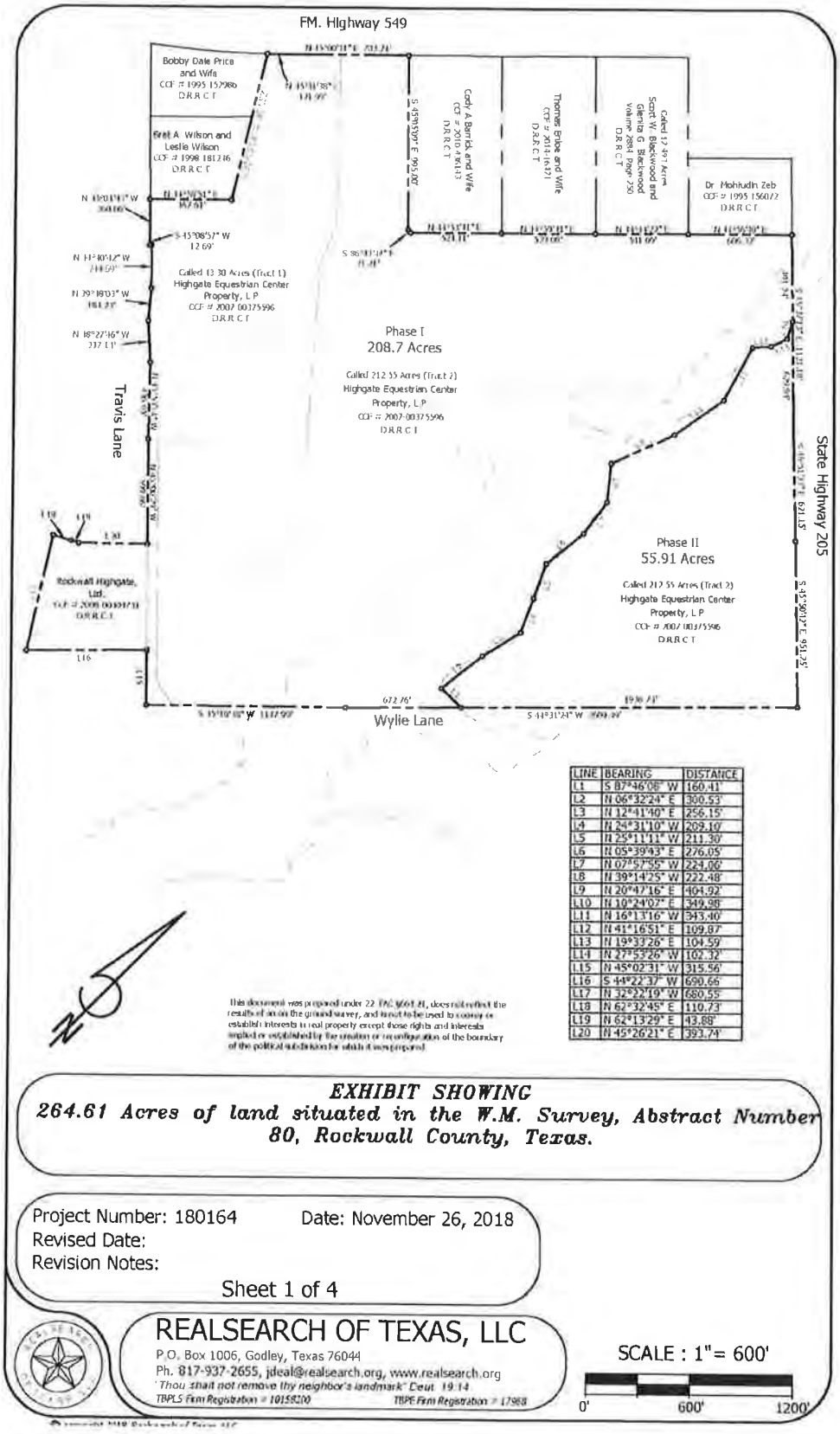
This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Project Number: 180164 Date: November 26, 2018
Revised Date:
Revision Notes:

Sheet 2 of 4

REALSEARCH OF TEXAS, LLC
P.O. Box 1006, Godley, Texas 76044
Ph. 817-937-2655, jdeal@realsearch.org, www.realsearch.org
"Thou shalt not remove thy neighbor's landmark" Deut. 19:14
TBPLS Firm Registration # 10158200 TBPE Firm Registration # 17968

Exhibit B
Depiction of the Property



LINE	BEARING	DISTANCE
L1	S 87°46'08" W	160.41'
L2	N 06°32'24" E	300.53'
L3	N 12°41'40" E	256.15'
L4	N 24°31'10" W	209.10'
L5	N 29°11'11" W	211.30'
L6	N 05°39'43" E	276.05'
L7	N 07°57'55" W	224.06'
L8	N 39°14'25" W	222.48'
L9	N 20°47'16" E	404.92'
L10	N 10°24'02" E	349.98'
L11	N 16°13'16" W	343.40'
L12	N 41°16'51" E	109.87'
L13	N 19°33'26" E	104.59'
L14	N 27°53'26" W	102.32'
L15	N 45°02'31" W	315.56'
L16	S 44°22'37" W	690.66'
L17	N 32°22'19" W	680.55'
L18	N 62°32'45" E	110.73'
L19	N 62°13'29" E	43.88'
L20	N 45°26'21" E	393.74'

This document was prepared under 22 TAC §663.21, does not affect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

EXHIBIT SHOWING
264.61 Acres of land situated in the W.M. Survey, Abstract Number 80, Rockwall County, Texas.

Project Number: 180164 Date: November 26, 2018
Revised Date:
Revision Notes:
Sheet 1 of 4

REALSEARCH OF TEXAS, LLC
P.O. Box 1006, Godley, Texas 76044
Ph. 817-937-2655, jdeal@realsearch.org, www.realsearch.org
"Thou shalt not remove thy neighbor's landmark" Deut. 19:14
TBPLS Firm Registration # 10158200 TBPE Firm Registration # 17988

SCALE : 1"= 600'
0' 600' 1200'

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ACCEPTING FOR FILING A LANDOWNER PETITION REQUESTING THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT; CALLING A PUBLIC HEARING TO CONSIDER THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT; AUTHORIZING AND DIRECTING THAT NOTICES OF THE PUBLIC HEARING BE GIVEN AS REQUIRED BY LAW; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, Chapter 372, Texas Local Government Code, as amended (the "Act"), authorizes the City of Rockwall, Texas (the "City") to create public improvement districts within the corporate limits and extraterritorial jurisdiction of the City; and

WHEREAS, a landowner petition, a copy of which is attached as Exhibit A (the "Petition"), was filed with the City Secretary requesting the creation of the "Heritage Park Public Improvement District" (the "District") in accordance with the Act; and

WHEREAS, the City Council has determined that it is in the best interest of the City to accept the Petition and to call a public hearing (the "Public Hearing") at which the City Council will consider the adequacy of the Petition and hear public testimony regarding the feasibility and advisability of creating the proposed District.

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

SECTION 1. The recitals set forth in the WHEREAS clauses of this Resolution are true and correct and are incorporated as part of this Resolution.

SECTION 2. City staff has reviewed the Petition and determined that the same complies with the requirements of the Act and the filing of the Petition is accepted.

SECTION 3. The City Council calls the Public Hearing to consider the adequacy of the Petition and to hear public testimony on the feasibility and advisability of creating the proposed District to be held beginning at or after 6:00 P.M. on Monday, January 21, 2019 in the City Council Chambers located at 385 S. Goliad, Rockwall, Texas. Attached hereto as Exhibit B is a form of the Notice of Public Hearing, the form and substance of which is hereby adopted and approved. All residents and property owners within the District, and all other persons, are hereby invited to appear in person, or by their attorney, and speak on the creation of the District.

SECTION 4. The Public Hearing may be adjourned from time to time.

SECTION 5. The City Secretary is hereby authorized and directed to give all notices of the Public Hearing as required by law, including notices required by the Texas Open Meetings Act and by the Act.

SECTION 6. Upon the closing of the Public Hearing, the City Council may consider the adoption of a resolution creating the proposed District or may defer the adoption of such a resolution for up to six months.

SECTION 7. This Resolution shall become effective immediately from and after it is passed and approved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 17TH DAY OF DECEMBER, 2018.

CITY OF ROCKWALL, TEXAS

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, Assistant to City Manager / City Secretary

\

Exhibit A to Resolution

[Landowner Petition]

74

Exhibit B to Resolution

NOTICE OF PUBLIC HEARING REGARDING
THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT

Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended, notice is hereby given that the City Council of the City of Rockwall, Texas (the "City"), will hold a public hearing to accept public comments and discuss the petition (the "Petition"), filed by Rockwall Highgate Ltd., a Texas limited partnership (the "Petitioner"), requesting that the City create the Heritage Park Public Improvement District (the "District") to include property owned by the Petitioner located entirely within the corporate limits of the City.

Time and Place of Public Hearing. The public hearing will be held at or after 6:00 p.m., Monday, January 21, 2019 at the City Council chambers located at 385 S. Goliad, Rockwall, Texas.

General Nature of the Proposed Authorized Improvements. The purposes of the District include the design, acquisition, and construction of public improvement projects authorized by §372.003(b) of the Act that are necessary for development of the Property, which public improvements will include, but not be limited to: (i) roadway improvements; storm drainage improvements; water and wastewater system improvements; right-of-way acquisitions related to such improvements; parks, open space and landscaping improvements; and, other similar improvement projects; (ii) payment of expenses incurred in the establishment, administration and operation of the District; and, (iii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property (collectively, the "Authorized Improvements"). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire and construct the Authorized Improvements, which may include bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in establishment, administration and operation of the District is $17,000,000.

Proposed District Boundaries. The District is proposed to include approximately 264.61 acres of land generally located (i) north of Wylie Lane, (ii) south of FM Highway 549, (iii) east of Travis Lane, and (iv) west of State Highway 205; and, as more particularly described by a metes and bounds description available at the City Secretary's office in the City Hall located at 385 S. Goliad Street, Rockwall, Texas and available for public inspection during regular business hours.

Proposed Method of Assessment. The City shall levy an assessment on each lot within the District to pay the cost of the Authorized Improvements in a manner that results in imposing equal shares of the cost on property similarly benefited. Each assessment may be paid in full at any time (including accrued and unpaid interest) or may be paid in annual installments (including interest and debt). The installments must be paid in amounts necessary to meet annual costs for the Authorized Improvements and must continue for a period necessary to retire the indebtedness on the Authorized Improvements.

Proposed Apportionment of Cost between the District and the City. The City will not be obligated to provide any funds to finance the Authorized Improvements. The cost of the Authorized Improvements will be paid from the assessments and from other sources of funds, if any, available to the Owner.

CLASSIFIEDS

Legal Notices | Legal Notices | Legal Notices | Legal Notices | Legal Notices | Legal Notices | Legal Notices | Legal Notices | Legal Notices

NOTICE TO CREDITORS for THE ESTATE OF MARY IMAGENE CRAWFORD-PALMER, Deceased

Notice is hereby given that Letters Testamentary upon the Estate of Mary Imagene Crawford-Palmer, Deceased, were granted to the undersigned on the 21st of March, 2019, by the County Court at Law of Rockwall County, Texas. All persons having claims against said estate are hereby required to present the same to Kimberley Kay King within the time prescribed by law. My address is c/o Law Office of J. Michael King, 833 FM 740 South, Forney, TX 75126. Independent Executor of the Estate of Mary Imagene Crawford-Palmer, Deceased. CAUSE NO. PR19-0034.

NOTICE TO CREDITORS for The Estate of Esther Schlottmann Schwenke, deceased. Notice is hereby given that Letters Testamentary upon the Estate of Esther Schlottmann Schwenke, deceased, were granted to Sharon Sommerfeldt, Independent Executrix, on March 4, 2019, in Cause number PR19-0003 pending in the County Court at Law of Rockwall County, Texas. All persons having claims against this Estate are required to present their claims within the time and in the manner prescribed by law. Claims are to be addressed to the representative's resident agent and attorney as follows: SHARON SOMMERFELDT, Independent Executrix of the Estate of Esther Schlottmann Schwenke, deceased, c/o Roy Ryan Branch, The Branch Law Firm, PLLC, 679 Justin Road, Rockwall, Texas 75087 - Sharon Sommerfeldt, Independent Executrix of Estate of Esther Schlottmann Schwenke, deceased.

PUBLIC HEARING
THE CITY OF FATE

Planning and Zoning Commission and City Council
Old Town Transition Zoning District Application

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Thursday, 11 April 2019 at 6:00 p.m. and by the City Council on Monday, 6 May 2019 at 6:00 p.m. in the Fate City Hall located at 1900 C.D. Boren Pkwy, Fate, Texas for the purpose of receiving comments regarding a Zoning Application made by the City of Fate to zone 1.40-acres from Agricultural District to Old Town Transition District. The location of this Zoning Application is described as the lot directly north of 201 Greenhill Ln., Rockwall CAD Property ID 27043. Case ZR-19-002. To learn more about this zoning case or if you have any questions, contact the Planning Department at 972-771-4601 ext. 134 or amartin@cityoffate.com.

PUBLIC HEARING
THE CITY OF FATE

Planning and Zoning Commission and City Council
Special Use Permit Application for an AT&T Telecommunications Tower

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Thursday, 11 April 2019 at 6:00 p.m. and by the City Council on Monday, 6 May 2019 at 6:00 p.m. in the Fate City Hall located at 1900 C.D. Boren Pkwy, Fate, Texas for the purpose of receiving comments on the application submitted by Gary Edge and Crafton Communications to obtain a Special Use Permit for a Telecommunications Tower. The area that is the subject of this Special Use Permit Application is described as 5126 FM 548, Rockwall CAD Property ID 12859. Case SUP-19-001. To learn more about this case or if you have any questions, contact the Planning Department at 972-771-4601 ext. 134 or amartin@cityoffate.com.

NOTICE OF PUBLIC HEARINGS BEFORE THE ROYSE CITY PLANNING AND ZONING COMMISSION AND THE ROYSE CITY, CITY COUNCIL
CITY OF ROYSE CITY, TEXAS

NOTICE is hereby given that the Planning and Zoning Commission of the City of Royse City, Texas, will hold a public hearing at 7:00 p.m. on the 4th day of April 2019 at the Police & Courts Building, 100 West Main Street, Royse City, Texas 75189
NOTICE is hereby given that the City Council of the City of Royse City, Texas will hold a public hearing at 7:00 p.m. on the 23rd day of April 2019 at the Police & Courts Building, 100 West Main Street, Royse City, Texas 75189
At such time and place, the Commission and Council will hear and take appropriate action on the following items/applications:

1. Consideration and action regarding a concept plan for a Traditional Mixed-Use Development, also known as Whiteside Village, consisting of 173 residential lots on approximately 52.775-acres, located at the southeast corner of FM-548 and Cookston Lane, and any matters related thereto.

All interested persons of the City are invited to attend these public hearings and participate in the same.

Rob Cooper, Director
Development Services

NOTICE TO CREDITORS

Notice is hereby given that original Letters of Administration for the Estate of Daniel Juliano, Deceased, were issued on March 27, 2019, under Docket No. PR19-0045 pending in the Probate Court of Rockwall County, Texas, to James Phillip Juliano.

Claims may be presented in care of the attorney for the estate, addressed as follows:

Representative,
Estate of Daniel Juliano, Deceased
c/o Butler Law Office
Jeffery L. Butler
767 Justin Road
Rockwall, Texas 75087

All persons having claims against this estate, which is currently being administered, are required to present them within the time and in the manner prescribed by law.

DATED March 27, 2019.

Butler Law Office, PLLC

By /s/ Jeffery L. Butler
JEFFERY L. BUTLER
TSB#: 24092206
767 Justin Road
Rockwall, Texas 75087
469-402-3030
469-453-3026 Facsimile
Jeff@butlerlawoffice.com
Attorney(s) for Applicant

- PUBLIC NOTICE of Petition to Establish a Public Improvement District (PID)-

The City Council of the City of Rockwall will hold a public hearing on a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate, LTD (the "Owner") for the consideration of a petition to establish a Public Improvement District (PID) pursuant to Chapter 372, Improvement Districts in Municipalities and Counties, of the Texas Local Government Code.

The following information is hereby provided concerning this matter and which will be consideredat said public hearing:

(1) *The time and place of the public hearing.* The City of Rockwall's City Council will hold a public hearing on **Monday, April 15, 2019** to consider a petition to establish a Public Improvement District. The hearing will take place at 6:00 PM in the City Council Chambers at Rockwall City Hall (*i.e. 385 S. Goliad Street, Rockwall, Texas 75087*).

(2) *The general nature of the proposed improvement.* The purposes of the Public Improvement District include the design, acquisition, and construction of public improvement projects authorized by §372.003(b) of the Texas Local Government Code that are necessary for development of the subject property, which public improvements will include, but not be limited to: (i) roadway improvements; storm drainage improvements; water and wastewater system improvements; right-of-way acquisitions related to such improvements; parks, open space and landscaping improvements; and, other similar improvement projects; (ii) payment of expenses incurred in the establishment, administration and operation of the Public Improvement District; and, (iii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the subject property. These authorized improvements shall promote the interests of the City of Rockwall and confer a special benefit on the subject property.

(3) *The estimated cost of the improvement.* The Owner estimates that the total costs to design, acquire, and construct the authorized improvements is seventeen million dollars ($17,000,000.00).

(4) *The boundaries of the proposed assessment district.* The proposed Public Improvement District is located within the corporate boundaries of the City of Rockwall, and is generally bounded by SH-205 to the east, Wylie Lane to the south, Travis Lane to the west, and FM-549 to the north. The 264.510-acre subject property is more fully described as Tracts 17-13,17-14, 17-15, 17-16 & 40-8 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas.

(5) *The proposed method of assessment.* The Public Improvement District shall levy an assessment on each lot within the proposed subject property to pay the cost of the authorized improvements in a manner that results in imposing equal shares of the cost on property similarly benefited. Each assessment may be paid in full at any time (*including accrued and unpaid interest*) or may be paid in annual installments (*including interest and debt*). The annual installments must be paid in amounts necessary to meet annual costs for the authorized improvements and must continue for a period necessary to retire the indebtedness on the authorized improvements. In addition to the assessment levied by the Public Improvement District, the City of Rockwall will be levying its ad valorem.

(6) *The proposed apportionment of cost between the improvement district and the municipality as a whole.* The City of Rockwall shall not be obligated to provide any funds to finance the authorized improvements. The cost of the authorized improvements will be paid from the assessments and from other sources of funds, if any, available to the Owner.

All interested parties will be given the opportunity to appear and be hard at the public hearing. Written or oral objections will be considered. Please contact the City of Rockwall Planning and Zoning Department staff at (972) 771-7745 with any questions.

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF BILLY W. PEOPLES, DECEASED

Notice is hereby given that original Letters Testamentary for the Estate of Billy W. Peoples were issued on March 18, 2019 in Cause No.PR19-0048, pending in the County Court at Law, Rockwall, Texas, to Lynda Morris. Claims may be presented in care of the Estate's attorney at the following address:

Lynda Morris, Independent Executrix
Attn: Jason G. Smith
2231 Ridge Road, Ste. 101
Rockwall, Texas 75087

All persons having claims against this Estate which is currently being administered are required to present such claims within the time and manner prescribed by law.

Dated this 20th day of March, 2019

Law Office of Jason G. Smith, P.C.
By:_____
Jason G. Smith
Attorney for the Estate
State Bar No.: 24008051

NOTICE TO CREDITORS OF THE ESTATE OF JOHN ROBERT HALLIBURTON

Notice is hereby given that original Letters Testamentary for the Estate of John Robert Halliburton, Deceased, were issued on the 6th day of March, 2019, under Docket No. PR 19-0035, pending in the County Court at Law of Rockwall County, Texas, to John Robert Halliburton II and to Ralph Meyer, Co-Executors, permitted to act each solo or in concert.

Claims may be presented in care of the attorney for the Estate addressed as follows:

John Robert Halliburton II and/or
Ralph Meyer, Co-Independent Executors
Of The Estate of John Robert Halliburton, Deceased
c/o Gayle Miller Albritton
P. O. Box 822
Rockwall, TX 75087.

All persons having claims against this Estate which is currently being administered are required to present them within the time and in the manner prescribed by law.

Dated this 6th day of March, 2019.
/s/
Gayle Miller Albritton
ATTORNEY FOR APPLICANTS.

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of Cynthia Sue Long Moseley, Deceased, were issued on March 20,2019 in Cause No. PR19-0049, pending in the County Court at Law of Rockwall County, Texas, to: Sidney John Scott.
All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: David E. Rohlf
Attorney at Law
P.O. Box 1137
Rockwall, Texas 75087

DATED March 20, 2019.

David E. Rohlf
Attorney for Sidney John Scott
State Bar No.: 17205500
P.O. Box 1137
Rockwall, Texas 75087
Telephone: (972) 771-0054
Facsimile: (972) 772-9397

APPLICATION HAS BEEN made with the Texas Alcoholic Beverage Commission for Mixed Beverage Restaurant Permit with Food and Beverage Certificate by Grill Operations 2017, LLC dba Genghis Grill, to be located at 1699 Laguna Drive, Suite 115, Rockwall, Texas 75087. Officer of said corporation is, Manish Patel, Manager, Becky Moldenhauer, Vice President, CFO and Paul Carolan, Vice President, COO.

Public Notice
Q&A
Who benefits from public notice?
You do. Public notices are required because a government body or corporation wants to do something you need to know about.
When government is about to change your life, or your propery or assets are about to be taken, newspaper notices are there to keep you informed.
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CITY OF MCLENDON-CHISHOLM – PUBLIC HEARINGS
SPECIFIC USE PERMIT
Notice of Public Hearings before the McLendon-Chisholm Planning and Zoning Commission and City Council: Notice is hereby given that the Planning and Zoning Commission of the City of McLendon- Chisholm will meet and hold a public hearing at 6:30 p.m. on Thursday, April 18, 2019 at McLendon- Chisholm City Hall, 1371 West FM 550, McLendon-Chisholm, Texas 75032. Further, the City Council of the City of McLendon-Chisholm will hold a public hearing on Tuesday, April 23, 2019 at McLendon- Chisholm City Hall, 1371 West FM 550, McLendon-Chisholm, Texas 75032. At such times and place, the Commission and Council will consider the application of Jake Abbott, requesting an amendment to a Specific Use Permit to allow Providence Academy, a classical, Christian, University Model School, to allow an enrollment of 200 children for use by Kindergarten – 12th grade students and staff using the existing facilities at Chisholm Baptist Church, located at 1388 South State Highway 205, McLendon-Chisholm, also described as, Lot 1, Block 1 of Chisholm Baptist Church Addition currently zoned General Business. Citizens are invited to attend and participate in the public hearings.
/s/ Lisa Palomba, City Administrator/City Secretary.

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Areas Serviced:
Greenville 903-455-1587
Royse City / Rockwall 469-698-3890
Commerce 903-866-4400

www.rockwallheraldbanner.com

Miller, Ryan

From: Redmond, Brian <brian.redmond@stryker.com>
Sent: Wednesday, April 10, 2019 11:34 PM
To: Miller, Ryan
Subject: Z2019-005.

Good evening Mr Miller

Thank you for your service. I am reaching out to you regarding the PID for the above mentioned project. I would like to voice my opposition to subsidizing this project. While I'm sure there is the possibility of financial upside for the city I feel confident the risk outweighs the benefit. I'm certain there are many developers that are willing to work within the boundaries and be more willing to risk-share with the citizens of Rockwall County.

Thank you again for your service and your willingness to listen.

Sincerely,

Brian Redmond
Territory Manager
Stryker Neurovascular
C- 214 728 9387
Brian.Redmond@Stryker.com

Miller, Ryan

From: Renate Ramdhan <princessramdhan@gmail.com>
Sent: Wednesday, April 10, 2019 10:07 PM
To: Miller, Ryan
Subject: Z2019-005

Hello Mr. Miller,

My husband and I are home owners in Breezy Hill community, and we are voting against the PID for the project related to Z2019-005.

We do not agree, we're already paying very high taxes, we should not have to pay anything else to anyone. The city should find another way.

Sincerely,
Byron & Renate Ramdhan
--

Love:

It does not rejoice about injustice but rejoices whenever the truth wins out. Love never gives up, never loses faith, is always hopeful, and endures through every circumstance.

1 Corinthians 13:6-7 NLT

Miller, Ryan

From: Carolyn Webb <carolyn.webb@att.net>
Sent: Thursday, April 11, 2019 7:25 AM
To: Miller, Ryan
Subject: Heritage Home

Dear Mr Miller,
I'm sending this email to address the issue of the city of Rockwall funding the Heritage Home project. As a widow, retired and on a fixed income, I absolutely cannot afford any more taxes on my home. Please do what ever you can to vote down this issue.
Sincerely,
Carolyn Webb
Deverson Dr
Rockwall

Sent via the Samsung Galaxy S8, an AT&T 5G Evolution capable smartphone

Miller, Ryan

From: David Hiester <dhiester@att.net>
Sent: Thursday, April 11, 2019 7:55 AM
To: Miller, Ryan

I David Hiester am a resident of Rockwall, TX living at 781 Hanover Dr, and I oppose Z2019-205 Heritage Park rezoning request because of its PID funding and it's several variances to City requirements and guidelines. Taxes are high enough now, and the risk of project too great for my taste. It appears that the City Council may feel similarly.

David Hiester

Miller, Ryan

From: Fred Hartzke <hartzke@icloud.com>
Sent: Wednesday, April 10, 2019 6:20 PM
To: Miller, Ryan
Subject: Z2019-005 Heritage Homes.

Please consider the risk / reward issues with this project!
ROCKWALL has the potential to be the Highland park of the east side of Lake Hubbard!
I have lived in ROCKWALL for 36 years and appreciate its value as my hometown!
Please handle with care!

Fred A. Hartzke
214/215/2575

Miller, Ryan

From: Jack <txchl40@gmail.com>
Sent: Wednesday, April 10, 2019 11:26 PM
To: Miller, Ryan
Subject: Z2019-005 Heritage Homes.

I am against the city providing any funding for a private development such as this.
In 2008 we had hundreds of acres of failed housing developments in the Rockwall area.
Consequently, I don't want my tax dollars to be liable for any private development project.

James Sukenik
2937 Barton Springs Lane
Rockwall, TX 75087

Miller, Ryan

From: Omar Escobedo <OEscobedo@dealersocket.com>
Sent: Wednesday, April 10, 2019 9:58 AM
To: Miller, Ryan
Subject: Project PID

Hello Mr. Miller,

I am unable to attend the Council Meeting scheduled on April 15th, however I wanted to let my voice be heard that I am against PID set for hearing on this day. It is not to the benefit of homeowners and taxpayers to foot a bill for a developers business. All costs should be paid by the developer's business.

Thank you for your time

Omar Escobedo
Product Support Engineer II
DealerSocket, Inc.

P: 949-900-0300 x3
W: www.dealersocket.com
A: 7301 N State Hwy 161, Suite 400, Irving, TX 75039

Support: 888-988-6444 or Chat Now

WE ARE AUTOMOTIVE

Facebook : Twitter : Instagram : LinkedIn

DealerSocket's User Summit is back!
DRIVE Innovation, Education, and Collaboration at DSUS2019
Click here to register

Miller, Ryan

From: PENNY GRAHAM <LIBPGRAHAM@msn.com>
Sent: Wednesday, April 10, 2019 8:30 PM
To: Miller, Ryan
Subject: Re: Project Z2019-005

Mr. Miller-

Please add our names to the list of Rockwall residents/homeowners who are AGAINST the PID for Heritage Homes to build another development in our city, AKA Project Z2019-005. For many reasons we are against this project and feel that this would not be a responsible decision for our City Council to approve this. We are presently out of town visiting family and will not be able to attend the meeting on April 15th but we would like our voices to be heard.

Sincerely,
Daniel Estrada
Penny Graham
127 Deverson Drive

Sent from Mail for Windows 10

Miller, Ryan

From: RIch Lakin <rjlakin@att.net>
Sent: Wednesday, April 10, 2019 8:04 PM
To: Miller, Ryan
Subject: Developer request for PID

Mr. Miller:

Ryan,

Bob Wacker made me aware that Rockwall is considering a request for a "PID" from a developer, i.e., requesting our City (and citizens) fund the up front costs of his/her development plan.

Please count myself and my wife as being Against such a proposal.

Thanks and regards,

Rich

Rich Lakin
788 Featherstone Drive
Rockwall, TX 75087
469-264-7488

April 15 City Council meeting - Developer using our $ to start his project

Last night P&Z agreed to postpone the zoning part of project Z2019-005 Heritage Homes. But a scheduled public hearing for a key part of this project was not postponed. Ryan Miller, Rockwall Planning Manager verified this for me. On April 15 the CITY COUNCIL will consider the developer's request for the creation of a PID (Project Improvement District) to fund the initial costs … infrastructure, park, green spaces, streets, common areas. I believe the developer will cancel the project if the Council votes down his PID request. So what is a PID ? In as simple terms as possible, instead of the developer paying the initial costs, the city does. Then the city collects extra taxes from the home buyers to get paid back. This puts most of the risk on the city … us. Up front, the city pays for all the financial costs via bonds or loans … not the developer. Longer-term, if the lots and homes do not sell, the city still is responsible for the repayment of the bonds or loans and interest until they do. Worst-case, the project declares bankruptcy, and the city (we) are stuck with the bills. Maybe I made it too simple and made some mistakes, please correct me. This project would affect all of the residents of Rockwall. If you are against this, please send an email to Ryan Miller (RMiller@rockwall.com) and he will include all of them in his presentation to the Council. I believe they will be more powerful (a few hundred or thousand emails) than being there in person (20-50 people.)

Sent from Mail for Windows 10

Miller, Ryan

From: Susan Nicholl <weavemore@gmail.com>
Sent: Wednesday, April 10, 2019 7:09 PM
To: Miller, Ryan
Subject: Vote No for PID and rezoning of project Z2019-005 Heritage Homes.

Mr. Miller,

Thank you for including our emails in your presentation. I am unable to be at the meeting because I have responsibilities for my grandson at home. It saddens me that that beautiful piece of property who will be butchered for more homes. We were attracted to Rockwall because there still seemed to be green spaces and ranches.

It also saddens me that we the taxpayer would have the responsiblility of paying for a developer's project in any way.

Please add my name to list to vote against a PID and rezoning of project Z2019-005 Heritage Homes.

Best Regards,

Susan Nicholl
625 Arcadia Way
Rockwall, TX 75087

Miller, Ryan

From: Tim Wiehe <tmwiehe@yahoo.com>
Sent: Wednesday, April 10, 2019 10:32 PM
To: Miller, Ryan
Subject: PID

I am another that is completely against this. This should fall on the investors shoulders not the taxpayers. The roads in this city are crowded enough. We as a city are already behind the curve with addressing the traffic issues.Please vote against this PID!
Tim Wiehe

Sent from my iPhone

Miller, Ryan

From: Wendy Sprague <wdh.s54@gmail.com>
Sent: Wednesday, April 10, 2019 6:04 PM
To: Miller, Ryan
Subject: PID Projects...

It is my understanding there is before the council a developer requesting a PID project. No. No. No. No. We pay enough in taxes already. We don't need to pay out more money, we need our roads fixed... There's too much building going on with projects now that we don't need. We don't need all the building that's going on-- it's enough already, it's enough. If a developer cannot carry his own weight, then he needs to go somewhere else. Thank you.

Miller, Ryan

From: Dennis H <dhillery1@gmail.com>
Sent: Thursday, April 11, 2019 12:09 PM
To: Miller, Ryan
Subject: I oppose Z2019-205

To Mr. Ryan Miller;
I, Dennis Hillery, am a resident of Rockwall, Tx living at 143 Pelican Cove Dr, and I oppose Z2019-205 Heritage Park rezoning request because of its PID funding and it's several variances to City requirements and guidelines.

Miller, Ryan

From: Julie Hunter <julie.d.hunter@aon.com>
Sent: Thursday, April 11, 2019 11:24 AM
To: Miller, Ryan
Subject: FW: project Z2019-005 Heritage Homes

I understand that P&Z agreed to postpone the zoning part of project Z2019-005 Heritage Homes. For the upcoming meeting, please note that I am OPPOSED to this PID. I am a citizen of Rockwall and reside at 455 Sausalito Dr. If you need more information, please contact me.

Best,

Julie Hunter | Business Analyst - Project Solutions
Aon | Construction Services Group
2711 North Haskell Ave., Suite 800 | Dallas, Texas 75204
t +1.214.989.2200 | m +1.214.957.7950 | f +1.214.989.2540
julie.d.hunter@aon.com

aon.com | linkedin | twitter | facebook



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Miller, Ryan

From: Mike Williams <mwilliams@keatax.com>
Sent: Thursday, April 11, 2019 10:48 AM
To: Miller, Ryan
Subject: Against Z2019-005

I Mike Williams am a resident of the City of Rockwall living at 1480 White Sand Dr and I oppose Z2019-205 Heritage Park rezoning request because of its PID funding and it's several variances to City requirements and guidelines.

Thank you,
--mike

MIKE WILLIAMS
KE Andrews

469.298.1594
469.298.1615
mwilliams@keatax.com
www.keatax.com

Miller, Ryan

From: Nancy Moore <voiceofsilk49@yahoo.com>
Sent: Thursday, April 11, 2019 1:43 PM
To: Miller, Ryan
Subject: PID Project

Dear Mr. Miller:
Thank you for letting us know about the proposed housing project. I am NOT in favor of the City of Rockwall granting the PID.
Please add my comments to your own and others objections.
Best regards,
Nancy P. MOORE
507 Ridgeview Drive
Rockwall. 75087

Sent from Yahoo Mail for iPhone

Miller, Ryan

From: The Bray Bunch <txbray@yahoo.com>
Sent: Thursday, April 11, 2019 11:06 AM
To: Miller, Ryan
Subject: Z2019-205

I am a resident of Rockwall for 29 years living at 7132 Holden Dr and I oppose Z2019-205 Heritage Park re-zoning request because of its PID funding and it's several variances to city requirements and guidelines.

Rhonda Bray

CITY OF MCLENDON-CHISOLM

Miller, Ryan

From: Planning
Sent: Thursday, April 11, 2019 1:08 PM
To: Miller, Ryan
Subject: FW: Case Z2019-005 Heritage Park

-----Original Message-----
From: Shawn Agee [mailto:sbabedolls@yahoo.com]
Sent: Thursday, April 11, 2019 11:52 AM
To: Planning <planning@rockwall.com>
Subject: Case Z2019-005 Heritage Park

My name is Shabronda Agee my address is 725 Kensington Dr. Rockwall, TX 75032.

I was unable to attend the meeting and I OPPOSE the zoning change. We need more infrastructure and roads instead of housing to keep up with the traffic in Rockwall.

Thanks-

Shabronda Agee

Sent from my iPhone

Miller, Ryan

From: Sheri McLemore <ecosavvy@att.net>
Sent: Thursday, April 11, 2019 3:50 PM
To: Miller, Ryan; Planning
Subject: Heritage Park

Good Afternoon, I'm writing to you to voice my opposition to Case No. Z2019-005: Heritage Park; I'm not a fan of PID funding.

Best,
Sheri McLemore
118 Teakwood Dr.
Rockwall, TX 75087
972-672-7643

Miller, Ryan

From: SuLaine Callaway <sulaine.callaway@sbcglobal.net>
Sent: Thursday, April 11, 2019 6:17 PM
To: Miller, Ryan
Subject: Z2019-205 Heritage Park opposition

Ryan,

As Rockwall residents, we, Wendell and SuLaine Callaway, residing at 517 Cellars Ct., Rockwall, TX 75087-7000 do oppose Z2019-205 Heritage Park rezoning request because of its PID funding and it's several variances to City requirements and guidelines.

Wendell Callaway
SuLaine Callaway

Miller, Ryan

From: Taylor Pointer <taylorpointer@gmail.com>
Sent: Friday, April 12, 2019 7:11 AM
To: Miller, Ryan
Subject: Pid development

I am against the pid development!

Sincerely,
Taylor Pointer

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98

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	April 15, 2019
APPLICANT:	Dean Cathey; *Dean Cathey Custom Homes, Inc.*
CASE NUMBER:	P2019-013; *Lots 3, 4, & 5, Block A, Richard Harris Subdivision No. 3 Addition*

SUMMARY

Hold a public hearing to discuss and consider a request by Dean Cathey of Dean Cathey Custom Homes, Inc. for the approval of a replat for Lots 3, 4 & 5, Block A, Richard Harris Subdivision No. 3 Addition being a 0.57-acre tract of land identified as Lots 1 & 2, Block A, Richard Harris Subdivision No. 3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 705 & 707 Hartman Street, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat two (2) parcels of land (*i.e. Lots 1 & 2, Block A, Richard Harris Subdivision No. 3 Addition*) into three (3) parcels of land (*i.e. Lots 3, 4, & 5, Block A, Richard Harris Subdivision No. 3 Addition*) in order to construct a single-family home on Lot 5.

☑ On April 2, 2019, the Parks and Recreation Board reviewed the proposed *replat* and made the following recommendations:

1) The developer shall pay pro-rata equipment fees for Park District No. 21 in the amount of $516.00 for Lot 5. This will need to be paid at time of final plat; and

2) The developer shall pay cash-in-lieu of land fees for Park District No. 21 in the amount of $499.00 for Lot 5 to be paid at the time of final plat.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

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

NOTIFICATIONS

On March 25, 2019, staff mailed 29 notices to property owners/residents within 200-feet of the subject property in accordance with the requirements stipulated by the Texas Local Government Code for residential replats. At the time this report was written, staff had received one (1) notice in opposition of this request.

CONDITIONS OF APPROVAL

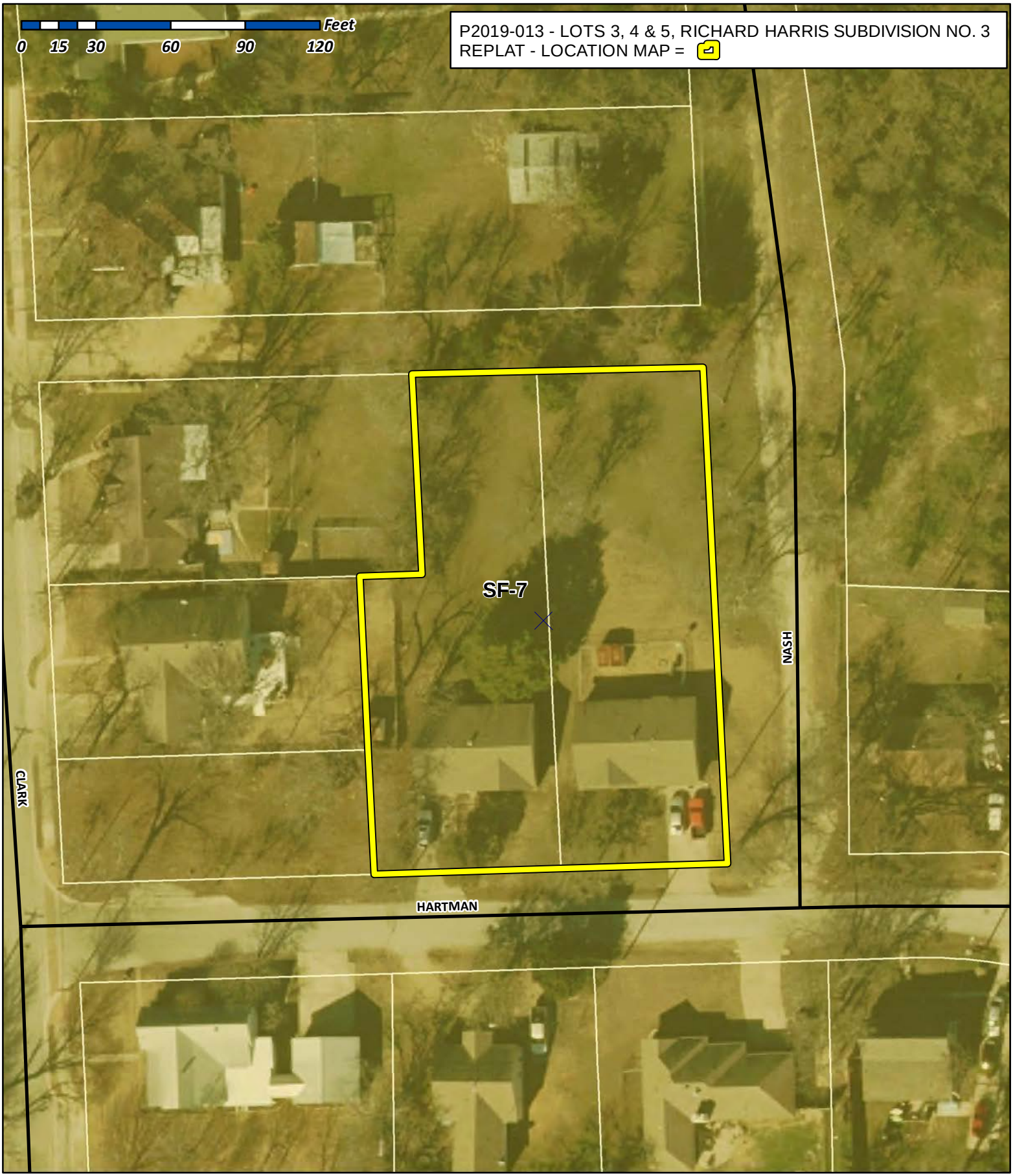
If the City Council chooses to approve the replat for *Lots 3, 4, & 5, Block A, Richard Harris Subdivision No. 3 Addition*, staff would propose the following conditions of approval:

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

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

PLANNING AND ZONING COMMISSION

On April 9, 2019 the Planning and Zoning Commission's motion to recommend approval of the replat with staff's *Conditions of Approval* passed by a vote of 7-0.



City of Rockwall

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

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

101

City of Rockwall

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

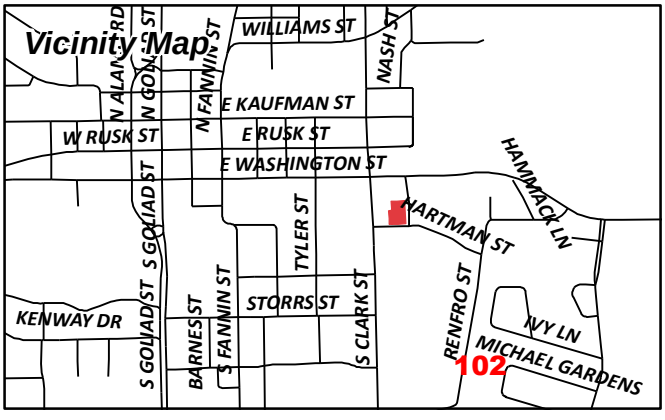
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: P2019-013
Case Name: Lots 3,4 & 5, Block A, Richard Harris Subdivision Addition No. 3
Case Type: Replat
Zoning: Single Family 7 (SF-7) District
Case Address: 705 & 707 Hartman Street

Date Created: *3/18/2019*

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



CURRENT RESIDENT
201 S CLARK ST
ROCKWALL, TX 75087

HENRY AMANDA A
205 S CLARK
ROCKWALL, TX 75087

CURRENT RESIDENT
206 S CLARK ST
ROCKWALL, TX 75087

CURRENT RESIDENT
207 S NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
208 S CLARK ST
ROCKWALL, TX 75087

LEFERE KEVIN M AND
AMANDA HENRY
209 S CLARK ST
ROCKWALL, TX 75087

RIJU LTD PARTNERSHIP, A TEXAS LTD
PARTNERSHIP
210 GLENN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
210 S CLARK ST
ROCKWALL, TX 75087

WILKINSON LYNN L & CHAD DAVID
211 S CLARK ST
ROCKWALL, TX 75087

ZAKEM KYNSIE JO
212 S CLARK ST
ROCKWALL, TX 75087

CURRENT RESIDENT
213 S CLARK ST
ROCKWALL, TX 75087

SIMPSON MELISSA HUFFAKER
214 S CLARK ST
ROCKWALL, TX 75087

CAUBLE LINDA
301 S CLARK ST
ROCKWALL, TX 75087

BURGESS JULIA ANN
302 S CLARK ST
ROCKWALL, TX 75087

KOCH JEAN
3720 MEDITERRANEAN
ROCKWALL, TX 75087

CHERRY J DALE AND TEDDI
508 HIGHVIEW
ROCKWALL, TX 75087

MUNSON PARTNERS 1 LLC
608 E WASHINGTON
ROCKWALL, TX 75087

CURRENT RESIDENT
705 HARTMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
706 HARTMAN ST
ROCKWALL, TX 75087

SHELTON HEATHER
708 HARTMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
709-711 HARTMAN ST
ROCKWALL, TX 75087

RENDON MARCELINO J JR
710 HARTMAN ST
ROCKWALL, TX 75087

ANDERSON TREVOR
711 HARTMAN ST
ROCKWALL, TX 75087

GILLIAM ROBERT W JR & PERRILYN
712 HARTMAN ST
ROCKWALL, TX 75087

WOOD WILLIAM AND SANDIE
8718 CLEARLAKE DR
ROWLETT, TX 75088

103

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

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

To Whom It May Concern:

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

Case No. P2019-013: Lot 3,4 & 5, Richard Harris Subdivision No. 3

Hold a public hearing to discuss and consider a request by Dean Cathey of Dean Cathey Custom Homes, Inc. for the approval of a replat for Lots 3, 4 & 5, Block A, Richard Harris Subdivision No. 3 Addition being a 0.57-acre tract of land identified as Lots 1 & 2, Block A, Richard Harris Subdivision No. 3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 705 & 707 Hartman Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/9/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 4/15/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **4/15/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. P2019-013: Lot 3,4 & 5, Richard Harris Subdivision No. 3

Please place a check mark on the appropriate line below:

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

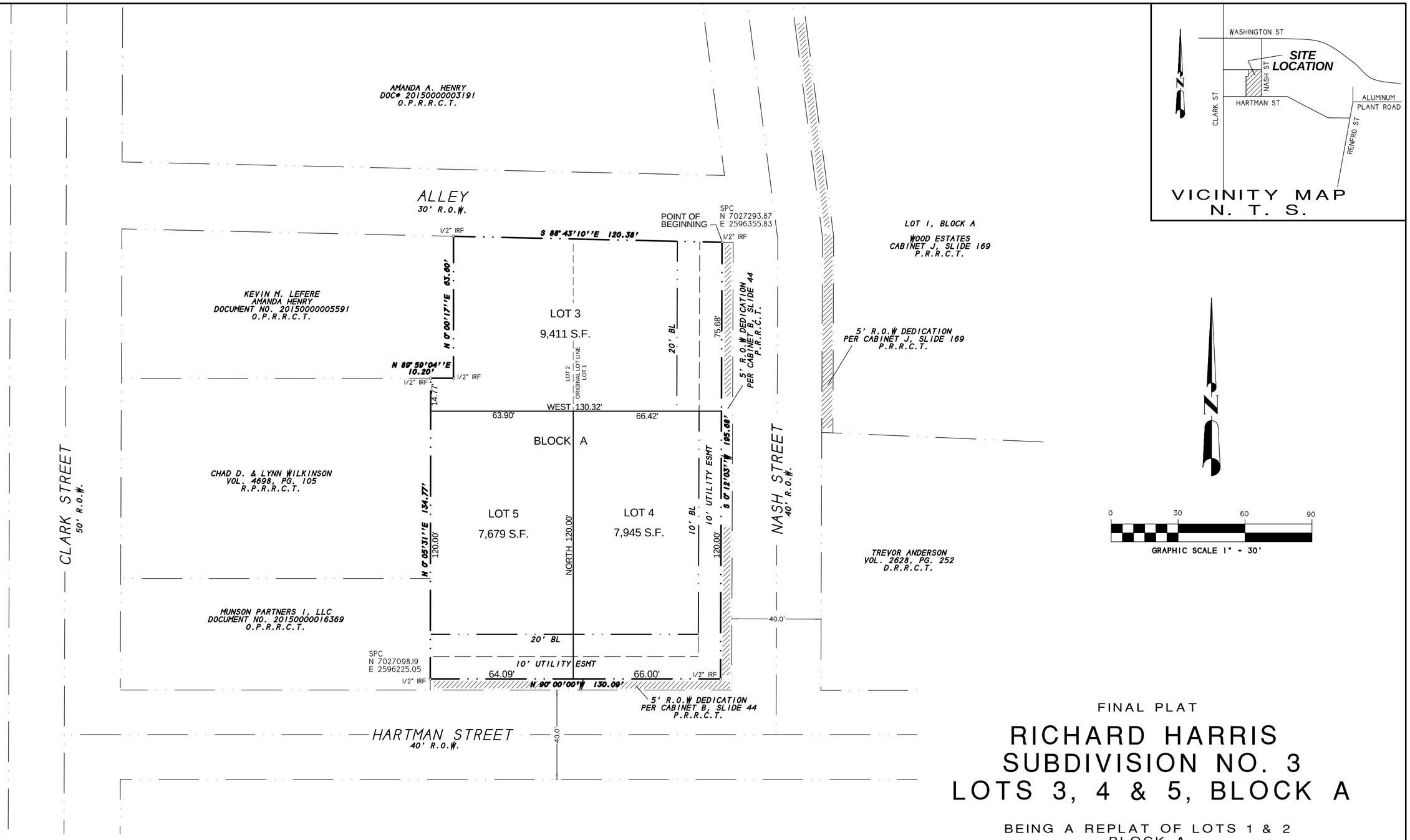
☒ I am opposed to the request for the reasons listed below.

Too many houses in one area.

Name: Christy Jones
Address: 608 East Washington

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

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



NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

RICHARD HARRIS SUBDIVISION NO. 3 LOTS 3, 4 & 5, BLOCK A

BEING A REPLAT OF LOTS 1 & 2
BLOCK A
RICHARD HARRIS SUBDIVISION NO. 3
0.57 ACRES OR 25,036 S.F.
(3 LOTS)
B.F. BOYDSTUN SURVEY, A-14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
RIJU LTD PARTNERSHIP
210 GLENN AVENUE
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE		A/C AIR COND. UNIT	PROPANE TANK
PROPERTY LINES				

SURVEY DATE MARCH 14, 2019
SCALE 1" = 30' FILE # 20190075RP
CLIENT RIJU, LTD

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO P2019-

105

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, RIJU LTD PARTNERSHIP, Being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being all of Lots 1 & 2, Block A, Richard Harris Subdivision, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 44 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the west right-of-way of Nash Street, a variable width right-of-way, and in the south right-of-way line of a 30 foot alley and being at the northeast corner of Lot 1, Block A;

THENCE S. 00 deg. 12 min. 03 sec. W. along the west right-of-way line of Nash Street, a distance of 195.68 feet to 1/2" iron rod found for corner in the north right-of-way line of Hartman Street;

THENCE N. 90 deg. 00 min. 00 sec. W. along the north right-of-way line of Hartman Street, a distance of 130.09 feet to 1/2" iron rod found for corner at the southwest corner of Lot 2, Block A;

THENCE N. 00 deg. 05 min. 31 sec. W. along the west line of said Lot 2, a distance of 134.77 feet to a 1/2" iron rod found for corner;

THENCE N. 89 deg. 59 min. 04 sec. E. a distance of 10.20 feet to a 1/2" iron rod found for corner;

THENCE N. 00 deg. 00 min. 17 sec. E. a distance of 63.60 feet to a 1/2" iron rod found for corner in the south right-of-way line of a 30 foot alley;

THENCE S. 88 deg. 43 min. 10 sec. E. a distance of 120.38 feet to the POINT OF BEGINNING and containing 25,036 square feet or 0.57 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as RICHARD HARRIS SUBDIVISION NO. 3, LOTS 3, 4 & 5, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties whohave a mortgage or lien interest in the subdivision have been notified and signed this plat.

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

I also understand the following;

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

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

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

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

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

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or
Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

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

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

_____
RICHARD HARRIS
FOR RIJU LTD PARTNERSHIP

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared RICHARD HARRIS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of RICHARD HARRIS SUBDIVISION NO. 3, LOTS 3, 4 & 5, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

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

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

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

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

_____ _____
City Engineer Date

FINAL PLAT

RICHARD HARRIS SUBDIVISION NO. 3 LOTS 3, 4 & 5, BLOCK A

BEING A REPLAT OF LOTS 1 & 2
BLOCK A
RICHARD HARRIS SUBDIVISION NO. 3
0.57 ACRES OR 25,036 S.F.
(3 LOTS)
B.F. BOYDSTUN SURVEY, A-14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR. COND. UNIT	PROPANE TANK

OWNER:
RIJU LTD PARTNERSHIP
210 GLENN AVENUE
ROCKWALL, TEXAS 75087

SURVEY DATE MARCH 14, 2019
SCALE 1" = 30' FILE # 20190075RP
CLIENT RIJU, LTD

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO P2019-

106

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107

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	April 9, 2019
SUBJECT:	Z2019-005; *Zoning Change (AG to PD) for Heritage Park*

On April 9, 2019, the applicant, Kent Donahue of Donahue Development Corporation, requested that the Planning and Zoning Commission postpone the public hearing for *Case No. Z2019-005* to the *April 30, 2019* Planning and Zoning Commission meeting (*see Exhibit 'A'*). In response to this request the Planning and Zoning Commission approved the postponement by a vote of 7-0. Staff should note that a public hearing will be required to be held on April 30, 2019 (*i.e. the applicant cannot request an additional postponement*), or the application will be administratively withdrawn in accordance with the requirements and procedures of the Unified Development Code (*Section 6.2.C; Article II; UDC*). Furthermore, the applicant has requested to move the City Council meeting to *May 20, 2019*. The proposed public hearing for the creation of the Public Improvement District (PID) will remain *April 15, 2019*. According to Section 6.2, *Public Hearing Postponements*, *Recess, and Continuations*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code, a public hearing may be postponed by announcing the postponement at the public hearing and indicating the time and place the new hearing is scheduled to begin. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

From: Kent Donahue
To: Miller, Ryan
Subject: Heritage Park
Date: Tuesday, April 9, 2019 4:31:26 PM

Ryan – Please allow this to serve as our intent to table the Heritage Park Zoning Request until the 4/30 PZ Meeting and the 5/20 City Council Meeting.

Please let me know if you have any questions.

Thank you for your assistance.

Kent Donahue

Donahue Development Corporation
15443 Knoll Trail
Suite 130
Dallas, Texas 75248
Cell: (214) 354-7881

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110

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	April 15, 2019
APPLICANT:	Mark Pross *of Pross Design Group*
CASE NUMBER:	Z2019-006; *SUP for a Structure Exceeding 60-Feet in Height (SPR)*

SUMMARY

Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a Specific Use Permit (SUP) for a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (*11.3736-acres*); Tract 31 of the R. Ballard Survey, Abstract No. 29 (*8.197-acres*); and, Lot 1-01, Block 1, Indalloy Addition (*14.53-acres*), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.

BACKGROUND

The subject property is a 42.61-acre tract of land located at the terminus of Aluminum Plant Road, which is located at the southwest quadrant of the intersection of East Washington Street and Airport Road. The property was annexed on February 7, 1983 by *Ordinance No. 83-06.* According to the City's historic zoning maps, the subject property has been zoned Light Industrial (LI) District since at least May 16, 1983. In January 2019, the applicant, Carolina Molina of Alvaplast US, Inc. (SPR Packaging), requested approval of a site plan for the purpose of expanding SPR's existing operations. This request was for the first phase of a multi-phase expansion plan. On March 18, 2019, the Planning and Zoning Commission approved the requested site plan [*Case No. SP2019-004*] for Phase 1 for the purpose of constructing an approximately 78,615 SF single-story, warehouse facility (*i.e. SPR Packaging*) on an 11.3736-acre portion of the subject property. Currently, the subject property is vacant, with the exception of the Columbia Extrusion Corporation's existing structures located on the west side of the subject property (*i.e. 8.97-acre portion*).

PURPOSE

The applicant, Mark Pross of Pross Design Group, has submitted a request for a Specific Use Permit (SUP) to allow for structures exceeding 60-feet in height to be located within a Light Industrial (LI) District. The applicant is requesting to allow for a maximum overall height of 100-feet for structures *(i.e. high bay extruders*) that will be located in the areas identified as Phases 2, 3, 4 and 5 as depicted on the concept plan (*i.e. Exhibit 'B'*) contained in the draft SUP ordinance. This area will house the high bay extruders necessary for SPR's business operations. The applicant has stated to staff that SPR's business involves the production of flexible packaging products through a process called extrusion. The extrusion of certain plastics require additional height to process, and SPR has set a maximum height of 100-feet from grade for these structures.

ADJACENT LAND USES AND ACCESS

The subject property is located at the southwest quadrant of the intersection of E. Washington Street and Airport Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the property is Aluminum Plant Road, which provides access to the existing business (*i.e. Columbia Extrusion*) and Airport Road. Beyond Aluminum Plant Road and north of the subject property is a 7.497-acre vacant tract of land that is owned by the Rockwall Community Playhouse. Beyond this property is the Children's Academy Center, which is owned by the Soroptimist Children's Home and is situated on a 2.093-acre tract of land. Adjacent to these tracts and northeast of the subject property is Planned Development District 87 (PD-87), which includes commercial, light industrial and townhome land uses. Adjacent to PD-87 is E. Washington Street, which also delineates the future alignment of SH-66. This roadway is identified as a TXDOT4D (*i.e. four [4] lane, divided highway, owned by the Texas Department of Transportation*) on the City's Master Thoroughfare Plan. North of this thoroughfare is a 67.036-acre public park (*i.e. Harry Myers Park*), which is zoned Light Industrial (LI) District.

South: Directly south of the subject property is the right-of-way for the *Union Pacific Dallas/Garland Northeast Railroad*. Beyond this is the existing SPR Packaging facility, which is situated on a 10.1893-acre parcel of land identified as *Lot 2, Block A, SPR Packaging Addition.* Adjacent to and west of the SPR Packaging facility is an 8.971-acre (*i.e. Lot 3, Block A, Whitmore Manufacturing Addition*) vacant parcel of land. Both of these properties are zoned Light Industrial (LI) District.

East: Directly east of the subject property is the Leon Tuttle Athletic Complex (*i.e. Lot 2, Rockwall Service Center & Park Addition*). Adjacent to Leon Tuttle Athletic Complex is the City of Rockwall Service Center (*i.e. Lot 1, Rockwall Service Center & Park Addition*). Both of these properties are zoned Light Industrial (LI) District and have adjacency to the following roadways: E. Washington Street, Airport Road, and Industrial Boulevard. These roadways are all identified as a M4U (*i.e. minor collector, four [4] lane, roadway*) on the City's Master Thoroughfare Plan.

West: Directly west of the subject property is an 8.197-acre tract of land and a 14.53-acre parcel of land (*i.e. Lot 1-01, Block 1, Indalloy Addition*). Both of these properties are zoned Light Industrial (LI) District. Situated on these properties is a large industrial building and various other improvements. Beyond these properties, and west of the subject property, are *Phases 2 & 3* of the *Park Place Subdivision*, which contain 94 single-family residential lots. This property is zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) and Single-Family 7 (SF-7) District land uses.

CHARACTERISTICS OF THE REQUEST

The construction for all of the buildings will be composed of tilt-up wall construction, matching their existing building located just south of and adjacent to the subject property. The area's extending above the tilt-up wall construction, which enclose the high bay extruders will have pre-finished metal panels. These metal panels will have a height of not more than 100-feet. The applicant has provided conceptual building elevations and a phasing plan indicating uniformity with each phase being planned. These elevations will require a recommendation by the Architectural Review Board (ARB) prior to being considered by the Planning and Zoning Commission during the site plan review.

Due to the height of the structures being requested, the applicant submitted a screening plan with the site plan for Phase 1 (*i.e. Case No. SP2019-004*) showing the incorporation of a thick vegetative screen being incorporated adjacent to the north and west property lines. The applicant has provided staff with this same landscape screening plan, which has been incorporated in the draft SUP ordinance and will be required to be built with Phase 1 of the development per this ordinance. Additionally, the applicant has provided a line of site study that evaluates the visual impacts of the proposed structures from Justin Road, E. Washington Street, and the Park Place neighborhood. Photographs were also included indicating superimposed structures and their visibility based on direction and topography of these areas. A development plan submitted by the applicant indicates an area where the maximum height of

structures is limited to 100-feet and that this area is a minimum distance of 500-feet from the west property boundary (*i.e. Park Place Addition*) and 132-feet from Industrial Road. It should be known that within a Light Industrial (LI) District, the rear yard setback for a structure adjacent to a residential district is a minimum of 20-ft + ½ of the building height greater than 36-feet [*i.e. 20-ft + (60-ft – 36-ft = 24-ft/2)*]. This means the minimum rear setback in this case would be 32-feet from the west property line.

CONFORMANCE WITH THE CITY'S CODES

Subsection 5.01, *General Industrial District Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), states that "(*a)ll structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Section 7.03*." Based on this, the maximum height for any structure within a *Light Industrial* (LI) *District* is 60-feet; however, a "(b)uildings height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council." The applicant is requesting to allow for a maximum overall height of 100-feet for Phases 2, 3, 4 and 5, which will house the high bay extruders processed with this SUP.

According to Subsection 5.6, *Screening from Residential Uses*, of Section 5, *Mandatory Provisions*, of Article VIII, *Landscape Standards*, of the Unified Development Code (UDC), non-residential developments that are adjacent to or directly across the street from a residential development should incorporate a minimum ten (10) foot landscape buffer that incorporates trees on 50-foot centers. In this case, the applicant is providing a 50-foot landscape buffer with the addition of evergreen and Live Oak trees along the western and northern property boundaries. The proposed landscape plan exceeds the minimum requirements of the UDC and has been included as a condition of approval in the draft SUP ordinance.

STAFF ANALYSIS

When analyzing the applicant's request (*i.e. structures exceeding 60-feet in height*), and given the need for the additional height required for the high bay extruders, the applicant has provided staff with a landscape screening plan and line of sight study that attempts to mitigate the visual impact of the proposed structures. The applicant has also provided a development plan assuring that the 100-foot tall structures will not be closer than 500-feet from the existing or future home sites within the Park Place Subdivision. Additionally, and with the exception of PD-59 (*i.e. Park Place Addition*) and a vacant 1.945-acre tract of land zoned Agricultural (AG) District located at the intersection of E. Washington Street and Airport Road, the surrounding properties adjacent to the subject property are zoned Light Industrial (LI) District. With this being said, a request for a Specific Use Permit (SUP) is discretionary for the City Council.

NOTIFICATIONS

On March 29, 2019, staff mailed 99 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Park Place Homeowner's Associations (*HOA's*), which is the only HOA located within 1,500-feet of the *subject property* participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the *subject property*, and advertised the public hearings in the Rockwall Herald Banner as required by the UDC. At the time this case memo was drafted staff had received six (6) notices [*two* (2) *from SPR*] & three (3) emails in favor, two (2) notices & two (2) emails opposing, and one (1) email undecided regarding the request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) to allow structures to exceed 60-feet in height within the Light Industrial (LI) District, then staff would propose the following conditions of approval:

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

a) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the draft SUP ordinance; and,

b) The maximum overall height of the buildings and/or structures shall not exceed 100-feet, as depicted in *Exhibit 'C'* of the draft SUP ordinance; and,

c) The building elevations depicted in *Exhibit 'C'* of the draft SUP ordinance are for reference to the height of the extruder bays for all phases (*i.e. phase 2, 3, 4, & 5*), and do not represent approved building elevations. Any building elevations associated with the project shall be subject to the requirements of the Unified Development Code (UDC), reviewed by the Architectural Review Board, and approved by the Planning and Zoning Commission [*and City Council if applicable*]; and,

d) Future expansion of the site [*i.e. Phases 3, 4, and 5*] should have all silos placed on the southern portion of the subject property, adjacent to the railroad tracks, as depicted in *Exhibit 'B'* of the draft SUP ordinance; and,

e) The subject property shall provide and maintain a landscape screening buffer along the western and northern property boundaries [*i.e. Overall Landscape Plan*], as depicted in *Exhibit 'D'* of the draft SUP ordinance and shall be constructed with Phase 1 of the development; and,

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

PLANNING AND ZONING COMMISSION

On April 09, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) to allow for structures exceeding 60-feet in height within a Light Industrial (LI) District and with staff conditions passed by a vote of 5 to 2 with Commissioners Chodun and Logan dissenting.



City of Rockwall

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

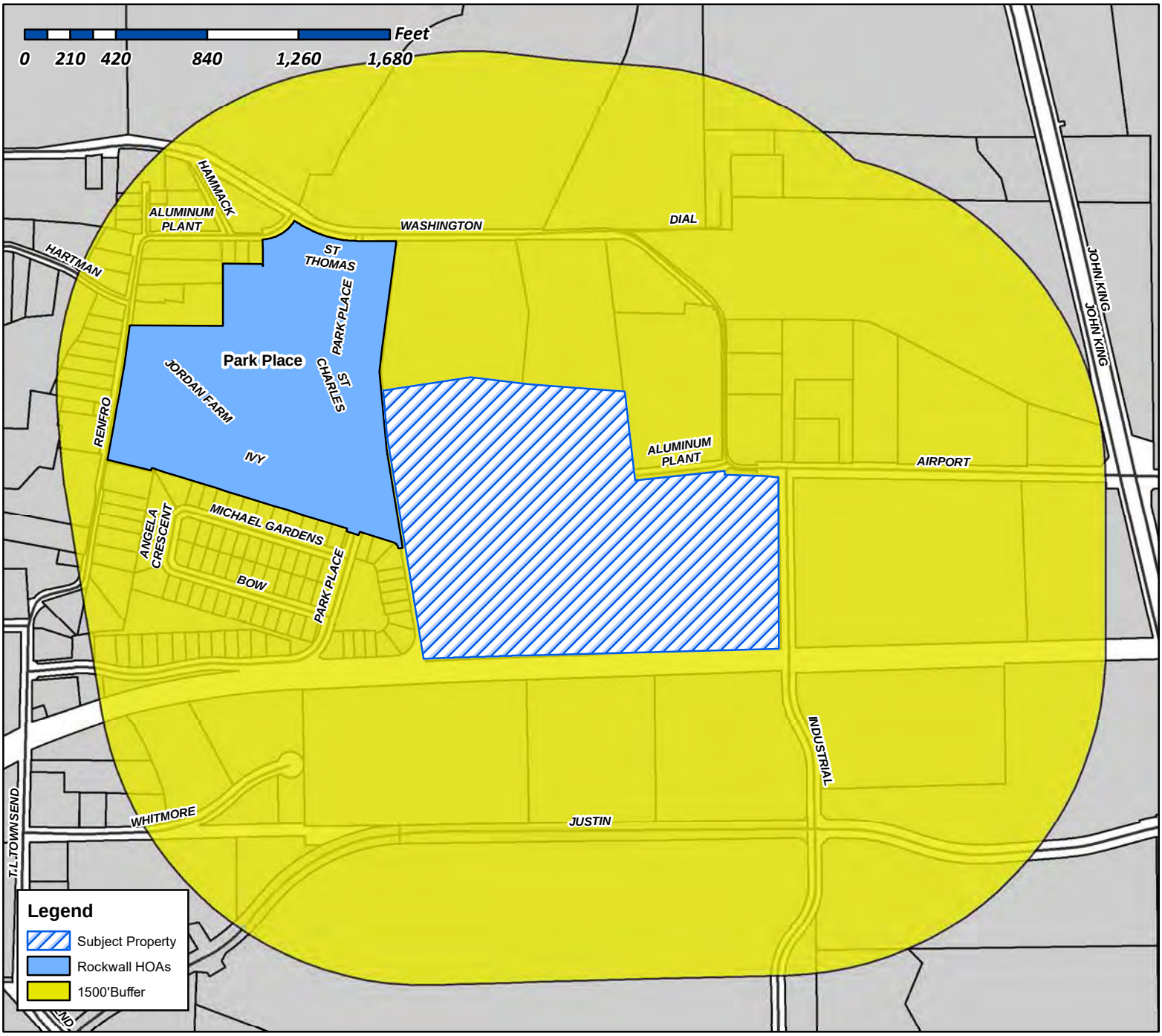
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

115

City of Rockwall

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

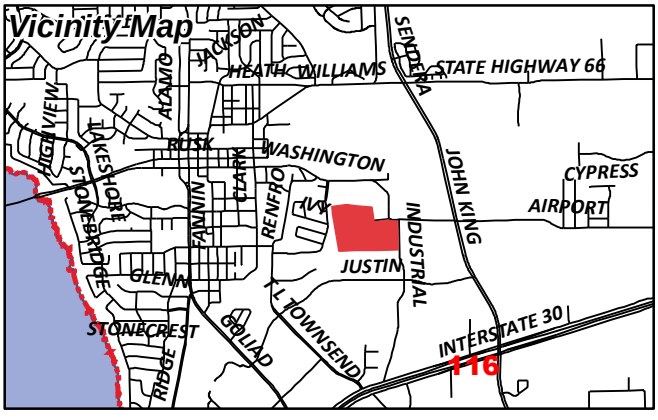
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Case Number: Z2019-006
Case Name: SUP for SPR Packaging
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: SW Corner of Industrial Blvd. and Airport Road

Date Created: *3/18/2019*

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



Gonzales, David

From: Morales, Laura
Sent: Friday, March 22, 2019 2:20 PM
To: [redacted]
Cc: Miller, Ryan; Gonzales, David; Brooks, Korey
Subject: Neighborhood Noification Program: Notice of zoning request
Attachments: PUBLIC NOTICE.PDF; HOA Map.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***March 22, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 4/9/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday 4/15/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-006- Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a Specific Use Permit (SUP) for a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (*11.3736-acres*); Tract 31 of the R. Ballard Survey, Abstract No. 29 (*8.197-acres*); and, Lot 1-01, Block 1, Indalloy Addition (*14.53-acres*), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

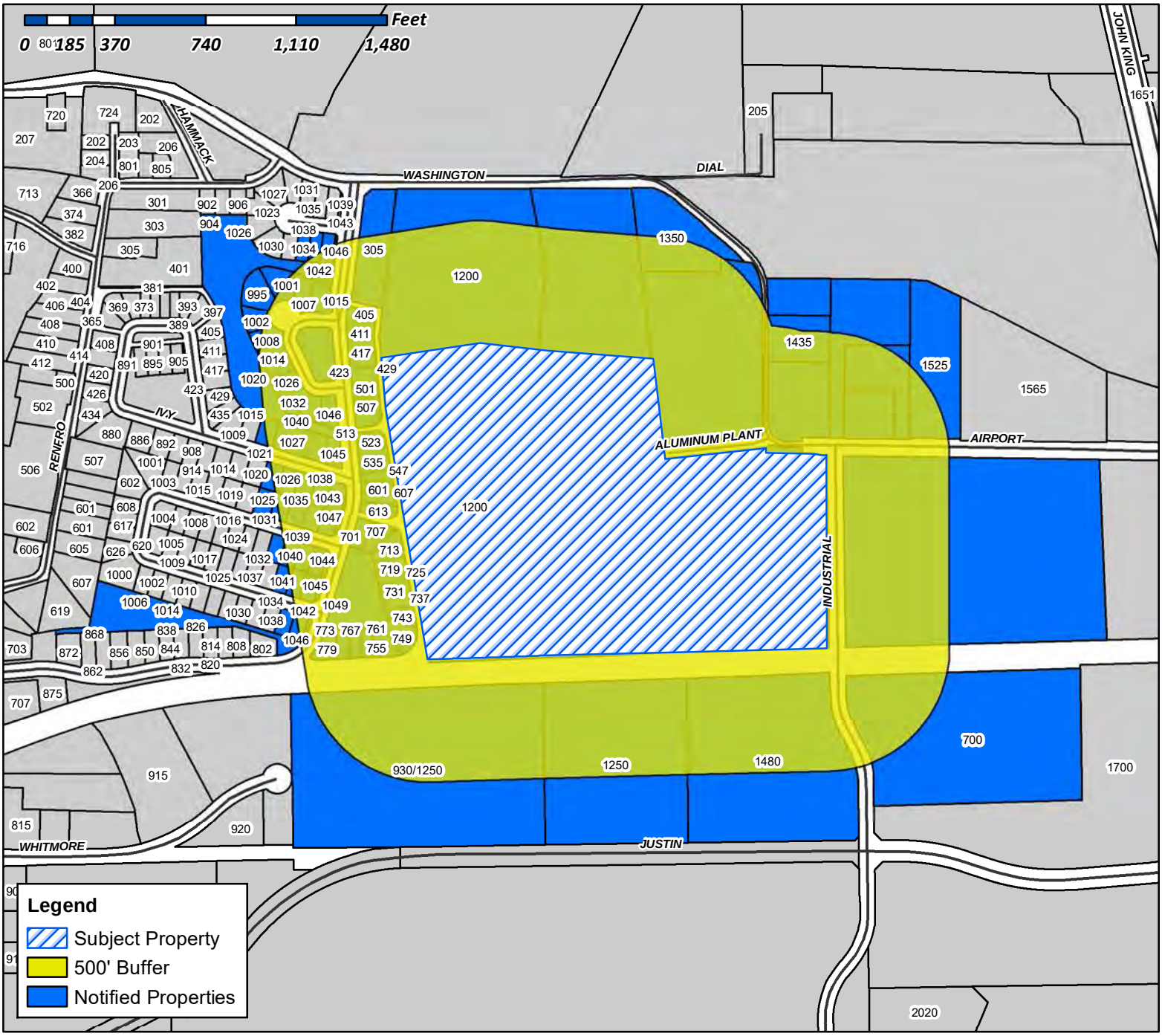
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com/planning/

City of Rockwall

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

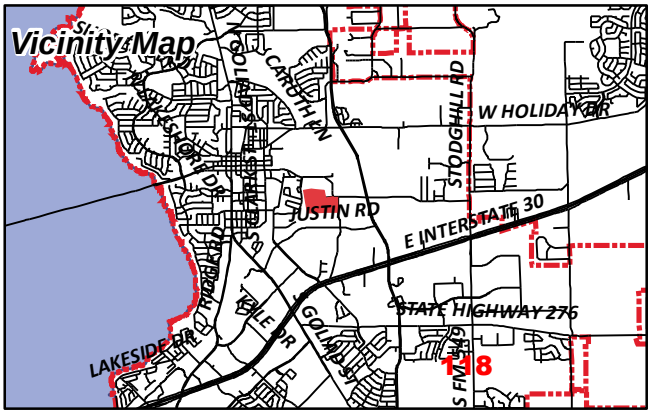
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Case Number: Z2019-006
Case Name: SUP for SPR Packaging
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: SW Corner of Industrial Blvd. and Airport Road

Date Created: *3/18/2019*

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



CURRENT RESIDENT
1001 ST CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1002 ST CHARLES CT
ROCKWALL, TX 75087

TROSPER MARK AND GLORIA
1007 ST. CHARLES CT
ROCKWALL, TX 75087

TROSPER MARK AND GLORIA
1007 ST. CHARLES CT
ROCKWALL, TX 75087

ROLLINS DANNY & JONNA
1008 SAINT CHARLES CT
ROCKWALL, TX 75087

PODINA HERB AND LAURA
1014 SAINT CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1015 ST CHARLES CT
ROCKWALL, TX 75087

DAVID DAVID A AND CHRISTINE A
1020 SAINT CHARLES CT
ROCKWALL, TX 75087

DAVIS SHAUNTE AND JACOB
1021 IVY LN
ROCKWALL, TX 75087

FECHT JARED W & JULIE
1026 IVY LN
ROCKWALL, TX 75087

YOUNG PHIL & KATHY
1026 SAINT CHARLES COURT
ROCKWALL, TX 75087

CURRENT RESIDENT
1027 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1031 MICHAEL GARDENS
ROCKWALL, TX 75087

CURRENT RESIDENT
1032 IVY LN
ROCKWALL, TX 75087

FIELDS SHAY AND JONI
1032 ST CHARLES COURT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
1034 ST THOMAS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1035 MICHAEL GARDENS
ROCKWALL, TX 75087

CURRENT RESIDENT
1036 MICHAEL GARDENS
ROCKWALL, TX 75087

CURRENT RESIDENT
1038 ST THOMAS CT
ROCKWALL, TX 75087

ALMQUIST DANA
1038 IVY LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1039 MICHAEL GARDENS
ROCKWALL, TX 75087

KRAEMER TERESA A
1039 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1040 MICHAEL GARDENS
ROCKWALL, TX 75087

HOULE GARY AND AYURNI NAKAMURA
1040 SAINT CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1041 BOW ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1042 BOW ST
ROCKWALL, TX 75087

SOMMER RICHELLE AND RICHARD
1042 SAINT THOMAS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1043 MICHAEL GARDENS
ROCKWALL, TX 75087

CURRENT RESIDENT
1044 MICHAEL GARDENS
ROCKWALL, TX 75087

SMITH TAMMY WILLIAMS AND RICHARD
1044 IVY LN
ROCKWALL, TX 75087

SMITH RICHARD AND TAMMY
1044 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1045 BOW ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1045 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1046 BOW ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1046 ST THOMAS CT
ROCKWALL, TX 75087

VRANA MARK AND
1046 SAINT CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1047 MICHAEL GARDENS
ROCKWALL, TX 75087

CURRENT RESIDENT
1048 MICHAEL GARDENS
ROCKWALL, TX 75087

CURRENT RESIDENT
1049 BOW ST
ROCKWALL, TX 75087

CONFIDENTIAL
1050 IVY LANE
ROCKWALL, TX 75087

ZAPH & ATH PROPERTIES LLC
1125 WATERSIDE CIR
ROCKWALL, TX 75087

ZAPH & ATH PROPERTIES LLC
1125 WATERSIDE CIR
ROCKWALL, TX 75087

ZAPH & ATH PROPERTIES LLC
1125 WATERSIDE CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
1200 E WASHINGTON
ROCKWALL, TX 75087

CURRENT RESIDENT
1200 E WASHINGTON
ROCKWALL, TX 75087

CURRENT RESIDENT
1250 JUSTIN RD
ROCKWALL, TX 75087

CURRENT RESIDENT
1350 E WASHINGTON
ROCKWALL, TX 75087

CURRENT RESIDENT
1435 E WASHINGTON ST
ROCKWALL, TX 75087

ALVAPLAST US INC
1480 JUSTIN RD
ROCKWALL, TX 75087

ALVAPLAST US DEVELOPMENT LLC
1480 JUSTIN ROAD
ROCKWALL, TX 75087

ALVAPLAST US DEVELOPMENT LLC
1480 JUSTIN ROAD
ROCKWALL, TX 75087

CURRENT RESIDENT
1525 AIRPORT RD
ROCKWALL, TX 75087

JACKSON JOEY W AND ANITA L
1725 SHEFFIELD DR
GARLAND, TX 75040

LAKEVIEW SUMMIT PROPERTIES LLC
1870 HILLCROFT DR
ROCKWALL, TX 75087

P & P ENTERPRISES
230 MYERS RD
HEATH, TX 75032

SHERMAN JOCELYN D
233 WILLINGHAM DR
COPPELL, TX 75019

COLUMBIA EXTRUSION CORP
305 PARK PLACE BLVD
ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
305 PARK PLACE BLVD
ROCKWALL, TX 75087

LAKES REGIONAL MHMR CENTER
400 AIRPORT RD
TERRELL, TX 75160

BARRON GARY S AND DELL S
405 PARK PLACE BLVD
ROCKWALL, TX 75087

JONES KENNETH AND CINDY
411 PARK PLACE BLVD
ROCKWALL, TX 75087

COLBERT PHILIP AND MARGIE
417 PARK PLACE BLVD
ROCKWALL, TX 75087

HARGROVE ADRIANA
423 PARK PLACE BOULEVARD
ROCKWALL, TX 75087

MORGAN WILBUR J AND NANCY F
429 PARK PLACE BLVD
ROCKWALL, TX 75087

LOVOI JOSEPH J SR AND VELMA J
501 PARK PLACE BLVD
ROCKWALL, TX 75087

CONFIDENTIAL
507 PARK PLACE BLVD
ROCKWALL, TX 75087

GARCIA MELISSA P AND
513 PARK PLACE BLVD
ROCKWALL, TX 75087

BLACKWOOD SCOTT W & GLENITA G
5205 S FM 549
ROCKWALL, TX 75032

MOORE CONNIE JO
523 PARK PLACE BLVD
ROCKWALL, TX 75087

EMERT BLAKE AND HANNAH
535 PARK PLACE BLVD
ROCKWALL, TX 75087

HENRY PATRICIA A
541 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
547 PARK PLACE BLVD
ROCKWALL, TX 75087

BAYS JACOB M
5602 YACHT CLUB DR.
ROCKWALL, TX 75032

DUKE JERI L
5911 PINEY BIRCH COURT
KINGWOOD, TX 77345

CURRENT RESIDENT
601 PARK PLACE BLVD
ROCKWALL, TX 75087

SCHRADE JAMES E AND MITZY H
607 PARK PLACE BLVD
ROCKWALL, TX 75087

ROCKWALL COMMUNITY PLAYHOUSE
609 E RUSK ST
ROCKWALL, TX 75087

CURRENT RESIDENT
613 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
700 INDUSTRIAL
ROCKWALL, TX 75087

CONTINENTAL PET TECHNOLOGY
700 INDIAN SPRINGS DR STE 100
LANCASTER, PA 17601

CURRENT RESIDENT
701 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
707 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
713 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
719 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
725 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
731 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
737 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
743 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
749 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
755 PARK PLACE BLVD
ROCKWALL, TX 75087

121

CURRENT RESIDENT
761 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
767 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
773 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
779 PARK PLACE BLVD
ROCKWALL, TX 75087

BENEDETTO MATT
907 W HOLIDAY RD
ROCKWALL, TX 75087

WHITMORE MANUFACTURING CO
930 WHITMORE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
930/1250 JUSTIN RD
ROCKWALL, TX 75087

MARTIN CHARLES TED & RHONDA K
995 ST CHARLES CT
ROCKWALL, TX 75087

SOROPTIMIST INT'L OF ROCKWALL
PO BOX 372
ROCKWALL, TX 75087

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

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

To Whom It May Concern:

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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We think they will be good neighbors.
Only concern is the proposed height.
If they (SPR) could find way to reduce height
there would be no reservations at all.
They are the known vs. the unknown which could be worse
therefore we vote in favor.

Name: David + Christine David

Address: 1020 St Charles Ct

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We are Concerned about the height of building and the visual, but we are in favor of Supporting the request - We are in favor, because of the steps SRP Packaging has agreed to take to minimize the impact of the look of these buildings. They also seem to care about the Neighborhood.

Name: Jonna & Danny Rollins

Address: 1008 Saint Charles Ct. Rockwall

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125

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Director of Planning & Zoning

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

RECEIVED
MAR 26 2019
By

- Addition to tax base
- Additional jobs
- Good use of land (vs. alternatives possibly)

Name: Marcus McKee (SPR Packaging)

Address: 1460 Justin Rd Rockwall, TX 75087

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RECEIVED
MAR 26 2019
By

- Addition to tax base.
- Additional jobs
- Good use of land (vs alternatives possible)

Name: Santiago Diaz (Alvaplast US Inc & Alvaplast US Development LLC)

Address: 1486 Justin Road, Rockwall TX 75087.

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Site line study finds no adverse impact on PhIII. Quiet operation, no odors, chemicals or emission make this a good neighbor for Park Place considering this property is and will remain industrial property.

Name: CuBricker CuBricker

Address: 305 Park Place Blvd. Rockwall 75087 214-801-6157 cell

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Gonzales, David

From: Planning
Sent: Thursday, March 28, 2019 9:34 AM
To: Gonzales, David
Subject: FW: SPR SUP

From: Rick Johnson [redacted]
Sent: Thursday, March 28, 2019 9:03 AM
To: Planning <planning@rockwall.com>
Subject: SPR SUP

Dear Mayor Pruitt, Council Members and Planning and Zoning,

As a HOA member of Park Place, Board of Director for the REDC, City of Rockwall ARB member, Vice President of the CASA Board of Directors and a citizen of Rockwall I hereby whole heartedly approve SPR's SUP to build to 100ft if necessary. I have resided in Park Place for 8 years now and was always concerned about what could possibly be built next door to our wonderful community. Having a great understanding of all of this due to my job and community involvement I have spoken with Park Place neighbors, SPR, and the city to have a complete understanding that SPR plans to do everything in their power to not effect Park Place in a negative way. I feel it is very important to both Park Place and Rockwall to see the big picture and the future of this project.

Feel free to contact me with any questions you may have.

Sincerely,

Rick Johnson

Rick Johnson, REALTOR
Director of Business Development



RE/MAX Landmark
Recognized Respected Recommended

Office 972-771-7575
Cell 214-883-3807

The Texas Real Estate Commission requires all license holders to provide the Information About Brokerage Services to prospective clients.

CONSUMER PROTECTION NOTICE

Gonzales, David

From: Deanna Allison [redacted]
Sent: Tuesday, April 9, 2019 1:14 PM
To: Gonzales, David
Cc: Sr. David A. David
Subject: SPR Height Variance

Mr. Gonzales,

I live at 886 Ivy Lane in Park Place Development and have closely monitored SPR's plan to ask for a 100 foot height variance.

After reviewing all of the information and data that has been presented, I approve SPR's height variance with the condition that all terms offered by SPR be fulfilled.

Thank you for your thorough review of this project.

Gonzales, David

From: Philip Colbert <[redacted]>
Sent: Monday, April 8, 2019 6:04 AM
To: Pruitt, Jim; Fowler, Kevin; Daniels, Bennie; Hohenshelt, John; Johannesen, Trace; Macalik, Dana; Trowbridge, Patrick; Gonzales, David
Subject: SUP for SPR

Hello to you all. I'm Phil Colbert of 417 Park Place Blvd in Rockwall. Yesterday afternoon I got a chance to hear about and review the related line-of-sight renderings you so graciously funded. This review confirmed what I had already concluded which is that the pro's for this SUP outweigh the con's. I think that SPR should be allowed to proceed.

Thank you for funding this study and for being so diligent in this and the many other tasks you undertake for the citizens of Rockwall. I value your work.

Phil Colbert

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **4/15/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-006: SUP for SPR Packaging

Please place a check mark on the appropriate line below:

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

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

Oppose due to the unsightliness in view of our charming neighborhood. They could move further down 30'. Thank you

Name: Joe & Anita Jackson

Address: 1032 Ivybrand - Rockwall, Tx 75087

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

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

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

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

To Whom It May Concern:

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

Case No. Z2019-006: SUP for SPR Packaging

Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a Specific Use Permit (SUP) for a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/9/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 4/15/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **4/15/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-006: SUP for SPR Packaging

Please place a check mark on the appropriate line below:

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

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

We do NOT!! want this!!!
100% agnst this!!
They can dig down 60 FT if they need it that badly

Name: Matt Benedetto

Address: 1027 Fuy lane.

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

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

Gonzales, David

From: Planning
Sent: Thursday, March 28, 2019 10:38 AM
To: Gonzales, David
Subject: FW: Herb Podina 1014 Saint Charles Ct

From: Herb Podina (via Google Docs) [redacted]
Sent: Wednesday, March 27, 2019 10:49 PM
To: Planning <planning@rockwall.com>
Subject: Herb Podina 1014 Saint Charles Ct

Herb Podina has shared a link to the following document:

Herb Podina 1014 Saint Charles Ct

For the up coming P & Z hearing of SPR PACKAGING 4/9/19 and City Council hearing 4/15/19 .

Open in Docs

Google Docs: Create and edit documents online.
Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because someone shared a document with you from Google Docs.

Herb Podina 1014 Saint Charles Ct. Rockwall.

We moved to Rockwall 15 years ago and we've lived 2 of those years in Park Place … which is next to the proposed SPR building sight.
We moved from Rowlett because their idea of restrictions and regulations were not up to our standards. We got tired of seeing privacy fences ,which did not match, along main roads and poorly developed industrial parks. Rockwall had a better plan which was clear to see.
SPR is asking for an SUP to put up a building to exceed the 60 ft height limit by 40 ft for a TOTAL OF 100 FT.
Oh I'm sure they are going to sing a good song as to how they intend to dress it up …. but let's face some real facts.
When SPR purchased the first lot and built on it …. I find it hard to believe they didn't have a plan to include the next group of buildings they are now proposing.
A 100 ft tall building on one of the highest points in Rockwall, can not be hidden by trees and shrubs unless you're talking about putting 2000 year old REDWOODS or west coast SEQUOIA Trees.
If they try to compare it to the County Courthouse , the Trend building , or the Stadium …. They are comparing apples to oranges. What I mean is ….. The Courthouse is a true Rockwall landmark that speaks for itself when you look at it. The Trend Building also speaks for itself with it's great architecture and unmistakable presence as a professional building.And I've had out of town friends marvel at the incredible Stadium we have. All three of these are seen from I-30 and everyone knows exactly what they are. If SPR builds this monster of a building , it will dwarf all three of these and people will be asking WHAT IS THAT ! I'll tell them it's Rockwalls new landmark.
Rockwall is so fortunate to have Harry Myers Park and there isn't another like it for miles. I invite everyone to walk it and imagine a 100 ft tall building sitting to the south , towering over SPR'S existing structure.
There is a wonderful ball park across the street which it will tower over as well. I am asking the board to REFUSE the SUP regarding this structure.

With this being said ….. We are adamantly against the SUP of 100 ft proposed by SPR.

138

Gonzales, David

From: Planning
Sent: Tuesday, April 2, 2019 8:12 AM
To: Gonzales, David
Subject: FW: Case No. Z2019-006 SUP for SPR Packaging

Expires: Thursday, April 11, 2019 12:00 AM

From: Michael Rasmussen [redacted]
Sent: Monday, April 1, 2019 10:12 PM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-006 SUP for SPR Packaging

Case No. Z2019-006 SUP for SPR Packaging

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

1) I live directly behind the development on Park Place Blvd. I always knew we could have some structure up to 60 feet but never 100
2) Although the 100 foot request is for a structure further south of my home it still appears that any building impacting Park Place II or the new III will impact my property values.
3) I recognize the current SPR facility has a SUP at 72 feet? I don't feel anything taller should even be considered without some restrictions. I don't understand why we have to allow even taller ones just North and closer to our development.
   a) In light of the fact that this development has multiple phases, any allowed variance should be restricted to only the current phase as far east as possible. (with all truck traffic exiting east)
   b) Future phases that build further west should have restrictions to stay at the current 60 foot allowance or be tied to additional review/approval
   c) Trees and landscaping noted in initial proposal (2 layers) should have irrigation and continued site maintenance to ensure they grow fast vs. suffering potential drought years.

Michael and Delila Rasmussen
507 Park Place Blvd
Rockwall TX 75087

Undecided

Gonzales, David

From: Laura Podina [redacted]
Sent: Tuesday, April 9, 2019 9:26 AM
To: Gonzales, David
Subject: Z2019-006

SPR is asking for a SUP to exceed the 60ft allowable structure in the city limits they are asking for up to 100ft. We meaning the community of Park Place located next to the current aluminum plant have met with SPR and although I didn't tour the current SPR facility all appeared to be impressed with the current operation (cleanliness, professional, quiet, and odor free).
SPR has appeared to go the extra mile to make us feel confident they will be good neighbors, and I am thankful for that. If the city is seriously considering allowing SPR to build tee facility buildings up to 100 feet then please consider this.

- What will the traffic be down Washington if they were to come off I30 on bad traffic days? How will that affect our roads?
- Consider this...can they build **down** and not up 40 feet above your designated structure height? Can they meet us half way - build 20 feet down and 20 feet above ground level?
- They have agreed to add a 500 foot cushion between SPR and Park Place phase III - can they add a berm to this and plant trees on top of the berm and not at ground level; that would give us more protection.

We have seen recent line of sight drawings that show it is unlikely that we will see the build {s) and in all honesty we saw very little of the building. I did notice that the drawings depicted our line of sight of SPR's with the trees in full in bloom and not in the cold of winter when they loose their leaves. There's a reason why the City of Rockwall has set the city ordinance limit to 60 feet and please don't loose sight of that. Do we want a building so tall to be a focal point in our city, only you can answer to that? If the city must consider this, it is my hope that they consider stipulations that will protect Park Place.

You ask if I am for or against, I have to wonder if we disapprove what can come in place of this? I am on the fence!

Thank you for your time and consideration.
Laura Podina
1014 Saint Charles Ct.
Rockwall, TX 75087

Laura

navymom910@aol.com

SPECIAL USE PERMIT DESIGN REQUEST NARRATIVE
SPR NORTH PHASE 2

On behalf of SPR Packaging, we are representing the Owner in the design of the new facility, SPR Packaging North, which will be north of their current facility at 1480 Justin Road. As you are aware, SPR's business involves the production of flexible packaging products through a process called extrusion. The extrusion of plastic requires height to process the film and depending on the width of the film, technology improvements and number of layers, that height may vary. In order to be able to accommodate new equipment that will allow SPR Packaging to compete in new markets and expand their business, a maximum height of 100 feet above finish floor in a specific area of the property is required. This exceeds the current allowable height for buildings by 40', therefore the Owner requests a variance to allow the 100' maximum. This variance would apply to the Phase 2 portion of the building, as well as future expansion phases within the extrusion area defined in the site drawings. SPR Packaging had previously received a Special Use Permit for the 75' high extruder section for their existing building on Justin Road. See Elevations and Site Plan.

Based on initial Zoning Commission concerns, I have provided additional Exhibits for consideration.

1. As part of the Phase 1 Building project, the Owner is willing to provide screening from the far west property line abutting the adjacent residential use and the commercial zone to the north. We propose to add fast growing, tall, screening trees to close the open gap between the southeast corner of the residential property and well past the existing aluminum Warehouse, which is to be renovated in the future, and extend it to cover the north fence line.
2. A visual impact study was conducted to evaluate estimated building visibility from the most significant points of view. See 'Line of Site' Exhibits.
3. Elevation drawings showing the requested height of the extruder roof to 100' maximum.
4. Architectural Site Plan.
5. Site drawing showing Extrusion area limited to 500 feet away from Park Place Neighborhood and future development, 132 feet away from Industrial Road and 500 feet from south property line.
6. Building Entry Rendering.

Sincerely,

Mark Pross
President

Attachment: Line of Site Exhibits
Revised Site and Elevation Drawings



NORTH

1 AERIAL PERSPECTIVE SITE PLAN
SCALE: N.T.S.

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drawn:
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MARK W. PROSS
date:

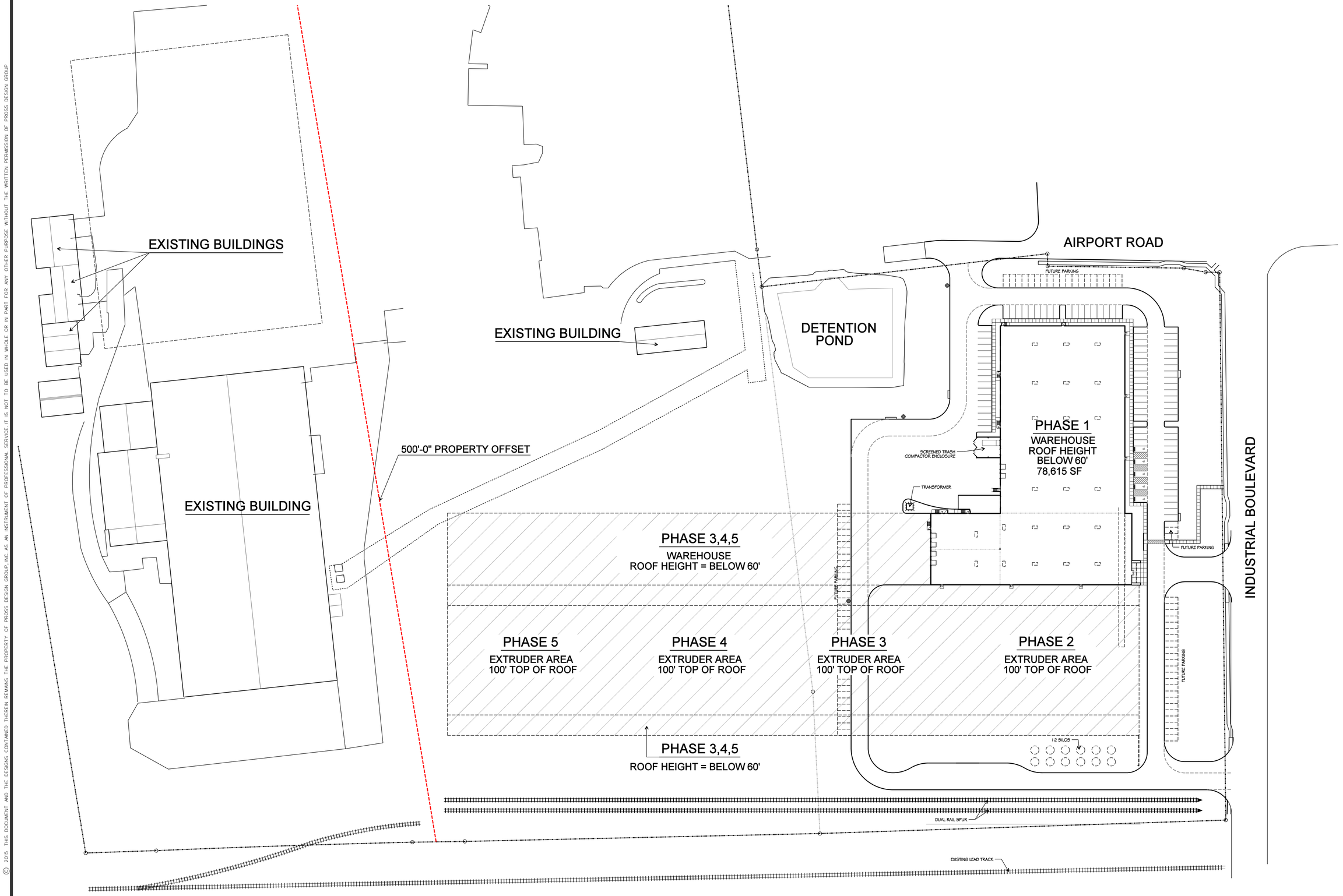
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REGISTERED ARCHITECT MARK W. PROSS STATE OF TEXAS
EXPIRES 08/31/2019

pross design group, incorporated
5310 Harvest Hill Road, Suite 180, Dallas, Texas 75230, 972/759-1400

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

job no
1850
sheet
SITE PLAN



1 SITE PLAN
SCALE: 1"=60'-0"

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date: 03/15/2019

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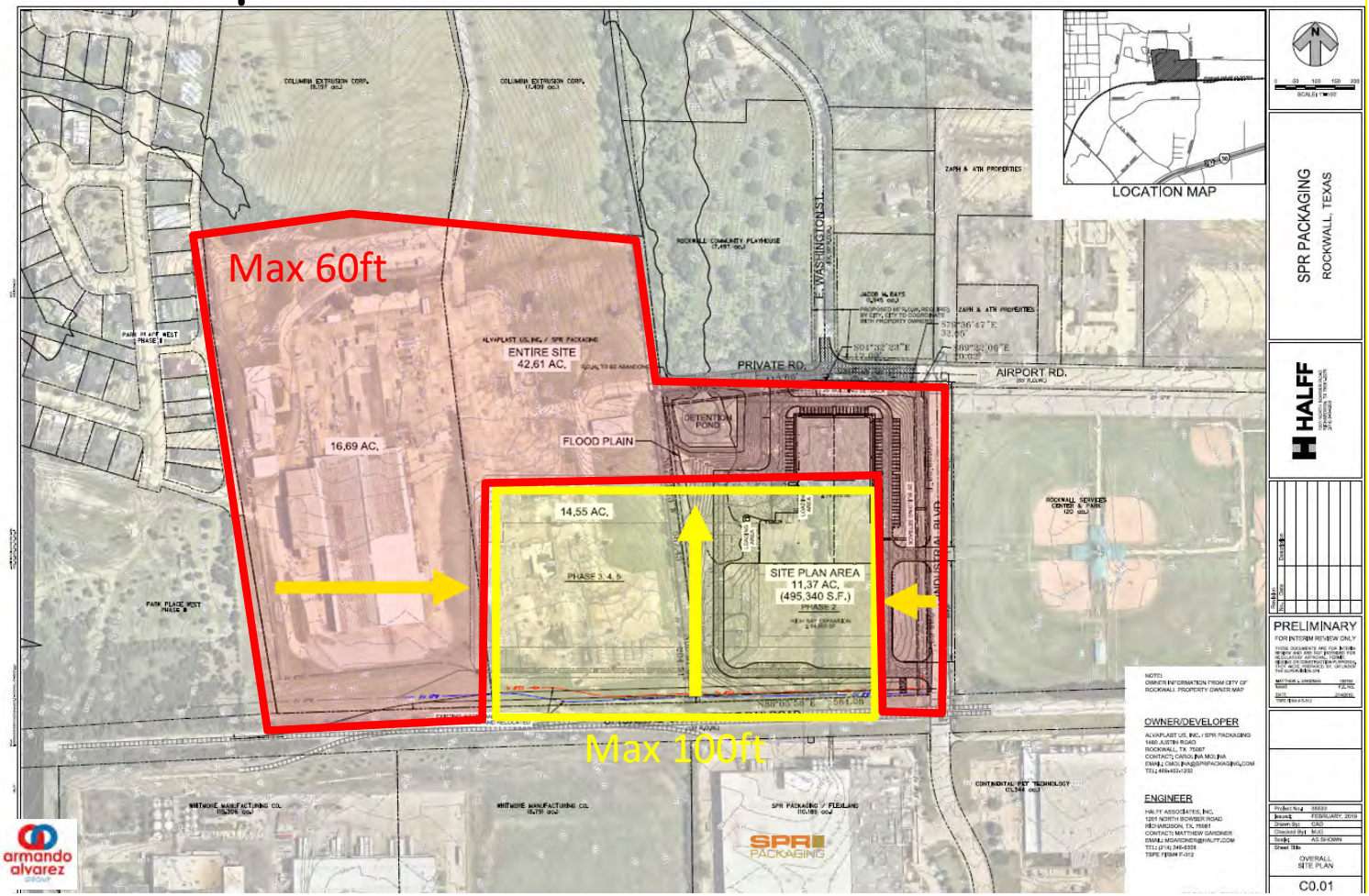
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EXPIRES: 08/31/2019

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5310 Harvest Hill Road, Suite 190, Dallas, Texas 75230. 972/759-1400

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

job no 1850
sheet A1.0

Development Plan



Area where we will apply the SUP
(documented in application)

- **500 ft off west property line**
- **132 feet off east property line**
- **Within 500 ft of south property line towards the north**

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OVERALL LANDSCAPE PLAN

SCALE: 1" = 80'-0"

0 40 80 160

BELLE FIRMA
4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

drawn: NAY
checked KAH
date: 01/15/19

#	DATE	DESCRIPTION
	02/14/19	CITY COMMENTS

PROGRESS SET - FOR REVIEW ONLY
ISSUED
03.04.19
These documents are NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION.
They were prepared by, or under the supervision of:
Kori Ann Haug
TX Registered Landscape Architect #2246

pross design group, incorporated
5510 Harvest Hill Road, Suite 160, Dallas, Texas 75230. 972/759-1400

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

job no

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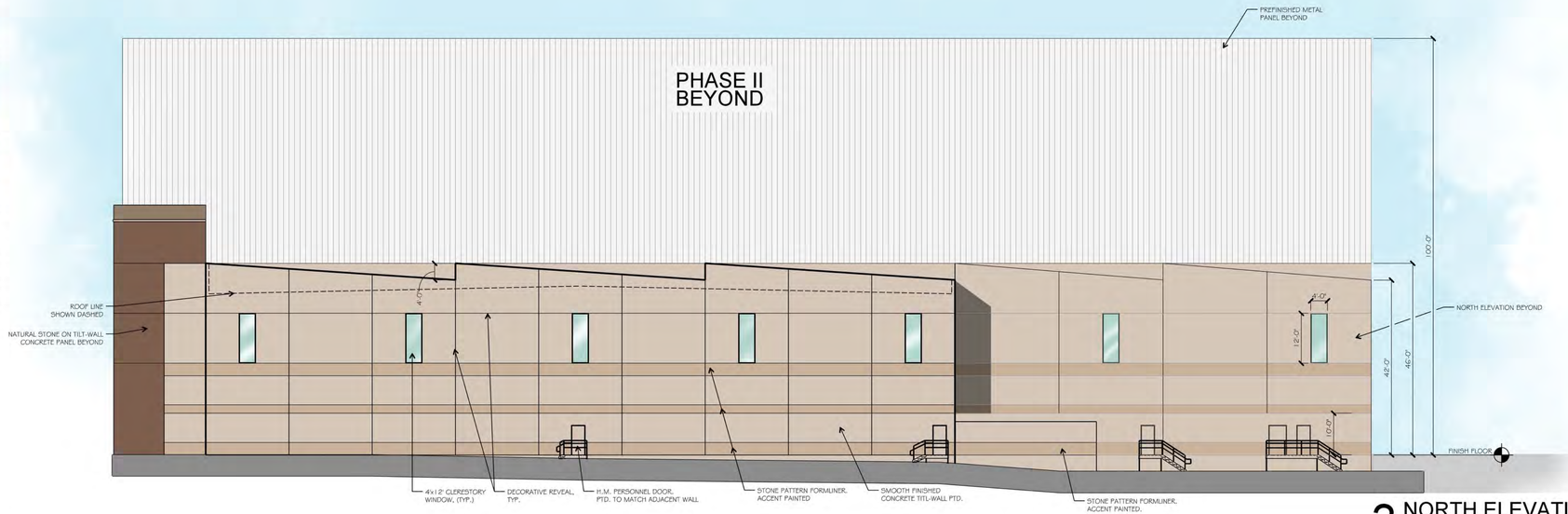


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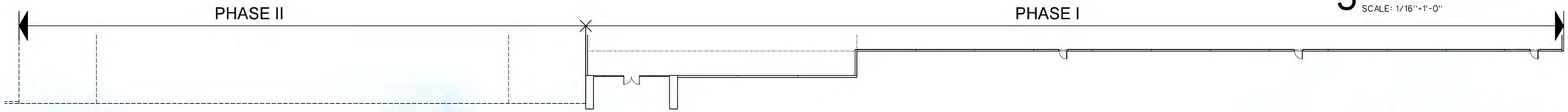
PAINT SCHEME LEGEND
A - BASE COLOR
SHERWIN WILLIAMS - SW9085 TOUCH OF SAND
B - ACCENT COLOR 01
SHERWIN WILLIAMS - SW 7518 BEACH HOUSE
C - ACCENT COLOR 02
SHERWIN WILLIAMS - SW 7550 RESORT TAN

FACADE MATERIAL CALCULATIONS

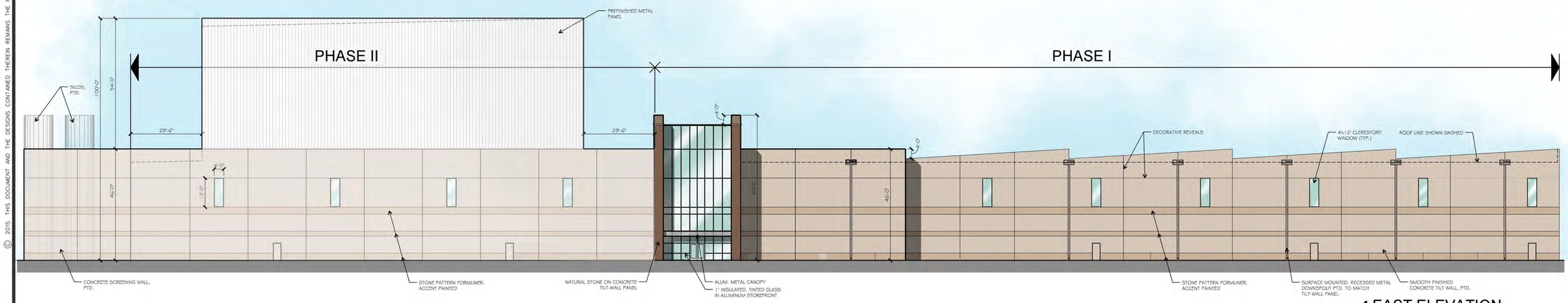
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1.	TOTAL FACADE SQ. FT.	13,651 FT²	29,029 FT²	37,518 FT²	36,610 FT²
2.	FACADE SQ. FT. EXCLUDING DOORS AND WINDOWS	13,188 FT²	28,669 FT²	35,301 FT²	34,912 FT²
3.	DOORS AND WINDOWS	463 FT²	360 FT²	2,217 FT²	1,698 FT²
4.	METAL	0 FT²	16,872 FT²	8,561 FT²	8,506 FT²
5.	PRIMARY MASONRY TOTALS	13,188 FT² 100% OF (2.)	11,797 FT² 41% OF (2.)	26,740 FT² 76% OF (2.)	26,406 FT² 76% OF (2.)



3 NORTH ELEVATION
SCALE: 1/16"=1'-0"



2 PARTIAL FLOOR PLAN
SCALE: 1/20"=1'-0"



1 EAST ELEVATION
SCALE: 1/20"=1'-0"

$TIME$
$DATE$
$FILE$

drawn: SF
checked MARK W. PROSS
date: 03/13/2019

#	DATE	DESCRIPTION

REGISTERED ARCHITECT MARK WILLIAM PROSS STATE OF TEXAS
EXPIRES: 08/31/2019

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5310 Harvest Hill Road, Suite 190, Dallas, Texas 75230 972/726-1400

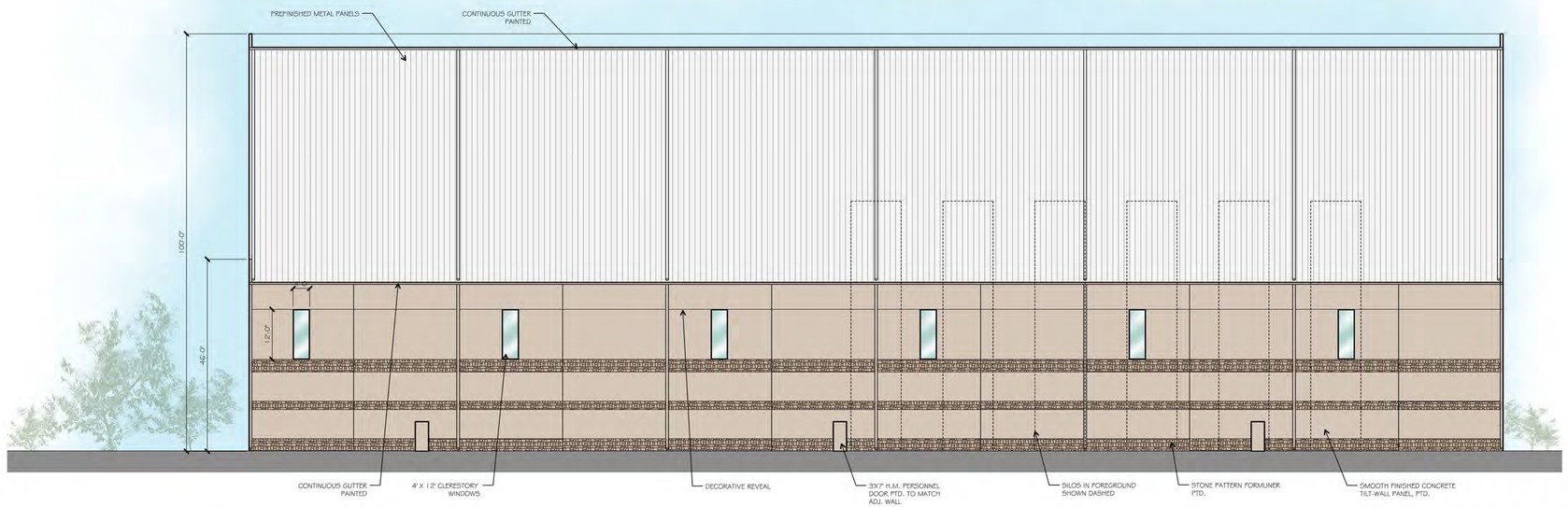
SPRI PACKAGING
SPR NORTH
ROCKWALL, TEXAS

job no 1850
sheet A3.0
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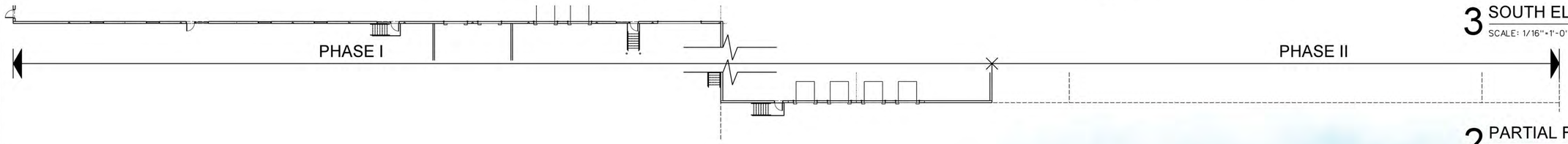
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FACADE MATERIAL CALCULATIONS

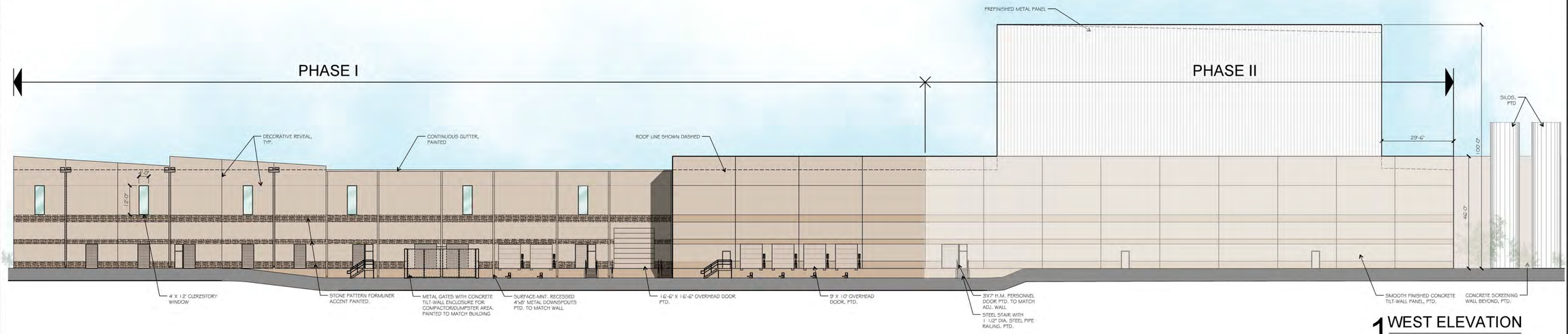
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3 SOUTH ELEVATION
SCALE: 1/16"=1'-0"



2 PARTIAL FLOOR PLAN
SCALE: 1/20"=1'-0"



1 WEST ELEVATION
SCALE: 1/20"=1'-0"

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checked MARK W PROSS
date: 03/13/2019

REGISTERED ARCHITECT MARK W. PROSS STATE OF TEXAS
EXPIRES: 08/31/2019

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3510 Harvest Hill Road, Suite 180, Dallas, Texas 75234. 972/759-1400

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

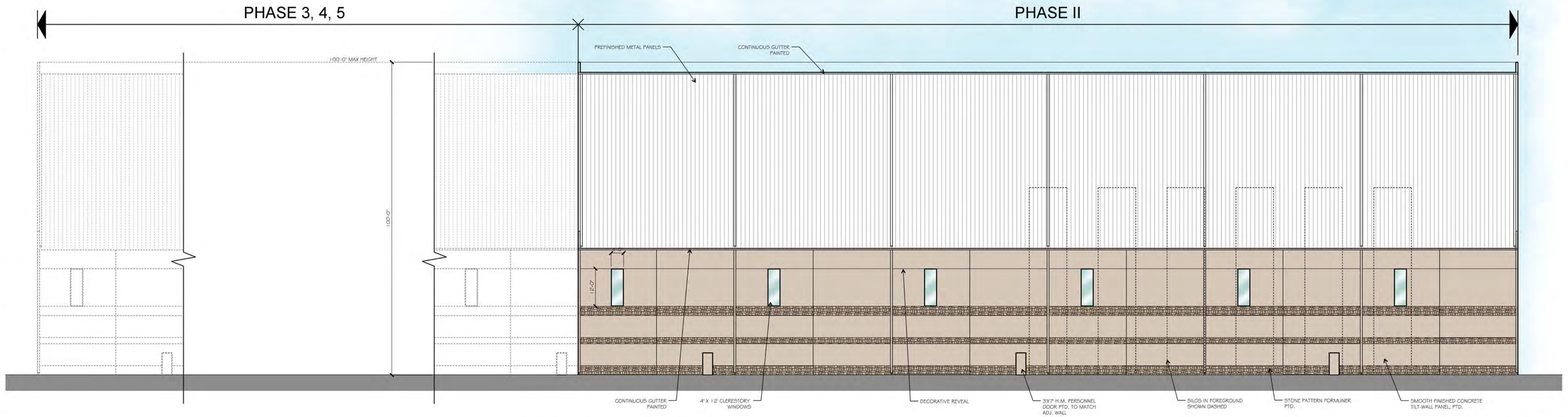
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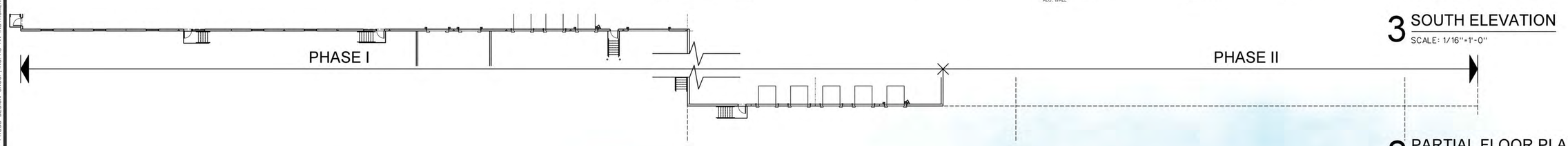
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FACADE MATERIAL CALCULATIONS					
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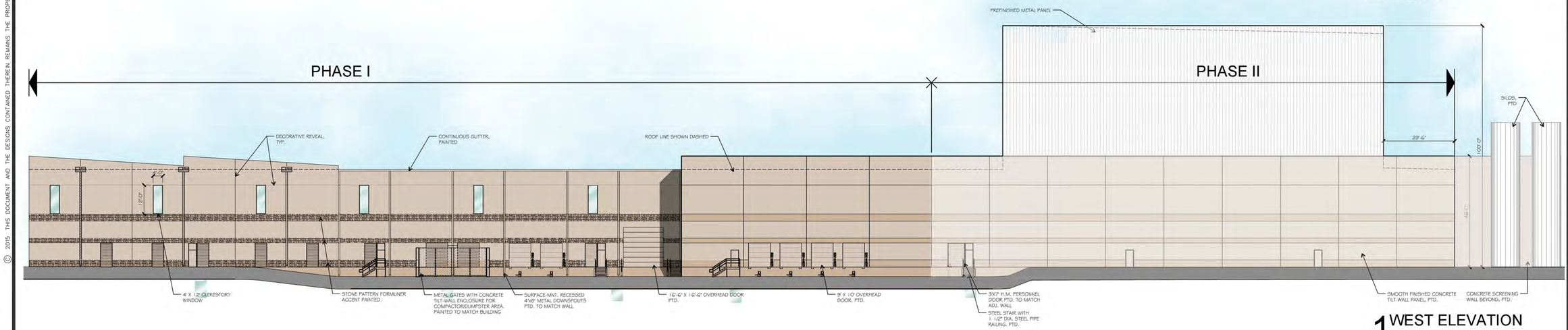
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3 SOUTH ELEVATION
SCALE: 1/16"=1'-0"



2 PARTIAL FLOOR PLAN
SCALE: 1/20"=1'-0"



1 WEST ELEVATION
SCALE: 1/20"=1'-0"

#	DATE	DESCRIPTION

drawn: SF
checked MARK W PROSS
date: 03/13/2019

REGISTERED ARCHITECT MARK W. PROSS STATE OF TEXAS
EXPIRES: 08/31/2019

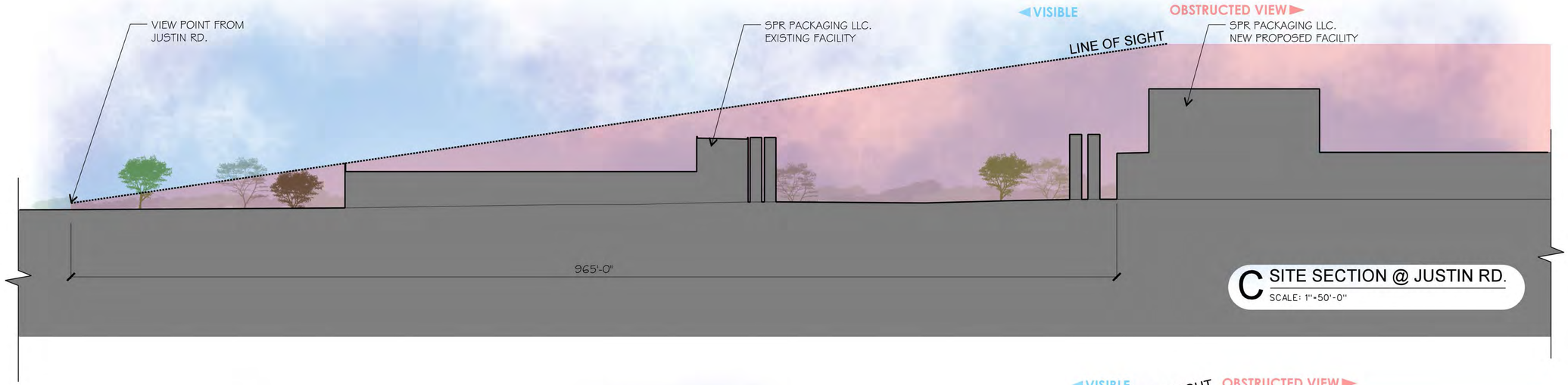
pross design group, incorporated
5510 Harvest Hill Road, Suite 180, Dallas, Texas 75230. 972/759-1400

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

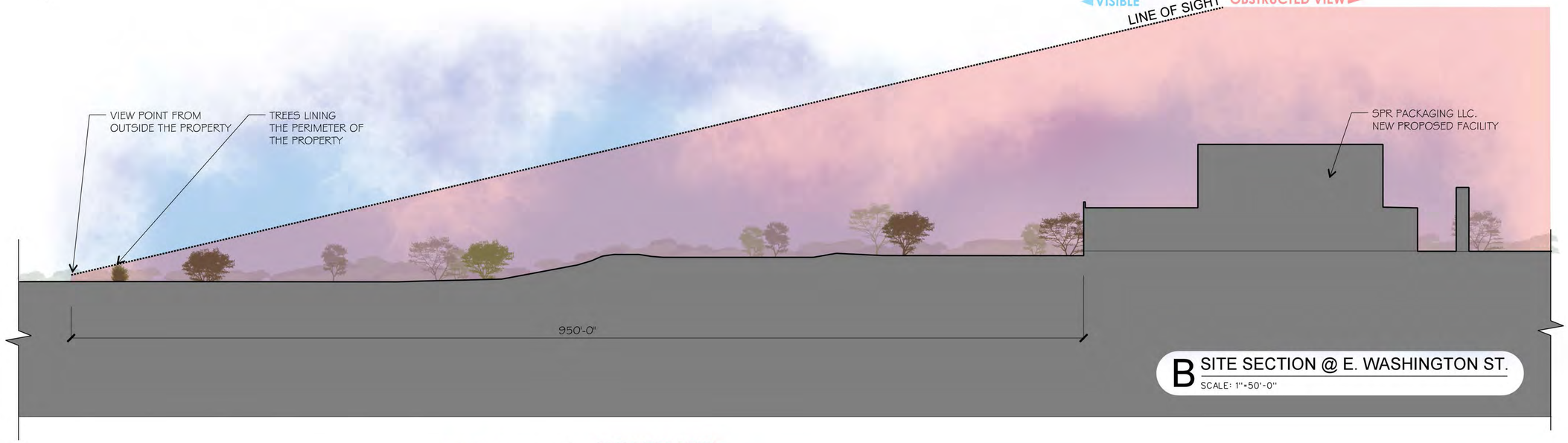
job no 1850
sheet A3.1
149

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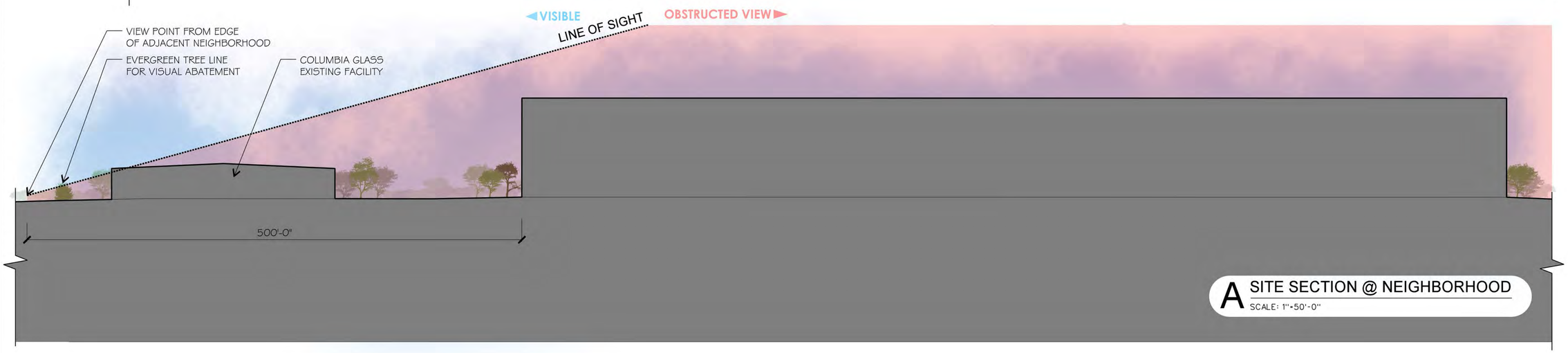
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$DATE$
$FILE$



C SITE SECTION @ JUSTIN RD.
SCALE: 1"=50'-0"



B SITE SECTION @ E. WASHINGTON ST.
SCALE: 1"=50'-0"



A SITE SECTION @ NEIGHBORHOOD
SCALE: 1"=50'-0"

drawn: SF
checked MARK W PROSS
date:

#	DATE	DESCRIPTION

REGISTERED ARCHITECT MARK W. PROSS STATE OF TEXAS
EXPIRES: 08/31/2019

pross design group, incorporated
5310 Harvest Hill Road, Suite 180, Dallas, Texas 75230 972/934-1400

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

job no 1850
sheet
SITE SECTIONS
150



VIEW 01
PHASES 1,2

151



152



VIEW 02
PHASES (ALL)

VIEW 03

PHASES 3,4,5


VIEW 04
PHASES 1,2


VIEW 04
PHASES 3,4,5

VIEW 05
PHASES (ALL)

157

March 22, 2019

City of Rockwall
Chairman Jonathan Lyons and the Planning and Zoning Commission
385 South Goliad
Rockwall, Texas 75087

Re: SPR Packaging

Planning and Zoning Commission members,

I am writing on behalf of the Rockwall Economic Development Corporation to enlist your support for the request by SPR Packaging to allow the company to build up to 100-foot tall production structures near their current Justin Road facility. As you may be aware, SPR requires the ability to build to this height in order to vertically extrude plastic necessary for certain products the company plans to manufacture in Rockwall. While SPR's current and future development site is zoned for such use, a Specific Use Permit (SUP) will be required for the company to exceed 60 feet in building height. This SUP is currently planned for discussion and consideration by the Planning and Zoning Commission on March 26 and April 9 and with the City Council on April 15 and May 6.

SPR has conducted business in Rockwall since 2008. While they have always been a strong employer and contributor to the local tax base, the opportunity for an unparalleled economic impact began taking shape after the company was acquired by the Spanish company, Armando Alvarez Group (AAG), in 2014. AAG leaders quickly saw SPR as a company primed for growth in industrial and agricultural plastics, and bought in to Rockwall as a community that could facilitate that growth. In early 2018, SPR entered into an agreement with the REDC on an expansion project that could add up to $48.4 million in additional taxable value to their current facility. Now, the company's proposed initial development on 42 acres acquired to the north will result in an additional $48.7 million in estimated tax value. AAG leaders have stated that they hope to make SPR and Rockwall the North and South American headquarters for their company. At full buildout on the entire 52-acre campus, SPR could conservatively build over 700,000 square feet with a taxable value of $200 million.

It is important to put the $200 million figure in context, as it is three times greater than any existing taxpayer within Rockwall. A $200 million taxable value, using 2018 tax rates, would generate $800,000 annually for the City of Rockwall, as well as $650,000 for Rockwall County and $2,800,000 for Rockwall ISD. If $200 million in taxable value was removed from the tax rolls in 2018, a collective tax increase of 5 cents ($0.05 per $100 of taxable value) would have to be implemented for all taxing jurisdictions to account for the loss of revenue. With Rockwall's median housing value estimated at $225,000, a $0.05 tax increase would cost an average Rockwall family an additional $112 annually in taxes. As such, it is not hyperbole to say that Rockwall residents have a significant financial stake in this decision.

Fortunately, SPR does not want to leave Rockwall. The company has a strong desire to continue their growth plans in our community. However, that will change if the SUP is not approved.

SPR officials recently met with residents of the adjacent Park Place subdivision, some who have expressed concern regarding the visual impact of the tallest production facilities. The company assured residents that any of the tall structures will be placed at least 500 feet from the Park Place property line. They also demonstrated their line of sight drawings – completed by a licensed architect – showing the lack of visual impact in Park Place, and the minimal impact at other area locations. SPR also discussed their willingness to excavate if more than 100 feet of height clearance is needed, as well as how they will plant additional trees for screening and limit west-side operations to regular business hours to avoid being a nuisance for the nearby residents.

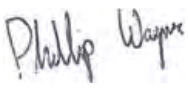
Fundamentally, the REDC understands the importance of beautiful neighborhoods and values the relative peace and quiet that contributes to a high quality of life in Rockwall. As residents ourselves, we enjoy the same characteristics that have made Rockwall a wonderful bedroom community for thousands. We also understand the importance of a balanced community that allows for a mix of both residential and business development. We believe that without that broad and diversified tax base, residential taxes will increase and/or the quality of vital public services will decline. This is the key reason why the REDC was approved by the Rockwall voters in 1995. The public understood that without a strong commercial presence, Rockwall suffers. This fact remains true today.

The value of SPR Packaging to Rockwall, and the future value of the company as the North and South American headquarters for the Armando Alvarez Group, cannot be overstated. Still, even with the tremendous economic impact, the REDC would struggle to support a company that posed negative environmental implications on the community we know and love. That is not the case with SPR.

SPR's expansion represents the type of mindful and responsible industrial growth that the REDC envisioned when it was created more than 23 years ago. For that reason, the REDC unequivocally supports the SPR Packaging expansion and the corresponding SUP application that is essential for their business. We respectfully ask that both the City Council and Planning and Zoning approve the SUP.

If you have any questions, please do not hesitate to contact me at 972.772.0025 or 785.423.5842.

Sincerely,



Phil Wagner
President
Rockwall Economic Development Corporation

159

INDEPENDENT ANALYSIS PREPARED FOR THE
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
APRIL 2019

SIGHT-LINE IMPACT STUDY

SPR PACKAGING PROPOSED ADDITIONS
1480 Justin Rd, Rockwall, TX 75087

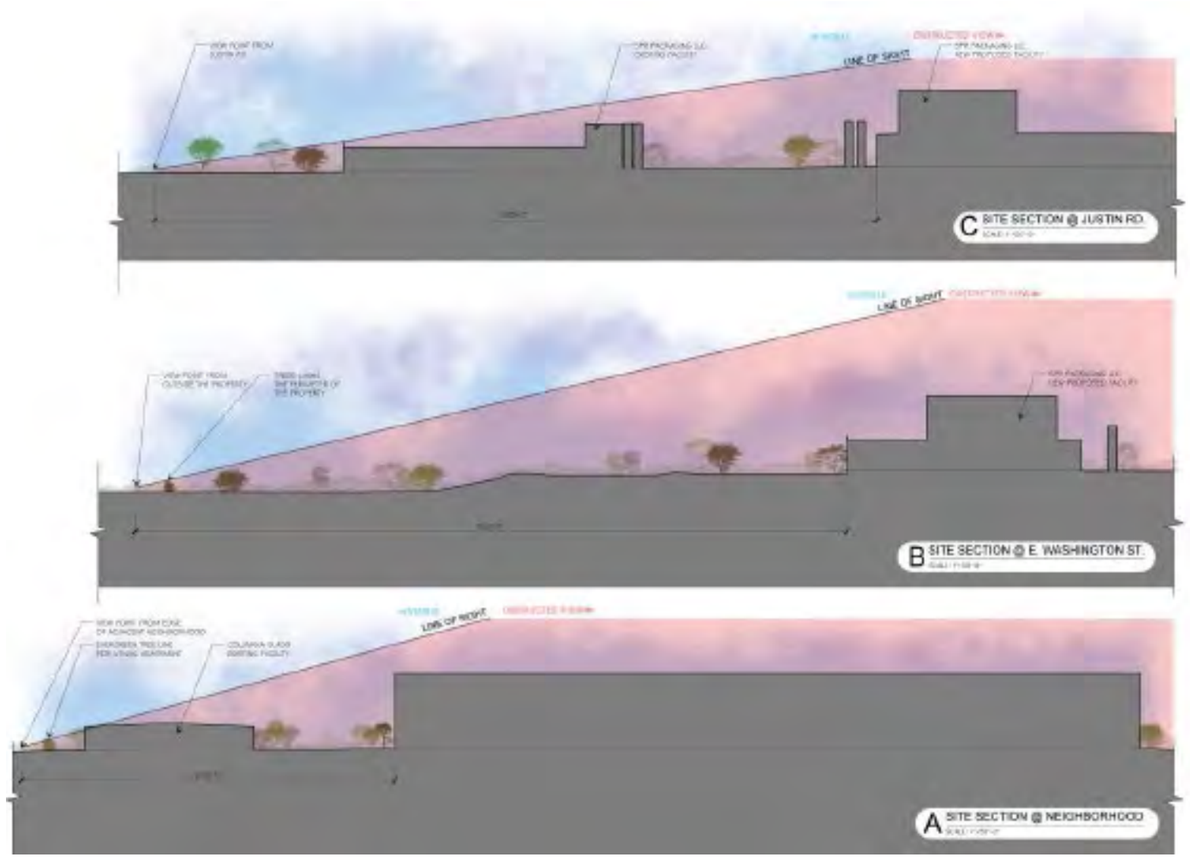
Rockwall ECONOMIC DEVELOPMENT CORPORATION

architecture + design
Alex Quintanilla, AIA
alexq@qarcdesign.com
Tel.214.738.5440
Qarcdesign.com

160

PREVIOUS STUDIES

The sight lines provided by SPR appear to be reasonably accurate with the current information provided. Sight-line studies attempt to provide the highest degree of accuracy possible, but variable factors such as tree density, tree maturity and height all impact screening and therefore impact the final sight-lines. The images on this sheet were provided by SPR.











161

SITE PLAN SIGHT-LINE LOCATIONS

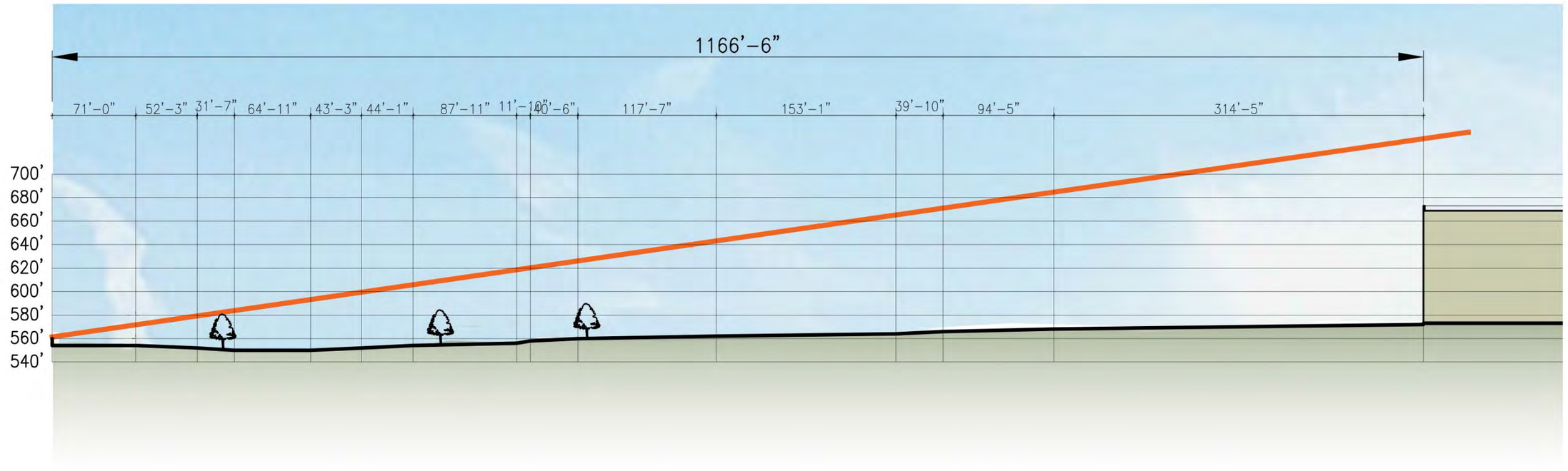


VIEW 1

1350 AIRPORT ROAD VIEWING SOUTHWEST



VIEW 1 1350 AIRPORT ROAD VIEWING SOUTHWEST



VIEW FROM
6FT ABOVE

PROPOSED SPR
PLANT PHASES 3-5

VIEW 1 CURRENT CONDITION, 1350 AIRPORT ROAD VIEWING SOUTHWEST



VIEW 1 FUTURE, 1350 AIRPORT ROAD VIEWING SOUTHWEST

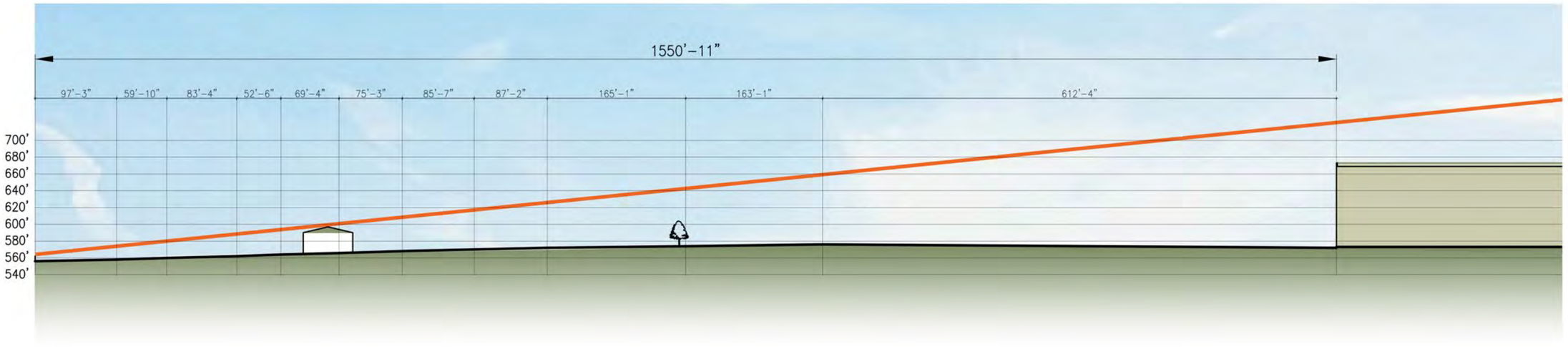


VIEW 2 HARRY MYERS PARK VIEWING SOUTH



167

VIEW 2 HARRY MYERS PARK VIEWING SOUTH



VIEW FROM
6FT ABOVE

PARK STATION

PROPOSED SPR
PLANT PHASES 3-5

VIEW 2 EXISTING CONDITION, HARRY MYERS PARK VIEWING SOUTH



VIEW 2 FUTURE, HARRY MYERS PARK VIEWING SOUTH

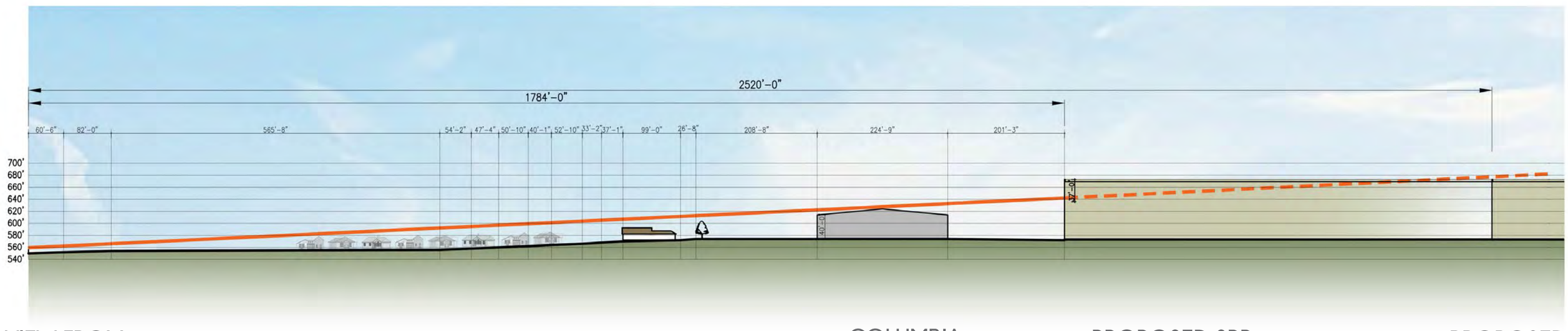


170

VIEW 3 IVY RD. AT JORDAN FARM



VIEW 3 IVY RD. AT JORDAN FARM



VIEW FROM 6FT ABOVE

COLUMBIA PLANT

PROPOSED SPR PLANT PHASES 3-5

PROPOSED SPR PLANT PHASE 2

THIS VIEWPOINT LOOKS DOWN IVY LANE, 1784 FT. FROM THE PROPOSED SPR PLANT. LOOKING DOWN THE STREET THE HOUSES, STREET TREES AND HOUSE TREES ALL DRASTICALLY MINIMIZE THE ABILITY TO SPOT THE COLUMBIA PLANT AND THE PROPOSED SPR PLANT 500 FT. BEHIND AL-THOUGH BOTH HAVE SOME VISIBILITY AT THIS LOCATION.

- ANY VIEW EXCEPT FROM THE CENTER OF THE STREET WOULD CAUSE THE HOUSES AND TREES TO COMPLETELY BLOCK THE PROPOSED SPR PLANT.
- AT THE TIME OF THE CONSTRUCTION OF PROPOSED SPR PLANT PHASES 3-5, THE TREES WOULD BE MORE MATURE, FURTHUR SCREENING VIEW OF THE PLANT.
- THE EXPOSED PART OF THE COLUMBIA PLANT IS 17 FT. AT A DISTANCE OF 1358 FT.
- THE EXPOSED PART OF THE PROPOSED SPR PLANT PHASES 3-5 IS 37 FT. AT A DISTANCE OF 1784 FT.
- AT THESE DISTANCES, THE EXPOSED 17 FT. OF THE COLUMBIA PLANT WOULD APPEAR TO BE 1/2" TALL, AND THE EXPOSED 37 FT. OF THE PRO-POSED SPR PLANT WOULD APPEAR TO BE 3/4" TALL.

VIEW 3 CURRENT CONDITION, IVY RD. AT JORDAN FARM VIEWING EAST



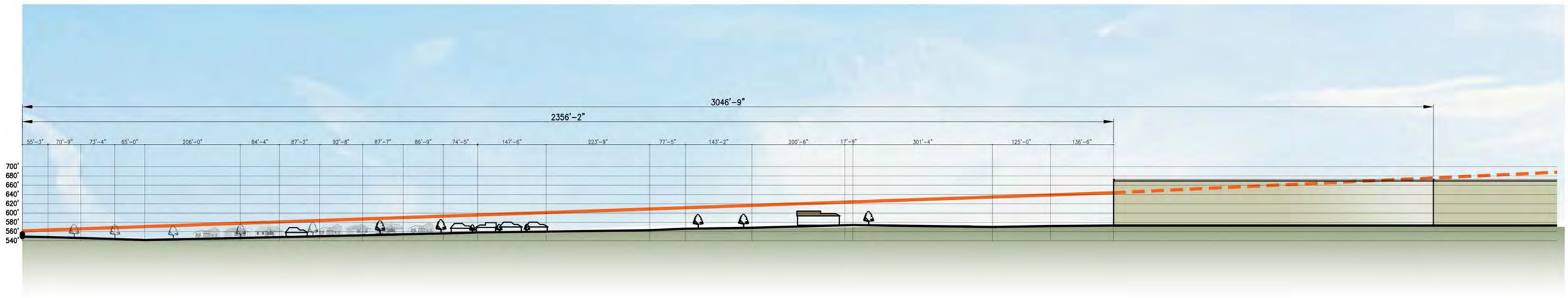
VIEW 3 FUTURE, IVY RD. AT JORDAN FARM VIEWING EAST



VIEW 4 VIEWING EAST ON PARK PLACE BLVD.



VIEW 4 VIEWING EAST ON PARK PLACE BLVD.



VIEW FROM 6FT ABOVE

NEW HOUSES AT ROW STREET

PARK

PROPOSED SPR PLANT PHASES 3-5

SPR PLANT PHASES 2

FROM THIS LOCATION, A PERSON'S VIEW IS ALMOST ENTIRELY COVERED WITH HOUSES, STREET TREES, ETC. WHEN STANDING IN THE CENTER OF THE ROAD, ONE WILL BE ABLE TO SEE:

- 13 FT. OF THE COLUMBIA PLANT, AT A DISTANCE OF 1327 FT.
- 41 FT. OF THE SPR PHASE 3-5 PLANT, AT A DISTANCE OF 1711 FT.
- AT THESE DISTANCES, THE EXPOSED 13 FT. OF THE COLUMBIA PLANT WOULD APPEAR TO BE 3/8" TALL, AND THE EXPOSED 41 FT OF THE PROPOSED SPR PLANT WOULD APPEAR TO BE 7/8" TALL.

VIEW 4 CURRENT CONDITION, VIEWING EAST ON PARK PLACE BLVD.



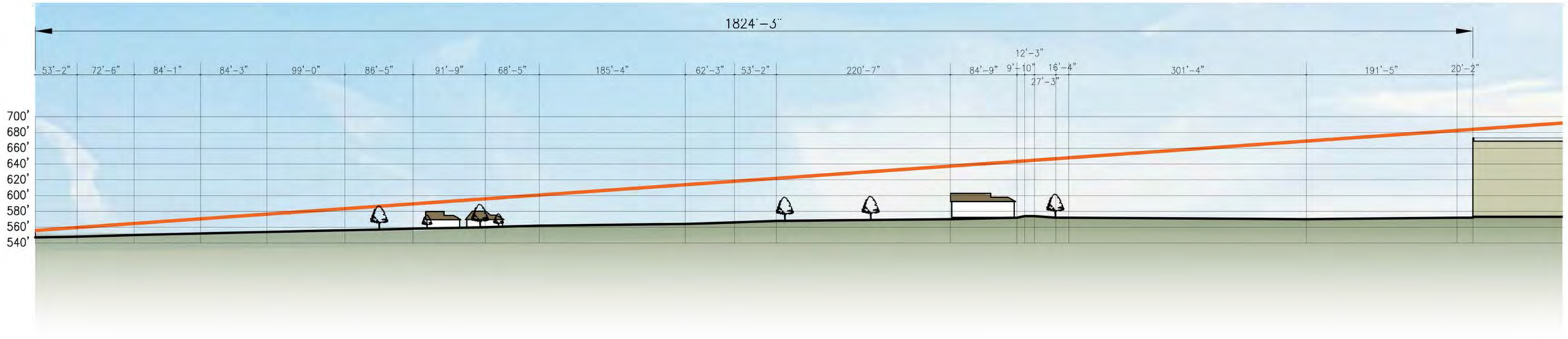
VIEW 4 FUTURE, VIEWING EAST ON PARK PLACE BLVD.



VIEW 5 VIEWING EAST ON PARK PLACE BLVD.



VIEW 5 VIEWING EAST ON PARK PLACE BLVD.



VIEW FROM
6FT ABOVE

NEW HOUSES AT
ROW STREET

PARK

PROPOSED SPR
PLANT PHASES 3-5

VIEW 5 CURRENT CONDITION, VIEWING EAST ON PARK PLACE

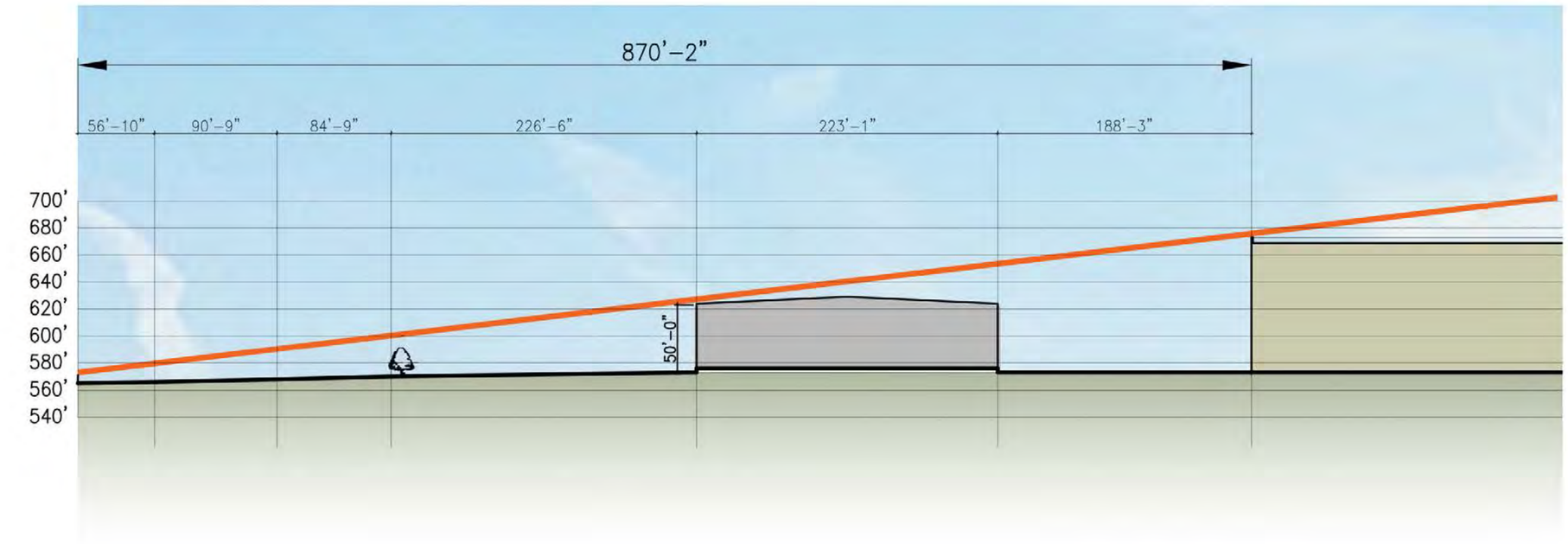


VIEW 5 FUTURE, VIEWING EAST ON PARK PLACE BLVD.

VIEW 6 PARK PLACE BLVD. THROUGH ALLEY



VIEW 6 PARK PLACE BLVD. THROUGH ALLEY



VIEW FROM
6FT ABOVE

COLUMBIA
PLANT

PROPOSED SPR
PLANT PHASES 3-5

VIEW 6 CURRENT CONDITION, PARK PLACE BLVD. THROUGH ALLEY



VIEW 6 FUTURE, PARK PLACE BLVD. THROUGH ALLEY

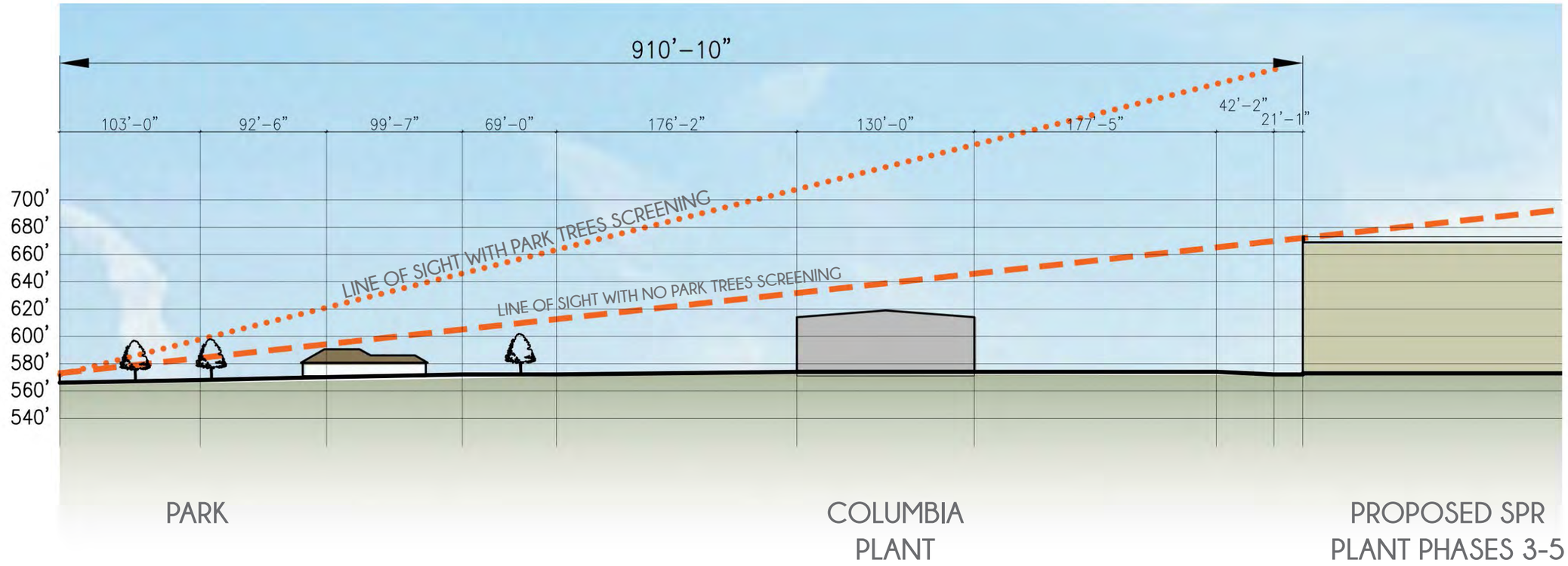


VIEW 7 PARK PLACE BLVD. THROUGH PARK



187

VIEW 7 PARK PLACE BLVD. THROUGH PARK



MOST PARK TREES CURRENTLY IN THE PARK WILL REMAIN AND WILL HELP SCREEN THE PROPOSED SPR PLANT.

VIEW 7 CURRENT CONDITION, PARK PLACE BLVD. THROUGH PARK



VIEW 7 FUTURE, ROW & ANGELA'S CRESCENT

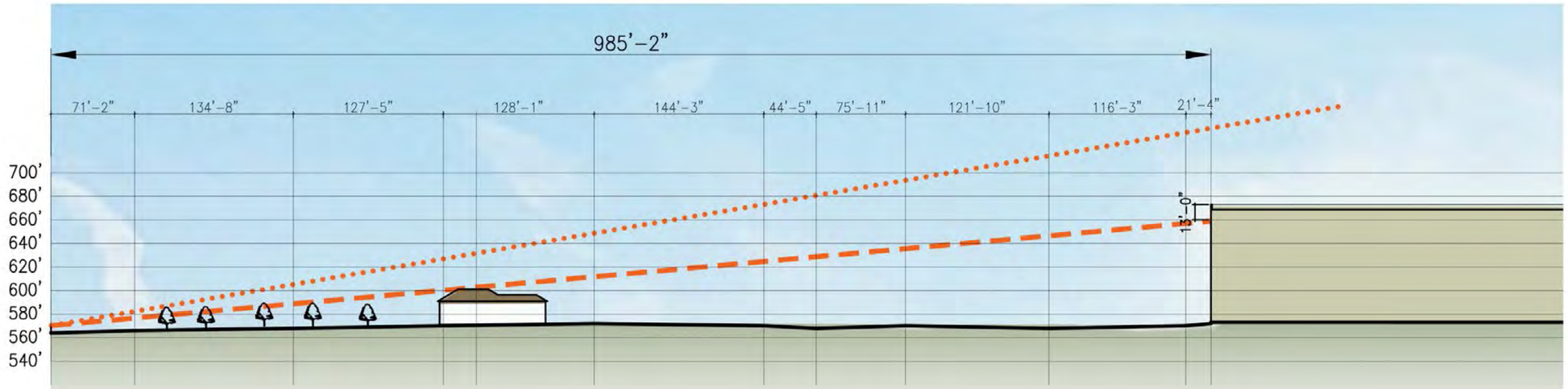


VIEW 8 PARK PLACE BLVD. VIEWING EAST THROUGH PARK



191

VIEW 8 PARK PLACE BLVD. VIEWING EAST THROUGH PARK



VIEW FROM 6FT ABOVE PARK

PROPOSED SPR PLANT PHASES 3-5

MOST OF THE TREES CURRENTLY IN THE PARK WILL REMAIN AND WILL HELP SCREEN THE PROPOSED SPR PLANT. THE HOUSES MAY BE TWO-STORY HOUSES WHICH WILL FURTHER SCREEN THE PLANT.

BASED ON THE PLACEMENT AND MATURATION OF THE TREES, A PORTION OF THE PROPOSED SPR PLANT MAY BE VISIBLE:

- 13 FT. OF THE PROPOSED SPR PLANT PHASES 3-5, AT A DISTANCE OF 985 FT.
- AT THIS DISTANCE, THE EXPOSED 13 FT. OF THE PROPOSED SPR PLANT WOULD APPEAR TO BE 1/2" TALL.

VIEW 8 CURRENT CONDITION, PARK PLACE BLVD. VIEWING EAST THROUGH PARK



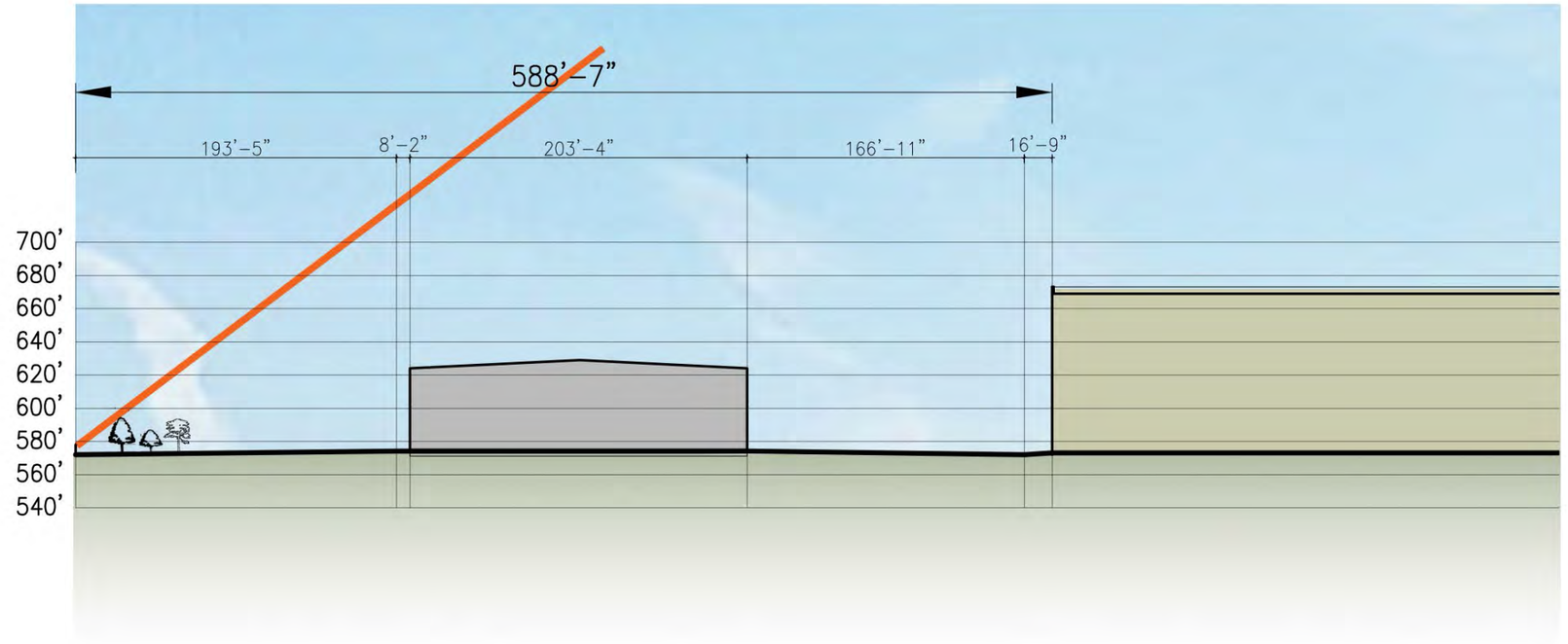
VIEW 8 FUTURE, PARK PLACE BLVD. VIEWING EAST THROUGH PARK



VIEW 9 ALLEY VIEWING EAST



VIEW 9 ALLEY VIEWING EAST



VIEW FROM 6FT ABOVE

TREES AT PROP. LINE

COLUMBIA PLANT

PROPOSED SPR PLANT PHASES 3-5

TREES ALONG PROPERTY LINE WILL CONSIST OF:

- 1 ROW OF 15’ CEDARS TREES PROVIDED BY PARK PLACE PHASE III (COLUMBIA).
- 1 ROW OF 7’ CEDAR TREES (A SECOND ROW) PROVIDED BY SPR.
- 1 ROW OF 15’ OAK TREES PROVIDED BY SPR

VIEW 9 CURRENT CONDITION, ALLEY VIEWING EAST



VIEW 9 FUTURE, ALLEY VIEWING EAST

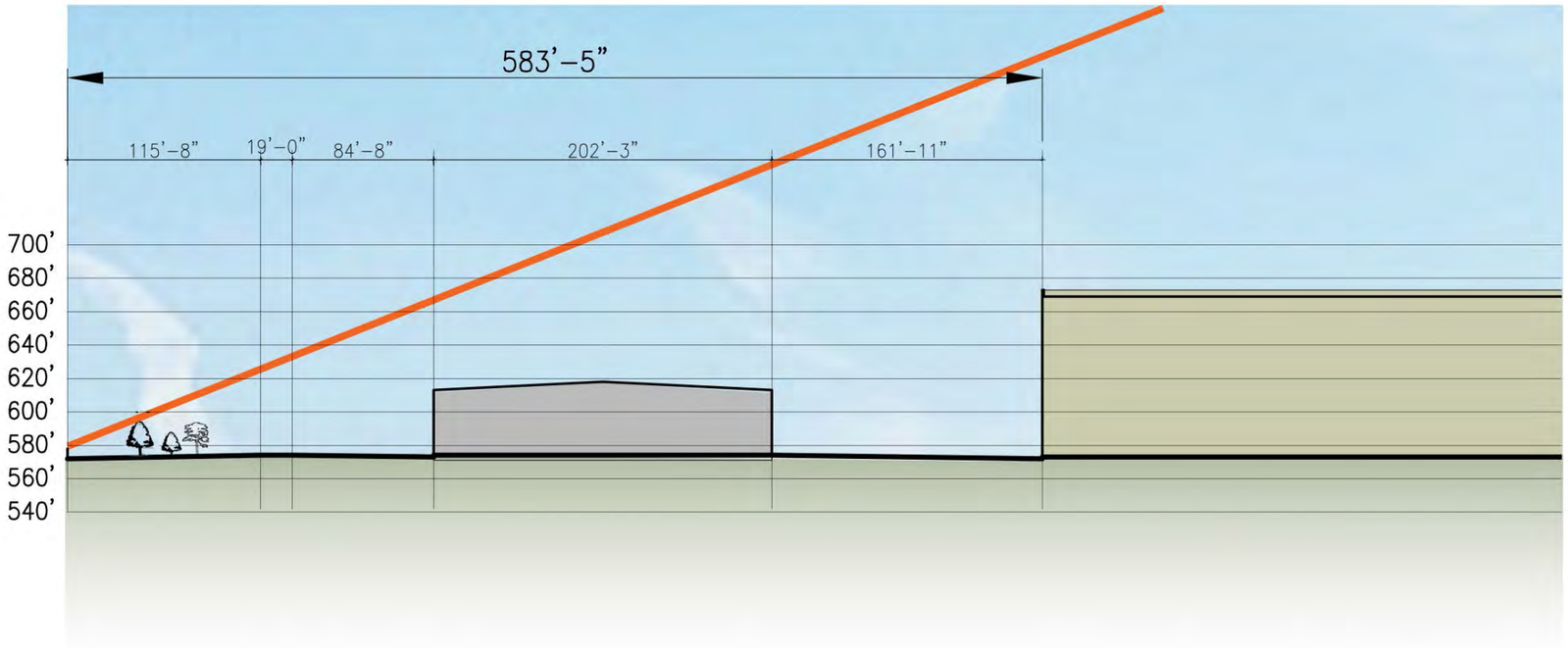


VIEW 10 ALLEY VIEWING EAST



199

VIEW 10 ALLEY VIEWING EAST



VIEW FROM
6FT ABOVE

COLUMBIA
PLANT

PROPOSED SPR
PLANT PHASES 3-5

TREES ALONG PROPERTY LINE WILL CONSIST OF:

- 1 ROW OF 15’ CEDARS TREES PROVIDED BY PARK PLACE PHASE III (COLUMBIA).
- 1 ROW OF 7’ CEDAR TREES (A SECOND ROW) PROVIDED BY SPR.
- 1 ROW OF 15’ OAK TREES PROVIDED BY SPR.

VIEW 10 CURRENT CONDITION, ALLEY VIEWING EAST



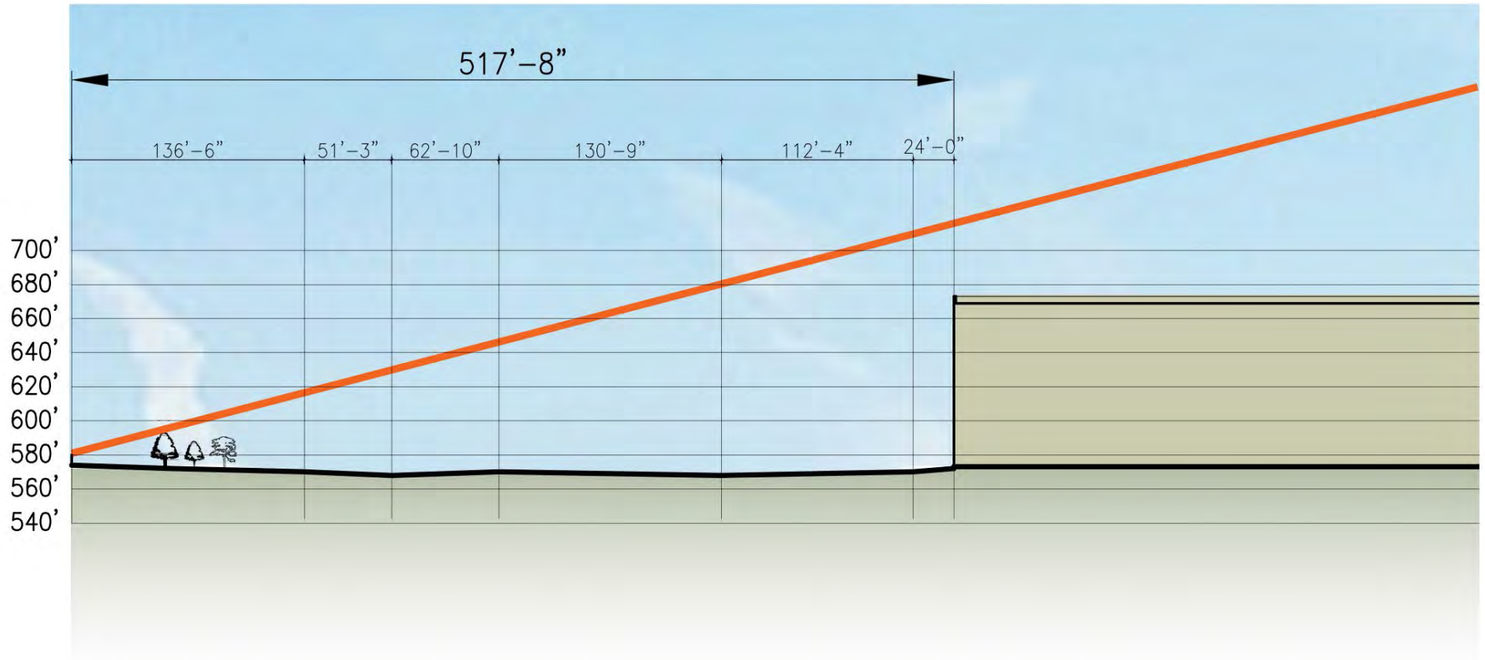
VIEW 10 FUTURE, ALLEY VIEWING EAST



VIEW 11 ALLEY VIEWING EAST



VIEW 11 ALLEY VIEWING EAST



VIEW FROM
6FT ABOVE

PROPOSED SPR
PLANT PHASES 3-5

TREES ALONG PROPERTY LINE WILL CONSIST OF:

- 1 ROW OF 15’ CEDARS TREES PROVIDED BY PARK PLACE PHASE III (COLUMBIA).
- 1 ROW OF 7’ CEDAR TREES (A SECOND ROW) PROVIDED BY SPR.
- 1 ROW OF 15’ OAK TREES PROVIDED BY SPR

VIEW 11 CURRENT CONDITION, ALLEY VIEWING EAST



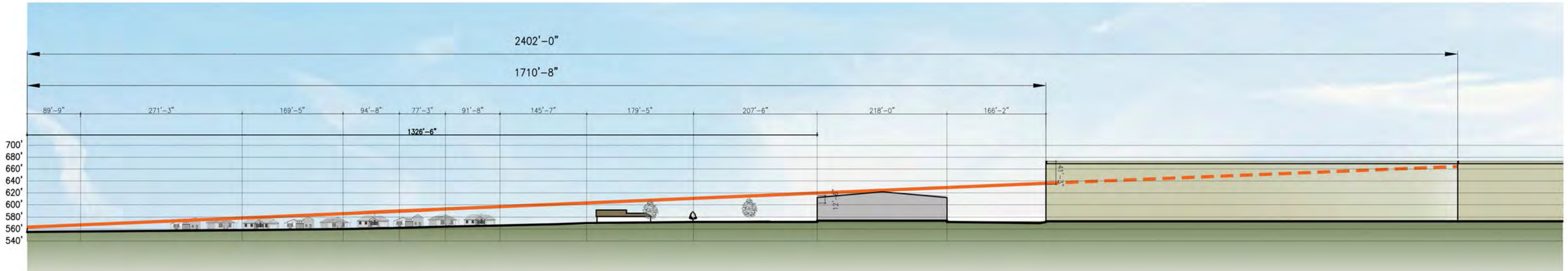
VIEW 11 FUTURE, ALLEY VIEWING EAST



VIEW 12 CORNER OF ANGELA'S CRESCENT & MICHAEL GARDENS ST.



VIEW 12 CORNER OF ANGELA'S CRESCENT & MICHAEL GARDENS ST.



VIEW FROM 6FT ABOVE

COLUMBIA PLANT

PROPOSED SPR PLANT PHASES 3-5

SPR PLANT PHASE2

FROM THIS LOCATION, A PERSON'S VIEW IS ALMOST ENTIRELY COVERED WITH HOUSES, STREET TREES, ETC. WHEN STANDING IN THE CENTER OF THE ROAD, ONE WILL BE ABLE TO SEE:

- 13 FT. OF THE COLUMBIA PLANT, AT A DISTANCE OF 1327 FT.
- 41 FT. OF THE PROPOSED SPR PLANT, AT A DISTANCE OF 1711 FT.
- 10 FT. OF THE SPR PLANT PHASE 2, AT A DISTANCE OF 2402 FT.
- AT THESE DISTANCES, THE EXPOSED 13 FT. OF THE COLUMBIA PLANT WOULD APPEAR TO BE 3/8" TALL, AND THE EXPOSED 41 FT OF THE PROPOSED SPR PLANT PHASES 3-5 WOULD APPEAR TO BE 7/8" TALL, AND THE SPR PHASE 2 PLANT WOULD APPEAR 1/8' TALL

VIEW 12 EXISTING CONDITION, MICHAEL GARDENS ST.



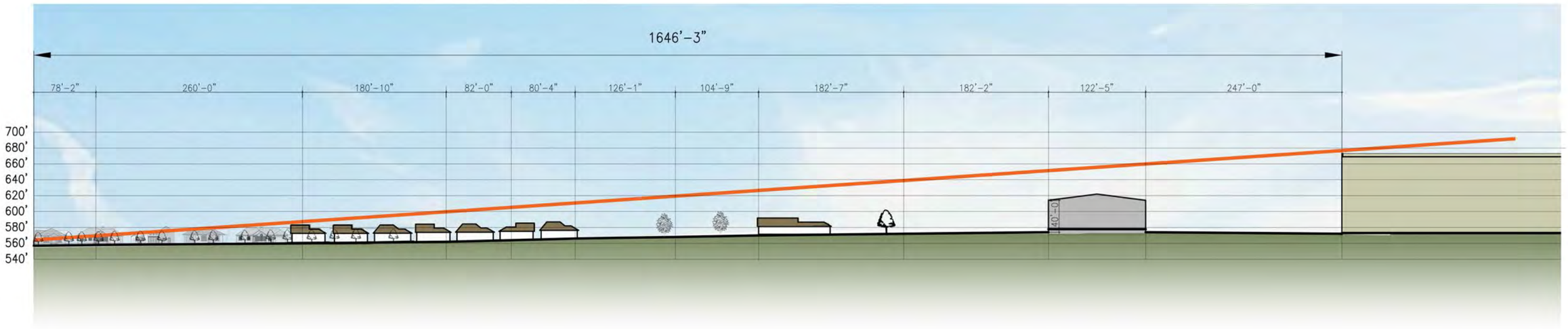
VIEW 12 FUTURE, (IVY LANE OVERLAY)



VIEW 13 ANGELA'S CRESCENT VIEWING EAST



VIEW 13 ANGELA'S CRESCENT VIEWING EAST



VIEW FROM 6FT ABOVE

TREES & HOUSES ON MICHAEL GARDENS

COLUMBIA PLANT

PROPOSED SPR PLANT PHASES 3-5

THIS VIEWPOINT LOOKS IN THE DIRECTION OF THE BACK YARDS OF THE HOUSES FRONTING ANGELA'S CRESCENT AND BOW ST.

- LOOKING STRAIGHT DOWN THE BACK YARDS, THE VIEW WOULD MISS THE SPR PACKAGING PLANT.
- IF ONE WERE TO TURN AND LOOK TOWARDS THE SPR PACKAGING PLANT, THE HOUSES WOULD BE BLOCKING THE VIEW OF THE SPR PLANT, AS SHOWN IN THE CROSS SECTION ABOVE

VIEW 13 CURRENT CONDITION, ANGELA'S CRESCENT



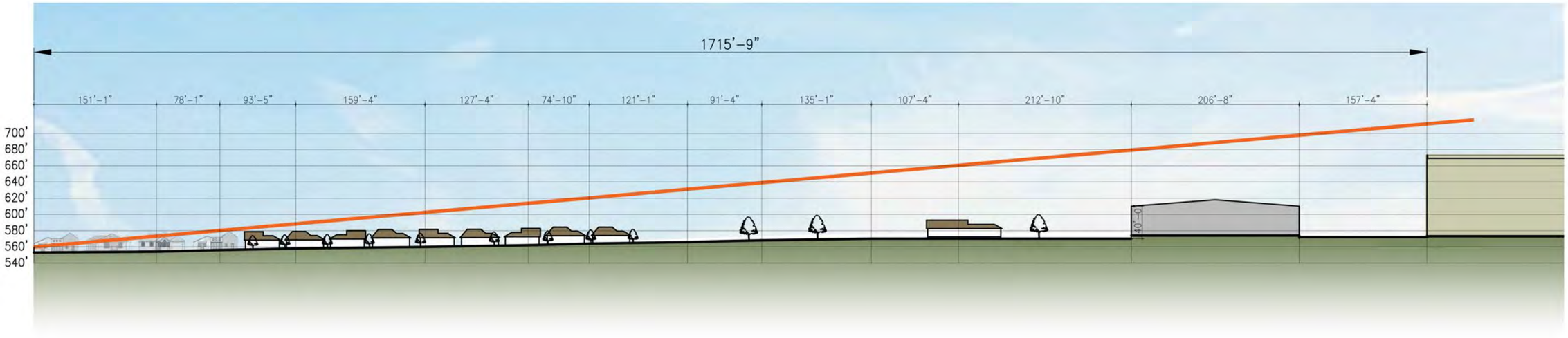
VIEW 13 FUTURE CONDITION, ANGELA'S CRESCENT



VIEW 14 CORNER OF ANGELA'S CRESCENT & ROW ST.



VIEW 14 CORNER OF ANGELA'S CRESCENT & ROW ST.



VIEW FROM 6FT ABOVE

NEW HOUSES AT ROW STREET

PARK

COLUMBIA PLANT

PROPOSED SPR PLANT PHASES 3-5

VIEW 14 CURRENT CONDITION, ROW & ANGELA'S CRESCENT



VIEW 14 FUTURE, ROW & ANGELA'S CRESCENT



CONCLUSIONS

1.) The proposed SPR plant can slightly be seen in 3-4 of the Views.

2.) The Columbia plant can be seen in front of the proposed SPR plant in 3 out of these 4 views.

3.) In no line of sight studied can the 100 ft. tall Phase II be seen, other than in View 12, in which the exposed part of Phase II would apper 1/8" in height. For the remaining views, only in later phases (8-20 years out) will the proposed SPR plant phases 3-5 become visible as reflected in this study.

4.) The visibility of the proposed SPR plant phases 3-5 may be further diminished if the proposed plant were to match the color of the Columbia plant.

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING STRUCTURES THAT EXCEED 60-FEET IN HEIGHT WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT, ON A 42.61-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 7 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20 (11.3736-ACRES); TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29 (8.197-ACRES); AND LOT 1-01, BLOCK 1, INDALLOY ADDITION (14.53-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a Specific Use Permit (SUP) to allow for structures that will exceed 60-feet in height within the *Light Industrial* (*LI*) *District* on an 42.61-acre tract of land, identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned *Light Industrial (LI) District*, generally located at the terminus of Aluminum Plant Road, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing structures that will exceed 60-feet in height within the *Light Industrial (LI) District* as stipulated by Article *IV, Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

Section 2. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 5.01, Light Industrial (LI) District,* and *Section 7.03, Non-Residential District Development*

PROOF 04.15.19

Standards, of Article V, District Development Standards, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an office/ warehouse/manufacturing facility that exceeds 60-feet in height on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

1) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance; and,

2) The maximum overall height of the buildings and/or structures shall not exceed 100-feet, as depicted in *Exhibit 'C'* of this ordinance; and,

3) The building elevations depicted in *Exhibit 'C'* are for reference to the height of the extruder bays for all phases (*i.e. phase 2, 3, 4, & 5*), and do not represent approved building elevations. Any building elevations associated with the project shall be subject to the requirements of the Unified Development Code (UDC), review by the Architectural Review Board, and approval by the Planning and Zoning Commission [*and City Council if applicable*]; and,

4) Future expansion of the site [*i.e. Phases 3, 4, and 5*] should have all silos placed on the southern portion of the subject property, adjacent to the railroad tracks, as depicted in *Exhibit 'B'* of this ordinance; and,

5) The subject property shall provide and maintain a landscape screening buffer along the western and northern property boundaries [*i.e. Overall Landscape Plan*], as depicted in *Exhibit 'D'* of this ordinance and shall be constructed with Phase 1 of the development.

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict

Section 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not

DRAFT ORDINANCE 04.15.19

to exceed the sum of *TWO THOUSAND DOLLARS ($2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 8. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MAY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *April 15, 2019*

2nd Reading: *May 6, 2019*

DRAFT ORDINANCE 04.15.2019

Exhibit 'A':
Legal Description

BEING A 42.6035 ACRE PARCEL OF LAND SITUATED IN THE N. BUTLER SURVEY ABSTRACT NO. 20 AND THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; SAID 42.6035 ACRE TRACT BEING ALL OF 11.3736 ACRE OF TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO ALVAPLAST U.S., INC., A DELAWARE CORPORATION RECORDED IN INSTRUMENT NUMBER 20150000002739 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS; AND BEING PART OF 98.319 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO COLUMBIA EXTRUSION CORPORATION, DATED DECEMBER 22, 1988 AND RECORDED IN VOLUME 444, PAGE 102 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS; AND BEING A PART OF LOT 1 IN BLOCK 1 OF INDALLOY ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET "D", SLIDE 273 OF THE PLAT RECORDS OF ROCKWALL COUNTY TEXAS; SAID 42.6035 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF INDUSTRIAL BOULEVARD (A 65-FOOT WIDE RIGHT-OF- WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF AIRPORT ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 00° 07' 36" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD AND THE EAST LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT FOR A DISTANCE OF 788.63 FEET TO A POINT FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF UP/DALLAS GARLAND N.E. RAILROAD (A 100-FOOT WIDE RIGHT-OF-WAY); SAID POINT BEING THE SOUTHEAST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT;

THENCE SOUTH 88° 36' 50" WEST DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD AND ALONG THE SAID NORTH LINE OF UP/DALLAS GARLAND N.E. RAILROAD AND THE SOUTH LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT, FOR A DISTANCE OF 584.08 FEET TO THE SOUTHWEST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT AND THE SOUTHEAST CORNER OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF AFORESAID 98.319 ACRE TRACT DESCBIED IN DEED TO COLUMBIA EXTRUSION CORPORATION;

THENCE SOUTH 88° 32' 20" WEST CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD AND THE SOUTH LINE OF SAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND PASSING AND PASSING APPROXIMATELY AT A DISTANCE OF 332.77 FFET THE SOUTHWEST CORNER OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD FOR A TOTAL DISTANCE OF 578.23 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 21774.77 FEET WITH A CENTRAL ANGLE OF 00° 58' 11" AND A CHORD BEARING SOUTH 88° 05' 13" WEST AT A DISTANCE OF 368.51 FEET;

THENCE SOUTHWESTERLY AND FOLLOWING ALONG SAID CURVE TO THE RIGHT AND CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD FOR AN ARC DISTANCE OF 368.52 FEET TO A POINT FOR CORNER;

THENCE SOUTH 88° 04' 12" WEST CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD FOR A DISTANCE OF 101.65 FEET TO A POINT FOR CORNER;

THENCE NORTH 09° 24' 49" WEST DEPARTING THE SAID NORTH LINE OF UP/DALLAS GARLAND N.E. RAILROAD FOR A DISTANCE OF 1039.14 FEET TO A POINT FOR CORNER IN THE EAST BOUNDARY LINE OF PARK PLACE WEST II, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE AMENDED PLAT THEREOF RECORDED IN CABINET "G", SLIDE 100 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 04° 52' 54" WEST ALONG THE EAST LINE OF SAID PARK PLACE WEST ADDITION FOR A DISTANCE OF 207.14 FEET TO A POINT FOR CORNER;

THENCE NORTH 81° 27' 00" EAST LEAVING THE EAST LINE OF SAID PARK PLACE WEST ADDITION FOR A DISTANCE OF 408.12 FEET TO A POINT FOR CORNER;

THENCE SOUTH 83° 23' 14" EAST AND PASSING AT A DISTANCE OF 216.91 FEET THE WEST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND CONTINUING ON FOR A TOTAL DISTANCE OF 274.94 FEET TO A POINT FOR CORNER;

THENCE SOUTH 85° 37' 16" EAST FOR A DISTANCE OF 435.64 FEET TO A POINT FOR CORNER IN THE EAST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND THE WEST LINE OF 7.497 ACRE TRACT OF LAND DESCRIBED IN DEED TO ROCKWALL COMMUNITY PLAYHOUSE AND RECORDED IN VOULME 4239, PAGE 203 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 06° 42' 50" EAST ALONG THE EAST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND THE WEST LINE OF SAID 7.497 ACRE TRACT OF LAND DESCRIBED IN DEED TO ROCKWALL COMMUNITY PLAYHOUSE, FOR A DISTANCE OF 360.89 FEET TO A POINT FOR CORNER AT THE END OF A 50' WIDE STREET DEDICATION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS BY DEED RECORDED IN VOLUME 67, PAGE 116 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS

THENCE SOUTH 06° 22' 45" EAST CONTINUING ALONG THE EAST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION FOR A DISTANCE OF 50.93 FEET TO A POINT FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID

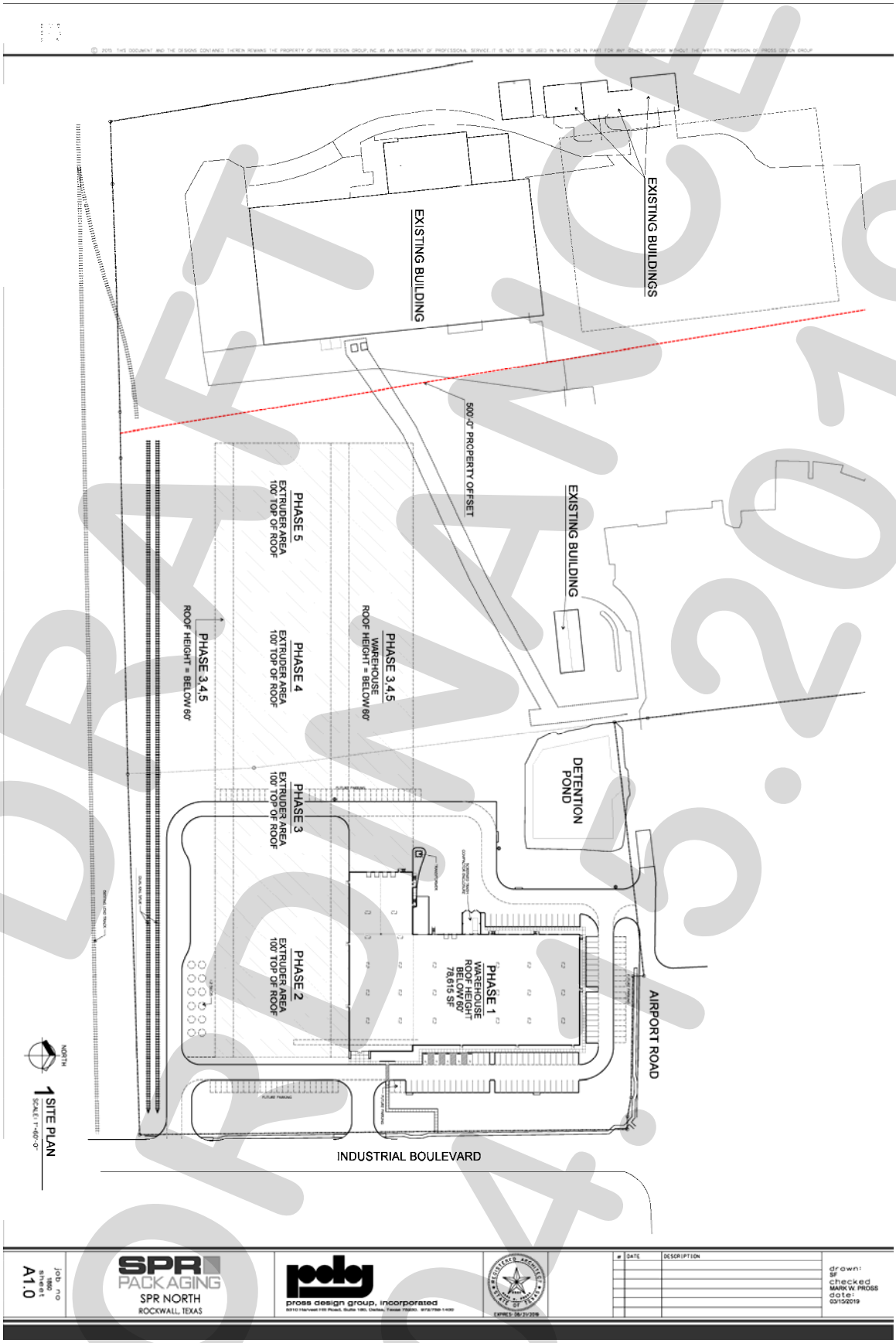
AIRPORT ROAD; SAID POINT ALSO BEING THE NORTHWEST CORNER OF AFORESAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT;

THENCE DEPARTING THE WEST LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC.TRACT AND THE EAST LINE OF SAID LOT 1 IN BLOCK 1 AND ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID AIRPORT ROAD, THE FOLLOWING COURSES AND DISTANCES NUMBERED **(1) THROUGH (5);**

1. NORTH 83° 53' 38" EAST FOR A DISTANCE OF 413.66 FEET TO A POINT FOR CORNER;
2. SOUTH 01° 01' 31" EAST FOR A DISTANCE OF 17.89 FEET TO A POINT FOR CORNER;
3. SOUTH 88° 37' 46" EAST FOR A DISTANCE OF 195.72 FEET TO A POINT FOR CORNER;
4. SOUTH 79° 05' 55" EAST FOR A DISTANCE OF 32.05 FEET TO A POINT FOR CORNER;
5. SOUTH 88° 51' 14" EAST FOR A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 42.6035 ACRES OF LAND, MORE OR LESS.

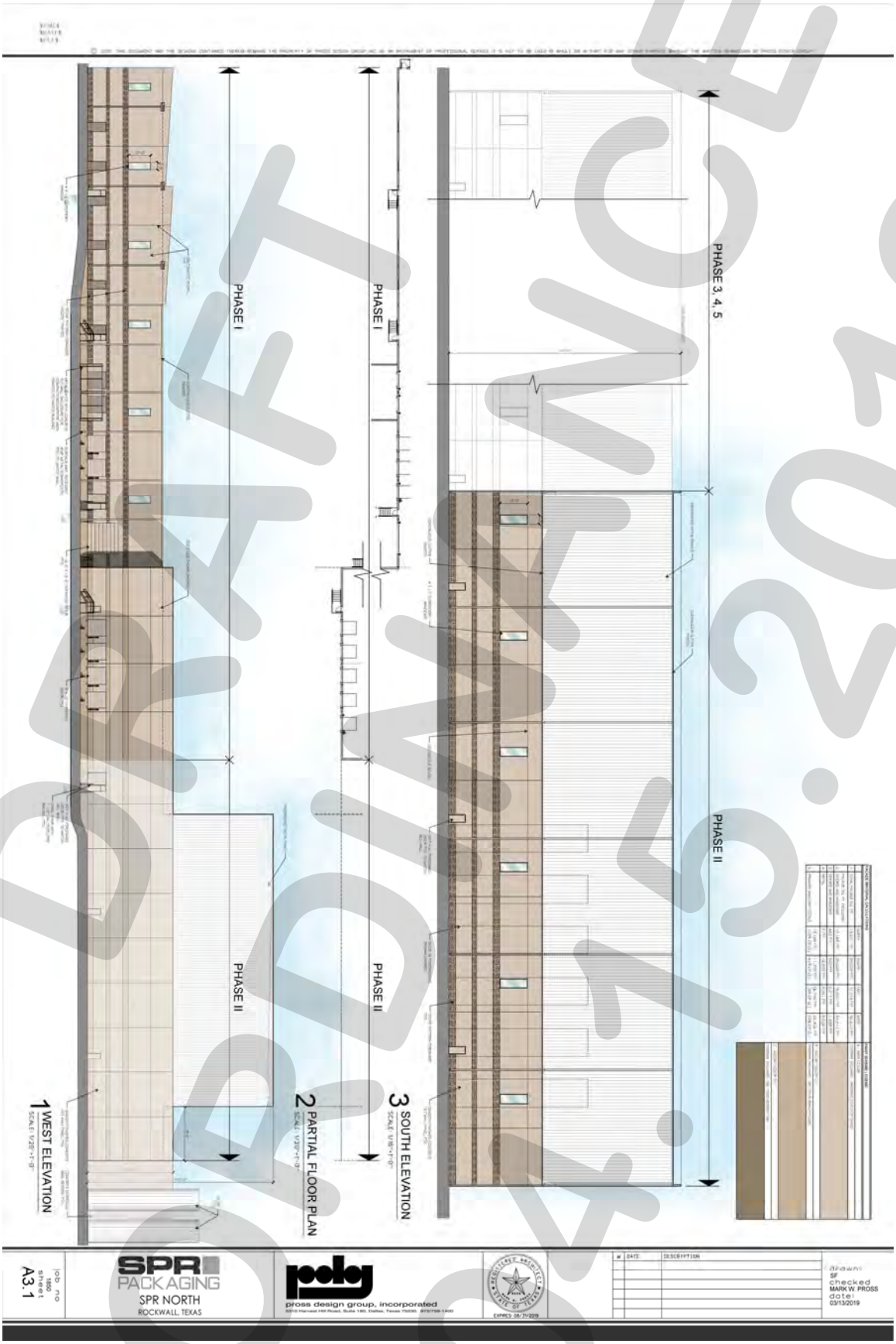
DRAFT ORDINANCE 04.15.2019

Exhibit 'B':
Conceptual Site Plan



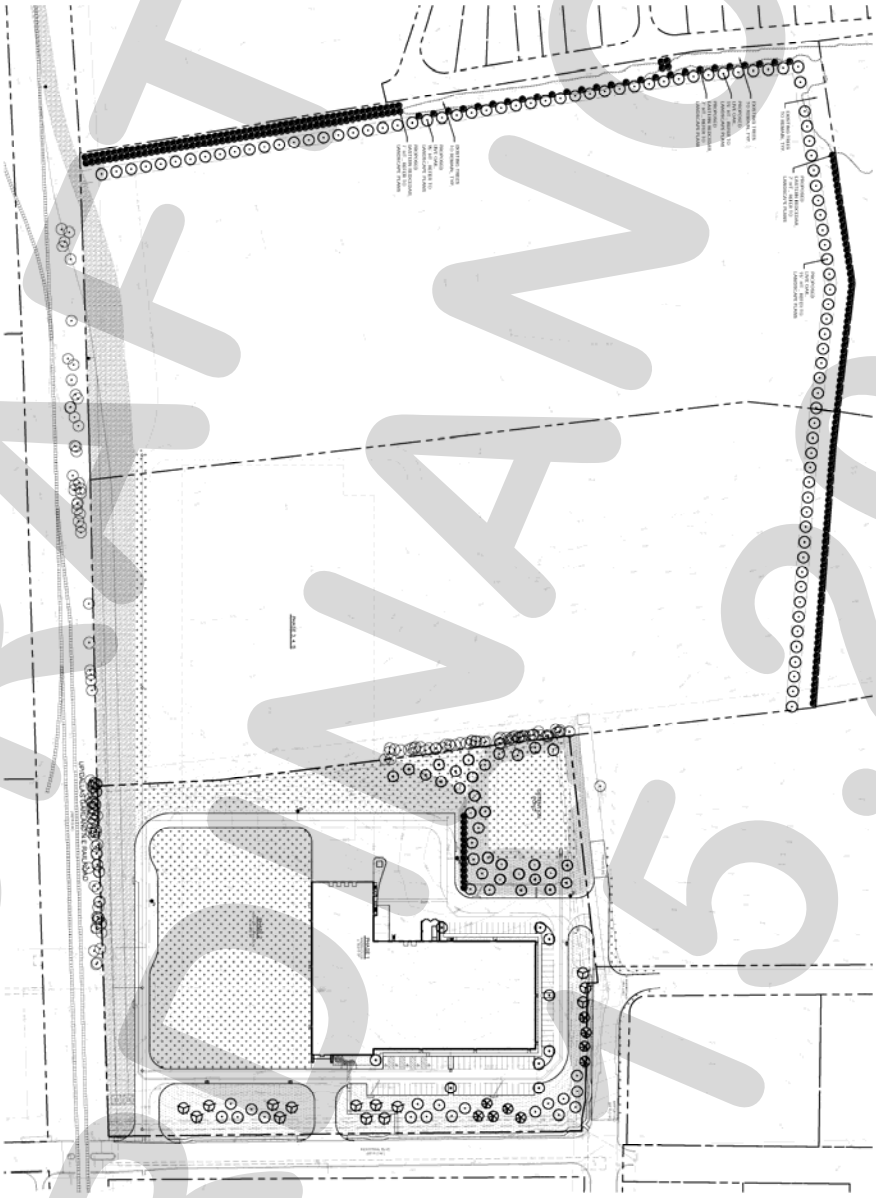
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Exhibit 'C':
Concept Building Elevation Phasing Plan



DRAFT 04.15.2019

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OVERALL LANDSCAPE PLAN

BELLE FIRMA
4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7792

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

pross design group, incorporated

#	DATE	DESCRIPTION
	02/14/19	CITY COMMENTS

drawn: NAY
checked: KAH
date: 01/15/19

job no
sheet L1.00

DRAFT ORDINANCE 04.15.2019

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	April 15, 2019
APPLICANT:	Ruben Garcia and Brandon Mullins *of Hemisphere Brewing Company*
CASE NUMBER:	Z2019-007; *SUP for Commercial Amusement/Recreation (Outdoor)*

SUMMARY

Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for *outdoor commercial amusement/recreation* in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.

BACKGROUND

The subject property is a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition. The subject property is situated within the IH-30 Overlay (IH-30 OV) District and addressed as 2015 Kristy Lane. The property was annexed on May 5, 1980 by *Ordinance No. 80-06.* According to the City's historic zoning maps, the subject property has been zoned Light Industrial (LI) District since at least May 16, 1983. Currently, the property is being used as a brewery (*i.e. Hemisphere Brewing Company*), which is a by-right land use within the Light Industrial (LI) District. Hemisphere Brewing Company obtained their Certificate of Occupancy (CO) on November 17, 2014.

PURPOSE

The applicants, Ruben Garcia and Brandon Mullins, have submitted a request for a Specific Use Permit (SUP) to allow a *Commercial Amusement/Recreation* (*Outdoor*) land use in conjunction with an existing craft/microbrewery located within a Light Industrial (LI) District. The applicant is requesting to operate an outdoor entertainment area that includes a stage and seating areas. This will be located at the rear of the property and will be enclosed by an eight (8)-foot wooden fence.

ADJACENT LAND USES AND ACCESS

The subject property is located at 2015 Kristy Lane. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are three (3) businesses (*i.e. Rite Co. Collision, Asnet, Inc., & Multi-Metal & MFG Co., Inc.*) on a 3.77-acres of land that front IH-30. All of these properties are zoned Light Industrial (LI) District. Beyond these properties is IH-30.

South: Directly south of the subject property is a business (*i.e. Excel Metal Finishing*) addressed as 2065 Kristy Lane, which is situated a one (1)-acre parcel of land. This property is zoned Light Industrial (LI) District.

East: Directly east of the subject property is a 3.543-acre parcel of land that is vacant. This property is zoned Light Industrial (LI) District.

West: Directly west of the subject property are two (2) businesses (*i.e. Rockwall Mini Storage & Bodin Concrete*) on 4.0681-acres of land. Both of these properties are zoned Light Industrial (LI) District.

CHARACTERISTICS OF THE REQUEST

The applicants have stated that they would like the opportunity to expand their operations by including an outdoor stage and Biergarten venue for the purpose of incorporating live entertainment, charity events, special events (*i.e. corporate events, birthday parties, weddings, etc.*) and social gatherings into their existing operations. Due to the hours of operation as regulated for a brewery by the Texas Alcoholic Beverage Commission (TABC), the applicants would be able to host these events during the hours of 8:00 a.m. – 12:00 a.m. Monday through Saturday and 10:00 a.m. – 12:00 a.m. on Sunday. Additionally, the applicants have provided a concept plan for the *Commercial Amusement/Recreation (Outdoor)* use [*i.e. outdoor venue*], which shows that the *Commercial Amusement/Recreation* (*Outdoor*) area will be located at the rear of the facility. The concept plan indicates the location of the outdoor stage area, proposed seating areas, and an eight (8)-foot high wood fence that will enclose this area.

CONFORMANCE WITH THE CITY'S CODES

According to Section 1.1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), a *Commercial Amusement/Recreation (Outdoor)* land use requires approval of a Specific Use Permit (SUP) in a Light Industrial (LI) District. Staff has included language providing for the expiration of the SUP should the land use designation change (*i.e. other than a craft brewery*). This has been included as a condition of approval.

According to Section 2.1.5.2, Recreation, Entertainment and Amusement Use Conditions, of Article IV, Permissible Uses of the Unified Development Code (UDC), an "(o)utdoor commercial recreational and amusement uses shall be no closer than 300 feet to residentially zoned land unless such setback is reduced or waived by the planning and zoning commission and city council." In this case, the subject property is more than 300-feet from a residentially zoned property and is in conformance with the UDC.

STAFF ANALYSIS

Based on the applicant's request, it should be noted that the subject property is situated within the Bodin Industrial Addition, which is primarily zoned Light Industrial (LI) District. It should also be noted that the hours of operation are limited by the Texas Alcoholic Beverage Commission (TABC) for a brewery. As a note, the required number of parking spaces for any facility is calculated based on land use and the square footage of the facility. In this case, the *Commercial Amusement/Recreation* (*Outdoor*) use is not considered an indoor use; therefore, no additional parking spaces are required.

Included in the attached packet is the applicant's letter requesting the Specific Use Permit (SUP), a concept plan depicting the outdoor venue, and a draft ordinance containing regulations for the proposed land use. Based on staff's review, the applicant's request does appear to be in conformance with these requirements; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council.

NOTIFICATIONS

On March 29, 2019, staff mailed 27 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there are no Home Owners Associations (HOA's)/or neighborhood groups participating in the Neighborhood Notification Program within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received two (2) notices in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a Commercial Amusement/Recreation (*Outdoor*) in conjunction with an existing craft/microbrewery, then staff would propose the following conditions of approval:

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

a) The development and operation of a *Commercial Amusement/Recreation* (*Outdoor*) land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the proposed draft ordinance;

b) The *Subject Property* may be used for all permitted accessory uses, as well as, the use of an *outdoor stage and venue* that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in *Exhibit 'B'* of the proposed draft ordinance;

c) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (*i.e. other than a craft brewery*) this SUP shall automatically expire; and,

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

PLANNING AND ZONING COMMISSION

On April 09, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) for a Commercial Amusement/Recreation (*Outdoor*) in conjunction with an existing craft/microbrewery, and with staff conditions passed by a vote of 7 to 0.



Z2019-007 - SUP FOR OUTDOOR COMMERCIAL AMUSEMENT
ZONING - LOCATION MAP =

City of Rockwall

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

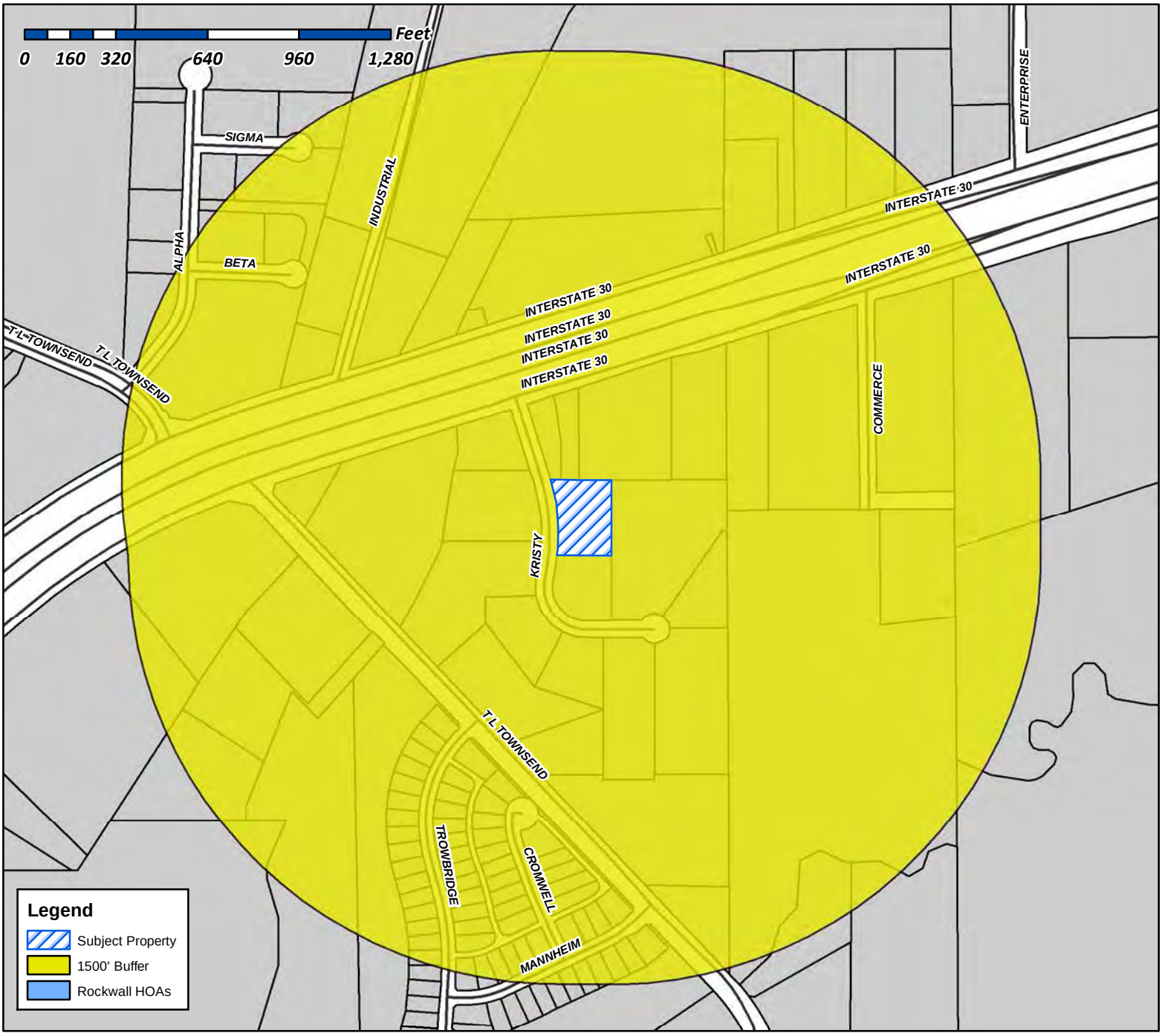
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

232

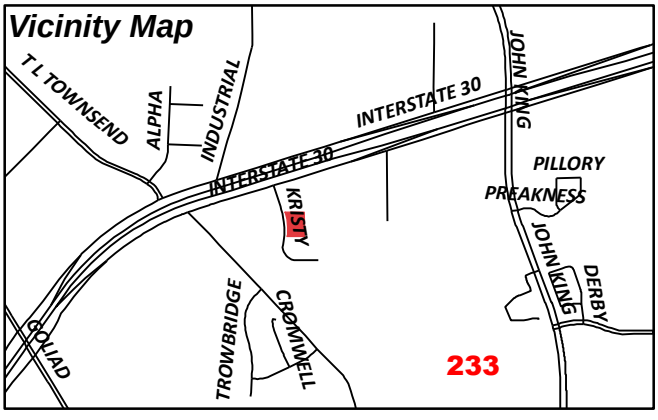
City of Rockwall

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

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Case Number: Z2019-007
Case Name: SUP for Commercial Amusement
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: 2015 Kristy Lane

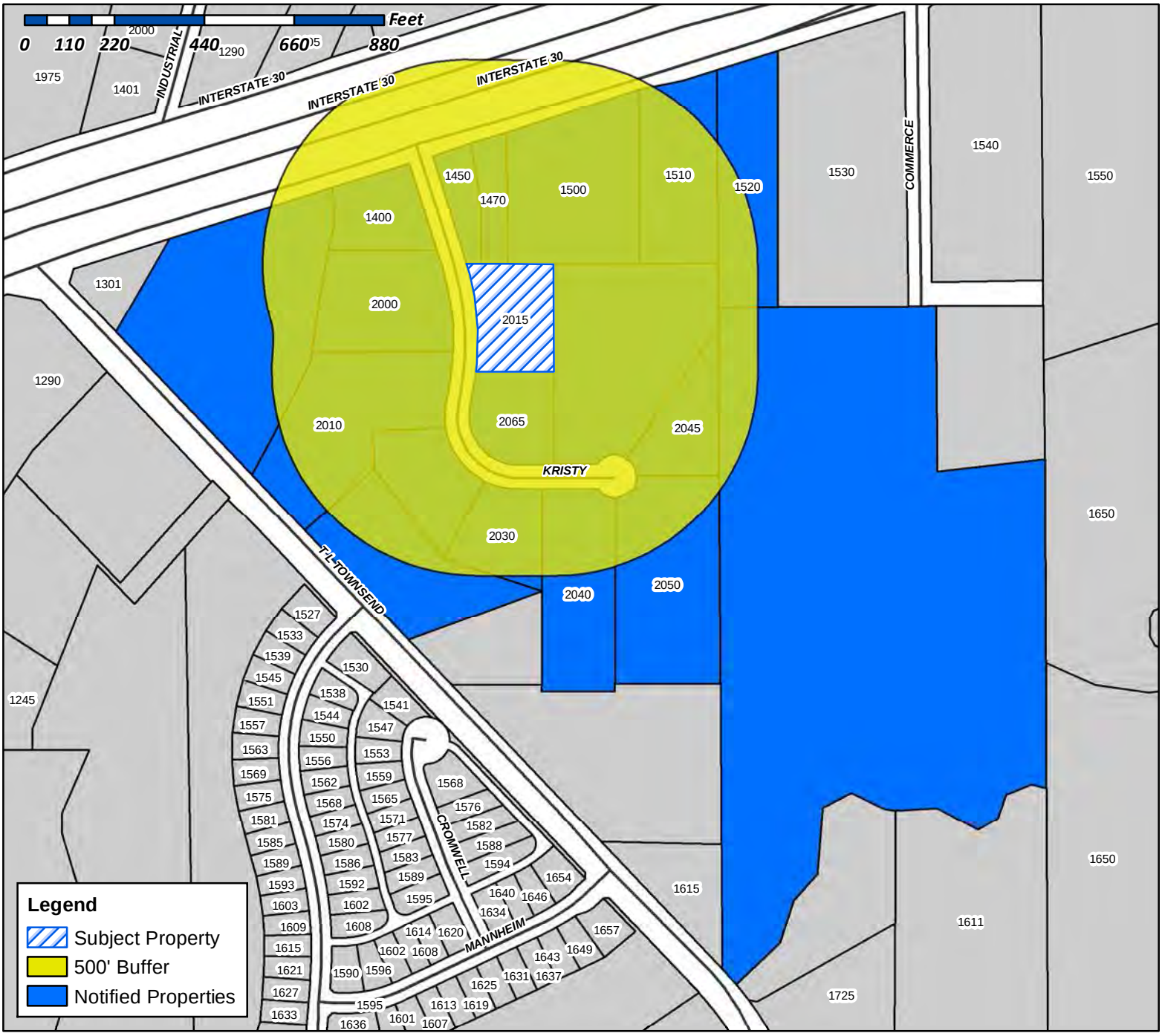


Date Created: ***3/18/2019***
For Questions on this Case Call (972) 771-7745

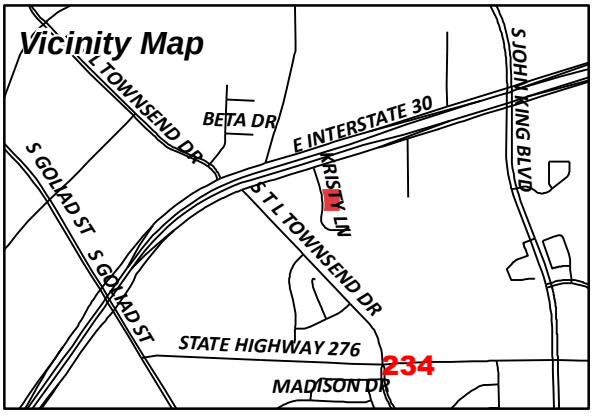
City of Rockwall

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

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Case Number: Z2019-007
Case Name: SUP for Outdoor Commercial Amusement
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: 2015 Kristy Lane



Date Created: ***3/21/2019***
For Questions on this Case Call (972) 771-7745

SELF CECIL E & ALICE E
REVOCABLE LIVING TRUST
1105 SWALLOWTAIL DR
MADISON, WI 53717

CURRENT RESIDENT
1400 I30
ROCKWALL, TX 75032

RICK BENTLEY PROPERTIES LLC
1450 E I-30
ROCKWALL, TX 75087

SARO PARTNERS LLC
1450 T L TOWNSEND
ROCKWALL, TX 75032

CURRENT RESIDENT
1470 I30
ROCKWALL, TX 75032

MULTI-METAL & MFG CO, INC
1500 E INTERSTATE 30
ROCKWALL, TX 75087

CURRENT RESIDENT
1510 E I30
ROCKWALL, TX 75032

CURRENT RESIDENT
1520 E I30
ROCKWALL, TX 75032

CURRENT RESIDENT
2000 KRISTY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
2010 KRISTY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
2015 KRISTY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
2030 KRISTY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
2040 KRISTY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
2045 KRISTY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
2050 KRISTY LN
ROCKWALL, TX 75032

MOORE MICHAEL E & MARIJANE
2065 KRISTY LANE
ROCKWALL, TX 75032

MOORE MICHAEL E & MARIJANE
2065 KRISTY LN
ROCKWALL, TX 75032

REDI MIX LLC
331 N MAIN STREET
EULESS, TX 76039

CSIHAR JAMES J
592 S.E. VOKERT'S TERRACE
PORT SAINT LUCIE, FL 34983

OWENS REAL ESTATE INVESTMENTS LLC
7156 HUNT LN
ROCKWALL, TX 75087

BODIN CONCRETE LP
PO BOX 109
ROWLETT, TX 75030

HAWN HOLDINGS LC
PO BOX 1688
ROCKWALL, TX 75087

COPPER CANYON HOMES LLC
PO BOX 1870
ROCKWALL, TX 75087

ROCKWALL CREDIT SERVICES L C
PO BOX 1870
ROCKWALL, TX 75087

DAVIS FORREST B
PO BOX 826
FATE, TX 75132

COLLIN G PROPERTIES LTD
PO BOX 847
ROCKWALL, TX 75087

THACKER DENNIS ALAN TESTAMENTARY TRUST
AND
LINDA THACKER LAHOOD AND JOSHUA ALAN
THACKER
PO BOX 8693
GREENVILLE, TX 75404

235

NOTICE OF PUBLIC HEARING

CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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

Case No. Z2019-007: SUP for an Outdoor Commercial Amusement

Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/9/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 4/15/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **4/15/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-007: SUP for an Outdoor Commercial Amusement

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

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

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

To Whom It May Concern:

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

Case No. Z2019-007: SUP for an Outdoor Commercial Amusement

Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/9/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 4/15/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

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Sincerely,

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Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-007: SUP for an Outdoor Commercial Amusement

Please place a check mark on the appropriate line below:

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

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

Name: CHRIS LEWIS / OWNER RENEGADE CUSTOMS

Address: 2045 KRISTY LN., ROCKWALL, TX 75032

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-007: SUP for an Outdoor Commercial Amusement

Please place a check mark on the appropriate line below:

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

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

Good for Business !

Name: Linda Lafood

Address: 1760 I-30 East Rockwall Texas 75087

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

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



City of Rockwall

N

0 40 Feet

Date: 3/21/2019

GEOGRAPHIC INFORMATION SYSTEMS

Z2019-007

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Ruben Garcia and Brandon Mullins for the approval of a Specific Use Permit (SUP) for a *Commercial Amusement/Recreation (Outdoor)* land use for the purpose of establishing an outdoor stage and venue in conjunction with an existing craft brewery on a 1.215-acre parcel of land, zoned Light Industrial (LI) District, identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, addressed as 2015 Kristy Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Commercial Amusement/Recreation (Outdoor)* land use as stipulated by Article *IV, Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule,* of *Article IV, Permissible Uses,* and *Section 5.02, Light Industrial (LI) District,* of *Article V, District Development Standards,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein

DRAFT ORDINANCE 04-19

by the granting of this zoning change, and as my be amended in the future, and shall be subject to the following additional conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Commercial Amusement/Recreation (Outdoor)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

1) The development and operation of a *Commercial Amusement/Recreation* (*Outdoor*) land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The *Subject Property* may be used for all permitted accessory uses, as well as, the use of an *outdoor stage and venue* that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in *Exhibit 'B'* of this ordinance; and,

3) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (*i.e. other than a craft brewery*) this SUP shall automatically expire.

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

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

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

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

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

ordinance shall remain in full force and effect.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MAY, 2019.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *March 15, 2019*

2nd Reading: *May 6, 2019*

DRAFT ORDINANCE 04.15.2019

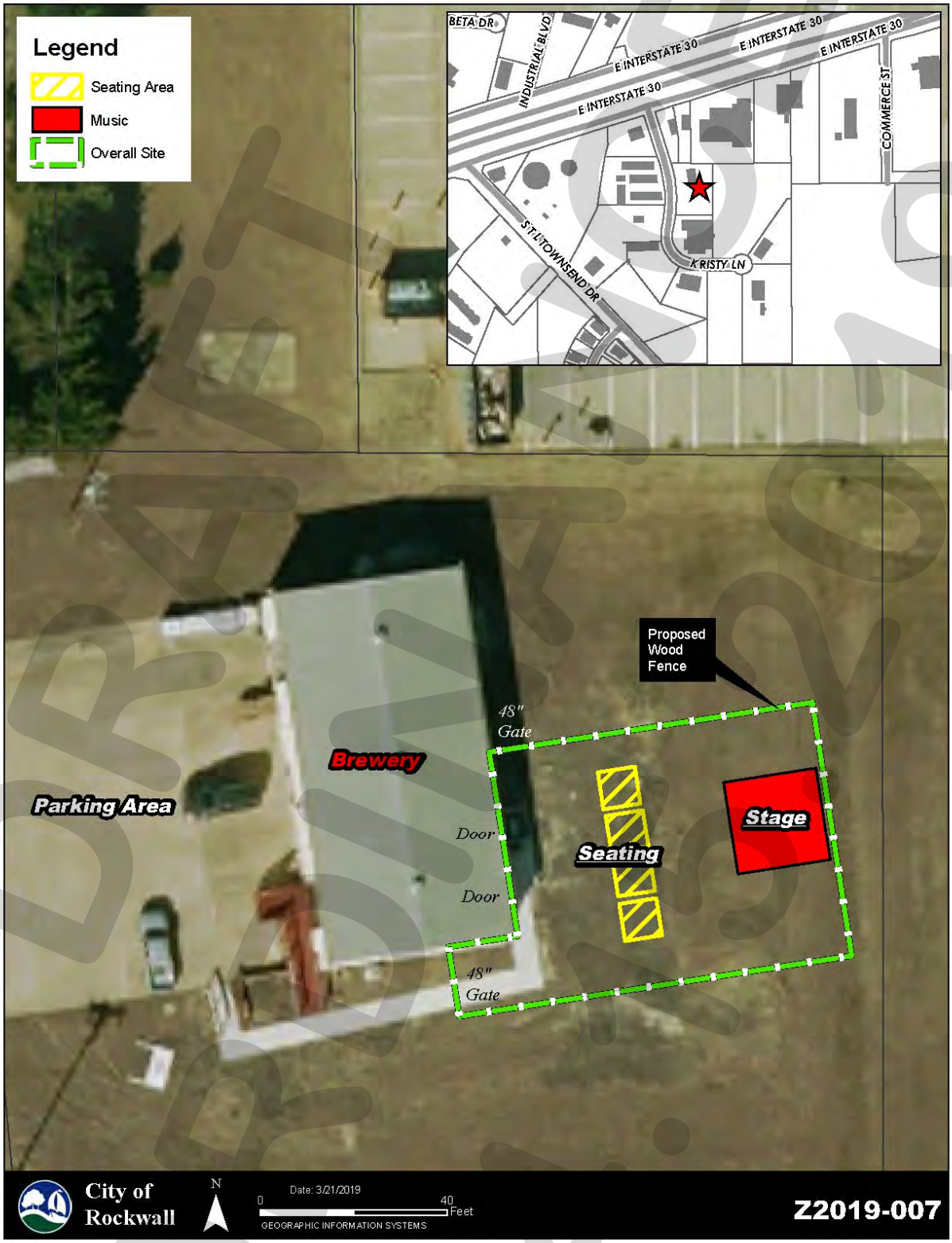
Exhibit 'A':
Legal Description:

Lot 1-F, Bodin Industrial Addition



DRAFT ORDINANCE 04.15.19

Exhibit 'B':
Concept Plan



DRAFT 04.19.19

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	April 15, 2019
APPLICANT:	Jim Ziegler, *PegasusAblon*
CASE NUMBER:	Z2019-008; *Amended Development Plan for PD-32*

SUMMARY

Hold a public hearing and consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a PD Development Plan amending *Ordinance 17-64* and in accordance with *Ordinance No. 17-22*, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary.

BACKGROUND

Ordinance No. 10-21 incorporated the subject property into Planned Development District 32 (PD-32) on September 20, 2010. This ordinance created a master planned, mixed-use district consisting of 78.89-acres of land, which is commonly referred to as the *Harbor District*. Included in the ordinance was a pool of 1,161 *urban residential* units (*i.e. condominiums and/or townhomes*) that could be allocated to properties within the district by the City Council -- *in accordance with the land use charts in the ordinance* -- on a *first-come-first-serve* basis through an interim zoning step called a *PD Development Plan*.

On June 17, 2013, the City Council approved a *PD Development Plan* (*Ordinance No. 13-16*) allocating 399 *urban residential* units (*i.e. condominiums*) to the subject property. These units were tied to a concept plan that showed two (2) condominium buildings being constructed on the subject property, one (1) adjacent to Lakefront Trail consisting of 349-units and one (1) adjacent to the Harbor Fountain consisting of 50-units. In addition, the plan indicated two (2) retail/restaurant strip centers would be constructed adjacent to Lake Front Trail and Harbor Heights Drive. These areas were eventually developed with a hotel (*i.e. Spring Hill Suites*) in 2016. On December 18, 2017, the City Council approved an amendment to this plan allowing the number of units to be increased to a total 450-units, which would increase the number of units for the building adjacent to Lakefront Trail to 375-units and for the building adjacent to the Harbor Fountain to 75-units. In addition, the City Council added a strict construction schedule for both buildings as part of the PD Development Plan ordinance. If the dates in the construction schedule are not met, the increased units (i.e. the additional 51-units) would be clawed back through an expiration clause in the ordinance. The owners of both properties agreed to the construction schedule as part of this case.

PURPOSE

On March 15, 2019, the applicant submitted an application requesting to amend the *PD Development Plan* approved under *Ordinance No. 17-64*. The applicant has stated that the purpose of this application is to [*1*] change the pedestrian access easement that extends from Lakefront Trail to the Harbor Fountain to a one-way private drive and pedestrian access easement, and [*2*] to change the

construction schedule for *Harbor Village* project (*identified as Building ❶ in the attached draft ordinance*).

ADJACENT LAND USES AND ACCESS

The subject property is located at the southwest corner of the intersection of Lakefront Trail and the IH-30 frontage road, and is addressed as 2600 Lakefront Trail. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the southern frontage road for E. IH-30 followed by the main lanes, and the northern frontage road. Beyond this highway system is the Harbor Bay Marina that is zoned Agricultural (AG) District, and Phase 5C of the Lakeside Village Subdivision, which consists of 61 single-family lots that are zoned Planned Development District 2 (PD-2) for single-family, residential land uses.

South: Directly south of the subject property is the Harbor Retail development, which is zoned Planned Development District 7 (PD-7) for limited General Retail (GR) District land uses. Beyond this is Summer Lee Drive, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this is Lago Vista Subdivision, which consists of 92 single-family residential lots that are zoned Planned Development District 18 (PD-18) for single-family, residential land uses.

East: Directly east of the subject property is Lakefront Trail followed by a 2.968-acre tract of land that is occupied with a hotel (*i.e. Spring Hill Suites*). Beyond this is Shoreline Trail, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. All of these properties are zoned Planned Development District 32 (PD-32) and are located in the *Freeway Frontage Subdistrict*.

West: Directly west of the subject property is several parcels of land that have offices and a gym (*i.e. Eclipse Fitness*) situated on them. In addition, the remainder of the subject property contained in this PD Development Plan, and which is identified as *Building* ❷ in the attached draft ordinance, is located adjacent to this area. All of these properties are zoned Planned Development District 32 (PD-32), and are situated within the *Harbor Residential Subdistrict*. Beyond this are the corporate limits of the City of Rockwall followed by the take-line.

CHARACTERISTICS OF THE REQUEST

On January 15, 2019, the Planning and Zoning Commission approved a site plan for a 375-unit condominium building on a 6.2-acre tract of land located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail (*identified as Building ❶ in the attached draft ordinance*). While going through the site plan approval process, staff explained to the applicant that the proposed IH-30 improvements -- *which are scheduled for 2021* -- would restrict the properties west of the subject property (*i.e. Building ❷ in the attached draft ordinance and the existing office/retail building adjacent to the takeline*) from having access to Lakefront Trail, and that the only access to these properties would be provided from the eastbound lanes of the IH-30 frontage road (*i.e. drivers in the City of Rockwall would have to take IH-30 west and exit the Bayside exit in Rowlett, and take IH-30 east and exit the Harbor exit prior to crossing into the City's corporate limits to access these properties*). Based on this, the applicant has submitted a request to transform the pedestrian access easement providing access to the Harbor Fountain into a mew street that would serve as both a pedestrian access easement and a private drive for the properties to the west of the subject property. In accordance with the design guidelines contained in *Resolution No. 10-40*, staff has requested that the applicant retain the aesthetics of the original pedestrian access easement and use bollards in lieu of a curbed one-way street. Based on this direction the applicant has provided a street cross section showing the proposed mew street and a concept plan showing the additional details requested by staff.

Since the applicant was required to go through a zoning process to change the PD Development Plan, it will be difficult for the project to be completed in accordance with the construction schedule laid out in *Ordinance No. 17-64*. This requires that a building permit be issued by June 1, 2019. As a result, the applicant has requested to extend this timeline for a period of one (1) year from the approval date of the proposed ordinance. If the ordinance is approved under the current schedule and the case is not tabled or denied the date the applicant would need a building permit by would be *May 6, 2020*. Staff should note that the applicant has not requested changes to the construction schedule for *Building* ❷ (*i.e. the building adjacent to the Harbor Fountain*), and the date required for the owner of that property to obtain a building remains as *June 1, 2020*.

Staff should note that the applicant was asked to provide letters from the adjacent property owners indicating their consent to change the access to their properties; however, the applicant has failed to provide these letters to staff. With this being said, the proposed changes should be an improvement to the access of these properties, and should not create any development issues for these property owners.

INFRASTRUCTURE

The applicant's request does not change the infrastructure requirements that were identified with *Case No. SP2018-043*, and no new infrastructure would be required with this case.

CONFORMANCE WITH THE CITY'S CODES

The applicant's request does not change the conformance to the City's codes for the site plan approved with *Case No. SP2018-043*, and should not have an effect on any future projects ability to conform to the City's Municipal Code of Ordinances or the Unified Development Code (UDC).

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The applicant's request does not have an effect on the property's conformance to the OURHometown Vision 2040 Comprehensive Plan.

NOTIFICATIONS

On March 25, 2019, staff mailed 41 notices to property owners and occupants within 500-feet of the *Freeway Frontage, Harbor Link Mixed-Use,* and *Harbor Residential Subdistricts*. Staff also notified the Lakeside Village and Lago Vista Homeowner's Associations (HOA), which are the only HOA/Neighborhood Organizations that are within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices returned concerning the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to amend the Development Plan contained in *Ordinance No. 17-64*, then staff would propose the following conditions of approval:

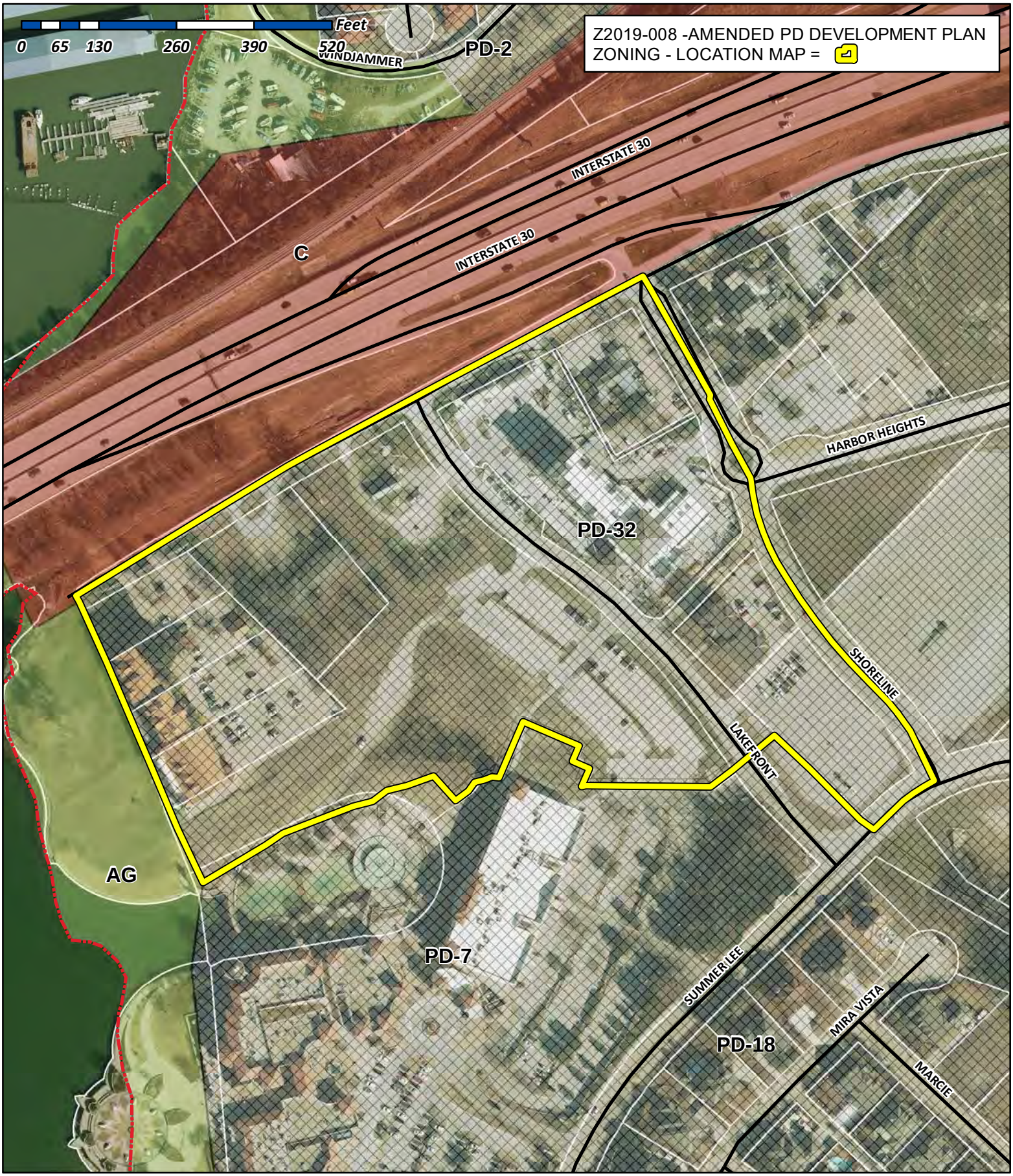
(1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

(2) The site plan approved with *Case No. SP2018-043* will need to be updated and administratively approved to ensure conformance to the revised *PD Development Plan*;

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

PLANNING AND ZONING COMMISSION

On April 9, 2019, the Planning and Zoning Commission approved the applicant's request to amend the Development Plan contained in *Ordinance No. 17-64* by a vote of 5-2, with Commissioners Logan and Chodun dissenting.



City of Rockwall

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

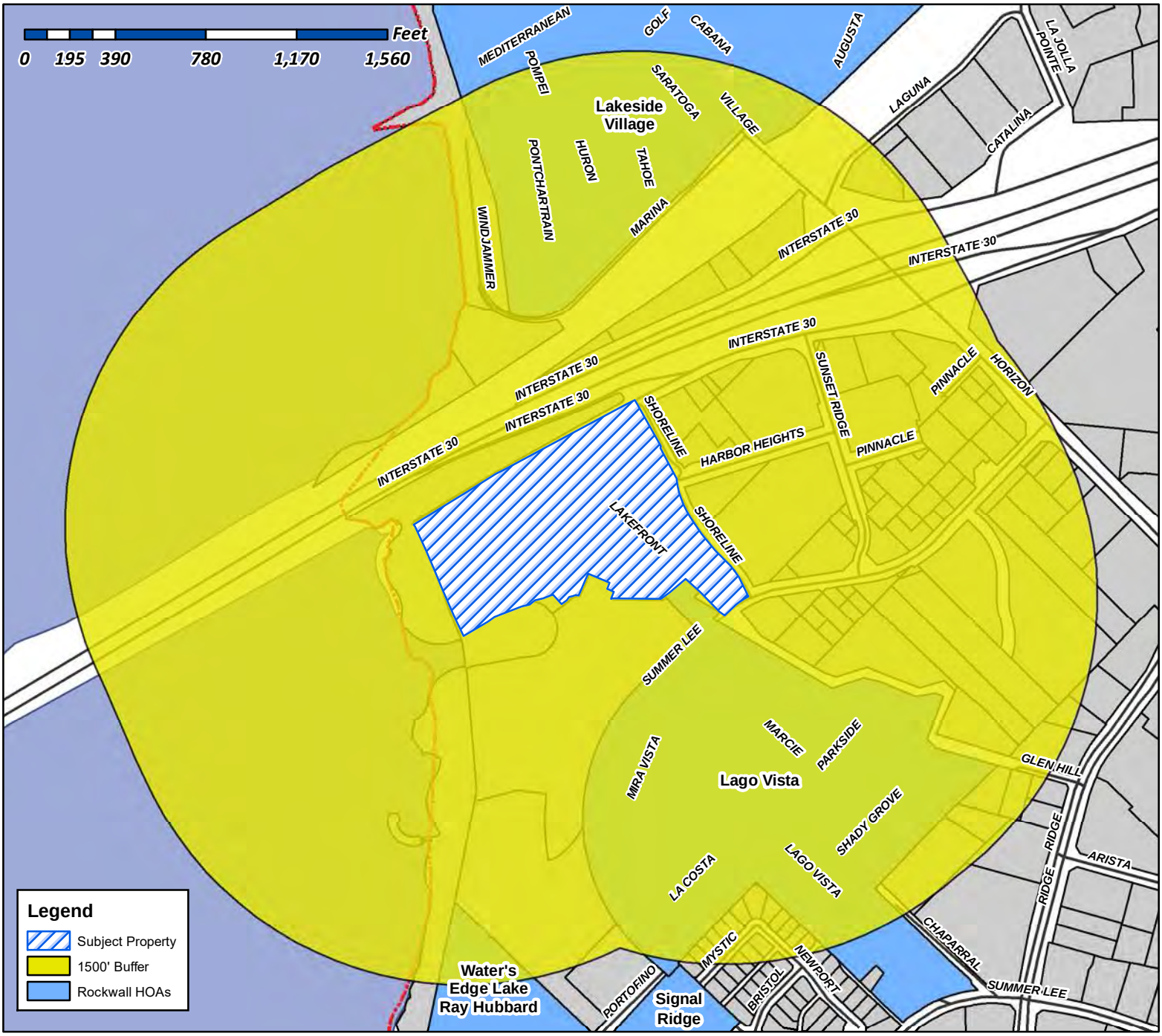
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

250

City of Rockwall

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

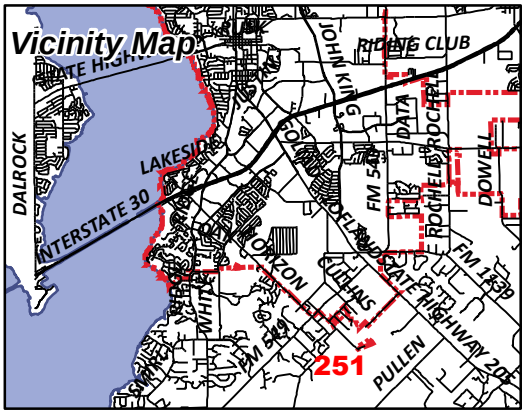
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Case Number: Z2019-008
Case Name: Amended PD Development Plan
Case Type: Zoning
Zoning: Planned Development 32 (PD-32)
Case Address: SWC of the Intersection of the IH-30 Frontage Road and Lakefront Trail

Date Created: ***3/19/2019***

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



From:	Morales, Laura
To:	[redacted]
Cc:	Miller, Ryan; Gonzales, David; Brooks, Korey
Subject:	Neighborhood Notification Program: Notice of zoning request
Date:	Friday, March 22, 2019 2:41:03 PM
Attachments:	Public Notice (03.21.2019).pdf HOA Map.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***March 22, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 4/9/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday 4/15/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-008- Hold a public hearing and consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a PD Development Plan amending Ordinance 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

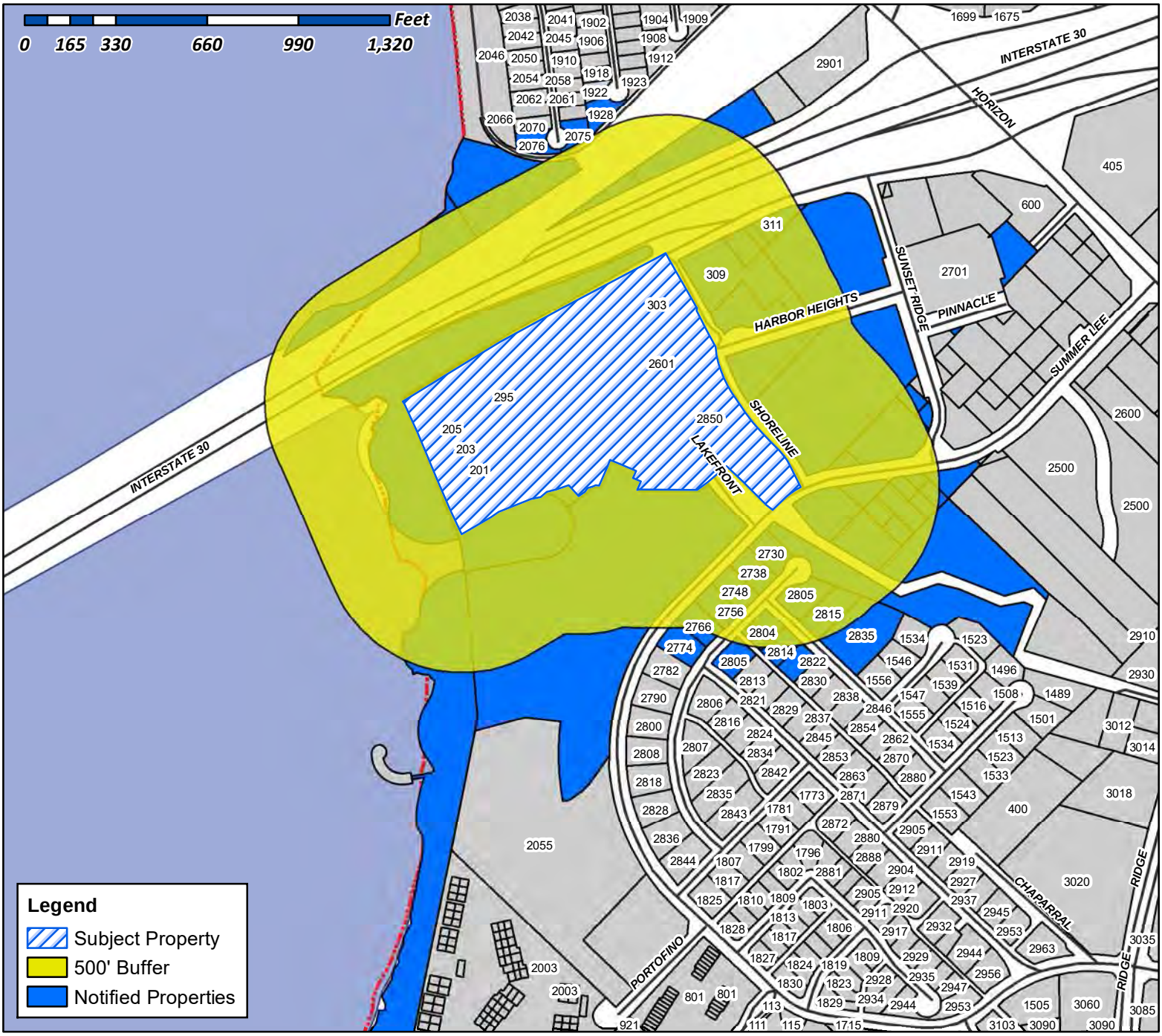
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com |http://www.rockwall.com/planning/

City of Rockwall

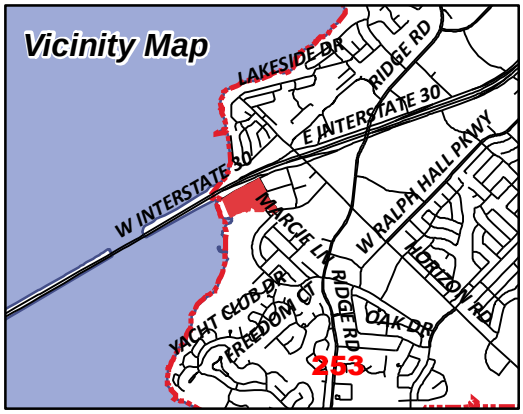
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2019-008
Case Name: Amended PD Development Plan
Case Type: Zoning
Zoning: Planned Development 32 (PD-32)
Case Address: SWC of the Intersection of the IH-30 Frontage Road and Lakefront Trail

Date Created: ***3/19/2019***
For Questions on this Case Call (972) 771-7745



CAIN DOYLE
1375 COUNTY ROAD 2290
MINEOLA, TX 75773

TRITON I-30 ROCKWALL LLC
1845 WOODALL ROGERS FREEWAY, SUITE 1100
DALLAS, TX 75201

WARMACK BOB & LINDA
1928 HURON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
201 E I30
ROCKWALL, TX 75032

CURRENT RESIDENT
203 E I30
ROCKWALL, TX 75032

ARKOMA REALTY LTD
A TEXAS LTD PARTNERSHIP
203 E INTERSTATE 30
ROCKWALL, TX 75087

CURRENT RESIDENT
205 I30
ROCKWALL, TX 75032

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

MANDARI JEMA
2075 PONTCHARTRAIN DR
ROCKWALL, TX 75087

WILKINS HORACE JR & EVELYN F
2076 PONTCHARTRAIN DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
2601 LAKEFRONT TR
ROCKWALL, TX 75032

HARBOR LAKE POINTE INVESTORS LLC
2701 SUNSET RIDGE DR 0
ROCKWALL, TX 75032

101 HUBBARD DR LLC
2701 SUNSET RIDGE DR 0
ROCKWALL, TX 75032

THOMPSON GARY
2730 MIRA VISTA LN
ROCKWALL, TX 75032

MCKINNEY MARVIN
2738 MIRA VISTA LANE
ROCKWALL, TX 75032

KAPRANTZAS VICTORIA J AND
ROSALIE A CRACCHIOLO
2748 MIRA VISTA LANE
ROCKWALL, TX 75032

COOLIDGE JONATHAN S & CATHEY M
2756 MIRA VISTA LN
ROCKWALL, TX 75032

DOUGLAS JOETTA & ROY
2766 MIRA VISTA LN
ROCKWALL, TX 75032

BAILEY RICHARD A AND GENA B
2774 MIRA VISTA LN
ROCKWALL, TX 75032

LAKEFRONT TRAIL ROCKWALL HOTEL LP
c/o OLDHJAM GOODWIN GROUP LLC
2800 S. TEXAS AVE. 0
BRYAN, TX 77802

YU JOHNNY & HAE SUK
2804 MARCIE LN
ROCKWALL, TX 75032

MILLER DARYL & CAMILLE STEARNS
2805 LAGO VISTA LN
ROCKWALL, TX 75032

VANHOV ENTERPRISES LLC
2805 MARCIE LANE
ROCKWALL, TX 75032

CASSADY CHARLES P
2814 MARCIE LN
ROCKWALL, TX 75032

BENNETT CLIFF AND STELLA
2815 MARCIE LN
ROCKWALL, TX 75032

FRY ROBIN K & JASON R
2822 MARCIE LANE
ROCKWALL, TX 75032

CURRENT RESIDENT
2835 MARCIE LN
ROCKWALL, TX 75032

LAKE FRONT TRAIL LP
2850 SHORELINE TR 0
ROCKWALL, TX 75032

CURRENT RESIDENT
295 I30
ROCKWALL, TX 75032

CURRENT RESIDENT
303 E I30
ROCKWALL, TX 75032

CURRENT RESIDENT
309 E I30
ROCKWALL, TX 75032

CURRENT RESIDENT
311 E I30
ROCKWALL, TX 75032

FAULKNER INVESTMENT CO. LTD
3401 MAIN ST
ROWLETT, TX 75088

LAKESIDE VILLAGE HOMEOWNERS
4100 VILLAGE DR
ROCKWALL, TX 75087

DRZW HOLDINGS LTD
4515 DORSET RD
DALLAS, TX 75229

BRIDGE VALHALLA INC
519 E I 30 #157
ROCKWALL, TX 75087

PA HARBOR RETAIL LLC
8222 DOUGLAS AVENUE 0
DALLAS, TX 75201

NOYORI MITSUE
8301 LAKEVIEW PKWY STE 111
ROWLETT, TX 75088

CLEMENTS BOB L
PO BOX 1850
MCKINNEY, TX 75070

CULPEPPER /SPATEX JV
%GARY SHULTZ
PO BOX 190569
DALLAS, TX 75219

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

255

Winkelmann
& Associates, Inc.
6750 HILLCREST PLAZA DR., STE. 325
DALLAS, TX 75230 (972) 490-7090 FAX (972) 490-7099
TEXAS ENGINEERING FIRM REGISTRATION No. 89
TEXAS SURVEYOR FIRM REGISTRATION No. 10086600

March 15, 2019

Mr. Ryan Miller
City of Rockwall
385 S. Goliad Street
Rockwall, TX 75087

RE: SP-2018-043 Harbor Village

Mr. Miller,

Please accept the enclosed revised Site Plan for the Harbor Village. We are enclosing 4 full size folded along with a PDF file.

We are also enclosing an application and fee of $440.00. Letters of confirmation of our proposed modifications from adjacent owners will be provided upon receipt.

We are submitting this revised Site Plan to modify the southeasterly access way from solely a pedestrian path to a one way south bound driveway. This is included to provide full access to our neighbors to the west who will lose their inbound access from the east when the I-30 one way Frontage Road is constructed.

In addition, as a result of this, and several other issues, we are requesting the City make allowances for an extension of the requirement for issuance of Building Permit to a date 1 year after anticipated approval of the modified plan by City Council.

It is our intention if the modified plan is approved, to proceed immediately with our construction drawing preparation.

Should you have any questions or need additional information, please give me a call.

Sincerely,
Winkelmann & Associates, Inc.

Michael Clark, P.E.
President

Cc: James Ziegler –Pegasus Ablon

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C2	12°35'10"	620.00'	136.19'	135.92'	S51°48'46"E

LINE TABLE		
LINE #	BEARING	DISTANCE
L9	S79°07'41"W	7.21'
L10	N23°10'29"E	32.93'
L11	N66°36'24"W	31.00'
L12	N23°10'29"E	27.95'
L13	N82°38'15"W	11.76'
L14	S68°52'14"W	13.20'
L15	S75°08'27"W	12.97'
L16	S36°32'06"W	17.64'

REFER TO LANDSCAPE PLANS FOR PAVER DETAILS

LAKEFRONT TRAIL CITY PAVING

SIDEWALK PAVEMENT (TYP.)
4"–3,000 PSI CONCRETE
5.5 SACK MINIMUM
W/ #3 BARS AT 24" C–C
BOTH WAYS

HEAVY DUTY PAVEMENT
7"–3600 PSI CONCRETE
6.5 SACK MINIMUM
W/ #3 BARS AT 18" O.C.E.W.

INTERSTATE HIGHWAY 30
(VARIABLE WIDTH RIGHT-OF-WAY)

LAKEFRONT TRAIL
(VARIABLE WIDTH RIGHT-OF-WAY)

LOT 9A, BLOCK A
6.200 AC.
(270,065 S.F.)

LOT 9B, BLOCK A
1.158 AC.
(50,453 S.F.)

N 60°22'08" E 15'R
411.30'

S 29°37'52" E
9.98'

N 45°34'27" W
465.41'

N 44°25'33" E
57.37'

N 26°56'19" W
52.17'

S 52°53'12" W
79.41'

Δ=028°28'30"
R=680.00'
L=337.95'
Ch L=334.48'
Ch B=S43°52'07"E

Δ=049°09'46"
R=116.35'
L=99.83'
Ch L=96.80'
Ch B=N62°59'20"W

Δ=009°44'28"
R=680.00'
L=115.61'
Ch L=115.47'
Ch B=S40°10'38"E

Δ=002°30'
R=680.00'
L=29.80'
Ch L=29.8
Ch B=S36°

EXISTING FIRE HYDRANT

EXISTING MONUMENT SIGN TO REMAIN

PROPOSED 8' SIDEWALK

30' DRAINAGE EASEMENT CABINET H, SLIDE 195

PARKING GARAGE ENTRANCE (1ST FLOOR PARKING)

PARKING GARAGE ENTRANCE (2ND FLOOR PARKING)

PARKING GARAGE ENTRANCE (SURFACE PARKING)

COMPACTOR LOADING/PICK UP AREA

BORE UNDER LAKEVIEW TRAIL FOR 12" WATER LINE

15' RCH WATER SUPPLY CORPORATION EASEMENT VOLUME 64, PAGE 214

15' UTILITY EASEMENT CAB. C, SLD. 29

24' PUBLIC ACCESS, FIRE ACCESS, & UTILITY EASEMENT

24' ACCESS EASEMENT CAB. C, SLD. 29

15' UTILITY EASEMENT VOLUME 555, PAGE 219

15' SANITARY SEWER EASEMENT CABINET J, SLIDE 191

15' SANITARY SEWER EASEMENT PORTION TO BE ABANDONED CABINET J, SLIDE 191

50' PEDESTRIAN WALKWAY EASEMENT

20' WATER & FIRE ACCESS EASEMENT

25' WATER & SANITARY SEWER EASEMENT

20' FIRE ACCESS EASEMENT

10' WATER EASEMENT CABINET J, SLIDE 191

15' WATER & SANITARY SEWER EASEMENT CC #20170000015993

STEEL ENCASED 12" SANITARY SEWER

12" WATER LINE

12" WATER LINE STUB

HARBOR DISTRICT OVERFLOW PARKING GARAGE

10'R 5' TXU EASEMENT VOL. 4903, PG. 125

NORTHSTAR REALTY, LTD. VOLUME 1494, PAGE 259 LOT 1, BLOCK A

ARKOMA REALTY, LTD. VOLUME 2181, PAGE 5 LOT 2, BLOCK A

ROCKWALL HARBOR–PHASE ONE CABINET C, SLIDE 29

ARKOMA REALTY, LTD. VOLUME 2181, PAGE 5 LOT 3, BLOCK A

DRZW HOLDINGS, LTD. VOLUME 6905, PAGE 195 LOT 4, BLOCK A

REMAINDER OF LOT 9, BLOCK A HARBOR–ROCKWALL ADDITION CABINET J, SLIDE 191

LOT 8, BLOCK A HARBOR–ROCKWALL ADDITION CC #20170000015993

LOT 6, BLOCK A THE HARBOR–ROCKWALL ADDITION CABINET H, SLIDE 195

FL 18" CMP 441.54'

SS MH–451.30' FL–439.05'

SS MH–444.24' FL–439.56'

SS MH–468.74' FL–464.54'

SS MH–471.25' FL–448.59'

SW MH–460.53' SW MH–461.21' FL–456.03' FL–457.51

SW MH–457.93' FL–458.43

BM–"X" cut 449.68'

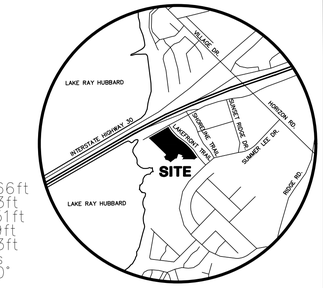
BM#2–"X" cut 460.80'

BMON 455.90'

46.666

12.333 18.647 4.468

E–ONE HP100 Platform
Overall Length 46.666ft
Overall Width 8.333ft
Overall Body Height 10.651ft
Min Body Ground Clearance 1.269ft
Track Width 8.333ft
Lock–to–lock time 6.00s
Max Wheel Angle 45.00°



VICINITY MAP
NOT TO SCALE

N W E S

0 40' 80'
SCALE: 1" = 40'

NOTICES TO CONTRACTOR

EXISTING UNDERGROUND/BURIED PUBLIC, PRIVATE, AND FRANCHISE UTILITIES/FACILITIES AFFECT THIS SITE, AND ARE DEPICTED ON THE PLANS PER THE BEST AVAILABLE INFORMATION AT THE TIME THE PLANS WERE PRODUCED. WINKELMANN & ASSOC., INC. SHALL NOT BE RESPONSIBLE FOR KNOWING THE EXACT LOCATION OF ALL FACILITIES OR DEPICTING EXACT LOCATIONS OF SAID FACILITIES ON THE PLANS BEYOND WHAT IS STATED ABOVE.

CONTRACTOR(S) SHALL CALL "811" A MINIMUM OF 48 HOURS PRIOR TO BEGINNING WORK ON THE SITE, AND SHALL NOT BEGIN ANY EXCAVATION OR DEMOLITION ACTIVITES UNTIL AFTER SAID FACILITIES HAVE BEEN MARKED AND/OR FLAGGED PER "811" OR THE FACILITY OWNERS.

CONTRACTOR(S) SHALL BE WHOLLY RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO SAID FACILITIES DUE TO WORK BEING DONE WITHOUT FOLLOWING THE PROCEDURES ABOVE.

BEFORE YOU DIG TEXAS 811

SITE DATA TABLE		
HARBOR VILLAGE - ROCKWALL		
HARBOR - ROCKWALL ADDITION	6.200	ACRES
LOT 9A, BLOCK A	270,065	SQ-FT
BUILDING AREA	127,000	SQ-FT
USE	DWELLING UNITS	
COVERAGE	47.03%	
TOTAL NUMBER OF UNITS	375	UNITS
REQUIRED PARKING RATIO	1.5 PER UNIT	
PARKING REQUIRED	563	SPACES
OFF-STREET PARKING PROVIDED	563	SPACES
ON-STREET PARKING PROVIDED	34	SPACES
TOTAL PARKING PROVIDED	597	SPACES
OFF-STREET PROVIDED PARKING RATIO	1.5 PER UNIT	
HANDICAP REQUIRED	12	SPACES
HANDICAP PROVIDED	12	SPACES
OVERFLOW PARKING PROVIDED	180	SPACES

* PARKING PROVIDED TOTAL INCLUDES ACCESSIBILITY PARKING

HARBOR VILLAGE DWELLING UNITS - BUILDING TABULATION LEGEND

TYPE	AREA (SF)	NO.	% UNITS	TOTAL AREA (SF)	1st Floor	2nd Floor	3rd Floor	4th Floor	5th Floor
L1	807	16	4.27%	12,912	8	8	0	0	0
E1	590	40	10.67%	23,600	8	8	8	8	8
A1	670	70	18.67%	46,900	11	14	15	15	15
A2	742	84	22.40%	62,328	16	17	17	17	17
A3	849	16	4.27%	13,584	2	2	4	4	4
B1	1,086	56	14.93%	60,816	8	9	13	13	13
B2	1,206	42	11.20%	50,652	7	8	9	9	9
B3(a)	1,291	14	3.73%	18,074	3	3	3	3	2
B3(d)	1,315	10	2.67%	13,150	2	2	2	2	2
B4(a)	1,243	5	1.33%	6,215	1	1	1	1	1
B4(c)	1,169	5	1.33%	5,845	1	1	1	1	1
B6	1,244	17	4.53%	21,148	3	3	4	4	3
TOTAL		375	100.00%	335,224	70	76	77	77	75
					61893 SF	66937 SF	69643 SF	69643 SF	67108 SF

LEGEND

PP	Power Pole	IRF	Iron Rod Found
GW	Guy Wire	IRS	Iron Rod Set
MH	Manhole	CIRS	Iron Rod Set w/ cap "WAI"
WV	Water Valve	CIRF	Iron Rod Found w/ cap
TP	Telephone Pedestal	XCS	"X" Cut in Concrete Set
WM	Water Meter	XCF	"X" Cut in Concrete Found
FH	Fire Hydrant	PKS	PK Nail Set
LP	Light Pole	PKF	PK Nail Found
CO	Clean Out	SS	Sanitary Sewer
AC	Air Conditioner	SW	Storm Sewer
TV	Cable Box	TF	Transformer pad
SB	Signal Box	GM	Gas Meter
SP	Signal Pole	GMK	Gas Marker
SN	Sign	TSN	Traffic Sign
CM	Control Monument	UGC	Underground Cable Marker
		EB	Electric Box
		EM	Electric Meter

CASE NO. SP2018–043

DEVELOPER	OWNER
PEGASUS ABLON	ROCKWALL RENTAL PROPERTIES, LP
KEVIN HICKMAN	1608 WEST MOORE,
8222 DOUGLAS AVENUE,	DRAWER B
SUITE 390	TERREL, TX 75160
DALLAS, TX 75225	972–210–0331
214–389–6901	

No.	DATE	REVISION	APPROV.
1.	12/14/2018	SITE PLAN SUBMITTAL	MD
2.	01/04/2019	SITE PLAN RESUBMITTAL	MC
3.			
4.			
5.			
6.			

LAST SAVED BY: MMUHLAND January 3, 2019

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
1750 MUSSER PARKWAY, SUITE 325
ADDISON, TEXAS 75230 (972) 490-1999 FAX
TBAE Engineer Registration No. F-03866-00
TBPLS Surveyor Registration No. 100188-00
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THESE PLANS WERE PREPARED UNDER THE DIRECTION OF MICHAEL D. CLARK, R.E. #83356. THESE ARE ISSUED FOR INTERIM REVIEW PURPOSES ONLY. THEY ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES.

LICENSED PROFESSIONAL ENGINEER
STATE OF TEXAS
01-04-2019

SITE PLAN
HARBOR VILLAGE
ROCKWALL, TEXAS

G:_SHARED\09\DATA\ENGINEERING\Construction Plans\190829.0A - SITE.dwg

CITY OF ROCKWALL

ORDINANCE NO. 17-64

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 11-43 & ORDINANCE NO. 13-16*, PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [*ORDINANCE NO. 10-21*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN ON APPROXIMATELY 7.344-ACRES FOR PROPERTY IDENTIFIED AS LOT 9, BLOCK A, HARBOR-ROCKWALL ADDITION AND TRACT 16 OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF *TWO THOUSAND DOLLARS ($2,000.00)* FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Kevin Hickman of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a Planned Development (PD) Development Plan within Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that *Ordinance No.'s 11-43 & 13-16*, Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That any portion of *Ordinance No.'s 11-43 & 13-16* in conflict with this ordinance shall be subject to the requirements of this ordinance;

SECTION 2. That Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] and the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by amending the PD Development Plans approved with *Ordinance No.'s 11-43 & 13-16* and the official zoning map of the City of Rockwall so as to approve a PD Development Plan for the *Subject Property*; and,

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the PD Development Plan, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 4. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 10-21*], the Unified Development Code [*Ordinance No. 04-38*], and in compliance with the following conditions and requirements:

4.1 CONSTRUCTION SCHEDULE

Building Adjacent to Lakefront Trail (i.e. Building 1)

This *PD Development Plan* shall be subject to review by City Staff and/or the Planning and Zoning Commission and City Council on June 1, 2019. At the time of review, if a building permit has not been issued for the proposed multi-family development adjacent to Lakefront Trail (*indicated as 1 on Exhibit 'B' of this ordinance and consisting of 375 condominium units*), City Staff shall provide a report, with the assistance of the developer, to the Planning and Zoning Commission and City Council indicating the progress of the development. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the additional 26 allocated condominium units (*i.e. reducing the number of units for the multi-family development adjacent to Lakefront Trail -- indicated as 1 on Exhibit 'B' of this ordinance -- to 349 condominium units*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 26 allocated condominium units.

Building Adjacent to the Harbor Fountain (i.e. Building 2)

This *PD Development Plan* shall be subject to review by City Staff and/or the Planning and Zoning Commission and City Council on June 1, 2020. At the time of review, if a building permit has not been issued for the proposed multi-family development adjacent to the Harbor Fountain (*indicated as 2 on Exhibit 'B' of this ordinance and consisting of 75 condominium units*), City Staff shall provide a report, with the assistance of the developer, to the Planning and Zoning Commission and City Council indicating the progress of the development. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the additional 25 allocated condominium units (*i.e. reducing the number of units for the multi-family development adjacent to the Harbor Fountain -- indicated as 2 on Exhibit 'B' of this ordinance -- to 50 condominium units*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 25 allocated condominium units.

Commencement of Construction and Continuous Construction

Once a building permit has been issued for either property (*i.e. Building 1 or Building 2*), the developer/property owner shall have six (6) months to commence construction on the site in accordance with Section 10-116 of Article III, *Building Code*, of Chapter 10, *Buildings and Building Regulations*, of the Municipal Code of Ordinances (*i.e. Section [A] 105.5, Expiration, of the International Building Code*). Once construction has commenced, construction must be continuous during the regular workweek unless construction is delayed due to delays beyond the control of the developer/property owner. Such delays shall include, but not be limited to, fires, floods, labor disputes, epidemics, abnormal weather conditions, acts of God or any preference, priority or allocation order duly issued by the Federal Government. Abnormal weather delays are those that are beyond what is normal for the climate and time of year. If construction of the site has not commenced within six (6) months of the issuance of a building permit, or construction is not continuous, City staff shall provide a report, to the Planning and Zoning Commission and City Council indicating the progress of the development and possible revocation of the permit. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the permit for additional allocated condominium units (*i.e. reducing the number of units for either project back to the numbers approved under Ordinance No. 13-16*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional allocated condominium units.

4.2 DEVELOPMENT CONDITIONS

1) Development of this property shall generally conform to the *PD Development Plan* depicted in

Exhibit 'B' of this ordinance;

2) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a detailed PD Site Plan that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

3) The proposed multi-family development adjacent to Lakefront Trail (*indicated as* 1 *on Exhibit 'B' of this ordinance*) shall be permitted to consist of a maximum of 375 condominium units. The proposed multi-family development adjacent to the Harbor Fountain (*indicated as* 2 *on Exhibit 'B' of this ordinance*) shall be permitted to consist of a maximum of 75 condominium units.

4) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a subdivision plat;

5) The architectural design of all buildings within the two (2) affected Subdistricts (*i.e. the Harbor Residential Subdistrict and the Harbor Link Mixed-Use Subdistrict*) shall conform to the Harbor District Guidelines (*i.e. Resolution 10-40]*), all applicable ordinances associated with Planned Development District 32 (PD-32) [*as amended*], and to the Unified Development Code;

6) All buildings throughout the development shall be constructed with a consistent design scheme, and be approved by the Architectural Review Board (ARB);

7) The pedestrian access extending from Lakefront Trail to the Harbor Fountain will be required to be located within a *Pedestrian Access Easement* to be shown of the final plat; and

8) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development to support their use.

SECTION 5. The official zoning map of the City of Rockwall, Texas be corrected to reflect the changes in zoning described in this ordinance;

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS ($2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF DECEMBER, 2017

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

CITY OF ROCKWALL TEXAS
SEAL

1st Reading: November 20, 2017

2nd Reading: December 18, 2017

Exhibit 'A':
Legal Description



Legal Description: Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas

Exhibit 'A':
Legal Description

Legal Description: Tract 16 of the M. J. Barksdale Survey, Abstract No. 11

Being a tract of land situated in the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, and being a 1.225-acre tract out of a 55.200-acre tract as recorded in *Volume 59, Page 383*, deed records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the southeast line of Interstate Highway 30, said point being 286.50-feet more or less, from the north corner of said 55.20-acre tract, a 3/8" iron rod found for corner;

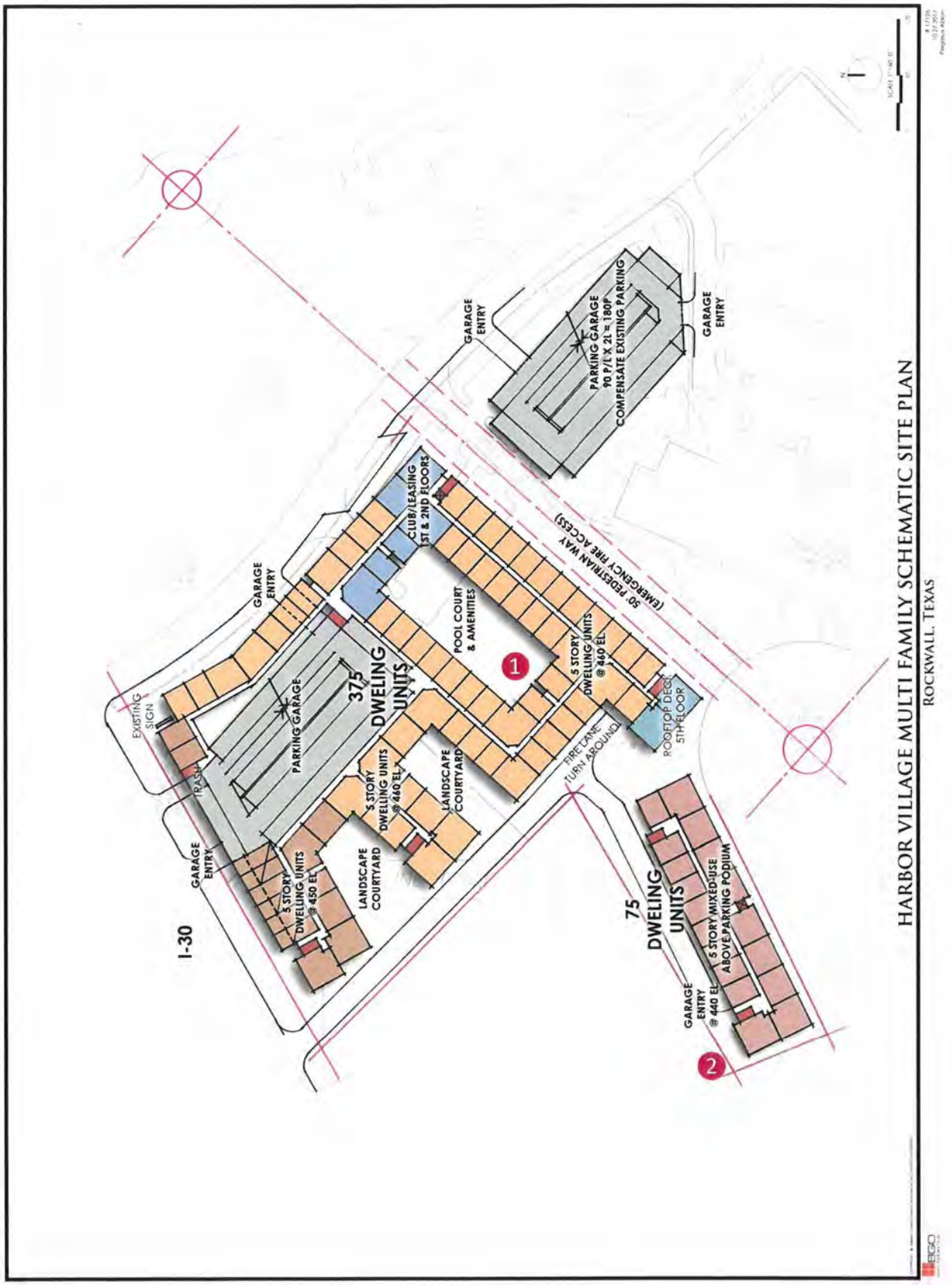
THENCE, South 38 Degrees 29 Minutes 38 Seconds East, leaving the said southeast line of Interstate Highway 30, a distance of 254.63-feet to a 5/8" iron rod found for corner;

THENCE, South 44 Degrees 24 Minutes 14 Seconds West, a distance of 176.46-feet to a ½" iron rod found for corner;

THENCE, North 43 Degrees 48 Minutes 20 Seconds West, a distance of 311.10-feet to a point on the southeast line of the Interstate Highway 30, a 3/8" iron rod set for corner;

THENCE, North 50 Degrees 48 Minutes East, along the southeast line of Interstate Highway 30, a distance of 206.43-feet to the *PLACE OF BEGINNING* and containing 53,371.640 SF or 1.225-acres of land, more or less.

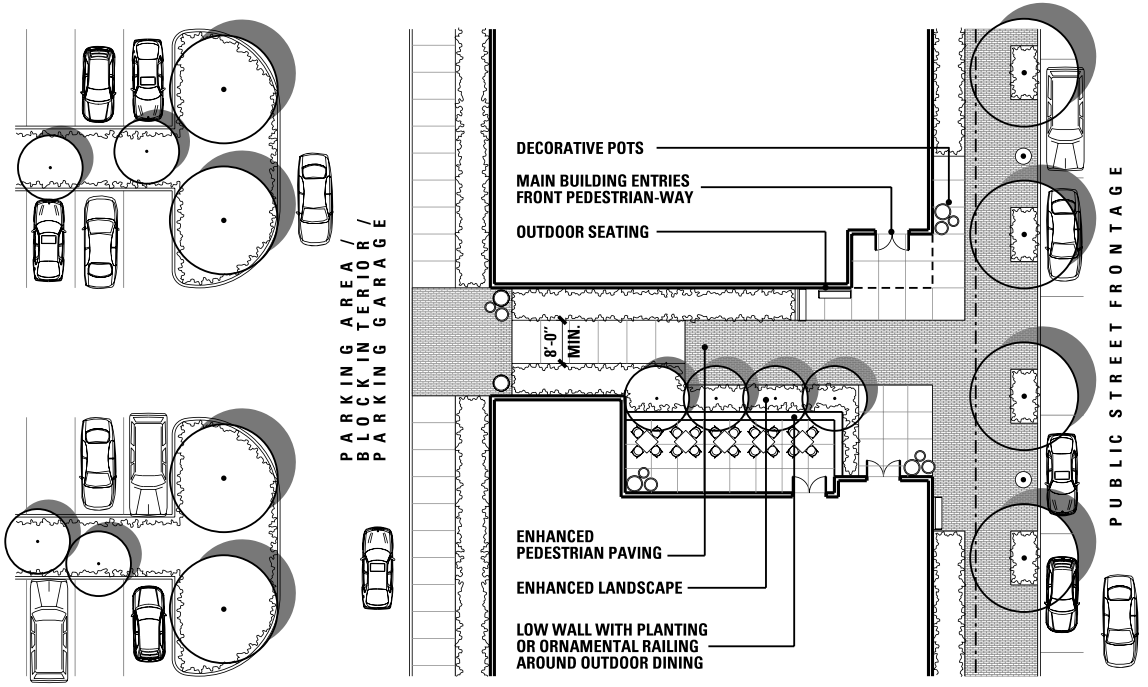
Exhibit 'B':
PD Development Plan



PEDESTRIAN WAYS

Although it is technically not a streetscape element, pedestrian-ways link freeway frontage parking areas and block interiors with the public street frontage. The pedestrian-way environment may include enhanced pedestrian paving, enhanced landscape planting, special accent lighting, and special features such as fountains or sculpture pieces. Outdoor seating and dining may occur within the pedestrian-way. Building entry access should be provided within pedestrian-ways. The maximum cross slope within a pedestrian-way is 2%.









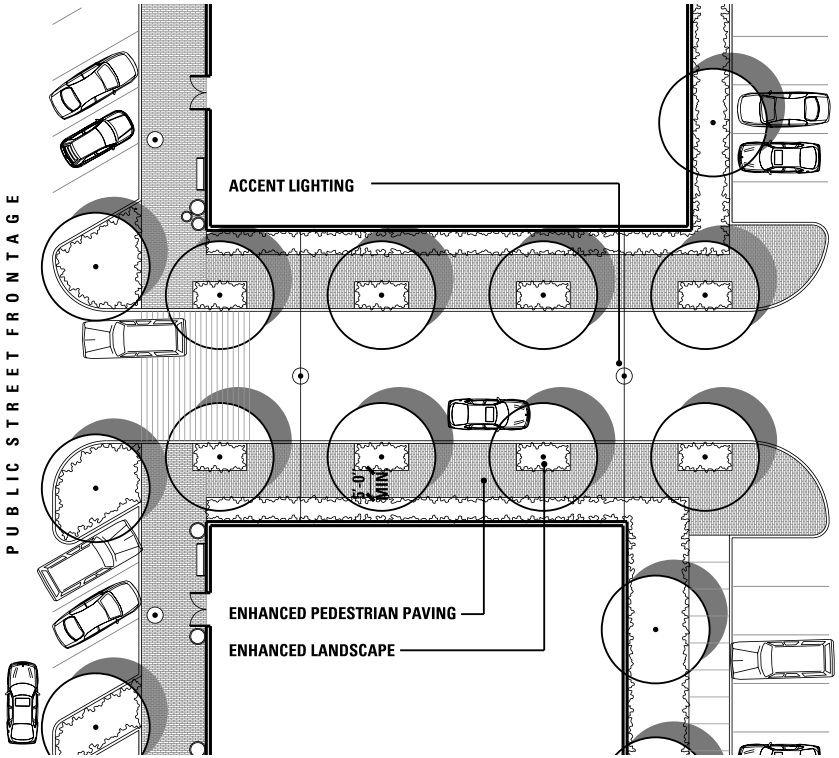




M E W S

Although it is technically not a streetscape element, a mews can also link freeway frontage parking areas and block interiors with the public street frontage. A mews combines a vehicular drive and pedestrian walkway within a narrow cross section. The mews environment includes enhanced pedestrian paving, enhanced landscape planting, special accent lighting, and may also include enhanced vehicular pavement. Bollards may be used in lieu of a typical street curb. Building entry access may be provided within a mews. A carriage-way may also serve the purpose of a mews. The maximum cross slope within a mews is 2%.







CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C2	12°35'10"	620.00'	136.19'	135.92'	S51°48'46"E

LINE TABLE		
LINE #	BEARING	DISTANCE
L9	S79°07'41"W	7.21'
L10	N23°10'29"E	32.93'
L11	N66°36'24"W	31.00'
L12	N23°10'29"E	27.95'
L13	N82°38'15"W	11.76'
L14	S68°52'14"W	13.20'
L15	S75°08'27"W	12.97'
L16	S36°32'06"W	17.64'

PEDESTRIAN CROSSING
REFER TO LANDSCAPE PLANS FOR PAVER DETAILS

LAKEFRONT TRAIL CITY PAVING

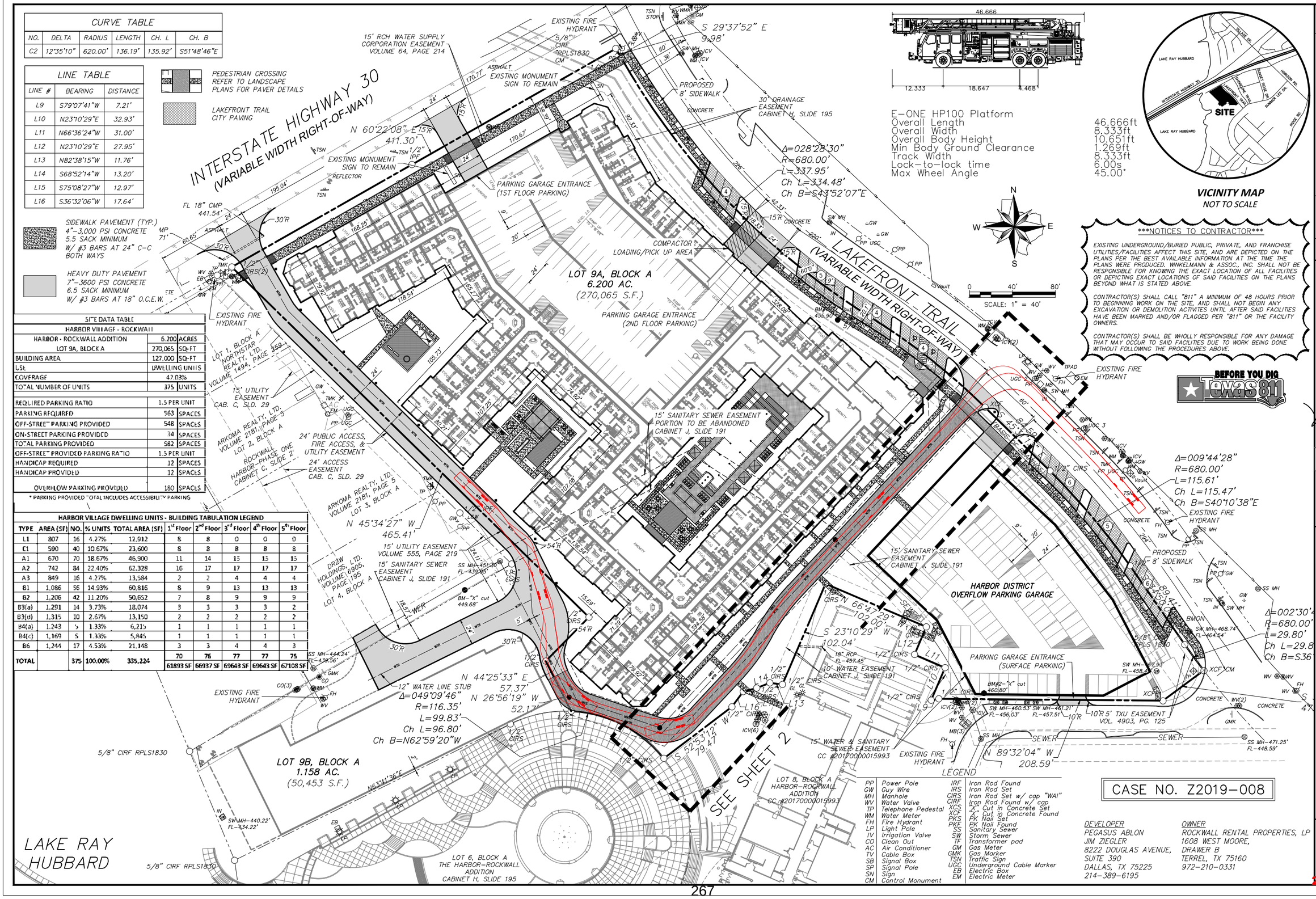
SIDEWALK PAVEMENT (TYP.)
4"-3,000 PSI CONCRETE
5.5 SACK MINIMUM
W/ #3 BARS AT 24" C-C BOTH WAYS

HEAVY DUTY PAVEMENT
7"-3600 PSI CONCRETE
6.5 SACK MINIMUM
W/ #3 BARS AT 18" O.C.E.W.

SITE DATA TABLE		
HARBOR VILLAGE - ROCKWALL		
HARBOR - ROCKWALL ADDITION	6.200	ACRES
LOT 9A, BLOCK A	270,065	SQ-FT
BUILDING AREA	127,000	SQ-FT
USE	DWELLING UNITS	
COVERAGE	47.03%	
TOTAL NUMBER OF UNITS	375	UNITS
REQUIRED PARKING RATIO	1.5 PER UNIT	
PARKING REQUIRED	563	SPACES
OFF-STREET PARKING PROVIDED	548	SPACES
ON-STREET PARKING PROVIDED	34	SPACES
TOTAL PARKING PROVIDED	582	SPACES
OFF-STREET PROVIDED PARKING RATIO	1.5 PER UNIT	
HANDICAP REQUIRED	12	SPACES
HANDICAP PROVIDED	12	SPACES
OVERFLOW PARKING PROVIDED	180	SPACES

* PARKING PROVIDED TOTAL INCLUDES ACCESSIBILITY PARKING

HARBOR VILLAGE DWELLING UNITS - BUILDING TABULATION LEGEND									
TYPE	AREA (SF)	NO.	% UNITS	TOTAL AREA (SF)	1ST Floor	2ND Floor	3RD Floor	4TH Floor	5TH Floor
L1	807	16	4.27%	12,912	8	8	0	0	0
C1	590	40	10.67%	23,600	8	8	8	8	8
A1	670	70	18.67%	46,900	11	14	15	15	15
A2	742	84	22.40%	62,328	16	17	17	17	17
A3	849	16	4.27%	13,584	2	2	4	4	4
B1	1,086	56	14.93%	60,816	8	9	13	13	13
B2	1,206	42	11.20%	50,652	7	8	9	9	9
B3(a)	1,291	14	3.73%	18,074	3	3	3	3	2
B3(d)	1,315	10	2.67%	13,150	2	2	2	2	2
B4(a)	1,243	5	1.33%	6,215	1	1	1	1	1
B4(c)	1,169	5	1.33%	5,845	1	1	1	1	1
B6	1,244	17	4.53%	21,148	3	3	4	4	3
TOTAL		375	100.00%	335,224	70	75	77	77	75
					61893 SF	66937 SF	69648 SF	69643 SF	67108 SF



E-ONE HP100 Platform

Overall Length	46.666ft
Overall Width	8.333ft
Overall Body Height	10.651ft
Min Body Ground Clearance	1.269ft
Track Width	8.333ft
Lock-to-lock time	6.00s
Max Wheel Angle	45.00°

VICINITY MAP
NOT TO SCALE

NOTICES TO CONTRACTOR

EXISTING UNDERGROUND/BURIED PUBLIC, PRIVATE, AND FRANCHISE UTILITIES/FACILITIES AFFECT THIS SITE, AND ARE DEPICTED ON THE PLANS PER THE BEST AVAILABLE INFORMATION AT THE TIME THE PLANS WERE PRODUCED. WINKELMANN & ASSOC., INC. SHALL NOT BE RESPONSIBLE FOR KNOWING THE EXACT LOCATION OF ALL FACILITIES OR DEPICTING EXACT LOCATIONS OF SAID FACILITIES ON THE PLANS BEYOND WHAT IS STATED ABOVE.

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CONTRACTOR(S) SHALL BE WHOLLY RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO SAID FACILITIES DUE TO WORK BEING DONE WITHOUT FOLLOWING THE PROCEDURES ABOVE.

BEFORE YOU DIG TEXAS 811

No.	DATE	REVISION	APPROV.
6.			
5.			
4.	03/15/2019	REVISED ACCESS DRIVE	MC
3.	01/04/2019	SITE PLAN RESUBMITTAL	MC
2.	12/14/2018	SITE PLAN SUBMITTAL	MD
1.			

LAST SAVED BY: MAULHOLLAND April 4, 2019

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
801 HALCREST PLAZA DRIVE, SUITE 215
MESQUITE, TEXAS 75150
(972) 485-7090
(972) 485-7099 FAX
Texas Engineering Registration No. 89
Texas Surveyors Registration No. 100866-00

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STATE OF TEXAS
THESE PLANS WERE PREPARED UNDER THE DIRECT SUPERVISION OF MICHAEL D. CLARK, P.E. #83290. THESE ARE ISSUED FOR INTERIM REVIEW PURPOSES ONLY. THEY ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES
MICHAEL D. CLARK
83290
LICENSED
PROFESSIONAL ENGINEER
04-04-2019

LEGEND			
PP	Power Pole	IRF	Iron Rod Found
GW	Guy Wire	IRS	Iron Rod Set
MH	Manhole	CIRS	Iron Rod Set w/ cap "WAI"
WV	Water Valve	CIRF	Iron Rod Found w/ cap
TP	Telephone Pedestal	XCS	"X" Cut in Concrete Set
WM	Water Meter	XCF	"X" Cut in Concrete Found
FH	Fire Hydrant	PKS	PK Nail Set
LP	Light Pole	PKF	PK Nail Found
IV	Irrigation Valve	SS	Sanitary Sewer
CO	Clean Out	SW	Storm Sewer
AC	Air Conditioner	TF	Transformer pad
TV	Cable Box	GM	Gas Meter
SB	Signal Box	GMK	Gas Marker
SP	Signal Pole	TSN	Traffic Sign
SN	Sign	UGC	Underground Cable Marker
CM	Control Monument	EB	Electric Box
		EM	Electric Meter

CASE NO. Z2019-008

DEVELOPER	OWNER
PEGASUS ABLON	ROCKWALL RENTAL PROPERTIES, LP
JIM ZIEGLER	1608 WEST MOORE,
8222 DOUGLAS AVENUE,	DRAWER B
SUITE 390	TERRELL, TX 75160
DALLAS, TX 75225	972-210-0331
214-389-6195	

SITE PLAN
HARBOR VILLAGE
ROCKWALL, TEXAS
59809.0A

SHEET 1/2

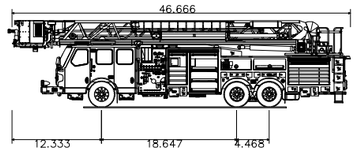
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PEDESTRIAN CROSSING
REFER TO LANDSCAPE PLANS FOR PAVER DETAILS

LAKEFRONT TRAIL
CITY PAVING

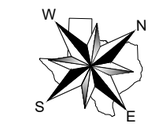
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Track Width	8.333ft
Lock-to-lock time	6.00s
Max Wheel Angle	45.00°



0 20' 40'
SCALE: 1" = 20'

LEGEND

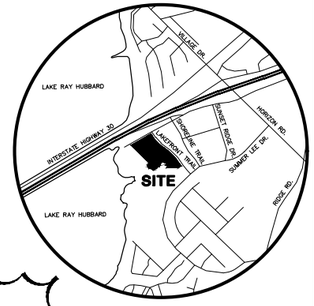
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VICINITY MAP
NOT TO SCALE

BEFORE YOU DIG TEXAS 811

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1.			

LAST SAVED BY: MAULHOLLAND April 4, 2019

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CONSULTING CIVIL ENGINEERS ■ SURVEYORS
901 HALLDRST PLAZA DRIVE, SUITE 215 (972) 490-7090
ALLEN, TEXAS 75230 (972) 490-7099 FAX
Texas Engineering Registration No. 89
Texas Surveying Registration No. 100866-00

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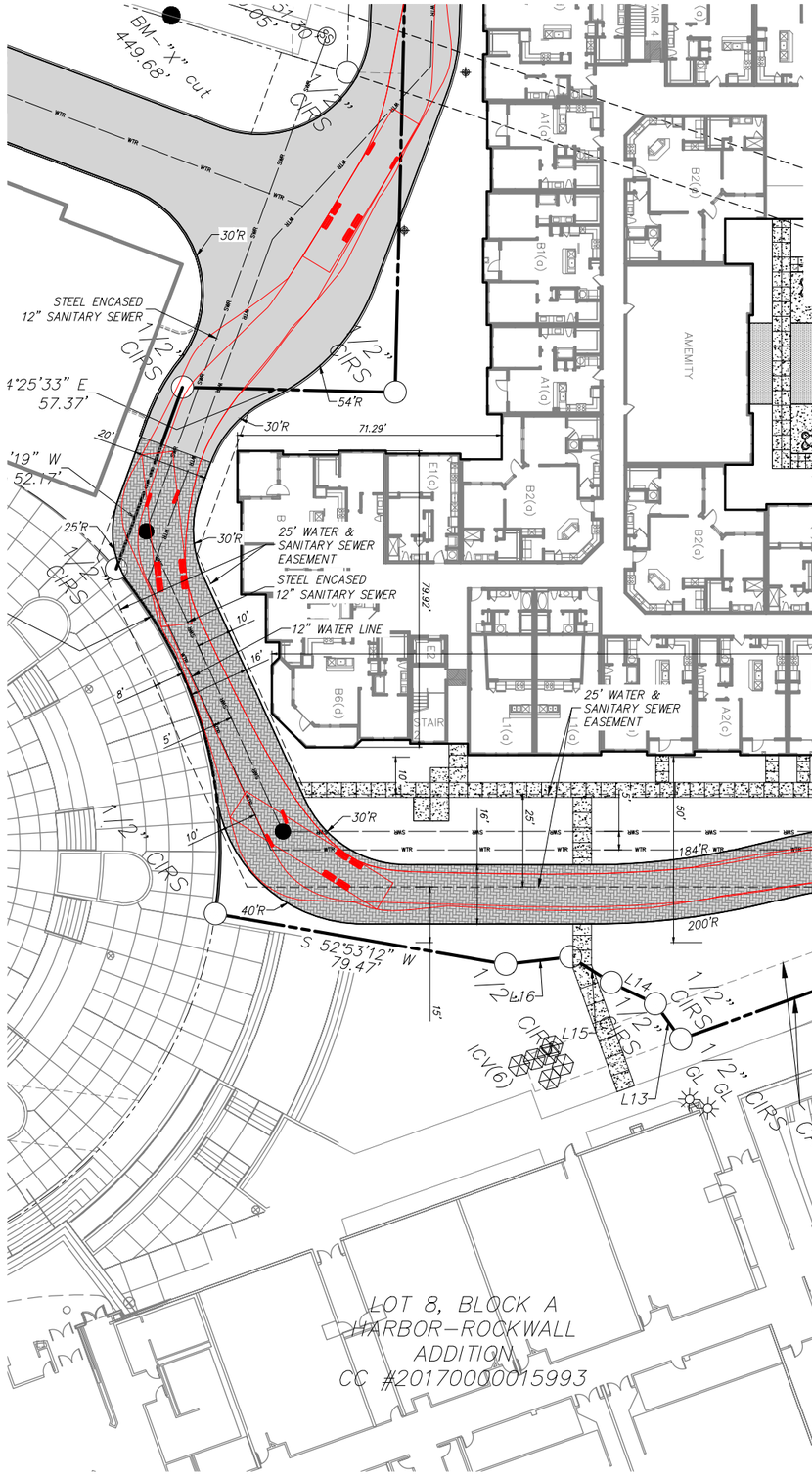
STATE OF TEXAS
MICHAEL S. CLARK
82390
LICENSED PROFESSIONAL ENGINEER
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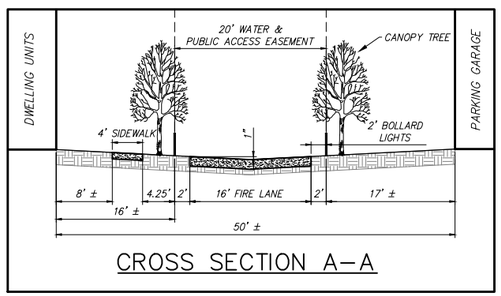
SITE PLAN
HARBOR VILLAGE
ROCKWALL, TEXAS

59809.0A

SHEET
2/2

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CROSS SECTION A-A

CASE NO. Z2019-008

DEVELOPER
PEGASUS ABLON
JIM ZIEGLER
8222 DOUGLAS AVENUE,
SUITE 390
DALLAS, TX 75225
214-389-6195

OWNER
ROCKWALL RENTAL PROPERTIES, LP
1608 WEST MOORE,
DRAWER B
TERREL, TX 75160
972-210-0331

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 17-64 &* PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [*ORDINANCE NO. 17-22*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN ON APPROXIMATELY 7.344-ACRES FOR PROPERTY IDENTIFIED AS LOT 9, BLOCK A, HARBOR-ROCKWALL ADDITION AND TRACT 16 OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF *TWO THOUSAND DOLLARS ($2,000.00)* FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jim Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a Planned Development (PD) Development Plan within Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that *Ordinance No. 17-64,* Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 17-64*;

SECTION 2. That any portion of *Ordinance No.'s 11-43 & 13-16* in conflict with this ordinance shall be subject to the requirements of this ordinance;

SECTION 3. That Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by amending the PD Development Plans approved with *Ordinance No.'s 11-43 & 13-16* and the official zoning map of the City of Rockwall so as to approve a PD Development Plan

DRAFT 04.03.2019

for the *Subject Property*; and,

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the PD Development Plan, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 5. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 17-22*], the Unified Development Code [*Ordinance No. 04-38*], and in compliance with the following conditions and requirements:

5.1 CONSTRUCTION SCHEDULE

Building Adjacent to Lakefront Trail (i.e. Building 1)

This *PD Development Plan* shall be subject to review by City Staff and/or the Planning and Zoning Commission and City Council on May 6, 2020. At the time of review, if a building permit has not been issued for the proposed multi-family development adjacent to Lakefront Trail (*indicated as 1 on Exhibit 'B' of this ordinance and consisting of 375 condominium units*), City Staff shall provide a report, with the assistance of the developer, to the Planning and Zoning Commission and City Council indicating the progress of the development. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the additional 26 allocated condominium units (*i.e. reducing the number of units for the multi-family development adjacent to Lakefront Trail -- indicated as 1 on Exhibit 'B' of this ordinance -- to 349 condominium units*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 26 allocated condominium units.

Building Adjacent to the Harbor Fountain (i.e. Building 2)

This *PD Development Plan* shall be subject to review by City Staff and/or the Planning and Zoning Commission and City Council on June 1, 2020. At the time of review, if a building permit has not been issued for the proposed multi-family development adjacent to the Harbor Fountain (*indicated as 2 on Exhibit 'B' of this ordinance and consisting of 75 condominium units*), City Staff shall provide a report, with the assistance of the developer, to the Planning and Zoning Commission and City Council indicating the progress of the development. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the additional 25 allocated condominium units (*i.e. reducing the number of units for the multi-family development adjacent to the Harbor Fountain -- indicated as 2 on Exhibit 'B' of this ordinance -- to 50 condominium units*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 25 allocated condominium units.

Commencement of Construction and Continuous Construction

Once a building permit has been issued for either property (*i.e. Building 1 or Building 2*), the developer/property owner shall have six (6) months to commence construction on the site in accordance with Section 10-116 of Article III, *Building Code*, of Chapter 10, *Buildings and Building Regulations*, of the Municipal Code of Ordinances (*i.e. Section [A] 105.5,*

DRAFT
ORDINANCE
04.09.19

Expiration, of the International Building Code). Once construction has commenced, construction must be continuous during the regular workweek unless construction is delayed due to delays beyond the control of the developer/property owner. Such delays shall include, but not be limited to, fires, floods, labor disputes, epidemics, abnormal weather conditions, acts of God or any preference, priority or allocation order duly issued by the Federal Government. Abnormal weather delays are those that are beyond what is normal for the climate and time of year. If construction of the site has not commenced within six (6) months of the issuance of a building permit, or construction is not continuous, City staff shall provide a report, to the Planning and Zoning Commission and City Council indicating the progress of the development and possible revocation of the permit. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the permit for additional allocated condominium units (*i.e. reducing the number of units for either project back to the numbers approved under Ordinance No. 13-16*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional allocated condominium units.

5.2 DEVELOPMENT CONDITIONS

1) Development of this property shall generally conform to the *PD Development Plan* depicted in *Exhibit 'B'* of this ordinance;

2) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a detailed PD Site Plan that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

3) The proposed multi-family development adjacent to Lakefront Trail (*indicated as* 1 *on Exhibit 'B' of this ordinance*) shall be permitted to consist of a maximum of 375 condominium units. The proposed multi-family development adjacent to the Harbor Fountain (*indicated as* 2 *on Exhibit 'B' of this ordinance*) shall be permitted to consist of a maximum of 75 condominium units.

4) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a subdivision plat;

5) The architectural design of all buildings within the two (2) affected Subdistricts (*i.e. the Harbor Residential Subdistrict and the Harbor Link Mixed-Use Subdistrict*) shall conform to the Harbor District Guidelines (*i.e. Resolution 10-40]*), all applicable ordinances associated with Planned Development District 32 (PD-32) [*as amended*], and to the Unified Development Code;

6) All buildings throughout the development shall be constructed with a consistent design scheme, and be approved by the Architectural Review Board (ARB);

7) The private street and pedestrian access easement extending from Lakefront Trail to the proposed multi-family development adjacent to the Harbor Fountain (*indicated as* 2 *on Exhibit 'B' of this ordinance*), will be required to be located within a *Pedestrian Access Easement* on the final plat and shall be constructed in accordance with the street cross section and concept plan depicted in *Exhibit 'C'* of this ordinance; and

8) The proposed uses for this development shall be required to demonstrate that they

271

have access to a sufficient number of parking spaces within the development to support their use.

SECTION 6. The official zoning map of the City of Rockwall, Texas be corrected to reflect the changes in zoning described in this ordinance;

SECTION 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS ($2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 10. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MAY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

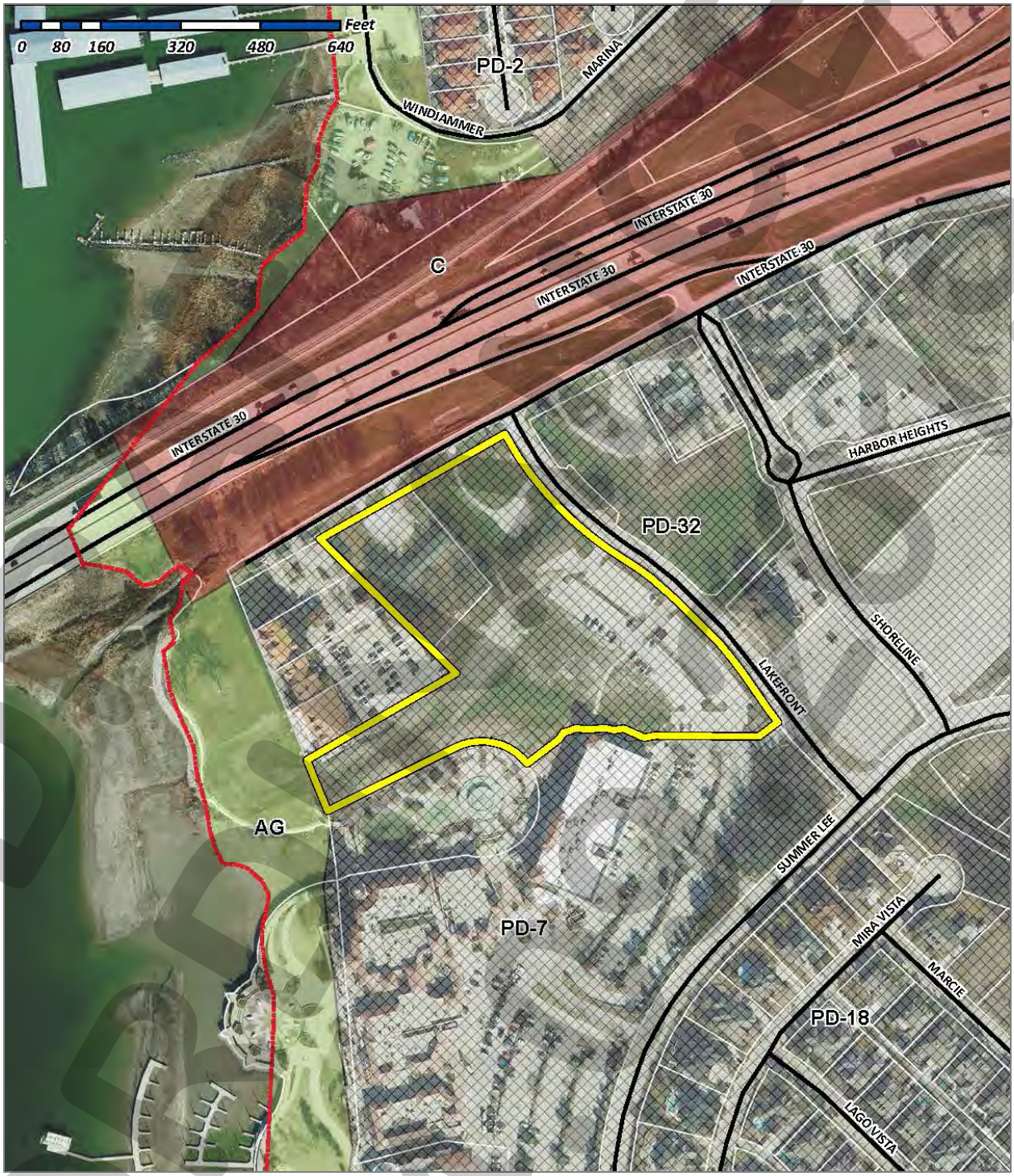
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *April 15, 2019*

2nd Reading: *May 6, 2019*

DRAFT ORDINANCE 04.09.19



<u>Legal Description:</u> Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas

DRAFT
ORDINANCE

273

Legal Description: *Tract 16 of the M. J. Barksdale Survey, Abstract No. 11*

Being a tract of land situated in the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, and being a 1.225-acre tract out of a 55.200-acre tract as recorded in *Volume 59, Page 383*, deed records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the southeast line of Interstate Highway 30, said point being 286.50-feet more or less, from the north corner of said 55.20-acre tract, a 3/8" iron rod found for corner;

THENCE, South 38 Degrees 29 Minutes 38 Seconds East, leaving the said southeast line of Interstate Highway 30, a distance of 254.63-feet to a 5/8" iron rod found for corner;

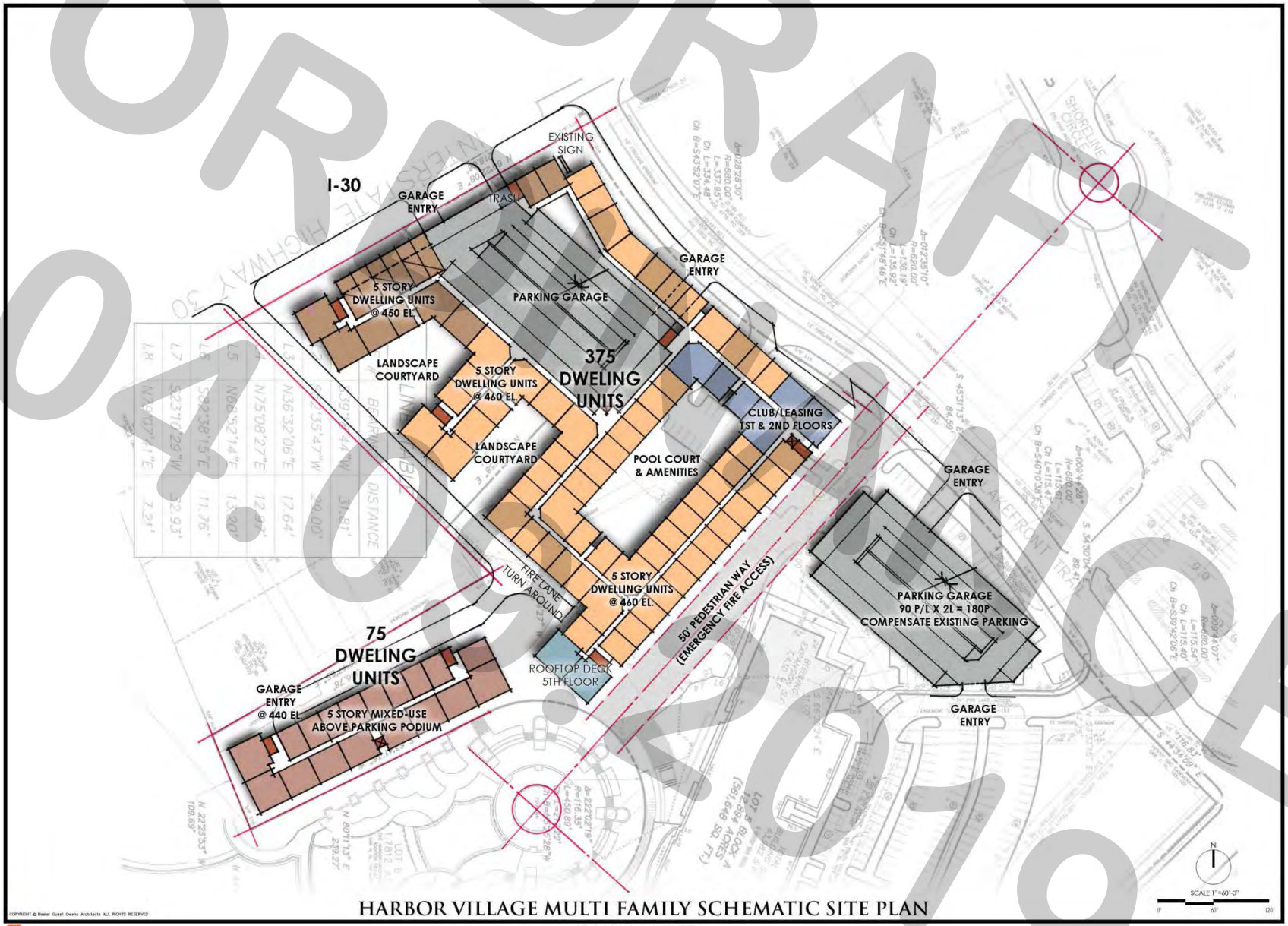
THENCE, South 44 Degrees 24 Minutes 14 Seconds West, a distance of 176.46-feet to a ½" iron rod found for corner;

THENCE, North 43 Degrees 48 Minutes 20 Seconds West, a distance of 311.10-feet to a point on the southeast line of the Interstate Highway 30, a 3/8" iron rod set for corner;

THENCE, North 50 Degrees 48 Minutes East, along the southeast line of Interstate Highway 30, a distance of 206.43-feet to the *PLACE OF BEGINNING* and containing 53,371.640 SF or 1.225-acres of land, more or less.

DRAFT ORDINANCE 04.09.2019

DRAFT
ORIGINAL
04.08.2019



HARBOR VILLAGE MULTI FAMILY SCHEMATIC SITE PLAN

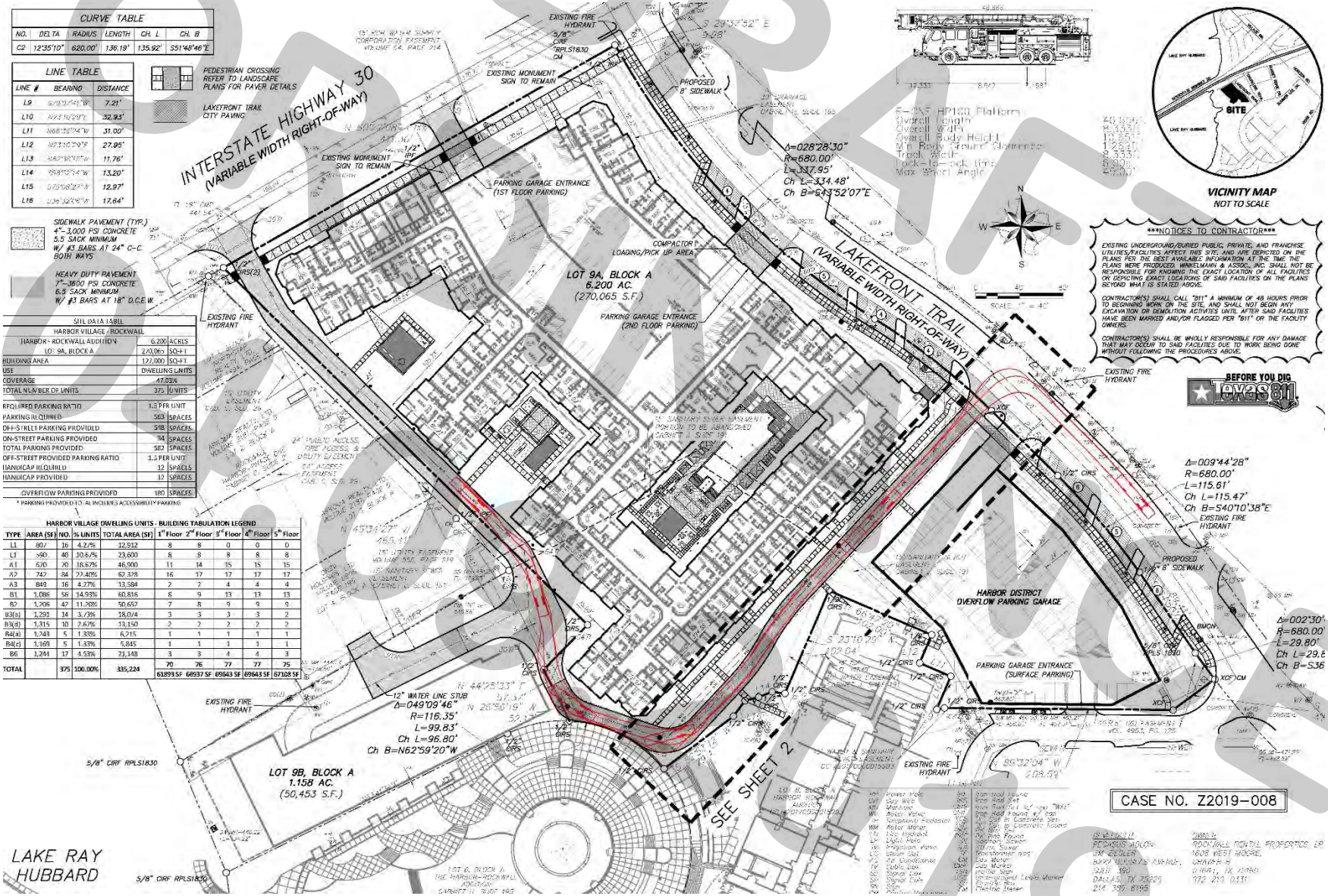
ROCKWALL, TEXAS

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BGO architects

17126
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Pegasus Ablon

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DRAFT
NOT FOR BIDDING

276

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277

CROSS SECTION A-A

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ORDINANCE
04.09.2019

278

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279

City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Assistant City Manager

DATE: April 9, 2019

SUBJECT: Request to Parachute at Founders Day Festival

Dallas Skydive Center is requesting permission to perform an exhibition parachute jump into Harry Myers Park on the evening of the Founders Day Festival. There will be a flyover using a WWII C-47 airplane followed by the parachute jump.

Federal Aviation Administration Advisory Circular 105-2E provides guidance on sport parachuting. Since this proposed jump is into a congested area and an open-air assembly of people, Dallas Skydive Center will be required to get special authorization from the FAA Flight Standards District Office if the request is approved. In addition to FAA authorization, Dallas Skydive Center will be required to: provide a certificate of insurance, execute a hold harmless agreement for its pilots and jumpers, and issue a Notice to Airmen (NOTAM) on the day of the event. The flight will not originate from the Ralph M Hall / Rockwall Municipal Airport.

Dallas Skydive Center anticipates that 6 to 8 jumpers will parachute into the designated landing zone in the park. (see attached landing zone map). Members of the Terry Fisher Post 117 American Legion have volunteered to serve as spotters and provide crowd control to keep spectators at least 50 feet away from the landing zone.

Keith Barrett, a Rockwall based pilot and member of the American Legion and Jimmy Mendonca representing Dallas Skydive Center will be at the meeting to request permission to use Harry Myers Park for the landing zone and answer any questions.

280



281

Plane: WWII C-47

Do fly over & then jump

*AL to provide

"Spotters" to keep

DZ edge 50' away

from Spectators

281

Proposed time:

5:15pm

Contact: Mike Donegan

214-226-8944

WAIVER, ASSUMPTION OF RISK and HOLD HARMLESS AGREEMENTAND INDEMNITY

I, **Jim Mendonca**, owner and representative of **Dallas Sky Dive Center**, hereby voluntarily sign this Waiver, Assumption of Risk and Hold Harmless in favor of which I have chosen to take, fully waiving and releasing **THE CITY OF ROCKWALL** their officers, employees and representatives from any and all claims demands, liabilities, suits and causes of action, or potential causes of action, for any compensation or damages by third parties who are invitees or persons from the public related to the parachute jump into the City's Myers Park on the night of the **Founders Day Festival**, scheduled for May 18, 2019 for liability regarding personal injury, death or property that may result on the specified property on the date specified. I agree that this acknowledgement of the Waiver and Assumption of Risk is to be broadly interpreted.

IT IS FURTHER UNDERSTOOD AND AGREED that this legal waiver and release is intended to cover all potential actions, causes of action, claims and demands for, upon, or by reason of any damages, loss, or injury which may be traced either directly, or indirectly related to the parachute jump into the City's Myers Park on the night of the Founders Day Festival, scheduled for May 18, 2019, no matter how remotely they may be related to the aforesaid. This legal release is executed voluntarily with full knowledge, mental competence and legal understanding on part of the consequences of this legal waiver and release.

IT IS FURTHER UNDERSTOOD AND AGREED that this legal waiver and release may be used by the City of Rockwall, as evidence in case any legal suit is ever brought against the City in any way related to the parachute jump into the City's Myers Park on the night of the Founders Day Festival, scheduled for May 18, 2019. Owner and representative acknowledge that he will communicate this Waiver and Hold Harmless Agreement with every participant and have each and every participant in the parachute jump to also execute this same Waiver and Hold Harmless Agreement.

INDEMNIFICATION

IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT I, JIM MENDONCA SHALL INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF ROCKWALL AND ITS OFFICERS, SERVANTS AND EMPLOYEES, INDIVIDUALLY OR COLLECTIVELY (REFERRED TO HEREIN AS THE "INDEMNITEES"), FROM ALL SUITS, ACTIONS, LOSSES, DAMAGES, DEMANDS, JUDGMENTS, CLAIMS, OR LIABILITY OF ANY CHARACTER, TYPE OR DESCRIPTION, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES. FOR INJURY OR DEATH TO ANY PERSON, OR LOSS OR DAMAGE TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON, OR PERSONS, OR PROPERTY (REFERRED TO HEREIN AS THE 'LOSSES"), TO THE EXTENT ARISING OUT OF, OR OCCASIONED RELATED TO THE CITY'S MYERS PARK ON THE NIGHT OF THE FOUNDERS DAY FESTIVAL, SCHEDULED FOR MAY 18, 2019.

I am over the age of eighteen (18) years; I am competent to sign this acknowledgment and do so freely and voluntarily.

_____
Jim Mendonca

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Subscribed and affirmed before me this _____ day of _____, 2019.

_____
NOTARY PUBLIC

Participants:

_____ _____
Signature Printed Name

259733

Participants:

_____ _____

Signature Printed Name

Participants:

_____ _____

Signature Printed Name

Participants:

_____ _____

Signature Printed Name

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Participants:

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Signature Printed Name

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285

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **April 15, 2019**

SUBJECT: **Pole Sign Height Variance Request**

Texas Pro Signs representing White Tiger, has requested to appear before the City Council to seek a variance for the height of their pole sign. The Applicant desires to raise the sign an additional ten (10) feet.

Our sign ordinance allows a general business pole sign located on I30 to be a maximum height of thirty (30) feet and the applicant is requesting approval to allow a forty (40) foot high sign. The applicant has stated that in their opinion, the existing thirty (30) foot pole sign does not allow sufficient visibility.

The pole sign complies with all other provisions within the sign code.

Because this property is located within the I30 scenic overlay district, the variance approval would require a three quarter majority vote from the Council.

WHITE TIGER TAEKWONDO
550 E I-30
ROCKWALL TX 75087
214) 991-6108
Okjoan1010@gmail.com

March 27,2019

Rusty McDowell
Building Inspections Supervisor
City of Rockwall
385 S Goliad Street
Rockwall, TX 75087

Dear Mr. McDowell,

I am Okjo An, the owner of White Tiger Taekwondo. I have requested that Texas Pro Signs, seek a variance with the city of Rockwall to raise the height of the sign for our business.

White Tiger Taekwondo, located at 550 East Interstate 30, originally had a sign that was 40 feet in height due to the nature of the previous business. To be compliant with the city ordinances our sign was shortened to 30 feet. Since lowering the sign, I am displeased with the current visibility. The following factors support my reasoning for seeking the variance:

i. The height of the roadway, when vehicles are present the sign cannot be seen from the opposite side
ii. There are trees obstructing the sign
iii. Customers are complaining they cannot easily see the sign to locate their destination
iv. I have paid a premium for the location because of the overall visibility for our business

I have attached photos for your reference

I feel this has become a detriment to obtaining potential customers for our business. It is due to these hardships that I am requesting a grant for permission to raise the sign back to 40 feet.

Thank you for your time and consideration in this matter.

Sincerely,

Okjo An

287



288



289



290

290



291



292



293

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294

City of Rockwall
The New Horizon

MEMORANDUM

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

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

DATE: **April 12, 2019**

SUBJECT: **2nd reading of Ordinances**

The motion to approve the ordinances adopting the following plans passed by a vote of 4 ayes, 2 nays (Daniels and Pruitt), and 1 absence (Hohenshelt) at the April 1, 2019 City Council meeting. Therefore, the two ordinances are being placed under "Action Items" for second reading (in lieu of the "Consent Agenda") so that any desired discussion may be had by Council.

- "Water Resource & Emergency Management Plan"
- "Water Conservation Plan"

CITY OF ROCKWALL

ORDINANCE NO. 19-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN TO REPEAL DIVISION 7. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 7. ADOPTING A WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

WHEREAS, the Rockwall City Council previously adopted a "Drought Contingency and Water Emergency Response Plan" in Chapter 44. Utilities; Article V. Water; Division 7 of the Code of Ordinances; and

WHEREAS, the City Council has determined the need to repeal said plan in its entirety and replace it with a new plan entitled the "Water Resource and Emergency Management Plan," which permits the City Manager of the City of Rockwall to order implementation of certain emergency conservation measures as warranted by an emergency circumstance.

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

SECTION 1. The the Code of Ordinances in Chapter 44. "Utilities," Article V. "Water," Division 7. "Drought Contingency and Water Emergency Response Plan" is hereby repealed in its entirety and a new Division 7. entitled the "Water Resource and Emergency Management Plan" is hereby adopted as reflected in **"Exhibit A"** of this ordinance; and

SECTION 2. PLAN ADOPTED

Sec.44-432

(a) The city council hereby approves and adopts the City of Rockwall "Water Resource and Emergency Management Plan," attached to Ordinance No. 19-17 as "Exhibit A," which is incorporated as if fully set forth in this division and on file in the city secretary's office.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 4. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 5. The City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 6. The City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code, and said Plan meets all the requirements of Section 288.2 of the Texas Administrative Code;

SECTION 7. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this ordinance or as herein specified.

SECTION 8. This ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15TH DAY OF APRIL, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 04/01/2019

2nd Reading: 04/15/2019

EXHIBIT A

WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

City of Rockwall

The New Horizon

MAY 2019

298

FORWARD

This 2019 Model Water Resource and Emergency Management Plan (WREMP) which is an update to the 2014 Drought Contingency and Water Emergency Response Plan was prepared by Freese and Nichols for the North Texas Municipal Water District (NTMWD). It is intended to be used by NTMWD Member Cities and Customers as a guide as they develop their own Water Resource and Emergency Management Plans. This plan was prepared pursuant to Texas Commission on Environmental Quality rules. Some material is based on the existing drought contingency plans listed in Appendix A.

Questions regarding this drought contingency and water emergency response plan should be addressed to the following:

Jeremy Rice
Freese and Nichols, Inc.
(817) 735-7300
jjr@freese.com

Denise Hickey
North Texas Municipal
Water District
(972) 442-5405
dhickey@ntmwd.com

This Model WREMP plan is based on the Texas Administrative Code in effect on January 18, 2019.

299

EXHIBIT A
TABLE OF CONTENTS

Table of Contents

1. INTRODUCTION AND OBJECTIVES 1-1

2. DEFINITIONS AND ABBREVIATIONS 2-2

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES 3-1

4. WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN 4-1

4.1 Provisions to Inform the Public and Opportunity for Public Input 4-1
4.2 Provisions for Continuing Public Education and Information 4-1
4.3 Initiation and Termination of Water Resource and Emergency Management Stages and Targets for Water use Reductions 4-1
4.3.1 Stage 1 4-3
4.3.2 Stage 2 4-5
4.3.2 Stage 3 4-9
4.4 Procedures for Granting Variances to the Plan 4-12
4.5 Procedures for Enforcing Mandatory Water Use Restrictions 4-13
4.6 Coordination with the Regional Water Planning Group and NTMWD 4-13
4.7 Review and Update of Drought Contingency and Water Emergency Response Plan 4-13

APPENDICES

APPENDIX A **List of References**

APPENDIX B **Texas Commission on Environmental Quality Rules on Drought Contingency Plans**
- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule §288.20 – Drought Contingency Plans for Municipal Uses by Public Water Suppliers

APPENDIX C **Letter to Region C and Region D Water Planning Group**

1. INTRODUCTION AND OBJECTIVES

This document has been prepared as a Model Water Resource and Emergency Management Plan (WREMP), intended to be available for use by North Texas Municipal Water District (NTMWD) Member Cities and Customer Cities as they develop their own plans. This model plan addresses all of the current TCEQ requirements for a drought contingency plan. [1] This plan will replace the plans dated August 2004, April 2006, March 2008, and April 2014.

The measures included in this Model WREMP are intended to provide short-term water savings during drought or emergency conditions. Water savings associated with ongoing, long-term strategies are discussed in the *Model Water Conservation Plan for North Texas Municipal Water District Member Cities and Customer Cities*. [2]

- The purpose of this Model WREMP plan is as follows:
- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions

The NTMWD supplies treated water to its Member Cities and Customer Cities. This model plan was developed by NTMWD in consultation with its Member Cities. In order to adopt this model plan, each NTMWD Member City and Customer City will need to adopt ordinance(s) or regulation(s) implementing the plan, including the determination of fines and enforcement procedures. The model plan calls for Member Cities and Customer Cities to adopt Water Resource Stages initiated by NTMWD during a drought or water supply emergency. Member Cities and Customer Cities may also adopt more stringent drought or water emergency response stages than NTMWD if conditions warrant.

In the absence of drought response measures, water demands tend to increase during drought due to increased outdoor irrigation. The severity of the drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies. NTMWD considers a drought to end when all of the NTMWD's supply reservoirs refill to conservation storage pool levels.

[1] Superscripted numbers match references listed in Appendix A.

2. DEFINITIONS AND ABBREVIATIONS

1. AQUATIC LIFE means a vertebrate organism dependent upon an aquatic environment to sustain its life.

2. ATHLETIC FIELD means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools; professional sports and league play sanctioned by the utility providing retail water supply.

3. COMMERCIAL FACILITY means business or industrial buildings and the associated landscaping, but does not include the fairways, greens, or tees of a golf course.

4. COMMERCIAL VEHICLE WASH FACILITY means a permanently-located business that washes vehicles or other mobile equipment with water or water-based products, including but not limited to self-service car washes, full service car washes, roll-over/in-bay style car washes, and facilities managing vehicle fleets or vehicle inventory.

5. CUSTOMERS include those entities to which NTMWD provides wholesale water that are not Member Cities of NTMWD.

6. DESIGNATED OUTDOOR WATER USE DAY means a day prescribed by rule on which a person is permitted to irrigate outdoors.

7. DRIP IRRIGATION is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.

8. DROUGHT, for the purposes of this report, means an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources (in this case reservoirs) to be depleted.

9. EVAPOTRANSPIRATION (ET) represents the amount of water lost from plant material to evaporation and transpiration. The amount of ET can be estimated based on the temperature, wind, and relative humidity.

10. EXECUTIVE DIRECTOR means the Executive Director of the NTMWD and includes a person the Executive Director has designated to administer or perform any task, duty, function, role, or action related to this Plan or on behalf of the Executive Director.

11. FOUNDATION WATERING means an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

12. INTERACTIVE WATER FEATURES means water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.

13. IRRIGATION SYSTEM means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.

14. LANDSCAPE means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass or turf species, that is growing or has been planted out of doors.

15. MEMBER CITIES include the cities of Allen, Farmersville, Forney, Frisco, Garland, McKinney, Mesquite, Plano, Princeton, Richardson, Rockwall, Royse City, and Wylie, Texas, which are members of NTMWD.

16. NEW LANDSCAPE means: (a) vegetation installed at the time of the construction of a residential or commercial facility; (b) installed as part of a governmental entity's capital improvement project; or (c) installed to stabilize an area disturbed by construction.

17. ORNAMENTAL FOUNTAIN means an artificially created structure (up to a certain diameter) from which a jet, stream, or flow of treated water emanates and is not typically utilized for the preservation of aquatic life.

18. RETAIL CUSTOMERS include those customers to whom the Supplier provides retail water from a water meter.

19. SOAKER HOSE means a perforated or permeable garden-type hose or pipe that is laid above ground that provides irrigation at a slow and constant rate.

20. SPRINKLER means an above-ground water distribution device that may be attached to a garden hose.

21. SUPPLIER means a Member City or Customer that purchases wholesale water from NTMWD and provides water to retail and/or wholesale customers.

22. SWIMMING POOL means any structure, basin, chamber, or tank including hot tubs, containing an artificial body of water for swimming, diving, or recreational bathing, and having a depth of two (2) feet or more at any point.

23. WATER RESOURCE MANAGEMENT PLAN means a strategy or combination of strategies for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies required by Texas Administrative Code Title 30, Chapter 288, Subchapter B. This is sometimes called a drought contingency plan.

Abbreviation	Full Nomenclature
ED	NTMWD Executive Director
NTMWD or District	North Texas Municipal Water District
TCEQ	Texas Commission on Environmental Quality
TWDB	Texas Water Development Board
Model WREMP	Model Water Resource and Emergency Management Plan for Member Cities and Customers

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code, a current copy of which is included in Appendix B. For the purpose of these rules, a drought contingency plan is defined as "a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies."[1]

Minimum Requirements

TCEQ's minimum requirements for drought contingency plans are addressed in the following subsections of this report:

- 288.20(a)(1)(A) – Provisions to Inform the Public and Provide Opportunity for Public Input – Section 4.1
- 288.20(a)(1)(B) – Provisions for Continuing Public Education and Information – Section 4.2
- 288.20(a)(1)(C) – Coordination with the Regional Water Planning Group – Section 4.7
- 288.20(a)(1)(D) – Criteria for Initiation and Termination of Drought Stages – Section 4.3
- 288.20(a)(1)(E) – Drought and Emergency Response Stages – Section 4.4
- 288.20(a)(1)(F) – Specific, Quantified Targets for Water Use Reductions – Section 3.4
- 288.20(a)(1)(G) – Water Supply and Demand Management Measures for Each Stage – Section 4.4
- 288.20(a)(1)(H) – Procedures for Initiation and Termination of Drought Stages – Section 3.3
- 288.20(a)(1)(I) - Procedures for Granting Variances – Section 4.5
- 288.20(a)(1)(J) - Procedures for Enforcement of Mandatory Restrictions – Section 3.6
- 288.20(a)(3) – Consultation with Wholesale Supplier – Sections 1 and 4.4
- 288.20(b) – Notification of Implementation of Mandatory Measures – Section 4.3
- 288.20(c) – Review and Update of Plan – Section 4.8

4. WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

4.1 Provisions to Inform the Public and Opportunity for Public Input

The City of Rockwall will provide opportunity for public input in the development of this drought contingency and water emergency response plan by the following means:

- Providing written notice of the proposed plan and the opportunity to comment on the plan by newspaper, posted notice, and notice on the supplier's web site.
- Making the draft plan available on the supplier's web site.
- Providing the draft plan to anyone requesting a copy.
- Holding a public meeting.

4.2 Provisions for Continuing Public Education and Information

The City of Rockwall will inform and educate the public about the Water Resource and Emergency Management Plan by the following means:

- Preparing a bulletin describing the plan and making it available at City Hall and other appropriate locations.
- Making the plan available to the public through the supplier's web site.
- Including information about the Water Resource and Emergency Management on the supplier's web site.
- Notifying local organizations, schools, and civic groups that staff are available to make presentations on the Water Resource and Emergency Management Plan (usually in conjunction with presentations on water conservation programs).

At any time that the drought contingency and water emergency response plan is activated or the drought stage or water emergency response stage changes, Member Cities and Customer Cities will notify local media of the issues, the drought response stage or water emergency response stage (if applicable), and the specific actions required of the public. The information will also be publicized on the supplier's web site (if available). Billing inserts will also be used as appropriate.

4.3 Initiation and Termination of Water Resource and Emergency Management Stages and Targets for Water use Reductions

<u>Initiation of a Water Resource Management Stage</u>

The City Manager or official designee may order the implementation of a Water Resource and Emergency Management response stage when one or more of the trigger conditions for that stage are met.

- Water Resource and Emergency Management Plan stages imposed by NTMWD action must be initiated by Member Cities and Customers.

- For other trigger conditions internal to a city or water supply entity, the City Manager or official designee may decide not to order the implementation of a Water Resource Management Stage or Water Emergency even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented.

The following actions will be taken when a water resource management stage is initiated:

- The public will be notified through local media and the supplier's web site (if available) as described in Section 4.2.
- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax that provides details of the reasons for initiation of the Water Resource Management Stage.
- If any mandatory provisions of the Water Resource and Emergency Management Plan are activated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

Termination of Water Management Stage

The City Manager or official designee may order the termination of a Water Resource Management Stage when the conditions for termination are met or at their discretion.

The following actions will be taken when a water resource management stage is terminated:

- The public will be notified through local media and the supplier's web site as described in Section 4.2.
- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax.
- If any mandatory provisions of the Water Resource and Emergency Management Plan that have been activated are terminated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

The City Manager or official designee may decide not to order the termination of a Water Resource Management stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the Water Resource Management Stage. The reason for this decision should be documented.

Water Resource and Emergency Management Plan Stages and Measures

4.3.1 Stage 1

Initiation and Termination Conditions for Stage 1

The NTMWD has initiated Stage 1, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.
- Water demand is projected to approach the limit of the permitted supply.
- The storage level in Lavon Lake as published by the Texas Water Development Board (TWDB),[3] is less than 70 percent of the total conservation pool capacity during any months or April through October or less than 60 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 1 drought.
- NTMWD has concern that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD source may be limited in availability in the next six (6) months.
- NTMWD water demand exceeds 95 percent of the amount that can be delivered to customers for three (3) consecutive days.
- Water demand for all or part of NTMWD's delivery system approaches delivery capacity because delivery capacity is inadequate.
- Supply source is interrupted or unavailable due contamination, invasive species, equipment failure or other causes.
- NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only the portion of the NTMWD system impacted.

Supplier has initiated Stage 1 due to one or more of the following reasons:

- Supplier's water demand exceeds 95 percent of the amount that can be delivered to customers for three consecutive days.
- Supplier's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 1, which may be terminated due to one or more of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 1.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 75 percent of the total conservation pool capacity during any of the months of April through October or greater than 65 percent of the total conservation pool capacity during any of the months of November through March.
- Other circumstances that caused NTMWD initiation of Stage 1 no longer prevail.

Supplier has terminated Stage 1, which may be terminated due to the cause of the Supplier's initiation of Stage 1 no longer prevail.

Goal for Use Reduction and Actions Available under Stage 1

Stage 1 is intended to raise public awareness of potential drought or water emergency problems. The goal for water use reduction under Stage 1 is a two percent (2%) reduction in the amount of water produced by NTMWD from the previous corresponding annual payment period prior to institution of drought restrictions. **If circumstances warrant, of if required by NTMWD, the City Manager or official designee can set a goal for greater or lesser water use reduction under Stage 1.** The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary, to achieve a two percent (2%) reduction. Measures described as "requires notification to TCEQ" are those that impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if such mandatory measures are implemented.

- Continue actions established by Water Conservation Plan.
- Notify wholesale customers of actions being taken and request implementation of similar procedures.
- Initiate engineering studies to evaluate alternative water sources and/or alternative delivery mechanisms should conditions worsen.
- Increase public education efforts on ways to reduce water use.
- Halt non-essential city government water use:

  (Examples: street cleaning, vehicle washing, operation of ornamental fountains, etc.)
- Encourage the public to wait until the current drought or emergency situation has passed before establishing New Landscape.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires Notification to TCEQ -** Increase enforcement of the following landscape watering restrictions established by the Water Conservation Plan: (1) limit landscape watering with sprinklers or irrigation systems at each service address to no more than two (2) days per week, on designated days, between April

1 and October 31; and (2) limit landscape watering with sprinklers or irrigation systems at each service address to once every week, on designated days, between November 1 and March 31. Exceptions are as follows:

- An exception is allowed for New Landscape associated with new construction that may be watered as necessary for 30 days from the date of installation of new landscape features.
- An exception for additional watering of landscape may be provided by hand-held hose with shutoff nozzle, and/or use of dedicated irrigation drip zones provided no runoff occurs.
- Foundation (within 2 feet), New Landscape watering, watering of new plantings (first year) of shrubs, and watering of trees (within a ten foot radius of its trunk) may occur by a hand-held hose, a soaker hose, or a dedicated zone using a Drip Irrigation system provided no runoff occurs.
- Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as may be regulated by the City of Dallas.

- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water use over a certain level.
- **Requires Notification to TCEQ -** Public athletic fields used for competition may be watered twice per week.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.

4.3.2 Stage 2

Initiation and Termination Conditions for Stage 2

The NTMWD has initiated Stage 2, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.
- Water demand is projected to approach the limit of NTMWD permitted supply.
- The storage in Lavon Lake, as published by the TWDB,[3] is less than 55 percent of the total conservation pool during any of the months of April through October or less than 45 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 2 drought.
- NTMWD has concern that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD source may be limited in availability in the next three (3) months.

- NTMWD water demand exceeds 98 percent of the amount that can be delivered to customers for three (3) consecutive days.
- NTMWD water demand for all or part of the delivery system equals delivery capacity because delivery capacity is inadequate.
- NTMWD's supply source is interrupted or unavailable due contamination, invasive species, equipment failure, or other causes.
- NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only that portion of the system impacted.

Supplier has initiated Stage 2 due to one or more of the following reasons:

- Supplier's water demand exceeds 98 percent of the amount that can be delivered to customers for three (3) consecutive days.
- Supplier's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 2, which may terminate due to one of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 2.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 70 percent of the total conservation pool capacity during any of the months of April through October or greater than 60 percent of the total conservation pool capacity during any of the months of November through March.
- Other circumstances that caused NTMWD initiation of Stage 2 no longer prevail.

Supplier has terminated Stage 2, which may be terminated due to the cause of the Supplier's initiation of Stage 2 no longer prevail.

Goal for Use Reduction and Actions Available under Stage 2

The goal for water use reduction under Stage 2 is a reduction of ten percent (10%) in the amount of water obtained from NTMWD from the previous corresponding annual payment period prior to institution of drought restrictions. **If circumstances warrant, of if required by NTMWD, the City Manager or official designee can set a goal for greater or lesser water use reduction.** The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary, to achieve a two-percent reduction. Measures described as "requires notification to TCEQ" are those that impose mandatory

requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if such mandatory measures are implemented.

- Continue or initiate any actions available under Water Conservation Plan and Stage 1.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.
- Implement viable alternative water supply strategies.
- Further accelerate public education efforts on ways to reduce water use.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires Notification to TCEQ -** Limit landscape watering with sprinklers or irrigation systems at each service address to once per week, on designated days between April 1 and October 31. and (2) limit landscape watering with sprinklers or irrigation systems at each service address to once every week, on designated days, between November 1 and March 31. Exceptions are as follows:
    - An exception is allowed for New Landscape associated with new construction that may be watered as necessary for 30 days from the date of installation of new landscape features.
    - An exception for additional watering of landscape may be provided by hand-held hose with shutoff nozzle, and/or use of dedicated irrigation drip zones provided no runoff occurs.
    - Foundation (within 2 feet), New Landscape Watering, watering of new plantings (first year) of shrubs, and watering of trees (within a ten foot radius of its trunk) may occur by a hand-held hose, a soaker hose, or a dedicated zone using a Drip Irrigation system provided no runoff occurs.
    - Athletic Fields may be watered twice per week.
    - An exemption is allowed for Drip Irrigation system from the designated outdoor water use day limited to no more than one day per week. Drip Irrigation systems are however subject to all other restrictions applicable under this stage.
    - Hand water with shutoff nozzle, drip lines, and Soaker Hoses are allowed before 10 am and after 6 pm, provided no runoff occurs.
    - Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as may be regulated by the City of Dallas.
- **Requires Notification to TCEQ -** Prohibit hydro seeding, hydro mulching, and sprigging.
- **Requires Notification to TCEQ -** Initiate a rate surcharge as requested by NTMWD.

- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water used over a certain level.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.
- **Requires Notification to TCEQ -** If NTMWD has imposed a reduction in water availability, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures:

    - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.

    - A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.

    - The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.

    - Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.

    - At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.

    - City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.

4.3.2 Stage 3

Initiation and Termination Conditions for Stage 3

The NTMWD has initiated Stage 3, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3
- Water demand is projected to approach or exceed the limit of the permitted supply.
- The storage in Lavon Lake, as published by the TWDB, [3] is less than 30 percent of the total conservation pool during any of the months of April through October or less than 20 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in Stage 3.
- The water supplied from Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD water source has become limited in availability.
- NTMWD water demand exceeds the amount that can be delivered to Customers.
- NTMWD water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- NTMWD's supply source is interrupted or unavailable due contamination, invasive species, equipment failure, or other causes.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only that portion of the system impacted.

Supplier has initiated Stage 3 due to one or more of the following reasons:

- Supplier's water demand exceeds the amount that can be delivered to customers.
- Supplier's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 3, which may terminate due to one or more of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 3.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 55 percent of the total conservation pool capacity during any of the months of April

through October or greater than 45 percent of the total conservation pool capacity during any of the months of November through March.

- Other circumstances that caused NTMWD initiation of Stage 2 no longer prevail.

Supplier has terminated Stage 3, which may be terminated due to the cause of the Supplier's initiation of Stage 3 no longer prevail.

Goals for Use Reduction and Actions Available under Stage 3

The goal for water use reduction under Stage 3 is a reduction of whatever amount is designated by NTMWD in the amount of water obtained from NTMWD from the corresponding previous annual payment period prior to institution of drought restrictions. If circumstances warrant or if required by NTMWD, the City Manager or official designee can set a goal for greater water use reduction.

The City Manager or official designee must implement any action(s) required by NTMWD. In addition, the City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if these measures are implemented:

- Continue or initiate any actions available under Stages 1 and 2.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.
- Implement viable alternative water supply strategies.
- **Requires Notification to TCEQ** – Initiate mandatory water use restrictions as follows:
    - Prohibit hosing and washing of paved areas, buildings, windows or other surfaces is prohibited except by variance and performed by a professional service using high efficiency equipment.
    - Prohibit operation of all ornamental fountains or other amenity impoundments to the extent they use treated water.
- **Requires Notification to TCEQ -** Prohibit hydro seeding, hydro mulching, and sprigging.
- **Requires Notification to TCEQ -** Prohibit the use of potable water for the irrigation of new landscape.
- **Requires Notification to TCEQ -** Prohibit commercial and residential landscape watering, except that foundations and trees may be watered for 2 hours on any day with a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system provided no runoff occurs. ET/Smart controllers and drip irrigation systems are not exempt from this requirement.

- **Requires Notification to TCEQ -** Prohibit washing of vehicles except at Commercial Vehicle Wash Facilities, except as necessary for health, sanitation, or safety reasons.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.
- **Requires Notification to TCEQ -** Prohibit the permitting of private pools. Pools already permitted may be completed and filled with water. Existing private and public pools may add water to maintain pool levels but may not be drained and refilled.
- **Requires Notification to TCEQ -** Require all commercial water users to reduce water use by a percentage established by the City Manager or official designee.
- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water use over normal rates for all water use.
- **Requires Notification to TCEQ -** If NTMWD has imposed a reduction in water availability, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures

  In the event that the triggering criteria specified in the Plan for Stage [WA1]3 and Severe Water Shortage Conditions have been met, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures:

  - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.
  - A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.
  - The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource

Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.

- Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.
- At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.
- City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.

4.4 Procedures for Granting Variances to the Plan

The City Manager or official designee may grant temporary variances for existing water uses otherwise prohibited under this Water Resource and Emergency Management Plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity requesting the variance
- Compliance with this plan cannot be accomplished due to technical or other limitations
- Alternative methods that achieve the same level of reduction in water use can be implemented

Variances shall be granted or denied at the discretion of the City Manager or official designee. All petitions for variances should be in writing and should include the following information:

- Name and address of the petitioners
- Purpose of water use
- Specific provisions from which relief is requested
- Detailed statement of the adverse effect of the provision from which relief is requested
- Description of the relief requested
- Period of time for which the variance is sought
- Alternative measures that will be taken to reduce water use
- Other pertinent information

4.5 Procedures for Enforcing Mandatory Water Use Restrictions

Mandatory water use restrictions may be imposed in Stage 1, Stage 2 and Stage 3 through adoption of this Water Resource and Emergency Management Plan by Ordinance of the City of Rockwall.

4.6 Coordination with the Regional Water Planning Group and NTMWD

A copy of this Water Resource and Emergency Management plan will be sent to the Chair of the Region C Water Planning Group and the Chairs of North East Texas Water Planning Group.

4.7 Review and Update of Drought Contingency and Water Emergency Response Plan

As required by TCEQ rules, Member Cities and Customer Cites must review the drought contingency and water emergency response plan every five years. The plan will be updated as appropriate based on new or updated information.

APPENDIX A

LIST OF REFERENCES

319

Appendix A
List of References

(1) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.20, downloaded from http://www.tnrcc.state.tx.us/oprd/rules/pdflib/288a.pdf, July 2018.

(2) Freese and Nichols, Inc.: 2019 Model Water Resource Management Plan for NTMWD Member Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, February 2019.

(3) Texas Water Development Board, Water Data for Texas, Lavon Lake, https://waterdatafortexas.org/reserviors/individual/lavon.

APPENDIX B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES ON DROUGHT CONTINGENCY PLANS

321

APPENDIX B
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER B	DROUGHT CONTINGENCY PLANS
RULE §288.20	**Drought Contingency Plans for Municipal Uses by Public Water Suppliers**

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

(i) reduction in available water supply up to a repeat of the drought of record;

(ii) water production or distribution system limitations;

(iii) supply source contamination; or

(iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include the specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(i) curtailment of non-essential water uses; and

(ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.

(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

Source Note: The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384.

APPENDIX C

Letter to Region C and Region D Water Planning Groups

324

City of Rockwall

The New Horizon

Date:

Kevin Ward
Chair, Region C Water Planning Group
P.O. Box 12071
Longview, TX 75607

Dear Kevin Ward:

Enclosed please find a copy of the recently updated Water Resource and Emergency Management Plan for the City of Rockwall. I am submitting a copy of this model plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The Rockwall City Council adopted the updated Water Conservation Plan on _____ ___, 2019.

Sincerely,

Rick Crowley
City of Rockwall

City of Rockwall

The New Horizon

Date:

Richard LeTourneau
Chair, Region D Water Planning Group
P.O. Box 12071
Longview, TX 75607

Dear Richard Le Tourneau:

Enclosed please find a copy of the recently updated Water Resource and Emergency Management Plan for the City of Rockwall. I am submitting a copy of this model plan to the Region D Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The Rockwall City Council adopted the updated Water Conservation Plan on _____ ___, 2019.

Sincerely,

Rick Crowley
City of Rockwall

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327

City of Rockwall
The New Horizon

MEMORANDUM

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

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

DATE: **April 12, 2019**

SUBJECT: **2nd reading of Ordinances**

The motion to approve the ordinances adopting the following plans passed by a vote of 4 ayes, 2 nays (Daniels and Pruitt), and 1 absence (Hohenshelt) at the April 1, 2019 City Council meeting. Therefore, the two ordinances are being placed under "Action Items" for second reading (in lieu of the "Consent Agenda") so that any desired discussion may be had by Council.

- "Water Resource & Emergency Management Plan"
- "Water Conservation Plan"

CITY OF ROCKWALL

ORDINANCE NO. 19-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 6. WATER CONSERVATION TO REPEAL DIVISION 6. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 6. TO REFLECT AN UPDATED WATER CONSERVATION PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

WHEREAS, the Rockwall City Council previously adopted a Water Conservation Plan through passage of Ordinance No. 14-17, "Exhibit A"; and

WHEREAS, the City Council has determined the need to repeal the plan (Ord. No. 14-17) in its entirety for the purpose of modifying the Water Conservation Plan, in accordance with Section 288.2 of the Texas Administrative Code.

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

SECTION 1. The Code of Ordinances in Chapter 44. "Utilities," Article V. "Water," Division 6. "Water Conservation" is hereby repealed in its entirety and a new "Water Conservation Plan" is hereby adopted as reflected in **"Exhibit A"** of this ordinance; and

SECTION 2. PLAN ADOPTED

Sec.44-412.

(a) The city council hereby approves and adopts the City of Rockwall Water Conservation Plan, attached to Ordinance No. 19-18 as "Exhibit A," which is incorporated as if fully set forth in this division and on file in the city secretary's office. As contained in Section 9.4 of the plan, the following Landscape Water Management Measures are adopted and required by the City of Rockwall:

- Time of day restrictions prohibit lawn irrigation watering from 10 AM to 6 PM beginning April 1st and ending October 31st of each year.
- Prohibition of watering of impervious surfaces, as provided by the Irrigation Ordinance 09-13, Ch. 10, Art. XVI, Sec. 10-700 of the Code of Ordinances. Wind driven water drift will be taken into consideration.
- Prohibition of outdoor watering during rain or freeze events.
- Lawn and landscape irrigation is limited to twice per week April 1st and ending October 31st, except for irrigation systems installed with an evapo-transpiration controller or the use of a water hose with a shut-off nozzle, and for establishment of new lawn and landscaping for a period of 30 days or as approved in writing by the City of Rockwall.

- Lawn and landscape irrigation is limited to once per week November 1st and ending March 31st.
- Rain and freeze sensors and/or evapo-transpiration controllers must be maintained to function properly.
- At home and fundraising car washing may be done only when using a water hose with a shut-off nozzle.

(b) Any person or customer, defined pursuant to 30 Tex. Admin. Code Ch. 291, failing to comply with the provisions of the plan shall be subjected to a fine of up $2,000.00 and/or discontinuance of water service by the city. Proof of a culpable mental state is not required for a conviction of an offense under this section. Each day a customer fails to comply with the plan is a violation. The city's authority to seek injunctive or other relief available under the law is not limited by this section.

SECTION 3. The City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code and that said Plan meets all the requirements of Section 288.2 of the Texas Administrative Code; and

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

SECTION 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect; and

SECTION 6. The City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof; and

SECTION 7. All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed, and the balance of such ordinance is hereby saved from repeal; and

SECTION 8. The ordinance shall become effective immediately following its approval upon second reading and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15TH DAY OF APRIL, 2019.

_____

Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

1st Reading: 04/01/2019

2nd Reading: 04/15/2019

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

WATER CONSERVATION PLAN

City of Rockwall

The New Horizon

MAY 2019

332

TABLE OF CONTENTS

1. INTRODUCTION AND OBJECTIVES 1-1

2. DEFINITIONS AND ABBREVIATIONS 2-1

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES 3-1

4. WATER UTILITY PROFILE 4-1

5. SPECIFICATIONS OF WATER CONSERVATION GOALS 5-1

6. METERING, WATER USE RECORDS, CONTROL OF UNACCOUNTED WATER AND LEAK DETECTION AND REPAIR 6-1

6.1 Accurate Metering of Treated Water Deliveries from NTMWD 6-1
6.2 Metering of Customer and Public Uses and Meter Testing, Repair and Replacement 6-1
6.3 Record Management System 6-1
6.4 Determination and Control of Unaccounted Water 6-1
6.5 Leak Detection and Repair 6-2
6.6 Monitoring of Effectiveness and Efficiency - Annual Water Conservation Report 6-2
6.7 Water Conservation Implementation Report 6-2

7. CONTINUING PUBLIC EDUCATION AND INFORMATION CAMPAIGN 7-1

8. WATER RATE STRUCTURE 8-1

9. OTHER WATER CONSERVATION MEASURES 9-1

9.1 NTMWD System Operation Plan 9-1
9.2 Reuse and Recycling of Wastewater 9-1
9.3 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures 9-1
9.4 Landscape Water Management Measures (Required) 9-1
9.5 Additional Water Conservation Measures (Not Required) 9-2
9.6 Rebates 9-2
9.7 Requirement for Water Conservation Plans by Wholesale Customers 9-2
9.8 Coordination with Regional Water Planning Group and NTMWD 9-3

10. IMPLEMENTATION AND ENFORCEMENT OF THE WATER CONSERVATION PLAN 10-1

11. REVIEW AND UPDATE OF WATER CONSERVATION PLAN 11-1

APPENDICES

APPENDIX A **List of References**

APPENDIX B **Texas Commission on Environmental Quality Rules on Municipal Water Conservation Plans**

- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.1 – Definitions (Page B-1)
- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.2 – Water Conservation Plans for Municipal Uses by Public Water Suppliers (Page B-4)

APPENDIX C **Irrigation Regulations**

APPENDIX D **Service Regulation**

- Ordinance Pertaining to Illegal Water Connections and Theft of Water

APPENDIX E **Landscape Ordinance**

1. INTRODUCTION AND OBJECTIVES

Water supply has always been a key issue in the development of Texas. In recent years, the growing population and economic development of North Central Texas has led to increasing demands for water supplies. At the same time, local and less expensive sources of water supply are largely developed. Additional supplies to meet higher demands will be expensive and difficult to develop. It is therefore important that NTMWD and its Member Cities and Customer Cities make the most efficient use of existing supplies. This will delay the need for new supplies, minimize the environmental impacts associated with developing new supplies and delay the high cost of additional water supply development.

Recognizing the need for efficient use of existing water supplies, the Texas Commission on Environmental Quality (TCEQ) has developed guidelines and requirements governing the development of water conservation plans for public water suppliers. TCEQ guidelines and requirements are included in Appendix B. The best management practices established by the Water Conservation Implementation Task Force, established pursuant to SB1094 by the 78th Legislature, were also considered in the development of water conservation measures. This water conservation plan was developed following TCEQ guidelines and requirements.

This water conservation plan includes measures that are intended to result in ongoing, long-term water savings. This plan replaces the previous plans dated August 2004, April 2006, March 2008, and April 2014.

The objectives of this water conservation plan are as follows:

- To reduce water consumption from the levels that would prevail without conservation efforts
- To reduce the loss and waste of water
- To improve efficiency in the use of water
- To document the level of recycling and reuse in the water supply
- To extend the life of current water supplies by reducing the rate of growth and demand

This Water Conservation Plan for the City of Rockwall, Texas applies to all use of the City of Rockwall's water supply.

This plan includes all of the elements required by TCEQ.

2. DEFINITIONS AND ABBREVIATIONS

1. **ATHLETIC FIELD** means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools; professional sports and league play sanctioned by the utility providing retail water supply.

2. **COOL SEASON GRASSES** are varieties of turf grass that grow best in cool climates primarily in northern and central regions of the U.S. Cool season grasses include perennial and annual rye grass, Kentucky blue grass and fescues.

3. **CUSTOMERS** include those entities to which NTMWD provides wholesale water that are not members of NTMWD.

4. **DRIP IRRIGATION** is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.

5. **EVAPOTRANSPIRATION (ET)** represents the amount of water lost from plant material to evaporation and transpiration. The amount of ET can be estimated based on the temperature, wind, and relative humidity.

6. **ET/SMART CONTROLLERS** are irrigation controllers that adjust their schedule and run times based on weather (ET) data. These controllers are designed to replace the amount of water lost to evapotranspiration.

7. **IRRIGATION SYSTEM** means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.

8. **LANDSCAPE** means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass or turf species that is growing or has been planted out of doors.

9. **MEMBER CITIES** include the cities of Allen, Farmersville, Forney, Frisco, Garland, McKinney, Mesquite, Plano, Princeton, Richardson, Rockwall, Royse City, and Wylie, Texas, which are members of NTMWD.

10. **MUNICIPAL USE** means the use of potable water provided by a public water supplier as well as the use of treated wastewater effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

11. **REGULATED IRRIGATION PROPERTY** means any (customer class, i.e. commercial) property that uses (over a certain amount) of water or more for irrigation purposes in a single calendar year or is greater than (certain size).

12. **RESIDENTIAL GALLONS PER CAPITA PER DAY** means (Residential GPCD) the total gallons sold for residential use by a public water supplier divided

by the residential population served and then divided by the number of days in the year.

13. **RETAIL CUSTOMERS** include those customers to whom the utility provides retail water from a water meter.

14. **TOTAL GALLONS PER CAPITA PER DAY** (Total GPCD) means the total amount of water diverted and/or pumped for potable use divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in TAC 288.1 shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

15. **WATER CONSERVATION PLAN** means the Member City or Customer water conservation plan approved and adopted by the utility.

Abbreviations

Abbreviation	Full Nomenclature
BMP	Best Management Practices
NTMWD or District	North Texas Municipal Water District
TCEQ	Texas Commission on Environmental Quality
TWDB	Texas Water Development Board
WCAC	Water Conservation Advisory Council
WCP	Water Conservation Plan

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of water conservation plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code, which is included in Appendix B. For the purpose of these rules, a water conservation plan is defined as "A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water and for preventing the pollution of water." The elements in the TCEQ water conservation rules covered in this Conservation Plan are listed below.

Minimum Conservation Plan Requirements

The minimum requirements in the Texas Administrative Code for Water Conservation Plans for Public Water Suppliers are covered in this report as follows:

- 288.2(a)(1)(A) – Utility Profile – Section 4 and Appendix C
- 288.2(a)(1)(B) – Specification of Goals – Section 5
- 288.2(a)(1)(C) – Specific, Quantified Goals – Section 5
- 288.2(a)(1)(D) – Accurate Metering – Sections 6.1 and 6.2
- 288.2(a)(1)(E) – Universal Metering – Section 6.2
- 288.2(a)(1)(F) – Determination and Control of Unaccounted Water – Section 6.4
- 288.2(a)(1)(G) – Public Education and Information Program – Section 7
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 8
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 9.1
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 10
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 9.8 and Appendix F
- 288.2(c) – Review and Update of Plan – Section 11

Conservation Plan Additional Requirements (Population over 5,000)

The Texas Administrative Code includes additional requirements for water conservation plans for drinking water supplies serving a population over 5,000:

- 288.2(a)(2)(A) – Leak Detection, Repair and Water Loss Accounting – Sections 6.3, 6.4, and 6.5
- 288.2(a)(2)(B) – Record Management System – Section 6.3
- 288.2(a)(2)(C) – Requirement for Water Conservation Plans by Wholesale Customers – Section 9.7

Additional Conservation Strategies

The TCEQ requires that a water conservation implementation report be completed and submitted on an annual basis. This report is included in Appendix H.

In addition to the TCEQ required water conservation strategies, NTMWD also requires the following strategy to be included in Member City and Customer City plans:

- 288.2(a)(3)(F) – Irrigation Ordinance – Section 8.4 and Appendix E

TCEQ rules also include optional, not required, conservation strategies, which may be adopted by suppliers. The NTMWD recommends that the following strategies be included in the Member City and Customer City plans:

- 288.2(a)(3)(A) – Conservation Oriented Water Rates – Section 8
- 288.2(a)(3)(B) – Ordinances, Plumbing Codes or Rules on Water-Conserving Fixtures – Section 9.3
- 288.2(a)(3)(C) – Replacement or Retrofit of Water-Conserving Plumbing Fixtures – Section 9.5
- 288.2(a)(3)(D) – Reuse and Recycling of Wastewater – Section 9.2
- 288.2(a)(3)(F) – Irrigation Ordinance – Appendix E
- 288.2(a)(3)(G) – Monitoring Method – Section 6.6
- 288.2(a)(3)(H) – Additional Conservation Ordinance Provisions – Section 9.5,

4. WATER UTILITY PROFILE

Appendix C to this Water Conservation Plan is a sample water utility profile based on the format recommended by TCEQ. In adopting this Water Conservation Plan, the City of Rockwall will provide a draft water utility profile to NTMWD for review and comment. A final water utility profile will be provided to NTMWD.

5. SPECIFICATIONS OF WATER CONSERVATION GOALS

The goals for this Water Conservation Plan include the following:

- Maintain the per capita municipal water use below the specified amount in gallons per capita per day in a dry year, as shown in Table 5-1.
- Maintain the level (gpcd) of unaccounted water in the system below 12 percent annually in 2018 and subsequent years, as discussed in Section 6.1.3. The 12 percent goal for unaccounted water is recommended, but is not required.
- Implement and maintain a program of universal metering and meter replacement and repair, as discussed in Section 6.1.2.
- Increase efficient water usage through a water conservation ordinance, as discussed in Section 7.4 and Appendix E. This ordinance is required by NTMWD.
- Decrease waste in lawn irrigation by implementation and enforcement of landscape water management regulations, as discussed in Section 7.5.
- Raise public awareness of water conservation and encourage responsible public behavior through a public education and information program, as discussed in Section 6.2.
- Develop a system specific strategy to conserve water during peak demands, thereby reducing the peak use.

Table 5 1 Five-Year and Ten-Year Per Capita Water Use Goals (GPCD)

Description	Current Average (GPCD)	5-Year Goal (GPCD)	10-Year Goal (GPCD)
Current 5-Year Average Total Per Capita Use with Credit for Reuse	135	130	127
Current 5-Year Average Residential Per Capita Use	94	93	92
Water Loss (GPCD)[1]	26	24	22
Water Loss (Percentage)[2]	15	13	11
Expected Reduction due to Low-Flow Plumbing Fixtures	----------	3	5
Projected Reduction Due to Elements in this Plan	----------	2	4
Water Conservation Goals (with credit for reuse)	----------	**160**	**155**

1. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365
2. Water Loss Percentage = (Total Water Loss ÷Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

6. METERING, WATER USE RECORDS, CONTROL OF UNACCOUNTED WATER AND LEAK DETECTION AND REPAIR

One of the key elements of water conservation is tracking water use and controlling loss through illegal diversions and leaks. It is important to carefully meter water use, detect and repair leaks in the distribution system and provide regular monitoring of unaccounted water.

6.1 Accurate Metering of Treated Water Deliveries from NTMWD

Water deliveries from NTMWD are metered by NTMWD using meters with accuracy of ±2%. These meters are calibrated on a monthly basis by NTMWD to maintain the required accuracy.

6.2 Metering of Customer and Public Uses and Meter Testing, Repair and Replacement

The provision of water to all customers, including public and governmental users, will continue to be metered by the City of Rockwall. The City of Rockwall will test and replace their residential customers' meters on a regular basis. Additionally, large meters will be regularly tested and either repaired or replaced when their flow is more than a 3 percent difference from actual flow.

6.3 Record Management System

As required by TAC Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(2)(B), a record management system should allow for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information will be included in an annual water conservation report, as described in Section 5.6.

6.4 Determination and Control of Unaccounted Water

Unaccounted water is the difference between water delivered to Rockwall from NTMWD and metered water sales to customers plus authorized but unmetered uses. Authorized but unmetered uses would include use for fire fighting, releases for flushing of lines, uses associated with new construction, etc. Unaccounted water can include several categories:

- Inaccuracies in customer meters. Customer meters tend to run slower as they age and under-report actual use.
- Meters which are being used but have not yet been added to the billing system.
- Losses due to water main breaks and leaks in the water distribution system.
- Losses due to illegal connections and theft. (Included in Appendix G.)

Measures to control unaccounted water should be part of the routine operations of the City of Rockwall. Maintenance crews and personnel will look for and report evidence of leaks in the water distribution system. A leak detection and repair program is described in Section

6.5 below. Meter readers will watch for and report signs of illegal connections, so they can be quickly addressed.

Unaccounted water will be calculated in accordance with the provisions in Appendix C. With the measures described in this plan, Rockwall will maintain unaccounted water below 12 percent in 2009 and subsequent years. If unaccounted water exceeds this goal, the City of Rockwall will implement a more intensive audit to determine the source(s) of and reduce the unaccounted water. The annual conservation report described in Section 5.6 is the primary tool that will be used to monitor unaccounted water.

6.5 Leak Detection and Repair

As described above, city crews and personnel will look for and report evidence of leaks in the water distribution systems. Areas of the water distribution system, in which numerous leaks and line breaks occur, will be targeted for replacement as funds are available.

6.6 Monitoring of Effectiveness and Efficiency - Annual Water Conservation Report

Appendix D is the form that will be used in the development of an annual water conservation report by the City of Rockwall. This form will be completed by March 31 of the following year and used to monitor the effectiveness and efficiency of the water conservation program and to plan conservation-related activities for the next year. The form records the water use by category, per capita municipal use and unaccounted water for the current year and compares them to historical values. The annual water conservation report will be sent to NTMWD, which will monitor NTMWD Member Cities' and Customers Cities' water conservation trends.

6.7 Water Conservation Implementation Report

Appendix H includes the TCEQ-required water conservation implementation report. The report is due to the TCEQ by May 1 of every year, starting in the year 2010. This report will list the various water conservation strategies that have been implemented, including the date the strategy was implemented. The report also calls for the five-year and ten-year per capita water use goals from the previous water conservation plan. The city will answer whether or not these goals have been met and, if not, why not. The amount of water saved is also requested.

7. CONTINUING PUBLIC EDUCATION AND INFORMATION CAMPAIGN

The continuing public education and information campaign on water conservation includes the following elements:

- Utilize the "Water IQ: Know Your Water" and other public education materials produced by NTMWD.
- Insert water conservation information with water bills. Inserts will include material developed by the City of Rockwall and material obtained from the TWDB, the TCEQ, and other sources.
- Encourage local media coverage of water conservation issues and the importance of water conservation.
- Notify local organizations, schools and civic groups that the City of Rockwall staff and staff of the NTMWD are available to make presentations on the importance of water conservation and ways to save water.
- Promote the *Texas Smartscape* web site (www.txsmartscape.com) and provide water conservation brochures and other water conservation materials available to the public at City Hall and other public places.
- Make information on water conservation available on the City's website and include links to the "Water IQ: Know Your Water" website, *Texas Smartscape* website and the TWDB and TCEQ web sites.
- Encourage customers to subscribe to weekly watering updates through Water My Yard or other similar program in an effort to reduce outdoor water consumption.

8. WATER RATE STRUCTURE

The City of Rockwall will continue to bill customers using an increasing block rate water structure that is intended to encourage water conservation and discourage excessive use and waste of water.

The following monthly rates are hereby established and shall be collected for water and wastewater services billed by the City:

	Meter size		Water Rates	Wastewater Rates
Monthly Minimum Bills:				
Residential:	0.75		$24.99	$22.75
	1.00		29.33	26.57
	1.50		34.06	30.87
	2.00		42.97	38.92
Non-residential:	0.75		$26.54	$22.75
	1.00		29.33	26.57
	1.50		34.06	30.87
	2.00		42.97	38.92
	3.00		60.92	50.19
	4.00		78.76	64.95
	6.00		96.58	79.65
Irrigation Meters:	0.75		$26.54	$N/A
	1.00		29.33	N/A
	1.50		34.06	N/A
	2.00		42.97	N/A
	3.00		60.92	N/A
	4.00		78.76	N/A
	6.00		96.58	N/A
Rate per TH Gallons - Water:	Residential 2,001-8,000 gallons		$3.81	$N/A
	Residential 8,001-16,000 gallons		4.79	
	Residential over 16,000 gallons		6.68	N/A
	Irrigation over 2,000 gallons		6.68	N/A
	Non-residential over 2,000 gallons		5.73	N/A
	Wholesale Contract Rate		4.22	N/A
Rate per TH Gallons - Wastewater:			N/A	3.97

9. OTHER WATER CONSERVATION MEASURES

9.1 NTMWD System Operation Plan

Member Cities and Customers of NTMWD purchase treated water from NTMWD and do not have surface water supplies for which to implement a system operation plan. NTMWD's permits do allow some coordinated operation of its water supply sources, and NTMWD is seeking additional water rights for coordinated operation to optimize its available water supplies.

9.2 Reuse and Recycling of Wastewater

Most Member Cities and Customer Cities do not own and operate their own wastewater treatment plants. Their wastewater is treated by NTMWD. NTMWD currently has the largest wastewater reuse program in the state. NTMWD has water rights allowing reuse of up to 71,882 acre-feet per year of this treated wastewater through Lake Lavon for municipal purposes. In addition, NTMWD has also developed the East Fork Raw Water Supply Project which can divert up to 157,393 acre-feet per year based on treated wastewater discharges by NTMWD. When fully developed, these two reuse projects will provide up to 42 percent of NTMWD's currently permitted water supplies. NTMWD also provides treated effluent from its wastewater treatment plants available for direct reuse for landscape irrigation and industrial use.

The City of Rockwall has a contract agreement with NTMWD to operate the wastewater treatment plants. NTMWD selects reuse arrangements for recycled wastewater effluent.

9.3 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures

The state has required water-conserving fixtures in new construction and renovations since 1992. The state standards call for flows of no more than 2.5 gallons per minute (gpm) for faucets, 2.5 (gpm) for showerheads, and 1.28 gallons per flush for toilets. Similar standards are now required nationally under federal law. These state and federal standards assure that all new construction and renovations will use water-conserving fixtures.

9.4 Landscape Water Management Measures (Required)

The following landscape water management measures are adopted by the City of Rockwall.

- Time of day restrictions prohibit lawn irrigation watering from 10 AM to 6 PM beginning April 1st and ending October 31st of each year.
- Prohibition of watering of impervious surfaces, as provided by the Irrigation Ordinance 09-13, Ch. 10, Art. XVI, Sec. 10-700 of the Code of Ordinances. Wind driven water drift will be taken into consideration.
- Prohibition of outdoor watering during rain or freeze events.
- Lawn and landscape irrigation is limited to twice per week April 1st and ending October 31st, except for irrigation systems installed with an evapo-transpiration

controller or the use of a water hose with a shut-off nozzle, and for establishment of new lawn and landscaping for a period of 30 days or as approved in writing by the City of Rockwall.

- Lawn and landscape irrigation is limited to once per week November 1st and ending March 31st.
- Rain and freeze sensors and/or evapo-transpiration controllers must be maintained to function properly.
- At home and fundraising car washing may be done only when using a water hose with a shut-off nozzle.

9.5 Additional Water Conservation Measures (Not Required)

In addition, the City of Rockwall recommends the following measures:

- Retrofit existing irrigation systems with rain and freeze sensors or evapo-transpiration capable of multiple programming.
- Prohibition planting or watering areas that have been overseeded with cool season grasses (such as rye grass or other similar grasses), except for golf courses and public athletic fields.
- Rehabilitate poorly maintained irrigation systems that waste water to comply with the current Irrigation Ordinance.
- Install separate zones for areas adjacent to athletic fields.
- Plant only native, drought tolerant or adaptive plants.
- Install drip irrigation systems, when applicable.
- Water audits should be performed to find ways in which water can be used more efficiently at a specific location.

9.6 Rebates (Required)

Rebate of $100 towards the purchase and installation of high efficiency card or coin operated commercial clothes washers at commercial laundromats.

9.7 Requirement for Water Conservation Plans by Wholesale Customers

Every contract for the wholesale sale of water by the City of Rockwall that is entered into, renewed or extended after the adoption of this water conservation plan will include a requirement that the wholesale customer and any wholesale customers of that wholesale customer develop and implement a water conservation plan meeting the requirements of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code.

9.8 Coordination with Regional Water Planning Group and NTMWD

Appendix F includes a letter to be sent to the Chair of the Water Planning Group with this Water Conservation Plan. The adopted ordinance and the adopted water utility profile will be sent to the Chair of Appropriate Water Planning Group and to NTMWD.

10. IMPLEMENTATION AND ENFORCEMENT OF THE WATER CONSERVATION PLAN

Appendix E contains a copy of the Irrigation Ordinance, which includes information about enforcement. Appendix G includes a copy of the ordinance that has been adopted related to illegal connections and water theft.

11. REVIEW AND UPDATE OF WATER CONSERVATION PLAN

TCEQ requires that the water conservation plans be updated every five years or as required and appropriate based on new or updated information.

APPENDIX A

LIST OF REFERENCES

1. Texas Commission on Environmental Quality Annual Report. http://www.tceq.texas.gov/permitting/water_rights/conserve.html#imple
2. Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.1 and 288.5, and Subchapter B, Rule 288.22, downloaded from http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288, June 2013.
3. Water Conservation Implementation Task Force: "Texas Water Development Board Report 362, Water Conservation Best Management Practices Guide," prepared for the Texas Water Development Board, Austin, November 2004.
4. Water Conservation Advisory Council: Guidance and Methodology for Reporting on Water Conservation and Water Use, December 2012.
5. Freese and Nichols, INC.: Model Water Conservation Plan for NTMWD Members Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, November 2013.
6. Definitions from City of Austin Water Conservation and Drought Contingency Ordinance adopted August 16, 2012. http://www.austintexas.gov/sites/default/files/files/Water/Conservation/Planning_and_Policy/ProposedCodeRevision_DRAFT_with_watering_schedule-8-15-2012.pdf
7. Definition from City of San Antonio Water Conservation Ordinance adopted 2005.

   http://saws.org/conservation/ordinance/docs/Ch34_Ordinance_2009.pdf
8. Definition developed by Freese and Nichols Inc.
9. Texas Water Development Board, Texas Commission on Environmental Quality, Water Conservation Advisory Council. "DRAFT Guidance and Methodology for Water Conservation Reporting."

10. Freese and Nichols Inc., Alan Plummer and Associates, CP & Y Inc. and Cooksey Communications. “2011 Region C Regional Water Plan”

APPENDIX B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULESON MUNICIPAL WATER CONSERVATION PLANS

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.1	**Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Agricultural or Agriculture--Any of the following activities:

(A) cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers;

(B) the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media by a nursery grower;

(C) raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value;

(D) raising or keeping equine animals;

(E) wildlife management; and

(F) planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure.

(2) Agricultural use--Any use or activity involving agriculture, including irrigation.

(3) Best management practices--Voluntary efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specific time frame.

(4) Conservation--Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

(5) Commercial use--The use of water by a place of business, such as a hotel, restaurant, or office building. This does not include multi-family residences or agricultural, industrial, or institutional users.

(6) Drought contingency plan--A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

(7) Industrial use--The use of water in processes designed to convert materials of a lower order of value into forms having greater usability and commercial value, and the development of power by means other than hydroelectric, but does not include agricultural use.

(8) Institutional use--The use of water by an establishment dedicated to public service, such as a school, university, church, hospital, nursing home, prison or government facility. All facilities dedicated to public service are considered institutional regardless of ownership.

(9) Irrigation--The agricultural use of water for the irrigation of crops, trees, and pastureland, including, but not limited to, golf courses and parks which do not receive water from a public water supplier.

(10) Irrigation water use efficiency--The percentage of that amount of irrigation water which is beneficially used by agriculture crops or other vegetation relative to the amount of water diverted from the source(s) of supply. Beneficial uses of water for irrigation purposes include, but are not limited to, evapotranspiration needs for vegetative maintenance and growth, salinity management, and leaching requirements associated with irrigation.

(11) Mining use--The use of water for mining processes including hydraulic use, drilling, washing sand and gravel, and oil field re-pressuring.

(12) Municipal use--The use of potable water provided by a public water supplier as well as the use of sewage effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

(13) Nursery grower--A person engaged in the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or nonsoil media, who grows more than 50% of the products that the person either sells or leases, regardless of the variety sold, leased, or grown. For the purpose of this definition, grow means the actual cultivation or propagation of the product beyond the mere holding or maintaining of the item prior to sale or lease, and typically includes activities associated with the production or multiplying of stock such as the development of new plants from cuttings, grafts, plugs, or seedlings.

(14) Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(15) Public water supplier--An individual or entity that supplies water to the public for human consumption.

(16) Residential use--The use of water that is billed to single and multi-family residences, which applies to indoor and outdoor uses.

(17) Residential gallons per capita per day--The total gallons sold for residential use by a public water supplier divided by the residential population served and then divided by the number of days in the year.

(18) Regional water planning group--A group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code, §16.053.

(19) Retail public water supplier--An individual or entity that for compensation supplies water to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants when that water is not resold to or used by others.

(20) Reuse--The authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either

disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

(21) Total use--The volume of raw or potable water provided by a public water supplier to billed customer sectors or nonrevenue uses and the volume lost during conveyance, treatment, or transmission of that water.

(22) Total gallons per capita per day (GPCD)--The total amount of water diverted and/or pumped for potable use divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in this chapter shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

(23) Water conservation plan--A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document(s).

(24) Wholesale public water supplier--An individual or entity that for compensation supplies water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants as an incident of that employee service or tenancy when that water is not resold to or used by others, or an individual or entity that conveys water to another individual or entity, but does not own the right to the water which is conveyed, whether or not for a delivery fee.

(25) Wholesale use--Water sold from one entity or public water supplier to other retail water purveyors for resale to individual customers.

Source Note: The provisions of this §288.1 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective August 15, 2002, 27 TexReg 7146; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective January 10, 2008, 33 TexReg 193; amended to be effective December 6, 2012, 37 TexReg 9515

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.2	**Water Conservation Plans for Municipal Uses by Public Water Suppliers**

(a) A water conservation plan for municipal water use by public water suppliers must provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for municipal uses by public water suppliers must include the following elements:

(A) a utility profile in accordance with the Texas Water Use Methodology, including, but not limited to, information regarding population and customer data, water use data (including total gallons per capita per day (GPCD) and residential GPCD), water supply system data, and wastewater system data;

(B) a record management system which allows for the classification of water sales and uses into the most detailed level of water use data currently available to it, including, if possible, the sectors listed in clauses (i) - (vi) of this subparagraph. Any new billing system purchased by a public water supplier must be capable of reporting detailed water use data as described in clauses (i) - (vi) of this subparagraph:

(i) residential;

(I) single family;

(II) multi-family;

(ii) commercial;

(iii) institutional;

(iv) industrial;

(v) agricultural; and,

(vi) wholesale.

(C) specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in total GPCD and residential GPCD. The goals established by a public water supplier under this subparagraph are not enforceable;

(D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;

(E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;

(F) measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);

(G) a program of continuing public education and information regarding water conservation;

(H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;

(I) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and

(J) a means of implementation and enforcement which shall be evidenced by:

(i) a copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the water supplier; and

(ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(K) documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:

(A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system;

(B) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

(3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the water conservation plan:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

(C) a program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

(D) reuse and/or recycling of wastewater and/or graywater;

(E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;

(F) a program and/or ordinance(s) for landscape water management;

(G) a method for monitoring the effectiveness and efficiency of the water conservation plan; and

(H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan every five years to coincide with the regional water planning group.

Source Note: The provisions of this §288.2 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective December 6, 2012, 37 TexReg 9515

(9) **Design pressure**--The pressure that is required for an emission device to operate properly. Design pressure is calculated by adding the operating pressure necessary at an emission device to the total of all pressure losses accumulated from an emission device to the water source.

(10) **Double Check Valve**--An assembly that is composed of two independently acting, approved check valves, including tightly closed resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. Also known as a Double Check Valve Backflow Prevention Assembly.

(11) **Emission device**--Any device that is contained within an irrigation system and that is used to apply water. Common emission devices in an irrigation system include, but are not limited to, spray and rotary sprinkler heads, and drip irrigation emitters.

(12) **Employed**--Engaged or hired to provide consulting services or perform any activity relating to the sale, design, installation, maintenance, alteration, repair, or service to irrigation systems. A person is employed if that person is in an employer-employee relationship as defined by Internal Revenue Code, 26 United States Code Service, §3212(d) based on the behavioral control, financial control, and the type of relationship involved in performing employment related tasks.

(13) **Head-to-head spacing**--The spacing of spray or rotary heads equal to the manufacturer's published radius of the head.

(14) **Health hazard**--A cross-connection or potential cross-connection with an irrigation system that involves any substance that may, if introduced into the potable water supply, cause death or illness, spread disease, or have a high probability of causing such effects.

(15) **Hydraulics**--The science of dynamic and static water; the mathematical computation of determining pressure losses and pressure requirements of an irrigation system.

(16) **Inspector**--A licensed plumbing inspector, water district operator, other governmental entity, or irrigation inspector who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor.

(17) **Installer**--A person who actually connects an irrigation system to a private or public raw or potable water supply system or any water supply, who is licensed according to Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(18) **Irrigation inspector**--A person who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor and is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(19) **Irrigation plan**--A scaled drawing of a landscape irrigation system which lists required information, the scope of the project, and represents the changes made in the installation of the irrigation system.

(20) **Irrigation services--**Selling, designing, installing, maintaining, altering, repairing, servicing, permitting, providing consulting services regarding, or connecting an irrigation system to a water supply.

(21) **Irrigation system**--An assembly of component parts that is permanently installed for the controlled distribution and conservation of water to irrigate any type of landscape vegetation in any location, and/or to reduce dust or control erosion. This term does not include a system that is used on or by an agricultural operation as defined by Texas Agricultural Code, §251.002.

(22) **Irrigation technician**--A person who works under the supervision of a licensed irrigator to install, maintain, alter, repair, service or supervise installation of an irrigation system, including the connection of such system in or to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(23) **Irrigation zone**--A subdivision of an irrigation system with a matched precipitation rate based on plant material type (such as turf, shrubs, or trees), microclimate factors (such as sun/shade ratio), topographic features (such as slope) and soil conditions (such as sand, loam, clay, or combination) or for hydrological control.

(24) **Irrigator**--A person who sells, designs, offers consultations regarding, installs, maintains, alters, repairs, services or supervises the installation of an irrigation system, including the connection of such system to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30.

(25) **Irrigator-in-Charge--**The irrigator responsible for all irrigation work performed by an exempt business owner, including, but not limited to obtaining permits, developing design plans, supervising the work of other irrigators or irrigation technicians, and installing, selling, maintaining, altering, repairing, or servicing a landscape irrigation system.

(26) **Landscape irrigation--**The science of applying the necessary amount of water to promote or sustain healthy growth of plant material or turf.

(27) **License**--An occupational license that is issued by the Texas Commission on Environmental Quality under Title 30, Texas Administrative Code, Chapter 30 to an individual that authorizes the individual to engage in an activity that is covered by Title 30, Texas Administrative Code, Chapter 30.

(28) **Mainline**--A pipe within an irrigation system that delivers water from the water source to the individual zone valves.

(29) **Maintenance checklist**--A document made available to the irrigation system's owner or owner's representative that contains information regarding the operation and maintenance of the irrigation system, including, but not limited to: checking and repairing the irrigation system, setting the automatic controller, checking the rain or moisture sensor, cleaning filters, pruning grass and plants away from irrigation emitters, using and operating the irrigation system, the precipitation rates of each irrigation zone within the system, any water conservation measures currently in effect from the water purveyor, the name of the water purveyor, a suggested seasonal or monthly watering schedule based on current evapotranspiration data for the geographic region, and the minimum water requirements for the plant material in each zone based on the soil type and plant material where the system is installed.

(30) **Major maintenance, alteration, repair, or service**--Any activity that involves opening to the atmosphere the irrigation main line at any point prior to the discharge side of any irrigation zone control valve. This includes, but is not limited to, repairing or connecting into a main supply pipe, replacing a zone control valve, or repairing a zone control valve in a manner that opens the system to the atmosphere.

(31) **Master valve**--A remote control valve located after the backflow prevention device that controls the flow of water to the irrigation system mainline.

(32) **Matched precipitation rate**--The condition in which all sprinkler heads within an irrigation zone apply water at the same rate.

(33) **New installation**--An irrigation system installed at a location where one did not previously exist.

(34) **Pass-through contract**--A written contract between a contractor or builder and a licensed irrigator or exempt business owner to perform part or all of the irrigation services relating to an irrigation system.

(35) **Potable water**--Water that is suitable for human consumption.

(36) **Pressure Vacuum Breaker**--An assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. Also known as a Pressure Vacuum Breaker Back-siphonage Prevention Assembly.

(37) **Reclaimed water**--Domestic or municipal wastewater which has been treated to a quality suitable for beneficial use, such as landscape irrigation.

(38) **Records of landscape irrigation activities**—The irrigation plans, contracts, warranty information, invoices, copies of permits, and other documents that relate to the installation, maintenance, alteration, repair, or service of a landscape irrigation system.

(39) **Reduced Pressure Principle Backflow Prevention Assembly**--An assembly containing two independently acting approved check valves together with a hydraulically operating mechanically independent pressure differential relief valve located between the two check valves and below the first check valve.

(40) **Static water pressure**--The pressure of water when it is not moving.

(41) **Supervision--**The on-the-job oversight and direction by a licensed irrigator who is fulfilling his or her professional responsibility to the client and/or employer in compliance with local or state requirements. Also a licensed installer working under the direction of a licensed irrigator or beginning January 1, 2009, an irrigation technician who is working under the direction of a licensed irrigator to install, maintain, alter, repair or service an irrigation system.

(42) **Water conservation**--The design, installation, service, and operation of an irrigation system in a manner that prevents the waste of water, promotes the most efficient use of water, and applies the least amount of water that is required to maintain healthy individual plant material or turf, reduce dust, and control erosion.

(43) **Zone flow**--A measurement, in gallons per minute or gallons per hour, of the actual flow of water through a zone valve, calculated by individually opening each zone valve and obtaining a valid reading after the pressure has stabilized. For design purposes, the zone flow is the total flow of all nozzles in the zone at a specific pressure.

(44) **Zone valve**--An automatic valve that controls a single zone of a landscape irrigation system.

Sec. 6-232. Valid License Required.

Any person who connects an irrigation system to the water supply within the City of Rockwall, must hold a valid license, as defined by Title 30, Texas Administrative Code, Chapter 30 and required by Chapter 1903 of the Texas Occupations Code, or as defined by Chapter 365, Title 22 of the Texas Administrative Code and required by Chapter 1301 of the Texas Occupations Code.

Exemptions

A property owner is not required to be licensed in accordance with Texas Occupations Code, Title 12, §1903.002(c)(1) if he or she is performing irrigation work in a building or on a premises owned or occupied by the person as the person's home. Home or property owner's property must have a current homestead exemption. A home or property owner who installs an irrigation system must meet the standards contained in Title 30, Texas

Administrative Code, Chapter 344 regarding spacing, water pressure, spraying water over impervious materials, rain or moisture shut-off devices or other technology, backflow prevention and isolation valves. The city may, at any point, adopt more stringent requirements for a home or property owner who installs an irrigation system. See Texas Occupations Code §1903.002 for other exemptions to the licensing requirement.

Sec. 6-233. Permit Required.

Any person installing an irrigation system within the City of Rockwall is required to obtain a permit from the city. Any plan approved for a permit must be in compliance with the requirements of this chapter.

Exemptions

(1) An irrigation system that is that an on-site sewage disposal system, as defined by Section 355.002, Health and Safety Code; or

(2) An irrigation system used on or by an agricultural operation as defined by Section 251.002, Agriculture Code; or

(3) An irrigation system connected to a groundwater well used by the property owner for domestic use.

Sec. 6-234. Backflow Prevention Methods and Devices.

(a) Any irrigation system that is connected to the potable water supply must be connected through a backflow prevention method approved by the Texas Commission on Environmental Quality (TCEQ). The backflow prevention device must comply with the 2006 International Plumbing Code and must be certified by the American Society of Sanitary Engineers (ASSE); or the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California; or the International Code Council - Evaluation Service (ICC-ES); or the International Association of Plumbing and Mechanical Code Officials – Research and Testing (IAPMO R&T); or any other certifying agencies that has equivalent capabilities for both the laboratory and field evaluation of backflow prevention assemblies.

(b) If conditions that present a health hazard exist, one of the following methods must be used to prevent backflow;

(1) An air gap may be used if:

(A) there is an unobstructed physical separation; and

(B) the distance from the lowest point of the water supply outlet to the flood rim of the fixture or assembly into which the outlet discharges is at least one inch or twice the diameter of the water supply outlet, whichever is greater.

(2) Reduced pressure principle backflow prevention assemblies may be used if:

(A) the device is installed at a minimum of 12 inches above ground in a location that will ensure that the assembly will not be submerged; and

B) drainage is provided for any water that may be discharged through the assembly relief valve.

(3) Pressure vacuum breakers may be used if:

(A) no back-pressure condition will occur; and

(B) the device is installed at a minimum of 12 inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler.

(4) Atmospheric vacuum breakers may be used if:

(A) no back-pressure will be present;

(B) there are no shutoff valves downstream from the atmospheric vacuum breaker;

(C) the device is installed at a minimum of six inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler;

(D) there is no continuous pressure on the supply side of the atmospheric vacuum breaker for more than 12 hours in any 24-hour period; and

(E) a separate atmospheric vacuum breaker is installed on the discharge side of each irrigation control valve, between the valve and all the emission devices that the valve controls.

(c) Backflow prevention devices used in applications designated as health hazards must be tested upon installation and annually thereafter.

(d) If there are no conditions that present a health hazard, double check valve backflow prevention assemblies may be used to prevent backflow if the device is tested upon installation and test cocks are used for testing only.

(e) If a double check valve is installed below ground:

(1) test cocks must be plugged, except when the double check valve is being tested;

(2) test cock plugs must be threaded, water-tight, and made of non-ferrous material;

(3) a y-type strainer is installed on the inlet side of the double check valve;

(4) there must be a bed of pea gravel a minimum of 4" deep under the double check valve with a minimum of 6" clearance from the bottom of the double check valve to the bed of gravel

(5) there must be a minimum of 6" clearance around the double check valve for testing.

(f) All irrigation systems found to be without backflow prevention protection that are connected to the potable water supply, must be connected to the potable water supply through an approved, properly installed backflow prevention assembly, before any major maintenance, alteration, repair, or service is performed.

(g) If an irrigation system is connected to a potable water supply through a double check valve, pressure vacuum breaker, or reduced pressure principle backflow assembly and includes an automatic master valve on the system, the automatic master valve must be installed on the discharge side of the backflow prevention assembly.

(h) The irrigator shall ensure the backflow prevention device is tested by a licensed Backflow Prevention Assembly Tester prior to being placed in service and the test results provided to the City of Rockwall and the irrigation system's owner or owner's representative within ten business days of testing of the backflow prevention device. Test results must be submitted on an approved Backflow Prevention Assembly Test and Maintenance Report form.

Sec. 6-235. Specific Conditions and Cross-Connection Control.

(a) Before any chemical is added to an irrigation system connected to the potable water supply, the irrigation system must be connected through a reduced pressure principle backflow prevention assembly or air gap.

(b) Connection of any additional water source to an irrigation system that is connected to the potable water supply can only be done if the irrigation system is connected to the potable water supply through a reduced-pressure principle backflow prevention assembly or an air gap.
(c) Irrigation system components with chemical additives induced by aspiration, injection, or emission system connected to any potable water supply must be connected through a reduced pressure principle backflow device.
(d) If an irrigation system is designed or installed on a property that is served by an on-site sewage facility, as defined in Title 30, Texas Administrative Code, Chapter 285, then:

(1) all irrigation piping and valves must meet the separation distances from the On-Site Sewage Facilities system as required for a private water line in Title 30, Texas Administrative Code, Section 285.91(10);
(2) any connections using a private or public potable water source that is not the city's potable water system must be connected to the water source through a reduced pressure principle backflow prevention assembly as defined in Title 30, Texas Administrative Code, Section 344.50; and
(3) any water from the irrigation system that is applied to the surface of the area utilized by the On-Site Sewage Facility system must be controlled on a separate irrigation zone or zones so as to allow complete control of any irrigation to that area so that there will not be excess water that would prevent the On-Site Sewage Facilities system from operating effectively.

Sec. 6-236. Water Conservation.

All irrigation systems shall be designed, installed, maintained, altered, repaired, serviced, and operated in a manner that will promote water conservation as defined in the Definitions section of this ordinance.

Sec. 6-237. Irrigation Plan Design: Minimum Standards.

(a) An irrigator shall prepare an irrigation plan for each site where a new irrigation system will be installed. A paper or electronic copy of the irrigation plan must be on the job site at all times during the installation of the irrigation system. A drawing showing the actual installation of the system is due to each irrigation system owner after all new irrigation system installations. During the installation of the irrigation system, variances from the original plan may be authorized by the licensed irrigator if the variance from the plan does not:

(1) diminish the operational integrity of the irrigation system;
(2) violate any requirements of this ordinance; and
(3) go unnoted in red on the irrigation plan.

(b) The irrigation plan must include complete coverage of the area to be irrigated. If a system does not provide complete coverage of the area to be irrigated, it must be noted on the irrigation plan.

(c) All irrigation plans used for construction must be drawn to scale. The plan must include, at a minimum, the following information:

(1) the irrigator's seal, signature, and date of signing;
(2) all major physical features and the boundaries of the areas to be watered;
(3) a North arrow;
(4) a legend;
(5) the zone flow measurement for each zone;

(6) location and type of each:
(A) controller; and
(B) sensor (for example, but not limited to, rain, moisture, wind, flow, or freeze);
(7) location, type, and size of each:
(A) water source, such as, but not limited to a water meter and point(s) of connection;
(B) backflow prevention device;
(C) water emission device, including, but not limited to, spray heads, rotary sprinkler heads, quick-couplers, bubblers, drip, or micro-sprays;
(D) valve, including but not limited to, zone valves, master valves, and isolation valves;
(E) pressure regulation component; and
(F) main line and lateral piping.
(8) the scale used; and
(9) the design pressure.

Sec. 6-238. Design and Installation: Minimum Requirements.

(a) No irrigation design or installation shall require the use of any component, including the water meter, in a way which exceeds the manufacturer's published performance limitations for the component.
(b) Spacing.
(1) The maximum spacing between emission devices must not exceed the manufacturer's published radius or spacing of the device(s). The radius or spacing is determined by referring to the manufacturer's published specifications for a specific emission device at a specific operating pressure.
(2) New irrigation systems shall not utilize above-ground spray emission devices in landscapes that are less than 48 inches not including the impervious surfaces in either length or width and which contain impervious pedestrian or vehicular traffic surfaces along two or more perimeters. If pop-up sprays or rotary sprinkler heads are used in a new irrigation system, the sprinkler heads must direct flow away from any adjacent surface and shall not be installed closer than four inches from a hardscape, such as, but not limited to, a building foundation, fence, concrete, asphalt, pavers, or stones set with mortar.
(3) Narrow paved walkways, jogging paths, golf cart paths or other small areas located in cemeteries, parks, golf courses or other public areas may be exempted from this requirement if the runoff drains into a landscaped area.

(c) Water pressure. Emission devices must be installed to operate at the minimum and not above the maximum sprinkler head pressure as published by the manufacturer for the nozzle and head spacing that is used. Methods to achieve the water pressure requirements include, but are not limited to, flow control valves, a pressure regulator, or pressure compensating spray heads.

(d) Piping. Piping in irrigation systems must be designed and installed so that the flow of water in the pipe will not exceed a velocity of five feet per second for polyvinyl chloride (PVC) pipe.

(e) Irrigation Zones. Irrigation systems shall have separate zones based on plant material type, microclimate factors, topographic features, soil conditions, and hydrological requirements.

(f) Matched precipitation rate. Zones must be designed and installed so that all of the emission devices in that zone irrigate at the same precipitation rate.

(g) Irrigation systems shall not spray water over surfaces made of concrete, asphalt, brick, wood, stones set with mortar, or any other impervious material, such as, but not limited to, walls, fences, sidewalks, streets, etc.

(h) Master valve. When provided, a master valve shall be installed on the discharge side of the backflow prevention device on all new installations.

(i) PVC pipe primer solvent. All new irrigation systems that are installed using PVC pipe and fittings shall be primed with a colored primer prior to applying the PVC cement in accordance with the International Plumbing Code (Section 605.22.2).

(j) Rain or moisture shut-off devices or other technology. All new automatically controlled irrigation systems must include sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall. Rain or moisture shut-off technology must be installed according to the manufacturer's published recommendations. Repairs to existing automatic irrigation systems that require replacement of an existing controller must include a sensor or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall.

(k) Isolation valve. All new irrigation systems must include an isolation valve between the water meter and the backflow prevention device. The isolation valve must be a ball valve and be equipped with a stainless steel handle. The ball valve must be installed within a plastic valve or meter box large enough as not to hamper operation or repair.

(l) Depth coverage of piping. Piping in all irrigation systems must be installed according to the manufacturer's published specifications for depth coverage of piping.

(1) If the manufacturer has not published specifications for depth coverage of piping, the piping must be installed to provide minimum depth coverage of six inches of select backfill, between the top of the pipe and the natural grade of the topsoil. All portions of the irrigation

system that fail to meet this standard must be noted on the irrigation plan. If the area being irrigated has rock at a depth of six inches or less, select backfill may be mounded over the pipe. Mounding must be noted on the irrigation plan and discussed with the irrigation system owner or owner's representative to address any safety issues.

(2) If a utility, man-made structure, or roots create an unavoidable obstacle, which makes the six-inch depth coverage requirement impractical, the piping shall be installed to provide a minimum of two inches of select backfill between the top of the pipe and the natural grade of the topsoil.

(3) All trenches and holes created during installation of an irrigation system must be backfilled and compacted to the original grade.

(m) Wiring irrigation systems.

(1) Underground electrical wiring used to connect an automatic controller to any electrical component of the irrigation system must be listed by Underwriters Laboratories as acceptable for burial underground.

(2) Electrical wiring that connects any electrical components of an irrigation system must be sized according to the manufacturer's recommendation.

(3) Electrical wire splices which may be exposed to moisture must be waterproof as certified by the wire splice manufacturer.

(4) Underground electrical wiring that connects an automatic controller to any electrical component of the irrigation system must be buried with a minimum of six inches of select backfill.

(n) Water contained within the piping of an irrigation system is deemed to be non-potable. No drinking or domestic water usage, such as, but not limited to, filling swimming pools or decorative fountains, shall be connected to an irrigation system. If a hose bib (an outdoor water faucet that has hose threads on the spout) is connected to an irrigation system for the purpose of providing supplemental water to an area, the hose bib must be installed using a quick coupler key on a quick coupler installed in a covered purple valve box and the hose bib and any hoses connected to the bib must be labeled "non potable, not safe for drinking." An isolation valve must be installed upstream of a quick coupler connecting a hose bib to an irrigation system.

(o) Beginning January 1, 2010, either a licensed irrigator or a licensed irrigation technician shall be on-site at all times while the landscape irrigation system is being installed. When an irrigator is not onsite, the irrigator shall be responsible for ensuring that a licensed irrigation technician is on-site to supervise the installation of the irrigation system.

(p) All new automatically controlled irrigation systems must include sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of freezing weather.

Sec. 6-239. Completion of Irrigation System Installation.

Upon completion of the irrigation system, the irrigator or irrigation technician who provided supervision for the on-site installation shall be required to complete four items:

(1) a final "walk through" with the irrigation system's owner or the owner's representative to explain the operation of the system;

(2) The maintenance checklist on which the irrigator or irrigation technician shall obtain the signature of the irrigation system's owner or owner's representative and shall sign, date, and seal the checklist. If the irrigation system's owner or owner's representative is unwilling or unable to sign the maintenance checklist, the irrigator shall note the time and date of the refusal on the irrigation system's owner or owner's representative's signature line. The irrigation system owner or owner's representative will be given the original maintenance checklist and a duplicate copy of the maintenance checklist shall be maintained by the irrigator. The items on the maintenance checklist shall include but are not limited to:

(A) the manufacturer's manual for the automatic controller, if the system is automatic;

(B) a seasonal (spring, summer, fall, winter) watering schedule based on either current/real time evapotranspiration or monthly historical reference evapotranspiration (historical ET) data, monthly effective rainfall estimates, plant landscape coefficient factors, and site factors;

(C) a list of components, such as the nozzle, or pump filters, and other such components; that require maintenance and the recommended frequency for the service; and

(D) the statement, "This irrigation system has been installed in accordance with all applicable state and local laws, ordinances, rules, regulations or orders. I have tested the system and determined that it has been installed according to the Irrigation Plan and is properly adjusted for the most efficient application of water at this time."

(3) A permanent sticker which contains the irrigator's name, license number, company name, telephone number and the dates of the warranty period shall be affixed to each automatic controller installed by the irrigator or irrigation technician. If the irrigation system is manual, the sticker shall be affixed to the original maintenance checklist. The information contained on the sticker must be printed with waterproof ink and include:

(4) The irrigation plan indicating the actual installation of the system must be provided to the irrigation system's owner or owner representative.

Sec. 6-240. Maintenance, Alteration, Repair, or Service of Irrigation Systems.

(a) The licensed irrigator is responsible for all work that the irrigator performed during the maintenance, alteration, repair, or service of an irrigation system during the warranty period. The irrigator or business owner is not responsible for the professional negligence of any other irrigator who subsequently conducts any irrigation service on the same irrigation system.

(b) All trenches and holes created during the maintenance, alteration, repair, or service of an irrigation system must be returned to the original grade with compacted select backfill.

(c) Colored PVC pipe primer solvent must be used on all pipes and fittings used in the maintenance, alteration, repair, or service of an irrigation system in accordance with the International Plumbing Code (Section 605.22.2).

(d) When maintenance, alteration, repair or service of an irrigation system involves excavation work at the water meter or backflow prevention device, an isolation valve shall be installed, if an isolation valve is not present.

Sec. 6-241. Reclaimed Water.

Reclaimed water may be utilized in landscape irrigation systems if:
(1) there is no direct contact with edible crops, unless the crop is pasteurized before consumption;
(2) the irrigation system does not spray water across property lines that do not belong to the irrigation system's owner;
(3) the irrigation system is installed using purple components;
(4) the domestic potable water line is connected using an air gap or a reduced pressure principle backflow prevention device, in accordance with Title 30, Texas Administrative Code, Section 290.47(i) (relating to Appendices);
(5) a minimum of an eight inch by eight inch sign, in English and Spanish, is prominently posted on/in the area that is being irrigated, that reads, "RECLAIMED WATER – DO NOT DRINK" and "AGUA DE RECUPERACIÓN – NO BEBER"; and
(6) backflow prevention on the reclaimed water supply line shall be in accordance with the regulations of the city's water provider.

Sec. 6-242. Advertisement Requirements.

(a) All vehicles used in the performance of irrigation installation, maintenance, alteration, repair, or service must display the irrigator's license number in the form of "LI_____" in a contrasting color of block letters at least two inches high, on both sides of the vehicle.

(b) All forms of written and electronic advertisements for irrigation services must display the irrigator's license number in the form of "LI_____." Any form of advertisement, including business cards, and estimates which displays an entity's or individual's name other than that of the licensed irrigator must also display the name of the licensed irrigator and the licensed irrigator's license number. Trailers that advertise irrigation services must display the irrigator's license number.

(c) The name, mailing address, and telephone number of the commission must be prominently displayed on a legible sign and displayed in plain view for the purpose of addressing complaints at the permanent structure where irrigation business is primarily conducted and irrigation records are kept.

Sec. 6-243. Contracts.

(a) All contracts to install an irrigation system must be in writing and signed by each party and must specify the irrigator's name, license number, business address, current business

telephone numbers, the date that each party signed the agreement, the total agreed price, and must contain the statement, "Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ), MC-178, P.O. Box 13087, Austin, Texas 78711-3087. TCEQ's website is: www. tceq.state.tx.us." All contracts must include the irrigator's seal, signature, and date.

(b) All written estimates, proposals, bids, and invoices relating to the installation or repair of an irrigation system(s) must include the irrigator's name, license number, business address, current business telephone number(s), and the statement: "Irrigation in Texas is regulated by the Texas Commission On Environmental Quality (TCEQ) (MC-178), P.O. Box 13087, Austin, Texas 78711-3087. TCEQ's web site is: www.tceq.state.tx.us."

(c) An individual who agrees by contract to provide irrigation services as defined in Title 30, Texas Administrative Code, Section 344.30 (relating to License Required) shall hold an irrigator license issued under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations) unless the contract is a pass-through contract as defined in Title 30, Texas Administrative Code, Section 344.1(36) (relating to Definitions). If a pass-through contract includes irrigation services, then the irrigation portion of the contract can only be performed by a licensed irrigator. If an irrigator installs a system pursuant to a pass-through contract, the irrigator shall still be responsible for providing the irrigation system's owner or through contract; the irrigator shall still be responsible for providing the irrigation system's owner or owner's representative a copy of the warranty and all other documents required under this chapter. A pass-through contract must identify by name and license number the irrigator that will perform the work and must provide a mechanism for contacting the irrigator for irrigation system warranty work.

(d) The contract must include the dates that the warranty is valid.

Sec. 6-244. Warranties for Systems.

(a) On all installations of new irrigation systems, an irrigator shall present the irrigation system's owner or owner's representative with a written warranty covering materials and labor furnished in the new installation of the irrigation system. The irrigator shall be responsible for adhering to terms of the warranty. If the irrigator's warranty is less than the manufacturer's warranty for the system components, then the irrigator shall provide the irrigation system's owner or the owner's representative with applicable information regarding the manufacturer's warranty period. The warranty must include the irrigator's seal, signature, and date. If the warranty is part of an irrigator's contract, a separate warranty document is not required.

(b) An irrigator's written warranty on new irrigation systems must specify the irrigator's name, business address, and business telephone number(s), must contain the signature of the irrigation system's owner or owner's representative confirming receipt of the warranty and must include the statement: "Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ), MC-178, P.O. Box 130897, Austin, Texas 78711-3087. TCEQ's website is: www.tceq.state.tx.us."

(c) On all maintenance, alterations, repairs, or service to existing irrigation systems, an irrigator shall present the irrigation system's owner or owner's representative a written document that identifies the materials furnished in the maintenance, alteration, repair, or service. If a warranty is provided, the irrigator shall abide by the terms. The warranty document must include the irrigator's name and business contact information.

Sec. 6-245. Duties and Responsibilities of City Irrigation Inspectors.

A licensed irrigation inspector shall enforce the ordinance of the city, and shall be responsible for:
(1) verifying that the appropriate permits have been obtained for an irrigation system and that the irrigator and installer or irrigation technician, if applicable, are licensed;
(2) inspecting the irrigation system;
(3) determining that the irrigation system complies with the requirements of this chapter;
(4) determining that the appropriate backflow prevention device was installed, tested, and test results provided to the city;
(5) investigating complaints related to irrigation system installation, maintenance, alteration, repairs, or service of an irrigation system and advertisement of irrigation services; and
(6) maintaining records according to this chapter.

Sec. 6-246. Items not covered by this ordinance.

Any item not covered by their ordinance and required by law shall be governed by the Texas Occupations Code, the Texas Water Code, Title 30 of the Texas Administrative Code, and any other applicable state statute or Texas Commission on Environmental Quality rule.

Sec. 6-247. Fees.

Building permit fees shall be established by resolution of the city council.

Sec. 6-248. Irrigation systems within the public right of way.

The city shall not be held liable for any damage of any system, which results from the installation or repair of, or improvement of any street or utility. Any homeowner or irrigator who installs a lawn sprinkler system between the curb and sidewalk or elsewhere within the public right of way shall likewise hold the city harmless against any claim or injury to persons or damage to property that any member of the public may suffer by reason of installation of said lawn sprinkling system between said curb and sidewalk or within the public right of way.

Sec. 6-249. Enforcement.

(a) The city shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person, firm, corporation or agent who shall violate a provision of this code, or fails to comply therewith, or with any of the requirements thereof, is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of the ordinance codified in this chapter is declared to be a nuisance.

(b) Any person violating any provision of chapter shall, upon conviction, be fined a sum not exceeding $2000.00. Each day that a provision of this chapter is violated shall constitute a separate offense. An offense under this chapter is a Class C misdemeanor, punishable by a fine of up to $2000.00.

(c) Nothing in this chapter shall be construed as a waiver of the city's right to bring a civil action

to enforce the provisions of this chapter and to seek remedies as allowed by law, including, but not limited to the following:

(1) Injunctive relief to prevent specific conduct that violates the ordinance or to require specific conduct that is necessary for compliance with the ordinance; and

(2) Other available relief.

Secs. 6-250----6-254 Reserved.

SECTION 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordianances.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED this16th day of March, 2009.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st reading: 03-02-09
2nd reading: 03-16-09

APPENDIX D

SERVICE REGULATIONS

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 09-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 26, ARTICLE V, DIVISION 2, SERVICE REGULATIONS; PROVIDING FOR A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2000.00) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall recognizes that the amount of water available to its water customers is limited; and

WHEREAS, pursuant to Chapter 54 of the Local Government Code, the City is authorized to adopt such policies necessary to preserve and conserve available water supplies; and

WHEREAS, the City seeks to adopt an ordinance pertaining to illegal water connections and theft of water.

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

SECTION 1. That the Code of Ordinances shall be amended in Chapter 26, Article V, Division 2, which shall hereinafter read in the entirety as set forth in Exhibit "A" attached hereto made a part hereof for all purposes.

SECTION 2. That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction, be subject to a fine in accordance with Section 1-7 of the General Provision of the Code of Ordinances.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS this 18th day of **May, 2009**.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st reading: 05-04-09

2nd reading: 05-18-09

Ord. #09-22 Water Service Regulations

"EXHIBIT A"

CHAPTER 26

ARTICLE V. WATER

DIVISION 2

SERVICE REGULATIONS

Sec. 26-131. Application for service required; who may apply; responsibility for bill.

(a) Each consumer desiring water from the City of Rockwall's water supply system shall make application. The application shall contain the purpose for which the water is desired, and shall agree to the terms and conditions upon which water will be furnished and to the rules, regulations and ordinances of the City. Upon such application being filed with the City, the applicant is authorized the use of water from the City's water system for specified purposes.

(b) No application for the use of water shall be filed by any person other than the owner, renter or duly authorized agent, and such owner, renter or authorized agent when making application, shall be liable for the fees charged for the use of water.

Sec. 26-132. Permits to be approved by the City before water is turned on.
All applications for water from the City's water system, when a new service has been installed, shall be approved by the City after inspection, before the water will be turned on.

Sec. 26-133. Permit required for taps, etc.
No new tap or new service or addition, extension or alteration of any tap or service, shall be made or caused to be made by any consumer, except through a licensed plumber or utility contractor and after obtaining a permit from the City.

Sec. 26-134. Connection permits.
Applications for permits to connect water service pipes or mains with the distribution mains shall be made to the City, together with a fee as specified in Article II of this chapter and Chapter 24, Subdivision Regulations, Article III, paid in advance to the City for inserting the service pipe or main and conveying it to the curb line. Such permit shall be the plumber or utility contractors authority for making the connection with the street service, laying pipes and doing all work necessary to make the service complete. Any application for a second permit to the same premises will be charged an equal fee for inserting the service pipe and conveying it to the curb line.

Sec. 26-135. Permit applications to be made by a licensed plumber or utility contractor.
All applications for permits required by this article shall be made only by a licensed plumber or utility contractor working for the property owner or his authorized agent.

Ord. #09-22 Water Service Regulations

Sec. 26-136. Turn-on of water restricted.
No person may knowingly cause, suffer or allow the initiation or restoration of water service to the property after termination of service(s) without the written consent of the City. For purposes of this section, it shall be assumed that the owner, occupant, or person in control of the property caused, suffered, or allowed the unlawful initiation or restoration of service(s).

Sec. 26-137. Maintenance and conservation requirements of consumer.
All consumers of water from the City's water system shall keep their service pipes and all fixtures connected in good condition and repair to prevent unnecessary waste of water.

Sec. 26-138. Shutoff of water for waste.
Where water is wasted by reason of the water fixtures and service pipe being out of order, through neglect of the consumer, agents or tenants, after notice thereof from the City, if the consumer refuses to repair such fixtures or pipe, the water shall be immediately turned off and withheld from such premises until repairs have been made.

Sec. 26-139. Consumers not to permit others to use water; penalty.
No consumer of City water shall permit any other person to use water from their tap, hydrant, faucet or other device to provide water to an additional property, except when authorized by the City. In the case of a violation of this section, the water shall be immediately turned off in addition to any other penalty otherwise provided.

Sec. 26-140. Use of water from public connections restricted.
No consumer or other person shall take water for private use from any public fire hydrant, hydrant, fountain or similar public water source without the consent of the City.

Sec. 26-141. Interference with system apparatus.
A person may not knowingly tamper, connect to, or alter any component of the City's water system including, but not limited to: valves, meters, meter boxes, lids, hydrants, lines, pump stations, ground storage tanks, and elevated tanks. This shall include direct or indirect efforts to initiate or restore water service without the approval of the City.

Ord. #09-22 Water Service Regulations

APPENDIX E

LANDSCAPE ORDINANCE

CITY OF ROCKWALL

ORDINANCE NO. 15-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6 OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; SECTIONS 3, 5, 6 & 7 OF ARTICLE VIII, *LANDSCAPE STANDARDS*; SECTION 7 OF ARTICLE IX, *TREE PRESERVATION*; AND TO CREATE APPENDIX F, *LANDSCAPE GUIDELINES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 6, *Overlay Districts*, of Article V, *District Development Standards*; Section 3, *Definitions*, Section 5, *Mandatory Provisions*, Section 6, *Landscape Credits*, and Section 7, *Completion of Landscaping*, of Article VIII, *Landscape Standards*; Section 7, *Tree Replacement Credits*, of Article IX, *Tree Preservation*; and, create Appendix F, *Landscaping Guidelines*, of the Unified Development Code [*Ordinance No. 04-38*] for the purposes of incorporating recommendations made by the *Landscape Ordinance Review Committee*; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That Section 6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance;

Section 2. That Section 3, *Definitions*, Section 5, *Mandatory Provisions*, Section 6, *Landscape Credits*, and Section 7, *Completion of Landscaping*, of Article VIII, *Landscape Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'B'* of this ordinance;

Section 3. That Section 7, *Tree Replacement*, of Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'C'* of this ordinance;

Section 4. That a landscape appendix should be established as Appendix F, *Landscape Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as established herein, and as specifically described in *Exhibits 'D'* of this ordinance;

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

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF DECEMBER, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

CITY OF ROCKWALL TEXAS SEAL

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 11-16-2015

2nd Reading: 12-07-2015

Exhibit A:
Article V, District Development Standards,
of the Unified Development Code

Section 6. Overlay District Standards

Section 6.6. IH-30 Overlay (IH-30 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the IH-30 right-of-way as set out below.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak*** ~~***Leyland Cypress***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.7. SH-205 Overlay (SH-205 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections E.3 and E.4.

E.3 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.8. Scenic Overlay (SOV) District

F.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 740 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia***, Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Exhibit A:
Article V, District Development Standards,
of the Unified Development Code

Section 6.9. SH-66 Overlay (SH-66 OV) District

F.2 Buffer-strip plantings. ~~**Three**~~ **Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine,** Bur Oak, Cedar Elm, Lacebark Elm, ~~**Leyland Cypress,**~~ **Little Gem Magnolia,** Live Oak, **October Glory Maple,** Red Oak, **Texas Ash, Texas Red Oak**.

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.** ~~**Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.**~~

Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

E.2 Buffer-strip plantings. ~~**Three**~~ **Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the John King Blvd. right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of John King Blvd. from Quail Run Road to SH 205 North shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine, Bald Cypress,** Bur Oak, Cedar Elm, **Eastern Red Cedar, Homestead Elm,** Lacebark Elm, ~~**Leyland Cypress,**~~ **Little Gem Magnolia,** Live Oak, **October Glory Maple**, Red Oak, **Texas Ash, Texas Red Oak**.

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.** ~~**Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.**~~

Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

E.2 Buffer-strip plantings. ~~**Three**~~ **Two (2)** canopy trees, along with four **(4)** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: **Afghan Pine,** Bur Oak, **Caddo Maple,** Cedar Elm, Lacebark Elm, Leyland Cypress, **Little Gem Magnolia,** Live Oak, **October Glory Maple** ~~**Red Oak**~~.

Accent trees: **Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye,**

Exhibit A:
Article V, District Development Standards,
of the Unified Development Code

Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the East SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The East SH 66 Corridor Overlay shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 549 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of the FM 549 Corridor Overlay from Airport Road to SH 66 shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, ***Lacebark Elm, Leyland Cypress, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 276 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,***

Exhibit A:
Article V, District Development Standards,
of the Unified Development Code

Red Oak, ~~***Leyland Cypress***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Exhibit B:
Article VIII, Landscape Standards,
of the Unified Development Code

Article VIII. Landscape Standards

Section 3. Definitions

***Xeriscaping* means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.**

Section 5 Mandatory Provisions
Section 5.3. Acceptable Landscape Materials

A. No artificial plant materials may be used to satisfy the requirements of this article.

B. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:

- ☑ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.
- ☑ **Shrubs shall be a minimum of three (3) gallons in size.**

C. For purposes of this section, "height" is measured from the root crown or, if the plant is in a container, from the soil level in the container.

D. In satisfying the landscaping requirements of this article, the use of high-quality, hardy plant materials on the approved plant list below is recommended and encouraged. Plants found on the disapproved plant list below shall not be placed within the right-of-way or within the required building setback along a street.

(Ord. No. 06-14, 4-17-2006)

E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.

F. Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:

1. ***Afghan Pine.***
2. Bald Cypress.
3. Burr Oak.
4. ***Caddo Maple.***
5. Cedar Elm.
6. Chinquapin Oak.
7. ***Eastern Red Cedar.***
8. Homestead Elm.
9. Lace Bark Elm.
10. ***Leyland Cypress.***
11. ***Little Gem Magnolia.***
12. Live Oak.
13. October Glory Maple.

Exhibit B:
Article VIII, Landscape Standards,
of the Unified Development Code

D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.

Section 5.10. ~~***Deleted.***~~ ***Xeriscaping Standards.***

A. *Purpose.* The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.

B. *Principles.* All xeriscaping plans submitted to the city should demonstrate conformance with the following principles:

1. *Planning and Design.* Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: 1) preserves and protects existing vegetation, 2) preserves and protects topsoil, 3) stabilizes and covers all bare soil areas, and 4) incorporates energy/water conservation.

2. *Soil Improvement.* Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.

3. *Appropriate Plant Selection.* Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the City of Rockwall has been provided in Appendix F, *Recommended Plantings*, of the Unified Development Code; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: 1) diversity of the plant species being proposed, 2) size, maturity and water requirements of the selected plantings, and 3) variation of height, spread and color.

4. *Practical Turf Areas.* The type and location of turf areas are considered to be a major design element in xeriscape plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: 1) the design of the turf areas [*with rounded, compact turf areas being more efficient*], 2) turf areas should be designed to be on a separate zone from other landscaping, 3) turf should be appropriate for the selected location, 4) turf should be avoided on

slopes and drainage areas in favor of native grasses, and 5) minimize turf areas by using native grasses, hardscape elements and alternatives.

5. ***Efficient Irrigation.*** **All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.**
6. ***Use of Mulches.*** **Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape plans staff shall ensure: 1) the use of a deep layer of mulch in planting beds [*typically 3-4 inches*] is utilized, and 2) mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.**
7. ***Appropriate Maintenance.*** **Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape plans require less maintenance, fertilizer and other chemicals and pesticides.**

C. *Standards.*

1. **If approved with a Landscape Plan native grasses shall be exempt from the rules and requirements of Section 16-43, *Weeds, Brush and Grass*; however, the grass should be maintained to a height typical for the particular native grass.**
2. **Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.12.C (*i.e. one [1] tree per every 750 square feet of dry land area*). Instead, a shrub or ornamental grass per every 1,500 square feet of dry land area shall be required to be planted on the site or around the detention area.**
3. **A maximum of 30% mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning & Zoning Commission if deemed appropriate and necessary for the proposed plan.**

D. *Approval of Xeriscape Plans.* **All xeriscape plans shall require approval by the Planning & Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.**

~~(Ord. No. 06-14, 4-17-2006)~~

Section 6 Landscape Credits
Section 6.4 Credit for Xeriscaping.

The overall landscaping requirement may be reduced by 2.5 percent when the Planning Director or his/her designee determines that the standards stipulated by Section 5.10, *Xeriscaping Standards*, of this Article have been satisfied.

Section 7. Completion of Landscaping
Section 7.1. In Accordance with Approved Plans.

Except as otherwise provided in Subsection 7.2, all landscaping must be completed in accordance with the approved landscape plan before a Certificate of Occupancy may be

Exhibit B:
Article VIII, Landscape Standards,
of the Unified Development Code

issued for any building on the lot. ***; however, during drought or water emergency response stages the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.2) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.***

Exhibit C:
Article IX, Tree Preservation,
of the Unified Development Code

Section 7. Tree Replacement Credits

D. Types of trees. Replacement trees shall be selected from the following list and shall be a minimum of three caliper inches as measured six inches above the root ball.

Canopy Trees:

1. ***Afghan Pine.***
2. ***Bald Cypress.***
3. ***Burr Oak.***
4. ***Caddo Maple.***
5. ***Cedar Elm.***
6. ***Chinquapin Oak.***
7. ***Eastern Red Cedar.***
8. ***Homestead Elm.***
9. ***Lace Bark Elm.***
10. ***Leyland Cypress.***
11. ***Little Gem Magnolia.***
12. ***Live Oak.***
13. ***October Glory Maple.***
14. ***Pecan.***
15. ***Red Oak.***
16. ***Texas Ash.***
17. ***Texas Red Oak.***

Accent Trees:

1. ***Desert Willow***
2. Downy Hawthorn.
3. ***Eastern Redbud***
4. ***Eve's Necklace***
5. ***Mexican Buckeye***
6. ***Possumhaw Holly***
7. ***Shantung Maple***
8. ***Yaupon Holly***

~~***Evergreen.***~~
~~***Afghan Pine.***~~
~~***Eastern Red Cedar.***~~
~~***Japanese Black Pine.***~~
~~***Live Oak.***~~
~~***Magnolia.***~~

~~***Deciduous.***~~
~~***Bald Cypress.***~~
~~***Burr Oak.***~~
~~***Cedar Elm.***~~
~~***Chinese Pistachio.***~~
~~***Chinquapin Oak.***~~
~~***Eve's Necklace.***~~
~~***Lace Bark Elm.***~~

Exhibit C:
Article IX, Tree Preservation,
of the Unified Development Code

~~***Aristocrat Pear.***~~
~~***Pecan.***~~
~~***Sweet Gum.***~~
~~***Sycamore.***~~
~~***Texas Ash.***~~
~~***Texas Red Oak.***~~
~~***Possumhaw Holly.***~~

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

TABLE OF CONTENTS

Section F.1. Introduction
Section F.2. District Landscaping Requirements.
Section F.3. Tree Planting Guidelines & Requirements.
Section F.4. Recommended Tree Varieties (*Canopy and Accent*)
Section F.5. Recommended Shrub Varieties
Section F.6. Recommended Grass Varieties
Section F.7. Alternative Plantings List

F.1. INTRODUCTION.

These guidelines were drafted by the citizens and local experts for the purpose of outlining the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code, and to provide guidelines for plantings that are appropriate within the City of Rockwall.

F.2. PURPOSE.

The purpose of the following appendix is to provide a general reference guide for meeting the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code. This appendix is not intended to be a comprehensive list of all plant materials that can be utilized for development within the City of Rockwall. The Director of Planning or his designee can approve a landscape plan that includes tree, shrub, and grass varieties not indicated in this appendix upon a finding that the proposed planting is appropriate for the development.

F.3. DISTRICT LANDSCAPING REQUIREMENTS

		Overlay Districts									
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON
Landscape Buffer Requirement	10' Landscape Buffer										X
	20' Berm and/or Shrubbery Row (30"-48")	X	X	X	X		X				
	15' Berm and/or Shrubbery Row (30"-48") *[Retail/Commercial]*					X		X	X	X	
	25' Berm and/or Shrubbery Row (30"-48") *[Residential]*					X		X	X	X	
	50' Berm and/or Shrubbery Row (30"-48") *[Industrial/Research/Technology]*					X		X	X	X	
Tree Planting Requirements	1 Canopy Tree for Each 50-Linear Feet of Street Frontage										X
	3, 4" Caliper Canopy Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	4, 4' Tall Accent Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	1 Cedar Tree for Each 100-Linear Feet of Street Frontage Planted in Clusters of 3-5 Trees					X		X	X		

References:
- ☑ IH-30: *Section 6.6, Article V, UDC*
- ☑ SH-205: *Section 6.7, Article V, UDC*
- ☑ SOV: *Section 6.8, Article V, UDC*
- ☑ SH-66: *Section 6.9, Article V, UDC*
- ☑ 205-BY: *Section 6.10, Article V, UDC*
- ☑ N-205: *Section 6.11, Article V, UDC*
- ☑ E-66: *Section 6.12, Article V, UDC*

References (Continued):
- ☑ FM-549: *Section 6.13, Article V, UDC*
- ☑ SH-276: *Section 6.14, Article V, UDC*

Abbreviations:
- ☑ NON: *Non-Overlay Districts*

CITY OF ROCKWALL PAGE 1 APPENDIX F: LANDSCAPING GUIDELINES

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

TREE PLANTING GUIDELINES & REQUIREMENTS.

The following table and guidelines are a summary of the required tree planting requirements stipulated by Article VIII, *Landscape Standards*, of the Unified Development Code.

Table 1.1: Required Trees by District

		Overlay Districts											
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON	XERI	REC
Canopy Trees	Afghan Pine	X	X	X	X	X	X	X	X	X	X	X	X
	Bald Cypress	X				X			X	X	X		X
	Burr Oak	X	X	X	X	X	X	X	X	X	X	X	X
	Caddo Maple		X	X			X	X	X		X		X
	Cedar Elm	X	X	X	X	X	X	X	X	X	X		X
	Chinquapin Oak										X	X	X
	Eastern Red Cedar	X				X				X	X		X
	Homestead Elm	X				X				X	X		X
	Lacebark Elm	X	X	X	X	X	X	X	X	X	X		X
	Leyland Cypress		X	X			X	X	X		X		X
	Little Gem Magnolia	X	X	X	X	X	X	X	X	X	X		X
	Live Oak	X	X	X	X	X	X	X	X	X	X		X
	October Glory Maple	X	X	X	X	X	X	X	X	X	X		X
	Pecan										X		X
	Red Oak	X			X	X			X	X	X		X
	Texas Ash	X			X	X			X	X	X		X
	Texas Red Oak	X			X	X			X	X	X		X
	Desert Willow	X	X	X	X	X	X	X	X	X	X	X	X
Accent Trees	Downy Hawthorn										X		X
	Eastern Redbud	X	X	X	X	X	X	X	X	X	X		X
	Eves Necklace	X	X	X	X	X	X	X	X	X	X	X	X
	Mexican Buckeye	X	X	X	X	X	X	X	X	X	X		X
	Possumhaw Holly	X	X	X	X	X	X	X	X	X	X	X	X
	Shantung Maple	X	X	X	X	X	X	X	X	X	X		X
	Flame Leaf Sumac	X	X	X	X	X	X	X	X	X	X		X
	Yaupon Holly	X	X	X	X	X	X	X	X	X	X		X

Abbreviations & References:
- IH-30: *Section 6.6, Article V, UDC*
- SH-205: *Section 6.7, Article V, UDC*
- SOV: *Section 6.8, Article V, UDC*
- SH-66: *Section 6.9, Article V, UDC*
- 205-BY: *Section 6.10, Article V, UDC*
- N-205: *Section 6.11, Article V, UDC*
- E-66: *Section 6.12, Article V, UDC*
- FM-549: *Section 6.13, Article V, UDC*
- SH-276: *Section 6.14, Article V, UDC*
- NON: Non-Overlay Districts
- XERI: Xeriscaping
- REC: Reclamation/Tree Preservation

Prohibited Trees:
- Silver maple (acer saccharinum).
- Box Elder (Acer Negundo).
- Mimosa (Albizia Julibrissin).
- Catalpa (Catalpa sp.).

Prohibited Trees (Continued):
- Catalpa (Catalpa sp.).
- Hackberry, Sugarberry (Celtis sp.).
- Honeylocust (Gleditsia Triacanthos).
- Tulip tree (Liriodendron Tulipifera).
- Chinaberry (Melia Azedarach).
- Sycamore (Platanus Occidentalis).
- Cottonwood, Poplar (Populus sp.).
- Willows (Salix sp.).
- American Elm (Ulmus Americana).
- Siberian Elm (Ulmus Pumilia).
- Jerusalem Thorn/Petuma (Parkinsonia Aculeata).
- Bois D'Arc (Maclura Pomifera).
- Flowering Crabapple varieties (Malus sp.).
- Ginko Tree (Ginko Biloba).
- Peach/Plum varieties.
- Mulberry varieties (Morus sp.).
- Texas Mountain Laurel (Sophora Secundiflora).
- Lilac Chaste Tree (Vitex Agnuscastus).
- Pine Tree Varieties (Pinus So.)

APPENDIX F: LANDSCAPING GUIDELINES PAGE 2 CITY OF ROCKWALL

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

F.4. RECOMMENDED TREE VARIETIES (CANOPY AND ACCENT TREES).

The following information concerning the City's recommended trees was obtained from the Texas A&M Forest Service, *Texas Tree Planting Guide* and all illustrations were provided courtesy of Texas A&M Forest Service *Copyright by Robert O'Brien.*

Afghan Pine

Latin Name: Pinus Eldarica
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: Afghanistan and Central Asia
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Screening and Windbreaks
- ✓ Firewise: No
- ✓ Issues: The pine tip moth can kill new shoots and ruin the shape of the tree. The tree is not tolerant of wet sites.
- ✓ Similar Species: Aleppo Pine (*Pinus Halapensis*)





Bald Cypress

Latin Name: Taxodium Distichum
Secondary Names: Baldcypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Will Grow in a Variety of Soils
- ✓ Tolerances: Drought and Poorly Drained Sites
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Detention Areas and Poorly Drained Areas
- ✓ Firewise: Yes
- ✓ Issues: Woody 'Knees' and Bagworms
- ✓ Similar Species: Montezuma Balcypress (*Taxodium Mucronatum*)

Bur Oak

Latin Name: Quercus Macrocarpa
Secondary Names: Mossy Cup Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deeper Soil
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Unique Leaf Shape, Largest Acorn of any Oak
- ✓ Uses: Drought Tolerant Tree
- ✓ Firewise: Yes
- ✓ Issues: Acorns and leaves can create significant clean-up.
- ✓ Similar Species: White Oak (Quercus Alba)



CITY OF ROCKWALL PAGE 3 APPENDIX F: LANDSCAPING GUIDELINES

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Caddo Maple

Latin Name: Acer saccharum 'Caddo'
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Medium
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Rocky & Alkaline Soils and Drought Tolerant
- ✓ Features: Medium tree with a rounded appearance, dark green foliage that changes to a golden color in the fall
- ✓ Firewise: Yes
- ✓ Issues: Availability
- ✓ Similar Species: Sugar Maple (A. saccharum)





Cedar Elm

Latin Name: Ulmus Crassifolia
Secondary Names: Texas Elm

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *70' to 90'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Lustrous Dark Green Leaves that are Stiff and Rough to the Touch
- ✓ Uses: Generally a Landscape Tree, Parking Lot/Street Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Winged Elm (*Ulmus Alata*)

Chinquapin Oak

Latin Name: Quercus Muehlenbergii
Secondary Names: Chinkapin Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Alkaline Soils
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Yellow-Green Leaves w/ Small Acorns (~3/4" Long)
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Sensitive root system; as little as 1" of fill dirt can hurt the tree.
- ✓ Similar Species: Swamp Chestnut Oak (Quercus Michauxii)



APPENDIX F: LANDSCAPING GUIDELINES PAGE 4 CITY OF ROCKWALL

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F LANDSCAPING GUIDELINES & REQUIREMENTS

Eastern Red Cedar

Latin Name: Juniperus virginiana var. virginiana
Secondary Names: Pencil Cedar

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Medium
- ✓ Native: Eastern North America
- ✓ Soil Needs: Acidic, Alkaline, Loamy, Well-Drained and Clay
- ✓ Tolerances: Drought, Erosion, Dry Soil, Shallow Rocky Areas
- ✓ Features: Scale-like evergreen leaves compacted to form rounded 4-sided branclets.
- ✓ Uses: Windbreaks and Fence Rows, Screening Tree
- ✓ Firewise: No
- ✓ Issues: Cedar apple rust and bagworms.
- ✓ Similar Species: Southern redcedar (Juniperus virginiana var. silicicola) and Rocky Mountain juniper (J. scopulorum)





Homestead Elm

Latin Name: Ulmus 'Homestead'
Secondary Names: N/A

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Dark green leaves that turn bleach yellow in the fall and greenish tiny multi flowered pendulous racemes in spring.
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Resistant to Dutch Elm Disease but Susceptible to Elm Leaf Beatle.
- ✓ Similar Species: N/A. The Homestead Elm is a Hybrid

Lacebark Elm

Latin Name: Ulmus Parvifolia
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: China, Japan and Korea
- ✓ Soil Needs: Adaptable, Prefers Well Drained Soils
- ✓ Tolerances: Drought, Alkaline Soils (*PH > 7.5*)
- ✓ Features: Variable fall color; interesting bark texture.
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop a strong branch structure.
- ✓ Similar Species: Siberian Elm (*Ulmus Pumila*) and Japanese Zelkova (*Zelkova Serrata*)



CITY OF ROCKWALL PAGE 5 APPENDIX F LANDSCAPING GUIDELINES

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Leyland Cypress

Latin Name: x Cupressocyparis leylandii
Secondary Names: Cypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *60' to 70'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: England and Europe
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Poor Soil
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Screening, Windbreaks, and Non-Residential Landscaping
- ✓ Firewise: No
- ✓ Issues: Bagworms and Spider mites
- ✓ Similar Species: Montezuma baldcypress (Taxodium mucronatum)





Little Gem Magnolia

Latin Name: Magnolia grandiflora 'Little Gem'
Secondary Names: Large-Flowered Magnolia

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Moderate
- ✓ Native: Southeast United States
- ✓ Soil Needs: Well Drained Soil
- ✓ Tolerances: Moderate Drought, Salt and Soil Variation
- ✓ Features: Large leathery, dark green and glossy leaves with cup shaped, white flowers and oval aggregation of seed pods 3"-4" long.
- ✓ Uses: Shade and Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Major Problems
- ✓ Similar Species: Sweetbay magnolia (Magnolia virginiana)

Live Oak

Latin Name: Quercus Virginiana
Secondary Names: Coast Live Oak, Southern Live Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Evergreen/Semi Evergreen*
- ✓ Growth Rate: Moderately Fast
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Acidic, Alkaline, Clay, Loamy and Well Drained
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Green to dark green leaves with small acorns about ¾-inch long and borne singly or in clusters up to five.
- ✓ Firewise: Yes
- ✓ Issues: Leaf Blister and Fungal Gall
- ✓ Similar Species: Texas live oak (Quercus fusiformis)



APPENDIX F: LANDSCAPING GUIDELINES PAGE 6 CITY OF ROCKWALL

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

October Glory Maple

Latin Name: Acer rubrum 'October Glory'
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: North America
- ✓ Soil Needs: Adaptable; Prefers Slightly Acidic Soil
- ✓ Tolerances: Moderate Drought Tolerance
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids and Leaf Scorch
- ✓ Similar Species: Chalk maple (Acer leucoderme)





Pecan

Latin Name: Carya illinoinensis
Secondary Names: Pecan Hickory

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deep Moist Soil
- ✓ Tolerances: Drought, Salty Soil, Poorly Drained Soil, Alkaline Soils [*PH>7.5*]
- ✓ Features: Nuts are in important wildlife food; mature crown is open and airy.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Brittle Wood; Susceptible to Insects
- ✓ Similar Species: Water hickory (Carya aquatica) & black walnut (Juglans nigra)

Red Oak

Latin Name: Quercus Falcata
Secondary Names: Southern Red Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Avoid PH>7.5; Any Texture; Prefers Good Drainage
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Young Trees Have 'Candleabra' Shape; Fall Color is Organge to Deep Red
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Black oak (Quercus velutina)



CITY OF ROCKWALL PAGE 7 APPENDIX F: LANDSCAPING GUIDELINES

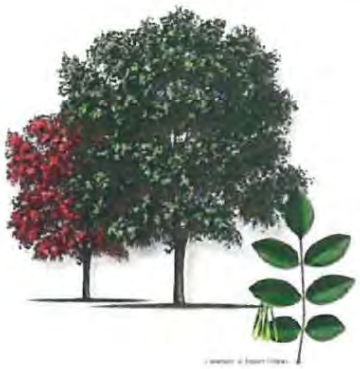
Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Texas Ash

Latin Name: Fraxinus texensis
Secondary Names: Mountain Ash

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid (but Variable)
- ✓ Native: East and Central Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium sized tree with green or purple flowers and small woody winged samara in long panicles.
- ✓ Firewise: Yes
- ✓ Issues: Poor Drainage Leads to Root Diseases
- ✓ Similar Species: Carolina ash (Fraxinus caroliniana) and Gregg ash (F. greggii)





Texas Red Oak

Latin Name: Quercus buckleyi
Secondary Names: Buckley Oak, Texas Red Oak, Spanish Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium tree with reddish-brown catkins/acorns and slender, dark green leaves that turn red in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Shumard oak (Quercus shumardii)

Desert Willow

Latin Name: Chilopsis Linearis
Secondary Names: Desert-Willow

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: West Texas
- ✓ Soil Needs: Adaptable, Acidic, Loamy and Well Drained Soil
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Multi-Trunked, Well Branched and Thick Growth
- ✓ Uses: Primarily a Landscape Tree; Xeriscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Alternaria Leaf Spot
- ✓ Similar Species: Flowering Willow, Willowleaf Catalpa, Desert Catalpa, Flor de Mimbre, Mimbre, Bow Willow



APPENDIX F, LANDSCAPING GUIDELINES PAGE 8 CITY OF ROCKWALL

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Downy Hawthorn

Latin Name: Crataegus mollis
Secondary Names: A Variety Of Common Names Often Ending In "Haw" – Are Used For the Individual Hawthorn Species

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Eastern and Central United States and Canada
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Dry Soil and Drought
- ✓ Features: Small tree with clusters of white flowers and bright red berry fruit.
- ✓ Uses: Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Several Leaf Diseases
- ✓ Similar Species: River birch (Betula nigra) & Gum Bully (Sideroxylon lanuginosum)





Eastern Redbud

Latin Name: Cercis canadensis var. canadensis
Secondary Names: Judas-Tree

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: East Texas
- ✓ Soil Needs: Alkaline, Acidic, Loamy, Sandy and Well Drained
- ✓ Tolerances: Clay Soils and Very High Heat
- ✓ Features: Small tree with pink and purple, rose-purple or white blooms and small flattened pods with brown seeds.
- ✓ Uses: Wildlife and Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Leaf Spots, Dieback/Canker, and Verticillium Wilt
- ✓ Similar Species: Redbud

Eve's Necklace

Latin Name: Sophora affinis
Secondary Names: Texas Sophora, Eve's-Necklacepod

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Fast (*Generally Slows at 15'*)
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Very High Heat
- ✓ Features: Small tree with pale to rosy pink flowers that bloom in the spring and long black segmented seedpods.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Problems Reported
- ✓ Similar Species: Black locust (Robinia pseudoacacia)



CITY OF ROCKWALL PAGE 9 APPENDIX F. LANDSCAPING GUIDELINES

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

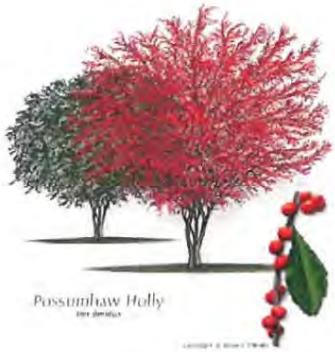
APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Mexican Buckeye

Latin Name: Ungnadia Speciosa
Secondary Names:

- ✓ City Tree Classification: *AccentTree*
- ✓ Mature Height: *15' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Pink flowers appear with new leaves; brown fruit husks remain through winter.
- ✓ Uses: Generally a Landscape or Specimen Tree
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop one or more trunks.
- ✓ Similar Species: Monillo, Mona, Texas Buckeye, Spanish Buckeye, False Buckeye, Canyon Buckeye





Possumhaw Holly

Latin Name: Ilex Decidua
Secondary Names: Possumhaw (Deciduous Holly)

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *8' to 10' (Occasionally 20')*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought, Poorly Drained Sites, Alkaline Soils [*PH>7.5*]
- ✓ Features: Orange or red berries on gray branches.
- ✓ Uses: Generally a Landscape Tree and Detention Tree
- ✓ Firewise: Yes
- ✓ Issues: Thin Bark Susceptible to Injury
- ✓ Similar Species: Bearberry, Meadow Holly, Prairie Holly, Swamp Holly, Welk Holly, Winterberry

Shantung Maple

Latin Name: Acer truncatum
Secondary Names: Shandong Maple, Purpleblow Maple

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *25' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Northern China
- ✓ Soil Needs: Loam, Sandy and Clay (Adaptable)
- ✓ Tolerances: Moderate Drought
- ✓ Features: Medium sized tree with dark green, glossy leaves that change to yellow orange/bright red in the fall.
- ✓ Firewise: No
- ✓ Issues: Leaf Spot and Leaf Scorch
- ✓ Similar Species: Japanese Maples



APPENDIX F: LANDSCAPING GUIDELINES PAGE 10 CITY OF ROCKWALL

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Flameleaf Sumac

Latin Name: Rhus lanceolata
Secondary Names: Prairie Sumac, Prairie Flameleaf Sumac

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils (*PH > 7.5*)
- ✓ Features: Compound leaves turn bright red in fall; white flower spikes bear red clusters of berries.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Requries pruning to develop one or more trunks.
- ✓ Similar Species: Texas Sumac, Lance-Leaved Sumac, Limestone Sumac and Prairie Shining Sumac





Yapon Holly

Latin Name: Ilex vomitoria
Secondary Names: Yaupon, Cassina

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *10' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Slow
- ✓ Native: Southeast United States (Texas)
- ✓ Soil Needs: Well Drained, Sandy, Loamy, Clay and Limestone
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Small tree with inconspicuous light green blooms and red berry like drupe.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Evergreen Cassena, Emetic Holly, Indian Black Drink

CITY OF ROCKWALL PAGE 11 APPENDIX F LANDSCAPING GUIDELINES

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

F.5. RECOMMENDED SHRUB VARIETIES

The following are the City of Rockwall's recommended shrub varieties.

	Shrub	Scientific Name	SCR	XERI
3	Barberry	Berberis Thumbergii 'Crimson Pygmy'		
8	Dwarf Yaupon Holly	Ilex Vomitoria 'Nana'		
10	Yucca	Yucca Sp.		X
16	Juniper	Juniperus Sp.		
17	Japanese Boxwood	Buxus Japonica		
20	Mexican Oregano	Poliomentha Longiflora		
24	Red Yucca	Hesperaloe Parvifolia		X
25	Rock Rose	Pavonia Lasiopetala		X
1	Agarita	Mahonia Trifoliolata		X
2	Barberry	Berberis Atropurpurea 'Rose Glow'		
5	Cenizo (Texas Sage)	Leucophyllum Sp	X	X
7	Dwarf Burford Holly	Ilex Cornuta 'Burfordii Nana'	X	
14	Hogplum	Colubrina Texensis		
15	Indian Hawthorn	Raphiolepis Indica		
19	Japanese Quince	Chaenomeles Japonica		
23	Pearl Bush	Exochorda Giraldii Wilsonii		
27	Rosemary	Rosmarinus Officinalis		X
29	Virginia Sweetspire	Itea Virginica		
4	Bridal Wreath Spirea	Spiraea Cantoniensis	X	X
6	Chinese Fringe	Loropetalum Chinense	X	
9	Elaegnus	Elaeagnus x Ebbingei	X	
11	Evergreen Sumac	Rhus Virens		
12	Forsythia	Forsythia Intermedia 'Spectabilis'		
13	Glossy Abelia	Abelia x Gradiflora		
18	Japanese Cleyera	Cleyera Temstroemia Gymnanthera		
21	Nellie Stevens Holly	Ilex 'Nellie R. Stevens'	X	
22	Oleander	Nerium Oledander	X	
26	Rose of Sharon	Hibiscus Syriacus	X	



Abbreviations:
- ☑ XERI: Xeriscaping
- ☑ SCR: Screening
- ☑ GREEN: Small
- ☑ ORANGE: Medium
- ☑ RED: Large



APPENDIX F LANDSCAPING GUIDELINES PAGE 12 CITY OF ROCKWALL

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS



F.6. RECOMMENDED GRASSES

The following are the City of Rockwall's recommended grass varieties.

	Grass	Scientific Name	XERI
1	Bermuda Grass	Cynodon Dactylon	
2	Big Bluestem	Andropogon Gerardii	X
3	Buffalo Grass	Buchloe Dactyloides	X
4	Deer Muhly	Muhlenbergia Rigens	
5	Eastern Gamagrass	Tripsacum Dactyloides	X
6	Fountain Grass	Pennisetum Alopecuroides 'Hamelin'	
7	Feather Reed Grass	Calamagrostis Acutiflora 'Karl Foerster'	
8	Inland Seaoats	Chasmanthium Latifolium	X
9	Japanses Blood Grass	Imperata Cylindrica 'Red Baron'	
10	Little Bluestem	Schixachyrium Scoparium	X
11	Maiden Grass	Adagio, Cabaret, Gracillimus, Morining Light, Varigatus, Zebra Grass	X
12	Mexican Feather Grass	Stipa Tenuissima 'Pony Tails'	X
13	Muhly Grass	Muehelenbergia Lindheimeri	X
14	Prairie Mix	N/A	X
15	Prairie Dropseed	Sporobolus Heterolepsis	
16	St. Augustine Grass	Stenotaphrum Secundatum	X
17	Switch Grass	Panicum Virgatum	X
18	Weeping Love Grass	Eragrostis Curvula	X



Abbreviations:
☑ XERI: Xeriscaping



CITY OF ROCKWALL PAGE 13 APPENDIX F LANDSCAPING GUIDELINES

Exhibit 'D'
Appendix F, Landscape Guidelines,
of the Unified Development Code

APPENDIX F LANDSCAPING GUIDELINES & REQUIREMENTS

F.7. ALTERNATIVE PLANTING LIST

The following list shows all alternative plant types permitted by the City of Rockwall since the adoption of this Appendix F, Landscape Guidelines, of the Unified Development Code.

Trees	Shrubs	Grasses

APPENDIX F LANDSCAPING GUIDELINES PAGE 14 CITY OF ROCKWALL

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406

Table of Contents

Agenda 5

Police Memorial Week

Police Proc 9

Blank Page 10

Lyme Disease Awareness Month

Lyme Disease Proclamation 11

Blank Page 12

National Safe Boating Week

Safe Boating Proc. 13

Blank Page 14

Older Americans Month

Older Americans Proc. 15

Blank Page 16

Consider approval of the minutes from the April 15, 2019 regular city council meeting, and take any action necessary.

04-15-19 CC Mtg Mins 17

Blank Page 34

Z2019-007 - Consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of an ordinance for a Specific Use Permit (SUP) allowing outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary (2nd Reading).

Ord (2nd Reading) 35

Blank Page 40

Z2019-008 - Consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an ordinance for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary (2nd Reading).

Ord (2nd Reading) 41

Blank Page 51

Consider authorizing the City Manager and subcommittee to begin planning work with local Arts and Historical organizations related to hotel occupancy tax projects, and take any action necessary.

Memo 52

1

Blank page 54
Consider authorizing the City Manager to execute an interlocal agreement with Dallas County for Law Enforcement Sharing via the Dallas County Adult Information System for use by Rockwall Fire Department when conducting fire investigations, and take any action necessary.
Memo 55
ILA 56
Blank Page 67
P2019-018 - Consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a replat for the Park Place West, Phase III Addition containing 85 single-family lots on a 24.439-acre tract of land being located in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, generally located at the terminus of Park Place Boulevard, and take any action necessary.
P2019-018 68
Blank Page 75
P2019-019 - Consider a request by Mike Samples for the approval of a final plat for Lot 11, Block A, 205 Business Park Addition being a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 125 National Drive, and take any action necessary.
P2019-019 76
Blank Page 81
Consider approval of a Hotel Occupancy Tax subcommittee recommendation for funding $1,400 for the Rockwall Area Chamber of Commerce bid for the TCCE conference, and take any action necessary.
Staff memo 82
Chamber Request 83
Blank Page 93
Consider approval of a resolution authorizing an update to the impact fee program for roadway, water, and wastewater facilities and appointing a Capital Improvements Advisory Committee (CIAC), and take any action necessary.
Memorandum 94
Blank Page 97
Consider approval of the professional engineering services contract for Birkhoff, Hendricks and Carter, L.L.P.to perform the engineering design services and specifications for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project in an amount not to exceed $79,420., to be funded by the General Engineering Services Budget, and take any action necessary.
Memo 98
Map 99
Contract 100

Blank Page . . . 117
Consider a resolution denying approval of an amendment to the Distribution Cost Recovery Factor increase in distribution rates filed by Oncor Electric Delivery, approving cooperation with the Steering Committee of Cities served by Oncor to evaluate the filing, to negotiate with Oncor on the City's behalf, and take any action necessary.
Oncor Rate Filing . . . 118
Blank Page . . . 122
Appointment with the city's Youth Advisory Council (YAC) to hear year-end program report and to recognize graduating high school seniors, and take any action necessary.
Memo_YAC . . . 123
Blank Page . . . 124
Z2019-006 - Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an ordinance for a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary (2nd Reading).
Z2019-006 . . . 125
Ord (2nd Reading) . . . 126
Blank Page . . . 134
Discuss and consider granting permission for an alcohol waiver associated with the City's May 18, 2019 Founders Day Festival at Harry Myers Park in accordance with Chapter 30, Article I, Sec. 30 -2, "Regulated Activities in Parks" of the Code of Ordinances, and take any action necessary.
Memo . . . 135
Blank Page . . . 136
Discuss and consider submitting two nominees for a possible award for an outstanding senior who is making a difference in our senior community at the request of Meals on Wheels Senior Services, and take any action necessary.
Request Ltr . . . 137
Blank Page . . . 139
Building Inspections Monthly Report - March 2019
March Report . . . 140
Blank Page . . . 152
Fire Department Monthly Report - March 2019
Fire Department March 2019 Monthly Report . . . 153
Blank Page . . . 159
GIS Division Monthly Report - March 2019
GIS Monthly Report (March 2019) . . . 160
Blank Page . . . 161

Harbor PD Monthly Report - March 2019
Harbor Monthly - March 2019 . . . 162
Blank Page . . . 163
Internal Operations Department Monthly Report - March 2019
IO report . . . 164
Blank Page . . . 165
Meals on Wheels Senior Services Quarterly Report
MOW 2nd Q report . . . 166
Blank Page . . . 167
Police Department Monthly Activity Report - March 2019
March 2019 . . . 168
Blank Page . . . 170
Recreation Monthly Report - March 2019
Rec Monthly - March 2019 . . . 171
Blank Page . . . 176
Rockwall Animal Adoption Center Monthly Report - March 2019
RAAC-March 2019 . . . 177
Blank Page . . . 180
STAR Transit Monthly Report - March 2019
STAR Report . . . 181
Blank Page . . . 183

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 06, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
3. Discussion regarding nominee(s) and (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board and the Rockwall Central Appraisal District Board - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. PROCLAMATIONS

p.9 **1.** Police Memorial Week

p.11 **2.** Lyme Disease Awareness Month

p.13 **3.** National Safe Boating Week

p.15 **4.** Older Americans Month

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.17 **1.** Consider approval of the minutes from the April 15, 2019 regular city council meeting, and take any action necessary.

p.35 **2.** **Z2019-007** - Consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary **(2nd Reading)**.

p.41 **3.** **Z2019-008** - Consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an **ordinance** for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary **(2nd Reading**).

p.52 **4.** Consider authorizing the City Manager and subcommittee to begin planning work with local Arts and Historical organizations related to hotel occupancy tax projects, and take any action necessary.

p.55 **5.** Consider authorizing the City Manager to execute an interlocal agreement with Dallas County for Law Enforcement Sharing via the Dallas County Adult Information System for use by Rockwall Fire Department when conducting fire investigations, and take any action necessary.

p.68 **6.** **P2019-018** - Consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a replat for the Park Place West, Phase III Addition containing 85 single-family lots on a 24.439-acre tract of land being located in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, generally located at the terminus of Park Place Boulevard, and take any action necessary.

p.76 **7.** **P2019-019** - Consider a request by Mike Samples for the approval of a final plat for Lot 11, Block A, 205 Business Park Addition being a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 125 National Drive, and take any action necessary.

p.82 **8.** Consider approval of a Hotel Occupancy Tax subcommittee recommendation for funding $1,400 for the Rockwall Area Chamber of Commerce bid for the TCCE conference, and take any action necessary.

p.94 **9.** Consider approval of a resolution authorizing an update to the impact fee program for roadway, water, and wastewater facilities and appointing a Capital Improvements Advisory Committee (CIAC), and take any action necessary.

p.98 **10.** Consider approval of the professional engineering services contract for Birkhoff, Hendricks and Carter, L.L.P.to perform the engineering design services and specifications for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project in an amount not to exceed $79,420., to be funded by the General Engineering Services Budget, and take any action necessary.

p.118 **11.** Consider a resolution denying approval of an amendment to the Distribution Cost Recovery Factor increase in distribution rates filed by Oncor Electric Delivery, approving cooperation with the Steering Committee of Cities served by Oncor to evaluate the filing, to negotiate with Oncor on the City's behalf, and take any action necessary.

X. APPOINTMENT ITEMS

p.123 **1.** Appointment with the city's Youth Advisory Council (YAC) to hear year-end program report and to recognize graduating high school seniors, and take any action necessary.

XI. ACTION ITEMS

p.125 **1.** **Z2019-006** - Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary **(2nd Reading).**

p.135 **2.** Discuss and consider granting permission for an alcohol waiver associated with the City's May 18, 2019 Founders Day Festival at Harry Myers Park in accordance with Chapter 30, Article I, Sec. 30 -2, "Regulated Activities in Parks" of the Code of Ordinances, and take any action necessary.

p.137 **3.** Discuss and consider submitting two nominees for a possible award for an outstanding senior who is making a difference in our senior community at the request of Meals on Wheels Senior Services, and take any action necessary.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.140 Building Inspections Monthly Report - March 2019

p.153 Fire Department Monthly Report - March 2019

p.160 GIS Division Monthly Report - March 2019

p.162 Harbor PD Monthly Report - March 2019

p.164 Internal Operations Department Monthly Report - March 2019

p.166 Meals on Wheels Senior Services Quarterly Report
p.168 Police Department Monthly Activity Report - March 2019
p.171 Recreation Monthly Report - March 2019
p.177 Rockwall Animal Adoption Center Monthly Report - March 2019
p.181 STAR Transit Monthly Report - March 2019

2. **City Manager's Report**

XIII. EXECUTIVE SESSION

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

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
3. Discussion regarding nominee(s) and (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board and the Rockwall Central Appraisal District Board - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XV. ADJOURNMENT

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 3rd day of May, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, Texas

Proclamation

Whereas, more than 900,000 law enforcement officers serve in communities across the U.S., including the 85 sworn, dedicated members of the Rockwall Police Department; and

Whereas, since the first recorded police death in 1791, there have been over 21,000 law enforcement officers killed in the line of duty and 21,910 names are currently engraved on the walls of the National Law Enforcement Officers Memorial; and

Whereas, according to the FBI's Uniform Crime Report, 60,211 assaults against law enforcement officers occurred in 2017, resulting in 17,476 injuries; and

Whereas, a total of 1,582 law enforcement officers died in the line of duty during the past 10 years, which is an average of one death every 55 hours, and 158 law enforcement officers were killed in the line of duty in 2018; and

Whereas, 371 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 158 officers killed in 2018 and 213 officers killed in previous years; and

Whereas, May 15 is designated as Peace Officers Memorial Day, in honor of fallen officers and their families, and U.S. flags are flown at half-staff that day.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim May 12-18, 2019 as

POLICE MEMORIAL WEEK

in the City of Rockwall, and urge all citizens to honor the memories of law enforcement officers killed in the line of duty and to applaud the service of law enforcement officers who continue to protect our communities and help safeguard our democracy.

In Witness Whereof, I hereunto affix my hand and official seal this 6th day of May, 2019.

Jim Pruitt, Mayor

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10

Rockwall, Texas

Proclamation

Whereas, Lyme disease is caused by a bacteria, is found in 45% of the common black-legged deer ticks in TX, which transmit the disease, and is the fastest growing vector-borne disease in the U.S.; and

Whereas, the risk of contracting Lyme disease is present year-round with fewer than 50% of patients being able to recall a tick bite; and

Whereas, Lyme disease is a complex, multi-system illness which can be easily treated with antibiotics if caught early, but it can cause severe disability and even death if left untreated; and

Whereas, ticks that carry Lyme disease may also carry at least 15 other pathogens, many of them transmitted within minutes of being bitten, with one tick bite frequently resulting in multiple infections including bacteria, parasites, and viruses which can all be potentially fatal; and

Whereas, Lyme disease is believed to infect more than 300,000 people annually in the U.S., but, as an underreported illness, the actual number of people in Texas is likely 10 times the reported number of cases; and

Whereas, testing for Lyme disease remains only 50% accurate, with the average patient going two or more years before getting a proper diagnosis; and

Whereas, new science, treatment and testing guidelines have been released from the Agency for Healthcare Research and Quality National Guidelines Clearinghouse, but it is believed that many doctors in Texas are still following outdated guidelines for Lyme disease; and

Whereas, the TX Lyme Coalition, TX Lyme Disease Association and the NTX Lyme Group have provided advocacy for patients since 1999 and work to educate the public about the signs, symptoms, treatment, and prevention of Lyme disease.

Now, Therefore, I, Jim Pruitt, Mayor of Rockwall, do hereby proclaim **May, 2019** as:

LYME DISEASE AWARENESS MONTH

In the City of Rockwall and encourage all of our citizens to educate themselves about symptoms of early and late stage Lyme disease and practice preventative techniques.

In Witness Whereof, I hereunto set my hand and official seal this 6th day of May, 2019.

Jim Pruitt, Mayor

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12

Rockwall, Texas

Proclamation

Whereas, for nearly 90 million Americans, including many local citizens in our lakeside community, boating is a popular recreational activity, allowing families and friends time together while boating, sailing, paddling, and fishing; and

Whereas, during National Safe Boating Week, we want to bring special attention to this pastime and remind recreational boaters of a few tips to ensure that they and their loved ones are safe and responsible while exploring our nation's waterways; and

Whereas, on average, 650 people die each year in boating-related accidents in the U.S. with approximately three-fourths of these fatalities being caused by drowning; and

Whereas, modern life jackets are more comfortable, attractive, and wearable than styles of the past, and a significant number of boaters whose lives were lost annually due to drowning would be alive today had they worn a life jacket; and

Whereas, the U.S. Coast Guard Auxiliary, Flotilla 5-10, Division 5, District 8CR, which represents Lake Ray Hubbard, supports programs which result in our waterways having a safe, accident free record, providing valuable tips and information to help ensure your activities don't result in tragedy.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the week of **May 18-24, 2019**, as

SAFE BOATING WEEK

in the City of Rockwall and urge all residents to institute safe boating practices and "Wear It" this week and throughout the entire boating season.

In Witness Whereof, I hereunto affix my hand and official seal this 6th day of May, 2019.

Jim Pruitt, Mayor

13

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14

Rockwall, Texas

Proclamation

Whereas, the City of Rockwall includes a growing number of older Americans who enrich our community through their diverse life experiences; and

Whereas, Rockwall is committed to strengthening our community by connecting with and supporting older adults, their families, and caregivers and acknowledging their many valuable contributions to society; and

Whereas, Rockwall recognizes the importance of bringing together all generations and engaging in activities that promote physical, mental, and emotional well-being for the benefit of all; and

Whereas, the City of Rockwall can enhance the lives of older Americans in our community by:

- promoting home and community-based services that support independent living;
- involving older adults in community events and other activities; and
- providing opportunities for older adults to work, volunteer, learn, lead, and mentor.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the month of **May, 2019** as

OLDER AMERICANS MONTH

in the City of Rockwall and urge every resident to take time during this month to recognize older adults and the people who serve them as essential and valuable members of our community.

In Witness Whereof, I hereunto affix my hand and official seal this 6th day of May, 2019.

Jim Pruitt, Mayor

15

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16

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, April 15, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and City Council Members Patrick Trowbridge, Dana Macalik, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza.

Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

II.

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

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:55 p.m.

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

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Indication was given that no action was needed as a result of Executive Session.

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

Mayor Pro Tem Fowler delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS

1. Public Safety Telecommunications Week

Mayor Pruitt called forth Assistant Police Chief Kirk Aldridge and several Dispatch staff members. He then read and presented them with this proclamation, thanking them for all they do for the safety of our police and fire staff and the public.

2. National Day of Prayer

Mayor Pruitt indicated that he will give this proclamation at the Mayor's Prayer Breakfast on Thurs., May 2 at The Center.

3. Motorcycle Safety & Awareness Month

Mayor Pruitt called forth several motorcyclists who requested this proclamation in recognition of Motorcycle Safety & Awareness Month. He then read and presented them with this proclamation, encouraging all drivers to be observant and respectful of motorcyclists driving on the roadways.

VIII. OPEN FORUM

Paul Davis (777 Paul Davis Lane) came forth and shared that he lives in McLendon-Chisholm; however, he owns property in Rockwall, including property on Cullins Road. Mr. Davis generally expressed opposition to the proposed zoning pertaining to case Z2019-005.

Don Braswell
2041 Chisholm Trail

Mr. Braswell indicated that he lives within the county, about 200' from the proposed zoning change (Z2019-005) and the proposed PID. He has concerns about the existing floodplain and how additional development, both homes and expansion of roadways, will adversely impact the area. Furthermore, he is concerned about the increased traffic and congestion as well as density, and reduced setbacks if this development comes to fruition. He encouraged the city to not allow this development, as it deviates from the city's 2040 Comprehensive Plan.

Leslie Wilson
535 Cullins Road
Rockwall, TX

Mrs. Wilson expressed that a lot of people here tonight are frustrated because they have not yet gotten an opportunity to speak about the proposed PID and related zoning change (Z2019-005). She indicated that she and others will come forth later in the meeting, during the proper time, to share their thoughts.

Janice Morchower
144 Westwood
Rockwall, TX 75032

Ms. Morchower came forth and indicated that she lives in Windmill Ridge subdivision. She expressed concern about the creek that flows into the park area. It serves as runoff for Ralph Hall Parkway, and

the creek is littered with trash and tall reeds. There are trees that are 'downed' in the park, and they have been like that for a while. The litter, she indicated, is inhibiting the water flow. Mayor Pruitt introduced Ms. Morchower to Andy Hesser, Parks Director, indicating that he is the proper staff person to address her concerns.

Ed Kohorst
831 Cullins Road
Rockwall, TX

Mr. Kohorst came forth and indicated that he and his wife, Olivia, have lived at this location on fifteen acres for twenty-five years. It is a mixture of tall grass, dense woods and gently rolling hills. He spoke about the many different variations of wildlife that live in and around his property and the creek that runs less than 50 yards from the western edge of the proposed Highgate development. He believes that this development will cause the creek to overflow its bank, flood the nearby wooded area and destroy the wildlife habitat that live there. He generally expressed concern about this development potentially being approved by the City.

Kristi Mase
1160 Skylar Drive
Rockwall, TX 75032

Ms. Mase indicated that she worked as an Admin. Assistant at Rockwall High School, and students often sit on the floor in the lunch room because of overcrowding. She believes these 500+ homes will further adversely impact overcrowding that is already present within the school district.

Craig Koziol
281 Willowcrest
Rockwall, TX

Mr. Koziol came forth and expressed that he is adamantly opposed to the proposed zoning change associated with the potential Highgate development.

Prycilla Bento
2002 S. Lakeshore Drive
Rockwall, TX

Mrs. Bento came forth and shared concerns related to unsustainable development and "urban sprawl." She expressed concerns about traffic, flooding, infrastructure, and school overcrowding, among other things.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the April 1, 2019 regular city council meeting, and take any action necessary.
2. Consider a recommendation of the City Council's Naming Subcommittee regarding approval of a resolution renaming South Nash Street, and take any action necessary.

3. Consider authorizing the purchase of two submersible pumps from Control Specialists L.P in an amount not to Exceed $38,000 to replace two pumps at The Harbor, with one pump in the amount of $18,000 to be funded from The Harbor General Fund Budget and the balance of $20,000 for the second pump to be funded from General Fund Reserves, and take any action necessary.
4. **P2019-016** - Consider a request by Kevin Patel of Triangle Engineering, LLC for the approval of a replat for Lot 2 of the Cain Properties #1 Addition being a 1.233-acre parcel of land identified as a portion of Lot 1 and Lot 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, located north of the intersection of S. Goliad Street [SH-205] and Storrs Street, and take any action necessary.
5. **P2019-010** - Consider a request by Michael Duval of G&A/McAdams on behalf of John Delin of RW Ladera, LLC for the approval of a final plat for Lot 1, Block A and Lot 1, Block B, Ladera Rockwall Addition being a 47.694-acre tract of land identified as a portion of Tract 4-01 and all of Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85) for General Retail (GR) and Single-Family 7 (SF-7) District land uses, situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast and northwest corners of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Mayor Pro Tem Fowler moved to approve the entire Consent Agenda (#1, 2, 3, 4, and 5). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays. Mayor Pruitt then reordered the agenda to address Appointment Item #2.

X. APPOINTMENT ITEMS

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

Chairman of the city's Planning & Zoning Commission, Johnny Lyons, came forth and briefed the Council on recommendations of the Commission regarding planning-related items on tonight's meeting agenda. Following brief, clarifying discussion, Council took no action related to this appointment item.

2. Appointment with the Lakeshore Composite Squadron of the Civil Air Patrol to report on community activities for the 2018-2019 school year, and take any action necessary.

Representatives from the local Civil Air Patrol squadron came forth and briefed the Council on community-related activities that the group either spearheaded or was involved in during the year 2018. Following their brief presentation, Mayor Pruitt thanked the group for all the good its members do within our community.

XI. PUBLIC HEARING ITEMS

1. Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of a Public Improvement District (PID) on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary.

City Attorney Frank Garza provided a briefing regarding how a PID petition request must be handled and how PID assessments and associated fees/taxes work. It is required that a public hearing be held by city council after receipt of a legitimate PID petition. The proposed district boundaries must be identified along with a PID petition, and this one does identify those. The lots within the PID would be charged / assessed fees in an amount up to $17 million to pay for the needed public improvements. The city will have up to six months to either accept or decline the PID.

Mayor Pruitt thanked Mr. Garza for his briefing and associated explanations. Mayor Pruitt shared that this development is actually a proposed 2 units per acre, and "low density" is actually defined as 2.5 units per acre within the Hometown 2040 Comprehensive Plan. He went on to explain that the city's comp plan was approved after a two year process that included a lot of public input opportunities.

Mr. Donahue
15443 Knoll Trail, Suite 130
Dallas, TX 75248

Mr. Donahue came forth and shared that he would like to delay the PID presentation until May to allow additional time for him to meet with and work with citizens to address their concerns. Mayor Pruitt shared that he and the council members are not going to accommodate his request to delay this topic. Mayor Pruitt invited Mr. Donahue to proceed with his presentation regarding the PID; however, Mr. Donahue gave indication that he was choosing to not proceed with making said presentation.

At the request of Councilman Johannesen, Mr. Garza clarified that this PID petition does not ask or require the city to pay for any aspects of the public improvements. The city would in no way be liable to repay the PID bonds that are issued – only the property owners within the PID would be "on the hook" for repayment of the public improvements.

Craig Koziol
281 Willowcrest
Rockwall, TX 75032

Mr. Koziol came forth and asked Mr. Garza, City Attorney, if this development would cause property taxes to increase for those homeowners who do not live within the development. Mr. Garza indicated that no, they would not.

Thomas Cosby

2025 Chisholm Trail
Rockwall, TX 75032

Mr. Cosby shared that he believes the density of this area should match that of the adjacent homes already in existence. He believes the infrastructure should already be in place before the homes are built. He is generally opposed to this request.

Karen Cosby
2025 Chisholm Trail
Rockwall, TX 75032

Mrs. Cosby came forth and shared that she is generally opposed to this PID request. She believes that the integrity of the adjacent homes around the area would be negatively impacted.

Leslie Wilson
535 Cullins Road
Rockwall, TX

Mrs. Wilson shared that she has lived at this location for almost twenty-two years, and her property is very special to her and her family. She is concerned about her home and property potentially ending up being backed up to homes with this type of density. She is strongly opposed to approval of this PID.

Dennis Hillery
143 Pelican Cove
Rockwall, TX

Mr. Hillery came forth and shared that he has some concern about the financing. He asked for clarification on the bonds, pointing out that it would be $17 million, plus the cost of the bonds, plus interest over a 30 year period. The mayor indicated that a lender would issue the bonds, and the land itself would secure the bonds.

Aaron Bruning
2002 Chisholm Trail
Rockwall, TX

Mr. Bruning shared that his property is adjacent to this proposed PID. He pointed out that this developer has been in the news recently for some things that have occurred in the city of Rowlett. He encouraged the Council to consider those things when deciding on this proposal. Also, he has concerns about traffic and associated accidents. He believes that increased traffic causes concerns for emergency responders by hindering their ability to reach those who have called for assistance, especially the aging population.

Howard Haddock
155 Willowcrest
Rockwall, TX

Mr. Haddock shared that he and many others are adamantly opposed to this development, as the lots will be 'postage stamped' lots. He strongly urged the Council to reject this proposal.

Olivia Casey
831 Cullins Road
Rockwall, TX

Mrs. Casey came forth and expressed concern about potential approval of this PID request. She believes the cost for the property owners who will eventually live there and be taxed will be too costly. She believes establishing this PID will set a dangerous precedence. It sounds like corporate welfare, and she is strongly opposed to it.

Bob Wacker
309 Featherstone Drive
Rockwall, TX

Mr. Wacker came forth and indicated that he served on the council appointed committee that reviewed and updated the city's comprehensive plan. He apologized for potentially having misled some of the people with whom he has communicated on social media (i.e. "Next Door"). He went on to share a story about a personal experience he had with his own homeowners association having to pay back a notably smaller loan within the Stonecreek subdivision. He indicated that the loan essentially cost each homeowner about $1800 to pay back. He pointed out that the $17 million loan associated with this PID will be exponentially more costly.

Joan Haddock
155 Willowcrest
Rockwall, TX

Mrs. Haddock indicated that she prefers horses over houses (as far as what is located next door to her). She went on to quote a phrase from the city's 2040 Comprehensive Plan that generally states that a development should be equal to or of higher quality to the existing, surrounding area.

Scott Harman
280 Willowcrest
Rockwall, TX

Mr. Harman is concerned about the area that is located within the floodplain within this proposed development.

Councilman Hohenshelt interjected and clarified that the density of this proposed development is within the city's zoning requirements, and the developer could – by right – build this subdivision even without the PID being approved.

Mr. Harman shared that he has concerns about the higher density development eventually costing school district taxpayers more money in school district taxes and taxes over all (i.e. additional fire, police and emergency personnel). He would love for this area to remain a horse farm forevermore; however, he and others do realize that at some point the property will likely be developed.

Carol Byrd
707 Cullins Road
Rockwall, TX

Mrs. Byrd shared that she has lived at this location for more than thirty years, and she moved here from north Dallas. She believes that some of how the city is growing is good (i.e. medical facilities), but some of the growth concerns her and makes her sad. She is concerned about the 'run off' that she has continually experienced on her property, stating that her barn and driveway have been flooded out several times. She urged the Council to consider the type of development that residents would like to see and not see.

Leslie Hope
530 Cullins Road
Rockwall, TX

Ms. Hope shared that she and her husband moved here in 2016. She has concerns about 545 homes potentially being constructed in this area, especially when there will only be two-lane roads to travel. She worries that Cullins Road might be a means for ingress and egress pertaining to this subdivision. She and everyone else who has spoken this evening are opposed to this PID and this subdivision.
James Nichols
241 Willowcrest
Rockwall, TX

Mr. Nichols shared that he is fairly new to Rockwall and moved here about two years ago from Dallas. He is concerned that there are no pedestrian walkways in and around this area, and that is especially concerning as it pertains to a future park in this area.

Mayor Pruitt pointed out that the citizens of Rockwall approved the purchase of a "south" community park several years ago on a bond election.

Ed Burzair
2175 Arrowhead Court
Rockwall, TX

Mr. Burzair pointed out that this developer would still need approval from both the Planning & Zoning Commission and the Council if this subdivision were to come to fruition. He believes that the PID is not even necessary, as the developer could just roll in the cost of the infrastructure into the cost of the homes/lots.

Sergio Bento
2002 S. Lakeshore Drive
Rockwall, TX

Mr. Bento shared a story about his experience with Globe Life Park in Arlington and concerns related to that developer. He generally expressed the belief that the developer not giving his presentation this evening signifies a certain level of disrespect because it disallows those in attendance this evening to hear and see – 'straight from the horse's mouth' – what is being proposed. He is generally strongly opposed to this PID and this proposed development.

Stan Jeffus
1903 S. FM 549
Rockwall, TX

Mr. Jeffus came forth and shared concerns related to this proposed PID. He does not believe that this proposal is in line with the true intent and design of a "PID." He believes the developer is 'taking advantage" by proposing this PID.

Jennifer Drake
205 Darrin Drive
Rockwall, TX

Ms. Drake came forth and shared that she is a realtor, and she hears about a lot of homebuyers not understanding that they are buying in a "MUD" or a "PID," and they end up not being able to afford their home(s) over time. She has seen developers throwing in a lot of 'incentives' – for example, free washer and dryers – to encourage buyers to buy within a PID or a MUD. She believes this is deceiving to home buyers. She has a lot of concerns if this PID were to be approved, and she generally spoke in opposition of its approval.

Janice Morchower
144 Westwood
Rockwall, TX

Ms. Morchower shared that she is a realtor too, and she also has concerns about this PID being approved. She wonders if a traffic impact analysis (TIA) will be required associated with this proposed development. Indication was given that before the Planning & Zoning Commission takes action on the zoning case, the TIA would have to be completed and the results shared.

Carol Gardner
759 Winding Ridge Lane
Rockwall (County)

Mrs. Gardner expressed concern about additional noise that will accompany this development if this PID is approved. She also has concerns about Mr. Donahue not presenting this evening.

Dan Bobst came forth and shared that this gentleman is not being transparent, as evident by him not presenting this evening. He does not believe the Council should approve something from someone who is not being transparent.

Cody Barrick
5459 S. FM 549
Rockwall, TX

Mr. Barrick has not been real familiar with a PID prior to this case; however, now that he knows more about it, it appears to him to be a form of 'taxation without representation.' He is opposed to approval of this PID. He knows that development will likely happen in the future

Mayor Pruitt moved to deny this PID request. Councilman Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pruitt called for a break, recessing the public meeting at 7:59 p.m. and reconvening it at 8:13 p.m.

2. **P2019-013** - Hold a public hearing to discuss and consider a request by Dean Cathey of Dean Cathey Custom Homes, Inc. for the approval of a replat for Lots 3, 4 & 5, Block A, Richard Harris Subdivision No. 3 Addition being a 0.57-acre tract of land identified as Lots 1 & 2, Block A, Richard Harris Subdivision No. 3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 705 & 707 Hartman Street, and take any action necessary.

Planning Manager David Gonzales briefed the Council on details pertaining to this request for a residential replat. Twenty-nine notices were sent out to adjacent property owners within 200', and one reply in favor and one reply in opposition have been received back by staff.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, the then closed the public hearing.

Councilmember Hohenshelt moved to approve this request (P2019-013). Mayor Pro Tem Fowler seconded the motion. Councilman Trowbridge pointed out that approval of this type of request leads to more density within the downtown historic district. The motion passed by a vote of 7 ayes to 0 nays.

3. **Z2019-005** Hold a public hearing to discuss and consider a request by Kent Donahue of Donahue Development Corporation on behalf of the owner Rockwall Highgate LTD for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary **(1st Reading).**

Following brief, clarifying comments from the city attorney, Mayor Pro Tem Fowler moved to postpone this item until the May 20 city council meeting. Councilman Trowbridge seconded the motion, which passed by a vote of 6 in favor with 1 against (Pruitt).

4. **Z2019-006** - Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall,

Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary **(1st Reading).**

Planning Manager, David Gonzales provided background information pertaining to this agenda item. The subject property is a 42.61-acre tract of land located at the terminus of Aluminum Plant Road, which is located at the southwest quadrant of the intersection of East Washington Street and Airport Road. The property was annexed on February 7, 1983 by Ordinance No. 83-06. According to the City's historic zoning maps, the subject property has been zoned Light Industrial (LI) District since at least May 16, 1983. In January 2019, the applicant, Carolina Molina of Alvaplast US, Inc. (SPR Packaging), requested approval of a site plan for the purpose of expanding SPR's existing operations. This request was for the first phase of a multi-phase expansion plan. On March 18, 2019, the Planning and Zoning Commission approved the requested site plan [Case No. SP2019-004] for Phase 1 for the purpose of constructing an approximately 78,615 SF single-story, warehouse facility (i.e. SPR Packaging) on an 11.3736-acre portion of the subject property. Currently, the subject property is vacant with the exception of Columbia Extrusion Corporation's existing structures located on the west side of the subject property (i.e. 8.97-acre portion). The applicant, Mark Pross of Pross Design Group, has submitted a request for a Specific Use Permit (SUP) to allow for structures exceeding 60-feet in height to be located within a Light Industrial (LI) District. The applicant is requesting to allow for a maximum overall height of 100-feet for structures *(i.e. high bay extruders*) that will be located in the areas identified as Phases 2, 3, 4 and 5 as depicted on the concept plan (*i.e. Exhibit 'B'*) contained in the draft SUP ordinance. This area will house the high bay extruders necessary for SPR's business operations. The applicant has stated to staff that SPR's business involves the production of flexible packaging products through a process called extrusion. The extrusion of certain plastics require additional height to process, and SPR has set a maximum height of 100-feet from grade for these structures.

Ninety-nine notices were mailed out to property owners located within 500' of the property, and the Park Place HOA was also notified. Staff has received six notices and three emails in favor of the request, two notices and two emails opposing it and one email that appeared 'undecided' regarding the request.

The president of SPR - Ignacio Echavarri 1480 Justin Road ((on behalf of) the applicant) - came forth and addressed the Council concerning this request for an SUP. He shared that his company has been in Rockwall for nearly eleven years. He went on to explain the expansion of his company outside of Europe (Spain), starting in 2014, through purchase of the SPR company in Rockwall. He explained that the company previously acquired adjacent land for future expansion. The company plans for expansions once every eight to ten years since the company continues to grow (it had fifty employees when first acquired, but it will soon have over 200 employees). He wants to expand while also being respectful of neighbors.

Mayor Pruitt opened the public hearing. Following clarification from the city attorney pertaining to the potential conditions associated with approval of this SUP, he asked if anyone would like to come forth and speak at this time.

Jean Conway
435 Jordan Farm
Rockwall, TX

Ms. Conway came forth and shared that SPR has been a really good neighbor, and they have tried to accommodate height limits and minimize any negative, visible sight lines. She cautioned Council that

approving this request may set a precedence if and when other, similar requests come forth in the future, perhaps elsewhere in the city.

David
1020 Saint Charles Court
Rockwall, TX

Mr. David expressed that he lives in the Park Place subdivision. He has done a lot of research and study on SPR and how these structures may visually impact 'line of sight' for him and others in his neighborhood. He explained that SPR has been a good neighbor in many ways. However, he does have some concerns about this particular request. He pointed out that, eventually, what SPR is requesting (including future expansions) will result in structures that span about 1,000 feet in length. And, eventually, said structures will visually impact Park Place. He encouraged Council to only approve what they intend to build currently and then consider future expansion requests and future high structures when the time comes, at a later date.

Bill Bricker
505 Westway Drive
Rockwall, TX

Mr. Bricker came forth and expressed that he has been part of this plant since 1981. It has been there since the 1950s and was officially zoned in 1983. Columbia previously owned the plant, and he is responsible for this company and others. He indicated that he sold previous ownership of this plant to SPR, and he manages leases of the buildings in and around this area. He clarified that his comments tonight are his own, and they are not representative of SPR, Columbia or any other company. He indicated that when he sold the company, he went to great effort to ensure that SPR would be a good neighbor. He shared that SPR has no emissions and no noise, and they've committed to stay 500' away from the edge of the Park Place subdivision. He was initially alarmed about the proposed 100' height; however, he thereafter studied the sight lines, and he does not believe it will be an egregious view. He went on to generally express that he does not have great concerns about approval of this request.

Phillip Wagner of the Rockwall Economic Development Corporation came forth and shared that the impact of the height of the structures will be minimal. He went on to share brief details pertaining to the economic benefit and taxable value that will be associated with this expansion, both of which he feels merit consideration by the Council. He is generally in support of the Council approving this request. He went on to briefly explain the incentive that SPR may be able to receive (5-6% of the total investment).

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

Following additional, lengthy discussion, Councilmember Daniels moved to approve Z2019-006. Councilman Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE

CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING STRUCTURES THAT EXCEED 60-FEET IN HEIGHT WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT, ON A 42.61-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 7 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20 (11.3736-ACRES); TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29 (8.197-ACRES); AND LOT 1-01, BLOCK 1, INDALLOY ADDITION (14.53-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 nays (Trowbridge and Macalik).

5. **Z2019-007** - Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary **(1st Reading).**

Planning Manager, David Gonzales provided background information pertaining to this agenda item. The applicants, Ruben Garcia and Brandon Mullins, have submitted a request for a Specific Use Permit (SUP) to allow a *Commercial Amusement/Recreation* (*Outdoor*) land use in conjunction with an existing craft/microbrewery located within a Light Industrial (LI) District. The applicant is requesting to operate an outdoor entertainment area that includes a stage and seating areas. This will be located at the rear of the property and will be enclosed by an eight (8)-foot wooden fence. Notices were sent out to 27 property owners within 500' of the subject property owners. Staff received two notices in favor of the request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he closed the public hearing. Councilman Trowbridge moved to approve Z2019-007 as recommended by the P&Z Commission and including staff recommendations. Councilman Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE

PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

6. **Z2019-008** - Hold a public hearing and consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an **ordinance** for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary **(1st Reading).**

Planning Manager David Gonzales provided background information concerning this agenda item. On June 17, 2013, the City Council approved a PD Development Plan (Ordinance No. 13-16) allocating 399 urban residential units (i.e. condominiums) to the subject property. These units were tied to a concept plan that showed two (2) condominium buildings being constructed on the subject property, one (1) adjacent to Lakefront Trail consisting of 349-units and one (1) adjacent to the Harbor Fountain consisting of 50-units. In addition, the plan indicated two (2) retail/restaurant strip centers would be constructed adjacent to Lake Front Trail and Harbor Heights Drive. These areas were eventually developed with a hotel (i.e. Spring Hill Suites) in 2016. On December 18, 2017, the City Council approved an amendment to this plan allowing the number of units to be increased to a total 450-units, which would increase the number of units for the building adjacent to Lakefront Trail to 375-units and for the building adjacent to the Harbor Fountain to 75-units. In addition, the City Council added a strict construction schedule for both buildings as part of the PD Development Plan ordinance. If the dates in the construction schedule are not met, the increased units (the additional 51-units) would be clawed back through an expiration clause in the ordinance. The owners of both properties agreed to the construction schedule as part of this case. On March 15, 2019, the applicant submitted an application requesting to amend the *PD Development Plan* approved under *Ordinance No. 17-64*. The applicant has stated that the purpose of this application is to [*1*] change the pedestrian access easement that extends from Lakefront Trail to the Harbor Fountain to a one-way private drive and pedestrian access easement, and [*2*] to change the construction schedule for *Harbor Village* project (*identified as Building ❶ in the draft ordinance*). Forty-one notices were mailed to property owners located within 500' of the property, and two nearby HOAs were notified as well. Staff has received no notices back concerning this request. On April 9, 2019, the Planning and Zoning Commission approved the applicant's request to amend the Development Plan contained in Ordinance No. 17-64 by a vote of 5-2, with Commissioners Logan and Womble dissenting.

Jim Ziegler
6205 Wichita Trail
Flower Mound, TX

Mr. Ziegler came forth and answered brief, clarifying questions from the Council. Thereafter, Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. Mayor Pruitt then moved to approve Z2019-008. Councilmember Trowbridge seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 17-64 &* PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [*ORDINANCE NO. 17-22*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN ON APPROXIMATELY 7.344-ACRES FOR PROPERTY IDENTIFIED AS LOT 9, BLOCK A, HARBOR-ROCKWALL ADDITION AND TRACT 16 OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF *TWO THOUSAND DOLLARS ($2,000.00)* FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously (7 ayes, 0 nays).

XII. ACTION ITEMS

1. Discuss and consider authorizing Dallas Skydive Center to perform a parachute jump in a designated area of Harry Myers Park as part of the Founders Day Festival, and take any action necessary.

Mayor Pro Tem Fowler moved to allow Dallas Skydive Center to perform this requested parachute jump at the city's upcoming Founders Day Festival. Councilman Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider a height variance request for a pole sign at White Tiger Taekwondo located at 55 East I30 and take any action necessary.

Building Official, Jeffrey Widmer, provided brief comments concerning this request. He explained that the applicant feels this business needs additional visibility since it sits so low down adjacent to IH-30. He pointed out that, in order to be approved, this request requires a ¾ majority vote of Council. Councilmember Daniels expressed concern about potential approval of this request, pointing out that other, similar variance requests have been denied by Council in the past (i.e. Applebee's). Some council members recollected, however, that some past applicants have in fact received height variance approvals along the IH-30 corridor.

Following brief discussion, Councilman Hohenshelt moved to deny the height variance request. Councilmember Johannesen seconded the motion, which failed by a vote of 3 in favor with 4 against (Macalik, Pruitt, Fowler and Daniels).

Councilman Daniels then moved to approve the height variance request for the pole sign. Councilmember Macalik seconded the motion, which resulted in a vote of 4 in favor with 3 against (Trowbridge, Hohenshelt, and Johannesen). Since this item required a ¾ majority vote of Council in order to pass, it is considered to have failed.

3. Discuss and consider an **ordinance** amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 7. "Drought Contingency & Water Emergency Response Plan" for the purpose of repealing it and adopting the "Water Resource and Emergency Management Plan" for the city, and take any action necessary. **(2nd reading)**

See item #4 below, as the mayor chose to address them both at once.

4. Discuss and consider an **ordinance** amending the Code of Ordinances in Ch. 44. Utilities; Article V. Water; Division 6. "Water Conservation" for the purpose of adopting a new Water Conservation Plan for the City, and take any action necessary. **(2nd reading)**

Mayor Pruitt moved to approve items #3 and #4. Councilmember Hohenshelt seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN TO REPEAL DIVISION 7. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 7. ADOPTING A WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 6. WATER CONSERVATION TO REPEAL DIVISION 6. IN ITS ENTIRETY AND REPLACE IT WITH A NEW DIVISION 6. TO REFLECT AN UPDATED WATER CONSERVATION PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

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

XIII. EXECUTIVE SESSION

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

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board (interviews) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

The meeting was adjourned at 9:29 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6TH DAY OF MAY, 2019.

ATTEST: **JIM PRUITT, MAYOR**

KRISTY COLE, CITY SECRETARY

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34

CITY OF ROCKWALL

ORDINANCE NO. 19-20

SPECIFIC USE PERMIT NO. S-207

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Ruben Garcia and Brandon Mullins for the approval of a Specific Use Permit (SUP) for a *Commercial Amusement/Recreation (Outdoor)* land use for the purpose of establishing an outdoor stage and venue in conjunction with an existing craft brewery on a 1.215-acre parcel of land, zoned Light Industrial (LI) District, identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, addressed as 2015 Kristy Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Commercial Amusement/Recreation (Outdoor)* land use as stipulated by Article *IV, Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule,* of *Article IV, Permissible Uses,* and *Section 5.02, Light Industrial (LI) District,* of *Article V, District Development Standards,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject

to the following additional conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Commercial Amusement/Recreation (Outdoor)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

1) The development and operation of a *Commercial Amusement/Recreation* (*Outdoor*) land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The *Subject Property* may be used for all permitted accessory uses, as well as, the use of an *outdoor stage and venue* that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in *Exhibit 'B'* of this ordinance; and,

3) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (*i.e. other than a craft brewery*) this SUP shall automatically expire.

2.2 COMPLIANCE

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

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MAY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: March 15, 2019

2nd Reading: May 6, 2019

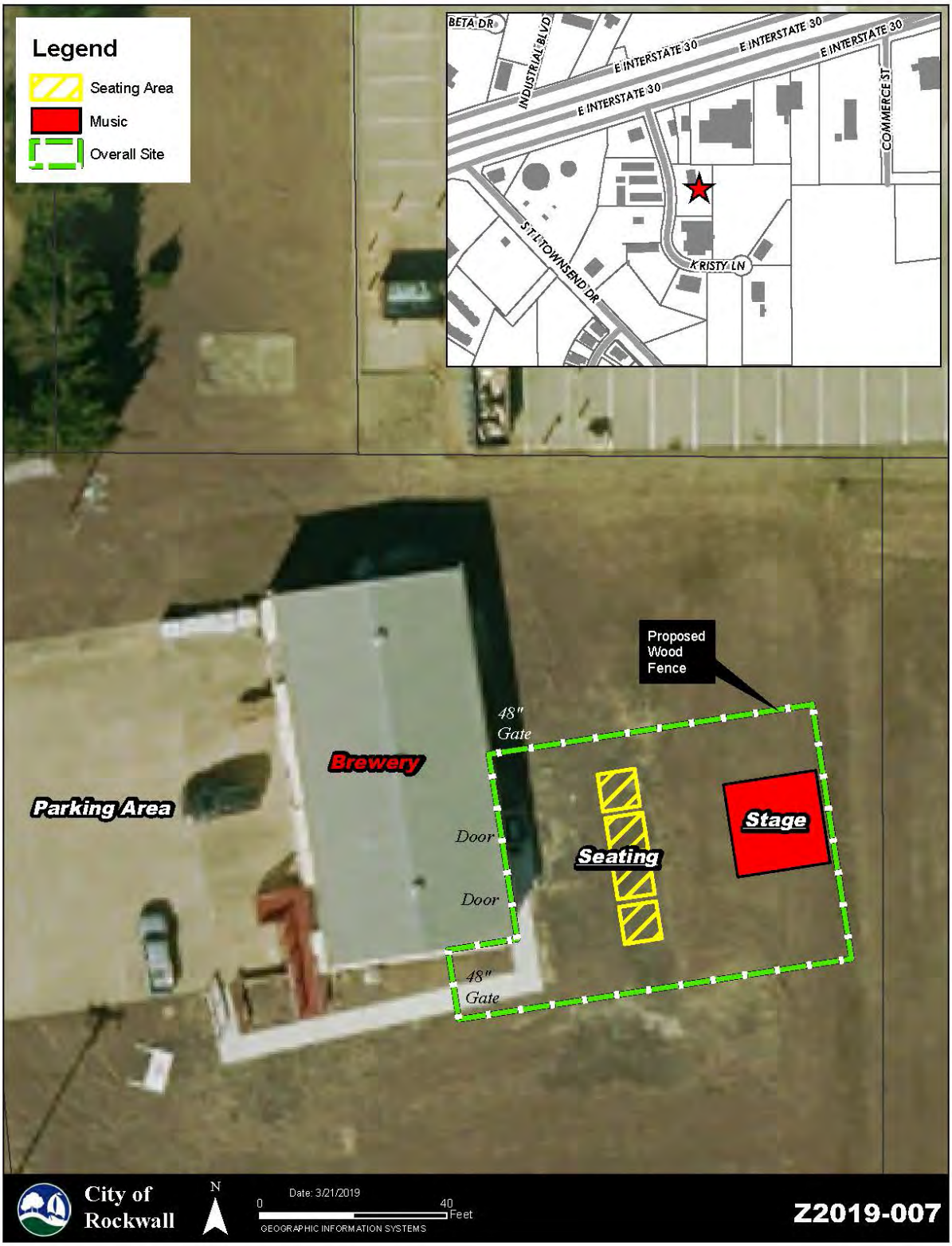
Exhibit 'A':
Legal Description:

Lot 1-F, Bodin Industrial Addition



Exhibit 'A':
Legal Description:

Lot 1-F, Bodin Industrial Addition



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40

CITY OF ROCKWALL

ORDINANCE NO. 19-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 17-64* & PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [*ORDINANCE NO. 17-22*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN ON APPROXIMATELY 7.344-ACRES FOR PROPERTY IDENTIFIED AS LOT 9, BLOCK A, HARBOR-ROCKWALL ADDITION AND TRACT 16 OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF *TWO THOUSAND DOLLARS ($2,000.00)* FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jim Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a Planned Development (PD) Development Plan within Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that *Ordinance No. 17-64,* Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 17-64*;

SECTION 2. That any portion of *Ordinance No.'s 11-43 & 13-16* in conflict with this ordinance shall be subject to the requirements of this ordinance;

SECTION 3. That Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by amending the PD Development Plans approved with *Ordinance No.'s 11-43 & 13-16* and the official zoning map of the City of Rockwall so as to approve a PD Development Plan for the *Subject Property*; and,

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the PD Development Plan, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 5. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 17-22*], the Unified Development Code [*Ordinance No. 04-38*], and in compliance with the following conditions and requirements:

5.1 CONSTRUCTION SCHEDULE

Building Adjacent to Lakefront Trail (i.e. Building 1)

This *PD Development Plan* shall be subject to review by City Staff and/or the Planning and Zoning Commission and City Council on May 6, 2020. At the time of review, if a building permit has not been issued for the proposed multi-family development adjacent to Lakefront Trail (*indicated as 1 on Exhibit 'B' of this ordinance and consisting of 375 condominium units*), City Staff shall provide a report, with the assistance of the developer, to the Planning and Zoning Commission and City Council indicating the progress of the development. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the additional 26 allocated condominium units (*i.e. reducing the number of units for the multi-family development adjacent to Lakefront Trail -- indicated as 1 on Exhibit 'B' of this ordinance -- to 349 condominium units*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 26 allocated condominium units.

Building Adjacent to the Harbor Fountain (i.e. Building 2)

This *PD Development Plan* shall be subject to review by City Staff and/or the Planning and Zoning Commission and City Council on June 1, 2020. At the time of review, if a building permit has not been issued for the proposed multi-family development adjacent to the Harbor Fountain (*indicated as 2 on Exhibit 'B' of this ordinance and consisting of 75 condominium units*), City Staff shall provide a report, with the assistance of the developer, to the Planning and Zoning Commission and City Council indicating the progress of the development. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the additional 25 allocated condominium units (*i.e. reducing the number of units for the multi-family development adjacent to the Harbor Fountain -- indicated as 2 on Exhibit 'B' of this ordinance -- to 50 condominium units*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 25 allocated condominium units.

Commencement of Construction and Continuous Construction

Once a building permit has been issued for either property (*i.e. Building 1 or Building 2*), the developer/property owner shall have six (6) months to commence construction on the site in accordance with Section 10-116 of Article III, *Building Code*, of Chapter 10, *Buildings and Building Regulations*, of the Municipal Code of Ordinances (*i.e. Section [A] 105.5, Expiration, of the International Building Code*). Once construction has commenced, construction must be continuous during the regular workweek unless construction is delayed due to delays

beyond the control of the developer/property owner. Such delays shall include, but not be limited to, fires, floods, labor disputes, epidemics, abnormal weather conditions, acts of God or any preference, priority or allocation order duly issued by the Federal Government. Abnormal weather delays are those that are beyond what is normal for the climate and time of year. If construction of the site has not commenced within six (6) months of the issuance of a building permit, or construction is not continuous, City staff shall provide a report, to the Planning and Zoning Commission and City Council indicating the progress of the development and possible revocation of the permit. Upon review of the report, the Planning and Zoning Commission shall provide a recommendation to the City Council concerning the possible revocation of the permit for additional allocated condominium units (*i.e. reducing the number of units for either project back to the numbers approved under Ordinance No. 13-16*), and after review of the report and recommendation of the Planning and Zoning Commission the City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional allocated condominium units.

5.2 DEVELOPMENT CONDITIONS

1) Development of this property shall generally conform to the *PD Development Plan* depicted in *Exhibit 'B'* of this ordinance;

2) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a detailed PD Site Plan that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

3) The proposed multi-family development adjacent to Lakefront Trail (*indicated as* 1 *on Exhibit 'B' of this ordinance*) shall be permitted to consist of a maximum of 375 condominium units. The proposed multi-family development adjacent to the Harbor Fountain (*indicated as* 2 *on Exhibit 'B' of this ordinance*) shall be permitted to consist of a maximum of 75 condominium units.

4) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a subdivision plat;

5) The architectural design of all buildings within the two (2) affected Subdistricts (*i.e. the Harbor Residential Subdistrict and the Harbor Link Mixed-Use Subdistrict*) shall conform to the Harbor District Guidelines (*i.e. Resolution 10-40]*), all applicable ordinances associated with Planned Development District 32 (PD-32) [*as amended*], and to the Unified Development Code;

6) All buildings throughout the development shall be constructed with a consistent design scheme, and be approved by the Architectural Review Board (ARB);

7) The private street and pedestrian access easement extending from Lakefront Trail to the proposed multi-family development adjacent to the Harbor Fountain (*indicated as* 2 *on Exhibit 'B' of this ordinance*), will be required to be located within a *Pedestrian Access Easement* on the final plat and shall be constructed in accordance with the street cross section and concept plan depicted in *Exhibit 'C'* of this ordinance; and

8) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development to support their use.

SECTION 6. The official zoning map of the City of Rockwall, Texas be corrected to reflect the changes in zoning described in this ordinance;

SECTION 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS ($2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 10. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MAY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

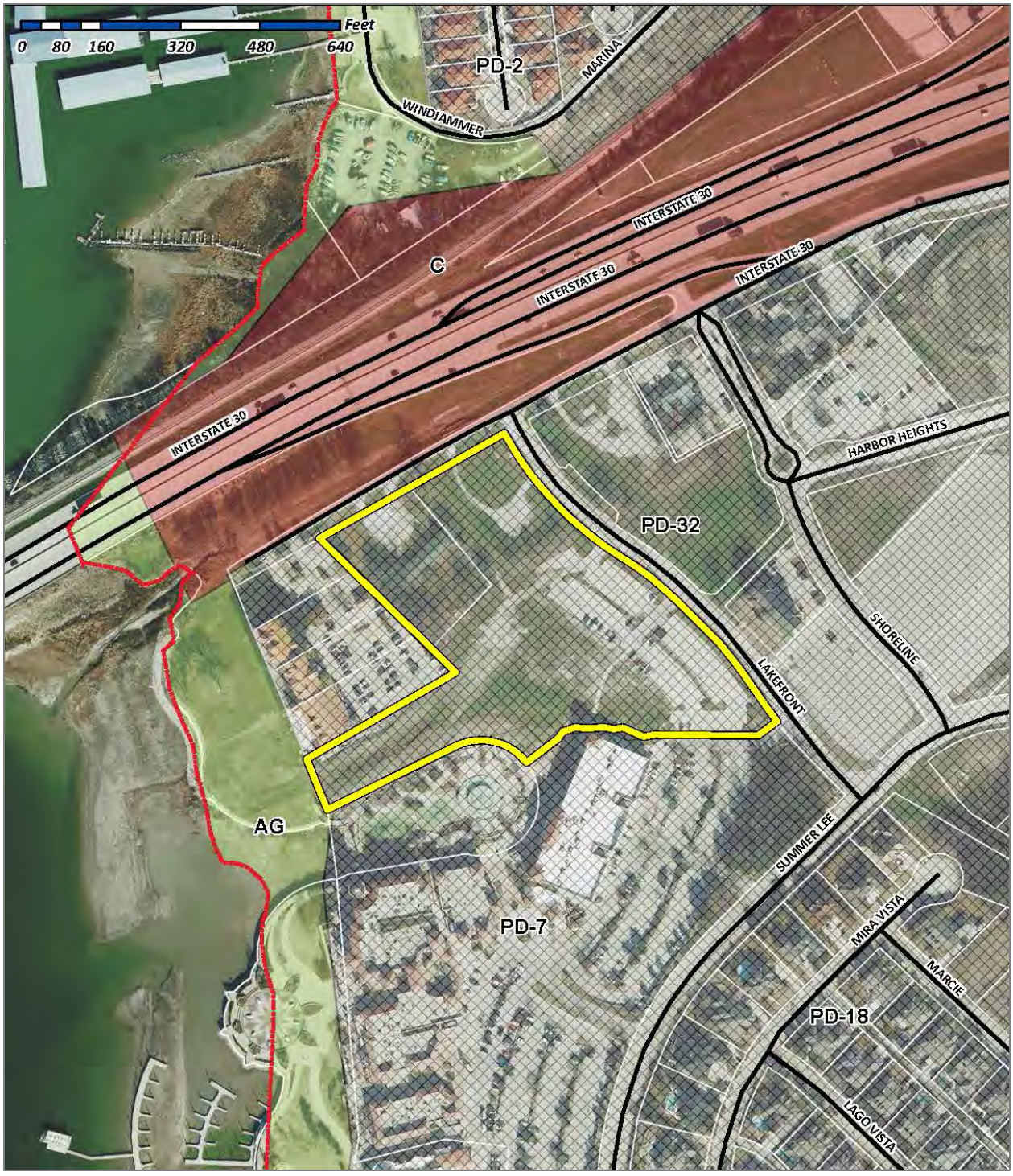
APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: April 15, 2019

2nd Reading: May 6, 2019

Exhibit 'A':
Legal Description



<u>Legal Description:</u> Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas

Exhibit 'A':
Legal Description

Legal Description: Tract 16 of the M. J. Barksdale Survey, Abstract No. 11

Being a tract of land situated in the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, and being a 1.225-acre tract out of a 55.200-acre tract as recorded in *Volume 59, Page 383*, deed records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the southeast line of Interstate Highway 30, said point being 286.50-feet more or less, from the north corner of said 55.20-acre tract, a 3/8" iron rod found for corner;

THENCE, South 38 Degrees 29 Minutes 38 Seconds East, leaving the said southeast line of Interstate Highway 30, a distance of 254.63-feet to a 5/8" iron rod found for corner;

THENCE, South 44 Degrees 24 Minutes 14 Seconds West, a distance of 176.46-feet to a ½" iron rod found for corner;

THENCE, North 43 Degrees 48 Minutes 20 Seconds West, a distance of 311.10-feet to a point on the southeast line of the Interstate Highway 30, a 3/8" iron rod set for corner;

THENCE, North 50 Degrees 48 Minutes East, along the southeast line of Interstate Highway 30, a distance of 206.43-feet to the *PLACE OF BEGINNING* and containing 53,371.640 SF or 1.225-acres of land, more or less.

Exhibit 'B':
PD Development Plan

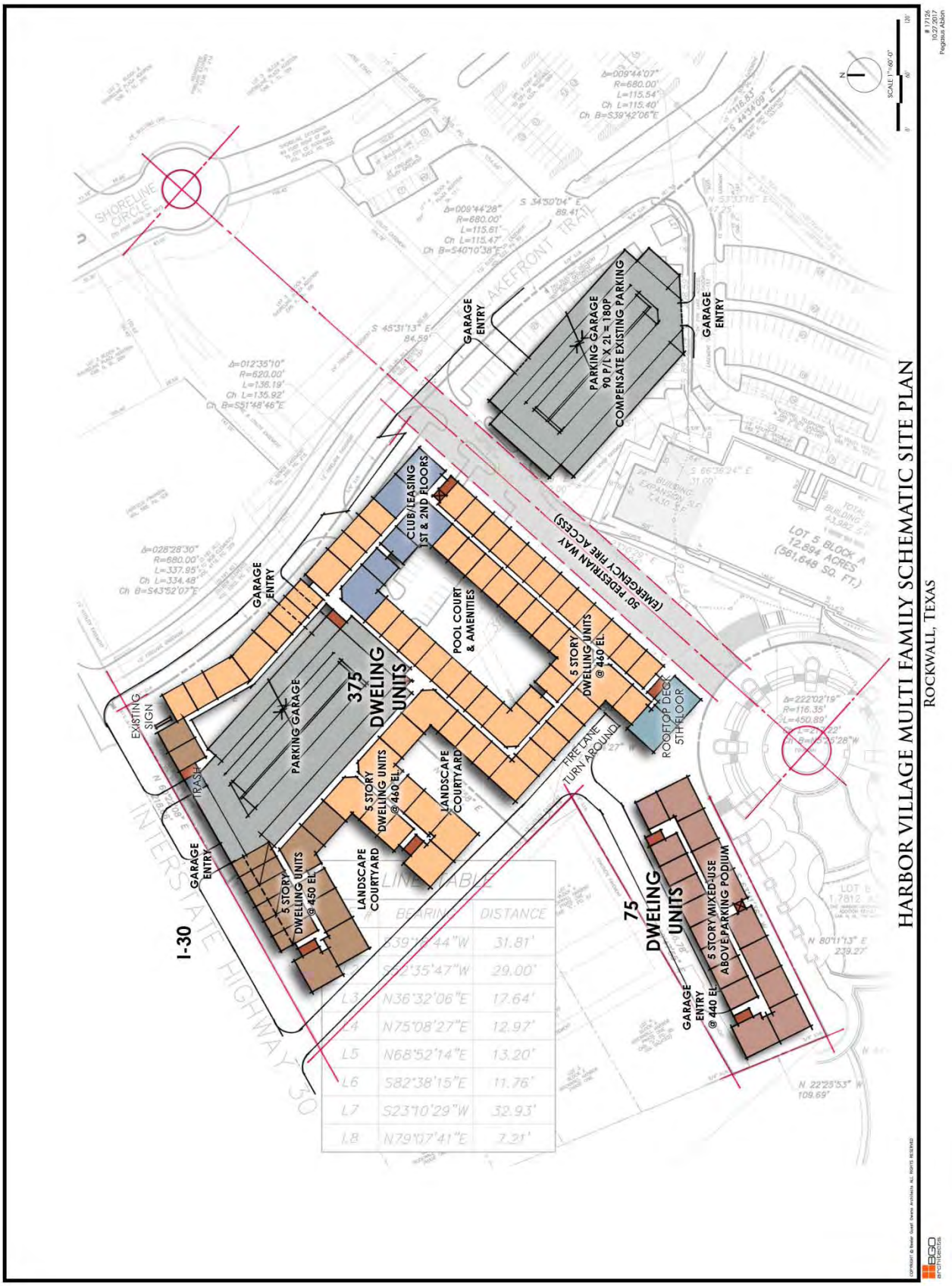
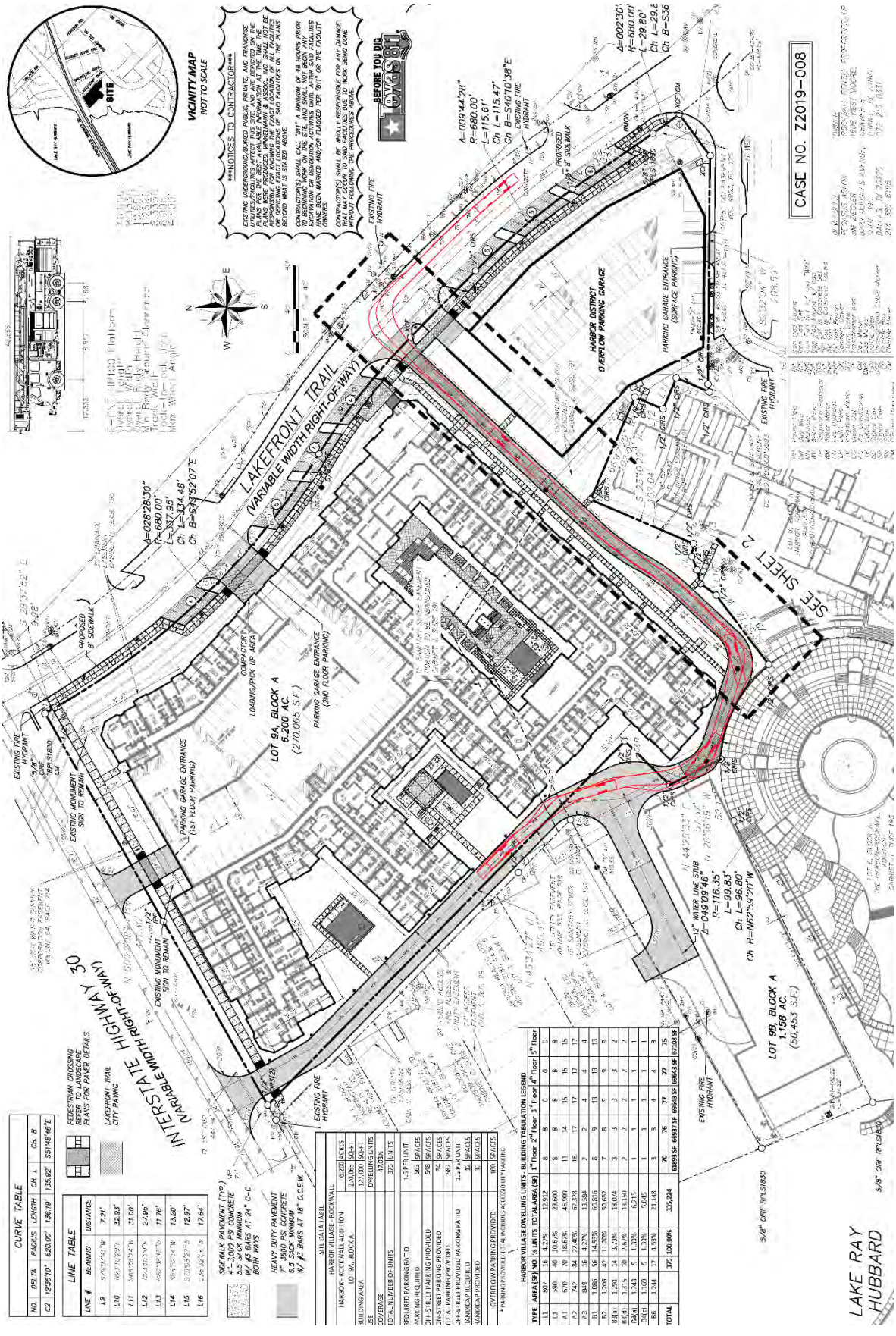


Exhibit 'C':
Private Street and Pedestrian Access Easement



CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C2	12°35'10"	820.00'	136.19'	135.92'	S51°46'46"E

LINE TABLE		
LINE #	BEARING	DISTANCE
L9	S39°52'07"W	7.21'
L10	N50°07'53"W	32.93'
L11	N83°52'07"E	31.00'
L12	S51°52'07"E	27.95'
L13	S89°52'07"E	11.76'
L14	S84°52'07"E	13.20'
L15	S39°52'07"E	12.97'
L16	S39°52'07"E	17.64'

SITE DATA TABLE		
HARBOR VILLAGE - ROCKWALL	6.208	ACRES
HARBOR - ROCKWALL ADDITION	270,065	SQ.FT.
LOT 9A, BLOCK A	270,065	SQ.FT.
BUILDING AREA	1,158,453	SQ.FT.
USE	DWELLING UNITS	
COVERAGE	47.03%	
TOTAL NUMBER OF UNITS	375	UNITS
REQUIRED PARKING RATIO	1.5 PER UNIT	
PARKING REQUIRED	563	SPACES
ON-SITE PARKING PROVIDED	598	SPACES
ON-STREET PARKING PROVIDED	34	SPACES
TOTAL PARKING PROVIDED	383	SPACES
OFF-SITE PARKING RATIO	1.3 PER UNIT	
OFF-SITE PARKING REQUIRED	12	SPACES
HANDICAP PROVIDED	17	SPACES
OVERFLOW PARKING PROVIDED	180	SPACES

* PARKING PROVIDED TO ALL INCLUDES ACCESSIBILITY PARKING

HARBOR VILLAGE DWELLING UNITS - BUILDING TABULATION LEGEND								
TYPE	AREA (SF)	NO.	% UNITS	TOTAL AREA (SF)	1st Floor	2nd Floor	3rd Floor	4th Floor	5th Floor
L1	807	16	4.27%	12,912	8	8	0	0	0
L3	580	40	10.67%	23,600	8	8	8	8	8
A1	670	70	18.67%	46,900	11	14	15	15	15
A2	742	84	22.40%	62,328	16	17	17	17	17
A3	948	16	4.27%	15,384	2	2	4	4	4
B1	1,006	56	14.93%	56,856	6	8	13	13	16
B1(c)	1,293	14	3.73%	18,014	3	3	3	3	2
B1(d)	1,315	10	2.67%	13,150	2	2	2	2	2
B1(a)	1,343	5	1.33%	6,715	1	1	1	1	1
B1(c)	1,169	5	1.33%	5,845	1	1	1	1	1
B6	1,244	17	4.53%	21,148	3	3	4	4	3
TOTAL		375	100.00%	325,224	70	76	77	77	75
					63893 SF	69633 SF	69643 SF	69643 SF	67708 SF

Exhibit 'C':
Private Street and Pedestrian Access Easement

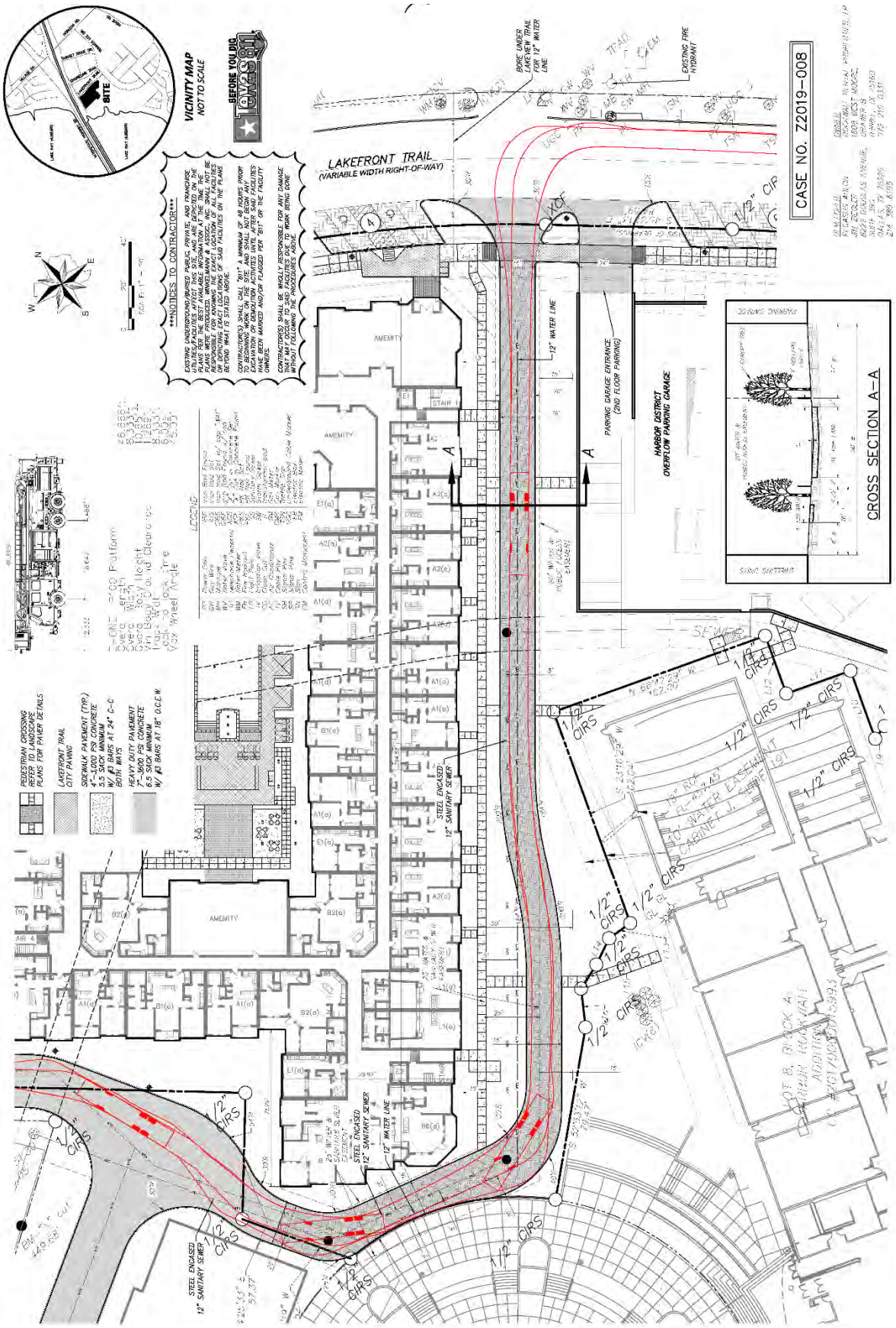
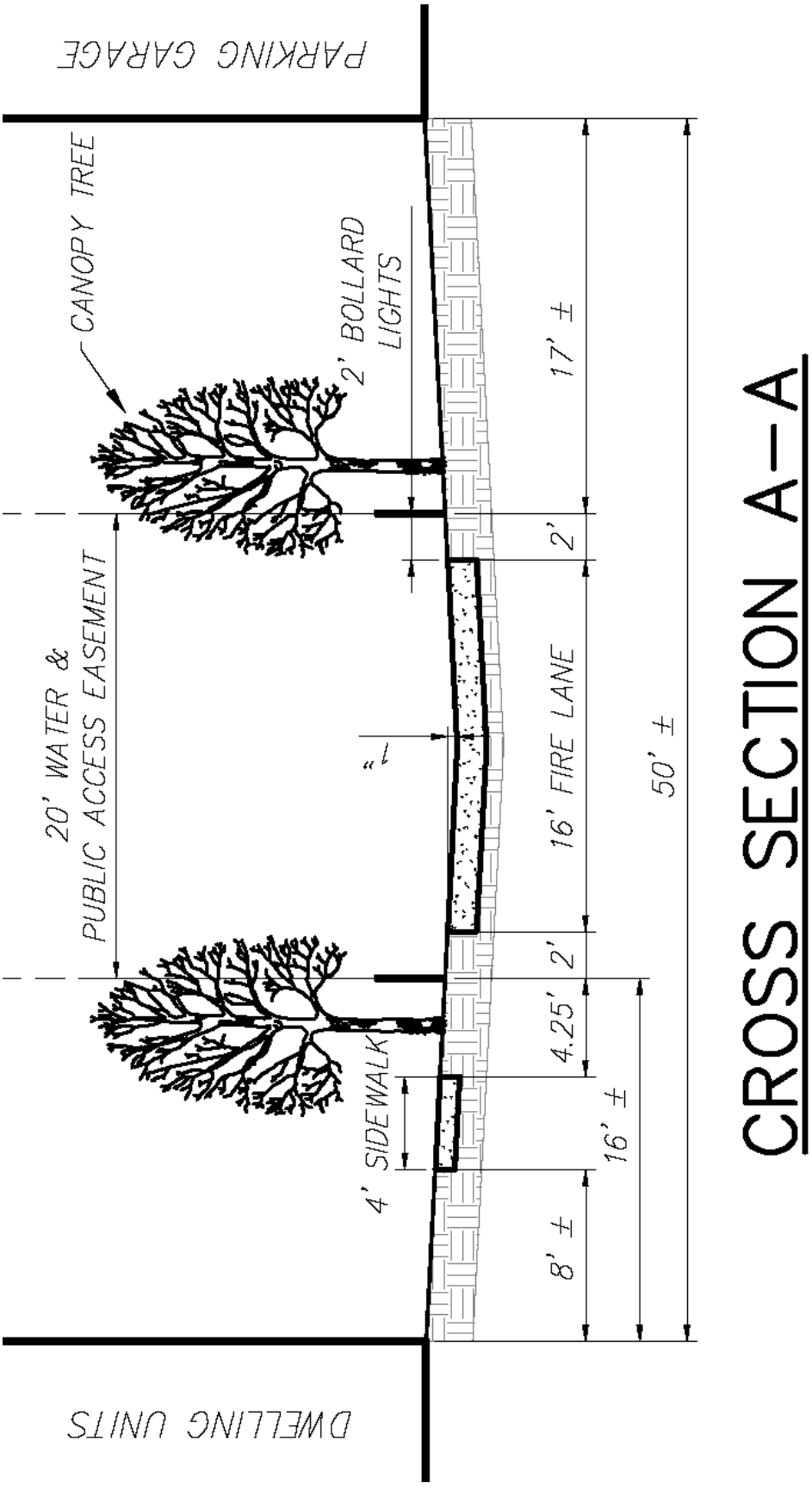


Exhibit 'C':
Private Street and Pedestrian Access Easement



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51

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **May 3, 2019**

SUBJECT: **Agenda Item – HOT Recommendations**

We will be checking with each of you on Monday night regarding scheduling a special work session for the purpose of meeting with representatives of the CVB related groups. Meeting with these groups was a request at the last meeting when the Council received my HOT Fund recommendations.

One of those recommendations involved initiation of meetings with local Arts and Historical groups. I have provided below that specific recommendation as it was presented in the report. The purpose of this agenda item is to request Council authorization to proceed with these local groups with the subcommittee of Council members that has been discussed now – and in advance of further decisions that the Council may make on which, if any, of the other recommendations that the Council may ultimately approve. These local meetings may take some time, and I would like to get started on that work.

Recommendation IV.

Enhance and Further Develop Strategies for the Arts and Historic Preservation

To address the use of HOT funds for the Arts in the **Strategic Plan for Use of Hotel Occupancy Tax Funds**, the City should move forward with planned meetings (involving three (3) designated Council Members) with representatives of the **combined local arts groups,** and prior to development of arts-related aspects of this plan, the input obtained from these meetings should be considered.

The City should pursue similar, simultaneous (but separate) meetings with representatives of **local historic preservation groups** to be held for the same purpose as the arts meetings but from a historic preservation perspective.

Certain limitations relative to proportions of annual revenues are specified in State Law including:

Expenditures for the Arts can be “not more than 15%”

Expenditures for Historical Preservation may be “not more than 50% if none is allocated for a convention center”

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54

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

Cc: **Rick Crowley, City Manager**

Mary Smith, Assistant City Manager

FROM: **Kenneth Cullins, Fire Chief**

DATE: **April 30, 2019**

SUBJECT: **Interlocal Agreement with Dallas County to access their Adult Information Database**

Dallas County administers a database known as the Adult Information System that can potentially be used by Rockwall Fire Department Investigators as they work cases. For Council's consideration is authorization for City Manager Rick Crowley to enter into an Interlocal Agreement with Dallas County that will provide access to the information in said database. The document has been reviewed by city attorney Frank Garza, and he is agreeable to the language contained in the agreement. There is no cost associated with the access.

M-2

COURT ORDER
2018-0760

ORIGINAL

Sheriff's Office - 2018 Data Sharing via Dallas County Adult Information System

On a motion made by Commissioner Mike Cantrell, District 2, and seconded by Commissioner Dr. Theresa M. Daniel, District 1, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 7/3/2018
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby approve the MOU/ILA for data sharing via the Dallas County Adult Information System with other local governments and authorizes the County Judge to sign this agreement.

Done in open court July 3, 2018, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner Mike Cantrell, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4
OPPOSED: None
ABSTAINED: None
ABSENT: None

Recommended by: Ryan Brown
Originating Department: Budget

MEMORANDUM OF UNDERSTANDING /INTERLOCAL AGREEMENT ("MOU/ILA") AMONG PARTICIPATING LOCAL GOVERNMENTS FOR LAW ENFORCEMENT DATA SHARING VIA DALLAS COUNTY ADULT INFORMATION SYSTEM

I. PARTIES

This MOU/ILA is entered by and among the undersigned participating local governments of the State of Texas ("Participating Local Governments"), acting by and through their respective governing bodies or their respective local law enforcement agencies and Dallas County, Texas ("Dallas County"), pursuant to and under authority of the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code to share law enforcement incident data through Dallas County Adult Information System ("AIS"). The undersigned Participating Local Governments and any and all other Participating Local Governments of the State of Texas adopting this MOU/ILA upon execution by their governing body or their respective local law enforcement agency as provided for herein may be referred to in this MOU/ILA individually as "Party" and collectively as "Parties."

II. RECITALS

WHEREAS, the Participating Local Governments of the State of Texas desire to fully share and commonly use certain Data owned by Dallas County for the management of public safety response activities during both emergency and non-emergency operations; and

WHEREAS, "Data" shall mean the created and/or submitted data, records and/or information by the Participating Local Governments and Dallas County that is being shared under this ILA for purposes of public safety and agency inquiries; and

WHEREAS, this MOU/ILA, including all addenda, amendments, exhibits and attachments hereto, sets forth the policies, practices and responsibilities of the Participating Local Governments; and

WHEREAS, the Participating Local Governments recognize and adhere to Dallas County's licensing rights to AIS; and

WHEREAS, the Participating Local Governments, acting by and through their respective governing bodies or respective local law enforcement agency, individually and collectively, do hereby adopt and find the foregoing premises as findings.

NOW, THEREFORE, in consideration of the promises, inducements, covenants, agreements, conditions and other good and valuable consideration, the receipt and sufficiency of which is

hereby acknowledged, the Participating Local Governments approving this MOU/ILA agree as follows:

III.
PARTICIPATION BY ADDITIONAL PARTICIPATING LOCAL GOVERNMENTS

Any local government or respective local law enforcement agency may participate in this MOU/ILA with the mutual administrative approval of Dallas County. Each Participating Local Government will be required to approve and agree to the terms and conditions of this MOU/ILA. The participation of additional Participating Local Governments shall not require the approval of other Participating Local Governments.

IV.
TERM AND WITHDRAWAL

A. Unless otherwise stated, this MOU/ILA shall remain in effect from the time of its authorized signing until a mutual agreement to terminate by all parties occurs.

B. A Participating Local Government may withdraw from this MOU/ILA at any time and for any reason by giving thirty (30) days prior written notice to Dallas County. In the event of withdrawal or termination (voluntarily or involuntarily) by a Participating Local Government from this MOU/ILA, the Participating Local Government shall bear all costs and expenses related to this MOU/ILA and its withdrawal or termination. In no event, shall Dallas County be responsible to the Participating Local Government for any cost or expenses incurred in connection with this MOU/ILA.

C. Immediate termination of this MOU/ILA shall occur for the Participating Local Government (including, without limitation, the Participating Local Government's employee, officer, subcontractor, agent, or volunteer), who violates any of the security and access provisions in effect for this MOU/ILA. Such Participating Local Government is responsible for correcting the security violation, and for any damages or cost incurred as a result of such violation. That Participating Local Government may re-participate subject to Dallas County's discretionary administrative approval and after such violation has been corrected so as to prevent future and further violation of the security measures.

D. The withdrawal or termination of a Participating Local Government from this MOU/ILA does not constitute a withdrawal or termination by the Participating Local Government from any other interlocal government projects.

E. The withdrawal or termination of a Participating Local Government from this MOU/ILA does not affect the validity of this MOU/ILA as to the remaining Participating Local Governments.

V.
DATA OWNERSHIP, ACCESS, SECURITY AND STORAGE

A. Ownership of Data. It is the intention of the Parties that Dallas County will remain the custodian and owner for the Data that was created in or submitted for AIS, unless expressly agreed in writing otherwise.

B. Use and Disclosure of Data. The Parties acknowledge and agree that the Data shall not be used by the Parties other than in connection with the performance of this MOU/ILA, as required by law, or as contemplated by the Parties under this MOU/ILA. Additionally the Parties agree that the Data shall not be disclosed, sold, assigned, leased or otherwise provided to third parties, or commercially exploited by or on behalf of the other Parties, their employees, officers, agents, subcontractors, invitees, or assigns in any respect without the express written approval of Dallas County. Dallas County shall share and report the Participating Local Governments' Data in accordance with the law.

C. Responding to the Public's Requests for Information or Data. Dallas County shall be responsible for responding to the requests for any AIS Data. In the event a Participating Local Government receives a request for Data belonging Dallas County, the request must be forwarded by the receiving Party to Dallas County within three (3) business days of receipt. Participating Local Governments shall contractually bind other entities or subcontractors who have access to AIS under this MOU/ILA to observe the same restrictions on the use and disclosure of Data belonging Dallas County in accordance with this MOU/ILA.

D. Data Storage. Dallas County shall provide a secured redundant data storage for law enforcement Data covered under this MOU/ILA. Data storage is backed up nightly by Dallas County Technical Services and by Dallas County Database Administration. Database audit records will be retained by the system for one year. The Dallas County Database Administration will provide support to the AIS data bases and/or data warehouse.

E. Security and Access of Data.

1) Each Participating Local Government must define and set security and access rules for itself that will limit access or use of database to specified law enforcement personnel, for law enforcement purposes only, and that will minimally meet the standards outlined in the sample Security and Access of Data Procedure outlined in Exhibit A, which is attached and incorporated into this MOU/ILA for all purposes by reference.

2) Dallas County shall require every Participating Local Government's agents, employees, contractors, or subcontractors who will have access or potentially have access to Criminal Justice Information (CJI) pursuant to this MOU/ILA to maintain compliance with the Federal Bureau of Investigation's Criminal Justice Information Services (CJIS) Security Policy 5.6, as amended. All Parties to this

MOU/ILA are responsible for their individual compliance with the Federal Bureau of Investigation's Criminal Justice Information Services (CJIS) Security policy and the Texas Department of Public Safety policies, as amended.

Furthermore, Dallas County in its sole discretion shall make a determination based upon Texas Commission on Law Enforcement (TCOLE) peace officer criminal history screening rules (Title 37, Texas Administrative Code, Chapter 217) to determine eligibility for systems access for all Participating Local Government's agents, employees, contractors, or subcontractors related to this MOU/ILA. This shall include criminal background checks and fingerprint identification.

F. Survival. The provisions of this Article V shall survive any termination, cancellation, withdrawal, or expiration of this ILA.

VI.
MAINTENANCE AND HELPDESK

AIS was built with hardware and software redundancy. Unless there is a production problem, new software release upgrade, and/or regulatory updates, the system runs "24/7." Participating Local Governments will report any access and software problems through their respective AIS Administrators. The AIS Administrators will be able to report problems through contacting the Dallas County Help Desk on the AIS Contact List.

Any system down issue must be first addressed with Participating Local Government IT and/or Network Services before they may be reported to the Dallas County Help Desk. Dallas County IT Network Services will report any system-down occurrence and subsequent back-to-running status to each Party's AIS Administrator for the Party's internal distribution.

Access password and I.D. problems will be handled by the Party's AIS Administrator. Functional access in the AIS is dependent upon role and responsibilities of the law enforcement position. Unless Dallas County has provided network access or internet pipes to AIS, each Participating Local Government is responsible for its interface software and network at its sole cost and expense.

Dallas County shall:

- Provide a minimum of 256 bit encryption security
- Provide Backup databases
- Maintain hardware, AIS, and databases
- Provide limited "training to the trainers"

VII.
WARRANTIES

No Party to this MOU/ILA warrants the availability, accuracy, quality, reliability or fitness for a particular purpose of any Data made available under this MOU/ILA. Third party warranties or guarantees may inure to the benefit of the parties to a particular project if such are contractually secured as part of such project; however, no Party to this MOU/ILA shall be held liable for a warranty or guarantee offered by a third party, if any. All conditions, representations and warranties, whether express, implied, statutory or otherwise, including, without limitation, any implied warranty or merchantability, fitness for a particular purpose, or non-infringement of third party rights, are hereby disclaimed by all Parties to this MOU/ILA to the maximum extent permitted by applicable law.

Survival. This Article VII. shall survive any termination, cancellation, withdrawal, or expiration of this MOU/ILA.

VIII.
LIMITATIONS OF USE OF AIS

The AIS and related resources that have been made accessible through this MOU/ILA, shall only be used for the specific purpose under this MOU/ILA, and shall not be made available to other persons or entities not a Party to this MOU/ILA. No party may license, sublicense, lease, sell, resell, transfer, assign, or distribute a resource, license, or intellectual property being used under this MOU/ILA except as may be permitted by this MOU/ILA or another controlling written agreement.

Survival. The provisions of this Article VIII shall survive any termination, cancellation, withdrawal, or expiration of this MOU/ILA.

IX.
NOTICE

Any and all notices to be given under this MOU/ILA by a Participating Local Government shall be deemed to have been given if reduced to writing and delivered in person or mailed by overnight or certified mail, return receipt requested, postage pre-paid, to the Parties at the addresses set forth on the signatory pages below or to such other addresses designated in writing to all the Participating Local Governments. Any notice required hereunder shall be deemed to have been given three (3) days subsequent to the date it was so delivered or mailed.

X.
AMENDMENT

This MOU/ILA may not be amended except in a written instrument specifically referring to this MOU/ILA and signed by the Parties hereto. Any modification, alteration, addition or deletion to

the terms of this MOU/ILA which are required by changes in federal or state law are automatically incorporated herein without written amendment to this MOU/ILA and shall be effective on the date designated by said law.

XI.
CURRENT REVENUE

The Parties hereby warrant that all payments, expenditures, contributions, fees, costs, and disbursements, if any, required of each Party hereunder or required by any other agreements, contracts and documents executed, adopted, or approved pursuant to this MOU/ILA, which shall include any exhibit, attachment, addendum or associated document, shall be paid from current revenues and resources available to each paying Party. The Parties hereby warrant that no debt is created by this MOU/ILA.

XII.
FISCAL FUNDING

The obligations of the Participating Local Governments pursuant to this MOU/ILA are contingent upon the availability and appropriation of sufficient funding. Any Party may withdraw from this MOU/ILA without penalty in the event funds are not available or appropriated. However, no Party will be entitled to a refund of amounts previously contributed in the event of withdrawal for lack of funding, unless expressly agreed in writing by the affected Parties.

XIII.
APPLICABLE LAW

This MOU/ILA shall be expressly subject to the participating Parties' sovereign immunity and other governmental immunity and all applicable federal and state law. This MOU/ILA shall be governed by and construed in accordance with the laws of the State of Texas. Venue shall lie exclusively in Dallas County, Texas.

XIV.
SEVERABILITY

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

XV.
ASSIGNMENT

The Parties may not assign their respective rights and duties under this MOU/ILA without the prior written consent and/or approval of the remaining Participating Local Governments, even if

such assignment is due to a change in ownership or affiliation. Any assignment attempted without such prior consent and approval by the remaining Participating Local Governments shall be null and void.

Survival. The provisions of this Article XV shall survive any termination, cancellation, withdrawal, or expiration of this MOU/ILA.

XVI.
ENTIRE AGREEMENT

This MOU/ILA, including any and all exhibits, attachments, and addendums incorporated as a part hereof, shall constitute the entire agreement relating to the subject matter herein between the Parties and supersedes any prior agreement or other agreement concerning the subject matter of this transaction, whether oral or written. Each Party acknowledges that the other Parties, or anyone acting on behalf of the other Parties, have made no representations, inducements, promises or agreements, orally or otherwise, unless such representations, inducements, promises or agreements are embodied in this MOU/ILA, expressly or by incorporation.

XVII.
RESPONSIBILITIES

All Parties agree to be responsible each for their own negligent acts or omissions, or other tortious conduct in the course of performance of this MOU/ILA without waiving any sovereign immunity, governmental immunity or other defenses available to the Parties under federal or State law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities. All Parties agree that any such liability or damages occurring during the performance of this MOU/ILA caused by the joint or comparative negligence of the Parties, or their employees, agents or officers, shall be determined in accordance with comparative responsibility laws of Texas.

[SIGNATORY PAGES SHALL FOLLOW]

XVIII.
BINDING AGREEMENT, AUTHORITY, PARTIES BOUND

By signing this page, each Participating Local Government or Party represents that it has the full right, power and authority to enter and perform this *Memorandum of Understanding/Interlocal Agreement ("MOU/ILA") Among Participating Local Governments for Law Enforcement Data Sharing Via Dallas County Adult Information System* in accordance with all of the terms and conditions, and that the execution and delivery of this MOU/ILA has been made by an authorized representative of each Party to validly and legally bind the same Party to all terms, performances and provisions set forth in this MOU/ILA.

COUNTY OF DALLAS

X _____

Name: Clay Lewis Jenkins

Title: Dallas County Judge

Date: July / 3rd / 20 18

Contact Name & Address: Stanley Victrum, CIO
Dallas County Information Technology
1201 Elm Street, Suite 2400-A
Dallas, Texas 75207
Phone: (214) 653-7603
Email: alice.sweet@dallascounty.org

APPROVED AS TO FORM*:

FAITH JOHNSON
DISTRICT ATTORNEY

_____
Randall Miller
Assistant District Attorney

*By law, the district attorney's office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a lease, contract, or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

XVIII.
BINDING AGREEMENT, AUTHORITY, PARTIES BOUND

By signing this page, each Participating Local Government or Party represents that it has the full right, power and authority to enter and perform this *Memorandum of Understanding/Interlocal Agreement ("MOU/ILA") Among Participating Local Governments for Law Enforcement Data Sharing Via Dallas County Adult Information System* in accordance with all of the terms and conditions, and that the execution and delivery of this MOU/ILA has been made by an authorized representative of each Party to validly and legally bind the same Party to all terms, performances and provisions set forth in this MOU/ILA.

COUNTY/CITY/TOWN OF _____

_____

Name: _____

Title: _____

Date: _____/_____/ 20____

Contact Name & Address: _____

_____

_____

_____

Phone: (_____) _____

Email: _____

EXHIBIT A
GENERAL SECURITY AND ACCESS OF DATA PROCEDURES

The following list serves as minimum requirements for the security and access of law enforcement data via AIS pursuant to this MOU/ILA among the Participating Local Governments.

- Each Participating Local Government ("PLG") must actively take responsibility for the management and the security of the Data. Data sharing among PLGs via the Dallas County Adult Information System ("AIS") will depend on adhering to professional standards, integrity, communication, and cooperation.

- Each PLG must establish review and approval procedures for its user access. Each PLG must assign a unique AIS ID and Password to each authorized user for purposes of an audit trail.

- Under each PLG's highest local executive authority, the respective AIS Administrator controls and maintains the user access to AIS. The AIS Administrator will:

  - Only authorize access to employees of Administrator's PLG, and maintain a current list of authorized users

  - Review and update all of the ORG-IDs system tables and individual user's access, roles, and permissions

  - Ensure PLG's sensitive public integrity reports are correctly flagged and/or encrypted in AIS

  - Immediately cancel user's access to AIS when user is no longer associated with PLG or is placed on administrative leave

  - Act as primary contact to Dallas County Help Desk on access problems and / or application issues

  - Act as the main contact for testing support, update notification, and testing of new releases and production issues

  - Organize all appropriate training

  - Monitor AIS use and abuse by its own users

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67

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	May 6, 2019
APPLICANT:	Bill Bricker, *Columbia Development Company, LLC*
CASE NUMBER:	P2019-018; *Park Place West, Phase III Addition*

SUMMARY

Consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a replat for the Park Place West, Phase III Addition containing 85 single-family lots on a 24.439-acre tract of land being located in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, generally located at the terminus of Park Place Boulevard, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat Park Place West, Phase III Addition for the purpose of combining four (4) lots (*i.e. Lots 13 & 14, Block C and Lots 7 & 8, Block D*) into two (2) lots (*i.e. Lots 25, Block C, and Lot 14, Block D*), and to adjust various drainage and sanitary sewer easements (*i.e. re-align the easements*) in the subdivision.

☑ On October 18, 2004, the City Council approved *Ordinance 04-59* [*Case No. Z2004-034*], which established the development standards for the Park Place Subdivision (*i.e. Planned Development District 59 (PD-59*). This was amended on December 11, 2006, by *Ordinance 06-51* [*Case No. Z2006-023*].

☑ On April 16, 2018, the City Council approved a final plat laying out 82 lots and establishing the Park Place West, Phase III Addition.

☑ The proposed replat generally conforms to the concept plan approved by the City Council on December 11, 2006 under *Case No. Z2006-023* [*Ordinance No. 06-51*].

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

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

CONDITIONS OF APPROVAL

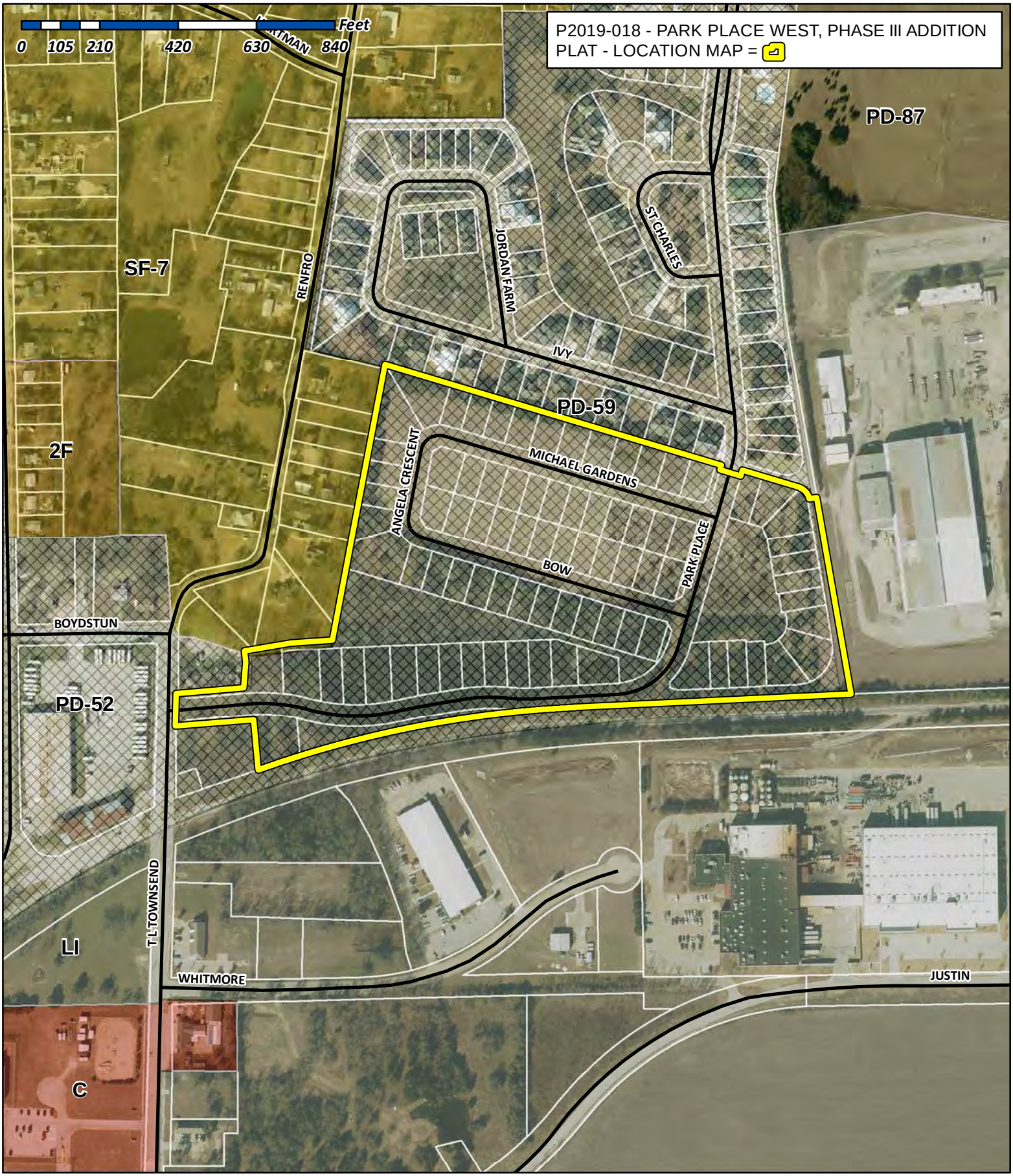
If the City Council chooses to approve the *replat* for *Park Place West, Phase III Addition*, staff would propose the following conditions of approval:

(1) The *replat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

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

PLANNING AND ZONING COMMISSION

On April 30, 2019, the Planning and Zoning Commission's motion to recommend approval of the *replat* with staff's *Conditions of Approval* passed by a vote of 6-0 with Commissioner Logan absent.



City of Rockwall

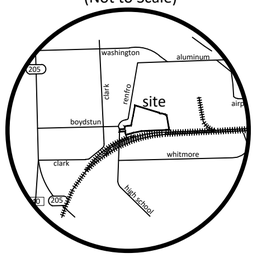
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

70

N

Vicinity Map
(Not to Scale)



0' 30' 60' 120'

Scale: 1" = 60'

LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
U.E.	Utility Easement
D.E.	Drainage Easement
P.E.	Pedestrian Easement
OPRRCT	Official Public Records Rockwall County, Texas
DRRCT	Deed Records Rockwall County, Texas
PRRCT	Plat Records Rockwall County, Texas
RPRRCT	Real Property Records Rockwall County, Texas
◊	Street Name Change

MATCH LINE

MATCH LINE

LAS PRIMERAS
LOT 4
CAB. E, SLIDE 286

KEVIN L. CALDWELL & LINDA d. CALDWELL
VOL. 1760, PG. 254

RENFRO PLACE SOUTH
LOT 1
CAB. E, SLIDE 179

RENFRO PLACE SOUTH
LOT 2
CAB. E, SLIDE 179

TODD & WHITNEY ABBOTT
VOL. 5297, PG. 313

RICHARD HARRIS SUBD. NO. 5
LOT 1
CAB. B, SLIDE 339

LOT 1
RICHARD HARRIS SUBD. NO. 6
CAB. B, SLIDE 340

COLUMBIA EXTRUSIONS
CORPORATION
VOL. 3812, PG. 248

RENFRO STREET

TOWNSEND DRIVE

ANGELA

BOW STREET
(57' RIGHT-OF-WAY)
Cab. J, Slide 345-347

PARK PLACE BOULEVARD
(59' RIGHT-OF-WAY)
Cab. J, Slide 345-347

DALLAS GARLAND AND NEW ORLEANS RAILROAD
(DGNO RAILROAD)
(100' ROW)

OLD LOT LINE

N 11°21'42" E 460.84'

N 11°14'15" E 291.64'

N 86°39'04" E 111.01'

N 80°56'29" E 126.45'

N 05°42'23" W 29.95'

N 04°30'38" E 69.54'

N 85°33'40" E 182.12'

N 01°55'48" E 86.63'

S 85°56'53" W 210.88'

N 04°28'08" W 134.71'

S 87°45'58" W

POINT OF BEGINNING

Δ=17°03'11"
R=2915.08'
A=867.62'
CB=S 79°22'43" W

△ =84°04'16"
R=50.00'
A=73.37'
CB=S 30°43'22" E

△ =19°38'07"
R=500.00'
A=171.35'
CB=N 84°37'16" W

△ =26°39'13"
R=500.00'
A=232.60'
CB=S 88°07'49" E

△ =13°46'04"
R=500.00'
A=120.15'
CB=S 89°02'03" W

△ =9°48'21"
R=500.00'
A=85.57'
CB=S 88°59'05" E

△ =1°47'32"
R=2944.43'
A=92.10'
CB=S 87°00'30" W

△ =3°36'27"
R=2964.93'
A=186.68'
CB=S 80°20'48" W

△ =2°19'19"
R=2984.32'
A=120.94'
CB=S 81°02'22" W

100 YEAR
FLOOD PLAIN
PER BOYD HYDROLOGY,
LLC STUDY, BH JOB# BH271,
DATED APRIL 2018

CENTERLINE OF 100 YEAR
FLOOD PLAIN
PER BOYD HYDROLOGY,
LLC STUDY, BH JOB# BH271,
DATED APRIL 2018

BLOCK X, LOT 11
DRAINAGE & OPEN SPACE
EASEMENT
(MAINTAINED BY HOA)
Cab. J, Slide 345 - 347
82043 SQ. FT.

BLOCK X, LOT 12
HOA DRAINAGE, OPEN SPACE &
UTILITY EASEMENT
(MAINTAINED BY HOA)
14720 SQ. FT.

BLOCK X, LOT 13
HOA DRAINAGE, OPEN SPACE &
UTILITY EASEMENT
(MAINTAINED BY HOA)
18665 SQ. FT.

BLOCK D
2 — 8288 SQ. FT.
1 — 9582 SQ. FT.

BLOCK E
28 — 6600 SQ. FT.

16 — 6617 SQ. FT.
17 — 8681 SQ. FT.
18 — 17396 SQ. FT. MIN. FF. 542.36'
19 — 6621 SQ. FT. MIN. FF. 546.60'
20 — 6600 SQ. FT. MIN. FF. 546.60'
21 — 6600 SQ. FT. MIN. FF. 546.61'
22 — 6600 SQ. FT. MIN. FF. 546.61'
23 — 6600 SQ. FT. MIN. FF. 546.61'
24 — 6600 SQ. FT. MIN. FF. 547.71'
25 — 6600 SQ. FT. MIN. FF. 547.71'
26 — 6600 SQ. FT.
27 — 6600 SQ. FT.
1 — 16916 SQ. FT. MIN. FF. 544.08
13 — 12595 SQ. FT. MIN. FF. 540.77'
12 — 8767 SQ. FT. MIN. FF. 540.65'
11 — 9172 SQ. FT. MIN. FF. 542.36'
10 — 10594 SQ. FT. MIN. FF. 542.36'
9 — 9914 SQ. FT. MIN. FF. 546.60'
14 — 15,403 SQ. FT. MIN. FF. 546.60'
25 — 14,294 SQ. FT.
6 — 7164 SQ. FT. MIN. FF. 546.61'
5 — 7211 SQ. FT. MIN. FF. 546.41'
4 — 7554 SQ. FT. MIN. FF. 547.71'
3 — 7635 SQ. FT. MIN. FF. 547.71'
1 — 9582 SQ. FT.

10' BUILDING LINE & U.E.
Cab. J, Slide 345 -347

20' P.E. & U.E.
Cab. J, Slide 345 -347

20' U.E.
Cab. J, Slide 345 -347

20' Private Drainage Esmt.
Cab. J, Slide 345 -347

D.E.
Cab. J, Slide 345-347

20' Sanitary Sewer Easement (Abandoned by Plat - Hatched Area)
Cab. J, Slide 345-347

Sanitary Sewer Easement (By this Plat)

20' Drainage Easement (Abandoned by this Plat - Hatched Area)
Cab. J, Slide 345 - 347

20' Drainage Easement (By this Plat)

Case No.: P
AMENDING PLAT
PARK PLACE WEST PHASE III ADDITION
BEING 85 LOTS ON 24.439 ACRES OF LAND LOCATED
IN THE R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF PARK PLACE PHASE III ADDITION, RECORDED IN CABINET J, SLIDE 345 -347, PLAT RECORDS, ROCKWALL COUNTY, TEXAS AND LOCATED IN B. J. LEWIS SURVEY, ABSTRACT NO. 225 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
COLUMBIA DEVELOPMENT COMPANY, LLC
305 PARK PLACE BLVD.
ROCKWALL, TEXAS 75087 972-722-2439
bill@colventures.com

Scale: 1" = 60'
Date: April 10, 2019
Technician: Bedford
Drawn By: Bedford

Checked By: A.J. Bedford
P.C.: Cryer/Spradling
File: PARK PLACE PHASE III REPLAT 2019
Job. No. 668-001
GF No.

Engineer:
TOMDEN ENGINEERING, L.L.P.
214-679-1679
tjones@tomden.com

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

Sheet: 1 Of: 4

AJ Bedford Group, Inc.
Registered Professional Land Surveyors

TBPLS REG#10118200

4/12/2019 8:48:30 AM
N:\ALL FILES\TOMDEN ENGINEERING\Rockwall\Park Place\PARK PLACE WEST - PHASE III\PHASE III 2019\PARK PLACE PHASE III REPLAT 2019.dwg, AMENDING PLAT PAGES, 4/12/2019 8:48:30 AM

71

N

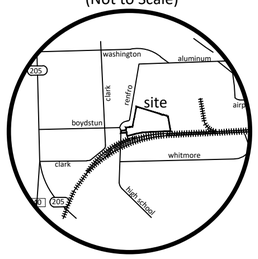
0' 30' 60' 120'

Scale: 1" = 60'

LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
U.E.	Utility Easement
D.E.	Drainage Easement
P.E.	Pedestrian Easement
OPRRCT	Official Public Records Rockwall County, Texas
DRRCT	Deed Records Rockwall County, Texas
PRRCT	Plat Records Rockwall County, Texas
RPRRCT	Real Property Records Rockwall County, Texas
◊	Street Name Change

Vicinity Map
(Not to Scale)



PARK PLACE WEST PHASE II ADDITION
CAB. G, SLIDE 100

PARK PLACE BLVD.

MICHAEL GARDENS
(57' RIGHT-OF-WAY)
Cab. J, Slide 345-347

BOW STREET
(57' RIGHT-OF-WAY)
Cab. J, Slide 345-347

MATCH LINE

PARK PLACE BOULEVARD
(59' R(GHT-OF-WAY)
Cab. J, Slide 345-347

ALLEY A
(33' ALLEY RIGHT-OF-WAY)
Cab. J, Slide 345 -347

ALLEY A
(26' ALLEY RIGHT-OF-WAY)
Cab. J, Slide 345 -347

DALLAS GARLAND AND NEW ORLEANS RAILROAD
(DGNO RAILROAD)
(100' ROW)

S 72°45'31" E 940.88'

Δ=2°12'27"
R=320.50'
A=12.35'
CB=S 16°08'05" W

S 72°45'41" E 59.00'

Δ=2°28'05"
R=379.50'
A=16.35'
CB=N 16°00'16" E

S 72°45'31" E 158.05'

Δ=63°25'37"
R=40.00'
A=44.28'
CB=S 41°02'42" E
N 80°40'06" E
20.00'

S 09°19'54" E 534.46'

S 87°45'58" W 741.38'

Δ =54°44'10"
R=65.00'
A=62.10'
CB=S 64°51'57" E

Δ =70°31'39"
R=180.00'
A=221.56'
CB=N 52°30'08" E

Δ =97°05'52"
R=113.00'
A=191.50'
CB=N 39°13'02" E

BLOCK A
BLOCK B
BLOCK C
BLOCK X, LOT 10
(MAINTAINED BY HOA)
Cab. J, Slide 345-347
56537 SQ. FT.

N:7025661.41
E:2598263.18

N:7025134.02
E:2598349.85

8' Alley Dedication
Cab. J, Slide 345 -347

10' Building Line & U.E.
Cab. J, Slide 345 -347

20' U.E.
Cab. J, Slide 345 -347

10' U.E.
Cab. G, Slide 100

10' PRIVATE D.E.
Cab. J, Slide 345 -347

D.E.
Cab. J, Slide 345 -347

10' Building Line
Cab. J, Slide 345 -347

20' LANDSCAPE, SCREENING & MAINTENANCE ESMT.
INST. NO. 20180000015389

ALVARADAST US DEVELOPMENT LLC
INST. NO. 20170000020975

SANITARY SEWER ESMT #1
INST. 2018000005390

20' DRAINAGE ESMT.
INST. 20180000015391

NOTES:

1. The purpose of this Amending Plat is to combine 4 lots into 2 lots, abandon easement and dedicate easement.

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

3. Basis of Bearings: Bearings are based on the Final Plat of PARK PLACE WEST PHASE III ADDITION recorded in Cabinet J, Slide 345 - 347, Plat Records Rockwall County, Texas.

4. FLOOD STATEMENT: According to Community Panel No. 48397C0040L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "A" which is the area of 100-year flood with base flood elevations and flood hazard factors determined. The location of Flood Zone "A" shown hereon is approximate and is for informational purposes only and shall not create liability on the part of the Surveyor as to it's accuracy.

5. Property owner/HOA is responsible for all maintenance and repair of Open Space and Drainage Easements.

6. NOTICE: Selling a portion of this addition by metes and bounds is a violation of city subdivisions ordinance and state platting statues and is subject to fines and withholding of utilities and building certificates.

Case No.: P
AMENDING PLAT
PARK PLACE WEST PHASE III ADDITION
BEING 85 LOTS ON 24.439 ACRES OF LAND LOCATED IN THE R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF PARK PLACE PHASE III ADDITION, RECORDED IN CABINET J, SLIDE 345 -347, PLAT RECORDS, ROCKWALL COUNTY, TEXAS AND LOCATED IN B. J. LEWIS SURVEY, ABSTRACT NO. 225 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
COLUMBIA DEVELOPMENT COMPANY, LLC
305 PARK PLACE BLVD.
ROCKWALL, TEXAS 75087 972-722-2439
bill@colventures.com

Scale:	1" = 60'
Date:	April 10, 2019
Technician:	Bedford
Drawn By:	Bedford

Checked By:	A.J. Bedford
P.C.:	Cryer/Spradling
File:	PARK PLACE PHASE III REPLAT 2019
Job. No.	668-001
GF No.	

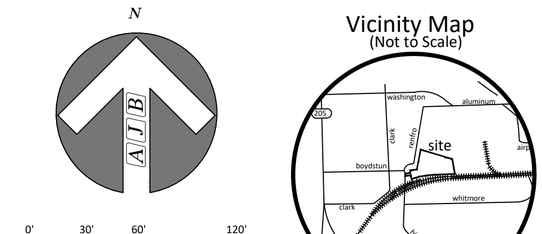
Engineer:
TOMDEN ENGINEERING, L.L.P.
214-679-1679
tjones@tomden.com

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

Sheet: 2 Of: 4

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

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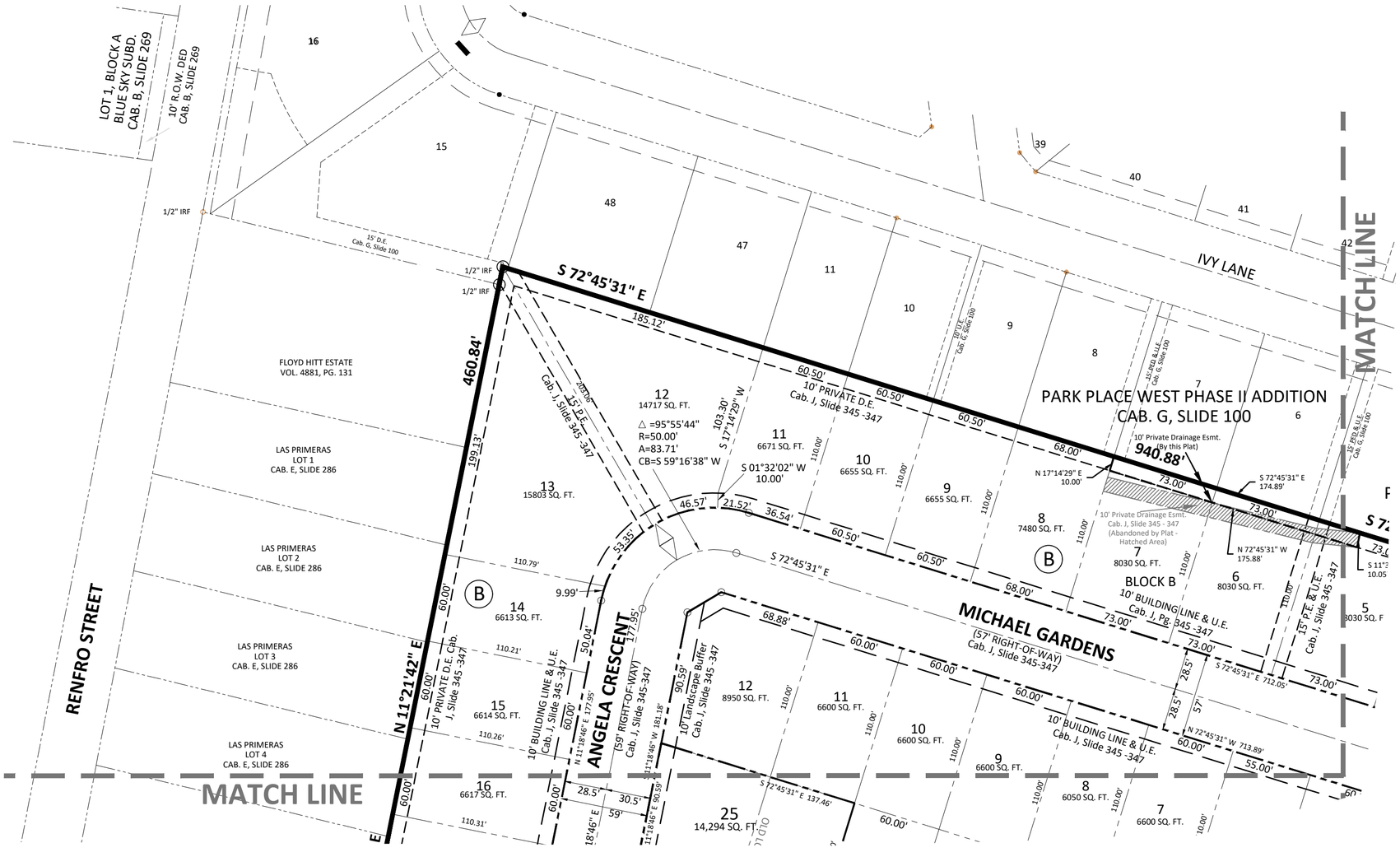
LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
U.E.	Utility Easement
D.E.	Drainage Easement
P.E.	Pedestrian Easement
OPRRCT	Official Public Records Rockwall County, Texas
DRRCT	Deed Records Rockwall County, Texas
PRRCT	Plat Records Rockwall County, Texas
RPRRCT	Real Property Records Rockwall County, Texas
◊	Street Name Change

Vicinity Map
(Not to Scale)

BLOCK "X" LOT AREAS

LOT #	AREA	DESCRIPTION
LOT 10	56,532 SQ. FT. 1.298 AC	HOA PARK AREA
LOT 11	82,045 SQ. FT. 1.883 AC	DRAINAGE & OPEN SPACE ESMT
LOT 12	14,713 SQ. FT. 0.338 AC	DRAINAGE, UTILITY & OPEN SPACE ESMT
LOT 13	18,666 SQ. FT. 0.428 AC	DRAINAGE, UTILITY & OPEN SPACE ESMT
LOT 14	1,462 SQ. FT. 0.034 AC	HOA LANDSCAPE AREA
LOT 15	2,926 SQ. FT. 0.067 AC	HOA LANDSCAPE AREA
LOT 16	1,267 SQ. FT. 0.029 AC	HOA LANDSCAPE AREA



Case No.: P
AMENDING PLAT
PARK PLACE WEST PHASE III ADDITION
BEING 85 LOTS ON 24.439 ACRES OF LAND LOCATED
IN THE R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF PARK PLACE PHASE III ADDITION, RECORDED IN
CABINET J, SLIDE 345 -347, PLAT RECORDS, ROCKWALL COUNTY, TEXAS
AND LOCATED IN B. J. LEWIS SURVEY, ABSTRACT NO. 225
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
COLUMBIA DEVELOPMENT COMPANY, LLC
305 PARK PLACE BLVD.
ROCKWALL, TEXAS 75087 972-722-2439
bill@colventures.com

Engineer:
TOMDEN ENGINEERING, L.L.P.
214-679-1679
tjones@tomden.com

Scale:	1" = 60'	Checked By:	A.J. Bedford
Date:	April 10, 2019	P.C.:	Cryer/Spradling
Technician:	Bedford	File:	PARK PLACE PHASE III REPLAT 2019
Drawn By:	Bedford	Job. No.	668-001
		GF No.	

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

Sheet: 3 Of: 4

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

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OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS COLUMBIA DEVELOPMENT COMPANY, LLC, are the owners of a **24.439 acre** tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas and being all of the FINAL PLAT for PARK PLACE WEST PHASE III ADDITION according to the plat recorded in Cabinet J, Slide 348 of Official Public Records of Rockwall, County Texas and being more particularly described as follows:

BEGINNING at a 1" iron pipe found for the westerly southwest corner of said PARK PLACE WEST PHASE III ADDITION and being located in the east line of T. L. TOWNSEN DRIVE (variable width);

THENCE along the east line of said T.L. TOWNSEND DRIVE, **NORTH 01°55'48" EAST** a distance of **86.63** feet to a ½ inch iron rod found for corner;

THENCE departing the east line of said T.L. TOWNSEND DRIVE, **NORTH 85°33'40" EAST** a distance of **182.12** feet to a ½ inch iron rod found for the southeast corner of Lot 1, Block A of Richard Harris Subdivision No. 6 recorded in Cabinet B, Slide 340, Official Public Records of Rockwall County, Texas;

THENCE NORTH 04°30'38" WEST a distance of **69.54** feet to a ½ inch iron rod found for corner;

THENCE NORTH 05°42'23" WEST a distance of **29.95** feet to a ½ inch iron rod found for corner;

THENCE NORTH 80°56'29" EAST a distance of **126.45** feet to a ½ iron rod found for corner;

THENCE NORTH 86°39'04" EAST a distance **111.01** feet to a ½ inch iron rod found for corner;

THENCE NORTH 11°14'14" EAST a distance of **291.65** feet to a ½ inch iron rod found for corner;

THENCE NORTH 11°11'42" EAST a distance of **460.84** feet to a ½ inch iron rod found for the westerly northwest corner of said *PARK PLACE WEST PHASE III, ADDITION*;

THENCE along the north line of said ***PARK PLACE WEST PHASE III***, ***ADDITION*** as follows:

SOUTH 72°45'31" EAST a distance of **940.88** feet to a ½ inch iron rod found for the beginning of a non-tangent curve to the right having a radius of 320.50 feet and a chord bearing of South 16°08'05" West;

Continuing said non-tangent curve to the right through a central angle of **02°12'27"** for an arc length of **12.35** feet to a ½ inch iron rod found for corner;

NORTH 17°08'59" EAST a distance of **59.00** feet to a ½ inch iron rod found for the beginning of a non-tangent curve to the left having a radius of 379.50 feet and a chord bearing of North 16°00'16" East;

Continuing with said non-tangent curve to the left through a central angle of **02°28'02**" for an arc length of **16.35** feet to a ½ inch iron rod found in the south line of an alley dedication for *PARK PLACE PHASE III*;

THENCE along the south line of said alley dedication, **SOUTH 72°45'31" EAST** a distance of **158.05** feet to a ½ inch iron rod found for the beginning of a curve to the right having radius of 40.00 feet and a chord bearing of South 41°02'42" East;

THENCE with said curve to the right through a central angle of **63°25'37"** for an arc length of **44.28** feet to a ½ inch iron found for corner;

THENCE NORTH 80°40'06" EAST a distance of **20.00** feet to ½ inch iron rod found for corner;

THENCE SOUTH 09°19'54" EAST a distance of **534.46** feet to a ½ inch iron rod found for the southeast corner of said *PARK PLACE PHASE III* and being located in the north line of DALLAS GARLAND AND NEW ORLEANS RAILROAD (100' wide);

THENCE along the south line of said *PARK PLACE PHASE III* and the north line of said *DALLAS GARLAND AND NEW ORLEANS RAILROAD*, **SOUTH 87°45'58" WEST** a distance of **741.38** feet to ½ inch iron rod found for the beginning of a curve to the left having a radius of 2915.08 and a chord bearing of South 79°22'43" West;

THENCE continuing with the south line of said *PARK PLACE PHASE III* and the north line of said *DALLAS GARLAND AND NEW ORLEANS RAILROAD* said curve to the left through a central angle of **17°03'11"** for an arc length of **867.62** feet to a ½ inch iron rod found for the southerly southwest corner of said *PARK PLACE PHASE III*;

THENCE departing the north line of said *DALLAS GARLAND AND NEW ORLEANS RAILROAD* and continuing with the south line of said *PARK PLACE PHASE III*, **NORTH 04°28'08" WEST** a distance of **134.71** feet to a 5/8 inch iron rod set for corner;

THENCE continuing with the south line of said *PARK PLACE PHASE III*, **SOUTH 85°56'53" WEST** a distance of **210.88** feet to the ***PLACE OF BEGINNING***;

CONTAINING within these metes and bounds ***24.439 acres*** or *1,064,546* square feet of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL

We, **COLUMBIA DEVELOPMENT COMPANY, LLC**, the undersigned owners of the land shown on this plat, and designated herein as **PARK PLACE PHASE III ADDITION** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the **PARK PLACE PHASE III ADDITION** subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

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

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

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

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

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

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

7. Property owner is responsible for maintenance, repair, and replacement of all detention/drainage facilities in easements;

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

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

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, my (our) successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

COLUMBIA DEVELOPMENT COMPANY, LLC

_____
Name:
Title:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2019

_____
Notary Public in and for the State of Texas

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

Austin J. Bedford
Registered Professional Land Surveyor No. 4132
jay@ajbedfordgroup.com
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

Case No.: P

AMENDING PLAT
PARK PLACE WEST PHASE III ADDITION
BEING 85 LOTS ON 24.439 ACRES OF LAND LOCATED IN THE R. BALLARD SURVEY, ABSTRACT NO. 29 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF PARK PLACE PHASE III ADDITION, RECORDED IN CABINET J, SLIDE 345 -347, PLAT RECORDS, ROCKWALL COUNTY, TEXAS AND LOCATED IN B. J. LEWIS SURVEY, ABSTRACT NO. 225 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
COLUMBIA DEVELOPMENT COMPANY, LLC
305 PARK PLACE BLVD.
ROCKWALL, TEXAS 75087 972-722-2439
bill@colventures.com

Engineer:
TOMDEN ENGINEERING, L.L.P.
214-679-1679
tjones@tomden.com

Scale:	1" = 60'
Date:	April 10, 2019
Technician:	Bedford
Drawn By:	Bedford
Checked By:	A.J. Bedford
P.C.:	Cryer/Spradling
File:	PARK PLACE PHASE III REPLAT 2019
Job. No.	668-001
GF No.	

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com, ajb@ajbedfordgroup.com

Sheet: 4 Of: 4

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	May 06, 2019
APPLICANT:	Mike Samples
CASE NUMBER:	P2019-019; *Lot 11, Block A, 205 Business Park Addition*

SUMMARY

Consider a request by Mike Samples for the approval of a final plat for Lot 11, Block A, 205 Business Park Addition being a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 125 National Drive, and take any action necessary.

PLAT INFORMATION

- ☑ The objective of this request is to final plat Lot 11, Block A, of the 205 Business Park Addition for the purpose of constructing a 4,837 SF metal building, and to add the necessary drainage easements for the development of this site. The subject property is a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128 and is addressed as 125 National Drive. According to the City's historic zoning maps, the property has been zoned Heavy Commercial (HC) District since at least April 5, 2005.

- ☑ On August 31, 1999, the City Council approved an ordinance [*i.e. Ordinance No. 99-33*] annexing the subject property, and other properties along National Drive.

- ☑ On July 10, 2018, the Planning and Zoning Commission approved a site plan [*i.e. Case No. SP2018-018*] and forwarded a recommendation of approval for certain variances associated with the material composition and articulation of the structure. These variances were approved by the City Council on July 16, 2018.

- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the final plat for *Lot 11, Block A, 205 Business Park Addition,* staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this site plan shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

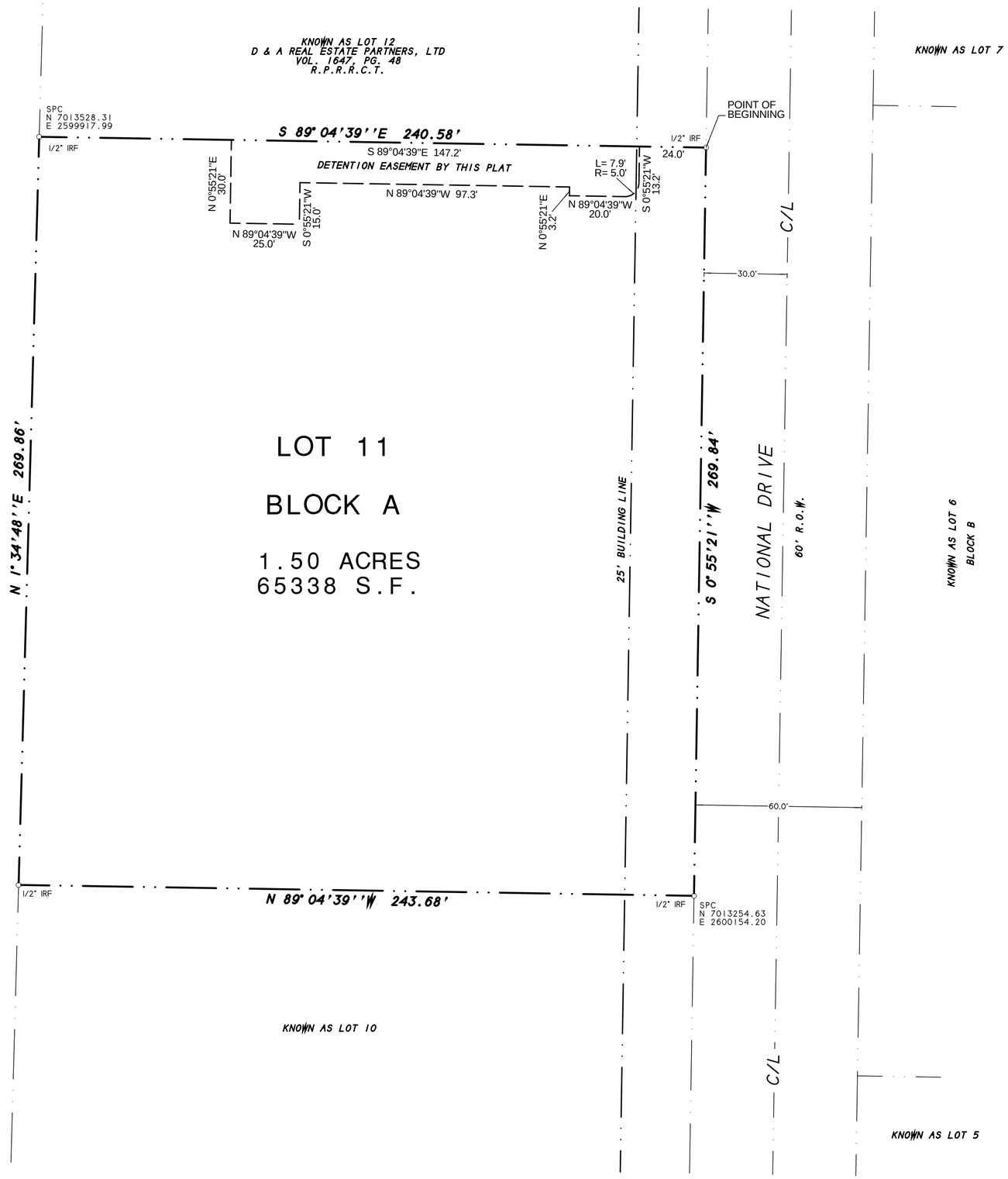
On April 30, 2019, the Planning and Zoning Commission's motion to recommend approval of the final plat for *Lot 11, Block A, 205 Business Park Addition* with staff conditions passed by a vote of 6 to 0 with Commissioner Logan absent.

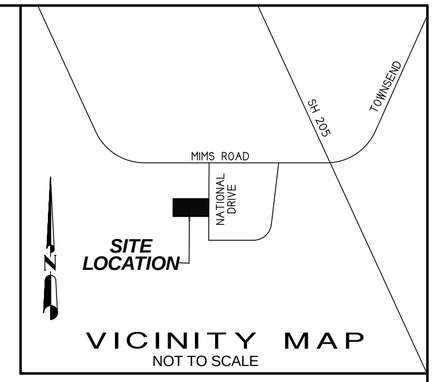


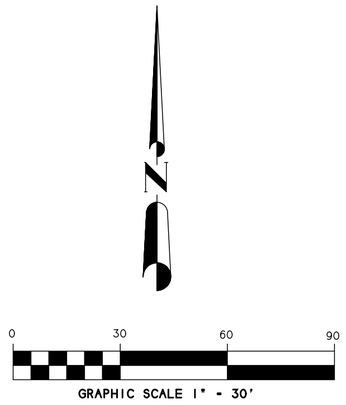
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.







NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

4) THE PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING, REPAIR, AND REPLACEMENT OF THE DETENTION AND DRAINAGE EASEMENT STRUCTURES.

FINAL PLAT

205 BUSINESS PARK
LOT 11, BLOCK A

BEING A 1.50 ACRES OR 65,338 S.F. TRACT
(1 LOT)
OUT OF THE J.R. JOHNSON SURVEY, A-128
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
RACK PARTNERS LTD
3021 RIDGE ROAD, SUITE A
ROCKWALL, TEXAS 75032

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH4 FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WV WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND AT CORNER
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE APRIL 15, 2019
SCALE 1" = 30' FILE # 20180300-RP
CLIENT RACK

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE P2019-

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS RACK PARTNERS LTD, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the J.R. JOHNSON SURVEY, ABSTRACT NO. 126, City of Rockwall, Rockwall County, Texas, and being known as Lot 11, Block A of ROCKWALL 205 BUSINESS PARK ADDITION, and being the same tract of land as described in a Warramty deed to RACK PARTNERS LTD, dated September 14, 2006 and being recorded in Volume 4757, Page 139 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at 1/2" iron rod found for corner in the west right-of-way line of National Drive, a 60 foot right-of-way at the northeast corner of Lot 11, Block A, said Rack Partners LTD tract;

THENCE S. 00 deg. 55 min. 21 sec. W. along said right-of-way line, a distance of 269.84 feet to a 1/2" iron rod found for corner;

THENCE N. 89 deg. 04 min. 39 sec. W. along the south line of Lot 11, a distance of 243.68 feet to a 1/2" iron rod found for corner at the southwest corner of Lot 11;

THENCE N. 01 deg. 34 min. 48 sec. E. a distance of 269.86 feet to a 1/2" iron rod found for corner at the northwest corner of Lot 11;

THENCE S. 89 deg. 04 min. 39 sec. E. along the north line of Lot 3, a distance of 240.58 feet to the POINT OF BEGINNING and containing 65,338 square feet or 1.50 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as 205 BUSINESS PARK, LOT 11, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I , my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

_____
DAVID OSBORN
FOR RACK PARTNERS LTD

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared DAVID OSBORN known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of 205 BUSINESS PARK, LOT 11, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

205 BUSINESS PARK
LOT 11, BLOCK A

BEING A 1.50 ACRES OR 65,338 S.F. TRACT
(1 LOT)
OUT OF THE J.R. JOHNSON SURVEY, A-128
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
RACK PARTNERS LTD
3021 RIDGE ROAD, SUITE A
ROCKWALL, TEXAS 75032

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	IRF IRON ROD FOUND CORNER "I"
FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE APRIL 15, 2019
SCALE 1" = 30' FILE # 20180300-RP
CLIENT RACK

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE P2019-

80

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81

City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council Members

FROM: Hotel Occupancy Tax Sub-committee Members
Mary Smith, Assistant City Manager

DATE: April 26, 2019

SUBJECT: Texas Chamber of Commerce Executives Conference Bid

The City received an application for hotel occupancy taxes from the Chamber of Commerce as they prepare to bid on the Texas Chamber of Commerce Executives annual conference in June 2021. The Chamber will prepare and present a short video about Rockwall and have an exhibit at the conference in El Paso in June 2019. Attendees will vote on the location for the 2021 conference among those vying for the event and the results will be announced at the end of this year's conference. Their total request is for $1,00.

Prior to Council action on the above, the Hotel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 17,904**
Budgeted Revenues	**833,000**
Previously Allocated Funding	**(510,960)**
Projected Fund Balance	**$ 339,944**

Subcommittee members, Dana Macalik, Kevin Fowler, and Bennie Daniels can answer any questions the Council may have regarding their recommendation. Council is asked to consider approval of the funding as recommended by the subcommittee.

April 26, 2019

Ms. Mary Smith
C/O Rockwall City Council
City of Rockwall Finance Office
385 South Goliad
Rockwall, TX 75087

Dear Mary and City Council Members:

This packet includes (1) request for Hotel Occupancy Tax funds and it is:

Funds to Promote Rockwall as host city for 2021 TCCE Annual Convention- $1400

Total	$1,400

The Rockwall Area Chamber and Visitor Center is pleased to apply for this funding to promote Rockwall, TX as the official host City for the TCCE (Texas Chamber of Commerce Executives) 2021 Annual Conference.

TCCE has a rich history of offering top notch professional development educational opportunities and we believe that Rockwall is the ideal location to host this group in 2021.

The funds requested will be used this June at the 2019 TCCE Annual Convention in El Paso, TX. They will be used to produce a video and to participate in a booth as required by TCCE to offer our presentation.

Please call me if you have any questions regarding this request.

Sincerely,

Darby Burkey

President/CEO

Rockwall Area Chamber of Commerce & Visitors Center
697 East Interstate 30, Rockwall Texas, 75087
972.771.5733
Communications@RockwallChamber.org

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2019

Application

MUST BE TYPED or PRINTED

DELIVER TO:
City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name:	Rockwall Area Chamber of Commerce & Visitor Center
Name of Event:	2021 TCCE Annual Convention (Texas Chamber of Commerce Executives) *Presentation with use of requested funds to occur at 2019 TCCE Annual Convention
Date(s) of Event:	June 20, 2019
Funding Request $:	$1400
Website Address:	www.visitrockwall.com
Mailing Address:	697 E I-30; Rockwall, TX 75087
Physical Address:	Same
Telephone:	972.771.5733 Fax:
Primary Contact Name: (Project Director)	Shaun Kirkland (Marketing & Communications Manager) Assisting with creative development for project
Mailing Address:	697 E I-30; Rockwall, TX 75087
Email Address:	Shaun@rockwallchamber.org
Telephone:	972.771.5733 Fax:
Secondary Contact Name: (President/Board Chairman)	Darby Burkey, President /CEO
Mailing Address:	697 E I-30; Rockwall, TX 75087
Email Address:	darby@rockwallchamber.org
Telephone:	972.771.5733 OR 214.460.5361 Fax:

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

X Advertising/Tourism Requested funding amount $ $1400

7. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).
This presentation is specifically marketed to TCCE leadership and attendees of the 2019 Annual Conference. There will be approximately 300 in attendance.

8. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
   a) Separate checking account without combining with any other revenues or maintained in any other bank account or
   b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

   Will the organization be able to segregate the accounting process in either a) or b) above? Yes

9. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number
Exhibit E	W-9 Form https://www.irs.gov/pub/irs-pdf/fw9.pdf?
Exhibit F	Form 1295 https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a/ result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman: Darby Burkey
Date Print Name

Signature

Event/Program Director: Shaun Kirkland
Date Print Name

Signature

Both signatures are required for application to be considered complete.

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2019

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Rockwall Area Chamber of Commerce & Visitor Center
Event/Program Name: Presentation to secure 2021 TCCE Annual Conference
Requested Funding: $ 1400.

Expenses (for this project only)		Total Expenses	HOT Funds Request
1. Personnel			
Administrative			
Artistic			
Technical			
Other personnel			
2. Fees for outside professional service			
Administrative			
Artistic		$650	$650
Technical			
3. Space Rental		$750	$750
4. Equipment Rental			
5. Travel/Transportation			
6. Promotion/Printing			
7. Costumes/Royalties			
8. Other (supplies, postage etc.)			
9. Sub -Totals			
10. Total Expenses		$1400	$1400

Revenues (for this project only)		Total Revenues
1. Total Amount of HOT fund request		$1400
2. Admissions (ticket and concessions)		
3. Donations		
4. Organizational funds budgeted		
5. Grants (State)		
6. Other (list):		
7. Other (list):		
8. Other (list):		
9. Other (list):		
10. Total income and contributions		
11. Total In-Kind		
12. Total Revenues		

Financial Information (for this project only)

Fiscal Year (Oct 1st – Sept 30th)		2016 actual	2017 actual	2018 actual	2019 Projected
Total Revenues					
Total Expenses					$1400
Total Hotel funds awarded					

86

Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Describe the program or event for the upcoming fiscal year (Oct. 1 2018 – Sept. 30, 2019) that you are requesting Hotel Tax funding. What is your event and why are you having it?
We will be presenting and pitching the concept of Rockwall to secure and be officially named the host city of the 2021 TCCE Annual Convention. This presentation will take place at the 2019 TCCE Conference in El Paso, TX on Thursday, June 20, 2019.

3. How does the event/program meet the definition of the categories listed in Item No. 1 above (promotion of tourism and the hotel industry in the City of Rockwall)?
This project directly supports tourism and our hotel industry by bringing in approximately 300 visitors to our City that will be needing and securing lodging. There will be an official hotel block set up to track the attendance and record of monies spent while at the hotel generated specifically for this event in 2021. There will be ample 'free time' for visitors to experience other amenities that Rockwall has to offer, such as our Harbor District and beautiful Historic Downtown District.

4. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
No Name location: The solicitation presentation will be held in El Paso, TX

5. Will your organization provide special event insurance coverage for the event/program if held on City property?
N/A Name of Insurance Company:

6. Provide 3 years attendance history for the above listed programs, activities, exhibits or event described in Item No. 2 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms

87

2019 Executive Committee

Exhibit D

Darby Burkey, President

Rockwall Area Chamber of Commerce & Visitor Center

697 E I-30

Rockwall, TX 75087

972.771.5733

Sylvia Sotelo Kidd, Chair

Ebby Halliday Realtors

2900 Ridge Road

Rockwall, TX 75032

972.771.8163

Katy Miller, Chair- Elect

Baylor, Scott & White- Lake Pointe

6800 Scenic Drive

Rowlett, TX 75088

972.412.2273

Richard Redig, Past Chair

Blue R1bbon News

PO Box 697

Rockwall, TX 75087

214-342-8000 X 1121

Mike Conway, Treasurer

Conway Company- CPA's, PC

603 South Goliad

Rockwall, TX 75087

972.771.1065

Jason Linscott, Secretary

Texas Health Presbyterian Rockwall

3150 Horizon Road

Rockwall, TX 75032

469.698.1000

District Director
Internal Revenue Service

Date: NOV 19 1974

In reply, refer to:
A:1427:309:R
DAL:EO:74-92

The Rockwall Chamber of Commer
104 West Rusk Street
P. O. Box 92
Rockwall, Texas 75087

I. R. Code: Section 501(c)(6)
Address Inquiries with District Director of Internal Revenue: Dallas, Texas
Accounting Period Ending: June 30

Gentlemen:

On the basis of your stated purposes and the understanding that your operations will continue as evidenced to date or will conform to those proposed in your ruling application, we have concluded that you are exempt from Federal income tax under the provisions of the Internal Revenue Code section indicated above. Any changes in operations from those described, or in your character or purposes, must be reported immediately to your District Director for consideration of their effect upon your exempt status. You must also report any change in your name or address.

You are not required to file Federal income tax returns so long as you retain an exempt status, unless you are subject to the tax on unrelated business income imposed by section 511 of the Code, in which event you are required to file Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to file Form 990, Return of Organizations Exempt from Income Tax, only if your gross receipts each year are normally more than $5,000. If a return is required it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of $10 a day, to a maximum of $5,000, for the failure to file the return on time.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (Social Security taxes) on remuneration of $50 or more to each of your employees during a calendar quarter and,

90

The Rockwall Chamber of Commerce

unless excepted, you are also liable for tax under the Federal Unemployment Tax Act on remuneration of $50 or more to each of your employees during a calender quarter if, during the current or preceding calendar year, you have one or more employees at any time in each of 20 calendar weeks or pay wages of $1,500 or more in any calendar quarter. If you have any questions about excise, employment, or other Federal taxes, please address them to this office.

As a chamber of commerce, charitable contributions to you are not deductible by donors. You should advise your contributors to that effect.

If we may be of further assistance, please contact Roy H. Schellenberg, 214-749-3693.

This is a determination letter.

Sincerely yours,

A. W. McCanless
District Director

P.O. Box 12028
Austin, Texas 78711-2028

Office of the Secretary of State

CERTIFICATE OF FILING
OF

ROCKWALL CHAMBER OF COMMERCE, INC.
File Number: 58671301

The undersigned, as Secretary of State of Texas, hereby certifies that the Nonprofit Periodic Report for the above named entity has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

Dated: 05/13/2013

Effective: 05/13/2013

THE STATE OF TEXAS

John Steen
Secretary of State

Phone: (512) 475-7705

92

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93

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	May 6, 2019
SUBJECT:	Water, Wastewater, and Roadway Impact Fee Study

On April 1, 2019, the City Council approved a contract for professional services with Freese & Nichols, Inc. for the purpose of updating the City's impact fees for roadway facilities. In addition, the Engineering Department has engaged Bickoff, Hendricks & Carter LLP for the purpose of updating impact fees for water and wastewater facilities. Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (TLGC) requires that the City Council appoint a Capital Improvements Advisory Committee (CIAC) to serve in advisory capacity to the City Council. In past updates, the City Council has appointed the Planning and Zoning Commission as the CIAC. According to Section 395.058 of the TLGC:

If the political subdivision has a planning and zoning commission, the commission may act as the advisory committee if the commission includes at least one representative of the real estate, development, or building industry who is not an employee or official of a political subdivision or governmental entity.

Currently, Commissioners John Womble, Tracey Logan, and Jerry Welch meet the requirements of being a representative from the real estate, development, and/or building industry. As an alternative, Chapter 395.058 of the TLGC states that the City Council can appoint an ad-hoc committee of at least five (5) members where a minimum of 40% of the memberships consists of representatives of the real estate, development, or building industries. In addition, the committee would need to consist of a minimum of one (1) representative from the City's Extraterritorial Jurisdiction (ETJ).

Since the City's Planning and Zoning Commission meets the requirements of the TLGC, City staff would recommend that the City Council consider appointing the Planning and Zoning Commission as the CIAC as opposed to an ad-hoc committee; however, this is a discretionary decision for the City Council. Should the City Council choose to appoint the Planning and Zoning Commission, staff has included a resolution attached to this memorandum that would make this appointment. If the City Council has any questions, staff will be available at the *May 6, 2019* City Council meeting.

CITY OF ROCKWALL

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AUTHORIZING AN UPDATE TO THE IMPACT FEE PROGRAM FOR ROADWAY, WATER, AND WASTEWATER FACILITIES AND APPOINTING THE PLANNING AND ZONING COMMISSION AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.

WHEREAS, the City of Rockwall currently imposes impact fees for roadway, water, and wastewater facilities pursuant to its authority granted under Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (*"Ch, 395 of the TLGC"*) and Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions*, of the City of Rockwall Municipal Code of Ordinances; and

WHEREAS, the City Council of the City of Rockwall intends to update its Land Use Assumptions, Impact Fees, and Capital Improvements Plan pursuant to the procedures contained in *Ch. 395 of the TLGC*; and

WHEREAS, the City Council of the City of Rockwall appoints the Planning and Zoning Commission as the Capital Improvements Advisory Committee (CIAC) in accordance with the requirements of *Ch. 395 of the TLGC*, and charges them to advise the City Council on the imposition of impact fees; and

WHEREAS, at least one (1) member of the Planning and Zoning Commission is a member of the development, real estate, and/or building industry; and

WHEREAS, the City Council of the City of Rockwall has determined that the use of impact fees facilitates quality development that is in accordance with the OURHometown Vision 2040 Comprehensive Plan, and the use of impact fees further promotes health, safety, and general welfare for the City of Rockwall and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. RECITALS. The above recitals are found to be true and correct and they are incorporated as findings of the City Council for all purposes.

SECTION 2. CAPITAL IMPROVEMENTS ADVISORY COMMITTEE. The Planning and Zoning Commission is hereby appointed as the Capital Improvements Advisory Committee (CIAC), and is authorized to work with City staff to provide recommendations to the City Council on the imposition of impact fees.

SECTION 3. AUTHORIZATION. The Director of Planning and Zoning and the City Engineer/Director of Public Works are directed to commence the update of the Land Use Assumptions, Impact Fees, and Capital Improvements Plan, and procure such planning, engineering, and/or legal consultation deemed necessary to update the impact fee program for roadway, water, and wastewater facilities. This shall be paid for by the impact fees to be collected under the impact fee program.

DRAFT RESOLUTION 05-06-2019

SECTION 4. EFFECTIVE DATE. This *Resolution* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 6TH DAY OF MAY, 2019.

APPROVED:

_____

Jim Pruitt, *Mayor*

ATTEST:

_____

Kristy Cole, *City Secretary*

DRAFT RESOLUTION 05.06.2019

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97

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **April 29, 2019**

SUBJECT: **Professional Engineering Services Contract**
Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project

The City of Rockwall performed a Wastewater Flow Monitoring Study to develop an accurate wastewater system model of the City. The Wastewater Flow Monitoring Study allowed for actual observed flows to be used to assist the City in identifying wastewater lines that need upsizing due to capacity constraints. As a result of the study, 1,400 linear foot section of wastewater line in the Turtle Cove Subdivision and 1,150 linear foot section in the Windmill Ridge Subdivision were identified as needing to upsized. The Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation project would upsize the existing wastewater lines from and 10-inch to 12-inch diameter and a 6-inch to 8-inch diameter respectively.

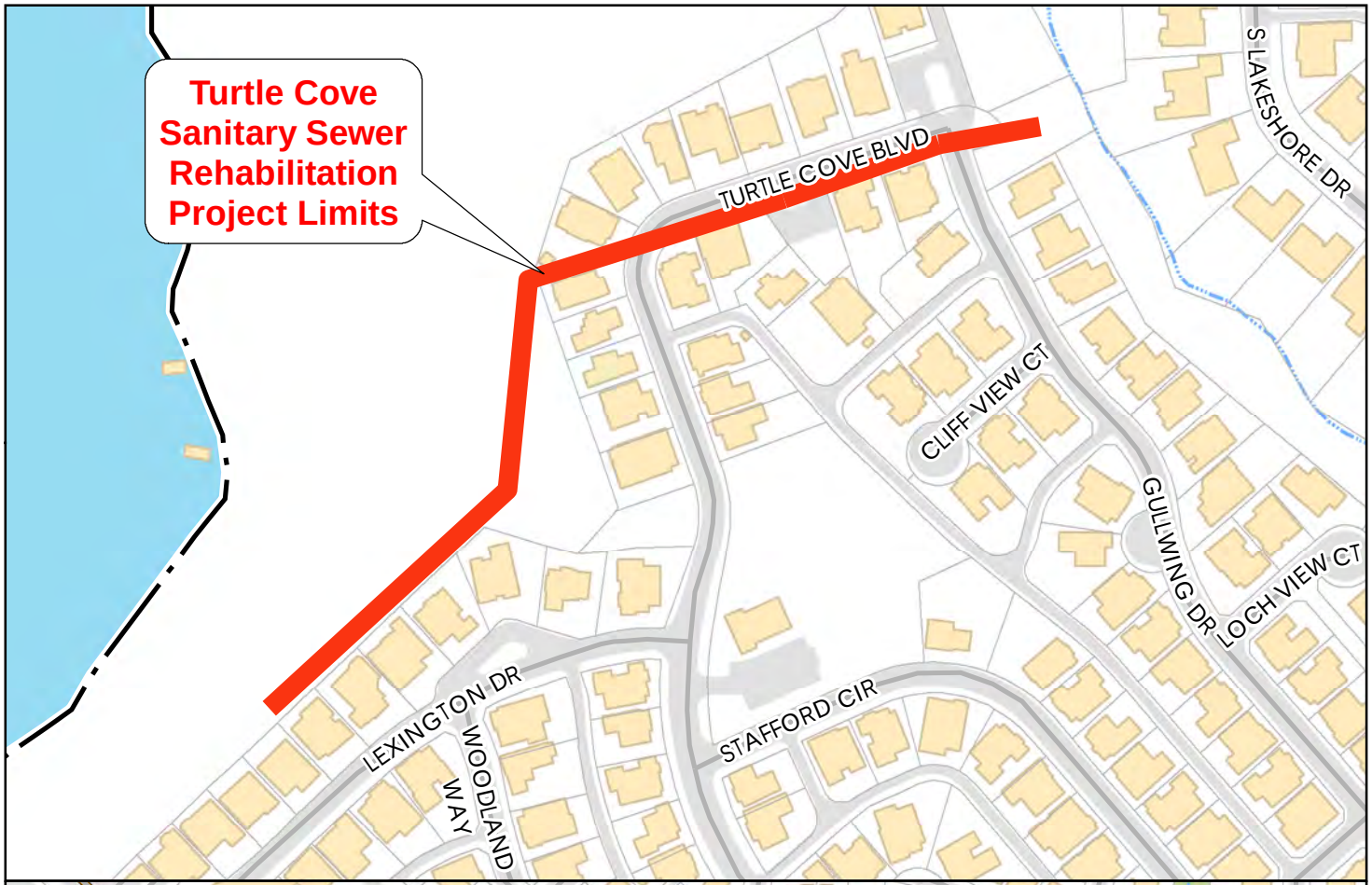
Staff requested a proposal from Birkhoff, Hendricks and Carter, L.L.P. to provide the engineering design and specifications for this project. The engineering fee for the rehabilitation for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation project is $79,420.00. The funding for the engineering of the project will be provided by the General Engineering Services Budget. Staff requests City Council consider approval of the professional engineering services contract for Birkhoff, Hendricks and Carter, L.L.P.to perform the engineering design services and specifications for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project in an amount not to exceed $79,420.00, to be paid for out of Engineering and Sewer Operations Consulting Budget, and take any action necessary.

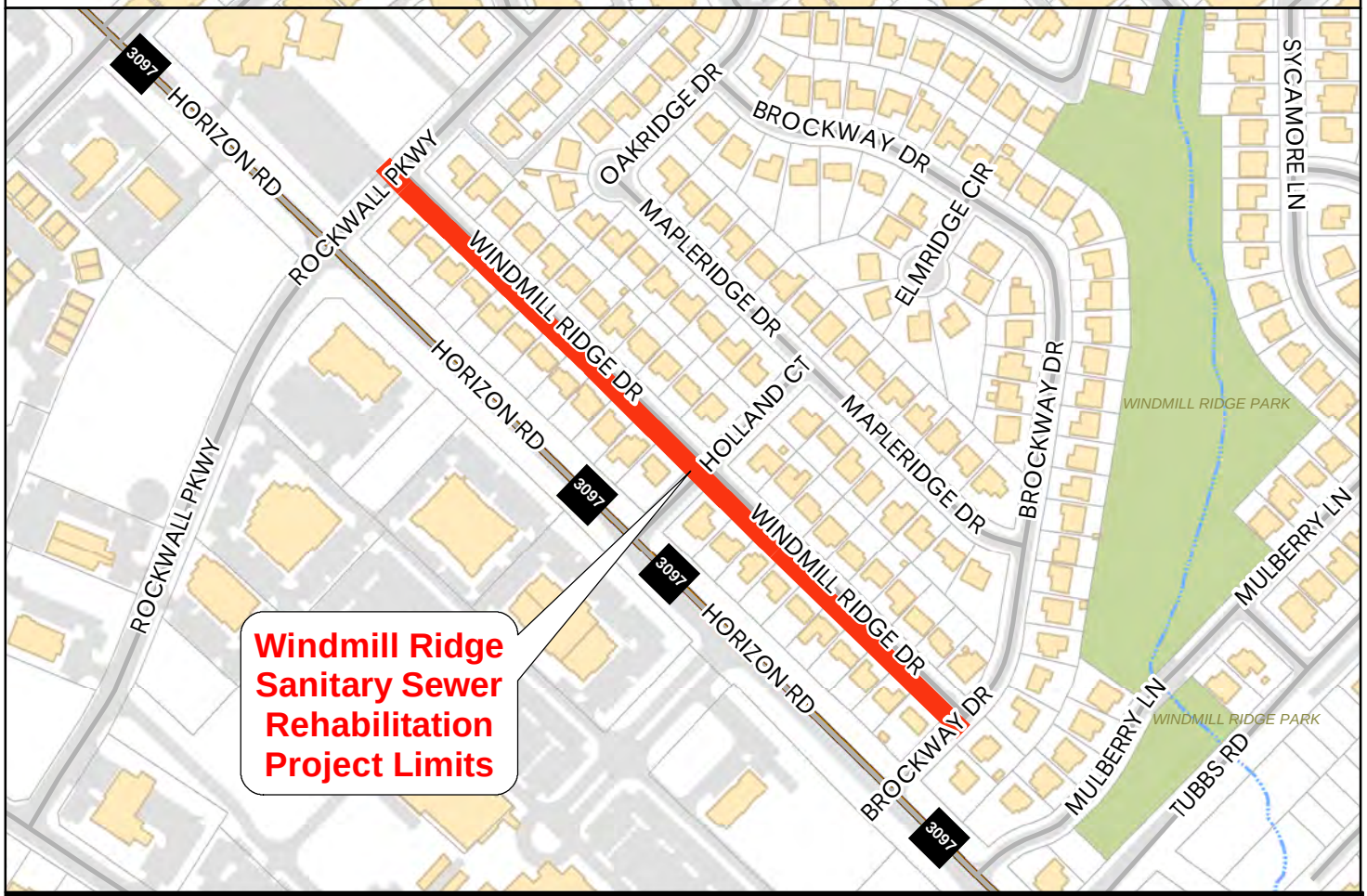
If you have any questions, please advise.

AJW:jmw

Attachments

Cc: Jeremy White, P.E. CFM, Civil Engineer
File





City of Rockwall

0 50 100 Feet

Date: 4/30/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.

Turtle Cove & Windmill Ridge Sanitary Sewer Rehabilitation Project

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, L.L.P., ("ENGINEER"), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed Seventy-Nine Thousand Four-Hundred and Twenty dollars ($79,420.00) and billed in accordance with the payment schedule provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases,

computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. INDEMNIFICATION

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Derek B. Chaney, P.E., R.P.L.S.
Partner
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., #600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning

the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 24th day of April 2019.

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
A Texas Limited Liability Partnership
TPBE Firm No. 526
TBPLS Firm No. 100318-00

By: _____
Name: Derek B. Chaney, P.E., R.P.L.S.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley
City Manager

ATTACHMENT "A"

Scope of Services

Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation

Project Description:

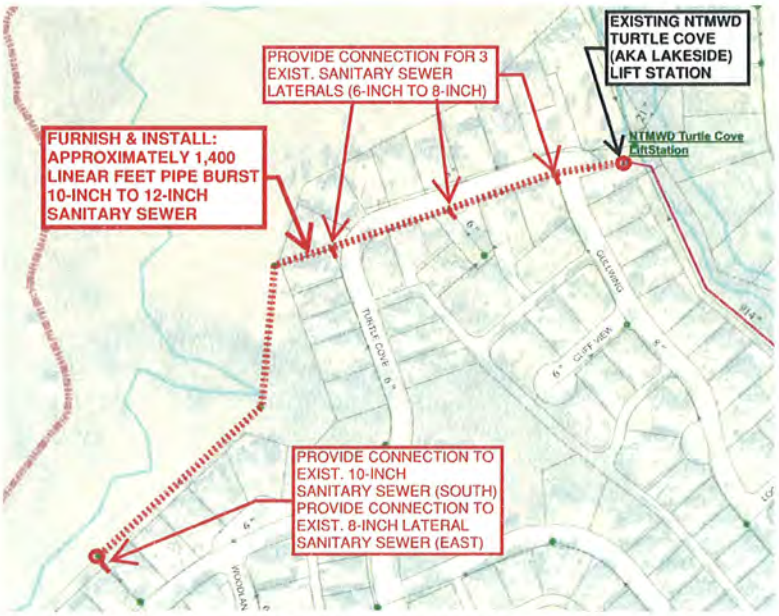
The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter (Consultant) to provide engineering design services in connection with the following wastewater collection system improvements:

A) Turtle Cove Sanitary Sewer Rehabilitation: The proposed rehabilitation includes pipe bursting of approximately 1,400 linear feet of existing 10-inch diameter sanitary sewer to 12-inch diameter. The proposed project limits are from the existing Turtle Cove (Lakeside) Lift Station near the intersection of Turtle Cove Boulevard and Gullwing Drive to a point northwest of the intersection of Turtle Cove Boulevard and Woodland Way.

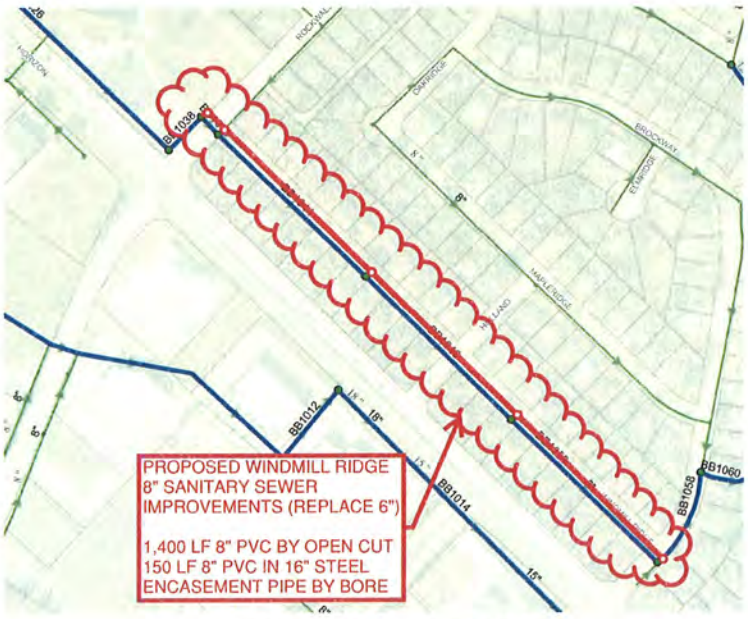
B) Windmill Ridge Sanitary Sewer Improvements: The proposed improvements include replacement of approximately 1,550 linear feet of 6-inch diameter sanitary sewer with 8-inch pipe. The proposed project limits are from Rockwall Parkway to Brockway Drive.

The Consultant will provide Construction plans, project specifications and bidding documents as required for the project to support the City of Rockwall during the design and advertising/bidding phases. Project location maps are provided below.

PROJECT LOCATION MAPS



TURTLE COVE SANITARY SEWER REHABILITATION



WINDMILL RIDGE SANITARY SEWER IMPROVEMENTS

BASIC SERVICES

1. Preliminary Design Phase

1.1. Project Management

1.1.1. Conduct project kickoff meeting with Consultant Project Manager and City Staff.

1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a Project schedule update. PSU will be attached to the monthly invoice.

1.1.3. Prepare and submit project schedule to City staff.

1.2. Preliminary Design

1.2.1. Review record documents, and other pertinent information related to proposed project provided by the City.

1.2.2. Review City master plans, design standards, specifications, construction details, that may impact the design. Review of documents will include, but not limited to, the following:

(a) City of Rockwall Master Thoroughfare Plan
(b) City of Rockwall Water/Wastewater Master Plan
(c) City of Rockwall Standards of Design and Construction
(d) City of Rockwall Trail Master Plan

1.2.3. Develop base map showing existing Right-of-Way (ROW), property lines, known easements, and known utilities in the vicinity of the proposed improvements.

1.2.4. Delineate the service area basin for the sanitary sewer and calculate average and peak wastewater design flows.

1.2.5. Establish preliminary alignment for proposed sanitary sewer, and if required a location of insertion and receiving pits for pipe bursting.

1.2.6. If needed, develop temporary sewage bypassing plan based on calculated design flows.

1.2.7. Assess and consider primary benefits and drawbacks to the use of both open-cut and alternate pipe-bursting installation methods for construction of the Windmill Ridge Sanitary Sewer Improvements. If requested by the City, an alternate installation method will be allowed and incorporated into the Construction Plans and Bidding Documents during the Final Design Phase.

2. Final Design Phase

2.1. Project Management

2.1.1. Conduct progress meetings at 60% and 90% completion to monitor the development of the project regarding project status, coordination issues and discuss City review comments of the plans.

2.1.2. Prepare and send PSU to City's Project Manager on monthly basis. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a project schedule update. Invoice will be sent at end of the month with PSU.

2.1.3. Conduct up to two (2) project site visits.

2.2. Submittals

2.2.1. Submit 60% and 90% progress submittals to the City for review and comment. The following will be required for each submittal:

(a) Construction Plans
  i. Two (2) Full Size copies – 22-inch x 34-inch
  ii. Two (2) Half Size copies – 11-inch x 17-inch
  iii. Electronic PDF copy
  iv. Electronic PDF copy– Scanned City comments previous submittal

(b) Engineer's Opinion of Probable Construction Cost
  i. Two (2) Copies and electronic PDF copy

(c) 90% only – Project Specifications and Bidding Documents
  i. Two (2) Copies and electronic PDF copy

2.3 Construction Plans

(a) Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction.

(b) Plan sheets will include additional documentation, notation, and clarification required by the City's Project Manager.

(c) Each stage of the construction plan review process will address City comments from previous submittals.

(d) Below is a table of the required construction plan sheets and at which submittals they are required.

Plan Sheets	**60%**	**90%**
Cover Sheet w/ Location Map and Sheet Index	X	X
Legend Sheet	X	X
General Notes Sheet	X	X
Horizontal/Vertical Control Sheet (1"=40' scale)	X	X
Erosion Control Plan (1"=40' scale)		X
Sanitary Sewer Plan/Profiles (1"=20'H, 1'=5'V scale)	X	X
Construction Details		X

(e) Establish the location of existing public utilities based upon information provided by the City, and field survey information. (60%)

(f) Prepare proposed wastewater plans and profiles. (60%)

(g) Show approximate horizontal and vertical location of utility crossings along the proposed route from record drawings and field surveys of manholes. (90%)

(h) Design required lateral and service connections to the existing sanitary sewer system. (90%)

(i) Identify location of insertion and receiving pits; if required. (60%)

(j) Identify required pavement repair in disturbed areas. (90%)

(k) Prepare sanitary sewer details as required to clarify intent of design.(90%)

(l) Compile applicable City Standard details and modify standard details as needed. (90%)

(m) Prepare erosion control plan. (90%)

2.4 Franchise Utility Coordination

(a) Obtain list of franchise utility contacts from the City. (60%)

(b) Provide electronic PDF set of preliminary construction plans adequate for franchise utility relocation via email to each franchise utility for their review. Request each franchise utility to mark up the plans to show the size, type and location of their utilities. (60%)

(c) Notify the City if any relocations are required. (90%)

(d) Conduct coordination with the franchise utilities if any relocations are required. (90%)

2.5 Specifications/Construction Contracts (90%)

Prepare general notes, specifications, and bidding documents in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare proposal and bid schedule of applicable items.

2.5.1 Contract documents will include the following:

(a) City of Rockwall standard construction contract forms

(b) Notice to bidders

(c) Special instructions to bidders

(d) Bid Schedule (Bid-Tab) – Electronic for Bidding

(e) Standard construction contract

(f) Performance bond

(g) Payment bond

(h) Maintenance bond

(i) Certificate of insurance

(j) General conditions

(k) Special conditions

(l) Technical specifications

(m) Permits for work as may be required from the City of Dallas or North Texas Municipal Water District (NTMWD)

2.6 Engineer's Opinion of Construction Cost (60% and 90%)

Generate tabulation of proposed quantities of work and formulate an engineer's opinion of probable construction cost based on historic bidding data of similar projects.

2.7 Agency Permitting/Coordination (City to coordinate with those not listed as applicable)

2.7.1 City of Dallas - Consultant to coordinate with the City of Dallas on items related to the project for work within the Lake Ray Hubbard Takeline. This shall include up to one coordination meeting, one construction plan submittal at 60% and permit submittals as required to achieve acceptance of proposed improvements.

2.7.2 NTMWD - Consultant to coordinate with the NTMWD on items related to the project where any improvements cross or connect to any NTMWD System pipe or facility. This shall include up to one coordination meeting, construction plan submittal at 60% and permit submittals as required to achieve acceptance of proposed improvements.

3 **Bidding Phase**

3.1 Furnish the City with one 11-inch x 17-inch set of final construction plans, and one set of final Bidding Documents and Specifications for use during the bidding phase. Documents shall also be provided to the City in electronic PDF format.

3.2 City will be responsible for advertisement of the project in the Local Paper

3.3 Consultant will upload plans and specifications to the project bidding distribution site CivCast.

3.4 Respond to contractor questions and provide design clarifications in Addenda format.

3.5 Attendance at the pre-bid meeting, if requested by the City.

3.6 The Consultant will prepare addenda to answer questions of the plans and specifications. The Consultant will provide the City with sealed, signed and dated addenda. The Consultant will upload the addenda to CivCast. All addenda will be posted a minimum of 24-hours before the bid opening.

3.7 The Consultant will respond to questions submitted from potential bidders and provided by the City to the Consultant a minimum of 72-hours before the bid opening.

3.8 Attendance of Bid Opening

3.9 Complete tabulation of bids; checking for mathematical errors and unbalanced bids. (Bid documents to be provided to Consultant by the City).

3.10 Provide bid tabulation, in PDF format, to City via email and to Contractors who submitted bids via CivCast.

3.11 Obtain experience record and references from the apparent lowest bidder. Check references of apparent low bidder. Formulate opinion from information received and provide a letter of recommendation for award of a construction contract.

3.12 Return Bid Bonds to bidders.

NOTE: As directed by the City, the Construction Phase Scope of Work has been excluded from this agreement. Pending availability of funds, it is the City's intention to authorize the Construction Phase Scope of Work in or around October 2019 via a separate agreement.

ADDITIONAL SERVICES

For the following scope items defined as additional services are those anticipated to be necessary to facilitate design of the project. These services will be performed on an as-need basis, and invoiced based on effort and expenses incurred.

4 Design Surveys

4.1 Consultant will prepare and send a "Request for Right of Entry for Surveying" and "Start of Engineering Design Notice" documents to property owners immediately adjacent to the proposed project route via regular U.S. Postal Service. Templates for documents and information for property owners will be provided by the City

4.2 Complete Property Research using Rockwall County records

4.2.1 Obtain plat information from County records or as provided by the City

4.2.2 Gather existing ROW (Right of Way) and easement information from Rockwall County records, and other records provided by the City.

4.3 Consultant will submit request to Texas 811 for location of franchise utilities.

4.4 Topographic and Design Survey

4.4.1 The limits of the survey corridor will generally parallel the City's existing sanitary sewers proposed for improvements as identified on the project location maps on Page 8. The width of the survey will be confined either to the City's existing sanitary sewer easement (extending an additional 10-feet each side of easement pending permission from right of entry request) or from building line to building line within existing right-of-way areas. If applicable, an additional survey will be performed within an approximately 40-foot radius in the vicinity of each insertion or receiving pit.

4.4.2 Establish horizontal control points at approximately 500-foot maximum spacing.

4.4.3 Establish two (2)temporary vertical control benchmarks in the vicinity of the project route.

4.4.4 Perform a field survey to identify and locate existing topographic elements along the proposed sanitary sewer route. Topographic elements shall be tied down horizontally and vertically. The field survey shall include, but is not limited to the following:

(a) Property corner monumentation (that can be located)
(b) Existing pavement, driveways, curbs, sidewalks, barrier free ramps, and signs.
(c) Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and flow line elevations)
(d) Existing driveway culverts and swales (flowlines, sizes and types)
(e) Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, utility poles, utility markers, other public utilities and franchise utilities
(f) Traffic Signal poles and cabinets, pull boxes
(g) Roadway Signs (excluding temporary signs)
(h) Trees, including species and caliper (2 inch caliper and larger)
(i) Landscape planters, shrubs, rocks and other features.
(j) Buildings and permanent structures
(k) Retaining, fencing and screening walls
(l) Fence limits and material types (excluding temporary fences)
(m) Mailboxes (types – wood, brick, stone)
(n) Other applicable physical features that could impact design and are located within the ROW

(o) Observe and determine existing manhole condition from limited visual inspection (above ground).

4.5 Perform up to one site visit for the purposes of reviewing the provided survey in the field and determining the need for any additional surveys.

5 Easement Document Preparation

5.1 Prepare easement documents (metes and bounds description and graphic exhibits) for proposed utility or temporary construction easements as required by the project. Preparation of up to two (2) easement documents are included in the budget.

5.2 Individual parcel easement documents shall be prepared on 8.5-inch x 11-inch paper size, and both an electronic PDF copy and two (2) set of originals sealed, dated, and signed by a Registered Professional Land Surveyor shall be provided to the City.

5.2.1 Graphic exhibits shall contain the following:

(a) Parcel number
(b) Area required
(c) Area remaining
(d) Legal description
(e) Current owner
(f) Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
(g) All physical features

5.2.2 Metes and bounds descriptions of the easement parcel will be prepared and provided on a separate sheet from the graphic exhibit, and each type of easement shall be described separately.

5.3 The Consultant shall provide easement documents to the City and/or their assigned Land Rights Acquisition Agent.

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Tasks 1-3 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee
	BASIC SERVICES	
1.	Preliminary Design Phase	$ 11,100.00
2.	Final Design Phase	$ 35,000.00
3.	Bidding Phase	$ 5,800.00
	Basic Services Subtotal:	**$ 51,900.00**
Compensation for special services under Tasks 4-5 shall be on an hourly basis of salary cost times a multiplier of 2.45 for time expended on the task. Field survey crew shall be based on $170.00 per hour, inclusive of all equipment rentals and software licensing; plus, mileage charge at the IRS established rate. Expenses shall be at invoice cost times a multiplier of 1.15.		
	ADDITIONAL SERVICES	
4.	Design Surveys	$ 14,700.00
5.	Easement Document Preparation (2 included)	$ 5,600.00
	Additional Services Subtotal*	**$ 20,300.00**
	ENGINEERING SERVICES CONTINGENCY (To be 10% of Services)**	**$ 7,220.00**
	***(This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)*	
	Project Total*	**$ 79,420.00**

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT "C"

Project Schedule

Notice to Proceed	May 6, 2019
Begin Field Surveys	May 13, 2019
Complete Field Surveys	May 17, 2019
Submit 60% Plans to City for Review	June 17, 2019
Receive 60% Review Comments from City	July 1, 2019
Submit 90% Plans to City for Review	July 22, 2019
Receive 90% Review Comments from City	August 5, 2019
Complete 100% (Final) Plans & Specifications	August 19, 2019
Advertise Project	August 26 & Sept 2, 2019
Receive Bids	September 9, 2019
Award Construction Contract	September 16, 2019
Construction (Not This Contract)	October – December 2019

ATTACHMENT "D"

Sub-Consultants

Sub-Consultant work is not anticipated based on the scope of services for this project.

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117

City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **April 23, 2019**

SUBJECT: **Oncor Electric Delivery Distribution Cost Recovery Factor Denial Resolution**

On April 8, 2019, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in distribution revenues of $29,433,804.

The resolution authorizes the City to join with the Steering Committee of Cities Served by Oncor ("OCSC") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Purpose of the Resolution:

The purpose of the Resolution is to deny the DCRF application proposed by Oncor.

Explanation of "Be It Resolved" Paragraphs:

1. This section authorizes the City to participate with OCSC as a party in the Company's DCRF filing, PUC Docket No. 49427.

2. This section authorizes the hiring of Lloyd Gosselink Rochelle and Townsend, PC and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes OCSC to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

3. This paragraph finds that the Company's application is unreasonable and should be denied.

4. This section states that the Company's current rates shall not be changed.

5. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants approved by OCSC will submit monthly invoices that will be forwarded to Oncor for reimbursement.

6. This section recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

7. This section provides that Oncor and counsel for OCSC will be notified of the City's action by sending a copy of the approved and signed Resolution to counsel.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 19-11

A RESOLUTION OF THE CITY OF ROCKWALL, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Rockwall, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("OCSC" or "Cities"), a membership of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about April 8, 2019 Oncor filed with the City an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 49427, seeking to increase electric distribution rates by approximately $29,433,804; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, Cities are coordinating its review of Oncor's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, Cities' members and attorneys recommend that members deny the DCRF.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the City is authorized to participate with OCSC in PUC Docket No. 49427; and

Section 2. That subject to the right to terminate employment at any time, the City of Rockwall hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC; and

Section 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied; and

Section 4. That the Company shall continue to charge its existing rates to customers within the City; and

Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of presentation of an invoice to Oncor; and

Section 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required; and

Section 7. That a copy of this Resolution shall be sent to Matthew C. Henry, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Legal Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725; and

Section 8. That this resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 6th DAY OF MAY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

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122

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **May 3, 2019**

SUBJECT: **YAC year-end program presentation and recognition of graduating seniors**

Members of the city's Youth Advisory Council will be making a presentation to Council on Monday evening to recap their experiences while participating in the program this school year. In addition, the following six (of twelve) YAC students will soon be celebrating their high school graduation.

Emily Williams
Emily will be graduating from Rockwall High School and attending Dallas Baptist University to obtain a business degree. She opened an online women's boutique last year, so hopes to work for her online boutique full-time and expand the business. After graduating from DBU, Emily plans to attend graduate school and obtain her MBA.

Caleb Davis
After homeschool graduation, Caleb plans to attend Baylor University and become an Entrepreneurship and Marketing double major. While in college he hopes to start a business and let it grow while completing his studies. After college he wants to stay in the Dallas area, expand his business while pursuing his hobbies and starting a family.

Addison Schale
Addison will soon be a Rockwall High School graduate. Thereafter, she will be attending Collin College for one year and then transfer to Dallas Baptist University. She plans to major in education and one day return to Rockwall High School to teach.

Brenden Ivey
Brenden will be graduating from Rockwall High School and attending Stephen F. Austin to pursue a degree in Public Administration. After college, he hopes to work in local government and perhaps pursue a career within higher levels of government thereafter.

Kendall Braddock
After graduation from Rockwall High School, Kendall plans to attend Blinn College for a year and then transfer to A&M next fall. She plans to study agriculture leadership and development in hopes of becoming an event planner.

Nick Alverson
Upon graduation from RHS, Nick plans to attend Collin College to become certified as an EMT. Thereafter, he will attend the Fire Science Academy in McKinney to become a firefighter. He hopes to eventually become a certified paramedic and serve as a firefighter/paramedic as his future career.

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124

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	May 6, 2019
SUBJECT:	Z2019-006; *SUP for SPR*

On April 15, 2019, the City Council voted to approve the applicant's request for a Specific Use Permit (SUP) to allow buildings that exceed 60-feet height in a Light Industrial (LI) District by a vote of 5-2, with Council Members Macalik and Trowbridge dissenting. This will be the second reading of the ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 19-19

SPECIFIC USE PERMIT NO. S-207

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING STRUCTURES THAT EXCEED 60-FEET IN HEIGHT WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT, ON A 42.61-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 7 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20 (11.3736-ACRES); TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29 (8.197-ACRES); AND LOT 1-01, BLOCK 1, INDALLOY ADDITION (14.53-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a Specific Use Permit (SUP) to allow for structures that will exceed 60-feet in height within the *Light Industrial* (*LI*) *District* on an 42.61-acre tract of land, identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned *Light Industrial (LI) District*, generally located at the terminus of Aluminum Plant Road, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing structures that will exceed 60-feet in height within the *Light Industrial (LI) District* as stipulated by Article *IV, Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

Section 2. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 5.01, Light Industrial (LI) District,* and *Section 7.03, Non-Residential District Development*

Standards, of Article V, District Development Standards, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an office/ warehouse/manufacturing facility that exceeds 60-feet in height on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

1) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance; and,

2) The maximum overall height of the buildings and/or structures shall not exceed 100-feet, as depicted in *Exhibit 'C'* of this ordinance; and,

3) The building elevations depicted in *Exhibit 'C'* are for reference to the height of the extruder bays for all phases (*i.e. phase 2, 3, 4, & 5*), and do not represent approved building elevations. Any building elevations associated with the project shall be subject to the requirements of the Unified Development Code (UDC), review by the Architectural Review Board, and approval by the Planning and Zoning Commission [*and City Council if applicable*]; and,

4) Future expansion of the site [*i.e. Phases 3, 4, and 5*] should have all silos placed on the southern portion of the subject property, adjacent to the railroad tracks, as depicted in *Exhibit 'B'* of this ordinance; and,

5) The subject property shall provide and maintain a landscape screening buffer along the western and northern property boundaries [*i.e. Overall Landscape Plan*], as depicted in *Exhibit 'D'* of this ordinance and shall be constructed with Phase 1 of the development.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict

Section 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS ($2,000.00)* for each offence and each and

every day such offense shall continue shall be deemed to constitute a separate offense.

Section 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 8. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MAY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: April 15, 2019

2nd Reading: May 6, 2019

Exhibit 'A':
Legal Description

BEING A 42.6035 ACRE PARCEL OF LAND SITUATED IN THE N. BUTLER SURVEY ABSTRACT NO. 20 AND THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; SAID 42.6035 ACRE TRACT BEING ALL OF 11.3736 ACRE OF TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO ALVAPLAST U.S., INC., A DELAWARE CORPORATION RECORDED IN INSTRUMENT NUMBER 20150000002739 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS; AND BEING PART OF 98.319 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO COLUMBIA EXTRUSION CORPORATION, DATED DECEMBER 22, 1988 AND RECORDED IN VOLUME 444, PAGE 102 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS; AND BEING A PART OF LOT 1 IN BLOCK 1 OF INDALLOY ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET "D", SLIDE 273 OF THE PLAT RECORDS OF ROCKWALL COUNTY TEXAS; SAID 42.6035 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF INDUSTRIAL BOULEVARD (A 65-FOOT WIDE RIGHT-OF- WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF AIRPORT ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 00° 07' 36" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD AND THE EAST LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT FOR A DISTANCE OF 788.63 FEET TO A POINT FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF UP/DALLAS GARLAND N.E. RAILROAD (A 100-FOOT WIDE RIGHT-OF-WAY); SAID POINT BEING THE SOUTHEAST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT;

THENCE SOUTH 88° 36' 50" WEST DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD AND ALONG THE SAID NORTH LINE OF UP/DALLAS GARLAND N.E. RAILROAD AND THE SOUTH LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT, FOR A DISTANCE OF 584.08 FEET TO THE SOUTHWEST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT AND THE SOUTHEAST CORNER OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF AFORESAID 98.319 ACRE TRACT DESCBIED IN DEED TO COLUMBIA EXTRUSION CORPORATION;

THENCE SOUTH 88° 32' 20" WEST CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD AND THE SOUTH LINE OF SAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND PASSING AND PASSING APPROXIMATELY AT A DISTANCE OF 332.77 FFET THE SOUTHWEST CORNER OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD FOR A TOTAL DISTANCE OF 578.23 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 21774.77 FEET WITH A CENTRAL ANGLE OF 00° 58' 11" AND A CHORD BEARING SOUTH 88° 05' 13" WEST AT A DISTANCE OF 368.51 FEET;

THENCE SOUTHWESTERLY AND FOLLOWING ALONG SAID CURVE TO THE RIGHT AND CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD FOR AN ARC DISTANCE OF 368.52 FEET TO A POINT FOR CORNER;

THENCE SOUTH 88° 04' 12" WEST CONTINUING ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD FOR A DISTANCE OF 101.65 FEET TO A POINT FOR CORNER;

THENCE NORTH 09° 24' 49" WEST DEPARTING THE SAID NORTH LINE OF UP/DALLAS GARLAND N.E. RAILROAD FOR A DISTANCE OF 1039.14 FEET TO A POINT FOR CORNER IN THE EAST BOUNDARY LINE OF PARK PLACE WEST II, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE AMENDED PLAT THEREOF RECORDED IN CABINET "G", SLIDE 100 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 04° 52' 54" WEST ALONG THE EAST LINE OF SAID PARK PLACE WEST ADDITION FOR A DISTANCE OF 207.14 FEET TO A POINT FOR CORNER;

THENCE NORTH 81° 27' 00" EAST LEAVING THE EAST LINE OF SAID PARK PLACE WEST ADDITION FOR A DISTANCE OF 408.12 FEET TO A POINT FOR CORNER;

THENCE SOUTH 83° 23' 14" EAST AND PASSING AT A DISTANCE OF 216.91 FEET THE WEST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND CONTINUING ON FOR A TOTAL DISTANCE OF 274.94 FEET TO A POINT FOR CORNER;

THENCE SOUTH 85° 37' 16" EAST FOR A DISTANCE OF 435.64 FEET TO A POINT FOR CORNER IN THE EAST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND THE WEST LINE OF 7.497 ACRE TRACT OF LAND DESCRIBED IN DEED TO ROCKWALL COMMUNITY PLAYHOUSE AND RECORDED IN VOULME 4239, PAGE 203 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 06° 42' 50" EAST ALONG THE EAST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION AND THE WEST LINE OF SAID 7.497 ACRE TRACT OF LAND DESCRIBED IN DEED TO ROCKWALL COMMUNITY PLAYHOUSE, FOR A DISTANCE OF 360.89 FEET TO A POINT FOR CORNER AT THE END OF A 50' WIDE STREET DEDICATION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS BY DEED RECORDED IN VOLUME 67, PAGE 116 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS

THENCE SOUTH 06° 22' 45" EAST CONTINUING ALONG THE EAST LINE OF AFORESAID LOT 1 IN BLOCK 1 OF INDALLOY ADDITION FOR A DISTANCE OF 50.93 FEET TO A POINT FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID

AIRPORT ROAD; SAID POINT ALSO BEING THE NORTHWEST CORNER OF AFORESAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT;

THENCE DEPARTING THE WEST LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC.TRACT AND THE EAST LINE OF SAID LOT 1 IN BLOCK 1 AND ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID AIRPORT ROAD, THE FOLLOWING COURSES AND DISTANCES NUMBERED **(1) THROUGH (5);**

1. NORTH 83° 53' 38" EAST FOR A DISTANCE OF 413.66 FEET TO A POINT FOR CORNER;
2. SOUTH 01° 01' 31" EAST FOR A DISTANCE OF 17.89 FEET TO A POINT FOR CORNER;
3. SOUTH 88° 37' 46" EAST FOR A DISTANCE OF 195.72 FEET TO A POINT FOR CORNER;
4. SOUTH 79° 05' 55" EAST FOR A DISTANCE OF 32.05 FEET TO A POINT FOR CORNER;
5. SOUTH 88° 51' 14" EAST FOR A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 42.6035 ACRES OF LAND, MORE OR LESS.

Exhibit 'B':
Conceptual Site Plan

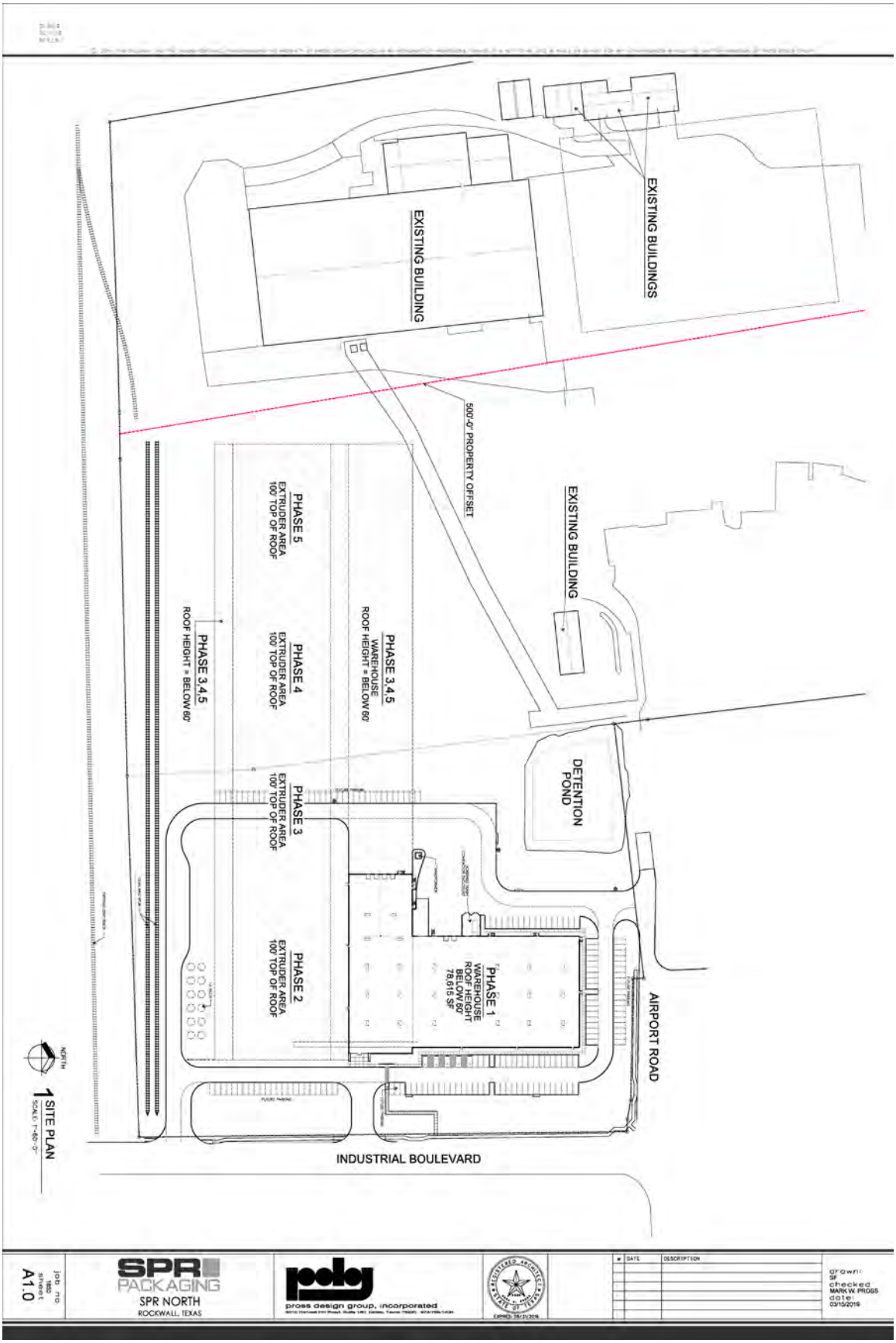
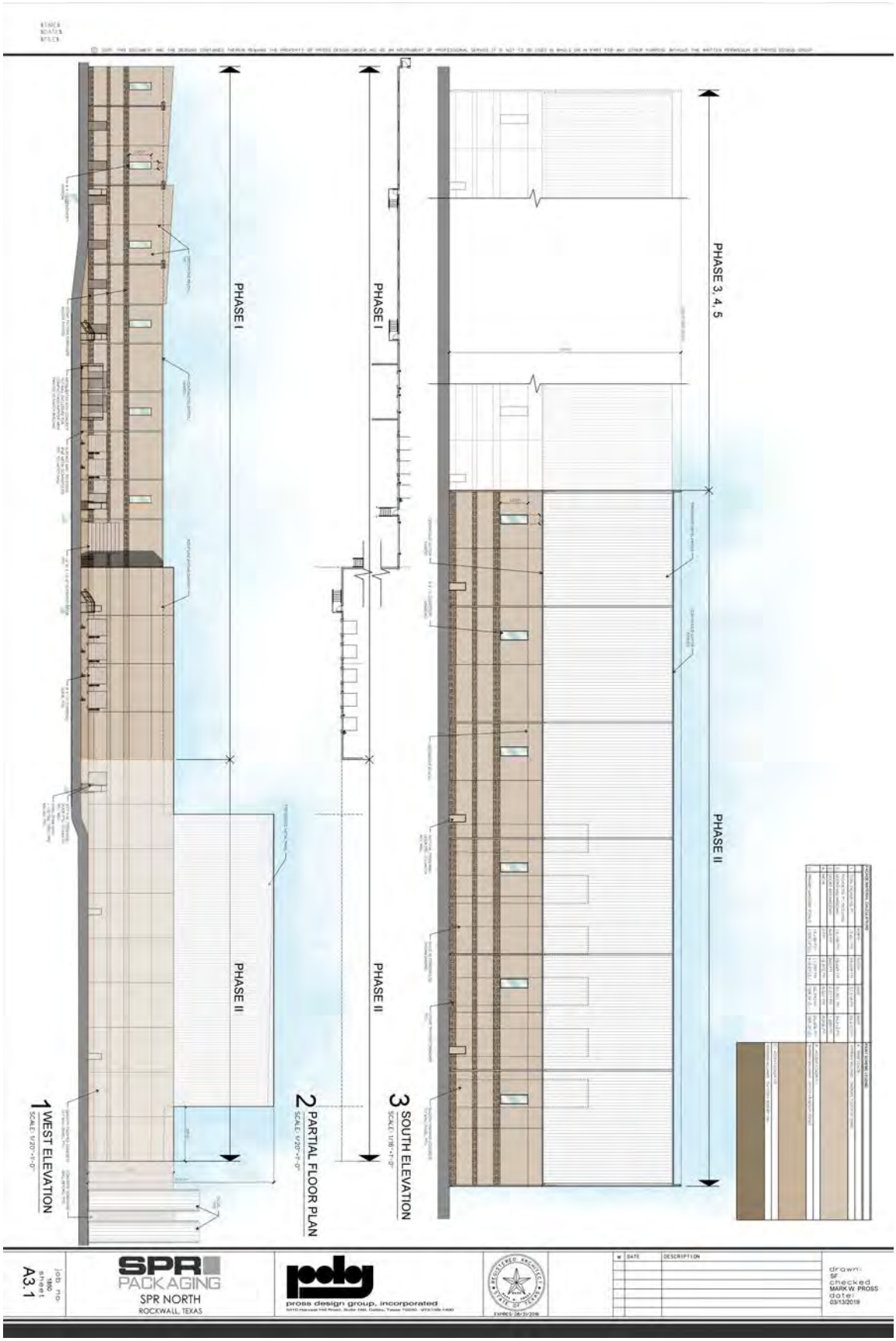
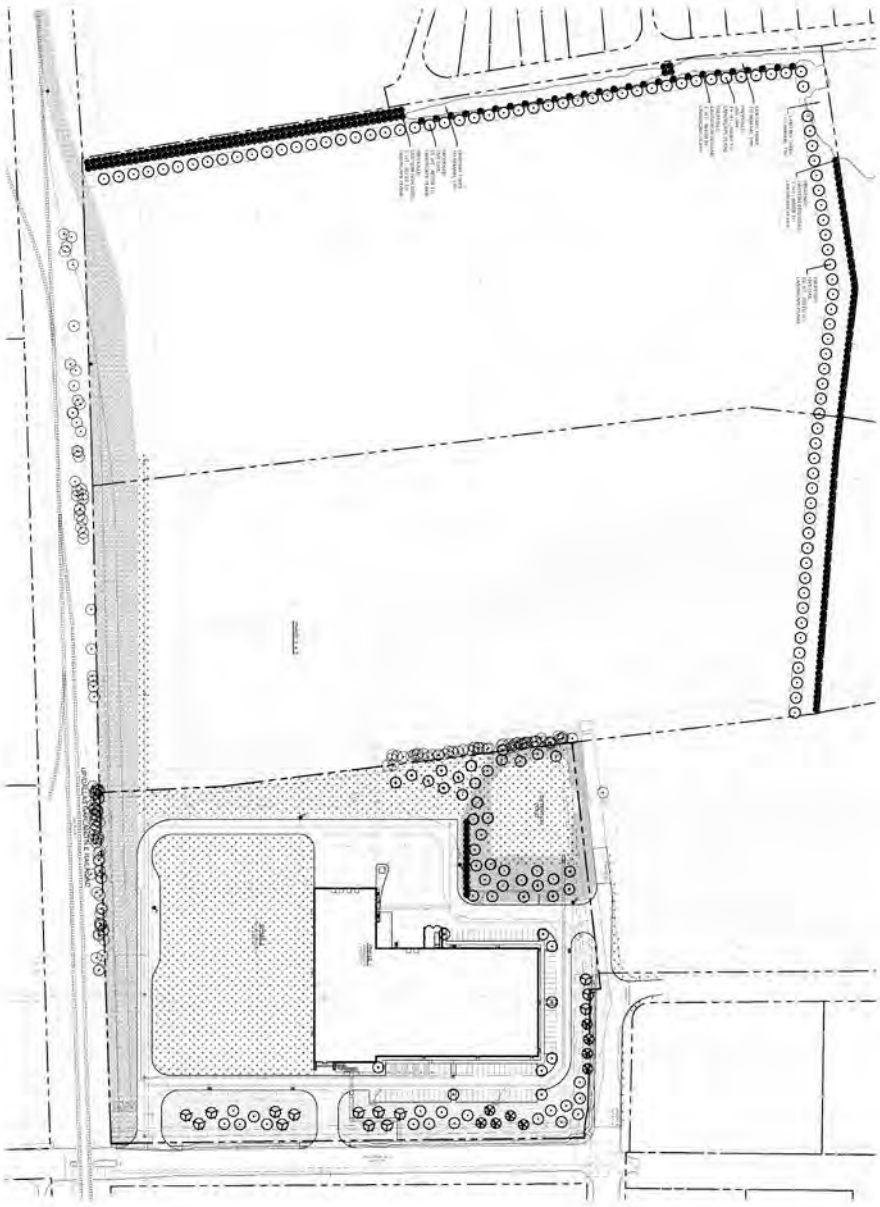


Exhibit 'C':
Concept Building Elevation Phasing Plan





OVERALL LANDSCAPE PLAN

BELLE FIRMA

SPR PACKAGING
SPR NORTH
ROCKWALL, TEXAS

pdg
press design group, incorporated

#	DATE	DESCRIPTION
	02/14/19	CITY COMMENTS

drawn: NAY
checked: KAH
date: 01/15/19

sheet L1.00

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134

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

CC: **Rick Crowley, City Manager**
Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager

FROM: **Andy Hesser, Director of Parks and Recreation**

DATE: **April 15**

SUBJECT: **ALCOHOL WAIVER FOR 2019 FOUNDERS DAY FESTIVAL**

The 2019 City of Rockwall Founders Day will be held at Harry Myers Park on Saturday, May 20th beginning at 10:00am and concluding around 9:00pm. This will be the fifteenth consecutive Founders Day Festival which started in 2004 when the City celebrated its 150th birthday.

Similar to last year, we have the opportunity for two major headline acts this year. Joey Ely and Ray Wylie Hubbard. Both have national level notoriety and multiple hit songs.

In 2014, the City Council amended sec. 30-2, Regulated Activities in Parks which permitted the possession and consumption of alcohol in Harry Myers Park for City-sponsored events as designated by the City Council. Since the Founders Day Festival was held on the Square for eight years prior to the 2014 festival, patrons have been permitted to bring their own alcoholic beverages to the festival. When the venue location changed in 2014, the Council amended the ordinance to minimize conflict due to past history. Since 2014, there have been no major alcohol related incidents that required Police Department intervention.

With the 2019 festival just a few weeks away, the Council has the discretion to designate the event as a City-sponsored event where the possession and consumption of alcohol would be permitted. The designation must be granted annually and expires at the conclusion of the event and can be limited to all or a portion of Harry Myers Park. As with all previous Founders Day Festivals, coordination and planning has already begun with the police and fire departments.

135

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136

MEALS on WHEELS
SENIOR SERVICES
of Rockwall County
950 Williams St
Bldg. C Ste. 200
Rockwall, TX 75087
972-771-9514

April 21, 2019

Dear Mayor Jim Pruitt and Council Members,

May is National Older Americans Month, a federally proclaimed annual celebration. Meals on Wheels Senior Services are honoring Rockwall County seniors, programs, and volunteers serving our elderly community. The National Theme this Year is: **Connect, Create and Contribute**!! Enclosed is the information from the Federal Website. Please submit two nominees for an award for an outstanding senior who is making a difference in the senior community. Please call the office at:

972-771-9514 or send e-mail to:
rockwallmow@hotmail.com

We are having the proclamations and awards presented at a reception on Friday, May 24th, 1:00p.m. at the Divine Peace Church Fellowship Hall, 203 Fannin Street, Rockwall, TX 75087. Thank you for your time! The Seniors of Rockwall County really appreciate all your efforts.

Sincerely,

Margie VerHagen
Executive Director

OLDER AMERICANS MONTH

CONNECT, CREATE, CONTRIBUTE MAY 2019

OLDER AMERICANS MONTH 2019: CONNECT, CREATE, CONTRIBUTE

Each year, more and more older adults are making a positive impact in and around Rockwall County. As volunteers, employees, employers, educators, mentors, advocates, and more, they offer insight and experience that benefit the entire community. That's why Older Americans Month (OAM) has been recognizing the contributions of this growing population for 56 years.

Led by the Administration for Community Living (ACL) each May, OAM provides resources to help older Americans stay healthy and independent, and resources to help communities support and celebrate their diversity.

This year's OAM theme, *Connect, Create, Contribute*, encourages older adults and their communities to:

- **Connect** with friends, family, and local services and resources.
- **Create** through activities that promote learning, health, and personal enrichment.
- **Contribute** time, talent, and life experience to benefit others.

Meals on Wheels Senior Services will celebrate OAM by promoting ways that community members of *all* ages can take part in helping Rockwall County thrive. We encourage you to:

Communities that support and recognize older adults are stronger! Join us in strengthening our community – this May and throughout the year. Visit the official OAM website for ideas and inspiration, and follow ACL on Twitter and Facebook.

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139

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

March 2019

Permits

Total Permits Issued: 316
Building Permits: 73 Contractor Permits: 243

Total Permit Values: $ 15,038,209.73
Building Permits: $11,727,980.60 Contractor Permits: $3,310,229.13

Total Fees Collected: $288,576.03
Building Permits: $269,872.53 Contractor Permits: $18,703.50

Board of Adjustment

Board of Adjustment Cases 2

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

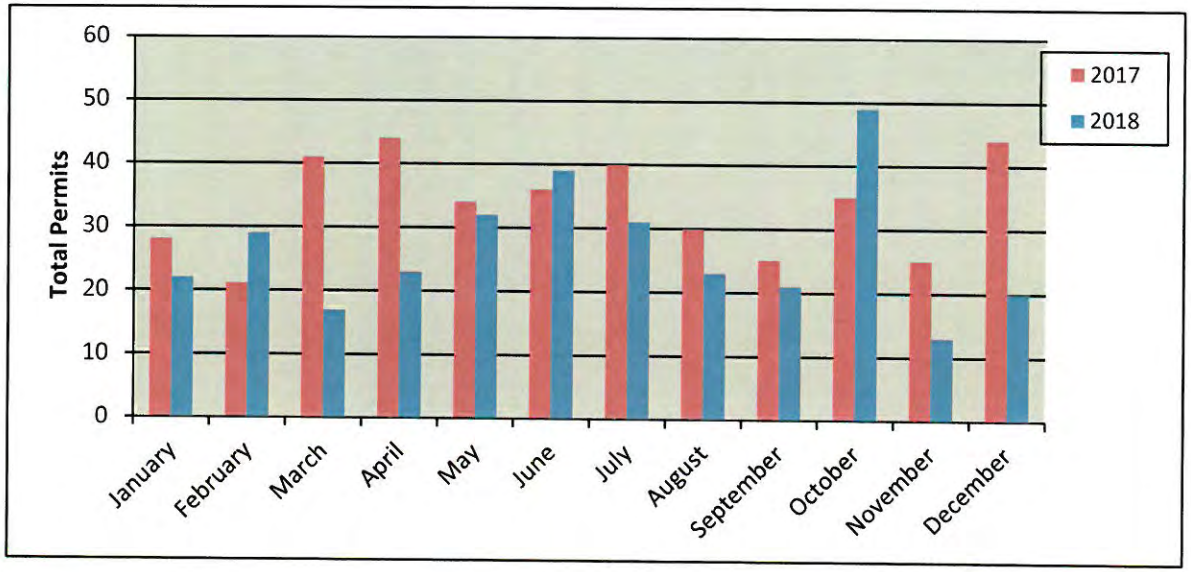
For the Period 3/1/2019 thru 3/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	3	$0.00	$151.00
	2	$0.00	$101.00
30 DAY BANNER	1	$0.00	$50.00
CO	11	$0.00	$829.50
BUSINESS	4	$0.00	$301.50
INTERIOR	5	$0.00	$376.50
NEW CONSTRUCTION	1	$0.00	$75.00
SHELL	1	$0.00	$76.50
COMM	23	$1,813,765.60	$9,997.27
ELECTRICAL	1	$50,000.00	$1,122.00
FENCE	2	$17,000.00	$70.70
INTERIOR COMP	1	$285,000.00	$2,235.08
IRRIGATION	2	$8,350.00	$71.40
MECHANICAL	1	$40,000.00	$565.34
MISCELLANEOUS	1	$5,246.60	$35.70
PLUMBING	5	$5,200.00	$261.23
REMODEL	7	$624,000.00	$5,528.72
ROOF	3	$778,969.00	$107.10
MISCELLANEOUS	3	$0.00	$0.00
ELECTRICAL	3	$0.00	$0.00
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	11	$312,339.50	$834.00
DEVELOPMENT	1	$1,439.50	$76.50
WALL	10	$310,900.00	$757.50
SINGLE FAMILY	253	$12,912,104.63	$276,259.01
ACC BLDG	6	$100,582.00	$1,529.40
ADDITION	2	$141,000.00	$1,444.91
CONCRETE	6	$12,900.00	$517.05
ELECTRICAL	6	$45,842.50	$1,042.72
FENCE	34	$101,100.00	$1,204.00
IRRIGATION	26	$61,300.00	$927.50
MECHANICAL	17	$199,702.00	$3,805.97
NEW	45	$10,294,717.00	$255,441.72
PATIO COVER	8	$197,835.00	$2,663.33
PLUMBING	36	$71,757.57	$2,678.64
REMODEL	3	$79,600.00	$993.67
RETAINING WALL	3	$27,000.00	$106.40
ROOF	41	$662,795.94	$1,460.90
SWIM POOL	15	$891,936.23	$2,265.00
WINDOWS	5	$24,036.39	$177.80
SPECIAL EVENT	11	$0.00	$505.25
	11	$0.00	$505.25
Totals:	**316**	**$15,038,209.73**	**$288,576.03**

CRW SYSTEMS

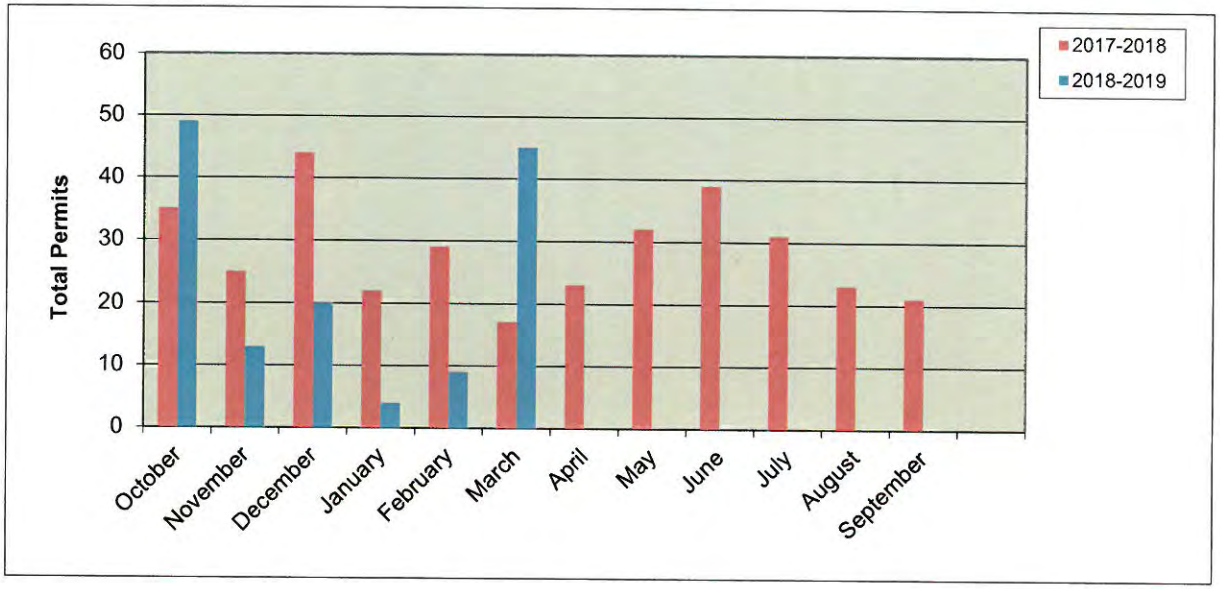
New Residential Permits Calendar Year

	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
Totals	**403**	319



New Residential Permits Fiscal Year

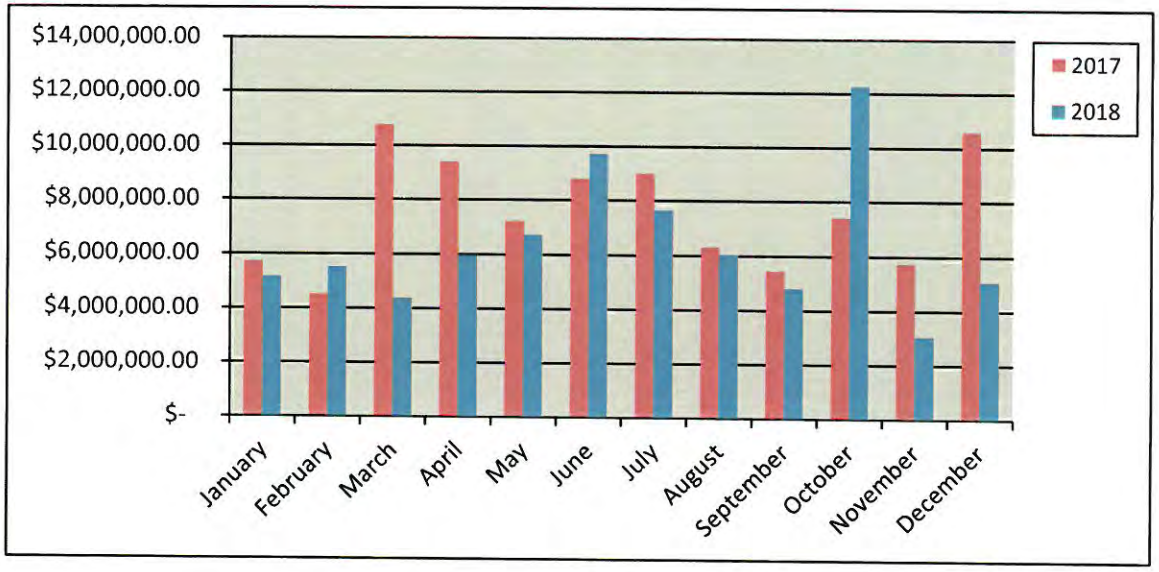
	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	9
March	17	45
April	23	
May	32	
June	39	
July	31	
August	23	
September	21	
Totals	**341**	**140**



142

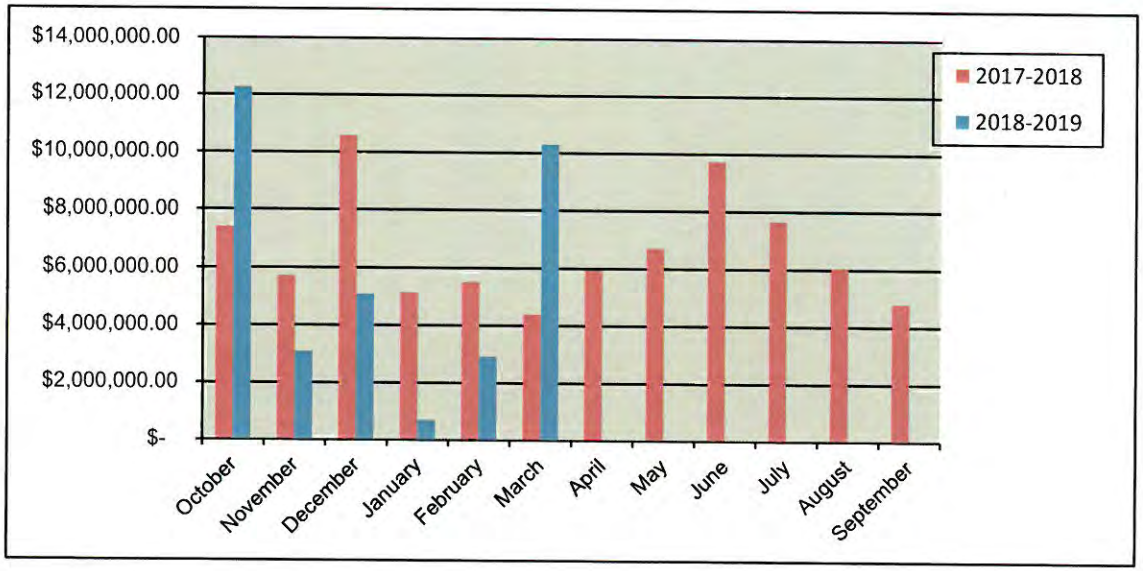
New Residential Value Calendar Year

Year	2017	2018
January	$ 5,698,431.00	$ 5,145,624.00
February	$ 4,497,500.00	$ 5,505,704.00
March	$ 10,740,233.00	$ 4,374,886.00
April	$ 9,394,785.27	$ 5,946,813.00
May	$ 7,210,632.79	$ 6,706,301.00
June	$ 8,782,481.00	$ 9,728,069.00
July	$ 8,983,999.47	$ 7,660,917.00
August	$ 6,295,770.00	$ 6,049,208.00
September	$ 5,443,098.00	$ 4,799,404.00
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
Totals	**$ 90,748,277.89**	**$ 76,318,156.00**



New Residential Value Fiscal Year

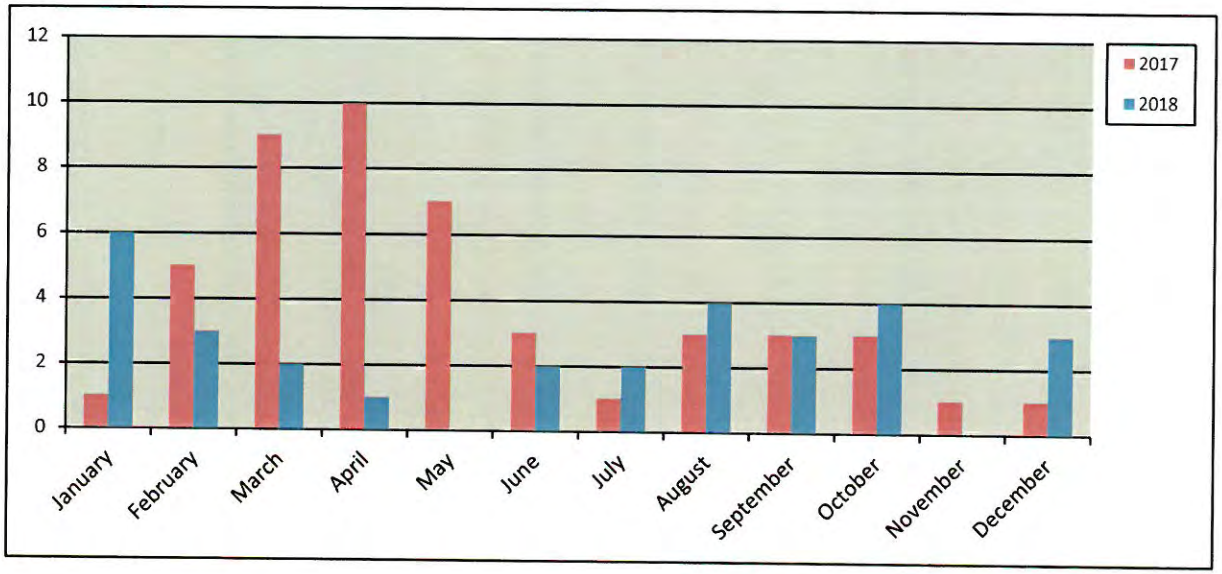
Year	2017-2018	2018-2019
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
January	$ 5,145,624.00	$ 681,618.00
February	$ 5,505,704.00	$ 2,897,344.85
March	$ 4,374,886.00	$ 10,294,717.00
April	$ 5,946,813.00	
May	$ 6,706,301.00	
June	$ 9,728,069.00	
July	$ 7,660,917.00	
August	$ 6,049,208.00	
September	$ 4,799,404.00	
Totals	**$79,618,273.36**	**$ 34,274,909.85**



143

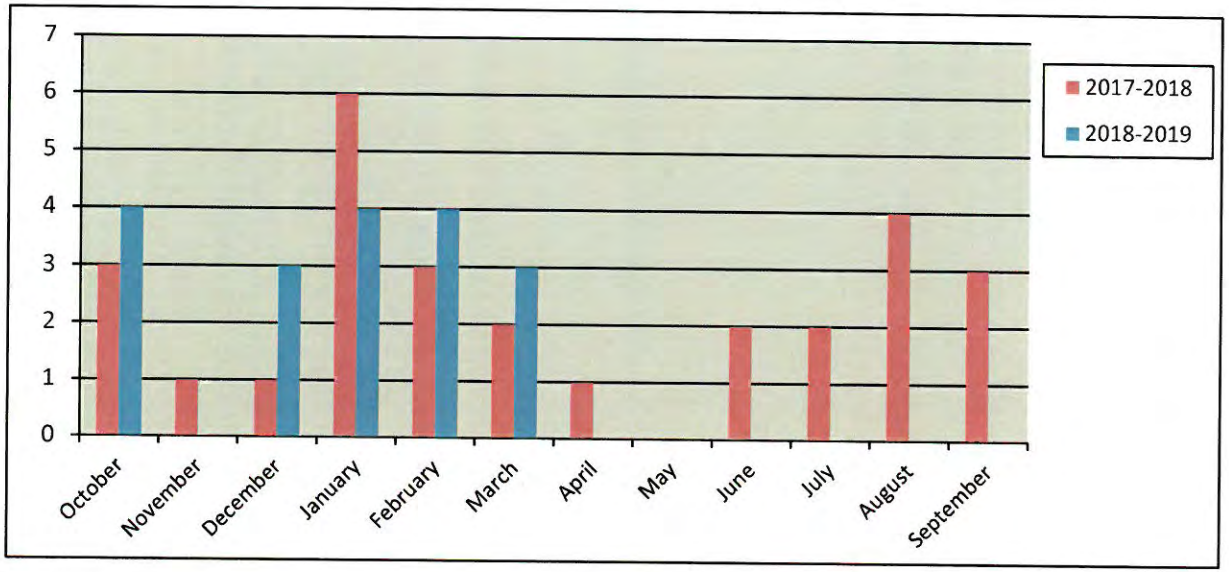
Residential Remodel Permits Calendar Year

Year	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
Totals	**47**	30



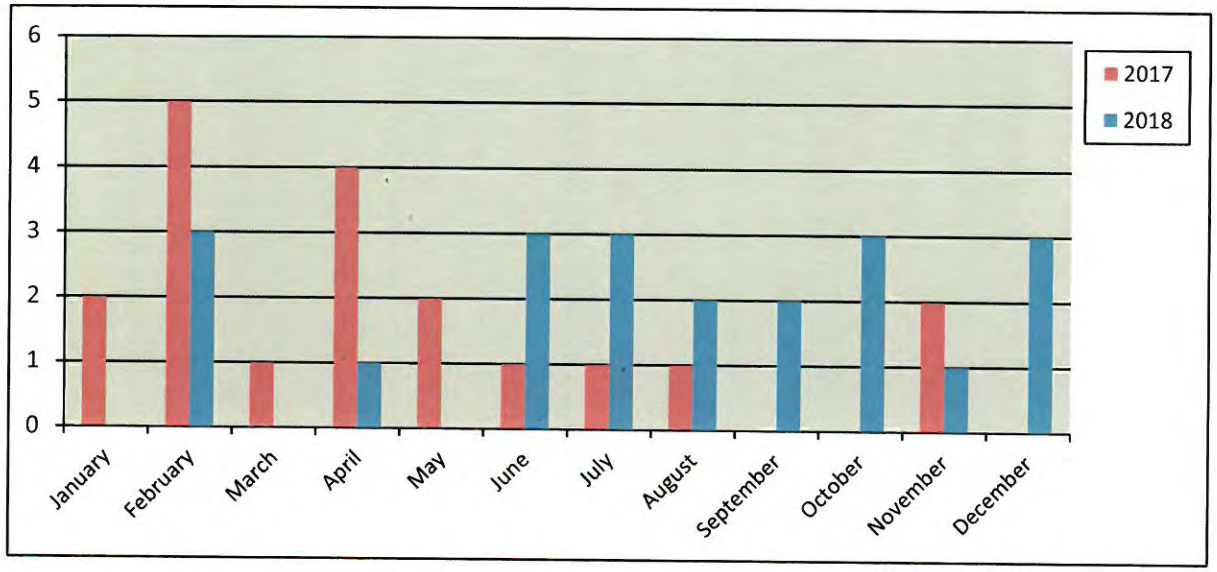
Residential Remodel Permits Fiscal Year

Year	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	4
March	2	3
April	1	
May	0	
June	2	
July	2	
August	4	
September	3	
Totals	**28**	**18**



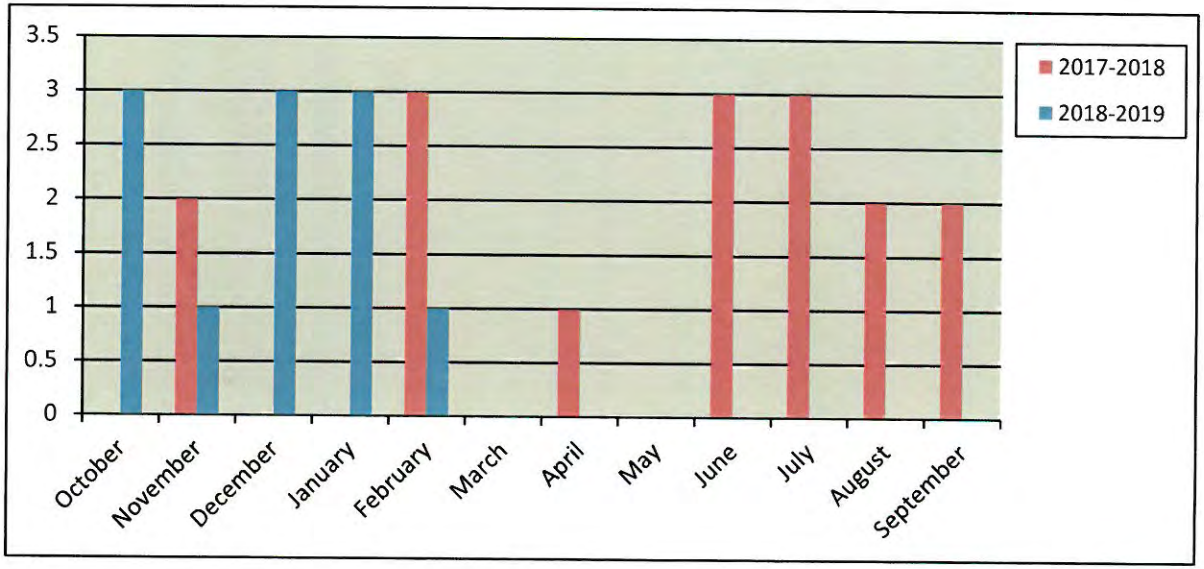
New Commercial Permits Calendar Year

Year		
	2017	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
Totals	**19**	**21**



New Commercial Permits Fiscal Year

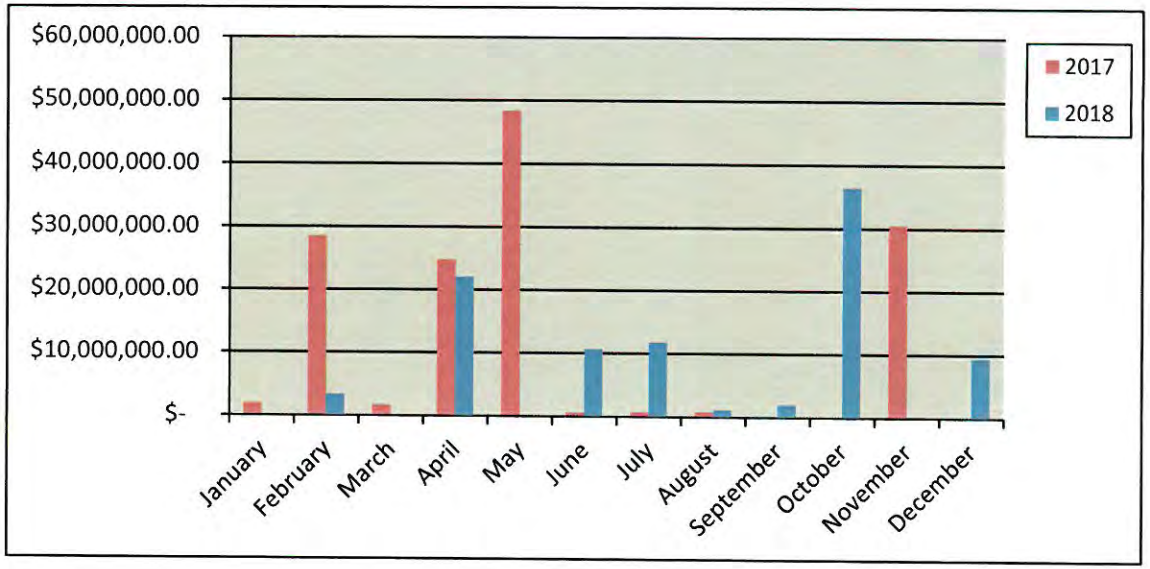
Year		
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	1
March	0	0
April	1	
May	0	
June	3	
July	3	
August	2	
September	2	
Totals	**16**	**11**



145

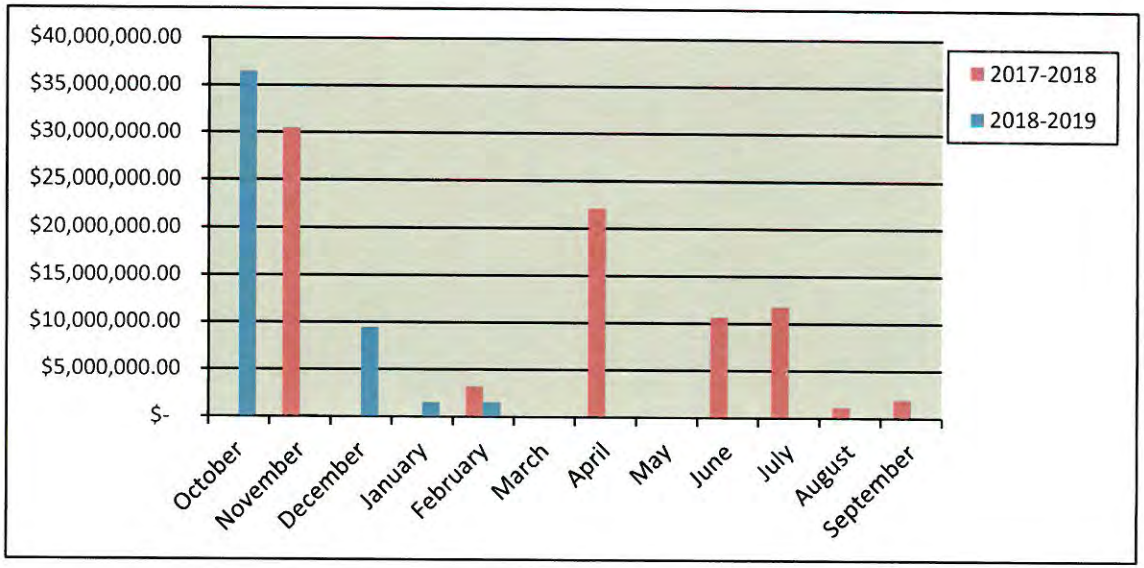
New Commercial Value Calendar Year

Year	2017	2018
January	$ 1,800,000.00	-
February	$ 28,400,000.00	$ 3,221,771.00
March	$ 1,599,026.00	-
April	$ 24,650,000.00	$ 22,000,000.00
May	$ 48,300,000.00	-
June	$ 569,400.00	$ 10,602,430.88
July	$ 700,000.00	$ 11,712,500.00
August	$ 726,506.00	$ 1,111,950.00
September	-	$ 1,930,813.00
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
Totals	**$ 137,134,932.00**	**$ 96,612,264.88**



New Commercial Value Fiscal Year

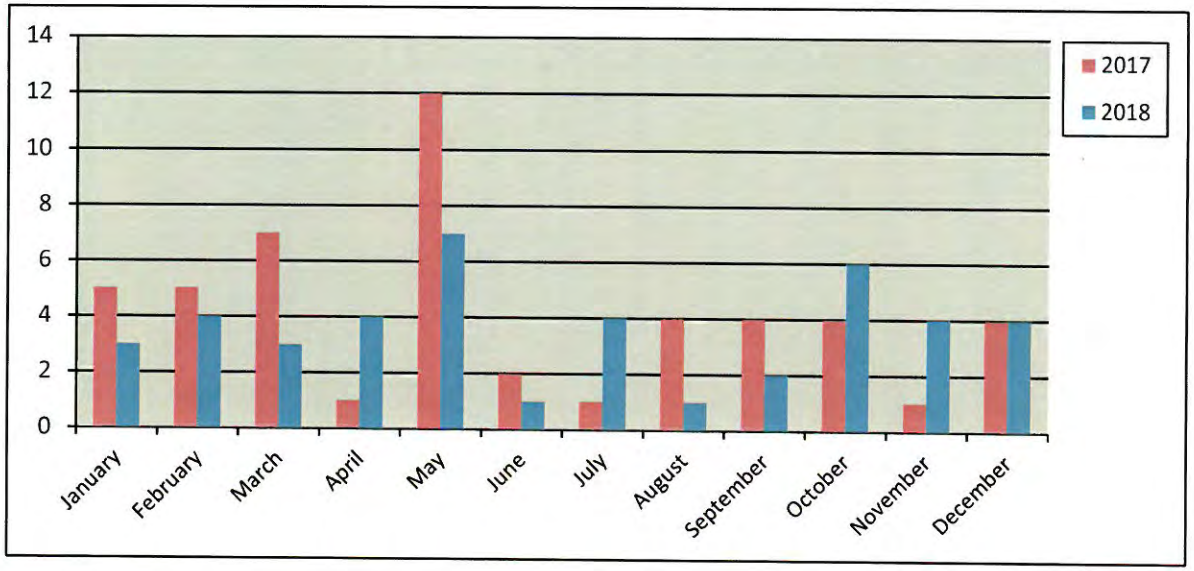
Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
January	-	$ 1,530,000.00
February	$ 3,221,771.00	$ 1,500,000.00
March	-	-
April	$ 22,000,000.00	
May	-	
June	$ 10,602,430.88	
July	$ 11,712,500.00	
August	$ 1,111,950.00	
September	$ 1,930,813.00	
Totals	**$ 80,969,464.88**	**$ 49,062,800.00**



146

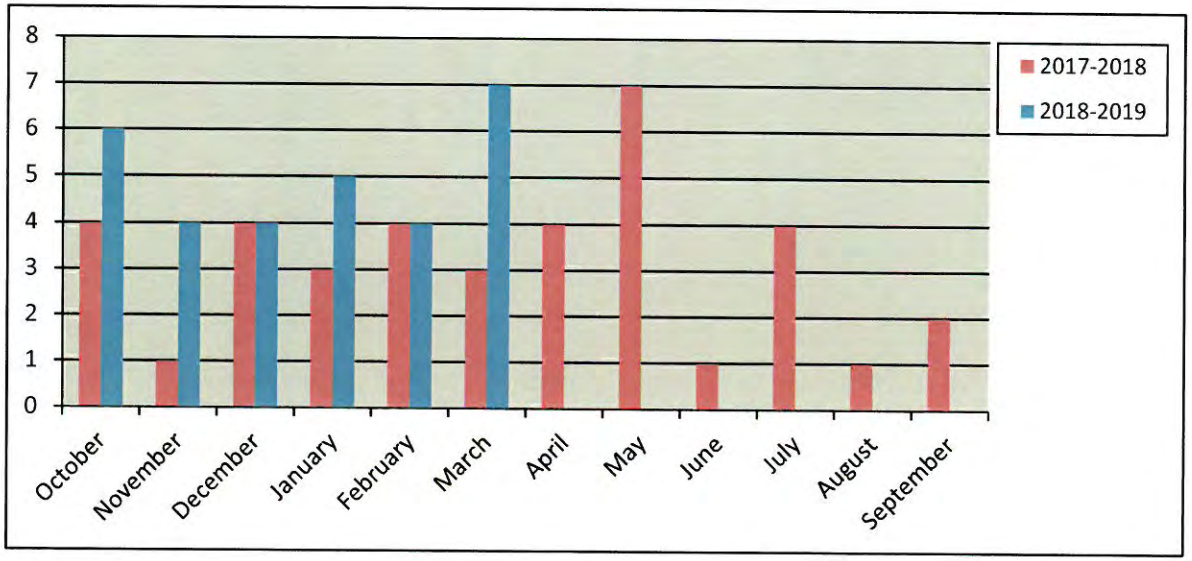
Commercial Remodel Permits Calendar Year

	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
Totals	**50**	**43**



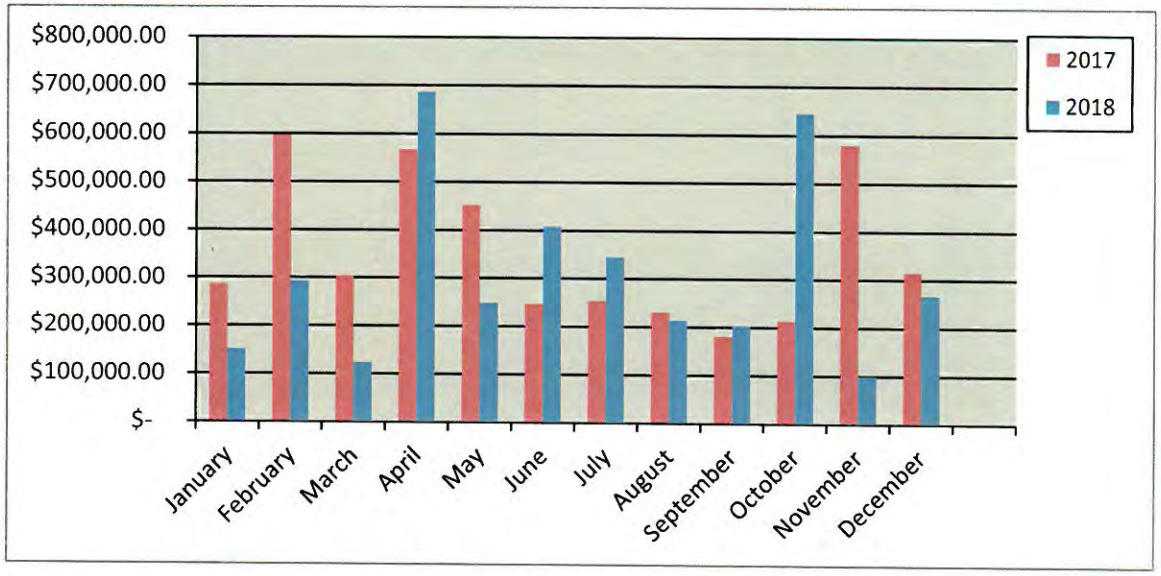
Commercial Remodel Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	4
March	3	7
April	4	
May	7	
June	1	
July	4	
August	1	
September	2	
Totals	**38**	**30**



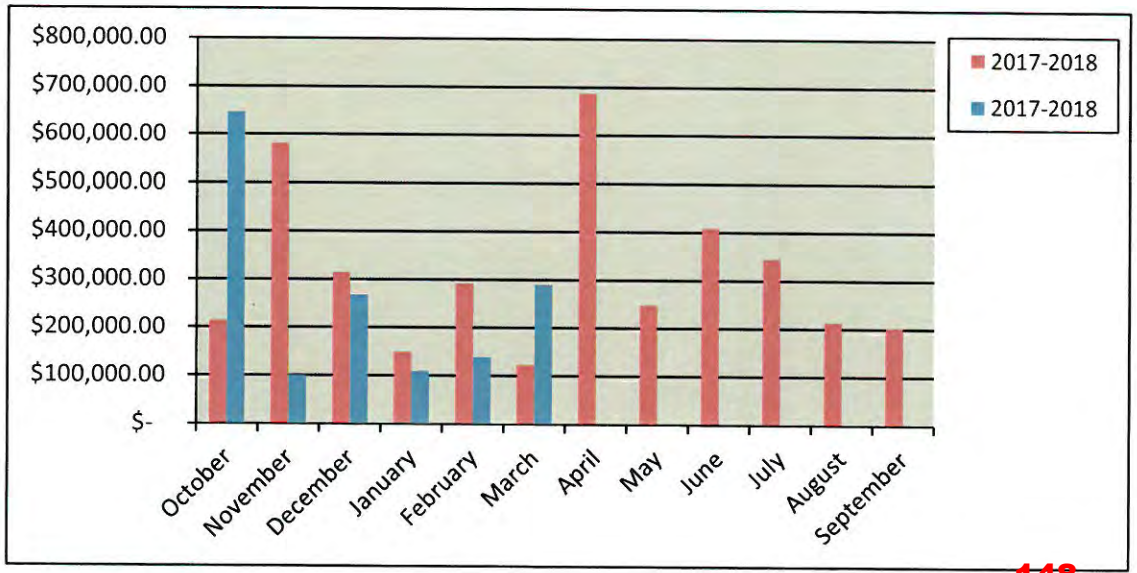
Total Fees Collected Calendar Year

Year	2017	2018
January	$ 284,774.34	$ 149,088.54
February	$ 595,848.26	$ 291,324.78
March	$ 302,406.79	$ 122,271.28
April	$ 566,291.24	$ 686,154.89
May	$ 451,389.66	$ 247,465.55
June	$ 244,930.08	$ 406,799.91
July	$ 252,374.52	$ 343,682.23
August	$ 229,266.56	$ 212,643.16
September	$ 180,561.41	$ 201,855.47
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
Totals	**$ 4,213,035.44**	**$ 3,673,110.11**



Total Fees Collected Fiscal Year

Year	2017-2018	2017-2018
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	$ 137,260.79
March	$ 122,271.28	$ 288,576.03
April	$ 686,154.89	
May	$ 247,465.55	
June	$ 406,799.91	
July	$ 343,682.23	
August	$ 212,643.16	
September	$ 201,855.47	
Totals	**$ 3,766,478.39**	**$ 1,545,986.35**



148

City of Rockwall
PERMITS ISSUED
For the Period 3/1/2019 thru 3/31/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2018-0043 04/04/2018 03/06/2019	CO INTERIOR Active	2268 Lakeshore Dr. N 104 0124-0000-0008-04-0R Ideal Dental Rockwall	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	MedTech Construction, Inc.	P.O. Box 2497, Rockwall, TX 75087	(972) 226-3332
BUS OWNER	Deca Dental Grp.	12770 Merit Dr., Dallas, TX 75251	(972) 361-0600
CONTRACTOR	MedTech Construction, Inc.	P.O. Box 2497, Rockwall, TX 75087	(972) 226-3332
ELEC CONTR	Big Sky Electric	P. O. BOX 2558, Rockwall, TX 75032	(214) 729-4080
INSP RPT EMAIL	MedTech Construction, Inc.	P.O. Box 2497, Rockwall, TX 75087	(972) 226-3332
MECH CONTR	WILLARD HEATING & AIF	207 E US Hwy 80, Forney, TX 75126	(972) 564-9785
OWNER	ARKOMA, DEVELOPMEN	, ROCKWALL, TX 75087	
PLB CONTR	BACON PLUMBING	295 RANCH TRAIL, ROCKWALL, TX 75087	(972) 722-4006

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0021 01/28/2019 03/14/2019	CO BUSINESS Active	2020 Industrial 4824-0000-0002-00-0R Warehouse-Pro	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Billy Self	1830 IH 30, ROCKWALL, TX 75087	(800) 706-5202
BUS OWNER	Billy Self	1830 IH 30, Rockwall, TX 75087	(800) 706-5202
OWNER	Rockwall Steel Co, Inc.	PO Box 159, ROCKWALL, TX 75087	(214) 545-5400

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0022 01/30/2019 03/25/2019	CO BUSINESS Active	106 N San Jacinto St 4820-000K-0005-B0-0R Ava Rey	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Susan Grove	603 Amelia Ct., ROCKWALL, TX 75087	(219) 670-7960
BUS OWNER	Susan Grove	106 N San Jacinto, ROCKWALL, TX 75087	(219) 670-7960
OWNER	JS2 Properties LLC	1717 Main St. Suite 2950, Dallas, TX 75201	(214) 673-9418

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0025 02/19/2019 03/04/2019	CO NEW CONSTRUCTION Active	1945 N Goliad St. 0124-0000-0008-04-0R Starbucks	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	GSO Architects	5310 Harvest Hill Rd, Dallas, TX 75230	(972) 392-6017
BUS OWNER	Tabitha Sherman	1945 N Goliad St., Rockwall, TX 75087	(972) 383-5608
CONTRACTOR	DBGC LLC	410 Glencrest Cir., Coppell, TX 75019	(972) 998-0329
ELEC CONTR	Puckett Electric Co, Inc.	2602 Industrial Ln., Garland, TX 75041	(972) 864-0020
INSP RPT EMAIL	DBGC LLC	410 Glencrest Cir., Coppell, TX 75019	(972) 998-0329
MECH CONTR	N/A	, ,	
OWNER	ARKOMA, DEVELOPMEN	, ROCKWALL, TX 75087	
PLB CONTR	BACON PLUMBING	295 RANCH TRAIL, ROCKWALL, TX 75087	(972) 722-4006

City of Rockwall
PERMITS ISSUED
For the Period 3/1/2019 thru 3/31/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0028 02/25/2019 03/22/2019	CO INTERIOR Active	3301 N Goliad St 109 0030-0000-0004-01-0R TSO Rockwall	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Reid Robertson	3301 N. Goliad St. #109, ROCKWALL, TX 75087	(432) 230-5615
BUSINESS	TSO Rockwall	3301 N. Goliad St.. #109, Rockwall, TX 75087-7194	(972) 430-9977
OWNER	Emersons Commercial Real E	17776 Preston Rd. Suite 100, Dallas, TX 75252	(972) 738-0122

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0029 02/27/2019 03/13/2019	CO SHELL Active	3201 Capital Blvd. 0125-0000-0002-01-0R Lollicup USA Inc. (SHELL CO)	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Alan Yu	6185 Kimball Ave., Chino, CA 91708	(626) 965-8882
OWNER	HITT, FAMILY LIMITED P/	, ROCKWALL, TX 75032	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0030 03/05/2019 03/08/2019	CO INTERIOR Active	709 Rusk St W B 5120-0000-0001-00-0R Ray Hubbard Postal Center	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Tracey Partridge	285 Ole Wagon Road, Quinlan, TX 75474	(972) 771-3677
BUS OWNER	Tracey Partridge	709 Rusk St W , B, Rockwall, TX 75087	(972) 771-3677
OWNER	KARAMAND, LP	, ROCKWALL, TX 75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0032 03/07/2019 03/28/2019	CO BUSINESS Active	1520 IH 30 E 0024-0000-0004-04-0R M & P Concrete, LLC	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Michael Mershawn	1520 IH 30 E, ROCKWALL, TX 75087	(214) 500-6603
BUS OWNER	Michael Mershawn	1520 IH 30 E, ROCKWALL, TX 75087	(214) 500-6603
BUSINESS	M & P Concrete, LLC	1520 IH 30 E, ROCKWALL, TX 75087	(214) 500-6603
OWNER	Rockwall Credit Services, LL	PO Box 1870, Rockwall, TX 75087	(972) 771-1522

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0033 03/08/2019 03/18/2019	CO BUSINESS Active	2091 Summer Lee Dr 111 3809-000A-0002-00-0R Giovanni	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Argon Dika	250 Convention Dr. # 725, Fairview, TX 75225	(469) 769-1968
BUS OWNER	Argon Dika	2091 Summer Lee Dr. 111, Rockwall, TX 75032	(469) 769-1968
OWNER	MARIAH, BAY DEVELOPM	, ROCKWALL, TX 75087-0369	

City of Rockwall
PERMITS ISSUED
For the Period 3/1/2019 thru 3/31/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0036 03/14/2019 03/29/2019	CO INTERIOR Active	3201 Capital Blvd. 0125-0000-0002-01-0R Lollicup USA Inc.	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Alan Yu	6185 Kimball Ave., Chino, CA 91708	(626) 965-8882
BUSINESS	Lollicup USA Inc.	3201 Capital Blvd., Rockwall, TX 75032	(469) 421-1400
OWNER	Global Well Investment Grou	6185 Kimbell Ave, Chino, CA 91708	(626) 965-8882

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0037 03/15/2019 03/19/2019	CO INTERIOR Active	104 E Rusk 4820-000M-0004-00-0R Ami Kristin Studio	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Ami Pitre	104 E Rusk St., Rockwall, TX 75087	(972) 597-0003
BUS OWNER	Ami Pitre	104 E Rusk St., Rockwall, TX 75087	(972) 597-0003
OWNER	HENDRICKS, BARBARA S	, ROCKWALL, TX 75032	

Total Valuation: **0.00**
Total Fees: **829.50**
Total Fees Paid: **829.50**

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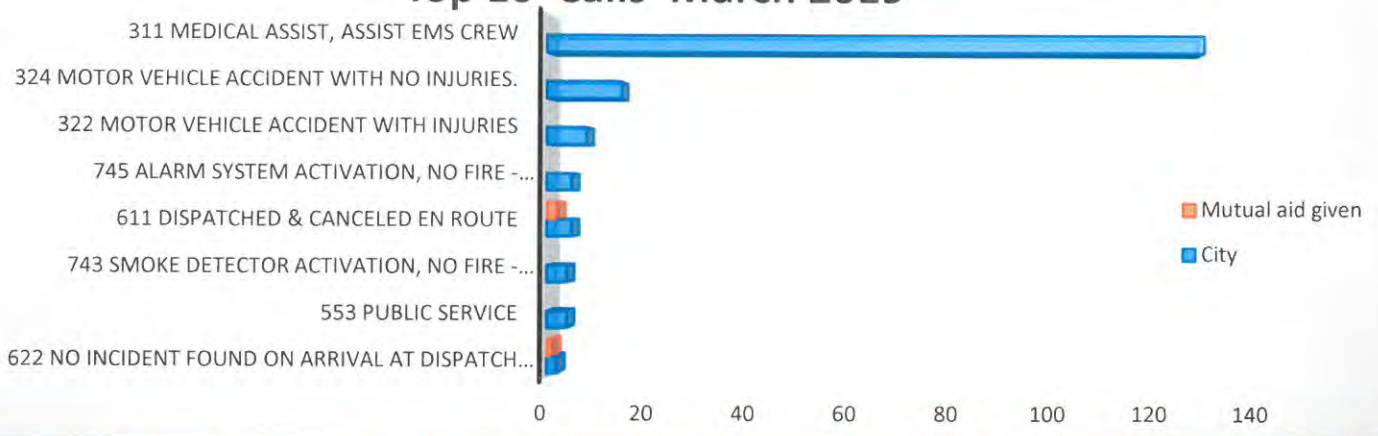
152

ROCKWALL FIRE DEPARTMENT

Monthly Report

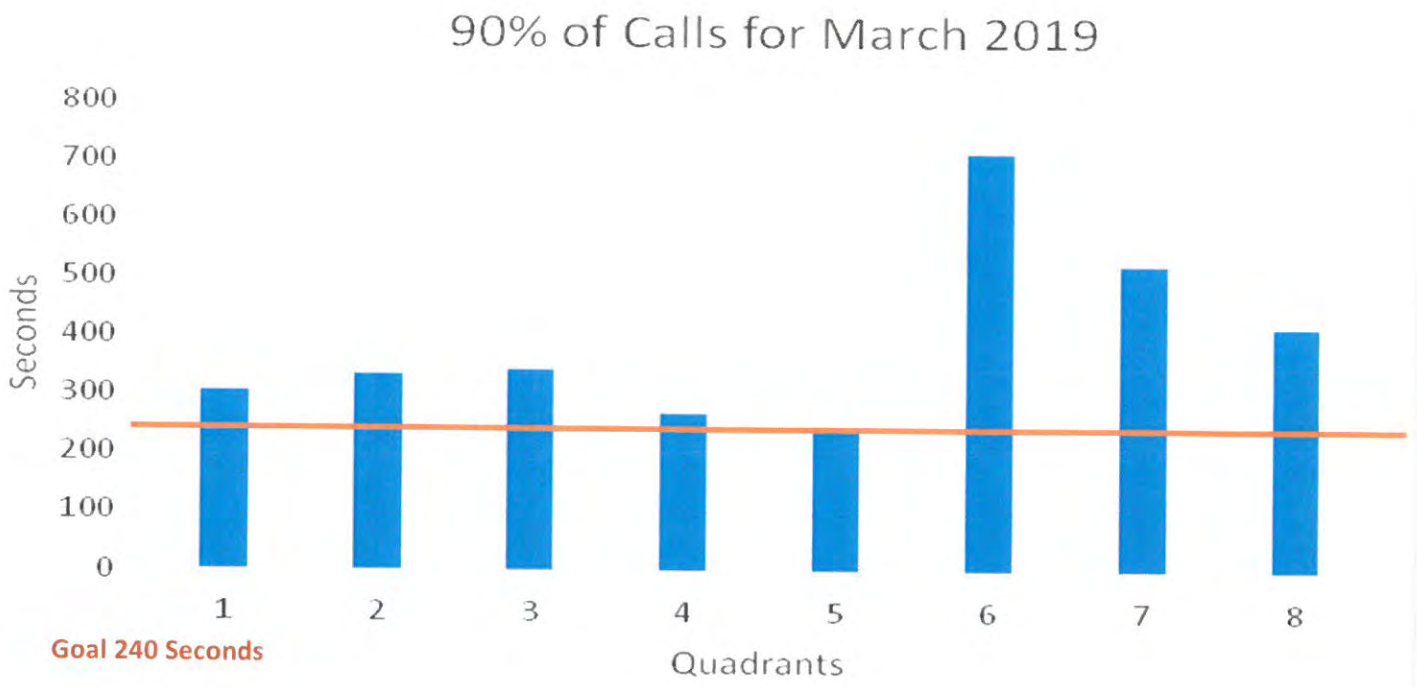
March 2019

153



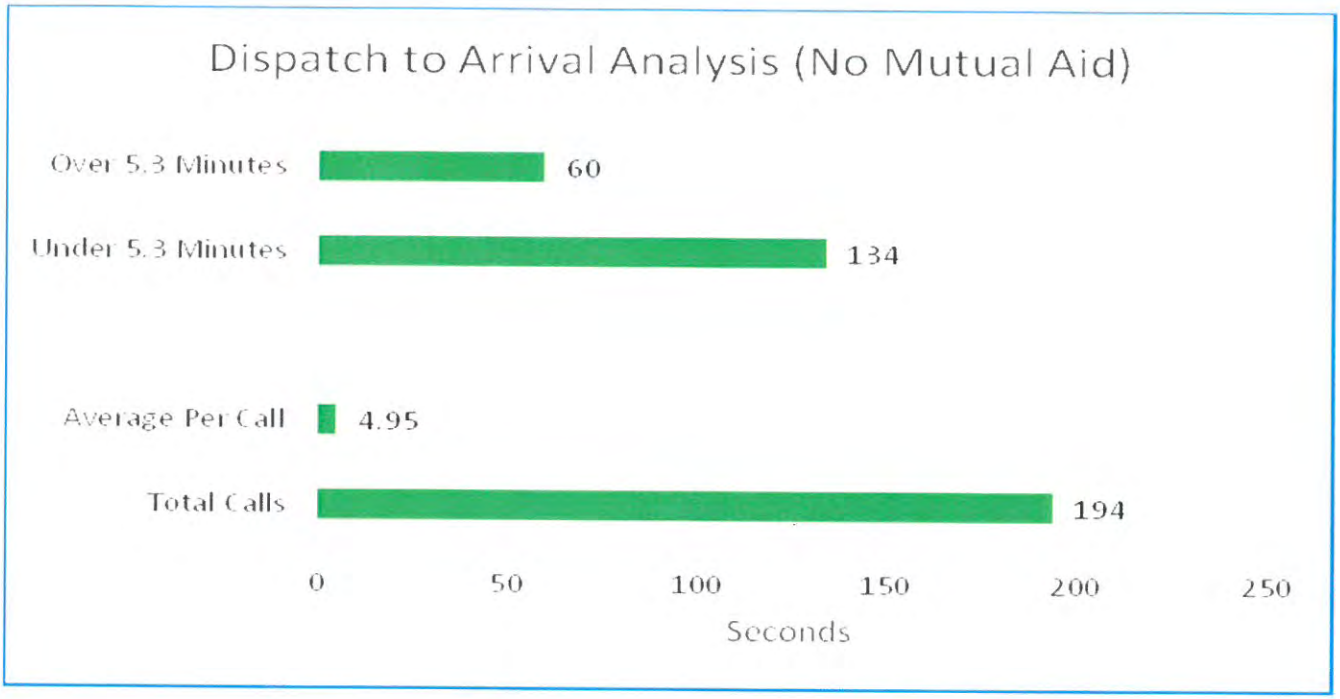
March 2019- All Calls		
Situation Type	Mutual aid given	City
111 Building fire	1	3
311 Medical assist, assist EMS crew		132
322 Motor vehicle accident with injuries		8
412 Gas leak (natural gas or LPG)		6
611 Dispatched & canceled en route	2	5
622 No incident found on arrival at dispatch address	1	2
733 Smoke detector activation due to malfunction		10
735 Alarm system sounded due to malfunction		6
743 Smoke detector activation, no fire - unintentional		4
745 Alarm system activation, no fire - unintentional		5
411 Gasoline or other flammable liquid spill		1
131 Passenger vehicle fire (cars, pickups, SUV's)		1
651 Smoke scare, odor of smoke		3
324 Motor vehicle accident with no injuries.		15
671 HazMat release investigation w/no HazMat		2
154 Dumpster or other outside trash receptacle fire		1
444 Power line down		1
522 Water or steam leak		1
550 Smoke Detector Battery Change/Install		15
553 Public service		4
715 Local alarm system, malicious false alarm		2
736 CO detector activation due to malfunction		1
113 Cooking fire, confined to container		1
142 Brush or brush-and-grass mixture fire		1
143 Grass fire		1
151 Outside rubbish, trash or waste fire		2
342 Search for person in water		1
353 Removal of victim(s) from stalled elevator		2
441 Heat from short circuit (wiring), defective/worn		1
460 Accident, potential accident, other		2
510 Person in distress, other		1
550 Public service assistance, other		1
600 Good intent call, other		1
653 Smoke from barbecue, tar kettle		1
700 False alarm or false call, other		1
741 Sprinkler activation, no fire - unintentional		5
742 Extinguishing system activation		2
744 Detector activation, no fire - unintentional		2
Totals	**4**	**253**

Travel Time March 2019



Travel Time Analysis-*By District* (No Mutual Aid)				Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% 4 min or less	All Code 3 Calls					
	100s					
81%	On Scene in	4.0	minutes or less	54	3.12	27.84%
	200s					
80%	On Scene in	4.0	minutes or less	59	3.30	30.41%
	300s					
65%	On Scene in	4.0	minutes or less	31	3.63	15.98%
	400s					
80%	On Scene in	4.0	minutes or less	30	3.45	15.46%
	500s					
67%	On Scene in	4.0	minutes or less	3	3.36	1.55%
	600s					
0%	On Scene in	4.0	minutes or less	6	8.27	3.09%
	700s					
13%	On Scene in	4.0	minutes or less	8	5.90	4.12%
	800s					
0%	On Scene in	4.0	minutes or less	3	6.38	1.55%
	900s					
	On Scene in	4.0	minutes or less	0		
			155 Total Calls	194		

March Dispatch to Arrival Analysis



Dispatch to Arrival Analysis-(No Mutual Aid)					Total Calls
66%	On Scene in	5.3	minutes or less		134
77%	On Scene in	6.0	minutes or less		163
85%	On Scene in	7.0	minutes or less		166
93%	On Scene in	8.0	minutes or less		182
94%	On Scene in	9.0	minutes or less		184
99%	On Scene in	16.3	minutes or less		194
	Total Calls		194		

156

Total Dollar Losses

March 2019

City of Rockwall
The New Horizon

Print Date/Time: 04/23/2019 14:37
Login ID: rck\sdean
Layer: All
Areas: All

Rockwall Fire Department

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$5,000.00	$1,000.00	$0.00	$10,000.00	$98,060.00
Total Content Loss:	$0.00	$0.00	$0.00	$0.00	$60,236.00
Total Property Pre-Incident Value:	$232,918.92	$1,000,000.00	$0.00	$3,833,918.92	$98,060.00
Total Contents Pre-Incident Value	$139,751.35	$0.00	$0.00	$139,751.35	$58,836.00
Total Losses:	$5,000.00	$1,000.00	$.00	$10,000.00	$5,000.00
Total Value:	$372,670.27	$1,000,000.00	$.00	$3,973,670.27	$156,896.00

Fire Marshal Division

Monthly Report - March 2019

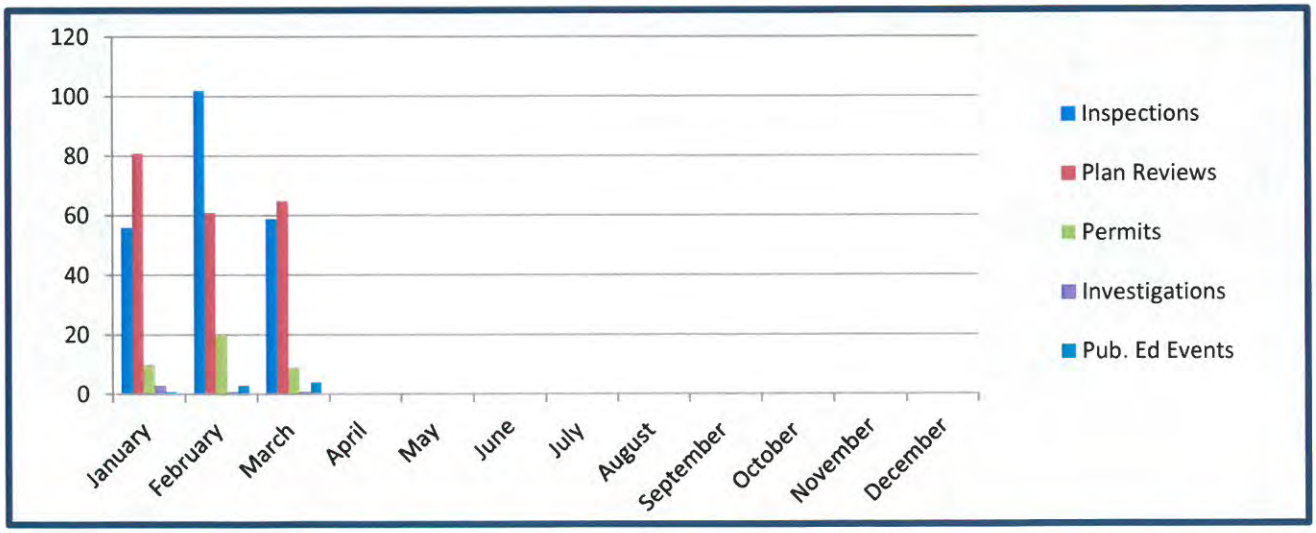
Inspection Status Report	
Finaled Inspections	31
Pending Inspections	28
Total for the Month	**59**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	1
Total for the Month	**1**

Plan Review Report	
CO	11
COMM	29
Engineering	4
Plat	10
Site Plan	2
Single Family	1
Special Event	3
Zoning	5
Total for the Month	**65**

Fire Permit Report	
Access Control - Doors	1
Fire Alarm	2
Fire Sprinkler	2
Fireworks	1
Kitchen Suppression	1
Special Hazzard	1
Temp Aboveground Tank	1
Total for the Month	**9**

Public Education Events	
Total for the Month	**4**



158

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159

Key Projects:

(1) **Outside Agencies / Citizens**. COG911 changes, NTMWD - Utility data for F&N, BHC data request, Storm Data - Cobb Fendley, Census tract changes, Data request - Jones and Carter

(2) **Engineering/Public Works**. Ridge Road West mail-out, Russwood mail-out, Alley Closure mail-out X2, Rockwall service area map, West Boydstun mail-out, Consultant data information, Lakedale and Lakeshore mail-out, Woodpark mail-out, Signage count, TCEQ meter information, Work order / service request totals, Pressure zone area map, Update utilities, Open records request - Cityworks, Flood management layer updates, City owned vacant land, Outfall count, CityWorks training, Flushing and sample sites

(3) **Planning Department**. Aluminum Plant Rd exhibit (SPR), Downtown parking lot design, Zoning case property aerial image Comparison, Land Use Assumptions 2019 review, Breezy Hill Road alignment X2, FLU case map, PowerPoint maps, HOA layer and online map, Annexation A2018-005 map, Built-vacant numbers

(4) **GIS**. 911 Addressing, GPS Technician job opening, Trak-it cases – reconnect, Street Name Issues - Somerset Park, Cityworks PLL contract, New GIS brochure, Meter account linking

(5) **Police / Fire.** Fire district hydrant calculations, PD Search and Rescue maps, Funeral procession map, Sex offender map 1040 Signal Ridge

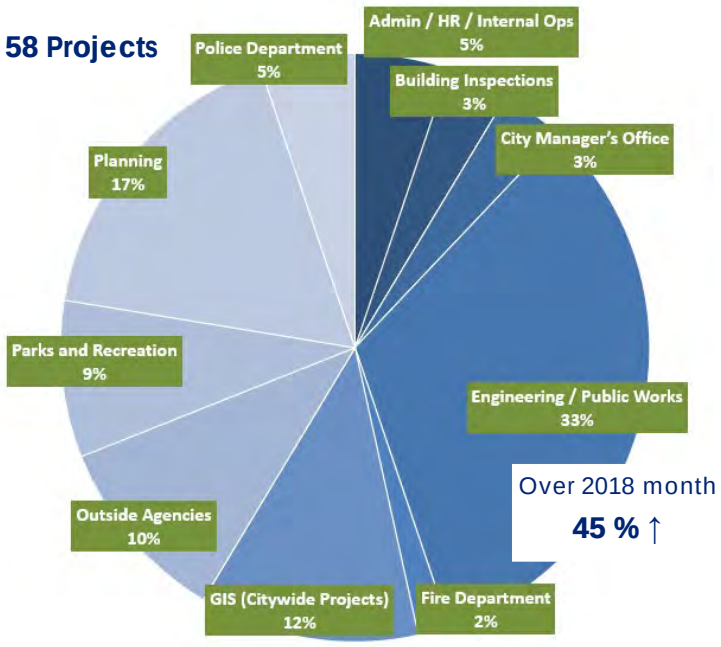
(6) **Admin / Int. Ops..** Fire Station alerting system Street name update, Nash St renaming, Downtown parking spots updates

(7) **Bldg. Inspections.** Williams St mail-out, South Nash, Nicole and Renee mail-outs

(8) **City Mangers Office**. Shores crosswalk, City facility planning

(9) **Parks and Rec**. Parks 10 minute walking analysis, Disc golf points map, 4th of July parade route map, Baseball maps w/Base line lengths, Founders Day vendor map

Monthly Project Request by Department:



Admin / HR / Internal Ops	3
Building Inspections	2
Citizen Request	0
City Council	0
City Manager's Office	2
Neighborhood Improvement Services	0
Engineering / Public Works	19
Finance / Utility Billing	0
Fire Department	1
GIS (Citywide Projects)	7
IT	0
Main Street Program	0
Outside Agencies	6
Parks and Recreation	5
Planning	10
Police Department	3
REDC	0
Total	**58**

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161

Rockwall Police Department

Harbor District Call For Service

March 2019

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2019-00006774	03/07/2019	23:32:33	Cinemark Movies 12	Assault	No Report
2019-00006911	03/09/2019	09:29:36	The Harbor	Criminal Mischief	Report
2019-00009004	03/27/2019	21:53:34	The Harbor	Disturbance	No Report
2019-00008624	03/24/2019	18:38:41	Cinemark Movies 12	Harrassment	Report
2019-00008156	03/20/2019	21:20:03	Hilton Hotel	Intoxicated	No Report
2019-00006979	03/09/2019	21:43:54	Sideways BBQ	Intoxicated	No Report
2019-00009135	03/28/2019	22:42:51	Cinemark Movies 12	Intoxicated	No Report
2019-00007057	03/10/2019	20:54:16	The Harbor	Investigation	No Report
2019-00006097	03/01/2019	14:48:40	The Harbor	Investigation	Unable to Locate
2019-00007491	03/15/2019	01:33:38	Hilton Hotel	Suspicious Activity	No Report
2019-00009311	03/30/2019	21:38:17	Glorias Restaurant	Theft	No Report

Common Name	
Cinemark Movies 12	3
Glorias	1
Hilton Hotel	2
Sideways BBQ	1
The Harbor	4
Total	**11**

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163

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
MARCH 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	4	4	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	2	2	0	100%
ANIMAL SERVICES	15	15	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	2	2	0	100%
ENGINEERING	2	2	0	100%
FINANCE	2	2	0	100%
FIRE DEPARTMENT	22	22	0	100%
INTERNAL OPERATIONS	121	121	0	100%
MUNICIPAL COURT	14	14	0	100%
PARKS & RECREATION	22	22	0	100%
PLANNING & ZONING	3	3	0	100%
POLICE DEPARTMENT	39	39	0	100%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	255	255	0	100%

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165

FY2019 City of Rockwall In kind values /Meals2nd Quarter
Meals on Wheels Senior Services

Jan-19		Days served 22
ROUTES	MILES	$
A	110	$62.70
B	220	$125.40
C	675	$384.75
E	630	$359.10
F& K	410	$233.70
H	260	$148.20
I&J	1220	$695.40
RM & R	310	$176.70
	3835	$2,185.95

	HOURS	$
A	23	$320.16
B	33	$459.36
C	23	$320.16
E	23	$320.16
F & K	44	$612.48
H	23	$320.16
I&J	28	$389.76
RM & R	33	$459.36
	230	$3,201.60

$ Value in kind volunteer services **$5,387.55**

Total January In-kind value(only for Nutrition program)

ROCKWALL PROGRAM MEALS
2,511 Home Delivered and Disabled
437 Congregate Centers

Total purchased Meals **2,948**

Feb-19		Days served 20
ROUTES	MILES	$
A	100	$56.00
B	200	$112.00
C	680	$380.80
E	620	$347.20
F& K	400	$224.00
H	250	$140.00
I&J	1150	$655.50
RM & R	301	$168.56
	3701	$2,084.06

	HOURS	$
A	20	$278.40
B	30	$417.60
C	20	$278.40
E	20	$278.40
F & K	42	$584.64
H	20	$278.40
I&J	25	$348.00
RM & R	30	$417.60
	207	$2,881.44

$ Value in kind volunteer services **$4,965.50**

Total February In-kind value (only for Nutrition program)

ROCKWALL PROGRAM MEALS
2,230 Home Delivered and Disabled
404 Congregate Centers

Total purchased Meals **2,634**

Mar-19		Days served 21
ROUTES	MILES	$
A	115	$62.10
B	230	$128.80
C	695	$389.20
E	635	$355.60
F& K	415	$232.40
H	265	$148.40
I&J	1240	$683.20
RM & R	316	$176.96
	3911	$2,176.66

	HOURS	$
A	21	$292.32
B	32	$445.44
C	21	$292.32
E	21	$292.32
F & K	42	$584.64
H	21	$292.32
I&J	21	$292.32
RM & R	32	$445.44
	211	$2,937.12

$ Value in kind volunteer services **$5,113.78**

Total March In-kind value (only for Nutrition program)

ROCKWALL PROGRAM MEALS
2,391 Home Delivered and Disabled
397 Congregate Centers

Total Purchased Meals **2,788**

THANK YOU FOR YOUR SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program **8,370**

In-kind VALUE Donated 2nd Quarter FY19
Total $ 15,466.83
Volunteer Miles & Hours **166**

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167

Rockwall Police Department

Monthly Activity Report

March-2019

ACTIVITY	CURRENT MONTH MARCH	PREVIOUS MONTH FEBRUARY	YTD 2019	YTD 2018	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	1	2	5	2	**150.00%**
Robbery	1	0	1	0	**100.00%**
Aggravated Assault	1	2	5	5	**0.00%**
Burglary	6	4	12	8	**50.00%**
Larceny	41	41	137	163	**-15.95%**
Motor Vehicle Theft	2	4	11	9	**22.22%**
TOTAL PART I	**52**	**53**	**171**	**187**	**-8.56%**
TOTAL PART II	**153**	**132**	**439**	**467**	**-6.00%**
TOTAL OFFENSES	**205**	**185**	**610**	**654**	**-6.73%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	18	15	51	42	**21.43%**
D.W.I.	21	17	59	49	**20.41%**
ARRESTS					
FELONY	36	37	115	106	**8.49%**
MISDEMEANOR	76	60	201	202	**-0.50%**
WARRANT ARREST	8	10	27	26	**3.85%**
JUVENILE	1	4	7	17	**-58.82%**
TOTAL ARRESTS	**121**	**111**	**350**	**351**	**-0.28%**
DISPATCH					
CALLS FOR SERVICE	1440	1276	4192	3856	**8.71%**
ACCIDENTS					
INJURY	12	6	30	40	**-25.00%**
NON-INJURY	54	67	178	151	**17.88%**
FATALITY	0	0	0	0	**0.00%**
TOTAL	**66**	**73**	**208**	**191**	**8.90%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**6**
Arrests	**5**
Arrest Warrants	**2**
Search Warrants	
Seized	
Methamphetamine	19 Kilograms
Heroin	34 Grams
THC Oil	15 Grams

Rockwall Police Department

Dispatch and Response Times

March 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**73**
Call to Dispatch	0:01:25		
Call to Arrival	0:06:22		
% over 7 minutes	30%		

	Average Response Time		
Priority 2		Number of Calls	**259**
Call to Dispatch	0:03:32		
Call to Arrival	0:10:26		
% over 7 minutes	63%		

	Average Response Time		
Priority 3		Number of Calls	**60**
Call to Dispatch	0:05:26		
Call to Arrival	0:13:44		
% over 7 minutes	63%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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170



PARTICIPATION



SPRING BREAK ROCK CAMP: 77 PARTICPANTS



BRINNER WITH THE BUNNY: 100 PARTICPANTS



WOOFSTOCK: 70 DOGS REGISTERED
93 DOGS SEEN

MONTHLY OVERVIEW	*MAR '19*
Part Time Labor Hours	**520.5**
Program Offerings	**20**
Program Participants	**285**
Resident Participants	**178**
Non-Resident Participants	**107**
Programs that Made	**20**
Cancelled Programs	**0**
% of Programs Cancelled	**0%**

FEE BASED RESIDENT VS NON-RESIDENT

9 programs

62%	38%

171

VOLUNTEER IN THE PARKS (V.I.P.)



SPRING BREAK ROCK CAMP
SNAP PROM
RBSL TRYOUTS
RBSL OPENING CEREMONIES

TOTAL # OF VOLUNTEER HOURS

# OF VOLUNTEERS	28
# OF VOLUNTEER HOURS	3

84



HMCC

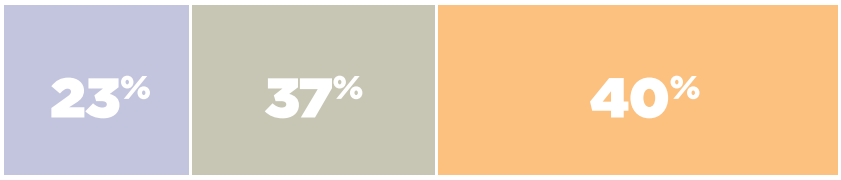
MAR '19

Time Blocks Rented	60
Monthly Revenue	**$2400**

HMCC RENTAL ACTIVITY BY TIME BLOCK

60 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM





PAVILIONS

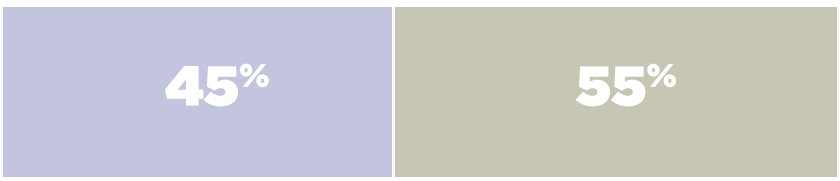
MAR '19

Time Blocks Rented	29
Monthly Revenue	**$1160**

PAVILION RENTAL ACTIVITY BY TIME BLOCK

29 Rentals

6 AM - 3 PM | 3 - 11 PM



172

PARKS





FACILITY MANAGEMENT:

Myers Disc Golf Renovation

FACILITY UPGRADE:

New fence installation at Myers Pool



FACILITY ADDED FEATURE:

Pickle Ball Court Shade Structure and Pickleball court cleaning and sodding



MARKETING

FACEBOOK PAGE LIKES

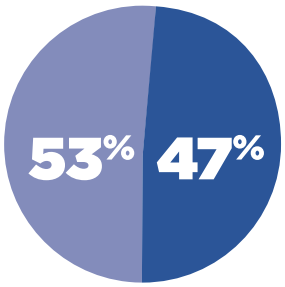
	GAIN OR LOSS
FEB	+44
MAR	+195

TOTAL LIKES THRU 3/31/2019

Like **12,509**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
FEB	7928	+105
MAR	8037	+109



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

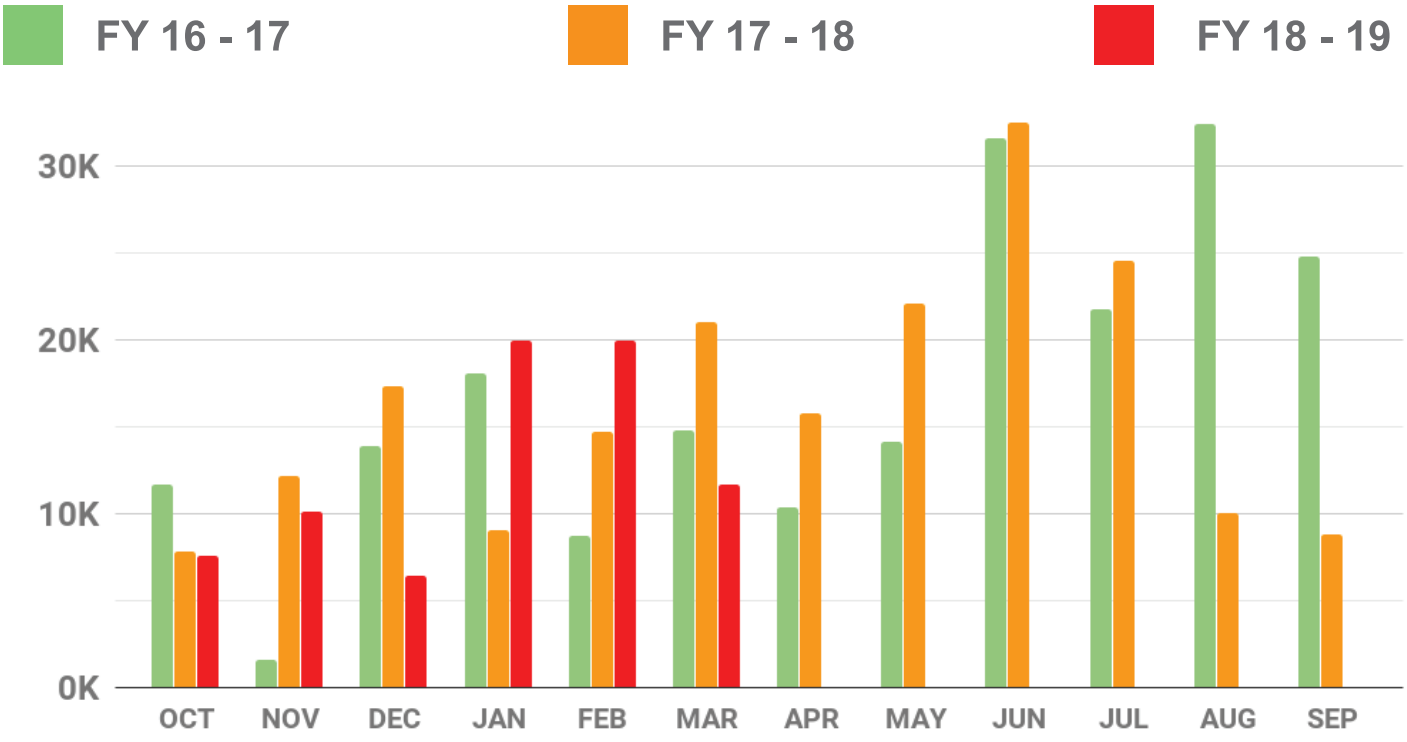
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of March 2019.	98,952
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	18,882
USERS Visitors to playrockwall.com	13,028

REVENUE

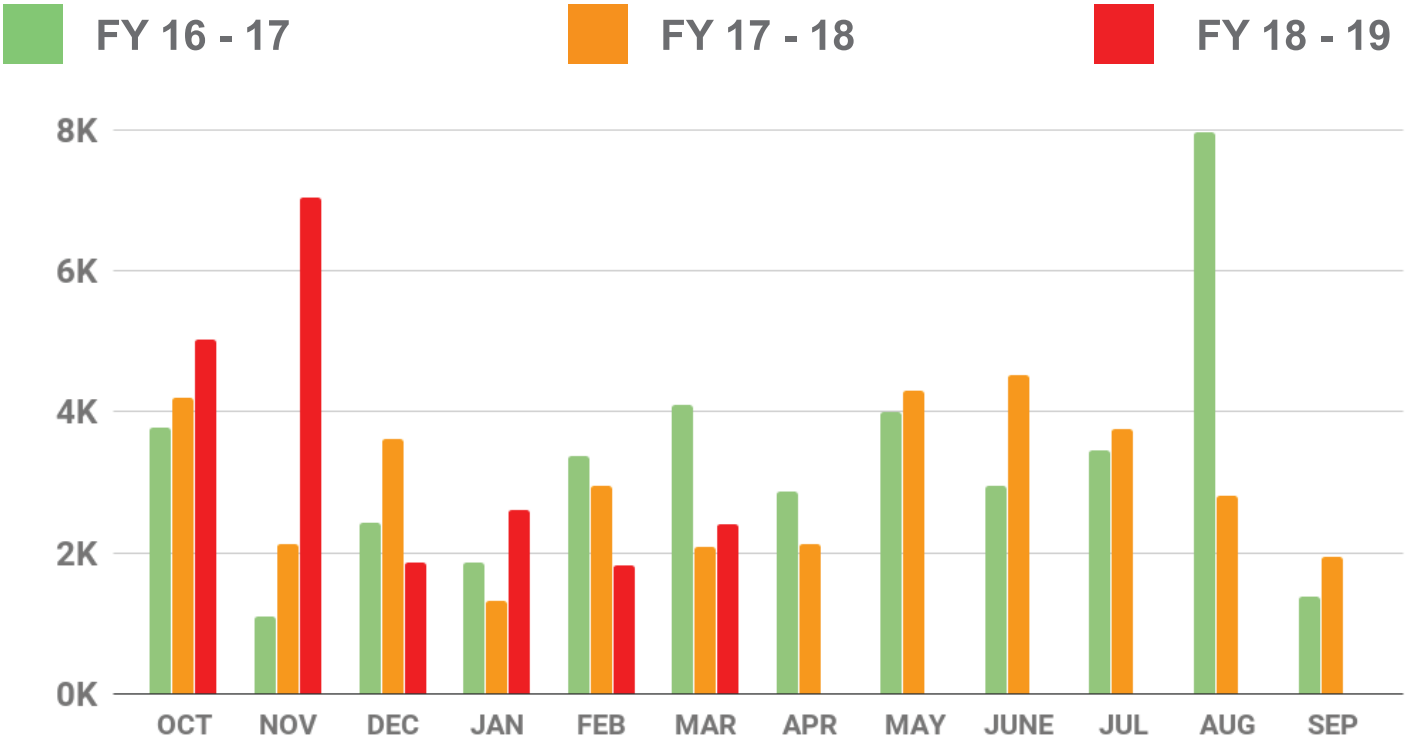
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



175

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176

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	**96%**
March '19	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	**100%**
April '19								
May '19								
June '19								
July '19								
August '19								
September '19								
October '19								
November '19								
December '19								

177

Rockwall Animal Adoption Center

PROFIT AND LOSS

March 2019

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	5,040.00
4112 Adoption Fee - Cat	920.00
4113 Adoption Fee - Other	50.00
Total 4100 Adoption Fee	**6,010.00**
4200 Impound Fee	640.00
4300 Owner Surrender	862.00
4350 Quarantine Fee	280.00
4400 Direct Public Support	
4410 Corporate Contributions	106.54
Total 4400 Direct Public Support	**106.54**
4650 Medical	992.00
4700 General Donations	5,334.00
47200 Program Income	
47230 Membership Dues	75.00
Total 47200 Program Income	**75.00**
Total Income	**$14,299.54**
GROSS PROFIT	**$14,299.54**
Expenses	
5200 - Shelter Expense	
5201 - Canine Food	27.93
5203 - Medication	4,473.07
5204 - Feline Food	323.26
5209 - Shelter Supplies	559.56
5220 - Truck Maintenance	223.26
Total 5200 - Shelter Expense	**5,607.08**
5300 - Veterinary Expense	9,033.31
5400 - Professional Services	3,430.34
65000 5000 - Administative Expense	
5002 - Website	178.96
5004 - Paypal/Intuit fee	223.76
5005 - Postage	40.02
5006 - Bank Fees	108.96
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	24,872.95
5055 - Payroll Tax	1,924.26
5056 - 401K Employer/Healthcare	855.98
5099 - Misc	1,034.10
65040 5001 - Supplies	90.92
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**29,834.41**
Total Expenses	**$47,905.14**

	TOTAL
NET OPERATING INCOME	$ -33,605.60
NET INCOME	$ -33,605.60

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180

STAR TRANSIT
Phone: 877-631-5278 | **Fax:** 972-563-0048 | **Website:** STARtransit.org
PO Box 703 | Terrell | TX 75160

April 5, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: March 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
MARCH	21	2,333

Non-Service Days: None

NO. OF TRIPS	PURPOSE
1,445	Contract Service
29	Education
0	Government
42	Medicaid
228	Medical
22	Nutrition (Senior Center)
264	Other (adult-day care, beauty salon, friend's homes, etc.)
172	Shopping
131	Work

MARCH UNDUPLICATED PASSENGERS
89
YEAR TO DATE UNDUPLICATED PASSENGERS
213

Adjusted Trip Total	846

*Trip Totals without Contracts or Medicaid

> = 60	470
DIS >60	161
	631
% E & D Trip Total	75%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **10,220**
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: MARCH 2018 TRIP TOTAL= 2,060 (13% INCREASE)

ROCKWALL CITY	1Q	2Q	3Q	4Q	*PURPOSE TOTALS*
CONTRACT	1,015	1,936	1,445	0	*4,396*
EDU	77	74	29	0	*180*
GOV	5	8	0	0	*13*
MDE	219	245	42	0	*506*
MED	632	605	228	0	*1,465*
NUT	34	43	22	0	*99*
OTH	544	594	264	0	*1,402*
SHP	533	380	172	0	*1,085*
WORK	464	479	131	0	*1,074*
	3,523	4,364	2,333	0	*10,220*

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743	1,206	2,415	2,333						**10,220**	*1,460*

CONTRACT	709	306	0	0	335	1,601	1,445						**4,396**	*628*
EDU	0	41	36	12	17	45	29						**180**	*26*
GOV	1	2	2	4	2	2	0						**13**	*2*
MDE	62	69	88	90	90	65	42						**506**	*72*
MED	171	235	226	200	203	202	228						**1,465**	*209*
NUT	10	11	13	17	12	14	22						**99**	*14*
OTH	130	247	167	161	209	224	264						**1,402**	*200*
SHP	171	139	223	135	148	97	172						**1,085**	*155*
WORK	159	175	130	124	190	165	131						**1,074**	*153*
TOTAL DR TRIPS	**1,413**	**1,225**	**885**	**743**	**1,206**	**2,415**	**2,333**	**0**	**0**	**0**	**0**	**0**	**10,220**	*852*

0

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Medicaid	62	69	88	90	90	65	42	0	0	0	0	0	**506**	*42*
Lakepointe Church Contract	709	306	0	0	335	1,601	1,445						**4,396**	*628*
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	**0**	*0*
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	*375*	*88*	*90*	*425*	*1,666*	*1,487*	*0*	*0*	*0*	*0*	*0*	***4,902***	*409*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Adjusted Trip Total	642	850	797	653	781	749	846	0	0	0	0	0	**5,318**	*43,511*
	*Trip Totals without Contracts or Medicaid													

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
> = 60	345	477	393	375	424	447	470						**2,931**	*419*
DIS <60	142	167	137	108	156	115	161						**986**	*141*
	487	*644*	*530*	*483*	*580*	*562*	*631*	*0*	*0*	*0*	*0*	*0*	***3,917***	*326*
% of Adjusted Trip Total	76%	76%	66%	74%	74%	75%	75%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
GENERAL PUBLIC	155	206	267	170	201	187	215	0	0	0	0	0	**1,401**	*117*
% of Adjusted Total	24%	24%	34%	26%	26%	25%	25%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19	21	19	21						142

NoShow/Cancel	527	474	476	370	456	369	483						3,155
UNDUPLICATED M2M	82	88	94	80	91	78	89						602
UNDUPLICATED YTD		114	144	161	187	202	213						1,021
			30	*17*	*26*	*15*	*11*	*-213*	*0*	*0*	*0*	*0*	

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	**323**	**440**	**360**	**319**	**437**	**388**	**438**						**2,705**
Percent Subs of Total Trips	**23%**	**36%**	**41%**	**43%**	**36%**	**16%**	**19%**	**#DIV/0!**	**#DIV/0!**	**#DIV/0!**	**#DIV/0!**	**#DIV/0!**	
SUBS Can/NoShow	**119**	**136**	**210**	**211**	**261**	**201**	**235**						**1,373**

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183

Table of Contents

Agenda 3

Presentation of "Best Practices in Law Enforcement" Award to Rockwall Police Department by Chief Jim Spivey of the Richardson Police Department

- Media Release 6
- Blank Page 7

Public Works Week

- Public Works Proc 8
- Blank Page 9

Consider approval of the minutes from the May 6, 2019 regular city council meeting, and take any action necessary.

- Meeting Minutes 10
- Blank Page 17

Consider authorizing the mayor to execute agreements for Municipal Court Judge and Associate Municipal Court Judge and related services, and taken any action necessary.

- Mallard Agreement 18
- Scott Agreement 20
- Blank Page 22

Z2019-009 - Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of an ordinance for a Specific Use Permit (SUP) allowing a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary (1st Reading).

- Z2019-009 23
- Blank Page 50

Z2019-010 - Hold a public hearing to discuss and consider a request by Dwayne Cain of EVSR (D), LLC for the approval of an ordinance for a Specific Use Permit (SUP) allowing a guest quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and take any action necessary (1st Reading).

- Z2019-010 51
- Blank Page 72

Z2019-011 - Hold a public hearing to discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an ordinance amending the development standards contained in Planned Development District 47 (PD-47) [Ordinances 99-17 & 07-04] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of the intersection of Ridge Road [FM-740] and White Road, and take any action necessary (1st Reading).

Z2019-011 73

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Discuss and consider a request from Casey and Andrea Burke for a special permit on a front yard fence to be located at 1406-A Ridge Road, and take any action necessary.

Memo and exhibits 102

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Discuss and consider bike lanes on John King Boulevard, and take any action necessary.

Trowbridge Request 110

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AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 20, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters)
2. Discussion regarding purchase / acquisition of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

V. SWEARING IN OF NEWLY ELECTED MAYOR AND CITY COUNCIL MEMBERS

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER JOHANNESEN

VIII. PROCLAMATIONS

1. Rockwall ISD Culinary Team Celebration Day

p.6 2. Presentation of "Best Practices in Law Enforcement" Award to Rockwall Police Department by Chief Jim Spivey of the Richardson Police Department

p.8 3. Public Works Week

IX. OPEN FORUM

X. CONSENT AGENDA

p.10 1. Consider approval of the minutes from the May 6, 2019 regular city council meeting, and take any action necessary.

p.18 **2.** Consider authorizing the mayor to execute agreements for Municipal Court Judge and Associate Municipal Court Judge and related services, and taken any action necessary.

XI. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XII. PUBLIC HEARING ITEMS

p.23 **1.** **Z2019-009** - Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary **(1st Reading).**

p.51 **2.** **Z2019-010** - Hold a public hearing to discuss and consider a request by Dwayne Cain of EVSR (D), LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a guest quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and take any action necessary **(1st Reading).**

p.73 **3.** **Z2019-011** - Hold a public hearing to discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an **ordinance** amending the development standards contained in Planned Development District 47 (PD-47) [Ordinances 99-17 & 07-04] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of the intersection of Ridge Road [FM-740] and White Road, and take any action necessary **(1st Reading).**

XIII. Action Items

p.102 **1.** Discuss and consider a request from Casey and Andrea Burke for a special permit on a front yard fence to be located at 1406-A Ridge Road, and take any action necessary.

p.110 **2.** Discuss and consider bike lanes on John King Boulevard, and take any action necessary.

XIV. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters)
2. Discussion regarding purchase / acquisition of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XVI. Adjournment

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 17th day of May, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall Police Department Receives "Recognized Law Enforcement Agency" from the Texas Law Enforcement Recognition Program

On March 7th, 2019, the Rockwall Police Department received the award of "Recognized Law Enforcement Agency" from the Texas Police Chiefs Association Law Enforcement Recognition Program. Established in 2006, the Recognition Program evaluates a Police Department's compliance with over 168 Best Business Practices for Texas Law Enforcement. These Best Practices were carefully developed by Texas Law Enforcement professionals to assist agencies in the efficient and effective delivery of service and the protection of individual's rights. These Best Practices cover all aspects of law enforcement operations including use of force, protection of citizen rights, vehicle pursuits, property and evidence management, and patrol and investigative operations.

The Rockwall Police Department was originally recognized by the Texas Police Chiefs Association Law Enforcement Recognition Program in March 3, 2011. Police agencies recognized by the TPCA must undergo an onsite inspection every 4th year and this makes the third successful onsite inspection by the Rockwall Police Department.

This voluntary process required the Rockwall Police Department to conduct a critical self-review of the agency's policies, procedures, facilities and operations. Beginning in November of 2018, the department begin the lengthy process to become a "Recognized" Law Enforcement Agency" by preparing proofs of compliance for each of the Texas Law Enforcement Best Business Practices. Upon completion of the internal review, an outside audit and review was requested. This final on-site review took place on February 20th 2019. The on-site review is conducted by trained Police Chiefs from other areas of our state. The result of this review was then sent to the Texas Police Chiefs Association's Recognition Committee for final analysis and decision to award "Recognized" status.

On March 7th, the department was notified that it had been awarded the coveted "Recognized Law Enforcement Agency" award. Rockwall was the 42 agency in the state to be so recognized. The Rockwall Police Department has always considered itself to be one of the best in the state. This process provided for an independent review of the department's operations and should assure the citizens of Rockwall that its Police Department is conforming to the current state of the art in law enforcement.

The actual presentation of the award will take place on May 20th during the City Council Meeting at 6:00 PM. The department was also recognized at the Texas Police Chiefs Association annual conference in in Galveston on April 17th, 2019.

For more information and a description of the program may be viewed on the Texas Police Chiefs Association website at http://www.texaspolicechiefs.org.

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7

Rockwall, Texas

Proclamation

Whereas, Public works services provided in our community are an integral part of our citizens' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sanitary and storm sewers, streets and alleys, as well as providing support for various City Departments; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design and construction, is vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

Whereas, National Public Works Week is a celebration of the tens of thousands of men and women in North America who provide and maintain the infrastructure and services collectively know as public works.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the week of May 19-25, 2019, as:

PUBLIC WORKS WEEK

in the City of Rockwall, and encourage all citizens to acquaint themselves with the issues involved in providing our public works and recognize the contributions public works officials make every day to our health, safety, comfort and quality of life.

In Witness Whereof, I hereunto affix my hand and official seal this 20th day of May, 2019.

Jim Pruitt, Mayor

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9

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 06, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd.

Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 6:02 p.m. Pruitt indicated that the city attorney, Frank Garza, is on his way and will arrive soon.

II.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
3. Discussion regarding nominee(s) and (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board and the Rockwall Central Appraisal District Board - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council recessed Executive Session at 5:54 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken at this time as a result of Executive Session; however, see below for action taken as a result of the Executive Session held later in the evening.

VI. Invocation and Pledge of Allegiance – Councilmember Daniels

Councilman Daniels delivered the invocation and led the Pledge of Allegiance.

City Attorney Frank Garza arrived to the meeting at this point (6:03 p.m.)

VII.

1. Police Memorial Week

Assistant Police Chief Kirk Aldridge as well as three police officers from the Rockwall PD came forth and accepted this proclamation from Mayor Pruitt.

2. Lyme Disease Awareness Month

Marni Sensoy, Rockwall Citizen, and one of her comrades from the TX Lyme Alliance came forth and accepted this proclamation from the mayor.

3. National Safe Boating Week

A member of the U.S. Coast Guard Auxiliary came forth and accepted this proclamation from Mayor Pruitt.

4. Older Americans Month

Margie Verhagen, Executive Director of Meals on Wheels Senior Services, came forth with a few representatives from her organization. Mayor Pruitt shared that the city fully supports the Meals on Wheels program, as there are many older citizens in Rockwall who need assistance and would not eat much during the week if it were not for the great services provided by this organization. He then read and presented the proclamation for Older Americans Month. Mrs. Verhagen shared that they are on track to provide 65,000 meals to older citizens within the community. She thanked the mayor and the city for its support of Meals on Wheels' services.

VIII. Open Forum

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

IX.

1. Consider approval of the minutes from the April 15, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-007** - Consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay

(IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary **(2nd Reading)**.

3. **Z2019-008** - Consider a request by James Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of an **ordinance** for a PD Development Plan amending Ordinance No. 17-64 and in accordance with Ordinance No. 17-22, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary **(2nd Reading**).
4. Consider authorizing the City Manager and subcommittee to begin planning work with local Arts and Historical organizations related to hotel occupancy tax projects, and take any action necessary.
5. Consider authorizing the City Manager to execute an interlocal agreement with Dallas County for Law Enforcement Sharing via the Dallas County Adult Information System for use by Rockwall Fire Department when conducting fire investigations, and take any action necessary.
6. **P2019-018** - Consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a replat for the Park Place West, Phase III Addition containing 85 single-family lots on a 24.439-acre tract of land being located in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, generally located at the terminus of Park Place Boulevard, and take any action necessary.
7. **P2019-019** - Consider a request by Mike Samples for the approval of a final plat for Lot 11, Block A, 205 Business Park Addition being a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 125 National Drive, and take any action necessary.
8. Consider approval of a Hotel Occupancy Tax subcommittee recommendation for funding $1,400 for the Rockwall Area Chamber of Commerce bid for the TCCE conference, and take any action necessary.
9. Consider approval of a resolution authorizing an update to the impact fee program for roadway, water, and wastewater facilities and appointing a Capital Improvements Advisory Committee (CIAC), and take any action necessary.
10. Consider approval of the professional engineering services contract for Birkhoff, Hendricks and Carter, L.L.P.to perform the engineering design services and specifications for the Turtle Cove and Windmill Ridge Sanitary Sewer Rehabilitation Project in an amount not to exceed $79,420., to be funded by the General Engineering Services Budget, and take any action necessary.
11. Consider a resolution denying approval of an amendment to the Distribution Cost Recovery Factor increase in distribution rates filed by Oncor Electric Delivery, approving cooperation with the Steering Committee of Cities served by Oncor to evaluate the filing, to negotiate with Oncor on the City's behalf, and take any action necessary.

Councilmember Trowbridge made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11). Councilman Daniels seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-20
SPECIFIC USE PERMIT NO. S-206

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 17-64 &* PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [*ORDINANCE NO. 17-22*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN ON APPROXIMATELY 7.344-ACRES FOR PROPERTY IDENTIFIED AS LOT 9, BLOCK A, HARBOR-ROCKWALL ADDITION AND TRACT 16 OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF *TWO THOUSAND DOLLARS ($2,000.00)* FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of those present (7 ayes to 0 nays).

X.

1. Appointment with the city's Youth Advisory Council (YAC) to hear year-end program report and to recognize graduating high school seniors, and take any action necessary.

Rockwall Youth Advisory Council Members, Emily Williams and Brenden Ivey, came forth and briefed the Council on the various meetings, volunteer activities and events that the YAC participated in throughout this past school year. Thereafter, indication was given that six of the city's current YAC members are graduating high school. Each of them was then recognized and congratulated by Councilmen Trowbridge and Fowler as well as City Secretary Kristy Cole. No action was taken by Council concerning this agenda item.

XI.

1. **Z2019-006** - Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary **(2nd Reading).**

Mayor Pruitt indicated that this item appears under 'Action Items' this evening since it did not receive a unanimous approval vote upon first reading at the last council meeting. Councilmember Johannesen then moved to approve the ordinance for Z2019-006. Councilman Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-19
SPECIFIC USE PERMIT NO. S-207

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING STRUCTURES THAT EXCEED 60-FEET IN HEIGHT WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT, ON A 42.61-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 7 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20 (11.3736-ACRES); TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29 (8.197-ACRES); AND LOT 1-01, BLOCK 1, INDALLOY ADDITION (14.53-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes to 2 nays (Macalik and Trowbridge).

2. Discuss and consider granting permission for an alcohol waiver associated with the City's May 18, 2019 Founders Day Festival at Harry Myers Park in accordance with Chapter 30, Article I, Sec. 30 -2, "Regulated Activities in Parks" of the Code of Ordinances, and take any action necessary.

Councilman Johannesen moved to approve this request and grant the waiver. Councilmember Hohenshelt seconded the motion, which passed by a vote of 5 ayes with 2 nays (Pruitt and Daniels).

3. Discuss and consider submitting two nominees for a possible award for an outstanding senior who is making a difference in our senior community at the request of Meals on Wheels Senior Services, and take any action necessary.

Councilman Trowbridge suggested that Bob Wacker be nominated. Councilmember Macalik suggested

nominating either Tom Dortch, indicating he is very involved with the N TX Food Bank or Cindy Lindley who is involved with the Child Advocacy Center. Following brief comments, Councilman Trowbridge moved to submit Mr. Wacker and Mrs. Linley as nominees. Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

At 7:07 p.m., Mayor Pruitt recessed the public meeting to return to Ex. Session to discuss items below.

XII.

1. **Departmental Reports**

Building Inspections Monthly Report - March 2019
Fire Department Monthly Report - March 2019
GIS Division Monthly Report - March 2019
Harbor PD Monthly Report - March 2019
Internal Operations Department Monthly Report - March 2019
Meals on Wheels Senior Services Quarterly Report
Police Department Monthly Activity Report - March 2019
Recreation Monthly Report - March 2019
Rockwall Animal Adoption Center Monthly Report - March 2019
STAR Transit Monthly Report - March 2019

2. **City Manager's Report**

XIII.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
3. Discussion regarding nominee(s) and (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board and the Rockwall Central Appraisal District Board - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council recessed from Executive Session and Mayor Pruitt called the public meeting back to order at 7:40 p.m. Councilmember Hohenshelt then moved to adopt a resolution nominating Bill Lofland for the

current vacancy on the Rockwall Central Appraisal District Board (RCAD). Councilman Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Fowler moved to appoint Chip Imrie to serve on the North Texas Municipal Water District Board (NTMWD) for a two-year term (June 1, 2019 thru May 31, 2021). Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays. (Note: Mr. Imrie will be replacing current board member, Bill Lofland).

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 7:43 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 20TH DAY OF MAY, 2019.

_____
JIM PRUITT, MAYOR

ATTEST:

_____
KRISTY COLE, CITY SECRETARY

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STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL § AGREEMENT FOR MUNICIPAL COURT JUDGE

THIS AGREEMENT is made and entered into on this **20th** day of **May**, **2019**, by and between the **CITY OF ROCKWALL, TEXAS**, hereinafter referred to as "City," and **DAVID MALLARD**, hereinafter referred to as "Mallard."

WHEREAS, the City Council desires to enter into a contract with David Mallard for services as the Judge of the Municipal Court; and

WHEREAS, it is the intent of the City for the term of the Judge of the Municipal Court to run concurrently with that of the Mayor; and

WHEREAS, the Mayor is elected in odd numbered years for a two-year term with the election occurring the first Saturday in May.

NOW, THEREFORE, in consideration of the mutual terms, conditions, and covenants herein contained, the parties agree as follows:

Section 1. That the recitals above are found to be true and correct and incorporated herein for all purposes.

Section 2. Duties and Responsibilities of Judge. Mallard shall serve as the Judge of the Municipal Court for the City of Rockwall, pursuant to Section 29.004 of the Government Code and Section 4.03 of the Charter of the City of Rockwall, for which the City has the authority to establish the manner and mode of selecting its officers and employees, and to prescribe the qualifications, duties, compensation, and length of employment. The primary duties of the Judge of the Municipal Court are to exercise the powers and duties as are now or as may hereafter be prescribed by the laws of the State of Texas in connection with all cases within the jurisdiction of a municipal court in accordance with Section 29.003, Texas Government Code.

Section 3. Mallard agrees that in the event he may accept another judicial or prosecutorial appointment, he will provide written notice to the City Manager, and the City's court schedule shall not be unduly interrupted.

Section 4. Mallard shall not assign the work under this AGREEMENT except in the case of sickness or vacation to be mutually agreed upon by Mallard and the City's designee. In case of sickness or vacation agreed upon by the City's designee under the AGREEMENT, Mallard shall first provide a list of qualified judges who will temporarily perform Mallard's work. Any judge on the list must agree to perform all duties in accordance with the terms of this AGREEMENT.

Section 5. Term. This AGREEMENT shall be for the ensuing two-year term of the Mayor to expire upon the swearing in of the newly elected Mayor following the election the first Saturday in May 2021, unless sooner terminated in accordance with Section 7 herein.

Section 6. CITY Council shall have option to renew AGREEMENT with Mallard for continuous two (2) year terms. Failure of CITY Council to act within ninety (90) days of the Mayor being sworn in for a new term, AGREEMENT shall automatically renew for an additional two-year period in accordance with Chapter 29 of the Texas Government Code.

Section 7. This AGREEMENT may be terminated by Mallard after having given sixty (60) days written notice of termination to the CITY.

Section 8. Compensation of the Judge will be set by Resolution of the City Council.

Section 9. Independent Contractor. It is expressly understood and agreed that the Mallard provides services as an independent Contractor. Mallard is responsible for providing the judicial services necessary for the handling of all cases in the Municipal Court, subject only to the provisions of the ordinances of the City, State and Federal statutes and Texas Code of Judicial Conduct. Mallard has a right to direct or control how he performs the tasks for which he is hired and the CITY shall have no authority or oversight on how he conducts Municipal Court.

Section 10. In providing legal services to the City, Mallard shall conduct himself in accordance with the highest ethical standards and in full compliance with the Texas Code of Judicial Conduct. Mallard shall promptly notify the CITY if any disciplinary action is instituted against Mallard.

Section 11. This Agreement contains the entire understanding of the parties and may not be modified except pursuant to written instrument signed by both parties.

EXECUTED on the day and year first above written.

CITY OF ROCKWALL, TEXAS

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

JUDGE OF MUNICIPAL COURT

_____
David Mallard

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL § AGREEMENT FOR MUNICIPAL COURT ASSOCIATE JUDGE

THIS AGREEMENT is made and entered into on this **19th** day of **December**, **2018**, by and between the **CITY OF ROCKWALL, TEXAS**, hereinafter referred to as "City," and **MATTHEW R. SCOTT**, hereinafter referred to as "Scott."

WHEREAS, the City Council desires to enter into a contract with Matthew R. Scott for services as the Associate Judge of the Municipal Court; and

WHEREAS, it is the intent of the City for the term of the Associate Judge of the Municipal Court to run concurrently with that of the Mayor; and

WHEREAS, the Mayor is elected in odd numbered years for a two-year term with the election occurring the first Saturday in May.

NOW, THEREFORE, in consideration of the mutual terms, conditions, and covenants herein contained, the parties agree as follows:

Section 1. That the recitals above are found to be true and correct and incorporated herein for all purposes.

Section 2. Duties and Responsibilities of Associate Judge. Scott shall serve as the Associate Judge of the Municipal Court for the City of Rockwall, pursuant to Section 29.004 of the Government Code and Section 4.03 of the Charter of the City of Rockwall, for which the City has the authority to establish the manner and mode of selecting its officers and employees, and to prescribe the qualifications, duties, compensation, and length of employment. The primary duties of the Associate Judge of the Municipal Court are to exercise the powers and duties as are now or as may hereafter be prescribed by the laws of the State of Texas in connection with all cases within the jurisdiction of a municipal court in accordance with Section 29.003, Texas Government Code.

Section 3. Scott agrees that in the event he may accept another judicial or prosecutorial appointment, he will provide written notice to the City Manager, and the City's court schedule shall not be unduly interrupted.

Section 4. Scott shall not assign the work under this AGREEMENT except in the case of sickness or vacation to be mutually agreed upon by Scott and the City's designee. In case of sickness or vacation agreed upon by the City's designee under the AGREEMENT, Scott shall first provide a list of qualified judges who will temporarily perform Scott's work. Any judge on the list must agree to perform all duties in accordance with the terms of this AGREEMENT.

Section 5. Term. This AGREEMENT shall be for the ensuing two-year term of the Mayor to expire upon the swearing in of the newly elected Mayor following the election the first Saturday in May 2021, unless sooner terminated in accordance with Section 7 herein.

Section 6. CITY Council shall have option to renew AGREEMENT with Scott for continuous two (2) year terms. Failure of CITY Council to act within ninety (90) days of the Mayor being sworn in for a new term, this AGREEMENT shall automatically renew for an additional two-year period in accordance with Chapter 29 of the Texas Government Code.

Section 7. This AGREEMENT may be terminated by Scott after having given sixty (60) days written notice of termination to the CITY.

Section 8. Compensation of the Associate Judge will be set by Resolution of the City Council.

Section 9. Independent Contractor. It is expressly understood and agreed that Scott provides services as an independent Contractor. Scott is responsible for providing the judicial services necessary for the handling of all cases in the Municipal Court, subject only to the provisions of the ordinances of the City, State and Federal statutes and Texas Code of Judicial Conduct. Scott has a right to direct or control how he performs the tasks for which he is hired, and the CITY shall have no authority or oversight on how he conducts Municipal Court.

Section 10. In providing legal services to the City, Scott shall conduct himself in accordance with the highest ethical standards and in full compliance with the Texas Code of Judicial Conduct. Scott shall promptly notify the CITY if any disciplinary action is instituted against Scott.

Section 11. This Agreement contains the entire understanding of the parties and may not be modified except pursuant to written instrument signed by both parties.

EXECUTED on the day and year first above written.

CITY OF ROCKWALL, TEXAS

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

ASSOC. MUNICIPAL COURT JUDGE

_____
Matthew R. Scott

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22

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	May 20, 2019
APPLICANT:	Chris Lam, PE; *Lam Consulting*
CASE NUMBER:	Z2019-009; *SUP for Restaurant, Less than 2,000 SF, w/out a Drive-Through*

SUMMARY

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a *restaurant less than 2,000 SF without a drive-through or drive-in* on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

BACKGROUND

The subject property is a 0.23-acre parcel of land identified as Block 20B of the Amick Addition. It is situated within the North Goliad Corridor Overlay (NGC OV) District, and is addressed as 505 N. Goliad Street. Currently situated on the subject property is a 1,916 SF single family home, which according to the Historic Resource Survey -- *performed by the City of Rockwall in 2017* -- was constructed circa 1915, and is identified as a *Medium Contributing Property* (*i.e. a property that displays an architectural style, use unusual to construction methods, or for some other reason has a potentially significant historic significance*). According to the City's historic zoning maps, the subject property has been zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses since August 5, 2002.

PURPOSE

The applicant, Chris Lam, P.E. of Lam Consulting Engineering, has submitted a request for a Specific Use Permit (SUP) to allow a restaurant, without a drive-through or drive-in, that is less than 2,000 SF within Planned Development District 50 (PD-50). More specifically, the applicant is proposing to convert the existing single-family home to a commercial property to accommodate the proposed restaurant land use (*i.e. Bonafide Betties Pie Company*).

ADJACENT LAND USES AND ACCESS

The subject property is located at 505 N. Goliad Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a local boutique (*i.e. Hallie B's*), situated on a 0.2296-acre parcel of land. This property is zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses. Beyond this property is a continuation of Planned Development District 50 (PD-50).

South: Directly south of the subject property is a vacant 0.420-acre parcel of land. This property is zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses. Beyond this property is a continuation of Planned Development District 50 (PD-50).

East: Directly east of the subject property are local businesses and residential properties along N. Goliad Street that are zoned Planned Development District 50 (PD-50) for Residential Office District (RO) land uses. Beyond these properties are single-family residential homes zoned Single-Family 7 (SF-7) District.

West: Directly west of the subject property are single-family homes zoned Single-Family 7 (SF-7) District.

CHARACTERISTICS OF THE REQUEST

Bonafide Betties Pie Company is currently located at 103 S. San Jacinto Street, and is planning to relocate to a larger facility at 505 N. Goliad Street. This location is located with Planned Development District 50 (PD-50). The Residential Office (RO) District, which is the underlying zoning designation for Planned Development District 50 (PD-50), requires a Specific Use Permit (SUP) for a restaurant with additional restrictions that stipulate the restaurant be less than 2,000 SF and not have a drive-through or a drive-in. The proposed restaurant is a limited service restaurant, and parking for the facility will be calculated at one (1) parking space per 250 SF of area. This means the restaurant would require eight (8) parking spaces [*i.e. 1916 SF/250 SF = 8 Parking Spaces*]. Based on size of the site and the area taken up by the existing single-family home, the applicant is only able to incorporate a total of seven (7) parking spaces on-site. Staff has included an operational condition allowing the reduced number of parking spaces. Staff has also included operational conditions requiring the installation of a minimum six (6) foot tall, *board-on-board*, wood fence to be constructed along the western property boundary, and that the second floor be used only for storage purposes. These have been included as conditions of approval in the SUP ordinance.

CONFORMANCE WITH THE CITY'S CODES

According to Section 1.1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), the *Restaurant, Less Than 2000 SF, without a Drive-Through or Drive-in* land use requires approval of a Specific Use Permit (SUP) in the Residential Office (RO) District. In addition, according to Section 5.6.A, *Screening from Residential Uses,* of Article VIII, *Landscape Standards*, of the Unified Development Code (UDC), "(a)ny…parking lot that has a side or rear [*yard*] contiguous to any residential district…shall be screened with a masonry fence…six [*6*] feet in height. As an alternative, berms in conjunction with a minimum of a six [*6*] foot wrought fence and a combination of trees and shrubs can be utilized to meet the screening requirements if the Planning and Zoning Commission determines that the proposed alternative will provide sufficient screening." In this case, the subject property is located within Planned Development District 50 (PD-50), which has had other non-residential properties be permitted to construct a minimum of a six (6) foot tall wooden fence adjacent to a residentially zoned property. In Planned Development District 50 (PD-50) it has been determined that this provides for a better transition of land uses while providing sufficient screening and maintaining a residential aesthetic. The provision of the wood screening fence has been added as a condition of approval for this case.

INFRASTRUCTURE

Planned Development District 50 (PD-50) requires a cross access easement on all adjoining properties when the use has changed from a residential land use to a non-residential land use. An access plan for PD-50 is also included in the OURHometown Vision 2040 Comprehensive Plan under Appendix 'A', *Small Area Plans*. The subject property will be incorporating a 24-foot wide drive aisle and connecting to the cross-access easement on the adjacent property to the north (*i.e. 507 N. Goliad Street*). This will

provide ingress/egress for both properties, while meeting the intent of the access plan contained in the Comprehensive Plan.

STAFF ANALYSIS

The intent of the Residential-Office (RO) District is to allow for the conversion of older residential homes into low-intensity professional office and/or retail businesses. This creates a transition from the adjacent residential neighborhoods to more intense land uses or higher intensity thoroughfares. In addition, conversion of this home would extend the economic life of the structure. The use as a limited service restaurant is consistent with other properties in the district. A limited service restaurant tends to operate in a similar way to a low-intensity retail establishment in that it usually involves customers that are picking up food or baked goods, and does not typically involve a dine-in experience. Included in the attached packet is a concept plan, floor plan, and a draft ordinance containing regulations for the proposed land use. Based on staff's review, the applicant's request does appear to be consistent with the intent of the district; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council.

NOTIFICATIONS

On May 2, 2019, staff mailed 34 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there are no Home Owners Associations (HOA's), or neighborhood groups participating in the Neighborhood Notification Program within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received three (3) notices and two (2) emails in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) allowing a *Restaurant, without a Drive-Through or Drive-In, that is Less than 2,000 SF* then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:

a) The development and operation of a *restaurant* shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the proposed ordinance;

b) The operation of the *restaurant* shall be limited to the area on the first floor as depicted in the *Floor Plan* attached in *Exhibit 'C'* of the proposed ordinance;

c) The use of the second-floor area shall be limited to storage only. Any other use will require additional parking spaces.

d) A minimum of a six (6)-foot tall, board-on-board, wood fence shall be constructed along the west property boundary -- *adjacent to the residentially zoned property* -- prior to the issuance of a Certificate of Occupancy (CO).

e) Should the land use change from a Limited Service Restaurant (i.e. to a full-service restaurant or any other land use), the subject property shall comply with the parking requirements contained in Article VI, Parking and Loading, of the Unified Development Code. If the parking provided on the subject property does not meet the parking requirements for the proposed land use, this Specific Use Permit will need to be amended in accordance with the procedures contained in Section 4, Specific Use Permits, of Article IV, Permissible Uses, of the Unified Development Code (UDC).

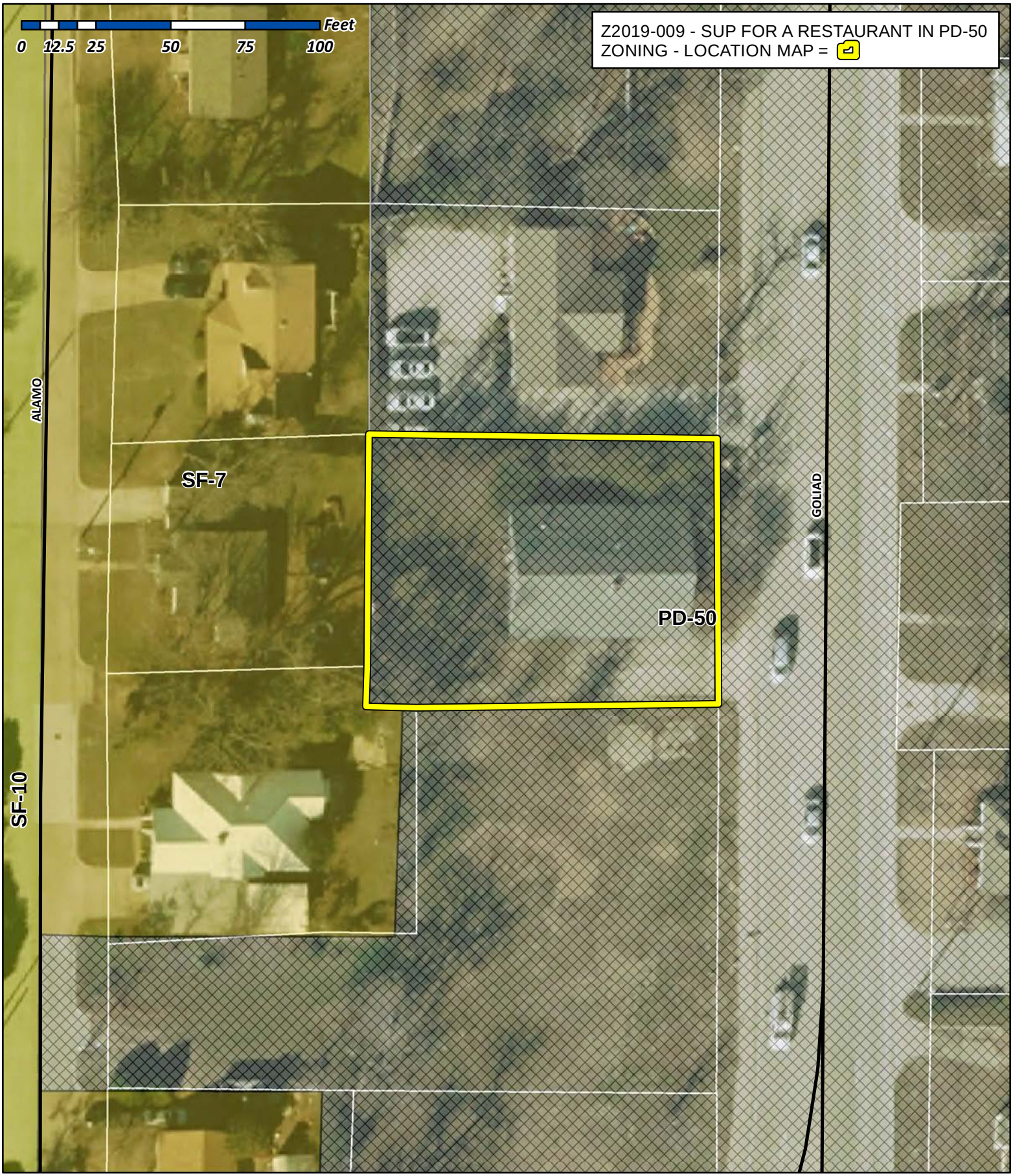
(2) The applicant shall submit an application requesting approval of a Certificate of Appropriateness (COA) to the Historic Preservation Advisory Board (HPAB) seeking approval for all work that has been done to the existing structure.

(3) The applicant shall be required to submit a site plan for review and approval by the Historic Preservation Advisory Board (HPAB) and the Planning and Zoning Commission.

(4) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION

On May 14, 2019, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Specific Use Permit (SUP) to allow for a *Restaurant, Less than 2,000 SF, Without a Drive-Through or Drive-In* with staff conditions by a vote of 5-0, with Commissioners Logan and Moeller absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

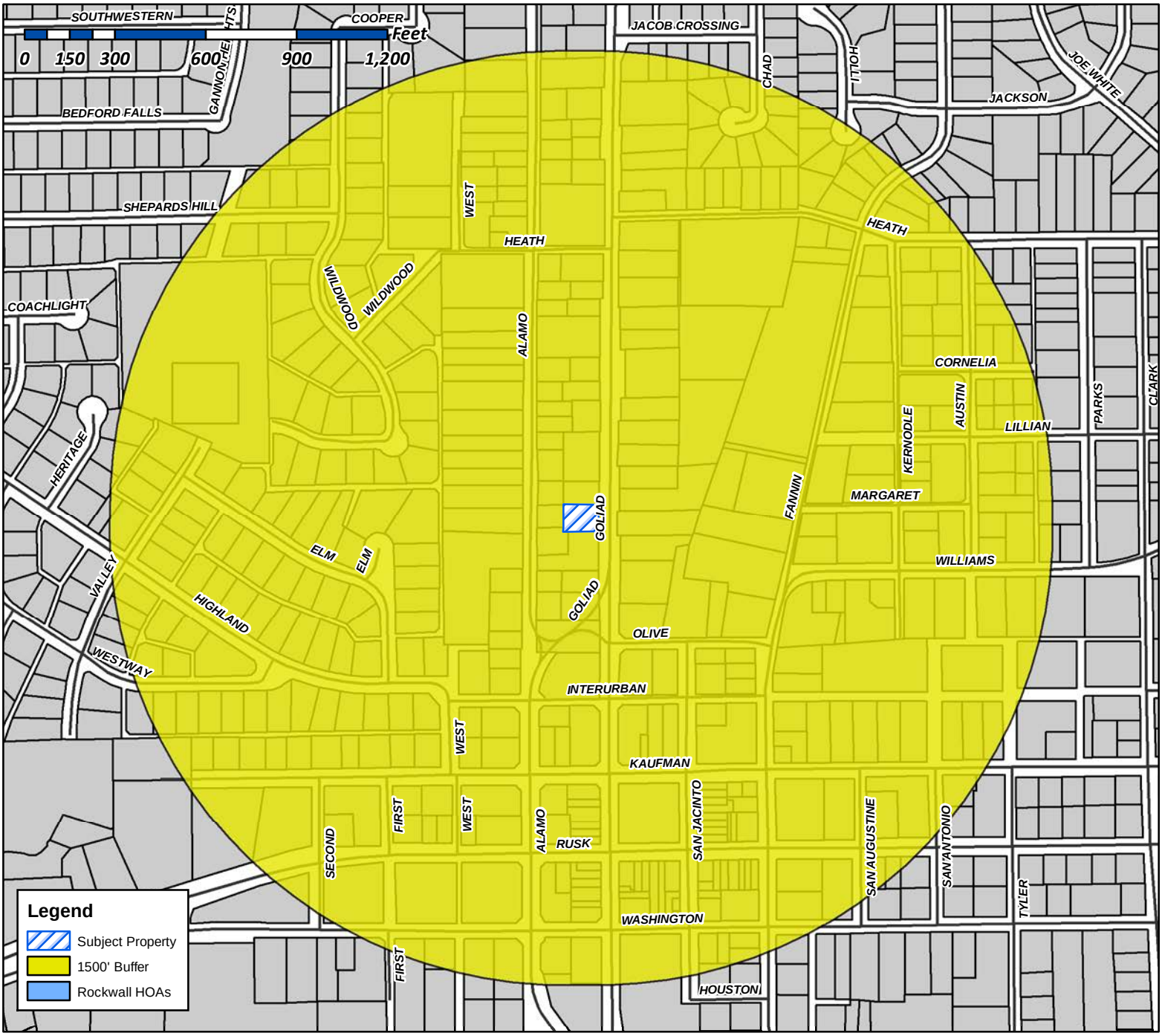
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27

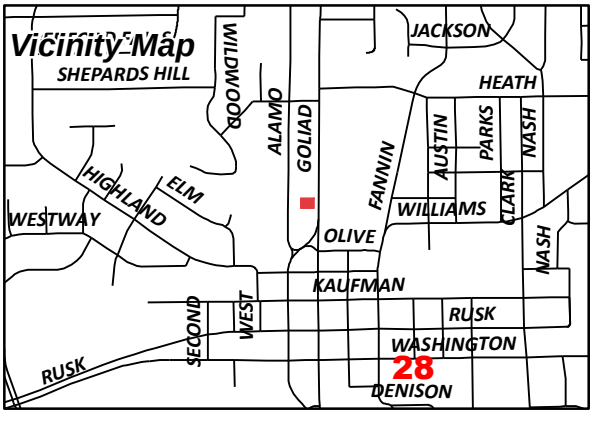
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-009
Case Name: SUP for a Restaurant in PD-50
Case Type: Zoning
Zoning: Planned Development District 50 (PD-50)
Case Address: 505 N. Goliad Street

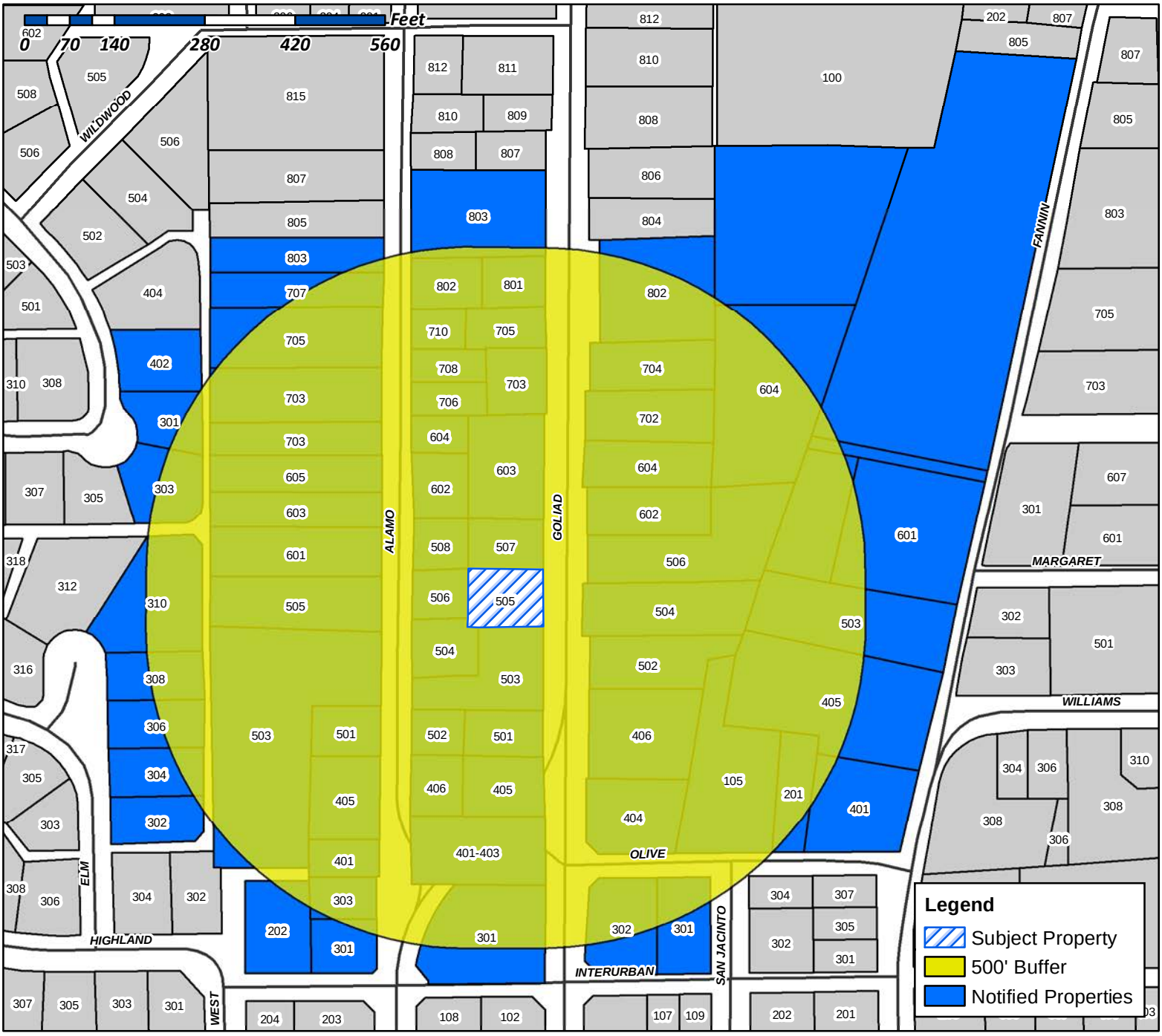


Date Created: ***4/17/2019***
For Questions on this Case Call (972) 771-7745

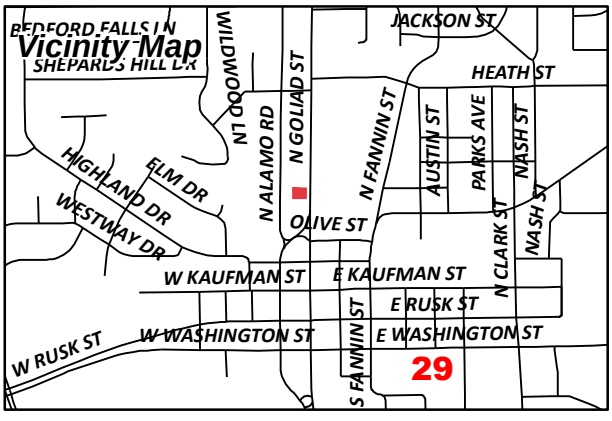
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Case Number: Z2019-009
Case Name: SUP for a Restaurant in PD-50
Case Type: Zoning
Zoning: Planned Development District 50 (PD-50)
Case Address: 505 N. Goliad Street



Date Created: ***4/17/2019***
For Questions on this Case Call (972) 771-7745

BARKER PERRY H & ELIZABETH D
104 SCENIC DR
HEATH, TX 75032

CURRENT RESIDENT
105 OLIVE ST
ROCKWALL, TX 75087

TEEL BRITTON & BARBARA
10925 ROCKSTONE DR
BALCH SPRINGS, TX 75180

WAGNER GERALD P
112 LOS PECES
GUN BARRELL, TX 75156

R & S OPERATING CO LP
11508 ROYALSHIRE DR
DALLAS, TX 75230

WRIGHT JOHN M & SUSAN L
1605 SEASCAPE CT
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S
1614 S LAKESHORE DR
ROCKWALL, TX 75087

CRAWFORD STEVE
1709 GASLIGHT CT
SEABROOK, TX 77586

ROCKWALL RUSTIC RANCH LLC
1827 MYSTIC STREET
ROCKWALL, TX 75032

BLACK SHIRLEY M
1924 PALMETTO ISLE DR
MT. PLEASANT, SC 29466

CURRENT RESIDENT
201 OLIVE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
202 INTERURBAN ST
ROCKWALL, TX 75087

PEOPLES DOSVILLE
208 W HEATH ST
ROCKWALL, TX 75087

BEDFORD AUSTIN J & TERRI W
301 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N SAN JACINTO
ROCKWALL, TX 75087

FERRIS BETH
301 WILDWOOD LN
ROCKWALL, TX 75087

REILLY KELSEY AND DAVID
302 ELM DRIVE
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

LEAL CAROL RHEA & ROLAND
303 N ALAMO RD
ROCKWALL, TX 75087

ANGLE GLENDA ANNE
303 WILDWOOD LN
ROCKWALL, TX 75087

GLASS KATHLEEN J
304 ELM DR
ROCKWALL, TX 75087

BELL MARY NELL
306 ELM DR
ROCKWALL, TX 75087

WATCHMEN REAL ESTATE LLC
3077 N GOLIAD
ROCKWALL, TX 75087

SCHWEIKERT FERN ELLEN
308 ELM DR
ROCKWALL, TX 75087

GATES CHARLES H & BRENDA F
310 ELM DR
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L
3922 MEDITERRANEAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
401 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
401 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
401-403 N GOLIAD
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T
402 WILDWOOD LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
404 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N ALAMO
ROCKWALL, TX 75087

ODOM JAY & ALISON
405 N FANNIN STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N GOLIAD
ROCKWALL, TX 75087

MORGAN NANCY D
429 PARK PLACE BLVD
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS
4917 SAINT JAMES CT
MESQUITE, TX 75150

CURRENT RESIDENT
501 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
501 N GOLIAD
ROCKWALL, TX 75087

TAMEZ SILVINO & ARACELIA
502 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
502 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N GOLIAD ST
ROCKWALL, TX 75087

BYRUM RICKY CONN AND JO ANN
504 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
504 N GOLIAD
ROCKWALL, TX 75087

ALSOBROOK DAVID
505 CARRIAGE TRL
ROCKWALL, TX 75087

TUCKER PAMELA
505 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
505 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
506 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
506 N GOLIAD
ROCKWALL, TX 75087

FLEMING HALLIE B
507 N GOLIAD
ROCKWALL, TX 75087

MORGAN RHONA L &
508 N ALAMO RD
ROCKWALL, TX 75087

CAWTHON RICK
508 NASH ST
ROCKWALL, TX 75087

RNDI COMPANIES INC
519 E INTERSATE 30 # 157
ROCKWALL, TX 75087

FANG PROPERTIES LLC
536 LOMA VISTA
HEATH, TX 75032

ROMO SEAN R AND STACEY M
544 LAUREL LN
FATE, TX 75087

31

CURRENT RESIDENT
601 N ALAMO
ROCKWALL, TX 75087

HALL DOUGLAS A & MARCI
601 N FANNIN ST
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN
602 N ALAMO ROAD
ROCKWALL, TX 75087

CURRENT RESIDENT
602 N GOLIAD
ROCKWALL, TX 75087

HAMILTON JOANN
603 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
603 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
604 GOLIAD
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA
604 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
604 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
605 N ALAMO
ROCKWALL, TX 75087

SMITH G DAVID
702 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
703 N ALAMO RD
ROCKWALL, TX 75087

IRBY DENNIS
703 N GOLIAD ST
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
706 N ALAMO
ROCKWALL, TX 75087

CALABRESE CORINNA RAE
707 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
708 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
710 N ALAMO
ROCKWALL, TX 75087

CRISWELL BARBARA
7110 HUNT LANE
ROCKWALL, TX 75087

CHRISTENSEN VALERIE
801 N GOLIAD
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A
802 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
802 N GOLIAD
ROCKWALL, TX 75087

SEAMANS RANDY KALIN AND RACHEL K
803 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
803 N GOLIAD ST
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE
830 SHORES BLVD
ROCKWALL, TX 75087

KILLION OLIN R
8709 DALROCK RD
ROWLETT, TX 75089

KILLION OLIN R & AGATHA
8709 DALROCK RD
ROWLETT, TX 75089

32

POINTER PRICE AND
906 N GOLIAD STREET
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC
PO BOX 2284
ROCKWALL, TX 75087

LAND HEADQUARTERS COMPANY INC
PO BOX 69
KEY BISCAYNE, FL 33149

LAYTON ERIC A
PO BOX 998
ROCKWALL, TX 75087

33

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-009: SUP for a Restaurant in PD-50

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/14/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/20/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **5/20/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING//DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-009: SUP for a Restaurant in PD-50

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Gonzales, David

From: Planning
Sent: Tuesday, May 7, 2019 9:29 AM
To: Gonzales, David
Subject: FW: Case # Z2019-009 SUP restaurant in PD-50

From: Caprice Michelle [redacted]
Sent: Tuesday, May 7, 2019 9:24 AM
To: Planning <planning@rockwall.com>
Subject: Case # Z2019-009 SUP restaurant in PD-50

In favor 👈



Caprice Michelle, Broker
Brokered by, Caprice Michelle, LLC.
Broker Lic # 9004701
214-789-7364
Residential and Commercial Real Estate

Click to Search Properties at CapriceMichelle.com
Click here for Commercial Listings

Texas Law requires all real estate licensees to provide the following;
Texas Real Estate Commission Consumer Protection Notice
Texas Real Est ----- Message truncated -----
--



Caprice Michelle, Broker #0602530
Brokered by, Caprice Michelle, LLC. #9004701
214-789-7364
Residential and Commercial Real Estate

Click to Search Properties at CapriceMichelle.com

Gonzales, David

From: Planning
Sent: Tuesday, May 7, 2019 8:06 AM
To: Gonzales, David
Subject: FW: Z2019-009

From: G. David Smith [redacted]
Sent: Monday, May 6, 2019 5:37 PM
To: Planning <planning@rockwall.com>
Subject: Z2019-009

I am in favor of the request for the reason that it will be a positive add to the neighborhood. We need some variety. Now get some sidewalks on our side so I can walk to the crosswalk and get to their side of the road.

G. David Smith
702 N. Goliad
Rockwall, Texas 75087
p. 972.771.2579
f. 972.771.0513

SMITH & LEE, LAWYERS
[redacted]

Board Certified in Personal Injury Trial Law
Texas Board of Legal Specialization

The information contained in this communication is a transmission from Smith & Lee, Lawyers, P.C., and may be information protected by the attorney/client and/or attorney/work product privilege. It and any attachments hereto are also covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2512, and are intended only for the personal and confidential use of the recipient(s) named in the communication, and the privileges are not waived by virtue of this having been sent by electronic mail. If the person actually receiving this communication or any other reader of the communication is not the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and delete the original message from your system. Thank you.

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING//DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-009: SUP for a Restaurant in PD-50

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

The further development of the Goliad corridor to the Down town is good for local residents as well as increasing traffic to all the other businesses in the area + expanding the tax revenue. This is a good thing for Rockwall.

Name: Dr St Meyers

Address: 506 N. Goliad Rockwall, Tx 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Scanned with CamScanner

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Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-009: SUP for a Restaurant in PD-50

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

I am in favor to keep improving this area!

Name: Alster Crawford

Address: 504 N Goliad, Rockwall Texas

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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Case No. Z2019-009: SUP for a Restaurant in PD-50

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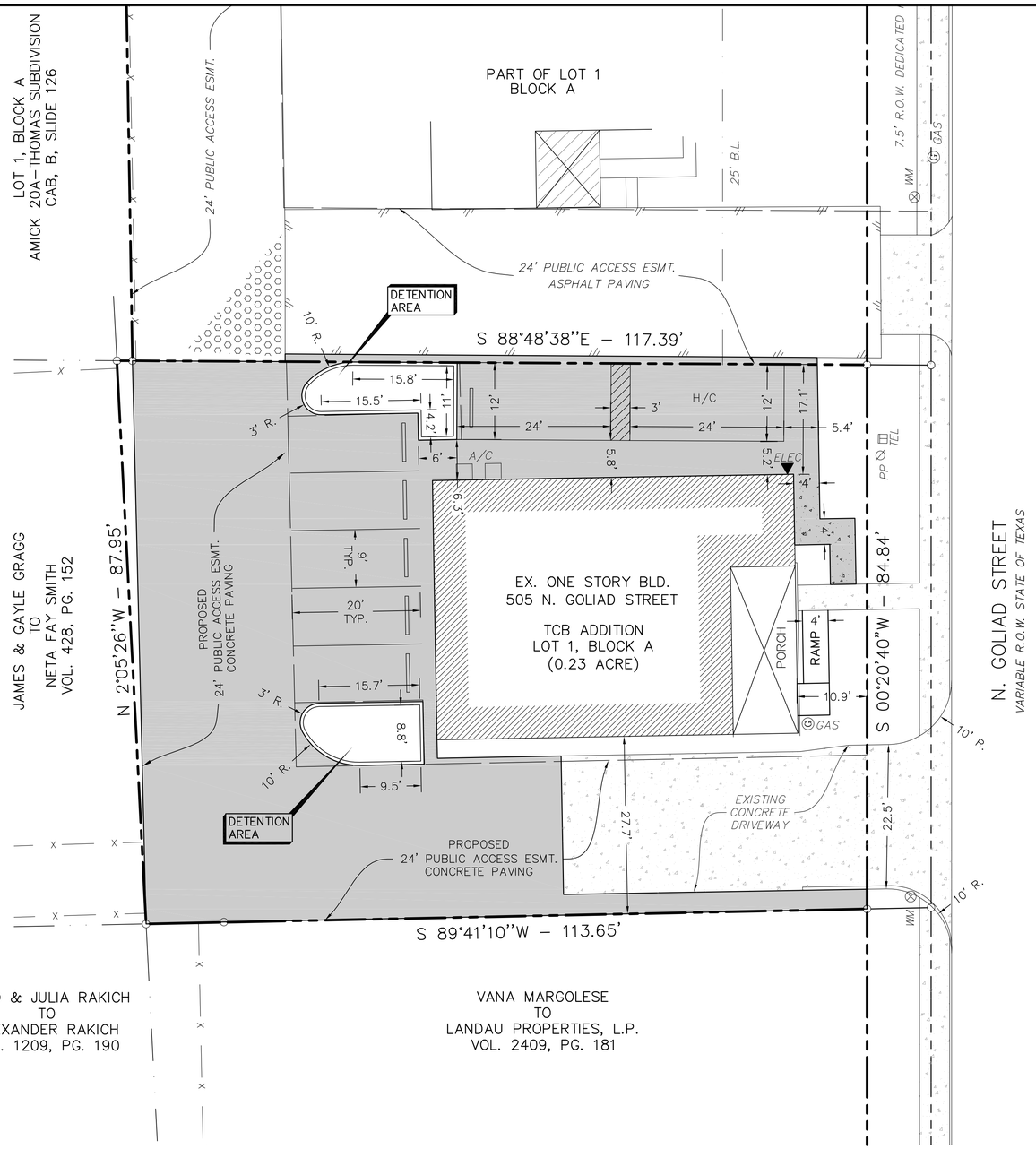
Development in the neighborhood is good. Vacant unused property is never favorable to property values

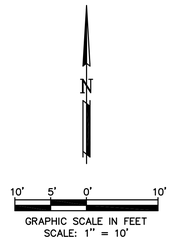
Name: Dennis + Peggy Irby

Address: 703 N. Goliad

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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VICINITY MAP
N.T.S.

OWNER:
TCB CONSTRUCTION GROUP, LLC.
906 N. GOLIAD STREET
ROCKWALL, TEXAS 75087

SITE DATA

LOT AREA	10,019 SF ~ 0.23 AC
ZONING	PD–50 NORTH GOLIAD OVERLAY DISTRICT
INSIDE BUILDING AREA	1916 SF
FRONT PORCH	264 SF
PARKING REQUIRED	8 SPACES
PARKING PROVIDED	7 SPACES

PRELIMINARY
FOR REVIEW
ONLY

STATE OF TEXAS
TUAN P. LAM
86968
LICENSED
PROFESSIONAL ENGINEER

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TUAN P. LAM, P.E. 86968 ON 4/3/19. ALTERATION OF A SEALED DOCUMENT WITHOUT THE PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN.

SURVEY INFORMATION ON THIS DRAWING WAS PROVIDED BY OTHERS. LAM CONSULTING ENGINEERING IS NOT RESPONSIBLE FOR THE ACCURACY OF THE TOPOGRAPHIC MAPPING NOR BENCHMARK DATUM.

THE INFORMATION SHOWN ON THIS PLAN IS FROM RECORD DRAWINGS. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS DRAWING. CONTRACTOR SHALL FIELD VERIFY ALL UTILITIES AND CONTACT ALL UTILITY COMPANIES 48 HRS PRIOR TO ANY EXCAVATION. 1–800–DIG TESS

CONCEPT PLAN

TCB ADDITION – LOT 1, BLOCK A
BONAFIDE BETTIES PIES CO.
505 N. GOLIAD STREET
ROCKWALL, TEXAS 75087

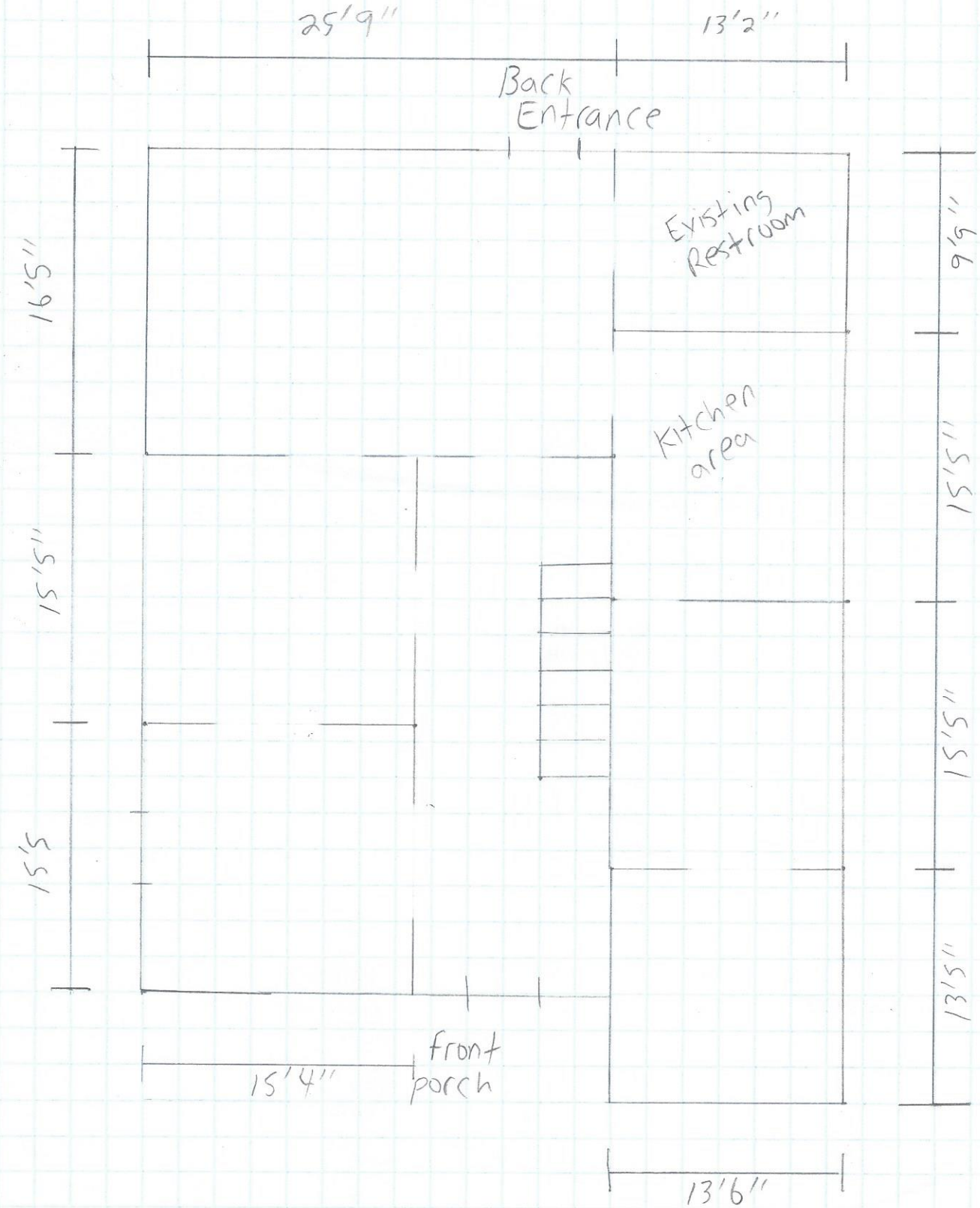
LCE
LAM CONSULTING ENGINEERING
6804 WILHELMINA DRIVE
SACHSE, TEXAS 75048
Phone (214) 766–1011
www.lamcivil.com
Firm #F–9763

DESIGN:	LCE	CHECK:	LCE	SCALE:	AS NOTED
DRAWN:	CTL	DATE:	APRIL 2019	PROJECT:	632–19

2 OF 6

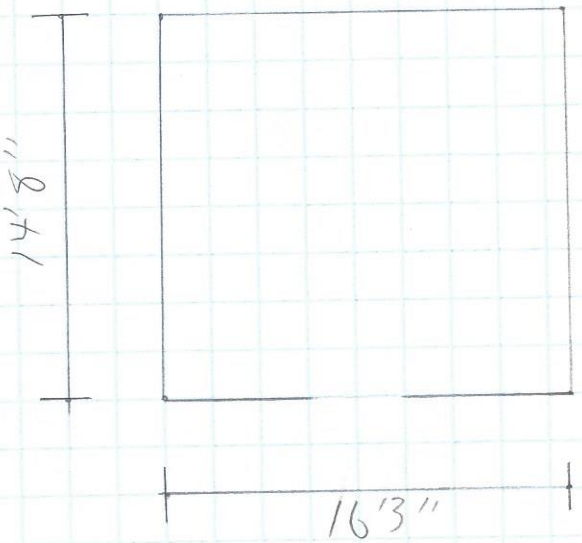
40

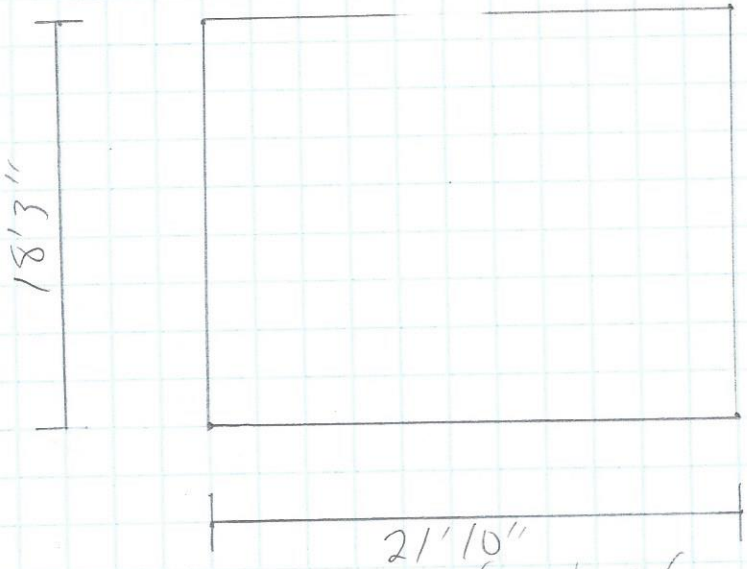
Bonafide Betties Pie Company
505 N Goliad



41

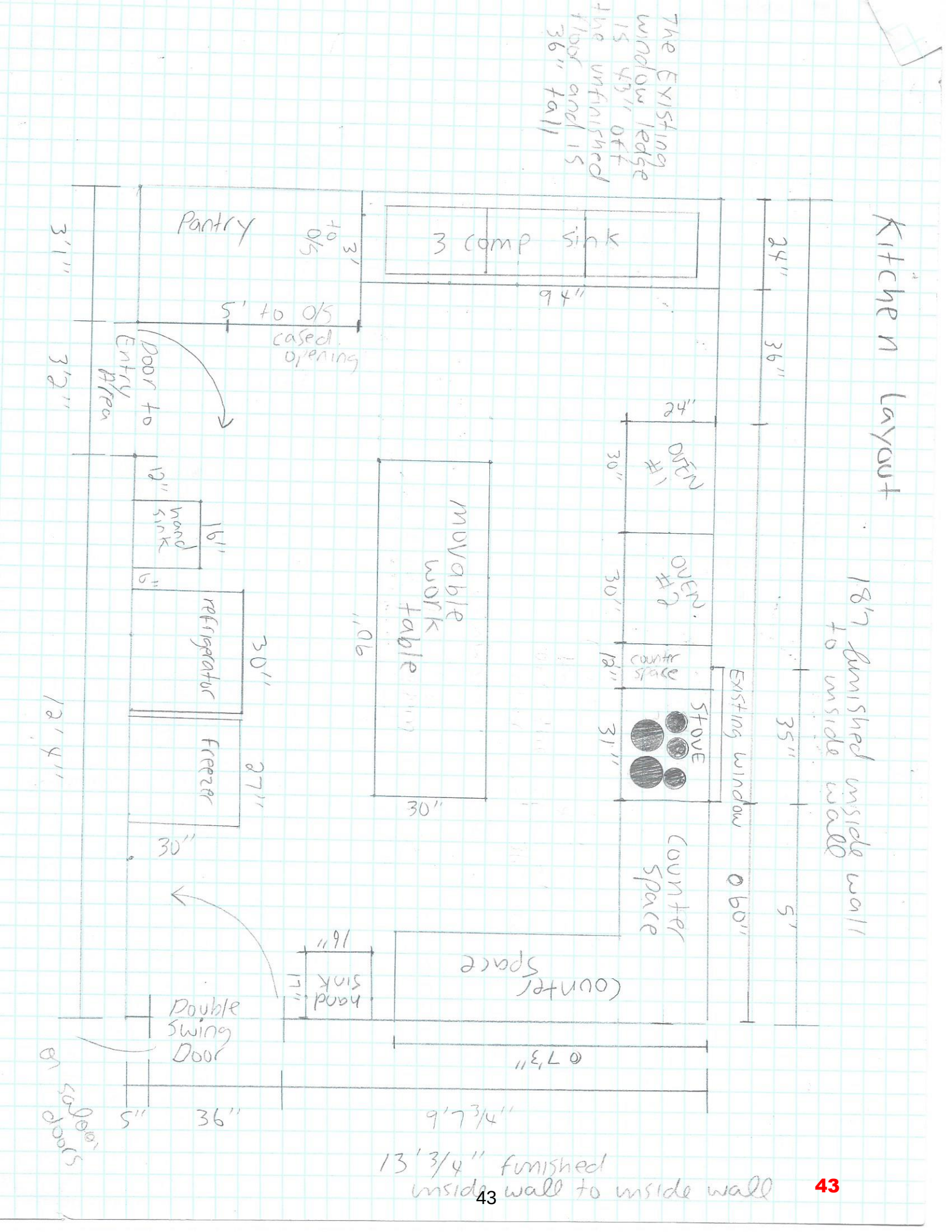
upstairs area





front of the building

42


Kitchen Layout
18'7 finished inside wall to inside wall
The existing window ledge is 19" off the unfinished floor and is 36" tall
Pantry
3' to O/S
3'
3 comp sink
94"
5' to O/S
cased opening
Entry Area
Door to
3'1"
3'2"
24"
36"
24"
OVEN #1
30"
OVEN #2
30"
12"
counter space
Existing window
60"
STOVE
31"
35"
5'
12"
hand sink
16"
6"
refrigerator
30"
movable work table
96"
30"
Freezer
27"
30"
12'4"
Counter Space
91"
hand sink
17"
Double Swing Door
73"
5"
36"
9'7 3/4"
13'3/4" finished inside wall to inside wall

43

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-19] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *RESTAURANT LESS THAN 2,000 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN* FACILITY ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Chris Lam, P.E. of Lam Consulting for the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-In* on a 0.23-acre parcel of land, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, and being identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, addressed as 505 N. Goliad Street, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant Less than 2,000 SF without a Drive-Through or Drive-In* as stipulated by Article *IV, Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

DRAFT 05.21.19

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Planned Development District 50* (*PD-50*), and *Section 1.1, Land Use Schedule,* of *Article IV, Permissible Uses,* and *Subsection 4.02, Residential Office (RO) District, of Section 4, Commercial (C) Districts,* of *Article V, District Development Standards,* and *Subsection 6.04, North Goliad Corridor Overlay (NGC OV) District,* of *Section 6, Overlay Districts,* of *Article V,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the following additional conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-in* (*restaurant*) land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

1) The development and operation of a *restaurant* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The operation of the *restaurant* land use shall be limited to the area on the first floor as depicted in the *Floor Plan* attached in *Exhibit 'C'* of this ordinance;

3) The use of the second-floor area shall be limited to storage only. Any other use will require additional parking spaces.

4) A minimum of six (6)-foot tall board on board wood fence shall be constructed along the west property boundary -- *adjacent to the residentially zoned property* -- prior to the issuance of a Certificate of Occupancy (CO).

5) Should the land use change from a *Limited Service Restaurant* (*i.e. to a full-service restaurant or any other land use*), the subject property shall comply with the parking requirements contained in Article VI, *Parking and Loading*, of the Unified Development Code. If the parking provided on the subject property does not meet the parking requirements for the proposed land use, this Specific Use Permit will need to be amended in accordance with the procedures contained in Section 4, *Specific Use Permits*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

DRAFT ORDINANCE 05.2019

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (*$2,000.00*) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF MAY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *May 20, 2019*

2nd Reading: *June 3, 2019*

DRAFT ORDINANCE 05.20.2019

Exhibit 'A':

Legal Description: Block 20B, Amick Addition
Address: 505 N. Goliad Street



DRAFT 05.28.19

Exhibit 'B':
Concept Plan

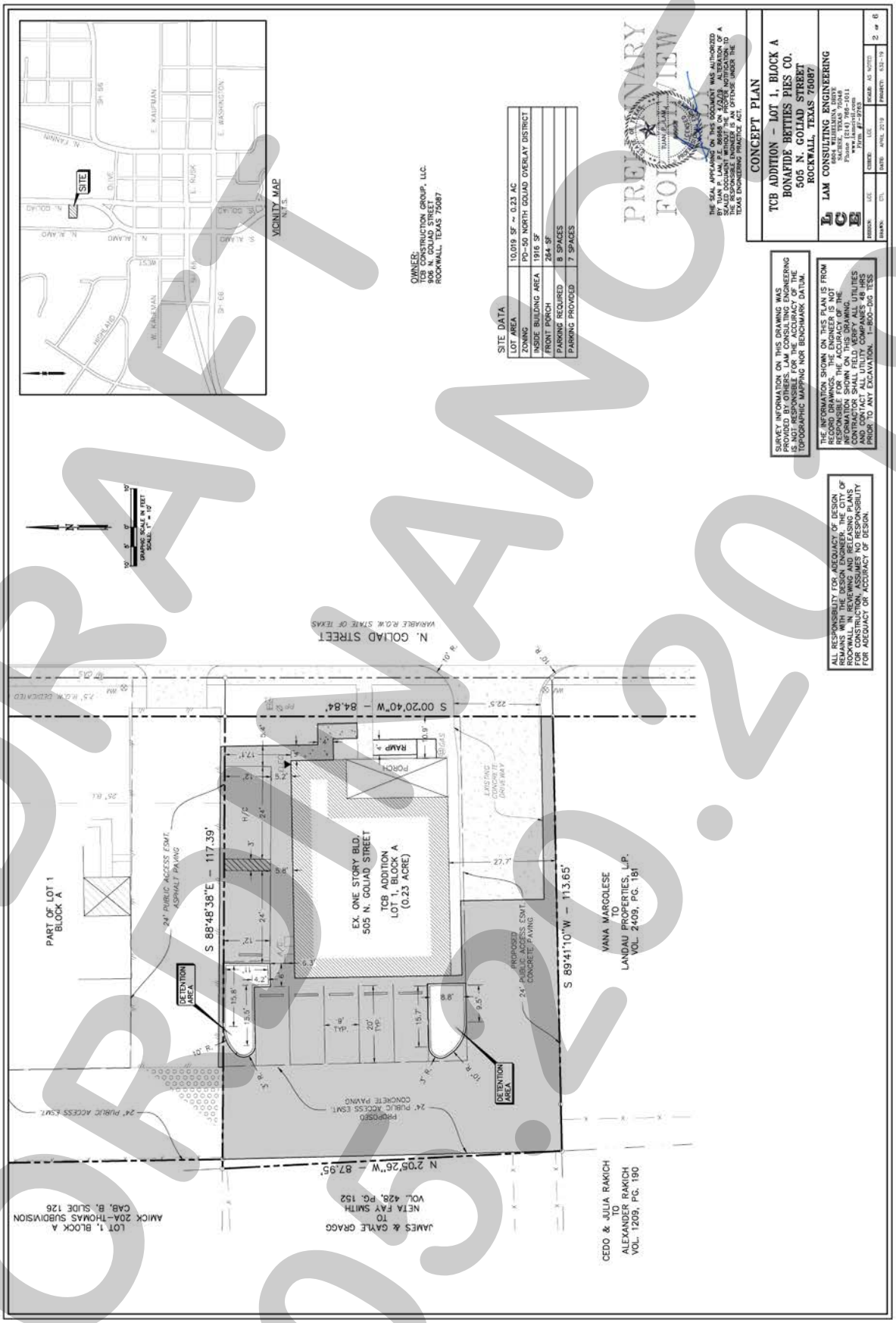
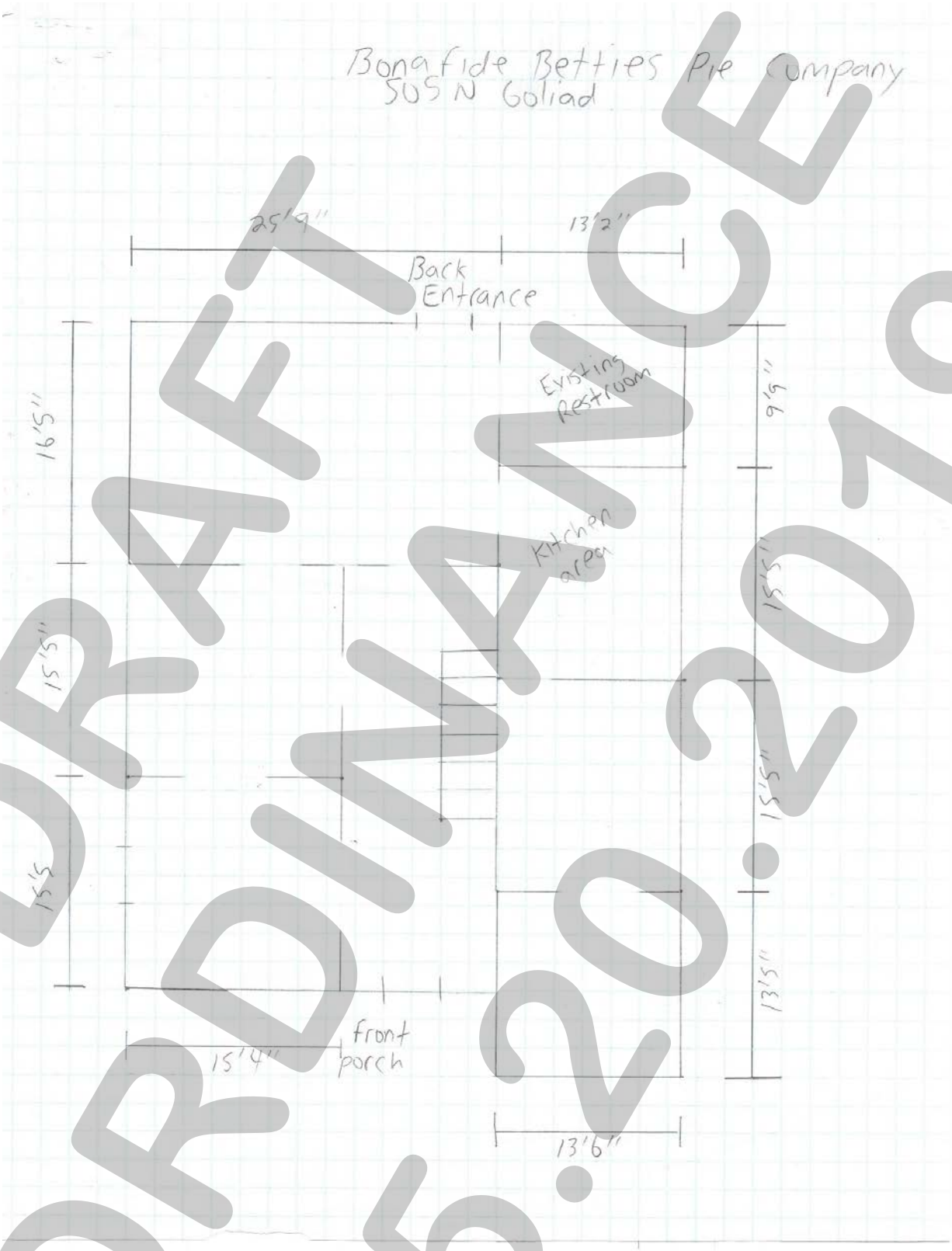


Exhibit 'C':
Floor Plan



DRAFT ORDINANCE 05.20.2019

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	May 20, 2019
APPLICANT:	Dewayne Cain; *EVSR (D), LLC*
CASE NUMBER:	Z2019-010; *SUP for Guest Quarters and Agricultural Building*

SUMMARY

Hold a public hearing to discuss and consider a request by Dewayne Cain of EVSR (D), LLC for the approval of a Specific Use Permit (SUP) for a guest quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and take any action necessary.

BACKGROUND/PURPOSE

The subject property is addressed as 777 & 839 Cornelius Road and is zoned Agricultural (AG) District. It was annexed on January 4, 2010 by *Ordinance No. 10-01*. On January 7, 2019, the City Council directed staff to amend the *Land Use Standards* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) to incorporate the ability to request a Specific Use Permit (SUP) for *guest quarters/secondary living units* not meeting the requirements stipulated in the Unified Development Code (UDC). In conjunction with this direction, the City Council also directed staff to create a new land use for *barns and/or agricultural accessory buildings*. This text amendment was approved on March 4, 2019 by *Ordinance No. 19-12*. Based on the approval of the text amendment, the applicant submitted a request for a Specific Use Permit (SUP) for a *guest quarters/secondary living unit* and *barn or agricultural accessory building.*

ADJACENT LAND USES AND ACCESS

The subject property is located at 777 & 839 Cornelius Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Cornelius Road, which is identified as a M4U (*major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan. This roadway delineates the city limits of the City of Rockwall.

South: Directly south of the subject property is a cemetery (*i.e. Rest Haven Cemetery*) followed by SH-66, which is identified as a *TXDOT4D* (*i.e. Texas Department of Transportation, principle four [4] lane, divided arterial roadway*) on the City's Master Thoroughfare Plan. Beyond this is a large tract of land that is currently vacant. These areas are zoned Agricultural (AG) District.

East: Directly east of the subject property are several single-family homes that are zoned Agricultural (AG) and Single-Family Estate 4.0 (SFE-4.0) Districts. Beyond this is FM-3549, which is identified as a *TXDOT4D* (*i.e. Texas Department of Transportation, principle four [4] lane, divided arterial roadway*) on the City's Master Thoroughfare Plan. This roadway delineates the city limits of the City of Rockwall.

West: Directly west of the subject property there are several vacant tracts of land and several single-family homes that are zoned Agricultural (AG) District. Beyond this is John King Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is a single-family residential subdivision (*i.e. Carruth Lakes Subdivision*) that is zoned Planned Development District 5 (PD-5) for Single-Family 8.4 (SF-8.4) and General Retail (GR) District land uses.

CHARACTERISTICS OF THE REQUEST

Currently, there is a single-family home on the subject property and the applicant is requesting approval of a Specific Use Permit (SUP) to allow a *guest quarters/secondary living unit* and *barn or agricultural building* in conjunction with this structure. The structure will be ~4,950 SF in total size, with ~576 SF being dedicated to the *guest quarters/secondary living unit*. The proposed building will be situated behind the main structure, have four (4) roll-up garage doors, and be clad with metal on the exterior. The proposed building will primarily serve as storage for vehicles/equipment and contain a small bathroom with a shower.

CONFORMANCE WITH THE CITY'S CODES

According to Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), a *guest quarters/secondary living unit* is allowed as an accessory use in an Agricultural (AG) District. The Unified Development Code (UDC) also stipulates that such a structure shall not exceed 30% of the main structure and shall not be sold or conveyed separately without meeting the requirements of the zoning district and subdivision ordinance. The Unified Development Code (UDC) also provides the ability for a *guest quarters/secondary living unit* not meeting those requirements to request a Specific Use Permit (SUP). In this case, the proposed guest quarters is ancillary to the primary structure; however, since the proposed *guest quarters/secondary living unit* will be approximately 576 SF, it will exceed 30% of the main structure (*i.e. approximately 107 SF larger than permitted by ordinance*) and require a Specific Use Permit (SUP).

According to the UDC a *barn or agricultural accessory building* is permitted by Specific Use Permit in an Agricultural (AG) District. The UDC requires that the structure be between 2,000 and 4,999 SF in total size, and be located behind the front façade of the primary structure. In addition, the code allows the structure to be constructed utilizing metal and or other materials, and specifically exempts these structures from the masonry requirements. In this case, the proposed *barn or agricultural accessory building* will be approximately 4,950 SF, located behind the front façade of the main structure, and will be clad with metal.

INFRASTRUCTURE

No public infrastructure will be required or effected by the applicant's request.

STAFF ANALYSIS

When analyzing the applicant's request -- *and with the exception of the guest quarters exceeding the maximum allowable size (i.e. 30% of the primary structure)* --, the proposed accessory building is generally in conformance with the requirements of the Unified Development Code (UDC). In addition, approval of this proposal does not appear to negatively impact the subject property and/or the surrounding and adjacent properties. Staff should also note that the subject property is larger than ten (10) acres (*i.e. the minimum requirement for a barn or agricultural accessory building*) and the barn will be smaller than the maximum allowable size. Should this request be approved, this will be the first *barn or agricultural building* to be approved in an Agricultural (AG) District under the new ordinance. With that being said, the approval of this request is a discretionary decision for the City Council, pending a recommendation by the Planning and Zoning Commission.

NOTIFICATIONS

On May 1, 2019, staff mailed 16 notices to property owners and residents within 500-feet of the subject property. There are no Homeowner's Associations (HOA's)/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was written, staff had received four (4) notices in favor of this request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request, then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the following operational conditions contained in the Specific Use Permit (SUP) ordinance and which are summarized as follows:

a) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall generally conform to the concept plan and building elevations depicted in *Exhibits 'B' & 'C'* of the attached ordinance;

b) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall not be utilized for a non-residential and/or non-agricultural land uses;

c) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall be ancillary to the existing single-family home;

d) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall not be altered so that the structure is less than 2,000 SF or greater than 4,050 SF;

e) The subject property shall not be subdivided in such a way that the property does not meet the minimum requirement of ten (10) acres in size for a *barn or agricultural accessory building*;

f) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall be located behind the front façade of the primary structure and be subject to the same building setbacks as the primary structure;

g) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC);

(2) The applicant shall provide staff with documentation showing the property being subdivided in conformance with the requirements of the UDC prior to the issuance of a building permit;

(3) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

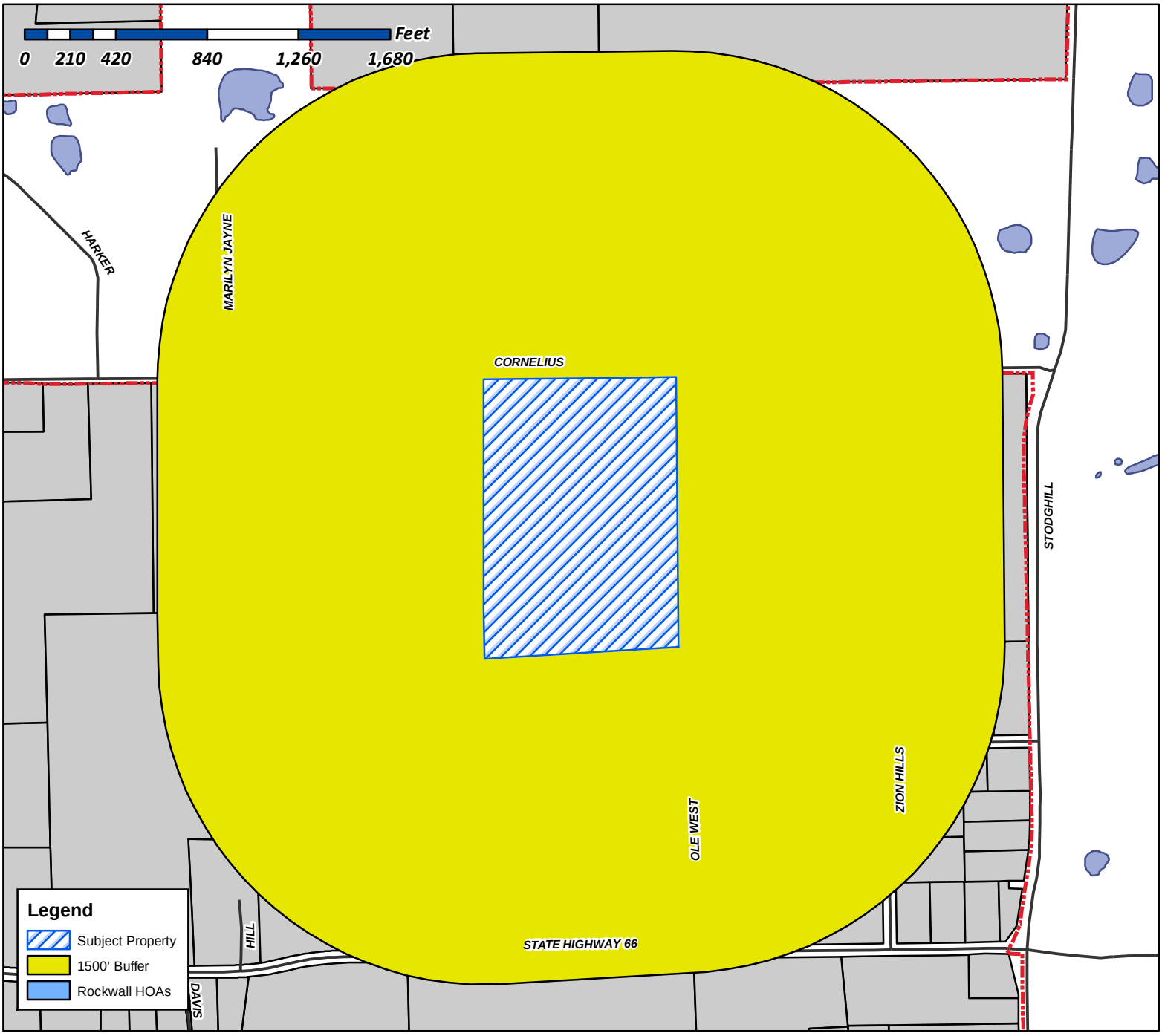
PLANNING AND ZONING COMMISSION:

On May 14, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff's Conditions of Approval passed by a vote of 5-0 with Commissioners Logan and Moeller absent.

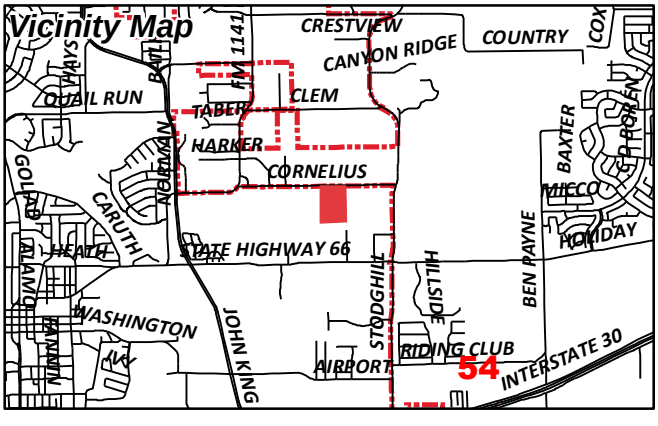
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2019-010
Case Name: SUP for Guest Quarters and Barn
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 777 & 839 Cornellius Street

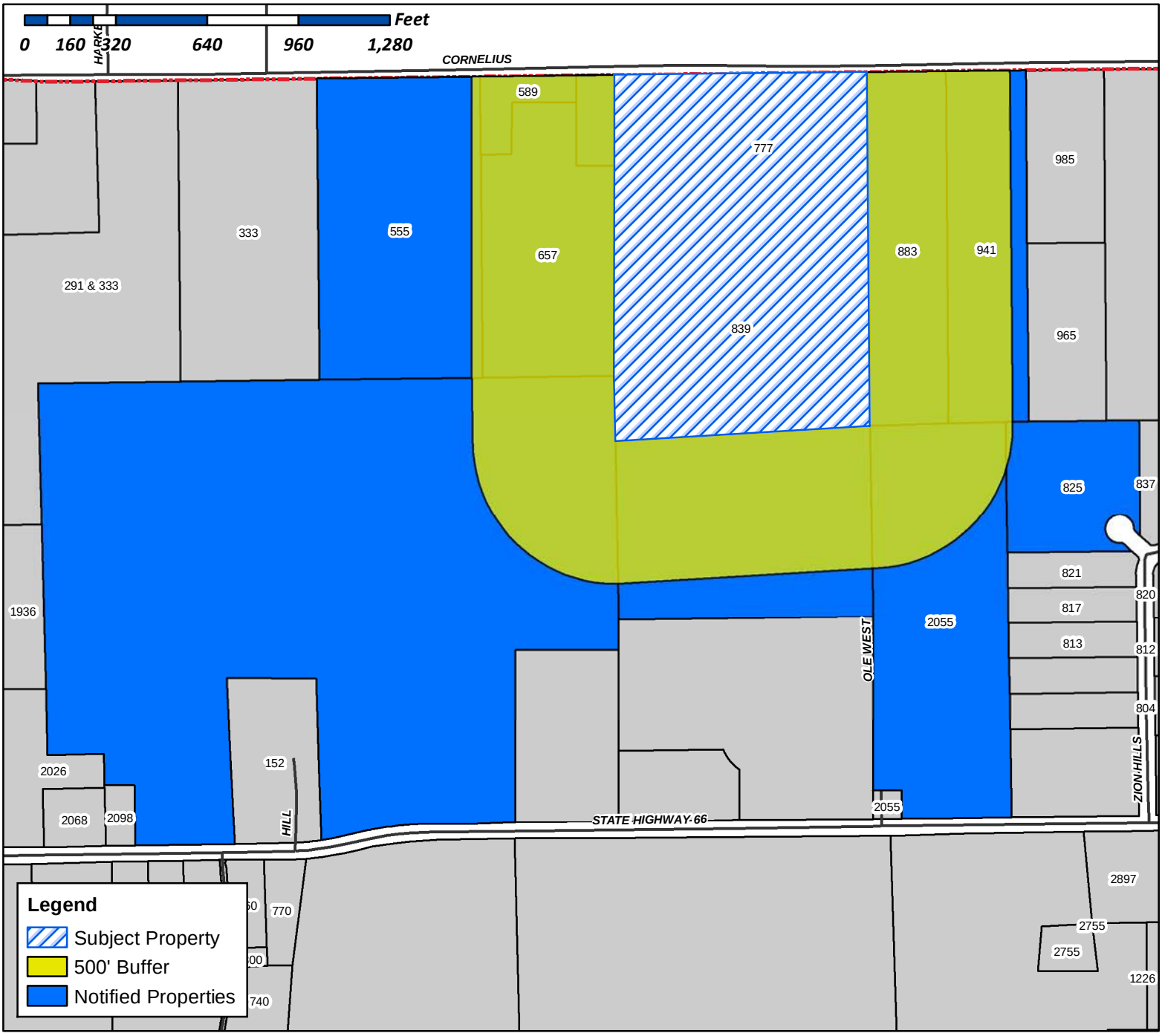


Date Created: ***5/1/2019***
For Questions on this Case Call (972) 771-7745

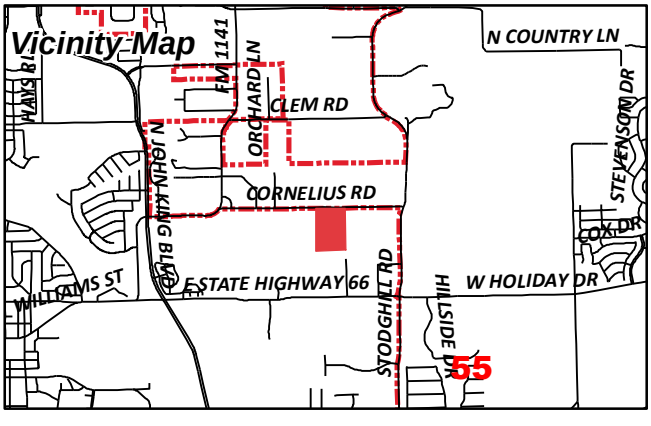
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Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 777 & 839 Cornelius Street



Date Created: ***5/1/2019***
For Questions on this Case Call (972) 771-7745

BRIMELOW TIM
2055 WILLIAMS ST
ROCKWALL, TX 75087

CAIN CEMETERY CORP
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN DEWAYNE
305 STONEBRIDGE DR
ROCKWALL, TX 75087

E V S R (D) LLC
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
555 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES DONNIE
589 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES DONNIE
589 CORNELIUS RD
ROCKWALL, TX 75087

CURRENT RESIDENT
657 CORNELIUS RD
ROCKWALL, TX 75087

CURRENT RESIDENT
777 CORNELIUS RD
ROCKWALL, TX 75087

CURRENT RESIDENT
825 ZION HILL CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
839 CORNELIUS RD
ROCKWALL, TX 75087

HAMMOND SCOTT H SR & DEBORAH
883 CORNELIUS RD
ROCKWALL, TX 75087

OLLOM GREGORY D
941 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES MIKE
PO BOX 41
ROCKWALL, TX 75087

HARLE REUBIN E
PO BOX 912
ROCKWALL, TX 75087

56

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-010: SUP for Guest Quarters

Hold a public hearing to discuss and consider a request by Dwayne Cain of EVSR (D), LLC for the approval of a Specific Use Permit (SUP) for a guest quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/14/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/20/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **5/20/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING//DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-010: SUP for Guest Quarters

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: Cain Cemetery Corp.

Address: 315 Stonebridge Dr. Rockwall

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

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☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: EVSR (D) LLC

Address: 305 STONERIDGE Dr. ROCKWALL, TX.

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☐ I am opposed to the request for the reasons listed below.

Name: DEWAYNE CAIN

Address: 385 STONEBRIDGE Dr. ROCKWALL

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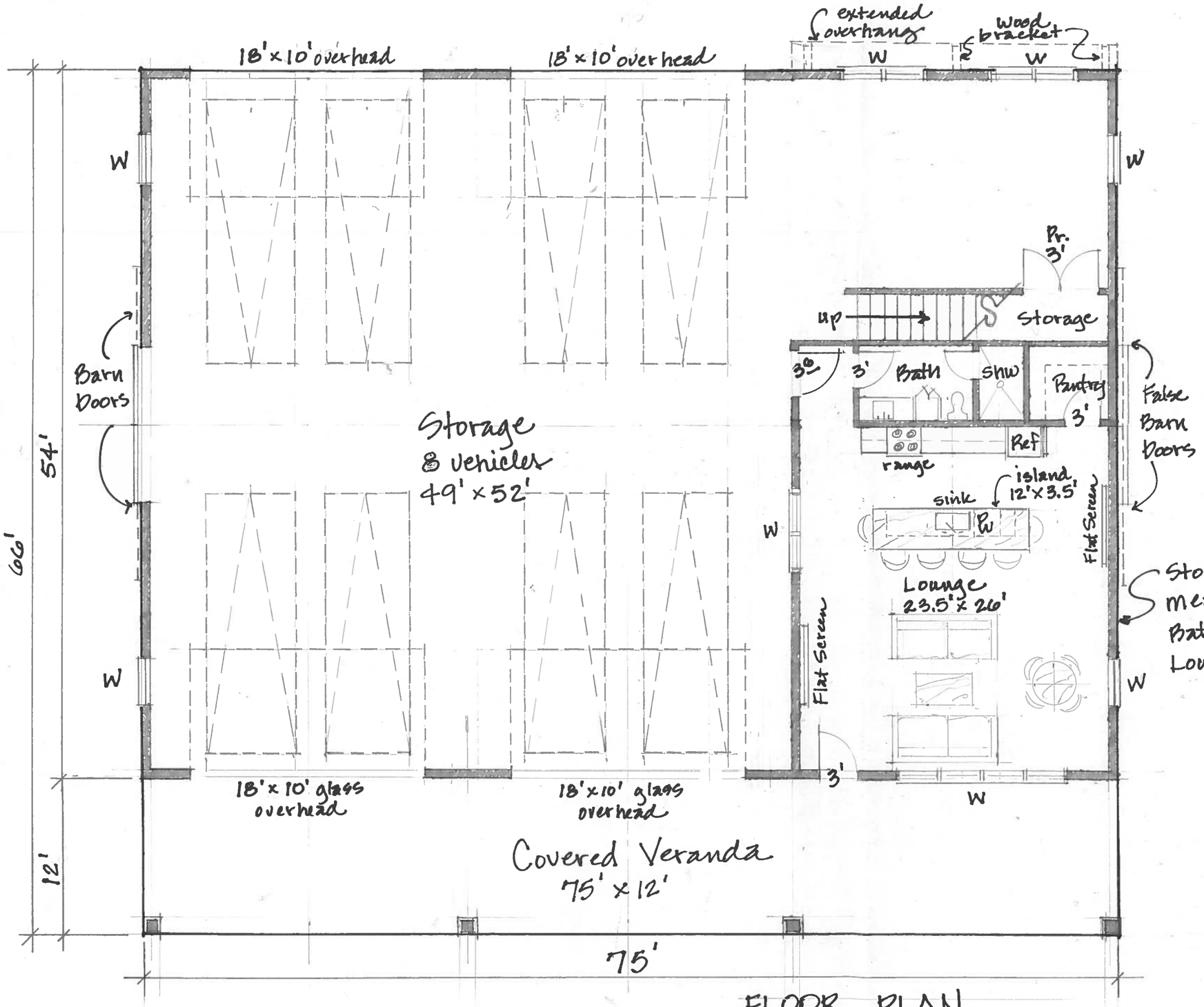
☐ I am opposed to the request for the reasons listed below.

Name: CAIN FAMILY PARTNERSHIP

Address: 305 STONERIDGE Dr. ROCKWALL

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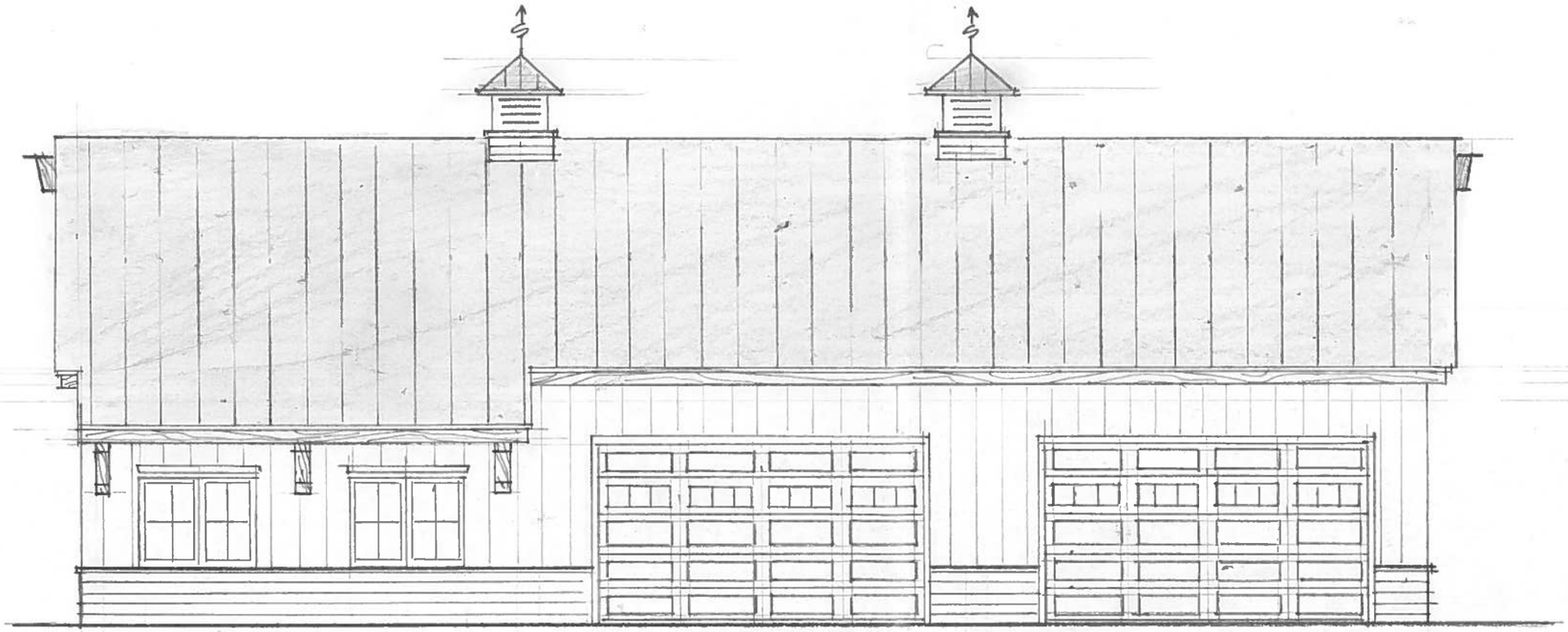
FLOOR PLAN
SCALE 1/8" = 1'-0"

STORAGE BARN

REST HAVEN CEMETERY
ROCKWALL, TX
4,950 SF UNDER ROOF

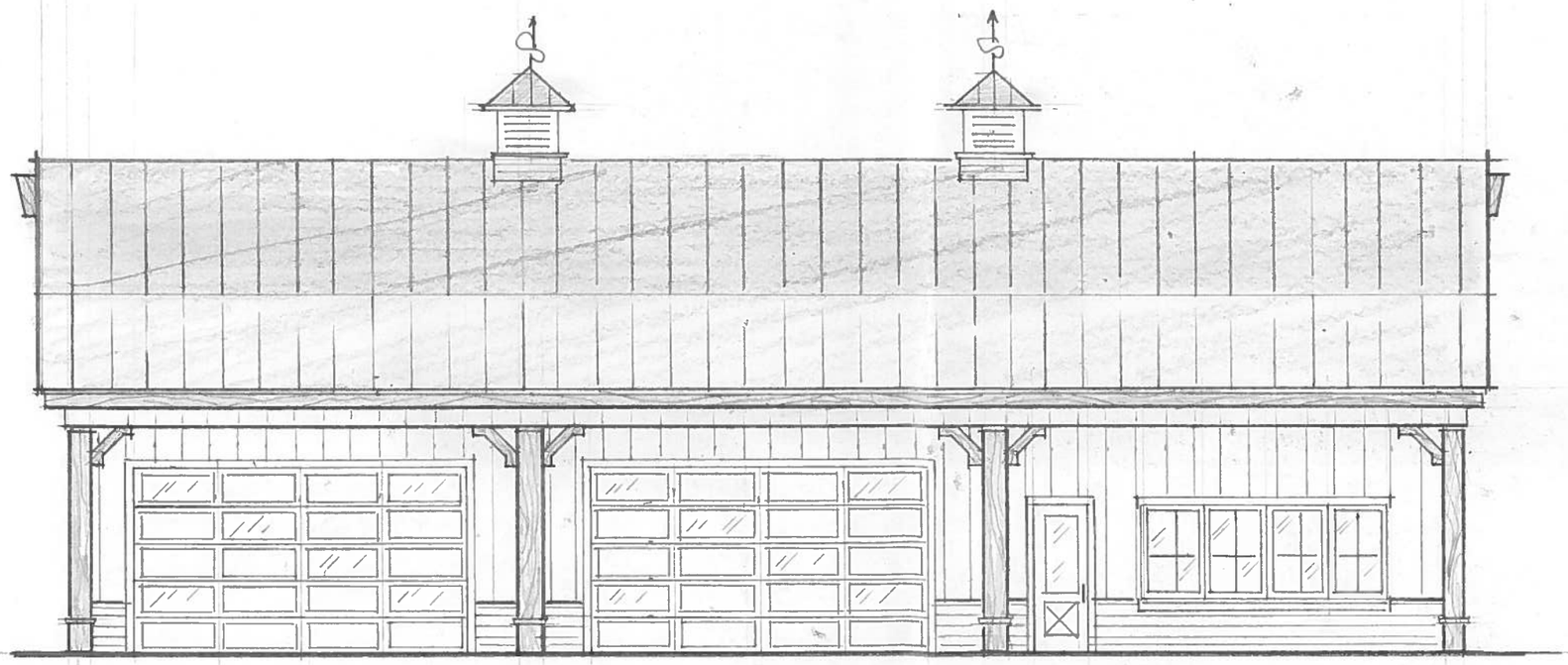
JST ARCHITECTS DALLAS, TX
6.8.18

61



NORTH ELEVATION

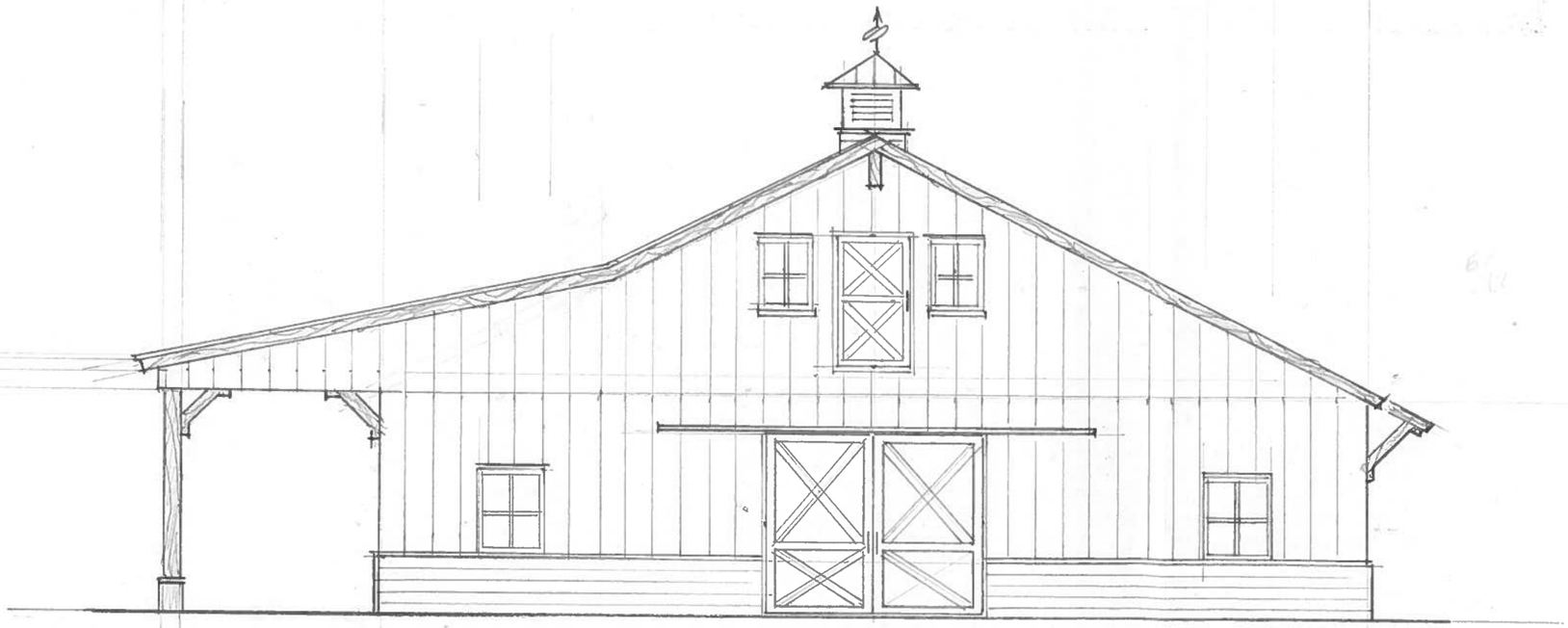
SCALE 1/8" = 1'-0"



SOUTH ELEVATION

SCALE 1/8" = 1'-0"

62



EAST ELEVATION (WEST ELEVATION - MIRROR IMAGE)

SCALE 1/8" = 1'-0"

63



64

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *GUEST QUARTERS/SECONDARY LIVING UNIT* AND *BARN OR AGRICULTURAL ACCESSORY BUILDING* IN AN AGRICULTURAL (AG) DISTRICT, SITUATED ON A 10.61-ACRE PORTION OF A LARGER 26.078-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 2 & 2-4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Dwayne Cain of ECSR (D), LLC for the approval of a Specific Use Permit (SUP) to allow a *guest quarters/secondary living unit* and *barn or agricultural accessory building* in an Agricultural (AG) District on a 10.61-acre portion of a larger 26.078-acre parcel of land described as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *guest quarters/secondary living unit* and *barn or agricultural accessory building,* as stipulated by Section 1, *Land Use Schedule,* of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*], on the *Subject Property*; and,

PLANNING
ORDINANCE
09.04.2019

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 2.01*, Agricultural (AG) District,* of Section 2*, Agricultural Districts,* of Article V, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *guest quarters/secondary living unit* and *barn or agricultural accessory building* on the *Subject Property* and conformance to these conditions is required for continued operations:

1) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall generally conform to the concept plan and building elevations depicted in *Exhibits 'B'* & *'C'* of this ordinance;

2) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall not be utilized for a non-residential and/or non-agricultural land use.

3) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall be ancillary to the existing single-family home.

4) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall not be altered so that the structure is less than 2,000 SF or greater than 4,050 SF.

5) The subject property shall not be subdivided in such a way that the property does not meet the minimum requirement of ten (10) acres in size for a *barn or agricultural accessory building.*

6) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall be located behind the front façade of the primary structure and be subject to the same building setbacks as the primary structure.

7) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a Building Permit, should the subject property--which is subject to the guidelines of this ordinance--fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF JUNE, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

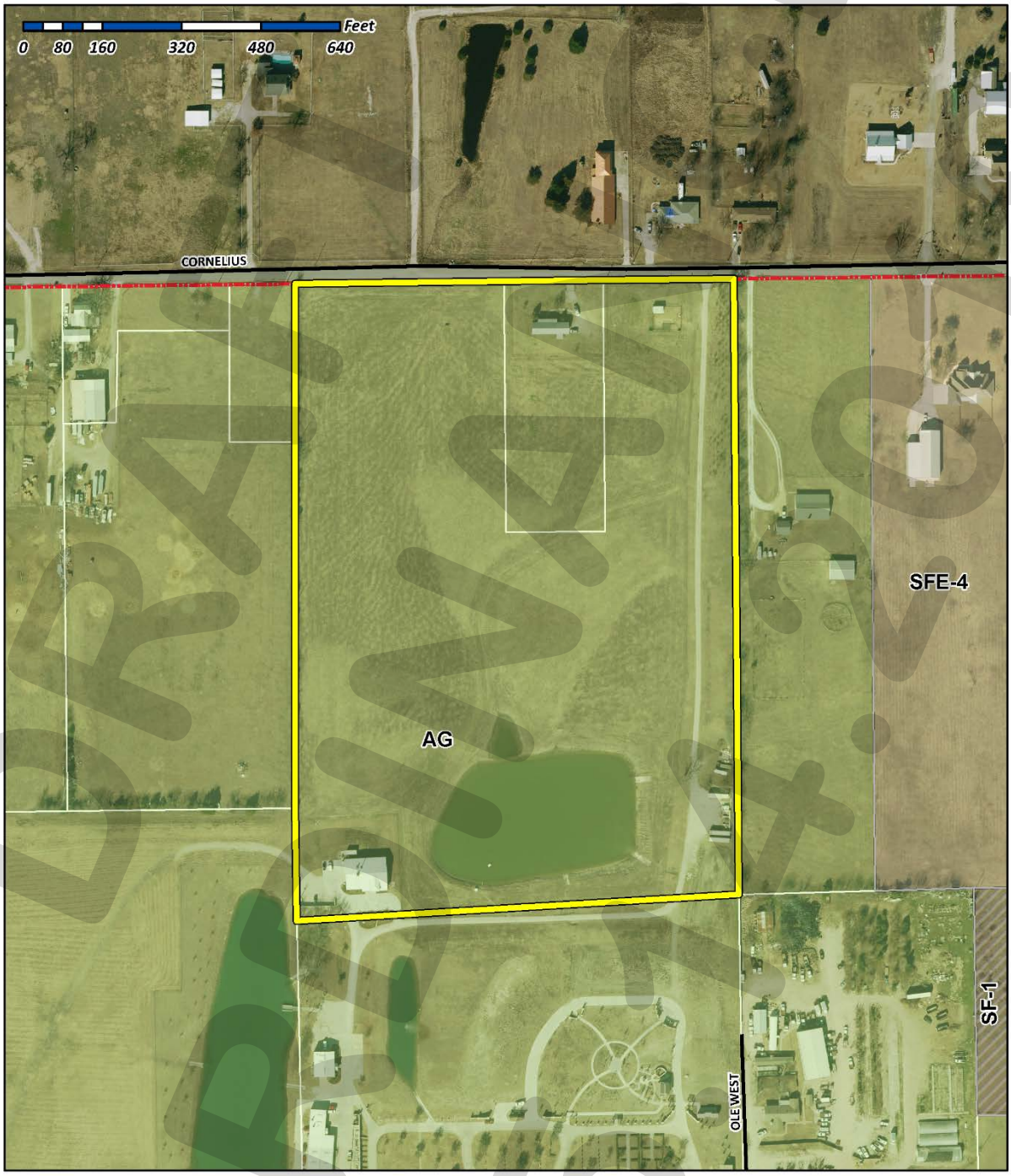
1st Reading: *May 20, 2019*

2nd Reading: *June 3, 2019*

DRAFT ORDINANCE 05.14.2019

Exhibit 'A'
Zoning Exhibit

Address: *777 & 839 Cornelius Road*
Legal Description: *Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72*



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

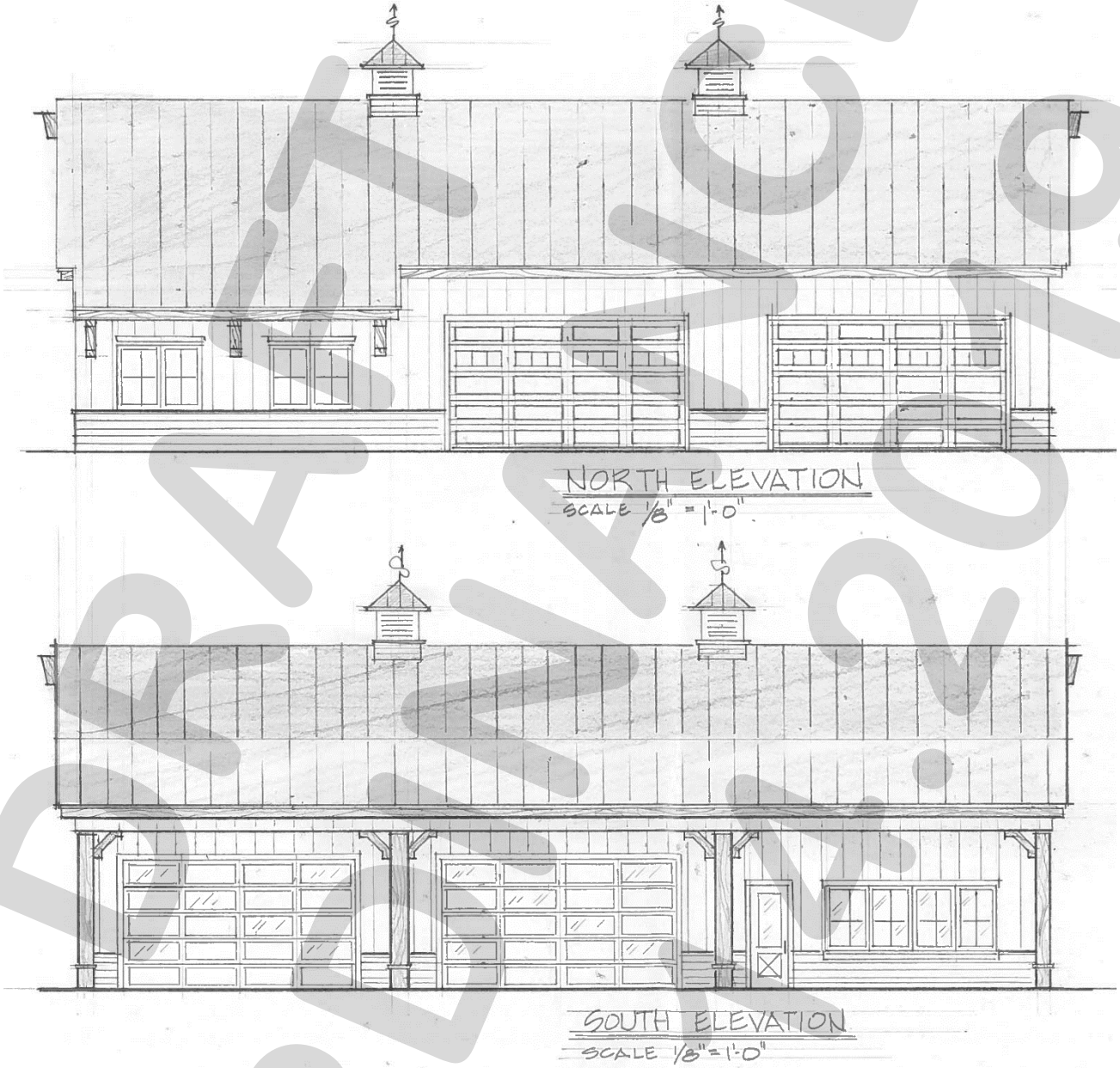
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

DRAFT
PROPOSED

Exhibit 'B'
Site Plan

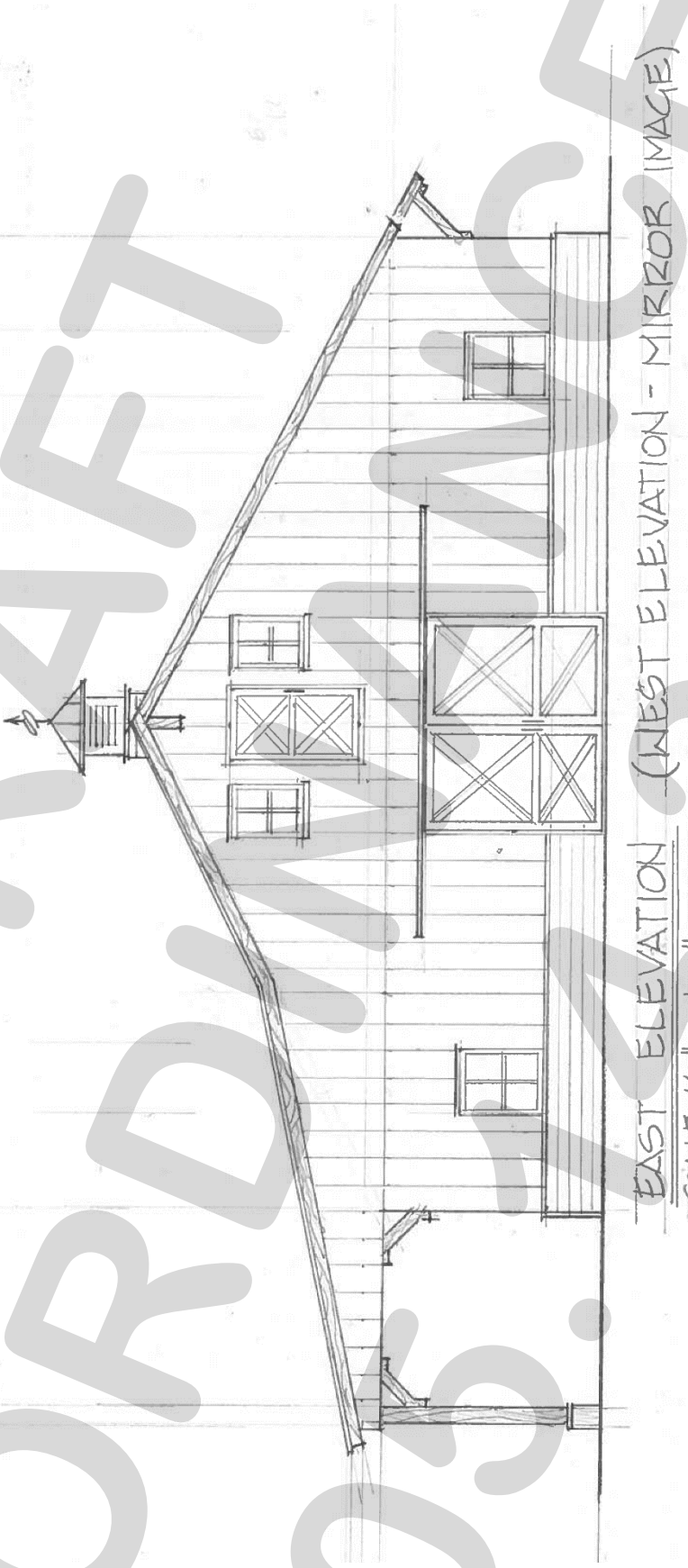
DRAFT
ORDINANCE
05.14.2019

Exhibit 'C'
Concept Elevations



DRAFT ORDINANCE 05.07.19

Exhibit 'C'
Concept Elevations



DRAFT ORDINANCE 05.21.2019

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72

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	May 20, 2019
APPLICANT:	Scott Lewis; *RRDC, LTD*
CASE NUMBER:	Z2019-011; *Amendment to Planned Development District 47 (PD-47)*

SUMMARY

Hold a public hearing to discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an amendment to Planned Development District 47 (PD-47) [*Ordinances 99-17 & 07-04*] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of the intersection of Ridge Road [FM-740] and White Road, and take any action necessary.

BACKGROUND

The subject property is located at the northeast corner of the intersection of Ridge Road [*FM-740*] and White Road. On June 7, 1999, the City Council approved *Ordinance No. 99-17* [*Case No. PZ1999-023*], which zoned the subject property to Planned Development District 47 (PD-47) for Single Family 10 (SF-10) District land uses. Since a portion of the subject property was outside of the City's corporate limits (*i.e. situated within Rockwall County*) and another portion was situated within the City of Heath, the case memo required a boundary adjustment agreement be entered into with the City of Heath. The full subject property was annexed into the City of Rockwall on December 20, 1999 by *Resolution No. 99-44* and zoned Planned Development District 47 (PD-47) On January 16, 2007, the City Council approved *Ordinance No. 07-04* [*Case No. Z2006-025*], which amended a portion of *Ordinance No. 99-17* allowing a five (5) acre part of Planned Development District 47 (PD-47) to allow for a commercial antenna in conjunction with a house of worship. On January 16, 2016, the City Council approved a preliminary plat for the Whisper Rock subdivision [*Case No. Z2017-066*], which contained 28 single-family lots on 9.477-acres. On December 11, 2018, the Planning and Zoning Commission approved a site plan [*Case No. SP2018-041*] and recommended approval of a final plat [*Case No. P2018-043*] for the Whisper Rock subdivision. The City Council approved the final plat on December 17, 2018.

PURPOSE

The applicant is requesting to amend the development standards contained in Planned Development District 47 (PD-47) [*Ordinance No. 99-17*]. Specifically, the applicant is requesting three (3) changes to the ordinance. These changes are as follows:

1) The minimum masonry requirement be 60% with all lap-siding being a cementitious fiber material (*e.g. HardiBoard or HardiPlank*);
2) The maximum lot coverage be 55%, and
3) Front-facing garages be allowed provided they are set back a minimum of 20-feet from the front façade of the structure.

ADJACENT LAND USES AND ACCESS

The subject property is located at the northeast corner of the intersection of Ridge Road [*FM-740*] and White Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a single-family residential subdivision (*i.e. Benton Court Subdivision*), which is zoned Planned Development District 40 (PD-40) for Single-Family 10 (SF-10) District land uses. Beyond this there are several single-family homes that are zoned Single-Family 16 (SF-16) District.

South: Directly south of the subject property is a house of worship (*i.e. First Christian Church*) followed by White Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. This roadway delineates the city limits of the City of Rockwall.

East: Directly east of the subject property is a vacant tract of land and a single-family home that are zoned Agricultural (AG) and Single-Family Estate 4.0 (SFE-4.0) Districts. Beyond this is a single-family residential subdivision (*i.e. Phase 4 of the Foxchase Subdivision*) that is zoned Planned Development District 9 (PD-9) for General Retail (GR), Single-Family 10 (SF-10), Single-Family 12.5 (SF-12.5), and Light Industrial (LI) District land uses.

West: Directly west of the subject property is Ridge Road [*FM-740*], which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is a residential subdivision (*i.e. Chandler's Landing*), which is zoned Planned Development District 8 (PD-8) for single-family and multi-family land uses.

CHARACTERISTICS OF THE REQUEST

Currently, Planned Development District 47 (PD-47) is comprised of two (2) areas. *Area 1* (*i.e. Whisper Rock Subdivision*) is undeveloped and contains 28 single-family residential lots on a 9.477-acre tract of land. *Area 2* is currently occupied by a house of worship (*i.e. First Christian Church*). The applicant is requesting changes to the development standards for *Area 1*. Specifically, the applicant would like to reduce the minimum masonry requirement to 60% from 80%, change the maximum lot coverage from 45% to 55%, and change the garage standards to allow front facing garages provided the garages are setback a minimum of 20-feet from the front of the structure. Currently, the development standards for Planned Development District 47 (PD-47) require all garages to be in a *J-Swing* or *Traditional Swing* format with no garage doors facing the street.

CONFORMANCE WITH THE CITY'S CODES

According to Section 4, *Residential Parking*, of Article VI, *Parking and Loading*, of the Unified Development Code (UDC), "…in single-family districts, garages must be located at least 20-feet behind the front building façade for front-entry garages…" In this case, the applicant's request conforms to the requirements of the Unified Development Code (UDC) for garages, and changing the Planned Development District ordinance does not appear to negatively impact the subject property or surrounding properties. With regard to the masonry and lot coverage requirements, the applicant is requesting to minimally reduce these standards; however, the Planning and Zoning Commission have approved similar requests in previous cases, and if approved it would not negatively impact surrounding or adjacent properties.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located in the *Marina District*, which is characterized as a residential district that is significantly developed with medium-density housing. The *Marina District* is not anticipated to change its land use pattern, and is expected to continue to have residential infill development that compliments the existing surrounding properties. This infill development is expected to generally follow the guidelines for medium-density residential development. In this case, the applicant's request does not appear to be contrary to the

district strategies for the *Marina District*. Specifically, the proposed residential subdivision is considered to be a medium-density development and the applicant is not proposing to alter the density of the development.

STAFF ANALYSIS

With regard to the applicant's request to increase the maximum lot coverage, staff should note that the only zoning district that allows a similar lot coverage (*i.e. allows 50% lot coverage*) is the Zero Lot Line (ZL-5) District. Although the applicant's request to raise the maximum lot coverage from 45% to 55% does not change the density of the development, the Planning and Zoning Commission should examine the possible visual effects/perception of allowing larger homes on the existing lot size and consider whether or not approval of this request will negatively impact the development and/or neighboring developments. Staff should point out that the side yard setback in the Single Family 10 (SF-10) District is six (6) feet, which means that the minimum distance between homes will be 12-feet. This is consistent with the policies for residential development contain in the OURHometown Vision 2040 Comprehensive Plan. With that being said, approval of this request is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission.

As has been done in past amendments to planned development districts that consist of several regulating ordinances, staff has taken this opportunity to consolidate the regulating ordinances for Planned Development District 47 (PD-47) into one (1) ordinance; however, while staff has clarified several sections of these ordinances in the new regulating ordinance, no changes with regard to the requirements, intent or permitted land uses have been made to any portion of the planned development district that relates to *Ordinance No. 07-04*, which is identified as the regulating ordinance for *Area 2* (*i.e. First Christian Church*) in the attached draft ordinance.

NOTIFICATIONS

On May 1, 2019, staff mailed 123 notices to property owners and residents within 500-feet of the subject property. Additionally, staff notified Spyglass Phases 2 & 3, the Rainbow Lakes, Chandler's Landing, and Foxchase Homeowner's Associations (HOA's), which are the only HOA's/Neighborhood Associations within 1,500-feet of the subject property and participating in the Neighborhood Notification Program. At the time this report was written, staff had received two (2) notices in favor, one (1) notice in opposition, and one (1) email in favor of the request, with the exception of the front-facing garages.

CONDITIONS OF APPROVAL

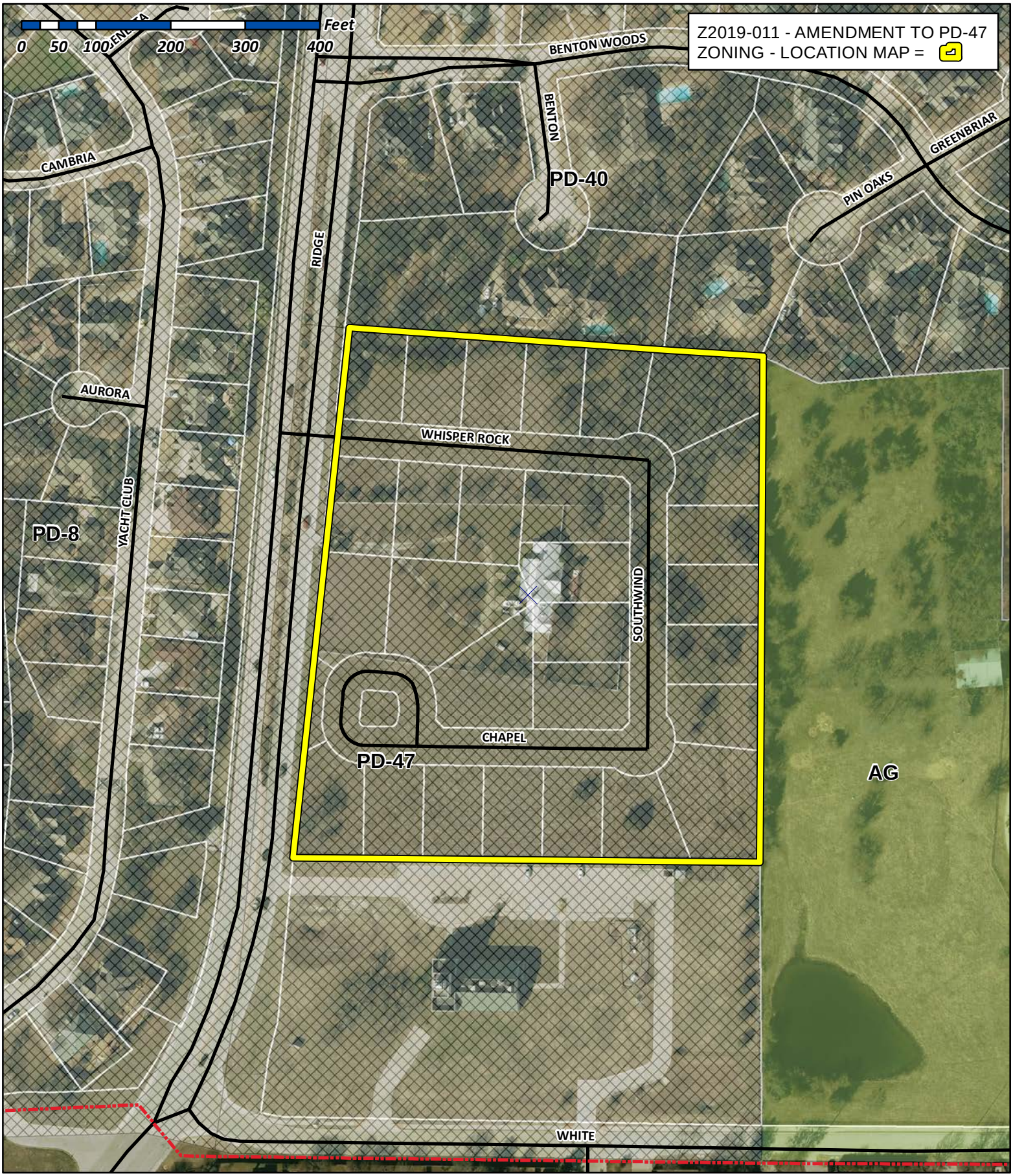
If the City Council chooses to approve the applicant's request then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

(2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On May 14, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request passed by a vote of 4-1 with Commissioner Womble dissenting and Commissioners Logan and Moeller absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

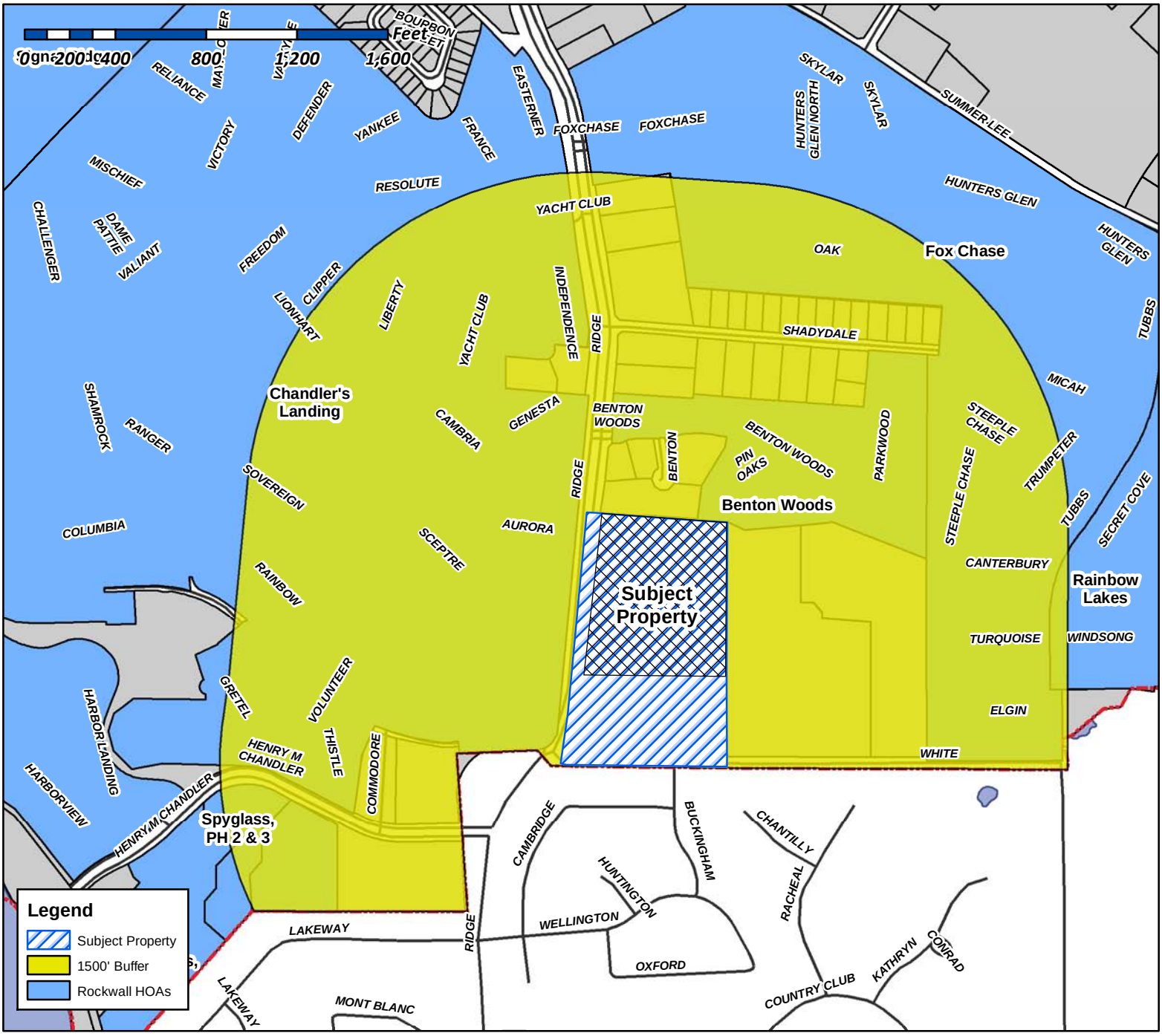
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76

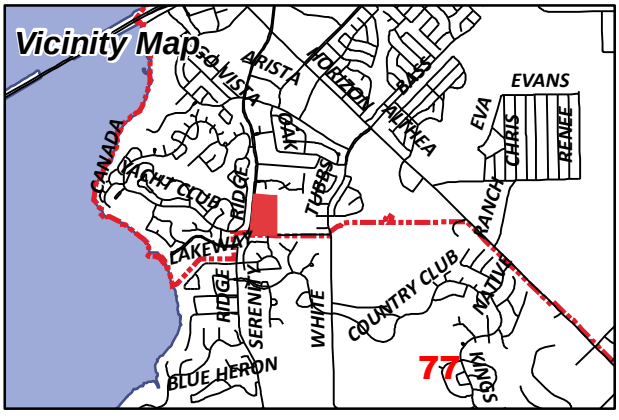
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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Case Number: Z2019-011
Case Name: Amendment to PD-47
Case Type: Zoning
Zoning: Planned Development District 47 (PD-47)
Case Address: 3231 Ridge Road



Date Created: *4/17/2019*
For Questions on this Case Call (972) 771-7745

From: Morales, Laura
To: [redacted]
Cc: Miller, Ryan; Gonzales, David; Brooks, Korey
Subject: Neighborhood Notification Program: Notice of zoning request
Date: Wednesday, May 01, 2019 1:36:23 PM

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will be published in the Rockwall Herald Banner ***May 3, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 5/14/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday 5/20/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at
https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-011- Hold a public hearing to discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an amendment to Planned Development District 47 (PD-47) [*Ordinances 99-17 & 07-04*] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of the intersection of Ridge Road [*FM-740*] and White Road, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

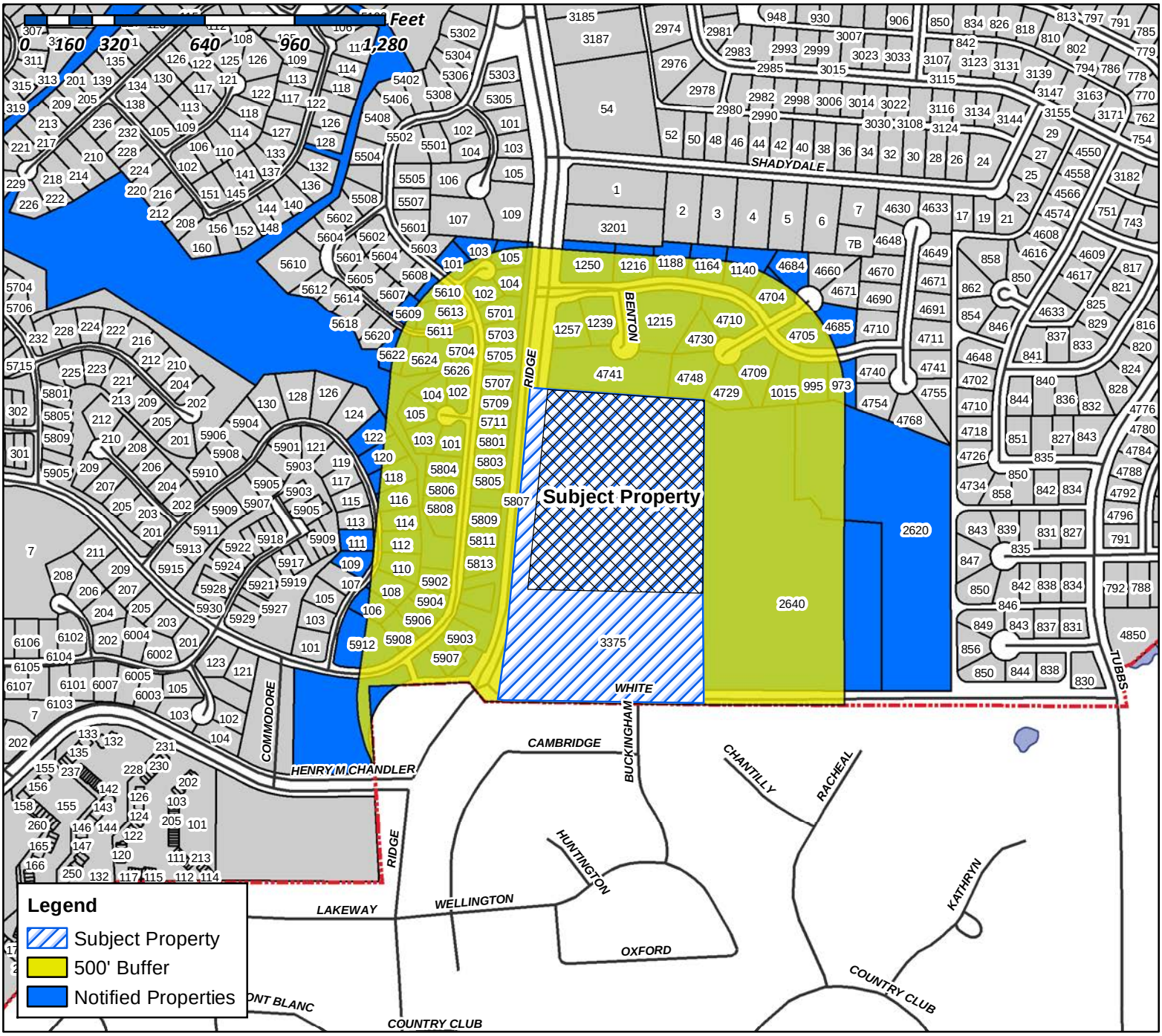
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com |http://www.rockwall.com/planning/

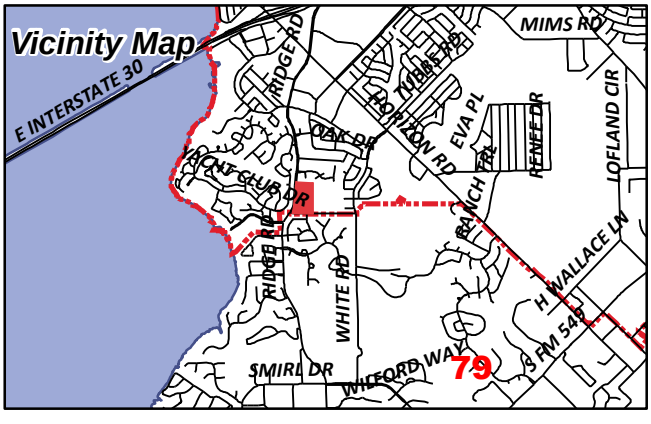
City of Rockwall

Planning & Zoning Department
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Case Number: Z2019-011
Case Name: Amendment to PD-47
Case Type: Zoning
Zoning: Planned Development District (PD-47)
Case Address: 3231 Ridge Road



Date Created: ***4/17/2019***
For Questions on this Case Call (972) 771-7745

CORDILLERA INTERNATIONAL LLC
1 EASTSHORE ROAD
HEATH, TX 75032

CURRENT RESIDENT
101 GENESTA PL
ROCKWALL, TX 75032

SEELEY LISA JONI
101 AURORA CIR
ROCKWALL, TX 75032

MCKINNEY KENT L & NARSHA
1015 BENTON WOODS DR
ROCKWALL, TX 75032

NORTHCUTT LEIGH
102 AURORA CIR
ROCKWALL, TX 75032

WARREN JEFFREY DWAYNE ETUX
102 GENESTA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
103 AURORA CIR
ROCKWALL, TX 75032

WEEKS MARY
103 GENESTA PL
ROCKWALL, TX 75032

O'BRIEN PATRICIA C
104 AURORA CIRCLE
ROCKWALL, TX 75032

GARZA ROY A & DULCE R
104 GENESTA PLACE
ROCKWALL, TX 75032

LANCASTER RONALD R & BRENDA R
105 AURORA CIR
ROCKWALL, TX 75032

TURNER CATHERINE
105 GENESTA PL
ROCKWALL, TX 75032

HATFIELD GAROLD SCOTT
106 SCEPTRE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
108 SCEPTRE DR
ROCKWALL, TX 75032

REED ANGEL
109 SCEPTRE DRIVE
ROCKWALL, TX 75032

HOWES JAN
110 SCEPTRE DR
ROCKWALL, TX 75032

JOHNSTON MICHAEL & ANN
111 SCEPTRE DR
ROCKWALL, TX 75032

PRITCHETT THOMAS AARON
112 SCEPTRE DR
ROCKWALL, TX 75032

RIERA CRISTINA
114 SCEPTRE DR
ROCKWALL, TX 75032

EDWARDS RICHARD J
1140 BENTON WOODS DR
ROCKWALL, TX 75032

BRELAND JULIA AND
116 SCEPTRE DR
ROCKWALL, TX 75032

TIMBES GARY R & ELIZABETH S
1164 BENTON WOODS DR
ROCKWALL, TX 75032

JASIN PAUL A
118 SCEPTRE DR
ROCKWALL, TX 75032

MARSHALL GREGORY S & JOANNA
1188 BENTON WOODS DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
120 SCEPTRE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1202 WHISPER ROCK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1203 CHAPEL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1206 WHISPER ROCK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1207 CHAPEL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1210 WHISPER ROCK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1211 CHAPEL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1213 WHISPER ROCK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1214 WHISPER ROCK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1215 BENTON WOODS
ROCKWALL, TX 75032

CURRENT RESIDENT
1215 CHAPEL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1216 CHAPEL DR
ROCKWALL, TX 75032

HAMILTON LARRY WAYNE & REBA DIANE
1216 BENTON WOODS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1217 WHISPER ROCK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1218 CHAPEL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1218 WHISPER ROCK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1219 CHAPEL DR
ROCKWALL, TX 75032

CAMIEL JEFFREY M
122 SCEPTRE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1221 WHISPER ROCK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1222 WHISPER ROCK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1223 CHAPEL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1224 CHAPEL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1239 BENTON WOODS DR
ROCKWALL, TX 75032

PATEL VIBHA & SATISH
1250 BENTON WOODS DR
ROCKWALL, TX 75032

HARRISON DOUGLAS C
1257 BENTON WOODS DRIVE
ROCKWALL, TX 75032

CONFIDENTIAL
152 SHEPHERDS GLEN RD
ROCKWALL, TX 75032

ENGINEERING CONCEPTS
201 WINDCO CIRCLE 0
WYLIE, TX 75098

COGBURN DEWAYNE AND GLENNA
2400 TRINITY COURT
HEATH, TX 75032

HIMMELREICH STEVEN D & NANCY L
2620 WHITE RD
ROCKWALL, TX 75032

DUHON CRAIG R & DONNA L
2640 WHITE RD
ROCKWALL, TX 75032

VANHORN WILLIAM & PENNI AND
3021 RIDGE RD SUITE A-66
ROCKWALL, TX 75032

SCHUMANN SHERRY
306 COUNTY ROAD 1581
ALBA, TX 75410

FIRST CHRISTIAN CHURCH
3375 RIDGE ROAD
ROCKWALL, TX 75032

STARRLO ENTERPRISES LLC SERIES C
4604 MCWILLIAMS COURT
PLANO, TX 75093

AUSBURN CHARLES NEAL
4614 GILBERT AVE
DALLAS, TX 75219

ANSARI CYRUS
4684 GREENBRIAR CT
ROCKWALL, TX 75032

81

HAIN MARGARET GUNTHER AND
4685 GREENBRIAR CT
HEATH, TX 75032

PARKS TODD L AND RHONDA DENISE
4704 GREENBRIAR CT
ROCKWALL, TX 75032

UNDERWOOD KEVIN W & KRISTINA K
4705 GREENBRIAR CT
ROCKWALL, TX 75032

MCKINNEY TERRY L SR AND DEBORAH A
4709 PIN OAKS CIRCLE
ROCKWALL, TX 75032

WOLOV MATTHEW & KRISTINA
4710 PIN OAKS CIR
ROCKWALL, TX 75032

BURGE RICK W & KATHRYN S
4729 PIN OAKS CIR
ROCKWALL, TX 75032

DENNARD RICHARD C
4730 PIN OAKS CIRCLE
ROCKWALL, TX 75032

GRAND-LIENARD ROBERT J III AND DIANA L
4741 BENTON CT
ROCKWALL, TX 75032

BAILEY KENNETH AND MEREDITH
4748 PIN OAKS CIR
ROCKWALL, TX 75032

CURRENT RESIDENT
4801 SOUTHWIND DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4804 SOUTHWIND DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4805 SOUTHWIND DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4808 SOUTHWIND DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4809 SOUTHWIND DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4812 SOUTHWIND DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4813 SOUTHWIND DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4816 SOUTHWIND DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4817 SOUTHWIND DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4821 SOUTHWIND DR
ROCKWALL, TX 75032

BROWN IAN AND JESSICA
5609 CAMBRIA DR
ROCKWALL, TX 75032

RANDOLPH JILL F
5610 YACHT CLUB DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
5611 CAMBRIA DR
ROCKWALL, TX 75032

GARDNER MICHAEL J
5613 CAMBRIA DR
ROCKWALL, TX 75032

CURRENT RESIDENT
5622 CAMBRIA DR
ROCKWALL, TX 75032

COOPER NEAL B
5624 CAMBRIA DR
ROCKWALL, TX 75032

GREEN KRIS & CORI
5626 CAMBRIA DR
ROCKWALL, TX 75032

WEST RACHEL
5701 YACHT CLUB
ROCKWALL, TX 75032

LANG JOSEPH W III &
5703 YACHT CLUB DR
ROCKWALL, TX 75032

RICHARD J MALAK AND BARBARA E MALAK
REVOCABLE LIVING TRUST
5704 YACHT CLUB DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
5705 YACHT CLUB DR
ROCKWALL, TX 75032

82

CARDOZO DORENE
5707 YACHT CLUB DR
ROCKWALL, TX 75032

CURRENT RESIDENT
5709 YACHT CLUB DR
ROCKWALL, TX 75032

CURRENT RESIDENT
5711 YACHT CLUB DR
ROCKWALL, TX 75032

BIXLER JOY S
5801 YACHT CLUB DR
ROCKWALL, TX 75032

WRIGHTSON DAVID J SR
5803 YACHT CLUB DR
ROCKWALL, TX 75032

WRIGHTSON DAVID J & LUCY S
5803 YACHT CLUB DR
ROCKWALL, TX 75032

CURRENT RESIDENT
5804 YACHT CLUB DR
ROCKWALL, TX 75032

MINCKLER JOSEPH M & INGRID E
5805 YACHT CLUB DR
ROCKWALL, TX 75032

HUMES JENNIFER
5806 YACHT CLUB DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
5807 YACHT CLUB DR
ROCKWALL, TX 75032

LANG NICOLE
5808 YACHT CLUB DR
ROCKWALL, TX 75032

CURRENT RESIDENT
5809 YACHT CLUB DR
ROCKWALL, TX 75032

CATANIA ANTHONY J
5811 YACHT CLUB
ROCKWALL, TX 75032

CURRENT RESIDENT
5813 YACHT CLUB DR
ROCKWALL, TX 75032

EAGAN LOIS MAUREEN
5902 YACHT CLUB DR
ROCKWALL, TX 75032

MANN ERIK
5903 YACHT CLUB DR
ROCKWALL, TX 75032

CURRENT RESIDENT
5904 YACHT CLUB DR
ROCKWALL, TX 75032

JONES BRADLEY
5906 YACHT CLUB DR
ROCKWALL, TX 75032

CONFIDENTIAL
5907 YACHT CLUB DR
ROCKWALL, TX 75032

TURNER LESLIE D
5908 YACHT CLUB DR
ROCKWALL, TX 75032

RABAH MUSTAFA HASAN
5912 YACHT CLUB DRIVE
ROCKWALL, TX 75032

CASSAR JEFFREY
6007 VOLUNTEER PLACE
ROCKWALL, TX 75032

UTHLAUT WILLIAM S
6540 BROADWAY BLVD
GARLAND, TX 75043

RAMSEY TERESA GALE AND
7047 LAVISTA DRIVE
DALLAS, TX 75214

BROWN NIGEL M.H.O.
8039 WESTOVER DR
DALLAS, TX 75231

STARNES KIMBERLY DAWN
8545 MIDWAY RD
DALLAS, TX 75209

CSH 2016-2 BORROWER LLC
8665 EAST HARTFORD DR 0
SCOTTSDALE, AZ 85255

BUTTERMORE BRADLEY
973 BENTON WOODS DR
ROCKWALL, TX 75032

HERRIAGE JENNIFER RANEY & TIMOTHY
995 BENTON WOOD DRIVE
ROCKWALL, TX 75032

KJT FLYING PROPERTIES LLC
PO BOX 1476
ROCKWALL, TX 75087

83

CHANDLERS LANDING COMMUNITY
ASSOCIATION INC
PO BOX 638
ROCKWALL, TX 75087

WALTERS PATRICIA ANN AND JEFFERY MICHAEL
LYAN
PO BOX 833073
RICHARDSON, TX 75083

RAND PARTNERS LP
PO BOX B
TERRELL, TX 75160

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-011: Amendment to PD-47

Hold a public hearing to discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an amendment to Planned Development District 47 (PD-47) [Ordinances 99-17 & 07-04] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of the intersection of Ridge Road [FM-740] and White Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/14/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/20/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **5/20/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING//DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-011: Amendment to PD-47

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: SATISH PATEL

Address: 1250 BENTON WOODS DR, ROCKWALL TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE ... BELOW FORM

Case No. Z2019-011: Amendment to PD-47

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

ROCKWALL NEEDS MORE DWELLINGS.
Neal B Cooper

Name: NEAL B COOPER

Address: 5624 CAMBRIA DR. ROCKWALL, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2019-011: Amendment to PD-47

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Bad development Plan!

Houses are on too small of lots. There should only be 15 houses - too small houses.

Name: Krista Wolor

Address: 4710 Pin Oaks Rockwall TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

Got the Plat Approved over Holiday with no notice!

87

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No Z2019-011: Amendment to PD-47
Date:	Tuesday, May 07, 2019 10:06:05 AM

From: Joe Zylka [redacted]
Sent: Tuesday, May 7, 2019 9:36 AM
To: Planning <planning@rockwall.com>
Subject: RE: Case No Z2019-011: Amendment to PD-47

Thanks Laura,

I am in favor of items 2 and 5.

I am opposed to item 9.

Please record this.

My address is below.

4725 Benton Ct.
Rockwall, TX 75032

Joe Zylka, Principal – Project Management/Operations
Paladin Partners
13465 Midway Road, Suite 450
Dallas, Texas 75244

C: 214.476.1215
[redacted]

From: Planning <planning@rockwall.com>
Sent: Tuesday, May 7, 2019 9:31 AM
To: Joe Zylka [redacted]
Subject: RE: Case No Z2019-011: Amendment to PD-47

Yes sir, please see below link.

PD-47: http://www.rockwall.com/pz/Planning/Planned%20Development%20Districts/PD-047.pdf

Laura

From: Joe Zylka [redacted]
Sent: Tuesday, May 7, 2019 8:34 AM

To: Planning <planning@rockwall.com>
Subject: RE: Case No Z2019-011: Amendment to PD-47

Thank you. Do you have the original so I can see what is being amended?

Joe Zylka, Principal – Project Management/Operations
Paladin Partners
13465 Midway Road, Suite 450
Dallas, Texas 75244

C: 214.476.1215
[redacted]

From: Planning <planning@rockwall.com>
Sent: Tuesday, May 7, 2019 8:04 AM
To: Joe Zylka [redacted]
Subject: RE: Case No Z2019-011: Amendment to PD-47

Good morning,
I've included the link to the documents provided for the proposed amendment which will give you the information you are requested. Feel free to contact me should you have additional comments. Thank you.

Link: http://www.rockwall.com/pz/Planning/Development%20Cases/2019/Z2019-011.pdf

Laura

From: Joe Zylka [mailto:Joe.Zylka@paladin-partners.com]
Sent: Tuesday, May 7, 2019 6:56 AM
To: Planning <planning@rockwall.com>
Subject: Case No Z2019-011: Amendment to PD-47

Hello, my name is Joe Zylka and I received the notification regarding the amendment.

Can you provide clarification on what is being requested in the amendment?

Joe Zylka, Principal – Project Management/Operations
Paladin Partners
13465 Midway Road, Suite 450
Dallas, Texas 75244

C: 214.476.1215
[redacted]

ENGINEERINGCONCEPTS
& DESIGN, L.P.

201 Windco Circle Ste. 200
Wylie, Texas 75098
tel: 972-941-8400
fax: 972-941-8401

April 12, 2019

Mr. Ryan Miller, AICP
385 S Goliad
Rockwall, Texas 75032

RE: Whisper Rock
Zoning Amendment

Dear Mr. Miller:

We are formally requesting to amend the PD-47 with the following changes:

SECTION 5

Item 2. Any structure constructed on lots in the tract shall have a minimum of 60% masonry exclusive of any windows. Any siding shall be cementous fiber material, with strict HOA over sight.

Item 5. 55% maximum lot coverage of main house only, exclusive of driveway, pools & sidewalks.

Item 9. No garages shall face street unless 20' back from front of structure. J swings allowed.

If you have any questions or have additional comments, please do not hesitate to contact me at 972-941-8410 or by email at matt@ecdlp.com

Thank you,

Todd Wintters, P.E.
Engineering Concepts & Design, L.P.

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 47 (PD-47) [*ORDINANCES 99-17 AND 07-04*] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH *ORDINANCE NO. 99-17*, BEING A 14.4712-ACRE TRACT OF LAND IDENTIFIED TRACT 104 OF THE E. TEAL SURVEY, ABSTRACT NO. 207 AND LOT 1, BLOCK A, FIRST CHRISTIAN CHURCH DISCIPLES OF CHRIST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 47 (PD-47) AND MORE FULLY DEPICTED HEREIN BY *EXHIBIT 'A'* AND DESCRIBED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the applicant Scott Lewis of RRDC, LTD for the approval of an amendment to Planned Development District 47 (PD-47) for the purpose of amending the development standards approved with *Ordinance 99-17*, being a 14.4712-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) [*Ordinances 99-17 and 07-04*], generally located at the northeast corner of the intersection of Ridge Road [*FM-740*] and White Road and more fully depicted in *Exhibit 'A'* and described in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 47 (PD-47) [*Ordinance No.'s 99-17 & 07-04*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 99-17 & 07-04*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District ordinance and the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the

DRAFT 05.21.19

Planned Development Concept Plan, contained in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall be in accordance with the *Planned Development Standards*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (*$2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 8. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF JUNE, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

DRAFT ORDINANCE 05.20.19

_____

Frank J. Garza, *City Attorney*

1st Reading: *May 20, 2019*

2nd Reading: *June 3, 2019*

DRAFT ORDINANCE 05.20.2019

Exhibit 'A'
Zoning Exhibit

Legal Description: *Tract 104 of the E. Teal Survey, Abstract No. 201* and *Lot 1, Block A, First Christian Church Disciples of Christ Addition*



DRAFT 05-07-2019

Exhibit 'B':
Legal Description

Area 1

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS RRDC, LTD., BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 9.477 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being all of a called 9.4769 acre tract of land described in a deed to RRDC, LTD., recorded as instrument No. 20170000023557, Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the RPLS 3963" set for corner in the set for corner in the east right-of-way line of Ridge Road (FM 740) at the northwest corner of said 9.4769 acre tract;

THENCE South 85 degrees 43 minutes 42 seconds East along the north line thereof and partly with the south lines of the original Benton Court Addition, an Addition to the City of Rockwall recorded in Cabinet D, Slide 69, and Benton Woods, an Addition to the City of Rockwall recorded in Cabinet C, Slide 254, all recorded in the Plat Records of Rockwall County, Texas (PRRCT), for a total distance of 559.60 feet to a point for corner near the base of a steel fence post at the northeast corner of said 9.4769 acre tract, common to the southwest corner of a called 12.000 acre tract described in a deed to Craig Duhon et ux, recorded in Volume 693, Page 228, (DRRCT), from which a 5/8" iron rod with a yellow plastic cap stamped "RPLS 3963" set for iron rod with a yellow plastic cap stamped "RPLS 3963" set for RPLS 3963" set for set for reference bears South 65 degrees 09 minutes 20 seconds West, a distance of 39.51 feet;

THENCE South 00 degrees 10 minutes 53 seconds West, along the common line of last mentioned tracts, a distance of 679.81 feet to a point for corner near the base of a plastic fence post at the southeast corner of said 9.4769 acre tract, common to the northeast corner of Lot 1, Block A, First Christian Church, Disciples of Christ, an Addition to the City of Rockwall recorded in Cabinet E, Slide 361 (PRRCT), from which a 5/8" iron rod with a yellow plastic cap iron rod with a yellow plastic cap stamped "RPLS 3963" set for reference bears South 61 degrees 43 minutes 15 seconds West, a RPLS 3963" set for reference bears South 61 degrees 43 minutes 15 seconds West, a set for reference bears South 61 degrees 43 minutes 15 seconds West, a distance of 37.49 feet;

THENCE North 89 degrees 09 minutes 00 seconds West with the common line of said 9.4769 acre tract and said Lot 1, a distance of 625.70 feet to a point for corner at the common west corner thereof, and also being in the east line of said Ridge Road, from which a 3 1/4" TXDOT TXDOT Aluminum Disk found for reference bears South 49 degrees 53 minutes 40 seconds West, a distance of 0.50 feet;

THENCE North 05 degrees 42 minutes 52 seconds East with the East Right-of-Way line of said Ridge Road, a distance of 14.11 feet to a 3 1/4" TXDOT Aluminum Disk found at an angle point TXDOT Aluminum Disk found at an angle point thereof;

THENCE North 05 degrees 35 minutes 24 seconds East continuing with the East Right -of-way line of said Ridge Road, a distance of 701.50 feet to the POINT OF BEGINNING and containing 412,830 square feet or 9.477 acres of land.

DRAFT ORDINANCE 05.20.19

Exhibit 'B':
Legal Description

Area 2

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS FIRST CHRISTIAN CHURCH OF ROCKWALL, TEXAS, BEING THE OWNER OF A TR ACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 5.231 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being all of Lot 1, Block A, First Christian Church, Disciples of Christ, Rockwall, Texas Addition, recorded in Cabinet E, Slide 361, Plat Records of Rockwall County, Texas (PRRCT), said 5.231 acre tract being more particularly described as follows:

BEGINNING at a point for corner near the base of a plastic fence post at the southeast corner of a called 9.4769 acre tract of land described in deed to RRDC, Ltd., recorded in Instrument 20170000023557, Deed Records, Rockwall, County, Texas (DRRCT), common to the northeast corner of said Lot 1, said corner being in the west boundary line of a called 12 acre tract of land described in a deed to Craig R. Duhon and Donna L. Duhon, recorded in Volume 693, Page 228, (DRRCT), from which a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 found for reference bears South 61 degrees 46 minutes 53 seconds West, a distance of 37.56 feet;

THENCE South 00 degrees 07 minutes 41 seconds West, along the common line of said Lot 1 and said 12 acre tract, a distance of 353.00 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the southeast corner of said Lot 1, said corner being in the north right-of-way line of White Road, a variable width right-of-way;

THENCE North 89 degrees 08 minutes 58 seconds West, along the common line of said Lot 1 and said White Road, a distance of 671.35 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the southwest corner of said Lot 1, said corner being at the Ridge Road and said Lot 1, a distance of 50.66 feet to a TxDOT monument found for corner;

THENCE North 05 degrees 45 minutes 12 seconds East, continuing along the common line of said Ridge Road and said Lot 1, a distance of 237.59 feet to the northwest corner of said Lot 1 and the southwest corner of said 9.4769 acre tract, from which a TxDOT monument bears South 58 degrees 52 minutes 38 seconds West, a distance of 0.41 feet;

THENCE South 89 degrees 09 minutes 00 seconds East, along the common line of laid Lot 1 and said 9.4769 acre tract, a distance of 625.79 feet to the POINT OF BEGINNING and containing 227,854 square feet or 5.231 acres of land.

DRAFT ORDINANCE 05.20.19

Exhibit 'C':
Location Map/Area Concept Plan



DRAFT 03.07.2019

Exhibit 'D':
PD Development Standards

Area 1: Single-Family 10 (SF-10) District [*9.477-Acres*]

(1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Area 1* as depicted in *Exhibit 'C'* of this ordinance shall be subject to the land uses permitted for the Single-Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

(2) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Area 1* as depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards for the Single-Family 10 (SF-10) District as stipulated in Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. All lots shall conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Density and Dimensional Requirements

Minimum Lot Width [1]	80'
Minimum Lot Depth	100'
Minimum Lot Area	10,000 SF
Minimum Front Yard Setback [2]	25'
Minimum Side Yard Setback	6'
Minimum Distance Between Buildings	10'
Maximum Height	36'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	55%
Minimum Dwelling Size	3,000 SF

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

(3) *Building Standards.* Housing type and construction shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 60% primary materials and/or a maximum of 20% secondary materials, excluding windows and doors. For the purpose of this ordinance, primary materials shall consist of stone, brick, and cementitious materials. The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials) shall be limited to 40% of the building's exterior façade.

(b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than four (4) houses apart on either side of the street.

(c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance.

(d) *Garage Orientation.* Garages shall be oriented in a traditional swing (or j-swing). Garages configured in a flat, front entry configuration shall be setback a minimum of 20 feet from the front façade of the primary structure. All garage doors shall be required to have upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*)]. All garage configurations not conforming to this section shall meet the

DRAFT ORDINANCE 05.29.19

requirements of Article VI, Parking and Loading, of the Unified Development Code (UDC).

Area 2: Single-Family 10 (SF-10) District [*4.9995-Acres*]

(1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Area 2* as depicted in *Exhibit 'C'* of this ordinance shall be subject to the land uses permitted for the Single-Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future however, the following conditions shall apply:

The following land use shall be permitted in *Area 2*:

☑ Antenna, Commercial*

NOTES: 1) All equipment shall be contained interior to the building 2) The height of the structure shall remain as depicted in *Exhibit 'E'* of this ordinance.

(2) *Density and Dimensional Requirements.* Any development in Area 2 as depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards required for properties in a Single-Family 10 (SF-10) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

(3) *Building Standards.* Housing type and construction shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 60% primary materials and/or a maximum of 20% secondary materials, excluding windows and doors. For the purpose of this ordinance, primary materials shall consist of stone, brick, and cementitious materials. The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials) shall be limited to 40% of the building's exterior façade.

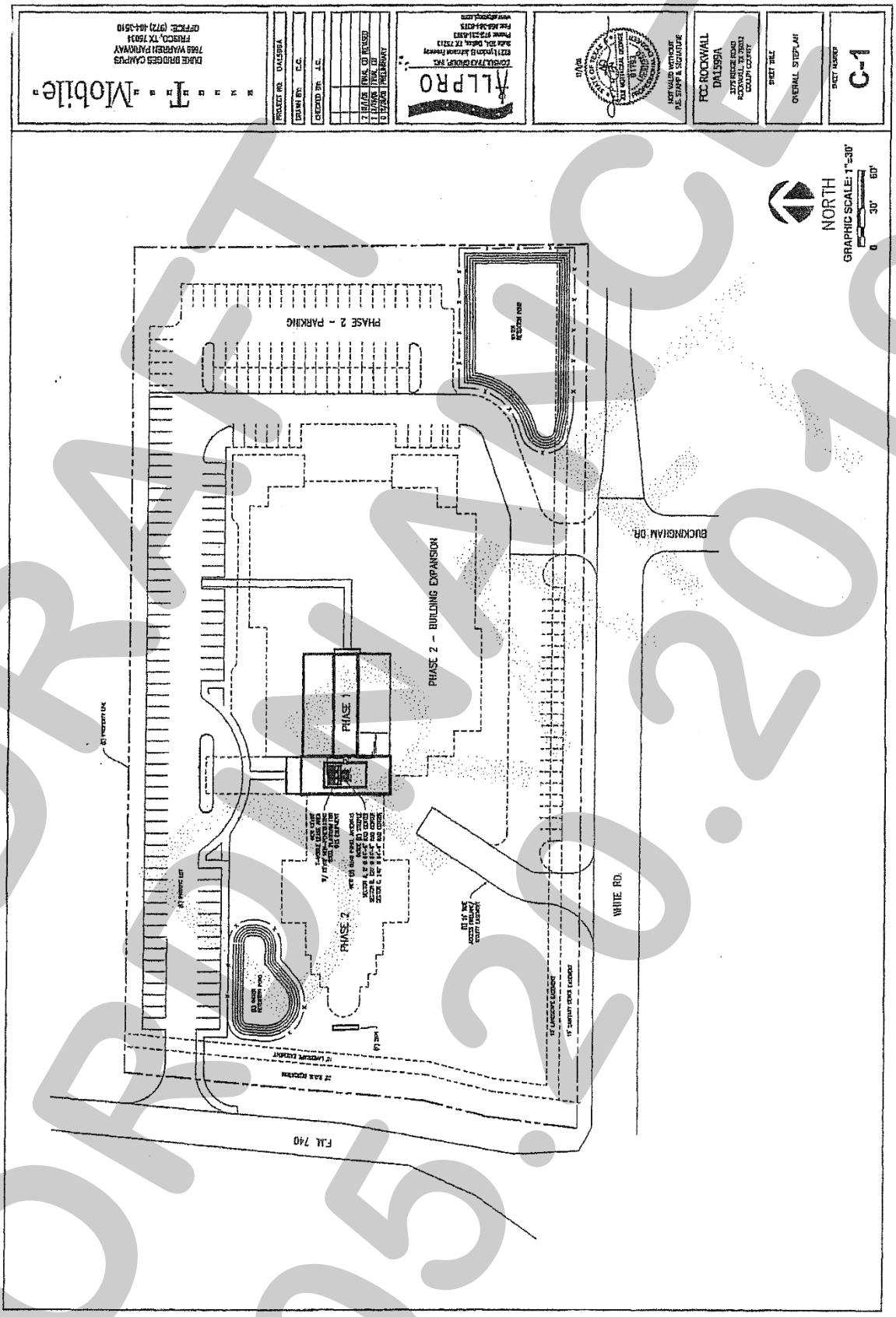
(b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure--in terms of materials and elevation--any closer than four (4) houses apart on either side of the street.

(c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance.

(4) *Garage Orientation.* Garages shall be oriented in a traditional swing (or j-swing). Garages configured in a front entry configuration shall be setback a minimum of 20 feet from the front façade of the primary structure. All garage doors shall be required to have upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*)]. All garage configurations not conforming to this section shall meet the requirements of Article VI, Parking and Loading, of the Unified Development Code (UDC).

DRAFT ORDINANCE 05.20.19

Exhibit 'E':
Concept Plan



DRAFT
05.20.2019

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101

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **May 20, 2019**

SUBJECT: **Special permit request for a front yard fence at 1406-A Ridge Road**

Casey and Andrea Burke have requested to appear before the Council to seek approval of a special permit for a front yard fence for their property located at 1406-A Ridge Road. Any front yard fence in a residentially zoned area requires City Council approval.

Their desire is to build an 8 foot horizontal cedar fence within the front yard of the property.

I am including exhibits provided by the Burke's which contain a letter from the Burke's expressing their desire for the fence, an email between the Burke's and their Architect, a rendering showing what the proposed fence would look like as viewed from Ridge Road, a picture of the type of fence they desire to build and photos of the front of their property. In addition, I am including an aerial picture marked up, to show the proposed location for the fence.

May 14, 2019

Andrea & Casey Burke

PO Box 2514

Rockwall, TX 75087

Re: 1406A Ridge Rd.

Committee Members:

Dean Cathey, our builder, is submitting a request to build for us a contemporary stained cedar fence to abut the existing small brick building in front or our home, behind the 20' build line and turning to extend down the side property lines. If you are unfamiliar with the property, we have recently built the (blue) contemporary home on Ridge Road that faces the Rockwall Commons apartment complex. In order to preserve the existing very large mature trees, the house had to be placed below street level elevation. The driveway was already there when we bought the land and we oriented the house to use it. Having lived on Ridge Road before, we agreed that adapting to the challenges the land presented was worth it.

However, throughout the previous three and a half months since we took occupancy, we have been plagued nightly with red flashing lights from emergency vehicles, headlights from the cars exiting Rockwall Commons, (directly across from our driveway) and approaching northbound vehicles. We have over 250 drivers in the multi-family apartment complex across the street that may decide to leave home after dark and blast us with their head lights. With the traffic on Ridge Road already at a high volume and a second multi-family building opening soon a block away, we are seeking protection from a high volume of non-single-family traffic, nightly emergency vehicles and daily commercial vehicles. The purpose of the fence is to provide protection from intrusion, both visual and physical.

When we moved to Rockwall (1724 Ridge Road) in 2005, the large stone wall fronting Coast Royale was already there, built by its developers. When planning for 1406A Ridge Road, we knew we would need a barrier to protect us from what is not a residential street. We are requesting to use cedar material that will complement the cedar beams used on our home exterior, constructed with a strong horizontal line that will visually tie in with our concrete siding. The cedar material will enable us to install a solid surface gate that will blend in with the fence and provide the needed visual protection from the vehicles on the road and those exiting Rockwall Commons. We will keep the cedar professionally maintained.

Our plan is compliant with building behind the 20' required front yard. The required front yard was previously landscaped with a row of very large old crepe myrtles and other trees on the north side of the driveway and aside from additional pruning, the existing landscape will remain. The ground elevation at the build line is two to three feet lower than the curb, therefore, the fence will feel two to three feet shorter when seen from the street. We are very grateful for your consideration in this matter.

Andrea & Casey Burke, Homeowners

1406A Ridge Rd, Rockwall, Texas



01 | VIEW FROM RIDGE ROAD

eckstudio
for modern architecture

BURKE RESIDENCE 1406-A RIDGE ROAD ROCKWALL, TEXAS

(214) 458-4120 www.eckxstudio.com

MAY 13, 2019



105



proposed style



street view 1

106





107



view from Rockwall Commons exit



view of Rockwall commons driveway from house

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109

Cole, Kristy

From: Boyd, Joey
Sent: Wednesday, May 15, 2019 1:47 PM
To: Cole, Kristy
Cc: Crowley, Rick; Smith, Mary
Subject: FW: Bike Lane in John King

Please place an item on the agenda to discuss and consider bike lanes on John King Blvd. Thank you.

From: Crowley, Rick
Sent: Tuesday, May 14, 2019 12:49 PM
To: Smith, Mary <MSmith@rockwall.com>; Boyd, Joey <JBoyd@rockwall.com>; Williams, Amy <AWilliams@rockwall.com>
Subject: Fwd: Bike Lane in John King

Sent from my iPhone

Begin forwarded message:

> **From:** "Trowbridge, Patrick" <PatrickTrowbridge@rockwall.com>
> **Date:** May 14, 2019 at 10:05:02 AM CDT
> **To:** Council Group <CouncilGroup@rockwall.com>, "Crowley, Rick" <RCrowley@rockwall.com>, "Williams, Amy" <AWilliams@rockwall.com>
> **Subject: Bike Lane in John King**
>
> Can we discuss next meeting?
>
> Sent from my iPhone

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111

Table of Contents

Agenda 5

Consider approval of the minutes from the May 20, 2019 regular city council meeting, and take any action necessary.

Minutes 9

Blank Page 18

Consider approval of a contract for professional engineering services with Cardinal Strategies Engineering Services, LLC to perform the Squabble Creek Watershed Hydrologic & Hydraulic Update Phase 1 in an amount not to exceed $105,000, to be paid for from the Engineering Consulting Budget, and take any action necessary.

Memo 19

Contract 21

Blank Page 25

Z2019-009 - Consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of an ordinance for a Specific Use Permit (SUP) allowing a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary (2nd Reading).

Ord (2nd Reading) 26

Blank Page 32

Z2019-010 - Consider a request by Dwayne Cain of EVSR (D), LLC for the approval of an ordinance for a Specific Use Permit (SUP) allowing a guest quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and take any action necessary (2nd Reading).

Ord (2nd Reading) 33

Blank Page 39

Consider approval of a Cooperative Purchasing Agreement with the City of Mesquite and bid award to Phillips Lawn Sprinkler Co. for $25,000 for Northshore Park irrigation project from Recreation Development Fund authorizing the City Manager to execute the Coop Agreement and Irrigation Contract and take any action necessary.

Memo 40

Blank Page 44

Consider a request by Phil Wagner of the Rockwall Economic Development Corporation for the approval of a resolution abandoning the right-of-way for Aluminum Plant Road being a 0.40-acre tract of land situated within the R. Ballard Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Memorandum 45
Resolution 54
Blank Page 58

P2019-020 - Consider a request by Robert Howman of Glenn Engineering on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of replat for Lot 2, Block A, RISD Elementary School Addition being a 17.2922-acre tract of land being identified as Lot 1, Block A, RISD Elementary School Addition and Tract 2-7 of the W. T. Deweese Survey, Abstract No. 71, City of Rockwall, Rockwall, Texas, zoned Planned Development District 70 (PD-70) for single family land uses, located at the southeast corner of Greenway Boulevard and FM-552, and take any action necessary.

P2019-020 59
Blank Page 66

P2019-021 - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Greencrest TPS Hotel, LP for the approval of a final plat of Lots 1-3, Block A, Town Place Marriott Addition being an 8.715-acre tract of land identified as a portion of Lot 1, Block B, Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.

P2019-021 67
Blank Page 72

P2019-022 - Consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Phillip McNeill of MHC Rockwall, LLC and Jason Lentz of Atticus of Atticus Summer Lee Townhomes for the approval of a replat for Lot 5, Block A, Harbor Village Addition, being a 2.12-acre tract of land currently identified as Lot 3, Block A, Harbor Village Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located on the south side of Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

P2019-022 73
Blank Page 78

Z2019-011 Discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an ordinance amending the development standards contained in Planned Development District 47 (PD-47) [Ordinances 99-17 & 07-04] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of the intersection of Ridge Road [FM-740] and White Road, and take any action necessary (2nd Reading).

Ord (2nd Reading) . . . 79
Blank Page . . . 88

Discuss and consider a request from Butch Clarke of Alpha Graphics and representatives from Texas Health Presbyterian Hospital for an approval of a sign plan located at 3150 Horizon Road, and take any action necessary.

Memo . . . 89
Exhibits . . . 90
Blank Page . . . 96

Discuss and consider a resolution repealing Resolution No. 17-23 and approving Resolution 19-15 to establish an updated fee schedule for Permit, Health and Misc. Fees, for the city, and take any action necessary.

Memo . . . 97
Resolution . . . 98
Blank Page . . . 102

Discuss and consider filling a vacancy on the city's Architectural Review Board, and take any action necessary.

ARB Memo . . . 103
Blank Page . . . 104

Building Inspections Monthly Report - April 2019

April 2019 . . . 105
Blank Page . . . 115

GIS Division Monthly Report - April 2019

GIS Monthly Report (April 2019) . . . 116
Blank Page . . . 117

Harbor PD Monthly Report - April 2019

Harbor PD - April 2019 . . . 118
Blank Page . . . 119

Internal Operations Department Monthly Report - April 2019

IO report . . . 120
Blank Page . . . 121

Police Departments Monthly Activity Report-April 2019

04April Rockwall Police Monthly Activity Report 2019 - External . . . 122
Blank Page . . . 124

Recreation Monthly Report - April 2019

Recreation Monthly - April 2019 . . . 125
Blank Page . . . 130
Rockwall Animal Adoption Center Monthly Report - April 2019
RAAC-April 2019 . . . 131
Blank Page . . . 134
Rockwall Fire Department Monthly Report - April 2019
Rockwall Fire Department April Monthly Report . . . 135
Blank Page . . . 141
STAR Transit Monthly Report - April 2019
STAR Report . . . 142
Blank Page . . . 144

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 03, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. **CALL PUBLIC MEETING TO ORDER**

II. **EXECUTIVE SESSION.**

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. **ADJOURN EXECUTIVE SESSION**

IV. **RECONVENE PUBLIC MEETING (6:00 P.M.)**

V. **TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

VI. **INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE**

VII. **OPEN FORUM**

VIII. **CONSENT AGENDA**

pg.9 1. Consider approval of the minutes from the May 20, 2019 regular city council meeting, and take any action necessary.

pg.19 2. Consider approval of a contract for professional engineering services with Cardinal Strategies Engineering Services, LLC to perform the Squabble Creek Watershed Hydrologic & Hydraulic Update Phase 1 in an amount not to exceed $105,000, to be paid for from the Engineering Consulting Budget, and take any action necessary.

pg.26 3. **Z2019-009** - Consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office

(RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary **(2nd Reading).**

pg.33 **4.** **Z2019-010** - Consider a request by Dwayne Cain of EVSR (D), LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a guest quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and take any action necessary **(2nd Reading).**

pg.40 **5.** Consider approval of a Cooperative Purchasing Agreement with the City of Mesquite and bid award to Phillips Lawn Sprinkler Co. for $25,000 for Northshore Park irrigation project from Recreation Development Fund authorizing the City Manager to execute the Coop Agreement and Irrigation Contract and take any action necessary.

pg.45 **6.** Consider a request by Phil Wagner of the Rockwall Economic Development Corporation for the approval of a resolution abandoning the right-of-way for Aluminum Plant Road being a 0.40-acre tract of land situated within the R. Ballard Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, and take any action necessary.

pg.59 **7.** **P2019-020** - Consider a request by Robert Howman of Glenn Engineering on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of replat for Lot 2, Block A, RISD Elementary School Addition being a 17.2922-acre tract of land being identified as Lot 1, Block A, RISD Elementary School Addition and Tract 2-7 of the W. T. Deweese Survey, Abstract No. 71, City of Rockwall, Rockwall, Texas, zoned Planned Development District 70 (PD-70) for single family land uses, located at the southeast corner of Greenway Boulevard and FM-552, and take any action necessary.

pg.67 **8.** **P2019-021** - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Greencrest TPS Hotel, LP for the approval of a final plat of Lots 1-3, Block A, Town Place Marriott Addition being an 8.715-acre tract of land identified as a portion of Lot 1, Block B, Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.

pg.73 **9.** **P2019-022** - Consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Phillip McNeill of MHC Rockwall, LLC and Jason Lentz of Atticus of Atticus Summer Lee Townhomes for the approval of a replat for Lot 5, Block A, Harbor Village Addition, being a 2.12-acre tract of land currently identified as Lot 3, Block A, Harbor Village Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located on the south side of Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

IX. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

X. ACTION ITEMS

pg.79 1. **Z2019-011** Discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an **ordinance** amending the development standards contained in Planned Development District 47 (PD-47) [Ordinances 99-17 & 07-04] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of the intersection of Ridge Road [FM-740] and White Road, and take any action necessary **(2nd Reading).**

pg.89 2. Discuss and consider a request from Butch Clarke of Alpha Graphics and representatives from Texas Health Presbyterian Hospital for an approval of a sign plan located at 3150 Horizon Road, and take any action necessary.

pg.97 3. Discuss and consider a resolution repealing Resolution No. 17-23 and approving Resolution 19-15 to establish an updated fee schedule for Permit, Health and Misc. Fees, for the city, and take any action necessary.

pg.103 4. Discuss and consider filling a vacancy on the city's Architectural Review Board, and take any action necessary.

XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. **Departmental Reports**

   Building Inspections Monthly Report - April 2019 pg.105
   GIS Division Monthly Report - April 2019 pg.116
   Harbor PD Monthly Report - April 2019 pg.118
   Internal Operations Department Monthly Report - April 2019 pg.120
   Police Departments Monthly Activity Report-April 2019 pg.122
   Recreation Monthly Report - April 2019 pg.125
   Rockwall Animal Adoption Center Monthly Report - April 2019 pg.131
   Rockwall Fire Department Monthly Report - April 2019 pg.135
   STAR Transit Monthly Report - April 2019 pg.142

2. **City Manager's Report**

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 31st day of May, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 20, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were Assistant City Manager Joey Boyd and the city's legal counsel, Patrick Lindner. City Manager Rick Crowley, Assistant City Manager Mary Smith and City Attorney Frank Garza were absent from the meeting. Mayor Pruitt read the below listed discussion items into the public record before recessing the meeting to go into Executive Session.

II.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters)
2. Discussion regarding purchase / acquisition of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

The City Council came out of Executive Session at 5:56 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

V. SWEARING IN OF NEWLY ELECTED MAYOR AND CITY COUNCIL MEMBERS

Associate Judge of the Rockwall Municipal Court, Matt Scott, came forth and administered Oaths of Office to newly elected Mayor Jim Pruitt and newly elected Council Member for Place 3, Kevin Fowler. Municipal Court Judge David Mallard came forth and administered Oaths of Office to Council Member for Place 1, Bennie Daniels and Council Member for Place 5, Dana Macalik.

VI. Take Any Action as a Result of Executive Session

Mayor Pro Tem Fowler moved to name Dana Macalik as the new Mayor Pro Tem for the next twelve months. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VII. Invocation and Pledge of Allegiance - Councilmember Johannesen

Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.

VIII. Proclamations

1. Rockwall ISD Culinary Team Celebration Day

Mayor Pruitt called forth the team and its teacher/advisor, Cody Hayes. He then presented them with this proclamation in recognition of the team recently attaining 1st Place in a national culinary competition that was held in Washington, D.C.

2. Presentation of "Best Practices in Law Enforcement" Award to Rockwall Police Department by Chief Jim Spivey of the Richardson Police Department

Chief Spivey came forth and presented this "Best Practices" award to Rockwall Police Chief Kirk Riggs and the Rockwall Police Department. Indication was given that this is the third time the RPD has attained this high honor.

3. Public Works Week

City Engineer/Director of Public Works, Amy Williams came forth with several of her staff members from the streets, water, and wastewater departments. Mayor Pruitt then read and presented them with this proclamation. He thanked the staff members in these departments for all the hard work they do and the services they provide to citizens.

IX. Open Forum

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Jim Turner, 1691 E. Old Quail Run Road, came forth and expressed concern over his recycling not being picked up four times in recent memory. He believes the city's recycling program has regressed. Also, he has concerns about drainage issues that continue to get worse, especially in creeks and areas around his property. He encouraged the city to put a comprehensive drainage plan together to mitigate drainage concerns and prevent future, potential dam failures. He believes the drainage concerns near him currently only impact a small handful of properties; however, he fears the drainage problems will eventually adversely affect the city as a whole.

There being no one else wishing to come forth and speak, Mayor Pruitt closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the May 6, 2019 regular city council meeting, and take any action necessary.
2. Consider authorizing the mayor to execute agreements for Municipal Court Judge and Associate Municipal Court Judge and related services, and taken any action necessary.

Councilman Fowler moved to approve the Consent Agenda (#s 1 and 2). Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning & Zoning Commission, Johnny Lyons, came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda. Council took no action as a result of this agenda item.

XII. PUBLIC HEARING ITEMS

1. **Z2019-009** - Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of an ordinance for a Specific Use Permit (SUP) allowing a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary **(1st Reading).**

Planning Manager, David Gonzales, provided background information pertaining to this agenda item, indicating that Bonafide Betties Pie Company is currently located at 103 S. San Jacinto Street, but the business is planning to relocate to a larger facility at 505 N. Goliad Street. This location is within Planned Development District 50 (PD-50). The Residential Office (RO) District, which is the underlying zoning designation for Planned Development District 50 (PD-50), requires a Specific Use Permit (SUP) for a restaurant with additional restrictions that stipulate the restaurant be less than 2,000 SF and not have a drive-through or a drive-in. The proposed restaurant is a limited service restaurant, and parking for the facility will be calculated at one (1) parking space per 250 SF of area. This means the restaurant would require eight (8) parking spaces [1916 SF/250 SF = 8 Parking Spaces]. Based on size of the site and the area taken up by the existing single-family home, the applicant is only able to incorporate a total of seven (7) parking spaces on-site. Staff has included an operational condition allowing the reduced number of parking spaces. Staff has also included operational conditions requiring the

installation of a minimum six (6) foot tall, board-on-board, wood fence to be constructed along the western property boundary, floor be used only for storage purposes. These have been included as conditions of approval in the SUP ordinance. Staff mailed out 34 notices to property owners within 500' of the subject property. Staff received a total of four notices back and two emails in favor of the request. Also, the Planning & Zoning Commission has unanimously recommended approval of this request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilman Trowbridge moved to approve Z2019-009 with staff recommendations. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-19] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *RESTAURANT LESS THAN 2,000 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN* FACILITY ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

2. **Z2019-010** - Hold a public hearing to discuss and consider a request by Dwayne Cain of EVSR (D), LLC for the approval of an ordinance for a Specific Use Permit (SUP) allowing a guest quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and take any action necessary **(1st Reading).**

Planning Manager David Gonzales provided background information pertaining to this agenda item. He explained that, currently, there is a single-family home on the subject property and the applicant is requesting approval of a Specific Use Permit (SUP) to allow a guest quarters/secondary living unit and barn or agricultural building in conjunction with this structure. The structure will be ~4,950 SF in total size, with ~576 SF being dedicated to the guest quarters/secondary living unit. The proposed building will be situated behind the main structure, have four (4) roll-up garage doors, and be clad with metal on the exterior. The proposed building will primarily serve as storage for vehicles/equipment and contain a small bathroom with a shower. He went on to share that on May 1, 2019, staff mailed 16

notices to property owners and residents within 500-feet of the subject property. There are no Homeowner's Associations (HOA's)/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was written, staff had received four (4) notices in favor of this request (all from Mr. Cain, as he is the owner of the surrounding properties). On May 1, 2019, staff mailed 16 notices to property owners and residents within 500-feet of the subject property. There are no Homeowner's Associations (HOA's)/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was written, staff had received four (4) notices in favor of this request.

Mr. Dwain Cain - 305 Stonebridge Rockwall, TX – (the applicant) came forth and provided brief comments pertaining to this request, generally asking the Council to act favorably to approve this request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the public hearing.

Mayor Pro Tem Macalik moved to approve Z2019-010. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *GUEST QUARTERS/SECONDARY LIVING UNIT* AND *BARN OR AGRICULTURAL ACCESSORY BUILDING* IN AN AGRICULTURAL (AG) DISTRICT, SITUATED ON A 10.61-ACRE PORTION OF A LARGER 26.078-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 2 & 2-4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

3. **Z2019-011** - Hold a public hearing to discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an ordinance amending the development standards contained in Planned Development District 47 (PD-47) [Ordinances 99-17 & 07-04] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of

the intersection of Ridge Road [FM-740] and White Road, and take any action necessary **(1st Reading).**

Planning Manager David Gonzales provided background information pertaining to this agenda item. The applicant is requesting to amend the development standards contained in Planned Development District 47 (PD-47) [Ordinance No. 99-17]. Specifically, the applicant is requesting three (3) changes to the ordinance. These changes are as follows:

1) The minimum masonry requirement be 60% with all lap-siding being a cementitious fiber material (e.g. HardiBoard or HardiPlank);
2) The maximum lot coverage be 55%, and
3) Front-facing garages be allowed provided they are set back a minimum of 20-feet from the front facade of the structure.

On May 1, 2019, staff mailed 123 notices to property owners and residents within 500-feet of the subject property. Additionally, staff notified Spyglass Phases 2 & 3, the Rainbow Lakes, Chandler's Landing, and Foxchase Homeowner's Associations (HOA's), which are the only HOA's/Neighborhood Associations within 1,500-feet of the subject property and participating in the Neighborhood Notification Program. At the time this report was written, staff had received two (2) notices in favor, one (1) notice in opposition, and one (1) email in favor of the request, with the exception of the front-facing garages. In addition, the Planning & Zoning Commission has recommended approval of this item by a vote of 4 ayes to 1 nay (Womble).

Scott Lewis – 900 Heathland Crossing, Heath, TX – (the applicant) came forth and addressed the Council at this time. He went on to explain additional details and clarify the nature of this request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Dennis Denney – 162 Meadowlark Circle, Rockwall, TX – came forth and indicated that he represents the First Christian Church (located at 3375 Ridge Road). He went on to provide brief comments pertaining to Ordinance 99-53, expressing that he does not want his church to lose the ability to operate 'as is.' Planning Manager David Gonzales clarified that nothing will be changing in this regard.

Bob Wacker – 309 Featherstone, Rockwall, TX – came forth and provided comments pertaining to this request. He indicated that when he served on the city's Comprehensive Plan Review Committee, he was generally against front-entry garages. He shared that, even with three car garages, people still park in driveways. He wonders if the garages could be pushed back another 5' from the front property line.

Jeff Macalik – 6102 Volunteer Place, Rockwall, TX – came forth and expressed concern about this request. He indicated that he is involved in the HOA of Chandler's Landing, and he does not believe the HOA would be in favor of some aspects of this request (however, the Chandler's HOA was not actually within the notification area associated with this application). He generally spoke in opposition of this request.

There being no one else indicating a desire to come forth and speak at this time, Mayor Pruitt then closed the public hearing.

Councilmember Trowbridge suggested the Council consider limiting the front entry garages. He also believes the requested 'coverage' does in fact relate to density, and he generally has some concern about this.

Indication was given that all of the lots are 80' lots. The applicant came forth again and answered several questions of Council (related to 'coverage,' square footage, lot size, setbacks, front entry garages, front facades, j-swing garages, etc.).

Councilmember Hohenshelt moved to allow 40% front entry and 60% j-swing garages associated with this request. Councilmember Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 nay (Pruitt).

Councilmember Hohenshelt then moved to have the PD amendment reflect a 55% lot coverage. Councilmember Johannesen seconded the motion, which passed by a vote of 5 ayes with 2 against (Trowbridge and Pruitt).

Councilmember Hohenshelt moved to allow the PD amendment for the hardiboard requirement, as presented (from 80% to 60%). Councilmember Trowbridge seconded the motion, which passed by a vote of 5 ayes with 2 against (Pruitt and Daniels).

The ordinance caption was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 47 (PD-47) [*ORDINANCES 99-17 AND 07-04*] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH *ORDINANCE NO. 99-17*, BEING A 14.4712-ACRE TRACT OF LAND IDENTIFIED TRACT 104 OF THE E. TEAL SURVEY, ABSTRACT NO. 207 AND LOT 1, BLOCK A, FIRST CHRISTIAN CHURCH DISCIPLES OF CHRIST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 47 (PD-47) AND MORE FULLY DEPICTED HEREIN BY *EXHIBIT 'A'* AND DESCRIBED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

XIII. ACTION ITEMS

1. Discuss and consider a request from Casey and Andrea Burke for a special permit on a front yard fence to be located at 1406-A Ridge Road, and take any action necessary.

Building Official Jeffrey Widmer came froth and briefed the Council on this front yard fence request. He shared that no notices are required to be sent to adjacent property owners; however, the Burke's have

gone to their neighbors and have received indication that they do not object to this request for a front yard fence.

Dean Cathey - 3066 Rochelle Road – and Mr. and Mrs. Burke – 1406-A Ridge Road – came forth to speak to the Council. Mr. Burke indicated they have lived on Ridge Road for fifteen years. They recently built a new home, and the apartment complex across the street is causing car headlights to shine into their living room. For this reason, they are requesting approval of a front yard fence. They went on to further explain their request and show photos of the lot, the home, a shed on the property and the type of fence they are requesting to construct. The fence would be 8' tall; however, due to elevation abutting the street, it will actually appear to be 5' tall.

Mr. Widmer clarified that the city's current standards for front yard fences are 48" wrought iron on 42" wood fence heights.

Councilmember Fowler expressed concern that the proposed wood fence may make the home look like a 'compound.' Also, he fears that eventually every residential home along this stretch of Ridge Road may end up wanting to install a masonry or wooden front yard fence, and that may result in inhibiting lake views along that stretch of roadway.

Following the dialogue between Council and the Burke's, Mayor Pruitt waited to see if any member of Council wanted to make a motion pertaining to this request. No one offered a motion.

Mayor Pruitt then called for a break and recessed the public meeting at 7:36 p.m. He then reconvened the meeting at 7:43 p.m.

Mayor Pruitt asked if anyone would like to make a motion concerning this agenda item. Since there was no motion made, the item "died" for lack of a motion.

2. Discuss and consider bike lanes on John King Boulevard, and take any action necessary.

Indication was given that Councilman Trowbridge requested this item for tonight's agenda. He pointed out that John King is currently a city-owned street, and he wonders if John King has bike lanes currently, and if it will have bike lanes in the future once TxDOT takes it over.

In the interim, when TxDOT takes it over, there will only be two lanes at 12' each. The ultimate build out of this road way will have three lanes in both directions, and they will have a shared bike lane. The outside lanes that will be closest to the sidewalk will be 14' wide instead of 11' or 12'. Current TxDOT standards call for either a dedicated or a shared bike lane.

No action was taken concerning this agenda item and associated, brief discussion.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters)

2. Discussion regarding purchase / acquisition of real property in the vicinity of Rockwall Municipal Airport and Downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XVI. Adjournment

The meeting was adjourned at 7:47 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd DAY OF JUNE, 2019.

ATTEST: _____
JIM PRUITT, MAYOR

_____
KRISTY COLE, CITY SECRETARY

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18

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E. Director of Public Works/City Engineer**

DATE: **May 29, 2019**

SUBJECT: **Squabble Creek Watershed Hydrologic & Hydraulic Update – Phase 1**

The City of Rockwall's storm drainage systems and floodplains encompass approximately twenty (20) separate watersheds located totally or partially within the corporate limits and ETJ of the City. When a private development or capital improvement project occurs that potentially impacts floodplain areas or other properties, the development standards require an engineer to perform a flood study to determine the potential impacts and provide a solution to minimize these impacts. Potential impacts include increases in flood elevations, increases in inundation of land, or increases in erosive flood flow velocities.

As part of the City's Strategic Plan, the Public Works Department is assessing the drainage and floodways to provide better information to the development community within the City Limits and ETJ. To assist in providing better information for the development community, City Staff has identified the Squabble Creek Watershed (approximately 7.06 square miles) as a priority area to begin updating the drainage masterplan. This watershed contains many of the City's flooding concerns. The latest drainage (hydrologic and hydraulic) models for Squabble Creek Watershed were developed in September 2005. The hydrologic model studies the amount and flow of drainage with regard to different soil types, precipitation, land use, and types of flow. A hydraulic model uses the data from the hydrologic model to determine the water surface elevation, velocities, and collection of drainage in conveyance systems throughout the City. The drainage models for the master plan were developed using software that is now outdated. As part of this update, the drainage models will be converted using the most recent software available from the United States Army Corps of Engineers (USACE). In addition to the model conversion, several private development improvements will be included in the drainage model update. There are approximately twenty (20) significant detention structures within the watershed that were constructed as part of various developments since the latest master drainage model. These drainage structures will be incorporated into the updated model. Phase 1 of the Squabble Creek Watershed Hydrologic & Hydraulic Update will include the entire hydrologic (amount of water) update to the model and approximately half of the streams within the Squabble Creek Basin will be hydraulically (the effects of the amount of water in the system) updated.

Staff has requested a proposal to preform Phase 1 of the Squabble Creek Watershed Hydrologic & Hydraulic Update from the City's hydrology and hydraulic engineering consultant, Cardinal Strategies Engineering Services, LLC. The engineering fee for Phase 1 is $105,000.00, which will be funded by the Engineering Consulting budget.

Staff is requesting City Council consider approving a contract for professional engineering services with Cardinal Strategies Engineering Services, LLC to perform the Squabble Creek Watershed Hydrologic & Hydraulic Update Phase 1 in an amount not to exceed $105,000.00, to be paid for out of the Engineering Consulting budget, and take any action necessary.

AW:jw

Cc:

Mary Smith, Assistant City Manager
Joey Boyd, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
File

City of Rockwall – Public Works – Engineering Division
Attn: Jeremy M. White, P.E., CFM
385 S. Goliad
Rockwall, Texas 75087

Re: Miscellaneous Consulting on Stormwater Issues – Task Order #0003
Rockwall, Texas

Dear Mr. White:

This letter and the attached documents outline Task Order #0003 of the Miscellaneous Consulting on Stormwater Issues contract as requested by the City of Rockwall.

Scope of Work: Phase 1 of the Squabble Creek hydrology and hydraulic model updates that includes conversion of TR20 hydrology models to HEC-HMS for the entire watershed and conversion of hydraulic models for Squabble Creek Main Stem, Phelps Branch, and Boles Branch (and its tributaries). Refer to Attachment "A" for full detail of scope of work.

Fee: Lump Sum of $105,000

Term of Agreement: All tasks described in Attachment "A" shall be completed by September 30, 2019.

EXECUTED in triplicate originals on this 28 day of MAY 2019.

By: _____

Name: Michael Anderson

Title: Principal

EXECUTED in triplicate originals on this _____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____

Richard Crowley
City Manager

EXHIBIT A
SCOPE OF SERVICES

TO BE PROVIDED BY CARDINAL STRATEGIES ENGINEERING SERVICES, LLC, TO THE CITY OF ROCKWALL FOR THE MISCELLANEOUS CONSULTING ON STORMWATER ISSUES SQUABBLE CREEK WATERSHED H&H UPDATE - PHASE I

Project Description:

The CITY has identified the Squabble Creek Watershed as the most in need of a masterplan update as it has many of the CITY's flooding concerns and is nearing 15 years old since the last H&H update. A drainage master plan for Squabble Creek was developed in September 2005 that established the local regulatory hydrologic and hydraulic models for Squabble Creek and most of its major tributaries. The hydrologic and hydraulic models for the master plan were developed using software that is now considered to be outdated. Current hydrologic models are in the TR-20 hydrologic model software and the current hydraulic models are in HEC-2 format. The CITY has requested that Cardinal Strategies Engineering Services, LLC ("CARDINAL") convert both the hydrologic and hydraulic models to the most recent software available from the United States Army Corps of Engineers (USACE). TR-20 hydrologic models will be converted to HEC-HMS versions 4.3 and the HEC-2 hydraulic models will be converted to HEC-RAS versions 5.0.5. In addition to the model conversion, the CITY has requested that several improvements be included in the hydrologic and hydraulic models that were constructed after the development of the master plan models. There are approximately twenty (20) new, significant detention structures within the watershed that were constructed as part of various developments since the original master plan model that will be incorporated into the hydrologic model. In addition, there are three (3) Soil Conservation Service reservoirs within the watershed. The update will establish rainfall and peak discharges for the existing and fully developed conditions 5-, 10-, 25-, and 100-year storm events.

John King Boulevard was constructed in 2009 and included one culvert crossing over Boles Branch and one bridge crossing over Phelps Branch. The hydrologic portion of the Phase 1 study includes the entire Squabble Creek watershed (approximately 7.061 square miles) and the hydraulic limits of the study include Squabble Creek Main Stem, Phelps Branch, and Boles Branch with its tributaries. A future phase of the update will be required to update South Prong of Squabble Creek, Tributary A, Tributary C, Tributary D, Tributary E, and Tributary E-2. The update to the hydrologic and hydraulic models will conform to the CITY's current Flood Hazard Damage and Prevention Ordinance and with the CITY's Standards of Design and Construction.

Additional phases will be required to establish new 100-year floodplain boundaries for the studied portions of Squabble and to formally document the analysis and results in a final report.

A. BASIC SERVICES

1. **Project Kickoff Meeting**: Attend one project kickoff meeting at the CITY to go over the project scope, schedule, and collect additional information about the site.
2. **Data Collection**: Collect data through coordination with the CITY on the following:
    a. Master Drainage Plan hydrologic and hydraulic models and supporting documentation
    b. City of Rockwall Geographic Information Systems (GIS) data for hydrology and hydraulics analysis including:
        i. Record drawings for detention features throughout the CITY that will be incorporated into hydrologic model.
        ii. Record drawings for three (3) SCS reservoirs within the watershed.
    c. Site Visit
3. **Survey**: Collect topographic survey of two crossings on John King Boulevard (one on Phelps Branch and one on Boles Branch).
4. **Hydrology**:

a. Develop HEC-HMS model version 4.3 using data included in the existing TR20 models, as applicable
b. Update subbasin delineations based on new developments
c. Update existing and future land use
d. Incorporate new detention structures into the model from the following developments based on record drawings provided by CITY:
    i. North Lakeshore Valley, Lake View Summit Phase IV, Stone Creek (3 ponds), Kroger, Quail Run Valley (2 ponds), Gideon Grove, The Preserve Phase 1 (2 ponds), Ladera (3 ponds), The Highlands, Park Place Phase II and III, SPR, Whitmore, Ridgecrest
e. Update routing reaches to appropriate methodology in HEC-HMS. Modified Puls routing will be defined using storage-discharge relationships from the CITY effective HEC-2 model. This will establish preliminary updated peak discharges but the reaches will be finalized in Phase II with the new hydraulic model.
f. Update rainfall values to match the current criteria and include additional frequencies as needed to cover the 2-, 5-, 10-, 25-, 50-, 100-, and 500-YR storm events

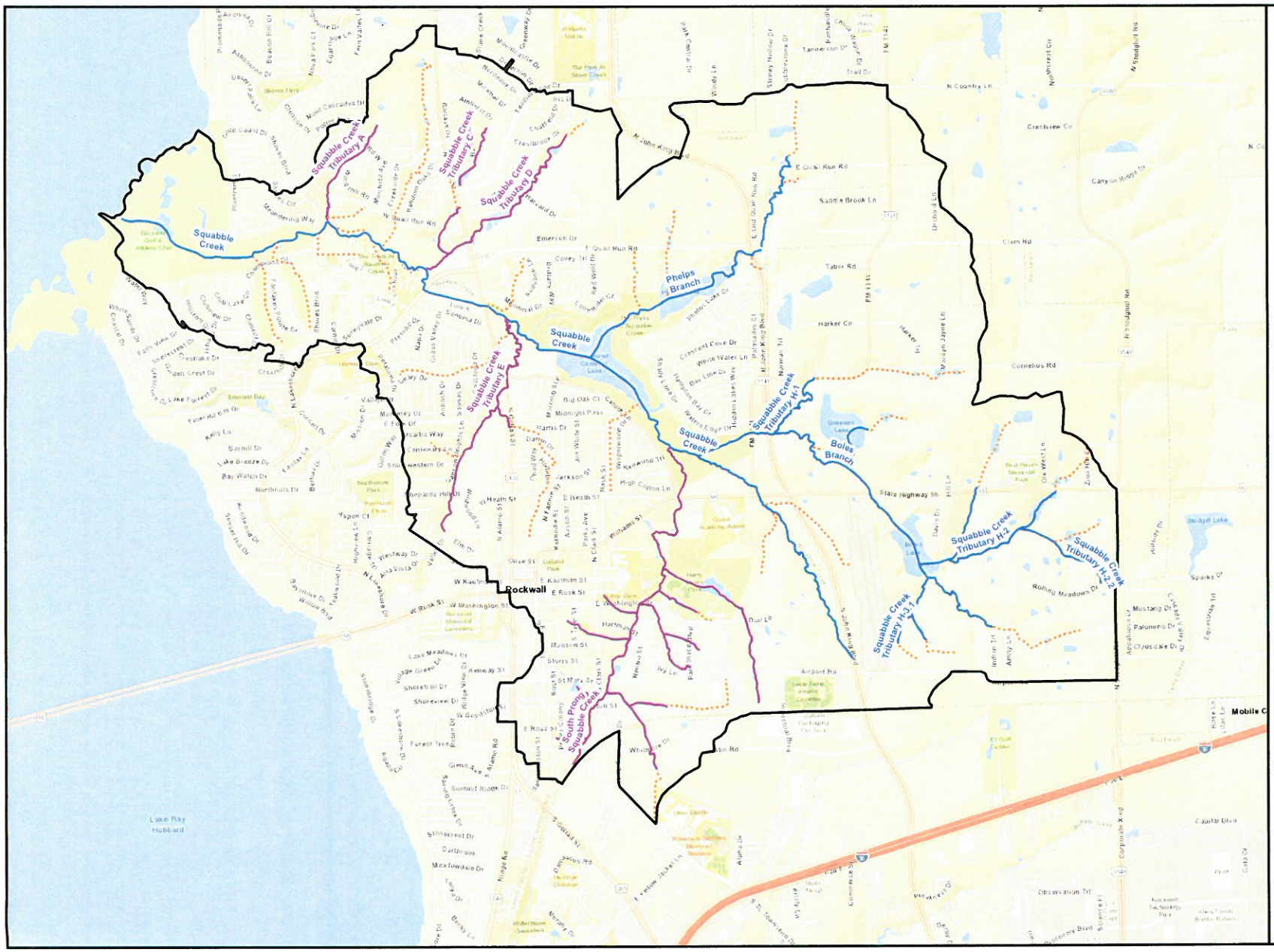
5. **Hydraulics**: *Squabble Creek Main Stem, Phelps Branch, and Boles Branch (and its tributaries)*
    a. Cut new XS (same locations as Master Drainage Study) against latest CITY LiDAR topography.
    b. Copy over structure data from Master Drainage Study
    c. Evaluate Manning's values using recent aerial imagery and update as necessary
    d. Update applicable routing reaches with Modified Puls based on updated hydraulic models.

Deliverables – Digital copy of the HEC-HMS and HEC-RAS models and associated geographic information systems (GIS) shapefiles.

B. SPECIAL SERVICES

C. ADDITIONAL SERVICES

1. Meetings in excess of those described in Basic Services
2. Additional modeling outside of the study limits described in the Project Description
3. Additional inclusion of developments and detention structures in excess of those described in Basic Services
4. FEMA Submittals
5. Public Involvement
6. Environmental Permitting or Investigations
7. Geotechnical Engineering or Investigations
8. Groundwater Services or Investigations
9. Hydraulic modeling of any tributaries not listed in the Project Description above
10. Extension of hydraulic models beyond the extents of the Master Drainage Study or the limits shown in Figure 1.



City of Rockwall

SQUABBLE CREEK WATERSHED STUDY ROCKWALL, TX

FIGURE 1

STUDY LIMITS

Legend

- Squabble Creek Watershed

Phase

- Not Included
- Phase 1 Hydraulics
- Phase 2 Hydraulics

N

0 2,000 4,000

Feet

CARDINAL STRATEGIES

24

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CITY OF ROCKWALL

ORDINANCE NO. 19-22

SPECIFIC USE PERMIT NO. S-208

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-19] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *RESTAURANT LESS THAN 2,000 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN* FACILITY ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Chris Lam, P.E. of Lam Consulting for the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-In* on a 0.23-acre parcel of land, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, and being identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, addressed as 505 N. Goliad Street, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant Less than 2,000 SF without a Drive-Through or Drive-In* as stipulated by Article *IV, Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for

the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Planned Development District 50* (*PD-50*), and *Section 1.1, Land Use Schedule,* of *Article IV, Permissible Uses,* and *Subsection 4.02, Residential Office (RO) District, of Section 4, Commercial (C) Districts,* of *Article V, District Development Standards,* and *Subsection 6.04, North Goliad Corridor Overlay (NGC OV) District,* of *Section 6, Overlay Districts,* of *Article V,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the following additional conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-in* (*restaurant*) land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

1) The development and operation of a *restaurant* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The operation of the *restaurant* land use shall be limited to the area on the first floor as depicted in the *Floor Plan* attached in *Exhibit 'C'* of this ordinance;

3) The use of the second-floor area shall be limited to storage only. Any other use will require additional parking spaces.

4) A minimum of six (6)-foot tall board on board wood fence shall be constructed along the west property boundary -- *adjacent to the residentially zoned property* -- prior to the issuance of a Certificate of Occupancy (CO).

5) Should the land use change from a *Limited Service Restaurant* (*i.e. to a full-service restaurant or any other land use*), the subject property shall comply with the parking requirements contained in Article VI, *Parking and Loading*, of the Unified Development Code. If the parking provided on the subject property does not meet the parking requirements for the proposed land use, this Specific Use Permit will need to be amended in accordance with the procedures contained in Section 4, *Specific Use Permits*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this

ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (*$2,000.00*) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3rd DAY OF June 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

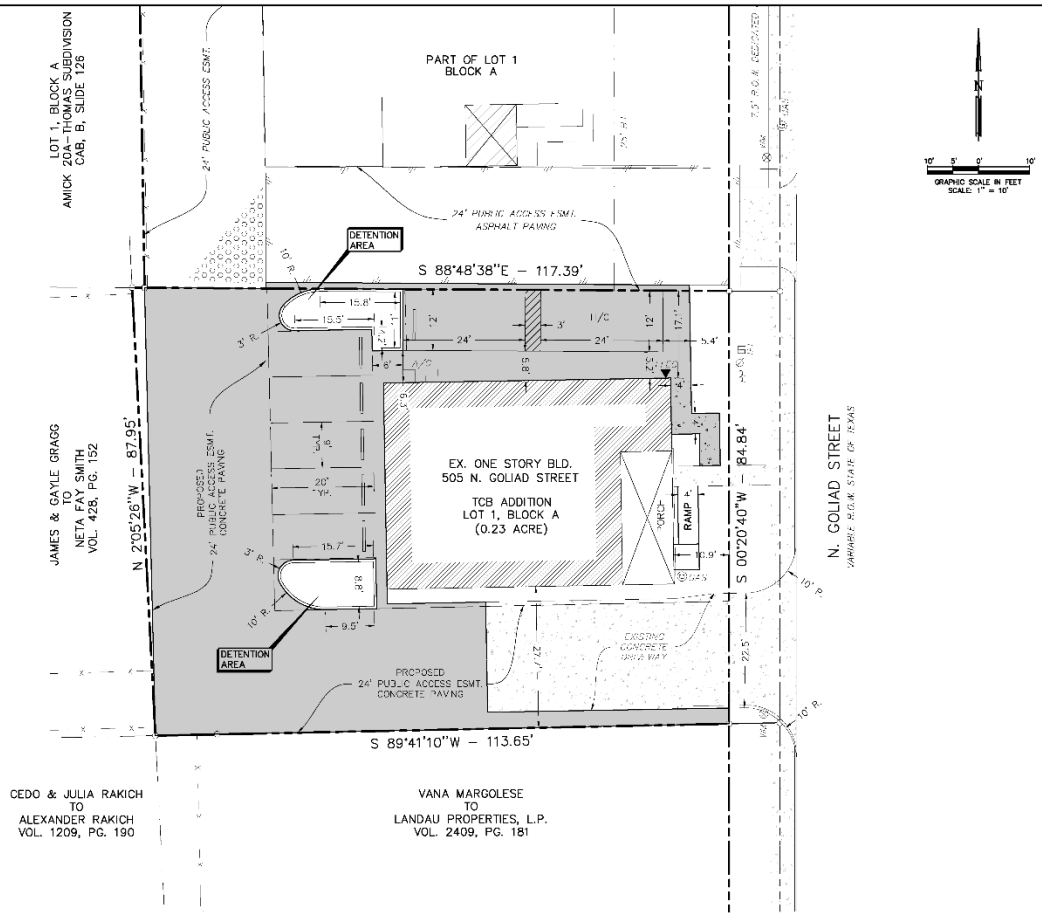
_____
Frank J. Garza, City Attorney

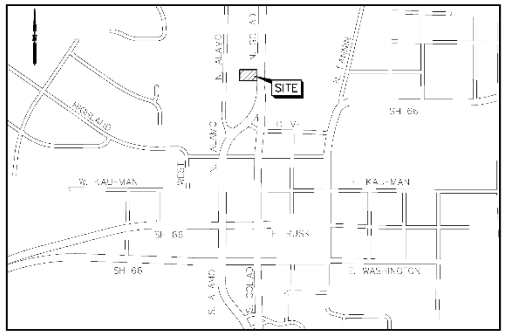
1st Reading: May 20, 2019

2nd Reading: June 3, 2019



29





VICINITY MAP
N.T.S.

OWNER:
TCB CONSTRUCTION GROUP, LLC.
906 N. GOLIAD STREET
ROCKWALL, TEXAS 75087

SITE DATA

LOT AREA	10,019 SF ~ 0.23 AC
ZONING	PD-50 NORTH GOLIAD OVERLAY DISTRICT
INSIDE BUILDING AREA	1916 SF
FRONT PORCH	264 SF
PARKING REQUIRED	8 SPACES
PARKING PROVIDED	7 SPACES

PRELIMINARY
FOR REVIEW
NOT FOR CONSTRUCTION

TUAN P. LAM
86998
LICENSED
PROFESSIONAL
ENGINEER
STATE OF TEXAS

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TUAN P. LAM, P.E. 86998 ON 4/3/19. ALTERATION OF A SEALED DOCUMENT WITHOUT THE PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

SURVEY INFORMATION ON THIS DRAWING WAS PROVIDED BY OTHERS. LAM CONSULTING ENGINEERING IS NOT RESPONSIBLE FOR THE ACCURACY OF THE TOPOGRAPHIC MAPPING NOR BENCHMARK DATUM.

THE INFORMATION SHOWN ON THIS PLAN IS FROM RECORD DRAWINGS. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS DRAWING. CONTRACTOR SHALL FIELD VERIFY ALL UTILITIES AND CONTACT ALL UTILITY COMPANIES 48 HRS PRIOR TO ANY EXCAVATION. 1-800-DIG TESS

ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN.

CONCEPT PLAN

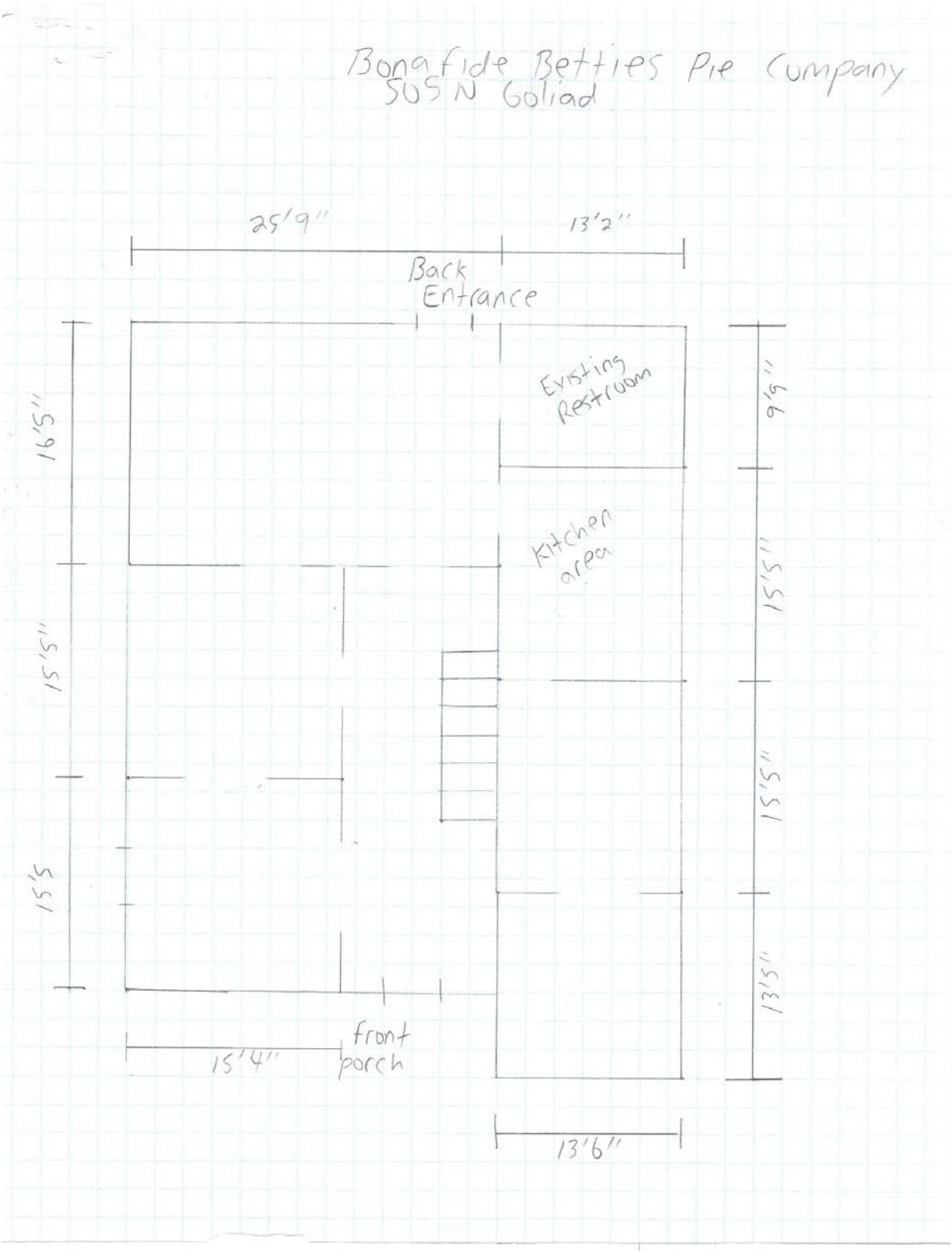
TCB ADDITION - LOT 1, BLOCK A
BONAFIDE BETTIES PIES CO.
505 N. GOLIAD STREET
ROCKWALL, TEXAS 75087

LAM CONSULTING ENGINEERING
6804 WILHELMINA DRIVE
SACHSE, TEXAS 75048
Phone (214) 766-1011
www.lamcivil.com
Firm #F-9763

DESIGN:	LCE	CHECK:	LCE	SCALE:	AS NOTED
DRAWN:	ST	DATE:	APRIL 2019	PROJECT:	532-19

2 of 6

30


Bonafide Betties Pie Company
505 N Goliad
25'9"
13'2"
Back Entrance
16'5"
15'5"
15'5"
Existing Restroom
Kitchen area
9'9"
15'5"
15'5"
13'5"
front porch
15'4"
13'6"

31

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32

CITY OF ROCKWALL

ORDINANCE NO. 19-21

SPECIFIC USE PERMIT NO. S-209

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *GUEST QUARTERS/SECONDARY LIVING UNIT* AND *BARN OR AGRICULTURAL ACCESSORY BUILDING* IN AN AGRICULTURAL (AG) DISTRICT, SITUATED ON A 10.61-ACRE PORTION OF A LARGER 26.078-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 2 & 2-4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Dwayne Cain of ECSR (D), LLC for the approval of a Specific Use Permit (SUP) to allow a *guest quarters/secondary living unit* and *barn or agricultural accessory building* in an Agricultural (AG) District on a 10.61-acre portion of a larger 26.078-acre parcel of land described as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *guest quarters/secondary living unit* and *barn or agricultural accessory building,* as stipulated by Section 1, *Land Use Schedule,* of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*], on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 2.01*, Agricultural (AG) District,* of Section 2*, Agricultural Districts,* of Article V, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *guest quarters/secondary living unit* and *barn or agricultural accessory building* on the *Subject Property* and conformance to these conditions is required for continued operations:

1) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall generally conform to the concept plan and building elevations depicted in *Exhibits 'B'* of this ordinance;

2) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall not be utilized for a non-residential and/or non-agricultural land use;

3) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall be ancillary to the existing single-family home;

4) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall not be altered so that the structure is less than 2,000 SF or greater than 4,050 SF;

5) The subject property shall not be subdivided in such a way that the property does not meet the minimum requirement of ten (10) acres in size for a *barn or agricultural accessory building*;

6) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall be located behind the front façade of the primary structure and be subject to the same building setbacks as the primary structure; and,

7) The *guest quarters/secondary living unit* and *barn or agricultural accessory building* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a Building Permit, should the subject property--which is subject to the guidelines of this ordinance--fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF JUNE, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

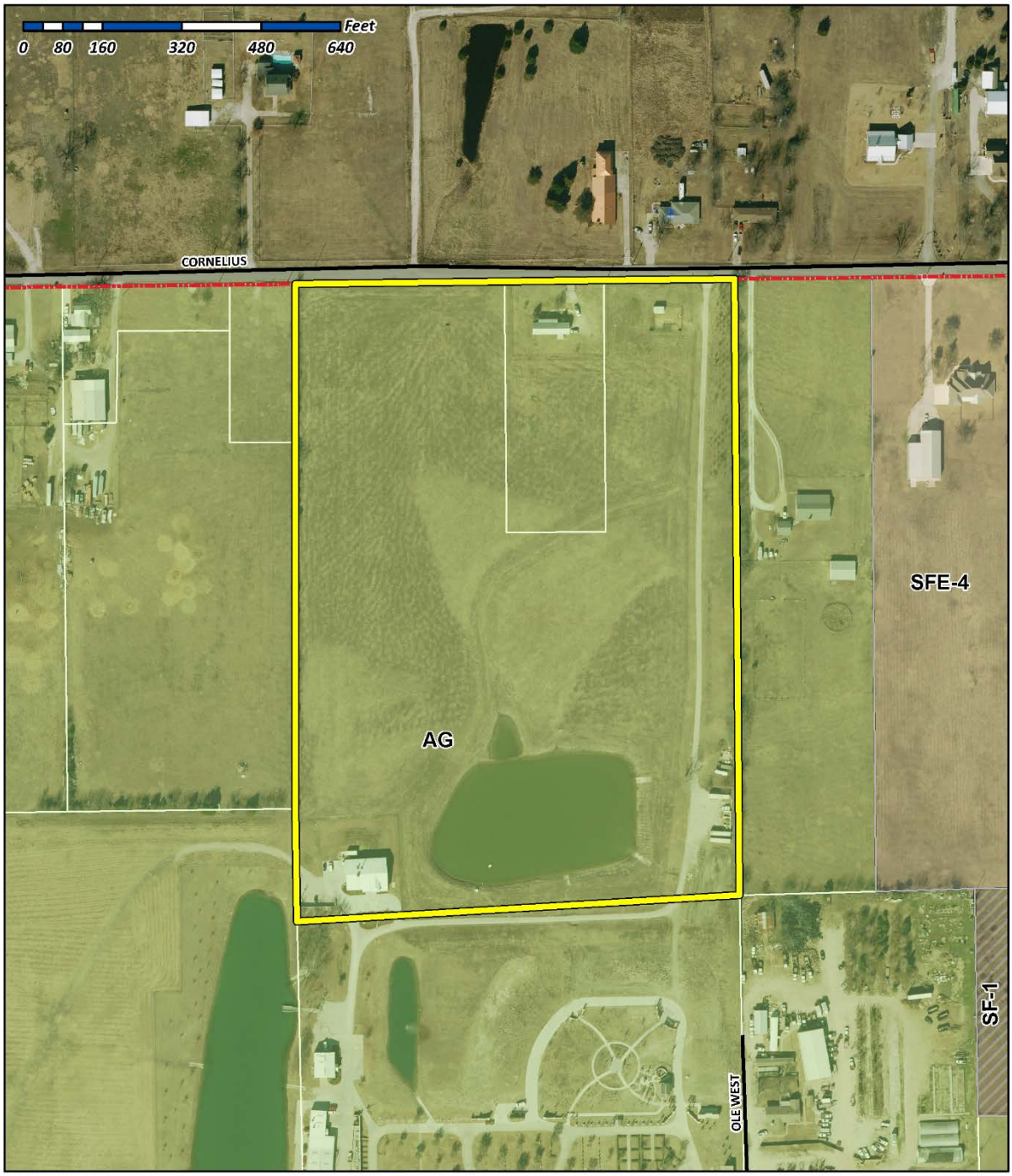
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: May 20, 2019

2nd Reading: June 3, 2019

Address: *777 & 839 Cornelius Road*
Legal Description: *Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72*

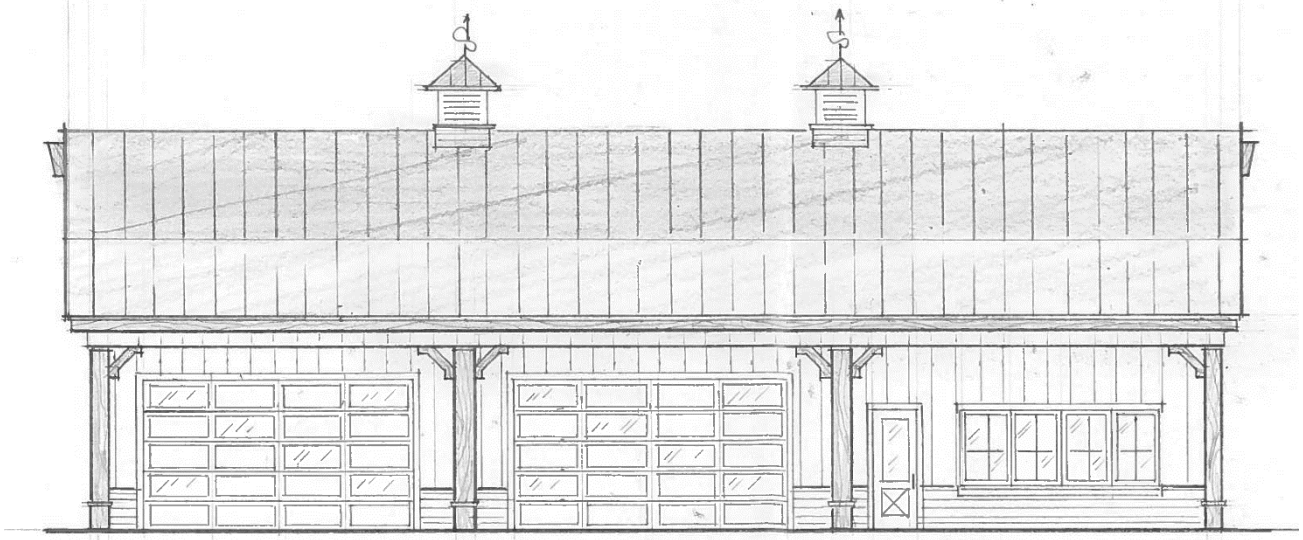


City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

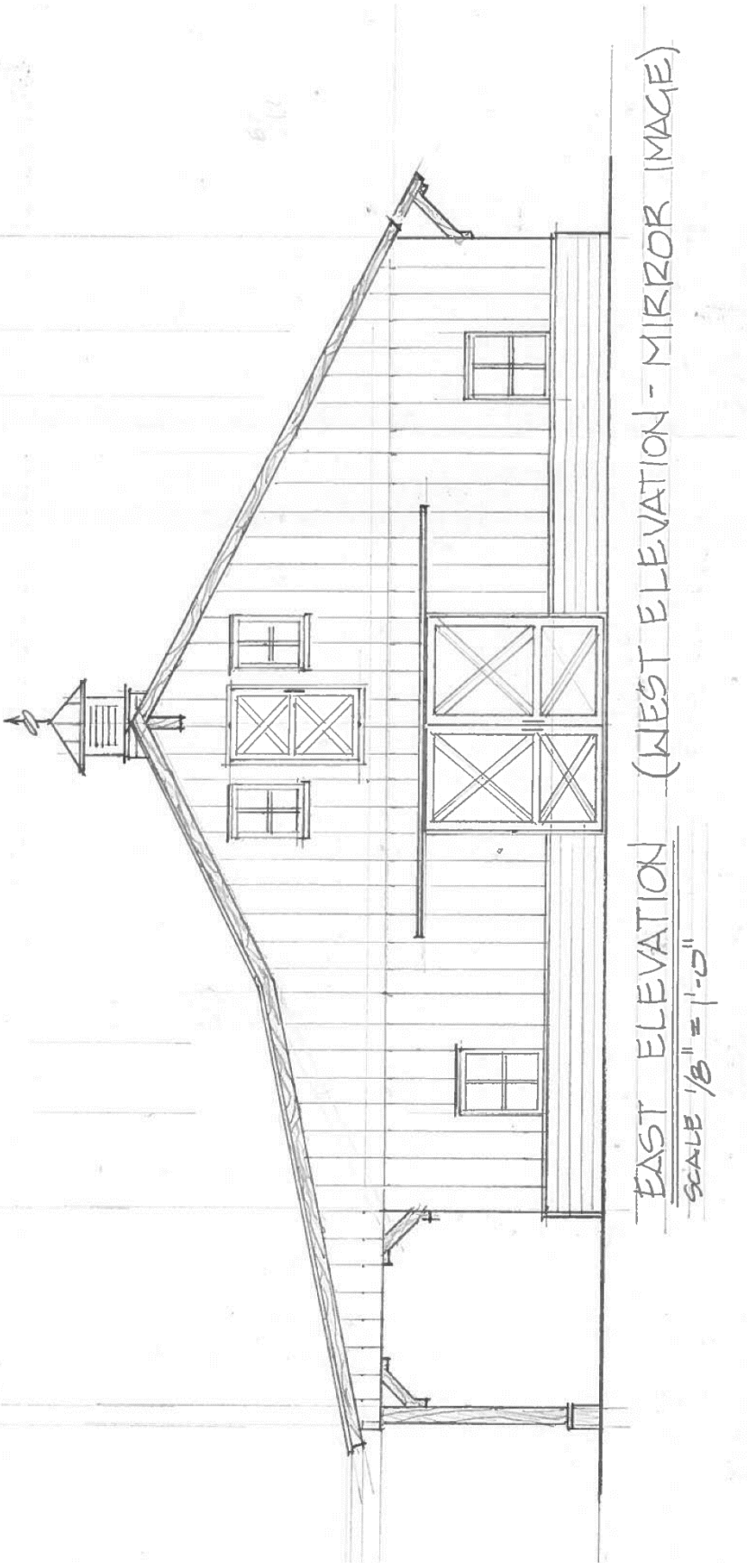


NORTH ELEVATION
SCALE 1/8" = 1'-0"



SOUTH ELEVATION
SCALE 1/8" = 1'-0"

37



38

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39

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **May 21, 2019**

SUBJECT: **Cooperative Purchasing Agreement with the City of Mesquite**

An Interlocal Purchasing Agreement for participation in a cooperative purchasing program with the City of Mesquite is attached for City Council consideration.

The interlocal agreement provides for cooperative purchasing between the Cities of Rockwall and Mesquite for goods, materials and services. By participating in this cooperative program, cities realize additional savings through economies of scale when utilizing the coop contracts. Another benefit is by piggybacking other cities' contracts we would meet all the formal bidding requirements pertaining to contract purchases and eliminate the cost of the competitive bidding process for the contracted materials and services. The interlocal agreement would remain in effect until terminated by either the City of Rockwall or Mesquite.

Mesquite has competitively bid and awarded a contract for irrigation install and repair services to Phillips Lawn Sprinkler Co. We would like to piggyback this contract for the irrigation renovations at Northshore Park for $25,000. This project is funded in the Recreation Development fund and includes drainage work as well for a total project estimated cost of $52,000.

Staff asks City Council to consider (1) joining this purchasing cooperative by authorizing the City Manager to execute the cooperative agreement, (2) award a bid to Phillips Lawn Sprinkler Co. for irrigation services for $25,000, and authorize the City Manager to execute a contract for this service.

INTERLOCAL AGREEMENT

This Interlocal Agreement ("Agreement") is made and entered into this ____ day of _____, 2019, by and between the CITY OF ROCKWALL (hereinafter called "ROCKWALL") and the CITY OF MESQUITE, Texas (hereinafter called "MESQUITE"), each acting by and through its duly authorized officials:

WHEREAS, ROCKWALL and MESQUITE are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

WHEREAS, ROCKWALL and MESQUITE wish to enter into this Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which ROCKWALL and MESQUITE may purchase various goods and services commonly utilized by each party;

WHEREAS, participation in an interlocal agreement will be highly beneficial to the taxpayers of ROCKWALL and MESQUITE through the anticipated savings to be realized and is of mutual concern to the contracting parties; and

WHEREAS, ROCKWALL and MESQUITE have current funds available to satisfy any fees owed pursuant to this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants and obligations as set forth herein, ROCKWALL and MESQUITE agree as follows:

1. ROCKWALL and MESQUITE may cooperate in the purchase of various goods and services commonly utilized by the participants, where available and applicable, and may purchase goods and services from vendors under present and future contracts.

2. ROCKWALL and MESQUITE shall each be individually responsible for payments directly to the vendor and for the vendor's compliance with all conditions of delivery and quality of purchased items under such contracts. ROCKWALL and MESQUITE shall each make their respective payments from current revenues available to the paying party.

3. Notwithstanding anything herein to the contrary, participation in this Agreement may be terminated by any party upon thirty (30) days written notice to the other participating party.

4. The undersigned officers and/or agents of the parties hereto are duly authorized officials and possess the requisite authority to execute this Agreement on behalf of the parties.

5. This Agreement may be executed separately by the participating entities, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

6. This Agreement shall become effective on the day and year first written above (the "Effective Date"). The primary term of this Agreement shall be for one (1) year, commencing on the Effective Date and terminating on October 1, 2020, and shall thereafter automatically renew for successive one-year terms, unless terminated according to the terms set forth in Paragraph 3.

7. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement.

8. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

9. This Agreement embodies the entire agreement between the parties and may only be modified in writing executed by both parties.

10. This Agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this Agreement without the written consent of the other party.

11. It is expressly understood and agreed that, in the execution of this Agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied other that those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

12. The declarations, determinations and findings declared, made and found in the preamble to this Agreement are hereby adopted, restated and made part of the operative provisions hereof.

EXECUTED hereto on the day and year first above written.

CITY OF ROCKWALL

Rick Crowley
City Manager

CITY OF MESQUITE

Cliff Keheley
City Manager

STATE OF TEXAS §

COUNTY OF ROCKWALL §

This instrument was acknowledged before me on the __ day of _____, 2019, by Mr. Rick Crowley, City Manager of the **CITY OF ROCKWALL, TEXAS,** a home-rule municipal corporation, on behalf of said corporation.

_____
Notary Public in and for the
State of Texas

STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on the __ day of _____, 2019, by Cliff Keheley, City Manager of the **CITY OF MESQUITE, TEXAS,** a home-rule municipal corporation, on behalf of said corporation.

_____
Notary Public in and for the
State of Texas

Attested:

By: _____
Sonja Land, City Secretary

Approved as to form:

By: _____
Assistant City Attorney

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44

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	June 3, 2019
SUBJECT:	Abandonment of Aluminum Plant Road

The applicant, Phil Wagner of the Rockwall Economic Development Corporation (REDC), is requesting that the City Council abandon a 0.40-acre tract of right-of-way currently identified as Aluminum Plant Road. The applicant is requesting this abandonment for the purpose of conveying the property as part of an incentive package to Alvaplast US Development, LLC [*SPR Packaging*] for the construction of a new warehouse/manufacturing facility. The right-of-way in question currently dead ends into the property where the new warehouse/manufacturing facility is scheduled to be constructed, and only has the possibility of serving two (2) properties (*i.e. the property owned by the Rockwall Community Playhouse and the property owned by Alvaplast US Development, LLC*). Staff has received a letter from the Rockwall Community Playhouse indicating that they have no interest in the roadway and do not object to the requested abandonment (*see attached packet*). The City Attorney has stated that the City Council could abandon the right-of-way without charging the applicant the fair market value of the land for the stated purpose (*i.e. abandoning the dedicated land to the applicant without compensation*). In accordance with this request, staff has prepared a resolution in the attached packet should the City Council choose to approve the right-of-way abandonment. Staff has also included a copy of the applicant's letter and a location map of the property. Should the City Council have any questions concerning this request staff and the applicant will be available at the meeting on *June 3, 2019*.

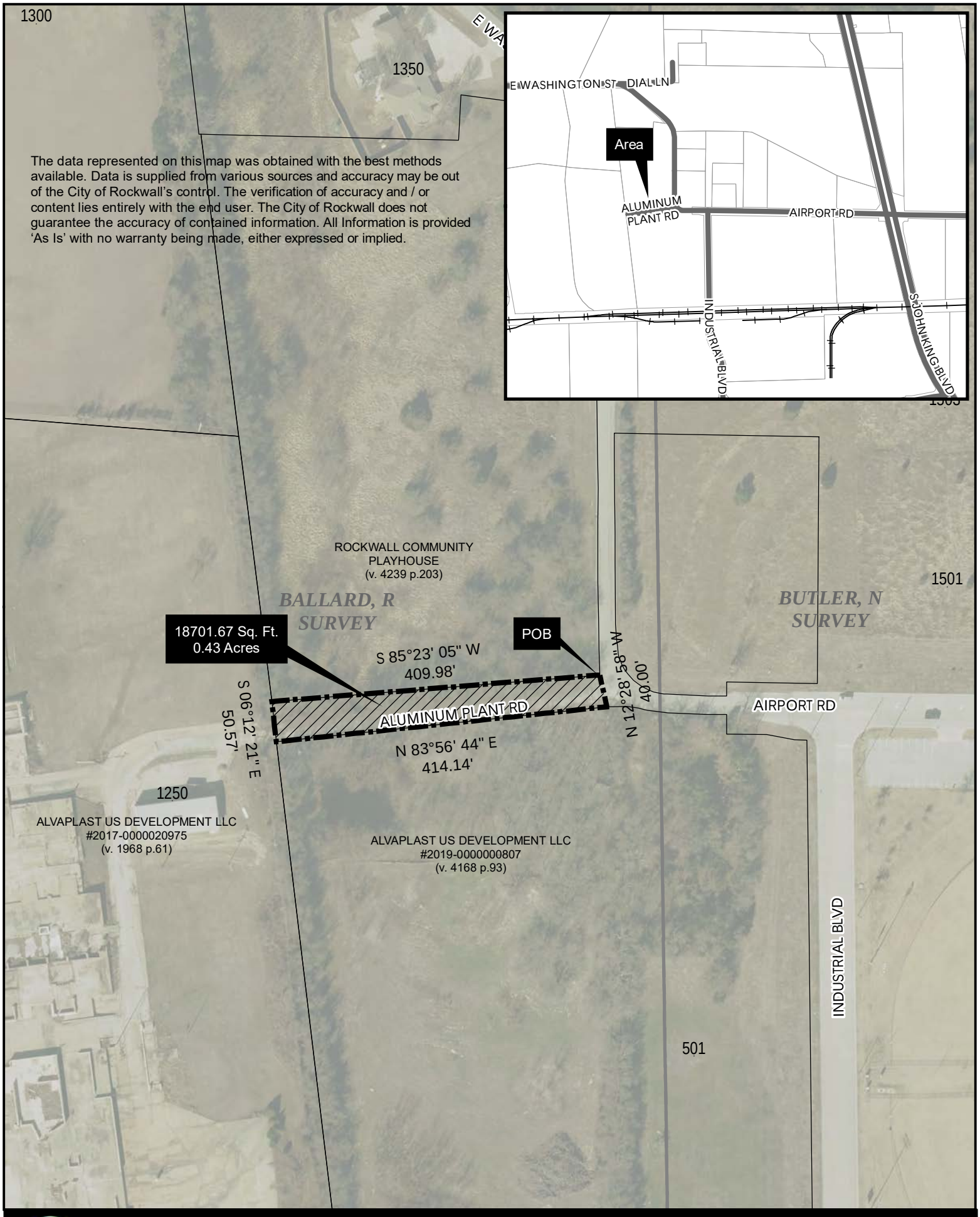

1300
1350
E WASHINGTON ST
DIAL LN
Area
ALUMINUM PLANT RD
AIRPORT RD
INDUSTRIAL BLVD
S JOHN KING BLVD
1505
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.
ROCKWALL COMMUNITY PLAYHOUSE
(v. 4239 p.203)
BALLARD, R SURVEY
BUTLER, N SURVEY
1501
18701.67 Sq. Ft.
0.43 Acres
POB
S 85°23' 05" W
409.98'
N 12°28' 58" W
400.00'
S 06°12' 21" E
50.57'
ALUMINUM PLANT RD
N 83°56' 44" E
414.14'
AIRPORT RD
1250
ALVAPLAST US DEVELOPMENT LLC
#2017-0000020975
(v. 1968 p.61)
ALVAPLAST US DEVELOPMENT LLC
#2019-0000000807
(v. 4168 p.93)
INDUSTRIAL BLVD
501
City of Rockwall
N
Date: 5/15/2019
0
100
Feet
CITY OF ROCKWALL GEOGRAPHIC INFORMATION SYSTEMS
46
Aluminum Plant Rd

EXHIBIT "A"
0.40 ACRES or 17,287 SQ. FT.
PART OF R.O.W. FOR
ALUMINUM PLANT ROAD

BEING a tract of land situated in the R. BALLARD SURVEY, ABSTRACT NO. 21, City of Rockwall, Rockwall County, Texas, and being a part of the right-of-way for Aluminum Plat Road per Deed to the City of Rockwall, Texas, as recorded in Volume 67, Page 116 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner at the southwest corner of the above cited tract to the City of Rockwall, Texas in the south line of said road, at the northwest corner of a tract of land as described in a Warranty deed to Alvaplast US Development, LLC as recorded in Document no. 20190000000807 of the Official Public Records of Rockwall County, Texas, and in the east line of Lot 1, Block 1, Indalloy Addition, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 273 of the Plat Records of Rockwall County, Texas;

THENCE N. 06 deg. 44 min. 00 sec. W. along the east boundary line of Indalloy Addition, a distance of 50.57 feet to a ½" iron rod found for corner in the north line of said road and at the southwest corner of a tract of land as described in a Warranty deed to Rockwall Community Playhouse, as recorded in Volume 4239, Page 203 of the Official Public Records of Rockwall County, Texas;

THENCE N. 84 deg. 51 min. 24 sec. E. along the south line of said Rockwall Community Playhouse tract and north line of said road, a distance of 379.84 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the west right-of-way of E. Washington Street;

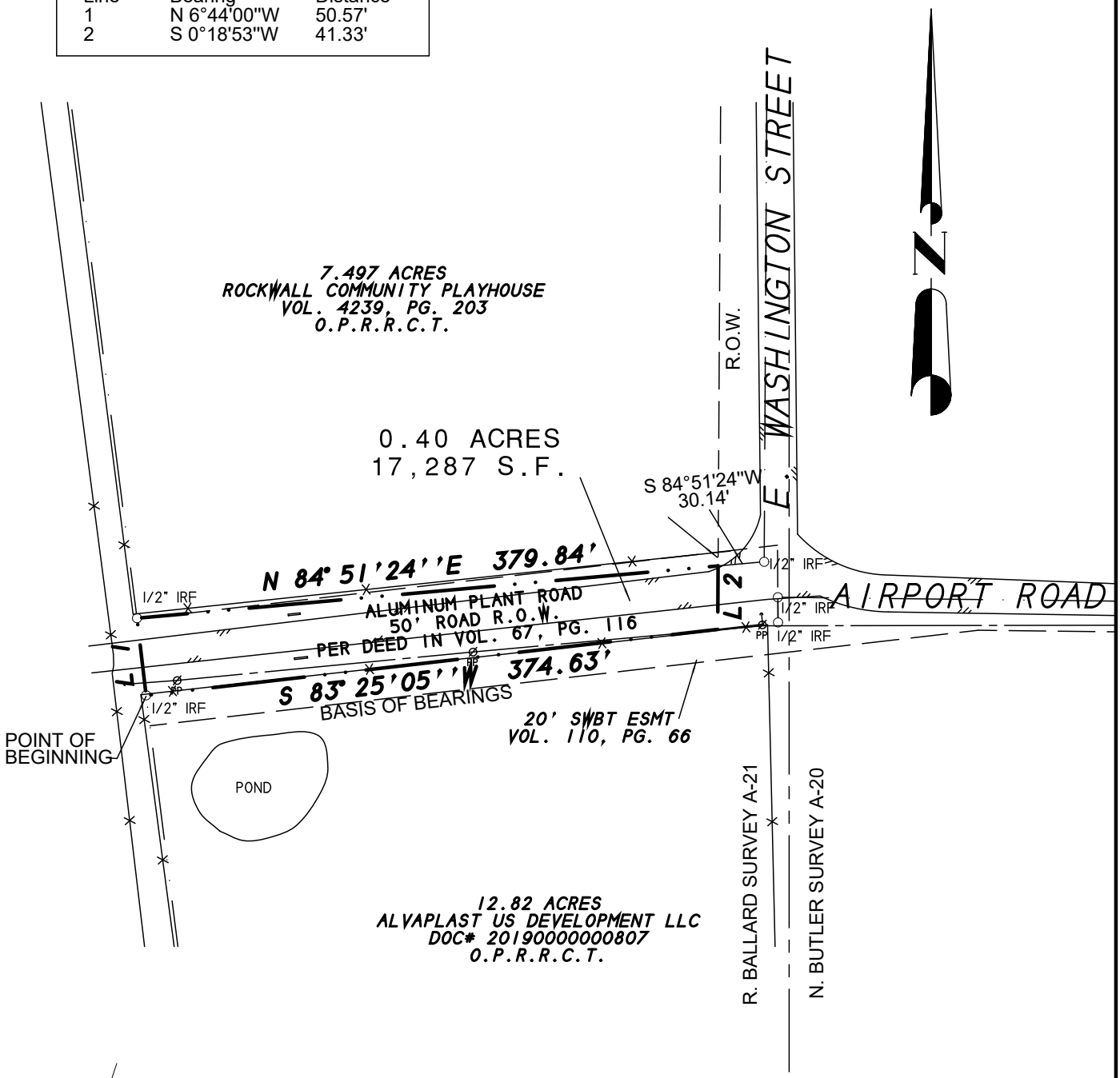
THENCE S. 00 deg. 18 min. 53 sec. W. along the west right-of-way of E. Washington Street and Airport Road, a distance of 41.33 feet to a ½" iron rod found for corner in the south line of Aluminum Plant Road and the north boundary line of said Alvaplast UD Development LLC tract;

THENCE S. 83 deg. 25 min. 05 sec. W. along the south line of said road and north line of said tract, a distance of 374.63 feet to the POINT OF BEGINNING and containing 17,287 square feet or 0.40 acres of land.

47

EXHIBIT "A"

LINE TABLE		
Line	Bearing	Distance
1	N 6°44'00"W	50.57'
2	S 0°18'53"W	41.33'



Harold D. Fetty III, R.P.L.S. No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

SYMBOL LEGEND				
TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE		A/C AIR COND. UNIT	PROPANE TANK
	PROPERTY LINES			

SURVEY DATE	MAY 13, 2019
SCALE	1" = 100'
FILE #	20051357-1
CLIENT	REDC

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

May 01, 2019

Rockwall Community Playhouse
609 E Rusk Street
Rockwall, TX 75087

City of Rockwall
101 E Rusk Street
Rockwall, TX 75087

Attn: Ryan Miller, Director of Planning

Dear Mr. Miller,

We have been asked by Alvaplast US Development, LLC, to provide you with this letter regarding Aluminum Plant Road, the small street located near the intersection of Industrial Road and Airport Road.

This letter will serve as our notice to the City of Rockwall that we, as owner of the land to the north of Aluminum Plant Road, do not object to the abandonment of the road by the City of Rockwall. It is our understanding that Alvaplast US Development, LLC, will take over ownership of this road once the abandonment is completed.

Sincerely,

The Board of Directors
Rockwall Community Playhouse

49

CITY OF ROCKWALL

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ABANDONING AND CONVEYING A 0.40-ACRE TRACT OF RIGHT-OF-WAY BEING ALL OF ALUMINIMUM PLANT ROAD TO THE ROCKWALL ECONOMIC DEVELOPMENT CORPORATION; IDENTIFYING A MUNICIPAL PURPOSE AND AN EFFECTIVE DATE.

WHEREAS, Phil Wagner of the Rockwall Economic Development Corporation (REDC) has requested that the City Council of the City of Rockwall abandon and convey a 0.40-acre tract of right-of-way being identified as Aluminum Plant Road (*i.e. the "Property"*) -- *more particularly described by metes and bounds in Exhibit 'A' of this resolution* -- to the REDC for the purpose of economic development; and,

WHEREAS, The *Property* abuts property owned by Alvaplast US Development, LLC [*SPR Packaging*] that is described as Tract 7 of the N. Butler Survey, Abstract No. 20 [*11.3736-acres*], and property owned by the Rockwall Community Playhouse that is described as Tract 68 of the R. Ballard Survey, Abstract No. 29 [*7.497-acres*]; and,

WHEREAS, *Section 272.001(b)* of the *Texas Local Government Code* provides that land, including streets or alleys, owned in fee or used by easement by a political subdivision of the state, may be conveyed, sold or exchanged for less than fair market value with one or more of the abutting property owners who own the underlying fee; and,

WHEREAS, The Rockwall Community Playhouse has provided the City of Rockwall with a letter vacating their interest in the *Property*, and the REDC has stated that the intention of the abandonment is to convey the *Property* to Alvaplast US Development, LLC [*SPR Packaging*]; and,

WHEREAS, the City Council finds that it is in the best interest of the City to convey the *Property* to the REDC; and

WHEREAS, the City of Rockwall wishes to abandon the *Property* subject to the terms and conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. PROPERTY. The *Property* being a right-of-way of the City of Rockwall is more or less described as:

A tract of land situated in the R. BALLARD SURVEY, ABSTRACT NO. 21, City of Rockwall, Rockwall County, Texas, and being a part of the right-of-way for Aluminum Plat Road per Deed to the City of Rockwall, Texas, as recorded in Volume 67, Page 116 of the Deed Records of Rockwall County, Texas, and which is more particularly described by metes and bounds in Exhibit 'A' (Property), save and except any utility easements used for municipal purposes.

SECTION 2. QUITCLAIM. *Section 272.001(b)* of the Texas Local Government Code allows the city to convey city-owned property at less than fair market value to the REDC. The

DRAFT RESOLUTION 06.03.19

Mayor of the City or the City Manager as the case may be are authorized to quitclaim the *Property* described in *Section 1* hereof to the REDC.

SECTION 3. LIMITATIONS. The abandonment of the *Property* shall extend only to the public right, title and easement in and to the tracts of land described in *Exhibit 'A'* of this resolution, and shall be construed only to that interest the governing body of the City may legally and lawfully abandon.

SECTION 4. MUNICIPAL PURPOSE. The *Property* described in *Section 1*, save and except the municipal utility easements located thereon, is no longer needed for municipal purposes and it is in the public interest of the City, to abandon said described right-of-way to the REDC.

SECTION 5. EXCEPTIONS. In addition to the express reservations provided for in *Section 1* hereof, the conveyance is made subject to any and all valid, conditions, easements, restrictions and the like, whether or record or not in the real property records of Rockwall County Texas.

SECTION 6. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this *Resolution* are true and correct and incorporates them as findings of fact.

SECTION 7. EFFECTIVE DATE. This *Resolution* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 28TH DAY OF MAY, 2019.

APPROVED:

_____
Jim Pruitt, *Mayor*

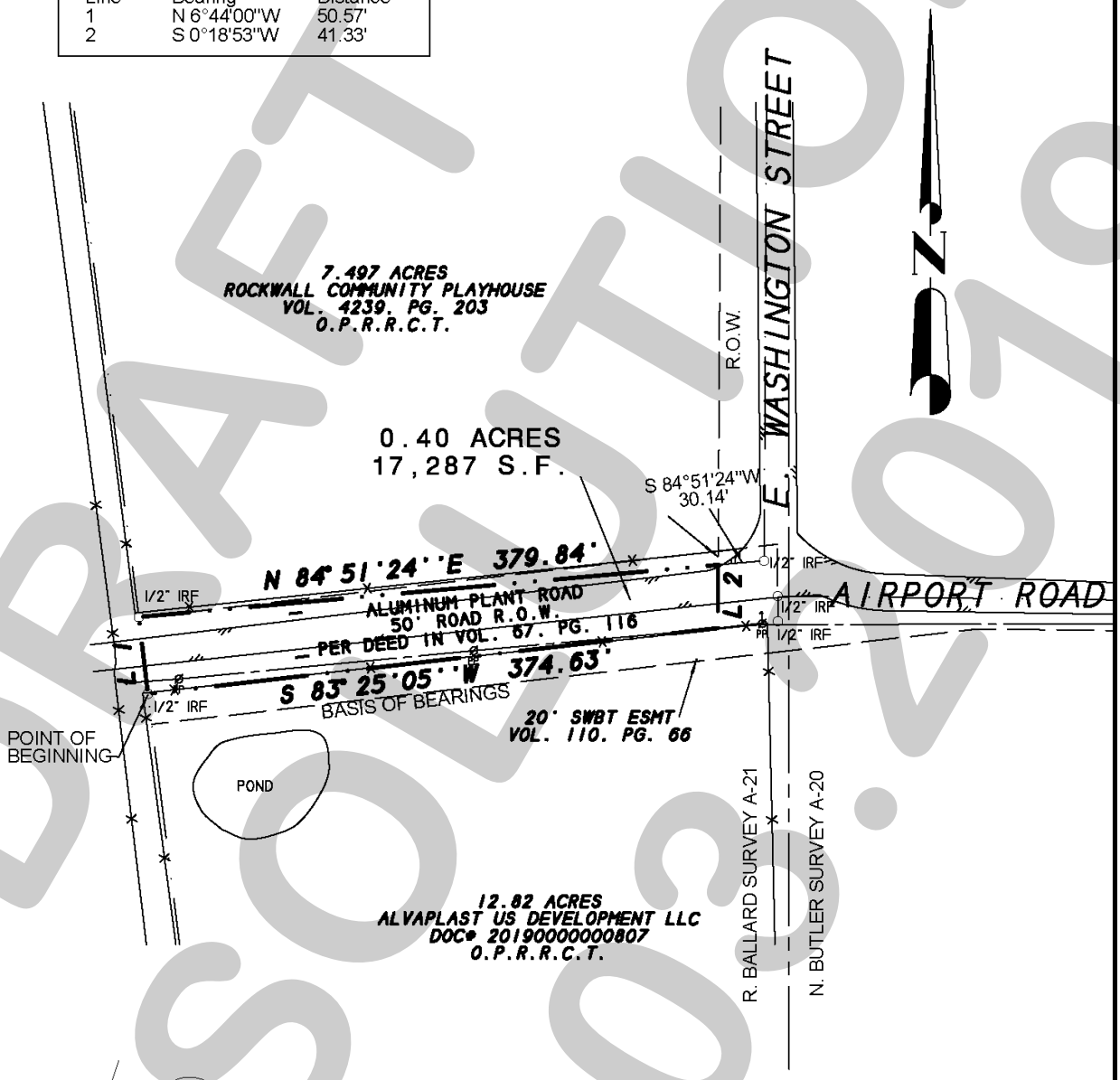
ATTEST:

_____
Kristy Cole, *City Secretary*

DRAFT RESOLUTION 06.03.2019

EXHIBIT "A"

LINE TABLE		
Line	Bearing	Distance
1	N 6°44'00"W	50.57'
2	S 0°18'53"W	41.33'



SYMBOL LEGEND				
TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

Harold D. Fetty III, R.P.L.S. No. 5034

STATE OF TEXAS REGISTERED HAROLD D. FETTY III 5034 PROFESSIONAL LAND SURVEYOR

SURVEY DATE MAY 13, 2019
SCALE 1" = 100' FILE # 20051357-1
CLIENT REDC

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

DRAFT RESOLUTION 05.07.19

52

BEING a tract of land situated in the *R. BALLARD SURVEY, ABSTRACT NO. 21*, City of Rockwall, Rockwall County, Texas, and being a part of the right-of-way for Aluminum Plat Road per Deed to the City of Rockwall, Texas, as recorded in Volume 67, Page 116 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

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THENCE S. 00 deg. 18 min. 53 sec. W. along the west right-of-way of E. Washington Street and Airport Road, a distance of 41.33 feet to a ½" iron rod found for corner in the south line of Aluminum Plant Road and the north boundary line of said Alvaplast UD Development LLC tract;

THENCE S. 83 deg. 25 min. 05 sec. W. along the south line of said road and north line of said tract, a distance of 374.63 feet to the *POINT OF BEGINNING* and containing 17,287 square feet or 0.40 acres of land.

DRAFT RESOLUTION 06.03.2019

53

CITY OF ROCKWALL

RESOLUTION NO. 19-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ABANDONING AND CONVEYING A 0.40-ACRE TRACT OF RIGHT-OF-WAY BEING ALL OF ALUMINIMUM PLANT ROAD TO THE ROCKWALL ECONOMIC DEVELOPMENT CORPORATION; IDENTIFYING A MUNICIPAL PURPOSE AND AN EFFECTIVE DATE.

WHEREAS, Phil Wagner of the Rockwall Economic Development Corporation (REDC) has requested that the City Council of the City of Rockwall abandon and convey a 0.40-acre tract of right-of-way being identified as Aluminum Plant Road (*i.e. the "Property"*) -- *more particularly described by metes and bounds in Exhibit 'A' of this resolution* -- to the REDC for the purpose of economic development; and,

WHEREAS, The *Property* abuts property owned by Alvaplast US Development, LLC [*SPR Packaging*] that is described as Tract 7 of the N. Butler Survey, Abstract No. 20 [*11.3736-acres*], and property owned by the Rockwall Community Playhouse that is described as Tract 68 of the R. Ballard Survey, Abstract No. 29 [*7.497-acres*]; and,

WHEREAS, *Section 272.001(b)* of the *Texas Local Government Code* provides that land, including streets or alleys, owned in fee or used by easement by a political subdivision of the state, may be conveyed, sold or exchanged for less than fair market value with one or more of the abutting property owners who own the underlying fee; and,

WHEREAS, The Rockwall Community Playhouse has provided the City of Rockwall with a letter vacating their interest in the *Property*, and the REDC has stated that the intention of the abandonment is to convey the *Property* to Alvaplast US Development, LLC [*SPR Packaging*]; and,

WHEREAS, the City Council finds that it is in the best interest of the City to convey the *Property* to the REDC; and

WHEREAS, the City of Rockwall wishes to abandon the *Property* subject to the terms and conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

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SECTION 2. QUITCLAIM. *Section 272.001(b)* of the Texas Local Government Code allows the city to convey city-owned property at less than fair market value to the REDC. The

Mayor of the City or the City Manager as the case may be are authorized to quitclaim the *Property* described in *Section 1* hereof to the REDC.

SECTION 3. LIMITATIONS. The abandonment of the *Property* shall extend only to the public right, title and easement in and to the tracts of land described in *Exhibit 'A'* of this resolution, and shall be construed only to that interest the governing body of the City may legally and lawfully abandon.

SECTION 4. MUNICIPAL PURPOSE. The *Property* described in *Section 1*, save and except the municipal utility easements located thereon, is no longer needed for municipal purposes and it is in the public interest of the City, to abandon said described right-of-way to the REDC.

SECTION 5. EXCEPTIONS. In addition to the express reservations provided for in *Section 1* hereof, the conveyance is made subject to any and all valid, conditions, easements, restrictions and the like, whether or record or not in the real property records of Rockwall County Texas.

SECTION 6. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this *Resolution* are true and correct and incorporates them as findings of fact.

SECTION 7. EFFECTIVE DATE. This *Resolution* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 3rd DAY OF June, 2019.

APPROVED:

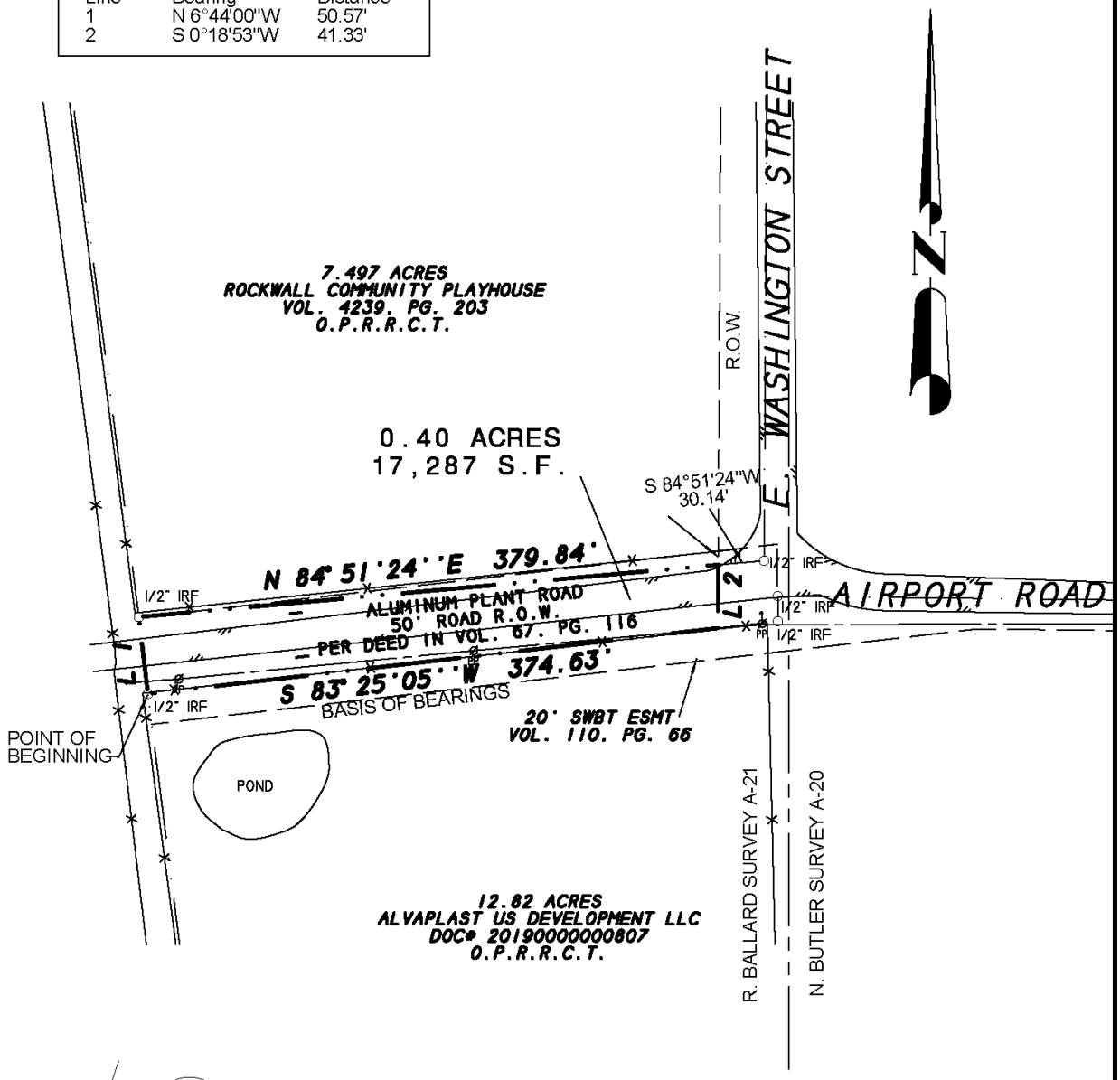
_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

EXHIBIT "A"

LINE TABLE		
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Harold D. Fetty III, R.P.L.S. No. 5034

STATE OF TEXAS REGISTERED HAROLD D. FETTY III 5034 PROFESSIONAL LAND SURVEYOR

SYMBOL LEGEND				
TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
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FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE MAY 13, 2019
SCALE 1" = 100' FILE # 20051357-1
CLIENT REDC

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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57

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58

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	June 3, 2019
APPLICANT:	Robert Howman; *Glen Engineering*
CASE NUMBER:	P2019-020; *Lot 2, Block A, RISD Elementary School Addition*

SUMMARY

Consider a request by Robert Howman of Glenn Engineering on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of replat for Lot 2, Block A, RISD Elementary School Addition being a 17.2922-acre tract of land being identified as Lot 1, Block A, RISD Elementary School Addition and Tract 2-7 of the W. T. Deweese Survey, Abstract No. 71, City of Rockwall, Rockwall, Texas, zoned Planned Development District 70 (PD-70) for single family land uses, located at the southeast corner of Greenway Boulevard and FM-552, and take any action necessary.

PLAT INFORMATION

☑ The objective of this request is to final plat a 17.2922-acre tract of land [*i.e. Lot 1, Block A, RISD Elementary School Addition & Tract 2-7 of the W. T. Deweese Survey*], creating one (1) tract of land [*i.e. Lot 2, Block A, RISD Elementary School Addition*] for the purpose of constructing a single-story, 91,983 SF public school facility [*i.e. RISD Elementary School No. 15*], and adding the necessary fire lane and utility easements for this development. The property is zoned Planned Development District 70 (PD-70) for single-family land uses and is addressed as 2911 Greenway Drive.

☑ On October 19, 2009, the City Council approved Planned Development District 70 (PD-70) [*i.e. Ordinance No. 09-44*] allowing for Single Family 10 (SF-10) and limited General Retail (GR) District land uses on the subject property.

☑ On November 11, 2018, the Planning and Zoning Commission approved a site plan [*i.e. SP2018-032*] allowing for the construction of a public-school facility. As a condition of approval of this case, a treescape plan was required to be submitted with the final plat. The applicant has provided a treescape plan indicating a total of 224-caliper-inches will be removed from the site. Additionally, the applicant has also provided a landscape plan showing mitigation for all the inches being removed [*i.e. 75, three (3)-inch trees = 225-caliper inches*]. This satisfies the mitigation requirements. Approval of this plat shall constitute the approval of the proposed treescape and mitigation plans.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

CONDITIONS OF APPROVAL

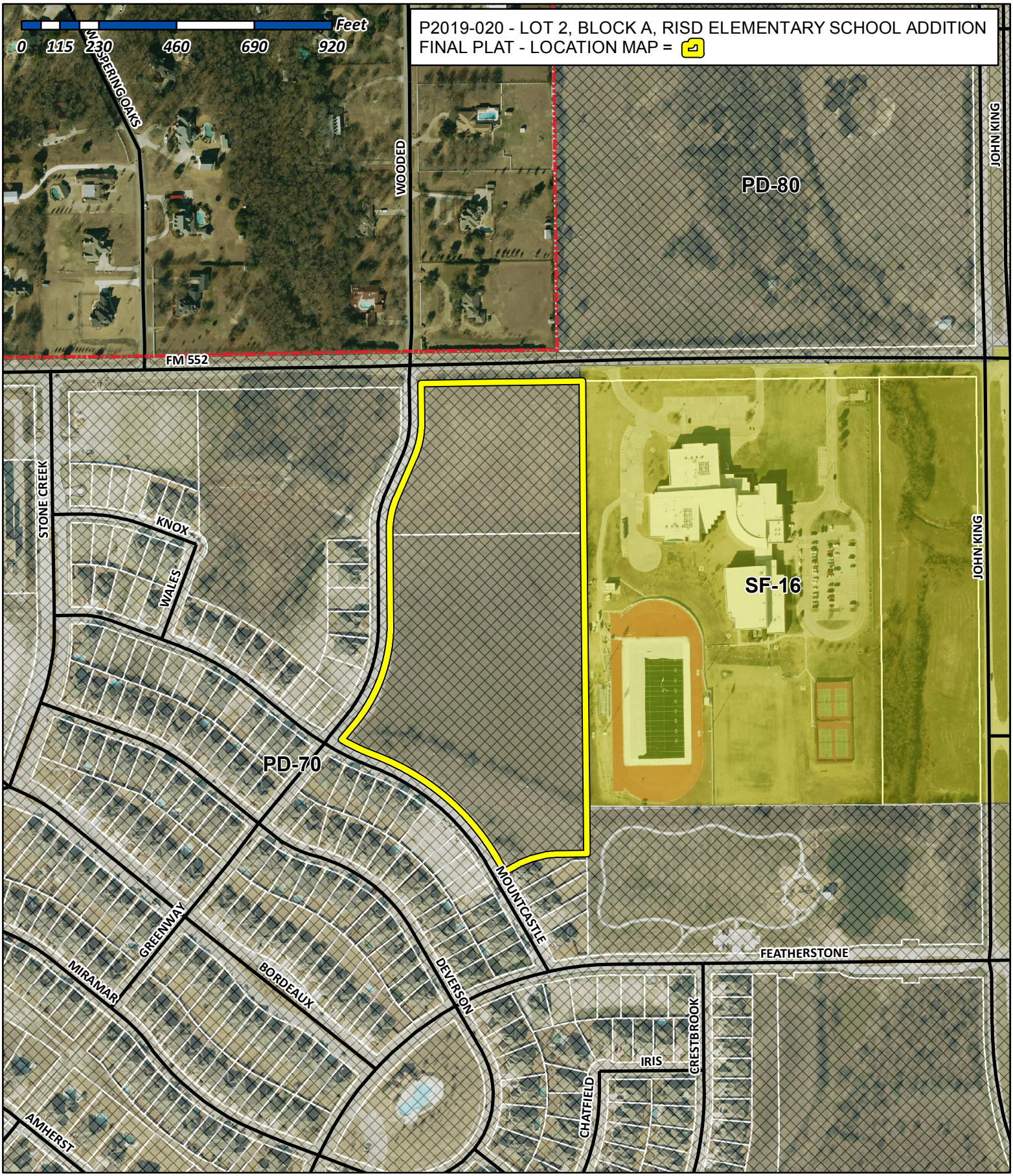
If the City Council chooses to approve the final plat for *Lot 2, Block A, RISD Elementary School Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

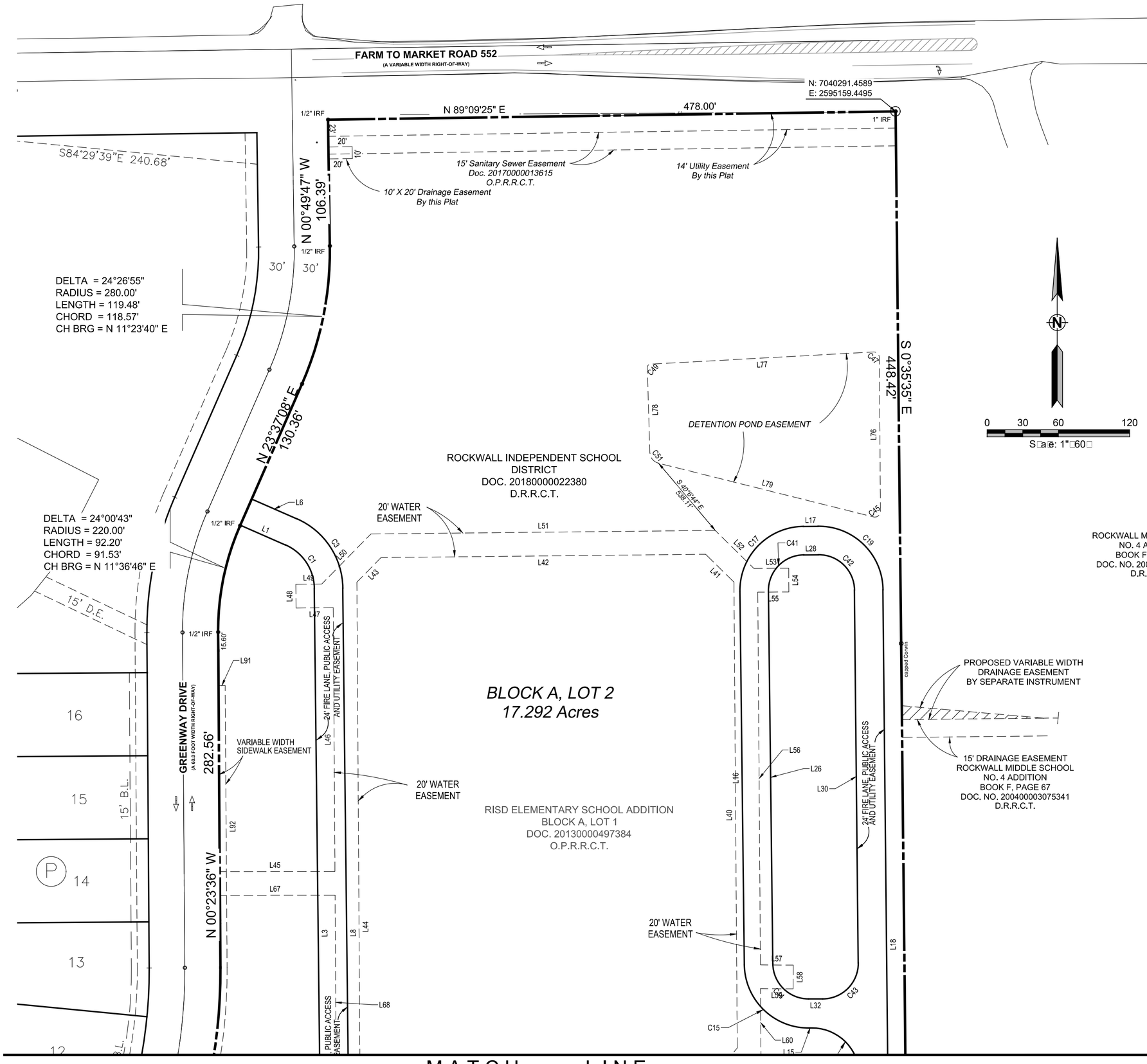
On May 28, 2019, the Planning and Zoning Commission's motion to recommend approval of the final plat with staff conditions passed by a vote of 7 to 0.

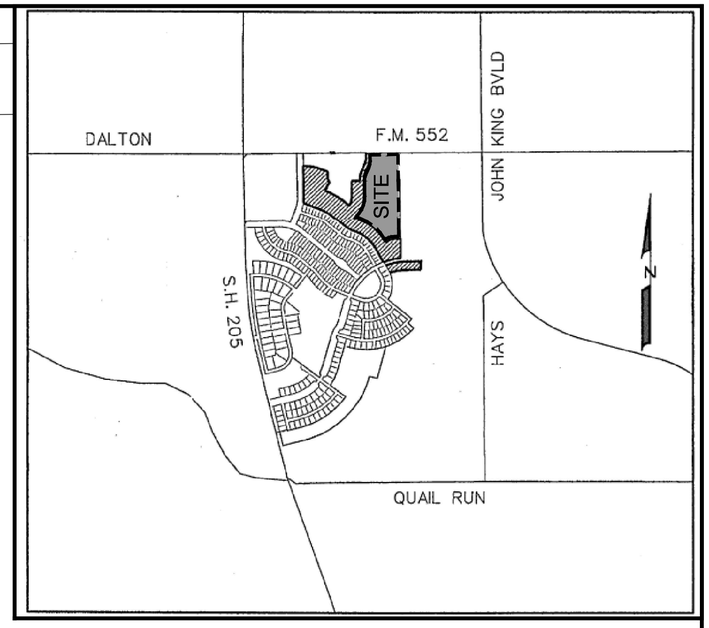


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





VICINITY MAP

N.T.S.

MATCH LINE

GENERAL NOTES:

1. The purpose of this replat is to combine two parcels of land into one tract for development of a new school.
2. Basis of Bearings and Coordinates shown are based on Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, to scale and to project.
3. The property owner shall be responsible for all maintenance, repair and reconstruction of adjacent and detention easements.

OWNER:	ENGINEER:	SURVEYOR:
ROCKWALL I.S.D. 1050 WILLIAMS STREET ROCKWALL, TEXAS 75087 (972) 771-0605	**GLENN ENGINEERING CORP.** **105 DECKER COURT, SUITE 910** **IRVING, TEXAS 75062** **TBPE FIRM NO. F-303** **(972) 717-5151** **(972) 717-2176 FAX** **CONTACT: MIKE GLENN, P.E.**	REALSEARCH OF TEXAS, LLC P.O. BOX 1006 GODLEY, TEXAS 76044 TBPLS NO. 10158200 (817) 937-2655 CONTACT: JEREMY DEAL

REPLAT

RISD ELEMENTARY SCHOOL ADDITION
BLOCK A, LOT 2

BEING A REPLAT OF
RISD ELEMENTARY SCHOOL ADDITION
BLOCK A, LOT 1

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

17.292 ACRES

04-24-19 Case No. PXX-XX Sheet 1 of 4

MATCH LINE

BLOCK A, LOT 2
17.292 Acres

20' WATER EASEMENT

20' WATER EASEMENT

VARIABLE WIDTH SIDEWALK EASEMENT

24' FIRE LANE, PUBLIC ACCESS AND UTILITY EASEMENT

20' X 20' VISIBILITY EASEMENT CLIP

DELTA = 39°23'57"
RADIUS = 455.00'
LENGTH = 312.88'
CHORD = 306.75'
CH BRG = N 19°18'22" E

N 39°0'21" E
67.60'

DELTA = 08°02'52"
RADIUS = 790.00'
LENGTH = 110.96'
CHORD = 110.87'
CH BRG = N 65°10'13" W

MOUNTCASTLE DRIVE
(A 60.0 FOOT WIDTH RIGHT-OF-WAY)

DELTA = 39°08'51"
RADIUS = 710.00'
LENGTH = 485.11'
CHORD = 475.73'
CH BRG = N 49°37'14" W

RISD ELEMENTARY SCHOOL ADDITION
BLOCK A, LOT 1
DOC. 20130000497384
O.P.R.R.C.T.

ROCKWALL MIDDLE SCHOOL NO. 4 ADDITION
BLOCK A, LOT 1
CABINET F, PAGE 67
P.R.R.C.T.

951.61'

821.61'

N 00°35'35" W

130.00'

S 00°35'35" E

POINT OF BEGINNING

N 30°2'48" W
41.62'

S 59°57'12" W
30.14'

S 89°25'13" W
77.24'

N: 7038891.5088
E: 2595173.9406

DELTA = 29°28'01"
RADIUS = 285.00'
LENGTH = 146.57'
CHORD = 144.96'
CH BRG = S 07°41'13" W

0 30 60 120
Scale: 1" = 60'

GENERAL NOTES:

1. The purpose of this replat is to combine two parcels of land into one tract for development of a new school.
2. Basis of Bearings and Coordinates shown are based on Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, to scale and rotation.
3. The property owner shall be responsible for all maintenance, repair and reconstruction of all drainage and detention easements.

OWNER:	ENGINEER:	SURVEYOR:
ROCKWALL I.S.D. 1050 WILLIAMS STREET ROCKWALL, TEXAS 75087 (972) 771-0605	GLENN ENGINEERING CORP. 105 DECKER COURT, SUITE 910 IRVING, TEXAS 75062 TBPE FIRM NO. F-303 (972) 717-5151 (972) 717-2176 FAX CONTACT: MIKE GLENN, P.E.	REALSEARCH OF TEXAS, LLC P.O. BOX 1006 GODLEY, TEXAS 76044 TBPLS NO. 10158200 (817) 937-2655 CONTACT: JEREMY DEAL

REPLAT

RISD ELEMENTARY SCHOOL ADDITION
BLOCK A, LOT 2

BEING A REPLAT OF
RISD ELEMENTARY SCHOOL ADDITION
BLOCK A, LOT 1

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

17.292 ACRES

04-24-19 Case No. PXX-XX Sheet 2 of 4

Line Table		
Line #	Length	Direction
L1	41.54	S66° 22' 53"E
L3	580.95	S00° 38' 51"E
L5	42.65	S32° 08' 19"W
L6	41.54	S66° 22' 53"E
L8	580.95	S00° 38' 51"E
L10	36.05	S32° 08' 19"W
L11	12.72	N43° 48' 28"E
L12	196.75	N00° 38' 51"W
L13	189.05	N89° 46' 30"E
L14	9.02	N00° 10' 20"W
L15	2.61	S89° 53' 32"W
L16	314.43	N00° 41' 04"W
L17	12.39	N89° 24' 25"E
L18	597.57	S00° 35' 35"E
L19	160.72	S00° 02' 14"W
L20	7.25	N59° 57' 12"E
L21	160.72	N00° 02' 14"E
L22	96.09	N00° 35' 35"W
L23	189.61	S89° 46' 30"W
L24	196.75	S00° 38' 51"E

Line Table		
Line #	Length	Direction
L25	12.72	S43° 48' 28"W
L26	313.98	N00° 41' 04"W
L28	12.39	N89° 24' 25"E
L30	314.08	S00° 35' 35"E
L32	11.89	S89° 53' 32"W
L34	162.77	N89° 38' 37"E
L35	52.62	N39° 27' 49"E
L36	54.62	N50° 32' 11"W
L37	20.00	N39° 27' 49"E
L38	54.62	S50° 32' 11"E
L39	169.56	N39° 27' 49"E
L40	392.43	N00° 24' 25"W
L41	33.49	N45° 30' 00"W
L42	273.31	S89° 24' 25"W
L43	28.99	S44° 31' 31"W
L44	580.39	S00° 21' 23"E
L45	100.80	N89° 56' 49"E
L46	222.20	N00° 21' 23"W
L47	31.36	S89° 24' 25"W
L48	20.00	N00° 35' 35"W

Line Table		
Line #	Length	Direction
L49	21.81	N89° 24' 25"E
L50	59.16	N44° 31' 31"E
L51	289.88	N89° 24' 25"E
L52	45.74	S45° 30' 00"E
L53	29.24	N89° 35' 35"E
L54	20.00	S00° 24' 25"E
L55	26.15	S89° 35' 35"W
L56	313.98	S00° 24' 25"E
L57	27.66	S89° 33' 53"E
L58	20.00	S00° 26' 07"W
L59	27.45	N89° 33' 53"W
L60	57.25	S00° 21' 23"E
L61	258.59	S39° 27' 49"W
L62	192.13	S89° 38' 37"W
L63	83.52	N00° 21' 23"W
L64	109.00	S89° 38' 37"W
L65	18.72	S44° 38' 37"W
L66	21.39	N65° 39' 49"W
L67	100.91	N89° 56' 49"E
L68	180.67	S00° 21' 23"E

Line Table		
Line #	Length	Direction
L69	24.21	S89° 46' 40"W
L70	20.00	S00° 13' 20"E
L71	24.25	N89° 46' 40"E
L72	32.63	S00° 21' 23"E
L73	117.28	S89° 38' 37"W
L74	18.41	S44° 38' 37"W
L75	5.61	N65° 39' 49"W
L76	129.59	N00° 24' 55"W
L77	188.07	S86° 52' 11"W
L78	71.50	S01° 42' 39"E
L79	186.48	S75° 58' 18"E
L80	5.19	N47° 49' 58"E
L83	4.74	S56° 34' 52"W
L84	5.23	N31° 46' 30"E
L86	5.37	S39° 58' 44"W
L87	4.24	N26° 10' 23"E
L88	55.31	S67° 16' 05"E
L89	63.78	S67° 05' 42"E
L90	5.07	S24° 09' 41"W
L91	5.62	N89° 36' 24"E

Line Table		
Line #	Length	Direction
L92	237.60	S00° 23' 36"E
L94	5.60	N50° 59' 39"W

Curve Table			
Curve #	Length	Radius	Delta
C1	46.46	46.46	065°44'02"
C2	114.73	114.73	032°47'11"
C3	74.00	74.00	065°44'02"
C4	128.47	128.47	032°47'11"
C5	17.73	17.73	033°51'46"
C7	116.77	116.77	044°27'19"
C9	117.57	117.57	090°25'22"
C11	47.10	47.10	089°56'50"
C13	62.83	62.83	090°00'00"
C15	84.28	84.28	089°25'24"
C17	84.91	84.91	090°05'29"
C19	84.82	84.82	090°00'00"
C21	51.41	51.41	023°45'21"
C22	50.05	50.05	023°07'33"
C24	175.54	175.54	080°46'59"
C25	100.51	100.51	020°51'58"
C26	17.30	17.30	033°01'58"
C28	109.24	109.24	020°51'46"
C29	141.69	141.69	080°46'44"
C31	59.74	59.74	023°07'33"

Curve Table			
Curve #	Length	Radius	Delta
C32	41.46	41.46	023°45'21"
C34	46.95	46.95	089°39'44"
C36	79.70	79.70	090°25'22"
C38	135.39	135.39	044°27'19"
C40	17.19	17.19	027°21'33"
C41	47.17	47.17	090°05'29"
C42	47.12	47.12	090°00'00"
C43	47.38	47.38	090°29'07"
C44	46.82	46.82	089°25'24"
C45	8.66	8.66	104°26'38"
C47	7.69	7.69	092°42'54"
C49	4.25	4.25	088°34'50"
C51	12.64	12.64	074°15'39"
C53	81.56	81.56	007°17'42"
C54	27.64	27.64	002°28'21"
C55	102.44	102.44	009°04'33"
C56	319.88	319.88	039°47'25"
C57	19.51	19.51	029°24'51"
C58	15.16	15.16	028°57'10"

GENERAL NOTES:

1. The □r□ose of th□s re□at□s to □o□ □□e t□o □ar□e□s of □a□d □to o□e tra□t for de□e□o□□e□t of a □e□ s□hoo□.

2. Bas□s of Bear□□ a□d Coord□ates sho□□ are □ased o□Te□as State P□a□e Coord□ate S□ste□, North Ce□tra□□o□e, North A□er□a□ Dat□□ of 1983 o□ Gr□d Coord□ate □a□es, □o s□a□e a□d □o □ro□e□to□.

3. The □ro□ert□o□□er sha□□e res□o□s□□e for a□□ a□te□a□□e, re□ar a□d re□o□str□□t□o□ of a□dra□a□e a□d dete□t□o□ease□e□ts.

OWNER:
ROCKWALL I.S.D.
1050 WILLIAMS STREET
ROCKWALL, TEXAS 75087
(972) 771-0605

ENGINEER:
GLENN ENGINEERING CORP.
105 DECKER COURT, SUITE 910
IRVING, TEXAS 75062
TBPE FIRM NO. F-303
(972) 717-5151
(972) 717-2176 FAX
CONTACT: MIKE GLENN, P.E.

SURVEYOR:
REALSEARCH OF TEXAS, LLC
P.O. BOX 1006
GODLEY, TEXAS 76044
TBPLS NO. 10158200
(817) 937-2655
CONTACT: JEREMY DEAL

REPLAT

RISD ELEMENTARY SCHOOL ADDITION
BLOCK A, LOT 2

BEING A REPLAT OF
RISD ELEMENTARY SCHOOL ADDITION
BLOCK A, LOT 1

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

17.292 ACRES

04-24-19 Case No. PXX-XX Sheet 3 of 4

STATE OF TEXAS §

COUNTY OF ROCKWALL §

OWNER'S CERTIFICATE

WHEREAS Rockwall Independent School District is the owner of a 17.292 acre tract of land situated in the W.T. DeWeese Survey, Abstract No. 71 in the City of Rockwall, Rockwall County, Texas, and being all of a Lot 1, Block A, RISD Elementary School Addition to the City of Rockwall as recorded in Document No. 20130000497134, official Public Records, Rockwall County, Texas, and being all of a 5.288 acre tract of land conveyed to Rockwall Independent School District according to the deed recorded in Document No. 20180000022380, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found at the southwest corner of a Rockwall Middle School No. 4 Addition, an addition to the City of Rockwall, as described in Cabinet F, Page 67, in the Plat Records of Rockwall County, Texas;

THENCE, South 00° 35'35" East, for a distance of 130.00 feet, to a ½ inch iron rod set with Yellow Cap;

THENCE South 89°25'13" West, for a distance of 77.24 feet, to a ½ inch iron rod set with Yellow Cap at the point of curvature of a curve to the left, having a radius of 285.00 feet, a central angle of 29°28'01", and a tangent of 74.95 feet;

THENCE, continuing along said curve to the left for an arc distance of 146.57 feet (Chord Bearing South 74°41'12" West - 144.96 feet), to a ½ inch iron rod set with Yellow Cap at the point of tangency;

THENCE, South 59°57'12" West, for a distance of 30.14 feet, to a ½ inch iron rod set with Yellow Cap;

THENCE, North 30°02'48" West, for a distance of 41.62 feet, to a ½ inch iron rod set with Yellow Cap at the point of curvature of a curve to the left, having a radius of 710.00 feet, a central angle of 39°08'51", and a tangent of 252.45 feet;

THENCE, along said curve to the left for an arc distance of 485.11 feet (Chord Bearing North 49°37'14" West - 475.73 feet), to a ½ inch iron rod set with Yellow Cap at the point of reverse curvature of a curve to the right, having a radius of 790.00 feet, a central angle of 08°02'52", and a tangent of 55.57 feet;

THENCE, along said curve to the right for an arc distance of 110.96 feet (Chord Bearing North 65°10'13" West- 110.87 feet), to a ½ inch iron rod set with Yellow Cap;

THENCE, North 39°00'21" East, for a distance of 67.60 feet, to a ½ inch iron rod set with Yellow Cap at the point of curvature of a curve to the left, having a radius of 455.00 feet, a central angle of 39°23'57", and a tangent of 162.91 feet;

THENCE, along said curve to the left for an arc distance of 312.88 feet (Chord Bearing North 19°18'22" East - 306.75 feet), to a ½ inch iron rod set with Yellow Cap at the point of tangency;

THENCE, North 00°23'36" West, for a distance of 282.56 feet passing the northwest corner at 266.96 feet of said Block A, Lot 1, to a ½ inch iron rod set with Yellow Cap, said point being the beginning of a curve to the right having a central angle of 24°00'43", a radius of 220.00 feet and a chord bearing of North 11°36'46" East and a chord distance of 91.53 feet;

THENCE, along said curve to the right an arc length of 92.20 feet to a point for corner;

THENCE, North 23°37'06" East, a distance of 130.36 feet to a point for corner, said point being the beginning of a curve to the left having a central angle of 24°26'55", a radius of 280.00 feet, a chord bearing of North 11°23'40" East and a chord distance of 118.57 feet;

THENCE, along said curve to the left an arc length of 119.48 feet to a point for corner;

THENCE, North 00°49'47" West, a distance of 106.39 feet to a point for corner;

THENCE, North 89° 09'25" East, a distance of 478.00 feet to a point for corner;

THENCE, South 00°35'35" East, along the west line of said Rockwall Middle School No. 4 Addition, for a distance of 1270.03 feet, to the POINT OF BEGINNING and containing 17.292 acres of land.

STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ and _____ known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

_____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Given upon my hand and seal of office this _____day of _____ , 20__

GENERAL NOTES

General Notes:

1) It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Jeremy Luke Deal, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____

Jeremy Luke Deal, Registered Public Surveyor No. 5696

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §

COUNTY OF ROCKWALL §

We the undersigned owner of the land shown on this plat, and designated herein as the REPLAT, BLOCK A,LOT 2, RISD ELEMENTARY ADDITION, a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the [SUBDIVISION NAME] subdivision have been notified and signed this plat. I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

ROCKWALL INDEPENDENT SCHOOL DISTRICT

_____ _____

President, Board of Trustees Superintendent

STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ and _____ known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

_____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Given upon my hand and seal of office this _____day of _____ , 20__

RECOMMENDED FOR FINAL APPROVAL

_____

Planning & Zoning Commission, Chairman Date

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 20__.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 20__.

_____ _____ _____

Mayor, City of Rockwall City Secretary, City of Rockwall City Engineer

OWNER:
ROCKWALL I.S.D.
1050 WILLIAMS STREET
ROCKWALL, TEXAS 75087
(972) 771-0605

ENGINEER:
GLENN ENGINEERING CORP.
105 DECKER COURT, SUITE 910
IRVING, TEXAS 75062
TBPE FIRM NO. F-303
(972) 717-5151
(972) 717-2176 FAX
CONTACT: MIKE GLENN, P.E.

SURVEYOR:
REALSEARCH OF TEXAS, LLC
P.O. BOX 1006
GODLEY, TEXAS 76044
TBPLS NO. 10158200
(817) 937-2655
CONTACT: JEREMY DEAL

REPLAT

RISD ELEMENTARY SCHOOL ADDITION BLOCK A, LOT 2

BEING A REPLAT OF
RISD ELEMENTARY SCHOOL ADDITION
BLOCK A, LOT 1

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

17.292 ACRES

04-24-19 Case No. PXX-XX Sheet 4 of 4

65

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	June 3, 2019
APPLICANT:	Cameron Slown; *FC Cuny Corporation*
CASE NUMBER:	P2019-021; *Lots 1, 2, & 3, Block A, Town Place Marriott Addition*

SUMMARY

Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Greencrest TPS Hotel, LP for the approval of a final plat of Lots 1-3, Block A, Town Place Marriott Addition being an 8.715-acre tract of land identified as a portion of Lot 1, Block B, Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to final plat an 8.715-acre tract of land (*i.e. a portion of Lot 1, Block B, Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145*) into three (3) lots (*i.e. Lots 1, 2, & 3, Block A, Town Place Marriott Addition*) for the purpose of establishing the necessary firelane, drainage, detention, and utility easements necessary to develop the subject property.

☑ On February 6, 2017, the City Council approved *Case No. Z2016-045* for a Specific Use Permit (SUP) [*Ordinance No. 17-07; SUP No. S-161*] for a residence hotel on Lot 2. On February 19, 2017, the City Council approved *Case No. MIS2018-004* for a one (1) year extension of the Specific Use Permit (SUP) [*Ordinance No. 17-07; SUP No. S-161*].

☑ On September 4, 2018, the City Council approved a treescape plan [*Case No. MIS2018-018*] on Lot 3 for the purpose of removing trees to facilitate future development on this site.

☑ On October 9, 2018, the Planning and Zoning Commission approved a site plan [*Case No. SP2019-029*] and recommended approval of variances associated with residence hotel on Lot 2. Subsequently, on November 11, 2019, the City Council approved the requested variances.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

CONDITIONS OF APPROVAL

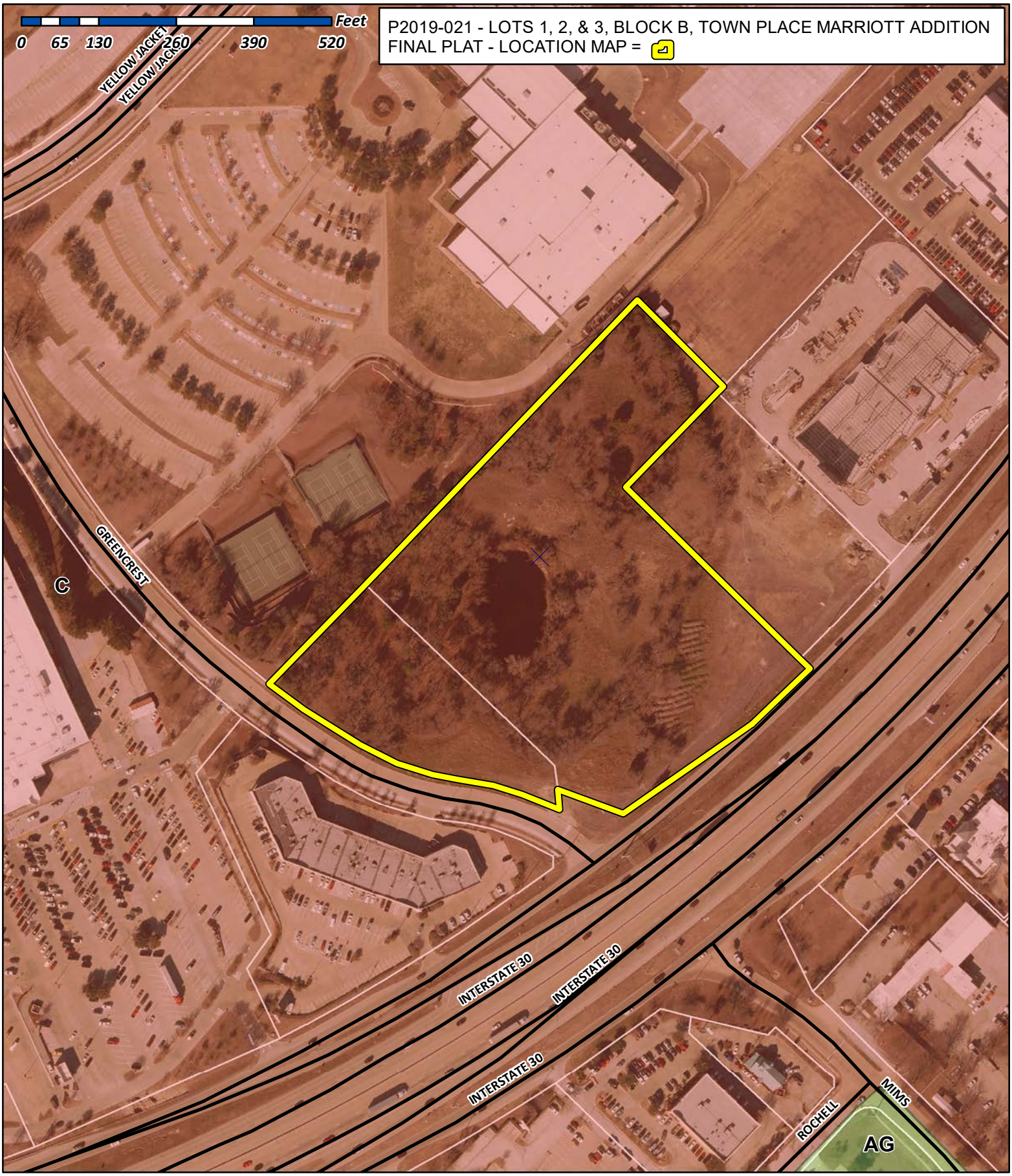
If the City Council chooses to approve the final plat for *Lots 1, 2, & 3, Block A, Town Place Marriott Addition*, staff would propose the following conditions of approval:

(1) The Final Plat shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government

PLANNING AND ZONING COMMISSION

On May 28, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request was approved by a motion of 7-0.



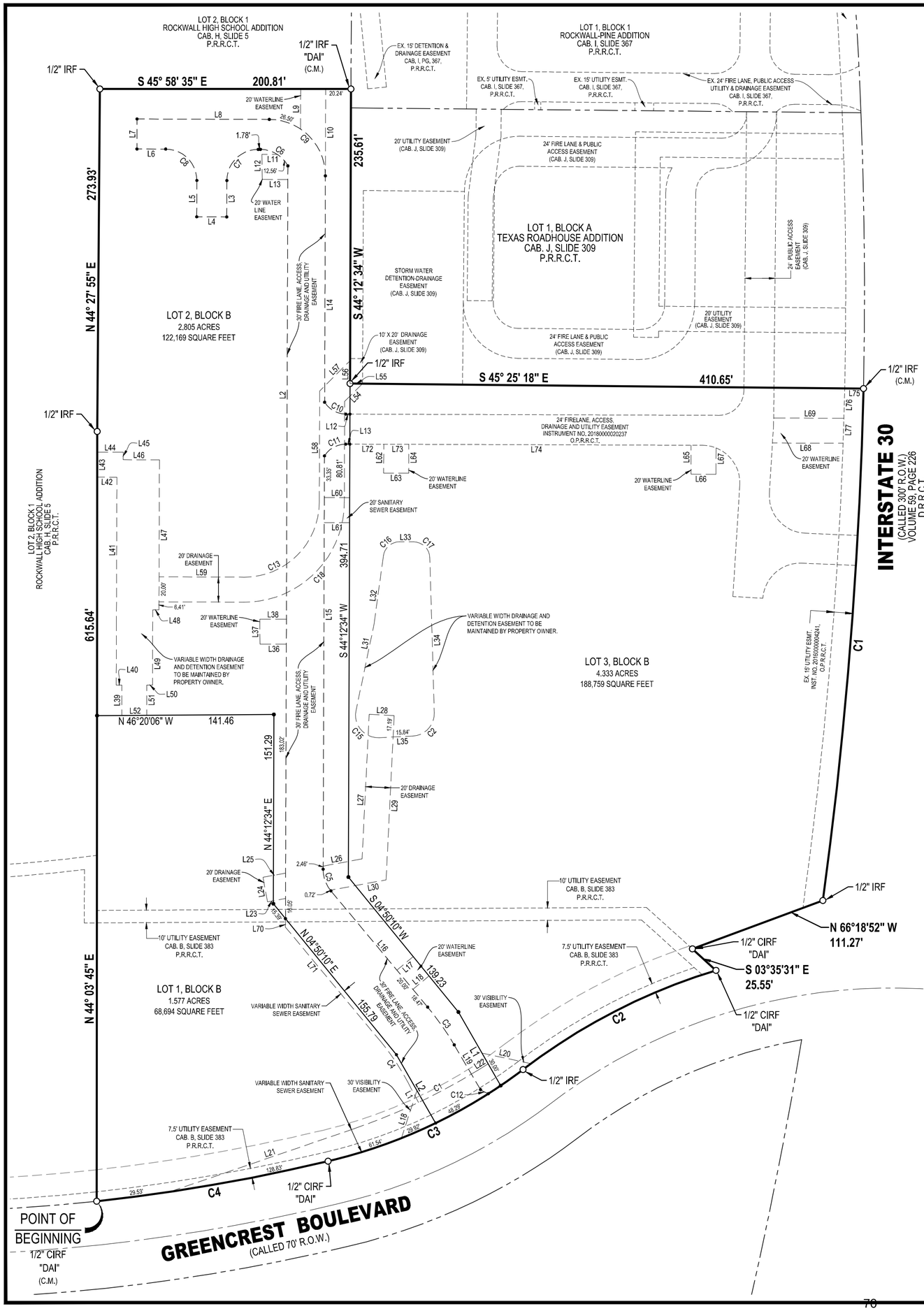
P2019-021 - LOTS 1, 2, & 3, BLOCK B, TOWN PLACE MARRIOTT ADDITION
FINAL PLAT - LOCATION MAP =

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

69



BOUNDARY CURVE TABLE					
CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	3669.86'	6°24'58"	410.95'	S 48°33'37" W	410.74'
C2	485.00'	20°36'28"	174.44'	N 73°10'49" W	173.50'
C3	415.00'	23°57'39"	173.55'	N 71°09'06" W	172.29'
C4	1493.00'	7°12'39"	187.90'	N 55°47'35" W	187.77'

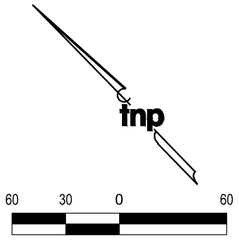
LOT LINE TABLE		
LINE #	BEARING	LENGTH
L1	S14°11'02"W	67.86'
L2	N14°11'02"E	63.09'

EASEMENT LINE TABLE		
LINE #	BEARING	LENGTH
L1	N16°15'08"E	18.13'
L2	S44°12'34"W	602.01'
L3	N44°12'34"E	29.10'
L4	S45°47'26"E	24.00'
L5	S44°12'34"W	29.10'
L6	S45°47'26"E	23.00'
L7	S44°12'34"W	24.00'
L8	N45°47'26"W	105.78'
L9	N44°12'20"E	32.01'
L10	N44°12'20"E	69.49'
L11	S45°47'26"E	12.34'
L12	N45°47'26"W	3.23'
L12	N43°21'50"E	20.00'
L13	S45°47'26"E	3.23'
L13	N45°47'26"W	20.48'
L14	N44°12'34"E	181.04'
L15	N44°12'34"E	330.57'
L16	N04°14'54"E	120.92'
L17	N85°45'06"W	16.97'
L18	N62°07'53"E	40.06'
L18	N85°45'06"W	16.76'
L19	N13°35'46"E	41.58'
L20	N33°49'29"W	40.04'
L21	N64°53'31"W	156.13'
L22	N77°40'28"W	9.60'
L23	N56°28'57"W	14.65'
L24	N33°31'03"E	20.00'
L25	S56°28'57"E	18.43'
L26	S56°28'57"E	31.67'
L27	N46°50'36"E	115.80'

EASEMENT LINE TABLE		
LINE #	BEARING	LENGTH
L28	S43°09'24"E	20.00'
L29	S46°50'36"W	131.61'
L30	N56°28'57"W	45.31'
L31	N55°46'44"E	70.63'
L32	N51°48'40"E	55.14'
L33	S45°47'26"E	11.26'
L34	S42°22'47"W	124.20'
L35	N48°51'59"W	26.98'
L36	S45°47'26"E	21.02'
L37	S43°21'50"W	20.00'
L38	N45°47'26"W	21.32'
L39	S44°12'34"W	24.39'
L40	S45°47'26"E	4.50'
L41	S44°12'34"W	117.15'
L42	S45°47'26"E	15.76'
L43	S44°03'45"W	20.00'
L44	N45°47'26"W	20.81'
L45	N44°12'34"E	6.00'
L46	N45°47'26"W	29.00'
L47	N44°12'34"E	120.00'
L48	S45°47'26"E	5.00'
L49	N44°12'34"E	60.15'
L50	S45°47'26"E	4.50'
L51	N44°12'34"E	24.20'
L52	S46°20'06"E	20.00'
L54	S89°08'01"W	20.16'
L55	S45°42'40"E	10.00'
L56	S44°12'34"W	18.23'
L57	N89°12'34"E	34.27'
L58	N44°12'34"E	89.09'

EASEMENT LINE TABLE		
LINE #	BEARING	LENGTH
L59	S45°47'26"E	67.95'
L60	S45°47'26"E	20.23'
L61	S45°47'26"E	20.23'
L62	S44°12'34"W	23.13'
L63	S45°47'26"E	20.00'
L64	N44°12'34"E	23.13'
L65	S44°12'34"W	23.13'
L66	S45°47'26"E	20.00'
L67	N44°12'34"E	21.08'
L68	N45°47'26"W	56.53'
L69	N45°47'26"W	56.20'
L70	N44°12'34"E	6.81'
L71	N04°14'54"E	118.65'
L72	S45°47'26"E	27.15'
L73	S45°47'26"E	20.00'
L74	S45°47'26"E	225.76'
L75	N45°25'18"W	15.00'
L76	S45°32'34"W	23.90'
L77	S45°53'13"W	20.01'

EASEMENT CURVE TABLE					
CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	490.00'	12°46'57"	109.32'	N 71°17'00" W	109.09'
C2	18.00'	88°45'14"	27.88'	S 86°45'24" W	25.18'
C3	226.50'	9°20'53"	36.95'	N 08°55'20" E	36.91'
C4	190.00'	12°00'14"	39.81'	N 10°15'01" E	39.73'
C5	27.00'	39°57'40"	18.83'	N 24°13'44" E	18.45'
C6	25.00'	61°38'33"	26.90'	S 14°58'10" E	25.62'
C7	25.00'	90°00'00"	39.27'	N 89°12'34" E	35.36'
C8	25.00'	90°00'00"	39.27'	S 00°47'26" E	35.36'
C9	45.00'	90°00'00"	70.69'	N 00°47'26" W	63.64'
C10	20.00'	58°12'42"	20.32'	N 16°41'05" W	19.46'
C11	20.00'	58°12'42"	20.32'	S 74°53'47" E	19.46'
C12	30.00'	13°22'38"	7.00'	N 18°56'04" W	6.99'
C13	60.00'	90°00'00"	94.25'	N 89°12'34" E	84.85'
C15	18.00'	104°38'44"	32.88'	N 03°27'22" E	28.49'
C16	13.00'	82°23'54"	18.70'	S 86°59'23" E	17.13'
C17	13.00'	88°10'13"	20.01'	S 01°42'20" E	18.09'
C18	80.00'	90°00'00"	125.66'	S 89°12'34" W	113.14'



LEGEND

(C.M.) - CONTROLLING MONUMENT
IRF - IRON ROD FOUND
CIRF - CAPPED IRON ROD FOUND
INST. - INSTRUMENT
CAB. - CABINET
VOL. - VOLUME
NO. - NUMBER
PG. - PAGE
D.R.R.C.T. - DEED RECORDS ROCKWALL COUNTY, TEXAS
P.R.R.C.T. - PLAT RECORDS ROCKWALL COUNTY TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY TEXAS

GENERAL NOTES:

(1) BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202; NAD83(2011) EPOCH 2010) AS DERIVED LOCALLY FROM WESTERN DATA SYSTEMS CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) VIA REAL TIME KINEMATIC (RTK) SURVEY METHODS. ALL DISTANCES SHOWN ARE SURFACE DISTANCES USING A COMBINED SCALE FACTOR OF 1.000146135.

(2) BY GRAPHIC SCALE ONLY AND PER THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR ROCKWALL COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 48397C0040L, EFFECTIVE DATE: SEPTEMBER 26, 2008, THE SUBJECT PROPERTY IS SHOWN TO BE LOCATED IN ZONE "X". THE LOCATION OF THE SAID FLOOD ZONES IS BASED ON SAID MAP AND IS APPROXIMATE AND IS NOT LOCATED ON THE GROUND. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR. RELEVANT ZONES ARE DEFINED AS FOLLOWS

(3) THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.

(4) THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

(5) ALL CORNERS ARE A 5/8" IRON ROD WITH CAP STAMPED "TNP" UNLESS OTHERWISE SHOWN.

FINAL PLAT
TOWN PLACE MARRIOTT ADDITION
LOT 1, LOT 2, AND LOT 3, BLOCK B

379,622 SQUARE FEET
8.715 ACRES

SITUATED IN THE JD MCFARLAND SURVEY, ABSTRACT NO. 145
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER
GREENCREST TPS HOTEL, L.P.
10000 North Central Expressway
Suite 400
Dallas, TX 75231

OWNER
ROCKWALL RENTAL PROPERTIES L.P.
P.O. Box. B
Terrell, TX. 75160

CASE NO. P_____

PROJECT INFORMATION
Project No.: FCU 18061
Date: April 8, 2019
Drawn By: GS9
Scale: 1"=60'
SHEET 1 of 2

SURVEYOR
TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com

Drawing: 2019 04 04 FCU 18061 Townplace Marriot Final Plat at 2019/04/08 5:15 PM by gshaner

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

I the undersigned owner of the land shown on this plat, and designated herein as TOWN PLACE MARRIOTT ADDITION to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. Drainage/Detention Easements/Facilities shall be owned, operated, maintained and repaired by property owner.

7. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Addition upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

ROCKWALL RENTAL PROPERTIES, LP

_____
Representative:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, 2019.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

GREENCREST TPS HOTEL, LP.

_____
Representative:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, 2019.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the ____ day of _____, 2019.

This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.

Witness our hands this the ____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, Greencrest TPS Hotel, LP. and Rockwall Rental Properties, LP. are the owner's of a tract of land out of the J.D. McFarland Survey, Abstract Number 145 being a portion of Lot 1, Block B of Goldencrest Addition, an addition to the city of Rockwall as recorded in Cabinet B, Slide 383 of the Plat Records of Rockwall County, Texas, same being a portion of a called 14.45 acre tract of land described by deed to Rockwall Rental Properties, L.P. as recorded in Volume 4076, Page 48 of the Deed Records of Rockwall County, Texas, and all of a called 2.805 acre tract of land to Greencrest TPS Hotel, LP. as recorded in Instrument Number 20180000020236 of the Official Public Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "DAI" found for the south corner of Lot 2, Block 1 of Rockwall Highschool Addition, an addition to the City of Rockwall as recorded in Cabinet H, Slide 5 of the Plat Records of Rockwall County, Texas, said point also being the west corner of said 14.45 acre tract and lying on the northeast line of Greencrest Boulevard, a called 70.00 feet wide right-of-way;

THENCE North 44 degrees 03 minutes 45 seconds East along the southeast line of said Lot 2, a distance of 615.64 feet to a 1/2 inch iron rod found for corner;

THENCE North 44 degrees 27 minutes 55 seconds East continuing along the southeast line of said Lot 2, a distance of 273.93 feet to a 1/2 inch iron rod found for an inner ell corner of said Lot 2;

THENCE South 45 degrees 58 minutes 35 seconds East continuing along the southeast line of said Lot 2, a distance of 200.81 feet to a 1/2 inch iron rod with cap stamped "DAI" found for a south corner of same lying on the northwest line of Lot 1, Block 1 Rockwall Pine Addition, an addition to the City of Rockwall as recorded in Cabinet I, Slide 367 of the Plat Records of Rockwall County, Texas

THENCE South 44 degrees 12 minutes 34 seconds West along the northwest line of said Rockwall-Pine Addition, passing a 1/2 inch iron rod with cap stamped "ADAMS" found for the west corner of same, also for the north corner of Lot 1, Block A, Texas Roadhouse Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 309 of the Plat Records of Rockwall County, Texas, and continuing along the northwest line of said Texas Roadhouse Addition, a total distance of 235.61 feet to a 1/2 inch iron rod found for the west corner of said Lot 1, Block A, Texas Roadhouse Addition;

THENCE South 45 degrees 25 minutes 18 seconds East along the southwest line of said Lot 1, Block A, Texas Roadhouse Addition, a distance of 410.65 feet to a 1/2 inch iron rod found for the south corner of same lying on the northwest right-of-way line of Interstate Highway No. 30 (a variable width right-of-way) at the beginning of a curve to the right;

THENCE with said curve to the right along the northwest right-of-way line of Interstate Highway No. 30 having a radius of 3669.86 feet, a central angle of 06 degrees 24 minutes 58 seconds, an arc length of 410.95 feet, a chord bearing of South 48 degrees 33 minutes 37 seconds West, a distance of 410.74 feet to a 1/2 inch iron rod found for corner on the northeast line of previously mentioned Greencrest Boulevard;

THENCE long the northeast line of said Greencrest Boulevard the following courses and distances;

North 66 degrees 18 minutes 52 seconds West, a distance of 111.27 feet to a 1/2 inch iron rod with cap stamped "DAI" found for corner;

South 03 degrees 35 minutes 31 seconds East, a distance of 25.55 feet to a 1/2 inch iron rod with cap stamped "DAI" found for corner at the beginning of a curve to the left;

With said curve to the left having a radius of 485.00 feet, a central angle of 20 degrees 36 minutes 28 seconds, an arc length of 174.44 feet, a chord bearing of North 73 degrees 10 minutes 49 seconds West, a distance of 173.50 feet to a 1/2 inch iron rod found for corner at the beginning of a reverse curve to the right;

With said reverse curve to the right having a radius of 415.00 feet, a central angle of 23 degrees 57 minutes 39 seconds, an arc length of 173.55 feet, a chord bearing of North 71 degrees 09 minutes 06 seconds West, a distance of 172.29 feet to a 1/2 inch iron rod with cap stamped "DAI" found for corner at the beginning of a compound curve continuing to the right;

With said compound curve continuing to the right having a radius of 1493.00 feet, a central angle of 07 degrees 12 minutes 39 seconds, an arc length of 187.90 feet, a chord bearing of North 55 degrees 47 minutes 35 seconds West, a distance of 187.77 feet to the POINT OF BEGINNING containing 379,622 square Feet, or 8.715 acres of land.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Brian J. Maddox, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2019

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

FINAL PLAT
TOWN PLACE MARRIOTT ADDITION
LOT 1, LOT 2, AND LOT 3, BLOCK B
379,622 SQUARE FEET
8.715 ACRES

SITUATED IN THE JD MCFARLAND SURVEY, ABSTRACT NO. 145
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER
GREENCREST TPS HOTEL, LP.
10000 North Central Expressway
Suite 400
Dallas, TX 75231

OWNER
ROCKWALL RENTAL PROPERTIES L.P.
P.O. Box. B
Terrell, TX. 75160

CASE NO. P_____

PROJECT INFORMATION
Project No.: FCU 18061
Date: April 8, 2019
Drawn By: GS9
Scale: 1"=60'

SHEET 2 of 2

SURVEYOR
TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com

Drawing: 2019 04 04 FCU 18061 Townplace Marriot Final Plat at 2019/04/08 5:15 PM by gshaner

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72

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	June 3, 2019
APPLICANT:	Cameron Slown; *F.C. Cuny Corporation*
CASE NUMBER:	P2019-022; *Lot 5, Block A, Harbor Village Addition*

SUMMARY

Consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Phillip McNeill of MHC Rockwall, LLC and Jason Lentz of Atticus of Atticus Summer Lee Townhomes for the approval of a replat for Lot 5, Block A, Harbor Village Addition, being a 2.12-acre tract of land currently identified as Lot 3, Block A, Harbor Village Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located on the south side of Summer Lee Drive southwest of the intersection of Horizon Road [*FM-3097*] and Summer Lee Drive, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a replat for a 2.12-acre parcel of land [i.e. *Lot 3, Block A, Harbor Village Addition*] for purpose of establishing the necessary easements (*i.e. fire lane, public access, drainage and utility easements*) in order to develop the lot. The new parcel of land [*i.e. Lot 5, Block A, Harbor Village Addition*] will allow for the construction of a four (4) story, ~45,900 SF hotel containing 98 traditional hotel rooms [*i.e. TRU Hilton*]. The *subject property* is located within the *Interior, Horizon/Summer Lee* and *Residential Subdistricts* of Planned Development District 32 (PD-32).

☑ On March 5, 2018, the City Council approved *Ordinance No. 18-16* [*Case No. Z2018-001*] granting a *PD Development Plan* for a hotel on the 2.12-acre subject property. This ordinance also granted the hotel the ability to extend the height of the structure above 36-feet, which is the maximum height permitted in the Scenic Overlay (SOV) District without a Specific Use Permit (SUP).

☑ On September 11, 2018, the Planning and Zoning Commission approved the site plan, and recommended approval of the variances, waivers, and exceptions associated with the construction of the hotel to the City Council. On September 17, 2018, the City Council approved the associated variances, waivers, and exceptions requested by the applicant.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 5, Block A, Harbor Village Addition,* staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On May 28, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 7 to 0.

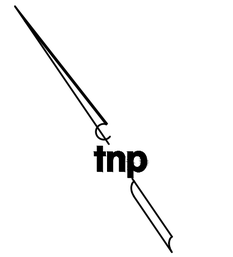


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

75

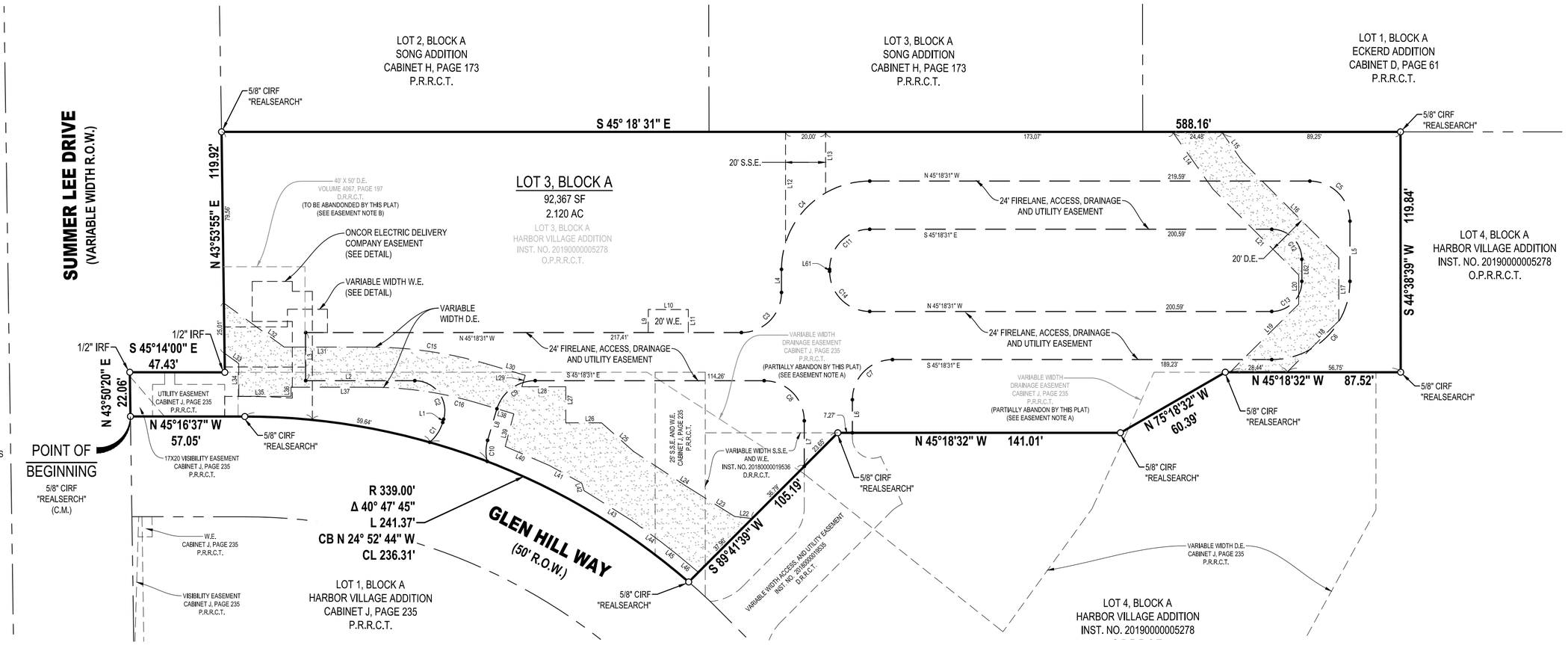


LEGEND

(C.M.) - CONTROLLING MONUMENT
IRF - IRON ROD FOUND
CIRF - CAPPED IRON ROD FOUND
NTS - NOT TO SCALE
R.O.W. - RIGHT OF WAY
INST. - INSTRUMENT
VOL. - VOLUME
NO. - NUMBER
SF - SQUARE FEET
AC - ACRES
S.S.E. - SANITARY SEWER EASEMENT
W.E. - WATER EASEMENT
D.E. - DRAINAGE EASEMENT
D.R.R.C.T. - DEED RECORDS ROCKWALL COUNTY, TEXAS
P.R.R.C.T. - PLAT RECORDS ROCKWALL COUNTY TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY TEXAS

NOTES:

1. BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202; NAD83(2011)EPOCH 2010).
2. BY GRAPHIC SCALE ONLY THE SUBJECT PROPERTY APPEARS TO LIE WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) NO. 48397C0040L DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
3. THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
4. IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.



EASEMENT NOTES:

EASEMENT NOTE A
THE PORTION OF THE VARIABLE WIDTH DRAINAGE EASEMENT WITHIN THE PLATTED AREA OF LOT 3, BLOCK A AS SHOWN ON THIS PLAT WHICH WAS DEDICATED BY HARBOR VILLAGE ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS AS RECORDED IN CABINET J, PAGE 235, OF THE PLAT RECORDS ROCKWALL COUNTY, TEXAS IS TO BE ABANDONED BY THIS PLAT.

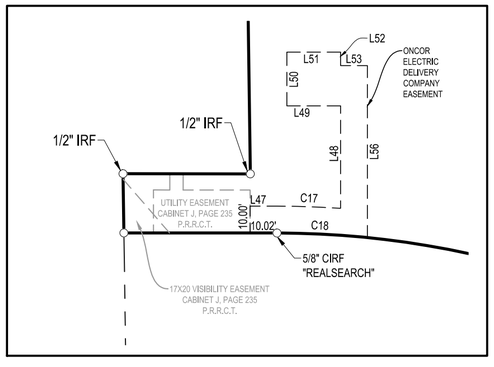
EASEMENT NOTE B
ALL OF THE DRAINAGE EASEMENT AS RECORDED IN VOLUME 4067, PAGE 197 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS IS TO BE ABANDONED BY THIS PLAT.

EASEMENT LINE TABLE		
LINE #	BEARING	LENGTH
L1	S61°05'18"W	1.66'
L2	S45°18'31"E	54.48'
L3	S44°41'29"W	24.00'
L4	S44°41'29"W	11.51'
L5	N44°41'29"E	30.00'
L6	N44°41'44"E	16.49'
L7	S44°41'44"W	22.69'
L8	N61°05'18"E	16.01'
L9	N44°43'23"E	11.50'
L10	S45°16'37"E	20.00'
L11	S44°43'23"W	11.50'
L12	N44°41'29"E	55.44'
L13	N44°41'29"E	30.45'
L14	S09°28'01"W	34.92'
L15	N09°28'01"E	18.09'
L16	N00°18'31"W	67.89'
L17	N44°41'29"E	31.48'
L18	N89°59'49"E	36.35'
L19	S89°59'49"W	48.22'
L20	S44°41'29"W	14.62'
L21	S00°18'31"E	60.51'

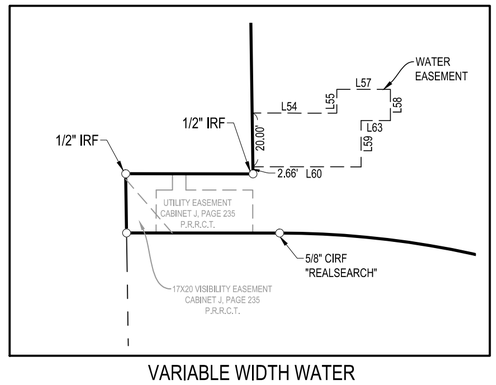
EASEMENT LINE TABLE		
LINE #	BEARING	LENGTH
L22	N38°50'27"W	8.74'
L23	N13°15'39"W	28.47'
L24	N11°56'17"W	31.57'
L25	N03°26'17"W	21.35'
L26	N45°18'27"W	17.90'
L27	N44°41'46"E	18.00'
L28	N45°18'31"W	21.89'
L29	N61°15'12"E	5.92'
L30	N28°44'48"W	18.90'
L31	N45°18'31"W	42.30'
L32	N09°12'47"W	37.19'
L33	S09°12'47"E	8.72'
L34	S44°41'29"W	16.32'
L35	S45°18'31"E	26.07'
L36	N44°41'29"E	4.56'
L37	S45°18'31"E	38.89'
L38	S28°44'48"E	18.90'
L39	S59°26'13"W	16.83'
L40	S21°57'34"E	23.96'
L41	S16°40'16"E	18.44'
L42	S27°26'27"W	3.92'

EASEMENT LINE TABLE		
LINE #	BEARING	LENGTH
L43	S13°14'07"E	28.25'
L44	S09°10'02"E	17.73'
L45	S07°10'35"E	10.55'
L46	S05°37'22"E	13.60'
L47	N45°16'37"W	10.03'
L48	S44°41'29"W	38.19'
L49	S45°18'31"E	20.00'
L50	S44°41'29"W	20.00'
L51	N45°18'31"W	20.00'
L52	N44°41'29"E	5.00'
L53	N45°18'31"W	10.00'
L54	S45°16'09"E	31.53'
L55	N44°41'29"E	8.83'
L56	N44°42'04"E	64.07'
L57	S45°17'34"E	20.00'
L58	S44°43'23"W	11.62'
L59	S44°43'51"W	17.21'
L60	N45°16'09"W	40.32'
L61	N44°41'29"E	1.00'
L62	S44°41'29"W	11.00'
L63	N45°18'31"W	10.93'

EASEMENT CURVE TABLE					
CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	20.06'	34°19'52"	12.02'	S 78°17'29" W	11.84'
C2	15.00'	106°23'16"	27.85'	S 07°53'40" W	24.02'
C3	20.00'	90°00'00"	31.42'	S 89°41'29" W	28.28'
C4	44.00'	90°00'00"	69.12'	S 89°41'29" W	62.23'
C5	20.00'	90°00'00"	31.42'	N 00°18'31" W	28.28'
C6	39.00'	90°00'00"	61.26'	N 89°41'29" E	55.15'
C7	20.00'	89°59'45"	31.41'	N 89°41'36" E	28.28'
C8	20.00'	90°00'15"	31.42'	S 00°18'24" E	28.29'
C9	20.00'	73°36'11"	25.69'	S 82°06'36" E	23.96'
C10	19.85'	30°45'46"	10.66'	N 45°46'22" E	10.53'
C11	20.00'	90°00'00"	31.42'	N 89°41'29" E	28.28'
C12	15.00'	90°00'00"	23.56'	S 00°18'31" E	21.21'
C13	15.00'	90°00'00"	23.56'	S 89°41'29" W	21.21'
C14	20.00'	90°00'00"	31.42'	N 00°18'31" W	28.28'
C15	210.00'	16°33'43"	60.70'	N 37°01'39" W	60.49'
C16	190.00'	16°33'43"	54.92'	S 37°01'39" E	54.73'
C17	349.00'	3°53'27"	23.70'	N 43°19'53" W	23.70'
C18	339.00'	5°41'55"	33.72'	S 42°25'30" E	33.70'



ONCOR ELECTRIC DELIVERY
COMPANY EASEMENT DETAIL
SCALE: 1"=40'



VARIABLE WIDTH WATER
EASEMENT DETAIL
SCALE: 1"=40'

FINAL PLAT OF
HARBOR VILLAGE ADDITION
LOT 3, BLOCK A

92,367 SQUARE FEET
2.120 ACRES

SITUATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF LOT 3, BLOCK A,
HARBOR VILLAGE ADDITION, AN ADDITION TO THE CITY OF ROCKWALL,
TEXAS AS RECORDED IN INSTRUMENT NUMBER 20190000005278, OF
THE OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY, TEXAS

OWNER
MHC ROCKWALL, LLC
1468 Kimbrough Rd. Suite 103
Germantown, TN. 38138

ENGINEER
F.C. CUNY CORPORATION
#2 Horizon Court
Heath, Texas 75032
Ph. 469.402.7700
T.R.E.F.F.-7449

CASE NO. _____

PROJECT INFORMATION
Project No.: FCU 18193
Date: May 6, 2019
Drawn By: GS9
Scale: 1"=40'
SHEET 1 of 2

SURVEYOR
TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com

Drawing: L:\Projects\FCU 18193 Tru Hilton Rockwall\Acad\Deliverables\Final_Plat\2019 05 08_FCU 18193 Tru Hilton Rockwall - Final Plat.dwg at May 09, 2019-7:59am by jmaddox

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

I the undersigned owner of the land shown on this plat, and designated herein as HARBOR VILLAGE ADDITION to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. Drainage/Detention Easements/Facilities shall be owned, operated, maintained and repaired by property owner.

7. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Addition upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

MHC ROCKWALL, LLC.

_____
Representative:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, 2019.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, MHC Rockwall, LLC., is the owner of a tract of land out of the Edward Teal Survey, Abstract No. 207, in the City of Rockwall, Rockwall County, Texas, Being all of Lot 3 Block A of Harbor Village Addition, an addition to The City of Rockwall, as recorded in Instrument Number 20190000005278 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped "REALSEARCH" found for the west corner of said Lot 3, lying at the intersection of the southeast right-of-way line of Summer Lee Drive (a variable width right-of-way) and the northeast right-of-way line of Glen Hill Way (a 50' right-of-way);

THENCE North 43 degrees 50 minutes 20 seconds East along the southeast right-of-way line of said Summer Lee Drive, a distance of 22.06 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for corner;

THENCE South 45 degrees 14 minutes 00 seconds East continuing along the southeast right-of-way line of said Summer Lee Drive, a distance of 47.43 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for corner;

THENCE North 43 degrees 53 minutes 55 seconds East continuing along the southeast right-of-way line of said Summer Lee Drive, a distance of 119.92 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for the north corner of said Lot 3 and the west corner of Lot 2, Block A Song Addition, an addition to The City of Rockwall as recorded in Cabinet H, Page 173 of the Plat records of Rockwall County, Texas;

THENCE South 45 degrees 18 minutes 31 seconds East departing the southeast right-of-way line of said Summer Lee Drive along the northeast line of said Lot 3, a distance of 588.16 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for east corner of same and the northeast corner of Lot 4, Block A of said Harbor Village Addition;

THENCE along the common line of said Lot 3 and said Lot 4 the following courses and distances;

South 44 degrees 38 minutes 39 seconds West, a distance of 119.84 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for corner;

North 45 degrees 18 minutes 32 seconds West, a distance of 87.52 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for corner;

North 75 degrees 18 minutes 32 seconds West, a distance of 60.39 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for corner;

North 45 degrees 18 minutes 32 seconds West, a distance of 141.01 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for corner;

South 89 degrees 41 minutes 39 seconds West, a distance of 105.19 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for the southwest corner of said Lot 3 lying on the northeast right-of-way line of the aforementioned Glen Hill Way at the beginning of a curve to the left;

THENCE with said curve to the left along the northeast right-of-way line of the said Glen Hill Way having a radius of 339.00 feet, a central angle of 40 degrees 47 minutes 45 seconds, an arc length of 241.37 feet, a chord bearing of North 24 degrees 52 minutes 44 seconds West, a distance of 236.31 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" found for corner;

THENCE North 45 degrees 16 minutes 37 seconds West continuing along the northeast right-of-way line of the said Glen Hill Way, a distance of 57.05 feet to the POINT OF BEGINNING containing 92,367 square Feet, or 2.120 acres of land.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Brian J. Maddox, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2019

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

LIEN HOLDER'S CERTIFICATE

Lender to MHC Rockwall, LLC

BancorpSouth Bank,
a Mississippi Banking Corporation

By:_____

Name: Jeff Billions
Title: Sr. Vice President

STATE OF TENNESSEE}
COUNTY OF SHELBY}

Before me, the undersigned authority, on this day personally appeared Jeff Billions, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, 2019.

_____
Notary Public in and for the State of Tenessee

_____
My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED
I hereby certify that the above and foregoing plat of HARBOR VILLAGE ADDITION, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

CASE NO. _____

FINAL PLAT OF
HARBOR VILLAGE ADDITION
LOT 3, BLOCK A
92,367 SQUARE FEET
2.120 ACRES

SITUATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF LOT 3, BLOCK A,
HARBOR VILLAGE ADDITION, AN ADDITION TO THE CITY OF ROCKWALL,
TEXAS AS RECORDED IN INSTRUMENT NUMBER 20190000005278, OF
THE OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY, TEXAS

OWNER
MHC ROCKWALL, LLC
1468 Kimbrough Rd. Suite 103
Germantown, TN. 38138

ENGINEER
F.C. CUNY CORPORATION
#2 Horizon Court
Heath, Texas 75032
Ph. 469.402.7700
T.R.E.F.F.-7449

PROJECT INFORMATION
Project No.: FCU 18193
Date: May 6, 2019
Drawn By: GS9
Scale: 1"=40'

SHEET 2 of 2

SURVEYOR
TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com

Drawing: L:\Projects\FCU 18193 Tru Hilton Rockwall\Acad\Deliverables\Final_Plat\2019 05 08_FCU 18193 Tru Hilton Rockwall - Final Plat.dwg at May 09, 2019-7:59am by jmaddox

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78

CITY OF ROCKWALL

ORDINANCE NO. 19-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 47 (PD-47) [*ORDINANCES 99-17 AND 07-04*] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH *ORDINANCE NO. 99-17*, BEING A 14.4712-ACRE TRACT OF LAND IDENTIFIED TRACT 104 OF THE E. TEAL SURVEY, ABSTRACT NO. 207 AND LOT 1, BLOCK A, FIRST CHRISTIAN CHURCH DISCIPLES OF CHRIST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 47 (PD-47) AND MORE FULLY DEPICTED HEREIN BY *EXHIBIT 'A'* AND DESCRIBED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the applicant Scott Lewis of RRDC, LTD for the approval of an amendment to Planned Development District 47 (PD-47) for the purpose of amending the development standards approved with *Ordinance 99-17*, being a 14.4712-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) [*Ordinances 99-17 and 07-04*], generally located at the northeast corner of the intersection of Ridge Road [*FM-740*] and White Road and more fully depicted in *Exhibit 'A'* and described in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 47 (PD-47) [*Ordinance No.'s 99-17 & 07-04*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 99-17 & 07-04*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District ordinance and the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of

approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall be in accordance with the *Planned Development Standards*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (*$2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 8. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF JUNE, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

PPPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: May 20, 2019

2nd Reading: June 3, 2019

Legal Description: *Tract 104 of the E. Teal Survey, Abstract No. 201* and *Lot 1, Block A, First Christian Church Disciples of Christ Addition*



81

Area 1

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS RRDC, LTD., BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 9.477 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being all of a called 9.4769 acre tract of land described in a deed to RRDC, LTD., recorded as instrument No. 20170000023557, Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the RPLS 3963" set for corner in the set for corner in the east right-of-way line of Ridge Road (FM 740) at the northwest corner of said 9.4769 acre tract;

THENCE South 85 degrees 43 minutes 42 seconds East along the north line thereof and partly with the south lines of the original Benton Court Addition, an Addition to the City of Rockwall recorded in Cabinet D, Slide 69, and Benton Woods, an Addition to the City of Rockwall recorded in Cabinet C, Slide 254, all recorded in the Plat Records of Rockwall County, Texas (PRRCT), for a total distance of 559.60 feet to a point for corner near the base of a steel fence post at the northeast corner of said 9.4769 acre tract, common to the southwest corner of a called 12.000 acre tract described in a deed to Craig Duhon et ux, recorded in Volume 693, Page 228, (DRRCT), from which a 5/8" iron rod with a yellow plastic cap stamped "RPLS 3963" set for iron rod with a yellow plastic cap stamped "RPLS 3963" set for RPLS 3963" set for set for reference bears South 65 degrees 09 minutes 20 seconds West, a distance of 39.51 feet;

THENCE South 00 degrees 10 minutes 53 seconds West, along the common line of last mentioned tracts, a distance of 679.81 feet to a point for corner near the base of a plastic fence post at the southeast corner of said 9.4769 acre tract, common to the northeast corner of Lot 1, Block A, First Christian Church, Disciples of Christ, an Addition to the City of Rockwall recorded in Cabinet E, Slide 361 (PRRCT), from which a 5/8" iron rod with a yellow plastic cap iron rod with a yellow plastic cap stamped "RPLS 3963" set for reference bears South 61 degrees 43 minutes 15 seconds West, a RPLS 3963" set for reference bears South 61 degrees 43 minutes 15 seconds West, a set for reference bears South 61 degrees 43 minutes 15 seconds West, a distance of 37.49 feet;

THENCE North 89 degrees 09 minutes 00 seconds West with the common line of said 9.4769 acre tract and said Lot 1, a distance of 625.70 feet to a point for corner at the common west corner thereof, and also being in the east line of said Ridge Road, from which a 3 1/4" TXDOT TXDOT Aluminum Disk found for reference bears South 49 degrees 53 minutes 40 seconds West, a distance of 0.50 feet;

THENCE North 05 degrees 42 minutes 52 seconds East with the East Right-of-Way line of said Ridge Road, a distance of 14.11 feet to a 3 1/4" TXDOT Aluminum Disk found at an angle point TXDOT Aluminum Disk found at an angle point thereof;

THENCE North 05 degrees 35 minutes 24 seconds East continuing with the East Right -of-way line of said Ridge Road, a distance of 701.50 feet to the POINT OF BEGINNING and containing 412,830 square feet or 9.477 acres of land.

Area 2

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS FIRST CHRISTIAN CHURCH OF ROCKWALL, TEXAS, BEING THE OWNER OF A TR ACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 5.231 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being all of Lot 1, Block A, First Christian Church, Disciples of Christ, Rockwall, Texas Addition, recorded in Cabinet E, Slide 361, Plat Records of Rockwall County, Texas (PRRCT), said 5.231 acre tract being more particularly described as follows:

BEGINNING at a point for corner near the base of a plastic fence post at the southeast corner of a called 9.4769 acre tract of land described in deed to RRDC, Ltd., recorded in Instrument 20170000023557, Deed Records, Rockwall, County, Texas (DRRCT), common to the northeast corner of said Lot 1, said corner being in the west boundary line of a called 12 acre tract of land described in a deed to Craig R. Duhon and Donna L. Duhon, recorded in Volume 693, Page 228, (DRRCT), from which a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 found for reference bears South 61 degrees 46 minutes 53 seconds West, a distance of 37.56 feet;

THENCE South 00 degrees 07 minutes 41 seconds West, along the common line of said Lot 1 and said 12 acre tract, a distance of 353.00 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the southeast corner of said Lot 1, said corner being in the north right-of-way line of White Road, a variable width right-of-way;

THENCE North 89 degrees 08 minutes 58 seconds West, along the common line of said Lot 1 and said White Road, a distance of 671.35 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the southwest corner of said Lot 1, said corner being at the Ridge Road and said Lot 1, a distance of 50.66 feet to a TxDOT monument found for corner;

THENCE North 05 degrees 45 minutes 12 seconds East, continuing along the common line of said Ridge Road and said Lot 1, a distance of 237.59 feet to the northwest corner of said Lot 1 and the southwest corner of said 9.4769 acre tract, from which a TxDOT monument bears South 58 degrees 52 minutes 38 seconds West, a distance of 0.41 feet;

THENCE South 89 degrees 09 minutes 00 seconds East, along the common line of laid Lot 1 and said 9.4769 acre tract, a distance of 625.79 feet to the POINT OF BEGINNING and containing 227,854 square feet or 5.231 acres of land.


CAMBRIA DR
BENTON CT
PIN OAKS CIR
BENTON WOODS DR
AURORA CIR
WHISPER ROCK DR
YACHT CLUB DR
AREA 1
9.5 acres
SOUTHWIND DR
RIDGE RD
CHAPEL DR
740
AREA 2
5.3 acres
WHITE RD
BUCKINGHAM DR
CAMBRIDGE DR
100yr Floodplain
Subject Property - Area 1
Subject Property - Area 2
City Limits
Parcels
City of Rockwall
0 50 100 Feet
Date: 4/24/2019
Z2019-011 EXHIBIT

84

Area 1: Single-Family 10 (SF-10) District [*9.477-Acres*]

(1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Area 1* as depicted in *Exhibit 'C'* of this ordinance shall be subject to the land uses permitted for the Single-Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

(2) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Area 1* as depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards for the Single-Family 10 (SF-10) District as stipulated in Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. All lots shall conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Density and Dimensional Requirements

Minimum Lot Width [1]	80'
Minimum Lot Depth	100'
Minimum Lot Area	10,000 SF
Minimum Front Yard Setback [2]	25'
Minimum Side Yard Setback	6'
Minimum Distance Between Buildings	10'
Maximum Height	36'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	55%
Minimum Dwelling Size	3,000 SF

General Notes:
[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

(3) *Building Standards.* Housing type and construction shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 60% primary materials and/or a maximum of 20% secondary materials, excluding windows and doors. For the purpose of this ordinance, primary materials shall consist of stone, brick, and cementitious materials. The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials) shall be limited to 40% of the building's exterior façade.

(b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than four (4) houses apart on either side of the street.

(c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance.

(d) *Garage Orientation.* Garages shall be oriented in a traditional swing (or j-swing). Garages configured in a flat, front entry configuration shall be setback a minimum of 20 feet from the front façade of the primary structure. All garage doors shall be required to have upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*)]. All garage configurations not conforming to this section shall meet the

requirements of Article VI, Parking and Loading, of the Unified Development Code (UDC).

Area 2: Single-Family 10 (SF-10) District [*4.9995-Acres*]

(1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Area 2* as depicted in *Exhibit 'C'* of this ordinance shall be subject to the land uses permitted for the Single-Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future however, the following conditions shall apply:

The following land use shall be permitted in *Area 2*:

☑ Antenna, Commercial*

NOTES: 1) All equipment shall be contained interior to the building 2) The height of the structure shall remain as depicted in *Exhibit 'E'* of this ordinance.

(2) *Density and Dimensional Requirements.* Any development in Area 2 as depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards required for properties in a Single-Family 10 (SF-10) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

(3) *Building Standards.* Housing type and construction shall adhere to the following building standards:

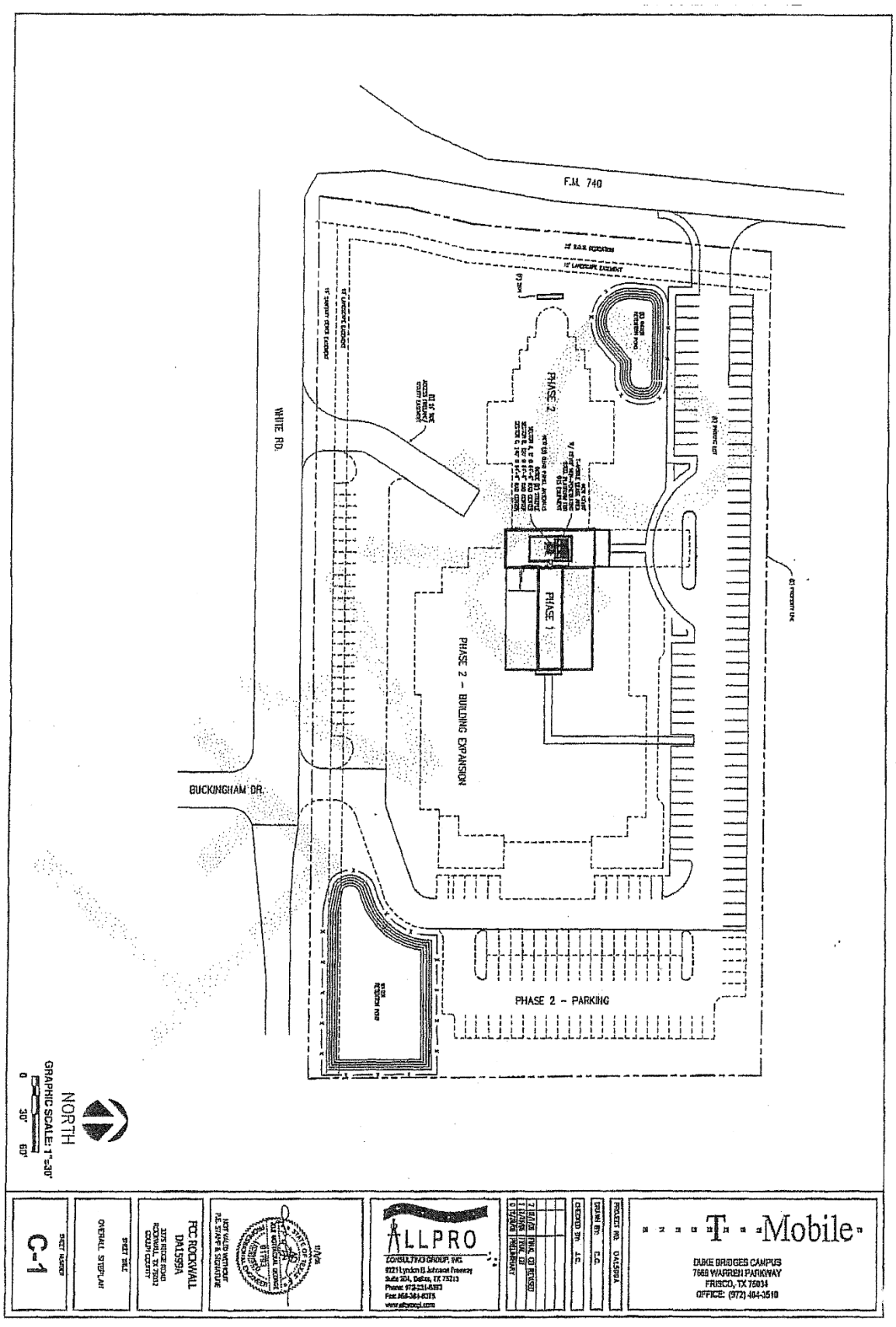
(a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 60% primary materials and/or a maximum of 20% secondary materials, excluding windows and doors. For the purpose of this ordinance, primary materials shall consist of stone, brick, and cementitious materials. The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials) shall be limited to 40% of the building's exterior façade.

(b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure--in terms of materials and elevation--any closer than four (4) houses apart on either side of the street.

(c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance.

(4) *Garage Orientation.* Garages shall be oriented in a traditional swing (or j-swing). Garages configured in a front entry configuration shall be setback a minimum of 20 feet from the front façade of the primary structure. All garage doors shall be required to have upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*)]. All garage configurations not conforming to this section shall meet the requirements of Article VI, Parking and Loading, of the Unified Development Code (UDC).

87


F.M. 740
WHITE RD.
BUCKINGHAM DR.
PHASE 1
PHASE 2
PHASE 2 - BUILDING EXPANSION
PHASE 2 - PARKING
NORTH
GRAPHIC SCALE: 1"=30'
0
30'
60'
C-1
SHEET NUMBER
OVERALL SITEPLAN
SHEET TITLE
FCC ROCKWALL
DA1599A
3375 RIDGE ROAD
ROCKWALL, TX 75032
COLLIN COUNTY
ALLPRO
CONSULTANTS GROUP, INC.
8221 Lyndon B. Johnson Freeway
Suite 104, Dallas, TX 75243
Phone: 972-231-6363
Fax: 469-364-8375
www.allpropl.com
DRAWN BY: C.G.
CHECKED BY: J.C.
PROJECT NO. DA1599A
DUKE BRIDGES CAMPUS
7668 WARREN PARKWAY
FRISCO, TX 75034
OFFICE: (972) 404-3510

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88

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **June 3, 2019**

SUBJECT: **Sign Plan for Texas Health Presbyterian Hospital**

Mr. Butch Clarke of Alpha Graphics, has requested to appear before the City Council with representatives from Texas Health Presbyterian Hospital to present a sign plan and ask for approval to utilize a number of freestanding signs on their property. The Hospital property is allowed 3 free standing monument signs by right and the applicant desires a greater number of signs. The proposed signs also exceed the allowable height and do not contain the required masonry.

The Hospital desires to update their main entrance sign located on Horizon Road with a seventy eight (78) square foot, eight foot (8) high sign. The size is less than the ninety eight (98) square feet allowed by code, however the proposed height exceeds the allowable six (6) feet.

In addition, the applicant proposes to replace two existing signs currently located at their entrances on Tubbs Road and Rockwall Parkway. The proposed signs are larger at sixteen (16) feet in height and approximately seventy two (72) square feet in size.

Lastly, the requested sign plan includes a ten foot eight inch (10'- 8") high sign to be located in the center of the property. This proposed sign is eighty five (85) square foot in size.

The exhibit showing the proposed location for the main entrance sign at Horizon Road will not be allowed to be placed so close to the road, because of existing easements. If the sign plan is approved, staff will work with the applicant during their permit process, to ensure that sign is located appropriately.

I have included a site plan of the property detailing the location, size and materials of the proposed signs.

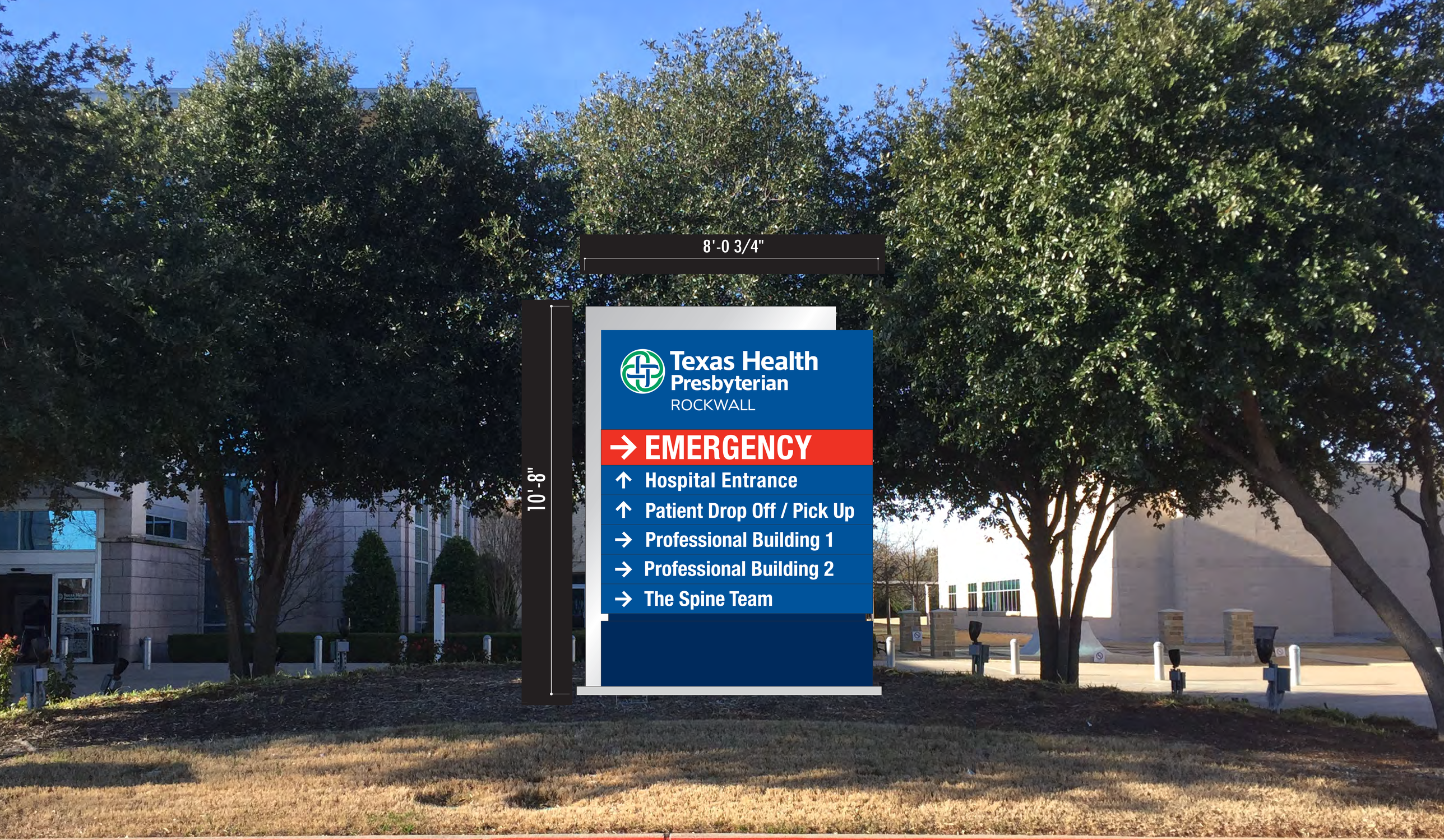
Texas Health Presbyterian Hospital ROCKWALL

3150 Horizon Rd, Rockwall, TX 75032
469-698-1000

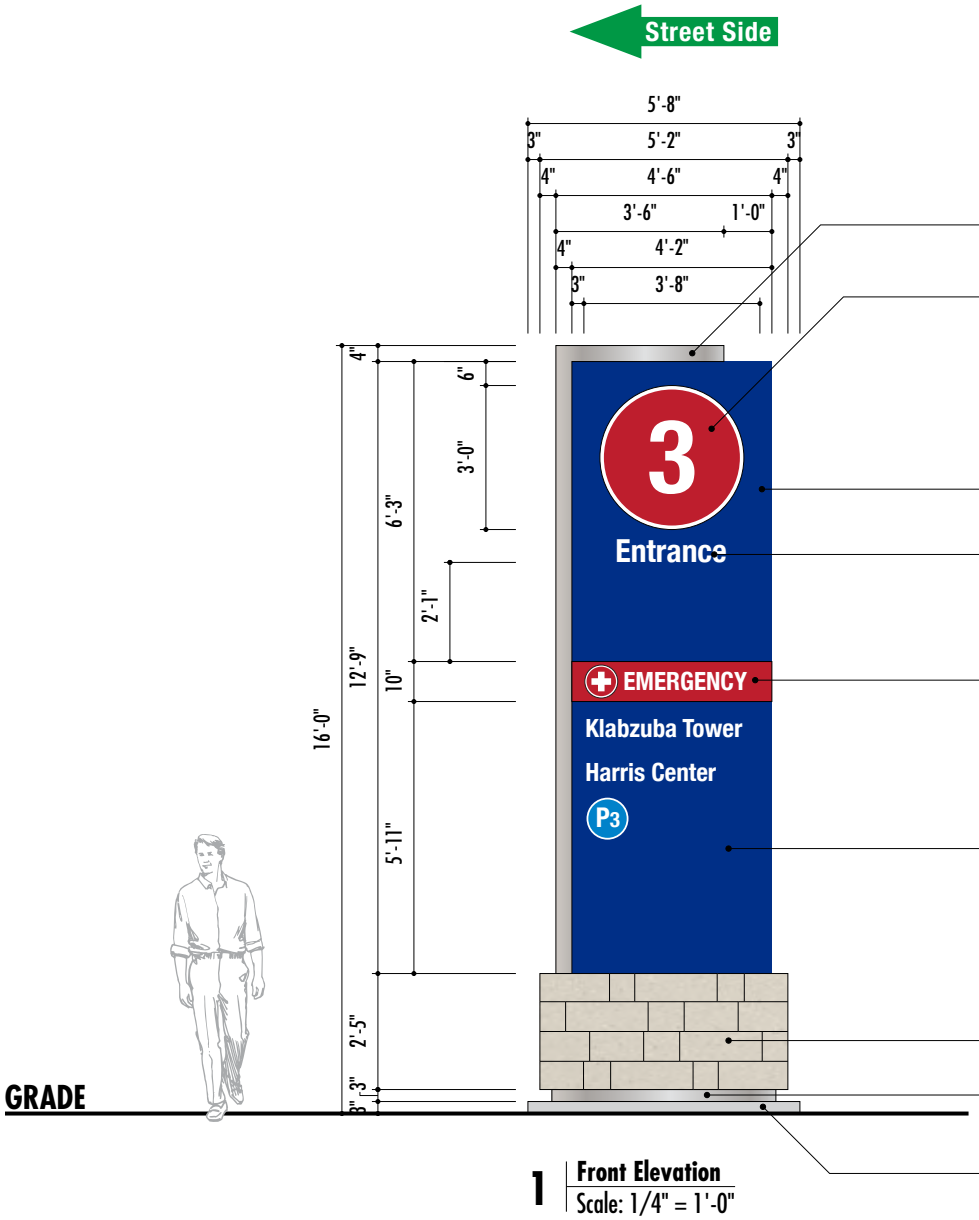



9'-9"
8'-0"
Texas Health
Presbyterian
ROCKWALL
3150 Horizon Road
1'
2'
7'
15' From Curb
to Street
25' From Property Line to Street
FIRE LANE NO PARKING


9'-9"
8'-0"
Texas Health
Presbyterian
ROCKWALL
3150 Horizon Road
25’ From Property Line to Street
15’ From Curb
to Street
2’
1’
7’
FIRE LANE NO PARKING


8'-0 3/4"
10'-8"
Texas Health
Presbyterian
ROCKWALL
EMERGENCY
Hospital Entrance
Patient Drop Off / Pick Up
Professional Building 1
Professional Building 2
The Spine Team
NO PARKING

Color & Material Information



1 Front Elevation
Scale: 1/4" = 1'-0"

This sign type is Internally Illuminated.

Accent Blade: All aluminum construction with 1/8" thick panels painted Matthews Sparkle Silver (SV952SP).

Number Panel: Panel is 3/4" thick 7328 White Acrylic routed and pushed through to extend 3/8" past glass panel face with a 1/4" thick back panel remaining to be permanently fastened to back of glass. 1st surface of acrylic panel to have applied 3M Translucent Vinyl background overlay- Red (3630-33) or Light Kelly Green (3630-146). Number is cutout of background overlay vinyl to expose White Acrylic panel.
Font: Helvetica Neue 77 Bold Condensed.

Cabinet Body: All aluminum construction with 1/8" thick panels painted to match Texas Health Resources Blue (PMS 287c).

Push Thru Letters: Copy is 1/4" thick 7328 Milky White Acrylic routed and pushed through to be flush with panel face with a 1/8" thick back panel remaining to be mechanically fastened.

Emergency Panel: Individual 1/4" thick 7328 White Acrylic panel routed to be flush with the face of 1/8" Changeable Panels. 1st surface of acrylic panel is applied 3M Translucent Vinyl background overlay- Red (3630-33). Copy is cutout of background overlay vinyl to expose White Acrylic panel.
Font: Helvetica Neue 77 Bold Condensed.

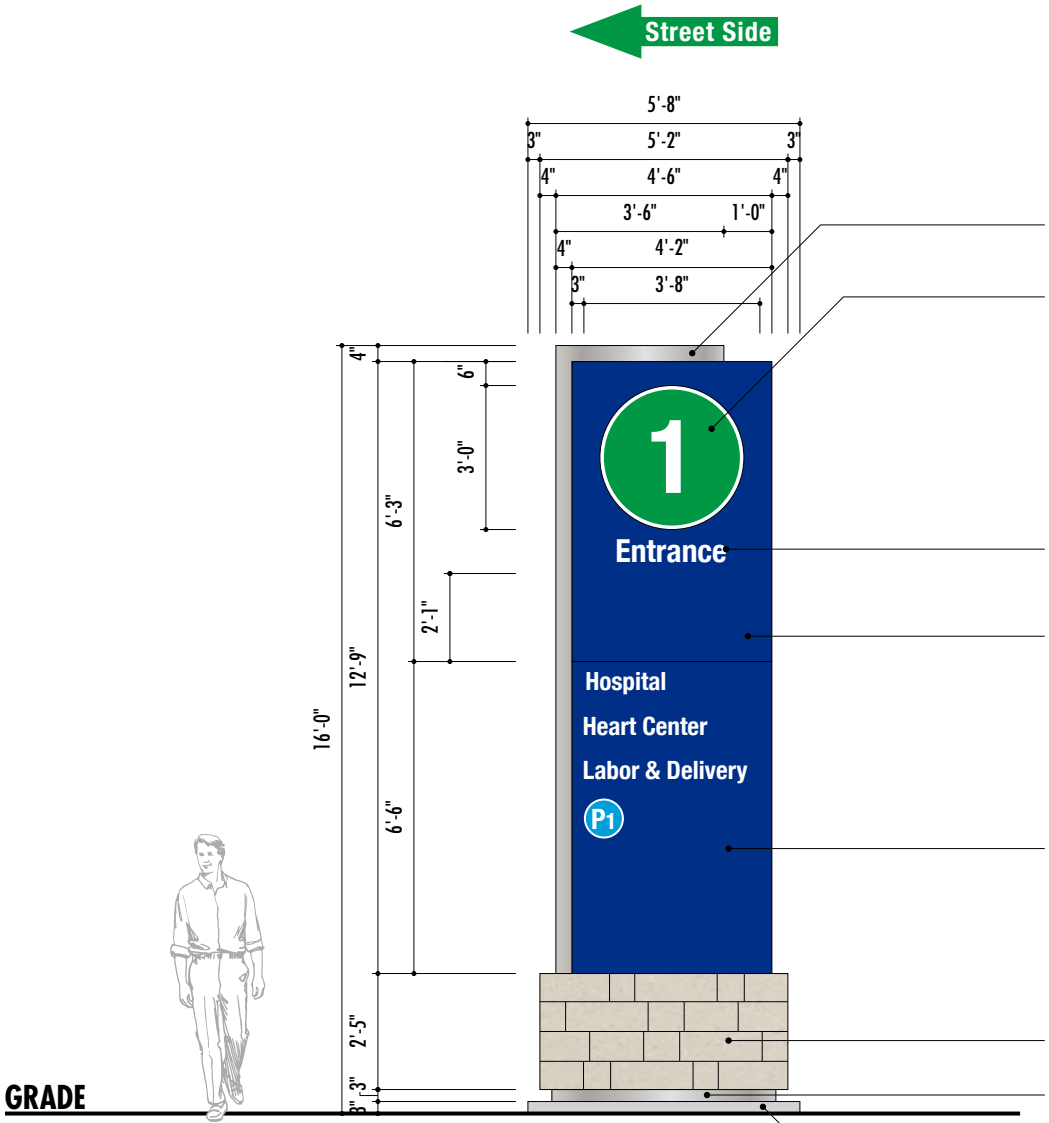
Changeable Panel: Individual 1/8" thick aluminum face panel painted to match Texas Health Resources Blue (PMS 287c). Copy and circle are 1/4" thick 7328 White Acrylic routed and pushed through to be flush with panel face with a 1/8" thick back panel remaining to be mechanically fastened. 1st surface of acrylic panel is applied 3M Translucent Vinyl background overlay- Process Blue (3630-337). Copy is cutout of background overlay vinyl to expose White Acrylic panel.
Font: Helvetica Neue 77 Bold Condensed.

Base:

Reveal: 3" x 3" aluminum reveal painted to match Matthews Sparkle Silver (SV952SP)

Concrete Pad: 3" continuously larger pad on each side of the entire sign assembled footprint. Minimum of 3" above and 3" below grade with a bead of clear non-shrinking silicone where sign meets pad.

Color & Material Information



1 **Front Elevation**
Scale: 1/4" = 1'-0"

This sign type is Internally Illuminated.

Accent Blade: All aluminum construction with 1/8" thick panels painted Matthews Sparkle Silver (SV952SP).

Number Panel: Panel is 3/4" thick 7328 White Acrylic routed and pushed through to extend 3/8" past glass panel face with a 1/4" thick back panel remaining to be permanently fastened to back of glass. 1st surface of acrylic panel to have applied 3M Translucent Vinyl background overlay- Light Kelly Green (3630-146). Number is cutout of background overlay vinyl to expose White Acrylic panel.
Font: Helvetica Neue 77 Bold Condensed.

Push Thru Letters: Copy is 1/4" thick 7328 Milky White Acrylic routed and pushed through to be flush with panel face with a 1/8" thick back panel remaining to be mechanically fastened.

Cabinet Body: All aluminum construction with 1/8" thick panels painted to match Texas Health Resources Blue (PMS 287c).

Changeable Panel: Individual 1/8" thick aluminum face panel painted to match Texas Health Resources Blue (PMS 287c). Copy and circle are 1/4" thick 7328 White Acrylic routed and pushed through to be flush with panel face with a 1/8" thick back panel remaining to be mechanically fastened. 1st surface of acrylic panel is applied 3M Translucent Vinyl background overlay- Process Blue (3630-337). Copy is cutout of background overlay vinyl to expose White Acrylic panel.
Font: Helvetica Neue 77 Bold Condensed.

Base:

Reveal: 3" x 3" aluminum reveal painted to match Matthews Sparkle Silver (SV952SP)

Concrete Pad: 3" continuously larger pad on each side of the entire sign assembled footprint. Minimum of 3" above and 3" below grade with a bead of clear non-shrinking silicone where sign meets pad.

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96

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **May 30, 2019**

SUBJECT: **Permit Fee Schedule Resolution**

HB 825, which was signed by the Governor on May 21st, prohibits a municipality from requiring the disclosure of information related to the value of or cost of constructing or improving a residential dwelling as a condition of obtaining a building permit. In response to this new law, staff has worked diligently to study our current fee schedule and has prepared the attached fee resolution for your consideration.

One primary goal of our study and for the future fee structure, was to ensure we have sufficient cost recovery for the services we will provide. Additionally, we evaluated other cities' fees, specifically our designated market cities. If the proposed fees are adopted, contractors and thus property owners overall will not experience significant increases and some will realize modest decreases in their fees. This chart shows the current and proposed fees.

PERMIT FEE SCHEDULE		
	Existing	**Proposed**
Accessory Building	Value Based	.80 per sq. ft. up to 225 sq. ft. plus .45 per sq. ft. over 225 sq. ft. / $125 min.
Single Family - New	Value Based	.48 per sq. ft. up to 5000 sq. ft. / .40 per sq. ft. if larger than 5000 sq. ft.
Single Family - Remodel	Value Based	.48 per sq. ft. / $125.00 min.
Concrete	Value Based	.20 per sq. ft. / $50.00 min.
Electrical	Value Based	$125.00 for Panel replacement/ re-wire/service -meter base replacement $75.00 for other / repairs
Fence	$35.00	$50.00
Irrigation	$35.00	$75.00
Mechanical	Value Based	$125.00 new system installation $75.00 for other / repairs
Plumbing	Value Based	$125.00 for Slab leaks / tunneling / sewer main replacement $75.00 for Water heater /other/ repair
Roof	$35.00	$75.00
Decks	Value Based	$75.00
Carports	Value Based	$75.00
Solar	Value Based	.65 per sq. ft.

All residential fees historically calculated on value of construction, have been changed to use either a flat fee or a fee based on square feet. The proposed increase for fence, irrigation and roof permit fees are simply to cover our costs for those permit and inspection activities.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 19-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REPEALING RESOLUTION 17-23 AND ADOPTING A NEW RESOLUTION TO PROVIDE FOR AN UPDATED FEE SCHEDULE FOR PERMITS, REGISTRATIONS, CERTIFICATES, AND CERTAIN RELATED FEES FOR THE CITY OF ROCKWALL, AS DESCRIBED IN "EXHIBIT A" OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the 86th Session of the Texas State Legislature recently passed H.B. No. 852, which essentially placed a prohibition on certain value-based building permits and inspection fees; and

WHEREAS, this piece of legislation was signed by Governor Greg Abbott on May 21, 2019; and

WHEREAS, as a result of this new legislation, it is necessary for the City Council of the City of Rockwall, Texas to amend the City's fee schedule to come into compliance with these new State regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That Resolution No. 17-23 is hereby repealed in its entirety and that this resolution and its attached **"Exhibit A"** is hereby adopted as the official "Permit, Health, and Misc. Fee Schedule" for the City of Rockwall; and

Section 2. Payment in accordance with the fees described in the attached **"Exhibit A"** shall be required with the submission of all related applications; and

Section 3. That this resolution shall take effect immediately upon passage and approval, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3RD DAY OF JUNE, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

City of Rockwall

Resolution No. 19-15

Schedule of Permit, Health and Misc. Fees

Building Permits	*Fee Amount*
1. Residential	
a. Accessory Building	.80 per sq. ft. up to 225 sq. ft. plus .45 per sq. ft. over 225 sq. ft./ $125 min.
b. Single Family - New	.48 per sq. ft. up to 5000 sq. ft. / .40 per sq. ft. if home is > 5000 sq. ft.
c. Single Family – Alteration / Addition	.48 per sq. ft. (scope of work) with $125.00 min.
d. Electrical – Panel replacement / re-wire / service- meter base replacement	$ 125.00
e. Electrical – other / repair	$ 75.00
f. Plumbing – Slab leaks / tunneling / sewer main replacement	$ 125.00
g. Plumbing – Water Heater / other / repair	$ 75.00
h. Mechanical – New system installation	$ 125.00
i. Mechanical – other / repair	$ 75.00
j. Patio covers / decks / carports	$ 75.00
2. Commercial	
a. Commercial – New	Table 1A
b. Commercial – Remodel	Table 1A
c. Certificate of Occupancy	$ 75.00
d. Temporary Certificate of Occupancy	$ 300.00
e. Mechanical, Electrical, Plumbing	Table 1A
3. Board of Adjustments City Council Sign Variances, Sign Plans / Construction Advisory and Appeals Board	$ 200.00
4. Solar Panel Systems	.65 per sq. ft.
5. Concrete	.20 per sq. ft. / $50 min.
6. Demolition of Structures	$ 50.00
7. Fence	$ 50.00
Screening Wall	$ 75.00
8. Inspection Fees	
a. After Hours Inspection	$ 50.00 per hr. (min. 2 hrs.)
b. Re-inspection	$ 50.00
9. Irrigation	$75.00
10. Moving of Structures	Refer To Chapter 10, Article XIV of the Code of Ordinances
11. Permit Bag Replacement	$ 20.00
12. Pools/Hot Tub/Spa	
a. Pool – above ground	$ 75.00
b. Pool – in ground	$150.00
c. Hot Tub/Spa	$100.00
13. Roofing	$ 75.00
14. Sign	$75.00
15. Temporary Construction/Sales Trailer	$100.00
16. Miscellaneous Permits	$ 50.00 (includes windows, retaining wall, storm shelter, etc.)

Health Related Fees

1. Banners	$ 50.00
2. Child Care Facility	$ 200.00
3. Concession Stands	$ 100.00
4. Plan Review Food service establishments, child care facilities, public pools/spas	$ 150.00

6. Food Service Permits

a. Food Service Establishment	$ 350.00
b.Temporary Food Service	$ 50.00
c. Seasonal Food Service Permit	$ 90.00 Nonprofit agencies are exempt
d. Special Events Food Vendor	$ 50.00 Nonprofit agencies are exempt
e. Mobile Food Trucks	$ 300.00
f. Ice Cream/Cold Mobile Food Trucks	$ 200.00

7. Late Permit Fee $ 30.00

8. Public Pools and Spas

a. Operator Permits	$ 225.00
b. Additional pools (fee for each)	$ 225.00
c. Free Standing Spa	$ 25.00
d. Temporary Closure Fee	$ 50.00

9. Inspection Fees

Re-inspection $ 50.00

Initial follow-up inspection at no cost, however if a second re-inspection is required the fee will be assessed

10. Registrations

a. Certified Pool Operator	$ 10.00 Expires with state license
b. Child Care Facility Worker	$ 10.00 Required every two years
c. Food Service Manager	$ 30.00 Expires with state license

11. Special Event Permit $ 60.00 Nonprofit agencies are exempt

Commercial Building Permit Fees

Table 1A

Total Valuation	Fee
$1.00 to $500.00	$50.00
$501.00 to $2,000.00	$50.00 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2000.00
$2,001.00 to $25,000.00	$80.75 for the first $2000.00 plus $14.00 for each additional $1000.00, or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00	$402.75 for the first $25,000.00 plus $10.10 for each additional $1000.00, or fraction thereof, to and including $50,000.00
$50,001.00 to $100,000.00	$655.25 for the first $50,000.00 plus $7.00 for each additional $1000.00, or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	$1005.25 for the first $100,000.00 plus $5.60 for each additional $1000.00, or fraction thereof, to and including $500,000.00
$500,001.00 to $1,000,000.00	$3245.25 for the first $500,000.00 plus $4.75 for each additional $1000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	$5620.25 for the first $1,000,000.00 plus $3.65 for each additional $1000.00, or fraction thereof
For use of outside consultants for plan review or inspections	Actual costs

Contractor Registrations Expire when State License Expires	
Back Flow	$100.00
Fence	$100.00
General Contractor	$100.00
Irrigation	$100.00
Mechanical Contractor	$100.00
Demo Contractor	$100.00
Sign Contractor	$100.00

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102

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **May 30, 2019**

SUBJECT: **Architectural Review Board (ARB) Vacancy**

Adan Tovar recently resigned from the city's ARB, citing work scheduling conflicts which were inhibiting his ability to attend meetings. I previously provided Council with applications for those who've expressed an interest in possibly serving on this board. The person filling this vacancy would be appointed for a partial term, which would expire in August of 2020. The following shows the individuals who currently serve on the ARB and their respective roles:

Interested Citizen	Rick	Johnson
Residential Property Owner (interior design)	Ashlei	Neill
Interested Citizen	Bob	Wacker
Interested Citizen	VACANT	
Interested Citizen	Robert	Miller
Building Designer	Lindsay	Mitchell
Architect	Julien	Meyrat

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104

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

April 2019

Permits

Total Permits Issued: 359

Building Permits: 64 Contractor Permits: 295

Total Fees Collected: $186,555.47

Building Permits: $165,970.38 Contractor Permits: $20,585.09

Board of Adjustment

Board of Adjustment Cases 3

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 4/1/2019 thru 4/30/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	4	$0.00	$202.50
30 DAY BANNER	3	$0.00	$151.50
COMING SOON	1	$0.00	$51.00
CLEAN SHOW	2	$0.00	$153.00
	2	$0.00	$153.00
CO	3	$0.00	$228.00
BUSINESS	1	$0.00	$75.00
INTERIOR	1	$0.00	$76.50
NEW CONSTRUCTION	1	$0.00	$76.50
COMM	25	$3,717,761.00	$46,291.53
ADDITION	1	$300,000.00	$2,167.76
CONST TRAILER	1	$0.00	$102.00
DEMO	1	$7,900.00	$50.00
ELECTRICAL	2	$2,550.00	$119.68
EXPANSION	1	$500,000.00	$3,245.25
FENCE	2	$27,000.00	$70.70
IRRIGATION	2	$6,875.00	$70.70
MECHANICAL	1	$22,900.00	$374.75
NEW	1	$1,700,000.00	$31,646.35
PLUMBING	4	$3,850.00	$199.78
REMODEL	7	$1,088,500.00	$8,173.86
ROOF	2	$58,186.00	$70.70
MISCELLANEOUS	2	$0.00	$0.00
ELECTRICAL	2	$0.00	$0.00
MULTI FAMILY	2	$7,100.00	$150.00
FENCE	2	$7,100.00	$150.00
SIGNAGE	14	$97,450.00	$1,980.00
CANOPY	1	$7,500.00	$229.50
DIRECTORY	1	$1,000.00	$153.00
MONUMENT	5	$47,200.00	$379.50
WALL	7	$41,750.00	$1,218.00
SINGLE FAMILY	251		$134,920.44
ACC BLDG	5		$446.64
ADDITION	3		$761.76
BALCONY	1		$206.75
CONCRETE	12		$1,140.19
DECK	2		$73.82
DEMO	1		$51.50
ELECTRICAL	4		$626.27
FENCE	44		$1,562.60
IRRIGATION	26		$924.70
MECHANICAL	24		$4,897.39
MISCELLANEOUS	6		$214.20
NEW	20		$115,826.02
PATIO COVER	12		$2,381.02
PERGOLA	2		$252.50
PLUMBING	31		$2,097.53
PORT BLDG	1		$35.70
REMODEL	1		$503.75
RETAINING WALL	2		$71.40

City of Rockwall

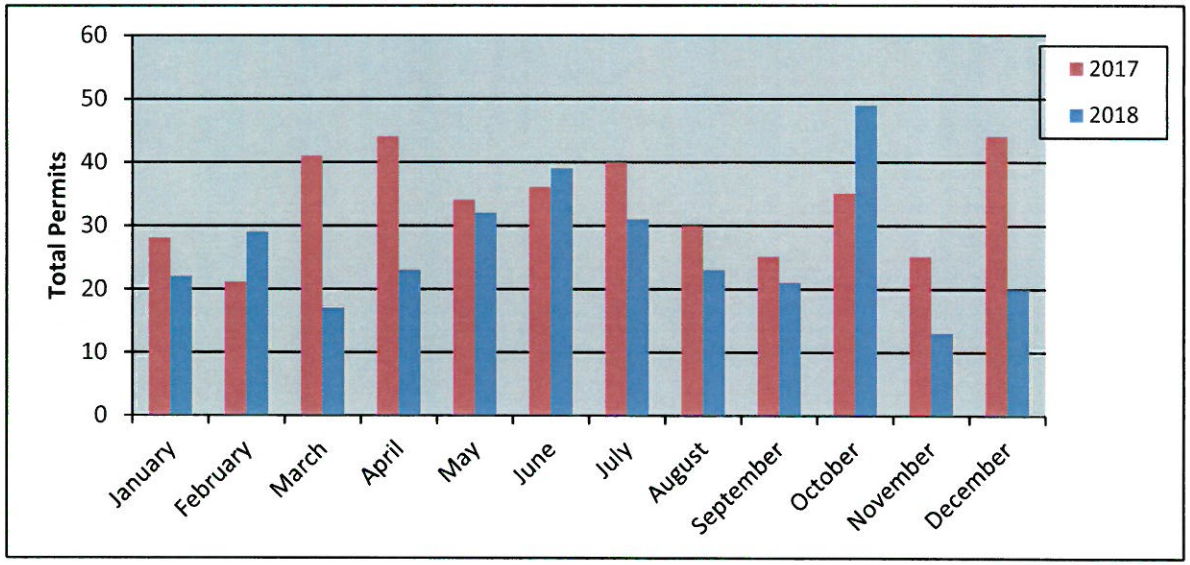
PERMITS ISSUED - Summary by Type and Subtype

For the Period 4/1/2019 thru 4/30/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
ROOF	38		$1,347.50
STORM SHELTER	2		$70.70
SWIM POOL	8		$1,215.00
WINDOWS	6		$213.50
SPECIAL EVENT	55	$0.00	$2,555.00
	55	$0.00	$2,555.00
TCO	1	$0.00	$75.00
	1	$0.00	$75.00
Totals:	359		$186,555.47

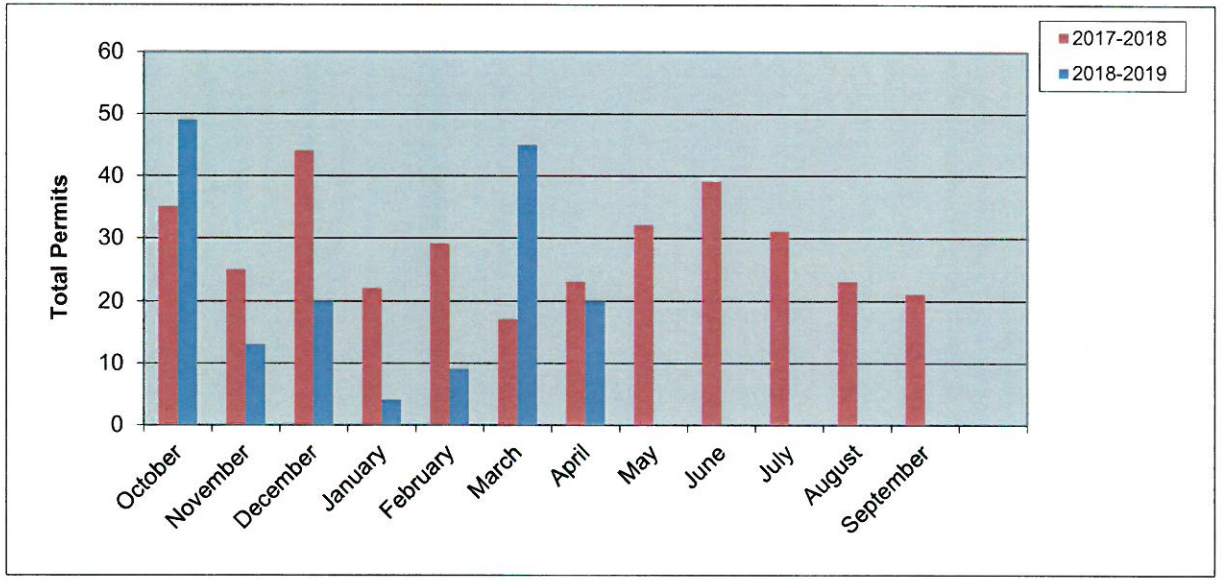
New Residential Permits Calendar Year

	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
Totals	**403**	319



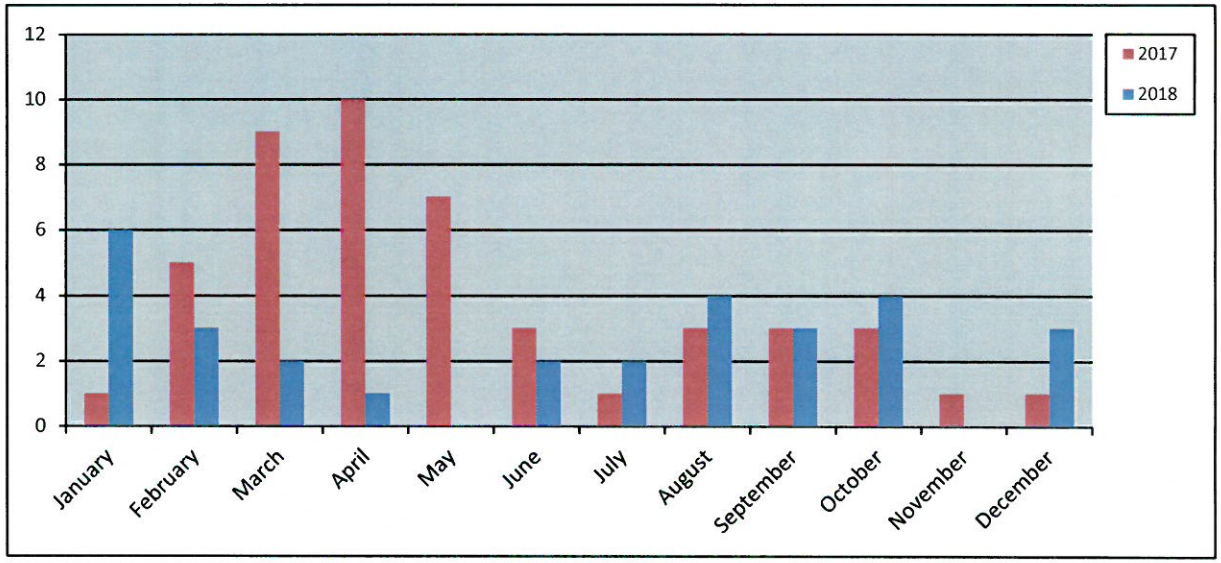
New Residential Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	9
March	17	45
April	23	20
May	32	
June	39	
July	31	
August	23	
September	21	
Totals	**341**	**160**



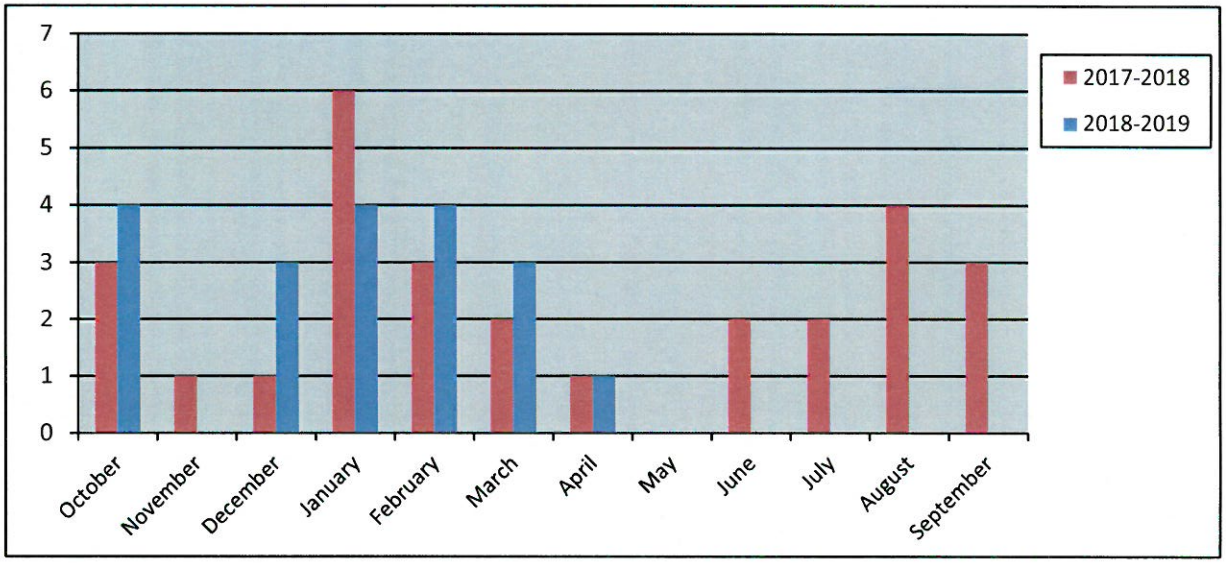
Residential Remodel Permits Calendar Year

	Year	
	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
Totals	**47**	30



Residential Remodel Permits Fiscal Year

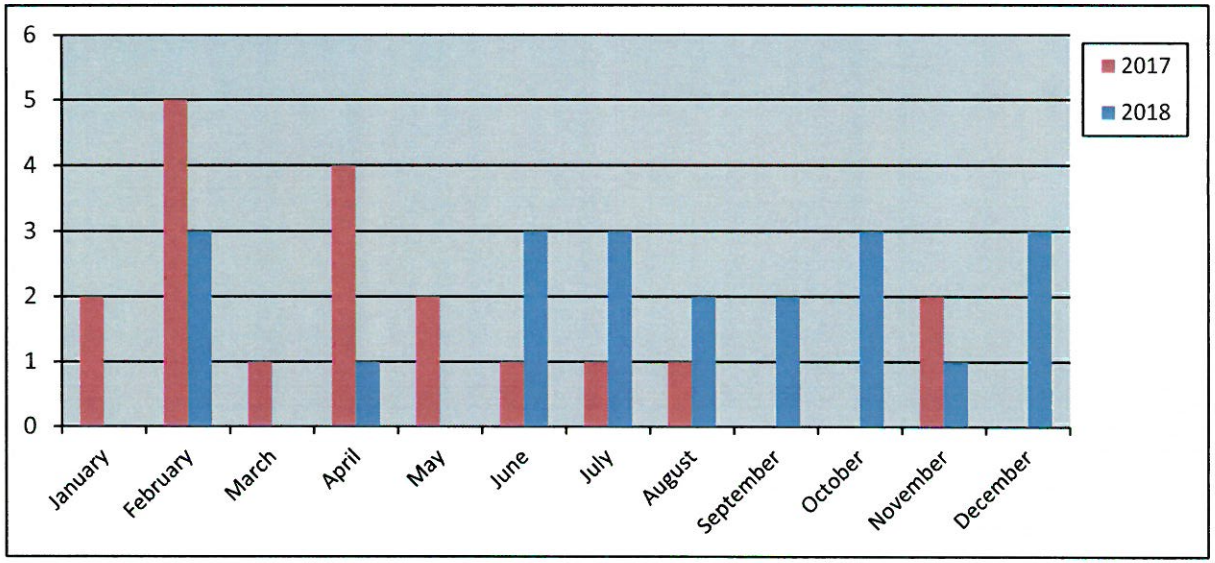
	Year	
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	4
March	2	3
April	1	1
May	0	
June	2	
July	2	
August	4	
September	3	
Totals	**28**	**19**



109

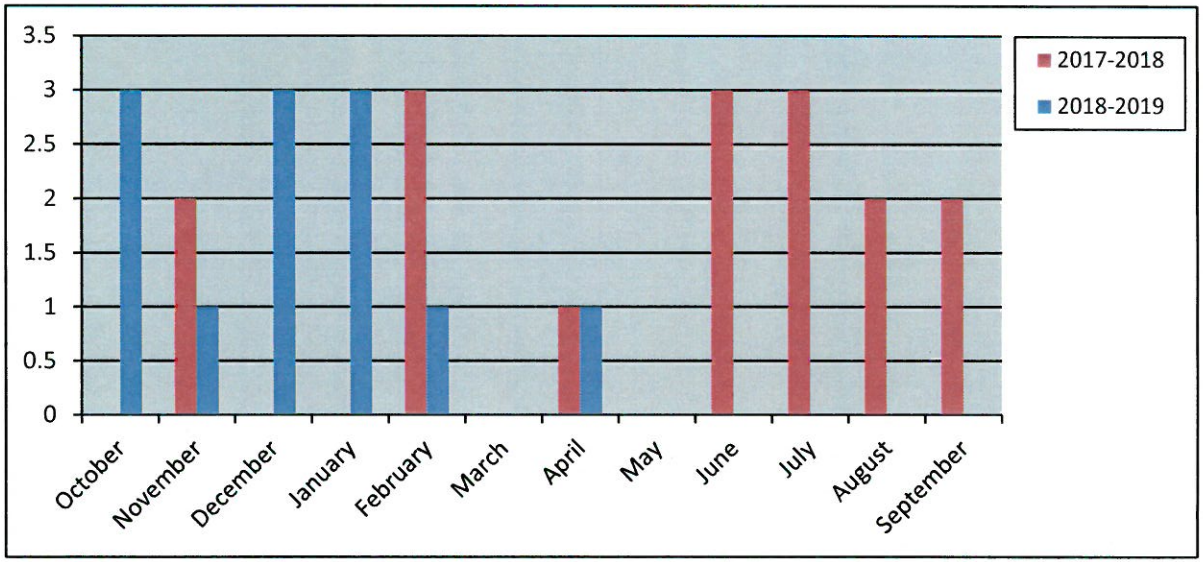
New Commercial Permits Calendar Year

	Year	
	2017	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
Totals	**19**	**21**



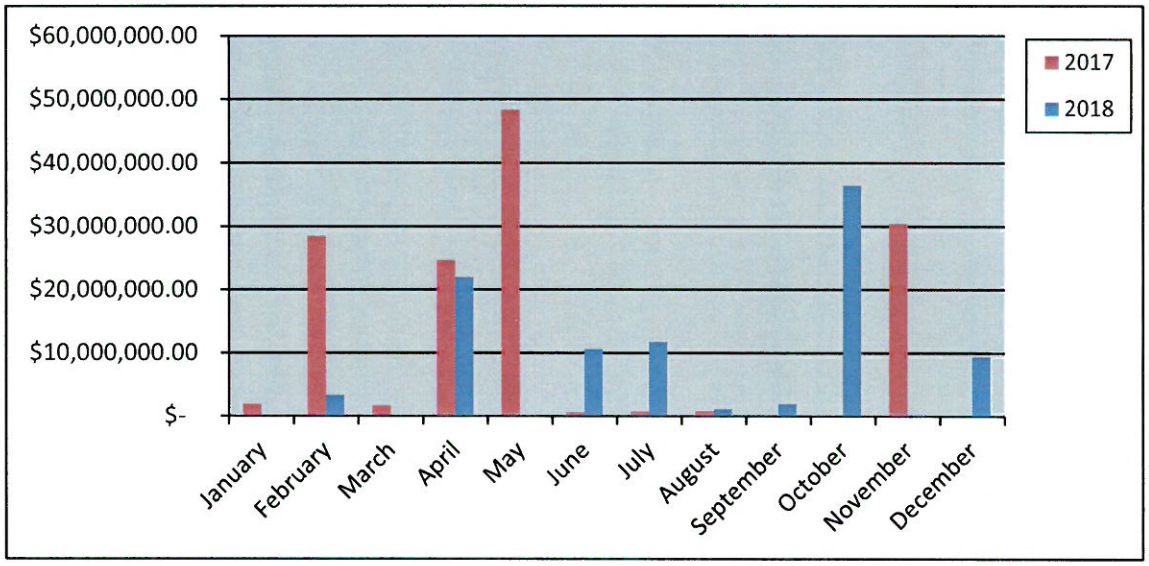
New Commercial Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	1
March	0	0
April	1	1
May	0	
June	3	
July	3	
August	2	
September	2	
Totals	**16**	**12**



New Commercial Value Calendar Year

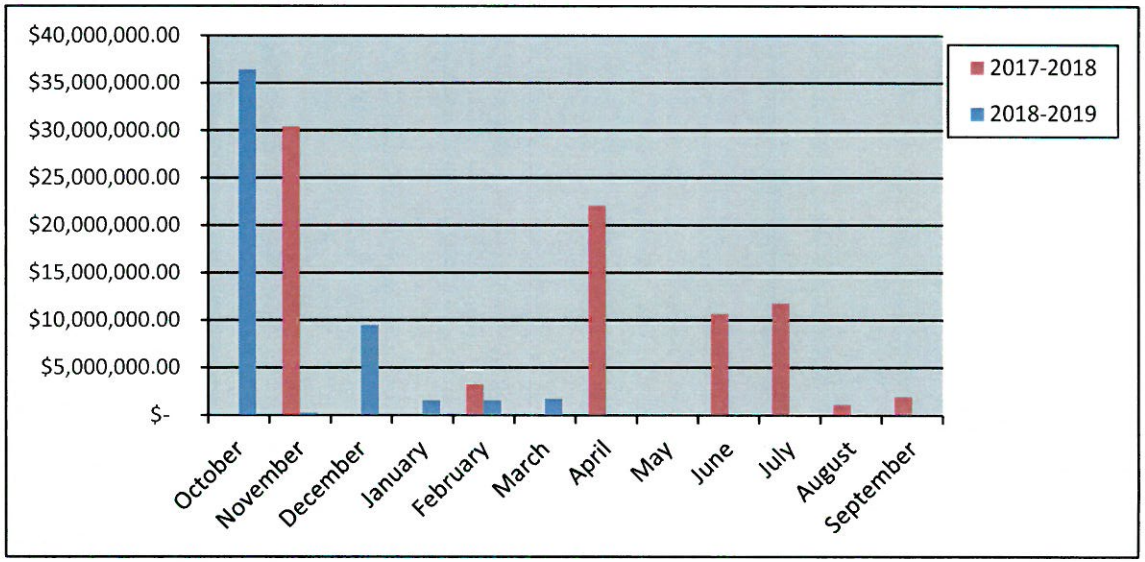
Year	2017	2018
January	$ 1,800,000.00	-
February	$ 28,400,000.00	$ 3,221,771.00
March	$ 1,599,026.00	-
April	$ 24,650,000.00	$ 22,000,000.00
May	$ 48,300,000.00	-
June	$ 569,400.00	$ 10,602,430.88
July	$ 700,000.00	$ 11,712,500.00
August	$ 726,506.00	$ 1,111,950.00
September	-	$ 1,930,813.00
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
Totals	**$ 137,134,932.00**	**$ 96,612,264.88**



111

New Commercial Value Fiscal Year

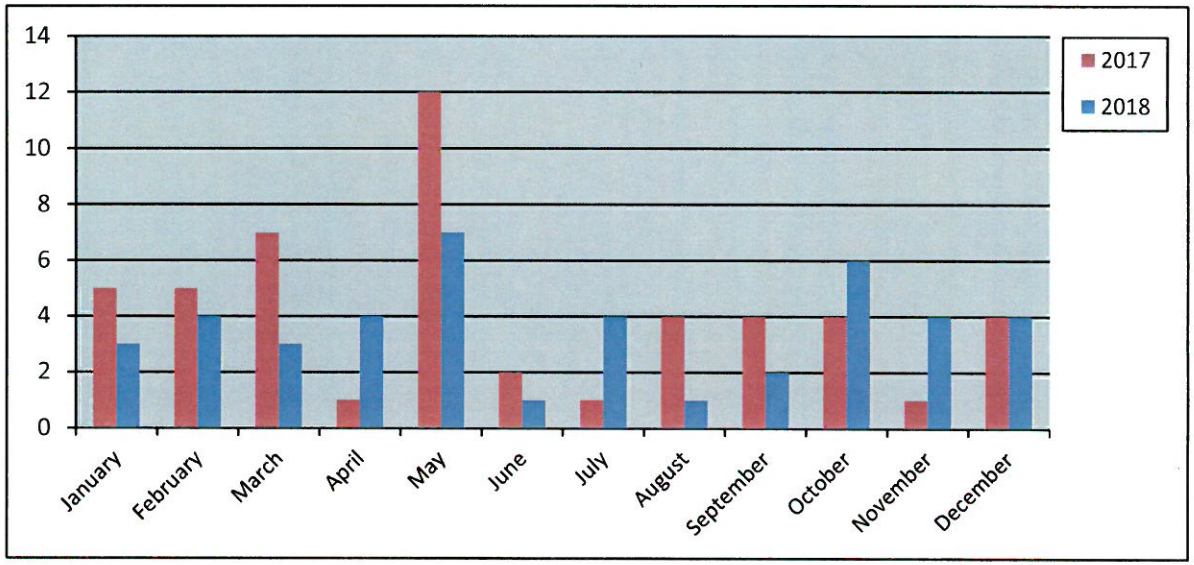
Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
January	-	$ 1,530,000.00
February	$ 3,221,771.00	$ 1,500,000.00
March	-	$ 1,700,000.00
April	$ 22,000,000.00	
May	-	
June	$ 10,602,430.88	
July	$ 11,712,500.00	
August	$ 1,111,950.00	
September	$ 1,930,813.00	
Totals	**$ 80,969,464.88**	**$ 50,762,800.00**



111

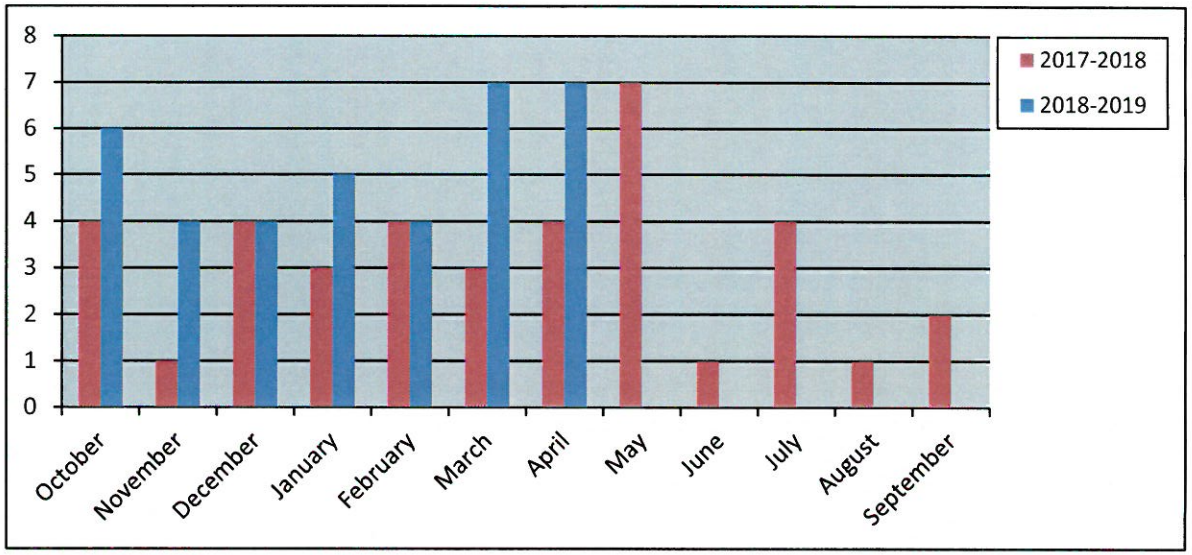
Commercial Remodel Permits Calendar Year

	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
Totals	**50**	**43**



Commercial Remodel Permits Fiscal Year

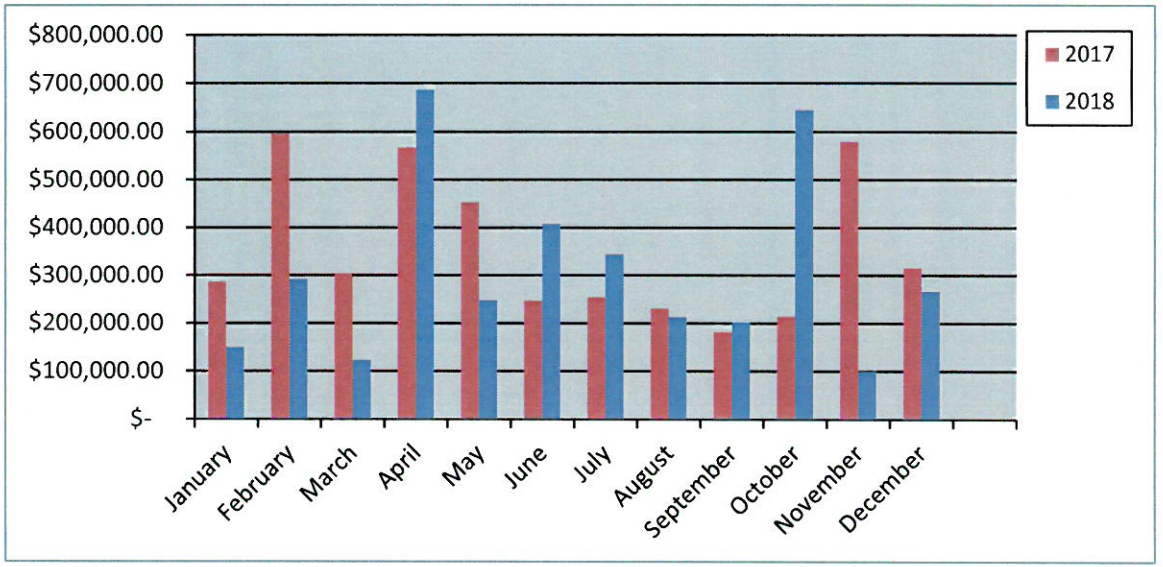
	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	4
March	3	7
April	4	7
May	7	
June	1	
July	4	
August	1	
September	2	
Totals	**38**	**37**



112

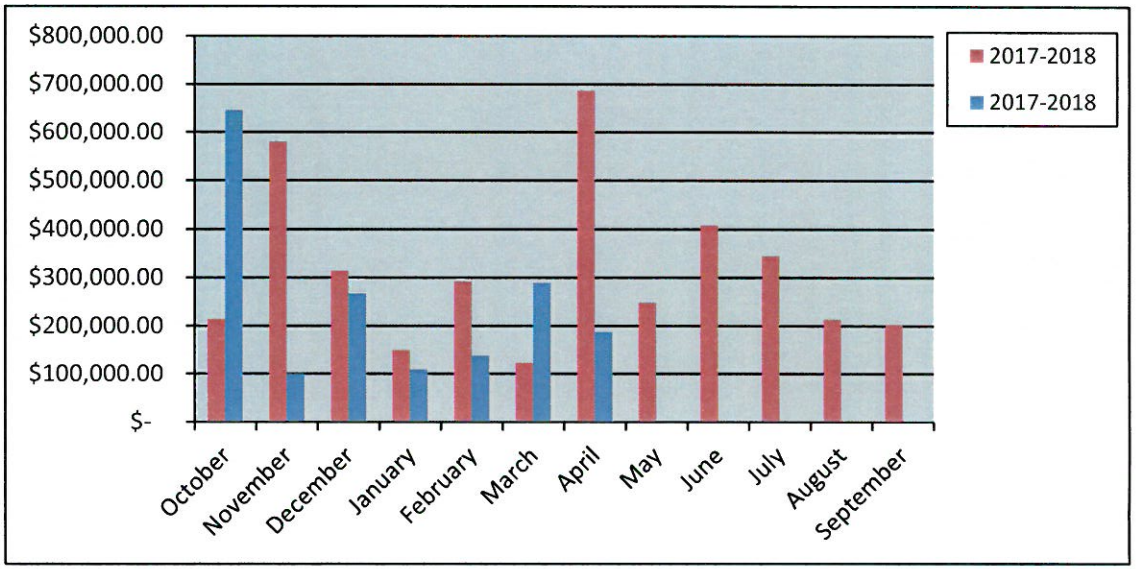
Total Fees Collected Calendar Year

Year	2017	2018
January	$ 284,774.34	$ 149,088.54
February	$ 595,848.26	$ 291,324.78
March	$ 302,406.79	$ 122,271.28
April	$ 566,291.24	$ 686,154.89
May	$ 451,389.66	$ 247,465.55
June	$ 244,930.08	$ 406,799.91
July	$ 252,374.52	$ 343,682.23
August	$ 229,266.56	$ 212,643.16
September	$ 180,561.41	$ 201,855.47
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
Totals	**$ 4,213,035.44**	**$ 3,673,110.11**



Total Fees Collected Fiscal Year

Year	2017-2018	2017-2018
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	$ 137,260.79
March	$ 122,271.28	$ 288,576.03
April	$ 686,154.89	$ 186,555.47
May	$ 247,465.55	
June	$ 406,799.91	
July	$ 343,682.23	
August	$ 212,643.16	
September	$ 201,855.47	
Totals	**$ 3,766,478.39**	**$ 1,732,541.82**



City of Rockwall
PERMITS ISSUED
For the Period 4/1/2019 thru 4/30/2019

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0039	CO	1920 Mims Rd.	0.00	76.50	76.50
03/21/2019	NEW CONSTRUCTION				
04/24/2019	Active	Rockwall School Of Music			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Russ Porter	1920 Mims Rd., Rockwall, TX 75032	(214) 244-3288
BUS OWNER	Russ Porter	1920 Mims Rd., Rockwall, TX 75032	(214) 244-3288
BUSINESS	Rockwall School Of Music	1920 Mims Rd, Rockwall, TX 75032	(972) 722-6874
OWNER	Russ Porter	1920 Mims Rd., Rockwall, TX 75032	(214) 244-3288

CO2019-0040	CO	2314 Greencrest Blvd.	0.00	76.50	76.50
03/29/2019	INTERIOR	5226-000A-0001-00-0R			
04/03/2019	Active	.CBD American Shaman of Rockwall			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Sara Routt	, ,	(469) 989-1516
BUS OWNER	Greg & Sara Routt	2314 Greencrest Blvd., ROCKWALL, TX 75087	(469) 989-1516
BUSINESS	CBD American Shaman of R	2314 Greencrest Dr., ROCKWALL, TX 75087	(469) 769-1990
OWNER	JLIU, Asset Management	217 E. Davis St., Mesquite, TX 75149	(214) 217-8250

CO2019-0042	CO	103 E Bourn St	0.00	75.00	75.00
04/03/2019	BUSINESS	4900-000L-0004-00-0R			
04/12/2019	Active	My Southern Sugar Bakers			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Joanna R. Smith	103 Bourn, Rockwall, TX 75087	(979) 255-7858
BUS OWNER	Joanna R. Smith	103 E Bourn St, Rockwall, TX 75087	(979) 255-7858
BUSINESS	My Southern SUgar Bakers	103 E Bourn St, Rockwall, TX 75087	(214) 304-6678
OWNER	Jason Edwards	10 Dancing Waters, Rockwall, TX 75032	(972) 971-1410

Total Valuation:	**0.00**
Total Fees:	**228.00**
Total Fees Paid:	**228.00**

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115

Key Projects:

(1) **Outside Agencies / Citizens**. USPS

(2) **Engineering/Public Works**. Manhole ID's for Camera Videos, Ladera Rockwall Overlay – Floodplain, Stormwater Map w/ Subdivisions, GraniteNet – Standards, Turtle Street to Ridge Mailout, Replaced Water Mains Map 2018, Basin SC 26 Ratings Map, Harry Myers Parking Lot Design, Breezy Hill Ph 9 (Pond Issue), Waste Water Ratings Map, Public Works TCEQ Report Data, TCEQ Report Data, GraniteNet Contract / Questions, Lollicup Warehouse Utility Data, CityWorks EPA Queries, WO SS Lines Map, Floodplain Update, WO Queries & Data

(3) **Planning Department**. Zoning Map / 212 Updates, ETJ - 2000 ac concept, Historical Street names, Heritage Park For & Against Map, Annexation Map 2019, Planning Cases COGO, Z2019-011 Exhibit, ICSC Brochure

(4) **GIS**. 911 Addressing, GPS Technician job opening, GIS Budget 2019-2020, GPS Quotes and Demo, COG Aerial Contract, Webserver Issues, Update Condo Owners in Parcels

(5) **Police / Fire.** Fire Dist. and Lake Maps, FH Queries, FH List by Boxes, PD Graphics - SVG format, PD NWS - Update

(6) **Admin / Int. Ops..** Fire Station alerting system Street name update, Nash St renaming, Downtown parking spots updates

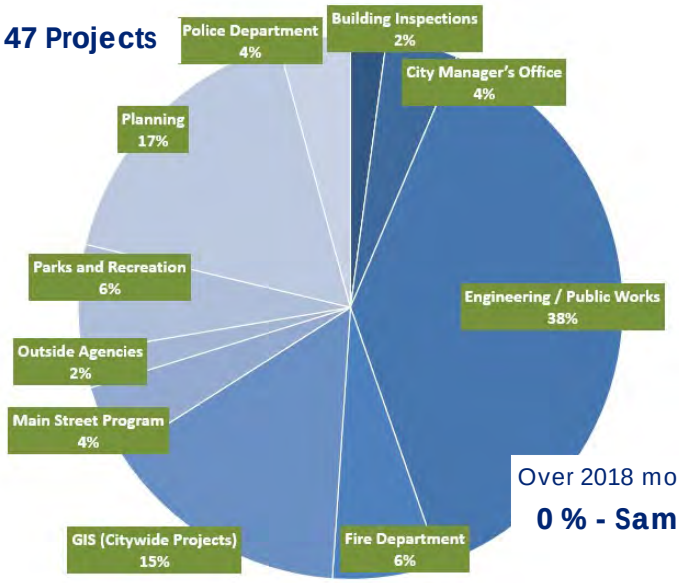
(7) **Bldg. Inspections.** 608 Christian Court Mailout

(8) **City Mangers Office**. FAA Tree Inspection and Lidar Maps, City facility planning

(9) **Parks and Rec**. Harry Myers Elec Esmts, 10 min Walk Parks Wall Map, Founders Day Potential Parking

(10) **Main Street**. Corks & Canvas Layout, Farmers Market Layout Map

Monthly Project Request by Department:

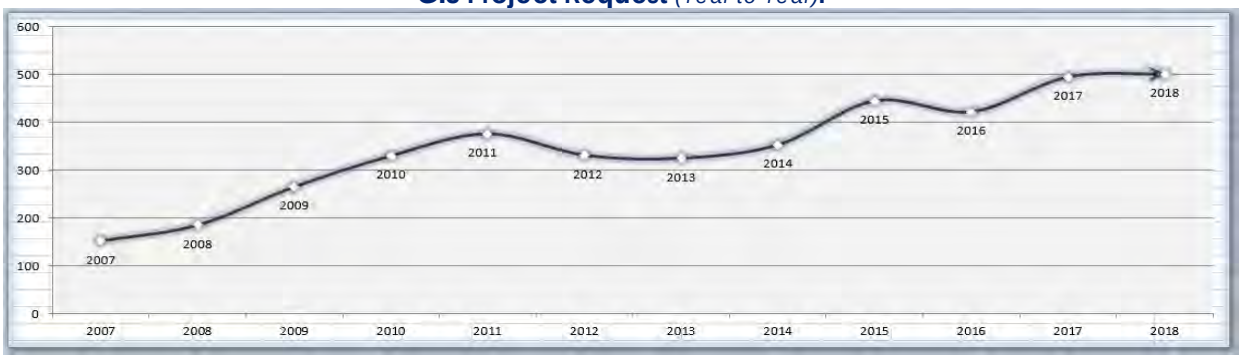


Over 2018 month

0 % - Same

Admin / HR / Internal Ops	0
Building Inspections	1
Citizen Request	0
City Council	0
City Manager's Office	2
Neighborhood Improvement Services	0
Engineering / Public Works	18
Finance / Utility Billing	0
Fire Department	3
GIS (Citywide Projects)	7
IT	0
Main Street Program	2
Outside Agencies	1
Parks and Recreation	3
Planning	8
Police Department	2
REDC	0
Total	**47**

GIS Project Request *(Year to Year)*:



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117

Rockwall Police Department

Harbor District Call For Service

April 2019

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2019-00010735	04/14/2019	02:19:58	The Hilton	Assault	Citation
2019-00010682	04/13/2019	10:21:03	The Harbor	Criminal Mischief	Report
2019-00011974	04/26/2019	20:41:15	The Harbor	Disturbed Person	No Report
2019-00012064	04/27/2019	21:54:03	The Hilton	General Complaint	No Report
2019-00011272	04/19/2019	16:22:48	The Hilton	Parking Violation	No Report
2019-00011868	04/25/2019	22:33:35	Cinemark Movies 12	Intoxicated	Unable to Locate
2019-00010308	04/09/2019	07:07:58	Cinemark Movies 12	Suspicious Activity	No Report
2019-00012355	04/30/2019	15:58:04	Cinemark Movies 12	Theft	No Report
2019-00011391	04/20/2019	22:47:17	The Hilton	Welfare Concern	No Report
2019-00011404	04/21/2019	02:25:57	The Hilton	Welfare Concern	Report

Common Name	
Cinemark 12	3
The Harbor	2
The Hilton	5
Total	**10**

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119

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
APRIL 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	15	15	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	7	7	0	100%
ANIMAL SERVICES	7	7	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	2	2	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	21	21	0	100%
INTERNAL OPERATIONS	98	98	0	100%
MUNICIPAL COURT	10	10	0	100%
PARKS & RECREATION	12	12	0	100%
PLANNING & ZONING	8	8	0	100%
POLICE DEPARTMENT	37	37	0	100%
PUBLIC WORKS	6	6	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	227	227	0	100%

120

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121

Rockwall Police Department

Monthly Activity Report

April-2019

ACTIVITY	CURRENT MONTH APRIL	PREVIOUS MONTH MARCH	YTD 2019	YTD 2018	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	0	1	5	5	**0.00%**
Robbery	2	1	3	1	**200.00%**
Aggravated Assault	1	1	6	6	**0.00%**
Burglary	4	6	16	9	**77.78%**
Larceny	42	41	179	209	**-14.35%**
Motor Vehicle Theft	2	2	13	16	**-18.75%**
TOTAL PART I	**51**	**52**	**222**	**246**	**-9.76%**
TOTAL PART II	**140**	**153**	**579**	**615**	**-5.85%**
TOTAL OFFENSES	**191**	**205**	**801**	**861**	**-6.97%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	25	18	76	54	**40.74%**
D.W.I.	20	21	79	71	**11.27%**
ARRESTS					
FELONY	31	36	146	130	**12.31%**
MISDEMEANOR	61	76	262	282	**-7.09%**
WARRANT ARREST	15	8	42	42	**0.00%**
JUVENILE	3	1	10	27	**-62.96%**
TOTAL ARRESTS	**110**	**121**	**460**	**481**	**-4.37%**
DISPATCH					
CALLS FOR SERVICE	1535	1440	5727	5222	**9.67%**
ACCIDENTS					
INJURY	13	12	43	55	**-21.82%**
NON-INJURY	66	54	244	198	**23.23%**
FATALITY	0	0	0	1	**-100.00%**
TOTAL	**79**	**66**	**287**	**254**	**12.99%**

ROCKWALL NARCOTICS UNIT

Number of Cases	
Arrests	**4**
Arrest Warrants	**1**
Search Warrants	**1**
Seized	
Heroin	497 Grams
Methamphetamine	6 Kilograms
THC Oil	6 Grams

Rockwall Police Department

Dispatch and Response Times

April 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**97**
Call to Dispatch	0:01:28		
Call to Arrival	0:06:06		
% over 7 minutes	33%		

	Average Response Time		
Priority 2		Number of Calls	**285**
Call to Dispatch	0:09:26		
Call to Arrival	0:16:51		
% over 7 minutes	65%		

	Average Response Time		
Priority 3		Number of Calls	**64**
Call to Dispatch	0:04:28		
Call to Arrival	0:14:07		
% over 7 minutes	59%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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124



PARTICIPATION



EASTER EGG HUNT: 1500 PARTICPANTS



FAMILY FUN FRIDAY:PARK AT HICKORY RIDGE:
100 PARTICPANTS



LONE STAR OUTDOOR DAYS:
88 PARTICIPANTS

MONTHLY OVERVIEW	*APR '19*
Part Time Labor Hours	**442.5**
Program Offerings	**18**
Program Participants	**1581**
Resident Participants	**806**
Non-Resident Participants	**775**
Programs that Made	**18**
Cancelled Programs	**0**
% of Programs Cancelled	**0%**

FEE BASED RESIDENT VS NON-RESIDENT

18 programs

51% **49%**

125

VOLUNTEER IN THE PARKS (V.I.P.)



N/A

TOTAL # OF VOLUNTEER HOURS

# OF VOLUNTEERS	N/A
# OF VOLUNTEER HOURS	N/A

N/A



HMCC	APR '19
Time Blocks Rented	60
Monthly Revenue	$2400

HMCC RENTAL ACTIVITY BY TIME BLOCK

60 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM



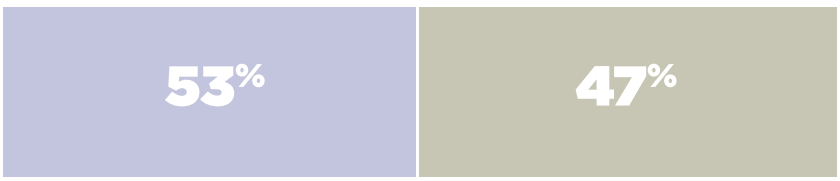


PAVILIONS	APR '19
Time Blocks Rented	45
Monthly Revenue	$1800

PAVILION RENTAL ACTIVITY BY TIME BLOCK

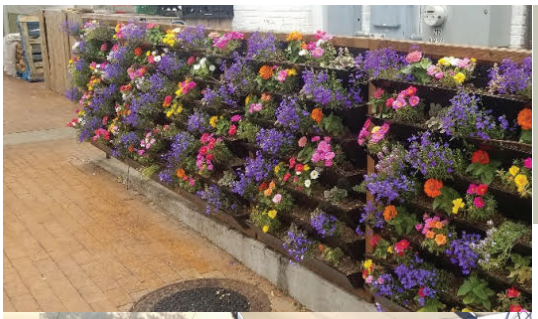
29 Rentals

6 AM - 3 PM | 3 - 11 PM



126

PARKS





FACILITY MANAGEMENT:

Spring Flower Program Complete

FACILITY UPGRADE:

Pickle Ball Court Complete at Myers



FACILITY ADDED FEATURE:

13 new Smart Link Irrigation controllers installed 75% complete with City wide conversion giving us control of irrigation from anywhere in world with cell phone.



127

MARKETING

FACEBOOK PAGE LIKES

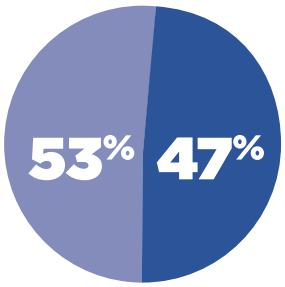
	GAIN OR LOSS
MAR	+195
APR	+170

TOTAL LIKES THRU 4/30/2019

Like **12,683**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
MAR	8037	+109
APR	8165	+128



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

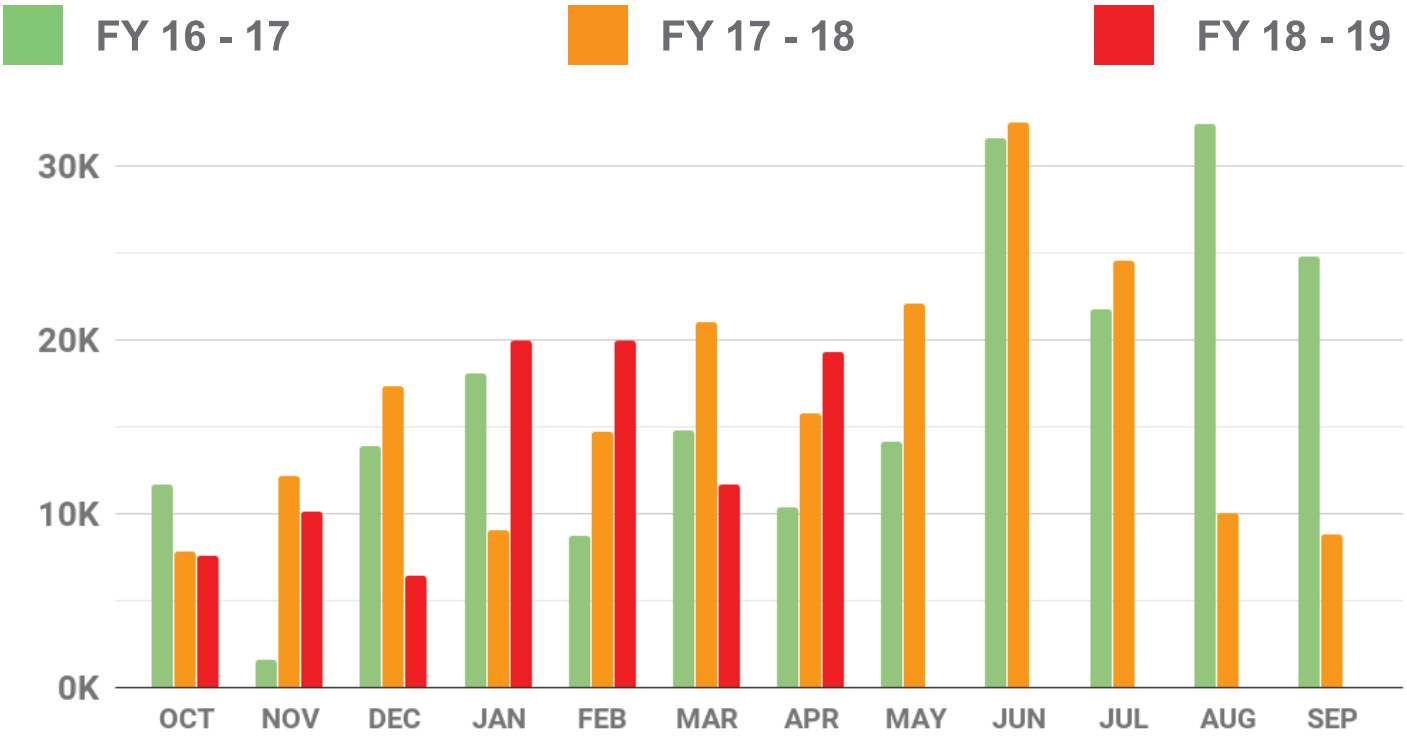
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of April 2019.	109,674
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	22,022
USERS Visitors to playrockwall.com	14,897

REVENUE

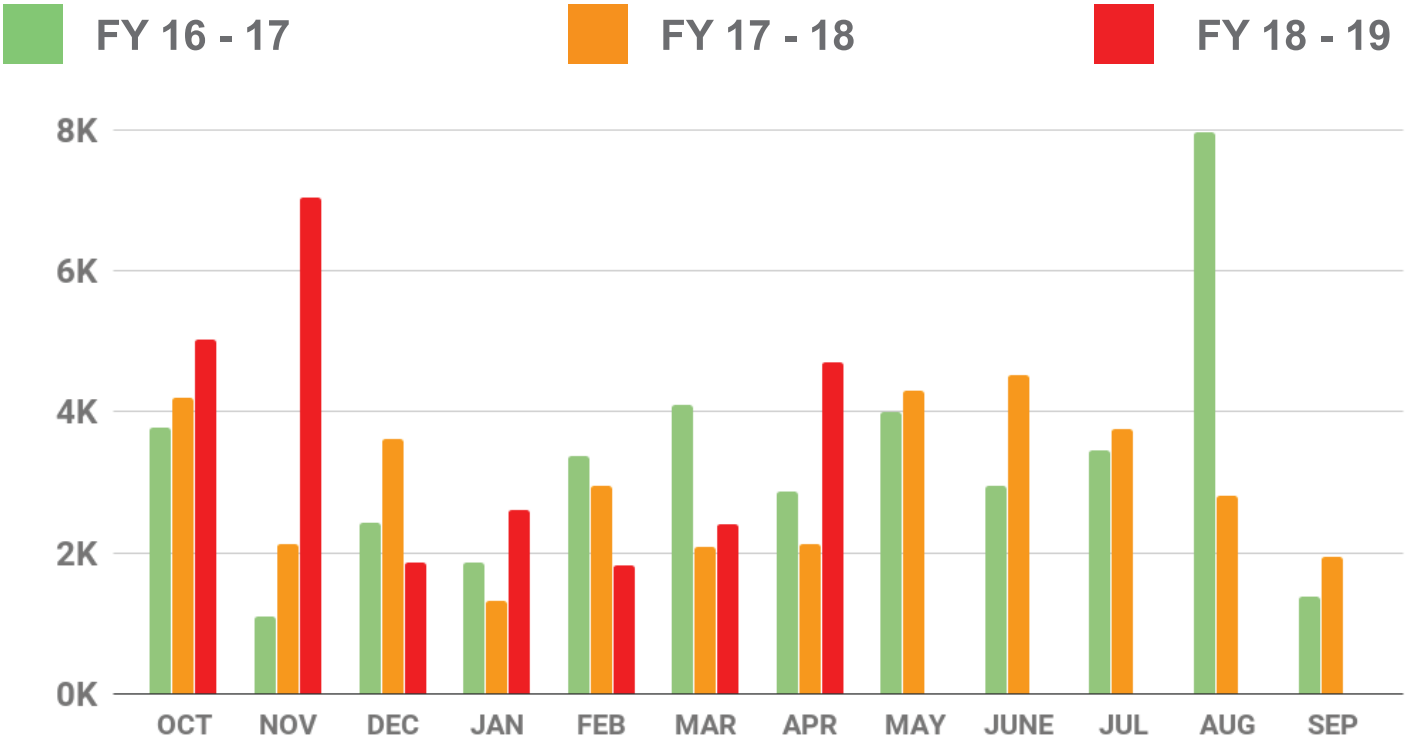
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



129

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130

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	**96%**
March '19	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	**100%**
April '19	38-56%	5-7%	22-32%	1-1%	2-3%	76	68	**95%**
May '19								
June '19								
July '19								
August '19								
September '19								
October '19								
November '19								
December '19								

131

Rockwall Animal Adoption Center

PROFIT AND LOSS

April 2019

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	2,455.00
4112 Adoption Fee - Cat	635.00
Total 4100 Adoption Fee	**3,090.00**
4200 Impound Fee	570.00
4300 Owner Surrender	980.00
4350 Quarantine Fee	100.00
4400 Direct Public Support	
4410 Corporate Contributions	695.02
Total 4400 Direct Public Support	**695.02**
4650 Medical	485.00
4700 General Donations	4,349.25
47200 Program Income	
47230 Membership Dues	75.00
Total 47200 Program Income	**75.00**
Total Income	**$10,344.27**
GROSS PROFIT	**$10,344.27**
Expenses	
5200 - Shelter Expense	
5201 - Canine Food	56.54
5203 Medication	4,141.47
5209 - Shelter Supplies	226.84
5211 - Repair & Maint.	465.00
5220 - Truck Maintenance	289.81
Total 5200 - Shelter Expense	**5,179.66**
5300 - Veterinary Expense	2,725.88
5400 - Professional Services	2,083.34
65000 5000 - Administative Expense	
5002 - Website	799.50
5004 - Paypal/Intuit fee	373.64
5005 - Postage	48.18
5006 - Bank Fees	122.34
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	24,931.89
5055 - Payroll Tax	1,891.11
5056 - 401K Employer/Healthcare	860.48
5099 - Misc	1,134.77
65040 5001 - Supplies	562.14
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**31,228.55**
68300 Travel and Meetings	264.67
Total Expenses	**$41,482.10**

	TOTAL
NET OPERATING INCOME	**$ -31,137.83**
NET INCOME	**$ -31,137.83**

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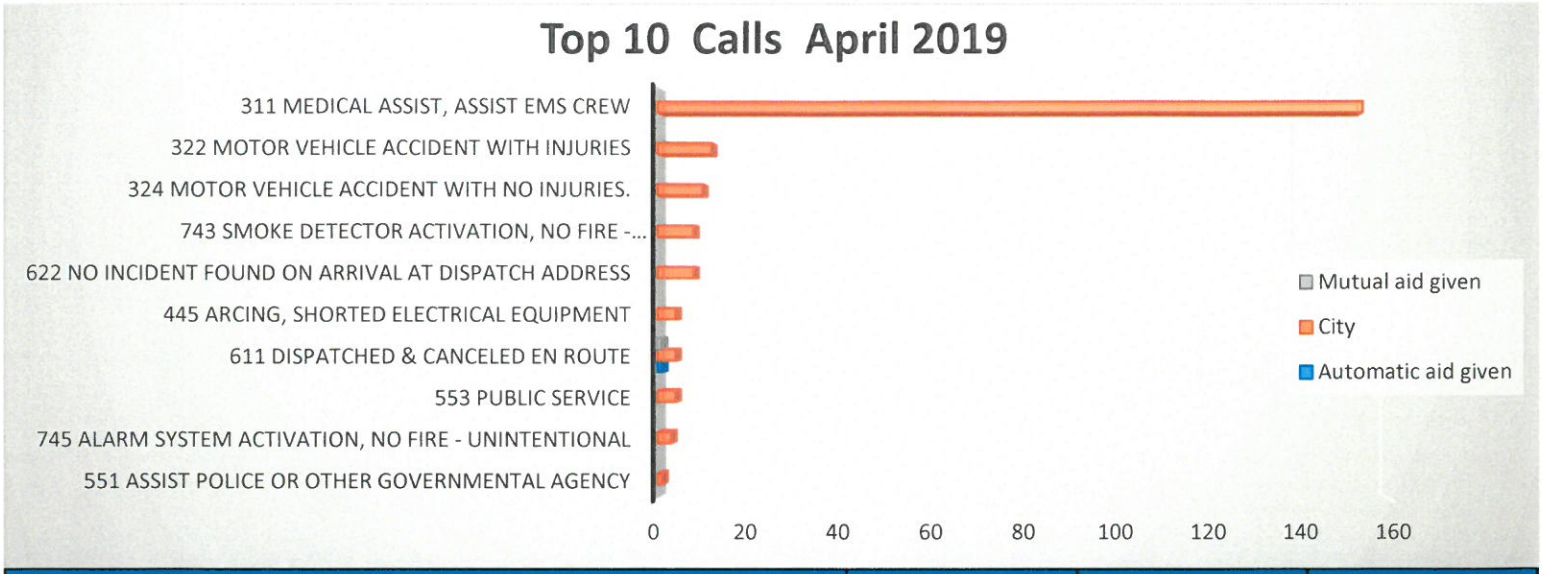
134

ROCKWALL FIRE DEPARTMENT

Monthly Report

April 2019

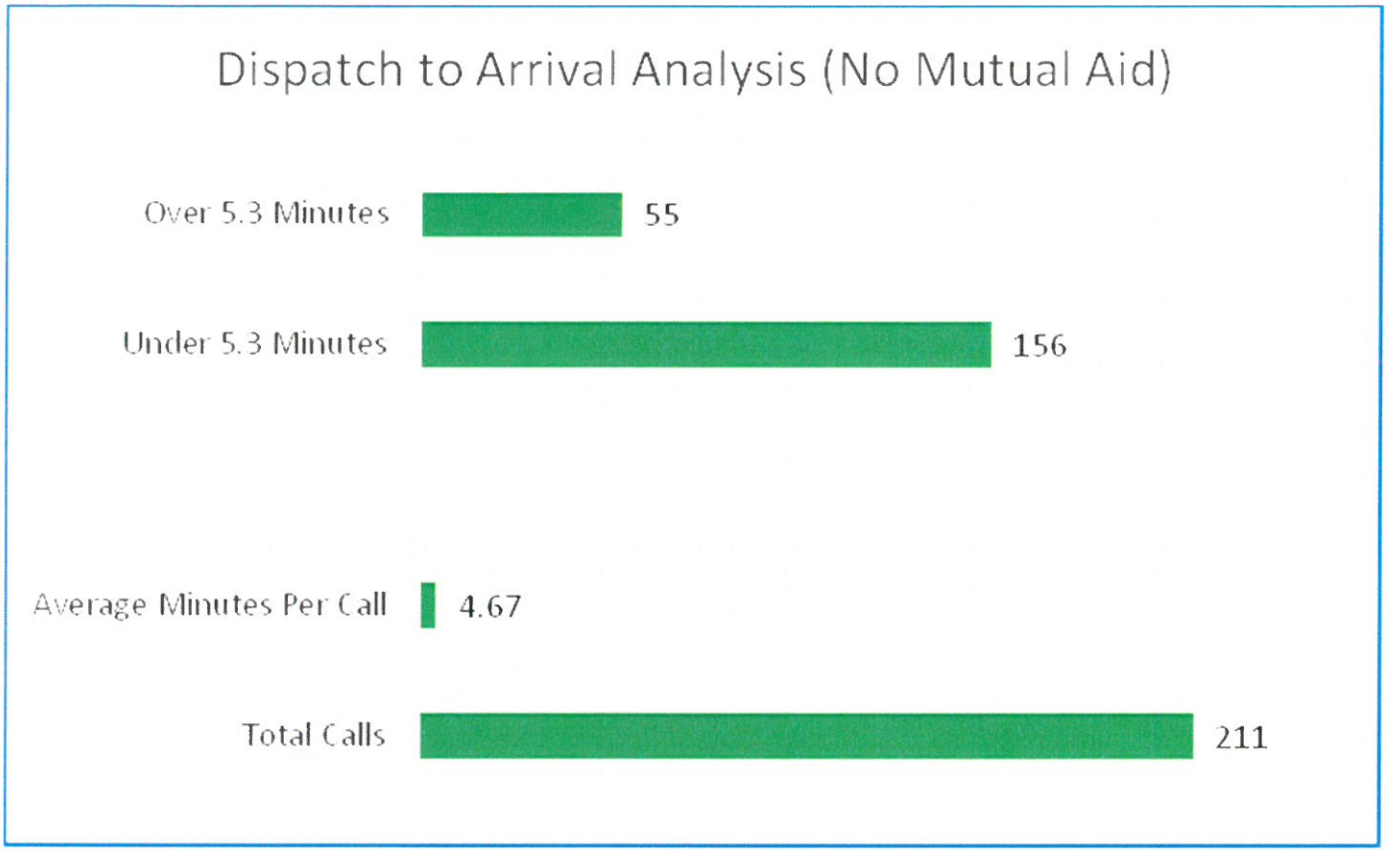
135



April 2019- All Calls			
Situation Type	Automatic aid given	Mutual aid given	City
111 Building fire			5
311 Medical assist, assist EMS crew			154
322 Motor vehicle accident with injuries			12
412 Gas leak (natural gas or LPG)			4
611 Dispatched & canceled en route	1	1	4
622 No incident found on arrival at dispatch address			8
733 Smoke detector activation due to malfunction			7
735 Alarm system sounded due to malfunction			4
743 Smoke detector activation, no fire - unintentional			8
745 Alarm system activation, no fire - unintentional			3
411 Gasoline or other flammable liquid spill			1
131 Passenger vehicle fire (cars, pickups, SUV's)			2
651 Smoke scare, odor of smoke			3
324 Motor vehicle accident with no injuries.			10
444 Power line down			5
550 Smoke Detector Battery Change/Install			3
553 Public service			4
736 CO detector activation due to malfunction			1
143 Grass fire			2
151 Outside rubbish, trash or waste fire			1
342 Search for person in water		1	1
460 Accident, potential accident, other			1
550 Public service assistance, other			1
653 Smoke from barbecue, tar kettle			1
742 Extinguishing system activation			1
117 Commercial Compactor fire, confined to rubbish			1
350 Extrication, rescue, other			1
352 Extrication of victim(s) from vehicle			1
445 Arcing, shorted electrical equipment			4
500 Service Call, other			1
531 Smoke or odor removal			1
541 Animal problem			2
551 Assist police or other governmental agency			1
631 Authorized controlled burning			1
711 Municipal alarm system, malicious false alarm			1
731 Sprinkler activation due to malfunction			1
740 Unintentional transmission of alarm, other			1
Totals	**1**	**2**	**262**

136

Dispatch to Arrive April 2019- All Code 3 Calls



Dispatch to Arrival Analysis-(No Mutual Aid)					**Total Calls**
72%	**On Scene in**	**5.3**	**minutes or less**		**156**
80%	**On Scene in**	**6.0**	**minutes or less**		**187**
90%	**On Scene in**	**7.0**	**minutes or less**		**192**
93%	**On Scene in**	**8.0**	**minutes or less**		**199**
96%	**On Scene in**	**9.0**	**minutes or less**		**205**
100%	**On Scene in**	**26.0**	**minutes or less**		**211**
	Total Calls		**211**		

Travel Times for April 2019



Travel Time Analysis-*By District* ALL- (No Mutual Aid)				Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% 4 min or less	All Code 3 Calls					
	100s					
84%	On Scene in	4.0	minutes or less	58	3.04	27.49%
	200s					
75%	On Scene in	4.0	minutes or less	56	3.45	26.54%
	300s					
85%	On Scene in	4.0	minutes or less	26	3.31	12.32%
	400s					
65%	On Scene in	4.0	minutes or less	51	5.07	24.17%
	500s					
0%	On Scene in	4.0	minutes or less	8	5.80	3.79%
	600s					
50%	On Scene in	4.0	minutes or less	2	4.02	0.95%
	700s					
0%	On Scene in	4.0	minutes or less	7	5.46	3.32%
	800s					
33%	On Scene in	4.0	minutes or less	3	4.16	1.42%
	900s					
	On Scene in	4.0	minutes or less	0		
			Total Calls	211		

138

Total Dollar Losses

April 2019

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 05/21/2019 14:05
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$1,000.00	$59,715.00	$0.00	$65,715.00	$98,060.00
Total Content Loss:	$0.00	$40,000.00	$0.00	$40,000.00	$60,236.00
Total Property Pre-Incident Value:	$400,112.00	$506,494.92	$0.00	$4,507,606.92	$98,060.00
Total Contents Pre-Incident Value	$100,000.00	$303,896.35	$0.00	$403,896.35	$58,836.00
Total Losses:	$1,000.00	$99,715.00	$.00	$105,715.00	$1,000.00
Total Value:	$500,112.00	$810,391.27	$.00	$4,911,503.27	$156,896.00

139

ROCKWALL FIRE

Fire Marshal Division

Monthly Report - April 2019

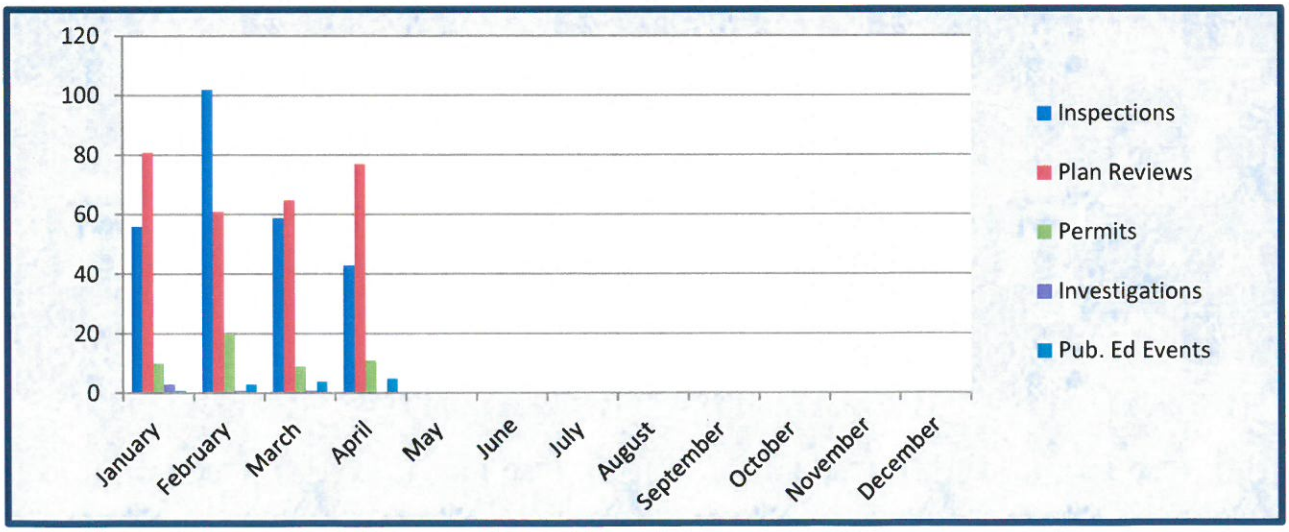
Inspection Status Report	
Finaled Inspections	21
Pending Inspections	22
Total for the Month	**43**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	0
Total for the Month	**0**

Plan Review Report	
CO	10
COMM	42
Engineering	2
Plat	6
Site Plan	6
Single Family	1
Special Event	4
Multi Family	2
TCO	1
Zoning	3
Total for the Month	77

Fire Permit Report	
Fire Alarm	1
Fire Sprinkler	3
Fire Sprinkler Monitoring System	1
Fireworks	1
Kitchen Suppression	1
Temp Aboveground Tank	4
Total for the Month	**11**

Public Education Events	
Total for the Month	**5**



140

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141

May 3, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: April 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
APRIL	21	1,686

Non-Service Days: April 19th

NO. OF TRIPS	PURPOSE
867	Contract Service
45	Education
2	Government
36	Medicaid
217	Medical
16	Nutrition (Senior Center)
212	Other (adult-day care, beauty salon, friend's homes, etc.)
79	Shopping
212	Work

APRIL UNDUPLICATED PASSENGERS
74
YEAR TO DATE UNDUPLICATED PASSENGERS
222

Adjusted Trip Total	783

*Trip Totals without Contracts or Medicaid

> = 60	464
DIS >60	125
	589
% E & D Trip Total	75%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **11,906**
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: APRIL 2018 TRIP TOTAL= 1,884 (11% DECREASE)

ROCKWALL CITY	1Q	2Q	3Q	4Q	*PURPOSE TOTALS*
CONTRACT	1,015	1,936	2,312	0	*5,263*
EDU	77	74	74	0	*225*
GOV	5	8	2	0	*15*
MDE	219	245	78	0	*542*
MED	632	605	445	0	*1,682*
NUT	34	43	38	0	*115*
OTH	544	594	476	0	*1,614*
SHP	533	380	251	0	*1,164*
WORK	464	479	343	0	*1,286*
	3,523	4,364	4,019	0	*11,906*

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743	1,206	2,415	2,333	1,686					**11,906**	*1,488*
	704	*919*	*885*	*743*	*871*	*814*	*888*	*819*	*0*	*0*	*0*	*0*	***6,643***	*554*
CONTRACT	709	306	0	0	335	1,601	1,445	867					**5,263**	*658*
EDU	0	41	36	12	17	45	29	45					**225**	*28*
GOV	1	2	2	4	2	2	0	2					**15**	*2*
MDE	62	69	88	90	90	65	42	36					**542**	*68*
MED	171	235	226	200	203	202	228	217					**1,682**	*210*
NUT	10	11	13	17	12	14	22	16					**115**	*14*
OTH	130	247	167	161	209	224	264	212					**1,614**	*202*
SHP	171	139	223	135	148	97	172	79					**1,164**	*146*
WORK	159	175	130	124	190	165	131	212					**1,286**	*161*
TOTAL DR TRIPS	**1,413**	**1,225**	**885**	**743**	**1,206**	**2,415**	**2,333**	**1,686**	**0**	**0**	**0**	**0**	11,906	*992*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Medicaid	62	69	88	90	90	65	42	36	0	0	0	0	**542**	*45*
Lakepointe Church Contract	709	306	0	0	335	1,601	1,445	867					**5,263**	*658*
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	**0**	*0*
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	*375*	*88*	*90*	*425*	*1,666*	*1,487*	*903*	*0*	*0*	*0*	*0*	***5,805***	*484*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Adjusted Trip Total	642	850	797	653	781	749	846	783	0	0	0	0	**6,101**	*43,511*
	*Trip Totals without Contracts or Medicaid													

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
> = 60	345	477	393	375	424	447	470	464					**3,395**	*424*
DIS <60	142	167	137	108	156	115	161	125					**1,111**	*139*
	487	*644*	*530*	*483*	*580*	*562*	*631*	*589*	*0*	*0*	*0*	*0*	***4,506***	*376*
% of Adjusted Trip Total	76%	76%	66%	74%	74%	75%	75%	75%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
GENERAL PUBLIC	155	206	267	170	201	187	215	194	0	0	0	0	**1,595**	*133*
% of Adjusted Total	24%	24%	34%	26%	26%	25%	25%	25%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19	21	19	21	21					163

NoShow/Cancel	527	474	476	370	456	369	483	489					3,644
UNDUPLICATED M2M	82	88	94	80	91	78	89	74					676
UNDUPLICATED YTD		114	144	161	187	202	213	222					1,243
			30	*17*	*26*	*15*	*11*	*9*	*-222*	*0*	*0*	*0*	

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	**323**	**440**	**360**	**319**	**437**	**388**	**438**	**439**					**3,144**
Percent Subs of Total Trips	**23%**	**36%**	**41%**	**43%**	**36%**	**16%**	**19%**	**26%**	**#DIV/0!**	**#DIV/0!**	**#DIV/0!**	**#DIV/0!**	
SUBS Can/NoShow	**119**	**136**	**210**	**211**	**261**	**201**	**235**	**234**					**1,607**

1686

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144

Table of Contents

Agenda 3

Consider approval of the minutes from the June 3, 2019 regular city council meeting, and take any action necessary.

Minutes 6

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Consider awarding a bid to Magnum Manhole and authorizing the City Manager to execute a Purchase Order for Lift Station Wet Well Lining Project in the amount of $68,390 to be funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any action necessary.

Memo 14

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Consider approval of a facility use agreement at Gloria Williams Pool between the City and the Rockwall YMCA for the purposes of providing swim lessons to members of the Boys and Girls Club, and take any action necessary.

Memo 16

Agreement 17

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P2019-024 - Consider a request by Charles Corbett for the approval of a vacating plat establishing Lots 17 & 18, Block B, Lago Vista Addition being a 1.09-acre parcel of land currently identified as Lot 19, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) for single family land uses, addressed as 2835 Marcie Lane, and take any action necessary.

P2019-024 23

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Z2019-012 - Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary (1st Reading).

Z2019-012 28

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Z2019-013 - Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of an ordinance for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary (1st Reading).

Z2019-013 60

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Hear update and discuss and consider city strategic planning, and take any action necessary.

Staff memo 85

Strategic Plan 86

Completed items report 95

Blank Page 99

Discuss and consider overview of the city's budget process and outlook for Fiscal Year 2020, and take any action necessary

Staff memo 100

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AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 17, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM MACALIK

VII. PROCLAMATIONS

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.6 1. Consider approval of the minutes from the June 3, 2019 regular city council meeting, and take any action necessary.

p.14 2. Consider awarding a bid to Magnum Manhole and authorizing the City Manager to execute a Purchase Order for Lift Station Wet Well Lining Project in the amount of $68,390 to be funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any action necessary.

p.16 3. Consider approval of a facility use agreement at Gloria Williams Pool between the City and the Rockwall YMCA for the purposes of providing swim lessons to members of the Boys and Girls Club, and take any action necessary.

p.23 4. **P2019-024** - Consider a request by Charles Corbett for the approval of a vacating plat establishing Lots 17 & 18, Block B, Lago Vista Addition being a 1.09-acre parcel of land currently identified as Lot 19, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) for single family land uses, addressed as 2835 Marcie Lane, and take any action necessary.

X. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.28 1. **Z2019-012** - Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary **(1st Reading).**

p.60 2. **Z2019-013** - Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of an **ordinance** for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary **(1st Reading).**

XII. ACTION ITEMS

p.85 1. Hear update and discuss and consider city strategic planning, and take any action necessary.

p.100 2. Discuss and consider overview of the city's budget process and outlook for Fiscal Year 2020, and take any action necessary

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 14th day of June, 2019 at 4:30 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Cole

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, June 03, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Macalik called the meeting to order at 5:00 p.m. with the following council members and staff being present: Mayor Pro Tem Dana Macalik, Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen as well as City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pruitt arrived to the meeting and joined Executive Session at 5:06 p.m.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:56 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Council took no action as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

Councilman Trowbridge spoke brief words of remembrance for recent victims of a city-related shooting that occurred in the City of Virginia Beach. He then delivered the invocation and led the Pledge of Allegiance.

VII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time.

Kevin Hadawi
723 Turtle Cove Boulevard
Rockwall, TX

Mr. Hadawi came forth and shared that he recently moved to Rockwall in October. He is concerned about the proposed religious facility that may be constructed near the Turtle Cove subdivision in which he lives. He is concerned that this - one of the last, valuable pieces of property - may end up being a non-profit, non-tax paying building.

There being no one else wishing come forth, the mayor closed Open Forum.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the May 20, 2019 regular city council meeting, and take any action necessary.
2. Consider approval of a contract for professional engineering services with Cardinal Strategies Engineering Services, LLC to perform the Squabble Creek Watershed Hydrologic & Hydraulic Update Phase 1 in an amount not to exceed $105,000, to be paid for from the Engineering Consulting Budget, and take any action necessary.
3. **Z2019-009** - Consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary **(2nd Reading).**
4. **Z2019-010** - Consider a request by Dwayne Cain of EVSR (D), LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a guest quarters/secondary living unit and barn or agricultural accessory building on a 10.61-acre portion of a larger 26.078-acre tract of land identified as Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 & 839 Cornelius Road, and take any action necessary **(2nd Reading).**
5. Consider approval of a Cooperative Purchasing Agreement with the City of Mesquite and bid award to Phillips Lawn Sprinkler Co. for $25,000 for Northshore Park irrigation project from Recreation Development Fund authorizing the City Manager to execute the Coop Agreement and Irrigation Contract and take any action necessary.
6. Consider a request by Phil Wagner of the Rockwall Economic Development Corporation for the approval of a resolution abandoning the right-of-way for Aluminum Plant Road being a 0.40-acre tract of land situated within the R. Ballard Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, and take any action necessary.

7. **P2019-020** - Consider a request by Robert Howman of Glenn Engineering on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of replat for Lot 2, Block A, RISD Elementary School Addition being a 17.2922-acre tract of land being identified as Lot 1, Block A, RISD Elementary School Addition and Tract 2-7 of the W. T. Deweese Survey, Abstract No. 71, City of Rockwall, Rockwall, Texas, zoned Planned Development District 70 (PD-70) for single family land uses, located at the southeast corner of Greenway Boulevard and FM-552, and take any action necessary.
8. **P2019-021** - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Greencrest TPS Hotel, LP for the approval of a final plat of Lots 1-3, Block A, Town Place Marriott Addition being an 8.715-acre tract of land identified as a portion of Lot 1, Block B, Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.
9. **P2019-022** - Consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Phillip McNeill of MHC Rockwall, LLC and Jason Lentz of Atticus of Atticus Summer Lee Townhomes for the approval of a replat for Lot 5, Block A, Harbor Village Addition, being a 2.12-acre tract of land currently identified as Lot 3, Block A, Harbor Village Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located on the south side of Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

Mayor Pruitt pulled item #2 for further discussion. Mayor Pro Tem Macalik moved to approve the Consent Agenda, minus item #2 (#s 1, 3, 4, 5, 6, 7, 8, and 9). Councilman Trowbridge seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-22
SPECIFIC USE PERMIT NO. S-208

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-19] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *RESTAURANT LESS THAN 2,000 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN* FACILITY ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 19-23
SPECIFIC USE PERMIT NO. S-209

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *GUEST QUARTERS/SECONDARY LIVING UNIT* AND *BARN OR AGRICULTURAL ACCESSORY BUILDING* IN AN AGRICULTURAL (AG) DISTRICT, SITUATED ON A 10.61-ACRE PORTION OF A LARGER 26.078-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 2 & 2-4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #2, Mayor Pruitt generally expressed concern about the city spending this much money on a study of this nature. Indication was given that this study, in part, is taking place in order to update the hydraulic study on the existing Squabble Creek Watershed. Ms. Williams, City Engineer, explained that this study will produce information that may be used, for example, by residents who would like to work with FEMA to be removed from the floodplain. This will help those individuals with their insurance premiums. Mr. Crowley further explained that this study will help determine if and how future structures or building will adversely impact the watershed. Mr. Garza, city attorney, indicated that the city could not require developers to do flood control in the future if our study is not up-to-date. Mr. Crowley shared that this type of study will eventually have to be done on each watershed within the city. Mayor Pruitt's concerns generally seemed to relate to the high cost of this study and his belief that the 'return' the city will receive will generally not justify the cost.

Councilmember Fowler moved to approve Consent Agenda item #2. Councilmember Johannesen seconded the motion, which passed by a vote of 5 ayes with 2 against (Pruitt and Macalik).

IX. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Indication was given that this item was not necessary this evening, so it was not discussed/addressed.

X. ACTION ITEMS

1. **Z2019-011** Discuss and consider a request by Scott Lewis of RRDC, LTD for the approval of an **ordinance** amending the development standards contained in Planned Development District 47 (PD-47) [Ordinances 99-17 & 07-04] being a 14.4715-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church, Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, generally located at the northeast corner of the intersection of Ridge Road [FM-740] and White Road, and take any action necessary **(2nd Reading).**

Mr. Miller shared that this item was placed as an "Action Item" this evening rather than "Consent" because it did not receive unanimous approval during first reading at the last council meeting. Indication was given that this version does reflect the modifications to the garages that were discussed at the last council meeting. Councilmember Hohenshelt then moved to approve Z2019-011. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 47 (PD-47) [*ORDINANCES 99-17 AND 07-04*] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH *ORDINANCE NO. 99-17*, BEING A 14.4712-ACRE TRACT OF LAND IDENTIFIED TRACT 104 OF THE E. TEAL SURVEY, ABSTRACT NO. 207 AND LOT 1, BLOCK A, FIRST CHRISTIAN CHURCH DISCIPLES OF CHRIST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 47 (PD-47) AND MORE FULLY DEPICTED HEREIN BY *EXHIBIT 'A'* AND DESCRIBED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 against (Pruitt).

2. Discuss and consider a request from Butch Clarke of Alpha Graphics and representatives from Texas Health Presbyterian Hospital for an approval of a sign plan located at 3150 Horizon Road, and take any action necessary.

Building Official Jeffrey Widmer provided brief, introductory comments concerning this agenda item. Mr. Clarke then came forth with a representative of Presby Hospital. They generally expressed that this updated, proposed sign is being brought forth so that the signage is more visible and in response to the hospital's campus, which has grown a lot since the hospital initially opened. Also, this updated signage aligns with Presbyterian Hospital's updated, new brand standards.

Mr. Widmer came forth and clarified what the city's current sign ordinance allows for regarding both signage that abuts a public roadway (an entry sign) and signage that is interior, located onsite (not adjacent to a roadway). City Manager Rick Crowley asked Mr. Widmer to walk the city council members through each of the proposed, eight signs so there is a clear understanding on what's being requested.

Councilmember Hohenshelt moved to approve the sign plan with the maximum height of each sign be granted at 10' tall. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider a resolution repealing Resolution No. 17-23 and approving Resolution 19-15 to establish an updated fee schedule for Permit, Health and Misc. Fees, for the city, and take any action necessary.

Building Official Jeffrey Widmer provided background information concerning this agenda item. Following brief discussion, Councilmember Johannesen moved to approve the resolution. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider filling a vacancy on the city's Architectural Review Board, and take any action necessary.

Councilmember Daniels moved to appoint Derek Deckard to fill a vacancy on the Architectural Review Board for a term that will expire in August 2020 (replacing Adan Tovar). Councilman Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - April 2019
GIS Division Monthly Report - April 2019
Harbor PD Monthly Report - April 2019
Internal Operations Department Monthly Report - April 2019
Police Departments Monthly Activity Report-April 2019
Recreation Monthly Report - April 2019
Rockwall Animal Adoption Center Monthly Report - April 2019
Rockwall Fire Department Monthly Report - April 2019
STAR Transit Monthly Report - April 2019

2. City Manager's Report

City Manager Rick Crowley commented that a small tornado caused minor damage at the city's Tuttle ballfields last week.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)

3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XIV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 6:37 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 17TH DAY OF JUNE, 2019.

ATTEST: **_____**
JIM PRUITT, MAYOR

_____
KRISTY COLE, CITY SECRETARY

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13

City of Rockwall
The New Horizon

MEMORANDUM

To: **Rick Crowley, City Manager**

From: **Lea Ann Ewing, Purchasing Agent**

Date: **June 7, 2019**

Subject: **Replace Wet Well Linings at 3 Lift Station Sites**

Approved in the Water Sewer Fund, Wastewater operating budget is $70,000 to contract for the cleaning, remove debris, remove existing lining (coating), prepare all surfaces and recoat the wet wells at FM 3097, Fontana Ranch and Preserve lift stations. Sealed competitive bids were solicited for this work. Bids were received from Magnum Manhole $68,390 and T Gray Utility $255,240. Apparent low bidder is Magnum Manhole.

Only two bids submitted due to the Engineering specification for the new lining is Raven 405 and the lining manufacturer requires the applicator to be certified by the manufacturer to apply this product. Staff contacted both vendors after the bid opening to confirm their bid amounts because of the large difference between the two. We are familiar with Magnum and they have performed this work for the City in the past. Magnum Manhole has been in business doing this same work for more than 20 years, where T Gray Utilities as of 2011 main business is underground utilities construction in the Gulf areas of Texas and Louisiana. Staff concluded that the bid amount difference can be summed up to 1) Magnum is located in Dallas; T Gray in Houston so greater distance greater overhead cost of employees and equipment. 2) T Gray's mobilization is about 40% of their cost where Magnum has no mobilization cost. 3) Magnum has been using Raven Lining products for more than 20 years affording them to give the City a 30% discount on the lining product. Both companies gave a 40 to 45 day completion. Magnum Manhole recently performed this same work on the City's Squabble Creek Lift Station wet well while working as a Subcontractor on the Squabble Creek Lift Station expansion project last year.

For Council consideration is the bid award to Magnum Manhole for $68,390 and authorize the City Manager to execute a contract for the work.

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15

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Honorable Mayor and City Council

CC: Rick Crowley, City Manager
Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager

FROM: Andy Hesser, Director of Parks and Recreation

DATE: June 12, 2019

SUBJECT: YMCA SWIM LESSON AGREEMENT AT GLORIA WILLIAMS POOL

J.E.R. Chilton YMCA of Rockwall has approached the staff about a partnership to utilize Gloria Williams Pool this summer to provide swim lessons to members of the local Boys and Girls Club. This partnership would provide access to the pool during week day mornings prior to the pool's public swim times. YMCA would provide all of their own guards, swim instructors and team leader during the program at their cost. This program has no impact on City costs or operations.

There would be no additional costs to the City and the program is scheduled during times that the pool is available. The facility use agreement draft is attached and has been reviewed by the City Attorney. Park Board voted unanimously to recommend that City Council authorize the City Manager to execute the agreement.

YMCA OF METROPOLITAN DALLAS
SAFETY AROUND WATER – AGREEMENT FOR SWIM CLASSES

This agreement is made and entered into as of the date of signing by and between City of Rockwal, a political subdivsion of the State of Texasl (Hereafter referred to as "POOL OWNER") and the YMCA of Metropolitan Dallas (Hereafter referred to as "YMCA").

WITNESSETH

WHEREAS, POOL OWNER wants to have the YMCA conduct Safety Around Water swim classes at 801 DAVEY CROCKETT ("Pool") belonging to POOL OWNER for the 2019 season; and,

WHEREAS, the YMCA wants to utilize the Pool in order to conduct Safety Around Water Swim Classes; and,

WHEREAS, it is the desire of the parties to memorialize this understanding in a written agreement in which the YMCA shall conduct and staff swim classes at the Pool owned by POOL OWNER and the YMCA shall be allowed to conduct swimming classes pursuant to the terms and conditions of this Agreement.

1) TERM

a) Unless modified or extended by written consent of both parties, this agreement will be effective from June 10th 2019 through August 9th 2019.

2) SCHEDULE

a) Unless modified or extended by written consent of both parties, this agreement will provide swimming lessons according to an agreed upon schedule to be defined using a daily sign in and sign out pool log signed by both a YMCA representative as well as a Pool Owner representative for each day of swim lessons.

b) The YMCA staff reserve the right to cancel swim classes or limit the number of swimmers for any known unsafe condition this includes but is not limited to unsafe weather conditions, bather load that exceeds ratios, unsafe water condition, etc.

3) FEES

a) The operating cost per session is $1500.00. The YMCA agrees to fund 100% through their Annual Campaign fundraising efforts. POOL OWNER agrees to pay the YMCA for or obtain a sponsor for the remaining amount of $0.

b) A monthly invoice of $0 will be issued from JUNE to AUGUST, 2019 according to the below schedule. This invoice must be paid within seven days of receipt.

THE YMCA IS TAKING CARE OF THE PAYMENT IN FULL

4) RESPONSIBILITIES OF THE YMCA

a) **The YMCA will provide a team of lifeguards, swim instructors and a team leader during YMCA Safety Around Water swim classes only.**

b) **The YMCA will hire, staff, train and supervise all pool supervisors, lifeguards and swimming lesson program staff. All pool supervisors, lifeguards, and swim instructors shall be employees of the YMCA.**

c) **The YMCA will provide YMCA swim classes to participants. YMCA Staff will conduct Know Before You Go safety lessons outside of the pool area if upon arrival there are any readily apparent safety concerns with the pool.**

5) RESPONSIBILITIES OF THE POOL OWNER

a) **POOL OWNER shall be responsible for full compliance with all local, state, county, municipal, and federal laws and regulations. The POOL OWNER will be responsible for all fines, assessments, penalties, or liabilities of any kind resulting from the enforcement of any local, state, county, municipal or federal law or regulation pertaining to the pool environment, issued by any agency.**

b) **POOL OWNER shall provide for, at its own cost and expense, the normal operation, maintenance and water clarity upkeep of the pool.**

State guidelines related to pool chemicals:

Texas Department of State Health Services
Section 265.204 Figure: 25 TAC, §265.204(a)

Free chlorine:	**1ppm-8ppm**	*(ideal 2ppm-3ppm)*
pH:	**7.0-7.8**	*(ideal 7.4-7.6)*

Water must be clear to the bottom. All drain covers must be in compliance with the VGB Act and all filtration and pump systems must be in good working order.

Swimming pools outside of these parameters should be closed to all patrons and proper adjustments made before reopening.

Please contact your local pool maintenance service for additional information and guidance.

c) **The POOL OWNER will provide for minimum pool safety equipment consistent with local pool codes including but not limited to a "Shepherd's Crook", one throw line, one ring buoy, and an operable telephone within 200 feet of the pool.**

d) **POOL OWNER shall ensure that the YMCA will have exclusive use of the pool and pool area while the YMCA is present. Failure to provide exclusive use of the pool and pool area will result in the YMCA cancelling swim classes.**

6) INSURANCE **POOL OWNER is not required to carry the YMCA on their insurance**

POOL OWNER shall obtain and maintain in full force for the duration of the period of service or agreement, at their sole expense, Commercial General Liability Insurance: including, but not limited to, Premises/Operations, Personal & Advertising Injury, Products/Completed Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of $1,000,000 per occurrence.

YMCA shall obtain and maintain in full force for the duration of the period of service or agreement, at their sole expense, insurance coverage in the following type(s) and amounts:

Commercial General Liability Insurance: including, but not limited to, Premises/Operations, Personal & Advertising Injury, Products/Completed Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of $1,000,000 per occurrence.

Worker's Compensation with statutory limits; Employers Liability with minimum limits for bodily injury: a) by accident, $500,000 per each accident, b) by disease, $500,000 per employee with a per policy aggregate of $500,000.

Upon the request of either Party, the Parties shall furnish a certificate(s) of insurance demonstrating proof of insurance in the above types and amounts.

7) INDEMNIFICATION

YMCA SHALL INDEMNIFY, DEFEND WITH COMPETENT COUNSEL AND HOLD POOL OWNER, ITS EMPLOYEES AND AGENTS HARMLESS OF AND FROM ANY LOSS, DAMAGE, CLAIM OR EXPENSE INCLUDING REASONABLE ATTORNEY'S FEES ARISING OUT OF ANY NEGLIGENT ACTION OR INACTION BY YMCA AND/OR A YMCA EMPLOYEE OR AGENT WHICH CAUSES HARM OF ANY TYPE TO A YMCA EMPLOYEE OR PARTICIPANT WHILE IN, AROUND OR ABOUT THE POOL OWNER'S PROPERTY.

POOL OWNER SHALL INDEMNIFY, DEFEND WITH COMPETENT COUNSEL AND HOLD THE YMCA, ITS EMPLOYEES AND AGENTS HARMLESS OF AND FROM ANY LOSS, DAMAGE, CLAIM OR EXPENSE INCLUDING REASONABLE ATTORNEY'S FEES ARISING OUT OF ANY NEGLIGENT ACTION OR INACTION BY POOL OWNER AND/OR A POOL OWNER EMPLOYEE OR AGENT WHICH CAUSES HARM OF ANY TYPE TO AN EMPLOYEE OR PARTICIPANT WHILE IN, AROUND OR ABOUT THE POOL OWNER'S PROPERTY.

YMCA AND POOL OWNER FURTHER AGREE THAT THE YMCA IS ONLY RESPONSIBLE FOR PROVIDING LIFEGUARDS DURING YMCA SAFEETY AROUND WATER SWIM CLASSES ACCORDING TO THE DAILY SIGN-IN AND SIGN-OUT LOG. ANY LOSS, INJURY OR DAMAGE OCCURRING OUTSIDE THE YMCA'S USE OF THE POOL IS THE SOLE RESPONSIBILITY OF THE POOL OWNER.

8) MEDIATION

In the event a dispute shall arise between the parties to this agreement, the parties agree to participate in at least four hours of mediation in accordance with the mediation procedures of United States Arbitration & Mediation. The parties agree to share equally in the costs of the mediation. The mediation shall be administered by a local USA&M office to be designated by USA&M National Headquarters.

9) SEVERIBILITY

POOL OWNER and YMCA expressly agree that the forgoing INDEMNITY AGREEMENT is intended to be as broad and inclusive as is permitted by the law of the State of Texas and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

It is further mutually agreed that this agreement is the product of joint negotiation and drafting. No provision herein will be construed against either party on the basis that that party drafted the language in question.

10) NOTICES

The parties designate the individual named below as their agent for purposes of notices pursuant to this agreement. All notices and/or correspondence between the parties shall be delivered to the persons at the addresses set forth below. Any notice received under any provision of the agreement shall be deemed given upon personal delivery acknowledged in writing or when mailed, postage paid, to the address shown below. Either party may change its agent and/or address by giving five business days' written notice to the other party.

EXECUTED in duplicate originals as of the date of last signature below, to become effective as provided above.

YMCA OF METROPOLITAN DALLAS
1621 W. WALNUT HILL LANE
IRVING, TX 75038
(214)880-9622

CLINT ELLIOTT YMCA EXECUTIVE DIRECTOR:

Printed Name	**Signature**	**Date**

YMCA OFFICER:

Brandy Perryman, COO		
Printed Name	**Signature**	**Date**

POOL OWNER AUTHORIZED REPRESENTATIVE:

I, Andrew Ainsworth, agree to this Safety Around Water program being conducted on the premises listed herein and agree to allow YMCA staff necessary access to the pool and pool area as required per this contract and in conjunction with the third-party resident services contractor listed below *(if applicable)***.**

Gloria Williams Pool
801 Davey Crockett
972-771-7744
AAAinsworth@rockwall.comIL ADDRESS

Printed Name	**Signature**	**Date**

YMCA OF METROPOLITAN DALLAS
SAFETY AROUND WATER – AGREEMENT FOR SWIM CLASSES

THIRD-PARTY CONTRACTOR *(if applicable)*:

INSERT RESIDENT SERVICES ORGANIZATION NAME
INSERT REPRESENTATIVE NAME
INSERT CONTACT PHONE NUMBER
INSERT CONTACT EMAIL ADDRESS

Printed Name	**Signature**	**Date**

THIS CONTRACT IS CONTINGENT ON THE HIRING AND TRAINING OF LIFEGUARDS AND SWIM INSTRUCTORS TO STAFF THIS AGREEMENT. IF ADEQUATE STAFFING CANNOT BE MET, THIS AGREEMENT IS NULL AND VOID.

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	June 17, 2019
APPLICANT:	Charles Corbett
CASE NUMBER:	P2019-024; *Lots 17 & 18, Block B, Lago Vista Addition*

SUMMARY

Consider a request by Charles Corbett for the approval of a vacating plat establishing Lots 17 & 18, Block B, Lago Vista Addition being a 1.09-acre parcel of land currently identified as Lot 19, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) for single-family land uses, addressed as 2835 Marcie Lane, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting approval of a vacating plat for the purpose of vacating one (1) lot (*i.e. Lot 19, Block B*) to re-establish two (2) lots (*i.e. Lots 17 & 18, Block B*) in order to sell the two (2) lots.

☑ On July 6, 1982, the City Council approved *Ordinance No. 82-32*, which established the development standards for Planned Development District 18 (PD-18). The ordinance was amended in 1985 [*Ordinance No. 85-23*], and amended in 1994 [*Ordinance No. 94-18*]. On April 14, 1994, the City Council approved a final plat [*Case No. PZ-94-52*], which established the Lago Vista Subdivision.

☑ On November 28, 2005, an administrative replat was approved to combine two (2) lots (*i.e. Lots 17 & 18, Block*) into one (1) lot (*i.e. Lot 19, Block B*).

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the vacating plat for *Lots 17 & 18, Block B, Lago Vista Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

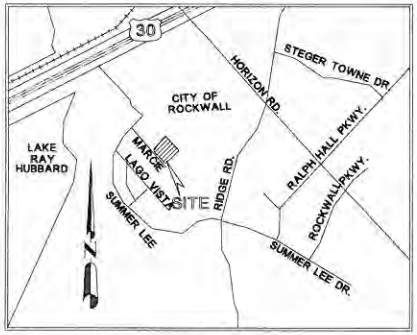
On June 11, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request passed by a vote of 6-0 with Chair Lyons absent.



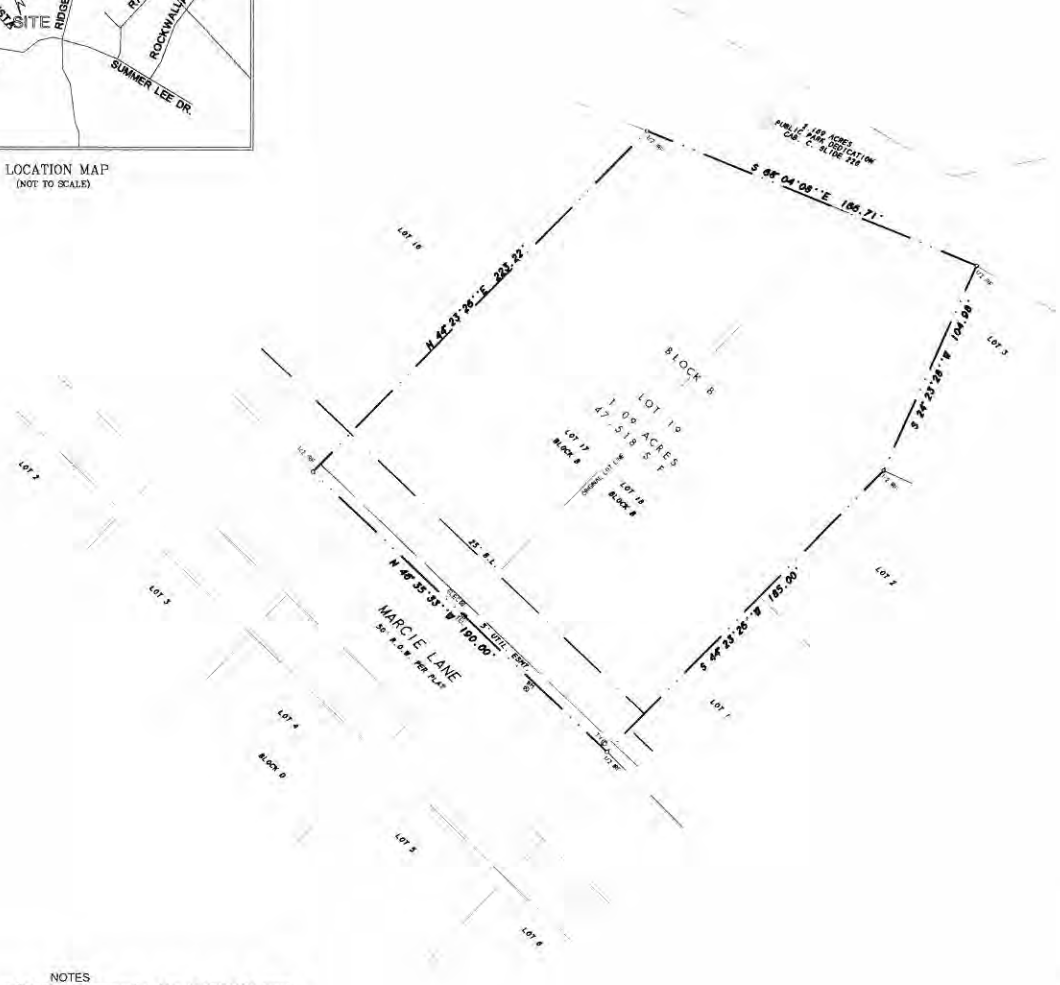
City of Rockwall

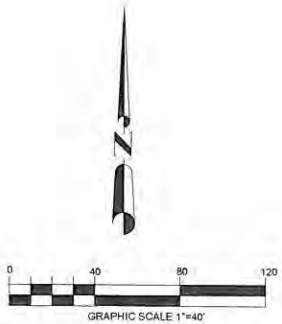
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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LOCATION MAP
(NOT TO SCALE)





VACATING PLAT
LAGO VISTA
LOT 17 AND LOT 18
BLOCK B
AN ADDITION TO THE CITY OF ROCKWALL
EDWARD TEAL SURVEY, A-207
ROCKWALL COUNTY, TEXAS

NOTES
1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
3) ALL 1/2" IRS ARE CAPPED WITH "YELLOW PLASTIC CAPS "RPLS 5034."
4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.
5) THE PURPOSE OF THIS PLAT IS TO VACATE THE REPLAT AND RETURN THE LOTS TO THE ORIGINAL PLAT BEING LOTS 17 AND 18, BLOCK B, LAGO VISTA PER CAB. C, SLIDE 226, M.R.R.C.T.

OWNER
CHARLES CORBETT
2835 MARCIE LANE
ROCKWALL, TX 75032
469-951-6748

SHEET 1 OF 2

SYMBOL LEGEND

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE JANUARY 2014
SCALE 1" = 20' FILE # 2014
CLIENT DUBOSE

26

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	June 17, 2019
APPLICANT:	Ryan Joyce; *Michael Joyce Properties*
CASE NUMBER:	Z2019-012; *Zoning Change (AG to PD)*

SUMMARY

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary.

BACKGROUND

The subject property was annexed in 2008 [*Ordinance No. 08-66*], is located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and is zoned Agricultural (AG) District.

PURPOSE

The applicant is requesting a change in zoning from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses on a 61.45-acre tract of land, which is currently vacant.

ADJACENT LAND USES AND ACCESS

The subject property is located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Clem Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this there are several single-family homes that are zoned Single-Family Estate 4 (SFE-4.0), Single-Family Estate 1.5 (SFE-1.5), and Single-Family 1 (SF-1) District.

South: Directly south of the subject property there are several single family home that are outside of the city limits of the City of Rockwall. Beyond this is Cornelius Road, which is identified as a M4U (*major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan and delineates the city limits of Rockwall.

East: Directly east of the subject property is Stodghill Road [FM-3549], which is identified as a TXDOT4D (*Texas Department of Transportation, four (4) lane, divided roadway*) on the City's Master Thoroughfare Plan and delineates the city limits of Rockwall.

West: Directly west of the subject property, there are several single-family homes that are zoned Agricultural (AG) District followed by the city limits of the City of Rockwall. Beyond this there is a large tract of land that is zoned Agricultural (AG) District followed by FM-1141, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting a change in zoning from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses. The concept plan shows that the 61.45-acre property will consist of 40 single-family lots that will broken-down into two (2) lot types (*i.e. 120' x 200' & 130' x 400'*). Specifically, the development will include 17 lots that will be a minimum of 120' x 200' and 23 lots that will be a minimum of 130' x 400'. Of the 40 proposed lots 39 of the lots will range in size from 43,560 SF (*i.e. one [1] acre*) to 65,340 SF (*i.e. one and one half [1½]-acres*). There will be one (1) lot that will be 235,299 SF (*i.e. ~ five and one half [5½] acres*). The proposed minimum size of each dwelling unit (*i.e. air conditioned space)* will be 2,500 SF. The applicant has stated that the homes will be custom homes and will vary from lot to lot. The product will also be a rural style estate lot, which will incorporate a rural-local roadway (*i.e. will not be curb and gutter*) and a minimum front yard setback of 70-feet. The proposed housing product will have a minimum masonry requirement of 80%, with up to 50% cementitious fiberboard horizontal lap siding (*e.g. HardiBoard or Hardy Plan*) and stucco (*i.e. three [3] part stucco or a comparable product -- to be determined be staff*) being permitted. The proposed housing product conforms to the City's minimum masonry and anti-monotony requirements and will allow both *traditional swing* (*i.e. j-swing*), side entry, and flat front entry (*i.e. setback behind the width of the double car garage that is access from the traditional swing configuration*) garage configurations. All garage doors will incorporate upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be determined by staff*). The development will incorporate less than the required 20% open space; however, it will have a 30-foot landscape buffer adjacent to FM-3549 that will incorporate ground cover, a built-up berm and/or shrubbery -- *or a combination thereof* -- and trees and a five (5) foot sidewalk along the entire frontage. In addition, the applicant has stated that by virtue of the development incorporating larger lots without stockade or solid fencing, it will achieve the same feel as more dense developments that incorporate the required 20% open space. The proposed Planned Development District will be subject to the land uses and requirements stipulated for the Single-Family 1 (SF-1) District unless specifically called out in the Planned Development District ordinance. A summary of the proposed development standards for each lot type is as follows:

Lot Type (see Concept Plan) ►	***A***	***B***
Minimum Lot Width [1]	120'	130'
Minimum Lot Depth	200'	400'
Minimum Lot Area	43,560 SF	65,340 SF
Minimum Front Yard Setback [2] & [5]	70'	70'
Minimum Side Yard Setback	25'	25'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	30'	30'
Minimum Length of Driveway Pavement	70'	70'
Maximum Height [3]	38'	38'
Minimum Rear Yard Setback [4]	50'	50'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,500 SF	2,500 SF
Maximum Lot Coverage	20%	20%
Permitted Encroachment in Required Setbacks[5]	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the

encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

INFRASTRUCTURE

Based on the applicant's concept plan and proposed density, the following infrastructure will be required to be constructed to provide adequate public services to the subject property:

Water. The Master Water Plan indicates that the subject property is located within Water Service Area 780 (*i.e. not serviced by the City of Rockwall*); however, there is some dispute as to whether the City of Rockwall of Mt. Zion Water Supply has the right to serve this property. As a result, the applicant will be required to contact Mt. Zion Supply Corporation in order to determine if the property can be serviced.

Wastewater. The Master Wastewater Plan indicates that there is no wastewater infrastructure in the vicinity. There are no immediate plans for the City to install infrastructure in the area. As a result, the applicant must get approval from the City Council in order to utilize septic systems to serve the development.

Stormwater. Detention on the site may be required if the existing culvert under Clem Road does not have the necessary capacity to accommodate the increased runoff. A unit hydrograph method will need to be used in calculating detention for more than 20-acre.

Roadways. According to the Master Thoroughfare Plan, Clem Road is indicated as a *Minor Collector*, which requires a 60-foot right-of-way with a 41-foot *back to back street*. The applicant is required to construct 21-feet of right-of-way the entire length of the property along Clem Road. FM-3549 is indicated as a TXDOT4D (*Texas Department of Transportation, four (4) lane, divided roadway*), which requires a 120-foot right-of-way. The applicant must dedicate 60-feet from the centerline of FM-3549 for the future expansion of this roadway.

All proposed infrastructure improvements must meet the Engineering Department's *Standards of Design and Construction*.

CONFORMANCE WITH THE CITY'S CODES

The proposed Planned Development District conforms to the majority of the City's code requirements; however, it should be noted that the development standards contained within the Planned Development District ordinance deviate from the requirements of the Unified Development Code (UDC) and the Engineering Department's *Standards of Design and Construction Manual* in the following ways:

- ☑ The Engineering Department's *Standards of Design and Construction* Manual stipulates that, "(A)lleys shall be provided in all residential areas and shall be paved with steel reinforced concrete …"; however, the code does grant the City Council the ability to "… waive the residential alley requirement, if it is in the best interest of the City." (*Section 2.11; Page 14*)

- ☑ The Unified Development Code (UDC) requires that, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages, unless it is a *J-Swing* [*or traditional swing*] garage where the garage door is perpendicular to the street." (*Sec. 4.1; Art. VI; UDC*)

- ☑ According to Section 1.2, *Nature of PD Districts and Minimum Standards*, of Article X, *Planned Development Regulations*, of the UDC, "…(u)nless otherwise provided by the PD Ordinance, a minimum of 20 percent of the gross land area within the entire PD District shall be devoted to open space."

In this case, the applicant is proposing to allow traditional swing, side entry, and flat-front entry garages in lieu of alleyways. All flat-front entry garages will be setback either [*1*] behind the width of a double garage that is accessed from a traditional swing or [*2*] flush with the front façade of the home for the standard flat-front entry garages. As a compensatory measure for not meeting the required 20-foot setback stipulated by the Unified Development Code (UDC) for flat-front entry garages, the applicant is requiring that all garage doors incorporate upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors or a similar alternative*). With regard to the open space requirement, the applicant has stated that estate style lots with non-transparent fencing provide a similar aesthetic as traditional neighborhoods that incorporate opaque fencing and 20% open space. Staff has incorporated these requirements into the draft ordinance and by approving this case, the City Council would be waiving these requirements.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the *Northeast Residential District* and is designated for *Low Density Residential (LDR)* land uses. The *Northeast Residential District* is characterized by its low-density subdivisions and rural/estate style lots. This district has several large vacant tracts of land that are suitable for low-density residential development, and it is anticipated that this district will be a future growth center for the City. The *Low Density Residential (LDR)* land use category consists of residential subdivisions that are two (2) units per gross acre or less. Primary land uses in this district are suburban, estate, and rural developments. In this case, the development is an estate style subdivision with a density of 0.63 units per gross acre. This is substantially in conformance to intent of the *Northeast Residential District* and the *Low Density Residential (LDR)* land use designation.

In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to "…(p)reserve the City's current residential to non-residential land use ratio (*i.e. 80% Residential; 20% Commercial*) in order to maintain a balance mix of land uses for fiscal sustainability." The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential land use balance. Currently, the land use balance is at 75.48% residential to 24.52% non-residential. If the City Council chooses to approve this case -- *since this case is proposing zoning in conformance to the Land Use Plan* -- the ratio will remain the same. A more detailed view of the current and proposed land use ratios has been included in the attached packet. With all this being said, zoning requests are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On May 24, 2019, staff mailed 13 notices to property owners and occupants within 500-feet of the subject property and located within the City Limits. There are no Homeowner's Associations (HOA's) or neighborhood groups within 1,500-feet of the subject property and participating in the Neighborhood Notification Program. At the time this report was written, staff had not received any notices concerning this case.

CONDITIONS OF APPROVAL

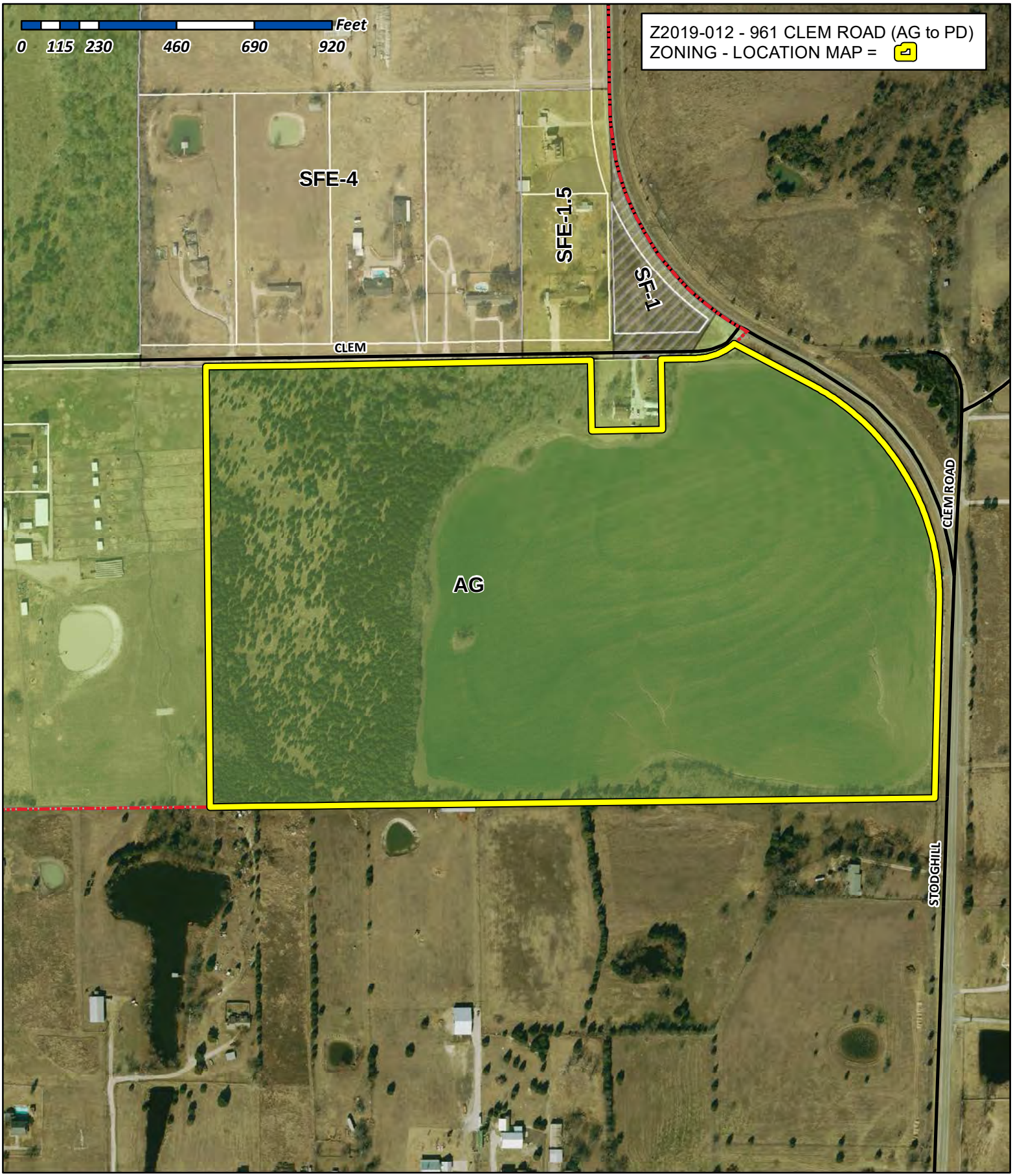
If the City Council chooses to approve the applicant's request to request for a change in zoning from an Agricultural (AG) District to a Planned Development District (PD) for Single-Family 1 (SF-1) District land uses, then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

(2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On June 11, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request passed by a vote of 6-0 with Chair Lyons absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

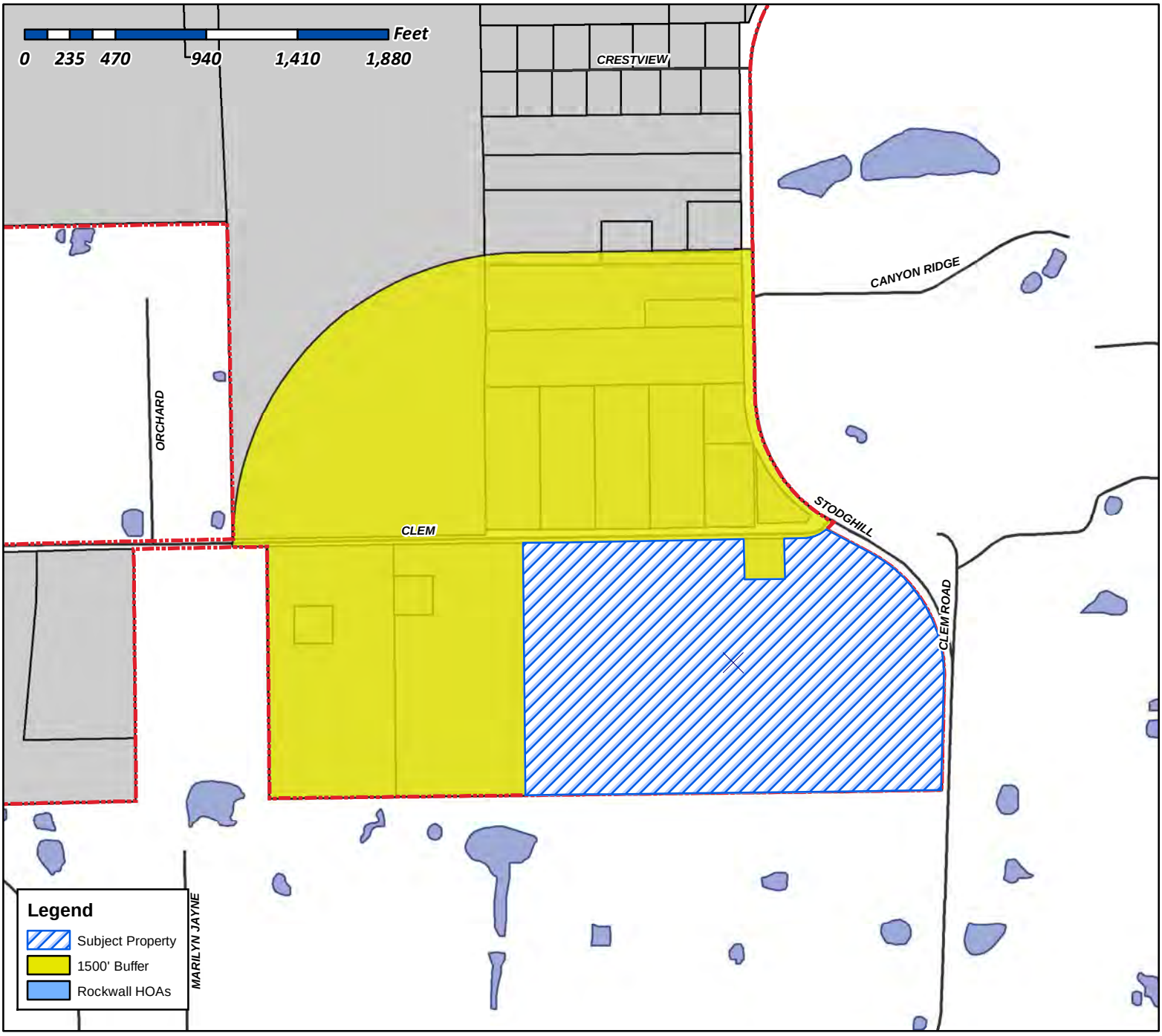
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City of Rockwall

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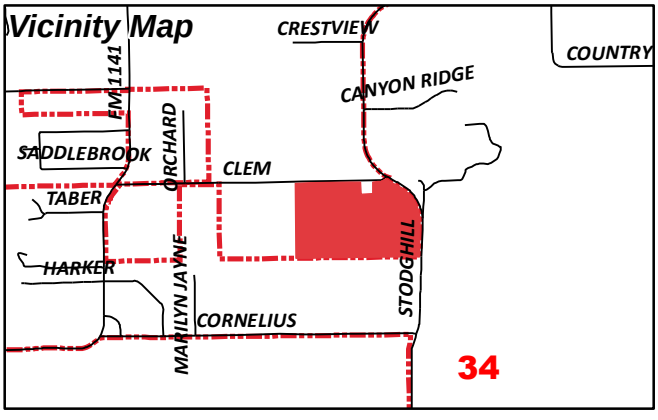
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Case Number: Z2019-012
Case Name: Zoning Change (AG to PD)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 961 Clem Road

Date Created: ***5/21/2019***

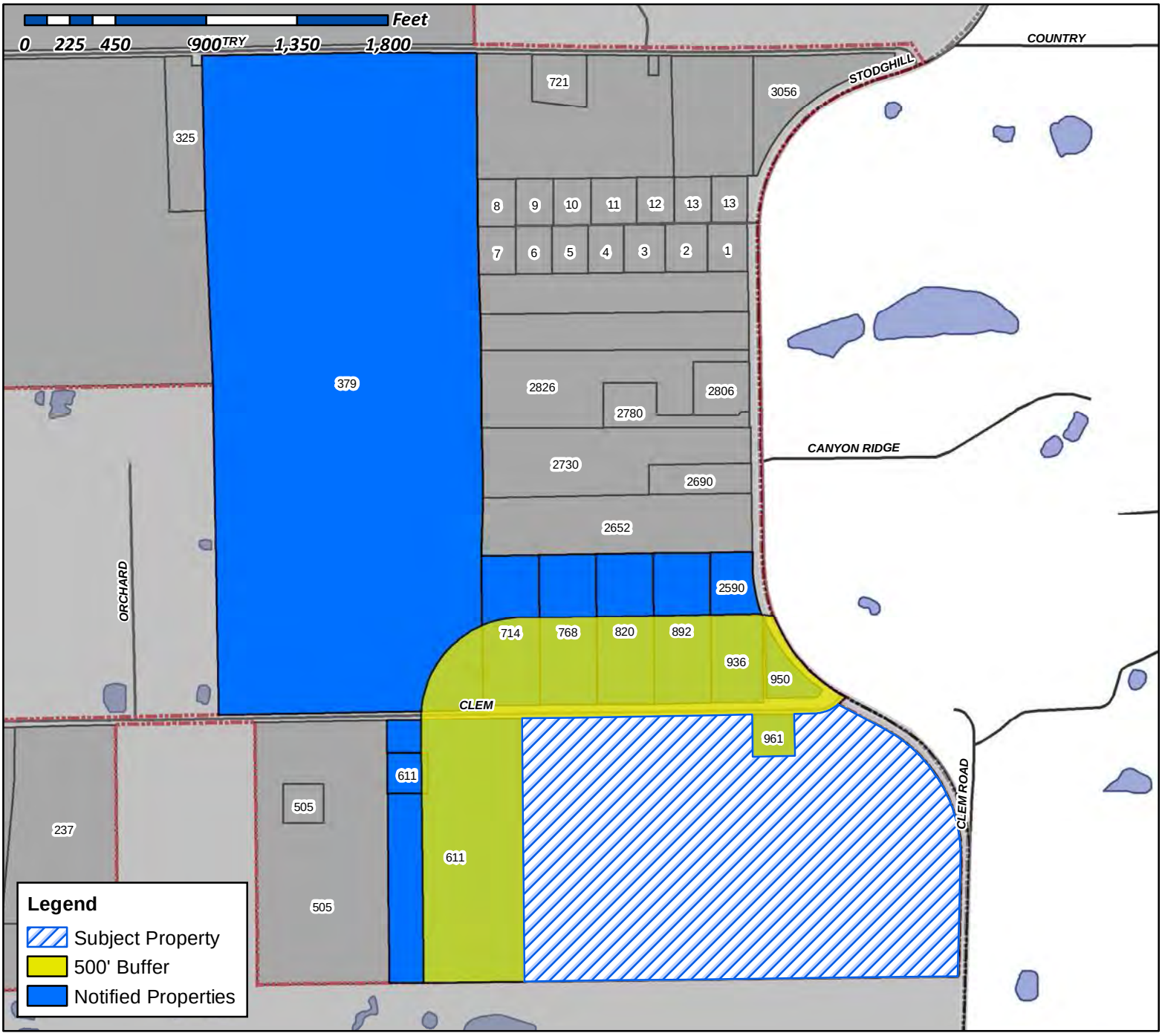
For Questions on this Case Call (972) 771-7745



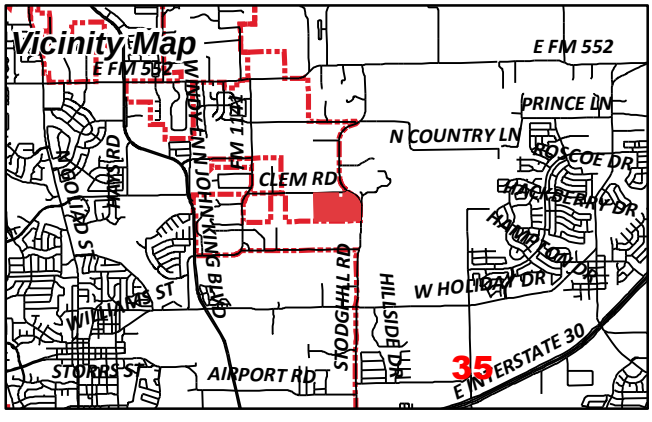
City of Rockwall

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Case Number: Z2019-012
Case Name: Zoning Change (AG to PD)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 961 Clem Road



Date Created: *5/21/2019*
For Questions on this Case Call (972) 771-7745

TURNHAM DAVID & LORI
1485 MADISON DR
ROCKWALL, TX 75032

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
2030 CROSSWOOD LANE
IRVING, TX 75063

UNISON INVESTMENT
23545 CRENSHAW BLVD STE 201
TORRANCE, CA 90505

BURNETT LEE K
2590 FM 3549 STODGHILL RD
ROCKWALL, TX 75087

CURRENT RESIDENT
379 N COUNTRY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
611 CLEM RD
ROCKWALL, TX 75032

CANAVAN JOHN P & RITA
714 CLEM RD
ROCKWALL, TX 75087

BELL SALLY REDDICK
768 CLEM RD
ROCKWALL, TX 75087

SHLENSKY HOWARD J & DARLA A
820 CLEM RD
ROCKWALL, TX 75087

MOREAU ROBERT G JR & SHERRY L
892 CLEM ROAD
ROCKWALL, TX 75087

BENNETT JILL M
936 CLEM RD
ROCKWALL, TX 75087

MARTIN DANIEL AND LAURA
961 CLEM RD
ROCKWALL, TX 75087

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-012: 961 Clem Road (AG to SF-1)

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodgehill Road [FM-3549] north of the intersection of Stodgehill Road [FM-3549] and Cornelius Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/11/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 6/17/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **6/17/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-012: 961 Clem Road (AG to SF-1)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

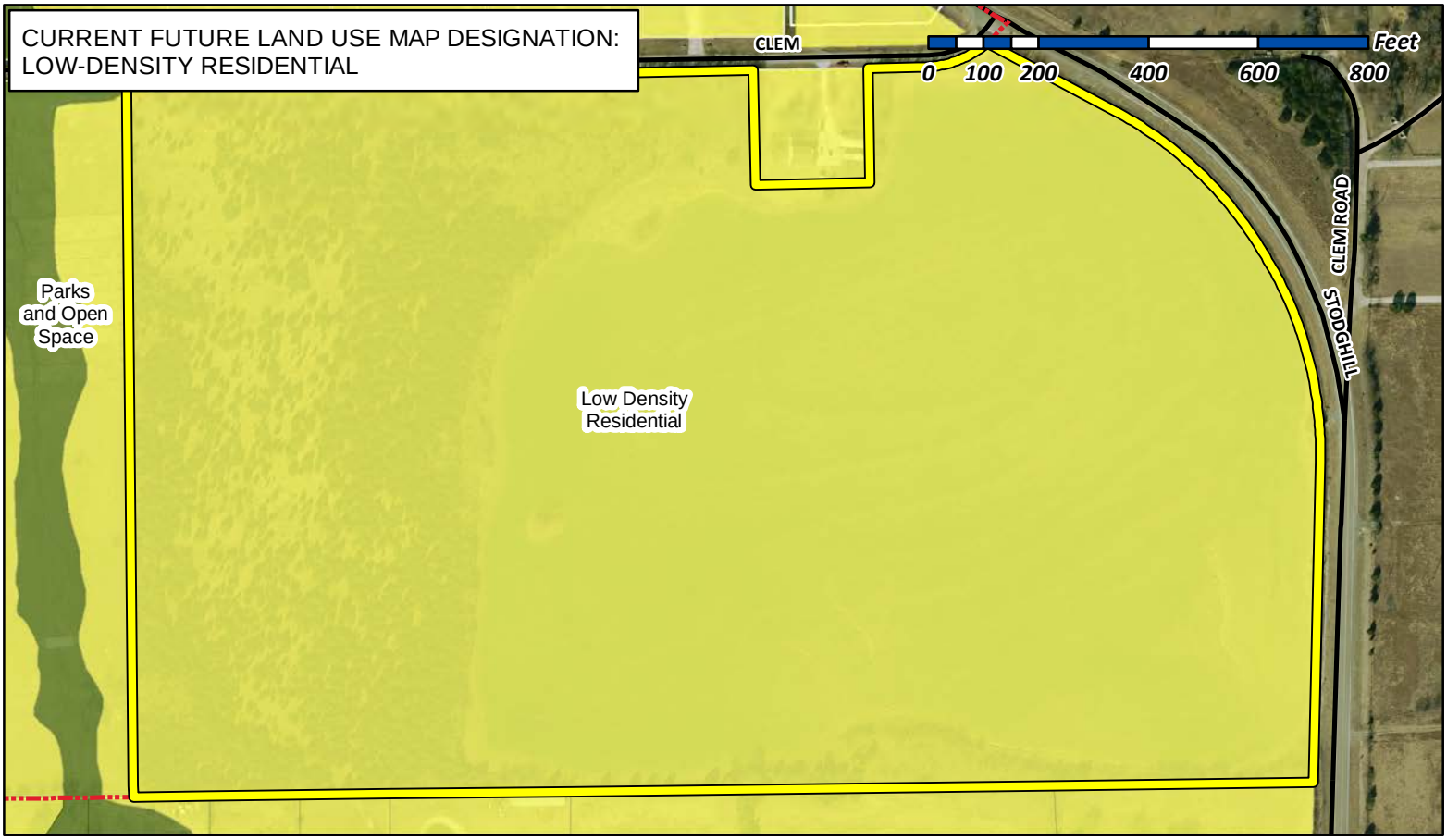
☐ I am opposed to the request for the reasons listed below.

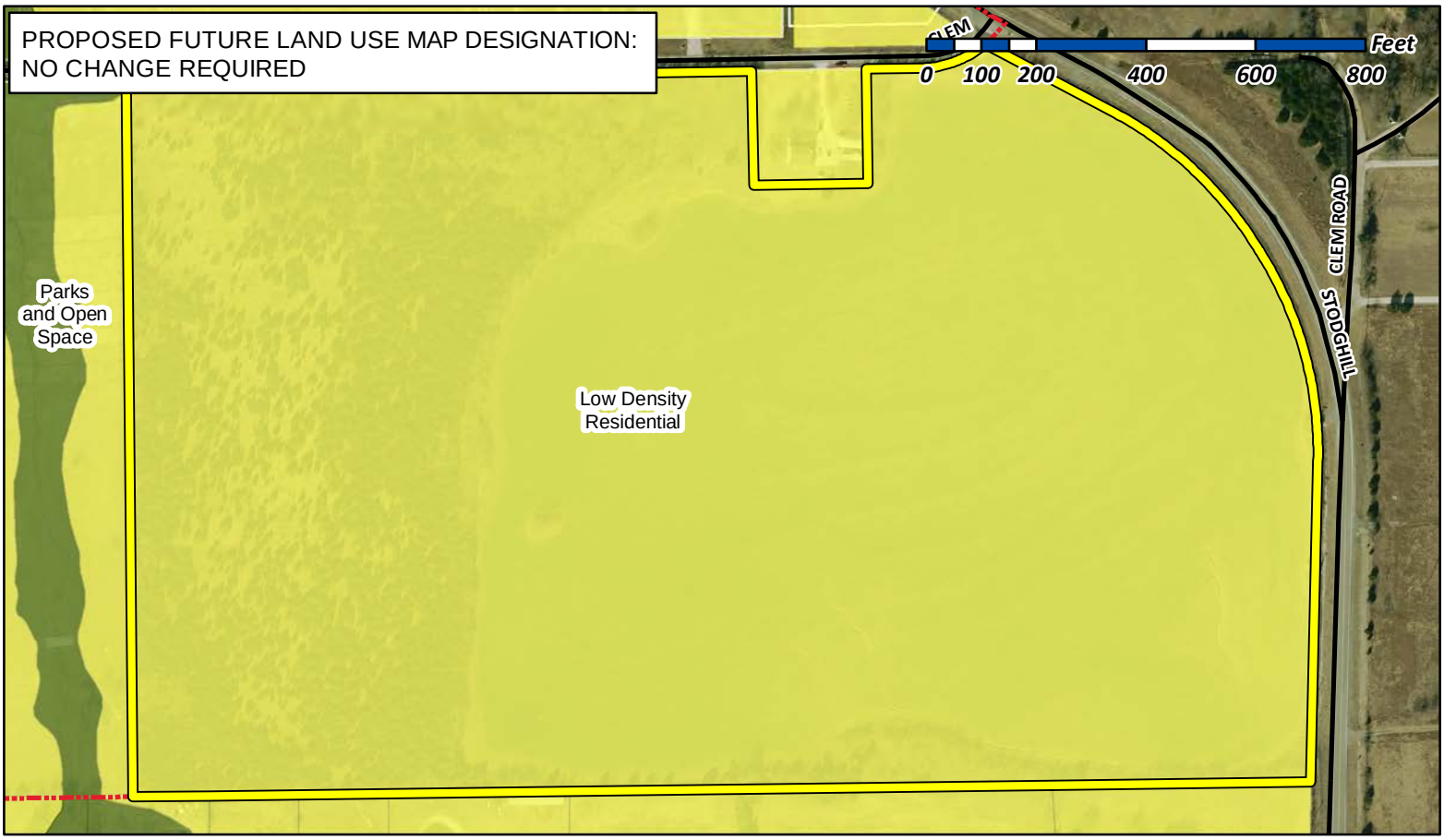
Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE





City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

11 NORTHEAST RESIDENTIAL DISTRICT

DISTRICT DESCRIPTION

The *Northeast Residential District* is characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

1. *Estate and Rural Residential*. The maintenance of the *Estate* and *Rural Residential* housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
2. *Suburban Residential*. Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district.
3. *Infill Development*. Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
4. *Neighborhood/Convenience Centers*. The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
5. *John King Boulevard Trail Plan*. A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

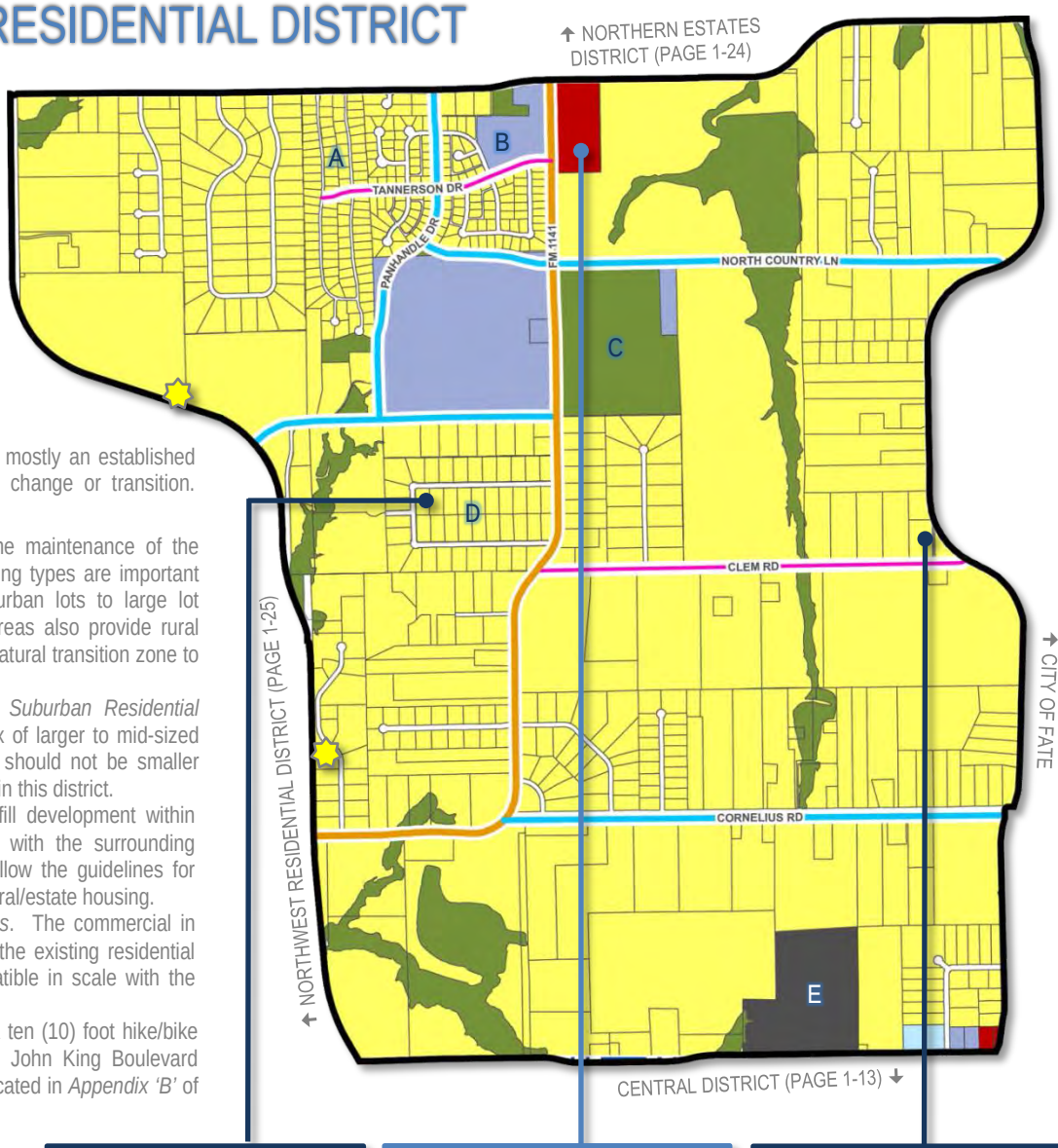
POINTS OF REFERENCE

A. Stoney Hollow Subdivision
B. Celia Hays Elementary School
C. North Country Lane Park
D. Saddlebrook Estates Subdivision
E. Resthaven Funeral Home

LAND USE PALETTES

Current Land Use
Future Land Use

John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon




2 Current Suburban Residential

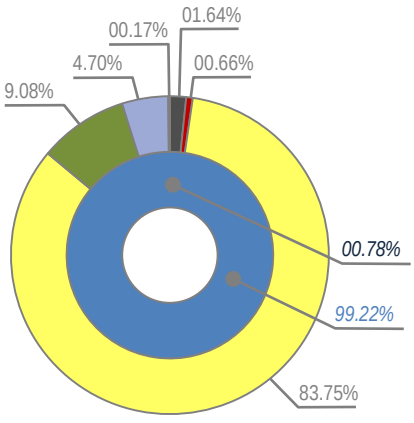

4 Future Neighborhood/Convenience Center


1 Current Rural Residential

BUILD OUT
1,964
5,794

% OF ROCKWALL
3.13%
0.99%
3.10%

CURRENT
625
18
1,844



MINOR COLLECTOR	
M4U	
M4D	

COMMERCIAL	0.78%
RESIDENTIAL	99.22%
MIXED USE	0.00%

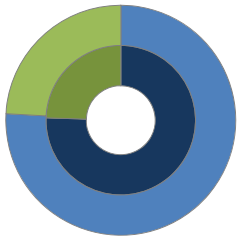
CEMETERY (CEM)	32.34-ACRES
COMMERCIAL/RETAIL (CR)	13.02-ACRES
LOW DENSITY RESIDENTIAL (LDR)	1,646.83-ACRES
PARKS AND OPEN SPACE (OS)	178.54-ACRES
PUBLIC (P)	92.45-ACRES
QUASI-PUBLIC (QP)	3.25-ACRES

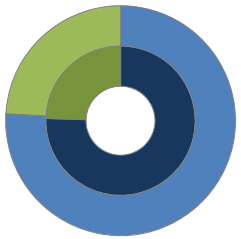
FISCAL IMPACT ANALYSIS TOOL

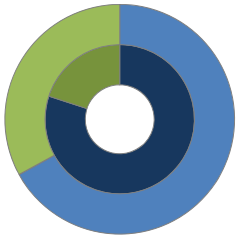
ASSUMPTIONS: (1) All values are based on the Appraised Value and *not* the Market Value; (2) All Agricultural (AG) District land is assumed to be residential under Current Zoning and zoned in accordance to the Future Land Use Map under Current Zoning at Build Out.
DISCLAIMER: The information provided below is not a reasonable basis for the approval or denial of any zoning case. This is a general tool that is meant to assist elected and appointed officials in the understanding the potential fiscal impacts of a zoning request, and to track conformance to the Comprehensive Plan's targeted land use ratios of 80% residential to 20% commercial land use, which is intended to yield a 67% residential value to 33% commercial value.
SUMMARY OF METHODOLOGY: The methods used in this study are based on a rough fiscal impact analysis, and involve reducing the City's land values down to a per square footage cost to estimate potential impact on existing property value. The cost of service model is constructed around the City's current fiscal year costs versus the percentage of land area that is currently residential and non-residential. A per capita multiplier and average cost method were used to estimate sales tax.

CASE NO.: *Z2019-012*
CASE NAME: *Zoning Change (AG to PD) for Northgate Estates*

ZONING MAP





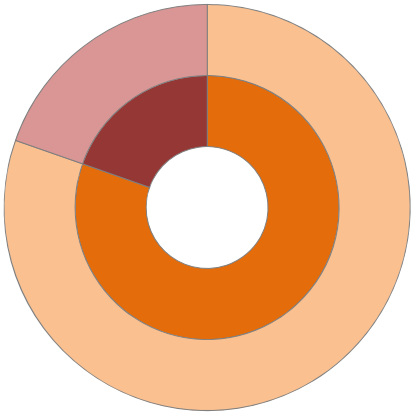


	PRESENT				PROPOSED				CHANGE				GOAL		
	LAND USE		LAND VALUE		LAND USE		LAND VALUE		LAND USE		LAND VALUE				
	ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE	ACREAGE	VALUE	DIFFERENCE
RESIDENTIAL	10,932.42	75.48%	$ 4,084,912,315.77	75.90%	10,932.42	75.48%	4,104,283,002.17	75.98%	(0.00)	0.00%	19,370,686.40	0.36%	80%	67%	-8.98%
NON-RESIDENTIAL	3,552.00	24.52%	$ 1,297,389,588.23	24.10%	3,552.00	24.52%	1,297,389,588.23	24.02%	-	0.00%	-	0.00%	20%	33%	-8.98%
	14,484.42	100.00%	$ 5,382,301,904.00	100.00%	14,484.42	100.00%	5,401,672,590.40	100.00%			19,370,686.40	0.36%	100%	100%	
OPEN SPACE	2,487.57		$ 380,531,381.26		2,487.57		$ 381,558,120.00								
TOTAL	16,971.99		$ 5,762,833,285.26		16,971.99		5,783,230,710.40								

	PRESENT	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	PROPOSED	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	CHANGE	
	ACRES	%
RESIDENTIAL	-	0.00%
NON-RESIDENTIAL	-	0.00%

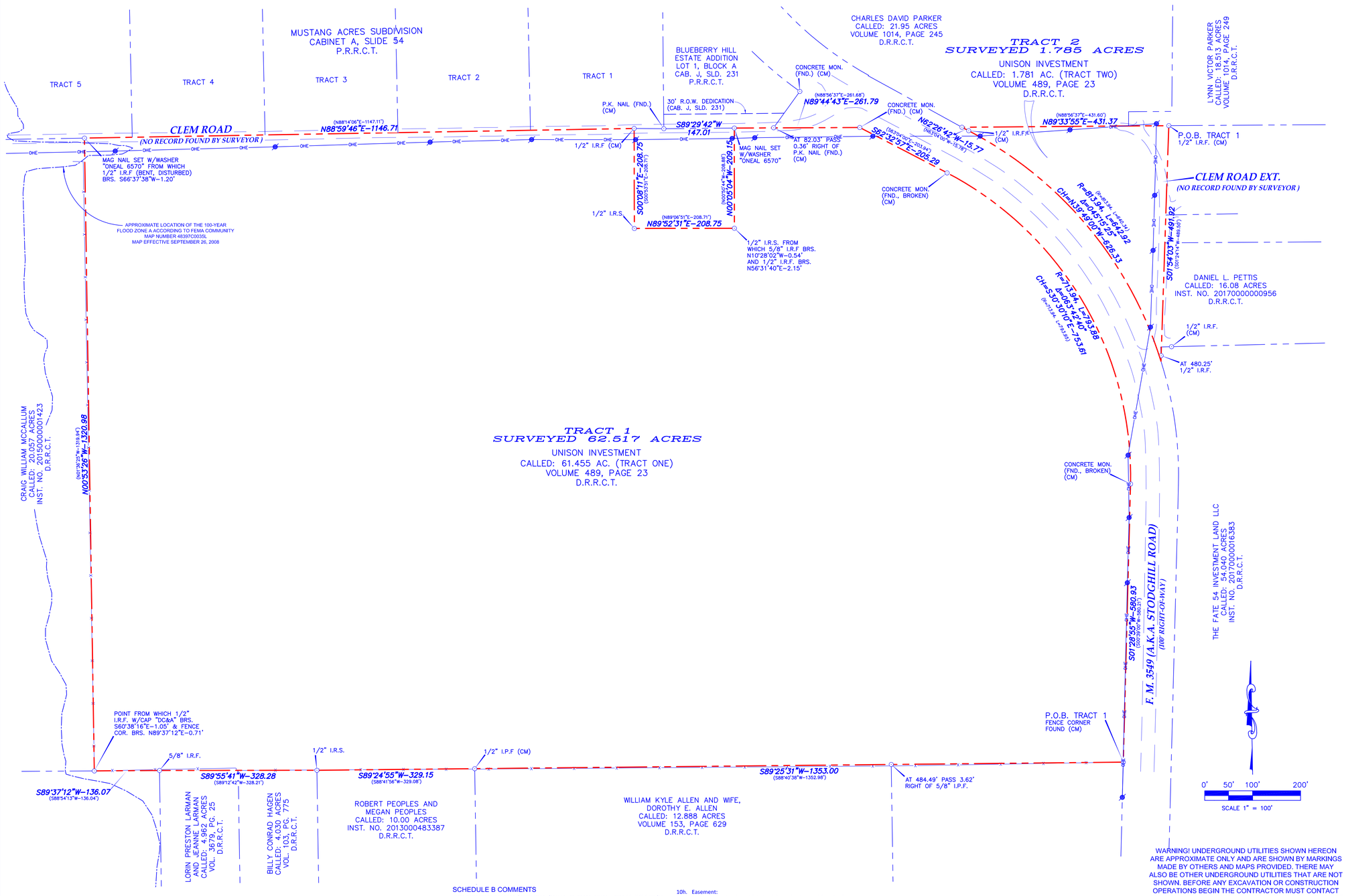


FUTURE LAND USE MAP

ESTIMATED COST/REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
BENCHMARKS				
Residential Value	$ -	$ 64,989,778.99	$ 19,370,686.40	$ (45,619,092.59)
Non-Residential Value	$ 1,284,540.00	$ -	$ -	$ -
Residential Acreage	-	-	$ 62.66	$ 62.66
Non-Residential Acreage	62.66	62.66	$ -	$ (62.66)
ANNUAL REVENUES				
Residential Revenues	$ -	$ 261,503.60	$ 77,889.53	$ (183,614.07)
Non-Residential Revenues	$ 5,165.14	$ -	$ -	$ -
Direct Sales Tax Increase	$ -	$ -	$ -	$ -
Indirect Sales Tax Increase	$ -	$ 24,847.93	$ 108,237.59	$ 83,389.66
Total Revenues	$ 5,165.14	$ 286,351.53	$ 186,127.12	$ (100,224.42)
ANNUAL EXPENDITURES				
Cost of Community Service for Residential	$ -	$ (649,417.01)	$ (149,865.46)	$ 499,551.55
Cost of Community Service for Non-Residential	$ -	$ -	$ -	$ -
Total Estimated Expenditures	$ -	$ (649,417.01)	$ (149,865.46)	$ 499,551.55
EST. ANN. COST/REVENUES	$ 5,165.14	$ (363,065.48)	$ 36,261.65	$ 399,327.13
OTHER BENCHMARKS				
Additional Citizens Added to Population		273	115	(158)
Estimated Non-Resident Consumers in City		-	-	-

40



LEGAL DESCRIPTION

TRACT 1

BEING 62.517 ACRES OF LAND LOCATED IN THE WILLIAM DALTON SURVEY, ABSTRACT NUMBER 72, ELLIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 61.455 ACRE TRACT AS DESCRIBED TO UNISON INVESTMENT BY DEED RECORDED IN VOLUME 489, PAGE 23, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A FENCE CORNER FOUND IN THE WEST LINE OF FARM-TO-MARKET ROAD 3549 (100' RIGHT-OF-WAY) AT THE SOUTHEAST CORNER OF THE ABOVE-MENTIONED 61.455 ACRE TRACT;

THENCE SOUTH 89 DEGREES 25 MINUTES 31 SECONDS WEST, AT A DISTANCE OF 484.49 FEET PASS 3.62 FEET RIGHT OF A 5/8" IRON PIPE FOUND AND CONTINUING FOR A TOTAL DISTANCE OF 1353.00 FEET WITH THE SOUTH LINE OF SAID 61.455 ACRE TRACT TO A 1/2" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE WILLIAM KYLE ALLEN ET UX 12.888 ACRE TRACT AS DESCRIBED IN VOLUME 153, PAGE 629, (D.R.R.C.T.) AND THE NORTHEAST CORNER OF THE ROBERT PEOPLES AND MEGAN PEOPLES 10.00 ACRE TRACT AS DESCRIBED IN INSTRUMENT NUMBER 20130000483387, (D.R.R.C.T.);

THENCE SOUTH 89 DEGREES 24 MINUTES 55 SECONDS WEST, A DISTANCE OF 329.15 FEET WITH THE SOUTH LINE OF SAID 61.455 ACRE TRACT TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE NORTHWEST CORNER OF THE ABOVE-MENTIONED 10.00 ACRE TRACT AND THE NORTHEAST CORNER OF THE BILLY CONRAD HAGEN 4.030 ACRE TRACT AS DESCRIBED IN VOLUME 103, PAGE 775, (D.R.R.C.T.);

THENCE SOUTH 89 DEGREES 55 MINUTES 41 SECONDS WEST, A DISTANCE OF 328.28 FEET WITH THE SOUTH LINE OF SAID 61.455 ACRE TRACT, SAME BEING THE COMMON NORTH LINE OF THE ABOVE-MENTIONED 4.030 ACRE TRACT AND THE LORIN PRESTON LARMAN AND JEANNE LARMAN 4.962 ACRE TRACT AS DESCRIBED IN VOLUME 3679, PAGE 25, (D.R.R.C.T.) TO A 5/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE JUST MENTIONED 4.962 ACRE TRACT;

THENCE SOUTH 89 DEGREES 37 MINUTES 12 SECONDS WEST, A DISTANCE OF 136.07 FEET TO THE SOUTHWEST CORNER OF SAID 61.455 ACRE TRACT, SAME BEING THE COMMON SOUTHEAST CORNER OF THE CRAIG WILLIAM MCCALLUM 20.057 ACRE TRACT AS DESCRIBED IN INSTRUMENT NUMBER 20150000001423, (D.R.R.C.T.), FROM WHICH A 1/2" IRON ROD WITH CAP STAMPED "DC&A" BEARS SOUTH 60 DEGREES 38 MINUTES 16 SECONDS EAST, A DISTANCE OF 1.05 FEET AND A FENCE CORNER BEARS NORTH 89 DEGREES 37 MINUTES 12 SECONDS EAST, A DISTANCE OF 0.71 FEET;

THENCE NORTH 00 DEGREES 53 MINUTES 26 SECONDS WEST, A DISTANCE OF 1320.98 FEET TO A MAG NAIL WITH WASHER STAMPED "ONEAL 6570" SET IN THE APPROXIMATE CENTERLINE OF CLEM ROAD (NO RECORD FOUND BY SURVEYOR) AT THE NORTHWEST CORNER OF SAID 61.455 ACRE TRACT AND THE NORTHEAST CORNER OF THE ABOVE-MENTIONED 20.057 ACRE TRACT;

THENCE NORTH 98 DEGREES 59 MINUTES 46 SECONDS EAST, A DISTANCE OF 1146.71 FEET WITH THE APPROXIMATE CENTERLINE OF CLEM ROAD AND THE NORTH LINE OF SAID 61.455 ACRE TRACT TO A 1/2" IRON ROD FOUND;

THENCE SOUTH 00 DEGREES 08 MINUTES 11 SECONDS EAST, A DISTANCE OF 208.75 FEET LEAVING CLEM ROAD TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT AN INTERIOR CORNER OF SAID 61.455 ACRE TRACT;

THENCE NORTH 89 DEGREES 52 MINUTES 31 SECONDS EAST, A DISTANCE OF 208.75 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET FOR AN INTERIOR CORNER OF SAID 61.455 ACRE TRACT;

THENCE NORTH 00 DEGREES 05 MINUTES 04 SECONDS WEST, A DISTANCE OF 209.15 FEET TO A MAG NAIL WITH WASHER STAMPED "ONEAL 6570" SET IN THE APPROXIMATE CENTERLINE OF CLEM ROAD AND AN EXTERIOR CORNER OF SAID 61.455 ACRE TRACT;

THENCE NORTH 89 DEGREES 44 MINUTES 43 SECONDS EAST, A DISTANCE OF 261.79 FEET WITH THE NORTH LINE OF SAID 61.455 ACRE TRACT TO A CONCRETE MONUMENT FOUND IN THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 3549;

THENCE SOUTH 62 DEGREES 32 MINUTES 57 SECONDS EAST, A DISTANCE OF 205.29 FEET WITH THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 3549 AND THE COMMON NORTHEAST LINE OF SAID 61.455 ACRE TRACT, TO A BROKEN CONCRETE MONUMENT FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 063 DEGREES 42 MINUTES 40 SECONDS, A RADIUS OF 713.94 FEET AND A LONG CHORD THAT BEARS SOUTH 30 DEGREES 30 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 753.61 FEET;

THENCE SOUTHEASTERLY WITH SAID CURVE TO THE RIGHT AND THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 3549 AND THE COMMON NORTHEAST LINE OF SAID 61.455 ACRE TRACT, AN ARC LENGTH OF 793.88 FEET TO A BROKEN CONCRETE MONUMENT FOUND;

THENCE SOUTH 01 DEGREES 28 MINUTES 55 SECONDS WEST, WITH THE WEST LINE OF FARM-TO-MARKET ROAD 3549 AND THE COMMON EAST LINE OF SAID 61.455 ACRE TRACT, A DISTANCE OF 580.93 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 62.517 ACRES OF LAND, MORE OR LESS.

TRACT 2

BEING 1.785 ACRES OF LAND LOCATED IN THE WILLIAM DALTON SURVEY, ABSTRACT NUMBER 72, ELLIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 1.781 ACRE TRACT AS DESCRIBED TO UNISON INVESTMENT BY DEED RECORDED IN VOLUME 489, PAGE 23, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF THE ABOVE-MENTIONED 1.781 ACRE TRACT;

THENCE SOUTH 01 DEGREES 54 MINUTES 03 SECONDS WEST, AT 480.25 FEET PASS A 1/2" IRON ROD FOUND AND CONTINUING FOR A TOTAL DISTANCE OF 491.92 FEET TO A POINT FOR CORNER IN THE NORTHEAST LINE OF FARM-TO-MARKET ROAD 3549 AT THE SOUTH CORNER OF SAID 1.781 ACRE TRACT AND BEING AT THE BEGINNING OF A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 045 DEGREES 15 MINUTES 25 SECONDS, A RADIUS OF 813.94 FEET AND A LONG CHORD THAT BEARS NORTH 39 DEGREES 49 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 626.33 FEET;

THENCE NORTHWESTERLY WITH SAID CURVE TO THE LEFT AND THE NORTHEAST LINE OF FARM-TO-MARKET ROAD 3549 AND THE SOUTHWEST LINE OF SAID 1.781 ACRE TRACT, AN ARC LENGTH OF 642.92 FEET TO A 1/2" IRON ROD FOUND;

THENCE NORTH 62 DEGREES 26 MINUTES 42 SECONDS WEST, A DISTANCE OF 15.77 FEET WITH THE NORTHEAST LINE OF FARM-TO-MARKET ROAD 3549 TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE WEST CORNER OF SAID 1.781 ACRE TRACT;

THENCE NORTH 89 DEGREES 33 MINUTES 55 SECONDS EAST, A DISTANCE OF 431.37 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 1.785 ACRES OF LAND, MORE OR LESS

SURVEYOR'S CERTIFICATE

TO: OAK NATIONAL HOLDINGS, LLC; TITLE RESOURCES GUARANTY COMPANY;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 7(a), 8, 9, 11, 13, 16 & 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 19, 2019.

PRELIMIANRY

BY: DANIEL CHASE O'NEAL
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6570

daniel.oneal@onealsurveying.com

O'NEAL SURVEYING CO.
3111 COLE AVE., STE 103
DALLAS, TX 75204
TBPLS FIRM # 10194132
WWW.ONEALSURVEYING.COM

REVISIONS

ALTA/NSPS LAND TITLE SURVEY
SHOWING
A PORTION OF THE
WILLIAM DALTON SURVEY, ABSTRACT NO. 72
ROCKWALL COUNTY, TEXAS

LEGEND

(CM)	CONTROLLING MONUMENT
P.O.B.	POINT OF BEGINNING
I.R.F.	IRON ROD FOUND
I.P.F.	IRON PIPE FOUND
I.R.S.	1/2" IRON ROD SET WITH RED CAP STAMPED "ONEAL 6570"
(XXX')	RECORD BEARING AND DISTANCE
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
⊙	MONUMENT AS NOTED
◉	SEWER MAN HOLE
◇	FIRE HYDRANT
⧗	WATER VALVE
⌀	UTILITY POLE
⍊	COMMUNICATIONS MARKER
x	FENCE
OHE	OVERHEAD POWER
	BOUNDARY LINE
	ADJOINER LINE

BEARING BASIS

ALL BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983(2011), NORTH CENTRAL ZONE (4202).

SURVEYOR'S NOTES

1. NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY EXCEPT AS SHOWN
2. NO PARKING LOTS, BILLBOARDS, SIGNS, OR OTHER SUBSTANTIAL FEATURES EXIST ON PROPERTY EXCEPT AS SHOWN.
3. THE FIELD WORK WAS COMPLETED ON JUNE 6, 2019
4. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.
5. ALL DISTANCES SHOWN ARE IN U.S. SURVEY FEET

SCHEDULE B COMMENTS

Items corresponding to the Commitment for Title Insurance issued March 11, 2019 by Old Republic National Title Insurance Company bearing an effective date of February 27, 2019, Commitment GF No. 1988173-10GH
1-10e.Intentionally omitted by surveyor

10f. Easement:
Recorded: Volume 76, Page 482, Deed Records, Rockwall County, Texas.
To: Lone Star Gas Company
Describes surveyed property, blanket in nature

10g. Easement:
Recorded: Volume 82, Page 324, Deed Records, Rockwall County, Texas.
To: Mt. Zion Water Supply Corp.
Unable to plot, surveyor needs Vol. 40, Pg. 476

10h. Easement:
Recorded: Volume 181, Page 153, Deed Records, Rockwall County, Texas.
To: Mt. Zion Water Supply Corp.
Unable to plot, surveyor needs Vol. 118, Pg. 786

10i. Mineral and/or royalty interest:
Recorded: Volume 32, Page 285, Deed Records, Rockwall County, Texas.
Describes surveyed property, blanket in nature

10j. Mineral and/or royalty interest:
Recorded: Volume 32, Page 285, Deed Records, Rockwall County, Texas.
Describes surveyed property, blanket in nature

WARNING! UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE ONLY AND ARE SHOWN BY MARKINGS MADE BY OTHERS AND MAPS PROVIDED. THERE MAY ALSO BE OTHER UNDERGROUND UTILITIES THAT ARE NOT SHOWN. BEFORE ANY EXCAVATION OR CONSTRUCTION OPERATIONS BEGIN THE CONTRACTOR MUST CONTACT ONE CALL UTILITY LOCATION SERVICES AND THE OWNERS OF THE UTILITIES TO VERIFY THEIR LOCATION.

BEFORE YOU DIG Texas811.com

PROPERTY ADDRESS:

ADDRESS NOT PROVIDED OR OBSERVED DURING COURSE OF SURVEY

ZONING

ZONING: NOT PROVIDED BY INSURER

SETBACK REQUIREMENTS: NOT PROVIDED BY INSURER

HEIGHT AND FLOOR SPACE AREA RESTRICTIONS: NOT PROVIDED BY INSURER

FLOOD ZONE CLASSIFICATION

ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP NO. 48397C0035L, DATED SEPTEMBER 26, 2008, A PORTION OF THIS PROPERTY LIES WITHIN FLOOD ZONE X AND A PORTION OF THIS PROPERTY LIES WITHIN FLOOD ZONE A AS SHOWN

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

EARTH MOVING STATEMENT

NO EVIDENCE OF EARTH MOVING OBSERVED BY SURVEYOR.

PROPOSED CHANGE IN RIGHT-OF-WAY STATEMENT

NO EVIDENCE OF CHANGE IN RIGHT-OF-WAY PROVIDED TO SURVEYOR.

UTILITIES NOTE:

THE FOLLOWING UTILITIES WERE SHOWN TO OPERATE IN THE AREA ACCORDING TO TEXAS811 LOCATE REQUEST TICKET NUMBER 1965666146

COMPANY
ATMOS MIDTEX PIPELINE
FARMERS ELECTRIC COOPERATIVE
SPRINT NEXTEL

PREPARED FOR:

MICHAEL JOYCE PROPERTIES

PROJECT NO.	19081.00
DRAWN BY:	DCO
CHECKED BY:	DCO
SCALE:	1"=100'
DATE:	JUNE 5, 2019
SHEET NO.	1 of 1



62.455 ACRES
40 LOTS
1.0 ACRE MINIMUM

N

100 0 50 100

Scale: 1" = 100'

CONCEPT PLAN F
NORTHGATE
ROCKWALL, TEXAS

Engineer:

ENGINEERING CONCEPTS & DESIGN, L.P.
CIVIL ENGINEERING / PROJECT MANAGEMENT / CONSTRUCTION SERVICES
FIRM REGISTRATION #F-10114
321 WINDO CIRCLE, SUITE 200, WYLIE, TX 75098
972.941.9600 WWW.ECDFW.COM FAX 972.941.9602

February 28, 2019

SHEET NO. 1 OF 1

PROJECT #00000

42



NORTH

100 50 0 100

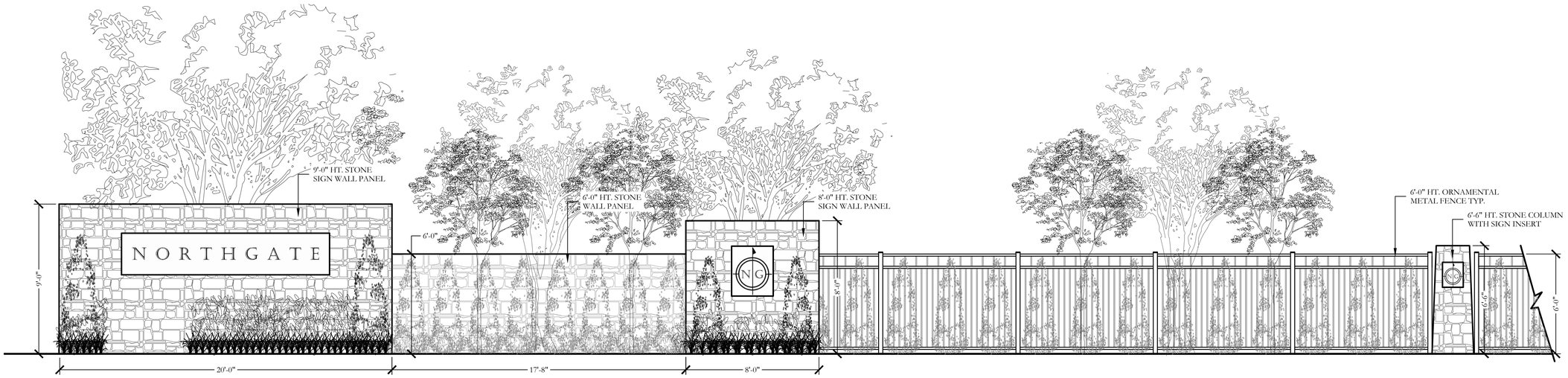
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NORTHGATE CONCEPT PLAN

City of Rockwall, Texas

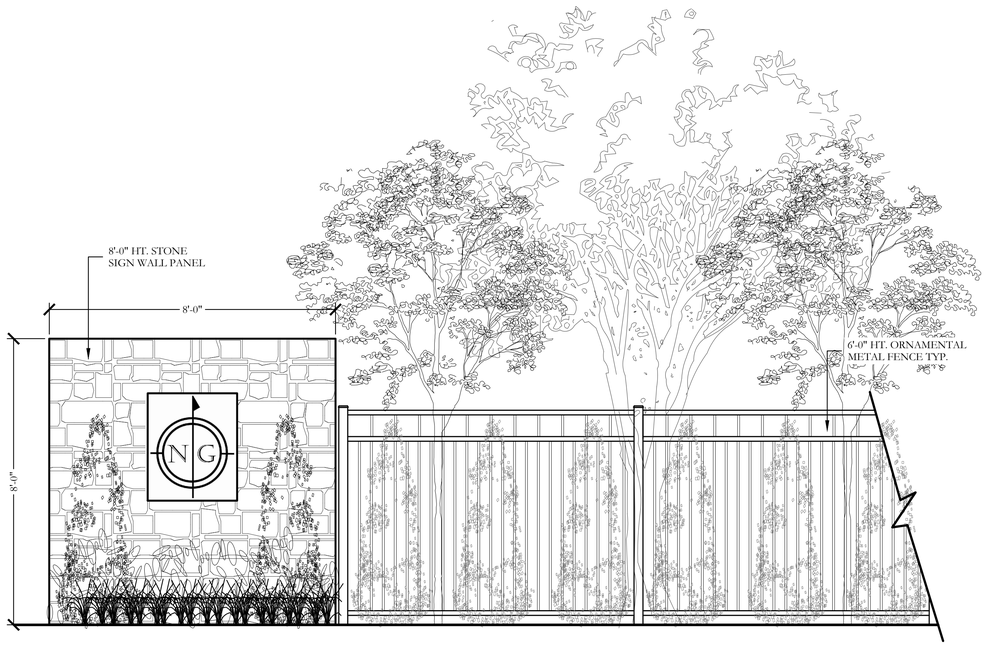
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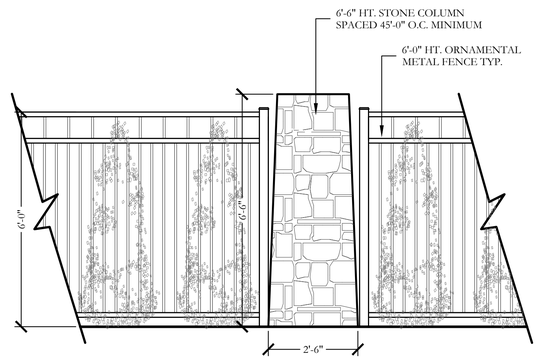
MAIN ENTRY MONUMENT ELEVATION

NOT TO SCALE



MINOR ENTRY MONUMENT ELEVATION

NOT TO SCALE



COLUMN AND FENCE ELEVATION

NOT TO SCALE

NORTHGATE CONCEPT PLAN

City of Rockwall, Texas

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44

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses, on a 62.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a

condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 6(b) through 6(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Master Parks and Open Space Plan
(2) Master Plat
(3) Preliminary Plat
(4) PD Site Plan
(5) Final Plat

(c) *Master Parks and Open Space Plan.* An *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

(d) *Master Plat.* A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.

(e) *Preliminary Plat.* A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.

(f) *PD Site Plan.* A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.

(g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and

each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF JULY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *June 17, 2019*

2nd Reading: *July 1, 2019*

DRAFT ORDINANCE 06.17.2019

Exhibit 'A':
Legal Description

BEING 62.517 acres of land located in the WILLIAM DALTON SURVEY, ABSTRACT NUMBER 72, Ellis County, Texas, being all of that certain called 61.455 acre tract as described to Unison Investment by deed recorded in volume 489, page 23, Deed Records, Rockwall County, Texas (D.R.R.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a fence corner found in the west line of Farm-to-Market Road 3549 (100' right-of-way) at the southeast corner of the above-mentioned 61.455 acre tract;

THENCE South 89 degrees 25 minutes 31 seconds West, at a distance of 484.49 feet pass 3.62 feet right of a 5/8" iron pipe found and continuing for a total distance of 1353.00 feet with the south line of said 61.455 acre tract to a 1/2" iron pipe found at the northwest corner of the William Kyle Allen et ux 12.888 acre tract as described in Volume 153, Page 629, (D.R.R.C.T.) and the northeast corner of the Robert Peoples and Megan Peoples 10.00 acre tract as described in Instrument Number 2013000483387, (D.R.R.C.T.);

THENCE South 89 degrees 24 minutes 55 seconds West, a distance of 329.15 feet with the south line of said 61.455 acre tract to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at the northwest corner of the above-mentioned 10.00 acre tract and the northeast corner of the Billy Conrad Hagen 4.030 acre tract as described in Volume 103, Page 775, (D.R.R.C.T.);

THENCE South 89 degrees 55 minutes 41 seconds West, a distance of 328.28 feet with the south line of said 61.455 acre tract, same being the common north line of the above-mentioned 4.030 acre tract and the Lorin Preston Larman and Jeanne Larman 4.962 acre tract as described in Volume 3679, Page 25, (D.R.R.C.T.) to a 5/8" iron rod found at the northwest corner of the just mentioned 4.962 acre tract;

THENCE South 89 degrees 37 minutes 12 seconds West, a distance of 136.07 feet to the southwest corner of said 61.455 acre tract, same being the common southeast corner of the Craig William Mccallum 20.057 acre tract as described in Instrument Number 20150000001423, (D.R.R.C.T.), from which a 1/2" iron rod with cap stamped "DC&A" bears South 60 degrees 38 minutes 16 seconds East, a distance of 1.05 feet and a fence corner bears North 89 degrees 37 minutes 12 seconds East, a distance of 0.71 feet;

THENCE North 00 degrees 53 minutes 26 seconds West, a distance of 1320.98 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road (no record found by surveyor) at the northwest corner of said 61.455 acre tract and the northeast corner of the above-mentioned 20.057 acre tract;

THENCE North 88 degrees 59 minutes 46 seconds East, a distance of 1146.71 feet with the approximate centerline of Clem Road and the north line of said 61.455 acre tract to a 1/2" iron rod found;

THENCE South 00 degrees 08 minutes 11 seconds East, a distance of 208.75 feet leaving Clem Road to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at an interior corner of said 61.455 acre tract;

THENCE North 89 degrees 52 minutes 31 seconds East, a distance of 208.75 feet to a 1/2" iron rod with red cap stamped "ONEAL 6570" set for an interior corner of said 61.455 acre tract;

THENCE North 00 degrees 05 minutes 04 seconds West, a distance of 209.15 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road and an

exterior corner of said 61.455 acre tract;

THENCE North 89 degrees 44 minutes 43 seconds East, a distance of 261.79 feet with the north line of said 61.455 acre tract to a concrete monument found in the southwest line of Farm-To-Market Road 3549;

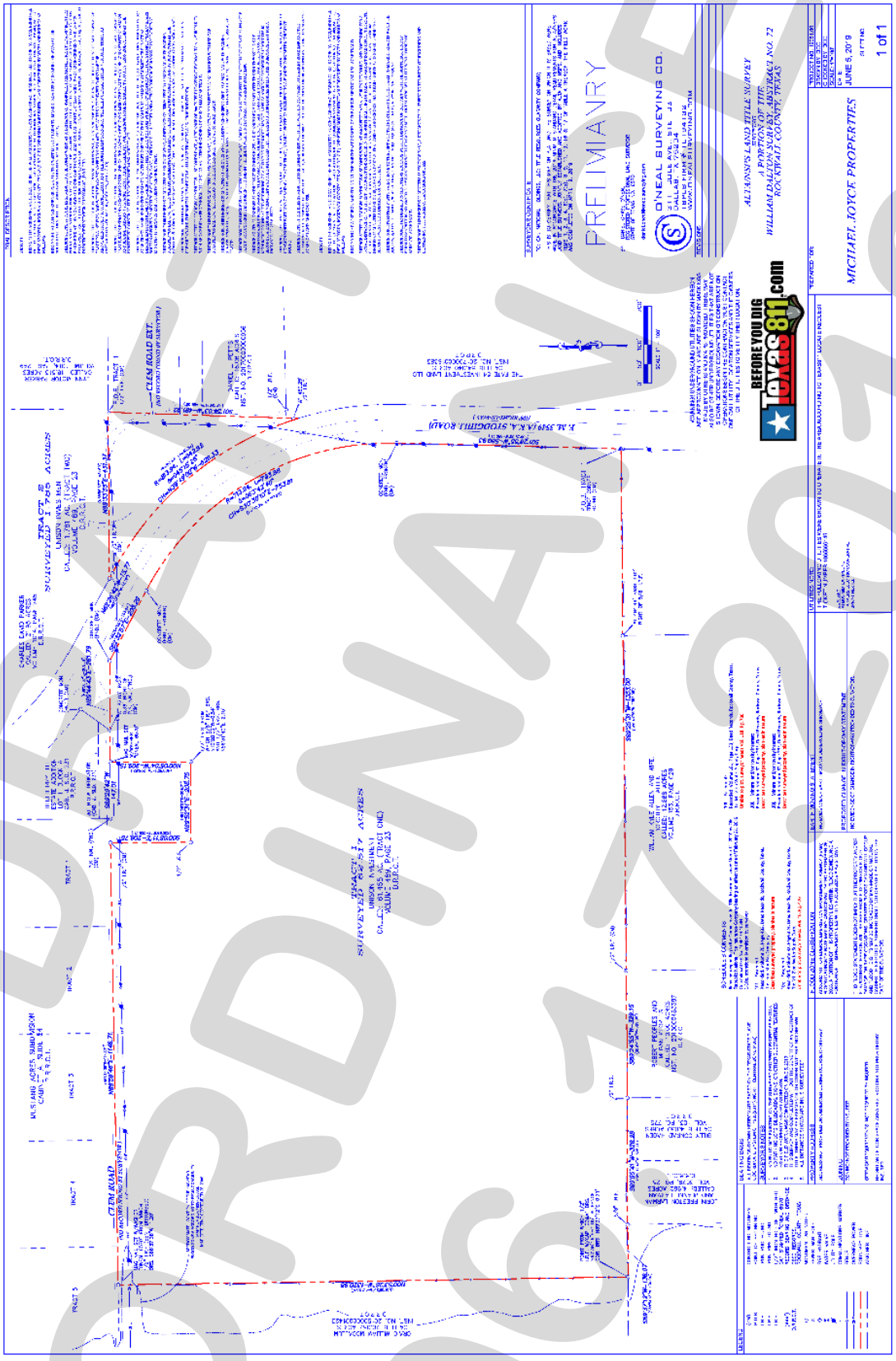
THENCE South 62 degrees 32 minutes 57 seconds East, a distance of 205.29 feet with the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, to a broken concrete monument found at the beginning of a curve to the right having a delta angle of 063 degrees 42 minutes 40 seconds, a radius of 713.94 feet and a long chord that bears South 30 degrees 30 minutes 10 seconds East for a distance of 753.61 feet;

THENCE southeasterly with said curve to the right and the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, an arc length of 793.88 feet to a broken concrete monument found;

THENCE south 01 degrees 28 minutes 55 seconds west, with the west line of Farm-To-Market Road 3549 and the common east line of said 61.455 acre tract, a distance of 580.93 feet to the **POINT OF BEGINNING** and containing 62.517 acres of land, more or less.

DRAFT ORDINANCE 06.17.2019

Exhibit 'B':
Survey



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Exhibit 'C':
Concept Development Plan



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Density and Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	120' x 200'	43,560 SF	17	42%
B	130' x 400'	65,340 SF	23	58%
		Maximum Permitted Units:	*40*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 1 (SF-1) District, as specified by Article V, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *0.65* dwelling units per gross acre of land; however, in no case should the proposed development exceed *40* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***
Minimum Lot Width [1]	120'	130'
Minimum Lot Depth	200'	400'
Minimum Lot Area	43,560 SF	65,340 SF
Minimum Front Yard Setback [2] & [5]	70'	70'
Minimum Side Yard Setback	25'	25'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	30'	30'
Minimum Length of Driveway Pavement	70'	70'
Maximum Height [3]	38'	38'
Minimum Rear Yard Setback [4]	50'	50'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,500 SF	2,500 SF
Maximum Lot Coverage	20%	20%
Permitted Encroachment in Required Setbacks[5]	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

DRAFT 06.17.19

4. *Building Standards.* All development shall adhere to the following building standards:

   (a) Masonry Requirement. The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the masonry requirement.

   (b) Roof Pitch. A minimum of an *8:12* roof pitch is required on all structures with the exception of porches, which shall have a minimum of a *4:12* roof pitch.

   (c) Garage Orientation. Garages shall be oriented in a *traditional swing* (or *j-swing*), side entry, or in a flat-front entry configuration (*i.e. even with the front façade of the primary structure*). Garages utilizing a *traditional swing* (or *j-swing*) are permitted to have a single garage door facing the street that is behind the width of the double car garage that is accessed from a *traditional swing* configuration. All garage doors shall be required to have upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*) [*examples of acceptable garage configurations are depicted in Figure 1*].

Figure 1: *Example Garage Doors*



5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (*for spacing requirements see Figures 2 & 3 below*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	120' x 200'	(1), (2), (3)
B	130' x 400'	(1), (2), (3)

   (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

   (2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or Clem Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

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(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

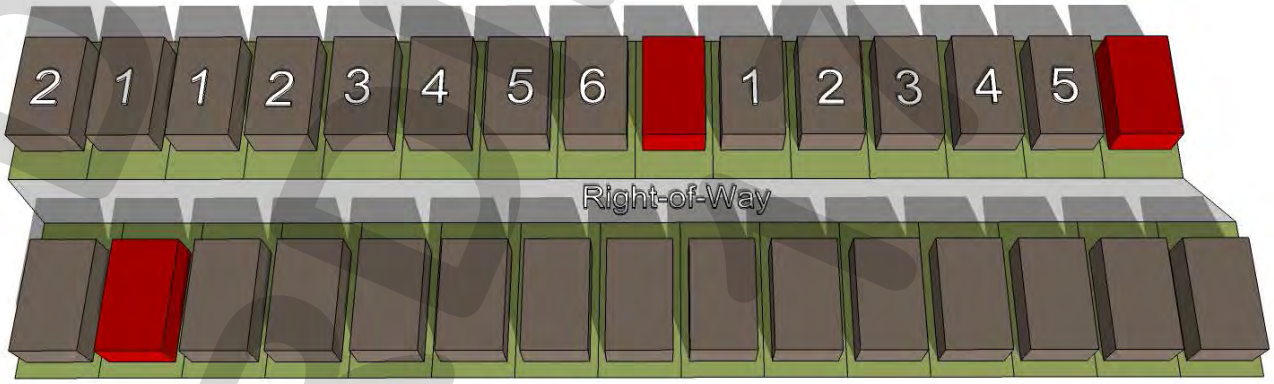
(3) Permitted encroachment (*i.e. porches*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 2: Properties line up on the opposite side of the street. Where RED is the subject property.



Figure 3: Properties do not line up on opposite side of the street. Where RED is the subject property.



6. *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

(a) Wrought Iron/Tubular Steel. All Lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the

front building line of any structure shall be required to be pipe-rail or similar. No chain link or wooden fencing shall be allowed.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of the subdivision, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences shall not exceed six (6) feet in height. All perimeter fencing of the development shall incorporate masonry columns at 45-feet off center spacing.

7. Landscape and Hardscape Standards.

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (FM-3549). A minimum of a 30-foot landscape buffer shall be provided along FM-3549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 30-foot landscape buffer adjacent to FM-3549.

(b) Landscape Buffer and Sidewalks (Clem Road). A minimum 20-foot landscape buffer shall be provided

(3) *Street Trees.* Prior to issuance of a Certificate of Occupancy (CO), all residential single-family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by Section 7.1 of this ordinance in the following sizes and proportions:

(i) Three (3), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of the required lots

(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the rear yards of the required lots.

(iii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the side yards facing the street.

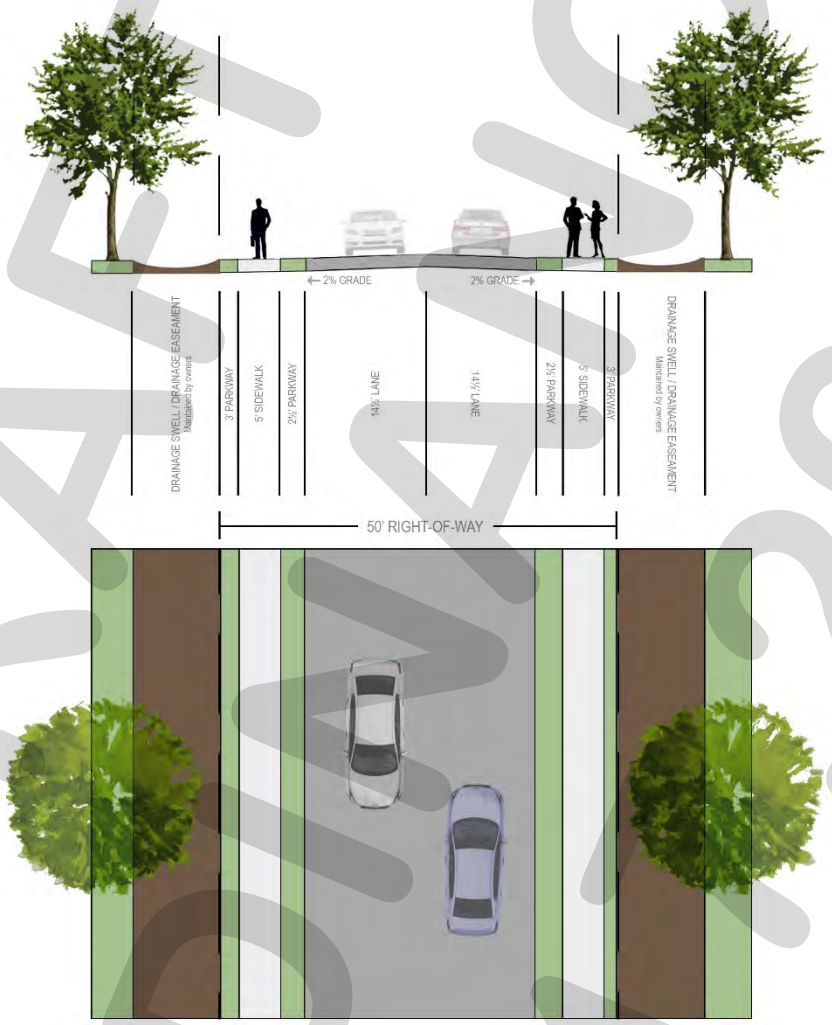
(4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

DRAFT ORDINANCE 05.13.19

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

8. *Streets.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to the City's street standards as shown below in *Figure 3.*

Figure 3: *Rural-Local Roadway Cross-section*



9. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks.* All sidewalks adjacent to a street shall be a maximum of three (3) feet inside the right-of-way line and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be

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considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Neighborhood Signage and Enhancements.* Permanent subdivision identification signage shall be permitted at all major and minor entry points for the proposed subdivision (*shown in Figure 5 below*). Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas within the Subject Property as generally depicted in *Figure 4.* The final design of these areas shall be provided on the PD Site Plan.

Figure 4: *Neighborhood Signage*

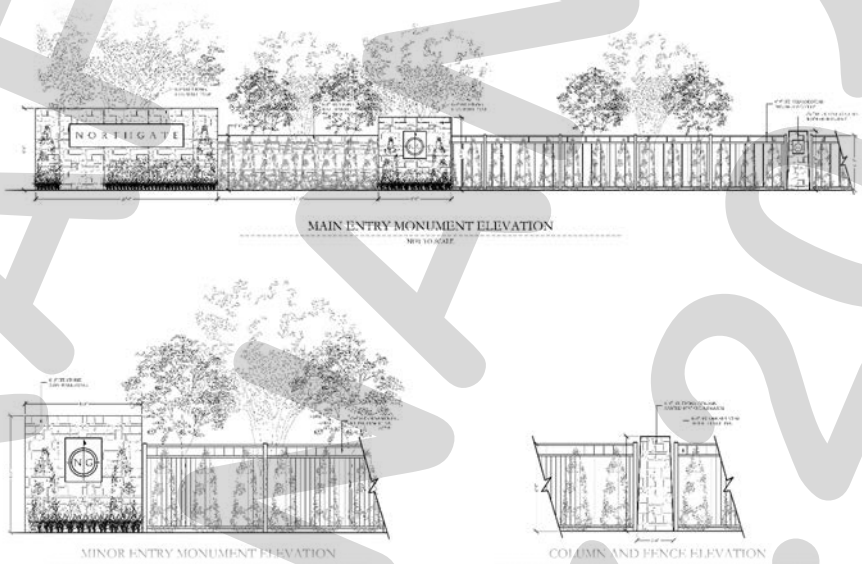
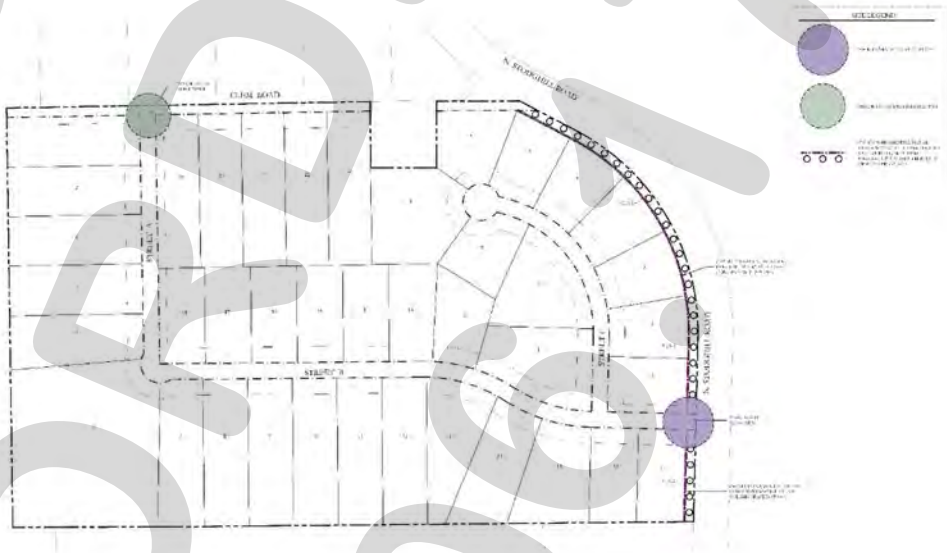


Figure 5: *Neighborhood Signage/Enhanced Landscaping Areas*



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13. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, screening fences and neighborhood signage associated with this development.

14. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:

    (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, and etcetera*).

    (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.

    (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.

15. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

DRAFT ORDINANCE 06.17.2019

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59

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Planning and Zoning Commission
DATE:	June 17, 2019
APPLICANT:	Jimmy Strohmeyer, *Strohmeyer Architects, Inc.*
CASE NUMBER:	Z2019-013; *Amended PD Development Plan for PD-32*

SUMMARY

Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of a ordinance for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the *Hillside Sub-District* of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary.

BACKGROUND

On September 20, 2010, the City Council passed *Ordinance No. 10-21* [*Planned Development District 32 (PD-32)*], which established a concept plan and development standards for the approximate 78.89-acre tract of land commonly referred to as *PD-32* or the *Harbor District*. Within the approved concept plan, *PD-32* was divided into ten (10) subdistricts that contained individual development and land use standards. On November 17, 2014, the City Council adopted *Ordinance No. 14-51*, which contained a PD Development Plan for a 2.893-acre tract of land located in the *Hillside Subdistrict*. This PD Development Plan showed a series of buildings would be constructed along Harbor Heights Drive in conformance to the requirements of *Ordinance No. 10-21*. With the approval of *Ordinance No. 14-51*, the City Council also approved waivers to the building placement requirements and pedestrian access requirements to allow retaining walls ranging from seven (7) to nine (9) feet in height to be established along Harbor Heights Drive. The approval of these walls were tied to building elevations submitted by the applicant and which were tied down as apart of the City Council's approval. On May 1, 2017, the City Council adopted *Ordinance No. 17-22*, which amended *Ordinance No. 10-21* to update various exhibits in the ordinance; however, no changes were made to the requirements of the *Hillside Subdistrict* or for the subject property.

PURPOSE

On May 15, 2019, the applicant -- *Jimmy Strohmeyer of Strohmeyer Architects, Inc.* -- submitted an application requesting to amend *Ordinance No. 14-51* to change the *PD Concept Plan* approved for the subject property. According to *Ordinance No. 17-22* [*the regulating ordinance for Planned Development District 32 (PD-32)*], the purpose of a PD Development Plan is to ensure that a proposed development meets the intent of the subdistrict and/or to address any waivers required by the development. *Ordinance No. 17-22* goes on to state that the *Hillside Subdistrict*, in which the subject property is located, is intended "… to provide a cluster of restaurant anchors that can contribute to the creation of a vibrant, pedestrian oriented character within the Harbor District." In this case, the applicants proposed development meets this intent of the *Hillside Subdistrict*; however, the submitted *PD Concept Plan* will require waivers to the building placement and parking requirements stipulated in *Ordinance No. 17-22*.

ADJACENT LAND USES AND ACCESS

The subject property is located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 0.293-acre tract of land zoned Planned Development District 32 (PD-32), which is located within the *Hillside Subdistrict*. Currently situated on this property is a ~3,743 SF multi-tenant office building. Beyond this are the frontage roads and main lanes of IH-30.

South: Directly south of the subject property is Harbor Heights Drive, which is classified as a *Street Type 'D'* according to Planned Development District 32 (PD-32) [*Ordinance No. 17-22*]. Beyond this is a 6.1978-acre tract of land owned by the City of Rockwall, and which currently has a parking lot that serves the greater *Harbor District*. This property is zoned Planned Development District 32 (PD-32) and is located within the *Hillside Mixed-Use Subdistrict*.

East: Directly east of the subject property is Sunset Ridge Drive, which is identified as a *Street Type 'B'* and *'E'* according to Planned Development District 32 (PD-32) [*Ordinance No. 17-22*]. East of this roadway is a seven (7) story office building (*i.e. Trend Tower*), which is situated on a 2.0617-acre parcel of land that is located within the *Summit Office Subdistrict*.

West: Directly east of the subject property is a restaurant (*i.e. Culpepper Steakhouse*), which is situated on a 1.40-acre parcel of land that is located within the *Hillside Subdistrict*. Beyond this is Shoreline Trial, which is identified as a *Street Type 'A'* according to Planned Development District 32 (PD-32) [*Ordinance No. 17-22*]. Beyond this is a restaurant (*i.e. the Oar House*), which is situated on a 0.65-acre parcel of land that is located within the *Freeway Frontage Subdistrict*.

All property within these areas are zoned Planned Development District 32 (PD-32) and are subject to the requirements of *Ordinance No. 17-22*.

CHARACTERISTICS OF THE REQUEST AND STAFF ANALYSIS

The concept plan for the *Hillside Subdistrict* contained in *Ordinance No. 17-22* calls for existing slopes between 8-12% with the incorporation of two (2) pedestrian opportunities extending perpendicular to Harbor Heights Drive at not more than 2% slope. Harbor Heights Drive -- *which is intended to serve as the "…primary connector to the existing Harbor Development and is a primary street frontage for retail, residential and mix use development within [the] adjacent subdistricts…"* -- is designated as a *Street Type 'D'*, and was constructed by the City with slopes of 10.3% with one (1) pedestrian crossing, situated in the center of the roadway, constructed at a 1% slope in accordance to the concept plan. Additionally, the original concept plan contained in *Ordinance No. 17-22* depicted smaller pad sites that stepped down to adjust for the slope of the street, which allowed for storefronts and patios to be *at* or *closer to* grade. The PD Concept Plan approved with *Ordinance No. 14-51* incorporated larger pad sites, which made it more difficult to step the buildings down to a pedestrian level. As a result, the ordinance was approved allowing the use of retaining walls, ranging in size from seven (7) to nine (9) feet adjacent to Harbor Heights Drive. A major consideration in allowing the retaining walls was the incorporation of building elevations showing how the retaining walls would be incorporated into the development. In this case, the amended PD Concept Plan reduces the number of buildings adjacent to Harbor Heights Drive, but continues to incorporate larger pad sites that may require retaining walls. Since the applicant has not submitted building elevations with the revised PD Development Plan, staff has included a condition of approval allowing retaining walls -- *not to exceed seven (7) feet in height* -- that will require discretionary approval by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB).

In addition, the submitted PD Concept Plan shows that the continuous row of buildings adjacent to Harbor Heights Drive, approved with *Ordinance No. 14-51*, will be broken up to incorporate a park/central green space. The removed building square footage will be increased and relocated adjacent to Sunset Ridge Drive. While this does deviate from the concept plan approved with *Ordinance No. 17-22*, it does not appear to have a negative impact on the adjacent properties, the *Hillside Subdistrict* as a whole, or the greater Harbor District.

CONFORMANCE WITH PLANNED DEVELOPMENT DISTRICT 32 (PD-32)

According to *Ordinance No. 17-22*, "(i)n order to provide flexibility and create high quality projects, an applicant for development within the PD District [*PD*-32] may request a waiver of the following District or Subdistrict standards: (1) Building Placement Requirements, (2) Landscape Standards, (3) Parking Requirements, (4) Parking Garage Design Standards, and (5) Increased Building Height in any Subdistrict." Based on the applicant's submittal staff has identified the following waivers to the requirements of *Ordinance No. 17-22*:

(1) *Building Placement.*

(a) *Building Form.* According to *Exhibit 'E-2'* of *Ordinance No. 17-22*, a minimum of 85% of the block face along Harbor Heights Drive must be defined by a building façade. In this case the applicant is showing that only 63% of the block face along Harbor Heights Drive is defined by a building façade. As a compensatory measure staff has suggested to the applicant that the incorporation of a seat wall adjacent to the park/central green space would help off-set the requested waiver. The applicant has agreed to incorporate this design element in accordance with the design guidelines contained in *Resolution No. 10-40*.

(b) *Setbacks*. According to *Exhibit 'E-2'* of *Ordinance No. 17-22*, the minimum building setback from the right-of-way line adjacent to IH-30 is 250-feet. The submitted PD Concept Plan shows that the buildings adjacent to Sunset Ridge Drive will be situated within this setback. Staff should note that the existing restaurant (*i.e. Culpepper Steakhouse*) and adjacent office building located at Shoreline Trail and the IH-30 frontage road is currently are both within this setback, and that this waiver would not set a precedence within the *Hillside Subdistrict*.

(2) *Parking.*

(a) *Surface Parking Setbacks*. According to *Exhibit 'E-2'* of *Ordinance No. 17-22*, the minimum parking setback from the IH-30 frontage road right-of-way line is 20-feet. The submitted PD Concept Plan shows that one (1) parking space will be located approximately 15-feet from the right-of-way line. Staff should point out that both the existing restaurant (*i.e. Culpepper Steakhouse*) and the adjacent office building have parking that does not conform to this requirement. In addition, staff has examined this waiver request and determined that is should not pose a negative impact on the remainder of the Hillside Subdistrict. As a compensatory measure, staff has included a condition of approval that the applicant incorporate additional landscape screening in this area.

With regard to granting waivers, *Ordinance No. 17-22* states that "… (w)aivers may only be approved by the City Council following a recommendation by the Planning and Zoning Commission … [and] In order to approve a waiver, the City Council must find that the waiver:

(1) Meets the general intent of the PD District or Subdistrict in which the property is located; and,
(2) Will result in an improved project which will be an attractive contribution to the PD District or Subdistrict; and,
(3) Will not prevent the implementation of the intent of this PD District."

In this case, the proposed project does appear to meet the general intent of the *Hillside Subdistrict*, which according to *Ordinance No. 17-22* is "…to provide a cluster of restaurant anchors that can contribute to the creation of a vibrant, pedestrian oriented character within the Harbor District". Staff should also point out, that the applicant and staff have proposed several compensatory measures that may help to off-set the requested waivers; however, granting any waivers to the requirements of *Ordinance No. 17-22* is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

INFRASTRUCTURE

There are no infrastructure requirements associated with the proposed PD Development Plan beyond the standard requirements stipulated by the Municipal Code of Ordinances, the Unified Development Code (UDC), and the Engineering Department's *Standards of Design and Construction* manual.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

By virtue of being in Planned Development District 32 (PD-32) and generally conforming to *Ordinance No. 17-22*, the proposed PD Development Plan conforms to the majority of the district strategies intended for properties in the *Harbor District* of the *Land Use Plan* as stipulated by the OURHometown Vision 2040 Comprehensive Plan. Looking at the specific goals and policies identified for *Mix-Use Developments* contained in Chapter 1, *Land Use and Growth Management*, of the OURHometown Vision 2040 Comprehensive Plan, the proposed PD Development Plan conforms to all the policies with the exception of *Policy #4* of *Goal # 1*, which states that developments should, "(r)educe barriers (*e.g. walls, parking lots, solid landscaping, fences, etc.*) between land uses to encourage pedestrian connectivity." In this case, retaining walls may be necessary to accommodate larger pad sites. As a result, staff will work with the applicant through the site planning process to try and reduce the impact of these walls on the pedestrian frontage.

Staff should also point out that the incorporation of the park/central green space -- *while not conforming to the building form requirements* -- does conform to the goals and policies contained in Chapter 3, *Parks, Open Space, and Trails*, of the OURHometown Vision 2040 Comprehensive Plan. Specifically, this section states that staff should, "(e)ncourage the creation of small, private greens and common areas in new neighborhoods, commercial shopping centers, and industrial developments for the purpose of enhancing the character, desirability and quality of social interaction in the city." The programing and layout of the proposed park/central green space will require a recommendation from the Parks & Recreation Board as part of site plan approval. This has been added as a condition of approval of this case memo.

NOTIFICATIONS

On May 24, 2019, staff mailed 25 notices to property owners and residents within 500 feet of the *Hillside Subdistrict*. Staff also emailed notices to the Lakeside Village and Lago Vista Homeowner's Associations (HOA), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to amend *Ordinance No. 14-51* by approving the proposed PD Development Plan and requested waivers, then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the conditions contained within the PD Development Plan ordinance and which are summarized as follows:

(a) Development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the attached PD Development Plan ordinance;

(b) All buildings shall be developed with consideration to the pedestrian access easements/pedestrian ways perpendicular to Harbor Heights Drive, and a seat wall shall be incorporated into the area identified as *Park* in the *Concept Plan* depicted in *Exhibit 'B'* of the attached PD Development Plan ordinance. The pedestrian access easements/pedestrian ways shall be consistent with the design guidelines contained in *Resolution No. 10-40*;

(c) All pedestrian access easements/pedestrian ways shall be required to be dedicated as easements at the time the property is replatted;

(d) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32) [*as amended*];

(e) Prior to the issuance of a building permit the applicant shall submit and seek approval for a detailed *PD Site Plan* that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

(f) All buildings throughout the development shall be constructed with a consistent design scheme, incorporate four (4) sided architecture that creates a dual entry appearance, and be approved by the Architectural Review Board (ARB) at the time of the *PD Site Plan*;

(g) Prior to the issuance of a building permit the applicant shall submit and seek approval for a replat that indicates all necessary easements; and,

(h) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development itself to support the use.

(2) An Open Space/Master Plan for the park/central green space shall be submitted at the time of site plan, and will require a recommendation from the Parks & Recreation Board concerning its conformance to *Resolution No. 10-40* as part of the approval process;

(3) Screening, in the form of trees and bushes, should be incorporated adjacent to the parking areas -- *specifically adjacent to the parking space that is situated approximately 15-feet from the IH-30 frontage road and for which a waiver is request* -- to reduce the visibility of these areas;

(4) A maximum of a seven (7) foot retaining wall will be permitted adjacent to Harbor Heights Drive; however, every effort should be made to reduce or remove retaining walls adjacent to pedestrian frontages. All retaining walls adjacent to pedestrian frontages will be reviewed at the time of site plan and the Planning and Zoning Commission will retain discretion with regard to proposed retaining walls between three (3) and seven (7) feet in height pending a recommendation from the Architectural Review Board (ARB);

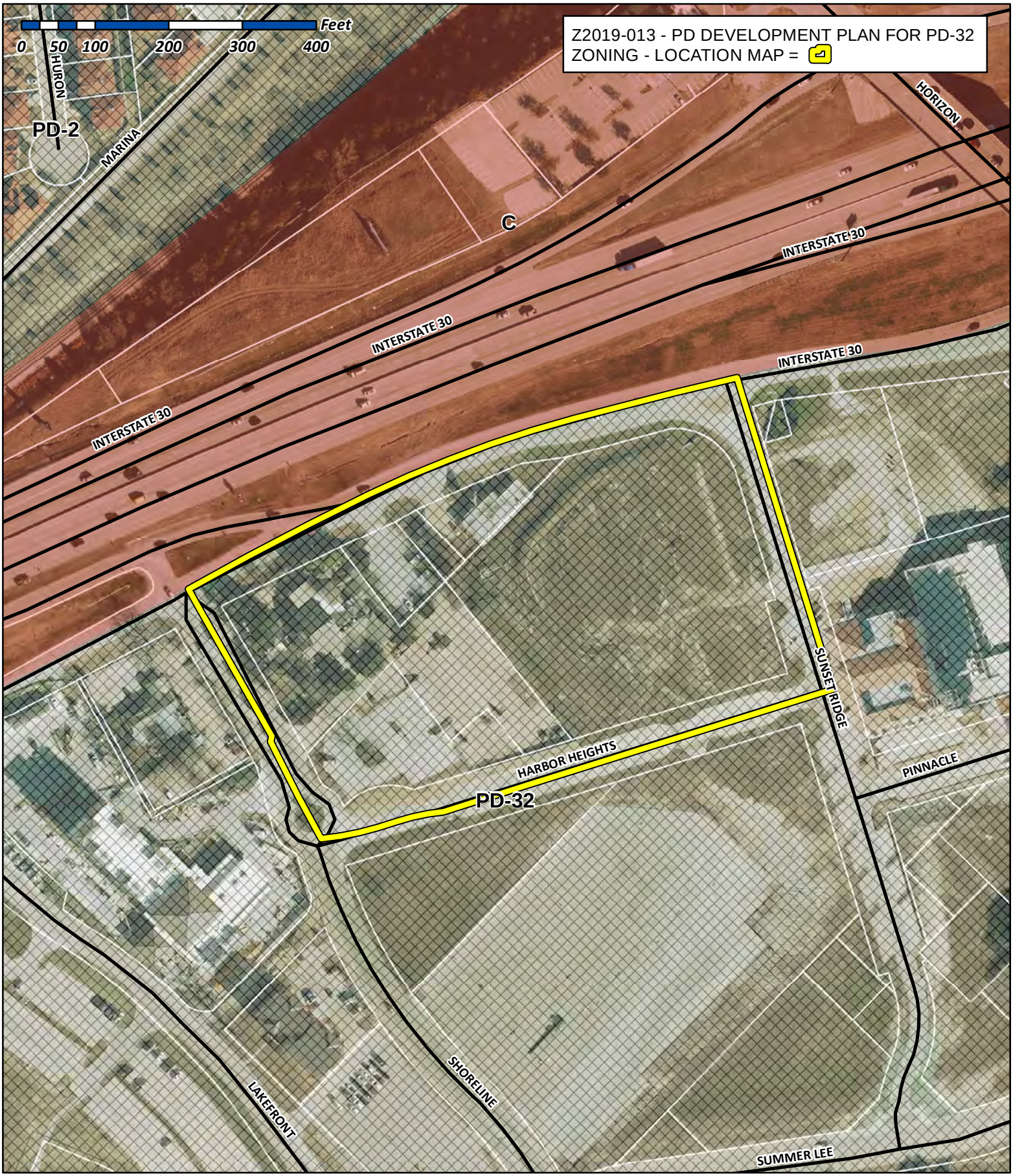
(5) A seat wall shall be incorporated into the design of the proposed park/central green space adjacent to Harbor Heights Drive. The seat wall shall be designed in accordance with the design guidelines contained in *Resolution No. 10-40*;

(6) Pedestrian landscaping elements should be incorporated into the landscape plan submitted with the site plan. Specifically, irrigated pots should be incorporated adjacent to the seat wall along Harbor Heights Drive and throughout the development in accordance with the design guidelines contained in *Resolution No. 10-40*; and,

(7) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On June 11, 2019, the Planning and Zoning Commission approved a motion to recommend approval per staff's conditions of approval by a vote of 6-0, with Commissioner Lyons absent.



City of Rockwall

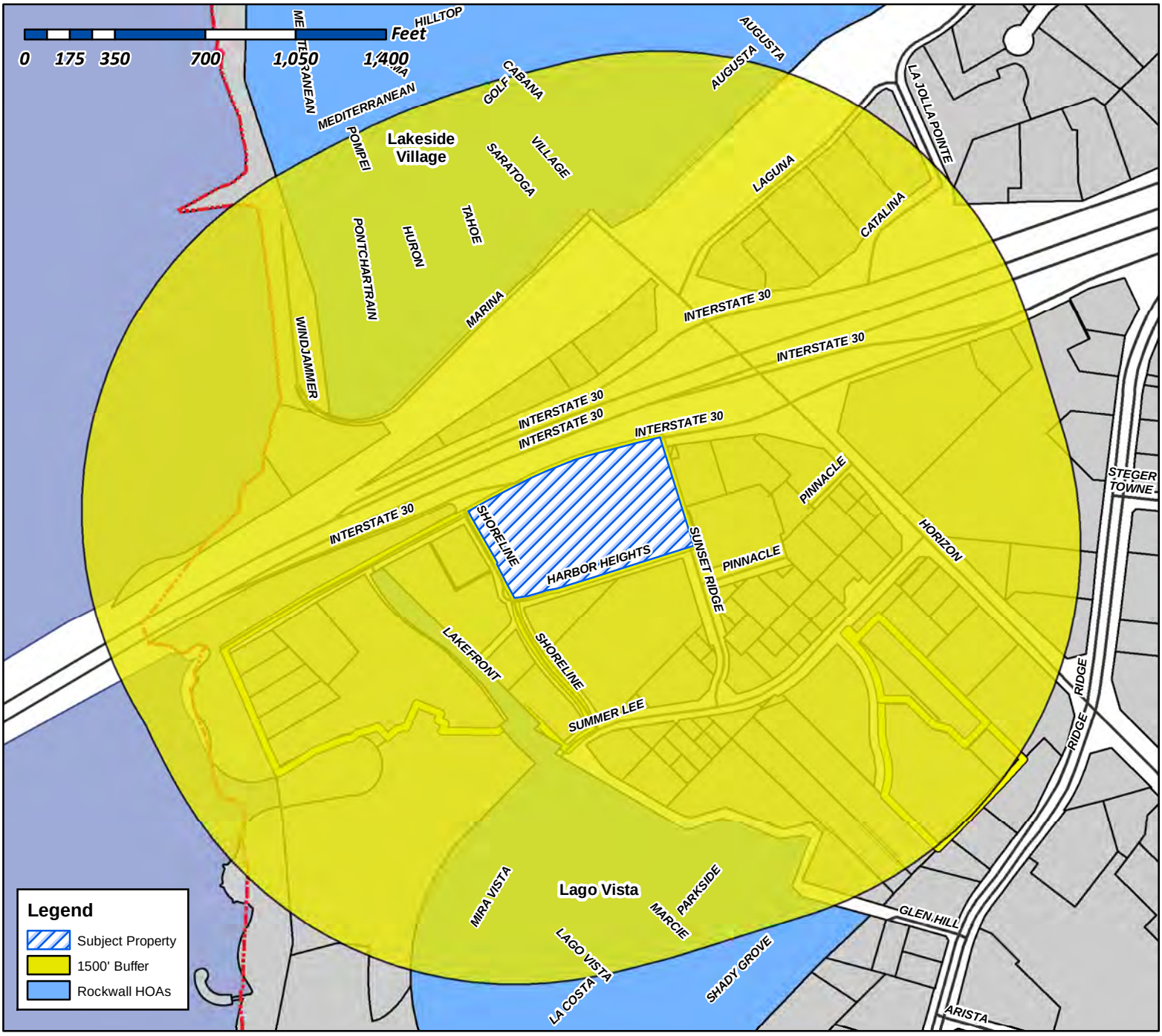
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

City of Rockwall

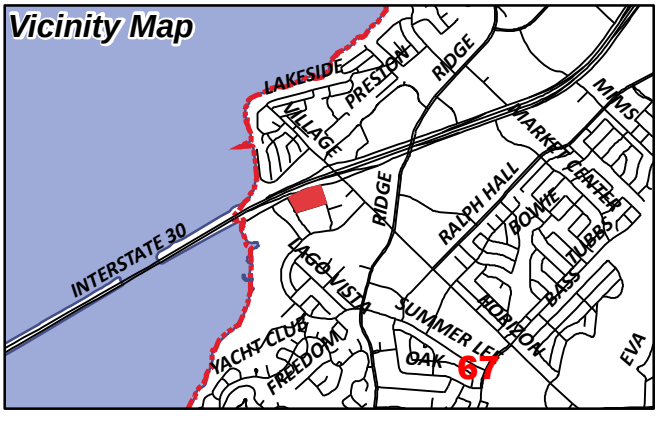
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Case Number: Z2019-013
Case Name: PD Development Plan for PD-32
Case Type: Zoning
Zoning: PD-32
Case Address: Sunset Ridge Dr

Date Created: ***5/21/2019***
For Questions on this Case Call (972) 771-7745



From: Morales, Laura
To: [redacted]
Cc: Miller, Ryan; Gonzales, David; Brooks, Korey
Subject: Neighborhood Notification Program: Notice of zoning request
Date: Friday, May 24, 2019 9:34:21 AM
Attachments: Z2019-013 HOA Map.pdf
PUBLIC NOTICE.PDF

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attach ed a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will be published in the Rockwall Herald Banner ***May 24, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 6/11/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday 6/17/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-013- Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the *Hillside Sub-District* of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

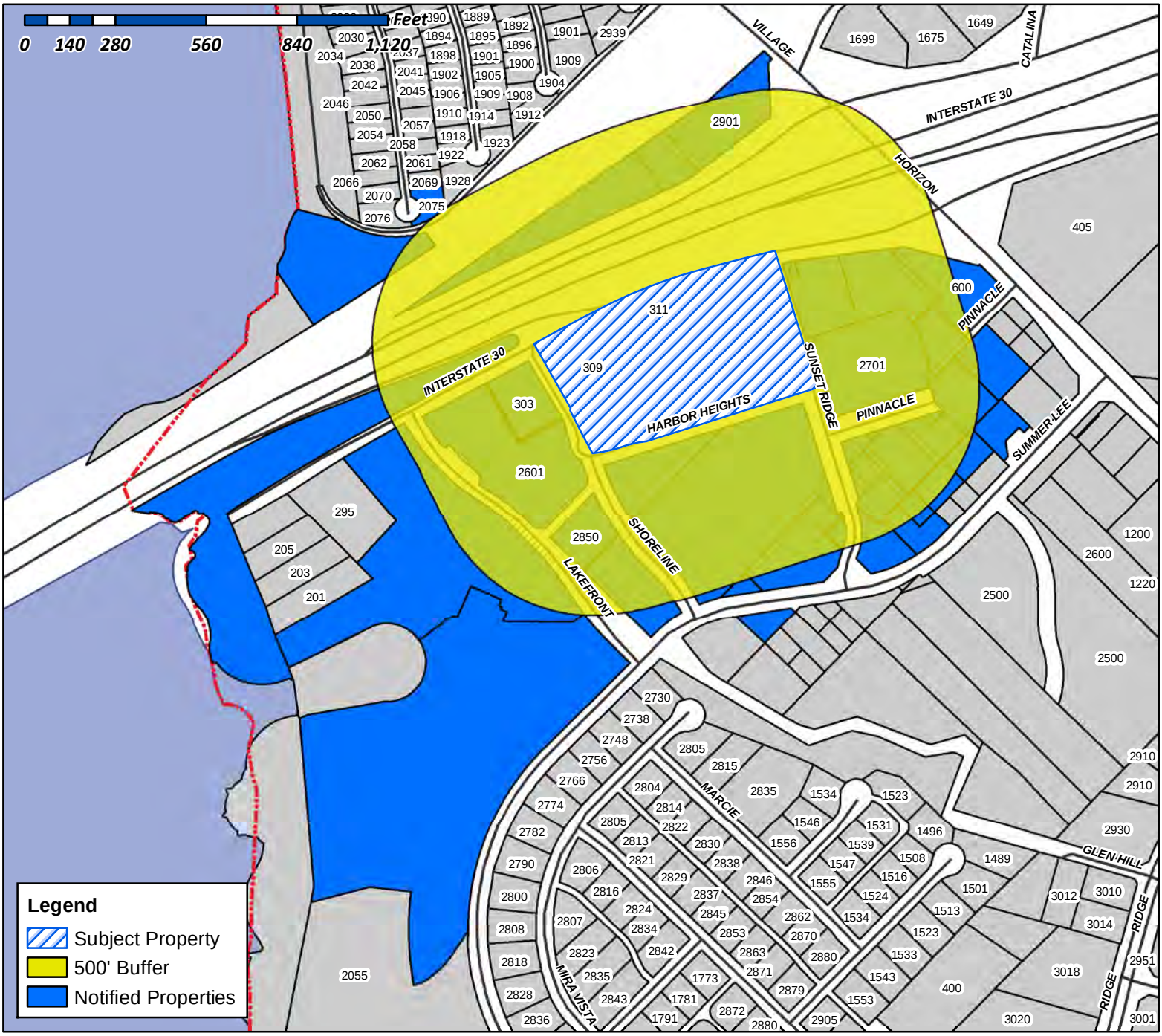
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com |http://www.rockwall.com/planning/

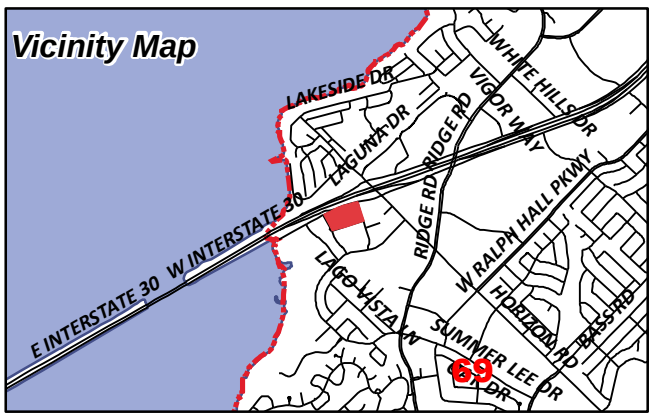
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-013
Case Name: PD Development Plan for PD-32
Case Type: Zoning
Zoning: PD-32
Case Address: Sunset Ridge Dr



Date Created: ***5/20/2019***
For Questions on this Case Call (972) 771-7745

ANDERSON ALLEN D ETUX
1208 S LAKESHORE DR
ROCKWALL, TX 75087

CN ROCKWALL INVESTORS LLC
12720 HILLCREST ROAD SUITE 650
DALLAS, TX 75230

TRITON I-30 ROCKWALL LLC
1845 WOODALL ROGERS FREEWAY, SUITE 1100
DALLAS, TX 75201

MANDARI JEMA
2075 PONTCHARTRAIN DR
ROCKWALL, TX 75087

WHITE MICHAEL AND
MARION E WILSON AND DIMENSIONS REAL
ESTATE SERVICES LLC
2304 W WHEATLAND RD
DALLAS, TX 75232

CURRENT RESIDENT
2601 LAKEFRONT TR SUITE 401
ROCKWALL, TX 75032

101 HUBBARD DR LLC
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

HARBOR HEIGHTS INVESTORS LP
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

LAKEFRONT TRAIL ROCKWALL HOTEL LP
c/o OLDHJAM GOODWIN GROUP LLC
2800 S. TEXAS AVE. SUITE 401
BRYAN, TX 77802

LAKE FRONT TRAIL LP
2850 SHORELINE TR SUITE 200
ROCKWALL, TX 75032

CURRENT RESIDENT
2901 VILLAGE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
303 E I30
ROCKWALL, TX 75087

CURRENT RESIDENT
309 E I30
ROCKWALL, TX 75087

CURRENT RESIDENT
311 E I30
ROCKWALL, TX 75087

FAULKNER INVESTMENT CO. LTD
3401 MAIN ST
ROWLETT, TX 75088

LAKESIDE VILLAGE HOMEOWNERS
4100 VILLAGE DR
ROCKWALL, TX 75087

BRIDGE VALHALLA INC
519 E I 30 #157
ROCKWALL, TX 75087

ATTICUS REAL ESTATE SERVICES INC
5339 ALPHA RD STE 300
DALLAS, TX 75240

EIGHTYTWENTY REAL ESTATE HOLDINGS LLC
5740 PROSPECT AVE SUITE 2001
DALLAS, TX 75206

CURRENT RESIDENT
600 HORIZON DR SUITE 650
ROCKWALL, TX 75032

CARSON MARK R
701 N MUNSON RD
ROYSE CITY, TX 75189

PA HARBOR RETAIL LLC
8222 DOUGLAS AVENUE SUITE 390
DALLAS, TX 75201

CLEMENTS BOB L
PO BOX 1850
MCKINNEY, TX 75070

CULPEPPER/SPATEX JV
%GARY SHULTZ
PO BOX 190569
DALLAS, TX 75219

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-013: PD Development Plan for PD-32

Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/11/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 6/17/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **6/17/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-013: PD Development Plan for PD-32

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

CITY OF ROCKWALL

ORDINANCE NO. 14-51

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 10-21* OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for an amendment to *Ordinance No. 10-21* of Planned Development District 32 (PD-32) and the Unified Development Code [*Ordinance No. 04-38*] for the purpose of establishing a PD Development Plan for retail/restaurant pad sites within the *Hillside Subdistrict*, on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] and the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by adopting this PD Development Plan and amending the official zoning map of the City of Rockwall for the *Subject Property*; and,

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the PD Development Plan, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the Concept Building Elevations, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 4. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 10-21*], the Unified Development Code [*Ordinance No. 04-38*], and in compliance with the following conditions and requirements:

1) Development of this property shall generally conform to the *PD Development Plan* depicted in *Exhibit 'B'* of this ordinance;

2) Development of this property shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance;

3) All buildings shall be developed with consideration to the pedestrian access adjacent to Harbor Heights Drive. Additionally, the design of the buildings shall include four (4) sided architecture that creates a dual entry appearance, with buildings fronting on to IH-30 and Harbor Heights Drive;

4) Building façades must be situated no greater than 27-feet from the build-to-line adjacent to Harbor Heights Drive;

5) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32);

6) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a detailed *PD Site Plan* that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

7) All buildings throughout the development shall be constructed with a consistent design scheme, and be approved by the Architectural Review Board (ARB) at the time of the *PD Site Plan*;

8) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a replat that indicates all necessary easements; and,

9) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development itself to support the use.

SECTION 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this

ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 11/03/2014

2nd Reading: 11/17/2014

Exhibit 'A':
Legal Description
(Lot 1, Block B, Harbor District Addition)



Exhibit 'B':
PD Development Plan

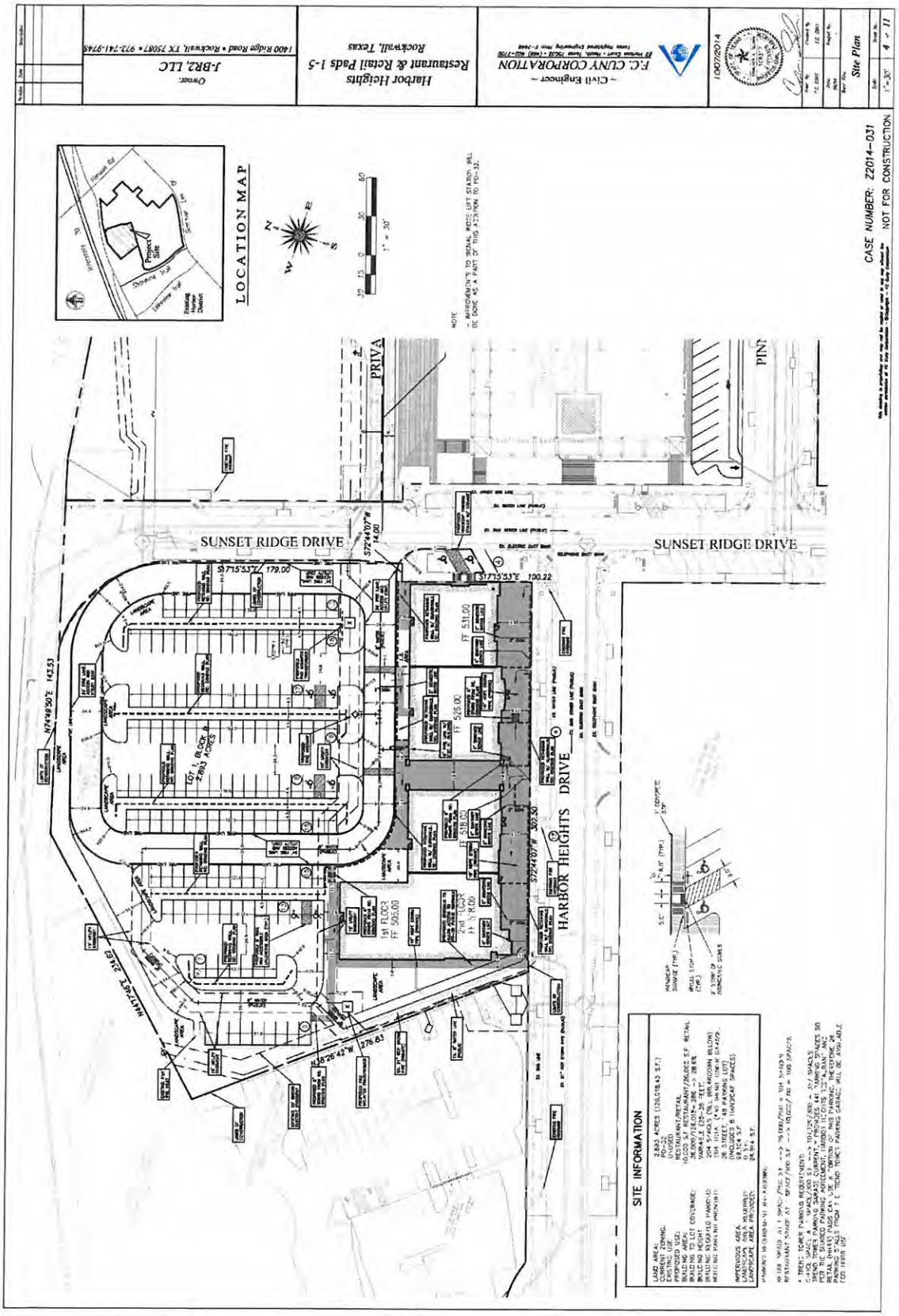
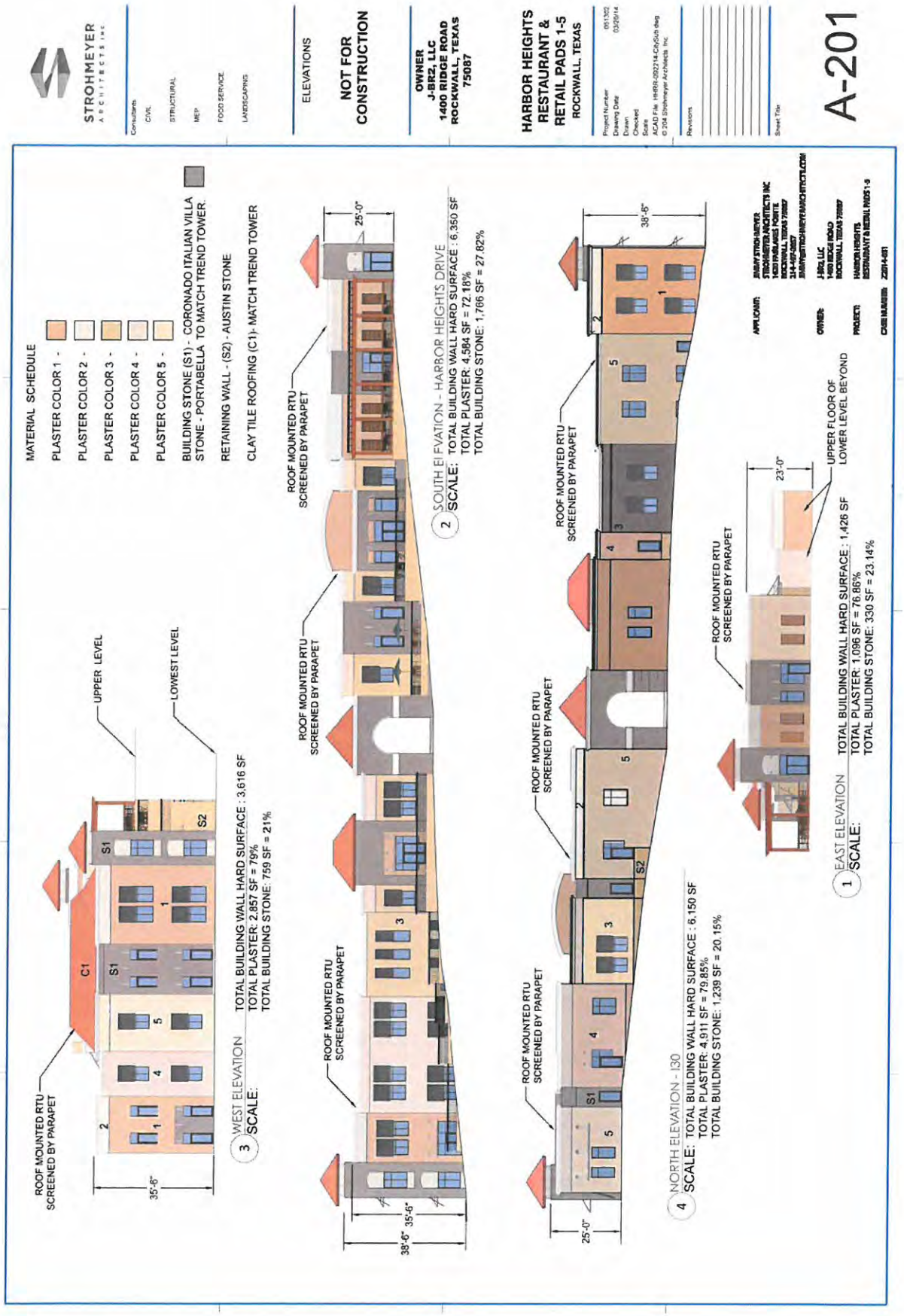


Exhibit 'C':
Building Elevations



PLAN NORTH

NORTH

P.O.

nterstate

1° 49'50"E 290.

FND. MONUM.

581

FND. 1/2

143.53'

TERESA M
VOLUME 211,
D.R.R.C

1° 17'46"

84' - 0"

VOL. 64,
S.C. ESM
R.

RETAINING WALL

8' - 0"

RETAINING WALL

RETAINING WALL

RBOR HEIGHT INVE.
TO
PARCEL 31 -
M4U11-00444
D.R.R.C.T.

LOT
2.893 AC
126,018.45
BLOCK

15' - 0"

15FT BUILDING SETBACK LINE FROM I-30

39' - 0 5/8"

C-8

525.00

FND. 1/2" I.R.

58IRS

17

16

T15

58IRS

RESTAURANT
FF = 527.00'
6,000 SF

PEDESTRIAN SEATING WALL

9' - 6 1/2"

93' - 10 5/8"

5' - 0" SETBACK LINE

RESTAURANT
FF = 528.00'
2,500 SF

FF = 529.00'
2,500 SF

17° 15'53"E 179.00'

8' - 0"

530.00

BUILD TO LINE

DRIVE - SLOPED DOWN
91' - 3 3/8"

T12

T14

T13

FND. 1/2" I.R.

8' - 0"

15'

100.22'

8' - 0"

ENTRANCE

68' - 11 3/8"

RETAIL
FF = 516.00'
4,000 SF

84' - 1 1/4"

VIPLEX
700 SF

PUBLIC WAY

5' - 0" SETBACK LINE

PARK

PEDESTRIAN SEATING WALL

PUBLIC WAY

ENTRANCE

119' - 10 7/8"

BANK
FF = 526.00'
2,500 SF

2 STORY
FF = 531.00'
15,200 SF

8' - 0"

5' - 0"

9' - 8 1/4"

4' - 0"

302' - 6"

9' - 7 7/8"

504.00

SEATING WALL / PLANTING

515.00

530.00

BUILD TO LINE

63% FRONTAGE PROVIDED

IRRIGATED POTS WITH LANDSCAPING ADJ. TO BUILDINGS - TYP. AT HARBOR HEIGHTS DR.

HARBOR HEIGHTS DRIVE

SUNSET RIDGE DRIVE

TREND T VER

Z2019-013

PLAZA ADDITION
D, SLIDE 280
R.C.T.

DOC#2013
D.R.R.C

BLOCK B
3 ACRES

4'07"E 225.

58IRS

1 DEVELOPMENT CONCEPT PLAN
1" = 20'-0"

0 10 50 100

PRELIMINARY - NOT FOR CONSTRUCTION, PERMITTING OR REGULATORY APPROVAL

STROHMEYER ARCHITECTS INC.

CIVIL
FC CUNY CORPORATION
#2 HORIZON COURT
SUITE 500
HEATH, TEXAS 75032

Project Number:
Drawing Date: 5.16.2019
Drawn: PC
Checked: JS
Scale: 1" = 20'-0"

© 2018 Strohmeyer Architects, Inc.

Revisions:

#	Revision Date	Revision Description

Sheet Title:

DEVELOPMENT CONCEPT PLAN

A100

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6/3/2019 12:22:52 PM

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 14-51 & 17-22* OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for an amendment to *Ordinance No. 14-51* of Planned Development District 32 (PD-32) [*Ordinance No. 14-51*] and the Unified Development Code [*Ordinance No. 04-38*] for the purpose of establishing a PD Development Plan for retail/restaurant pad sites within the *Hillside Subdistrict*, on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 32 (PD-32) [*Ordinance No.'s 14-51 & 17-22*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 14-51*;

SECTION 2. That Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by adopting this PD Development Plan and amending the official zoning map of the City of Rockwall for the *Subject Property*; and,

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the PD Development Plan, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

DRAFT 08.21.19

SECTION 4. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 17-22*], the Unified Development Code [*Ordinance No. 04-38*], and in compliance with the following conditions and requirements:

1) Development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;

2) All buildings shall be developed with consideration to the pedestrian access easements/pedestrian ways perpendicular to Harbor Heights Drive, and a seat wall shall be incorporated into the area identified as *Park* in the *Concept Plan* depicted in *Exhibit 'B'*. The pedestrian access easements/pedestrian ways shall be consistent with the design guidelines contained in *Resolution No. 10-40*;

3) All pedestrian access easements/pedestrian ways shall be required to be dedicated as easements at the time the property is replatted;

4) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32) [*as amended*];

5) Prior to the issuance of a building permit the applicant shall submit and seek approval for a detailed *PD Site Plan* that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

6) All buildings throughout the development shall be constructed with a consistent design scheme, incorporate four (4) sided architecture that creates a dual entry appearance, and be approved by the Architectural Review Board (ARB) at the time of the *PD Site Plan*;

7) Prior to the issuance of a building permit the applicant shall submit and seek approval for a replat that indicates all necessary easements; and,

8) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development itself to support the use.

SECTION 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

DRAFT ORDINANCE 05.17.2019

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 8. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF JULY, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

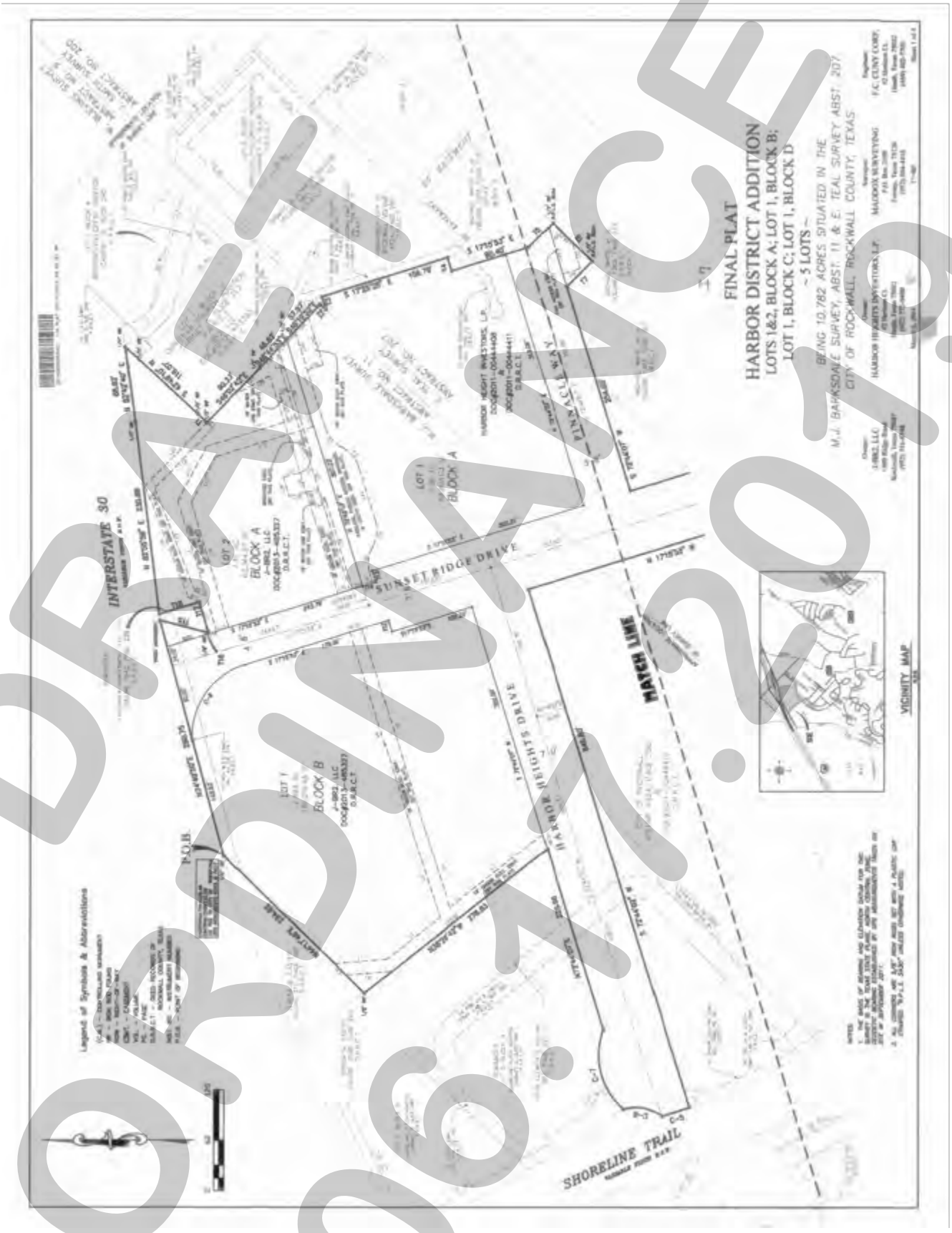
_____
Frank J. Garza, *City Attorney*

1st Reading: *June 17, 2019*

2nd Reading: *July 1, 2019*

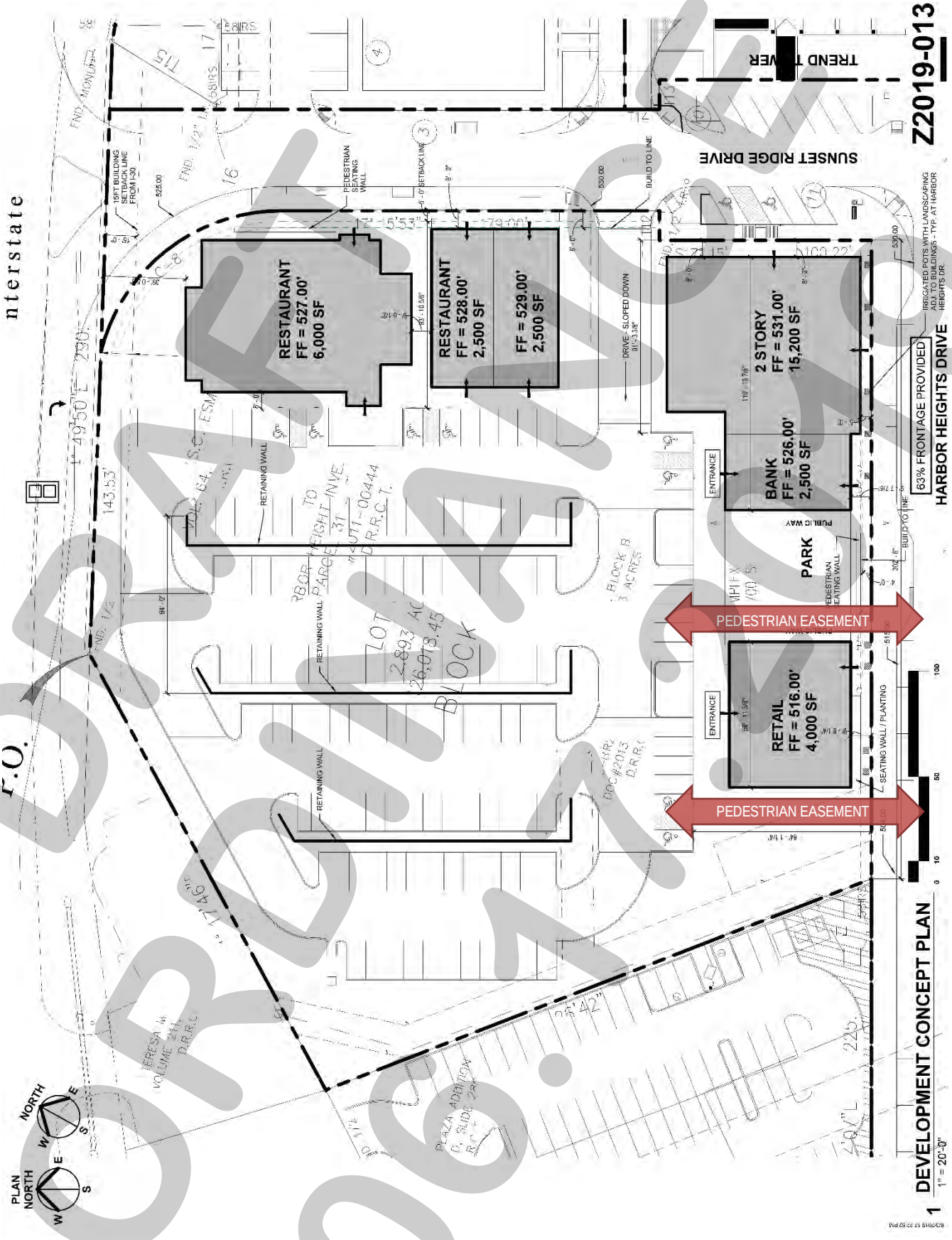
DRAFT ORDINANCE 06.17.2019

Exhibit 'A':
Legal Description
(Lot 1, Block B, Harbor District Addition)



DRAFT ORDINANCE 06.17.19

Exhibit 'B':
Concept Plan



DRAFT
ORDINANCE
06.17.19

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84

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **June 14, 2019**

SUBJECT: **Strategic Planning Report**

As previously indicated, I will be providing a report to the Council on the status of strategic planning which will include a status update on current and completed initiatives as well as upcoming initiatives identified by the various departments of the City in support of the Council-adopted strategic goals. We will, of course, welcome comments and suggestions from the Mayor and Council as well. If there are additions, changes, or corrections it will be a good time to make those as well.

The following report continues use of the format which has been used in the past; however, several prior initiatives that have been completed (or which have become a part of day-to-day operations and, thus, are no longer strategic) have been moved to a separate section following the more current presentation of strategic planning items.

If you have any questions, please let me know.

Strategy 1: Maintain percentage of residential assessed value close to 67%.

Department	Departmental Strategic Goal	Strategic Initiatives	Target Completion Date	Completion
Finance	Initiate an acquisition process for the "Right to Serve" the 23 unique areas of the City which are served by rural Water Supply Corporations (WSC).	Contract renewal negotiations in progress which will include acquisition and strong caps on new connections	Q1 FY 2020	
P&Z	Balance and maintain the city's current land use ratio.	Determine and implement response to changes in state law affecting our development standards and processes	Q4 FY 2019	
Public Works	Assist the development community to better understand the infrastructure requirements and provide decision makers with the tools to allow for optimal selection of development options.	Assess the drainage and floodways as shown in the current Master Drainage Study to provide better information to the development community within the city limits and our ETJ.	Q4 FY 2020	Phase 1 will be complete by September 30, 2019
		Present revised Standards of Design and Construction to City Council for adoption, then inform and educate the development community regarding the criteria for development within the city.	Q2 FY 2019	Revise to Q4 FY 2019 to adopt Standards of Design
		Complete Master Water/Sewer Plan update and Water and Sewer Impact Fee Study to present to City Council for adoption.	Q4 FY 2019	On schedule

PARD	Ensure developers make equitable contributions to the park system	Evaluate the current Parkland Dedication ordinance relative to future needs, costs alignment with Comprehensive Plan	Q2 FY 2019	Park Board Subcommittee assigned to review. In progress - revise to Q4 FY 2019
		Park Board to develop and present recommendations to City Council for consideration.	Q3 FY 2019	Revise to Q4 FY 2019
		Produce report and recommendation on implementing the Comprehensive Plan policy for non-residential park contributions as indicated in the adopted plan.	Q1 FY 2020	

Strategy 2: Maintain the high per capita sales tax revenue of $399.

Department	Departmental Strategic Goal	Strategic Initiatives	Target Completion Date	Completion
Administration	Develop strong relationship with Retail Developers and Brokers	Use information from relationshps with retail developers and brokers to assess current zoning requirements applicability to emerging detail trends	Q2 FY 2020	
	Propose short and long-term alternatives for use of Hotel Occupancy Tax (HOT) Revenue.	Provide assistance to the Council to explore alternatives for future Convention and Visitors Bureau activities and related fund uses	Q2 FY 2019	Reports provided to Council in Q2
		Schedule work session with local and statewide HOT related groups as directed and prepare strategic plan for consideration	Q1 FY 2020	
	Preserve and protect commerce in the I-30 corridor during I-30 construction	Coordinate with Royse City, Fate and Rowlett: I-30 construction response program	Q1 FY 2020	
P&Z	Maintain or increase the current per capita sales tax revenue.	Review the City's zoning code to ensure regulations on non-commercial development are not a hindrance to attracting high-quality development.	Q1 FY 2020	
		Use information from relationships with retail developers and brokers to assess current zoning requirements applicability to emerging retail trends	Q1 FY 2021	

Strategy 3: Develop and implement a thoughtful and funded long term street/sewer/water infrastructure plan.

Department	Departmental Strategic Goal	Strategic Initiatives	Target Completion Date	Completion
Administration	Provide assistance in the development of a long-term plan for boundary planning, future annexation, water and wastewater service options.	Develop water/wastewater planning for future growth.	Q2 FY 2020	
	Define the City's role in developing an overall plan for the Outer Loop.	Engage with state and regional officials to help facilitate planning for route studies south of I-30.	Q1 FY 2020	
		Engage with Rockwall County Consortium in ways to accelerate beginning of construction of outer loop (North).	Q3 FY 2020	
PARD	Develop South Community Park.	Identify and acquire ~50 acre site south of I-30 for the south community park.	Q2 FY 2020	
	Develop Lakeside Park	Expand takeline lease area to secure the opportunity to develop a lakeside park and open space, from the Shores Golf Course north to the county line	Q3 FY 2019	Pending Dallas City Council agenda items
		Conduct preliminary cost estimates, phasing of development, and determine funding source and potential grant opportunities	Q4 FY 2020	
Public Works	Develop an infrastructure life cycle management program that provides a comprehensive review of the investments needed to sustain service through the operations, maintenance, and renewal of existing infrastructure.	Complete engineering design of 8 street rehabilitation projects within the 2018 Street Bond funding	Q4 FY 2020	

Public Works		Highland Drive and portions of Stonebridge and Shoretrail project construction to commence	Q2 FY 2019	Construction near completion on Highland Drive
		Begin implementation of program to replace water pipes below six-inch in diameter, related to pressure, and fire protection issues	Q4 FY 2020	The 2018 Street Bond projects will replace all water lines less than eight-inch, but non-street bond water projects are pending funding source
		Begin implementation of program to replace sewer pipes constructed of vitrified clay tile (VCT), cast iron, and ductile iron.	Q4 FY 2020	The 2018 Street Bond projects will replace all sewer lines not constructed of PVC, but non-street bond sewer projects are pending funding source

Strategy 4: Public Safety

Department	Departmental Strategic Goal	Strategic Initiatives	Target Completion Date	Completion
Administration	Enhance public notification of severe weather in Rockwall	Implement replacement program for aging outdoor emergency warning siren system	Q1 FY 2020	
HR	Staff will work with Council to begin the development of a comprehensive, in-house study of employee compensation for FY 2019	Work with Council to propose and adopt compensation philosophies and specific goals	Q4 FY 2019	Historical and current compensation information has been provided to Council Subcommittee. Work with Council Subcommittee is underway.
		Work with hiring supervisors and interview boards to evaluate causes and pursue alternatives to resolve identified recruitment and retention challenges.	Q4 FY 2019	
Fire	Provide on duty staffing levels sufficient to respond simultaneously to a structure fire in a single family home and a second incident, e.g. a motor vehicle collision (MVC) – 16 on duty personnel to be achieved utilizing full-time and/or part-time personnel	Have 100% of new recruits trained to the level of TCFP Basic Firefighter within 6 months of their start date	Q2 FY 2019	Complete - Although we have not brought on additional volunteers in some time, we have a program to get personnel certified should we recruit new volunteer members. The process is taking closer to 9 months than 6.
		Conduct 2 semi-annual, multi-company live fire drills	Q4 FY 2020	

Fire		Have 100% of Driver Engineers and higher ranking positions certified in Blue Card ICS.	Q1 FY 2020	
		In conjunction with RPD, develop a concept plan for a regional police/fire training facility.	Q2 FY 2020	
	Provide rapid response times for service delivery	Report quarterly on our ability to have a full alarm assignment (13 adequately trained personnel) on scene at working structure fires within 8 minutes 90% of the time.	Q1 FY 2020	
	Open new fire stations as needed	Evaluate the need for and/or begin the planning of an additional station when: (1)The number of built-upon street miles in a district without a station is equal to 50% of the average built-upon street miles in districts with stations (2)The number of calls for service in a district without a station is 50% of the average number of calls for service in districts with stations (3)When drive times to calls for service in a district without a station exceed 4 minutes 50% of the time	Ongoing assessment	Ongoing assessment
	Implement policies and programs that assist in minimizing community risks.	Establish a community risk-based fire inspection program.	Q4 FY 2019	Initial steps are complete. We anticipate refining the process upon the completion of the grant-funded community risk assessment, which will be completed in August 2019.

Fire		Improve efficiency of inspections.	Q3 FY 2019	Mobile Eyes software has been purchased and is expected to be fully implemented by the end of June 2019
		Enhance public education programs offered within the City through the implementation of a Public Educator.	Q2 FY 2020	
		Implement a Jr. Fire Academy Summer Camp Program.	Q4 FY 2019	
		Implement a Fire Explorer Program.	Q1 FY 2020	
		Implement a Company Officer Annual Inspection Program.	Q3 FY 2020	
	Retain or improve the ISO rating which is currently a 2.	Work to ensure that organizational decisions concerning communications, fire operations, water supply, and fire prevention and public education are consistent with maintaining said ISO rating.	Ongoing assessment	Ongoing assessment
	Attain Texas Fire Chiefs Assoc. Best Practices Recognition	Compelete 1/3 of the total 117 Best Practices	Q4 FY 2020	
PD	Ensure safety and security through crime prevention and crime reduction.	Improving outcomes for people with mental health issues with a full-time mental health officer. The Mental Health Officer would collaborate with mental health professionals, provide compassionate and dedicated specialized police response to mental health consumers and their families. In an effort to reduce demands on police resources, while improving safety for officers, and our community.	Q1 FY 2020	

		Utilize License Plate Reader to enhance officers' abilities to recover stolen vehicles, locate missing persons, and retrieve valuable data for investigative purposes.	Q1 FY 2020	
	Ensure organizational Wellness and Resiliency	Schedule educational seminar for officers, supervisors and spouses to help understand and deal with "Reducing Organizational Stress in Law Enforcement."	Q2 FY 2020	

Strategy 1: Maintain percentage of residential assessed value close to 67%.

Department	Departmental Strategic Goal	Strategic Initiatives	Target Completion Date	Completion
Finance	Ensure rates are established sufficient to account for future water/wastewater system costs.	Complete rate study and present results to Council for consideration and implementation	Q1 FY 2019	Complete
P&Z	Balance and maintain the city's current land use ratio.	Amend the Comprehensive Plan to incorporate policies targeted at maintaining the current ratio of residential to non-residential assessed value.	Q1 FY 2019	Complete
		Re-evaluate the Future Land Use Map to ensure compliance to the targeted ratio and make any necessary corrections.	Q1 FY 2019	Complete
		Develop a process to provide the City Council with information relating to land use ratios and assessed value ratios with every zoning case.	Q1 FY 2020	Complete
		Revise the Planning and Zoning Division's case memorandums to include information concerning changes to the City's targeted ratio of residential to non-residential assessed value.	Q2 FY 2019	Complete

95

Strategy 2: Maintain the high per capita sales tax revenue of $399.

Department	Departmental Strategic Goal	Strategic Initiatives	Target Completion Date	Completion
Administration	Finalize appropriate retail development and recruitment initiatives related to achievement of strategic/financial strategies of the City Council.	Work with the City Council to determine appropriate City and EDC role in retail recruitment including any associated costs that may be applicable.	Q1 FY 2020 finalize & report	Complete - the REDC Board prior policy of not emphasizing retail reconfirmed
	Propose short and long-term alternatives for use of Hotel Occupancy Tax (HOT) Revenue.	Provide assistance to the Council to explore alternatives for future Convention and Visitors Bureau activities and related fund uses	Q2 FY 2019	Complete
P&Z	Maintain or increase the current per capita sales tax revenue.	Amend the comprehensive plan to layout the city's demographic data and perceived trade area.	Q1 FY 2019	Complete
		Create IH-30 commercial corridor plan targeted at emphasizing strategic properties and development opportunities.	Q3 FY 2019	Complete

Strategy 3: Develop and implement a thoughtful and funded long term street/sewer/water infrastructure plan.

Department	Departmental Strategic Goal	Strategic Initiatives	Target Completion Date	Completion
Administration	Provide assistance in the development of a long-term plan for boundary planning, future annexation, water and wastewater service options.	Prepare and assemble data for City Council to consider regarding boundary planning, future annexation, water and wastewater service options.	Q4 FY 2019	Complete
	Define the City's role in developing an overall plan for the Outer Loop.	Work with County and other cities north of I-30 and encourage completion of more detailed route study north of I-30.	Q4 FY 2019	Complete

96

Strategy 4: Public Safety

Department	Departmental Strategic Goal	Strategic Initiatives	Target Completion Date	Completion
Fire	Provide on duty staffing levels sufficient to respond simultaneously to a structure fire in a single family home and a second incident, e.g. a motor vehicle collision (MVC) – 16 on duty personnel to be achieved utilizing full-time and/or part-time personnel	Enhance the training program through the implementation of a Training/Safety Officer position (part-time to full-time position)	Q1 FY 2019	Complete
		Enhance the accountability system so that personnel can be organized into crews on 100% of incidents	Q1 FY 2019	Complete
		Have 100% of new recruits trained to the level of TCFP Basic Firefighter within 6 months of their start date	Q2 FY 2019	Complete - Although we have not brought on additional volunteers in some time, we have a program to get personnel certified should we recruit new volunteer members. The process is taking closer to 9 months than 6.
		Evaluate the benefit of certifying personnel in Blue Card ICS	Q2 FY 2018	Complete
	Ensure the health and safety of the membership	100% of members to complete a Huguley Assessment (or similar assessment) annually	Q1 FY 2019	Complete
		Develop a program for the cleaning and inspection (and documentation of said cleaning and inspection) of 100% of PPE on an annual basis.	Q3 FY 2018	Complete
	Provide rapid response times for service delivery	Report quarterly on our ability to have a 4 minute drive time or less to 90% of code 3 incidents within the city limits	Q2 FY 2018	Complete
	Replace fire apparatus at the end of its useful life	Evaluate apparatus replacement guidelines	Q4 FY 2018	Complete

97

		Evaluate the type of apparatus (ladder, engine, etc.) that are housed in stations	Q4 FY 2018	Complete
		Enhance fire investigation through improved policies and procedures.	Q2 FY 2019	Complete
PD	Ensure safety and security through crime prevention and crime reduction.	Enhance school safety by expanding our School Resource Officer program, requiring an additional sergeant position in the Community Services Unit	Q1 FY 2019	Complete
		Implement the Guardian Program that is designed to assist officers during encounters with members of the community with special needs. Officers will have access to critical information that is collected in advance on Alzheimer's, Autism or other intellectual or mental health disabilities to help safely reunite families of registered participants.	Q1 FY 2019	Complete
	Improve transparency and accountability within our community.	Upgrade our current TASER Less Lethal to the new TASER Smart Weapon that is built on an all-digital platform. The new devices have the ability to regulate charge output, perform health checks, update firmware over the web, and provide analytics, displaying how and when someone uses the device.	Q2 FY 2018	Complete
	Improve departmental recruiting and retention of police officers	Evaluate recruitment and retention options through study and comparison and provide recommendation to the City Manager. Schedule Officers, Supervisors and family educational sessions to help understand and deal with “Organizational Stressor in Law Enforcement.”	Q3 FY 2019	Complete

98

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99

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **June 14, 2019**

SUBJECT: **Budget Planning Overview**

Tax Rate Overview

The City is developing the FY2020 budget with preliminary tax information from the Rockwall Central Appraisal District (RCAD). RCAD is working through the protest period now. All of the below figures and calculations are based on **estimates** as we know them now. Final figures are due to the taxing entities in late July. For example, the total assessed value has been preliminarily reported to the City as $6,011,892,072 and is not used in any planning since it changed as soon as the first protest relief was granted.

Assessed Value	$ 5,891,654,231
Senior Property Values	590,103,724

Percentage Increase:
Overall 3.49%

Effective Tax Rate Estimate	40.37 cents per hundred
Current FY19 Tax Rate	40.21 cents per hundred

Estimated Debt Service
Tax Rate 18.07 cents per hundred (current rate is 17.92 cents)

Rollback Rate Estimate 42.84 cents per hundred

Debt Projections

We anticipate issuing approximately $27,000,000 in new debt in late FY 2019 for which the first interest and principal payments will be due in FY20. This will include the remainder of the construction dollars for the roadway bond projects approved in the 2012 bond election which include County Line Road, Summit Ridge and Lakeshore, the first

installment of engineering and project costs for the 2018 bond election, and two fire truck which were approved late last year and for which we will accept delivery late summer.

Water and Sewer Fund

Following the comprehensive rate study completed in late 2018 rates were increased for calendar year 2019. Consumption and the corresponding billings have increased significantly despite a rainy spring. We still see about 45% of all our sales in the summer months. The financial position of the water and sewer fund has strengthened due to the increased rates and consumption. The district has notified the City of the intent to increase the cost of treated water by 5% as well as double-digit increases in the regional wastewater systems due to plant maintenance and expansion needs.

Revenue Projections

Staff has estimated total General Fund revenues for fiscal year 2020 to be at least $39,033,000.

We are carefully considering the estimation of sales tax revenue for fiscal year 2020. The 2019 revenues were projected to increase by 3% but instead are in the 5.2% range. Looking back at increases for the last five, ten and fifteen year period shows average growth of 4.88 – 7.27% each of those periods.

An additional major source of revenues for the City – Building Permits, and other construction related revenues, have moderated from the increases seen in FY2017-18 and we will be cautious in projecting that major revenue source.

Franchise fees continue to decline from prior years due in large part to the transition away from AT&T's Uverse and back to satellite dish technology. The introduction of Uverse a number of years ago caused our Cable franchise fees to more than double. Telephone franchise fees continue to steadily decline. Recent changes in state law regarding telecommunications franchise fees will cause this revenue source to decrease. Electric and Gas increase each year though.

Total Requested Expenditures

Department budget requests were submitted and the total is $42,814,691. The department heads were instructed to complete their budgets asking for those items or personnel they feel are needed for next year without regard to the potential for funding. This practice of the last several years allows Council to see the full impact of items that may be deferred due to a lack of available funding.

Meetings with department heads are underway and the process of building the proposed budget is in progress. As always, it is the obligation of the City Manager to propose a "balanced budget" to the Council for consideration. We are coordinating Council calendars to find a date to propose for the budget work session.

101

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102

Table of Contents

Agenda 5

Consider approval of the minutes from the June 17, 2019 regular city council meeting, and take any action necessary.

Minutes 9

Blank Page 18

Z2019-012 - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary (2nd Reading).

Ord (2nd Reading) 19

Blank Page 33

Z2019-013 - Consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of an ordinance for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary (2nd Reading).

Ord (2nd Reading) 34

Blank Page 39

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Ord_1st Reading 40

Blank Page 42

Consider approval of a contract for professional engineering services with Birkhoff, Hendricks and Carter, L.L.P. to perform the engineering design services for the East Fork Sanitary Sewer Aerial Crossing Rehabilitation Project in an amount not to exceed $52,100.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.

Memo 43

Contract 44

Blank Page 60

Consider approval of the professional engineering services contract for BW2 Engineers, Inc. to perform the engineering design services for the St Mary's Street, Bost Street, and Sherman Street Water and Wastewater Replacement Project in an amount not to exceed $76,000.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.

Memo . . . 61
Contract . . . 62
Location Map . . . 78
Blank Page . . . 79

Consider approval of the professional engineering services contract for Teague Nall and Perkins, Inc. to perform the engineering design services for the W. Kaufman Street, N. First Street, and W. Rusk Water Replacement Project in an amount not to exceed $60,600.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.

Memo . . . 80
Contract . . . 81
Map . . . 101
Blank Page . . . 102

P2019-027 - Consider a request by Kyle Coleman Harris of Pacheco Koch Consulting Engineers on behalf of Alton Frazier of Channell Commercial Corporation for the approval of a replat for Lot 3, Block A, Channell Subdivision Addition being a 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take any action necessary.

P2019-027 . . . 103
Blank Page . . . 109

MIS2019-008 - Consider a request by Matthew Mulliken of Mulliken Construction Management, LLC on behalf of Jim Vaudagna of Dallas East for the approval of a parking agreement between two (2) properties identified as Lot 1, Block B & Lot 1, Block C, Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1280 & 1300 E. Ralph Hall Parkway, and take any action necessary.

MIS2019-008 . . . 110
Blank Page . . . 120

MIS2019-003 - Hold a public hearing to discuss and consider a request by Jose Carmona Lopez for the approval of an On-Site Sewage Facility (OSSF) on a 0.33-acre tract of land identified as Lots 1325 & 1326, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 424 Nicole Drive, and take any action necessary.

MIS2019-003 . . . 121
Blank Page . . . 128

MIS2019-005 - Discuss and consider a request by Michael Duval of G & A Consultants on behalf of John Delin of R. W. Ladera, LLC for the approval of an Alternative Tree Mitigation Settlement Agreement for a 28.011-acre parcel of land identified as a Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.
MIS2019-005 . . . 129
Blank Page . . . 135
Discuss and consider approval of a proposal from American Signal Corporation in the amount of $117,693.28 for replacement of three outdoor emergency warning sirens, hardware, and software to be funded by general fund reserves, and take any action necessary.
Sirens . . . 136
Blank Page . . . 145
Building Inspections Monthly Report - May 2019
May Report . . . 146
Blank Page . . . 158
Fire Department Monthly Report - May 2019
Rockwall Fire Department May Monthly Report . . . 159
Blank Page . . . 165
GIS Division Monthly Report - May 2019
GIS Monthly Report (May 2019) . . . 166
Blank Page . . . 167
Harbor PD Monthly Report - May 2019
Harbor PD - May 2019 . . . 168
Blank Page . . . 169
Internal Operations Monthly Report - May 2019
IO report . . . 170
Blank Page . . . 171
Recreation Monthly Report - May 2019
Recreation Monthly - May 2019 . . . 172
Blank Page . . . 177
Rockwall Animal Adoption Center Monthly Report - May 2019
Stats 2019 . . . 178
May 2019 RAAC P&L . . . 179
Blank Page . . . 181
Police Department Monthly Activity Report - May 2019
05Mayl Rockwall Police Monthly Activity Report 2019 - External . . . 182
Blank Page . . . 184
STAR Transit Monthly Report - May 2019
STAR Report . . . 185

Blank Page 187
STAR Transit 3rd Quarter Report
STAR Q3 Report 188
Blank Page 190

4

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, July 01, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. **CALL PUBLIC MEETING TO ORDER**

II. **EXECUTIVE SESSION.**

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown, IH-30 service Rd. @ T.L. Townsend, and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. **ADJOURN EXECUTIVE SESSION**

IV. **RECONVENE PUBLIC MEETING (6:00 P.M.)**

V. **TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

VI. **INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT**

VII. **OPEN FORUM**

VIII. **CONSENT AGENDA**

pg.9 1. Consider approval of the minutes from the June 17, 2019 regular city council meeting, and take any action necessary.

pg.19 2. **Z2019-012** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary **(2nd Reading).**

pg.34 3. **Z2019-013** - Consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of an **ordinance** for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary **(2nd Reading).**

pg.40 4. Consider approval of an ordinance amending the Code of Ordinances in Ch. 18. Fire Prevention and Protection, Article III. Fire Marshal, Sections 18-66 and 18-67, authorizing the Fire Chief to appoint the Fire Marshal, and take any action necessary (1st reading).

pg.43 5. Consider approval of a contract for professional engineering services with Birkhoff, Hendricks and Carter, L.L.P. to perform the engineering design services for the East Fork Sanitary Sewer Aerial Crossing Rehabilitation Project in an amount not to exceed $52,100.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.

pg.61 6. Consider approval of the professional engineering services contract for BW2 Engineers, Inc. to perform the engineering design services for the St Mary's Street, Bost Street, and Sherman Street Water and Wastewater Replacement Project in an amount not to exceed $76,000.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.

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pg.110 9. **MIS2019-008** - Consider a request by Matthew Mulliken of Mulliken Construction Management, LLC on behalf of Jim Vaudagna of Dallas East for the approval of a parking agreement between two (2) properties identified as Lot 1, Block B & Lot 1, Block C, Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1280 & 1300 E. Ralph Hall Parkway, and take any action necessary.

IX. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

X. PUBLIC HEARING ITEMS

pg.121 1. **MIS2019-003** - Hold a public hearing to discuss and consider a request by Jose Carmona Lopez for the approval of an On-Site Sewage Facility (OSSF) on a 0.33-acre tract of land identified as Lots 1325 & 1326, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 424 Nicole Drive, and take any action necessary.

XI. ACTION ITEMS

pg.129 1. **MIS2019-005** - Discuss and consider a request by Michael Duval of G & A Consultants on behalf of John Delin of R. W. Ladera, LLC for the approval of an Alternative Tree Mitigation Settlement Agreement for a 28.011-acre parcel of land identified as a Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

pg.136 2. Discuss and consider approval of a proposal from American Signal Corporation in the amount of $117,693.28 for replacement of three outdoor emergency warning sirens, hardware, and software to be funded by general fund reserves, and take any action necessary.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

pg.146 Building Inspections Monthly Report - May 2019
pg.159 Fire Department Monthly Report - May 2019
pg.166 GIS Division Monthly Report - May 2019
pg.168 Harbor PD Monthly Report - May 2019
pg.170 Internal Operations Monthly Report - May 2019
pg.172 Recreation Monthly Report - May 2019
pg.178 Rockwall Animal Adoption Center Monthly Report - May 2019
pg.182 Police Department Monthly Activity Report - May 2019
pg.185 STAR Transit Monthly Report - May 2019
pg.188 STAR Transit 3rd Quarter Report

2. City Manager's Report

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown, IH-30 service Rd. @ T.L. Townsend, and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 28th day of June, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 17, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

Mayor Pro Tem Macalik called the public meeting to order at 5:19 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, and Councilmembers Bennie Daniels and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Councilmember John Hohenshelt was absent from the entire meeting. Councilmember Patrick Trowbridge arrived to the meeting during Public Hearing Item #1 at 6:15 p.m. as noted below.

Mayor Pro Tem Macalik then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session at 5:20 p.m.

II. The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. Adjourn Executive Session

Council adjourned from Executive Session at 5:55 p.m.

IV. Reconvene Public Meeting (6:00 p.m.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. (Councilmembers Patrick Trowbridge and John Hohenshelt were absent from the meeting).

V. Take Any Action as a Result of Executive Session

Indication was given that no action was needed as a result of Executive Session.

VI. Invocation and Pledge of Allegiance – Mayor Pro Tem Macalik

Mayor Pro Tem Macalik delivered the invocation and led the Pledge of Allegiance.

VII. Proclamations

No proclamations took place.

VIII. Open Forum

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

IX. Consent Agenda

1. Consider approval of the minutes from the June 3, 2019 regular city council meeting, and take any action necessary.
2. Consider awarding a bid to Magnum Manhole and authorizing the City Manager to execute a Purchase Order for Lift Station Wet Well Lining Project in the amount of $68,390 to be funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any action necessary.
3. Consider approval of a facility use agreement at Gloria Williams Pool between the City and the Rockwall YMCA for the purposes of providing swim lessons to members of the Boys and Girls Club, and take any action necessary.
4. **P2019-024** - Consider a request by Charles Corbett for the approval of a vacating plat establishing Lots 17 & 18, Block B, Lago Vista Addition being a 1.09-acre parcel of land currently identified as Lot 19, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) for single family land uses, addressed as 2835 Marcie Lane, and take any action necessary.

Councilmember Daniels moved to approve the entire Consent Agenda (#s 1, 2, 3, and 4). Councilmember Johannesen seconded the motion, which passed unanimously of those present (5 ayes with 2 absences (Trowbridge and Hohenshelt).

X. Appointment Items

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Eric Chodun of the city's Planning & Zoning Commission came forth and briefed the Council on recommendations of the Commission relative to items on tonight's meeting agenda. No discussion or action took place following Mr. Chodun's briefing.

XI. Public Hearing Items

1. **Z2019-012** - Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the

intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information pertaining to this agenda item. Specifically, the development will include 17 lots that will be a minimum of 120' x 200' and 23 lots that will be a minimum of 130' x 400'. Of the 40 proposed lots 39 of the lots will range in size from 43,560 SF (*i.e. one [1] acre*) to 65,340 SF (*i.e. one and one half [1½]-acres*). There will be one (1) lot that will be 235,299 SF (*i.e. ~ five and one half [5½] acres*). The proposed minimum size of each dwelling unit (*i.e. air conditioned space)* will be 2,500 SF. The applicant has stated that the homes will be custom homes and will vary from lot to lot. The product will also be a rural style estate lot, which will incorporate a rural-local roadway (*i.e. will not be curb and gutter*) and a minimum front yard setback of 70-feet. The proposed housing product will have a minimum masonry requirement of 80%, with up to 50% cementitious fiberboard horizontal lap siding (*e.g. HardiBoard or Hardy Plan*) and stucco (*i.e. three [3] part stucco or a comparable product -- to be determined be staff*) being permitted. The proposed housing product conforms to the City's minimum masonry and anti- monotony requirements and will allow both *traditional swing* (*i.e. j-swing*), side entry, and flat front entry (*i.e. setback behind the width of the double car garage that is access from the traditional swing configuration*) garage configurations. All garage doors will incorporate upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be determined by staff*). The development will incorporate less than the required 20% open space; however, it will have a 30-foot landscape buffer adjacent to FM-3549 that will incorporate ground cover, a built-up berm and/or shrubbery -- *or a combination thereof* -- and trees and a five (5) foot sidewalk along the entire frontage. In addition, the applicant has stated that by virtue of the development incorporating larger lots without stockade or solid fencing, it will achieve the same feel as more dense developments that incorporate the required 20% open space. The proposed Planned Development District will be subject to the land uses and requirements stipulated for the Single-Family 1 (SF-1) District unless specifically called out in the Planned Development District ordinance.

Mr. Miller shared that thirteen notices were sent out to owners and occupants located within 500' within the city limits. To date, staff has received no responses back. In addition, the Planning & Zoning Commission has recommended approval of this request.
Mayor Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time.

Ryan Joyce
1189 Waters Edge Drive
Rockwall, TX 75087

Mr. Joyce, the applicant came forth and addressed the Council, explaining that this development was birthed when he and his wife were searching for a place to build a home on a 1 acre lot. He has been a developer for a number of years but mainly in Austin. He went on to share additional details pertaining to his proposed development.

Councilmember Trowbridge arrived to the meeting at this point (at 6:15 p.m. during Mr. Joyce's comments).

Steve Curtis
2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forth and expressed concerns related to drainage if this tract of land is developed.

City Engineer Amy Williams provided brief comments pertaining to drainage-related studies and requirements to which the applicant will need to adhere.

City Manager Rick Crowley commented that when the Council has previously approved 1 acre lots on septic, Rockwall County has indicated that the county may not be able to include new lots in the county's inspections program. He cautioned the Council that the city may need to develop its own inspection program; however, he does not believe this will be problematic or too concerning. He just wanted to make the Council aware of this possibility; however, he does not believe this should be a deciding or limiting factor in the Council's decision making this evening.

Councilmember Johannesen asked if the Council is only voting on zoning or if the plan itself is also being approved. Mr. Miller pointed out that the plan is included as an exhibit to the proposed ordinance.

Councilman Johannesen moved to approve Z2019-012. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT SF1 (PD-XX) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 1 absence (Hohenshelt), and 1 not voting/abstaining (Trowbridge).

2. **Z2019-013** - Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of an **ordinance** for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information concerning this agenda item. On May 15, 2019, the applicant -- Jimmy Strohmeyer of Strohmeyer Architects, Inc. -- submitted an application requesting to amend Ordinance No. 14-51 to change the PD Concept Plan approved for the subject property. According to Ordinance No. 17-22 [the regulating ordinance for Planned Development District 32 (PD-32)], the purpose of a PD Development Plan is to ensure that a proposed development meets the

intent of the subdistrict and/or to address any waivers required by the development. Ordinance No. 17-22 goes on to state that the Hillside Subdistrict, in which the subject property is located, is intended "… to provide a cluster of restaurant anchors that can contribute to the creation of a vibrant, pedestrian oriented character within the Harbor District." In this case, the applicants proposed development meets this intent of the Hillside Subdistrict; however, the submitted Plan will require waivers to the building placement and parking requirements stipulated in Ordinance No. 17-22.

Notices were sent out to property owners and residents located within 500' as well as the HOA's (homeowners association(s)).

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. The applicant then came forth to speak.

Jimmy Strohmeyer
2701 Sunset Ridge
Suite 607
Rockwall, TX 75032

Mr. Strohmeyer came forth and provided additional information to the Council concerning his requests. Council then spoke with staff concerning the parking requirements and associated waiver that is being requested.

Councilmember Trowbridge commented that he likes the slope and how this will cause this area to appear to "step down" as you approach IH-30.

Councilmember Fowler expressed some concern about the parking and patrons that will be walking uphill and downhill to and from the parking areas.

Councilmember Johannesen moved to approve Z2019-013. Councilmember Trowbridge seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE NO. 14-51 & 17-22 OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Hohenshelt).

XII. ACTION ITEMS

1. Hear update and discuss and consider city strategic planning, and take any action necessary.

Mayor Pruitt opened this discussion by sharing his thoughts regarding citywide strategic planning, including topics he believes the city should focus on moving forward throughout his last term as mayor. His comments were as follows:

I want to thank our Rockwall City Staff under the leadership of City Manager Rick Crowley for taking the City, over the past five years that I have been Mayor, to a new level of professionalism. I also want to thank my fellow council members who have worked tirelessly in making Rockwall not just a city, but a community. I look forward to serving you for my last term as Mayor of this dynamic growing community, and want to share some of my visions for the upcoming term.

FISCAL RESPONSIBILITY - *We must continue to concentrate on fiscal responsibility that focuses on the growth in expenditures. Keeping expenditures in check will guarantee a tax rate reflective of the conservative views of this Council. I am proud that the tax rate in our City has decreased to the effective rate for each of the years I have been your Mayor and I am confident this will be the case again this year.*

RESIDENTIAL DEVELOPMENT -*We should continue to encourage developers to increase the quality and size of homes on the remaining developable residential land in our city. Increases in size and quality of homes will add increased taxable valuation.*

BUSINESS DEVELOPMENT - *This city is committed to attracting quality commercial and retail projects. Our Economic Development Corporation must continue to attract great companies like the ones that now call Rockwall home.*

Downtown is a phenomenal place to visit, not just for our residents, but it attracts many to come to Rockwall and attend one of the many events that takes place downtown each week. We must continue to support the Farmer's Market downtown where it has thrived for the past ten years. The San Jacinto Square downtown is a jewel and the concert series that takes place on Thursday, Friday and Saturday nights should be expanded so as to have live music downtown each and every weekend.

The Harbor District has finally gotten on track and is developing into what was envisioned by its creation. Our City invested a large amount of tax money at the Harbor and I believe with the opening of the new condominium projects we will see the Harbor thrive. We have to do a better job in encouraging folks to park in the Trend Tower garage during events at the Harbor. Last Thursday the neighborhood above the Harbor was inundated with attendees parking all the way to the top of the neighborhood due to the large turnout, while the Trend Tower Garage was barely used. Signage must be changed that instructs people entering the Harbor that City parking is available at the Tower. Our taxpayers funded several million dollars for this garage and it should be used.

We also need to decide what are our long-term goals as to the sale or development of the additional property that the City still owns in the district and try to move beyond the barriers of the past. The Harbor is an asset that needs to be enjoyed by our residents. I would encourage our residents to rediscover the Harbor and see what a truly spectacular complex it is.

ROADWAYS/TRANSPORTATION - *The council remains committed to improving roadways and transportation. We will continue to partner with Rockwall County to provide relief in this area. The I30 project for expanding the bridge over the lake is proceeding and I expect this project will be an economic game-changer for our City.*

Likewise, the John King to State Highway 205 exchange with TXDOT is in the environmental stage and will have the necessary funding to be completed in a few years.

We must also be vigilant about making repairs to existing streets that have deteriorating concrete and asphalt surfaces which are constantly requiring temporary repairs. Planning for major roadway bond projects for rehabilitation of City streets is well underway.

PARKS - *The Parks Department has exceeded our expectations and continues to make Rockwall a great place to live, work and play. We should all get behind and energize our efforts to construct a lakeside city park. We are a lakeside community and do not have one city park on the lake for our resident's enjoyment. It is time that we get with Dallas to lease the take-line in the North so we can complete this needed addition to our park system.*

We are into a comprehensive study of our athletic facilities and soon we will need to consider what level of these facilities the City can afford.

I have already started a comprehensive assessment of our take-line ordinance. This ordinance passed many years ago does not address certain issues that have arisen concerning construction and access We must encourage the owners living on the lake to lease the take-line from the City if they want to use it. Many property owners are using the take-line but paying nothing for that opportunity while others pay according to the ordinance. If these owners are not willing to lease the property, then our residents should be allowed to use the property for recreational purposes which are not now possible.

AIRPORT - *We must concentrate on obtaining grant finding from TDOT Aviation to correct some serious problems at the Ralph Hall Municipal Airport. We are presently working to obtain land that is needed for these improvements. It is very important that we attract commercial aviation businesses to the airport. With the runway length being fixed, it is very challenging to attract commercial aviation. With the new technologies being developed, drone and helicopter businesses are the type of commercial aviation businesses that we can attract.*

VOLUNTEERISM - *I once again encourage each citizen to get involved in our City in one of our many volunteer opportunities. If you want to get involved in this city, we will do our very best to find you a spot that gels with your experience level, interests, or available time commitment. It doesn't matter if you have ever been involved before. If you want a voice in this city, come talk to us at city hall or go onto our website www.rockwall.com.*

CUSTOMER SERVICE - *Our city employees are our best asset. We are in a customer service business – whether you are the water meter reader or a patrol officer. We expect every employee to treat citizens with respect and to do their job as professionally as possible.*

Again, I am so honored to be your mayor, and I look forward to working with each of you to keep this the best city in the State of Texas.

Following Mayor Pruitt's comments, City Manager Rick Crowley then came forth and addressed the Council. He provided extensive comments regarding some of the city's past strategic plan-related accomplishments and strategic items that the city may wish to focus on moving forward into the future. The Council took no formal action pertaining to this discussion item.

2. Discuss and consider overview of the city's budget process and outlook for Fiscal Year 2020, and take any action necessary

Assistant City Manager / Finance Director Mary Smith briefed the Council on the upcoming budget process and outlook for next fiscal year's budget. She pointed out that the city's effective tax rate may end up being just slightly higher than our current rate. So, keeping the effective tax rate may require a very slight rate increase. Department directors have submitted their budget requests, and city management is currently working through those requests in order to arrive at the ability to present a balanced budget proposal to the Council for consideration later this summer.

General discussion ensued pertaining to projected property tax values. Mr. Crowley indicated that staff will be preparing the budget proposal based on the current tax rate, and then staff and council will move forward from there with the budget process.

XIII. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. Adjournment

Mayor Pruitt reminded the public about the upcoming 4th of July parade and fireworks show. He then adjourned the meeting at 7:19 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 1ST DAY OF JULY, 2019.

_____

ATTEST: **JIM PRUITT, MAYOR**

_____

KRISTY COLE, CITY SECRETARY

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18

CITY OF ROCKWALL

ORDINANCE NO. 19-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT (PD-87) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses, on a 62.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of

approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 6(b) through 6(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Master Parks and Open Space Plan
(2) Master Plat
(3) Preliminary Plat
(4) PD Site Plan
(5) Final Plat

(c) *Master Parks and Open Space Plan.* An *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

(d) *Master Plat.* A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.

(e) *Preliminary Plat.* A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.

(f) *PD Site Plan.* A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.

(g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and

each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF JULY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: June 17, 2019

2nd Reading: July 1, 2019

BEING 62.517 acres of land located in the WILLIAM DALTON SURVEY, ABSTRACT NUMBER 72, Ellis County, Texas, being all of that certain called 61.455 acre tract as described to Unison Investment by deed recorded in volume 489, page 23, Deed Records, Rockwall County, Texas (D.R.R.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a fence corner found in the west line of Farm-to-Market Road 3549 (100' right-of-way) at the southeast corner of the above-mentioned 61.455 acre tract;

THENCE South 89 degrees 25 minutes 31 seconds West, at a distance of 484.49 feet pass 3.62 feet right of a 5/8" iron pipe found and continuing for a total distance of 1353.00 feet with the south line of said 61.455 acre tract to a 1/2" iron pipe found at the northwest corner of the William Kyle Allen et ux 12.888 acre tract as described in Volume 153, Page 629, (D.R.R.C.T.) and the northeast corner of the Robert Peoples and Megan Peoples 10.00 acre tract as described in Instrument Number 2013000483387, (D.R.R.C.T.);

THENCE South 89 degrees 24 minutes 55 seconds West, a distance of 329.15 feet with the south line of said 61.455 acre tract to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at the northwest corner of the above-mentioned 10.00 acre tract and the northeast corner of the Billy Conrad Hagen 4.030 acre tract as described in Volume 103, Page 775, (D.R.R.C.T.);

THENCE South 89 degrees 55 minutes 41 seconds West, a distance of 328.28 feet with the south line of said 61.455 acre tract, same being the common north line of the above-mentioned 4.030 acre tract and the Lorin Preston Larman and Jeanne Larman 4.962 acre tract as described in Volume 3679, Page 25, (D.R.R.C.T.) to a 5/8" iron rod found at the northwest corner of the just mentioned 4.962 acre tract;

THENCE South 89 degrees 37 minutes 12 seconds West, a distance of 136.07 feet to the southwest corner of said 61.455 acre tract, same being the common southeast corner of the Craig William Mccallum 20.057 acre tract as described in Instrument Number 20150000001423, (D.R.R.C.T.), from which a 1/2" iron rod with cap stamped "DC&A" bears South 60 degrees 38 minutes 16 seconds East, a distance of 1.05 feet and a fence corner bears North 89 degrees 37 minutes 12 seconds East, a distance of 0.71 feet;

THENCE North 00 degrees 53 minutes 26 seconds West, a distance of 1320.98 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road (no record found by surveyor) at the northwest corner of said 61.455 acre tract and the northeast corner of the above-mentioned 20.057 acre tract;

THENCE North 88 degrees 59 minutes 46 seconds East, a distance of 1146.71 feet with the approximate centerline of Clem Road and the north line of said 61.455 acre tract to a 1/2" iron rod found;

THENCE South 00 degrees 08 minutes 11 seconds East, a distance of 208.75 feet leaving Clem Road to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at an interior corner of said 61.455 acre tract;

THENCE North 89 degrees 52 minutes 31 seconds East, a distance of 208.75 feet to a 1/2" iron rod with red cap stamped "ONEAL 6570" set for an interior corner of said 61.455 acre tract;

THENCE North 00 degrees 05 minutes 04 seconds West, a distance of 209.15 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road and an

exterior corner of said 61.455 acre tract;

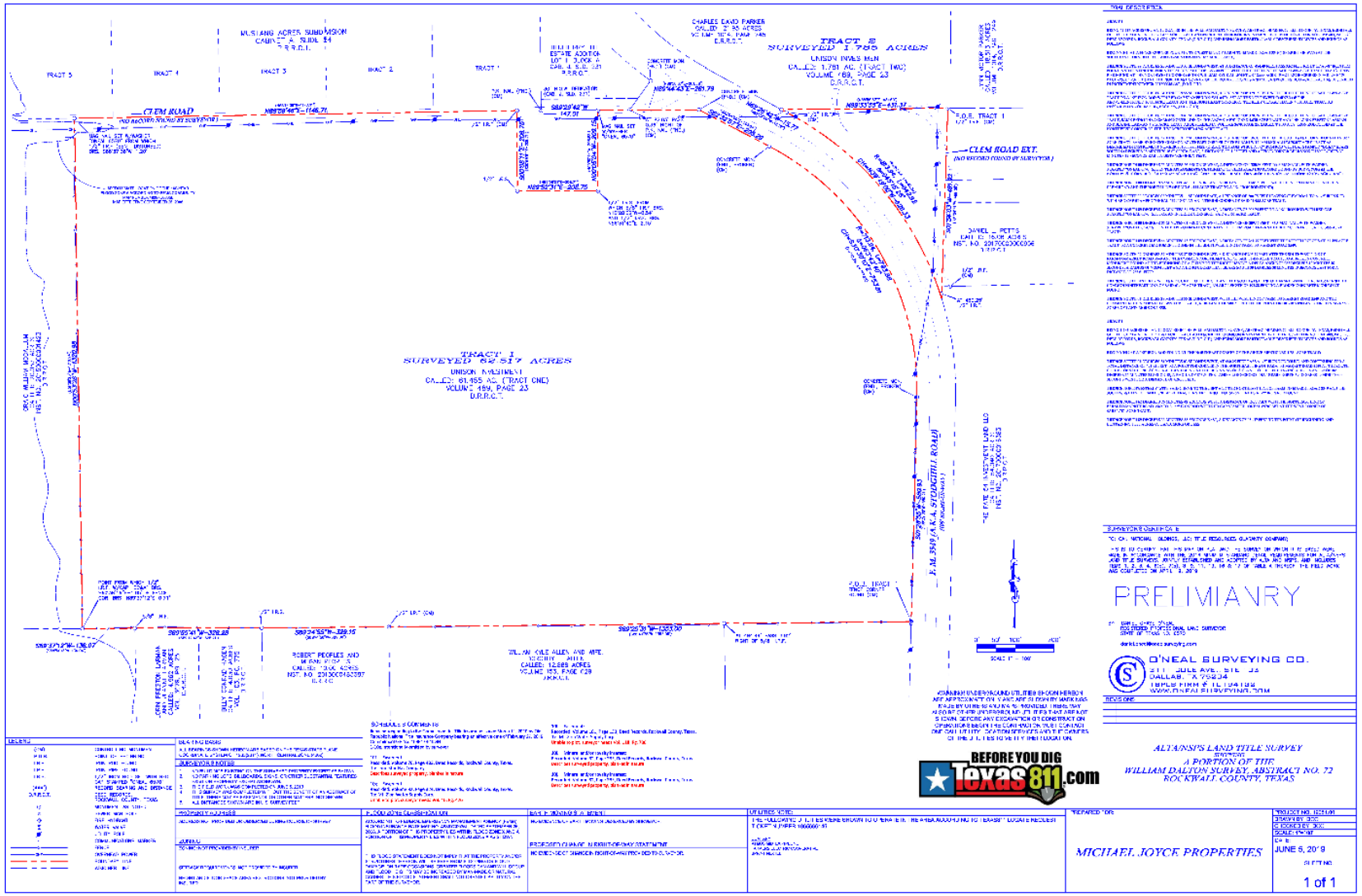
THENCE North 89 degrees 44 minutes 43 seconds East, a distance of 261.79 feet with the north line of said 61.455 acre tract to a concrete monument found in the southwest line of Farm-To-Market Road 3549;

THENCE South 62 degrees 32 minutes 57 seconds East, a distance of 205.29 feet with the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, to a broken concrete monument found at the beginning of a curve to the right having a delta angle of 063 degrees 42 minutes 40 seconds, a radius of 713.94 feet and a long chord that bears South 30 degrees 30 minutes 10 seconds East for a distance of 753.61 feet;

THENCE southeasterly with said curve to the right and the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, an arc length of 793.88 feet to a broken concrete monument found;

THENCE south 01 degrees 28 minutes 55 seconds west, with the west line of Farm-To-Market Road 3549 and the common east line of said 61.455 acre tract, a distance of 580.93 feet to the **POINT OF BEGINNING** and containing 62.517 acres of land, more or less.

23


MUSTANG ACRES SUBDIVISION
CABINET A, SLIDE 84
P.R.R.C.T.
TRACT 5
TRACT 4
TRACT 3
TRACT 2
TRACT 1
CLEM ROAD
(NO RECORD FOUND OF DEDICATION)
TRACT 1
SURVEYED 62.517 ACRES
UNISON INVESTMENT
CALLED: 61.955 AC. (TRACT ONE)
VOLUME 169, PAGE 23
D.R.R.C.T.
TRACT 2
SURVEYED 1.795 ACRES
UNISON INVESTMENT
CALLED: 1.781 AC. (TRACT TWO)
VOLUME 169, PAGE 23
D.R.R.C.T.
CHARLES DAVID PARKER
CALLED: 2.55 ACRES
VOLUME 1674, PAGE 148
D.R.R.C.T.
HILLTOP ESTATE ADDITION
LOT 1, BLOCK A
CAB. J, SLD. 221
P.R.R.C.T.
CLEM ROAD EXT.
(NO RECORD FOUND OF DEDICATION)
DANIEL L. PITTS
CALLED: 0.500 ACRES
INST. NO. 20170000000856
O.P.R.R.C.T.
S.H. 205 (A.K.A. S. STEMMONS FREEWAY)
(VARIABLE WIDTH R.O.W.)
THE FIVE C'S INVESTMENT LAND LLC
INST. NO. 20200215
O.P.R.R.C.T.
ROBERT PEOPLES AND
WIFE, BETTY S.
CALLED: 1.500 ACRES
INST. NO. 20100016270
O.P.R.R.C.T.
WILSON KYLE ALLEN AND WIFE,
CATHRYN
CALLED: 12.695 ACRES
VOLUME 155, PAGE 129
D.R.R.C.T.
JOHN PRESTON LORMAN
CALLED: 1.500 ACRES
INST. NO. 20140000000000
O.P.R.R.C.T.
SALLY TOMLIN JONES
CALLED: 1.500 ACRES
VOL. 1674, PG. 778
D.R.R.C.T.
DOUG ALLEN MCCLAIN
CALLED: 1.500 ACRES
INST. NO. 20100016422
O.P.R.R.C.T.
P.O.B. TRACT 1
P.O.B. TRACT 2
P.O.C. TRACT 1
N89°29'41"W - 328.85'
N89°24'55"W - 329.15'
S89°26'31"W - 1,063.20'
S89°29'41"E - 431.32'
S89°29'41"E - 267.79'
S89°29'41"E - 267.79'
S89°29'41"E 142.08'
N89°29'41"W - 146.71'
S89°29'41"E - 267.79'
S89°29'41"E - 267.79'
S89°29'41"E - 267.79

NORTHGATE

ROCKWALL, TEXAS

CONCEPT PLAN F

ENGINEERINGCONCEPTS
& DESIGN, L.P.

February 25, 2019
SHEET NO. 1 OF 1
PROJECT #00000

62.455 ACRES
40 LOTS
1.0 ACRE MINIMUM

25

Density and Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	120' x 200'	43,560 SF	17	42%
B	130' x 400'	65,340 SF	23	58%
		Maximum Permitted Units:	*40*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 1 (SF-1) District, as specified by Article V, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *0.65* dwelling units per gross acre of land; however, in no case should the proposed development exceed *40* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***
Minimum Lot Width [1]	120'	130'
Minimum Lot Depth	200'	400'
Minimum Lot Area	43,560 SF	65,340 SF
Minimum Front Yard Setback [2] & [5]	70'	70'
Minimum Side Yard Setback	25'	25'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	30'	30'
Minimum Length of Driveway Pavement	70'	70'
Maximum Height [3]	38'	38'
Minimum Rear Yard Setback [4]	50'	50'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,500 SF	2,500 SF
Maximum Lot Coverage	20%	20%
Permitted Encroachment in Required Setbacks[5]	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

4. *Building Standards.* All development shall adhere to the following building standards:

   (a) Masonry Requirement. The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the masonry requirement.

   (b) Roof Pitch. A minimum of an *8:12* roof pitch is required on all structures with the exception of porches, which shall have a minimum of a *4:12* roof pitch.

   (c) Garage Orientation. Garages shall be oriented in a *traditional swing* (or *j-swing*), side entry, or in a flat-front entry configuration (*i.e. even with the front façade of the primary structure*). Garages utilizing a *traditional swing* (or *j-swing*) are permitted to have a single garage door facing the street that is behind the width of the double car garage that is accessed from a *traditional swing* configuration. All garage doors shall be required to have upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*) [*examples of acceptable garage configurations are depicted in Figure 1*].

Figure 1: *Example Garage Doors*



5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (*for spacing requirements see Figures 2 & 3 below*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	120' x 200'	(1), (2), (3)
B	130' x 400'	(1), (2), (3)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or Clem Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories

(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(3) Permitted encroachment (*i.e. porches*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 2: Properties line up on the opposite side of the street. Where RED is the subject property.

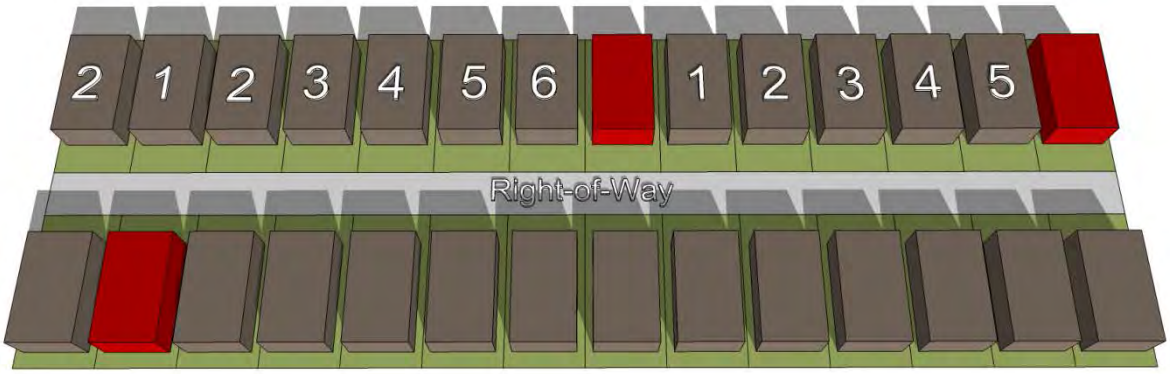
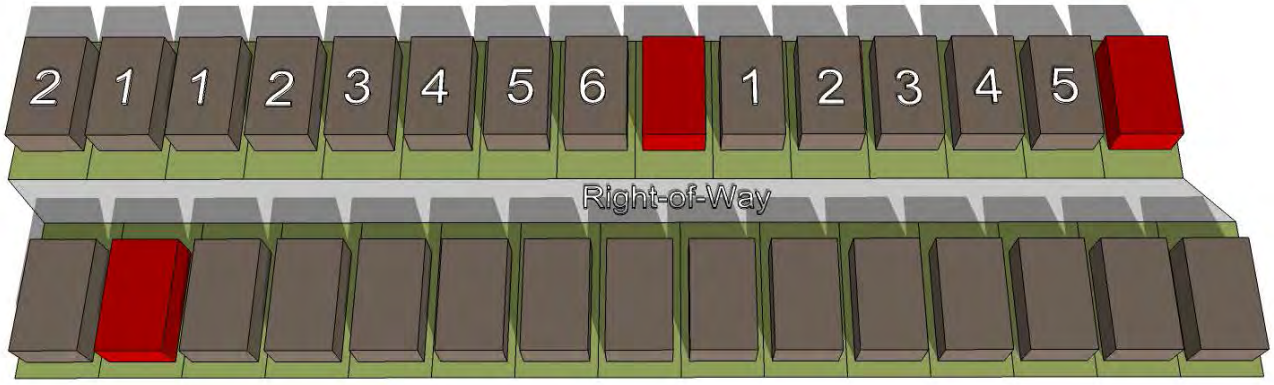


Figure 3: Properties do not line up on opposite side of the street. Where RED is the subject property.



6. *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

(a) Wrought Iron/Tubular Steel. All Lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the front

building line of any structure shall be required to be pipe-rail or similar. No chain link or wooden fencing shall be allowed.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of the subdivision, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences shall not exceed six (6) feet in height. All perimeter fencing of the development shall incorporate masonry columns at 45-feet off center spacing.

7. Landscape and Hardscape Standards.

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (FM-3549). A minimum of a 30-foot landscape buffer shall be provided along FM-3549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 30-foot landscape buffer adjacent to FM-3549.

(b) Landscape Buffer and Sidewalks (Clem Road). A minimum 20-foot landscape buffer shall be provided

(3) *Street Trees.* Prior to issuance of a Certificate of Occupancy (CO), all residential single-family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by Section 7.1 of this ordinance in the following sizes and proportions:

(i) Three (3), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of the required lots

(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the rear yards of the required lots.

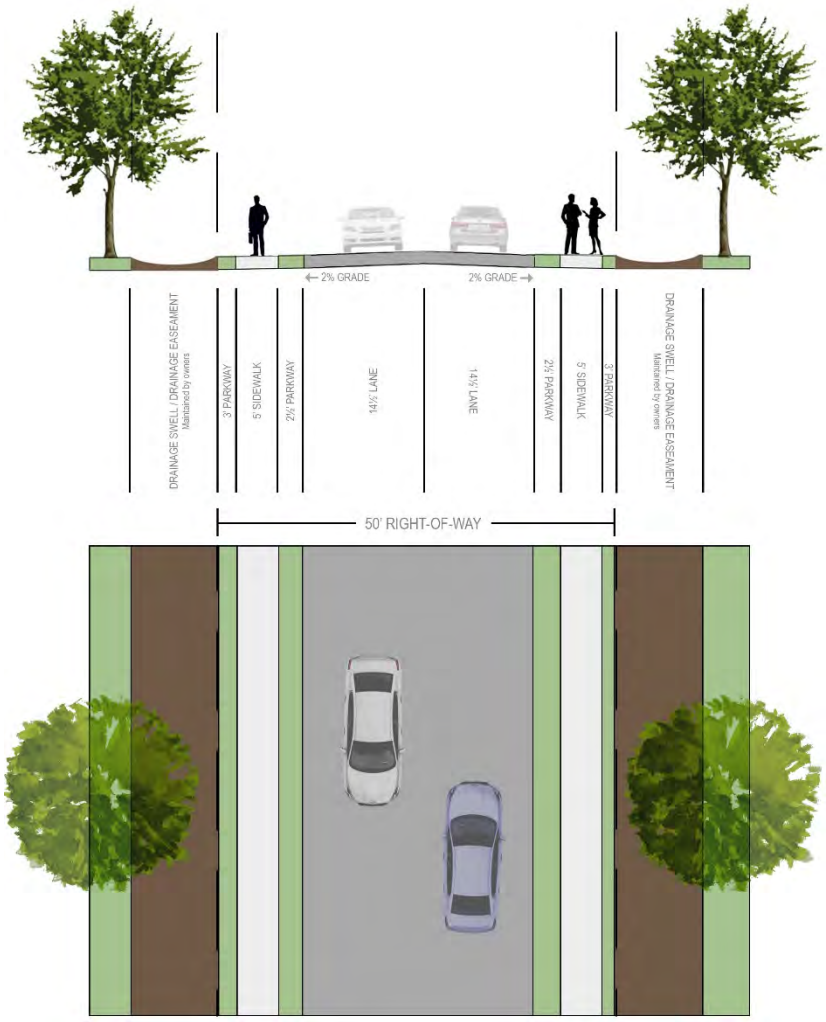
(iii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the side yards facing the street.

(4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

8. *Streets.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to the City's street standards as shown below in *Figure 3.*

Figure 3: *Rural-Local Roadway Cross-section*



9. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks.* All sidewalks adjacent to a street shall be a maximum of three (3) feet inside the right-of-way line and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be

considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Neighborhood Signage and Enhancements.* Permanent subdivision identification signage shall be permitted at all major and minor entry points for the proposed subdivision (*shown in Figure 5 below*). Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas within the Subject Property as generally depicted in *Figure 4.* The final design of these areas shall be provided on the PD Site Plan.

Figure 4: *Neighborhood Signage*

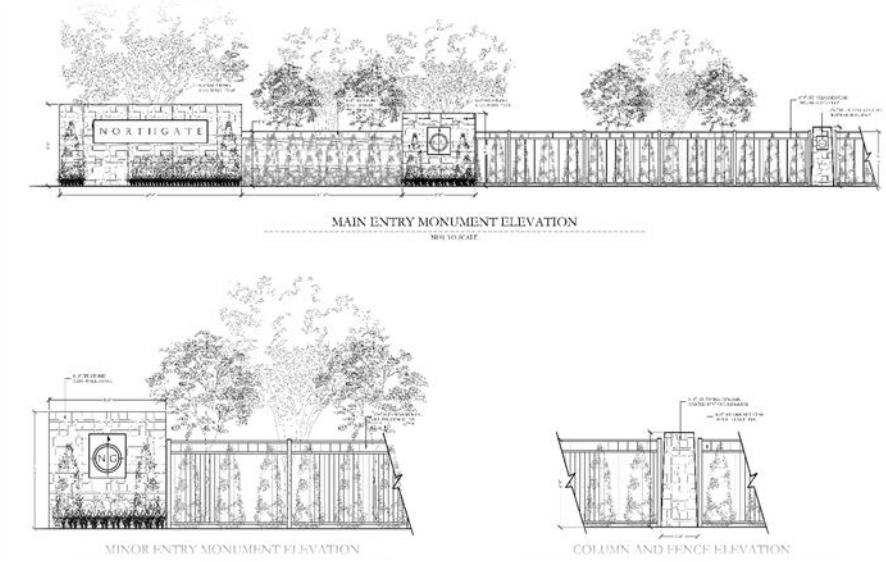
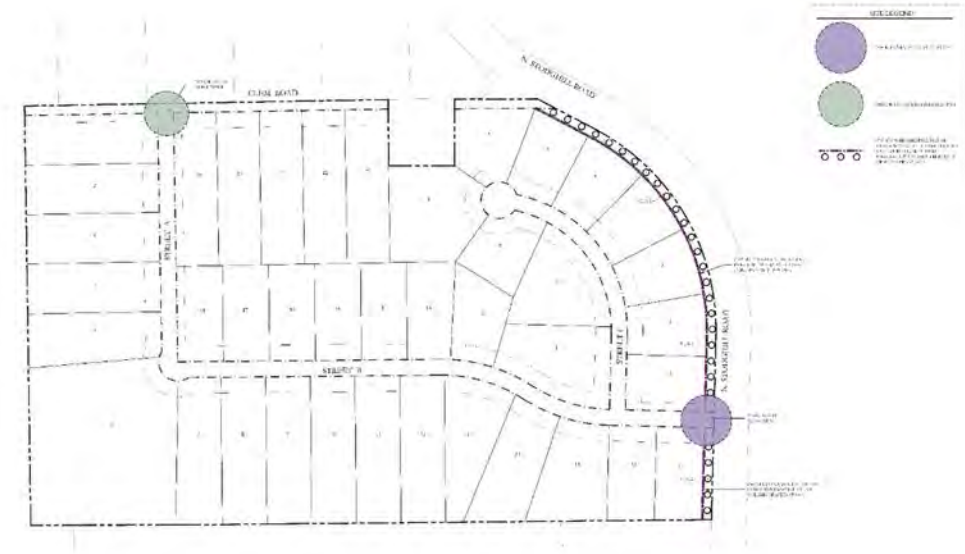


Figure 5: *Neighborhood Signage/Enhanced Landscaping Areas*



13. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, screening fences and neighborhood signage associated with this development.

14. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:

    (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, and etcetera*).

    (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.

    (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.

15. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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33

CITY OF ROCKWALL

ORDINANCE NO. 19-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 14-51 & 17-22* OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for an amendment to *Ordinance No. 14-51* of Planned Development District 32 (PD-32) [*Ordinance No. 14-51*] and the Unified Development Code [*Ordinance No. 04-38*] for the purpose of establishing a PD Development Plan for retail/restaurant pad sites within the *Hillside Subdistrict*, on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 32 (PD-32) [*Ordinance No.'s 14-51 & 17-22*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 14-51*;

SECTION 2. That Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by adopting this PD Development Plan and amending the official zoning map of the City of Rockwall for the *Subject Property*; and,

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the PD Development Plan, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 4. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 17-22*], the Unified Development Code [*Ordinance No. 04-38*], and in compliance with the following conditions and requirements:

1) Development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;

2) All buildings shall be developed with consideration to the pedestrian access easements/pedestrian ways perpendicular to Harbor Heights Drive, and a seat wall shall be incorporated into the area identified as *Park* in the *Concept Plan* depicted in *Exhibit 'B'*. The pedestrian access easements/pedestrian ways shall be consistent with the design guidelines contained in *Resolution No. 10-40*;

3) All pedestrian access easements/pedestrian ways shall be required to be dedicated as easements at the time the property is replatted;

4) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32) [*as amended*];

5) Prior to the issuance of a building permit the applicant shall submit and seek approval for a detailed *PD Site Plan* that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

6) All buildings throughout the development shall be constructed with a consistent design scheme, incorporate four (4) sided architecture that creates a dual entry appearance, and be approved by the Architectural Review Board (ARB) at the time of the *PD Site Plan*;

7) Prior to the issuance of a building permit the applicant shall submit and seek approval for a replat that indicates all necessary easements; and,

8) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development itself to support the use.

SECTION 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is

different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 8. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF JULY, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

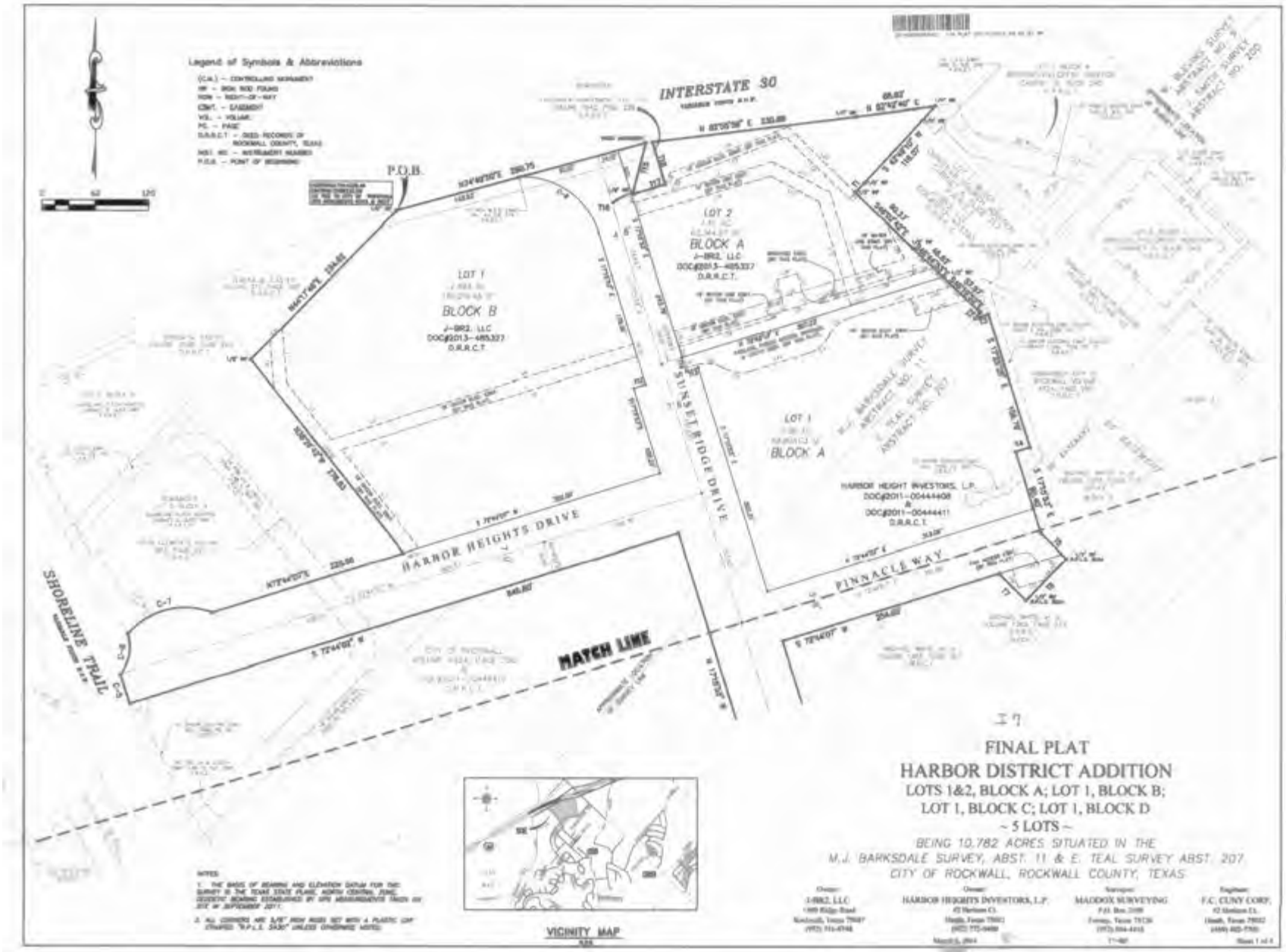
_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

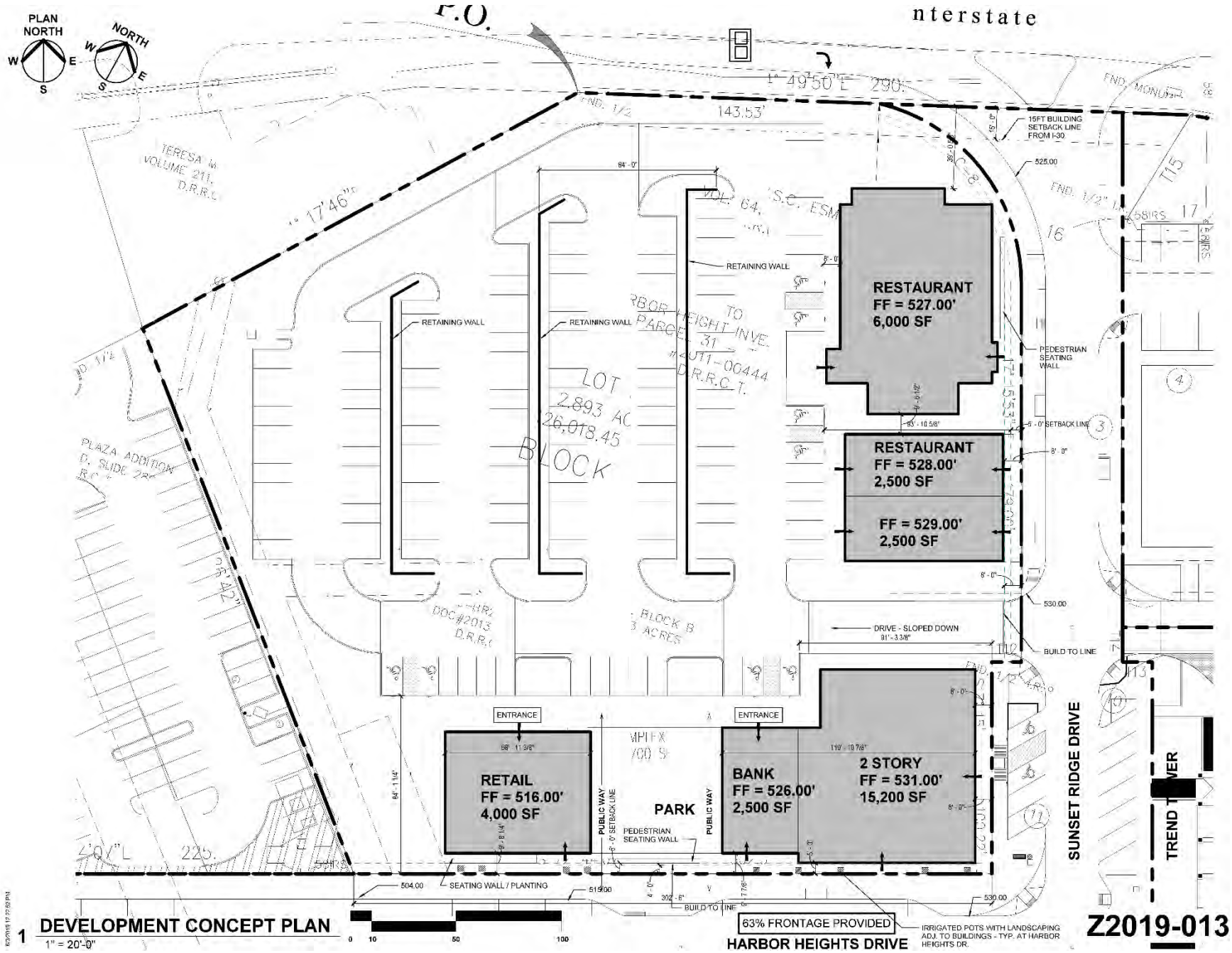
_____
Frank J. Garza, City Attorney

1st Reading: June 17, 2019

2nd Reading: July 1, 2019


Legend of Symbols & Abbreviations
INTERSTATE 30
P.O.B.
LOT 2
BLOCK A
J-BR2, LLC
DOC#2013-00485327
D.R.R.C.T.
LOT 1
BLOCK B
J-BR2, LLC
DOC#2013-00485327
D.R.R.C.T.
LOT 1
BLOCK A
HARBOR HEIGHT INVESTORS, L.P.
DOC#2011-00444408
&
DOC#2011-00444411
D.R.R.C.T.
SUNSET RIDGE DRIVE
HARBOR HEIGHTS DRIVE
PINNACLE WAY
SHORELINE TRAIL
MATCH LINE
VICINITY MAP
FINAL PLAT
HARBOR DISTRICT ADDITION
LOTS 1&2, BLOCK A; LOT 1, BLOCK B;
LOT 1, BLOCK C; LOT 1, BLOCK D
~ 5 LOTS ~
BEING 10.782 ACRES SITUATED IN THE
M.J. BARKSDALE SURVEY, ABST. 11 & E. TEAL SURVEY ABST. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
Owner:
J-BR2, LLC
Owner:
HARBOR HEIGHTS INVESTORS, L.P.
Surveyor:
MADDOX SURVEYING
Engineer:
F.C. CUNY CORP.

37


PLAN NORTH
NORTH
RESTAURANT
FF = 527.00'
6,000 SF
RESTAURANT
FF = 528.00'
2,500 SF
FF = 529.00'
2,500 SF
RETAIL
FF = 516.00'
4,000 SF
BANK
FF = 526.00'
2,500 SF
2 STORY
FF = 531.00'
15,200 SF
PARK
RETAINING WALL
RETAINING WALL
RETAINING WALL
PEDESTRIAN SEATING WALL
PEDESTRIAN SEATING WALL
SEATING WALL / PLANTING
ENTRANCE
ENTRANCE
DRIVE - SLOPED DOWN
BUILD TO LINE
BUILD TO LINE
PUBLIC WAY
PUBLIC WAY
15FT BUILDING SETBACK LINE FROM I-30
SUNSET RIDGE DRIVE
HARBOR HEIGHTS DRIVE
63% FRONTAGE PROVIDED
IRRIGATED POTS WITH LANDSCAPING ADJ. TO BUILDINGS - TYP. AT HARBOR HEIGHTS DR.
LOT
2.893 AC
126,018.45
BLOCK
BLOCK B
3 ACRES
TERESA M.
VOLUME 211,
D.R.R.C.
PLAZA ADDITION
D, SLIDE 22
D.R.R.C.
DOC#2013
D.R.R.C.
504.00
515.00
530.00
525.00
1 DEVELOPMENT CONCEPT PLAN
1" = 20'-0"
0 10 50 100
Z2019-013

38

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39

CITY OF ROCKWALL

ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 18. FIRE PREVENTION AND PROTECTION, ARTICLE III. FIRE MARSHAL, SECTIONS 18-66 AND 18-67 OF, AUTHORIZING THE FIRE CHIEF TO APPOINT THE FIRE MARSHALL FOR THE CITY; PROVIDING FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

****

WHEREAS, the City of Rockwall (the "City") is a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, based on review and current needs of the City, the City Council finds that the position of Fire Marshall shall be hired by the Fie Chief and report to the Fire Chief;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. **AMENDMENT.** Chapter 18, Article III, Sections 18-66 and 18-67 are hereby amended and should read as follows:

ARTICLE III. - FIRE MARSHAL

Sec. 18-66. - Appointment; removal.

The fire marshal shall be appointed by the fire chief ~~City Manager~~ of the city. The fire marshal shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority ~~City Manager~~.

Sec. 18-67. - Duties and functions.

The function of the fire marshal and fire prevention department shall be the implementation, administration and enforcement of the provisions of the fire code. The fire marshal shall carry out those duties as contained in the fire code, as adopted by section 18-32 including, but not limited to, and as directed by the fire chief. ~~City Manager or designee~~:

SECTION 3. The remainder of Chapter 18, Article III “FIRE MARSHALL” composed of Sections 18-65 to 18-96 shall remain unchanged.

SECTION 4. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 6. SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its second reading, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 15th DAY OF JULY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 07/01/2019

2nd Reading: 07/15/2019

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42

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **July 1, 2019**

SUBJECT: **Professional Engineering Services Contract**
East Fork Sanitary Sewer Aerial Crossing Repair Project

Northwest of the intersection of East Fork Drive and N. Goliad Street, there is an existing sanitary sewer aerial crossing that is constructed of a ten-inch (10") clay tile pipe that is failing and in need of repair. Recently, the Public Works Department temporarily repaired the pipe until it can be replaced.

Staff has requested Birkhoff, Hendricks and Carter, L.L.P. prepare a proposal for the engineering design services necessary to replace the existing aerial crossing with a new ten-inch (10") aerial crossing constructed with a sixteen-inch (16") steel encasement pipe. The engineering design fee for the replacement of the East Fork sanitary sewer aerial crossing is $52,100.00. Staff requests City Council consider approving the professional engineering services contract for Birkhoff, Hendricks and Carter, L.L.P. to perform the engineering design services for the East Fork Sanitary Sewer Aerial Crossing Repair Project in an amount not to exceed $52,100.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.

AJW:jmw

Attachments

Cc: Mary Smith, Assistant City Manager
Joey Boyd, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
File

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, L.L.P., ("ENGINEER"), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the East Fork Drive Sanitary Sewer Aerial Crossing Replacement project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed Fifty-Two Thousand One-Hundred dollars ($52,100.00) and billed in accordance with the payment schedule provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases,

computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. INDEMNIFICATION

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Derek B. Chaney, P.E., R.P.L.S.
Partner
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., #600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning

the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 24th day of June 2019.

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
A Texas Limited Liability Partnership
TPBE Firm No. 526
TBPLS Firm No. 100318-00

By: _____
Name: Derek B. Chaney, P.E., R.P.L.S.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley
City Manager

ATTACHMENT "A"

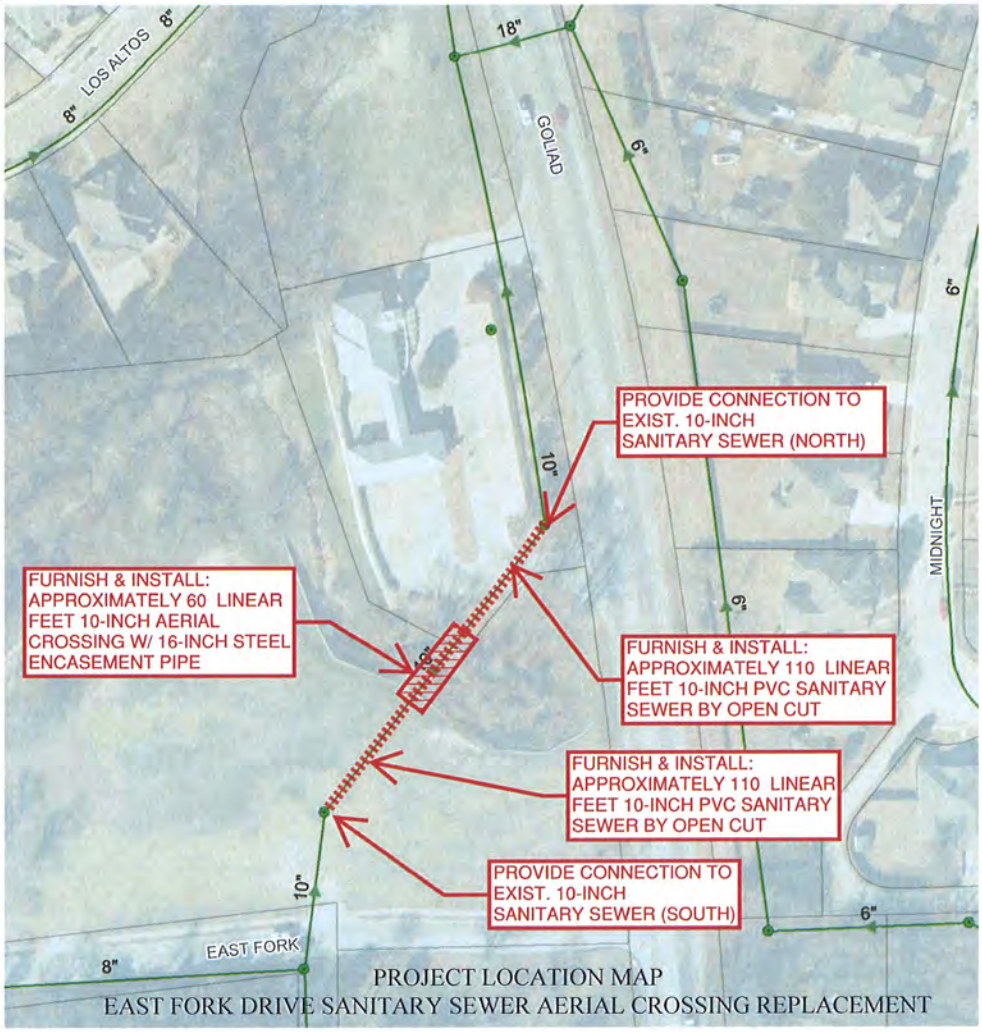
Scope of Services

East Fork Drive Sanitary Sewer Aerial Crossing Replacement

Project Description:

The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter (Consultant) to provide engineering design services for the replacement of an existing 10-inch sanitary aerial crossing a drainage tributary of Squabble Creek. The project is located northwest of the East Fork Drive and Goliad Street intersection. The City Staff reports that the existing aerial crossing has recently failed and been temporarily repaired. The project includes design of a new 10-inch aerial crossing in 16-inch steel encasement pipe, along with replacement of the upstream and downstream section of 10-inch sanitary sewer. The total replacement length is the range of 280 linear feet.

The Consultant will provide construction plans, project specifications and bidding documents as required for the project to support the City of Rockwall during the design phase. It is our understanding that the City intends to enter into a separate agreement for the bidding and construction phases at a later date. A project location map is provided below.



PROJECT LOCATION MAP
EAST FORK DRIVE SANITARY SEWER AERIAL CROSSING REPLACEMENT

8.

51

BASIC SERVICES

1. Preliminary Design Phase

1.1. Project Management

1.1.1. Conduct project kickoff meeting with Consultant Project Manager and City Staff.

1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a Project schedule update. PSU will be attached to the monthly invoice.

1.1.3. Prepare and submit project schedule to City staff.

1.2. Preliminary Design

1.2.1. Submit request and review record documents, and other pertinent information related to proposed project provided by the City.

1.2.2. Conduct one project site visit to observe existing conditions and estimate length of aerial crossing.

1.2.3. Based on estimated span length of aerial crossing, determine preliminary pier spacing, if needed.

1.2.4. Review City master plans, design standards, specifications, construction details, that may impact the design. Review of documents will include, but not limited to, the following:

(a) City of Rockwall Master Thoroughfare Plan
(b) City of Rockwall Water/Wastewater Master Plan
(c) City of Rockwall Standards of Design and Construction
(d) City of Rockwall Trail Master Plan

1.2.5. Develop base map showing existing Right-of-Way (ROW), property lines, known easements, and known utilities in the vicinity of the proposed improvements.

1.2.6. Delineate the service area basin for the sanitary sewer and calculate average and peak wastewater design flows.

1.2.7. Conduct capacity analysis to confirm adequacy of existing aerial crossing pipe size and slope.

1.2.8. Establish preliminary alignment for proposed aerial crossing. Evaluate option to replace the aerial crossing in the same alignment (which will require bypass pumping) versus replacement parallel to existing alignment (which may require additional easement rights).

1.2.9. If needed, develop temporary sewage bypassing plan based on calculated design flows.

1.2.10. Assess options for mitigating replacement of existing concrete retaining wall located outside of south bank of tributary.

2. Final Design Phase

2.1. Project Management

2.1.1. Conduct progress meetings at 60% and 90% completion to monitor the development of the project regarding project status, coordination issues and discuss City review comments of the plans.

2.1.2. Prepare and send PSU to City's Project Manager on monthly basis. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a project schedule update. Invoice will be sent at end of the month with PSU.

2.1.3. Conduct up to one project site visit.

2.2. Submittals

2.2.1. Submit 60% and 90% progress submittals to the City for review and comment. The following will be required for each submittal:

(a) Construction Plans
  i. Two (2) Full Size copies – 22-inch x 34-inch
  ii. Two (2) Half Size copies – 11-inch x 17-inch
  iii. Electronic PDF copy
  iv. Electronic PDF copy– Scanned City comments previous submittal

(b) Engineer's Opinion of Probable Construction Cost
  i. Two (2) Copies and electronic PDF copy

(c) 90% only – Project Specifications and Bidding Documents
  i. Two (2) Copies and electronic PDF copy

2.3 Construction Plans

(a) Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction.

(b) Plan sheets will include additional documentation, notation, and clarification required by the City's Project Manager.

(c) Each stage of the construction plan review process will address City comments from previous submittals.

(d) Below is a table of the required construction plan sheets and at which submittals they are required.

Plan Sheets	**60%**	**90%**
Cover Sheet w/ Location Map and Sheet Index	X	X
Legend Sheet	X	X
General Notes Sheet	X	X
Horizontal/Vertical Control Sheet (1"=40' scale)	X	X
Erosion Control Plan (1"=40' scale)		X
Aerial Crossing Plan/Detail (1"=10'scale)	X	X
Sanitary Sewer Plan/Profile (1"=20'H, 1'=5'V scale)	X	X
Construction Details		X

(e) Establish the horizontal and vertical location of existing public and franchise utilities based upon information provided by the City, and field survey information. (60%)

(f) Prepare plan and section views of proposed aerial crossing and design location of piers, if necessary (60%)

(g) Prepare proposed sanitary sewer plan and profile. (60%)

(h) Determine and shown replacement limits of concrete retaining wall. (90%)

(i) Design required sanitary sewer service connections (90%)

(j) Identify disturbed areas to be revegetated or repaved (90%)

(k) Prepare sanitary sewer details as required to clarify intent of design.(90%)

(l) Select applicable City Standard details and modify standard details as needed. (90%)

(m) Prepare erosion control plan. (90%)

2.4 Franchise Utility Coordination

(a) Obtain list of franchise utility contacts from the City. (60%)

(b) Provide electronic PDF set of preliminary construction plans adequate for franchise utility relocation via email to each franchise utility for their review. Request each franchise utility to mark up the plans to show the size, type and location of their utilities. (60%)

(c) Notify the City if any relocations are required. (90%)

(d) Conduct coordination with the franchise utilities if any relocations are required. (90%)

2.5 Specifications and Bidding Documents (90%)

Prepare general notes, specifications, and bidding documents in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare proposal and bid schedule of applicable items.

2.5.1 Contract documents will include the following:

(a) City of Rockwall standard construction contract forms

(b) Notice to bidders

(c) Special instructions to bidders

(d) Bid Schedule (Bid-Tab) – Electronic for Bidding

(e) Standard construction contract

(f) Performance bond

(g) Payment bond

(h) Maintenance bond

(i) Certificate of insurance

(j) General conditions

(k) Special conditions

(l) Technical specifications

2.6 Engineer's Opinion of Construction Cost (60% and 90%)

Generate tabulation of proposed quantities of work and formulate an engineer's opinion of probable construction cost based on historic bidding data of similar projects.

NOTE: As directed by the City, the Bidding and Construction Phase Scope of Work has been excluded from this agreement. Pending availability of funds, we understand it is the City's intention to authorize the Bidding and Construction Phase Scope of Work in the 2019/2020 Fiscal Year via a separate agreement.

ADDITIONAL SERVICES

For the following scope items defined as additional services are those anticipated to be necessary to facilitate design of the project. These services will be performed on an as-need basis and invoiced based on effort and expenses incurred.

3 Design Surveys

3.1 Consultant will prepare and send a "Request for Right of Entry for Surveying" and "Start of Engineering Design Notice" documents to property owners immediately adjacent to the proposed project route via regular U.S. Postal Service. Templates for documents and mailing address for property owners will be provided by the City

3.2 Complete Property Research using Rockwall County and Appraisal District records

3.2.1 Obtain plat information from County records or as provided by the City

3.2.2 Gather existing ROW (Right of Way) and easement information from Rockwall County and Appraisal District records, and other records provided by the City.

3.3 Consultant will submit request to Texas 811 for location of franchise utilities.

3.4 Topographic and Design Survey

3.4.1 The limits of the survey include a swath of approximately 40-feet generally paralleling the City's existing 10-inch sanitary sewer, beginning at the manhole near the south right-of-way of East Fork Drive and extending to the existing manhole adjacent to the American National Bank of Texas property near the west right-of-way of Goliad Street.

3.4.2 Establish horizontal control points temporary vertical control benchmarks in the vicinity of the proposed improvements.

3.4.3 Perform field survey to identify and locate existing topographic elements along the proposed sanitary sewer route. Topographic elements shall be tied down horizontally and vertically. The field survey shall include, but is not limited to the following:

(a) Property boundary corner monumentation (that can be located)
(b) Existing pavement, driveways, curbs, sidewalks, barrier free ramps, and signs.
(c) Existing storm sewer inlets, culverts, manholes, junction boxes and headwalls (including culvert sizes and flow line elevations)
(d) Top of bank, toe of bank and flow line of drainage channels/tributary.
(e) Utility manholes (including flow line measure-down), vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, utility poles, utility markers, and franchise utilities and markings
(f) Trees, including species and caliper (2-inch caliper and larger)
(g) Landscape features, including planters, shrubs, rocks and borders
(h) Buildings and permanent structures
(i) Retaining walls, fences and screening walls (including material type)

3.4.4 Perform up to one site visit for the purposes of reviewing the provided survey in the field and determining the need for any additional surveys.

4 Easement Document Preparation

4.1 Prepare easement documents (metes and bounds description and graphic exhibits) for proposed utility or temporary construction easements as required by the project. Preparation of up to two (2) easement documents are included in the budget.

4.2 Individual parcel easement documents shall be prepared on 8.5-inch x 11-inch paper size, and both an electronic PDF copy and two (2) set of originals sealed, dated, and signed by a Registered Professional Land Surveyor shall be provided to the City.

4.2.1 Graphic exhibits shall contain the following:

(a) Parcel number
(b) Area required
(c) Area remaining
(d) Legal description
(e) Current owner
(f) Any existing platted easements or easements filed by separate instrument that can be found, including easements provided by utility companies
(g) All physical features that can be found

4.2.2 Metes and bounds descriptions of the easement parcel will be prepared and provided on a separate sheet from the graphic exhibit, and each type of easement shall be described separately.

4.3 The Consultant shall provide easement documents to the City and/or their assigned Land Rights Acquisition Agent.

5 Geotechnical Evaluation

5.1 If required to support the design of aerial crossing piers, one soil boring will be collected from the project site and analyzed to determine the depth of shale or rock.

6 Subsurface Utility Exploration (SUE)

6.1 As required, underground utilities will be field located to confirm their location in reference to the proposed improvements.

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Tasks 1-2 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee
	BASIC SERVICES	
1.	Preliminary Design Phase	$ 7,300.00
2.	Final Design Phase	$ 23,800.00
	Basic Services Subtotal:	**$ 31,100.00**
Compensation for special services under Tasks 3-6 shall be on an hourly basis of salary cost times a multiplier of 2.45 for time expended on the task. Field survey crew shall be based on $170.00 per hour, inclusive of all equipment rentals and software licensing; plus, mileage charge at the IRS established rate. Expenses shall be at invoice cost times a multiplier of 1.15.		
	ADDITIONAL SERVICES	
3.	Design Surveys	$ 8,600.00
4.	Easement Document Preparation (2 included)	$ 5,400.00
5.	Geotechnical Evaluation	$ 4,000.00
6.	Subsurface Utility Exploration (SUE)	$ 3,000.00
	Additional Services Subtotal*	**$ 21,000.00**
	Project Total*	**$ 52,100.00**

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT "C"

Project Schedule

Notice to Proceed	July 1, 2019
Complete Field Surveys	July 12, 2019
Submit 60% Plans to City for Review	August 16, 2019
Receive 60% Review Comments from City	August 23, 2019
Submit 90% Plans to City for Review	September 13, 2019
Receive 90% Review Comments from City	September 20, 2019
Complete 100% (Final) Plans & Specifications	September 27, 2019
Bidding, Advertisement & Construction (Not This Contract)	October – December 2019

ATTACHMENT "D"

Sub-Consultants

The Sub-Consultants anticipated for the work included in the scope of services for this project are as follows.

Geotechnical Evaluation:	Henley-Johnson and Associates, Inc. James F. Phipps, P.E. l Vice President 235 Morgan Avenue Dallas, Texas 75203 Office: 214-941-3808 l Cell: 214-536-0212 jphipps@hja-eng.com l www.hja-eng.com
Subsurface Utility Exploration:	Axis Construction, Inc. Joe Swinnea, Owner P.O. Box 77916 Fort Worth, Texas 76177 Phone (817) 439-0709

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60

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, Director of Public Works/City Engineer**

DATE: **July 1, 2019**

SUBJECT: **St. Mary's Street, Bost Street, and Sherman Street Water and Wastewater Replacement Project**

The existing water and sanitary sewer pipes in St. Mary's Street, Bost Street, and Sherman Street were installed prior to 1970 and are in need of replacement. The existing water lines in these streets consist of one-inch (1") poly lines and two-inch (2") cast iron lines that do not have any fire hydrants installed on them. The proposed replacement water lines will be constructed using a minimum of eight-inch (8") PVC pipe and have fire hydrants installed every four hundred feet (400') and at each street intersection. This proposed design will meet the current engineering standards. The eight-inch (8") water line with fire hydrants will improve water circulation, assist with the water quality, and provide better fire protection. The proposed eight-inch (8") sanitary sewer lines will be replacing existing four-inch (4") cast iron pipes. St. Mary's Street and Bost Street are asphalt roadways in need of repair. As a result, staff would suggest the water and sewer lines to be replaced in conjunction with the repair of these roadways. In addition, staff is requesting approval to design the water and sanitary sewer line replacements for these streets ahead of next year's street rehabilitation projects.

Staff has requested a proposal from BW2 Engineers, Inc. to provide the engineering design for this project. The engineering design fee for the St Mary's Street, Bost Street, and Sherman Street Water and Wastewater Replacement Project is $76,000.00. Staff requests City Council consider approving the contract for professional engineering services to allow BW2 Engineers, Inc. to perform the engineering design services for the St. Mary's Street, Bost Street, and Sherman Street Water and Wastewater Replacement Project in an amount not to exceed $76,000.00, which will be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.

AJW:jmw

Attachments

Cc:

Mary Smith, Assistant City Manager
Joey Boyd, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
File

STATE OF TEXAS ♦
♦
COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and BW2 Engineers, Inc., ("ENGINEER"), located at 1919 S. Shiloh Road, Garland, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the St. Mary Street, Bost Street, and Sherman Street Water and Wastewater Rehabilitation Project

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed seventy-six thousand dollars and zero cents ($76,000.00) and billed per the breakdown as provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "B". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the

CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination; however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further

compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS

CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Mike Burge, P.E.
Vice-President
BW2 Engineers, Inc.
1919 S. Shiloh Road
Suite 500, LB 27
Garland, Texas 75042

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns

to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 24TH day of JUNE 2019.

BW2 Engineers, Inc.

By: _____
Name: JAMES F. WALDBAUER
Title: PRESIDENT

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley
City Manager

ATTACHMENT "A"

Scope of Services

See Separate Document

ATTACHMENT "A"
ST. MARY STREET, BOST STREET, AND SHERMAN STREET
WATER AND WASTEWATER REHABILITATION
for
City of Rockwall

SCOPE OF SERVICES

Project Understanding

The City of Rockwall (City) wishes to rehabilitate the water system and wastewater system by replacing the water lines and sanitary sewer lines in St. Mary Street (S. Fannin Street to S. Clark Street), Bost Street (Storrs Street to E. Boydstun Avenue), and Sherman Street (Storrs Street to St. Mary Street). These segments of the water and wastewater system have the following approximate lengths: St. Mary Street (1,200'), Bost Street (950'), and Sherman Street (350'). These water lines and sanitary sewer lines are located in the older part of the City, just southeast of downtown Rockwall.

Design will include sanitary sewer and water line improvements. Existing sanitary sewer lines and water lines in these roadway corridors have been determined to require replacement. Therefore, these existing lines will be replaced and upgraded in size. The new sanitary sewer lines and new water lines will be placed within the existing street right-of-ways. BW2 Engineers, Inc. will provide plans, specifications, estimates, and permits for the project.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

1.1.1. Conduct project kickoff meeting with entire project team and City Staff.

1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.

1.1.3. Develop design criteria and design decisions tables.

1.2. Project stakeholder coordination

- Develop project stakeholder contact list including, but not limited, to franchise utilities, City's water and sewer department, traffic department, and other governmental entity stakeholders.
- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) meetings with the City staff regarding project status and coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.

1.3. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.
- Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:

- City of Rockwall Master Thoroughfare Plan
- City of Rockwall Water/Wastewater Master Plan
- City of Rockwall Standards of Design and Construction
- City of Rockwall Trail Master Plan

- Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities.
- Develop and evaluate the alignments for proposed water lines and wastewater lines.
- Prepare 30% schematic plan and profile roll plots, produced at 1" =40' horizontal scale and 1" =5' vertical scale showing horizontal alignment of proposed water lines and sewer lines.
- Meet with City staff and present concept plan and profile roll plots.
- Incorporate comments and feedback from City staff and other stakeholders.

2. Construction Documents

2.1. Project Management

- Conduct progress meetings at each stage of the construction documents phase to monitor the development of the project regarding project status and coordination issues and go over City review comments of the plans.
- Coordinate with other utilities, (electric power, cable TV, phone, gas, optic fiber, etc.)
- Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- Update project schedule and interim milestones (coordinate with City staff as necessary)
- Project site visits (up to three (3) trips)

2.2. Construction Plans, Specifications and Estimates (60%, 100%)

2.2.1. Submittals

BW2 Engineers, Inc. will submit 60% and 100% submittals for the City for review and comment. The following will be required for each submittal:

- Construction Plans
  - Two (2) Full Size copies – 22"x34"
  - Two (2) Half Size copies – 11"x17"
  - One (1) PDF copy
  - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract Template/Specification Book

2.2.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City's Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

Below is a table of the required construction plan sheets and in which submittals they are required.

Plan Sheets	60%	100%
Cover Sheet	X	X
Legend Sheet	X	X
General Notes Sheet	X	X
Existing Condition Plan (1"=20' scale)	X	X
Horizontal/Vertical Control Sheet (1"=40' scale)	X	X
Erosion Control Plan (1"=40' scale)	X	X
Demolition/Removals Plan (1"=20' scale)	X	X
Drainage Ditch Plan/Profile	X	X
Water Lines Plan/Profile (1"=20'H, 1'=5'V scale)	X	X
Sanitary Sewer Plan/Profile (1"=20'H, 1'=5'V scale)	X	X
Construction Sequencing Phasing Narrative	X	X
Traffic Control Plan (1"=40' scale)	X	X
Details	X	X

Each subsection below details out the services to be performed for each section of the construction plan set.

2.2.2.1. Utilities

2.2.2.1.1. Public (Water, Wastewater, Drainage Ditch, etc.)

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information.

2.2.2.1.2. Franchise Utility Coordination

- Identify franchise utility contacts.
- Send one set of plans to each franchise utility for their review (will be submitted at each phase). Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
- Notify the City if any relocations are required.
- BW2 Engineers, Inc. shall assist the City in the coordination with the franchise utilities if any relocations are required.
- Attend City ran Franchise Utility Coordination Meetings (typically 2-4 meetings per year are held). BW2 Engineers, Inc. will give background on particular project and coordinate with franchise utility companies on foreseen conflicts and pass out current plan set.

2.2.2.1.3. Water

- Prepare all water plan and profiles.
- Check coverage of Fire Hydrants to meet City Standards.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.1.4. Wastewater

- Prepare all wastewater plans and profiles.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.2. Traffic Control Plans, Construction Sequencing/Phasing

- Develop construction sequence plan showing:
  - Construction area for each phase of construction and closure of existing travel lanes (if needed).

- Temporary signing and striping, barricades, and other channelization device
- Narrative of the sequence of work.
- Public utilities relocation phasing.
- Pedestrian routing during construction.

- Prepare traffic control details to clarify intent of design.

2.2.3. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare bid tabulation sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
  - City of Rockwall standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid tabulation
  - Standard construction contract
  - Performance bond
  - Payment bond
  - Maintenance bond
  - Certificate of insurance
  - General conditions
  - Special conditions
  - Technical specifications
  - Permits

2.2.4. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out into separate schedules for each section of the job.

2.3. Agency Permitting/Coordination

Assist the City with Permitting and Coordination as required.

SPECIAL SERVICES

3. Data Collection & Property Research / Topographic and Design Survey

3.1. Data Collection and Property Research

3.1.1. Gather existing plat information

3.1.2. Collect property owner and record information

3.1.3. Gather existing ROW and easement information; identify all easements through typical research methodologies (i.e. plats, court house filings, etc.).

3.2. Topographic and Design Survey

3.2.1. The limits of the survey shall include St. Mary Street (S. Fannin Street to S. Clark Street), Bost Street (Storrs Street to E. Boydstun Ave.), and Sherman Street (Storrs Street to St. Mary Street). The survey shall be from 20' outside the street ROW lines. Survey will include intersecting roadways extending 100 feet along each leg of the minor intersections.

3.2.2. Establish horizontal control points at 500' maximum spacing.

3.2.3. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.

3.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.

3.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridors. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall include the following and other items, as applicable to the project:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.
- Roadway and lane striping
- Driveways
- Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
- Outfalls, bridges and erosion control
- Existing driveway culverts and swales (flowlines, sizes, types, etc.)
- Guardrail
- Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
- Traffic Signal poles, cabinets, pull boxes and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (all sizes)
- Landscape planters, Shrubs, rocks and other features.
- Buildings and permanent structures
- Retaining walls
- Fencing walls
- Fence limits and material types (excluding temporary fences)
- Mailboxes (types – wood, brick, stone)
- Other applicable physical features that could impact design

3.2.6. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

3.2.7. BW2 Engineers, Inc. will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

4. Subsurface Utility Engineering (S.U.E.) Services

4.1. Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground City and franchise utilities, in conjunction with and /or prior to the field survey.

- S.U.E. Level 'B' Services will be provided as part of the topographic survey to determine approximate horizontal location of utilities.
- If necessary, S.U.E. Level 'A' Services will be provided as follows:
  - Up to two (2) test holes of 0-15 ft depth will be provided
  - Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.

4.2. BW2 Engineers, Inc. shall arrange and make provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.

4.3. It is not anticipated that any additional ROW or easements will be needed for this project.

5. Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall.

-End of Scope of Services-

ATTACHMENT "B"

Payment Schedule

BW2 Engineers has prepared a preliminary Opinion of Probable Construction Cost for this project. The OPCC is $1,036,440.00. Compensation for Basic Services in Tasks 1-2 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

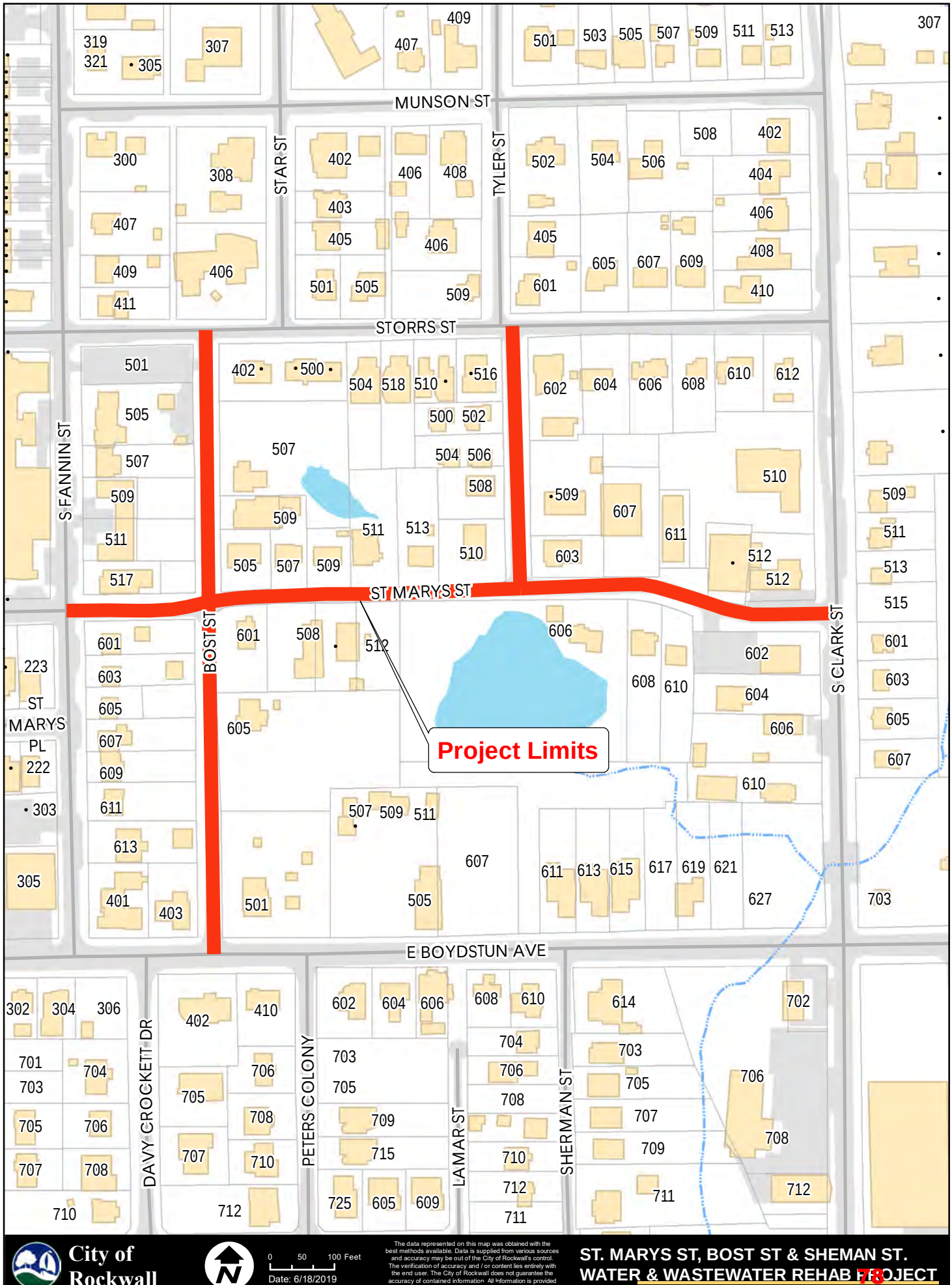
	Task	Fee
	BASIC SERVICES	
1.	Schematic Conceptual Design (30%)	$17,850.00
2.	Construction Documents	
2.1	60% Design	$17,850.00
2.2	100% Design	$23,800.00
	Basic Services Subtotal:	**$59,500.00**
Compensation for special services under Tasks 3-6 shall be a labor fee plus expense (reimbursable) basis with the max fee shown below.		
	SPECIAL SERVICES	
3.	Data Collection & Property Research / Topographic and Design Survey	$12,500.00
4.	Subsurface Utility Engineering (S.U.E.) Services	
4.1	Quality Level 'A' S.U.E. Servises	$4,000.00
	Special Services Subtotal*	**$ 16,500.00**
	Project Total*	**$ 76,000.00**

Fees that are Lump Sum for each task will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT "C"

Project Schedule

	Item	Start	End
1.	**Data Collection / Topographic Design Survey**	**07/02/19**	**07/14/19**
2.	**Schematic Conceptual Design – 30%**	**07/14/19**	**07/26/19**
3.	**City Review**	**07/26/19**	**08/05/19**
4.	**Construction Documents – 60% Preliminary**	**08/05/19**	**08/17/19**
5.	**City Review**	**08/17/19**	**08/28/19**
6.	**Construction Documents – 100% Final Design**	**08/28/19**	**09/30/19**


MUNSON ST
STORRS ST
ST MARYS ST
E BOYDSTUN AVE
S FANNIN ST
STAR ST
TYLER ST
BOST ST
S CLARK ST
DAVY CROCKETT DR
PETERS COLONY
LAMAR ST
SHERMAN ST
ST MARYS PL
Project Limits
City of Rockwall
0 50 100 Feet
Date: 6/18/2019
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made either expressed or implied.
ST. MARYS ST, BOST ST & SHEMAN ST.
WATER & WASTEWATER REHAB PROJECT

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79

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, Director of Public Works/City Engineer**

DATE: **July 1, 2019**

SUBJECT: **West Kaufman Street, North First Street, and West Rusk Water Replacement Project**

The existing water line in W. Kaufman Street was installed prior to 1970 and is in need of replacement. The existing two-inch (2") water line is a combination of thin galvanized pipe and one-inch (1") poly tubing. The proposed replacement water lines will be constructed using a minimum of eight-inch (8") PVC pipe and have fire hydrants installed every four hundred feet (400') and at each street intersection. This proposed design will meet current engineering standards. The eight-inch (8") water line with fire hydrants will improve water circulation, assist with the water quality, and provide better fire protection.

Staff has requested a proposal from Teague Nall and Perkins, Inc. to provide the engineering design for this project. The engineering design fee for the water replacement project is $60,600.00. Staff requests the City Council consider approving the professional engineering services contract for Teague Nall and Perkins, Inc. to perform the engineering design services for the W. Kaufman Street, N. First Street, and W. Rusk Street Water Replacement Project in an amount not to exceed $60,600.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.

AJW:jmw

Attachments

Cc:
Mary Smith, Assistant City Manager
Joey Boyd, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
File

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Teague Nall and Perkins, Inc., ("ENGINEER"), located at 825 Watters Creek Boulevard, Suite M300, Allen, Texas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage ENGINEER as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Water Line Improvements along Kaufman Street from West Street West end of Kaufman Street, First Street from Rusk Street to Kaufman Street, and Rusk Street from West Street to First Street.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, ENGINEER shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount of Forty-One Thousand Four Hundred Dollars ($41,400.00) billed as a *lump sum* basis for Basic Services, and Nineteen Thousand Two Hundred Dollars ($19,200.00) billed on a *lump sum/hourly* basis for Special Services, per rates provided in Attachment "B". ENGINEER is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the

schedule described in Attachment "C". In the event of termination, ENGINEER will assist the CITY in arranging a smooth transition process. However, ENGINEER's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay ENGINEER its fees based on the presentation by ENGINEER to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay ENGINEER its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of ENGINEER for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

ENGINEER shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. ENGINEER represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to ENGINEER any unsatisfactory performance of ENGINEER personnel for appropriate corrective action. ENGINEER shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

ENGINEER will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay ENGINEER for the professional services to be rendered under this Contract, ENGINEER agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by ENGINEER, will remain the property of the CITY. ENGINEER will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the ENGINEER. ENGINEER shall have the right to use such work products for ENGINEER's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the ENGINEER will be at reuser's sole risk and without liability or legal exposure to the

ENGINEER, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the ENGINEER's consent. The granting of such consent will entitle the ENGINEER to further compensation at rates to be agreed upon by CITY and the ENGINEER. The above notwithstanding, ENGINEER shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. ENGINEER agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. ENGINEER also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. ENGINEER shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. ENGINEER shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. ENGINEER agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL-NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Michael G. DeMotte, P.E.
Director of Engineering Services-Allen Office
Teague, Nall, and Perkins, Inc.
825 Watters Creek Blvd, Suite M300
Allen, TX, 75013

All notices and communications under this Contract shall be mailed or delivered to **CITY** and ENGINEER at the above addresses.

9. Successors and Assigns

CITY and ENGINEER each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor ENGINEER shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

ENGINEER and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of ENGINEER to be performed hereunder. Such changes, including any increase or decrease in the amount of ENGINEER**'s** compensation, or time for performance, which are mutually agreed upon by and between CITY and ENGINEER, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and ENGINEER.

13. Reports and Information

ENGINEER, at such times and in such forms as CITY may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish CITY periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the CITY does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and ENGINEER waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 25 day of June 2019.

Teague Nall and Perkins, Inc.

By: _____

Name: Michael G. DeMotte, P.E.
Title: Director of Engineering Services-
Allen Office

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____

Richard Crowley
City Manager

ATTACHMENT “A”

Scope of Service

8.

88

Attachment "A"
Water Line Improvements along
Kaufman Street from West Street to end of Kaufman Street,
First Street from Rusk Street to Kaufman Street,
and Rusk Street from West Street to First Street
For
City of Rockwall

Scope of Services

Project Understanding

The City of Rockwall (City) wishes to replace approximately 900 linear feet of existing water line along Kaufman Street (from West Street to the end of Kaufman Street) and add approximately 250 linear feet of water line along First Street (from Rusk Street to Kaufman Street), and approximately 200 linear feet of water line along Rusk Street (from West Street to First Street). The proposed water line will be located within the existing street rights-of-way. The existing water line in Kaufman Street will be replaced by an eight (8") lines whereas a new eight (8") water line will be added along First Street and Rusk Street. The scope of services also includes determining the location of proposed water lines and development of alternate alignments. Water lines will be evaluated to be placed behind the back of curb or under the pavement within the existing right-of-way. Other design components include coordination with franchise utilities, TXDOT coordination for work in TXDOT (US 66/Rusk Street), and preparation of erosion control plans, and traffic control plans.

ENGINEER will provide plans, specifications, estimates, and permits (if applicable) for the project. Support services for the project bidding, and the construction phase is excluded from the scope of services at the CITY's request.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

1.1.1. Prepare a detailed Project Work Plan for TNP internal use. The work plan will serve as guide and communication tool for the TNP project team.

1.1.2. Conduct TNP internal project kickoff meeting with entire project team and City Staff.

1.1.3. Conduct weekly TNP internal project review meetings to review project status, review and update schedule, identify and assign next action items, etc.

1.1.4. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.

1.1.5. Develop design criteria and design decisions tables.

1.1.6. Prepare and submit project schedule to City staff and provide general project management activities.

1.1.7. Project Administration

- Prepare project correspondence and invoicing documents

1.2. Project stakeholder coordination

1.2.1. Develop project stakeholder contact list including but not limited to franchise utilities, City's water and sewer department, traffic department, and TXDOT.

1.2.2. Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) meetings with the City staff regarding project status and coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.

1.3. Schematic Design Phase (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.3.1. Review and research previously prepared construction plans record documents, and other pertinent information related to water line design.

1.3.2. Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, topographic information, and existing utilities.

1.3.3. Develop and evaluate up to two (2) alignments for each street.

1.3.4. Prepare 30% schematic water line plans, produced at 1"=20' horizontal scale.

1.3.5. Meet with City staff and present 30% schematic water line plans.

1.3.6. Incorporate comments and feedback from City staff and other stakeholders.

2. Final Design

The preparation of construction documents (Pre-Final and Final) will generally follow the original scope and will include:

2.1. Project Management

2.1.1. Conduct progress meetings at each stage of the construction documents phase to monitor the development of the project regarding the project status, coordination issues and go over City review comments of the plans for the added scope of services.

2.1.2. Coordinate with franchise utilities, (electric power, cable TV, phone, gas, optic fiber, etc.) as necessary.

2.1.3. Update project schedule and interim milestones (coordinate with City staff as necessary)

2.2. Construction Plans, Specifications and Estimates

2.2.1. Submittals

ENGINEER will submit pre-final and final submittals for water line improvements. The following will be required for each submittal:

- Construction Plans
  - Two (2) Full Size copies – 22"x34"
  - Two (2) Half Size copies – 11"x17"
  - One (1) PDF copy
  - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract /Specification Book
- City to provide the front end documents, and City special provisions to NCTCOG standard in electronic format.

2.2.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City's Project Manager to prove design and constructability of the project. ENGINEER shall incorporate changes associated with City comments.

Following sheets will be prepared as part of the final design:

- Cover sheet
- General Notes and Legend Sheet

- Summary of Quantities
- Existing Condition Sheets (1" =20' scale)
- Horizontal/Vertical Control Sheet (1" =40' scale)
- Erosion Control Plan (1" =40' scale)
- Demolition/Removals Plan (1" =20' scale)
- Water Line Plan (1" =20'scale)
- Water Details
- Construction Sequencing/Phasing Narrative
- Traffic Control Plans (for each phase & typ. sections) (1" =40' scale)

Each subsection below details out the services to be performed for each section of the construction plan set.

2.2.3. Existing Utilities (Water, Wastewater, Storm Drainage, etc.)

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information
- Franchise Utility Coordination
  - Send one set of plans to each franchise utility for their review. Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
  - Notify the City if any relocations are required
  - ENGINEER shall perform the coordination with the franchise utilities if any relocations are required.
  - Attend City ran Franchise Utility Coordination Meetings (typically 2-4 meetings per year are held). ENGINEER will give back ground on particular project and coordinate with franchise utility companies on foreseen conflicts and pass out current plan set.

2.2.4. Water Line Plans

- Prepare all water line plan sheets. Water line profiles are not anticipated as the proposed water lines will be 8 inches in diameter.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.5. Traffic Control Plans, Detour Plans, Construction Sequencing/Phasing

- Develop construction sequence plan showing:
  - Construction area for each phase of construction and closure of existing travel lanes (if needed).
  - Temporary signing and striping, barricades, and other channelization device
  - Narrative of the sequence of work.
  - Detour Plan for each construction phase
  - Public utilities relocation phasing.
  - Pedestrian routing during construction.
- Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
- Prepare traffic control details to clarify intent of design.

2.2.6. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
  - City of Rockwall standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid form (Bid-Tab) – Electronic for Bidding
  - Pay Items Description
  - Standard construction contract
  - Performance bond
  - Payment bond
  - Maintenance bond
  - Certificate of insurance
  - General conditions
  - Special conditions
  - Technical specifications
  - Permits (TXDOT, City of Dallas, etc.)
  - Geotechnical Report

2.2.7. Estimates

Compile an overall opinion of probable construction cost based on current market values.

2.3. Agency Permitting/Coordination

- Coordination or permitting from other agencies is not anticipated for this project.

3. Data Collection & Property Research / Topographic and Design Survey

3.1. Data Collection and Property Research

3.1.1. Gather existing plat information

3.1.2. Collect property owner and record information

3.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.). Undocumented easements may not be identified.

3.2. Topographic and Design Survey

3.2.1. The limits of the survey along Kaufman Street shall be from West Street to the west end of Kaufman Street. The limits of the survey along First Street shall be from Rusk Street to First Street. The limits of the survey along Rusk Street shall be from West Street to First Street. The survey shall be from the right-of-way line to the right-of-way line for Kaufman Street and First Street. The survey shall be from the north ROW line to CL of Roadway for Rusk Street. Survey will include intersecting roadways extending 50 feet along each leg of the intersections.

3.2.2. Establish horizontal control points at 500’ maximum spacing.

3.2.3. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.

3.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.

3.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall include but not limited to the following:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.

- Roadway and lane striping
- Driveways
- Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
- Existing driveway culverts and swales (flowlines, sizes, types, etc.)
- Guardrail
- Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
- Traffic Signal poles, cabinets, pull boxes and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (all sizes)
- Landscape planters, Shrubs, rocks and other features.
- Buildings and permanent structures
- Retaining walls
- Fencing walls
- Fence limits and material types (excluding temporary fences)
- Mailboxes (types – wood, brick, stone)
- Other applicable physical features that could impact design

3.2.6. Perform cross-sections throughout project limits at 50-foot intervals and at grade breaks and prepare cross-section field notes.

3.2.7. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

3.2.8. ENGINEER will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

3.2.9. ENGINEER shall arrange and make provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.

4. Subsurface Utility Engineering (S.U.E.) Services

Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and /or prior to the field survey.

4.1. S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities up to 1,500 linear feet for Kaufman Street, First Street and Rusk Street. The Quality Level 'B' also includes Quality Level 'C/D' S.U.E. services.

4.1.1. Determine horizontal location of utilities up to 5,600 linear feet which will include 2,000 linear feet along Westway Drive from Highland Drive to Carriage Trail, 280 linear feet along Aspen Court from Carriage Trail to Highview Drive, and 100 LF along each cross streets and alleys (11 individual intersections).

4.1.2. Engineer will create and call in locate tickets for Texas811 for the project corridor. Timing of locates will be coordinated to help ensure that locates are performed in conjunction with surveying operations.

4.1.3. As part of the services provided in the Topographic and Boundary Survey Phase, Engineer will visibly investigate surface features and appurtenances or all utility systems shown on the record drawings that are included within the project site, including but not limited to:

- sanitary sewer manholes (including measure down)
- storm sewer manholes (including measure down)

- communication/fiber manholes
- hand holds
- pull boxes
- water valves
- water meters
- fire hydrants
- cleanouts
- blow-offs
- pedestals (communication, fiber, electric)
- gas meters
- signal boxes
- electric poles (transmission and distribution)
- electric transformers
- light poles
- utility signs

4.1.4. Investigate all utility systems shown on the record drawings that are included within the project site. Visible surface features and appurtenances of subsurface utilities found within the project site will also be evaluated. Using appropriate surface geophysical methods, Engineer will search for detectible indications of the horizontal location of anticipated subsurface utilities.

4.1.5. Mark all locations that can be validated, using paint, flags or other devices.

4.1.6. These services are for the purpose of aiding the design of the project by providing information related to subsurface utilities in order to allow potential utility conflicts to be minimized or eliminated.

4.1.7. Prepare documentation of the utilities encountered and marked, including their general location, orientation, type & size, if known.

4.1.8. Deliverable will consist of a Quality Level B – AutoCad DWG 2D file depicting all sub-surface utilities found and verified and above ground appurtenances. The drawing will be signed and sealed by a Professional Engineer licensed in the State of Texas.

5. Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Such services shall include, but are not limited to the following:

5.1. Construction staking.
5.2. Geotechnical engineering services.
5.3. Right-of-way/Easement Documents.
5.4. Quality Level 'A' SUE Services.
5.5. Quality control and testing services during construction.
5.6. Wastewater or storm drains design and analysis.
5.7. Environmental or Archeological study and permitting through state agencies.
5.8. Support services for Project Bidding
5.9. Support services for Right-of-Way Acquisition and Negotiation
5.10. Construction phase services, including responding contractor questions, reviewing contractor pay application, performing site visits to observe construction, reviewing shop drawings/submittals, preparation of record drawings etc.

-End of Scope of Service-

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Tasks 1-2 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee Basis	Fee
	BASIC SERVICES		
1.	Schematic Conceptual Design (30%)	Fixed Fee	$ 16,600
2.	Final Design (Construction Documents)	Fixed Fee	$ 24,800
	Basic Services Subtotal:		**$ 41,400**
Compensation for Special Services under Tasks 3-4 shall be on a lump sum, unit price, or labor fee plus expense (reimbursable) basis with the estimated fee shown below.			
	SPECIAL SERVICES		
3.	Data Collection & Property Research / Topographic and Design Survey	Fixed Fee	$ 8,700
4.	Quality Level 'B' (Including Level "C/D") S.U.E. Services (assumes 1,500 LF)	Hourly*	$ 10,500
	Special Services Subtotal*		**$ 19,200**
	Project Total*		**$ 60,600**

*Estimate only (see notes below).

Notes:

1. **Hourly Consulting Services**: Services shall be provided on an hourly, reimbursable basis at the ENGINEER'S standard hourly rates when the Fee Basis is defined as hourly. Actual fees for the services will be based on actual hours required to perform the services, and will vary based upon actual cost, and could potentially exceed the estimates provided above. ENGINEER shall notify the City in writing before exceeding the budgeted fees, and obtain written authorization from City to exceed the contract amount. Please refer to attached schedule of TNP's standard hourly rates. Services shall be billed monthly based on actual time spent working on the project by the ENGINER'S staff. Actual out-of-pocket expenses that are incurred during the progress of the work for hourly services tasks shall be billed at TNP's cost plus 10%. Any project related fees paid by the ENGINEER on behalf of the City shall be reimbursed by the City under the hourly services task. Examples of these type fees include, but are not limited to, application fees, filing fees, permit fees, review fees, title company/closing fees, or fees related to the purchase or acquisition of information or documents requested by the City for inclusion in the Project's deliverables.

2. **Fixed Fee Consulting Services**: Fees for tasks described as "fixed fee" (lump sum) are total fees for all labor and expenses associated with those tasks. Lump Sum fee for each task will be invoiced monthly based upon the overall percentage of services performed.

TEAGUE NALL AND PERKINS, INC.
Standard Rate Schedule for Time and Expense Contracts
Effective January 1, 2019 to December 31, 2019*

Engineering /Landscape Architecture/ROW	**From**	-	**To**	
Principal	$200	-	$250	Per Hour
Team Leader	$190	-	$230	Per Hour
Senior Project Manager	$160	-	$220	Per Hour
Project Manager	$120	-	$175	Per Hour
Senior Engineer	$180	-	$225	Per Hour
Project Engineer	$120	-	$160	Per Hour
Engineer III/IV	$95	-	$120	Per Hour
Engineer I/II	$ 90	-	$110	Per Hour
Landscape Architect / Planner	$110	-	$200	Per Hour
Landscape Designer	$80	-	$110	Per Hour
Senior Designer	$110	-	$150	Per Hour
Designer	$100	-	$130	Per Hour
Senior CAD Technician	$90	-	$120	Per Hour
CAD Technician	$70	-	$110	Per Hour
IT Consultant	$100	-	$170	Per Hour
Clerical	$50	-	$90	Per Hour
Construction Inspector II	$75	-	$100	Per Hour
Construction Inspector III	$90	-	$110	Per Hour
Senior Construction Inspector	$100	-	$125	Per Hour
Construction Superintendent	$150	-	$180	Per Hour
ROW Manager	$120	-	$150	Per Hour
Senior ROW Agent	$90	-	$130	Per Hour
ROW Agent	$80	-	$110	Per Hour
Relocation Agent	$100	-	$130	Per Hour
Senior Utility Coordinator	$90	-	$140	Per Hour
Utility Coordinator	$80	-	$130	Per Hour
Intern	$50	-	$70	Per Hour
Surveying				
Survey Manager	$190	-	$230	Per Hour
Registered Professional Land Surveyor (RPLS)	$140	-	$190	Per Hour
Field Coordinator	$100	-	$130	Per Hour
S.I.T. or Senior Survey Technician	$70	-	$120	Per Hour
Survey Technician	$65	-	$100	Per Hour
1-Person Field Crew w/Equipment**	$125			Per Hour
2-Person Field Crew w/Equipment**	$160			Per Hour
3-Person Field Crew w/Equipment**	$180			Per Hour
4-Person Field Crew w/Equipment**	$200			Per Hour
Flagger	$40			Per Hour
Abstractor (Property Deed Research)	$85			Per Hour

Subsurface Utility Engineering (SUE)	
SUE Project Manager	$185 Per Hour
SUE Engineer	$160 Per Hour
Sr. Utility Location Specialist	$100 Per Hour
Utility Location Specialist	$ 85 Per Hour
1-Person Designator Crew w/Equipment***	$120 Per Hour
2-Person Designator Crew w/Equipment***	$145 Per Hour
2-Person Vac Excavator Crew w/Equip (Exposing Utility Only)	$250 Per Hour (4 hr. min.)
2-Person Vac Excavator Crew w/Equip for QL-A ****	$450 Per Hour (4 hr. min.)
Core Drill (equipment only)	$750 Per Day

All subcontracted and outsourced services shall be billed at rates comparable to TNP's billing rates above or cost times a multiplier of 1.10.

** Rates shown are for calendar year 2019 and are subject to change in subsequent years.*

*** Survey equipment may include truck, ATV, Robotic Total Station, GPS Units and Digital Level.*

**** Includes crew labor, vehicle costs, and field supplies.*

***** Rate applies to Quality Level A (QL-A) test holes on utilities that were designated by TNP as QL-B.*

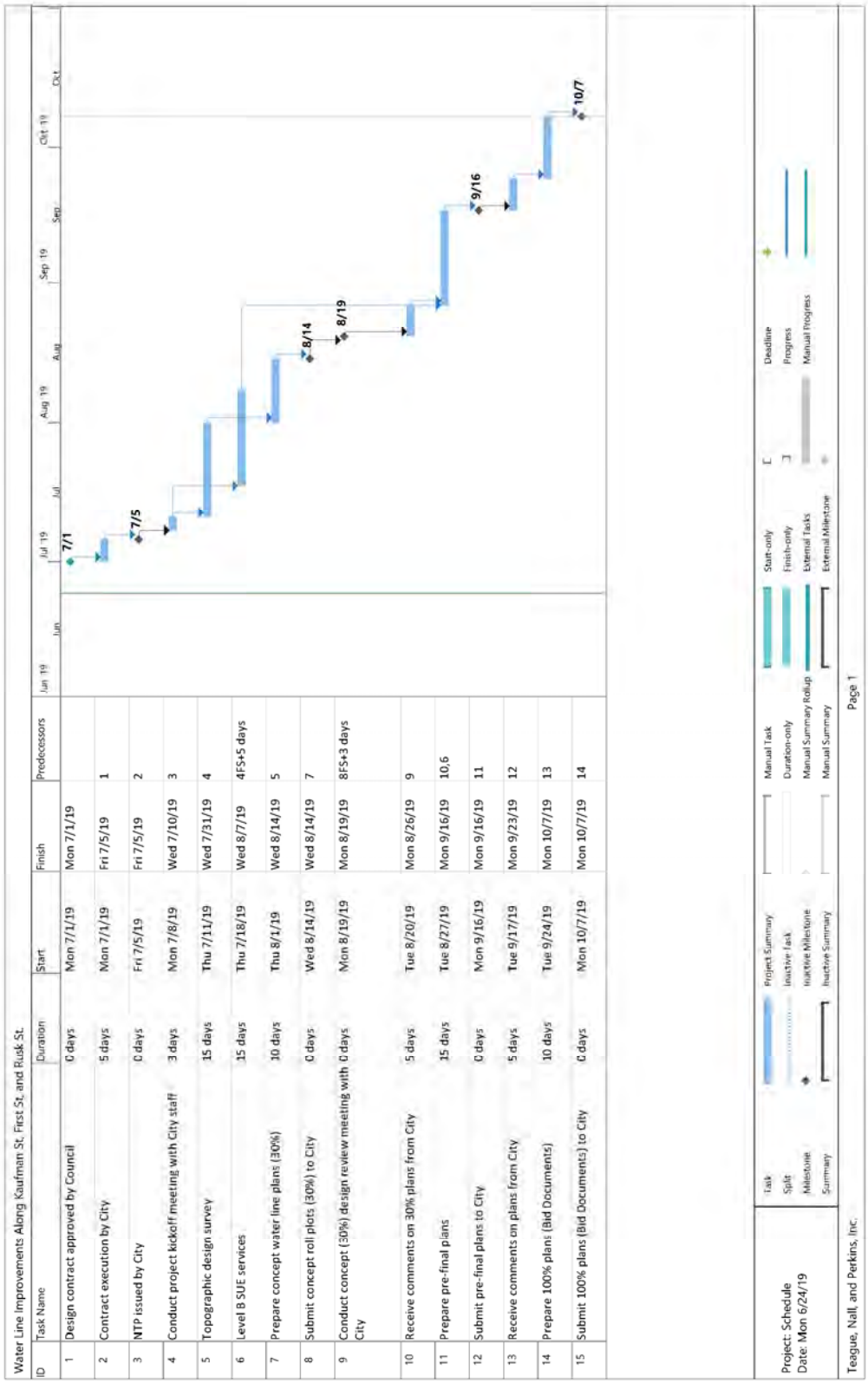
TEAGUE NALL AND PERKINS, INC.
Standard Rate Schedule for Time and Expense Contracts
Reimbursed Direct Cost Items
Effective January 1, 2019 to December 31, 2019*

Direct Cost Reimbursables

Photocopies:	$0.154/sf	letter, legal and 11” x 17” size bond paper, B&W
	$0.7701/sf	letter, legal and 11” x 17” bond paper, color
Prints:	$0.154/sf	letter, legal and 11” x 17” bond paper, B&W
	$0.7701/sf	letter, legal and 11” x 17” bond paper, color
Plots:	$0.154/sf	letter, legal and 11” x 17” bond paper, B&W
	$0.7701/sf	letter, legal and 11” x 17” bond paper, color
	$0.50/sf	22” x 34” and larger bond paper or vellum, B&W
	$1.00/sf	22” x 34” and larger mylar or acetate, B&W
Mileage	$0.58/mile	
Plans on CD	$20/each	

97

ATTACHMENT "C"
Project Schedule

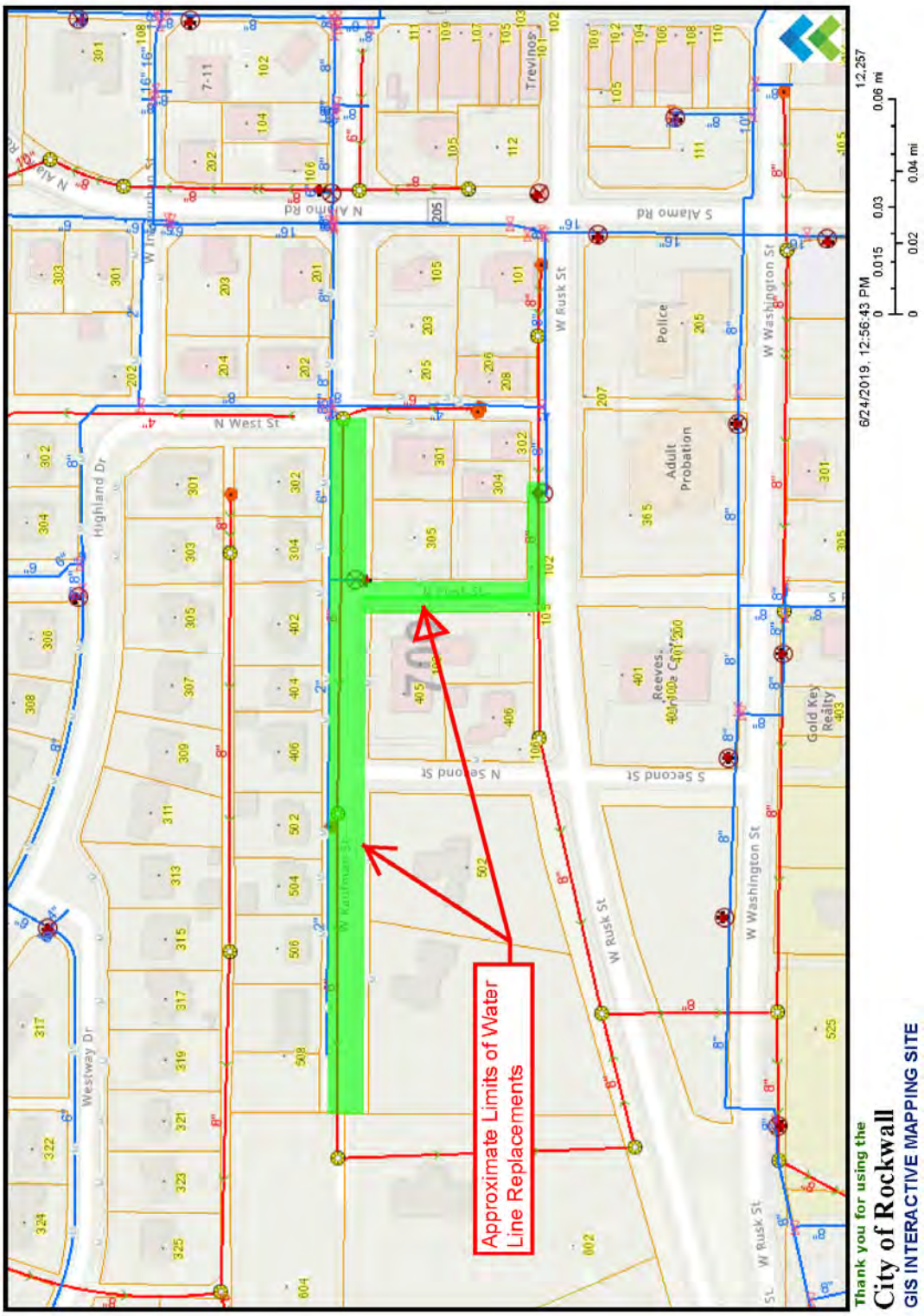


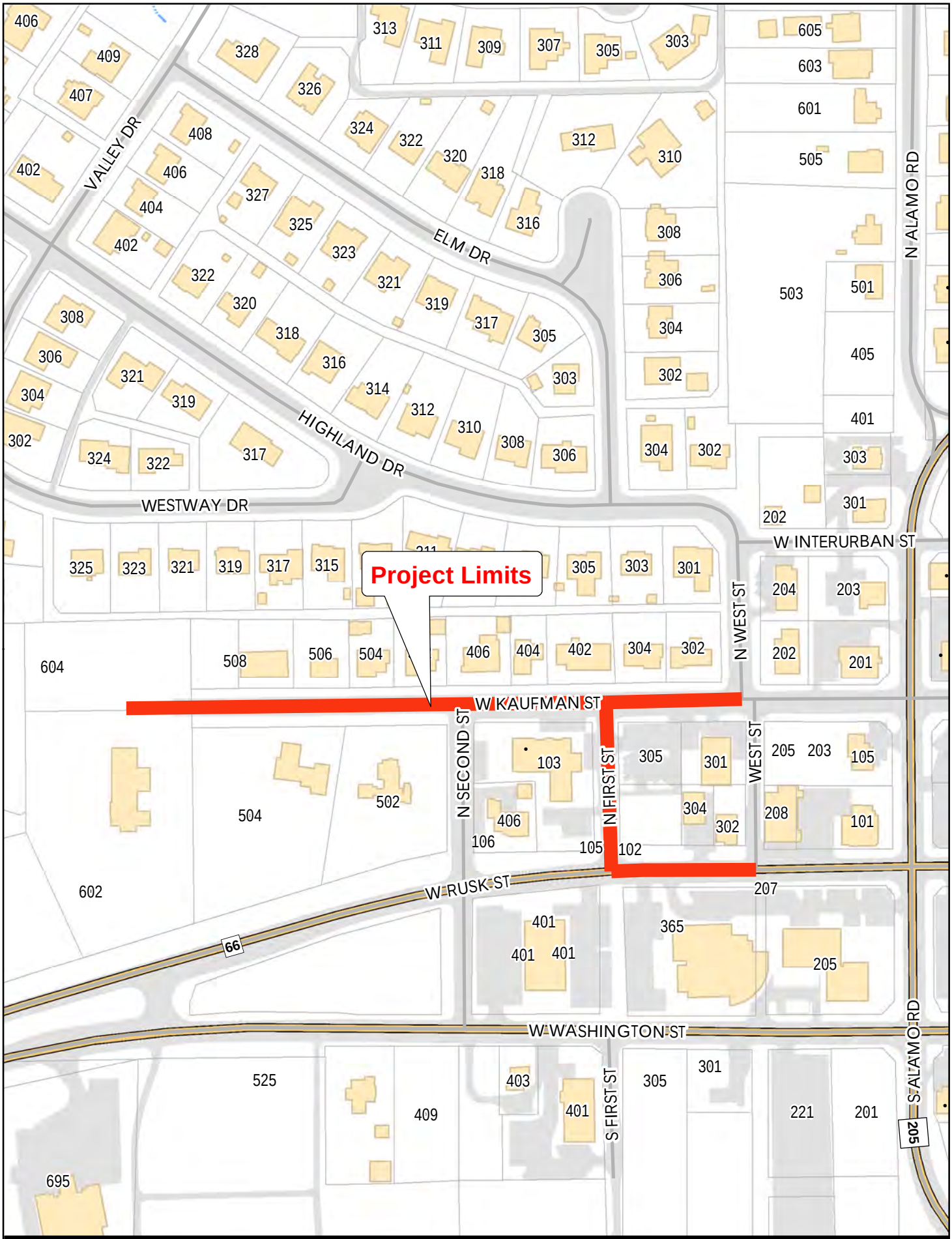
ATTACHMENT "D"

Sub-Consultants

1. **Sub-Consultant:**
   None.

ATTACHMENT "E"
Approximate Project Limits




Project Limits
W KAUFMAN ST
W RUSK ST
W WASHINGTON ST
W INTERURBAN ST
WESTWAY DR
HIGHLAND DR
ELM DR
VALLEY DR
N ALAMO RD
S ALAMO RD
N WEST ST
N SECOND ST
N FIRST ST
WEST ST
S FIRST ST
66
205
City of Rockwall
0 50 100 Feet
Date: 6/18/2019
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made either expressed or implied.
W. KAUFMAN ST. & N 1ST ST.
WATER REHAB PROJECT

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102

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	July 1, 2019
APPLICANT:	Kyle Coleman Harris; *Pacheco Koch Consulting Engineers*
CASE NUMBER:	P2019-027; *Lot 3, Block A, Channell Subdivision Addition*

SUMMARY

Consider a request by Kyle Coleman Harris of Pacheco Koch Consulting Engineers on behalf of Alton Frazier of Channell Commercial Corporation for the approval of a replat for Lot 3, Block A, Channell Subdivision Addition being a 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a replat for an 18.762-acre parcel of land [i.e. *Lot 2, Block A, Channell Subdivision Addition*] for purpose of abandoning certain portions of the platted firelane & water easements. Additionally, the replat will realign the western drive aisle. The *subject property* is located within the SH-205 By-Pass Overlay (SH-205 BY OV) and is addressed as 1700 John King Boulevard.

- ☑ On June 14, 2019, Mark Pross of Pross Design Group, Inc., submitted an amended site plan [*i.e. Case NO. SP2019-021*] in conjunction with this replat for the purpose of establishing outside storage areas on the subject property and to realign the western drive aisle.

- ☑ On July 8, 2014, the Planning and Zoning Commission approved a site plan for the construction of the warehouse/manufacturing facility. On July 21, 2014, the City Council approved all associated variances, waivers, and exceptions requested by the applicant in conjunction with the site plan.

- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for replats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 3, Block A, Channell Subdivision Addition,* staff would propose the following conditions of approval:

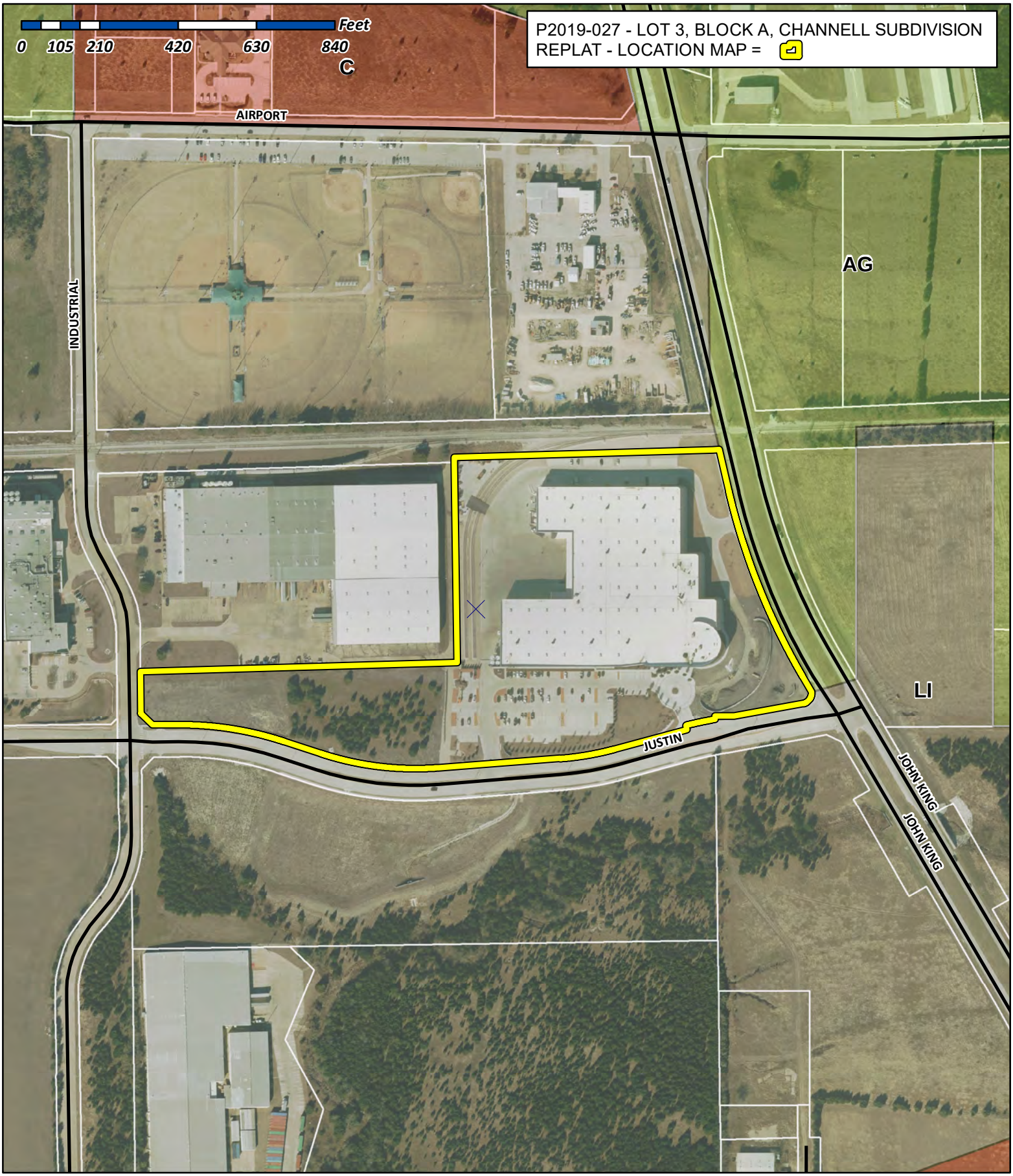
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Prior to the filing of this plat, the easements will need to be adjusted in accordance with the approved site plan (i.e. Case No. SP2019-021).

(3) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 25, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 7 to 0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

105

U.P./DALLAS GARLAND N.E. RAILROAD

(A 100-FOOT RIGHT-OF-WAY)

N 88°10'00" E 693.99'

N 88°16'13" E 16.20'

MATCHLINE (SEE SHEET 1)

ROCKWALL INDUSTRIAL EAST (CAB. C, SLIDE 72)

CONTINENTAL PET TECHNOLOGIES (VOL. 552, PG. 127)

N 01°03'38" W 550.29'

N 88°07'13" E 850.17'

PK-IRS

IRF

CSC

(C.M.)

DRAINAGE EASEMENT (INST. NO. 20160000011900)

WATER EASEMENT (INST. NO. 20160000011900)

12.0' X 15.0' WATER EASEMENT (INST. NO. 20160000011900)

INGRESS/EGRESS EASEMENT (VOL. 5418, PG. 54)

S 13°13'35" E 112.68'

PART OF CITY OF ROCKWALL (VOL. 5418, PG 54)

FIRE LANE & WATER EASEMENT (INST. NO. 20160000011900)

ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT (20150000014737)

FIRE LANE EASEMENT (INST. NO. 20160000011900)

FIRE LANE EASEMENT (ABANDONED BY THIS PLAT)

8.8' X 15.0' WATER EASEMENT (INST. NO. 20160000011900)

FIRE LANE & WATER EASEMENT (ABANDONED BY THIS PLAT)

SEE DETAIL ①

DUE SOUTH 26.00'

DUE SOUTH 24.00'

211.17'

26'

24'

390.15'

Δ=37°28'23" R=63.00' L=41.20' T=21.37' CB=N 67°36'01" E CD=40.47'

Δ=10°42'46" R=302.30' L=56.52' T=28.34' CB=N 46°42'09" E CD=56.44'

Δ=22°09'34" R=310.00' L=119.89' T=60.71' CB=N 40°30'55" E CD=119.15'

Δ=05°14'37" R=744.52' L=68.14' T=34.09' CB=N 9°53'17" E CD=68.11'

Δ=31°41'13" R=39.00' L=21.57' T=11.07' CB=S 66°41'54" W CD=21.29'

Δ=10°43'32" R=278.30' L=52.10' T=26.13' CB=S 46°40'18" W CD=52.02'

Δ=29°20'25" R=62.00' L=31.75' T=16.23' CB=S 27°38'15" W CD=31.40'

Δ=05°13'18" R=720.52' L=65.67' T=32.86' CB=S 9°53'32" W CD=65.64'

Δ=21°20'20" R=51.00' L=18.99' T=9.61' CB=N 12°28'46" E CD=18.88'

Δ=23°36'30" R=74.00' L=30.49' T=15.46' CB=N 13°09'49" E CD=30.28'

Δ=22°00'29" R=75.00' L=28.81' T=14.58' CB=S 12°29'31" W CD=28.63'

Δ=23°39'44" R=50.00' L=20.65' T=10.47' CB=S 13°29'21" W CD=20.50'

Δ=90°50'45" R=30.00' L=47.57' T=30.45' CB=S 38°12'19" E CD=42.74'

Δ=90°00'00" R=39.00' L=61.26' T=39.00' CB=S 41°31'51" W CD=55.15'

Δ=26°26'52" R=40.00' L=18.46' T=9.40' CB=S 21°46'03" E CD=18.30'

N 00°01'40" W 57.42'

S 00°01'40" E 56.42'

N 00°01'12" W 119.19'

S 00°01'12" E 74.49'

L=39.68'

S 85°05'23" E 18.37'

N 06°21'51" E 195.66'

S 06°21'51" W 194.13'

S 00°02'14" E 135.25'

N 00°02'14" W 219.08'

N 09°24'12" W 1,583.02' TO CITY OF ROCKWALL MONUMENT ROW

155.88'

142.18'

0.55'

S 04°38'05" E 7.94'

LOT 2R, BLOCK A
18.762 ACRES
(817,294 SF)

LOT 2, BLOCK A
CHANNELL SUBDIVISION
(INST. NO. 20160000011900)

CHANNELL COMMERCIAL CORPORATION
(INST. NO. 20140000017566)

JOHN KING BOULEVARD
(A 120-FOOT WIDE RIGHT-OF-WAY)

WATER EASEMENT (CAB. I, SLIDE 337)

50' BUILDING SETBACK (INST. NO. 20160000011900)

25' BUILDING SETBACK (CAB. I, SLIDE 337)

Δ=17°06'33" R=1,810.00' L=540.49' T=272.27' CB=S 21°54'26" E CD=538.48'

24'

120' R.O.W.

NATHAN BUTLER - ABSTRACT NO. 20
DAVID HARR - ABSTRACT NO. 102

WATER EASEMENT (INST. NO. 20160000011900

Δ=84°24'20" R=29.50' L=43.46' T=26.75' CB=S 37°35'03" W CD=39.63'

S 30°27'42" E 46.15'

30'X30' VISIBILITY EASEMENT (INST. NO. 20160000011900)

N: 7,024,535.78
E: 2,601,989.93

S 89°47'13" W 50.50'

40' INGRESS/EGRESS EASEMENT (VOL. 4875, PG. 125)

S 14°39'43" E 12.00'

S 00°38'16" E 8.89'

S 79°47'13" W 186.63'

S 79°47'13" W 10.22'

L=35.21'

S 74°47'13" W 191.98'

Δ=00°33'04" R=892.50' L=8.58' T=4.29' CB=S 75°03'45" W CD=8.58'

Δ=04°26'56" R=904.50' L=70.23' T=35.13' CB=S 77°33'45" W CD=70.22'

CITY OF ROCKWALL 20' SANITARY SEWER EASEMENT (VOL. 3182, PG. 118)

TEMUNOVIC PARTNERSHIP, LTD. (VOL. 7038, PG. 314)

Δ=22°51'11" R=807.50' L=322.08' T=163.21' CB=N 83°12'29" W CD=319.95'

DRAINAGE EASEMENT (CAB. I, SLIDE 337)

JUSTIN ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)

Δ=10°34'42" R=807.50' L=149.09' T=74.76' CB=S 80°04'34" W CD=148.87'

85' R.O.W.

LOT 1, BLOCK B
CHANNELL SUBDIVISION
(CAB. I, SLIDE 337)
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
(VOL. 4168, PG. 317)

S 85°21'55" W 325.98'

DRAINAGE EASEMENT (INST. NO. 20160000011900)

DRAINAGE EASEMENT (CAB. I, SLIDE 337)

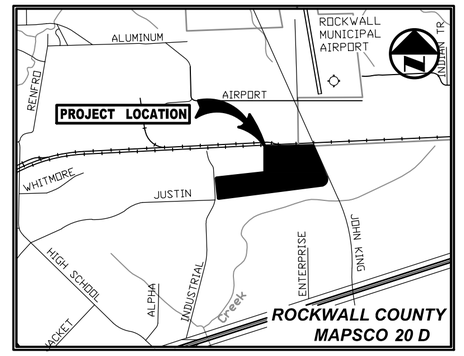
WATER EASEMENT (INST. NO. 20160000011900)

ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT (20150000014737)

FIRE LANE EASEMENT (ABANDONED BY THIS PLAT)

NATHAN BUTLER - ABSTRACT NO. 20
ARCHIBALD HANNA - ABSTRACT NO. 99

0 30 60 120 180
GRAPHIC SCALE IN FEET



VICINITY MAP
(NOT TO SCALE)

LEGEND

IRF	1/2-INCH IRON ROD W/"WIER ASSOC INC" CAP FOUND
CSC	1/2-INCH IRON ROD W/"CSC 4252" CAP FOUND
PK-IRS	5/8-INCH IRON ROD W/"PACHECO KOCH" CAP SET
(C.M.)	CONTROLLING MONUMENT
	PROPERTY LINE
	EASEMENT LINE
	PROPOSED EASEMENT LINE
	SETBACK LINE
	ABSTRACT LINE
	CENTERLINE
	EASEMENT ABANDONED BY THIS PLAT

SEE SHEET 1 FOR LINE AND CURVE TABLES

SHEET 1 OF 3

REPLAT

LOT 2R, BLOCK A, CHANNELL SUBDIVISION

BEING A REPLAT OF LOT 2, BLOCK A,
CHANNELL SUBDIVISION
1 LOT, BEING 18.762 ACRES
AND BEING OUT OF
THE NATHAN BUTLER SURVEY, ABSTRACT NO. 20,
THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99
AND THE DAVID HARR SURVEY, ABSTRACT NO. 102
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NUMBER:

SURVEYOR/ENGINEER:
PACHECO KOCH, LLC
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TEXAS 75231
PH: 972-235-3031
CONTACT: KYLE COLEMAN HARRIS

OWNER:
CHANNELL COMMERCIAL CORPORATION
26040 YNEZ ROAD
TEMECULA, CALIFORNIA 92592
PH: 909-240-3460
CONTACT: ALTON FRAZIER

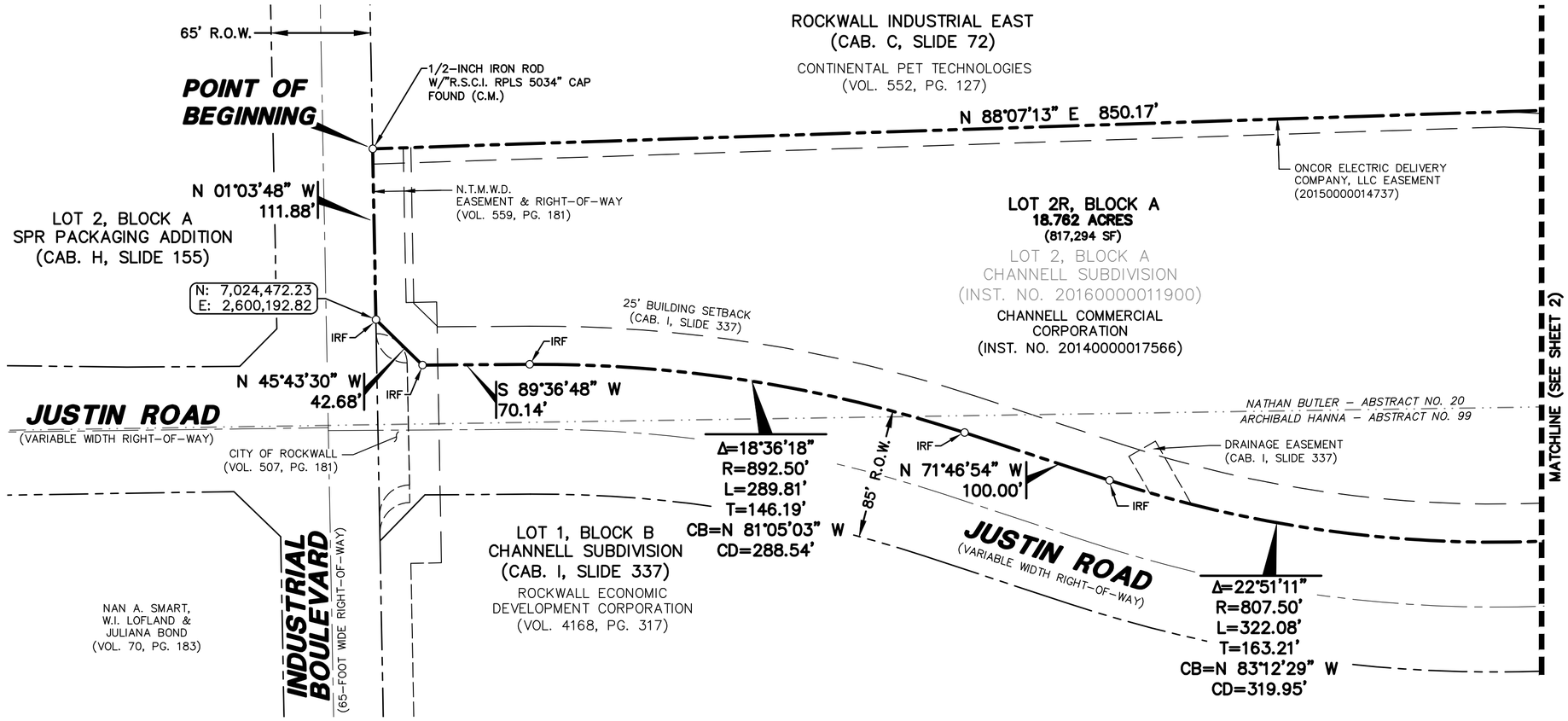
Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAN	KCH	1"=60'	JUNE 2019	3273-19.251

DWG FILE: 3273-19.251RP.DWG

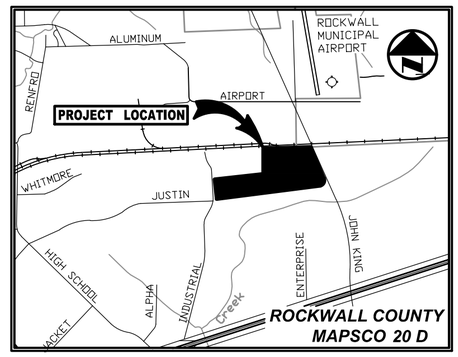
REPLAT - LOT 2R, BLOCK A, CHANNELL SUBDIVISION

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0 30 60 120 180

GRAPHIC SCALE IN FEET



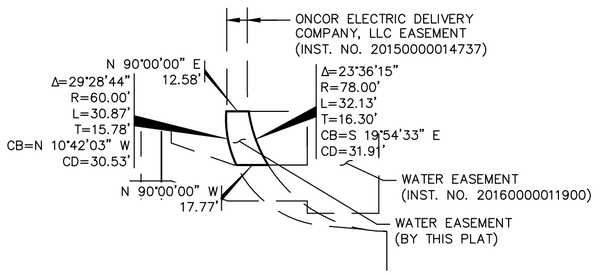
VICINITY MAP
(NOT TO SCALE)

LEGEND

IRF	1/2-INCH IRON ROD W/"WIER ASSOC INC" CAP FOUND
CSC	1/2-INCH IRON ROD W/"CSC 4252" CAP FOUND
PK-IRS	5/8-INCH IRON ROD W/"PACHECO KOCH" CAP SET
(C.M.)	CONTROLLING MONUMENT
	PROPERTY LINE
	EASEMENT LINE
	PROPOSED EASEMENT LINE
	SETBACK LINE
	ABSTRACT LINE
	CENTERLINE
	EASEMENT ABANDONED BY THIS PLAT

1 DETAIL

NOT TO SCALE



NOTES

1. *It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.*

2. *Bearing system for this survey is based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (2011) and correlated to the City of Rockwall Monument R016. The coordinates shown hereon are State Plane (Grid) Coordinates, no scale and no projection.*

SHEET 2 OF 3

REPLAT

LOT 2R, BLOCK A, CHANNELL SUBDIVISION

BEING A REPLAT OF LOT 2, BLOCK A,
CHANNELL SUBDIVISION
1 LOT, BEING 18.762 ACRES
AND BEING OUT OF
THE NATHAN BUTLER SURVEY, ABSTRACT NO. 20,
THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99
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OWNER:
CHANNELL COMMERCIAL CORPORATION
26040 YNEZ ROAD
TEMECULA, CALIFORNIA 92592
PH: 909-240-3460
CONTACT: ALTON FRAZIER

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAN	KCH	1"=60'	JUNE 2019	3273-19.251

DWG FILE: 3273-19.251RP.DWG

REPLAT - LOT 2R, BLOCK A, CHANNELL SUBDIVISION

JNICHOLSON 06/13/2019 - 5:22PM
M:\DWG-32\3273-19.251\DWG\SURVEY C3D 2018\3273-19.251RP.DWG

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Channell Commercial Corporation, is the owner of an 18.762 acre tract of land in the City of Rockwall, Rockwall County, Texas; said tract of land being described as follows:

LEGAL DESCRIPTION

DESCRIPTION, of an 18.762 acre tract of land situated in the Nathan Butler Survey, Abstract No. 20, the Archibald Hanna Survey, Abstract No. 99, and the David Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas; said tract being all of Lot 2, Block A, Channell Subdivision, an addition to the City of Rockwall, Texas according to the plat recorded in Instrument No. 20160000011900 of the Official Public Records of Rockwall County, Texas; said tract also being all of that certain tract of land described in Special Warranty Deed to Channell Commercial Corporation recorded in Instrument No. 20140000017566 of the Official Public Records of Rockwall County, Texas; said 18.762 acre tract being more particularly described as follows:

BEGINNING, at a 1/2–inch iron rod with "R.S.C.I. RPLS 5034" cap found for corner in the east right–of–way line of Industrial Boulevard (a 65–foot wide right–of–way); said point being the westernmost northwest corner of said Lot 2 and the southwest corner of Rockwall Industrial East, an addition to the City of Rockwall, Texas according to the plat recorded in Cabinet C, Slide 72 of said Plat Records;

THENCE, North 88 degrees, 07 minutes, 13 seconds East, departing the said east line of Industrial Boulevard and along the south line of said Rockwall Industrial East, a distance of 850.17 feet to a 5/8–inch iron rod with "PACHECO KOCH" cap set for corner; said point being the southeast corner of said Rockwall Industrial East;

THENCE, North 01 degrees, 03 minutes, 38 seconds West, along the east line of said Rockwall Industrial East, a distance of 550.29 feet to a 5/8–inch iron rod with "PACHECO KOCH" cap set for corner in the south right–of–way line of the UP/DALLAS GARLAND N.E. RAILROAD (a 100–foot wide right–of–way); said point being the northeast corner of said Rockwall Industrial East;

THENCE, along the said south line of the UP/DALLAS GARLAND N.E. RAILROAD, the following two (2) calls:

North 88 degrees, 10 minutes, 00 seconds East, a distance of 693.99 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at an angle point;

North 88 degrees, 16 minutes, 13 seconds East, a distance of 16.20 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found for corner in the west right–of–way line of John King Boulevard (a 120–foot wide right–of–way);

THENCE, departing the said south line of the UP/DALLAS GARLAND N.E. RAILROAD and along the said west line of John King Boulevard, the following three (3) calls:

South 13 degrees, 13 minutes, 35 seconds East, a distance of 112.68 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at the beginning of a non–tangent curve to the left;

In a southeasterly direction, along said curve to the left, having a central angle of 17 degrees, 06 minutes, 33 seconds, a radius of 1,810.00 feet, a chord bearing and distance of South 21 degrees, 54 minutes, 26 seconds East, 538.48 feet, an arc distance of 540.49 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

South 30 degrees, 27 minutes, 42 seconds East, a distance of 46.15 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found for corner; said point being at the northeast end of a circular right–of–way corner clip at the intersection of the said west line of John King Boulevard and the north right–of–way line of Justin Road (a variable width right–of–way) and the beginning of a non–tangent curve to the right;

THENCE, in a southwesterly direction, departing the said west line of John King Boulevard and along said corner clip and said curve to the right, having a central angle of 84 degrees, 24 minutes, 20 seconds, a radius of 29.50 feet, a chord bearing and distance of South 37 degrees, 35 minutes, 03 seconds West, 39.63 feet, an arc distance of 43.46 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found for corner in the said north line of Justin Road; said point being at the southwest end of said corner clip;

THENCE, departing the said corner clip and along the said north line of Justin Road, the following fourteen (14) calls:

South 79 degrees, 47 minutes, 13 seconds West, a distance of 186.63 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at an angle point;

South 89 degrees, 47 minutes, 13 seconds West, a distance of 50.50 feet to a 1/2–inch iron rod with "CSC 4252" cap found for corner;

South 00 degrees, 38 minutes, 16 seconds East, a distance of 8.89 feet to a 5/8–inch iron rod with "PACHECO KOCH" cap set for corner;

South 79 degrees, 47 minutes, 13 seconds West, a distance of 10.22 feet to a 5/8–inch iron rod with "PACHECO KOCH" cap set for corner at the beginning of a tangent curve to the left;

In a southwesterly direction, along said curve to the left, having a central angle of 04 degrees, 26 minutes, 56 seconds, a radius of 904.50 feet, a chord bearing and distance of South 77 degrees, 33 minutes, 45 seconds West, 70.22 feet, an arc distance of 70.23 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found for corner;

South 14 degrees, 39 minutes, 43 seconds East, a distance of 12.00 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found for corner; said point being the beginning of a non–tangent curve to the left;

In a southwesterly direction, along said curve to the left, having a central angle of 00 degrees, 33 minutes, 04 seconds, a radius of 892.50 feet, a chord bearing and distance of South 75 degrees, 03 minutes, 45 seconds West, 8.58 feet, an arc distance of 8.58 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

South 74 degrees, 47 minutes, 13 seconds West, a distance of 191.98 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at the beginning of a tangent curve to the right;

In a westerly direction, along said curve to the right, having a central angle of 10 degrees, 34 minutes, 42 seconds, a radius of 807.50 feet, a chord bearing and distance of South 80 degrees, 04 minutes, 34 seconds West, 148.87 feet, an arc distance of 149.09 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

South 85 degrees, 21 minutes, 55 seconds West, a distance of 325.98 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at the beginning of a tangent curve to the right;

In a westerly direction, along said curve to the right, having a central angle of 22 degrees, 51 minutes, 11 seconds, a radius of 807.50 feet, a chord bearing and distance of North 83 degrees, 12 minutes, 29 seconds West, 319.95 feet, an arc distance of 322.08 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

North 71 degrees, 46 minutes, 54 seconds West, a distance of 100.00 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at the beginning of a tangent curve to the left;

In a westerly direction, along said curve to the left, having a central angle of 18 degrees, 36 minutes, 18 seconds, a radius of 892.50 feet, a chord bearing and distance of North 81 degrees, 05 minutes, 03 seconds West, 288.54 feet, an arc distance of 289.81 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

South 89 degrees, 36 minutes, 48 seconds West, a distance of 70.14 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found for corner; said point being at the southeast end of a right–of–way corner clip at the intersection of said north line of Justin Road with the said east line of Industrial Boulevard;

THENCE, North 45 degrees, 43 minutes, 30 seconds West, departing the said north line of Justin Road and along the said corner clip, a distance of 42.68 feet to a 1/2–inch iron rod with "WIER & ASSOC INC" cap found for corner in the said east line of Industrial Boulevard; said point being at the northwest end of said corner clip;

THENCE, North 01 degrees, 03 minutes, 48 seconds West, departing the said corner clip and along the said east line of Industrial Boulevard, a distance of 111.88 feet to the POINT OF BEGINNING;

CONTAINING, 817,294 square feet or 18.762 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL
I, the undersigned owner of the land shown on this plat, and designated herein as the **LOT 2R, BLOCK A, CHANNELL SUBDIVISION** to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the **LOT 2R, BLOCK A, CHANNELL SUBDIVISION** have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

_____
William H. Channell, President

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared William H. Channell, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____ , 2019.

_____ _____ _____
Notary Public in and for the State of Texas — My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission — Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____ , 2016.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall — City Secretary — City Engineer

_____
Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____, 2019.

_____ _____
Notary Public in and for the State of Texas — My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kyle Coleman Harris, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. RELEASED 6/13/19.

_____
Kyle Coleman Harris — Date
Registered Professional Land Surveyor
No. 6266
kharris@pkce.com

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Kyle Coleman Harris, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____ , 2019.

_____ _____
Notary Public in and for the State of Texas — My Commission Expires:

SHEET 3 OF 3

REPLAT

LOT 2R, BLOCK A, CHANNELL SUBDIVISION

BEING A REPLAT OF LOT 2, BLOCK A,
CHANNELL SUBDIVISION
1 LOT, BEING 18.762 ACRES
AND BEING OUT OF
THE NATHAN BUTLER SURVEY, ABSTRACT NO. 20,
THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99
AND THE DAVID HARR SURVEY, ABSTRACT NO. 102
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NUMBER:

SURVEYOR/ENGINEER:
PACHECO KOCH, LLC
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TEXAS 75231
PH: 972–235–3031
CONTACT: KYLE COLEMAN HARRIS

OWNER:
CHANNELL COMMERCIAL CORPORATION
26040 YNEZ ROAD
TEMECULA, CALIFORNIA 92592
PH: 909–240–3460
CONTACT: ALTON FRAZIER

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F–14439
TX REG. SURVEYING FIRM LS–10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JAN	KCH	1"=60'	JUNE 2019	3273–19.251

DWG FILE: 3273–19.251RP.DWG

REPLAT - LOT 2R, BLOCK A, CHANNELL SUBDIVISION

JNICHOLSON 06/13/2019 – 5:25PM
M:\DWG–32\3273–19.251\DWG\SURVEY C3D 2018\3273–19.251RP.DWG

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109

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	July 1, 2019
SUBJECT:	MIS2019-008; *Parking Agreement Between The Vault & Carmel Plaza*

On June 12, 2019, the applicant Matthew Mulliken of Mulliken Construction Management, Inc. submitted an application requesting the City Council approve a parking agreement between the properties at 1280 & 1300 E. Ralph Hall Parkway. The area indicated in the agreement is currently being used as a landscape island, and according to the applicant's request would be converted to add nine (9) additional parking spaces and a dumpster enclosure for the adjacent strip retail center. According to Section 3.3, *Location of Commercial Parking and Loading Spaces*, of Article VI, *Parking and Loading*, of the Unified Development Code, "(w)hen an increase in the number of off-street parking spaces is required by a change or enlargement of use, or where off-street parking spaces are provided collectively or used jointly by two or more buildings or establishments, the required off-street parking spaces may be located at a distance not to exceed 400 feet from the building being served; provided, however, that a written agreement thereto is properly executed and filed as provided below." This section goes on to require that all parking agreements be approved by the City Council. In this case, the parking will be directly adjacent to the strip retail building, and is estimated to be within 25-feet of said building. Attached to this memorandum is an exhibit showing the proposed parking spaces and the parking agreement. If approved by the City Council the applicant will be required to file the agreement and provide the City with a copy prior to constructing the parking spaces. Should the City Council have any questions concerning this request staff will be available at the *July 1, 2019* City Council meeting.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

111

EXISTING CONCRETE

EXISTING CARMEL PLAZA

DEMO 1,705 SQFT OF EXISTING PAVERS AND REPLACE WITH CONCRETE THIS AREA FIELD VERIFY LOCATION

24.4

105

SLOPE 2" IN 1' TO CREATE MONOLITHIC FLUME IN PROPOSED CONCRETE PARKING TO CARRY RUNOFF TO DETENTION FLUME

EXISTING CONCRETE

SAWCUT & DEMO EXIST. CURB & GUTTER

END OF CURB & GUTTER DEMO

V-NOTCH IN CURB FOR DETENTION

SAWCUT & DEMO EXIST. CURB & GUTTER

LANDSCAPE AREA

4.0

12.0

PROPOSED DUMPSTER PAD W/ 12" WIDE CURB

15.5

PROPOSED PARKING

APPROX. LOCATION OF PROPERTY LINE

9.0

20.0

60°

EXISTING CONCRETE

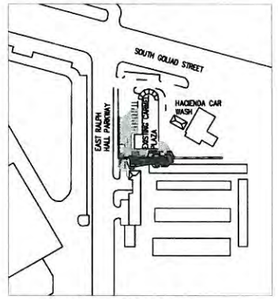
PROPOSED 6" CURB

CONCRETE WHEEL STOPS

PROPOSED CONCRETE FLUME FOR DETENTION

EXISTING WALL

START OF CURB & GUTTER DEMO



VICINITY MAP
ROCKWALL, TX

0 5 10 Feet

PERMIT 5/20/2019
ISSUED FOR: DATE:

CARMEL PLAZA
ROCKWALL, TX

DYNAMIC
Engineering Consultants PLLC
PROFESSIONAL ENGINEERING SERVICES
200 S. HILLCREST DRIVE
SULPHUR SPRINGS, TX 75482
TEL: 903-913-3773
TEL: 903-382-3444
E-MAIL: jburnett@dynamic-engineering.net
WEB: www.dynamic-engineering.net
FIRM REGISTRATION # F-8215

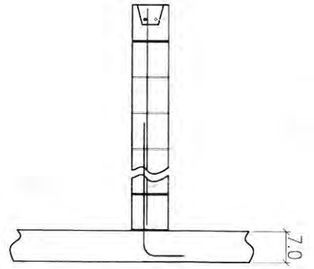
STATE OF TEXAS
JAMES W. BURNETT
93832
LICENSED PROFESSIONAL ENGINEER
ENGINEERING SEAL

	NAME	DATE
DRAWN	SR GREGORY	6/12/2019
CHECKED		
ENG APPR.	JW BURNETT	6/12/2019
Q.A.		

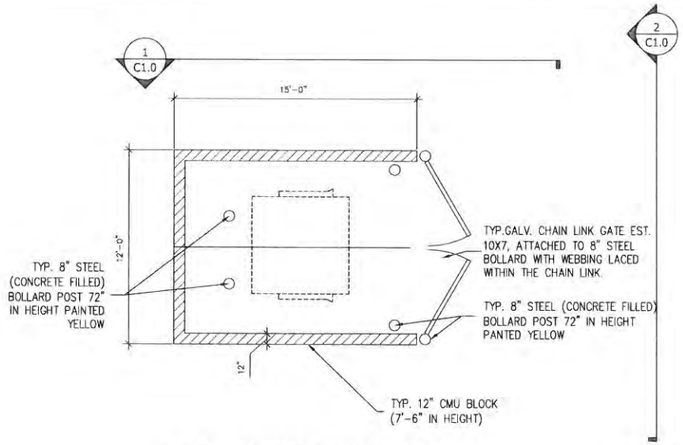
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SITE PLAN
PROJECT # 6315
SHEET NUMBER C1.0

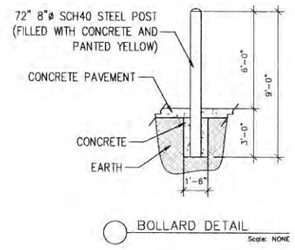
Carmel Plaza Paving Addition Plan 5-16-2019.dwg
6/12/2019



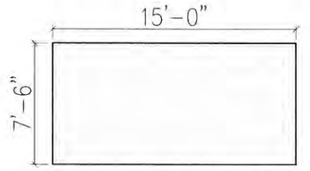
3 DUMPSTER SECTION VIEW
Scale: NONE



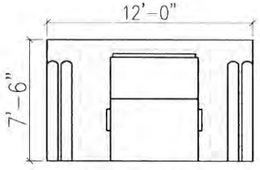
TYP. DUMPSTER ENCLOSURE DETAIL
Scale: NONE



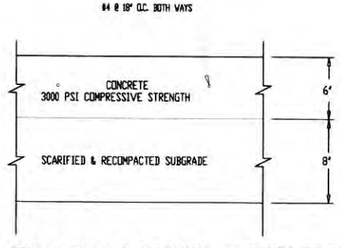
BOLLARD DETAIL
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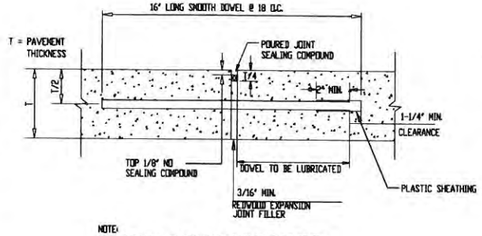
1 DUMPSTER SIDE VIEW
Scale: NONE



2 DUMPSTER FRONT VIEW
Scale: NONE

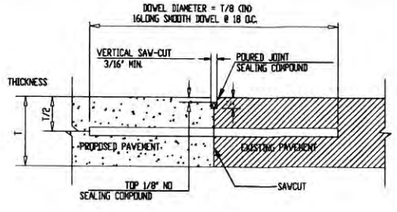


DRIVE ISLE & PARKING SECTION DETAIL
SCALE: NONE



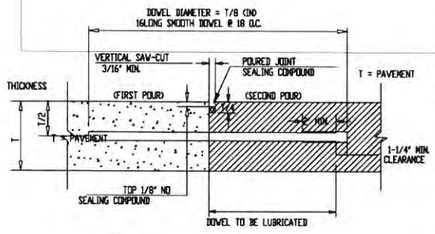
NOTE:
1. DOWELS SHALL BE SUPPORTED BY AN APPROVED DEVICE.
2. TO BE PLACED ON A GRID PATTERN WITH MAX. OF 180' O.C.E.W.

PAVEMENT EXPANSION JOINT



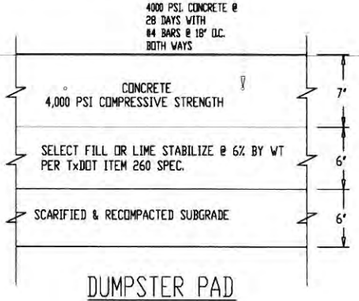
NOTE:
1. DOWEL BARS SHALL BE DRILLED INTO PAVEMENT HORIZONTALLY BY USE OF A MECHANICAL RIG.
2. DRILLING BY HAND IS NOT ACCEPTABLE, PUSHING DOWEL BARS INTO GREEN CONCRETE IS NOT ACCEPTABLE.
3. TO BE USED WHEREVER NEW CONCRETE PAVEMENT IS TO BE PLACED ADJACENT TO EXISTING CONCRETE PAVEMENT.

PAVEMENT BUTT JOINT



NOTE:
1. DOWELS SHALL BE SUPPORTED BY AN APPROVED DEVICE
2. TO BE USED BETWEEN NEW AND RECENTLY COMPLETED POURS

PAVEMENT CONSTRUCTION JOINT



DUMPSTER PAD
SCALE: NONE

PERMIT	5/20/2019
ISSUED FOR:	DATE:

CARMEL PLAZA
ROCKWALL, TX

DYNAMIC
Engineering Consultants PLLC
PROFESSIONAL ENGINEERING SERVICES
200 S. HILLCREST DRIVE
SULPHUR SPRINGS, TX 75482
TEL: 903-513-3773
TEL: 903-382-3444
E-MAIL: jburnett@dynamic-engineering.net
WEB: www.dynamic-engineering.net
FIRM REGISTRATION # F-8215

STATE OF TEXAS
JAMES W. BURNETT
93832
LICENSED PROFESSIONAL ENGINEER
ENGINEERING SEAL

	NAME	DATE
DRAWN	SR GREGORY	5/20/2019
CHECKED		
ENG APPR.	JW BURNETT	5/20/2019
Q.A.		

PROPRIETARY AND CONFIDENTIAL
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PAVING PLAN
PROJECT # 6315
SHEET NUMBER
C1.0

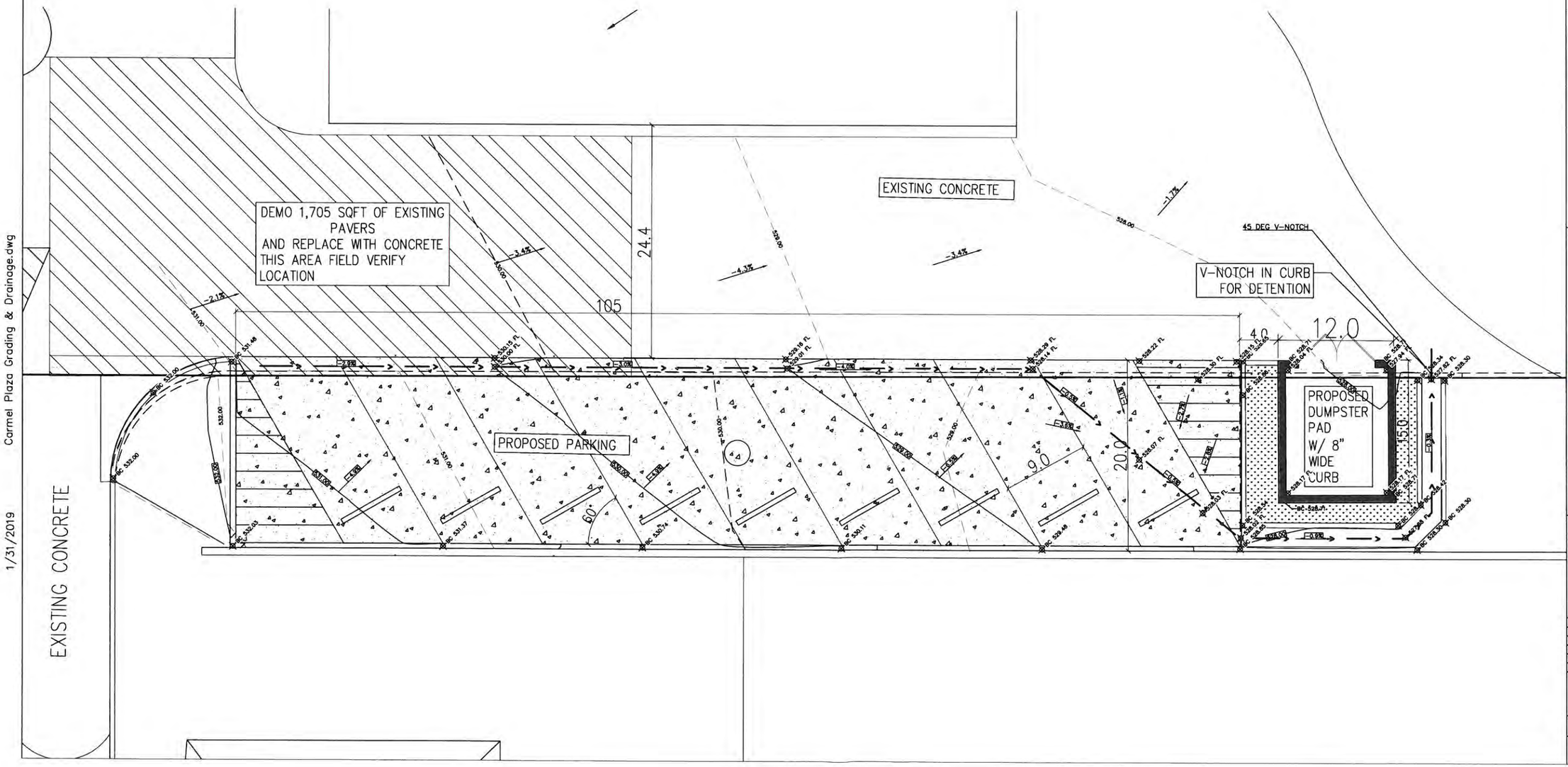
Carmel Plaza Paving Addition Plan
5-16-2019.dwg
5/20/2019

LEGEND

- PRE-CONSTRUCTION DRAINAGE DIVIDE
- POST-CONSTRUCTION DRAINAGE DIVIDE
- FLOW LINE ARROW
- 479.00 — EXISTING CONTOUR LINES
- 479.00 — PROPOSED CONTOUR LINES
- AREA DESIGNATOR
- FLOW RATE Q (CFS)
- DIRECTION OF FLOW
- LD — LD — LIMITS OF DISTURBANCE
- SF — SF — SILT FENCE
- -1.0 — EXISTING FLOW DIRECTION WITH % SLOPE
- -1.0 — PROPOSED FLOW DIRECTION WITH % SLOPE
- TW 479.00 — TOP OF WALL ELEVATION
- BW 479.00 — BOTTOM OF WALL ELEVATION
- BC 479.00 — BACK OF CURB ELEVATION
- EG 479.00 — EXISTING GROUND ELEVATION
- FF 479.00 — FINISH SLOOR ELEVATION

SITEWORK NOTES

1. PROPOSED GRADES ARE TO BE ATTAINED BY RESHAPING EXISTING SITE BY CUT AND FILL OPERATIONS. FILL OPERATIONS ARE TO BE ACCOMPLISHED BY PLACING MATERIAL IN 6-INCH LIFTS AND COMPACTING TO 95% DENSITY AS DETERMINED BY ASTM D698. SITE SHALL BE CLEARED & GRUBBED IF APPLICABLE SCARIFIED & TOPSOIL REMOVED PRIOR TO CONSTRUCTION. TOPSOIL AS REQUIRED FOR PLANTING SHALL BE STOCKPILED ON-SITE & REUSED. DISPOSE OF EXCESS SITE MATERIALS. EXCESS TOPSOIL REMOVED FROM THE SITE WHICH MUST BE REPLACED FOR SITE PLANTING & LANDSCAPING SHALL BE REPLACED WITH SIMILAR QUALITY MATERIALS AT CONTRACTORS EXPENSE. IMPORT FILL MATERIALS SHALL BE SELECT FILL SANDY CLAY OR CLAYEY SAND MATERIALS MEETING THE REQUIREMENTS OF THE GEOTECHNICAL REPORT.
2. FOUR (4) INCHES OF TOPSOIL SHALL BE RETURNED TO AREAS TO BE SEEDED OR SODDED AND FERTILIZED TO ACHIEVE FINISHED GRADES.
3. MAXIMUM CUT OR FILL SLOPES ARE NOT TO EXCEED 4 FT. HORIZONTAL TO 1 FT. VERTICAL, UNLESS OTHERWISE SPECIFIED.
4. CONTRACTOR TO BE RESPONSIBLE FOR EROSION CONTROL DURING AND AFTER CONSTRUCTION, UNTIL COVER IS ESTABLISHED & EROSION SILTATION HAS STABILIZED. CONTRACTOR SHALL FURNISH TEMPORARY SILT CONTROL MEASURES (SILT FENCES, STRAW BALES, ETC.) AS REQUIRED DURING CONSTRUCTION & SHALL REMOVE THESE TEMPORARY MEASURES AFTER COVER IS ESTABLISHED. THIS PROJECT RESULTS IN THE TOTAL DISTURBANCE OF LESS THAN 1 ACRES OF GROUND SURFACE. TCEQ STORM WATER PERMIT REQUIREMENTS ARE NOT APPLICABLE.
5. MAINTAIN SITE IN "FIRST CLASS" CONDITION. THE WORK SITE SHALL BE CLEANED UP AT THE END OF EACH DAY.
6. INSURE THAT NO DRAINAGE ON OR OFF THE SITE IS BLOCKED BY PROPOSED CONSTRUCTION. FINISHED GRADES ARE TO BE SLOPED TO PROVIDE PROPER DRAINAGE.
7. PROTECT EXCAVATIONS FROM FLOODING DUE TO GROUNDWATER INFILTRATION AND RUNOFF.
8. NEAR COMPLETION OF WORK, REMOVE ALL SITE/ CONSTRUCTION DEBRIS AND FINE GRADE ALL DISTURBED AREAS IN PREPARATION FOR LANDSCAPING, HYDROMULCH SEEDING OR SODDING.
9. UPON SUBSTANTIAL COMPLETION AND APPROVAL OF FINAL GRADING, HYDROMULCH SEED & FERTILIZE ALL AREAS WHERE CONSTRUCTION HAS DISTURBED SOIL. GRASS AREAS SHOWN ON LANDSCAPE PLAN SHALL BE SODDED IN ACCORDANCE WITH LANDSCAPE SPECIFICATIONS. AREAS WITH FINISH GRADES EXCEEDING 6 TO 1 & DRAINAGE SWALES SHALL ALSO BE SOLID SODDED PER LANDSCAPING SPECIFICATIONS, OTHER DISTURBED AREAS WILL BE HYDROMULCH SEEDED WITH SAHARA BERMUDA.
10. EXCESS EXCAVATED MATERIAL AND DEBRIS IS TO BE REMOVED FROM SITE AND DISPOSED OF.
11. CONTRACTOR TO PROVIDE TRAFFIC CONTROL IN ACCORDANCE WITH THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL FOR STREETS AND HIGHWAYS.
12. DROP-OFFS GREATER THAN 2 INCHES ADJACENT TO THE EXISTING STREETS WILL NOT BE ALLOWED TO REMAIN OPEN OVERNIGHT.
13. DRESS-UP AND CLEAN-UP PERIMETER TRANSITION AROUND SITE.
14. VERIFY FLOW LINES OF ALL CULVERTS AND CURB LINES PRIOR TO CONSTRUCTION.
15. ANY ROOTS, TRASH OR OTHER MATERIALS EXPOSED OR UNCOVERED DURING SITE WORK SHALL BE REMOVED & DISPOSED OF.
16. PAVEMENT MARKING SHALL BE 4" WIDE STRIPES APPLIED IN TWO COATS OF REFLECTIVE YELLOW TRAFFIC MARKING PAINT. SURFACES TO BE CLEAN AND DRY PRIOR TO APPLICATION.



Carmel Plaza Grading & Drainage.dwg
1/31/2019

PERMIT	5/20/2019
ISSUED FOR:	DATE:

CARMEL PLAZA
ROCKWALL, TX

DYNAMIC Engineering Consultants PLLC
PROFESSIONAL ENGINEERING SERVICES
200 S. HILLCREST DRIVE
SULPHUR SPRINGS, TX 75482
TEL: 903-313-3773
TEL: 903-382-3444
E-MAIL: jwburnett@dynamic-engineering.net
WEB: www.dynamic-engineering.net
FIRM REGISTRATION # F-8215

STATE OF TEXAS — JAMES W. BURNETT — 93832 — LICENSED PROFESSIONAL ENGINEER
ENGINEERING SEAL

	NAME	DATE
DRAWN	SR GREGORY	5/20/2019
CHECKED		
ENG APPR	JW BURNETT	5/20/2019
Q.A.		

PROPRIETARY AND CONFIDENTIAL
THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF DYNAMIC ENGINEERING. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF DYNAMIC ENGINEERING IS PROHIBITED.

GRADING & DRAINAGE PLAN
PROJECT # 6315
SHEET NUMBER C3.0

PARKING, INGRESS AND EGRESS EASEMENT AGREEMENT

This PARKING, INGRESS AND EGRESS EASEMENT AGREEMENT (the "**Agreement**") is executed to be effective as of June 1, 2019, by DALLAS EAST, a California general partnership ("**Declarant**"), having an address of 1445 W. San Carlos Street, San Jose, California 95126-3232

Recitals:

WHEREAS, Declarant is the owner of that certain real property located in Rockwall, Rockwall County, Texas, together with the improvements located thereon more particularly described on Exhibit A attached hereto and made a part hereof (the "**Carmel Plaza Tract**"); and

WHEREAS, Declarant is also the owner of that certain real property located in Rockwall, Rockwall County, Texas, together with the improvements located thereon more particularly described on Exhibit B attached hereto and made a part hereof (the "**Vault Tract**", and collectively with the Carmel Plaza Tract, the "**Tracts**" and individually, a "**Tract**"); and

WHEREAS, Declarant, as part of planned renovations on the Carmel Plaza Tract, intends, among other things, to construct additional parking facilities located partially on the Vault Tract consisting of 9 parking spaces identified on Exhibit C attached hereto and made a part hereof adjacent to the space identified thereon as "Existing The Vault Storage" (the "**Parking Facilities**") for use by (i) Declarant as owner of the Carmel Plaza Tract, (ii) all future owners of the Carmel Plaza Tract (Declarant, as owner of the Carmel Plaza Tract, and any such future owner, the "**Carmel Plaza Owner**") and the Carmel Plaza Owner's tenants, and their respective customers, guests and invitees, of the Carmel Plaza Tract (collectively, the "**Carmel Plaza Users**"), which Parking Facilities will require construction, maintenance, ingress and egress easements over the Vault Tract as provided herein.

NOW THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant hereby declares that the Tracts shall be held, sold, conveyed and occupied subject to the following, which are intended to protect the value and desirability of the Tracts:

1. Creation of Easements. To facilitate the construction of the Parking Facilities and the use of the Parking Facilities by the Carmel Plaza Owner and the Carmel Plaza Users, Declarant hereby:

(a) encumbers the Vault Tract with an easement for construction of that portion of the Parking Facilities located on the Vault Tract (the "**Parking Easement**") for the benefit of the Carmel Plaza Owner and the Carmel Plaza Users; and

(b) encumbers the Vault Tract with a non-exclusive and permanent easement for vehicular and pedestrian ingress and egress across the Vault Tract (the "**Access Easement**", and collectively with the Parking Easement, the "**Easement**") for the benefit of the Carmel Plaza Owner and the Carmel Plaza Users.

acquiring an interest in a Tract; and (c) will inure to the benefit of each Owner and each Owner's successors, assigns and mortgagees. Each Owner agrees that on conveyance of all or any part of a Tract, the grantee, by accepting such conveyance will thereby become a new party to and be bound by this Agreement. On such acquisition by a grantee of a Tract, the conveying Owner will thereafter be released from any obligation under this Agreement arising thereafter with respect to the Tract, so conveyed.

7. No Dedication. Nothing contained in this Agreement will be deemed to constitute a gift, grant or dedication of any portion of the Tracts, to the general public or for any public purpose whatsoever, it being the intention of the Owners that this Agreement will be strictly limited to the private use of the Carmel Plaza Owner and the Carmel Plaza Users. This Agreement is intended to inure to the benefit of and be binding on the Owners and their respective successors, assigns and mortgagees.

8. Amendment. This Agreement and any provision herein contained may be terminated, extended, modified or amended only with the express written consent of all of the Owners of those portions of the Tracts affected thereby. No tenant, licensee or other person having only a possessory interest in the improvements constructed on a Tract will be required to join in the execution of or consent to any action of the Owners taken pursuant to this Agreement nor will any tenants be entitled to enforce the provisions of this Agreement.

9. Default; Remedies. The Owners agree that the provisions of this Agreement may be enforced as follows:

(a) Injunctive Relief. In the event of any violation or threatened violation by any Owner of any of the provisions of this Agreement, in addition to the right to collect damages, each Owner will have the right to enjoin such violation or threatened violation in a court of competent jurisdiction. Prior to the commencement of any such action, written notice of the violation will be given to the Owner claimed to have committed such violation.

(b) Self Help. In the event any Owner fails to perform any of the provisions of this Agreement, any other Owner directly affected by any act or omission of the defaulting Owner will have the right, without being obligated to do so, to enter upon the applicable Tract of such defaulting Owner and perform the obligations of the defaulting Owner hereunder; provided, however, that written notice of such intention, specifying the nature of the alleged default and the actions to be performed, has been given to the defaulting Owner not less than ten (10) days prior to the commencement of such action or not less than twenty-four (24) hours prior to such commencement if, in the reasonable judgment of the Owner giving notice, such default is of an emergency nature. During such ten (10) day or twenty-four (24) hour period, as the case may be, the defaulting Owner will have the right to perform or commence performance of action appropriate to remedy such default, and provided such action is diligently carried to completion, the right of such other Owner to perform the obligation of the defaulting Owner will terminate. If an Owner elects to perform the action to have been performed by a defaulting Owner, on completion of such action, or from time to time, if the action is of a continuing nature, an itemized statement of the cost thereof will be submitted to the defaulting Owner and the amount thereof will be immediately due and payable by the defaulting Owner which amount will bear interest at the rate of fifteen percent (15%) per annum until paid.

(g) Captions. The captions of the paragraphs of this Agreement are for convenience only and are not intended to affect the interpretation or construction of the provisions herein contained.

(h) Time. Time is the essence of this Agreement.

(i) Binding Effect. The provisions of this Agreement will be binding on the Owners and their respective successors, assigns and mortgagees to the extent herein provided.

Exhibit B

Legal Description of the Vault Tract

Lot 1, Block C of ROCKWALL BUSINESS PARK EAST, and Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded, in Book B, Page 37 of the Plat Records of Rockwall County Texas.

Exhibit C

Depiction of the Parking Facilities

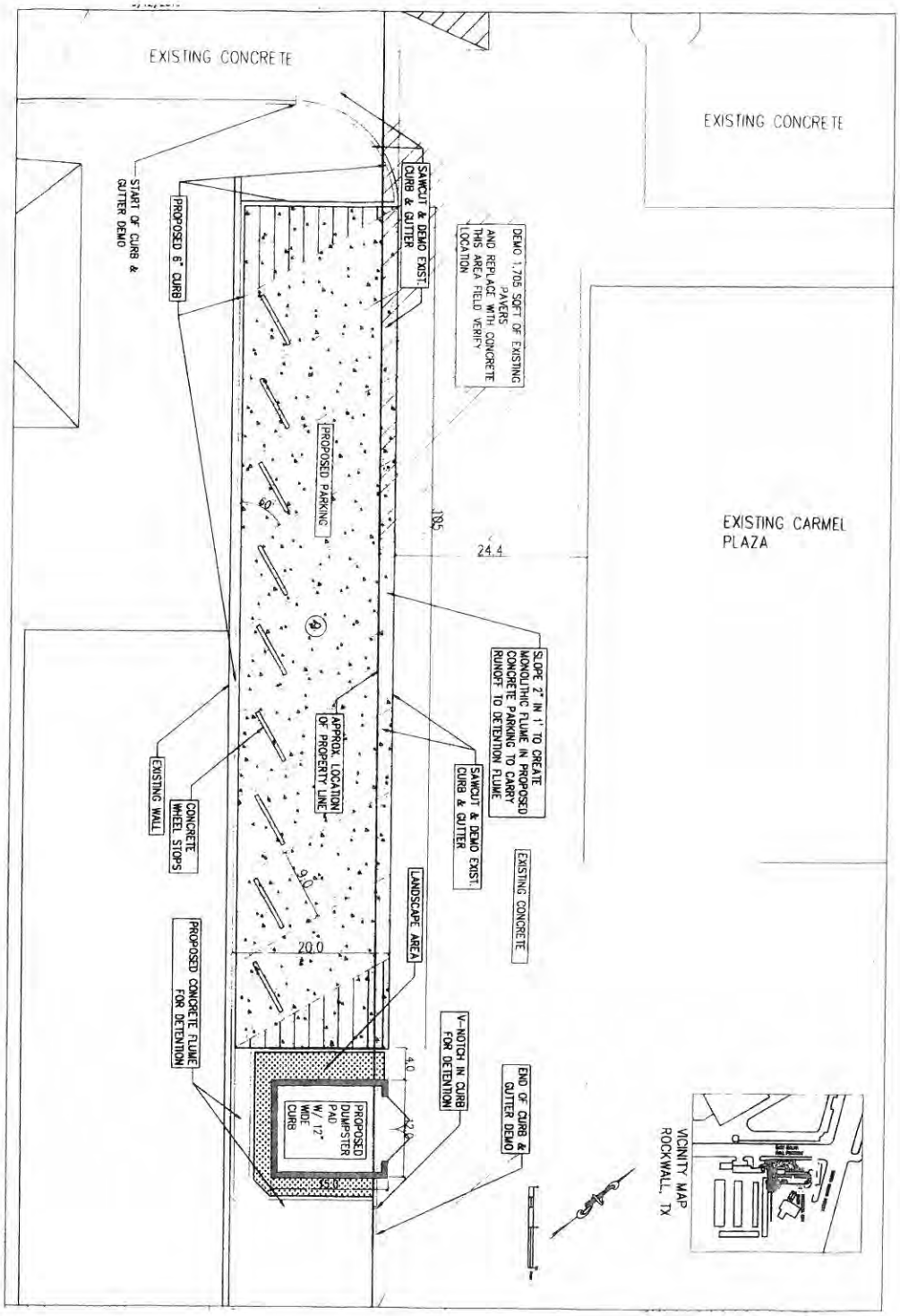


Exhibit C – Depiction of the Parking Facilities – Solo Page
(Dallas East)

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120

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	July 1, 2019
SUBJECT:	MIS2019-003; 424 Nicole Drive

On June 14, 2019, the applicant, Mike Mishler on behalf of Jose Carmona Lopez, submitted an appeal requesting the City Council allow an *On-Site Sewage Facility* (OSSF) on the subject property at 424 Nicole Drive. The subject property consists of two (2) lots and is approximately 0.33-acres. According to Section 44-243(c) of Chapter 44, *Utilities*, of the Municipal Code of Ordinances, "(n)o permit for the installation of an on-site sewage facility (OSSF) will be issued for property of less than 1½ acres, unless an exception is granted by the City Council on the grounds that undue hardship will be created if said lot is not connected to an OSSF." Currently, the majority of the Lake Rockwall Estates Subdivision has access to the City's existing sanitary sewer infrastructure; however, Renee Drive, Nicole Drive, Russell Drive, and portions of Wayne Drive are currently not served by this infrastructure. In this case, the applicant's property is located along Nicole Drive, and the City's wastewater services cannot effectively be extended to the subject property. With this being said, any request for an exception to have an OSSF is a discretionary decision for the City Council.

In all exception cases dealing with requests for OSSFs, the Municipal Code of Ordinances requires the City Council to hold a public hearing prior to acting on the request. Section 44-243(c) also requires a notice of public hearing be sent out to all property owners within 200-feet of the applicant's property ten (10) days prior to the public hearing date. On June 17, 2019, staff mailed the notice of public hearing to 44 property owners and residents within 200-feet of the subject property. Currently, staff has not received any returned notices. Should the City Council have any questions concerning the applicant's request staff will be available at the *July 1, 2019* City Council meeting.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

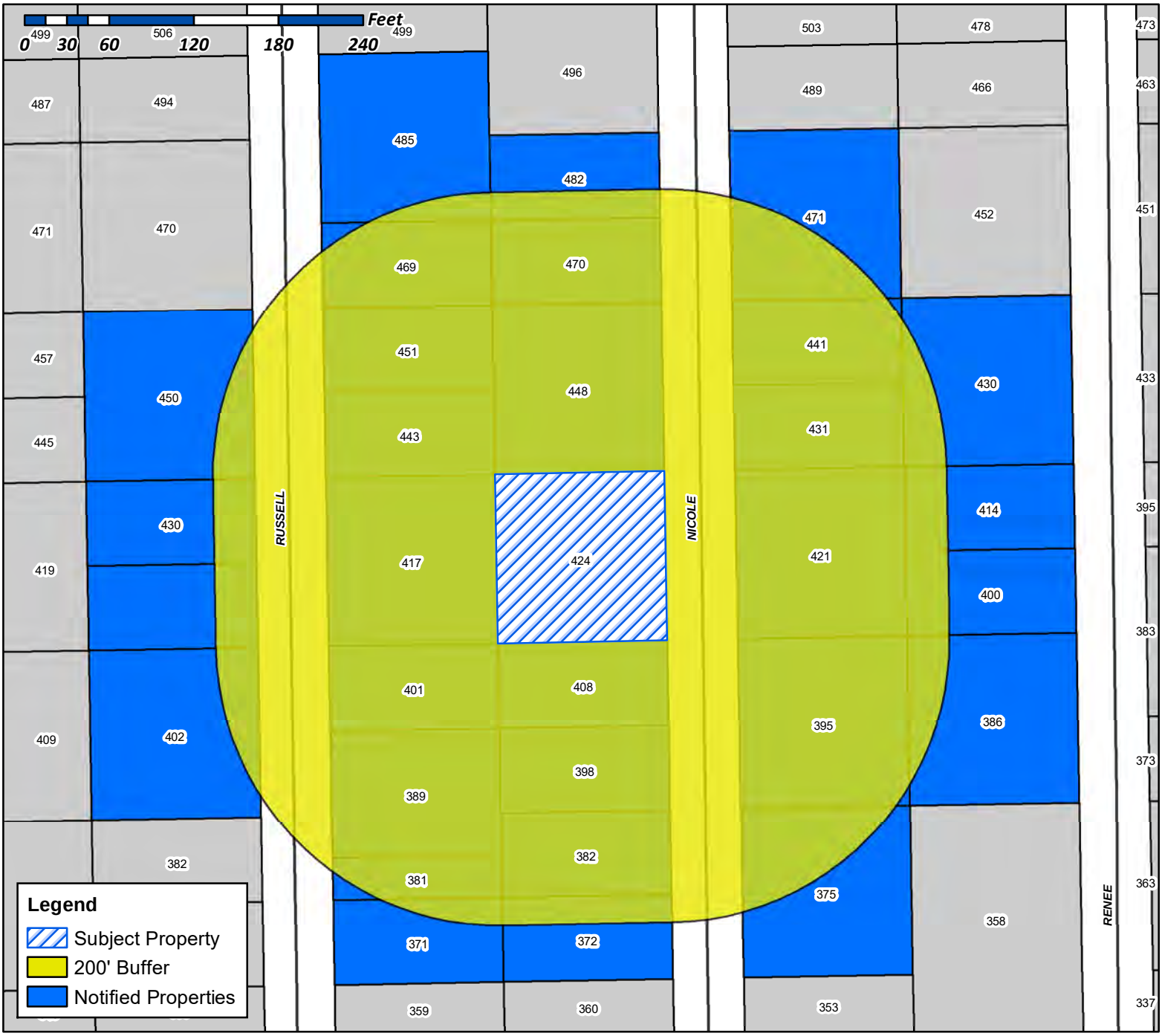
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

122

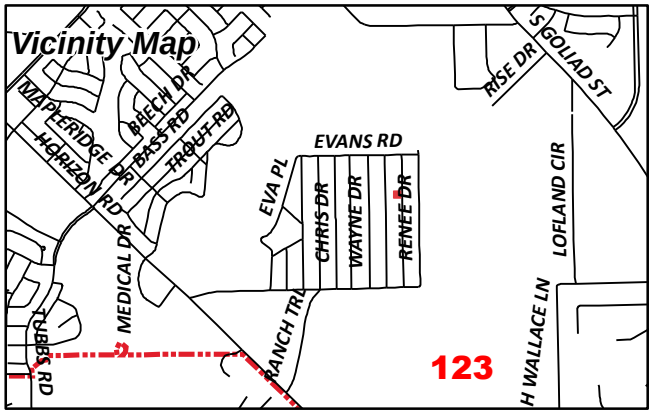
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: MIS2019-003
Case Name: OSSF for 424 Nicole Drive
Case Type: Miscellaneous
Zoning: PD-75
Case Address: 424 Nicole Drive



Date Created: ***6/17/2019***
For Questions on this Case Call (972) 771-7745

VALDEZ JOSE G
10296 CR 2440
ROYSE CITY, TX 75189

OLIVARES JAIME B & MARTINA G
1209 QUAIL DR
GARLAND, TX 75040

CRUZ MARIA D
212 LYNNE DR
ROCKWALL, TX 75032

LOPEZ JOSE CARMONA
221 NICOLE
ROCKWALL, TX 75032

CASTILLO JOSE
LUZ DELGAEDO
2847 TANGLEGLEN DR
ROCKWALL, TX 75032

JIMENEZ RICARDO
330 RENEE DR
ROCKWALL, TX 75032

RAMIREZ RAUL MEDINA
358 EVANS RD
ROCKWALL, TX 75032

CONTRERAS NORMA
360 NICOLE DR
ROCKWALL, TX 75032

BARRIENTOS ERIKA
3701 W. ROCHELLE RD
IRVING, TX 75062

CURRENT RESIDENT
371 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
372 NICOLE DR
ROCKWALL, TX 75032

MCLOUD JOY ANN
375 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
381 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
382 NICOLE
ROCKWALL, TX 75032

CURRENT RESIDENT
386 RENEE DR
ROCKWALL, TX 75032

AYALA MARIA LETICIA
389 RUSSELL DR
ROCKWALL, TX 75032

SANCHEZ ARNULFO AND ORALIA VARGAS
395 NICOLE DR
ROCKWALL, TX 75087

SANCHEZ ARNULFO & ORALIA
398 NICOLE DR
ROCKWALL, TX 75032

GUERRERO ALVARO AND
MARGARITA CASTILLO
400 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
401 RUSSELL DR
ROCKWALL, TX 75032

ESQUIVEL DOLORES PALACIOS
BERTHA ESQUIVEL
402 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
408 NICOLE
ROCKWALL, TX 75032

ZAVALA JUANA HORTA
410 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
414 RENEE DR
ROCKWALL, TX 75032

GUEVAICIA GILDARDO
417 RUSSELL DR
ROCKWALL, TX 75032

DELGADO FRANCISCO PEREZ &
GUADALUPE PEREZ
421 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
424 NICOLE
ROCKWALL, TX 75032

CURRENT RESIDENT
430 RUSSELL DR
ROCKWALL, TX 75032

LOPEZ SILVIA
430 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
431 NICOLE DR
ROCKWALL, TX 75032

124

CURRENT RESIDENT
441 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
443 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
448 NICOLE DR
ROCKWALL, TX 75032

VALDEZ EUSEBIO
450 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
451 RUSSELL DR
ROCKWALL, TX 75032

SOSA LORENA
469 RUSSELL DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
470 NICOLE
ROCKWALL, TX 75032

CURRENT RESIDENT
471 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
482 NICOLE DR
ROCKWALL, TX 75032

TELL MARK ALLEN
485 RUSSELL DR
ROCKWALL, TX 75032

ROCKWALL LAKE PROPERTIES
5713 SECREST DRIVE CT
GOLDEN, CO 80403

MUNROE MYLES DR
BAHAMAS FAITH MINISTRIES INTER
P O BOX N-9583
NASSAU, BAHAMAS,

DRCE TRUST
PO BOX 2051
DEL MAR, CA 92014

COLUNGA BERNABE ESTATE
MARINA COLUNGA INDEPENDENT EXECUTOR
PO BOX 63
ROYSE CITY, TX 75189

125

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. MIS2019-003: OSSF for 424 Nicole Drive

Hold a public hearing to discuss and consider a request by Jose Carmona Lopez for the approval of an On-Site Sewage Facility (OSSF) on a 0.33-acre tract of land identified as Lots 1325 & 1326, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 424 Nicole Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the City Council will hold a public hearing on **Monday, 7/1/19 at 6:00 p.m.** This hearing will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **7/1/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. MIS2019-003: OSSF for 424 Nicole Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Brooks, Korey
To: Miller, Ryan
Subject: FW: 424 Nicole
Date: Wednesday, June 19, 2019 11:17:40 AM

Planning
and
Zoning Department
Korey M. Brooks, AICP
Senior Planner
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087
T 972.772.6434
kbrooks@rockwall.com
http://www.rockwall.com/planning/

-----Original Message-----
From: MIKE MISHLER [mailto:mishlerbuilders@sbcglobal.net]
Sent: Wednesday, June 19, 2019 11:17 AM
To: Brooks, Korey <kbrooks@rockwall.com>
Subject: 424 Nicole

Korey

We are requesting approval for an OSSF for a new home at this address based on the design by a licensed sanitation engineer.

Thank you
Mike Mishler
Mishler Builders, Inc
214-502-3895

Sent from my iPhone

127

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128

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	David Gonzales, *Planning and Zoning Manager*
DATE:	July 1, 2019
SUBJECT:	MIS2019-005; *Alternative Tree Mitigation Settlement Agreement*

The applicant, John Delin of R. W. Ladera, LLC, is requesting an *Alternative Tree Mitigation Settlement Agreement* in conjunction with the Ladera of Rockwall Addition for the purpose of offsetting a portion of the required tree mitigation. Specifically, the applicant is requesting relief associated with the trees (*i.e. 699.5-caliper inches of trees*) that will be removed to construct an off-site, 12-inch sanitary sewer line that will serve the development. On June 26, 2018, the Planning and Zoning Commission approved an amended treescape plan allowing for the removal of an additional 977.75-caliper inches that were associated with the construction of this sanitary sewer line. This approval brought the total mitigation balance due to 1,443.25 caliper-inches. On March 12, 2019, a revised treescape plan was submitted with the final plat application [*Case No. P2019-010*] indicating the need for the removal of an additional 283.5-caliper inches of tree to allow the installation of the 12-inch sanitary sewer line. This increased the total mitigation balance due to 1,726.75-caliper inches. Currently, the applicant's approved mitigation plan calls for providing all 1,726.75-caliper inches on-site.

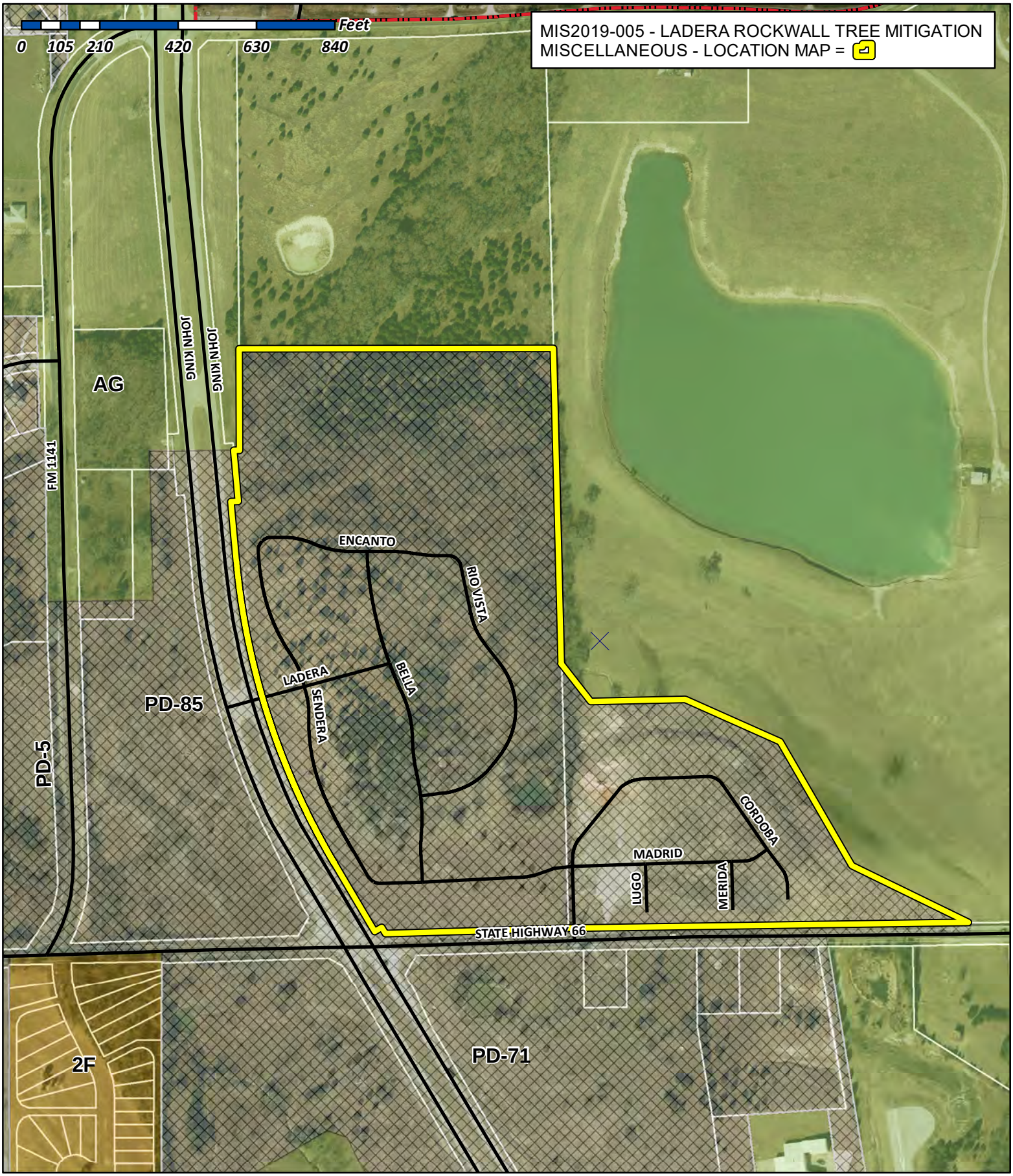
The applicant's proposal requests that the City Council consider one (1) of the two (2) following alternatives:

1. The City Council waive the 699.5-caliper inches associated with the offsite installation of the 12-inch sanitary sewer line; or,
2. The City Council consider reducing the tree mitigation balance associated with the off-site improvements by ½ the amount (*i.e. 349.75-caliper inches*). This balance would then be donated to the Parks Department to save the applicant the expense of planting and caring for the trees on-site.

If the City Council does not approve one (1) of the two (2) alternatives, the applicant has stated that they intend to provide the full balance to the Parks Department to be used in other areas of the City. According to *Section 7*, *Alternative Tree Mitigation Settlement Agreement*, of *Article X*, of the *Unified Development Code* (UDC), the City Council -- *upon recommendation from the Planning and Zoning Commission* -- may consider an *Alternative Tree Mitigation Settlement Agreement* where, due to hardship, the applicant is unable to meet the requirements of this article or where it is determined that adherence to the tree mitigation requirements will create a hardship for an applicant. Attached to this memo is the applicant's letter requesting the alternatives and an exhibit indicating the tree's that will be required to be removed with the 12-inch sanitary sewer line.

On June 25, 2019 the Planning and Zoning Commission' motion to recommend approval of Option #2 failed to be approved by a vote of 3 to 4, with Commissioners Womble, Logan, Lyons, and Fishman dissenting. A second motion to recommend approval of Option #3 for an *Alternative Tree Mitigation Settlement Agreement* was approved by a vote of 5 to 2, with Commissioners Welch and Moeller dissenting. This option is to provide the full balance of 699.5-caliper inches to the Parks and Recreations

Department for their use in other areas of the City. Attached to this memo is the applicant's letter of request, the revised treescape plan and landscape plan. The approval of the applicant's request is a discretionary decision for the City Council.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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131

Gonzales, David

From: Miller, Ryan
Sent: Wednesday, April 17, 2019 11:51 AM
To: Gonzales, David
Subject: Fwd: Request for Hearing on Tree Mitigation

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Attached is John Delin's request. I will prepare a caption this afternoon. Thanks.

Ryan C. Miller, AICP
Director of Planning and Zoning
Planning and Zoning Department
City of Rockwall, Texas

Please excuse any errors, this was sent from my mobile device.

-------- Original message --------
From: John Delin <john@integritygroups.com>
Date: 4/17/19 10:16 AM (GMT-06:00)
To: "Miller, Ryan" <RMiller@rockwall.com>
Subject: Request for Hearing on Tree Mitigation

Ryan,

Per our phone call earlier, we are submitting a request to have a hearing on the Tree Mitigation associated with our Ladera Rockwall project, *only* in reference to the Offsite Utilities portion of the project.

As you know we are installing $500,000 for water & sewer expansion for the City which will feed future growth and unfortunately receive no Pro-rata return for this work. Additionally we are faced with almost 500 inches of tree mitigation for areas which there is considerable tree growth anyway. We would propose;

1. A waiver of the Mitigation in Total for the Offsite Utility portion of the project or,
2. Reduce by ½ the amount to be Mitigated and provide the balance as a donation to the City for its use, without us expensing the cost for labor for planting and care.
3. Provide the appropriate number of inches in a donation to the City for use in other areas, without us expensing the cost for labor for planting and care.

Let me know if we can get this on the agenda.

Best,

John Delin

817.252.4281 **D**
817.919.8111 **C**
john@integritygroups.com

IntegrityGroups.com | LaderaTexas.com
361 W Byron Nelson Blvd Ste. 104, Roanoke, TX 76262
Main Office (817) 430-3318

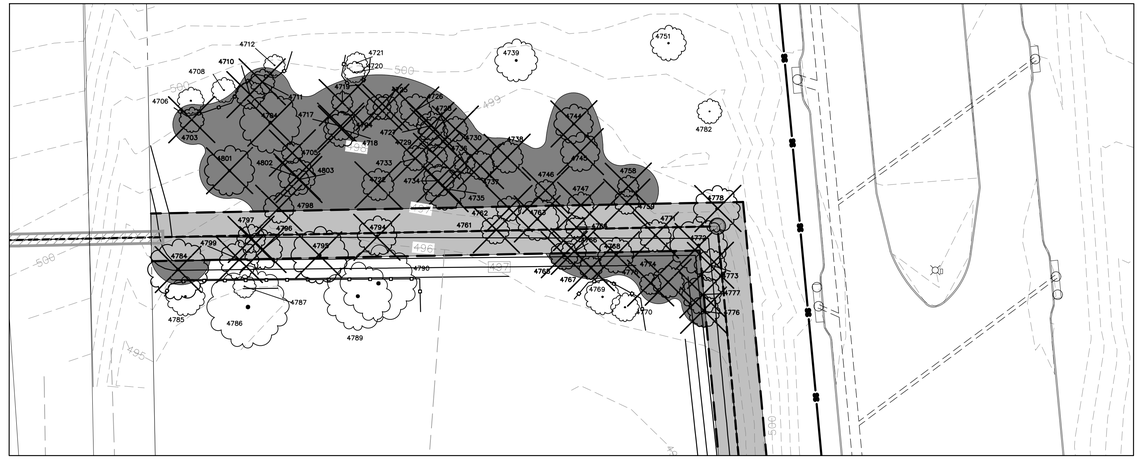


Confidentiality Notice:
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LEGEND

- PROTECTED TREE TO REMAIN
- PROTECTED TREE TO BE REMOVED
- TREE PROTECTION FENCING (TPF)
- OFF-SITE SEWER EASEMENT AREA
- AREAS DIRECTLY AFFECTED BY OFF-SITE SEWER LINE

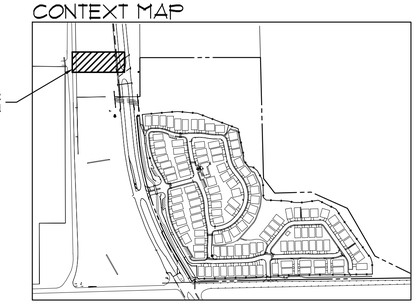
NOTE: 301 PROTECTED INCHES ARE PROPOSED FOR REMOVAL OUTSIDE OF THE OFF-SITE SEWER EASEMENT DUE TO GRADING SPECIFICALLY REQUIRED FOR PROPOSED SEWER LINE.



NORTHWEST OFF-SITE SEWER CONNECTION

30 0 30 60 90 Feet
SCALE: 1"=30'

CONTEXT MAP



500 0 500 1000 1500 Feet
SCALE: 1"=500'

OFF-SITE SEWER MITIGATION TOTALS:

WITHIN SEWER EASEMENT: 398.5 inches removed

OUTSIDE SEWER EASEMENT: 301 inches removed



MAIN SITE OF DEVELOPMENT

80 0 80 160 240 Feet
SCALE: 1"=80'

The John R. McAdams Company, Inc.
(DBA, G&A | McAdams)
111 Hillside Drive
Lewisville, Texas 75057
972. 436. 9712

201 Country View Drive
Roanoke, Texas 76262
940. 240. 1012

TBPE: 19762 TBPLS: 10194440
www.gacon.com
www.mcadamsco.com

Off- Site Sewer Tree Removal
Ladera Rockwall

Town of Rockwall
Rockwall County, Texas

G&A Job No. 17191 Date: April 24, 2019 By: vc
Z:\2017\17191\Drawings\FP & Const Plans\Sheets\17191 TS.dwg

This concept plan is intended for conceptual developmental use and shall not be interpreted as an official or submitted document. All aerial and map images were attained from best available information. This plan is subject to change.

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135

City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **June 26, 2019**

SUBJECT: **Replacement of Outdoor Emergency Warning Sirens**

The City of Rockwall currently has 14 outdoor emergency warning sirens throughout the city. These sirens are intended to warn citizens that an imminent threat of severe weather is approaching and to take cover inside a building.

In 2019, there have been many issues arise with some of the older sirens in the system. The siren on SH 205 / Emma Jane has a horn motor that is dead and the siren is completely inoperable. Two others are located in areas that cover The Shores neighborhood and the Chandlers Landing neighborhood. The Shores horn has electrical issues that has caused a loss of 70% of its normal functionality. The Chandlers siren is old as well. Replacement parts for these sirens are difficult to find and they are often not serviceable due to their age. All three sirens are believed to be more than 30 years old. It is proposed to replace these sirens with new American Signal models that provide 4500 feet diameter of coverage.

Additionally, the City installed 2 new solar powered outdoor emergency warning sirens in 2013 at the intersection of FM 1141 / John King Blvd and at the water tower site at North Country Lane / FM 1141. In the past year, the solar powered cells have experienced issues with providing sufficient power to run the sirens for an entire weather event. The request is to retrofit them to utility line power. This request also includes upgrading the Compulert NexGen Software that monitors and deploys all 14 sites. The existing software is no longer supported by the manufacturer.

Summary of Costs

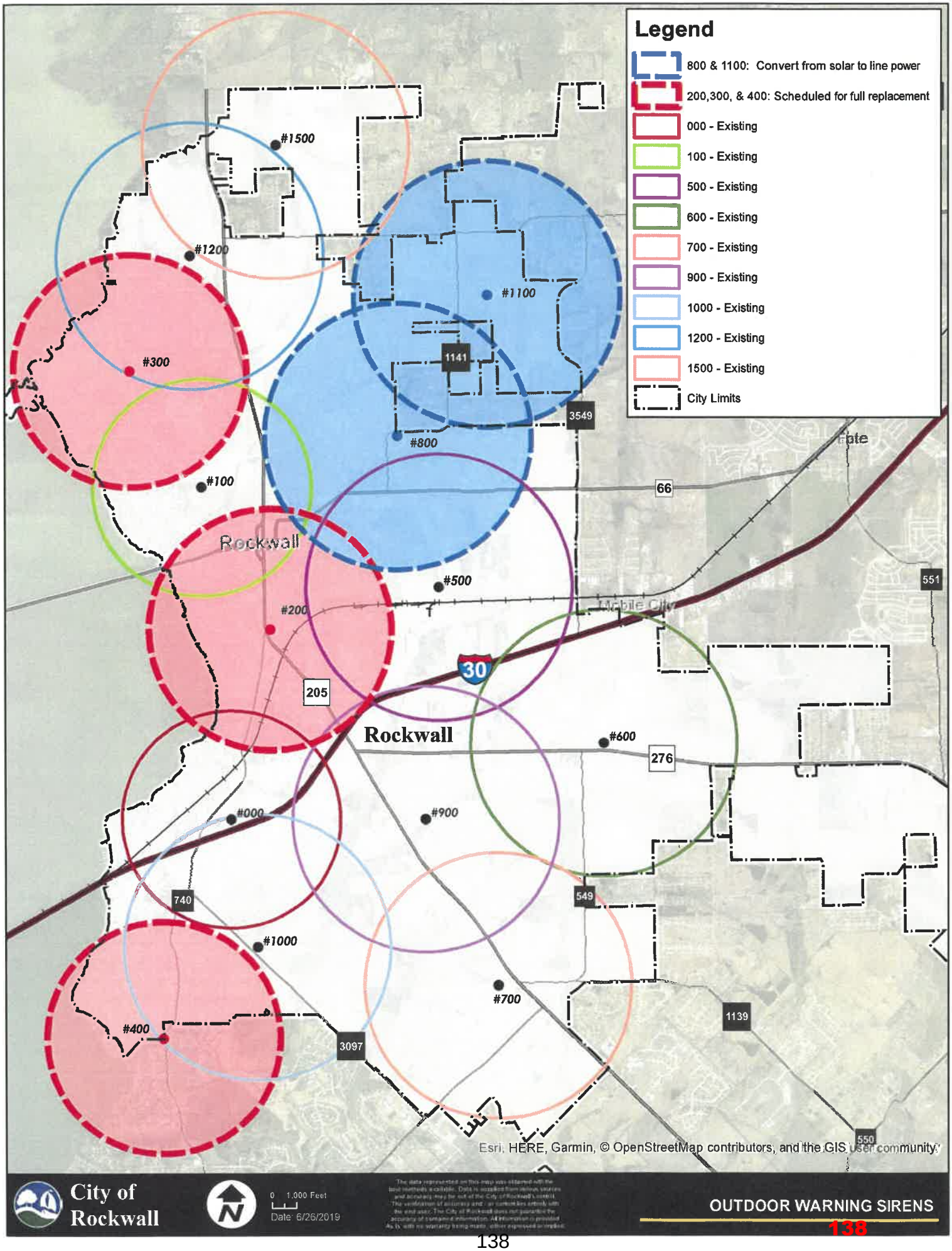
- Conversion of 2 sirens from solar powered to line power: $18,524

- Extension of utility line power to two sirens ($5,000 each): $10,000
- Replacement of 3 Sirens and Upgraded Software: (Emma Jane, The Shores, and Chandlers): $89,169.28

Total: **$117,693.28**

A coverage map showing the outdoor emergency warning siren system is included for reference. If approved, there is an estimated lead time for the new sirens of between 90-120 days. American Signal Corporation – Mass Notification Solutions is the City's current vendor and their proposal for this project is attached. The City Council is asked to consider approval of funds in the amount of $117,693.28 to be funded from general fund reserves.

137


Legend
800 & 1100: Convert from solar to line power
200,300, & 400: Scheduled for full replacement
000 - Existing
100 - Existing
500 - Existing
600 - Existing
700 - Existing
900 - Existing
1000 - Existing
1200 - Existing
1500 - Existing
City Limits
#1500
#1200
#1100
#300
#800
#100
#500
#200
#600
#000
#900
#1000
#700
#400
1141
3549
66
205
30
276
740
549
3097
1139
551
550
Rockwall
Mobile City
Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community
City of Rockwall
0 1,000 Feet
Date: 6/26/2019
OUTDOOR WARNING SIRENS
138



139


EMMA JANE
140



141

8600 W. Bradley Road, Milwaukee, WI 53224
Tel: (800) 243-2911
Tel: +1 414 358-8000
Fax: +1 414 358-8008
Web: www.americansignal.com

Sales Person: Brad Swanson
Quote #: 190323-BS
Date: 6/21/2019

Project: Solar to AC/DC Conversion for sites C00 & D00
Company: City of Rockwall
Address: 385 S. Goliad Street
City, State, ZIP: Rockwall, TX, 75087
Country: USA
Contact Name: John Vermillion
Title: Internal Operations
E-Mail: Jvermillion@rockwall.com
Telephone: 972-772-6463
Mobile:
Other: TIPS# 181204

Item	Qty.	Model	American Signal Equipment	Unit	Extended Price
			T-128 AC/DC conversion from solar		
2	2	TEMPEST™ AC/DC	AC/DC Motor Control 128 - UL Listed NEMA 4X Aluminum Powder Coated Gray		$ 18,374.00
3	2	RTU--DC Door Mt.	RTU, Universal Controller, Panel Mount DC Tempest-MC's	Included	Included
4	2	SENSOR - Current	Current Sensor, Tempest-Series	Included	Included
5	2	KIT-FSK-32-DC	FSK, Format Card, for DC Mechanical Sirens	Included	Included
8	2	KIT-OMNI-ANT-7	Antenna, VHF, 35' coax Omni-Directional	Included	Included
9	2	KIT-ARR-2	Lightning Arrestor, VHF, PL-259	Included	Included
10	2	BATT-1 M	Battery, 12V, Group 24 - Set of (4) for TEMPEST™ 48Vdc DC Controls for T-128	Included	Included
12					
21					
22			**Installation**		
23	2	Install	MNS to Perform Solar Conversion - Rockwall to be responsible for providing and paying for electric service.	Included	Included
24					
25			**Rock Clause**		
27			**System Commissioning**		
28	1	Commissioning	ASC Certified Installer to Perform Start Up and Commissioning of System. Provide One (1) Day of Operational and Maintenance Training on the System		
29					
30			**Shipping**		
31			**EXW:8600 W. Bradley Road, Milwaukee Wisconsin 53224**		$ 150.00
33			**Standard ASC Warranty Applies to Order**		**$ 18,524.00**
34			**Taxes - Not Included**		
35			**Project Totals - US Funds**		**$ 18,524.00**
				25% Due with order =	**$ 4,631.00**

Domestic Payment Terms:

All prices are in USD and Equipment Accounts are 25% due at time of order. (Engineering, Mobilization & Acquisition), 75% due Net 30 days upon shipment of equipment. If project is turn key installation contract 25% Down payment with 65% Net 30 days upon shipment of equipment to customer designated location or installers site with a 10% retainage. Net 10 days upon final start up and test of system. Payments tendered by Credit Card will be subject to a 4% processing Fee.

Validity: This quotation is valid for 30 days from date of issuance.

Shipping Terms: EXW Factory,8600 W. Bradley Road, Milwaukee Wisconsin 53224 in accordance with Incoterms® 2010.

Installation services: If installation services are provided in contract, all change orders will be authorized in writing before work is performed outside of the scope of the contract. If during installation of a system we encounter rock that cannot be removed by standard drill and pier methods, all work will stop and the customer will be notified of the situation before work resumes. Special equipment required to penetrate the rock or other site conditions as well as relocation of the site/pole will continue on a cost plus basis once authorized in writing by the customer.

These are standard ASC Terms and Conditions and are not reflective of negotiated or proposed contract language under invitations to bid or final requests for proposals. All international orders require a full wire transfer of funds to our bank in Milwaukee, WI.

8600 W. Bradley Road, Milwaukee, WI 53224
Tel: (800) 243-2911
Tel: +1 414 358-8000
Fax: +1 414 358-8008
Web: www.americansignal.com

Sales Person: Brad Swanson
Quote #: 190608-BS
Date: 6/21/2019

Project: Rockwall Sites 300 & 400
Company: Rockwall
Address: 385 S. Goliad Street
City, State, ZIP: Rockwall, TX, 75087
Country: USA
Contact Name: John Vermillion
Title: Internal Operations
E-Mail: jvermillion@rockwall.com
Telephone: 972-772-6463
Mobile:
Other: TIPS # 181204

Item	Qty.	Model	American Signal Equipment	Unit	Extended Price
			T-128 AC/DC		
1	2	T-128-DC	Rotating Siren 129.5dB 48v DC Siren		$ 55,551.82
2	2	TEMPEST™ AC/DC	AC/DC Motor Control 128 - UL Listed NEMA 4X Aluminum Powder Coated Gray	Included	Included
3	2	RTU--DC Door Mt.	RTU, Universal Controller, Panel Mount DC Tempest-MC's	Included	Included
4	2	SENSOR - Current	Current Sensor, Tempest-Series	Included	Included
5	2	KIT-FSK-32-DC	FSK, Format Card, for DC Mechanical Sirens	Included	Included
6	2	MR-VHF45W	Motorola- 45 Watt Motorola VHF Radio	Included	Included
7	2	KIT-RRM	Motorola 'Radio Interface, VHF & UHF (All)	Included	Included
8	2	KIT-OMNI-ANT-7	Antenna, VHF, 35' coax Omni-Directional	Included	Included
9	2	KIT-ARR-2	Lightning Arrestor, VHF, PL-259	Included	Included
10	2	BATT-1 M	Battery, 12V, Group 24 - Set of (4) for TEMPEST™ 48Vdc DC Controls for T-128	Included	Included
11	2	PM-4	Pole Mount - Tempest T-128	Included	Included
12					
13			**Command And Control Software & Hardware**		
14	1	NEXGEn	CompuLert™ NEXGen Command and Control Server software with Google Chrome client. Requires Ubuntu LTS Server operating system, and Google Chrome for the Client	Included	Included
15	1	Server	Tower Server-Includes RAID 1 data mirroring, 8Gb RAM, 21" Monitor, Keyboard, Mouse. Preloaded with Ubuntu LTS and supporting environment for CompuLert™ NEXGen.	Included	Included
16					
17			**Installation**		
18	2	Install	Assemble Components on Existing Poles which have been inspected by certified installer. Note: Rockwall reponsible to have 240 Vac, 1 Phase Power to site and Disconnect Brought to the Pole. Underground Utility Locates by Others.	Included	Included
19	1	Install	Insallation of control point and NEXGEN software (if applicable)	Included	Included
20			**Other**		
22	1	Bid Type	Bond	$ -	$ -
23			**Rock Clause**		
24		Rock Clause	During the Augering Process should Rock or some other impenetrable Substrate be encountered and a Pier Drilling Rig or Secondary Pole Site be Required an Additional Fee May Apply		$ -
25			**System Commissioning**		
26	1	Commissioning	ASC Certified Installer to Perform Start Up and Commissioning of System. Provide One (1) Day of Operational and Maintenance Training on the System	Included	Included
27			**Shipping**		
28			**EXW:8600 W. Bradley Road, Milwaukee Wisconsin 53224**		$ 600.00
29			**Standard ASC Warranty Applies to Order**		**$ 56,151.82**
30			**Taxes - Not Included**		
31			**Project Totals - US Funds**		**$ 56,151.82**
				25% Due with order =	$ 14,037.96

Domestic Payment Terms:

All prices are in USD and Equipment Accounts are 25% due at time of order. (Engineering, Mobilization & Acquisition), 75% due Net 30 days upon shipment of equipment. If project is turn key installation contract 25% Down payment with 65% Net 30 days upon shipment of equipment to customer designated location or installers site with a 10% retainage. Net 10 days upon final start up and test of system. Payments tendered by Credit Card will be subject to a 4% processing Fee.

Validity: This quotation is valid for 30 days from date of issuance.

Shipping Terms: EXW Factory,8600 W. Bradley Road, Milwaukee Wisconsin 53224 in accordance with Incoterms® 2010.

Installation services: If installation services are provided in contract, all change orders will be authorized in writing before work is performed outside of the scope of the contract. If during installation of a system we encounter rock that cannot be removed by standard drill and pier methods, all work will stop and the customer will be notified of the situation before work resumes. Special equipment required to penetrate the rock or other site conditions as well as relocation of the site/pole will continue on a cost plus basis once authorized in writing by the customer.

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8600 W. Bradley Road, Milwaukee, WI 53224
Tel: (800) 243-2911
Tel: +1 414 358-8000
Fax: +1 414 358-8008
Web: www.americansignal.com

Sales Person: Brad Swanson
Quote #: 190512-BS
Date: 6/21/2019

Project: Rockwall T-135 for Site 200
Company: City of Rockwall
Address: 385 S. Goliad Street
City, State, ZIP: Rockwall, TX, 75087
Country: USA
Contact Name: John Vermillion
Title: Internal Operations
E-Mail: Jvermillion@rockwall.com
Telephone: 972-772-6463
Mobile:
Other: TIPS# 181204

Item	Qty.	Model	American Signal Equipment	Unit	Extended Price
			T-135 AC/DC		
1	1	T-135-DC	Rotating Siren 133.5dB 72v DC Siren		$ 32,617.46
2	1	T-135-MC-AC\DC	AC/DC Motor Control Combination T-135 - UL Listed NEMA 4X	Included	Included
3	1	RTU–DC Door Mt.	RTU, Universal Controller, Panel Mount DC Tempest-MC's	Included	Included
4	1	SENSOR - Current	Current Sensor, Tempest-Series	Included	Included
5	1	KIT-FSK-32-DC	FSK, Format Card, for DC Mechanical Sirens	Included	Included
8	1	KIT-OMNI-ANT-7	Antenna, VHF, 35' coax Omni-Directional	Included	Included
9	1	KIT-ARR-2	Lightning Arrestor, VHF, PL-259	Included	Included
10	1	BATT-3M	Battery, 12V, Group 29 Set of (6) for TEMPEST™ 72Vdc T-135 DC Controls	Included	Included
11	1	PM-4	Pole Mount - Tempest T-135	Included	Included
12					
21					
22			**Installation**		
23	1	Install	ASC Certified Installer to Assemble Components on Existing Poles which have been inspected by certified installer. Note: Rockwall reponsible to have 480 Vac, 3 Phase Power to site and Disconnect Brought to the Pole. Underground Utility Locates by Others.	Included	Included
28			**Rock Clause**		
29		Rock Clause	During the Augering Process should Rock or some other impenetrable Substrate be encountered and a Pier Drilling Rig or Secondary Pole Site be Required an Additional Fee May Apply		$ -
32			**Shipping**		
33			**EXW:8600 W. Bradley Road, Milwaukee Wisconsin 53224**		$ 400.00
35			**Standard ASC Warranty Applies to Order**		$ 33,017.46
36			**Taxes - Not Included**		
37			**Project Totals - US Funds**		$ 33,017.46
				25% Due with order =	$ 8,254.37

Domestic Payment Terms:

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Validity: This quotation is valid for 30 days from date of issuance.

Shipping Terms: EXW Factory,8600 W. Bradley Road, Milwaukee Wisconsin 53224 in accordance with Incoterms® 2010.

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145

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

May 2019

Permits

Total Permits Issued: 315
Building Permits: 70 Contractor Permits: 245

Total Commercial Permit Values: $ 34,384,299.22
Building Permits: $6,458,700.00 Contractor Permits: $27,925,599.22

Total Fees Collected: $685,938.85
Building Permits: $400,099.19 Contractor Permits: $285,839.66

Board of Adjustment

Board of Adjustment Cases 1

146

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 5/1/2019 thru 5/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	6	$0.00	$305.00
30 DAY BANNER	5	$0.00	$253.50
COMING SOON	1	$0.00	$51.50
CLEAN SHOW	2	$0.00	$151.50
	2	$0.00	$151.50
CO	9	$0.00	$682.50
BUSINESS	7	$0.00	$531.00
INTERIOR	1	$0.00	$75.00
SHELL	1	$0.00	$76.50
COMM	26	$6,868,889.22	$114,463.56
CONCRETE	1	$2,750.00	$96.64
CONST TRAILER	3	$1,300.00	$304.00
ELECTRICAL	6	$59,500.00	$1,066.41
FENCE	1	$3,962.00	$35.00
IRRIGATION	2	$37,000.00	$71.40
MECHANICAL	3	$61,500.00	$911.78
MISCELLANEOUS	1	$15,000.00	$102.00
NEW	2	$5,469,700.00	$104,480.26
PLUMBING	2	$6,850.00	$187.62
REMODEL	3	$974,000.00	$6,866.75
ROOF	1	$57,672.22	$35.70
SWIM POOL	1	$179,655.00	$306.00
MISCELLANEOUS	2	$0.00	$0.00
ELECTRICAL	2	$0.00	$0.00
MULTI FAMILY	1	$27,500,000.00	$263,039.24
NEW	1	$27,500,000.00	$263,039.24
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	8	$11,410.00	$1,053.00
DIRECTORY	1	$500.00	$150.00
WALL	7	$10,910.00	$903.00
SINGLE FAMILY	222		$304,296.55
	1		$110.93
ACC BLDG	4		$540.65
ADDITION	1		$94.00
CONCRETE	10		$1,342.00
DECK	1		$122.75
ELECTRICAL	4		$1,087.58
FENCE	23		$816.90
IRRIGATION	12		$427.00
MECHANICAL	33		$7,491.65
MISCELLANEOUS	1		$35.70
NEW	49		$286,517.11
PATIO COVER	5		$831.75
PERGOLA	1		$108.75
PLUMBING	28		$1,924.96
REMODEL	2		$486.52
RETAINING WALL	7		$247.80
ROOF	27		$959.00
STORM SHELTER	1		$35.70

City of Rockwall

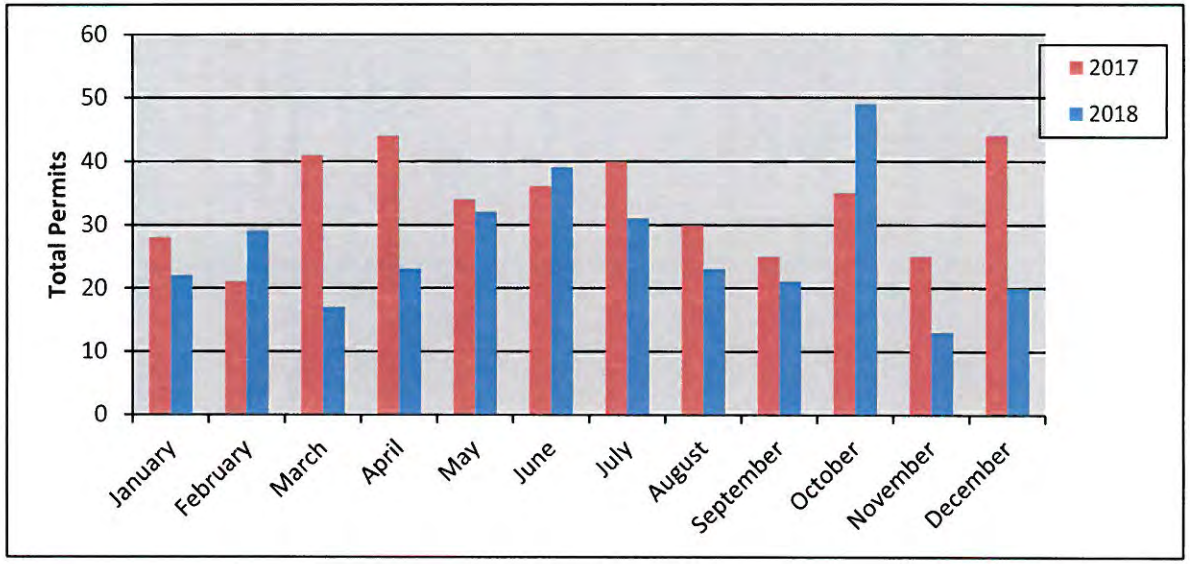
PERMITS ISSUED - Summary by Type and Subtype

For the Period 5/1/2019 thru 5/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
SWIM POOL	6		$903.00
WINDOWS	6		$212.80
SPECIAL EVENT	37	$0.00	$1,647.50
	37	$0.00	$1,647.50
TCO	1	$0.00	$300.00
	1	$0.00	$300.00
Totals:	315		$685,938.85

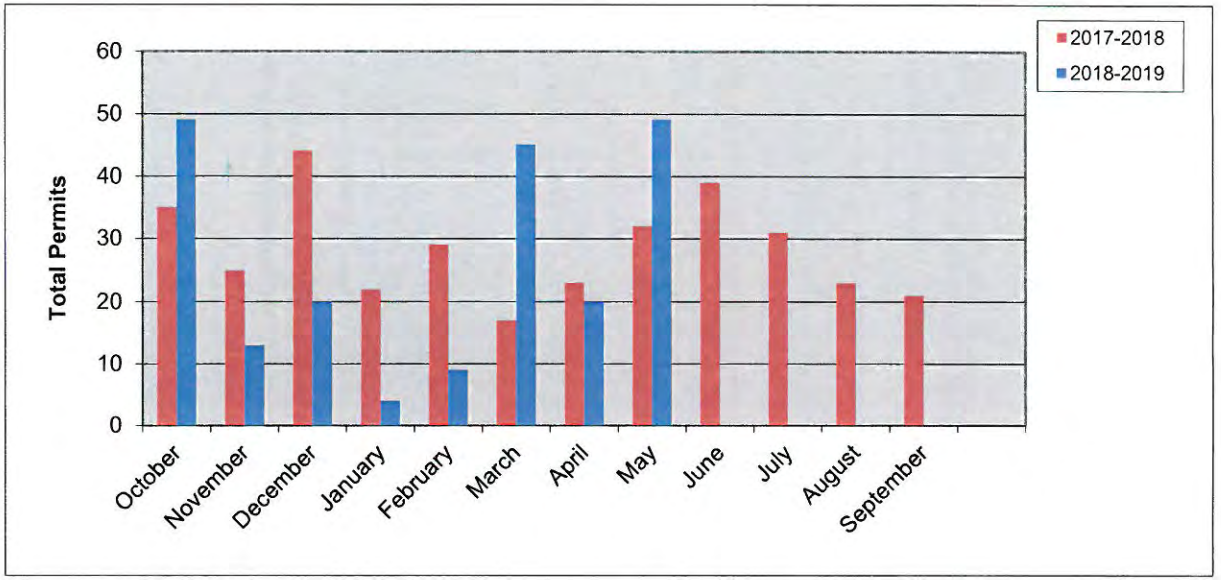
New Residential Permits Calendar Year

	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
Totals	**403**	319



New Residential Permits Fiscal Year

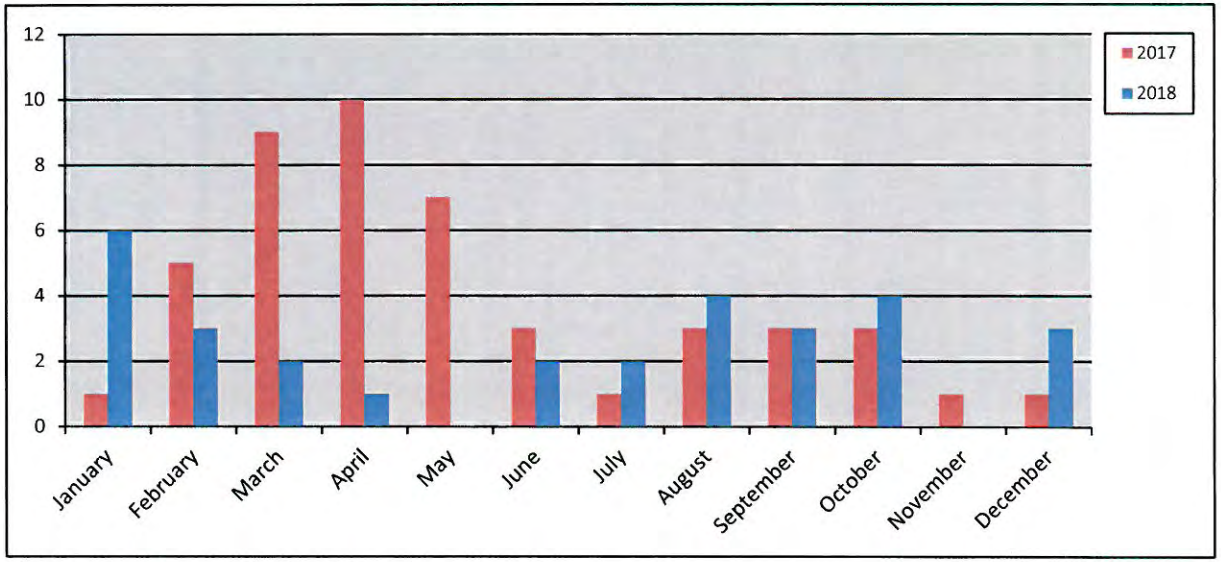
	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	9
March	17	45
April	23	20
May	32	49
June	39	
July	31	
August	23	
September	21	
Totals	**341**	**209**



149

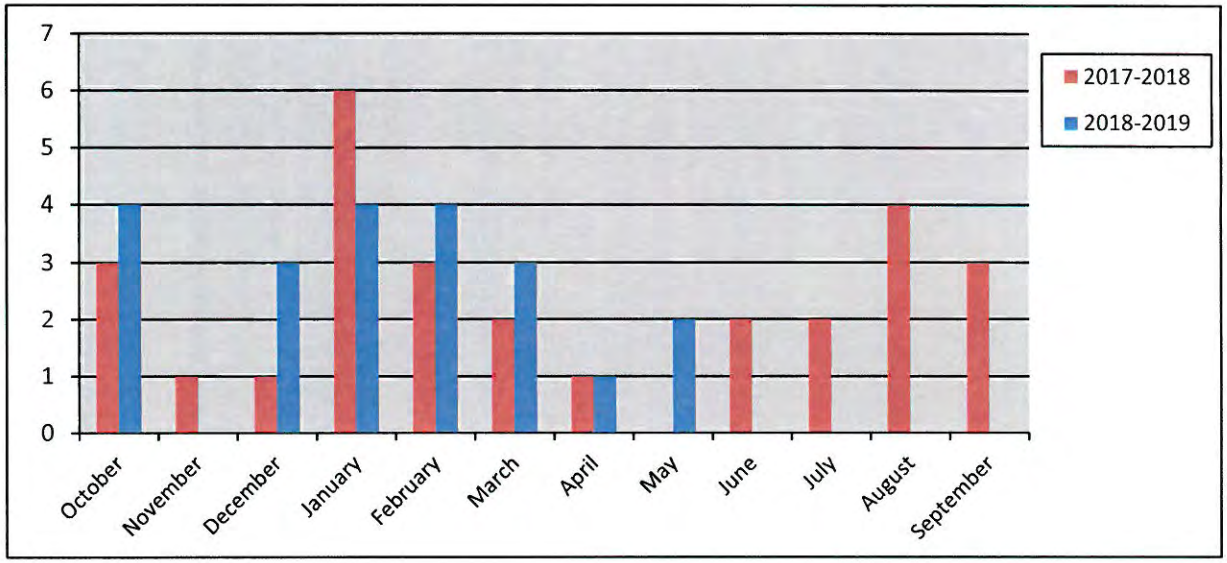
Residential Remodel Permits Calendar Year

	Year	
	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
Totals	**47**	30



Residential Remodel Permits Fiscal Year

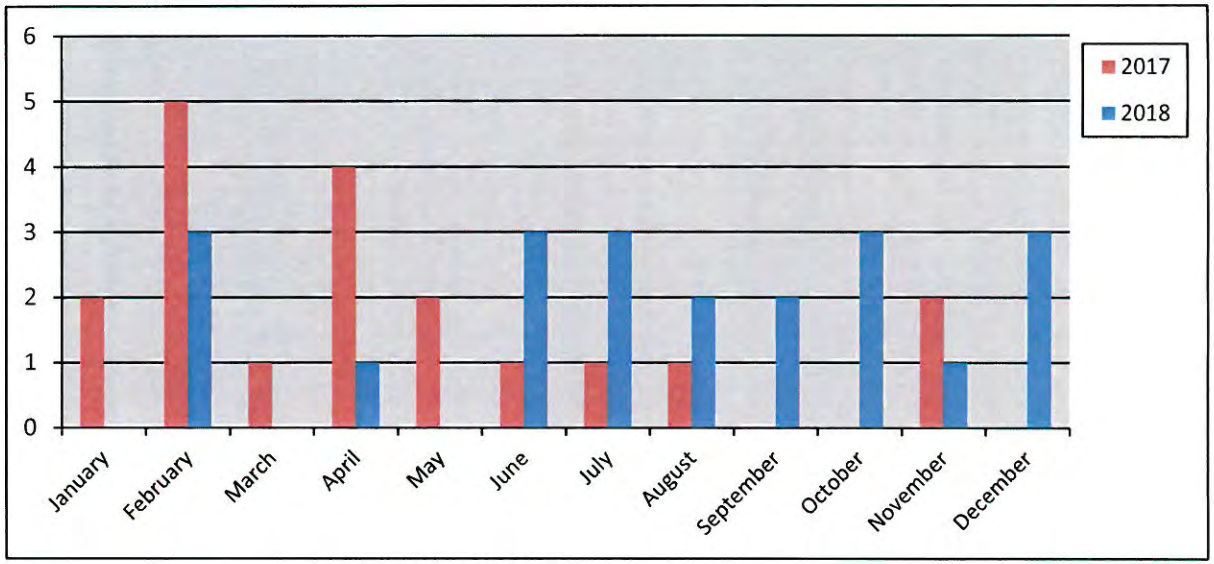
	Year	
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	4
March	2	3
April	1	1
May	0	2
June	2	
July	2	
August	4	
September	3	
Totals	**28**	**21**



150

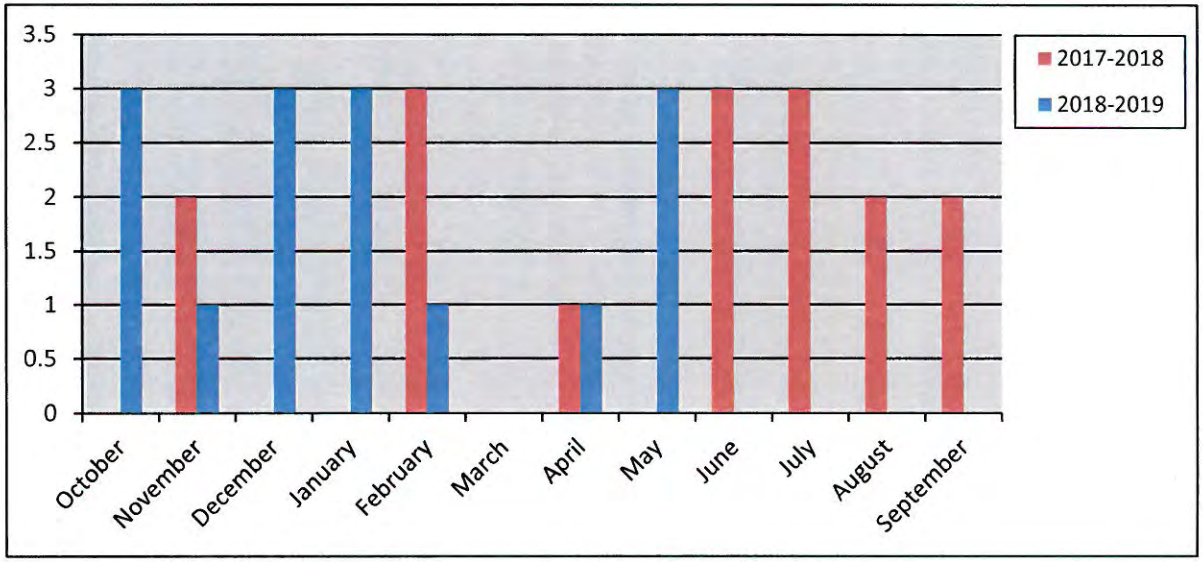
New Commercial Permits Calendar Year

	Year	
	2017	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
Totals	**19**	**21**



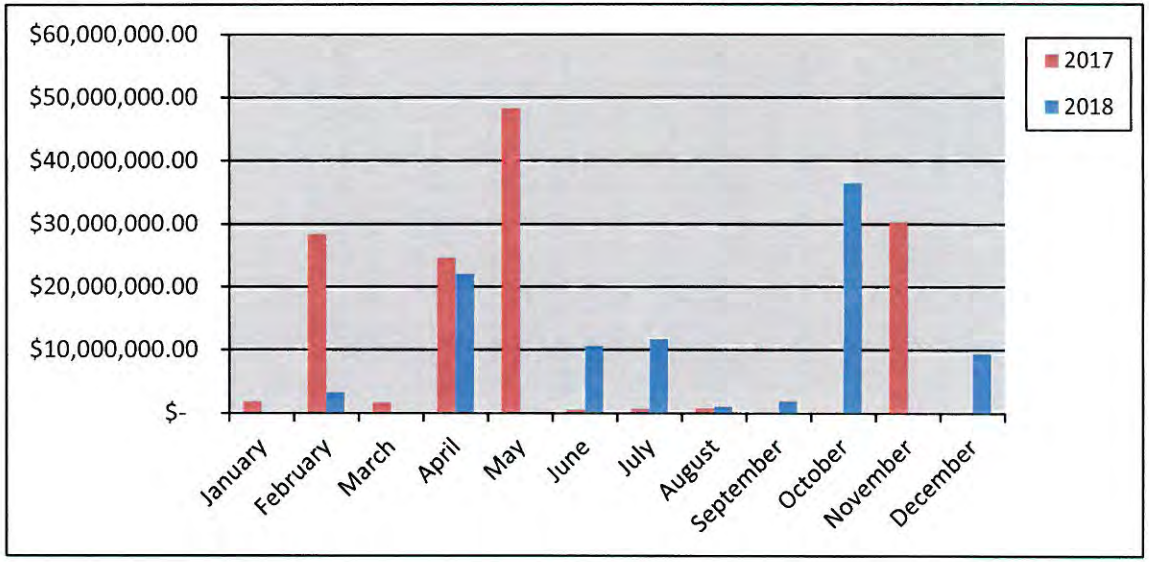
New Commercial Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	1
March	0	0
April	1	1
May	0	3
June	3	
July	3	
August	2	
September	2	
Totals	**16**	**15**



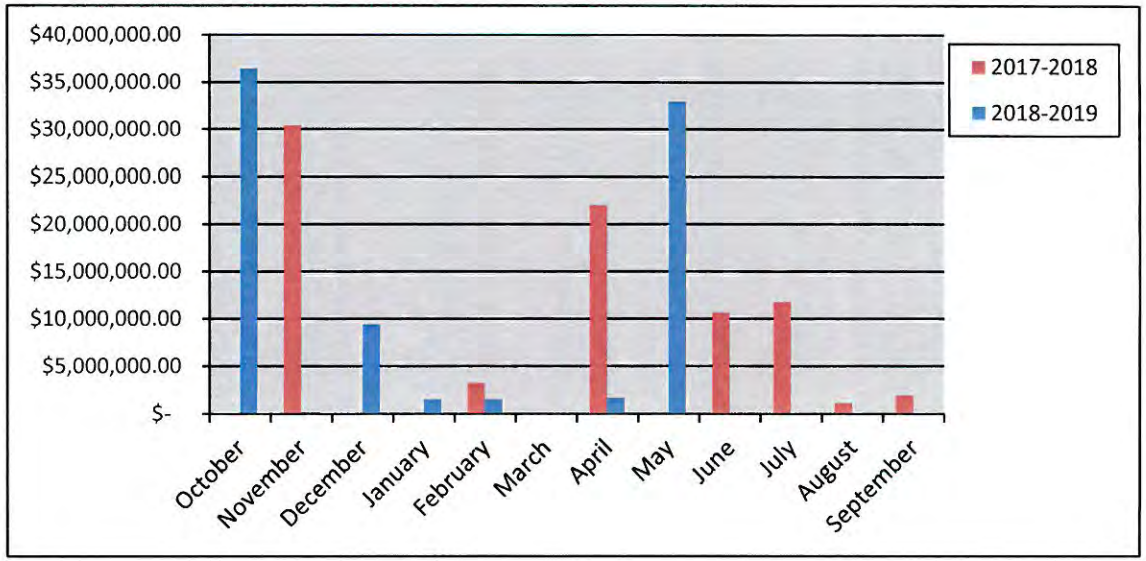
New Commercial Value Calendar Year

Year	2017	2018
January	$ 1,800,000.00	-
February	$ 28,400,000.00	$ 3,221,771.00
March	$ 1,599,026.00	-
April	$ 24,650,000.00	$ 22,000,000.00
May	$ 48,300,000.00	-
June	$ 569,400.00	$ 10,602,430.88
July	$ 700,000.00	$ 11,712,500.00
August	$ 726,506.00	$ 1,111,950.00
September	-	$ 1,930,813.00
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
Totals	**$ 137,134,932.00**	**$ 96,612,264.88**



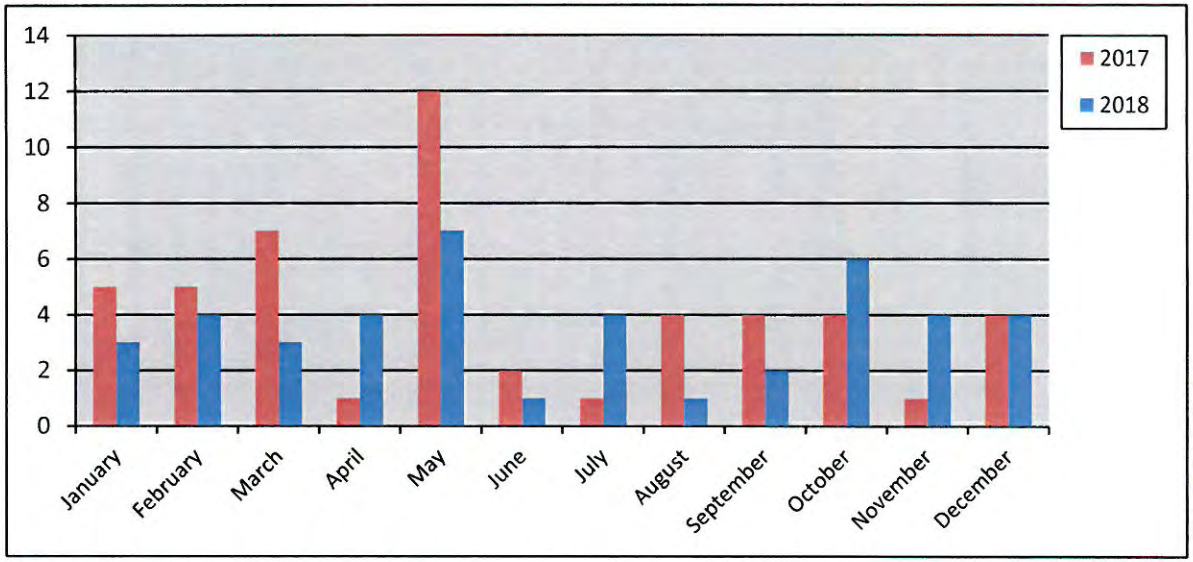
New Commercial Value Fiscal Year

Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
January	-	$ 1,530,000.00
February	$ 3,221,771.00	$ 1,500,000.00
March	-	-
April	$ 22,000,000.00	$ 1,700,000.00
May	-	$ 32,969,700.00
June	$ 10,602,430.88	
July	$ 11,712,500.00	
August	$ 1,111,950.00	
September	$ 1,930,813.00	
Totals	**$ 80,969,464.88**	**$ 83,732,500.00**



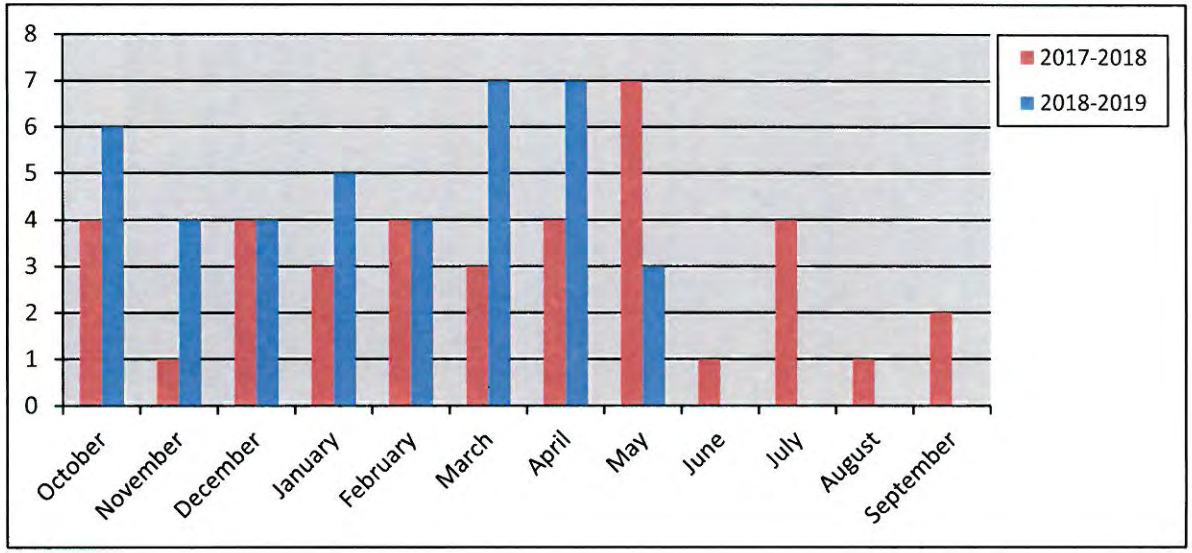
Commercial Remodel Permits Calendar Year

	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
Totals	**50**	**43**



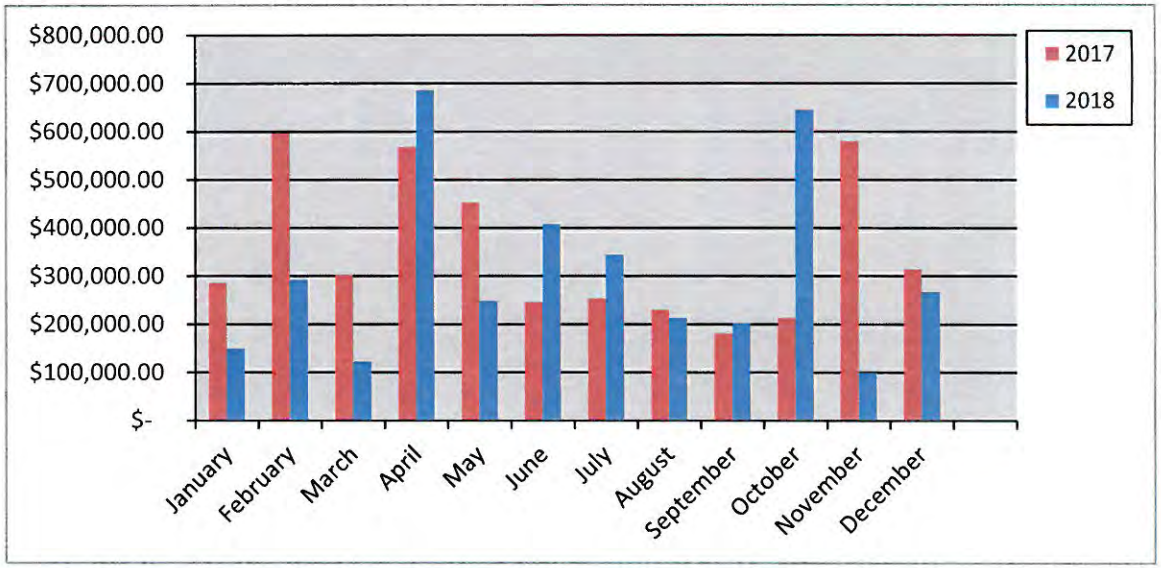
Commercial Remodel Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	4
March	3	7
April	4	7
May	7	3
June	1	
July	4	
August	1	
September	2	
Totals	**38**	**40**



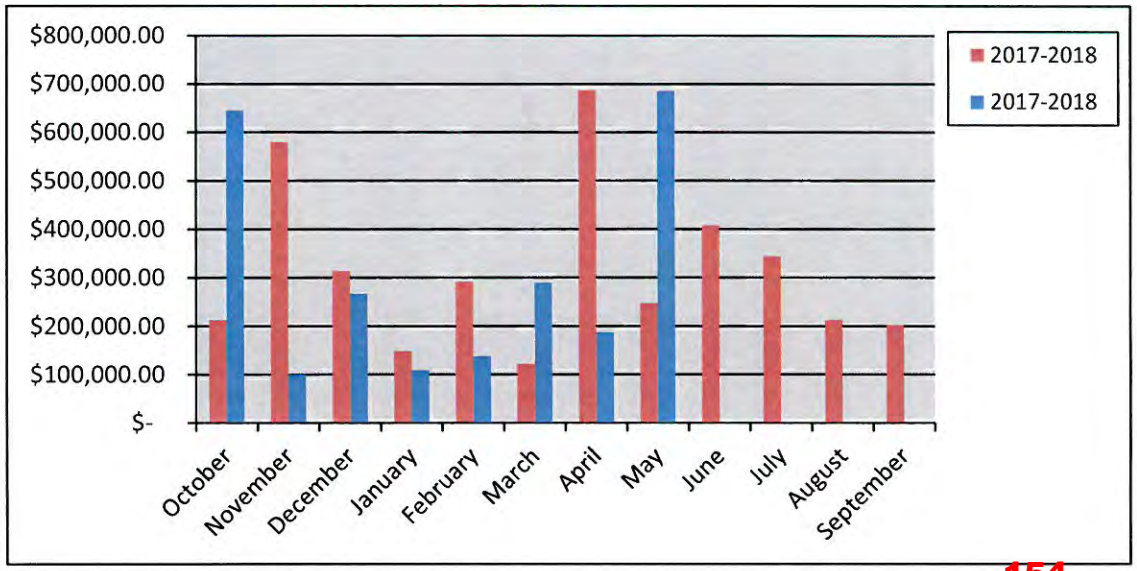
Total Fees Collected Calendar Year

	Year	
	2017	2018
January	$ 284,774.34	$ 149,088.54
February	$ 595,848.26	$ 291,324.78
March	$ 302,406.79	$ 122,271.28
April	$ 566,291.24	$ 686,154.89
May	$ 451,389.66	$ 247,465.55
June	$ 244,930.08	$ 406,799.91
July	$ 252,374.52	$ 343,682.23
August	$ 229,266.56	$ 212,643.16
September	$ 180,561.41	$ 201,855.47
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
Totals	**$ 4,213,035.44**	**$ 3,673,110.11**



Total Fees Collected Fiscal Year

	Year	
	2017-2018	2017-2018
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	$ 137,260.79
March	$ 122,271.28	$ 288,576.03
April	$ 686,154.89	$ 186,555.47
May	$ 247,465.55	$ 685,938.85
June	$ 406,799.91	
July	$ 343,682.23	
August	$ 212,643.16	
September	$ 201,855.47	
Totals	**$ 3,766,478.39**	**$ 2,418,480.67**



City of Rockwall
PERMITS ISSUED
For the Period 5/1/2019 thru 5/31/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0018 01/28/2019 05/31/2019	CO BUSINESS FINALED	1470 S John King Blvd 4373-000A-0001-00-0R Marquis Rockwall	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	CWS Apartments	9606 N Mopac Expwy, Austin, TX 78759	(972) 722-4588
BUS OWNER	CWS Apartments	9606 N Mopac Expwy, Austin, TX 78759	(972) 722-4588
OWNER	WESTERN, RIM INVESTOI	C/O THE BLACKSTONE GROUP, NEW YORK, NY 10154	

CO2019-0034 03/12/2019 05/21/2019	CO SHELL Active	819 IH 30 4817-000A-0002-00-0R Rockwall Retail Center (Shell CO)	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Dynamic Rockwall Investmer	1725 21st. St., Santa Monica, CA 90404	(214) 662-5167
BUSINESS	Rockwall Retail Center	819 IH 30 E, ROCKWALL, TX 75087	
OWNER	Dynamic Rockwall Investmer	1725 21st. St., Santa Monica, CA 90404	(214) 662-5167

CO2019-0035 03/13/2019 05/23/2019	CO INTERIOR Active	1855 TL Townsend Dr S 104 4306-0000-0003-00-0R Galaxy Ranch School - Annex	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Brad Larsen	1855 TL Townsend Dr. Suite 104, Rockwall, TX 75032	(214) 676-6748
BUS OWNER	Brad Larsen	1855 TL Townsend Dr. Suite 104, Rockwall, TX 75032	(214) 676-6748
BUSINESS	Galaxy Ranch School - Anne:	1855 TL Townsend Dr. Suite 104, Rockwall, TX 75032	(214) 676-6748
OWNER	Brad Larsen	1855 TL Townsend Dr. Suite 104, Rockwall, TX 75032	(214) 676-6748

CO2019-0043 04/12/2019 05/07/2019	CO BUSINESS Active	1107 Ridge Rd 3570-0484-0001-00-0R Party City	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	PARTY CITY	1107 RIDGE RD, ROCKWALL, TX 75087	(973) 453-8600
BUS OWNER	Party City	25 Green Pond Rd, #1, Rockway, NJ 07866	(973) 453-8600
BUSINESS	Party City	1107 Ridge Rd, ROCKWALL, TX 75087	
CONTRACTOR 2	TIM DUDLEY	, ,	(201) 400-9690
CONTRACTOR 3	TOMAS VILLA	, ,	(630) 200-7316
MANAGER	KRIS RUDZINSKI	, ,	
OWNER	Ridge Pointe Commerical Re:	2255 Ridge Road, S. 208, Rockwall, TX 75087	(972) 961-8532

City of Rockwall
PERMITS ISSUED
For the Period 5/1/2019 thru 5/31/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0045 04/15/2019 05/15/2019	CO BUSINESS ACTIVE	3084 N Goliad St 122 5121-000A-0001-00-0R Beautiful Nails & Spa	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Vu Thanh Le	3084 N Goliad St #122, ROCKWALL, TX 75087	(214) 686-1965
BUSINESS	Beautiful Nails & Spa	3084 N Goliad St #122, ROCKWALL, TX 75087	(972) 961-0404
OWNER	Ronald G. Gentzler	15150 Preston Road #210, Dallas, TX 75248	(214) 343-4477

CO2019-0049 04/29/2019 05/23/2019	CO BUSINESS Active	116 E Rusk 4820-000M-0001-00-0R House of Juice	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Juvencio Valladaros	116 E. Rusk St, ROCKWALL, TX 75087	(469) 834-6368
BUS OWNER	Juvencio Valladaros	116 E. Rusk St, ROCKWALL, TX 75087	(469) 834-6368
BUSINESS	House of Juice	116 E Rusk St, ROCKWALL, TX 75087	
OWNER	Hendricks 7 Properties, LLC	5903 Volunteer Place, Rockwall, TX 75032	(214) 794-7886

CO2019-0052 05/02/2019 05/21/2019	CO BUSINESS Active	819 IH 30 E 130 4817-000A-0002-00-0R Jason's Deli	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Jason's Deli	819 IH 30 E, Rockwall, TX 75087	(409) 838-1976
BUS OWNER	Deli Management Inc.	350 Pine St. Suite 1775, Beaumont, TX 76201	(409) 838-1976
BUSINESS	Jason's Deli	819 IH 30 E, ROCKWALL, TX 75087	
OWNER	Dynane Rockwall Investment	319 W. Oak St. Suite 109, Denton, TX 76201	(940) 218-6684

CO2019-0064 05/23/2019 05/30/2019	CO BUSINESS Active	1393 Ridge Road 4866-000A-0001-00-0R JP & Associates, Realtors	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	JP Piccinini	1393 Ridge Road, ROCKWALL, TX 75087	(972) 836-9295
BUSINESS	JP & Associates, Realtors	1393 Ridge Road, ROCKWALL, TX 75087	(469) 209-3137
OWNER	T Rockwall Commons LLC	16600 Dallas Parkway Suite 300, Dallas, TX 75248	(972) 417-5835

CO2019-0066 05/28/2019 05/31/2019	CO BUSINESS FINALED	118 NATIONAL DR 0128-0000-0002-23-0R HyFiber Industries, LLC.	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Rick Flores	118 National Dr., Rockwall, TX 75032	(214) 418-5006
BUSINESS	HyFiber Industries, LLC	118 National Dr., Rockwall, TX 75032	(214) 418-5006
OWNER	Scott Free Investments	10534 CR 2452, Royse City, Tx 75189	(469) 576-7517

City of Rockwall
PERMITS ISSUED
For the Period 5/1/2019 thru 5/31/2019

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name	Valuation	Total Fees	Fees Paid
		Total Valuation:			**0.00**
		Total Fees:			**682.50**
		Total Fees Paid:			**682.50**

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158

ROCKWALL FIRE DEPARTMENT

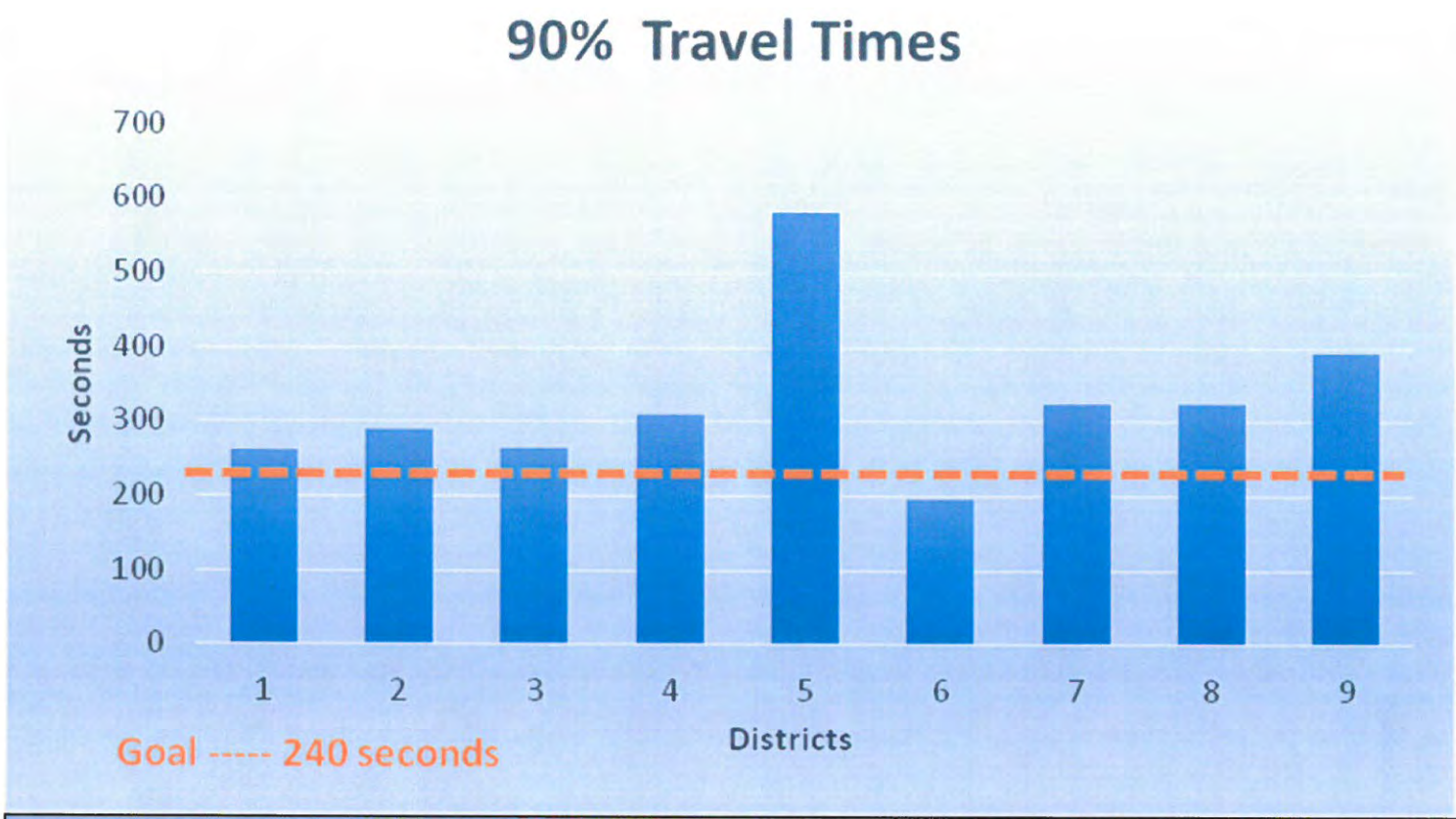
Monthly Report

May 2019

159



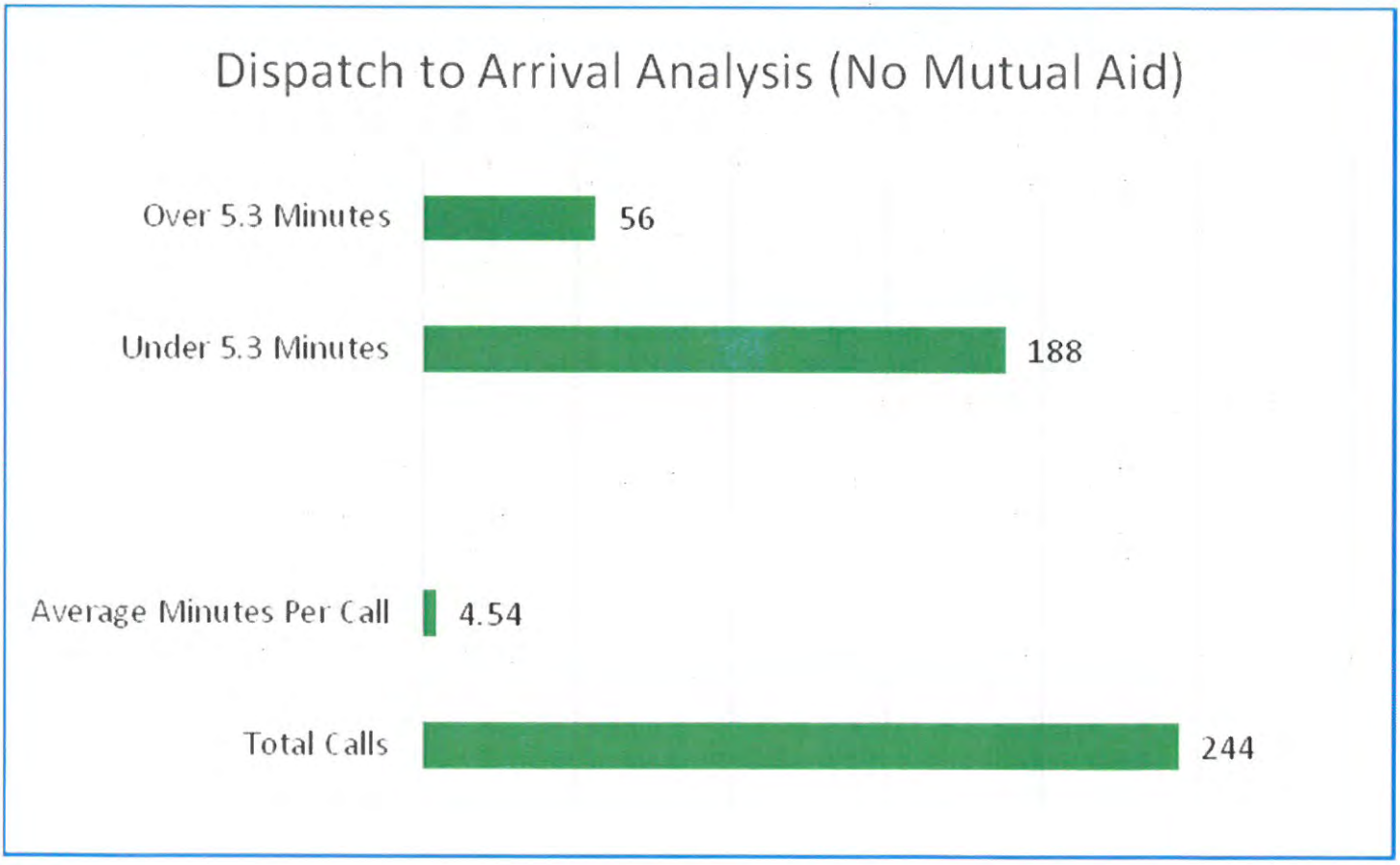
May 2019- All Calls		
Situation Type	Automatic aid given	City
111 Building fire	1	3
311 Medical assist, assist EMS crew		171
322 Motor vehicle accident with injuries		13
412 Gas leak (natural gas or LPG)		7
611 Dispatched & canceled en route		11
622 No incident found on arrival at dispatch address		4
733 Smoke detector activation due to malfunction		9
735 Alarm system sounded due to malfunction		8
743 Smoke detector activation, no fire - unintentional		6
745 Alarm system activation, no fire - unintentional		4
131 Passenger vehicle fire (cars, pickups, SUV's)		1
651 Smoke scare, odor of smoke		4
324 Motor vehicle accident with no injuries.		17
444 Power line down		3
550 Smoke Detector Battery Change/Install		5
553 Public service		1
736 CO detector activation due to malfunction		2
342 Search for person in water		2
550 Public service assistance, other		1
445 Arcing, shorted electrical equipment		4
631 Authorized controlled burning		1
731 Sprinkler activation due to malfunction		3
113 Cooking fire, confined to container		1
343 Search for person underground		1
424 Carbon monoxide incident		1
462 Aircraft standby		1
510 Person in distress, other		1
542 Animal rescue		1
554 Assist invalid		1
555 Defective elevator, no occupants		1
561 Unauthorized burning		1
652 Steam, vapor, fog or dust thought to be smoke		1
730 System malfunction, other		2
734 Heat detector activation due to malfunction		1
741 Sprinkler activation, no fire - unintentional		1
813 Wind storm, tornado/hurricane assessment		1
814 Lightning strike (no fire)		2
911 Citizen complaint		1
Totals 160	**1**	**298** 160



Travel Time Analysis-*By District* ALL- (No Mutual Aid)				Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% 4 min or less	All Code 3 Calls					
	100s					
83%	On Scene in	4.0	minutes or less	77	2.96	31.56%
	200s					
81%	On Scene in	4.0	minutes or less	75	3.10	30.74%
	300s					
82%	On Scene in	4.0	minutes or less	34	3.09	13.93%
	400s					
76%	On Scene in	4.0	minutes or less	41	3.54	16.80%
	500s					
38%	On Scene in	4.0	minutes or less	8	5.44	3.28%
	600s					
100%	On Scene in	4.0	minutes or less	1	3.28	0.41%
	700s					
0%	On Scene in	4.0	minutes or less	4	5.13	1.64%
	800s					
67%	On Scene in	4.0	minutes or less	3	2.97	1.23%
	900s					
0%	On Scene in	4.0	minutes or less	1	6.57	0.41%
			Total Calls	244		

Dispatch to Arrival Time
May 2019

Dispatch to Arrival Analysis-(No Mutual Aid)					Total Calls
73%	On Scene in	5.3	minutes or less		188
84%	On Scene in	6.0	minutes or less		207
91%	On Scene in	7.0	minutes or less		224
94%	On Scene in	8.0	minutes or less		230
96%	On Scene in	9.0	minutes or less		236
100%	On Scene in	19.0	minutes or less		244
	Total Calls		244		



162

Total Dollar Losses

May 2019

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 06/17/2019 14:08
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$60,000.00	$1,000.00	$56,434.00	$125,715.00	$154,494.00
Total Content Loss:	$5,000.00	$0.00	$36,260.40	$45,000.00	$96,496.40
Total Property Pre-Incident Value:	$206,700.00	$400,112.00	$281,170.00	$4,714,306.92	$379,230.00
Total Contents Pre-Incident Value	$124,020.00	$100,000.00	$176,302.00	$527,916.35	$235,138.00
Total Losses:	$65,000.00	$1,000.00	$92,694.40	$170,715.00	$65,000.00
Total Value:	$330,720.00	$500,112.00	$457,472.00	$5,242,223.27	$614,368.00

ROCKWALL FIRE

Fire Marshal Division

Monthly Report - May 2019

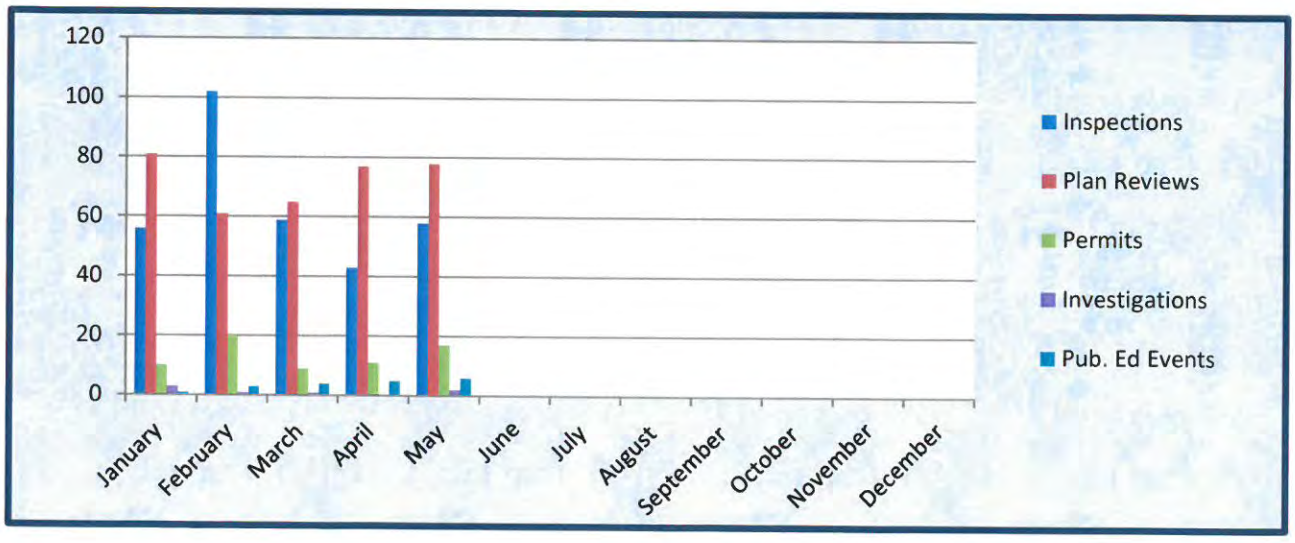
Inspection Status Report	
Finaled Inspections	25
Pending Inspections	33
Total for the Month	**58**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	2
Total for the Month	**2**

Plan Review Report	
CO	19
COMM	38
Engineering	4
Plat	4
Site Plan	7
Single Family	1
Special Event	2
TCO	1
Zoning	2
Total for the Month	78

Fire Permit Report	
Fire Alarm	5
Fire Sprinkler	3
Fireworks	5
Tanks/Piping	1
Temp Aboveground Tank	1
Underground Sprinkler	2
Total for the Month	**17**

Public Education Events	
Total for the Month	**6**



164

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165

Key Projects:

(1) **Outside Agencies / Citizens**. NCTCOG Request

(2) **Engineering/Public Works**. GPS Equipment Research , Turtle Cove Mail out, E Rusk St (ROW Research), TX Dot Sign Placement Location Map, Water Line Corrections, GraniteNet Contract / Info, Service Request Inquiries, Dynamic Retail-Utilities Input, City Limits Map, Mail Outs - Aspen, Carriage, and Westway Dr.

(3) **Planning Department**. SPR - Alum. Plant Rd Abandonment, Downtown Zoning Limit Map, ICSC Exhibits, Infrastructure Numbers Update, Planning Mail outs, Comp Plan Online Icons, South SFE Project Layout, Planning Cases, Comp Plan Online Apps - Land Use Districts, Small Area Planning, Downtown Auto Exhibit

(4) **GIS**. 911 Addressing, ESRI Community Maps Program Update, 2504 Ridge Rd - Elec Meter Addressing Issues, NG911 New Replica & QC, Potential Consultant Project 2020, Cloudpoint Consultant Project 2019, GPS Technician Interview, Update Online Shapefiles, Cityworks PLL Pre-Kick Off Items

(5) **Fire.** Active911 Data - Update

(6) **Main Street.** Farmer's Market Booth

(7) **Bldg. Inspections.** Building Permit Fees Study Data, Inspector Mail out; 1935 Silver View Lane

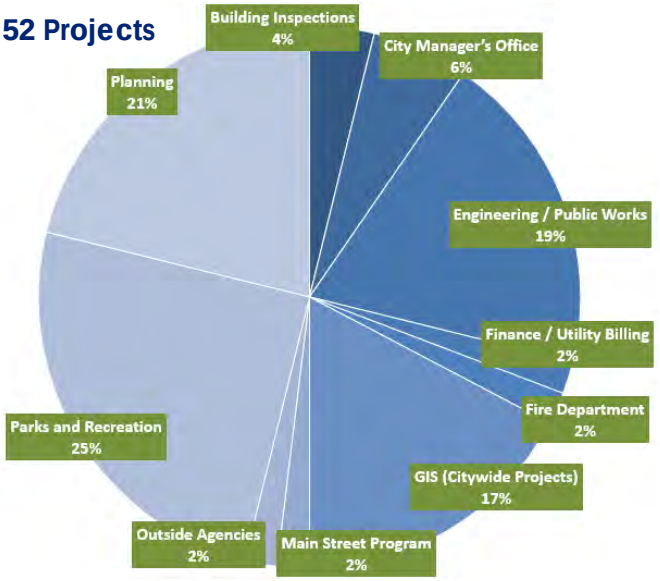
(8) **City Managers Office**. Barnstormer Ln Research, Flag pole #3 Exhibit Revisions, Airport Exhibit

(9) **Parks and Rec**. Concert by the Lake Parking Map, Founders Day Maps - Rain Plan Layout, Parachute Landing Zones, City Address List, Topo Map with UTM Grid, Fun Guide, Founders Day Maps - Food Trucks, Parking Maps, Load In/Out Map, Vendor Layout, Main Layout Map, Band Directions Map

(10) **Utility Billing**. Trash & Recycling Address List

Monthly Project Request by Department:

52 Projects

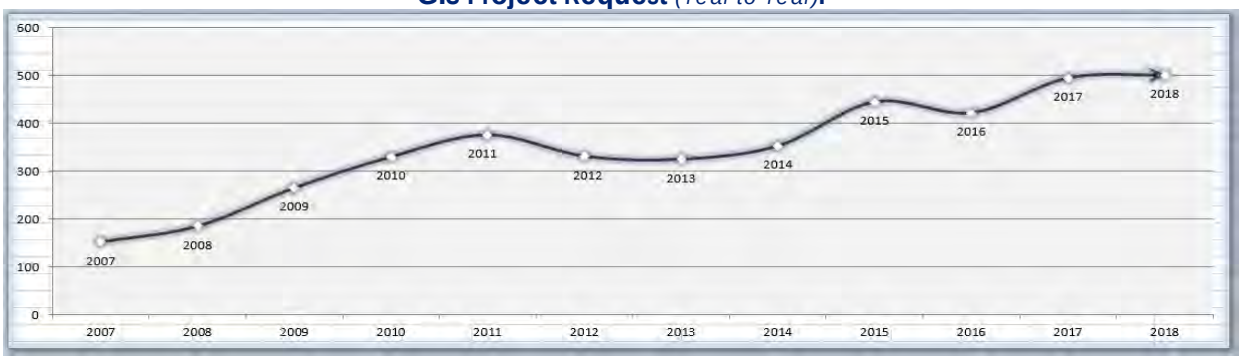


Admin / HR / Internal Ops	0
Building Inspections	2
Citizen Request	0
City Council	0
City Manager's Office	3
Neighborhood Improvement Services	0
Engineering / Public Works	10
Finance / Utility Billing	1
Fire Department	1
GIS (Citywide Projects)	9
IT	0
Main Street Program	1
Outside Agencies	1
Parks and Recreation	13
Planning	11
Police Department	0
REDC	0
Total	**52**

Over 2018 month

48.57 % ↑

GIS Project Request *(Year to Year)*:



166

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167

Rockwall Police Department

Harbor District Call For Service

May 2019

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2019-00012860	5/5/2019	15:34:36	Hilton Hotel	Disorderly Conduct	Unable to Locate
2019-00015216	5/26/2019	21:19:59	Dodie's	Disturbance	No Report
2019-00014368	5/19/2019	0:32:22	Hilton Hotel	Disturbance	No Report
2019-00014442	5/19/2019	19:17:07	Hilton Hotel	Disturbance	Arrest
2019-00015764	5/31/2019	13:26:47	Hilton Hotel	Disturbance	No Report
2019-00014350	5/18/2019	21:12:15	Luna de Noche	Disturbance	Citation
2019-00013503	5/11/2019	15:38:07	The Harbor	Disturbance	No Report
2019-00013663	5/13/2019	0:26:06	The Harbor	Disturbance	No Report
2019-00015531	5/29/2019	14:16:39	Sideways BBQ	Fraud	No Report
2019-00015805	5/31/2019	21:32:53	Cinemark Movies 12	General Complaint	No Report
2019-00012587	5/2/2019	20:19:32	The Harbor	General Complaint	No Report
2019-00014140	5/16/2019	23:21:58	Hilton Hotel	Harrassment	No Report
2019-00015143	5/25/2019	23:58:44	Hilton Hotel	Harrassment	No Report
2019-00014452	5/19/2019	21:24:51	Glorias Restaurant	Intoxicated	No Report
2019-00012984	5/6/2019	21:12:18	Hilton Hotel	Intoxicated	No Report
2019-00014903	5/24/2019	0:32:48	Hilton Hotel	Investigation	No Report
2019-00012604	5/3/2019	0:25:57	The Harbor	Investigation	No Report
2019-00013610	5/12/2019	14:07:09	The Harbor	Medical Assist	No Report
2019-00014227	5/17/2019	16:33:32	Highlands Residential Mortgage	Meet Complainant	No Report
2019-00013891	5/14/2019	20:31:36	Rodeo Goat	Meet Complainant	Report
2019-00013114	5/7/2019	21:01:20	The Harbor	Meet Complainant	No Report
2019-00014898	5/23/2019	23:45:03	The Harbor	Missing Person	No Report
2019-00015203	5/26/2019	18:50:40	Sideways BBQ	Ordinance Violation	No Report
2019-00013552	5/11/2019	22:10:51	Cinemark Movies 12	Property	No Report
2019-00014892	5/23/2019	22:43:02	Sideways BBQ	Property	Report
2019-00014417	5/19/2019	14:24:42	The Harbor	Property	No Report
2019-00013584	5/12/2019	4:58:26	Hilton Hotel	Suspicious Activity	Arrest
2019-00014601	5/21/2019	2:58:01	The Harbor	Suspicious Activity	No Report
2019-00014408	5/19/2019	12:28:29	Campisi's	Suspicious Activity	No Report
2019-00002475	5/30/2019	0:35:12	The Harbor	Welfare Concern	No Report
2019-00015579	5/30/2019	0:35:12	The Harbor	Welfare Concern	No Report
2019-00015677	5/30/2019	15:51:34	The Harbor	Welfare Concern	No Report
2019-00015689	5/30/2019	19:38:02	The Harbor	Welfare Concern	No Report

Common Name	
Campisi's	1
Cinemark Movies 12	2
Dodie's	1
Glorias Restaurant	1
Highlands Residential Mortgage	1
Hilton Hotel	9
Luna De Noche	1
Rodeo Goat	1
Sideways BBQ	3
The Harbor	13
Total	**33**

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169

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
MAY 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	8	8	0	100%
ADMINISTRATIVE SERVICES	3	3	0	100%
AIRPORT	5	5	0	100%
ANIMAL SERVICES	2	2	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	0	0	0	0%
ENGINEERING	0	0	0	0%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	49	49	0	100%
INTERNAL OPERATIONS	105	105	0	100%
MUNICIPAL COURT	12	12	0	100%
PARKS & RECREATION	13	13	0	100%
PLANNING & ZONING	4	4	0	100%
POLICE DEPARTMENT	44	44	0	100%
PUBLIC WORKS	16	16	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	262	262	0	100%

170

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171



PARTICIPATION



FISHING DERBY: 107 PARTICPANTS



CONCERT BY THE LAKE SERIES: 2 - 5K
PER CONCERT TO DATE



FAMILY FUN FRIDAY: SHORES PARK
150 PARTICIPANTS

MONTHLY OVERVIEW	*MAY '19*
Part Time Labor Hours	**291.5**
Program Offerings	**14**
Program Participants	**1796**
Resident Participants	**987**
Non-Resident Participants	**809**
Programs that Made	**13**
Cancelled Programs	**1**
% of Programs Cancelled	**8%**

FEE BASED RESIDENT VS NON-RESIDENT

13 programs

55%	45%

VOLUNTEER IN THE PARKS (V.I.P.)



INSTALLATION OF BUTTERFLY GARDEN AT THE PARK AT HICKORY RIDGE

TOTAL # OF VOLUNTEER HOURS

# OF VOLUNTEERS	8
# OF VOLUNTEER HOURS	3.3

25

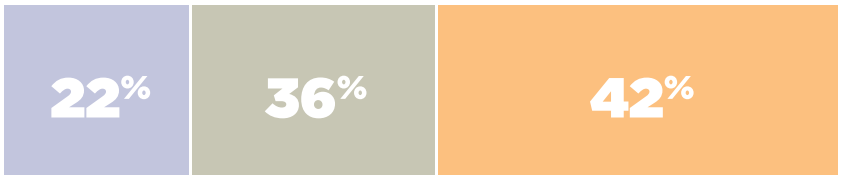


HMCC	MAY '19
Time Blocks Rented	54
Monthly Revenue	$2160

HMCC RENTAL ACTIVITY BY TIME BLOCK

54 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM



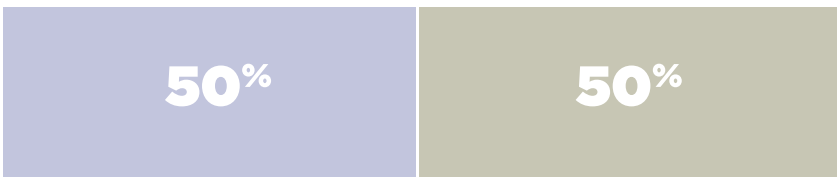


PAVILIONS	MAY '19
Time Blocks Rented	68
Monthly Revenue	$2720

PAVILION RENTAL ACTIVITY BY TIME BLOCK

68 Rentals

6 AM - 3 PM | 3 - 11 PM



173

PARKS





SPECIAL PROJECT:

Logo work for Angel League

FACILITY UPGRADE:

Butterfly garden at Hickory Ridge Park



FACILITY REPAIR:

Tuttle Flood and Erosion repairs



174

MARKETING

FACEBOOK PAGE LIKES

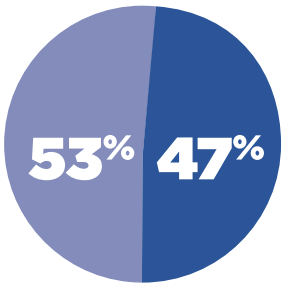
	GAIN OR LOSS
APR	+170
MAY	+311

TOTAL LIKES THRU 5/31/2019

Like **13,000**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
APR	8165	+128
MAY	8462	+297



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

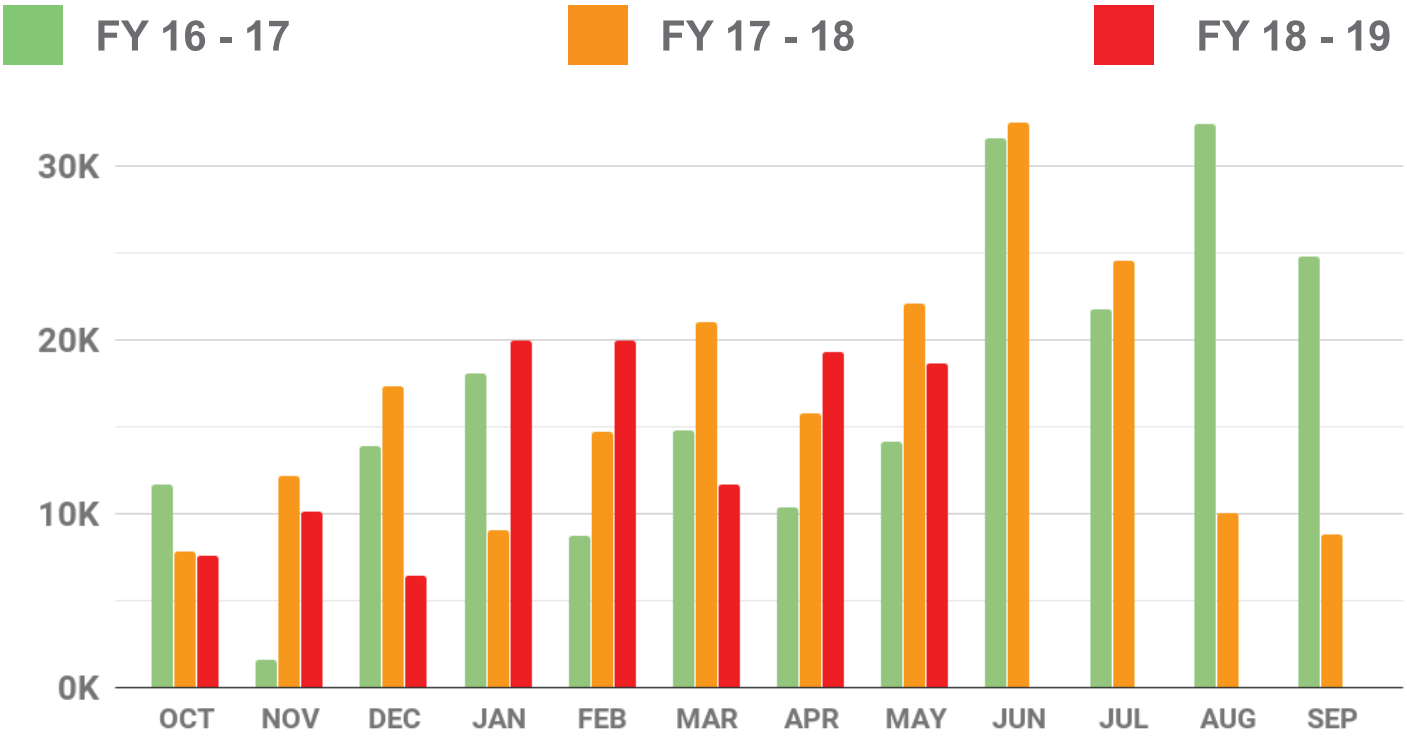
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of May 2019.	166,624
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	33,573
USERS Visitors to playrockwall.com	21,718

REVENUE

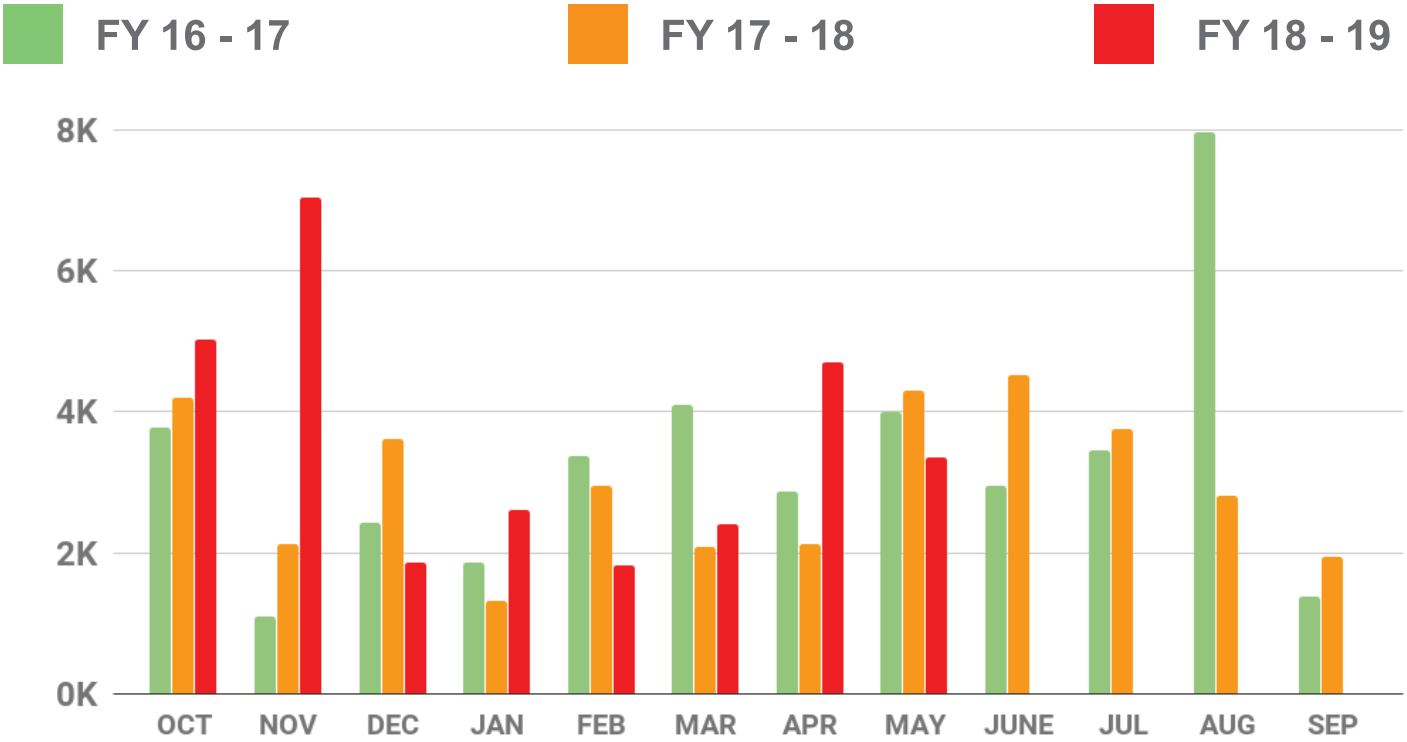
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



176

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177

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	**96%**
March '19	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	**100%**
April '19	38-56%	5-7%	22-32%	1-1%	2-3%	76	68	**95%**
May '19	74-65%	14-12%	18-16%	6-5%	3-3%	135	115	**92%**
June '19								
July '19								
August '19								
September '19								
October '19								
November '19								
December '19								

178

Rockwall Animal Adoption Center

PROFIT AND LOSS

May 2019

	TOTAL
Income	
4000 City of Rockwall	97,617.88
4100 Adoption Fee	
4111 Adoption Fee - Dog	4,575.00
4112 Adoption Fee - Cat	2,185.00
Total 4100 Adoption Fee	**6,760.00**
4200 Impound Fee	610.00
4300 Owner Surrender	685.00
4350 Quarantine Fee	246.90
4650 Medical	960.00
4700 General Donations	7,446.59
47200 Program Income	
47230 Membership Dues	25.00
Total 47200 Program Income	**25.00**
Total Income	**$114,351.37**
GROSS PROFIT	**$114,351.37**
Expenses	
5200 - Shelter Expense	
5202 - Micro Chip	1,248.75
5203 Medication	5,393.05
5209 - Shelter Supplies	956.08
5210 - Cleaning	170.00
5220 - Truck Maintenance	253.12
5230 - Misc	9.00
Total 5200 - Shelter Expense	**8,030.00**
5300 - Veterinary Expense	7,911.28
5400 - Professional Services	2,083.34
65000 5000 - Administative Expense	
5002 - Website	57.60
5004 - Paypal/Intuit fee	216.17
5005 - Postage	133.72
5006 - Bank Fees	122.34
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	24,463.82
5055 - Payroll Tax	1,829.58
5056 - 401K Employer/Healthcare	847.98
5099 - Misc	176.39
65040 5001 - Supplies	451.36
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**28,803.46**
Total Expenses	**$46,828.08**
NET OPERATING INCOME	**$67,523.29**

	TOTAL
NET INCOME	$67,523.29

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181

Rockwall Police Department

Monthly Activity Report

May-2019

ACTIVITY	CURRENT MONTH MAY	PREVIOUS MONTH APRIL	YTD 2019	YTD 2018	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	**-100.00%**
Sexual Assault	2	0	7	4	**75.00%**
Robbery	1	2	4	3	**33.33%**
Aggravated Assault	3	1	9	7	**28.57%**
Burglary	6	4	22	16	**37.50%**
Larceny	66	42	245	277	**-11.55%**
Motor Vehicle Theft	5	2	18	20	**-10.00%**
TOTAL PART I	**83**	**51**	**305**	**328**	**-7.01%**
TOTAL PART II	**147**	**140**	**726**	**780**	**-6.92%**
TOTAL OFFENSES	**230**	**191**	**1031**	**1108**	**-6.95%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	18	25	94	72	**30.56%**
D.W.I.	15	20	94	97	**-3.09%**
ARRESTS					
FELONY	28	31	174	156	**11.54%**
MISDEMEANOR	68	61	330	356	**-7.30%**
WARRANT ARREST	12	15	54	62	**-12.90%**
JUVENILE	8	3	18	31	**-41.94%**
TOTAL ARRESTS	**116**	**110**	**576**	**605**	**-4.79%**
DISPATCH					
CALLS FOR SERVICE	1634	1535	7361	6648	**10.73%**
ACCIDENTS					
INJURY	18	13	61	65	**-6.15%**
NON-INJURY	78	66	322	256	**25.78%**
FATALITY	0	0	0	1	**-100.00%**
TOTAL	**96**	**79**	**383**	**322**	**18.94%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**6**
Arrests	
Arrest Warrants	**1**
Search Warrants	**1**
Seized	
Cocain	2.5 Grams
Heroin	1002.2 Grams
Marijuana	3 Pounds
Methamphetamine	31.6 Kilograms
THC Oil	13.95 Kilograms

Rockwall Police Department

Dispatch and Response Times

May 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**102**
Call to Dispatch	0:01:49		
Call to Arrival	0:06:45		
% over 7 minutes	37%		

	Average Response Time		
Priority 2		Number of Calls	**297**
Call to Dispatch	0:03:34		
Call to Arrival	0:10:39		
% over 7 minutes	61%		

	Average Response Time		
Priority 3		Number of Calls	**71**
Call to Dispatch	0:07:19		
Call to Arrival	0:14:33		
% over 7 minutes	72%		

Average dispatch response time goals are as follows:
Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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184

June 5, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: May 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
MAY	22	1,906

Non-Service Days: May 27th

NO. OF TRIPS	PURPOSE
1,022	Contract Service
9	Education
0	Government
37	Medicaid
250	Medical
22	Nutrition (Senior Center)
220	Other (adult-day care, beauty salon, friend's homes, etc.)
186	Shopping
160	Work

MAY UNDUPLICATED PASSENGERS
73
YEAR TO DATE UNDUPLICATED PASSENGERS
230

Adjusted Trip Total	847

*Trip Totals without Contracts or Medicaid

> = 60	479
DIS >60	118
	597
% E & D Trip Total	70%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **13,812**
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: MAY 2018 TRIP TOTAL= 1,884 (1% INCREASE)

ROCKWALL CITY	1Q	2Q	3Q	4Q	*PURPOSE TOTALS*
CONTRACT	1,015	1,936	3,334	0	*6,285*
EDU	77	74	83	0	*234*
GOV	5	8	2	0	*15*
MDE	219	245	115	0	*579*
MED	632	605	695	0	*1,932*
NUT	34	43	60	0	*137*
OTH	544	594	696	0	*1,834*
SHP	533	380	437	0	*1,350*
WORK	464	479	503	0	*1,446*
	3,523	4,364	5,925	0	*13,812*

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743	1,206	2,415	2,333	1,686	1,906				**13,812**	*1,535*
	704	*919*	*885*	*743*	*871*	*814*	*888*	*819*	*884*	*0*	*0*	*0*	***7,527***	*627*
CONTRACT	709	306	0	0	335	1,601	1,445	867	1,022				**6,285**	*698*
EDU	0	41	36	12	17	45	29	45	9				**234**	*26*
GOV	1	2	2	4	2	2	0	2	0				**15**	*2*
MDE	62	69	88	90	90	65	42	36	37				**579**	*64*
MED	171	235	226	200	203	202	228	217	250				**1,932**	*215*
NUT	10	11	13	17	12	14	22	16	22				**137**	*15*
OTH	130	247	167	161	209	224	264	212	220				**1,834**	*204*
SHP	171	139	223	135	148	97	172	79	186				**1,350**	*150*
WORK	159	175	130	124	190	165	131	212	160				**1,446**	*161*
TOTAL DR TRIPS	**1,413**	**1,225**	**885**	**743**	**1,206**	**2,415**	**2,333**	**1,686**	**1,906**	**0**	**0**	**0**	**13,812**	*1,151*

0

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Medicaid	62	69	88	90	90	65	42	36	37	0	0	0	**579**	*48*
Lakepointe Church Contract	709	306	0	0	335	1,601	1,445	867	1,022				**6,285**	*698*
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	**0**	*0*
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	*375*	*88*	*90*	*425*	*1,666*	*1,487*	*903*	*1,059*	*0*	*0*	*0*	***6,864***	*572*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Adjusted Trip Total	642	850	797	653	781	749	846	783	847	0	0	0	**6,948**	*43,511*
	*Trip Totals without Contracts or Medicaid													

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
> = 60	345	477	393	375	424	447	470	464	479				**3,874**	*430*
DIS <60	142	167	137	108	156	115	161	125	118				**1,229**	*137*
	487	*644*	*530*	*483*	*580*	*562*	*631*	*589*	*597*	*0*	*0*	*0*	***5,103***	*425*
% of Adjusted Trip Total	76%	76%	66%	74%	74%	75%	75%	75%	70%	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
GENERAL PUBLIC	155	206	267	170	201	187	215	194	250	0	0	0	**1,845**	*154*
% of Adjusted Total	24%	24%	34%	26%	26%	25%	25%	25%	30%	#DIV/0!	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19	21	19	21	21	22				185
NoShow/Cancel	527	474	476	370	456	369	483	489	368				4,012
UNDUPLICATED M2M	82	88	94	80	91	78	89	74	73				749
UNDUPLICATED YTD		114	144	161	187	202	213	222	230				1,473
			30	*17*	*26*	*15*	*11*	*9*	*8*	*-230*	*0*	*0*	

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	**323**	**440**	**360**	**319**	**437**	**388**	**438**	**439**	**434**				**3,578**
Percent Subs of Total Trips	**23%**	**36%**	**41%**	**43%**	**36%**	**16%**	**19%**	**26%**	**23%**	**#DIV/0!**	**#DIV/0!**	**#DIV/0!**	
SUBS Can/NoShow	**119**	**136**	**210**	**211**	**261**	**201**	**235**	**234**	**206**				**1,813**

1686

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187

June 5, 2019

TO: City of Rockwall

FROM: Ashley Berryhill, Grant Director

Re: STAR Transit Third Quarter FY 2019 Demand Response

TOTAL TRIPS FOR 3RD QUARTER = XXX

Days of Service: March 1, 2019 – May 31, 2019, 64 Service Days

Holidays: 2 Days
April 19
May 27

MONTH	NO. OF SERVICE DAYS	TRIPS
MARCH	21	2,333
APRIL	21	1,686
MAY	22	1,906
	64	**5,925**

NO. OF TRIPS	PURPOSE
83	EDUCATION
2	GOVERNMENT
115	MEDICAID
695	MEDICAL
60	NUTRITION
696	OTHER
437	SHOPPING
503	WORK
3,334	CONTRACT SERVICE

ELDERLY AND DISABLED RIDERSHIP	
404	Disabled Trips
1,413	Elderly (&/or Dis) Trips

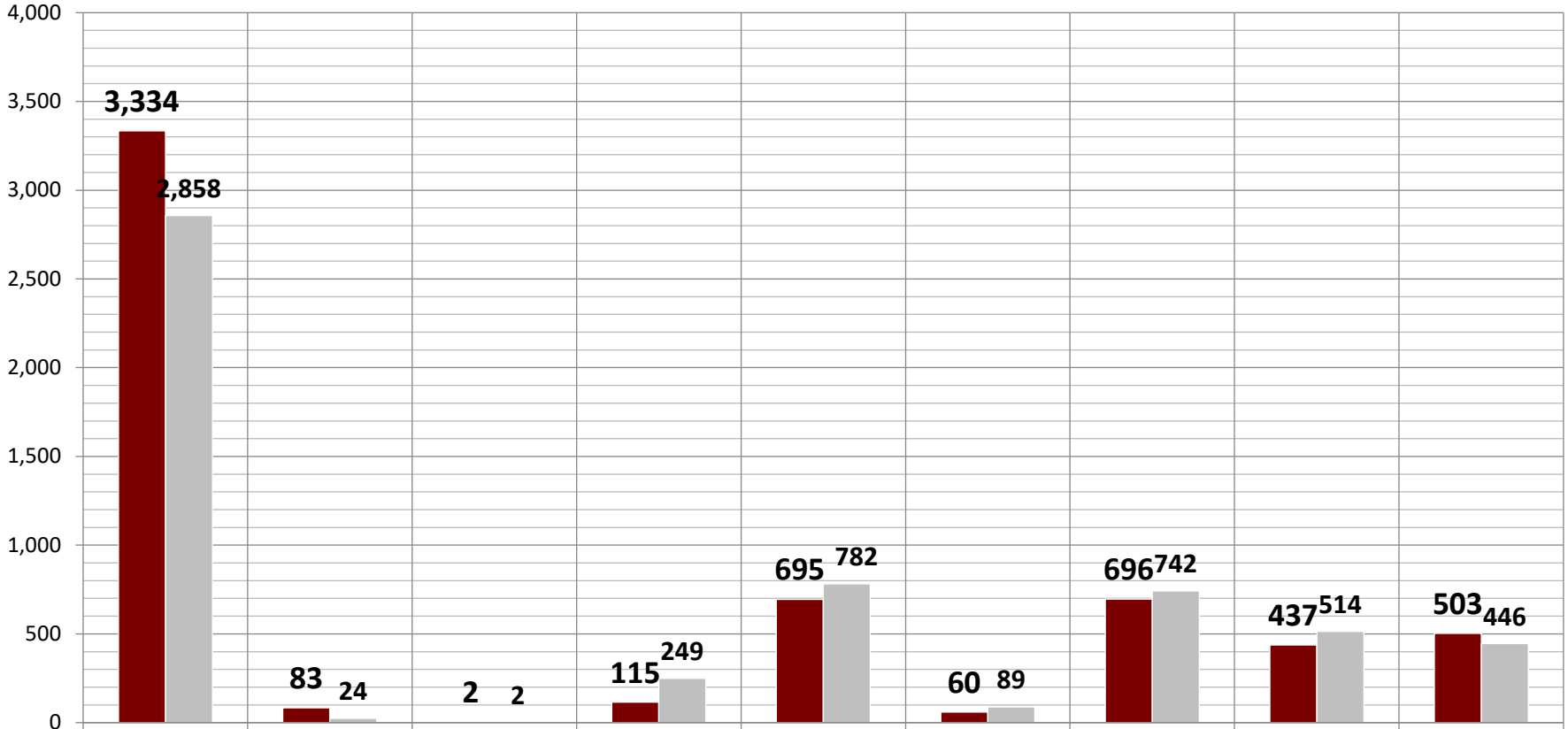
1,817 *E &D Total Rides*

E & D Percent of Public Transportation – 70%

FY 2019 Year to Date Total Rides – 13,812

Prior Year FY2018 3rdQ Total Rides – 5,706 (4% Increase)

3RD QUARTER COMPARISON OF FY19 TO FY18



	Contract Service	Education	Government	Medicaid	Medical	Nutrition Senior Center	Other	Shopping	Work
FY2019	3,334	83	2	115	695	60	696	437	503
FY2018	2,858	24	2	249	782	89	742	514	446

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190

Table of Contents

Agenda 4

Hold a work session to discuss planning and zoning related bills approved with the 86th Legislature.

Memorandum 8

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Hold a work session to discuss changes to Article XI, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances and the Unified Development Code (UDC).

Memorandum 29

Blank Page 36

Consider approval of the minutes from the July 1, 2019 regular city council meeting, and take any action necessary.

Minutes 37

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Consider approval of an ordinance amending the Code of Ordinances in Ch. 18. Fire Prevention and Protection, Article III. Fire Marshal, Sections 18-66 and 18-67, authorizing the Fire Chief to appoint the Fire Marshal, and take any action necessary (2nd reading).

Ord_2nd Reading 49

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Consider approval of an ordinance amending the Code of Ordinances in Ch. 44 "Utilities," Article V. "Water," Division 7. "Water Resource and Emergency Management Plan," Sec. 44-432 to adopt a new plan that incorporates requirements pertaining to "Procedures for Curtailment of Water Supplies," and take any action necessary. (1st Reading)

Memo 52

Ordinance_1st Reading 53

Revised Plan 55

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Consider approving the facilities agreement with Alders at Rockwall Property, LLC to reconstruct the existing Squabble Creek Sanitary Sewer Interceptor within the Alders at Rockwall development in an amount not to exceed $556,034.66 and to be funded by sewer bonds and take any action necessary.

Memo 84

Map 85

Agreement 86

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P2019-011 - Consider a request by Judy K. Larson for the approval of a final plat for Lot 1, Block A, Devoll Place Addition being a 6.96-acre tract of land identified as Tract 26-2 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, situated within the FM-549 Overlay (FM-549 OV) District, addressed as 556 N. FM-3549, and take any action necessary.

P2019-011 91
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MIS2019-012 - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of TEKMAK Development Company for the approval of an Alternative Tree Mitigation Plan for an 8.715-acre tract of land identified as a portion of Lot 1, Block B, Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.

MIS2019-012 98
Blank Page 104

P2019-026 - Consider a request by Bill Bricker of Columbia Development Co., LLC for the approval of a preliminary plat for Lots 1-5, Block A, Park Station Addition, being a 16.26-acre tract of land identified as a portion of Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1100 & 1300 E. Washington Street, and take any action necessary.

P2019-026 105
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Discuss and consider directing staff to amend the Unified Development Code (UDC) and the Municipal Code of Ordinances to address changes relating to fences and planning and zoning related bills approved with the 86th Legislature, and take any action necessary.

Memorandum 112
Blank Page 113

SP2019-014 - Discuss and consider a request by Ahmed Helaluzzaman on behalf of Abdul Latif Khan of Center for Peace and Mercy, Inc. for the approval of a variance in conjunction with an approved site plan for a retail shopping center and house of worship on a 2.681-acre tract of land identified as Tract 10-1 & 22 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located on the north side of Turtle Cove Boulevard north of the intersection of Turtle Cove Boulevard and Ridge Road [FM-740], and take any action necessary.

SP2019-014 114
Blank Page 122

Z2018-046 - Discuss and consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an extension to a Specific Use Permit (SUP) [S-200; Ordinance No. 19-02] allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary.

Z2018-046 123
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AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, July 15, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

pg.8 **1.** Hold a work session to discuss planning and zoning related bills approved with the 86th Legislature.

pg.29 **2.** Hold a work session to discuss changes to Article XI, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances and the Unified Development Code (UDC).

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission, Animal Advisory Board, and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding a personnel matter, pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER

VIII. OPEN FORUM

IX. CONSENT AGENDA

pg.37 **1.** Consider approval of the minutes from the July 1, 2019 regular city council meeting, and take any action necessary.

pg.49 **2.** Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 18. Fire Prevention and Protection, Article III. Fire Marshal, Sections 18-66 and 18-67, authorizing the Fire Chief to appoint the Fire Marshal, and take any action necessary **(2nd reading).**

pg.52 **3.** Consider approval of an ordinance amending the Code of Ordinances in Ch. 44 "Utilities," Article V. "Water," Division 7. "Water Resource and Emergency Management Plan," Sec. 44-432 to adopt a new plan that incorporates requirements pertaining to "Procedures for Curtailment of Water Supplies," and take any action necessary. (1st Reading)

pg.84 **4.** Consider approving the facilities agreement with Alders at Rockwall Property, LLC to reconstruct the existing Squabble Creek Sanitary Sewer Interceptor within the Alders at Rockwall development in an amount not to exceed $556,034.66 and to be funded by sewer bonds and take any action necessary.

pg.91 **5.** **P2019-011 - Consider a request by Judy K.** Larson for the approval of a final plat for Lot 1, Block A, Devoll Place Addition being a 6.96-acre tract of land identified as Tract 26-2 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, situated within the FM-549 Overlay (FM-549 OV) District, addressed as 556 N. FM-3549, and take any action necessary.

pg.98 **6.** **MIS2019-012** - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of TEKMAK Development Company for the approval of an Alternative Tree Mitigation Plan for an 8.715-acre tract of land identified as a portion of Lot 1, Block B, Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.

pg.105 **7.** **P2019-026** - Consider a request by Bill Bricker of Columbia Development Co., LLC for the approval of a preliminary plat for Lots 1-5, Block A, Park Station Addition, being a 16.26-acre tract of land identified as a portion of Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1100 & 1300 E. Washington Street, and take any action necessary.

X. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XI. ACTION ITEMS

pg.112 1. Discuss and consider directing staff to amend the Unified Development Code (UDC) and the Municipal Code of Ordinances to address changes relating to fences and planning and zoning related bills approved with the 86th Legislature, and take any action necessary.

pg.114 2. **SP2019-014** - Discuss and consider a request by Ahmed Helaluzzaman on behalf of Abdul Latif Khan of Center for Peace and Mercy, Inc. for the approval of a variance in conjunction with an approved site plan for a retail shopping center and house of worship on a 2.681-acre tract of land identified as Tract 10-1 & 22 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located on the north side of Turtle Cove Boulevard north of the intersection of Turtle Cove Boulevard and Ridge Road [FM-740], and take any action necessary.

pg.123 3. **Z2018-046** - Discuss and consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an extension to a Specific Use Permit (SUP) [S-200; Ordinance No. 19-02] allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission, Animal Advisory Board, and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding a personnel matter, pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)

4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of July, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	July 15, 2019
SUBJECT:	Legislative Update for Planning and Zoning Related Bills

During the 86th Legislative Session several planning and zoning related bills were approved by the legislature that have major impacts to the City's codes. These bills could affect how the community grows and develops in the future. In order to amend the City's ordinances to address the new laws prior to their effective dates (*i.e. September 1, 2019*), City staff has prepared a synopsis of each of the major bills for the City Council's review. In addition, staff has provided a summary of each of the bills' perceived impacts to the City of Rockwall, the actions necessary to change the codes to address the new laws, and several strategies that the City Council may consider when directing staff to make the necessary changes. Staff has also placed the full text for each bill in the attached packet for the City Council's review. At the end of this memorandum, staff has included several questions for the City Council to answer that will assist staff in the update.

Planning Related Bills Approved by Legislature

- *HB347 (Annexation)*: This bill effectively eliminates the City of Rockwall's ability to unilaterally annex property located within the City's Extraterritorial Jurisdiction (ETJ). More specifically, the bill eliminates the *Tier 1* and *Tier 2* distinction for cities and counties, which was created by SB6 during the 84th Legislative Session.

  Effective Date of HB347: May 24, 2019

  What does HB347 mean for the City of Rockwall?

  HB347 restricts the City's ability to unilaterally annex property, and all future annexations in the City will be voluntary to some degree (*i.e. property owner initiated or through an election of all property owners in the proposed annexation area*).

  Strategies or Actions as a Result of HB3167

  There are no strategies or code amendments associated with the implementation of this bill.

- *HB2439 (Building Materials and Methods)*: This bill effectively restricts a City from enforcing or adopting regulations that prohibit or limit -- *directly or indirectly* -- the use or installation of a building product or material in the construction or renovation of a residential or commercial building that is already regulated by a *National Model Code* (*i.e. the International Building Code*). The bill does allow for certain exclusions including:

  (1) An ordinance or other regulation that regulates outdoor lighting for the purpose of reducing light pollution.

(2) A building located in a place or area designated for its historical, cultural, or architectural importance and significance that a municipality may regulate under Section 211.003(b) of the Texas Local Government Code (TLGC) if: [*1*] the municipality is a certified local government, [*2*] the municipality has an applicable landmark ordinance.
(3) A building located in a place or area designated for its historical, cultural, or architectural importance and significance by a governmental entity, if designated before April 1, 2019.
(4) A building listed on the National Register of Historic Places or designated as a landmark by a governmental entity.
(5) A building located in an area designated for development, restoration, or preservation in a Main Street City under the Main Street Program established under Section 442.014 of the TLGC.

In addition, the bill states that the Attorney General or an aggrieved party may file an action in district court to enjoin a violation or threatened violation of Section 3000.002, and that the court may grant appropriate relief.

Effective Date of HB2439: September 1, 2019

What does HB2439 mean for the City of Rockwall?

The language used in HB2439 is broad and is targeted at preempting a City's ability to regulate development through a zoning ordinance. For the City of Rockwall, the bill will restrict the ability to regulate building materials (*i.e. requiring masonry materials*) through the Unified Development Code; however, the exceptions may continue to allow the City to regulate building materials in certain areas. After conferring with the City Attorney, staff believes the bill will continue to allow the City the ability to regulate building materials in the current manner in the City's various overlay districts (*based on Exception #3 above*), the Downtown (DT) District (*based on Exception #5 above*), the Old Town Rockwall (OTR) Historic District and Planned Development District 50 (PD-50) (*based on Exception #2 above*), the City's locally designated landmarks (*based on Exception #4 above*), Planned Development District 32 (PD-32) (*based on Exception #3 above*), and through future Specific Use Permit (SUP) ordinances. There are still some questions as to whether or not the bill will have an effect on the City's existing Planned Development Districts; however, the City Attorney has stated a belief that state law would preempt these ordinances. There is also some ambiguity on if the City will be able to -- *with the owner(s)/applicant(s) permission* -- be able to regulate building materials through future Planned Development Districts. Much of the uncertainty of this bill will be solved when/if a City gets challenged based on their interpretation of the bill. Staff should note that this bill also has implications on the City's ability to adopt local amendments to the International Building Code (IBC).

For the City's future development, this bill has implications associated with:

(1) *Residential Accessory Buildings*. All residential accessory buildings adhering to the size requirements would be permitted to be constructed out of metal.
(2) *Residential Structures*. Mobile and modular homes would be permitted within the City limits in areas that are not listed in the above exceptions. This may also include the Lake Rockwall Estates Subdivision, which has been transitioning largely due to the one (1) time replacement on mobile and modular homes required by Planned Development District 70 (PD-70). Residential structures that represent infill development in areas of the City that are not covered by deed restrictions would be permitted to be built using materials that were not previously permitted in these subdivisions. This could change the established aesthetics in these areas and could have a potential impact on property values. Materials previously prohibited, such as logistics containers, would also be permitted to be used in the construction of new homes.
(3) *Non-Residential Structures*. The City's major roadways are currently covered by the overlay districts, which it appears will be largely unaffected by the requirements of HB2439; however, many of the commercial areas outside of the overlay districts are adjacent to residential subdivisions. Since non-residential structures -- *not situated within the areas listed in the above*

exceptions -- would be exempted from the building material standards, this could mean more metal buildings adjacent to residentially zoned properties.

Strategies or Actions as a Result of HB2439

Based on the approval of this bill staff will be required to amend large portions of the City's Unified Development Code. Through these amendments there are several opportunities or strategies, that the City Council may choose to adopt, which would continue to ensure the City is demanding the highest quality development in lieu of the restrictions of HB2439. Some of these include:

(1) Increasing the anti-monotony standards for residential properties. This is currently being implemented in the City's Planned Development District ordinances and could be implemented in the *General Residential District Standards*.
(2) The use of Specific Use Permits (SUP's) [*which the City Attorney has stated that the City could require building material requirements through*] could be expanded. This could also be reapplied to residential accessory structures (*as was previously done prior to the update of the code by Ordinance No. 18-47*).
(3) Apply the overlay district standards -- *with the exception of the building material standards* -- to all development within the City.
(4) Make it more difficult to obtain variances and exceptions. This could be achieved in several ways including: [*1*] making all variances and exceptions subject to a supermajority vote, [*2*] creating a compensatory requirement whereby in order to request a variance the applicant is required to off-set the variance through a list of compensatory measures (*e.g. increased landscaping, increased setbacks, increased landscape buffers, structure/shared parking -- staff is also exploring if the use of building materials could be incorporated in this section since it would be a voluntary selection by the applicant*), and/or [*3*] reducing the number of exceptions and variances approved.
(5) Increase the landscaping standards and make the overlay district landscape standards applicable citywide. Increase the number of trees required in landscape buffers.

DISCLAIMER: These strategies are not meant to directly or indirectly prohibit the use or installation of a building product or material, but rather ensure high quality development in the City.

Staff should note that any of these measures would be discretionary to the City Council and staff would only pursue these measures at the City Council's direction.

- *HB3167 (Development Applications)*: This bill makes numerous changes to how City's process and approve site plan and platting applications. A summary of the specific implications of this bill are as follows:

(1) Puts a 30-day "shot clock" on the approval of all site plans and plats. For site plans this means that the Planning and Zoning Commission is required to approve, approve with conditions, or deny a site plan application within 30-days of the application being filed. For plats, the Planning and Zoning Commission has 30-days to forward a recommendation to the City Council, which then has 30-days from this action to approve, approve with conditions, or deny the plat.
(2) The 30-day "shot clock" may only be extended by the applicant for an additional 30-days if the applicant requests in writing an extension to the deadline and the municipal authority or governing body approves such extension request.
(3) If a site plan or plat is approved with condition or denied by the municipal authority, staff is required to provide a written letter stating all conditions of approval or the reason for disapproval that clearly articulates each condition or reason for disapproval citing the section of the code or law for which the condition or reason for disapproval originates (*i.e. the conditions cannot be arbitrary*).
(4) If a site plan or plat is approved with condition or denied by the municipal authority, the applicant is permitted to respond to staff's written letter (*required in #3 above*) within an undetermined

amount of time (*i.e. the municipal authority is not permitted to set a deadline*). If the municipal authority receives a response from an applicant, the municipal authority is required to respond no later than 15-days from receipt of the response, stating approval if the response adequately address the issues or disapproval stating the reason for each disapproval.

(5) If a site plan or plat is approved by the municipal authority, the site plan or plat is endorsed with a certificate indicating the approval.

(6) The municipal authority responsible for approving plats or the governing body of the municipality may not request or require an applicant to waive a deadline or other approval procedure.

(7) In a legal action challenging a disapproval of a plan or plat, the City has the burden of proving by clear and convincing evidence that the disapproval meets the requirements of the subdivision platting law or any applicable case law, and the court may not use a deferential standard.

Effective Date of HB3167: September 1, 2019

What does HB3167 mean for the City of Rockwall?

Moving forward HB3167 will not affect the City's platting process, as plats are typically approved with condition within 30-days; however, the City will be required to remove the 30-day waiver that is currently on the development application. For plats, the City will have to start stamping and signing all plats (*i.e. master plats and preliminary plats*) with the same certificate that replats and final plats are currently being stamped with. The real effect of HB3167 is in the process in which the City currently approves site plans. The purpose of this law is to accelerate the approval process of site plans; however, for the City of Rockwall this removes much of the flexibility that staff uses to facilitate development request (*i.e. approving all site plans by conditional approval within 30-days and clearing up development issues on the back end*), and is more likely to make the process more difficult on applicants. This is tied to several aspects of the bill including:

(1) The rigid time period for acting on a site plan. Currently, applicants are able to submit site plans at their convenience and staff has not taken a rigid approach to application deadlines (*i.e. staff takes site plan applications before and after the submittal deadline*). Moving forward all site plans will have to be submitted on the deadline date with no early or late applications being accepted. This will be necessary to ensure that action is taken on all site plans within 30-days without exception.

(2) The Planning and Zoning Commission can only approve, approve with condition, or deny a site plan. This means that the Planning and Zoning Commission cannot table a case to request additional information. In circumstances where additional information (*e.g. Traffic Impact Analysis*) is required, the Planning and Zoning Commission will be required to deny the application, and the applicant will be required to resubmit the site plan at the next submittal date.

(3) Due to the laborious requirements associated with approving site plans with conditions under HB3167, staff will be required to deny any site plan that does not return comments on the date required to take the site plan forward. Currently, the City's approval process operates on a 30-day cycle, which makes it difficult for applicants to return all of staff's comments in time to make the Planning and Zoning Commission meeting date. Under the current process staff has been taking these site plans forward for conditional approval to help facilitate the applicant's request in a timely manner. Moving forward staff will be required to deny these requests for not meeting the requirements, and the applicant will be required to resubmit a new application at the next submittal deadline.

In addition, this bill will also require all site plans be stamped with a certificate and signed by the Planning and Zoning Commission chairman. Despite these requirements, staff will continue to look for ways to facilitate all requests in a timely manner; however, in certain cases applicants may be submitting and resubmitting a site plan request multiple times, which will extend the approval process beyond the desired 30-day period.

Strategies or Actions as a Result of HB3167

In order to bring the City's codes and applications into compliance with the requirements of HB3167, staff will need to make amendments to: [1] Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances, [2] Article XI, *Zoning-Related Applications*, of the Unified Development Code (UDC), and [3] the Development Application. Beyond these amendments, there really are no strategies that staff can put forth to address the changes associated with HB3167 with the exception of changing the City's site plan process and discontinuing approving site plans conditionally. To make it easier on the Planning and Zoning Commissioners, staff intends on outlining what actions are required by the Planning and Zoning Commission on all future site plan memos. Staff will also include what options the Planning and Zoning Commission has with regard to each action (*i.e. approved, approve with condition or denial*).

Questions for the City Council

(1) Given the ambiguity associated with HB2439 and the possibility for legal challenge, is the City Council comfortable allowing staff to continue to enforce building material restrictions in the City's overlay districts? Planned Development Districts?

(2) Does the City Council want staff to explore amending the *Permissible Use Charts* in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) to increase the use of Specific Use Permits (SUP's)? Require a SUP for residential accessory buildings?

(3) Does the City Council want staff to amend the City's general development standards for residential and/or non-residential development to be more restrictive (*e.g. increased anti-monotony, development standards similar to the overlay district standards applied citywide, increased landscaping requirements*)?

(4) Does the City Council want staff to create compensatory measures for variances and exceptions, and/or change the voting requirements for variances and exceptions?

AN ACT

relating to consent annexation requirements.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. REPEAL OF TIER SYSTEM

SECTION 1.01. The following provisions of Chapter 43, Local Government Code, are repealed:

(1) Sections 43.001(2), (3), (4), and (5);
(2) Section 43.011;
(3) Subchapter B;
(4) Section 43.0505(b);
(5) Section 43.052;
(6) Section 43.053;
(7) Section 43.056(q);
(8) Section 43.0561;
(9) Section 43.0562;
(10) Section 43.0563;
(11) Section 43.0564;
(12) Section 43.061(b);
(13) Section 43.066;
(14) Section 43.067;
(15) Section 43.068;
(16) Section 43.069;
(17) Section 43.0751(o);
(18) Section 43.0752;
(19) Section 43.103;
(20) Section 43.105; and
(21) Subchapter Y.

SECTION 1.02. The heading to Subchapter C-2, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-2. GENERAL ANNEXATION AUTHORITY AND PROCEDURES REGARDING CONSENT ANNEXATIONS[~~: TIER 2 MUNICIPALITIES~~]

SECTION 1.03. The heading to Subchapter C-3, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-3. ANNEXATION OF AREA ON REQUEST OF OWNERS[~~: TIER 2 MUNICIPALITIES~~]

SECTION 1.04. The heading to Subchapter C-4, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-4. ANNEXATION OF AREAS WITH POPULATION OF LESS THAN 200 BY PETITION [~~: TIER 2 MUNICIPALITIES~~]

SECTION 1.05. The heading to Subchapter C-5, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-5. ANNEXATION OF AREAS WITH POPULATION OF AT LEAST 200 BY ELECTION [~~: TIER 2 MUNICIPALITIES~~]

SECTION 1.06. Section 43.1025(c), Local Government Code, is amended to read as follows:

(c) The area described by Subsection (b) may be annexed under the requirements prescribed by Subchapter C-3, C-4, or C-5, as applicable [~~to a tier 2 municipality~~], but the annexation may not occur unless each municipality in whose extraterritorial jurisdiction the area may be located:

(1) consents to the annexation; and
(2) reduces its extraterritorial jurisdiction over the area as provided by Section 42.023.

SECTION 1.07. Section 43.1211, Local Government Code, is amended to read as follows:

Sec. 43.1211. USE OF CONSENT PROCEDURES [~~AUTHORITY OF CERTAIN TIER 2 MUNICIPALITIES~~] TO ANNEX FOR LIMITED PURPOSES. Except as provided by Section 43.0751, beginning December 1, 2017, a [~~tier 2~~] municipality described by Section 43.121(a) may annex an area for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area using the procedures

13

under Subchapter C-3, C-4, or C-5, as applicable.

ARTICLE 2. CONFORMING CHANGES

SECTION 2.01. The following provisions of the Special District Local Laws Code are repealed:

(1) Section 8374.252(a);
(2) Section 8375.252(a);
(3) Section 8376.252(a);
(4) Section 8377.252(a);
(5) Section 8378.252(a);
(6) Section 8382.252(a);
(7) Section 8383.252(a);
(8) Section 8384.252(a);
(9) Section 8385.252(a); and
(10) Section 8477.302(a).

SECTION 2.02. Section 43.0116(a), Local Government Code, is amended to read as follows:

(a) Notwithstanding any other law and subject to Subsection (b), a municipality may annex all or part of the area located in an industrial district designated by the governing body of the municipality under Section 42.044 under the procedures prescribed by Subchapter C-1 [~~the requirements applicable to a tier 1 municipality~~].

SECTION 2.03. The heading to Subchapter C, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C. LIMITATIONS AND REQUIREMENTS REGARDING ANNEXATIONS EXEMPTED FROM CONSENT ANNEXATION PROCEDURES [~~PROCEDURE FOR AREAS ANNEXED UNDER MUNICIPAL ANNEXATION PLAN: TIER 1 MUNICIPALITIES~~]

SECTION 2.04. Section 43.0505(a), Local Government Code, is amended to read as follows:

(a) This [~~Except as provided by Subsection (b), this~~] subchapter applies only to an annexation under Subchapter C-1 [~~a tier 1 municipality~~].

SECTION 2.05. Sections 43.056(a), (b), (j), and (k), Local Government Code, are amended to read as follows:

(a) This section applies to a service plan under Section 43.065 [~~Before the first day of the 10th month after the month in which the inventory is prepared as provided by Section 43.053, the municipality proposing the annexation shall complete a service plan that provides for the extension of full municipal services to the area to be annexed. The municipality shall provide the services by any of the methods by which it extends the services to any other area of the municipality~~].

(b) The service plan, which must be completed [~~in the period provided by Subsection (a)~~] before the annexation, must include a program under which the municipality will provide full municipal services in the annexed area no later than 2-1/2 years after the effective date of the annexation, in accordance with Subsection (e), unless certain services cannot reasonably be provided within that period and the municipality proposes a schedule for providing those services, and must include a list of all services required by this section to be provided under the plan. If the municipality proposes a schedule to extend the period for providing certain services, the schedule must provide for the provision of full municipal services no later than 4-1/2 years after the effective date of the annexation. However, under the program if the municipality provides any of the following services within the corporate boundaries of the municipality before annexation, the municipality must provide those services in the area proposed for annexation on the effective date of the annexation of the area:

(1) police protection;
(2) fire protection;
(3) emergency medical services;
(4) solid waste collection, except as provided by Subsection (o);
(5) operation and maintenance of water and wastewater facilities in the annexed area that are not within the service area of another water or wastewater utility;

14

(6) operation and maintenance of roads and streets, including road and street lighting;

(7) operation and maintenance of parks, playgrounds, and swimming pools; and

(8) operation and maintenance of any other publicly owned facility, building, or service.

(j) The proposed service plan must be made available for public inspection and explained to the inhabitants of the area at the public hearings held under Section 43.063 [~~43.0561~~]. The plan may be amended through negotiation at the hearings, but the provision of any service may not be deleted. On completion of the public hearings, the service plan shall be attached to the ordinance annexing the area and approved as part of the ordinance.

(k) On approval by the governing body, the service plan is a contractual obligation that is not subject to amendment or repeal except that if the governing body determines at the public hearings required by this subsection that changed conditions or subsequent occurrences make the service plan unworkable or obsolete, the governing body may amend the service plan to conform to the changed conditions or subsequent occurrences. An amended service plan must provide for services that are comparable to or better than those established in the service plan before amendment. Before any amendment is adopted, the governing body must provide an opportunity for interested persons to be heard at public hearings called and held in the manner provided by Section 43.063 [~~43.0561~~].

SECTION 2.06. The heading to Subchapter C-1, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-1. ANNEXATION PROCEDURE FOR AREAS EXEMPTED FROM CONSENT [~~MUNICIPAL~~] ANNEXATION PROCEDURES [~~PLAN: TIER 1 MUNICIPALITIES~~]

SECTION 2.07. Section 43.061(a), Local Government Code, is amended to read as follows:

(a) Unless otherwise specifically provided by this chapter or another law [~~Except as provided by Subsection (b)~~], this subchapter applies only to an annexation under:

(1) Section 43.0115 (Enclave);

(2) Section 43.0116 (Industrial District);

(3) Section 43.012 (Area Owned by Type-A Municipality);

(4) Section 43.013 (Navigable Stream);

(5) Section 43.0751(h) (Strategic Partnership);

(6) Section 43.101 (Municipally Owned Reservoir);

(7) Section 43.102 (Municipally Owned Airport); and

(8) Section 43.1055 (Road and Right-of-Way) [~~area that is proposed for annexation by a tier 1 municipality and that is not required to be included in a municipal annexation plan under Section 43.052(h)~~].

SECTION 2.08. Section 43.062(b), Local Government Code, is amended to read as follows:

(b) This subsection applies only to an area that contains fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract [~~described by Section 43.052(h)(1)~~]. Before the 30th day before the date of the first hearing required under Section 43.063, a municipality shall give written notice of its intent to annex the area to:

(1) each property owner in an area proposed for annexation, as indicated by the appraisal records furnished by the appraisal district for each county in which the area is located;

(2) each public entity[~~, as defined by Section 43.053,~~] or private entity that provides services in the area proposed for annexation, including each:

(A) municipality, county, fire protection service provider, including a volunteer fire department, and emergency medical services provider, including a volunteer emergency medical services provider; and

(B) municipal utility district, water control and improvement district, or other district created under Section

52, Article III, or Section 59, Article XVI, Texas Constitution; and

(3) each railroad company that serves the municipality and is on the municipality's tax roll if the company's right-of-way is in the area proposed for annexation.

SECTION 2.09. Section 43.0715(c), Local Government Code, is amended to read as follows:

(c) At the time notice of the municipality's intent to annex the land within the district is first given in accordance with Section [~~43.052,~~] 43.0683[~~,~~] or 43.0693, as applicable, the municipality shall proceed to initiate and complete a report for each developer conducted in accordance with the format approved by the Texas Commission on Environmental Quality for audits. In the event the municipality is unable to complete the report prior to the effective date of the annexation as a result of the developer's failure to provide information to the municipality which cannot be obtained from other sources, the municipality shall obtain from the district the estimated costs of each project previously undertaken by a developer which are eligible for reimbursement. The amount of such costs, as estimated by the district, shall be escrowed by the municipality for the benefit of the persons entitled to receive payment in an insured interest-bearing account with a financial institution authorized to do business in the state. To compensate the developer for the municipality's use of the infrastructure facilities pending the determination of the reimbursement amount, all interest accrued on the escrowed funds shall be paid to the developer whether or not the annexation is valid. Upon placement of the funds in the escrow account, the annexation may become effective. In the event a municipality timely escrows all estimated reimbursable amounts as required by this subsection and all such amounts, determined to be owed, including interest, are subsequently disbursed to the developer within five days of final determination in immediately available funds as required by this section, no penalties or interest shall accrue during the pendency of the escrow. Either the municipality or developer may, by written notice to the other party, require disputes regarding the amount owed under this section to be subject to nonbinding arbitration in accordance with the rules of the American Arbitration Association.

SECTION 2.10. Sections 43.0751(b) and (h), Local Government Code, are amended to read as follows:

(b) The governing bodies of a municipality and a district may negotiate and enter into a written strategic partnership agreement for the district by mutual consent. [~~The governing body of a municipality, on written request from a district included in the municipality's annexation plan under Section 43.052, shall negotiate and enter into a written strategic partnership agreement with the district. A district included in a municipality's annexation plan under Section 43.052:~~

[~~(1) - - may not submit its written request before the date of the second hearing required under Section 43.0561; and~~

[~~(2) - - must submit its written request before the 61st day after the date of the second hearing required under Section 43.0561.~~]

(h) On the full-purpose annexation conversion date set forth in the strategic partnership agreement pursuant to Subsection (f)(5), the land included within the boundaries of the district shall be deemed to be within the full-purpose boundary limits of the municipality without the need for further action by the governing body of the municipality. The full-purpose annexation conversion date established by a strategic partnership agreement may be altered only by mutual agreement of the district and the municipality. However, nothing herein shall prevent the municipality from terminating the agreement and instituting proceedings to annex the district, on request by the governing body of the district, on any date prior to the full-purpose annexation conversion date established by the strategic partnership agreement

under the procedures prescribed by Subchapter C-1 [~~applicable to a tier 1 municipality~~]. Land annexed for limited or full purposes under this section shall not be included in calculations prescribed by Section 43.055(a).

SECTION 2.11. Section 43.07515(a), Local Government Code, is amended to read as follows:

(a) A municipality may not regulate under Section 43.0751 [~~or 43.0752~~] the sale, use, storage, or transportation of fireworks outside of the municipality's boundaries.

SECTION 2.12. Section 43.101(c), Local Government Code, is amended to read as follows:

(c) A municipality may annex the [~~The~~] area described by this section [~~may be annexed~~] without the consent of any owners or residents of the area under the procedures prescribed by Subchapter C-1 [~~applicable to a tier 1 municipality by:~~

[~~(1) a tier 1 municipality; and~~

[~~(2)~~] if there are no owners other than the municipality or residents of the area[~~, a tier 2 municipality~~].

SECTION 2.13. Section 43.102(c), Local Government Code, is amended to read as follows:

(c) A municipality may annex the [~~The~~] area described by this section [~~may be annexed~~] without the consent of any owners or residents of the area under the procedures prescribed by Subchapter C-1 [~~applicable to a tier 1 municipality by:~~

[~~(1) a tier 1 municipality; and~~

[~~(2)~~] if there are no owners other than the municipality or residents of the area[~~, a tier 2 municipality~~].

SECTION 2.14. Section 43.1055, Local Government Code, is amended to read as follows:

Sec. 43.1055. ANNEXATION OF ROADS AND RIGHTS-OF-WAY [~~IN CERTAIN LARGE COUNTIES~~]. Notwithstanding any other law, a [~~tier 2~~] municipality may by ordinance annex a road or the right-of-way of a road on request of the owner of the road or right-of-way or the governing body of the political subdivision that maintains the road or right-of-way under the procedures prescribed by Subchapter C-1 [~~applicable to a tier 1 municipality~~].

SECTION 2.15. Section 43.141(a), Local Government Code, is amended to read as follows:

(a) A majority of the qualified voters of an annexed area may petition the governing body of the municipality to disannex the area if the municipality fails or refuses to provide services or to cause services to be provided to the area:

(1) if the area was annexed under Subchapter C-1 [~~municipality is a tier 1 municipality~~], within the period specified by Section 43.056 or by the service plan prepared for the area under that section; or

(2) if the area was annexed under Subchapter C-3, C-4, or C-5 [~~municipality is a tier 2 municipality~~], within the period specified by the written agreement under Section 43.0672 or the resolution under Section 43.0682 or 43.0692, as applicable.

SECTION 2.16. Section 43.203(b), Local Government Code, is amended to read as follows:

(b) On receipt of the district's petition, the governing body of the municipality shall enter into negotiations with the district for an agreement to alter the status of annexation that must:

(1) specify the period, which may not be less than 10 years beginning on January 1 of the year following the date of the agreement, in which limited-purpose annexation is in effect;

(2) provide that, at the expiration of the period, the district's annexation status will automatically revert to full-purpose annexation without following procedures provided by Section [~~Sections~~] 43.014 [~~and 43.052 through 43.055~~] or any [~~other~~] procedural requirement for annexation not in effect on January 1, 1995; and

(3) specify the financial obligations of the district during and after the period of limited-purpose annexation for:

17

(A) facilities constructed by the municipality that are in or that serve the district;

(B) debt incurred by the district for water and sewer infrastructure that will be assumed by the municipality at the end of the period of limited-purpose annexation; and

(C) use of the municipal sales taxes collected by the municipality for facilities or services in the district.

SECTION 2.17. Section 43.905(a), Local Government Code, is amended to read as follows:

(a) A municipality that proposes to annex an area shall provide written notice of the proposed annexation to each public school district located in the area proposed for annexation within the period prescribed for providing the notice of, as applicable:

(1) the hearing under Section 43.0673; or

(2) the first hearing under Section [~~43.0561,~~] 43.063, [~~43.0673,~~] 43.0683, or 43.0693[~~, as applicable~~].

SECTION 2.18. Sections 43.9051(a) and (b), Local Government Code, are amended to read as follows:

(a) In this section, "public entity" includes a county, fire protection service provider, including a volunteer fire department, emergency medical services provider, including a volunteer emergency medical services provider, or special district described[~~, as that term is defined~~] by Section 43.062(b)(2)(B) [~~43.052~~].

(b) A municipality that proposes to annex an area shall provide to each public entity that is located in or provides services to the area proposed for annexation written notice of the proposed annexation within the period prescribed for providing the notice of, as applicable:

(1) the hearing under Section 43.0673; or

(2) the first hearing under Section [~~43.0561,~~] 43.063, [~~43.0673,~~] 43.0683, or 43.0693[~~, as applicable, to each public entity that is located in or provides services to the area proposed for annexation~~].

ARTICLE 3. HEARING REQUIREMENTS FOR CERTAIN CONSENT ANNEXATIONS

SECTION 3.01. Section 43.0673, Local Government Code, is amended to read as follows:

Sec. 43.0673. PUBLIC HEARING [~~HEARINGS~~]. (a) Before a municipality may adopt an ordinance annexing an area under this subchapter [~~section~~], the governing body of the municipality must conduct one [~~at least two~~] public hearing [~~hearings~~].

[~~(b) The hearings must be conducted not less than 10 business days apart.~~]

(c) During the [~~first~~] public hearing, the governing body:

(1) must provide persons interested in the annexation the opportunity to be heard; and

(2) [~~. During the final public hearing, the governing body~~] may adopt an ordinance annexing the area.

(d) The municipality must post notice of the hearing [~~hearings~~] on the municipality's Internet website if the municipality has an Internet website and publish notice of the hearing [~~hearings~~] in a newspaper of general circulation in the municipality and in the area proposed for annexation. The notice for the [~~each~~] hearing must be:

(1) published at least once on or after the 20th day but before the 10th day before the date of the hearing; and

(2) [~~. The notice for each hearing must be~~] posted on the municipality's Internet website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing.

ARTICLE 4. TRANSITION AND EFFECTIVE DATE

SECTION 4.01. (a) Except as provided by Subsections (b) and (c) of this section, the changes in law made by this Act apply only to an annexation of an area that is not final on the effective date of this Act. An annexation of an area that was final before the effective date of this Act is governed by those portions of Chapter 43, Local Government Code, that relate to post-annexation

procedures and requirements in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(b) The changes in law made by this Act do not apply to the annexation of an area for which the governing body of a municipality has adopted a resolution to direct the municipality's city manager to prepare a service plan for the area on or before the effective date of this Act. An annexation of an area for which the governing body adopted a resolution to direct the municipality's city manager to prepare a service plan for the area before the effective date of this Act is governed by Chapter 43, Local Government Code, as it existed on January 1, 2019.

(c) Until the fourth anniversary of the date that final judgment in an action described by this subsection is rendered, the changes in law made by this Act do not apply to an annexation of an area described by this subsection, and an annexation of an area described by this subsection is governed by Chapter 43, Local Government Code, as it existed on January 1, 2019. This subsection applies only to an area that is:

(1) wholly located in a county that:

(A) borders the Gulf of Mexico; and

(B) contains an international border; and

(2) proposed to be annexed by a municipality that is a named party in an action:

(A) involving issues of fact or law relating to the annexation; and

(B) commenced before January 1, 2019.

SECTION 4.02. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

_____ _____

President of the Senate Speaker of the House

I certify that H.B. No. 347 was passed by the House on April 9, 2019, by the following vote: Yeas 133, Nays 14, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 347 on May 13, 2019, by the following vote: Yeas 131, Nays 9, 1 present, not voting.

_____

Chief Clerk of the House

I certify that H.B. No. 347 was passed by the Senate, with amendments, on May 8, 2019, by the following vote: Yeas 25, Nays 6.

_____

Secretary of the Senate

APPROVED: _____

Date

_____

Governor

By: Phelan, Rodriguez, Collier, Schaefer H.B. No. 2439

A BILL TO BE ENTITLED
AN ACT

relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 10, Government Code, is amended by adding Subtitle Z to read as follows:

SUBTITLE Z. MISCELLANEOUS PROVISIONS PROHIBITING CERTAIN GOVERNMENTAL ACTIONS

CHAPTER 3000. GOVERNMENTAL ACTION AFFECTING RESIDENTIAL AND COMMERCIAL CONSTRUCTION

Sec. 3000.001. DEFINITIONS. In this chapter:

(1) "National model code" has the meaning assigned by Section 214.217, Local Government Code.

(2) "Governmental entity" has the meaning assigned by Section 2007.002.

Sec. 3000.002. CERTAIN REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS, OR METHODS PROHIBITED. (a) Notwithstanding any other law and except as provided by Subsection (d), a governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that:

(1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(2) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(b) A governmental entity that adopts a building code governing the construction, renovation, maintenance, or other alteration of a residential or commercial building may amend a provision of the building code to conform to local concerns if the amendment does not conflict with Subsection (a).

(c) This section does not apply to:

(1) a program established by a state agency that requires particular standards, incentives, or financing arrangements in order to comply with requirements of a state or federal funding source or housing program;

(2) a requirement for a building necessary to consider the building eligible for windstorm and hail insurance coverage under Chapter 2210, Insurance Code;

(3) an ordinance or other regulation that:

(A) regulates outdoor lighting for the purpose of reducing light pollution; and

(B) is adopted by a governmental entity that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program;

(4) an ordinance or order that:

(A) regulates outdoor lighting; and

(B) is adopted under Subchapter B, Chapter 229, Local Government Code, or Subchapter B, Chapter 240, Local Government Code;

(5) a building located in a place or area designated for its historical, cultural, or architectural importance and significance that a municipality may regulate under Section 211.003(b), Local Government Code, if the municipality:

(A) is a certified local government under the National Historic Preservation Act (54 U.S.C. Section 300101 et seq.); or

(B) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;

(6) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by a governmental entity, if designated before April 1, 2019;

(7) a building located in an area designated as a historic district on the National Register of Historic Places;

(8) a building designated as a Recorded Texas Historic Landmark;

(9) a building designated as a State Archeological Landmark or State Antiquities Landmark;

(10) a building listed on the National Register of Historic Places or designated as a landmark by a governmental entity;

(11) a building located in a World Heritage Buffer Zone; and

(12) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section 442.014.

(d) A municipality that is not a municipality described by Subsection (c)(3)(A) or (B) may adopt or enforce a regulation described by Subsection (a) that applies to a building located in a place or area designated on or after April 1, 2019, by the municipality for its historical, cultural, or architectural importance and significance, if the municipality has the voluntary consent from the building owner.

(e) A rule, charter provision, ordinance, order, building code, or other regulation adopted by a governmental entity that conflicts with this section is void.

Sec. 3000.003. INJUNCTION. (a) The attorney general or an aggrieved party may file an action in district court to enjoin a violation or threatened violation of Section 3000.002.

(b) The court may grant appropriate relief.

(c) The attorney general may recover reasonable attorney's fees and costs incurred in bringing an action under this section.

(d) Sovereign and governmental immunity to suit is waived and abolished only to the extent necessary to enforce this chapter.

Sec. 3000.004. OTHER PROVISIONS NOT AFFECTED. This chapter does not affect provisions regarding the installation of a fire sprinkler protection system under Section 1301.551(i), Occupations Code, or Section 775.045(a)(1), Health and Safety Code.

Sec. 3000.005. SEVERABILITY. If any provision of a rule, charter provision, ordinance, order, building code, or other regulation described by Section 3000.002(a) is held invalid under this chapter, the invalidity does not affect other provisions or applications of the rule, charter provision, ordinance, order, building code, or other regulation that can be given effect without the invalid provision or application, and to this end the provisions of the rule, charter provision, ordinance, order, building code, or other regulation are severable.

SECTION 2. This Act takes effect September 1, 2019.

AN ACT

relating to county and municipal approval procedure for land development applications.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 212.001, Local Government Code, is amended by amending Subdivision (2) and adding Subdivision (3) to read as follows:

(2) "Plan" means a subdivision development plan, including a subdivision plan, subdivision construction plan, site plan, land development application, and site development plan.

(3) "Plat" includes a preliminary plat, general plan, final plat, and replat.

SECTION 2. Subchapter A, Chapter 212, Local Government Code, is amended by adding Section 212.0085 to read as follows:

Sec. 212.0085. APPROVAL PROCEDURE: APPLICABILITY. The approval procedures under this subchapter apply to a municipality regardless of whether the municipality has entered into an interlocal agreement, including an interlocal agreement between a municipality and county under Section 242.001(d).

SECTION 3. The heading to Section 212.009, Local Government Code, is amended to read as follows:

Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL.

SECTION 4. Section 212.009, Local Government Code, is amended by amending Subsections (a), (b), (c), and (d) and adding Subsections (b-1) and (b-2) to read as follows:

(a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove [~~act on~~] a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is [~~considered~~] approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

(b) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove [~~act on~~] the plan or plat within 30 days after the date the plan or plat is approved by the planning commission or is [~~considered~~] approved by the inaction of the commission. A plan or plat is [~~considered~~] approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

(b-1) Notwithstanding Subsection (a) or (b), if a groundwater availability certification is required under Section 212.0101, the 30-day period described by those subsections begins on the date the applicant submits the groundwater availability certification to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable.

(b-2) Notwithstanding Subsection (a) or (b), the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(2) the municipal authority or governing body, as applicable, approves the extension request.

(c) If a plan or plat is approved, the municipal authority giving the approval shall endorse the plan or plat with a certificate indicating the approval. The certificate must be signed by:

(1) the authority's presiding officer and attested by the authority's secretary; or

(2) a majority of the members of the authority.

22

(d) If the municipal authority responsible for approving plats fails to approve, approve with conditions, or disapprove [~~act on~~] a plan or plat within the prescribed period, the authority on the applicant's request shall issue a certificate stating the date the plan or plat was filed and that the authority failed to act on the plan or plat within the period. The certificate is effective in place of the endorsement required by Subsection (c).

SECTION 5. Subchapter A, Chapter 212, Local Government Code, is amended by adding Sections 212.0091, 212.0093, 212.0095, 212.0096, 212.0097, and 212.0099 to read as follows:

Sec. 212.0091. APPROVAL PROCEDURE: CONDITIONAL APPROVAL OR DISAPPROVAL REQUIREMENTS. (a) A municipal authority or governing body that conditionally approves or disapproves a plan or plat under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

(b) Each condition or reason specified in the written statement:

(1) must:

(A) be directly related to the requirements under this subchapter; and

(B) include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable; and

(2) may not be arbitrary.

Sec. 212.0093. APPROVAL PROCEDURE: APPLICANT RESPONSE TO CONDITIONAL APPROVAL OR DISAPPROVAL. After the conditional approval or disapproval of a plan or plat under Section 212.0091, the applicant may submit to the municipal authority or governing body that conditionally approved or disapproved the plan or plat a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The municipal authority or governing body may not establish a deadline for an applicant to submit the response.

Sec. 212.0095. APPROVAL PROCEDURE: APPROVAL OR DISAPPROVAL OF RESPONSE. (a) A municipal authority or governing body that receives a response under Section 212.0093 shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved plan or plat not later than the 15th day after the date the response was submitted.

(b) A municipal authority or governing body that conditionally approves or disapproves a plan or plat following the submission of a response under Section 212.0093:

(1) must comply with Section 212.0091; and

(2) may disapprove the plan or plat only for a specific condition or reason provided to the applicant under Section 212.0091.

(c) A municipal authority or governing body that receives a response under Section 212.0093 shall approve a previously conditionally approved or disapproved plan or plat if the response adequately addresses each condition of the conditional approval or each reason for the disapproval.

(d) A previously conditionally approved or disapproved plan or plat is approved if:

(1) the applicant filed a response that meets the requirements of Subsection (c); and

(2) the municipal authority or governing body that received the response does not disapprove the plan or plat on or before the date required by Subsection (a) and in accordance with Section 212.0091.

Sec. 212.0096. APPROVAL PROCEDURE: ALTERNATIVE APPROVAL PROCESS. (a) Notwithstanding Sections 212.009, 212.0091, 212.0093, and 212.0095, an applicant may elect at any time to seek approval for a plan or plat under an alternative approval process adopted by a municipality if the process allows for a shorter approval period than the approval process described by Sections 212.009, 212.0091,

23

212.0093, and 212.0095.

(b) An applicant that elects to seek approval under the alternative approval process described by Subsection (a) is not:

(1) required to satisfy the requirements of Sections 212.009, 212.0091, 212.0093, and 212.0095 before bringing an action challenging a disapproval of a plan or plat under this subchapter; and

(2) prejudiced in any manner in bringing the action described by Subdivision (1), including satisfying a requirement to exhaust any and all remedies.

Sec. 212.0097. APPROVAL PROCEDURE: WAIVER PROHIBITED. A municipal authority responsible for approving plats or the governing body of a municipality may not request or require an applicant to waive a deadline or other approval procedure under this subchapter.

Sec. 212.0099. JUDICIAL REVIEW OF DISAPPROVAL. In a legal action challenging a disapproval of a plan or plat under this subchapter, the municipality has the burden of proving by clear and convincing evidence that the disapproval meets the requirements of this subchapter or any applicable case law. The court may not use a deferential standard.

SECTION 6. Section 212.014, Local Government Code, is amended to read as follows:

Sec. 212.014. REPLATTING WITHOUT VACATING PRECEDING PLAT. A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:

(1) is signed and acknowledged by only the owners of the property being replatted;

(2) is approved[~~, after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard,~~] by the municipal authority responsible for approving plats; and

(3) does not attempt to amend or remove any covenants or restrictions.

SECTION 7. Section 212.015, Local Government Code, is amended by adding Subsections (a-1), (f), and (g) and amending Subsection (b) to read as follows:

(a-1) If a proposed replat described by Subsection (a) requires a variance or exception, a public hearing must be held by the municipal planning commission or the governing body of the municipality.

(b) Notice of the hearing required under Subsection (a-1) [~~Section 212.014~~] shall be given before the 15th day before the date of the hearing by:

(1) publication in an official newspaper or a newspaper of general circulation in the county in which the municipality is located; and

(2) by written notice, with a copy of Subsection (c) attached, forwarded by the municipal authority responsible for approving plats to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the municipality.

(f) If a proposed replat described by Subsection (a) does not require a variance or exception, the municipality shall, not later than the 15th day after the date the replat is approved, provide written notice by mail of the approval of the replat to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent municipality or county tax roll. This subsection does not apply to a proposed replat if the municipal planning commission or the

24

governing body of the municipality holds a public hearing and gives notice of the hearing in the manner provided by Subsection (b).

(g) The notice of a replat approval required by Subsection (f) must include:

(1) the zoning designation of the property after the replat; and

(2) a telephone number and e-mail address an owner of a lot may use to contact the municipality about the replat.

SECTION 8. Subchapter A, Chapter 232, Local Government Code, is amended by adding Section 232.0023 to read as follows:

Sec. 232.0023. APPROVAL PROCEDURE: APPLICABILITY. The plat application approval procedures under this subchapter apply to a county regardless of whether the county has entered into an interlocal agreement, including an interlocal agreement between a municipality and county under Section 242.001(d).

SECTION 9. The heading to Section 232.0025, Local Government Code, is amended to read as follows:

Sec. 232.0025. APPROVAL PROCEDURE: TIMELY APPROVAL OF PLATS AND PLANS.

SECTION 10. Section 232.0025, Local Government Code, is amended by amending Subsections (d), (f), (g), (h), and (i), and adding Subsection (d-1) to read as follows:

(d) Except as provided by Subsection (f), the commissioners court or the court's designee shall approve, approve with conditions, or disapprove [~~take final action on~~] a plat application[~~, including the resolution of all appeals,~~] not later than the 30th [~~60th~~] day after the date the [~~a~~] completed [~~plat~~] application is received by the commissioners court or the court's designee. An application is approved by the commissioners court or the court's designee unless the application is disapproved within that period and in accordance with Section 232.0026.

(d-1) Notwithstanding Subsection (d), if a groundwater availability certification is required under Section 232.0032, the 30-day period described by that subsection begins on the date the applicant submits the groundwater availability certification to the commissioners court or the court's designee, as applicable.

(f) The 30-day [~~60-day~~] period under Subsection (d):

(1) may be extended for a [~~reasonable~~] period not to exceed 30 days, if:

(A) requested and agreed to in writing by the applicant and approved by the commissioners court or the court's designee; or

(B) [~~(2) may be extended 60 additional days if~~] Chapter 2007, Government Code, requires the county to perform a takings impact assessment in connection with the [~~a~~] plat application; and

(2) [~~(3)~~] applies only to a decision wholly within the control of the commissioners court or the court's designee.

(g) The commissioners court or the court's designee shall make the determination under Subsection (f)(1) [~~(f)(2)~~] of whether the 30-day [~~60-day~~] period will be extended not later than the 20th day after the date a completed plat application is received by the commissioners court or the court's designee.

(h) The commissioners court or the court's designee may not require [~~compel~~] an applicant to waive the time limits or approval procedure contained in this subchapter [~~section~~].

(i) If the commissioners court or the court's designee fails to approve, approve with conditions, or disapprove a plat application [~~take final action on the plat~~] as required by this subchapter [~~Subsection (d)~~]:

(1) the commissioners court shall refund the greater of the unexpended portion of any [~~plat~~] application fee or deposit or 50 percent of an [~~a plat~~] application fee or deposit that has been paid;

(2) the [~~plat~~] application is granted by operation of law; and

(3) the applicant may apply to a district court in the

county where the tract of land is located for a writ of mandamus to compel the commissioners court to issue documents recognizing the plat application's [~~plat's~~] approval.

SECTION 11. Subchapter A, Chapter 232, Local Government Code, is amended by adding Sections 232.0026, 232.0027, 232.0028, 232.00285, and 232.0029 to read as follows:

Sec. 232.0026. APPROVAL PROCEDURE: CONDITIONAL APPROVAL OR DISAPPROVAL REQUIREMENTS. (a) A commissioners court or designee that conditionally approves or disapproves of a plat application under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or the reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

(b) Each condition or reason specified in the written statement:

(1) must:

(A) be directly related to the requirements of this subchapter; and

(B) include a citation to the law, including a statute or order, that is the basis for the conditional approval or disapproval, if applicable; and

(2) may not be arbitrary.

Sec. 232.0027. APPROVAL PROCEDURE: APPLICANT RESPONSE TO CONDITIONAL APPROVAL OR DISAPPROVAL. After the conditional approval or disapproval of a plat application under Section 232.0026, the applicant may submit to the commissioners court or designee that conditionally approved or disapproved the application a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The commissioners court or designee may not establish a deadline for an applicant to submit the response.

Sec. 232.0028. APPROVAL PROCEDURE: APPROVAL OR DISAPPROVAL OF RESPONSE. (a) A commissioners court or designee that receives a response under Section 232.0027 shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved plat application not later than the 15th day after the date the response was submitted under Section 232.0027.

(b) A commissioners court or designee that conditionally approves or disapproves a plat application following the submission of a response under Section 232.0027:

(1) must comply with Section 232.0026; and

(2) may disapprove the application only for a specific condition or reason provided to the applicant for the original application under Section 232.0026.

(c) A commissioners court or designee that receives a response under Section 232.0027 shall approve a previously conditionally approved or disapproved plat application if the applicant's response adequately addresses each condition for the conditional approval or each reason for the disapproval.

(d) A previously conditionally approved or disapproved plat application is approved if:

(1) the applicant filed a response that meets the requirements of Subsection (c); and

(2) the commissioners court or designee that received the response does not disapprove the application on or before the date required by Subsection (a) and in accordance with Section 232.0026.

Sec. 232.00285. DEVELOPMENT PLAN REVIEW. (a) In this section, "development plan" includes a preliminary plat, preliminary subdivision plan, subdivision construction plan, site plan, general plan, land development application, or site development plan.

(b) Unless explicitly authorized by another law of this state, a county may not require a person to submit a development plan during the plat approval process required by this subchapter. If a county is authorized under another law of this state to require approval of a development plan, the county must comply with the

26

approval procedures under this subchapter during the approval process.

Sec. 232.0029. JUDICIAL REVIEW OF DISAPPROVAL. In a legal action challenging a disapproval of a plat application under this subchapter, the county has the burden of proving by clear and convincing evidence that the disapproval meets the requirements of this subchapter or any applicable case law. The court may not use a deferential standard.

SECTION 12. Section 232.0025(e), Local Government Code, is repealed.

SECTION 13. The change in law made by this Act applies only to a plat application filed on or after the effective date of this Act. A development or plan application filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 14. This Act takes effect September 1, 2019.

_____ _____

President of the Senate Speaker of the House

I certify that H.B. No. 3167 was passed by the House on May 2, 2019, by the following vote: Yeas 119, Nays 18, 1 present, not voting.

_____

Chief Clerk of the House

I certify that H.B. No. 3167 was passed by the Senate on May 21, 2019, by the following vote: Yeas 27, Nays 3, 1 present, not voting
.

_____

Secretary of the Senate

APPROVED: _____

Date

_____

Governor

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28

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	July 15, 2019
SUBJECT:	Amendment to Article IX, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances

The City's fence standards are located in Article IX, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances. Staff is requesting that the City Council consider moving this section to Article VIII, *Landscape Standards*, of the Unified Development Code (UDC) for the purpose of [*1*] bringing the fence standards under the zoning ordinance, [*2*] better distinguishing the standards between residential, commercial, and industrial fences, and [*3*] changing the process for residential front yard fences. By making the proposed changes all variances or exceptions to the fence standards would be able to be acted upon by the Planning and Zoning Commission with the City Council acting as an appeals board. This is similar to how the City currently handles variances and exceptions to the City's *General Residential, Commercial* and *Industrial Design Standards*. If the City Council chooses to direct staff to make the proposed changes, this amendment could be combined with the amendments necessary to address the changes resulting from the 86th Legislative Session. Staff has included a copy of the City's current fence requirements, and will be available at the work session on *July 15, 2019* to answer any questions.

ARTICLE XI, FENCES, CHAPTER 10, BUILDING AND BUILDING REGULATIONS, MUNICIPAL CODE OF ORDINANCES

DIVISION 1: GENERALLY

SECTION 10-402: DEFINITIONS

For the purposes of this article, the term "fence" means any wall or structure of any material, the purpose of which is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building or structure.

(Ord. No. 04-05, § 1(6-124), 1-20-2004)

SECTION 10-403: PERMIT REQUIRED; APPLICATIONS; FEES

No fence shall be constructed within the city without the owner or person in control of such premises, or his agent or contractor, having secured a permit therefor from the building official or his designee. A fence repair permit shall be required for the replacement of 25 linear feet or more of fencing and/or the replacement of five or more posts. When five or more posts are replaced, replacement posts must be metal posts. Applications shall be made and a permit issued on forms promulgated by the code official for such purpose. The fees for such permits shall be in amounts as established from time to time by resolution of the city council.

(Ord. No. 04-05, § 1(6-125), 1-20-2004)

SECTION 10-404: EXCEPTIONS

The following shall be exceptions to the terms of this article:

(1) Dikes and retaining walls for the purpose of diverting water and retaining soil shall not be considered fences within the terms of this article.
(2) Fences existing and in place at the time of the enactment of the ordinance from which this article is derived shall be excused from the permit provisions hereof. However, such fences shall be maintained to comply with the provisions hereof. Any such fence or any fence in an area annexed by the city after the effective date of the ordinance from which this article is derived shall be subject to the provisions of this article in the event of reconstruction, modification, enlargement, extension, alteration or any construction thereto other than normal maintenance thereof.

(Ord. No. 04-05, § 1(6-132), 1-20-2004)

SECTIONS 10-405—10-423: RESERVED

DIVISION 2: CONSTRUCTION STANDARDS

SECTION 10-424: SPECIAL PERMIT FOR REQUIRED FRONT YARD

(a) No fence shall be constructed in the required front yard of a residential property or of a tract or parcel of land adjacent to I-30 without first being granted a special permit by the city council. The city council may authorize the issuance of a special permit for the construction of a front yard fence subject to the provisions of this division. The city council, in considering and determining action on any request for a special permit, may require from the applicant plans, drawings, and other information concerning the proposed front yard fence. The city council may establish conditions of construction of any fence for which a special permit is authorized. However, no front yard fence proposed in a residential subdivision may be constructed without complying with any approved active deed restrictions for the subdivision.

(1) No fence shall be placed in the required front yard of a residential property in excess of 42 inches in height and constructed of wood or 48 inches in height and constructed of wrought iron, or in a non-residentially zoned area in excess of eight feet in height and shall be constructed of wrought iron. No opaque fences will be allowed in the required front yard.

(b) Exceptions.

(1) Model homes meeting the requirements as follows:

a. The maximum height of front yard fence is not to exceed 42 inches.
b. No opaque fences allowed in the front yard, fences must be 50 percent see-through.
c. The fence must be architecturally harmonious with the development and of split rail, picket, vinyl, or wrought iron.
d. These fences are only temporary and must be removed, or city council approval sought at such time permanent residency will be established.

(2) Single-Family—Estate (SF-E) meeting the requirements as follows:

a. No opaque fences allowed in the front yard, fences must be 50 percent see-through.
b. Front yard fences shall be no more than 48 inches in height.
c. Front yard fences shall be architecturally harmonious with the development, and of split rail, picket, vinyl, wrought iron or painted steel pipe.

(Ord. No. 04-05, § 1(6-126), 1-20-2004; Ord. No. 06-10, § 1(6-126), 3-20-2006; Ord. No. 11-23, § 1, 6-6-2011; Ord. No. 17-15, § 1, 3-20-2017)

SECTION 10-425: STANDARDS; SPECIFICATIONS; PROHIBITIONS

The following regulations shall apply to the construction of fences within the city, except for additional standards or requirements referenced in article V and article X of the Unified Development Code:

(1) No fence, guy wire, brace, light standard, sign, vee arm barbed wire base and arm, or any structure attached to a fence shall protrude over any property line.

(2) No chainlink fence shall be allowed within ten feet of the property lines unless completely screened from adjacent public areas and properties by either structure or solid landscape screening.

(3) Precast solid fencing shall require special approval by the planning and zoning commission.

(4) Fence height requirements. All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard.

a. No residential fence shall exceed eight feet in height.
b. No nonresidential fence shall exceed 12 feet in height.

(5) Fences may be placed in the required yards, as regulated in this article, and meeting the following conditions:

a. Corner lots in residentially zoned areas which have rear lot lines adjacent to alleys, or other rear lot lines. Fences may be constructed not to exceed eight feet in height along the side yard and rear yard lines as indicated on appendix B, attached to the ordinance from which this section is derived.
b. Corner lots in residentially zoned areas where the rear lot line is adjacent to a side lot line of an adjoining lot. Only fences not exceeding 42 inches in height and meeting the material requirements of a front yard fence in residentially zoned areas shall be constructed beyond the side building line

as indicated on appendix C, attached to the ordinance from which this section is derived. Fences constructed on or behind the building line shall not exceed eight feet in height.

c. Where an alley 15 feet or greater in width intervenes between the above-described lots, or a natural barrier of 15 feet or greater in width exists, such as creeks, railroads or easements where fences are prohibited, a fence not exceeding eight feet in height may be erected on the street side of the property line, indicated on appendix D, attached to the ordinance from which this section is derived.
d. Through lots in residentially zoned areas with street frontage on both the front and rear property line. Fences may be constructed not to exceed eight feet in height along the side yard and rear yard lines on through lots where all lots within the block have a rear yard along the same street frontage, as indicated on appendix E - Example 1, attached to the ordinance from which this section is derived.
e. When both front and rear yards are located along the same street frontage within a block, fences constructed within the designated rear yard shall not exceed 42 inches in height and shall meet the material requirements of a front yard fence in residentially zoned areas, as indicated on appendix E, Example 2, attached to the ordinance from which this section is derived, unless a variance to this request is granted by the zoning board of adjustment, as provided in section 10-447.

(6) Fences may be constructed of materials subject to the provisions of this article and the other codes and ordinances of the city.

a. Permitted materials are wood pickets, chain link, wrought iron, decorative metal (i.e. with the appearance of wrought iron but is made from powder-coated steel, aluminum or covered with a corrosion protection finish), brick, split face CMU blocks, stone, vinyl, fiberglass composite, painted steel pipe where allowed, barbed wire where allowed, concrete with stone face/form liner. Stucco is allowed on residential properties.
b. Any other materials that are not manufactured specifically as fencing materials are prohibited.

(7) Solid wood fencing exceeding 48 inches in height must be constructed using metal post set in concrete, or brick or stone columns.

(8) It shall be unlawful for any person to construct or maintain any electrical fence or electrical attachment of any type, dimension, or composition on any fence within the city. Barbed wire fences may be used without restrictions when in conjunction with agricultural related uses; provided, however, no barbed wire fence shall be located on any platted property that is zoned or used as a residential property. In areas where barbed wire fences are allowed, arms or base and arms with barbed wire not to exceed three strands will be permitted. Concertina/razor wire shall be prohibited. Such attachments will be considered part of the fence for the purposes of determining the maximum height of said fence.

(9) The code official may permit temporary fencing for the purpose of protection or securing of construction sites. The duration of use must be stated in the application for a permit. Barbed wire fences may be allowed for temporary use upon approval of the location, height, and construction by the building official.

(Ord. No. 04-05, § 1(6-127), 1-20-2004; Ord. No. 06-10, § 1(6-127), 3-20-2006; Ord. No. 11-23, § 1, 6-6-2011; Ord. No. 17-15, § 1, 3-20-2017)

SECTION 10-426: SWIMMING POOL, SPA AND HOT TUB/BARRIER REQUIREMENTS

(a) The top of the barrier shall be at least 48 inches (1,219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches (102 mm).

(b) Openings in the barrier shall not allow passage of a four-inch-diameter (102 mm) sphere.

(c) Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

(d) Placement of members.

(1) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1,143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
(2) Exception. Boards with a minimum 60-degree angle, cut and placed at the top of the horizontal fence members, may be used on existing fences that will become pool barriers. This exception does not apply to fences adjacent to public right-of-way.

(e) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1,143 mm) or more, spacing between vertical members shall not exceed four inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

(f) Maximum mesh size for chainlink fences shall be a 2.25-inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom, which reduce the openings to not more than 1.75 inches (44 mm).

(g) Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).

(h) Access gates shall comply with the requirements of subsections (a) through (g) of this section, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1,372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

(1) The release mechanism shall be located on the pool side of the gate at least three inches (76 mm) below the top of the gate; and
(2) The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

(i) Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

(1) The pool shall be equipped with a powered safety cover in compliance with ASTM F1346;
(2) All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within seven seconds and sound continuously for a minimum of 30 seconds immediately after the door and/or its screen, if present are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds. The deactivation switch shall be located at least 54 inches (1,372 mm) above the threshold of the door; or
(3) Other means of protection, such as self-closing doors with self-latching devices, which are approved by the city council, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by subsection (i)(1) or (i)(2) of this section.

(j) Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then:

(1) The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
(2) The ladder or steps shall be surrounded by a barrier which meets the requirements of subsections (a) through (i) of this section. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a four-inch-diameter (102 mm) sphere.

(k) Fence barrier exceptions for spas or hot tubs are as follows:

(1) Safety covers for spas and hot tubs must comply with ASTM F1346-91.
(2) There should be a means of fastening the safety cover to the hot tub or spa, such as key locks, combination locks, special tool, or similar devices.
(3) The safety cover should have a label that provides a warning and message regarding the risk of drowning.
(4) The cover should have been tested to demonstrate that it is capable of supporting the weight of one child (50 pounds) and one adult (225 pounds).
(5) There shall be no openings in the cover itself or at any point where the cover joins the surface of the hot tub or spa that would not allow a four-inch sphere to pass through.
(6) Safety covers are to be installed in accordance with the manufacture's instructions.

(Ord. No. 04-05, § 1(6-128), 1-20-2004; Ord. No. 06-10, § 1(6-128), 3-20-2006; Ord. No. 08-03, § 1(exh. A, art. IX(6-129)), 1-22-2008)

SECTIONS 10-427—10-445: RESERVED

DIVISION 3. - ADMINISTRATION

SECTION 10-446: INSPECTION UPON COMPLETION

Upon completion of a fence constructed under a permit issued by the building official, an inspection shall be made thereof by the building official or his designated representative. If the fence is constructed in accordance with the provisions of this article, the permit, and the application, the building official will issue written notice of acceptance to the permit holder. Any and all fences in the city shall hereafter be constructed under the provisions of this article and existing fences shall be maintained so as to comply with the requirements of this article at all times.

(Ord. No. 04-05, § 1(6-130), 1-20-2004)

SECTION 10-447: VARIANCES

The city council is hereby authorized, after public notice has been given and a public hearing has been held, to hear and decide on requests for variances as it feels will alleviate an unnecessary hardship on a property owner resulting from the literal enforcement of the requirements in this article.

(Ord. No. 17-15, § 1, 3-20-2017)

Editor's note— Ord. No. 17-15, § 1, adopted March 20, 2017, amended the Code by repealing former § 10-447 and adding a new § 10-447. Former § 10-447 pertained to appeals, and derived from Ord. No. 04-05, adopted January 20, 2004.

SECTION 10-448: MAINTENANCE

(a) No person owning, leasing, occupying, or having charge of any premises shall maintain or keep a fence in dilapidated condition that, although functional, creates an unsightly condition that substantially detracts from the appearance of the neighborhood.

(b) Each structural and decorative member of a fence shall be free of deterioration and be compatible in size, material, and appearance with the remainder of the fence. Fences shall not be externally braced in lieu of replacing or repairing posts, columns, or other structural members.

(c) The fence shall not be out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence. Except, however, for fencing four (4) feet or less in height, the vertical alignment shall not be more than six (6) inches from the vertical measured at the top of the fence.

(d) Upon becoming aware of conditions set forth in subsections (a) through (c) of this section, the Neighborhood Improvement Services Representative shall make a determination as to whether the fence condition is a nuisance and should be abated. If so, the Neighborhood Improvement Services Representative shall give notice to such person having control of the premises to remedy such condition within ten days, unless good cause can be shown that additional time is needed to rectify the condition.

(Ord. No. 04-05, § 1(6-133), 1-20-2004; Ord. No. 17-15, § 1, 3-20-2017)

SECTIONS 10-449—10-465: RESERVED

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36

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, July 01, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. with all council members present (Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen). Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown, IH-30 service Rd. @ T.L. Townsend, and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:33 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:02p.m. with all seven council members being present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Macalik made a motion that the city accept TXDOT's offer for the right-of-way near the IH-30 service road at T.L. Townsend. Councilmember Hohenshelt seconded the motion, which passed unanimously of those present.

Mayor Pro Tem Macalik moved to decline TXDOT's offer for the sale of land near downtown, more specifically at 501 N. Goliad. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VI. Invocation and Pledge of Allegiance – Councilmember Hohenshelt

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

VII. Open Forum

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

VIII. Consent Agenda

1. Consider approval of the minutes from the June 17, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-012** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary **(2nd Reading).**
3. **Z2019-013** - Consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of an **ordinance** for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary **(2nd Reading).**
4. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 18. Fire Prevention and Protection, Article III. Fire Marshal, Sections 18-66 and 18-67, authorizing the Fire Chief to appoint the Fire Marshal, and take any action necessary **(1st reading).**
5. Consider approval of a contract for professional engineering services with Birkhoff, Hendricks and Carter, L.L.P. to perform the engineering design services for the East Fork Sanitary Sewer Aerial Crossing Rehabilitation Project in an amount not to exceed $52,100.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.
6. Consider approval of the professional engineering services contract for BW2 Engineers, Inc. to perform the engineering design services for the St Mary's Street, Bost Street, and Sherman Street Water and Wastewater Replacement Project in an amount not to exceed $76,000.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.
7. Consider approval of the professional engineering services contract for Teague Nall and Perkins, Inc. to perform the engineering design services for the W. Kaufman Street, N. First Street, and W. Rusk Water Replacement Project in an amount not to exceed $60,600.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.
8. **P2019-027** - Consider a request by Kyle Coleman Harris of Pacheco Koch Consulting Engineers on behalf of Alton Frazier of Channell Commercial Corporation for the approval of a replat for Lot 3, Block A, Channell Subdivision Addition being a 18.762-acre parcel of land identified as Lot

2, Block A, Channell Subdivision Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take any action necessary.

9. **MIS2019-008** - Consider a request by Matthew Mulliken of Mulliken Construction Management, LLC on behalf of Jim Vaudagna of Dallas East for the approval of a parking agreement between two (2) properties identified as Lot 1, Block B & Lot 1, Block C, Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1280 & 1300 E. Ralph Hall Parkway, and take any action necessary.

Councilmember Johannesen moved to approve the Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, and 9). Hohenshelt seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT (PD-87) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 14-51 & 17-22* OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 18. FIRE PREVENTION AND PROTECTION, ARTICLE III. FIRE MARSHAL, SECTIONS 18-66 AND 18-67, AUTHORIZING THE FIRE CHIEF TO APPOINT THE FIRE MARSHALL FOR THE CITY; PROVIDING FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

IX. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

This item was not addressed by Council / no action was taken.

X. PUBLIC HEARING ITEMS

1. **MIS2019-003** - Hold a public hearing to discuss and consider a request by Jose Carmona Lopez for the approval of an On-Site Sewage Facility (OSSF) on a 0.33-acre tract of land identified as Lots 1325 & 1326, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 424 Nicole Drive, and take any action necessary.

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. He explained that this property is located on the east side of the Lake Rockwall Estates subdivision along Nichol Drive. This street is not currently served by city wastewater service, and it is difficult to extend city service to this property. Notices were sent out to all property owners and residents located within 200'; however, no notices have been received back by staff.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Trowbridge moved to deny this request. Mayor Pro Tem Macalik seconded the motion.

Lengthy discussion then took place among council members, generally related to the following: city wastewater services, any possible alternatives to this onsite sewage facility, and inspection of septic systems within the city (by Rockwall County, the entity that performs inspection services on behalf of the city). Mr. Crowley, City Manager, indicated that the county has expressed it will not inspect OSSFs on single lots; however, the County has routinely agreed to do inspections on septic systems within the city when they are installed to service more than one lot, specifically (and especially) in Lake Rockwall Estates. Councilmember Daniels sought clarification regarding if this is or is not an aerobic system. Mr. Miller shared that staff is uncertain, as the applicant has not submitted an engineer's report to the city (and is not required to do so until during the permitting stage). Lengthy discussion ensued among Council and staff pertaining to whether or not a lot of this size (so small) and with the soil type can accommodate a septic system. Indication was given that a septic system has to be stamped and sealed by a professional engineer. Councilmember Daniels expressed that he may like to see the Council table action on this item until staff has time to gather additional information and return to Council with a more professional opinion regarding if a septic system is or is not appropriate on these two lots (i.e. can the small size accommodate septic? Is the soil conducive to accommodating a septic system?, etc.). Councilmember Trowbridge generally expressed concern about approving this request, as he seemed to prefer that city wastewater be utilized instead of septic.

Councilmember Trowbridge withdrew his motion, and Macalik withdrew her 'second.' Councilmember Hohehshelt then moved to approve MIS2019-003. Councilmember Fowler seconded the motion, which passed by a vote of 4 ayes with 3 nays (Trowbridge, Macalik and Pruitt).

XI. ACTION ITEMS

1. **MIS2019-005** - Discuss and consider a request by Michael Duval of G & A Consultants on behalf of John Delin of R. W. Ladera, LLC for the approval of an Alternative Tree Mitigation Settlement Agreement for a 28.011-acre parcel of land identified as a Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Mr. Miller explained that this would be a gated, age-restricted community. He went on to explain the tree mitigation that is required, indicating that the applicant has expressed there is no space on site for additional installation of trees. This request went to the Planning & Zoning Commission, and a 5-2 vote effectively resulted in its denial.

John Delin of Integrity Group / R.W. Ladera came forth and provided comments pertaining to this request. Following extensive, lengthy discussion, Mayor Pruitt moved to settle the tree mitigation with a check to the City for $50,000. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider approval of a proposal from American Signal Corporation in the amount of $117,693.28 for replacement of three outdoor emergency warning sirens, hardware, and software to be funded by general fund reserves, and take any action necessary.

Assistant City Manager Joey Boyd provided background information pertaining to this agenda item. Councilmember Hohenshelt then moved to approve the proposal in the amount specified (above). Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - May 2019
Fire Department Monthly Report - May 2019
GIS Division Monthly Report - May 2019
Harbor PD Monthly Report - May 2019
Internal Operations Monthly Report - May 2019
Recreation Monthly Report - May 2019
Rockwall Animal Adoption Center Monthly Report - May 2019
Police Department Monthly Activity Report - May 2019
STAR Transit Monthly Report - May 2019

STAR Transit 3rd Quarter Report

2. City Manager's Report

City Manager Rick Crowley shared brief details about the upcoming 4th of July festivities. There will be a parade, fireworks and a parachute jump at Harry Myers Park. The new household hazardous waste program has been implemented and is going very well so far with city residents.

Mayor Pruitt shared that he will be out on vacation and will not be holding Monday afternoon office hours for the next two, upcoming Mondays. In addition, he shared that the Council has decided to not move forward with purchasing land adjacent to the airport. He asked staff to bring back an ordinance that regulates 'thru-the-fence' agreements and how those comply with law and TXDOT regulations.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown, IH-30 service Rd. @ T.L. Townsend, and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene into Executive Session following the close of the public meeting agenda. See actions taken at the start of the 6:00 p.m. meeting, as noted above.

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 6:54 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15th DAY OF JULY, 2019.

ATTEST: **JIM PRUITT, MAYOR**

KRISTY COLE, CITY SECRETARY

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, July 01, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 5:00 p.m. with all council members present (Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen). Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase, sale or lease of real property in the vicinity of Rockwall Municipal Airport, Downtown, IH-30 service Rd. @ T.L. Townsend, and The Harbor as well as city owned land at Fire Station No. 2 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:33 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:02p.m. with all seven council members being present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Macalik made a motion that the city accept TXDOT's offer for the right-of-way near the IH-30 service road at T.L. Townsend. Councilmember Hohenshelt seconded the motion, which passed unanimously of those present.

Mayor Pro Tem Macalik moved to decline TXDOT's offer for the sale of land near downtown, more specifically at 501 N. Goliad. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VI. Invocation and Pledge of Allegiance – Councilmember Hohenshelt

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

VII. Open Forum

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

VIII. Consent Agenda

1. Consider approval of the minutes from the June 17, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-012** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary **(2nd Reading).**
3. **Z2019-013** - Consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of J-BR2, LLC for the approval of an **ordinance** for a PD Development Plan within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary **(2nd Reading).**
4. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 18. Fire Prevention and Protection, Article III. Fire Marshal, Sections 18-66 and 18-67, authorizing the Fire Chief to appoint the Fire Marshal, and take any action necessary **(1st reading).**
5. Consider approval of a contract for professional engineering services with Birkhoff, Hendricks and Carter, L.L.P. to perform the engineering design services for the East Fork Sanitary Sewer Aerial Crossing Rehabilitation Project in an amount not to exceed $52,100.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.
6. Consider approval of the professional engineering services contract for BW2 Engineers, Inc. to perform the engineering design services for the St Mary's Street, Bost Street, and Sherman Street Water and Wastewater Replacement Project in an amount not to exceed $76,000.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.
7. Consider approval of the professional engineering services contract for Teague Nall and Perkins, Inc. to perform the engineering design services for the W. Kaufman Street, N. First Street, and W. Rusk Water Replacement Project in an amount not to exceed $60,600.00, to be paid for out of 2018-2019 Water and Sanitary Sewer Budget, and take any action necessary.
8. **P2019-027** - Consider a request by Kyle Coleman Harris of Pacheco Koch Consulting Engineers on behalf of Alton Frazier of Channell Commercial Corporation for the approval of a replat for Lot 3, Block A, Channell Subdivision Addition being a 18.762-acre parcel of land identified as Lot

2, Block A, Channell Subdivision Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take any action necessary.

9. **MIS2019-008** - Consider a request by Matthew Mulliken of Mulliken Construction Management, LLC on behalf of Jim Vaudagna of Dallas East for the approval of a parking agreement between two (2) properties identified as Lot 1, Block B & Lot 1, Block C, Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1280 & 1300 E. Ralph Hall Parkway, and take any action necessary.

Councilmember Johannesen moved to approve the Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, and 9). Hohenshelt seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT (PD-87) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 14-51 & 17-22* OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 18. FIRE PREVENTION AND PROTECTION, ARTICLE III. FIRE MARSHAL, SECTIONS 18-66 AND 18-67, AUTHORIZING THE FIRE CHIEF TO APPOINT THE FIRE MARSHALL FOR THE CITY; PROVIDING FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

IX. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

This item was not addressed by Council / no action was taken.

X. PUBLIC HEARING ITEMS

1. **MIS2019-003** - Hold a public hearing to discuss and consider a request by Jose Carmona Lopez for the approval of an On-Site Sewage Facility (OSSF) on a 0.33-acre tract of land identified as Lots 1325 & 1326, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 424 Nicole Drive, and take any action necessary.

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. He explained that this property is located on the east side of the Lake Rockwall Estates subdivision along Nichol Drive. This street is not currently served by city wastewater service, and it is difficult to extend city service to this property. Notices were sent out to all property owners and residents located within 200'; however, no notices have been received back by staff.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Trowbridge moved to deny this request. Mayor Pro Tem Macalik seconded the motion.

Lengthy discussion then took place among council members, generally related to the following: city wastewater services, any possible alternatives to this onsite sewage facility, and inspection of septic systems within the city (by Rockwall County, the entity that performs inspection services on behalf of the city). Mr. Crowley, City Manager, indicated that the county has expressed it will not inspect OSSFs on single lots; however, the County has routinely agreed to do inspections on septic systems within the city when they are installed to service more than one lot, specifically (and especially) in Lake Rockwall Estates. Councilmember Daniels sought clarification regarding if this is or is not an aerobic system. Mr. Miller shared that staff is uncertain, as the applicant has not submitted an engineer's report to the city (and is not required to do so until during the permitting stage). Lengthy discussion ensued among Council and staff pertaining to whether or not a lot of this size (so small) and with the soil type can accommodate a septic system. Indication was given that a septic system has to be stamped and sealed by a professional engineer. Councilmember Daniels expressed that he may like to see the Council table action on this item until staff has time to gather additional information and return to Council with a more professional opinion regarding if a septic system is or is not appropriate on these two lots (i.e. can the small size accommodate septic? Is the soil conducive to accommodating a septic system?, etc.). Councilmember Trowbridge generally expressed concern about approving this request, as he seemed to prefer that city wastewater be utilized instead of septic.

Councilmember Trowbridge withdrew his motion, and Macalik withdrew her 'second.' Councilmember Hohehshelt then moved to approve MIS2019-003. Councilmember Fowler seconded the motion, which passed by a vote of 4 ayes with 3 nays (Trowbridge, Macalik and Pruitt).

XI. ACTION ITEMS

1. **MIS2019-005** - Discuss and consider a request by Michael Duval of G & A Consultants on behalf of John Delin of R. W. Ladera, LLC for the approval of an Alternative Tree Mitigation Settlement Agreement for a 28.011-acre parcel of land identified as a Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Mr. Miller explained that this would be a gated, age-restricted community. He went on to explain the tree mitigation that is required, indicating that the applicant has expressed there is no space on site for additional installation of trees. This request went to the Planning & Zoning Commission, and a 5-2 vote effectively resulted in its denial.

John Delin of Integrity Group / R.W. Ladera came forth and provided comments pertaining to this request. Following extensive, lengthy discussion, Mayor Pruitt moved to settle the tree mitigation with a check to the City for $50,000. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider approval of a proposal from American Signal Corporation in the amount of $117,693.28 for replacement of three outdoor emergency warning sirens, hardware, and software to be funded by general fund reserves, and take any action necessary.

Assistant City Manager Joey Boyd provided background information pertaining to this agenda item. Councilmember Hohenshelt then moved to approve the proposal in the amount specified (above). Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

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City Manager Rick Crowley shared brief details about the upcoming 4th of July festivities. There will be a parade, fireworks and a parachute jump at Harry Myers Park. The new household hazardous waste program has been implemented and is going very well so far with city residents.

Mayor Pruitt shared that he will be out on vacation and will not be holding Monday afternoon office hours for the next two, upcoming Mondays. In addition, he shared that the Council has decided to not move forward with purchasing land adjacent to the airport. He asked staff to bring back an ordinance that regulates 'thru-the-fence' agreements and how those comply with law and TXDOT regulations.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

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2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene into Executive Session following the close of the public meeting agenda. See actions taken at the start of the 6:00 p.m. meeting, as noted above.

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 6:54 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15th DAY OF JULY, 2019.

_____
JIM PRUITT, MAYOR

ATTEST:

_____
KRISTY COLE, CITY SECRETARY

CITY OF ROCKWALL

ORDINANCE NO. 19-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 18. FIRE PREVENTION AND PROTECTION, ARTICLE III. FIRE MARSHAL, SECTIONS 18-66 AND 18-67, AUTHORIZING THE FIRE CHIEF TO APPOINT THE FIRE MARSHALL FOR THE CITY; PROVIDING FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

****

WHEREAS, the City of Rockwall (the "City") is a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, based on review and current needs of the City, the City Council finds that the position of Fire Marshall shall be hired by the Fire Chief and report to the Fire Chief;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. **AMENDMENT.** Chapter 18, Article III, Sections 18-66 and 18-67 are hereby amended and should read as follows:

ARTICLE III. - FIRE MARSHAL

Sec. 18-66. - Appointment; removal.

The fire marshal shall be appointed by the fire chief ~~City Manager~~ of the city. The fire marshal shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority ~~City Manager~~.

Sec. 18-67. - Duties and functions.

The function of the fire marshal and fire prevention department shall be the implementation, administration and enforcement of the provisions of the fire code. The fire marshal shall carry out those duties as contained in the fire code, as adopted by section 18-32 including, but not limited to, and as directed by the fire chief. ~~City Manager or designee~~:

SECTION 3. The remainder of Chapter 18, Article III "FIRE MARSHALL" composed of Sections 18-65 to 18-96 shall remain unchanged.

SECTION 4. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 6. SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its second reading, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 15th DAY OF JULY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 07/01/2019

2nd Reading: 07/15/2019

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51

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E. Director of Public Works/City Engineer**

DATE: **July 11, 2019**

SUBJECT: **Revision to the Water Resource and Emergency Management Plan**

The Texas Commission on Environmental Quality (TCEQ) requires every water provider to revise and submit a Water Resource and Emergency Management Plan every five years for review. Council recently approved the revisions to the Water Resource and Emergency Management Plan on the 15th day of April 2019.

Staff submitted the approved plan for review to the TCEQ on April 30, 2019. After review, the TCEQ noted that the City's plan must include provisions that every wholesale water contract entered into or renewed after the adoption of the plan, including contract extensions, that in the event of severe water shortage that the water shall be divided in accordance with Texas Water Code, §11.039. These measures include pro rata curtailment of water deliveries to or diversions by wholesale water customers that are included in the current contracts with the City's wholesale customers. Section 4.4 was added to the current approved plan to comply with TCEQ's requirement.

Staff is requesting City Council consider approving the revision to the currently adopted Drought Contingency and Water Emergency Response Plan to keep the City in compliance with TCEQ requirements, and take any action necessary.

AW:jw

Cc:
Mary Smith, Assistant City Manager
Joey Boyd, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
File

CITY OF ROCKWALL

ORDINANCE NO. 19-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. "UTILITIES;" ARTICLE V. "WATER;" DIVISION 7. "WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN;" SEC. 44-432 TO ADOPT AN UPDATED PLAN TO ENSURE COMPLIANCE WITH CERTAIN REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ); PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

WHEREAS, on April 15, 2019 the Rockwall City Council established a "Water Resource and Emergency Management Plan" through adoption of Ordinance No. 19-17 and its associated "Exhibit A;" and

WHEREAS, subsequent its adoption and submission to the Texas Commission on Environmental Quality (TCEQ), the City of Rockwall was informed by TCEQ that some additional verbiage related to "Procedures for Curtailment of Water Supplies" is required to be part of said plan; and

WHEREAS, the Rockwall City Council has therefore determined a necessity to repeal the previously adopted plan ("Exhibit A" of Ordinance No. 19-17) in order to adopt an updated plan to reflect said, required verbiage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

SECTION 1. The Code of Ordinances in Chapter 44. "Utilities," Article V. "Water," Division 7. "Water Resource and Emergency Management Plan" is hereby amended to adopt an updated plan as reflected in **"Exhibit A"** of this ordinance; and

SECTION 2. PLAN ADOPTED

Sec.44-432

(a) The city council hereby approves and adopts the City of Rockwall "Water Resource and Emergency Management Plan," attached to Ordinance No. 19-____ as "Exhibit A," which is incorporated as if fully set forth in this division and on file in the city secretary's office.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 4. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 5. The City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 6. The City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code, and said Plan meets all the requirements of Section 288.2 of the Texas Administrative Code;

SECTION 7. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this ordinance or as herein specified.

SECTION 8. This ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 5TH DAY OF AUGUST, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 07 /15 / 2019

2nd Reading: 08 / 05 / 2019

WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

City of Rockwall

The New Horizon

MAY 2019

FORWARD

This 2019 Model Water Resource and Emergency Management Plan (WREMP) which is an update to the 2014 Drought Contingency and Water Emergency Response Plan was prepared by Freese and Nichols for the North Texas Municipal Water District (NTMWD). It is intended to be used by NTMWD Member Cities and Customers as a guide as they develop their own Water Resource and Emergency Management Plans. This plan was prepared pursuant to Texas Commission on Environmental Quality rules. Some material is based on the existing drought contingency plans listed in Appendix A.

Questions regarding this drought contingency and water emergency response plan should be addressed to the following:

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Freese and Nichols, Inc.
(817) 735-7300
jjr@freese.com

Denise Hickey
North Texas Municipal
Water District
(972) 442-5405
dhickey@ntmwd.com

This Model WREMP plan is based on the Texas Administrative Code in effect on January 18, 2019.

EXHIBIT A
TABLE OF CONTENTS

Table of Contents

1. INTRODUCTION AND OBJECTIVES 1-1

2. DEFINITIONS AND ABBREVIATIONS 2-2

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES 3-1

4. WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN 4-1

4.1 Provisions to Inform the Public and Opportunity for Public Input 4-1
4.2 Provisions for Continuing Public Education and Information 4-1
4.3 Initiation and Termination of Water Resource and Emergency Management Stages and Targets for Water use Reductions 4-1
4.3.1 Stage 1 4-3
4.3.2 Stage 2 4-5
4.3.2 Stage 3 4-9
4.4 Procedures for Curtailment of Water Supplies 4-12
4.5 Procedures for Granting Variances to the Plan 4-12
4.6 Procedures for Enforcing Mandatory Water Use Restrictions 4-13
4.7 Coordination with the Regional Water Planning Group and NTMWD 4-13
4.8 Review and Update of Drought Contingency and Water Emergency Response Plan 4-13

APPENDICES

APPENDIX A **List of References**

APPENDIX B **Texas Commission on Environmental Quality Rules on Drought Contingency Plans**
- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule §288.20 – Drought Contingency Plans for Municipal Uses by Public Water Suppliers

APPENDIX C **Letter to Region C Water Planning Group**

1. INTRODUCTION AND OBJECTIVES

This document has been prepared as a Model Water Resource and Emergency Management Plan (WREMP), intended to be available for use by North Texas Municipal Water District (NTMWD) Member Cities and Customer Cities as they develop their own plans. This model plan addresses all of the current TCEQ requirements for a drought contingency plan. [1] This plan will replace the plans dated August 2004, April 2006, March 2008, and April 2014.

The measures included in this Model WREMP are intended to provide short-term water savings during drought or emergency conditions. Water savings associated with ongoing, long-term strategies are discussed in the *Model Water Conservation Plan for North Texas Municipal Water District Member Cities and Customer Cities*. [2]

- The purpose of this Model WREMP plan is as follows:
- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions

The NTMWD supplies treated water to its Member Cities and Customer Cities. This model plan was developed by NTMWD in consultation with its Member Cities. In order to adopt this model plan, each NTMWD Member City and Customer City will need to adopt ordinance(s) or regulation(s) implementing the plan, including the determination of fines and enforcement procedures. The model plan calls for Member Cities and Customer Cities to adopt Water Resource Stages initiated by NTMWD during a drought or water supply emergency. Member Cities and Customer Cities may also adopt more stringent drought or water emergency response stages than NTMWD if conditions warrant.

In the absence of drought response measures, water demands tend to increase during drought due to increased outdoor irrigation. The severity of the drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies. NTMWD considers a drought to end when all of the NTMWD's supply reservoirs refill to conservation storage pool levels.

[1] Superscripted numbers match references listed in Appendix A.

2. DEFINITIONS AND ABBREVIATIONS

1. AQUATIC LIFE means a vertebrate organism dependent upon an aquatic environment to sustain its life.

2. ATHLETIC FIELD means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools; professional sports and league play sanctioned by the utility providing retail water supply.

3. COMMERCIAL FACILITY means business or industrial buildings and the associated landscaping, but does not include the fairways, greens, or tees of a golf course.

4. COMMERCIAL VEHICLE WASH FACILITY means a permanently-located business that washes vehicles or other mobile equipment with water or water-based products, including but not limited to self-service car washes, full service car washes, roll-over/in-bay style car washes, and facilities managing vehicle fleets or vehicle inventory.

5. CUSTOMERS include those entities to which NTMWD provides wholesale water that are not Member Cities of NTMWD.

6. DESIGNATED OUTDOOR WATER USE DAY means a day prescribed by rule on which a person is permitted to irrigate outdoors.

7. DRIP IRRIGATION is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.

8. DROUGHT, for the purposes of this report, means an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources (in this case reservoirs) to be depleted.

9. EVAPOTRANSPIRATION (ET) represents the amount of water lost from plant material to evaporation and transpiration. The amount of ET can be estimated based on the temperature, wind, and relative humidity.

10. EXECUTIVE DIRECTOR means the Executive Director of the NTMWD and includes a person the Executive Director has designated to administer or perform any task, duty, function, role, or action related to this Plan or on behalf of the Executive Director.

11. FOUNDATION WATERING means an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

12. INTERACTIVE WATER FEATURES means water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.

13. IRRIGATION SYSTEM means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.

14. LANDSCAPE means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass or turf species, that is growing or has been planted out of doors.

15. MEMBER CITIES include the cities of Allen, Farmersville, Forney, Frisco, Garland, McKinney, Mesquite, Plano, Princeton, Richardson, Rockwall, Royse City, and Wylie, Texas, which are members of NTMWD.

16. NEW LANDSCAPE means: (a) vegetation installed at the time of the construction of a residential or commercial facility; (b) installed as part of a governmental entity's capital improvement project; or (c) installed to stabilize an area disturbed by construction.

17. ORNAMENTAL FOUNTAIN means an artificially created structure (up to a certain diameter) from which a jet, stream, or flow of treated water emanates and is not typically utilized for the preservation of aquatic life.

18. RETAIL CUSTOMERS include those customers to whom the Supplier provides retail water from a water meter.

19. SOAKER HOSE means a perforated or permeable garden-type hose or pipe that is laid above ground that provides irrigation at a slow and constant rate.

20. SPRINKLER means an above-ground water distribution device that may be attached to a garden hose.

21. SUPPLIER means a Member City or Customer that purchases wholesale water from NTMWD and provides water to retail and/or wholesale customers.

22. SWIMMING POOL means any structure, basin, chamber, or tank including hot tubs, containing an artificial body of water for swimming, diving, or recreational bathing, and having a depth of two (2) feet or more at any point.

23. WATER RESOURCE MANAGEMENT PLAN means a strategy or combination of strategies for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies required by Texas Administrative Code Title 30, Chapter 288, Subchapter B. This is sometimes called a drought contingency plan.

Abbreviation	Full Nomenclature
ED	NTMWD Executive Director
NTMWD or District	North Texas Municipal Water District
TCEQ	Texas Commission on Environmental Quality
TWDB	Texas Water Development Board
Model WREMP	Model Water Resource and Emergency Management Plan for Member Cities and Customers

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code, a current copy of which is included in Appendix B. For the purpose of these rules, a drought contingency plan is defined as "a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies."[1]

Minimum Requirements

TCEQ's minimum requirements for drought contingency plans are addressed in the following subsections of this report:

- 288.20(a)(1)(A) – Provisions to Inform the Public and Provide Opportunity for Public Input – Section 4.1
- 288.20(a)(1)(B) – Provisions for Continuing Public Education and Information – Section 4.2
- 288.20(a)(1)(C) – Coordination with the Regional Water Planning Group – Section 4.7
- 288.20(a)(1)(D) – Criteria for Initiation and Termination of Drought Stages – Section 4.3
- 288.20(a)(1)(E) – Drought and Emergency Response Stages – Section 4.4
- 288.20(a)(1)(F) – Specific, Quantified Targets for Water Use Reductions – Section 3.4
- 288.20(a)(1)(G) – Water Supply and Demand Management Measures for Each Stage – Section 4.4
- 288.20(a)(1)(H) – Procedures for Initiation and Termination of Drought Stages – Section 3.3
- 288.20(a)(1)(I) - Procedures for Granting Variances – Section 4.5
- 288.20(a)(1)(J) - Procedures for Enforcement of Mandatory Restrictions – Section 3.6
- 288.20(a)(3) – Consultation with Wholesale Supplier – Sections 1 and 4.4
- 288.20(b) – Notification of Implementation of Mandatory Measures – Section 4.3
- 288.20(c) – Review and Update of Plan – Section 4.8

4. WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

4.1 Provisions to Inform the Public and Opportunity for Public Input

The City of Rockwall will provide opportunity for public input in the development of this drought contingency and water emergency response plan by the following means:

- Providing written notice of the proposed plan and the opportunity to comment on the plan by newspaper, posted notice, and notice on the supplier's web site.
- Making the draft plan available on the supplier's web site.
- Providing the draft plan to anyone requesting a copy.
- Holding a public meeting.

4.2 Provisions for Continuing Public Education and Information

The City of Rockwall will inform and educate the public about the Water Resource and Emergency Management Plan by the following means:

- Preparing a bulletin describing the plan and making it available at City Hall and other appropriate locations.
- Making the plan available to the public through the supplier's web site.
- Including information about the Water Resource and Emergency Management on the supplier's web site.
- Notifying local organizations, schools, and civic groups that staff are available to make presentations on the Water Resource and Emergency Management Plan (usually in conjunction with presentations on water conservation programs).

At any time that the drought contingency and water emergency response plan is activated or the drought stage or water emergency response stage changes, Member Cities and Customer Cities will notify local media of the issues, the drought response stage or water emergency response stage (if applicable), and the specific actions required of the public. The information will also be publicized on the supplier's web site (if available). Billing inserts will also be used as appropriate.

4.3 Initiation and Termination of Water Resource and Emergency Management Stages and Targets for Water use Reductions

<u>Initiation of a Water Resource Management Stage</u>

The City Manager or official designee may order the implementation of a Water Resource and Emergency Management response stage when one or more of the trigger conditions for that stage are met.

- Water Resource and Emergency Management Plan stages imposed by NTMWD action must be initiated by Member Cities and Customers.

- For other trigger conditions internal to a city or water supply entity, the City Manager or official designee may decide not to order the implementation of a Water Resource Management Stage or Water Emergency even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented.

The following actions will be taken when a water resource management stage is initiated:

- The public will be notified through local media and the supplier's web site (if available) as described in Section 4.2.
- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax that provides details of the reasons for initiation of the Water Resource Management Stage.
- If any mandatory provisions of the Water Resource and Emergency Management Plan are activated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

Termination of Water Management Stage

The City Manager or official designee may order the termination of a Water Resource Management Stage when the conditions for termination are met or at their discretion.

The following actions will be taken when a water resource management stage is terminated:

- The public will be notified through local media and the supplier's web site as described in Section 4.2.
- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax.
- If any mandatory provisions of the Water Resource and Emergency Management Plan that have been activated are terminated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

The City Manager or official designee may decide not to order the termination of a Water Resource Management stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the Water Resource Management Stage. The reason for this decision should be documented.

Water Resource and Emergency Management Plan Stages and Measures

4.3.1 Stage 1

Initiation and Termination Conditions for Stage 1

The NTMWD has initiated Stage 1, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.
- Water demand is projected to approach the limit of the permitted supply.
- The storage level in Lavon Lake as published by the Texas Water Development Board (TWDB),[3] is less than 70 percent of the total conservation pool capacity during any months or April through October or less than 60 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 1 drought.
- NTMWD has concern that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD source may be limited in availability in the next six (6) months.
- NTMWD water demand exceeds 95 percent of the amount that can be delivered to customers for three (3) consecutive days.
- Water demand for all or part of NTMWD's delivery system approaches delivery capacity because delivery capacity is inadequate.
- Supply source is interrupted or unavailable due contamination, invasive species, equipment failure or other causes.
- NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only the portion of the NTMWD system impacted.

Supplier has initiated Stage 1 due to one or more of the following reasons:

- Supplier's water demand exceeds 95 percent of the amount that can be delivered to customers for three consecutive days.
- Supplier's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 1, which may be terminated due to one or more of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 1.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 75 percent of the total conservation pool capacity during any of the months of April through October or greater than 65 percent of the total conservation pool capacity during any of the months of November through March.
- Other circumstances that caused NTMWD initiation of Stage 1 no longer prevail.

Supplier has terminated Stage 1, which may be terminated due to the cause of the Supplier's initiation of Stage 1 no longer prevail.

Goal for Use Reduction and Actions Available under Stage 1

Stage 1 is intended to raise public awareness of potential drought or water emergency problems. The goal for water use reduction under Stage 1 is a two percent (2%) reduction in the amount of water produced by NTMWD from the previous corresponding annual payment period prior to institution of drought restrictions. **If circumstances warrant, of if required by NTMWD, the City Manager or official designee can set a goal for greater or lesser water use reduction under Stage 1.** The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary, to achieve a two percent (2%) reduction. Measures described as "requires notification to TCEQ" are those that impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if such mandatory measures are implemented.

- Continue actions established by Water Conservation Plan.
- Notify wholesale customers of actions being taken and request implementation of similar procedures.
- Initiate engineering studies to evaluate alternative water sources and/or alternative delivery mechanisms should conditions worsen.
- Increase public education efforts on ways to reduce water use.
- Halt non-essential city government water use:

  (Examples: street cleaning, vehicle washing, operation of ornamental fountains, etc.)
- Encourage the public to wait until the current drought or emergency situation has passed before establishing New Landscape.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires Notification to TCEQ -** Increase enforcement of the following landscape watering restrictions established by the Water Conservation Plan: (1) limit landscape watering with sprinklers or irrigation systems at each service address to no more than two (2) days per week, on designated days, between April

1 and October 31; and (2) limit landscape watering with sprinklers or irrigation systems at each service address to once every week, on designated days, between November 1 and March 31. Exceptions are as follows:

- An exception is allowed for New Landscape associated with new construction that may be watered as necessary for 30 days from the date of installation of new landscape features.
- An exception for additional watering of landscape may be provided by hand-held hose with shutoff nozzle, and/or use of dedicated irrigation drip zones provided no runoff occurs.
- Foundation (within 2 feet), New Landscape watering, watering of new plantings (first year) of shrubs, and watering of trees (within a ten foot radius of its trunk) may occur by a hand-held hose, a soaker hose, or a dedicated zone using a Drip Irrigation system provided no runoff occurs.
- Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as may be regulated by the City of Dallas.

- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water use over a certain level.
- **Requires Notification to TCEQ -** Public athletic fields used for competition may be watered twice per week.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.

4.3.2 Stage 2

Initiation and Termination Conditions for Stage 2

The NTMWD has initiated Stage 2, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.
- Water demand is projected to approach the limit of NTMWD permitted supply.
- The storage in Lavon Lake, as published by the TWDB, is less than 55 percent of the total conservation pool during any of the months of April through October or less than 45 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 2 drought.
- NTMWD has concern that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD source may be limited in availability in the next three (3) months.

- NTMWD water demand exceeds 98 percent of the amount that can be delivered to customers for three (3) consecutive days.
- NTMWD water demand for all or part of the delivery system equals delivery capacity because delivery capacity is inadequate.
- NTMWD's supply source is interrupted or unavailable due contamination, invasive species, equipment failure, or other causes.
- NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only that portion of the system impacted.

Supplier has initiated Stage 2 due to one or more of the following reasons:

- Supplier's water demand exceeds 98 percent of the amount that can be delivered to customers for three (3) consecutive days.
- Supplier's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 2, which may terminate due to one of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 2.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 70 percent of the total conservation pool capacity during any of the months of April through October or greater than 60 percent of the total conservation pool capacity during any of the months of November through March.
- Other circumstances that caused NTMWD initiation of Stage 2 no longer prevail.

Supplier has terminated Stage 2, which may be terminated due to the cause of the Supplier's initiation of Stage 2 no longer prevail.

Goal for Use Reduction and Actions Available under Stage 2

The goal for water use reduction under Stage 2 is a reduction of ten percent (10%) in the amount of water obtained from NTMWD from the previous corresponding annual payment period prior to institution of drought restrictions. **If circumstances warrant, of if required by NTMWD, the City Manager or official designee can set a goal for greater or lesser water use reduction.** The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary, to achieve a two-percent reduction. Measures described as "requires notification to TCEQ" are those that impose mandatory

requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if such mandatory measures are implemented.

- Continue or initiate any actions available under Water Conservation Plan and Stage 1.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.
- Implement viable alternative water supply strategies.
- Further accelerate public education efforts on ways to reduce water use.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires Notification to TCEQ -** Limit landscape watering with sprinklers or irrigation systems at each service address to once per week, on designated days between April 1 and October 31. and (2) limit landscape watering with sprinklers or irrigation systems at each service address to once every week, on designated days, between November 1 and March 31. Exceptions are as follows:
    - An exception is allowed for New Landscape associated with new construction that may be watered as necessary for 30 days from the date of installation of new landscape features.
    - An exception for additional watering of landscape may be provided by hand-held hose with shutoff nozzle, and/or use of dedicated irrigation drip zones provided no runoff occurs.
    - Foundation (within 2 feet), New Landscape Watering, watering of new plantings (first year) of shrubs, and watering of trees (within a ten foot radius of its trunk) may occur by a hand-held hose, a soaker hose, or a dedicated zone using a Drip Irrigation system provided no runoff occurs.
    - Athletic Fields may be watered twice per week.
    - An exemption is allowed for Drip Irrigation system from the designated outdoor water use day limited to no more than one day per week. Drip Irrigation systems are however subject to all other restrictions applicable under this stage.
    - Hand water with shutoff nozzle, drip lines, and Soaker Hoses are allowed before 10 am and after 6 pm, provided no runoff occurs.
    - Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as may be regulated by the City of Dallas.
- **Requires Notification to TCEQ -** Prohibit hydro seeding, hydro mulching, and sprigging.
- **Requires Notification to TCEQ -** Initiate a rate surcharge as requested by NTMWD.

- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water used over a certain level.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.
- **Requires Notification to TCEQ –** If NTMWD has imposed a reduction in water availability, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section §11.039 and according to the following water allocation policies and procedures:
    - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.
    - A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.
    - The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.
    - Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.
    - At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.
    - City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.

4.3.2 Stage 3

Initiation and Termination Conditions for Stage 3

The NTMWD has initiated Stage 3, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3
- Water demand is projected to approach or exceed the limit of the permitted supply.
- The storage in Lavon Lake, as published by the TWDB, [3] is less than 30 percent of the total conservation pool during any of the months of April through October or less than 20 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in Stage 3.
- The water supplied from Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD water source has become limited in availability.
- NTMWD water demand exceeds the amount that can be delivered to Customers.
- NTMWD water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- NTMWD's supply source is interrupted or unavailable due contamination, invasive species, equipment failure, or other causes.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only that portion of the system impacted.

Supplier has initiated Stage 3 due to one or more of the following reasons:

- Supplier's water demand exceeds the amount that can be delivered to customers.
- Supplier's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 3, which may terminate due to one or more of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 3.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 55 percent of the total conservation pool capacity during any of the months of April

through October or greater than 45 percent of the total conservation pool capacity during any of the months of November through March.

- Other circumstances that caused NTMWD initiation of Stage 2 no longer prevail.

Supplier has terminated Stage 3, which may be terminated due to the cause of the Supplier's initiation of Stage 3 no longer prevail.

Goals for Use Reduction and Actions Available under Stage 3

The goal for water use reduction under Stage 3 is a reduction of whatever amount is designated by NTMWD in the amount of water obtained from NTMWD from the corresponding previous annual payment period prior to institution of drought restrictions. If circumstances warrant or if required by NTMWD, the City Manager or official designee can set a goal for greater water use reduction.

The City Manager or official designee must implement any action(s) required by NTMWD. In addition, the City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if these measures are implemented:

- Continue or initiate any actions available under Stages 1 and 2.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.
- Implement viable alternative water supply strategies.
- **Requires Notification to TCEQ** – Initiate mandatory water use restrictions as follows:
    - Prohibit hosing and washing of paved areas, buildings, windows or other surfaces is prohibited except by variance and performed by a professional service using high efficiency equipment.
    - Prohibit operation of all ornamental fountains or other amenity impoundments to the extent they use treated water.
- **Requires Notification to TCEQ -** Prohibit hydro seeding, hydro mulching, and sprigging.
- **Requires Notification to TCEQ -** Prohibit the use of potable water for the irrigation of new landscape.
- **Requires Notification to TCEQ -** Prohibit commercial and residential landscape watering, except that foundations and trees may be watered for 2 hours on any day with a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system provided no runoff occurs. ET/Smart controllers and drip irrigation systems are not exempt from this requirement.

- **Requires Notification to TCEQ -** Prohibit washing of vehicles except at Commercial Vehicle Wash Facilities, except as necessary for health, sanitation, or safety reasons.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.
- **Requires Notification to TCEQ -** Prohibit the permitting of private pools. Pools already permitted may be completed and filled with water. Existing private and public pools may add water to maintain pool levels but may not be drained and refilled.
- **Requires Notification to TCEQ -** Require all commercial water users to reduce water use by a percentage established by the City Manager or official designee.
- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water use over normal rates for all water use.
- **Requires Notification to TCEQ -** In the event that the triggering criteria specified in the Plan for Stage 3 and Severe Water Shortage Conditions have been met, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section §11.039 and according to the following water allocation policies and procedures:

    - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.

    - A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.

    - The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.

    - Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.

- At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.
- City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.

4.4 Procedure for Curtailment of Water Supplies

Any imposed reduction in water availability, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section §11.039. In addition, every wholesale water supply contract entered into or renewed after the adoption of this plan, including contract extensions, shall include a provision that water will be distributed in accordance with Texas Water Code §11.039 in case of a water shortage resulting from drought or water emergency.

4.5 Procedures for Granting Variances to the Plan

The City Manager or official designee may grant temporary variances for existing water uses otherwise prohibited under this Water Resource and Emergency Management Plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity requesting the variance
- Compliance with this plan cannot be accomplished due to technical or other limitations
- Alternative methods that achieve the same level of reduction in water use can be implemented

Variances shall be granted or denied at the discretion of the City Manager or official designee. All petitions for variances should be in writing and should include the following information:

- Name and address of the petitioners
- Purpose of water use
- Specific provisions from which relief is requested
- Detailed statement of the adverse effect of the provision from which relief is requested
- Description of the relief requested

- Period of time for which the variance is sought
- Alternative measures that will be taken to reduce water use
- Other pertinent information

4.6 Procedures for Enforcing Mandatory Water Use Restrictions

Mandatory water use restrictions may be imposed in Stage 1, Stage 2 and Stage 3 through adoption of this Water Resource and Emergency Management Plan by Ordinance of the City of Rockwall.

4.7 Coordination with the Regional Water Planning Group and NTMWD

A copy of this Water Resource and Emergency Management plan will be sent to the Chair of the Region C Water Planning Group and the Chairs of North East Texas Water Planning Group.

4.8 Review and Update of Drought Contingency and Water Emergency Response Plan

As required by TCEQ rules, Member Cities and Customer Cites must review the drought contingency and water emergency response plan every five years. The plan will be updated as appropriate based on new or updated information.

APPENDIX A

LIST OF REFERENCES

76

Appendix A
List of References

(1) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.20, downloaded from http://www.tnrcc.state.tx.us/oprd/rules/pdflib/288a.pdf, July 2018.

(2) Freese and Nichols, Inc.: 2019 Model Water Resource Management Plan for NTMWD Member Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, February 2019.

(3) Texas Water Development Board, Water Data for Texas, Lavon Lake, https://waterdatafortexas.org/reserviors/individual/lavon.

APPENDIX B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES ON DROUGHT CONTINGENCY PLANS

78

APPENDIX B
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER B	DROUGHT CONTINGENCY PLANS
RULE §288.20	**Drought Contingency Plans for Municipal Uses by Public Water Suppliers**

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

(i) reduction in available water supply up to a repeat of the drought of record;

(ii) water production or distribution system limitations;

(iii) supply source contamination; or

(iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include the specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(i) curtailment of non-essential water uses; and

(ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.

(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

Source Note: The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384.

APPENDIX C

Letter to Region C Water Planning Group

81

City of Rockwall
The New Horizon

Date: April 26, 2019

Kevin Ward
Chair, Region C Water Planning Group
P.O. Box 60
Arlington, TX 76004

Dear Kevin Ward:

Enclosed please find a copy of the recently updated Water Resource and Emergency Management Plan for the City of Rockwall. I am submitting a copy of this model plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The Rockwall City Council adopted the updated Water Resource Emergency Management Plan on April 15, 2019.

Sincerely,

Rick Crowley
City of Rockwall

385 South Goliad, Rockwall, TX 75087 972.771.7700 www.rockwall.com

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83

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **July 10, 2019**

SUBJECT: **Facilities Agreement**
Alders at Rockwall - Squabble Creek Sanitary Sewer Interceptor Rehabilitation Phase 3 Project

The Squabble Creek Sanitary Sewer Interceptor is one of the main back bones of the City's wastewater collection system. Over the years, replacement and maintenance of this trunk line has been required to keep it operational and up to Texas Commission on Environmental Quality (TCEQ) standards. The proposed Phase 3 rehabilitation project for this interceptor (shown on the attached map in red) is intended to replace pipe that has collapsed, and pipe that does not meet the required slope per TCEQ requirements. Portions of the interceptor pipe are Vitrified Clay Pipe (VCP), which is currently in disrepair. The City has experienced large amounts of inflow and infiltration into the wastewater system due to the condition of the VCP. This additional flow can increase the treatment costs incurred by the City from North Texas Municipal Water District.

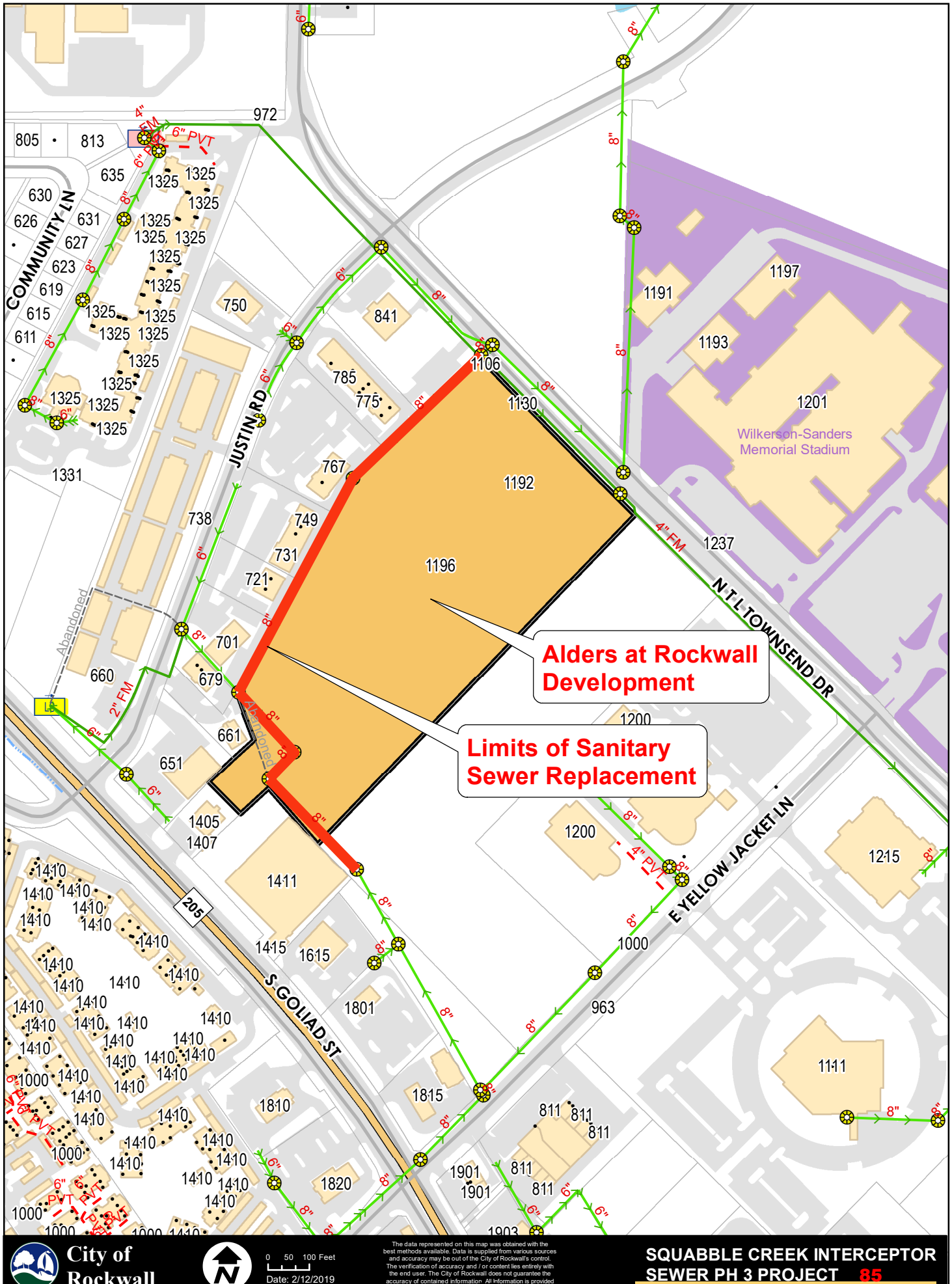
On February 18, 2019, City Council approved Burgess & Niple, Inc. to provide engineering design and construction plans for the improvements. The Alders at Rockwall Developer has provided a cost of $556,034.66 from removal and construction of the new sewer line. State Law allows the City to participate with a development as long as the City's amount does not exceed 30 percent of the construction cost. The developers cost of the Alders at Rockwall development is approximately $20,000,000. This amount will not exceed the 30 percent restriction. Our funding will be provided by the _____.

Staff requests City Council consider approving the facilities agreement with Alders at Rockwall Property, LLC, to reconstruct the existing Squabble Creek sanitary sewer Interceptor within the Alders at Rockwall development in an amount not to exceed $556,064.66 and take any action necessary.

AJW:jmw

Attachments

Cc: Jeremy White, P.E. CFM, Civil Engineer
File



City of Rockwall

0 50 100 Feet

Date: 2/12/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.

SQUABBLE CREEK INTERCEPTOR SEWER PH 3 PROJECT 85

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITIES AGREEMENT
Alders at Rockwall Lot 1, Block A

This Agreement is entered into on the _____ day of _____, 2019, by and between the City of Rockwall, Texas ("City") and Alders at Rockwall Property, LLC, a Texas Limited Liability Company. ("Developer").

WITNESSETH:

Section 1. That in consideration of the Alders at Rockwall Lot 1, Block A Development, located along T.L. Townshend Drive, the parties agree as follows:

Developer agrees to the following:

a. To remove the existing 8" PVC sanitary sewer line in the Squabble Creek sanitary sewer interceptor and replace with a 10" PVC sanitary sewer line within the existing easement along property boundary per approved plans.

City agrees to the following:

a. Reimburse the Developer, the construction of the removal of the existing 8" PVC sanitary sewer line when the existing sanitary sewer line is fully removed and accepted by the City.

b. Reimburse the Developer, the construction of the proposed 10" PVC sanitary sewer line when it is fully installed per approved plan and accepted by the City. The Participation Breakdown Worksheet, Exhibit A, is attached and made part of this Agreement.

Section 2. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 3. Severability Clause. If any section or provision of this Agreement or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this Agreement or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Agreement without

the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 4. Venue for this Agreement shall be in Rockwall County, Texas.

Section 5. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall
205 W. Rusk
Rockwall, Texas 75087
Attn: City Manager

Alders at Rockwall Property, LLC,
a Texas Limited Liability Co.
1625 Clark Springs Drive
Allen, Texas 75002

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
Rick Crowley, City Manager

Alders at Rockwall Property, LLC, a Texas Limited Liability Company

By: _____
Bart Tinsley

ACKNOWLEDGEMENTS

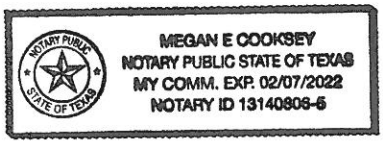
STATE OF TEXAS)
COUNTY OF Collin)
CITY OF Allen)

BEFORE ME, the undersigned authority, on this day personally appeared, Bart Tinsley, Manager of Alders at Rockwall Property, LLC, a Texas Limited Liability Company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 10 day of July, 2019.

Megan E Cooksey
Notary Public in and for the State of Texas

My Commission Expires:
02/07/2022
(Seal)



STATE OF TEXAS)
COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Rick Crowley, City of Rockwall, City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2019.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
(Seal)

EXHIBIT A

Squabble Creek Sewer Rehabilitation - Rockwall, Texas

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
10" SDR-26	LF	774	$ 119.70	$ 92,647.80
10" SDR-35	LF	907	$ 72.96	$ 66,174.72
CONNECT EX. SERVICE	EA	4	$ 1,845.66	$ 7,382.64
10" CURB INLET ON EX.	EA	1	$ 5,894.94	$ 5,894.94
5' CONCRETE MANHOLE ON EX.	EA	2	$ 18,136.26	$ 36,272.52
5' CONCRETE MANHOLE	EA	2	$ 12,314.28	$ 24,628.56
4' CONCRETE MANHOLE ON EX.	EA	2	$ 8,269.56	$ 16,539.12
4' CONCRETE MANHOLE	EA	2	$ 6,086.46	$ 12,172.92
6" DOUBLE CLEANOUT	EA	4	$ 1,482.00	$ 5,928.00
CONCRETE ENCASEMENT	LF	300	$ 25.08	$ 7,524.00
BYPASS PUMPING	LS	1	$ 169,646.82	$ 169,646.82
RIGHT OF WAY PREP	LS	1	$ 11,400.00	$ 11,400.00
REMOVE EX. SEWER LINE	LF	1680	$ 29.64	$ 49,795.20
REMOVE EX. MANHOLE	EA	7	$ 1,719.12	$ 12,033.84
REMOVE EX. STROM INLET	EA	1	$ 1,719.12	$ 1,719.12
TRAFFIC CONTROL	LS	1	$ 7,275.48	$ 7,275.48
SAWCUT PAVEMENT	LF	264	$ 6.84	$ 1,805.76
REMOVE PAVEMENT	SF	609	$ 6.84	$ 4,165.56
TEMPORARY REPLACE PAVEMENT	SF	609	$ 6.84	$ 4,165.56
PERMANENT REPLACE PAVEMENT	SF	609	$ 12.54	$ 7,636.86
TESTING	LF	1681	$ 2.45	$ 4,120.13
TRENCH SAFETY	LF	1681	$ 1.14	$ 1,916.34
LAYOUT	LF	1681	$ 1.48	$ 2,491.24
SILT FENCE	LF	385	$ 2.57	$ 987.53
2 YR - 10% MAINTENANCE BOND	LS	1	$ 1,710.00	$ 1,710.00
SANITARY SEWER TOTAL				**$ 556,034.66**

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90

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	July 15, 2019
APPLICANT:	Judy Larson
CASE NUMBER:	P2019-011; *Lot 1, Block A, Devoll Place Addition*

SUMMARY

Discuss and consider a request by Judy K. Larson for the approval of a final plat for Lot 1, Block A, Devoll Place Addition being a 6.96-acre tract of land identified as Tract 26-2 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, situated within the FM-549 Overlay (FM-549 OV) District, addressed as 556 N. FM-3549, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to final plat a 6.69-acre tract of land (*i.e. Tract 26-2 of the E. M. Survey, Abstract No. 77*) into one (1) lot (*i.e. Lot 1, Block A, Devoll Place Addition*) for the purpose of constructing a single-family home on Lot 1.

☑ The subject property is a 6.69-acre tract of land that was annexed in 1998 [*Ordinance No. 98-10*]. On September 4, 2018, the City Council approved a change in zoning [*Ordinance No. 18-36*] from an Agricultural (AG) District to a Single-Family Estate (SFE-1.5) District for the subject property.

☑ On June 27, 2019, the Board of Adjustments (BOA) approved a variance [*Order No. BOA 2019-6-V*] to reduce [1] the required side setback to from 25-feet to six (6) feet, [2] to reduce the minimum lot frontage from 150-feet to 122-feet, and [3] to allow a 1,200 SF accessory building on the subject property. The applicant is also requesting a masonry exception [*Case No. MIS2019-007*] for the 1,200 SF accessory building [*Case No. MIS2019-010*].

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

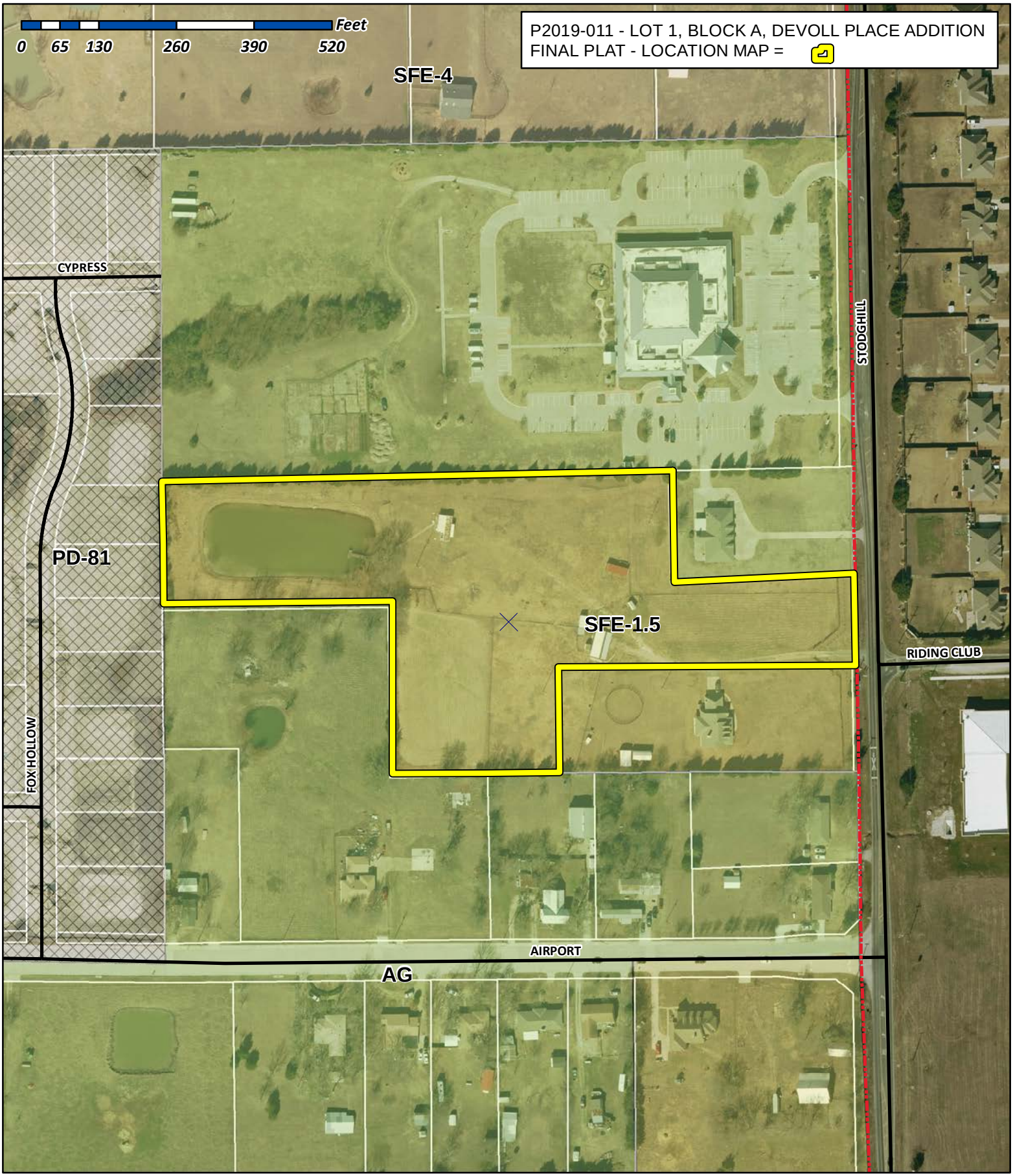
If the Planning and Zoning Commission chooses to recommend approval of the final plat for *Lot 1, Block A, Devoll Place Addition,* staff would propose the following conditions of approval:

(1) The Final Plat shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On July 9, 2019, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commissioner Fishman absent.

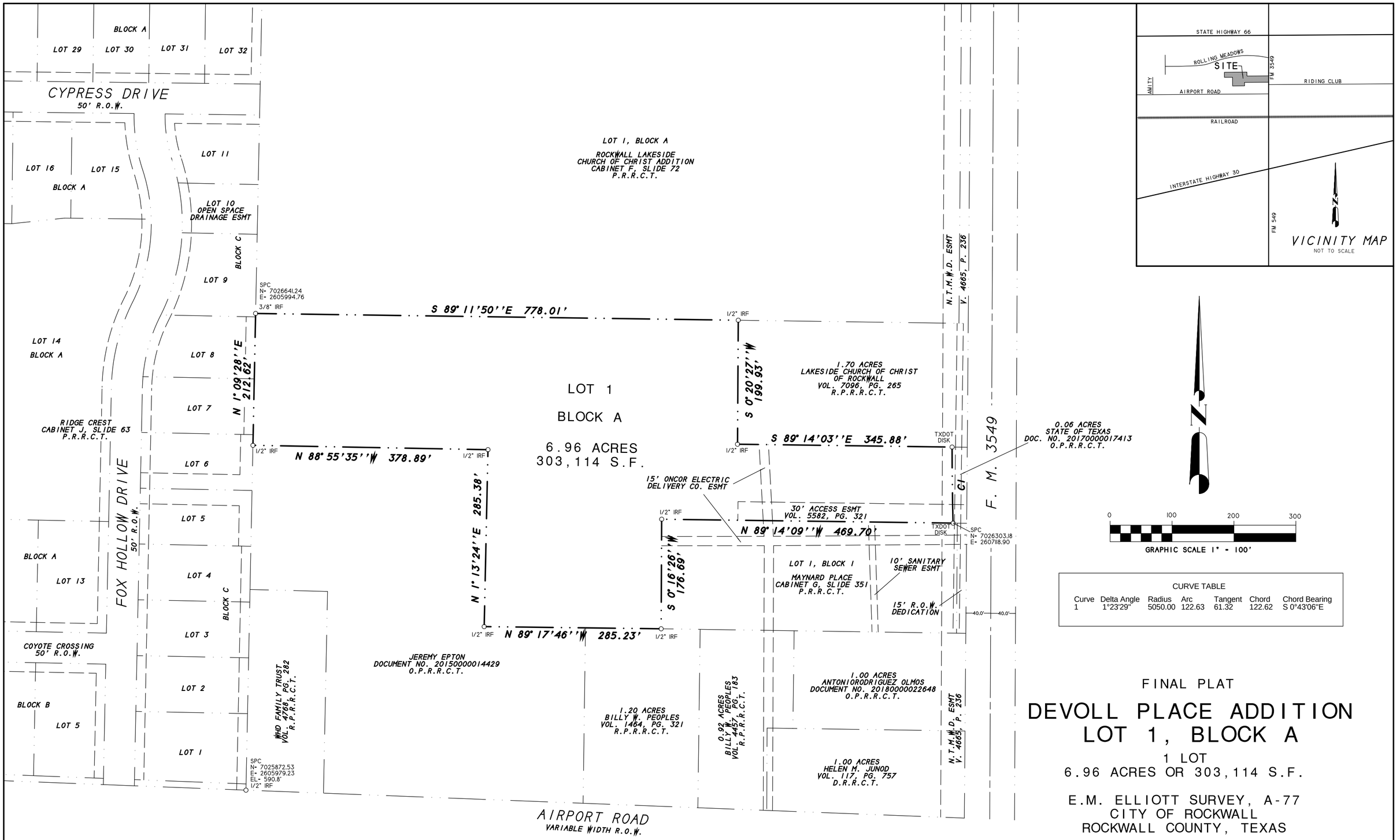


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

93



CURVE TABLE

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	1°23'29"	5050.00	122.63	61.32	122.62	S 0°43'06"E

FINAL PLAT

DEVOLL PLACE ADDITION
LOT 1, BLOCK A

1 LOT
6.96 ACRES OR 303,114 S.F.

E.M. ELLIOTT SURVEY, A-77
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 480547 0045 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: STATE PLANE COORDINATES BASED ON THE CITY OF ROCKWALL MONUMENT SYSTEM, NAD-83, NORTH CENTRAL ZONE.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

OWNERS:
JUDY K. LARSON
JAMES D. DEVOLL
CAROLYN G. MAYNARD
VON MAYNARD
PO BOX 838
FATE, TX 75132

SHEET 1 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC ELEC BOX SUBSURFACE JUNCTION BOX	WV WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND 1 CORNER
FENCE	EASEMENT LINE		A/C AIR COND. UNIT	PROPANE TANK
	PROPERTY LINES			

SURVEY DATE MARCH 13, 2019
SCALE 1" = 100' FILE # 20041661RP
CLIENT DEVOLL

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CASE NO. P2019-

94

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS JUDY K. LARSON, JAMES D. DEVOLL, VON and CAROLYN MAYNARD, BEING THE OWNERS OF A TRACT OF land in the City of Rockwall, County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. 77, City of Rockwall, Rockwall County, Texas, and being a part of that 9.033 acres tract as described in a Warranty deed from Cal Cary and Betty Cary to Jess Devoll and Pat J. Devoll, dated September 18, 2000 and being recorded in Volume 1967, Page 79 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the southwest corner of Lot 1, Block A, Maynard Place, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 351 of the Plat Records of Rockwall County, Texas and being N. 89 deg. 08 min. 37 sec. W., a distance of 492.01 feet from a 1/2" iron rod pipe in the West right-of-way line of F.M. Highway 3549 at the southeast corner of said Devoll tract;

THENCE N. 89 deg. 17 min. 46 sec. W. a distance of 285.23 feet to a 1/2" iron rod found for corner at the south most southwest corner of said Devoll tract;

THENCE N. 01 deg. 13 min. 24 sec. E. a distance of 285.38 feet to a 1/2" iron rod found for corner;

THENCE N. 88 deg. 55 min. 35 sec. W. a distance of 378.89 feet to a 1/2" iron rod found for corner at the west most southwest corner of said Devoll tract and in the east boundary line of Ridge Crest Addition, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet J. Slide 63 of the Plat Records of Rockwall County, Texas;

THENCE N. 01 deg. 09 min. 28 sec. E. a distance of 212.62 feet to a 3/8" iron rod found for corner at the northwest corner of said Devoll tract;

THENCE S. 89 deg. 11 min. 50 sec. E. a distance of 778.01 feet to a 1/2" iron rod found for corner;

THENCE S. 00 deg. 20 min. 27 sec. W. a distance of 199.93 feet to a 1/2" iron rod found for corner;

THENCE S. 89 deg. 14 min. 03 sec. E. a distance of 345.88 feet to a TXDOT disk monument found for corner in the west right-of-way line of F.M. 3549;

THENCE along a curve to the left having a central angle of 01°23'29", a radius of 5050.00 feet, a tangent of 61.32 feet, a chord bearing of S. 00 deg. 43 min. 06 sec. E., chord distance of 122.62 feet, along said right-of-way, an arch length 122.63 feet, to a TXDOT disk monument found for corner;

THENCE N. 89 deg. 14 min. 03 sec. W. a distance of 169.70 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE S. 00 deg. 16 min. 26 sec. W. along the west boundary line of Maynard Place, a distance of 176.69 feet to the POINT OF BEGINNING and containing 303,114 square feet or 6.96 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as DEVOLL PLACE ADDITION, LOT 1, BLOCK 1, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We ,our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

VON MAYNARD

CAROLYN MAYNARD

JUDY K. LARSON

JAMES D. DEVOLL

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared VON MAYNARD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared CAROLYN MAYNARD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JUDY K. LARSON, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JAMES D. DEVOLL, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for w ater for personal use and fire protection within such plat, as required under Ordinance 83-54.

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of DEVOLL PLACE ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

FINAL PLAT

DEVOLL PLACE ADDITION
LOT 1, BLOCK A

1 LOT
6.96 ACRES OR 303,114 S.F.

E.M. ELLIOTT SURVEY, A-77
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS:
JUDY K. LARSON
JAMES D. DEVOLL
CAROLYN G. MAYNARD
VON MAYNARD
PO BOX 838
FATE, TX 75132

SHEET 2 OF 2

SYMBOL LEGEND

TV — TELEVISION CABLE RISER	GAS — GAS METER	TEL — PHONE RISER	FH — FIRE HYDRANT	PP — POWER POLE
ELEC — ELECTRIC METER	ELEC BOX — SUBSURFACE JUNCTION BOX	WM — WATER METER	LP — LIGHT POLE	1/2" IRF — IRON ROD FOUND 1 CORNER 1
FENCE	EASEMENT LINE / PROPERTY LINES		A/C — AIR. COND. UNIT	PROPANE TANK

SURVEY DATE MARCH 13, 2019
SCALE 1" = 100' FILE # 20041661RP
CLIENT DEVOLL

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CASE NO. P2019-

95

ORDER OF THE BOARD OF ADJUSTMENT
OF THE CITY OF ROCKWALL, TEXAS

ORDER NO. BOA 2019-6-V

WHEREAS, the Board of Adjustment held a public hearing on the 27th day of June, 2019, to consider the application of Judy Larson, as owner for the tract of land described below, for a variance from the Residential Single Family Zoning to reduce the required side lot set back, and minimum lot frontage from 150 ft. to 122.63 ft. known as 556 N. FM 3549, in order to construct a new free standing 1200 ft. accessary building.

WHEREAS, the applicant requested a variance from the said zoning which requires 25' side lot set back for property within the SFE 1.5 district. To allow a 6' side lot set-back, and minimum lot frontage from 150 ft. to 122.63 ft. for Lot 556 N FM 3549.

WHEREAS, after due consideration and discussion it appears that the granting of such variances would not cause an adverse effect on the surrounding properties and would not be contrary to the public interest.

NOW, THEREFORE BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That all of the above premises are found and determined to be true and correct and are incorporated into the body of this order as if copied in their entirety.

Section 2. That the request from the applicant for this Board to grant a variance from the zoning, be and in the same is hereby granted so as to allow 6' lot set back and minimum lot frontage from 150 ft. to 122.63 ft. on the North West side of lot 556 N. FM 3549

Section 3. That the Building Official of the City is hereby authorized and directed to issue the appropriate permits, if any, for the above described property under the terms and conditions of this Order.

Section 4. That this Order was passed by the concurring vote of at least four (4) members of the Board of Adjustment and is effective as of the 27th day of June, 2019,

ATTEST:

Secretary

APPROVED:

Chairman

96

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97

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	July 15, 2019
SUBJECT:	MIS2019-012; *Alternative Tree Mitigation Plan*

The applicant, Cameron Slown of F. C. Cuny Corporation, is requesting the approval of an *Alternative Tree Mitigation Plan* for an 8.715-acre tract of land generally located at the northeast corner of the intersection of Greencrest Boulevard and the IH-30 Frontage Road. On October 9, 2019, the Planning and Zoning Commission approved a site plan [*Case No. SP2018-029*] for a residence hotel (*i.e. Marriott Townplace Suites*) on the subject property. The *Treescape Plan* submitted with this site plan indicated a total of 179-caliper inches of trees being removed from the subject property. The majority of these trees were classified as *Primary Protected Trees*, and consisted of Oak and Elm trees. The applicant's landscape plan provided with the site plan showed that this mitigation balance would be off-set by the incorporation of 182-caliper inches of new trees on the subject property. Since the approval of the site plan, the applicant has indicated that an additional 462-caliper inches of trees will be required to be removed from the site and the surrounding area due to on-site/off-site grading. Based on the new mitigation balance, the Unified Development Code (UDC) allows the applicant to buy tree credits at $200.00 per inch for up to 20% of the balance with the remaining balance being provided in trees on-site or to the Parks and Recreation Department. The $200.00 per inch can further be reduced to $100.00 per inch if the applicant is proposing to plant trees on-site, which in this case the applicant is. In lieu of the 20%/80% split required by the UDC, the applicant is requesting an *Alternative Tree Mitigation Plan* in accordance with Section 5, *Tree Mitigation Requirements*, of Article IX, *Tree Preservation*, of the UDC to pay 100% of the trees at the $100.00 rate. This equates to a total of $46,200.00 being added to the City's tree fund if approved. On July 9, 2019, the Planning and Zoning Commission voted 6-0 (with Commissioner Fishman absent) to recommend approval of the *Alternative Tree Mitigation Plan* to the City Council.

Since the applicant is proposing to satisfy the mitigation balance in full at the required $100.00 rate, staff has placed this item on the consent agenda. Should the City Council have any questions concerning this case, staff will be available at the July 15, 2019 City Council meeting.

GENERAL NOTES :

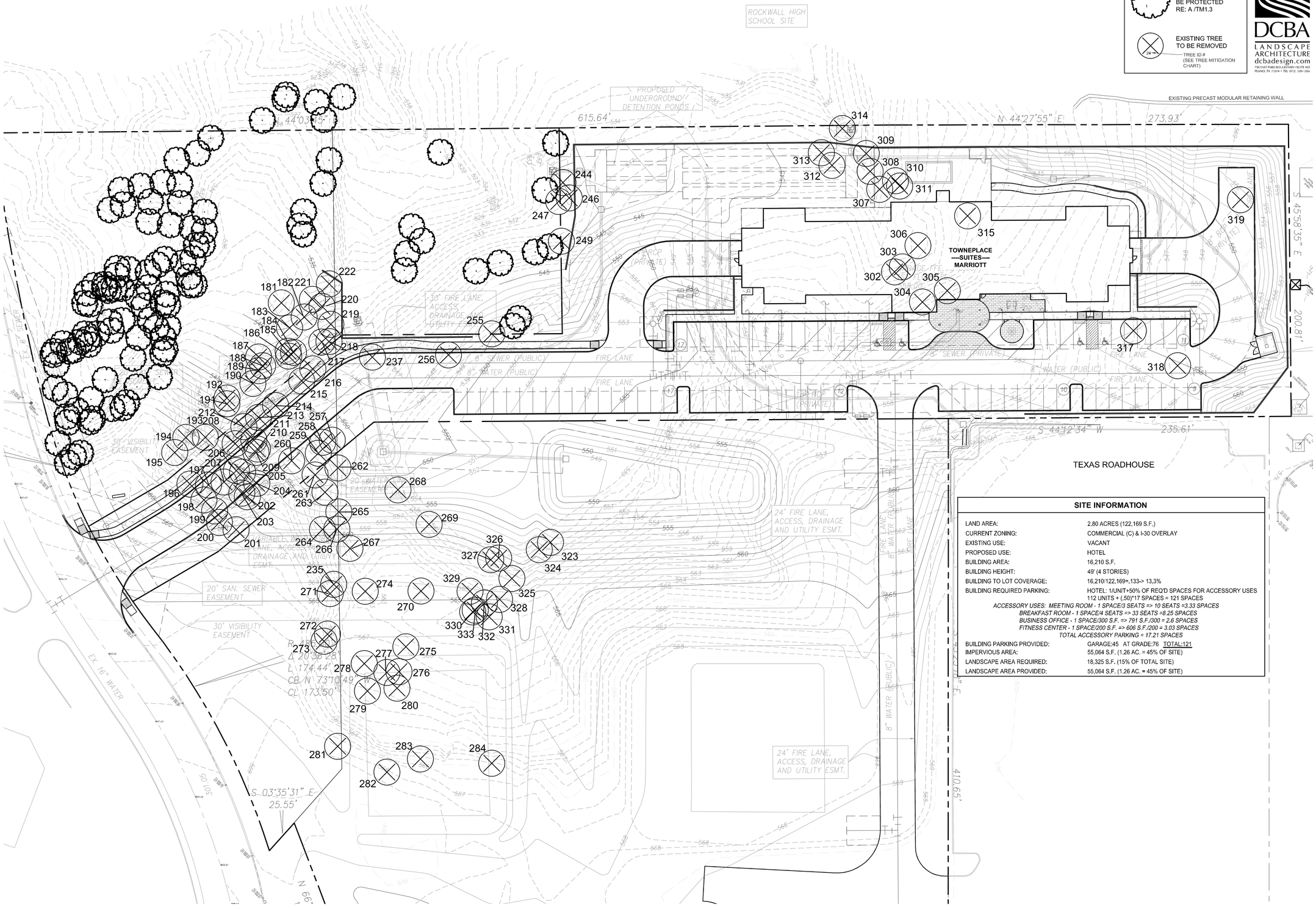
1. NO TREES WITHIN 5' OF PUBLIC UTILITIES.

LEGEND

EXISTING TREE TO REMAIN & TO BE PROTECTED RE: A /TM1.3

EXISTING TREE TO BE REMOVED

TREE ID # (SEE TREE MITIGATION CHART)



A TREE PRESERVATION PLAN

SCALE: 1"= 30'-0" PLAN VIEW

0 15 30 60

(FEET)

1 inch = 30 ft.

SITE INFORMATION	
LAND AREA:	2.80 ACRES (122,169 S.F.)
CURRENT ZONING:	COMMERCIAL (C) & I-30 OVERLAY
EXISTING USE:	VACANT
PROPOSED USE:	HOTEL
BUILDING AREA:	16,210 S.F.
BUILDING HEIGHT:	49' (4 STORIES)
BUILDING TO LOT COVERAGE:	16,210/122,169=,133-> 13.3%
BUILDING REQUIRED PARKING:	HOTEL: 1/UNIT+50% OF REQ'D SPACES FOR ACCESSORY USES 112 UNITS + (.50)*17 SPACES = 121 SPACES *ACCESSORY USES: MEETING ROOM - 1 SPACE/3 SEATS => 10 SEATS =3.33 SPACES* *BREAKFAST ROOM - 1 SPACE/4 SEATS => 33 SEATS =8.25 SPACES* *BUSINESS OFFICE - 1 SPACE/300 S.F. => 791 S.F./300 = 2.6 SPACES* *FITNESS CENTER - 1 SPACE/200 S.F. => 606 S.F./200 = 3.03 SPACES* *TOTAL ACCESSORY PARKING = 17.21 SPACES*
BUILDING PARKING PROVIDED:	GARAGE:45 AT GRADE:76 TOTAL:121
IMPERVIOUS AREA:	55,064 S.F. (1.26 AC. = 45% OF SITE)
LANDSCAPE AREA REQUIRED:	18,325 S.F. (15% OF TOTAL SITE)
LANDSCAPE AREA PROVIDED:	55,064 S.F. (1.26 AC. = 45% OF SITE)

DCBA LANDSCAPE ARCHITECTURE
dcbadesign.com
TWO MAT PARK BOULEVARD • SUITE 600
PLANO, TX 75074 • TEL (972) 509-1266

ARCHITECT

KILLIAN
STUDIO OF ARCHITECTURE
KEN KILLIAN STUDIO OF ARCHITECTURE
10670 N. CENTRAL EXPWY | SUITE 600
DALLAS, TEXAS 75231
214.457.3652

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE ARCHITECT. THEY SHALL NOT BE USED, TRANSFERRED, OR SOLD FOR USE EXCEPT BY AN AGREEMENT IN WRITING FROM THE ARCHITECT.

KENNETH R. KILLIAN, AIA
TX REG. NO. 19489

SEAL

REGISTERED LANDSCAPE ARCHITECT · DAVID C. BALDWIN · 2704 · STATE OF TEXAS

04.12.19

OWNER

TEKMAK DEVELOPMENT COMPANY
10,000 N CENTRAL, SUITE 400
DALLAS, TEXAS 75231
214/890-9225 OFFICE
CONTACT: THOMAS KIRKLAND

MARRIOTT

MARRIOTT GLOBAL DESIGNS AMERICA
10400 FERNWOOD ROAD
BETHESDA, MD, 20817
(712) 899-1626
CONTACT: - MICHAEL STEINKAMP

CIVIL ENGINEER

FC CUNY CORPORATION
#2 HORIZON COURT, STE 500
HEATH, TEXAS 75032
(469) 402-7700
CONTACT: CHRIS CUNY, P.E.

STRUCTURAL ENGINEER

MK ENGINEERS AND ASSOCIATES, INC
400 CHISHOLM PLACE, SUITE 106
PLANO, TX 75075
214-501-3354
CONTACT: MOHAMMAD KABIR, PE

MEP ENGINEER

ROOT ENGINEERING SERVICES, INC
45 FM 3356
VAN ALSTYNE, TX 75495
903-375-9303 EXT.103
CONTACT: ADAM HARRIS, PE

TOWNEPLACE SUITES® BY MARRIOTT

PROJECT

TOWNEPLACE SUITES BY MARRIOTT ROCKWALL, TEXAS

PROJECT ADDRESS

I-30 HIGHWAY
ROCKWALL, TEXAS

REV.	DATE	ISSUE
1	12.21.18	PERMIT ISSUE
2	02.08.19	GARAGE/1ST FLR REVISIONS
3	04.12.19	TAS/CITY COMMENTS
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-

2018.101
PROJECT NUMBER

TREE PRESERVATION PLAN

TM1.1
SHEET NUMBER

SP2018-029

TAG NUMBER	COMMON NAME	BOTANICAL NAME	CALIPER INCH	ACTION	MITIGATION (*SEE NOTES)
307	CEDAR ELM	*Ulmus crassifolia*	18	REMOVED	18
308	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
309	CEDAR ELM	*Ulmus crassifolia*	14	REMOVED	14
310	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
311	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
312	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
313	CEDAR ELM	*Ulmus crassifolia*	16	REMOVED	16
314	CEDAR ELM	*Ulmus crassifolia*	12	REMOVED	12
315	CEDAR ELM	*Ulmus crassifolia*	4	REMOVED	4
316	EASTERN RED CEDAR	*Juniperus virginiana*	14	REMOVED	7
317	HACKBERRY	*Celtis occidentalis*	16	REMOVED	8
318	HACKBERRY	*Celtis occidentalis*	12	REMOVED	6
319	HACKBERRY	*Celtis occidentalis*	14	REMOVED	7
321	CEDAR ELM	*Ulmus crassifolia*	18	REMOVED	18
322	CEDAR ELM	*Ulmus crassifolia*	18	REMOVED	18
323	CEDAR ELM	*Ulmus crassifolia*	22	REMOVED	22
324	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
325	CEDAR ELM	*Ulmus crassifolia*	12	REMOVED	12
326	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
327	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
328	CEDAR ELM	*Ulmus crassifolia*	10	REMOVED	10
329	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
330	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
331	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
332	CEDAR ELM	*Ulmus crassifolia*	6	REMOVED	6
333	CEDAR ELM	*Ulmus crassifolia*	6	REMOVED	6
334	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
335	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
		TOTAL REQUIRED MITIGATION CALIPER INCHES			656

NOTES:
THIS OFF-SITE TREE MITIGATION CHART (TREE TAG 261-335) DOESN'T NEED TO BE ACCOUNTED FOR IN THE MARRIOTT TREE FUND BUT THE OWNER OF THE OFFSITE AREA WILL NEED TO HAVE THIS MITIGATION NUMBER SO HE OR SHE CAN PAY FOR THE TREE FUND IN THE FUTURE.

TREE MITIGATION TABLE - OFF SITE

TAG NUMBER	COMMON NAME	BOTANICAL NAME	CALIPER INCH	ACTION	MITIGATION (*SEE NOTES)
261	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
262	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
263	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
264	CEDAR ELM	*Ulmus crassifolia*	16	REMOVED	16
265	CEDAR ELM	*Ulmus crassifolia*	16	REMOVED	16
266	CEDAR ELM	*Ulmus crassifolia*	14	REMOVED	14
267	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
268	LIVE OAK	*Quercus virginiana*	16	REMOVED	16
269	LIVE OAK	*Quercus virginiana*	22	REMOVED	22
270	CEDAR ELM	*Ulmus crassifolia*	10	REMOVED	10
271	LIVE OAK	*Quercus virginiana*	14	REMOVED	14
272	CEDAR ELM	*Ulmus crassifolia*	12	REMOVED	12
273	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
274	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
275	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
276	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
277	CEDAR ELM	*Ulmus crassifolia*	6	REMOVED	6
278	LIVE OAK	*Quercus virginiana*	14	REMOVED	14
279	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
280	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
281	HACKBERRY	*Celtis occidentalis*	18	REMOVED	18
282	HACKBERRY	*Celtis occidentalis*	18	REMOVED	18
283	CEDAR ELM	*Ulmus crassifolia*	16	REMOVED	16
284	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
285	EASTERN RED CEDAR	*Juniperus virginiana*	12	REMOVED	6
286	HACKBERRY	*Celtis occidentalis*	18	REMOVED	9
287	EASTERN RED CEDAR	*Juniperus virginiana*	18	REMOVED	9
288	HACKBERRY	*Celtis occidentalis*	24	REMOVED	12
289	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
302	CEDAR ELM	*Ulmus crassifolia*	6	REMOVED	6
303	CEDAR ELM	*Ulmus crassifolia*	10	REMOVED	10
304	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
305	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
306	CEDAR ELM	*Ulmus crassifolia*	14	REMOVED	14

TAG NUMBER	COMMON NAME	BOTANICAL NAME	CALIPER INCH	ACTION	MITIGATION (*SEE NOTES)
302	CEDAR ELM	*Ulmus crassifolia*	6	REMOVED	6
303	CEDAR ELM	*Ulmus crassifolia*	10	REMOVED	10
304	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
305	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
306	CEDAR ELM	*Ulmus crassifolia*	14	REMOVED	14
307	CEDAR ELM	*Ulmus crassifolia*	18	REMOVED	18
308	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
309	CEDAR ELM	*Ulmus crassifolia*	14	REMOVED	14
310	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
311	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
312	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
313	CEDAR ELM	*Ulmus crassifolia*	16	REMOVED	16
314	CEDAR ELM	*Ulmus crassifolia*	12	REMOVED	12
315	CEDAR ELM	*Ulmus crassifolia*	4	REMOVED	4
316	EASTERN RED CEDAR	*Juniperus virginiana*	14	REMOVED	7
317	HACKBERRY	*Celtis occidentalis*	16	REMOVED	8
318	HACKBERRY	*Celtis occidentalis*	12	REMOVED	6
319	HACKBERRY	*Celtis occidentalis*	14	REMOVED	7
		TOTAL REQUIRED MITIGATION CALIPER INCHES			662
		TOTAL CALIPER INCHES PROVIDED @ MINIMUM 4" CALIPER			180
		TOTAL CALIPER INCHES STILL NEEDED (OWNER WILL PAY THE CITY A TREE FUND FOR THE REMAINING CALIPER INCHES)			482

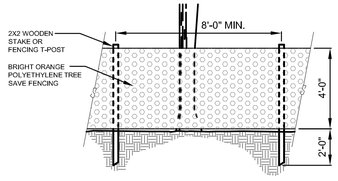
TREE PROTECTION:

A. PRIOR TO CONSTRUCTION, ALL PROTECTED TREES AS SHOWN ON THE DEMOLITION PLANS SHALL BE CLEARLY MARKED WITH A BARRIER CONSISTING OF A 4' BARRICADE FENCE OR APPROVED EQUIVALENT TO PROTECT THE AREA UNDER THE CANOPY OF DRIP LINE OF ANY PROTECTED TREE OR GROUP OF PROTECTED TREES.

B. DURING CONSTRUCTION, THE BUILDER SHALL PROHIBIT THE CLEANING OF EQUIPMENT OR STORAGE OF MATERIALS AND THE DISPOSAL OF ANY WASTE MATERIAL, INCLUDING, BUT NOT LIMITED TO, PAINT, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR, ETC., UNDER THE CANOPY OR DRIP LINE OF ANY PROTECTED TREE OR GROUP OF TREES.

C. NO ATTACHMENTS OR WIRES OF ANY KIND, OTHER THAN THOSE OF A PROTECTIVE NATURE, SHALL BE ATTACHED TO ANY PROTECTED TREE.

D. IN ADDITION, CONTRACTOR WILL BE RESPONSIBLE FOR ANY PROTECTED TREE WHICH DIES OR IS DAMAGED DUE TO CONTRACTOR NEGLECT. VALUE OF DEAD AND/OR DAMAGED PROTECTED TREE SHALL BE DETERMINED USING THE "GUIDE FOR PLANT APPRAISAL" PREPARED UNDER CONTRACT BY THE COUNCIL OF TREE AND LANDSCAPE APPRAISERS AND EDITED, PUBLISHED AND COPYRIGHTED BY THE INTERNATIONAL SOCIETY OF ARBORCULTURE, NINTH EDITION, 2000.



A TREE PROTECTION
SCALE: N.T.S. SECTION

TREE PRESERVATION NOTES: (SEE ARTICLE IX SECTION 5)
THE TREE MITIGATION REQUIREMENTS SHALL APPLY FOR ALL PROPERTIES THAT DO NOT FALL UNDER THE EXEMPTIONS LISTED IN SECTION 1.3, EXEMPTIONS, OF THIS ARTICLE. IN ADDITION, IF A TREESCAPE PLAN OR TREE REMOVAL PERMIT ALLOWS FOR THE REMOVAL OF A PROTECTED OR FEATURE TREE(S), THE APPLICANT AND/OR PROPERTY OWNER SHALL ACCOUNT FOR THE NUMBER OF INCHES OF TREE BEING REMOVED USING THE FOLLOWING CRITERIA:

1. PRIMARY PROTECTED TREES:
PRIMARY PROTECTED TREES MEASURING FOUR INCHES THROUGH 25 INCHES DBH SHALL BE REPLACED ON AN INCH-FOR-INCH BASIS (I.E. THE TOTAL NUMBER OF CALIPER INCHES OF TREE BEING REPLACED SHALL EQUAL THE TOTAL NUMBER OF CALIPER INCHES BEING REMOVED).

2. SECONDARY PROTECTED TREES:
HACKBERRY AND CEDAR TREES MEASURING 11 INCHES THROUGH 25 INCHES DBH SHALL BE REPLACED WITH A HALF-INCH FOR EVERY INCH REMOVED (I.E. THE TOTAL NUMBER OF CALIPER INCHES OF TREE REQUIRED TO BE REPLACED SHALL BE HALF (½) OF THE INCHES BEING REMOVED).

3. FEATURED TREES:
FEATURED TREES (I.E. ALL TREES GREATER THAN 25 INCHES) SHALL BE REPLACED WITH TWICE THE NUMBER OF INCHES BEING REMOVED (I.E. THE TOTAL NUMBER OF CALIPER INCHES OF TREE BEING REPLACED SHALL BE TWICE THE NUMBER OF CALIPER INCHES BEING REMOVED).

4. NON-PROTECTED TREE:
NO MITIGATION WILL BE REQUIRED FOR THE REMOVAL OF ANY TREE THAT IS LESS THAN FOUR INCHES DBH OR LESS THAN 11 INCHES DBH FOR HACKBERRY AND CEDAR TREES. IN ADDITION, NO MITIGATION SHALL BE REQUIRED FOR THE REMOVAL OF BOIS D'ARC, WILLOW, COTTONWOOD, LOCUST AND CHINABERRY TREES.

TREE MITIGATION TABLE

TAG NUMBER	COMMON NAME	BOTANICAL NAME	CALIPER INCH	ACTION	MITIGATION (*SEE NOTES)
181	HACKBERRY	*Celtis occidentalis*	12	REMOVED	6
182	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
183	HACKBERRY	*Celtis occidentalis*	10	REMOVED	EXEMPT - NOT A PROTECTED TREE
184	LIVE OAK	*Quercus virginiana*	14	REMOVED	14
185	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
186	CEDAR ELM	*Ulmus crassifolia*	6	REMOVED	6
187	EASTERN RED CEDAR	*Juniperus virginiana*	12	REMOVED	6
188	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
189	LIVE OAK	*Quercus virginiana*	16	REMOVED	16
190	LIVE OAK	*Quercus virginiana*	14	REMOVED	14
191	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
192	CEDAR ELM	*Ulmus crassifolia*	6	REMOVED	6
193	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
194	LIVE OAK	*Quercus virginiana*	18	REMOVED	18
195	CEDAR ELM	*Ulmus crassifolia*	10	REMOVED	10
196	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
197	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
198	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
199	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
200	HACKBERRY	*Celtis occidentalis*	16	REMOVED	8
201	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
202	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
203	CEDAR ELM	*Ulmus crassifolia*	10	REMOVED	10
204	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
205	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
206	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
207	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
208	CEDAR ELM	*Ulmus crassifolia*	6	REMOVED	6
209	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
210	LIVE OAK	*Quercus virginiana*	14	REMOVED	14
211	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
212	CEDAR ELM	*Ulmus crassifolia*	10	REMOVED	10
213	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
214	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
215	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
216	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
217	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
218	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
219	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
220	CEDAR ELM	*Ulmus crassifolia*	8	REMOVED	8
221	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
222	LIVE OAK	*Quercus virginiana*	4	REMOVED	4
237	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
238	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
244	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
246	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
247	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
249	LIVE OAK	*Quercus virginiana*	10	REMOVED	10
255	LIVE OAK	*Quercus virginiana*	6	REMOVED	6
256	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
257	LIVE OAK	*Quercus virginiana*	12	REMOVED	12
258	LIVE OAK	*Quercus virginiana*	8	REMOVED	8
259	LIVE OAK	*Quercus virginiana*	14	REMOVED	14
260	EASTERN RED CEDAR	*Juniperus virginiana*	12	REMOVED	6

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KENNETH R. KILLIAN, AIA
TX REG. NO. 19489

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04.12.19

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PROJECT
TOWNEPLACE SUITES BY MARRIOTT ROCKWALL, TEXAS

PROJECT ADDRESS
I-30 HIGHWAY
ROCKWALL, TEXAS

REV.	DATE	ISSUE
1	12.21.18	PERMIT ISSUE
2	02.08.19	GARAGE/1ST FLR REVISIONS
3	04.12.19	TAS/CITY COMMENTS
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-

2018.101
PROJECT NUMBER

TREE PRESERVATION PLAN

TM1.2
SHEET NUMBER

SP2018-029

SITE INFORMATION

LAND AREA:	2.80 ACRES (122,169 S.F.)
CURRENT ZONING:	COMMERCIAL (C) & I-30 OVERLAY
EXISTING USE:	VACANT
PROPOSED USE:	HOTEL
BUILDING AREA:	16,210 S.F.
BUILDING HEIGHT:	49' (4 STORIES)
BUILDING TO LOT COVERAGE:	16,210/122,169=.133-> 13.3%
BUILDING REQUIRED PARKING:	HOTEL: 1/UNIT+50% OF REQ'D SPACES FOR ACCESSORY USES 112 UNITS + (.50)*17 SPACES = 121 SPACES

ACCESSORY USES: MEETING ROOM - 1 SPACE/3 SEATS => 10 SEATS =3.33 SPACES
BREAKFAST ROOM - 1 SPACE/4 SEATS => 33 SEATS =8.25 SPACES
BUSINESS OFFICE - 1 SPACE/300 S.F. => 791 S.F./300 = 2.6 SPACES
FITNESS CENTER - 1 SPACE/200 S.F. => 606 S.F./200 = 3.03 SPACES
TOTAL ACCESSORY PARKING = 17.21 SPACES

BUILDING PARKING PROVIDED:	GARAGE:45 AT GRADE:76 TOTAL:121
IMPERVIOUS AREA:	55,064 S.F. (1.26 AC. = 45% OF SITE)
LANDSCAPE AREA REQUIRED:	18,325 S.F. (15% OF TOTAL SITE)
LANDSCAPE AREA PROVIDED:	55,064 S.F. (1.26 AC. = 45% OF SITE)

LANDSCAPE LEGEND

SYMBOL	DESCRIPTION
	SOLID SOD BERMUDA GRASS
	DECORATIVE STONE - RE: E & F/L1.3
	HYDROMULCH HIGHWAY TURF MIX W/ TEMPORARY ABOVE GRADE IRRIGATION

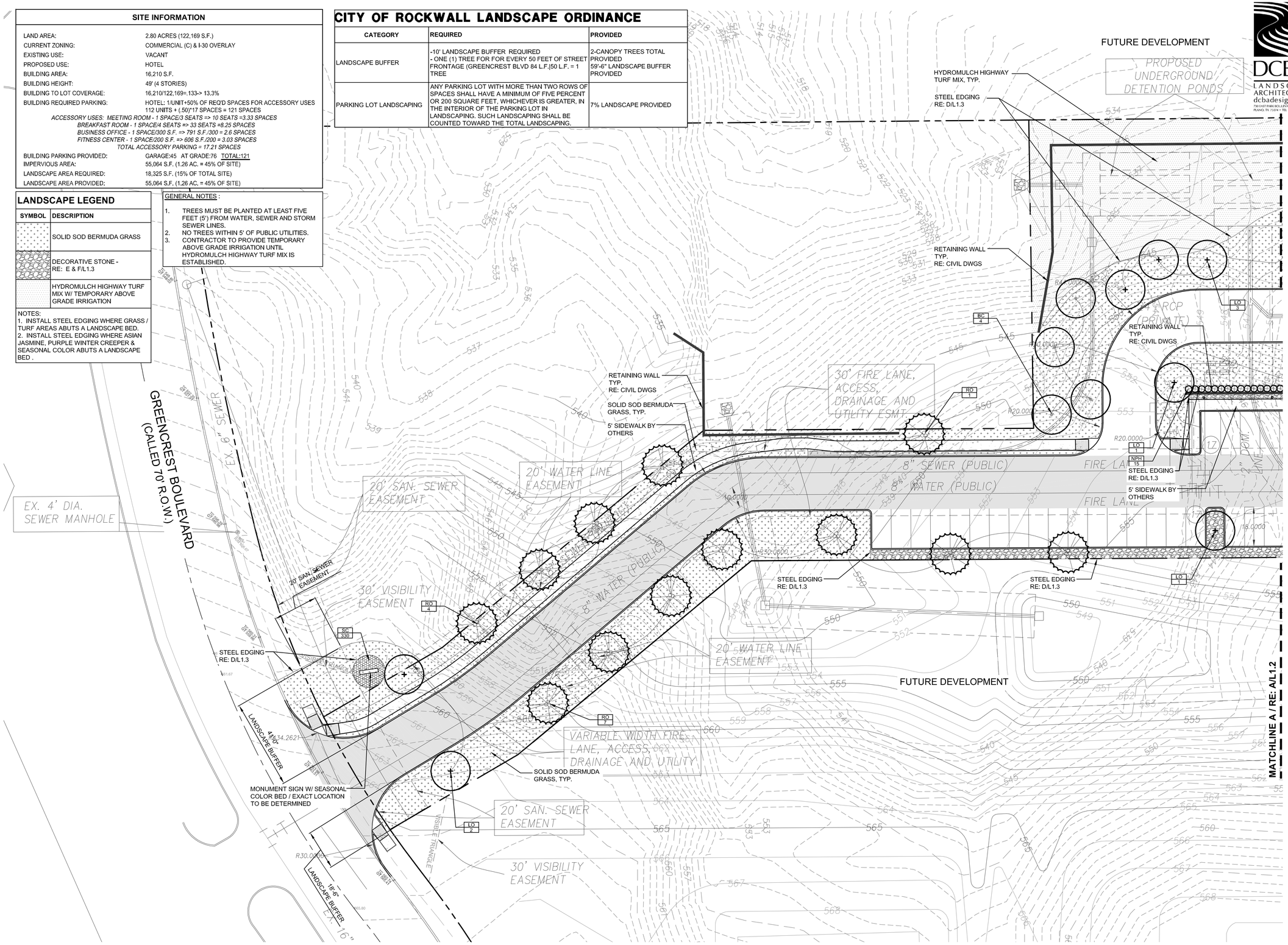
NOTES:
1. INSTALL STEEL EDGING WHERE GRASS / TURF AREAS ABUTS A LANDSCAPE BED.
2. INSTALL STEEL EDGING WHERE ASIAN JASMINE, PURPLE WINTER CREEPER & SEASONAL COLOR ABUTS A LANDSCAPE BED .

GENERAL NOTES :

1. TREES MUST BE PLANTED AT LEAST FIVE FEET (5') FROM WATER, SEWER AND STORM SEWER LINES.
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CITY OF ROCKWALL LANDSCAPE ORDINANCE

CATEGORY	REQUIRED	PROVIDED
LANDSCAPE BUFFER	-10' LANDSCAPE BUFFER REQUIRED - ONE (1) TREE FOR FOR EVERY 50 FEET OF STREET FRONTAGE (GREENCREST BLVD 84 L.F.|50 L.F. = 1 TREE	2-CANOPY TREES TOTAL PROVIDED 59'-6" LANDSCAPE BUFFER PROVIDED
PARKING LOT LANDSCAPING	ANY PARKING LOT WITH MORE THAN TWO ROWS OF SPACES SHALL HAVE A MINIMUM OF FIVE PERCENT OR 200 SQUARE FEET, WHICHEVER IS GREATER, IN THE INTERIOR OF THE PARKING LOT IN LANDSCAPING. SUCH LANDSCAPING SHALL BE COUNTED TOWARD THE TOTAL LANDSCAPING.	7% LANDSCAPE PROVIDED



A LANDSCAPE PLAN
SCALE: 1" = 20'-0" **PLAN VIEW**

0 10 20 40
(FEET)
1 inch = 20 ft.

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PROJECT ADDRESS

I-30 HIGHWAY
ROCKWALL, TEXAS

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3	04.12.19	TAS/CITY COMMENTS

2018.101
PROJECT NUMBER

LANDSCAPE PLAN

L1.1
SHEET NUMBER

SP2018-029

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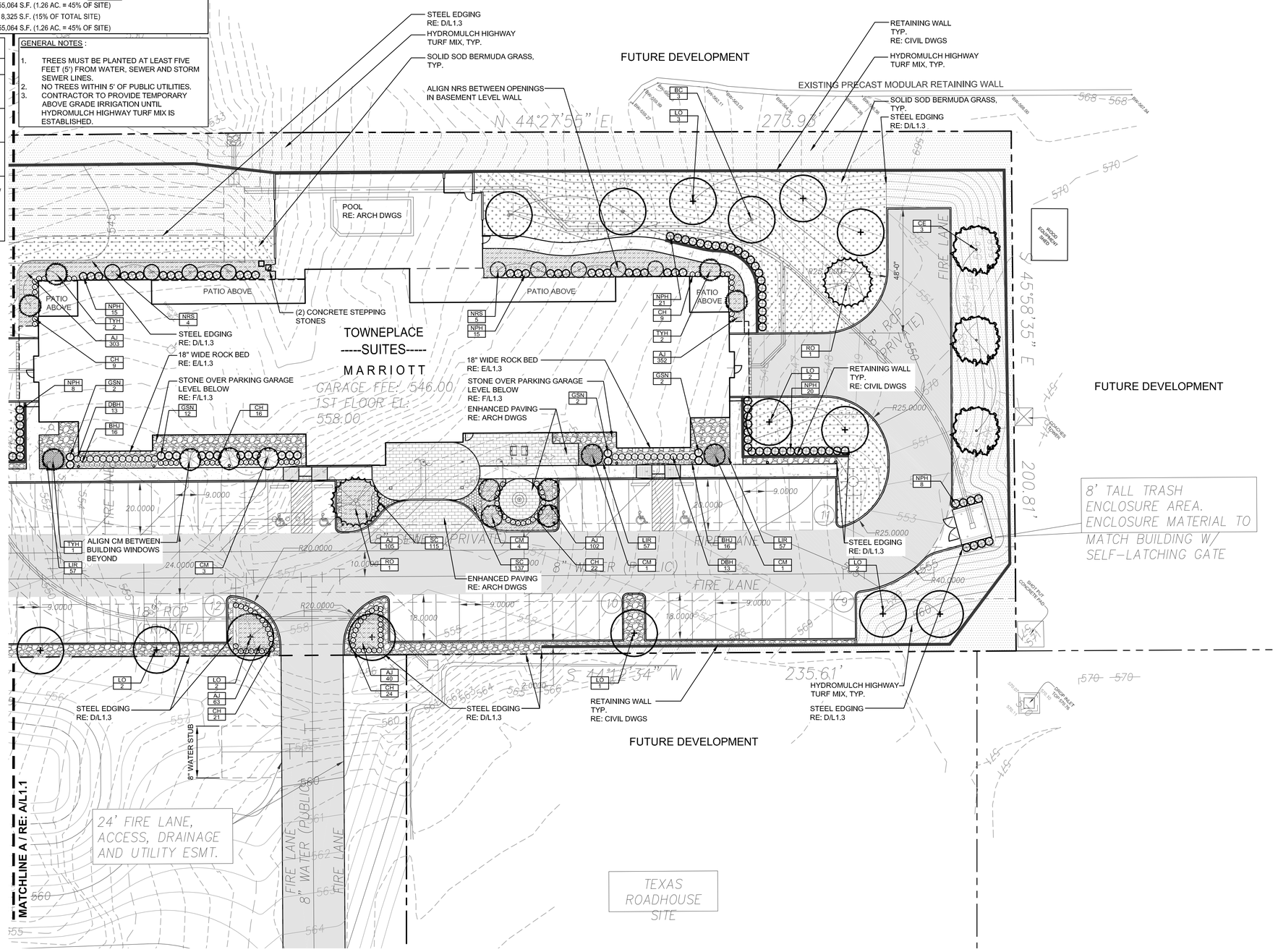
LANDSCAPE LEGEND

SYMBOL	DESCRIPTION
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	DECORATIVE STONE - RE: E & F/L1.3
	HYDROMULCH HIGHWAY TURF MIX W/ TEMPORARY ABOVE GRADE IRRIGATION

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A LANDSCAPE PLAN

SCALE: 1"= 20'-0" PLAN VIEW

0 10 20 40
(FEET)
1 inch = 20 ft.

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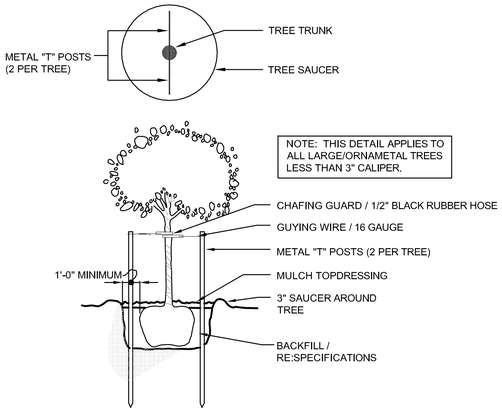
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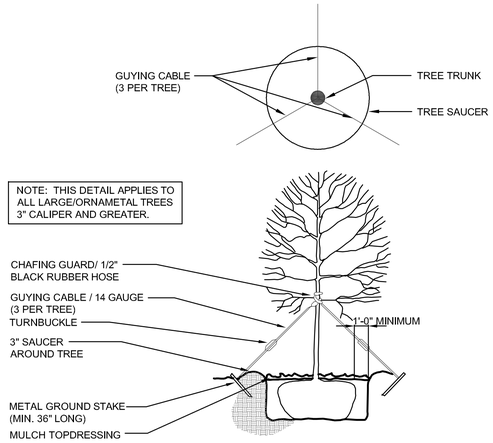
LANDSCAPE PLAN

L1.2
SHEET NUMBER

SP2018-029



B TREE STAKING DETAIL
SCALE: N.T.S. SECTION/ELEVATION



A TREE GUYING DETAIL
SCALE: N.T.S. SECTION/ELEVATION

PLANT LIST

KEY	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
LO	19	LIVE OAK	*Quercus virginiana*	100 gallon; minimum 4" caliper x 15' height x 6' spread	Full head; matched.
RO	14	SHUMARD RED OAK	*Quercus shumardii*	Minimum 4" caliper x 15' height x 6' spread.	Container-grown; full head; matched. Cherry Lake Tree Farm or approved equal.
CE	3	CEDAR ELM	*Ulmus crassifolia*	Minimum 4" caliper x 16' height x 7' spread	Field-collected, B&B; full head; matched.
BC	7	BALD CYPRESS	*Taxodium distichum*	Minimum 4" caliper x 11' height x 5' spread.	Field-collected, B&B; full head; matched.
CM	9	'MUSKOGEE' CRAPE MYRTLE	*Lagerstroemia indica 'Muskogee'*	30 gallon; minimum 7' height x 3' spread; single-trunk.	Container grown; full; multi-trunk.
TYH	5	TREE YAUPON HOLLY	*Ilex vomitoria*	Minimum 10' height x 6' spread.	Field-collected; berried; multi-trunk (3-5 canes); matched.
NRS	9	NELLIE R. STEVENS HOLLY	*Ilex 'Nellie R. Stevens'*	30 gallon; Minimum 6' height and 3' spread.	Container-grown; matched; full-to-ground.
NPH	101	NEEDLE POINT HOLLY	*Ilex cornuta 'Needlepoint'*	7 gallon; minimum 36" height and 30" spread	Full-to-ground; plant 36" o.c.
GSN	18	'FLIRT' NANDINA	*Nandina domestica 'Murasaki'*	5 gallon; minimum 15" height and 15" spread.	Full; plant 30" o.c.
DBH	26	DWARF BUFORD HOLLY	*Ilex cornuta 'Burfordii' nana*	5 gallon; minimum 15" height x 15" spread.	Full; plant 30 o.c.
BHJ	32	BAR HARBOR JUNIPER	*Juniperus horizontalis 'Bar Harbor'*	5 gallon.	Full-to-ground; plant 24" o.c.
CH	101	CARISSA HOLLY	*Ilex cornuta 'Carissa'*	3 gallon.	Full; plant 24" o.c.
AJ	963	ASIAN JASMINE	*Trachelospermum asiaticum*	1 gallon; minimum 3 runners at 12" long.	Full; plant 18" o.c.
LIR	171	'BIG BLUE' LIRIOPE	*Liriope muscari 'Big Blue'*	4" pots.	Full; plant 12" o.c.
SC	252	SEASONAL COLOR	*To be determined*	1 gallon.	Full; ready to bloom; plant 15" o.c.

LANDSCAPE GENERAL NOTES: (RE: TECHNICAL SPECIFICATION SECTION ALSO):

1. QUANTITIES SHOWN ON PLANT LIST ARE LANDSCAPE ARCHITECT'S ESTIMATE ONLY AND SHOULD BE VERIFIED PRIOR TO BIDDING. CONTRACTOR SHALL BE RESPONSIBLE FOR BIDDING AND PROVIDING QUANTITY OF PLANTS REQUIRE AT SPACING DESIGNATED FOR BED SIZES AND CONFIGURATIONS SHOWN ON PLANS REGARDLESS OF QUANTITIES DESIGNATED ON PLANT LIST.
2. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES, AMBIGUITY, OR UNLABELED PLANTS ON PLANS PRIOR TO BID SUBMITTAL. IF DISCREPANCY, AMBIGUITY, OR UNLABELED PLANT IS NOT CLARIFIED BY LANDSCAPE ARCHITECT PRIOR TO BID SUBMITTAL DATE, CONTRACTOR SHALL NOTE SUCH ITEM ON BID.
3. CONTRACTOR SHALL PROVIDE REPRESENTATIVE SAMPLES OF SHRUB AND GROUNDCOVER STOCK FOR LANDSCAPE ARCHITECT'S AND/OR OWNER'S APPROVAL PRIOR TO MAJOR SHIPMENT OF MATERIALS TO SITE. IF REPRESENTATIVE EXAMPLES CANNOT BE PROVIDED, CONTRACTOR SHALL FURNISH GOOD QUALITY PHOTOGRAPH OF LANDSCAPE MATERIALS TO LANDSCAPE ARCHITECT AND/OR OWNERS. PHOTOGRAPHS SHALL HAVE A MEANS OF DETERMINING SCALE AND SIZE OF MATERIALS WITHIN THE PHOTOGRAPH (I.E. FIELD POLE WITH ONE FOOT INCREMENT FOR TREES).
4. AFTER TILLAGE AND CLEANING, ALL AREAS TO BE GRASSED SHALL BE LEVELED, AND FINE GRADED. THE REQUIRED RESULT SHALL BE THE ELIMINATION OF RUTS, DEPRESSIONS, HUMPS, AND OBJECTIONABLE SOIL CLODS. DURING THE SOIL PREPARATION PROCESS, A "ROCK PICK" OR "ROCK RAKE" SHALL BE USED TO GATHER SURFACE STONES AS SMALL AS ONE INCH (1") IN DIAMETER.
5. TURF TO BE SOLID SOD COMMON BERMUDAGRASS (Cynodon dactylum). SIZE: LENGTH: 24 INCHES PLUS OR MINUS 5%, WIDTH: 18 INCHES PLUS OR MINUS 5%, THICKNESS: 1-1/2 INCHES EXCLUDING TOP GROWTH AND THATCH. NOT STRETCHED, BROKEN, OR TORN. STAKES (IF REQUIRED): SOFTWOOD, 3/4 INCH DIAMETER, 8 INCH LENGTH.VERIFY THAT SOIL TO DEPTH OF 2 INCHES IN COMPACTED AREAS. WATER DRY SOIL TO DEPTH OF 4"-6". BEFORE SODDING VERIFY FINISH GRADES ARE TO ELEVATIONS CALLED FOR, SMOOTH AREA TO BE SODDED TO PRODUCE AN EVEN SURFACE WITH NO PEAKS OR VALLEYS AND FREE OF ALL DEBRIS, AND WET SURFACE TO A UNIFORM DEPTH OF 4"-6" OR UNTIL UPPER SURFACE IS REASONABLY WET AND COMPACTED. INSTALL SOD SPECIES AS INDICATED ON PLANTING PLANS. TRANSPLANT SOD WITHIN 48 HOURS AFTER HARVESTING. BEGIN SODDING AT BOTTOM OF SLOPES, LAY FIRST ROW OF SOD IN STRAIGHT LINE WITH LONG DIMENSION OF PADS PARALLEL TO SLOPE CONTOURS. BUTT SIDE AND END JOINTS. STAGGER END JOINTS IN ADJACENT ROWS. DO NOT STRETCH OR OVERLAP SOD. PEG SOD ON SLOPE RATIO OF 3 TO 1 OR GREATER WITH MINIMUM OF TWO STAKES PER SQUARE YARD, USING 6" MINIMUM NURSERY GRADE BAMBOO STAKES. INSTALL A 24" DIAMETER CIRCULAR 'SAUCER' AROUND ALL EXISTING TREES PLANTED IN AREAS TO RECEIVE SOD. ENSURE THAT THE TRUNK IS IN THE CENTER OF THE 'SAUCER'. DO NOT CUT ANY ROOTS OR IN ANY WAY INJURE OR CAUSE DAMAGE TO TREES. WATER SOD IMMEDIATELY AFTER TRANSPLANTING. ROLL SOD, EXCEPT ON PEGGED AREAS, WITH ROLLER WEIGHING NOT MORE THAN 150 LBS. PER FOOT OF ROLLER WIDTH. MAKE TWO (2) PASSES OR AS REQUIRED TO PROVIDE A SMOOTH, MOWABLE SURFACE WITHOUT SCALPING. WATER SOD AND SOIL TO DEPTH OF 6" WITHIN FOUR HOURS AFTER ROLLING.
6. WEEPING LOVE GRASS SEED HYDROMULCH - GRASS SEED SHALL BE "Eragrostis curvola" (WEEPING LOVE GRASS). THE SEED SHALL BE HARVESTED WITHIN ONE (1) YEAR PRIOR TO PLANTING, FREE OF JOHNSONGRASS, FIELD BIND WEED, DODDER SEED, AND FREE OF OTHER WEED SEED TO THE LIMITS ALLOWABLE UNDER THE FEDERAL SEED ACT AND APPLICABLE SEED LAWS. THE SEED SHALL NOT BE A MIXTURE. THE SEED SHALL BE HULLED, EXTRA FANCY GRADE, TREATED WITH FUNGICIDE, AND HAVE A GERMINATION AND PURITY THAT WILL PRODUCE, AFTER ALLOWANCE FOR FEDERAL SEED ACT TOLERANCE, A PURE LIVE SEED CONTENT NOT LESS THAN 85%. SEED SHALL BE LABELED IN ACCORDANCE WITH U.S. DEPARTMENT OF AGRICULTURE RULES AND REGULATIONS. TYPICAL MIX FOR 800 -GALLON TANK WITH COVERAGE NOT TO EXCEED 6,000 S.F. SHALL CONSIST OF 6LBS. OF GRASS SEED, 350 LBS. OF CONWED MULCH, AND 150 LBS. OF 17-17-17 FERTILIZER. ADD FLEXTERRA TACKIFIER AT MANUFACTURER'S RECOMMENDED RATE.
7. CONTRACTOR SHALL GUARANTEE A FULL STAND OF GRASS, REGARDLESS OF WHETHER A PERMANENT LANDSCAPE IRRIGATION SYSTEM IS INSTALLED. CONTRACTOR SHALL PROVIDE TEMPORARY IRRIGATION OR HAND WATER AS REQUIRED FOR TURF ESTABLISHMENT.
8. SOIL AMENDMENT: "A PROFESSIONAL BEDDING SOIL" AS PRODUCED BY LIVING EARTH TECHNOLOGIES, INC., 1808 W. NORTHWEST HIGHWAY, DALLAS, TEXAS (PHONE: 214-869-4332) OR "NATURAL T. L. COMPOST" AS PRODUCED BY SOIL BUILDING SYSTEMS, INC., 1770 "Y" STREET, DALLAS, TEXAS (PHONE: 972-831-8181), OR APPROVED EQUAL.
9. TREE HOLES TO BE EXCAVATED 2' GREATER THAN BALL DIAMETER AND 6" DEEPER.

   TREE BACKFILL SHOULD BE COMPOSED OF 5 PARTS OF EXISTING SOIL EXCAVATED FROM THE HOLE TO ONE PART SOIL AMENDMENT, THOROUGHLY MIXED WITH 5 LBS. PER CUBIC YARD BACKFILL FERTILIZER (13.13.13 ANALYSIS BULK FERTILIZER). TREE BACKFILL TO BE MECHANICALLY MIXED PRIOR TO BACKFILL OPERATIONS.
10. SHRUB PITS SHALL BE EXCAVATED 12" GREATER THAN CONTAINER DIAMETER AND 6" DEEPER. BACKFILL WITH 1/2 EXISTING SOIL AND 1/2 SOIL AMENDMENT (OR APPROVED EQUAL) AS NOTED UNDER NOTE 7. ABOVE, THOROUGHLY BLENDED BY MECHANICAL MEANS PRIOR TO BACKFILL.
11. SOIL PREPARATION FOR GROUNDCOVER, SHRUB, AND SEASONAL COLOR BEDS:

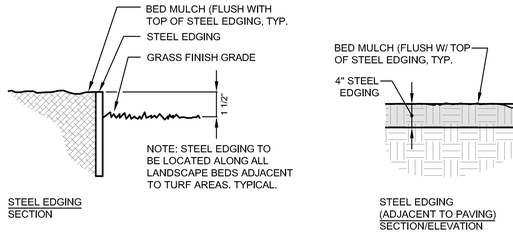
    A) EXCAVATE EXISTING SOIL, IF NECESSARY, AND ADD TO SHRUB, GROUNDCOVER, AND SEASONAL COLOR AREAS THE FOLLOWING:

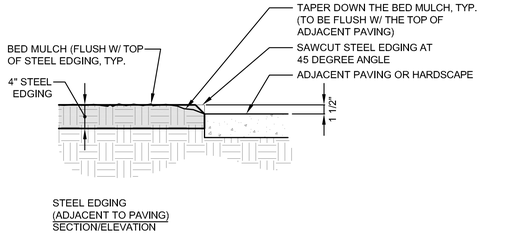
    4" LAYER OF COMPOST MIX

    14-14-14 SLOW RELEASE FERTILIZER (OSMACOTE) AT A RATE OF 5 LBS. / 100 S.F.

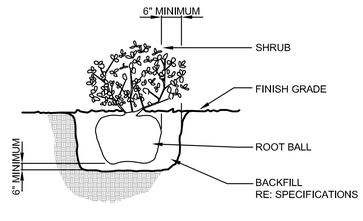
    B) SPREAD MATERIALS UNIFORMLY AND CULTIVATE THOROUGHLY BY MEANS OF A MECHANICAL TILLER. TILL TO A MINIMUM DEPTH OF 8".

    C) POCKET PLANTING OF SHRUB, GROUNDCOVER, AND SEASONAL COLOR IS NOT ALLOWED.
12. MULCH TOPDRESSING TO BE MINIMUM 2" LAYER DOUBLE SHREDDED HARDWOOD, SPREAD UNIFORMLY ON ALL SHRUB AND GROUNDCOVER BEDS AND ON ALL TREE SAUCERS. AVAILABLE FROM LIVING EARTH TECHNOLOGY (PHONE: 214-869-4332) OR APPROVED EQUAL.
13. BED EDGING (IF APPLICABLE) TO BE 1/8" X 4" COL-MET "COMMERCIAL" EDGING AS MANUFACTURED BY COL-MET, GARLAND, TEXAS (PHONE: 800-829-8225), OR APPROVED EQUAL. COLOR: BLACK; UNLESS NOTED OTHERWISE ON DRAWINGS.
14. ALL HOLES FOR TREES AND LARGE SHRUBS SHALL BE TESTED FOR WATER RETENTION PRIOR TO TREE OR SHRUB INSTALLATION. AFTER HOLE IS EXCAVATED, IT IS TO BE FILLED WITH WATER TO THE TOP OF THE EXCAVATION. IF, AFTER 24 HOURS, THE HOLE STILL HOLDS WATER, THE CONTRACTOR SHALL EXCAVATE AN ADDITIONAL 6" FROM THE BOTTOM OF THE HOLE. THE LANDSCAPE CONTRACTOR SHALL THEN INSTALL 6" OF NATIVE WASHED GRAVEL COVERED ON THE TOP (AND UP TO A MINIMUM OF 12" ON THE SIDES OF THE HOLE) WITH FILTER FABRIC. THE CONTRACTOR SHALL ALSO INSTALL A CAPPED 3" DIAMETER PVC SUMP WHICH WILL EXTEND FROM NEAR THE BOTTOM OF THE ROCK LAYER TO 3" ABOVE THE PROPOSED FINISH GRADE SO THE HOLE CAN BE EVACUATED THROUGH MECHANICAL MEANS.

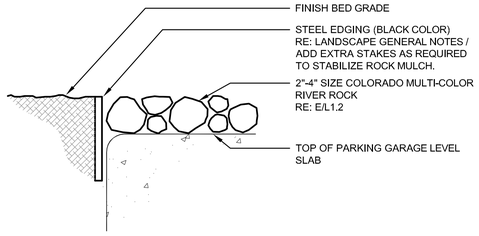




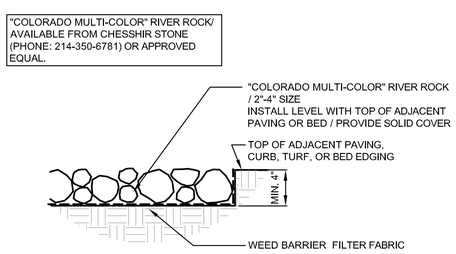
D STEEL EDGING
SCALE: N.T.S. SECTION/ELEVATION



C SHRUB PLANTING DETAIL
SCALE: N.T.S. SECTION/ELEVATION



F ROCK BED AT PARKING GARAGE LEVEL
SCALE: N.T.S. SECTION



E DECORATIVE STONE
SCALE: N.T.S. SECTION

DCBA LANDSCAPE ARCHITECTURE
dcbadesign.com
TWO FAIT PARK BOULEVARD • SUITE 100
PLANO, TX 75074 • TEL (972) 509-1266

ARCHITECT
KILLIAN
STUDIO OF ARCHITECTURE
KEN KILLIAN STUDIO OF ARCHITECTURE
10670 N. CENTRAL EXPWY | SUITE 600
DALLAS, TEXAS 75231
214.457.3652

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF THE ARCHITECT. THEY SHALL NOT BE USED, TRANSFERRED, OR SOLD FOR USE EXCEPT BY AN AGREEMENT IN WRITING FROM THE ARCHITECT.

KENNETH R. KILLIAN, AIA
TX REG. NO. 19489

SEAL
REGISTERED LANDSCAPE ARCHITECT · DAVID C. BALDWIN · 2704 · STATE OF TEXAS
04.12.19

OWNER
TEKMAK DEVELOPMENT COMPANY
10,000 N CENTRAL, SUITE 400
DALLAS, TEXAS 75231
214/890-9225 OFFICE
CONTACT: THOMAS KIRKLAND

MARRIOTT
MARRIOTT GLOBAL DESIGNS AMERICA
10400 FERNWOOD ROAD
BETHESDA, MD, 20817
(712) 899-1626
CONTACT: - MICHAEL STEINKAMP

CIVIL ENGINEER
FC CUNY CORPORATION
#2 HORIZON COURT, STE 500
HEATH, TEXAS 75032
(469) 402-7700
CONTACT: CHRIS CUNY, P.E.

STRUCTURAL ENGINEER
MK ENGINEERS AND ASSOCIATES, INC
400 CHISHOLM PLACE, SUITE 106
PLANO, TX 75075
214-501-3354
CONTACT: MOHAMMAD KABIR, PE

MEP ENGINEER
ROOT ENGINEERING SERVICES, INC
45 FM 3356
VAN ALSTYNE, TX 75495
903-375-9303 EXT.103
CONTACT: ADAM HARRIS, PE

TOWNEPLACE SUITES® BY MARRIOTT

PROJECT
TOWNEPLACE SUITES BY MARRIOTT ROCKWALL, TEXAS

PROJECT ADDRESS
I-30 HIGHWAY ROCKWALL, TEXAS

REV.	DATE	ISSUE
1	12.21.18	PERMIT ISSUE
2	02.08.19	GARAGE/1ST FLR REVISIONS
3	04.12.19	TAS/CITY COMMENTS

2018.101
PROJECT NUMBER

LANDSCAPE DETAILS & NOTES

L1.3
SHEET NUMBER

SP2018-029

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104

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	July 15, 2019
APPLICANT:	Bill Bricker; *Columbia Development Co, LLC*
CASE NUMBER:	P2019-026; *Lots 1-12, Park Station, Phase 1 Addition*

SUMMARY

Discuss and consider a request by Bill Bricker of Columbia Development Co., LLC for the approval of a preliminary plat for Lots 1-12, Block A, Park Station, Phase 1 Addition, being a 16.26-acre tract of land identified as a portion of Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 for Light Industrial (LI) District land uses, addressed as 1100 & 1300 E. Washington Street, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to preliminary plat a 16.26-acre tract of land (*i.e. a portion of Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29*) into 12 lots (*i.e. Lots 1-12, Block A, Park Station Addition*) for the purpose of establishing a lot layout for a townhome development (*i.e. Park Station, Phase 1*). The preliminary plat also depicts the remainder of the 16.26-acre subject property and the proposed mixed-use development that will consist of residential, retail, office, and industrial land uses. These are depicted on Tracts 2-5. In addition, the applicant has submitted preliminary drainage and utility plans showing how the property can be adequately served.

☑ The subject property was annexed in 1960 [*Ordinance No. 60-01*]. On November 19, 2018, the City Council approved a change in zoning from a Light Industrial (LI) District to Planned Development District 87 (PD-87) for Single-Family 10 (SF-10), General Retail (GR), and Light Industrial (LI) District land uses.

☑ On July 2, 2019, the Parks and Recreation Board reviewed the preliminary plat and made the following recommendation:

- The developer shall pay pro-rata equipment fees of $6,191.00 (*i.e. $516.00 x 12 lots*) to be paid at the time of final plat.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the preliminary plat for *Lots 1-12, Block A, Park Station Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

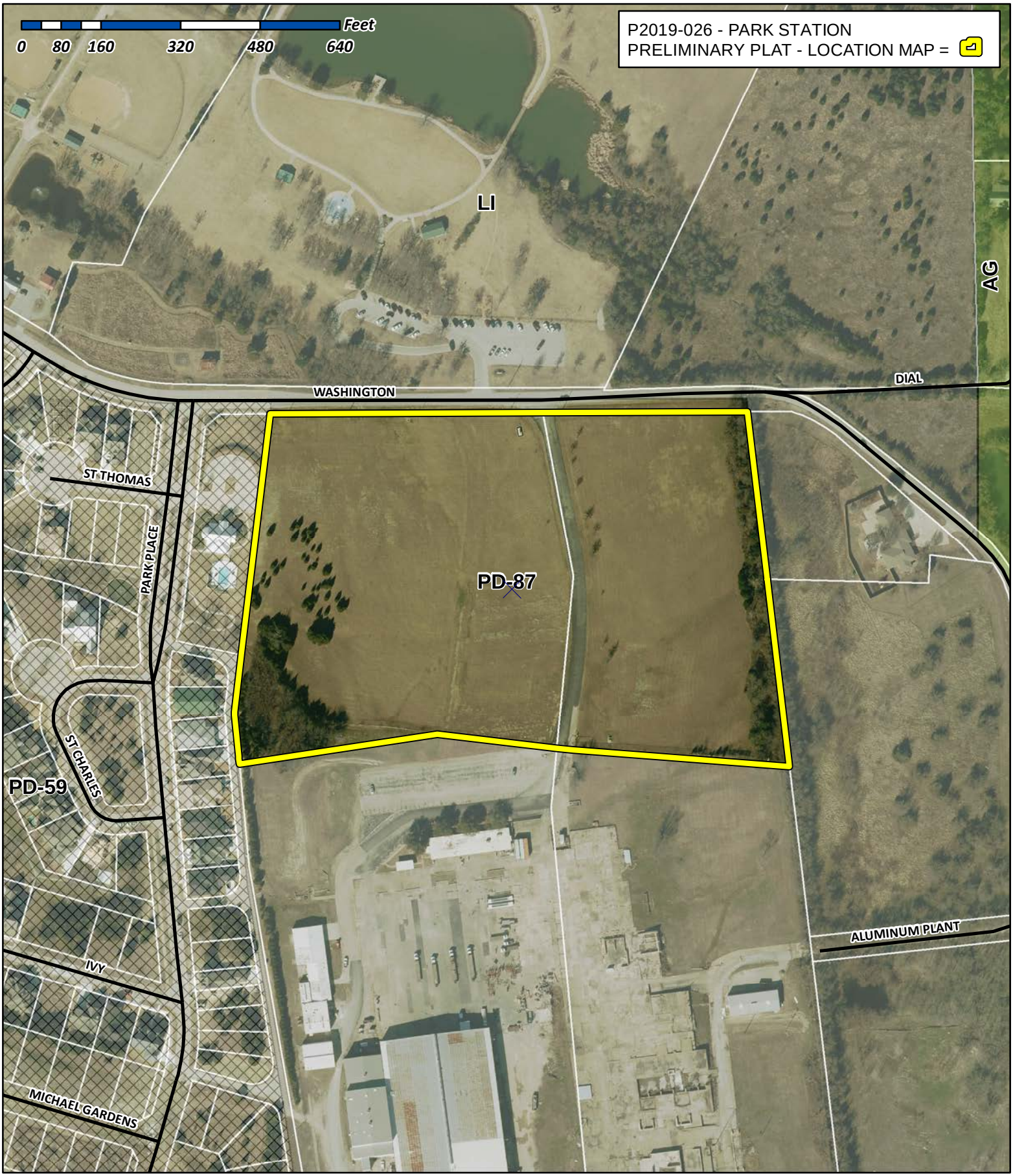
(2) The development shall adhere to the recommendations of the Parks and Recreation Board;

(3) The Park and Recreations Board shall accept the proposed 0.02-acre land dedication; and

(4) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On July 9, 2019, the Planning and Zoning Commission approved a motion to recommend approval of the preliminary plat by a vote of 6-0, with Commissioner Fishman absent.

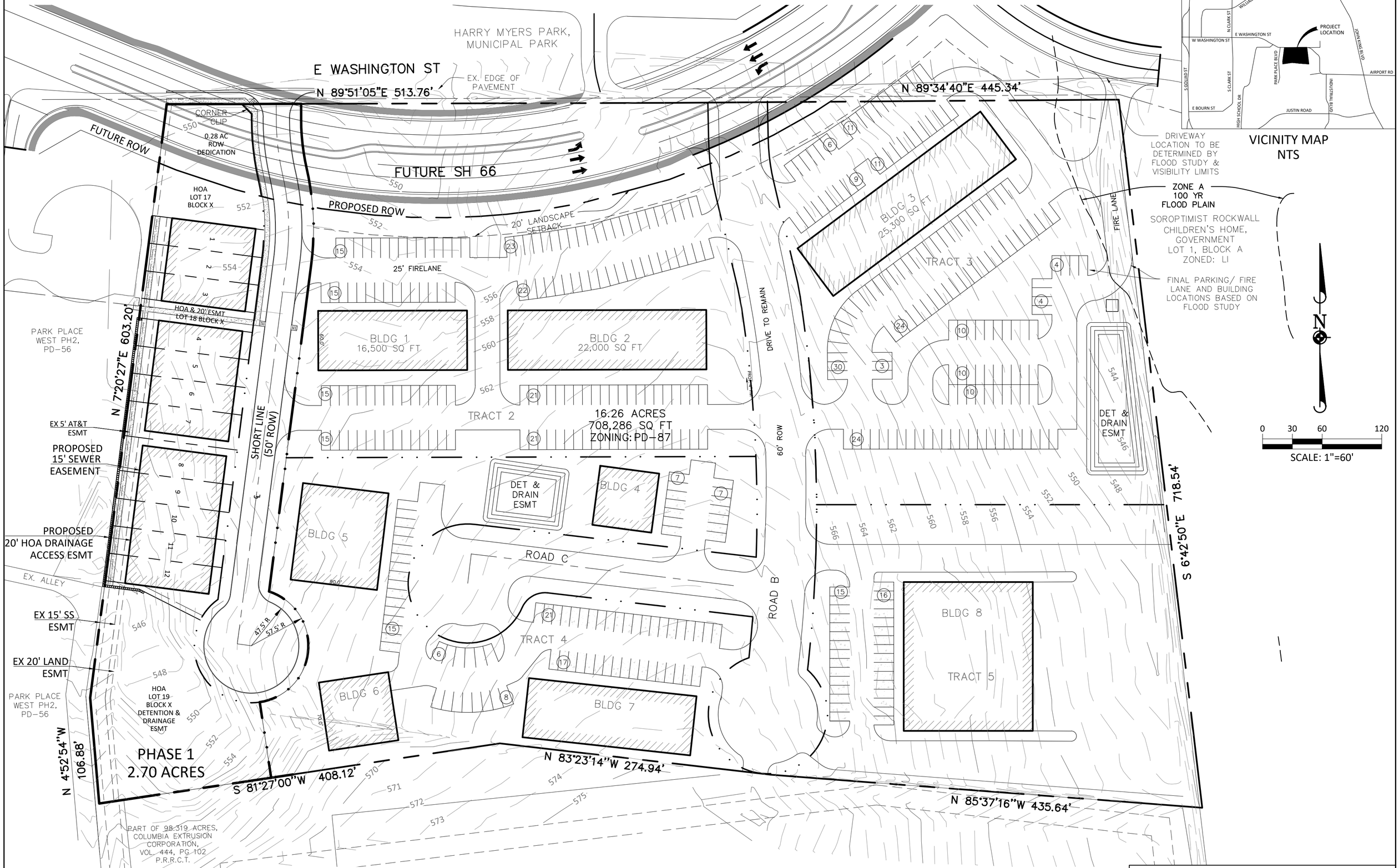


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

107



PHASE 1 LOT DATA

- MAX 12 LOTS
- MIN 3000 SF
- MIN 115' x 28'
- 20' FRONT SETBACK
- 10' REAR SETBACK
- 0' SIDE SETBACK

MR. BILL BRICKER
COLUMBIA DEVELOPMENT COMPANY, LLC
305 PARK PLACE BLVD.
ROCKWALL, TX 75087
972.72.2439
bill@coventures.com

TOMDEN ENGINEERING, L.L.P.
5815 MEADOWCREST
DALLAS, TX 75230
(214) 679 - 1679
FIRM No. 19244
tjones@tomden.com

PHASE 1 SUMMARY

1.	12 SINGLE FAMILY LOTS	0.94 AC
2.	ROW DEDICATION (FUTURE SH 66)	0.28 AC
3.	SHORT LINE (50' RIGHT-OF-WAY)	0.71 AC
4.	HOA LOTS 17, 18, & 19	0.77 AC
	TOTAL =	2.70 AC

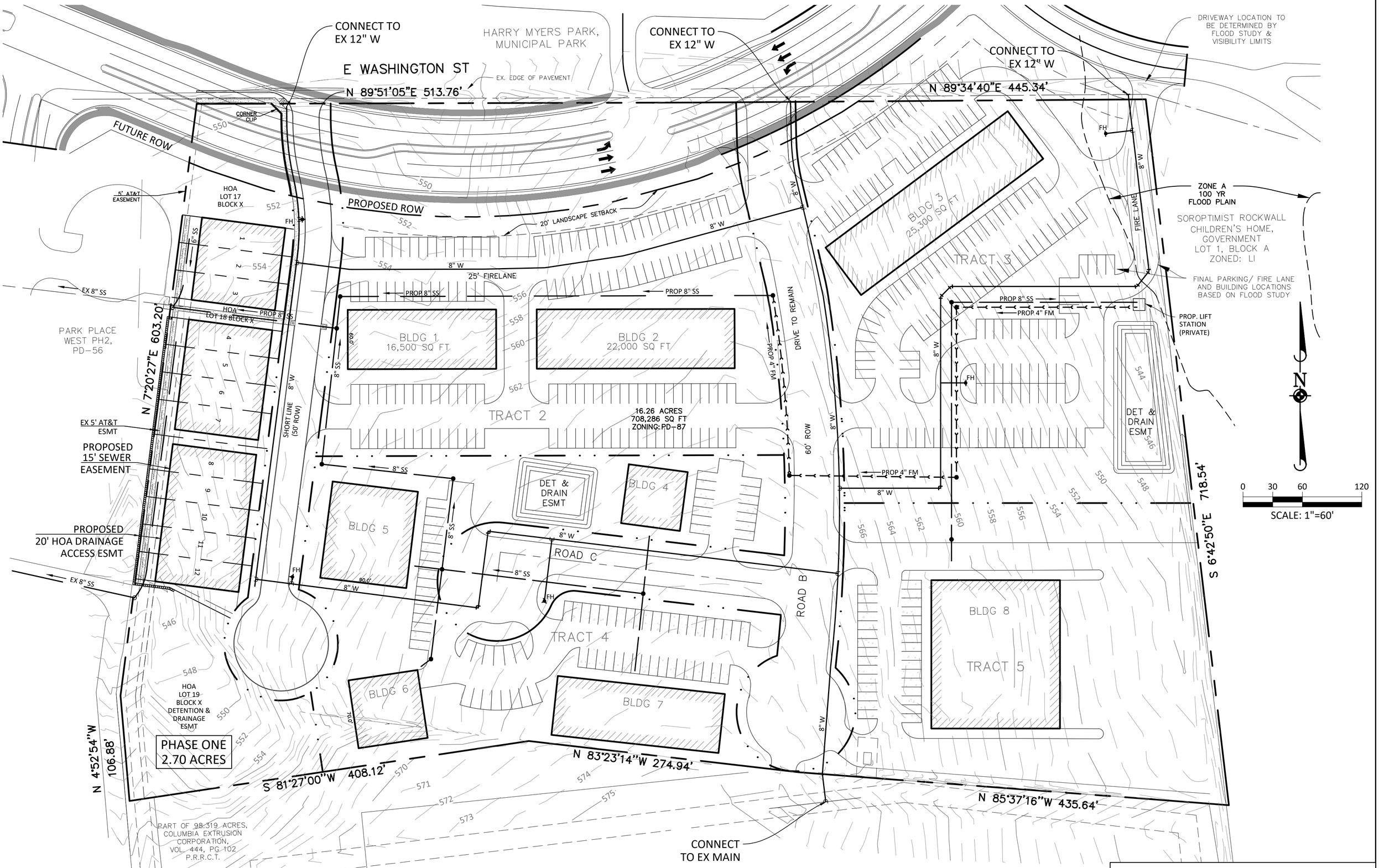
PRELIMINARY PLAT - PD 87

PARK STATION PHASE 1
16.26 ACRES

PART OF 98.319 ACRES
COLUMBIA EXTRUSTION COPORATION
VOL. 444, PG. 102
P.R.R.C.T.

ROCKWALL, ROCKWALL COUNTY, TEXAS

PREPARED: 06/14/2019 REVISED: 07/01/2019



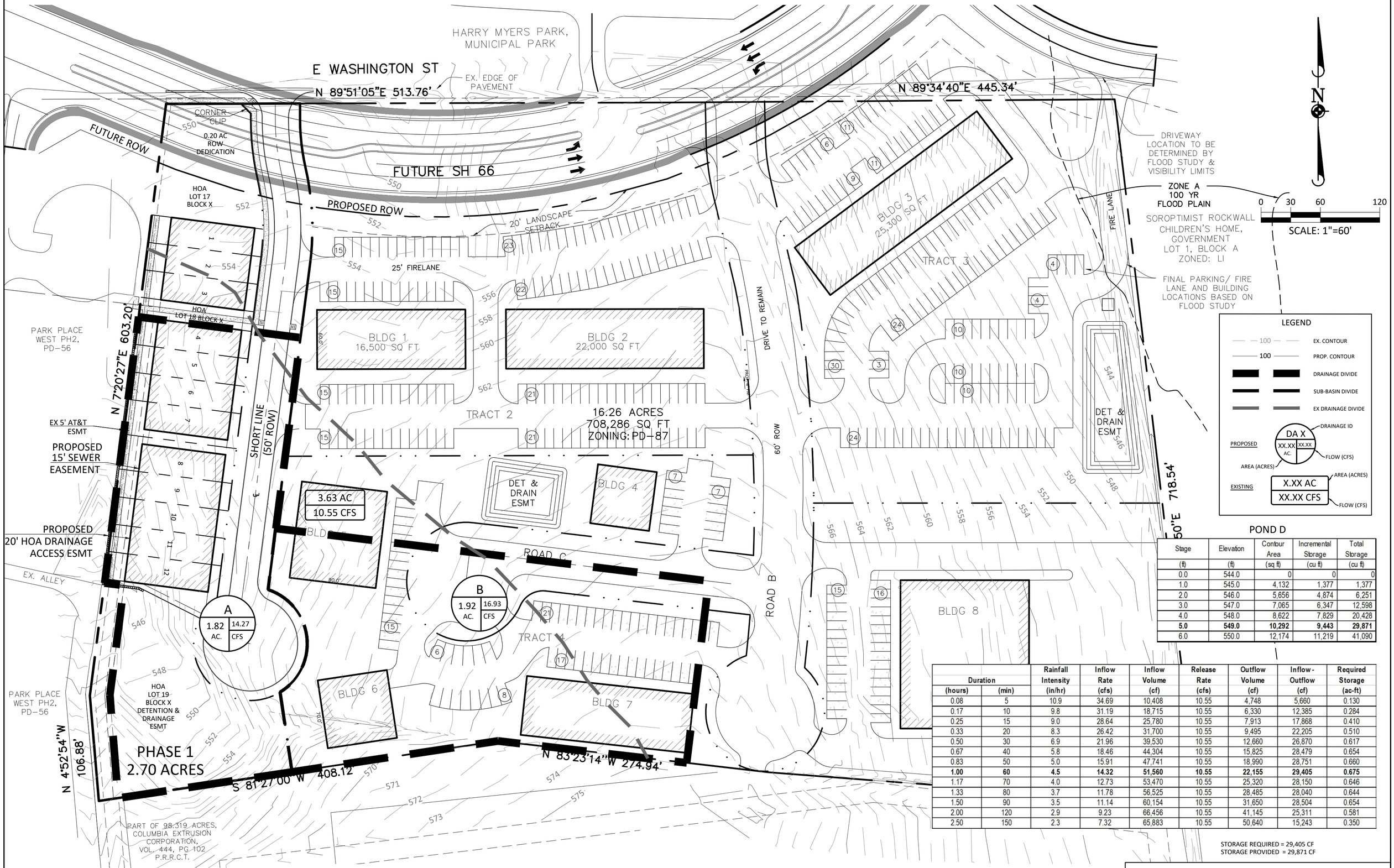
PRELIMINARY UTILITY PLAN

PARK STATION PHASE 1
16.26 ACRES

PART OF 98.319 ACRES
COLUMBIA EXTRUSTION COPORATION
VOL. 444, PG. 102
P.R.R.C.T.

ROCKWALL, ROCKWALL COUNTY, TEXAS

PREPARED: 06/14/2019 REVISED: 07/01/2019



POND D

Stage	Elevation	Contour Area	Incremental Storage	Total Storage
(ft)	(ft)	(sq ft)	(cu ft)	(cu ft)
0.0	544.0	0	0	0
1.0	545.0	4,132	1,377	1,377
2.0	546.0	5,656	4,874	6,251
3.0	547.0	7,065	6,347	12,598
4.0	548.0	8,622	7,829	20,428
5.0	**549.0**	**10,292**	**9,443**	**29,871**
6.0	550.0	12,174	11,219	41,090

Duration (hours)	Duration (min)	Rainfall Intensity (in/hr)	Inflow Rate (cfs)	Inflow Volume (cf)	Release Rate (cfs)	Outflow Volume (cf)	Inflow - Outflow (cf)	Required Storage (ac-ft)
0.08	5	10.9	34.69	10,408	10.55	4,748	5,660	0.130
0.17	10	9.8	31.19	18,715	10.55	6,330	12,385	0.284
0.25	15	9.0	28.64	25,780	10.55	7,913	17,868	0.410
0.33	20	8.3	26.42	31,700	10.55	9,495	22,205	0.510
0.50	30	6.9	21.96	39,530	10.55	12,660	26,870	0.617
0.67	40	5.8	18.46	44,304	10.55	15,825	28,479	0.654
0.83	50	5.0	15.91	47,741	10.55	18,990	28,751	0.660
1.00	**60**	**4.5**	**14.32**	**51,560**	**10.55**	**22,155**	**29,405**	**0.675**
1.17	70	4.0	12.73	53,470	10.55	25,320	28,150	0.646
1.33	80	3.7	11.78	56,525	10.55	28,485	28,040	0.644
1.50	90	3.5	11.14	60,154	10.55	31,650	28,504	0.654
2.00	120	2.9	9.23	66,456	10.55	41,145	25,311	0.581
2.50	150	2.3	7.32	65,883	10.55	50,640	15,243	0.350

STORAGE REQUIRED = 29,405 CF
STORAGE PROVIDED = 29,871 CF

PHASE 1

DA	Drainage Area	C	C*A	Tc	Design Storm	I	Q	Comments
EX	3.63	0.35	1.27	20	100 YR	8.3	10.55	ALLOWABLE DISCHARGE
A	1.82	0.8	1.456	10	100YR	9.8	14.27	TOWNHOMES
B	1.92	0.9	1.728	10	100YR	9.8	16.93	FUTURE INDUSTRIAL

POND D SUMMARY

EX. AREA TO POND
3.63 AC. x 0.35 x 8.3 = 10.55 CFS

PROPOSED AREA TO POND
1.82 AC. x 0.80 x 9.8 = 14.27 CFS
1.92 AC x 0.90 x 9.8 = 16.93 CFS

TOTAL Q TO POND = 31.2 CFS
PASS THROUGH FLOW TO POND

PRELIMINARY DRAINAGE PLAN

PARK STATION PHASE 1
16.26 ACRES

PART OF 98.319 ACRES
COLUMBIA EXTRUSTION COPORATION
VOL. 444, PG. 102
P.R.R.C.T.

ROCKWALL, ROCKWALL COUNTY, TEXAS

PREPARED: 06/14/2019 REVISED: 07/01/2019

110

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111

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	July 15, 2019
SUBJECT:	Legislative Update for Planning and Zoning Related Bills and Article IX, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances

This action item is intended to allow the City Council to discuss and provide staff with direction concerning the work session items on the Legislative Update for Planning and Zoning related bills and amendments to Article IX, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances.

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113

CITY OF ROCKWALL

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PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	July 15, 2019
SUBJECT:	SP2019-014; *Variance for a Retail Shopping Center and House of Worship*

On June 25, 2019, the Planning and Zoning Commission approved a site plan for a retail shopping center and house of worship on a 2.681-acre tract of land located on the north side of Turtle Cove Boulevard. As part of this case, the applicant was requesting the approval of a variance to the roof design standards stipulated for the Scenic Overlay (SOV) District. These standards require that "…(a)ll structures that have a building footprint of less than 6,000 SF … be constructed with a pitched roof." In this case, the proposed retail shopping center has a building footprint of 4,535 SF, and the requested variance was to allow the applicant to construct the building with a flat roof. Since the variance was located within an overlay district, it required approval by a supermajority vote (*i.e. three-fourths vote of those members present*) of the Planning and Zoning Commission. The motion to approve the site plan and all associated variances passed by a vote of 5-2, with Commissioners Lyons and Fishman dissenting. While a simple majority vote was required to approve the site plan, the vote on the variance failed to get the required supermajority vote (*i.e. 6 out of 7 Commissioners*). Per the requirements of Subsection 6.16, *Variances to the General Overlay District Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), the applicant is appealing the decision to the City Council. Staff should reiterate that the City Council is only voting on the variance to the roof design standards *(i.e. if the building should have a pitched roof or a flat roof*), and that this decision is discretionary decision for the City Council. Staff should also note that in order to approve the variance, the City Council will be required to approve the variance by a supermajority vote (*i.e. three-fourths majority of all those members present*). Finally, staff should point out that the Architectural Review Board did review the variance request on June 11, 2019 and voted 6-0 (*with Board Member Neill absent*) to recommend approval of the variance. Should the City Council have any questions concerning this case, staff and the applicant will be available at the *July 15, 2019* City Council meeting.

From:	Ahmed Helaluzzaman
To:	Gonzales, David
Cc:	Miller, Ryan; Brooks, Korey; Abdul Lateef Khan; DrSyed Mansur Hussaini; Diyab (David) Srouji; usman.akhtar20@gmail.com
Subject:	Re: Center for Peace & Marcy, Inc.: Flat Roof Design Approval Request as a Varience
Date:	Thursday, June 27, 2019 2:59:17 PM
Attachments:	image003.png image004.png Areal Map.pdf

David,

Thank you for your quick clarification on the Property is within the SOV District and to follow the standard. There are other two vital reason we have mentioned as well to consider and those are as follows.

1. Enclosed the Partial Areal View showing lot of buildings (less than 6,000 sf.) have Flat Roofs either SOV or IH30 Overlay District area.
2. Also shown on the Eastside of this property (510 & 500 Turtle Cove Blvd.) have got 2-Storied big buildings with Flat Roof. Flat Roof influence is visible while you are driving along the Turtle Cove Blvd. road.

We are looking forward to consider the Flat Roof as we have designed and get the approval. Please let us know for any further question.
Thank you.

Sincerely,

Ahmed Helaluzzaman
B. ARCH; M.SC (URBAN PLANNING); UPDA Grade 'A' (Qatar): LEED AP & BD+C (USA)
amazing concept
12300 Ford Road, Ste #267
Dallas, Tx 75234
Mobile: **817.808 0811**
Email: akm.helaluzzaman@gmail.com

On Thu, Jun 27, 2019 at 2:12 PM Gonzales, David <DGonzales@rockwall.com> wrote:

> Mr. Helzluzzaman,
>
> Thank you for calling and as we discussed, the subject property's land is located within the overlay district's boundary and therefore, requires compliance with the standards of the Scenic Overlay (SOV) District.
>
> Thank you,
>
> **DAVID GONZALES, AICP**

PLANNING & ZONING MANAGER

PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM

385 S. GOLIAD STREET • ROCKWALL, TX 75087

From: Ahmed Helaluzzaman [mailto:akm.helaluzzaman@gmail.com]
Sent: Thursday, June 27, 2019 1:55 PM
To: Miller, Ryan <RMiller@rockwall.com>
Cc: Brooks, Korey <kbrooks@rockwall.com>; Gonzales, David <DGonzales@rockwall.com>; Abdul Lateef Khan <hafzab@hotmail.com>; DrSyed Mansur Hussaini <drshussaini@gmail.com>; Diyab (David) Srouji <d-srouji@sbcglobal.net>; usman.akhtar20@gmail.com
Subject: Center for Peace & Marcy, Inc.: Flat Roof Design Approval Request as a Varience

Dear Mr. Ryan Miller,

We do appreciate you and your entire team for helping us to get approval of the Site Plan for the above mentioned subject community organization. Now we are requesting to approve the Flat Roof Design item for the following reasonable reasons.

Here we have enclosed the Partial Zoning Map showing that the Building is located outside the Scenic Overlay (SOV) District. In that case this building may not need any variance. We also enclosed the Partial Areal View showing lot of buildings (less than 6,000 sf.) have Flat Roofs either SOV or IH30 Overlay District area.

On the Eastside of this property (510 & 500 Turtle Cove Blvd.) have got 2-Storied big buildings with Flat Roof. Flat Roof influence is visible while you are driving along the Turtle Cove Blvd. road.

Please accept our Flat Roof design and approve the only variance request. Let us know for any

question.

Thank you.

Sincerely,

Ahmed Helaluzzaman

B. ARCH; M.SC (URBAN PLANNING); UPDA Grade 'A' (Qatar): LEED AP & BD+C (USA)

amazing concept

12300 Ford Road, Ste #267

Dallas, Tx 75234

Mobile: **817.808 0811**

Email: akm.helaluzzaman@gmail.com

On Wed, Jun 26, 2019 at 4:35 PM Gonzales, David <DGonzales@rockwall.com> wrote:

> Mr. Helaluzzaman,
>
> As per our conversation this morning, I want to be sure that it was understood what the Planning and Zoning Commission approved and what your options are as you move forward with the site plan process. As you know during last night's meeting, the Planning and Zoning Commission made a motion to approve the site plan request, which included the variance as requested for not meeting the roof standards of the Scenic Overlay (SOV) District. The Planning and Zoning Commission's motion to approve the site plan had passed by a vote of 5 to 2, with Commissioners Lyons and Fishman voting against. However, the variance to the SOV required an approval of a super majority vote (i.e. ¾ majority or 6 of 7) in order for the variance to have been approved. Although the site plan was approved by a simple majority vote, the variance was not approved since it did not meet the minimum 6 of 7 members (i.e. super majority) voting in favor of the variance request. With this being said, you the option of requesting an appeal of the Planning and Zoning Commissions decision to the City Council. According to Subsection 6.16, Variances to the General Overlay District Standards, of Article V, District Development

Standards, of the Unified Development Code states as follows:

Unless otherwise specified in this section, an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in Section 6.02 , General Overlay District Standards, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. If the Planning and Zoning Commission denies a variance request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the variance or variances being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements). Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (i.e. a three-fourths vote of those members present), with a minimum of four (4) votes in the affirmative required for approval.

(Ord. No. 18-47, § 4, 11-19-2018)

If you choose to pursue the filing of an appeal, please address this to the Planning and Zoning Department c/o Ryan Miller, Director of Planning and Zoning at your convenience. The only item under review would be the variance being requested for the flat roof design.

Should you choose not to appeal the decision of the Planning and Zoning Commission, it should be known that the site plan has been approved, with the exception of the building elevations. With no substantial changes to the site plan, the building elevations would need to be amended to reflect a pitched roof system to be in conformance with the SOV district standards. Should you choose to amend the building elevations to conform to the SOV requirements, staff will review the elevations and will forward these to the Architectural Review Board for their recommendation.

Should you have any further questions, please do not hesitate to contact staff.

Thank you,

DAVID GONZALES, AICP
PLANNING & ZONING MANAGER

PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE

CONTACTS:

MEP ENGINEERS:
WAHEED CONSULTING
420 Parkside St.
Murphy, TX 75094
PHONE: (817) 793-2010
CONTACT: M. A. WAHEED

SURVEYOR
CBG SURVEYING, LLC.
12025 Shiloh Road, Ste 230
Dallas, TX 75228
PHONE: (214) 349-9485
CONTACT: BRYAN CONALLY

CIVIL ENGINEER:
DESIGN DEVELOPMENT CONSULT.
2308 KITTY HAWK DR.
PLANO, TX 75025
PHONE: (214)-533-7181

CONTACT: NAIM KHAN, PE

OWNER/DEVELOPER
CENTERS FOR PEACE & MARCY, INC.
ABDUL LATIF KHAN, President
4152 Greenfield Drive
Richardson, TX 75082
PHONE: (318) 617-3491

ARCHITECT:
AMAZING CONCEPT LLC.
545 COVENTRY DR.
Grapevine, Tx 76051
PHONE: (817) 808-0811
CONTACT: AHMED HELALUZZAMAN
Designer,
Email: akm.helaluzzaman@gmail.com

AROIDS LANDSCAPE ARCHITECTS
5901 INDIAN HILLS DR.
GARLAND, TX 75044
PHONE: (214)-329-6491

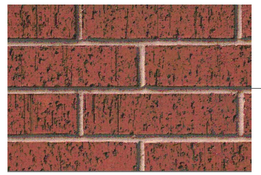
CONTACT: MOHAMMED ABDUS SALAM

SITE DATA TABLE	
DESCRIPTION	
ZONING (FROM ZONING MAP)	
LAND USE (FROM ZONING ORDINANCE)	
LOT AREA TOTAL	2.74 AC. (119,184 SF.
LOT AREA PHASE-1	1.28 AC. (55,757 SF.)
BUILDING AREA PHASE-1	4,535 SF.
COVERED AREA PHASE-1	8.13%
FLOOR AREA RATIO	0.038:1
BUILDING HEIGHT	ONE STORY (29'-8" MAX.)
PARKING REQUIRED	50 SPACES INCLUDING 3 ADA
PARKING PROVIDED	52 SPACES INCLUDING 3 ADA



DARK BRONZE FRAMES, PARAPET CAP & CANOPY

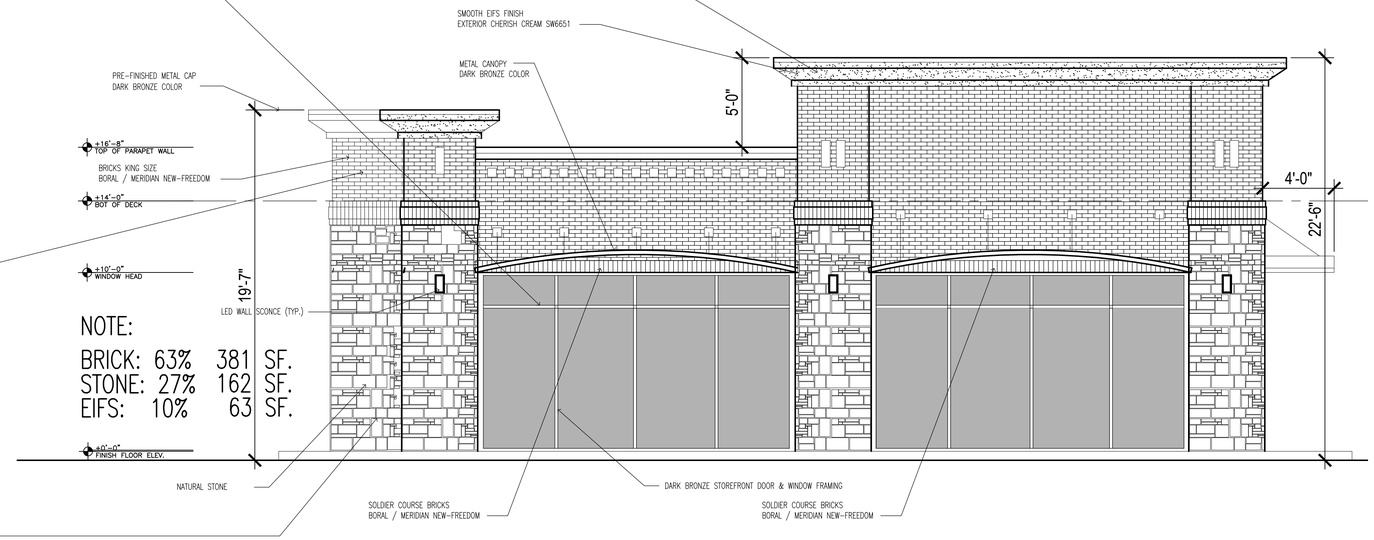
CHERISH CREAM SW6651 OR EQUAL



BORAL KINGSIZE MERIDIAN NEW-FREEDOM OR EQUAL

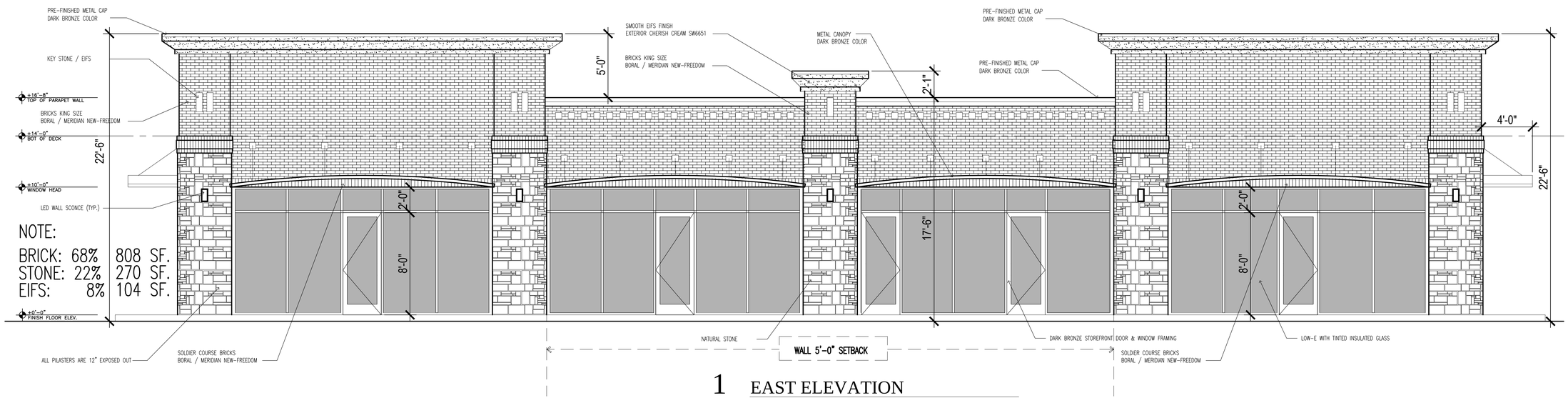


NATURAL LIME STONE OR EQUAL



2 SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



1 EAST ELEVATION

SCALE: 1/4" = 1'-0"

CASE NO.:SP2019-014

OWNER:
CENTER FOR PEACE AND MERCY, INC.

PHONE: 318-617-3491
EMAIL: Peacemercyinc@gmail.com

PROJECT:
RETAIL BUILDING
PHASE-1
600 Turtle Cove Bulevard, Rockwall, Tx 75087

REVISIONS:

amazing concept
residential & commercial projects
545 Coventry Drive, Grapevine, Tx 76051
Tel. (817) 808 0811
E-mail: akm.helaluzzaman@gmail.com

SHEET TITLE:
EXTERIOR ELEVATIONS

DATE:	SCALE:
06.03.2019	AS SHOWN
DRAWN:	DESIGNER: A. HELALUZZAMAN

PROJECT #
H-2019-02

SHEET NO:
A501

CONTACTS:

MEP ENGINEERS:
WAHEED CONSULTING
420 Parkside St.
Murphy, TX 75094
PHONE: (817) 793-2010
CONTACT: M. A. WAHEED

SURVEYOR
CBG SURVEYING, LLC.
12025 Shiloh Road, Ste 230
Dallas, TX 75228
PHONE: (214) 349-9485
CONTACT: BRYAN CONALLY

CIVIL ENGINEER:
DESIGN DEVELOPMENT CONSULT.
2308 KITTY HAWK DR.
PLANO, TX 75025
PHONE: (214)-533-7181

CONTACT: NAIM KHAN, PE

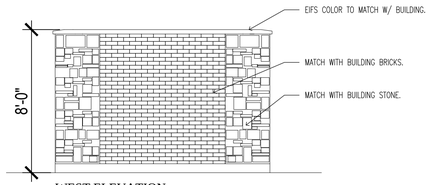
OWNER/DEVELOPER
CENTERS FOR PEACE & MARCY, INC.
ABDUL LATIF KHAN, President
4152 Greenfield Drive
Richardson, TX 75082
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ARCHITECT:
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Grapevine, Tx 76051
PHONE: (817) 808-0811
CONTACT: AHMED HELALUZZAMAN
Designer,
Email: akm.helaluzzaman@gmail.com

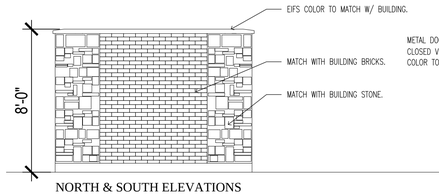
AROIDS LANDSCAPE ARCHITECTS
5901 INDIAN HILLS DR.
GARLAND, TX 75044
PHONE: (214)-329-6491

CONTACT: MOHAMMED ABDUS SALAM

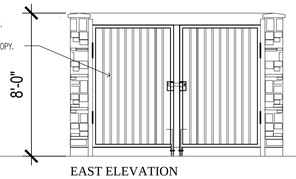
SITE DATA TABLE	
DESCRIPTION	
ZONING (FROM ZONING MAP)	
LAND USE (FROM ZONING ORDINANCE)	
LOT AREA TOTAL	2.74 AC. (119,184 SF.
LOT AREA PHASE-1	1.28 AC. (55,757 SF.)
BUILDING AREA PHASE-1	4,535 SF.
COVERED AREA PHASE-1	8.13%
FLOOR AREA RATIO	0.038:1
BUILDING HEIGHT	ONE STORY (29'-8" MAX.)
PARKING REQUIRED	50 SPACES INCLUDING 3 ADA
PARKING PROVIDED	52 SPACES INCLUDING 3 ADA



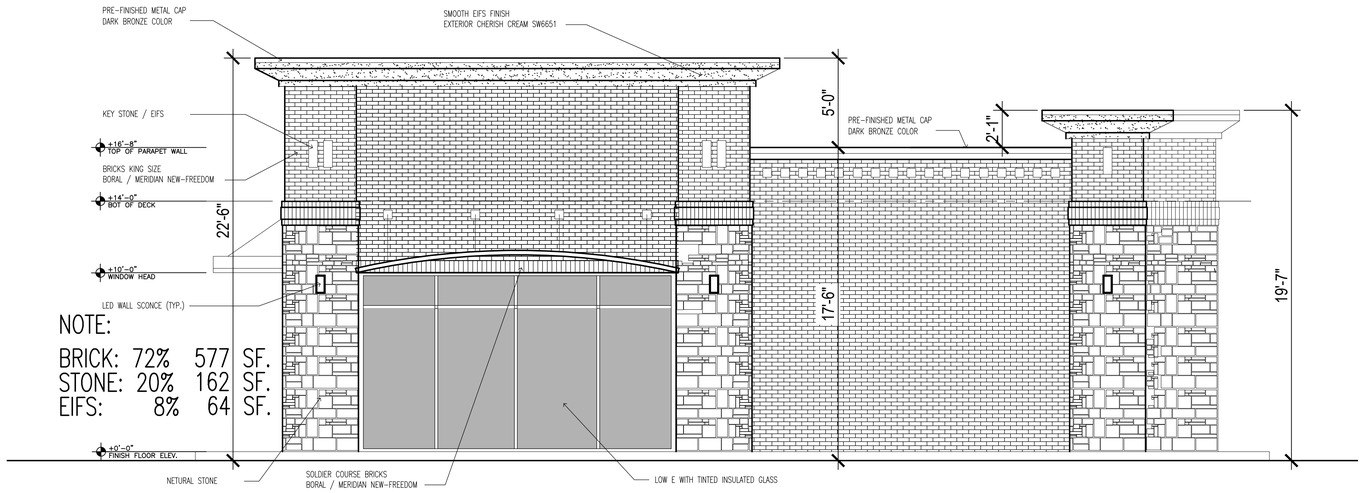
WEST ELEVATION



NORTH & SOUTH ELEVATIONS



EAST ELEVATION



NOTE:

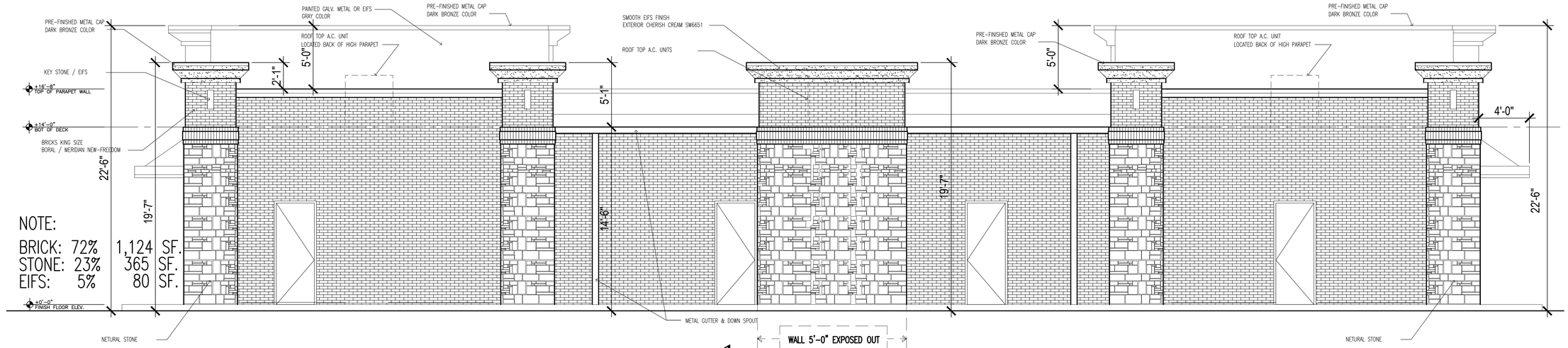
BRICK:	72%	577 SF.
STONE:	20%	162 SF.
EIFS:	8%	64 SF.

3 DUMPSTER ELEVATIONS

SCALE: 1/4" = 1'-0"

2 NORTH ELEVATION

SCALE: 1/4" = 1'-0"



NOTE:

BRICK:	72%	1,124 SF.
STONE:	23%	365 SF.
EIFS:	5%	80 SF.

WALL 5'-0" EXPOSED OUT

1 WEST ELEVATION

SCALE: 1/4" = 1'-0"

CASE NO.:SP2019-014

OWNER:
CENTER FOR PEACE AND MERCY, INC.
PHONE: 318-617-3491
EMAIL: Peacemercyinc@gmail.com

PROJECT:
RETAIL BUILDING
PHASE-1
600 Turtle Cove Bulevard, Rockwall, Tx 75087

REVISIONS:

amazing concept
residential & commercial projects
545 Coventry Drive, Grapevine, Tx 76051
Tel: (817) 808 0811
E-mail: akm.helaluzzaman@gmail.com

SHEET TITLE:
EXTERIOR ELEVATIONS

DATE: 06.03.2019	SCALE: AS SHOWN
DRAWN:	DESIGNER: A. HELALUZZAMAN
PROJECT #	H-2019-02
SHEET NO:	A502

LEGEND

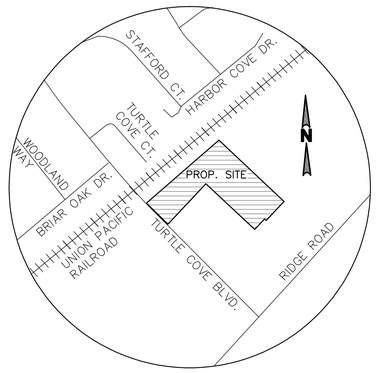
TC	EXISTING TOP OF CURB	GW	EXISTING GUY WIRE
TSW	EXISTING TOP OF SIDEWALK		EXISTING WATER LINE
GT	EXISTING GUTTER		EXISTING SANITARY SEWER LINE
TELP	EXISTING TELEPHONE PEDESTAL		EXISTING STORM SEWER LINE
BL	EXISTING BOLLARD		EXISTING CHAINLINK FENCE
INLET	EXISTING CURB INLET	G G G	EXISTING GAS LINE
PP	EXISTING POWER POLE	OHE OHE	EXISTING OVERHEAD POWER LINE
WV	EXISTING WATER VALVE	675	EXISTING CONTOUR
LP	EXISTING LIGHT POST	(8)	PARKING COUNTS
GM	EXISTING GAS METER	VAM	VISIBILITY ACCESS MAINTENANCE EASEMENT
FH	EXISTING FIRE HYDRANT	FH	PROPOSED FIRE HYDRANT
SS	EXISTING SANITARY SEWER MANHOLE		
	PROPOSED STREET LIGHT		

DUMPSTER NOTES:

1. DUMPSTER TO BE SCREENED BY EIGHT FEET, MATERIALS MATCHING THE MAIN STRUCTURE, WITH SELF-LATCHING OPAQUE GATE.

2. DUMPSTER TO DRAIN TO AN OIL/WATER SEPARATOR AND THEN TO THE STORM SYSTEM.

PROPERTY OWNER WILL BE RESPONSIBLE FOR MAINTAINING, REPAIR, AND REPLACEMENT OF THE DETENTION/DRAINAGE SYSTEM



VICINITY MAP
N.T.S

LINE	BEARING	DISTANCE
L1	S 43°15'39" W	125.17'
L2	N 46°48'20" W	10.90'
L3	S 43°28'08" W	68.31'

SITE DATA TABLE

DESCRIPTION	
ZONING (FROM ZONING MAP)	COMMERCIAL (C)
LAND USE (FROM ZONING ORDINANCE)	RETAIL
LOT AREA TOTAL	2.74 AC. (119,184 SF)
LOT AREA PHASE-1	1.28 AC. (55,757 SF.)
BUILDING AREA PHASE-1	4,535 SF.
COVERED AREA PHASE-1	8.13%
FLOOR AREA RATIO	0.0813:1
BUILDING HEIGHT	ONE STORY (29'-8" MAX.)
PERVIOUS AREA	27,435 SF.
IMPERVIOUS AREA	28,322 SF
LANDSCAPE AREA REQUIRED	8,364 SF (15%)
LANDSCAPE AREA PROVIDED	27,435 SF
PARKING REQUIRED	51 SPACES INCLUDING 3 ADA
PARKING PROVIDED	52 SPACES INCLUDING 3 ADA

OWNER
Centers for Peace & Mercy, Inc.
Contact: Abdul Latif Khan (President)
4152 Green Field Drive
Richardson, TX 75082
PH. 318-617-3491

SURVEYOR
CBG SURVEYING, LLC
Contact: Bryan Conally
12025 Shiloh Road, Suite 230
Dallas, Texas 75228
PH: 214 349 9485

ARCHITECT
amazing concept
Contact:Ahmed Helaluzzaman
12300 Ford Road, Suite 267
Dallas, Texas 75234
PH. 817 808 0811
E-MAIL: akm.hellaluzzaman@gmail.com

CIVIL ENGINEER
ND & ASSOCIATES, LLC
Contact: Naim Khan, P.E. CFM
2105 Canyon Creek Dr.
Garland, Texas 75042
PH: 214 533 7181
E-MAIL: naim1207@yahoo.com

LANDSCAPE ARCHITECT
AROIDS LANDSCPAE
Contact:Mohammad Salam
5901 Indian Hills Drive
GARLAND, TX 75044
PH. 214-403-2034

STATE OF TEXAS — MD NAIM UDDIN KHAN — 87776 — REGISTERED PROFESSIONAL ENGINEER

Md. Naim Uddin Khan 06-02-19

ENGINEER NO. 87776. THESE PLANS WERE PREPARED UNDER THE RESPONSIBLE SUPERVISION OF MD. NAIM UDDIN KHAN REGISTERED PROFESSIONAL ENGINEER
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MD. NAIM UDDIN KHAN P.E. #87776

SITE PLAN
SP 2019-014

CENTERS FOR PEACE & MERCY, INC.
LOT 1, BLOK A
E.P. GAINES CHISUM SURVEY ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
119,184 SF/2.74 ACRES

ND & Associates, LLC
2105 Canyon Creek Drive
Garland, Texas 75042
Contact: Naim Khan, P.E., CFM
PH: (214) 533 7181
EMAIL: naim1207@yahoo.com
FIRM # F - 13340

Scale: 1"=30'

Date : 6/2/2019
Design : ND
Draft : ND
Checked : ND
PROJECT NO : ROCK2019-725

SITE PLAN

C-1

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122

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	July 15, 2019
SUBJECT:	Z2018-049; *SUP for Heritage Christian Academy*

On January 7, 2019, the City Council approved a Specific Use Permit (SUP) [*Case No. Z2018-046; S-200*] allowing existing temporary educational buildings to remain on the Heritage Christian Academy property at 1408 S. Goliad Street [*SH-205*]. According to this Specific Use Permit (SUP), "(t)he Specific Use Permit (SUP) shall be valid for a period of six (6) months from the date of approval. At which time the City Council shall review the SUP to determine if a two (2) year extension is warranted in accordance with *Exhibits 'C'* and *'D'* [*i.e. the applicant's letter and phase-out schedule*] …" The purpose of the six (6) month extension was to allow the applicant time to assemble a plan for the phasing out of the temporary educational buildings. On June 25, 2019, the applicant -- *Brad Helmer* -- requested to meet with the City Council in accordance with the requirements of the SUP ordinance.

Staff Note: An email from the applicant was received on May 22, 2019 requesting to meet with the City Council. Staff responded to the email requesting additional information for the case so that it could be processed in accordance with the SUP procedures; however, the applicant did not submit the requested information and submitted a subsequent email on June 25, 2019 re-requesting an appointment with the City Council. Since this was not advertised through the SUP procedures, if the City Council grants the extension, staff will prepare an ordinance revision, advertise, and notify the case in accordance with these procedures and bring the ordinance revision back to the City Council for approval.

As the City Council may recall, the issue at hand is the extension of temporary educational buildings. A summary of the history for this case is as follows:

- ✓ *October 6, 1997 [Ordinance No. 97-25]*: The City Council approved a Conditional Use Permit (CUP) allowing two (2) educational buildings on the subject property. These buildings were not constructed.

- ✓ *July 6, 1999 [Ordinance No. 99-23]*: The City Council approved a CUP -- *superseding the requirements of Ordinance No. 97-25* -- for one (1) temporary education building on the subject property. The terms of this CUP ordinance, stipulated that the CUP was valid for a period of three (3) years with the ability to be extended one (1) time for an additional two (2) years.

- ✓ *March 3, 2003 [Ordinance No. 03-10]*: The City Council approved a CUP allowing three (3) temporary educational buildings on the subject property for a period of five (5) years.

- ✓ *September 8, 2009 [Ordinance No. 09-34]*: The City Council approved a SUP for three (3) temporary educational buildings on the subject property for a period of one (1) year.

- ✓ *September 20, 2010*: The City Council extended *Ordinance No. 09-34* for a period of three (3) years.

- ✓ *November 4, 2013 [Ordinance No. 13-44]*: The City Council approved a SUP for three (3) temporary educational buildings on the subject property for a period of five (5) years.

- ✓ *January 7, 2019 [Ordinance No. 19-02]*: The City Council approved a SUP for three (3) temporary educational buildings on the subject property for a period of six (6) months to allow the applicant time to put together a plan for the phasing out of the temporary educational buildings.

Another issue that was brought out by City staff during this case, was the need to satisfy outstanding items associated with parking lot improvements on a project that was permitted in 2016. Specifically, a letter sent to the applicant on February 12, 2018 and reiterated in the City Council meeting on November 19, 2018 outlined the outstanding items, which included submitting as-builts on the detention pond and providing a letter of concurrence (*the complete list is attached*). The applicant agreed to satisfy these requirements at the meeting; however, as of the date of this memo none of the items have been addressed.

For the City Council's review staff has provided a copy of *Ordinance No. 19-02* (*S-200*), the minutes from the November 19, 2018 and December 17, 2018 City Council meetings, and a copy of the applicant's request on June 25, 2019. The requested two (2) year extension is a discretionary decision for the City Council. As stated above if the City Council chooses to approve the two (2) year extension, staff will prepare a revised SUP ordinance and bring it back to the City Council. Should the City Council have any questions staff and the applicant will be available at the July 15, 2019 City Council meeting.

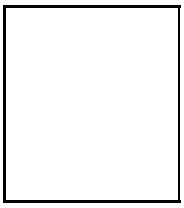
Miller, Ryan

To: Brooks, Korey
Subject: RE: City Council Meeting

From: Brad Helmer [mailto:bhelmer@hcarockwall.org]
Sent: Wednesday, May 22, 2019 9:54 AM
To: Brooks, Korey <kbrooks@rockwall.com>
Subject: Re: City Council Meeting

Ok. Thank you,

Brad C. Helmer, Ed.D.
Head of School



1408 S. Goliad
Rockwall, Texas 75087
972.772.3003
bhelmer@hcarockwall.org

On Wed, May 22, 2019 at 9:53 AM Brooks, Korey <kbrooks@rockwall.com> wrote:

> Brad,
>
> Our June submittal date is June 14th. You would just need to submit a development application along with the application fee, concept plan, and letter.

City of Rockwall The New Horizon

Planning

and

Zoning Department

Korey M. Brooks, AICP

Senior Planner

City of Rockwall

385 S. Goliad

Rockwall, Texas 75087

T 972.772.6434

kbrooks@rockwall.com

http://www.rockwall.com/planning/

From: Brad Helmer [mailto:bhelmer@hcarockwall.org]
Sent: Wednesday, May 22, 2019 9:51 AM
To: Brooks, Korey <kbrooks@rockwall.com>
Subject: City Council Meeting

Good morning,

I need to get on the agenda for one of the June council meetings to provide an update on our plan for phasing out the portable buildings, and to ask for the SUP.

Thank you,

Brad C. Helmer, Ed.D.

Head of School

1408 S. Goliad
Rockwall, Texas 75087
972.772.3003

bhelmer@hcarockwall.org

Miller, Ryan

To: Brooks, Korey
Subject: RE: Request to be on July CC agenda

From: Brad Helmer [mailto:bhelmer@hcarockwall.org]
Sent: Tuesday, June 25, 2019 9:34 AM
To: Brooks, Korey <kbrooks@rockwall.com>
Subject: Request to be on July CC agenda

Mr. Brooks,

I would like to request to be added to the CC agenda for the second meeting in July to give an update on Heritage Christian Academy's 2-3 year plan to discontinue the use of our portable classrooms.

Thank you,

Brad C. Helmer, Ed.D.

Head of School

1408 S. Goliad
Rockwall, Texas 75087
972.772.3003

bhelmer@hcarockwall.org

CITY OF ROCKWALL

ORDINANCE NO. 19-02

SPECIFIC USE PERMIT NO. S-200

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THREE (3) TEMPORARY EDUCATIONAL BUILDINGS ON A 6.64-ACRE PARCEL OF LAND ZONED MULTI-FAMILY 14 (MF-14) DISTRICT AND IDENTIFIED AS LOT 1, BLOCK A, HERITAGE CHRISTIAN ACADEMY ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of a Specific Use Permit (SUP) allowing existing temporary educational buildings, situated on a 6.64-acre tract of land, zoned Multi-Family 14 (MF-14) District, and being identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, addressed 1408 S. Goliad Street [SH-205], and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] and Specific Use Permit (SUP) No. S-114 [*Ordinance No. 13-44*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in Ordinance No. 13-44; and

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing existing temporary educational buildings in a Multi-Family 14 (MF-14) District as stipulated by Article IV, *Permissible Uses,* and Article V, *District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 3. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Section 3.9, *Multi-Family 14 (MF-14) District,* of Article V, *District Development Standards,* of the Unified

Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the additional following conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a temporary educational building on the *Subject Property* and conformance to these requirements is necessary for continued operations:

1) The temporary educational buildings shall generally conform to the building elevations and site plan depicted in *Exhibit 'B'* of this ordinance.

2) The subject property shall not have more than three (3) temporary educational buildings;

3) The Specific Use Permit (SUP) shall be valid for a period of six (6) months from the date of approval. At which time the City Council shall review the Specific Use Permit to determine if a two (2) year extension is warranted in accordance with *Exhibits 'C' and 'D'* of this ordinance.

4) The temporary educational buildings are subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] will require compliance to the following:

1) Should the subject property fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC) [*Ordinance No. 04-38*], the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*].

SECTION 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (*$2,000.00*) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JANUARY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

CITY OF ROCKWALL TEXAS
SEAL

1st Reading: December 17, 2018

2nd Reading: January 7, 2019

Exhibit 'A':
Plat

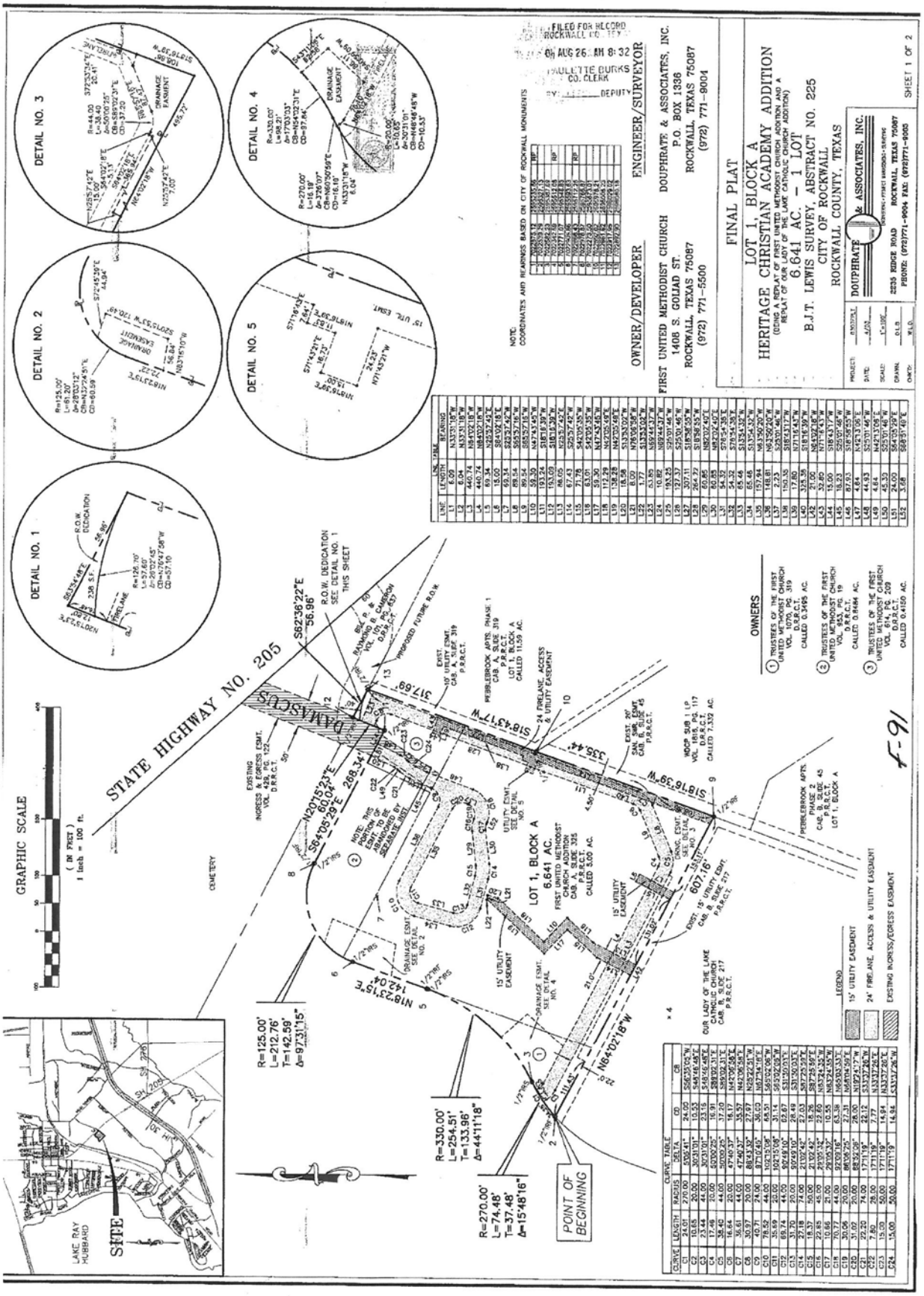


Exhibit 'B':
Site Plan



December 11, 2018

To: Rockwall City Council

By: Brad Helmer, Heritage Christian Academy

Re: Temporary Classroom Buildings Phase Out Schedule Narrative

Please accept the following narrative in conjunction with the provided timeline (schedule) as Heritage Christian Academy's board-approved plan to phase out the 3 temporary classroom buildings located on our property at 1408 S. Goliad. We appreciate the Council's willingness to work with us as we commit to this plan. Additionally, as a 501(c)(3) nonprofit corporation, we must fundraise to support any and all initiatives. As tuition covers typically 80-85% of our operations budget, charitable giving is requisite and vital to our mission. Given this, undertaking a monumental task such as these infrastructure improvements, requires an immense amount of work and faith. We acknowledge and embrace this for our students' sake.

For the past 2 years, we have been in the process of developing and undertaking a capital campaign to build a gymnasium on our property. As the leadership of HCA, we feel that having this building will serve to increase enrollment and allow us to continue becoming even more excellent in fulfilling our mission. We retained the services of Mission Advancement (MAP), a capital campaign consultant company, to guide us through this process. The following timeline was developed in partnership with MAP to guide our efforts.

February, 2017 – December, 2017:

- Campaign Organization
- Leadership Enlistment
- Case Development
- Resource Mapping
- Logic Narrative
- Site maps, renderings and other marketing artifacts finalized

January, 2018 – December, 2018

- Large Donor Relationship Meetings (Top 10% discovered during Resource Mapping)
- Board Commitments
- Large Donor Request for Donation Meeting (Top 10%)

January, 2019 – December, 2019

- Continue Work with Top 10%
- Begin Next 20% Donor Meetings with Requests for Donation
- Possible Public Appeal (After 80% of goal reached)

After January, 2020

- Continue Working Donor Base
- Begin Construction

In early October, 2018, it was brought to our attention that the plan and priority we are currently invested in was not in line with the priority expectation of the City regarding the Temporary Classroom Buildings on our property. We immediately met to begin discussions of how to continue working toward our vision of a

gymnasium and also satisfy a commitment that was made to the City Council by former administration. As evidenced in the provided schedule, the Board has developed a plan that will accomplish both.

We have begun reengaging our architect and general contractor to reevaluate the property to determine the most cost-efficient, and best use of space for adding classrooms into the plan along with a slightly modified gymnasium. As you might expect, while we are not starting completely over, we must duplicate some work that has already been done and paid for to date. Our general contractor feels that we will be able to complete the following items in no more than 180 days, with the goal of presenting to the City Council no later than June, 2019.

The following will need to be accomplished during the 180 days:

- Meetings with architect, engineers, contractors, etc. to share our needs and desires
- Architect finalizes preliminary site plan, floor plan and elevations
- Discussions with City of Rockwall for feasibility of plan
- GC to send out preliminary RFPs to determine new cost of construction
- Garner Board support and approval of new plan
- Prepare for presentation of new plan and more specific timeline to City Council

I, and the HCA Board, commit to offering quarterly updates to the City Council according to the dates on the attached schedule. God willing, donors will share our vision and support this process financially. Thank you in advance for understanding the challenges associated with having to fundraise for initiatives such as this.

The leadership of HCA still remains committed to building a gymnasium on our property. We are also committed, however, to honesty and transparency. Our commitment to the City Council of making classrooms the priority of our plan, and still staying true to our vision of having our own gymnasium will be a testament to this.

Sincerely,

Brad Helmer, Ed.D.
Head of School

Exhibit 'D':
Phase-Out Schedule

Temporary Classroom Buildings
Phase-Out Schedule

Date Proposed	Activity	Date Complete	Outcome
11/27/18	HCA Board Meeting to discuss plan for phase-out of temporary classroom buildings.	11/27/2018	Preliminary information presented to Board regarding planning and zoning committee concerns and city council concerns. Began discussions about slightly altering direction of capital campaign to include classrooms sooner.
11/29/18	HCA building committee meeting with architect and builder	11/29/2018	Began discussions about adding classrooms sooner into the plan we have already vetted. Subsequent meetings were discussed and the first will be set for 2nd week in January.
12/04/18	Board work session to narrow down phase-out plan	12/4/2018	Invited our General Contractor to have conversation with the Board regarding some options to maintain our focus on a gymnasium, but adding classrooms sooner. Consensus is to have architect and GC look at using the current plan's footprint to add classrooms.
12/10/18	Board meeting to finalize phase-out plan for presentation to Rockwall City Council on 12/17/18	12/10/2018	A brief history of HCA's capital initiatives was discussed and agreement was reached on a plan that is unanimously backed by the Board. (See attached narrative)
12/11/18	Submit plan to Korey Brooks, Sr. Planner, for subsequent presentation of plan to the Rockwall City Council prior to the 12/17/18 CC Meeting	12/11/2018	Documents submitted to Mr. Brooks for Council consideration.
12/11/18	With HCA Board approval, begin to speak with currently committed donors to update them on the revised plan and give opportunity to withdraw their donation, or give permission to use their donation toward the revised plan.		Conversations to take place this week 12/11-12/14.
12/17/18	Present phase-out schedule to Rockwall City Council	12/17/2018	
01/2019	2nd meeting with GC and architect to begin the feasibility study, redraw site plan, floor plans and elevation renderings. Meet with donors who have expressed interest in in-kind donations such as roofing, lanscaping, etc., as part of determining a new dollar amount for the capital campaign. HCA anticipates no more than 180 days to finalize for presentation to the City Council.	1/19 - 6/19	
6/3/2019	Update to City Council		
06/2019	Begin meeting with donors to show plans and accept commitments. Begin construction as soon as capital campaign commitments allow and with Board and City of Rockwall permit approval.		
9/2/2019	Quarterly Update to City Council		
12/2/2019	Quarterly Update to City Council		
3/2/2020	Quarterly Update to City Council		
6/8/2020	Quarterly Update to City Council		
9/7/2020	Quarterly Update to City Council		
12/7/2020	Quarterly Update to City Council		
3/8/2021	Quarterly Update to City Council		
6/7/2021	Quarterly Update to City Council		
9/6/2021	Quarterly Update to City Council		
12/6/2021	Quarterly Update to City Council		
3/7/2022	Quarterly Update to City Council		
6/6/2022	Quarterly Update to City Council		
9/5/2022	Quarterly Update to City Council		
12/5/2022	Quarterly Update to City Council		
	Immediate removal of temporary classrooms targeted for occupancy date of new classroom portion of the revised plan, possibly between 1/1/2021 and 6/1/2023 and dependent on approval from the City of Rockwall.		

Bill Bauman
2300 Springer Drive
Arlington, TX

Mr. Bauman came forth and provided a lengthy presentation to Council related to this request. Following the presentation, Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing.

Councilmember Daniels moved to approve Z2018-045. Mayor Pro Tem Fowler seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 18-___
SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR A FREE STANDING COMMERCIAL ANTENNA, ON A 0.08-ACRE PORTION OF A LARGER 7.64-ACRE TRACT OF LAND KNOWN AS YELLOW JACKET PARK AND IDENTIFED AS TRACT 11 OF THE J. CADLE SURVEY, ABSTRACT NO. 65, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFIALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 in favor with 2 absent (Pruitt and Trowbridge).

4. **Z2018-046** - Hold a public hearing to discuss and consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH- 205], and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information pertaining to this agenda item. In 1999, the City Council approved a Conditional Use Permit (CUP) to allow one (1) temporary educational building on the subject property for a period of five (5) years. The CUP stipulated that after a period of three (3) years, the City Council could review the CUP to determine if permanent buildings were planned to replace the temporary

educational buildings. In 2003, the City Council approved a Conditional Use Permit (CUP) to allow additional temporary educational buildings on the subject property for a period of five (5) years. In 2009, the City Council approved a Specific Use Permit (SUP) to allow three (3) temporary educational buildings on the subject property. At that time, the Specific Use Permit (SUP) ordinance stipulated that it shall be valid for a period of one (1) year, at which time the City Council shall review the Specific Use Permit (SUP) to determine if an extension is warranted. On September 20, 2010, the City Council reviewed the Specific Use Permit (SUP) and approved an extension for three (3) years (i.e. ending September 7, 2013). In November, 2013, the City Council approved a five (5) year extension (i.e. ending November 4, 2018). Staff should note, at the time of the approval of the five (5) year extension, staff, the Planning and Zoning Commission, and the City Council were informed that this would be the last request for extension of the Specific Use Permit (SUP) and that permanent educational buildings would be constructed within that time. Should this request be approved, it will be the fifth extension for temporary educational buildings on the subject property. Should the City Council choose to approve this, request, the applicant would be allowed five (5) additional years to continue the use of the temporary educational buildings on the subject property, and shall be required to provide an updated schedule indicating the expected phasing-out of the temporary educational buildings. Should the City Council deny this request, the applicant shall be required to remove the temporary educational buildings within a reasonable amount of time. On October 19, 2018, staff mailed 34 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Waterstone Estates Homeowner's Association (HOA), which is the only HOA/Neighborhood Organization that is within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this report was drafted, staff had not received any notices returned.

Mayor Pro Tem Fowler called the applicant forth to address the Council at this time.

Brad Helmer
2917 Chuckwagon Drive
Rockwall, TX

Mr. Helmer came forth and provided a lengthy presentation to Council pertaining to this request. He explained that any staff members from HCA who have may previously come before the city council to request time extensions on the use of portable buildings are no longer employed by HCA. Therefore, he was not aware that a plan (schedule) needed to be presented to the City as part of a request to obtain an additional extension for use of temporary portable buildings. He went on to explain the proposal he plans to present to his board of directors later this month pertaining to future planning for the addition of classrooms, a P.E. gym and a future "competition" gymnasium. He went on to explain that he will commit to attempting to complete this plan for future expansion and addition of classrooms within three to four years; however, he would not be able to do so within one year. He shared that $750,000 has been raised so far for a competition gymnasium; however, the board and school can reapproach the donors to ask that the funding be redirected to be used for additional classrooms instead.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the

public hearing.

Councilmember Johannesen provided brief comments and clarified that the applicant is now requesting a renewal of the SUP to allow for the use of portable buildings for an additional five-year period. Mr. Helmer indicated that, yes, he believes that the school will be able to complete needed expansions within three and no more than five years.

Councilmember Daniels shared that he understands Mr. Helmer inherited this issue when he began working for HCA; however, he does still have concerns about the Council outright granting a five-year extension without having some sort of benchmarks in place to ensure HCA's plans are progressing forward towards eliminating the need for these temporary, portable buildings. Mr. Miller shared that he can work with the applicant to develop conditions to include within the SUP ordinance that will identify benchmark events and dates to ensure that HCA will in fact move forward with its plans to eventually eliminate these portable buildings.

Councilmember Macalik expressed that she has concerns that are similar to those expressed by Councilman Daniels. On top of those concerns, she pointed out that this school is likely to continue to grow its student population. She generally feels that giving HCA an additional five years is too much time. She would like to see it be granted for less time.

Mayor Pro Tem Fowler clarified that the city will want to see very detailed, concrete plans and benchmarks identified within the ordinance.

Councilmember Hohenshelt shared his strong belief that he does not believe that an additional five years should be granted. He does not wish to extend it for longer than one year, as the school has had nineteen years at this point to get rid of the temporary buildings. He does not expect that the applicant will have newly built classrooms ready and open within one year; however, he does believe it will be prudent to grant it for only one year and then require the applicant to again appear before the Council to report on its progress in implementing its plans to work towards eliminating the portable buildings.

Councilmember Hohenshelt moved to continue the public hearing for a period of thirty days to allow the applicant time to work with staff to identify measurable benchmarks for inclusion in the ordinance language. Councilmember Johannesen seconded the motion, which passed by a vote of 5 ayes with 2 absences (Pruitt and Trowbridge).

XIII. ACTION ITEMS

1. **SP2018-032** - Discuss and consider a request by William Salee of the Rockwall Independent School District (RISD) for the approval of variances to the material and articulation requirements in conjunction with an approved site plan for an Elementary School on a 17.2922-acre tract of land being identified as Lot 1, Block A, RISD Elementary School Addition and Tract 2-7 of the W. T. Deweese Survey, Abstract No. 71, City of Rockwall, Rockwall, Texas, zoned Planned Development District 70 (PD-70) for single family land uses, located at the southeast corner of Greenway Boulevard and FM-552, and take any action necessary.

Following the discussion, Council took no formal action related to this appointment item.

XII. PUBLIC HEARING ITEMS

1. **Z2018-046** - Hold a public hearing to discuss and consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary **(1st Reading).**

On November 19, 2018, the City Council continued the public hearing for Case No. Z2018-046 for the purpose of allowing the applicant time to provide a plan concerning the temporary education buildings on the subject property. On December 11, 2018, Brad Helmer of Heritage Christian Academy (HCA) submitted a plan to staff laying out a timeline for the construction of a new building and the removal of the temporary educational buildings. In Mr. Helmer's plan, he has laid out several items that need to be accomplished in the next 180-days, which will be followed by a presentation to the City Council concerning the course of action HCA will take moving forward. In response to this proposal, staff has adjusted the SUP Ordinance to expire in six months, in June of 2019 (i.e. 180 days). Based on the ordinance and HCA's presentation, the City Council will have the discretion to extend the ordinance for a two (2) year period, which should be a sufficient amount of time for the applicant to complete construction of the proposed educational building and remove the temporary education buildings.

Mayor Pruitt opened the public hearing, calling the applicant forth to speak at this time.

Mr. Brad Helmer
2917 Chuckwagon Drive
Rockwall, TX

Mr. Helmer came forth and provided explanatory comments to the Council related to the school's plan to phase out the temporary, portable classroom buildings. He expressed that getting a new building funded and built by 2021 is a hefty goal; however, they will be working on it. He offered to provide quarterly updates to the city council between Sept. 2019 and December of 2022.

Following the public hearing, Councilmember Fowler moved to approve Z2018-046. Councilmember Daniels seconded the motion. Following additional dialogue, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-____
SPECIFIC USE PERMIT NO. S-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THREE (3)

TEMPORARY EDUCATIONAL BUILDINGS ON A 6.64-ACRE PARCEL OF LAND ZONED MULTI-FAMILY 14 (MF-14) DISTRICT AND IDENTIFIED AS LOT 1, BLOCK A, HERITAGE CHRISTIAN ACADEMY ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

2. **Z2018-043** - Hold a public hearing to discuss and consider a request by Michael Worrell of Rockwall Honda for the approval of an **ordinance** amending SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. He explained that the proposed shade structures will be located on the east side of the property and will be utilized provide shade for the display of vehicles. The applicant is also requesting to provide decomposed granite with a hard edge in order to contain the material -- along IH-30 -- for the display areas, which are located on the east and south sides of the property (see Exhibit 'C' of the draft ordinance). These areas are currently grass surfaces and once constructed using the decomposed granite, will provide stability for the displayed vehicles. Additionally, the applicant is requesting to allow for the display area to be expanded within the ten (10) foot landscape buffer along East IH-30. It should be known that staff has met with the applicant regarding the landscaping of this display area and Mr. Worrell has agreed to provide potted trees and plantings within the display area along IH-30. The purpose of this type of landscape scheme is due to a 16-inch water main that runs parallel within an existing 20-ft water easement located at the property line. This solution is to mimic the use of trees and other landscaping that would normally appear within the ten (10) foot landscape buffer, and has been included as a condition of approval.

Seventeen public notices were sent out to adjacent property owners; however, no responses have been received back by city staff at this time. The Planning & Zoning Commission has recommended approval of this request.

The applicant, Mr. Worrell, came forth and provided brief comments to Council concerning his request. Councilmember Macalik then moved to approve Z2018-043. Councilmember Trowbridge seconded the motion. Mayor Pruitt opened the public hearing, asking if anyone would like to speak. There being no one wishing to come forth and speak, Mayor Pruitt then closed the public hearing.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-__
SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND

2-12-18

Matthew Thomas
THOMAS Site Development Engineering INC.
2004 Bedford Road Suite 200
Bedford ,Texas 76021

Re: *Heritage Christian Academy Parking lot Expansion Phase 1* – Checklist for final acceptance

Dear *Matthew Thomas,*

The following items are to be completed at the above mentioned site to bring the project into compliance with City specifications and to meet specific project requirements. The listed items are items identified during the walkover of the site and are to be addressed prior to final acceptance of the project. The City will conduct daily site visits (during daily rounds) at the project until completion of the noted items. A copy of this list will also be directed to the developer/owner and general contractor. The below listed items are to be directed to the appropriate responsible parties for completion.

-Required Documentation-

1. The City of Rockwall requires that the design engineer provide a letter of concurrence. The letter is to verify that the drainage flow patterns, grade to drain locations and drainage structures, including the volume of the surface and/or subsurface detention system and detention outlet structure located at the project were installed to the general elevations as shown on the approved plans. The letter shall also verify that the project was constructed to meet the approved design requirements or is within acceptable design tolerances. **The Design Engineer or his designated representative shall direct all "survey-work"** necessary to **verify** elevations and design compliance. The letter of concurrence is to have the **seal and signature** of the design engineer.

Example of Letter of Concurrence verbiage which will not be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, the final grading and site drainage comply with the City approved plans and details".

Example of Letter of Concurrence verbiage which will be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, that based on my observations along with survey work conducted at the site, the final grading, site drainage, and detention outfall with required volume comply with the City approved plans and details".

2. The Design Engineer shall furnish a digital file of the project formatted in Auto Cad 14, or 2000 format or newer **and** Adobe Acrobat (pdf.) format with a CD-ROM. The disk shall include a full set of plans along with any landscaping, wall plans, and details sheets.

- Submit 1-set of blue line drawings of the "Record Drawings" containing copies of all sheets. The blue line copy will be reviewed by the construction inspector **PRIOR** to producing the "Record Drawing" disk. This will allow any revisions to be addressed prior to producing the disk.

Record Drawing Disk drawings shall have the Design Engineers seal, signature and must be stamped and dated as "Record Drawings" or "As Built Drawings" on all sheets.

The City of Rockwall will not accept any Record Drawing disk drawings which include a disclaimer with the like or similar verbiage. A disclaimer shall not directly or indirectly state or indicate that the design engineer or the design engineers, surveyor/surveyors did not verify or grades after construction, or that the Record Drawings were based solely on information provided by the construction contractor/contractors. Any Record Drawings which include like or similar disclaimer verbiage will not be accepted by the City of Rockwall.

Example of Acceptable Disclaimer:

To the best of our knowledge Smith Engineering, Inc., hereby states that this plan is As-Built. This information provided is based on surveying at the site and information provided by the contractor.

3. 4% Engineering Inspection Fee (Final As-Built Adjustments) – Prior to the start of construction at the project, engineering inspection fees for the project were established. The preliminary inspection fee amounts were based upon the projected contract quantity and unit price amounts which were submitted to the City. A fee based on 4% of the projected quantity cost was paid to the City. The final fee amounts are to be adjusted if necessary to match the unit quantity and unit price amounts based on the as-built contract unit quantity amounts. Please provide a copy of the as-built quantity amounts with total amounts for each item. The as built amounts should be noted or stamped as "as-built contract quantity and unit price amounts". The engineering inspection fee charged by the City will be adjusted to match these amounts if necessary. The City is to receive payment on the adjusted cost amounts prior to project acceptance. As-built contract **unit quantity and unit price** amounts for the pavement (including fire lane if applicable), drive approaches, sidewalks, barrier free ramps, wastewater, storm sewer, drainage structures (including underground detention), water lines, along with all associated fixtures which are located within the defined right-of-ways and easements of the project.

4. Storm Sewer Outfall Coordinates - It is now necessary to tie down all the storm sewer outfall pipes to our state plane Coordinate System. The design engineer will be required to provide the following coordinate information which is to be submitted in letterform showing the x, y, and z coordinates at the end of all storm sewer outfalls of the project.

5. Maintenance bonds are to be submitted to the City of Rockwall for the paving and utilities installed at the project. The bonds shall be **two-year** 10% maintenance bonds to cover maintenance, for a two-year timeline starting from the **"Date of City of Rockwall's Acceptance"** for the project. There is to be no date in the starting timeline only the above

wording.

A. The utility bond shall cover the following utility systems and their associated fixtures.

- Storm sewer (including detention systems)

B. The paving bond shall cover the following:
- Street Pavement.

6. Engineered Retaining Wall Inspection & Letter of Concurrence – The City requires the design engineer for any retaining wall which is three-feet in height or taller, to periodically inspect, or make arrangements for his designated representative to periodically inspect the retaining wall/walls during the construction process. The design engineer is to submit letter of concurrence for the retaining wall/walls to the City prior to project acceptance. The letter shall contain the **seal and signature** of the retaining wall design engineer.

- Site Items -

1. Grass is to be established at all of the disturbed areas. The grass is to be maintained until such time that a general coverage density of 75-80% of the disturbed area has been established with a minimum grass stand height of one-inch. This includes the area on the westside of Damascus where all the trees were mulched and extra dirt was scattered out from the detention pond

2. Maintain existing or install additional construction site erosion BMP's as necessary, to stabilize the disturbed soil or contain silt migration.

3. Clean mud from concrete flume in detention pond and underground storm drain pipe under Damascus needs to be videoed inspected to make sure it hasn't been filled up with silt from the mud coming off the slopes of the parking lot into a unprotected inlet.

4. All construction related trash material and miscellaneous debris is to be removed from the site and properly disposed.

5. Maximum slopes allowed by the City of Rockwall shall be a 4:1 slope. All slope areas which exceed the above noted slope requirements are to be re-graded or retained unless otherwise approved by the City Engineer. All slopes are to be graded so as to achieve the most gradual slope possible, unless otherwise noted on the approved construction plans.

6. Final Grading – re-establish all drainage swales, as necessary to achieve conformance to the drainage patterns shown on the approved grading plans. Grade to drain any locations which may hold water or obstruct approved drainage flow patterns. All graded areas, including slopes are to be brought to a final grade surface that is smooth and uniform being relatively free of erosion washouts, tire ruts, dirt clods, silt deposits etc, care should be taken to re-grade any rough surface areas prior to the application of erosion matting or grass seeding. From the curb to the retaining wall on Damascus the ROW needs to be regraded and grass established.

7. All required landscaping is to be installed at the site and comply with the approved landscape plan. The site landscaping is to be inspected by Ryan Miller- Director of Planning and Zoning, or his designated representative prior to project acceptance.

For additional information, regarding this check list or site work status please contact – *JEFF PERSFUL*, who is the designated Construction Inspector for the site-work on this project for the City of Rockwall, regarding this list. Project acceptance is subject to but not necessarily limited to the above listed punch list items. *JEFF PERSFUL*, may be reached at telephone no. 972-771-7746.

Sincerely,

JEFF PERSFUL

Construction Inspector
City of Rockwall, Engineering Department

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145

Table of Contents

Agenda 4

Hold a work session to discuss the progress of public input phase and engineering design for four of the 2018 Roadway Bond Projects; Ridge Road West; S. Lakeshore Dr. (Summit Ridge Dr. to Tanya Ln) & Russwood Dr.; Lakedale Dr., S. Lakshore Dr. (2000 block), & Woodpark Ln. and Turtle Cove Blvd (RR tracks to Ridge Rd.), and take any action necessary.

- Memo 7
- Ridge Road West Attachments 13
- S Lakeshore-Russwood 74
- Lakedale 01 106
- Lakedale 02 110
- Lakedale 03 111
- Turtle Cove 125
- Blank Page 131

Consider approval of the minutes from the July 15, 2019 regular city council meeting, and take any action necessary.

- 07/15 CC Mtg Mins 132
- Blank Page 140

Consider approval of an ordinance amending the Code of Ordinances in Ch. 44 "Utilities," Article V. "Water," Division 7. "Water Resource and Emergency Management Plan," Sec. 44-432 to adopt a new plan that incorporates requirements pertaining to "Procedures for Curtailment of Water Supplies," and take any action necessary. (2nd Reading)

- Ord (2nd Reading) 141
- Exhibit A 143
- Blank Page 171

Consider authorizing the City Manager to execute an Interlocal Agreement for Animal Control Services between the City of Rockwall and Rockwall County, and take any action necessary.

- Agreement 172
- Blank Page 183

P2019-023 - Consider a request by Rick Bates of RLK Engineering, Inc. on behalf of William Salee of Rockwall ISD for the approval of a replat for Lot 2, Block A, Rockwall High School Addition being a 35.295-acre parcel of land currently identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.

- P2019-023 184
- Blank Page 191

P2019-028 - Consider a request by Matthew Gardner of Halff Associates on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a replat for a 43.0139-acre tract of land identified as Lot 1, Block 1, Indalloy Addition; Tract 31 of the R. Ballard Survey, Abstract No. 29; and Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.
P2019-028 . . . 192
Blank Page . . . 203
Appointment with Scott Self to hear proposal related to "4th of July" 2020 fireworks shows, and take any action necessary.
Memo . . . 204
Certs of Insurance . . . 206
Blank Page . . . 210
Discuss and consider providing staff direction to move forward with the following 2018 Roadway Bond Projects, and take any action necessary:
Memo . . . 211
Blank Page . . . 212
Discuss and consider directing staff to prepare an ordinance implementing a city initiated Engineering Plan Review Fee, and take any action necessary.
Memo . . . 213
Blank Page . . . 215
Discuss and consider (re)appointments to the city's Airport Advisory Board, Animal Advisory Board, Architectural Review Board, ART Review Commission, Historic Preservation Advisory Board, and Park Board and take any action necessary.
Memo_Boards and Commissions . . . 216
Blank Page . . . 218
Building Inspections Monthly Report - June 2019
June Report . . . 219
Blank Page . . . 231
Finance Department Quarterly Report - June 2019
Finance Memo and Report . . . 232
Blank Page . . . 243
Fire Department Monthly Report - June 2019
Rockwall Fire Department June 2019 Monthly Report . . . 244
Blank Page . . . 250
GIS Division Monthly Report - June 2019
GIS Monthly Report (June 2019) . . . 251
Blank Page . . . 252
Harbor PD Monthly Report - June 2019
Harbor PD - June 2019 . . . 253
Blank Page . . . 254
Internal Operations Department Monthly Report - June 2019
IO report . . . 255

Airport Operations . . . 256
Blank Page . . . 258
Rockwall Animal Adoption Center Monthly Report - June 2019
Stats 2019 - June . . . 259
June 2019 RAAC P&L . . . 260
Blank Page . . . 262
Rockwall County Meals On Wheels / Senior Services 3rd Quarter Report
MOW 3rd Q report . . . 263
Blank Page . . . 264
Recreation Monthly Report - June 2019
Rec Monthly . . . 265
Blank Page . . . 270
Police Department Monthly Report - June 2019
06June Rockwall Police Monthly Activity Report 2019 - External . . . 271
Blank Page . . . 273
STAR Transit Monthly Report - June 2019
STAR Report . . . 274
Blank Page . . . 276

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, August 05, 2019 - 4:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

pg.7 **1.** Hold a work session to discuss the progress of public input phase and engineering design for four of the 2018 Roadway Bond Projects; Ridge Road West; S. Lakeshore Dr. (Summit Ridge Dr. to Tanya Ln) & Russwood Dr.; Lakedale Dr., S. Lakshore Dr. (2000 block), & Woodpark Ln. and Turtle Cove Blvd (RR tracks to Ridge Rd.), and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development) and possible land purchase pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)
2. Discussion regarding possible sale of real property in the vicinity of Downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VIII. OPEN FORUM

IX. CONSENT AGENDA

pg.132 **1.** Consider approval of the minutes from the July 15, 2019 regular city council meeting, and take any action necessary.

pg.141 **2.** Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 44 "Utilities," Article V. "Water," Division 7. "Water Resource and Emergency Management Plan," Sec. 44-432 to adopt a

new plan that incorporates requirements pertaining to "Procedures for Curtailment of Water Supplies," and take any action necessary. **(2nd Reading)**

pg.172 **3.** Consider authorizing the City Manager to execute an Interlocal Agreement for Animal Control Services between the City of Rockwall and Rockwall County, and take any action necessary.

pg.184 **4.** P2019-023 - Consider a request by Rick Bates of RLK Engineering, Inc. on behalf of William Salee of Rockwall ISD for the approval of a replat for Lot 2, Block A, Rockwall High School Addition being a 35.295-acre parcel of land currently identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.

pg.192 **5.** P2019-028 - Consider a request by Matthew Gardner of Halff Associates on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a replat for a 43.0139-acre tract of land identified as Lot 1, Block 1, Indalloy Addition; Tract 31 of the R. Ballard Survey, Abstract No. 29; and Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.

X. APPOINTMENT ITEMS

pg.204 **1.** Appointment with Scott Self to hear proposal related to "4th of July" 2020 fireworks shows, and take any action necessary.

XI. ACTION ITEMS

pg.211 **1.** Discuss and consider providing staff direction to move forward with the following 2018 Roadway Bond Projects, and take any action necessary:
a) Ridge Road West (Shores Blvd. to N. Goliad St./SH 205);
b) S. Lakeshore Dr. (Summit Ridge Dr. to Tanya Ln) and Russwood Dr.;
c) Lakedale Dr., S. Lakshore Dr. (2000 block), & Woodpark Ln;. and
d) Turtle Cove Blvd (RR tracks to Ridge Rd.).

pg.213 **2.** Discuss and consider directing staff to prepare an **ordinance** implementing a city initiated Engineering Plan Review Fee, and take any action necessary.

pg. 216 **3.** Discuss and consider (re)appointments to the city's Airport Advisory Board, Animal Advisory Board, Architectural Review Board, ART Review Commission, Historic Preservation Advisory Board, and Park Board and take any action necessary.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

pg.219 Building Inspections Monthly Report - June 2019
pg.234 Finance Department Quarterly Report - June 2019
pg.244 Fire Department Monthly Report - June 2019
pg.251 GIS Division Monthly Report - June 2019
pg.253 Harbor PD Monthly Report - June 2019
pg.255 Internal Operations Department Monthly Report - June 2019
pg.259 Rockwall Animal Adoption Center Monthly Report - June 2019
pg.263 Rockwall County Meals On Wheels / Senior Services 3rd Quarter Report

pg.265 Recreation Monthly Report - June 2019

pg.271 Police Department Monthly Report - June 2019

pg.274 STAR Transit Monthly Report - June 2019

2. City Manager's Report

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development) and possible land purchase pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)
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3. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 2nd day of August, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **July 31, 2019**

SUBJECT: **2018 Roadway Bond Reconstruction Projects**
Update on Typical Section & Schematics

The 2018 Roadway Bond is currently underway with one (1) project Highland Drive Phase 1 currently wrapping up construction and seven (7) projects that consisting of seventeen (17) different roadways are currently in engineering design. For four (4) of the 2018 roadway bond reconstruction projects ,City Staff and the City's engineering consultant has completed the 30% Engineering Schematic Design Phase and Public Input Phase. Those four (4) projects/roadways are as follows:

- Ridge Road West (Shores Blvd to N. Goliad St./SH 205)
- S. Lakeshore Dr. (Summit Ridge Dr. to Tanya Ln) and Russwood Dr.
- Lakedale Dr., S. Lakshore Dr. (2000 block), and Woodpark Ln.
- Turtle Cove Blvd (RR tracks to Ridge Rd.)

The following is a summary of the existing roadway configuration and the proposed schematic design for these different roadways listed. The full roadway schematic with typical sections are attached for reference. Also, results from the public input process are shown below and attached. They include responses received from the Public Input Questionnaire, public meetings comment cards, and addition public comments received by Staff.

Ridge Road West (Shores Blvd to N. Goliad St./SH 205)

- Proposed Improvements
  - o Street pavement replacement
  - o 5 foot sidewalks both sides of road
  - o Drainage upgrades where needed to meet current standards.
    ** Water and wastewater mains don't need to be replaced (in good condition)

- Existing Typical Section
  - o Street
    - Shores Blvd to Twin Creek Lane

        - Undivided - 37 foot wide (back of curb to back of curb)
    - Twin Creek Lane to N. Goliad St (SH 205)
        - Divided – two – 21 foot wide (back of curb to back of curb)
- Sidewalks
    - Shores Blvd to Ridgecrest Place/Lacebark Lane (West half)
        - None
    - Ridgecrest Place/Lacebark Lane to Twin Creek Lane
        - 4 foot – on both sides
    - Twin Creek Lane to N. Goliad St (SH 205)
        - 4 foot – on North Side
        - None – on South Side
- Right-of-Way – 80 foot

- <u>Proposed Typical Section</u> - (Current City Typical Minor Collector Roadway Section)
    - Street
        - 41 foot wide (back of curb to back of curb)
        - Shores Blvd to Twin Creek Lane
            - Undivided - 41 foot wide (back of curb to back of curb)
            - 2 – 11 ft wide lanes, 2 – 9 ft wide parking lanes
        - Twin Creek Lane to N. Goliad St (SH 205)
            - Divided – two – 21 foot wide (back of curb to back of curb)
    - Sidewalk - (both sides of road)
        - 5 foot wide – 6 foot wide when against curb
        - Will jog sidewalk to avoid trees and landscaping where possible
        - To be 6 foot wide when against back of curb
        - Leave existing sidewalk in place where in good condition and not in conflict with proposed grades.
    - Right of Way – 80 foot
        - Working to keep all proposed improvements within current right of way.
    - One (1) palm tree, two (2) cedar trees, one (1) Texas redbud tree (rotted), and approximately 24 crepe myrtles/shrubs that are within the City Right of Way are planned to be removed with this project. (Pictures of the trees, crepe myrtles, shrubs, and landscaping that is to removed are attached)

- <u>Public Input Questionnaires</u>
    - 60 properties- Surveys sent out to property owners and residents adjacent to Ridge road. (An example survey is attached in the memo)
    - 22 - Surveys returned to date – (37%)
    - Summary of results – (Detailed summary is attached) (Staff has individual surveys available for review)
        - Rate safety of pedestrians:
          Poor (50%) Fair (22.7%) Good (22.7%) Excellent (4.5%)
        - Implementing sidewalks.
          Yes (59.5%) No (40.5%)
        - Rate current drainage facilities
          Poor (4.5%) Fair (9.1%) Good (40.9%) Excellent (45.5%)

- <u>1st Public Meeting – Adjacent Property Owners (May 8, 2019)</u>
    - 7 - Property Owners Attended
    - 4 - Comment Cards Returned to City
        - **Summary**

- 4 - Adjacent property owners were in favor of sidewalks if adjacent to the curb.
- 2 – Adjacent property owners expressed concern about speeding on Ridge Road West.

- 2nd Public Meeting – Neighborhood (July 23, 2019)
  - 41 – Property Owners Attended
  - 20 – Comment Cards Returned to City
    - **Summary**
      - 1 – in favor of sidewalks
      - 11 – Adjacent property owners were not in favor of sidewalks.
      - 5 – Adjacent property owners are concerned about speed of vehicles and safety.
      - 4 – Adjacent property owners are concerned about drainage issues

S. Lakeshore Dr. (Summit Ridge Dr. to Tanya Ln) and Russwood Dr.

- Proposed Improvements
  - Street pavement replacement
  - 5 foot sidewalks both sides of road
  - Drainage upgrades where needed to meet current standards.
  - Water and wastewater mains to be replaced.

- Existing Typical Section
  - Street – 27 foot wide (back of curb to back of curb)
  - Sidewalks – Currently None
  - Right-of-Way – 50 foot

- Proposed Typical Section
  - Street - 27 foot wide (back of curb to back of curb)
    - To remain same width to avoid disturbance to trees.
  - Sidewalk – 5 foot wide (both sides of road)
    - Will jog sidewalk to avoid trees and landscaping where possible
    - To be 6 foot wide when against back of curb
  - Right of Way – Working to keep all proposed improvements within current right of way of 50 foot.
  - Two (2) oak trees and 21 crepe myrtle/shrubs that are within the City Right of Way are planned to be removed with this project. (Pictures of the trees, crepe myrtles, shrubs, and landscaping that is to removed are attached)

- Public Input Questionnaires
  - 29 properties - Questionnaires mailed out to property owners and residents adjacent to streets and made available at public meetings. (An example questionnaire is attached)
  - 21 - Surveys returned to date – (40% Total)
    - S. Lakeshore Dr. – 16 out of 40 returned (40%)
    - Russwood Dr. - 5 out of 13 returned (38%)
  - Summary of results – (Staff has individual questionnaires available for review)
    - Rating safety of pedestrians on
      - S. Lakeshore Dr.

Poor (18.8%) Fair (25%) Good (31.3%) Excellent (25%)
- Russwood Dr.
  Poor (40%) Fair (0%) Good (20%) Excellent (40%)

- In favor of implementing sidewalks.
  - S. Lakeshore Dr.
    Yes (28.1%) No (71.9%)
  - Russwood Dr.
    Yes (40%) No (60%)
- Rating current drainage facilities
  - S. Lakeshore Dr.
    Poor (25%) Fair (12.5%) Good (37.5%) Excellent (25%)
  - Russwood Dr.
    Poor (0%) Fair (20%) Good (40%) Excellent (40%)

- 1st Public Meeting – Adjacent Property Owners (April 29, 2019)
  - 5 - Property Owners Attended
  - 1 - Comment Cards Returned to City
    - **Summary**
      - 1 - Adjacent property owner was not in favor of sidewalks or street reconstruction.

- 2nd Public Meeting – Neighborhood (July 17, 2019)
  - 15 - Property Owners Attended
  - 8 - Comment Cards Returned to City
    - **Summary**
      - 3 - Adjacent property owners concerned about drainage
      - 5 – Adjacent property owners were not in favor of sidewalks

Lakedale Dr., S. Lakshore Dr. (2000 block), and Woodpark Ln.

- Proposed Improvements
  - Street pavement replacement
  - 5 foot sidewalks both sides of road
  - Drainage upgrades where needed to meet current standards.
  - Water and wastewater mains to be replaced.

- Existing Typical Section
  - Street – 27 foot wide (back of curb to back of curb)
  - Sidewalks – Currently None
  - Right-of-Way – 50 foot

- Proposed Typical Section (Current City Typical Residential Roadway Section)
  - Street - 29 foot wide (back of curb to back of curb)
  - Sidewalk – 5 foot wide (both sides of road)
    - Will jog sidewalk to avoid trees and landscaping where possible
    - To be 6 foot wide when against back of curb
  - Right of Way – Working to keep all proposed improvements within current right of way of 50 foot.
  - No hard wood trees are being planned to be removed with this project. Six (6) crepe myrtles that are within the City Right of Way are planned to be removed

with this project. (Pictures of the trees, crepe myrtles, shrubs, and landscaping that is to removed are attached)

- Public Input Questionnaires
  - 29 properties - Questionnaires mailed out to property owners and residents adjacent to streets and made available at public meetings. (An example questionnaire is attached)
  - 11 - Surveys returned to date – (38% Total)
    - S. Lakeshore Dr. & Lakedale Dr. – 7 out of 20 returned (35%)
    - Woodpark Ln. - 4 out of 9 returned (44%)
  - Summary of results – (Staff has individual questionnaires available for review)
    - Rating safety of pedestrians on
      - S. Lakeshore Dr. & Lakedale Dr.
        Poor (28.6%) Fair (14.3%) Good (14.3%) Excellent (42.9%)
      - Woodpark Ln.
        Poor (18.2%) Fair (27.3%) Good (18.2%) Excellent (36.4%)
    - In favor of implementing sidewalks.
      - S. Lakeshore Dr. & Lakedale Dr.
        Yes (28.6%) No (71.4%)
      - Woodpark Ln.
        Yes (25%) No (75%)
    - Rating current drainage facilities
      - S. Lakeshore Dr. & Lakedale Dr.
        Poor (0%) Fair (28.6%) Good (28.6%) Excellent (42.9%)
      - Woodpark Ln.
        Poor (25%) Fair (0%) Good (50%) Excellent (25%)

- 1st Public Meeting – Adjacent Property Owners (April 23, 2019)
  - 2 - Property Owners Attended
  - 2 - Comment Cards Returned to City
    - **Summary**
      - 2 – Comment card received were in favor of sidewalk, they were all adjacent property owners.
      - 1 – Adjacent property owner was concerned about gas lines where Lakeshore & Ridge road meet.

- 2nd Public Meeting – Neighborhood (July 10, 2019)
  - 5 - Property Owners Attended
  - 3 - Comment Cards Returned to City
    - **Summary**
      - 1 - Adjacent property owner was in favor of sidewalks
      - 1 - non-adjacent property owner was not in favor of sidewalks

Turtle Cove Blvd (RR tracks to Ridge Rd.)

- Proposed Improvements
  - Street pavement replacement
  - 5 foot sidewalks (where developed properties are)
  - Drainage upgrades where needed to meet current standards.

  ** Water and wastewater mains don't need to be replaced (in good condition)

- Existing Typical Section
  - o Street – 37 foot wide (back of curb to back of curb)
  - o Sidewalks – Currently None
  - o Right-of-Way – 60 foot

- Proposed Typical Section
  - o Street – 37 foot wide (back of curb to back of curb)
  - o Sidewalk – 5 foot wide
    - To be 6 foot wide when against back of curb
    - To be placed where developed properties are
    - Undeveloped properties will be require to install sidewalk at time of development.
  - o Right of Way – Working to keep all proposed improvements within current right of way of 60 foot.
  - o Four (4) oak trees, two (2) hackberry trees (these will be taken out by current development planned to go in), one (1) crepe myrtle and two (2) yaupon hollies that are within the City Right of Way are planned to be removed with this project. (Pictures of the trees, crepe myrtles, shrubs, and landscaping that is to removed are attached)

- Public Meeting – (May 21, 2019)
  - o 1 - Attendee from Turtle Cove HOA
  - o No Comment Cards Received.

- Public Outreach
  - o City Staff reached out to the property owners that have developed parcels and shown the proposed improvements to be placed with the project. Staff is working with them on any questions or comments they may have on the project.

Staff is requesting for City Council to consider approval of the proposed typical section and roadway schematic for the four (4) roadway reconstruction projects above. If the street section and schematic are approved, the Engineering Department would proceed with final engineering design and full construction plan preparation, for these four roadway reconstruction project.

If you have any questions, please advise.

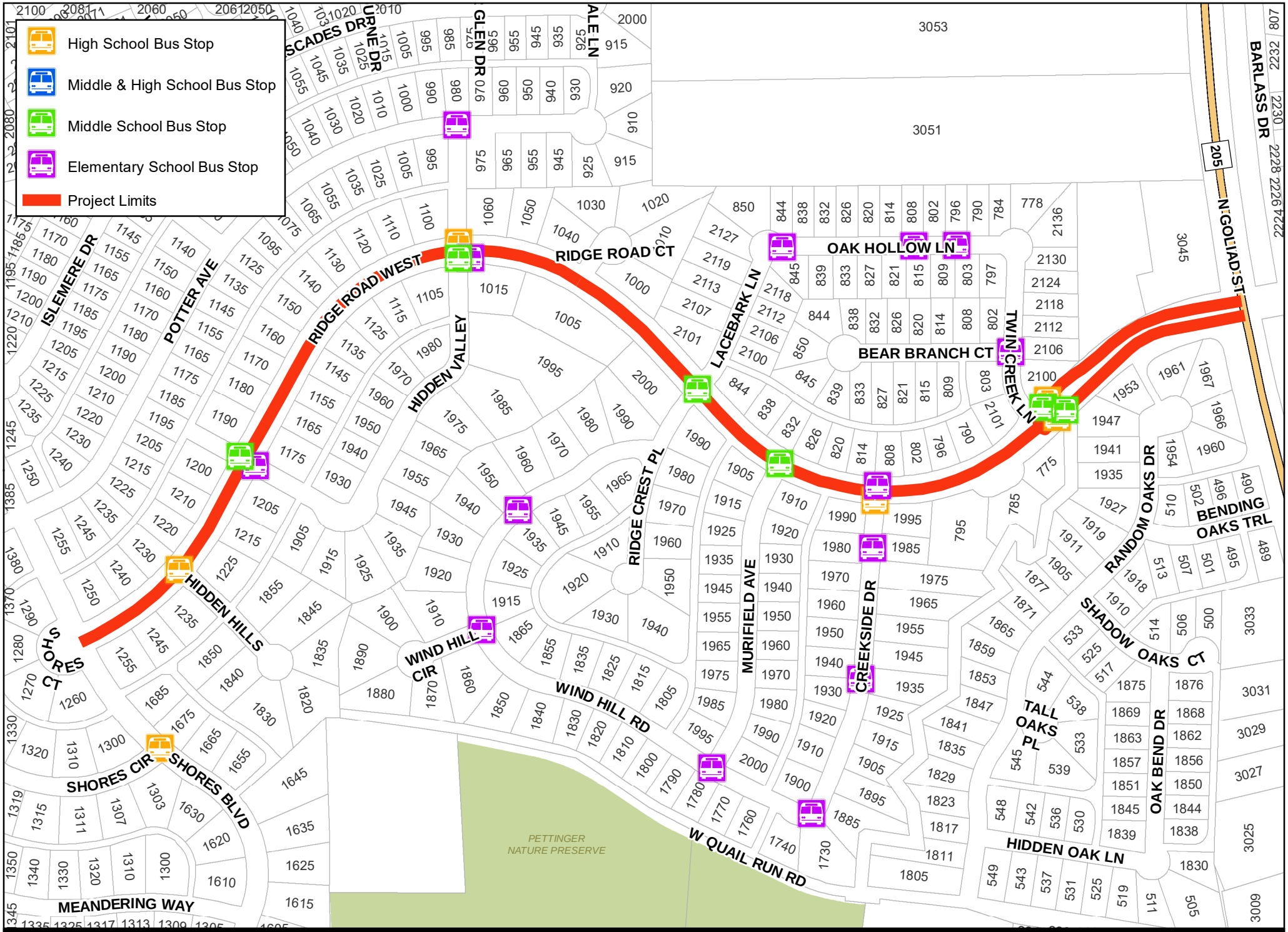
AJW:jmw

Attachments

Cc: Joey Boyd, Assistant City Manager
Jeremy White, P.E. CFM, Civil Engineer
File

RIDGE ROAD WEST RECONSTRUCTION PROJECT

13


High School Bus Stop
Middle & High School Bus Stop
Middle School Bus Stop
Elementary School Bus Stop
Project Limits
RIDGE ROAD WEST
RIDGE ROAD CT
OAK HOLLOW LN
BEAR BRANCH CT
TWIN CREEK LN
LACEBARK LN
HIDDEN VALLEY
POTTER AVE
ISLEMERE DR
HIDDEN HILLS
SHORES CT
SHORES CIR
SHORES BLVD
MEANDERING WAY
WIND HILL CIR
WIND HILL RD
RIDGE CREST PL
MURIFIELD AVE
CREEKSIDE DR
W QUAIL RUN RD
HIDDEN OAK LN
TALL OAKS PL
OAK BEND DR
SHADOW OAKS CT
RANDOM OAKS DR
BENDING OAKS TRL
N GOLIAD ST
BARLASS DR
GLEN DR
ALE LN
PETTINGER
NATURE PRESERVE
City of Rockwall
0 50 100 Feet
Date: 7/30/2019
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.
RIDGE ROAD WEST
RECONSTRUCTION PROJECT
14

CITY OF ROCKWALL

CONCEPTUAL DESIGN SCHEMATIC

RIDGE ROAD WEST

FROM SHORES BOULEVARD TO NORTH GOLIAD STREET (SH 205)

NET LENGTH OF PROJECT = APPRX 0.76 MI

RIDGE ROAD WEST
FUNCTIONAL CLASS= MINOR COLLECTOR

DESIGN SPEED= 30 MPH MINOR COLLECTOR

EQUATIONS= NONE
RAILROADS= NONE
EXCEPTIONS= NONE

BEGIN PROJECT
RIDGE ROAD WEST
℄ STA 10+16.85

END PROJECT
RIDGE ROAD WEST
℄ STA 50+16.16



SCALE:

100' 50' 0 100'

SCALE: HORIZONTAL 1" = 40'

10' 5' 0 10'

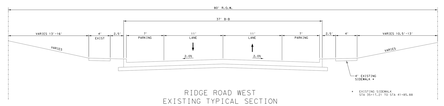
SCALE: VERTICAL 1"= 5'

DANNENBAUM

ENGINEERING COMPANY - DALLAS, LLC
T.B.P.E. FIRM REGISTRATION #392
3030 LYNDON B JOHNSON FWY, STE 910 DALLAS, TX 75234 (972) 239-2002

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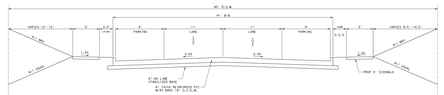
ROLL 2 OF 2



RIDGE ROAD WEST
EXISTING TYPICAL SECTION
STA 10+16.85 TO STA 41+85.88



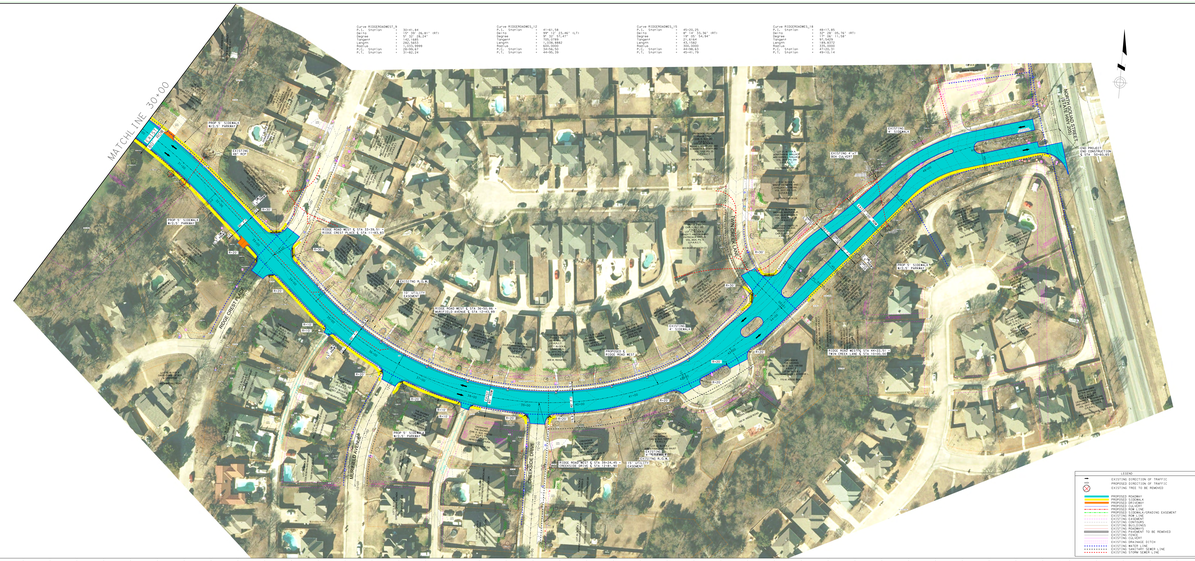
RIDGE ROAD WEST
EXISTING TYPICAL SECTION
STA 41+85.88 TO STA 50+16.16



RIDGE ROAD WEST
PROPOSED TYPICAL SECTION
STA 10+16.85 TO STA 41+85.88



RIDGE ROAD WEST
PROPOSED TYPICAL SECTION
STA 41+85.88 TO STA 50+16.16


MATCHLINE 30+00
RIDGE ROAD WEST
SHORES BOULEVARD
N 89°59'54" E 1,320.00'
N 89°59'54" E 1,320.00'
N 89°59'54" E 1,320.00'

CITY OF ROCKWALL

CONCEPTUAL DESIGN SCHEMATIC

RIDGE ROAD WEST

FROM SHORES BOULEVARD TO NORTH GOLIAD STREET (SH 205)

NET LENGTH OF PROJECT = APPRX 0.76 MI

RIDGE ROAD WEST
FUNCTIONAL CLASS= MINOR COLLECTOR

DESIGN SPEED= 30 MPH MINOR COLLECTOR

EQUATIONS= NONE
RAILROADS= NONE
EXCEPTIONS= NONE

BEGIN PROJECT
RIDGE ROAD WEST
℄ STA 10+16.85

END PROJECT
RIDGE ROAD WEST
℄ STA 50+16.16



SCALE:

100' 50' 0 100'

SCALE: HORIZONTAL 1" = 40'

10' 5' 0 10'

SCALE: VERTICAL 1"= 5'

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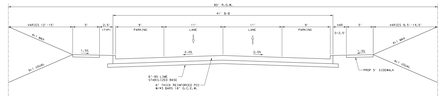
ROLL 1 OF 2



RIDGE ROAD WEST
EXISTING TYPICAL SECTION
STA 10+16.85 TO STA 41+85.88



RIDGE ROAD WEST
EXISTING TYPICAL SECTION
STA 41+85.88 TO STA 50+16.16



RIDGE ROAD WEST
PROPOSED TYPICAL SECTION
STA 10+16.85 TO STA 41+85.88



RIDGE ROAD WEST
PROPOSED TYPICAL SECTION
STA 41+85.88 TO STA 50+16.16

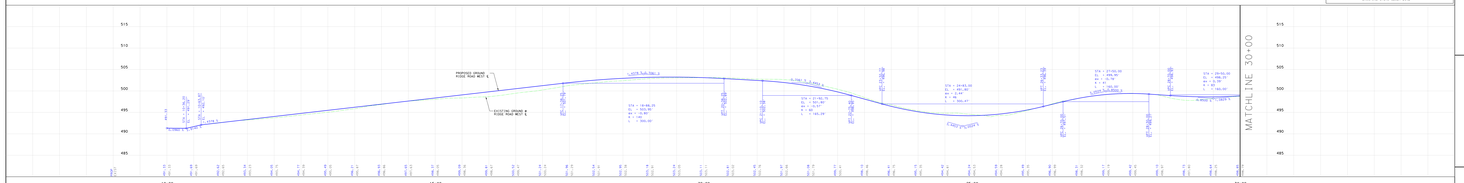


GENERAL NOTES:

1. DIMENSIONS ARE TO THE FACE OF PAVEMENT OR ADJACENT FACE OF CURB, UNLESS NOTED OTHERWISE ON THE PLAN AND PROFILE SHEETS.
2. LOCATION AND SIZE OF PROPOSED INLETS, STORM SEWERS, AND APPURTENANCES ARE APPROXIMATE AND SUBJECT TO CHANGE.
3. EXISTING DRIVEWAYS WILL REMAIN UNLESS OTHERWISE NOTED. PROPOSED DRIVEWAYS SHALL BE CONSTRUCTED AT THE PROPERTY LINE. GRADIENTS NOT TO EXCEED 14 % SAFETY SLOPE.
4. ALL PROPOSED PAVEMENT MARKINGS SHALL BE EPOXY PAINT. (REFLECTIVE PAVEMENT MARKING SHALL BE INSTALLED AFTER THE FINAL LIFT OF ASPHALT HAS BEEN PLACED.)

LEGEND

- EXISTING DIRECTION OF TRAFFIC
- PROPOSED DIRECTION OF TRAFFIC
- EXISTING FIRE TO BE REMOVED
- PROPOSED ROADWAY
- PROPOSED CURB INLET
- PROPOSED CURB & GUTTER
- PROPOSED SAW CUT
- EXISTING ROW LINES
- EXISTING EASEMENTS
- EXISTING CURB & GUTTER
- EXISTING PAVEMENT TO BE REMOVED
- EXISTING FENCES
- EXISTING UTILITIES
- EXISTING OVERHEAD UTILITIES
- EXISTING SANITARY SEWER LINE
- EXISTING STORM SEWER LINE



CITY OF ROCKWALL

CONCEPTUAL DESIGN SCHEMATIC

RIDGE ROAD WEST

FROM SHORES BOULEVARD TO NORTH GOLIAD STREET (SH 205)

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ROLL 1 OF 2

City of Rockwall
The New Horizon

Comment Card

Public Meeting – May 8, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: RICHARD THOMPSON

Address: 1180 RIDGE ROAD W1

Phone: [redacted]

Email:

☒ I live in the Project Area

☒ I own property in the Project Area

Comments:

- SIDEWALKS NEED TO BE ADJACENT ~~TO~~ TO THE ROAD

-

City of Rockwall
The New Horizon

Comment Card

Public Meeting – May 8, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Andrew Beck

Address: 1170 Ridge Rd W Rockwall

Phone: [redacted]

Email:

☑ I live in the Project Area

☑ I own property in the Project Area

Comments:

Address speeding, want sidewalks, sidewalks adjacent to curb.

City of Rockwall
The New Horizon

Comment Card

Public Meeting – May 8, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: George + Regina Johnson
Address: 1175 Ridge Rd West
Phone: [redacted]
Email:

☑ I live in the Project Area

☐ I own property in the Project Area

Comments:

We would like the sidewalk to touch the curb infront of our home.

Please take care of the speeding on Ridge Road West.

19

City of Rockwall
The New Horizon

Comment Card

Public Meeting – May 8, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Darren L. Goucher

Address: 1240 Ridge Road West

Phone: [redacted]

Email: [redacted]

☒ I live in the Project Area

☒ I own property in the Project Area

Comments:

I am not in favor of sidewalks with a 2.5'-3' buffer between the sidewalk and curb. The sidewalk should be adjacent to the curb.

20

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: SANDRA SOLOMON

Address: 1635 SHORES BLVD

Phone: [redacted]

Email:

☐ I live/own property on these streets being reconstructed.

☒ I live outside of the limits of these streets being reconstructed.

Comments:

Please need microphones – at least 9 in the room. ☺

Room full of old folks & demanded hearing.

Excellent Evening.

21

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Danny and Lauren Davis
Address: 1040 Ridge Rd Ct
Phone: [redacted]
Email:

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

Not in favor of widening the street.
We would like the street repaired/
replaced with no disturbance of
our yard.
Not in favor of sidewalks.

22

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Shirley Stanley

Address: 1605 Shores Blvd.

Phone: [redacted]

Email: [redacted]

☐ I live/own property on these streets being reconstructed.

☑ I live outside of the limits of these streets being reconstructed.

Comments:

Please consider speed & traffic enforcement on Shores Blvd during construction. Radars, enforcement, temporary bumps maybe?

23

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Darren Gaucher

Address: 1240 Ridge Road West

Phone: [redacted]

Email:

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

I do not ~~not~~ support this project. I do not want sidewalks added to Ridge Road West, I have two 40year-old-plus live oak trees that are set in the middle of my lot. These trees have a very extensive root network that will be disturbed and lead to the stress and eventual death of these trees. Each tree adds approximately $40,000.00 per tree of property value. Will I be reimbursed $80,000.00 when these trees die and lose the appraised value of my home?

24

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Dusty Goucher

Address: 1240 Ridge Rd West

Phone: [redacted]

Email:

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

Please don't do this. Besides losing 10' feet of my front yard, the damage will cause extensive loss of landscaping. I have two 50 year old trees that will suffer and may die because of the stress. I have a 10 year old Burr Oak I planted as an acorn that will be removed during this project. With the disruption of my sprinkler system, the damage to my home's foundation and landscaping could be at enormous financial cost. If people want to walk on a sidewalk, they can use Potter Ave. We need street lights to improve safety, but the road does NOT need to be widened and we definetly do NOT need a 5' sidewalk with a grass buffer. Please consider just repairing the current road.

Dusty Goucher

25

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: JACK THOMPSON

Address: 1225 RIDGE RD W ROCKWALL, TX

Phone: [redacted]

Email:

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

LIVED AT THIS ADDRESS SINCE JULY 1986, 33 YEARS. WE ARE NOT IN SUPPORT OF THE ROAD RECONSTRUCTION PROJECT. WE DO NOT NEED SIDEWALKS, WE HAVE RAISED THREE CHILDREN HERE AND HAVE SURVIVED WITHOUT SIDEWALKS AND WIDENED STREET. SAVE THE CITY'S MONEY AND USE MONEY ON A PROJECT THAT WILL BENEFIT MORE CITIZENS.

26

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Tony & Pat Crawford
Address: 1975 Muirfield Avenue
Phone: [redacted]
Email:

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

Are you going to update Quail Run before you start R.R. West 2

27

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Julie Barlow

Address: 1005 Ridge Rd. Rockwall, TX 75087

Phone: [redacted]

Email: [redacted]

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

I am not in favor of the proposed Construction as presented. I am strongly opposed. Alternative plans should be presented to the residents, and residents should have plenty of time to give input.

28

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Chris Barlow

Address: 1005 Ridge Rd.

Phone: [redacted]

Email:

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

Replace Failing Pavement - this is great, but I don't feel this is necessary at this time.

Drainage Problems - are the storm sewers collasped / full of debris / etc.... Could this be causing problems?

Safety - Are bike or pedestrian lanes painted on the existing road been considered.

29

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: CHARLES NORTON / DEBRA NORTON

Address: 1235 RIDGE ROAD WEST

Phone: [redacted]

Email: [redacted]

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

I BELIEVE DUE CONSIDERATION HAS NOT BEEN GIVEN TO THIS PROJECT. I DO NOT APPROVE OF THIS PROJECT. THE ARGUMENT GIVEN BY THE CITY DOES NOT MAKE SENSE. MY WIFE AND I WILL BE COMING BEFORE THE CITY COUNCIL 8/5/19 TO MAKE OUR ARGUMENT.

30

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Regina Johnson

Address: 1175 Ridge Rd W

Phone: [redacted]

Email: [redacted]

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

We do not want the road/sidewalks.

31

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: WAYNE McCALLUM
Address: 1050 RIDGE ROAD WEST Rockwall
Phone: [redacted]
Email:

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

Just want to be informed of details and schedule.
Hope ground water drainage improves.

32

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Sonia + Mike Sealock + Susan Hansen
Address: 1030 Ridge Rd Ct 1020 Ridge Rd Ct
Phone: [redacted]
Email:

☐ I live/own property on these streets being reconstructed.

☒ I live outside of the limits of these streets being reconstructed.

Comments:

How did this project become priority?
We feel Ridge Rd W. is ~~plenty~~ sufficiently wide.
We are concerned about increased vehicle speed changing the feel of the neighborhood.

On the other hand, we would be pleased with addition of sidewalks.

33

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Marguerite / Andrew Brindock
Address: 1940 Hidden Valley
Phone: [redacted]
Email:

☐ I live/own property on these streets being reconstructed.

☑ I live outside of the limits of these streets being reconstructed.

Comments:

- replacing w/ concrete?
- relocation & same kind mailboxes?
- Why sidewalks on both sides?
- Definition of matching trees
- parking stalls similar to other sidewalk expansion south side of 66

34

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Ed Schwarzer - SHA Board Member

Address: 1340 Shaver Cir

Phone: [redacted]

Email: [redacted]

☐ I live/own property on these streets being reconstructed.

☑ I live outside of the limits of these streets being reconstructed. But use this street every day

Comments:

Every answer to a suggestion is "NOT city policy"
NOT HELPFUL.

Suggest ONE sidewalk, move street so twice as 5 ft from yards on each side of the street.

- Saves money
- Mitigate property loss.
-

35

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Emilee McCune

Address: 1250 Ridge Rd W.

Phone: [redacted]

Email:

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

If you go forward with your current plan to use left of property on both sides you will open yourself up to legal ramifications when what you do damages the root systems of dozens of old growth trees in this neighbor hood. Some of these trees are worth thousands of dollars. We Do not Want these "Improvements". If you want to fix potholes, fine, go for it, but leave good enough alone. We don't need side walks. We don't want side walks. We don't want the 1-2 years of mess this will bring.

36

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Marcia Greenley
Address: 838 Ridge Rd West
Phone: [redacted]
Email:

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

Need Stop Signs Speed Bumps
Please
Want Electronic speed signs
Want Speed Humps - need them!
Spend the money on something else

37

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: Peggy Fischer

Address: 1125 Ridge Rd. W, Rockwall TX 75087-3111

Phone: [redacted]

Email:

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

I bought the property (vacant lot) because of the neighborhood not having sidewalks. I had a choice of lots in Rockwall; I chose this one because of the ~~estate top~~ type appearance. Also not parking on the street was supposed to be enforced. I replaced the circle drive and built a 3 car garage to enhance the neighborhood of street congestion. There are many walking trails in Rockwall through the park + recreation department. Not having will sidewalks was a choice I made. I have 2 trees that will be lost. They are 23+ years old. I also purchased the lot because of those trees. →

38

I oppose the reconstruction project if it includes taking any of the current yard. Another point is that mail delivery could be altered to NDCBU (~~Neigh~~ Neighbor Cluster Boxes) if reconstructed.

Brocker
7-23-2019

Current
No Sidewalks:
(parts of).
N. Goliad
Lakeshore
Williams
Quail Run
Shores Blvd
Ridge Rd.
Hidden Valley
Hidden Hills
N. Rusk
Breezy Hill
Dalton
FM552
John King
Hwy 66
Laydstun

1). No drainage problems.
2) Sewer failures a continual issue.

39

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: John SUNDERSON, Jr.

Address: 1850 Mud Hill Road

Phone: [redacted]

Email: [redacted]

☐ I live/own property on these streets being reconstructed.

☑ I live outside of the limits of these streets being reconstructed.

Comments:

I walk on Ridge Road West and 2 sidewalks (one on each side of the road).

Widen W. Quail Run to handle extra traffic during construction.

No speed bumps on Ridge Road West! It will impede emergency traffic, if bumps are used.

Yes, for sidewalks!

40

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 23, 2019, 6:00pm

Ridge Road West
Reconstruction Project

Name: MAX E. KLEIN JR.

Address: 1830 HIDDEN HILLS

Phone: [redacted]

Email:

☐ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

SEE ATTACHED LETTER

24 July 2019

Subject: Comments to Ridge Road West Reconstruction Project

Re: Public Meeting – July 23, 2019

To avoid re-routing made necessary during construction, use of existing paved alleys for access to the effected homes will increase. To protect children and pedestrians using these alleys, increased traffic signage and/or speed control measures should be put in place during construction.

Since road construction equipment and materials will be on site, thought should be given to using the planned construction period to also modify alley intersection turn radii, to facilitate trash collection and avoid further destruction of property and pavement.

Max E. Klein Jr.
1830 Hidden Hills
Rockwall, TX 75087

cc: Rockwall City Council

42

From:	Tim Sullivan
To:	White, Jeremy
Cc:	Sandra Solomon
Subject:	RIDGE ROAD WEST CONSTRUCTION
Date:	Monday, July 22, 2019 1:36:15 PM

We don't have any objections to this.

Tim & Joyce Sullivan
1415 Plummer Dr
Rockwall, TX 75087
[redacted]
[redacted]

From:	Gary Koch
To:	White, Jeremy
Subject:	CONSTRUCTION ON RIDGE ROAD WEST: I am unable to attend meetings due to illness but would like to say that road construction is definitely needed; however sidewalks are not a necessary addition at this time.
Date:	Monday, July 22, 2019 2:11:27 PM

Residents will be subject to an undue burden to benefit a few who don't reside on Ridge Road West.

Sent from Mail for Windows 10

White, Jeremy

From: Gary Koch [redacted]
Sent: Tuesday, July 30, 2019 11:48 AM
To: White, Jeremy
Subject: RRW Reconstruction Project

As a 20-year resident of 1200 Ridge Road West I am deeply concerned about your recent project in several areas in regard to sidewalk

1. The loss of existing yard.
2. Total disruption of mail service for who knows how long.
3. Loss of sprinkler system; also for who knows how long.
4. The total deterioration of the landscape (especially the loss of the large oaks in the front of many residents homes in this area. When you start digging, roots are disturbed and the trees will die. Is the city prepared to take down huge dead oak trees and replace them with sizeable substitutes.
5. Deterioriation of the landscape also leads to the VALUE OF THE RESIDENCE if one is wanting to sell.

So in view of my opposition to the sidewalks; please explain the reasoning behind your engineer for installing them (was it just a request of a few). I feel, as a resident of the Shores in question, we have a right to know.

Due to illness I have not been able to attend your meetings but hope you will present my viewpoint at your next workshop.

Tom Richmond
1105 Ridge Road West
Rockwall, TX 75087
July 6, 2019

Dear Mr. White;

In the last public meeting on the reconstruction plan for Ridge Road West you highlighted several points of concern.

Number One; Folks on our street are concerned about losing their mature trees. I understand your plan leaves all but one of the mature trees alone and that only small shrubs and plantings will be removed.

Number Two; We understand the street will be widened. Our concern is that the wider street will allow more on street parking and encourage higher speeds.

Number Three: On street parking. The Deed Restrictions covering the Shores HOA prohibit overnight on street parking. Jim Pruitt stated that the town codes override any deed restrictions. The garages for all the homes on RRW face the alley. The Home Owners feel on street parking reduces the appeal of the neighborhood. All we ask is that when designing the street you do what you can to limit on street parking.

Number Four: In the last meeting you indicated that your study indicated speeding is not a current problem on our street. You and I differ! I witness speeders every day. No one has indicated they want rumble strips or speed bumps or that kind of thing. Is it possible to post the speed limit at 25 mph at each end of RRW. And is it possible to place one of those electronic signs that indicates a driver's speed on the street. The ideal place for such a sign would be by the water collection area on the corner of RRW and Lace Bark.

Number Five: Four Way Stop- You indicated the dip at RRW and Hidden Valley is going to be removed. At the present that dip slows the traffic speed. Looking at the map, Hidden Valley is the only cross street that is a through street and allows traffic to past into other neighborhoods. I live on the corner of RRW and Hidden Valley. It is a busy intersection. Would it be possible to make the current two way stop a four way stop. It will slow the traffic. It will allow drivers to make "protected" turns.

Number Six: Sidewalks- The home owners really want to keep as much front yard at they can. They know that the City has the "right" to use as much of the set back as they need. With that in mind the idea of placing the sidewalks flush with the curb and keeping them as narrow as possible appeal the be the desire of the home owners. To Date I have not heard an objection

46

to the sidewalks, but I have heard concern about the City taking more of the set back that is absolutely needed.

Number Seven; Mail Boxes-In the last meeting you indicated the City will be responsible for relocating the mail boxes, so that is not a concern.

I am writing this note as Tom Richmond Homeowner. I am still the President of the Shores HOA so I tend to hear comments. For the record I have not heard any viable negative comments.

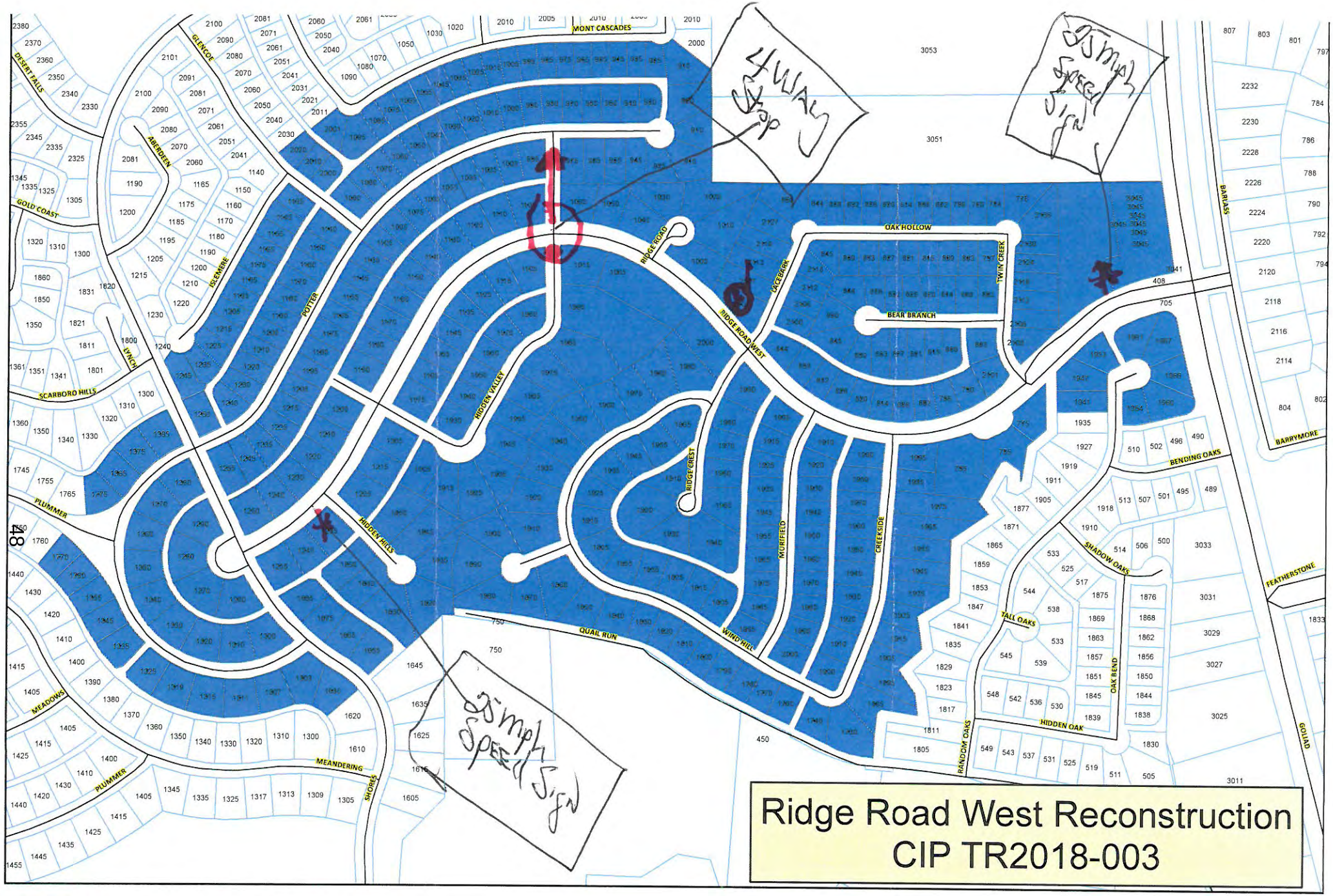
See You on the 23rd!

Tom Richmond

[redacted]

Tom Richmond

[redacted]



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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White, Jeremy

From: douglas demarco [redacted]
Sent: Sunday, April 7, 2019 10:06 AM
To: White, Jeremy
Subject: Public Input - Ridge Road West Reconstruction

Jeremy,

1. Drainage is good, I have not had any issues. We've only lived in this house since May 2017.
2. Safety is probably fair, primarily due to use of road by pedestrians for lack of sidewalk.

3. I am undecided on sidewalks. While I recognize that it would make pedestrians safer and add to neighborhood relationships, my selfish side wonders if I want more pedestrian traffic walking in front of my house, dogs using my yard… I would only be in favor of a sidewalk that is adjacent to the road, not inset.

4. Anything else:
    a. I already have a sidewalk, what will happen to mine?
    b. Please repair the east intersection at Hidden Valley, the dip requires slowing to 20mph to safely cross it.
    c. Please move the south bound stop sign at shores court/shores blvd to shores blvd/ridge road west. Currently the southbound traffic stops 100 feet early, making for confusing interaction of vehicles at the intersection. There's really not much sense in stopping at Shores Court. I recognize this is probably outside your scope, but seems like a simple change.

Douglas & Cheryle deMarco
1230 Ridge Road West
[redacted]

White, Jeremy

From: douglas demarco [redacted]
Sent: Friday, May 24, 2019 6:47 PM
To: White, Jeremy
Cc: Pruitt, Jim; Trowbridge, Patrick
Subject: Ridge Road West Reconstruction

Honorable Jim Pruitt , Councilman Patrick Trowbridge and Jeremy White

Thank you all for having the public input meeting regarding the Ridge Road West Reconstruction project. I found it very informative. I'd like to take the opportunity to re-iterate and maybe amplify on my druthers.
I was surprised that the plan was to replace the entire road, thinking maybe just some repairs and the sidewalk.
As much as we like new, I'm not of the opinion that the entire road needs replacement. I'd prefer repairing the Hidden Valley intersection to remove the dip, and then any other repairs you see fit. I **REALLY** don't want to give up 2 feet of my property to a wider road. Also the road seems quite wide already.
I am only in favor of a sidewalk **adjacent** to the road, not inset. In fact I'd be happy if you just tied into my existing sidewalk. It's held up well and hasn't settled relative to the road. I don't want to lose even more property to the inset, not to mention additional irrigation and edging.
On a tangential note, I'd like to see the south bound stop sign at Shores court/Shores Blvd. moved to shores Blvd./Ridge Road West. Currently the southbound traffic stops 100 feet early, making for confusing interaction of vehicles at the intersection. You could probably do away with it in that direction all together but understand that would require temporary signage alerting drivers to the change and permanent warning signage at the other stop signs.

Some food for thought:

Concerns for pedestrian safety – The sidewalk will likely increase pedestrian traffic and new widened or repaired road will likely induce faster driving, increasing opportunities for accidents. Not sure how to mitigate that. Traffic control Speed bumps were discussed and seems there were opposing opinions on them.

Widening road - I suspect if the residents understood that the schedule was 12-15 months, during which traffic would be one lane, one way, no parking, they may also be against it. Also that they would be losing up to 9-10 feet of property. This may be their fault for not paying attention. If I were you, I'd make sure they understand early in the process, so there is no confusion/uprising later.

I'd prefer you reallocate the savings from a repair not replacement plan, for more street lights and ornamental sidewalk, using pavestone, brick…… something unique, not just concrete.

I admit that I have mixed emotions on the sidewalk, on one hand it's neighborly and probably the right thing to do, on the other hand, do I want additional foot traffic in front of my house, dogs defecating in my yard…..
We don't want to negatively affect the look and feel of the neighborhood.

Thanks for letting me bend your ears.

Doug and Cheryle deMarco
1230 Ridge Rd W and owners/operators of Rockwall Indoor Sports Expo (The RISE)

From: Julie Ann Barlow [redacted]
Date: July 29, 2019 at 9:21:26 AM GMT-5
To: [redacted]
Subject: Ridge road west project.

Hi Ms Bell,
My husband and I are homeowners at 1005 Ridge Road. We attended the public meeting regarding the proposed additions of sidewalks and road construction last week. I am reaching out to you as one of our council members to ask you to consider voting against this project.

Most of the people in attendance are very opposed to this project. We did not ask for this work to be done and it is not needed. It will only be intrusive. The presentation even showed that this work was not justified. It will not solve a speed problem or a pedestrian problem. The residents do not want it and do not want to have another 5 to 8 feet of our front lawns taken in by a sidewalk.

The proposed project includes 5 foot sidewalks on both sides of the road , which is why the encroachment would be so large. If any sidewalk had to be done (even though we do not want it) at least they could be standard sidewalks right at the existing curb and perhaps even on one side. There is no reason to have such large, deluxe sized sidewalks. But again , we are strongly opposed to this project as it will affect our quality of life in a negative way , and also has the potential to reduce our property value.

The engineers presenting said that this plan is what they were proposing to the council on August 8th. They indicated they could come up with alternate plans that are less intrusive. I would ask that you vote against this project as it stands right now. Please look at alternate options that are less intrusive if the work must be done at all.

As a long time resident of Rockwall and Rockwall county, I can see many other streets and areas that desperately need some help and improvement , with safety being a huge issue. I would much prefer that we invest in solving those problems , rather than doing work on a street where the work is not needed and the residents are opposed.

Thank you for your time in reading this email.

Sincerely ,
Julie Ann Barlow
[redacted]

51

White, Jeremy

From: [redacted]
Sent: Tuesday, July 30, 2019 2:16 PM
To: Pruitt, Jim; Daniels, Bennie; Hohenshelt, John; Fowler, Kevin; Johannesen, Trace; DanaMacalik@rockwall.comPatrickTrowbridge@rockwall.com
Cc: White, Jeremy
Subject: Fwd: Ridge Road West Reconstruction Project
Attachments: Ridge Road West project 2019-0730.docx; Ridge Road West Project artwork.docx

Dear Mayor and City Council members,

Greetings from north Rockwall!

The city's proposal for the upcoming Ridge Road West Reconstruction Project, as presented to us homeowners on 23 July 2019, is totally unacceptable.

The proposal apparently meets the city requirements for NEW developments but we are certainly not a NEW development. The proposed modifications would take 9.5 feet out of our front lawn! The wider, newer street would no doubt increase the speed of the traffic regardless of the posted speed limit (as briefed at the 23 July meeting. I might have missed something there; the rationale made no sense?) I would think our property value would go down significantly. #maybeso #maybeno

Anyway I strongly request that you DO NOT APPROVE THE CURRENT PROPOSAL for the Ridge Road West Reconstruction Project. Let us look at other proposals.

This is not intended to be a slap at the city engineer. He is doing a great job. I realize he has to go by the city regulations/guidelines. But these guidelines for NEW developments must be altered to consider other factors. Please give him some flexibility to not completely adhere to these current guidelines.

Thank you so much.

Wayne McCallum
1050 Ridge Road West
Rockwall HS class of 1968

-----Original Message-----
From: [redacted]
To: JWhite <JWhite@rockwall.com>
Sent: Tue, Jul 30, 2019 1:56 pm
Subject: Re: Ridge Road West Reconstruction Project

Hello, Jeremy!

Attached are two Word documents that outline my views on the city's proposed reconstruction of Ridge Road West.

One document is a letter from me that explains my objections to your current proposals and offers 4 alternative proposals that I could live with.

the other document contains drawings of each of my proposals.

Please acknowledge that you have received these.

Thanks so much for accepting our inputs.

Wayne McCallum
1050 Ridge Road West
Rockwall

-----Original Message-----
From: White, Jeremy <JWhite@rockwall.com>
To: [redacted]
Sent: Tue, Apr 30, 2019 1:29 pm
Subject: RE: Ridge Road West Reconstruction Project

Thank you for you input. I will add it to our responses received for the project.

To answer the questions you have below.

French Drains - We are aware of the Ground Water issue that occurs along the street and will be working with our Engineer during the design of the project to see what can be done to collect the water from the french drains into the storm system.

Irrigation System - All irrigation repairs and relocation due to the proposed construction for the project will be taken care of by the Cities Construction Contractor for the project. The cost to due this repairs is payed for by the City.

Please let me know if you have any other questions.

Jeremy M. White, P.E., CFM

Civil Engineer

Public Works – Engineering Division

City of Rockwall

385 S. Goliad

Rockwall, TX 75087

972-771-7746

972-771-7748 (fax)

From: [redacted]
Sent: Tuesday, April 30, 2019 1:03 PM
To: White, Jeremy <JWhite@rockwall.com>
Subject: Ridge Road West Reconstruction Project

Jeremy White, P.E.
City of Rockwall, Engineering Division
385 South Goliad Street
Rockwall, Texas 75087

Dear Mr. White,

I guess I'm a day late in responding to your questionnaire you mailed to me about 2 April 2019. I trust you will still receive my response.

First of all, thank you for this opportunity to provide my input.

My responses to your questionnaire:

1. During a large rainfall event, I rate the current drainage facilities Good. They seem to be adequate in draining the water from the street. I have never noticed the street overflowing at all.

However, there are several private French drains that empty into Ridge Road West (RRW). In virtually ALL TIMES, Water constantly flows downhill in the gutters (edge of the street) to the nearest storm drain. I am one of those owners with such a French drain and my neighbors on both sides also have them. The gutters on our side of the street are always wet, with algae growing and leaves and whatever. It's a mess. [They generally do 'dry up' in August timeframe.]

I'm sure you know this but there are natural springs behind our houses (north side of Ridge Road West). We all installed the French drains to "drain the swamp" in our back yards IF these French drains did not exist. (Actually, previous owners built these French drains.)

So....for me personally, I would like to have my French drain opening into RRW connected directly to the storm drain underneath the street. I was told several years ago that the storm drain is located on the other side of the street so connection to it is problematic. But now, since Ridge Road West is being reconstructed, can we PLEASE somehow connect our French drains to the storm drain....even if it's with 3-4 inch PVC pipe. I'd sure like to stop the unsightly constant flow of water down the sides of Ridge Road West.

If you are ever in this neighborhood, I would be glad to give you a personal demonstration of what I'm talking about.

2. I rate safety for pedestrians traveling along Ridge Road West fair-to-good. The street is sufficiently wide for pedestrians and cars. I've walked the streets many, many times and have never felt unsafe.

3. I am undecided (50-50) about implementing sidewalks on Ridge Road West. I don't have a problem with it other than my main sprinkler valve and several sprinkler heads that would have to be moved. Who pays for this? (Also what happens to my French drain outlet, currently emptying into the street?)

4. When Ridge Road West is reconstructed, I trust it will be done in a TIMELY fashion. I hope it doesn't drag out like the Boydston project.

Again, thank you for this opportunity to provide my inputs.

Best regards,

H. Wayne McCallum, Rockwall HS class of 1968
1050 Ridge Road West
Rockwall, Texas 75087
[redacted]

H. Wayne McCallum
1050 Ridge Road West
Rockwall, Texas 75087
[redacted]

Jeremy M. White
City of Rockwall, Engineering Department
385 S. Goliad St.
Rockwall, Texas 75087

30 July 2019

Dear Jeremy,

Thank you so much for providing information to us on the Ridge Road West project.

We have lived at 1050 Ridge Road West for 25 years....since August 1994. I grew up in Rockwall and graduated from Rockwall HS in 1968.

Your proposed plan of the Ridge Road West reconstruction as presented at the Public Meeting on 23 July 2019 is unacceptable.

As I understand it, your current proposal widens the street from 37 ft to 41 ft. Then there would be a 2.5 ft strip of grass, then a 5 ft sidewalk. I have driven around parts of Rockwall, Wylie, and Plano and I have not found ANY development with these features.

Your proposal would take 9.5 ft out of my front yard! Yes, you said these are the city regulations for NEW developments and that the city has an easement and has the right to do this. But I beg you to alter your proposal in consideration that we are not a NEW development. I feel this would significantly reduce our property values.

My proposals, in decreasing order of my preference would be:

1. Leave the street at 37 ft and add 3 ft sidewalks on both sides. (Take 3 ft out of both sides.)
2. Widen the street to 41 feet but add a 3 ft sidewalk on one side only. (Take 3.5 ft out of both sides.)
3. Widen the street to 39 ft and add 3 ft sidewalks on both sides. (Take 4 ft out of both sides.
4. Widen the street to 41 ft and add 3 ft sidewalks to both sides. (Take 5 ft out of both sides.)

These (above) are the only proposals acceptable to me.

In no event is a 2.5 strip of grass between the curb and the new sidewalks acceptable. This triples my edging/ weed-eating, wastes my valuable landscape area, and makes my sprinkler system more complex and harder to maintain. It takes 2.5 ft out of my front yard.

In no event are 5 ft sidewalks acceptable or necessary. Three (3) ft sidewalks seen to be the norm in most developments; at most 4 ft sidewalks....on one side only!.... might be acceptable.

Your rationale (at least as I understood it) for making your proposed modifications made no sense to me. Your team stated that studies have shown that most drivers do not obey the posted speed limits; they drive instead the speed dictated by road conditions, other traffic, and visibility. If you make the proposed modifications to Ridge Road West, the drivers will have a wider, new street. Their speed will therefore increase, not decrease as your team suggested. (Maybe I missed something?)

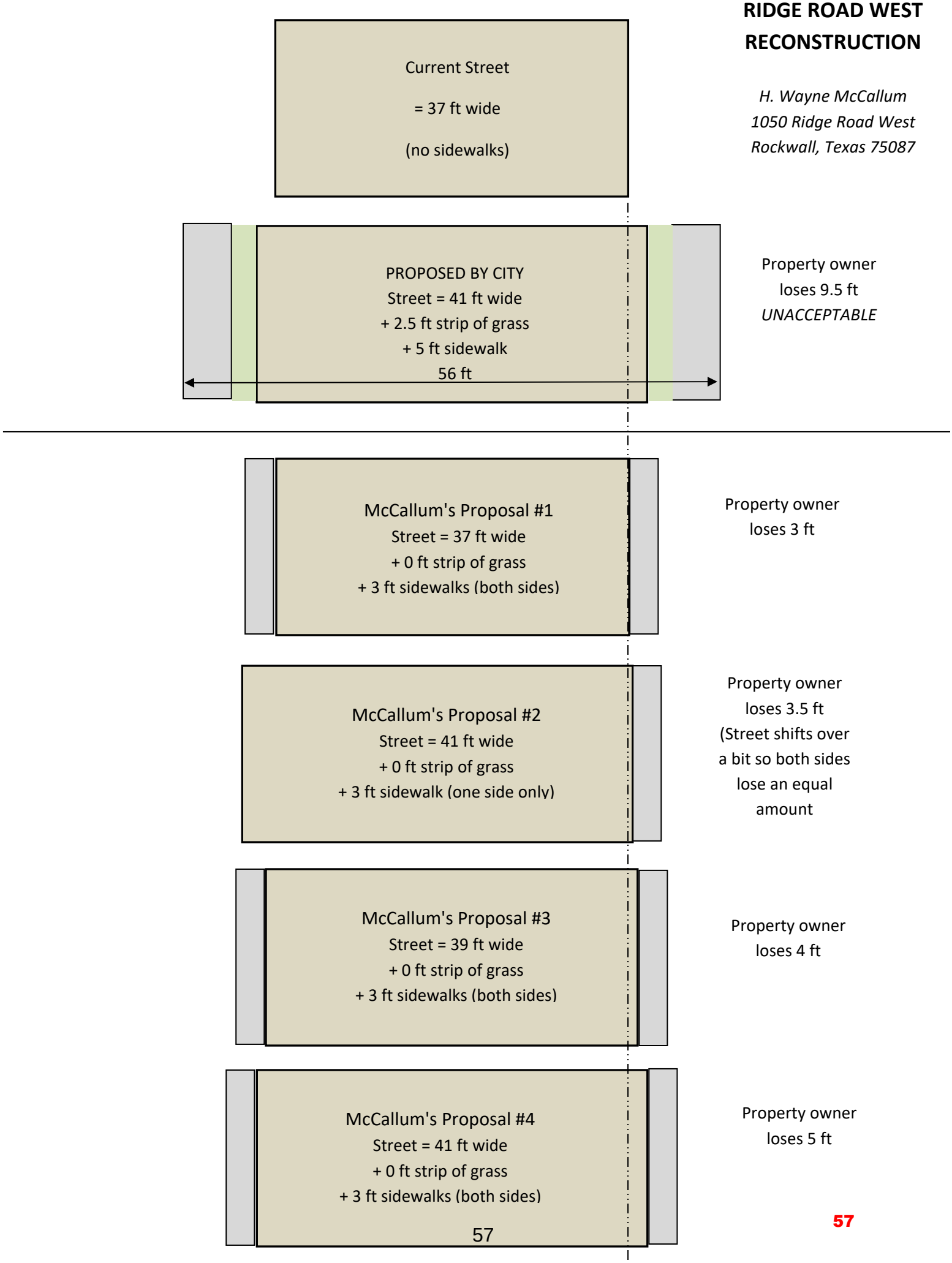
Anyway, I beg you to NOT proceed with the modifications as you proposed.

Thank you.

Wayne McCallum

RIDGE ROAD WEST RECONSTRUCTION

H. Wayne McCallum
1050 Ridge Road West
Rockwall, Texas 75087



57



Landscape bed and 2 – crepe myrtles/shrubs
1240 Ridge Road West

58



Landscape bed and 4 - shrubs
1230 Ridge Road West

59



1 – 6” Palm Tree and shrubs
1220 Ridge Road West

60



1 – Crepe Myrtle and landscape bed
1225 Ridge Road West



1 – Crepe Myrtle
1210 & 1200 Ridge Road West – Property Line

62

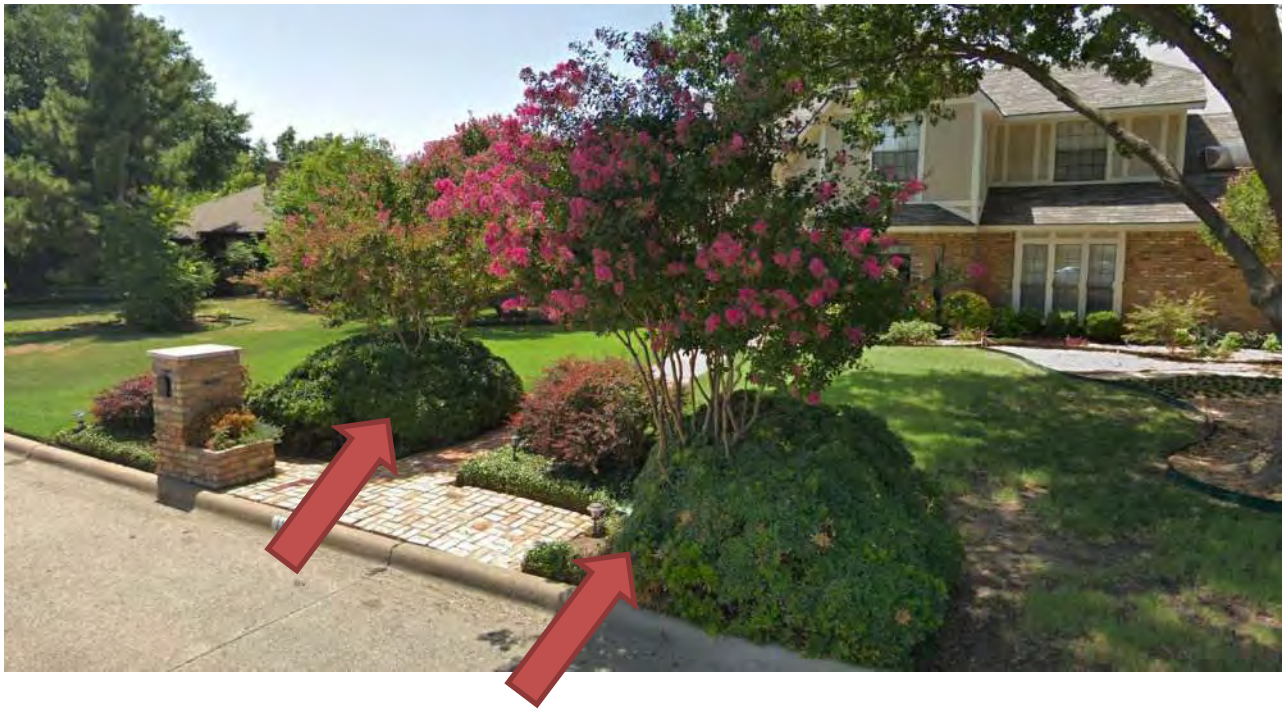


Shrubs
1205 Ridge Road West

63



Landscape bed and Shrubs
1190 Ridge Road West



Landscape beds w/ Crepe Myrtles and Shrubs
1190 Ridge Road West

65



Landscape beds w/ Shrubs
1170 Ridge Road West

66



1 – 10” Texas Redbud
1160 Ridge Road West

67



Landscape Bed
1145 Ridge Road West

68



1 – Crepe Myrtle
1135 Ridge Road West

69



2 – Crepe Myrtles
1140 Ridge Road West

70



1 - Shrub
1115 & 1125 Ridge Road West – Property Line

71



Landscape Bed
1115 & 1105 Ridge Road West – Property Line

72



1 – Crepe Myrtle

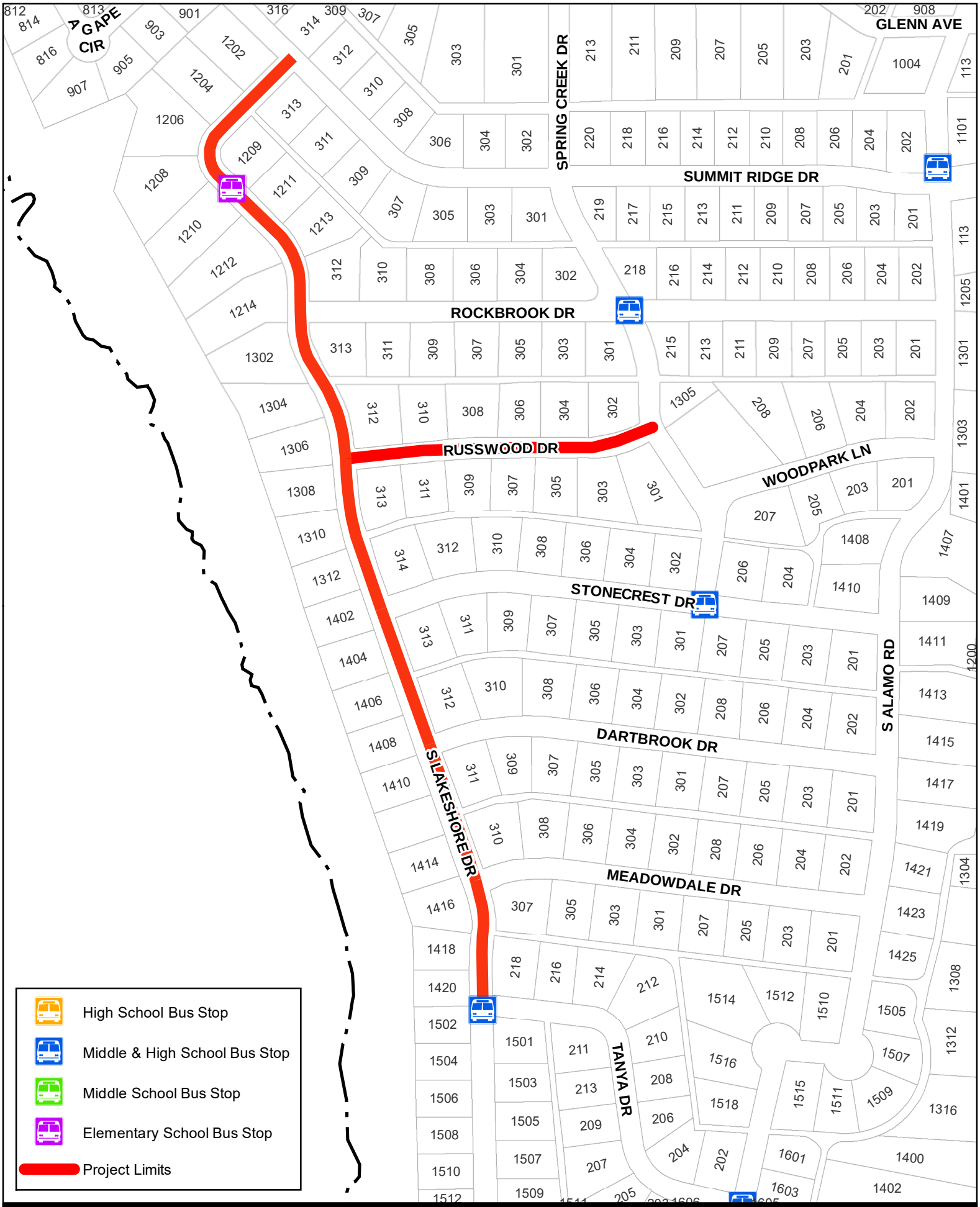


2- Cedar Trees
1005 Ridge Road West

73

S. LAKESHORE DR. & RUSSWOOD DR. RECONSTRUCTION PROJECT

74



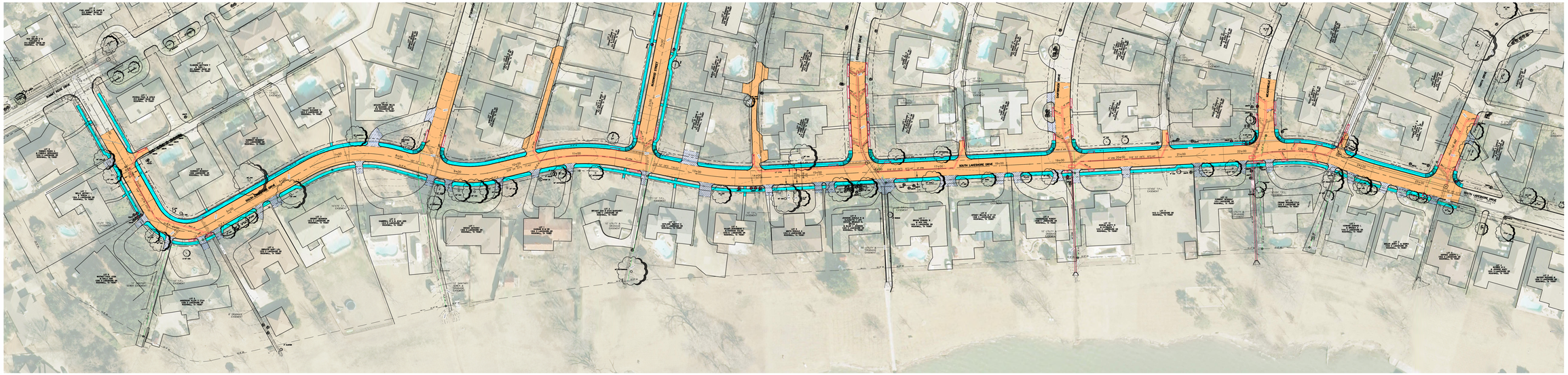
City of Rockwall

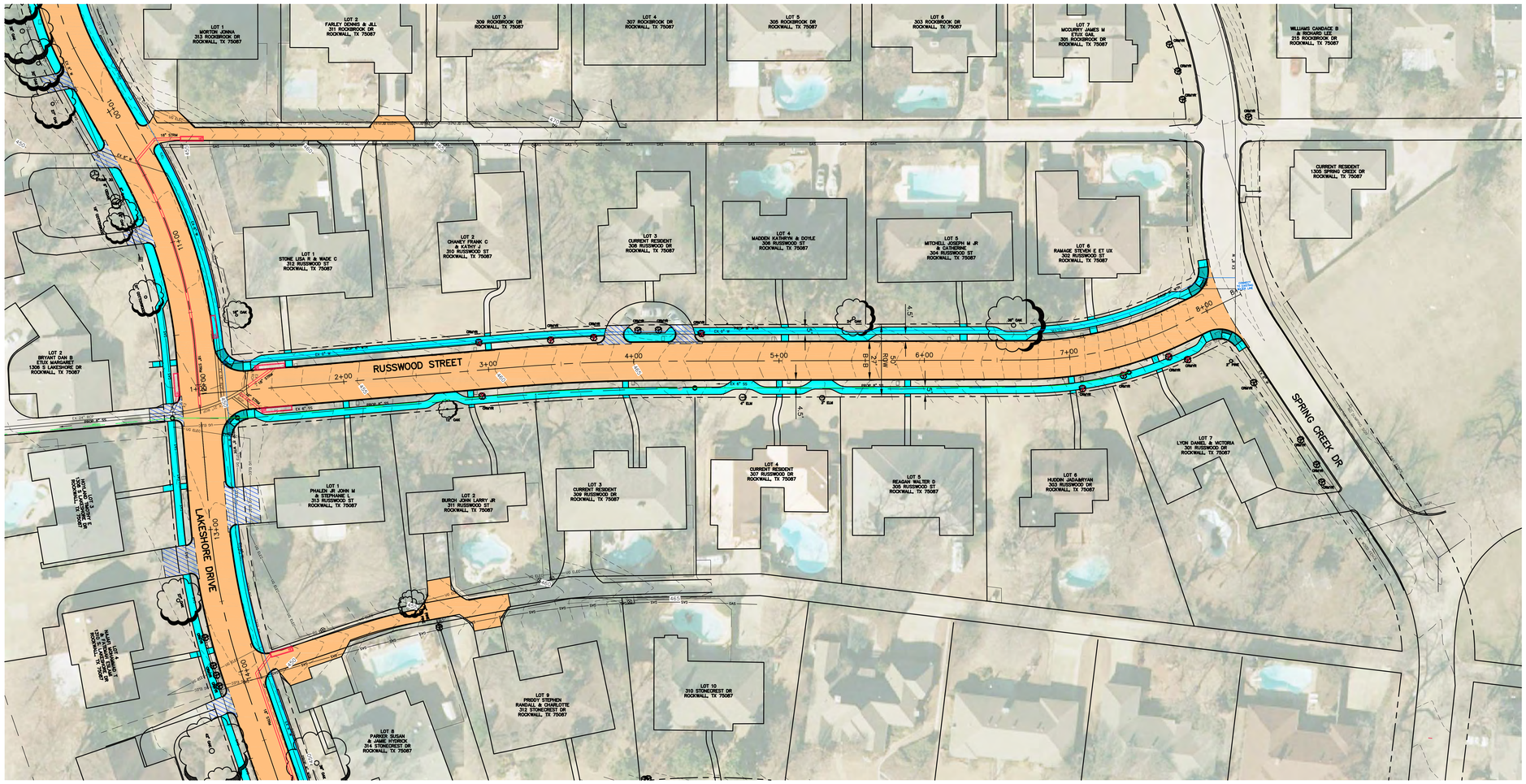
0 50 100 Feet

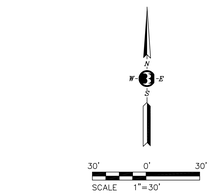
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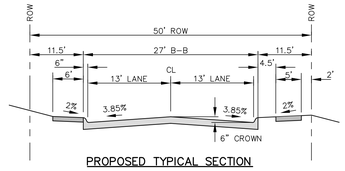
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S. LAKESHORE DR. & RUSSWOOD DR. RECONSTUCTION PROJECT

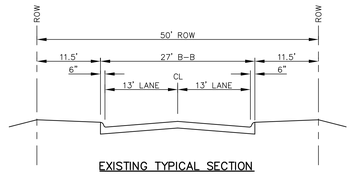

SOUTH LAKESHORE DRIVE
SOUTH LAKESHORE DRIVE
SOUTH LAKESHORE DRIVE







PROPOSED TYPICAL SECTION

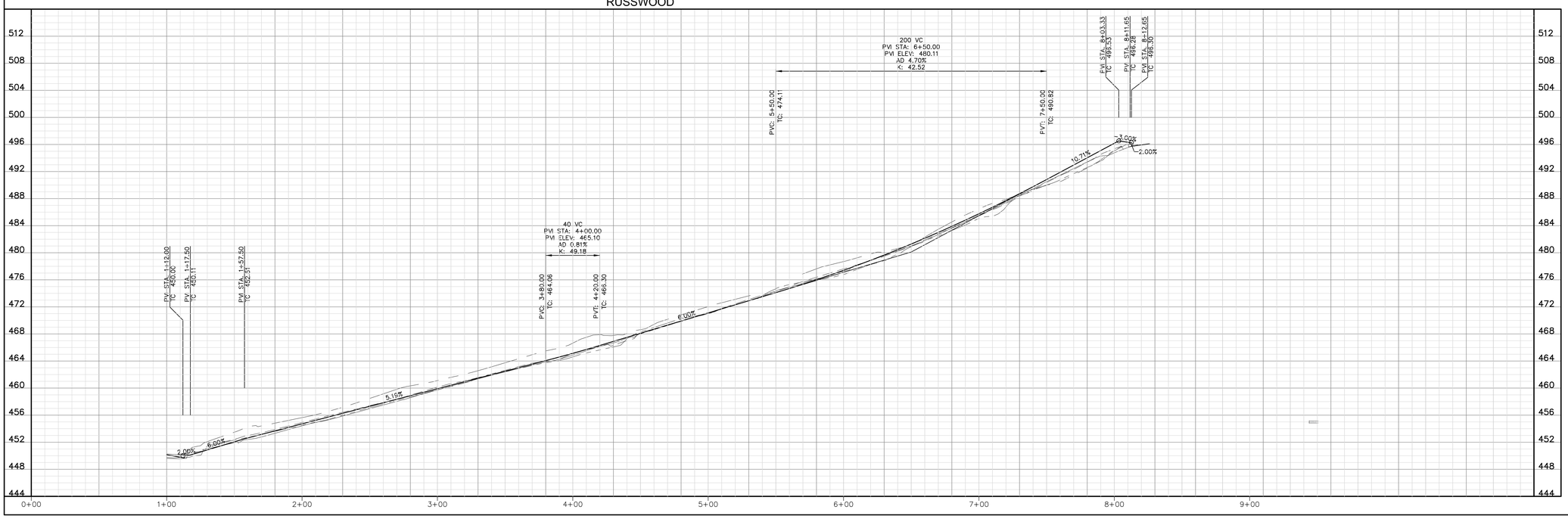


EXISTING TYPICAL SECTION

LEGEND

- SIGN
- MAIL BOX
- STORM INLET
- STORM MANHOLE
- PEDESTAL
- POWER POLE
- GUY ANCOR
- AREA LIGHT
- PULL BOX
- ELECTRIC METER
- SANITARY MANHOLE
- CLEAN-OUT
- SPRINKLER HEAD
- SPRINKLER VALVE
- WATER VALVE
- FIRE HYDRANT
- WATER METER
- UTILITY PAINT MARK
- FIBER OPTIC SIGN
- TREE
- CENTERLINE OF ROAD
- EX SANITARY SEWER MAIN
- EX WATER MAIN
- PROP PAVEMENT
- PROP SIDEWALK
- PROP DRIVEWAY
- CONFLICT WITH PROPOSED
- PROP STORM DRAIN PIPE
- PROP WATER (PROP 8" WTR)
- PROP SANITARY SEWER (PROP 8" SS)
- PROP STORM DRAIN INLET

RUSSWOOD



RUSSWOOD STREET
RECONSTRUCTION
RUSSWOOD STREET SCHEMATIC

SCALE: HORIZ. 1"=30'
VERT. 1"=6'

Jul 15, 2019

BB18258

EX2

City of Rockwall
385 South Goliad Street
Rockwall, Texas 75087
www.rockwall.com

Binkley & Barfield, Inc.
consulting engineers
Texas Registration Number F-257
1801 Gateway Blvd. Suite 101 Richardson, Texas 75080 Phone (972) 644-2800
www.binkleybarfield.com

77

City of Rockwall
The New Horizon

Comment Card

Public Meeting – April 29, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: Don & Wanda Reagan

Address: 305 Russwood

Phone: [redacted]

Email:

☑ I live in the Project Area

☑ I own property in the Project Area

Comments:

No need to redo this street - and No sidewalks needed at all - Please review your questionnaire - 60% said No sidewalks

78

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 17, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: ED HOWARD

Address: 1418 S. LAKESHORE DR

Phone: [redacted]

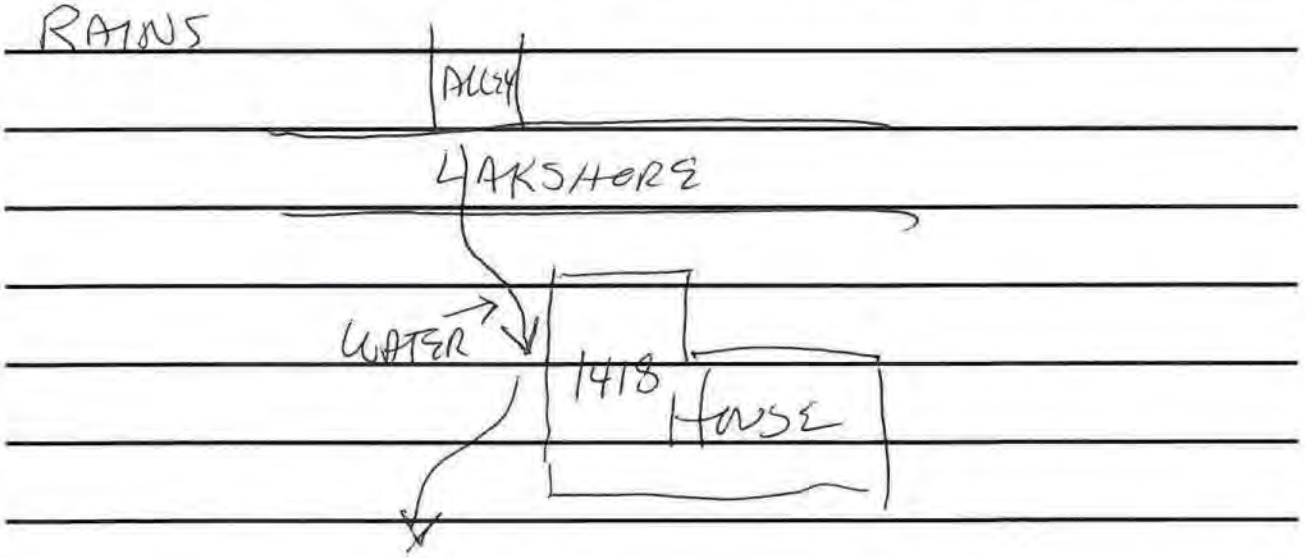
Email: [redacted]

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

I HAVE A DRAINAGE PROBLEM WITH HEAVY RAINS



79

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 17, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: Ron MINTH Judy MINTH

Address: 1315 LAKESHORE DR

Phone: [redacted]

Email:

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

Good Presentation - Thank you
Concern for Arbor roots being
affected by Construction
Opposed to Sidewalks

80

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 17, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: Marty Ingram
Address: 1410 S Lakeshore Dr.
Phone: [redacted]
Email: [redacted]

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

Formally request sidewalk to be against the curb following the straight line from 1408 to our property on 1410

81

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 17, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: Keith Estes

Address: 1414 S. Lakeshore

Phone: [redacted]

Email: [redacted]

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

We enjoy the current landscape of our home and neighborhood. There is also a concern over the maintenance of the sidewalks and the health of our trees. We would rather not see sidewalks put in and do not see the necessity.

82

jwhite@rockwall.com

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 17, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: Steve & Charlotte Priddy

Address: 312 Stonecrest Dr. - 75087

Phone: [redacted]

Email: [redacted]

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

- When rains - Large volume of water creates dangerous situation infront, extreme current creates hazard for anyone to park in front much less try to get out of a vehicle. God forbid a child fall off curb or get knocked down into water - loss of life would be certain.
- Drop into storm drain very steep & slippery
- NO SIDEWALKS

83

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 17, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: Cheryl Estes

Address: 1414 S. Lakeshore Dr

Phone: [redacted]

Email: [redacted]

☑ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

No sidewalks. Pave streets. New storm pipe

84

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 17, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: Richard & Martha Forness
Address: 313 Stonecrest Dr. Rockwall, Tx
Phone: [redacted]
Email: [redacted]

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

- During the last Drainage Construction in front of our house, awful fill-dirt & Sub-par grass was used to "fix" our yard By the City... We've never been able to recover our prior beautiful lawn.
- I'm worried about the maintenance of Sidewalks, once established. Our alley has a horrible hole in it for months. (S. Lakeshore / Stonecrest Dr). If the Street maintenance is any indication of Sidewalk maintenance I am concerned. I do not want to Be

85

held responsible for sidewalk maintenance,
when we had no say in whether
~~sidewalks were~~ we wanted sidewalks.

86

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 17, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: ANTHONY / DIESH

Address: 1302 S. LAKESHORE DR., ROCKWALL, TX 75087

Phone: [redacted]

Email:

☑ I live/own property on these streets being reconstructed.

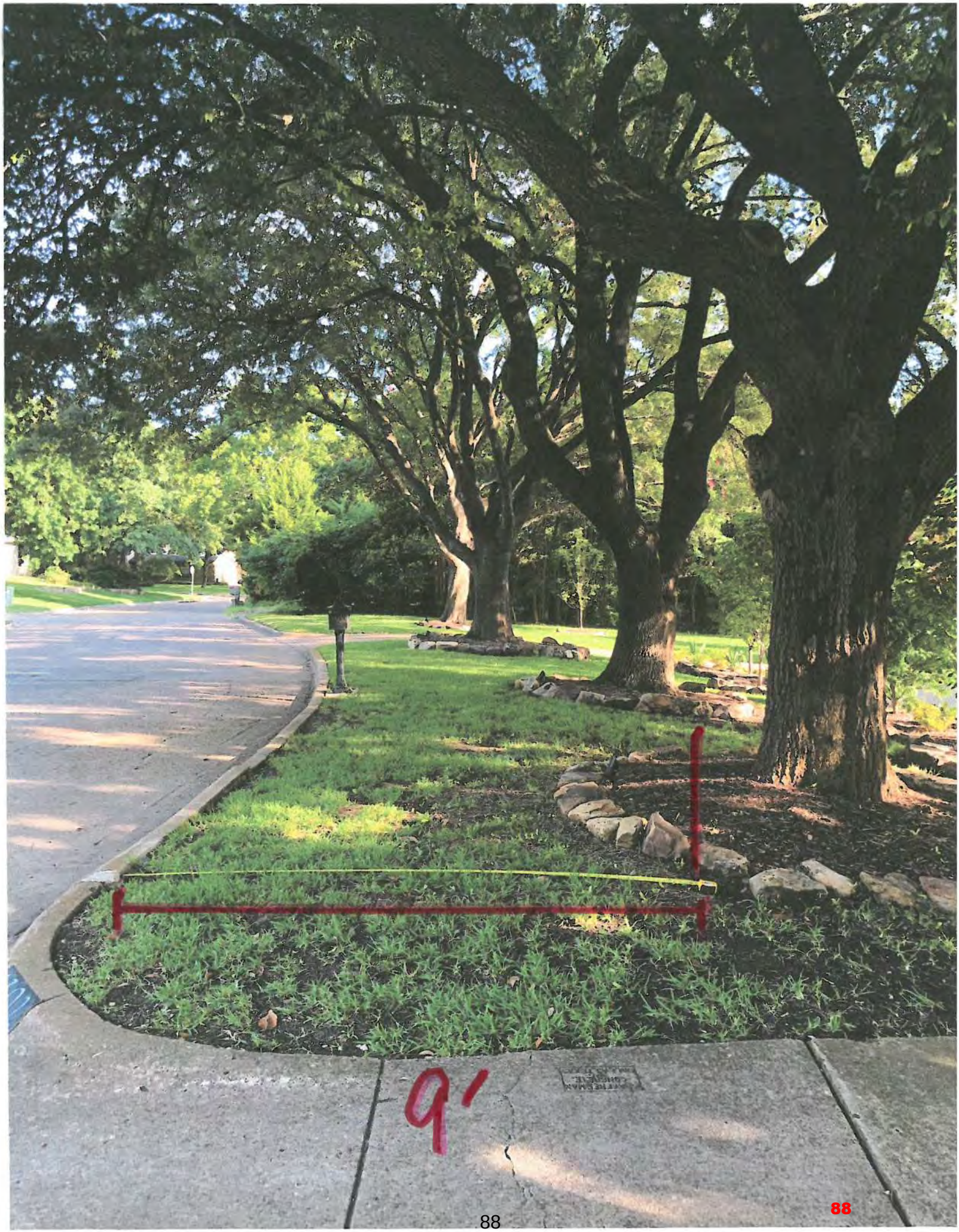
☐ I live outside of the limits of these streets being reconstructed.

Comments:

I AM ABSOLUTELY OPPOSED TO SIDEWALKS. I HAVE 5' MATURE OAK TREES THAT WOULD BE ADVERSELY AFFECTED SHOULD SIDEWALKS BE INSTALLED.

* PLEASE SEE ATTACHED PHOTOS.

87



88

89


5'
90

91

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 17, 2019, 6:00pm

S. Lakeshore Drive (Summit Ridge Drive to Tanya Lane) and Russwood Drive (S. Lakeshore Drive to Spring Creek Drive) Reconstruction Project

Name: Nora Elwonger

Address: 308 Meadowdale

Phone: [redacted]

Email: [redacted]

☐ I live/own property on these streets being reconstructed.

☒ I live outside of the limits of these streets being reconstructed. next door to affected property

Comments:

I thank the team for the presentation. It is my belief that sidewalks are not a necessary component of this project. The neighborhood has a good amount of pedestrian traffic – more than many neighborhoods *with* sidewalks. The argument presented at this meeting and the Lakeshore/Summit Ridge meetings I attended were that a *minority* of residents stated they *would* walk if there were sidewalks. However, the question to those residents might be "Do you travel elsewhere to walk?" If so, it might hold more weight. Additionally, every resident who moved into this neighborhood obviously knew sidewalks were not a part of it – it is one of the reasons we moved to the neighborhood – no sidewalks to contend with and maintain – visually more appealing as well.

Also, it was noted a variance was given for the street width (27 vs. 29 feet). Why not a variance for sidewalks? The majority of those surveyed oppose the sidewalks with 33% responding, which we were told is a high rate of response. Please consider the uniqueness of this neighborhood and the wishes of the majority of its residents.

City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Attn: Mayor and City Council Members

Re: South Lakeshore Drive (Summit Ridge Drive to Tanya Lane and Russwood Drive Reconstruction Project)

Dear Mr. Mayor, Council Members, City Planners, and anyone involved with this reconstruction.

I will try to make this short, although it is a major problem that will impact many of us the rest of our lives. We (67% as gathered by City officials) do not want sidewalks along Lakeshore Dr. and Russwood Dr. I have been to both meetings addressing this issue and this is the overwhelming conclusion. I realize that this has been on your desk before with the other Lakeshore Dr. and Summit Ridge Dr. going on now. Although somewhat the same in scope and design the two projects will forever change these neighborhoods.

We have lived at 1408 S. Lakeshore Drive for 35 years and in Rockwall for 45 years. We have been fine without sidewalks for all of that time. It is my understanding that the request for sidewalks has been pushed by people not even living in our neighborhood.

NO SIDEWALKS:

1. We need more green scapes, not more concrete. This neighborhood is an older neighborhood so there are lots of beautiful mature trees and extensive attractive landscaping. This will all be compromised with an ugly unneeded hardscape.
2. I have two large older (40 year) Cedar Elm trees that will have their root systems compromised by covering it with a strip of concrete 5' X 53' ft.
3. One neighbor directly across the street from me will have one ugly strip of concrete 5' X 146' ft PLUS a retaining wall ! The other neighbor directly across the street from me will have a strip 5' X 148' ft PLUS a retaining wall. Why?
4. A 5' ft sidewalk puts the very limited number of walkers, runners, etc. only 66 ft from my front door. For 35 years we have been fine without this uncalled for, unneeded, and potentially unsafe intrusion.
5. Cost. Why would we want to waste all of this money on an unwanted project. If the City has excess money that they are required to spend I suggest doing one of two things: Lower taxes or use it to finance a park somewhere.
6. Finally, safety. I have been to the meetings and heard this brought up. In my 35 years here that has never been an issue. In 1991, 28 years ago, I started riding my bicycle and running Lakeshore Drive three days a week. Not once has safety been a concern and not once has anyone on Lakeshore Drive been hurt.

It is my understanding (from being at the public informational meetings) is that we are getting the sidewalks unless the City Council allows a variance to not require the sidewalks. I am asking for you to do this. No sidewalks. Please keep an open mind and consider any and all of the concerns of those of us who are effected by your actions.

Regards,
R. D. and Lynn Vanderslice,
1408 S. Lakeshore Dr.
Rockwall, Texas 75087
Rdvan@sbcglobal.net

94



3 - Crepe Myrtles
1 – Accent Tree/Shrub
1204 & 1206 S. Lakeshore Dr. Property Line

95



4 - Crepe Myrtles
1310 S. Lakeshore Dr.

96



1 - Crepe Myrtle
1408 S. Lakeshore Dr.

97



1 - Crepe Myrtle
& Shrubs
310 Meadowdale Dr.

98



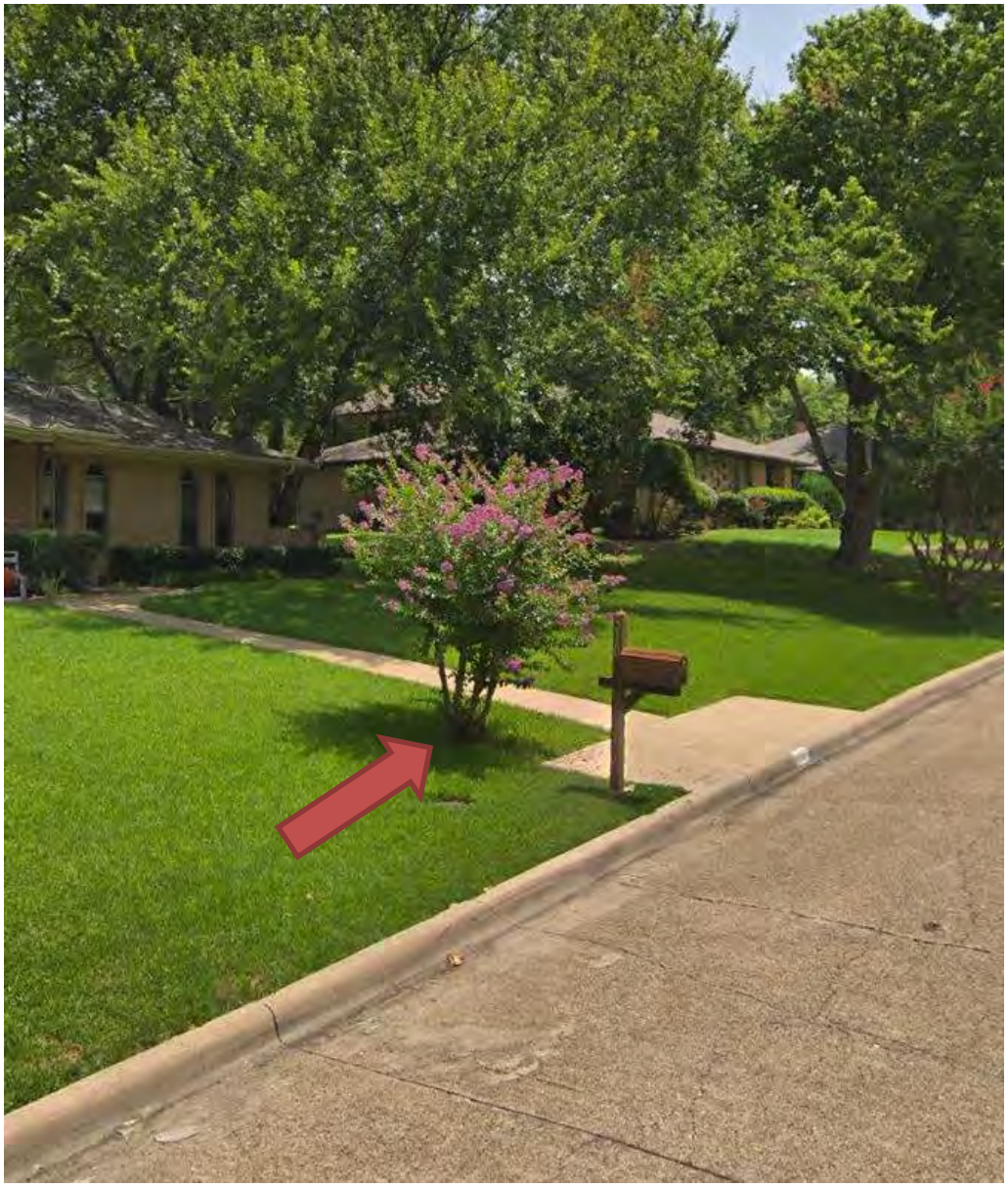
2 – Oak Trees
1420 S. Lakeshore Dr.

99



1 – Landscaping Bed
1501 S. Lakeshore Dr.

100



1 – Crepe Myrtle
310 Russwood Dr.

101



1 – Crepe Myrtle
310 Russwood Dr.

102



3 – Crepe Myrtles
308 Russwood Dr.

103



1 – Crepe Myrtle
303 Russwood Dr.

104

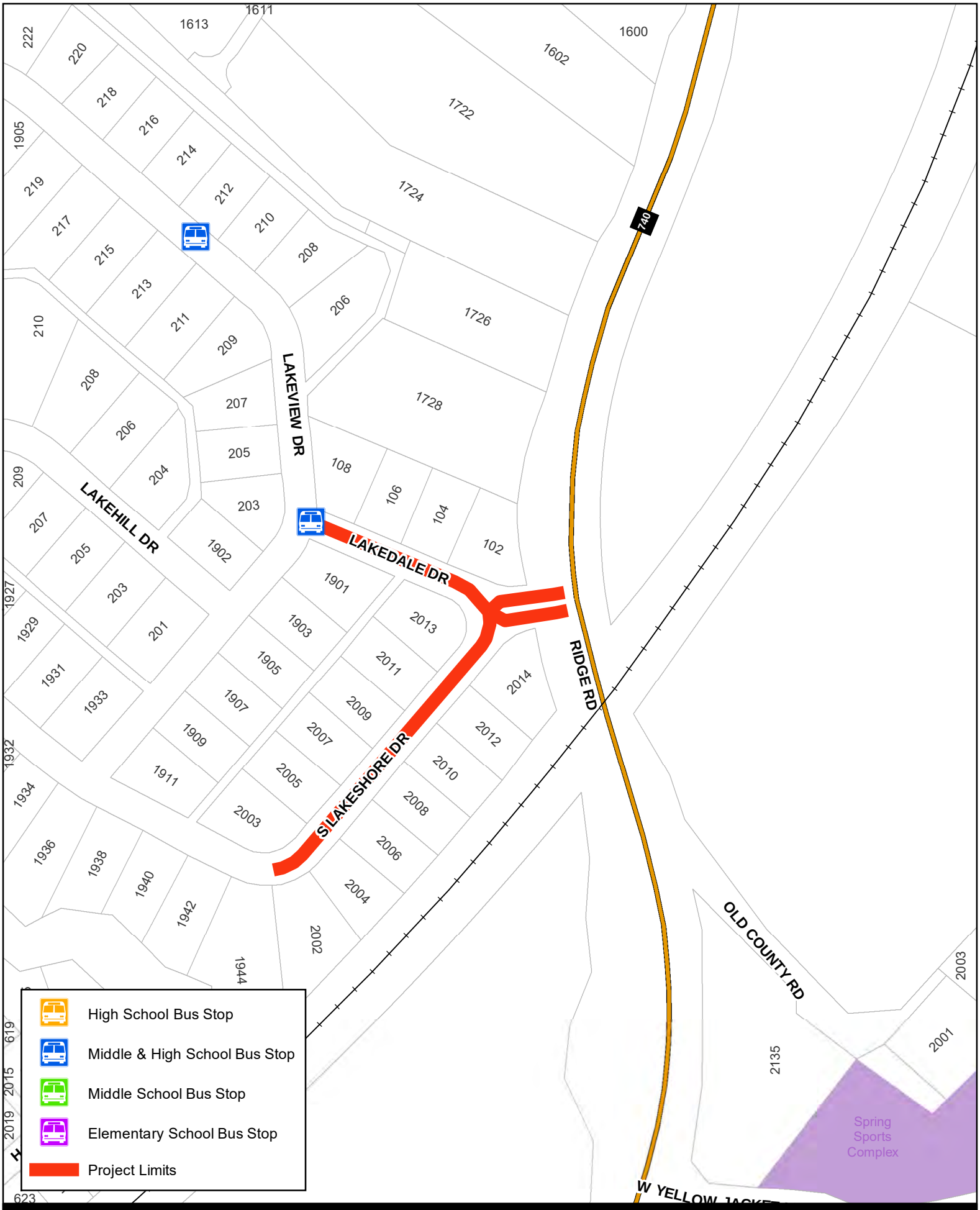


3 – Shrub Trees
301 Russwood Dr.

105

LAKEDALE DR., S.LAKESHORE DR., & WOODPARK LN. RECONSTRUCTION PROJECT

106



City of Rockwall

0 50 100 Feet

Date: 7/30/2019

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LAKEDALE & S LAKESHORE RECONSTRUCTION PROJECT



City of Rockwall

0 50 100 Feet

Date: 7/30/2019

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WOODPARK LN RECONSTRUCTION PROJECT

City of Rockwall

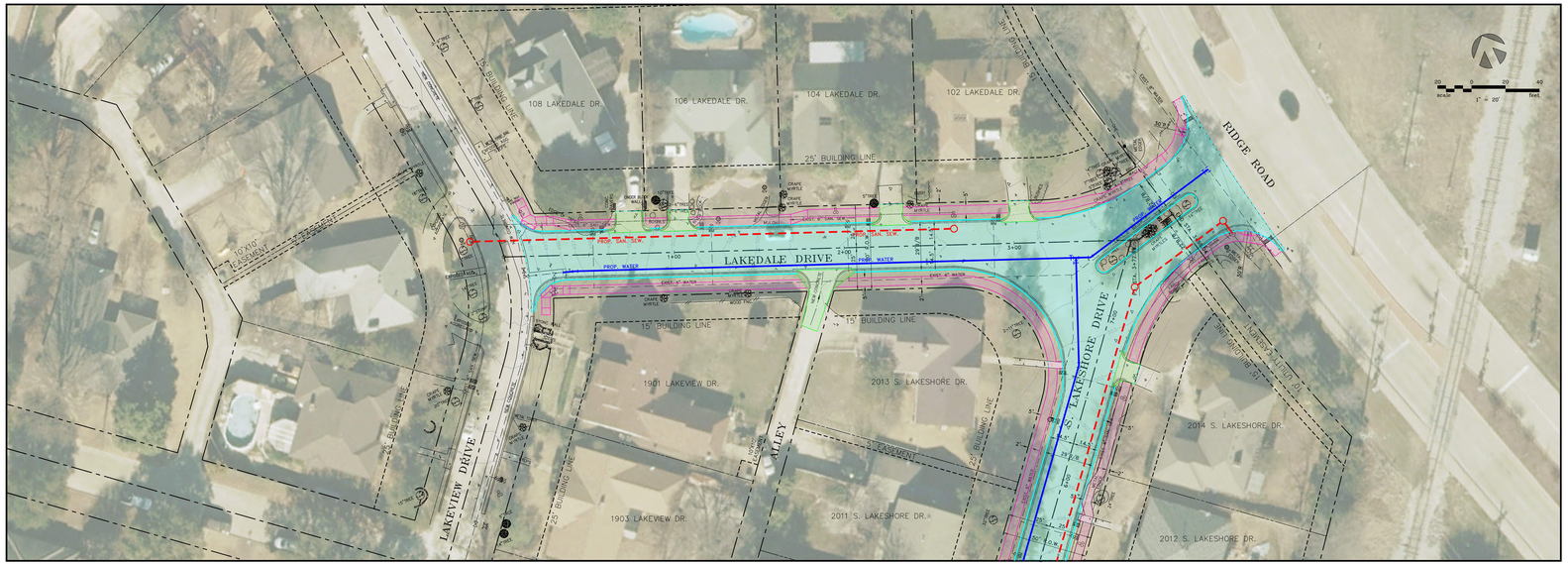
BW2

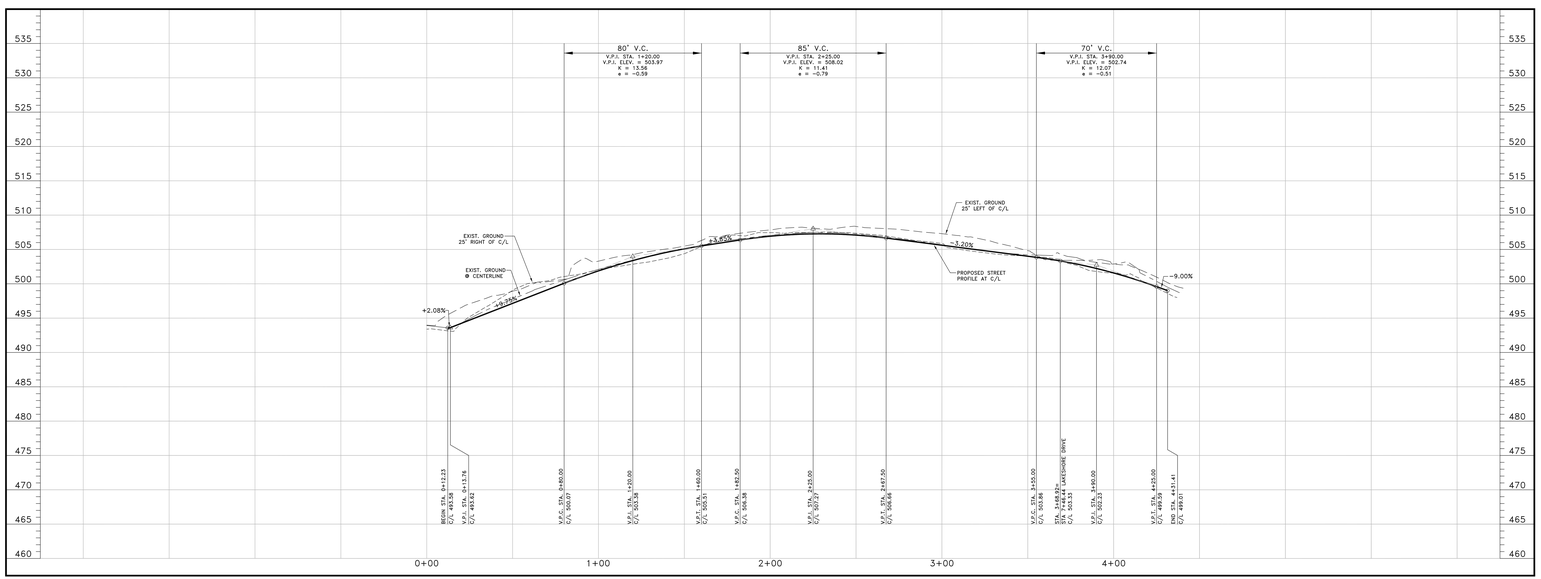
Concept Paving

LAKEDALE DRIVE

Rockwall, TX City of Rockwall Project # 18-1903

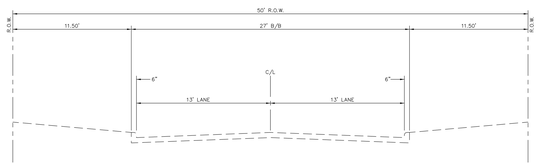
July 2019



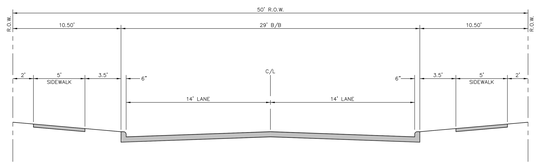


LEGEND:

- PROPOSED CONCRETE PAVEMENT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED ALLEY/DRIVEWAY
- PROPOSED SANITARY SEWER
- PROPOSED WATER
- PROPOSED CENTERLINE
- EXISTING SANITARY SEWER
- EXISTING WATER
- EXISTING RIGHT OF WAY
- EXISTING TREE TO BE REMOVED



EXISTING S. LAKESHORE DRIVE/LAKEDALE DRIVE SECTION



PROPOSED S. LAKESHORE DRIVE/LAKEDALE DRIVE SECTION

City of Rockwall

BW2

Concept Paving

LAKEDALE DRIVE

Rockwall, TX City of Rockwall Project # 18-1903

July 2019

City of Rockwall

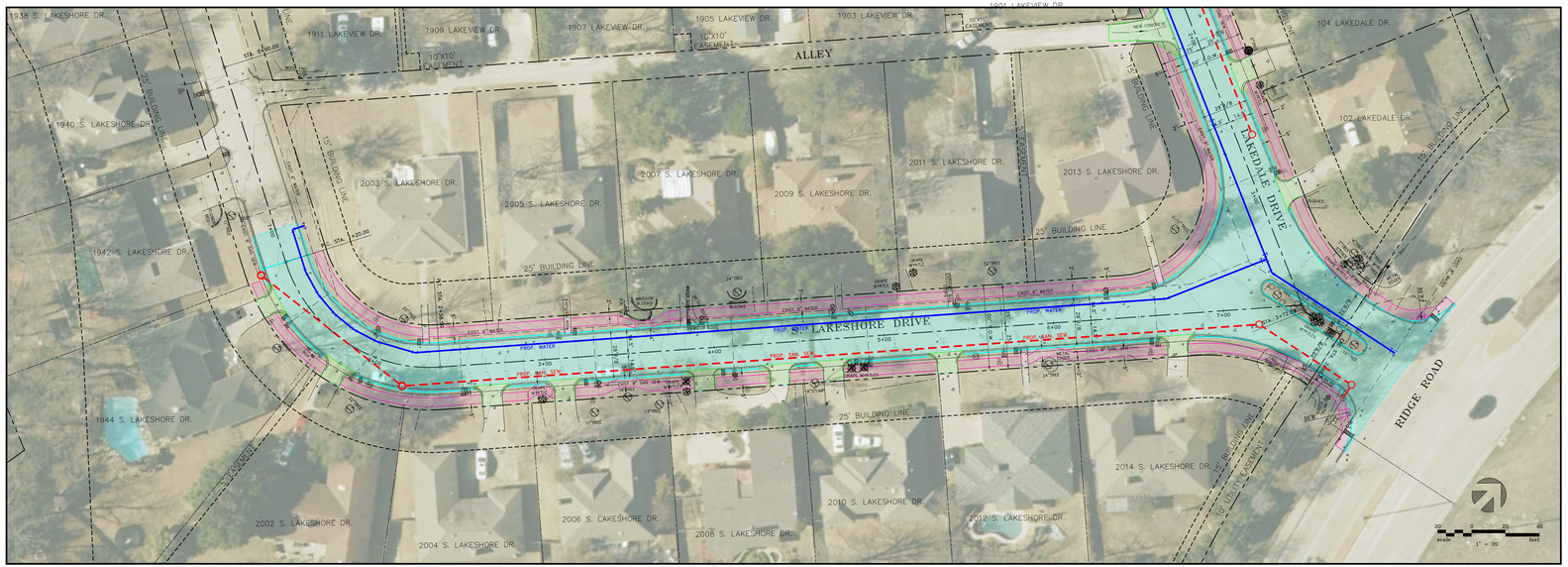
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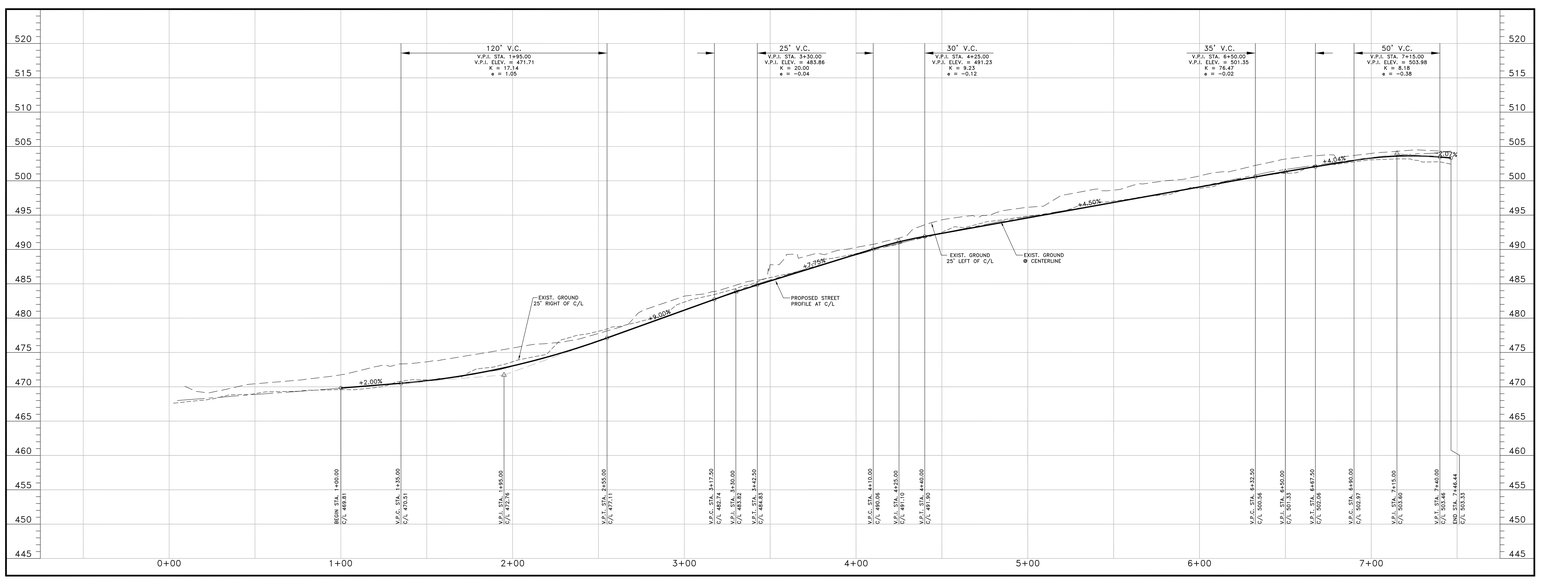
Concept Paving

SOUTH LAKESHORE DRIVE

Rockwall, TX City of Rockwall Project # 18-1903

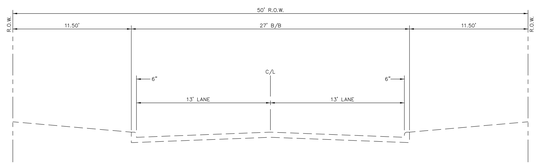
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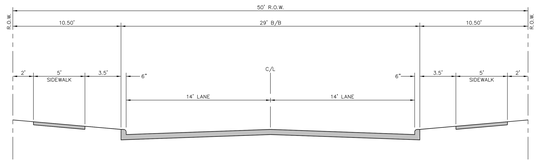


LEGEND:

- PROPOSED CONCRETE PAVEMENT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED ALLEY/DRIVEWAY
- PROPOSED SANITARY SEWER
- PROPOSED WATER
- PROPOSED CENTERLINE
- EXISTING SANITARY SEWER — EXIST. 8" SAN. SEW.
- EXISTING WATER — EXIST. 6" WATER
- EXISTING RIGHT OF WAY
- EXISTING TREE TO BE REMOVED



EXISTING S. LAKESHORE DRIVE/LAKEDALE DRIVE SECTION



PROPOSED S. LAKESHORE DRIVE/LAKEDALE DRIVE SECTION

City of Rockwall

BW2

Concept Paving

SOUTH LAKESHORE DRIVE

Rockwall, TX City of Rockwall Project # 18-1903

July 2019

City of Rockwall

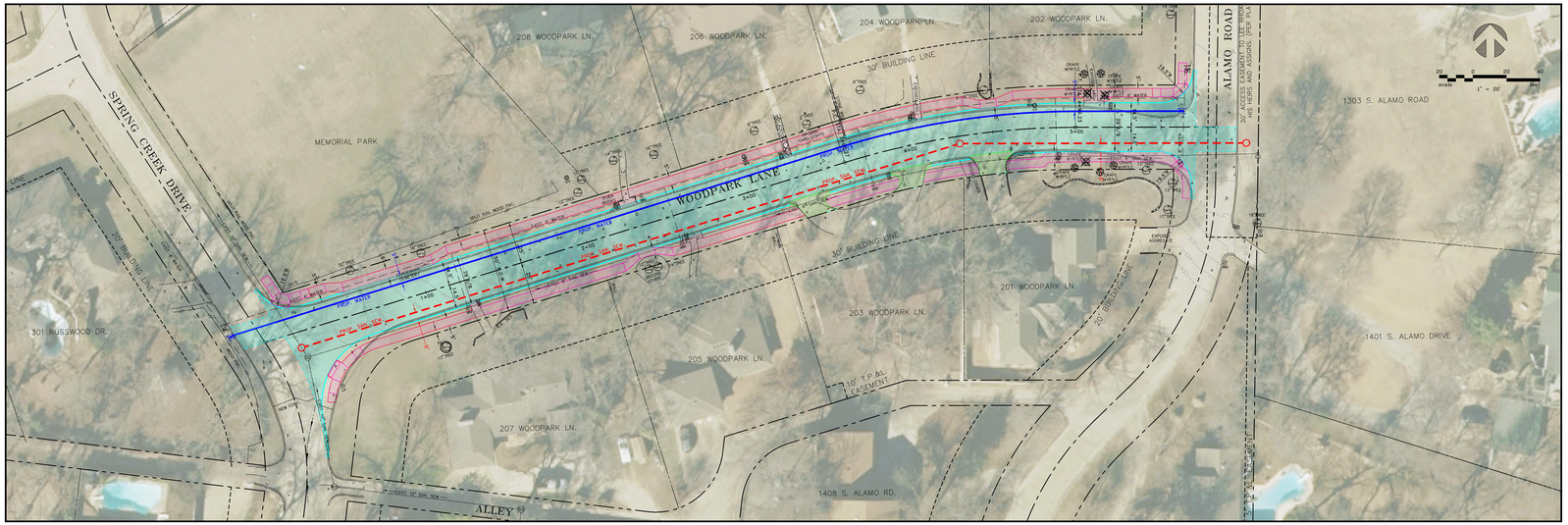
BW2

Concept Paving

WOODPARK LANE

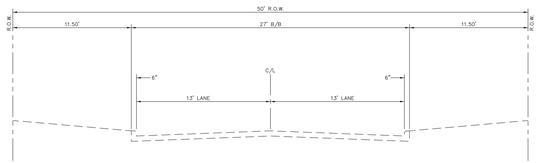
Rockwall, TX City of Rockwall Project # 18-1903

July 2019

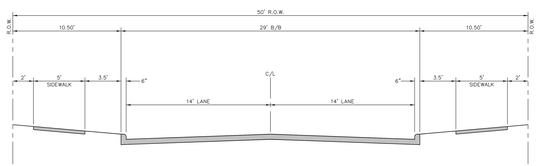


LEGEND:

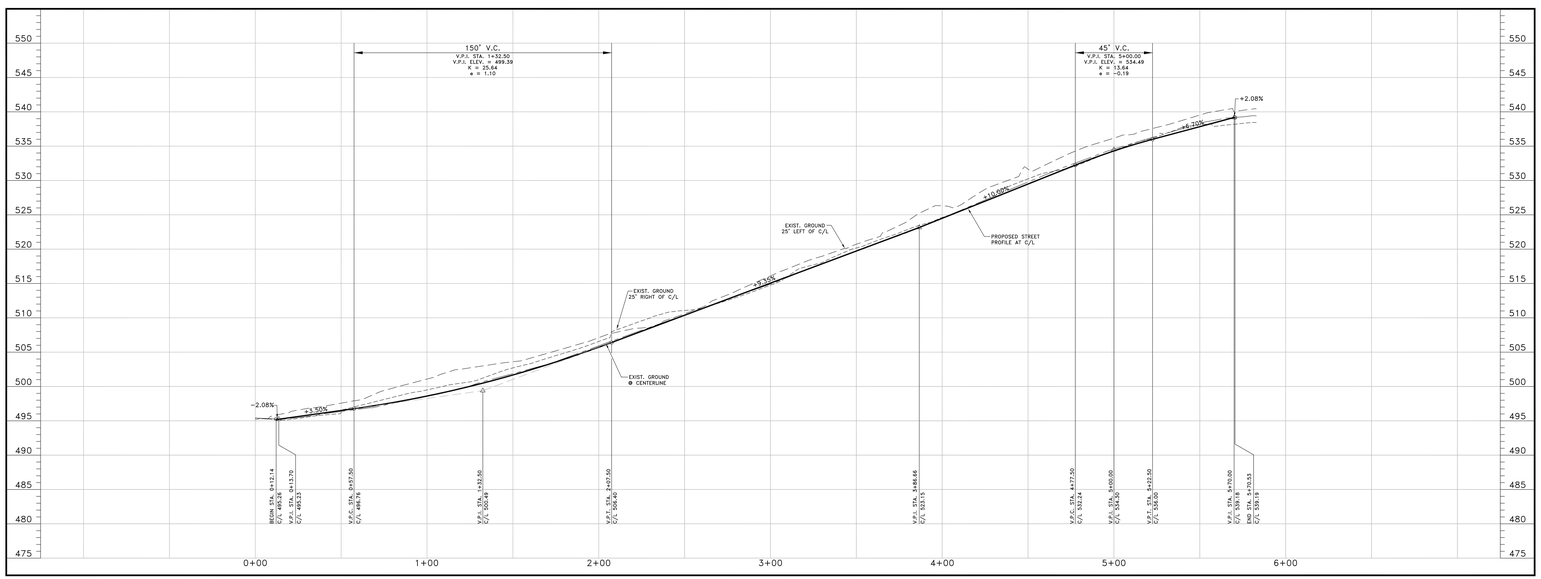
- PROPOSED CONCRETE PAVEMENT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED ALLEY/DRIVEWAY
- PROPOSED SANITARY SEWER
- PROPOSED WATER
- PROPOSED CENTERLINE
- EXISTING SANITARY SEWER
- EXISTING WATER
- EXISTING RIGHT OF WAY
- EXISTING TREE TO BE REMOVED



EXISTING WOODPARK LANE SECTION



PROPOSED WOODPARK LANE SECTION



City of Rockwall

BW2

Concept Paving

WOODPARK LANE

Rockwall, TX City of Rockwall Project # 18-1903

July 2019

111

City of Rockwall
The New Horizon

Comment Card

Public Meeting – April 23, 2019

Lakedale Drive, S. Lakeshore Drive (2000 block) and Woodpark Lane Reconstruction Project

Name: Jacob Charles

Address: 2008. S. Lakeshore Drive

Phone: [redacted]

Email:

☑ I live in the Project Area

☑ I own property in the Project Area

Comments:

where ~~Lake~~ Lakeshore meets Ridge Road Bushes bad!
Concerned about GAS Lines

Per Conversation - OK, with sidewalks

112

City of Rockwall
The New Horizon

Comment Card

Public Meeting – April 23, 2019

Lakedale Drive, S. Lakeshore Drive (2000 block) and Woodpark Lane Reconstruction Project

Name: Kris Padilla

Address: 2005 S. Lakeshore Dr.

Phone: [redacted]

Email:

☑ I live in the Project Area

☑ I own property in the Project Area

Comments:

In favor of proposed changes - including adding sidewalks for safety.

113

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 10, 2019

Lakedale Drive, S. Lakeshore Drive (2000 block) and Woodpark Lane Reconstruction Project

Name: Judith Head

Address: 1203 Woodpark Ln Rockwall, Tx

Phone: [redacted]

Email: [redacted]

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 10, 2019

Lakedale Drive, S. Lakeshore Drive (2000 block) and Woodpark Lane Reconstruction Project

Name: Kris Padilla

Address: 2005 S. Lakeshore Dr.

Phone: [redacted]

Email:

☒ I live/own property on these streets being reconstructed.

☐ I live outside of the limits of these streets being reconstructed.

Comments:

Jeremy thank you for the presentation. We support your proposed plan and look forward to having sidewalks on our street.

115

City of Rockwall
The New Horizon

Comment Card

Public Meeting – July 10, 2019

Lakedale Drive, S. Lakeshore Drive (2000 block) and Woodpark Lane Reconstruction Project

Name: Susan McCracken

Address: 217 Lakeview Dr

Phone: [redacted]

Email: [redacted]

☐ I live/own property on these streets being reconstructed.

☒ I live outside of the limits of these streets being reconstructed.

Comments:

I think if residents oppose sidewalks that should be taken into consideration for a variance to exclude them from this project.

Also they do not contribute to the aesthetics of our neighborhood.

Part of the charm of our neighborhood is not being "cookie cutter"!

116



2 - Crepe Myrtles
202 Woodpark Lane

117



1 - Crepe Myrtle
201 Woodpark Lane



1 – Landscape Bed and Shrubs
2007 S. Lakeshore Drive

119



1 - Crepe Myrtle
2008 S. Lakeshore Drive

120



2 - Crepe Myrtle
2010 S. Lakeshore Drive

121

122



2 - Hedges
2014 S. Lakeshore Drive

123

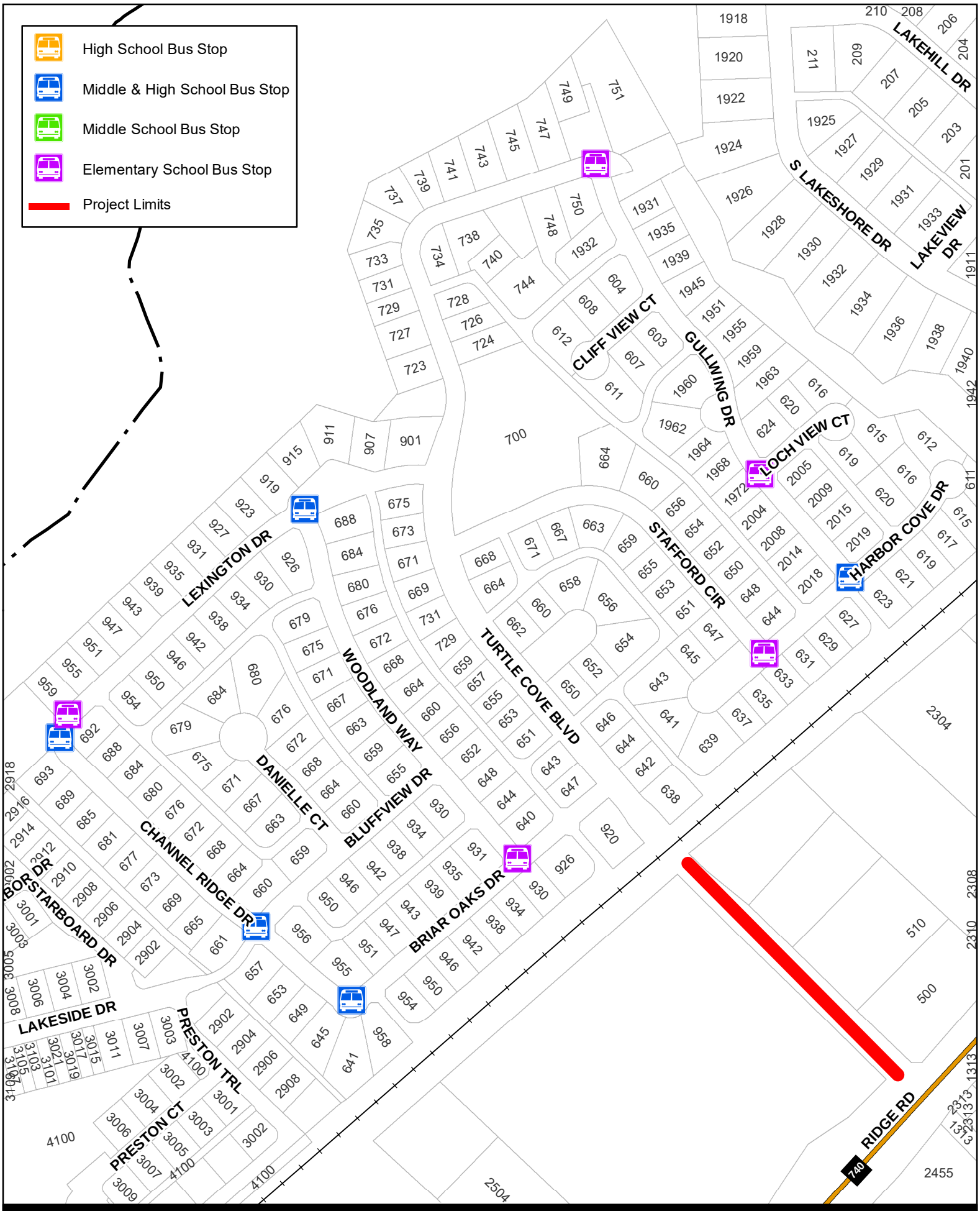


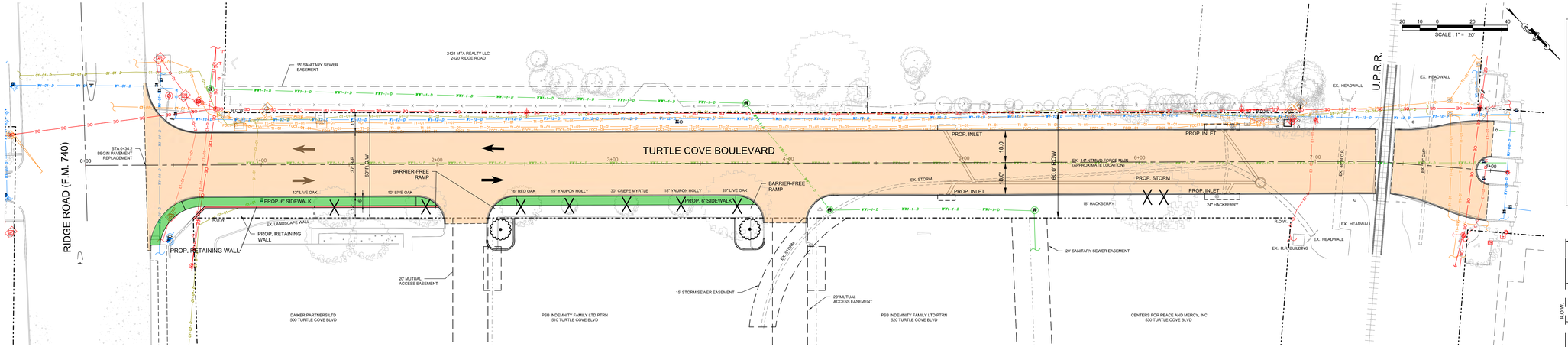
3 – Landscape beds with Shrubs
106 Lakedale Drive

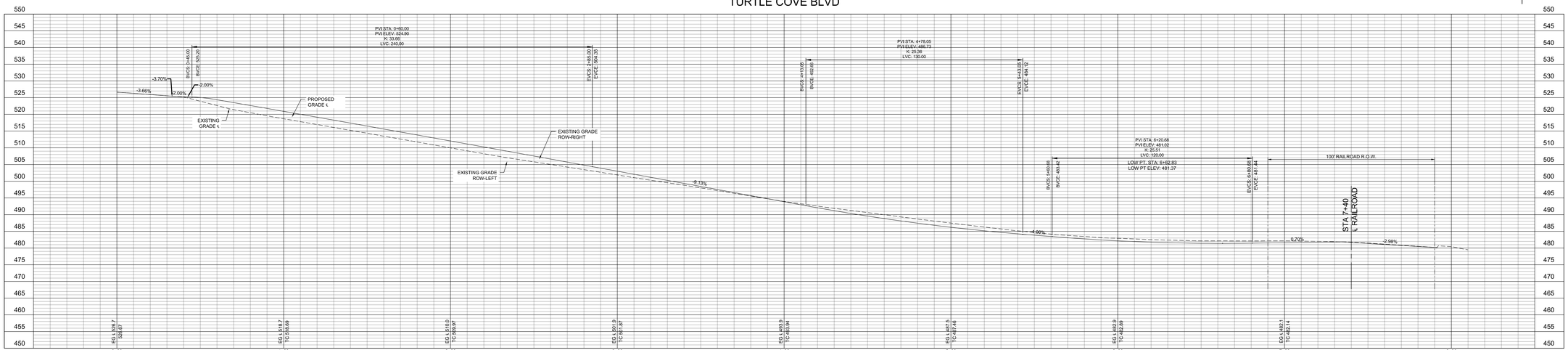
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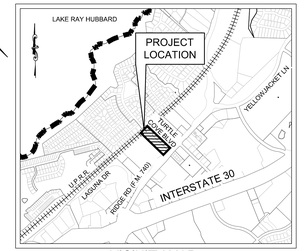
TURTLE COVE BLVD. RECONSTRUCTION PROJECT

125

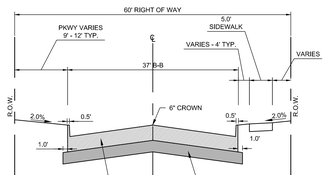

High School Bus Stop
Middle & High School Bus Stop
Middle School Bus Stop
Elementary School Bus Stop
Project Limits
LAKEHILL DR
S LAKESHORE DR
LAKEVIEW DR
CLIFF VIEW CT
GULLWING DR
LOCH VIEW CT
HARBOR COVE DR
STAFFORD CIR
TURTLE COVE BLVD
LEXINGTON DR
WOODLAND WAY
DANIELLE CT
BLUFFVIEW DR
CHANNEL RIDGE DR
STARBOARD DR
BRIAR OAKS DR
LAKESIDE DR
PRESTON TRL
PRESTON CT
RIDGE RD
740
City of Rockwall
0 50 100 Feet
Date: 8/1/2019
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TURTLE COVE BLVD RECONSTRUCTION PROJECT
126







VICINITY MAP
N.T.S.



TYPICAL SECTION
N.T.S.

VICINITY MAP
N.T.S.

- RIGHT OF WAY
- EASEMENT
- RAILROAD
- CITY OF ROCKWALL WATER
- CITY OF ROCKWALL WASTEWATER
- NTMWD WASTEWATER
- GAS
- TELEPHONE/FIBER OPTIC
- OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- STORM SEWER
- PROPOSED CONCRETE PAVEMENT
- PROPOSED SIDEWALK
- PROPOSED RETAINING WALL

NO.	DATE	COMMENT

SNOISIA/SW

PRELIMINARY
This document is released for the purpose of interim review under the authority of Stephen Major, P.E. 94624 on 10/30/2019. It is not to be used for construction, bidding or permitting.

CITY OF ROCKWALL, TEXAS
TURTLE COVE BLVD. (RIDGE RD. TO BRIAR OAK DR.)

TURTLE COVE BLVD. CONCEPTUAL PLAN

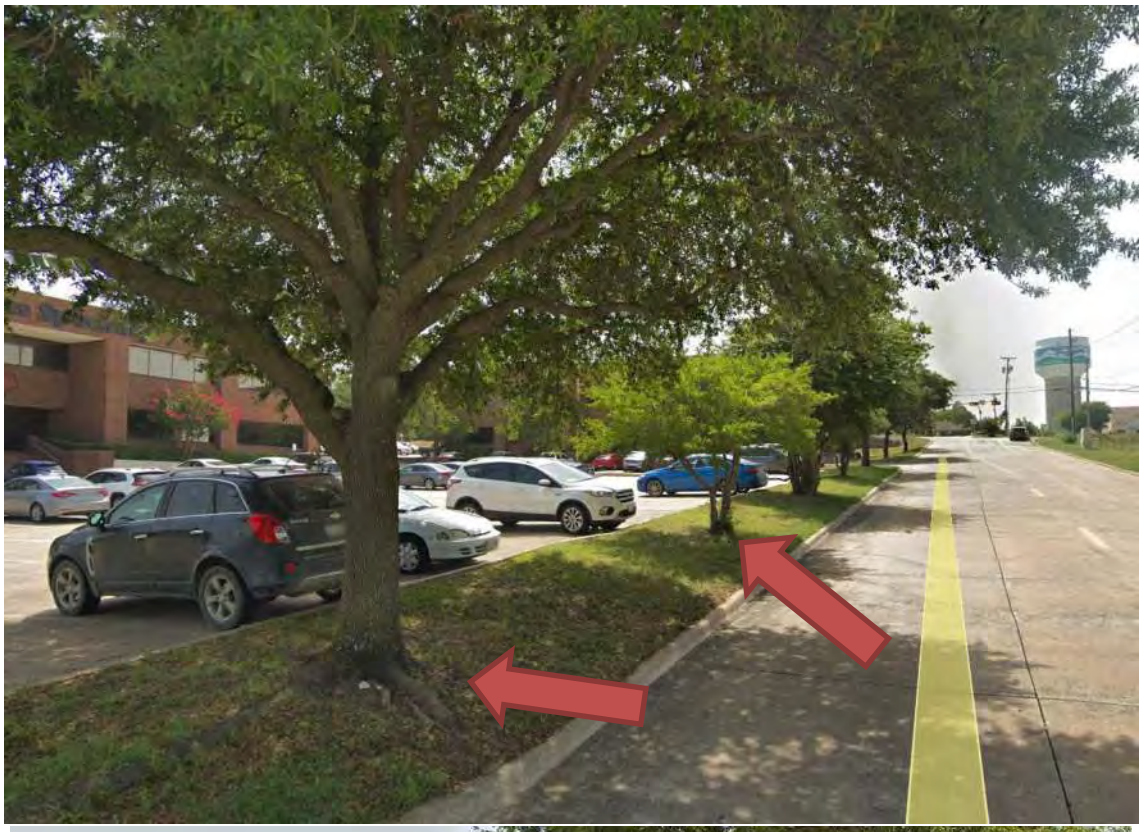
CobbFendley
TBPE Firm Registration No. 274
TBPLS Firm Registration No. 10194207
2501 Network Boulevard, Suite 600
Frisco, Texas 75034
972.335.3214 fax 972.335.3779 www.cobbfendley.com

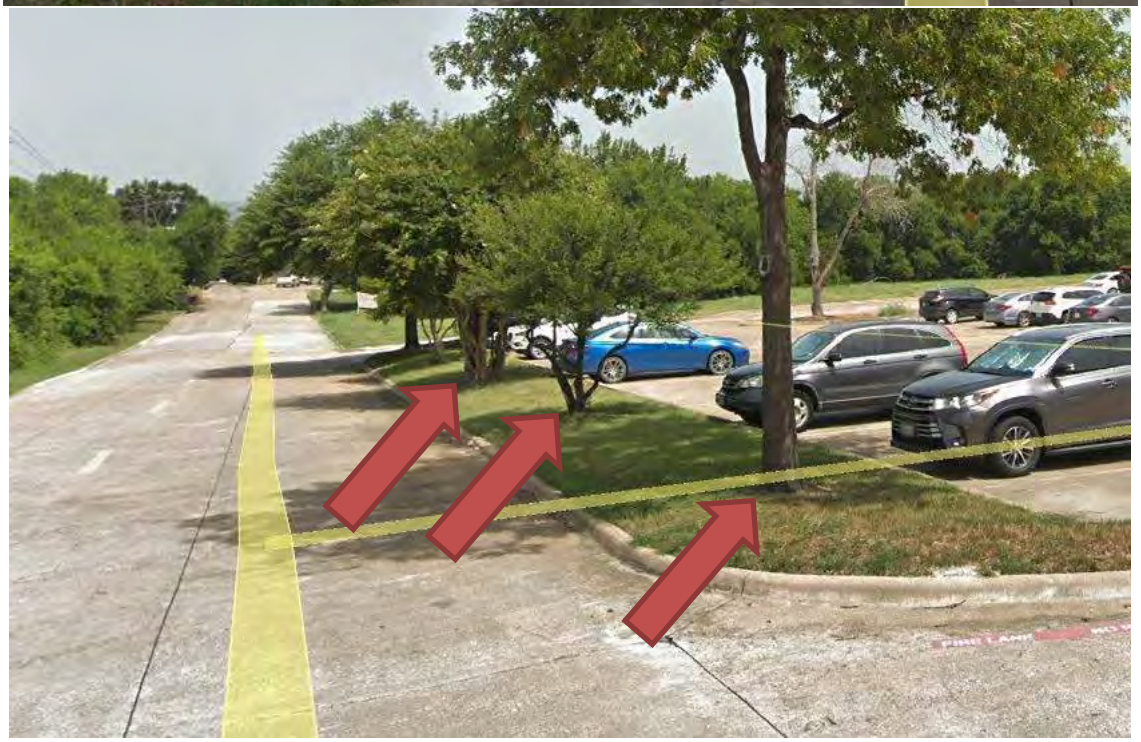
DESIGN BY:	DRAWN BY:
SGM	HM
DATE:	JOB NUMBER:
July 2019	TEX3-037-01

SHEET 1



2 – Live Oak Trees
500 Turtle Cove Blvd





2 – Live Oak Trees, 1 – Crepe Myrtle, 2 – Yaupon Hollys
510 Turtle Cove Blvd



2 – Hackberry Trees
530 Turtle Cove Blvd

130

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131

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, July 15, 2019 - 4:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Dana Macalik called the public meeting to order at 4:00 p.m. Present were Mayor Pro Tem Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith and City Attorney Frank Garza. Mayor Jim Pruitt was absent from the entire meeting. Councilmember Trace Johannesen joined the meeting at 6:00 p.m.

II. WORK SESSION

1. Hold a work session to discuss planning and zoning related bills approved with the 86th Legislature.

City Manager Rick Crowley provided very brief, introductory comments and then called upon Planning Director Ryan Miller who briefed the Council on notable planning-related laws, which will take effect starting Sept. 1, 2019. This included HB 347 (related to annexation); HB 2439 (related to building materials and methods); and HB 3167 (related to development applications). Lengthy discussion took place related to these new bills. Council took no action as a result of this work session.

2. Hold a work session to discuss changes to Article XI, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances and the Unified Development Code (UDC).

Mr. Miller explained that he and Jeffrey Widmer, the city's Building Official, have discussed this, and they feel the Unified Development Code (UDC) is the best place for placement of fence regulations, since they are an aesthetic issue. In addition, this would allow the process for front yard fences to be taken up by the Planning & Zoning Commission with the Council only stepping in if an appeal were requested. Mr. Crowley shared that if the regulations are placed in the UDC, any subsequent amendment to fence regulations would have to go through a zoning process.

Mayor Pro Tem Macalik then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 4:35 p.m. She also read into the record the wording for Action Item #2, indicating that it will also be discussed in Executive Session under 551.071 (consultation with attorney).

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission, Animal Advisory Board, and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding a personnel matter, pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:47 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pro Tem Macalik called the meeting back to order at 6:00 p.m. with 6 of the 7 council members being present (Pruitt absent).

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Council took no action as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER

Councilmember Fowler delivered the invocation and led the Pledge of Allegiance.

VIII. OPEN FORUM

Mayor Pro Tem Macalik explained how Open Forum is conducted and opened it up for public comment.

Russell Phelps
214 Alta Vista
Rockwall, TX 75087

Mr. Phelps explained that the field behind his house, which is located behind the Walmart store, consistently has very high grass. He would appreciate Walmart taking care of this, as they committed to do when the store first opened.

David Wrightson
5803 Yacht Club Drive
Rockwall, TX 75032

Mr. Wrightson came forth and shared that he would like to speak about the mosque. He expressed concern about the traffic, and the pre-dawn 'request for prayer,' which is typically announced over a

loud speaker. He is also concerned about any potential school that might be associated with this mosque, as schools of this nature are not inclusionary and they do not accept other religions.

Janice Morchower
144 Westwood
Rockwall, TX 75032

Ms. Morchower expressed concerns that developers and individuals continually come to ask for exceptions and variances from the Council. She is confused about why the Council continues to allow individuals to be granted exceptions to things like the city's Unified Development Code, zoning regulations, etc. over and over again.

Mayor Pro Tem Macalik asked if anyone else would like to come forth and speak at this time.

Judith Matherne
1115 Signal Ridge Place
Rockwall, TX

Ms. Matherne came forth and expressed support for acceptance of the mosque. She understands the previous speaker's concerns about variances; however, she acknowledged an understanding that flexibility is important too, especially as a city grows. She shared that she has an understanding that traffic will not be a great issue or concern, and – if it is – she is certain our police chief will handle said concerns like they do at (for example) for Lakepointe Church on Sundays.

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker shared that he serves on the Architectural Review Board (ARB), and the ARB felt that a pitched roof should not have to be required for the mosque. He also thanked staff and the city for all its hard work, especially on the various public events it hosts.

Akhtar Usman
713 Cornell Drive
Rockwall, TX

Mr. Usman came forth and shared that he is generally in support of the mosque. The traffic, he explained, will not be concerning. The one month when the worshippers fast, traffic may increase; however, it will be around 10PM at night. Also, Fridays from about 1-2 p.m. may have traffic.

There being no one else wishing to come forth and speak, Mayor Pro Tem Macalik then closed Open Forum.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the July 1, 2019 regular city council meeting, and take any action necessary.

2. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 18. Fire Prevention and Protection, Article III. Fire Marshal, Sections 18-66 and 18-67, authorizing the Fire Chief to appoint the Fire Marshal, and take any action necessary **(2nd reading).**

3. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 44 "Utilities," Article V. "Water," Division 7. "Water Resource and Emergency Management Plan," Sec. 44-432 to adopt a new plan that incorporates requirements pertaining to "Procedures for Curtailment of Water Supplies," and take any action necessary. **(1st Reading)**

4. Consider approving the facilities agreement with Alders at Rockwall Property, LLC to reconstruct the existing Squabble Creek Sanitary Sewer Interceptor within the Alders at Rockwall development in an amount not to exceed $556,034.66 and to be funded by sewer bonds and take any action necessary.

5. **P2019-011 -** Consider a request by Judy K**.** Larson for the approval of a final plat for Lot 1, Block A, Devoll Place Addition being a 6.96-acre tract of land identified as Tract 26-2 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, situated within the FM-549 Overlay (FM-549 OV) District, addressed as 556 N. FM-3549, and take any action necessary.

6. **MIS2019-012** - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of TEKMAK Development Company for the approval of an Alternative Tree Mitigation Plan for an 8.715-acre tract of land identified as a portion of Lot 1, Block B, Goldencrest Addition and Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.

7. **P2019-026** - Consider a request by Bill Bricker of Columbia Development Co., LLC for the approval of a preliminary plat for Lots 1-5, Block A, Park Station Addition, being a 16.26-acre tract of land identified as a portion of Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1100 & 1300 E. Washington Street, and take any action necessary.

Councilmember Trowbridge moved to approve the entire Consent Agenda. Councilmember Johannesen seconded the motion. Following a brief point of clarification, the ordinance captions were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 18. FIRE PREVENTION AND PROTECTION, ARTICLE III. FIRE MARSHAL, SECTIONS 18-66 AND 18-67, AUTHORIZING THE FIRE CHIEF TO APPOINT THE FIRE MARSHALL FOR THE CITY; PROVIDING FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. "UTILITIES;" ARTICLE V. "WATER;" DIVISION 7. "WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN;" SEC. 44-432 TO ADOPT AN UPDATED PLAN TO ENSURE COMPLIANCE WITH CERTAIN REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ); PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Pruitt).

X. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

This item was not addressed by Council.

XI. ACTION ITEMS

1. Discuss and consider directing staff to amend the Unified Development Code (UDC) and the Municipal Code of Ordinances to address changes relating to fences and planning and zoning related bills approved with the 86th Legislature, and take any action necessary.

Planning Director Ryan Miller began this discussion item, summarizing several recently passed pieces of state legislation that affect cities. Councilmember Hohenshelt then explained that the state legislature, including our city's representatives Bob Hall and Justin Holland, recently voted to pass new laws that will – for example – take a way a city's ability to regulate building materials utilized on both residential houses and commercial buildings in cities in the future. So now property owners could possibly put a trailer or built a metal home. These new laws become effective September 1. Councilmember Trowbridge commented that property values will likely go down. Recent bills have

generally taken away some authority from cities. Councilman Hohenshelt pointed out that adhering to these new laws will result in a hundred hours of staff time. Mayor Pro Tem Macalik summarized that Council is asking staff to move forward with making necessary changes to our Codes and then bring back those proposed changes to Council for consideration at a future date.

2. **SP2019-014** - Discuss and consider a request by Ahmed Helaluzzaman on behalf of Abdul Latif Khan of Center for Peace and Mercy, Inc. for the approval of a variance in conjunction with an approved site plan for a retail shopping center and house of worship on a 2.681-acre tract of land identified as Tract 10-1 & 22 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located on the north side of Turtle Cove Boulevard north of the intersection of Turtle Cove Boulevard and Ridge Road [FM-740], and take any action necessary.

Planning Director Ryan Miller explained that the city's Architectural Review Board (ARB) did recommend approval of the proposed flat roof; however, when it went before the city's Planning & Zoning Commission, the flat roof was ultimately not approved. So, the applicant is essentially appealing to the City Council to seek approval of a variance so that they can utilize a flat, as opposed to a pitched, roof. In order to pass, this require a ¾ majority vote for approval.

Ahmed Helaluzzaman
545 Coventry Drive
Grapevine, TX

Mr. Helaluzzaman came forth on behalf of the applicant, indicating that he is the designer of this building. He generally sought Council's approval for this variance request.

Following brief comments from Council, Councilman Johannesen moved to approve SP2019-014. Councilmember Trowbridge seconded the motion. Councilman Daniels briefly commented that he does not believe a request for a variance to allow a flat roof (as opposed to a pitched roof) has ever been denied by council in his tenure. He suggested that perhaps our regulations related to this topic may need to be reconsidered. Councilman Hohenshelt expressed concern regarding variances pertaining to city regulations, in general. Councilman Fowler asked Mr. Miller for some clarification regarding why there is a requirement for pitched roofs, and Mr. Miller did so.

Following the discussion, the motion passed by a vote of 6 ayes with 1 absence (Pruitt).

3. **Z2018-046** - Discuss and consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an extension to a Specific Use Permit (SUP) [S-200; Ordinance No. 19-02] allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14

(MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item.

Brad Helmer
2917 Chuck Wagon Drive
Rockwall, TX

Mr. Helmer came forth and addressed the Council concerning the details of this request for an SUP extension.

Councilmember Hohenshelt suggested that Council consider granting a one month SUP extension, pointing out that the SUP for these portable classrooms / buildings has been extended over and over such that the portables have been in place for twenty years (since 1999).

Councilman Daniels generally expressed a desire for two-way communication to occur between Mr. Helmer and city staff. Following extensive dialogue between the applicant and Council, Councilman Daniels shared that there will come a time when Council will need to draw a line in the sand and discontinue granting future SUP extensions.

Councilman Daniels moved to extend this SUP for a period of ninety days (90) and ask the applicant to come back before Council within 45 days with a more extensive plan that shows more specific target dates. Councilman Fowler seconded the motion. Fowler suggested that Mr. Helmer consider meeting with Councilmember Johannesen on his 'plan' and to work on repairing the relations with city staff.

Mr. Miller shared that the 2016 project cannot be "finaled" until the required items (drainage and detention ponds) are received by staff.

Following brief comments, the motion to extend the SUP for 90 days passed by a vote of 5 ayes, 1 against (Macalik), and 1 absence (Pruitt).

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission, Animal Advisory Board, and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding a personnel matter, pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)

4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

Mayor Pro Tem Macalik thanked staff, including Andy Hesser and his staff in Parks & Rec., for the wonderful 4th of July events. She went on to announce that Mr. Hesser will be leaving the City of Rockwall to take a position as the new Parks & Rec Director with the City of Garland. She, council and staff thanked Mr. Hesser for all his hard work over the years and wished him well.

Mayor Pro Tem Macalik adjourned the meeting at 7:07 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 5th DAY OF AUGUST, 2019.

ATTEST: **_____**
JIM PRUITT, MAYOR

_____
KRISTY COLE, CITY SECRETARY

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140

CITY OF ROCKWALL

ORDINANCE NO. 19-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. "UTILITIES;" ARTICLE V. "WATER;" DIVISION 7. "WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN;" SEC. 44-432 TO ADOPT AN UPDATED PLAN TO ENSURE COMPLIANCE WITH CERTAIN REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ); PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

WHEREAS, on April 15, 2019 the Rockwall City Council established a "Water Resource and Emergency Management Plan" through adoption of Ordinance No. 19-17 and its associated "Exhibit A;" and

WHEREAS, subsequent its adoption and submission to the Texas Commission on Environmental Quality (TCEQ), the City of Rockwall was informed by TCEQ that some additional verbiage related to "Procedures for Curtailment of Water Supplies" is required to be part of said plan; and

WHEREAS, the Rockwall City Council has therefore determined a necessity to repeal the previously adopted plan ("Exhibit A" of Ordinance No. 19-17) in order to adopt an updated plan to reflect said, required verbiage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

SECTION 1. The Code of Ordinances in Chapter 44. "Utilities," Article V. "Water," Division 7. "Water Resource and Emergency Management Plan" is hereby amended to adopt an updated plan as reflected in **"Exhibit A"** of this ordinance; and

SECTION 2. PLAN ADOPTED

Sec.44-432

(a) The city council hereby approves and adopts the City of Rockwall "Water Resource and Emergency Management Plan," attached to Ordinance No. 19-28 as "Exhibit A," which is incorporated as if fully set forth in this division and on file in the city secretary's office.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 4. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 5. The City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 6. The City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code, and said Plan meets all the requirements of Section 288.2 of the Texas Administrative Code;

SECTION 7. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this ordinance or as herein specified.

SECTION 8. This ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 5TH DAY OF AUGUST, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 07 /15 / 2019

2nd Reading: 08 / 05 / 2019

Exhibit A
(Ord. 19-28)

WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

City of Rockwall
The New Horizon

143

FORWARD

This 2019 Model Water Resource and Emergency Management Plan (WREMP) which is an update to the 2014 Drought Contingency and Water Emergency Response Plan was prepared by Freese and Nichols for the North Texas Municipal Water District (NTMWD). It is intended to be used by NTMWD Member Cities and Customers as a guide as they develop their own Water Resource and Emergency Management Plans. This plan was prepared pursuant to Texas Commission on Environmental Quality rules. Some material is based on the existing drought contingency plans listed in Appendix A.

Questions regarding this drought contingency and water emergency response plan should be addressed to the following:

Jeremy Rice
Freese and Nichols, Inc.
(817) 735-7300
jjr@freese.com

Denise Hickey
North Texas Municipal
Water District
(972) 442-5405
dhickey@ntmwd.com

This Model WREMP plan is based on the Texas Administrative Code in effect on January 18, 2019.

EXHIBIT A
TABLE OF CONTENTS

Table of Contents

1. INTRODUCTION AND OBJECTIVES 1-1

2. DEFINITIONS AND ABBREVIATIONS 2-2

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES 3-1

4. WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN 4-1

4.1 Provisions to Inform the Public and Opportunity for Public Input 4-1
4.2 Provisions for Continuing Public Education and Information 4-1
4.3 Initiation and Termination of Water Resource and Emergency Management Stages and Targets for Water use Reductions 4-1
4.3.1 Stage 1 4-3
4.3.2 Stage 2 4-5
4.3.2 Stage 3 4-9
4.4 Procedures for Curtailment of Water Supplies 4-12
4.5 Procedures for Granting Variances to the Plan 4-12
4.6 Procedures for Enforcing Mandatory Water Use Restrictions 4-13
4.7 Coordination with the Regional Water Planning Group and NTMWD 4-13
4.8 Review and Update of Drought Contingency and Water Emergency Response Plan 4-13

APPENDICES

APPENDIX A **List of References**

APPENDIX B **Texas Commission on Environmental Quality Rules on Drought Contingency Plans**
- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule §288.20 – Drought Contingency Plans for Municipal Uses by Public Water Suppliers

APPENDIX C **Letter to Region C Water Planning Group**

1. INTRODUCTION AND OBJECTIVES

This document has been prepared as a Model Water Resource and Emergency Management Plan (WREMP), intended to be available for use by North Texas Municipal Water District (NTMWD) Member Cities and Customer Cities as they develop their own plans. This model plan addresses all of the current TCEQ requirements for a drought contingency plan. [1] This plan will replace the plans dated August 2004, April 2006, March 2008, and April 2014.

The measures included in this Model WREMP are intended to provide short-term water savings during drought or emergency conditions. Water savings associated with ongoing, long-term strategies are discussed in the *Model Water Conservation Plan for North Texas Municipal Water District Member Cities and Customer Cities*. [2]

- The purpose of this Model WREMP plan is as follows:
- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions

The NTMWD supplies treated water to its Member Cities and Customer Cities. This model plan was developed by NTMWD in consultation with its Member Cities. In order to adopt this model plan, each NTMWD Member City and Customer City will need to adopt ordinance(s) or regulation(s) implementing the plan, including the determination of fines and enforcement procedures. The model plan calls for Member Cities and Customer Cities to adopt Water Resource Stages initiated by NTMWD during a drought or water supply emergency. Member Cities and Customer Cities may also adopt more stringent drought or water emergency response stages than NTMWD if conditions warrant.

In the absence of drought response measures, water demands tend to increase during drought due to increased outdoor irrigation. The severity of the drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies. NTMWD considers a drought to end when all of the NTMWD's supply reservoirs refill to conservation storage pool levels.

[1] Superscripted numbers match references listed in Appendix A.

2. DEFINITIONS AND ABBREVIATIONS

1. AQUATIC LIFE means a vertebrate organism dependent upon an aquatic environment to sustain its life.

2. ATHLETIC FIELD means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools; professional sports and league play sanctioned by the utility providing retail water supply.

3. COMMERCIAL FACILITY means business or industrial buildings and the associated landscaping, but does not include the fairways, greens, or tees of a golf course.

4. COMMERCIAL VEHICLE WASH FACILITY means a permanently-located business that washes vehicles or other mobile equipment with water or water-based products, including but not limited to self-service car washes, full service car washes, roll-over/in-bay style car washes, and facilities managing vehicle fleets or vehicle inventory.

5. CUSTOMERS include those entities to which NTMWD provides wholesale water that are not Member Cities of NTMWD.

6. DESIGNATED OUTDOOR WATER USE DAY means a day prescribed by rule on which a person is permitted to irrigate outdoors.

7. DRIP IRRIGATION is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.

8. DROUGHT, for the purposes of this report, means an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources (in this case reservoirs) to be depleted.

9. EVAPOTRANSPIRATION (ET) represents the amount of water lost from plant material to evaporation and transpiration. The amount of ET can be estimated based on the temperature, wind, and relative humidity.

10. EXECUTIVE DIRECTOR means the Executive Director of the NTMWD and includes a person the Executive Director has designated to administer or perform any task, duty, function, role, or action related to this Plan or on behalf of the Executive Director.

11. FOUNDATION WATERING means an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

12. INTERACTIVE WATER FEATURES means water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.

13. IRRIGATION SYSTEM means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.

14. LANDSCAPE means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass or turf species, that is growing or has been planted out of doors.

15. MEMBER CITIES include the cities of Allen, Farmersville, Forney, Frisco, Garland, McKinney, Mesquite, Plano, Princeton, Richardson, Rockwall, Royse City, and Wylie, Texas, which are members of NTMWD.

16. NEW LANDSCAPE means: (a) vegetation installed at the time of the construction of a residential or commercial facility; (b) installed as part of a governmental entity's capital improvement project; or (c) installed to stabilize an area disturbed by construction.

17. ORNAMENTAL FOUNTAIN means an artificially created structure (up to a certain diameter) from which a jet, stream, or flow of treated water emanates and is not typically utilized for the preservation of aquatic life.

18. RETAIL CUSTOMERS include those customers to whom the Supplier provides retail water from a water meter.

19. SOAKER HOSE means a perforated or permeable garden-type hose or pipe that is laid above ground that provides irrigation at a slow and constant rate.

20. SPRINKLER means an above-ground water distribution device that may be attached to a garden hose.

21. SUPPLIER means a Member City or Customer that purchases wholesale water from NTMWD and provides water to retail and/or wholesale customers.

22. SWIMMING POOL means any structure, basin, chamber, or tank including hot tubs, containing an artificial body of water for swimming, diving, or recreational bathing, and having a depth of two (2) feet or more at any point.

23. WATER RESOURCE MANAGEMENT PLAN means a strategy or combination of strategies for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies required by Texas Administrative Code Title 30, Chapter 288, Subchapter B. This is sometimes called a drought contingency plan.

Abbreviation	Full Nomenclature
ED	NTMWD Executive Director
NTMWD or District	North Texas Municipal Water District
TCEQ	Texas Commission on Environmental Quality
TWDB	Texas Water Development Board
Model WREMP	Model Water Resource and Emergency Management Plan for Member Cities and Customers

3. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code, a current copy of which is included in Appendix B. For the purpose of these rules, a drought contingency plan is defined as "a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies."[1]

Minimum Requirements

TCEQ's minimum requirements for drought contingency plans are addressed in the following subsections of this report:

- 288.20(a)(1)(A) – Provisions to Inform the Public and Provide Opportunity for Public Input – Section 4.1
- 288.20(a)(1)(B) – Provisions for Continuing Public Education and Information – Section 4.2
- 288.20(a)(1)(C) – Coordination with the Regional Water Planning Group – Section 4.7
- 288.20(a)(1)(D) – Criteria for Initiation and Termination of Drought Stages – Section 4.3
- 288.20(a)(1)(E) – Drought and Emergency Response Stages – Section 4.4
- 288.20(a)(1)(F) – Specific, Quantified Targets for Water Use Reductions – Section 3.4
- 288.20(a)(1)(G) – Water Supply and Demand Management Measures for Each Stage – Section 4.4
- 288.20(a)(1)(H) – Procedures for Initiation and Termination of Drought Stages – Section 3.3
- 288.20(a)(1)(I) - Procedures for Granting Variances – Section 4.5
- 288.20(a)(1)(J) - Procedures for Enforcement of Mandatory Restrictions – Section 3.6
- 288.20(a)(3) – Consultation with Wholesale Supplier – Sections 1 and 4.4
- 288.20(b) – Notification of Implementation of Mandatory Measures – Section 4.3
- 288.20(c) – Review and Update of Plan – Section 4.8

4. WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

4.1 Provisions to Inform the Public and Opportunity for Public Input

The City of Rockwall will provide opportunity for public input in the development of this drought contingency and water emergency response plan by the following means:

- Providing written notice of the proposed plan and the opportunity to comment on the plan by newspaper, posted notice, and notice on the supplier's web site.
- Making the draft plan available on the supplier's web site.
- Providing the draft plan to anyone requesting a copy.
- Holding a public meeting.

4.2 Provisions for Continuing Public Education and Information

The City of Rockwall will inform and educate the public about the Water Resource and Emergency Management Plan by the following means:

- Preparing a bulletin describing the plan and making it available at City Hall and other appropriate locations.
- Making the plan available to the public through the supplier's web site.
- Including information about the Water Resource and Emergency Management on the supplier's web site.
- Notifying local organizations, schools, and civic groups that staff are available to make presentations on the Water Resource and Emergency Management Plan (usually in conjunction with presentations on water conservation programs).

At any time that the drought contingency and water emergency response plan is activated or the drought stage or water emergency response stage changes, Member Cities and Customer Cities will notify local media of the issues, the drought response stage or water emergency response stage (if applicable), and the specific actions required of the public. The information will also be publicized on the supplier's web site (if available). Billing inserts will also be used as appropriate.

4.3 Initiation and Termination of Water Resource and Emergency Management Stages and Targets for Water use Reductions

<u>Initiation of a Water Resource Management Stage</u>

The City Manager or official designee may order the implementation of a Water Resource and Emergency Management response stage when one or more of the trigger conditions for that stage are met.

- Water Resource and Emergency Management Plan stages imposed by NTMWD action must be initiated by Member Cities and Customers.

- For other trigger conditions internal to a city or water supply entity, the City Manager or official designee may decide not to order the implementation of a Water Resource Management Stage or Water Emergency even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented.

The following actions will be taken when a water resource management stage is initiated:

- The public will be notified through local media and the supplier's web site (if available) as described in Section 4.2.
- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax that provides details of the reasons for initiation of the Water Resource Management Stage.
- If any mandatory provisions of the Water Resource and Emergency Management Plan are activated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

Termination of Water Management Stage

The City Manager or official designee may order the termination of a Water Resource Management Stage when the conditions for termination are met or at their discretion.

The following actions will be taken when a water resource management stage is terminated:

- The public will be notified through local media and the supplier's web site as described in Section 4.2.
- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax.
- If any mandatory provisions of the Water Resource and Emergency Management Plan that have been activated are terminated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

The City Manager or official designee may decide not to order the termination of a Water Resource Management stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the Water Resource Management Stage. The reason for this decision should be documented.

Water Resource and Emergency Management Plan Stages and Measures

4.3.1 Stage 1

Initiation and Termination Conditions for Stage 1

The NTMWD has initiated Stage 1, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.
- Water demand is projected to approach the limit of the permitted supply.
- The storage level in Lavon Lake as published by the Texas Water Development Board (TWDB),[3] is less than 70 percent of the total conservation pool capacity during any months or April through October or less than 60 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 1 drought.
- NTMWD has concern that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD source may be limited in availability in the next six (6) months.
- NTMWD water demand exceeds 95 percent of the amount that can be delivered to customers for three (3) consecutive days.
- Water demand for all or part of NTMWD's delivery system approaches delivery capacity because delivery capacity is inadequate.
- Supply source is interrupted or unavailable due contamination, invasive species, equipment failure or other causes.
- NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only the portion of the NTMWD system impacted.

Supplier has initiated Stage 1 due to one or more of the following reasons:

- Supplier's water demand exceeds 95 percent of the amount that can be delivered to customers for three consecutive days.
- Supplier's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 1, which may be terminated due to one or more of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 1.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 75 percent of the total conservation pool capacity during any of the months of April through October or greater than 65 percent of the total conservation pool capacity during any of the months of November through March.
- Other circumstances that caused NTMWD initiation of Stage 1 no longer prevail.

Supplier has terminated Stage 1, which may be terminated due to the cause of the Supplier's initiation of Stage 1 no longer prevail.

Goal for Use Reduction and Actions Available under Stage 1

Stage 1 is intended to raise public awareness of potential drought or water emergency problems. The goal for water use reduction under Stage 1 is a two percent (2%) reduction in the amount of water produced by NTMWD from the previous corresponding annual payment period prior to institution of drought restrictions. **If circumstances warrant, of if required by NTMWD, the City Manager or official designee can set a goal for greater or lesser water use reduction under Stage 1.** The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary, to achieve a two percent (2%) reduction. Measures described as "requires notification to TCEQ" are those that impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if such mandatory measures are implemented.

- Continue actions established by Water Conservation Plan.
- Notify wholesale customers of actions being taken and request implementation of similar procedures.
- Initiate engineering studies to evaluate alternative water sources and/or alternative delivery mechanisms should conditions worsen.
- Increase public education efforts on ways to reduce water use.
- Halt non-essential city government water use:

  (Examples: street cleaning, vehicle washing, operation of ornamental fountains, etc.)
- Encourage the public to wait until the current drought or emergency situation has passed before establishing New Landscape.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires Notification to TCEQ -** Increase enforcement of the following landscape watering restrictions established by the Water Conservation Plan: (1) limit landscape watering with sprinklers or irrigation systems at each service address to no more than two (2) days per week, on designated days, between April

1 and October 31; and (2) limit landscape watering with sprinklers or irrigation systems at each service address to once every week, on designated days, between November 1 and March 31. Exceptions are as follows:

- An exception is allowed for New Landscape associated with new construction that may be watered as necessary for 30 days from the date of installation of new landscape features.
- An exception for additional watering of landscape may be provided by hand-held hose with shutoff nozzle, and/or use of dedicated irrigation drip zones provided no runoff occurs.
- Foundation (within 2 feet), New Landscape watering, watering of new plantings (first year) of shrubs, and watering of trees (within a ten foot radius of its trunk) may occur by a hand-held hose, a soaker hose, or a dedicated zone using a Drip Irrigation system provided no runoff occurs.
- Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as may be regulated by the City of Dallas.

- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water use over a certain level.
- **Requires Notification to TCEQ -** Public athletic fields used for competition may be watered twice per week.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.

4.3.2 Stage 2

Initiation and Termination Conditions for Stage 2

The NTMWD has initiated Stage 2, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.
- Water demand is projected to approach the limit of NTMWD permitted supply.
- The storage in Lavon Lake, as published by the TWDB, is less than 55 percent of the total conservation pool during any of the months of April through October or less than 45 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 2 drought.
- NTMWD has concern that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD source may be limited in availability in the next three (3) months.

- NTMWD water demand exceeds 98 percent of the amount that can be delivered to customers for three (3) consecutive days.
- NTMWD water demand for all or part of the delivery system equals delivery capacity because delivery capacity is inadequate.
- NTMWD's supply source is interrupted or unavailable due contamination, invasive species, equipment failure, or other causes.
- NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only that portion of the system impacted.

Supplier has initiated Stage 2 due to one or more of the following reasons:

- Supplier's water demand exceeds 98 percent of the amount that can be delivered to customers for three (3) consecutive days.
- Supplier's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 2, which may terminate due to one of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 2.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 70 percent of the total conservation pool capacity during any of the months of April through October or greater than 60 percent of the total conservation pool capacity during any of the months of November through March.
- Other circumstances that caused NTMWD initiation of Stage 2 no longer prevail.

Supplier has terminated Stage 2, which may be terminated due to the cause of the Supplier's initiation of Stage 2 no longer prevail.

Goal for Use Reduction and Actions Available under Stage 2

The goal for water use reduction under Stage 2 is a reduction of ten percent (10%) in the amount of water obtained from NTMWD from the previous corresponding annual payment period prior to institution of drought restrictions. **If circumstances warrant, of if required by NTMWD, the City Manager or official designee can set a goal for greater or lesser water use reduction.** The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary, to achieve a two-percent reduction. Measures described as "requires notification to TCEQ" are those that impose mandatory

requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if such mandatory measures are implemented.

- Continue or initiate any actions available under Water Conservation Plan and Stage 1.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.
- Implement viable alternative water supply strategies.
- Further accelerate public education efforts on ways to reduce water use.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires Notification to TCEQ -** Limit landscape watering with sprinklers or irrigation systems at each service address to once per week, on designated days between April 1 and October 31. and (2) limit landscape watering with sprinklers or irrigation systems at each service address to once every week, on designated days, between November 1 and March 31. Exceptions are as follows:
    - An exception is allowed for New Landscape associated with new construction that may be watered as necessary for 30 days from the date of installation of new landscape features.
    - An exception for additional watering of landscape may be provided by hand-held hose with shutoff nozzle, and/or use of dedicated irrigation drip zones provided no runoff occurs.
    - Foundation (within 2 feet), New Landscape Watering, watering of new plantings (first year) of shrubs, and watering of trees (within a ten foot radius of its trunk) may occur by a hand-held hose, a soaker hose, or a dedicated zone using a Drip Irrigation system provided no runoff occurs.
    - Athletic Fields may be watered twice per week.
    - An exemption is allowed for Drip Irrigation system from the designated outdoor water use day limited to no more than one day per week. Drip Irrigation systems are however subject to all other restrictions applicable under this stage.
    - Hand water with shutoff nozzle, drip lines, and Soaker Hoses are allowed before 10 am and after 6 pm, provided no runoff occurs.
    - Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as may be regulated by the City of Dallas.
- **Requires Notification to TCEQ -** Prohibit hydro seeding, hydro mulching, and sprigging.
- **Requires Notification to TCEQ -** Initiate a rate surcharge as requested by NTMWD.

- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water used over a certain level.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.
- **Requires Notification to TCEQ –** If NTMWD has imposed a reduction in water availability, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section §11.039 and according to the following water allocation policies and procedures:
    - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.
    - A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.
    - The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.
    - Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.
    - At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.
    - City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.

4.3.2 Stage 3

Initiation and Termination Conditions for Stage 3

The NTMWD has initiated Stage 3, which may be initiated due to one or more of the following:

- The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3
- Water demand is projected to approach or exceed the limit of the permitted supply.
- The storage in Lavon Lake, as published by the TWDB, [3] is less than 30 percent of the total conservation pool during any of the months of April through October or less than 20 percent of the total conservation pool capacity during any of the months of November through March.
- The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in Stage 3.
- The water supplied from Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, or some other NTMWD water source has become limited in availability.
- NTMWD water demand exceeds the amount that can be delivered to Customers.
- NTMWD water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- NTMWD's supply source is interrupted or unavailable due contamination, invasive species, equipment failure, or other causes.
- Part of the system has a shortage in supply or damage to equipment. NTMWD may implement measures for only that portion of the system impacted.

Supplier has initiated Stage 3 due to one or more of the following reasons:

- Supplier's water demand exceeds the amount that can be delivered to customers.
- Supplier's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated.
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components.
- Supplier's individual plan may be implemented if other criteria dictate.

NTMWD has terminated Stage 3, which may terminate due to one or more of the following:

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 3.
- The storage level in Lavon Lake, as published by the TWDB, [3] is greater than 55 percent of the total conservation pool capacity during any of the months of April

through October or greater than 45 percent of the total conservation pool capacity during any of the months of November through March.

- Other circumstances that caused NTMWD initiation of Stage 2 no longer prevail.

Supplier has terminated Stage 3, which may be terminated due to the cause of the Supplier's initiation of Stage 3 no longer prevail.

Goals for Use Reduction and Actions Available under Stage 3

The goal for water use reduction under Stage 3 is a reduction of whatever amount is designated by NTMWD in the amount of water obtained from NTMWD from the corresponding previous annual payment period prior to institution of drought restrictions. If circumstances warrant or if required by NTMWD, the City Manager or official designee can set a goal for greater water use reduction.

The City Manager or official designee must implement any action(s) required by NTMWD. In addition, the City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five (5) business days if these measures are implemented:

- Continue or initiate any actions available under Stages 1 and 2.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.
- Implement viable alternative water supply strategies.
- **Requires Notification to TCEQ** – Initiate mandatory water use restrictions as follows:
    - Prohibit hosing and washing of paved areas, buildings, windows or other surfaces is prohibited except by variance and performed by a professional service using high efficiency equipment.
    - Prohibit operation of all ornamental fountains or other amenity impoundments to the extent they use treated water.
- **Requires Notification to TCEQ -** Prohibit hydro seeding, hydro mulching, and sprigging.
- **Requires Notification to TCEQ -** Prohibit the use of potable water for the irrigation of new landscape.
- **Requires Notification to TCEQ -** Prohibit commercial and residential landscape watering, except that foundations and trees may be watered for 2 hours on any day with a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system provided no runoff occurs. ET/Smart controllers and drip irrigation systems are not exempt from this requirement.

- **Requires Notification to TCEQ -** Prohibit washing of vehicles except at Commercial Vehicle Wash Facilities, except as necessary for health, sanitation, or safety reasons.
- **Requires Notification to TCEQ -** Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.
- **Requires Notification to TCEQ -** Prohibit the permitting of private pools. Pools already permitted may be completed and filled with water. Existing private and public pools may add water to maintain pool levels but may not be drained and refilled.
- **Requires Notification to TCEQ -** Require all commercial water users to reduce water use by a percentage established by the City Manager or official designee.
- **Requires Notification to TCEQ -** Initiate a rate surcharge for all water use over normal rates for all water use.
- **Requires Notification to TCEQ -** In the event that the triggering criteria specified in the Plan for Stage 3 and Severe Water Shortage Conditions have been met, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section §11.039 and according to the following water allocation policies and procedures:

    - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.

    - A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.

    - The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.

    - Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.

- At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.
- City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.

4.4 Procedure for Curtailment of Water Supplies

Any imposed reduction in water availability, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section §11.039. In addition, every wholesale water supply contract entered into or renewed after the adoption of this plan, including contract extensions, shall include a provision that water will be distributed in accordance with Texas Water Code §11.039 in case of a water shortage resulting from drought or water emergency.

4.5 Procedures for Granting Variances to the Plan

The City Manager or official designee may grant temporary variances for existing water uses otherwise prohibited under this Water Resource and Emergency Management Plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity requesting the variance
- Compliance with this plan cannot be accomplished due to technical or other limitations
- Alternative methods that achieve the same level of reduction in water use can be implemented

Variances shall be granted or denied at the discretion of the City Manager or official designee. All petitions for variances should be in writing and should include the following information:

- Name and address of the petitioners
- Purpose of water use
- Specific provisions from which relief is requested
- Detailed statement of the adverse effect of the provision from which relief is requested
- Description of the relief requested

- Period of time for which the variance is sought
- Alternative measures that will be taken to reduce water use
- Other pertinent information

4.6 Procedures for Enforcing Mandatory Water Use Restrictions

Mandatory water use restrictions may be imposed in Stage 1, Stage 2 and Stage 3 through adoption of this Water Resource and Emergency Management Plan by Ordinance of the City of Rockwall.

4.7 Coordination with the Regional Water Planning Group and NTMWD

A copy of this Water Resource and Emergency Management plan will be sent to the Chair of the Region C Water Planning Group and the Chairs of North East Texas Water Planning Group.

4.8 Review and Update of Drought Contingency and Water Emergency Response Plan

As required by TCEQ rules, Member Cities and Customer Cites must review the drought contingency and water emergency response plan every five years. The plan will be updated as appropriate based on new or updated information.

APPENDIX A

LIST OF REFERENCES

164

Appendix A
List of References

(1) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.20, downloaded from http://www.tnrcc.state.tx.us/oprd/rules/pdflib/288a.pdf, July 2018.

(2) Freese and Nichols, Inc.: 2019 Model Water Resource Management Plan for NTMWD Member Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, February 2019.

(3) Texas Water Development Board, Water Data for Texas, Lavon Lake, https://waterdatafortexas.org/reserviors/individual/lavon.

APPENDIX B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES ON DROUGHT CONTINGENCY PLANS

APPENDIX B
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER B	DROUGHT CONTINGENCY PLANS
RULE §288.20	**Drought Contingency Plans for Municipal Uses by Public Water Suppliers**

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

(i) reduction in available water supply up to a repeat of the drought of record;

(ii) water production or distribution system limitations;

(iii) supply source contamination; or

(iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include the specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(i) curtailment of non-essential water uses; and

(ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.

(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

Source Note: The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384.

APPENDIX C

Letter to Region C Water Planning Group

169

City of Rockwall

The New Horizon

Date: April 26, 2019

Kevin Ward
Chair, Region C Water Planning Group
P.O. Box 60
Arlington, TX 76004

Dear Kevin Ward:

Enclosed please find a copy of the recently updated Water Resource and Emergency Management Plan for the City of Rockwall. I am submitting a copy of this model plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The Rockwall City Council adopted the updated Water Resource Emergency Management Plan on April 15, 2019.

Sincerely,

Rick Crowley
City of Rockwall

385 South Goliad, Rockwall, TX 75087 972 771 7700 www.rockwall.com

170

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171

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rockwall City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **July 31, 2019**

SUBJECT: **Animal Control Services Agreement w/ Rockwall County**

The City of Rockwall performs animal control services for the Cities of Rockwall and Heath and Rockwall County. The City of Rockwall originally entered into an agreement for animal control services with Rockwall County in July 1996. Since then, the City has constructed a new animal adoption center and shelter, privatized the operations of the shelter, expanded its service area through growth of the city, and changed certain fees related to providing animal control services. This updated agreement defines the types of animals that will be received from the County at the shelter and further specifies the services the City will provide to Rockwall County.

The original agreement is included for your reference. An updated Interlocal Agreement for Animal Control Services between the City of Rockwall and Rockwall County is provided for the City Council's review and consideration.

If approved, this agreement will run through September 30, 2021 and then renew annually upon approval by both parties. The City Council is asked to consider authorizing the City Manager to execute the agreement on behalf of the City.

INTERLOCAL AGREEMENT FOR ANIMAL CONTROL SERVICES

THE STATE OF TEXAS

COUNTY OF ROCKWALL

THIS AGREEMENT is made and entered into by and between **ROCKWALL COUNTY, TEXAS,** (hereinafter referred to as "County") and the **CITY OF ROCKWALL, TEXAS,** a Texas Municipality (hereinafter referred to as "City").

I. RECITALS

WHEREAS, CHAPTER 791 of the TEXAS GOVERNMENT CODE, also known as the INTERLOCAL COOPERATION ACT, authorizes all local governments to contract with each other to provide a governmental function or service that each party to the contract is authorized to perform individually and in which the contracting parties are mutually interested, such as animal control assistance and public health and welfare; and

WHEREAS, the City of Rockwall is a Home Rule municipality organized under the laws of Texas and is authorized to enter into this Agreement pursuant to the Texas Local Government Code; and

WHEREAS, Rockwall County is a political subdivision of the State of Texas, duly organized and functioning in accordance with the laws of the State of Texas; and

WHEREAS, the County and the City represent that each is independently authorized to perform the functions contemplated by this Agreement; and

WHEREAS, City operates and performs Animal Control Services, as defined herein, for the purpose of reducing general animal control problems in the City, including, but not limited to, protecting its citizens from the dangers and problems associated with free roaming animals; and

WHEREAS, the City and County entered into an Interlocal Agreement in July 1996 outlining the duties and responsibilities of the City in performing certain Animal Control Services in the County per the request of the County; and

WHEREAS, County and City wish to continue the services under the original Interlocal but have determined a need to update the original agreement because the County still has a need for such Animal Control Services; and

WHEREAS, each party has sufficient funds available from current revenues to perform the functions contemplated by this Agreement; and

WHEREAS, both the County and the City find it mutually desirable to enter into this Agreement.

NOW, THEREFORE in consideration of the mutual benefits and promises each to the other made herein, the parties named above do hereby agree as follows:

II. DEFINITIONS

A. Animal(s): "Animal(s)" shall mean domesticated dogs and cats.

B. Animal Control Authority: "Animal Control Authority" shall mean the City of Rockwall Animal Control Department. The terms "Animal Control Authority" and "Animal Control Department" are synonymous.

C. Animal Control Personnel: "Animal Control Personnel" shall mean any employee of the City of Rockwall Animal Control Department.

D. Animal Control Services: "Animal Control Services" shall mean the specific services provided by the City of Rockwall Animal Control Department in response to County-Reported Animal Calls that are necessary to effectively carry out an animal control program for the County.

Animal Control Services shall include: the housing and final, humane disposition of stray, unrestrained, homeless, abandoned, or unwanted animals that either the County transports to the City or is picked up by the City at the request of the County.

Animal Control Services shall NOT include: the removal of deceased animals from areas within the County's jurisdiction

E. Animal Shelter: "Animal Shelter" shall mean the City of Rockwall owned facility located at 1825 Airport Road or any location designated by the City Manager or designee in the event of an emergency.

F. Unincorporated County Areas: "Unincorporated County areas" shall mean any address or location within Rockwall County that is NOT located within another jurisdictional boundary of any duly recognized municipality.

G. Dangerous Wild Animal: "Dangerous Wild Animal" shall mean animals as defined by the Texas Health and Safety Code, Chapter 822. Specific examples that may apply locally would include but not limited to cougar, bobcat, lynx, coyote or any hybrid listed in Section 822.101.

III. CITY'S OBLIGATIONS

A. City agrees to provide specific Animal Control Services to County occurring within the areas of the County outside any municipal city limits.

B. The City will confirm at least one (1) Animal Control Personnel in response to a County request for Animal Control Services, so long as there is at least one (1) Animal Control Personnel "on duty". If there is no Animal Control Personnel on duty, the City dispatch will notify County that there are no personnel available to accept the animal. In that event, County may determine if the call is an emergency and notify the City's Animal Control Supervisor of the emergency call. The Animal Control supervisor, at his/her sole discretion, can decide to provide at least one (1) Animal Control Personnel to respond to the emergency call. All County calls to report animal bites and scratches from an animal to a human will be considered an emergency.

C. City will respond only to calls directly reported by the County.

D. City agrees to accept all captured "animals" transported to the City's facility by Animal Control Personnel. Wild animals will not be accepted by the City and should be released back into their natural habitat by County or City if they have not caused a bite to a human.

IV. COUNTY'S OBLIGATIONS

A. County agrees to receive all calls for Animal Control Services from citizens in the County's jurisdiction to determine if Animal Control Services are needed. If animal control is needed, the County will contact Rockwall Police dispatch. County shall not direct or advise citizens to call the City for Animal Control Services.

B. County shall fully cooperate with City in the provision of Animal Control Services, including but not limited to, furnishing: any and all information in its possession about the ownership of a suspected rabid Animal, including Rabies Vaccination Certificates maintained by any department of the City; any history of the Animal; the name and address of any person reporting an Animal bite or scratch; the name and address of any possible victims of an Animal bite or scratch; and the name and address of any person believed to own an Animal which the County has called the City to house.

C. County agrees to transport all Animals in an approved, properly functioning live animal cage prior to admittance into the City's Animal Shelter or County designated Veterinary Clinic; which includes but is not limited to, transporting all animals to a veterinary office if medical attention is needed and securing animal until medical assistance is available to assist.

D. County agrees to transport all Animals in an approved, properly functioning live animal cage prior to admittance into the City's Animal Shelter.

E. County agrees to pay all fees associated with the impoundment or final disposition of any animal per this Agreement.

F. The County shall be responsible for any veterinarian bills incurred regarding County animals that are transferred to a County approved Veterinary Clinic, who require immediate medical attention prior to transporting the animal to the City's Animal Shelter. All required billing and treatment communications shall be transmitted directly from the veterinarian to the County.

V. CONSIDERATION

A. In consideration for the City's performance of the duties listed herein, the County agrees to pay the City for the services, as delineated in this Agreement, according to the fee schedule attached hereto as **Exhibit A**. Such fee schedule may be amended by the City through its annual budget process. City shall provide a copy to the County of any fees adjusted per the City's budget.

B. The fee schedule in **Exhibit A** only applies to requested services upon intake and does not reflect specific services required for the final disposition of any Animal after intake. County shall pay actual costs for the disposition of any animal.

VI. DEFAULT

A. In the event County fails to: (i) pay all costs set forth in Article V above, or (ii) perform its obligations as set forth in Article IV, the City shall give County written notice of default with an opportunity to cure such default within thirty (30) days. If County fails to cure such default during the 30-day cure period, the Agreement shall terminate and County shall assume responsibility for its own animal control operation.

B. In the event City fails to perform its obligations as set forth in Article III, the County shall give City written notice of default with an opportunity to cure such default within thirty (30) days. If City fails to cure such default during the 30-day cure period, the Agreement shall terminate and County shall assume responsibility for its own animal control operation

VII. TERMINATION AND RENEWAL

A. This Agreement shall be effective from _____, 2019, through September 30, 2021. This Agreement shall be renewed annually thereafter for additional one (1) year terms to run from October 1st to September 30th. The Agreement will be renewed upon full review of the Services provided herein and upon written approval by both parties.

B. This Agreement may be terminated by either party upon sixty (60) days written notice to the other party. All costs and liabilities incurred by the City on behalf of the County prior to the termination shall be the responsibility of the County.

VIII. INDEMNITY

Subject to the limitations as to liability and damages in the Texas Tort Claims Act and without waiving its governmental immunity, each Party agrees to hold harmless each other, its governing board, elected officials, officers, agents and employees for any liability, loss, damages, claims or causes of action caused or asserted to have been caused directly or indirectly by any other Party to this Agreement, or any of its elected officials, officers, agents or employees, or as the result of its performance, or any of its officers, agents or employees, under this Agreement.

IX. INDEPENDENT CONTRACTOR

A. The City shall be responsible for the Animal Control Services contemplated under this Agreement. The City shall supply materials, equipment, tools, transportation, and labor required for or reasonably incidental to the performance of Animal Control Services. The City shall have ultimate control over the execution of the work under this Agreement. The City shall have the sole obligation to employ, direct, control, supervise, manage, discharge and compensate all of its employees.

B. The City shall have full authority for the final disposition of any animal submitted by County.

X. GENERAL PROVISIONS

A. The parties intend for the various provisions of this Agreement to be severable so that the invalidity, if any, of any one section (or more) shall not affect the validity of the remaining provisions or sections.

B. This document may be executed in any number of original signature counterparts, each of which shall for all purposes be deemed an original, and all such counterparts shall constitute one and the same document.

C. Each party has the full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. The persons executing this Agreement hereby represent that they have authorization to sign on behalf of their respective entity.

D. This Agreement shall be interpreted in accordance with the laws of the State of Texas and venue shall be in Rockwall County, Texas.

E. Any notice required under the provisions of this Agreement shall be in writing and delivered in person or deposited in the United States Mail, registered or certified, return receipt requested. Any such notice must be addressed to the following addresses. Any notice shall be deemed received three days after the date of deposit in the United States

Mail, unless proof is offered to the contrary. Unless otherwise provided in this Agreement, all notices shall be delivered to the following addresses:

City of Rockwall
385 S. Goliad St
Rockwall, TX 75087

Rockwall County
101 E. Rusk St
Rockwall, TX 75087

F. Amendment: This Agreement may not be amended except by written instrument specifically referring to this Agreement and signed by the parties hereto.

G. Binding Agreement: This Agreement has been duly executed and delivered by both parties and constitutes a legal, valid and binding obligation of the parties. Each person executing this Agreement on behalf of each party represents and warrants that they have full right and authority to enter into this Agreement.

H. Joint Venture and Agency: The relationship between the parties to this Agreement does not create a partnership or joint venture between the parties. This Agreement does not appoint any party as agent for the other party.

I. Approval by Governing Bodies. This Agreement has been approved by the governing bodies of the City and of the County.

J. Payment from Current Revenues. Each Party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying Party.

K. Entire Agreement: This Agreement contains the entire agreement between the parties and correctly sets forth the rights, duties and obligations of each to the other as of the Effective Date. Any oral representations or modifications concerning this Agreement will be of no force or effect excepting a subsequent written modification executed by both parties.

EXECUTED TO BE EFFECTIVE this _____ day of _____, 2019.

ROCKWALL COUNTY, TEXAS

By:_____
County Judge

CITY OF ROCKWALL, TEXAS

By:_____
City Manager

ATTEST:

_____
City Secretary

EXHIBIT A

FEE SCHEDULE:

A. The City shall bill the County at a rate of forty dollars ($40) per hour to defray the costs of resources and employee time utilized. There will be a minimum of two (2) hour charge if an officer is called out after regular business hours. For purposes of this agreement, regular business hours shall be 8:00 a.m. to 5:00 p.m., Monday through Friday.

B. A thirty dollar ($30) impound fee, for the first 24-hour period, will be paid by the owner of each animal released from the shelter to the owner, plus ten dollars ($10) per day per animal for each additional 24-hour period. This fee applies to Rockwall County residents within unincorporated areas of the County as defined by this agreement. All others shall comply with the City and Animal Shelter's adopted policies.

C. The County shall pay ten dollars ($10) per day to the City for each "animal" received from the County for impoundment. This fee shall NOT apply to the first 200 "animals" received on an annual basis. Invoices are based on net 30 days payment.

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

INTERLOCAL AGREEMENT FOR ANIMAL CONTROL

THIS AGREEMENT is entered into this 2nd day of July, 1996, by and between the **CITY OF ROCKWALL, TEXAS,** hereinafter referred to as "City" and **ROCKWALL COUNTY, TEXAS,** hereinafter referred to as "County," hereby agree, covenant and contract, pursuant to the Interlocal Government Cooperation Act, that:

1. The City will provide an animal control truck to the County on an emergency call basis.

2. The City will make available to the County an animal control officer on an emergency basis involving animal bites and vicious or wild animals. The Rockwall County Sheriff's Department will be the only authorized requestor for animal control services in Rockwall County.

3. The County will provide supervision and written instruction regarding activities and duties performed in the County which are within bounds of the ordinances of the County of Rockwall and the State of Texas.

4. A twenty-five dollar ($25) impoundment fee, for the first 24-hour period, will be paid by the owner for each dog released from the shelter, plus $8.00 for each additional 24-hour period.

5. The County will pay eight dollars ($8) per day, per dog, to the City for each dog received from the County for impoundment.

6. The animal control personnel are City employees and are covered by, and receive all benefits due to City employees, including worker's compensation and all other benefits normally due to employees of the City.

7. The City will be responsible for injuries to City personnel, or damages to City equipment, arising from animal control activities in the County.

8. The City will be responsible for all liabilities and/or damages resulting from the use of the City's personnel and equipment.

9. The City will bill the County at a rate of forty dollars ($40) per hour to defray costs of equipment and manpower. There will be a minimum two (2) hour charge if an officer is called out after regular business hours. For purposes of this agreement, regular business hours shall be 8:00 a.m. to 5:00 p.m., Monday through Friday.

10. The City will bill the County monthly for all charges incurred.

11. The County hereby agrees to indemnify and hold the City harmless from any claims, causes of action, damages or suit brought by any person as a result of the County's request for services in the County.

12. The County will be responsible for veterinarian bills for county animals. For purposes of this agreement, county animals are defined as those animals impounded or treated which have been found roaming outside the city limits of the City of Rockwall or the City of Heath.

13. Either party may terminate this Agreement upon giving written notice to the other party at least sixty (60) days prior to the date of termination. The termination of this agreement shall not affect the County's duty to hold City harmless and indemnify it for any claims or lawsuits which arise during the term of this agreement.

EXECUTED the day and year first above written.

CITY OF ROCKWALL

By: _____
Mayor

ATTEST:

_____
City Secretary

COUNTY OF ROCKWALL

APPROVED:

_____
County Judge

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183

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	August 5, 2019
APPLICANT:	Rick Bates; *RLK Engineering, Inc.*
CASE NUMBER:	P2019-023; *Lot 2, Block A, Rockwall High School Addition*

SUMMARY

Consider a request by Rick Bates of RLK Engineering, Inc. on behalf of William Salee of Rockwall ISD for the approval of a replat for Lot 2, Block A, Rockwall High School Addition being a 35.295-acre parcel of land currently identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a replat for a 35.295-acre parcel of land [i.e. *Lot 2, Rockwall High School Addition*] for the purpose of dedicating a drainage and detention easement required for the expansion of the parking lot for Rockwall High School. The 36 additional parking spaces will be constructed located along W. Yellow Jacket Lane, west of the main entrance.

☑ On April 20, 2019, William Salee of Rockwall ISD, requested an amended site plan [*i.e. Case NO. SP2019-008*] for the purpose of expanding the existing parking lot at Rockwall High School. On April 30, 2019, the Planning and Zoning Commission approved the site plan.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 2, Block A, Rockwall High School Addition,* staff would propose the following conditions of approval:

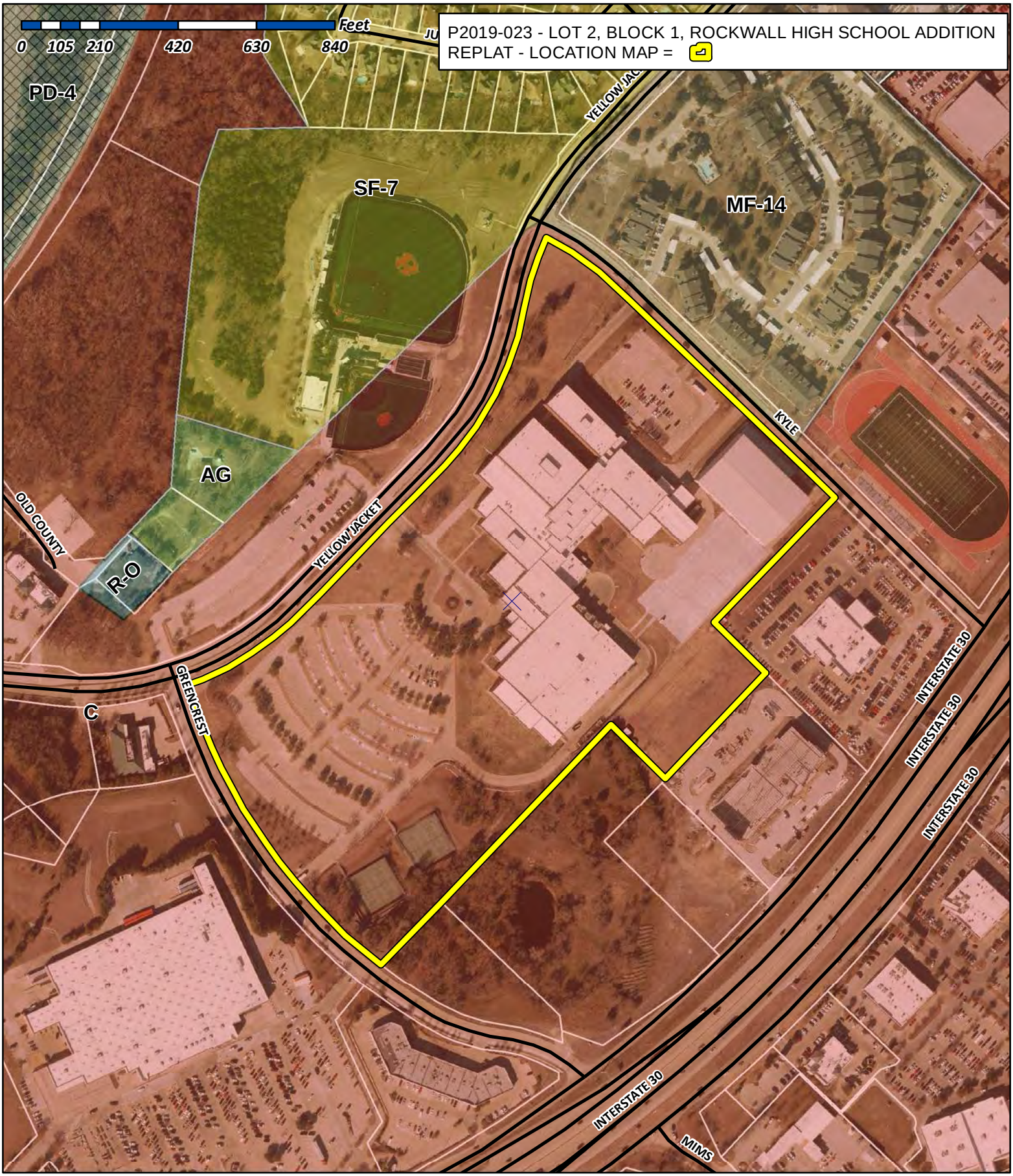
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall

Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On July 30, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 6-0, with Commissioner Lyons absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

186

CLOSURE SHEET ROCKWALL HIGH SCHOOL

Map Check Thursday, May 16, 2019

Course	Bearing	Distance	PT#	Northing	Easting	Description
			1	7019192.43	2595046.24	Plat
CURVE	A=230.06	DELTA=17°07'09"	T=115.90	EXT=8.67		
1–3	S 54°32'40" E	229.21	3	7019059.47	2595232.95	Plat
RADIUS POINT		770.00	2	7018505.72	2594697.92	Plat
3–4	S 45°59'06" E	813.73	4	7018494.05	2595818.15	Plat
4–5	S 44°11'14" W	463.62	5	7018161.61	2595495.00	Plat
5–6	S 45°26'13" E	200.00	6	7018021.27	2595637.50	Plat
6–7	S 44°17'14" W	390.29	7	7017741.88	2595364.97	Plat
7–8	N 45°58'43" W	200.81	8	7017881.43	2595220.57	Plat
8–9	S 44°27'47" W	273.93	9	7017685.93	2595028.70	Plat
9–10	S 44°03'37" W	615.63	10	7017243.53	2594600.58	Plat
CURVE	A=881.55	DELTA=33°49'50"	T=454.04	EXT=67.51		
10–12	N 35°10'22" W	868.80	12	7017953.70	2594100.11	Plat
RADIUS POINT		1493.00	11	7018421.44	2595517.96	Plat
12–13	N 20°38'38" W	44.43	13	7017995.28	2594084.45	Plat
CURVE	A=375.96	DELTA=25°29'33"	T=191.15	EXT=21.35		
13–15	N 57°10'59" E	372.87	15	7018197.36	2594397.81	Plat
RADIUS POINT		845.00	14	7018788.96	2593794.46	Plat
15–16	N 44°26'13" E	517.40	16	7018566.79	2594760.06	Plat
CURVE	A=505.16	DELTA=34°15'09"	T=260.38	EXT=39.21		
16–18	N 27°18'38" E	497.67	18	7019008.99	2594988.40	Plat
RADIUS POINT		845.00	17	7019158.40	2594156.71	Plat
CURVE	A=192.87	DELTA=14°38'12"	T=96.96	EXT=6.20		
18–20	N 17°30'09" E	192.35	20	7019192.43	2595046.24	Plat
RADIUS POINT		755.00	19	7018875.49	2595731.50	Plat

Closure error distance> 0.007 Error Bearing> N 90°00'00" E

Closure Precision> 1 in 866278.9 Total Distance Traversed> 5705.45

1537462 Sq. Feet or 35.295 Acres

187

Match Line Sheet 2

Yellowjacket Lane
(90' R.O.W.)

517.40'
N44°26'13"E
110.78'

10' Utility Esmt.
Cab. H, Pg. 5

24' Access & Fir
Cab. H,

15' Utility Esmt.
Cab. C, Pg. 147

24' ACCESS & FIRE LANE EASEMENT
CAB. H, PG. 5

29' ACCESS & FIRE LANE EASEMENT
CAB. H, PG. 5

15' Utility Esmt.
Cab. C, Pg. 147

15' Utility Esmt.
Cab. C, Pg. 147

Drainage &
Detention Esmt.
By This Plat

S44°23'57"E
52.63'

S08°58'10"E
60.12'

S30°08'40"E
108.73'

24' Access & Fire Lane Esmt.
Cab. H, Pg. 5

43.70'

"+" Cut
Set

10' Water Line Esmt.
Vol. 209, Pg. 332

Tract 10-1
Rockwall I.S.D.
7.7045 Acres
Vol. 221, Pg. 954

A=25°29'33"
R=845.00'
T=191.15'
L=375.96'
CB=N57°10'59"E
372.87'

Lot 2, Block 1
35.295 Acres

25' Bldg. Line

15' Drainage Esmt.
Cab. C, Pg. 147

15' Drainage Esmt.
Cab. C, Pg. 147

15' Drainage Esmt.
Cab. C, Pg. 147

A=04°46'22"
R=533.52'
T=22.23'
L=44.44'
CB=N20°38'38"W
44.43'

J.D McFarland Survey ~ Abst. 145
E.P.G. Chisum Survey ~ Abst. 64

CIRS

CIRS

A=33°49'50"
R=1493.00'
T=454.04'
L=881.55'
CB=N35°10'22"W
868.80'

15' Bldg. Line

Greencrest
(70' R.O.W.)
Boulevard

Lot 3R, Block B
The Woods At Rockwall
Cab. E, Pg. 389

Lot 6, Block A
Wal-Mart Super Center Addition
Cab. G, Pg. 253

44' Access & Fire Lane Esmt.
Cab. H, Pg. 5

25' Access & Fire Lane Esmt.
Cab. H, Pg. 5

S4

1/2" Iron Fnd.
Control Mon.

N45°58'43"W 200.81'

CDAI
Control Mon.

273.93'
S44°27'47"W

CIRS

Lot 1, Block A
Texas Roadhouse Addition
Vol. 2017, Pg. 0000018055

Tract 4-04
Greencrest TPS Hotel LP
2.805 Acres
Vol. 2018, Pg. 0000020236

Tract 4
Rockwall Rental Properties LP
Vol. 4076, Pg. 48

615.63'

Tract 4
Rockwall Rental Properties LP
Vol. 4076, Pg. 48

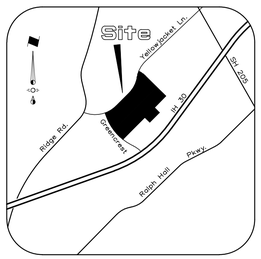
S44°03'37"W

Rockwall Rental Properties LP
1.815 Acres
Vol. 4076, Pg. 48

CIRS

Lot 1, Block A
Wal-Mart Super Center Addition
Cab. C, Pg. 383

0 60 100
GRAPHIC SCALE
1"=60'



VICINITY MAP
NTS

LEGEND:

CIRS.....1/2" Iron Set With
Yellow Plastic Cap
Stamped "4613"

NOTE:
The easements shown are graphically located from the previous plats. The plat recorded in Cabinet C, Page 147 was unreadable, and the plat recorded in Cabinet H, Page 5, had a portion of the line table missing.

PURPOSE OF REPLAT:
To dedicate a drainage & detention easement.

SHEET 1 OF 3

FINAL PLAT

ROCKWALL HIGH SCHOOL ADDITION

LOT 2, BLOCK 1

Being A Replat Of
Rockwall High School Addition, Lot 2, Block 1
Recorded In Cabinet H, Page 5, P.R.R.C.T.

35.295 Acres Situated In The
E.P.G. CHISUM SURVEY ~ ABST. 64
J.D. McFARLAND SURVEY ~ ABST. 145
ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner
Rockwall Independent School District
1191 T.L. Townsend Drive
Rockwall, Texas 75087
Telephone 972 772-1148

Engineer
RLK Engineering, Inc.
Texas Registration No. 579
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

Surveyor
Surdukan Surveying, Inc.
Firm No. 10069500
PO Box 126
Anna, Texas 75409
Telephone 972 924-8200

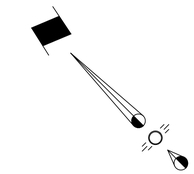
May 17, 2019

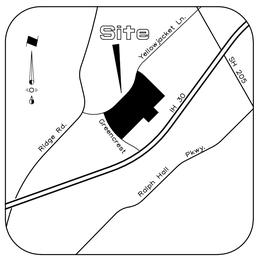
Case No. P2019-000

188

LEGEND:

CIRS.....1/2" Iron Set With Yellow Plastic Cap Stamped "4613"





VICINITY MAP
NTS

Lot 1, Block A
Rockwall Place Apartments
Cab. D, Pg. 53

Tract 16
Rockwall I.S.D.
6.056 Acres
Vol. 1648, Pg. 155

A=17°07'09"
R=770.00'
T=115.90'
L=230.06'
CB=S54°32'40"E
229.21'

Point of Beginning

Kyle Drive
(60' R.O.W.)

CLO Control Mon.

S45°59'06"E 813.73'

15' Bldg. Line

1/2" Iron Set With Yellow Plastic Cap Stamped "4613"
State Plane Coord.
N=7018494.05
E=2595818.15

1/2" Iron Set With Yellow Plastic Cap Stamped "4613"
State Plane Coord.
N=7019192.43
E=2595046.24

A=14°38'12"
R=755.00'
T=96.96'
L=192.87'
CB=N17°30'09"E
192.35'

15' Drainage Esmt.
Cab. C, Pg. 147

25' Access & Fire Lane Esmt.
Cab. H, Pg. 5

15' Utility Esmt.
Cab. C, Pg. 147

25' Access & Fire Lane Esmt.
Cab. H, Pg. 5

20' Utility Esmt.
Cab. H, Pg. 5

10' Water Line Esmt.
Vol. 209, Pg. 332

CIRS

25' Bldg. Line

25' Access & Fire Lane Esmt.
Cab. H, Pg. 5

Lot 2, Block 1
35.295 Acres

463.62'

S44°11'14"W

Lot 2, Block 1
Heritage BPG Addition
Cab. G, Pg. 205

A=34°15'09"
R=845.00'
T=260.38'
L=505.16'
CB=N27°18'38"E
497.67'

Tract 10-1
Rockwall I.S.D.
7.7045 Acres
Vol. 221, Pg. 954

CIRS

CIRS

S45°26'13"E 200.00'

CIRS

390.29'

S44°17'14"W

Lot 1, Block 1
Rockwall-Pine Addition

10' Utility Esmt.
Cab. H, Pg. 5

24' Access & Fire Lane Esmt.
Cab. H, Pg. 5

15' Utility Esmt.
Cab. C, Pg. 147

Match Line Sheet 1

Lane

.40'

24' ACCESS & FIRE LANE EASEMENT
CAB. H, PG. 5

15' Utility Esmt.
Cab. C, Pg. 147

Lane Esmt.
g. 5

1/2" Iron Fnd.
Control Mon.

N45°58'43"W 200.81'

CDAI
Control Mon.

NOTE:
The easements shown are graphically located from the previous plats. The plat recorded in Cabinet C, Page 147 was unreadable, and the plat recorded in Cabinet H, Page 5, had a portion of the line table missing.

PURPOSE OF REPLAT:
To dedicate a drainage & detention easement.

SHEET 2 OF 3

FINAL PLAT

ROCKWALL HIGH SCHOOL ADDITION

LOT 2, BLOCK 1

Being A Replat Of
Rockwall High School Addition, Lot 2, Block 1
Recorded In Cabinet H, Page 5, P.R.R.C.T.

35.295 Acres Situated In The
E.P.G. CHISUM SURVEY ~ ABST. 64
J.D. McFARLAND SURVEY ~ ABST. 145
ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner
Rockwall Independent School District
1191 T.L. Townsend Drive
Rockwall, Texas 75087
Telephone 972 772-1148

Engineer
RLK Engineering, Inc.
Texas Registration No. 579
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

Surveyor
Surdukan Surveying, Inc.
Firm No. 10069500
PO Box 126
Anna, Texas 75409
Telephone 972 924-8200

May 17, 2019

Case No. P2019-000

189

OWNER'S CERTIFICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, the Rockwall Independent School District is the owner of a tract of land situated in the E.P.G. Chisum Survey, Abstract No. 64, and the J.D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, and being all of Rockwall High School Addition, Lot 2, Block 1, as recorded in Cabinet H, Page Page 5, Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner at the intersection of the southeasterly line of Yellowjacket Lane (a 90' R.O.W.) with the southwesterly line of Kyle Drive (a 60' R.O.W.) said point being the beginning of a curve to the right having a central angle of 17°07'09", a radius of 770.00 feet, a tangent length of 115.90 feet, and a chord bearing S54°32'40"E, 229.21 feet;

THENCE in a southeasterly direction along said curve to the right, and with the southwesterly line of Kyle Drive, an arc distance of 230.06 feet to a capped iron found stamped "CLO" for corner and the end of said curve;

THENCE S45°59'06"E, with the southwesterly line of Kyle Drive, a distance of 813.73 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner, said point being the northwest corner of Lot 2, Block 1, Heritage BPG Addition, an addition to the City of Rockwall as recorded in Cabinet G, Page 205, Plat Records of Rockwall County, Texas;

THENCE S44°11'14"W, leaving Kyle Drive, a distance of 463.62 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner, from which a capped iron rod stamped "HALFF" bears N34°53'08"W, 0.44';

THENCE S45°26'13"E, a distance of 200.00 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner, from which a 1/2" iron rod bears N27°44'49"W, 0.25';

THENCE S44°17'14"W, a distance of 390.29 feet to a capped iron found stamped "CDAI" for corner;

THENCE N45°58'43"W, a distance of 200.81 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner;

THENCE S44°27'47"W, a distance of 273.93 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613 for corner;

THENCE S44°03'37"W, a distance of 615.63 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner, from which a 1/2" iron rod stamped "DAI" bears N40°59'38"E, 0.31', said corner being in the northeasterly line of Greencrest Boulevard (a 70' R.O.W.), said point being the beginning of a non-tangent curve to the right having a central angle of 33°49'50", a radius of 1493.00 feet, a tangent length of 454.04 feet, and a chord bearing N35°10'22"W, 868.80 feet;

THENCE in a northwesterly direction along said curve to the right, and with the northeasterly line of Greencrest Boulevard, an arc distance of 881.55 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner, from which a 1/2" iron rod bears N40°59'38"E, 0.31', said corner being the beginning of a reverse curve to the left having a central angle of 04°46'22", a radius of 533.52 feet, a tangent length of 22.23 feet, and a chord bearing N20°38'38"W, 44.43 feet;

THENCE in a northwesterly direction along said curve to the left, and with the northeasterly line of Greencrest Boulevard, an arc distance of 44.44 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner, from which a 1/2" iron rod bears N66°47'39"E, 2.95', said corner being the end of said curve, and being the in the aforementioned southeasterly line of Yellowjacket Lane and the beginning of a non-tangent curve to the left having a central angle of 25°29'33", a radius of 845.00 feet, a tangent length of 191.15 feet, and a chord bearing N57°10'59"E, 372.87 feet;

THENCE in a northeasterly direction along said curve to the left, and with the southeasterly line of Yellowjacket Lane, an arc distance of 375.96 feet to an "x" cut set for corner and the end of said curve;

THENCE N44°26'13"E, with the southeasterly line of Yellowjacket Lane, a distance of 517.40 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner, from which a 1/2" iron rod bears N72°41'18"W, 2.03 feet, said corner being the beginning of a curve to the left having a central angle of 34°15'09", a radius of 845.00 feet, a tangent length of 260.38 feet, and a chord bearing N27°18'38"E, 497.67 feet;

THENCE in a northeasterly direction along said curve to the left, and with the southeasterly line of Yellowjacket Lane, an arc distance of 505.16 feet to a 1/2" iron rod set with yellow plastic cap stamped "4613" for corner and the beginning of a reverse curve to the right having a central angle of 14°38'12" a radius of 755.00 feet, a tangent length of 96.96 feet, and a chord bearing N17°30'09"E, 192.35 feet;

THENCE in a northeasterly direction along said curve to the right, and with the southeasterly line of Yellowjacket Lane, an arc distance of 192.87 feet to the POINT OF BEGINNING and CONTAINING 1,537,462 square feet, or 35.295 acres of land.

BASIS OF BEARINGS:

The bearings shown are derived from Texas WDS RTK Network, Texas State Plane Coordinate System, Nad83, North Central Zone, Nad 83 (CORS96) Epoch 2002.0, vertical positions are referenced using NAVD88 using (GEIOD03).

GENERAL NOTES

It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer, and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance, or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

We, Rockwall Independent School District, the undersigned owner of the land shown on this plat, and designated Lot 2, Block 1, Rockwall High School Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever, all streets, alleys, parks, water courses, drains, easements, and public places thereon shown for the purpose and consideration therein expressed.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed upon, over or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with construction, maintenance, or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from, and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. Property owner is responsible for maintaining, repairing, and replacing detention/drainage system.

7. No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at the prevailing private commercial rates, or have been made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done, or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

_____
Rockwall Independent School District
By:
Title:

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____ _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office, this the _____ day of _____, 2019.

_____
Notary Public in and for
the State of Texas

PURPOSE OF REPLAT:
To dedicate a drainage & detention easement.

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, David J. Surdukan, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
David J. Surdukan, RPLS
Registration No. 4613
TX Firm No. 10069500

STATE OF TEXAS · REGISTERED · DAVID J. SURDUKAN · 4613 · PROFESSIONAL · LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plan of an addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the _____ day of _____, 2017.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

SHEET 3 OF 3

FINAL PLAT

ROCKWALL HIGH SCHOOL ADDITION

LOT 2, BLOCK 1

Being A Replat Of
Rockwall High School Addition, Lot 2, Block 1
Recorded In Cabinet H, Page 5, P.R.R.C.T.

35.295 Acres Situated In The
E.P.G. CHISUM SURVEY ~ ABST. 64
J.D. McFARLAND SURVEY ~ ABST. 145
ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner
Rockwall Independent School District
1191 T.L. Townsend Drive
Rockwall, Texas 75087
Telephone 972 772-1148

Engineer
RLK Engineering, Inc.
Texas Registration No. 579
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

Surveyor
Surdukan Surveying, Inc.
Firm No. 10069500
PO Box 126
Anna, Texas 75409
Telephone 972 924-8200

May 17, 2019

Case No. P2019-000

190

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191

CITY OF ROCKWALL
CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	August 5, 2019
APPLICANT:	Matthew Gardner; *Halff Associates*
CASE NUMBER:	P2019-028; *Lot 2, Block 1, Indalloy Addition*

SUMMARY

Consider a request by Matthew Gardner of Halff Associates on behalf of Carolina Molina of Alvaplast US (*SPR Packaging*) for the approval of a replat for a 43.0139-acre tract of land identified as Lot 1, Block 1, Indalloy Addition; Tract 31 of the R. Ballard Survey, Abstract No. 29; and Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a replat for a 43.0139-acre tract of land [i.e. *Lot 2, Block 1, Indalloy Addition*] that will establish firelane, utility, sanitary sewer, detention, and waterline easements for the purpose of developing the *subject property*. Additionally, the replat will abandon a portion of a dedicated right-of-way [*i.e. Aluminum Plant Road*]. The *subject property* is zoned Light Industrial (LI) District and is addressed as 501 Industrial Boulevard.

☑ On January 18, 2019, Matthew Gardner of Halff Associates submitted a site plan [*i.e. Case No. SP2019-004*] proposing the construction of a ~78,615 SF warehouse/manufacturing facility in conjunction with an existing warehouse/manufacturing facility [*i.e. SPR Packaging*] at 1480 Justin Road. On March 12, 2019, the Planning and Zoning Commission approved the site plan and all requested exceptions [*i.e. Case No. SP 2019-004*].

☑ On March 18, 2019, the City Council approved an *Alternative Tree Mitigation Settlement Agreement,* for a total of $14,225.00 to be paid into the *City's Tree Fund*. This amount is due at the time of filing this final plat. This has been added as a condition of approval below.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 2, Block A, Indalloy Addition,* staff would propose the following conditions of approval:

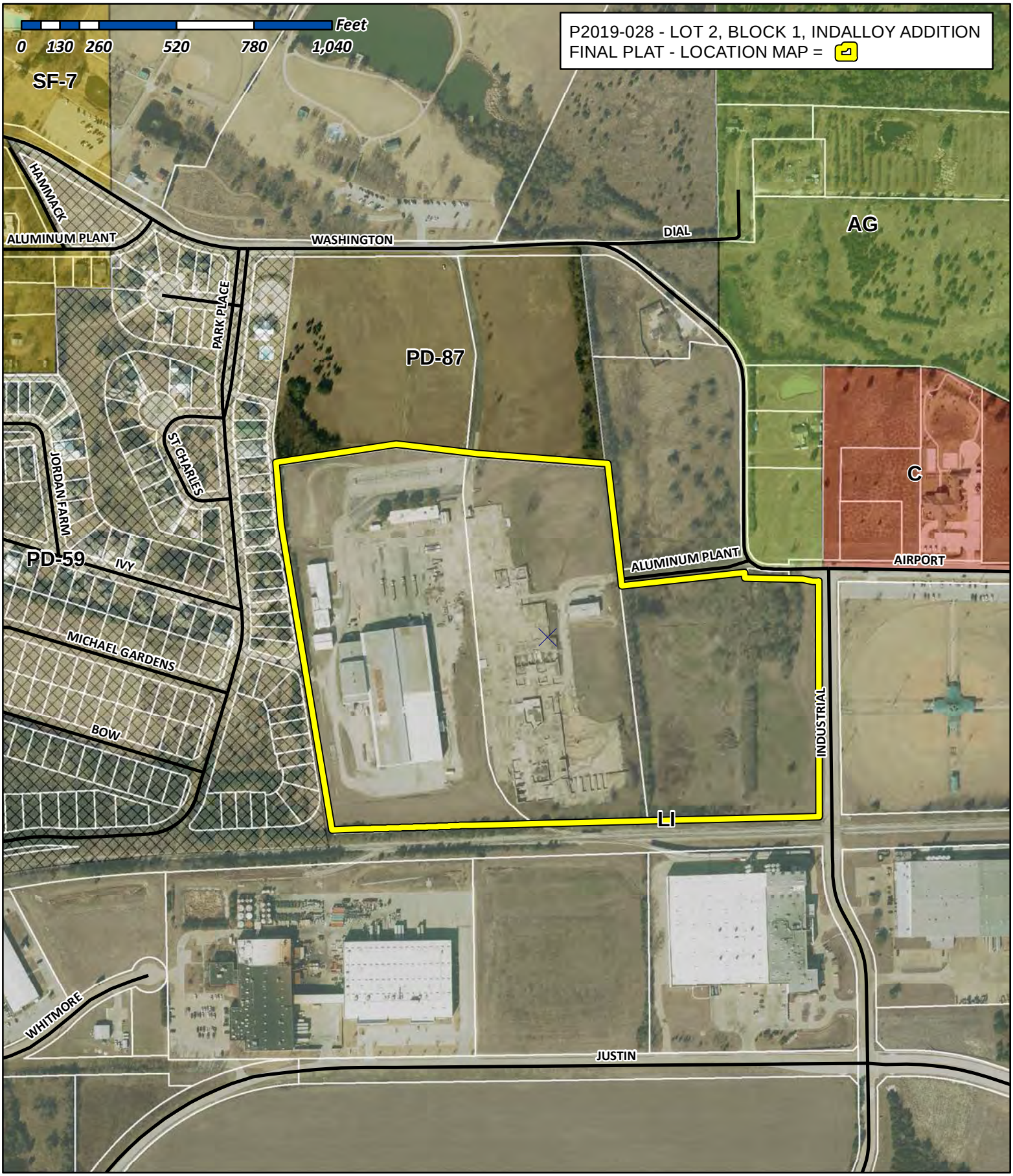
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Prior to the filing of this plat, payment into the *City's Tree Fund* in the amount of $14,225.00 to satisfy the *Alternative Tree Mitigation Settlement Agreement* approved by the City Council on March 18, 2019 shall be due.

(3) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On July 30, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 6-0, with Commissioner Lyons absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

194

Line Course: S 00-07-36 E Length: 788.63

Line Course: S 88-36-50 W Length: 584.08

Line Course: S 88-32-20 W Length: 578.23

Curve Length: 368.53 Radius: 21774.77
Delta: 0-58-11 Tangent: 184.26
Chord: 368.51 Course: S 88-05-13 W

Line Course: S 88-04-12 W Length: 100.57

Line Course: N 09-24-49 W Length: 1039.69

Line Course: N 04-58-27 W Length: 206.69

Line Course: N 81-27-00 E Length: 407.41

Line Course: S 83-23-14 E Length: 274.94

Line Course: S 85-37-16 E Length: 435.64

Line Course: S 06-42-50 E Length: 361.82

Line Course: N 83-53-38 E Length: 385.71

Line Course: S 01-01-31 E Length: 50.20

Line Course: N 83-53-38 E Length: 32.63

Line Course: S 01-01-31 E Length: 17.89

Line Course: S 88-37-46 E Length: 195.72

Line Course: S 79-05-55 E Length: 32.05

Line Course: S 88-51-14 E Length: 20.02

Perimeter: 5880.44 Area: 1,873,684 SF 43.0139 AC

Error Closure: 0.0013 Course: S 78-18-58 W
Error North: -0.0011 East : -0.0031988
Precision 1: 589,677.34

195

LOT 2, BLOCK 1
43.0139 ACRES

UP/DALLAS GARLAND N.E. RAILROAD
(100' RIGHT-OF-WAY)

NOTE:

THE PURPOSE OF THIS PLAT IS TO CREATE 1 NEW LOT.

NOTE:
SEE PAGE 2 FOR DETAILS
SEE PAGE 3 FOR LEGEND

BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

\RockwallWashingtonStreet11ac\PLAT 2019

OWNER:
ALVAPLAST U.S. DEVELOPMENT, LLC.
1480 JUSTIN RD
ROCKWALL, TX 75087
CONTACT: CAROLINA MOLINA
EMAIL: CMOLINA@SPRPACKAGING.COM
TEL: 469-402-1232

OWNER:
ALVAPLAST U.S., INC.
1480 JUSTIN RD
ROCKWALL, TX 75087
CONTACT: CAROLINA MOLINA
EMAIL: CMOLINA@SPRPACKAGING.COM
TEL: 469-402-1232

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
L1	N83°53'38"E	32.63'
L2	S01°01'31"E	17.89'
L3	S88°37'46"E	195.72'
L4	S79°05'55"E	32.05'
L5	S88°51'14"E	20.02'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	21774.77'	0°58'11"	368.53'	S88°05'13"W	368.51'

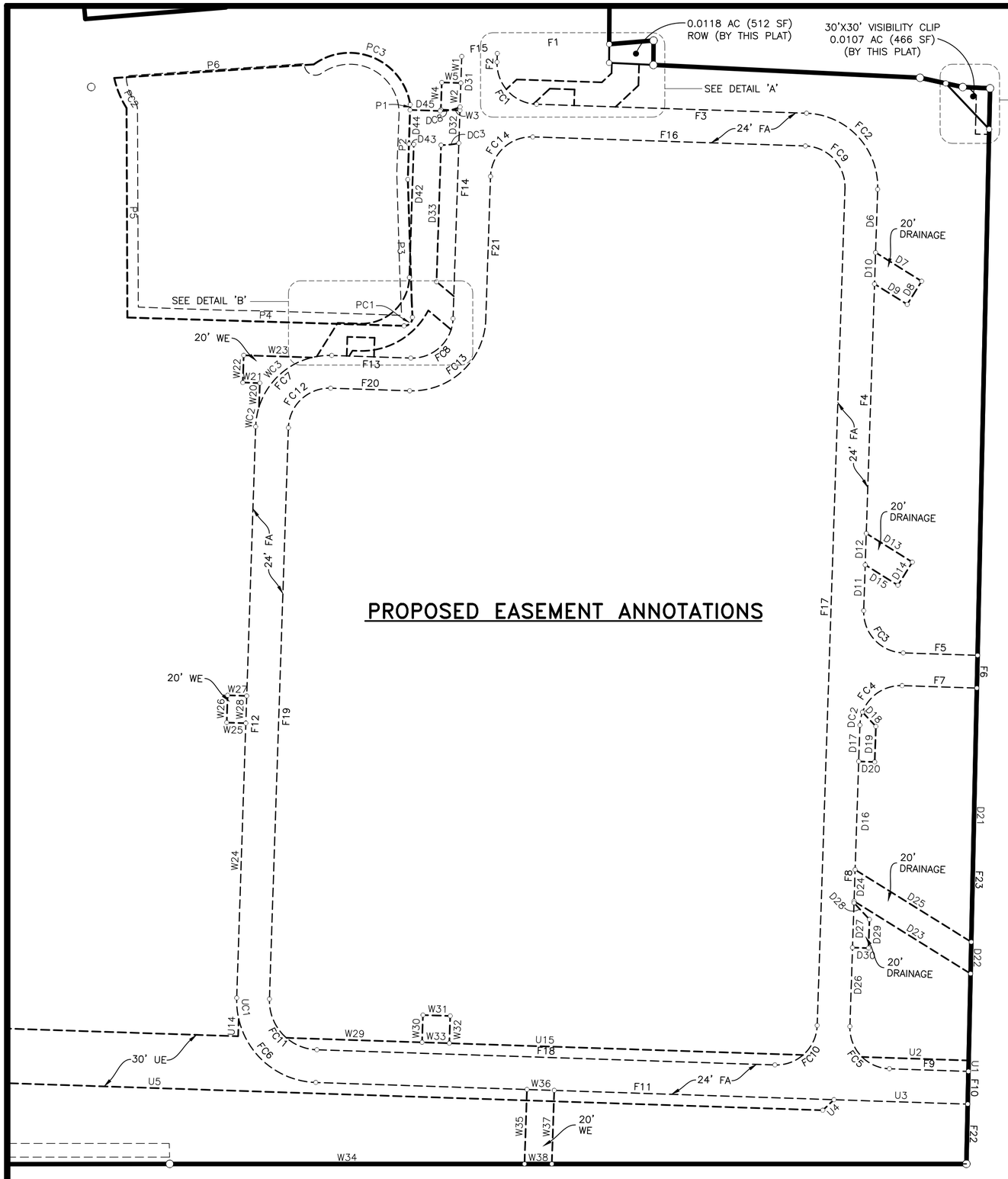
FINAL PLAT
LOT 2, BLOCK 1
INDALLOY ADDITION
BEING A REPLAT OF PART OF LOT 1, BLOCK 1

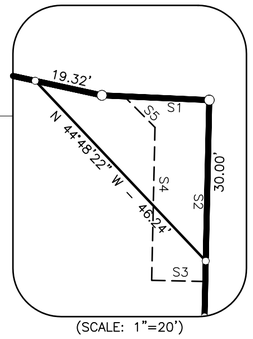
BEING A 43.0139-ACRE PARCEL
N. BUTLER SURVEY - ABSTRACT NO. 20
R. BALLARD SURVEY - ABSTRACT NO. 29A
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

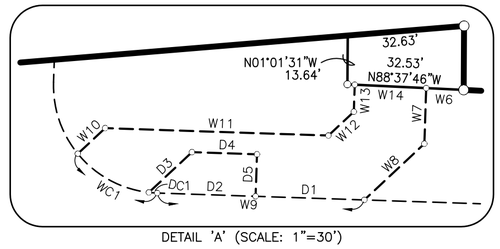
JULY 11, 2019

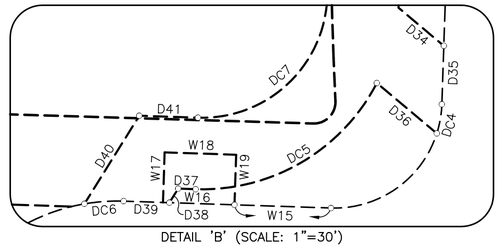
CASE NO. P2019-____

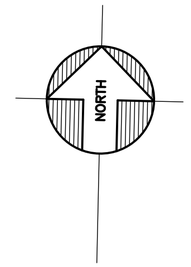
SHEET 1 OF 3













~ LINE TABLE ~		
NO.	BEARING	DISTANCE
F1	S83°53'38"W	82.30'
F2	S00°30'52"W	6.28'
F3	S89°29'08"E	198.00'
F4	S00°30'52"W	309.00'
F5	S89°29'08"E	54.54'
F6	S00°07'36"E	24.00'
F7	N89°29'08"W	54.81'
F8	S00°30'52"W	221.00'
F9	S89°29'08"E	57.95'
F10	S00°07'36"E	24.00'
F11	N89°29'08"W	478.22'
F12	N00°30'52"E	419.00'
F13	S89°29'08"E	58.00'
F14	N00°30'52"E	192.27'
F15	N83°53'38"E	26.17'
F16	S89°29'08"E	200.00'
F17	S00°30'52"W	614.00'
F18	N89°29'08"W	336.00'
F19	N00°30'52"E	419.00'
F20	S89°29'08"E	58.00'
F21	N00°30'52"E	105.00'
F22	N00°07'36"W	43.86'
F23	N00°07'36"W	281.02'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
FC1	30.00'	90°00'00"	47.12'	S44°29'08"E	42.43'
FC2	54.00'	90°00'00"	84.82'	N44°29'08"W	76.37'
FC3	30.00'	90°00'00"	47.12'	S44°29'08"E	42.43'
FC4	30.00'	90°00'00"	47.12'	S45°30'52"W	42.43'
FC5	30.00'	90°00'00"	47.12'	S44°29'08"E	42.43'
FC6	60.00'	90°00'00"	94.25'	S44°29'08"E	84.85'
FC7	54.00'	90°00'00"	84.82'	S45°30'52"W	76.37'
FC8	30.00'	90°00'00"	47.12'	N45°30'52"E	42.43'
FC9	30.00'	90°00'00"	47.12'	N44°29'08"W	42.43'
FC10	30.00'	90°00'00"	47.12'	N45°30'52"E	42.43'
FC11	36.00'	90°00'00"	56.55'	S44°29'08"E	50.91'
FC12	30.00'	90°00'00"	47.12'	S45°30'52"W	42.43'
FC13	54.00'	90°00'00"	84.82'	N45°30'52"E	76.37'
FC14	30.00'	90°00'00"	47.12'	S45°30'52"W	42.43'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
W1	S00°31'14"W	19.58'
W2	S00°30'30"W	20.00'
W3	N89°29'08"W	14.00'
W4	N00°30'52"E	20.00'
W5	S89°29'08"E	14.00'
W6	N88°37'46"W	10.48'
W7	S00°30'52"W	15.56'
W8	S45°30'52"W	22.98'
W9	N89°29'08"W	57.91'
W10	N45°30'52"E	10.50'
W11	S89°29'08"E	62.42'
W12	N45°30'52"E	9.73'
W13	N00°30'52"E	7.58'
W14	S88°37'46"E	20.00'
W15	N89°29'08"W	27.00'
W16	N89°29'08"W	20.00'
W17	N00°30'52"E	14.00'
W18	S89°29'08"E	20.00'
W19	S00°30'52"W	14.00'
W20	N00°30'52"E	17.44'
W21	N89°29'08"W	12.50'
W22	N00°30'52"E	20.00'
W23	S89°29'08"E	49.94'
W24	N00°30'52"E	201.50'
W25	N89°29'08"W	14.00'
W26	N00°30'52"E	20.00'
W27	S89°29'08"E	14.00'
W28	S00°30'52"W	20.00'
W29	S89°29'08"E	99.51'
W30	N00°30'52"E	20.00'
W31	S89°29'08"E	20.00'
W32	S00°30'52"W	20.00'
W33	N89°29'08"W	20.00'
W34	N88°36'50"E	260.10'
W35	N00°30'52"E	54.60'
W36	S89°29'08"E	20.00'
W37	S00°30'52"W	53.94'
W38	S88°36'50"W	20.01'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
WC1	30.00'	48°46'36"	25.54'	S65°05'50"E	24.78'
WC2	54.00'	15°38'34"	14.74'	S08°20'09"W	14.70'
WC3	54.00'	58°42'54"	55.34'	S45°30'52"W	52.95'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
DC1	30.00'	4°28'41"	2.34'	S87°14'48"E	2.34'
DC2	30.00'	18°40'57"	9.78'	S09°51'20"W	9.74'
DC3	57.50'	13°06'41"	13.16'	N82°27'31"E	13.13'
DC4	30.00'	15°49'01"	8.28'	N08°25'23"E	8.26'
DC5	55.00'	64°31'05"	61.93'	N58°15'20"E	58.71'
DC6	54.00'	11°40'16"	11.00'	S84°40'44"W	10.98'
DC7	35.00'	90°00'00"	54.98'	N45°30'52"E	49.50'
DC8	32.50'	26°30'27"	15.04'	N77°15'39"E	14.90'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
PC1	6.00'	93°33'46"	9.80'	N43°33'07"E	8.74'
PC2	70.00'	19°35'53"	23.94'	S23°41'41"E	23.83'
PC3	45.00'	116°49'39"	91.76'	N68°48'02"W	76.67'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
U1	N00°07'36"W	8.00'
U2	N89°29'08"W	78.26'
U3	N89°29'08"W	98.08'
U4	S45°30'52"W	11.31'
U5	N89°29'08"W	980.39'
U6	N00°30'52"E	10.00'
U7	N89°29'08"W	107.54'
U8	S66°07'29"W	152.92'
U9	S88°37'29"W	17.79'
U10	N00°30'52"E	20.01'
U11	N88°37'29"E	13.15'
U12	N66°07'29"E	177.48'
U13	S89°29'08"E	640.06'
U14	N00°30'52"E	12.64'
U15	N89°29'08"W	379.02'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
D1	N89°29'08"W	30.41'
D2	N89°29'08"W	27.50'
D3	N45°30'52"E	16.49'
D4	S89°29'08"E	18.18'
D5	S00°30'52"W	11.75'
D6	S00°30'52"W	46.12'
D7	S59°29'08"E	39.79'
D8	S30°30'52"W	20.00'
D9	N59°29'08"W	28.25'
D10	N00°30'52"E	23.09'
D11	N00°30'52"E	33.54'
D12	N00°30'52"E	23.09'
D13	S59°29'08"E	39.79'
D14	S30°30'52"W	20.00'
D15	N59°29'08"W	28.25'
D16	N00°30'52"E	79.39'
D17	N00°30'52"E	26.58'
D18	S44°29'08"E	14.38'
D19	S00°30'52"W	26.02'
D20	N89°29'08"W	11.75'
D21	S00°07'36"E	186.15'
D22	S00°07'36"E	23.25'
D23	N59°29'08"W	100.63'
D24	N00°30'52"E	23.09'
D25	S59°29'08"E	100.33'
D26	N00°30'52"E	57.87'
D27	N00°30'52"E	32.77'
D28	S44°29'08"E	16.62'
D29	S00°30'52"W	21.02'
D30	N89°29'08"W	11.75'
D31	S00°30'52"W	37.09'
D32	S00°30'52"W	26.56'
D33	S00°30'52"W	100.21'
D34	S51°21'04"E	16.53'
D35	S00°30'52"W	16.36'
D36	N51°21'04"W	21.89'
D37	N89°29'08"W	4.88'
D38	S30°30'52"W	4.62'
D39	N89°29'08"W	12.81'
D40	N30°30'52"E	29.00'
D41	S89°29'08"E	16.42'
D42	N00°30'52"E	97.76'
D43	N89°29'08"W	3.54'
D44	N00°26'49"E	25.00'
D45	S89°29'08"E	22.06'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
P1	S00°26'49"W	3.92'
P2	S00°26'49"W	50.98'
P3	S03°13'45"E	101.15'
P4	N89°40'00"W	202.79'
P5	N01°36'22"W	153.52'
P6	N84°42'53"E	146.56'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
S1	S88°51'14"E	15.88'
S2	S00°07'36"E	33.81'
S3	S89°52'24"W	10.00'
S4	N00°07'36"W	28.50'
S5	N46°11'12"W	8.16'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
UC1	60.00'	14°50'08"	15.54'	S06°54'12"E	15.49'

BLUE SKY SURVEYING & MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

OWNER:
ALVAPLAST U.S. DEVELOPMENT, LLC.
1480 JUSTIN RD
ROCKWALL, TX 75087
CONTACT: CAROLINA MOLINA
EMAIL: CMOLINA@SPRPACKAGING.COM
TEL: 469-402-1232

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ROCKWALL, TX 75087
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TEL: 469-402-1232

\RockwallWashingtonStreet11ac\PLAT 2019

FINAL PLAT
LOT 2, BLOCK 1
INDALLOY ADDITION
BEING A REPLAT OF PART OF LOT 1, BLOCK 1

BEING A 43.0139-ACRE PARCEL
N. BUTLER SURVEY - ABSTRACT NO. 20
R. BALLARD SURVEY - ABSTRACT NO. 29A
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

JULY 11, 2019 CASE NO. P2019-____

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, ALVAPLAST U.S., INC., A DELAWARE CORPORATION, AND ALVAPLAST U.S. DEVELOPMENT, LLC., ARE THE OWNERS OF ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE N. BUTLER SURVEY ABSTRACT NO. 20 AND THE R. BALLARD SURVEY, ABSTRACT NO. 29. ROCKWALL COUNTY, TEXAS; AND BEING A PART OF LOT 1, BLOCK 1, INDALLOY ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET D, SLIDE 273 OF THE PLAT RECORDS OF ROCKWALL COUNTY TEXAS; SAID TRACT BEING THE SAME 11.3736 ACRE OF TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO ALVAPLAST U.S., INC., A DELAWARE CORPORATION RECORDED IN INSTRUMENT NUMBER 2150000002739 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS; AND BEING THE SAME 14.53 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 AND 16.69 ACRE TRACT OF LAND DESCRIBED AS TRACT 2 IN GENERAL WARRANTY DEED TO ALVAPLAST U.S. DEVELOPMENT, LLC., IN INSTRUMENT NUMBER 20170000020975 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS; SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD WITH "POGUE ENG & DEV" CAP FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF INDUSTRIAL BOULEVARD (A 65-FOOT WIDE RIGHT-OF-WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF AIRPORT ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 00° 07' 36" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD FOR A DISTANCE OF 788.63 FEET TO A 1/2-INCH IRON ROD WITH "POGUE ENG & DEV" CAP FOUND FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF UP/DALLAS GARLAND N.E. RAILROAD (A 100-FOOT WIDE RIGHT-OF-WAY); SAID POINT BEING THE SOUTHEAST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT;

THENCE SOUTH 88° 36' 50" WEST DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD AND ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD AND SOUTH LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT FOR A DISTANCE OF 584.08 FEET TO A 5/8" IRON ROD SET FOR CORNER; SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT AND THE SOUTHEAST CORNER OF SAID LOT 1 IN BLOCK 1;

THENCE SOUTH 88° 32' 20" WEST AND ALONG THE SOUTH LINE OF SAID LOT 1 IN BLOCK 1, PASSING AT A DISTANCE OF 502.55, THE SOUTHWEST CORNER OF SAIS LOT 1 IN BLOCK 1, SAID POINT ALSO BEING THE COMMON CORNER FOR SAID 14.53 ACRE AND 16.69 ACRE TRACTS, AND CONTINUING FOR A TOTAL DISTANCE OF 578.23' TO A POINT FOR CORNER, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 00° 58' 11" WITH A RADIUS OF 21,774.77 FEET AND A CHORD BEARING SOUTH 88° 05' 13" WEST AT A DISTANCE OF 368.51 FEET;

THENCE SOUTHWESTERLY AND CONTINUING ALONG THE SOUTH LINE OF SAID 16.69 ACRE TRACT, AND ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 368.53 FEET TO A POINT FOR CORNER;

THENCE SOUTH 88° 04' 12" WEST AND CONTINUING ALONG THE SOUTH LINE OF SAID 16.69 ACRE TRACT FOR A DISTANCE OF 100.57 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID 16.69 ACRE TRACT, AND BEING THE SOUTHEAST CORNER OF PARK PLACE WEST PHASE III ADDITION, AN ADDITION TO THE CITY OF ROCKWALL ACCORDING TO THE PLAT THEREOF, RECORDED IN COUNTY CLERK'S FILE NUMBER 20180000008712 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 09° 24' 49" WEST AND ALONG THE WEST LINE OF SAID 16.69 ACRE TRACT AND ALONG THE EAST LINE OF SAID PARK PLACE WEST PHASE III ADDITION, PASSING AT A DISTANCE OF 534.46 FEET A NORTHEAST CORNER OF SAID PARK PLACE WEST PHASE III ADDITION, SAME BEING A SOUTHEAST CORNER OF PARK PLACE WEST PHASE II ADDITION, AN ADDITION TO THE CITY OF ROCKWALL ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET F, PAGE 263 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, AND CONTINUING FOR A TOTAL DISTANCE OF 1,039.69 FEET TO A POINT FOR CORNER;

THENCE NORTH 04° 58' 27" WEST FOR A DISTANCE OF 206.69 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID 16.69 ACRE TRACT;

THENCE NORTH 81° 27' 00" EAST FOR A DISTANCE OF 407.41 FEET TO A POINT FOR THE NORTHERN-MOST CORNER OF SAID 16.69 ACRE TRACT;

THENCE SOUTH 83° 23' 14" EAST AND CONTINUING ALONG THE NORTH LINE OF SAID 16.69 ACRE TRACT, PASSING AT A DISTANCE OF 216.91 FEET THE COMMON CORNER OF SAID 16.69 ACRE AND 14.53 ACRE TRACTS, AND CONTINUING FOR A TOTAL DISTANCE OF 274.94' TO A POINT FOR CORNER;

THENCE SOUTH 85° 37' 16" EAST AND FOLLOWING ALONG THE NORTH LINE OF SAID 14.53 ACRE TRACT FOR A DISTANCE OF 435.64' TO A POINT FOR THE NORTHEAST CORNER OF SAID 14.53 ACRE TRACT;

THENCE SOUTH 06° 42' 50" EAST FOR A DISTANCE OF 361.82 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 83° 53' 38" EAST FOR A DISTANCE OF 385.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE SOUTH 01° 01' 31" EAST FOR A DISTANCE OF 50.20 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE SOUTH 83° 53' 38" EAST FOR A DISTANCE OF 32.63 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE SOUTH 01° 01' 31" EAST FOR A DISTANCE OF 17.89 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE 88° 37' 46" EAST FOR A DISTANCE OF 195.72 FEET TO A 1/2" IRON ROD WITH YELLOW CAP FOUND FOR CORNER;

THENCE SOUTH 79° 05' 55" EAST FOR A DISTANCE OF 32.05 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE SOUTH 88° 51' 14" EAST FOR A DISTANCE OF 20.02 FEET TO THE **POINT OF BEGINNING AND CONTAINING 43.0139 ACRES (1,873,684 SQUARE FEET) OF LAND,** MORE OR LESS.

PROPOSED EASEMENTS BY THIS PLAT

- FA — 24' FIRE LANE, PUBLIC ACCESS & UTILITY EASEMENT
- UT — UTILITY EASEMENT
- W — WATER EASEMENT
- DR — DRAINAGE EASEMENT
- SW — SIDEWALK EASEMENT

LEGEND

O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
IRS	IRON ROD SET
IRF	IRON ROD FOUND

OWNER:
ALVAPLAST U.S., INC.
1480 JUSTIN RD
ROCKWALL, TX 75087
CONTACT: CAROLINA MOLINA
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TEL: 469-402-1232

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& MAPPING, CORPORATION
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FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

\RockwallWashingtonStreet11ac\PLAT 2019

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS }
COUNTY OF ROCKWALL }

WE, THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS **LOT 2, BLOCK 1, INDALLOY ADDITION,** A SUBDIVISION TO THE CITY OF ROCKWALL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN ON THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. WE FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST IN **INDALLOY ADDITION** HAVE BEEN NOTIFIED AND SIGNED THIS PLAT.

WE UNDERSTAND AND DO HEREBY RESERVE THE EASEMENT STRIPS SHOWN ON THIS PLAT FOR THE PURPOSES STATED AND FOR THE MUTUAL USE AND ACCOMMODATION OF ALL UTILITIES DESIRING TO USE OR USING SAME. WE ALSO UNDERSTAND THE FOLLOWING;

(1) NO BUILDINGS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE UTILITY EASEMENTS AS DESCRIBED HEREIN.

(2) ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEM ON ANY OF THESE EASEMENT STRIPS; AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS OR EGRESS TO, FROM AND UPON THE SAID EASEMENT STRIPS FOR PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING, AND EITHER ADDING TO OR REMOVING ALL OR PART OF THEIR RESPECTIVE SYSTEM WITHOUT THE NECESSITY OF, AT ANY TIME, PROCURING THE PERMISSION OF ANYONE.

(3) THE CITY OF ROCKWALL WILL NOT BE RESPONSIBLE FOR ANY CLAIMS OF ANY NATURE RESULTING FROM OR OCCASIONED BY THE ESTABLISHMENT OF GRADE OF STREETS IN THE SUBDIVISION.

(4) THE DEVELOPER AND SUBDIVISION ENGINEER SHALL BEAR TOTAL RESPONSIBILITY FOR STORM DRAIN IMPROVEMENTS.

(5) THE DEVELOPER SHALL BE RESPONSIBLE FOR THE NECESSARY FACILITIES TO PROVIDE DRAINAGE PATTERNS AND DRAINAGE CONTROLS SUCH THAT PROPERTIES WITHIN THE DRAINAGE AREA ARE NOT ADVERSELY AFFECTED BY STORM DRAINAGE FROM THE DEVELOPMENT.

(6) NO HOUSE DWELLING UNIT, OR OTHER STRUCTURE SHALL BE CONSTRUCTED ON ANY LOT IN THIS ADDITION BY THE OWNER OR ANY OTHER PERSON UNTIL THE DEVELOPER AND/OR OWNER HAS COMPLIED WITH ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF ROCKWALL REGARDING IMPROVEMENTS WITH RESPECT TO THE ENTIRE BLOCK ON THE STREET OR STREETS ON WHICH PROPERTY ABUTS, INCLUDING THE ACTUAL INSTALLATION OF STREETS WITH THE REQUIRED BASE AND PAVING, CURB AND GUTTER, WATER AND SEWER, DRAINAGE STRUCTURES, STORM STRUCTURES, STORM SEWERS, AND ALLEYS, ALL ACCORDING TO THE SPECIFICATIONS OF THE CITY OF ROCKWALL; OR

UNTIL AN ESCROW DEPOSIT, SUFFICIENT TO PAY FOR THE COST OF SUCH IMPROVEMENTS, AS DETERMINED BY THE CITY'S ENGINEER AND/OR CITY ADMINISTRATOR, COMPUTED ON A PRIVATE COMMERCIAL RATE BASIS, HAS BEEN MADE WITH THE CITY SECRETARY, ACCOMPANIED BY AN AGREEMENT SIGNED BY THE DEVELOPER AND/OR OWNER, AUTHORIZING THE CITY TO MAKE SUCH IMPROVEMENTS AT PREVAILING PRIVATE COMMERCIAL RATES, OR HAVE THE SAME MADE BY A CONTRACTOR AND PAY FOR THE SAME OUT OF THE ESCROW DEPOSIT, SHOULD THE DEVELOPER AND/OR OWNER FAIL OR REFUSE TO INSTALL THE REQUIRED IMPROVEMENTS WITHIN THE TIME STATED IN SUCH WRITTEN AGREEMENT, BUT IN NO CASE SHALL THE CITY BE OBLIGATED TO MAKE SUCH IMPROVEMENTS ITSELF. SUCH DEPOSIT MAY BE USED BY THE OWNER AND/OR DEVELOPER AS PROGRESS PAYMENTS AS THE WORK PROGRESSES IN MAKING SUCH IMPROVEMENTS BY MAKING CERTIFIED REQUISITIONS TO THE CITY SECRETARY, SUPPORTED BY EVIDENCE OF WORK DONE; OR

UNTIL THE DEVELOPER AND/OR OWNER FILES A CORPORATE SURETY BOND WITH THE CITY SECRETARY IN A SUM EQUAL TO THE COST OF SUCH IMPROVEMENTS FOR THE DESIGNATED AREA, GUARANTEEING THE INSTALLATION THEREOF WITHIN THE TIME STATED IN THE BOND, WHICH TIME SHALL BE FIXED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL.

WE FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTION'S MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; WE, OUR SUCCESSORS AND ASSIGNS HEREBY WAIVE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT WE MAY HAVE AS A RESULT OF THE DEDICATION OF EXACTIONS MADE HEREIN.

(7) PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL MAINTENANCE, REPAIR, AND RECONSTRUCTION OF ALL SYSTEMS IN DRAINAGE AND DETENTION EASEMENTS.

NOTE: IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF ROCKWALL.

WITNESS, MY HAND AT DALLAS, TEXAS, THIS THE _____ DAY OF _____, 2019.

ALVAPLAST U.S. DEVELOPMENT, LLC. | ALVAPLAST U.S., INC.

BY: _____ | BY: _____

STATE OF TEXAS }
COUNTY OF ROCKWALL }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2019.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

STATE OF TEXAS }
COUNTY OF ROCKWALL }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2019.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:
THAT I, DAVID PETREE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

PRELIMINARY
_____
DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890

FLOOD NOTE

THE SUBJECT PROPERTY IS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR ROCKWALL COUNTY, TEXAS AND INCORPORATED AREAS COMMUNITY PANEL NUMBER 48397C0040L, EFFECTIVE DATE: SEPTEMBER 26, 2008. ALL OF THE SUBJECT PROPERTY IS INDICATED TO BE IN ZONE "X" AND ZONE "A" ON SAID MAP. RELEVANT ZONES ARE DEFINED ON SAID MAP AS FOLLOWS:

ZONE "X" – OTHER AREAS: "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"

ZONE "A" – SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY YHE 1% ANNUAL CHANCE FLOOD: NO BASE FLOOD ELEVATIONS DETERMINED.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

RECOMMENDED FOR FINAL APPROVAL

PLANNING AND ZONING COMMISSION

_____
PLANNING & ZONING

APPROVED

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL ON THE _____ DAY OF _____, 2019.

THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL, COUNTY, TEXAS, WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM SAID DATE OF FINAL APPROVAL.

WITNESS OUR HANDS, THIS _____ DAY OF _____, 2019.

_____
MAYOR, CITY OF ROCKWALL

_____ _____
CITY SECRETARY CITY ENGINEER

FINAL PLAT
LOT 2, BLOCK 1
INDALLOY ADDITION
BEING A REPLAT OF PART OF LOT 1, BLOCK 1

BEING A 43.0139-ACRE PARCEL
N. BUTLER SURVEY – ABSTRACT NO. 20
R. BALLARD SURVEY – ABSTRACT NO. 29A
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

JULY 11, 2019 **CASE NO. P2019-___**

SHEET 3 OF 3

N 81 27'

S 85° 37'16" E - 435.64'

N 04°58'27" W

20' WATER LINE ESMT.
VOL. 425, PG. 133

98.03'

N 06°10'06" E
154.96'

S 06°42'50" E - 361.82'

20' WATER LINE ESMT.
VOL. 425, PG. 133

PT. LOT 1 BLOCK 1
INDALLOY ADDITION
CABINET D, SLIDE 273
P.R.R.C.T.

ROCKWALL COMMUNITY PLAYHOUSE
VOLUME 4239, PAGE 203

JACOB M. BAYS
VOLUME 6381, PAGE 120

ROCKWALL PROPERTY CORP.
VOLUME 4667, PAGE 101

S 01°01'31" E
50.20'

N 83°53'38" E - 385.71'

WASHINGTON ST.
(UNDEDICATED ROW, BY USE & OCCUPATION)

R.O.W. & UTILITY EASEMENT
VOLUME 326, PAGE 17

AIRPORT PKWY.
(50' RIGHT-OF-WAY)
FKA ALUMINUM PLANT ROAD
TO CITY OF ROCKWALL
VOL. 67, PG. 116

L1 L2 L3 L4 L5

5/8" IRF

1/2" IRF W/YCAP

5/8" IRS

1/2" IRF

POINT OF BEGINNING
N=7026018.25
E=2599999.67

16.6971 AC.
ALVAPLAST U.S. DEVELOPMENT, LLC.
CCF# 20170000020975
O.P.R.R.C.T.

20' MAINT ESMT
INST# 2006-00236418

14.5327 AC.
ALVAPLAST U.S. DEVELOPMENT, LLC.
CCF# 20170000020975
O.P.R.R.C.T.

20' SWBT CO. EASEMENT
VOLUME 110, PAGE 66

DETENTION POND EASEMENT (BY THIS PLAT)

WSE=559.00

LOT 2, BLOCK 1
43.0139 ACRES

ZONE A
PER GRAPHIC SCALE
(SEE FLOOD NOTE SHEET 2)

R. BALLARD SURVEY - ABSTRACT NO. 29A
N. BUTLER SURVEY - ABSTRACT NO. 20

INDUSTRIAL BOULEVARD
(65' RIGHT-OF-WAY)

RIGHT-OF-WAY
TO THE CITY OF ROCKWALL
VOL. 4306, PG. 207

20' NORTH TEXAS MUNICIPAL
WATER DISTRICT EASEMENT
VOL. 558, PG. 88

LOT 2
ROCKWALL SERVICE CENTER
AND PARK ADDITION
CABINET B, SLIDE 43

S 00°40'39" W - 788.63'

11.3736 AC.
ALVAPLAST U.S., INC.
CCF# 20150000002739
O.P.R.R.C.T.

15' UTILITY EASEMENT
VOL. 549, PG. 104

20' WATER EASEMENT
VOL. 4306, PG. 207

20' SANITARY SEWER EASEMENT
CCF# 2013-00488505

10' UTILITY EASEMENT
VOL. 326, PG. 14

5/8" IRF

S 00°40'31" W - 204.15'

S 00°08'02" W - 210.08'

N 06°40'31" W - 387.43'

N 06°48'34" W
1103.2'

ONCOR ESMT.
DOC# 2012-00479847

20' WATER LINE ESMT.
VOL. 425, PG. 133

10' UTILITY ESMT.
VOL. 314, PG. 216

N 09°24'49" W - 1039.69'

20' DRAINAGE ESMT.
VOL. 4563, PG. 25

10' UTILITY ESMT.
VOL. 402, PG. 290

10' UTILITY ESMT.
VOL. 314, PG. 216

U6 U7 U8 U9 U10 U11 U12 U13

75.69'

C1

S 88°32'20" W - 578.23'

S 88°36'50" W - 584.08'

N=7025210.30
E=2599424.73

5/8" IRS

1/2" IRF

15' UTILITY EASEMENT
VOL. 549, PG. 104

S 88°04'12" W
100.57'

UP/DALLAS GARLAND N.E. RAILROAD
(100' RIGHT-OF-WAY)

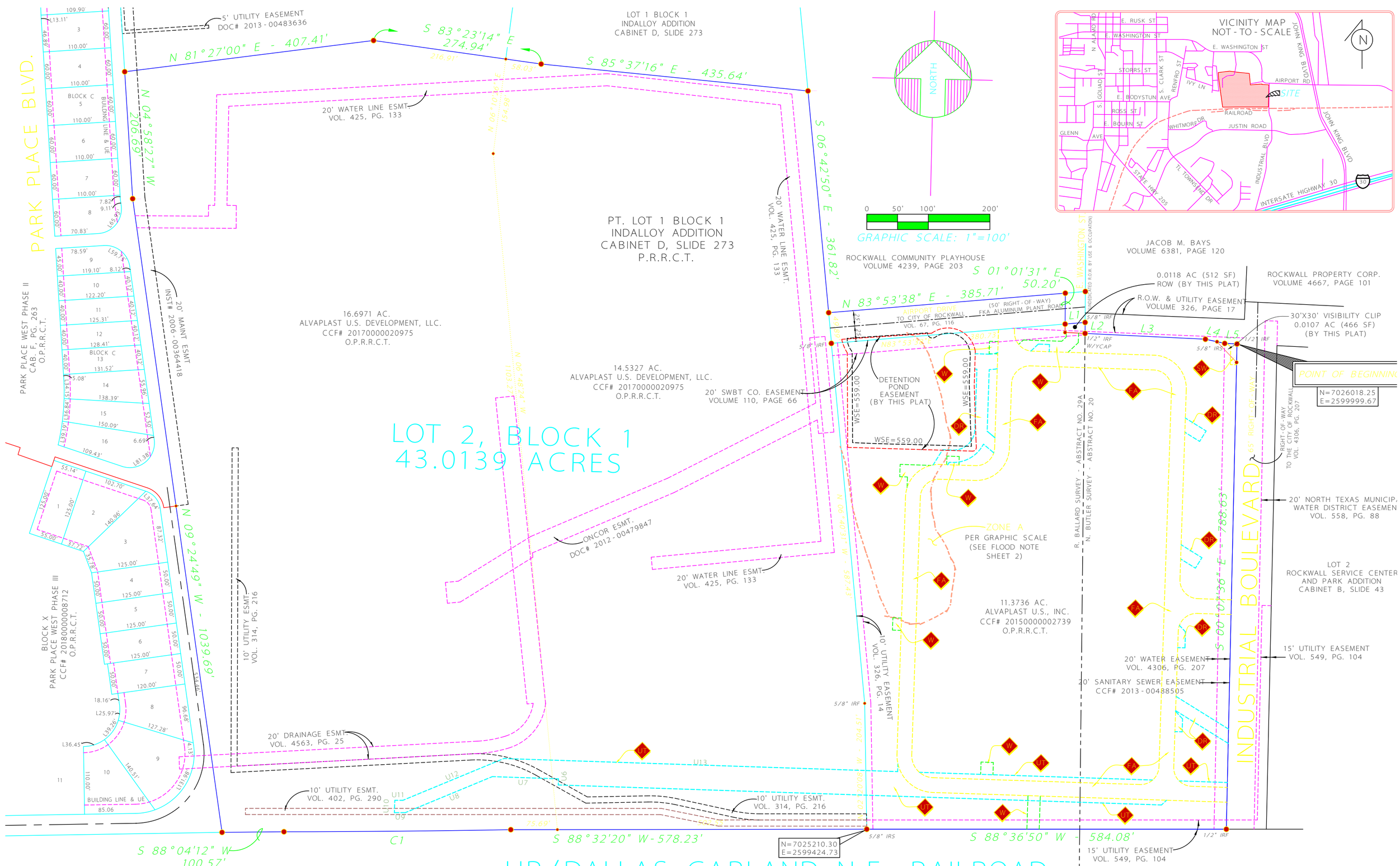
LOT 3 BLOCK A
WHITMORE MANUFACTURING ADDITION
CABINET H, SLIDE 239

LOT 2 BLOCK A
SPR PACKAGING ADDITION
CABINET H, SLIDE 155

15' UTILITY EASEMENT
VOL. 507, PG. 196

10' UTILITY EASEMENT
VOL. 305, PG. 112

199



~ LINE TABLE ~		
NO.	BEARING	DISTANCE
L1	N83°53'38"E	32.63'
L2	S01°01'31"E	17.89'
L3	S88°37'46"E	195.72'
L4	S79°05'55"E	32.05'
L5	S88°51'14"E	20.02'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	21774.77'	0°58'11"	368.53'	S88°05'13"W	368.51'

BLUE SKY SURVEYING & MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

OWNER:
ALVAPLAST U.S. DEVELOPMENT, LLC.
1480 JUSTIN RD
ROCKWALL, TX 75087
CONTACT: CAROLINA MOLINA
EMAIL: CMOLINA@SPRPACKAGING.COM
TEL: 469-402-1232

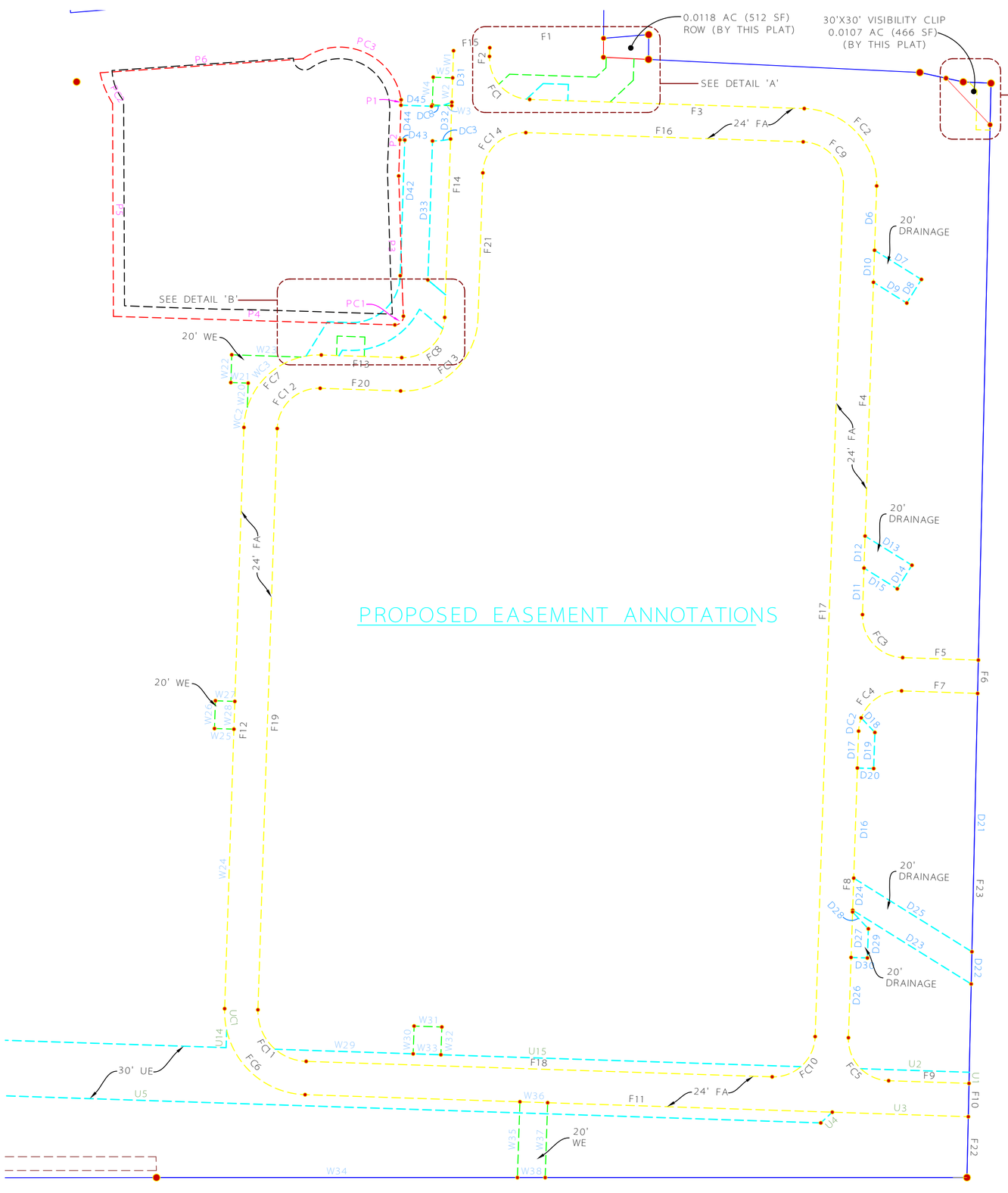
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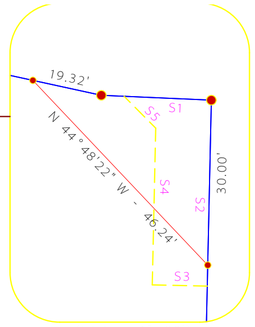
FINAL PLAT
LOT 2, BLOCK 1
INDALLOY ADDITION
BEING A REPLAT OF PART OF LOT 1, BLOCK

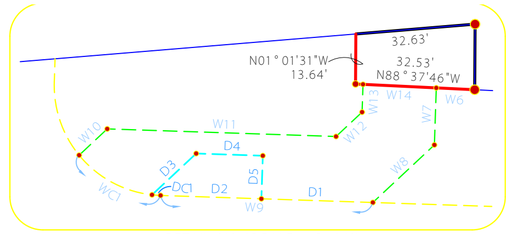
BEING A 43.0139-ACRE PARCEL
N. BUTLER SURVEY - ABSTRACT NO. 20
R. BALLARD SURVEY - ABSTRACT NO. 29A
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

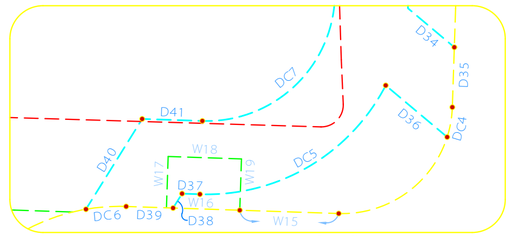
JULY 11, 2019

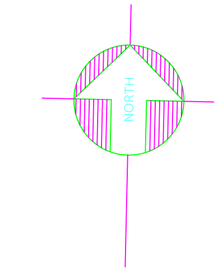
CASE NO. P2019-____











~ LINE TABLE ~		
NO.	BEARING	DISTANCE
F1	S83°53'38"W	82.30'
F2	S00°30'52"W	6.28'
F3	S89°29'08"E	198.00'
F4	S00°30'52"W	309.00'
F5	S89°29'08"E	54.54'
F6	S00°07'36"E	24.00'
F7	N89°29'08"W	54.81'
F8	S00°30'52"W	221.00'
F9	S89°29'08"E	57.95'
F10	S00°07'36"E	24.00'
F11	N89°29'08"W	478.22'
F12	N00°30'52"E	419.00'
F13	S89°29'08"E	58.00'
F14	N00°30'52"E	192.27'
F15	N83°53'38"E	26.17'
F16	S89°29'08"E	200.00'
F17	S00°30'52"W	614.00'
F18	N89°29'08"W	336.00'
F19	N00°30'52"E	419.00'
F20	S89°29'08"E	58.00'
F21	N00°30'52"E	105.00'
F22	N00°07'36"W	43.86'
F23	N00°07'36"W	281.02'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
FC1	30.00'	90°00'00"	47.12'	S44°29'08"E	42.43'
FC2	54.00'	90°00'00"	84.82'	N44°29'08"W	76.37'
FC3	30.00'	90°00'00"	47.12'	S44°29'08"E	42.43'
FC4	30.00'	90°00'00"	47.12'	S45°30'52"W	42.43'
FC5	30.00'	90°00'00"	47.12'	S44°29'08"E	42.43'
FC6	60.00'	90°00'00"	94.25'	S44°29'08"E	84.85'
FC7	54.00'	90°00'00"	84.82'	S45°30'52"W	76.37'
FC8	30.00'	90°00'00"	47.12'	N45°30'52"E	42.43'
FC9	30.00'	90°00'00"	47.12'	N44°29'08"W	42.43'
FC10	30.00'	90°00'00"	47.12'	N45°30'52"E	42.43'
FC11	36.00'	90°00'00"	56.55'	S44°29'08"E	50.91'
FC12	30.00'	90°00'00"	47.12'	S45°30'52"W	42.43'
FC13	54.00'	90°00'00"	84.82'	N45°30'52"E	76.37'
FC14	30.00'	90°00'00"	47.12'	S45°30'52"W	42.43'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
W1	S00°31'14"W	19.58'
W2	S00°30'30"W	20.00'
W3	N89°29'08"W	14.00'
W4	N00°30'52"E	20.00'
W5	S89°29'08"E	14.00'
W6	N88°37'46"W	10.48'
W7	S00°30'52"W	15.56'
W8	S45°30'52"W	22.98'
W9	N89°29'08"W	57.91'
W10	N45°30'52"E	10.50'
W11	S89°29'08"E	62.42'
W12	N45°30'52"E	9.73'
W13	N00°30'52"E	7.58'
W14	S88°37'46"E	20.00'
W15	N89°29'08"W	27.00'
W16	N89°29'08"W	20.00'
W17	N00°30'52"E	14.00'
W18	S89°29'08"E	20.00'
W19	S00°30'52"W	14.00'
W20	N00°30'52"E	17.44'
W21	N89°29'08"W	12.50'
W22	N00°30'52"E	20.00'
W23	S89°29'08"E	49.94'
W24	N00°30'52"E	201.50'
W25	N89°29'08"W	14.00'
W26	N00°30'52"E	20.00'
W27	S89°29'08"E	14.00'
W28	S00°30'52"W	20.00'
W29	S89°29'08"E	99.51'
W30	N00°30'52"E	20.00'
W31	S89°29'08"E	20.00'
W32	S00°30'52"W	20.00'
W33	N89°29'08"W	20.00'
W34	N88°36'50"E	260.10'
W35	N00°30'52"E	54.60'
W36	S89°29'08"E	20.00'
W37	S00°30'52"W	53.94'
W38	S88°36'50"W	20.01'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
WC1	30.00'	48°46'36"	25.54'	S65°05'50"E	24.78'
WC2	54.00'	15°38'34"	14.74'	S08°20'09"W	14.70'
WC3	54.00'	58°42'54"	55.34'	S45°30'52"W	52.95'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
DC1	30.00'	4°28'41"	2.34'	S87°14'48"E	2.34'
DC2	30.00'	18°40'57"	9.78'	S09°51'20"W	9.74'
DC3	57.50'	13°06'41"	13.16'	N82°27'31"E	13.13'
DC4	30.00'	15°49'01"	8.28'	N08°25'23"E	8.26'
DC5	55.00'	64°31'05"	61.93'	N58°15'20"E	58.71'
DC6	54.00'	11°40'16"	11.00'	S84°40'44"W	10.98'
DC7	35.00'	90°00'00"	54.98'	N45°30'52"E	49.50'
DC8	32.50'	26°30'27"	15.04'	N77°15'39"E	14.90'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
PC1	6.00'	93°33'46"	9.80'	N43°33'07"E	8.74'
PC2	70.00'	19°35'53"	23.94'	S23°41'41"E	23.83'
PC3	45.00'	116°49'39"	91.76'	N68°48'02"W	76.67'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
U1	N00°07'36"W	8.00'
U2	N89°29'08"W	78.26'
U3	N89°29'08"W	98.08'
U4	S45°30'52"W	11.31'
U5	N89°29'08"W	980.39'
U6	N00°30'52"E	10.00'
U7	N89°29'08"W	107.54'
U8	S66°07'29"W	152.92'
U9	S88°37'29"W	17.79'
U10	N00°30'52"E	20.01'
U11	N88°37'29"E	13.15'
U12	N66°07'29"E	177.48'
U13	S89°29'08"E	640.06'
U14	N00°30'52"E	12.64'
U15	N89°29'08"W	379.02'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
D1	N89°29'08"W	30.41'
D2	N89°29'08"W	27.50'
D3	N45°30'52"E	16.49'
D4	S89°29'08"E	18.18'
D5	S00°30'52"W	11.75'
D6	S00°30'52"W	46.12'
D7	S59°29'08"E	39.79'
D8	S30°30'52"W	20.00'
D9	N59°29'08"W	28.25'
D10	N00°30'52"E	23.09'
D11	N00°30'52"E	33.54'
D12	N00°30'52"E	23.09'
D13	S59°29'08"E	39.79'
D14	S30°30'52"W	20.00'
D15	N59°29'08"W	28.25'
D16	N00°30'52"E	79.39'
D17	N00°30'52"E	26.58'
D18	S44°29'08"E	14.38'
D19	S00°30'52"W	26.02'
D20	N89°29'08"W	11.75'
D21	S00°07'36"E	186.15'
D22	S00°07'36"E	23.25'
D23	N59°29'08"W	100.63'
D24	N00°30'52"E	23.09'
D25	S59°29'08"E	100.33'
D26	N00°30'52"E	57.87'
D27	N00°30'52"E	32.77'
D28	S44°29'08"E	16.62'
D29	S00°30'52"W	21.02'
D30	N89°29'08"W	11.75'
D31	S00°30'52"W	37.09'
D32	S00°30'52"W	26.56'
D33	S00°30'52"W	100.21'
D34	S51°21'04"E	16.53'
D35	S00°30'52"W	16.36'
D36	N51°21'04"W	21.89'
D37	N89°29'08"W	4.88'
D38	S30°30'52"W	4.62'
D39	N89°29'08"W	12.81'
D40	N30°30'52"E	29.00'
D41	S89°29'08"E	16.42'
D42	N00°30'52"E	97.76'
D43	N89°29'08"W	3.54'
D44	N00°26'49"E	25.00'
D45	S89°29'08"E	22.06'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
P1	S00°26'49"W	3.92'
P2	S00°26'49"W	50.98'
P3	S03°13'45"E	101.15'
P4	N89°40'00"W	202.79'
P5	N01°36'22"W	153.52'
P6	N84°42'53"E	146.56'

~ LINE TABLE ~		
NO.	BEARING	DISTANCE
S1	S88°51'14"E	15.88'
S2	S00°07'36"E	33.81'
S3	S89°52'24"W	10.00'
S4	N00°07'36"W	28.50'
S5	N46°11'12"W	8.16'

~ CURVE TABLE ~					
NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
UC1	60.00'	14°50'08"	15.54'	S06°54'12"E	15.49'

BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

OWNER:
ALVAPLAST U.S. DEVELOPMENT, LLC.
1480 JUSTIN RD
ROCKWALL, TX 75087
CONTACT: CAROLINA MOLINA
EMAIL: CMOLINA@SPRPACKAGING.COM
TEL: 469-402-1232

OWNER:
ALVAPLAST U.S., INC.
1480 JUSTIN RD
ROCKWALL, TX 75087
CONTACT: CAROLINA MOLINA
EMAIL: CMOLINA@SPRPACKAGING.COM
TEL: 469-402-1232

FINAL PLAT
LOT 2, BLOCK 1
INDALLOY ADDITION
BEING A REPLAT OF PART OF LOT 1, BLOCK

BEING A 43.0139-ACRE PARCEL
N. BUTLER SURVEY - ABSTRACT NO. 20
R. BALLARD SURVEY - ABSTRACT NO. 29A
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

JULY 11, 2019

CASE NO. P2019-___

201

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, ALVAPLAST U.S., INC.,A DELAWARE CORPORATION, AND ALVAPLAST U.S. DEVELOPMENT, LLC ARE THE OWNERS OF ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE N. BUTLER SURVEY ABSTRACT NO. 20 AND THE R. BALLARD SURVEY, ABSTRACT NO. 29, ROCKWALL COUNTY, TEXAS; AND BEING A PART OF LOT 1, BLOCK 1, INDALLOY ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET D SLIDE 273 OF THE PLAT RECORDS OF ROCKWALL COUNTY TEXAS; SAID TRACT BEING THE SAME 11.3736 ACRE OF TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO ALVAPLAST U.S., INC., A DELAWARE CORPORATION RECORDED IN INSTRUMENT NUMBER 2150000002739 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS; AND BEING THE SAME 14.53 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 AND 16.69 ACRE TRACT OF LAND DESCRIBED AS TRACT 2 IN GENERAL WARRANTY DEED TO ALVAPLAST U.S. DEVELOPMENT, LLC IN INSTRUMENT NUMBER 20170000020975 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS; SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD WITH "POGUE ENG & DEV" CAP FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF INDUSTRIAL BOULEVARD (A 65-FOOT WIDE RIGHT-OF-WAY) AND THE SOUTH RIGHT-OF-WAY LINE OF AIRPORT ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 00° 07' 36" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD FOR A DISTANCE OF 788.63 FEET TO A 1/2-INCH IRON ROD WITH "POGUE ENG & DEV" CAP FOUND FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF UP/DALLAS GARLAND N.E. RAILROAD (A 100-FOOT WIDE RIGHT-OF-WAY); SAID POINT BEING THE SOUTHEAST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT;

THENCE SOUTH 88° 36' 50" WEST DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD AND ALONG THE SAID NORTH LINE OF UP /DALLAS GARLAND N.E. RAILROAD AND SOUTH LINE OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT FOR A DISTANCE OF 584.08 FEET TO A 5/8" IRON ROD SET FOR CORNER; SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID 11.3736 ACRE ALVAPLAST U.S., INC. TRACT AND THE SOUTHEAST CORNER OF SAID LOT 1 IN BLOCK 1;

THENCE SOUTH 88° 32' 20" WEST AND ALONG THE SOUTH LINE OF SAID LOT 1 IN BLOCK 1, PASSING AT A DISTANCE OF 502.55, THE SOUTHWEST CORNER OF SAIS LOT 1 IN BLOCK 1, SAID POINT ALSO BEING THE COMMON CORNER FOR SAID 14.53 ACRE AND 16.69 ACRE TRACT AND CONTINUING FOR A TOTAL DISTANCE OF 578.23' TO A POINT FOR CORNER, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 00° 58' 11" WITH A RADIUS OF 21,774.77 FEET AND A CHORD BEARING SOUTH 88° 05' 13" WEST AT A DISTANCE OF 368.51 FEET;

THENCE SOUTHWESTERLY AND CONTINUING ALONG THE SOUTH LINE OF SAID 16.69 ACRE TRACT, AND ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 368.53 FEET TO A POINT FOR CORNER;

THENCE SOUTH 88°04' 12" WEST AND CONTINUING ALONG THE SOUTH LINE OF SAID 16.69 ACRE TRACT FOR A DISTANCE OF 100.57 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID 16.69 ACRE TRACT, AND BEING THE SOUTHEAST CORNER OF PARK PLACE WEST PHASE III ADDITION, AN ADDITION TO THE CITY OF ROCKWALL ACCORDING TO THE PLAT THEREOF, RECORDED IN COUNTY CLERK'S FILE NUMBER 20180000008712 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE NORTH 09° 24' 49" WEST AND ALONG THE WEST LINE OF SAID 16.69 ACRE TRACT AND ALONG THE EAST LINE OF SAID PARK PLACE WEST PHASE III ADDITION, PASSING AT A DISTANCE OF 534.46 FEET A NORTHEAST CORNER OF SAID PARK PLACE WEST PHASE III ADDITION, SAME BEING A SOUTHEAST CORNER OF PARK PLACE WEST PHASE II ADDITION, AN ADDITION TO THE CITY OF ROCKWALL ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET F, PAGE 263 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS, AND CONTINUING FOR A TOTAL DISTANCE OF 1,039.69 FEET TO A POINT FOR CORNER;

THENCE NORTH 04° 58' 27" WEST FOR A DISTANCE OF 206.69 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID 16.69 ACRE TRACT;

THENCE NORTH 81° 27' 00" EAST FOR A DISTANCE OF 407.41 FEET TO A POINT FOR THE NORTHERN-MOST CORNER OF SAID 16.69 ACRE TRACT;

THENCE SOUTH 83° 23' 14" EAST AND CONTINUING ALONG THE NORTH LINE OF SAID 16.69 ACRE TRACT, PASSING AT A DISTANCE OF 216.91 FEET THE COMMON CORNER OF SAID 16.69 ACRE AND 14.53 ACRE TRACTS, AND CONTINUING FOR A TOTAL DISTANCE OF 274.94' TO A POINT FOR CORNER;

THENCE SOUTH 85° 37' 16" EAST AND FOLLOWING ALONG THE NORTH LINE OF SAID 14.53 ACRE TRACT FOR A DISTANCE OF 435.64' TO A POINT FOR THE NORTHEAST CORNER OF SAID 14.53 ACRE TRACT;

THENCE SOUTH 06° 42' 50" EAST FOR A DISTANCE OF 361.82 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 83° 53' 38" EAST FOR A DISTANCE OF 385.71 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE SOUTH 01° 01' 31" EAST FOR A DISTANCE OF 50.20 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE SOUTH 83° 53' 38" EAST FOR A DISTANCE OF 32.63 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE SOUTH 01° 01' 31" EAST FOR A DISTANCE OF 17.89 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE 88° 37' 46" EAST FOR A DISTANCE OF 195.72 FEET TO A 1/2" IRON ROD WITH YELLOW CAP FOUND FOR CORNER;

THENCE SOUTH 79° 05' 55" EAST FOR A DISTANCE OF 32.05 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE SOUTH 88° 51' 14" EAST FOR A DISTANCE OF 20.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 43.0139 ACRES (1,873,684 SQUARE FEET) OF LAND MORE OR LESS.

PROPOSED EASEMENTS BY THIS PLAT

- FA — 24' FIRE LANE, PUBLIC ACCESS & UTILITY EASEMENT
- UT — UTILITY EASEMENT
- W — WATER EASEMENT
- DR — DRAINAGE EASEMENT
- SW — SIDEWALK EASEMENT

LEGEND

O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
IRS	IRON ROD SET
IRF	IRON ROD FOUND

OWNER:
ALVAPLAST U.S., INC.
1480 JUSTIN RD
ROCKWALL, TX 75087
CONTACT: CAROLINA MOLINA
EMAIL: CMOLINA@SPRPACKAGING.COM
TEL: 469-402-1232

OWNER:
ALVAPLAST U.S. DEVELOPMENT, LLC.
1480 JUSTIN RD
ROCKWALL, TX 75087
CONTACT: CAROLINA MOLINA
EMAIL: CMOLINA@SPRPACKAGING.COM
TEL: 469-402-1232

BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS }
COUNTY OF ROCKWALL }

WE, THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS LOT 2, BLOCK 1, INDALLOY ADDITION A SUBDIVISION TO THE CITY OF ROCKWALL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN ON THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. WE FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST IN INDALLOY ADDITION HAVE BEEN NOTIFIED AND SIGNED THIS PLAT.

WE UNDERSTAND AND DO HEREBY RESERVE THE EASEMENT STRIPS SHOWN ON THIS PLAT FOR THE PURPOSES STATED AND FOR THE MUTUAL USE AND ACCOMMODATION OF ALL UTILITIES DESIRING TO USE OR USING SAME. WE ALSO UNDERSTAND THE FOLLOWING;

(1) NO BUILDINGS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE UTILITY EASEMENTS AS DESCRIBED HEREIN.

(2) ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEM ON ANY OF THESE EASEMENT STRIPS; AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS OR EGRESS TO, FROM AND UPON THE SAID EASEMENT STRIPS FOR PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING, AND EITHER ADDING TO OR REMOVING ALL OR PART OF THEIR RESPECTIVE SYSTEM WITHOUT THE NECESSITY OF, AT ANY TIME, PROCURING THE PERMISSION OF ANYONE.

(3) THE CITY OF ROCKWALL WILL NOT BE RESPONSIBLE FOR ANY CLAIMS OF ANY NATURE RESULTING FROM OR OCCASIONED BY THE ESTABLISHMENT OF GRADE OF STREETS IN THE SUBDIVISION.

(4) THE DEVELOPER AND SUBDIVISION ENGINEER SHALL BEAR TOTAL RESPONSIBILITY FOR STORM DRAIN IMPROVEMENTS.

(5) THE DEVELOPER SHALL BE RESPONSIBLE FOR THE NECESSARY FACILITIES TO PROVIDE DRAINAGE PATTERNS AND DRAINAGE CONTROLS SUCH THAT PROPERTIES WITHIN THE DRAINAGE AREA ARE NOT ADVERSELY AFFECTED BY STORM DRAINAGE FROM THE DEVELOPMENT.

(6) NO HOUSE DWELLING UNIT, OR OTHER STRUCTURE SHALL BE CONSTRUCTED ON ANY LOT IN THIS ADDITION BY THE OWNER OR ANY OTHER PERSON UNTIL THE DEVELOPER AND/OR OWNER HAS COMPLIED WITH ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF ROCKWALL REGARDING IMPROVEMENTS WITH RESPECT TO THE ENTIRE BLOCK ON THE STREET OR STREETS ON WHICH PROPERTY ABUTS, INCLUDING THE ACTUAL INSTALLATION OF STREETS WITH THE REQUIRED BASE AND PAVING, CURB AND GUTTER, WATER AND SEWER, DRAINAGE STRUCTURES, STORM STRUCTURES, STORM SEWERS, AND ALLEYS, ALL ACCORDING TO THE SPECIFICATIONS OF THE CITY OF ROCKWALL; OR

UNTIL AN ESCROW DEPOSIT, SUFFICIENT TO PAY FOR THE COST OF SUCH IMPROVEMENTS, AS DETERMINED BY THE CITY'S ENGINEER AND/OR CITY ADMINISTRATOR, COMPUTED ON A PRIVATE COMMERCIAL RATE BASIS, HAS BEEN MADE WITH THE CITY SECRETARY, ACCOMPANIED BY AN AGREEMENT SIGNED BY THE DEVELOPER AND/OR OWNER, AUTHORIZING THE CITY TO MAKE SUCH IMPROVEMENTS AT PREVAILING PRIVATE COMMERCIAL RATES, OR HAVE THE SAME MADE BY A CONTRACTOR AND PAY FOR THE SAME OUT OF THE ESCROW DEPOSIT, SHOULD THE DEVELOPER AND/OR OWNER FAIL OR REFUSE TO INSTALL THE REQUIRED IMPROVEMENTS WITHIN THE TIME STATED IN SUCH WRITTEN AGREEMENT, BUT IN NO CASE SHALL THE CITY BE OBLIGATED TO MAKE SUCH IMPROVEMENTS ITSELF, SUCH DEPOSIT MAY BE USED BY THE OWNER AND/OR DEVELOPER AS PROGRESS PAYMENTS AS THE WORK PROGRESSES IN MAKING SUCH IMPROVEMENTS BY MAKING CERTIFIED REQUISITIONS TO THE CITY SECRETARY, SUPPORTED BY EVIDENCE OF WORK DONE; OR

UNTIL THE DEVELOPER AND/OR OWNER FILES A CORPORATE SURETY BOND WITH THE CITY SECRETARY IN A SUM EQUAL TO THE COST OF SUCH IMPROVEMENTS FOR THE DESIGNATED AREA, GUARANTEEING THE INSTALLATION THEREOF WITHIN THE TIME STATED IN THE BOND, WHICH TIME SHALL BE FIXED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL.

WE FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTION'S MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; WE, OUR SUCCESSORS AND ASSIGNS HEREBY WAIVE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT WE MAY HAVE AS A RESULT OF THE DEDICATION OF EXACTIONS MADE HEREIN.

(7) PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL MAINTENANCE, REPAIR, AND RECONSTRUCTION OF ALL SYSTEMS IN DRAINAGE AND DETENTION EASEMENTS.

NOTE: IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF ROCKWALL.

WITNESS, MY HAND AT DALLAS, TEXAS, THIS THE _____ DAY OF _____, 2019.

ALVAPLAST U.S. DEVELOPMENT, LLC. | ALVAPLAST U.S., INC.

BY: _____ | BY: _____

STATE OF TEXAS }
COUNTY OF ROCKWALL }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2019.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

STATE OF TEXAS }
COUNTY OF ROCKWALL }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2019.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:
THAT I, DAVID PETREE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

PRELIMINARY

_____
DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890

FLOOD NOTE

THE SUBJECT PROPERTY IS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR ROCKWALL COUNTY, TEXAS AND INCORPORATED AREAS COMMUNITY PANEL NUMBER 48397C0040L, EFFECTIVE DATE: SEPTEMBER 26, 2008. ALL THE SUBJECT PROPERTY IS INDICATED TO BE IN ZONE "X" AND ZONE "A" ON SAID MAP. RELEVANT ZONES ARE DEFINED ON SAID MAP AS FOLLOWS:

ZONE "X" - OTHER AREAS: "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"

ZONE "A" - SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD: NO BASE FLOOD ELEVATIONS DETERMINED.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

RECOMMENDED FOR FINAL APPROVAL

PLANNING AND ZONING COMMISSION

_____
PLANNING & ZONING

APPROVED

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL ON THE _____ DAY OF _____, 2019.

THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL, COUNTY, TEXAS, WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM SAID DATE OF FINAL APPROVAL.

WITNESS OUR HANDS, THIS _____ DAY OF _____, 2019.

_____
MAYOR, CITY OF ROCKWALL

_____ _____
CITY SECRETARY CITY ENGINEER

FINAL PLAT
LOT 2, BLOCK 1
INDALLOY ADDITION
BEING A REPLAT OF PART OF LOT 1, BLOCK

BEING A 43.0139-ACRE PARCEL
N. BUTLER SURVEY - ABSTRACT NO. 20
R. BALLARD SURVEY - ABSTRACT NO. 29A
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

JULY 11, 2019 CASE NO. P2019-___

202

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203

Fireworks proposal for City of Rockwall 4th of July 2020:

Fireworks on the Water (Scott Self et all). A not for profit corporation.

Proposal to make Rockwall national known for unusual 4th of July Fireworks show.

It consists of 5 fireworks shows happening at 9:30pm on July 4th, 2020.

This year you were able the type of show on June 29, July 6 and July 13 in front of the Hilton Hotel and on July 4 in front of the Landing and in front of the Heath Golf and Yacht Club. The shows are at approximately 10 minutes and are professionally engineered for timing and effect.

Proposed Locations for 2020 would be:

1. Harry Meyers park existing location.
2. On the water in front of the Landing at Chandlers
3. On the water in front of the Harbor and Hilton Hotel
4. On the water north of I 30 and south of 66
5. On the water north of 66 near the Shores and the park north of the Shores.

   See attached google maps with pin drops

All the above would be approximately same price and the city spends on just the Harry Meyers show (approximately $20,000).

Heath is participating again with a show in front of Heath Golf and Yacht Club and perhaps in front of Terry park, so there would be Seven shows going off at the same time.

We currently have a large number of volunteers on our fireworks committee at Chandlers Landing and would recruit more volunteer's city wide. New volunteers would have to get the same state certified pyrotec license I have.

We currently have insurance for unlimited number of fireworks shows and have had for years. City of Rockwall and City of Dallas are named insureds on the policy.

We would put on training shows on New Years Eve 2019, and Memorial Day 2020, and we could do additional training shows for events like founders day etc. By the July 4, 2020 we would have more than seven trained pyrotecs to handle this event.

This would help solve the future parking problem at Harry Myers on the 4th. By having the 5 of the shows on a barge in the lake, fire hazard is greatly reduce, especially if we have a dry summer.

By having multiple shows the length of the lake would alleviate point loading of traffic getting to see the shows, Many locations up the hills would be able to see multiple shows going off.

This would be a truly unique opportunity for Rockwall, unable to duplicate in the metroplex.

Volunteers are what makes this possible.

Scott Self
scott@sailwithscott.com
214-803-0025

205

FIREW-1 OP ID: AA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 05/23/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Voyager Insurance Services,Inc
P.O. Box 8000
Frisco, TX 75034-8000
April M. Campbell

CONTACT NAME: April Campbell
PHONE (A/C, No, Ext): 972-712-8000 FAX (A/C, No): 972-712-4400
E-MAIL ADDRESS: acampbell@voyagerinsurance.net

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : National Fire & Marine	
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Fireworks on the Water
Mr. Scott Self
319 Harborview Dr.
Rockwall, TX 75032

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR	X		72LPS031600	05/23/2018	05/23/2019	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 1,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N / A (Mandatory in NH)						E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Fireworks display
Fireworks Exhibitions

CERTIFICATE HOLDER

City of Rockwall
385 S Goliad
Rockwall, TX 75087

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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FIREW-1 OP ID: AA

CERTIFICATE OF LIABILITY INSURANCE

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PRODUCER
Voyager Insurance Services,Inc
P.O. Box 8000
Frisco, TX 75034-8000
April M. Campbell

CONTACT NAME: April Campbell
PHONE (A/C, No, Ext): 972-712-8000 FAX (A/C, No): 972-712-4400
E-MAIL ADDRESS: acampbell@voyagerinsurance.net

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INSURER A : National Fire & Marine	
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INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Fireworks on the Water
Mr. Scott Self
319 Harborview Dr.
Rockwall, TX 75032

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N / A (Mandatory in NH)						E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Fireworks display
Fireworks Exhibitions

CERTIFICATE HOLDER

City of Dallas Office of
Special Events
650 S. Griffin St.
Dallas, TX 75202

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.

FIREW-1 OP ID: AA

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PRODUCER
Voyager Insurance Services,Inc
P.O. Box 8000
Frisco, TX 75034-8000
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CONTACT NAME: April Campbell
PHONE (A/C, No, Ext): 972-712-8000 FAX (A/C, No): 972-712-4400
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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR	X		72LPS031600	05/23/2018	05/23/2019	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 1,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N / A (Mandatory in NH)						E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Fireworks display
Fireworks Exhibitions

CERTIFICATE HOLDER

Chandlers Landing Community Association
1 Commodore Plaza
Rockwall, TX 75032

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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FIREW-1 OP ID: AA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 05/23/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Voyager Insurance Services,Inc P.O. Box 8000 Frisco, TX 75034-8000 April M. Campbell	CONTACT NAME: April Campbell PHONE (A/C, No, Ext): 972-712-8000 FAX (A/C, No): 972-712-4400 E-MAIL ADDRESS: acampbell@voyagerinsurance.net
INSURED Fireworks on the Water Mr. Scott Self 319 Harborview Dr. Rockwall, TX 75032	INSURER(S) AFFORDING COVERAGE / NAIC # INSURER A : National Fire & Marine INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR	X		72LPS031600	05/23/2018	05/23/2019	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 1,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N / A						E.L. EACH ACCIDENT	$
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Fireworks display
Fireworks Exhibitions

CERTIFICATE HOLDER

Chandler's Landing Marina
1 Harborview Dr.
Rockwall, TX 75032

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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210

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **Aug. 2, 2019**

SUBJECT: **Action Item Re: 2018 Roadway Bond Projects**

This agenda item has been included to allow Council to take action as a result of the work session scheduled for earlier in the afternoon on Monday. Please see that work session item for supplemental information, including an explanatory memo from the City Engineer/Director of Public Works.

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212

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Public Work Director/City Engineer**

DATE: **July 29, 2019**

SUBJECT: **Engineering Plan Review Fee**

The Civil Engineering plan review process is a critical step, within the City's development process, that ensures the health, safety and welfare of the public is not overlooked when a development or re-development is proposed. The engineering plan review process includes review for conformance to the City's Standards of Design and Construction, Flood Damage Hazard and Prevention Ordinance, Water & Wastewater Master Plans, and Thoroughfare Plan.

From 2015 through 2018 the Engineering Division has received 131 different engineering development applications varying in size from less than one acre to 79 acres. This is an average of approximately 44 applications per year. Of the 131 applications, there were a total of 510 submittals, which averages to 170 reviews each year for staff to complete. On average, a typical application consists of 3.9 reviews. There have been a few instances where several additional resubmittals were necessary in order to achieve conformance with the city standards. In the past 3 years, some projects have had 6 to 8 submittals. These instances required an excessive amount of staff time and effort and in certain instances the majority of staff's comments were not addressed requiring additional submittals.

Staff has pulled together a comparison of the following Cities' Engineering Review Fees below for reference. Staff is proposing a tiered fee structure based on the acreage of the subject property for engineering plan review submittals. This structure would be an initial engineering plan review fee of $100 for less than 1 acre, $125 for 1 to 5 acres, and $175 for more than 5 acres. Starting on the fourth submittal and each subsequent submittal, there would be a resubmittal fee of $500.

Staff is requesting the City Council consider directing staff to prepare an ordinance implementing an Engineering Plan Review Fee.

City	First Review Fee	Resubmittal Fee
Rockwall **(Current)**	$0	$0
Addison	$500 plus $25 per acre	$500 plus $100 per acre **(After Third Review)**
Frisco (1)	$0	$0
Lewisville	• $125 less than 1 acre • $200 1 to 5 acre • $200 More than 5 acre • Plus $15 per acre	•$125 less than 1 acre •$200 1 to 5 acre •$200 More than 5 acre •Plus $15 per acre
Plano	$100	$100
Richardson	$800 plus $25 per acre	$800 plus $25 per acre
Keller	$0	$500 **(After First Review)**
Burleson	$0	$200 **(After Second Review)**
Mesquite	• $750 less than 1 acre • $800 for 1 acre • $800 for first acre plus $50 per each additional acre over 1 acre	• $500 less than 1 acre • $525 for 1 acre • $525 for first acre plus $25 per each additional acre over 1 acre **(After First Review)**
McKinney	$100	$100
Rowlett	$100/hr **($600 min)**	$100/hr **($600 min)**
Cedar Hill	$0	$0
South Lake	$108/hr (Third Party Review)	$108/hr (Third Party Review)
Coppell	$0	$0
Wylie	$0	$0
Grapevine	$0	$250 **(After Second Review)**
Allen (1)	$0	$0
Rockwall **(Proposed)**	• $100 less than 1 acre • $125 1 to 5 acre • $175 More than 5 acre	$500 **(After Third Review)**

(1) - Currently Evaluating the review fee implementation

AW:jmw

Attachments

Cc: Joey Boyd, Assistant City Manger
Jeremy White, P.E., CFM, Civil Engineer
File

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215

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **Aug. 2, 2019**

SUBJECT: **Boards & Commissions (re)Appointments**

Council is asked to consider the following reappointments and vacancies, terms of which expire this month. The Council liaison(s) assigned to each board is listed next to the board title. Each person who is eligible for reappointment has given staff indication that he or she does wish to be reappointed.

Airport Advisory Board (Pruitt, Fowler and Macalik)
- o Mike Potter
- o Tim Wolf
- o Tom Woodruff
- o *VACANCY TO BE FILLED*

Animal Advisory Board (Fowler)
- o Ken Dickson

Architectural Review Board (Daniels)
- o Ashlei Neill
- o Robert Miller
- o Julien Meyrat

ART Review Commission (Macalik)
- o David Sweet
- o Kathleen Morrow
- o Jane Braddock

Board of Adjustments (full Council)

- David Lowrey
- Stuart Smith
- Peter Flores
- Shannon Bennett
- Todd White

Historic Preservation Advisory Board (Trowbridge)

- Carolyn Francisco
- Jay Odom
- Daniel Nichols
- *VACANCY TO BE FILLED*

Park Board (Johannesen)

- Larry Denny
- Fran Webb
- *VACANCY TO BE FILLED*

Planning & Zoning Commission (full Council)

- John Womble
- Mark Moeller
- *VACANCY TO BE FILLED*

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218

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

June 2019

Permits

Total Permits Issued: 296
Building Permits: 64 Contractor Permits: 232

Total Commercial Permit Values: $ 629,975.28
Building Permits: $232,500.00 Contractor Permits: $397,475.28

Total Fees Collected: $203,335.14
Building Permits: $179,962.39 Contractor Permits: $23,372.75

Board of Adjustment

Board of Adjustment Cases 1

219

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

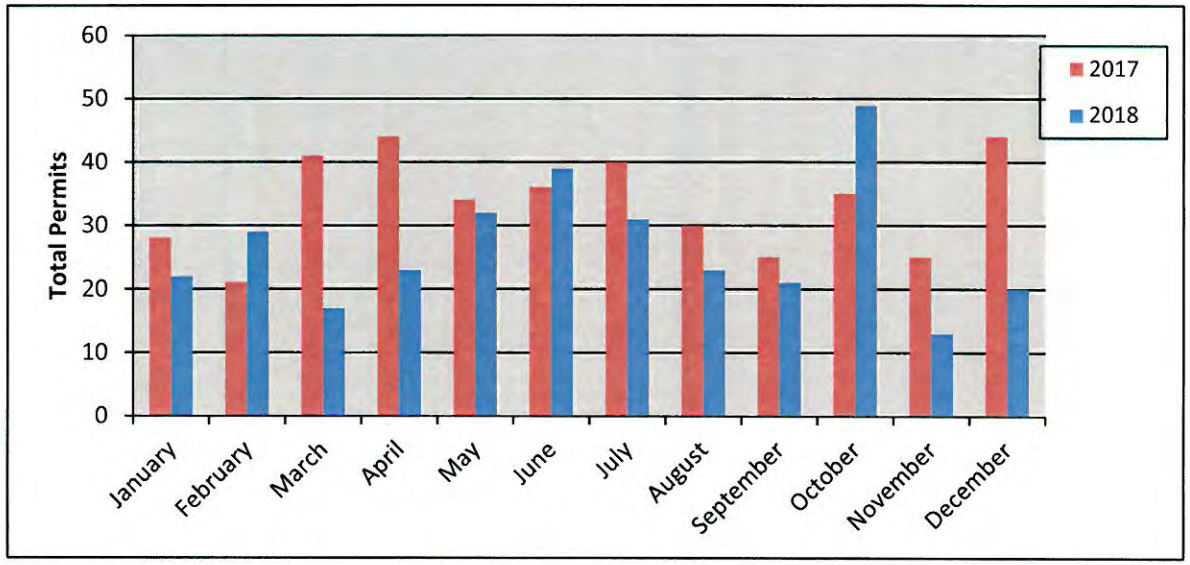
For the Period 6/1/2019 thru 6/30/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	9	$0.00	$354.50
	1	$0.00	$51.50
30 DAY BANNER	7	$0.00	$251.50
COMING SOON	1	$0.00	$51.50
CO	10	$0.00	$757.50
BUSINESS	8	$0.00	$607.50
INTERIOR	1	$0.00	$75.00
NEW CONSTRUCTION	1	$0.00	$75.00
COMM	39	$629,975.28	$9,662.53
ADDITION	2	$18,500.00	$375.36
CONCRETE	9	$67,170.00	$911.13
DEMO	3	$9,000.00	$153.00
ELECTRICAL	5	$170,126.28	$1,938.09
IRRIGATION	1	$6,000.00	$76.50
MECHANICAL	2	$17,818.00	$364.66
MISCELLANEOUS	1	$0.00	$0.00
PLUMBING	5	$14,250.00	$2,249.01
REMODEL	7	$214,000.00	$3,316.78
RETAINING WALL	1	$11,611.00	$51.50
ROOF	3	$101,500.00	$226.50
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	2	$4,000.00	$151.50
WALL	2	$4,000.00	$151.50
SINGLE FAMILY	223		$191,667.41
ACC BLDG	6		$419.80
ADDITION	3		$2,029.75
BOAT HOUSE	1		$704.25
CONCRETE	5		$483.14
ELECTRICAL	10		$2,140.67
FENCE	39		$1,939.50
IRRIGATION	17		$1,169.20
MECHANICAL	17		$2,207.33
MISCELLANEOUS	2		$71.40
NEW	29		$170,737.78
PATIO COVER	8		$768.10
PERGOLA	2		$201.50
PLUMBING	25		$2,164.50
REMODEL	2		$1,286.67
REPAIR	1		$696.92
ROOF	41		$2,917.50
STORM SHELTER	1		$51.00
SWIM POOL	10		$1,506.00
WINDOWS	4		$172.40
SPECIAL EVENT	11		$435.70
	11		$435.70
TCO	1		$306.00
	1		$306.00
Totals:	296		$203,335.14

CRW SYSTEMS

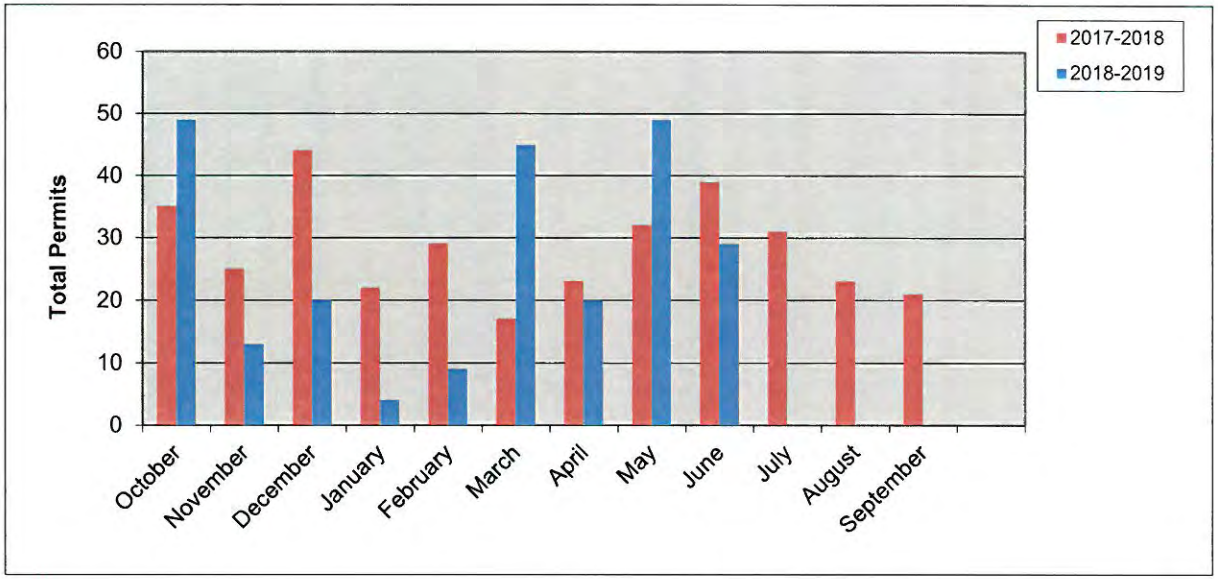
New Residential Permits Calendar Year

	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
Totals	**403**	319



New Residential Permits Fiscal Year

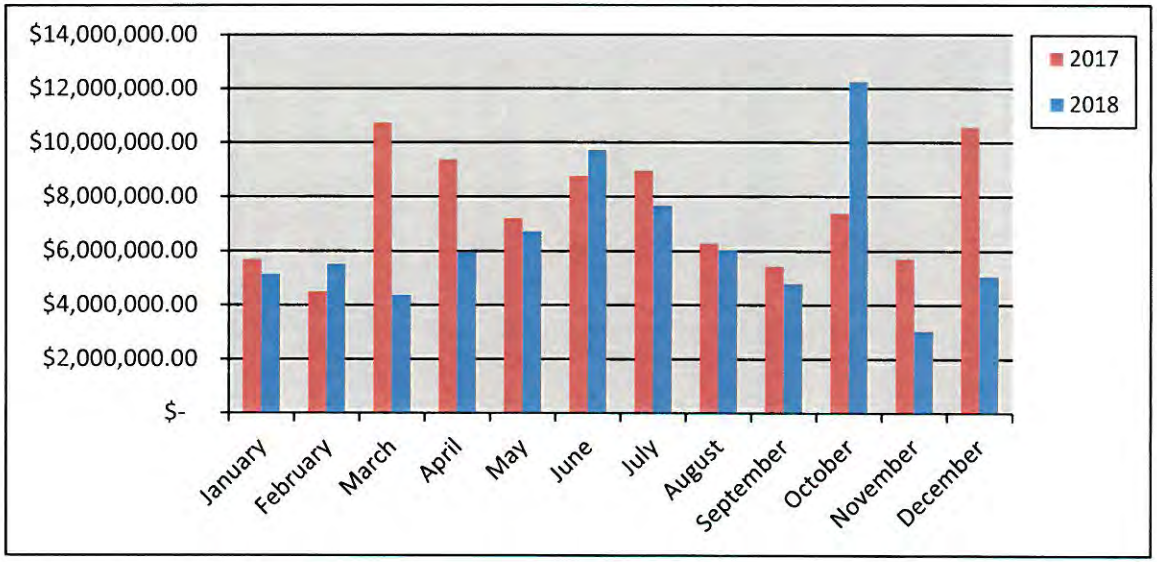
	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	9
March	17	45
April	23	20
May	32	49
June	39	29
July	31	
August	23	
September	21	
Totals	**341**	**238**



221

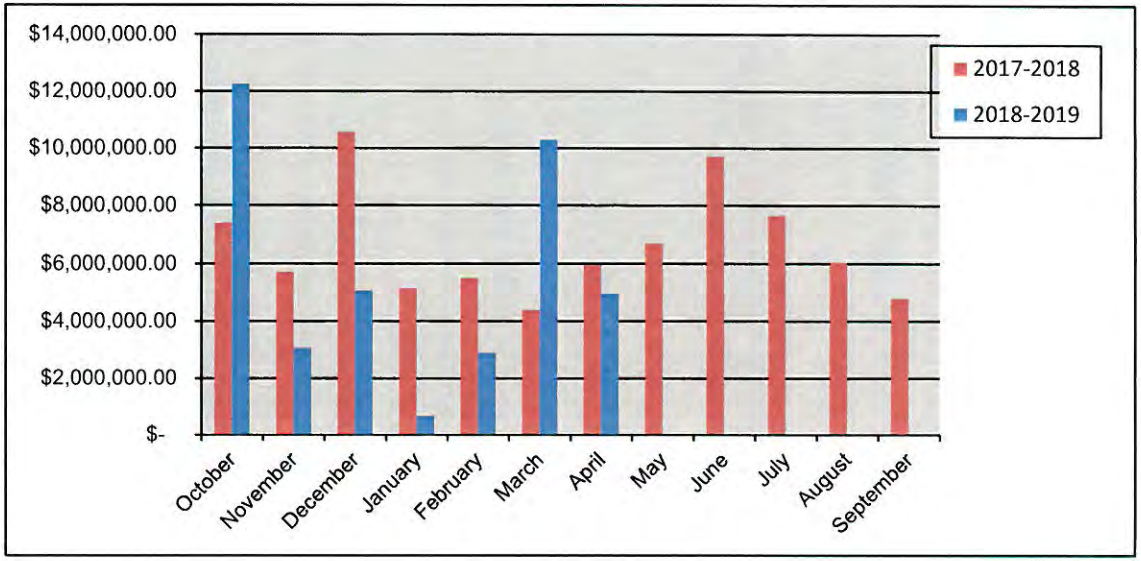
New Residential Value Calendar Year

Year	2017	2018
January	$ 5,698,431.00	$ 5,145,624.00
February	$ 4,497,500.00	$ 5,505,704.00
March	$ 10,740,233.00	$ 4,374,886.00
April	$ 9,394,785.27	$ 5,946,813.00
May	$ 7,210,632.79	$ 6,706,301.00
June	$ 8,782,481.00	$ 9,728,069.00
July	$ 8,983,999.47	$ 7,660,917.00
August	$ 6,295,770.00	$ 6,049,208.00
September	$ 5,443,098.00	$ 4,799,404.00
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
Totals	**$ 90,748,277.89**	**$ 76,318,156.00**



New Residential Value Fiscal Year

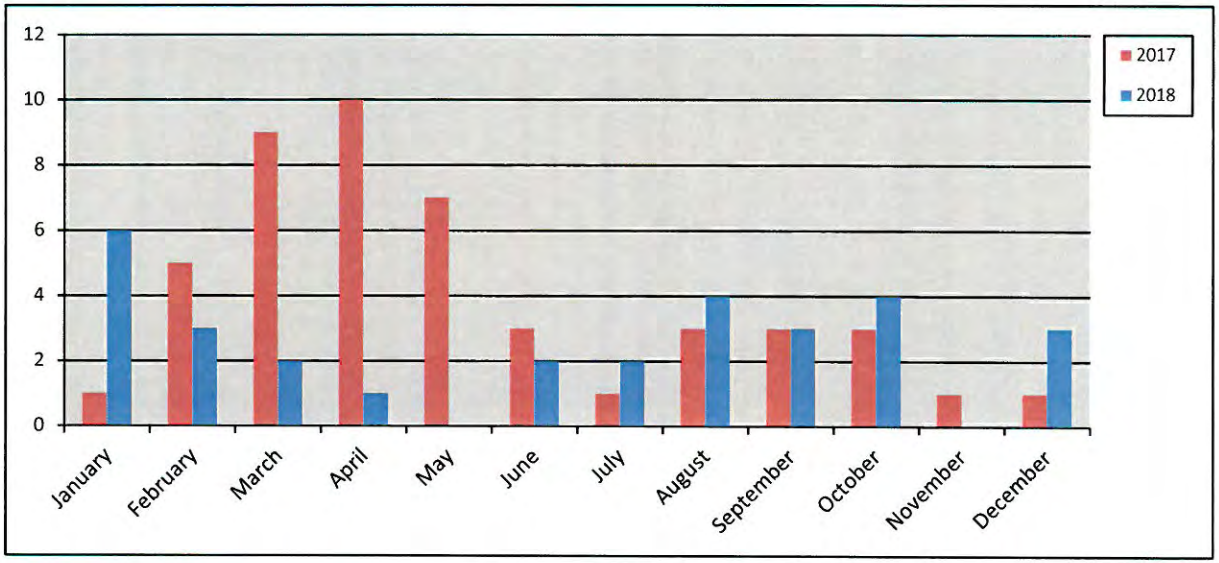
Year	2017-2018	2018-2019
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
January	$ 5,145,624.00	$ 681,618.00
February	$ 5,505,704.00	$ 2,897,344.85
March	$ 4,374,886.00	$ 10,294,717.00
April	$ 5,946,813.00	$ 4,977,668.00
May	$ 6,706,301.00	-
June	$ 9,728,069.00	-
July	$ 7,660,917.00	
August	$ 6,049,208.00	
September	$ 4,799,404.00	
Totals	**$79,618,273.36**	**$ 39,252,577.85**



222

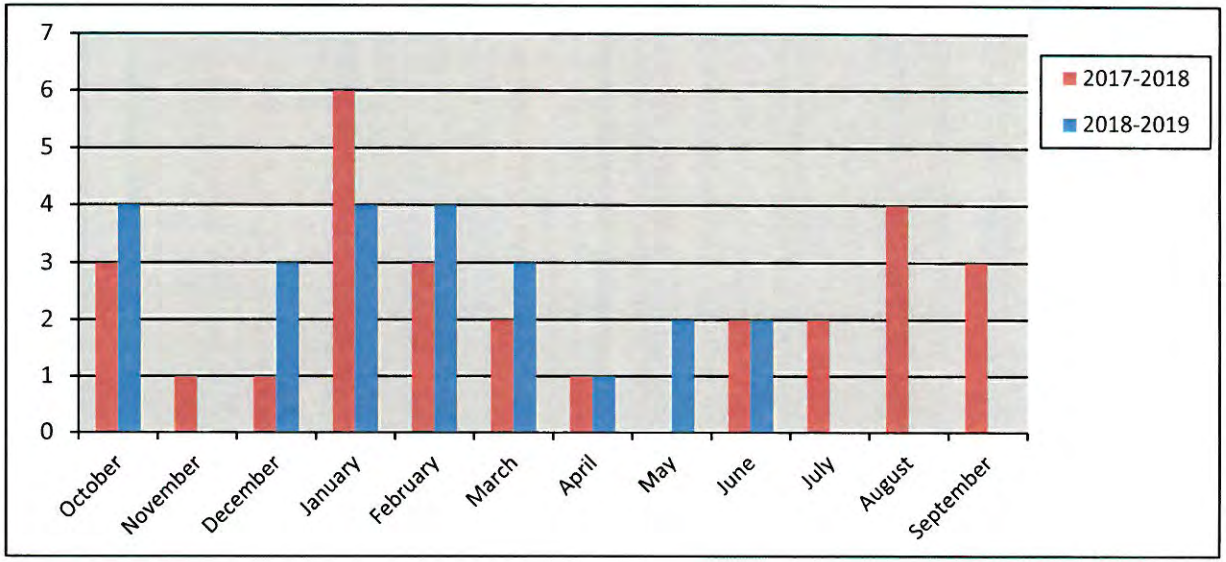
Residential Remodel Permits Calendar Year

	Year	
	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
Totals	**47**	30



Residential Remodel Permits Fiscal Year

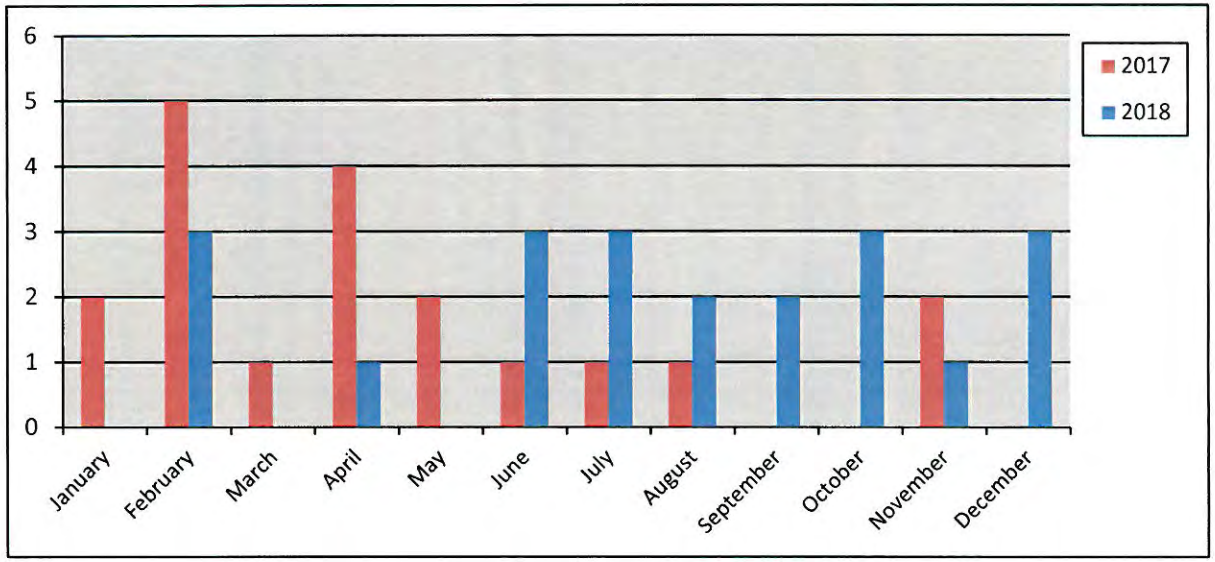
	Year	
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	4
March	2	3
April	1	1
May	0	2
June	2	2
July	2	
August	4	
September	3	
Totals	**28**	**23**



223

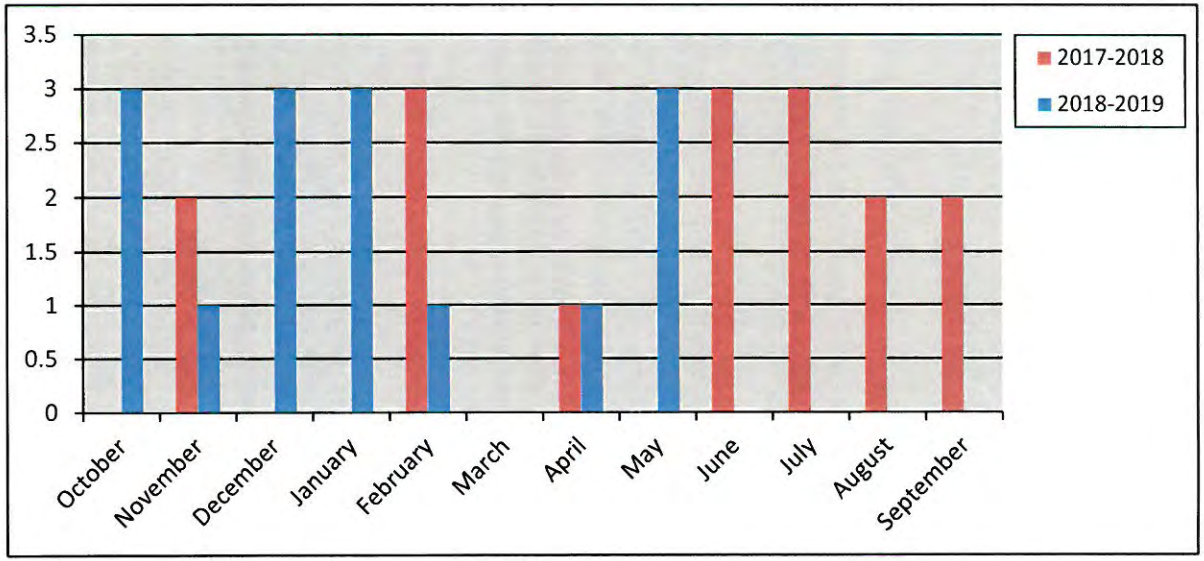
New Commercial Permits Calendar Year

	Year	
	2017	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
Totals	**19**	**21**



New Commercial Permits Fiscal Year

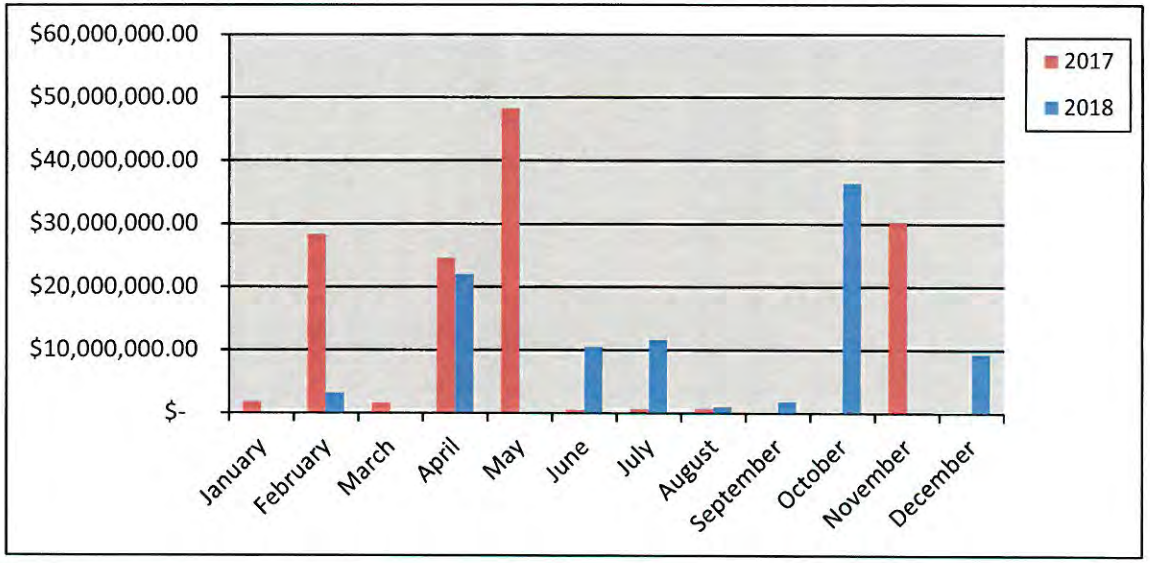
	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	1
March	0	0
April	1	1
May	0	3
June	3	0
July	3	
August	2	
September	2	
Totals	**16**	**15**



224

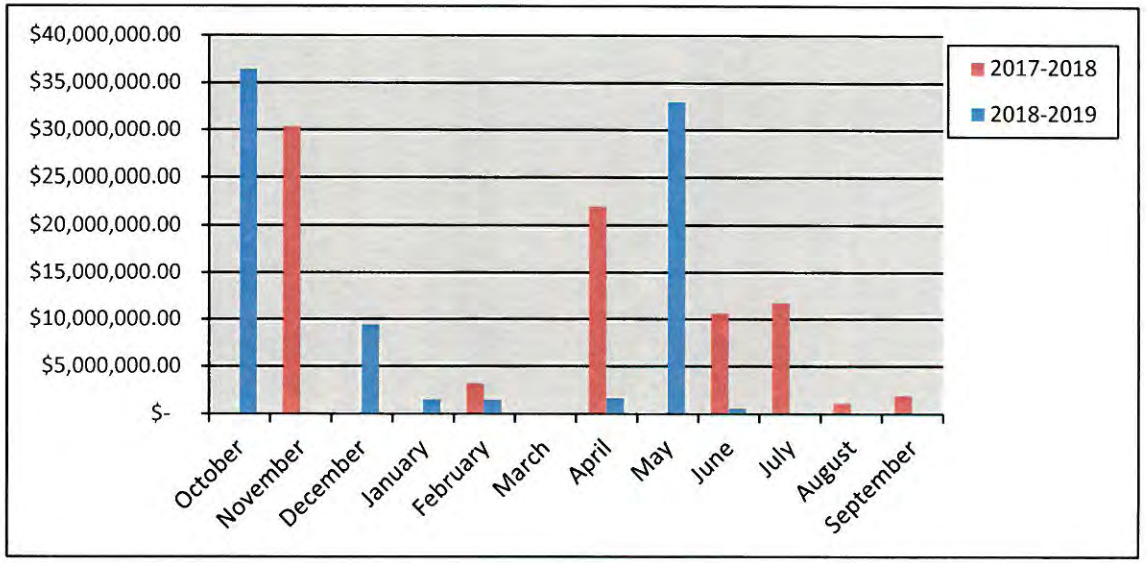
New Commercial Value Calendar Year

Year	2017	2018
January	$ 1,800,000.00	-
February	$ 28,400,000.00	$ 3,221,771.00
March	$ 1,599,026.00	-
April	$ 24,650,000.00	$ 22,000,000.00
May	$ 48,300,000.00	-
June	$ 569,400.00	$ 10,602,430.88
July	$ 700,000.00	$ 11,712,500.00
August	$ 726,506.00	$ 1,111,950.00
September	-	$ 1,930,813.00
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
Totals	**$ 137,134,932.00**	**$ 96,612,264.88**



New Commercial Value Fiscal Year

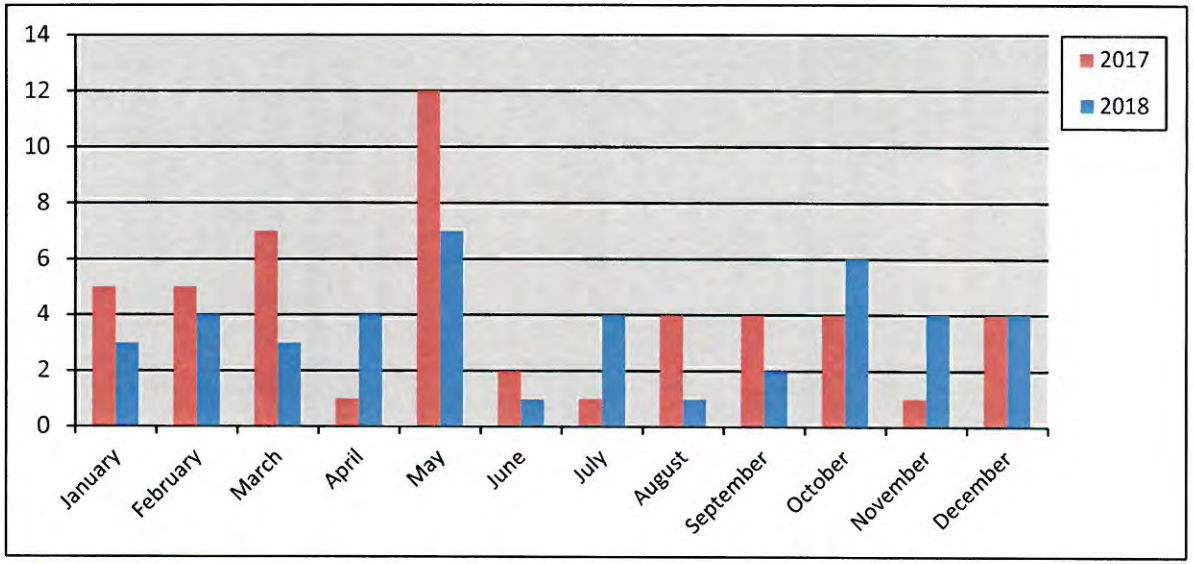
Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
January	-	$ 1,530,000.00
February	$ 3,221,771.00	$ 1,500,000.00
March	-	-
April	$ 22,000,000.00	$ 1,700,000.00
May	-	$ 32,969,700.00
June	$ 10,602,430.88	$ 629,975.28
July	$ 11,712,500.00	
August	$ 1,111,950.00	
September	$ 1,930,813.00	
Totals	**$ 80,969,464.88**	**$ 84,362,475.28**



225

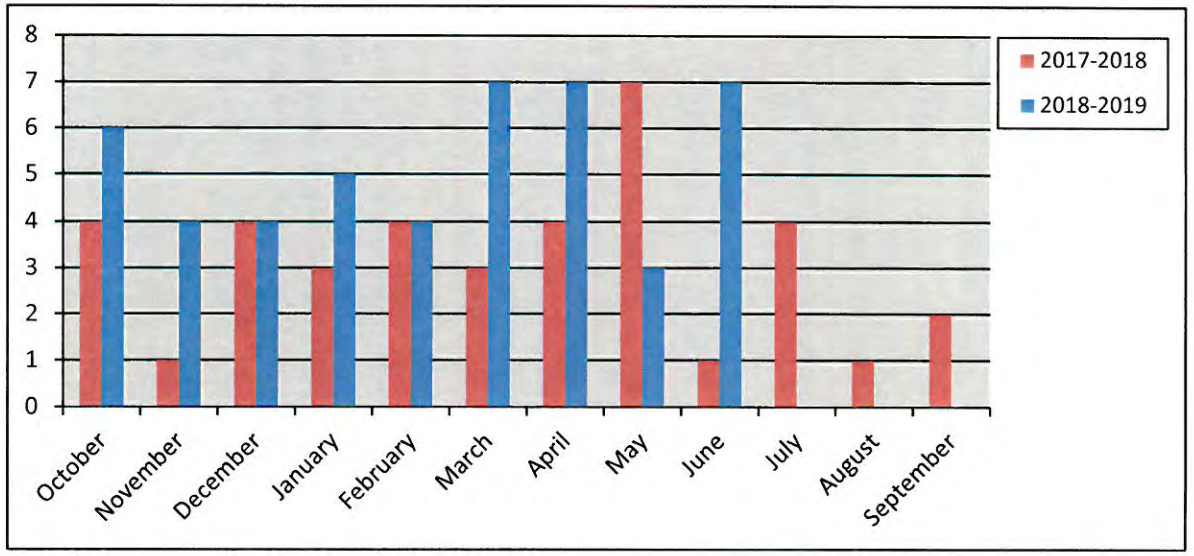
Commercial Remodel Permits Calendar Year

	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
Totals	**50**	**43**



Commercial Remodel Permits Fiscal Year

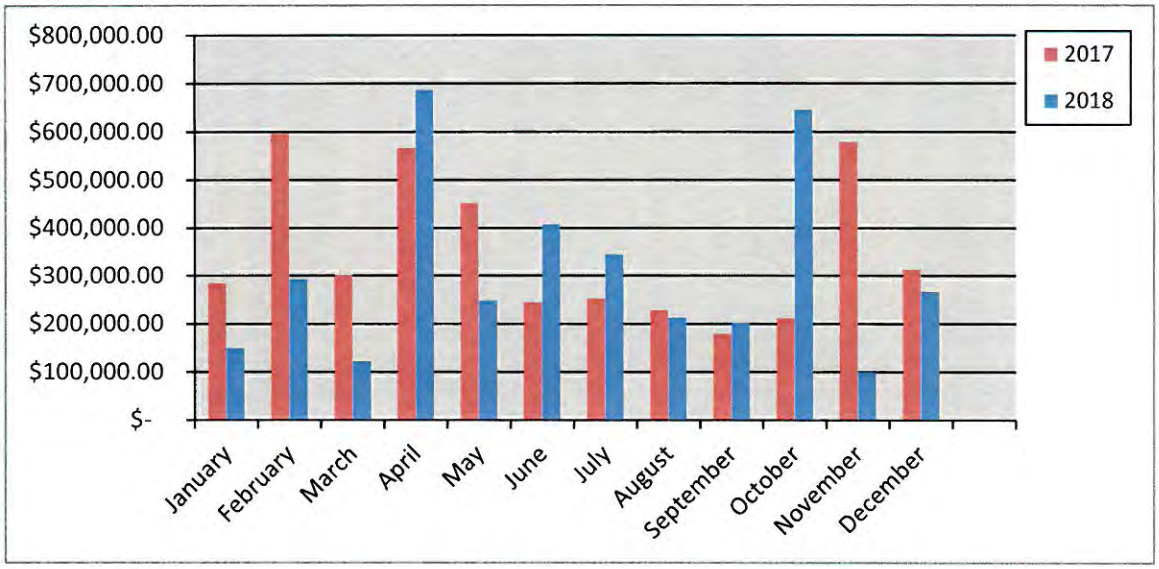
	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	4
March	3	7
April	4	7
May	7	3
June	1	7
July	4	
August	1	
September	2	
Totals	**38**	**47**



226

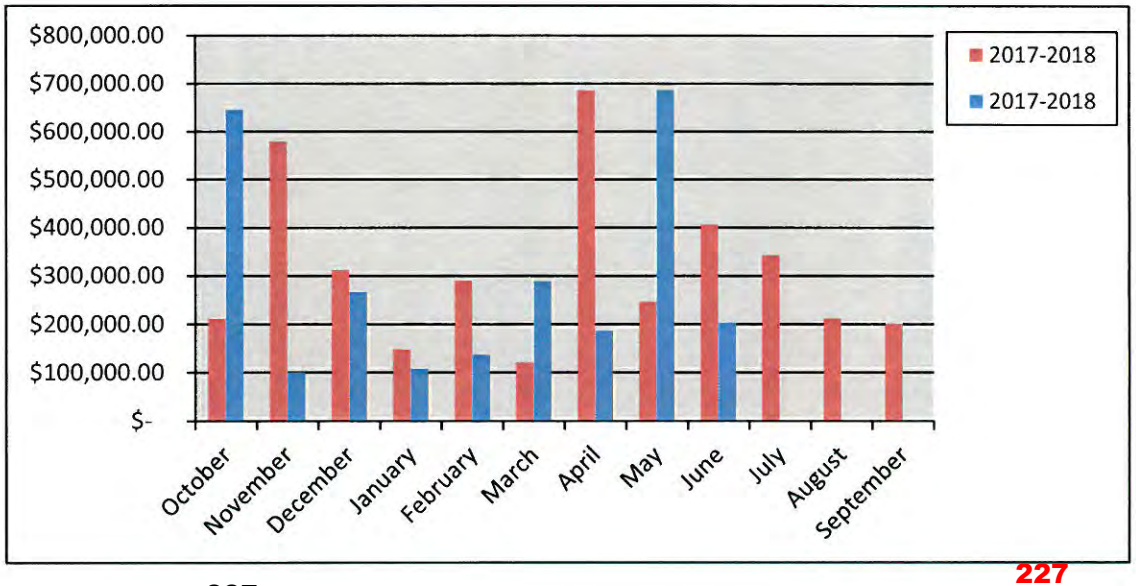
Total Fees Collected Calendar Year

	Year	
	2017	2018
January	$ 284,774.34	$ 149,088.54
February	$ 595,848.26	$ 291,324.78
March	$ 302,406.79	$ 122,271.28
April	$ 566,291.24	$ 686,154.89
May	$ 451,389.66	$ 247,465.55
June	$ 244,930.08	$ 406,799.91
July	$ 252,374.52	$ 343,682.23
August	$ 229,266.56	$ 212,643.16
September	$ 180,561.41	$ 201,855.47
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
Totals	**$ 4,213,035.44**	**$ 3,673,110.11**



Total Fees Collected Fiscal Year

	Year	
	2017-2018	2017-2018
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	$ 137,260.79
March	$ 122,271.28	$ 288,576.03
April	$ 686,154.89	$ 186,555.47
May	$ 247,465.55	$ 685,938.85
June	$ 406,799.91	$ 203,335.14
July	$ 343,682.23	
August	$ 212,643.16	
September	$ 201,855.47	
Totals	**$ 3,766,478.39**	**$ 2,621,815.81**



227

City of Rockwall
PERMITS ISSUED
For the Period 6/1/2019 thru 6/30/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0044 04/12/2019 06/06/2019	CO INTERIOR Active	6525 Horizon Rd 110 3039-0002-0010-00-0R Jeffrey Minth DDS	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Jeffrey Minth DDS	5045 Bear Claw Lane, Rockwall, TX 75032	(972) 772-5484
OWNER	Minth 2911, LLC	5045 Bear Claw Lane, Rockwall, TX 75032	(972) 772-5484

CO2019-0047 04/17/2019 06/03/2019	CO BUSINESS Active	1203 Ridge Rd 3570-0484-A001-A0-0R Rock On! Nutrition	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Joshua Rangel	, ,	(214) 708-4164
BUS OWNER	Joshua Rangel	1203 Ridge Rd, ROCKWALL, TX 75087	(214) 708-4164
BUSINESS	Rock On! Nutrition	1203 Ridge Rd, ROCKWALL, TX 75087	(214) 708-4164
OWNER	Pretium Property Managemer	115 W. 7th St #1232, Ft. Worth, TX 76102	

CO2019-0053 05/03/2019 06/26/2019	CO BUSINESS Active	2325 Goliad St S 4366-0001-0002-00-0R GB Auto Service, Inc. dba Valvoline Express Lube	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	John Zygmontowicz	2325 Goliad St S, Rockwall, TX 75032	(520) 229-9380
BUSINESS	GB Auto Service, Inc dba Val	2325 Goliad St S, Rockwall, TX 75032	(972) 772-2888
OWNER	GB Auto Service, Inc.	3945 E. Ft. Lowell Suite 211, Tucson, AZ 85712	(520) 229-9380

CO2019-0061 05/17/2019 06/21/2019	CO BUSINESS Active	225 E Ralph Hall Pkwy 4789-0000-0001-00-0R Revere Court of Rockwall	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Chancellor Healthcare	225 E Ralph Hall Pkwy, Rockwall, TX 75032	(469) 402-1883
BUS OWNER	Chancellor Healthcare	225 E Ralph Hall Pkwy, Rockwall, TX 75032	(469) 402-1883
BUSINESS	Revere Court	225 E Ralph Hall Pkwy, Rockwall, TX 75032	(469) 402-1883
OWNER	Revere Court	225 E Ralph Hall Pkwy, Rockwall, TX 75032	(469) 402-1883

CO2019-0063 05/22/2019 06/05/2019	CO BUSINESS Active	819 E I30 110 4817-000A-0002-00-0R Sleep Number	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
APPLICANT	Sleep Number	819 E Interestate 30, Suite 110, ROCKWALL, TX 75087			
BUS OWNER	Select Comfort Retail Corp.	1001 3rd Ave S., Minneapolis, MN 55404			
BUSINESS	Sleep Number	819 E Interestate 30, Suite 110, ROCKWALL, TX 75087			
CONTRACTOR	World Wide Installation	2666 Brenner Dr., Dallas,, TX 75220		(214) 350-3856	
INSP RPT EMAIL	Tmo Rodriguez - World Wide	Contact for Inspections, ,		(214) 693-0130	
OWNER	Dynamic Rockwall Investmer	1725 21st, Santa Monica, CA 90404			

CO2019-0065	CO	216 E Rusk St	0.00	76.50	76.50
05/28/2019	BUSINESS	4820-000L-0001-D0-0R			
06/05/2019	Active	Donut & Coffee			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Yongwoon Cho	1000 W. Yellowjacket Ln. Apt. 1501, ROCKWALL, TX 75087	(469) 769-8813
BUS OWNER	Yongwoon Cho	1000 W. Yellowjacket Ln. Apt. 1501, ROCKWALL, TX 75087	(469) 769-8813
CONTRACTOR	Donut & Coffee	216 Rusk E., ROCKWALL, TX 75087	(972) 722-2921
OWNER	Sung Rae Jo	929 W. Yellowjacket Ln. Apt. 603, ROCKWALL, TX 75087	(817) 305-1743

CO2019-0067	CO	302 Ranch Trail	0.00	75.00	75.00
06/07/2019	NEW CONSTRUCTION	0080-0000-0026-01-0R			
06/07/2019	Active	Patriot Paws			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Lori Stevens	254 Ranch Trail, Rockwall, TX 75032	(214) 502-3647
BUS OWNER	Lori Stevens	254 Ranch Trail, Rockwall, TX 75032	(214) 502-3647
BUSINESS	Patriot Paws	302 Ranch Trail, Rockwall, TX 75032	(972) 772-3282
OWNER	Lori Stevens	254 Ranch Trail, Rockwall, TX 75032	(214) 502-3647

CO2019-0068	CO	1901 N Goliad St	0.00	76.50	76.50
05/29/2019	BUSINESS	4244-000A-0007-00-0R			
06/13/2019	Active	Mod Superfast Pizza			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Mod Superfast Pizza	1901 N. Goliad St, Rockwall, TX 78087	(210) 725-7745
BUS OWNER	Albert Garza	2035 158th Ct NE #20, BELLEVUE, WA 98008	(888) 770-6637
OWNER	Moore Worth Investments LL	10210 N Centeral Expwy Ste 300, Dallas, TX 75231	(214) 415-9993

CO2019-0069	CO	2455 Ridge Rd 157	0.00	75.00	75.00
05/31/2019	BUSINESS	4854-000A-0009-00-0R			
06/05/2019	Active	Juvanew Med Spa			

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Amanda Rampy	1003 Chestnut Ln, ROCKWALL, TX 75087	(469) 865-6051
BUSINESS	Juvanew Med Spa	2455 Ridge Rd, Suite 157, ROCKWALL, TX 75087	(972) 737-1363
OWNER	ROCKWALL OCEANHILL I	C/O ROBBIE SPRINGS, ROCKWALL, TX 75087	

City of Rockwall
PERMITS ISSUED
For the Period 6/1/2019 thru 6/30/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0075 06/25/2019 06/27/2019	CO BUSINESS Active	104 W Kaufman St 4820-000G-0002-B0-0R Rockwall Super Drug	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Marites T Serna	524 Moraine Way, Heath, TX 75032	(972) 772-8801
BUS OWNER	Marites T Serna	524 Moraine Way, Heath, TX 75032	
BUSINESS	Rockwall Super Drug	104 W. Kaufman St, ROCKWALL, TX 75087	
OWNER	Texas Save Rx Pharmacy Ser	524 Moraine Way, Heath, TX 75032	(972) 772-8801

Total Valuation: 0.00
Total Fees: 757.50
Total Fees Paid: 757.50

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231

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **August 2, 2019**

SUBJECT: **June 2019 Budget Report**

The following analysis is offered for the period ended June 30, 2019 budget report. The budget is established in broad categories with line item estimates. In each category actual expenses as a whole should be considered rather than at the line item level. The typical budget threshold for this period is 75%. The below categories exceed the threshold but most are not unusual for this time of year. Those line items which may require increases or off-setting decreases will be developed as we finalize the budget setting process for the next fiscal year.

General Fund Revenues

- All revenues are coming in at or above expected levels with few exceptions.
- Cable TV franchise fees continue to drop as Uverse is not being marketed for new customers. Charter cable franchise fees have increased moderately though not to the level of previous ATT payments.
- Sales tax increased by 9.37% for the month of June (April sales) as compared to the prior year, same month. For the fiscal year the total increase is 5.01% over the prior year with monthly changes ranging from -13% to +39%.
- Franchise revenues for electric have slightly higher than last year while Atmos franchise fees were 24% higher than projected.
- Construction related revenues are strong as well. Various permit types will appear over or under budget but this will largely be due to the changes made to permit fees after the legislative session. Overall these revenues will exceed budget projections for the year.
- Court revenues continue to show decline. The lack of a Warrant Officer due to Officer vacancies is felt in these revenues. We do use a collection agency which helps only moderately.

General Fund Expenditures

- Contractual category – generally the line items in this category across all the departments include annual contracts for maintenance or insurance coverage causing the budgets to appear ahead for this time of year. Any unusual variations are noted below.
- Utilities category – we made several positive changes to the city provided cell phone plan resulting in significant cost reductions overall. This allowed us to add GPS to the field personnel vehicles without an increase. The reductions weren't in the same departments as the increases so budget amendments will correct that.
- Internal Operations Contractual – the repair or replacement of several outdoor warning sirens was approved by Council and the budget amendment approved by Council for that purchase will be reflected in the reports for the next quarter.
- Fire Marshal Contractual – the Community Risk Assessment was approved by Council after the budget process and is offset by pending grant revenue.

- Police Patrol Contractual – the Dodge Chargers in the Patrol fleet have had major maintenance problems this year and will likely not be included in the fleet in future years due to these issues.
- Planning Contractual – annual maintenance agreement on GIS software was paid
- Parks Supplies – generally these products are purchased during the winter season and projects are undertaken ahead of the busy growing season.
- Recreation Operations includes funding for special events such as the Fireworks show which are paid well ahead of the actual event.
- Parks Operations – the new superintendent was sent to maintenance management school earlier this year.

Water / Sewer Revenues

- Water sales – sales are down due to the very rainy spring and early summer. With the dry weather from July forward we should see this revenue improve but we will likely not make budget for this revenue source.
- All other revenues are in line with projections – the majority of sales to wholesale customers takes place June – September and will benefit from the dry hot weather typical for this time of year.

Water / Sewer Expenditures

- Generally these accounts are within normal ranges for this period. NTMWD requires payments in advance for the various services they provide so those categories can seem ahead of budget projections but that will resolve itself when we pay the 12th invoice in August.
- Water Operations Supplies – we began an intense effort this year to change out older meters which has caused the supplies to be right at 100% of budget. We anticipate enough inventory for this to be sufficient for the rest of the year.
- All other accounts are within thresholds.

Special Revenue Funds Summary

- All establishments paid the hotel taxes this quarter.

CITY OF ROCKWALL
REPORT OF REVENUES
FOR THE PERIOD ENDED JUNE 30, 2019
WITH COMPARATIVE TOTAL FROM PRIOR YEAR

GENERAL FUND

	Fiscal Year 2018			Fiscal Year 2019		
	Adopted	Actual	Percentage	Adopted	Actual	Percentage
00 REVENUES						
311 - PROPERTY TAXES						
4100 - CURRENT PROPERTY TAXES	12,214,700	12,435,260	101.81%	12,275,000	11,888,187	96.85%
4105 - DELIQUENT PROPERTY TAX	60,000	81,250	135.42%	80,000	63,252	79.06%
4110 - PENALTY AND INTEREST	60,000	58,886	98.14%	60,000	52,853	88.09%
311 - PROPERTY TAXES Total	**12,334,700**	**12,575,397**	**101.95%**	**12,415,000**	**12,004,292**	**96.69%**
313 - SALES TAXES						
4150 - CITY SALES TAX	16,190,000	12,693,182	78.40%	17,796,350	13,458,495	75.63%
4155 - BEVERAGE TAXES	245,000	140,038	57.16%	300,000	155,252	51.75%
4160 - SALES TAX REBATES	-	(10,743)	0.00%	-	(10,362)	0.00%
313 - SALES TAXES Total	**16,435,000**	**12,822,476**	**78.02%**	**18,096,350**	**13,603,385**	**75.17%**
315 - FRANCHISE FEES						
4201 - ELECTRIC FRANCHISE FEES	1,795,000	1,437,400	80.08%	1,810,000	1,552,846	85.79%
4203 - TELEPHONE FRANCHISE FEES	150,000	111,275	74.18%	125,000	105,599	84.48%
4205 - GAS FRANCHISE FEES	400,000	497,529	124.38%	497,500	620,183	124.66%
4207 - CABLE TV FRANCHISE FEE	625,000	356,919	57.11%	450,000	332,042	73.79%
4209 - GARBAGE FRANCHISE FEE	235,000	226,130	96.23%	290,000	207,712	71.62%
315 - FRANCHISE FEES Total	**3,205,000**	**2,629,252**	**82.04%**	**3,172,500**	**2,818,382**	**88.84%**
318 - FEES						
4250 - BALLFIELD RENTALS	-	4,303	0.00%	-	3,340	0.00%
4250 - PARK & RECREATION FEES	35,000	36,130	103.23%	35,000	27,101	77.43%
4251 - MUNICIPAL POOL FEES	22,000	8,363	38.01%	22,000	8,640	39.27%
4253 - CENTER RENTALS-7%	39,500	33,235	84.14%	39,500	37,123	93.98%
4255 - HARBOR RENTALS	10,000	3,150	31.50%	10,000	600	6.00%
4260 - TAX CERTIFICATE FEE	250	-	0.00%	250	-	0.00%
4270 - CODE ENFORCEMENT FEES	5,000	23,993	479.86%	5,000	22,545	450.89%
4280 - PLANNING AND ZONING FEES	35,000	53,922	154.06%	65,000	45,074	69.34%
4283 - CONSTRUCTION INSPECTION	425,000	252,141	59.33%	450,000	442,405	98.31%
4295 - FIRE-PLAN REVIEW FEES	4,500	3,425	76.11%	4,500	3,250	72.22%
318 - FEES Total	**576,250**	**418,662**	**72.65%**	**631,250**	**590,076**	**93.48%**

234

	Fiscal Year 2018			Fiscal Year 2019		
	Adopted	Actual	Percentage	Adopted	Actual	Percentage
321 - PERMITS						
4288 - MIXED BEVERAGE PERMIT FEE	10,000	12,615	126.15%	12,000	13,155	109.63%
4300 - BUILDING PERMITS	1,000,000	743,599	74.36%	1,000,000	822,912	82.29%
4302 - FENCE PERMITS	20,000	16,425	82.13%	20,000	13,280	66.40%
4304 - ELECTRICAL PERMITS	30,000	20,389	67.96%	30,000	16,292	54.31%
4306 - PLUMBING PERMITS	40,000	39,856	99.64%	50,000	36,574	73.15%
4308 - MECHANICAL PERMITS	39,000	57,403	147.19%	65,000	43,909	67.55%
4310 - DAY CARE CENTER PERMITS	3,000	5,280	176.00%	5,500	4,400	80.00%
4312 - HEALTH PERMITS	102,000	110,828	108.65%	132,000	112,178	84.98%
4314 - SIGN PERMITS	20,000	13,375	66.88%	20,000	13,750	68.75%
4320 - MISC. PERMITS	50,000	78,365	156.73%	50,000	56,665	113.33%
321 - PERMITS Total	**1,314,000**	**1,098,134**	**83.57%**	**1,384,500**	**1,133,117**	**81.84%**
322 - MUNICIPAL COURT						
4400 - COURT FINES	525,000	325,456	61.99%	450,000	254,333	56.52%
4402 - COURT FEES	165,000	87,844	53.24%	115,000	56,648	49.26%
4404 - WARRANT FEES	90,000	31,768	35.30%	45,000	30,121	66.93%
4406 - COURT DEFERRAL FEES	285,000	164,753	57.81%	205,000	105,242	51.34%
4408 - ANIMAL REGISTRATION FEE	7,000	3,590	51.29%	5,000	3,935	78.70%
4414 - ALARM FEES AND FINES	45,000	44,286	98.41%	80,000	38,361	47.95%
322 - MUNICIPAL COURT Total	**1,117,000**	**657,697**	**58.88%**	**900,000**	**488,640**	**54.29%**
323 - MISCELLANEOUS REVENUE						
4001 - INTEREST EARNINGS	75,000	113,259	151.01%	85,000	224,175	263.74%
4007 - SALE OF SUPPLIES	500	280	55.94%	500	326	65.19%
4010 - AUCTION /SCRAP PROCEEDS	40,000	5,263	13.16%	40,000	21,525	53.81%
4019 - MISCELLANEOUS REVENUE	20,000	31,562	157.81%	20,000	29,009	145.04%
323 - MISCELLANEOUS REVENUE Total	**135,500**	**148,610**	**109.68%**	**145,500**	**288,088**	**198.00%**
330 - INTERGOVERNMENTAL REVENUES						
4500 - GRANT PROCEEDS	-	13,643	0.00%	-	10,528	0.00%
4510 - SCHOOL PATROLS	405,000	357,793	88.34%	603,750	469,604	77.78%
4520 - COUNTY CONTRACTS	1,000	560	56.00%	1,000	720	72.00%
4530 - CITY CONTRACTS	491,600	319,870	65.07%	466,150	252,642	54.20%
330 - INTERGOVERNMENTAL REVENUES	**897,600**	**691,865**	**77.08%**	**1,070,900**	**733,494**	**68.49%**
391 - OPERATING TRANSFERS						
4911 - TRANSFER IN - POLICE INV	25,000	25,000	100.00%	37,500	-	0.00%
391 - OPERATING TRANSFERS Total	**25,000**	**25,000**	**100.00%**	**37,500**	**-**	**0.00%**
NON - NON-OPERATING REVENUES						
4040 - CASH OVER/SHORT	-	885	0.00%	-	1,057	0.00%
4480 - TOWER LEASES	51,000	20,628	40.45%	51,000	15,996	31.36%
4680 - DEVELOPER CONTRIBUTIONS	-	44,793	0.00%	35,500	-	0.00%

CITY OF ROCKWALL
REPORT OF EXPENDITURES
FOR THE PERIOD ENDED JUNE 30, 2019
WITH COMPARATIVE TOTAL FROM PRIOR YEAR

GENERAL FUND

	Fiscal Calendar 2018			Fiscal Calendar 2019		
	Adopted	Actual	Percentage	Adopted	Actual	Percentage
10 GENERAL GOVERNMENT						
01 MAYOR/COUNCIL						
10 - PERSONNEL SERVICES	24,200	18,166	75.07%	24,200	18,166	75.07%
20 - CONTRACTUAL	45,350	40,119	88.47%	41,150	36,447	88.57%
30 - SUPPLIES	400	757	189.37%	900	153	17.05%
40 - OPERATIONS	56,000	41,877	74.78%	58,000	34,604	59.66%
01 MAYOR/COUNCIL Total	**125,950**	**100,920**	**80.13%**	**124,250**	**89,371**	**71.93%**
05 ADMINISTRATION						
10 - PERSONNEL SERVICES	1,069,650	763,204	71.35%	1,104,850	898,542	81.33%
20 - CONTRACTUAL	811,500	583,146	71.86%	813,900	527,960	64.87%
30 - SUPPLIES	18,000	19,337	107.43%	18,000	14,815	82.31%
391 - OPERATING TRANSFERS	3,153,000	3,153,000	100.00%	3,188,000	2,680,000	84.07%
40 - OPERATIONS	74,750	56,220	75.21%	74,750	57,731	77.23%
50 - UTILITIES	5,600	5,060	90.35%	5,600	4,220	75.36%
05 ADMINISTRATION Total	**5,132,500**	**4,579,967**	**89.23%**	**5,205,100**	**4,183,268**	**80.37%**
06 ADMINISTRATIVE SERVICES						
10 - PERSONNEL SERVICES	493,450	365,353	74.04%	514,550	368,917	71.70%
20 - CONTRACTUAL	7,050	323	4.58%	7,050	7,041	99.88%
30 - SUPPLIES	3,000	1,964	65.48%	3,000	1,252	41.74%
40 - OPERATIONS	53,700	42,007	78.23%	59,900	46,894	78.29%
50 - UTILITIES	3,100	2,204	71.10%	3,100	2,204	71.10%
06 ADMINISTRATIVE SERVICES Total	**560,300**	**411,851**	**73.51%**	**587,600**	**426,309**	**72.55%**
09 INTERNAL OPERATIONS						
10 - PERSONNEL SERVICES	1,089,450	803,787	73.78%	1,165,650	778,448	66.78%
20 - CONTRACTUAL	553,500	469,013	84.74%	692,700	627,225	90.55%
30 - SUPPLIES	94,900	67,617	71.25%	97,400	60,445	62.06%
40 - OPERATIONS	14,600	10,184	69.75%	14,600	6,671	45.69%
50 - UTILITIES	362,800	245,696	67.72%	331,800	237,881	71.69%
60 - CAPITAL	69,400	65,075	93.77%	51,000	83,367	163.46%
09 INTERNAL OPERATIONS Total	**2,184,650**	**1,661,372**	**76.05%**	**2,353,150**	**1,794,036**	**76.24%**
15 FINANCE						
11 FINANCE						
10 - PERSONNEL SERVICES	415,800	240,722	57.89%	444,650	251,879	56.65%
20 - CONTRACTUAL	299,750	270,802	90.34%	315,800	209,285	66.27%
30 - SUPPLIES	62,250	43,603	70.04%	64,750	42,712	65.96%
40 - OPERATIONS	9,000	6,145	68.27%	9,000	4,441	49.35%
50 - UTILITIES	1,250	893	71.44%	1,250	893	71.44%
11 FINANCE Total	**788,050**	**562,164**	**71.34%**	**835,450**	**509,202**	**60.95%**

236

	Fiscal Calendar 2018			Fiscal Calendar 2019		
	Adopted	Actual	Percentage	Adopted	Actual	Percentage
15 MUNICIPAL COURT						
10 - PERSONNEL SERVICES	356,550	264,307	74.13%	343,450	223,216	64.99%
20 - CONTRACTUAL	93,900	56,481	60.15%	93,900	44,983	47.90%
30 - SUPPLIES	7,250	1,624	22.40%	7,250	4,073	56.18%
40 - OPERATIONS	5,500	2,531	46.03%	5,500	1,665	30.27%
15 MUNICIPAL COURT Total	**463,200**	**324,944**	**70.15%**	**450,100**	**273,937**	**60.86%**
20 FIRE						
25 OPERATIONS						
10 - PERSONNEL SERVICES	3,156,150	2,303,376	72.98%	3,826,800	2,591,525	67.72%
20 - CONTRACTUAL	211,800	151,757	71.65%	249,700	175,799	70.40%
30 - SUPPLIES	99,400	63,346	63.73%	121,800	60,763	49.89%
40 - OPERATIONS	32,000	18,677	58.36%	63,700	25,506	40.04%
50 - UTILITIES	2,800	1,957	69.89%	2,800	2,756	98.43%
60 - CAPITAL	20,100	-	0.00%	70,900	70,888	99.98%
25 OPERATIONS Total	**3,522,250**	**2,539,113**	**72.09%**	**4,335,700**	**2,927,238**	**67.51%**
29 FIRE MARSHAL						
10 - PERSONNEL SERVICES	466,900	296,770	63.56%	507,200	371,012	73.15%
20 - CONTRACTUAL	16,500	6,740	40.85%	16,500	30,607	185.49%
30 - SUPPLIES	70,200	24,888	35.45%	75,300	38,735	51.44%
40 - OPERATIONS	23,000	14,359	62.43%	23,000	9,280	40.35%
50 - UTILITIES	5,000	2,867	57.34%	5,000	3,572	71.44%
60 - CAPITAL	-	-	0.00%	13,500	13,421	99.41%
29 FIRE MARSHAL Total	**581,600**	**345,624**	**59.43%**	**640,500**	**466,627**	**72.85%**
30 POLICE						
31 POLICE ADMINISTRATION						
10 - PERSONNEL SERVICES	1,094,200	815,551	74.53%	1,111,650	848,172	76.30%
20 - CONTRACTUAL	63,000	46,166	73.28%	59,000	44,361	75.19%
30 - SUPPLIES	12,600	13,151	104.37%	17,600	13,726	77.99%
40 - OPERATIONS	32,150	17,220	53.56%	32,150	24,867	77.35%
50 - UTILITIES	8,600	5,536	64.37%	8,600	5,661	65.82%
60 - CAPITAL	205,030	174,790	85.25%	35,000	34,554	98.73%
31 POLICE ADMINISTRATION Total	**1,415,580**	**1,072,414**	**75.76%**	**1,264,000**	**971,340**	**76.85%**
32 COMMUNICATIONS						
10 - PERSONNEL SERVICES	1,013,750	703,041	69.35%	959,650	696,910	72.62%
20 - CONTRACTUAL	269,500	218,475	81.07%	265,000	220,032	83.03%
30 - SUPPLIES	5,950	2,585	43.44%	5,950	1,059	17.80%
40 - OPERATIONS	11,550	3,116	26.98%	11,550	4,133	35.78%
50 - UTILITIES	3,700	893	24.14%	3,700	1,175	31.76%
32 COMMUNICATIONS Total	**1,304,450**	**928,109**	**71.15%**	**1,245,850**	**923,309**	**74.11%**

	Fiscal Calendar 2018			Fiscal Calendar 2019		
	Adopted	Actual	Percentage	Adopted	Actual	Percentage
33 PATROL						
10 - PERSONNEL SERVICES	5,094,000	3,525,189	69.20%	5,211,750	3,589,292	68.87%
20 - CONTRACTUAL	77,800	87,243	112.14%	77,800	110,647	142.22%
30 - SUPPLIES	293,400	220,571	75.18%	316,600	253,813	80.17%
40 - OPERATIONS	36,800	21,225	57.68%	36,800	42,539	115.59%
50 - UTILITIES	9,000	7,418	82.42%	10,000	5,575	55.75%
60 - CAPITAL	242,500	262,314	108.17%	293,000	285,046	97.29%
33 PATROL Total	**5,753,500**	**4,123,959**	**71.68%**	**5,945,950**	**4,286,913**	**72.10%**
34 CRIMINAL INVESTIGATIONS						
10 - PERSONNEL SERVICES	1,245,700	893,785	71.75%	1,268,250	875,467	69.03%
20 - CONTRACTUAL	25,300	12,610	49.84%	36,700	19,922	54.28%
30 - SUPPLIES	45,300	34,228	75.56%	53,350	31,503	59.05%
40 - OPERATIONS	13,700	6,691	48.84%	13,700	5,148	37.57%
50 - UTILITIES	15,050	10,758	71.48%	15,050	9,159	60.85%
60 - CAPITAL	-	-	0.00%	84,500	73,622	87.13%
34 CRIMINAL INVESTIGATIONS Total	**1,345,050**	**958,072**	**71.23%**	**1,471,550**	**1,014,820**	**68.96%**
35 COMMUNITY SERVICES						
10 - PERSONNEL SERVICES	882,650	692,500	78.46%	1,318,350	929,735	70.52%
20 - CONTRACTUAL	29,650	25,788	86.97%	33,150	28,319	85.43%
30 - SUPPLIES	59,950	45,007	75.07%	79,550	39,561	49.73%
40 - OPERATIONS	9,900	2,402	24.27%	9,900	4,474	45.19%
50 - UTILITIES	3,700	2,162	58.43%	4,900	1,986	40.53%
35 COMMUNITY SERVICES Total	**985,850**	**767,859**	**77.89%**	**1,445,850**	**1,004,075**	**69.45%**
36 WARRANTS						
10 - PERSONNEL SERVICES	236,250	179,855	76.13%	254,700	184,408	72.40%
20 - CONTRACTUAL	2,600	757	29.13%	2,600	675	25.96%
30 - SUPPLIES	2,700	934	34.59%	2,700	1,540	57.03%
50 - UTILITIES	900	552	61.38%	900	414	45.96%
36 WARRANTS Total	**242,450**	**182,098**	**75.11%**	**260,900**	**187,036**	**71.69%**
37 POLICE RECORDS						
10 - PERSONNEL SERVICES	474,850	385,772	81.24%	450,350	332,366	73.80%
20 - CONTRACTUAL	7,350	5,237	71.26%	7,350	2,680	36.47%
30 - SUPPLIES	1,450	992	68.44%	1,450	1,371	94.54%
40 - OPERATIONS	7,600	6,181	81.33%	7,600	8,044	105.84%
50 - UTILITIES	3,400	2,679	78.79%	3,400	2,679	78.79%
37 POLICE RECORDS Total	**494,650**	**400,862**	**81.04%**	**470,150**	**347,140**	**73.84%**

	Fiscal Calendar 2018			Fiscal Calendar 2019		
	Adopted	Actual	Percentage	Adopted	Actual	Percentage
40 COMMUNITY DEVELOPMENT						
41 PLANNING						
10 - PERSONNEL SERVICES	693,050	479,652	69.21%	756,800	494,298	65.31%
20 - CONTRACTUAL	60,600	55,548	91.66%	121,600	50,065	41.17%
30 - SUPPLIES	2,750	1,667	60.62%	4,400	4,336	98.54%
40 - OPERATIONS	23,550	12,976	55.10%	23,550	19,003	80.69%
50 - UTILITIES	1,350	893	66.15%	1,350	893	66.15%
60 - CAPITAL	-	-	0.00%	202,500	30,000	14.81%
41 PLANNING Total	**781,300**	**550,736**	**70.49%**	**1,110,200**	**598,594**	**53.92%**
42 NEIGHBORHOOD IMPROVEMENT						
10 - PERSONNEL SERVICES	352,200	255,006	72.40%	342,800	223,089	65.08%
20 - CONTRACTUAL	155,750	105,443	67.70%	159,750	88,053	55.12%
30 - SUPPLIES	19,550	10,914	55.83%	20,050	10,225	51.00%
40 - OPERATIONS	9,650	4,061	42.08%	9,650	4,354	45.12%
50 - UTILITIES	2,950	2,332	79.06%	2,950	2,407	81.58%
60 - CAPITAL	-	-	0.00%	50,450	45,800	90.78%
42 NEIGHBORHOOD IMPROVEMENT T	**540,100**	**377,756**	**69.94%**	**585,650**	**373,929**	**63.85%**
43 BUILDING INSPECTIONS						
10 - PERSONNEL SERVICES	650,550	485,109	74.57%	651,800	467,476	71.72%
20 - CONTRACTUAL	54,600	41,281	75.61%	74,900	35,762	47.75%
30 - SUPPLIES	11,350	8,502	74.90%	13,600	5,831	42.88%
40 - OPERATIONS	9,750	7,167	73.51%	9,750	4,126	42.31%
50 - UTILITIES	4,100	3,451	84.17%	4,600	3,793	82.47%
60 - CAPITAL	-	-	0.00%	53,450	50,041	93.62%
43 BUILDING INSPECTIONS Total	**730,350**	**545,510**	**74.69%**	**808,100**	**567,029**	**70.17%**
45 PARKS AND RECREATION						
45 PARKS						
10 - PERSONNEL SERVICES	1,019,150	724,135	71.05%	1,070,550	801,556	74.87%
20 - CONTRACTUAL	655,500	327,139	49.91%	669,000	279,981	41.85%
30 - SUPPLIES	375,200	400,209	106.67%	438,750	434,719	99.08%
40 - OPERATIONS	11,500	11,690	101.65%	15,750	13,737	87.22%
50 - UTILITIES	328,400	212,643	64.75%	330,900	153,018	46.24%
60 - CAPITAL	180,000	168,960	93.87%	219,150	210,123	95.88%
45 PARKS Total	**2,569,750**	**1,844,776**	**71.79%**	**2,744,100**	**1,893,135**	**68.99%**
46 HARBOR O & M						
10 - PERSONNEL SERVICES	117,300	89,698	76.47%	122,550	72,069	58.81%
20 - CONTRACTUAL	168,800	20,455	12.12%	169,300	160,195	94.62%
30 - SUPPLIES	70,000	32,654	46.65%	78,000	48,772	62.53%
40 - OPERATIONS	4,300	520	12.08%	4,550	113	2.47%
50 - UTILITIES	165,700	119,565	72.16%	149,700	62,258	41.59%
60 - CAPITAL	16,000	13,426	83.91%	-	-	0.00%
46 HARBOR O & M Total	**542,100**	**276,318**	**50.97%**	**524,100**	**343,406**	**65.52%**

	Fiscal Calendar 2018			Fiscal Calendar 2019		
	Adopted	Actual	Percentage	Adopted	Actual	Percentage
47 RECREATION						
10 - PERSONNEL SERVICES	659,750	483,955	73.35%	715,050	501,472	70.13%
20 - CONTRACTUAL	38,550	25,818	66.97%	41,550	22,376	53.85%
30 - SUPPLIES	57,550	46,436	80.69%	61,650	41,373	67.11%
40 - OPERATIONS	76,700	67,891	88.51%	76,700	67,798	88.39%
50 - UTILITIES	63,700	46,782	73.44%	77,700	45,687	58.80%
60 - CAPITAL	22,000	19,775	89.89%	33,700	33,697	99.99%
47 RECREATION Total	**918,250**	**690,657**	**75.21%**	**1,006,350**	**712,403**	**70.79%**
48 ANIMAL SERVICES						
10 - PERSONNEL SERVICES	190,900	147,863	77.46%	195,050	150,354	77.08%
20 - CONTRACTUAL	425,500	331,933	78.01%	425,500	322,549	75.80%
30 - SUPPLIES	15,900	7,458	46.90%	14,400	5,808	40.33%
40 - OPERATIONS	2,550	2,500	98.02%	3,750	1,077	28.71%
50 - UTILITIES	3,800	2,447	64.39%	3,800	3,996	105.16%
60 - CAPITAL	-	-	0.00%	56,150	56,546	100.71%
48 ANIMAL SERVICES Total	**638,650**	**492,200**	**77.07%**	**698,650**	**540,329**	**77.34%**
50 PUBLIC WORKS						
53 ENGINEERING						
10 - PERSONNEL SERVICES	835,900	584,880	69.97%	827,900	595,317	71.91%
20 - CONTRACTUAL	214,450	84,873	39.58%	285,200	220,433	77.29%
30 - SUPPLIES	23,450	10,821	46.14%	19,850	11,602	58.45%
40 - OPERATIONS	23,700	17,988	75.90%	23,700	11,150	47.05%
50 - UTILITIES	10,050	5,973	59.43%	10,050	6,776	67.43%
60 - CAPITAL	7,500	6,500	86.67%	-	-	0.00%
53 ENGINEERING Total	**1,115,050**	**711,034**	**63.77%**	**1,166,700**	**845,279**	**72.45%**
59 STREETS						
10 - PERSONNEL SERVICES	742,900	559,998	75.38%	771,600	540,113	70.00%
20 - CONTRACTUAL	227,050	111,187	48.97%	270,750	146,974	54.28%
30 - SUPPLIES	1,638,350	1,210,282	73.87%	2,760,550	2,522,039	91.36%
40 - OPERATIONS	11,300	5,364	47.47%	11,500	6,153	53.50%
50 - UTILITIES	522,700	308,427	59.01%	522,700	291,144	55.70%
60 - CAPITAL	218,650	203,156	92.91%	87,800	85,138	96.97%
59 STREETS Total	**3,360,950**	**2,398,413**	**71.36%**	**4,424,900**	**3,591,560**	**81.17%**
Grand Total	**36,096,530**	**26,846,727**	**74.37%**	**39,704,850**	**28,870,290**	**72.71%**

CITY OF ROCKWALL
REPORT OF REVENUES
FOR THE PERIOD ENDED JUNE 30, 2019
WITH COMPARATIVE TOTAL FROM PRIOR YEAR

WATER & SEWER

	Fiscal Year 2018			Fiscal Year 2019		
	Adopted	Actual	Percentage	Adopted	Actual	Percentage
323 - MISCELLANEOUS REVENUE						
4001 - INTEREST EARNINGS	50,000	80,897	161.79%	85,000	166,736	196.16%
4010 - AUCTION /SCRAP PROCEEDS	5,000	2,889	57.79%	15,000	10,121	67.47%
323 - MISCELLANEOUS REVENUE Total	**55,000**	**83,786**	**152.34%**	**100,000**	**176,857**	**176.86%**
340 - UTILITY SALES						
4601 - RETAIL WATER SALES	13,333,850	9,586,479	71.90%	16,390,000	8,290,423	50.58%
4603 - SEWER CHARGES	7,308,400	5,474,164	74.90%	8,400,000	6,042,867	71.94%
4605 - PRETREATMENT CHARGES	18,000	34,800	193.33%	53,000	37,378	70.52%
4609 - HOUSE HAZARDOUS WASTE FEE	100,000	89,017	89.02%	125,000	91,076	72.86%
4610 - PENALTIES	220,000	223,427	101.56%	250,000	238,539	95.42%
4611 - PORTABLE METER WATER SALES	20,000	51,944	259.72%	100,000	78,001	78.00%
340 - UTILITY SALES Total	**21,000,250**	**15,459,831**	**73.62%**	**25,318,000**	**14,778,284**	**58.37%**
CONT - TOTAL CONTRACT SALES						
4622 - RCH WATER CORP-WATER SALE	1,032,350	1,008,049	97.65%	1,300,000	550,113	42.32%
4632 - BLACKLAND-WATER SALES	701,450	442,444	63.08%	903,000	475,110	52.61%
4640 - MCLENDON CHISHOLM SEWER CHARG	7,000	7,869	112.42%	15,000	141,666	944.44%
4650 - CITY OF HEATH-WATER SALES	1,564,050	1,058,789	67.70%	1,830,000	1,577,631	86.21%
CONT - TOTAL CONTRACT SALES Total	**3,304,850**	**2,517,151**	**76.17%**	**4,048,000**	**2,744,520**	**67.80%**
NON - NON-OPERATING REVENUES						
4480 - TOWER LEASES	188,200	253,527	134.71%	200,000	170,473	85.24%
4670 - WATER IMPACT FEES	625,000	690,008	110.40%	700,000	503,667	71.95%
4672 - SEWER IMPACT FEES	210,000	333,941	159.02%	450,000	339,106	75.36%
4676 - WATER PRO RATA	-	-	0.00%	-	16,942	0.00%
4678 - SEWER PRO RATA	-	6,682	0.00%	-	426	0.00%
NON - NON-OPERATING REVENUES Total	**1,023,200**	**1,284,158**	**125.50%**	**1,350,000**	**1,030,614**	**76.34%**
OTHE - TOTAL OTHER RECEIPTS						
4660 - WATER TAPS	120,000	101,422	84.52%	120,000	123,467	102.89%
4662 - SEWER TAPS	35,000	19,234	54.96%	30,000	19,737	65.79%
4665 - METER RENTAL FEES	22,000	17,431	79.23%	22,000	43,358	197.08%
OTHE - TOTAL OTHER RECEIPTS Total	**177,000**	**138,087**	**78.02%**	**172,000**	**186,561**	**108.47%**
00 REVENUES Total	**25,560,300**	**19,483,014**	**76.22%**	**30,988,000**	**18,916,836**	**61.05%**
Grand Total	**25,560,300**	**19,483,014**	**76.22%**	**30,988,000**	**18,916,836**	**61.05%**

CITY OF ROCKWALL
REPORT OF EXPENDITURES
FOR THE PERIOD ENDED JUNE 30, 2019
WITH COMPARATIVE TOTAL FROM PRIOR YEAR

WATER & SEWER FUND

	Fiscal Year 2018			Fiscal Year 2019		
	Adopted	Actual	Percentage	Adopted	Actual	Percentage
10 GENERAL GOVERNMENT						
05 ADMINISTRATION						
391 - OPERATING TRANSFERS	1,015,050	1,015,050	100.00%	1,023,100	955,000	93.34%
05 ADMINISTRATION Total	**1,015,050**	**1,015,050**	**100.00%**	**1,023,100**	**955,000**	**93.34%**
60 UTILITY SERVICES						
61 BILLING SERVICES						
10 - PERSONNEL SERVICES	439,350	323,633	73.66%	473,750	377,091	79.60%
20 - CONTRACTUAL	491,250	371,063	75.53%	493,200	277,304	56.23%
30 - SUPPLIES	90,800	65,273	71.89%	90,800	67,216	74.03%
40 - OPERATIONS	134,300	13,351	9.94%	154,300	2,844	1.84%
61 BILLING SERVICES Total	**1,155,700**	**773,321**	**66.91%**	**1,212,050**	**724,456**	**59.77%**
62 DEBT SERVICE						
70 - DEBT SERVICE	5,110,200	1,037,573	20.30%	5,119,850	952,497	18.60%
62 DEBT SERVICE Total	**5,110,200**	**1,037,573**	**20.30%**	**5,119,850**	**952,497**	**18.60%**
63 WATER OPERATIONS						
10 - PERSONNEL SERVICES	957,550	636,015	66.42%	967,900	736,814	76.12%
20 - CONTRACTUAL	9,692,600	7,962,927	82.15%	11,837,650	9,888,641	83.54%
30 - SUPPLIES	457,200	232,463	50.84%	457,200	458,493	100.28%
40 - OPERATIONS	15,900	8,502	53.47%	15,900	10,526	66.20%
50 - UTILITIES	290,550	167,212	57.55%	280,550	151,700	54.07%
60 - CAPITAL	79,000	66,347	83.98%	30,000	26,958	89.86%
63 WATER OPERATIONS Total	**11,492,800**	**9,073,465**	**78.95%**	**13,589,200**	**11,273,132**	**82.96%**
67 SEWER OPERATIONS						
10 - PERSONNEL SERVICES	884,200	640,304	72.42%	1,016,650	704,774	69.32%
20 - CONTRACTUAL	5,167,850	4,092,715	79.20%	7,100,500	5,105,581	71.90%
30 - SUPPLIES	197,950	107,226	54.17%	218,000	114,118	52.35%
40 - OPERATIONS	14,450	12,866	89.04%	14,650	9,597	65.51%
50 - UTILITIES	136,400	57,863	42.42%	106,400	56,898	53.48%
60 - CAPITAL	548,450	434,897	79.30%	246,100	236,778	96.21%
67 SEWER OPERATIONS Total	**6,949,300**	**5,345,870**	**76.93%**	**8,702,300**	**6,227,747**	**71.56%**
Grand Total	**25,723,050**	**17,245,279**	**67.04%**	**29,646,500**	**20,132,831**	**67.91%**

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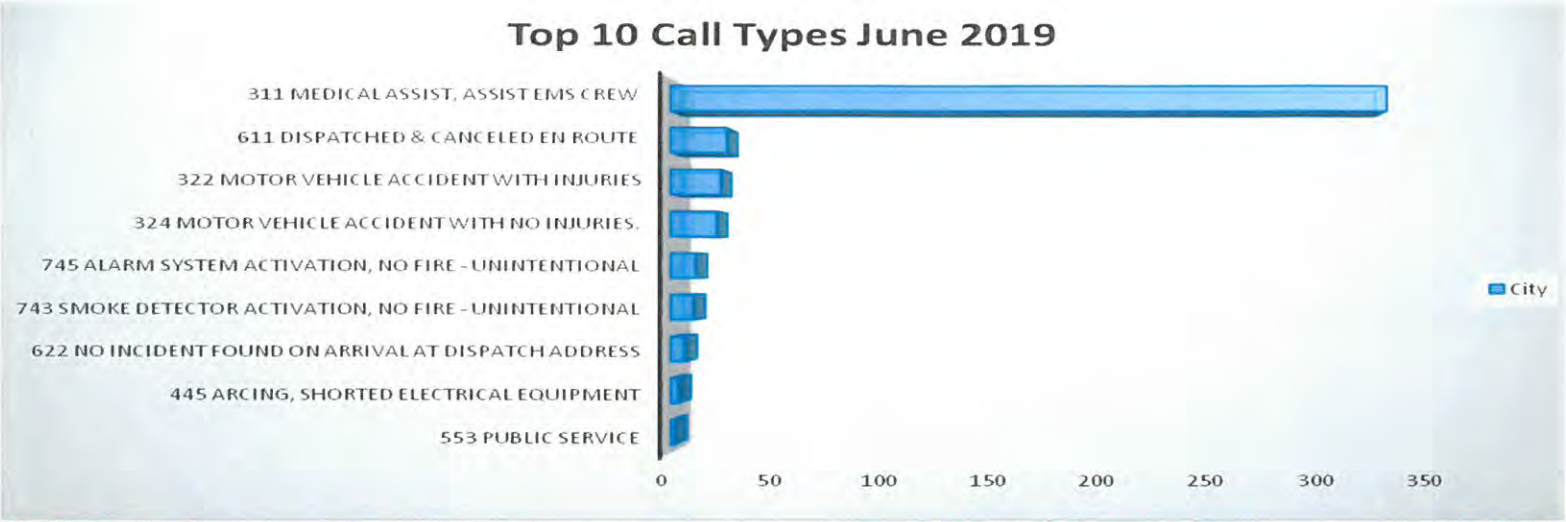
243

ROCKWALL FIRE DEPARTMENT

Monthly Report

June 2019

244



June 2019- All Calls		
Situation Type	Automatic aid given	City
111 Building fire	1	2
311 Medical assist, assist EMS crew		166
322 Motor vehicle accident with injuries		11
412 Gas leak (natural gas or LPG)		6
611 Dispatched & canceled en route		16
622 No incident found on arrival at dispatch address		3
733 Smoke detector activation due to malfunction		13
735 Alarm system sounded due to malfunction		7
743 Smoke detector activation, no fire - unintentional		5
745 Alarm system activation, no fire - unintentional		8
131 Passenger vehicle fire (cars, pickups, SUV's)		1
651 Smoke scare, odor of smoke		3
324 Motor vehicle accident with no injuries.		5
550 Smoke Detector Battery Change/Install		5
553 Public service		1
736 CO detector activation due to malfunction		2
550 Public service assistance, other		4
731 Sprinkler activation due to malfunction		2
462 Aircraft standby		1
554 Assist invalid		1
555 Defective elevator, no occupants		1
561 Unauthorized burning		1
734 Heat detector activation due to malfunction		1
741 Sprinkler activation, no fire - unintentional		1
813 Wind storm, tornado/hurricane assessment		1
134 Water vehicle fire		1
142 Brush or brush-and-grass mixture fire		3
151 Outside rubbish, trash or waste fire		1
160 Special outside fire, other		1
323 Motor vehicle/pedestrian accident (MV Ped)		1
361 Swimming/recreational water areas rescue		2
365 Watercraft rescue		2
440 Electrical wiring/equipment problem, other		1
442 Overheated motor		1
511 Lock-out		1
522 Water or steam leak		4
531 Smoke or odor removal		1
552 Police matter		1
740 Unintentional transmission of alarm, other		1
744 Detector activation, no fire - unintentional		1
746 Carbon monoxide detector activation, no CO		1
480 Attempted burning, illegal action, other		1
Totals	**1**	**291**

245

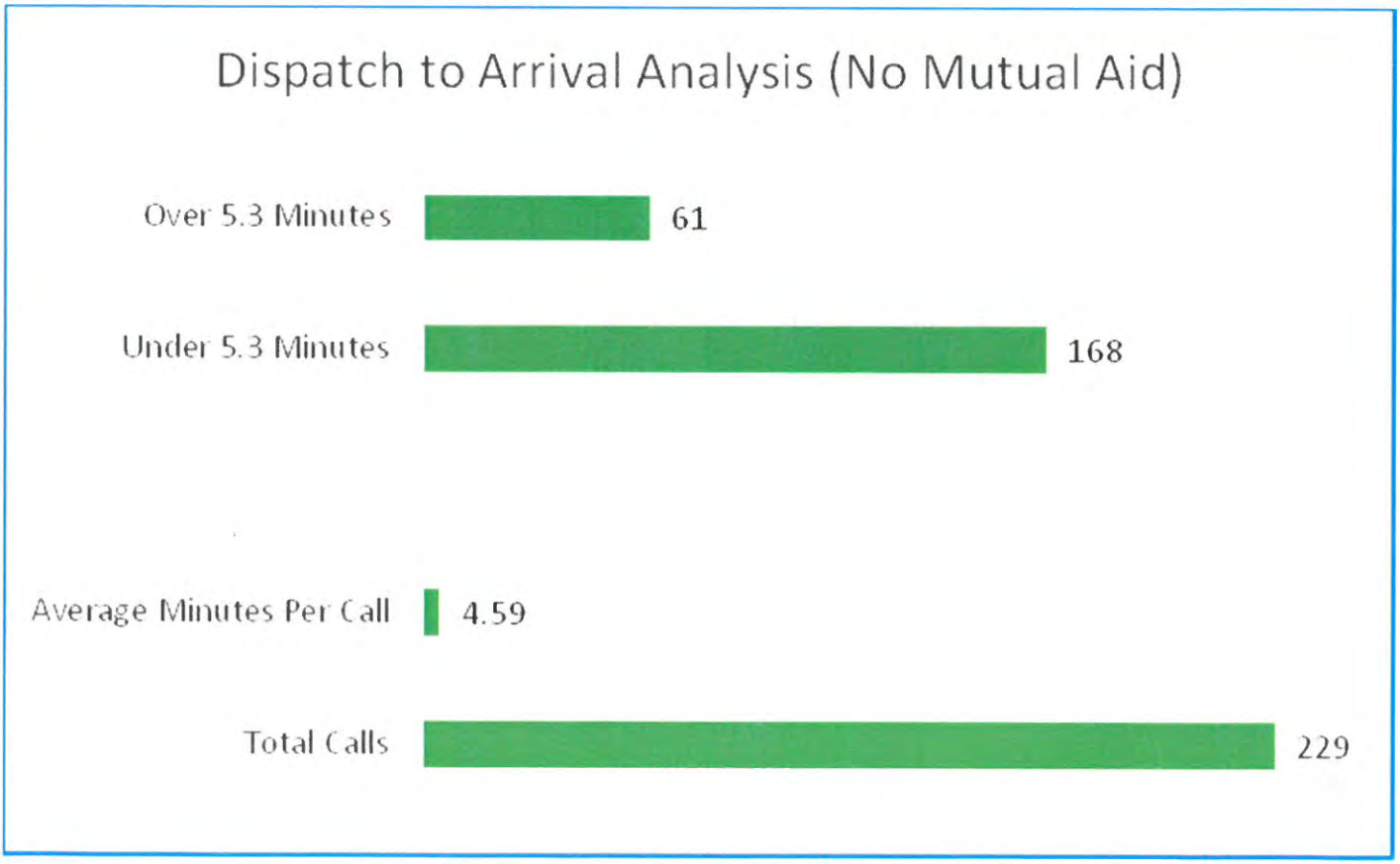
June 2019 Travel Times



Travel Time Analysis-*By District* ALL- (No Mutual Aid)					Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% 4 min or less	All Code 3 Calls						
	100s						
73%	On Scene in	4.0	minutes or less		70	3.25	30.57%
	200s						
66%	On Scene in	4.0	minutes or less		71	3.49	31.00%
	300s						
90%	On Scene in	4.0	minutes or less		30	2.51	13.10%
	400s						
69%	On Scene in	4.0	minutes or less		35	3.59	15.28%
	500s						
38%	On Scene in	4.0	minutes or less		8	4.65	3.49%
	600s						
0%	On Scene in	4.0	minutes or less		5	6.21	2.18%
	700s						
13%	On Scene in	4.0	minutes or less		8	5.31	3.49%
	800s						
0%	On Scene in	4.0	minutes or less		2	5.39	0.87%
	900s						
	On Scene in	4.0	minutes or less		0		
				Total Calls	229		246

Dispatch to Arrival Analysis - June 2019

Dispatch to Arrival Analysis-(No Mutual Aid)					Total Calls
70%	On Scene in	5.3	minutes or less		168
81%	On Scene in	6.0	minutes or less		199
88%	On Scene in	7.0	minutes or less		202
95%	On Scene in	8.0	minutes or less		218
97%	On Scene in	9.0	minutes or less		223
100%	On Scene in	13.0	minutes or less		229
	Total Calls		229		



247

Total Dollar Losses

June 2019

City of Rockwall
The New Horizon

248

Rockwall Fire Department

Print Date/Time: 07/17/2019 09:57
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$60,000.00	$250,000.00	$125,715.00	$404,494.00
Total Content Loss:	$0.00	$5,000.00	$50,000.00	$45,000.00	$146,496.40
Total Property Pre-Incident Value:	$0.00	$206,700.00	$339,050.00	$4,714,306.92	$718,280.00
Total Contents Pre-Incident Value	$0.00	$124,020.00	$203,430.00	$527,916.35	$438,568.00
Total Losses:	$.00	$65,000.00	$300,000.00	$170,715.00	$.00
Total Value:	$.00	$330,720.00	$542,480.00	$5,242,223.27	$1,156,848.00

248

ROCKWALL FIRE

Fire Marshal Division

Monthly Report - June 2019

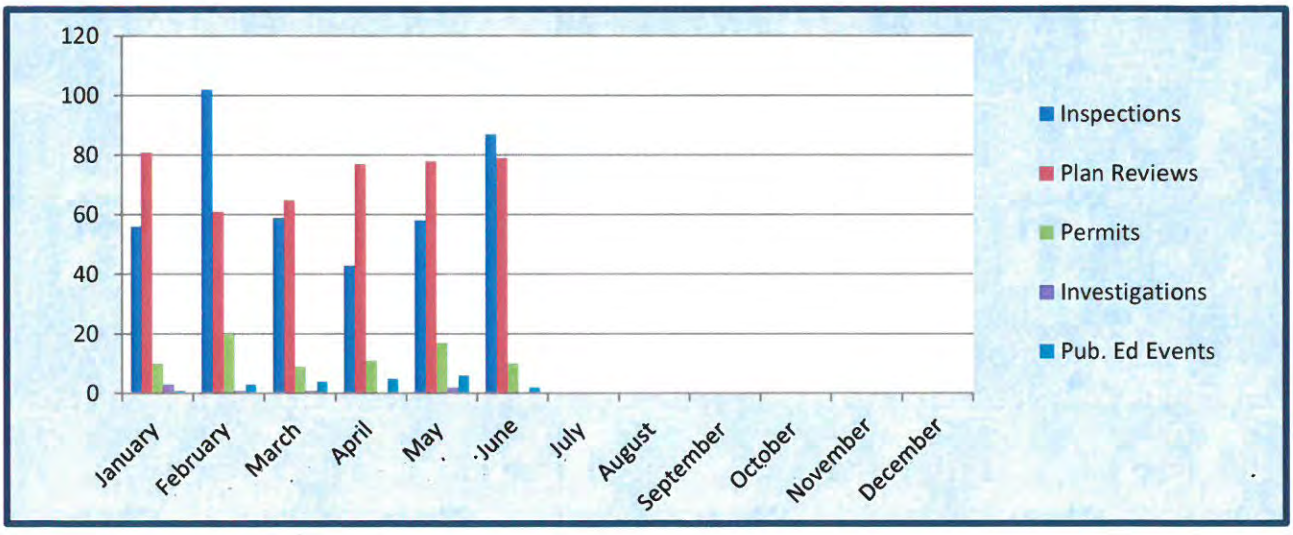
Inspection Status Report	
Total for the Month	**87**

Public Education Events	
Total for the Month	**2**

Fire Permit Report	
CO2 System	2
Fire Alarm	2
Fire Sprinkler	1
Fireworks	2
Temp Aboveground Tank	2
Underground Sprinkler	1
Total for the Month	**10**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	0
Total for the Month	**0**

Plan Review Report	
CO	8
COMM	52
Engineering	3
Miscellaneous	1
Plat	4
Site Plan	7
Multi-Family	1
Special Event	2
TCO	1
Total for the Month	**79**



249

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250

Key Projects:

(1) **Outside Agencies / Citizens**. Rockwall County X3, City of Paris, Hazard Hub, Citizen X2

(2) **Engineering/Public Works**. CCN Map, Court Case Maps, Ridge Road Mailout, Sherman Street Utilities Map, Bluebeam Licenses, Lakeshore Mailout Ridge Road Mailout 2, Russwood Mailout, Woodpark Mailout, Ridge Road Office Parks Esmts, Stonebridge Mailout, GraniteNet to GIS Kick-Off, PACP Codes & Schema for Granite Software, Cityworks Data Queries

(3) **Planning Department**. PD Parking Lot Exhibit & Legal Description, Flooding Exhibits, Takeline Lease Research, Annexation online application, Boundary Agreement COGO research

(4) **GIS**. 911 Addressing, Parcel Fabric Project Kick-Off, GIS Training (online), SCAUG User Group Meeting - Paris TX, GPS Technician Interviews, Print Widget Repair, Address / Parcel / Bldg Footprint Comparison, Update Restaurant Layer, Update Harbor Brochure, Cityworks PLL Kick-Off

(5) **Fire.** Community Risk Assessment Data Request, Fire Districts (Built Street Miles)

(6) **Police.** PD staging - Harry Myers fireworks map, PD Aerial package rebuild, PD - NWS update

(7) **Admin / Int. Ops.** Fire Station monopole / height, Flag Pole Sites to 200', Flag Pole #3 TXDOT Exhibits, Warning Siren changes

(8) **City Manager's Office**. Barnstormer Ln Research, Flag pole #3 Exhibit Revisions, Airport Exhibit

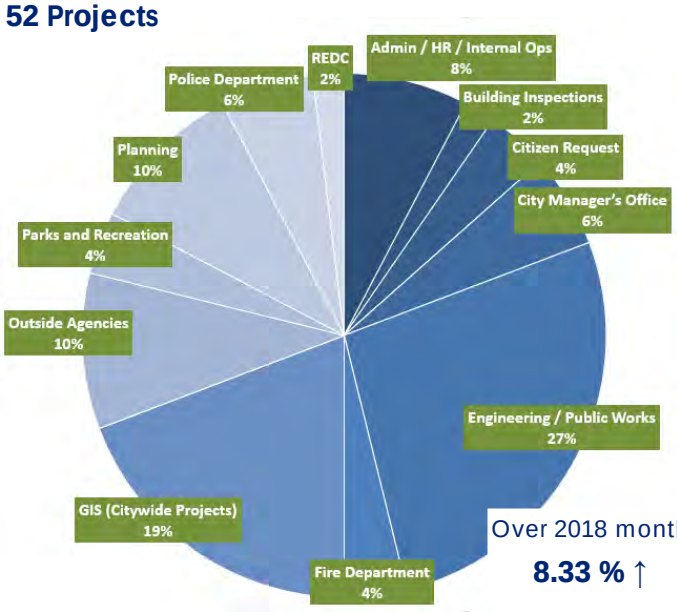
(9) **Parks and Rec**. Fourth of July Event & Parade Mapping

(10) **REDC**. Mowing Map Update

(11) **Building Inspections.** 102 Glen Av Mailout

Monthly Project Request by Department:

52 Projects

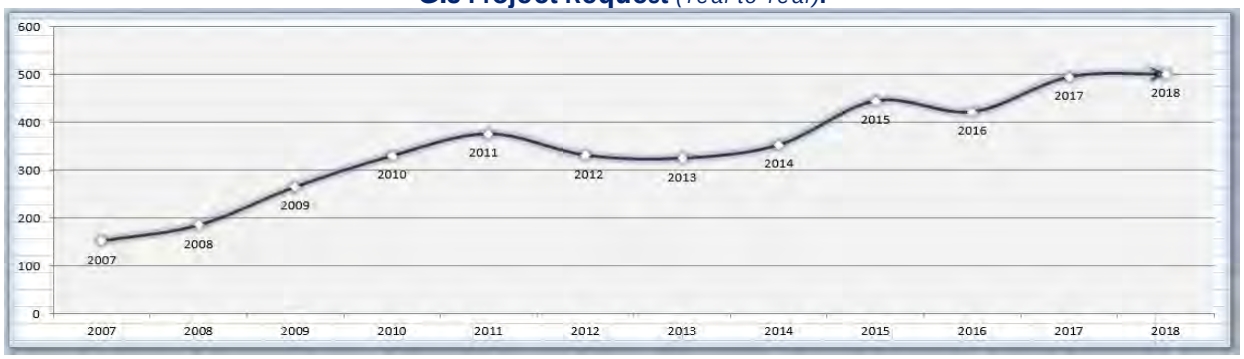


Over 2018 month

8.33 % ↑

Admin / HR / Internal Ops	4
Building Inspections	1
Citizen Request	2
City Council	0
City Manager's Office	3
Neighborhood Improvement Services	0
Engineering / Public Works	14
Finance / Utility Billing	0
Fire Department	2
GIS (Citywide Projects)	10
IT	0
Main Street Program	0
Outside Agencies	5
Parks and Recreation	2
Planning	5
Police Department	3
REDC	1
Total	**52**

GIS Project Request *(Year to Year)*:



251

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252

Rockwall Police Department

Harbor District Call For Service

June 2019

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2019-00018365	6/25/2019	12:47:10	The Harbor	Criminal Mischief	Report
2019-00017368	6/15/2019	11:16:30	Glorias Restaurant	Disturbance	No Report
2019-00016746	6/9/2019	23:28:55	Hilton Hotel	Disturbance	No Report
2019-00018936	6/29/2019	22:04:24	Hilton Hotel	Disturbance	No Report
2019-00018123	6/23/2019	0:47:41	The Harbor	Disturbance	No Report
2019-00016251	6/4/2019	21:12:02	Cinemark Movies 12	Intoxicated	No Report
2019-00017886	6/20/2019	22:17:12	Cinemark Movies 12	Intoxicated	No Report
2019-00016659	6/9/2019	0:09:13	Cold Stone Creamery	Intoxicated	No Report
2019-00018840	6/28/2019	23:53:34	The Harbor	Intoxicated	Arrest
2019-00017216	6/13/2019	21:03:04	The Harbor	Intoxicated	Unable to Locate
2019-00016546	6/7/2019	21:21:24	Hilton Hotel	Meet Complainant	EMS
2019-00017892	6/20/2019	22:48:41	Sideways BBQ	Missing Person	No Report
2019-00018030	6/22/2019	8:52:04	The Harbor	Missing Person	No Report
2019-00017985	6/21/2019	19:43:36	Cinemark Movies 12	Ordinance Violation	No Report
2019-00017293	6/14/2019	15:08:20	The Harbor	Ordinance Violation	No Report
2019-00019004	6/30/2019	18:57:02	The Harbor	Ordinance Violation	No Report
2019-00019006	6/30/2019	19:08:09	The Harbor	Ordinance Violation	No Report
2019-00016475	6/6/2019	21:43:31	The Harbor	Property	No Report
2019-00018764	6/28/2019	13:30:41	The Harbor	Solicitor	No Report
2019-00019020	6/30/2019	21:45:57	Cinemark Movies 12	Theft	Report
2019-00016318	6/5/2019	14:19:46	City Salon and Spa	Theft	No Report
2019-00016219	6/4/2019	15:19:28	Hilton Hotel	Welfare Concern	No Report
2019-00016382	6/6/2019	4:10:18	Hilton Hotel	Welfare Concern	No Report
2019-00015980	6/2/2019	19:32:31	The Harbor	Welfare Concern	No Report

Common Name	
Cinemark Movies 12	4
City Salon and Spa	1
Cold Stone Creamery	1
Glorias Restaurant	1
Hilton Hotel	5
Sideways BBQ	1
The Harbor	11
Total	**24**

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254

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
JUNE 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	11	11	0	100%
ADMINISTRATIVE SERVICES	16	16	0	100%
AIRPORT	12	12	0	100%
ANIMAL SERVICES	5	5	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	0	0	0	0%
ENGINEERING	2	2	0	100%
FINANCE	1	1	0	100%
FIRE DEPARTMENT	35	35	0	100%
INTERNAL OPERATIONS	102	102	0	100%
MUNICIPAL COURT	8	8	0	100%
PARKS & RECREATION	12	12	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	30	30	0	100%
PUBLIC WORKS	8	8	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	243	243	0	100%

F46 Ralph M Hall Rockwall Municipal Airport

Operations Report JUNE 2019

Fuel Sales

		Gallons Sold	Gross Sales
Jet - A Sales		0	$0.00
100LL	Full	645.2	$2,742.10
100LL	Self	3366.2	$12,724.23
Total	AVGas Sales	4011.4	$15,466.33

Hangar Rental Revenue

Overnight Tiedown	$70.00
Covered Overnight Tiedown	$42.00
Open T Hangar	$3,485.00
Enclosed Hangar	$300.00
Community Hangar	$580.00
Total Hangar Rentals	$4,477

Hangar Occupancy

	Total Hangars	Qty Rentable	Quantity Leased	Occupancy Rate
Open T Hangars	46	43	41	89%
Enclosed Hangars	2	2	2	100%
Community Hangar	1	1	1	100%
Total Hangar Occupancy				96%

City Revenue	Fee Rate	Hangar Rental	Fuel Flowage	Total Due
Fuel Sales (Gallons Sold)	$0.10		645.20	$64.52
Hangars	5.00%	$4,477.00		$223.85
Total Fees Due				$288.37

2019

June

Day		Piston			Turbo Prop			JET	
		Single Engine	Multi-Engine	Helicopter	Single Engine	Multi-Engine	Helicopter		
Sat	1	46		12					
Sun	2	22							
Mon	3	53	2	1					
Tues	4	68	1	8					
Wed	5	7							rain
Thurs	6	21					3		
Fri	7	31		2					
Sat	8	56							
Sun	9	27							
Mon	10	36		9					
Tues	11	19		1					
Wed	12	41		11			2		
Thurs	13	35		4	1	1			
Fri	14	28							
Sat	15	21							
Sun	16	15							
Mon	17	31	1	4				1	
Tues	18	32		9					
Wed	19	25		4					
Thurs	20	28		4	1				windy
Fri	21	11		3				1	windy
Sat	22	16		1					
Sun	23	15							
Mon	24	11	1	12		1			
Tues	25	39		17					
Wed	26	17		20					
Thurs	27	14		14					
Fri	28	16		14					
Sat	29	29		5					
Sun	30	15		1					
TOTALS:		825	5	156	2	2	5	2	

257

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258

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	**96%**
March '19	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	**100%**
April '19	38-56%	5-7%	22-32%	1-1%	2-3%	76	68	**95%**
May '19	74-65%	14-12%	18-16%	6-5%	3-3%	135	115	**92%**
June '19	69-60%	18-16%	26-25%	1-1%	1-1%	109	115	**99%**
July '19								
August '19								
September '19								
October '19								
November '19								
December '19								

259

Rockwall Animal Adoption Center

PROFIT AND LOSS

June 2019

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	3,750.00
4112 Adoption Fee - Cat	2,020.00
4113 Adoption Fee - Other	20.00
Total 4100 Adoption Fee	**5,790.00**
4200 Impound Fee	680.00
4300 Owner Surrender	1,245.00
4350 Quarantine Fee	840.00
4400 Direct Public Support	
4410 Corporate Contributions	1,565.65
Total 4400 Direct Public Support	**1,565.65**
4650 Medical	985.00
4700 General Donations	3,220.05
47200 Program Income	
47230 Membership Dues	50.00
Total 47200 Program Income	**50.00**
Total Income	**$14,375.70**
GROSS PROFIT	**$14,375.70**
Expenses	
5100 - Advertising Expense	800.00
5200 - Shelter Expense	158.79
5201 - Canine Food	357.43
5203 Medication	5,930.94
5209 - Shelter Supplies	550.99
5210 - Cleaning	170.00
5211 - Repair & Maint.	1,058.13
5220 - Truck Maintenance	175.16
Total 5200 - Shelter Expense	**8,401.44**
5300 - Veterinary Expense	6,604.50
5400 - Professional Services	2,083.34
65000 5000 - Administative Expense	
5004 - Paypal/Intuit fee	282.56
5005 - Postage	22.02
5006 - Bank Fees	122.34
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	24,744.14
5055 - Payroll Tax	1,847.67
5056 - 401K Employer/Healthcare	854.98
5099 - Misc	124.75
65040 5001 - Supplies	991.19
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**29,494.15**

	TOTAL
Total Expenses	**$47,383.43**
NET OPERATING INCOME	**$ -33,007.73**
NET INCOME	**$ -33,007.73**

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262

FY2019 City of Rockwall In kind values /Meals3rd Quarter
Meals on Wheels Senior Services

Apr-19 — 21 Days served

ROUTES	MILES	$
A	280	$152.60
B1, B2 & Co	252	$137.34
C	680	$370.60
E	588	$320.46
F& K	415	$232.40
H	265	$148.40
I&J	1240	$683.20
RM & R	316	$176.96
	4036	$2,221.96

	HOURS	$
A	21	$292.32
B	32	$445.44
C	21	$292.32
E	21	$292.32
F & K	42	$584.64
H	21	$292.32
I&J	21	$292.32
RM & R	32	$445.44
	211	$2,937.12

$ Value in kind volunteer services $5,159.08

Good Friday Holiday Meal		$900.00
Sabine Creek Church	Arenello Family	
Volunteer Miles & Hrs.		$220.00
Intern/Admin.		$1,120.00

Total April — In-kind value(only for Nutrition program)

ROCKWALL PROGRAM MEALS
2,524 Home Delivered and Disabled
404 Congregate Centers
200 Holiday Meals
Total purchased Meals 3,128

May-19 — 22 Days served

ROUTES	MILES	$
A	294	$160.23
B1,B2 & Co	220	$125.40
C	675	$384.75
E	630	$359.10
F& K	410	$233.70
H	260	$148.20
I&J	1220	$695.40
RM & R	310	$176.70
	4019	$2,283.48

	HOURS	$
A	22	$306.24
B	34	$459.36
C	22	$306.24
E	22	$306.24
F & K	44	$612.48
H	24	$320.16
I&J	28	$389.76
RM & R	33	$459.36
	229	$3,159.84

$ Value in kind volunteer services $5,443.32

Memorial Day Holiday Meal-Broadmoor Medical Lodge	$600.00
Volunteer Miles & Hrs.	$220.00
Intern/Admin.	$1,120.00

TotalMay In-kind value (only for Nutrition program)

ROCKWALL PROGRAM MEALS
2,503 Home Delivered and Disabled
437 Congregate Centers
200 Holiday Meals
Total purchased Meals 3,140

Jun-19 — 20 Days served

ROUTES	MILES	$
A	264	$143.88
B1, B2 & Co	200	$112.00
C	680	$380.80
E	620	$347.20
F& K	400	$224.00
H	250	$140.00
I&J	1150	$655.50
RM & R	301	$168.56
	3865	$2,171.94

	HOURS	$
A	20	$278.40
B	30	$417.60
C	20	$278.40
E	20	$278.40
F & K	40	$584.64
H	20	$278.40
I&J	25	$348.00
RM & R	30	$417.60
	205	$2,881.44

$ Value in kind volunteer services $5,053.38

Intern/Admin. $1,120.00

Total June In-kind value (only for Nutrition Program)

ROCKWALL PROGRAM MEALS
2,252 Home Delivered and Disabled
356 Congregate Centers
Total Purchased Meals 2,608

THANK YOU
FOR YOUR
SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program 8,876

In-kind VALUE Donated 3rdQuarter FY19
June $6.173.38
May $7,383.32
April$7,399.08
Total $ 20,955.78
Meal Delivery only
263

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264



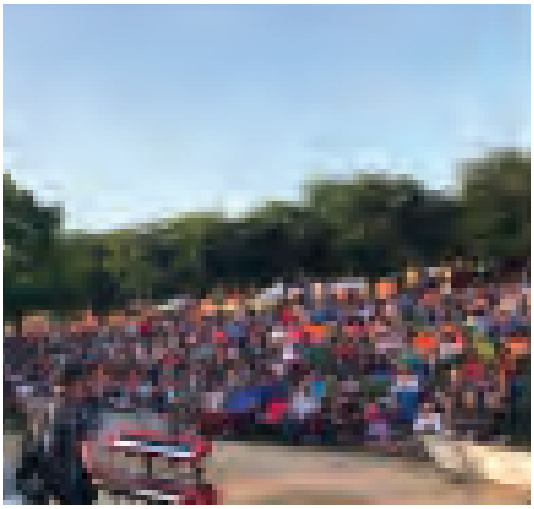
PARTICIPATION



FAMILY FUN FRIDAY - HARRY MYERS PARK:
350 ATTENDEES



SUMMER ROCK CAMP - APPROX. 25 KIDS A WEEK
FOR EACH WEEK IN JUNE



CONCERT BY THE LAKE: APPROX. 2500 PEOPLE
AT EACH CONCERT

MONTHLY OVERVIEW	*JUNE '19*
Part Time Labor Hours	**291.5**
Program Offerings	**37**
Program Participants	**1978**
Resident Participants	**1177**
Non-Resident Participants	**801**
Programs that Made	**36**
Cancelled Programs	**1**
% of Programs Cancelled	**2.7%**

FEE BASED RESIDENT VS NON-RESIDENT

36 programs

60% **40%**

265

VOLUNTEER IN THE PARKS (V.I.P.)



TOTAL # OF VOLUNTEER HOURS

# OF VOLUNTEERS	20
# OF VOLUNTEER HOURS	6

120



HMCC *JUNE '19*

Time Blocks Rented	125
Monthly Revenue	**$1280**

HMCC RENTAL ACTIVITY BY TIME BLOCK

125 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM

36%	40%	24%



PAVILIONS *JUNE '19*

Time Blocks Rented	67
Monthly Revenue	**$2480**

PAVILION RENTAL ACTIVITY BY TIME BLOCK

67 Rentals

6 AM - 3 PM | 3 - 11 PM

43%	57%

PARKS





FACILITY REPAIR:

Backstop 5 replaced at Tuttle.

FACILITY UPGRADE:

New water fountain at Gloria William's



FACILITY MANAGEMENT:

Painting CTX restrooms ay alo locations beginning with Myers



267

MARKETING

FACEBOOK PAGE LIKES

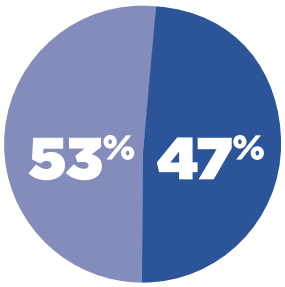
	GAIN OR LOSS
MAY	+311
JUN	+429

TOTAL LIKES THRU 6/30/2019

Like **13,429**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
MAY	8462	+297
JUN	8548	+86



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

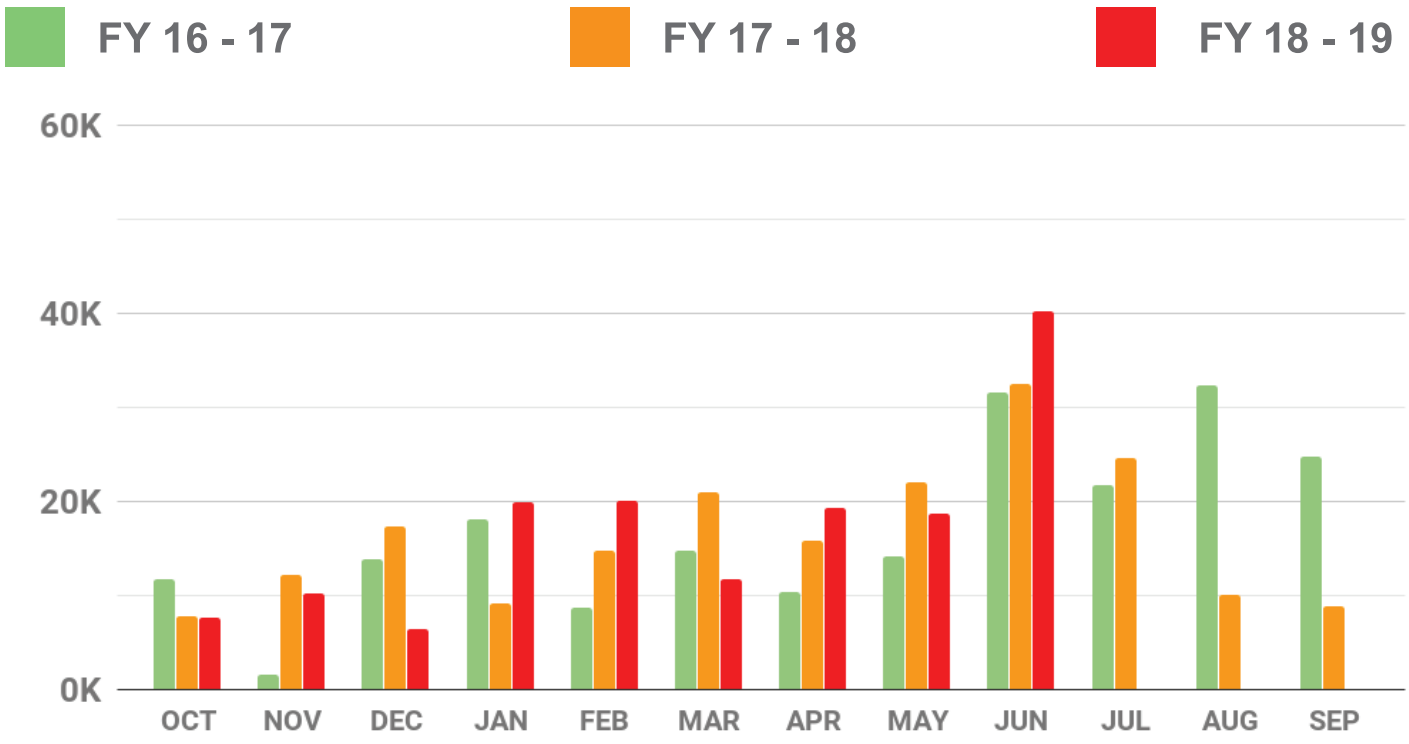
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of June 2019.	179,418
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	38,137
USERS Visitors to playrockwall.com	25,245

REVENUE

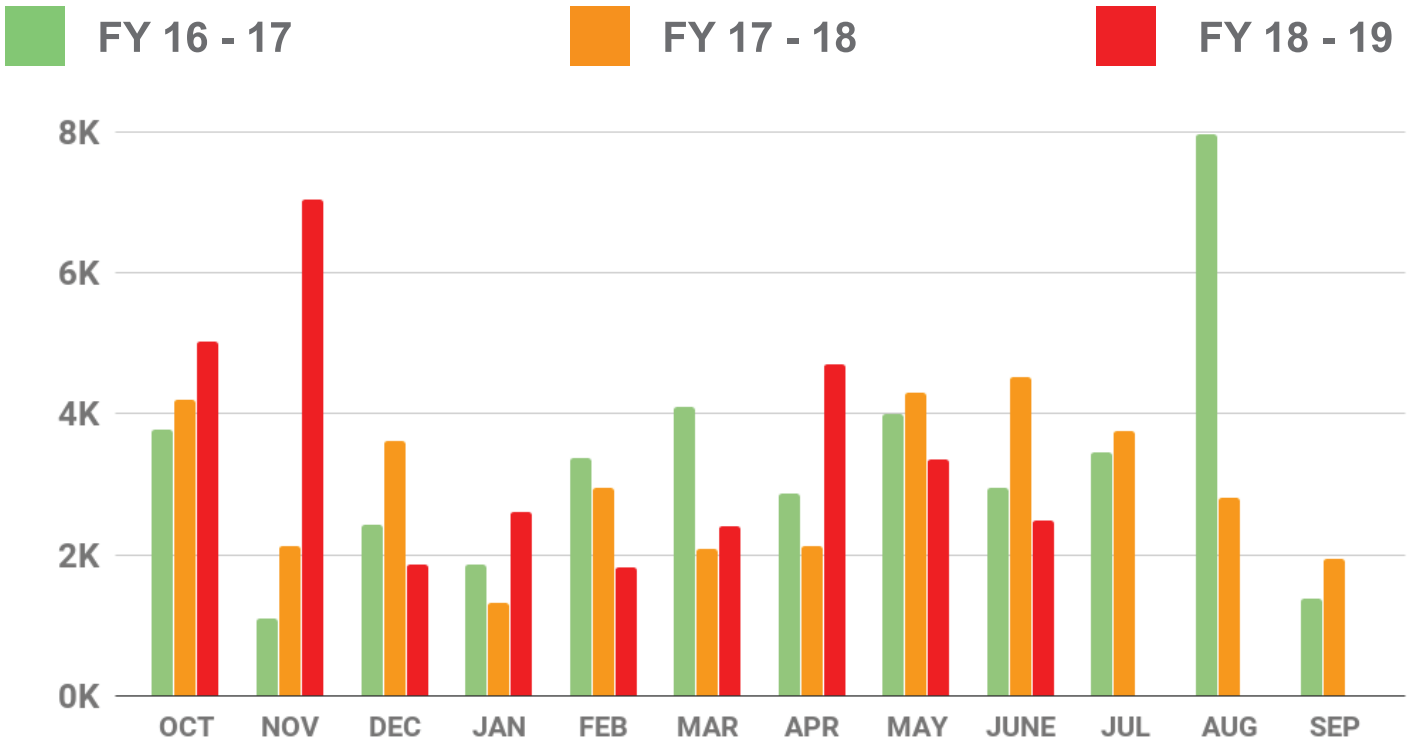
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



269

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270

Rockwall Police Department

Monthly Activity Report

June-2019

ACTIVITY	CURRENT MONTH JUNE	PREVIOUS MONTH MAY	YTD 2019	YTD 2018	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	**-100.00%**
Sexual Assault	2	2	7	4	**75.00%**
Robbery	2	1	6	4	**50.00%**
Aggravated Assault	2	3	11	8	**37.50%**
Burglary	5	6	27	19	**42.11%**
Larceny	45	66	290	342	**-15.20%**
Motor Vehicle Theft	2	5	20	25	**-20.00%**
TOTAL PART I	**58**	**83**	**361**	**403**	**-10.42%**
TOTAL PART II	**109**	**147**	**835**	**914**	**-8.64%**
TOTAL OFFENSES	**167**	**230**	**1196**	**1317**	**-9.19%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	11	18	105	96	**9.38%**
D.W.I.	8	15	102	122	**-16.39%**
ARRESTS					
FELONY	25	28	199	185	**7.57%**
MISDEMEANOR	49	68	379	438	**-13.47%**
WARRANT ARREST	9	12	63	71	**-11.27%**
JUVENILE	3	8	21	33	**-36.36%**
TOTAL ARRESTS	**86**	**116**	**662**	**727**	**-8.94%**
DISPATCH					
CALLS FOR SERVICE	1476	1634	8837	8140	**8.56%**
ACCIDENTS					
INJURY	9	18	70	79	**-11.39%**
NON-INJURY	50	78	372	315	**18.10%**
FATALITY	0	0	0	1	**-100.00%**
TOTAL	**59**	**96**	**442**	**395**	**11.90%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**4**
Arrests	**3**
Arrest Warrants	
Search Warrants	
Seized	
Dangerous Drug	6 Pills
Heroin	482g
Marijuana	1oz
Methamphetamine	250.5kg
THC Oil	100g

Rockwall Police Department

Dispatch and Response Times

June 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**77**
Call to Dispatch	0:01:55		
Call to Arrival	0:06:15		
% over 7 minutes	31%		

	Average Response Time		
Priority 2		Number of Calls	**252**
Call to Dispatch	0:03:40		
Call to Arrival	0:10:20		
% over 7 minutes	63%		

	Average Response Time		
Priority 3		Number of Calls	**56**
Call to Dispatch	0:03:54		
Call to Arrival	0:13:02		
% over 7 minutes	57%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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273

July 3, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: June 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
JUNE	20	1,799

Non-Service Days: None

NO. OF TRIPS	PURPOSE
1,045	Contract Service
0	Education
3	Government
49	Medicaid
285	Medical
20	Nutrition (Senior Center)
170	Other (adult-day care, beauty salon, friend's homes, etc.)
124	Shopping
103	Work

JUNE UNDUPLICATED PASSENGERS
76
YEAR TO DATE UNDUPLICATED PASSENGERS
249

Adjusted Trip Total	705

*Trip Totals without Contracts or Medicaid

> = 60	498
DIS >60	117
	615
% E & D Trip Total	87%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **15,611**
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: JUNE 2018 TRIP TOTAL= 1,489 (21% INCREASE)

ROCKWALL CITY	1Q	2Q	3Q	4Q	*PURPOSE TOTALS*
CONTRACT	1,015	1,936	3,334	1,045	*7,330*
EDU	77	74	83	0	*234*
GOV	5	8	2	3	*18*
MDE	219	245	115	49	*628*
MED	632	605	695	285	*2,217*
NUT	34	43	60	20	*157*
OTH	544	594	696	170	*2,004*
SHP	533	380	437	124	*1,474*
WORK	464	479	503	103	*1,549*
	3,523	4,364	5,925	1,799	*15,611*

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743	1,206	2,415	2,333	1,686	1,906	1,799			**15,611**	*1,561*
	704	*919*	*885*	*743*	*871*	*814*	*888*	*819*	*884*	*754*	*0*	*0*	*8,281*	*690*
CONTRACT	709	306	0	0	335	1,601	1,445	867	1,022	1,045			**7,330**	*733*
EDU	0	41	36	12	17	45	29	45	9	0			**234**	*23*
GOV	1	2	2	4	2	2	0	2	0	3			**18**	*2*
MDE	62	69	88	90	90	65	42	36	37	49			**628**	*63*
MED	171	235	226	200	203	202	228	217	250	285			**2,217**	*222*
NUT	10	11	13	17	12	14	22	16	22	20			**157**	*16*
OTH	130	247	167	161	209	224	264	212	220	170			**2,004**	*200*
SHP	171	139	223	135	148	97	172	79	186	124			**1,474**	*147*
WORK	159	175	130	124	190	165	131	212	160	103			**1,549**	*155*
TOTAL DR TRIPS	**1,413**	**1,225**	**885**	**743**	**1,206**	**2,415**	**2,333**	**1,686**	**1,906**	**1,799**	**0**	**0**	15,611	*1,301*
										0				

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Medicaid	62	69	88	90	90	65	42	36	37	49	0	0	**628**	*52*
Lakepointe Church Contract	709	306	0	0	335	1,601	1,445	867	1,022	1,045			**7,330**	*733*
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	**0**	*0*
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	*375*	*88*	*90*	*425*	*1,666*	*1,487*	*903*	*1,059*	*1,094*	*0*	*0*	***7,958***	*663*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Adjusted Trip Total	642	850	797	653	781	749	846	783	847	705	0	0	**7,653**	*43,511*
	*Trip Totals without Contracts or Medicaid													

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
> = 60	345	477	393	375	424	447	470	464	479	498			**4,372**	*437*
DIS <60	142	167	137	108	156	115	161	125	118	117			**1,346**	*135*
	487	*644*	*530*	*483*	*580*	*562*	*631*	*589*	*597*	*615*	*0*	*0*	***5,718***	*477*
% of Adjusted Trip Total	76%	76%	66%	74%	74%	75%	75%	75%	70%	87%	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
GENERAL PUBLIC	155	206	267	170	201	187	215	194	250	90	0	0	**1,935**	*161*
% of Adjusted Total	24%	24%	34%	26%	26%	25%	25%	25%	30%	13%	#DIV/0!	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19	21	19	21	21	22	20	22	22	249

NoShow/Cancel	527	474	476	370	456	369	483	489	368	401			4,413
DENIALS	192	147	96	91	79	41	67	75	41	59			888
UNDUPLICATED M2M	82	88	94	80	91	78	89	74	73	76			825
UNDUPLICATED YTD		114	144	161	187	202	213	222	230	249			1,722
			30	*17*	*26*	*15*	*11*	*9*	*8*	*19*	*-249*	*0*	

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	**323**	**440**	**360**	**319**	**437**	**388**	**438**	**439**	**434**	**358**			**3,936**
Percent Subs of Total Trips	**23%**	**36%**	**41%**	**43%**	**36%**	**16%**	**19%**	**26%**	**23%**	**20%**	**#DIV/0!**	**#DIV/0!**	
SUBS Can/NoShow	**119**	**136**	**210**	**211**	**261**	**201**	**235**	**234**	**206**	**203**			**2,016**

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276

Table of Contents

Agenda . . . 3

Consider approval of the minutes from the August 5, 2019 regular city council meeting, and take any action necessary.

Minutes . . . 6

Blank Page . . . 21

Consider authorizing the City Manager to engage the firm of BrooksWatson & Co PLLC to conduct the audit of the City's financial statements for the fiscal years ending September 30, 2019 - 2022, and take any action necessary.

Memo . . . 22

Blank Page . . . 23

Consider an ordinance amending the Code of Ordinances in Chapter 10. "Building and Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and Standards Commission" ("the Commission") to appoint the duties of the Commission to the Board of Adjustments, and take any action necessary. (1st Reading)

Memo_BSC to BOA . . . 24

Ord (1st Reading) . . . 25

Blank Page . . . 28

Consider an ordinance amending the Code of Ordinances in Chapter 38. "Subdivisions," Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee schedule for engineering plan review fees, and take any action necessary. (1st Reading)

Ord (1st Reading . . . 29

Blank Page . . . 31

P2019-029 - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a master plat for the Northgate Subdivision being a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodgehill Road [FM-3549] and Clem Road, and take any action necessary.

P2019-029 . . . 32

Blank Page . . . 38

P2019-030 - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a preliminary plat for the Northgate Subdivision containing 40 single-family residential lots on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodgehill Road [FM-3549] and Clem Road, and take any action necessary.

P2019-030 . . . 39

Blank Page . . . 45

Appointment with Brad Helmer of Heritage Christian Academy to discuss Specific Use Permit (SUP) No. S-201 concerning temporary educational buildings, and take any action necessary.

Timeline . . . 46

Blank Page . . . 47

Z2019-015 - Hold a public hearing to discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of the owner for the approval of an ordinance for a Specific Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action necessary (1st Reading).

Z2019-015 . . . 48

Blank Page . . . 73

Z2019-016 - Hold a public hearing to discuss and consider approval of an ordinance for a text amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances for the purpose of updating the codes to conform to changes made by the 86th Legislative Session, and take any action necessary (1st Reading).

Z2019-016 . . . 74

Blank Page . . . 508

Discuss and consider recommendations by the Main Street Advisory Board regarding approval of an ordinance amending the Code of Ordinances in Chapter 32. "Signs;" Article III. "Regulations and Requirements;" Division 4. "Downtown District Signs" to modify allowances for permanent signs in the Downtown District (DT), and take any action necessary. (1st Reading)

Memo . . . 509

Ordinance 1st reading . . . 510

Blank Page . . . 517

Discuss and consider authorizing the City Manager to issue a letter of support to TXDOT regarding temporarily postponing implementation of shared outside lanes on John King Blvd. until substantial improvements of the roadway are made, and take any action necessary.

Memo . . . 518

Letter of Support . . . 519

Blank Page . . . 520

Discuss and consider (re)appointments to the city's Airport Advisory Board, Animal Advisory Board, Architectural Review Board, ART Review Commission, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

Memo_Boards . . . 521

Blank Page . . . 523

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 19, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNESEN

VII. OPEN FORUM

VIII. CONSENT AGENDA

pg.6 **1.** Consider approval of the minutes from the August 5, 2019 regular city council meeting, and take any action necessary.

pg.22 **2.** Consider authorizing the City Manager to engage the firm of BrooksWatson & Co PLLC to conduct the audit of the City's financial statements for the fiscal years ending September 30, 2019 - 2022, and take any action necessary.

pg.24 **3.** Consider an **ordinance** amending the Code of Ordinances in Chapter 10. "Building and Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and Standards Commission" ("the Commission") to appoint the duties of the Commission to the Board of Adjustments, and take any action necessary. **(1st Reading)**

pg.29 **4.** Consider an **ordinance** amending the Code of Ordinances in Chapter 38. "Subdivisions," Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee schedule for engineering plan review fees, and take any action necessary**. (1st Reading)**

pg.32 **5.** **P2019-029** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a master plat for the Northgate Subdivision being a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodgehill Road [FM-3549] and Clem Road, and take any action necessary.

pg.39 **6.** **P2019-030** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a preliminary plat for the Northgate Subdivision containing 40 single-family residential lots on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodgehill Road [FM-3549] and Clem Road, and take any action necessary.

IX. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

pg.49 **2.** Appointment with Brad Helmer of Heritage Christian Academy to discuss Specific Use Permit (SUP) No. S-201 concerning temporary educational buildings, and take any action necessary.

X. PUBLIC HEARING ITEMS

pg.48 **1.** **Z2019-015** - Hold a public hearing to discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of the owner for the approval of an **ordinance** for a Specific Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action necessary **(1st Reading).**

pg.74 **2.** **Z2019-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a text amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances for the purpose of updating the codes to conform to changes made by the 86th Legislative Session, and take any action necessary **(1st Reading).**

XI. ACTION ITEMS

pg.509 **1.** Discuss and consider recommendations by the Main Street Advisory Board regarding approval of an **ordinance** amending the Code of Ordinances in Chapter 32. "Signs;" Article III. "Regulations and Requirements;" Division 4. "Downtown District Signs" to modify allowances for permanent signs in the Downtown District (DT), and take any action necessary**. (1st Reading)**

pg.518 **2.** Discuss and consider authorizing the City Manager to issue a letter of support to TXDOT regarding temporarily postponing implementation of shared outside lanes on John King Blvd. until substantial improvements of the roadway are made, and take any action necessary.

pg.521 **3.** Discuss and consider (re)appointments to the city's Airport Advisory Board, Animal Advisory Board, Architectural Review Board, ART Review Commission, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section §551.071 (Attorney/Client Consultation).

2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)

3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 16th day of August, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 05, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:01 p.m. Present were Mayor Jim Pruitt and Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Councilmember Dana Macalik arrived to the meeting at 4:04 p.m. Also present were City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith, and City Attorney Frank Garza.

II. WORK SESSION

1. Hold a work session to discuss the progress of public input phase and engineering design for four of the 2018 Roadway Bond Projects; Ridge Road West; S. Lakeshore Dr. (Summit Ridge Dr. to Tanya Ln) & Russwood Dr.; Lakedale Dr., S. Lakshore Dr. (2000 block), & Woodpark Ln. and Turtle Cove Blvd (RR tracks to Ridge Rd.), and take any action necessary.

Jeremy White from the city's Engineering Department came forth and briefed Council on the above listed roadway/sidewalk reconstruction projects.

Councilmember Trowbridge asked if any part of the proposed plans have been modified since the time that resident meetings were held and/or residents were communicated with by staff. Ms. Williams indicated that no, no changes have been made since that time.

Councilmember Fowler asked when a requirement for sidewalks was instituted. Mr. Crowley, City Manager, shared that it was about in the mid 1980's. Mr. Miller shared that sidewalks are required in all new city subdivisions, including those that are more rural-like, and the main intent is to create safety for pedestrians. Ms. Williams, City Engineer, shared that the city has also put in sidewalks and modified some of them in order to be "ADA" (American with Disabilities Act) friendly for those in wheelchairs or motorized chairs.

Ms. Williams shared that the city has a registered arborist on staff (Mr. Travis Sales in the Parks Department), so staff will be utilizing him, as necessary, related to trees that may be impacted by these reconstruction projects.

Wayne McCallum
1050 Ridge Road West
Rockwall, TX

Mr. McCallum shared that his main concern is losing some of his property. He is ok with sidewalks; however, he wishes they would be a bit more narrow (4' instead of 5'). He also wishes that the

proposed street width would be narrower on Ridge Road West (he would like it to remain at 37' instead of 41'). He believes the wider roadway will increase both traffic and speed. He does not like that installation of sidewalks will increase his lawn upkeep (weed eating).

No name given
795 Ridge Road West
Rockwall, TX

This gentleman asked what will happen to seeping water that comes up through parts of the existing roadway. Staff indicated that, as much as possible, that water will go into the storm sewer drains after the reconstruction takes place.

Mr. Adair
309 Dartbrook Dr.
Rockwall, TX

Mr. Adair shared that he grew up at this home, and he is one of the sons of Mr. and Mrs. Adair. He is generally opposed to sidewalk installation, as he believes it will ruin the neighborhood. Of the neighbors he has talked to, he has yet to speak with any who have voice enthusiasm for this reconstruction project.

Dr. Carson asked Mr. White (staff person) to readdress what the plan is for the crate myrtles and trees and such on Ridge Road West. Mr. White shared that, in general, as much landscaping as possible will be left 'as is.' Some of the irrigation will need to be removed and replaced.

Richard Thompson
1180 Ridge Road West
Rockwall, TX

Mr. Thompson came forth and suggested the Council possibly consider one sidewalk instead of two. He does not believe that this roadway needs to be further widened. Also, he is concerned about edging / weed eating being tripled after this project is finished. He is concerned about large, brick mailboxes (many of which have brick that matches the home). He wants to know how the city will ensure that those either get disassembled and reassembled. His brick is on his walkway too, and it is Chicago fired brick that matches both his home and his sidewalk. Mayor Pruitt shared that, for the most part, the mailboxes will be disassembled and reconstructed. He prefers to have the curb, the sidewalk and then the yard (and avoid having a small 1.5'-2' strip of grass).

Mr. McCallum came forth again and pointed out that if the roadway is not widened, the city may not even have to move the mailboxes.

Mayor Pruitt then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 4:57 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development) and possible land purchase pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)
2. Discussion regarding possible sale of real property in the vicinity of Downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

#3 CONSENT AGENDA (PULLED FROM PUBLIC MEETING AGENDA) Consider authorizing the City Manager to execute an Interlocal Agreement for Animal Control Services between the City of Rockwall and Rockwall County, and take any action necessary.

IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:58 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Council reconvened the public meeting at 6:00 p.m. with all seven council members being present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Macalik indicated that no action would be taken at this time as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

Councilmember Daniels delivered the invocation and led the Pledge of Allegiance.

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, thanking members of the public for coming to the Council meeting this evening. Mayor Pruitt welcomed two young Boy Scouts in the audience, who explained that they are attending to obtain their "citizenship and community" merit badges. He went on to explain that if people are present for the 'sidewalks' discussion, they may either speak during Open Forum or during the sidewalks-related Action Item.

Melody Mayor
Fence contractor from Renew Fence & Construction came forth and indicated that she recently performed work for:
Amy Harvey
506 Shoretrail Drive
Rockwall, TX

Ms. Mayor came forth and shared that she installed a wooden retaining wall (2'x6's with metal posts) that is under 4' tall, and she did not realize that she needed to pull a permit until after she had already done the retaining wall. She pointed out that Rockwall is the only city that requires that a permit be pulled for a retaining wall under 4' tall. All other cities require a permit only if it is going be over 4' tall. She shared that she had a professional engineer sign off on the work that was completed to prove that it was well built. She explained that Ms. Harvey is a single mom, and this is why she opted to do a wooden retaining wall because it cost her about $6,000 less to do wood versus stone or rock. She is wondering if there is some sort of variance process she may be able to go through in order to get the work that has already been completed approved and signed off on by the city. Also, she wonders why Rockwall is the only city around that requires a permit for 3' retaining walls and shorter when all the other cities are 4' or under for pulling a permit.

Judith Head
203 Woodpark Lane
Rockwall, TX

She lives on a small street that has only eight homes on it, four on each side. She went on to express several concerns pertaining to the reconstruction of her street and the installation of sidewalks. A lot of homes have mature and expensive landscaping that will be adversely impacted. She believes that a study should be done in order to determine the need for sidewalks, especially because her street is so very steep. So, she does not know that sidewalks would even be necessary. She is concerned about future maintenance of the sidewalks, should they be installed. She has a petition that shows that 100% of the residents on Woodpark Lane are against installation of sidewalks, and they all do not believe it is necessary to rebuild the street either. She wonders if the curbs will be wheelchair accessible. Also, she wonders if an environmental impact study has been conducted regarding drainage, pointing out that their alleyway is more concerning than their street.

Debra Norton
1235 Ridge Road West
Rockwall, TX

Ms. Norton shared that sidewalks do not create safety. They will be utilized for more than walkers and runners (i.e. scooters, bicycles, etc.), and that actually adversely impacts safety. She is concerned that the city is going to take 10' of her property, and she does not believe the city taking her property is right. She has been paying taxes for a long time, and taking her property would just not be right. She wants to see studies that show that sidewalks are needed, and she wants to see statistics that show that pedestrians have been hit or hurt without sidewalks. She wants the city to be sure that there is good reason to install the sidewalks. She believes that taking 10' of her property will result in her losing a good bit of equity in her home.

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker came forth and asked Council to explain to the public what their options might be concerning sidewalks (i.e. is there a variance they may be able to request?).

Doug Demarco
1230 Ridge Road West
Rockwall, TX

Mr. Demarco shared that he and his wife have lived at this location for a relatively short period of time. He does not believe the existing roadway is that bad, and he does not believe the entire roadway needs replacing – only repairs are necessary, in his opinion. He generally expressed an indifference concerning sidewalk installation as part of the project; however, if they are installed, he prefers that the sidewalks be directly abutted to the curb/street (no grass strip in between the curb and the sidewalk). He acknowledged the understanding that it is public right-of-way, and the property does not actually belong to him, the homeowner; however, since he has been maintaining it, it sure does feel like 'his property' that is being taken.

There being no one else wishing to come forth and speak during Open Forum, Mayor Pruitt then closed Open Forum.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the July 15, 2019 regular city council meeting, and take any action necessary.
2. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 44 "Utilities," Article V. "Water," Division 7. "Water Resource and Emergency Management Plan," Sec. 44-432 to adopt a new plan that incorporates requirements pertaining to "Procedures for Curtailment of Water Supplies," and take any action necessary. **(2nd Reading)**
3. Consider authorizing the City Manager to execute an Interlocal Agreement for Animal Control Services between the City of Rockwall and Rockwall County, and take any action necessary.
4. P2019-023 - Consider a request by Rick Bates of RLK Engineering, Inc. on behalf of William Salee of Rockwall ISD for the approval of a replat for Lot 2, Block A, Rockwall High School Addition being a 35.295-acre parcel of land currently identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.
5. P2019-028 - Consider a request by Matthew Gardner of Halff Associates on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a replat for a 43.0139-acre tract of land identified as Lot 1, Block 1, Indalloy Addition; Tract 31 of the R. Ballard Survey, Abstract No. 29; and Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.

Councilmember Macalik moved to approve the entire Consent Agenda (#1, 2, 3, 4 and 5). Councilmember Hohenshelt seconded the motion. The ordinance caption for No. 2 was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. "UTILITIES;" ARTICLE V. "WATER;" DIVISION 7. "WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN;" SEC. 44-432 TO ADOPT AN UPDATED PLAN TO ENSURE COMPLIANCE WITH CERTAIN REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ); PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

X. APPOINTMENT ITEMS

1. Appointment with Scott Self to hear proposal related to "4th of July" 2020 fireworks shows, and take any action necessary.

Scott Self
319 Harborview Drive
Rockwall, TX

Mr. Self came forth and proposed that five firework shows be done, simultaneously, at 9:30 p.m., each lasting for about 10 minutes in length. He pointed out that, although Harry Myers Park has been a good location for fireworks for a number of years, the adjacent property that has been used for years to park 500+ cars is being developed. So, the parking will be an issue. He went on to explain the five, proposed locations. He went on to share that the City of Heath is willing to partner with Mr. Self and the City of Rockwall, and they would have two (additional) fireworks shows, for a total of seven shows. He is coming forth now, in August, in order to seek approval of his proposal so that he can get to work quickly on obtaining and training lots of volunteers that would be utilized to help run these various fireworks shows. He explained that one advantage is that "point loading" would not be a problem, as crowds watching the fireworks would be spread out instead of consolidated in one location. He believes that this would be positively received by the public, and it could receive national recognition.

Mr. Self explained that the fireworks in these five shows would be about 3" in diameter versus the approximate 6" diameter of fireworks that are currently seen at the city's fireworks show at Harry Myers Park. He is asking for the City of Rockwall to finance $20,000 for the five fireworks shows within the City of Rockwall, which is the same price the city is currently paying for the one show at Harry Myers. Mayor Pruitt expressed that if the city does not like the five, separate shows, then it could revert back to one, larger show like it has now in future years. Mr. Self concurred. Mr. Self shared that there will be some extra expenses, above and beyond the $20k the first year, because – for example – he will have to purchase the barges from which the fireworks will launch the first year. However, he already has commitments from volunteers and those willing to sponsor some of the extra expense(s).

Councilmember Trowbridge acknowledged that things do essentially get bottlenecked when there is only one, single fireworks location. However, he wonders if five, separate shows will spread out the

public too much. Mr. Self shared that some folks will be able to see two or three shows, simultaneously, all at once. He shared that the only other place in the nation that he's seen this done and done well is at the San Diego Harbor.

Councilmember Fowler shared that the city also has bands and other activities at Harry Myers on the 4th of July, prior to the actual fireworks show. So, he has concerns about losing some of those activities and camaraderie. He also wonders where some people may park to watch some of the five, separate shows.

Mayor Pruitt asked how this would be marketed / advertised. He believes there would have to be indication given, within the marketing, to tell the public where to go in order to watch the show(s). Mr. Self shared that he does not believe these shows would be marketed to those living outside of the City of Rockwall – it will mostly be for the benefit of our own, actual residents. Mr. Self acknowledged the importance of having at least one of the five shows at Harry Myers.

Mayor Pruitt and the Council provided informal guidance to Mr. Self and staff, instructing them to work together to come back to the City Council with a more detailed plan for moving forward with trying out this new idea for one year.

XI. ACTION ITEMS

1. Discuss and consider providing staff direction to move forward with the following 2018 Roadway Bond Projects, and take any action necessary:
a) Ridge Road West (Shores Blvd. to N. Goliad St./SH 205);
b) S. Lakeshore Dr. (Summit Ridge Dr. to Tanya Ln) and Russwood Dr.;
c) Lakedale Dr., S. Lakshore Dr. (2000 block), & Woodpark Ln;. and
d) Turtle Cove Blvd (RR tracks to Ridge Rd.).

Mayor Pruitt began discussion of this item, sharing that a citywide ordinance was adopted years ago by a previous city council, and that ordinance called for sidewalks to be installed in all new neighborhoods and when existing roadways are reconstructed. He indicated that if the city residents do not want sidewalks, then the Council needs to hear that; however, if the ordinance is changed, it would apply citywide, as 'piece mealing' would not be plausible. He went on to share that a lot of forethought went into informing and educating the public on the bond election that was held and that the voters overwhelmingly passed last year. He went on to that the Council gets a lot of opinions from those who want sidewalks and also from those who do not want sidewalks.

Councilmember Hohenshelt addressed the policy related to installation of sidewalks, which he mentioned was established about thirty years ago. All of the subdivisions built since that time have had sidewalks installed to allow people who walk or run to enjoy them. He pointed out that there will be dozens of projects like this over the course of the upcoming nine or ten years. So, whatever the policy needs to be, then it needs to be decided now, and it needs to apply citywide. It will be too challenging to address the issue of sidewalks with every single reconstruction project.

City Attorney Frank Garza pointed out that if the city does major reconstruction on a street that was built after 1992, then the city is required to put 'curb cuts' that are "ADA compliant," and this is regardless of whether or not sidewalks are installed on those streets.

Councilmember Fowler shared that perhaps the City should institute a policy that if reconstruction happens on a street that already does not have sidewalks, then no sidewalks will be built; however, if it is a new street or a new neighborhood going in, then sidewalks will be built. He went on to share that the Council has in fact received a lot of emails from residents who do in fact want the sidewalks built along with these reconstruction projects.

Councilmember Macalik shared that, speaking as a realtor, younger families do factor in whether or not a neighborhood has sidewalks because they do tend to prefer there to be sidewalks. She understands both sides of the issues; however, she believes that cities all over the United States are installing sidewalks because they are quite popular.

Councilmember Trowbridge shared that this issue goes beyond those who actually live on a particular street; however, he is also sensitive to the desires of a particular neighborhood.

Mayor Pruitt shared that he would like to have property owner feedback far before 40% of the design engineering has already been complete and the money spent in that regard.

Councilmember Fowler asked – if this is already a city standard, then why is it even being debated or discussed right now? Mr. Crowley, City Manager, shared that the city always attempts to go into a neighborhood to inform them about an upcoming reconstruction project. It is at that time, typically, when feedback regarding sidewalks and other aspects of a roadway reconstruction project is heard.

Councilmember Johannesen expressed frustration because the city tries hard to be very transparent and communicate well with the public, and, unfortunately, residents don't seem to speak up until it literally begins to affect their particular yard.

Councilmember Fowler shared that surveys showed that about 60% of residents indicated a desire to have sidewalks on Ridge Road West, and about 40% indicated they do not want them.

Ms. Williams, City Engineer, explained that a machine runs along top of a roadway and analyzes its structural integrity (not the 'driveability') and scores it as far as the need for it to be reconstructed (or not).

Mayor Pruitt indicated that he will open it up for public comment to those who wish to come forth and speak regarding "Ridge Road West" at this time. He first asked for City Engineer Amy Williams to speak to the surveys that were sent out to property owners. Ms. Williams stated that there are sixty properties and sixty surveys were sent out to those property owners. The response rate was 37% (22 were returned). Of those, 59.5% indicated they are "for" sidewalks and 40.5% indicated they are "against" having sidewalks.

Don Laws
1620 Shores Boulevard
Rockwall, TX

Mr. Laws expressed concern about how much land is going to be taken away from the front of everyone's house. Regarding safety, he believes that once Ridge Road West is widened, people will drive along it at a faster rate of speed, and more people will be driving on it. He suggested that perhaps the city consider installing a sidewalk only on one side of the roadway or build the road (only) and not the sidewalks.

Mayor Pruitt mentioned that the city has considered sidewalks on only one side of a road; however, he pointed out that the Council cannot get folks to agree on which side the sidewalk gets installed.

Doug Demarco
1230 Ridge Road West
Rockwall, TX

Mr. Demarco came forth and shared that everyone bought their home without a sidewalk, and they were ok purchasing a home without a sidewalk in front of it. Regarding safety, people's driving behavior tends to be related to the road and related conditions. So, he believes that a wider road will result in cars driving faster. He suggested that if they are going to be installed, perhaps Council could consider installing patterned sidewalks that are more beautiful or maybe use some of the money to add street lights.

Julie Barlow
1005 Ridge Road
Rockwall, TX

Mrs. Barlow shared that she and her husband just purchased this home. She was not aware of the policy that is in place that calls for the same standards for street widths and sidewalk installations. She generally indicated that when a resident receives a survey, they are perhaps not understanding or are not aware that the street width will be expanded and installation of sidewalks will mean that part of their lawn gets 'taken in.' She is not in favor of 'one size fits all,' and she is in real estate. She believes that people make decisions on purchasing a home based on how the neighborhood makes them feel. She purchased this home, which was built in 1981, and moved out of a home that was built 10-15 years or so. She and her husband purchased the home because she likes the large trees, no sidewalks, etc. She believes that one policy, citywide, pertaining to sidewalks, is generally not feasible. She believes some sort of variance or exception needs to be made in this particular case.

Tom Richmond
1105 Ridge Road West
Rockwall, TX

Mr. Richmond shared that it was not clear that there could have possibly been an option for reconstruction of the street itself but with no sidewalk being added. He would like to see the roadway reconstructed, but he would like the sidewalks to be left out. He wonders if the homeowners along the

roadway could get a variance to essentially 'skip the sidewalks.' He generally suggested that the Council consider changing its policy regarding installation of sidewalks.

Mr. Crowley, City Manager, pointed out that a portion of a resident's yard is public "right-of-way," so projects such as these do not take a person's property. The property line does not change, and the size of the resident owned property does not change.

At 7:43 p.m., Mayor Pruitt called for a brief break and recessed the public meeting. Mayor Pruitt reconvened the meeting at 7:55 p.m.

John Sunderson
1850 Wind Hill Road
Rockwall, TX

Mr. Sunderson shared that he does not live on this street; however, he is generally a proponent of sidewalks. He does not believe that sidewalks being installed on this roadway would detract from the beauty of the neighborhood. In fact, he believes that the sidewalks being installed would allow for more pedestrians to enjoy the area. He believes the city's policy on sidewalks is fine 'as is,' and it does not need to be changed. He reminded the Council and public that the Council is charged with representing the entire city – not just one street or one neighborhood.

Doug Demarco
1230 Ridge Road West
Rockwall, TX

Mr. Demarco came forth again and shared his belief that residents who filled out the survey and/or came to the informational resident meetings may not have totally understood about the street widening and that 10' of their front lawns would be 'taken in' as a result of sidewalks being installed. He suggested the city explain that better when sending out a survey. He understands that a portion of their lawn is 'right-of-way,' but homeowners do not see it that way.

An unidentified resident came forth and shared that he was 50/50 on whether or not sidewalks should be installed. He did not realize, however, that portions of front lawns would be lost if sidewalks were installed. He did not understand what he was agreeing to and believes that several residents may not have realized this either.

Jeff Boehm
1400 Plummer
Rockwall, TX

Mr. Boehm shared that he purposefully purchased a home nineteen years ago that did not have sidewalks on the street. He generally expressed that, since these folks purchased a home without sidewalks, it is not fair to them to now insist that they have sidewalks installed. He suggested the city put a policy in place that if homes did not have sidewalks to begin with, then they will never have sidewalks installed.

Dusty Goucher
1240 Ridge Road West
Rockwall, TX

Ms. Goucher indicated that she agrees with the "no sidewalks" sentiments that have been expressed this evening. She thought there would only be 3', rather than 10', of the front of her lawn taken. She generally spoke against the installation of sidewalks.

Sandra Solomon
1635 Shores Boulevard
Rockwall, TX

Mrs. Solomon came forth and shared that she does not live on this road – she lives further down just a little bit in The Shores. She acknowledged the Council members are elected to represent all citizens and the city as a whole. She agrees the roadway needs to be reconstructed, and the curbs need reconstructing too. She suggested that parking be restricted on it and the speed limit be reduced to 25 mph. She wished Council the best in making this decision, as she generally knows this is a tough decision. She generally expressed concern about the survey that was conducted. She pointed out that the 'return rate' was low, and it is uncertain if the responses were from those who truly understood on what they were giving feedback.

Bob Wacker
309 Featherstone
Rockwall, TX

Bob Wacker came forth and shared that he loves sidewalks, and he lives in the Stonecreek subdivision, which as sidewalks. He believes the city should move forward with installation of them in this instance. He suggested that staff try and communicate about these matters further in advance so that residents have additional time to consider these types of projects.

Mr. Richmond came forth again and suggested that the City consider re-surveying the residents along the roadway.

Councilmember Trowbridge made a motion to move forward with redesigning the engineering plans to remove the sidewalks along Ridge Road West. Councilmember Johannesen seconded the motion. He expressed concern about residents who have expressed support for sidewalk installation now possibly not being fairly represented (as the plan is perhaps now going to change without their input / knowledge). Following the discussion, the vote failed by a vote of 2 ayes and 5 nays (Macalik, Hohenshelt, Pruitt, Fowler and Daniels).

Councilmember Hohenshelt moved to approve the current design of Ridge Road West as presented by staff / the City Engineer. Councilmember Macalik seconded the motion, which failed by a vote of 3 ayes with 4 nays (Trowbridge, Fowler, Daniels and Johannesen).

Mayor Pruitt then took public comments concerning the S. Lakeshore Drive (Summit Ridge Dr. to Tanya Ln.) and Russwood Drive reconstruction project.

Anthony Diesch
1302 S. Lakeshore Drive
Rockwall, TX

Mr. Diesch explained that he is not in favor of sidewalks, and he understands that the Council's decision in this regard is a very difficult one. His concerns, he explained, are mostly related to the damage that will be done to the existing trees. He went on to share some photos of large, mature trees that will be adversely impacted by 10' of right-of-way being developed with concrete. He knows that mature trees do add to real estate value.

Moriah Pruitte
311 Russwood Drive
Rockwall, TX

Ms. Pruitte shared that she believes that if residents would have understood that "do you want sidewalks" on the survey equated to "10' of your front lawn will be taken in," then their answers would have been far different. She is generally strongly opposed to the installation of sidewalks on this street.

Ron Gilleland
310 Meadowdale Drive
Rockwall, TX

This is a side street, and he and his wife have lived there for twenty-six years. Mr. Gilleland shared that there are people who actually drive into this neighborhood, park their car, and then walk in the streets of this neighborhood because it is pretty and it is safe. He generally expressed opposition to sidewalks being installed. He is concerned about the trees being adversely impacted by the sidewalks installation, and they will change the entire makeup of the neighbborhood. He pointed out that there are at least a few, highly mature (30-40 + year old) trees that will be drastically impacted if these sidewalks are installed. He is generally in favor of the reconstruction and improvement of the roadway itself; however, he is greatly in opposition of the sidewalks. Even if the sidewalk is diverted around the mature trees, he believes the tree will be adversely impacted.

Jerry Welch
1509 S. Lakeshore Drive
Rockwall, TX

Mr. Welch shared that he is about five houses south of Tanya. He suggested that people typically walk on the main street, and they perhaps do not walk as much on the side streets. So perhaps the city should just put sidewalks on that main street and not install them on the side streets.

Nora Elwonger
308 Meadowdale
Rockwall, TX
Ms. Elwonger asked why a survey was conducted to begin with if a policy was already in place that called for sidewalks to be installed. Asking the question led responders to believe that their opinions would actually matter. City Manager Rick Crowley shared that it was actually his decision to include the question about sidewalks because he anticipated that Council would like to have that feedback. She generally indicated that she is strongly opposed to the installation of sidewalks. She purchased her

home without sidewalks and prefers that the street stay that way. She pointed out that the Council previously relied heavily on a survey the last time a decision was made regarding installation or no installation of sidewalks. In this instance, more residents (about 72%) have expressed "no sidewalks."

A.J. Echstein (unsure of spelling)
1605 Plummer Drive
Rockwall, TX

Mr. Echstein came forth and asked (a rhetorical question) if the city is going to require sidewalks to be installed in the historical district.

Kathleen Ingram
1410 S. Lakeshore Drive
Rockwall, TX

Ms. Ingram came forth and suggested that Council consider changing the existing policy that calls for sidewalks to be installed upon reconstruction of a roadway. She did not know that 'new streets' would come with 'new sidewalks.' She believes that voters have been misled through the "sidewalks" question on the surveys. She believes a variance should be allowed in this instance because she does not know that voters understood (when voting on the bond proposal) that a new, reconstructed roadway would automatically be accompanied by the installation of sidewalks.

Councilmember Daniels shared that previously when Council asked the people on Summit Ridge to go discuss the matter and come back with a mutually agreed upon consensus, they were unable to do so. Daniels proposed that the city's existing policy be amended to state that if a street does not already have sidewalks, then it would not have new ones installed upon reconstruction….and if a street did have existing sidewalks, then new ones would be installed upon reconstruction.

Mayor Pruitt moved to table this entire Action Item #1 and further discuss it at a later date. Councilman Johannesen seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

2. Discuss and consider directing staff to prepare an ordinance implementing a city initiated Engineering Plan Review Fee, and take any action necessary.

City Engineer, Amy Williams, provided brief background information pertaining to this agenda item. Councilman Hohenshelt moved to instruct staff to prepare this ordinance. Councilman Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider (re)appointments to the city's Airport Advisory Board, Animal Advisory Board, Architectural Review Board, ART Review Commission, Historic Preservation Advisory Board, and Park Board and take any action necessary.

Mayor Pruitt shared that Council is not ready to take action on these tonight. So, neither discussion nor action took place regarding this matter.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. **Departmental Reports**

Building Inspections Monthly Report - June 2019
Finance Department Quarterly Report - June 2019
Fire Department Monthly Report - June 2019
GIS Division Monthly Report - June 2019
Harbor PD Monthly Report - June 2019
Internal Operations Department Monthly Report - June 2019
Rockwall Animal Adoption Center Monthly Report - June 2019
Rockwall County Meals On Wheels / Senior Services 3rd Quarter Report
Recreation Monthly Report - June 2019
Police Department Monthly Report - June 2019
STAR Transit Monthly Report - June 2019

2. **City Manager's Report**

No questions were asked pertaining to departmental of city manager's report.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development) and possible land purchase pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)
2. Discussion regarding possible sale of real property in the vicinity of Downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 9:05 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 19th DAY OF AUGUST, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

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21

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Director of Finance**

DATE: **August 16, 2019**

SUBJECT: **Select Audit Firm**

The City Charter requires an audit be performed at the end of each fiscal year, with the audit firm to be rotated every 4 years.

City staff requested proposals for audit services in June 2019. Proposal packages were sent to all audit firms in the State who conduct government audits, as well as to the national level firms, with offices in the area. In addition, all Rockwall CPA's were sent a proposal package. Lists of audit firms in the Metroplex were garnered from the Dallas Chapter of the Texas Society of Certified Public Accountants.

Five proposals for audit services were received from firms including BKD CPA, Whitley Penn, Patillo, Brown & Hill, BrooksWatson & Co, and Weaver.

All of the submitting firms are qualified to conduct the annual audit of the City's financial statements and prepare the Comprehensive Annual Financial Report (CAFR) and all have a long established presence in this area. All firms propose to provide staff that are registered with the State Board of Public Accountancy and offer a significant number of individual years of experience in the audit of local governments.

The proposals very widely on the cost of service to be provided. 2 of the firms chose to conduct a phone interview with me and their better understanding of the City's process and staff did help those firms identify a cost better matched to our ability to assist them through the audit.

After interviews and extensive review of references, staff proposes the City Council authorize the City Manager to engage the firm of BrooksWatson & Co PLLC to conduct the audit of the City's financial statements for the year ended September 30, 2019 - 22. The firm will prepare the City's CAFR and proposes to meet with the Finance Sub-committee prior to their presentation to the full Council in the month of March 2020.

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23

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **August 19, 2019**

SUBJECT: **Transfer Building and Standards Commission responsibilities to the BOA**

When the City's Property Maintenance Code (PMC) was adopted in 2004, the Building and Standards Commission (BSC) was created. City Council appointed members to the commission, and Neighborhood Improvement Services (NIS) has utilized the BSC over the last several years.

The Commission has authority to uphold a determination of the NIS Department, allow a reasonable time in which a property owner has to comply with a determination or order of the NIS Department, accept an alternate method for compliance with the provision of the City's PMC, grant variances when a literal enforcement of the PMC would result in an unnecessary hardship and make recommendations to City Council regarding dangerous buildings.

The commission has not met over the last few years, and members have not been appointed to serve on the commission. Staff believes it would be prudent to retain the ability to utilize the BSC if the need arises in the future.

Our Board of Adjustment (BOA) is an active body that meets practically every month. Working with our City Attorney, the determination was made that the BOA could also serve the City as our BSC when needed. The attached proposed ordinance transfers the responsibilities of the BSC to the BOA.

If Council votes to approve the proposed ordinance change, Staff will inform, educate and assist our BOA Members in preparing to serve as our BSC for future hearings

24

CITY OF ROCKWALL

ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 10. "BUILDINGS AND BUILDING REGULATIONS;" ARTILE II. "ADMINISTRATION AND ENGFORCEMENT;" DIVISION 2. "BUILDING AND STANDARDS COMMISSION" TO APPOINT THE DUTIES OF THE CITY'S BUILIDING AND STANDARDS COMMISSION TO THE CITY'S BOARD OF ADJUSTMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas ("City Council") took action on January 20, 2004 through adoption of Ordinance 04-05 to establish the Building and Standards Commission to enforce the Property Maintenance Code; and

WHEREAS, the Building and Standards Commission has met on only a few occasions since its creation. Therefore, the City Council believes it would be prudent to consolidate the Building and Standards Commission with the Board of Adjustments, essentially transferring the duties of the Building and Standards Commission to the City's Board of Adjustment; and

WHEREAS, the City Council has determined it to be in the best interest of the City to amend Chapter 10, Article II, Division 2, "Building and Standards Commission" to appoint the duties of the Building and Standards Commission to the Board of Adjustment;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. AMENDMENT. That the Code of Ordinances of the City of Rockwall, Texas in Chapter 10, Article II, Division 2, "Building and Standards Commission," specifically Section 10-40 is hereby amended to read as follows:

Sec. 10-40. - Created.

(a) *Organization.* There is hereby created a commission known as the Building and Standards Commission. The rules shall be organized as follows:

(1) *Composition.* The Building and Standards Commission shall consist of the members of the city's Board of Adjustment, all of whom are appointed by a majority of the city council in accordance with Article II, Sec. 11 of the City's Unified Development Code (UDC).

(2) *Vacancies.* Vacancies to the Building and Standards Commission shall be filled in accordance with Article II, Sec. 11 of the City's Unified Development Code (UDC).

(3) *Residency and voter requirements.* Each member of the commission shall be a resident citizen and qualified voter of the city.

(4) *Terms.* Terms of office shall be the same as the terms for the members of the Board of Adjustment.

(5) *Compensation.* Members shall serve without compensation.

(6) *Removal.* Council may remove a member for cause on a written charge. Before a decision regarding a removal is made, the council must hold a public hearing on the matter if requested by the commission member subject to the removal action.

(b) *Meetings.* The commission shall hold its meetings on the call of the chairperson, or at such other times as the commission may determine. All meetings shall be open to the public.

(c) *Quorum.* All cases to be heard by the commission must be heard by at least four members.

(d) *Chairperson; vice-chairperson.* A chairperson and a vice-chairperson shall be elected by the members of the commission at the first meeting following the annual appointment of the new members.

(e) *Recordkeeping.* The commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

(f) *Voting.* The concurring vote of four members of the commission shall be necessary for the adoption of any motion, the issuance of any order, the making of any recommendation, or the determination of the amount and duration of any civil penalty. Only the members of the commission present shall have voting privileges.

(g) *Promulgation of regulations.* The commission shall adopt rules in accordance with the Property Maintenance Code, Article XII of this chapter and pursuant to V.T.C.A., Local Government Code § 54.032. The rules shall establish procedures for use in hearings, providing ample opportunity for presentation of evidence and testimony by respondents or person opposing charges brought by the municipality or its building officials relating to alleged violation of ordinances, as specified in V.T.C.A., Local Government Code § 54.031 et seq.

(h) *Appeals.* Appeals to the commission may be made by any person aggrieved, or by a municipal officer, department, or board affected by any decision (related to the Property Maintenance Code, article XII of this chapter) of the building official. Such appeal shall be filed with the commission chairperson within 15 days after the original decision is rendered. All papers constituting the record pertaining to such appeal shall accompany the appeal. Formal notice of the appeal shall be issued by the commission chairperson, such notice to specify the grounds upon which the appeal is made. The commission shall set a reasonable time for the hearing of the appeal. Notice of all proceedings before the commission must be given as follows:

(1) By certified mail, return receipt required to the record owners of the attached property, and such holder of a recorded lien against the affected property, as shown by the records in the office of the county clerk, if the address of the lienholder can be ascertained;

(2) To all unknown owners, by posting a copy of the notice on the front door of each improvement situated on the affected property, or as close to the front door as practicable; and

(3) The notice shall be mailed and posted on or before the tenth day before the date of the hearing before the commission and must state the date, time, and place

of the hearing. In addition, the notice must be published in a newspaper of general circulation within the city at least ten days before the hearing.

SECTION 2. That the remainder of Chapter 10, Article II, Division 2, "Building and Standards Commission" in the City's Code of Ordinances shall remain unchanged. The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance; and

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein; and

SECTION 4. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 5. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said meeting was given; and

SECTION 6. That this ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 3rd DAY OF SEPTEMBER, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 08/19/2019

2nd Reading: 09/03/2019

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28

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. "SUBDIVISIONS," ARTICLE I. "IN GENERAL," SECTION 38-15 "MISCELLANEOUS REQUIREMENTS" TO ESTABLISH AN ENGINEERING PLAN REVIEW FEE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas ("City Council") deems it to be in the best interest of the City to establish a "plan review fee" associated with engineering related projects.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Code of Ordinances of the City of Rockwall shall be amended in Chapter 38. "Subdivisions;" Article I. "In General;" Section 38-15. "Miscellaneous requirements," to add an additional subsection and associated provisions, which shall hereby read as follows:

> (s) *Engineering Plan Review Fee.* Any person desiring to submit for engineering construction plan review shall, at the time of said plan being submitted to the engineering department, pay to the city a fee in accordance with the following fee schedule:

First Review Fee	Resubmittal Fee
• $100.00 for parcels or tracts of land less than 1-acre. • $125.00 for parcels or tracts of land between 1 to 5-acres. • $175.00 for parcels or tracts of land greater than 5-acres.	$500 **(After Third Review)**

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein; and

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 4. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said

meeting was given; and

SECTION 5. That this ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of September, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 08/19/2019

2nd Reading: 09/03/2019

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31

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	August 19, 2019
APPLICANT:	Ryan Joyce; Michal Joyce Properties
CASE NUMBER:	P2019-029; *Preliminary Plat for Northgate Subdivision*

SUMMARY

Discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a master plat for the Northgate Subdivision being a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to preliminary plat a 61.45-acre tract of land (*i.e. Tract 4 of the W. M. Dalton Survey Abstract No. 72*) into 40 Lots (*i.e. Lots 1-23, Block A, Lots 1-17, Block B*) for the purpose of establishing a lot layout for a single-family residential development. The preliminary plat also depicts two (2) common space lots that will be utilized as 30-foot landscape buffers adjacent to Stodghill Road [*FM-3549*]. In addition to the preliminary plat, the applicant has also submitted preliminary drainage and utility plans showing how the development can be adequately served.

☑ The subject property was annexed in 2008 [*Ordinance No. 08-66*] and is currently vacant. On July 1, 2019, the City Council approved *Ordinance No. 19-26*, which established the development standards for Planned Development District 88 (PD-88). In conjunction with the preliminary plat, the applicant has submitted a request for approval of a master plat (*Case No. P2019-030*) and a site plan (*Case No. SP2019-028*) for the Northgate Subdivision.

☑ On August 6, 2019 the Parks and Recreation Board reviewed the preliminary plat and made the following recommendations:

(1) The developer shall pay pro-rata equipment fees of $20,920.00 (*i.e. $523.00 x 40 lots*) to be paid at the time of final plat.

(2) The developer shall pay cash in lieu of land fees of $20,280.00 (*i.e. $507.00 x 40 lots*) to be paid at the time of final plat.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the preliminary plat for *Lots 1-23, Block A, and Lots 1-17, Block B*, staff would propose the following conditions of approval:

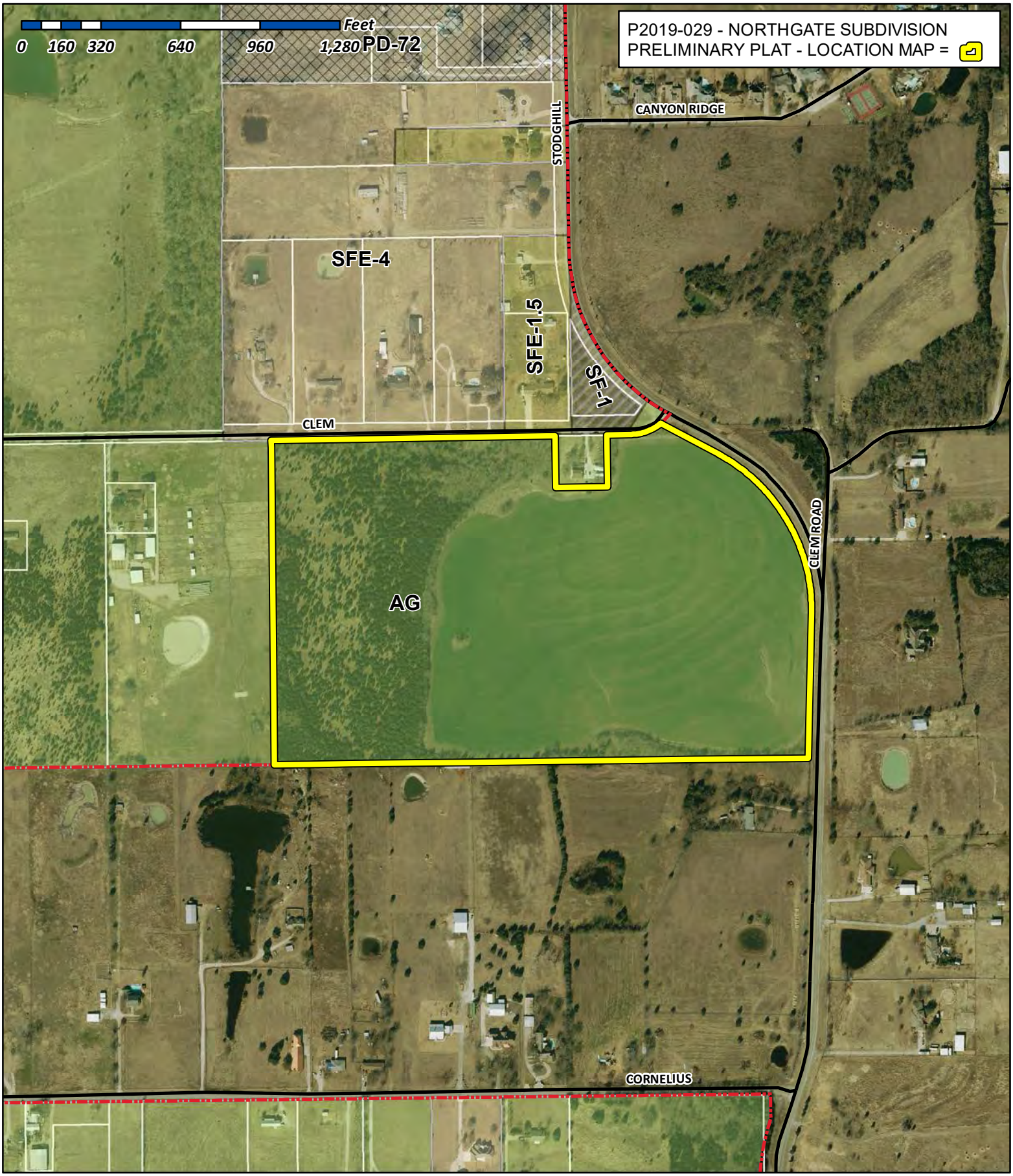
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) The development shall adhere to the recommendations of the Parks and Recreation Board; and

(3) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 13, 2019, the Planning and Zoning Commission's motion to recommend approval of the preliminary plat with staff's conditions of approval passed by a vote of 7-0.

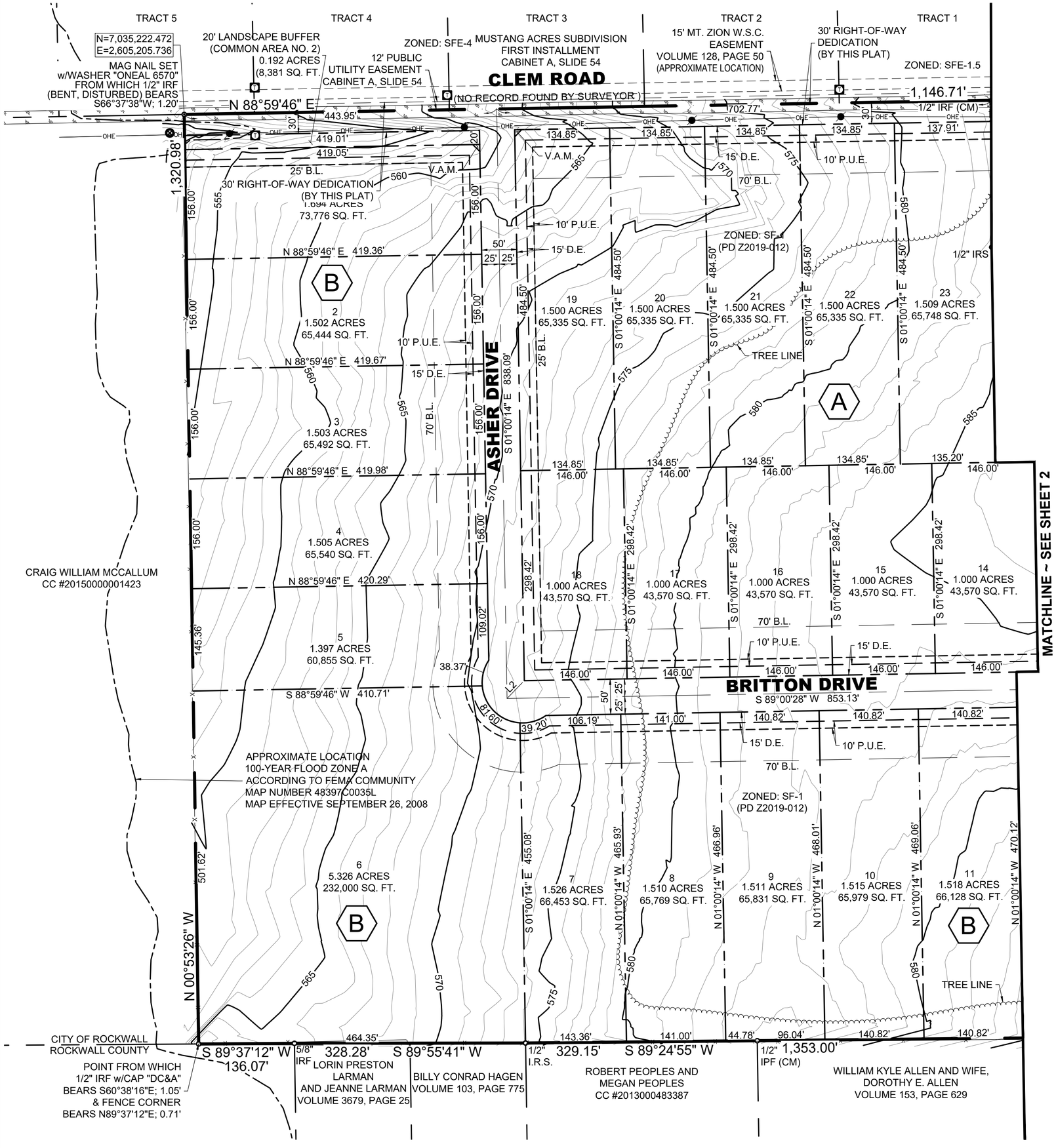


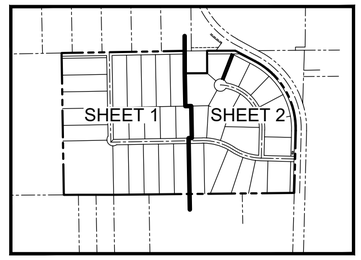
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

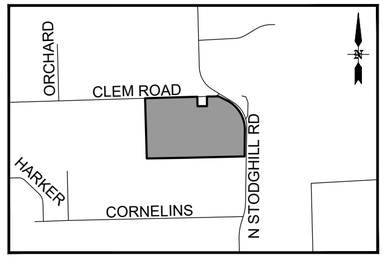
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

34

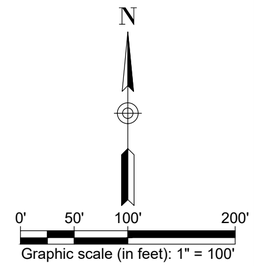




KEY MAP
Scale: 1" = 1,000'



VICINITY MAP
NOT TO SCALE



Graphic scale (in feet): 1" = 100'

ABBREVIATION LEGEND

ABBR.	DEFINITION
IRS	Iron rod set
IRF	Iron rod found
IPF	Iron pipe found
PKF	PK nail found
CMON	Concrete monument found
CM	Controlling monument
O.P.R.R.C.T.	Official Public Records, Rockwall County, Texas
B.L.	Building line
P.U.E.	Public utility easement
D.E.	Drainage easement
C.A.	Common Area
V.A.M.	10'x10' Visibility, access & maintenance easement
◆	Indicates street name change

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S03°02'33"W	2.22'
L2	N44°13'01"E	31.70'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	63°42'40"	713.94'	793.88'	753.61'	N30°30'10"W
C2	34°13'31"	500.00'	298.67'	294.25'	N73°53'29"W
C3	31°44'23"	500.00'	276.98'	273.45'	S72°38'54"E
C4	88°39'30"	408.94'	632.78'	571.52'	N42°37'42"W

NOTE:

1. It shall be the policy of the City of Rockwall to withhold issuing of building permits until all streets, water, sewer, and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance, or guarantee that any building within such plat shall be approved, authorized, or permit thereof issued, as required under Ordinance 83-54.

PRELIMINARY PLAT
NORTHGATE
LOTS 1-23, BLOCK A; LOTS 1-7, BLOCK B; 2 COMMON AREAS (LANDSCAPE BUFFERS) [42 LOTS]
62.512 ACRES OUT OF THE WILLIAM DALTON SURVEY, ABSTRACT NO. 72
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. P2019-029
DATE OF PREPARATION: 6/26/19
DATE OF LAST REVISION: 8/6/19

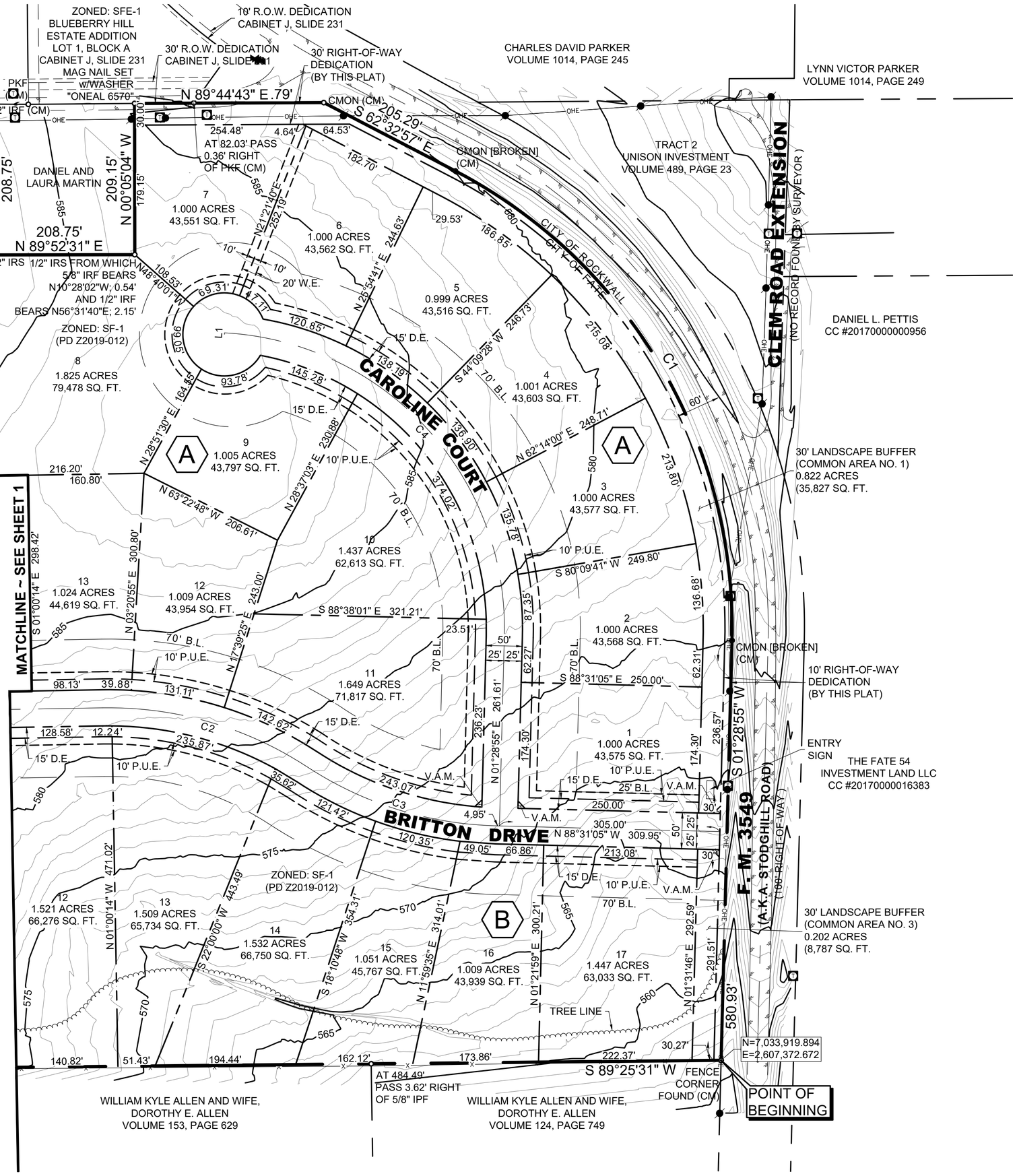
OWNER
Unison Investment
23545 Crenshaw Blvd., Suite 201
Torrance, CA 90505

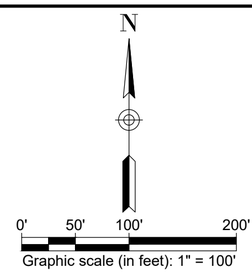
DEVELOPER
Northgate Rockwall LD, LLC
1189 Waters Edge Drive
Rockwall, TX 75087

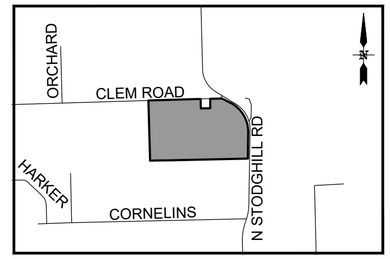
LAND SURVEYOR
O'Neal Surveying Co.
3111 Cole Avenue, Suite 101
Dallas, Texas 75204
(903) 804-2891
Firm No. 10194132

ENGINEERINGCONCEPTS & DESIGN, L.P
ENGINEERING / PROJECT MANAGEMENT / CONSTRUCTION SERVICES - FIRM REG. #F-001145
201 WINDCO CIR, SUITE 200, WYLIE, TX 75098
972-941-8400 FAX: 972-941-8401 WWW.ECDLP.COM

Saved: Tuesday, August 06, 2019 in Z:\PROJECTS\08838 Nortgate-Fate-Jay Webb\dwg\Plats\08838 PrePlat Northgate.dwg







VICINITY MAP
NOT TO SCALE

ABBREVIATION LEGEND

ABBR.	DEFINITION
IRS	Iron rod set
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23545 Crenshaw Blvd., Suite 201
Torrance, CA 90505

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OWNER'S CERTIFICATION [Public Dedication]

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS Unison Investment, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING 62.517 ACRES OF LAND LOCATED IN THE WILLIAM DALTON SURVEY, ABSTRACT NUMBER 72, ELLIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 61.455 ACRE TRACT AS DESCRIBED TO UNISON INVESTMENT BY DEED RECORDED IN VOLUME 489, PAGE 23, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FENCE CORNER FOUND IN THE WEST LINE OF FARM-TO-MARKET ROAD 3549 (100' RIGHT-OF-WAY) AT THE SOUTHEAST CORNER OF THE ABOVE-MENTIONED 61.455 ACRE TRACT;

THENCE SOUTH 89 DEGREES 25 MINUTES 31 SECONDS WEST, AT A DISTANCE OF 484.49 FEET PASS 3.62 FEET RIGHT OF A 5/8" IRON PIPE FOUND AND CONTINUING FOR A TOTAL DISTANCE OF 1353.00 FEET WITH THE SOUTH LINE OF SAID 61.455 ACRE TRACT TO A 1/2" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE WILLIAM KYLE ALLEN ET UX 12.888 ACRE TRACT AS DESCRIBED IN VOLUME 153, PAGE 629, (D.R.R.C.T.) AND THE NORTHEAST CORNER OF THE ROBERT PEOPLES AND MEGAN PEOPLES 10.00 ACRE TRACT AS DESCRIBED IN INSTRUMENT NUMBER 2013000483387, (D.R.R.C.T.);

THENCE SOUTH 89 DEGREES 24 MINUTES 55 SECONDS WEST, A DISTANCE OF 329.15 FEET WITH THE SOUTH LINE OF SAID 61.455 ACRE TRACT TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE NORTHWEST CORNER OF THE ABOVE-MENTIONED 10.00 ACRE TRACT AND THE NORTHEAST CORNER OF THE BILLY CONRAD HAGEN 4.030 ACRE TRACT AS DESCRIBED IN VOLUME 103, PAGE 775, (D.R.R.C.T.);

THENCE SOUTH 89 DEGREES 55 MINUTES 41 SECONDS WEST, A DISTANCE OF 328.28 FEET WITH THE SOUTH LINE OF SAID 61.455 ACRE TRACT, SAME BEING THE COMMON NORTH LINE OF THE ABOVE-MENTIONED 4.030 ACRE TRACT AND THE LORIN PRESTON LARMAN AND JEANNE LARMAN 4.962 ACRE TRACT AS DESCRIBED IN VOLUME 3679, PAGE 25, (D.R.R.C.T.) TO A 5/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE JUST MENTIONED 4.962 ACRE TRACT;

THENCE SOUTH 89 DEGREES 37 MINUTES 12 SECONDS WEST, A DISTANCE OF 136.07 FEET TO THE SOUTHWEST CORNER OF SAID 61.455 ACRE TRACT, SAME BEING THE COMMON SOUTHEAST CORNER OF THE CRAIG WILLIAM MCCALLUM 20.057 ACRE TRACT AS DESCRIBED IN INSTRUMENT NUMBER 20150000001423, (D.R.R.C.T.), FROM WHICH A 1/2" IRON ROD WITH CAP STAMPED "DC&A" BEARS SOUTH 60 DEGREES 38 MINUTES 16 SECONDS EAST, A DISTANCE OF 1.05 FEET AND A FENCE CORNER BEARS NORTH 89 DEGREES 37 MINUTES 12 SECONDS EAST, A DISTANCE OF 0.71 FEET;

THENCE NORTH 00 DEGREES 53 MINUTES 26 SECONDS WEST, A DISTANCE OF 1320.98 FEET TO A MAG NAIL WITH WASHER STAMPED "ONEAL 6570" SET IN THE APPROXIMATE CENTERLINE OF CLEM ROAD (NO RECORD FOUND BY SURVEYOR) AT THE NORTHWEST CORNER OF SAID 61.455 ACRE TRACT AND THE NORTHEAST CORNER OF THE ABOVE-MENTIONED 20.057 ACRE TRACT;

THENCE NORTH 88 DEGREES 59 MINUTES 46 SECONDS EAST, A DISTANCE OF 1146.71 FEET WITH THE APPROXIMATE CENTERLINE OF CLEM ROAD AND THE NORTH LINE OF SAID 61.455 ACRE TRACT TO A 1/2" IRON ROD FOUND;

THENCE SOUTH 00 DEGREES 08 MINUTES 11 SECONDS EAST, A DISTANCE OF 208.75 FEET LEAVING CLEM ROAD TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT AN INTERIOR CORNER OF SAID 61.455 ACRE TRACT;

THENCE NORTH 89 DEGREES 52 MINUTES 31 SECONDS EAST, A DISTANCE OF 208.75 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET FOR AN INTERIOR CORNER OF SAID 61.455 ACRE TRACT;

THENCE NORTH 00 DEGREES 05 MINUTES 04 SECONDS WEST, A DISTANCE OF 209.15 FEET TO A MAG NAIL WITH WASHER STAMPED "ONEAL 6570" SET IN THE APPROXIMATE CENTERLINE OF CLEM ROAD AND AN EXTERIOR CORNER OF SAID 61.455 ACRE TRACT;

THENCE NORTH 89 DEGREES 44 MINUTES 43 SECONDS EAST, A DISTANCE OF 261.79 FEET WITH THE NORTH LINE OF SAID 61.455 ACRE TRACT TO A CONCRETE MONUMENT FOUND IN THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 3549;

THENCE SOUTH 62 DEGREES 32 MINUTES 57 SECONDS EAST, A DISTANCE OF 205.29 FEET WITH THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 3549 AND THE COMMON NORTHEAST LINE OF SAID 61.455 ACRE TRACT, TO A BROKEN CONCRETE MONUMENT FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 063 DEGREES 42 MINUTES 40 SECONDS, A RADIUS OF 713.94 FEET AND A LONG CHORD THAT BEARS SOUTH 30 DEGREES 30 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 753.61 FEET;

THENCE SOUTHEASTERLY WITH SAID CURVE TO THE RIGHT AND THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 3549 AND THE COMMON NORTHEAST LINE OF SAID 61.455 ACRE TRACT, AN ARC LENGTH OF 793.88 FEET TO A BROKEN CONCRETE MONUMENT FOUND;

THENCE SOUTH 01 DEGREES 28 MINUTES 55 SECONDS WEST, WITH THE WEST LINE OF FARM-TO-MARKET ROAD 3549 AND THE COMMON EAST LINE OF SAID 61.455 ACRE TRACT, A DISTANCE OF 580.93 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 62.517 ACRES OF LAND, MORE OR LESS.

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared [PROPERTY OWNER], known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2019.

_____ _____
Notary Public in and for the State of Texas My Commission Expires

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Daniel Chase O'Neal, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY ~ This document shall not be recorded for any purpose and shall not be used, reviewed, or relied upon as a final survey document.

_____
Daniel Chase O'Neal
Texas Registered Professional Land Surveyor No. 6570

STANDARD CITY SIGNATURE BLOCK

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

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972-941-8400 FAX: 972-941-8401 WWW.ECDLP.COM

37
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38

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	August 19, 2019
APPLICANT:	Ryan Joyce; Michael Joyce Properties
CASE NUMBER:	P2019-030; *Master Plat for Northgate Subdivision*

SUMMARY

Discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a preliminary plat for the Northgate Subdivision containing 40 single-family residential lots on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to master plat the Northgate Subdivision. The Northgate Subdivision is a one (1) phase, master planned community that will consist of 40 single-family residential lots on a 61.45-acre tract of land. The master plat depicts the proposed timing and phasing for the proposed development. A summary of the proposed lot composition is as follows:

Lot Composition:

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	120' x 200'	43,560 SF	17	42%
B	130' x 400'	65,340 SF	23	58%
		Maximum Permitted Units:	*40*	*100.00%*

☑ The subject property was annexed in 2008 [*Ordinance No. 08-66*] and is currently vacant. On July 1, 2019, the City Council approved *Ordinance No. 19-26*, which established the development standards for Planned Development District 88 (PD-88). In conjunction with the master plat, the applicant has submitted a request for approval of a preliminary plat (*Case No. P2019-029*) and a site plan (*Case No. SP2019-028*) for the Northgate Subdivision.

☑ On August 6, 2019, the Parks and Recreation Board reviewed the master plat and made the following recommendations:

(1) The developer shall pay pro-rata equipment fees of $20,920.00 (*i.e. $523.00 x 40 lots*) to be paid at the time of final plat.

(2) The developer shall pay cash in lieu of land fees of $20,280.00 (*i.e. $507.00 x 40 lots*) to be paid at the time of final plat.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the master plat for *Lots 1-23, Block A and Lots 1-17, Block B*, staff would propose the following conditions of approval:

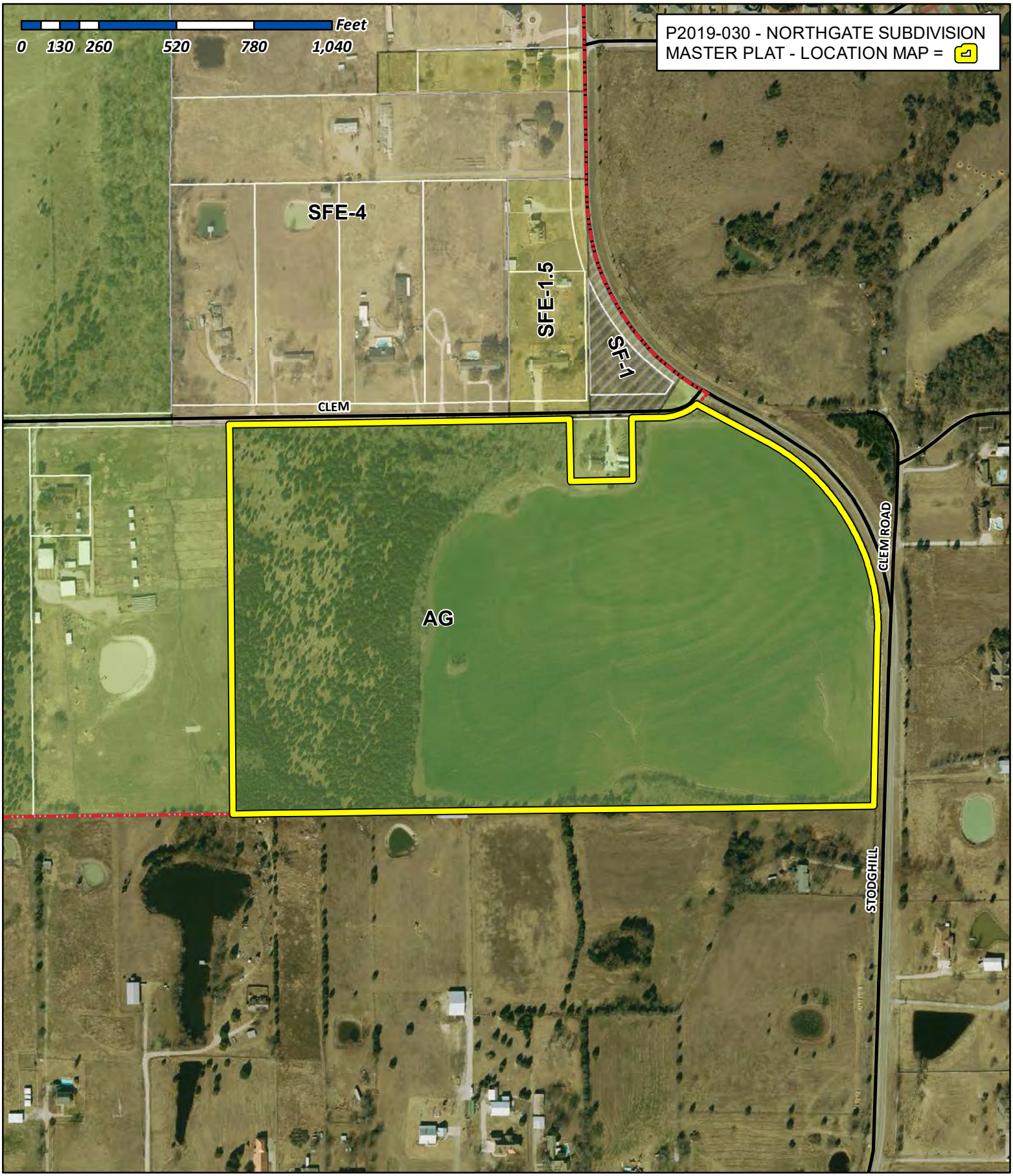
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) The development shall adhere to the recommendations of the Parks and Recreation Board; and

(3) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 13, 2019, the Planning and Zoning Commission's motion to recommend approval of the preliminary plat with staff's conditions of approval passed by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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41

TRACT 5 | TRACT 4 | TRACT 3 | TRACT 2 | TRACT 1

N=7,035,222.472
E=2,605,205.736
MAG NAIL SET w/WASHER "ONEAL 6570" FROM WHICH 1/2" IRF (BENT, DISTURBED) BEARS S66°37'38"W; 1.20'

20' LANDSCAPE BUFFER (COMMON AREA NO. 2) 0.192 ACRES (8,381 SQ. FT.)

12' PUBLIC UTILITY EASEMENT CABINET A, SLIDE 54

ZONED: SFE-4

MUSTANG ACRES SUBDIVISION FIRST INSTALLMENT CABINET A, SLIDE 54

15' MT. ZION W.S.C. EASEMENT VOLUME 128, PAGE 50 (APPROXIMATE LOCATION)

30' RIGHT-OF-WAY DEDICATION (BY THIS PLAT)

ZONED: SFE-1.5

CLEM ROAD

(NO RECORD FOUND BY SURVEYOR)

N 88°59'46" E 1,146.71'

1/2" IRF (CM)

443.95' | 419.01' | 702.77'

30' | 20' | 20' | 30'

OHE

134.85' | 134.85' | 134.85' | 134.85' | 137.91'

V.A.M. | 15' D.E. | 10' P.U.E.

25' B.L. | 70' B.L.

30' RIGHT-OF-WAY DEDICATION (BY THIS PLAT)

1,320.98'

136.00' | 136.00'

1 — 1.501 ACRES — 65,396 SQ. FT.

N 88°59'46" E 419.36'

50' | 25' 25'

10' P.U.E. | 15' D.E.

ZONED: SF-1 (PD Z2019-012)

1/2" IRS

B

2 — 1.502 ACRES — 65,444 SQ. FT.

19 — 1.500 ACRES — 65,335 SQ. FT.

20 — 1.500 ACRES — 65,335 SQ. FT.

21 — 1.500 ACRES — 65,335 SQ. FT.

22 — 1.500 ACRES — 65,335 SQ. FT.

23 — 1.509 ACRES — 65,748 SQ. FT.

484.50' | S 01°00'14" E

156.00' | 176.00' | 156.00'

10' P.U.E. | 15' D.E.

N 88°59'46" E 419.67'

ASHER DRIVE

S 01°00'14" E 838.09'

25' B.L. | 70' B.L.

TREELINE

A

3 — 1.503 ACRES — 65,492 SQ. FT.

N 88°59'46" E 419.98'

156.00' | 156.00'

134.85' / 146.00'

4 — 1.505 ACRES — 65,540 SQ. FT.

18 — 1.000 ACRES — 43,570 SQ. FT.

17 — 1.000 ACRES — 43,570 SQ. FT.

16 — 1.000 ACRES — 43,570 SQ. FT.

15 — 1.000 ACRES — 43,570 SQ. FT.

14 — 1.000 ACRES — 43,570 SQ. FT.

298.42' | S 01°00'14" E

135.20' / 146.00'

MATCHLINE ~ SEE SHEET 2

CRAIG WILLIAM MCCALLUM
CC #20150000001423

N 88°59'46" E 420.29'

170.43' | 109.02'

5 — 1.397 ACRES — 60,855 SQ. FT.

38.37'

70' B.L. | 10' P.U.E. | 15' D.E.

146.00'

S 88°59'46" W 410.71'

2

BRITTON DRIVE

S 89°00'28" W 853.13'

87.60' | 39.20' | 106.19' | 141.00' | 140.82'

50' | 25' 25'

15' D.E. | 10' P.U.E. | 70' B.L.

APPROXIMATE LOCATION
100-YEAR FLOOD ZONE A
ACCORDING TO FEMA COMMUNITY
MAP NUMBER 48397C0035L
MAP EFFECTIVE SEPTEMBER 26, 2008

ZONED: SF-1 (PD Z2019-012)

6 — 5.326 ACRES — 232,000 SQ. FT.

7 — 1.526 ACRES — 66,453 SQ. FT.

8 — 1.510 ACRES — 65,769 SQ. FT.

9 — 1.511 ACRES — 65,831 SQ. FT.

10 — 1.515 ACRES — 65,979 SQ. FT.

11 — 1.518 ACRES — 66,128 SQ. FT.

B

455.08' | 465.93' | 466.96' | 468.01' | 469.06' | 470.12'

N 00°53'26" W 496.55'

TREELINE

CITY OF ROCKWALL
ROCKWALL COUNTY

POINT FROM WHICH 1/2" IRF w/CAP "DC&A" BEARS S60°38'16"E; 1.05' & FENCE CORNER BEARS N89°37'12"E; 0.71'

S 89°37'12" W 136.07' | 464.35'

5/8" IRF 328.28' S 89°55'41" W | 143.36' | 141.00' | 44.78' | 96.04' | 140.82' | 140.82'

LORIN PRESTON LARMAN AND JEANNE LARMAN VOLUME 3679, PAGE 25

BILLY CONRAD HAGEN VOLUME 103, PAGE 775

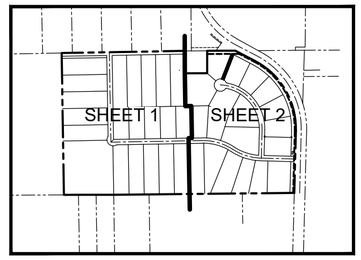
1/2" I.R.S. 329.15' S 89°24'55" W

ROBERT PEOPLES AND MEGAN PEOPLES CC #2013000483387

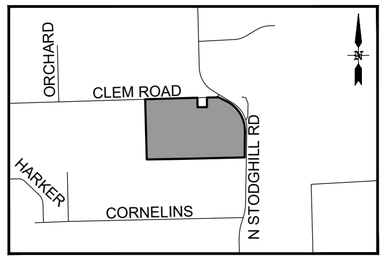
1/2" IPF (CM) 1,353.00'

WILLIAM KYLE ALLEN AND WIFE, DOROTHY E. ALLEN VOLUME 153, PAGE 629

DWELLING UNITS/POPULATION DENSITY
40 units ~ 0.65 units/acre



KEY MAP
Scale: 1" = 1,000'



VICINITY MAP
NOT TO SCALE

ABBREVIATION LEGEND

ABBR.	DEFINITION
IRS	Iron rod set
IRF	Iron rod found
IPF	Iron pipe found
PKF	PK nail found
CMON	Concrete monument found
CM	Controlling monument
O.P.R.R.C.T.	Official Public Records, Rockwall County, Texas
B.L.	Building line
P.U.E.	Public utility easement
D.E.	Drainage easement
C.A.	Common Area
V.A.M.	10'x10' Visibility, access & maintenance easement
◆	Indicates street name change

N

0' 50' 100' 200'
Graphic scale (in feet): 1" = 100'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S03°02'33"W	2.22'
L2	N44°13'01"E	31.70'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	63°42'40"	713.94'	793.88'	753.61'	N30°30'10"W
C2	34°13'31"	500.00'	298.67'	294.25'	N73°53'29"W
C3	31°44'23"	500.00'	276.98'	273.45'	S72°38'54"E
C4	88°39'30"	408.94'	632.78'	571.52'	N42°37'42"W

NOTE:

1. It shall be the policy of the City of Rockwall to withhold issuing of building permits until all streets, water, sewer, and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance, or guarantee that any building within such plat shall be approved, authorized, or permit thereof issued, as required under Ordinance 83-54.

LOT MIX TABLE

17	1 ACRE LOTS
22	1.5 ACRE LOTS
1	5.3 ACRE LOT

OWNER
Unison Investment
23545 Crenshaw Blvd., Suite 201
Torrance, CA 90505

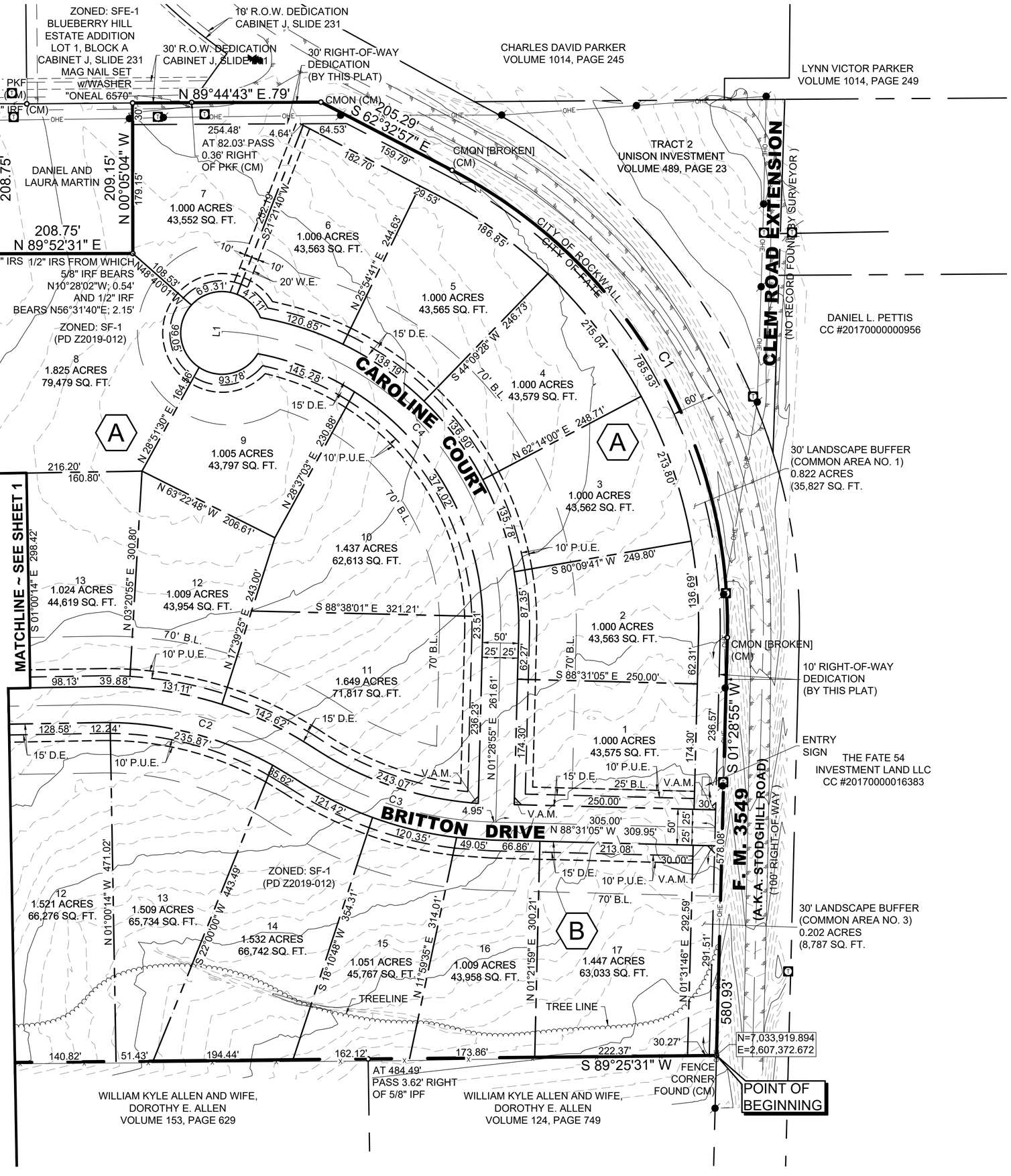
DEVELOPER
Northgate Rockwall LD, LLC
1189 Waters Edge Drive
Rockwall, TX 75087

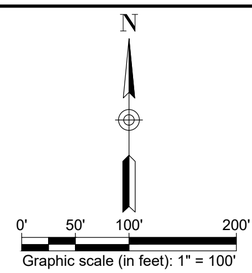
LAND SURVEYOR
O'Neal Surveying Co.
3111 Cole Avenue, Suite 101
Dallas, Texas 75204
(903) 804-2891
Firm No. 10194132

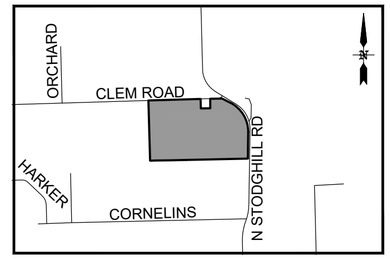
MASTER PLAT
NORTHGATE
LOTS 1-23, BLOCK A; LOTS 1-7, BLOCK B; 2 COMMON AREAS (LANDSCAPE BUFFERS) [42 LOTS]
62.512 ACRES OUT OF THE WILLIAM DALTON SURVEY, ABSTRACT NO. 72
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. P2019-029
DATE OF PREPARATION: 7/1/19
DATE OF LAST REVISION: 8/6/19

ENGINEERINGCONCEPTS & DESIGN, L.P
ENGINEERING / PROJECT MANAGEMENT / CONSTRUCTION SERVICES - FIRM REG. #F-001145
201 WINDCO CIR, SUITE 200, WYLIE, TX 75098
972-941-8400 FAX: 972-941-8401 WWW.ECDLP.COM

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VICINITY MAP
NOT TO SCALE

ABBREVIATION LEGEND

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B.L.	Building line
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C.A.	Common Area
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◇	Indicates street name change

NOTE:

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Torrance, CA 90505

DEVELOPER
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1189 Waters Edge Drive
Rockwall, TX 75087

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OWNER'S CERTIFICATION [Public Dedication]

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS Unison Investment, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING 62.517 ACRES OF LAND LOCATED IN THE WILLIAM DALTON SURVEY, ABSTRACT NUMBER 72, ELLIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 61.455 ACRE TRACT AS DESCRIBED TO UNISON INVESTMENT BY DEED RECORDED IN VOLUME 489, PAGE 23, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FENCE CORNER FOUND IN THE WEST LINE OF FARM-TO-MARKET ROAD 3549 (100' RIGHT-OF-WAY) AT THE SOUTHEAST CORNER OF THE ABOVE-MENTIONED 61.455 ACRE TRACT;

THENCE SOUTH 89 DEGREES 25 MINUTES 31 SECONDS WEST, AT A DISTANCE OF 484.49 FEET PASS 3.62 FEET RIGHT OF A 5/8" IRON PIPE FOUND AND CONTINUING FOR A TOTAL DISTANCE OF 1353.00 FEET WITH THE SOUTH LINE OF SAID 61.455 ACRE TRACT TO A 1/2" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE WILLIAM KYLE ALLEN ET UX 12.888 ACRE TRACT AS DESCRIBED IN VOLUME 153, PAGE 629, (D.R.R.C.T.) AND THE NORTHEAST CORNER OF THE ROBERT PEOPLES AND MEGAN PEOPLES 10.00 ACRE TRACT AS DESCRIBED IN INSTRUMENT NUMBER 2013000483387, (D.R.R.C.T.);

THENCE SOUTH 89 DEGREES 24 MINUTES 55 SECONDS WEST, A DISTANCE OF 329.15 FEET WITH THE SOUTH LINE OF SAID 61.455 ACRE TRACT TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT THE NORTHWEST CORNER OF THE ABOVE-MENTIONED 10.00 ACRE TRACT AND THE NORTHEAST CORNER OF THE BILLY CONRAD HAGEN 4.030 ACRE TRACT AS DESCRIBED IN VOLUME 103, PAGE 775, (D.R.R.C.T.);

THENCE SOUTH 89 DEGREES 55 MINUTES 41 SECONDS WEST, A DISTANCE OF 328.28 FEET WITH THE SOUTH LINE OF SAID 61.455 ACRE TRACT, SAME BEING THE COMMON NORTH LINE OF THE ABOVE-MENTIONED 4.030 ACRE TRACT AND THE LORIN PRESTON LARMAN AND JEANNE LARMAN 4.962 ACRE TRACT AS DESCRIBED IN VOLUME 3679, PAGE 25, (D.R.R.C.T.) TO A 5/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF THE JUST MENTIONED 4.962 ACRE TRACT;

THENCE SOUTH 89 DEGREES 37 MINUTES 12 SECONDS WEST, A DISTANCE OF 136.07 FEET TO THE SOUTHWEST CORNER OF SAID 61.455 ACRE TRACT, SAME BEING THE COMMON SOUTHEAST CORNER OF THE CRAIG WILLIAM MCCALLUM 20.057 ACRE TRACT AS DESCRIBED IN INSTRUMENT NUMBER 20150000001423, (D.R.R.C.T.), FROM WHICH A 1/2" IRON ROD WITH CAP STAMPED "DC&A" BEARS SOUTH 60 DEGREES 38 MINUTES 16 SECONDS EAST, A DISTANCE OF 1.05 FEET AND A FENCE CORNER BEARS NORTH 89 DEGREES 37 MINUTES 12 SECONDS EAST, A DISTANCE OF 0.71 FEET;

THENCE NORTH 00 DEGREES 53 MINUTES 26 SECONDS WEST, A DISTANCE OF 1320.98 FEET TO A MAG NAIL WITH WASHER STAMPED "ONEAL 6570" SET IN THE APPROXIMATE CENTERLINE OF CLEM ROAD (NO RECORD FOUND BY SURVEYOR) AT THE NORTHWEST CORNER OF SAID 61.455 ACRE TRACT AND THE NORTHEAST CORNER OF THE ABOVE-MENTIONED 20.057 ACRE TRACT;

THENCE NORTH 88 DEGREES 59 MINUTES 46 SECONDS EAST, A DISTANCE OF 1146.71 FEET WITH THE APPROXIMATE CENTERLINE OF CLEM ROAD AND THE NORTH LINE OF SAID 61.455 ACRE TRACT TO A 1/2" IRON ROD FOUND;

THENCE SOUTH 00 DEGREES 08 MINUTES 11 SECONDS EAST, A DISTANCE OF 208.75 FEET LEAVING CLEM ROAD TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET AT AN INTERIOR CORNER OF SAID 61.455 ACRE TRACT;

THENCE NORTH 89 DEGREES 52 MINUTES 31 SECONDS EAST, A DISTANCE OF 208.75 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "ONEAL 6570" SET FOR AN INTERIOR CORNER OF SAID 61.455 ACRE TRACT;

THENCE NORTH 00 DEGREES 05 MINUTES 04 SECONDS WEST, A DISTANCE OF 209.15 FEET TO A MAG NAIL WITH WASHER STAMPED "ONEAL 6570" SET IN THE APPROXIMATE CENTERLINE OF CLEM ROAD AND AN EXTERIOR CORNER OF SAID 61.455 ACRE TRACT;

THENCE NORTH 89 DEGREES 44 MINUTES 43 SECONDS EAST, A DISTANCE OF 261.79 FEET WITH THE NORTH LINE OF SAID 61.455 ACRE TRACT TO A CONCRETE MONUMENT FOUND IN THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 3549;

THENCE SOUTH 62 DEGREES 32 MINUTES 57 SECONDS EAST, A DISTANCE OF 205.29 FEET WITH THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 3549 AND THE COMMON NORTHEAST LINE OF SAID 61.455 ACRE TRACT, TO A BROKEN CONCRETE MONUMENT FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 063 DEGREES 42 MINUTES 40 SECONDS, A RADIUS OF 713.94 FEET AND A LONG CHORD THAT BEARS SOUTH 30 DEGREES 30 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 753.61 FEET;

THENCE SOUTHEASTERLY WITH SAID CURVE TO THE RIGHT AND THE SOUTHWEST LINE OF FARM-TO-MARKET ROAD 3549 AND THE COMMON NORTHEAST LINE OF SAID 61.455 ACRE TRACT, AN ARC LENGTH OF 793.88 FEET TO A BROKEN CONCRETE MONUMENT FOUND;

THENCE SOUTH 01 DEGREES 28 MINUTES 55 SECONDS WEST, WITH THE WEST LINE OF FARM-TO-MARKET ROAD 3549 AND THE COMMON EAST LINE OF SAID 61.455 ACRE TRACT, A DISTANCE OF 580.93 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 62.517 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §
COUNTY OF ROCKWALL §

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the **NORTHGATE** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the **NORTHGATE** subdivision have been notified and signed this plat. I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

_____
Mr. Jen-Liang Wu

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared Mr. Jen-Liang Wu, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2019.

_____ _____
Notary Public in and for the State of Texas My Commission Expires

[IF APPLICABLE:]

Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared [PROPERTY OWNER], known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2019.

_____ _____
Notary Public in and for the State of Texas My Commission Expires

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Daniel Chase O'Neal, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY ~ This document shall not be recorded for any purpose and shall not be used, reviewed, or relied upon as a final survey document.

_____
Daniel Chase O'Neal
Texas Registered Professional Land Surveyor No. 6570

STANDARD CITY SIGNATURE BLOCK

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

MASTER PLAT
NORTHGATE
LOTS 1-23, BLOCK A; LOTS 1-7, BLOCK B; 2 COMMON AREAS (LANDSCAPE BUFFERS) [42 LOTS]
62.512 ACRES OUT OF THE WILLIAM DALTON SURVEY, ABSTRACT NO. 72
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. P2019-029
DATE OF PREPARATION: 7/1/19
DATE OF LAST REVISION: 8/6/19

OWNER
Unison Investment
23545 Crenshaw Blvd., Suite 201
Torrance, CA 90505

DEVELOPER
Northgate Rockwall LD, LLC
1189 Waters Edge Drive
Rockwall, TX 75087

LAND SURVEYOR
O'Neal Surveying Co.
3111 Cole Avenue, Suite 101
Dallas, Texas 75204
(903) 804-2891
Firm No. 10194132

ENGINEERINGCONCEPTS & DESIGN, L.P
ENGINEERING / PROJECT MANAGEMENT / CONSTRUCTION SERVICES - FIRM REG. #F-001145
201 WINDCO CIR, SUITE 200, WYLIE, TX 75098
972-941-8400 FAX: 972-941-8401 WWW.ECDLP.COM

Saved: Tuesday, August 06, 2019 in Z:\PROJECTS\08838 Nortgate-Fate-Jay Webb\dwg\Plats\08838 MasterPlat Northgate.dwg

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HCA Gymnasium/Classroom Project Timeline

	2018	2019	2020	2021	2022
Objectives - main focus for timeframe	Re-plan based on CC SUP denial	—Continue donor meetings —Update Rockwall City Council - 7/1 —New timeline to CC —In-Kind Donor meetings —Update Rockwall City Council - 8/17 —Update CC - 11/4	—Explore financing options based on donor levels —Update CC - 1/6 —Q1 City pre-development meeting —Q1 Zoning master plat approved —Update CC - 4/6 —Update CC - 7/6 —Q3 HCA Board financing plan approval —Q3 City site plan / engineering / final plat approved —Update CC - 10/5 —Q4 Building permitting begins --Q4 Evaluate contractors	—Construction begins --Q1 CC Update --Q2 CC Update --Q3 CC Update --Q4 CC Update	—Q3 Construction complete
Key Results - how we'll know when we're successful	—Q1 - 8% funding —Q2 - 12% funding —Q4 - 15% funding	—Q1 - 15% funding —Q3 - 18% funding (XX donor meetings) —Q4 - 20% funding forecast (XX donor meetings)	--Q1 - 22% funding f'cast (XX donor meetings) --Q3 - 100% funded f'cast (25% donor / 75% commercial) --Q4 Contractor selected	--Q2 - Ground broken	

46

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	August 19, 2019
APPLICANT:	Greg Wallis; Mershawn Architects
CASE NUMBER:	Z2019-015; *SUP for Expansion of Existing Minor Auto Repair Garage*

SUMMARY

Hold a public hearing to discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of the owner for the approval of a Specific Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action necessary.

BACKGROUND

The subject property was annexed in 1986 [*Ordinance No. 86-37*] and is zoned Commercial (C) District. On May 16, 2005, the City Council approved a Specific Use Permit (SUP) [*Ordinance 05-20; Case No. Z2005-012; S-019*] to allow the expansion of an existing minor auto repair garage on the subject property.

PURPOSE

The applicant is requesting the approval of a Specific Use Permit (SUP) for the expansion of an existing minor auto repair garage (*i.e. Kwik Kar*).

ADJACENT LAND USES AND ACCESS

The subject property is located at 2581 Horizon Road [FM-3097]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a hardware store (*i.e. Lowes Improvement Store*) followed by Steger Towne Drive, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this is a commercial shopping center (*i.e. Steger Towne Crossing*) followed by IH-30, which is a TxDOT6D *(Texas Department of Transportation, principle arterial, six [6] lane, divided roadway)* on the City's Master Thoroughfare Plan. These areas are zoned Commercial (C) District.

South: Directly south of the subject property is Horizon Road [FM-3097], which is identified as a *TxDOT4D (Texas Department of Transportation principle arterial, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. Following this roadway is a financial institution (*i.e. Well Fargo Bank*) and a rehabilitation facility (*i.e. Horizon Ridge Rehabilitation Management*). These areas are zoned Commercial (C) District and Planned Development District 9 (PD-9) for General Retail (GR) District land uses.

East: Directly east of the subject property is a restaurant (*i.e. Sonic*) followed by several commercial businesses (*e.g. National Tire & Battery, Standard Service, Bel Fiore Salon*). Beyond

this is Ralph Hall Parkway, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. These areas are zoned Commercial (C) District.

West: Directly west of the subject property is a car-wash facility (*i.e. Horizon Car Wash*) followed by Horizon Road [FM-3097], which is identified as a TxDOT4D (*Texas Department of Transportation principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this there are several commercial businesses (*e.g. Bank of America, Pizza Hut, Kroger*). These areas are zoned Commercial (C) District and Planned Development District 9 (PD-9) for General Retail (GR) District land uses.

CHARACTERISTICS OF THE REQUEST

According to Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), a minor auto repair garage is permitted with a Specific Use Permit (SUP) in a Commercial (C) District. Currently, there is an 8,431 SF building on the subject property and the applicant is proposing to construct a second building that will be approximately 1,440 SF and located behind the existing building. According to the applicant, the new structure will match the existing structure with regard to design and materials. Since this is a substantial change from the approved Specific Use Permit (SUP) [*Ordinance No. 05-20*], the applicant is required to amend the Specific Use Permit (SUP).

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 4.05, *Commercial (C) District*, of Section 4, *Commercial Districts*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), the Commercial (C) District is the "…proper zoning classification for most types of commercial development…" and "…excludes land uses that are not compatible with retail shopping…" The Unified Development Code (UDC) goes on to state that the Commercial (C) District is a "…general business zoning and is intended to service most commercial land uses…" In this case, since the minor auto repair garage is a general commercial operation, the applicant's request appears to conform to the district development standards stipulated in the Unified Development Code (UDC).

STAFF ANALYSIS

Currently, there is an existing minor auto repair garage on the subject property. The applicant is proposing to expand the current facility by constructing a second building in order to manage the volume of vehicles being serviced. The proposed facility will be located behind the existing building and will match the existing building with regard to design and materials. Given the proposed layout, design and the adjacent automotive land uses, the applicant's request does not appear to negatively impact the subject property or adjacent properties. Staff should note, approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission. Should this request be approved, the applicant would be required to submit a site plan for approval by the Architectural Review Board (ARB) and the Planning and Zoning Commission.

NOTIFICATIONS

On July 26, 2019, staff notified 32 property owners/residents within 500-feet of the subject property. There are no Homeowner's Associations (HOA's)/Neighborhood Programs located with 1,500-feet of the subject property and participating in the Neighborhood Notification Program. At the time this report was written, staff had not received any notices concerning this request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request, then staff would propose the following conditions of approval:

(1) The minor auto repair garage shall generally conform to the concept plan and building elevations depicted in Exhibits '*B*' and '*C*' of the attached ordinance;

(2) Vehicles, equipment, parts, and/or inventory shall not be stored outside overnight.

(3) All work must be performed within an enclosed building.

(4) The addition shall match the design and materials of the existing buildings.

(5) A ten (10)-foot landscape buffer consisting of ground cover, a built-up berm and/or shrubbery or a combination thereof along the entire length of the frontage.

(6) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 13, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) with staff's conditions of approval passed by a vote of 7-0,



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

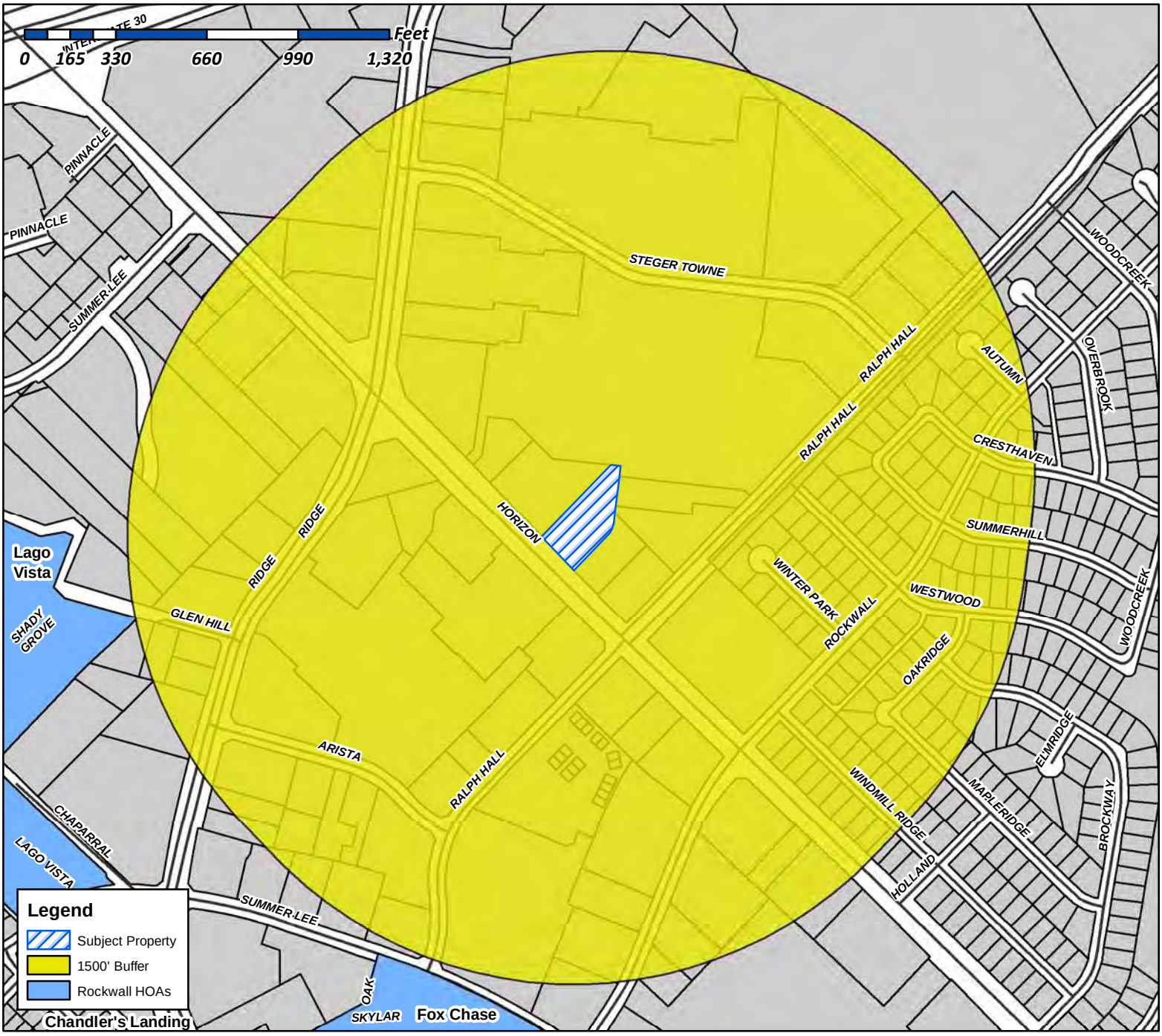
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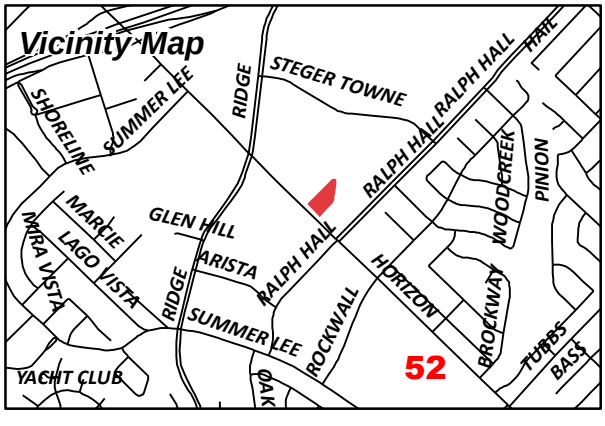
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2019-015
Case Name: SUP for an Existing Minor Repair Garage
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 3581 Horizon Road



Date Created: ***7/12/2019***
For Questions on this Case Call (972) 771-7745

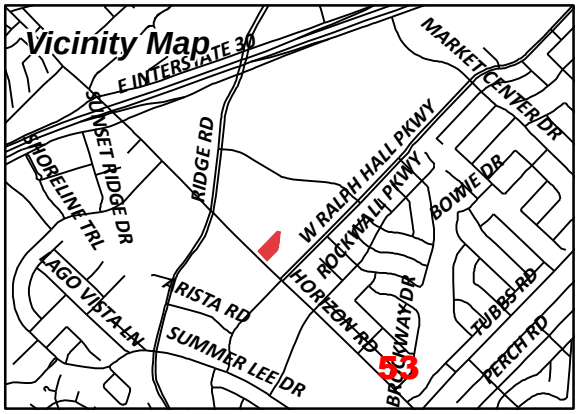
City of Rockwall

Planning & Zoning Department
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Case Number: Z2019-015
Case Name: SUP for an Existing Minor Repair Garage
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2581 Horizon Road



Date Created: ***7/16/2019***
For Questions on this Case Call (972) 771-7745

LOWES HOME CENTERS INC
1000 LOWES BLVD
MOORESVILLE, NC 28117

KROGER TEXAS LP
1014 VINE STREET
CINCINNATI, OH 45202

HVCSG LLC
1027 WOODBRIDGE PLACE
HEATH, TX 75032

NEW BLB CORPORATION
1100 SIENNA CT
BURLESON, TX 76028

CFT DEVELOPMENTS LLC
ATTN: DAVID LUO,DIRECTOR
1683 WALNUT GROVE AVE
ROSEMEAD, CA 91770

CURRENT RESIDENT
2400 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2450 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2501 HORIZON RD
ROCKWALL, TX 75032

ROCKWALL PARTNERS LTD
2525 HORIZON RD
ROCKWALL, TX 75032

JUCHA RHETT BARRY
2581 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2805 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2865 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2901 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2935 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2970 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2994 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2995 HORIZON RD
ROCKWALL, TX 75032

OUR SAVIOR EVANG LUTHERAN
CHURCH C/O E H CONSTION
3003 HORIZON
ROCKWALL, TX 75032

SWAGERTY TOMMY & DEBORAH K HARGROVE
321 WINTER PARK
ROCKWALL, TX 75032

BROOM JUDY M
322 WINTER PARK
ROCKWALL, TX 75032

SOUTHTRUST BANK
C/O WELLS FARGO
333 MARKET ST 10TH FLOOR 0
SAN FRANCISCO, CA 94105

HASTINGS CLAIMS SERVICE INC
732 WINDSONG LN
ROCKWALL, TX 75032

CURRENT RESIDENT
750 RALPH HALL PKWY
ROCKWALL, TX 75032

KROGER TEXAS LP
751 FREEPORT PKWY
COPPELL, TX 75019

CURRENT RESIDENT
760 RALPH HALL
ROCKWALL, TX 75032

CURRENT RESIDENT
851 STEGER TOWNE DR
ROCKWALL, TX 75032

ROCKWALL HORIZON RIDGE LP
930 W RALPH HALL PKWY 0
ROCKWALL, TX 75032

750 HALL PARKWAY LLC
NTW LLC
C/O MARVIN F POER & COMPANY 0
ATLANTA, GA 30355

BANK OF AMERICA
CORPORATE REAL ESTATE ASSESSMENTS
NC1-001-03-81 0
CHARLOTTE, NC 28255

ARMSTRONG RALPH HALL LP
C/O ARMSTRONG DEVELOPMENT PROPERTIES
INC
ONE ARMSTRONG PLACE
BUTLER, PA 16004

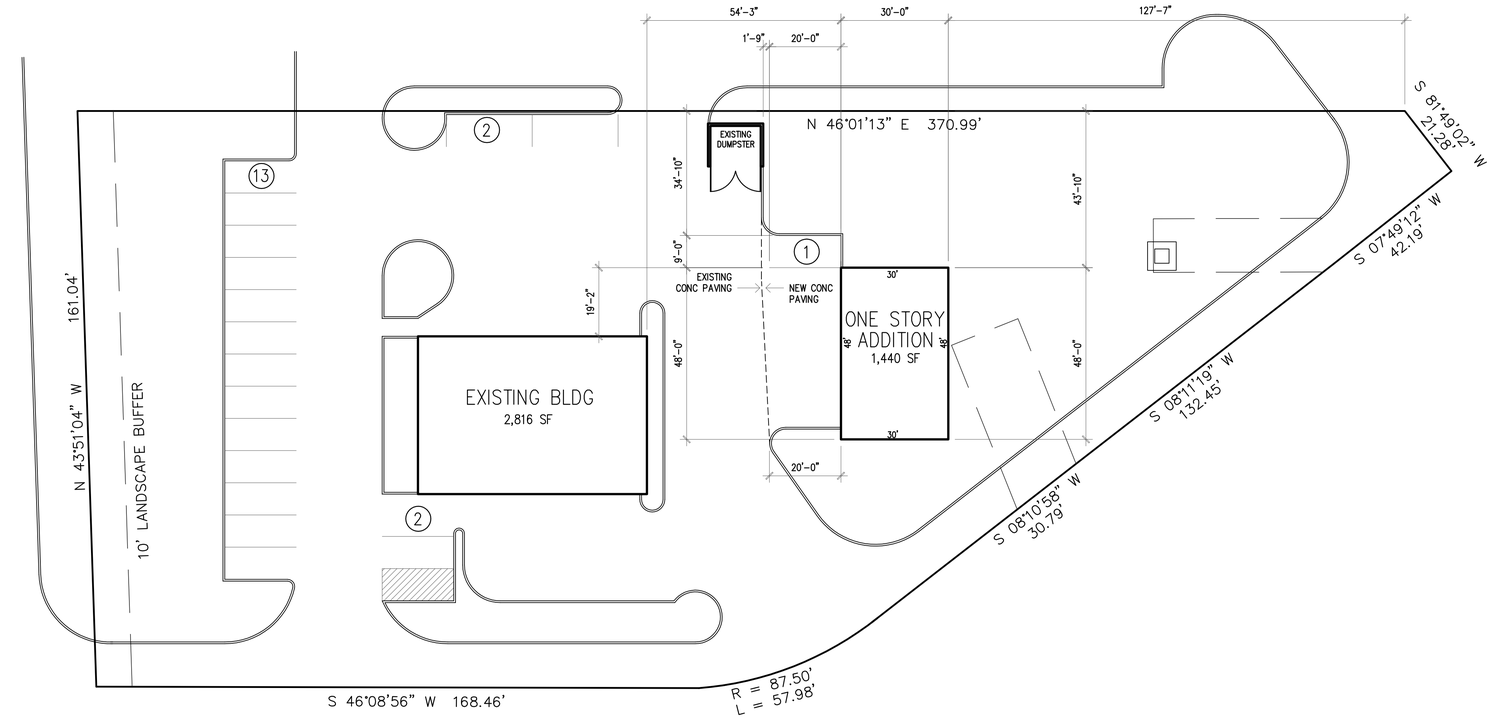
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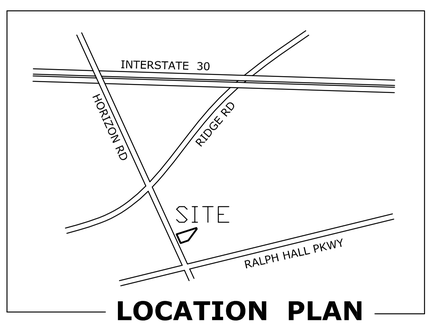
ERVIN RICHARD
PO BOX 171373
ARLINGTON, TX 76003

AMERICAN NATIONAL BANK THE
PO BOX 40
TERRELL, TX 75160

55

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.





LOCATION PLAN

ABSTRACT NO. 9 – WILLIAM BLEVINS SURVEY

1. ZONING: C
2. PROPOSED USE: OIL CHANGE
3. PROPERTY AREA (GROSS): 48,383 SF 1.11 AC
4. BUILDING AREA: 1,440 SF
5. BUILDING HEIGHT: ONE STORY – 20'-6"
6. LOT COVERAGE : 8.8% F.A.R. = 0.009:1
7. PARKING REQUIRED: 2 PER EACH BAY = 18 SPACES REQUIRED
8. HANDICAP REQUIRED 1 ACCESSIBLE IN 0–25 SPACES 1 PROVIDED
9. TOTAL PARKING PROVIDED: 18 SPACES
10. TOTAL SQUARE FOOTAGE OF IMPERVIOUS SURFACE: 28,566 SF

HORIZON VILLAGE

BEING A 1.11 AC. TRACT OF LAND SITUATED IN THE
HORIZON VILLAGE ADDITION BLOCK 1
LOT 4
IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER
IYM AUTOMOTIVE INC.
2516 HORIZON ROAD
ROCKWALL, TEXAS 75032

CASE #SP2019-015

0 10 20 40
SCALE IN FEET

NORTH

PRICING & CONSTRUCTION
GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE NOT INTENDED TO INDICATE EACH AND EVERY FITTING, OFFSET, OR OTHER APPURTENANCE NECESSARY TO COMPLETE THE SYSTEM.
2. IT IS THE SUBCONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.
3. ANY DISCREPANCIES NOTED BY THE SUBCONTRACTOR SHALL BE BROUGHT TO THE ATTENTIONS OF THE ARCHITECT (IN WRITING) BEFORE BIDDING THIS PROJECT.
4. AFTER BIDS ARE TURNED IN, THE SUBCONTRACTOR SHALL COMPLETE THE SYSTEMS AT NO ADDITIONAL COST.
5. PLUMBING, MECHANICAL, AND ELECTRICAL SUBCONTRACTORS ARE RESPONSIBLE FOR COORDINATING ALL COMPONENTS TO INSURE COMPLETE AND WORKING SYSTEMS EACH SUBCONTRACTOR SHALL REVIEW ALL DRAWINGS FOR COMPLIANCE.
6. THE ARCHITECT WILL BE RESPONSIBLE TO DETERMINE WHICH TRADE SHALL PROVIDE AND INSTALL ANY COMPONENTS MISSED FOR WORKING SYSTEMS AS NEEDED.

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MEDICAL COMMERCIAL RESIDENTIAL RESTAURANTS
CHURCHES INSTITUTIONAL
MERSHAWN ARCHITECTS
2313 RIDGE ROAD #103
ROCKWALL, TEXAS 75087
PHONE: 972-722-9302
FAX : 972-249-2081

No.	Date	Revision	By

KWIK KAR
ROCKWALL, TEXAS

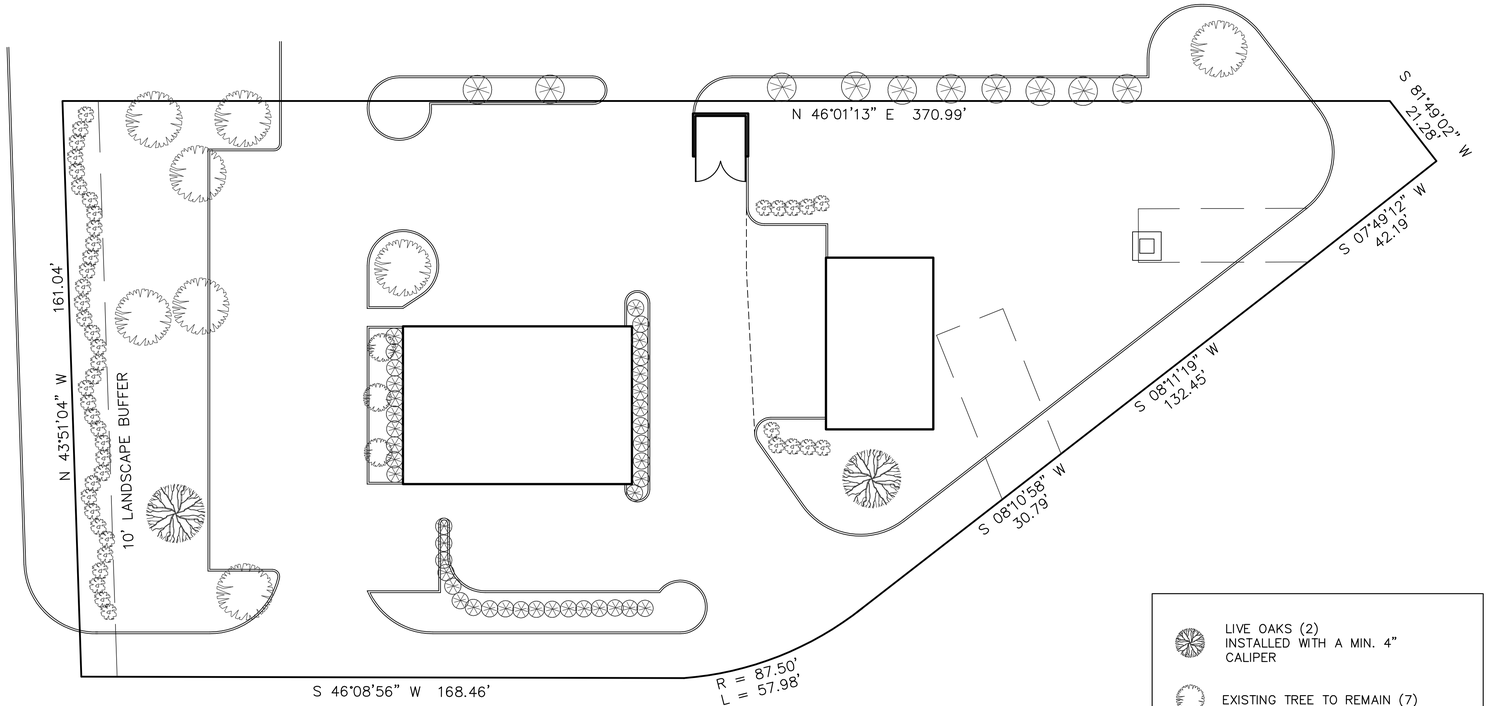
SITE PLAN

Scale:	1" = 20'-0"
Date:	MM/DD/YEAR
Project No.:	AAAAAA
Designed:	GW
Drawn:	GW
Checked:	WM

SHEET A1 OF

56

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



		EXISTING	NEW	REQUIRED	PROVIDED
1.	STREET TREES 1 CANOPY PER 50' LINEAR OF R.O.W.	4	1	3	5
2.	LANDSCAPE BUFFER			25'	35'
3.	TOTAL LANDSCAPE AREA 15% REQUIRED			7,257 SF	19,817 SF

LIVE OAKS (2)
INSTALLED WITH A MIN. 4" CALIPER

EXISTING TREE TO REMAIN (7)

EXISTING SHRUB (40)

NEW INDIAN HAWTHORNE (46)
PLANTS SHALL BE A MINIMUM OF 5-GALLONS & SHALL CREATE A MINIMUM 2' TALL SCREEN WITHIN TWO YEARS OF PLANTING. SHALL BE PLANTED @ 36" O.C.

ALL AREAS NOT SHOWN AS SPECIFIC PLANT MATERIAL SHALL BE HYDROMULCHED, BERMUDA.

IN ORDER TO MEET BUDGET TREES SPECIFIED MAY NOT BE USED OTHER TREES FROM THE APPROVED CITY OF ROCKWALL PLANT LIST MAY BE SUITABLE FOR SUBSTITUTION.

REQUIRED LANDSCAPE AREAS SHALL BE IRRIGATED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. SYSTEM SHALL HAVE FREEZE GUARD AND RAINSTAT.

CONTRACTOR SHALL SUPPLY SLEEVES AS NEEDED FOR IRRIGATION.

TREES AND PLANTS SHALL BE PLANTED NO CLOSER THAN WITHIN 4' OF CURB AT PARKING SPACES AND NO CLOSER THAN 5' FROM ANY WATER, SEWER, OR STORM SEWER LINES.

HORIZON VILLAGE

BEING A 1.11 AC. TRACT OF LAND SITUATED IN THE HORIZON VILLAGE ADDITION BLOCK 1
LOT 4
IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER
IYM AUTOMOTIVE INC.
2561 HORIZON ROAD
ROCKWALL, TEXAS 75032

CASE #SP2019-015

0 10 20 40
SCALE IN FEET

NORTH

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PHONE: 972-722-9302
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No.	Date	Revision	By

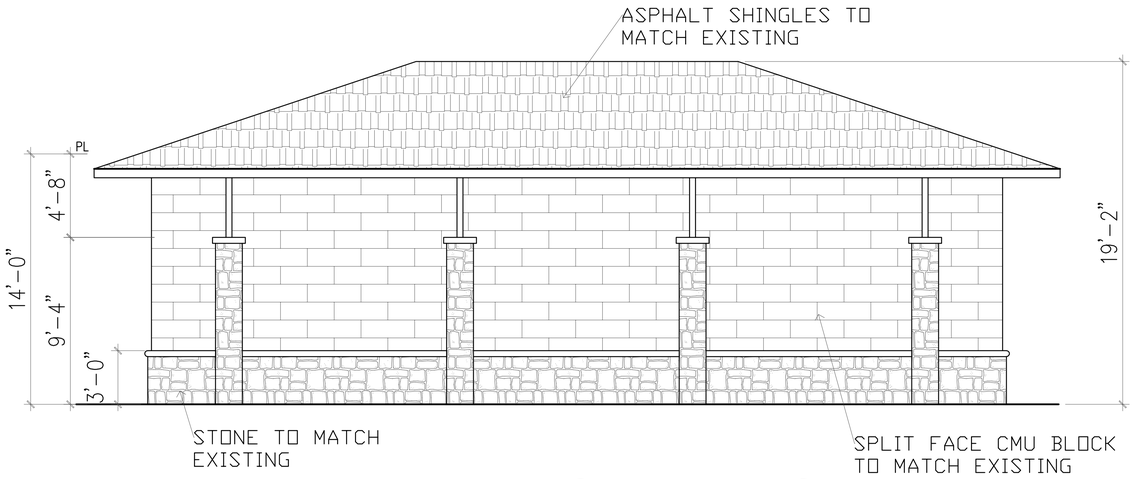
KWIK KAR
ROCKWALL, TEXAS

LANDSCAPE PLAN

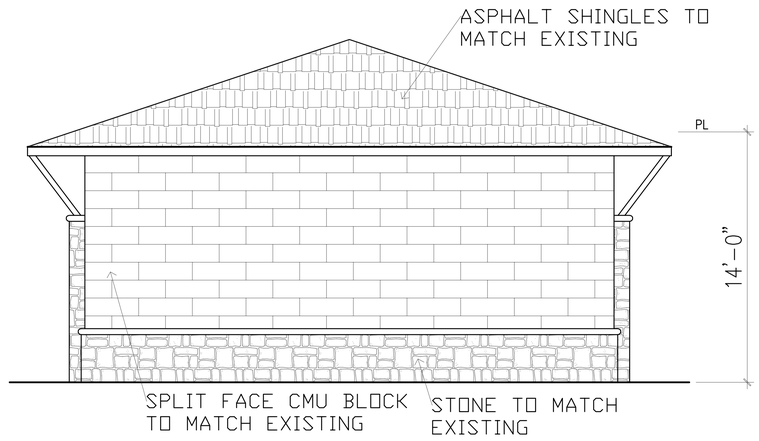
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Project No.: AAAAAA
Designed: GW
Drawn: GW
Checked: WM

SHEET L1 OF 1

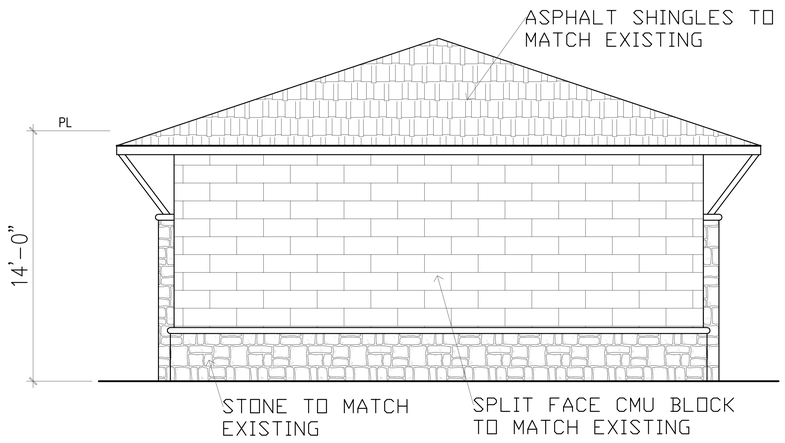
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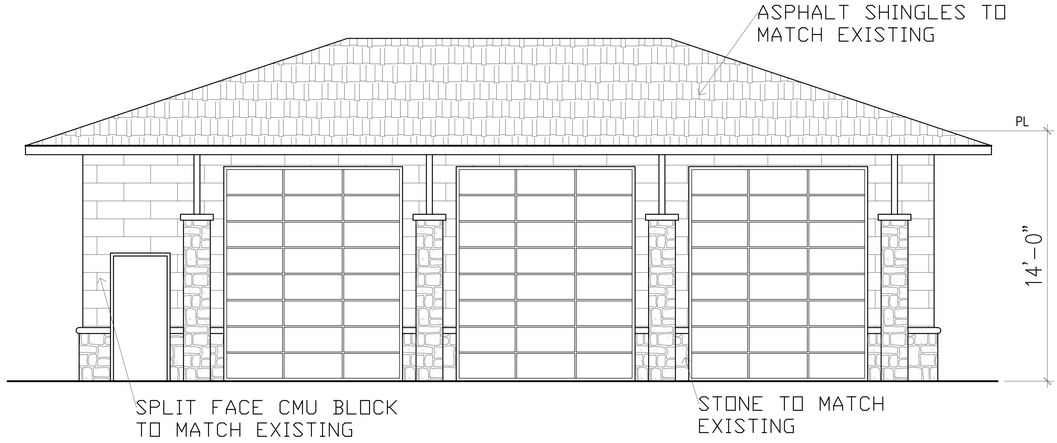
NORTH ELEVATION
100% MASONRY 30% STONE 70% BLOCK



EAST ELEVATION
100% MASONRY 24% STONE 76% BLOCK



WEST ELEVATION
100% MASONRY 24% STONE 76% BLOCK



SOUTH ELEVATION
100% MASONRY 38% STONE 62% BLOCK

PRICING & CONSTRUCTION GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE NOT INTENDED TO INDICATE EACH AND EVERY FITTING, OFFSET, OR OTHER APPURTENANCE NECESSARY TO COMPLETE THE SYSTEM.
2. IT IS THE SUBCONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.
3. ANY DISCREPANCIES NOTED BY THE SUBCONTRACTOR SHALL BE BROUGHT TO THE ATTENTIONS OF THE ARCHITECT (IN WRITING) BEFORE BIDDING THIS PROJECT.
4. AFTER BIDS ARE TURNED IN, THE SUBCONTRACTOR SHALL COMPLETE THE SYSTEMS AT NO ADDITIONAL COST.
5. PLUMBING, MECHANICAL, AND ELECTRICAL SUBCONTRACTORS ARE RESPONSIBLE FOR COORDINATING ALL COMPONENTS TO INSURE COMPLETE AND WORKING SYSTEMS EACH SUBCONTRACTOR SHALL REVIEW ALL DRAWINGS FOR COMPLIANCE.
6. THE ARCHITECT WILL BE RESPONSIBLE TO DETERMINE WHICH TRADE SHALL PROVIDE AND INSTALL ANY COMPONENTS MISSED FOR WORKING SYSTEMS AS NEEDED.

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RESIDENTIAL RESTAURANTS INSTITUTIONAL
MEDICAL COMMERCIAL CHURCHES
MERSHAWN ARCHITECTS
2313 RIDGE ROAD #103
ROCKWALL, TEXAS 75087
PHONE: 972-722-9302
FAX : 972-249-2081

No.	Date	Revision	By

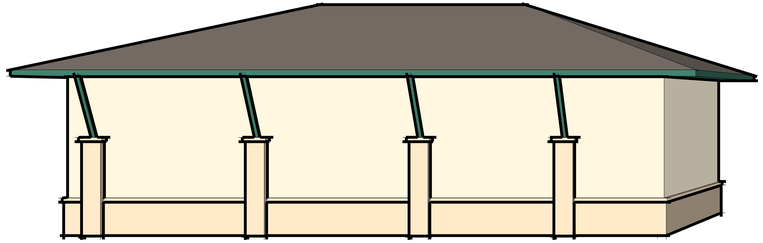
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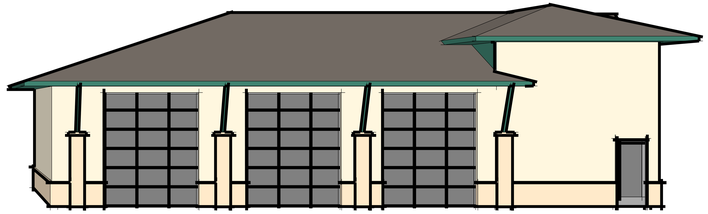
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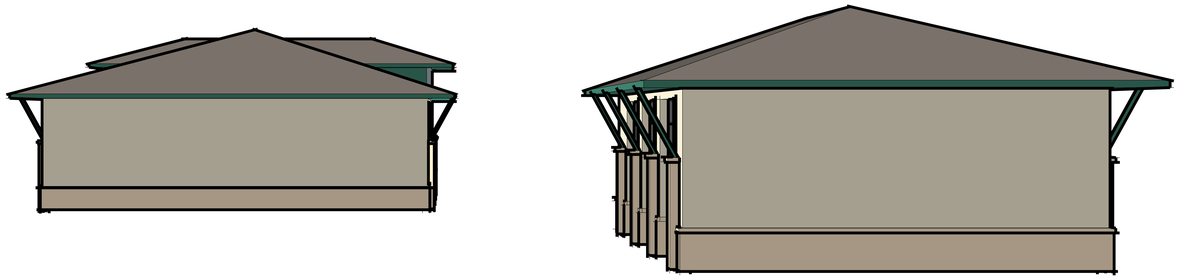
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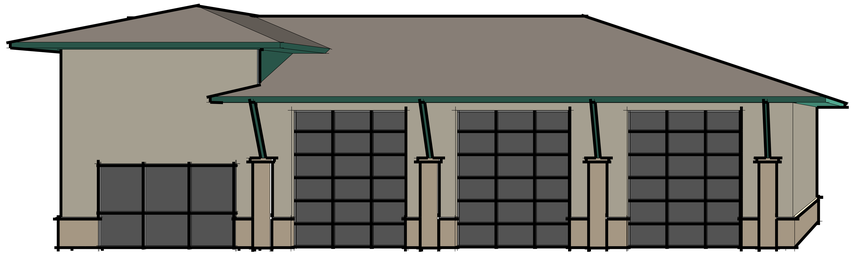
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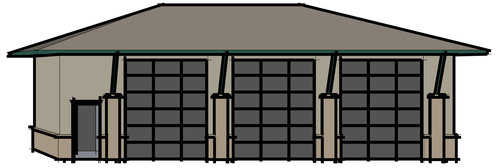
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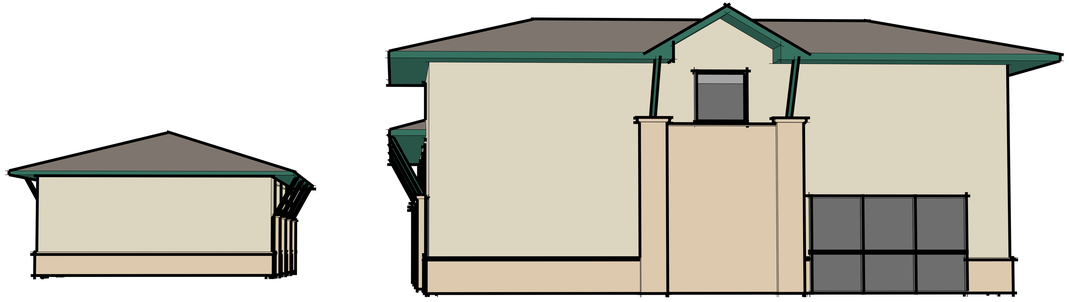


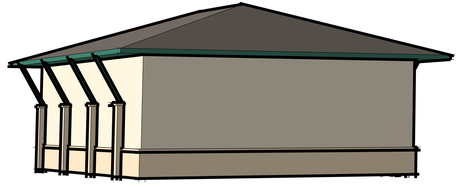


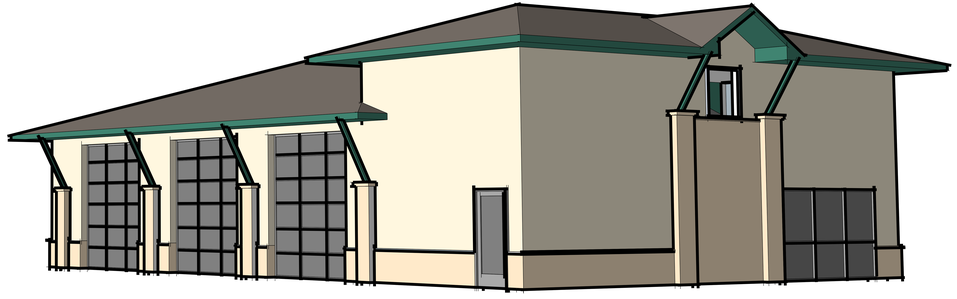


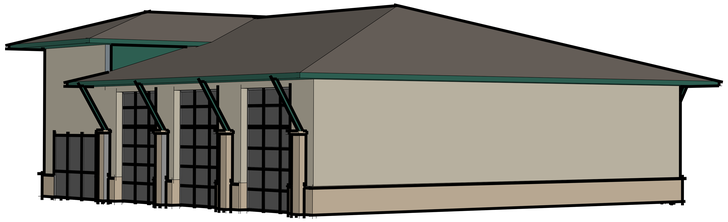


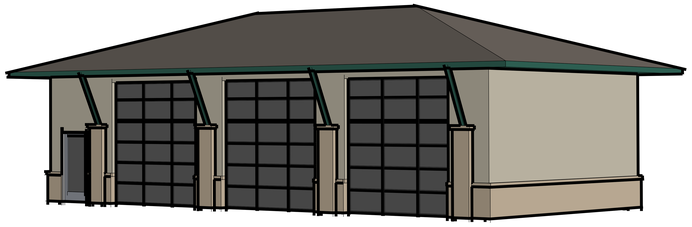












CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *MINOR AUTO REPAIR GARAGE,* IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 1.1107-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 1, HORIZON VILLAGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Greg Wallace of Mershawn Architects on behalf of the owner for the approval of a Specific Use Permit (SUP) to allow a *minor auto repair garage* in a Commercial (C) District on a 1.1107-acre parcel of land being described as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated by *Ordinance No. 05-20*.

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *minor auto repair garage* as stipulated by Section 1, *Land Use Schedule,* of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*], on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 4.4*, Commercial (C) District,* of Section 4*, Commercial Districts,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as

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heretofore amended and as may be amended in the future, and shall be subject to the following:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *minor auto repair garage* on the *Subject Property* and conformance to these stipulations is required for continued operations:

1) The *minor auto repair garage* shall generally conform to the concept plan and building elevations depicted in *Exhibits 'B'* and *'C'* of this ordinance;

2) Vehicles, equipment, parts, and/or inventory shall *not* be stored outside overnight.

3) All work must be performed within an enclosed building.

4) The addition shall match the design and materials of the existing buildings as depicted in *Exhibit 'C'* of this ordinance.

5) A ten (10)-foot landscape buffer consisting of ground cover, a built-up berm and/or shrubbery or a combination thereof shall be installed along the entire length of the frontage of the subject property.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full

DRAFT ORDINANCE 08-20-19

force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF SEPTEMBER, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *August 19, 2019*

2nd Reading: *September 3, 2019*

DRAFT ORDINANCE 08.13.2019

Address: *2581 Horizon Road [FM-3097]*
Legal Description: *Lot 1, Block 1, Horizon Village Addition*



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CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	August 19, 2019
SUBJECT:	Legislative Update for Planning and Zoning Related Bills

During the 86th Legislative Session several planning and zoning related bills were approved by the legislature that have major impacts to the City's zoning codes, and that could affect development and the growth of the community in the future. The two (2) bills that impose the greatest changes and restrictions on the zoning codes are HB2439 and HB3167. HB2439 prohibits a City's ability to -- *directly or indirectly* -- regulate the use of building materials for residential and commercial buildings, and HB3167 establishes a 30-day *shot clock* for action on all site plan and platting submittals. To address the changes imposed by the legislature, City staff held a work session with the City Council on *July 15, 2019* to discuss strategies and changes to the zoning code that would continue to ensure the City of Rockwall demands the highest quality development while also bringing the City codes into compliance by the effective date of the bills (*i.e. September 1, 2019*). At the work session, the City Council directed staff to employ all the presented strategies, and to commence the process of amending the code. A subsequent work session was held on *July 15, 2019* to also discuss moving the City's fence standards from the Municipal Code of Ordinances to the Unified Development Code (UDC), and bring front yard fences under the purview of the Planning and Zoning Commission utilizing the City Council as an appeals board. The City Council also directed staff to incorporate this change into the proposed text amendment.

Staff has completed a review of the City's zoning codes and prepared a text amendment employing the strategies outlined in the work session. Staff also incorporated changes that address HB1545, which deals with changes to the Texas Alcohol Beverage Commission's (TABC's) Alcoholic Beverage Code. Staff has also identified several other minor changes that resulted from the changes made to address the legislator's actions. A summary of these changes are as follows:

Major Changes Relating to HB2439, HB3167 & HB1545

(1) *Building Materials.* Staff removed all references to building material/exterior material percentage requirements from Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the UDC for commercial and residential buildings. After re-reviewing the language contained in HB2439 and reading a *Legal Q&A* briefing from the Texas Municipal League (TML) staff is confident that the bill excludes the City's *General Industrial Standards*, and that the City can continue to regulate building materials for industrial buildings. Staff also conferred with the City Attorney about this approach, and the City Attorney concurs with staff's assessment of the bill. This means moving forward the City is able to regulate building materials in the City's Overlay Districts, the Downtown (DT) District, Planned Development District 32 (PD-32), and industrial buildings being constructed in a Light Industrial (LI) or Heavy Industrial (HI) District. Based on the work session and the City Council's position, staff will also continue to regulate building materials in existing Planned Development Districts and explore the possibility of incorporating material requirements in new Planned Development Districts when the applicant agrees with incorporating these standards into the zoning ordinance.

(2) <u>*Established Subdivisions.*</u> A new land use -- *Residential Infill in or Adjacent to an Established Subdivision* -- was created in Article IV, *Permissible Uses*, of the UDC to require all residential infill development be required to apply for a Specific Use Permit (SUP). This will only affect subdivisions that [*1*] consist of five (5) or more lots, [*2*] are 90% developed, and [*3*] that have been in existence for a period greater than ten (10) years. The strategy behind this change in the code is to protect subdivisions that are [*1*] not protected under a Planned Development District or [*2*] that are not covered by deed restrictions (*typically the City's older subdivisions*) from potential infill development that is not aesthetically similar to existing development within the subdivision. Staff should note that the City Attorney has ruled that Specific Use Permits (SUP's) are exempt from the material requirement exemptions of HB2439. For the City Council's reference staff has included a map showing all residential subdivisions in the City that have: [*1*] deed restrictions with material requirements, [*2*] deed restrictions with no material requirements, and [*3*] subdivisions that staff was unable to find deed restrictions or that have no deed restrictions. Staff should point out that these neighborhoods would not be covered by any building material requirements in cases where an addition is being proposed for an existing structure or where the exterior of an existing structure is being re-cladded in a new exterior material. Staff anticipates that this strategy will add an estimated 15-25 additional Specific Use Permit (SUP) cases each year based on previous permitting numbers (*i.e. in 2018 the City issued 23 infill permits and in 2019 the City issued 14 infill permits to date that meet the new requirements*).

(3) <u>*Residential Accessory Buildings.*</u> In 2018, the UDC was amended to no longer require Specific Use Permits (SUPs) for accessory buildings/structures. In replacement of this requirement the Planning and Zoning Commission was charged with approving material exceptions for accessory buildings/structures, and the Board of Adjustments (BOA) was charged with approving variances to the density and dimensional requirements (*i.e. size and height*) for accessory buildings/structures. Based on the changes of HB2439, staff changed the zoning code back to requiring SUPs for these types of structures. In addition, staff reduced the size requirements for all accessory buildings/structures that can be permitted without a SUP. Staff should reiterate that this strategy is not tied to building materials, but is tied to ensuring that [*1*] any development within an existing subdivision is aesthetically similar to existing development within the subdivision, and [*2*] to ensure that a public hearing process is retained in approving structures that due not conform to the permitted standards. Staff anticipates based on previous case volumes (*i.e. the code previously required SUP's for accessory buildings prior to changes in 2018*) that this will add an additional five (5) to ten (10) SUP cases per year. This was based on the number of SUP's that were processed in 2016 (*ten [10] cases*) and 2017 (*four [4] cases*) for accessory buildings

(4) <u>*Development Review Procedures.*</u> Staff moved all references relating to the City's development processes to Article XI, *Development Applications and Review Process*, of the UDC (*formerly Zoning Related Applications*). In addressing the requirements of HB3167 staff reviewed all of the City's development processes for compliance to the approved legislative bill. Upon review staff noticed that the zoning code had multiple sections duplicated through out the document (*with some inconsistencies from section to section*), and that the majority of the processes were divided between Article II, *Authority and Administrative Procedures*, and Article XI, *Zoning Related Applications*, of the UDC. In addition, Article XI, *Zoning Related Applications*, -- *despite the name of the article* -- did not contain information relating to zoning cases. Based on this staff consolidated the City's processes relating to development applications in Article XI, *Zoning Related Applications*, removed duplicated sections, and renamed the Article XI, *Development Applications and Review Process*. Article II, *Authority and Administrative Procedures*, was also renamed to Article II, *Development Review Authority*, and only contains information relating to the authority of boards, commissions, the City Council, and administrative staff.

(5) <u>*Residential Standards.*</u> Staff increased the *General Residential District Standards* contained in Article V, *District Development Standards*, of the UDC not pertaining to building material requirements. Specifically, staff increased the *Anti-Monotony* standards contained in this section

to match the *Anti-Monotony* standards being required within the City's Planned Development Districts. This will ensure -- *at a minimum* -- that the front facades of homes in a new subdivision will be required to vary with more regularity. The idea behind this strategy is to vary exterior materials, articulation, garage locations, and the number of stories to create more variation, which will bring the final product closer to the City's expectations for residential development.

(6) *Commercial Standards.* Staff increased the *General Commercial District Standards* contained in Article V, *District Development Standards*, of the UDC to include roof design standards similar to the roof design standards required for development in the City's overlay districts. This strategy requires that all buildings be required to have either a pitched roof with a minimum 6:12 roof pitch, or a parapet or mansard roof design. Requiring this roof pitch coupled with the City's existing articulation requirements should make it difficult to established pre-manufactured metal buildings in the City's commercial zoning districts.

(7) *Screening Standards.* Staff increased the screening standards contained in Article V, *District Development Standards*, and Article VIII, *Landscape and Fence Standards*, of the UDC to better define the types of screening necessary to screen loading docks, outside storage areas, trash/recycling container enclosures, utility equipment, aboveground storage tanks and residential adjacency. The purpose behind increasing these standards is to [*1*] ensure commercial uses that are established adjacent to residential subdivisions and/or properties are better screened, and [*2*] to provide a discretionary process for alternative screening plans that can be reviewed by the Planning and Zoning Commission in conjunction with all proposed site improvements. This strategy is also tied to the changes made to the variance and exception process detailed in *Section 9* below.

(8) *Landscaping Requirements.* Staff increased the landscaping requirements -- *including the amount of landscaping required for each district* -- contained in Article VIII, *Landscape and Fence Standards*, of the UDC as part of a strategy to make better use of the new language created for exceptions and variances detailed in *Section 9* below.

(9) *Variances and Exceptions.* Staff created a new *Exceptions and Variances* section that calls for [*1*] applicants to provide written justification for all variances and exceptions, and [*2*] provide a minimum of two (2) compensatory measures (*e.g. increased landscaping, building materials equal to the current code requirements, underground utilities, etc.*) in order to request a variance and/or exception. This incentivizes voluntary conformance to the City's material requirements or provides other compensatory measures that can be employed to off-set a request for a variance and/or exception. Staff should note that the City Attorney has reviewed the language in this section and has stated that since this strategy is tied to voluntary actions made by the applicant that it does not conflict with the requirements of HB2439. In addition, staff increased the voting requirements for all variances and exceptions to match the voting requirements for variances in overlay districts (*i.e. ¾-majority vote for approval, with a minimum of four [4] votes in the affirmative*). Staff also added a $100.00 fee for variance and exception requests that are not tied to site plans. The purpose of the fee is to cover administrative review costs associated with processing these cases. Currently, no fee exists for these types of cases.

(10) *Alcohol Related Land Uses.* Based on HB1545 -- *which made numerous changes to the Texas Alcohol Beverage Code and that allows breweries to have package sales for off-premise consumption* -- staff has changed the requirements for the *Craft/Micro Brewery, Distillery and/or Winery* land use to be in compliance with this legislation by removing the section that states "..retail package sales of on-site manufactured product for off-premise consumption shall be permitted for wineries, but prohibited for breweries, as permitted by Sections 12, 14, and 16 of the Texas Alcohol Beverage Commission's (TABC's) Alcoholic Beverage Code…" and replacing it with "… retail package sales of on-site manufactured product for off-premise consumption shall be allowed as permitted by the Texas Alcohol Beverage Commission's (TABC) Alcoholic Beverage Code."

(11) *Planned Development Districts.* Staff made changes to Article X, *Planned Development District Regulations*, of the UDC removing the material requirements for residential Planned Development Districts, and tying commercial Planned Development District regulations to the *General Overlay District Standards* contained in Article V, *District Development Standards*, of the UDC. This change was to address the changes of HB2439. In addition, staff amended the size requirements for Planned Development Districts to allow more properties requesting zoning changes to be permitted to request Planned Development District zoning. This was done to allow greater discretion for the Planning and Zoning Commission and City Council when examining zoning cases and establishing the requirements that can be incorporated into a zoning ordinance.

Minor Changes Identified by Staff through the Amendment Process.

(1) *Fence Standards.* The fence standards contained in Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances were rewritten and moved to Article VIII, *Landscape Standards*, of the UDC. This necessitated a change to the title of the article from *Landscape Standards* to *Landscape and Fence Standards*. This change puts front yard fence exceptions under the purview of the Planning and Zoning Commission and makes the City Council a review board for the Planning and Zoning Commission's decisions. This is similar to the changes made to address the variance and exception process in 2018. In addition, staff removed all other references to fences from other articles and consolidated them into Article VIII, *Landscape Standards*, of the UDC.

(2) *Site Plan Content.* The UDC currently contains a list of submittal requirements for site plan applications in Article XI, *Zoning Related Applications*. This list needs to be adjusted from time to time to ensure that it is up to date. To avoid unnecessary text amendments in the future, this list of requirements was removed from the article and new wording for this section was added allowing the Director of Planning and Zoning to maintain and provide the list of requirements in the development application. This will allow staff to make changes to the list of technical requirements for submittals without needing to go through an amending process.

(3) *Landscape Planting Materials.* The list of acceptable landscaping materials is currently duplicated in Article VIII, *Landscape Standards*, and Appendix F, *Landscape Guidelines and Requirements*, of the UDC. To avoid having duplicated sections in the UDC staff removed the list of acceptable planting materials from Article VIII, *Landscape Standards*, and placed a reference referring the reader to Appendix F, *Landscape Guidelines and Requirements*. In addition, the minimum size of landscape shrubs was increased from two (2) gallons to five (5) gallons in the *General Overlay Districts Standards* of Article V, *District Development Standards*, of the UDC and the minimum tree size was increased from three (3) inches to four (4) inches in Article VIII, *Landscape and Fence Standards*, of the UDC. These additions were made to make the City's standards uniform across all zoning districts/overlay districts.

(4) *Small Matching Grants/Building Permit Fee Waiver Programs.* The requirements for the small matching grants and building permit fee waiver programs were adopted via resolution; however, these requirements were never codified into the zoning code. As a result, staff codified these processes into Article XI, *Development Applications and Review Procedures*, of the UDC.

(5) *Fee Schedule.* The current Article II, *Authority and Administrative Procedures*, of the UDC has references to a fee schedule; however, no fee schedule currently exists in the UDC. To address this staff has created a fee schedule based on the City's current development application/Historic Preservation Advisory Board application fees and codified it into Article XI, *Development Applications and Review Procedures*, of the UDC.

(6) *Definitions*. All definitions were removed from the current Article IV, *Permissible Uses*, and Article VIII, *Landscape Standards*, of the UDC and placed into Article XIII, *Definitions*, of the UDC. In

addition, staff has defined all land uses contained in the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the UDC and placed them into a new section contained in Article XIII, *Definitions*, of the UDC.

(7) *Exhibits.* As part of the amendment, staff has updated or included new technical drawings that better convey the standards contained in the UDC.

(8) *Permissible Use Charts.* The *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the UDC were reformatted to make them easier to read, and references were added to the land use definitions and conditional use standards. These are intended to be links to help staff, citizens and developers understand what each use is and the requirements associated with establishing the use. In addition, the overlay district land use requirements were added to the *Permissible Use Charts* to make it easier for staff, citizens and developers to know what would be required on a particular property located within an overlay district. Staff also reviewed the *Permissible Use Charts* and deleted duplicated land uses and made minor corrections to where land uses were permitted based on the text contained in the article.

Staff should point out that due to the expediency in which these amendments were prepared, staff is requesting that the City Council allow staff to bring back a subsequent amendment addressing any additional changes or further clarifications needed to achieve compliance with the legislative mandates; however, staff is confident that the proposed amendment will bring the City's UDC into conformance/compliance with all legislative actions resulting from the 86th Legislative Session. In addition, the changes that were made to the UDC that were not tied to legislative actions are intended to clarify the zoning code and make it easier for staff, citizens and developers to understand and interpret the code. With this being said the approval of any text amendment to the UDC is a discretionary decision for the City Council, and any changes to the amendment requested by the City Council can be drafted between the first and second reading of the proposed draft ordinance.

On August 13, 2019, staff took the proposed amendment to the Planning and Zoning Commission for a recommendation to the City Council. Based on the submitted materials the Planning and Zoning Commission approved a motion to recommend approval of the amendment as written by a vote of 7-0. Staff has also sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of the UDC. This notice was published on *July 26, 2019*. Should the City Council have any questions concerning the legislative bills or the proposed text amendment, staff and the City Attorney will be present at the meeting on *August 19, 2019*.

AN ACT

relating to consent annexation requirements.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. REPEAL OF TIER SYSTEM

SECTION 1.01. The following provisions of Chapter 43, Local Government Code, are repealed:

(1) Sections 43.001(2), (3), (4), and (5);
(2) Section 43.011;
(3) Subchapter B;
(4) Section 43.0505(b);
(5) Section 43.052;
(6) Section 43.053;
(7) Section 43.056(q);
(8) Section 43.0561;
(9) Section 43.0562;
(10) Section 43.0563;
(11) Section 43.0564;
(12) Section 43.061(b);
(13) Section 43.066;
(14) Section 43.067;
(15) Section 43.068;
(16) Section 43.069;
(17) Section 43.0751(o);
(18) Section 43.0752;
(19) Section 43.103;
(20) Section 43.105; and
(21) Subchapter Y.

SECTION 1.02. The heading to Subchapter C-2, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-2. GENERAL ANNEXATION AUTHORITY AND PROCEDURES REGARDING CONSENT ANNEXATIONS[~~: TIER 2 MUNICIPALITIES~~]

SECTION 1.03. The heading to Subchapter C-3, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-3. ANNEXATION OF AREA ON REQUEST OF OWNERS[~~: TIER 2 MUNICIPALITIES~~]

SECTION 1.04. The heading to Subchapter C-4, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-4. ANNEXATION OF AREAS WITH POPULATION OF LESS THAN 200 BY PETITION [~~: TIER 2 MUNICIPALITIES~~]

SECTION 1.05. The heading to Subchapter C-5, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-5. ANNEXATION OF AREAS WITH POPULATION OF AT LEAST 200 BY ELECTION [~~: TIER 2 MUNICIPALITIES~~]

SECTION 1.06. Section 43.1025(c), Local Government Code, is amended to read as follows:

(c) The area described by Subsection (b) may be annexed under the requirements prescribed by Subchapter C-3, C-4, or C-5, as applicable [~~to a tier 2 municipality~~], but the annexation may not occur unless each municipality in whose extraterritorial jurisdiction the area may be located:

(1) consents to the annexation; and
(2) reduces its extraterritorial jurisdiction over the area as provided by Section 42.023.

SECTION 1.07. Section 43.1211, Local Government Code, is amended to read as follows:

Sec. 43.1211. USE OF CONSENT PROCEDURES [~~AUTHORITY OF CERTAIN TIER 2 MUNICIPALITIES~~] TO ANNEX FOR LIMITED PURPOSES. Except as provided by Section 43.0751, beginning December 1, 2017, a [~~tier 2~~] municipality described by Section 43.121(a) may annex an area for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area using the procedures

79

under Subchapter C-3, C-4, or C-5, as applicable.

ARTICLE 2. CONFORMING CHANGES

SECTION 2.01. The following provisions of the Special District Local Laws Code are repealed:

(1) Section 8374.252(a);
(2) Section 8375.252(a);
(3) Section 8376.252(a);
(4) Section 8377.252(a);
(5) Section 8378.252(a);
(6) Section 8382.252(a);
(7) Section 8383.252(a);
(8) Section 8384.252(a);
(9) Section 8385.252(a); and
(10) Section 8477.302(a).

SECTION 2.02. Section 43.0116(a), Local Government Code, is amended to read as follows:

(a) Notwithstanding any other law and subject to Subsection (b), a municipality may annex all or part of the area located in an industrial district designated by the governing body of the municipality under Section 42.044 under the procedures prescribed by Subchapter C-1 [~~the requirements applicable to a tier 1 municipality~~].

SECTION 2.03. The heading to Subchapter C, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C. LIMITATIONS AND REQUIREMENTS REGARDING ANNEXATIONS EXEMPTED FROM CONSENT ANNEXATION PROCEDURES [~~PROCEDURE FOR AREAS ANNEXED UNDER MUNICIPAL ANNEXATION PLAN; TIER 1 MUNICIPALITIES~~]

SECTION 2.04. Section 43.0505(a), Local Government Code, is amended to read as follows:

(a) This [~~Except as provided by Subsection (b), this~~] subchapter applies only to an annexation under Subchapter C-1 [~~a tier 1 municipality~~].

SECTION 2.05. Sections 43.056(a), (b), (j), and (k), Local Government Code, are amended to read as follows:

(a) This section applies to a service plan under Section 43.065 [~~Before the first day of the 10th month after the month in which the inventory is prepared as provided by Section 43.053, the municipality proposing the annexation shall complete a service plan that provides for the extension of full municipal services to the area to be annexed. The municipality shall provide the services by any of the methods by which it extends the services to any other area of the municipality~~].

(b) The service plan, which must be completed [~~in the period provided by Subsection (a)~~] before the annexation, must include a program under which the municipality will provide full municipal services in the annexed area no later than 2-1/2 years after the effective date of the annexation, in accordance with Subsection (e), unless certain services cannot reasonably be provided within that period and the municipality proposes a schedule for providing those services, and must include a list of all services required by this section to be provided under the plan. If the municipality proposes a schedule to extend the period for providing certain services, the schedule must provide for the provision of full municipal services no later than 4-1/2 years after the effective date of the annexation. However, under the program if the municipality provides any of the following services within the corporate boundaries of the municipality before annexation, the municipality must provide those services in the area proposed for annexation on the effective date of the annexation of the area:

(1) police protection;
(2) fire protection;
(3) emergency medical services;
(4) solid waste collection, except as provided by Subsection (o);
(5) operation and maintenance of water and wastewater facilities in the annexed area that are not within the service area of another water or wastewater utility;

80

(6) operation and maintenance of roads and streets, including road and street lighting;

(7) operation and maintenance of parks, playgrounds, and swimming pools; and

(8) operation and maintenance of any other publicly owned facility, building, or service.

(j) The proposed service plan must be made available for public inspection and explained to the inhabitants of the area at the public hearings held under Section 43.063 [~~43.0561~~]. The plan may be amended through negotiation at the hearings, but the provision of any service may not be deleted. On completion of the public hearings, the service plan shall be attached to the ordinance annexing the area and approved as part of the ordinance.

(k) On approval by the governing body, the service plan is a contractual obligation that is not subject to amendment or repeal except that if the governing body determines at the public hearings required by this subsection that changed conditions or subsequent occurrences make the service plan unworkable or obsolete, the governing body may amend the service plan to conform to the changed conditions or subsequent occurrences. An amended service plan must provide for services that are comparable to or better than those established in the service plan before amendment. Before any amendment is adopted, the governing body must provide an opportunity for interested persons to be heard at public hearings called and held in the manner provided by Section 43.063 [~~43.0561~~].

SECTION 2.06. The heading to Subchapter C-1, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-1. ANNEXATION PROCEDURE FOR AREAS EXEMPTED FROM CONSENT [~~MUNICIPAL~~] ANNEXATION PROCEDURES [~~PLAN: TIER 1 MUNICIPALITIES~~]

SECTION 2.07. Section 43.061(a), Local Government Code, is amended to read as follows:

(a) Unless otherwise specifically provided by this chapter or another law [~~Except as provided by Subsection (b)~~], this subchapter applies only to an annexation under:

(1) Section 43.0115 (Enclave);

(2) Section 43.0116 (Industrial District);

(3) Section 43.012 (Area Owned by Type-A Municipality);

(4) Section 43.013 (Navigable Stream);

(5) Section 43.0751(h) (Strategic Partnership);

(6) Section 43.101 (Municipally Owned Reservoir);

(7) Section 43.102 (Municipally Owned Airport); and

(8) Section 43.1055 (Road and Right-of-Way) [~~area that is proposed for annexation by a tier 1 municipality and that is not required to be included in a municipal annexation plan under Section 43.052(h)~~].

SECTION 2.08. Section 43.062(b), Local Government Code, is amended to read as follows:

(b) This subsection applies only to an area that contains fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract [~~described by Section 43.052(h)(1)~~]. Before the 30th day before the date of the first hearing required under Section 43.063, a municipality shall give written notice of its intent to annex the area to:

(1) each property owner in an area proposed for annexation, as indicated by the appraisal records furnished by the appraisal district for each county in which the area is located;

(2) each public entity[~~, as defined by Section 43.053,~~] or private entity that provides services in the area proposed for annexation, including each:

(A) municipality, county, fire protection service provider, including a volunteer fire department, and emergency medical services provider, including a volunteer emergency medical services provider; and

(B) municipal utility district, water control and improvement district, or other district created under Section

52, Article III, or Section 59, Article XVI, Texas Constitution; and

(3) each railroad company that serves the municipality and is on the municipality's tax roll if the company's right-of-way is in the area proposed for annexation.

SECTION 2.09. Section 43.0715(c), Local Government Code, is amended to read as follows:

(c) At the time notice of the municipality's intent to annex the land within the district is first given in accordance with Section [~~43.052,~~] 43.0683[~~,~~] or 43.0693, as applicable, the municipality shall proceed to initiate and complete a report for each developer conducted in accordance with the format approved by the Texas Commission on Environmental Quality for audits. In the event the municipality is unable to complete the report prior to the effective date of the annexation as a result of the developer's failure to provide information to the municipality which cannot be obtained from other sources, the municipality shall obtain from the district the estimated costs of each project previously undertaken by a developer which are eligible for reimbursement. The amount of such costs, as estimated by the district, shall be escrowed by the municipality for the benefit of the persons entitled to receive payment in an insured interest-bearing account with a financial institution authorized to do business in the state. To compensate the developer for the municipality's use of the infrastructure facilities pending the determination of the reimbursement amount, all interest accrued on the escrowed funds shall be paid to the developer whether or not the annexation is valid. Upon placement of the funds in the escrow account, the annexation may become effective. In the event a municipality timely escrows all estimated reimbursable amounts as required by this subsection and all such amounts, determined to be owed, including interest, are subsequently disbursed to the developer within five days of final determination in immediately available funds as required by this section, no penalties or interest shall accrue during the pendency of the escrow. Either the municipality or developer may, by written notice to the other party, require disputes regarding the amount owed under this section to be subject to nonbinding arbitration in accordance with the rules of the American Arbitration Association.

SECTION 2.10. Sections 43.0751(b) and (h), Local Government Code, are amended to read as follows:

(b) The governing bodies of a municipality and a district may negotiate and enter into a written strategic partnership agreement for the district by mutual consent. [~~The governing body of a municipality, on written request from a district included in the municipality's annexation plan under Section 43.052, shall negotiate and enter into a written strategic partnership agreement with the district. A district included in a municipality's annexation plan under Section 43.052:~~

[~~(1) - - may not submit its written request before the date of the second hearing required under Section 43.0561; and~~

[~~(2) - - must submit its written request before the 61st day after the date of the second hearing required under Section 43.0561.~~]

(h) On the full-purpose annexation conversion date set forth in the strategic partnership agreement pursuant to Subsection (f)(5), the land included within the boundaries of the district shall be deemed to be within the full-purpose boundary limits of the municipality without the need for further action by the governing body of the municipality. The full-purpose annexation conversion date established by a strategic partnership agreement may be altered only by mutual agreement of the district and the municipality. However, nothing herein shall prevent the municipality from terminating the agreement and instituting proceedings to annex the district, on request by the governing body of the district, on any date prior to the full-purpose annexation conversion date established by the strategic partnership agreement

under the procedures prescribed by Subchapter C-1 [~~applicable to a tier 1 municipality~~]. Land annexed for limited or full purposes under this section shall not be included in calculations prescribed by Section 43.055(a).

SECTION 2.11. Section 43.07515(a), Local Government Code, is amended to read as follows:

(a) A municipality may not regulate under Section 43.0751 [~~or 43.0752~~] the sale, use, storage, or transportation of fireworks outside of the municipality's boundaries.

SECTION 2.12. Section 43.101(c), Local Government Code, is amended to read as follows:

(c) A municipality may annex the [~~The~~] area described by this section [~~may be annexed~~] without the consent of any owners or residents of the area under the procedures prescribed by Subchapter C-1 [~~applicable to a tier 1 municipality by:~~

[~~(1) a tier 1 municipality; and~~

[~~(2)~~] if there are no owners other than the municipality or residents of the area[~~, a tier 2 municipality~~].

SECTION 2.13. Section 43.102(c), Local Government Code, is amended to read as follows:

(c) A municipality may annex the [~~The~~] area described by this section [~~may be annexed~~] without the consent of any owners or residents of the area under the procedures prescribed by Subchapter C-1 [~~applicable to a tier 1 municipality by:~~

[~~(1) a tier 1 municipality; and~~

[~~(2)~~] if there are no owners other than the municipality or residents of the area[~~, a tier 2 municipality~~].

SECTION 2.14. Section 43.1055, Local Government Code, is amended to read as follows:

Sec. 43.1055. ANNEXATION OF ROADS AND RIGHTS-OF-WAY [~~IN CERTAIN LARGE COUNTIES~~]. Notwithstanding any other law, a [~~tier 2~~] municipality may by ordinance annex a road or the right-of-way of a road on request of the owner of the road or right-of-way or the governing body of the political subdivision that maintains the road or right-of-way under the procedures prescribed by Subchapter C-1 [~~applicable to a tier 1 municipality~~].

SECTION 2.15. Section 43.141(a), Local Government Code, is amended to read as follows:

(a) A majority of the qualified voters of an annexed area may petition the governing body of the municipality to disannex the area if the municipality fails or refuses to provide services or to cause services to be provided to the area:

(1) if the area was annexed under Subchapter C-1 [~~municipality is a tier 1 municipality~~], within the period specified by Section 43.056 or by the service plan prepared for the area under that section; or

(2) if the area was annexed under Subchapter C-3, C-4, or C-5 [~~municipality is a tier 2 municipality~~], within the period specified by the written agreement under Section 43.0672 or the resolution under Section 43.0682 or 43.0692, as applicable.

SECTION 2.16. Section 43.203(b), Local Government Code, is amended to read as follows:

(b) On receipt of the district's petition, the governing body of the municipality shall enter into negotiations with the district for an agreement to alter the status of annexation that must:

(1) specify the period, which may not be less than 10 years beginning on January 1 of the year following the date of the agreement, in which limited-purpose annexation is in effect;

(2) provide that, at the expiration of the period, the district's annexation status will automatically revert to full-purpose annexation without following procedures provided by Section [~~Sections~~] 43.014 [~~and 43.052 through 43.055~~] or any [~~other~~] procedural requirement for annexation not in effect on January 1, 1995; and

(3) specify the financial obligations of the district during and after the period of limited-purpose annexation for:

83

(A) facilities constructed by the municipality that are in or that serve the district;

(B) debt incurred by the district for water and sewer infrastructure that will be assumed by the municipality at the end of the period of limited-purpose annexation; and

(C) use of the municipal sales taxes collected by the municipality for facilities or services in the district.

SECTION 2.17. Section 43.905(a), Local Government Code, is amended to read as follows:

(a) A municipality that proposes to annex an area shall provide written notice of the proposed annexation to each public school district located in the area proposed for annexation within the period prescribed for providing the notice of, as applicable:

(1) the hearing under Section 43.0673; or

(2) the first hearing under Section [~~43.0561,~~] 43.063, [~~43.0673,~~] 43.0683, or 43.0693[~~, as applicable~~].

SECTION 2.18. Sections 43.9051(a) and (b), Local Government Code, are amended to read as follows:

(a) In this section, "public entity" includes a county, fire protection service provider, including a volunteer fire department, emergency medical services provider, including a volunteer emergency medical services provider, or special district described[~~, as that term is defined~~] by Section 43.062(b)(2)(B) [~~43.052~~].

(b) A municipality that proposes to annex an area shall provide to each public entity that is located in or provides services to the area proposed for annexation written notice of the proposed annexation within the period prescribed for providing the notice of, as applicable:

(1) the hearing under Section 43.0673; or

(2) the first hearing under Section [~~43.0561,~~] 43.063, [~~43.0673,~~] 43.0683, or 43.0693[~~, as applicable, to each public entity that is located in or provides services to the area proposed for annexation~~].

ARTICLE 3. HEARING REQUIREMENTS FOR CERTAIN CONSENT ANNEXATIONS

SECTION 3.01. Section 43.0673, Local Government Code, is amended to read as follows:

Sec. 43.0673. PUBLIC HEARING [~~HEARINGS~~]. (a) Before a municipality may adopt an ordinance annexing an area under this subchapter [~~section~~], the governing body of the municipality must conduct one [~~at least two~~] public hearing [~~hearings~~].

[~~(b) The hearings must be conducted not less than 10 business days apart.~~]

(c) During the [~~first~~] public hearing, the governing body:

(1) must provide persons interested in the annexation the opportunity to be heard; and

(2) [~~. During the final public hearing, the governing body~~] may adopt an ordinance annexing the area.

(d) The municipality must post notice of the hearing [~~hearings~~] on the municipality's Internet website if the municipality has an Internet website and publish notice of the hearing [~~hearings~~] in a newspaper of general circulation in the municipality and in the area proposed for annexation. The notice for the [~~each~~] hearing must be:

(1) published at least once on or after the 20th day but before the 10th day before the date of the hearing; and

(2) [~~. The notice for each hearing must be~~] posted on the municipality's Internet website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing.

ARTICLE 4. TRANSITION AND EFFECTIVE DATE

SECTION 4.01. (a) Except as provided by Subsections (b) and (c) of this section, the changes in law made by this Act apply only to an annexation of an area that is not final on the effective date of this Act. An annexation of an area that was final before the effective date of this Act is governed by those portions of Chapter 43, Local Government Code, that relate to post-annexation

procedures and requirements in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(b) The changes in law made by this Act do not apply to the annexation of an area for which the governing body of a municipality has adopted a resolution to direct the municipality's city manager to prepare a service plan for the area on or before the effective date of this Act. An annexation of an area for which the governing body adopted a resolution to direct the municipality's city manager to prepare a service plan for the area before the effective date of this Act is governed by Chapter 43, Local Government Code, as it existed on January 1, 2019.

(c) Until the fourth anniversary of the date that final judgment in an action described by this subsection is rendered, the changes in law made by this Act do not apply to an annexation of an area described by this subsection, and an annexation of an area described by this subsection is governed by Chapter 43, Local Government Code, as it existed on January 1, 2019. This subsection applies only to an area that is:

(1) wholly located in a county that:

(A) borders the Gulf of Mexico; and

(B) contains an international border; and

(2) proposed to be annexed by a municipality that is a named party in an action:

(A) involving issues of fact or law relating to the annexation; and

(B) commenced before January 1, 2019.

SECTION 4.02. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

_____ _____

President of the Senate Speaker of the House

I certify that H.B. No. 347 was passed by the House on April 9, 2019, by the following vote: Yeas 133, Nays 14, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 347 on May 13, 2019, by the following vote: Yeas 131, Nays 9, 1 present, not voting.

_____

Chief Clerk of the House

I certify that H.B. No. 347 was passed by the Senate, with amendments, on May 8, 2019, by the following vote: Yeas 25, Nays 6.

_____

Secretary of the Senate

APPROVED: _____

Date

_____

Governor

By: Phelan, Rodriguez, Collier, Schaefer H.B. No. 2439

A BILL TO BE ENTITLED
AN ACT

relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 10, Government Code, is amended by adding Subtitle Z to read as follows:

SUBTITLE Z. MISCELLANEOUS PROVISIONS PROHIBITING CERTAIN GOVERNMENTAL ACTIONS

CHAPTER 3000. GOVERNMENTAL ACTION AFFECTING RESIDENTIAL AND COMMERCIAL CONSTRUCTION

Sec. 3000.001. DEFINITIONS. In this chapter:

(1) "National model code" has the meaning assigned by Section 214.217, Local Government Code.

(2) "Governmental entity" has the meaning assigned by Section 2007.002.

Sec. 3000.002. CERTAIN REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS, OR METHODS PROHIBITED. (a) Notwithstanding any other law and except as provided by Subsection (d), a governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that:

(1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(2) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(b) A governmental entity that adopts a building code governing the construction, renovation, maintenance, or other alteration of a residential or commercial building may amend a provision of the building code to conform to local concerns if the amendment does not conflict with Subsection (a).

(c) This section does not apply to:

(1) a program established by a state agency that requires particular standards, incentives, or financing arrangements in order to comply with requirements of a state or federal funding source or housing program;

(2) a requirement for a building necessary to consider the building eligible for windstorm and hail insurance coverage under Chapter 2210, Insurance Code;

(3) an ordinance or other regulation that:

(A) regulates outdoor lighting for the purpose of reducing light pollution; and

(B) is adopted by a governmental entity that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program;

(4) an ordinance or order that:

(A) regulates outdoor lighting; and

(B) is adopted under Subchapter B, Chapter 229, Local Government Code, or Subchapter B, Chapter 240, Local Government Code;

(5) a building located in a place or area designated for its historical, cultural, or architectural importance and significance that a municipality may regulate under Section 211.003(b), Local Government Code, if the municipality:

(A) is a certified local government under the National Historic Preservation Act (54 U.S.C. Section 300101 et seq.); or

(B) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;

(6) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by a governmental entity, if designated before April 1, 2019;

(7) a building located in an area designated as a historic district on the National Register of Historic Places;

(8) a building designated as a Recorded Texas Historic Landmark;

(9) a building designated as a State Archeological Landmark or State Antiquities Landmark;

(10) a building listed on the National Register of Historic Places or designated as a landmark by a governmental entity;

(11) a building located in a World Heritage Buffer Zone; and

(12) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section 442.014.

(d) A municipality that is not a municipality described by Subsection (c)(3)(A) or (B) may adopt or enforce a regulation described by Subsection (a) that applies to a building located in a place or area designated on or after April 1, 2019, by the municipality for its historical, cultural, or architectural importance and significance, if the municipality has the voluntary consent from the building owner.

(e) A rule, charter provision, ordinance, order, building code, or other regulation adopted by a governmental entity that conflicts with this section is void.

Sec. 3000.003. INJUNCTION. (a) The attorney general or an aggrieved party may file an action in district court to enjoin a violation or threatened violation of Section 3000.002.

(b) The court may grant appropriate relief.

(c) The attorney general may recover reasonable attorney's fees and costs incurred in bringing an action under this section.

(d) Sovereign and governmental immunity to suit is waived and abolished only to the extent necessary to enforce this chapter.

Sec. 3000.004. OTHER PROVISIONS NOT AFFECTED. This chapter does not affect provisions regarding the installation of a fire sprinkler protection system under Section 1301.551(i), Occupations Code, or Section 775.045(a)(1), Health and Safety Code.

Sec. 3000.005. SEVERABILITY. If any provision of a rule, charter provision, ordinance, order, building code, or other regulation described by Section 3000.002(a) is held invalid under this chapter, the invalidity does not affect other provisions or applications of the rule, charter provision, ordinance, order, building code, or other regulation that can be given effect without the invalid provision or application, and to this end the provisions of the rule, charter provision, ordinance, order, building code, or other regulation are severable.

SECTION 2. This Act takes effect September 1, 2019.

AN ACT

relating to county and municipal approval procedure for land development applications.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 212.001, Local Government Code, is amended by amending Subdivision (2) and adding Subdivision (3) to read as follows:

(2) "Plan" means a subdivision development plan, including a subdivision plan, subdivision construction plan, site plan, land development application, and site development plan.

(3) "Plat" includes a preliminary plat, general plan, final plat, and replat.

SECTION 2. Subchapter A, Chapter 212, Local Government Code, is amended by adding Section 212.0085 to read as follows:

Sec. 212.0085. APPROVAL PROCEDURE: APPLICABILITY. The approval procedures under this subchapter apply to a municipality regardless of whether the municipality has entered into an interlocal agreement, including an interlocal agreement between a municipality and county under Section 242.001(d).

SECTION 3. The heading to Section 212.009, Local Government Code, is amended to read as follows:

Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL.

SECTION 4. Section 212.009, Local Government Code, is amended by amending Subsections (a), (b), (c), and (d) and adding Subsections (b-1) and (b-2) to read as follows:

(a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove [~~act on~~] a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is [~~considered~~] approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

(b) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove [~~act on~~] the plan or plat within 30 days after the date the plan or plat is approved by the planning commission or is [~~considered~~] approved by the inaction of the commission. A plan or plat is [~~considered~~] approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

(b-1) Notwithstanding Subsection (a) or (b), if a groundwater availability certification is required under Section 212.0101, the 30-day period described by those subsections begins on the date the applicant submits the groundwater availability certification to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable.

(b-2) Notwithstanding Subsection (a) or (b), the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(2) the municipal authority or governing body, as applicable, approves the extension request.

(c) If a plan or plat is approved, the municipal authority giving the approval shall endorse the plan or plat with a certificate indicating the approval. The certificate must be signed by:

(1) the authority's presiding officer and attested by the authority's secretary; or

(2) a majority of the members of the authority.

88

(d) If the municipal authority responsible for approving plats fails to approve, approve with conditions, or disapprove [~~act on~~] a plan or plat within the prescribed period, the authority on the applicant's request shall issue a certificate stating the date the plan or plat was filed and that the authority failed to act on the plan or plat within the period. The certificate is effective in place of the endorsement required by Subsection (c).

SECTION 5. Subchapter A, Chapter 212, Local Government Code, is amended by adding Sections 212.0091, 212.0093, 212.0095, 212.0096, 212.0097, and 212.0099 to read as follows:

Sec. 212.0091. APPROVAL PROCEDURE: CONDITIONAL APPROVAL OR DISAPPROVAL REQUIREMENTS. (a) A municipal authority or governing body that conditionally approves or disapproves a plan or plat under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

(b) Each condition or reason specified in the written statement:

(1) must:

(A) be directly related to the requirements under this subchapter; and

(B) include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable; and

(2) may not be arbitrary.

Sec. 212.0093. APPROVAL PROCEDURE: APPLICANT RESPONSE TO CONDITIONAL APPROVAL OR DISAPPROVAL. After the conditional approval or disapproval of a plan or plat under Section 212.0091, the applicant may submit to the municipal authority or governing body that conditionally approved or disapproved the plan or plat a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The municipal authority or governing body may not establish a deadline for an applicant to submit the response.

Sec. 212.0095. APPROVAL PROCEDURE: APPROVAL OR DISAPPROVAL OF RESPONSE. (a) A municipal authority or governing body that receives a response under Section 212.0093 shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved plan or plat not later than the 15th day after the date the response was submitted.

(b) A municipal authority or governing body that conditionally approves or disapproves a plan or plat following the submission of a response under Section 212.0093:

(1) must comply with Section 212.0091; and

(2) may disapprove the plan or plat only for a specific condition or reason provided to the applicant under Section 212.0091.

(c) A municipal authority or governing body that receives a response under Section 212.0093 shall approve a previously conditionally approved or disapproved plan or plat if the response adequately addresses each condition of the conditional approval or each reason for the disapproval.

(d) A previously conditionally approved or disapproved plan or plat is approved if:

(1) the applicant filed a response that meets the requirements of Subsection (c); and

(2) the municipal authority or governing body that received the response does not disapprove the plan or plat on or before the date required by Subsection (a) and in accordance with Section 212.0091.

Sec. 212.0096. APPROVAL PROCEDURE: ALTERNATIVE APPROVAL PROCESS. (a) Notwithstanding Sections 212.009, 212.0091, 212.0093, and 212.0095, an applicant may elect at any time to seek approval for a plan or plat under an alternative approval process adopted by a municipality if the process allows for a shorter approval period than the approval process described by Sections 212.009, 212.0091,

89

212.0093, and 212.0095.

(b) An applicant that elects to seek approval under the alternative approval process described by Subsection (a) is not:

(1) required to satisfy the requirements of Sections 212.009, 212.0091, 212.0093, and 212.0095 before bringing an action challenging a disapproval of a plan or plat under this subchapter; and

(2) prejudiced in any manner in bringing the action described by Subdivision (1), including satisfying a requirement to exhaust any and all remedies.

Sec. 212.0097. APPROVAL PROCEDURE: WAIVER PROHIBITED. A municipal authority responsible for approving plats or the governing body of a municipality may not request or require an applicant to waive a deadline or other approval procedure under this subchapter.

Sec. 212.0099. JUDICIAL REVIEW OF DISAPPROVAL. In a legal action challenging a disapproval of a plan or plat under this subchapter, the municipality has the burden of proving by clear and convincing evidence that the disapproval meets the requirements of this subchapter or any applicable case law. The court may not use a deferential standard.

SECTION 6. Section 212.014, Local Government Code, is amended to read as follows:

Sec. 212.014. REPLATTING WITHOUT VACATING PRECEDING PLAT. A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:

(1) is signed and acknowledged by only the owners of the property being replatted;

(2) is approved[~~, after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard,~~] by the municipal authority responsible for approving plats; and

(3) does not attempt to amend or remove any covenants or restrictions.

SECTION 7. Section 212.015, Local Government Code, is amended by adding Subsections (a-1), (f), and (g) and amending Subsection (b) to read as follows:

(a-1) If a proposed replat described by Subsection (a) requires a variance or exception, a public hearing must be held by the municipal planning commission or the governing body of the municipality.

(b) Notice of the hearing required under Subsection (a-1) [~~Section 212.014~~] shall be given before the 15th day before the date of the hearing by:

(1) publication in an official newspaper or a newspaper of general circulation in the county in which the municipality is located; and

(2) by written notice, with a copy of Subsection (c) attached, forwarded by the municipal authority responsible for approving plats to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the municipality.

(f) If a proposed replat described by Subsection (a) does not require a variance or exception, the municipality shall, not later than the 15th day after the date the replat is approved, provide written notice by mail of the approval of the replat to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent municipality or county tax roll. This subsection does not apply to a proposed replat if the municipal planning commission or the

90

governing body of the municipality holds a public hearing and gives notice of the hearing in the manner provided by Subsection (b).

(g) The notice of a replat approval required by Subsection (f) must include:

(1) the zoning designation of the property after the replat; and

(2) a telephone number and e-mail address an owner of a lot may use to contact the municipality about the replat.

SECTION 8. Subchapter A, Chapter 232, Local Government Code, is amended by adding Section 232.0023 to read as follows:

Sec. 232.0023. APPROVAL PROCEDURE: APPLICABILITY. The plat application approval procedures under this subchapter apply to a county regardless of whether the county has entered into an interlocal agreement, including an interlocal agreement between a municipality and county under Section 242.001(d).

SECTION 9. The heading to Section 232.0025, Local Government Code, is amended to read as follows:

Sec. 232.0025. APPROVAL PROCEDURE: TIMELY APPROVAL OF PLATS AND PLANS.

SECTION 10. Section 232.0025, Local Government Code, is amended by amending Subsections (d), (f), (g), (h), and (i), and adding Subsection (d-1) to read as follows:

(d) Except as provided by Subsection (f), the commissioners court or the court's designee shall approve, approve with conditions, or disapprove [~~take final action on~~] a plat application[~~, including the resolution of all appeals,~~] not later than the 30th [~~60th~~] day after the date the [~~a~~] completed [~~plat~~] application is received by the commissioners court or the court's designee. An application is approved by the commissioners court or the court's designee unless the application is disapproved within that period and in accordance with Section 232.0026.

(d-1) Notwithstanding Subsection (d), if a groundwater availability certification is required under Section 232.0032, the 30-day period described by that subsection begins on the date the applicant submits the groundwater availability certification to the commissioners court or the court's designee, as applicable.

(f) The 30-day [~~60-day~~] period under Subsection (d):

(1) may be extended for a [~~reasonable~~] period not to exceed 30 days, if:

(A) requested and agreed to in writing by the applicant and approved by the commissioners court or the court's designee; or

(B) [~~(2) may be extended 60 additional days if~~] Chapter 2007, Government Code, requires the county to perform a takings impact assessment in connection with the [~~a~~] plat application; and

(2) [~~(3)~~] applies only to a decision wholly within the control of the commissioners court or the court's designee.

(g) The commissioners court or the court's designee shall make the determination under Subsection (f)(1) [~~(f)(2)~~] of whether the 30-day [~~60-day~~] period will be extended not later than the 20th day after the date a completed plat application is received by the commissioners court or the court's designee.

(h) The commissioners court or the court's designee may not require [~~compel~~] an applicant to waive the time limits or approval procedure contained in this subchapter [~~section~~].

(i) If the commissioners court or the court's designee fails to approve, approve with conditions, or disapprove a plat application [~~take final action on the plat~~] as required by this subchapter [~~Subsection (d)~~]:

(1) the commissioners court shall refund the greater of the unexpended portion of any [~~plat~~] application fee or deposit or 50 percent of an [~~a plat~~] application fee or deposit that has been paid;

(2) the [~~plat~~] application is granted by operation of law; and

(3) the applicant may apply to a district court in the

91

county where the tract of land is located for a writ of mandamus to compel the commissioners court to issue documents recognizing the plat application's [~~plat's~~] approval.

SECTION 11. Subchapter A, Chapter 232, Local Government Code, is amended by adding Sections 232.0026, 232.0027, 232.0028, 232.00285, and 232.0029 to read as follows:

Sec. 232.0026. APPROVAL PROCEDURE: CONDITIONAL APPROVAL OR DISAPPROVAL REQUIREMENTS. (a) A commissioners court or designee that conditionally approves or disapproves of a plat application under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or the reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

(b) Each condition or reason specified in the written statement:

(1) must:

(A) be directly related to the requirements of this subchapter; and

(B) include a citation to the law, including a statute or order, that is the basis for the conditional approval or disapproval, if applicable; and

(2) may not be arbitrary.

Sec. 232.0027. APPROVAL PROCEDURE: APPLICANT RESPONSE TO CONDITIONAL APPROVAL OR DISAPPROVAL. After the conditional approval or disapproval of a plat application under Section 232.0026, the applicant may submit to the commissioners court or designee that conditionally approved or disapproved the application a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The commissioners court or designee may not establish a deadline for an applicant to submit the response.

Sec. 232.0028. APPROVAL PROCEDURE: APPROVAL OR DISAPPROVAL OF RESPONSE. (a) A commissioners court or designee that receives a response under Section 232.0027 shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved plat application not later than the 15th day after the date the response was submitted under Section 232.0027.

(b) A commissioners court or designee that conditionally approves or disapproves a plat application following the submission of a response under Section 232.0027:

(1) must comply with Section 232.0026; and

(2) may disapprove the application only for a specific condition or reason provided to the applicant for the original application under Section 232.0026.

(c) A commissioners court or designee that receives a response under Section 232.0027 shall approve a previously conditionally approved or disapproved plat application if the applicant's response adequately addresses each condition for the conditional approval or each reason for the disapproval.

(d) A previously conditionally approved or disapproved plat application is approved if:

(1) the applicant filed a response that meets the requirements of Subsection (c); and

(2) the commissioners court or designee that received the response does not disapprove the application on or before the date required by Subsection (a) and in accordance with Section 232.0026.

Sec. 232.00285. DEVELOPMENT PLAN REVIEW. (a) In this section, "development plan" includes a preliminary plat, preliminary subdivision plan, subdivision construction plan, site plan, general plan, land development application, or site development plan.

(b) Unless explicitly authorized by another law of this state, a county may not require a person to submit a development plan during the plat approval process required by this subchapter. If a county is authorized under another law of this state to require approval of a development plan, the county must comply with the

92

approval procedures under this subchapter during the approval process.

Sec. 232.0029. JUDICIAL REVIEW OF DISAPPROVAL. In a legal action challenging a disapproval of a plat application under this subchapter, the county has the burden of proving by clear and convincing evidence that the disapproval meets the requirements of this subchapter or any applicable case law. The court may not use a deferential standard.

SECTION 12. Section 232.0025(e), Local Government Code, is repealed.

SECTION 13. The change in law made by this Act applies only to a plat application filed on or after the effective date of this Act. A development or plan application filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 14. This Act takes effect September 1, 2019.

_____ _____

President of the Senate Speaker of the House

I certify that H.B. No. 3167 was passed by the House on May 2, 2019, by the following vote: Yeas 119, Nays 18, 1 present, not voting.

_____

Chief Clerk of the House

I certify that H.B. No. 3167 was passed by the Senate on May 21, 2019, by the following vote: Yeas 27, Nays 3, 1 present, not voting
.

_____

Secretary of the Senate

APPROVED: _____

Date

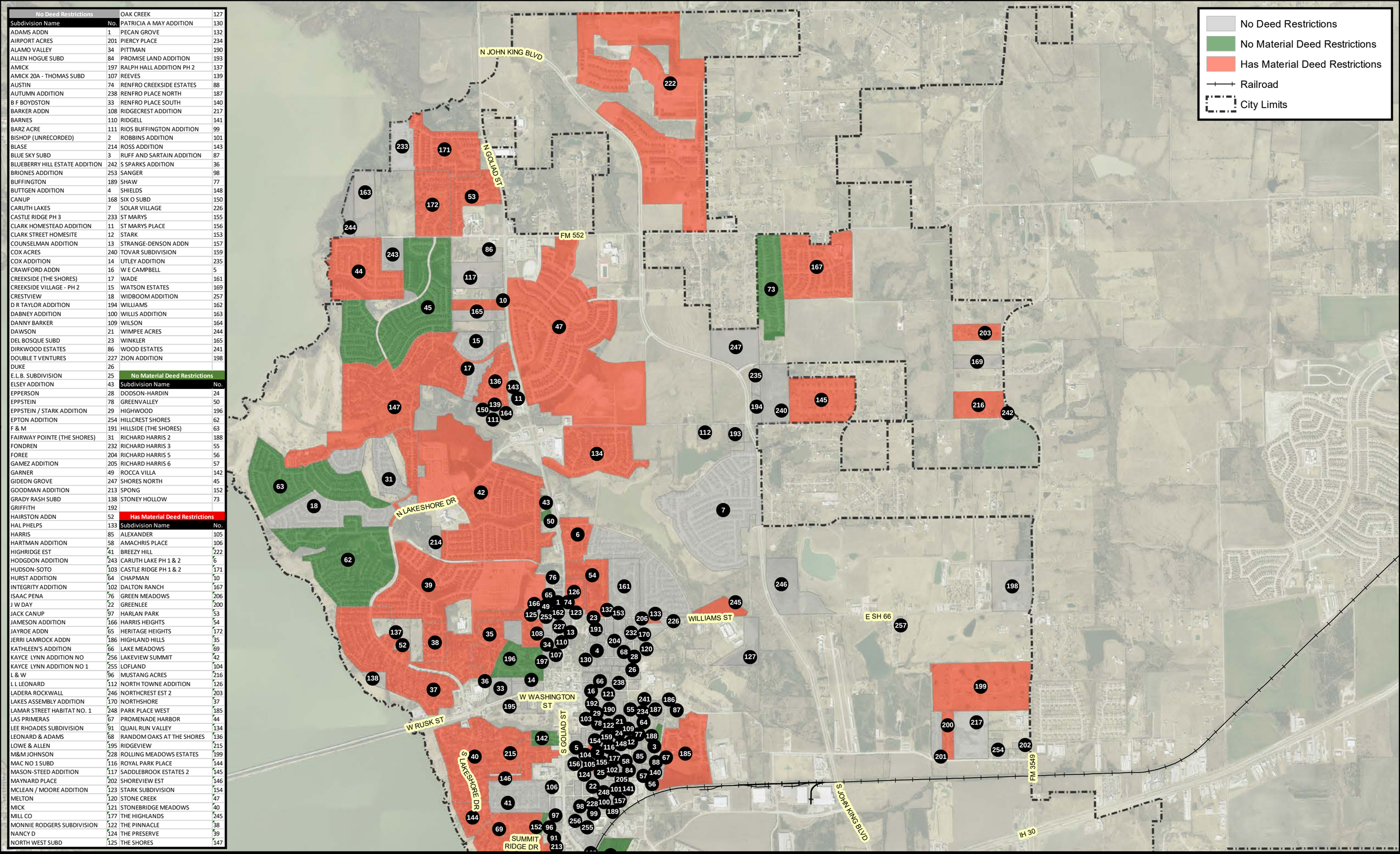
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Governor

No Deed Restrictions			
Subdivision Name	No.		
ADAMS ADDN	1		
AIRPORT ACRES	201		
ALAMO VALLEY	34		
ALLEN HOGUE SUBD	84		
AMICK	197		
AMICK 20A - THOMAS SUBD	107		
AUSTIN	74		
AUTUMN ADDITION	238		
B F BOYDSTON	33		
BARKER ADDN	108		
BARNES	110		
BARZ ACRE	111		
BISHOP (UNRECORDED)	2		
BLASE	214		
BLUE SKY SUBD	3		
BLUEBERRY HILL ESTATE ADDITION	242		
BRIONES ADDITION	253		
BUFFINGTON	189		
BUTTGEN ADDITION	4		
CANUP	168		
CARUTH LAKES	7		
CASTLE RIDGE PH 3	233		
CLARK HOMESTEAD ADDITION	11		
CLARK STREET HOMESITE	12		
COUNSELMAN ADDITION	13		
COX ACRES	240		
COX ADDITION	14		
CRAWFORD ADDN	16		
CREEKSIDE (THE SHORES)	17		
CREEKSIDE VILLAGE - PH 2	15		
CRESTVIEW	18		
D R TAYLOR ADDITION	194		
DABNEY ADDITION	100		
DANNY BARKER	109		
DAWSON	21		
DEL BOSQUE SUBD	23		
DIRKWOOD ESTATES	86		
DOUBLE T VENTURES	227		
DUKE	26		
E.L.B. SUBDIVISION	25		
ELSEY ADDITION	43		
EPPERSON	28		
EPPSTEIN	78		
EPPSTEIN / STARK ADDITION	29		
EPTON ADDITION	254		
F & M	191		
FAIRWAY POINTE (THE SHORES)	31		
FONDREN	232		
FOREE	204		
GAMEZ ADDITION	205		
GARNER	49		
GIDEON GROVE	247		
GOODMAN ADDITION	213		
GRADY RASH SUBD	138		
GRIFFITH	192		
HAIRSTON ADDN	52		
HAL PHELPS	133		
HARRIS	85		
HARTMAN ADDITION	58		
HIGHRIDGE EST	41		
HODGDON ADDITION	243		
HUDSON-SOTO	103		
HURST ADDITION	64		
INTEGRITY ADDITION	102		
ISAAC PENA	76		
J W DAY	22		
JACK CANUP	97		
JAMESON ADDITION	166		
JAYROE ADDN	65		
JERRI LAMROCK ADDN	186		
KATHLEEN'S ADDITION	66		
KAYCE LYNN ADDITION NO	256		
KAYCE LYNN ADDITION NO 1	255		
L & W	96		
L L LEONARD	112		
LADERA ROCKWALL	246		
LAKES ASSEMBLY ADDITION	170		
LAMAR STREET HABITAT NO. 1	248		
LAS PRIMERAS	67		
LEE RHOADES SUBDIVISION	91		
LEONARD & ADAMS	68		
LOWE & ALLEN	195		
M&M JOHNSON	228		
MAC NO 1 SUBD	116		
MASON-STEED ADDITION	117		
MAYNARD PLACE	202		
MCLEAN / MOORE ADDITION	123		
MELTON	120		
MICK	121		
MILL CO	177		
MONNIE RODGERS SUBDIVISION	122		
NANCY D	124		
NORTH WEST SUBD	125		
OAK CREEK	127		
PATRICIA A MAY ADDITION	130		
PIERCY PLACE	234		
PITTMAN	190		
PROMISE LAND ADDITION	193		
RALPH HALL ADDITION PH 2	137		
REEVES	139		
RENFRO CREEKSIDE ESTATES	88		
RENFRO PLACE NORTH	187		
RENFRO PLACE SOUTH	140		
RIDGECREST ADDITION	217		
RIDGELL	141		
RIOS BUFFINGTON ADDITION	99		
ROBBINS ADDITION	101		
ROSS ADDITION	143		
RUFF AND SARTAIN ADDITION	87		
S SPARKS ADDITION	36		
SANGER	98		
SHAW	77		
SHIELDS	148		
SIX O SUBD	150		
SOLAR VILLAGE	226		
ST MARYS	155		
ST MARYS PLACE	156		
STARK	153		
STRANGE-DENSON ADDN	157		
TOVAR SUBDIVISION	159		
UTLEY ADDITION	235		
W E CAMPBELL	5		
WADE	161		
WATSON ESTATES	169		
WIDBOOM ADDITION	257		
WILLIAMS	162		
WILLIS ADDITION	163		
WILSON	164		
WIMPEE ACRES	244		
WINKLER	165		
WOOD ESTATES	241		
ZION ADDITION	198		

No Material Deed Restrictions	
Subdivision Name	No.
DODSON-HARDIN	24
GREENVALLEY	50
HIGHWOOD	196
HILLCREST SHORES	62
HILLSIDE (THE SHORES)	63
RICHARD HARRIS 2	188
RICHARD HARRIS 3	55
RICHARD HARRIS 5	56
RICHARD HARRIS 6	57
ROCCA VILLA	142
SHORES NORTH	45
SPONG	152
STONEY HOLLOW	73

Has Material Deed Restrictions	
Subdivision Name	No.
ALEXANDER	105
AMACHRIS PLACE	106
BREEZY HILL	222
CARUTH LAKE PH 1 & 2	6
CASTLE RIDGE PH 1 & 2	171
CHAPMAN	10
DALTON RANCH	167
GREEN MEADOWS	206
GREENLEE	200
HARLAN PARK	53
HARRIS HEIGHTS	54
HERITAGE HEIGHTS	172
HIGHLAND HILLS	35
LAKE MEADOWS	69
LAKEVIEW SUMMIT	42
LOFLAND	104
MUSTANG ACRES	216
NORTH TOWNE ADDITION	126
NORTHCREST EST 2	203
NORTHSHORE	37
PARK PLACE WEST	185
PROMENADE HARBOR	44
QUAIL RUN VALLEY	134
RANDOM OAKS AT THE SHORES	136
RIDGEVIEW	215
ROLLING MEADOWS ESTATES	199
ROYAL PARK PLACE	144
SADDLEBROOK ESTATES 2	145
SHOREVIEW EST	146
STARK SUBDIVISION	154
STONE CREEK	47
STONEBRIDGE MEADOWS	40
THE HIGHLANDS	245
THE PINNACLE	38
THE PRESERVE	39
THE SHORES	147



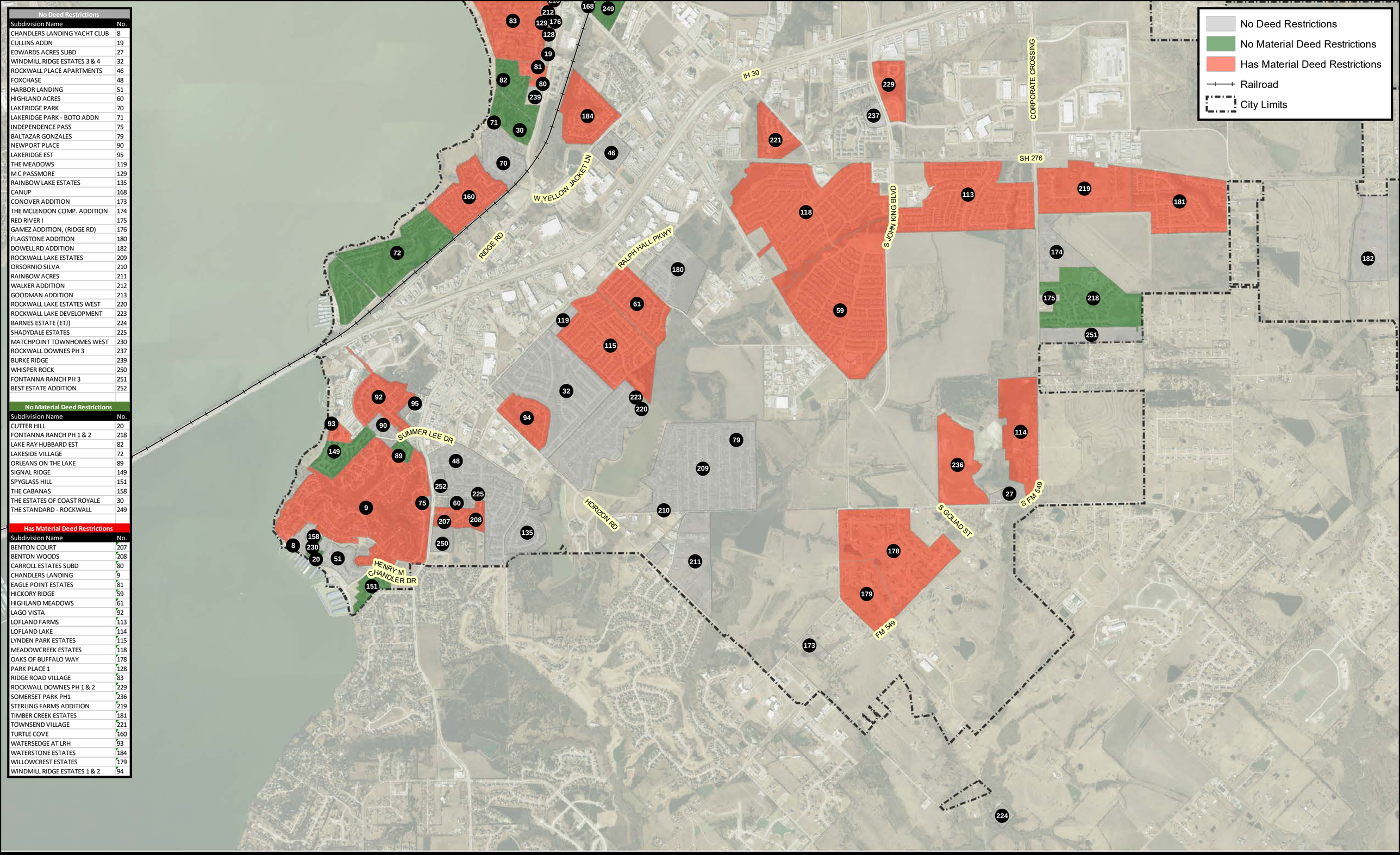
City of Rockwall

0 500 1,000 Feet

Date: 8/9/2019

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DEED RESTRICTIONS - NORTH



No Deed Restrictions

Subdivision Name	No.
CHANDLERS LANDING YACHT CLUB	8
CULLINS ADDN	19
EDWARDS ACRES SUBD	27
WINDMILL RIDGE ESTATES 3 & 4	32
ROCKWALL PLACE APARTMENTS	46
FOXCHASE	48
HARBOR LANDING	51
HIGHLAND ACRES	60
LAKERIDGE PARK	70
LAKERIDGE PARK - BOTO ADDN	71
INDEPENDENCE PASS	75
BALTAZAR GONZALES	79
NEWPORT PLACE	90
LAKERIDGE EST	95
THE MEADOWS	119
M C PASSMORE	129
RAINBOW LAKE ESTATES	135
CANUP	168
CONOVER ADDITION	173
THE MCLENDON COMP. ADDITION	174
RED RIVER I	175
GAMEZ ADDITION, (RIDGE RD)	176
FLAGSTONE ADDITION	180
DOWELL RD ADDITION	182
ROCKWALL LAKE ESTATES	209
ORSORNIO SILVA	210
RAINBOW ACRES	211
WALKER ADDITION	212
GOODMAN ADDITION	213
ROCKWALL LAKE ESTATES WEST	220
ROCKWALL LAKE DEVELOPMENT	223
BARNES ESTATE (ETJ)	224
SHADYDALE ESTATES	225
MATCHPOINT TOWNHOMES WEST	230
ROCKWALL DOWNES PH 3	237
BURKE RIDGE	239
WHISPER ROCK	250
FONTANNA RANCH PH 3	251
BEST ESTATE ADDITION	252

No Material Deed Restrictions

Subdivision Name	No.
CUTTER HILL	20
FONTANNA RANCH PH 1 & 2	218
LAKE RAY HUBBARD EST	82
LAKESIDE VILLAGE	72
ORLEANS ON THE LAKE	89
SIGNAL RIDGE	149
SPYGLASS HILL	151
THE CABANAS	158
THE ESTATES OF COAST ROYALE	30
THE STANDARD - ROCKWALL	249

Has Material Deed Restrictions

Subdivision Name	No.
BENTON COURT	207
BENTON WOODS	208
CARROLL ESTATES SUBD	80
CHANDLERS LANDING	9
EAGLE POINT ESTATES	81
HICKORY RIDGE	59
HIGHLAND MEADOWS	61
LAGO VISTA	92
LOFLAND FARMS	113
LOFLAND LAKE	114
LYNDEN PARK ESTATES	115
MEADOWCREEK ESTATES	118
OAKS OF BUFFALO WAY	178
PARK PLACE 1	128
RIDGE ROAD VILLAGE	83
ROCKWALL DOWNES PH 1 & 2	229
SOMERSET PARK PH1	236
STERLING FARMS ADDITION	219
TIMBER CREEK ESTATES	181
TOWNSEND VILLAGE	221
TURTLE COVE	160
WATERSEDGE AT LRH	93
WATERSTONE ESTATES	184
WILLOWCREST ESTATES	179
WINDMILL RIDGE ESTATES 1 & 2	94

City of Rockwall

0 500 1,000 Feet

Date: 8/9/2019

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DEED RESTRICTIONS - SOUTH

ARTICLE II, DEVELOPMENT REVIEW AUTHORITY, UDC

SECTION 1: BOARDS, COMMISSIONS, AND ADMISTRATIVE STAFF

All meetings of any Board or Commission shall be open to the public. Each Board or Commission shall keep accurate minutes of each meeting, which shall be forwarded to the City Secretary within ten (10) days following each meeting. Such Board or Commission shall keep an accurate record of the names of the members who are present and absent from their meetings. When public hearings are necessary or required, notice of the public hearings and the conduct of the public hearing will be in compliance with the requirements of all federal, state and local laws.

Each Board or Commission may establish its own attendance rules, regulations, and method of enforcement unless in conflict with state law, or this Article. Each member of a Board or Commission shall be at least 18 years of age.

SECTION 2: CITY COUNCIL

SUBSECTION 2.01: AUTHORITY

The City Council shall hold a meeting, conduct a public hearing -- *if required by this Unified Development Code* -- and make determinations on the following matters:

(A) Text amendments to this Unified Development Code.
(B) Zoning changes and map amendments including the reclassification of zoning designations on land, Specific Use Permits (SUP), and Planned Development Districts.
(C) Appeals related to the Planning and Zoning Commission's decision on special exceptions, variances, or waivers related to site plans for development.
(D) Amendments to the Comprehensive Plan.
(E) Amendments to the Master Thoroughfare Plan.
(F) Amendments to the Master Open Space Plan Master Plans.

(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

SECTION 3: PLANNING AND ZONING COMMISSION

SUBSECTION 3.01: CREATION AND MEMBERSHIP

(A) *Membership*. The members of the Planning and Zoning Commission shall be appointed for a term of three (3) years on a rotating basis and removable for cause by the City Council. The terms of office shall expire on the last day of July or until their successor has been appointed. Any member of the Planning and Zoning Commission may be reappointed by the City Council upon completion of a full term.

(B) *Residency*. Each member of the Planning and Zoning Commission shall be a resident of the City of Rockwall at the time of his appointment. A member of the Planning and Zoning Commission ceasing to reside in the City during his term of office shall immediately forfeit the office.

(C) *Removal*. Any member of the Planning and Zoning Commission may be removed from office for any cause deemed by the City Council to be sufficient for removal of the member. If a vacancy should exist in the Planning and Zoning Commission membership due to removal from office, resignation, death, refusal or inability to serve, the City Council shall appoint a new member to fill the vacancy for the unexpired term.

(Ord. No. 10-04, § 1, 2-1-2010; Ord. No. 10-14, § 2, 7-6-2010)

SUBSECTION 3.02: POWERS AND DUTIES

The Planning and Zoning Commission shall have the following powers and duties:

(A) To advise the City Council and make recommendations concerning adoption of, or amendments to, zoning regulations and the zoning map;
(B) To advise the council and make recommendations concerning adoption of, or amendments to the City's Comprehensive Plan, Master Thoroughfare Plan, and Parks and Recreation Master Plan and implementation thereof;
(C) To oversee the City's regulations governing the platting and recording of subdivisions, including matters pertaining to the dedication of public facilities, and to advise the council on matters pertaining to public improvements, traffic, utility extensions and the provision of public facilities and services, in order to implement the City's Comprehensive Plan;
(D) To undertake such actions as are necessary to exercise its delegated powers, as indicated by adopted ordinance;
(E) To approve certain matters relating to platting and recording of subdivisions as dictated by the City's ordinances and the Unified Development Code (UDC);
(F) To select a Planning and Zoning Commission Chair;
(G) To call public hearings to initiate zoning changes; and
(H) Other duties as may be prescribed by ordinance or state law.

SUBSECTION 3.03: PROCEDURES

(A) *Attendance*. If a Planning and Zoning Commissioner has three (3) consecutive absences that are not excused by the Planning and Zoning Commission, or is absent from more than 25%of the meetings, he or she may be removed from the Planning and Zoning Commission; however, if absent from 50%of the meetings in any calendar year, the member will automatically be removed from the Planning and Zoning Commission.

(B) *Officers*. Pursuant to the Charter § 9.01, the Planning and Zoning Commission shall elect a chair and vice-chair at the first meeting in August for a term of one (1) year. The vice-chair is to preside in the absence of the chair. Both the chair and the vice-chair shall vote on every item unless prohibited by law. The Director of Planning and Zoning shall be secretary of the Planning and Zoning Commission.

(C) *Meetings*.

(1) *Open to the Public.* All meetings of the Planning and Zoning Commission shall be open to the public. The Planning and Zoning Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed in the office of the commission and shall be a public record. The Director of Planning and Zoning of the City of Rockwall shall be the custodian and possessor of the records and minutes of the Planning and Zoning Commission.
(2) *Calling of Meetings.* Meetings of the Planning and Zoning Commission may be held as often as necessary to conduct the business coming before the Planning and Zoning Commission at the call of the chair and at such other times as the commission may determine.
(3) *Quorum*. Any four (4) members shall constitute a quorum for the transaction of the business. The affirmative vote of a majority of those attending any meeting at which there is a quorum present shall be necessary to pass any motion, recommendation or resolution of the Planning and Zoning Commission.

(Ord. No. 10-14, § 3, 7-6-2010)

SUBSECTION 3.04: APPROVAL AUTHORITY

The Planning and Zoning Commission shall make decisions, or make recommendations to the City Council, on the following matters:

(A) Decisions on Site Plans, Building Elevations, Photometric Plans, Landscape Plans, Tree Preservation Plans (*i.e. Tree Mitigation Plans and Tree Removal Plans*), and Open Space Master Plans as may be required.
(B) Recommendations to City Council on all plats (*e.g. master plats, preliminary plats, replats, finals plats, etc.*) as required by Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.
(C) Recommendations to City Council regarding text amendments to the Unified Development Code.
(D) Recommendations to City Council regarding zoning changes and map amendments, including reclassification of the zoning designations on land, Specific Use Permits (SUP), and Planned Development Districts.
(E) Decisions regarding variances and special exceptions to this Unified Development Code.
(F) Recommendations to City Council regarding amendments to the Comprehensive Plan.
(G) Recommendations to City Council regarding amendments to the Master Thoroughfare Plan.
(H) Recommendations to City Council regarding amendments to the Parks and Recreation Master Plan.

(Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

SECTION 4: BOARD OF ADJUSTMENTS (BOA)

SUBSECTION 4.01: ORGANIZATION

(A) *Membership.* The Board of Adjustments (BOA) is created in accordance with the provisions of article 1011g of the Revised Civil Statutes of Texas [*V.T.C.A., Local Government Code § 211.008*]. The Board of Adjustments (BOA) shall consist of five (5) members who are residents and taxpayers of the City, each to be appointed by the City Council for two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made.

(B) *Alternate Members.* The City Council shall provide for the appointment of four (4) alternate members of the Board of Adjustments (BOA) who shall serve in the absence of one (1) or more of the regular members. Alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two (2) years, and any vacancy shall be filled in the same manner and they shall be subject to removal the same as the regular members.

(C) *Chief Building Official.* The Chief Building Official, or his authorized representative, shall be an ex-officio member of the zoning Board of Adjustments (BOA) without power of vote and as an ex-officio member of such board shall act as secretary of the Board of Adjustments (BOA) and shall set up and maintain a separate file for each application for appeal, special exception and variance received and shall record therein the names and addresses of all persons, firms and corporations to whom notices are mailed, including the date of mailing and further keep a record of all notices published as required herein. All records and files herein provided for shall be permanent and official files and records of the City.

Charter reference— Board of Adjustments (BOA), § 9.06.
State Law reference— Board of Adjustments (BOA), V.T.C.A., Local Government Code § 211.008.

SUBSECTION 4.02: PROCEDURES

(A) *Adopting Procedural Rules*. The Board of Adjustments (BOA), by majority vote, shall adopt such procedural rules as are necessary to execute its duties.

(B) *Election of Officers*. The Board of Adjustments (BOA) shall annually select one (1) of its members to be the chair, and the vice chair to act in the absence of the chair.

(C) *Quorum*. All cases before the Board of Adjustments (BOA) must be heard by at least four (4) members.

(D) *Calling Meetings*. Meetings of the Board of Adjustments (BOA) shall be held at the call of the chair, and at such other times as the Board of Adjustments (BOA) may determine. Such chair, or in his absence the acting chair, shall administer oaths and compel attendance of witnesses.

(E) *Meetings Open to the Public*. All meetings of the Board of Adjustments (BOA) shall be open to the public.

(F) *Keeping of Minutes*. The Board of Adjustments (BOA) shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its other official actions, all of which shall be filed in the office of the Board of Adjustments (BOA) and shall be a public record.

The secretary of the Board of Adjustments (BOA) shall forthwith notify in writing the City Council, the Planning and Zoning Commission and the City's Chief Building Official of each decision, interpretation, special exception and variance granted under the provisions of the Unified Development Code.

(G) *Attendance*. If a member has three consecutive absences that are not excused by the Board of Adjustments (BOA), or is absent from more than 25% of the meetings, he may be removed from the Board of Adjustments (BOA); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Board of Adjustments (BOA).

(Ord. No. 10-14, § 4, 7-6-2010)

SUBSECTION 4.03: JURISDICTION

(A) When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustments (BOA) may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following special exceptions to the regulations herein established:

(1) *Appeal of an Administrative Decision*. Consider an appeal from any person aggrieved by a decision of any administrative officer with authority over any matter regulated by the Unified Development Code or by any officer, department, board or division of the City affected by any decision of the administrative officer. Such appeal shall be received within 15 calendar days after the decision has been rendered by the administrative officer, by filing with the officer whose decision is being appealed and with the Board of Adjustments (BOA), a notice of appeal specifying the grounds of the appeal and the City's required fee.

(2) *Appeal of a Code Decision*. Consider an appeal from any person aggrieved by orders, decisions or determinations made by the building official, fire official or city engineer relative to the application and interpretation of the International Residential Code, International Building Code, International Plumbing Code, International Mechanical Code, International Energy Conservation Code, International Fuel Gas Code, International Fire Code, International Existing Building Code, and National Electrical Code.

The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustments (BOA), all papers constituting the record from which the action appealed was taken. An appeal shall stay all proceedings of the action which has been appealed, unless the officer from whom the appeal is taken, certifies to the Board of Adjustments (BOA) that a stay would, in the officer's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed unless there is a restraining order granted by the Board of Adjustments (BOA) or by a court of competent jurisdiction on application, and notice is given to the officer whose decision is the subject of appeal.

(B) *Odd Shaped Parcels*. Permit such modifications of the height, yard, area, coverage and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification.

(C) *Non-Conforming Use*. Permit the expansion or enlargement of a building occupied by a non-conforming use on the lot or tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use. Upon review of the facts, the Board of Adjustments (BOA) may establish a specific period of time for the occupancy to revert to a conforming use.

(D) *Change of Non-Conforming Use*. To authorize a change of use from one non-conforming use to another nonconforming use, provided that such change is to a use of the same or more restricted classification. In the event that a non-conforming use is changed to a nonconforming use of a higher or more restrictive classification, the building or structure containing such nonconforming use shall not later be reverted to the former lower or less restricted classification. The Board of Adjustments (BOA) may establish a specific period of time for the conversion of the occupancy to a conforming use.

(E) *Discontinuance of a Non-Conforming Use*. Require the discontinuance of nonconforming areas of land or structures under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of the Unified Development Code.

(1) All actions to discontinue a nonconforming use of land or structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of property.
(2) The Board of Adjustments (BOA) shall from time to time on its own motion or upon cause presented by interested property owners inquire into the existence, continuance or maintenance of any nonconforming use within the City.

(F) *Structure for a Legal Non-Conforming Use*. Permit the construction, reconstruction, enlargement or addition of a structure occupied by or for a use, normally ancillary to a single-family residential use, when such single-family residential use or structure, is legally nonconforming; provided, however, such construction, reconstruction, enlargement or addition does not prevent the return of such property to a conforming use.

(G) *Non-Conforming Structure*. To authorize the reconstruction and occupancy of a nonconforming structure, or a structure containing a nonconforming use, where such structure has been damaged by fire or other causes to the extent of more than 50%, but less than the total, of the replacement cost of the structure on the date of the damage. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or person affected, and shall be considered in regard to the public welfare, character of the area surrounding such structure, and the conservation, preservation and protection of property.

(H) *Expansion of a Non-Conforming Structure*. To authorize the enlargement, expansion or repair of a nonconforming structure in excess of 50% of its current value. In such instance, the current value shall be established at the time of application for a hearing before the Board of Adjustments (BOA). If such expansion or enlargement is approved by the Board of Adjustments (BOA), all provisions of the district in which such structure is located shall apply to the new construction on the lot or parcel.

(I) *Occupation of an Abandoned Non-Conforming Structure*. To authorize the occupancy of an abandoned nonconforming structure. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or persons affected, and shall be considered in regard to the public welfare and safety, character or the area surrounding such structure, and the conservation, preservation and protection of property.

(J) *Violation of Other Ordinances*. The Board of Adjustments (BOA) is not authorized to permit or approve any request that would be in violation of any other ordinances or city regulations that would prohibit such improvement or construction to be made.

(Ord. No. 18-13, § 2, 3-5-2018)

SUBSECTION 4.04: CRITERIA FOR GRANTING VARIANCES

The City's Board of Adjustments (BOA), pursuant to the powers conferred upon it by state law, the ordinances of the City, and this article may grant variances to the provisions of the Unified Development Code upon finding that:

(A) Such variance will not substantially or permanently injure the appropriate use of adjacent property in the same district;
(B) Such variance will not adversely affect the health, safety or general welfare of the public;
(C) Such variance will not be contrary to the public interest;
(D) Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located;
(E) Such variance will be in harmony with the spirit and purpose of the Unified Development Code;
(F) Such variance will not alter the essential character of the district in which is located the property for which the variance is sought;
(G) Such variance will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
(K) Due to special conditions, a literal enforcement of the Unified Development Code would result in unnecessary hardship;
(H) The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, the area, shape or slope, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located;
(I) The variance or exception is not a self-created hardship; and
(J) The variance is clearly identified as a variance to the City's standards on the concept plan, site plan or text of the Unified Development Code.

(Ord. No. 10-14, § 5, 7-6-2010)

SUBSECTION 4.05: ACTIONS OF THE BOARD

(A) In exercising its powers, the Board of Adjustments (BOA), may, in conformity with the provisions of the Local Government Code, revise or reform, wholly or partly, or may modify the order, requirement, decisions, or determination appealed from, and shall have all the powers of the officer from whom the appeal is taken including the power to impose reasonable conditions to be complied with by the applicant.

(B) The concurring vote of four (4) members of the Board of Adjustments (BOA) shall be necessary to revise any order, requirements, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under the Unified Development Code or to affect any variance in the Unified Development Code.

(C) Any special exceptions authorized by the Board of Adjustments (BOA), either under the provisions of the Unified Development Code or under the authority granted to the Board of Adjustments (BOA) under the statutes of the state, shall authorize the issuance of a building permit or a Certificate of Occupancy (CO) or other relief as the case may be for a period of 90-days from the date of the favorable action on the part of the Board of Adjustments (BOA), unless the Board of Adjustments (BOA) in its minutes shall, at the same time, grant a longer period.

(D) If a building permit or Certificate of Occupancy (CO) has not been applied for or issued within a 90-day period or as the Board of Adjustments (BOA) may specifically grant, the special exceptions shall be deemed waived; and all rights hereunder terminated. The Board of Adjustments (BOA) may grant one or more extensions to this time period upon the applicant's request and if due cause is shown.

(E) Such termination and waiver shall be without prejudice to a subsequent appeal to the Board of Adjustments (BOA) in accordance with the rules, and regulations regarding appeals.

SUBSECTION ~~411~~.06: APPEALS ON SAME MATTER

No appeal to the Board of Adjustments (BOA) shall be allowed concerning the same matter prior to the expiration of six months from a ruling of the Board of Adjustments (BOA) on any appeal to such body unless other rulings on the same or similar subject matter have, within such six-month period, been altered or changed by ruling of the Board of Adjustments (BOA), in which case such change of circumstances shall permit the allowance of an appeal, but shall in no way have force in law to compel the Board of Adjustments (BOA), after a hearing, to grant such subsequent appeal, but such appeal shall be considered on its merits as in all other cases.

SUBSECTION ~~411~~.07: EFFECTIVE DATE

A decision on a variance shall be effective upon approval by the Board of Adjustments (BOA).

SUBSECTION 4.08: APPEAL FROM BOARD

Any person aggrieved by any decision of the Board of Adjustments (BOA) or any officer, department, or board of the municipality pursuant to this section, may present to a court of competent jurisdiction, a petition, duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of such illegality.

Such petition shall be presented to the court within ten days after the filing of the decision complained of in the office of the City secretary and not thereafter.

No appeal from a Board of Adjustments (BOA) decision under its jurisdiction, as set out in the Unified Development Code, shall be heard by the City Council.

(Ord. No. 10-14, § 6, 7-6-2010)

SECTION 5: HISTORIC PRESERVATION ADVISORY BOARD

SUBSECTION 5.01: ORGANIZATION

(A) *Membership*. There is hereby created a Historic Preservation Advisory Board (HPAB) which shall serve as an advisory body to the City Council. Such board shall consist of seven members to be appointed by the City Council.

(B) *Term of Office; Qualifications*. The members shall be appointed for a term of two (2) years with staggered terms and shall be removable by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term, the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed. The membership shall include:

(1) An architect, planner or representative of a design profession;
(2) A member of the Rockwall County Historical Foundation;

(3) A general contractor;
(4) An owner of property within a historic district;
(5) Three citizens of Rockwall interested in historic preservation.

All board members, regardless of background, shall have a known and demonstrated interest, competence of knowledge of historic preservation within the City. All members must be residents of Rockwall County.

(C) *Duties.* The duties of the Historic Preservation Advisory Board (HPAB) are as follows:

(1) Provide professional recommendations to the City Council and Planning and Zoning Commission as required, regarding site plans, building alternatives, and building plans proposed within the City Historic Overlay (HOV) District. The Historic Preservation Advisory Board (HPAB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission or City Council. The Historic Preservation Advisory Board (HPAB) shall prepare a written assessment of the proposed project regarding compliance with approved guidelines for development within the district, and its applicability in preserving and enhancing the history and culture of the district.
(2) Research, document and maintain in the official files of the City detailed information regarding the original construction and architecture of the district.
(3) Develop and maintain guidelines regarding development and redevelopment within the district including architectural design, materials selections, building styles and other pertinent design considerations. The proposed guidelines shall be submitted to the Planning and Zoning Commission and City Council for approval.
(4) Adopt rules and procedures as necessary to provide for the orderly conduct of board meetings.
(5) Recommend the boundaries of historic districts.
(6) Increase public awareness of the value of historic, cultural, and architectural preservation by encouraging and participating in public education programs developed by the historic preservation office.
(7) Provide recommendations to the Planning and Zoning Commission and City Council concerning the historic preservation impact of proposed, announced or commenced actions by federal, state or local authorities that affect streets, alleys, publicly-maintained utilities and any other public spaces, areas, improvements, other features or zoning within, around or through any district.
(8) Make recommendations to the City for the employment of staff and professional consultants as necessary to carry out the duties of the HPAB.
(9) Review and take action on the designation of landmarks and the delineation of districts, which shall be ratified by the City Council.
(10) Recommend and confer recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
(11) Review and recommend to City Council and other applicable city boards and commissions all proposed changes to the Unified Development Code (UDC), building code, general plan or other adopted policies of the City than may affect the purpose of the article.
(12) Conduct public hearings and provide comment on buildings, objects, sites, structures, and districts for nomination to the National Register of Historic Places to the Texas Historic Commission. Such recommendations shall be guided by the criteria established in the National Historic Preservation Act of 1966, as amended.
(13) Implement and maintain a system of survey or inventory of significant historic, architectural, and cultural landmarks and all properties located within designated districts located in the City. Such information shall be maintained securely, made accessible to the public and should be updated at least every ten years.
(14) Monitor and report to the Texas Historical Commission all actions affecting any recorded Texas historic landmark, state archaeological landmark, national register property and any locally designated landmark, as deemed necessary.
(15) Create sub-committees from among its membership and delegate to these committees' responsibilities to carry out the purposes of this article.

(16) Maintain written meeting minutes which are recorded by staff and demonstrate all actions taken by the HPAB and the reasons for taking such actions.
(17) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
(18) Review and take action on all certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this article.
(19) Review and take action on all appeals on action taken by the HPO regarding the administrative review of certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this article.
(20) Develop, prepare and adopt specific design guidelines which shall be ratified by the City Council, for use in the review of all certificates of appropriateness applications.
(21) Prepare and submit annually to the City Council a report summarizing budget costs, goals and objectives and work completed during the previous year, as well as anticipated budgetary requests.
(22) Provide recommendations to the City concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and districts within the City.
(23) Recommend to City Council the acquisition of endangered landmarks by demolition where its preservation is essential to the purpose of this article and where private preservation is not feasible.
(24) Propose incentive program(s) to City Council for local property owners of historic landmarks or within local districts.
(25) Review and take action on all city preservation-related incentive program applications involving work on landmarks and districts for compliance with adopted design guidelines pursuant to this article.
(26) Accept on behalf of the City government donations of preservation easements and development rights as well as any other gift of value for the purpose of historic preservation, subject to the approval of City Council.

(D) *Officers.* The Historic Preservation Advisory Board (HPAB) shall elect a chair and vice chair at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Historic Preservation Officer shall be secretary of the Historic Preservation Advisory Board (HPAB) and an ex-officio member.

(E) *Voting; meetings.* Each member in attendance shall have a vote on plans submitted to the Historic Preservation Advisory Board (HPAB) with that vote reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Historic Preservation Advisory Board (HPAB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration. Meetings of the Historic Preservation Advisory Board (HPAB) shall be called as needed by the historic preservation officer.

(F) *Attendance.* If a member has three consecutive absences that are not excused by the Historic Preservation Advisory Board (HPAB), or is absent from more than 25% of the meetings, he or she may be removed from the Historic Preservation Advisory Board (HPAB); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the historic preservation board.

(Ord. No. 10-14, § 7, 7-6-2010; Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION 5~~12~~.02: DESIGNATION OF LANDMARKS IN THE CITY

(A) The Historic Preservation Advisory Board (HPAB) may recommend to the Planning and Zoning Commission and the City Council that certain properties be “landmark districts” and that specific areas be designated as “historic districts” as provided for in Subsection 6.2 of Article V, *District Development Standards*.

(Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION 5.03: CERTIFICATES OF APPROPRIATENESS (COA)

For requirements concerning Certificates of Appropriateness (COA) see Section 6, *Certificates of Appropriateness (COA)*, of Article XI, *Development Applications and Review Procedures*.

SECTION 6: ARCHITECTURAL REVIEW BOARD

SUBSECTION 6.01: CREATED

There is hereby created an Architectural Review Board (ARB) of review which shall serve as an advisory body to the Planning and Zoning Commission. Such board shall consist of seven members to be appointed by the City Council after recommendation of the Planning and Zoning Commission.

SUBSECTION 6.02: TERM OF OFFICE; QUALIFICATIONS

(A) Term. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed.
(B) Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.
(C) Attendance. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25% of the meetings, he may be removed from the Architectural Review Board (ARB); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION 6.03: DUTIES

The purpose of the Architectural Review Board (ARB)is to provide professional recommendations to the Planning and Zoning Commission and the director of planning regarding site plans and building elevations submitted within any zoning district as may be required. Meetings of the Architectural Review Board (ARB) shall be called as needed. The Architectural Review Board (ARB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission. The review shall evaluate compatibility with existing topography, scenic corridors and landscaping, and with the goals and objectives established in the applicable Overlay District and/or Planned Development District, the comprehensive plan and applicable provisions of the urban design guidelines. The Architectural Review Board (ARB) shall make recommendations on design changes based on its professional experience and knowledge. The Planning and Zoning Commission shall consider the Architectural Review Board's (ARB's) recommendations in its deliberation of the proposed development. The commission may include recommended changes in the proposed building elevations and site plan based upon the recommendations of the Architectural Review Board (ARB) in its recommendation to the City Council, if applicable.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 6.04: OFFICERS

The Architectural Review Board (ARB) shall elect a chair and vice chair at the first meeting in August or at the first meeting thereafter for a term of one year. The Director of Planning and Zoning shall be secretary of the Architectural Review Board (ARB) and an ex officio member.

(Ord. No. 10-14, § 8, 7-6-2010)

SUBSECTION 6~~13~~.05: VOTING

Each member in attendance shall have a vote on plans submitted to the Architectural Review Board (ARB) with that vote being reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Architectural Review Board (ARB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration.

SECTION 7: DIRECTOR OF PLANNING

SUBSECTION 7.01: QUALIFICATIONS

(A) The Director of Planning and Zoning must be a member in good standing of AICP, AIA or PE.
(B) The Director of Planning and Zoning or his/her designee shall serve as the *Zoning Administrator*.

SUBSECTION 7.02: POWERS AND DUTIES

(A) The Director of Planning and Zoning shall have the following powers and duties:

(1) To make recommendations and provide assistance to the City Council and Planning and Zoning Commission concerning exercise of their responsibilities under the Unified Development Code;
(2) To develop and recommend to the Planning and Zoning Commission, and the City Council, a Comprehensive Plan for the City or any amendments to the plan and to propose actions to implement the plan;
(3) To coordinate all planning relating to the City's Comprehensive Plan;
(4) To submit recommendations to the Planning and Zoning Commission and City Council on request for zoning changes, variances and exceptions;
(5) To render such administrative decisions as are required of the Director of Planning and Zoning by the Unified Development Code;
(6) To perform such other duties as may be prescribed by ordinance or directed by the City Council or Planning and Zoning Commission.

SECTION 8: HISTORIC PRESERVATION OFFICER

SUBSECTION 8.01: APPOINTMENT

The City Manager shall appoint a qualified staff person, to serve as Historic Preservation Officer (HPO). This officer shall administer the historic preservation provisions of the Unified Development Code and advise the Historic Preservation Advisory Board (HPAB) on matters submitted to it.

(Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION 8.02: POWERS AND DUTIES

In addition to serving as a representative to the Historic Preservation Advisory Board (HPAB), the Historic Preservation Officer (HPO) shall:

(A) Coordinate the City's preservation activities with those of state and federal agencies and with local, state, and national non-profit preservation organizations.
(B) Administer the Unified Development Code (UDC) and advise the HPAB on matters submitted to it.

(C) To maintain and hold open for public inspection all documents and records pertaining to the provisions of this article.
(D) Receive and review all applications pursuant to this article to ensure their completeness.
(E) Review and take action on all Certificates of Appropriateness (COA) applications subject to administrative review pursuant to this Article.
(F) Review and forward with any recommendations all applications for certificates of appropriateness subject to review by the HPAB pursuant to this article.
(G) Ensure proper posting and noticing of all HPAB meetings, schedule applications for HPAB review, provide packets to its members prior to the meetings, record meeting minutes and facilitate all HPAB meetings.
(H) Review and help coordinate the City's preservation and urban design activities with those of local, state and federal agencies and with local, state, and national preservation organizations in the private sector.

(Ord. No. 12-25, § 1, 10-1-2012)

SECTION 9: CHIEF BUILDING OFFICIAL

SUBSECTION 9.01: QUALIFICATIONS

The Chief Building Official must:

(A) Be a licensed architect or engineer in good standing; or
(B) Have a bachelor's degree in urban planning, or related field; supplemented by a minimum six (6) years in a supervisory/management capacity in the field with a municipal or other governmental organization, to include development and implementation of budgetary functions; or an equivalent combination of education, training, and experience which includes the following knowledge, skills, and abilities:

(1) Comprehensive knowledge of modern principles and practices of community development administration.

(2) Thorough knowledge of the federal, state, and local ordinances, laws and regulations relating to departmental activities.

(3) Thorough knowledge of principles of effective administration, to include planning, directing, evaluating, and coordinating.

SUBSECTION 9.02: POWERS AND DUTIES

The Chief Building Official shall have the following powers and duties:

(1) To issue permits in accordance with the Unified Development Code;
(2) To issue Certificates of Occupancy (CO) in accordance with the Unified Development Code;
(3) To enforce the provisions of the Unified Development Code;
(4) Such other powers and duties as may be lawfully delegated.

The City Council may designate the City Engineer or Director of Planning and Zoning to perform the duties of the Chief Building Official.

ARTICLE IV, PERMISSIBLE USES, UDC

SECTION 1: LAND USE SCHEDULE

SUBSECTION 1.01: USE OF LAND AND BUILDINGS

Buildings, structures, and land uses shall be in conformance with the permitted uses depicted in Subsection 1.02, *Land Use Schedule*, and in compliance with Subsection 2.03, *Conditional Land Use Standards*. The following is the legend for the *Land Use Schedule* contained in Sebsection1.02:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

SUBSECTION 1.02: LAND USE SCHEDULE

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
AGRICULTURAL ~~RURAL~~ AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)																							
Agricultural Uses on Unplatted Land	(1)		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P			
Animal Boarding/Kennel with Outside Pens	(2)	(1)	S	S	S	S																			
Animal Boarding/Kennel without Outside Pens	(2)	(2)	P	S	S	S											S	S	P	P	P	P			
Animal Clinic for Small Animals without Outdoor Pens	(3)	(3)	S														S	P	P	P	P	S			
Animal Hospital or Clinic	(4)		S															S	S	P	P	P			
Animal Production or Husbandry	(5)		S																						
Animal Shelter or Loafing Shed	(6)		S																		P	P			
Barn or Agricultural Accessory Building	(7)	(4)	S																						
Crop Production	(8)		P																						
Commercial Horse Corral or Stable	(9)	(5)	P	S	S	S																			
Private Horse Corral or Stable	(10)	(6)	P	P	P	P	S																		
Community Garden	(11)	(7)	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Urban Farm	(12)	(8)	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Wholesale Nursery (*i.e. without Retail Sale On-Site*)	(13)		S	S	S	S																			
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)																							
Residential Accessory Building or Structure	(1)	(1)		P	P	P	P	P	P	P	P	P	P	P	P	P	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~			
Bed and Breakfast	(2)	(2)	S	S	S	S					S				S	P	S								
Caretakers Quarters/Domestic or Security Unit	(3)														P			P	P	P	P	P			
Convent, Monastery, or Temple	(4)		P											P		P		P	P						
Duplex	(5)	(3)											P	P											
Commercial Parking Garage	(6)														A		A	A	A	A	A	A			
Residential Garage	(7)	(4) & (5)	A	A	A	A	A	A	A	A	A	A	A	A	A	A									
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A	A	A	A	A	A	A	S	S	S	S	P											

109

LAND USE SCHEDULE

LEGEND:

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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Home Occupation	(9)	(7)	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
Limited-Service Hotel	(10)														S			S	S		S				
Full-Service Hotel	(11)	(8)													S			S	S		S				
Residence Hotel	(12)														S			S	S		S				
Motel	(13)														S			S	S		S				
Multi-Family Development or Structure	(14)	(9)												P											
Portable Building	(15)	(10)		P	P	P	P		P	P	P	P	P												
Residential Infill in an Established Subdivision	(16)	(11)	S	S	S	S	S	S	S	S	S	S	S	S	S	S									
Single-Family Attached Structure	(17)	(12)										P	P	P											
Single-Family Detached Structure	(18)	(13)	P	P	P	P	P	P	P	P	P	P	P	P		P									
Single-Family Zero Lot Line Structure	(19)	(14)										P	P	P		P									
Private Swimming Pool	(20)		A	A	A	A	A	A	A	A	A	A	A	A	A	A									
Private Tennis Court	(21)		A	S	S	S	S	S	S	S	S	S	S	S		S									
Townhouse	(22)	(15)												P	P	P									
Urban Residential	(23)	(16)												S	P										
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)																							
Assisted Living Facility	(1)	(1)												P	S	S	S	S	S		S				
Blood Plasma Donor Center	(2)																	P	P	P	P	P			
Cemetery/Mausoleum	(3)		S														P	P	P	P	P	P			
Church/House of Worship	(4)	(2)	S	S	S	S	S	S	S	S	S	S	S	P	S		P	S	S	P	S	P			
College, University, or Seminary	(5)														P				S	P	P	P			
Convalescent Care Facility/Nursing Home	(6)													S	S	P	P	P	P	P	S				
Congregate Care Facility/Elderly Housing	(7)	(3)												P	S	S	S	S	S		S				
Crematorium	(8)																				S	P			
Daycare with Seven (7) or More Children	(9)	(4)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S			

110

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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Emergency Ground Ambulance Services	(10)																	P	P	P	P	P			
Group or Community Home	(11)	(5)	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P							
Government Facility	(12)														S			P	P	P	P	P			
Halfway House	(13)	(6)														S									
Hospice	(14)													S			P	P	P	P	S	S			
Hospital	(15)																	P	P	P	P	S			
Public Library, Art Gallery or Museum	(16)														P	P	P	P	P	P	P	P			
Mortuary or Funeral Chapel	(17)																	P	P	P	P				
Local Post Office	(18)														P		P	P	P	P	P	P			
Regional Post Office	(19)																			P	P	P			
Prison/Custodial Institution	(20)																			P	P	P			
Public or Private Primary School	(21)	(7)	S	S	S	S	S	S	S	S	S	S	S	S	S		P	P	P	P	P				
Public or Private Secondary School	(22)	(8)	S	S	S	S	S	S	S	S	S	S	S	S	S		P	P	P	P	P				
Temporary Education Building for a Public or Private School	(23)	(9)	S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	S					
Rescue Mission or Shelter for the Homeless	(24)																			S	P	P			
Social Service Provider (Except Rescue Mission or Homeless Shelter)	(25)																	S		P	P	P			
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)																							
Financial Institution with Drive-Through	(1)	(1)															S	P	P	P	P	P			
Financial Institution without Drive-Through	(1)														P		P	P	P	P	P	P			
Office Building less than 5,000 SF	(2)														P	P	P	P	P	P	P	P			
Office Building 5,000 SF or Greater	(2)														P	S	S	P	P	P	P	P			
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)																							
Temporary Carnival, Circus, or Amusement Ride	(1)	(1)													S		S	P	P	P	P	P			
Indoor Commercial Amusement/Recreation ~~(inside)~~	(2)	(2)													S			S	P	P	P	P			

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Outdoor Commercial Amusement/Recreation ~~(outside)~~	(3)	(3)																S	S	P	S	P			
Public or Private Community or Recreation Club as an Accessory Use	(4)		S	S	S	S	S	S	S	S	S	S	S	S	S		S	P	P	P	P	P			
Private Country Club~~, private~~	(5)		S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P			
Golf Driving Range	(6)																S	S	S	P	P	P			
Temporary Fundraising Events by Non-Profit	(7)	(4)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Indoor Gun Club with Skeet or Target Range	(8)	(5)																S	P	P	P	P			
Outdoor Gun Club with Skeet or Target Range	(8)		S																			S			
Health Club or Gym	(9)													A	P		S	P	P	P	P	P			
Private Club, Lodge or Fraternal Organization	(10)	(6)													S		S	S	P	P	P	S			
Private Sports Arena, Stadium, and/or Track	(11)																		S	P	P	P			
Public Park or Playground	(12)		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
Sexually Oriented Businesses [Art. XI; CH. 12; Municipal Code]	(13)	(7)																			S	S			
Tennis Courts (*i.e. Not Accessory to a Public or Private Country Club*)	(14)		S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P			
Theater	(15)														P			S	P	P	P	P			
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)																							
Antique/Collectible Store	(1)														S		S	P	P	P					
Astrologer, Hypnotist, or Psychic	(2)														S	P	P	P	P	P					
Banquet Facility/Event Hall	(3)														S			P	P	P					
Portable Beverage Service Facility	(4)	(1)													S	S		S	S	S	S	P			
Brew Pub	(5)														P		P	P	P	P	P	P			
Business School	(6)														P			P	P	P	P				
Catering Service	(7)														A		S	P	P	P	P				
Temporary Christmas Tree Sales Lot and/or Similar Uses	(8)	(2)													S		S	P	P	P	P	P			
Copy Center	(9)														P		P	P	P	P	P	P			

112

LAND USE SCHEDULE

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Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)													S			S	S		P	P			
Incidental Display	(11)	(4)													P		P	P	P	P	P				
Food Trucks/Trailers	(12)	(5)													P	S	S	P	P	P	P	P			
Garden Supply/Plant Nursery	(13)																S	P	P	P	P				
General Personal Service	(14)	(6)													P		P	P	P	P	S				
General Retail Store	(15)														P	S	P	P	P	P	S	S			
Hair Salon and/or Manicurist	(16)														P	S	P	P	P	P	S				
Laundromat with Dropoff/Pickup Services	(17)														P		P	P	P	P	P	P			
Self Service Laundromat	(18)														P		P	P	P	P	P	P			
Massage Therapist	(19)														P	P	P	P	P	P					
Private Museum or Art Gallery	(20)														P	P	S	P	P		P				
Night Club, Discotheque, or Dance Hall	(21)														S			S	P	P	S	S			
Pawn Shop	(22)																		S	S	P	P			
Permanent Cosmetics	(23)	(7)													A	A	A	A	A	A	A				
Pet Shop	(24)																P	P	P	P					
Temporary Real Estate Sales Office	(25)		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
Rental Store without Outside Storage and/or Display	(26)	(8)																S	P	P	P	P			
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(27)	(9)															S	S	S	S	S	S			
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)														P	S	P	P	P	P	P	P			
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(27)	(10)															S	S	P	P	P	P			
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)														P		S	P	P	P	P	P			
Retail Store with Gasoline Sales that has Two (2) or less Dispensers (*i.e. a Maximum of Four [4] Vehicles*)	(29)																S	P	P	P	P	P	S	S	

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Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29)																S	P	P	P	P	S	S	
Secondhand Dealer	(30)														S			P	P	P	P	P			
Art, Photography, or Music Studio	(31)														P	P	P	P	P	P	P				
Tailor, Clothing, and/or Apparel Shop	(32)														P		P	P	P	P					
Tattoo and/or Body Piercing	(33)																			P					
Taxidermist Shop	(34)																			P	P				
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)																							
Bail Bond Service	(1)																		S	P	P	P			
Building and Landscape Material with Outside Storage	(2)	(1)																			P	P			
Building and Landscape Material with Limited Outside Storage	(2)	(2)																	P	P	P	P			
Building Maintenance, Service, and Sales with Outside Storage	(3)	(3)																			P	P			
Building Maintenance, Service, and Sales without Outside Storage	(3)																		P	P	P	P			
Commercial Cleaners	(4)																			S	P	P			
Custom and Craft Work	(5)																			P	P	P			
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)														P		S	P	P	P	P	P			
Feed Store or Ranch Supply	(7)																			P	S	P			
Furniture Upholstery/Refinishing and Resale	(8)	(4)																	S	P	P				
Gunsmith Repair and Sales	(9)																			P	P				
Rental, Sales and Service of Heavy Machinery and Equipment	(10)																			P	S	P			
Locksmith	(11)														P			P	P	P	P	P			
Machine Shop	(12)																			P	P	P			
Medical or Scientific Research Lab	(13)																			P	P	P			
Manufactured Home Sales	(14)																			S		P			
Research and Technology or Light Assembly	(15)																		S	P	P	P			

114

LAND USE SCHEDULE

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Shoe and Boot Repair and Sales	(16)														P	S	P	P	P	P					
Trade School	(17)														S			S	P	P	P	P			
Temporary On-Site Construction Office	(18)		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)																							
Major Auto Repair Garage	(1)	(1)																		P	S	P			
Minor Auto repair garage	(2)	(2)													S			S	S	P	S	P			
Automobile Rental	(3)																		S	P	S	P			
New or Used Boat and Trailer Dealership	(4)	(3)																	S	P	S	P	X	X	
Full Service Car Wash and Auto Detail	(5)	(4)															S	S	P	P	P	P	S	S	
Self Service Car Wash	(5)	(4)																S	P	P	P	P	S	S	
New and/or Used Indoor Motor Vehicle Dealership/Showroom	(6)	(5)																	S	S	S	S			
New Motor Vehicle Dealership for Cars and Light Trucks	(7)	(6)																	S	P	S	P			
Used Motor Vehicle Dealership for Cars and Light Trucks~~)~~	(7)	(7)																	A	A	A	A			
Commercial Parking	(8)														S				P	P	P	P			
Non-Commercial Parking Lot	(9)														A		S	P	P	P	P	P			
Recreational Vehicle (RV) Sales and Service	(10)																		S	P	S	P			
Service Station	(11)	(8)															S	P	P	P	P	P			
Towing and Impound Yard	(12)	(9)																		S	S	P			
Towing Service without Storage	(13)	(10)																		P	P	P			
Truck Rental	(14)																			P	S	P			
Truck Stop with Gasoline Sales and Accessory Services	(15)	(11)																		S	S	P			
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)																							
Asphalt or Concrete Batch Plant	(1)	(1)	S																		S	S			
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P			

115

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Bottle Works for Milk or Soft Drinks	(3)																				P	P			
Brewery or Distillery	(4)	(3)																			P	P			
Carpet and Rug Cleaning	(5)																			S	P	P			
Environmentally Hazardous Materials	(6)	(4)																		S	S	P			
Food Processing with No Animal Slaughtering	(7)																			S	P	P			
Light Assembly and Fabrication	(8)																			P	P	P			
Heavy Manufacturing	(9)																			S	S	P			
Light Manufacturing	(10)																			P	P	P			
Metal Plating or Electroplating	(11)																				S	P			
Mining and Extraction of ~~(~~Sand, Gravel, Oil and/or Other Materials~~)~~	(12)	(5)	S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	S	S	S			
Printing and Publishing	(13)																			P	P	P			
Salvage or Reclamation of Products Indoors	(14)																			S	P	P			
Salvage or Reclamation of Products Outdoors	(15)																				S	P			
Sheet Metal Shop	(16)																			P	P	P			
Tool, Dye, Gauge and/or Machine Shop	(17)																				P				
Welding Repair	(18)																			P	P	P			
Winery	(19)	(6)	S																		P	P			
WHOLESALE, DISTRIBUTION AND STORAGE LAND USES	2.02(J)	2.03(J)																							
Cold Storage Plant	(1)																			P	P	P			
Heavy Construction/Trade Yard	(2)																			S	P	P			
Landfill	(3)		S																						
Mini-Warehouse	(4)	(1)																	S	P	P	P			
Outside Storage and/or Outside Display	(5)	(2)																		P	P	P			S
Recycling Collection Center	(6)																			S	P	P			
Warehouse/Distribution Center	(7)																			P	P	P			

LAND USE SCHEDULE

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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Wholesale Showroom Facility	(8)																		S	P	P	P			
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)																							
Airport, Heliport or Landing Field	(1)																			S	S	S			
Antenna~~,~~ as an Accessory	(2)	(1)	P	S	S	S	S	S	S	S	S	S	S	P		P	P	P	P	P	P	P			
Commercial Antenna	(3)	(2)													S	S		S	S	S	S	P			
Antenna~~,~~ for an Amateur Radio	(4)	(3)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Antenna Dish	(5)	(4)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Commercial Freestanding Antenna	(6)	(5)	S															S	S	S	P	P			
Mounted Commercial Antenna	(7)	(6)													S			S	S	S	P	P			
Bus Charter Service and Service Facility	(8)																			P	P	P			
Helipad	(9)																	S	S	S	S	S			
Utilities (*Non-Municipally Owned or Controlled*), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Private Streets	(12)			S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S			
Radio Broadcasting	(13)														S			P	P	P	P	P			
Railroad Yard or Shop	(14)		S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S			
Recording Studio	(15)														S			S	P	P	P	P			
Satellite Dish	(16)		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Solar Energy Collector Panels and Systems	(17)	(7)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Transit Passenger Facility	(18)														S	S	S	S	S	S	S	S			
Trucking Company	(19)																			P	P	P			
TV Broadcasting and Other Communication Service	(20)														S			S	S	P	P	P			
Utilities Holding a Franchise from the City of Rockwall	(21)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P			
Utility Installation Other than Listed	(22)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			

117

LAND USE SCHEDULE

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Utility/Transmission Lines	(23)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Wireless Communication Tower	(24)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			

SECTION 2: CONDITIONAL LAND USE STANDARDS AND DEFINITIONS

SUBSECTION 2.01: DETERMINATION OF LAND USES

Land uses shall be permitted in a zoning district as indicated in Section 1, *Land Use Schedule*, provided the land use meets the below conditional land use standards and the land use definitions established for such use. Should a new land use -- *not listed in Section 1, Land Use Schedule* -- request to be established in the City, the Director of Planning and Zoning or his/her designee shall determine the closest or most appropriate land use based on the following land use definitions and conditional land use standards. If the Director of Planning and Zoning is unable to classify a land use based on the land uses listed in *Section 1, Land Use Schedule*, then the Director of Planning and Zoning shall defer the decision to the City Council to either [*1*] direct staff to amend the code to incorporate the new land use, or [*2*] deny the request to establish the unlisted land use.

SUBSECTION 2.02: LAND USE DEFINITIONS

For land use definitions see Section 2.02, *Land Use Definitions*, of Article XIII, *Definitions*.

SUBSECTION 2.03: CONDITIONAL LAND USE STANDARDS

(A) *Agricultural and Animal Related Land Uses*

(1) *Animal Boarding/Kennel with Outside Pens.*

(a) Animals shall be permitted to be in outside pens or kennels.
(b) The outside pens or kennels shall be behind the primary structure and shall be screened from view of adjacent properties, public right-of-way, and parks and open space.

(2) *Animal Boarding/Kennel without Outside Pens.*

(a) Animals shall not be permitted to be in outside pens or kennels.

(3) *Animal Clinic for Small Animals without Outdoor Pens.*

(a) All *Animal Clinics for Small Animals* that incorporate a kennel shall be limited to short-term boarding.
(b) Boarding/kennel land uses should be accessory or incidental to the primary land uses (*i.e. animal clinic*).

(4) *Barn or Agricultural Accessory Building.*

(a) A *Barn or Agricultural Accessory Building* shall be a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
(b) The *Barn or Agricultural Accessory Building* shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

(5) *Commercial Horse Corral or Stable.*

(a) This use requires a minimum of ten (10) acres to be established.
(b) The ground accumulation of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals.
(c) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal.

(6) *Private Horse Corral or Stable.*

(a) All *Private Horse Corrals or Stables* shall comply with the standards specified in *Subsection 3.01, Farm Animals and Horses*.

(7) *Community Garden.*

(a) *Community Gardens* are permitted in the Agricultural (AG) District *by-right*; however, a Specific Use Permit (SUP) shall be required for any on-site retail sales.
(b) *Community Gardens* are permitted in all other zoning districts by Specific Use Permit (SUP) only, and are subject to the additional following conditions:

(1) The *Community Garden* must comply with the lot and building standards for the zoning district in which the subject property is located.
(2) Any structure(s) for a *Community Garden* shall be reviewed as part of the Specific Use Permit (SUP), including the size and intended use.
(3) All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended.
(4) Sales and donation of ~~only~~ whole, uncut, fresh food and/or horticultural products grown in the *Community Garden* may occur on-site, but may not occur on residentially zoned or used property.
(5) Retail sales and all other public use of the *Community Garden* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
(6) One temporary sign advertising only food or horticultural products grown on-site may be displayed during sale~~s~~ hours. The sign must be on-site, non-illuminated, and must not exceed six (6) square feet in area or three (3) feet in height.
(7) The applicant shall provide a *Community Garden Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include: [*1*] a site plan, [*2*] a description of the type of equipment necessary for all operations of the *Community Garden*, [*3*] the anticipated frequency and duration of use of any equipment used on-site, [*4*] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [*5*] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

(8) *Urban Farm.*

(a) *Urban Farms* are permitted in the Agricultural (AG) District *by-right*; however, a Specific Use Permit (SUP) shall be required for any on-site retail sales.
(b) *Urban Farms* are permitted in all other zoning districts by Specific Use Permit (SUP) only, and are subject to the additional following conditions:

(1) A site area of not less than one (1) acre and not more than five (5) acres is required, unless otherwise approved by City Council.
(2) Only mechanical equipment designed for residential use may be used.
(3) Retail sales and all other public use of the *Urban Farm* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
(4) Commercial deliveries and pickups are limited to one (1) per day. On-site sales are not considered commercial pickups.
(5) One identification sign not exceeding 144 square inches in area is permitted.
(6) Any structure(s) for urban farms in residential districts shall be reviewed as part of the SUP, including size, building materials and intended use.
(7) The applicant shall provide a *Urban Farm Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include: [*1*] a site plan, [*2*] a description of the type of

equipment necessary for all operations of the *Community Garden*, [*3*] the anticipated frequency and duration of use of any equipment used on-site, [*4*] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [*5*] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

(c) *Urban Farms* are permitted in non-residential zoning districts by Specific Use Permit (SUP) only and are subject to the additional following conditions:

(1) A minimum site area of one (1) acre is required.
(2) Retail sales and all other public use of the *Urban Farm* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
(3) Any structure(s) for a *Community Garden* shall be reviewed as part of the Specific Use Permit (SUP), including the size and intended use.
(4) The applicant shall provide a *Urban Farm Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include: [*1*] a site plan, [*2*] a description of the type of equipment necessary for all operations of the *Community Garden*, [*3*] the anticipated frequency and duration of use of any equipment used on-site, [*4*] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [*5*] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

(B) *Residential and Lodging Land Uses*

(1) *Residential Accessory Building or Structure.*

(a) See Subsection 7.04, *Accessory Structure Development Standards,* of Article V, *District Development Standards*.

(2) *Bed and Breakfast.*

(a) The *Bed and Breakfast* land use is permitted in the Old Town Rockwall (OTR) Historic District *by-right.*
(b) A *Bed and Breakfast* may only be established on an owner-occupied, single-family lot.
(c) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
(d) No signage and/or outside advertising shall be permitted for a *Bed and Breakfast* unless located in a non-residential zoning district or as permitted by a Specific Use Permit (SUP).
(e) *Bed and Breakfast* shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
(f) A *Bed and Breakfast* shall be subject to an annual inspection by the Fire Department.
(g) All applicable hotel/motel taxes shall be paid.
(h) The maximum length of a guests stay ~~is~~ shall be limited to 14 consecutive days in any 30-day period.
(i) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

(3) *Duplex.*

(a) Duplexes shall be limited to two (2) dwelling units (*i.e. two [2] families*) per lot or parcel of land.
(b) See the standards for the Two-Family (2F) District Subsection 7.01, *Residential District Development Standards,* of Article V, *District Development Standards*.

(4) *Attached Garage.*

(a) See Section 7.04, *Accessory Structure Development Standards,* of Article V, *District Development Standards*.

(5) *Detached Garage.*

(a) See Section 7.04, *Accessory Structure Development Standards,* of Article V, *District Development Standards*.

(6) *Guest Quarters/Secondary Living Unit.*

(a) *Guest Quarters* or *Secondary Living Units* may be allowed on a property in a residential zoning district provided that it is ancillary to a single-family home.
(b) The area of such quarters shall not exceed 30 percent of the area of the main structure.
(c) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.
(d) *Guest Quarters* or *Secondary Living Units* not meeting the requirements stated above shall require a Specific Use Permit (SUP).

(7) *Home Occupation.*

(a) The *Home Occupation* use must clearly be incidental and secondary to the primary use of the property as a residence.
(b) No person outside the family may be employed in the *Home Occupation* use.
(c) There shall be no exterior display, signage, exterior storage of materials, and/or other exterior indication of the *Home Occupation* use or variation from the residential character of the principal building.
(d) No traffic shall be generated by such *Home Occupation* than would normally be expected in the neighborhood.
(e) No nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be generated.
(f) A *Home Occupation* may not be interpreted to include facilities for the repair of motor vehicles, repair of small motors, or a daycare center.

(8) *Full-Service Hotel.*

(a) The minimum room count for a *Full-Service Hotel* shall be 250-rooms.
(b) Each guestroom shall have a minimum square footage of 380 SF.
(c) A *Full-Service Hotel* shall have a full-service restaurant and kitchen that provides service to the general public.
(d) A *Full-Service Hotel* shall have staff that is present 24-hours a day, seven (7) days a week.
(e) A *Full-Service Hotel* shall have the following minimum amenities: [*1*] a minimum 10,000 SF meeting or conference room, and [*2*] a swimming pool with a minimum area of 1,000 SF.

(9) *Multi-Family Structure or Development.*

(a) See Subsection 7.02, *Multi-Family District Development Standards,* of Article V, *District Development Standards*.

(10) *Portable Building.*

(a) See Subsection 7.04, *Accessory Structure Development Standards,* of Article V, *District Development Standards*.

(11) *Residential Infill in or Adjacent to an Established Subdivision*.

(a) For the purposes of this Article, an *Established Subdivision* shall be defined as a subdivision that consists of five (5) or more lots, that is 90% or more developed, and that has been in existence for more than ten (10) years.
(b) All proposed residential infill housing that is located within an *Established Subdivision* or a lot or tract of land that is located with 500-feet of an *Established Subdivision* shall be required to apply for a Specific Use Permit (SUP).
(c) As part of the Specific Use Permit (SUP) request the applicant shall be required to submit a residential plot plan or site plan, landscape plans, and building elevations of the proposed home.
(d) In reviewing the proposed Specific Use Permit (SUP), the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing in the *Established Subdivision*.
(e) All housing proposed under this section shall be constructed to be architecturally and visually similar or complimentary to the existing housing in the *Established Subdivision*.

(12) *Single-Family Attached Structure*.

(a) See Section 3, *Residential Districts,* of Article V, *District Development Standards*.
(b) See Subsection 7.01, *Residential District Development Standards,* of Article V, *District Development Standards*.

(13) *Single-Family Detached Structure*.

(a) See Section 3, *Residential Districts,* of Article V, *District Development Standards*.
(b) See Subsection 7.01, *Residential District Development Standards,* of Article V, *District Development Standards*.

(14) *Single-Family Zero Lot Line Structure*.

(a) A five (5) foot maintenance easement is required on the non-zero-lot-line side of the structure.
(b) See Section 3, *Residential Districts,* of Article V, *District Development Standards*.
(c) See Subsection 7.01, *Residential District Development Standards,* of Article V, *District Development Standards*.

(15) *Townhouse*.

(a) See Section 3, *Residential Districts,* of Article V, *District Development Standards*.
(b) See the standards for the Two-Family (2F) District Subsection 7.01, *Residential District Development Standards,* of Article V, *District Development Standards*.

(16) *Urban Residential*.

(a) *Urban Residential* includes residential development that at least partly face streets, public sidewalks, or common open space, and/or which are located above retail, office or service uses.
(b) Ground floor urban residential should have direct access to a sidewalk via a stoop or landing, and a majority of parking should be located in a structure.

(C) *Institutional and Community Service Land Uses*

(1) *Assisted Living Facility.*

(a) These facilities shall include establishments that accommodate seven (7) or more residents. For facilities with six (6) or fewer residents see *Group or Community Home* in Subsection 2.04(11).

(2) *Church/House of Worship*.

(a) Significant accessory uses such as schools, coffee houses, daycare centers, bingo parlors and halls may only be allowed in a zoning district that allows such uses.

(3) *Congregate Care Facility/Elderly Housing.*

(a) A *Congregate Care Facility/Elderly Housing* facility may have up to two (2) units for on-site managers, which contain full kitchen facilities.
(b) Full-time medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (*e.g. visiting nurse or home health care*).
(c) These facilities shall incorporate special safety, accessibility and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.

(4) *Daycare with Seven (7) or More Children*.

(a) An adequate pickup and drop-off area providing a minimum cuing space for four (4) standard sized vehicles shall be provided.

(5) *Group or Community Home*.

(a) The facility must be a operated by:

(1) The Texas Department of Mental Health and Metal Retardation (MHMR);
(2) A Community Center organized under Subchapter A, *Community Centers*, of Chapter 534, *Community Services*, of the Health and Safety Code, that provides services to persons with disabilities;
(3) An entity subject to the Texas Non-Profit Corporation Act; or
(4) An entity certified by the Texas Department of Human Services as a provider under the medical assistance program service persons in intermediate care facilities for persons with mental retardation; or
(5) An entity operating an Assisted Living Facility licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code, and with six (6) or fewer residents. For an assisted living facility with more than six (6) residents see *Assisted Living Facility* in Subsection 2.04(1).

(b) When the facility is located within a residential zoning district:

(1) The exterior structure must retain compatibility with the surrounding residential dwellings, and
(2) Not more than six (6) persons with disabilities and two supervisors may reside in the facility at the same time. The limitation on the number of persons with disabilities applies regardless of the legal relationship of those persons to one another.

(c) A *Group or Community Home* may not be established within one-half (½) mile of an existing *Group or Community Home* unless a Specific Use Permit (SUP) is approved by the City Council.

(d) The residents of a *Group or Community Home* may not keep for the use of the residents of the home, either on the premises or on a public right-of-way adjacent to the home, motor vehicles in numbers that exceed the number of bedrooms in the home.

(6) *Halfway House*.

(a) These facilities shall not be located within a 1,000-foot radius of another *Halfway House* (as measured from parcel to parcel). A Specific Use Permit (SUP) shall be required for any facility located closer than 1,000-feet.
(b) Such facilities shall be licensed as a Community Residential Facility under Chapter 508, Parole and Mandatory Supervision, of the Texas Health and Safety Code.

(7) *Public or Private Primary School*.

(a) Adequate pick-up and drop-off areas shall be provided to ensure that street traffic/neighborhood traffic is not impeded. This shall be determined by the Director of Planning and Zoning or his/her designee at the time of site plan.

(8) *Public or Private Secondary School*.

(a) The school shall be located on a *Minor Collector* or larger roadway.
(b) Adequate pick-up and drop-off areas shall be provided to ensure that street traffic/neighborhood traffic is not impeded. This shall be determined by the Director of Planning and Zoning or his/her designee at the time of site plan.

(9) *Temporary Education Buildings for a Public or Private School*.

(a) The City Manager or his/her designee may approve temporary educational buildings for a public school pending the submission of a letter from the independent school district indicating the duration the buildings will remain on-site. The City Manager or his/her designee may also require the temporary buildings to adhere to the procedures and requirements of Subsection 2.04(23)(A)(b) below.
(b) All other applications of temporary educational buildings will require a Specific Use Permit (SUP) that shall be approved by the Planning and Zoning Commission and City Council, and that shall include the following operational conditions:

(1) The buildings shall be screened from the view of adjacent properties, public right-of-way, and parks and open space by the primary structure or landscape screening that incorporates three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*).
(2) The applicant shall provide a plan indicating the expected phasing-out of all temporary structures.
(3) The Specific Use Permit (SUP) shall be valid for a period not to exceed five (5) years.

(D) *Office and Professional Land Uses.*

(1) *Financial Institution with Drive-Through.*

(a) Drive-throughs shall not be located on a property adjacent to a residentially zoned or used property. Drive-throughs shall be separated from residentially zoned or used properties by an intervening building or parcel of land.
(b) Drive-throughs shall not have access to local residential streets.
(c) Stacking lanes for drive-through service windows shall accommodate at least six (6) standard sized motor vehicles per lane, unless specifically approved by the Planning and Zoning Commission.

(E) *Recreation, Entertainment and Amusement Land Uses.*

(1) *Temporary Carnival, Circus, or Amusement Ride*.

(a) The duration of these temporary uses shall not exceed 14-days.

(b) Carnival, circus and amusement ride uses shall be no closer than 300-feet to a residentially zoned or used property unless otherwise approved by the Planning and Zoning Commission and City Council.
(c) Such events must obtain a permit from the City of Rockwall.

(2) *Indoor Commercial Amusement/Recreation*.

(a) Exemptions to this use include:

(1) Skill or coin-operated machines kept in private residences or apartments and used without charge by members of the family or bona fide guests.
(2) Skill or coin-operated machines on the premises of religious, charitable, educational or fraternal organizations for the use of members or their guests, and not for private profit, although a charge is made for playing.
(3) Billiard or pool tables on the premises of publicly owned facilities.

(Ord. No. 10-14, § 17, 7-6-2010)

(3) *Outdoor Commercial Amusement/Recreation.*

(a) *Outdoor Commercial Amusement/Recreation* includes uses that provide outdoor entertainment (*e.g. amusement parks, golf courses, outdoor music venues, batting cages, miniature golf etc.*), but excludes drive-in movie theaters.
(b) *Outdoor Commercial Amusement/Recreation* includes temporary structures (e.g. tents, canopies, etc.) for events; however, temporary in this case does not include structures intended to serve uses for longer than 14-days.
(c) *Outdoor Commercial Amusement/Recreation* shall be a minimum of 300-feet from all residentially zoned or used property unless otherwise approved by the Planning and Zoning Commission and City Council.

(4) *Temporary Fundraising Events by Non-profit.*

(a) Such events must obtain a *Special Event Permit* from the City of Rockwall.

(5) *Indoor Gun Club with Skeet or Target Range.*

(a) All activities shall be done inside an enclosed building.

(6) *Private Club, Lodge or Fraternal Organization.*

(A) *Private Club.*

(a) *Setbacks from Other Uses*. The club must be located not less than 300-feet from a church, public school, or public hospital. For a church or public hospital, the 300-feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the private club and in a direct line across intersections.
(b) *Exterior Signs*. There shall be no exterior signs advertising the sale of alcoholic beverages, provided this does not prohibit using established trademark names (*e.g. Steak and Ale*).
(c) *Alcoholic Sales Revenue*. Revenues from the sale of alcoholic beverages shall not exceed 40 percent of the gross revenues derived from the sale of food and beverages. In the hotels and motels, the gross receipts shall include all restaurants and club operations in the facility as well as room rental charges. The City shall be provided with copies of the reports submitted by the establishment to the Texas Comptroller of Public Accounts and the Texas Alcoholic Beverage

Commission within 30-days of the end of each quarter. Combined sales as reflected on the reports for the last two (2) reported quarters shall be used to determine if the sales of alcohol exceeds the maximum allowed percentage.

(d) *Club Boundaries*. The boundaries of a private club are hereby defined to be the building in which the private club is located, or in the case of a multi-tenant building such as a shopping center, only that portion of the building in which the private club is located which is separately leased or owned, or with contiguous internal access should such floor area be leased to more than one party.

(e) *Certificate of Occupancy.* A copy of the permit approved by the state shall be submitted to the city prior to issuance of a Certificate of Occupancy (CO) to ensure that the permit complies with the provisions of the zoning.

(f) *Allowed uses*. No uses meeting the terms and definitions of *Sexually Oriented Business* as defined in Article XI, *Sexually Oriented Businesses*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances, as it is currently adopted or as it may hereafter be amended, shall be located in a private club unless such uses are approved as a part of the Specific Use Permit (SUP) authorizing the *Private Club*. Any such approved use shall be in compliance with all requirements of this permit, all applicable requirements of the Unified Development Code (UDC), and any other applicable ordinances.

(7) *Sexually Oriented Businesses.*

(a) *Sexually Oriented Businesses* shall not be permitted within any Overlay District in the City of Rockwall.

(F) *Retail and Personal Service Land Uses Conditions.*

(1) *Portable Beverage Service Facility*.

(a) The service shall be limited to snow cone stands, beverage stands serving non-alcoholic beverages such as coffee, juices or sodas.

(b) The maximum time limit of such temporary use shall not exceed 150-days annually or a time limit otherwise approved by the City Council. At the end of the time period, the structure shall be removed from the property.

(c) Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.

(d) No additional freestanding signage shall be permitted.

(e) The temporary portable structure or trailer shall meet all health and electrical codes off the City.

(f) Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.

(g) Any such temporary facility shall have permanent restrooms for employees available within 300-feet of the door of the portable beverage facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.

(h) Any such temporary facility shall be located on an all-weather (*i.e. asphalt or concrete*) parking surface with adequate space for parking and circulation, unless alternatively approved by the City Council.

(2) *Temporary Christmas Tree Sales Lot and Similar Uses.* A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.

(a) Any such temporary facility of lot shall be limited to the seasonal sales of Christmas trees.

(b) The maximum time limit of such use shall not exceed 45-days annually. At the end of the 45-day period, the structure and other facilities related to the use shall be removed from the property.

(c) Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.

(d) No additional freestanding signage shall be permitted.
(e) Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.
(f) Any such temporary facility shall have permanent restrooms for employees available within 300-feet for which written permission from the permanent building owner for restroom use must be submitted to the Chief Building Official; no portable restroom facility is allowed.

(3) *Craft/Micro Brewery, Distillery and/or Winery.*

(a) A *Craft/Micro Brewery* areas shall be less than 12,000 SF in total building area.
(b) A maximum of 40 percent of the total floor areas can be dedicated to the direct sale of on-site manufactured product.
(c) A craft or micro-brewery, distillery and/or winery may include the following accessory uses (*in accordance with any applicable land use standards and requirements*): [*1*] a tasting room to dispense beer, wine, and/or spirits for on premise consumption, [*2*] meeting/banquet facilities, [*3*] restaurants, and/or [*4*] retail package sales of on-site manufactured product for off-premise consumption shall be allowed as permitted by the Texas Alcohol Beverage Commission's (TABC) Alcoholic Beverage Code.
(d) A facility that does not have a manufacturing component (*i.e. only provides tasting or retail sales of alcoholic beverages*) shall not be considered a craft or micro-brewery, distillery and/or winery and shall be prohibited.

(4) *Incidental Display.*

(a) Outdoor sales and displays are permitted only in areas designated on the Site Plan filed with the City.
(b) Outdoor sales and display may not exceed five (5) percent of the adjacent building floor area (*building area is defined as the entirely enclosed portion of the primary building*).
(c) Outdoor sales and display may occupy up to 30 percent of a covered sidewalk that is located within 20-feet of the building. Such display shall not impede pedestrian use of the sidewalk and at least a five (5) foot passable distance shall be maintained.
(d) Any outside sales and display not located on a covered sidewalk must be screened from view of adjacent roadways, public areas and adjacent properties. Such screening must:

(1) Be a minimum of eight feet high or one foot taller than the materials being displayed, whichever is greater.
(2) Include a minimum of 20 percent solid screening matching the material of the primary building. The remainder may be solid evergreen planting, or wrought iron or decorative metal fence.

(e) Any outside sales and display not located on a covered sidewalk must be located immediately adjacent to or connected to the primary structure.
(f) No outdoor sales and display may be located in any portion of a parking lot.
(g) Christmas tree sales are exempted from these standards, and such trees may be stored outdoors for sale beginning one week before Thanksgiving and ending December 31st (see *Temporary Christmas Tree Sales and Similar Uses*).
(h) The accessory seasonal display of plants and related landscape materials such as fertilizer, peat moss, and ornamental landscape items by a permitted retail use may be displayed upon approval by the building inspector only under the following conditions:

(1) The plants and related materials shall be located on an all-weather surface.
(2) All of the plants and related materials shall be located behind the building line.
(3) The storage area for display of plants and related materials shall not occupy any required parking spaces. Excess, parking spaces may be used if all other requirements are met.
(4) The storage area for display of plants shall not occupy more than five percent of the total lot area.

(i) The restrictions above shall be construed to prohibit the storage and display of rental trailers and trucks except in districts where such uses are indicated as permitted uses.

(5) *Food Truck/Trailer.*

(a) The *Food Truck/Trailer* shall be located on an improved surface (*i.e. concrete or asphalt*) on private property where an existing business is currently operating with a valid certificate of occupancy (CO). Operation within the public right-of-way is prohibited.
(b) *Food Trucks/Trailers* shall only operate between the hours of 7:00 AM and 10:00 PM, and the *Food Truck/Trailer* shall be required to be removed from the property during non-operation hours (*i.e. overnight storage on the site is prohibited*).
(c) The *Food Truck/Trailer* shall be equipped with trash receptacles approved by the city health inspector and that comply with all other applicable city codes. The outside storage of trash shall be prohibited.
(d) The *Food Truck/Trailer* shall have permanent restrooms (*i.e. public or private*) for employees available within 300-feet of the facility. Portable restrooms facilities are not permitted to meet this requirement.
(e) The *Food Truck/Trailer* shall have access to a minimum of two (2) dedicated parking spaces and shall not reduce the required parking for the existing building/land use.
(f) All noise and lighting shall be subject to the requirements of the Municipal Code of Ordinances and the Unified Development Code. In addition, no lights associated with the operation of a *Food Truck/Trailer* may be directed towards an adjacent property or onto a public right-of-way.
(g) All signage must be attached to the *Food Truck/Trailer* with the exception of one freestanding menu board no greater than eight SF placed adjacent to the *Food Truck/Trailer*.
(h) *Food Truck/Trailer* shall be prohibited from locating within the Downtown Square (*i.e. the properties bounded by N. Alamo Street, E. Interurban Street, S. Fannin Street, and E. Washington Street*); however, the city council may consider allowing a food truck/trailer to locate within the Downtown Square on a *case-by-case* basis through the approval of a Specific Use Permit (SUP).

(6) *General Personal Service.*

(a) Outside storage shall be prohibited with this land use.

(7) *Permanent Cosmetics.*

(a) It includes electrolysis, but does not include ornamental tattoos.

(8) *Rental Store without Outside Storage and/or Display.*

(a) Outside storage and/or display is prohibited for this land use.

(9) *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In.*

(a) Drive-through lanes shall not have access to a local residential street.
(b) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
(c) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

(10) *Restaurant with 2,000 SF or More with Drive-Through or Drive-In.*

(a) Drive-through lanes shall not have access to a local residential street.
(b) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
(c) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

(Ord. No. 07-31, 8-20-2007; Ord. No. 10-14, § 19, 7-6-2010; Ord. No. 10-32, § 2, 12-6-2010; Ord. No. 15-23, § 1, 8-3-2015; Ord. No. 18-04, § 1, 1-2-2018; Ord. No. 18-27, § 1, 6-4-2018; Ord. No. 18-37, § 1, 9-4-2018)

(G) *Commercial and Business Services Land Uses.*

(1) *Building and Landscape Material with Outside Storage.*

(a) Outside storage shall be permitted in accordance with the requirements for outside storage contained in Article IV, *Permissible Uses*, and Article VIII, *Landscape and Fence Standards*.
(b) All outside storage must be screened from adjacent properties, public right-of-way, and parks and open space.

(2) *Building and Landscape Material with Limited Outside Storage.*

(a) Outdoor sales and displays are permitted only in areas designated on the site plan filed with the City.
(b) Outdoor sales and display may not exceed five (5) percent of the adjacent building floor area (*Building area is defined as the entirely enclosed air-conditioned portion of the primary building*).
(c) Outdoor sales and display may occupy up to 30 percent of a covered sidewalk that is located within 20-feet of the building. Such display shall not impede pedestrian use of the sidewalk and at least a six (6) foot passable distance shall be maintained.
(d) Any outside sales and display not located on a covered sidewalk must be screened from view of adjacent roadways, public areas and adjacent properties. Such screening must:

(1) Be a minimum of eight (8) feet high or one (1) foot taller than the materials being displayed, whichever is greater.
(2) Include minimum of 20 percent solid screening matching the material of the primary building. The remainder may be solid evergreen planting, or wrought iron or decorative metal fence.

(e) Any outside sales and display not located on a covered sidewalk must be located immediately adjacent to or connected to the primary structure.
(f) No outdoor sales and display may be located in any portion of a parking lot.

(3) *Building Maintenance, Service, and Sales with Outside Storage.*

(a) Outside storage shall be permitted in accordance with the requirements for outside storage contained in Article IV, *Permissible Uses*, and Article VIII, *Landscape and Fence Standards*.
(b) All outside storage must be screened from adjacent properties, public right-of-way, and parks and open space.

(4) *Furniture Upholstery/Refinishing and Resale*.

(a) In the Commercial (C) District, the furniture upholstery refinishing or resale land use is only permitted as an ancillary use to a general retail store (*i.e. a business whose primary purpose is to sell finished goods*) by Specific Use Permit (SUP).

(5) *Temporary On-site Construction Office*.

(a) Only one (1) construction or field office shall be allowed per construction site, unless specifically approved by the Chief Building Official.
(b) Temporary construction offices shall be limited to the period of construction with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official.

(Ord. No. 18-26, § 1, 6-14-2018)

(H) *Auto and Marine-Related Land Uses.*

(1) *Major Auto Repair Garage*.

(a) Garage doors shall not face a public right-of-way, park or open space, or residentially zoned or used property.
(b) Vehicles, equipment, parts or inventory shall not be stored outside overnight unless granted by the Planning and Zoning Commission and City Council through a Specific Use Permit (SUP). If permitted all stored items shall be screened from public right-of-way, sidewalks and open space, and any residentially zoned or used property in accordance with the requirements of Article IV, *Permissible Uses*, and Article VIII, *Landscape and Fence Standards*.

(2) *Minor Auto Repair Garage*.

(a) The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. It also includes *quick lube* type businesses. This applies to only to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.
(b) In a General Retail (GR) District, a *Minor Auto Repair Garage* is permitted as an accessory to a retail use, when the gross floor area of the auto repair and related storage does not exceed 30 percent of the retail sales floor area. If it is a stand-alone use, it shall require a Specific Use Permit (SUP).
(c) In a Commercial (C) District, a *Minor Auto Repair Garage* is permitted as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building. If it is a stand-alone use, it shall require a Specific Use Permit (SUP).
(d) Garage doors or bays shall not face the street or a residential lot.
(e) Vehicles, equipment, parts or inventory shall not be stored outside overnight unless granted by the Planning and Zoning Commission and City Council through a Specific Use Permit (SUP). If permitted all stored items shall be screened from public right-of-way, sidewalks and open space, and any residentially zoned or used property in accordance with the requirements of Article IV, *Permissible Uses*, and Article VIII, *Landscape and Fence Standards*.
(f) A site plan must be approved prior to issuance of any building permit.
(g) In the Downtown (DT) District a *Minor Auto Repair Garage* shall not be located within 500-feet of the Historic Courthouse property.

(3) *Boat and Trailer Dealerships (New and Used)*.

(a) The area to be used for outside storage and display shall not exceed 50 percent of the total lot area within 100-feet of any adjacent street.
(b) All such outside storage and display areas must be permanently paved to City standards.
(c) All such outside storage and display areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three (3) feet in height.
(d) All such outside storage and display areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.
(e) A site plan and landscape plan shall be approved prior to issuance of any building permit.
(f) Such uses shall only be permitted along IH-30 and other arterials, as identified on the City's Master Thoroughfare Plan, but shall be excluded within the Scenic Overlay (SOV) District and along FM-740 and SH-66.

(4) *Car Wash (Full-Service or Self-Service).*

(a) Entrances and exits to the car wash shall not directly face any public right-of-way. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the Director of Planning and Zoning.
(b) The carwash shall be set back a minimum of 50-feet from any street frontage.

(5) *New and/or Used Indoor Motor Vehicle Dealership/Showroom*.

(a) The sales/storage facility must be a completely enclosed building.
(b) Outside display or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures.
(c) All activities shall remain inside the building *(i.e. no detailing, sales activities, et cetera shall be performed outside the building*).
(d) Accessory uses may be allowed in compliance with Section 1, *Land Use Schedule*.

(6) *New Motor Vehicle Dealership for Cars and Light Trucks.*

(a) All outside display of vehicles must be on an approved concrete, or enhanced concrete surface.
(b) All vehicle display areas must meet the landscape standards for parking areas.

(7) *Used Motor Vehicle Dealership for Cars and Light Trucks.*

(a) Used vehicles may only be sold as an ancillary use to new vehicle sales.

(8) *Service Station*.

(a) Service station does not include any premises where retail sales space exceeds 25 percent of the total building area or 500 SF of gross floor area, whichever is less.

(9) *Towing and Impound Yard*.

(a) A towing and impound yard must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in Article VI, *Wrecker and Towing Services*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances, unless otherwise approved by the Planning and Zoning Commission and City council as part of the Specific Use Permit (SUP) approved for the use.

(10) *Towing Service without~~, no~~ Storage*.

(a) A towing storage with no outside storage must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in Article VI, *Wrecker and Towing Services*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances,

(11) *Truck Stop with Gasoline Sales and Accessory Services*.

(a) Entrances and exits to the service bays shall not directly face any public street. On corner sites, service bay entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the Director of Planning and Zoning.
(b) The location of access drives from adjacent streets shall be determined by the Director of Planning and Zoning.

(Ord. No. 06-14, 4-17-2006; Ord. No. 10-14, § 20, 7-6-2010; Ord. No. 11-13, § 2, 4-13-2011; Ord. No. 14-52, § 1, 12-1-2014)

(I) *Industrial and Manufacturing Land Uses.*

(1) *Asphalt or Concrete Batch Plant*.

(a) Any *Asphalt or Concrete Batch Plant* shall meet environmental standards established by Unified Development Code (UDC) and state and federal agencies.

(2) *Temporary Asphalt or Concrete Batch Plant*.

(a) A permit from the Chief Building Official stating any special conditions relating to its siting and reduction of potential impacts on adjacent uses, shall be required for this use.
(b) *Temporary Asphalt or Concrete Batch Plants* are limited to the period of construction if was constructed to serve.
(c) Any *Asphalt or Concrete Batch Plant* shall meet environmental standards established by Unified Development Code (UDC) and state and federal agencies.

(3) *Brewery or Distillery*.

(a) A brewery or distillery may include a tasting room to dispense beer for on premise consumption as an accessory use (in accordance with any applicable land use standards and requirements).

(4) *Environmentally Hazardous Materials*.

(a) Any land use which involves environmentally hazardous materials shall meet environmental standards established by Unified Development Code (UDC) and state and federal agencies.
(b) A permit from the Chief Building Official stating any special conditions relating to its siting and reduction of potential impacts on adjacent uses, shall be required for this use.

(5) *Mining and Extraction (Sand, Gravel, Oil and Other)*.

(a) Any mining and extraction activity shall meet environmental standards established by Unified Development Code (UDC) and state and federal agencies.
(b) A permit from the Chief Building Official stating any special conditions relating to its siting and reduction of potential impacts on adjacent uses, shall be required for this use.

(6) *Winery*.

(a) A winery may include the following accessory uses (in accordance with any applicable land use standards and requirements): [*1*] a tasting room to dispense wine for on premise consumption, [*2*] meeting/banquet facilities, [*3*] restaurants, and/or [*4*] retail sales of wine for off-premise consumption.

(Ord. No. 18-27, § 1, 6-4-2018)

(J) *Wholesale, Distribution and Storage Land Uses.*

(1) *Mini-Warehouse.*

(a) The number of storage units per acre shall not exceed 125, the minimum number of storage units shall be ten (10), and the maximum site area shall be five (5) acres.
(b) Only single-story units are allowed; however, no multistory buildings will be permitted unless an exception is approved by the Planning and Zoning Commission and City Council. If necessary, the office/caretaker residence-unit may exceed one (1) story, but shall not be greater than 36-feet in height.
(c) A minimum of two (2) parking spaces shall be required for the on-site manager (*i.e., caretaker, resident or otherwise*).

(d) No direct access from FM-740, SH-205, SH-66, SH-276, FM-3097, FM-552, FM-549 and John King Boulevard. The City Council may consider granting direct access from the above-mentioned roadways after review and determination of the availability of access to the specific property.
(e) Perimeter walls shall be provided which face the front, rear and side property lines. Overhead doors shall not face adjacent streets. Perimeter walls facing the front yard shall incorporate architectural features to break up the long repetitive nature of self-storage buildings (e.g. offsets in buildings, variation of materials, and/or variation of heights, etc.). No gutters and downspouts shall be incorporated in the perimeter walls facing the front property line.
(f) The front, side and rear building set back areas shall be landscaped. Landscaping should be clustered, creating interesting relief from the long repetitive nature of self-storage buildings.
(g) The facilities shall incorporate the use of perimeter gates that limit access to the storage areas to customers only. Special access for fire and police personnel shall be provided as required.
(h) All screening fences shall be wrought iron with landscaping/living screen or masonry walls in accordance with the screening requirements contained in Subsection 5.02, *Landscape Screening*, of Article VIII, *Landscape and Fence Standards*. See-through fencing should be wrought iron, or similar. Chainlink fencing of any kind shall be prohibited.
(i) Buildings and see-through fencing should be oriented in a manner to restrict the visibility of interior overhead doors and drives from public right-of-way. The color(s) of the garage doors, as well as other doors within the facility, shall compliment the exterior colors of the main building(s).
(j) The commercial operation of rental trucks and trailers shall be prohibited.
(k) Businesses shall not be allowed to operate in the individual storage units.
(l) No outside storage of any kind shall be allowed (*including the outside storage of boats, recreational vehicles, and motor or self-propelled vehicles*).
(m) Concrete shall be used for all paving.
(n) Roofs shall have a minimum pitch of 1:3 and be constructed with a metal standing seam. Mechanical equipment shall be screened with the roof structure or parapet walls.
(o) Lighting standards shall be limited to a maximum of 20-feet in height.
(p) The residential unit as an accessory to the permitted use shall not exceed 1,600 SF.

(2) *Outside Storage and/or Outside Display*.

(a) *Outside Storage and/or Outside Display* shall adhere to the requirements of Subsection 1.05, *Screening Standards*, of Article V, *District Development Standards*.
(b) No outside storage shall be allowed in any zoning district adjacent to IH-30. However, on property that is zoned Light Industrial (LI) District and adjacent to IH-30, a Specific Use Permit (SUP) may be considered on a *case-by-case* basis to allow for *Outside Storage and/or Outside Display* in conjunction with a use that is permitted under Section 1, *Land Use Schedule*. A Specific Use Permit (SUP) approved for this use may be subject to time limitations, site/landscaping or building enhancements, or other restrictions deemed appropriate by the Planning and Zoning Commission and City Council.
(c) *Incidental Display*, as defined in Subsection 2.07(11), shall not be considered *Outside Storage and/or Outside Display*, and shall be subject to the requirements of Subsection 2.07(11).

(Ord. No. 11-47, § 2, 12-5-2011)

SUBSECTION 2.12: UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES

(1) *Antenna as an Accessory.*

(a) The antenna installation shall comply with the height and area regulations of the applicable zoning district.
(b) Administrative approval of the antenna installation shall be required.
(c) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(2) *Commercial Antenna.*

(a) Located entirely within a non-residential structure as allowed under the applicable zoning district regulations:

(1) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within the principal building on the property or in an underground vault.
(2) Any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six (6) feet at maturity or a masonry screening wall at least eight (8) feet in height, compatible in color with the principal building and the equipment building.
(3) At least one (1) paved parking space with paved access thereto shall be provided at the antenna location; said parking space need not be reserved exclusively for use in conjunction with the antenna installation and may be one of the spaces provided for the principal use on the property.
(4) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(5) No more than three (3) separate equipment buildings shall be located on a single lot.
(6) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(3) *Antenna for an Amateur Radio.*

(a) Amateur antenna support structures, antenna, or support wires must be located behind the front facade of the main building, and no amateur antenna support structure, antenna, or support wires may be located in the required rear or side yard setback.
(b) No amateur antenna support structure or antenna may be greater than the maximum height of the underlying zoning district. However, the height of such antenna support structure or antenna may be increased up to 70-feet provided the setback from side and rear setback lines is increased by one (1) foot for every foot the height exceeds the limit specified in the underlying zoning district. In addition, the City Council may consider approval of a Specific Use Permit (SUP) for any amateur antenna support structure or antenna that is proposed to exceed these height limits.
(c) Only one (1) amateur radio support structure may be erected on a residential lot. Additional antenna support structures may be allowed with the approval of a Specific Use Permit (SUP).
(d) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(4) *Antenna Dish.*

(a) Dish antennas shall not be located within front or side yards, and shall be fully screened from view from streets and public or common open areas. In all cases, they must be screened to minimize the visual impact from adjacent properties.
(b) In residential districts, they shall be located only in rear yards. However, dish antennas 20-inches or smaller may be roof mounted provided that they are located behind a transverse roof ridge line and screened from adjacent properties.
(c) In commercial districts, if located on ground level, dish antennas shall be screened to the full height of the structure with landscaping. They may also be allowed on roof tops provided that they are located and screened so as to minimize visual impact from other properties in the area.
(d) In industrial districts, dish antennas may be ground or roof mounted but must be screened to minimize the visual impact from adjacent properties.
(e) If the standards above are not reasonably achievable, a Specific Use Permit (SUP) shall be obtained prior to installation of a dish antenna.
(f) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(5) *Commercial Freestanding Antenna.*

(a) *Commercial Freestanding Antenna* attached to a utility installation or a light pole in a public park or on public school property:

(1) The height of the utility installation or light pole upon which the antenna is attached shall be greater than 75-feet but no more than 150-feet.
(2) The antenna shall extend no more than ten feet above the maximum height of the utility structure.
(3) A minimum clearance of 15-feet shall be maintained from the ground to the lowest element of the antenna.
(4) A minimum setback of 20-feet shall be maintained from the utility installation, light pole or any equipment building to the lot line of the nearest property developed for residential occupancy.
(5) Any necessary equipment building may be constructed of metal with a baked-on or pre-painted surface and shall not exceed seven feet in height and 75 SF in area. The exterior surfaces shall be covered in paint or a similar coating; or the building may be built of a material allowed by the applicable zoning district for the principal building; or the necessary equipment may be contained entirely within a principal building on the property or in an underground vault. All equipment buildings shall be maintained free from graffiti.
(6) At least one (1) paved parking space with paved access may be required at the antenna location; this parking space need not be reserved exclusively for use in conjunction with the antenna installation and may be one of the spaces provided for the principal use on the property, if any.
(7) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(8) No more than three separate antennas and three (3) equipment buildings shall be located on a single lot or structure.
(9) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(b) *Commercial Freestanding Antenna* that is *not* attached to a utility installation or a light pole in a public park or on public school property:

(1) The antenna installation shall comply with the height and area regulations of the applicable zoning district and the support structure shall not exceed 125-feet in height.
(2) The antenna shall not extend more than ten (10) feet above the maximum height of the support structure.
(3) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.
(4) The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six feet at maturity or by a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building and the equipment building.
(5) At least one (1) paved parking space with paved access may be required at the antenna location; this space need not be reserved exclusively for use in conjunction with the antenna facility and may be one (1) of the spaces required for the principal use on the property.
(6) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(7) No more than three (3) separate antennas and three equipment buildings shall be located on a single lot or structure.
(8) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(c) *Replacement of an Existing Freestanding Antenna* that is not been permitted this Article -- *but that is considered to be a legally recognized, non-conforming structure or facility* --, the replacement of the antenna installation may be approved by the City Council on a *case-by-case basis* through a Specific Use Permit (SUP) pending the request conforms to the following criteria:

(1) The replacement of any legally recognized, non-conforming antenna installation shall only be permitted within the Heavy Commercial (HC) District, Light Industrial (LI) District, and Heavy Industrial (HI) District.

(2) The replacement antenna installation shall be set back a minimum distance equal to the height of the proposed structure from any residential property or residentially zoned property.
(3) The existing antenna installation shall be removed from the property within 14-days of the completion of the proposed replacement antenna installation.
(4) The height of the replacement installation shall be equal to or less than the existing antenna installation, and any additional antennas added to the structure shall not exceed the height of the replacement installation.
(5) Any necessary equipment buildings associated with the replacement installation shall be of a material allowed by the applicable zoning district and be similar in color and character to the principal building on the site. As an alternative, the necessary equipment can be contained entirely within the principal building on the property or in an underground vault.
(6) The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a landscape screening that will achieve a height of at least six (6) feet at maturity. As an alternative a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building may be used.
(7) At least one (1) paved parking space with paved access may be required at the antenna location. This parking space does not need to be reserved exclusively for the replacement tower use and may be one of the spaces required for the principal use on the property.
(8) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(6) *Mounted Commercial Antenna.*

(a) *Mounted Commercial Antenna* that 12-feet or less in height, on non-residential structures allowed under the applicable zoning district regulations:

(1) The total height of the structure, including the antenna, shall not exceed the maximum height of the zoning district by more than 12-feet.
(2) A minimum clearance of 15-feet shall be maintained from the ground to the lowest element of the antenna.
(3) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.
(4) The antenna and any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge, which will achieve a height of at least six (6) feet at maturity or a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building and the equipment building.
(5) At least one (1) paved parking space with paved access thereto shall be provided at the antenna location; said space need not be reserved exclusively for use in conjunction with the antenna facility and may be one of the spaces required for the principal use on the property.
(6) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(7) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(7) *Solar Energy Collector Panels and System.*

(a) Solar energy collector panels installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:

(1) Configuration of pitched roof solar energy collector panels shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.
(2) The surface of the solar energy collector panel shall not be more than six inches above the surface of the pitched roof.

(b) Solar energy collector panels installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view.

(1) The height of such screening, at the minimum, shall be the height of the solar energy collector panel.
(2) The screening may be by a parapet or screening wall replicating the materials of the building.

(c) Reflective flare of solar energy collector panels shall be minimized by the positioning of the solar collector panels or by the use of nonglare glazing.
(d) Piping, wiring and other mechanical accessories shall be concealed within a roof mounted solar energy collector panel. If some portion of the piping, wiring or other mechanical accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.
(e) Ground mounted or pole mounted solar energy collector panels shall be located behind the primary building, and shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the city.
(f) The maximum overall height of ground mounted or pole mounted solar energy collector panels shall not exceed 12-feet.
(g) In residential zoning districts, the total coverage area of solar energy collector panels shall not exceed 1,000 SF on a single lot.
(h) Any solar energy collector panels or systems not meeting these requirements, or any installation of solar energy systems as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

SECTION 3. - OTHER SPECIAL USE STANDARDS

SUBSECTION 3.01: FARM ANIMALS AND HORSES

(A) Grazing animals. In the SF-E and SF-1 Districts, grazing animals 500 pounds or greater, including horses and cattle must have a minimum fenced or enclosed area of 40,000 square feet per animal. Grazing animals of less than 500 pounds, including sheep and goats, must have a minimum fenced or enclosed area of 15,000 square feet per animal.
(B) Other animals. An SUP is required for other farm animals, including chickens and swine (except for “potbellied pigs” as defined in section 6-1 of the Code of Ordinances), and for a reduction in the land area required for grazing farm animals. The city shall not grant an SUP for any farm animal unless it is convinced that the presence of such animals will not injure the use and enjoyment of neighboring properties, including the impact of dust, flies and odor.
(C) General conditions. Notwithstanding the conditions above,

(1) Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals;
(2) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal; and
(3) In SF-E and SF-1 [Districts], no swine or fowl are permitted, except for “potbellied pigs” as defined in section 6-1 of the Code of Ordinances.
(4) In the Agricultural District or on unplatted tracts of land of five acres or more, standards for animals are found in section 6-162 of the Code of Ordinances.

(Ord. No. 06-14, 4-17-2006; Ord. No. 07-18, 6-4-2007; Ord. No. 10-14, § 26, 7-6-2010)

SUBSECTION 3.02: TEMPORARY ACCOMMODATION FOR EMPLOYEES, CUSTOMERS AND VISITORS

(A) Temporary accommodations. Temporary accommodation for employees, customers and visitors may be provided as an ancillary use in commercial zoning districts provided that:

(1) Such accommodation is clearly in support of the business operation;

(2) No rental of such facilities to the general transient public occurs;
(3) Accommodation is for temporary stays, not to exceed 30 days; and
(4) No more than five percent of the building area is utilized for this ancillary use.

SUBSECTION 3.03: UTILITY DISTRIBUTION LINES

All utility distribution lines shall be placed underground. Utility distribution lines placed above-ground shall require special approval of the city council based upon a recommendation of the planning and zoning commission.

SUBSECTION 3.04: FLAG POLES

Flag poles are permitted in all districts, but must meet the building height and setback requirements for each district. (See article V [of this Unified Development Code], District Standards.)

SUBSECTION 3.05: ALCOHOLIC BEVERAGE SALES

(A) *Restaurants with alcoholic beverage sales.*

(1) Restaurants may serve alcoholic beverages for on-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. For restaurants located on property that was annexed after November 14, 2007, a private club permit must be obtained for the ability to serve alcohol and must be located in an appropriate zoning district that allows such use.
(2) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school or private school to the property line of the restaurant and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

   (Ord. No. 10-14, § 27, 7-6-2010)

   The city council may grant a variance to the distance regulations if the city council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.
(3) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and chapter 32 of the Code of Ordinances, pertaining to signs.

(B) *Retail establishments with alcoholic beverage sales.*

(1) Retail establishments may sell beer and wine for off-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. Retail establishments located on property that was annexed after November 14, 2007, may not engage in the selling of beer and wine for off-premises consumption.

(2) Retail establishments engaged in the selling of beer and wine to the general public for off-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the retail establishment and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, the measurement shall be in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

(Ord. No. 10-14, § 27, 7-6-2010)

The city council may grant a variance to the distance regulations if the city council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

(3) Retail establishments engaged in the selling of beer and wine for off-premise consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and chapter 32 of the Code of Ordinances, pertaining to signs.

(Ord. No. 08-05, 1-22-2008)

(C) *Drive-through sales of pre-packaged beverages, convenience stores, retail sales with gasoline.*

(1) An establishment may not offer drive-in, drive-up, drive through, or walk-up sales or service of pre-packaged, sealed, unopened beverages.
(2) A convenience store may not contain less than 1,000 square feet of retail space.
(3) For purposes of this section, the terms “drive-in,” “drive-up,” “drive-through,” and “walk-up” do not prohibit the service of food or beverages to customers:

(a) Who must physically leave their vehicles and enter a building in order to make a purchase; or
(b) As part of a drive-through restaurant in connection with the sale or service of food to the customer.

(Ord. No. 10-14, § 27, 7-6-2010)

State Law reference— Location restrictions, V.T.C.A., Alcoholic Beverage Code § 109.33.

SUBSECTION 3.06: ANTENNAS

(A) *Construction and Maintenance Requirements*. All antenna masts, towers and antenna supports used for television and radio reception or transmission shall be constructed and maintained in accordance with the current National Electrical Code and the Building Code of the City.

(B) Permit Required. Any person desiring to erect or have erected an antenna more than 25-feet in height above ground level, or an antenna mast 25-feet or less in height but not erected as required by this section, shall make written application to the building inspection department for a permit to erect same. Sufficient plans and specifications, as determined by the Chief Building Official, must accompany each application. It shall

be unlawful and a violation of this division to erect, or cause to be erected, or to maintain, or cause to maintain, such antenna mast without first having obtained a permit. It shall be the duty of the permittee to request a final inspection upon completion of the antenna system. Domestic TV antennas are exempt from this section.

(C) Restrictions and Limitations. All antenna systems constructed and maintained under the provisions of this section shall be subject to the following restrictions and limitations:

(1) No such antenna system shall be more than 99-feet in height.
(2) The location on the lot of such antenna system shall comply with the requirements of this Unified Development Code insofar as the front building line and side yard building line and requirements are concerned. No portion of an antenna system shall extend beyond the front building line on any lot, and on corner lots the side yard setback requirements shall be adhered to on the side adjacent to a public street, and where the front and side yard requirements are applicable, all portions of such structures shall be within the limits fixed by such requirements.
(3) All antenna systems constructed under the provisions of this section shall be maintained so as to at all times comply with the requirements of this section.
(4) The regulations contained herein shall not apply to the extent that they have been preempted by specific regulations of the FCC to the contrary.

(D) Roof-Mounted Equipment. All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, should be screened to eliminate the view from the ground level of adjacent properties. The screen shall be constructed of materials approved by the director of planning. Roof-mounted equipment should be placed and finished in a manner which minimizes its visibility from overhead views from nearby buildings and elevated thoroughfare sections.

(1) The overall screening height will be the height of the tallest element of roof-mounted equipment.
(2) The outside of the screening device should be painted or finished in a similar color to the building facade, trim or roof surface to minimize the visibility of the equipment and screen the view from ground level.
(3) Roof-mounted equipment and the inside of the screening device should be painted similar to the color of the roof surface in order to minimize the visibility of the equipment and screening device from overhead views.

SECTION 4. - FLOODPLAIN AREAS

SUBSECTION 4.01: PERMITTED USES

The following uses shall be permitted within that portion of a district which is designated as being within a floodplain by the city engineer, provided they are allowed in the underlying zoning, and that they meet any additional requirements established in the city's floodplain regulations in chapter 20 of the Code of Ordinances:

(Ord. No. 10-14, § 28, 7-6-2010)

(A) *Agriculture.* Agricultural activities including the ordinary cultivation of land or legal forms of animal husbandry.
(B) *Utilities.* Local utilities.
(C) *Parks and recreation.* Public or private parks, community centers, playgrounds, public golf courses.
(D) *Private recreation.* Private commercial open area amusements such as golf courses, driving ranges, archery courses and similar uses when approved by a specific use permit.
(E) *Private open space.* Private open spaces as part of a Planned Development (PD) District, provided such use does not interfere with the continuity of the city's open space system.

SUBSECTION 4.02: DUMPING, EXCAVATING OR FILLING FLOODPLAIN

Any dump, excavation, storage or filling operation within that portion of a district having a floodplain designation shall require a permit, which must be approved by the city council, before such operation is begun. However, if those operations in the floodplain were specifically approved as part of a site plan approval by the city council, then a permit may be issued by the city engineer.

SUBSECTION 4.03: LOCAL FLOODING MAY OCCUR IN OTHER AREAS

The fact that land or property is or is not within a district having a floodplain designation shall not constitute assurance that such land or property is not subject to local flooding and the designation of floodplain in this [Unified Development Code] shall not be so interpreted.

SECTION 5. - TEMPORARY USES AND STRUCTURES

SUBSECTION 5.01: TEMPORARY USES

(A) This subsection includes by reference all temporary uses listed in the land use chart.
(B) The temporary use shall not be intrusive or inconsistent with existing land uses in area, or with anticipated land uses that may be constructed during the life of the temporary use.

SUBSECTION 5.02: TEMPORARY STRUCTURES

All buildings or other structures which are erected or located on the property in connection with the temporary use shall be removed not later than ten days after the expiration of the time period for which the use was approved or as set forth in the conditions of approval.

SECTION 6. - NONCONFORMING USES, STRUCTURES AND SITES

SUBSECTION 6.01: INTENT

Within the zoning districts established by this [Unified Development Code], there may exist lots, structures and uses of land which were lawful before the effective date of the ordinance from which this Unified Development Code is derived, or amendment thereto, and which would be prohibited, regulated, or restricted under this [Unified Development Code]. It is generally the intent to permit these nonconformities to continue until they are removed or abandoned, or until such earlier time as they are ordered to be removed, but not to encourage their survival. It is further the intent that such nonconforming lots, buildings, or uses shall not be enlarged upon, expanded or extended, except as otherwise specifically provided, and that such nonconforming lots, buildings or uses may not be used as justification for adding other lots, buildings or uses prohibited elsewhere in the same zoning district. Except as otherwise provided, nonconforming uses are declared to be incompatible with permitted uses in the same zoning districts.

SUBSECTION 6.02: APPLICABILITY

The provisions of this section shall apply to lots, uses and buildings which become nonconforming by reason of the adoption of, or an amendment to, the ordinance from which this Unified Development Code is derived, as of the effective date of such amendment.

SUBSECTION 6.03: NONCONFORMING USES

(A) Exceptions.

(1) Except as specified below, any use, building, or structure lawfully existing at the time of the enactment of this [Unified Development Code] or at the time of annexation into the city may be continued, even though

the use, building or structure may not conform to the provisions of this [Unified Development Code] for the district in which it is located.

(2) The right to continue nonconforming uses shall be subject to regulations prohibiting the creation of a nuisance and regulations reasonably protecting adjacent property.

(B) *Cessation of nonconforming use.* For the purposes of this subsection, a use shall be deemed to have ceased or been abandoned when it has been discontinued for 180 days during any three-year period whether with the intent to abandon the use or not.

(C) *Expansion of nonconforming use.* No existing building or premises devoted to a use that is not permitted by this [Unified Development Code] in the district in which such building or premises is located shall be enlarged or altered in a way which increases its nonconformity, except when required to do so by law or order, unless the use is changed to a use that is permitted in the district in which the building or premises is located, and except as follows:

(1) If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of a more restrictive classification when authorized by the board of adjustment; or it may be changed to a conforming use.

(2) Whenever a nonconforming use has been changed to a conforming use, the use shall not thereafter be changed to a nonconforming use.

(3) When authorized by the board of adjustment, enlargement or completion of a building devoted to a nonconforming use may be made upon the lot occupied by the building, where the extension is necessary and incidental to the existing use of the building and does not exceed 25 percent of its original area of nonconformity.

(4) When authorized by the board of adjustment, a nonconforming use may be extended throughout those parts of a building which were manifestly designed or arranged for such use prior to the date on which the use of the building became nonconforming, if no structural alterations except those required by law, are made.

SUBSECTION 6.4: NONCONFORMING BUILDING OR SITES

(A) City-created nonconformity of structures. In the event that the city takes an act or action which transforms a previously conforming structure for purposes of front, side and rear yard setback requirements into a nonconforming structure for the purposes of front, side and rear yard setbacks, then such structure shall be deemed to be in conformance with the required setback prescribed in this [Unified Development Code]. (For land use nonconformity, see article IV, Permissible Uses, section 7.)

(B) Use of nonconforming buildings, structures or land.

(1) No building or structure which was originally designed for or used as a nonconforming use shall again be put to a nonconforming use, where such use has ceased for 180 days or more during any three-year period.

(2) The use of land, structures, and/or buildings involving individual structures with a replacement cost of $1,000.00 or less, which does not conform to the provisions of this [Unified Development Code] shall be discontinued within six months from the enactment of this [Unified Development Code]. The nonconforming use of land and/or buildings involving individual structures with a replacement cost of $1,000.00 or less, which becomes nonconforming by reason of subsequent amendments to this [Unified Development Code] shall be discontinued within six months from the date of such amendment.

(C) Construction approved prior to [Unified Development Code]. Nothing in this [Unified Development Code] shall be construed to require any change in the overall plans, construction, or designated use of any development, structure, or part thereof, where official approval and the required building permits were granted before the enactment of this [Unified Development Code], or any amendment thereto, where construction, conforming with the plans, shall have been started prior to the effective date of the ordinance from which this Unified Development Code is derived or such amendment, and where such construction shall have been completed

in a normal manner within the subsequent 12-month period, with no interruption, except for reasons beyond the builder's control.

(D) Damage due to acts of God. Any nonconforming structure which is damaged more than 75 percent of its then appraised tax value above the foundation, by fire, flood, explosion, wind, earthquake, war, riot or other calamity or act of God, shall not be restored or reconstructed and used as it was before the damaging event. If such structure is damaged less than 75 percent of its then appraised tax value above the foundation, it may be restored, reconstructed, or used as before, provided that the restoration or reconstruction is completed within 12 months of the damaging event. The 12-month period does not include any necessary litigation.

(E) Repair of unsafe buildings, structures and sites. Nothing in this [Unified Development Code] shall be construed to prohibit the strengthening or repair of any part of any building or structure declared unsafe by proper authority, unless such repairs exceed 50 percent of the replacement cost of the building. If the repairs exceed 50 percent, the building shall be brought into conformity with all requirements of the zoning district in which it is located.

(F) General repairs and maintenance.

(1) On any nonconforming structure or portion of a structure containing a nonconforming use, no work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of non-load-bearing walls, fixture, wiring, or plumbing to an extent exceeding ten percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be.
(2) If 50 percent or more of a nonconforming structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance, and is declared by a duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located.

(G) Moving of a nonconforming building or structure. No nonconforming building or structure shall be moved in whole or in part to any other location on the lot, or on any other lot, unless every portion of the building or structure is made to conform to all the regulations of the district.

(H) Nonconforming lot sizes. All lots used for storage that do not require a building and the use of such lot is made nonconforming by this [Unified Development Code] or amendments thereto shall cease to be used for such storage within six months of the date of adoption of the ordinance from which this Unified Development Code is derived, or amendments [thereto].

ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, UDC

SECTION 1: GENERAL STANDARDS

SUBSECTION 1.01: OPEN SPACE

(A) *Purpose.* The City of Rockwall is a rural and recreation-oriented community with open space that ties into a regional framework of open space, trails, and corridors. Open space corridors link all major areas of the city using primarily floodplain and drainage areas. Since open space and recreational amenities are vital to the City's commercial and residential developments, all projects must provide open space in accordance with the City's *Comprehensive Plan* and the *Parks, Recreation, and Open Space Master Plan*.

(B) *Requirements.* All projects in the city must reserve, dedicate and/or develop public and private open spaces consistent with the requirements of the following sections:

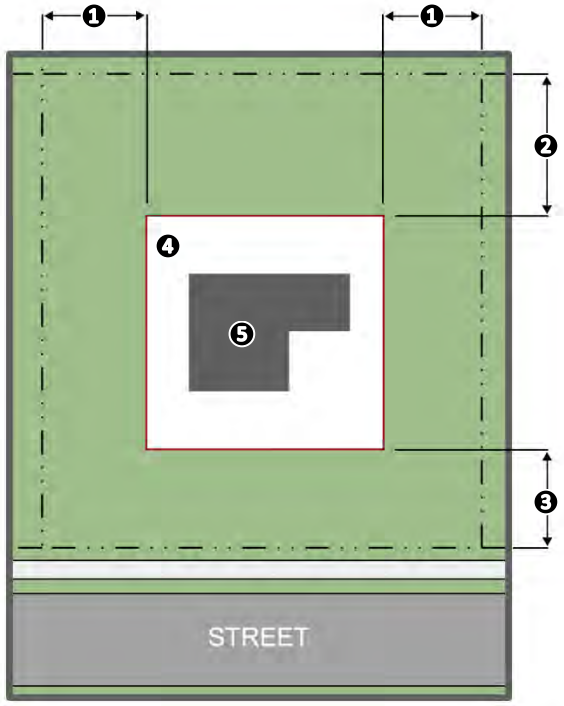
(a) *Residential*. Subsection C, *Open Space,* of Section 3.01, *General Residential District Standards*
(b) *Commercial*. Subsection D, *Open Space Guidelines,* of Section 4.01, *General Commercial District Standards*
(c) *Industrial*. Subsection D, *Open Space Guidelines,* of Section 5.01, *General Industrial District Standards*

SUBSECTION 1.02: SITE PLANS

All development in the City of Rockwall -- *with the exception of single lot single-family and duplex developments* -- shall require the approval of a site plan in accordance with the requirements of Article XI, *Development Applications and Review Procedures*.

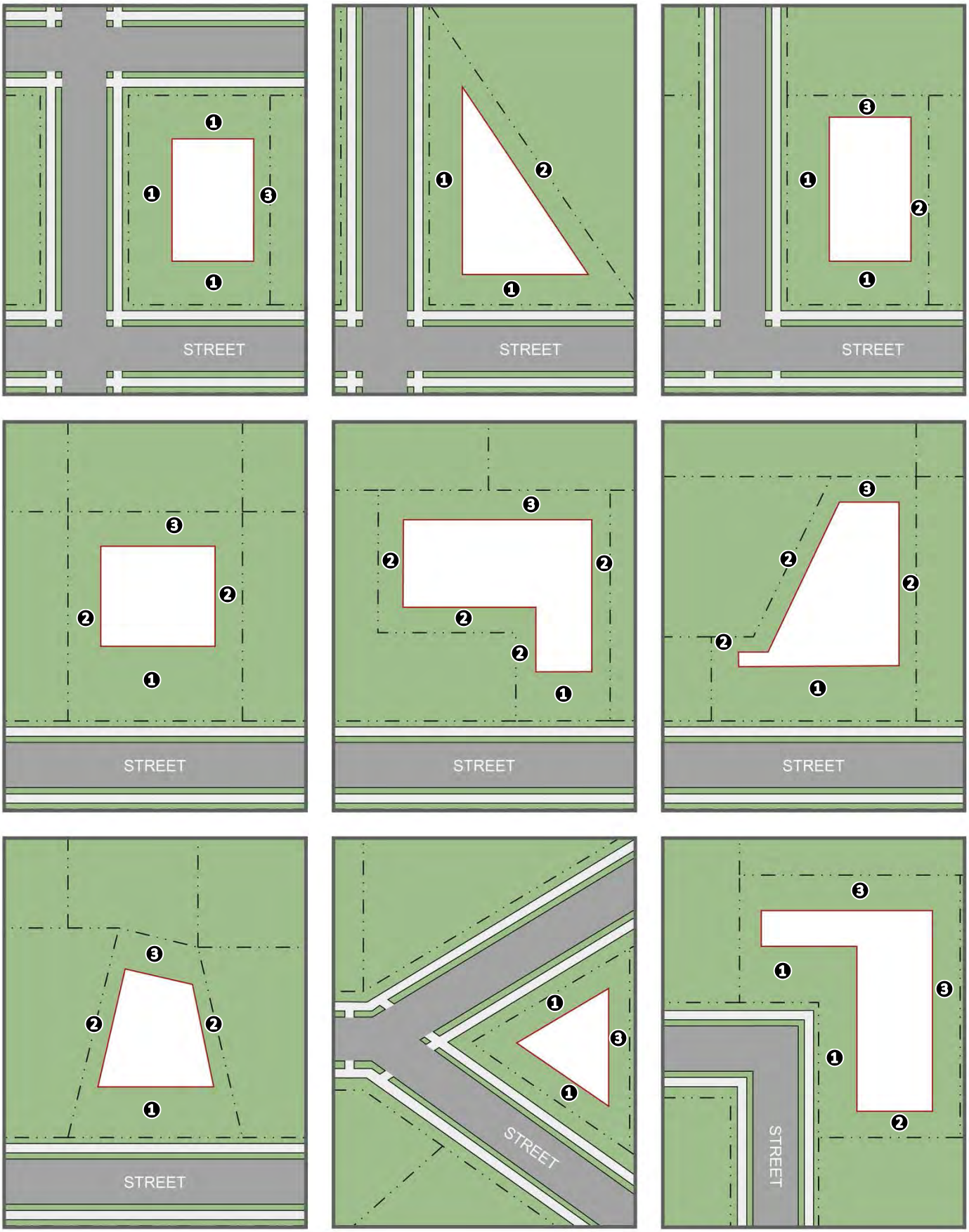
SUBSECTION 1.03: LOT CONFIGURATIONS

(A) *Lots with a Single Street Frontage*. Where lots have a single street frontage, the required setbacks should generally adhere to the following diagram:



❶: Required Side Yard Setback
❷: Required Rear Yard Setback
❸: Required Front Yard Setback
❹: Buildable Area
❺: Building Coverage

(B) *Lots with Multiple Street Frontages*. Where lots have multiple street frontages on one (1) or more streets, the required setbacks should generally adhere to the following diagram:



❶: Front Yard; ❷: Side Yard; ❸: Rear Yard

147

SUBSECTION 1.04: CALCULATION OF DENSITY

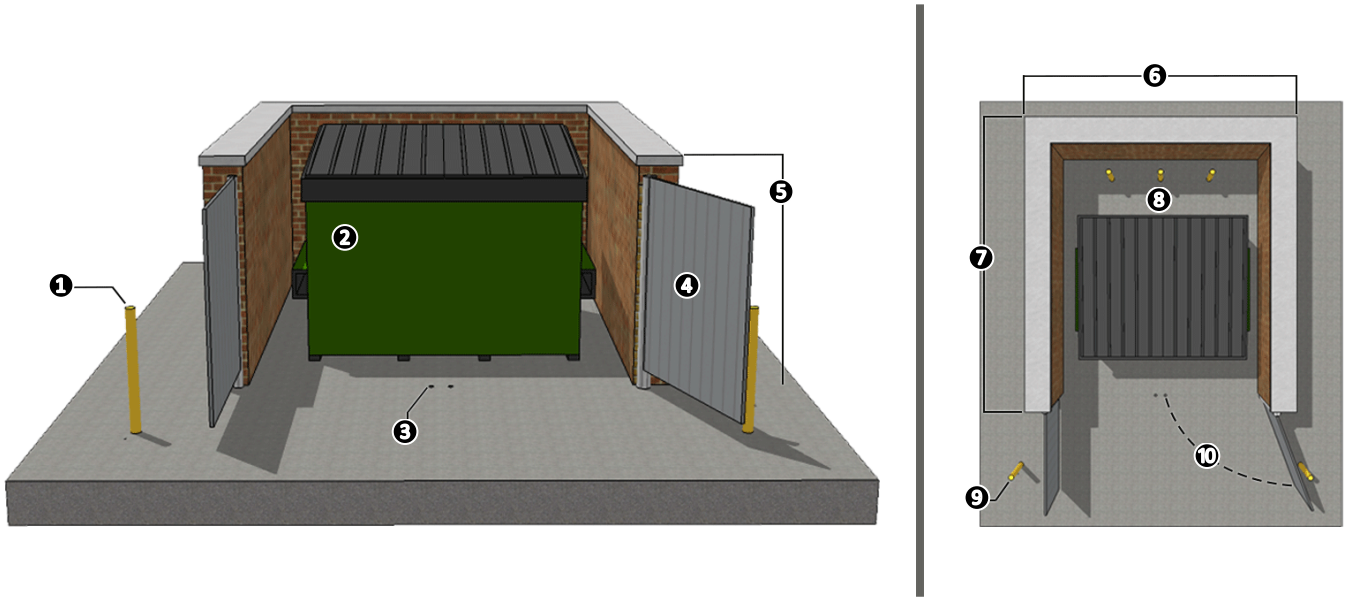
The calculation of the allowable density for residential developments shall be based on the gross site area including right-of-way, floodplain, open space and public/private parks that will be dedicated to the city or preserved and maintained by some other mechanism. Despite this calculation requirement, other provisions of this Unified Development Code may limit the actual density allowed on any given property.

SUBSECTION 1.05: SCREENING STANDARDS

All development shall adhere to the following screening standards:

(1) *Loading Docks.* Off-street loading docks must be screened from all public streets, any residential zoning district or residentially used property, and any parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least six (6) feet in height and shall be provided by using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless integral to the buildings design and otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape Standards*.

(2) *Trash/Recycling Enclosures*. Trash/Recycling enclosures shall be four (4) sided. These receptacles shall be screened by a minimum six (6) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. The opaque, self-latching gate shall not be constructed utilizing wood fencing materials. If the primary building does not use masonry materials, a masonry material that is complimentary in color and scale shall be utilized. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building. All trash/recycling enclosures shall be constructed in conformance to the diagram below, unless otherwise approved/required by the City and/or its contractor for trash services.

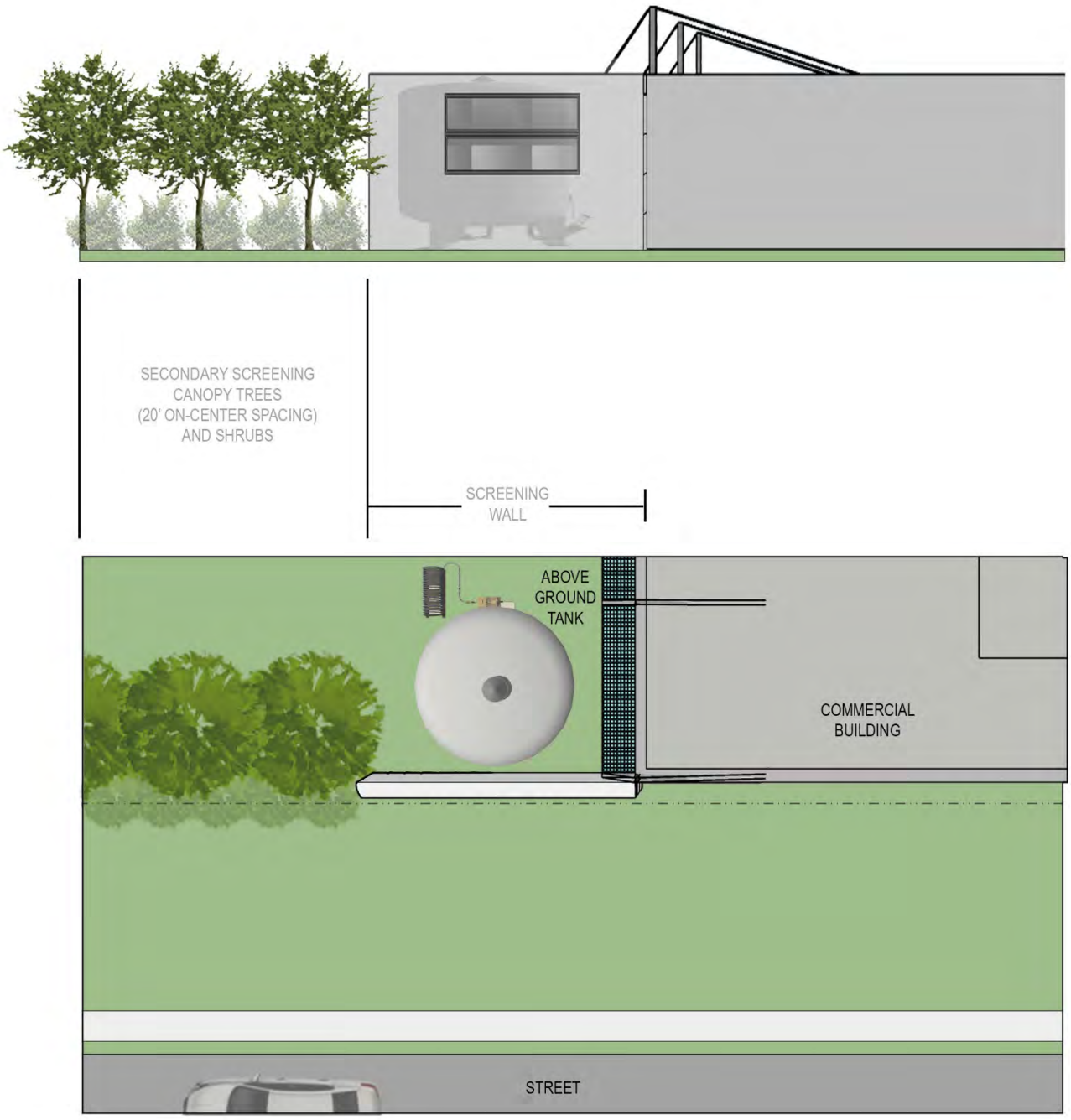


❶: Concrete Filled Steel Protected Pole
❷: Standard End Loading Container
❸: Deep Recesses for Gate Cane Bolts [*If Necessary*]
❹: Opaque Screening Gate
❺: Six (6) Feet in Height [*Eight (8) Feet in Overlay Districts*]
❻: Ten (10) Feet in Width
❼: 12-Feet in Length
❽: Three (3) Concrete Filled Steel Protected Poles
❾: Concrete Filled Steel Protected Pole
❿: 120 Degree Swing on Opaque Screening Gate

148

(3) *Utility Equipment and Air Condition Units.* Pad or roof mounted utility equipment and air conditioning units shall be screened from the view from of any adjacent public streets or properties. Roof mounted utility equipment and air conditioning units shall be screened using a parapet wall that completely impairs the visibility of the equipment, and is constructed on all sides of the building. Ground mounted ~~Utility~~ equipment and air conditioning units shall be screened utilizing plantings, berms, walls matching the main structure, or an architectural feature that is integral to the building's design.

(4) *Aboveground Storage Tanks.* Aboveground storage tanks shall be screened utilizing walls matching the main structure. Screening plans for above ground storage tanks shall generally conform to the diagram below (*i.e. incorporate primary screening -- screening wall -- and secondary screening*) and be approved by the Planning and Zoning Commission in conjunction with a site plan.



(5) *Outside Storage.* Outside storage of materials or vehicles shall be screened from all public streets, any residential zoning district or residentially used property, and parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least one

(1) foot taller than the material or vehicles being stored and shall be achieved using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape Standards*.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.06: RESIDENTIAL ADJACENCY STANDARDS

Subsection 1.06, *Residential Adjacency Standards*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 1.07: PROJECTIONS INTO REQUIRED YARD OR COURT

(A) Every part of a required yard within a building setback shall be unobstructed and open from its lowest point to the sky, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves; provided, however, that none of the above projections shall extend into a court more than six (6) inches nor into a required yard by more than 30-inches; and provided existing open porches extending into the required yard shall not be enclosed.

An open fire escape may project into a required yard by not more than half the width of the setback, but not more than four (4) feet from the building. Fire escapes, solid floored balconies and enclosed outside stairways may project into a rear yard by a maximum of four (4) feet.

(B) Where a lot abuts a right-of-way line has been established for the future widening or opening of a street or highway, then the depth or width of a yard shall be measured from such right-of-way line to the required building setback.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.08: PUBLIC RIGHT-OF-WAY VISIBILITY

(A) *Street/drive intersection visibility obstruction triangles.* A landscape plan showing the plan of the street on both sides of each proposed drive/street to the proposed development with the grades, curb elevations, proposed street/drive locations, and all items (both natural and manmade) within the visibility triangles as prescribed below shall be provided with all site plans, if they are not on engineering plans that are submitted at the same time. this plan shall show no horizontal or vertical restrictions (either existing or future) within the areas defined below.

(B) *Obstruction/interference triangles defined.* No fence, wall screen, billboard, sign face, tree or shrub foliage, berm, or any other item, either manmade or natural, shall be erected, planted, or maintained in such a position or place so as to obstruct or interfere within the following minimum standards; however, on non-residentially zoned lots, a single pole for mounting a sign may be placed within this area provided the pole does not exceed 12-inches in diameter, and provided every portion of the sign has a minimum height clearance of nine (9) feet:

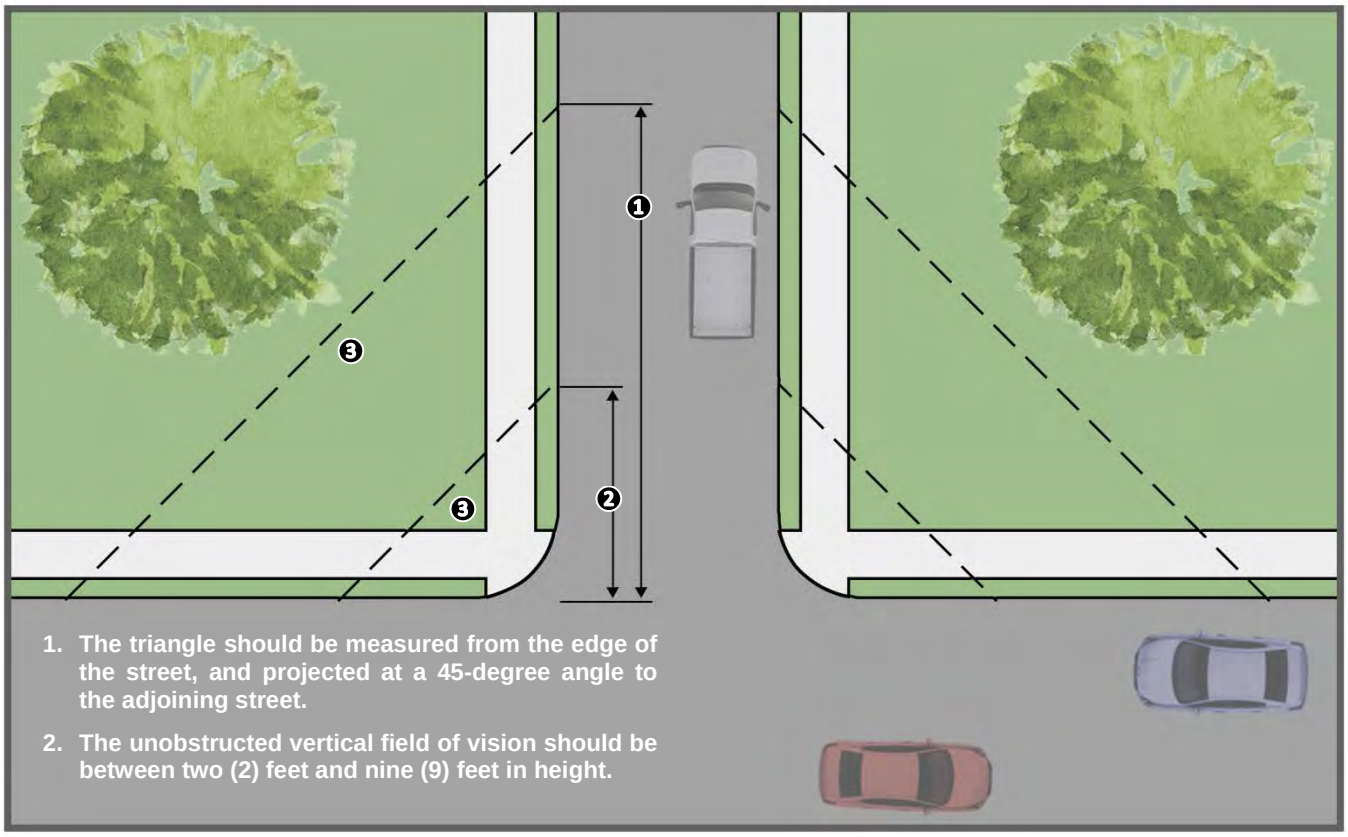
(1) *Visibility Triangles*. Vision at all intersections which intersect at or near right angles shall be clear at elevations between 24-inches and nine (9) feet above the top of the curb elevation, within a triangular area formed by extending the two (2) curblines from their point of intersection, for the following minimum distances for the applicable intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines from their point of intersection for a distance as prescribed below, and connecting these points with an imaginary line, thereby making a triangle as shown below.

(2) *Intersection of two (2) public streets*. The minimum required distance from the curb shall be 30-feet and the minimum distance from the property line on streets without a curb shall be 20-feet.

(3) *Intersection of a public street and an alley*. The minimum required distance measured from the property line shall be 15-feet, or 25-feet from street curb.

(4) *Intersection of private drive and public street*. The minimum required distance from the curb shall be 15-feet and the minimum distance from the property line on streets without a curb shall be ten (10) feet.

(C) *Sight distance requirements.* The city hereby adopts the standards for both vertical and horizontal sight distance requirements set forth in the latest edition of AASHTO green book "a policy on geometric design of highways and streets" for the construction of both public street intersections and private drive intersections, unless otherwise approved by the city engineer. If, in the opinion of the city engineer, a proposed street or drive intersection does not meet these standards, additional engineering information exhibiting how the standards have been addressed may be required for submission and approval by the city's engineer.



❶: 30-Foot for Arterials and Collectors and 20-Foot for Residential Distance from Intersection for Streets
❷: 10-Foot Distance from Intersection for Alleyways
❸: Visibility Triangles

SECTION 2: AGRICULTURAL DISTRICTS

SUBSECTION 2.01: AGRICULTURAL (AG) DISTRICT

(A) *Purpose*. The Agricultural (AG) District is a zoning designation used for land that is reserved for the anticipated future growth of the city. This district is intended to be used for raw land or land with agricultural land uses, and is intended to be held in these conditions as long as practical and reasonable to promote the orderly growth of the community. This zoning designation is suitable for areas where development is premature due to lack of utilities, capacity, or service. The Agricultural (AG) District is also used to protect areas that are unsuitable for development due to physical

constraints or safety issues (*e.g. topography, floodplain, ecologically sensitive areas, etc.*), or to protect green belts, natural areas and/or open space that might otherwise be developed.

(B) *Permitted Uses*. All land uses permitted within the Agricultural (AG) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within an Agricultural (AG) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SECTION 3: RESIDENTIAL DISTRICTS

SUBSECTION 3.01: GENERAL RESIDENTIAL DISTRICT STANDARDS

All residential development shall conform to the following standards:

(A) *Construction Standards.*

(1) *Roof Pitch*. All residential structures shall be constructed with a minimum *3:12* roof pitch.
(2) *Concrete Foundation*. All residential structures shall be permanently attached to an engineered concrete foundation.

(B) *Accessory Structures.*

(1) *Accessory Structure Standards.* All accessory structures shall conform to the related standards listed within Subsection 7.04, *Accessory Structure Development Standards*.

(C) *Open Space.* On all new subdivisions, ten (10) lots or greater, that are not infill projects (*i.e. projects going into an established area as determined by the Director of Planning and Zoning or his/her designee*) the following open space requirements shall be applied:

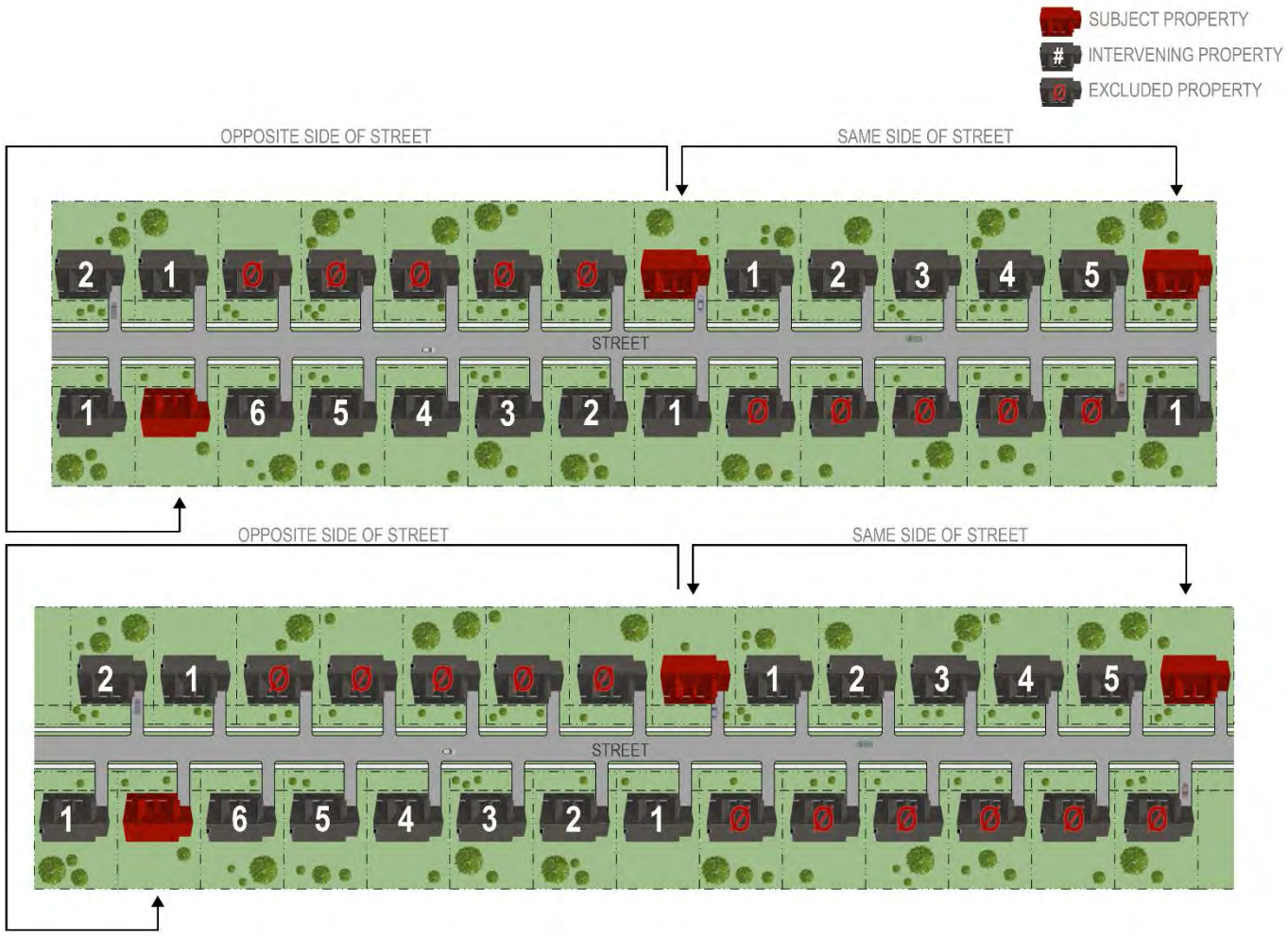
(1) Unless otherwise provided by this Unified Development Code, a minimum of 20% of the gross land area within a residential subdivision that is five (5) acres or greater shall be devoted to open space. Where floodplain exists in a proposed subdivision, the floodplain may be used to meet the 20% requirement at a rate of one-half (½) acre for every one (1) acre of floodplain dedicated to open space. Open space requirements for subdivisions may be satisfied by public open space/parkland, or by a combination of public and private open space. Public open space/parkland shall be dedicated to the city, and shall be approved by the Parks and Recreation Board and the City Council during the platting process. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering.

(2) To encourage the provision of open space, the minimum lot sizes in a residential subdivision may be reduced by up to 20% in order to preserve additional public and/or private open space, provided that the lots being reduced face onto a single loaded street (*i.e. a street with open space and/or a public park on one side of the street and lots on the other side of the street*). This requirement shall be approved by the City Council at the time of preliminary plat, final plat, or site plan whichever comes first.

(D) *Anti-Monotony.* The front building elevations of a home shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street (*see Examples 1 & 2 below*). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least five (5) intervening homes of differing appearance. Identical building material blends and colors may not occur on adjacent (*side-by-side*) properties. Homes are considered to differ in appearance if any three (3) elements are different:

(a) The number of stories of the home.

(b) The garage location/orientation on the home.
(c) The roof type and layout of the home.
(d) The articulation of the front façade of the home.



(E) *Fencing.* All residential fencing shall be subject to the requirements stipulated by Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

SUBSECTION 3.02: SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT

(A) *Purpose*. The Single-Family Estate 1.5 (SFE-1.5) District is the proper zoning classification for rural, estate lots that are a minimum of 1½-acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 1.5 (SFE-1.5) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 1.5 (SFE-1.5) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.03: SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT

(A) *Purpose*. The Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size. These lots are typically in areas that are located

in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 2.0 (SFE-2.0) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 2.0 (SFE-2.0) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.04: SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT

(A) *Purpose*. The Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage. Developers wishing to restrict their subdivision to a lot size greater than four (4) acres shall be required to use restrictive covenants.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 4.0 (SFE-4.0) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 4.0 (SFE-4.0) District shall conform to the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.05: SINGLE-FAMILY 1 (SF-1) DISTRICT

(A) *Purpose*. The Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size or clustered developments that have a gross density of one (1) dwelling unit per acre. Cluster developments should conserve open space, floodplains, tree groupings, natural slopes and wildlife habitats to achieve the desired density. The Single-Family 1 (SF-1) District is also intended to be used for developments that incorporate public/private parks, denominational and private schools, and churches that are essential in creating the basic neighborhood unit. These developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 1 (SF-1) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 1 (SF-1) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.06: SINGLE-FAMILY 16 (SF-16) DISTRICT

(A) *Purpose*. The Single-Family 16 (SF-16) District is the proper zoning classification for larger lot, single-family developments. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 16 (SF-16) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 16 (SF-16) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.07: SINGLE-FAMILY 10 (SF-10) DISTRICT

(A) *Purpose*. The Single-Family 10 (SF-10) District is the proper zoning classification for the majority of the City's existing single-family residential development, and is the appropriate zoning classification for single-family developments with medium sized lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 10 (SF-10) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 10 (SF-10) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.08: SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT

(A) *Purpose*. The Single-Family 8.4 (SF-8.4) District is the proper zoning classification for areas of undeveloped land remaining in the City deemed appropriate for medium sized, single-family lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 8.4 (SF-8.4) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 8.4 (SF-8.4) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.09: SINGLE-FAMILY 7 (SF-7) DISTRICT

(A) *Purpose*. The Single-Family 7 (SF-7) District is the proper zoning classification for single-family developments with smaller lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas adjacent to low intensity non-residential land uses, in and around the Old Town Rockwall (OTR) Historic District, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 7 (SF-7) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 7 (SF-7) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.10: ZERO LOT LINE (ZL-5) DISTRICT

(A) *Purpose*. The Zero Lot Line (ZL-5) District is the proper zoning classification for medium-density residential developments that are on separate lots (*i.e. single-family*), and are typically owner occupied. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, adjacent to low intensity non-residential land uses, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, and drainage due to their density.

(B) *Permitted Uses*. All land uses permitted within the Zero Lot Line (ZL-5) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Zero Lot Line (ZL-5) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.11: TWO-FAMILY (2F) DISTRICT

(A) *Purpose*. The Two-Family (2F) District is the proper zoning classification for medium-density, duplex developments (*i.e. two [2] dwelling units per lot*). This zoning district accommodates low to medium-density developments and allows public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, but may be located directly adjacent to low intensity non-residential land uses. These areas are also located where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, drainage, open space and fire protection due to their density.

(B) *Permitted Uses*. All land uses permitted within the Two-Family (2F) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Two-Family (2F) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.12: MULTI-FAMILY 14 (MF-14) DISTRICT

(A) *Purpose*. The Multi-Family 14 (MF-14) District is the proper zoning classification for higher density developments. This zoning district should be located within 1,200-feet of retail and other services, and should not contain more than 500-units within one (1) mile of another multi-family development. These standards are intended to create a strong market for multi-family units, and provide for the ongoing reinvestment in these types developments while helping to ensure that inappropriate concentrations of higher density residential developments are not created. The downtown area shall be exempted from the spacing requirements.

The Multi-Family 14 (MF-14) District allows high density developments that are extremely amenitized, and that necessitate additional requirements for public roadways, water, wastewater, drainage, open space and fire protection. These types of developments should not run traffic through single-family neighborhoods, and should be located close to an arterial or collector street that is capable of carrying the additional traffic.

(B) *Permitted Uses*. All land uses permitted within the Multi-Family 14 (MF-14) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Multi-Family 14 (MF-14) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.02, *Multi-Family District Development Standards*.

SECTION 4: COMMERCIAL DISTRICTS

SUBSECTION 4.01: GENERAL COMMERCIAL DISTRICT STANDARDS

All commercial development shall conform to the following standards:

(A) *Construction Standards.*

(1) *Roof Design Standards*. All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

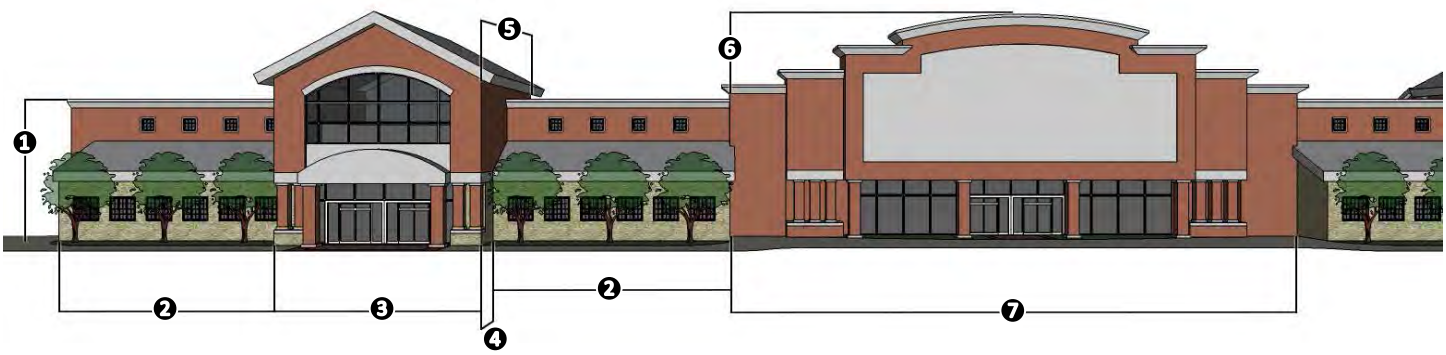
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Commercial Districts*. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Subsection 7.03, *Non-Residential District Development Standards*; however, the following features may be constructed 12-feet higher than the maximum height requirement if they [*1*] are not more than 33% of the total roof area, and [*2*] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

(a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
(b) Flag Poles.
(c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on primary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.

❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).

❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 25% of the wall length *(i.e. 25% x* ❷ ≤ ❸).

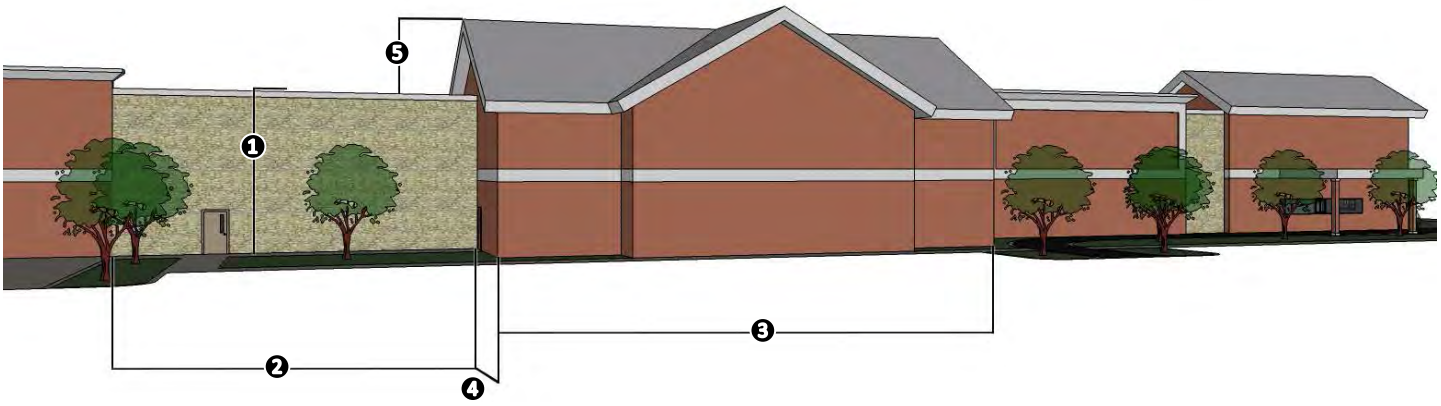
❹: *Wall Projection*. The minimum wall projection for a primary and/or secondary entryway/architectural element shall be 25% of the wall height (*i.e. 25% x* ❶ ≤ ❹).

❺: *Primary and/or Secondary Entryway/Architectural Element Width*. The minimum width of the primary and/or secondary entryway/architectural element shall extend for twice the required wall projection (*i.e. 2 x* ❹ ≥ ❺).

❻: *Projection Height*. The primary and secondary entryways/architectural element shall extend a minimum of 25% of the wall height above the top of the wall (*i.e. 25% x* ❶ ≤ ❻).

❼: *Primary Entryway/Architectural Element Length*. The primary entryway/architectural element shall meet all of the same projections as the secondary entryway/architectural element, but shall extend for a minimum of twice the length of the secondary element (*i.e. 2 x* ❸ ≥ ❼).

(2) *Secondary Building Façade.* A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on secondary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.

❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).

❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length *(i.e. 15% x* ❷ ≤ ❸).

❹: *Secondary Entryway/Architectural Element Width*. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e. 15% x* ❶ ≤ ❹).

❺: *Projection Height*. The secondary entryway/architectural element shall extend a minimum of 15% of the wall height above the top of the wall (*i.e. 15% x* ❶ ≤ ❺).

(D) *Open Space Guidelines.* Commercial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making commercial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

(E) *Commercial Buildings 25,000 SF or Greater.*

(1) *Applicability.* These criteria shall apply to new retail/commercial building construction in all commercial zoning districts. This criteria shall not be applied to the use, re-use, modification or consolidation of existing retail and/or commercial space developed on or before April 2, 2001, or to the expansion of retail space in existence on or before April 2, 2001, that is being expanded by less than ten (10%) percent of the existing floor area.

(2) *Loading Docks.* Loading docks shall not be oriented towards a residential zoning district or residentially used property. Where loading areas are located parallel to a residential zoning district or residentially used property, they must be screened by an architecturally integrated masonry screening wall that is a minimum 14-foot in height and that runs the entire length of the loading space. As an alternative, the Planning and Zoning Commission may approve the use of a berm in conjunction with landscape screening standards detailed in Subsection 5.02, *Landscape Screening*, of Article VIII, *Landscape and Fence Standards*, if it is determined that this screening method will [*1*] provide a suitable substitute to a masonry wall, and [*2*] if the screening method will completely screen the proposed loading docks.

(3) *On-Site Circulation Guidelines*.

(a) On-site circulation standards should try to minimize the conflict between pedestrians and vehicles by placing driveways and service areas in locations that reduce the chance of interrupting on-site vehicle movement.
(b) Buildings should be placed in a manner that screens the drive-through lane and creates pedestrian pathways and spaces.
(c) In order to maintain on-site circulation, each drive-through lane is to be separate from pump islands and from routes necessary for entering and exiting the property.

(4) *Residential Adjacency Standards*. Where the property immediately abuts a residential zoning district or residentially used property -- *unless separated by an M4D (major collector, four [4] lane, divided roadway) or larger thoroughfare* -- a minimum 25-foot wide landscaped buffer must be installed for buildings with a building footprint of 25,000 SF to 49,999 SF in area, a minimum of a 50-foot wide landscaped buffer for buildings with a building footprint of 50,000 SF or greater. This shall be in place of the buffer required by Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape and Fence Standards*. The landscaped buffer must include a combination of berm and evergreen shrubs in addition to the requirements of Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape and Fence Standards*. Planting may be grouped if approved by the Planning and Zoning Commission.

(5) *Outside Storage*. Open storage areas shall be connected to the building and screened with a wall that is constructed of the same building materials as the remainder of the primary structure.

(6) *Adaptive Reuse Standards*. For those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan indicating potential entrances and exits and loading areas for multiple tenants. This plan will need to be submitted at the time of site plan.

(E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Commercial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION 4.02: RESIDENTIAL-OFFICE (RO) DISTRICT

(A) *Purpose*. The Residential-Office (RO) District is a zoning district intended to recognize the existence of older residential areas of the city, where larger houses have been or can be converted from single-family and multi-family residences to low-intensity office uses in order to extend the economic life of

these structures, and to allow the owners to justify the expenditures for repairs and modernization. The intent of this district is to allow for low intensity office development providing professional, medical and other office services and limited retail businesses to residents in adjacent neighborhoods. The Residential-Office (RO) District shall have principle access to major or secondary thoroughfares, and may serve as an area of transition between residential and high-intensity, non-residential uses or busy arterial thoroughfares.

(B) *Permitted Uses*. All land uses permitted within the Residential-Office (RO) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Residential-Office (RO) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.03: NEIGHBORHOOD SERVICES (NS) DISTRICT

(A) *Purpose*. The Neighborhood Services (NS) District is a zoning district intended to provide limited retail land uses near neighborhoods for the purpose of supplying the *day-to-day* retail and personal service needs of residents. The Neighborhood Services (NS) District is typically located at limited corner locations on arterials in existing developments, and is intended to serve small service areas. The average site is from one-half (½) acre to a maximum of two (2) acres. Since these sites are typically small and surrounded by residential development they can appear to be spot zones; however, the Comprehensive Plan acknowledges the need to create neighborhood units, which involve the need for limited retail and service uses in close proximity to neighborhoods. These convenience centers should be constructed to a residential scale, and be visually and dimensionally compatible to adjacent residential developments. The Neighborhood Services (NS) District should not contain uses that create excessive amounts of traffic, noise, litter or that would not be conducive to residential adjacency. Due to the residential adjacency of this zoning district, increased landscaping and buffering requirements are necessary.

(B) *Permitted Uses*. All land uses permitted within the Neighborhood Services (NS) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Neighborhood Services (NS) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.04: GENERAL RETAIL (GR) DISTRICT

(A) *Purpose.* The General Retail (GR) District is a zoning district intended to provide limited retail and service uses for one (1) or more neighborhoods. The land uses specified in this district include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares. This district does ***not*** include strip commercial/retail centers, large shopping centers, wholesaling operations, lumberyards, contractor yards, and/or warehouses with high volumes of commercial truck traffic. The General Retail (GR) District is not a major commercial/retail district, and should try to avoid intensive commercial land uses that carry large volumes of retail traffic. The noise, traffic, litter, late night hours, and other influences that could be harmful to residential areas require adequate buffering and screening from residential areas. Traffic from land uses in this district should not pass through residential areas, except on arterial or major collectors. There are restrictions on access to prevent traffic congestion or an adverse effect on major thoroughfares adjacent to residential areas. Areas should not be zoned General Retail (GR) District unless they are located on or close to an arterial or major collector that is capable of carrying increased traffic. Since the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts.

(B) *Permitted Uses.* All land uses permitted within the General Retail (GR) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a General Retail (GR) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.05: COMMERCIAL (C) DISTRICT

(A) *Purpose*. The Commercial (C) District is the proper zoning classification for most types of commercial development (*e.g. larger shopping centers at major intersections, commercial strips along arterial roadways, etc.*). The land uses specified for the Commercial (C) District include most types of office and retail activity with some special provisions for wholesale land uses. This district mostly excludes land uses that are not compatible with retail shopping (*e.g. lumberyards, contractor yards, warehousing, or other land uses with high volumes of truck traffic and low volumes of retail traffic*). The noise, traffic, litter, late night hours, and other influences that could be harmful to neighborhoods require adequate buffering and mitigating factors when locating adjacent to residential areas. Areas should not be zoned to Commercial (C) District unless they are located on or close to an arterial or major collector that is capable of carrying the additional traffic generated by land uses in this district. In addition, these areas may require increased water, fire protection, wastewater and drainage capacity. The Commercial (C) District is a general business zone, and is intended to service most commercial land uses, with the exception of land uses that would fall into the Heavy Commercial (HC) District. Since the Commercial (C) District is general in nature, the development standards are less stringent and do not require as high of standards of development as the Residential-Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts.

(B) *Permitted Uses*. All land uses permitted within the Commercial (C) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Commercial (C) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Business Operations and Storage*. All business operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as stipulated in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*. This excludes off-street parking and loading, incidental display of retail items for sale, retail outlets where gasoline products are sold and drive-in businesses.

SUBSECTION 4.06: HEAVY COMMERCIAL (HC) DISTRICT

(A) *Purpose*. The Heavy Commercial (HC) District is the proper zoning classification for commercial establishments that may involve uses that would not be suitable in the other commercial zoning districts. Included in this district are commercial uses that involve large volumes of commercial truck traffic, outside operations, outside storage of materials and equipment, excessive noise from heavy service operations, and/or any other possibly adverse operations. The Heavy Commercial (HC) District is commercial in nature, but has some aspects that are similar to industrial land uses. The zoning district allows noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful if directly adjacent to residential areas, and will require adequate buffering and other mitigating factors if such an adjacency exists. Areas should not be zoned to Heavy Commercial (HC) District unless they are located on or close to an arterial that is capable of carrying large volumes of commercial truck traffic. Businesses locating in the Heavy Commercial (HC) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property, and that streets in and adjacent to this district are of a size and strength to accommodate commercial truck traffic.

(B) *Permitted Uses*. All land uses permitted within the Heavy Commercial (HC) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Commercial (C) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Outside Storage*.

(a) All outside storage shall be placed behind the front facade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.
(b) All outside storage shall be screened from streets and public areas in accordance with the requirements of Subsection 1.05, *Screening Standards*.

SUBSECTION 4.07: DOWNTOWN (DT) DISTRICT

Subsection 4.07, *Downtown (DT) District*, is omitted from this ordinance change, but is retained in its entirety.

SECTION 5: INDUSTRIAL DISTRICTS

SUBSECTION 5.01: GENERAL INDUSTRIAL DISTRICT STANDARDS

All industrial development shall conform to the following standards:

(A) *Construction Standards*.

(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* -- *excluding doors and windows* -- as defined below.

(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:

(1) *Stone.* A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.
(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade. The use of concrete tilt-up walls may be permitted on a case-by-case basis in accordance with the exception requirements outlined below.
(3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.

(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards*. All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

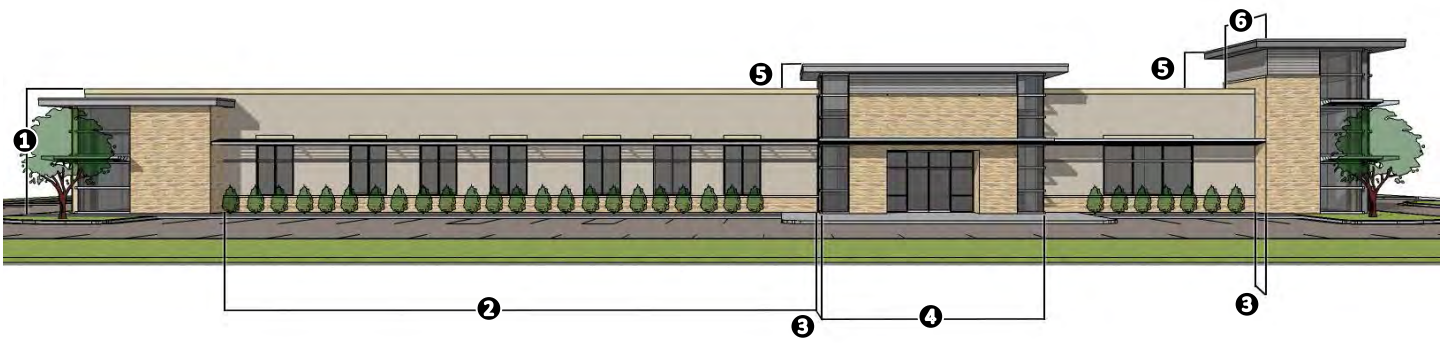
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Industrial Districts*. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Section 7.03, *Non-Residential District Development Standards*; however, the following features may be constructed 12-feet higher than the maximum height requirement if they [*1*] are not more than 33% of the total roof area, and [*2*] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

(a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
(b) Flag Poles.
(c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

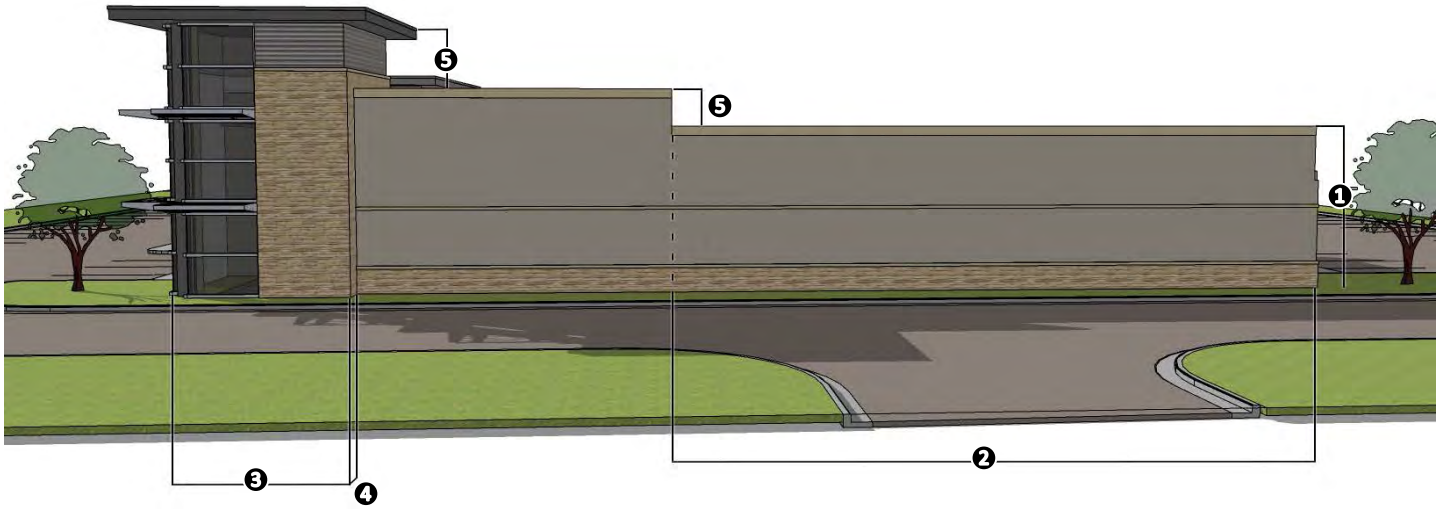
(C) *Building Articulation.*

(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All industrial buildings shall meet the following standards for articulation on primary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed four (4) times the wall height (*i.e. 4 x* ❶ ≥ ❷).
❸: *Wall Projection*. The minimum wall projection for an entryway/architectural element shall be 25% of the wall height (*i.e. 25% x* ❶ ≤ ❸).
❹: *Entryway/Architectural Element Length*. The minimum entryway/architectural element length shall be 33% of the wall height (*i.e. 33% x* ❷ ≥ ❹).
❺: *Projection Height*. The entryways/architectural elements shall extend a minimum of 25% of the wall height above the top of the wall (*i.e. 25% x* ❶ ≤ ❺).
❻: *Entryway/Architectural Element Width*. The minimum width of the entryway/architectural element shall extend for twice the required wall projection (*i.e. 2 x* ❸ ≥ ❻).

(2) *Secondary Building Façade.* A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residentially zoned district or residentially used property. All industrial buildings shall meet the following standards for articulation on secondary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length *(i.e. 15% x* ❷ ≤ ❸).
❹: *Secondary Entryway/Architectural Element Width*. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e. 15% x* ❶ ≤ ❹).
❺: *Projection Height*. The secondary entryways/architectural elements shall extend a minimum of 15% of the wall height above the top of the wall (*i.e. 15% x* ❶ ≤ ❺).

(D) *Open Space Guidelines*. Industrial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making industrial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

(E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Industrial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

SUBSECTION 5.02: LIGHT INDUSTRIAL (LI) DISTRICT

(A) *Purpose*. The Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses. With the exception of hazardous materials/manufacturing, this zone allows the same uses as the Heavy Industrial (HI) District. Limitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities. The Light Industrial (LI) District is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building, and any activities conducted outside should be screened and buffered to ensure no external effects (*e.g. excessive noise or odor*) extend beyond the property lines. The locations for these types of industrial land uses are typically a minimum of two (2) acres and average of five (5) to ten (10) acres. These types of development also incorporate open space and significant amounts of land dedicated to landscaping.

Since this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (*e.g. IH-30 and SH-276*) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space. Residential uses should be discouraged from locating directly adjacent to or near the Light Industrial (LI) District to protect these types of businesses from excessive complaints about performance standards. Areas should not be zoned to Light Industrial (LI) District unless they are located on or close to an arterial capable of carrying commercial truck traffic. In industrial parks, internal streets should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Light Industrial (LI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses*. All land uses permitted within the Light Industrial (LI) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Light Industrial (LI) District shall conform to Subsection 4.01, *General Industrial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Manufacturing Operations and Storage*. All business and manufacturing operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as listed in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

SUBSECTION 5.03: HEAVY INDUSTRIAL (HI) DISTRICT

(A) *Purpose*. The City of Rockwall recognizes that some industrial uses cannot be conducted within a totally enclosed building, are not visually attractive, may involve hazardous materials, and could have adverse impacts to adjacent land uses due to noise, odor, pollution, and truck traffic. The Heavy Industrial (HI) District is intended to provide adequate space and site diversification for these types of developments. The development standards in the Heavy Industrial (HI) District are minimal, and allow both large and small industrial uses either on separate small lots or as part of a larger industrial park. Some screening is required, but because of the potential for hazardous or possibly adverse uses, this district should not be located close to residential areas of any type. Areas should not be zoned Heavy Industrial (HI) District unless they are located on or close to an arterial roadway capable of carrying commercial truck traffic. Internal streets in the Heavy Industrial (HI) District should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Heavy Industrial (HI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses*. All land uses permitted within the Heavy Industrial (HI) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Heavy Industrial (HI) District shall conform to Subsection 4.01, *General Industrial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SECTION 6: OVERLAY DISTRICTS

SUBSECTION 6.01: OVERLAY DISTRICTS

Overlay districts are applied to land that has a traditional zoning district designation already applied to it. It establishes additional uses and standards, which may be either more or less restrictive than the underlying zoning district. The overlay district governs in all cases where it sets out a particular use or standard that conflicts with other sections of this Unified Development Code (UDC). In cases where the overlay district does not specifically address a standard or requirement, the underlying zoning district will govern.

SUBSECTION 6.02: GENERAL OVERLAY DISTRICT STANDARDS

(A) *Applicability*. The *General Overlay District Standards* shall be applied to the following overlay districts:

- ☑ IH-30 Overlay (IH-30 OV) District
- ☑ SH-205 Overlay (SH-205 OV) District
- ☑ Scenic Overlay (SOV) District
- ☑ SH-66 Overlay (SH-66 OV) District
- ☑ SH-205 By-Pass Overlay (SH-205 BY OV) District
- ☑ North SH-205 Overlay (N. SH-205 OV) District
- ☑ East SH-66 Overlay (E. SH-66 OV) District
- ☑ FM-549 Overlay (FM-549 OV) District
- ☑ SH-276 Overlay (SH-276 OV) District

All other overlay district standards are detailed in Sections 6.03 – 6.15.

(B) *Special Use Standards.* Development within the Scenic Overlay (SOV) District and the SH-66 Overlay (SH-66 OV) District shall comply with the *Land Use Schedule* contained in Article IV, *Permissible Uses*, of this Unified Development Code (UDC); however, the following land uses may be considered on a case-by-case basis through a Specific Use Permit:

a. Retail Store with Gasoline Sales (*Any Amount of Dispensers or Vehicles*)
b. Car Wash (*Any Type*)
c. Structures Over 36-Feet in Height

(C) *Architectural Standards.*

(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* -- *excluding doors and windows* -- as defined below.

(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:

(1) *Stone.* A minimum of 20% natural or quarried stone is required on all building façades; however, the Planning and Zoning Commission, upon recommendation from the Architectural Review Board (ARB), may grant the use of a high quality manufactured or cultured stone in lieu of natural or quarried stone if it is determined that the application of the manufactured or cultured stone will be complimentary and integral to the design of the building. In making this determination, both the Architectural Review Board (ARB) and the Planning and Zoning Commission should consider the shape, texture, size, quality and warranty of the product being proposed.
(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.
(3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of primary brick or stone materials in an elevation.

(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite

materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, cultured stone or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards*. All structures that have a building footprint of less than 6,000 SF shall be constructed with a pitched roof. Those structures having a footprint 6,000 SF or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish to avoid glare. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent public right-of-way shall be prohibited.

(3) *Mechanical Equipment Screening*. All buildings shall be designed so that no HVAC, satellite dishes, appurtenances and/or any other mechanical equipment visible from any direction. This shall include equipment located on the roof, on the ground, or otherwise attached to the building or located on the site.

(a) Screening of rooftop mechanical equipment and/or other rooftop appurtenances shall be accomplished by either the construction of [*1*] a roof system described in the *Roof Design Standards* above, or [*2*] an architectural feature that is integral to the building's design and ensures that such rooftop mechanical equipment is not visible from any direction. Fencing or the enclosing of individual mechanical units shall not be permitted.

(b) All rooftop mechanical equipment or architectural features shall be shown on the required building elevations and submitted along with the site plan for review by City Staff, the Architectural Review Board (ARB), and the Planning and Zoning Commission.

(4) *Required Architectural Elements.* All buildings that are less than 50,000 SF shall be designed to incorporate a minimum of four (4) architectural elements, buildings over 50,000 SF shall include a minimum of six (6) architectural elements, and buildings over 100,000 SF shall include a minimum of seven (7) architectural elements. The accepted architectural elements for all buildings are as follows:

- ☑ Canopies, Awnings, or Porticos
- ☑ Recesses/Projections
- ☑ Arcades
- ☑ Peaked Roof Forms
- ☑ Arches
- ☑ Outdoor Patios
- ☑ Display Windows
- ☑ Architectural Details (*e.g. Tile Work and Moldings*) Integrated into the Building's Facade
- ☑ Articulated Ground Floor Levels or Bases
- ☑ Articulated Cornice Line
- ☑ Integrated Planters or Wing Walls that Incorporate Landscape and Sitting Areas
- ☑ Offsets, Reveals or Projecting Rib Expressing Architectural or Structural Bays
- ☑ Varied Roof Heights

<u>*NOTE*</u>: Other architectural features maybe approved by the Director of Planning and Zoning or his/her designee.

(5) *Four (4) Sided Architecture.* All buildings shall be architecturally finished on all four (4) sides utilizing the same materials, detailing, articulation and features. In addition, a minimum of one (1) row of trees (*i.e. four [4] or more accent or canopy trees*) shall be planted along perimeter of the subject property to the rear of the building.

(6) *Windows.* The color of all windows shall be reviewed by the Architectural Review Board (ARB), and shall have a maximum visible exterior reflectivity of 20%.

(7) *Office Parks, Shopping Centers and Mixed Use Centers.* All buildings within a common retail, commercial or office development shall incorporate complementary architectural styles, materials, and colors. Staff may require a conceptual façade plan and/or sample boards for these types of developments to ensure consistency and compatibility for all buildings within a proposed development. Conceptual façade plans will be used only to ensure compliance to the minimum standards.

(8) *Corporate Identity.* A company's building corporate identity that conflicts with the *General Overlay District Standards* shall be reviewed *case-by-case* basis as a variance in accordance with the requirements of Subsection 9.02, *Variances to the General Overlay District Standards*, of Article XI, *Development Applications and Review Procedures*.

(D) *Site Design Guidelines and Standards.*

(1) *Building Setbacks*. The building setbacks adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) shall be as follows:

(1) Scenic Overlay (SOV) District: 15-feet
(2) SH-66 Overlay (SH-66 OV) District: 15-feet
(3) IH-30 Overlay (IH-30 OV) District: 25-feet
(4) SH-205 Overlay (SH-205 OV) District: 25-feet
(5) North SH-205 Overlay (N. SH-205 OV) District: 25-feet
(6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- ☑ Residential Land Uses: *See* *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

All other building setback regulations shall be the same as set forth in the underlying zoning district.

(2) *Parking Restrictions*. No more than one (1) full row of parking (*i.e. two rows of parking with a drive aisle*) shall be allowed between the primary building façade and the right-of-way of the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*).

(3) *Access/Ingress/Egress*. In an effort to minimize potential vehicular and pedestrian conflicts, special attention must be given to the location of median breaks along major thoroughfares, the number and location of driveways providing ingress/egress, the design of driveways providing

ingress/egress in relation to the parking areas and sight/visibility distances. Taking this into consideration it is important to review all site plans for the following guidelines:

a. Driveways should be spaced a minimum of 100-feet from the intersection of any major thoroughfare.
b. The ingress/egress driveways shall have a minimum radius of 30-feet;
c. Driveways should maintain an appropriate visibility triangle at ingress/egress driveways.
d. Main entrances should generally be located at median breaks that provide left turn access into the site.
e. Main entrances should connect to a *straightaway* aisle that does not dead end or require an immediate turn to approach the main building.
f. Aisles intersecting with entrance drives should be spaced at a minimum of 20-feet from the property line to provide for smooth turning movements.

(4) *Cross Access*. *Cross Access Easements* may be required by the Planning and Zoning Commission at the time of site plan approval to ensure access to future median breaks and to reduce the number of curb cuts needed along roadways.

(5) *Shared Parking.* In all office parks, shopping centers and mixed-use centers cross access and shared parking agreements may be required by the City Council along with final plat approval.

(6) *Loading and Service Areas*. All loading and service areas shall be located on the rear and side of buildings where possible. In the event that a loading or service area faces towards the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*), additional screening of the loading and service area may be required by the Architectural Review Board (ARB) and Planning and Zoning Commission. A minimum of a ten (10) foot masonry screening wall shall be required to screen the view of loading docks and loading spaces intended for tractor/semi-trailer delivery from any public right-of-way. This ten (10) foot masonry screening wall must screen the entire loading dock or loading space. Screening materials shall utilize similar masonry materials as the front façade of the primary building. The accommodation of adequate access for service delivery trucks shall be evaluated to determine the extent of screening required.

(7) *Trash/Recycling Receptacles and Dumpster Enclosures*. Trash/Recycling Enclosures shall be four (4) sided. These receptacles shall be screened by a minimum eight (8) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building.

(8) *Play Structures*. Play structures shall not be placed between the primary building façade and a public right-of-way.

(9) *Plan Review*. In addition to the other processes and factors established by this Unified Development Code (UDC), all concept plans, development plans and site plans for property situated within an established overlay district shall be reviewed for the following:

(a) The conformance of the proposed site plan to the site design guidelines and standards.
(b) The conformance of the proposed landscape plan to the intent of the landscaping and screening requirements.
(c) The conformance of the building elevations to the intent of the architectural standards.
(d) The provision of sufficient cross access and circulation on the site plan.
(e) The provision of sufficient visibility triangles to avoid congestion at ingress/egress driveways.

(E) *Landscape Standards*.

(1) *Landscape Buffers*. The minimum landscape buffer adjacent to *Primary Roadways* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) [*outside of and beyond any required right-of-way dedication*] shall be as follows:

(1) Scenic Overlay (SOV) District: 20-feet
(2) SH-66 Overlay (SH-66 OV) District: 20-feet
(3) IH-30 Overlay (IH-30 OV) District: 20-feet
(4) SH-205 Overlay (SH-205 OV) District: 20-feet
(5) North SH-205 Overlay (N. SH-205 OV) District: 20-feet
(6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- ☑ Residential Land Uses: 50-feet
- ☑ Retail/Commercial Land Uses: 25-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

All landscape buffers shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage along the *Primary Roadway*. In the E. SH-66 Overlay (E SH-66 OV), FM-549 Overlay (FM-549 OV), and SH-205 By-Pass Overlay (SH-205 BY OV) Districts the required landscape buffer shall incorporate one (1) additional cedar tree per 100-feet of linear of frontage along the *Primary Roadway*.

(2) *Plant Material Sizes and Selection*. All canopy trees, accent trees, shrubs and ground cover proposed to be planted in any overlay district shall be in conformance to the tables depicted in Appendix F, *Landscaping Guidelines and Requirements*, of this Unified Development Code (UDC) and shall be subject to the following sizes:

a. *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.
b. *Accent Trees* shall be a minimum of four (4) feet in total height.
c. *Deciduous Shrubs* shall be a minimum of five (5) gallons in size.
d. *Evergreen Shrubs* shall be a minimum of five (5) gallons in size.

(3) *Erosion Control/Retaining Walls.* Any slope embankments or retaining walls within the public right-of-way or within the required landscape buffer must be terraced every four (4) feet in height (maximum) with a minimum of a two (2) foot planting area provided between each vertical plane. Materials used for the vertical elements shall be natural stone or any masonry material, which matches the masonry materials used on the primary structure. The planting area must incorporate shrubs, ground cover and grasses.

(F) *Signs.* All signage requirements and variances to these requirements shall conform to Chapter 32, *Signs*, of the Municipal Code of Ordinances; however, approval of any variance to the sign standards for property situated within an established overlay district shall require approval by the City Council by a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

(G) *Lighting Standards.* No light standard, light fixture, light pole, pole base or combination thereof shall exceed 20-feet in total height in any overlay district with the exception of the IH-30 Overlay (IH-30 OV) District, which shall be limited to a maximum height of 30-feet.

(H) *Utility Placement.* All overhead utilities within any overlay district shall be placed underground.

(I) *Residential Standards.* No screening walls shall be erected adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) in conjunction with any residential development. In addition, *eyebrow drives* with clusters of lots (*i.e. 5 – 12 homes*) shall be utilized along the *Primary Roadway* for residential developments. In lieu of *eyebrow drives,* a 50-foot landscape buffer may be utilized as an alternative. Farm fencing, including wood rail type and metal pipe and cable fencing, is allowed within the 50-foot landscape buffer. For residential developments within the SH-205 By-Pass Overlay (SH-205 BY OV) District, see *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*.

SUBSECTION 6.03: HISTORIC OVERLAY (HO) DISTRICT

Subsection 6.03, *Historic Overlay (HO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.04: NORTH GOLIAD CORRIDOR OVERLAY (NGC OV) DISTRICT

Subsection 6.04, *North Goliad Corridor Overlay (NGC OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.05: SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT

Subsection 6.05, *Southside Residential Neighborhood Overlay (SRO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.06: IH-30 OVERLAY (IH-30 OV) DISTRICT

(A) *Purpose.* The intent of the IH-30 Overlay (IH-30 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The IH-30 Overlay (IH-30 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the future right-of-way of IH-30. The IH-30 Overlay (IH-30 OV) District spans east to west along IH-30 from the eastern city limits (approximately 3,600-feet east of FM 549), west to the western city limit line along Lake Ray Hubbard. The standards and regulations set forth in the IH-30 Overlay (IH-30 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the IH-30 Overlay (IH-30 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.07: SH-205 OVERLAY (SH-205 OV) DISTRICT

(A) *Purpose.* The intent of the SH-205 Overlay (SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 Overlay (SH-205 OV) District includes the entirety of all properties which adjoin or are located within 200-feet of the future right-of-way of SH-205. The SH-205 Overlay (SH-205 OV) District spans north to south along SH-205 from the intersection point of SH-205 and FM 740, south to the southern city limits (*approximately 2,800-feet south of FM-1139*). The standards and regulations set forth in the SH-205 Overlay (SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-205 Overlay (SH-205 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.08: SCENIC OVERLAY (SRO) DISTRICT

(A) *Purpose.* The Scenic Overlay (SOV) District is a specialized overlay district along FM-740 which has been identified in the Comprehensive Plan as a scenic thoroughfare. The identified scenic aspects of FM-740 include views of the lake, existing natural topography, and existing natural landscaping. The district has been established to protect scenic or historic qualities through the use of additional development criteria and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

(B) *Application and Boundaries.* The Scenic Overlay (SOV) District shall apply to all property located within the established boundary along FM-740 (*as set forth in Ordinance No. 87-64*). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless and until an application for zoning, platting, or site planning is re-submitted on the property. All property developed within the Scenic Overlay (SOV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the Scenic Overlay (SOV) District. The most restrictive requirement applicable to the property shall apply.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the Scenic Overlay (SOV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.09: SH-66 OVERLAY (SH-66 OV) DISTRICT

(A) *Purpose.* The SH-66 Overlay (SH-66 OV) District is a specialized overlay district along SH-66 and Washington Street between Lake Ray Hubbard and SH-205, which has been identified as one of the important entry points into the City of Rockwall. The identified important scenic aspects of this corridor include views of the lake, existing natural topography, and existing natural landscaping adjacent to residential neighborhoods. The district has been established to protect scenic or historic qualities through the use of additional development criteria, and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

(B) *Application and Boundaries.* The SH-66 Overlay (SH-66 OV) District shall apply to all property located within the established boundary along SH-66 and Washington Street, between Lake Ray Hubbard and SH-205 (*as set forth in Ordinance No. 01-18*). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless an application for zoning, platting, or site planning is resubmitted on the property. All property developed within the SH-66 Overlay (SH-66 OV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the SH-66 Overlay (SH-66 OV) District. The most restrictive requirement applicable to the property shall apply.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-66 Overlay (SH-66 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.10: SH-205 BY-PASS OVERLAY (SH-205 BY OV) DISTRICT

(A) *Purpose.* The intent of the SH-205 By-Pass Overlay (SH-205 BY OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility and plan review shall be conducted through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family uses only. All other residential uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 By-Pass Overlay (SH-205 BY OV) District includes the entirety of all properties which adjoin or are located within 500 feet of the current and future right-of-way of John King Boulevard. The SH-205 By-Pass Overlay (SH-205 BY OV) District ~~Zone~~ extends along the current and future right-of-way of John King Boulevard. to the existing city limits. The standards and regulations set forth in the SH-205 By-Pass Overlay (SH-205 BY OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-205 By-Pass Overlay (SH-205 BY OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

(D) *Special District Requirements*.

(1) *Residential Frontage Requirements*. To ensure proper separation of residential land uses from John King Boulevard all residential developments that have direct frontage on John King Boulevard shall

utilize one (1) or a combination of the following design alternatives along the entire frontage of John King Boulevard:

a. *Increased Landscape Buffer*. A minimum of a 100-foot landscape buffer maybe substituted for the required landscape buffer as depicted in *Design Alternative #1*.

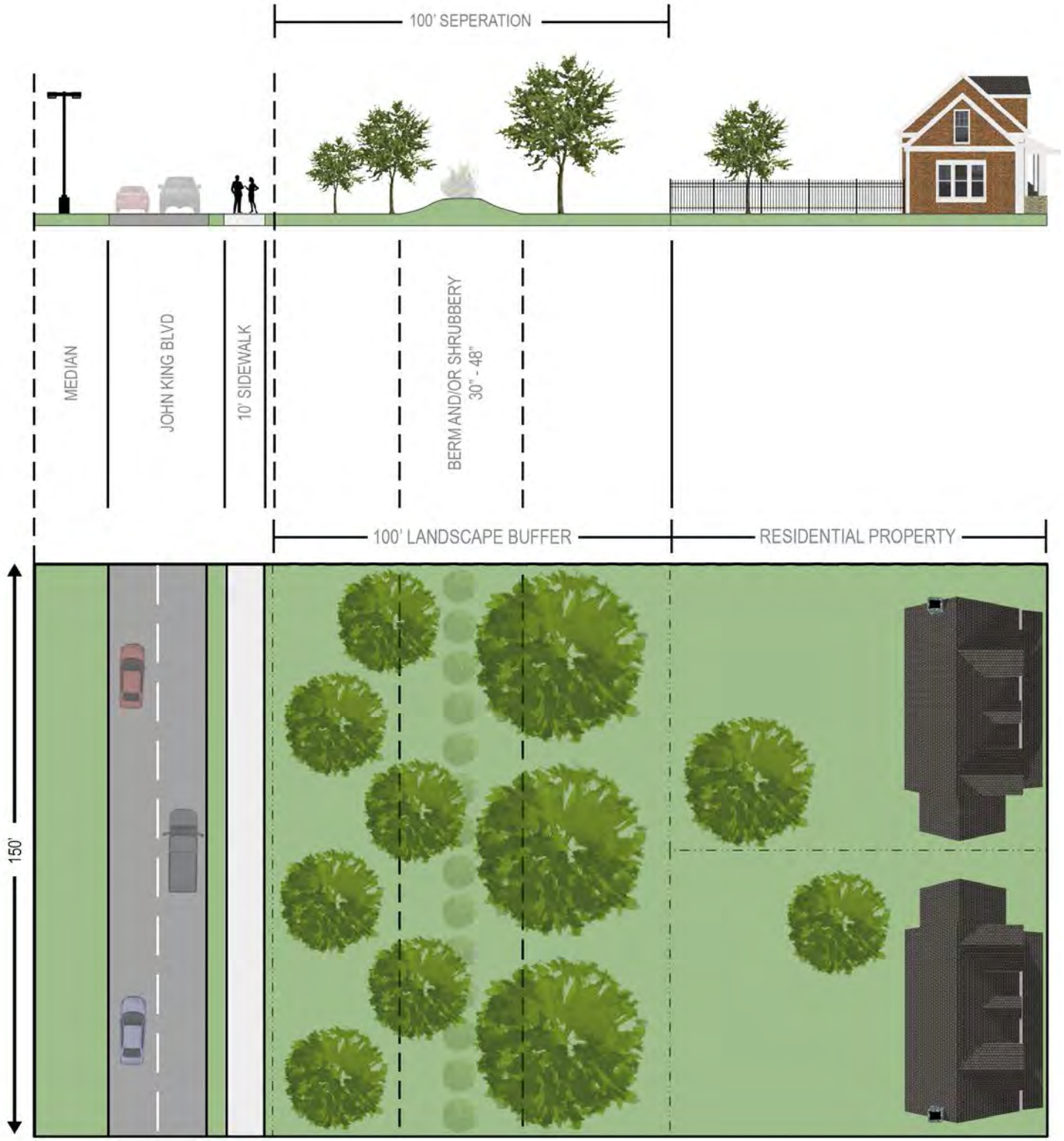
b. *Increased Rear Yard Building Setback*. A minimum of 50-foot rear yard building setback may be incorporated adjacent to the required landscape buffer as depicted in *Design Alternative #2.*

b. *Incorporation of a Slip Street*. A slip street -- *meeting the Engineering Department's requirements for right-of-way design* -- may be incorporated adjacent to and running parallel with the required landscape buffer. Homes are permitted to front or side to the slip street. Examples of this design alternative are depicted in *Design Alternative #3* and *Design Alternative #4.*

c. *Incorporation of an Eyebrow*. An eyebrow street meeting the -- *Engineering Department's requirements for right-of-way design* -- with a minimum cluster of five (5) homes and a maximum cluster of 12 homes can be incorporated with a 30-foot landscape buffer. All homes should front onto the eyebrow street and have a minimum of a 25-foot front yard building setback. An example of this design alternative is depicted *Design Alternative #5.*

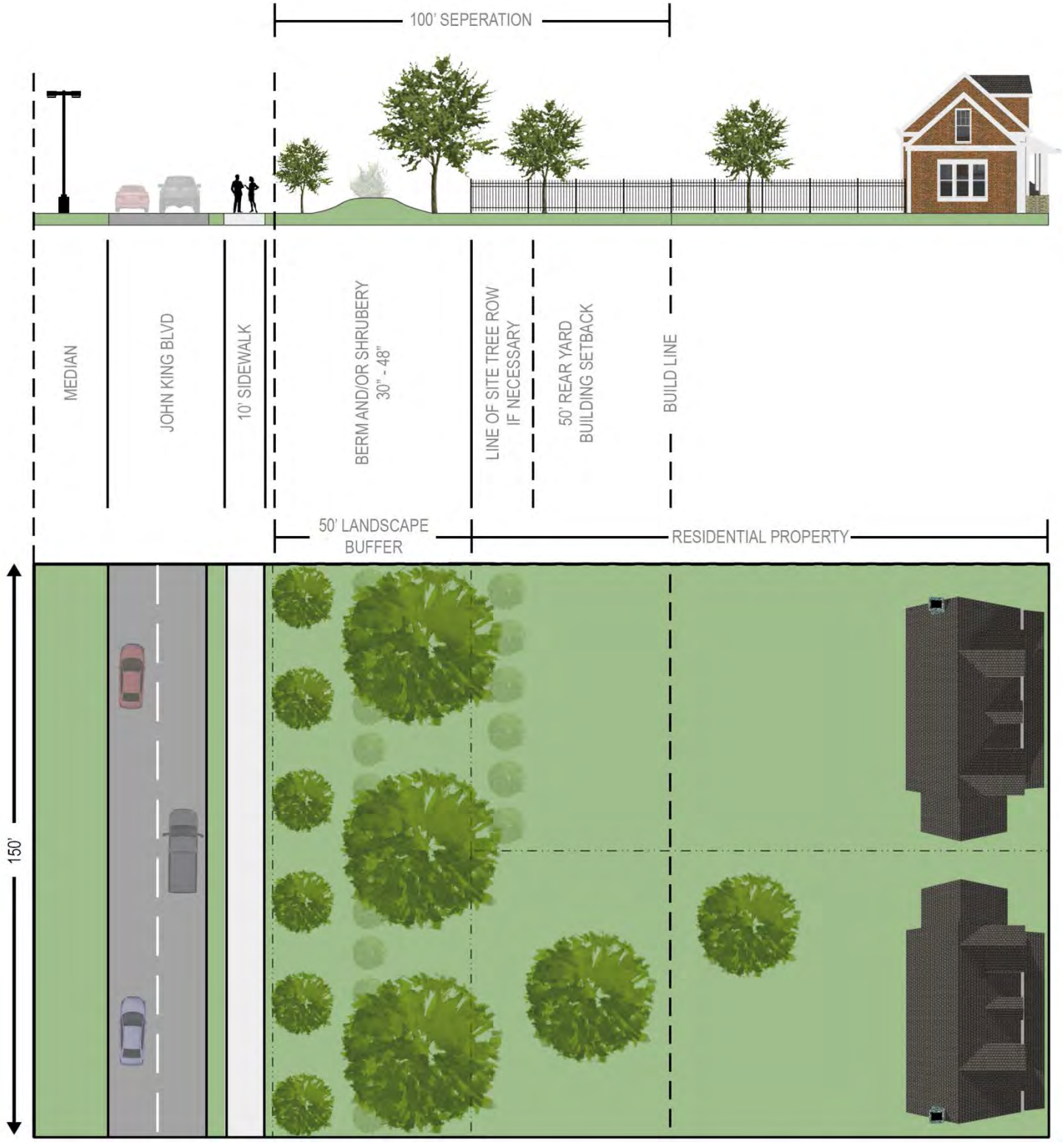
(2) *Design Alternatives.*

Design Alternative #1

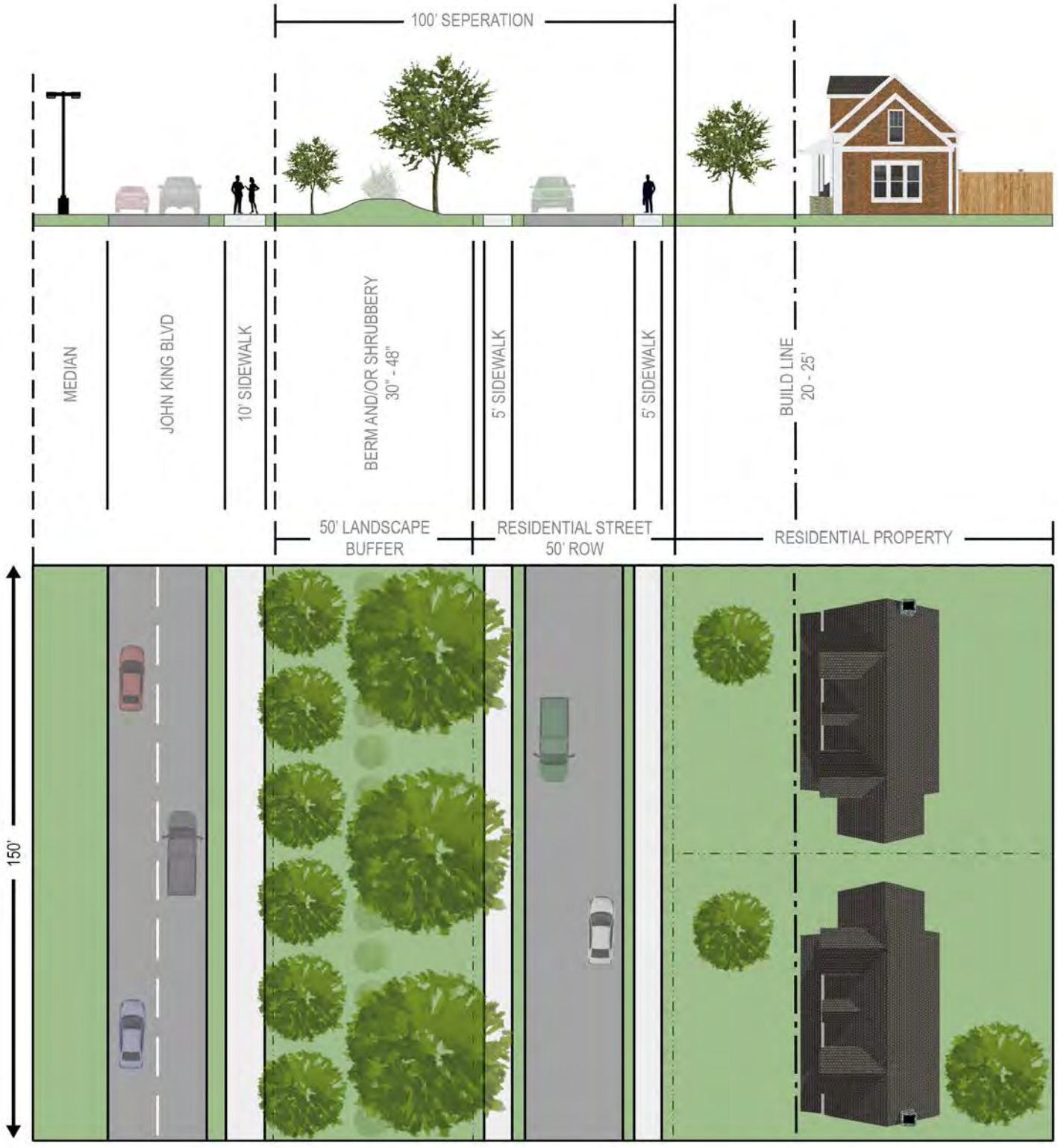


175

Design Alternative #2



Design Alternative #3

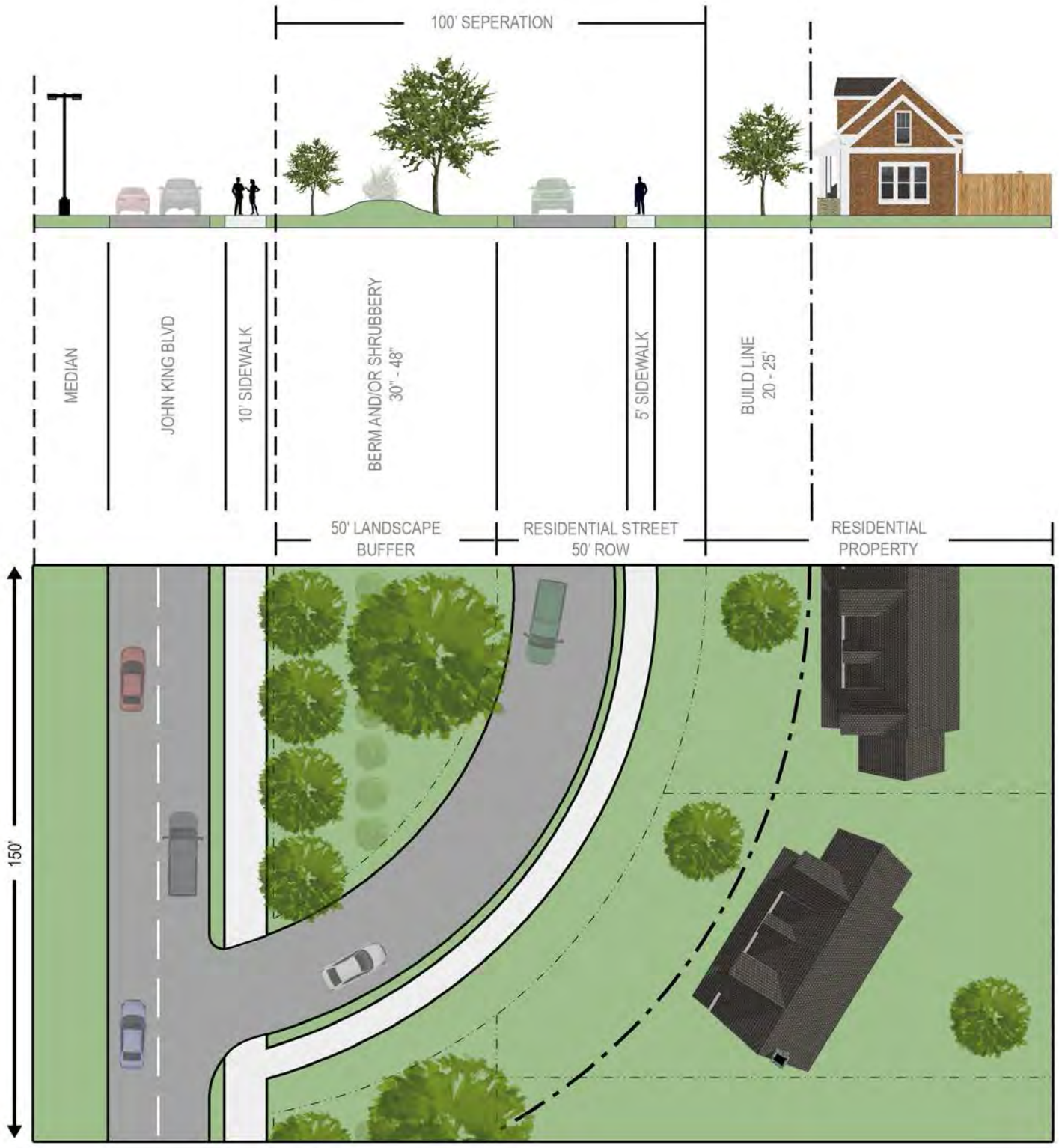


Design Alternative #4

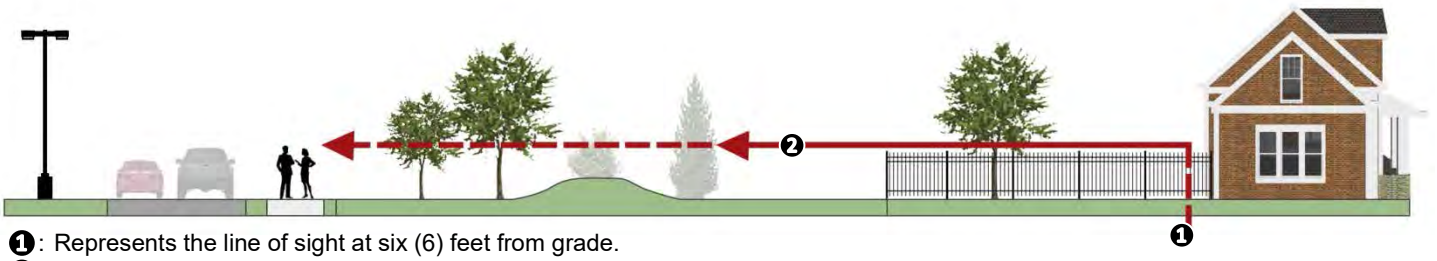


178

Design Alternative #5



(3) *Line of Sight Requirements*. Homes that back to a required landscape buffer should be built in such a manner where the required berm visually impairs visibility to John King Boulevard. In cases where a berm proves to be ineffective at screening traffic from John King Boulevard (*due to topography, height, etc.*) the developer shall be responsible for incorporating additional landscaping to provide sufficient screening in the required landscape buffer. This will be reviewed by the Planning and Zoning Commission at the time of site plan.



❶: Represents the line of sight at six (6) feet from grade.
❷: The solid red line shows that visibility is impaired from John King Boulevard by [*1*] a row of trees or [*2*] a berm and/or row of shrubbery.

SUBSECTION 6.11: NORTH SH-205 OVERLAY (N. SH-205 OV) DISTRICT

(A) *Purpose.* The intent of the North SH-205 Overlay (N. SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The North SH-205 Overlay (N. SH-205 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of N. SH-205. The North SH-205 Overlay (N. SH-205 OV) District spans north to south along SH-205 from the northern city limits (approximately 4,200-feet north of FM-552), south to the intersection point of SH-205 and Heath Street. The standards and regulations set forth in the North SH-205 Overlay (N. SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the North SH-205 Overlay (N. SH-205 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.12: EAST SH-66 OVERLAY (E. SH-66 OV) DISTRICT

(A) *Purpose.* The intent of the East SH-66 Overlay (E. SH-66 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The East SH-66 Overlay (E. SH-66 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of E. SH-66. The East SH-66 Overlay (E. SH-66 OV) District extends from FM-1141 to the east approximately 2,700-feet, and on property that lies within 500-feet of the south right-of-way line of SH-66 beginning at a point

approximately 2,700-feet east of FM-1141 and then continuing east to FM-549. The standards and regulations set forth in the East SH-66 Overlay (E. SH-66 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the East SH-66 Overlay (E. SH-66 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.13: FM-549 OVERLAY (FM-549 OV) DISTRICT

(A) *Purpose.* The intent of the FM-549 Overlay (FM-549 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The FM-549 Overlay (FM-549 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of FM-549. The FM-549 Overlay (FM-549 OV) District extends from SH-276 to a point approximately 800-feet north of IH-30 and on property that lies within 500-feet of the west right-of-way line of FM-549 from a point approximately 800-feet north of IH-30 to SH-66. The standards and regulations set forth in the FM-549 Overlay (FM-549 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the FM-549 Overlay (FM-549 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

(A) *Purpose.* The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276. The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

Subsection 6.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.16: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

See Subsection 9.02, *Variances to the General Overlay Districts Standards, of Article IX, Development Applications and Review Procedures*.

SECTION 7: DISTRICT DEVELOPMENT STANDARDS

Residential District Development Standards Zoning Districts → Development Standards ↓		Single-Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single-Family Estate 4.0 (SFE-4.0) District	Single-Family 1 (SF-1) District	Single-Family 16 (SF-16) District	Single-Family 10 (SF-10) District	Single-Family 8.4 (SF-8.4) District	Single-Family 7 (SF-7) District	Zero Lot Line (ZL-5) District	Two-Family (2F) District	Agricultural (AG) District
Abbreviation		SFE-1.5	SFE-2.0	SFE-4.0	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	AG
Dwelling Units/Lot		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0
Dwelling Units/Acre		0.67	0.5	0.25	1.0[1]	2.7	4.4	5.2	6.2	8.7	12.4	0.1[11]
Minimum Dwelling Unit (SF)		2,000	2,200	2,500	2,500	2,400	2,200	1,500	1,100	1,000	800	1,600
Minimum Lot Requirements	Area (Square Feet)	65,340	87,120	174,240	8,400	16,000	10,000	8,400	7,000	5,000	7,000	43,560
	Width (Feet) [2]	150	150	200	70	90	80	70	60	50	60	100
	Depth (Feet)	250	250	250	100	100	100	100	100	90	100	200
Minimum Setbacks	Front (Feet)	50	50	50	20	25	20	20	20	20	20	40
	Rear (Feet)	10	10	10	10	10	10	10	10	10	10	10
	Side (Feet) [3]	25	25	25	6	8	6	6	6	0/10[4]	0[5]/6[6]	6
Between Buildings (Feet)		10	10	10	10	10	10	10	10	10	10	12
Building Height (Feet)		36	36	36	36	36	36	36	32	30	32	36
Maximum Lot Coverage (%)		35	35	35	45	45	45	45	45	50	45	*N/A*
Required Parking Spaces [7]		2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[9]	2[10]	2[8]

ADDITIONAL REQUIREMENTS:

[1]: The Single Family 1 (SF-1) District allows for one (1) unit per gross acre.

[2]: Frontage on a Public Street

[3]: The side setback adjacent to a street is treated the same as a front yard building setback.

[4]: Minimum maintenance easement is ten (10) feet. Minimum maintenance easement on the non-zero lot line side, when adjacent to another lot in the same zoning district is five (5) feet (*this easement shall be maintained as an open space except upon a finding by the building official that the proposed improvements do not impede the use of said easement for maintenance of the adjoining structure*).

[5]: Abutting structures separated by fire retardant walls.

[6]: Townhouses separated by firewall meeting the requirements of the building code may build to the property line where such structures abut.

[7]: Minimum length of driveway pavement from public right-of-way for rear and side yard is 20-feet.

[8]: An enclosed garage shall not be considered in meeting the off-street parking requirements. For all other uses see Article VI, *Parking and Loading*.

[9]: A two (2) car garage is required.

[10]: Two (2) off-street parking spaces plus one (1) garage parking space for each dwelling unit is required.

[11]: A minimum lot size of ten (10) acres is required for the construction of any single-family dwelling.

Multi-Family District Development Standards Zoning Districts → Development Standards ↓		Multi-Family 14 (MF-14) District [1]
Abbreviation		MF-14
Dwelling Units/Acre		14.0[2]
Minimum Lot Requirements	Site Area (Square Feet)	10,000
	Lot Area (Square Feet)	2,000 (*Per Unit*)
	Width (Feet)[3]	60
	Depth (Feet)	100
Minimum Setbacks	Front (Feet)	25
	Rear (Feet) w/ Residential Adjacency (Feet)[3 & 8]	One Story = 25 Two Stories = 50 Three Stories = 75
	Rear (Feet)	10
	Side w/ Residential Adjacency (Feet)[4 & 8]	One Story = 25 Two Stories = 50 Three Stories = 75
	Side (Feet)	One Story = 10 Two or More Stories = 15
Between Buildings (Feet)		Main to Accessory = 10 Two Main Buildings w/ Doors or Windows in Facing Walls = 20 Two Main Buildings w/o Doors or Windows in Facing Walls = 15
Building Height (Feet)		36
Maximum Lot Coverage (%)		45[5]
Minimum Landscaping (%)[7]		30% of Total Lot Area w/ 30% of Total Required in the Front and Alongside Buildings w/ Street Frontage [6]
Required Parking Spaces		See Article VI, *Parking and Loading*

ADDITION REQUIREMENTS:

[1]: Duplexes shall meet the requirements of the Two-Family (2F) District, with only one (1) duplex per lot.

[2]: Density is calculated by gross acre.

[3]: Unenclosed carports may be built within five (5) feet of any property line that abuts an alley, but no closer than 20-feet from any street intersection.

[4]: Side on street is treated the same as a front yard building setback.

[5]: Each development containing over 100 dwelling units shall provide 300 SF of open space per two (2) and three (3) bedroom units, with at least one (1) open area with the minimum dimensions of 200-feet by 150-feet. Swimming pools, tennis courts and other recreational facilities can be counted toward the overall open space requirement, but not toward the required 200-feet by 150-feet area.

[6]: Any parking lot with more than two (2) rows of parking spaces shall have a minimum of two (2) percent of the interior of the parking lot landscaped. Such landscaping shall be counted toward the landscaping requirement.

[7]: All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes.

[8]: Lots with more than five (5) dwelling units that are contiguous to a residential zoning district, must be separated by a buffer as established in Article VIII, *Landscape Standards*.

Non-Residential District Development Standards *: For development in the Downtown (DT) District see the standards in Section 4.8, *Downtown (DT) District*. Zoning Districts → Development Standards ↓		Residential-Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District
Abbreviation		RO	NS	GR	C	HC	LI	HI
Maximum Building Size (SF)		*N/A*	5,000 [1]	25,000 [2]	*N/A*	*N/A*	*N/A*	*N/A*
Minimum Lot Requirements	Area (SF)	6,000 [3]	6,000	6,000 43,560	10,000 43,560	12,500 43,560	12,500 43,560	87,120
	Width (Feet)	60	60	60 200	60 200	100 200	100 200	200
	Depth (Feet)	100	100	100 200	100 200	125 200	125 200	350
Minimum Setbacks	Front (Feet)	25 [4, 12]	15 [5]	15 [4, 5]	15 [4, 5]	25 [4]	25 [4]	50+1/2*H*>36 [7] 50 [4]
	Rear (Feet)	30	20 w/o FRW & Alley	10 w/o FRW & Alley	10 w/o FRW & Alley	20 w/o FRW & Alley	10 w/o FRW [7]	20 + 1/2*H*>36 w/o FRW [7]
			0 w/ FRW & Alley	0 w/ FRW & Alley	0 w/ FRW & Alley	1/2*H*>36 w/ FRW & Alley	1/2*H*>36 w/ FRW & Alley [7]	8 + 1/2*H*>36 w/ FRW & Alley [7]
	Rear Adjacent Residential (Feet) [6]	*N/A*	20	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	50 + 1/2*H*>36 [7]
	Side (Feet)	10	5 w/o FRW	10 w/o FRW	10 w/o FRW	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]
			0 w/ FRW	0 w/ FRW	0 w/ FRW	1/2*H*>36 w/ FRW [7]	1/2*H*>36 w/ FRW [7]	8 + 1/2*H*>36 w/ FRW [7]
	Side Adjacent Residential (Feet) [6]	20	20	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	50
Between Buildings (Feet)		15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]	25 + 1/2*H*>36 w/o FRW [7]
						1/2*H*>36 w/ FRW [7]	1/2*H*>36 w/ FRW [7]	16 + 1/2*H*>36 w/ FRW [7]
Building Height [*H*] (Feet)		36	36	36 [8]	60 [9]	60 [9]	60 [13]	60 [13]
Maximum Lot Coverage (%)		40	40	40	60	60	60	85
Floor Area Ratio (FAR)		0.33	*N/A*	2:1	4:1	4:1	2:1	4:1
Maximum Impervious Parking (%)		75-80 [11]	80-85	85-90	85-90	90-95	90-95	90-95
Maximum Number of Entrances and/or Exits	Arterial Streets	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]
	Collector Streets	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]
	Local Streets	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]
Minimum Landscaping (%)		See Article VIII, *Landscape Standards*						

NOTES:
Blue: When adjacent to Interstate 30.
H: Building Height
1/2*H*>36: One-Half the Building Height Over 36-Feet
FRW: Fire Retardant Wall
w/o FRW: Without Fire Retardant Wall

ADDITIONAL REQUIREMENTS:

185

[1]: A maximum building size of 5,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[2]: A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[3]: Maximum lot area is 43,560 SF.

[4]: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.

[5]: Parking should not be located between the front façade and the property line.

[6]: Lots with non-residential uses that have a side or rear yard contiguous or separated only by an alley, easement, or street, from any residential district must be separated from such residential district by a buffer as defined in Article VIII, *Landscape Standards*, or as approved by the Planning and Zoning Commission.

[7]: Not to exceed 50-Feet.

[8]: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[9]: Building height may be increased up to 240-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[10]: (or) as approved by Planning and Zoning Commission.

[11]: A minimum of seven (7) percent of the interior of the parking lot -- *not including the setback and landscape buffer* -- shall be pervious land area with additional plantings to create an amenity open space.

[12]: Parking shall not be permitted in the required setback.

[13]: Building height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

Accessory Structure Development Standards Zoning Districts or Accessory Structure Type → Development Standards ↓		Accessory Structures & Accessory Buildings [1 & 3]					Portable Accessory Building 0 SF – 120 SF [8]	Detached Garage [8 & 9]	Carports [7 & 8]
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Number of Accessory Structures or Number of Specific Accessory Structure		2[2]	2[2]	2[2]	2	1	1	1	1
Maximum SF of Accessory Structure [5]		1,000[2]	1,000[2]	1,250[2]	144[6]	100	120	625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20[4]	20[4]	20[4]	3	3	3	20[4]	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet) [8]		15	15	15	15	10	10	15	15

ADDITIONAL REQUIREMENTS:

1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.

2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.

3: Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.

4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.

5: Accessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP).

6: Each property shall be permitted one (1) detached garage up to 625 SF and one (1) accessory building up to 144 SF.

7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.

8: Two (2) story accessory buildings or structures shall be prohibited.

9: Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

ARTICLE VIII, LANDSCAPE AND FENCE STANDARDS, UDC

SECTION 1: PURPOSE

The purpose of Article VIII, *Landscape and Fence Standards*, is to create standards for landscaping and fencing that will complementary to the design and location of existing buildings, streets, sidewalks, and open spaces in the City of Rockwall. By doing this, this Article acknowledges the unique natural beauty of the City, its environment, and the existing vegetation and tree canopy, and sets forth standards that ensure their protection. This article also strives to create natural barriers and soft transition for land uses through the use of natural screening methods and non-transparent fencing.

SECTION 2: APPLICATION OF ARTICLE

SUBSECTION 2.01: APPLICABILITY

(A) *Landscape and Screening.*

(1) The landscape and screening provisions of this Article shall apply to:

(a) All new residential or non-residential development within the corporate limits of the City of Rockwall with the exception of the exemptions listed in Subsection 2.01.(A)(2).
(b) The expansion of a non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.
(c) The expansion of a non-residential parking lot that increases the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.

(2) The landscape and screening provisions of this Article shall ***not*** apply to:

(a) Any property with a Landscape Plan and/or Site Plan that was approved prior to the adoption of this Article, unless an amended Landscape Plan and/or Site Plan is required by the requirements of Subsection 2.01.A or Article XI, *Development Applications and Review Procedures*.
(b) The restoration of a building or structure that has been damaged by fire, flood, explosion, riot, act of the public enemy, natural disaster, or accident of any kind and is permitted by Section 8, *Non-Conforming Uses, Structures, and Sites*, of Article IV, *Permissible Uses*. For the purposes of this exemption restoration is defined as repairing a building or structure to return it to its former state.
(c) Properties containing only single-family and/or duplex land uses.
(d) Properties zoned Downtown (DT) District, as defined by Subsection 4.07, *Downtown (DT) District*, of Article V, *District Development Standards*.

(B) *Fences.*

(1) The fence provisions of this Article shall apply to:

(a) The construction of all new residential or non-residential fences.
(b) The repair of an existing residential or non-residential fence that requires the replacement of 25-linear feet or more.
(c) The repair of an existing residential or non-residential fence that requires the replacement of five (5) or more posts.

(2) The fence provisions of this Article shall ***not*** apply to:

(a) The repair of a residential or non-residential fence that does not require a fence permit and that is not subject to the requirements of Subsection 2.01.B(1).

(C) *Overlay Districts.* In addition to the requirements contained in this Article, properties within an establish Overlay District shall be subject to the requirements stipulated by Subsection 6.02, *General Overlay District Standards*, of Article V, *District Development Standards*. In instances where the requirements of this Article conflict with the requirements of the *General Overlay District Standards*, the more restrictive standard will apply.

(D) *Planned Development Districts.* The landscaping requirements contained in this Article shall be incorporated into all new or amended Planned Development Districts, unless otherwise approved by the City Council upon recommendation from the Planning and Zoning Commission.

SUBSECTION 2.02: EXCEPTIONS TO THE LANDSCAPING STANDARDS

The Planning and Zoning Commission may grant an exception to the landscaping standards contained in this Article upon a finding that the resulting landscaping or landscaping plan will be equivalent to or exceed the requirements stipulated by this Article, and provide an improvement to the aesthetics of the surrounding area. All exceptions to these requirements will be subject to the approval criteria and voting requirements of Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

SUBSECTION 2.03: EXCEPTIONS TO THE FENCE STANDARDS

All exceptions to the fence standards contained in this Article will be subject to the requirements of Section 8, *Fence Standards*.

SECTION 3: LANDSCAPE PLAN

SUBSECTION 3.01: LANDSCAPE PLAN SUBMITTAL

(A) *Submittal of a Landscape Plan*. A Landscape Plan is required to be submitted as part of an application for a Site Plan or an Amended Site Plan as stipulated by Section 3, *Site Plans*, of Article XI, *Development Applications and Review Procedures*.

(B) *Landscape Plan Content*. The Director of Planning and Zoning or his/her designee shall establish and maintain a list of the required criteria necessary for the submittal of a Landscape Plan.

(C) *Preparation of a Landscape Plan*. Landscape Plans shall be prepared by a *Landscape Architect* or a member in good standing of the American Society of Landscape Architects (ASLA) unless otherwise permitted by the Director of Planning and Zoning.

SUBSECTION 3.02: APPROVAL OF A LANDSCAPE PLAN

(A) *Administrative Approval*. Landscape Plans that are submitted in conjunction with a Site Plan or an Amended Site Plan that can be reviewed and acted upon at an administrative level -- *as defined in Section 3, Site Plans, of Article XI, Development Applications and Review Procedures* -- may be approved, approved with condition, or denied by the Director of Planning and Zoning or his/her designee.

(B) *Approval by the Planning and Zoning Commission*. The Planning and Zoning Commission may approve a Landscape Plan in accordance with the procedures for approving a Site Plan or an Amended Site Plan as stipulated by Section 3, *Site Plans*, of Article XI, *Development Applications and Review Procedures*.

SECTION 4: APPROVED LANDSCAPING MATERIALS

In satisfying the landscape requirements of this Article, it is recommended that all landscaping utilize high-quality, hardy plant materials. Such plant materials shall adhere to the following requirements:

(A) *Approved Planting Materials*.

(1) All planting materials should conform to the recommended planting materials outlined in Appendix F, *Landscape Guidelines and Requirements*; however, alternative tree, shrub, and grass varieties may be approved by the Director of Planning and Zoning pending the submission of a Landscape Plan and/or a written request.

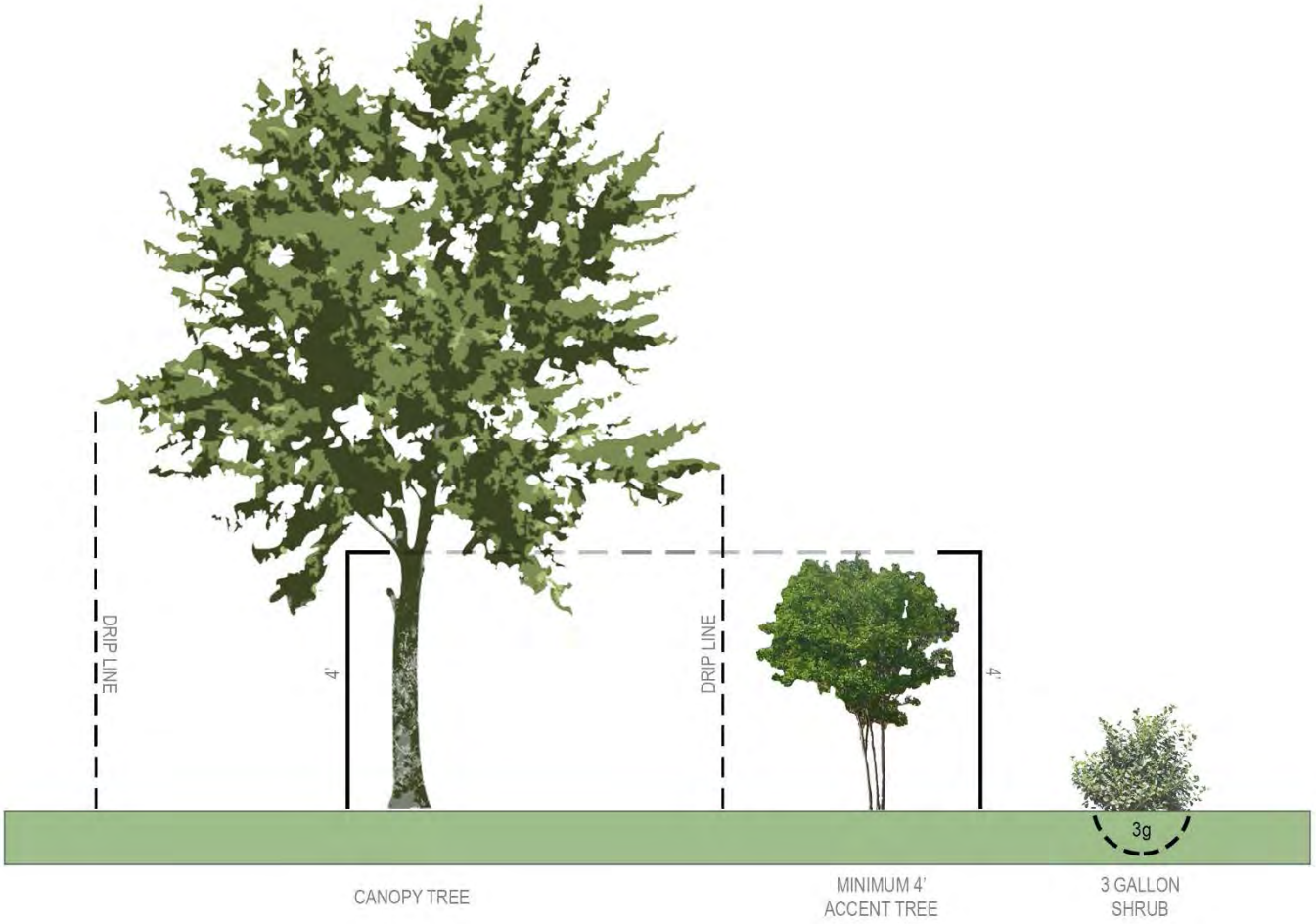
(2) Unless otherwise noted in this Unified Development Code (UDC), the minimum tree and shrub size at the time of installation shall be as follows:

(a) *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.

(b) *Accent Trees* shall be a minimum of four (4) feet in total height.

(c) Shrubs shall be a minimum of three (3) gallons in size.

Figure 1: Approved Planting Materials and Sizes



(3) For the purposes of this section, the height of an Accent Tree shall be measured from the root flare or from the soil level if still in the container.

190

(4) DBH or *Diameter at Breast Height* is the standard dendrometric measurement for trees, and is measured at a height of four (4) feet above grade.

(5) The City of Rockwall encourages developments to incorporate xeriscaping/smartscaping to promote reduced water usage through the use of drought tolerant plants. The City's *Xeriscaping/Smartscaping Standards and Guidelines* are outlined in Section 5.05, *Xeriscaping and Smartscaping Standards*.

(B) Prohibited Planting Materials.

(1) Artificial or synthetic plant materials (*e.g. artificial grass, turf, trees shrubs*) shall be prohibited.

SECTION 5: LANDSCAPE STANDARDS

SUBSECTION 5.01: LANDSCAPE BUFFERS

The minimum requirements for landscape buffers shall be as follows:

(A) *Residential Landscape Buffers in Subdivisions*.

(1) *Abutting a Collector Street*. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a collector street. All residential lots adjacent to a collector street shall incorporate one (1) canopy tree per 50-linear feet of frontage along the collector street inside the required landscape buffer. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

(2) *Abutting a Perimeter Collector Street or Arterial Roadway*. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a perimeter collector street or arterial roadway. All landscape buffers adjacent to a perimeter collector street or arterial roadway shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In addition, one (1) canopy tree and one (1) accent tree shall be required to be planted in the required landscape buffer per 50-linear feet of frontage along the perimeter collector street or arterial roadway. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

Figure 2: Residential Landscape Buffers Example



(B) *Non-Residential Landscape Buffers.*

(1) *Abutting a Public Right-of-Way*. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a public right-of-way (*i.e. collector street, arterial roadway, or alleyway*) or a residentially zoned or used property that is located directly across a

public street (*regardless of the size of the street*). All landscape buffers adjacent to a public right-of-way shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In these areas a minimum of one (1) canopy tree and one (1) accent tree shall be incorporated into the landscape buffer per 50-linear feet of frontage along the adjacency. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

(2) *Abutting Residential*. A minimum of a 20-foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a residentially zoned or used property. For planting requirements in these landscape buffers see Subsection 5.02(B), *Screening from Residential*.

Figure 3: Commercial Landscape Buffers Example



193

(C) *Buildings and Paving within a Required Landscape Buffer.* Buildings and paving (*e.g. parking lots*) shall not be permitted within any required landscape buffer; however, sidewalks and trails shall be permitted.

SUBSECTION 5.02: LANDSCAPE SCREENING

(A) *Loading Docks and Outside Storage Areas.* Off-street loading docks and outside storage areas shall be screened from all public streets, open space, adjacent properties and any residential zoning districts or residentially used properties that abut or are directly across a public street or alley from the loading dock or outside storage area in accordance with the requirements of Subsection 1.05, *Screening Standards*, of Article V, *District Development Standards*. As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates one (1) of the following options:

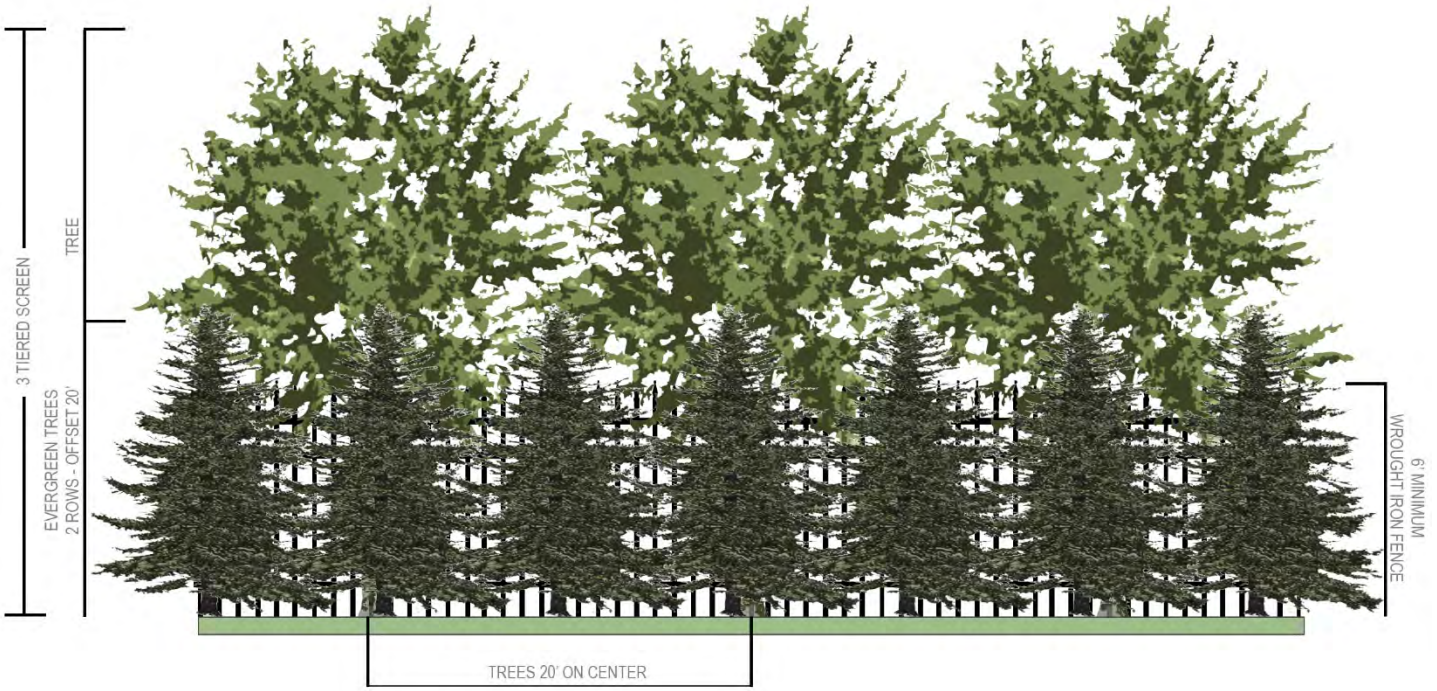
(1) *Alternative #1*. A wrought iron fence and three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) along the entire length of the adjacency. The canopy trees shall be placed on 20-foot centers.

Figure 4: Alternative #1



(2) *Alternative #2*. A wrought iron fence with a mix of two (2) rows of staggered mature evergreen trees and one (1) row of deciduous canopy trees (*a minimum six [6] caliper inches*) along the entire length of the adjacency. All trees will be planted on 20-foot centers.

Figure 5: Alternative #2



(B) *Screening from Residential.* Any non-residential or multi-family land use or parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers (*as depicted in Figures 6 & 7 below*). As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three (3) tiered screening (*i.e. [1] small to mid-sized shrubs, large shrubs or accent trees, and canopy trees or [2] evergreen trees and canopy trees*) along the entire length of the adjacency (*as depicted in Figure 8, 9, & 10 below*). The canopy trees shall be placed on 20-foot centers.

195

Figure 6: Masonry Fence with Canopy Trees in Plan View



Figure 7: Masonry Fence with Canopy Trees in Perspective View



197

Figure 8: Wrought Iron Fence with Three (3) Tiered Screening in Plan View



198

Figure 9: Alternative #1 (Wrought Iron Fence with Three (3) Tiered Screening in Perspective View)



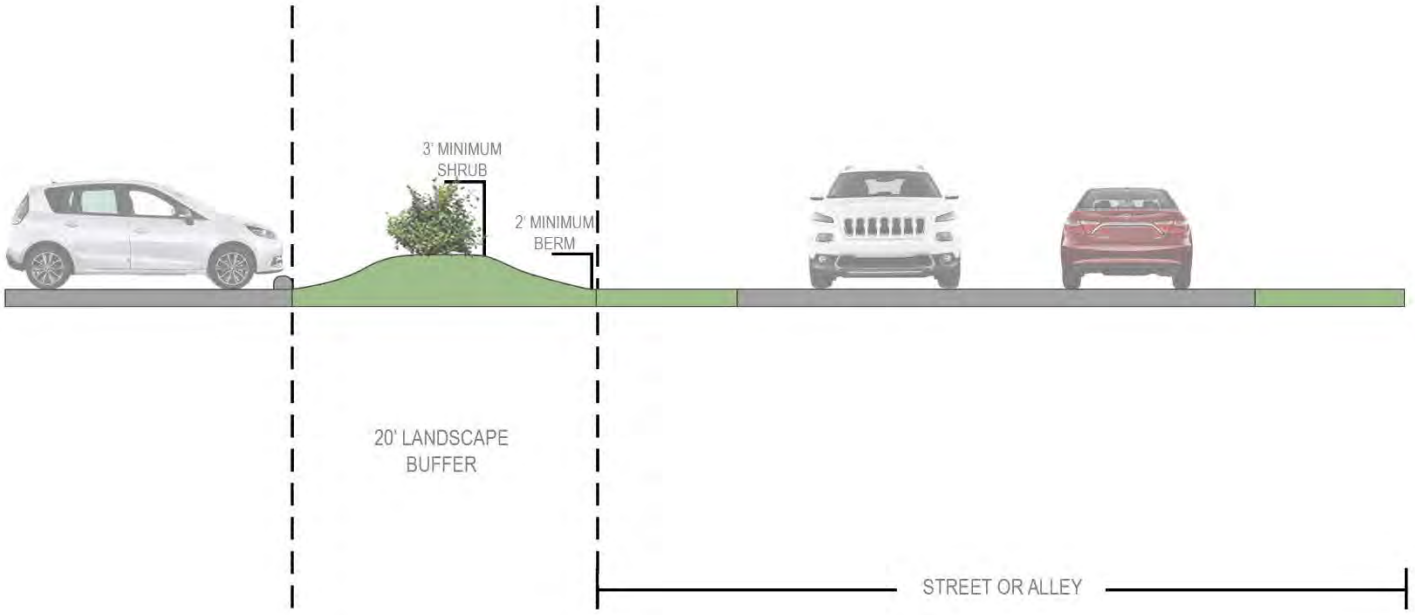
Figure 10: Alternative #2 (Wrought Iron Fence with Three (3) Tiered Screening in Perspective View)



(C) *Headlight Screening.* Head-in parking adjacent to a street shall incorporate one (1) of the following screening methods to mitigate the potential hazard that headlights may pose for on-street vehicular traffic:

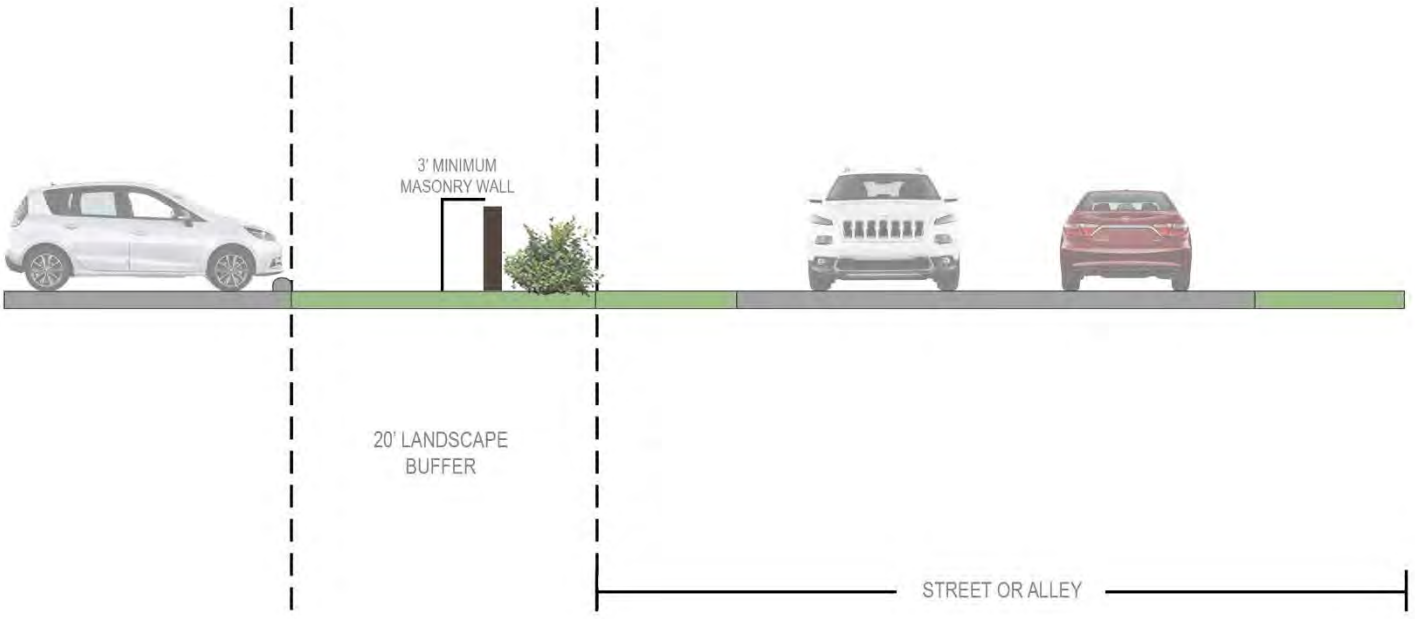
(1) *Alternative #1.* A minimum of a two (2) foot berm with mature evergreen shrubs along the entire adjacency of the parking areas.

Figure 11: Alternative #1 (Headlight Screening using Landscaping and a Berm)



(2) *Alternative #2.* A minimum of a three (2) foot masonry wall with mature shrubs situated between the wall and the right-of-way along the entire adjacency of the parking areas.

Figure 12: Alternative #2 (Headlight Screening using a Masonry Wall and Landscaping)



(D) *General Screening Requirements.* All screening shall meet the following requirements:

(1) *Approval of a Screening Plan.* Prior to construction of any required screening, a site plan and landscape plan shall be approved by the Planning and Zoning Commission showing the type of screening, the proposed materials, and the plant spacing. In approving screening plans, the Planning and Zoning Commission shall determine:

(a) If the proposed screening plan will adequately screen the non-residential land use.

(b) If the proposed screening plantings will withstand the pressures of time and nature.

(2) *Certificate of Occupancy (CO)*. Prior to the issuance of a Certificate of Occupancy (CO), the proposed screening shall be installed and verified by the Director of Planning and Zoning or his/her designee.

SUBSECTION 5.03: LANDSCAPE REQUIREMENTS

(A) *Amount of Landscaping.* The following landscaping percentages shall be required and shall apply to the total site area to be developed:

ZONING DISTRICT	REQUIRED LANDSCAPING (%)	REQUIRED LANDSCAPING WITH MAXIMUM ELIGIBLE CREDITS (%)
Multi-Family 14 (MF-14) District	35	22½
Downtown (DT) District	See Subsection 4.07, *Downtown (DT) District*, of Article V, *District Development Standards*	
Residential Office (RO) District	30	17½
Neighborhood Services (NS) District	25	12½
General Retail (GR) District	20	7½
Commercial (C) District	20	7½
Heavy Commercial (HC) District	15	2½
Light Industrial (LI) District	15	2½
Heavy Industrial (HI) District	10	2½

(B) *Location of Landscaping.* A minimum of 50% of the required landscaping shall be located in the front of and along the side of buildings with street frontage in the Multi-Family 14 (MF-14), Residential Office (RO), Neighborhood Services (NS), General Retail (GR) and Commercial (C) Districts. A minimum of 100% of the total required landscaping shall be located in front of and along the side of buildings with street frontages in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts.

(C) *Minimum Size of Required Landscape Areas.* All required landscaping shall be no less than five (5) feet wide and be a minimum of 25 SF in area unless it is within ten (10) feet of a building on the same lot.

(D) *Detention Basins.* Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs, berms, and accent and canopy trees. There shall be a minimum of one (1) Canopy Tree per 750 SF and one (1) Accent Tree of detention area.

(E) *Parking Lot Landscaping.* The following landscape requirements will apply to parking lots:

(1) Parking lots with more than two (2) rows of parking spaces (*i.e. one [1] drive isle with rows of parking on either side*) shall have a minimum for five (5) percent or 200 SF of landscaping -- *whichever is greater* -- in the interior of the parking lot area. Such landscaping shall be counted toward the total required landscaping.

(2) If the parking and maneuvering space exceeds 20,000 SF, one (1) large canopy tree for every ten (10) parking spaces shall be required to be planted internal to the parking areas.

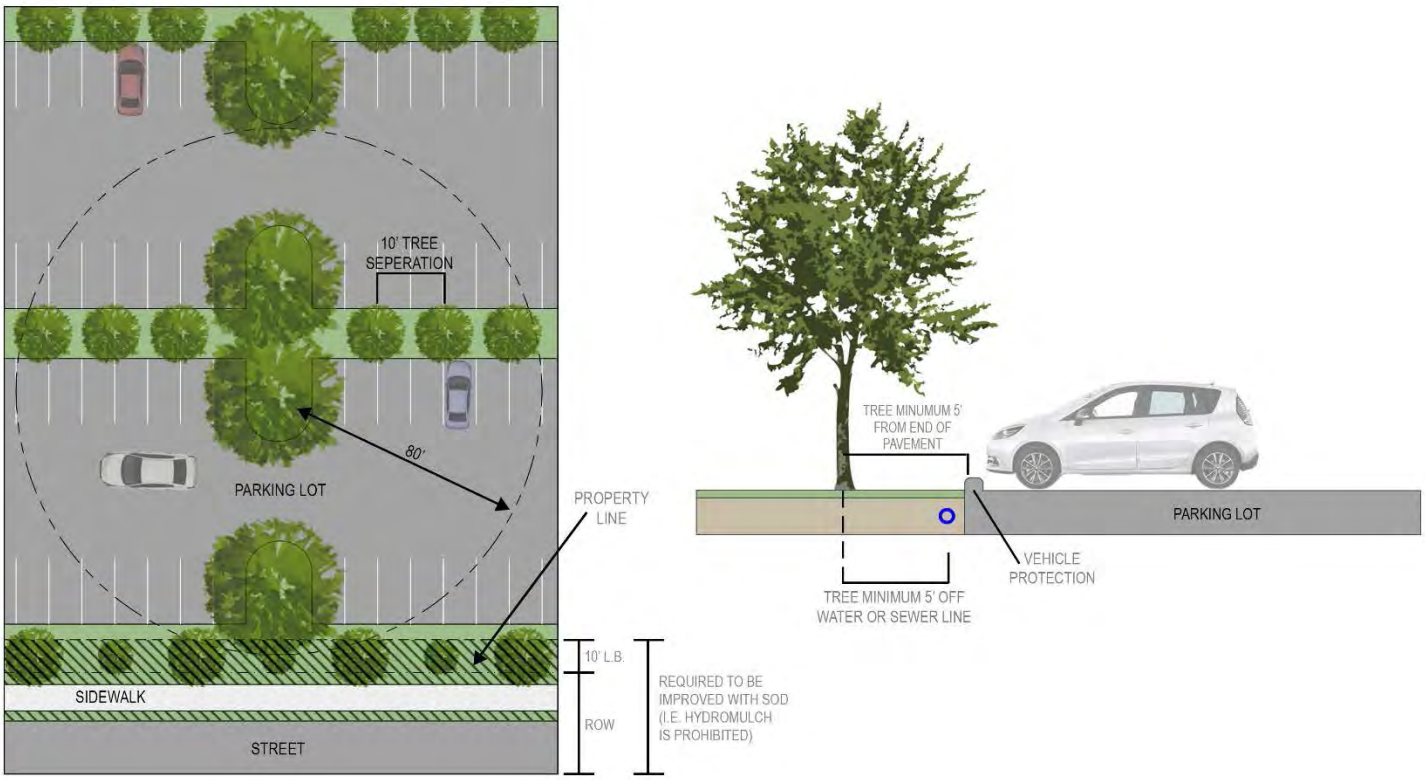
(3) No tree shall be planted closer than five (5) feet to the edge of pavement or five (5) feet from any water or wastewater line that is less than 12-inches. Water and wastewater lines that are 12-inches and greater require trees to be planted a minimum of ten (10) feet from the centerline of the pipe.

(4) No required parking spaces may be located more than 80-feet from the trunk of a canopy tree.

(F) *Protection of Landscape Areas*. Required landscape areas must be protected from vehicular traffic through the use of a concrete curb, or other permanent barrier.

(G) *Landscaping in Landscape Buffers and Public Right-of-Way.* All landscape buffers and public right-of-way located adjacent to a proposed development shall be improved with grass (*i.e. sod -- hydro mulch shall be prohibited in these areas*) prior to the issuance of a Certificate of Occupancy (CO). In addition, it shall be the responsibility of the developer to design the irrigation system within the lot to ensure that the grass placed in public right-of-way is watered and maintained, and to ensure that minimal water will be shed on to the street. The designer of the irrigation system shall base the systems design on the ultimate proposed width of the street. The plans for design of the irrigation system shall be approved by the Building Inspections Department prior to installation and acceptance of the project.

Figure 13: Landscape Requirements



SUBSECTION 5.04: IRRIGATION REQUIREMENTS

A. *General Irrigation Requirements*. The owner shall be responsible for the health and vitality of plant material through the irrigation of all landscaped areas, turf and plant materials, and shall:

(1) Provide a moisture level in an amount and frequency adequate to sustain growth of the plant materials on a permanent basis.
(2) Be in place and operational at the time of the landscape inspection for Certificate of Occupancy (CO).
(3) Be maintained and kept operational at all times to provide for efficient water distribution.

B. *Irrigation Methods*.

(1) *Landscaped Areas*. One (1) of the following irrigation methods shall be used to ensure adequate watering of plant material in landscaped areas:

(a) *Conventional System*. An automatic or manual underground irrigation system that may be a conventional spray or bubbler type heads.
(b) *Drip or Leaky-Pipe System*. An automatic or manual underground irrigation system in conjunction with a water-saving system such as a drip or a leaky pipe system.

(c) *Temporary and Aboveground Watering*. Landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses and wildflowers, may use a temporary and above ground system, and shall be required to provide irrigation for the first two (2) growing seasons only.

(2) *Natural and Undisturbed Areas*. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.

(3) *Compliance with State Law*. All irrigation systems shall comply with the irrigation code of Chapter 10, *Buildings and Building Regulations*, Article XVI, *Irrigation Code*, of the City of Rockwall Code of Ordinances, and all applicable state laws, as may be amended.

(Ord. No. 09-23, 6-15-2009)

SUBSECTION 5.05: XERISCAPING/SMARTSCAPING STANDARDS

(A) *Purpose*. The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping/smartscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.

(B) *Principles*. All xeriscaping/smartscaping plans submitted to the city should demonstrate conformance with the following principles:

(1) *Planning and Design*. Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: [*1*] preserves and protects existing vegetation, [*2*] preserves and protects topsoil, [*3*] stabilizes and covers all bare soil areas, and [*4*] incorporates energy/water conservation.

(2) *Soil Improvement*. Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.

(3) *Appropriate Plant Selection*. Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape/smartscaping plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the city has been provided in Appendix F, *Recommended Plantings*; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: [*1*] diversity of the plant species being proposed, [*2*] size, maturity and water requirements of the selected plantings, and [*3*] variation of height, spread and color.

(4) *Practical Turf Areas*. The type and location of turf areas are considered to be a major design element in xeriscape/smartscaping plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: [*1*] the design of the turf areas (with rounded, compact turf areas being more efficient), [*2*] turf areas should be designed to be on a separate zone from other landscaping, [*3*] turf should be appropriate for the selected location, [*4*] turf should be avoided on slopes and drainage areas in favor of native grasses, and [*5*] minimize turf areas by using native grasses, hardscape elements and alternatives.

(5) *Efficient Irrigation*. All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.

(6) *Use of Mulches*. Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape/smartscaping plans staff shall ensure: [*1*] the use of a deep layer of mulch in planting beds (*typically three to four inches*) is utilized, and [*2*] mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.

(7) *Appropriate Maintenance*. Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape/smartscaping plans require less maintenance, fertilizer and other chemicals and pesticides.

(C) *Standards*.

(1) If approved with a *Landscape Plan* native grasses shall be exempt from the rules and requirements of Section 16-43, *Weeds, Brush and Grass*, of Chapter 16, *Environment*, of the Municipal Code of Ordinances; however, the grass should be maintained to a height typical for the particular native grass.

(2) Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.03(E) (*i.e. one [1] tree per every 750 SF and one [1] accent tree per 1,500 SF of detention area*). Instead, a shrub or ornamental grass per every 750 SF of dry land area shall be required to be planted on the site or around the detention area.

(3) A maximum of 30% mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning and Zoning Commission if deemed appropriate and necessary for the proposed plan.

(D) *Approval of Xeriscape/Smartscape Plans*. All xeriscape/smartscape plans shall require approval by the Planning and Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

(Ord. No. 15-32, § 2, 12-7-2015)

SECTION 6. - LANDSCAPE CREDITS

Credits to the landscape requirements may be achieved as follows:

SUBSECTION 6.01: CREDIT FOR REQUIRED LANDSCAPE BUFFERS BETWEEN NON-RESIDENTIAL AND RESIDENTIAL USED OR ZONED LAND

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer between a non-residential or multi-family land use and a residentially zoned or used property is increased from 20-feet to 40-feet, and utilizes a berm along the entire length of the required landscape buffer. The length of the landscape buffer must be at least the length of the minimum lot depth of the zoning district for which the subject property is located as stipulated by Article V, *District Development Standards*.

SUBSECTION 6.03: CREDIT FOR REQUIRED LANDSCAPE BUFFER ADJACENT TO A PUBLIC STREET

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer adjacent to a public street is increased from ten (10) feet to 20-feet, and a minimum of two (2) Canopy Trees

and four (4) Accent Trees are added per 100-linear feet of frontage. The landscape buffer shall also incorporate a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. The berm and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches.

SUBSECTION 6.04: CREDIT FOR XERISCAPING/SMARTSCAPING

The overall landscaping requirement may be reduced by 2½% when the Director of Planning and Zoning or his/her designee determines that the standards stipulated by Section 5.05, *Xeriscaping/Smartscaping Standards*, of this Article have been satisfied.

(Ord. No. 15-32, § 2, 12-7-2015)

SECTION 7. - COMPLETION OF LANDSCAPING

SUBSECTION 7.01: IN ACCORDANCE WITH APPROVED PLANS

Except as otherwise provided in Subsection 7.02, all landscaping must be completed in accordance with the approved *Landscape Plan* before a Certificate of Occupancy (CO) may be issued for any building on the lot; however, during drought or water emergency response stages the Director of Planning and Zoning or his/her designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.02) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.

(Ord. No. 15-32, § 2, 12-7-2015)

SUBSECTION 7.02: ESCROW AND ASSURANCE

If, due to circumstances beyond the property owner's control, the required landscaping cannot be installed prior to completion of the building and if the property owner provides the Chief Building Official with documented assurance that the landscaping will be completed within six (6) months and the funds required to complete the project are placed in escrow with the City, the Chief Building Official may issue one (1), six (6) month temporary Certificate of Occupancy (CO) and permit the property owner to complete his landscaping during the six (6) month period. For purposes of this subsection, “documented assurance” means a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six (6) month period. The City shall hold the funds in escrow until such time as the landscaping is completed in accordance with the approved plan.

SUBSECTION 7.03: FORFEITURE OF ESCROW

If a temporary Certificate of Occupancy (CO) is issued under Subsection 7.02. and, at the end of the six (6) month period, no permanent Certificate of Occupancy (CO) has been issued because the landscaping has not been installed in accordance with the landscape plan, the property owner shall be deemed in violation of this section, the funds placed in escrow shall be forfeited, and the City shall issue a citation for said violation, unless an extension is granted by the City Manager.

SECTION 8: FENCE STANDARDS

SUBSECTION 8.01: FENCE PERMIT

No fence shall be constructed within the City without the owner or authorized agent of the owner having secured a permit from the Chief Building Official or his/her designee. A fence repair permit shall be required for the replacement of 25-feet or more of fencing and/or the replacement of five (5) or more posts. The Chief Building

Official or his/her designee shall establish and maintain an application for a fence permit that can be utilized for the purpose of issuing fence permits. The fees for such permits shall be established by resolution by the City Council.

SUBSECTION 8.02: GENERAL FENCE STANDARDS

The following general fencing requirements shall apply for all residential and non-residential fences:

(A) *Projections*. No fence guy wire, brace, light standard, sign, vee arm barbed wire base and arm, or any structure attached to a fence shall protrude over any property line.
(B) *Material Requirements*. Unless otherwise provided for in this section [*i.e.* Section 8, *Fence Standards*], the following material requirements shall apply to all residential and non-residential fences:

(1) Permitted fencing materials are limited to wood pickets, vinyl coated chain link, wrought iron, decorative metal (*i.e. with the appearance of wrought iron but is made of powder-coated steel, aluminum or covered with a corrosion protection finish*), brick, stone, split face CMU or burnished block, vinyl, fiberglass composite, and concrete with stone face/form liner.
(2) Steel pipe shall be allowed for residential fences as specified in Subsection 8.03(C).
(3) Barb wire fences may be used without restrictions when in conjunction with an agricultural related land use; however, no barbed wire fence shall be located on any property that is zoned or used as a residential property. In areas where barbed wire fences are allowed, arms or base and arms with barbed wire shall not have more than three (3) stands a fixed to the arm or base and arm. Constantine or razor wire is prohibited. Any projection of an arm or base for the purpose of affixing barb wire will be considered a part of the fence for the purposes of determining the maximum height.
(4) It shall be unlawful for any person to construct or maintain any electrical fence or electrical attachment to a fence.
(5) Precast, smooth face CMU, and corrugated or *R-Panel* fencing shall be prohibited.
(6) Solid wood fencing exceeding 48-inches in height shall be constructed using metal posts set in concrete, or brick, stone or a combination of brick and stone columns.

(C) *General Fence Details*. Unless otherwise specified in this section, fences constructed in the City of Rockwall shall generally conform to the following minimum fence details:

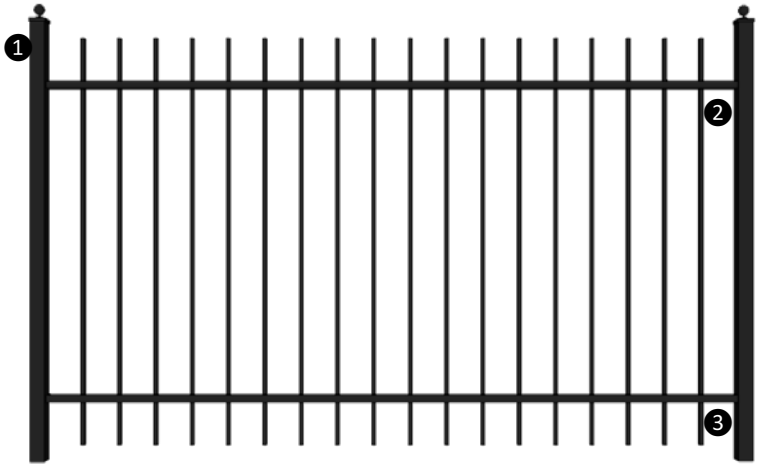
(1) *Wood Fences*.



206

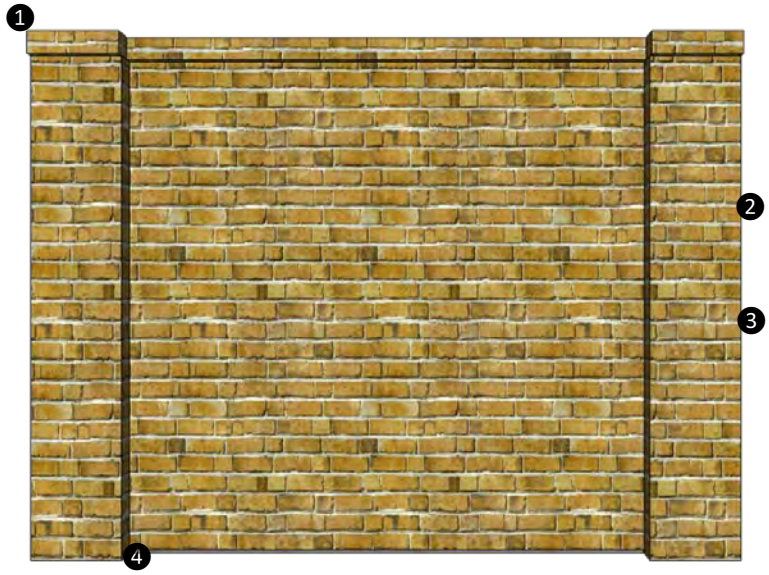
❶ Top Rail; ❷ Galvanized or Stainless-Steel Post (*Recommended Minimum of* $2\frac{3}{8}$"); ❸ Stinger Board (Recommended Minimum of 2" x 3"); ❹ Minimum ½" Wood Screen.

(2) *Wrought Iron Fence*.



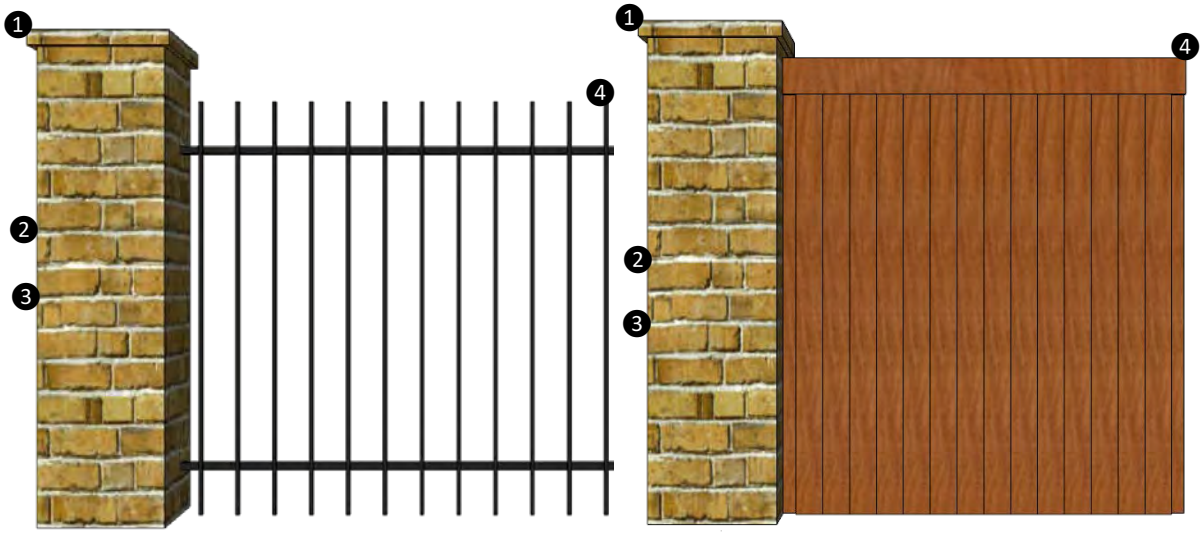
❶ Painted or Powder Coated with a Decay Resistant Paint; ❷ Top Rail; ❸ Bottom Rail.

(3) *Masonry Wall*.



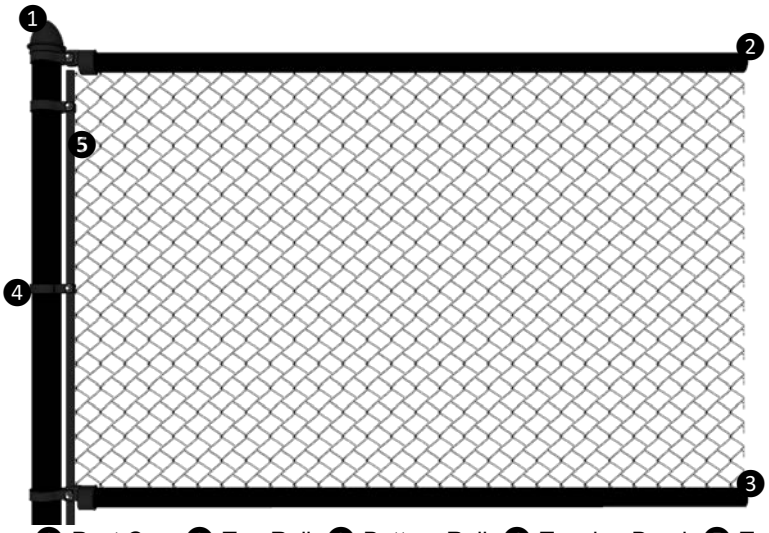
❶ Rowlock Cap; ❷ Running Bond; ❸ 3/8 Tooled Joints (*Typical*); ❹ Concrete Footing/Mow Strip.

(4) *Fence with Masonry Columns*.



❶ Rowlock Cap; ❷ Running Bond; ❸ 3/8 Tooled Joints (*Typical*); ❹ Wrought Iron or *Board-On-Board* Wood Fence.

(5) *Vinyl Coated Chain-Link Fence*.



❶ Post Cap; ❷ Top Rail; ❸ Bottom Rail; ❹ Tension Band; ❺ Tension Bar.

(D) *Fence Height Requirements*. All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard, and shall adhere to the following height requirements:

(1) Residential fencing shall have a maximum height of eight (8) feet.
(2) Non-residential fencing shall have a maximum height of 12-feet.

(E) *Temporary Fences*. The Chief Building Official or his/her designee may permit temporary fencing for the purpose of protecting or securing a construction site. The temporary fences duration of use, location, height, and materials of the temporary fence shall be stated in the request to the Chief Building Official or his/her designee. Barbed wire fencing may be permitted for temporary use; however, Constantine or razor wire is prohibited.

SUBSECTION 8.03: RESIDENTIAL FENCES

(A) *Fence Standards for New Subdivisions.* All individual residential fencing and walls proposed for new subdivisions shall be architecturally compatible with the design, materials, and colors of the primary structure or structures on the same lot or within the subdivision, and meet the following minimum standards:

(1) *Solid Fencing.* All solid fencing shall be constructed utilizing standard cedar fencing materials (s*pruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side* (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the *private side* (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

(2) *Transparent Fencing.* All transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height. Transparent fencing is required adjacent to all perimeter roadways (*i.e. along the perimeter of the subdivision*), abutting open spaces, greenbelts and parks.

(3) *Corner Lots.* Corner lot fences (*i.e. adjacent to a street, open space, or parks*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A solid cedar *board-on-board* panel fence that is a minimum of six (6) feet in height and a maximum of eight (8) feet in height shall be allowed between the masonry columns along the side and/or rear lot adjacent to an interior street. The fence shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(4) *Perimeter Subdivision Fencing*. Perimeter subdivision fencing shall be constructed of six (6) foot tall tubular steel or wrought-iron type fencing with masonry columns, landscaping, and entry features. All common areas and perimeter subdivision fencing shall be maintained by a Homeowner's Association (HOA) as specified in the City's subdivision regulations.

(5) *Exceptions*. The Planning and Zoning Commission may consider alternative materials that are permitted by Subsection 8.02(B) (*e.g. vinyl or split rail fencing*) or alternative screening for perimeter fencing (*e.g. earthen berms with landscaping*) on a *case-by-case* basis at the time of preliminary plat and/or site plan for all new residential subdivisions. These exceptions will be subject to the approval criteria and voting requirements stipulated by Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(B) *Fence Standards for Existing and Infill Single-Family and Duplex Properties.* All fences being proposed in established residential areas (*i.e. established single-family or duplex subdivision or areas*) -- *that are not regulated by a Planned Development District ordinance* -- shall be architecturally compatible with the design, materials, and colors of the existing fences in the area; however, the following minimum standards shall apply to all fences requiring a fence permit in these areas:

(1) *Solid Fencing.* All solid fencing shall be constructed utilizing standard cedar fencing materials (s*pruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side* (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the *private side* (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

(2) *Transparent Fencing.*

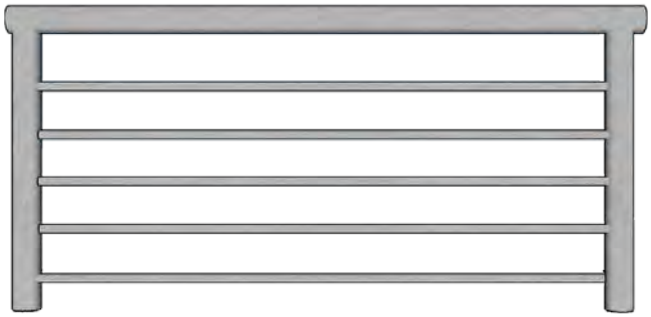
(a) *Wrought Iron Fences*. All new transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height.
(b) *Chain-Link Fences*.

(I) *New Chain-Link Fences.* New chain-link fences shall be prohibited.
(II) *Replacement of an Existing Chain-Link Fence*. Existing chain-link fences maybe replaced with a new vinyl coated, chain-link fence that is a minimum of four (4) feet in height and a maximum of six (6) feet in height. Replacement chain-link fences may only be placed in the location of the existing chain-link fence.
(III) *Chain-Link Fences in Conjunction with an Accessory Use*. Chain-link fences that are integral to the design of an accessory use (*e.g. dog run, batting cage, etcetera*) maybe be permitted; however, the fence shall be placed a minimum of ten (10) feet from the property lines unless completely screened from adjacent properties, open spaces, right-of-way, and parkland by a structure, fence or solid landscape screen.

(3) *Special Exceptions*. The Planning and Zoning Commission may consider alternative materials that are permitted by Subsection 8.02(B) (*e.g. vinyl or split rail fencing*) on a *case-by-case* basis. These exceptions will be subject to the approval criteria and voting requirements stipulated by Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(C) *Fence Standards for Agricultural and Single-Family Estate Properties*. Fences in the Agricultural (AG), Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), and Single-Family Estate 4.0 (SFE-4.0) Districts shall meet all the requirements stipulated for Subsections 8.03(A) & 8.03(B); however, a metal split-rail or pipe fencing shall be permitted in these districts. Metal split-rail or pipe fencing shall be a minimum of four (4) feet and a maximum of eight (8) feet in height.

EXAMPLE OF METAL SPLIT-RAIL AND/OR PIPE FENCING





(D) *Fence Placement.*

(1) *Fences in the Rear and Side Yard*. Fences may be placed in the rear and side yards; however, the following conditions shall apply:

(a) *Side Yard Fences*. Side yard fences shall not extend beyond the front façade of a single-family structure. In cases where a structure has a front porch or other encroachment, the fence shall not extend beyond where the front porch or encroachment meets the front façade of the single-family structure (*as depicted in Figure 18*).
(b) *Abutting an Alleyway*. Fences abutting an alleyway are permitted to be constructed on the side or rear property lines (*as depicted in Figure 14*).
(c) *Through Lots*. Fences proposed for *Through Lots* (*i.e. lots that have street frontage adjacent to the front and rear yard property lines*) may construct a fence on the rear yard property line if all lots within the block have the same lot configuration (*i.e. if all lots are Through Lots fronting in the same direction*)

(*as depicted in Figure 15*). If a *Through Lots'* rear property line is adjacent to a house, the rear yard fence for the *Through Lot* shall not extend past the front yard building line (*as depicted in Figure 17*).

(d) *Corner Lots*. Corner lots shall be permitted to construct a fence along the side yard property line adjacent to a street (*as depicted in Figure 14*); however, in cases where a house is facing in the same direction as the side yard of a corner lot, the side yard fence adjacent to the street shall not extend beyond the front yard building setback (*as depicted in Figure 16*).

Figure 14: Corner Lots.

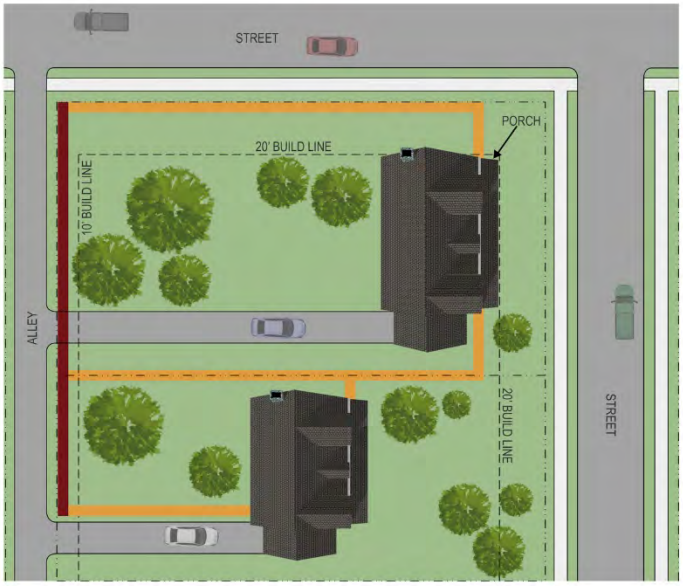


Figure 15: Fences Back to a Street.

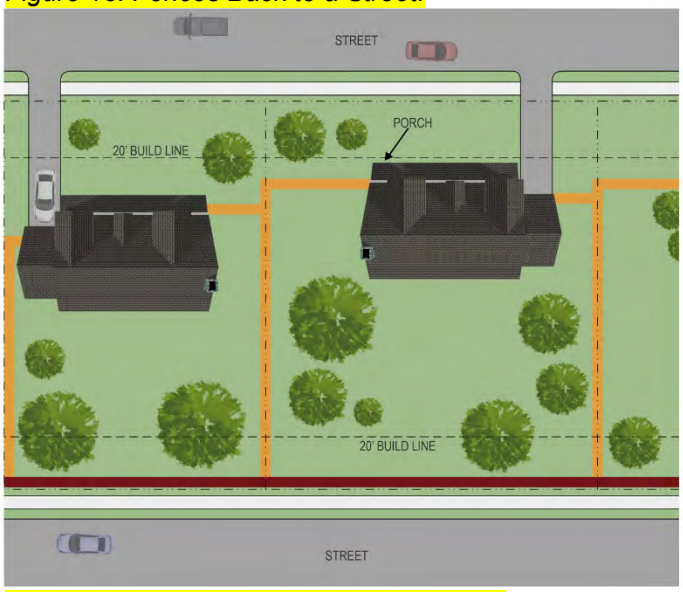


Figure 16: Fences Backing to a Side Yard.



Figure 17: Through Lots.

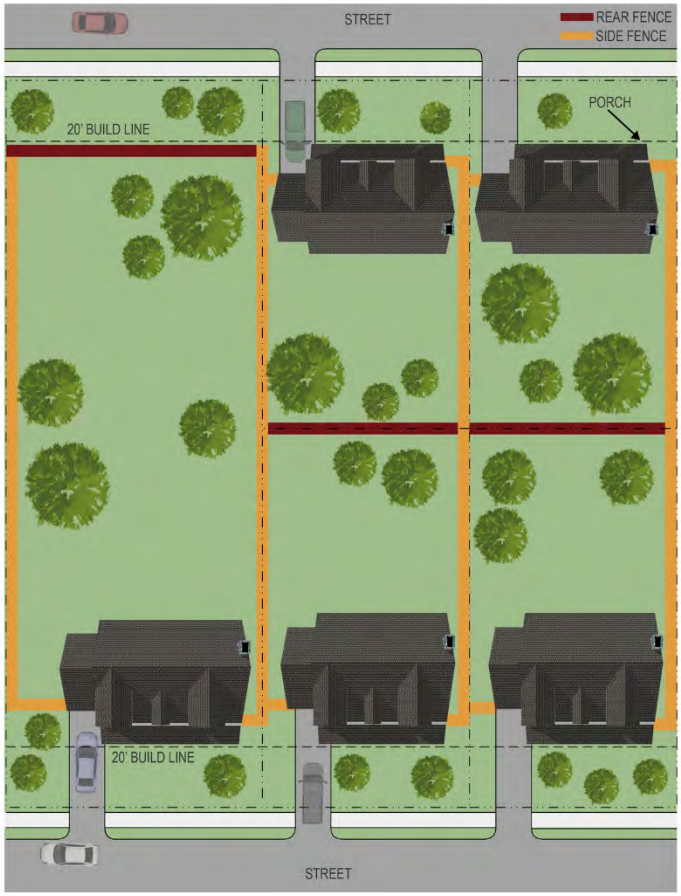
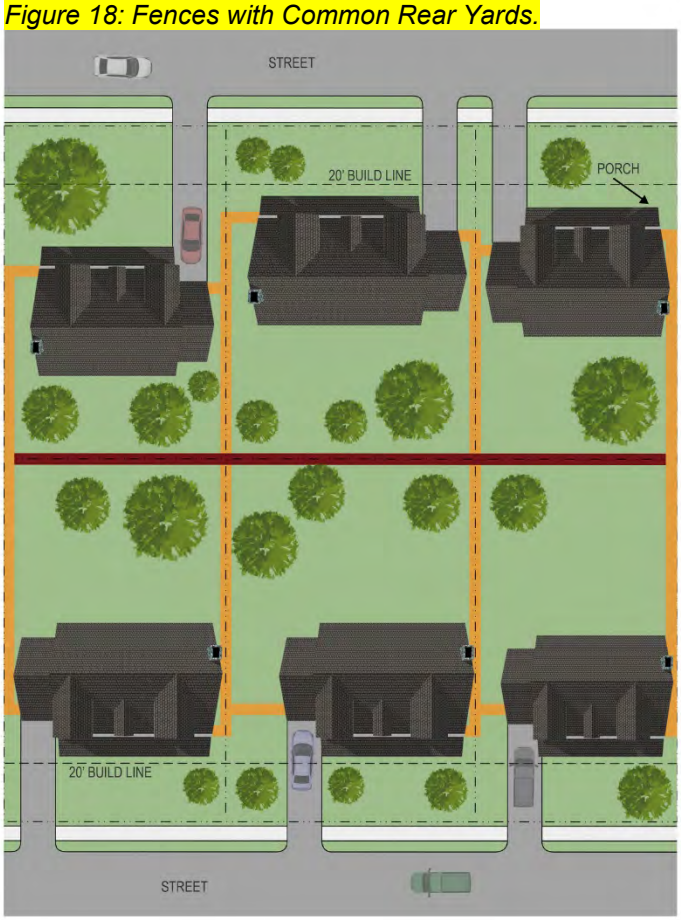


Figure 18: Fences with Common Rear Yards.

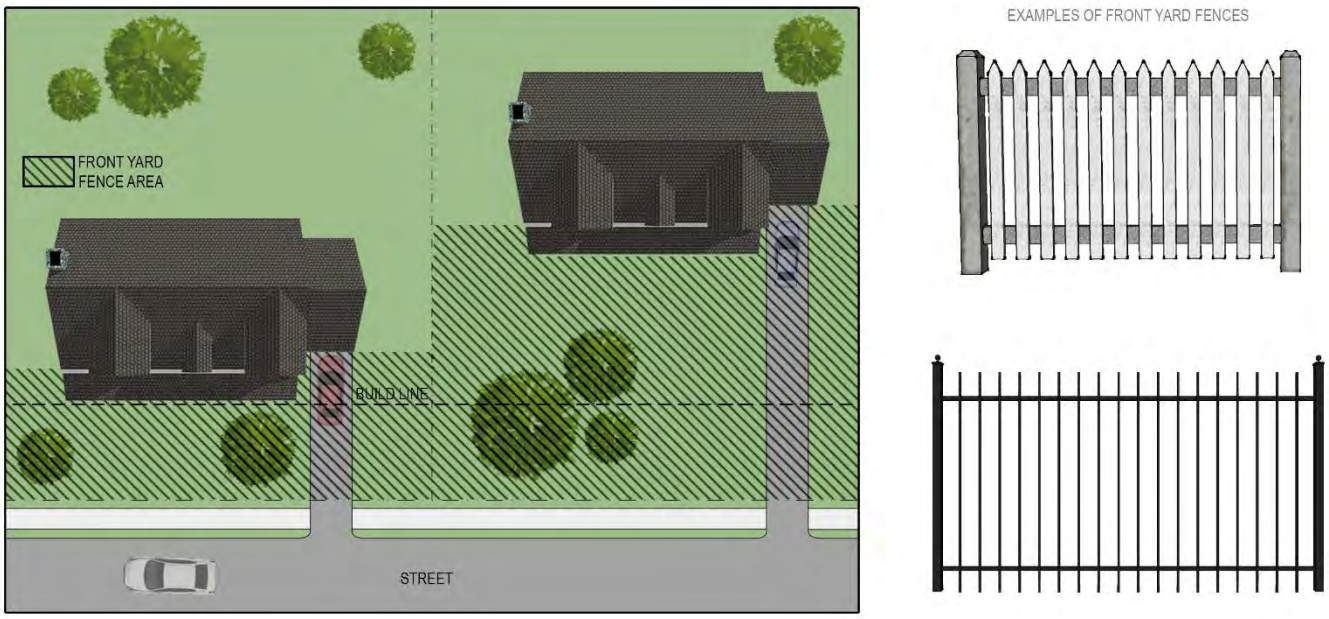


(2) *Fences in the Front Yard*. No fence shall be constructed in the front yard of a residential property without being granted an exception from the Planning and Zoning Commission unless specifically permitted by Subsection 8.03(D)(3). For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (*as depicted in Figure 14*). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

(a) *Wood Fences*. Wood fences that are 50% transparent (*e.g. as depicted in Figure 14*) shall not exceed 42-inches in height.
(b) *Wrought Iron or Decorative Metal Fences*. Wrought iron or decorative metal fences that are 50% transparent (*e.g. as depicted in Figure 14*) shall not exceed 48-inches in height.
(c) *Opaque Fences*. Opaque fences are prohibited in the front yard of residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

Figure 19: Residential Front Yard Fences



(3) *Exemptions to the Front Yard Fence Requirements.* The following front yard fences are exempted from the exception process for front yard fences:

(a) *Model Homes.* Model homes that incorporate a fence that is 50% transparent (*e.g. as depicted in Figure 14*), and that does not exceed a maximum height of 42-inches may establish a front yard fence; however, these fences are considered to be temporary and must be removed at the time a permanent residence is established. Alternatively, an exception for a front yard fence can be approved in accordance with the procedures outline in Subsection 8.03(D)(2).
(b) Single-Family Estate Properties. Properties in a Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), or Single-Family Estate 4.0 (SFE-4.0) District shall be permitted to construct a front yard fence that is 50% transparent (*e.g. as depicted in Figure 14*) and that does not exceed 48-inches in height as long as the fence is [*1*] architecturally harmonious with the development, and [*2*] constructed of metal split rail, wood picket, vinyl, wrought iron, and/or painted steel.

SUBSECTION 8.02: NON-RESIDENTIAL FENCES

(A) *Fence Standards for Properties in a Commercial District.* Non-required fences in the Neighborhood Services (NS), General Retail (GR), and Commercial (C) Districts, shall be constructed of the materials outlined in Subsection 8.02(B); however, wood and vinyl coated chain-link fences shall be prohibited.

(B) *Fence Standards for Properties in the Residential Office (RO) and Downtown (DT) Districts.* Fences in the Residential Office (RO) District and the Downtown (DT) District shall be constructed of the materials outlined in Subsection 8.02(B). Unless otherwise specified in Subsection 4.07, *Downtown (DT) District*, of Article V, *District Development Standards*, wood fences proposed in a Residential Office (RO) District or Downtown (DT) District -- *in conformance with the requirements of Subsection 8.03(B)* -- shall be permitted on properties that have adjacency with a residential zoning district, residentially used property, or a property that has an existing wood fence.

(C) *Fence Standards for Properties in an Industrial District.* Non-required fences in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts, shall be constructed of the materials outlined in Subsection 8.02(B); however, wood fences shall be prohibited.

(D) *Fence Placement*.

(1) *Side and Rear Yard Fences*. Fences may be placed on the side and/or rear yard property line of any non-residential property; however, the Planning and Zoning Commission may require a fence location to be adjusted to account for site constraints through the site plan process.

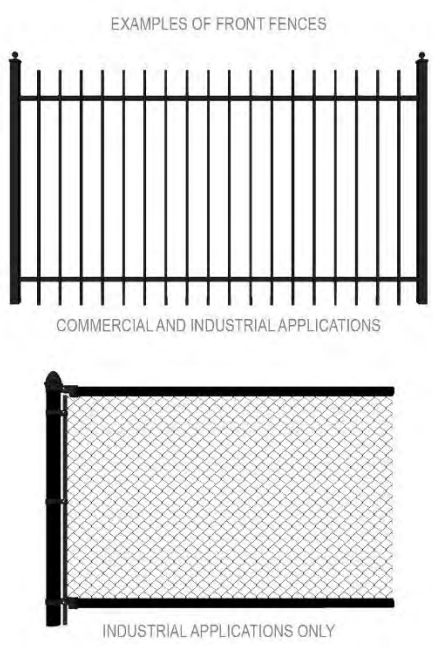
(2) *Front Yard Fences*. No fence shall be constructed in the front yard of a non-residential property without being granted an exception from the Planning and Zoning Commission. For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (*as depicted in Figure 15*). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

(a) *Location.* Properties adjacent to IH-30, John King Boulevard, and SH-205 shall be prohibited from having a front yard fence.
(b) *Wrought Iron or Decorative Metal Fences*. Wrought iron or decorative metal fences (*e.g. as depicted in Figure 15*) shall not exceed eight (8) feet in height.
(c) *Vinyl Coated Chain-Link*. In the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) District a vinyl coated chain-link fence may be established in the front yard pending that it [*1*] is situated a minimum of ten (10) feet off of the front property line, and [*2*] three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) is established in front of the proposed front yard fence along the entire length of the front property line.
(d) *Opaque Fences*. Opaque fences are prohibited in the front yard of non-residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

Figure 20: Non-Residential Front Yard Fences





SECTION 9: GENERAL MAINTENANCE

SUBSECTION 9.01: MAINTENANCE REQUIREMENTS FOR LANDSCAPING

Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. Any plant that dies must be replaced with another approved plant variety, generally of the same size, that complies with the approved *Landscape Plan* within 90 days after notification by the City.

SUBSECTION 9.01: MAINTENANCE AND INSPECTION REQUIREMENTS FOR FENCES

For information concerning the inspection and maintenance of fences see Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances.

SUBSECTION 9.03: UTILITY LINES AND RIGHT-OF-WAY

Any damage to utility lines resulting from the negligence of the property owner, his agents, or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials, and return them to their prior locations after the utility work. If, nevertheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

ARTICLE X, PLANNED DEVELOPMENT REGULATIONS, UDC

SECTION 1: GENERAL

SUBSECTION 1.01: PURPOSE

The purpose of this article is to provide for the creation of planned development zoning districts ("PD Districts"). PD Districts are intended to provide for the development of land as an integral unit for single or mixed use in accordance with a PD concept plan that may include uses, regulations and other requirements that vary from this Unified Development Code or from other ordinances, rules or regulations of the city. PD Districts are intended to implement the goals and objectives of the city's comprehensive plan, but may be accompanied by specific amendments to provisions of the comprehensive plan, the parks and open space plan or the thoroughfare plan. PD Districts are also intended to encourage flexible and creative planning, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

- ☑ To provide for a superior design of lots or buildings;
- ☑ To provide for increased recreation and/or open space opportunities for public use;
- ☑ To provide amenities or features that would be of special benefit to the property users or community;
- ☑ To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and view corridors;
- ☑ To protect or preserve existing historical buildings, structures, features or places; or
- ☑ To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

(Ord. No. 10-14, § 55, 7-6-2010)

SUBSECTION 1.02: NATURE OF PD DISTRICTS

Each Planned Development (PD) District is intended to be a freestanding zoning district in which land uses and intensities of land use may be tailored to fit the physical features of the site and to achieve compatibility with existing and planned adjacent uses. In order to ensure that a PD District implements the policies of the comprehensive plan, and to further ensure that the PD District is in accordance with a comprehensive plan of zoning regulation, it is necessary to establish minimum standards for residential and nonresidential uses proposed for the PD District that must be incorporated within an ordinance adopted by the council (the "PD ordinance").

SUBSECTION 1.03: PD PLANS REQUIRED

There are three types of plans that may be required as part of the development process within a PD District. Each successive plan may modify the previous plan provided that it does not substantially change the general intent of the original PD district. Each successive plan becomes part of the zoning ordinance governing the property and replaces the previously approved plan.

(A) PD concept plan. The PD concept plan is mandatory and is intended to be used as the first step in the PD development process. It establishes the most general guidelines for the PD District by identifying the land uses and intensities, thoroughfare locations, and open space boundaries (including public trail systems). It may include images of intended style and type of development. The concept plan illustrates the integration of these elements into a master plan for the whole PD District. The PD concept plan establishes the development standards for the PD district.

(B) PD development plan. A PD development plan is optional and is intended to be used where appropriate as the second step of the PD development process. It may be required by the PD ordinance, or it may be submitted voluntarily by the property owner. A PD development plan constitutes an amendment to the approved PD concept plan and PD ordinance and may be used where the developer requests, or the council requires, certain standards for the PD District to be specified after initial establishment of the PD District. A PD development plan includes more detailed information as to the specific development standards and land uses, including their boundaries. The purposes of a PD development plan are to allow flexibility in the development process by deferring specification of all development standards at the time of PD District creation and to enable developers to satisfy conditions imposed on creation of the District prior to submittal of a PD site plan.

(C) PD site plan. A PD site plan is mandatory and is the final step of the PD development process. The purposes of a PD site plan are to ensure that the development of individual building lots, parcels, or tracts within the PD District are consistent with the approved concept plan and development plan, if any, and to ensure that the standards applicable within the PD District are met for each such lot, parcel or tract. A PD site plan shall continue to be valid for a period of two years after it is approved by the commission; however, such period may be extended by the council upon recommendation of the planning commission.

(1) The site plan shall be accompanied by building elevations and landscape and master sign plans, which shall be reviewed by the architectural review board for consistency with the overall objectives of the district. The board's recommendation shall be forwarded to the planning and zoning commission for consideration in their recommendation to city council, if applicable.

(2) A PD site plan shall terminate at the end of a two-year period (or more with an extension approved by the city council) unless, within such period, a preliminary or master plat as required by the city's subdivision ordinance has been filed with the city for all of the land covered by the PD site plan. In which case, the site plan will remain valid as long as there is an approved plat for the property. If a PD site plan terminates, development of the land covered by the terminated plan cannot occur until a new PD site plan has been approved for the land as provided by this article.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.04: PD COMPLIANCE WITH APPROVED PLANS

Except as otherwise provided by the subdivision provisions of this Unified Development Code, no development shall begin and no building permit shall be issued for any land within a PD District until a PD site plan that is consistent with the PD concept plan and applicable PD development plan has been approved. Each PD District shall be developed, used, and maintained in compliance with the approved PD site plans for the district. Compliance with the PD ordinance shall be construed as a condition precedent to granting of certificates of occupancy.

(Ord. No. 10-14, § 58, 7-6-2010)

SECTION 2: PLANNED DEVELOPMENT DISTRICT STANDARDS

SUBSECTION 2.01: GENERAL STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS

All Planned Development (PD) District ordinances shall conform to the following general standards:

(A) *Size and Acreage Requirements*. A Planned Development (PD) District requires a minimum of 15 contiguous acres for non-residential PD Districts, and 25 contiguous acres for residential PD Districts; however, PD Districts may be less than the stated acreages when the Director of Planning and Zoning determines that the PD District will be in conformance with the policies and guidelines contained in the City's Comprehensive Plan or will serve the public's interest.

(B) *Permitted Land Uses*. Unless otherwise provided by the Planned Development (PD) District ordinance, only those uses authorized by Article IV, *Permissible Uses*, shall be permitted within a PD District.

(C) *Base Zoning*. All Planned Development (PD) District ordinances shall reference an appropriate base zoning district that can provide standards for density and dimensional requirements not specifically addressed in the PD District ordinances. If the standards of the base zoning district are amended, then the amended standards shall apply to a PD District unless the standards are specifically addressed in the PD District ordinance. Any amendments to a base zoning district that affect a PD District do not require special notice to be provided to the properties within the PD District.

SUBSECTION 2.01: MINIMUM STANDARDS FOR RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

The minimum requirements for residential Planned Development (PD) Districts shall be in accordance with Section 3, *Residential Districts*, of Article V, *District Development Standards*, unless otherwise specified below. If the subject property is situated within an established overlay district -- *as noted in Section 6, Overlay Districts, of Article V, District Development Standards* --, and a particular use or standard conflicts with the below minimum requirements then the more restrictive standard would apply.

(A) *Density*. Residential Planned Development (PD) Districts shall allow for density in conformance to the density guidelines contained in the Comprehensive Plan or as otherwise approved by the City Council upon a recommendation from the Planning and Zoning Commission.

(B) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a *4:12* roof pitch. Rear elevations may have a minimum of *6:12* roof pitch.

(C) *Fencing Standards*. The fence standards contained in a Planned Development (PD) District ordinance shall -- *at a minimum* -- conform to the requirements contained in Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

(D) *Landscape and Hardscape Standards*.

(1) *Landscape Buffer*. A minimum of a 30-foot landscape buffer shall be provided adjacent to all perimeter roadways (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent tress shall be planted per 100-feet of linear frontage.

(2) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way.

(3) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

(E) *Open Space*. A minimum of 20 percent of the gross land area within the entire Planned Development (PD) District shall be devoted to public and private open space. Floodplains shall be counted towards open space requirement at a rate of ½-acre for every acre of dedicated floodplain. Open space for PD Districts may be satisfied by either public, private, or a combination of public and private open space. Open space requirements specified in this subsection are in addition to the requirements for site landscaping and buffering. Public open space shall be dedicated to the City. In addition, open space in a PD District shall adhere to the following:

(1) *Preservation of Natural Areas*. Floodplain areas shall be preserved and maintained as open space. Significant stands of native trees and shrubs shall be preserved and protected from destruction or alteration.

(2) *Multi-Phase Developments*. Open space requirements shall be satisfied for each phase of a multi-phased residential development. If open space is not to be provided proportionally among phases of the development, the applicant must execute a reservation of open space in a form that will assure the City that such open space will be provided. The City may require that all open space within the district be provided prior to completion of development within the Planned Development (PD) District.

(1) *Open Space Proximity Requirements*. In a residential Planned Development (PD) Districts, all lots less than 12,000 SF shall be located within 800-feet of a neighborhood-oriented park or open space (*i.e. private or public*). All open space areas shall be landscaped and serve as a visual amenity and/or gathering place for socializing with neighbors.

(F) *Lighting Standards*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and positioned to contain all light within the developed area.

(G) *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* necessary to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

(H) *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal

Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, amenity center, screening fences and neighborhood signage associated with this development.

(I) *Variances*. The variance procedures and standards for approval that are set forth in Section 9, *Exceptions and Variances*, of Article XI, *Development Applications and Review Procedures* shall apply to all Planned Development (PD) Districts.

SUBSECTION 2.01: MINIMUM STANDARDS FOR NON-RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

Unless otherwise specified in the Planned Development (PD) District ordinance, the minimum standards for all non-residential development shall conform to the minimum standards for overlay districts, which are outlined in Subsection 6.02, *General Overlay District Standards*, of Article V, *District Development Standards*. In cases where the standards differ by overlay district, the most restrictive standard shall apply.

SECTION 3: PLANNED DEVELOPMENT PROCEDURES

SUBSECTION 3.01: ESTABLISHMENT OF A PD DISTRICT

(A) *Zoning amendment*. An application for the establishment of a PD District shall be made to the [planning and zoning] commission. The application shall:

(1) Be accompanied by a PD concept plan;
(2) Be accompanied by a list of proposed PD District development standards;
(3) Identify the city's then-current zoning district which shall apply to the extent not otherwise provided by the PD concept plan or by the proposed PD District development standards;
(4) Be accompanied by a concept plan informational statement, and traffic impact analysis unless waived by the council.

(a) Except to the extent provided by the PD concept plan and the PD ordinance, development within the PD District shall be governed by all of the ordinances, rules, and regulations of the city in effect at the time of such development (including the standards of the city's zoning district so identified in the application). In the event of any conflict between:

(1) The PD concept plan and the PD ordinance; and
(2) The then-current ordinances, rules, and regulations of the city;
(3) the terms, provisions, and intent of the PD concept plan and PD ordinance shall control. In addition, prior to action by the commission on the establishment of the PD District, the applicant shall submit a traffic impact analysis.

(B) PD concept plan. A PD concept plan (or, at the applicant's option, a PD development plan) shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, the PD concept plan (or PD development plan) shall be incorporated as part of the PD ordinance. The graphic depictions contained on a PD concept plan shall be considered as regulatory standards. Each PD concept plan shall be prepared on one or more standard sheets of sizes of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (which may be to any scale). Unless waived by the council on recommendation of the zoning administrator, each PD concept plan shall graphically depict the following:

(1) A diagram or drawing of the boundaries of the proposed PD District;
(2) Proposed and existing land uses by category (including, if applicable, proposed and existing land uses by category for any sub-areas to be developed within the PD District);
(3) Proposed density by type of residential uses, including the maximum numbers of dwelling units for residential uses other than single-family detached, and lot sizes for single-family detached;
(4) Proposed estimated total floor area and floor area ratios by category of nonresidential uses, together with residential view analysis, if any;

(5) Proposed configuration of public and private open space serving the development, showing the relationship to the city's parks and open space plan, including trail system and access points to the trail system, estimated dimensions and approximate area, and areas to be dedicated to the public or to a private maintenance organization, if known;
(6) Proposed and existing thoroughfares, boulevards and roadways;
(7) To the extent known for adjoining land, existing land uses (by zoning district), existing thoroughfares; and existing open space for such adjoining land; and
(8) A general plan for circulation of traffic and pedestrians within and external to the development, including designated points of access.

(C) Concept plan informational statement. A PD concept plan shall be accompanied by an informational statement containing the information set forth below. If the zoning amendment application is approved, the informational statement shall not be binding on the applicant or the land owner and shall not be considered part of the PD concept plan or the PD ordinance. Informational statements shall be updated concurrently with any amendment to the PD concept plan and with each PD development plan. Each statement shall include the following:

(1) A general statement setting forth how the proposed PD District will relate to the city's comprehensive plan;
(2) The total acreage within the proposed PD District;
(3) If the development is to occur in phases, a conceptual phasing plan that identifies the currently anticipated general sequence of development, including the currently anticipated general sequence for installation of major capital improvements to serve the development; and
(4) An aerial photograph with the boundaries of the PD concept plan clearly delineated.

(D) Proposed PD development standards. Proposed PD District development standards shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, such standards shall be incorporated as part of the PD ordinance. Such proposed development standards may include (but shall not be limited to) uses; density; lot size; lot dimensions; setbacks; coverage; height; landscaping; lighting, fencing, parking and loading; signage; open space; drainage; and utility and street standards. Any graphic depictions used to illustrate such standards, unless otherwise provided in the PD ordinance, shall be considered as regulatory standards.

(E) Traffic impact analysis. Prior to or simultaneous with submission of an application for the establishment of a PD District, the applicant shall submit to the city's transportation engineer a traffic impact analysis for the proposed PD District, unless waived by council. The analysis must be approved by the council prior to or concurrently with the approval by the council of the PD District. The traffic analysis shall not be considered part of the PD concept plan or the PD ordinance but may be used to condition the density or intensity of uses or the timing of development within the district based upon the existence of a supporting roadway network adequate to accommodate the traffic expected to be generated. The traffic impact analysis shall be updated with each PD site plan.

(F) Complete application. No application for the establishment of a PD District shall be deemed to be filed with the city until the zoning administrator has determined that the PD concept plan is complete, that the proposed PD District development standards have been identified, a traffic impact analysis has been submitted, and that the informational statement is complete. Fifteen copies of all such materials shall be submitted.

(G) Commission recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code procedures, shall formulate its recommendation with respect to establishment of a PD District. The recommendation of the commission shall be forwarded to the council for decision.

(Ord. No. 10-14, § 59, 7-6-2010)

(H) Council decision. Following receipt of the commission's recommendation, the council, after notice and public hearing in accordance with this [Unified Development Code] procedures, shall conduct a public hearing and shall approve, approve with conditions, or deny the application for establishment of the PD District.

(I) Approval criteria. Based upon the PD concept plan, the commission, in making its recommendations to the council, and the council, in determining whether the PD District should be established, shall consider whether the following criteria have been met:

(1) The plan of development is generally consistent with the city's comprehensive plan (as such plan may be amended prior to or concurrently with approval of the PD District);
(2) Proposed uses and the configuration of uses are compatible with existing and planned adjoining uses;

(3) The general arrangement of streets conforms to the city's thoroughfare plan (as such plan may be amended prior to or concurrently with approval of the PD District);
(4) Proposed uses, development densities and intensities, and development regulations are generally consistent with this article;
(5) The configuration of the proposed open space serving the development is consistent with the city's parks and open space plan (as such plan may be amended prior to or concurrently with approval of the PD District);
(6) The amenities proposed justify proposed densities or intensities;
(7) The proposed plan of development furthers the public health, safety and general welfare of the community; and
(8) The traffic impact analysis demonstrates that the capacity of the proposed roadways shown on the proposed PD concept plan, together with any roadways within related PD Districts and the supporting roadway network, are adequate to accommodate the traffic expected to be generated by the uses, densities and intensities of use shown on the PD concept plan in and authorized in the PD ordinance in a timely and efficient manner.

(J) Conditions. The commission may recommend, and the council may require, such conditions to the establishment of a PD District and to the approval of a PD concept plan as are reasonably necessary to ensure that the purposes of the district and the approval criteria for the PD concept plan are met. Such conditions may include the requirement of a PD development plan.

(K) Adopting ordinance. The PD ordinance shall include the PD concept plan as an exhibit to [this article] and shall include the following:

(1) A statement of the purpose and intent of the PD District;
(2) A metes and bounds description of the land within the PD District;
(3) A list of the specific land uses permitted within the PD District, together with a description of the sub-areas, if any, in which such uses are allowed;
(4) The maximum density or intensity of each permitted land use;
(5) A list of all the PD District development standards, together with necessary graphic illustrations;
(6) Identification of the city's then-current zoning district standards that shall apply to the extent not otherwise provided by the PD concept plan or PD ordinance;
(7) Identification of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city), that may be deferred for specification until approval of a PD development plan or that may be varied by the council as part of the approval process for a PD site plan;
(8) Unless otherwise identified on the PD concept plan, the general location and size of open space serving the development, including any proposed dedication of open space to the public or to a maintenance organization;
(9) Provisions governing amenities, if any, to justify densities or intensities;
(10) Such additional conditions as are established by the council to ensure that the PD District and PD concept plan are consistent with the purposes of the district and the approval criteria for the concept plan.

SUBSECTION 3.02: PD DEVELOPMENT PLANS

If the council requires as a condition of establishing the PD District and approving a PD concept plan that PD development plans be submitted prior to submittal of a PD site plan, a PD development plan may be prepared and submitted for the entire development at one time or for individual phases of development. Each required copy of the PD development plan shall be accompanied by (i) a development plan informational statement and (ii) a preliminary drainage study for the area covered by the proposed plan. If deemed necessary by the city's transportation engineer or zoning administrator, the applicant for a PD development plan shall also submit an updated traffic impact analysis prior to commission action.

(A) Submittal requirements for PD development plans.

(1) Approximations of the following: site boundaries and dimensions, lot lines, site acreage and square footage, and distances to the nearest cross streets;
(2) Location map, north arrow, title block and site data summary table;
(3) Existing land uses and zoning classifications on adjacent properties;
(4) Preliminary tree survey;
(5) Any features omitted from the PD concept plan upon council authorization; and
(6) Such additional features as are necessary to ensure compliance with conditions established by the council to be satisfied by the development plan.

221

(B) PD development standards. Development standards that were not specified in the PD ordinance, as authorized by the council, shall be submitted and approved as an amendment to the PD ordinance and incorporated therein, in conjunction with approval of the PD development plan.

(C) Development plan informational statement. Each PD development plan shall be accompanied by an informational statement containing the information set forth below. Informational statements shall be updated concurrently with any amendment to a PD development plan and with each PD site plan. Each informational statement shall include the following:

(1) Name and address of landowner and date of preparation of the PD development plan;
(2) Name and address of architect, landscape architect, planner, engineer, surveyor, or other persons involved in the preparation of the PD development plan;
(3) A table listing the specific permitted uses proposed for the property, and, if appropriate, the boundaries of the different land uses and the boundary dimensions;
(4) Development standards for each proposed land use, as follows:

(a) Minimum lot area;
(b) Minimum lot width and depth;
(c) Minimum front, side, and rear yard areas;
(d) Maximum height of building; and
(e) Maximum building coverage;

(5) A list of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking amendment by the council as part of the PD development plan approval process;
(6) If council approval of any height increase is being requested, a view analysis of the impact of such requested variance on adjacent residential areas of the city;
(7) Preliminary and approximate building locations and building footprints;
(8) Preliminary elevations and perspectives to show the relationship of building heights to surrounding topography;
(9) Location of parking areas and structures for multi-family and nonresidential uses, including areas for off-street parking;
(10) A detailed description of how open space serving the development will be satisfied for the phase of development represented by the PD development plan, including any proposed dedications of open space to the public or to a private maintenance organization;
(11) If the PD development plan is a phase of the project (as described in the applicant's original informational statement submitted with the PD concept plan), depiction of the area subject to the development in relation to the then-current phasing plan, together with any updates of the then-current phasing plan that was submitted as part of the applicant's original informational statement; and
(12) A list identifying each proposed addition or amendment to the PD ordinance.

(D) Preliminary drainage study. Each PD development plan shall be accompanied by a preliminary drainage study for the area covered by the study. The study shall be prepared by a professional engineer licensed in the State of Texas and experienced in the study of drainage issues.

(1) Purpose. The purposes of the drainage design policies are to prevent flooding of adjacent properties, owned by third parties and to regulate water surface elevations and peak discharges. Development within the PD District shall not produce any increase in the water surface elevation (either upstream or downstream) due to a five-year, ten-year, 50-year, or 100-year storm. If the discharge from the area proposed for development would increase the water surface elevation above predevelopment conditions on any property owned by third parties due to any of such storms, then such peak discharge must be regulated to the extent necessary to eliminate the increased water surface elevation. The regulation of discharges to eliminate such increases may be achieved using either on-site or off-site stormwater management facilities (such as detention areas, retention areas, and infiltration and sedimentation ponds).

(2) Content. The preliminary drainage study shall:

(a) Contain a topographical map of the area proposed for development to a scale not smaller than one inch equals 200 feet;
(b) Generally describe how the proposed development will comply with the drainage design policies set forth below;

(c) Include all information deemed necessary by the preparing engineer to support his determination that the proposed development will comply with the drainage design policies; and
(d) Include all information reasonably requested by the city engineer to support his review of the preliminary drainage study.

(E) Updated traffic impact analysis. If deemed necessary by the city's transportation engineer or if required by the PD ordinance, the applicant for a proposed PD development plan shall submit an updated traffic impact analysis prior to action by the commission. The purpose of the updated analysis is to determine whether the traffic estimated to be generated by the development shown on the proposed PD development plan will necessitate specific on-site or adjacent traffic improvements (e.g., turn lanes, stacking lanes, signalization, etc.) and to determine whether conditions attached to the concept plan based on the original traffic impact analysis have been met.

(F) Commission recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code procedures, shall recommend to the council whether to approve, approve with conditions, or disapprove each PD development plan, together with each proposed amendments to the PD ordinance.

(Ord. No. 10-14, § 60, 7-6-2010)

(G) Council decision. Upon receipt of the commission's recommendation, the council, after notice and public hearing in accordance with this Unified Development Code procedures, shall approve, approve with conditions, or disapprove each PD development plan and each proposed addition or amendment to the PD ordinance.

(Ord. No. 10-14, § 60, 7-6-2010)

(H) Approval criteria. The commission, in making its recommendation to the council, and the council, in acting upon each PD development plan and proposed addition or amendment to the PD ordinance, shall determine whether the proposed PD development plan and ordinance addition or amendment meets the following criteria:

(1) The plan generally is consistent with the approved PD concept plan (including open space, trails, and thoroughfares);
(2) The plan generally is consistent with the development standards set forth in the PD ordinance;
(3) The plan satisfies any conditions established by the council in the PD ordinance relating to development plan approval;
(4) The plan is generally consistent with the standards and conditions of this Unified Development Code and of other ordinances, rules and regulations of the city (to the extent that such standards and conditions are applicable to development within the PD District);
(5) The traffic estimated to be generated by the plan is generally consistent with the original, council approved traffic impact analysis and any conditions to be satisfied at the time of the development plan approval have been met;
(6) The plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (e.g., turn lanes, stacking lanes, signalization, etc.); and
(7) The preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a natural manner.

(Ord. No. 10-14, § 61, 7-6-2010)

(I) Conditions. The commission may recommend, and the council may require, such conditions to the approval of a PD development plan as are reasonably necessary to ensure that the approval criteria are met.

(J) Approving ordinance. The development plan shall be incorporated within an ordinance amending the PD ordinance and the concept plan. The amending ordinance shall set forth all standards necessary for development of the land subject to the development plan that were not included in the PD ordinance. The amending ordinance also shall repeal or amend any conditions that were attached to the PD ordinance that have been satisfied as a result of approving the development plan and associated amendments.

SUBSECTION 3.03: PD SITE PLANS

(A) Delegation to commission. The commission hereby is delegated the authority to approve, conditionally approve, or deny PD site plans and all amendments thereto, subject to appeal to the council. Any site plan subject to a request for

variances or other modifications that are reserved for the council by these PD regulations shall be decided by the council upon recommendation of the commission.

(B) Submittal requirements. The following requirements apply to each application for PD site plan approval:

(4) Size. PD site plans shall be prepared on one or more standard sheets of sizes of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (which may be to any scale). PD site plans shall be prepared by a registered engineer, architect, or landscape architect.

(5) General information.

(a) North arrow;
(b) Total site acreage;
(c) Submission date;
(d) Scale (written and graphic);
(e) Vicinity map;
(f) Names, addresses, and telephone numbers of designer, engineer, developer, and owner;
(g) A boundary survey of the site with the location of proposed land uses;
(h) Adjacent subdivision names and property lines; and
(i) Adjacent land uses and structures.

(6) Structures.

(a) Location, dimensions, and use of all existing facilities and proposed building sites;
(b) Setback and separation distances between building sites;
(c) Proposed construction type and facade materials for all multi-family and nonresidential buildings (the commission may require elevations and perspective drawings);
(d) Proposed density of each use;
(e) Proposed location of screening along public roadways shown on the PD concept plan;
(f) Location and types of signs, including lighting and heights;
(g) Elevation drawings citing proposed exterior finish materials; and
(h) Location of solid waste collection facilities.

(7) Streets and sidewalks.

(a) Location and width of all rights-of-way and easements;
(b) Location and dimensions of all pavement and curbing;
(c) Location and width of all sidewalks;
(d) Location and width of all ingress/egress points;
(e) Location and width of all medians and median breaks;
(f) Location of any special traffic regulation facilities;
(g) Location of fire lanes; and
(h) Street names on proposed streets.

(8) Off-street parking and loading areas.

(a) Number, location, and dimension of spaces;
(b) Type of surface material of parking facility;
(c) Dimension of aisles, driveways, maneuvering areas, and curb return radii;
(d) Distance between spaces and adjacent rights-of-way;
(e) Location of all existing and proposed fire lanes and hydrants; and
(f) Proposed lighting diagram.

(9) Landscaping.

(a) Location and size of major tree groupings and existing hardwood trees of four inches caliper or greater, and other protected trees as specified in article IX, Tree Preservation, noting whether they are to be removed or retained;

(Ord. No. 06-14, 4-17-2006)

(b) Location and size of proposed plant materials, including paving, together with type and species of plants;
(c) Number and type of each landscape element;
(d) Height and type of all fencing or buffering;
(e) Height of all planters, sculptures, and decorative screens;
(f) Location and type of trash receptacle screening;
(g) Location and type of lighting for streets, signage, and parking areas; and
(h) Location of visibility triangles, where required.

(10) Drainage.

(a) Direction of water flow;
(b) Quantity of on-site and off-site water generation;
(c) Topographic contours at a minimum of five-foot intervals;
(d) Points of concentrated water discharge;
(e) Areas where special design and construction may be necessary due to slope or soil conditions;
(f) Location and design of all water detention and drainage areas; and
(g) Drainage ways, creeks, and limits of the 100-year floodplain and floodway as shown on current FEMA mapping or the city's master drainage plan, including location and acreage, together with a general plan for accommodating flood waters and drainage.

(11) Preliminary service plan.

(a) A preliminary drainage plan of the area showing the size and location of each existing and proposed drainage way and retention or detention area. If no development plan has been required and approved by the council, the drainage plan shall incorporate the requirements of the preliminary drainage study;
(b) The proposed method of providing water and sewer service; and
(c) If no development plan has been required and approved by the council, an updated traffic impact analysis.

(12) Special exceptions. A list of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking a special exception by the council as part of the PD site plan approval process.

(C) Commission decision. The commission shall approve, approve subject to conditions, or deny each PD site plan.

(Ord. No. 06-14, 4-17-2006)

(D) Approval criteria. The commission, in approving, conditionally approving, or denying a PD site plan, shall consider the following criteria:

(1) The plan complies with the applicable PD concept plan or development plan, if any, and with the PD ordinance, expressly including conditions attached to the concept plan, development plan or PD ordinance;
(2) The plan complies with the standards and conditions of this Unified Development Code and other ordinances, as well as other rules and regulations of the city (to the extent that such standards and conditions are applicable to development within the PD District);
(3) If no development plan was required and approved by the council, the traffic estimated to be generated by the plan is generally consistent with the original council-approved traffic impact analysis;
(4) If no development plan was required and approved by the council, the plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (e.g., turn lanes, stacking lanes, signalization, etc.);
(5) If no development plan was required and approved by the council, the preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a manner approved by the council; and
(6) Landscaping promotes continuity and unity consistent with the landscape plan for the development and encourages views to public open space and public landmarks.

(Ord. No. 10-14, § 62, 7-6-2010)

(E) Conditions. The commission, or the council on appeal, may establish such conditions to the approval of a PD site plan as are reasonably necessary to ensure that the approval criteria are met.

(F) Appeal from commission action. If the commission approves a PD site plan with conditions or if it disapproves a PD site plan, the applicant may appeal the decision to the council by filing a written request with the city secretary within ten days after the commission's decision.

(G) Variances. The granting of variance for Planned Development District regulations shall be the purview of city council, not the board of adjustment. If the applicant requests a variance from PD ordinance standards or other ordinance requirements, the variance request will be forwarded to the council with the commission's recommendation for decision. Procedures and criteria for approval shall be those applicable to special exceptions under article II, section 8.5, Criteria for Granting Special Exceptions.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 3.04: AMENDMENT OF PD PLANS

(A) PD concept plans. PD concept plans (excluding informational statements) are considered part of the PD ordinance. Any amendment to a PD concept plan shall be considered a zoning change, and the provisions of V.T.C.A., Local Government Code ch. 211 relating to notices, public hearings, and written protests for changes in zoning districts or regulations shall apply. If a PD District is established subject to approval of PD development plans, the provisions of this subsection 2.4.A shall apply to such PD development plan.

(B) PD site plans. PD site plans are not considered part of a PD ordinance. Except as otherwise provided, any amendment to an approved PD site plan must be approved by the commission. However, "minor modifications" to any PD site plan may be approved by the zoning administrator. If the zoning administrator believes that a request for minor modification entails a significant change in the site plan, he may refer the request to the commission for determination. A "minor modification" to a PD site plan is defined as any modification that does not:

(1) Alter the basic relationship of proposed development to adjacent property;
(2) Change the uses permitted;
(3) Increase the maximum density, floor area, or height;
(4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [article] requirements; or
(5) Reduce the minimum yards or setbacks.

SUBSECTION 3.05: PERIODIC REVIEW

(A) Applicability. Each tract of land not yet fully developed, for which (PD) Planned Development District zoning has been granted, shall be reviewed by the planning and zoning commission in order to make inquiry and ascertain the following:

(1) Whether a preliminary plan and/or development plan can reasonably be expected to be filed;
(2) If a preliminary plan and/or development plan can be reasonably expected to be filed at any time within the two-year interval as set out herein;
(3) Whether the granted uses for the tract of land under consideration continues to have a desired relationship with the surrounding area; and
(4) If such density and other design standards originally granted are in accordance with the current community growth patterns and values.

(B) Determination. If, upon inquiry and review, the planning and zoning commission finds that a particular tract of land zoned (PD) Planned Development is not reflective of current community growth patterns or community design policies, or is not in accordance with the comprehensive plan, it may request the city council to initiate hearings on the particular tract of land to consider:

(1) Reform or modification of the PD District on the particular tract; or
(2) Change the zoning to a more suitable land use classification.

(C) Frequency. The planning and zoning commission shall review each tract of land for which Planned Development zoning has been granted beginning in January of each year, at least on two year intervals. The planning and zoning commission

may review certain tracts (for which Planned Development zoning has been granted) more frequently if it determines such review is necessary.

SECTION 4: EFFECT ON EXISTING PDS

SUBSECTION 4.01: DISTRICT AMENDMENTS

If an amendment is proposed after the effective date of [the ordinance from which] this article [is derived] to any concept plan, development plan, site plan or planned development ordinance approved prior to the effective date of the ordinance from which this article is derived under prior development regulations, the provisions of this article shall apply to those amendments.

SUBSECTION 4.02: SITE PLANS

For any PD District established under prior planned development regulations for which at least one site plan has been approved pursuant to such prior regulations, the provisions of this article shall not apply, except that procedures related to approval of PD site plans pursuant to this [article] shall apply to any application for PD site plan approval submitted more than 30 days after the effective date of this article.

SECTION 5: AMENDMENTS TO APPROVED PD APPLICATIONS

SUBSECTION 5.01: PROCESSING AMENDMENTS

(A) Amendments to all applications and approvals shall be processed in the same manner as the original application. However, the applicant shall submit a summary of all elements that are proposed to be changed along with the revised plans and application.

(B) Notwithstanding the above, the zoning administrator may approve minor modifications in an approved site plan or PD site plan administratively, provided that they do not:

(1) Alter the basic relationship of proposed development to adjacent property;
(2) Change the uses permitted;
(3) Increase the maximum density, floor area, or height;
(4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [article] requirements;
(5) Reduce the minimum yards or setbacks; or
(6) Detrimentally change or alter the characteristics of the elevation drawings or site plan as approved, but rather allow for some flexibility in minor modification to same.

ARTICLE XI, DEVELOPMENT APPLICATIONS AND REVIEW PROCEDURES, UDC

SECTION 1: GENERAL

SUBSECTION 1.01: PRE-APPLICATION MEETING

An applicant proposing to [*1*] establish a land use requiring a Specific Use Permit (SUP) on a property or properties, [*2*] the subdivision or assembly of property or properties, [*3*] the change in zoning classification of a property or properties, or [*4*] any other development related activity in the City of Rockwall is encouraged to request a *Pre-Application Meeting* with the Development Review Committee (DRC). Prior to a *Pre-Application Meeting*, the applicant should submit a *Pre-Application Meeting Request* form and provide a concept plan showing the proposed development activities in as much detail as possible. Based on the information provided by the applicant, the DRC will provide initial comments concerning the merits of the proposed development and inform the applicant of any additional requirements that will need to be addressed in the preparation of a development application.

SUBSECTION 1.02: SUBMISSION OF AN APPLICATION

(A) *Authority to Submit an Application*. Unless otherwise stated in this Article, the following shall apply when submitting an application for a request:

(1) *Development Application*. All zoning, site plan, platting, and miscellaneous cases shall be initiated by the owner of the affected property or his/her authorized representative who files a *Development Application* and pays the appropriate fee.

(2) *Historic Preservation Advisory Board Application*. All Certificate of Appropriateness (COA), small matching grant, and building permit fee waiver requests shall be initiated by the owner of the affected property or his/her authorized representative who files a *Historic Preservation Advisory Board Application*.

(3) *Board of Adjustments Application.* All variance and special exceptions to be considered by the Board of Adjustments (BOA) shall be initiated by the owner of the affected property or his authorized representative or any aggrieved party who files the required application and pays the appropriate fee, or by any person aggrieved by the decision of an administrative officer with authority over any matter that can be appealed to the Board of Adjustments (BOA) per Subsection 4.03, *Jurisdiction*, of Article II, *Development Review Authority*, by an officer of the City, or appropriate board/commission of the City.

(B) *Ownership.* In the event that the ownership stated on an application is different than the ownership shown on the City's *Certified Tax Roll*, the Director of Planning and Zoning may require additional written proof of ownership be provided with an application.

(C) *Submission Development Application*. All application requests to be considered by the Historic Preservation Advisory Board (HBAP), Board of Adjustments (BOA), Planning and Zoning Commission and/or the City Council, shall be initiated by filing an application with the Director of Planning and Zoning or his/her designee. All applications shall be required to be submitted on the official submittal date. Applications received on a date other than an official submittal date shall ***not*** be accepted and shall be returned to the applicant.

(D) *Completed Application*. To ensure the submission of adequate information, the Director of Planning and Zoning is hereby empowered to maintain and distribute a list of specific submittal requirements that constitutes a completed application. Any application that does not provide all items required by the Director of Planning and Zoning shall be considered to be incomplete, and shall not be accepted by the City. These requirements may be modified by the Director of Planning and Zoning as deemed necessary.

(E) *Plans and Exhibits*. All plans, surveys, plats, and/or other exhibits submitted as part of any application shall be prepared by a registered architect, engineer, landscape architect, surveyor, planner, or other design professional.

SUBSECTION 1.03: APPLICATION WITHDRAWAL

Any request for the withdrawal of an application must be submitted in writing to the Director of Planning and Zoning or his/her designee. If an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body. In all requests for withdraw, application fees will not be refunded except in cases where the Director of Planning and Zoning determines that an application was [*1*] submitted in error, or [*2*] the fee paid exceeds the amount due under the provisions of Section 10, *Fee Schedule*. In cases where the fee paid exceeds the amount due, only the amount of the overpayment may be refunded.

SUBSECTION 1.04: DENIAL OF AN APPLICATION

Unless otherwise stated in this Article, if an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver is denied *with* prejudice by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council, a new application for the same request may ***not*** be submitted for the same lot or tract of land -- *or any portion thereof* -- for a period of one (1) year unless the request is deemed to be more restrictive or less intense than the previously denied request. A failure to indicate that a denial is *with* or *without* prejudice, in making a motion to deny, shall be consider a *denial with prejudice*.

SUBSECTION 1.05: REAPPLICATION

A request for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver which has been previously denied *with prejudice* by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council may be resubmitted within one (1) year if there is: [*1*] An actual change in condition relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties, or [*2*] the new request is more restrictive or less intense than the previous request. In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense request. The Director of Planning and Zoning or his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver.

SECTION 2: ZONING

SUBSECTION 2.01: AUTHORITY

(A) *Authority to Amend the Zoning Map and Unified Development Code (UDC).*

The City Council may from *time-to-time -- on its own motion or at the request of the Planning and Zoning Commission or Director of Planning and Zoning* -- direct the Director of Planning and Zoning to prepare amendments, changes, and/or supplements to the regulations contained in the Unified Development Code (UDC), and/or the boundaries or designations specified on the City's Zoning Map.

(B) *Authority to Request Changes to the Zoning Map.* A request that proposes a change to the City's Zoning Map (*i.e. zoning changes and Specific Use Permits*) may be requested by the:

(1) City Council;
(2) Planning and Zoning Commission;
(3) Director of Planning and Zoning;
(4) Owner of real property located within the corporate boundaries of the City of Rockwall; or
(5) Authorized representative of an owner of real property located within the corporate boundaries of the City of Rockwall.

(C) *Authority to Order Changes to the Unified Development Code.* Changes to the Unified Development Code (UDC) may be ordered by the:

(1) City Council;
(2) Planning and Zoning Commission; or
(3) Director of Planning and Zoning.

SUBSECTION 2.02: SPECIFIC USE PERMITS (SUP)

(A) *Purpose.* The purpose of a Specific Use Permit (SUP) is to allow discretionary consideration of certain uses that would typically be considered incompatible within certain locations of a zoning district, but may become compatible with the addition of special provisions, conditions or restrictions. A SUP does not change the base zoning; it allows a particular use that would not normally be permitted in that zoning district. The SUP requirement for any land use is identified in the *Permitted Land Use* table contained in Article IV, *Permissible Uses*, of this Unified Development Code. The discretionary SUP procedure is designed to enable the Planning and Zoning Commission and the City Council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a SUP when it is apparent that a proposed use or structure will or may occasionally harm the community or cause injury to the value, lawful use, and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(B) *Operational Conditions.* In considering a SUP, staff and/or the Planning and Zoning Commission may recommend and the City Council may adopt additional conditions and operational constraints to ensure compatibility with adjacent land uses. These additional conditions and operational constraints will be incorporated into the SUP ordinance, and may relate to: [*1*] a property's specific site conditions, [*2*] increased performance standards, [*3*] compatibility with adjacent properties, [*4*] mitigation of potentially negative or adverse effects of a request, and [*5*] anything that could have a negative impact on the public's health, safety and general welfare.

(C) *Compliance.*

(1) In considering a special use permit application, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefited by the special use as may be necessary to avoid, minimize, or mitigate any potentially injurious effect of such special uses upon other property in the neighborhood, and to carry out the general purpose and intent of this ordinance. Such conditions shall be set out in the ordinance approving the SUP.
(2) Prior to a SUP being issued, the property owner of the affected property shall agree, comply and be bound to the conditions and operational constraints approved by the City Council and contained in the SUP ordinance.
(3) A SUP is considered to be transferable from property owner to property owner for a specific property; however, the conditions and operational constraints of the SUP shall remain in effect and be applicable to the new property owner(s) and/or occupant(s). SUPs cannot be transferred from property to property.

(D) *Abandonment, Expiration and Revocation of a Specific Use Permit (SUP).*

(1) *Abandonment.* A SUP approved by the City Council that remains vacant or inactive for a period of one (1) year shall be deemed to be abandoned and shall automatically expire. Vacancy or inactivity can be determined by the following:

(a) The water and/or electrical services have been disconnected or discontinued on the property; and/or
(b) The subject property (*e.g. lease space, parcel or parcels of land, lot, tract etc.)* is unoccupied; and/or
(c) The use is abandoned due to the issuance of a Certificate of Occupancy (CO) for a use other than (and exclusive from) the use approved with the SUP.

(2) *Expiration.* A Specific Use Permit (SUP) shall automatically expire due to inactivity if:

(a) A building permit has not been issued within one (1) year of the approval date of the SUP ordinance, and/or a Certificate of Occupancy (CO) has not been issued within one (1) year of a building permit due to inactivity on the site (*inactivity in this case is defined as no progress towards construction for six [6] months*), or one (1) year of the approval date of this ordinance if no building permit is necessary; or
(b) A building permit or Certificate of Occupancy (CO) expires, is terminated or revoked under the requirements of the Codes of the City of Rockwall.

(3) *Revocation.* The City Council reserves the right to revoke or rescind any SUP in which the business, property or property owner operating under the guidelines of the SUP ordinance fails to meet the minimum operation requirements set forth in the Specific Use Permit (SUP) ordinance and/or outlined in the Unified Development Code or the Rockwall Municipal Code of Ordinances. The procedure for revocation or rescinding a Specific Use Permit (SUP) shall be the same procedure for requesting a new Specific Use Permit (SUP).

(E) *Extension of a Specific Use Permit (SUP).* Upon recommendation from the Planning and Zoning Commission, the City Council may grant a one (1) time extension to the expiration requirements stated above for a period not to exceed one (1) year. To apply for an extension a property owner shall file a written request with the Director of Planning or his designee at least ninety (90) days prior to the expiration date. Extension requests shall not require a public hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a SUP.

(F) *Existing Specific Use Permits (SUP) and Conditional Use Permits (CUP).* Specific Use Permits (SUP) and Conditional Use Permits (CUP) in existence at the time this section was adopted by the City Council shall automatically terminate one (1) year from the adoption date of this section if a building permit -- *or a Certificate of Occupancy (CO) if no building permit is necessary* -- has not been issued or an extension is not requested under Subsection 2.02(E).

SUBSECTION 2.03: PROCEDURES FOR ZONING APPLICATIONS

All zoning applications (*i.e. zoning changes, Specific Use Permits, and text amendments*) shall be subject to the following procedures:

(A) *Notice of Public Hearing*.

(1) *Notice of Public Hearing for Zoning Changes and Specific Use Permits (SUP's).* Written notice of all public hearings for zoning changes and Specific Use Permits (SUP's) shall be sent to all property owners listed on the certified tax roll, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500-feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording *Zoning Change Requested*. In cases that require notices to be sent to a multi-family property, written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building (*i.e. individual notices to each unit are not required*). In addition, written notice shall be sent to all known Homeowners Association (HOA) representative(s) within 1,500-feet of the subject property at least ten (10) days prior to the public hearing date.

(2) *Newspaper Notice for Zoning Changes and Specific Use Permits (SUP's).* Notice of all public hearing for zoning changes and Specific Use Permits (SUP's) shall be published in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of ten (10) days prior to the date of the public hearing.
(3) *Newspaper Notice for Text Amendments.* Notice of all public hearing for a text amendment to the Unified Development Code (UDC) shall be published in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of 15-days prior to the date of the public hearing.

(B) *Conduct of a Public Hearing*. Subject to the presiding officer's inherent authority to conduct a meeting, a public hearing shall generally be conducted in the following manner:

(1) A report outlining the details of the request shall be given from the Director of Planning and Zoning or his/her designee.
(2) The presiding officer shall open the public hearing.
(3) The applicant will be asked to provide a presentation or comment on the proposed request.
(4) The presiding officer will ask for public comment, questions, and/or testimony.
(5) The applicant will be given a rebuttal to address the public's comments, questions, and/or testimony.
(6) The presiding officer will close the public hearing.
(7) The Planning and Zoning Commission or City Council will be given a chance to discuss the request and ask questions of the Director of Planning and Zoning or his/her designee and/or the applicant.
(8) The Planning and Zoning Commission or City Council will deliberate, make a motion and vote on the request.

(C) *Postponement, Recess, and Continuation of a Public Hearing.*

(1) *Postponement.* A public hearing that was noticed in the manner prescribed by Subsection 2.03(A) may be postponed by announcing the postponement at the time and place of the noticed public hearing. The postponement of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A postponed public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a postponement at a public hearing shall be sufficient notice and no additional notice is required.
(2) *Recess.* A public hearing may be recessed by the Planning and Zoning Commission or City Council any time after the public hearing has commenced.
(3) *Continuation.* A public hearing may be continued by the Planning and Zoning Commission or City Council any time after the public hearing has commenced. The continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A continued public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required.

(D) *Submitting Additional Information*. New matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council with relation to public hearing for zoning changes, Specific Use Permits (SUP), or text amendments. In the event new evidence develops between the date of the public hearing by the Planning and Zoning Commission and the hearing of the City Council on any zoning change, Specific Use Permit (SUP), or text amendment, or if for any other valid reason a person wishes to present new evidence to the City Council -- *which was not presented to the Planning and Zoning Commission* -- the City Council shall refer the zoning change, Specific Use Permit (SUP), or text amendment back to the Planning and Zoning Commission for a further public hearing to consider the new evidence. Nothing contained herein shall be construed to prohibit anyone from speaking in a public hearing related to a zoning change, Specific Use Permit (SUP), or text amendment.

(E) *Failure to Appear at a Public Hearing.* If an applicant is not present at a meeting where a public hearing is scheduled, the Planning and Zoning Commission or City Council may deny the request.

(F) *Joint Public Hearings.* The City Council may hold a public hearing -- *after publishing the required notice* -- jointly and with any public hearing required to be held by the Planning and Zoning Commission; however, the City Council shall not act until it has received a recommendation from the Planning and Zoning Commission.

(G) *Protest of a Zoning Change.* Property owners adjacent to and within a radius of 200-feet of a property for which a zoning change or Specific Use Permit (SUP) is being considered have the right to file a written protest against the request. The land area of this 200-foot radius includes public right-of-way, open space and parkland. Whenever such written protest is signed by the owners of 20% or more of the area of the lots or land included in the request, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius, or if such change is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval. For purposes of determining representation on this written protest, the written protest of any one (1) owner of land owned by two (2) or more persons shall be presumed to be the protest of all owners.

SUBSECTION 2.04: PLANNING AND ZONING COMMISSION RECOMMENDATION

(A) *Consideration of a Zoning Change or Specific Use Permit (SUP).* When considering a request for a zoning change or Specific Use Permit (SUP), the Planning and Zoning Commission shall consider the following:

(1) Whether the land uses proposed with the zoning change or Specific Use Permit (SUP) are consistent with the *Future Land Use Plan* contained in the Comprehensive Plan.
(2) Whether the proposed zoning change or Specific Use Permit (SUP) is in accordance with any existing or proposed plans for providing streets, water, wastewater, and/or other utilities or public facilities.
(3) The availability of existing infrastructure to properly serve any development proposed with the zoning change or Specific Use Permit (SUP), and the timing of the development compared to the City's Capital Improvements Plan (CIP).
(4) The findings of any studies (*e.g. Traffic Impact Analysis [TIA] or Infrastructure Study*) submitted with the zoning change or Specific Use Permit (SUP).
(5) The amount of vacant land that is currently designated for similar zoning/land uses in the vicinity of the zoning change or Specific Use Permit (SUP) or elsewhere in the City.
(6) The rate at which land is being developed and the rates conformance with the policies and goals of the Comprehensive Plan.
(7) The zoning change or Specific Use Permit's (SUP's) anticipated impact on the environment with regard to floodplains, topography, vegetation, drainage and detention.
(8) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.
(9) Any other factors which will substantially affect the health, safety, and/or general welfare of the community.

(B) *Consideration of a Text Amendment.* When considering a request for a text amendment, the Planning and Zoning Commission shall consider the following:

(1) Whether the proposed text amendment is in conformance with the goals and policies contained in the Comprehensive Plan.
(2) How the proposed text amendment will affect the City's ability to attract and retain high quality development consistent with the City's existing community character.
(3) The impact of the text amendment to the City's environment with regard to floodplains, topography, vegetation, drainage and detention.
(4) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.

(C) *Recommendation to the City Council.* In making a recommendation to the City Council on a zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*), the Planning and Zoning Commission may recommend:

(1) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted;
(2) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted as modified to a more restrictive classification or subject to appropriate conditions as permitted by law; or
(3) That the zoning change, Specific Use Permit (SUP) or text amendment be denied.

(D) *Justification for Denial.* If the Planning and Zoning Commission approves a motion to deny a zoning change, Specific Use Permit (SUP), or text amendment, it shall offer reasons for the denial that can be provided to the City Council.

(E) *Failure to Approve a Motion.* If the Planning and Zoning Commission fails to approve a motion by a majority vote for any zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*), then a recommendation for denial shall be forwarded to the City Council.

SUBSECTION 2.05: CITY COUNCIL ACTION

(A) *Recommendation from the Planning and Zoning Commission*. The City Council shall not act upon any zoning change, Specific Use Permit (SUP), or text amendment prior to a recommendation being forwarded from the Planning and Zoning Commission.

(B) *Action by the City Council*. After the public hearing is closed the City Council shall take one (1) of the following actions with regard to a zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*):

(1) *Approval.* The City Council may approve a request for a zoning change, Specific Use Permit (SUP), or text amendment either as requested or in a more restrictive form as subject to such appropriate conditions allowed by law. Such approval of any request for a text amendment to the Unified Development Code (UDC), or zoning change or Specific User Permit (SUP) as a map amendment shall be granted only if the City Council determines that the request or amendment is consistent with the Comprehensive Plan and/or the Unified Development Code (UDC). In the event of approval of any zoning change, Specific Use Permit (SUP), or text amendment, the City Council shall enact an ordinance amending the Unified Development Code (UDC) or official zoning map (*whichever is applicable*).

(2) *Denial.* The City Council may deny a request for a zoning change, Specific Use Permit (SUP), or text amendment *with* or *without* prejudice. If a request or amendment is denied *with* prejudice, a new application may ***not*** be submitted for the same lot or tract of land -- *or any portion thereof* -- for a period of one (1) year unless the request is for a more restrictive or less intense land use than the previously denied request and is submitted in conformance with Subsection 2.05(C). If a request or amendment is denied without prejudice, no restrictions on resubmitting an application shall apply (*i.e. an application for the same request may be filed at the applicant's discretion*). A failure to indicate a denial is *with* or *without* prejudice in making a motion to deny a request or amendment shall be consider a *denial with prejudice*.

(C) *Reapplication*. A request for a zoning change, Specific Use Permit (SUP), or text amendment which has previously been denied with prejudice by the City Council may be resubmitted within one (1) year if there is:

(1) An actual change in conditions relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties; or,

(2) The new request is for a more restrictive or less intense land use that the previously denied requested.

In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense land use. The Director of Planning and Zoning or

his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for a zoning change, Specific Use Permit (SUP), or text amendment.

SECTION 3: SITE PLANS

SUBSECTION 3.01: PURPOSE

The purpose of a site plan is to ensure compliance with the City's development standards, and/or other regulations enforceable by the City of Rockwall that may apply to a particular property. Site plans are also intended to be reviewed to promote the safe, efficient, and harmonious use of land through the application of the City's Unified Development Code (UDC), the Comprehensive Plan, City adopted design guidelines, and the Municipal Code of Ordinances.

(Ord. No. 10-14, § 64, 7-6-2010)

SUBSECTION 3.02: APPLICABILITY

(A) *Site Plan*. A Site Plan shall be required to be submitted for all new development within the City of Rockwall with the exception of single-family and/or duplex land uses, temporary land uses not requiring a Specific Use Permit (SUP), and agricultural buildings or structures for non-commercial land uses.

(B) *Amended Site Plan*. An Amended Site Plan shall be required for:

(A) All expansions of an existing non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.
(B) All expansions of non-residential parking lots that increase the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.

(C) *Waiver of a Required Site Plan or Amended Site Plan.* In certain circumstances the Director of Planning and Zoning or his/her designee may waive the site plan or amended site plan requirements when it is determined that requiring a site plan [*1*] is not necessary for the development of a property, and/or [*2*] it does not serve the public's interest.

SUBSECTION 3.03: GENERAL

(A) *Notification.* No public notification is required for the consideration of a site plan or an amended site plan, beyond posting an agenda for the Planning and Zoning Commission meeting.

(B) *Engineering Plans.* No engineering plans shall be submitted for a project prior to the approval of a site plan except when waived by the City Engineer or his/her designee.

(C) *Building Plans*. No building plans shall be submitted for a project prior to the approval of a site plan except when waived by the Director of Planning and Zoning or his/her designee.

(D) *Construction Permits*. No building, fence, or sign permits shall be issued for a property without an approved site plan being approved.

SUBSECTION 3.04: SITE PLAN SUBMITTAL REQUIREMENTS

(A) *Site Plan Content*. The Director of Planning and Zoning shall establish forms outlining the information, standards, content, and formatting required to constitute a complete application submittal for a site plan or amended site plan.

(B) *Additional Requirements*. When deemed necessary by the Director of Planning and Zoning or the Planning and Zoning Commission, the following plans may be required prior to the approval of a site plan:

(1) Traffic Impact Analysis
(2) Traffic Circulation Study
(3) Infrastructure Study
(4) Flood Study

SUBSECTION 3.04: SITE PLAN REVIEW

(A) *Procedure*. All site plans and amended site plans shall be subject to the following review procedures unless otherwise indicated within this Article:

(1) *Architectural Review Board (ARB)*. All site plans that [*1*] propose alterations to the exterior of an existing building, [*2*] propose the construction of a new building, or [*3*] that request approval of a variance or exception shall be subject to review and recommendation by the Architectural Review Board (ARB). In reviewing these site plans, the Architectural Review Board (ARB) shall recommend approval, approval with conditions, or denial of the site plan based on the merits of what is being proposed and the conformance of the site plan with the City's Unified Development Code (UDC).

(2) *Planning and Zoning Commission*. The Planning and Zoning Commission may approve, approve with conditions, or deny a Site Plan -- *upon recommendation from the Architectural Review Board (ARB) if necessary* -- based on the approval criteria listed in Section 3.04(B). The Planning and Zoning Commission shall not approve a site plan prior to review and recommendation by the Architectural Review Board (ARB) if necessary.

(B) *Criteria for Approval of a Site Plan*. In approving, approving with conditions, or denying a site plan, the following criteria shall be considered:

(1) The extent to which the site plan fulfills the goals, objectives and standards in the City's Comprehensive Plan, Parks and Open Space Master Plan, and the Unified Development Code (UDC).
(2) Safety of the motoring and pedestrian public using the facility and the area surrounding the site.
(3) Safety from fire hazards and measures of fire control.
(4) Protection from flooding and water damage.
(5) Noise and lighting glare effects on adjacent neighbors.
(6) Relations of signs to traffic control and their effect on adjacent properties.
(7) Adequacy of streets to accommodate the traffic generation of the proposed development.
(8) Adequacy of off-street parking and loading facilities for the uses specified.
(9) Landscaping and screening provisions appropriately placed per code requirements.
(10) Position of structures and other improvements relative to required setbacks, height limitations, and other density and dimensional requirements.
(11) The impact of the proposed development on slopes, protected vegetation, the open space system, and adjacent properties.
(12) Such other measures as might secure and protect the public health, safety, morals and general welfare.

SUBSECTION 3.05: EFFECT OF SITE PLAN APPROVAL

(A) *Site Plan Expiration*. If development of a lot or tract with an approved site plan has not been completed within two (2) years, or more with an extension, of its final approval, the site plan shall be deemed to have expired and a new review and approval of a site plan for development of the property shall be undertaken, and this new approval shall be required before a building permit is issued for development. This review and approval shall be evaluated according to the standards of the Unified Development Code (UDC), taking into account all changes to the Unified Development Code (UDC) which have occurred subsequent to the prior site plan approval.

(B) *Phasing Plan Expiration*. If the site plan is submitted in conjunction with an approved phasing plan for the development of the lot or tract, the site plan shall be deemed to have expired if any phase is not completed within the time period approved for such phase. No site plan phase may be planned to exceed three (3) years unless specifically authorized by the Planning and Zoning Commission when demonstrated that due to the size or complexity of the site the three (3) year time period would create a hardship. If any phase is not completed within the time period approved, the entire remaining uncompleted site plan shall be deemed to have expired and the provisions of Subsection 3.05(A) above shall be followed.

(C) *Extension of Site Plan*. Extension of an approved site plan may be granted by the Planning and Zoning Commission upon submission of a request for such extension by the property owner at least 90 days prior to the expiration of the plan. The Planning and Zoning Commission shall take into consideration any changes that have occurred in the Unified Development Code (UDC) subsequent to original approval of the plan and the property owner may be required to bring such plan into compliance with the current requirements. The period of time approved for any such extension shall be indicated in any approval, but in no case, shall the period for extension exceed three (3) years.

SUBSECTION 3.06: AMENDED SITE PLAN

Minor modifications to a site plan may be approved by the Director of Planning and Zoning or his/her designee after the submission of a development application, application fee, and updated plans in accordance with Subsection 1.02, *Submission of an Application*. In the event the Director of Planning and Zoning determines that the modifications entail a significant change in the site plan, the Director of Planning and Zoning may defer the approval of the site plan to the Planning and Zoning Commission.

SECTION 4: PLATS

SUBSECTION 5.01: SUBDIVISION ORDINANCE

For the City of Rockwall's platting requirements within the corporate limits and the Extraterritorial Jurisdiction (ETJ) refer to Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

SECTION 5: MISCELLANEOUS CASE

(A) *Purpose.* The purpose of a *Miscellaneous Case* is to allow certain requests (*e.g. variances, exceptions, Tree Preservation Plans, etc.*) to be considered by the Planning and Zoning Commission and/or City Council independent of a site plan for the purpose of facilitating development.

(B) *Procedures.* Unless otherwise specified in the Unified Development Code (UDC), *Miscellaneous Cases* shall be subject to the procedures provided for in Section 9, *Exceptions and Variances*.

SECTION 6: CERTIFICATES OF APPROPRIATENESS (COA)

SUBSECTION 6.01: GENERAL.

(A) *Applicability*. Any person carrying out any work that requires a building permit for exterior alteration, restoration, reconstruction, new construction, moving or demolition of a property within a historic district that is visible must first obtain a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB) as provided for in Subsection 6.2, *Historic Overlay District*, of Article V, District Development Standards.

(B) *Criteria for the Approval of a Certificate of Appropriateness (COA)*. The Historic Preservation Advisory Board (HPAB) shall follow the design guidelines as adopted by the City Council in its consideration of all applications for a Certificate of Appropriateness (COA). These standards shall be made available to the property owners of historic landmarks or within a historic district. The Historic Preservation Officer (HPO) shall coordinate with the appropriate City Departments on all Certificate of Appropriateness (COA) applications.

(C) *Permits*. No building or fence permits shall be issued for site improvement or other construction until a Certificate of Appropriateness (COA) has been approved by the Historic Preservation Advisory Board (HPAB).

SUBSECTION 6.02: SUBMITTAL REQUIREMENTS.

The procedures and requirements for a Certificate of Appropriateness (COA) are outlined in Subsection 6.2, *Historic Overlay District*, of Article V, District Development Standards.

(Ord. No. 06-14, 4-17-2006)

SECTION 7: BUILDING PERMIT FEE WAIVER

SUBSECTION 7.01: PURPOSE

The *Building Permit Waiver and Reduction Program* was established for eligible properties located within the City's Historic Districts for the purpose of encourage development and redevelopment within these districts. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 7.02: ELEGIBILITY

The *Building Permit Waiver and Reduction Program* is eligible for the following properties:

(A) *Commercial Property.*

(1) Commercial properties located within the Old Town Rockwall (OTR) Historic District, Planned Development District 50 (PD-50), the Southside Residential Neighborhood Overlay (SRO) District, and the Downtown (DT) District are eligible for a 50% reduction in building permit fees for projects that include a substantial rehabilitation involving a minimum investment of $50,000.00 that involves work that 1) changes the use of the property (*i.e. residential to commercial*) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met. New development projects shall not be eligible for fee reductions or waivers.
(2) *Landmarked Properties* shall be eligible for a full waiver of building permit fees for projects that include a substantial rehabilitation involving a minimum investment of $25,000.00 that involves work that 1) changes the use of the property (*i.e. residential to commercial*) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met.
(3) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.

(B) *Residential Property.*

(1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for a 50% reduction or a full waiver of building permit fees for projects involving a minimum investment of $5,000.00 that are associated with the rehabilitation or restoration of a property. New development projects shall not be eligible for fee reductions or waivers.

(2) Properties classified as *Non-Contributing* shall be eligible for a 50% reduction of the require building permit fees.
(3) Properties classified as *Contributing* (*i.e. High, Medium or Low Contributing*) shall be eligible for a full waiver of building permit fees.
(4) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.

SUBSECTION 7.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to or concurrently with the submittal of a building permit. Once a building permit has been issued for a project, that project is no longer eligible for the program. The HPAB may review the application concurrently with a building permit submittal; however, no building permit can be issued while a program application is in process. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete application for the program will consist of 1) the application form, 2) a list of all improvements associated with the project, and 3) any additional information deemed necessary for the HPAB to make a determination. It shall be the Planning and Zoning Department's policy not to accept incomplete applications.

SECTION 8: SMALL MATCHING GRANTS

SUBSECTION 8.01: PURPOSE

Purpose. The *Small Matching Grants Program* was established for eligible properties located within the City's Historic Districts for the purpose of encouraging small improvement and beautification projects. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 8.02: ELIGIBILITY

The *Small Neighborhood Matching Grants Program* is eligible for the following properties:

(A) *Residential Property.*

(1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for the program. The programs shall provide matching funds up to 50% of the total project cost.
(2) Properties classified as Non-Contributing shall be eligible for a total grant amount up to $500.00.
(3) Properties classified as Contributing (*i.e. High, Medium or Low Contributing*) or as a Landmarked Property shall be eligible for a grant amount up to $1,000.00.
(4) Regardless of a properties status no matching grant shall be approved for an amount of less than $100.00 (*i.e. a project minimum of $200.00*).
(5) Only projects proposing improvements to the exterior of a property that will be visible from the street shall be eligible for the program. Examples of these projects include but are not limited to landscaping, painting, replacement of windows, replacement of sidewalks and/or driveways, and etcetera.

SUBSECTION 8.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to the commencement of the proposed project. Once a project has commenced, that project or the portion of project that has commenced shall no longer be eligible for grant monies. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete

application for the program will consist of 1) the application form, 2) a list of all improvements associated with the project, and 3) any additional information deemed necessary for the HPAB to make a determination. It shall be the Planning and Zoning Department's policy not to accept incomplete applications.

SUBSECTION 8.04: CERTIFICATION AND VERIFICATION PROCESS

Applications for the Small Neighborhood Matching Grants pursuant to Subsection 8.03 of this resolution shall be filed with the Planning and Zoning Department. Upon receipt of a completed application, City staff shall process the request, verify that the improvements have not commenced, and prepare a memorandum to the Historic Preservation Advisory Board (HPAB) outlining the request. Within 60 days of the receipt of an application, the HPAB shall act to approve, deny or modify a request based on the requirements of this resolution. Upon action by the HPAB work may commence on the proposed project.

Once a proposed project has been completed, the applicant shall be required to submit a sworn statement of completion acknowledging that the project has been completed in accordance with the application submitted and approved by the HPAB. In addition, the applicant will be required to submit all receipts for the cost of the project. Within 15 days of the receipt of the sworn statement of completion, City staff shall verify that the improvements have been completed as required by the HPAB and document the improvements for the City's records. If the improvements have been completed as approved, staff will issue a check request in the applicant's name to the Finance Department for half the amount depicted on the receipts up to the full amount approved by the HPAB.

SECTION 9: EXCEPTIONS AND VARIANCES

SUBSECTION 9.01: EXCEPTIONS TO THE GENERAL STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant an exception to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. In cases where an exception or exceptions is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- *but are not limited to* -- any two (2) of the following options:

(A) Increased landscape buffer.
(B) Increased landscaping (*i.e. additional canopy trees, accent trees, landscaping percentage, etc.*).
(C) Increased open space.
(D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
(E) Increased building articulation.
(F) The provision of four (4) sided architecture (*where not already required*).
(G) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (*i.e. brick, stone, or cultured stone*).
(H) The inclusion of 20% natural or cultured stone.
(I) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
(J) Undergrounding existing overhead utility lines.
(K) Compliance with the General Overlay District Standards detailed in Section 6, *Overlay Districts*, of Article V, *District Development Standards*.
(L) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

In requesting an exception or exceptions, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [*1*] the reason or reasons for the exception or exceptions being

requested, [*2*] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [*3*] the proposed compensatory measures as detailed above.

If the Planning and Zoning Commission denies a request for an exception, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any exception to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 9.02: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in *Section 6.02, General Overlay District Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. In cases where a variance or variances is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- *but are not limited to* -- any two (2) of the following options:

(A) Increased landscape buffer.
(B) Increased landscaping (*i.e. additional canopy trees, accent trees, landscaping percentage, etc.*).
(C) Increased open space.
(D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
(E) Increased building articulation.
(F) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (*i.e. brick, stone, or cultured stone*).
(G) The inclusion of 20% natural or cultured stone.
(H) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
(I) Undergrounding existing overhead utility lines.
(J) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

In requesting a variance or variances, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [*1*] the reason or reasons for the variance or variances being requested, [*2*] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [*3*] the proposed compensatory measures as detailed above.

If the Planning and Zoning Commission denies a request for a variance, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 9.03: CRITERIA FOR GRANTING A VARIANCE OR EXCEPTION

In reviewing a request for a variance or an exception, the Planning and Zoning Commission should review the request to determine:

(A) If the proposed compensatory measures sufficiently offset the requested variance or exception.
(B) If such a request will substantially or permanently injure the appropriate use of adjacent property.
(C) If such a request will adversely affect the health, safety, and/or general welfare of the public.
(D) If such a request will be contrary to the public interest.
(E) If such a request will authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.

(F) If such a request will be in harmony with the spirit and intent of the Unified Development Code (UDC), Comprehensive Plan, and/or other City policies.
(G) If such a request will alter the essential character of the district in which the subject property is located.
(H) If such a request will substantially weaken the general purpose of the zoning requirements established for the district in which the subject property is located.

SECTION 10: FEE SCHEDULE

(A) *Establishment of Fees.* Fees for all development related applications in the City of Rockwall shall be established by the City Council upon recommendation of the City Council. Such fees shall be for the sole purpose of recovering the administrative cost of processing development applications, advertising zoning requests, and holding public hearings required by this Article. Such fee shall *not* be designed to generate revenue for the City other than recovery of actual administrative costs.

(B) *Fees*. The fees for development related applications in the City of Rockwall shall be as follows:

(1) *Platting*.

(a) *Master Plat*: $100.00 + $15.00/Acre
(b) *Preliminary Plat*: $200.00 + $15.00/Acre
(c) *Final Plat*: $300.00 + $20.00/Acre
(d) *Replat*: $300.00 + $20.00/Acre
(e) *Amending or Minor Plat*: $150.00
(f) *Plat Reinstatement Request*: $100.00

(2) *Site Plan*.

(a) *Site Plan*: $250.00 + $20.00/Acre
(b) *Amended Site Plan*: $100.00

(3) *Zoning*.

(a) *Zoning Change*: $200.00 + $15.00/Acre
(b) *Specific Use Permit (SUP)*: $200.00 + $15.00/Acre
(c) *Planned Development District (PD)*: $200.00 + $15.00/Acre

(4) *Miscellaneous Case*.

(a) *Variance/Special Exception*: $100.00
(b) *Tree Removal*: $75.00
(c) *All Other Miscellaneous Cases*: $0.00

(5) Historic Preservation Advisory Board.

(a) *Certificate of Appropriateness (COA)*: $0.00
(b) *Small Matching Grants*: $0.00
(c) *Building Permit Fee Waiver*: $0.00

(C) *Calculation of Fees.* Fees that have a scaled fee structure (*i.e. that are based on the acreage of the property*) are calculated by multiplying the acreage of the property by the scalable fee and adding the base fee. For example, a 5.25-acre property that is requesting a zoning change would be calculated as follows:

5.25-acres x $15.00/Acres = $78.75 + $200.00 [*Base Fee*] = $278.75 [*Fee Due*]

Properties that are less than one (1) acre in total size shall be calculated as one (1) acre. No other rounding methods shall be used in the calculation of a fee.

243

ARTICLE XIII, DEFINITIONS

SECTION 1: GENERAL

SUBSECTION 1.01: USAGE

For the purposes of this Unified Development Code (UDC), certain terms and/or words are used and interpreted as defined below. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular. The word *shall* wherever used in this article will be interpreted in its mandatory sense and the word *may* shall be deemed as permissive. The word *building* includes the word structure unless otherwise indicated in the definition. The word *lot* also means *plot* or *tract*. The term *used for* includes the meaning *designed for* or *intended for*.

SECTION 2: WORDS, TERMS, AND LAND USES DEFINED

SUBSECTION 2.01: GENERAL DEFINITIONS

(1) *Adopted Policies*. A written administrative directive discussed at a public meeting and officially adopted by a majority vote of the city council.

(2) *Agriculture*. The planting, cultivating, harvesting and storage of grains, hay or plants, or vineyards, commonly grown in Rockwall County. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept is three acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops and is not primarily for the raising or fattening of livestock. A feed lot exclusively for the fattening of livestock is not considered an agricultural use.

(3) *Alley*. A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street; it is also public space or way, 20 feet or less in width, which has been dedicated or deeded for public use.

(4) *Alteration*. Any addition, removal, extension, or change in the location of any exterior wall of a main building or accessory building, or change or modification in construction or occupancy.

(5) *Apartment*. A room or suite of rooms within an apartment house arranged, intended or designed for a place of residence of a single-family or group of individuals living together as a single housekeeping unit and who do their cooking therein. (See Dwelling unit.)

(6) *Apartment house or building*. A building arranged, intended or designed for more than two families. (See Dwelling unit, “multiple.”)

(7) *Associated recreation*. Recreational uses which are an integral part of a common ownership or associated with high density residential development (example: homeowners association with a private club, swimming pool, and tennis courts).

(8) *Authorized agent*. An architect, builder, developer, or other person empowered to act on behalf of other persons.

(9) *Bar, cocktail lounge, tavern, saloon, cantina*. An establishment where alcoholic beverages are sold for on-premises consumption, other than a restaurant as defined in this section.

(10) *Basement or cellar*. A story having more than one-half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

(11) *Block*. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the building official shall determine the outline of the block.

(12) *Boardinghouse or lodginghouse*. A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.

(13) *Buffer*. A visual screen constructed of wood, concrete block, masonry, or landscape material including earthen berms in such a manner that adjacent property will be screened from the use contemplated, so noise, solid waste, or other objectionable influences will be avoided. Such buffer shall be horizontal to the ground, opaque, and a minimum of six feet in height.

(14) *Buildable area*. The "buildable area" of the lot is the maximum amount of allowable space upon which a structure or building may be erected, after meeting the coverage, yard and other requirements of this [Unified Development Code].

(15) *Building*. An enclosed structure, anchored to permanent foundation, and having exterior or party walls and a roof, designed for the shelter of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breeze way shall be deemed as one building. Parking structures shall not be considered as buildings when calculating building coverage.

(16) *Building area*. The building area of the lot is the gross area covered by the structures when placed on the lot.

(17) *Building coverage*. Percentage of the lot that is occupied by the building area, including parking structures and accessory buildings.

(Ord. No. 06-14, 4-17-2006)

(18) *Building height*. The height of the building shall be measured from the average elevation of the finished grade along the front of the building to the highest point of the roof or parapet of the building if it is a flat, mansard or shed roof; or to the midpoint of the roof if it is gable, hip or gambrel roof.

(19) *Building official*. The duly authorized employee or representative of the city charged with implementation, inspection and enforcement of the building codes.

(20) *Building, principal*. A principal building is one in which a main use of the lot on which it is located is conducted.

(21) *Building setback line*. A line defining an area on the building lot between the street right-of-way line and all other property lines and the building line within which no building or structure shall be constructed (also referred to as a "yard"), encroach or project except as specifically authorized in an adopted ordinance of the City of Rockwall. In the GR, C, DT, HC, RT, LI, [and] HI districts, underground parking garages shall not be required to meet side or rear setback requirements, but may be constructed from lot line to lot line.

(Ord. No. 10-14, § 69, 7-6-2010)

(a) *Front building setback line (defining a front yard)*. A line parallel to the street right-of-way line which the building faces, and takes its primary access from. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street (see examples).

(Ord. No. 06-14, 4-17-2006)

(b) *Side building setback line (defining a side yard)*. A line parallel to an adjacent lot which the building sides up to.

(Ord. No. 06-14, 4-17-2006)

(c) *Rear building setback line (defining a rear yard)*. A line parallel to an adjacent lot or alley, which the building backs up to and has its rear or secondary access from.

(Ord. No. 06-14, 4-17-2006)

(22) *Caliper*. The diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.

(23) *Canopy or shade tree*. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.

(24) *Carport*. A structure which is open on at least 2 sides, covered with a roof and constructed specifically for the storage of one or more automobiles; utility room may be included.

(25) *Certificate of occupancy*. A certificate issued by the zoning administrator or his authorized representative stating that the proposed use of the land and/or building conforms to the requirements of this [Unified Development Code].

(26) *City*. The City of Rockwall, Texas.

(27) *Clinic*. An institution, public or private, or a station for the examination and treatment of outpatients by a group of doctors, dentists, opticians, ophthalmologists, orthopedists, or other similar professional physicians.

(28) *Cluster development*. A method of development of land that permits variation in lot sizes without an increase in overall density of population or development. The use of permanent, open space may be one method used to offset the increased density of smaller residential lots.

(29) *Commercial Development.* Any development on private land that is not classified as industrial or residential development (*i.e. that consists of development being performed within the Residential Office [RO], Neighborhood Services [NS], General Retail [GR], Heavy Commercial [HC], or Commercial [C] Districts and that is based in office, retail, personal services, or similar land uses*).

(30) *Commission*. The planning and zoning commission of the City of Rockwall, Texas.

(31) *Comprehensive plan*. The comprehensive plan of the City of Rockwall and includes any unit or a part of such unit separately adopted and any amendment to such plan or parts thereof.

(32) *Condominium*. A multi-family dwelling unit, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roof, parking space, and the land when the building is not constructed on leased land.

(33) *Court*. An open unoccupied space, other than a yard, on the same lot with a building and which is bounded on two or more sides by the building.

(34) *Curb level*. The level of the established curb in front of the building measured at the center of such front, or in the case of a corner lot, along the abutting street where the mean curb level is the highest. Where

no curb has been established, the city engineer shall establish such curb or its equivalent for the purpose of this [Unified Development Code].

(35) *Density*. The ratio of dwelling units per gross acre of platted area being developed.

(36) *District*. A zone or geographic area within the municipality within which certain zoning or development regulations apply.

(37) *Dwelling unit*. Any building or portion thereof which is designed for or used primarily for residential occupancy, but not including hotels, boardinghouses or mobile homes, trailers, motor coaches or other recreational vehicles.

(a) *Triplex*. A building designed for and/or occupied exclusively by three families living independently of each other.

(b) *Fourplex*. A building designed for and/or occupied exclusively by four families living independently of each other.

(c) *Multiple*. A building designed for and/or occupied exclusively by five or more families living independently of each other.

(d) The determination of whether one family is living independently of another is based on one or more of the following criteria:

(1) Separate sanitary facilities.
(2) Separate kitchen facilities.
(3) Separate entrances.
(4) Separate utilities.

(38) *Dwelling unit, minimum square footage*. The minimum square footage required in each zoning district shall not include garages, porches, patios, eaves and/or other areas not part of the main, air-conditioned living space of the dwelling unit.

(Ord. No. 06-14, 4-17-2006)

(39) *Enhanced pavement*. Any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

(40) *Evergreen tree or shrub*. A tree or shrub of a species which normally retains its leaves throughout the year.

(41) *Family*. One or more persons who are related by blood, adoption or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a nonprofit, cost-sharing basis.

(42) *Fence*. Any wall or structure of any material for which the purpose is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building, or structure.

(43) *Floor area ratio*. The relationship of the gross floor area of all buildings on a lot to the total lot area. Parking structures shall be excluded in the calculation of the floor area ratio.

(44) *Frontage*. All the property abutting on one side of a street between two intersecting streets, measured

along the street line.

(45) *Garage apartment*. A dwelling unit attached to a private garage.

(46) *Garage, community*. A building or portion thereof, other than a public, private or storage garage as defined below, providing storage for motor vehicles with facilities for washing, but no other services, such garage to be in lieu of private garages within a block or portion of a block.

(47) *Garage, public*. A building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles, which is operated for commercial purposes.

(48) *Garage, storage*. A building or portion thereof, except those defined as private, a public, or a community garage providing storage for more than four motor vehicles, with facilities for washing but no other services.

(49) *Ground cover*. Natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

(50) *Height of yard or court*. The vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.

(51) *Impervious cover*. Roads, parking areas, buildings and other impermeable construction covering the natural land surface that prevent absorption of the water. Water quality basins, swells and other conveyances for overland drainage shall not be calculated as impervious cover.

(52) *Industrial Development.* Any development on private land that is not classified as commercial or residential development (*i.e. that consists of development being performed within the Light Industrial [LI] or Heavy Industrial [HI] Districts and that is based in warehouse, research/technology, light or heavy manufacturing, or similar land uses*).

(53) *Institutional use*. A nonprofit organization or building, public or private, for the benefit of the public including YMCA, YWCA, Boys Clubs, Scouts; educational facilities and schools, including day care centers and kindergartens; churches, temples, cemeteries, mausoleums or crematories for the deposit of the human dead; hospitals, civic clubs, private parks, private libraries, museums, etc.

(54) *Kindergarten*. A school for more than five children of preschool age, in which constructive endeavors, object lessons or educational games are prominent features of the curriculum.

(55) *Landscape architect*. A person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.

(56) *Landscape buffer*. A strip of land:

(a) Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and
(b) At least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).

(57) *Landscaping*. Trees, shrubs, ground cover, earthen berms, vines, grass, water, decorative features such as fountains, or other material approved by the city council.

(58) *Large shrub*. A shrub which normally reaches a height of six feet or more upon maturity.

(59) *Large tree*. A tree of a species which normally reaches a height of 30 feet or more upon maturity.

(60) *Legislative or governing body*. The city council of the City of Rockwall, Texas.

(61) *Loading space*. A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks and having a minimum dimension of 12 [feet] by 65 feet and a vertical clearance of at least 14 feet.

(Ord. No. 06-14, 4-17-2006)

(62) *Lot*. An undivided tract or parcel of land having frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

(63) *Lot area, minimum*. Includes internal sidewalks, recreation areas, floor space, parking area, open space and utility easements, but does not include any public right-of-way street easements or alley easements.

(64) *Lot, corner*. A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the building official, or as specified on an approved plat.

(65) *Lot depth*. The length of a line connecting the midpoints of the front and rear lot lines.

(66) *Lot[,] double frontage[,] or through lot*. A lot abutting on two nonintersecting public streets as distinguished from a corner lot.

(67) *Lot, frontage*. The length of street frontage between property lines.

(68) *Lot, interior*. A lot whose side lot lines do not abut upon any street.

(69) *Lot, irregular*. Any lot not having equal front and rear lot lines, or equal side lot lines; a lot, the opposite lot lines of which vary in dimension and the corners of which have an angle of either more or less than 90 degrees. A lot fronting on a sharp curve or cul-de-sac.

(70) *Lot lines*. The lines bounding a lot as defined herein.

(a) *Front lot line*. The property line between the front yard(s) and the contiguous street right-of-way boundary.

(Ord. No. 06-14, 4-17-2006)

(b) *Rear lot line*. The boundary line which is opposite and most distinct from the front street line; except that in the case of uncertainty the building inspector shall determine the rear line.

(c) *Side lot line*. The property line between two adjacent lots. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street.
(Ord. No. 06-14, 4-17-2006)

(71) *Lot of record*. A parcel of land which is part of a subdivision, the map or plat of which has been recorded in the office of the county clerk of Rockwall County; or a parcel of land not a part of an urban or town lot subdivision, the deed of which has been recorded in the office of the county clerk of Rockwall County prior to the adoption date of the ordinance from which this Unified Development Code is derived which has not been divided since recording.

(72) *Lot, reverse corner*. A corner lot whose front line faces at right angles to the front lot lines of the interior lots or whose rear lot line abuts the side lot lines of interior lots.

(73) *Lot width*. The horizontal distance between side property lines, measured at the front setback line.

(74) *Lots in separate ownership at the time of the passage of this [Unified Development Code]*. A lot whose boundary lines, along their entire length touched lands under other ownership as shown by plat or deed recorded in the office of the county clerk of Rockwall County on or before the date of the adoption of the ordinance from which this Unified Development Code was derived.

(75) *Maneuvering space*. The space entirely on private property required for maneuvering vehicles in such a manner as to preclude the backing of any vehicle into any street right-of-way.

(76) *Manufactured home or HUD-code manufactured home*. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 71, 7-6-2010)

(77) *Masonry*. Masonry construction shall be defined as construction composed of materials in the categories listed below and shall not include hollow clay tile or exposed lightweight block such as cinder block.

(78) *Modular*.

(a) Brick.
(b) Natural or quarried stone.
(c) Cast or cultured stone.
(d) Glass block or glass.
(e) Tile.
(f) Custom concrete masonry units (normal or heavy weight blocks with an integral color that is sandblasted, burnished or has a split face).

(79) *Mobile home*. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 72, 7-6-2010)

(80) *Modular homes*. Any permanent, single-family dwelling unit which has been prefabricated or factory constructed as a single unit or in sections or modules, and assembled at the factory or construction site and moved to a permanent location as a unit or in sections or modules, as a permanent single-family dwelling unit placed on a permanent foundation at such site and connected with all required utility services.

(81) *Municipal uses*. Facilities owned or controlled by the City of Rockwall, including, but not limited to, office buildings, maintenance shops, treatment plants; community centers.

(82) *Nonconforming use, building or yard*. A use, building or yard, which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated. It is a legal nonconforming use if established prior to the passage of this [Unified Development Code].

(83) *Non-permeable coverage*. Coverage with non-permeable pavement.

(84) *Parking area*. Space used exclusively for the parking of vehicles and where no other business is conducted paved to city specifications.

(85) *Parking space*. Area, not closer than six feet from the back edge of the curb, the width and length of which shall exceed by a minimum of two feet the dimensions of the type of vehicle normally to be parked in the space, and connected to a street or alley by a driveway affording satisfactory ingress and egress. The minimum dimension of a parking space shall be in accordance with the adopted ordinances of the City of Rockwall regarding off-street parking.

(86) *Patio home*. A single-family, residential dwelling unit that is most often a one-story L-shaped or U-shaped home utilizing the entire lot with an enclosed garden court for open space area. Fire retardant walls are utilized and additional open space is often provided by clustering the units.

(87) *Paving*. Material which provides an all-weather surface for the parking of vehicles. All required paving shall meet the standards specified by applicable city specifications.

(88) *Permitted use*. A use specifically allowed in one or more of the various districts without the necessity of obtaining a use permit.

(89) *Person*. Any individual, association, firm, corporation, governmental agency or political subdivision.

(90) *Place*. An open, unoccupied space other than a street or alley permanently established or dedicated as the principal means of access to property abutting thereon.

(91) *Planned development (PD)*. Includes a combination of different dwelling types and/or a variety of land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity, and comply with provisions of the ordinances governing planned developments.

(92) *Planned shopping center*. A group of architecturally unified commercial establishments built on a site which is planned, developed, owned and managed as one operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.

(93) *Planning consultant*. A private practitioner in planning, who is a member of the American Institute of Certified Planners (AICP).

(94) *Plat*. A map of a subdivision or site plan that represents a tract of land, showing the boundaries and location of individual properties and streets.

(95) *Recreational vehicle or travel trailer*. A vehicle which is:

(a) Built on a single chassis;
(b) 400 square feet or less when measured at the largest horizontal projections;
(c) Designed to be self-propelled or permanently towable by a light duty truck; and
(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(Ord. No. 10-14, § 73, 7-6-2010)

(96) *Residential Development.* Any development on private land that is not classified as industrial or commercial development (*i.e. that consists of development being performed within the Agricultural [AG], Single-Family Estate 1.5 [SFE-1.5], Single-Family Estate 2.0 [SFE-2.0], Single-Family Estate 4.0 [SFE-4.0], Single-Family 1 [SF-1], Single-Family 16 [SF-16], Single-Family 10 [SF-10], Single-Family 8.4 [SF-8.4], Single-Family 7 [SF-7], Zero Lot Line [ZL-5], Two-Family [2F], or Multi-Family 14 [MF-14] Districts that is based in residential land uses*).

(97) *Restaurant (limited service)*. A building or portion of a building, where the primary business is the on-premises sale of prepared food where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' location. Drive-through “pickup/order” window permitted provided that there is no public address system or speakers.

(98) *Retail*. The sale of goods directly to a consumer. Engaged in, pertaining to, or relating to the sale of merchandise at retail. To sell by individual items or by the piece, directly to a consumer.

(99) *Retail food store*. A retail establishment selling meats, fruits, vegetables, bakery products, light hardware, and other similar items which are purchased for use and consumption off the premises (may be drive-in or supermarket type).

(100) *Right-of-way line*. A dividing line between a lot, tract, or parcel of land and the public right-of-way.

(101) *Screening*. Screening that complies with the construction and maintenance regulations in section 5, Mandatory Provisions, except as those regulations may be expressly modified in this article.

(102) *Semi-public uses*. Public facilities including sanitary landfills, water treatment and supply facilities, and wastewater treatment facilities, but not including facilities owned or controlled by the city.

(103) *Setback*. See Building setback line.

(104) *Sign*. A name, identification, image, description, display or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs.

(105) *Site*. A combination of continuous lots that may or may not be owned separately, that will be developed under one unified plan, as if it were a single parcel of land.

(106) *Site plan*. The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, floodplain, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting, and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

(107) *Small tree*. A tree of a species which normally reaches a height of less than 30 feet.

(108) *Soil*. A medium that plants will grow in.

(109) *Space*. A plot of ground within a mobile home or recreational vehicle park designated for the accommodation of one mobile home or one recreational vehicle, together with such open space as required by this chapter.

(110) *Storage*. The accumulation, stocking, or depositing of materials or items. These may include materials for the eventual use or sale in a commercial enterprise, but does not include the storing of a personal car or truck on an individual residential lot.

(111) *Story*. That part of a building included between the surface of one floor and the surface of the floor next above, or, if there be no floor above, that part of the building which is above the surface of a floor and the ceiling next above. A top story attic is a half-story, when the main line of the eaves is not above the middle of the interior height of such story. The first story is a full story when over 50 percent of its exterior walls are exposed to outside light and air entirely above grade and which exterior walls contain windows or doors permitting entrance of daylight and outside air.

(112) *Street*. A public or approved private thoroughfare which affords the principal means of access to abutting property, excluding alleys, and as defined in the city's thoroughfare plan.

(113) *Street line*. The dividing line between the street right-of-way and the abutting property.

(114) *Structural alterations*. Any alteration involving a change in or addition to the supporting members of a building, such as bearing walls, columns, beams or girders.

(115) *Structure*. Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, signs, and excluding utility poles, fences and retaining walls.

(116) *Subdivision*. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

(117) *Urban Agriculture*. An industry located within or on the fringe of a town, a city or metro-area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying human and material resources, products and services largely to the urban area.

(118) *Variance*. Relief from or variation of the provisions of these regulations, other than use regulations, as applied to a specific piece of property, as distinct from rezoning, as further set out hereinafter in powers and duties of the board of adjustment.

(119) *Visibility Triangle*. The term “visibility triangle” as defined in article V, section 1.9 of this Unified Development Code.

(120) *Wall, exterior*. Any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.

(121) *Wholesale*. The sale of commodities for the purpose of resale, as to retailers or jobbers rather than to consumers directly; opposed to retail. Of, pertaining to, or engaged in sale at wholesale.

(122) *Xeriscaping*. A type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.

SUBSECTION 2.02: LAND USE DEFINITIONS

(A) *Agricultural and Animal Related Land Uses.*

(1) *Agricultural Uses on Unplatted Land*. Any area used for growing farm products, vegetables, fruits, trees, and grain and/or for the raising of farm animals (*e.g. horses, cattle, sheep, etc.*) -- *including the necessary accessory uses for raising, treating, and storing products raised on the premises* -- , but not including the commercial feeding, cultivation of offal (*i.e. entrails or internal organs*) to swine or other animals and not including any type of agriculture or cultivation that is specifically prohibited by this federal, state, or local law.

(2) *Animal Boarding/Kennel*. Any premises in which more than three (3) dogs or three (3) cats or three (3) of any other domesticated animal over the age of three (3) months -- *not including livestock or farm animals* -- are housed, boarded, raised or trained as a commercial enterprise. This definition does not include pet shops.

(3) *Animal Clinic for Small Animals without Outdoor Pens*. An establishment where small animals and pets are admitted for examination, medical treatment, and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.

(4) *Animal Hospital or Clinic*. A facility for the diagnosis, treatment, or hospitalization of animals.

(5) *Animal Production or Husbandry*. An agricultural operation specifically concerned with the raising of animals for meat, milk, eggs, or other products. *Animal Production or Husbandry* includes the *day-to-day* care, selective breeding and the raising of livestock.

(6) *Animal Shelter or Loafing Shed*. An agricultural structure that is typically built inside a pasture or paddock area that provides livestock with shade, water, and/or food.

(7) *Barn or Agricultural Accessory Building*. A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.

(8) *Crop Production*. An area for raising or harvesting agricultural crops such as wheat, field forage, and other plant crops intended to provide food or fiber.

(9) *Commercial Horse Corral or Stable*. A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.

(10) *Private Horse Corral or Stable*. A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, trained, or bred for the private use of the property owner.

(11) *Community Garden*. A use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (*e.g., hand tool storage sheds*) maintained and used by the group.

(12) *Urban Farm*. A use in which plants are grown for sale as products, and in which the plants or their biproducts are sold at the lot where they are grown or off-site, or both, and in which no other items are sold (*e.g. flower and vegetable raising, orchards and vineyards, etc.*).

(13) *Wholesale Nursery (i.e. without Retail Sales On-Site)*. An establishment for the cultivation and propagation, display, storage and wholesale of large plants, shrubs, trees and other materials used in the indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape materials as an accessory use.

(B) *Residential and Lodging Land Uses.*

(1) *Residential Accessory Building or Structure*. A subordinate building having a use customarily incidental to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.

(2) *Bed and Breakfast*. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.

(3) *Caretakers Quarters/Domestic or Security Unit*. A residence located on premises with a main residential or non-residential use and occupied only by a caretaker or guard employed on the premises.

(4) *Convent, Monastery, or Temple*. A facility or building occupied by a community of monks, nuns, priests, or similar sects living under religious vows.

(5) *Duplex*. A building designed and/or occupied exclusively by two (2) families living independently of each other on one (1) lot or parcel of land.

(6) *Commercial Garage*. Any premises and/or structures used for housing more than three (3) motor vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.

(7) *Residential Garage*. A residential accessory building used for the storage motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.

(8) *Guest Quarters/Secondary Living Unit*. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.

(9) *Home Occupation*. A commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.

(10) *Limited-Service Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.

(11) *Full-Service Hotel*. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security-controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.

(12) *Residence Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.

(13) *Motel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.

(14) *Multi-Family Structure or Development*. A development consisting of at least three (3) single-family dwelling units grouped into a single building or multiple buildings on an individual parcel of land. Examples of a *Multi-Family Development* include Triplexes, Quad or Fourplexes, apartments, condominiums, and etcetera.

(15) *Portable Building*. A temporary building that may or may not have a foundation and is transportable.

(16) *Residential Infill in or Adjacent to an Established Subdivision*. The new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.

(17) *Single-Family Attached Structure*. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).

(18) *Single-Family Detached Structure*. A single-family residential structure that is occupied by one (1) family, is situated on a single parcel of land, does not share a common wall or wall with any adjacent structures, and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).

(19) *Single-Family Zero Lot Line Structure*. A single-family detached structure that has a wall or walls that comes up to, or very near to, the edge of the property line on one (1) side of the property.

(20) *Private Swimming Pool*. A swimming pool constructed for the exclusive use of the property owner and/or residents of a single-family, duplex, multi-family structure or development. A private swimming pool shall not be operated as a business.

(21) *Private Tennis Court*. A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas except as may be otherwise permitted.

(22) *Townhouse*. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*). These units are typically constructed in a series or group of units.

(23) *Urban Residential*. A development situated within the City's Downtown (DT) District -- *which is also referred to as the urban core* -- that allows for multiple single-family dwelling units grouped into a single building. This type of structure typically contains a mix of office, retail, and residential land uses.

(C) *Institutional and Community Service Land Uses.*

(1) *Assisted Living Facility*. A facility that is licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code that furnishes -- *in one (1) or more buildings* – food, shelter, and limited assistance to persons who are unrelated to the proprietor of the establishment, and also provides personal care services.

(2) *Blood or Plasma Donation Center*. A facility that allows for a person or persons to donate or sell blood or plasma for use in medical or other products.

(3) *Cemetery/Mausoleum*. A land used intended to be used for the burial of the human or animal remains and dedicated for cemetery purposes, including crematories, mortuaries and funeral chapels if operated in connection with and within the boundaries of such cemetery.

(4) *Church/House of Worship*. A facility or area where people gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence.

(5) *College, University, or Seminary*. An institution established for educational purposes offering courses for study beyond the secondary education level. This land use shall exclude *Trade Schools*.

(6) *Convalescent Care Facility/Nursing Home*. A facility providing primarily inpatient health care, personal care, or rehabilitative services on a 24-hour basis over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision, but not hospitalization.

(7) *Congregate Care Facility/Elderly Housing.* A facility for long-term residence -- *exclusively for persons 62 years of age or older* -- who may need limited assistance with daily living activities, and which includes at a minimum each of the following amenities and personal care services: [*1*] private living quarters that are designed for a maximum of double occupancy and which no full kitchen facilities are permitted (i.e. no dishwasher or oven); [*2*] daily prepared meals in a common dining area; [*3*] housekeeping, laundry service, and private bus transportation service; [*4*] dedicated areas for social activities; and [*5*] dedicated areas for indoor and outdoor recreation activities.

(8) *Crematorium*. A facility licensed, or qualified to be licensed, by the State of Texas for the cremation of human remains.

(9) *Daycare with Seven (7) or More Children*. A state licensed facility -- *other than a public, parochial, or private school* -- providing care for seven (7) or more children under the age of 14 years old for less than 24-hours per day (*typically daytime hours only*) at a location other than a residence.

(10) *Emergency Ground Ambulance Services*. A facility that houses Emergency Medical Service (EMS) motor vehicles or ambulances that are dispatched to offer emergency paramedic services that require an urgent medical response.

(11) *Group or Community Home*. A home for disabled persons whose ability to care for themselves, perform manual tasks, learn, work, walk, see, hear, speak or breath is substantially limited because the person has an orthopedic, visual, speech, or hearing impairment, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.

(12) *Government Facility*. An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to: City services/offices, employment offices, police and fire stations, and/or motor vehicle licensing and registration services.

(13) *Halfway House*. A facility where persons are aided in readjusting to society following a period of imprisonment, hospitalization, homelessness, or institutionalized treatment.

(14) *Hospice*. A facility designed to provide a centralized program for palliative and supportive services to dying persons and their families in the form of physical, psychological, social, and spiritual care either directly or on a consulting basis.

(15) *Hospital.* An institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.

(16) *Public Library, Art Gallery, or Museum.* An institution for the collection, display and distribution of objects of art, science, or library sciences and which are sponsored by a public or quasi-public agency that is open to the general public.

(17) *Mortuary or Funeral Chapel.* A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of a deceased for burial and/or the display of the deceased through ceremonies prior to burial or cremation.

(18) *Local Post Office.* A local branch of the United States Postal Services or a private commercial venture engaged in the distribution of mail, packages, and incidental services.

(19) *Regional Post Office.* A branch of the United States Postal Services or a private commercial venture engage in the regional distribution of mail and packages to local post offices.

(20) *Prison/Custodial Institution.* A facility responsible for the incarceration of adults that provides 24-hour supervision by professionals. These types of facilities include prisons, jails, and probation facilities.

(21) *Public or Private Primary School*. A school that is either owned and operated by the independent school district or a private commercial organization for children from five (5) to 11-years of age to receive their primary or elementary education.

(22) *Public or Private Secondary School*. A school that is either owned and operated by the independent school district or a private commercial organization for children from 11 to 18-years of age to receive their secondary or high school education.

(23) *Temporary Education Buildings for a Public or Private School*. A temporary building for classrooms, recreation and administrative needs for the independent school district or a private commercial organization as defined by Section 1202, *Industrialized Housing and Buildings*, of the Texas Occupations Code.

(24) *Rescue Mission or Shelter for the Homeless*. A non-profit housing shelter operating as an accessory use to a religious facility, providing temporary free lodging for indigent individuals or families with no regular home or residential address. A *Rescue Mission or Shelter for the Homeless* shall house a maximum of 15 individuals for a period not to exceed a maximum of 30-days.

(25) *Social Service Provider (Except Rescue Mission or Shelter for the Homeless)*. Any organization operating under a non-profit charter, the activities of which are devoted exclusively to charitable, benevolent, patriotic, employment related, or educational purposes not currently listed elsewhere in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(D) *Office and Professional Land Uses.*

(1) *Financial Institution*. A facility that is open to the public for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds and that is licensed by the appropriate state or federal agency as a bank, savings and loan association, or credit union. Accessory uses may include automatic teller machines, drive through service, offices, and parking. This excludes bail bonds, pawnshops, payday advance/loan businesses, and motor vehicle title loan businesses.

(2) *Office Building*. A facility that provides executive, management, administrative, or professional services not specifically listed elsewhere in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(E) *Recreation, Entertainment and Amusement Land Uses.*

(1) *Temporary Carnival, Circus, or Amusement Ride*. A temporary, traveling show or exhibition that has no permanent structure or installation, and is intended to attract people to a site where there may or may not be an admission charge. These activities include: carnivals, circuses, rides, entertainment,

gaming booths, food stands, exhibitions, and animal displays. Outdoor or indoor commercial amusement provided on a temporary basis.

(2) *Indoor Commercial Amusement/Recreation*. Any enterprise whose main purpose is to provide the general public with a variety of amusing or entertaining activities, including such activities as skating rinks, bowling alleys, video arcades, billiard tables and similar enterprises, but does not include theaters and auditoriums.

(3) *Outdoor Commercial Amusement/Recreation*. An amusement enterprise that offers entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open.

(4) *Public or Private Community Recreation Club as an Accessory Use*. (1) *Public:* A facility or area that is owned and/or operated by a nonprofit organization and that provides for sports, leisure, and recreation activities operated for the general public. (2) *Private:* A recreation facility operated for the exclusive use of private residents or neighborhood groups and their guests, and not the general public.

(5) *Private Country Club.* A facility or area laid out for recreational, athletic, and social purposes, with limited membership, and the use of which is primarily restricted to members and their guests. A golf course may be included as an additional principal use. Accessory uses may include retail sales, a club house, and other recreational facilities.

(6) *Golf Driving Range.* An area improved with trees, greens, fairways, hazards, and which may include a clubhouse, dining room, and accessory recreational uses.

(7) *Temporary Fundraising Events by Non-profit.* An event sponsored by a recognized legal nonprofit organization, intended to attract people to a site where there may or may not be an admission charge.

(8) *Gun Club with Skeet or Target Range.* A facility or area for the sport of shooting at targets to test accuracy in rifles, pistols, or archery practice, owned or operated by a corporation, association, or persons.

(9) *Health Club or Gym.* A public or private facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include -- *but are not limited to* -- game courts, weight lifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.

(10) *Private Club, Lodge or Fraternal Organization.* (1) *Private Club.* Private quarters for a private organization, a principal purpose of which is the preparation and service of food and/or drink for members and their guests only and falling within the definition of and permitted by Chapter 32, *Private Club Registration Permit*, of the Texas Alcoholic Beverage Code. (2) *Lodge or Fraternal Organization.* A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics, or other similar interests, but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues, or other houses of worship or religious assembly.

(11) *Private Sports Arena, Stadium, and/or Track.* An athletic field or stadium that is not owned or operated by a public agency such as a city or school and operated for the exclusive use of its members and their guests and not the general public

(12) *Public Park or Playground.* A facility or area for recreational, cultural, or aesthetic use owned or operated by a public agency and available to the general public. This definition may include -- *but is*

not limited to -- lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, pavilions, wooded areas, and water courses.

(13) *Sexually Oriented Businesses.* See Article XI, *Sexually Oriented Businesses*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances.

(14) *Tennis Courts (i.e. Not Accessory to a Public or Private Country Club).* A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances. This would be the primary use for a property and not attached to a Public or Private Country Club.

(15) *Theater.* A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment-related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators. Such establishments may include incidental services such as food and beverage sales and other concessions.

(F) *Retail and Personal Service Land Uses.*

(1) *Antique/Collectible Store*. A retail establishment that engages in the selling of works of art, furniture or other artifacts of an earlier period.

(2) *Astrologer, Hypnotist, or Psychic*. An establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.

(3) *Banquet Facility/Event Hall*. An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.

(4) *Portable Beverage Service Facility*. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place to place but that stays at one location during a normal business day; food sales are prohibited in these facilities.

(5) *Brewpub.* A brewpub is a restaurant that incorporates a craft or microbrewery as an accessory use. The craft or microbrewery in conjunction with the restaurant allows for the manufacturing of beer -- *in limited quantities* -- for both on-premise and off-premise consumption.

(6) *Business School.* A business organized to operate for profit that offers instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.

(7) *Catering Service.* A food establishment without on-site banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.

(8) *Temporary Christmas Tree Sales Lot and Similar Uses.* A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.

(9) *Copy Center.* An establishment that reproduces, in printed form, individual orders from a business, profession, service, industry, or government organization.

(10) *Craft/Micro Brewery, Distillery and/or Winery.* A *craft/microbrewery* is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A *distillery and/or winery* is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24% alcohol by volume, distilled spirits and other liquors.

(11) *Incidental Display.* An outdoor retail sale or commercial promotion, not in excess of thirty (30) days during any 12-month period, adjacent to an existing permanent business operated in the city where the products displayed or sold outdoors are the same as those sold inside the existing permanent business and where such activity is incidental to the normal conduct of business operated by the same merchant or his employer in an on-site building for which a valid Certificate of Occupancy (CO) exists and when permitted by the City.

(12) *Food Truck/Trailer.* A food truck or trailer is a mobile food vendor that sells food and/or beverages that are either pre-packaged or prepared in the confines of a portable truck/trailer, which can be moved from place to place, but is typically in a fixed location for extended periods of time.

(13) *Garden Supply/Plant Nursery.* An establishment for the cultivation and propagation, display, storage and sale (*i.e. retail and wholesale*) of large plants, shrubs, trees and other materials used for in indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use.

(14) *General Personal Service.* Establishments primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, dry-cleaning and laundry pick-up stations, tailor or seamstress, and reducing salons/health clubs.

(15) *General Retail Store.* A facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; pets; drugs; hardware; and similar consumer goods. This use does not include uses that are specifically addressed in Section 1, *Land Use Schedule,* of Article IV, *Permissible Uses*.

(16) *Hair Salon and/or Manicurist.* A business that provides customers with beauty treatments including -- *but not limited to* -- haircuts, manicures, pedicures, and other similar treatments.

(17) *Laundromat with Dropoff/Pickup*. A personal service shop that specializes in cleaning clothes that may or may not include coin-operated washing machines and dryers for public use.

(18) *Self-Service Laundromat.* A facility where patrons wash, dry or dry clean clothing and other fabrics in machines operated by the patron.

(19) *Massage Therapist.* Any building, room, place, or establishment other than where regularly licensed non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by a licensed massage therapist, physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath, with or without the use of therapeutic, electrical, mechanical, or bathing devices.

(20) *Private Museum or Art Gallery.* An institution for the collection, display and distribution of objects of art or science, and which is sponsored by a public or quasi-public agency in a facility that is open to the general public.

(21) *Night Club, Discotheque, or Dance Hall.* An establishment, facility, or room that offers or provides entertainment of any kind for remuneration, whether through fees, ticket sales, cover charges, membership, dues, or portion of funds generated in any other manner, usually collected at the time of customer entry into the establishment. Such establishments may provide accommodations for patron dancing; dispense alcoholic beverages for consumption on the premises; provide live, recorded, or televised music or comedy performances; and/or serve food as an ancillary service. *Night Club* shall not include indoor theaters, auditoriums and stadiums with fixed row seating, private clubs, bars, teen clubs, banquet halls, or establishments defined elsewhere in Section 1, *Land Use Schedule*.

(22) *Pawn Shop.* A retail operation which provides for the lending of money with personal items held as collateral, or the purchasing, or the repurchasing of gold, silver, jewelry, watches, and gems in addition to other merchandise.

(23) *Permanent Cosmetics.* A cosmetic technique which employs permanent pigmentation of the dermis as a means of producing designs that resemble makeup, such as eye-lining and other permanent enhancing colors to the skin of the face, lips, and eyelids.

(24) *Pet Shop.* A *Pet Shop* is a retail business which sells different kinds of animals to the public. A variety of animal supplies and pet accessories are also sold in *Pet Shops*. The products typically sold in these establishments include -- *but are not limited to* -- food, treats, toys, collars, leashes, cat litter, cages and aquariums.

(25) *Temporary Real Estate Sales Office.* *Temporary ~~on-site~~ Real Estate Sales Offices* located on property being sold, shall be limited to the period of sale of the lots with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official.

(26) *Rental Store without Outside Storage and/or Display.* A retail business that sells, rents, or leases tools, equipment, or other goods on a short-time basis to customers to the extent that the item is actually used by the customer.

(27) *Restaurant with Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.

(28) *Restaurant without Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premise and does not provide facilities that allow the serving and consumption of food in personal vehicles on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.

(29) *Retail Store with Gasoline Sales.* An establishment that engages in the sale of fuel, lubricants, and/or accessories for motor vehicles, and that may have ancillary retail sales of convenience goods. A dispenser in a *Retail Store with Gasoline Sales* is assumed to serve two (2) standard motor vehicles.

(30) *Second Hand Dealer.* An establishment for the sale of any goods, materials, or other articles of merchandise that are not new (*e.g. consignment stores*). This definition includes items that have been used or worn previously by another.

(31) *Art, Photography, or Music Studio.* A workplace for the teaching, preparation, or practice of an art such as animation, ceramics, dance, graphic design, music, painting, photography, pottery, scrapbooking, and sculpture.

(32) *Tailor, Clothing, and/or Apparel Shop.* An establishment engaged in custom making, altering, or the repair of clothing.

(33) *Tattoo and/or Body Piercing.* An establishment whose principal business activity, either in terms of operation or as provided to the general public, is the practice of one (1) or more of the following: [*1*] placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin, by means of the use of needles or other instruments designed to contact or puncture the skin; [*2*] creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

(34) *Taxidermist Shop.* A facility engaged in the preserving of an animal's body via mounting or stuffing for the purpose of display or study.

(G) *Commercial and Business Services Land Uses.*

(1) *Bail Bonds*. An establishment that solicits, negotiates, and executes bonds or other security to guarantee the appearance in court of a person accused of a crime.

(2) *Building and Landscape Material.* An establishment for the sale of materials customarily used in the construction of buildings and other structures, including sales of lumber, drywall and similar construction materials.

(3) *Building Maintenance, Service, and Sales*. A facility or area for contracting services such as building repair and maintenance; the installation of plumbing, electrical, air conditioning, and heating equipment; janitorial services; and exterminating services. The retail sale of supplies is permitted as an accessory use.

(4) *Commercial Cleaners*. A facility or area for cleaning items in bulk quantities such as clothes and linens. This definition includes cleaning for hospitals, restaurants, hotels, diaper cleaning services, and other similar accounts, as well as rug and dry-cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant.

(5) *Custom and Craft Work*. A facility or area in which finished, personal, or household items that are either made to order or that involve considerable handwork are produced. Examples include but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting, and other work or wood products on an individualized single item basis. Cabinetmaking and cabinet assembly shops are not included in this definition. The use of mechanized assembly line production is excluded from this definition.

(6) *Electrical, Watch, Clock, Jewelry, and Similar Repair.* An establishment that designs, makes, sells or repairs small consumer goods.

(7) *Feed Store, Ranch Supply*. An establishment for the selling of corn, grain, and other food stuffs for animals and livestock, and including other implements and goods related to agricultural processes, but not including farm machinery.

(8) *Furniture Upholstery/Refinishing and Resale*. A furniture upholstery refinishing or resale business is a business that engages in the act of reupholstering, repairing, stripping, refinishing, restoring or rebuilding furniture for the purpose of retailing the finished good.

(9) *Gunsmith Repair and Sales.* An establishment that specializes in the repair and/or sale of small fire arms (*e.g. handguns and shotguns*) for individuals.

(10) *Heavy Machinery and Equipment Rental, Sales, and Service*. A building or open area, other than a right-of-way or a public parking area, used for the display, sale, rental, and storage of heavy

machinery, either machines in general or as a functioning unit. Heavy machinery includes -- *but is not limited to* -- tractors, farm machinery, bulldozers, street graders, and paving devices.

(11) *Locksmith.* A business that works with locks, keys and security systems.

(12) *Machine Shop*. A shop wherein there are facilities and tools, which are utilized in the shaping and forging, welding or fabricating of metal products and/or related items.

(13) *Medical or Scientific Research Lab*. A facility or area for conducting medical or scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition also includes labs for the manufacture of dentures and prostheses.

(14) *Manufactured Homes Sales*. The offering for sale, storage, or display of new and/or used manufactured homes on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

(15) *Research and Technology/Light Assembly*. An indoor facility that includes laboratories and experimental equipment for medical testing, prototype design and development, and product testing.

(16) *Shoe and Boot Repair and Sales*. A business that specializes in the sale and repair of shoes and boots.

(17) *Trade School*. Establishments, other than public or parochial schools, private primary or secondary schools, or colleges, offering training or instruction in a trade, art, or occupation.

(18) *Temporary On-site Construction Office*. A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment.

(H) *Auto and Marine-Related Land Uses Conditions.*

(1) *Major Auto Repair Garage*. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90-days.

(2) *Minor Auto Repair Garage*. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.

(3) *Automobile Rental*. A business that engages in the rental of light load motor vehicles for short periods of time for a fee. This use excludes the truck and heavy equipment rental.

(4) *Boat and Trailer Dealerships (New and Used)*. A business that buys and sell boats and boat trailers that are both new and used.

(5) *Car Wash*. A facility or area for the cleaning or steam cleaning, washing, polishing, or waxing of passenger vehicles by machine or hand-operated facilities. A car wash may be [*1*] a single unit type

that has a single bay or a group of single bays with each bay to accommodate one vehicle only; or [*2*] a tunnel type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

(6) *New and/or Used Indoor Motor Vehicle Dealership/Showroom*. The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.

(7) *Motor Vehicle Dealerships for Cars and Light Trucks*. Retail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles within an area or enclosed building.

(8) *Commercial Parking Lot.* An area or structure intended for parking that is operated as a business enterprise with a service charge or fee being paid to the owner or operator for the storage or parking of privately-owned vehicles, and is not reserved or required to accommodate occupants, clients, customers, or employees of a particular establishment or premises.

(9) *Non-Commercial Parking Lot*. An area, structure, or shared area that is open to the general public for the temporary parking of operable personal and light commercial vehicles.

(10) *Recreational Vehicle (RV) Sales and Service.* An establishment that engages in the sale and/or leasing of new and/or used recreation vehicles (including as an accessory use) and the repair and service of these vehicles.

(11) *Service Station*. An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tuneups, lubrication, and minor repairs may also be provided if incidental to such principal use.

(12) *Towing and Impound Yard*. Any lot that two (2) or more motor vehicles of any kind of for the purpose of holding such vehicles in reserve or incapable of being operated due to condition or lack of license have been placed for the purpose of obtaining parts for recycling or resale.

(A) *Conditional Standards.*

(13) *Towing Service without Storage*. Establishment that provides for the removal of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.

(14) *Truck Rental*. The display and rental of new or used heavy commercial vehicles or trucks in operable condition.

(15) *Truck Stop with Gasoline Sales and Accessory Services*. An area for parking heavy commercial vehicles and/or trucks for storage purposes including the retail dispensing and/or sales of truck and automobile fuels, lubricants and/or accessories as an accessory use and not including automotive repair services.

(I) *Industrial and Manufacturing Land Uses.*

(1) *Asphalt or Concrete Batch Plant*. A permanent manufacturing facility for the production of concrete or asphalt.

(2) *Temporary Asphalt or Concrete Batch Plant.* A temporary manufacturing facility for the production of concrete or asphalt during construction of a project and to be removed when the project is completed.

(3) *Bottle Works, Milks, or Soft Drinks.* A facility for food or beverage processing that uses mechanized assembly line production for canned or bottled goods.

(4) *Brewery or Distillery*. A brewery or distillery is an industrial facility where the primary purpose of the facility is the manufacturing of malt, brewed and/or distilled beverages produced on the premises for sale or distributed for off-premise consumption.

(5) *Carpet and Rug Cleaning*. A personal service business that specializes in the cleaning of carpet and rugs in both residential and non-residential structures.

(6) *Environmentally Hazardous Materials*. Any solid, liquid, or gaseous matter which is present in sufficient quantities to endanger health, safety, or comfort of persons in the vicinity or which may cause injury or damage to property.

(7) *Food Processing with No Slaughtering.* A facility or area in which food for human consumption in its final form, such as candy, baked goods, tortillas, and ice cream is produced, and the food is distributed to retailers or wholesalers for resale on or off the premises. Food or beverage processing using mechanized assembly line production of canned or bottled goods is excluded from this definition. Sales may either be retail or wholesale, and are generally made to businesses rather than to individual households.

(8) *Light Assembly and Fabrication.* A business where parts, manufactured elsewhere, are assembled with the assistance of power-driven machines and materials-handling equipment, and manipulated primarily by hand which produces low dust and fiber, and all materials are assembled and stored within an enclosed building.

(9) *Heavy Manufacturing*. A facility or area for generally mass-producing goods usually for sale to wholesalers or other industrial or manufacturing uses. A heavy manufacturing use is one which employs the following or similar types of processes: [*1*] the milling of grain as retail sales and service; [*2*] producing animal food and tanning animal hides; [*3*] production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, or airplanes; [*4*] canning or bottling of food or beverages for human consumption using a mechanized assembly line; [*5*] manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents, and other chemical products, and use of a foundry for metals; [*6*] production of items made from stone, clay, metal, or concrete; and, [*7*] tire recapping or retreading.

(10) *Light Manufacturing*. A facility or area for producing goods without the use of chemical processing of materials. Light manufacturing activities include -- *but are not limited to* -- the following activities: [*1*] assembly, finishing, and/or packaging of small items from component parts made at another location (examples include but are not limited to cabinetmaking, or the assembly of clocks, electrical appliances, or medical equipment); [*2*] production of items made from materials derived from plants or animals, including but not limited to leather, pre-milled wood, rubber, paper, wool, or cork, or from textiles or plastics; [*3*] electrical component manufacturing; [*4*] reproduction, cutting, printing, or binding of written materials, drawings, or newspapers on a bulk basis using lithography, offset printing, blue printing, and other similar methods; [*5*] machine or welding shop where material is processed by machining, cutting, grinding, welding, or similar processes; and, [*6*] spray painting or motor vehicle conversion.

(11) *Metal/Electro Plating*. The process that uses an electric current to reduce dissolved metal cations so that they form a thin coherent metal coating on an electrode.

(12) *Mining and Extraction (Sand, Gravel, Oil and Other)*. The process of extracting natural resources from the earth that includes -- *but is not limited to* -- sand, gravel, stone, and petroleum.

(13) *Printing and Publishing.* An establishment whose primary service is long-run printing including -- *but not limited to* -- book, magazine, and newspaper publishing.

(14) *Indoor Salvage or Reclamation of Products.* An indoor facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes indoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.

(15) *Outdoor Salvage of Products.* An outdoor or partially outdoor facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes outdoor or partially outdoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.

(16) *Sheet Metal Shop.* A company that specializes in the creation of metal structures by cutting, bending and assembling processes.

(17) *Tool, Dye, Gauge, and Machine Shop.* A workshop were metal fabrication tools, including but not limited to lathes, presses, and mills, are used for making finishing, or repairing machines or machine parts.

(18) *Welding Repair.* A technique in which a cracked material is removed by arc gouging and the element is welded to re-join the material on either side of the crack.

(19) *Winery*. A winery is the industrial manufacturing, bottling, labeling and packaging of wine in accordance with the Texas Local Government Code (TLGC).

(J) *Wholesale, Distribution and Storage Land Uses.*

(1) *Cold Storage Plant.* A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.

(2) *Heavy Construction/Trade Yard.* A land or structure used primarily for the storage of equipment, vehicles, machinery, building materials, paint, piping, or electrical components being used by the owner or occupant of the premises in the conduct of a building trade.

(3) *Landfill.* A tract of land used for the burial of farm, residential, institutional, or commercial waste that is not hazardous, medical, or radioactive.

(4) *Mini-Warehouse.* A *Mini-Warehouse* (*or self-storage facility*) is an enclosed storage facility containing independent, fully enclosed bays that are generally leased to individuals for long-term storage of their household goods or personal property.

(5) *Outside Storage and/or Outside Display*. The permanent or continuous keeping, displaying, or storing of unfinished goods, material, merchandise, equipment, service vehicles or heavy vehicles outside of a building on a lot or tract overnight of for more than 24-hours.

(6) *Recycling Collection Center*. An enclosed trailer used for the collection and temporary storage of empty beverage containers, aluminum, glass, plastic, paper, clothing, or similar materials for recycling purposes. This definition includes automated can banks that crush cans as they are deposited. This definition does not include donation boxes for clothing, toys, household goods, and similar items.

(7) *Warehouse/Distribution Center*. A building used primarily for the storage and distribution of goods, merchandise, supplies, and equipment including wholesalers which display, sell, and distribute merchandise to business representatives for resale but excluding *Truck Terminal*.

(8) *Wholesale Showroom Facility*. An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area.

(K) *Utilities, Communications, and Transportation Land Uses.*

(1) *Airport, Heliport, or Landing Field.* An area used or intended for use for the landing and takeoff of aircraft and other aviation uses; An appurtenant area used or intended for use for an airport building or other airport facility or right-of-way, including a building or facility for the shelter, supply, repair, and maintenance of aircraft and related purposes; An airport building or facility located on an appurtenant area; Facilities for the fueling of aircraft; Buildings for office use; and Related uses and buildings and other uses and buildings incidental to any of the foregoing.

(2) *Accessory Antenna.* Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves. Antennae may be mounted on towers or on buildings, and may be concealed or unconcealed.

(3) *Commercial Antenna.* Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain.

(4) *Antenna for Amateur Radio.* Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.

(5) *Antenna Dish.* An antenna that is parabolic or bowl-shaped and that receives and/or transmits signals in a specific directional pattern

(6) *Commercial Freestanding Antenna.* A self-supporting, tubular-shaped antenna support structure which consists of a single vertical pole fixed into the ground and/or attached to a foundation.

(7) *Mounted Commercial Antenna.* Any exterior transmitting or receiving device mounted on or within a support structure, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, television signals, or other communications signals.

(8) *Bus Charter and Service Facility.* A facility for the loading and discharging of train or bus passengers.

(9) *Helipad.* An area of land or water or a structural surface which is used, or intended for use, for the landing and taking-off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.

(10) *Non-Municipally Owned or Controlled Utilities.* The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are non-municipally owned or controlled.

(11) *Municipally Owned or Controlled Facilities, Utilities, and Uses.* The use of land for lines and facilities

related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are municipally owned or controlled.

(12) *Private Streets.* A private vehicular access way shared by and serving 2 or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of the Subdivision Ordinance. The term "private street" shall be inclusive of alleys.

(13) *Radio Broadcasting.*

(14) *Railroad Yard or Shop.* A facility used for the storage of railway cars, boxcars and engines and related equipment.

(15) *Recording Studio.* A facility that provides an environment for the purposes of writing, collaborating, preforming, instruction, preparing, or completing audio recordings.

(16) *Satellite Dish.*

(17) *Solar Energy Collector Panels and Systems.* A ground- or building-mounted solar collection system consisting of solar photovoltaic cells, panels, or arrays and related equipment that relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation, and that supplies electrical power independently of an electrical production and distribution network.

(18) *Transit Passenger Facility.* Any premises for the loading and unloading of passengers by a public or private transit company including the temporary parking of transit vehicles between routes or during stop overs and excluding overnight parking, storage, and maintenance of transit vehicles. This definition shall not include bus stops along rights-of-way.

(19) *Trucking Company.* An area and building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment.

(20) *TV Broadcasting and Other Communication Services.* The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

(21) *Franchise Utilities.* A non-public utility requiring special facilities in residential areas or on public property such as heating, cooling, or communications not customarily provided by the municipality or public utilities.

(22) *General Utility Installation.* Permanent facilities and structures operated by companies engaged in providing transportation and utility services including -- but not limited to -- railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.

(23) *Utility/Transmission Lines.* Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the city or private utility company.

(24) *Wireless Communication Tower.* Any structure that is designed and constructed primarily for the purpose of supporting one or more antennae that transmit information (audio, video, data) in the form of electromagnetic signals to one or more receivers without the use of a physical connection between the transmitting and receiving source. The term includes but is not limited to lattice towers, guyed towers, and monopole towers. The term does not include a clock tower, bell tower, steeple, light pole, power

pole, water tower, or similar structure that incidentally supports antennae. Towers may be freestanding or building-mounted, and may be concealed or unconcealed.

270

ARTICLE XI, FENCES, CHAPTER 10, BUILDING AND BUILDING REGULATIONS, MUNICIPAL CODE OF ORDINANCES

DIVISION 1: GENERALLY

SECTION 10-402: DEFINITIONS

For the purposes of this article, the term “fence” means any wall or structure of any material, the purpose of which is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building or structure.

DIVISION 2: CONSTRUCTION STANDARDS

SECTION 10-424: FENCE STANDARDS

For *Fence Standards* see Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

SECTION 10-425: SWIMMING POOL, SPA AND HOT TUB/BARRIER REQUIREMENTS

(a) The top of the barrier shall be at least 48 inches (1,219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches (102 mm).

(b) Openings in the barrier shall not allow passage of a four-inch-diameter (102 mm) sphere.

(c) Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

(d) Placement of members.

(1) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1,143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
(2) Exception. Boards with a minimum 60-degree angle, cut and placed at the top of the horizontal fence members, may be used on existing fences that will become pool barriers. This exception does not apply to fences adjacent to public right-of-way.

(e) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1,143 mm) or more, spacing between vertical members shall not exceed four inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

(f) Maximum mesh size for chainlink fences shall be a 2.25-inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom, which reduce the openings to not more than 1.75 inches (44 mm).

(g) Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).

(h) Access gates shall comply with the requirements of subsections (a) through (g) of this section, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device.

Where the release mechanism of the self-latching device is located less than 54 inches (1,372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

(1) The release mechanism shall be located on the pool side of the gate at least three inches (76 mm) below the top of the gate; and
(2) The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

(i) Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

(1) The pool shall be equipped with a powered safety cover in compliance with ASTM F1346;
(2) All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within seven seconds and sound continuously for a minimum of 30 seconds immediately after the door and/or its screen, if present are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds. The deactivation switch shall be located at least 54 inches (1,372 mm) above the threshold of the door; or
(3) Other means of protection, such as self-closing doors with self-latching devices, which are approved by the city council, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by subsection (i)(1) or (i)(2) of this section.

(j) Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then:

(1) The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
(2) The ladder or steps shall be surrounded by a barrier which meets the requirements of subsections (a) through (i) of this section. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a four-inch-diameter (102 mm) sphere.

(k) Fence barrier exceptions for spas or hot tubs are as follows:

(1) Safety covers for spas and hot tubs must comply with ASTM F1346-91.
(2) There should be a means of fastening the safety cover to the hot tub or spa, such as key locks, combination locks, special tool, or similar devices.
(3) The safety cover should have a label that provides a warning and message regarding the risk of drowning.
(4) The cover should have been tested to demonstrate that it is capable of supporting the weight of one child (50 pounds) and one adult (225 pounds).
(5) There shall be no openings in the cover itself or at any point where the cover joins the surface of the hot tub or spa that would not allow a four-inch sphere to pass through.
(6) Safety covers are to be installed in accordance with the manufacturer's instructions.

(Ord. No. 04-05, § 1(6-128), 1-20-2004; Ord. No. 06-10, § 1(6-128), 3-20-2006; Ord. No. 08-03, § 1(exh. A, art. IX(6-129)), 1-22-2008)

SECTIONS 10-426—10-445: RESERVED

DIVISION 3. - ADMINISTRATION

SECTION 10-446: INSPECTION UPON COMPLETION

Upon completion of a fence constructed under a permit issued by the building official, an inspection shall be made thereof by the building official or his designated representative. If the fence is constructed in accordance with the provisions of this article, the permit, and the application, the building official will issue written notice of acceptance to the permit holder. Any and all fences in the city shall hereafter be constructed under the provisions of this article and existing fences shall be maintained so as to comply with the requirements of this article at all times.

(Ord. No. 04-05, § 1(6-130), 1-20-2004)

SECTION 10-447: RESERVED

SECTION 10-448: MAINTENANCE

(a) No person owning, leasing, occupying, or having charge of any premises shall maintain or keep a fence in dilapidated condition that, although functional, creates an unsightly condition that substantially detracts from the appearance of the neighborhood.

(b) Each structural and decorative member of a fence shall be free of deterioration and be compatible in size, material, and appearance with the remainder of the fence. Fences shall not be externally braced in lieu of replacing or repairing posts, columns, or other structural members.

(c) The fence shall not be out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence. Except, however, for fencing four (4) feet or less in height, the vertical alignment shall not be more than six (6) inches from the vertical measured at the top of the fence.

(d) Upon becoming aware of conditions set forth in subsections (a) through (c) of this section, the Neighborhood Improvement Services Representative shall make a determination as to whether the fence condition is a nuisance and should be abated. If so, the Neighborhood Improvement Services Representative shall give notice to such person having control of the premises to remedy such condition within ten days, unless good cause can be shown that additional time is needed to rectify the condition.

(Ord. No. 04-05, § 1(6-133), 1-20-2004; Ord. No. 17-15, § 1, 3-20-2017)

SECTIONS 10-449—10-465: RESERVED

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*, ARTICLE IV, *PERMISSIBLE USES*, ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*, ARTICLE VIII, *LANDSCAPE STANDARDS*, ARTICLE X, *PLANNED DEVELOPMENT DISTRICT REGULATIONS*, ARTICLE XI, *ZONING RELATED APPLICATIONS*, AND ARTICLE XIII, *DEFINITIONS,* OF THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*], AND ARTICLE XI, *FENCES*, OF CHAPTER 10, *BUILDING AND BUILDING REGULATIONS*, OF THE MUNICIPAL CODE OF ORDINANCES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article II, *Authority and Administrative Procedures*; Article IV, *Permissible Uses*; Article V, *District Development Standards*; Article VIII, *Landscape Standards*; Article X, *Planned Development Regulations*; Article XI, *Zoning Related Applications*; and Article XIII, *Definitions,* of the Unified Development Code [*Ordinance No. 04-38*]; and Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] and Municipal Code of Ordinances should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That Article II, *Authority and Administrative Procedures,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance.

SECTION 2. That Article IV, *Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'B'* of this ordinance.

SECTION 3. That Article V, *District Development Standards,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'C'* of this ordinance.

SECTION 4. That Article VIII, *Landscape Standards,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'D'* of this ordinance.

DRAFT ORDINANCE 09.12.19

SECTION 5. That Article X, *Planned Development Regulations,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'E'* of this ordinance.

SECTION 6. That Article XI, *Zoning Related Applications,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'F'* of this ordinance.

SECTION 7. That Article XIII, *Definitions,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'G'* of this ordinance.

SECTION 8. That Article XI, *Fences*, of Chapter 10, *Building and Building Regulations,* of the Municipal Code of Ordinances of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'H'* of this ordinance.

SECTION 9. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars ($2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 10. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 11. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF SEPTEMBER, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *August 19, 2019*

2nd Reading: *September 3, 2019*

DRAFT ORDINANCE 08.19.2019

275

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE II, DEVELOPMENT REVIEW AUTHORITY ~~AND ADMINISTRATIVE PROCEDURES~~, UDC

~~SECTION 1: SEQUENCE OF REVIEW~~

~~Where an applicant requests a variance from a provision of this [Unified Development Code] in conjunction with an application for amendment of the official zoning map, the variance shall be considered by the Planning and Zoning Commission and City Council at the same time that they consider the request for the zoning change.~~

~~SECTION 2. - INITIATION OF ADMINISTRATIVE PROCEDURES~~ [MOVED TO SUBSECTION 1.02 OF ARTICLE XI, UDC]

~~All platting, zoning and site plan requests to be considered by the Planning and Zoning Commission and/or the City Council, shall be initiated by filing an application with the City. All requests for building permits shall be initiated by the filing of an application with the City. The applications required by this section shall be on forms supplied by the City of Rockwall which shall be available in the offices of the City.~~

~~SECTION 3. - SUBMITTAL AND ACCEPTANCE~~ [MOVED TO SUBSECTION 1.02 OF ARTICLE XI, UDC]

~~No application shall be processed until such application is complete and the fee established in this [Unified Development Code] or ordinances of the City of Rockwall for processing the application has been paid.~~

~~SECTION 4. - AUTHORITY TO INITIATE A REQUEST~~ [MOVED TO SUBSECTION 1.02 OF ARTICLE XI, UDC]

~~All platting, zoning and site plan requests, and/or requests to amend the comprehensive plan or the thoroughfare plan may be initiated by the owner of the affected property or his authorized representative who files the required application and pays the appropriate fee for the request, or the City Council may direct the director of planning to initiate such a request on behalf of the City.~~

~~Amendments to the text of this [Unified Development Code] shall be initiated only by action of the City Council directing the director of planning to initiate such a request on behalf of the City or by the director of planning's own initiative.~~

~~Variances and special exceptions to be considered by the Board of Adjustments (BOA) may be initiated by the owner of the affected property or his authorized representative or any aggrieved party who files the required application and pays the appropriate fee, or by any person aggrieved by the decision of an administrative officer with authority over any matter appealable to the Board of Adjustments (BOA) per section 11.3 [of this Unified Development Code], or by an officer, or appropriate board of the City.~~

~~SECTION 5. - APPLICATION WITHDRAWAL~~ [MOVED TO SUBSECTION 1.03 OF ARTICLE XI, UDC]

~~Any request for withdrawal of an application must be submitted in writing to the director of planning.~~

DRAFT ORDINANCE 08-19

Once an application for a platting, zoning, or site plan request to be considered by the Planning and Zoning Commission and/or City Council, or a variance, special exception or appeal going before the City Council has been published in a newspaper or notifications of public hearing, if any, have been mailed, such request for withdrawal must be placed on the public hearing agenda and acted upon by the applicable body.

Application fees are not refundable except in cases in which the director of planning determines that an application was accepted in error, or the fee paid exceeded the amount due under the provisions of this [Unified Development Code] or the ordinances of the City of Rockwall, in which case the amount of the overpayment may be refunded to the applicant.

SECTION 6: CONDUCT OF PUBLIC HEARINGS

SUBSECTION 6.01: NOTICE OF PUBLIC HEARING [MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]

Written notice of all public hearings on proposed changes in district boundaries shall be sent to all property owners listed on the most current and approved city tax rolls, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500 feet from the boundaries of the subject property at least ten days prior to the public hearing date. In addition, written notice shall also be mailed to all known Homeowners Association (HOA) representative(s) within 1,500 feet of the subject property at least ten days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording "Zoning Change Requested." In cases that require notices to be sent to a multi-family property written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building.

In addition, notice of such public hearing shall be published one time in a newspaper of general circulation in the City, not less than ten days prior to the date of such hearing, and a four-foot by four-foot double sided sign giving notice of a proposed zoning change shall be placed on the subject property at least ten days prior to the public hearing.

Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one publication not less than 15 days prior to the public hearing, in the official newspaper of the City.

(Ord. No. 10-14, § 1, 7-6-2010; Ord. No. 14-18, § 1, 5-5-2014)

SUBSECTION 6.02: PUBLIC HEARING POSTPONEMENT, RECESS, AND CONTINUATIONS [MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]

A. A public hearing for which notice has been given may be postponed by announcing the postponement at or after the time and place the hearing is scheduled to begin.
B. A public hearing may be recessed and continued any time after the hearing has commenced.
C. If a postponement or continuance of a public hearing is to a specific date and time no later than 30 days from the first or most recent hearing, the announcement of the postponement or continuance at the public hearing in which the application has been postponed or continued shall be sufficient notice and no additional notice is required.
D. Postponed or continued public hearing shall be presumed to be held in the same location, unless a different location for the hearing is announced at the time of the postponement or continuance.
E. In the event that any request or amendment is being considered, whether or not a public hearing is involved, and it is continued at the request of the applicant more than one time, an additional fee shall be required to cover the reasonable costs to the City, including the cost of any additional advertising cost and the cost of the City's consultants due to the postponement.
F. If the applicant is not present at a meeting where the request is being considered and the request cannot be considered, then an additional fee, as described in 6.2E above, shall also be required.

(Ord. No. 18-02, § 1, 1-2-2018)

SUBSECTION 6.03: CONDUCT OF PUBLIC HEARING [MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]

Subject to the presiding officer's inherent authority to conduct meetings, the public hearing shall generally be conducted as follows:

DRAFT 08.13.19

A. Report by the City representative;
B. Open public hearing;
C. Presentation by the applicant;
D. Testimony and questions by the public;
E. Rebuttal by the applicant;
F. Closure of the public hearing.

SECTION 7: PLANNING AND ZONING COMMISSION AUTHORITY [MOVED TO SUBSECTION 3.04]

SUBSECTION 7.01: APPROVAL AUTHORITY

The Planning and Zoning Commission shall make decisions, or make recommendations to the City Council, on the following matters:

(A) Decisions on site plans, building elevations, lighting plans, landscape plans and tree preservation plans as may be required.
(B) Recommendations to City Council on plats as required by the subdivision ordinance, chapter 38 of part II, Code of Ordinances.
(C) Recommendations to City Council on replats, when such public hearing is required by the provisions of V.T.C.A., Local Government Code Chapter 212.
(D) Recommendations to City Council regarding text amendments to this Unified Development Code.
(E) Recommendations to City Council regarding zoning changes and map amendments, including reclassification of the zoning designations on land, specific use permits, and planned developments.
(F) Decisions regarding variances and special exceptions to this Unified Development Code.
(G) Recommendations to City Council regarding amendments to the comprehensive plan.
(H) Recommendations to City Council regarding amendments to the master thoroughfare plan.
(I) Recommendations to City Council regarding amendments to a master open space plan.

(Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

SUBSECTION 7.02: RECOMMENDATION AUTHORITY [MOVED TO SUBSECTION 2.04 OF ARTICLE XI, UDC]

Upon closure of the public hearing, and when required to make a recommendation to the City Council, the Planning and Zoning Commission may recommend:

(A) That the request or amendment be approved or enacted; or
(B) That the request or amendment be approved or enacted as modified to a more restrictive classification or subject to appropriate conditions as permitted by law; or
(C) That the request or amendment be denied.

(Ord. No. 18-24, § 1, 5-7-2018)

SECTION 8: CITY COUNCIL AUTHORITY [MOVED TO SECTION 2]

SUBSECTION 8.01: AUTHORITY

The City Council shall hold a meeting, conduct a public hearing—if required by this Unified Development Code—and make determinations on the following matters:

A. Text amendments to this Unified Development Code.

DRAFT ORDINANCE 08.19.2019

B. Zoning changes and map amendments, including reclassification of the zoning designations on land, specific use permits, and planned developments.
C. Appeals related to the Planning and Zoning Commission's decision on special exceptions, variances, or waivers related to site plans for development.
D. Amendments to the comprehensive plan.
E. Amendments to the master thoroughfare plan.
F. Amendments to the master open space plan.
G. Variances, special exceptions and appeals as set out in this Unified Development Code.

(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

SUBSECTION 8.02: JOINT PUBLIC HEARINGS [MOVED TO SUBSECTION 2.05 OF ARTICLE XI, UDC]

The City Council may hold a public hearing, after publishing the required notice, jointly and with any public hearing required to be held by the Planning and Zoning Commission, but the City Council shall not take action until it has received a final report from the Planning and Zoning Commission.

(Ord. No. 18-24, § 1, 5-7-2018)

SUBSECTION 8.03: CITY COUNCIL APPROVAL OR DENIAL [MOVED TO SUBSECTION 2.07 OF ARTICLE XI, UDC]

The council may take the following actions concerning the matters outlined in section 8.1:

A. Approval of an item. The City Council may approve the request or amendment either as requested, or in the form of a more restrictive district, and subject to such appropriate conditions as are allowed by law. Such approval of any request for a text amendment to this Unified Development Code or a zoning change and map amendment shall be granted only if the City Council determines that the request or amendment is consistent with the comprehensive plan and the purposes of this Unified Development Code. In the event the request or amendment concerns a text amendment to this Unified Development Code or a zoning change and map amendment, the City Council shall enact an ordinance amending this Unified Development Code or amending the official zoning map, whichever is applicable.
B. Denial of an item. The City Council may deny a request or amendment with prejudice. If a request or amendment is denied with prejudice, a new application may be submitted for the same lot or tract of land, or any portion thereof, within one year only if the new request is for a more restrictive or less intense use or development. For applications pertaining to a change of zoning and map amendment, a new proposal may not be submitted unless it is more restrictive or less intense than the previously denied proposal for any tract of land, or any portion thereof, for a period of one year from the denial date. If a request or amendment is denied by the City Council without an indication of "with" or "without" prejudice, then the action shall be considered to be "denied with prejudice."
C. Denial without prejudice. The City Council may deny the request or amendment without prejudice, in which case an application for the same request may be filed at the applicant's discretion.
D. Reapplication due to changed conditions. A request or amendment, which has been previously rejected with prejudice by the City Council, may be resubmitted within one year only if there is an actual change in conditions relating to the tract or parcel of land or the property surrounding it. In this event, the applicant must submit to the director of planning and zoning, in writing, a request describing such changed conditions. The director of planning and zoning shall investigate the claim and report to the Planning and Zoning Commission whether or not such change of conditions exist. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile the request or amendment.

(Ord. No. 18-24, § 1, 5-7-2018)

SUBSECTION 8.04: PROTEST OF PROPOSED CHANGE IN ZONING [MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]

Property owners adjacent to and within a radius of 200 feet of a property for which a change in zoning is being considered have the right to file a written protest against the request. The land area of this 200-foot radius includes streets, alleys and other public right-of-way.

PLANNING ORDINANCE 08-2019

~~Whenever such written protest is signed by the owners of 20 percent or more of the area of the lots or land included in such zoning change, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius, or if such change is recommended for denial by the Planning and Zoning Commission, such change in zoning shall require a favorable vote of three-fourths of all eligible members of the City Council.~~

~~For purposes of determining representation on this written protest, the written protest of any one owner of land owned by two or more persons shall be presumed to be the protest of all owners.~~

~~*(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018)*~~

~~Sec. 8.5. - Criteria for granting special exceptions.~~ *[MOVED TO SUBSECTION 9 OF ARTICLE XI, UDC]*

~~The City Council may make special exceptions to the standards in this Unified Development Code that are consistent with the general purpose and intent of the Unified Development Code. The Planning and Zoning Commission shall make recommendations on special exceptions.~~

~~Special exceptions are subject to appropriate conditions and safeguards to ensure that the special exceptions are consistent with the general purpose and intent of this Unified Development Code and the City's comprehensive plan.~~

~~The City Council, pursuant to the powers conferred upon it by state law, the ordinances of the City and this article may grant special exceptions to the provisions of this Unified Development Code upon finding that:~~

~~A. Such special exception will not substantially or permanently injure the appropriate use of adjacent property in the same district;~~
~~B. Such special exception will not adversely affect the health, safety or general welfare of the public;~~
~~C. Such special exception will not be contrary to the public interest;~~
~~D. Such special exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the exception is sought is located, except as provided elsewhere in this Unified Development Code;~~
~~E. Such special exception will be in harmony with the spirit and purpose of this Unified Development Code;~~
~~F. Such special exception will not alter the essential character of the district in which the property is located for which the exception is sought;~~
~~G. Such special exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located; and~~
~~Such special exception is within the spirit and intent of the City's comprehensive plan and other policies.~~

~~*(Ord. No. 18-24, § 1, 5-7-2018)*~~

SECTION 19: BOARDS, COMMISSIONS, AND ADMISTRATIVE STAFF ~~AGENCIES—APPOINTMENT, TERM, AND PROCEDURES~~

All meetings of any Board or Commission shall be open to the public. Each Board or Commission shall keep accurate minutes of each meeting, which shall be forwarded to the City Secretary within ten (10) days following each meeting. Such Board or Commission shall keep an accurate record of the names of the members who are present and absent from their meetings. When public hearings are necessary or required, notice of the public hearings and the conduct of the public hearing ~~same~~ will be in compliance with the requirements of all federal, state and local laws. ~~the Local Government Code and this [Unified Development Code]~~.

Each Board or Commission may establish its own attendance rules, regulations, and method of enforcement unless in conflict with state law, or this Article. Each member of a Board or Commission shall be at least 18 years of age.

SECTION 2: CITY COUNCIL

SUBSECTION 2.01: AUTHORITY

The City Council shall hold a meeting, conduct a public hearing -- *if required by this Unified Development Code* -- and make determinations on the following matters:

(A) Text amendments to this Unified Development Code.
(B) Zoning changes and map amendments including the reclassification of zoning designations on land, Specific Use Permits (SUP), and Planned Development Districts.
(C) Appeals related to the Planning and Zoning Commission's decision on special exceptions, variances, or waivers related to site plans for development.
(D) Amendments to the Comprehensive Plan.
(E) Amendments to the Master Thoroughfare Plan.
(F) Amendments to the Master Open Space Plan Master Plans.

(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

[MOVED FROM SECTION 8]

SECTION ~~310~~: PLANNING AND ZONING COMMISSION

SUBSECTION ~~310~~.01: CREATION AND MEMBERSHIP

(A) *Membership*. The members of the Planning and Zoning Commission shall be appointed for a term of three (3) years on a rotating basis and removable for cause by the City Council. The terms of office shall expire on the last day of July or until their successor has been appointed. Any member of the Planning and Zoning Commission may be reappointed by the City Council upon completion of a full term.

(B) *Residency*. Each member of the Planning and Zoning Commission shall be a resident of the City of Rockwall at the time of his appointment. A member of the Planning and Zoning Commission ceasing to reside in the City during his term of office shall immediately forfeit the office.

(C) *Removal*. Any member of the Planning and Zoning Commission may be removed from office for any cause deemed by the City Council to be sufficient for removal of the member. If a vacancy should exist in the Planning and Zoning Commission membership due to removal from office, resignation, death, refusal or inability to serve, the City Council shall appoint a new member to fill the vacancy for the unexpired term.

(Ord. No. 10-04, § 1, 2-1-2010; Ord. No. 10-14, § 2, 7-6-2010)

SUBSECTION ~~310~~.02: POWERS AND DUTIES

The Planning and Zoning Commission shall have the following powers and duties:

(A) To advise the City Council and make recommendations concerning adoption of, or amendments to, zoning regulations and the zoning map;
(B) To advise the council and make recommendations concerning adoption of, or amendments to the City's Comprehensive Plan, Master Thoroughfare Plan, and Parks and Recreation Master Plan ~~open space plan~~ and implementation thereof;
(C) To oversee the City's regulations governing the platting and recording of subdivisions, including matters pertaining to the dedication of public facilities, and to advise the council on matters pertaining to public improvements, traffic, utility extensions and the provision of public facilities and services, in order to implement the City's Comprehensive Plan;
(D) To undertake such actions as are necessary to exercise its delegated powers, as indicated by adopted ordinance;
(E) To approve certain matters relating to platting and recording of subdivisions as dictated by the City's ordinances and the Unified Development Code (UDC) ~~this [Unified Development Code]~~;
(F) To select a Planning and Zoning Commission Chair;

DRAFT ORDINANCE 05-19-2019

(G) To call public hearings to initiate zoning changes; and
(H) Other duties as may be prescribed by ordinance or state law.

SUBSECTION ~~310~~.03: PROCEDURES

(A) *Attendance*. If a Planning and Zoning Commissioner has three (3) consecutive absences that are not excused by the Planning and Zoning Commission, or is absent from more than 25% ~~percent~~ of the meetings, he or she may be removed from the Planning and Zoning Commission; however, if absent from 50% ~~percent~~ of the meetings in any calendar year, the member will automatically be removed from the Planning and Zoning Commission.

(B) *Officers*. Pursuant to the Charter § 9.01, the Planning and Zoning Commission shall elect a chair and vice-chair at the first meeting in August for a term of one (1) year. The vice-chair is to preside in the absence of the chair. Both the chair and the vice-chair shall vote on every item unless prohibited by law. The ~~zoning administrator~~ Director of Planning and Zoning shall be secretary of the Planning and Zoning Commission.

(C) *Meetings*.

(1) *Open to the Public.* All meetings of the Planning and Zoning Commission shall be open to the public. The Planning and Zoning Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed in the office of the commission and shall be a public record. The ~~zoning administrator~~ Director of Planning and Zoning of the City of Rockwall shall be the custodian and possessor of the records and minutes of the Planning and Zoning Commission.
(2) *Calling of Meetings.* Meetings of the Planning and Zoning Commission may be held as often as necessary to conduct the business coming before the Planning and Zoning Commission at the call of the chair and at such other times as the commission may determine.
(3) *Quorum*. Any four (4) members shall constitute a quorum for the transaction of the business. The affirmative vote of a majority of those attending any meeting at which there is a quorum present shall be necessary to pass any motion, recommendation or resolution of the Planning and Zoning Commission.

(Ord. No. 10-14, § 3, 7-6-2010)

SUBSECTION 3.04: APPROVAL AUTHORITY

The Planning and Zoning Commission shall make decisions, or make recommendations to the City Council, on the following matters:

(J) Decisions on Site Plans, Building Elevations, Photometric Plans, Landscape Plans, Tree Preservation Plans (*i.e. Tree Mitigation Plans and Tree Removal Plans*), and Open Space Master Plans as may be required.
(K) Recommendations to City Council on all plats (*e.g. master plats, preliminary plats, replats, finals plats, etc.*) as required by Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.
(L) Recommendations to City Council regarding text amendments to the Unified Development Code.
(M) Recommendations to City Council regarding zoning changes and map amendments, including reclassification of the zoning designations on land, Specific Use Permits (SUP), and Planned Development Districts.
(N) Decisions regarding variances and special exceptions to this Unified Development Code.
(O) Recommendations to City Council regarding amendments to the Comprehensive Plan.
(P) Recommendations to City Council regarding amendments to the Master Thoroughfare Plan.
(Q) Recommendations to City Council regarding amendments to the Parks and Recreation Master Plan.

(Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

[MOVED FROM SECTION 7]

SECTION ~~411~~: BOARD OF ADJUSTMENTS (BOA)

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08.19.2019

SUBSECTION ~~411~~.01: ORGANIZATION

(A) *Membership.* The Board of Adjustments (BOA) is created in accordance with the provisions of article 1011g of the Revised Civil Statutes of Texas [*V.T.C.A., Local Government Code § 211.008*]. The Board of Adjustments (BOA) shall consist of five (5) members who are residents and taxpayers of the City, each to be appointed by the City Council for two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made.

(B) *Alternate Members.* ~~In addition,~~ The City Council shall provide for the appointment of four (4) alternate members of the Board of Adjustments (BOA) who shall serve in the absence of one (1) or more of the regular members. Alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two (2) years, and any vacancy shall be filled in the same manner and they shall be subject to removal the same as the regular members.

(C) *Chief Building Official ~~Zoning Administrator~~*. The Chief Building Official ~~zoning administrator~~, or his authorized representative, shall be an ex-officio member of the zoning Board of Adjustments (BOA) without power of vote and as an ex-officio member of such board shall act as secretary of the ~~zoning~~ Board of Adjustments (BOA) and shall set up and maintain a separate file for each application for appeal, special exception and variance received and shall record therein the names and addresses of all persons, firms and corporations to whom notices are mailed, including the date of mailing and further keep a record of all notices published as required herein. All records and files herein provided for shall be permanent and official files and records of the City.

Charter reference— Board of Adjustments (BOA), § 9.06.
State Law reference— Board of Adjustments (BOA), V.T.C.A., Local Government Code § 211.008.

SUBSECTION ~~411~~.02: PROCEDURES

(A) *Adopting Procedural Rules*. The Board of Adjustments (BOA), by majority vote, shall adopt such procedural rules as are necessary to execute its duties.

(B) *Election of Officers*. The Board of Adjustments (BOA) shall annually select one (1) of its members to be the chair, and the vice chair to act in the absence of the chair.

(C) *Quorum*. All cases before the Board of Adjustments (BOA) must be heard by at least four (4) members.

(D) *Calling Meetings*. Meetings of the Board of Adjustments (BOA) shall be held at the call of the chair, and at such other times as the Board of Adjustments (BOA) may determine. Such chair, or in his absence the acting chair, shall administer oaths and compel attendance of witnesses.

(E) *Meetings Open to the Public*. All meetings of the Board of Adjustments (BOA) shall be open to the public.

(F) *Keeping of Minutes*. The Board of Adjustments (BOA) shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its other official actions, all of which shall be filed in the office of the Board of Adjustments (BOA) and shall be a public record.

The secretary of the Board of Adjustments (BOA) shall forthwith notify in writing the City Council, the Planning and Zoning Commission and the City's Chief Building Official of each decision, interpretation, special exception and variance granted under the provisions of the Unified Development Code ~~this [Unified Development Code]~~.

(G) *Attendance*. If a member has three consecutive absences that are not excused by the Board of Adjustments (BOA), or is absent from more than 25% ~~percent~~ of the meetings, he may be removed from the Board of Adjustments (BOA); however, if absent from 50% ~~percent~~ of the meetings in any calendar year, the member will automatically be removed from the Board of Adjustments (BOA).

DRAFT OF 08.19.2019

(Ord. No. 10-14, § 4, 7-6-2010)

SUBSECTION ~~411~~.03: JURISDICTION

(A) When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustments (BOA) may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following special exceptions to the regulations herein established:

(1) *Appeal of an Administrative Decision*. Consider an appeal from any person aggrieved by a decision of any administrative officer with authority over any matter regulated by the ~~this~~ Unified Development Code or by any officer, department, board or division of the City affected by any decision of the administrative officer. Such appeal shall be received within 15 calendar days after the decision has been rendered by the administrative officer, by filing with the officer whose decision is being appealed and with the Board of Adjustments (BOA), a notice of appeal specifying the grounds of the appeal and the City's required fee.

(2) *Appeal of a Code Decision*. Consider an appeal from any person aggrieved by orders, decisions or determinations made by the building official, fire official or city engineer relative to the application and interpretation of the ~~2015~~ International Residential Code, International Building Code, International Plumbing Code, International Mechanical Code, International Energy Conservation Code, International Fuel Gas Code, International Fire Code, International Existing Building Code, and ~~2014~~ National Electrical Code ~~and City of Rockwall Standards of Design and Construction (Engineering Standards)~~.

The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustments (BOA), all papers constituting the record from which the action appealed was taken. An appeal shall stay all proceedings of the action which has been appealed, unless the officer from whom the appeal is taken, certifies to the Board of Adjustments (BOA) that a stay would, in the officer's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed unless there is a restraining order granted by the Board of Adjustments (BOA) or by a court of competent jurisdiction on application, and notice is given to the officer whose decision is the subject of appeal.

(B) *Odd Shaped Parcels*. Permit such modifications of the height, yard, area, coverage and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification.

(C) *Non-Conforming Use*. Permit the expansion or enlargement of a building occupied by a non-conforming use on the lot or tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use. Upon review of the facts, the Board of Adjustments (BOA) may establish a specific period of time for the occupancy to revert to a conforming use.

(D) *Change of Non-Conforming Use*. To authorize a change of use from one non-conforming use to another nonconforming use, provided that such change is to a use of the same or more restricted classification. In the event that a non-conforming use is changed to a nonconforming use of a higher or more restrictive classification, the building or structure containing such nonconforming use shall not later be reverted to the former lower or less restricted classification. The Board of Adjustments (BOA) may establish a specific period of time for the conversion of the occupancy to a conforming use.

(E) *Discontinuance of a Non-Conforming Use*. Require the discontinuance of nonconforming areas of land or structures under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of the Unified Development Code ~~this [Unified Development Code]~~.

(1) All actions to discontinue a nonconforming use of land or structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of property.

DRAFT ORDINANCE 08-49

(2) The Board of Adjustments (BOA) shall from time to time on its own motion or upon cause presented by interested property owners inquire into the existence, continuance or maintenance of any nonconforming use within the City.

(F) *Structure for a Legal Non-Conforming Use*. Permit the construction, reconstruction, enlargement or addition of a structure occupied by or for a use, normally ancillary to a single-family residential use, when such single-family residential use or structure, is legally nonconforming; provided, however, such construction, reconstruction, enlargement or addition does not prevent the return of such property to a conforming use.

(G) *Non-Conforming Structure*. To authorize the reconstruction and occupancy of a nonconforming structure, or a structure containing a nonconforming use, where such structure has been damaged by fire or other causes to the extent of more than 50% ~~percent~~, but less than the total, of the replacement cost of the structure on the date of the damage. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or person affected, and shall be considered in regard to the public welfare, character of the area surrounding such structure, and the conservation, preservation and protection of property.

(H) *Expansion of a Non-Conforming Structure*. To authorize the enlargement, expansion or repair of a nonconforming structure in excess of 50% ~~percent~~ of its current value. In such instance, the current value shall be established at the time of application for a hearing before the Board of Adjustments (BOA). If such expansion or enlargement is approved by the Board of Adjustments (BOA), all provisions of the district in which such structure is located shall apply to the new construction on the lot or parcel.

(I) *Occupation of an Abandoned Non-Conforming Structure*. To authorize the occupancy of an abandoned nonconforming structure. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or persons affected, and shall be considered in regard to the public welfare and safety, character or the area surrounding such structure, and the conservation, preservation and protection of property.

(J) *Violation of Other Ordinances*. The Board of Adjustments (BOA) is not authorized to permit or approve any request that would be in violation of any other ordinances or city regulations that would prohibit such improvement or construction to be made.

(Ord. No. 18-13, § 2, 3-5-2018)

SUBSECTION ~~411~~.04: CRITERIA FOR GRANTING VARIANCES

The City's Board of Adjustments (BOA), pursuant to the powers conferred upon it by state law, the ordinances of the City, and this article may grant variances to the provisions of the Unified Development Code ~~this [Unified Development Code]~~ upon finding that:

(A) Such variance will not substantially or permanently injure the appropriate use of adjacent property in the same district;
(B) Such variance will not adversely affect the health, safety or general welfare of the public;
(C) Such variance will not be contrary to the public interest;
(D) Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located~~, except as provided in section 12.3 [of this Unified Development Code]~~;
(E) Such variance will be in harmony with the spirit and purpose of the Unified Development Code ~~this [Unified Development Code]~~;
(F) Such variance will not alter the essential character of the district in which is located the property for which the variance is sought;
(G) Such variance will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
(K) Due to special conditions, a literal enforcement of the Unified Development Code ~~this [Unified Development Code]~~ would result in unnecessary hardship;
(H) The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, the area, shape or slope, and the unique circumstances were not

DRAFT 08.19.20

created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located;

(I) The variance or exception is not a self-created hardship; and

(J) The variance is clearly identified as a variance to the City's standards on the concept plan, site plan or text of the Unified Development Code.

(Ord. No. 10-14, § 5, 7-6-2010)

SUBSECTION ~~411~~.05: ACTIONS OF THE BOARD

(A) In exercising its powers, the Board of Adjustments (BOA), may, in conformity with the provisions of the Local Government Code, revise or reform, wholly or partly, or may modify the order, requirement, decisions, or determination appealed from, and shall have all the powers of the officer from whom the appeal is taken including the power to impose reasonable conditions to be complied with by the applicant.

(B) The concurring vote of four (4) members of the Board of Adjustments (BOA) shall be necessary to revise any order, requirements, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under the Unified Development Code ~~this [Unified Development Code]~~ or to affect any variance in the Unified Development Code ~~this [Unified Development Code]~~.

(C) Any special exceptions authorized by the Board of Adjustments (BOA), either under the provisions of the Unified Development Code ~~this [Unified Development Code]~~ or under the authority granted to the Board of Adjustments (BOA) under the statutes of the state, shall authorize the issuance of a building permit or a Certificate of Occupancy (CO) or other relief as the case may be for a period of 90-days from the date of the favorable action on the part of the Board of Adjustments (BOA), unless the Board of Adjustments (BOA) in its minutes shall, at the same time, grant a longer period.

(D) If a building permit or Certificate of Occupancy (CO) has not been applied for or issued within a 90-day period or as the Board of Adjustments (BOA) may specifically grant, the special exceptions shall be deemed waived; and all rights hereunder terminated. The Board of Adjustments (BOA) may grant one or more extensions to this time period upon the applicant's request and if due cause is shown.

(E) Such termination and waiver shall be without prejudice to a subsequent appeal to the Board of Adjustments (BOA) in accordance with the rules, and regulations regarding appeals.

SUBSECTION ~~411~~.06: APPEALS ON SAME MATTER

No appeal to the Board of Adjustments (BOA) shall be allowed concerning the same matter prior to the expiration of six months from a ruling of the Board of Adjustments (BOA) on any appeal to such body unless other rulings on the same or similar subject matter have, within such six-month period, been altered or changed by ruling of the Board of Adjustments (BOA), in which case such change of circumstances shall permit the allowance of an appeal, but shall in no way have force in law to compel the Board of Adjustments (BOA), after a hearing, to grant such subsequent appeal, but such appeal shall be considered on its merits as in all other cases.

SUBSECTION ~~411~~.07: EFFECTIVE DATE

A decision on a variance shall be effective upon approval by the Board of Adjustments (BOA).

SUBSECTION ~~411~~.08: APPEAL FROM BOARD

Any person aggrieved by any decision of the Board of Adjustments (BOA) or any officer, department, or board of the municipality pursuant to this section, may present to a court of competent jurisdiction, a petition, duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of such illegality.

Such petition shall be presented to the court within ten days after the filing of the decision complained of in the office of the City secretary and not thereafter.

DRAFT FOR PUBLIC REVIEW 08.19.2025

No appeal from a Board of Adjustments (BOA) decision under its jurisdiction, as set out in the ~~this~~ Unified Development Code, shall be heard by the City Council.

(Ord. No. 10-14, § 6, 7-6-2010)

SECTION ~~512~~: HISTORIC PRESERVATION ADVISORY BOARD

SUBSECTION ~~512~~.01: ORGANIZATION

(A) *Membership*. There is hereby created a Historic Preservation Advisory Board (HPAB) which shall serve as an advisory body to the City Council. Such board shall consist of seven members to be appointed by the City Council.

(B) *Term of Office; Qualifications*. The members shall be appointed for a term of two (2) years with staggered terms and shall be removable by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term, the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed. The membership shall include:

(1) An architect, planner or representative of a design profession;
(2) A member of the Rockwall County Historical Foundation;
(3) A general contractor;
(4) An owner of property within a historic district;
(5) Three citizens of Rockwall interested in historic preservation.

All board members, regardless of background, shall have a known and demonstrated interest, competence of knowledge of historic preservation within the City. All members must be residents of Rockwall County.

(C) *Duties.* The duties of the Historic Preservation Advisory Board (HPAB) are as follows:

(1) Provide professional recommendations to the City Council and Planning and Zoning Commission as required, regarding site plans, building alternatives, and building plans proposed within the City Historic Overlay (HOV) District ~~(HO)~~. The Historic Preservation Advisory Board (HPAB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission or City Council. The Historic Preservation Advisory Board (HPAB) shall prepare a written assessment of the proposed project regarding compliance with approved guidelines for development within the district, and its applicability in preserving and enhancing the history and culture of the district.
(2) Research, document and maintain in the official files of the City detailed information regarding the original construction and architecture of the district.
(3) Develop and maintain guidelines regarding development and redevelopment within the district including architectural design, materials selections, building styles and other pertinent design considerations. The proposed guidelines shall be submitted to the Planning and Zoning Commission and City Council for approval.
(4) Adopt rules and procedures as necessary to provide for the orderly conduct of board meetings.
(5) Recommend the boundaries of historic districts.
(6) Increase public awareness of the value of historic, cultural, and architectural preservation by encouraging and participating in public education programs developed by the historic preservation office.
(7) Provide recommendations to the Planning and Zoning Commission and City Council concerning the historic preservation impact of proposed, announced or commenced actions by federal, state or local authorities that affect streets, alleys, publicly-maintained utilities and any other public spaces, areas, improvements, other features or zoning within, around or through any district.
(8) Make recommendations to the City for the employment of staff and professional consultants as necessary to carry out the duties of the HPAB.
(9) Review and take action on the designation of landmarks and the delineation of districts, which shall be ratified by the City Council.

DRAFT ORDINANCE 08-19

(10) Recommend and confer recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
(11) Review and recommend to City Council and other applicable city boards and commissions all proposed changes to the Unified Development Code (UDC) ~~zoning ordinance~~, building code, general plan or other adopted policies of the City than may affect the purpose of the article.
(12) Conduct public hearings and provide comment on buildings, objects, sites, structures, and districts for nomination to the National Register of Historic Places to the Texas Historic Commission. Such recommendations shall be guided by the criteria established in the National Historic Preservation Act of 1966, as amended.
(13) Implement and maintain a system of survey or inventory of significant historic, architectural, and cultural landmarks and all properties located within designated districts located in the City. Such information shall be maintained securely, made accessible to the public and should be updated at least every ten years.
(14) Monitor and report to the Texas Historical Commission all actions affecting any recorded Texas historic landmark, state archaeological landmark, national register property and any locally designated landmark, as deemed necessary.
(15) Create sub-committees from among its membership and delegate to these committees' responsibilities to carry out the purposes of this article.
(16) Maintain written meeting minutes which are recorded by staff and demonstrate all actions taken by the HPAB and the reasons for taking such actions.
(17) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
(18) Review and take action on all certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this article.
(19) Review and take action on all appeals on action taken by the HPO regarding the administrative review of certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this article.
(20) Develop, prepare and adopt specific design guidelines which shall be ratified by the City Council, for use in the review of all certificates of appropriateness applications.
(21) Prepare and submit annually to the City Council a report summarizing budget costs, goals and objectives and work completed during the previous year, as well as anticipated budgetary requests.
(22) Provide recommendations to the City concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and districts within the City.
(23) Recommend to City Council the acquisition of endangered landmarks by demolition where its preservation is essential to the purpose of this article and where private preservation is not feasible.
(24) Propose incentive program(s) to City Council for local property owners of historic landmarks or within local districts.
(25) Review and take action on all city preservation-related incentive program applications involving work on landmarks and districts for compliance with adopted design guidelines pursuant to this article.
(26) Accept on behalf of the City government donations of preservation easements and development rights as well as any other gift of value for the purpose of historic preservation, subject to the approval of City Council.

(D) *Officers.* The Historic Preservation Advisory Board (HPAB) shall elect a chair and vice chair at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Historic Preservation Officer shall be secretary of the Historic Preservation Advisory Board (HPAB) and an ex-officio member.

(E) *Voting; meetings.* Each member in attendance shall have a vote on plans submitted to the Historic Preservation Advisory Board (HPAB) with that vote reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Historic Preservation Advisory Board (HPAB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration. Meetings of the Historic Preservation Advisory Board (HPAB) shall be called as needed by the historic preservation officer.

(F) *Attendance.* If a member has three consecutive absences that are not excused by the Historic Preservation Advisory Board (HPAB), or is absent from more than 25% ~~percent~~ of the meetings, he or she may be removed from the Historic Preservation Advisory Board (HPAB); however, if absent from 50% ~~percent~~ of the meetings in any calendar year, the member will automatically be removed from the historic preservation board.

(Ord. No. 10-14, § 7, 7-6-2010; Ord. No. 12-25, § 1, 10-1-2012)

DRAFT ORDINANCE 06.19.19

SUBSECTION ~~512~~.02: DESIGNATION OF LANDMARKS IN THE CITY

(A) The Historic Preservation Advisory Board (HPAB) may recommend to the Planning and Zoning Commission and the City Council that certain properties be "landmark districts" and that specific areas be designated as "historic districts" as provided for in Subsection 6.2 of Article V, *District Development Standards* ~~section 6.2 of this Unified Development Code~~.

(Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION ~~512~~.03: CERTIFICATES OF APPROPRIATENESS (COA)

For requirements concerning Certificates of Appropriateness (COA) see Section 6, *Certificates of Appropriateness (COA)*, of Article XI, *Development Applications and Review Procedures*.

~~(A) Applicability. Any person carrying out any work that requires a building permit for exterior alteration, restoration, reconstruction, new construction, moving or demolition of a property within a historic district visible must first obtain a certificate of appropriateness from the historic preservation advisory board as provided for in article V, section 6.2 of this Unified Development Code.~~

~~(B) Criteria for approval of a certificate of appropriateness. The board shall follow the design guidelines as adopted by the City Council in its consideration of all applications for a certificate of appropriateness. These standards shall be made available to the property owners of historic landmarks or within historic districts. The historic preservation officer shall coordinate with the chief building official, and other appropriate city departments, all certificate of appropriateness applications.~~

(Ord. No. 12-25, § 1, 10-1-2012)

SECTION ~~613~~: ARCHITECTURAL REVIEW BOARD

SUBSECTION ~~613~~.01: CREATED

There is hereby created an Architectural Review Board (ARB) of review which shall serve as an advisory body to the Planning and Zoning Commission. Such board shall consist of seven members to be appointed by the City Council after recommendation of the Planning and Zoning Commission.

SUBSECTION ~~613~~.02: TERM OF OFFICE; QUALIFICATIONS

(A) Term. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed.
(B) Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.
(C) Attendance. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25% ~~percent~~ of the meetings, he may be removed from the Architectural Review Board (ARB); however, if absent from 50% ~~percent~~ of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION ~~613~~.03: DUTIES

DRAFT 08.19.2019

The purpose of the Architectural Review Board (ARB)is to provide professional recommendations to the Planning and Zoning Commission and the director of planning regarding site plans and building elevations submitted within any zoning district as may be required. Meetings of the Architectural Review Board (ARB) shall be called as needed. The Architectural Review Board (ARB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission. The review shall evaluate compatibility with existing topography, scenic corridors and landscaping, and with the goals and objectives established in the applicable Overlay District and/or Planned Development District, the comprehensive plan and applicable provisions of the urban design guidelines. The Architectural Review Board (ARB) shall make recommendations on design changes based on its professional experience and knowledge. The Planning and Zoning Commission shall consider the Architectural Review Board's (ARB's) recommendations in its deliberation of the proposed development. The commission may include recommended changes in the proposed building elevations and site plan based upon the recommendations of the Architectural Review Board (ARB) in its recommendation to the City Council, if applicable.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION ~~613~~.04: OFFICERS

The Architectural Review Board (ARB) shall elect a chair and vice chair at the first meeting in August or at the first meeting thereafter for a term of one year. The ~~zoning administrator~~ Director of Planning and Zoning shall be secretary of the Architectural Review Board (ARB) and an ex officio member.

(Ord. No. 10-14, § 8, 7-6-2010)

SUBSECTION ~~613~~.05: VOTING

Each member in attendance shall have a vote on plans submitted to the Architectural Review Board (ARB) with that vote being reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Architectural Review Board (ARB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration.

SECTION ~~714~~: DIRECTOR OF PLANNING~~/ZONING ADMINISTRATOR~~

SUBSECTION ~~714~~.01: QUALIFICATIONS

(A) The Director of Planning and Zoning must be a member in good standing of AICP, AIA or PE.
(B) The Director of Planning and Zoning or his/her designee shall serve as the *Zoning Administrator*.

SUBSECTION ~~714~~.02: POWERS AND DUTIES

(A) The Director of Planning and Zoning shall have the following powers and duties:

(1) To make recommendations and provide assistance to the City Council and Planning and Zoning Commission concerning exercise of their responsibilities under the Unified Development Code ~~this [Unified Development Code]~~;
(2) To develop and recommend to the Planning and Zoning Commission, and the City Council, a Comprehensive Plan for the City or any amendments to the plan and to propose actions to implement the plan;
(3) To coordinate all planning relating to the City's Comprehensive Plan;
(4) To submit recommendations to the Planning and Zoning Commission and City Council on request for zoning changes, variances and exceptions;
(5) To render such administrative decisions as are required of the Director of Planning and Zoning by the Unified Development Code ~~this [Unified Development Code]~~;
(6) To perform such other duties as may be prescribed by ordinance or directed by the City Council or Planning and Zoning Commission.

DRAFT 08.19.2019

SECTION ~~815~~: HISTORIC PRESERVATION OFFICER

SUBSECTION ~~815~~.01: APPOINTMENT

The City Manager shall appoint a qualified staff person, to serve as Historic Preservation Officer (HPO). This officer shall administer the historic preservation provisions of ~~this~~ the Unified Development Code and advise the Historic Preservation Advisory Board (HPAB) on matters submitted to it.

(Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION ~~815~~.02: POWERS AND DUTIES

In addition to serving as a representative to the Historic Preservation Advisory Board (HPAB), the Historic Preservation Officer (HPO) shall:

(A) Coordinate the City's preservation activities with those of state and federal agencies and with local, state, and national non-profit preservation organizations.
(B) Administer ~~this~~ the Unified Development Code (UDC) and advise the HPAB on matters submitted to it.
(C) To maintain and hold open for public inspection all documents and records pertaining to the provisions of this article.
(D) Receive and review all applications pursuant to this article to ensure their completeness.
(E) Review and take action on all Certificates of Appropriateness (COA) applications subject to administrative review pursuant to this Article.
(F) Review and forward with any recommendations all applications for certificates of appropriateness subject to review by the HPAB pursuant to this article.
(G) Ensure proper posting and noticing of all HPAB meetings, schedule applications for HPAB review, provide packets to its members prior to the meetings, record meeting minutes and facilitate all HPAB meetings.
(H) Review and help coordinate the City's preservation and urban design activities with those of local, state and federal agencies and with local, state, and national preservation organizations in the private sector.

(Ord. No. 12-25, § 1, 10-1-2012)

SECTION ~~916~~: CHIEF BUILDING OFFICIAL

SUBSECTION ~~916~~.01: QUALIFICATIONS

The Chief Building Official must:

(A) Be a licensed architect or engineer in good standing; or
(B) Have a bachelor's degree in urban planning, or related field; supplemented by a minimum six (6) years in a supervisory/management capacity in the field with a municipal or other governmental organization, to include development and implementation of budgetary functions; or an equivalent combination of education, training, and experience which includes the following knowledge, skills, and abilities:

(1) Comprehensive knowledge of modern principles and practices of community development administration.

(2) Thorough knowledge of the federal, state, and local ordinances, laws and regulations relating to departmental activities.

(3) Thorough knowledge of principles of effective administration, to include planning, directing, evaluating, and coordinating.

SUBSECTION ~~916~~.02: POWERS AND DUTIES

DRAFT ORDINANCE 08.19.2019

The Chief Building Official shall have the following powers and duties:

(1) To issue permits in accordance with the Unified Development Code ~~this [Unified Development Code]~~;
(2) To issue Certificates of Occupancy (CO) in accordance with the Unified Development Code ~~this [Unified Development Code]~~;
(3) To enforce the provisions of the Unified Development Code ~~this [Unified Development Code]~~;
(4) Such other powers and duties as may be lawfully delegated.

The City Council may designate the City Engineer or Director of Planning and Zoning to perform the duties of the Chief Building Official.

~~SECTION 17. - PROCEDURE IN PLANNING AND ZONING CASES—ADDITIONAL INFORMATION SUBMITTED~~ *[MOVED TO SUBSECTION 2.03(D) OF ARTICLE XI, UDC]*

~~New matters of evidence not present to the Planning and Zoning Commission shall not be heard or considered by the council in its public hearings related to amendments to the Unified Development Code and maps to the City.~~

~~In the event new evidence develops between the date of the hearing by the Planning and Zoning Commission and the hearing of the council on any zoning change, or if for any other valid reason a person wishes to present evidence to the council which had not been presented to the Planning and Zoning Commission, the council shall refer the case back to the Planning and Zoning Commission for further hearings to consider the new evidence.~~

~~Nothing contained herein shall be construed to prohibit anyone from speaking in the public hearing related to changes in zoning.~~

~~*(Ord. No. 10-14, § 9, 7-6-2010)*~~

~~*SECTION 18: COMPUTATION OF TIME*~~

~~Unless otherwise specifically provided, the time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, a Sunday or a legal holiday as observed by the City of Rockwall, that day shall be excluded. Whenever a person has the right, or is required to perform some act within the prescribed period after the service of a notice or other paper upon him, and the notice or paper is served by mail, three calendar days shall be added to the prescribed time unless otherwise specifically provided.~~

~~*SECTION 19: FEES*~~ *[MOVED TO SECTION 10 OF ARTICLE XI, UDC]*

~~Fees for all applications and appeals referred to in this [Unified Development Code] shall be established by the City Council.~~

~~However, the Planning and Zoning Commission, with the concurrence and approval of the City Council, shall determine and set forth a fee schedule for recovering the administrative cost of processing zoning requests and the public hearings called for by this [Unified Development Code]. Such fee shall be paid by the applicant and shall not be designed for restricting an applicant's ability to seek a hearing. In addition, it may not be designed to generate revenue for the City other than recovery of actual administrative costs. Immediately upon receipt of the application and fee, the zoning administrator shall note the date of filing, and make a permanent record.~~

DRAFT ORDINANCE 08.19.19

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE IV, PERMISSIBLE USES, UDC

SECTION 1: LAND USE SCHEDULE

SUBSECTION 1.01: USE OF LAND AND BUILDINGS

Buildings, structures, and land uses shall be in conformance with the permitted uses depicted in Subsection 1.02, *Land Use Schedule*, and in compliance with Subsection 2.03, *Conditional Land Use Standards*. The following is the legend for the *Land Use Schedule* contained in Sebsection1.02:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

~~Buildings, structures and land shall be used only in accordance with the uses permitted in the following "land use schedule," subject to all other applicable requirements of this [Unified Development Code], including article V, Zoning District Development Standards.~~

~~(A) The symbol "P" shall mean that the use is permitted as a principal use in that zoning district by right.~~
~~(B) The symbol "S" shall mean that the principal use is permitted in that zoning district only after first obtaining a "specific use permit" as set forth in this article.~~
~~(C) The symbol "A" shall mean that this use is specifically permitted as an accessory use to a main use in the district. This does not exclude other land uses which are generally considered ancillary to the primary use.~~
~~(D) The symbol "+" shall mean that this use is conditional and has special standards or requirements listed in this section, which it must meet in order to be allowed.~~
~~(E) A blank square shall mean that the use is not allowed in that zoning district as a principal use.~~

~~*Table 1. Land Use Tables (December 12, 2010)*~~

~~*(Ord. No. 06-01, 1-3-2006; Ord. No. 06-14, 4-17-2006; Ord. No. 07-06, 2-5-2007; Ord. No. 07-18, 6-4-2007; Ord. No. 07-41, 10-15-2007; Ord. No. 08-05, 1-22-2008; Ord. No. 08-56, 10-20-2008; Ord. No. 10-14, § 12, 7-6-2010; Ord. No. 10-32, § 1, 12-6-2010; Ord. No. 11-13, § 1, 4-13-2011; Ord. No. 11-29, § 1, 7-5-2011; Ord. No. 11-39, § 1, 9-6-2011; Ord. No. 11-47, § 1, 12-5-2011; Ord. No. 14-52, § 1, 12-1-2014; Ord. No. 15-23, § 1, 8-3-2015; Ord. No. 18-04, § 1, 1-2-2018; Ord. No. 18-26, § 1, 6-14-2018; Ord. No. 18-27, § 1, 6-4-2018; Ord. No. 18-47, § 3, 11-19-2018; Ord. No. 19-12, § 1, 3-4-2019)*~~

SUBSECTION 1.02: LAND USE SCHEDULE

PRINTANCE
08.09.2019

DRAFT
ORDINANCE
08.19.2019

294

LAND USE SCHEDULE

LEGEND:

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			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
AGRICULTURAL ~~RURAL~~ AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)																							
Agricultural Uses on Unplatted ~~Un-Platted~~ Land	(1)		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P			
Animal Boarding/Kennel with Outside Pens	(2)	(1)	S	S	S	S																			
Animal Boarding/Kennel without Outside Pens	(2)	(2)	P	S	S	S											S	S	P	P	P	P			
Animal Clinic for Small Animals~~, no~~ without Outdoor Pens	(3)	(3)	S														S	P	P	P	P	S			
Animal Hospital~~,~~ or Clinic	(4)		S															S	S	P	P	P			
Animal Production or Husbandry	(5)		S																						
Animal Shelter or Loafing Shed	(6)		S																		P	P			
Barn or Agricultural Accessory Building	(7)	(4)	S																						
Crop Production	(8)		P																						
Commercial Horse Corral or Stable ~~(Commercial)~~	(9)	(5)	P	S	S	S																			
Private Horse Corral or Stable ~~(Private)~~	(10)	(6)	P	P	P	P	S																		
~~Urban Agriculture -~~ Community Garden	(11)	(7)	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
~~Urban Agriculture -~~ Urban Farm	(12)	(8)	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Wholesale Nursery ~~for Growing of Plants, No~~ (*i.e. without Retail Sale On-Site*)	(13)		S	S	S	S																			
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)																							
Residential Accessory Building or Structure	(1)	(1)		P	P	P	P	P	P	P	P	P	P	P	P	P	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~			
Bed and Breakfast ~~Operation~~	(2)	(2)	S	S	S	S					S				S	P	S								
Caretakers Quarters/Domestic or Security Unit	(3)														P			P	P	P	P	P			
Convent~~, or~~ Monastery, or Temple	(4)		P											P		P		P	P						
Duplex	(5)	(3)											P	P											

DRAFT
NOT FOR CONSTRUCTION
08.19.2019

295

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Commercial Parking Garage	(6)														A		A	A	A	A	A	A			
Residential Garage	(7)	(4) & (5)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A	A	A	A	A	A	A	S	S	S	S	P											
Home Occupation	(9)	(7)	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
Limited-Service Hotel	(10)														S			S	S		S				
Full-Service Hotel~~, full service~~	(11)	(8)													S			S	S		S				
Residence Hotel~~, residence~~	(12)														S			S	S		S				
Motel	(13)														S			S	S		S				
Multi-Family Development or Structure	(14)	(9)												P											
Portable Building	(15)	(10)		P	P	P	P		P	P	P	P	P												
~~Residential Care Facility~~														~~P~~		~~S~~	~~S~~	~~S~~	~~S~~						
Residential Infill in an Established Subdivision	(16)	(11)	S	S	S	S	S	S	S	S	S	S	S	S	S	S									
~~Single-family on less than the minimum size lot +~~			~~S~~																						
Single-Family~~,~~ Attached Structure	(17)	(12)										P	P	P											
Single-Family~~,~~ Detached Structure	(18)	(13)	P	P	P	P	P	P	P	P	P	P	P	P		P									
Single-Family~~,~~ Zero Lot Line Structure	(19)	(14)										P	P	P		P									
Private Swimming Pool~~, private~~	(20)		A	A	A	A	A	A	A	A	A	A	A	A	A	A									
Private Tennis Court ~~private~~	(21)		A	S	S	S	S	S	S	S	S	S	S	S		S									
Townhouse	(22)	(15)												P	P	P									
Urban Residential	(23)	(16)												S	P										
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)																							
Assisted Living Facility	(1)	(1)												P	S	S	S	S	S		S				

DRAFT
NOT FOR CONSTRUCTION
08.19.2020

296

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Blood Plasma Donor Center	(2)																	P	P	P	P	P			
Cemetery/Mausoleum	(3)		S														P	P	P	P	P	P			
Church/House of Worship	(4)	(2)	S	S	S	S	S	S	S	S	S	S	S	P	S		P	~~P~~S	~~P~~S	P	~~P~~S	P			
College, University, or Seminary	(5)														P				S	P	P	P			
Convalescent Care Facility/Nursing Home	(6)													S	S	P	P	P	P	P	S				
Congregate Care Facility/Elderly Housing	(7)	(3)												P	S	S	S	S	S		S				
Crematorium	(8)																				S	P			
Daycare with Seven (7) or More Children	(9)	(4)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S			
Emergency Ground Ambulance Services ~~ground~~	(10)																	P	P	P	P	P			
Group or Community Home	(11)	(5)	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P							
Government Facility	(12)														S			P	P	P	P	P			
Halfway House	(13)	(6)														S									
Hospice	(14)													S			P	P	P	P	S	S			
Hospital	(15)																	P	P	P	P	S			
Public Library, Art Gallery or Museum ~~(public)~~	(16)														P	P	P	P	P	P	P	P			
Mortuary or Funeral Chapel ~~(stand-alone)~~	(17)																	P	P	P	P				
Local Post Office~~, local service~~	(18)														P		P	P	P	P	P	P			
Regional Post Office~~, regional~~	(19)																			P	P	P			
Prison/Custodial Institution	(20)																			P	P	P			
Public or Private Primary School~~, primary~~	(21)	(7)	S	S	S	S	S	S	S	S	S	S	S	S	S		P	P	P	P	P				
Public or Private Secondary School~~, secondary~~	(22)	(8)	S	S	S	S	S	S	S	S	S	S	S	S	S		P	P	P	P	P				
~~Public or Private School~~ Temporary Education Building for a Public or Private School	(23)	(9)	S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	S					

DRAFT
NOT FOR ORDINANCE
8.19.20

297

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Rescue Mission or Shelter for the Homeless	(24)																			S	P	P			
Social Service Provider (Except Rescue Mission or Homeless Shelter)	(25)																S			P	P	P			
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)																							
Financial Institution with Drive-Through	(1)	(1)															S	P	P	P	P	P			
Financial Institution without Drive-Through	(1)														P		P	P	P	P	P	P			
~~Office, general~~															~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~			
Office Building less than 5,000 SF	(2)														P	P	P	P	P	P	P	P			
Office Building 5,000 SF or ~~More~~ Greater	(2)														P	S	S	P	P	P	P	P			
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)																							
Temporary Carnival, Circus, or Amusement Ride~~, temporary~~	(1)	(1)													S		S	P	P	P	P	P			
Indoor Commercial Amusement/Recreation ~~(inside)~~	(2)	(2)													S			S	P	P	P	P			
Outdoor Commercial Amusement/Recreation ~~(outside)~~	(3)	(3)																S	S	P	S	P			
Public or Private Community or Recreation Club as an Accessory Use~~, public or private (accessory)~~	(4)		S	S	S	S	S	S	S	S	S	S	S	S	S		S	P	P	P	P	P			
Private Country Club~~, private~~	(5)		S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P			
Golf Driving Range	(6)																S	S	S	P	P	P			
Temporary Fundraising Events by Non-Profit~~, indoor or outdoor, temporary~~	(7)	(4)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Indoor Gun Club with Skeet or Target Range ~~(indoor)~~	(8)	(5)																S	P	P	P	P			
Outdoor Gun Club with Skeet or Target Range ~~(outdoor)~~	(8)		S																			S			
Health Club or Gym	(9)													A	P		S	P	P	P	P	P			
Private Club, Lodge or Fraternal Organization	(10)	(6)													~~P~~ S		S	~~P~~ S	P	P	P	S			
Private Sports Arena, Stadium, and/or Track	(11)																		S	P	P	P			
Public Park or Playground	(12)		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			

DRAFT
ORDINANCE
08.20

298

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Sexually Oriented Businesses [Art. XI; CH. 12; Municipal Code] ~~Uses as defined in chapter 12, article XI of Code of Ordinances +~~	(13)	(7)																			S	S			
Tennis Courts (*i.e. Not Accessory to a Public or Private Country Club*)	(14)		S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P			
Theater	(15)														P			S	P	P	P	P			
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)																							
Antique/Collectible Store	(1)														S		S	P	P	P					
Astrologer, Hypnotist, or Psychic ~~Art and Science~~	(2)														S	P	P	P	P	P					
Banquet Facility/Event Hall	(3)														S			P	P	P					
Portable Beverage Service Facility~~, portable~~	(4)	(1)													S	S		S	S	S	S	P			
Brew Pub	(5)														P		P	P	P	P	P	P			
Business School	(6)														P			P	P	P	P				
Catering Service	(7)														A		S	P	P	P	P				
Temporary Christmas Tree Sales Lot and/or Similar Uses~~, temporary~~	(8)	(2)													S		S	P	P	P	P	P			
Copy Center	(9)														P		P	P	P	P	P	P			
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)													S			S	S		P	P			
Incidental Display~~, incidental~~	(11)	(4)													P		P	P	P	P	P				
Food Trucks/Trailers	(12)	(5)													P	S	S	P	P	P	P	P			
Garden Supply/Plant Nursery	(13)																S	P	P	P	P				
General Personal Service	(14)	(6)													P		P	P	P	P	S				
General Retail Store	(15)														P	S	P	P	P	P	S	S			
Hair Salon and/or Manicurist	(16)														P	S	P	P	P	P	S				
~~Laundry, dropoff/pickup~~ Laundromat with Dropoff/Pickup Services	(17)														P		P	P	P	P	P	P			

DRAFT
ORDINANCE
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299

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~~Laundry, self-service~~ Self Service Laundromat	[18]														P		P	P	P	P	P	P			
Massage Therapist	[19]														P	P	P	P	P	P					
Private Museum or Art Gallery ~~(private)~~	[20]														P	P	S	P	P		P				
Night Club, Discotheque, or Dance Hall	[21]														S			S	P	P	S	S			
Pawn Shop	[22]																		S	S	P	P			
Permanent Cosmetics	[23]	[7]													A	A	A	A	A	A	A				
Pet Shop	[24]																P	P	P	P					
~~Private Club~~															~~P~~		~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~			
Temporary Real Estate Sales Office~~, on-site, temporary~~	[25]		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
Rental Store without Outside Storage and/or Display	[26]	[8]																S	P	P	P	P			
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	[27]	[9]															S	S	S	S	S	S			
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	[28]														P	S	P	P	P	P	P	P			
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	[27]	[10]															S	S	P	P	P	P			
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	[28]														P		S	P	P	P	P	P			
Retail Store with Gasoline ~~Product~~ Sales that has ~~Limited to~~ Two (2) or less Dispensers ~~and~~ (*i.e. a Maximum of Four [4] Vehicles*)	[29]																S	P	P	P	P	P	S	S	
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	[29]																	S	P	P	P	P	S	S	
Secondhand Dealer	[30]														S			P	P	P	P	P			
~~Studio —~~Art, Photography, or Music Studio	[31]														P	P	P	P	P	P	P				
Tailor, Clothing, and/or Apparel Shop	[32]														P		P	P	P	P					

DRAFT
ORDINANCE
08.19.2020

300

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Tattoo and/or Body Piercing	(33)																			P					
Taxidermist Shop	(34)																			P	P				
~~Winery +~~			~~S~~												~~S~~			~~S~~	~~S~~		~~P~~	~~P~~			
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)																							
Bail Bond Service	(1)																		S	P	P	P			
Building and Landscape Material without Outside Storage	(2)	(1)																			P	P			
Building and Landscape Material with Limited Outside Storage	(2)	(2)																	P	P	P	P			
Building Maintenance, Service, and Sales with Outside Storage	(3)	(3)																			P	P			
Building Maintenance, Service, and Sales without Outside Storage	(3)																		P	P	P	P			
Commercial Cleaners~~, commercial~~	(4)																			S	P	P			
~~Commercial Uses other than Listed~~																				~~P~~	~~P~~	~~P~~			
Custom and Craft Work	(5)																			P	P	P			
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)														P		S	P	P	P	P	P			
Feed Store or Ranch Supply	(7)																			P	S	P			
~~Food Processing~~																				~~S~~	~~P~~	~~P~~			
~~Furniture or Cabinet Repair~~																				~~P~~	~~P~~				
Furniture Upholstery/Refinishing and Resale	(8)	(4)																	S	P	P				
Gunsmith Repair and Sales	(9)																			P	P				
Rental, Sales and Service of Heavy Machinery and Equipment ~~(rental, sales and service)~~	(10)																			P	S	P			
Locksmith	(11)														P			P	P	P	P	P			
Machine Shop	(12)																			P	P	P			
Medical or Scientific Research Lab	(13)																			P	P	P			

DRAFT
ORDINANCE
08.19.20

301

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

			RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Manufactured Home Sales	(14)																			S		P			
Research and Technology or Light Assembly	(15)																		S	P	P	P			
Shoe and Boot Repair and Sales	(16)														P	S	P	P	P	P					
Trade School	(17)														S			S	P	P	P	P			
Temporary On-Site Construction Office	(18)		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)																							
Major Auto Repair Garage~~, major~~	(1)	(1)																		P	S ~~P~~	P			
Minor Auto repair garage~~, minor~~	(2)	(2)													S			S	S	P	S ~~P~~	P			
Automobile Rental	(3)																		S	P	S	P			
New or Used Boat and Trailer Dealership ~~(new and used)~~	(4)	(3)																	S	P	S	P	X	X	
Full Service Car Wash and Auto Detail	(5)	(4)															S	S	P	P	P	P	S	S	
Self Service Car Wash~~, self-service~~	(5)	(4)																S	P	P	P	P	S	S	
New and/or Used Indoor Motor Vehicle Dealership/Showroom~~, new and/or used~~	(6)	(5)																	S	S	S	S			
New Motor Vehicle Dealership~~, new (~~ for Cars and Light Trucks~~)~~	(7)	(6)																	S	P	S	P			
Used Motor Vehicle Dealership~~, used (~~ for Cars and Light Trucks~~)~~	(7)	(7)																	A	A	A	A			
Commercial Parking~~, commercial~~	(8)														S				P	P	P	P			
Non-Commercial Parking Lot~~, noncommercial~~	(9)														A		S	P	P	P	P	P			
Recreational Vehicle (RV) Sales and Service	(10)																		S	P	S	P			
Service Station	(11)	(8)															S	P	P	P	P	P			
Towing and Impound Yard	(12)	(9)																		S	S	P			
Towing Service~~, no~~ without Storage	(13)	(10)																		P	P	P			
Truck Rental	(14)																			P	S	P			

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LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Truck Stop with ~~fuel~~ Gasoline Sales and Accessory Services	(15)	(11)																		S	S	P			
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)																							
Asphalt or Concrete Batch Plant	(1)	(1)	S																		S	S			
Temporary Asphalt or Concrete Batch Plant~~, temporary~~	(2)	(2)	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P			
Bottle Works for Milk or Soft Drinks	(3)																				P	P			
Brewery or Distillery	(4)	(3)																			P	P			
Carpet and Rug Cleaning	(5)																			S	P	P			
Environmentally Hazardous Materials	(6)	(4)																		S	S	P			
Food Processing with ~~(~~No Animal Slaughtering~~)~~	(7)																			S	P	P			
Light Assembly and Fabrication	(8)																			P	P	P			
Heavy Manufacturing~~, heavy~~	(9)																			S	S	P			
Light Manufacturing~~, light~~	(10)																			P	P	P			
Metal Plating or Electroplating~~, electro-plating~~	(11)																				S	P			
Mining and Extraction of ~~(~~Sand, Gravel, Oil and/or Other Materials~~)~~	(12)	(5)	S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	S	S	S			
~~Monument Works, stone and metal~~																				~~S~~		~~P~~			
Printing and Publishing	(13)																			P	P	P			
Salvage or Reclamation of Products ~~(~~Indoors~~)~~	(14)																			S	P	P			
Salvage or Reclamation of Products ~~(~~Outdoors~~)~~	(15)																				S	P			
Sheet Metal Shop	(16)																			P	P	P			
Tool, Dye, Gauge and/or Machine Shop	(17)																				P				
Welding Repair	(18)																			P	P	P			
Winery	(19)	(6)	S																		P	P			

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NOT FOR PUBLIC
08.19.20

303

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
WHOLESALE, DISTRIBUTION AND STORAGE LAND USES	2.02(J)	2.03(J)																							
Cold Storage Plant	(1)																			P	P	P			
Heavy Construction/Trade Yard	(2)																			S	P	P			
Landfill~~, sanitary~~	(3)		S																						
Mini-Warehouse	(4)	(1)																	S	P	P	P			
Outside Storage and/or Outside Display	(5)	(2)																		P	P	P			S
Recycling Collection Center	(6)																			S	P	P			
Warehouse/Distribution Center	(7)																			P	P	P			
Wholesale Showroom Facility	(8)																		S	P	P	P			
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)																							
Airport, Heliport or Landing Field	(1)																			S	S	S			
Antenna~~, as an~~ Accessory	(2)	(1)	P	S	S	S	S	S	S	S	S	S	S	P		P	P	P	P	P	P	P			
Commercial Antenna~~, commercial~~	(3)	(2)													S	S		S	S	S	S	P			
Antenna~~, for an~~ Amateur Radio	(4)	(3)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A P	A P	A P	A P	A P			
Antenna Dish	(5)	(4)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A P	A P	A P	A P	A P			
Commercial Freestanding Antenna~~, commercial, freestanding~~	(6)	(5)	S															S	S	S	P	P			
Mounted Commercial Antenna~~, commercial, mounted~~	(7)	(6)													S			S	S	S	P	P			
Bus Charter Service and Service Facility	(8)																			P	P	P			
Helipad	(9)																	S	S	S	S	S			
Utilities (*Non-Municipally Owned or Controlled*), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Private Streets	(12)			S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S			

DRAFT
NOT FOR CONSTRUCTION
08.19.2020

LAND USE SCHEDULE

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Radio Broadcasting	(13)														S			P	P	P	P	P			
Railroad Yard or Shop	(14)		S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S			
Recording Studio	(15)														S			S	P	P	P	P			
Satellite Dish	(16)		~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~			
Solar Energy Collector Panels and Systems	(17)	(7)	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~	~~A P~~			
Transit Passenger Facility	(18)														S	S	S	S	S	S	S	S			
Trucking Company	(19)																			P	P	P			
TV Broadcasting and Other Communication Service	(20)														S			S	S	P	P	P			
Utilities Holding a Franchise from the City of Rockwall	(21)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P			
Utility Installation Other than Listed	(22)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Utility/Transmission Lines	(23)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Wireless Communication Tower	(24)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			

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08.19.2020

305

SECTION 2: CONDITIONAL LAND USE STANDARDS AND DEFINITIONS

~~*SUBSECTION 2.01: CONDITIONS*~~

SUBSECTION 2.01: DETERMINATION OF LAND USES

Land uses shall be permitted in a zoning district as indicated in Section 1, *Land Use Schedule*, provided the land use meets the below conditional land use standards and the land use definitions established for such use. Should a new land use -- *not listed in Section 1, Land Use Schedule* -- request to be established in the City, the Director of Planning and Zoning or his/her designee shall determine the closest or most appropriate land use based on the following land use definitions and conditional land use standards. If the Director of Planning and Zoning is unable to classify a land use based on the land uses listed in *Section 1, Land Use Schedule*, then the Director of Planning and Zoning shall defer the decision to the City Council to either [*1*] direct staff to amend the code to incorporate the new land use, or [*2*] deny the request to establish the unlisted land use.

~~The following uses shall be allowed provided the use meets the definition and the standards established of such use.~~

~~*SUBSECTION 2.01.01: RURAL AND ANIMAL RELATED*~~

SUBSECTION 2.02: LAND USE DEFINITIONS

For land use definitions see Section 2.02, *Land Use Definitions*, of Article XIII, *Definitions*.

SUBSECTION 2.03: CONDITIONAL LAND USE STANDARDS

(A) *Agricultural and Animal Related Land Uses*

(1) *Animal Boarding/Kennel with Outside Pens.*

(a) Animals shall be permitted to be in outside pens or kennels.
(b) The outside pens or kennels shall be behind the primary structure and shall be screened from view of adjacent properties, public right-of-way, and parks and open space.

(2) *Animal Boarding/Kennel without Outside Pens.*

(a) Animals shall not be permitted to be in outside pens or kennels.

(3) *Animal Clinic for Small Animals without Outdoor Pens.*

(a) All *Animal Clinics for Small Animals* that incorporate a kennel shall be limited to short-term boarding.
(b) Boarding/kennel land uses should be accessory or incidental to the primary land uses (*i.e. animal clinic*).

~~Animal clinic for small animals, no outdoor pens.~~

~~(1) A place where animals or pets are given medical or surgical treatment and are cared for during the time of~~
~~(2) such treatment.~~
~~(3) Use as a kennel shall be limited to short-time boarding and shall be only incidental to such clinic use.~~

(4) *Barn or Agricultural Accessory Building.*

(a) A *Barn or Agricultural Accessory Building* shall be ~~is~~ a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
~~(2) A Barn or Agricultural Accessory Building is exempt from the masonry requirements stipulated by Section 7.01 , Residential District Development Standards.~~

DRAFT
ORDINANCE
08.19.2019

(b) The *Barn or Agricultural Accessory Building* shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

~~Barn or agricultural accessory building. A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.~~

~~Horse corral or stable (commercial).~~

(5) *Commercial Horse Corral or Stable.*

(a) This use requires a minimum of ten (10) acres to be established.
(b) The ~~Ground~~ ground accumulation~~s~~ of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals~~; and~~
(c) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal.

~~Horse corral or stable (private).~~

(6) *Private Horse Corral or Stable.*

(a) All ~~private horse corrals or stables~~ *Private Horse Corrals or Stables* shall comply with the standards specified in ~~section~~ *Subsection 3.01, Farm Animals and Horses*~~, in this [article]~~.

~~Urban agriculture.~~

~~Urban agriculture is an industry located within or on the fringe of a town, a city or metro area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying human and material resources, products and services largely to the urban area.~~

~~"Urban agriculture" uses do not include landscaping or gardening that is incidental to a residential use or business if plants or their products are not sold. Further, "urban agriculture" shall not include crop production and/or agricultural uses on unplatted land as allowed by table 1, land use tables, of article IV of the Unified Development Code, provided plants or their products are not sold onsite.~~

(7) *Community Garden.* ~~"Community garden" means a use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group.~~

(a) *Community Gardens* are permitted in the Agricultural (AG) District *by-right*; however, a Specific Use Permit (SUP) shall be required for any on-site retail sales.
(b) *Community Gardens* are permitted in all other zoning districts by Specific Use Permit (SUP) only, and are subject to the additional following conditions:

(1) The *Community Garden* must comply with the lot and building standards for ~~its~~ the zoning district in which the subject property is located.
(2) Any structure(s) for a *Community Garden* shall be reviewed as part of the Specific Use Permit (SUP), including the size~~, building materials~~ and intended use.
(3) All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended.

DRAFT ORDINANCE 08.19.19

307

(4) Sales and donation of ~~only~~ whole, uncut, fresh food and/or horticultural products grown in the *Community Garden* may occur on-site ~~on otherwise vacant property~~, but may not occur on residentially zoned or used property ~~that is developed or occupied for residential use~~.

(5) Retail sales and all other public use of the *Community Garden* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.

(6) One temporary sign advertising only food or horticultural products grown on-site may be displayed during sale~~s~~ hours. The sign must be on-site, non-illuminated, and must not exceed six (6) square feet in area or three (3) feet in height.

(7) ~~Management plan.~~ The applicant shall provide a ~~proposed~~ *Community Garden Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include~~, without limitation~~: [*1*] a site plan, [*2*] a description of the type of equipment necessary for all operations of the *Community Garden*, [*3*] the anticipated frequency and duration of use of any equipment used on-site, [*4*] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [*5*] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

~~(a) A site plan;~~
~~(b) Description of the type of equipment necessary on intended for use in each season and the frequency and duration of anticipated use;~~
~~(c) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;~~
~~(d) Disclosure of whether the operation of the community garden would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.~~

(8) *Urban Farm.* ~~An urban farm means a use in which plants are grown for sale of the plants or their products, and in which the plants or their products are sold at the lot where they are grown or off site, or both, and in which no other items are sold. Examples may include flower and vegetable raising, orchards and vineyards.~~

(a) *Urban Farms* are permitted in the Agricultural (AG) District *by-right*; however, a Specific Use Permit (SUP) shall be required for any on-site retail sales.

(b) *Urban Farms* are permitted in all other zoning districts by Specific Use Permit (SUP) only, and are subject to the additional following conditions:

(1) A site area of not less than one (1) acre and not more than five (5) acres is required, unless otherwise approved by City Council.

(2) ~~Mechanical equipment.~~ Only mechanical equipment designed for residential ~~household~~ use may be used.

(3) ~~Sales.~~ Retail sales and all other public use of the *Urban Farm* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.

(4) ~~Deliveries.~~ Commercial deliveries and pickups are limited to one (1) per day. On-site sales are not considered commercial pickups.

(5) ~~Signs.~~ One identification sign ~~is permitted,~~ not exceeding 144 square inches in area is permitted.

(6) Any structure(s) for urban farms in residential districts shall be reviewed as part of the SUP, including size, building materials and intended use.

(7) ~~Management plan.~~ The applicant shall provide a ~~proposed~~ *Urban Farm Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include~~, without limitation~~: [*1*] a site plan, [*2*] a description of the type of equipment necessary for all operations of the *Community Garden*, [*3*] the anticipated frequency and duration of use of any equipment used on-site, [*4*] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [*5*] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

DRAFT ORDINANCE 08.19.20

308

~~(a) A site plan;~~
~~(b) Description of the type of equipment necessary or intended for use in each season and the frequency and duration of anticipated use;~~
~~(c) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;~~
~~(d) Disclosure of whether the operation of the farm would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.~~

(c) *Urban Farms* are permitted in non-residential zoning districts by Specific Use Permit (SUP) only and are subject to the additional following conditions:

(1) A minimum site area of one (1) acre is required.
(2) ~~Sales.~~ Retail sales and all other public use of the *Urban Farm* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
(3) Any structure(s) for a *Community Garden* shall be reviewed as part of the Specific Use Permit (SUP), including the size~~, building materials~~ and intended use.
(4) ~~Management plan.~~ The applicant shall provide a ~~proposed~~ *Urban Farm Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include~~, without limitation~~: [*1*] a site plan, [*2*] a description of the type of equipment necessary for all operations of the *Community Garden*, [*3*] the anticipated frequency and duration of use of any equipment used on-site, [*4*] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [*5*] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

~~(a) A site plan;~~
~~(b) Description of the type of equipment necessary on intended for use in each season and the frequency and duration of anticipated use;~~
~~(c) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;~~
~~(d) Disclosure of whether the operation of the farm would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.~~

(B) *Residential and Lodging Land Uses*

(1) *Residential Accessory Building or Structure.*

(a) See Subsection 7.04, *Accessory Structure Development Standards*, of Article V, *District Development Standards*.

~~Accessory Building (Accessory to Residential Use). See Section 7.04, Accessory Structure Development Standards.~~

(2) *Bed and Breakfast.*

(a) The *Bed and Breakfast* land use is permitted ~~Permitted~~ in the ~~Historic Overlay District~~ Old Town Rockwall (OTR) Historic District *by-right*~~, and in SF-7 by specific use permit, and must be located on an owner-occupied single-family lot.~~
(b) A *Bed and Breakfast* may only be established on an owner-occupied, single-family lot.
(c) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided. ~~One parking space per bedroom to be rented shall be provided above the single-family parking requirement~~
(d) No signage and/or outside advertising shall be ~~allowed~~ permitted for a *Bed and Breakfast* ~~on the lot~~ unless located in a non-residential zoning district or as permitted by a Specific Use Permit (SUP)~~an SUP~~.
~~(e) A permanent wired smoke alarm system meeting all city codes shall be installed.~~ A *Bed and Breakfast* shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.

DRAFT ORD. 19-29

(f) A *Bed and Breakfast* shall be subject to an annual inspection by the Fire Department. ~~The premises shall pass a fire code inspection before opening and on an annual basis thereafter.~~
(g) All applicable hotel/motel taxes shall be paid.
(h) The maximum length of a guests stay ~~is~~ shall be limited to 14 consecutive days in any 30-day period.
(i) A Specific Use Permit (SUP) for a Bed and Breakfast ~~Any bed and breakfast specific use permit (SUP)~~ shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) ~~after an initial six-month period~~ and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance ~~in the permit~~.

~~Carport (Residential). See Section 7.04, Accessory Structure Development Standards.~~

(3) *Duplex*.

(a) ~~Limited to two families.~~ Duplexes shall be limited to two (2) dwelling units (*i.e. two [2] families*) per lot or parcel of land.
(b) See the standards for the Two-Family (2F) District Subsection 7.01, *Residential District Development Standards*, of Article V, *District Development Standards*.
~~(2) The dwelling must be permanently attached to a concrete foundation.~~
~~(3) The primary roof pitch must be at least three in 12 inches.~~
~~(4) At least 80 percent of the exterior materials, excluding doors and windows, must be comprised of brick, stone or cast stone. Additional materials like concrete board such as Hardy Board, and stucco or synthetic stucco such as Synergy or Drivet, may be permitted as specified in article V, section 3.1, General Residential Standards, to comprise a portion of the entire exterior wall.~~

(4) *Attached Garage*.

(a) See Section 7.04, *Accessory Structure Development Standards*, of Article V, *District Development Standards*.

(5) *Detached Garage*.

(a) See Section 7.04, *Accessory Structure Development Standards*, of Article V, *District Development Standards*.

(6) *Guest Quarters/Secondary Living Unit*.

(a) *Guest Quarters* or *Secondary Living Units* may be allowed on a property in a residential zoning district provided that it is ancillary to a single-family home.
(b) The area of such quarters shall not exceed 30 percent of the area of the main structure.
(c) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.
(d) *Guest Quarters* or *Secondary Living Units* not meeting the requirements stated above shall require a Specific Use Permit (SUP).

(7) *Home Occupation*.

(a) ~~*Incidental to Primary Use.*~~ The *Home Occupation* use must clearly be incidental and secondary to the primary use of the property as a residence.
(b) ~~*Employees.*~~ No person~~(s)~~ outside the family may be employed in the *Home Occupation* use.
(c) ~~*Exterior Indication.*~~ There shall be no exterior display, signage, exterior storage of materials, and/or ~~no~~ other exterior indication of the *Home Occupation* use or variation from the residential character of the principal building.
(d) ~~*Traffic.*~~ No traffic shall be generated by such *Home Occupation* than would normally be expected in the neighborhood.
(e) ~~*Nuisance.*~~ No nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be generated.
(f) ~~*Excluded Uses.*~~ A *Home Occupation* may not be interpreted to include ~~the following:~~ facilities for the repair of motor vehicles, repair of small motors, or a daycare center.

DRAFT ORDINANCE 08.19.2019

(8) *Full-Service Hotel*.

(a) The minimum room count for a *Full-Service Hotel* shall be 250-rooms.
(b) Each guestroom shall have a minimum square footage of 380 SF.
(c) A *Full-Service Hotel* shall have a full-service restaurant and kitchen that provides service to the general public.
(d) A *Full-Service Hotel* shall have staff that is present 24-hours a day, seven (7) days a week.
(e) A *Full-Service Hotel* shall have the following minimum amenities: [*1*] a minimum 10,000 SF meeting or conference room, and [*2*] a swimming pool with a minimum area of 1,000 SF.

(9) *Multi-Family Structure or Development*.

(a) See Subsection 7.02, *Multi-Family District Development Standards*, of Article V, *District Development Standards*.

(10) *Portable Building*.

(a) See Subsection 7.04, *Accessory Structure Development Standards*, of Article V, *District Development Standards*.

~~(1) On residentially zoned properties:~~
~~(1) One portable building shall be allowed as an accessory to a residential use on the same lot except for multi-family districts, which shall not contain portable buildings.~~
~~(2) Such building shall not exceed 120 feet in floor area or ten feet in height. In 2F, such building shall be limited to 100 square feet in area.~~

~~Single-family dwelling (attached, detached, zero lot line).~~
~~(1) The dwelling must be permanently attached to a concrete foundation.~~
~~(2) The primary roof pitch must be at least three in 12 inches.~~
~~(3) At least 80 percent of the exterior materials, excluding doors and windows, must be comprised of brick, stone or cast stone. Additional materials like concrete board such as Hardy Board, and stucco or synthetic stucco such as Synergy or Drivet, may be permitted as specified in article V, section 3.1, General Residential Standards, to comprise a portion of the entire exterior wall.~~

(11) *Residential Infill in or Adjacent to an Established Subdivision*.

(a) For the purposes of this Article, an *Established Subdivision* shall be defined as a subdivision that consists of five (5) or more lots, that is 90% or more developed, and that has been in existence for more than ten (10) years.
(b) All proposed residential infill housing that is located within an *Established Subdivision* or a lot or tract of land that is located with 500-feet of an *Established Subdivision* shall be required to apply for a Specific Use Permit (SUP).
(c) As part of the Specific Use Permit (SUP) request the applicant shall be required to submit a residential plot plan or site plan, landscape plans, and building elevations of the proposed home.
(d) In reviewing the proposed Specific Use Permit (SUP), the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing in the *Established Subdivision*.
(e) All housing proposed under this section shall be constructed to be architecturally and visually similar or complimentary to the existing housing in the *Established Subdivision*.

(12) *Single-Family Attached Structure*.

(a) See Section 3, *Residential Districts*, of Article V, *District Development Standards*.
(b) See Subsection 7.01, *Residential District Development Standards*, of Article V, *District Development Standards*.

DRAFT OF ORD. 08.20.19

311

(13) *Single-Family Detached Structure*.

(a) See Section 3, *Residential Districts*, of Article V, *District Development Standards*.
(b) See Subsection 7.01, *Residential District Development Standards*, of Article V, *District Development Standards*.

(14) *Single-Family Zero Lot Line Structure*.

(a) A five (5) foot maintenance easement is required on the non-zero-lot-line side of the structure.
(b) See Section 3, *Residential Districts*, of Article V, *District Development Standards*.
(c) See Subsection 7.01, *Residential District Development Standards*, of Article V, *District Development Standards*.

(15) *Townhouse*.

(a) See Section 3, *Residential Districts*, of Article V, *District Development Standards*.
(b) See the standards for the Two-Family (2F) District Subsection 7.01, *Residential District Development Standards*, of Article V, *District Development Standards*.

(16) *Urban Residential*.

(a) *Urban Residential* includes residential development ~~which~~ that at least partly face streets, public sidewalks, or common open space, and/or which are located above retail, office or service uses.
(b) Ground floor urban residential should have direct access to a sidewalk via a stoop or landing, and a majority of parking should be located in a structure.

(C) *Institutional and Community Service Land Uses*

(1) *Assisted Living Facility.*

~~(1) A facility licensed under V.T.C.A., Health and Safety Code, ch. 247, that furnishes in one or more buildings, food and shelter to persons who are unrelated to the proprietor of the establishment, and also provides personal care services as defined by state law.~~
(a) ~~For purposes of this [Unified Development Code], "assisted living facility" shall~~ These facilities shall include establishments that accommodate seven (7) or more residents. For facilities with six (6) or fewer residents see *Group or Community Home* ~~below~~ in Subsection 2.04(11).

(2) *Church/House of Worship*.

~~(1) A building used for nonprofit purposes by a recognized and legally established sect solely for the purpose of worship.~~
(a) Significant accessory uses such as schools, coffee houses, daycare centers, bingo parlors and halls may only be allowed in a zoning district that allows such uses.

(3) *Congregate Care Facility/Elderly Housing.*

(a) A *Congregate Care Facility/Elderly Housing* facility may have up to two (2) units for on-site managers, which contain full kitchen facilities.
(b) Full-time medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (*e.g. visiting nurse or home health care*).
(c) These facilities shall incorporate special safety, accessibility and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.

~~In addition, a congregate care facility may have up to two units for onsite managers which contain full kitchen facilities. Full-time medical or nursing care is not typically provided by the facility, but may be privately arranged for by individual~~

DRAFT ORD 08.19.2019

312

~~residents on a part-time or temporary basis (e.g. visiting nurse or home health care). It is typical for such facilities to have special safety, accessibility and convenience features designed for the needs of the elderly, such as emergency call systems to onsite staff, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.~~

(4) *Daycare with Seven (7) or More Children*.

(a) An adequate pickup and drop-off area providing a minimum cuing space for four (4) standard sized vehicles shall be provided.

~~(1) Day care is a facility that:~~

~~(a) Is licensed by the state;~~
~~(b) Provides care for seven or more children or adults who do not reside in the facility, who are present primarily during daytime hours, and who do not regularly stay over night; and~~
~~(c) May provide some instruction.~~

~~(2) Adequate provision for pickup and dropoff shall be provided, as determined by the director of planning.~~

(5) *Group or Community Home*.

~~(1) A home for disabled persons whose ability to care for himself, perform manual tasks, learn, work, walk, see, hear, speak or breath is substantially limited because the person has an orthopedic, visual, speech, or hearing impairment, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.~~

(a) The facility must be a ~~community-based residential home~~ operated by:

(1) The Texas Department of Mental Health and Metal Retardation (MHMR);
(2) A Community Center organized under Subchapter A, *Community Centers*, of Chapter 534, *Community Services*, of the Health and Safety Code, that provides services to persons with disabilities;
(3) An entity subject to the Texas Non-Profit Corporation Act; or
(4) An entity certified by the Texas Department of Human Services as a provider under the medical assistance program service persons in intermediate care facilities for persons with mental retardation; or
(5) An entity operating an Assisted Living Facility licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code ~~V.T.C.A., Health and Safety Code, ch. 247~~, and with six (6) or fewer residents. For an assisted living facility with more than six (6) residents see *Assisted Living Facility* ~~above~~ in Subsection 2.04(1).

(b) When the facility is located within a ~~single-family or duplex~~ residential zoning district:

(1) The exterior structure must retain compatibility with the surrounding residential dwellings, and
(2) Not more than six (6) persons with disabilities and two supervisors may reside in the facility at the same time. The limitation on the number of persons with disabilities applies regardless of the legal relationship of those persons to one another.

(c) A ~~community or group home~~ *Group or Community Home* may not be established within one-half (½) mile of an existing ~~community or group home~~ *Group or Community Home* unless a Specific Use Permit (SUP) is approved by the City Council.

(d) The residents of a ~~community or group home~~ *Group or Community Home* may not keep for the use of the residents of the home, either on the premises or on a public right-of-way adjacent to the home, motor vehicles in numbers that exceed the number of bedrooms in the home.

(6) *Halfway House*.

DRAFT ORDINANCE 08-13-19

~~(1) A place where persons are aided in readjusting to society following a period of imprisonment, hospitalization, or institutionalized treatment.~~

(a) ~~Such~~ These facilities shall not be located within a ~~may be located no closer than within a~~ 1,000-foot radius ~~to~~ of another *Halfway House* (as measured from parcel to parcel ~~building to building~~). ~~An~~ A Specific Use Permit (SUP) shall be required for any facility located closer than 1,000-feet.

(b) Such facilities shall be licensed as a Community Residential Facility under Chapter 508, Parole and Mandatory Supervision, of the Texas Health and Safety Code.

(7) *Public or Private Primary School*.

(a) ~~Must provide adequate drop-off areas so as not to unnecessarily impede street traffic.~~ Adequate pick-up and drop-off areas shall be provided to ensure that street traffic/neighborhood traffic is not impeded. This shall be determined by the Director of Planning and Zoning or his/her designee at the time of site plan.

~~(b) Dropoff and access provisions must be approved by the director of planning.~~

~~(c) Other sections of this [Unified Development Code] shall apply to screening, landscaping and cladding.~~

(8) *Public or Private Secondary School*.

(a) The school shall ~~Must~~ be located on a *Minor Collector* or larger roadway.

(b) ~~Must provide adequate drop-off areas so as not to unnecessarily impede street traffic.~~ Adequate pick-up and drop-off areas shall be provided to ensure that street traffic/neighborhood traffic is not impeded. This shall be determined by the Director of Planning and Zoning or his/her designee at the time of site plan.

~~(c) Drop-off and access provisions must be approved by the director of planning.~~

~~(d) Other sections of this [Unified Development Code] shall apply to screening, landscaping and cladding.~~

(9) *Temporary Education Buildings for a Public or Private School*.

(a) The City Manager or his/her designee may approve temporary educational buildings for a public school pending the submission of a letter from the independent school district indicating the duration the buildings will remain on-site. The City Manager or his/her designee may also require the temporary buildings to adhere to the procedures and requirements of Subsection 2.04(23)(A)(b) below.

(b) All other applications of temporary educational buildings will require a Specific Use Permit (SUP) that shall be approved by the Planning and Zoning Commission and City Council, and that shall include the following operational conditions:

(1) The buildings shall be screened from the view of adjacent properties, public right-of-way, and parks and open space by the primary structure or landscape screening that incorporates three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*).

(2) The applicant shall provide a plan indicating the expected phasing-out of all temporary structures.

(3) The Specific Use Permit (SUP) shall be valid for a period not to exceed five (5) years.

~~Private or Public School Temporary Education Buildings. Temporary buildings for classrooms, recreation and administration needs for public school districts may be located on public school district sites when approved by the city manager or his appointed designee. However, the city manager or designee may at their discretion, require a recommendation of the planning and zoning commission and approval by the city council. An application for "temporary education building" must be submitted on forms supplied by the building official's office and shall include a schedule indicating the expected phasing out of all temporary structures. Such permit shall be valid for a period of five years. All temporary structures should be located so that they are screened by the permanent buildings whenever possible.~~

(D) *Office and Professional Land Uses.*

(1) *Financial Institution with Drive-Through.*

DRAFT
08.19.20

~~(1) A financial institution is an establishment for the custody, loan, exchange or issuance of money, and/or the extension of credit that facilitates the transmission of funds. This shall not include pawn shops or businesses that advertise check cashing services.~~

(a) Drive-throughs shall not be located on a property adjacent to a residentially zoned or used property ~~uses~~. Drive-throughs shall be separated from residentially zoned or used properties by an intervening building or parcel of land.

(b) Drive-throughs shall not have access to local residential streets.

(c) Stacking lanes for drive-through service windows shall accommodate at least six (6) standard sized motor vehicles ~~cars~~ per lane, unless specifically approved by the Planning and Zoning Commission ~~director of planning~~.

(E) *Recreation, Entertainment and Amusement Land Uses.*

(1) *Temporary Carnival, Circus, or Amusement Ride* ~~(temporary)~~.

(a) ~~A promotional event intended to attract people to a site where there may or may not be an admission charge, and which may include such activities as rides, entertainment, game booths, food stands, exhibitions, and animal displays, and not extending greater than 14 days in duration~~ The duration of these temporary uses shall not exceed 14-days.

(b) Carnival, circus and amusement ride uses shall be no closer than 300-feet to a residentially zoned or used property ~~land~~ unless otherwise approved ~~such setback is reduced or waived~~ by the Planning and Zoning Commission and City Council.

(c) Such events must obtain a permit from the City of Rockwall.

(2) *Indoor Commercial Amusement/Recreation* ~~(indoor)~~.

(a) Exemptions to this use include:

(1) Skill or coin-operated machines kept in private residences or apartments and used without charge by members of the family or bona fide guests.

(2) Skill or coin-operated machines on the premises of religious, charitable, educational or fraternal organizations for the use of members or their guests, and not for private profit, although a charge is made for playing.

(3) Billiard or pool tables on the premises of publicly owned facilities.

(Ord. No. 10-14, § 17, 7-6-2010)

(3) *Outdoor Commercial Amusement/Recreation* ~~*(outdoor)*~~.

(a) *Outdoor Commercial Amusement/Recreation* includes uses that provide outdoor entertainment (*e.g. amusement parks, golf courses, outdoor music venues, batting cages, miniature golf etc.*), but excludes drive-in movie theaters.

(b) *Outdoor Commercial Amusement/Recreation* includes temporary structures (e.g. tents, canopies, etc.) for events; however, temporary in this case does not include structures intended to serve uses for longer than 14-days.

(c) *Outdoor Commercial Amusement/Recreation* shall be a minimum of 300-feet from all residentially zoned or used property unless otherwise approved by the Planning and Zoning Commission and City Council.

~~(a) Outdoor Commercial recreation and amusements, excluding drive-in theaters, but including golf courses, target ranges and skeet shoots, picnic groves, amusement parks, circus or carnival grounds, commercial amusement or recreational developments or tents, and other similar uses. This includes temporary structures used for meetings. Such uses shall be considered "temporary" if the use does not exceed 14 days. (See carnival, circus, or amusement ride (temporary) above.)~~

~~(b) Outdoor commercial recreational and amusement uses shall be no closer than 300 feet to residentially zoned land unless such setback is reduced or waived by the planning and zoning commission and city council.~~

DRAFT 09.20.19

315

(4) *Temporary Fundraising Events by Non-profit~~, indoor or outdoor (temporary)~~.*

(a) Such events must obtain a *Special Event Permit* from the City of Rockwall.

(5) *Indoor Gun Club with Skeet or Target Range.*

(a) All activities shall be done inside an enclosed building.

(6) *Private Club, Lodge or Fraternal Organization.*

(A) *Private Club.*

(a) *Setbacks from Other Uses*. The club must be located not less than 300-feet from a church, public school, or public hospital. For a church or public hospital, the 300-feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the private club and in a direct line across intersections.

(b) *Exterior Signs*. There shall be no exterior signs advertising the sale of alcoholic beverages, provided this does not prohibit using established trademark names (*e.g. Steak and Ale*).

(c) *Alcoholic Sales Revenue*. Revenues from the sale of alcoholic beverages shall not exceed 40 percent of the gross revenues derived from the sale of food and beverages. In the hotels and motels, the gross receipts shall include all restaurants and club operations in the facility as well as room rental charges. The City shall be provided with copies of the reports submitted by the establishment to the Texas Comptroller of Public Accounts and the Texas Alcoholic Beverage Commission within 30-days of the end of each quarter. Combined sales as reflected on the reports for the last two (2) reported quarters shall be used to determine if the sales of alcohol exceeds the maximum allowed percentage.

(d) *Club Boundaries*. The boundaries of a private club are hereby defined to be the building in which the private club is located, or in the case of a multi-tenant building such as a shopping center, only that portion of the building in which the private club is located which is separately leased or owned, or with contiguous internal access should such floor area be leased to more than one party.

(e) *Certificate of Occupancy.* A copy of the permit approved by the state shall be submitted to the city prior to issuance of a Certificate of Occupancy (CO) to ensure that the permit complies with the provisions of the zoning.

(f) *Allowed uses*. No uses meeting the terms and definitions of *Sexually Oriented Business* as defined in Article XI, *Sexually Oriented Businesses*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances, as it is currently adopted or as it may hereafter be amended, shall be located in a private club unless such uses are approved as a part of the Specific Use Permit (SUP) authorizing the *Private Club*. Any such approved use shall be in compliance with all requirements of this permit, all applicable requirements of the Unified Development Code (UDC), and any other applicable ordinances.

(7) *Sexually Oriented Businesses ~~Uses as defined in chapter 12, article XI of the Code of Ordinances~~.*

(a) *Sexually Oriented Businesses* ~~No such use~~ shall not be permitted within any Overlay District in ~~of~~ the City of Rockwall.

(F) *Retail and Personal Service Land Uses Conditions.*

(1) *Portable Beverage Service Facility*. ~~Beverage service facility, portable. A portable beverage facility shall meet the following minimum conditions:~~

(a) The service shall be limited to snow cone stands, beverage stands serving non-alcoholic beverages such as coffee, juices or sodas.

(b) The maximum time limit of such temporary use shall not exceed 150-days annually or a time limit otherwise approved by the City Council. At the end of the time period, the structure shall be removed from the property.

DRAFT
08.19

(c) Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.
(d) No additional freestanding signage shall be permitted.
(e) The temporary portable structure or trailer shall meet all health and electrical codes off the City.
(f) Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.
(g) Any such temporary facility shall have permanent restrooms for employees available within 300-feet of the door of the portable beverage facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.
(h) Any such temporary facility shall be located on an all-weather (*i.e. asphalt or concrete*) parking surface with adequate space for parking and circulation, unless alternatively approved by the City Council.

(2) *Temporary Christmas Tree Sales Lot and Similar Uses.* A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.

(a) Any such temporary facility of lot shall be limited to the seasonal sales of Christmas trees.
(b) The maximum time limit of such use shall not exceed 45-days annually. At the end of the 45-day period, the structure and other facilities related to the use shall be removed from the property.
(c) Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.
(d) No additional freestanding signage shall be permitted.
(e) Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.
(f) Any such temporary facility shall have permanent restrooms for employees available within 300-feet for which written permission from the permanent building owner for restroom use must be submitted to the Chief Building Official; no portable restroom facility is allowed.

~~Christmas tree sales lot and similar uses (temporary). The temporary sales of Christmas trees may be allowed with a permit approval of the building official provided it meets the following conditions:~~

(3) *Craft/Micro Brewery, Distillery and/or Winery.*

(a) A *Craft/Micro Brewery* areas shall be less than 12,000 SF in total building area.
(b) A maximum of 40 percent of the total floor areas can be dedicated to the direct sale of on-site manufactured product.
(c) A craft or micro-brewery, distillery and/or winery may include the following accessory uses (*in accordance with any applicable land use standards and requirements*): [*1*] a tasting room to dispense beer, wine, and/or spirits for on premise consumption, [*2*] meeting/banquet facilities, [*3*] restaurants, and/or [*4*] retail package sales of on-site manufactured product for off-premise consumption shall be allowed as permitted by the Texas Alcohol Beverage Commission's (TABC) Alcoholic Beverage Code.
(d) A facility that does not have a manufacturing component (*i.e. only provides tasting or retail sales of alcoholic beverages*) shall not be considered a craft or micro-brewery, distillery and/or winery and shall be prohibited.

~~Craft or Micro-Breweries, Distilleries and/or Wineries are small scale manufacturing and retail operations that are less than 12,000 square feet in total building area, and where a maximum of 40 percent of the total floor area can be dedicated to the direct sale of on-site manufactured product. A craft or micro-brewery, distillery and/or winery may include the following accessory uses (in accordance with any applicable land use standards and requirements): (1) a tasting room to dispense beer, wine, and/or spirits for on premise consumption, (2) meeting/banquet facilities, (3) restaurants, and/or (4) retail package sales of on-site manufactured product for off-premise consumption shall be permitted for wineries, but prohibited for breweries, as permitted by Sections 12, 14, and 16 the Texas Alcohol Beverage Commission's (TABC's) Alcoholic Beverage Code. A facility that does not have a manufacturing component (i.e. only provides tasting or retail sales of alcoholic beverages) shall not be considered a craft or micro-brewery, distillery and/or winery and shall be prohibited.~~

(4) *Incidental Display.*

DRAFT
08.13.19

(a) Outdoor sales and displays are permitted only in areas designated on the Site Plan filed with the City.
(b) Outdoor sales and display may not exceed five (5) percent of the adjacent building floor area (*building area is defined as the entirely enclosed portion of the primary building*).
(c) Outdoor sales and display may occupy up to 30 percent of a covered sidewalk that is located within 20-feet of the building. Such display shall not impede pedestrian use of the sidewalk and at least a five (5) foot passable distance shall be maintained.
(d) Any outside sales and display not located on a covered sidewalk must be screened from view of adjacent roadways, public areas and adjacent properties. Such screening must:

(1) Be a minimum of eight feet high or one foot taller than the materials being displayed, whichever is greater.
(2) Include a minimum of 20 percent solid screening matching the material of the primary building. The remainder may be solid evergreen planting, or wrought iron or decorative metal fence~~, dark vinyl coated chain link or similar materials~~.

(e) Any outside sales and display not located on a covered sidewalk must be located immediately adjacent to or connected to the primary structure.
(f) No outdoor sales and display may be located in any portion of a parking lot.
(g) Christmas tree sales are exempted from these standards, and such trees may be stored outdoors for sale beginning one week before Thanksgiving and ending December 31st (~~Also,~~ see *Temporary Christmas Tree Sales and Similar Uses* ~~Christmas tree sales lot and similar uses (temporary)~~).
(h) ~~Landscape materials.~~ The accessory seasonal display of plants and related landscape materials such as fertilizer, peat moss, and ornamental landscape items by a permitted retail use may be displayed upon approval by the building inspector only under the following conditions:

(1) The plants and related materials shall be located on an all-weather surface.
(2) All of the plants and related materials shall be located behind the building line.
(3) The storage area for display of plants and related materials shall not occupy any required parking spaces ~~as outlined in article VI [of this Unified Development Code], Parking and Loading~~. Excess, parking spaces may be used if all other requirements ~~in this section~~ are met.
(4) The storage area for display of plants shall not occupy more than five percent of the total lot area.

(i) ~~Trucks and trailers.~~ The restrictions above shall be construed to prohibit the storage and display of rental trailers and trucks except in districts where such uses are indicated as permitted uses.

~~Display, incidental. Outdoor sales and display, excluding vehicles and vehicular machinery, for which the sale of these items are the primary business, shall meet the following standards:~~

(5) *Food Truck/Trailer.*

(a) The *Food Truck/Trailer* shall be located on an improved surface (*i.e. concrete or asphalt*) on private property where an existing business is currently operating with a valid certificate of occupancy (CO). Operation within the public right-of-way is prohibited.
(b) *Food Trucks/Trailers* shall only operate between the hours of 7:00 AM and 10:00 PM, and the *Food Truck/Trailer* shall be required to be removed from the property during non-operation hours (*i.e. overnight storage on the site is prohibited*).
(c) The *Food Truck/Trailer* shall be equipped with trash receptacles approved by the city health inspector and that comply with all other applicable city codes. The outside storage of trash shall be prohibited.
(d) The *Food Truck/Trailer* shall have permanent restrooms (*i.e. public or private*) for employees available within 300-feet of the facility. Portable restrooms facilities are not permitted to meet this requirement.
(e) The *Food Truck/Trailer* shall have access to a minimum of two (2) dedicated parking spaces and shall not reduce the required parking for the existing building/land use.
(f) All noise and lighting shall be subject to the requirements of the Municipal Code of Ordinances and the Unified Development Code. In addition, no lights associated with the operation of a *Food Truck/Trailer* may be directed towards an adjacent property or onto a public right-of-way.

DRAFT ORDINANCE 09.19.23

(g) All signage must be attached to the *Food Truck/Trailer* with the exception of one freestanding menu board no greater than eight SF placed adjacent to the *Food Truck/Trailer*.
(h) *Food Truck/Trailer* shall be prohibited from locating within the Downtown Square (*i.e. the properties bounded by N. Alamo Street, E. Interurban Street, S. Fannin Street, and E. Washington Street*); however, the city council may consider allowing a food truck/trailer to locate within the Downtown Square on a *case-by-case* basis through the approval of a Specific Use Permit (SUP).

~~A food truck/trailer shall meet the following conditions:~~

(6) *General Personal Service.*

(a) Outside storage shall be prohibited with this land use.

(7) *Permanent Cosmetics.*

~~Cosmetics, permanent.~~

~~(a) Cosmetics, permanent, as defined by the state department of health.~~
(a) It includes electrolysis, but does not include ornamental tattoos.

~~Private club, lodge or fraternal organization.~~

~~1. Definition. A private club is an establishment providing social and dining facilities as well as alcoholic beverages service to an association of persons and otherwise falling within the definition of and permitted under the provisions of that portion of V.T.C.A., Alcoholic Beverage Code § 32.01 et seq. as it may be amended and as it pertains to the operation of private clubs.~~
~~2. Setbacks from other uses. The club must be located not less than 300 feet from a church, public school, or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the private club and in a direct line across intersections.~~
~~3. Exterior signs. There shall be no exterior signs advertising the sale of alcoholic beverages, provided this does not prohibit using established trademark names (i.e., Steak and Ale).~~
~~4. Alcoholic sales revenue. Revenues from the sale of alcoholic beverages shall not exceed 40 percent of the gross revenues derived from the sale of food and beverages. In the hotels and motels, the gross receipts shall include all restaurants and club operations in the facility as well as room rental charges. The city shall be provided with copies of the reports submitted by the establishment to the Texas Comptroller of Public Accounts and the Texas Alcoholic Beverage Commission within 30 days of the end of each quarter. Combined sales as reflected on the reports for the last two reported quarters shall be used to determine if the sales of alcohol exceeds the maximum allowed percentage specified in this [Unified Development Code].~~
~~5. Club boundaries. For the purposes of this [Unified Development Code], the boundaries of a private club are hereby defined to be the building in which the private club is located, or in the case of a multi-tenant building such as a shopping center, only that portion of the building in which the private club is located which is separately leased or owned, or with contiguous internal access should such floor area be leased to more than one party.~~
~~A copy of the permit approved by the state shall be submitted to the city prior to issuance of a certificate of occupancy to ensure that the permit complies with the provisions of the zoning.~~
~~6. Allowed uses. No uses meeting the terms and definitions of "sexually oriented business" as defined in chapter 12, article XI of the Code of Ordinances, as it is currently adopted or as it may hereafter be amended, shall be located in a private club unless such uses are approved as a part of the specific use permit authorizing the private club. Any such approved use shall be in compliance with all requirements of this permit, all applicable requirements of the Unified Development Code, and any other applicable ordinances.~~

(8) *Rental Store without Outside Storage and/or Display.*

(a) Outside storage and/or display is prohibited for this land use.

DRAFT
08/19/2019

319

(9) *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In.*

(a) Drive-through lanes shall not have access to a local residential street.
(b) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
(c) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

(10) *Restaurant with 2,000 SF or More with Drive-Through or Drive-In.*

(a) Drive-through lanes shall not have access to a local residential street.
(b) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
(c) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

~~Restaurant with drive-through.~~

~~1. Drive-throughs shall not have access to local residential streets.~~
~~2. Stacking lanes for drive-through service windows shall accommodate at least six cars per lane, unless specifically approved by the director of planning.~~

~~Restaurant with accessory private club. See "private club" above.~~

(Ord. No. 07-31, 8-20-2007; Ord. No. 10-14, § 19, 7-6-2010; Ord. No. 10-32, § 2, 12-6-2010; Ord. No. 15-23, § 1, 8-3-2015; Ord. No. 18-04, § 1, 1-2-2018; Ord. No. 18-27, § 1, 6-4-2018; Ord. No. 18-37, § 1, 9-4-2018)

(G) *Commercial and Business Services Land Uses.*

~~Building and Landscape Material with Limited Outside Storage. Building and landscape material with outside storage. Outdoor sales and display, excluding vehicles and vehicular machinery for which the sale of these items is the primary business, shall meet the following standards:~~

(1) *Building and Landscape Material with Outside Storage.*

(a) Outside storage shall be permitted in accordance with the requirements for outside storage contained in Article IV, *Permissible Uses*, and Article VIII, *Landscape and Fence Standards*.
(b) All outside storage must be screened from adjacent properties, public right-of-way, and parks and open space.

(2) *Building and Landscape Material with Limited Outside Storage.*

(a) Outdoor sales and displays are permitted only in areas designated on the site plan filed with the City.
(b) Outdoor sales and display may not exceed five (5) percent of the adjacent building floor area (*Building area is defined as the entirely enclosed air-conditioned portion of the primary building*).
(c) Outdoor sales and display may occupy up to 30 percent of a covered sidewalk that is located within 20-feet of the building. Such display shall not impede pedestrian use of the sidewalk and at least a six (6) foot passable distance shall be maintained.
(d) Any outside sales and display not located on a covered sidewalk must be screened from view of adjacent roadways, public areas and adjacent properties. Such screening must:

(1) Be a minimum of eight (8) feet high or one (1) foot taller than the materials being displayed, whichever is greater.

DRAFT 08.19.2019

320

(2) Include minimum of 20 percent solid screening matching the material of the primary building. The remainder may be solid evergreen planting, or wrought iron or decorative metal fence~~, dark vinyl coated chain link or similar materials~~.

(e) Any outside sales and display not located on a covered sidewalk must be located immediately adjacent to or connected to the primary structure.
(f) No outdoor sales and display may be located in any portion of a parking lot.

~~Building and landscape material with outside storage.~~

~~1. All outside storage must be screened from adjacent streets and public areas.~~

(3) *Building Maintenance, Service, and Sales with Outside Storage.*

(a) Outside storage shall be permitted in accordance with the requirements for outside storage contained in Article IV, *Permissible Uses*, and Article VIII, *Landscape and Fence Standards*.
(b) All outside storage must be screened from adjacent properties, public right-of-way, and parks and open space.

(4) *Furniture Upholstery/Refinishing and Resale*.

(a) In the Commercial (C) District, the furniture upholstery refinishing or resale land use is only permitted as an ancillary use to a general retail store (*i.e. a business whose primary purpose is to sell finished goods*) by Specific Use Permit (SUP).

(5) *Temporary On-site Construction Office*.

(a) Only one (1) construction or field office shall be allowed per construction site, unless specifically approved by the Chief Building Official.
~~(b)~~ Temporary construction offices shall be limited to the period of construction with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official. ~~Such offices shall be maintained at all times.~~

(Ord. No. 18-26, § 1, 6-14-2018)

(H) *Auto and Marine-Related Land Uses.*

(1) *Major Auto Repair Garage~~, major~~*.

(a) Garage doors shall not face a public right-of-way, park or open space, or residentially zoned or used property. ~~the street or a residential lot.~~
(b) Vehicles, equipment, parts or inventory shall not be stored outside overnight unless granted by the Planning and Zoning Commission and City Council through ~~expressly permitted by~~ a Specific Use Permit (SUP).~~this [Unified Development Code].~~ If permitted all stored items ~~In which case, they~~ shall be screened from public right-of-way ~~streets~~, sidewalks and open space, and any residentially zoned or used property ~~lot~~ in accordance with the requirements of Article IV, *Permissible Uses*, and Article VIII, *Landscape and Fence Standards*.

(2) *Minor Auto Repair Garage~~, minor~~*.

(a) The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. It also includes *quick lube* type businesses. This applies to only to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.
(b) In a General Retail (GR) District, ~~an~~ *Minor Auto Repair Garage* ~~"auto repair garage, minor"~~ is permitted as an accessory to a retail use, when the gross floor area of the auto repair and related storage does not exceed 30 percent of the retail sales floor area. If it is a stand-alone use, it shall require a Specific Use Permit (SUP).

DRAFT 09.2019

(c) In a Commercial (C) District, ~~a~~*n* *Minor Auto Repair Garage* ~~"auto repair garage, minor"~~ is permitted as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building. If it is a stand-alone use, it shall require a Specific Use Permit (SUP).
(d) Garage doors or bays shall not face the street or a residential lot.
(e) Vehicles, equipment, parts or inventory shall not be stored outside overnight unless granted by the Planning and Zoning Commission and City Council through ~~expressly permitted by~~ a Specific Use Permit (SUP).~~this [Unified Development Code].~~ If permitted all stored items ~~In which case, they~~ shall be screened from public right-of-way ~~streets~~, sidewalks and open space, and any residentially zoned or used property ~~lot~~ in accordance with the requirements of Article IV, *Permissible Uses*, and Article VIII, *Landscape and Fence Standards*.
(f) A site plan must be approved ~~by the Director of Planning~~ prior to issuance of any building permit.
(g) In the Downtown (DT) District a~~n~~ *Minor Auto Repair Garage* ~~"auto repair garage, minor"~~ shall not be located within 500-feet of the Historic Courthouse property.

(3) *Boat and Trailer Dealerships (New and Used)*.

(a) The area to be used for outside storage and display shall not exceed 50 percent of the total lot area within 100-feet of any adjacent street.
(b) All such outside storage and display areas must be permanently paved to City standards.
(c) All such outside storage and display areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three (3) feet in height.
(d) All such outside storage and display areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.
(e) A site plan and landscape plan shall be approved prior to issuance of any building permit.
(f) Such uses shall only be permitted along ~~Interstate 30~~ IH-30 and other arterials, as identified on the City's Master Thoroughfare Plan, but shall be excluded within the Scenic Overlay (SOV) District and along FM-740 and SH-66.

(4) *Car Wash (Full-Service or Self-Service).*

~~Carwash/auto detail. The following standards apply to any freestanding or accessory carwash or auto detailing use:~~

(a) Entrances and exits to the car wash shall not directly face any public right-of-way ~~street~~. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the Director of Planning and Zoning.
(b) The carwash shall be set back a minimum of 50-feet from any street frontage.

(5) *New and/or Used Indoor Motor Vehicle Dealership/Showroom~~, new and/or used~~*.

(a) The sales/storage facility must be a completely enclosed building.
(b) Outside display or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures.
(c) All activities shall remain inside the building *(i.e. no detailing, sales activities, et cetera shall be performed outside the building*).
(d) Accessory uses may be allowed in compliance with Section 1, *Land Use Schedule* ~~the "permissible use charts" located within section 1.1 of this article~~.

(6) *New Motor Vehicle Dealership for Cars and Light Trucks.*

~~(a) Used vehicles may only be sold as an ancillary use to new vehicle sales.~~
(a) All outside display of vehicles must be on an approved concrete, or enhanced concrete surface.
(b) All vehicle display areas must meet the landscape standards for parking areas.

(7) *Used Motor Vehicle Dealership for Cars and Light Trucks.*

(a) Used vehicles may only be sold as an ancillary use to new vehicle sales.

DRAFT 08.19.2019

(8) *Service Station*.

(a) Service station does not include any premises where retail sales space exceeds 25 percent of the total building area or 500 SF of gross floor area, whichever is less.

(9) *Towing and Impound Yard*.

(a) A towing and impound yard must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in Article VI, *Wrecker and Towing Services*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances ~~chapter 12, article VI of the Code of Ordinances~~, unless otherwise approved by the Planning and Zoning Commission and City council as part of the Specific Use Permit (SUP) approved for the use.

(10) *Towing Service without~~, no~~ Storage*.

(a) A towing storage with no outside storage must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in Article VI, *Wrecker and Towing Services*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances ~~chapter 12, article VI of the Code of Ordinances~~,

(11) *Truck Stop with Gasoline Sales ~~fuel~~ and Accessory Services*.

(a) Entrances and exits to the service bays shall not directly face any public street. On corner sites, service bay entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the Director of Planning and Zoning.
(b) The location of access drives from adjacent streets shall be determined by the Director of Planning and Zoning.

(Ord. No. 06-14, 4-17-2006; Ord. No. 10-14, § 20, 7-6-2010; Ord. No. 11-13, § 2, 4-13-2011; Ord. No. 14-52, § 1, 12-1-2014)

(l) *Industrial and Manufacturing Land Uses.*

(1) *Asphalt or Concrete Batch Plant*.

(a) Any *Asphalt or Concrete Batch Plant* shall meet environmental standards established by ~~this~~ Unified Development Code (UDC) and state and federal agencies.

(2) *Temporary Asphalt or Concrete Batch Plant~~, Temporary~~*.

(a) A permit from the Chief Building Official stating any special conditions relating to its siting and reduction of potential impacts on adjacent uses, shall be required for this use.
(b) *Temporary Asphalt or Concrete Batch Plants* are limited to the period of construction if was constructed to serve.
(c) Any *Asphalt or Concrete Batch Plant* shall meet environmental standards established by ~~this~~ Unified Development Code (UDC) and state and federal agencies.

(3) *Brewery or Distillery*. ~~A brewery or distillery may include the following accessory uses (in accordance with any applicable land use standards and requirements):~~

(a) A brewery or distillery may include a tasting room to dispense beer for on premise consumption as an accessory use (in accordance with any applicable land use standards and requirements).

(4) *Environmentally Hazardous Materials*.

DRAFT ORDINANCE 08.19.20

(a) Any land use which involves environmentally hazardous materials shall meet environmental standards established by ~~this~~ Unified Development Code (UDC) and state and federal agencies.
(b) A permit from the Chief Building Official stating any special conditions relating to its siting and reduction of potential impacts on adjacent uses, shall be required for this use.

(5) *Mining and Extraction (Sand, Gravel, Oil and Other)*.

(a) Any mining and extraction activity shall meet environmental standards established by ~~this~~ Unified Development Code (UDC) and state and federal agencies.
(b) A permit from the Chief Building Official stating any special conditions relating to its siting and reduction of potential impacts on adjacent uses, shall be required for this use.

(6) *Winery*. ~~A winery is the industrial manufacturing, bottling, labeling and packaging of wine in accordance with the Texas Local Government Code (TLGC).~~

(a) A winery may include the following accessory uses (in accordance with any applicable land use standards and requirements): [*1*] a tasting room to dispense wine for on premise consumption, [*2*] meeting/banquet facilities, [*3*] restaurants, and/or [*4*] retail sales of wine for off-premise consumption.

(Ord. No. 18-27, § 1, 6-4-2018)

(J) *Wholesale, Distribution and Storage Land Uses.*

(1) *Mini-Warehouse.* ~~A *Mini-Warehouse* (*or self-storage facility*) is an enclosed storage facility containing independent, fully enclosed bays that are generally leased to individuals for long-term storage of their household goods or personal property.~~

(a) The number of storage units per acre shall not exceed 125, the minimum number of storage units shall be ten (10), and the maximum site area shall be five (5) acres.
(b) Only single-story units are allowed; however, no multistory buildings will be permitted unless an exception is approved by the Planning and Zoning Commission and City Council. If necessary, the office/caretaker residence-unit may exceed one (1) story, but shall not be greater than 36-feet in height.
(c) A minimum of two (2) parking spaces shall be required for the on-site manager (*i.e., caretaker, resident or otherwise*).
(d) No direct access from FM-740, SH-205, SH-66, SH-276, FM-3097, FM-552, FM-549 and John King Boulevard. The City Council may consider granting direct access from the above-mentioned roadways after review and determination of the availability of access to the specific property.
(e) Perimeter walls shall be provided which face the front, rear and side property lines. Overhead doors shall not face adjacent streets. ~~All exteriors perimeter walls facing the front, rear and side property lines shall be 100 percent brick construction unless otherwise approved by the planning and zoning commission and city council.~~ Perimeter walls facing the front yard shall incorporate architectural features to break up the long repetitive nature of self-storage buildings (e.g. ~~such as~~ offsets in buildings, variation of materials, and/or variation of heights, etc.). No ~~pre-engineered metal building components (e.g. such as~~ gutters and downspouts~~)~~ shall be incorporated in the perimeter walls facing the front property line. ~~Interior walls shall be constructed of split face block, brick or stone.~~
(f) The front, side and rear building set back areas shall be landscaped. Landscaping should be clustered, creating interesting relief from the long repetitive nature of self-storage buildings.
(g) The facilities shall incorporate the use of perimeter gates that limit access to the storage areas to customers only. ~~Gates shall conform to all applicable zoning, building and fire code requirements.~~ Special access for fire and police personnel shall be provided as required.
(h) All screening fences shall be wrought iron with landscaping/living screen or masonry walls in accordance with the screening requirements contained in Subsection 5.02, *Landscape Screening*, of Article VIII, *Landscape and Fence Standards*. See-through fencing should be wrought iron, or similar. Chainlink fencing of any kind shall be prohibited.

DRAFT ORDINANCE 08.13.20-19

(i) Buildings and see-through fencing should be oriented in a manner to restrict the visibility of interior overhead doors and drives from ~~the~~ public right-of-way ~~street~~. The color(s) of the garage doors, as well as other doors within the facility, shall compliment the exterior colors of the main building(s).
(j) The commercial operation of rental trucks and trailers shall be prohibited.
(k) Businesses shall not be allowed to operate in the individual storage units.
(l) No outside storage of any kind shall be allowed (*including the outside storage of boats, recreational vehicles, and motor or self-propelled vehicles*).
(m) Concrete shall be used for all paving.
(n) Roofs shall have a minimum pitch of ~~one in three~~ 1:3 and be constructed with a metal standing seam. Mechanical equipment shall be screened with the roof structure or parapet walls.
(o) Lighting standards shall be limited to a maximum of 20-feet in height.
(p) The residential unit as an accessory to the permitted use shall not exceed 1,600 SF.

(2) *Outside Storage and/or Outside Display*.

(a) ~~Outdoor storage shall be screened to the height of what is being stored from streets and public open space, and from abutting residentially zoned districts, and from an NS, GR, C, DT or RT district.~~ *Outside Storage and/or Outside Display* shall adhere to the requirements of Subsection 1.05, *Screening Standards*, of Article V, *District Development Standards*.
(b) No outside storage shall be allowed in any zoning district adjacent to IH-30. However, on property that is zoned ~~(LI)~~ Light Industrial (LI) District and adjacent to IH-30, a Specific Use Permit (SUP) may be considered on a *case-by-case* basis to allow for *Outside Storage and/or Outside Display* in conjunction with a use that is permitted under Section 1, *Land Use Schedule* ~~this article~~. A Specific Use Permit (SUP) approved for this use may be subject to time limitations, site/landscaping or building enhancements, or other restrictions deemed appropriate by the Planning and Zoning Commission ~~or~~ and City Council.
(c) *Incidental Display*, as defined in Subsection 2.07(11), ~~this article~~ shall not be considered *Outside Storage and/or Outside Display*, and shall be subject to the requirements of Subsection 2.07(11) ~~allowed pursuant to table 1, land use schedules~~.

(Ord. No. 11-47, § 2, 12-5-2011)

SUBSECTION 2.~~01.11~~12: UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES

(1) *Antenna as an Accessory.*

(a) The antenna installation shall comply with the height and area regulations of the applicable zoning district.
(b) Administrative approval of the antenna installation shall be required.
(c) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(2) *Commercial Antenna.*

(a) Located entirely within a non-residential structure as allowed under the applicable zoning district regulations:

(1) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within the principal building on the property or in an underground vault.
(2) Any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six (6) feet at maturity or a masonry screening wall at least eight (8) feet in height, compatible in color with the principal building and the equipment building.
(3) At least one (1) paved parking space with paved access thereto shall be provided at the antenna location; said parking space need not be reserved exclusively for use in conjunction with the antenna installation and may be one of the spaces provided for the principal use on the property.
(4) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(5) No more than three (3) separate equipment buildings shall be located on a single lot.

DRAFT 08.19.19

(6) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(3) *Antenna for an Amateur Radio.*

(a) Amateur antenna support structures, antenna, or support wires must be located behind the front facade of the main building, and no amateur antenna support structure, antenna, or support wires may be located in the required rear or side yard setback.
(b) No amateur antenna support structure or antenna may be greater than the maximum height of the underlying zoning district. However, the height of such antenna support structure or antenna may be increased up to 70-feet provided the setback from side and rear setback lines is increased by one (1) foot for every foot the height exceeds the limit specified in the underlying zoning district. In addition, the City Council may consider approval of a Specific Use Permit (SUP) for any amateur antenna support structure or antenna that is proposed to exceed these height limits.
(c) Only one (1) amateur radio support structure may be erected on a residential lot. Additional antenna support structures may be allowed with the approval of a Specific Use Permit (SUP).
(d) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(4) *Antenna Dish.*

(a) Dish antennas shall not be located within front or side yards, and shall be fully screened from view from streets and public or common open areas. In all cases, they must be screened to minimize the visual impact from adjacent properties.
(b) In residential districts, they shall be located only in rear yards. However, dish antennas 20-inches or smaller may be roof mounted provided that they are located behind a transverse roof ridge line and screened from adjacent properties.
(c) In commercial districts, if located on ground level, dish antennas shall be screened to the full height of the structure with landscaping. They may also be allowed on roof tops provided that they are located and screened so as to minimize visual impact from other properties in the area.
(d) In industrial districts, dish antennas may be ground or roof mounted but must be screened to minimize the visual impact from adjacent properties.
(e) If the standards above are not reasonably achievable, a Specific Use Permit (SUP) shall be obtained prior to installation of a dish antenna.
(f) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(5) *Commercial Freestanding Antenna.*

(a) *Commercial Freestanding Antenna* attached to a utility installation or a light pole in a public park or on public school property:

(1) The height of the utility installation or light pole upon which the antenna is attached shall be greater than 75-feet but no more than 150-feet.
(2) The antenna shall extend no more than ten feet above the maximum height of the utility structure.
(3) A minimum clearance of 15-feet shall be maintained from the ground to the lowest element of the antenna.
(4) A minimum setback of 20-feet shall be maintained from the utility installation, light pole or any equipment building to the lot line of the nearest property developed for residential occupancy.
(5) Any necessary equipment building may be constructed of metal with a baked-on or pre-painted surface and shall not exceed seven feet in height and 75 SF in area. The exterior surfaces shall be covered in paint or a similar coating; or the building may be built of a material allowed by the applicable zoning district for the principal building; or the necessary equipment may be contained entirely within a principal building on the property or in an underground vault. All equipment buildings shall be maintained free from graffiti.
(6) At least one (1) paved parking space with paved access may be required at the antenna location; this parking space need not be reserved exclusively for use in conjunction with the antenna installation and may be one of the spaces provided for the principal use on the property, if any.
(7) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.

DRAFT
08.20.19

326

(8) No more than three separate antennas and three (3) equipment buildings shall be located on a single lot or structure.
(9) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(b) *Commercial Freestanding Antenna* that is *not* attached to a utility installation or a light pole in a public park or on public school property:

(1) The antenna installation shall comply with the height and area regulations of the applicable zoning district and the support structure shall not exceed 125-feet in height.
(2) The antenna shall not extend more than ten (10) feet above the maximum height of the support structure.
(3) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.
(4) The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six feet at maturity or by a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building and the equipment building.
(5) At least one (1) paved parking space with paved access may be required at the antenna location; this space need not be reserved exclusively for use in conjunction with the antenna facility and may be one (1) of the spaces required for the principal use on the property.
(6) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(7) No more than three (3) separate antennas and three equipment buildings shall be located on a single lot or structure.
(8) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(c) *Replacement of an Existing Freestanding Antenna* that is not been permitted this Article -- *but that is considered to be a legally recognized, non-conforming structure or facility* --, the replacement of the antenna installation may be approved by the City Council on a *case-by-case basis* through a Specific Use Permit (SUP) pending the request conforms to the following criteria:

(1) The replacement of any legally recognized, non-conforming antenna installation shall only be permitted within the Heavy Commercial (HC) District, Light Industrial (LI) District, and Heavy Industrial (HI) District.
(2) The replacement antenna installation shall be set back a minimum distance equal to the height of the proposed structure from any residential property or residentially zoned property.
(3) The existing antenna installation shall be removed from the property within 14-days of the completion of the proposed replacement antenna installation.
(4) The height of the replacement installation shall be equal to or less than the existing antenna installation, and any additional antennas added to the structure shall not exceed the height of the replacement installation.
(5) Any necessary equipment buildings associated with the replacement installation shall be of a material allowed by the applicable zoning district and be similar in color and character to the principal building on the site. As an alternative, the necessary equipment can be contained entirely within the principal building on the property or in an underground vault.
(6) The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a landscape screening that will achieve a height of at least six (6) feet at maturity. As an alternative a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building may be used.
(7) At least one (1) paved parking space with paved access may be required at the antenna location. This parking space does not need to be reserved exclusively for the replacement tower use and may be one of the spaces required for the principal use on the property.
(8) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(6) *Mounted Commercial Antenna.*

DRAFT 08.30.2016

327

(a) *Mounted Commercial Antenna* that 12-feet or less in height, on non-residential structures allowed under the applicable zoning district regulations:

(1) The total height of the structure, including the antenna, shall not exceed the maximum height of the zoning district by more than 12-feet.
(2) A minimum clearance of 15-feet shall be maintained from the ground to the lowest element of the antenna.
(3) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.
(4) The antenna and any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge, which will achieve a height of at least six (6) feet at maturity or a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building and the equipment building.
(5) At least one (1) paved parking space with paved access thereto shall be provided at the antenna location; said space need not be reserved exclusively for use in conjunction with the antenna facility and may be one of the spaces required for the principal use on the property.
(6) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(7) The antenna will meet all applicable requirements of Subsection 3.06, *Antennas*.

(7) *Solar Energy Collector Panels and System.*

(a) Solar energy collector panels installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:

(1) Configuration of pitched roof solar energy collector panels shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.
(2) The surface of the solar energy collector panel shall not be more than six inches above the surface of the pitched roof.

(b) Solar energy collector panels installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view.

(1) The height of such screening, at the minimum, shall be the height of the solar energy collector panel.
(2) The screening may be by a parapet or screening wall replicating the materials of the building.

(c) Reflective flare of solar energy collector panels shall be minimized by the positioning of the solar collector panels or by the use of nonglare glazing.
(d) Piping, wiring and other mechanical accessories shall be concealed within a roof mounted solar energy collector panel. If some portion of the piping, wiring or other mechanical accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.
(e) Ground mounted or pole mounted solar energy collector panels shall be located behind the primary building, and shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the city.
(f) The maximum overall height of ground mounted or pole mounted solar energy collector panels shall not exceed 12-feet.
(g) In residential zoning districts, the total coverage area of solar energy collector panels shall not exceed 1,000 SF on a single lot.
(h) Any solar energy collector panels or systems not meeting these requirements, or any installation of solar energy systems as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

~~Antenna.~~

~~2. Definitions.~~

DRAFT 08.19.20

~~Antenna mast is defined as an antenna, mast or tower, or all or any two of these combined to constitute a structure designed for radio and television reception or transmission.~~

~~Antenna means a device or apparatus consisting of one or more wires or rods arranged to send and receive radio, television, electromagnetic or microwave signals. For purposes of this section, several antenna components may be assembled to perform a single function for a single operator and may be considered one antenna.~~

~~Antenna, accessory, means an antenna for the purpose of transmitting, retransmitting and/or receiving radio, television, electromagnetic or microwave signals as part of and directly related to a principal activity within an office, retail or industrial building and which itself is not a principal use or unrelated to any principal use on the property.~~

~~Antenna, amateur radio, means a radio communication antenna used by a person holding an amateur station license from the Federal Communications Commission (FCC). An amateur radio antenna shall be allowed as an accessory use in any zoning district, under the following guidelines:~~

~~(a) Amateur antenna support structures, antenna, or support wires must be located behind the front facade of the main building, and no amateur antenna support structure, antenna, or support wires may be located in the required rear or side yard setback.~~
~~(b) No amateur antenna support structure or antenna may be greater than the maximum height of the underlying zoning district. However, the height of such antenna support structure or antenna may be increased up to 70 feet provided the setback from side and rear setback lines is increased by one foot for every foot the height exceeds the limit specified in the underlying zoning district. In addition, the city council may consider approval of a specific use permit for any amateur antenna support structure or antenna that is proposed to exceed these height limits.~~

~~(c) Only one amateur radio support structure may be erected on a residential lot. Additional antenna support structures may be allowed with the approval of a specific use permit.~~

~~Antenna, commercial, means an antenna for the purpose of transmitting, retransmitting and/or receiving radio, television, cellular, electromagnetic or microwave signals, and any other similar technology, primarily for the purpose of operating a business and/or for financial gain. A commercial antenna may be either mounted or freestanding as described below.~~

~~Antenna, commercial—freestanding, means a commercial antenna supported by or affixed to a freestanding pole, tower, tripod, frame or other similar structure.~~

~~Antenna, commercial—mounted, means a commercial antenna permanently affixed to the roof or other portion of a building.~~

~~3. Antenna standards.~~

~~(a) Antenna, accessory.~~

~~(a) The antenna installation shall comply with the height and area regulations of the applicable zoning district.~~
~~(b) Administrative approval of the antenna installation shall be required.~~

~~(b) Antenna, commercial. Located entirely within any nonresidential structure allowed under the applicable zoning district regulations:~~

~~(1) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within the principal building on the property or in an underground vault.~~
~~(2) Any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six feet at maturity or a masonry screening wall at least eight feet in height, compatible in color with the principal building and the equipment building.~~
~~(3) At least one paved parking space with paved access thereto shall be provided at the antenna location; said parking space need not be reserved exclusively for use in conjunction with the antenna installation and may be one of the spaces provided for the principal use on the property.~~

DRAFT ORDINANCE 09.29.2015

(4) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(5) No more than three separate equipment buildings shall be located on a single lot.

(c) Antenna, commercial—freestanding, when attached to a utility installation or a light pole in a public park or on public school property:

(10)The height of the utility installation or light pole upon which the antenna is attached shall be greater than 75 feet but no more than 150 feet.
(11)The antenna shall extend no more than ten feet above the maximum height of the utility structure.
(12)A minimum clearance of 15 feet shall be maintained from the ground to the lowest element of the antenna.
(13)A minimum setback of 20 feet shall be maintained from the utility installation, light pole or any equipment building to the lot line of the nearest property developed for residential occupancy.
(14)Any necessary equipment building may be constructed of metal with a baked-on or pre-painted surface and shall not exceed seven feet in height and 75 square feet in area. The exterior surfaces shall be covered in paint or a similar coating; or the building may be built of a material allowed by the applicable zoning district for the principal building; or the necessary equipment may be contained entirely within a principal building on the property or in an underground vault. All equipment buildings shall be maintained free from graffiti.
(15)At least one paved parking space with paved access may be required at the antenna location; this parking space need not be reserved exclusively for use in conjunction with the antenna installation and may be one of the spaces provided for the principal use on the property, if any.
(16)Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(17)No more than three separate antennas and three equipment buildings shall be located on a single lot or structure.

(d) Antenna, commercial—freestanding, other.

(9) The antenna installation shall comply with the height and area regulations of the applicable zoning district and the support structure shall not exceed 125 feet in height.
(10)The antenna shall not extend more than ten feet above the maximum height of the support structure.
(11)Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.
(12)The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six feet at maturity or by a masonry screening wall at least eight feet in height, compatible in color and character with the principal building and the equipment building.
(13)At least one paved parking space with paved access may be required at the antenna location; this space need not be reserved exclusively for use in conjunction with the antenna facility and may be one of the spaces required for the principal use on the property.
(14)Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
(15)No more than three separate antennas and three equipment buildings shall be located on a single lot or structure.

(e) Antenna, commercial—mounted, 12 feet or less in height, on nonresidential structures allowed under the applicable zoning district regulations:

(8) The total height of the structure, including the antenna, shall not exceed the maximum height of the zoning district by more than 12 feet.
(9) A minimum clearance of 15 feet shall be maintained from the ground to the lowest element of the antenna.

DRAFT 08.15.19

(10) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.

(11) The antenna and any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge, which will achieve a height of at least six feet at maturity or a masonry screening wall at least eight feet in height, compatible in color and character with the principal building and the equipment building.

(12) At least one paved parking space with paved access thereto shall be provided at the antenna location; said space need not be reserved exclusively for use in conjunction with the antenna facility and may be one of the spaces required for the principal use on the property.

(13) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.

(f) Replacement of an existing antenna, commercial - freestanding, other . Where an antenna installation has not been permitted under this chapter but that is considered to be a legally recognized, non-conforming structure or facility, the replacement of the antenna installation may be approved by the city council on a case-by-case basis through a specific use permit (SUP) pending the request conforms to the following criteria:

(9) The replacement of any legally recognized, non-conforming antenna installation shall only be permitted within the Heavy Commercial (HC), Light Industrial (LI) and Heavy Industrial (HI) Districts.

(10) The replacement antenna installation shall be set back a minimum distance equal to the height of the proposed structure from any residential property or residentially zoned property.

(11) The existing antenna installation shall be removed from the property within 14 days of the completion of the proposed replacement antenna installation.

(12) The height of the replacement installation shall be equal to or less than the existing antenna installation, and any additional antennas added to the structure shall not exceed the height of the replacement installation.

(13) Any necessary equipment buildings associated with the replacement installation shall be of a material allowed by the applicable zoning district and be similar in color and character to the principal building on the site. As an alternative, the necessary equipment can be contained entirely within the principal building on the property or in an underground vault.

(14) The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a landscape screening that will achieve a height of at least six feet at maturity. As an alternative a masonry screening wall at least eight feet in height, compatible in color and character with the principal building may be used.

(15) At least one paved parking space with paved access may be required at the antenna location. This parking space does not need to be reserved exclusively for the replacement tower use and may be one of the spaces required for the principal use on the property.

3. Construction and maintenance requirements. All antenna masts, towers and antenna supports used for television and radio reception or transmission shall be constructed and maintained in accordance with the following requirements:

(a) All electrical specifications of such antenna masts, towers and supports shall comply with the National Electrical Code, the electrical code of the city, Standard Building Code, and the building code of the city.
(b) Antenna structures shall be designed in accordance with section 1205.1 of the Standard Building Code.

4. Permit required. Any person desiring to erect or have erected an antenna more than 25 feet in height above ground level, or an antenna mast 25 feet or less in height but not erected as required by this section, shall make written application to the building inspection department for a permit to erect same. Sufficient plans and specifications, as determined by the chief building official, must accompany each application. It shall be unlawful and a violation of this division to erect, or cause to be erected, or to maintain, or cause to maintain, such antenna mast without first having obtained a permit. It shall be the duty of the permittee to request a final inspection upon completion of the antenna system. Domestic TV antennas are exempt from this section.

DRAFT ORDINANCE 08-2019

5. Restrictions and limitations. All antenna systems constructed and maintained under the provisions of this section shall be subject to the following restrictions and limitations:

(a) No such antenna system shall be more than 99 feet in height.
(b) The location on the lot of such antenna system shall comply with the requirements of this Unified Development Code insofar as the front building line and side yard building line and requirements are concerned. No portion of an antenna system shall extend beyond the front building line on any lot, and on corner lots the side yard setback requirements shall be adhered to on the side adjacent to a public street, and where the front and side yard requirements are applicable, all portions of such structures shall be within the limits fixed by such requirements.
(c) All antenna systems constructed under the provisions of this section shall be maintained so as to at all times comply with the requirements of this section.
(d) The regulations contained herein shall not apply to the extent that they have been preempted by specific regulations of the FCC to the contrary.

6. Roof-mounted equipment. All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, should be screened to eliminate the view from the ground level of adjacent properties. The screen shall be constructed of materials approved by the director of planning. Roof-mounted equipment should be placed and finished in a manner which minimizes its visibility from overhead views from nearby buildings and elevated thoroughfare sections.

(a) The overall screening height will be the height of the tallest element of roof-mounted equipment.
(b) The outside of the screening device should be painted or finished in a similar color to the building facade, trim or roof surface to minimize the visibility of the equipment and screen the view from ground level.
(c) Roof-mounted equipment and the inside of the screening device should be painted similar to the color of the roof surface in order to minimize the visibility of the equipment and screening device from overhead views.

Antenna, dish. Dish antennas shall be allowed in any district as an accessory use, provided that they meet the following conditions:

(g) Dish antennas shall not be located within front or side yards, and shall be fully screened from view from streets and public or common open areas. In all cases, they must be screened to minimize the visual impact from adjacent properties.
(h) In residential districts, they shall be located only in rear yards. However, dish antennas 20 inches or smaller may be roof mounted provided that they are located behind a transverse roof ridge line and screened from adjacent properties.
(i) In commercial districts, if located on ground level, dish antennas shall be screened to the full height of the structure with landscaping. They may also be allowed on roof tops provided that they are located and screened so as to minimize visual impact from other properties in the area.
(j) In industrial districts, dish antennas may be ground or roof mounted but must be screened to minimize the visual impact from adjacent properties.
(k) If the standards above are not reasonably achievable, a specific use permit shall be obtained prior to installation of a dish antenna.

Solar energy collector panels and systems. The installation of solar energy panels and systems shall be allowed as an accessory use in all zoning districts, provided they are designed and installed in compliance with the following standards:

(i) Solar energy collector panels installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:

(1) Configuration of pitched roof solar energy collector panels shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.
(2) The surface of the solar energy collector panel shall not be more than six inches above the surface of the pitched roof.

(j) Solar energy collector panels installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view.

DRAFT OF ORD. 08.2019

(1) The height of such screening, at the minimum, shall be the height of the solar energy collector panel.
(2) The screening may be by a parapet or screening wall replicating the materials of the building.

(k) Reflective flare of solar energy collector panels shall be minimized by the positioning of the solar collector panels or by the use of nonglare glazing.

(l) Piping, wiring and other mechanical accessories shall be concealed within a roof mounted solar energy collector panel. If some portion of the piping, wiring or other mechanical accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.

(m) Ground mounted or pole mounted solar energy collector panels shall be located behind the primary building, and shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the city.

(n) The maximum overall height of ground mounted or pole mounted solar energy collector panels shall not exceed 12 feet.

(o) In residential zoning districts, the total coverage area of solar energy collector panels shall not exceed 1,000 square feet on a single lot.

(p) Any solar energy collector panels or systems not meeting these requirements, or any installation of solar energy systems as the principal use on any property, shall require approval of a specific use permit (SUP).

(Ord. No. 10-14, §§ 23—25, 7-6-2010; Ord. No. 10-32, § 3, 12-6-2010; Ord. No. 18-03, § 1, 1-2-2018)

SECTION 3. - OTHER SPECIAL USE STANDARDS

SUBSECTION 3.01: FARM ANIMALS AND HORSES

(A) Grazing animals. In the SF-E and SF-1 Districts, grazing animals 500 pounds or greater, including horses and cattle must have a minimum fenced or enclosed area of 40,000 square feet per animal. Grazing animals of less than 500 pounds, including sheep and goats, must have a minimum fenced or enclosed area of 15,000 square feet per animal.

(B) Other animals. An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in section 6-1 of the Code of Ordinances), and for a reduction in the land area required for grazing farm animals. The city shall not grant an SUP for any farm animal unless it is convinced that the presence of such animals will not injure the use and enjoyment of neighboring properties, including the impact of dust, flies and odor.

(C) General conditions. Notwithstanding the conditions above,

(1) Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals;
(2) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal; and
(3) In SF-E and SF-1 [Districts], no swine or fowl are permitted, except for "potbellied pigs" as defined in section 6-1 of the Code of Ordinances.
(4) In the Agricultural District or on unplatted tracts of land of five acres or more, standards for animals are found in section 6-162 of the Code of Ordinances.

(Ord. No. 06-14, 4-17-2006; Ord. No. 07-18, 6-4-2007; Ord. No. 10-14, § 26, 7-6-2010)

SUBSECTION 3.02: TEMPORARY ACCOMMODATION FOR EMPLOYEES, CUSTOMERS AND VISITORS

(A) Temporary accommodations. Temporary accommodation for employees, customers and visitors may be provided as an ancillary use in commercial zoning districts provided that:

(1) Such accommodation is clearly in support of the business operation;
(2) No rental of such facilities to the general transient public occurs;
(3) Accommodation is for temporary stays, not to exceed 30 days; and
(4) No more than five percent of the building area is utilized for this ancillary use.

SUBSECTION 3.03: UTILITY DISTRIBUTION LINES

DRAFT ORDINANCE 03.19.19

All utility distribution lines shall be placed underground. Utility distribution lines placed above-ground shall require special approval of the city council based upon a recommendation of the planning and zoning commission.

SUBSECTION 3.04: FLAG POLES

Flag poles are permitted in all districts, but must meet the building height and setback requirements for each district. (See article V [of this Unified Development Code], District Standards.)

SUBSECTION 3.05: ALCOHOLIC BEVERAGE SALES

(A) *Restaurants with alcoholic beverage sales.*

(1) Restaurants may serve alcoholic beverages for on-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. For restaurants located on property that was annexed after November 14, 2007, a private club permit must be obtained for the ability to serve alcohol and must be located in an appropriate zoning district that allows such use.
(2) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school or private school to the property line of the restaurant and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

(Ord. No. 10-14, § 27, 7-6-2010)

The city council may grant a variance to the distance regulations if the city council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.
(3) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and chapter 32 of the Code of Ordinances, pertaining to signs.

(B) *Retail establishments with alcoholic beverage sales.*

(1) Retail establishments may sell beer and wine for off-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. Retail establishments located on property that was annexed after November 14, 2007, may not engage in the selling of beer and wine for off-premises consumption.
(2) Retail establishments engaged in the selling of beer and wine to the general public for off-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the retail establishment and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, the measurement shall be in a direct line from the

DRAFT
Oct. 15, 2019

property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

(Ord. No. 10-14, § 27, 7-6-2010)

The city council may grant a variance to the distance regulations if the city council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

(3) Retail establishments engaged in the selling of beer and wine for off-premise consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and chapter 32 of the Code of Ordinances, pertaining to signs.

(Ord. No. 08-05, 1-22-2008)

(C) *Drive-through sales of pre-packaged beverages, convenience stores, retail sales with gasoline.*

(1) An establishment may not offer drive-in, drive-up, drive through, or walk-up sales or service of pre-packaged, sealed, unopened beverages.
(2) A convenience store may not contain less than 1,000 square feet of retail space.
(3) For purposes of this section, the terms “drive-in,” “drive-up,” “drive-through,” and “walk-up” do not prohibit the service of food or beverages to customers:

(a) Who must physically leave their vehicles and enter a building in order to make a purchase; or
(b) As part of a drive-through restaurant in connection with the sale or service of food to the customer.

(Ord. No. 10-14, § 27, 7-6-2010)

State Law reference— Location restrictions, V.T.C.A., Alcoholic Beverage Code § 109.33.

SUBSECTION 3.06: ANTENNAS

(A) *Construction and Maintenance Requirements*. All antenna masts, towers and antenna supports used for television and radio reception or transmission shall be constructed and maintained in accordance with the current National Electrical Code and the Building Code of the City.

(B) Permit Required. Any person desiring to erect or have erected an antenna more than 25-feet in height above ground level, or an antenna mast 25-feet or less in height but not erected as required by this section, shall make written application to the building inspection department for a permit to erect same. Sufficient plans and specifications, as determined by the Chief Building Official, must accompany each application. It shall be unlawful and a violation of this division to erect, or cause to be erected, or to maintain, or cause to maintain, such antenna mast without first having obtained a permit. It shall be the duty of the permittee to request a final inspection upon completion of the antenna system. Domestic TV antennas are exempt from this section.

(C) Restrictions and Limitations. All antenna systems constructed and maintained under the provisions of this section shall be subject to the following restrictions and limitations:

(1) No such antenna system shall be more than 99-feet in height.
(2) The location on the lot of such antenna system shall comply with the requirements of this Unified Development Code insofar as the front building line and side yard building line and requirements are concerned. No portion of an

DRAFT ORDINANCE 08.19.2019

antenna system shall extend beyond the front building line on any lot, and on corner lots the side yard setback requirements shall be adhered to on the side adjacent to a public street, and where the front and side yard requirements are applicable, all portions of such structures shall be within the limits fixed by such requirements.

(3) All antenna systems constructed under the provisions of this section shall be maintained so as to at all times comply with the requirements of this section.

(4) The regulations contained herein shall not apply to the extent that they have been preempted by specific regulations of the FCC to the contrary.

(D) Roof-Mounted Equipment. All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, should be screened to eliminate the view from the ground level of adjacent properties. The screen shall be constructed of materials approved by the director of planning. Roof-mounted equipment should be placed and finished in a manner which minimizes its visibility from overhead views from nearby buildings and elevated thoroughfare sections.

(1) The overall screening height will be the height of the tallest element of roof-mounted equipment.

(2) The outside of the screening device should be painted or finished in a similar color to the building facade, trim or roof surface to minimize the visibility of the equipment and screen the view from ground level.

(3) Roof-mounted equipment and the inside of the screening device should be painted similar to the color of the roof surface in order to minimize the visibility of the equipment and screening device from overhead views.

~~*SECTION 4: SPECIFIC USE PERMITS*~~ *[MOVED TO SUBSECTION 2.03; ARTICLE XI, UDC]*

~~*SUBSECTION 4.01: PURPOSE*~~

~~The purpose of a Specific Use Permit (SUP) is to allow discretionary consideration of certain uses that would typically be considered incompatible within certain locations of a zoning district, but may become compatible with the addition of special provisions, conditions or restrictions. A SUP does not change the base zoning; it allows a particular use that would not normally be permitted in that zoning district. The SUP requirement for any land use is identified in the Permitted Land Use table contained in Article IV, Permissible Uses, of this Unified Development Code. The discretionary SUP procedure is designed to enable the Planning and Zoning Commission and the City Council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a SUP when it is apparent that a proposed use or structure will or may occasionally harm the community or cause injury to the value, lawful use, and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.~~

~~*(Ord. No. 17-17, § 1, 3-20-2017)*~~

~~*SUBSECTION 4.02: OPERATIONAL CONDITIONS*~~

~~In considering a SUP, staff and/or the Planning and Zoning Commission may recommend and the City Council may adopt additional conditions and operational constraints to ensure compatibility with adjacent land uses. These additional conditions and operational constraints will be incorporated into the SUP ordinance, and may relate to: (1) a property's specific site conditions, (2) increased performance standards, (3) compatibility with adjacent properties, (4) mitigation of potentially negative or adverse effects of a request, and (5) anything that could have a negative impact on the public's health, safety and general welfare.~~

~~*(Ord. No. 17-17, § 1, 3-20-2017)*~~

~~*SUBSECTION 4.03: COMPLIANCE*~~

~~(1) In considering a special use permit application, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefited by the special use as may be necessary to avoid, minimize, or mitigate any potentially injurious effect of such special uses upon other property in the neighborhood, and to carry out the general purpose and intent of this ordinance. Such conditions shall be set out in the ordinance approving the SUP.~~

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Ord. 9.0.19

(2) Prior to a SUP being issued, the property owner of the affected property shall agree, comply and be bound to the conditions and operational constraints approved by the City Council and contained in the SUP ordinance.
(3) A SUP is considered to be transferable from property owner to property owner; however, the conditions and operational constraints of the SUP shall remain in effect and be applicable to the new property owner(s) and/or occupant(s). SUPs cannot be transferred from property to property.

(Ord. No. 17-17, § 1, 3-20-2017)

SUBSECTION 4.04: ABANDONMENT, EXPIRATION AND REVOCATION OF A SPECIFIC USE PERMIT (SUP)

(1) *Abandonment.* A SUP approved by the City Council that remains vacant or inactive for a period of one (1) year shall be deemed to be abandoned and shall automatically expire. Vacancy or inactivity can be determined by the following:

(a) The water and/or electrical services have been disconnected or discontinued on the property; and/or
(b) The subject property (e.g. lease space, parcel or parcels of land, lot, tract etc.) is unoccupied; and/or
(c) The use is abandon due to the issuance of a Certificate of Occupancy (CO) for a use other than (and exclusive from) the use approved with the SUP.

(2) *Expiration.* A Specific Use Permit (SUP) shall automatically expire due to inactivity if:

(a) A building permit has not been issued within one (1) year of the approval date of the SUP ordinance, and/or a Certificate of Occupancy (CO) has not been issued within one (1) year of a building permit due to inactivity on the site (inactivity in this case is defined as no progress towards construction for six [6] months) — or one (1) year of the approval date of this ordinance if no building permit is necessary; or
(b) A building permit or Certificate of Occupancy (CO) expires, is terminated or revoked under the requirements of the Codes of the City of Rockwall.

(3) *Revocation.* The City Council reserves the right to revoke or rescind any SUP in which the business, property or property owner operating under the guidelines of the SUP ordinance fails to meet the minimum operation requirements set forth in the Specific Use Permit (SUP) ordinance and/or outlined in the Unified Development Code or the Rockwall Municipal Code of Ordinances. The procedure for revocation or rescinding a Specific Use Permit (SUP) shall be the same procedure for requesting a new Specific Use Permit (SUP).

(Ord. No. 17-17, § 1, 3-20-2017)

SUBSECTION 4.05: EXTENSION OF A SPECIFIC USE PERMIT (SUP)

Upon recommendation from the Planning and Zoning Commission, the City Council may grant a one (1) time extension to the expiration requirements stated above for a period not to exceed one (1) year. To apply for an extension a property owner shall file a written request with the Director of Planning or his designee at least ninety (90) days prior to the expiration date. Extension requests shall not require a public hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a SUP.

(Ord. No. 17-17, § 1, 3-20-2017)

SUBSECTION 4.06: EXISTING SPECIFIC USE PERMITS (SUP) AND CONDITIONAL USE PERMITS (CUP)

Specific Use Permits (SUP) and Conditional Use Permits (CUP) in existence at the time this section was adopted by the City Council shall automatically terminate one (1) year from the adoption date of this section if a building permit — or a Certificate of Occupancy (CO) if no building permit is necessary — has not been issued or an extension is not requested under Section 4.5 of this Ordinance.

(Ord. No. 17-17, § 1, 3-20-2017)

DRAFT ORDINANCE 08-19-20

337

SECTION 45. - FLOODPLAIN AREAS

SUBSECTION 45.01: PERMITTED USES

The following uses shall be permitted within that portion of a district which is designated as being within a floodplain by the city engineer, provided they are allowed in the underlying zoning, and that they meet any additional requirements established in the city's floodplain regulations in chapter 20 of the Code of Ordinances:

(Ord. No. 10-14, § 28, 7-6-2010)

(A) *Agriculture.* Agricultural activities including the ordinary cultivation of land or legal forms of animal husbandry.
(B) *Utilities.* Local utilities.
(C) *Parks and recreation.* Public or private parks, community centers, playgrounds, public golf courses.
(D) *Private recreation.* Private commercial open area amusements such as golf courses, driving ranges, archery courses and similar uses when approved by a specific use permit.
(E) *Private open space.* Private open spaces as part of a Planned Development (PD) District, provided such use does not interfere with the continuity of the city's open space system.

SUBSECTION 45.02: DUMPING, EXCAVATING OR FILLING FLOODPLAIN

Any dump, excavation, storage or filling operation within that portion of a district having a floodplain designation shall require a permit, which must be approved by the city council, before such operation is begun. However, if those operations in the floodplain were specifically approved as part of a site plan approval by the city council, then a permit may be issued by the city engineer.

SUBSECTION 45.03: LOCAL FLOODING MAY OCCUR IN OTHER AREAS

The fact that land or property is or is not within a district having a floodplain designation shall not constitute assurance that such land or property is not subject to local flooding and the designation of floodplain in this [Unified Development Code] shall not be so interpreted.

SECTION 56. - TEMPORARY USES AND STRUCTURES

SUBSECTION 56.01: TEMPORARY USES

(A) This subsection includes by reference all temporary uses listed in the land use chart.
(B) The temporary use shall not be intrusive or inconsistent with existing land uses in area, or with anticipated land uses that may be constructed during the life of the temporary use.

SUBSECTION 56.02: TEMPORARY STRUCTURES

All buildings or other structures which are erected or located on the property in connection with the temporary use shall be removed not later than ten days after the expiration of the time period for which the use was approved or as set forth in the conditions of approval.

~~*SECTION 7. - NEW AND UNLISTED USES*~~

~~*SUBSECTION 7.01: REVIEW*~~

~~New and unlisted land uses which were not originally anticipated will likely be considered for location within the city. Such uses shall require an amendment to this Unified Development Code and shall be reviewed by the planning and zoning~~

DRAFT ORDINANCE 08.19.2019

~~commission and the city council for inclusion in specific zoning districts or as part of a planned development (PD) zoning request.~~

~~*(Ord. No. 10-14, § 29, 7-6-2010)*~~

~~*SUBSECTION 7.02: CONDITIONS*~~

~~When considering requests for a new land use, the commission and council shall consider the potential effects of the use on adjacent properties in terms of requirements for services, visual impact, traffic generation, the extent to which the use is consistent with other uses allowed in the district, and other issues they deem appropriate.~~

SECTION 68. - NONCONFORMING USES, STRUCTURES AND SITES

SUBSECTION 68.01: INTENT

Within the zoning districts established by this [Unified Development Code], there may exist lots, structures and uses of land which were lawful before the effective date of the ordinance from which this Unified Development Code is derived, or amendment thereto, and which would be prohibited, regulated, or restricted under this [Unified Development Code]. It is generally the intent to permit these nonconformities to continue until they are removed or abandoned, or until such earlier time as they are ordered to be removed, but not to encourage their survival. It is further the intent that such nonconforming lots, buildings, or uses shall not be enlarged upon, expanded or extended, except as otherwise specifically provided, and that such nonconforming lots, buildings or uses may not be used as justification for adding other lots, buildings or uses prohibited elsewhere in the same zoning district. Except as otherwise provided, nonconforming uses are declared to be incompatible with permitted uses in the same zoning districts.

SUBSECTION 68.02: APPLICABILITY

The provisions of this section shall apply to lots, uses and buildings which become nonconforming by reason of the adoption of, or an amendment to, the ordinance from which this Unified Development Code is derived, as of the effective date of such amendment.

SUBSECTION 68.03: NONCONFORMING USES

(A) Exceptions.

(1) Except as specified below, any use, building, or structure lawfully existing at the time of the enactment of this [Unified Development Code] or at the time of annexation into the city may be continued, even though the use, building or structure may not conform to the provisions of this [Unified Development Code] for the district in which it is located.
(2) The right to continue nonconforming uses shall be subject to regulations prohibiting the creation of a nuisance and regulations reasonably protecting adjacent property.

(B) *Cessation of nonconforming use.* For the purposes of this subsection, a use shall be deemed to have ceased or been abandoned when it has been discontinued for 180 days during any three-year period whether with the intent to abandon the use or not.

(C) *Expansion of nonconforming use.* No existing building or premises devoted to a use that is not permitted by this [Unified Development Code] in the district in which such building or premises is located shall be enlarged or altered in a way which increases its nonconformity, except when required to do so by law or order, unless the use is changed to a use that is permitted in the district in which the building or premises is located, and except as follows:

(1) If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of a more restrictive classification when authorized by the board of adjustment; or it may be changed to a conforming use.

DRAFT ORDINANCE 08.19.2019

(2) Whenever a nonconforming use has been changed to a conforming use, the use shall not thereafter be changed to a nonconforming use.
(3) When authorized by the board of adjustment, enlargement or completion of a building devoted to a nonconforming use may be made upon the lot occupied by the building, where the extension is necessary and incidental to the existing use of the building and does not exceed 25 percent of its original area of nonconformity.
(4) When authorized by the board of adjustment, a nonconforming use may be extended throughout those parts of a building which were manifestly designed or arranged for such use prior to the date on which the use of the building became nonconforming, if no structural alterations except those required by law, are made.

SUBSECTION 68.4: NONCONFORMING BUILDING OR SITES

(A) City-created nonconformity of structures. In the event that the city takes an act or action which transforms a previously conforming structure for purposes of front, side and rear yard setback requirements into a nonconforming structure for the purposes of front, side and rear yard setbacks, then such structure shall be deemed to be in conformance with the required setback prescribed in this [Unified Development Code]. (For land use nonconformity, see article IV, Permissible Uses, section 7.)

(B) Use of nonconforming buildings, structures or land.

(1) No building or structure which was originally designed for or used as a nonconforming use shall again be put to a nonconforming use, where such use has ceased for 180 days or more during any three-year period.
(2) The use of land, structures, and/or buildings involving individual structures with a replacement cost of $1,000.00 or less, which does not conform to the provisions of this [Unified Development Code] shall be discontinued within six months from the enactment of this [Unified Development Code]. The nonconforming use of land and/or buildings involving individual structures with a replacement cost of $1,000.00 or less, which becomes nonconforming by reason of subsequent amendments to this [Unified Development Code] shall be discontinued within six months from the date of such amendment.

(C) Construction approved prior to [Unified Development Code]. Nothing in this [Unified Development Code] shall be construed to require any change in the overall plans, construction, or designated use of any development, structure, or part thereof, where official approval and the required building permits were granted before the enactment of this [Unified Development Code], or any amendment thereto, where construction, conforming with the plans, shall have been started prior to the effective date of the ordinance from which this Unified Development Code is derived or such amendment, and where such construction shall have been completed in a normal manner within the subsequent 12-month period, with no interruption, except for reasons beyond the builder's control.

(D) Damage due to acts of God. Any nonconforming structure which is damaged more than 75 percent of its then appraised tax value above the foundation, by fire, flood, explosion, wind, earthquake, war, riot or other calamity or act of God, shall not be restored or reconstructed and used as it was before the damaging event. If such structure is damaged less than 75 percent of its then appraised tax value above the foundation, it may be restored, reconstructed, or used as before, provided that the restoration or reconstruction is completed within 12 months of the damaging event. The 12-month period does not include any necessary litigation.

(E) Repair of unsafe buildings, structures and sites. Nothing in this [Unified Development Code] shall be construed to prohibit the strengthening or repair of any part of any building or structure declared unsafe by proper authority, unless such repairs exceed 50 percent of the replacement cost of the building. If the repairs exceed 50 percent, the building shall be brought into conformity with all requirements of the zoning district in which it is located.

(F) General repairs and maintenance.

(1) On any nonconforming structure or portion of a structure containing a nonconforming use, no work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of non-load-bearing walls, fixture, wiring, or plumbing to an extent exceeding ten percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be.

DRAFT NOT FOR ORDINANCE 08.19.19

(2) If 50 percent or more of a nonconforming structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance, and is declared by a duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located.

(G) Moving of a nonconforming building or structure. No nonconforming building or structure shall be moved in whole or in part to any other location on the lot, or on any other lot, unless every portion of the building or structure is made to conform to all the regulations of the district.

(H) Nonconforming lot sizes. All lots used for storage that do not require a building and the use of such lot is made nonconforming by this [Unified Development Code] or amendments thereto shall cease to be used for such storage within six months of the date of adoption of the ordinance from which this Unified Development Code is derived, or amendments [thereto].

DRAFT ORDINANCE 08.19.2019

341

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, UDC

SECTION 1: GENERAL STANDARDS

SUBSECTION 1.01: OPEN SPACE

(A) *Purpose.* The City of Rockwall is a rural and recreation-oriented community with open space that ties into a regional framework of open space, trails, and corridors. Open space corridors link all major areas of the city using primarily floodplain and drainage areas. Since open space and recreational amenities are vital to the City's commercial and residential developments, all projects must provide open space in accordance with the City's *Comprehensive Plan* and the *Parks, Recreation, and Open Space Master Plan*.

(B) *Requirements.* All projects in the city must reserve, dedicate and/or develop public and private open spaces consistent with the requirements of the following sections:

(a) *Residential*. Subsection C, *Open Space,* of Section 3.01, *General Residential District Standards*
(b) *Commercial*. Subsection D, *Open Space Guidelines,* of Section 4.01, *General Commercial District Standards*
(c) *Industrial*. Subsection D, *Open Space Guidelines,* of Section 5.01, *General Industrial District Standards*

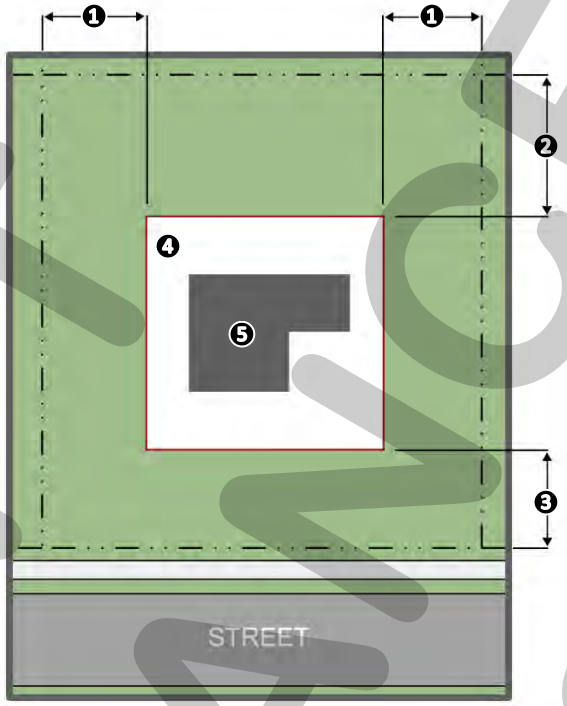
SUBSECTION 1.02: SITE PLANS

All development in the City of Rockwall -- *with the exception of single lot single-family and duplex developments* -- shall require the approval of a site plan in accordance with the requirements of Article XI, *Development Applications and Review Procedures*.

SUBSECTION 1.03: LOT CONFIGURATIONS

(A) *Lots with a Single Street Frontage.* Where lots have a single street frontage, the required setbacks should generally adhere to the following diagram:

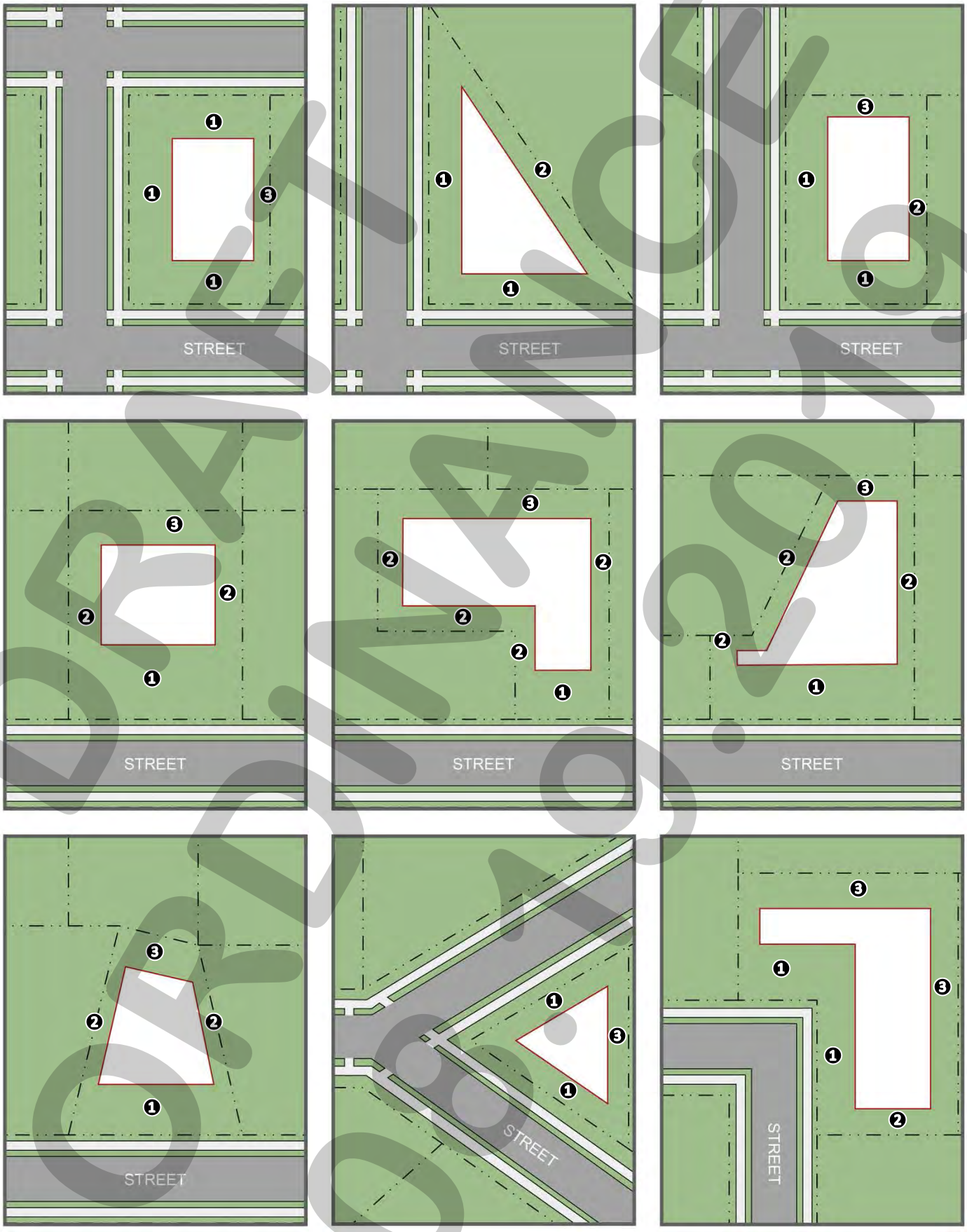
DRAFT ORDINANCE 08.19.2019



❶: Required Side Yard Setback
❷: Required Rear Yard Setback
❸: Required Front Yard Setback
❹: Buildable Area
❺: Building Coverage

(B) *Lots with Multiple Street Frontages.* Where lots have multiple street frontages on one (1) or more streets, the required setbacks should generally adhere to the following diagram:

DRAFT ORDINANCE 08.19.2019



❶: Front Yard; ❷: Side Yard; ❸: Rear Yard

DRAFT 08.09.2021

344

SUBSECTION 1.04: CALCULATION OF DENSITY

The calculation of the allowable density for residential developments shall be based on the gross site area including right-of-way, floodplain, open space and public/private parks that will be dedicated to the city or preserved and maintained by some other mechanism. Despite this calculation requirement, other provisions of this Unified Development Code may limit the actual density allowed on any given property.

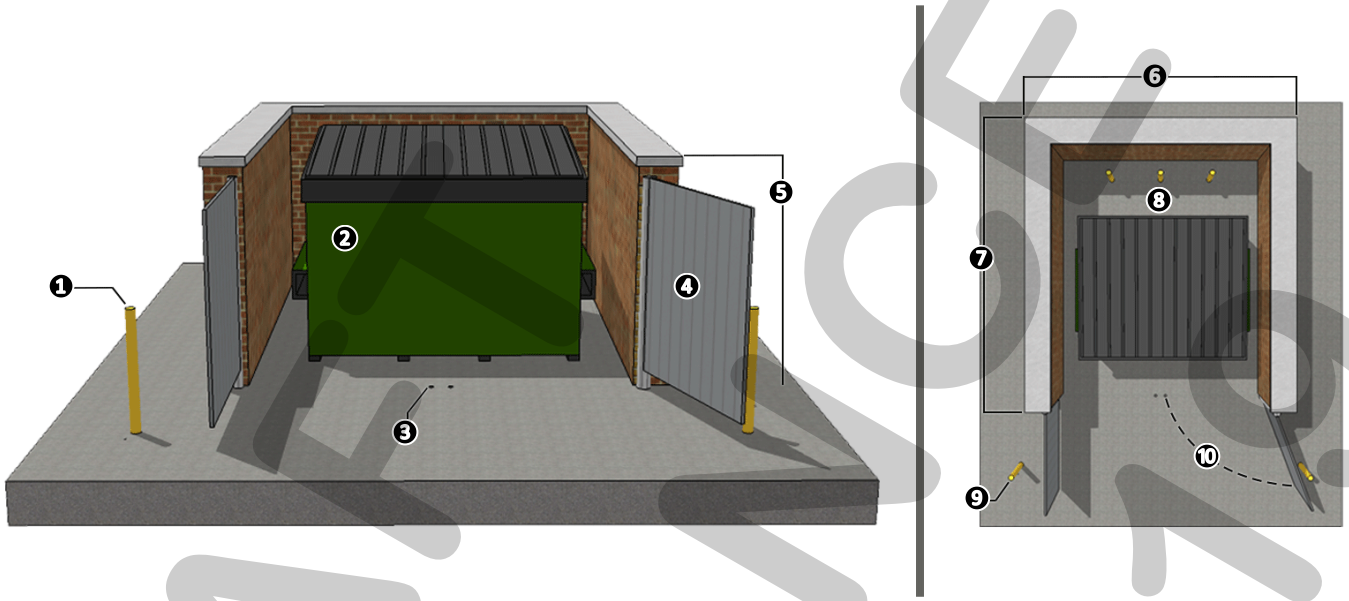
SUBSECTION 1.05: SCREENING STANDARDS

All development shall adhere to the following screening standards:

(1) *Loading Docks.* Off-street loading docks must be screened from all public streets, ~~and~~ any residential zoning district or residentially used property, and any parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least six (6) feet in height and ~~may~~ shall be provided by using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless integral to the buildings design and otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers~~, and/or berms and plantings~~. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape Standards*.

(2) *Trash/Recycling Enclosures*. Trash/Recycling enclosures shall be four (4) sided. These receptacles shall be screened by a minimum six (6) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. The opaque, self-latching gate shall not be constructed utilizing wood fencing materials. If the primary building does not use masonry materials, a masonry material that is complimentary in color and scale shall be utilized. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building. All trash/recycling enclosures shall be constructed in conformance to the diagram below, unless otherwise approved/required by the City and/or its contractor for trash services.

DRAFT ORDINANCE 08.19.19

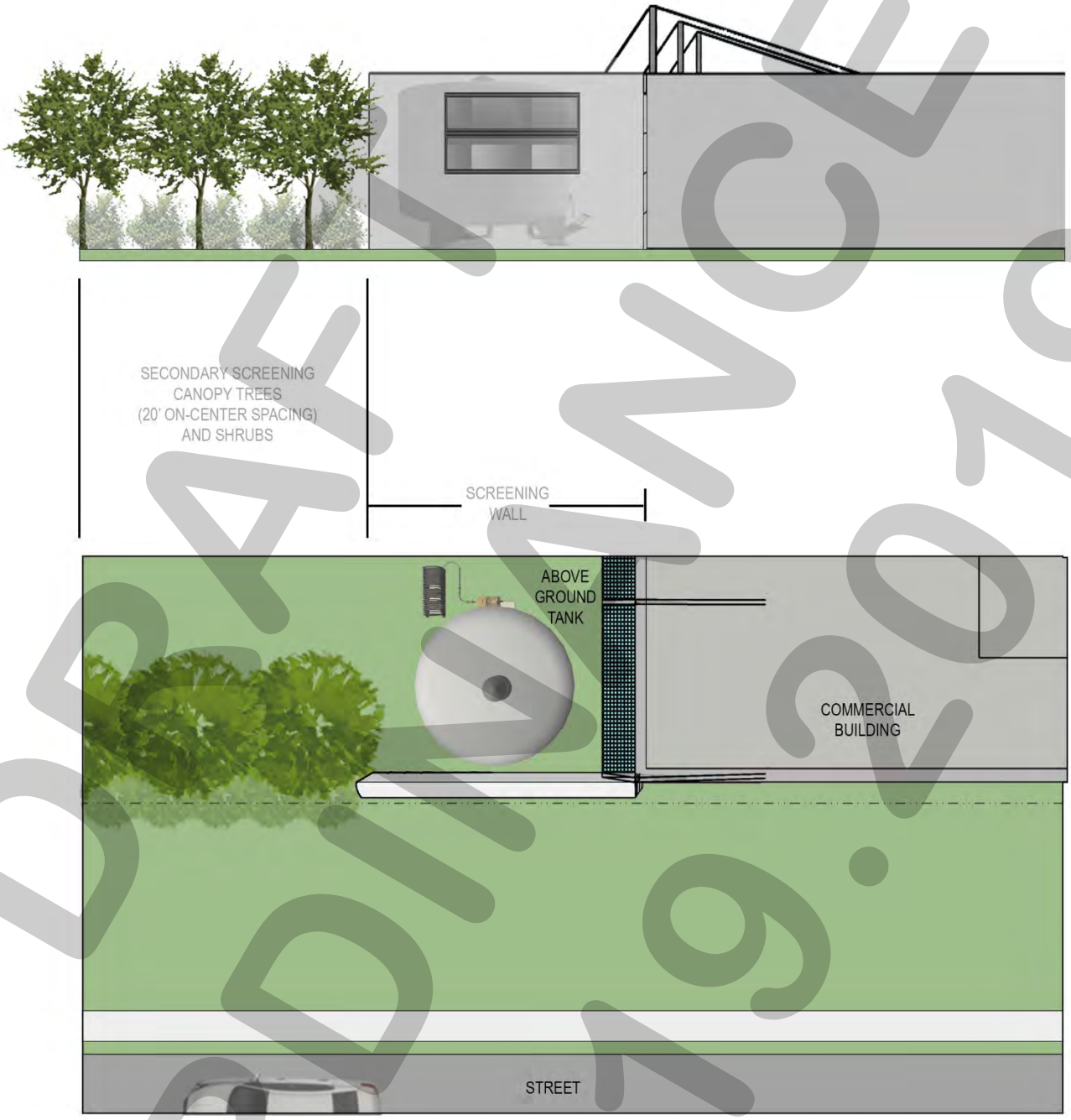


❶: Concrete Filled Steel Protected Pole
❷: Standard End Loading Container
❸: Deep Recesses for Gate Cane Bolts [*If Necessary*]
❹: Opaque Screening Gate
❺: Six (6) Feet in Height [*Eight (8) Feet in Overlay Districts*]
❻: Ten (10) Feet in Width
❼: 12-Feet in Length
❽: Three (3) Concrete Filled Steel Protected Poles
❾: Concrete Filled Steel Protected Pole
❿: 120 Degree Swing on Opaque Screening Gate

(3) *Utility Equipment and Air Condition Units.* Pad or roof mounted utility equipment and air conditioning units shall be screened from the view from of any adjacent public streets or ~~property~~ properties. Roof mounted utility equipment and air conditioning units shall be screened using a parapet wall that completely impairs the visibility of the equipment, and is constructed on all sides of the building. Ground mounted ~~Utility~~ equipment and air conditioning units shall be screened utilizing plantings, berms, walls matching the main structure, or an architectural feature that is integral to the building's design.

(4) *Aboveground Storage Tanks.* Aboveground storage tanks shall be screened utilizing ~~plantings, berms, or~~ walls matching the main structure. Screening plans for above ground storage tanks shall generally conform to the diagram below (*i.e. incorporate primary screening -- screening wall -- and secondary screening*) and be approved by the Planning and Zoning Commission in conjunction with a site plan.

DRAFT ORDINANCE 08.19.2019



(5) *Outside Storage.* Outside storage of materials or vehicles shall be screened from all public streets, any residential zoning district or residentially used property, and parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least one (1) foot taller than the material or vehicles being stored and shall be achieved using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape Standards*.

DRAFT ORDINANCE 09.19

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.06: RESIDENTIAL ADJACENCY STANDARDS

Subsection 1.06, *Residential Adjacency Standards*, is omitted from this ordinance change, but is retained in its entirety.

~~*SUBSECTION 1.07: FENCES*~~

~~All fences within the City shall conform to Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances, unless otherwise required by this Unified Development Code.~~

~~*(Ord. No. 10-14, § 30, 7-6-2010)*~~

SUBSECTION 1.07~~8~~: PROJECTIONS INTO REQUIRED YARD OR COURT

(A) Every part of a required yard within a building setback shall be unobstructed and open from its lowest point to the sky, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves; provided, however, that none of the above projections shall extend into a court more than six (6) inches nor into a required yard by more than 30-inches; and provided existing open porches extending into the required yard shall not be enclosed.

An open fire escape may project into a required yard by not more than half the width of the setback, but not more than four (4) feet from the building. Fire escapes, solid floored balconies and enclosed outside stairways may project into a rear yard by a maximum of four (4) feet.

(B) Where a lot abuts a right-of-way line has been established for the future widening or opening of a street or highway, then the depth or width of a yard shall be measured from such right-of-way line to the required building setback.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.08~~9~~: PUBLIC RIGHT-OF-WAY VISIBILITY

(A) *Street/drive intersection visibility obstruction triangles.* A landscape plan showing the plan of the street on both sides of each proposed drive/street to the proposed development with the grades, curb elevations, proposed street/drive locations, and all items (both natural and manmade) within the visibility triangles as prescribed below shall be provided with all site plans, if they are not on engineering plans that are submitted at the same time. this plan shall show no horizontal or vertical restrictions (either existing or future) within the areas defined below.

(B) *Obstruction/interference triangles defined.* No fence, wall screen, billboard, sign face, tree or shrub foliage, berm, or any other item, either manmade or natural, shall be erected, planted, or maintained in such a position or place so as to obstruct or interfere within the following minimum standards; however, on non-residentially zoned lots, a single pole for mounting a sign may be placed within this area provided the pole does not exceed 12-inches in diameter, and provided every portion of the sign has a minimum height clearance of nine (9) feet:

(1) *Visibility Triangles*. Vision at all intersections which intersect at or near right angles shall be clear at elevations between 24-inches and nine (9) feet above the top of the curb elevation, within a

DRAFT ORDINANCE 09.2019

triangular area formed by extending the two (2) curblines from their point of intersection, for the following minimum distances for the applicable intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines from their point of intersection for a distance as prescribed below, and connecting these points with an imaginary line, thereby making a triangle as shown below.

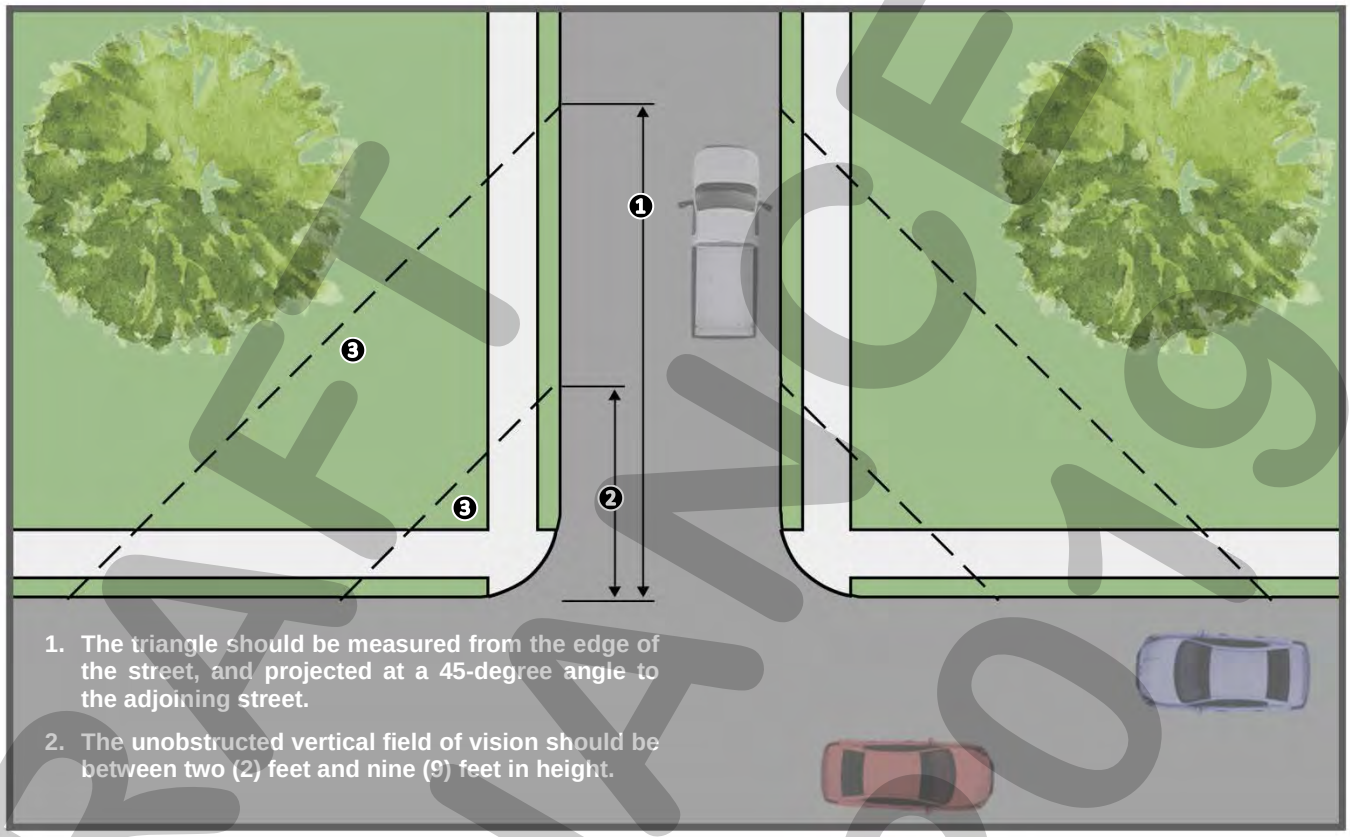
(2) *Intersection of two (2) public streets*. The minimum required distance from the curb shall be 30-feet and the minimum distance from the property line on streets without a curb shall be 20-feet.

(3) *Intersection of a public street and an alley*. The minimum required distance measured from the property line shall be 15-feet, or 25-feet from street curb.

(4) *Intersection of private drive and public street*. The minimum required distance from the curb shall be 15-feet and the minimum distance from the property line on streets without a curb shall be ten (10) feet.

(C) *Sight distance requirements.* The city hereby adopts the standards for both vertical and horizontal sight distance requirements set forth in the latest edition of AASHTO green book “a policy on geometric design of highways and streets” for the construction of both public street intersections and private drive intersections, unless otherwise approved by the city engineer. If, in the opinion of the city engineer, a proposed street or drive intersection does not meet these standards, additional engineering information exhibiting how the standards have been addressed may be required for submission and approval by the city's engineer.

DRAFT ORDINANCE 08.19.2019



❶: 30-Foot for Arterials and Collectors and 20-Foot for Residential Distance from Intersection for Streets
❷: 10-Foot Distance from Intersection for Alleyways
❸: Visibility Triangles

SECTION 2: AGRICULTURAL DISTRICTS

SUBSECTION 2.01: AGRICULTURAL (AG) DISTRICT

(A) *Purpose*. The Agricultural (AG) District is a zoning designation used for land that is reserved for the anticipated future growth of the city. This district is intended to be used for raw land or land with agricultural land uses, and is intended to be held in these conditions as long as practical and reasonable to promote the orderly growth of the community. This zoning designation is suitable for areas where development is premature due to lack of utilities, capacity, or service. The Agricultural (AG) District is also used to protect areas that are unsuitable for development due to physical constraints or safety issues (*e.g. topography, floodplain, ecologically sensitive areas, etc.*), or to protect green belts, natural areas and/or open space that might otherwise be developed.

(B) *Permitted Uses*. All land uses permitted within the Agricultural (AG) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within an Agricultural (AG) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SECTION 3: RESIDENTIAL DISTRICTS

DRAFT 08.19.19

SUBSECTION 3.01: GENERAL RESIDENTIAL DISTRICT STANDARDS

All residential development shall conform to the following standards:

(A) *Construction* *Standards* ~~*Materials*~~.

(1) *Roof Pitch*. All residential structures shall be constructed with a minimum *3:12* roof pitch.
(2) *Concrete Foundation*. All residential structures shall be permanently attached to an engineered concrete foundation.

~~*(A) Materials and Masonry Composition.* All buildings with a building footprint of 120 square feet or greater that are over ten (10) feet in height shall consist of a minimum of 80% *Primary Materials* and/or a maximum of 20% *Secondary Materials* -- *excluding doors and windows* -- as defined below.~~

~~a. *Primary Materials*. *Primary Materials* shall include stone, brick, and cementitious materials. Specific requirements for *Primary Materials* are as follows:~~

~~1. *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 60% of the building's exterior façade.~~
~~2. *Chimneys.* All new homes shall be required to incorporate a masonry chimney (*i.e. brick and stone only*).~~

~~b. *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above.~~

~~*(B) Exceptions.* Exceptions to the material requirements -- *including exceptions for buildings for farm animals* -- may be permitted on a case-by-case basis by the Planning and Zoning Commission upon submission and approval of material samples and building elevations of the structure. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

(B) *Accessory Structures.*

(1) *Accessory Structure Standards.* All accessory structures shall conform to the related standards listed within Subsection 7.04, *Accessory Structure Development Standards*.

(C) *Open Space.* On all new subdivisions, ten (10) lots or greater, that are not infill projects (*i.e. projects going into an established area as determined by the Director of Planning and Zoning or his/her designee*) the following open space requirements shall be applied:

(1) Unless otherwise provided by this Unified Development Code, a minimum of 20% of the gross land area within a residential subdivision that is five (5) acres or greater shall be devoted to open space. Where floodplain exists in a proposed subdivision, the floodplain may be used to meet the 20% requirement at a rate of one-half (½) acre for every one (1) acre of floodplain dedicated to open space. Open space requirements for subdivisions may be satisfied by public open space/parkland,

DRAFT ORDINANCE 03-15-2019

or by a combination of public and private open space. Public open space/parkland shall be dedicated to the city, and shall be approved by the Parks and Recreation Board and the City Council during the platting process. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering.

(2) To encourage the provision of open space, the minimum lot sizes in a residential subdivision may be reduced by up to 20% in order to preserve additional public and/or private open space, provided that the lots being reduced face onto a single loaded street (*i.e. a street with open space and/or a public park on one side of the street and lots on the other side of the street*). This requirement shall be approved by the City Council at the time of preliminary plat, final plat, or site plan whichever comes first.

(D) *Anti-Monotony.* The front building elevations of a home shall not repeat along any block face without at least ~~four (4)~~ five (5) intervening homes of differing appearance on the same side of the street and ~~two (2)~~ six (6) intervening homes of differing appearance on the opposite side of the street (*see Examples 1 & 2 below*). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least ~~two (2)~~ five (5) intervening homes of differing appearance. Identical ~~brick blends~~ building material blends and colors may not occur on adjacent (*side-by-side*) properties. Homes are considered to differ in appearance if any three (3) ~~two (2) of the following~~ elements are different:

(a) The number of stories of the home.
(b) The garage location/orientation on the home.
(c) The roof type and layout of the home.
(d) The articulation of the front façade of the home.

DRAFT ORDINANCE 08.19.2019



(E) *Fencing.* All residential fencing shall be subject to the requirements stipulated by Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

~~(a) Solid fencing shall be cedar standard fencing material that is a minimum ½ inch in thickness or more. Spruce fencing is prohibited. All cedar pickets shall be placed on the *public side* (*i.e. facing out*) facing a street or alleyway. All posts and framing shall be placed on the *private side* (*i.e. facing towards the home*) of the fence. Other types of solid fencing (*e.g. vinyl*) may be considered on a *case-by-case basis* by the Planning and Zoning Commission at the time of preliminary plat, final plat, or site plan whichever comes first.~~

~~(b) Tubular steel or wrought iron type fencing shall be allowed.~~

~~(c) Tubular steel or wrought iron type fencing shall be required on all lots located adjacent to perimeter roadways, open spaces, greenbelts and/or parks.~~

~~(d) Split rail fencing shall be allowed on lots containing 20,000 SF or more.~~

~~(e) Fencing on corner lots constructed adjacent to the street shall provide masonry columns at 45 feet off-center spacing that begins at the rear property line corner and terminates at least 15 feet behind the front yard building setback line. A maximum six (6) foot tall, solid board-on-board, panel cedar fencing or wrought iron type fencing shall be allowed between the masonry columns along the side and/or rear yard adjacent to a street.~~

DRAFT
Ordinance

1. ~~On corner lots that have rear lot lines adjacent to alleyways or other rear lot lines, fences may be constructed along the side yard adjacent to the street, subject to a minimum five (5) foot setback from the right-of-way. The property owner shall maintain that portion of the property outside of the fence.~~

2. ~~On corner lots that have rear lot lines adjacent to a side lot line of an adjoining lot(s), only tubular steel or wrought iron type fences not exceeding 42 inches in height may be constructed beyond the building line. Fences constructed on or behind the building line shall comply with the material requirements detailed above.~~

~~(f) All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified in the City's subdivision regulations. Perimeter fencing shall be constructed of six (6) foot tall tubular steel or wrought-iron type fencing with masonry columns and entry features. The Planning and Zoning Commission may consider alternative perimeter screening such as earthen berms with landscaping at the time of preliminary plat, final plat, or site plan whichever comes first.~~

SUBSECTION 3.02: SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT

(A) *Purpose*. The Single-Family Estate 1.5 (SFE-1.5) District is the proper zoning classification for rural, estate lots that are a minimum of 1½-acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 1.5 (SFE-1.5) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 1.5 (SFE-1.5) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.03: SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT

(A) *Purpose*. The Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 2.0 (SFE-2.0) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 2.0 (SFE-2.0) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.04: SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT

(A) *Purpose*. The Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential

DRAFT ORDINANCE 08.19.20

development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage. Developers wishing to restrict their subdivision to a lot size greater than four (4) acres shall be required to use restrictive covenants.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 4.0 (SFE-4.0) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 4.0 (SFE-4.0) District shall conform to the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.05: SINGLE-FAMILY 1 (SF-1) DISTRICT

(A) *Purpose*. The Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size or clustered developments that have a gross density of one (1) dwelling unit per acre. Cluster developments should conserve open space, floodplains, tree groupings, natural slopes and wildlife habitats to achieve the desired density. The Single-Family 1 (SF-1) District is also intended to be used for developments that incorporate public/private parks, denominational and private schools, and churches that are essential in creating the basic neighborhood unit. These developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 1 (SF-1) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 1 (SF-1) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.06: SINGLE-FAMILY 16 (SF-16) DISTRICT

(A) *Purpose*. The Single-Family 16 (SF-16) District is the proper zoning classification for larger lot, single-family developments. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 16 (SF-16) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 16 (SF-16) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.07: SINGLE-FAMILY 10 (SF-10) DISTRICT

(A) *Purpose*. The Single-Family 10 (SF-10) District is the proper zoning classification for the majority of the City's existing single-family residential development, and is the appropriate zoning classification for

DRAFT OF 08.19.2019

355

single-family developments with medium sized lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 10 (SF-10) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 10 (SF-10) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.08: SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT

(A) *Purpose*. The Single-Family 8.4 (SF-8.4) District is the proper zoning classification for areas of undeveloped land remaining in the City deemed appropriate for medium sized, single-family lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 8.4 (SF-8.4) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 8.4 (SF-8.4) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.09: SINGLE-FAMILY 7 (SF-7) DISTRICT

(A) *Purpose*. The Single-Family 7 (SF-7) District is the proper zoning classification for single-family developments with smaller lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas adjacent to low intensity non-residential land uses, in and around the Old Town Rockwall (OTR) Historic District, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 7 (SF-7) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 7 (SF-7) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.10: ZERO LOT LINE (ZL-5) DISTRICT

DRAFT 08.19.2019

(A) *Purpose*. The Zero Lot Line (ZL-5) District is the proper zoning classification for medium-density residential developments that are on separate lots (*i.e. single-family*), and are typically owner occupied. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, adjacent to low intensity non-residential land uses, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, and drainage due to their density.

(B) *Permitted Uses*. All land uses permitted within the Zero Lot Line (ZL-5) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Zero Lot Line (ZL-5) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.11: TWO-FAMILY (2F) DISTRICT

(A) *Purpose*. The Two-Family (2F) District is the proper zoning classification for medium-density, duplex developments (*i.e. two [2] dwelling units per lot*). This zoning district accommodates low to medium-density developments and allows public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, but may be located directly adjacent to low intensity non-residential land uses. These areas are also located where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, drainage, open space and fire protection due to their density.

(B) *Permitted Uses*. All land uses permitted within the Two-Family (2F) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Two-Family (2F) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.12: MULTI-FAMILY 14 (MF-14) DISTRICT

(A) *Purpose*. The Multi-Family 14 (MF-14) District is the proper zoning classification for higher density developments. This zoning district should be located within 1,200-feet of retail and other services, and should not contain more than 500-units within one (1) mile of another multi-family development. These standards are intended to create a strong market for multi-family units, and provide for the ongoing reinvestment in these types developments while helping to ensure that inappropriate concentrations of higher density residential developments are not created. The downtown area shall be exempted from the spacing requirements.

The Multi-Family 14 (MF-14) District allows high density developments that are extremely amenitized, and that necessitate additional requirements for public roadways, water, wastewater, drainage, open space and fire protection. These types of developments should not run traffic through single-family neighborhoods, and should be located close to an arterial or collector street that is capable of carrying the additional traffic.

DRAFT
08.19.19

(B) *Permitted Uses*. All land uses permitted within the Multi-Family 14 (MF-14) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Multi-Family 14 (MF-14) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.02, *Multi-Family District Development Standards*.

SECTION 4: COMMERCIAL DISTRICTS

SUBSECTION 4.01: GENERAL COMMERCIAL DISTRICT STANDARDS

All commercial development shall conform to the following standards:

(A) *Construction* *Standards* ~~*Materials*~~.

(1) *Roof Design Standards*. All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials -- excluding doors and windows* -- as defined below.~~

~~(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:~~

~~(1) *Stone*. A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.~~
~~(2) *Cementitious Materials*. The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.~~
~~(3) *Accent Brick and Stone*. Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.~~

~~(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*), cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.~~

~~(2) *Exceptions*. Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request,~~

DRAFT ORDINANCE 09-09-2019

358

~~the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

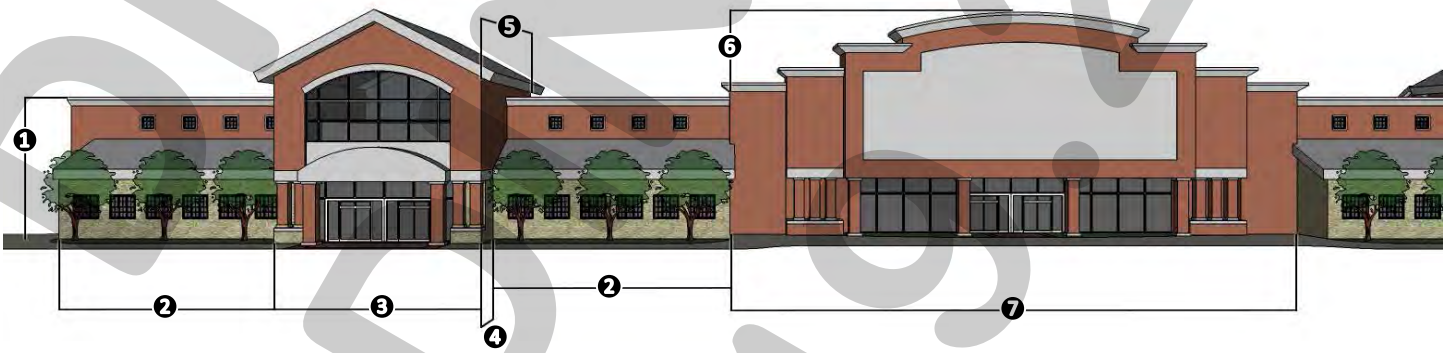
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Commercial Districts*. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Subsection 7.03, *Non-Residential District Development Standards*; however, the following features may be constructed 12-feet higher than the maximum height requirement if they [*1*] are not more than 33% of the total roof area, and [*2*] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

(a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
(b) Flag Poles.
(c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on primary building façades:



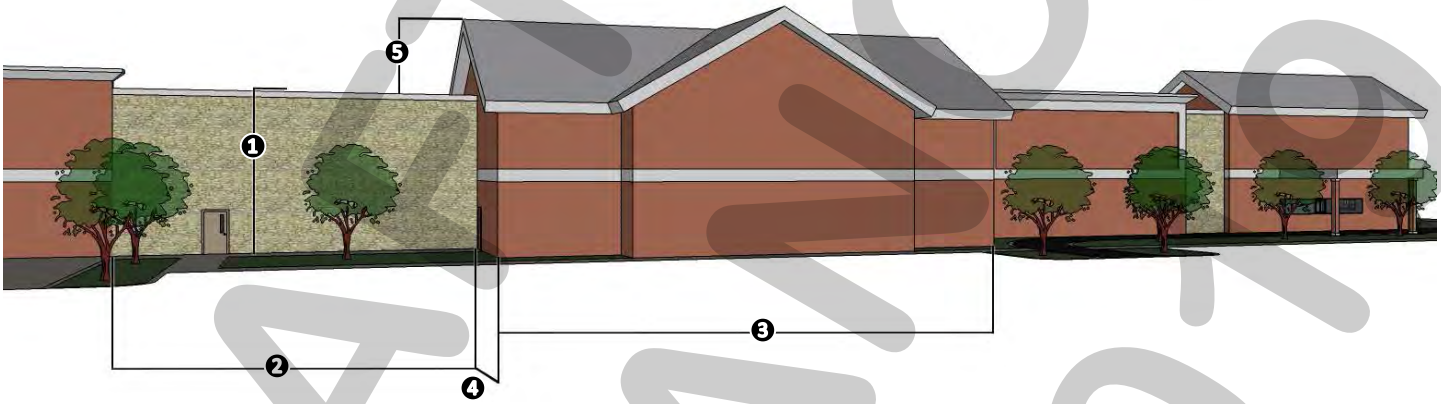
❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 25% of the wall length *(i.e. 25% x* ❷ ≤ ❸).
❹: *Wall Projection*. The minimum wall projection for a primary and/or secondary entryway/architectural element shall be 25% of the wall height (*i.e. 25% x* ❶ ≤ ❹).
❺: *Primary and/or Secondary Entryway/Architectural Element Width*. The minimum width of the primary and/or secondary entryway/architectural element shall extend for twice the required wall projection (*i.e. 2 x* ❹ ≥ ❺).
❻: *Projection Height*. The primary and secondary entryways/architectural element shall extend a minimum of 25% of the wall height above the top of the wall (*i.e. 25% x* ❶ ≤ ❻).
❼: *Primary Entryway/Architectural Element Length*. The primary entryway/architectural element shall

DRAFT 08-19

359

meet all of the same projections as the secondary entryway/architectural element, but shall extend for a minimum of twice the length of the secondary element (*i.e. 2 x* ❸ ≥ ❼).

(2) *Secondary Building Façade.* A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on secondary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length *(i.e. 15% x* ❷ ≤ ❸).
❹: *Secondary Entryway/Architectural Element Width*. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e. 15% x* ❶ ≤ ❹).
❺: *Projection Height*. The secondary entryway/architectural element shall extend a minimum of 15% of the wall height above the top of the wall (*i.e. 15% x* ❶ ≤ ❺).

~~(3) *Exceptions*. Exceptions to the building articulation requirements may be permitted on a *case-by-case* basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate, the Planning and Zoning Commission should determine if the proposed request is [*1*] in conformance with the spirit and intent of the building articulation requirements, and [2] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

(D) *Open Space Guidelines*. Commercial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making commercial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape

DRAFT OF 08.20.20

360

buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

(E) *Commercial Buildings 25,000 SF or Greater.*

(1) *Applicability.* These criteria shall apply to new retail/commercial building construction in all commercial zoning districts. This criteria shall not be applied to the use, re-use, modification or consolidation of existing retail and/or commercial space developed on or before April 2, 2001, or to the expansion of retail space in existence on or before April 2, 2001, that is being expanded by less than ten (10%) percent of the existing floor area.

~~(2) *Exterior Building Materials.* The area of all exterior facades shall consist of 90% brick, stone, cast stone, custom Concrete Masonry Units (CMUs) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*), stucco or a combination of these materials. Each facade shall not contain more than 75% of any single material.~~

~~3~~(2) *Loading Docks.* Loading docks shall not be oriented towards a residential zoning district or residentially used property. Where loading areas are located parallel to a residential zoning district or residentially used property, they must be screened by an architecturally integrated masonry screening wall that is a minimum 14-foot in height and that runs the entire length of the loading space. As an alternative, the Planning and Zoning Commission may approve the use of a berm in conjunction with landscape screening standards detailed in Subsection 5.02, *Landscape Screening*, of Article VIII, *Landscape and Fence Standards*, if it is determined that this screening method will [*1*] provide a suitable substitute to a masonry wall, and [*2*] if the screening method will completely screen the proposed loading docks.

~~4~~(3) *On-Site Circulation Guidelines*.

(a) On-site circulation standards should try to minimize the conflict between pedestrians and vehicles by placing driveways and service areas in locations that reduce the chance of interrupting on-site vehicle movement.
(b) Buildings should be placed in a manner that screens the drive-through lane and creates pedestrian pathways and spaces.
(c) In order to maintain on-site circulation, each drive-through lane is to be separate from pump islands and from routes necessary for entering and exiting the property.

~~5~~(4) *Residential Adjacency Standards*. Where the property immediately abuts a residential zoning district or residentially used property -- *unless separated by an M4D (major collector, four [4] lane, divided roadway) or larger thoroughfare* -- a minimum ~~ten (10)~~ 25-foot wide landscaped buffer must be installed for buildings with a building footprint of 25,000 SF to 49,999 SF in area, a minimum of a ~~15~~ 50-foot wide landscaped buffer for buildings with a building footprint of 50,000 SF or greater ~~to 79,999 SF in area, and a minimum 30-foot wide landscaped buffer for buildings with a building footprint of 80,000 SF and greater in area~~. This shall be in place of ~~addition to~~ the buffer ~~screening~~ required by Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape and Fence Standards*, ~~the landscape regulations of the City of Rockwall for all aforementioned building sizes~~. The landscaped buffer must include a combination of berm~~s,~~ and evergreen shrubs~~, and a mix of evergreen and deciduous trees (*minimum four [4] inch caliper*) placed at a minimum 25 feet on center~~ in addition to the requirements of Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape and Fence Standards*. Planting may be grouped if approved by the Planning and Zoning Commission.

DRAFT
09.19.20

361

~~6~~(5) *Outside Storage*. Open storage areas shall be connected to the building and screened with a wall that is constructed of the same building materials as the remainder of the primary structure.

~~5~~(6) *Adaptive Reuse Standards*. For those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan indicating potential entrances and exits and loading areas for multiple tenants. This plan will need to be submitted at the time of site plan.

(E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Commercial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION 4.02: RESIDENTIAL-OFFICE (RO) DISTRICT

(A) *Purpose*. The Residential-Office (RO) District is a zoning district intended to recognize the existence of older residential areas of the city, where larger houses have been or can be converted from single-family and multi-family residences to low-intensity office uses in order to extend the economic life of these structures, and to allow the owners to justify the expenditures for repairs and modernization. The intent of this district is to allow for low intensity office development providing professional, medical and other office services and limited retail businesses to residents in adjacent neighborhoods. The Residential-Office (RO) District shall have principle access to major or secondary thoroughfares, and may serve as an area of transition between residential and high-intensity, non-residential uses or busy arterial thoroughfares.

(B) *Permitted Uses*. All land uses permitted within the Residential-Office (RO) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Residential-Office (RO) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.03: NEIGHBORHOOD SERVICES (NS) DISTRICT

(A) *Purpose*. The Neighborhood Services (NS) District is a zoning district intended to provide limited retail land uses near neighborhoods for the purpose of supplying the *day-to-day* retail and personal service needs of residents. The Neighborhood Services (NS) District is typically located at limited corner locations on arterials in existing developments, and is intended to serve small service areas. The average site is from one-half (½) acre to a maximum of two (2) acres. Since these sites are typically small and surrounded by residential development they can appear to be spot zones; however, the Comprehensive Plan acknowledges the need to create neighborhood units, which involve the need for limited retail and service uses in close proximity to neighborhoods. These convenience centers should be constructed to a residential scale, and be visually and dimensionally compatible to adjacent residential developments. The Neighborhood Services (NS) District should not contain uses that create excessive amounts of traffic, noise, litter or that would not be conducive to residential adjacency. Due to the residential adjacency of this zoning district, increased landscaping and buffering requirements are necessary.

DRAFT ORDINANCE 08-19-21

(B) *Permitted Uses*. All land uses permitted within the Neighborhood Services (NS) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Neighborhood Services (NS) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.04: GENERAL RETAIL (GR) DISTRICT

(A) *Purpose.* The General Retail (GR) District is a zoning district intended to provide limited retail and service uses for one (1) or more neighborhoods. The land uses specified in this district include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares. This district does ***not*** include strip commercial/retail centers, large shopping centers, wholesaling operations, lumberyards, contractor yards, and/or warehouses with high volumes of commercial truck traffic. The General Retail (GR) District is not a major commercial/retail district, and should try to avoid intensive commercial land uses that carry large volumes of retail traffic. The noise, traffic, litter, late night hours, and other influences that could be harmful to residential areas require adequate buffering and screening from residential areas. Traffic from land uses in this district should not pass through residential areas, except on arterial or major collectors. There are restrictions on access to prevent traffic congestion or an adverse effect on major thoroughfares adjacent to residential areas. Areas should not be zoned General Retail (GR) District unless they are located on or close to an arterial or major collector that is capable of carrying increased traffic. Since the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts.

(B) *Permitted Uses.* All land uses permitted within the General Retail (GR) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a General Retail (GR) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.05: COMMERCIAL (C) DISTRICT

(A) *Purpose*. The Commercial (C) District is the proper zoning classification for most types of commercial development (*e.g. larger shopping centers at major intersections, commercial strips along arterial roadways, etc.*). The land uses specified for the Commercial (C) District include most types of office and retail activity with some special provisions for wholesale land uses. This district mostly excludes land uses that are not compatible with retail shopping (*e.g. lumberyards, contractor yards, warehousing, or other land uses with high volumes of truck traffic and low volumes of retail traffic*). The noise, traffic, litter, late night hours, and other influences that could be harmful to neighborhoods require adequate buffering and mitigating factors when locating adjacent to residential areas. Areas should not be zoned to Commercial (C) District unless they are located on or close to an arterial or major collector that is capable of carrying the additional traffic generated by land uses in this district. In addition, these areas may require increased water, fire protection, wastewater and drainage capacity. The Commercial (C) District is a general business zone, and is intended to service most commercial land uses, with the exception of land uses that would fall into the Heavy Commercial (HC) District. Since the Commercial (C) District is general in nature, the development standards are less stringent and do not require as high of standards of development as the Residential-Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts.

DRAFT ORDINANCE 09.2019

(B) *Permitted Uses*. All land uses permitted within the Commercial (C) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Commercial (C) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Business Operations and Storage*. All business operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as stipulated in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*. This excludes off-street parking and loading, incidental display of retail items for sale, retail outlets where gasoline products are sold and drive-in businesses.

SUBSECTION 4.06: HEAVY COMMERCIAL (HC) DISTRICT

(A) *Purpose*. The Heavy Commercial (HC) District is the proper zoning classification for commercial establishments that may involve uses that would not be suitable in the other commercial zoning districts. Included in this district are commercial uses that involve large volumes of commercial truck traffic, outside operations, outside storage of materials and equipment, excessive noise from heavy service operations, and/or any other possibly adverse operations. The Heavy Commercial (HC) District is commercial in nature, but has some aspects that are similar to industrial land uses. The zoning district allows noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful if directly adjacent to residential areas, and will require adequate buffering and other mitigating factors if such an adjacency exists. Areas should not be zoned to Heavy Commercial (HC) District unless they are located on or close to an arterial that is capable of carrying large volumes of commercial truck traffic. Businesses locating in the Heavy Commercial (HC) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property, and that streets in and adjacent to this district are of a size and strength to accommodate commercial truck traffic.

(B) *Permitted Uses*. All land uses permitted within the Heavy Commercial (HC) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Commercial (C) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Outside Storage*.

(a) All outside storage shall be placed behind the front facade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.
(b) All outside storage shall be screened from streets and public areas in accordance with the requirements of Subsection 1.05, *Screening Standards*.

SUBSECTION 4.07: DOWNTOWN (DT) DISTRICT

DRAFT ORDINANCE 08.19.20

Subsection 4.07, *Downtown (DT) District*, is omitted from this ordinance change, but is retained in its entirety.

SECTION 5: INDUSTRIAL DISTRICTS

SUBSECTION 5.01: GENERAL INDUSTRIAL DISTRICT STANDARDS

All industrial development shall conform to the following standards:

(A) *Construction Standards ~~Materials~~*.

(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials -- excluding doors and windows* -- as defined below.

(a) *Primary Materials. Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:

(1) *Stone.* A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.
(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade. The use of concrete tilt-up walls may be permitted on a case-by-case basis in accordance with the exception requirements outlined below.
(3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.

(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards.* All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(2) *Exceptions*. Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and~~

DRAFT ORDINANCE 08.20.19

~~Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

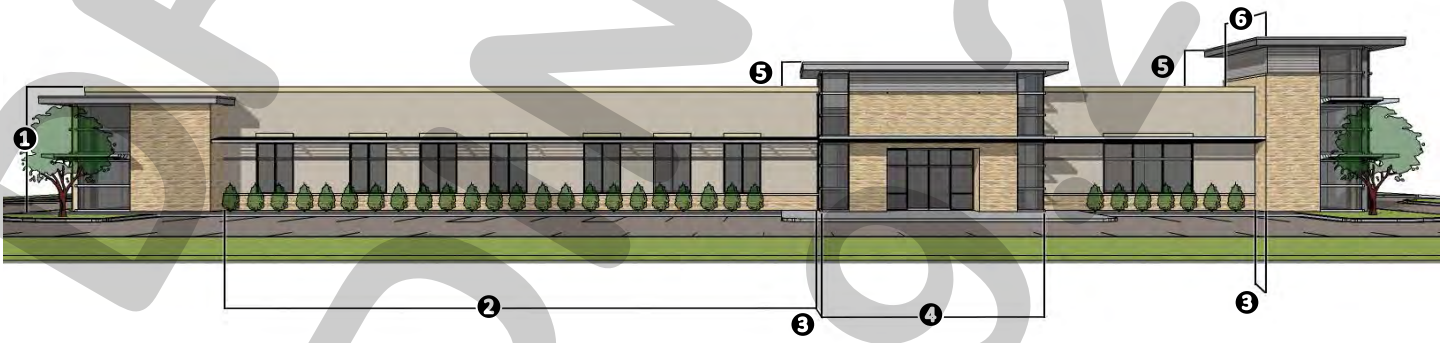
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Industrial Districts*. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Section 7.03, *Non-Residential District Development Standards*; however, the following features may be constructed 12-feet higher than the maximum height requirement if they [*1*] are not more than 33% of the total roof area, and [*2*] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

(a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
(b) Flag Poles.
(c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All industrial buildings shall meet the following standards for articulation on primary building façades:

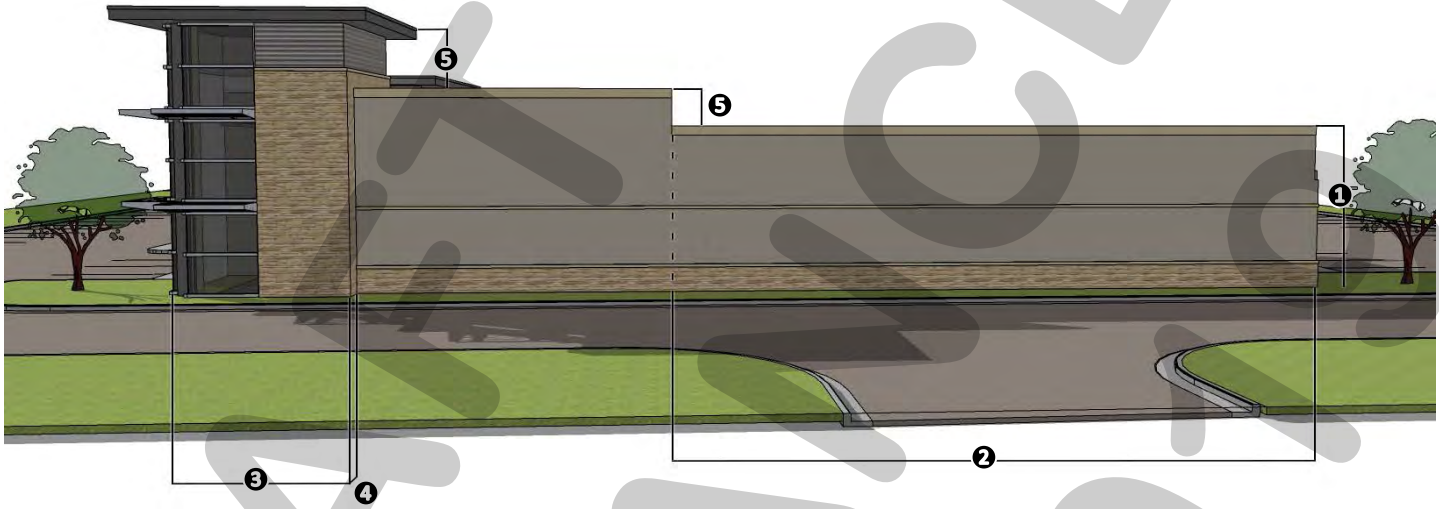


❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed four (4) times the wall height (*i.e. 4 x* ❶ ≥ ❷).
❸: *Wall Projection*. The minimum wall projection for an entryway/architectural element shall be 25% of the wall height (*i.e. 25% x* ❶ ≤ ❸).
❹: *Entryway/Architectural Element Length*. The minimum entryway/architectural element length shall be 33% of the wall height (*i.e. 33% x* ❷ ≥ ❹).
❺: *Projection Height*. The entryways/architectural elements shall extend a minimum of 25% of the wall height above the top of the wall (*i.e. 25% x* ❶ ≤ ❺).
❻: *Entryway/Architectural Element Width*. The minimum width of the entryway/architectural element shall extend for twice the required wall projection (*i.e. 2 x* ❸ ≥ ❻).

(2) Secondary Building Façade. A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space,

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public/private park, and/or a residentially zoned district or residentially used property. All industrial buildings shall meet the following standards for articulation on secondary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length *(i.e. 15% x* ❷ ≤ ❸).
❹: *Secondary Entryway/Architectural Element Width*. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e. 15% x* ❶ ≤ ❹).
❺: *Projection Height*. The secondary entryways/architectural elements shall extend a minimum of 15% of the wall height above the top of the wall (*i.e. 15% x* ❶ ≤ ❺).

~~*(3) Exceptions.* Exceptions to the building articulation requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate the Planning and Zoning Commission should determine if the proposed request is [1] in conformance with the spirit and intent of the building articulation requirements, and [2] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

(D) *Open Space Guidelines.* Industrial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making industrial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

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(E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Industrial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

SUBSECTION 5.02: LIGHT INDUSTRIAL (LI) DISTRICT

(A) *Purpose*. The Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses. With the exception of hazardous materials/manufacturing, this zone allows the same uses as the Heavy Industrial (HI) District. Limitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities. The Light Industrial (LI) District is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building, and any activities conducted outside should be screened and buffered to ensure no external effects (*e.g. excessive noise or odor*) extend beyond the property lines. The locations for these types of industrial land uses are typically a minimum of two (2) acres and average of five (5) to ten (10) acres. These types of development also incorporate open space and significant amounts of land dedicated to landscaping.

Since this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (*e.g. IH-30 and SH-276*) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space. Residential uses should be discouraged from locating directly adjacent to or near the Light Industrial (LI) District to protect these types of businesses from excessive complaints about performance standards. Areas should not be zoned to Light Industrial (LI) District unless they are located on or close to an arterial capable of carrying commercial truck traffic. In industrial parks, internal streets should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Light Industrial (LI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses*. All land uses permitted within the Light Industrial (LI) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Light Industrial (LI) District shall conform to Subsection 4.01, *General Industrial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Manufacturing Operations and Storage*. All business and manufacturing operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as listed in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

SUBSECTION 5.03: HEAVY INDUSTRIAL (HI) DISTRICT

(A) *Purpose*. The City of Rockwall recognizes that some industrial uses cannot be conducted within a totally enclosed building, are not visually attractive, may involve hazardous materials, and could have adverse impacts to adjacent land uses due to noise, odor, pollution, and truck traffic. The Heavy

DRAFT ORDINANCE 08-19-XX

Industrial (HI) District is intended to provide adequate space and site diversification for these types of developments. The development standards in the Heavy Industrial (HI) District are minimal, and allow both large and small industrial uses either on separate small lots or as part of a larger industrial park. Some screening is required, but because of the potential for hazardous or possibly adverse uses, this district should not be located close to residential areas of any type. Areas should not be zoned Heavy Industrial (HI) District unless they are located on or close to an arterial roadway capable of carrying commercial truck traffic. Internal streets in the Heavy Industrial (HI) District should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Heavy Industrial (HI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses*. All land uses permitted within the Heavy Industrial (HI) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Heavy Industrial (HI) District shall conform to Subsection 4.01, *General Industrial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SECTION 6: OVERLAY DISTRICTS

SUBSECTION 6.01: OVERLAY DISTRICTS

Overlay districts are applied to land that has a traditional zoning district designation already applied to it. It establishes additional uses and standards, which may be either more or less restrictive than the underlying zoning district. The overlay district governs in all cases where it sets out a particular use or standard that conflicts with other sections of this Unified Development Code (UDC). In cases where the overlay district does not specifically address a standard or requirement, the underlying zoning district will govern.

SUBSECTION 6.02: GENERAL OVERLAY DISTRICT STANDARDS

(A) *Applicability*. The *General Overlay District Standards* shall be applied to the following overlay districts:

- ☑ IH-30 Overlay (IH-30 OV) District
- ☑ SH-205 Overlay (SH-205 OV) District
- ☑ Scenic Overlay (SOV) District
- ☑ SH-66 Overlay (SH-66 OV) District
- ☑ SH-205 By-Pass Overlay (SH-205 BY OV) District
- ☑ North SH-205 Overlay (N. SH-205 OV) District
- ☑ East SH-66 Overlay (E. SH-66 OV) District
- ☑ FM-549 Overlay (FM-549 OV) District
- ☑ SH-276 Overlay (SH-276 OV) District

All other overlay district standards are detailed in Sections 6.03 – 6.15.

(B) *Special Use Standards.* Development within the Scenic Overlay (SOV) District and the SH-66 Overlay (SH-66 OV) District shall comply with the *Land Use Schedule* contained in Article IV, *Permissible Uses*, of this Unified Development Code (UDC); however, the following land uses may be considered on a case-by-case basis through a Specific Use Permit:

a. Retail Store with Gasoline Sales (*Any Amount of Dispensers or Vehicles*)

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b. Car Wash (*Any Type*)
c. Structures Over 36-Feet in Height

(C) *Architectural Standards.*

(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials -- excluding doors and windows* -- as defined below.

(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:

(1) *Stone*. A minimum of 20% natural or quarried stone is required on all building façades; however, the Planning and Zoning Commission, upon recommendation from the Architectural Review Board (ARB), may grant the use of a high quality manufactured or cultured stone in lieu of natural or quarried stone if it is determined that the application of the manufactured or cultured stone will be complimentary and integral to the design of the building. In making this determination, both the Architectural Review Board (ARB) and the Planning and Zoning Commission should consider the shape, texture, size, quality and warranty of the product being proposed.

(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.

(3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of primary brick or stone materials in an elevation.

(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, cultured stone or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards*. All structures that have a building footprint of less than 6,000 SF shall be constructed with a pitched roof. Those structures having a footprint 6,000 SF or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish to avoid glare. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent public right-of-way shall be prohibited.

(3) *Mechanical Equipment Screening*. All buildings shall be designed so that no HVAC, satellite dishes, appurtenances and/or any other mechanical equipment visible from any direction. This shall include equipment located on the roof, on the ground, or otherwise attached to the building or located on the site.

(a) Screening of rooftop mechanical equipment and/or other rooftop appurtenances shall be accomplished by either the construction of [*1*] a roof system described in the *Roof Design Standards* above, or [*2*] an architectural feature that is integral to the building's design and

DRAFT ORDINANCE 08.05.15

ensures that such rooftop mechanical equipment is not visible from any direction. Fencing or the enclosing of individual mechanical units shall not be permitted.

(b) All rooftop mechanical equipment or architectural features shall be shown on the required building elevations and submitted along with the site plan for review by City Staff, the Architectural Review Board (ARB), and the Planning and Zoning Commission.

(4) *Required Architectural Elements.* All buildings that are less than 50,000 SF shall be designed to incorporate a minimum of four (4) architectural elements, buildings over 50,000 SF shall include a minimum of six (6) architectural elements, and buildings over 100,000 SF shall include a minimum of seven (7) architectural elements. The accepted architectural elements for all buildings are as follows:

- ☑ Canopies, Awnings, or Porticos
- ☑ Recesses/Projections
- ☑ Arcades
- ☑ Peaked Roof Forms
- ☑ Arches
- ☑ Outdoor Patios
- ☑ Display Windows
- ☑ Architectural Details (*e.g. Tile Work and Moldings*) Integrated into the Building's Facade
- ☑ Articulated Ground Floor Levels or Bases
- ☑ Articulated Cornice Line
- ☑ Integrated Planters or Wing Walls that Incorporate Landscape and Sitting Areas
- ☑ Offsets, Reveals or Projecting Rib Expressing Architectural or Structural Bays
- ☑ Varied Roof Heights

NOTE: Other architectural features maybe approved by the Director of Planning and Zoning or his/her designee.

(5) *Four (4) Sided Architecture.* All buildings shall be architecturally finished on all four (4) sides utilizing the same materials, detailing, articulation and features. In addition, a minimum of one (1) row of trees (*i.e. four [4] or more accent or canopy trees*) shall be planted along perimeter of the subject property to the rear of the building.

(6) *Windows.* The color of all windows shall be reviewed by the Architectural Review Board (ARB), and shall have a maximum visible exterior reflectivity of 20%.

(7) *Office Parks, Shopping Centers and Mixed Use Centers.* All buildings within a common retail, commercial or office development shall incorporate complementary architectural styles, materials, and colors. Staff may require a conceptual façade plan and/or sample boards for these types of developments to ensure consistency and compatibility for all buildings within a proposed development. Conceptual façade plans will be used only to ensure compliance to the minimum standards.

(8) *Corporate Identity.* A company's building corporate identity that conflicts with the *General Overlay District Standards* shall be reviewed *case-by-case* basis as a variance in accordance with the requirements of Subsection 9.02, *Variances to the General Overlay District Standards*, of Article XI, *Development Applications and Review Procedures*.

(D) *Site Design Guidelines and Standards.*

DRAFT ORDINANCE 08-Aug-2019

(1) *Building Setbacks*. The building setbacks adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) shall be as follows:

(1) Scenic Overlay (SOV) District: 15-feet
(2) SH-66 Overlay (SH-66 OV) District: 15-feet
(3) IH-30 Overlay (IH-30 OV) District: 25-feet
(4) SH-205 Overlay (SH-205 OV) District: 25-feet
(5) North SH-205 Overlay (N. SH-205 OV) District: 25-feet
(6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- ☑ Residential Land Uses: *See* *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

All other building setback regulations shall be the same as set forth in the underlying zoning district.

(2) *Parking Restrictions*. No more than one (1) full row of parking (*i.e. two rows of parking with a drive aisle*) shall be allowed between the primary building façade and the right-of-way of the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*).

(3) *Access/Ingress/Egress*. In an effort to minimize potential vehicular and pedestrian conflicts, special attention must be given to the location of median breaks along major thoroughfares, the number and location of driveways providing ingress/egress, the design of driveways providing ingress/egress in relation to the parking areas and sight/visibility distances. Taking this into consideration it is important to review all site plans for the following guidelines:

a. Driveways should be spaced a minimum of 100-feet from the intersection of any major thoroughfare.
b. The ingress/egress driveways shall have a minimum radius of 30-feet;
c. Driveways should maintain an appropriate visibility triangle at ingress/egress driveways.

DRAFT ORDINANCE 08.19.2019

d. Main entrances should generally be located at median breaks that provide left turn access into the site.
e. Main entrances should connect to a *straightaway* aisle that does not dead end or require an immediate turn to approach the main building.
f. Aisles intersecting with entrance drives should be spaced at a minimum of 20-feet from the property line to provide for smooth turning movements.

(4) *Cross Access. Cross Access Easements* may be required by the Planning and Zoning Commission at the time of site plan approval to ensure access to future median breaks and to reduce the number of curb cuts needed along roadways.

(5) *Shared Parking.* In all office parks, shopping centers and mixed-use centers cross access and shared parking agreements may be required by the City Council along with final plat approval.

(6) *Loading and Service Areas*. All loading and service areas shall be located on the rear and side of buildings where possible. In the event that a loading or service area faces towards the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*), additional screening of the loading and service area may be required by the Architectural Review Board (ARB) and Planning and Zoning Commission. A minimum of a ten (10) foot masonry screening wall shall be required to screen the view of loading docks and loading spaces intended for tractor/semi-trailer delivery from any public right-of-way. This ten (10) foot masonry screening wall must screen the entire loading dock or loading space. Screening materials shall utilize similar masonry materials as the front façade of the primary building. The accommodation of adequate access for service delivery trucks shall be evaluated to determine the extent of screening required.

(7) *Trash/Recycling Receptacles and Dumpster Enclosures*. Trash/Recycling Enclosures shall be four (4) sided. These receptacles shall be screened by a minimum eight (8) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building.

(8) *Play Structures*. Play structures shall not be placed between the primary building façade and a public right-of-way.

(9) *Plan Review*. In addition to the other processes and factors established by this Unified Development Code (UDC), all concept plans, development plans and site plans for property situated within an established overlay district shall be reviewed for the following:

(a) The conformance of the proposed site plan to the site design guidelines and standards.
(b) The conformance of the proposed landscape plan to the intent of the landscaping and screening requirements.
(c) The conformance of the building elevations to the intent of the architectural standards.
(d) The provision of sufficient cross access and circulation on the site plan.
(e) The provision of sufficient visibility triangles to avoid congestion at ingress/egress driveways.

(E) *Landscape Standards*.

DRAFT ORDINANCE 08.19.09

(1) *Landscape Buffers*. The minimum landscape buffer adjacent to *Primary Roadways* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) [*outside of and beyond any required right-of-way dedication*] shall be as follows:

(1) Scenic Overlay (SOV) District: 20-feet
(2) SH-66 Overlay (SH-66 OV) District: 20-feet
(3) IH-30 Overlay (IH-30 OV) District: 20-feet
(4) SH-205 Overlay (SH-205 OV) District: 20-feet
(5) North SH-205 Overlay (N. SH-205 OV) District: 20-feet
(6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- ☑ Residential Land Uses: 50-feet
- ☑ Retail/Commercial Land Uses: 25-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

All landscape buffers shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage along the *Primary Roadway*. In the E. SH-66 Overlay (E SH-66 OV), FM-549 Overlay (FM-549 OV), and SH-205 By-Pass Overlay (SH-205 BY OV) Districts the required landscape buffer shall incorporate one (1) additional cedar tree per 100-feet of linear of frontage along the *Primary Roadway*.

(2) *Plant Material Sizes and Selection*. All canopy trees, accent trees, shrubs and ground cover proposed to be planted in any overlay district shall be in conformance to the tables depicted in Appendix F, *Landscaping Guidelines and Requirements*, of this Unified Development Code (UDC) and shall be subject to the following sizes:

a. *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.
b. *Accent Trees* shall be a minimum of four (4) feet in total height.
c. *Deciduous Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.
d. *Evergreen Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.

DRAFT ORDINANCE 09.09.2019

(3) *Erosion Control/Retaining Walls.* Any slope embankments or retaining walls within the public right-of-way or within the required landscape buffer must be terraced every four (4) feet in height (maximum) with a minimum of a two (2) foot planting area provided between each vertical plane. Materials used for the vertical elements shall be natural stone or any masonry material, which matches the masonry materials used on the primary structure. The planting area must incorporate shrubs, ground cover and grasses.

(F) *Signs.* All signage requirements and variances to these requirements shall conform to Chapter 32, *Signs*, of the Municipal Code of Ordinances; however, approval of any variance to the sign standards for property situated within an established overlay district shall require approval by the City Council by a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

(G) *Lighting Standards.* No light standard, light fixture, light pole, pole base or combination thereof shall exceed 20-feet in total height in any overlay district with the exception of the IH-30 Overlay (IH-30 OV) District, which shall be limited to a maximum height of 30-feet.

(H) *Utility Placement.* All overhead utilities within any overlay district shall be placed underground.

(I) *Residential Standards.* No screening walls shall be erected adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) in conjunction with any residential development. In addition, *eyebrow drives* with clusters of lots (*i.e. 5 – 12 homes*) shall be utilized along the *Primary Roadway* for residential developments. In lieu of *eyebrow drives,* a 50-foot landscape buffer may be utilized as an alternative. Farm fencing, including wood rail type and metal pipe and cable fencing, is allowed within the 50-foot landscape buffer. For residential developments within the SH-205 By-Pass Overlay (SH-205 BY OV) District, see *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*.

SUBSECTION 6.03: HISTORIC OVERLAY (HO) DISTRICT

Subsection 6.03, *Historic Overlay (HO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.04: NORTH GOLIAD CORRIDOR OVERLAY (NGC OV) DISTRICT

Subsection 6.04, *North Goliad Corridor Overlay (NGC OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.05: SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT

Subsection 6.05, *Southside Residential Neighborhood Overlay (SRO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.06: IH-30 OVERLAY (IH-30 OV) DISTRICT

(A) *Purpose.* The intent of the IH-30 Overlay (IH-30 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

DRAFT ORDINANCE 08.19.19

These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The IH-30 Overlay (IH-30 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the future right-of-way of IH-30. The IH-30 Overlay (IH-30 OV) District spans east to west along IH-30 from the eastern city limits (approximately 3,600-feet east of FM 549), west to the western city limit line along Lake Ray Hubbard. The standards and regulations set forth in the IH-30 Overlay (IH-30 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the IH-30 Overlay (IH-30 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.07: SH-205 OVERLAY (SH-205 OV) DISTRICT

(A) *Purpose.* The intent of the SH-205 Overlay (SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 Overlay (SH-205 OV) District includes the entirety of all properties which adjoin or are located within 200-feet of the future right-of-way of SH-205. The SH-205 Overlay (SH-205 OV) District spans north to south along SH-205 from the intersection point of SH-205 and FM 740, south to the southern city limits (*approximately 2,800-feet south of FM-1139*). The standards and regulations set forth in the SH-205 Overlay (SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-205 Overlay (SH-205 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.08: SCENIC OVERLAY (SRO) DISTRICT

(A) *Purpose.* The Scenic Overlay (SOV) District is a specialized overlay district along FM-740 which has been identified in the Comprehensive Plan as a scenic thoroughfare. The identified scenic aspects of FM-740 include views of the lake, existing natural topography, and existing natural landscaping. The district has been established to protect scenic or historic qualities through the use of additional development criteria and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it

DRAFT ORDINANCE 09-21

is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

(B) *Application and Boundaries.* The Scenic Overlay (SOV) District shall apply to all property located within the established boundary along FM-740 (*as set forth in Ordinance No. 87-64*). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless and until an application for zoning, platting, or site planning is re-submitted on the property. All property developed within the Scenic Overlay (SOV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the Scenic Overlay (SOV) District. The most restrictive requirement applicable to the property shall apply.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the Scenic Overlay (SOV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.09: SH-66 OVERLAY (SH-66 OV) DISTRICT

(A) *Purpose.* The SH-66 Overlay (SH-66 OV) District is a specialized overlay district along SH-66 and Washington Street between Lake Ray Hubbard and SH-205, which has been identified as one of the important entry points into the City of Rockwall. The identified important scenic aspects of this corridor include views of the lake, existing natural topography, and existing natural landscaping adjacent to residential neighborhoods. The district has been established to protect scenic or historic qualities through the use of additional development criteria, and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

(B) *Application and Boundaries.* The SH-66 Overlay (SH-66 OV) District shall apply to all property located within the established boundary along SH-66 and Washington Street, between Lake Ray Hubbard and SH-205 (*as set forth in Ordinance No. 01-18*). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless an application for zoning, platting, or site planning is resubmitted on the property. All property developed within the SH-66 Overlay (SH-66 OV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the SH-66 Overlay (SH-66 OV) District. The most restrictive requirement applicable to the property shall apply.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-66 Overlay (SH-66 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.10: SH-205 BY-PASS OVERLAY (SH-205 BY OV) DISTRICT

(A) *Purpose.* The intent of the SH-205 By-Pass Overlay (SH-205 BY OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically

DRAFT
ORDINANCE
08-38

pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility and plan review shall be conducted through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family uses only. All other residential uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 By-Pass Overlay (SH-205 BY OV) District includes the entirety of all properties which adjoin or are located within 500 feet of the current and future right-of-way of John King Boulevard. The SH-205 By-Pass Overlay (SH-205 BY OV) District ~~Zone~~ extends along the current and future right-of-way of John King Boulevard. to the existing city limits. The standards and regulations set forth in the SH-205 By-Pass Overlay (SH-205 BY OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-205 By-Pass Overlay (SH-205 BY OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

(D) *Special District Requirements*.

(1) *Residential Frontage Requirements*. To ensure proper separation of residential land uses from John King Boulevard all residential developments that have direct frontage on John King Boulevard shall utilize one (1) or a combination of the following design alternatives along the entire frontage of John King Boulevard:

a. *Increased Landscape Buffer*. A minimum of a 100-foot landscape buffer maybe substituted for the required landscape buffer as depicted in *Design Alternative #1*.

b. *Increased Rear Yard Building Setback*. A minimum of 50-foot rear yard building setback may be incorporated adjacent to the required landscape buffer as depicted in *Design Alternative #2.*

b. *Incorporation of a Slip Street*. A slip street -- *meeting the Engineering Department's requirements for right-of-way design* -- may be incorporated adjacent to and running parallel with the required landscape buffer. Homes are permitted to front or side to the slip street. Examples of this design alternative are depicted in *Design Alternative #3* and *Design Alternative #4.*

c. *Incorporation of an Eyebrow*. An eyebrow street meeting the -- *Engineering Department's requirements for right-of-way design* -- with a minimum cluster of five (5) homes and a maximum cluster of 12 homes can be incorporated with a 30-foot landscape buffer. All homes should front onto the eyebrow street and have a minimum of a 25-foot front yard building setback. An example of this design alternative is depicted *Design Alternative #5.*

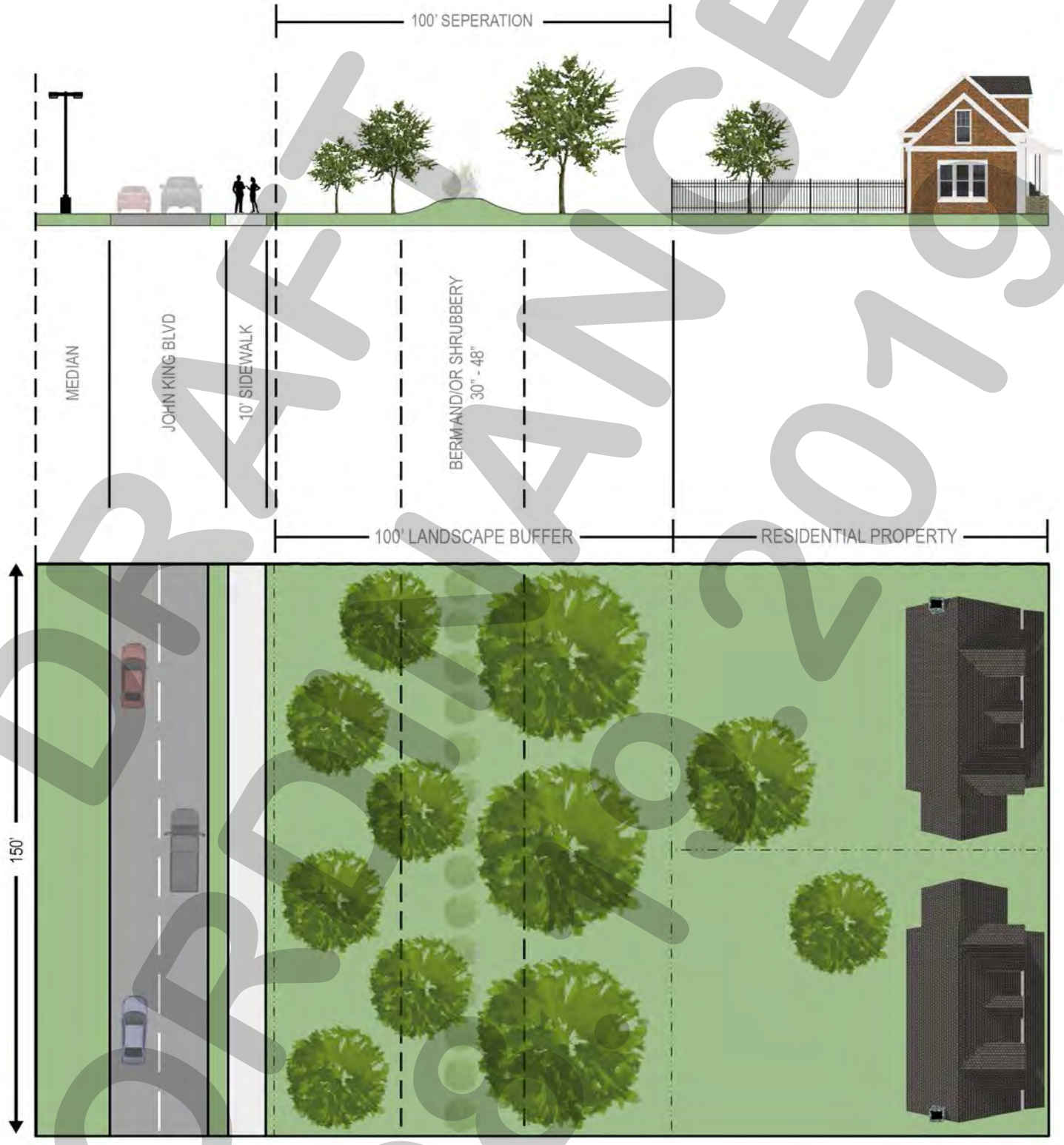
(2) *Design Alternatives.*

DRAFT ORDINANCE 08.19.20

DRAFT
ORDINANCE
08.19.2019

379

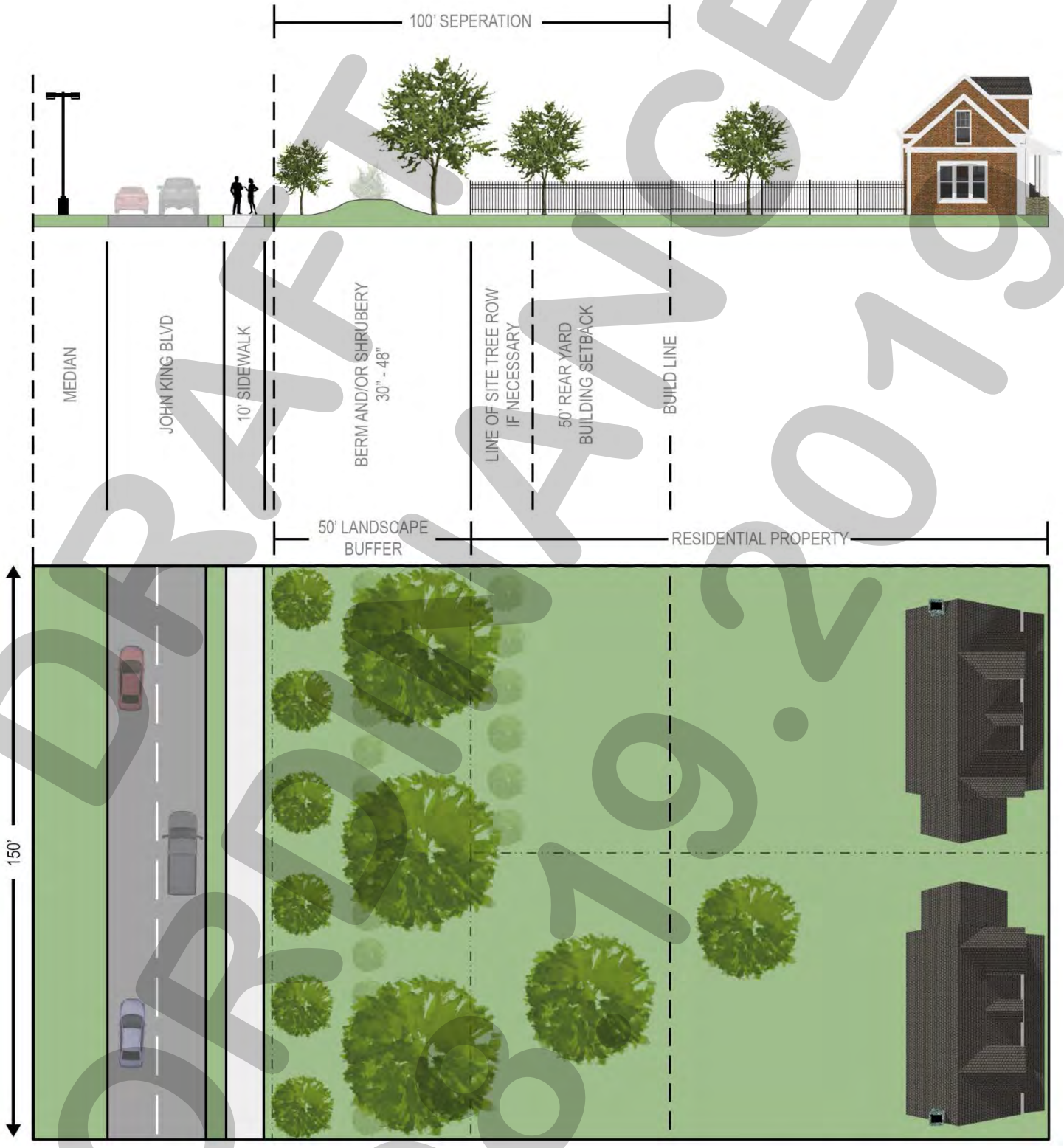
Design Alternative #1



DRAFT ORDINANCE 08.01.2019

380

Design Alternative #2



DRAFT ORDINANCE 08.19.2019

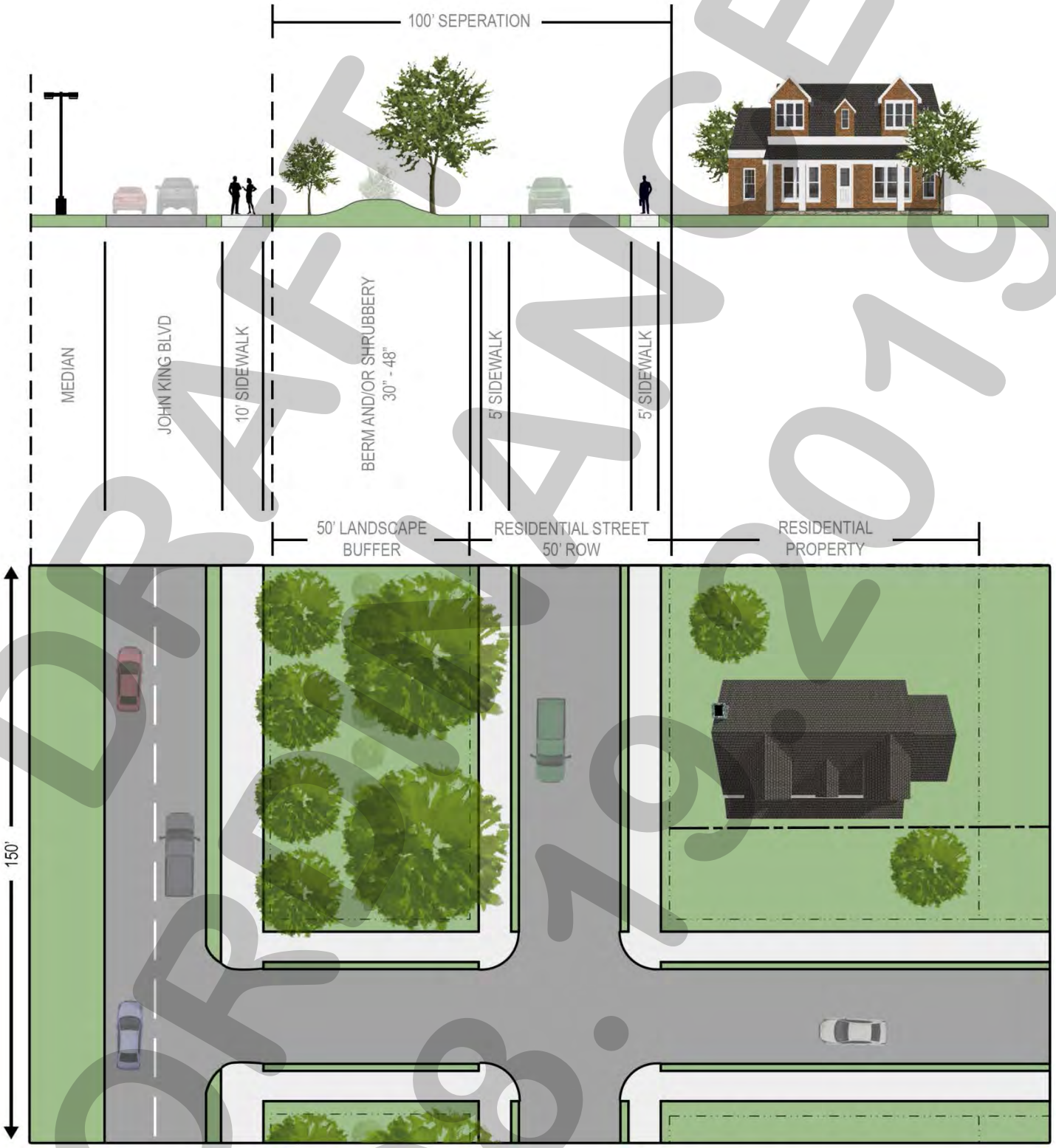
Design Alternative #3



DRAFT
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382

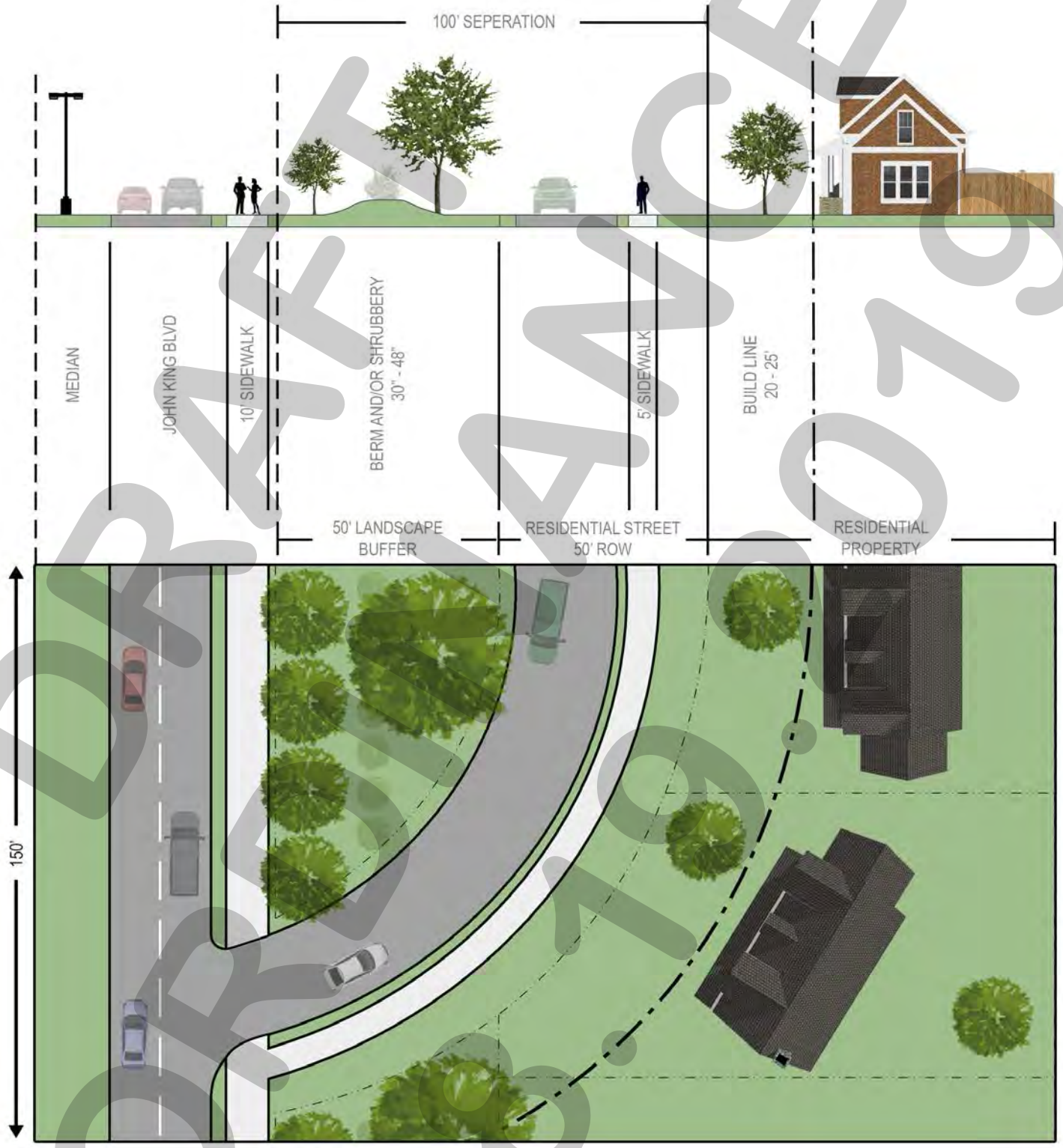
Design Alternative #4



DRAFT ORDINANCE 08.19.2019

383

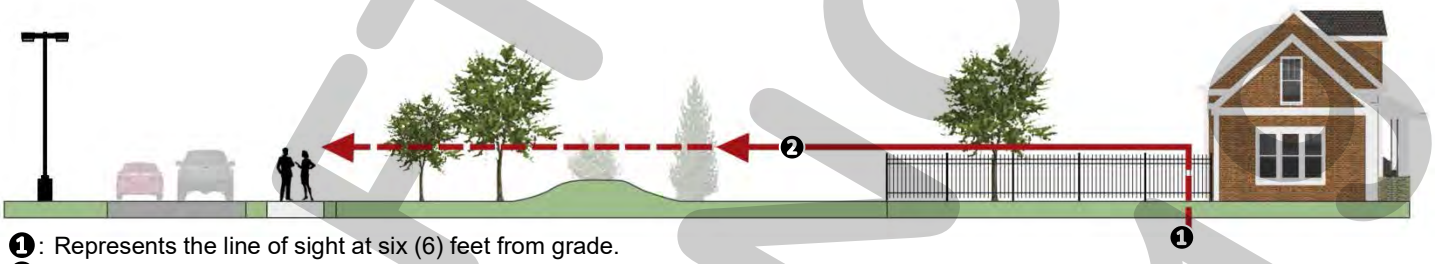
Design Alternative #5



DRAFT ORDINANCE 08.19.2019

384

(3) *Line of Sight Requirements*. Homes that back to a required landscape buffer should be built in such a manner where the required berm visually impairs visibility to John King Boulevard. In cases where a berm proves to be ineffective at screening traffic from John King Boulevard (*due to topography, height, etc.*) the developer shall be responsible for incorporating additional landscaping to provide sufficient screening in the required landscape buffer. This will be reviewed by the Planning and Zoning Commission at the time of site plan.



❶: Represents the line of sight at six (6) feet from grade.
❷: The solid red line shows that visibility is impaired from John King Boulevard by [*1*] a row of trees or [*2*] a berm and/or row of shrubbery.

SUBSECTION 6.11: NORTH SH-205 OVERLAY (N. SH-205 OV) DISTRICT

(A) *Purpose*. The intent of the North SH-205 Overlay (N. SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries*. The North SH-205 Overlay (N. SH-205 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of N. SH-205. The North SH-205 Overlay (N. SH-205 OV) District spans north to south along SH-205 from the northern city limits (approximately 4,200-feet north of FM-552), south to the intersection point of SH-205 and Heath Street. The standards and regulations set forth in the North SH-205 Overlay (N. SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the North SH-205 Overlay (N. SH-205 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.12: EAST SH-66 OVERLAY (E. SH-66 OV) DISTRICT

(A) *Purpose*. The intent of the East SH-66 Overlay (E. SH-66 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board

DRAFT ORDINANCE 08-43

(ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The East SH-66 Overlay (E. SH-66 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of E. SH-66. The East SH-66 Overlay (E. SH-66 OV) District extends from FM-1141 to the east approximately 2,700-feet, and on property that lies within 500-feet of the south right-of-way line of SH-66 beginning at a point approximately 2,700-feet east of FM-1141 and then continuing east to FM-549. The standards and regulations set forth in the East SH-66 Overlay (E. SH-66 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the East SH-66 Overlay (E. SH-66 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.13: FM-549 OVERLAY (FM-549 OV) DISTRICT

(A) *Purpose.* The intent of the FM-549 Overlay (FM-549 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries*. The FM-549 Overlay (FM-549 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of FM-549. The FM-549 Overlay (FM-549 OV) District extends from SH-276 to a point approximately 800-feet north of IH-30 and on property that lies within 500-feet of the west right-of-way line of FM-549 from a point approximately 800-feet north of IH-30 to SH-66. The standards and regulations set forth in the FM-549 Overlay (FM-549 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the FM-549 Overlay (FM-549 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

(A) *Purpose.* The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276.

DRAFT ORDINANCE 08-19

386

The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

Subsection 6.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.16: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

See Subsection 9.02, *Variances to the General Overlay Districts Standards, of Article IX, Development Applications and Review Procedures*.

~~Unless otherwise specified in this section, an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in *Section 6.02, General Overlay District Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. If the Planning and Zoning Commission denies a variance request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the variance or variances being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*). Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.~~

SECTION 7: DISTRICT DEVELOPMENT STANDARDS

DRAFT ORDINANCE 08.19.19

SUBSECTION 7.01: RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Residential District Development Standards Zoning Districts → Development Standards ↓		Single-Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single-Family Estate 4.0 (SFE-4.0) District	Single-Family 1 (SF-1) District	Single-Family 16 (SF-16) District	Single-Family 10 (SF-10) District	Single-Family 8.4 (SF-8.4) District	Single-Family 7 (SF-7) District	Zero Lot Line (ZL-5) District	Two-Family (2F) District	Agricultural (AG) District
Abbreviation		SFE-1.5	SFE-2.0	SFE-4.0	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	AG
Dwelling Units/Lot		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0
Dwelling Units/Acre		0.67	0.5	0.25	1.0[1]	2.7	4.4	5.2	6.2	8.7	12.4	0.1[11]
Minimum Dwelling Unit (SF)		2,000	2,200	2,500	2,500	2,400	2,200	1,500	1,100	1,000	800	1,600
Minimum Lot Requirements	Area (Square Feet)	65,340	87,120	174,240	8,400	16,000	10,000	8,400	7,000	5,000	7,000	43,560
	Width (Feet) [2]	150	150	200	70	90	80	70	60	50	60	100
	Depth (Feet)	250	250	250	100	100	100	100	100	90	100	200
Minimum Setbacks	Front (Feet)	50	50	50	20	25	20	20	20	20	20	40
	Rear (Feet)	10	10	10	10	10	10	10	10	10	10	10
	Side (Feet) [3]	25	25	25	6	8	6	6	6	0/10[4]	0[5]/6[6]	6
Between Buildings (Feet)		10	10	10	10	10	10	10	10	10	10	12
Building Height (Feet)		36	36	36	36	36	36	36	32	30	32	36
~~Minimum Masonry Content (%)~~		~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~
Maximum Lot Coverage (%)		35	35	35	45	45	45	45	45	50	45	*N/A*
Required Parking Spaces [7]		2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[9]	2[10]	2[8]

ADDITIONAL REQUIREMENTS:

[1]: The Single Family 1 (SF-1) District allows for one (1) unit per gross acre.

[2]: Frontage on a Public Street

[3]: The side setback adjacent to a street is treated the same as a front yard building setback.

[4]: Minimum maintenance easement is ten (10) feet. Minimum maintenance easement on the non-zero lot line side, when adjacent to another lot in the same zoning district is five (5) feet (*this easement shall be maintained as an open space except upon a finding by the building official that the proposed improvements do not impede the use of said easement for maintenance of the adjoining structure*).

[5]: Abutting structures separated by fire retardant walls.

[6]: Townhouses separated by firewall meeting the requirements of the building code may build to the property line where such structures abut.

[7]: Minimum length of driveway pavement from public right-of-way for rear and side yard is 20-feet.

[8]: An enclosed garage shall not be considered in meeting the off-street parking requirements. For all other uses see Article VI, *Parking and Loading*.

[9]: A two (2) car garage is required.

DRAFT
Oct. 2019

[10]: Two (2) off-street parking spaces plus one (1) garage parking space for each dwelling unit is required.
[11]: A minimum lot size of ten (10) acres is required for the construction of any single-family dwelling.

DRAFT
ORDINANCE
08.19.2019

Multi-Family District Development Standards Zoning Districts → Development Standards ↓		Multi-Family 14 (MF-14) District [1]
Abbreviation		MF-14
Dwelling Units/Acre		14.0[2]
Minimum Lot Requirements	Site Area (Square Feet)	10,000
	Lot Area (Square Feet)	2,000 (*Per Unit*)
	Width (Feet)[3]	60
	Depth (Feet)	100
Minimum Setbacks	Front (Feet)	25
	Rear (Feet) w/ Residential Adjacency (Feet)[3 & 8]	One Story = 25 Two Stories = 50 Three Stories = 75
	Rear (Feet)	10
	Side w/ Residential Adjacency (Feet)[4 & 8]	One Story = 25 Two Stories = 50 Three Stories = 75
	Side (Feet)	One Story = 10 Two or More Stories = 15
Between Buildings (Feet)		Main to Accessory = 10 Two Main Buildings w/ Doors or Windows in Facing Walls = 20 Two Main Buildings w/o Doors or Windows in Facing Walls = 15
Building Height (Feet)		36
~~Minimum Masonry Content (%)~~		~~100~~
Maximum Lot Coverage (%)		45[5]
Minimum Landscaping (%)[7]		30% ~~25%~~ of Total Lot Area w/ 30% of Total Required in the Front and Alongside Buildings w/ Street Frontage [6]
Required Parking Spaces		See Article VI, *Parking and Loading*

ADDITION REQUIREMENTS:

[1]: Duplexes shall meet the requirements of the Two-Family (2F) District, with only one (1) duplex per lot.

[2]: Density is calculated by gross acre.

[3]: Unenclosed carports may be built within five (5) feet of any property line that abuts an alley, but no closer than 20-feet from any street intersection.

[4]: Side on street is treated the same as a front yard building setback.

[5]: Each development containing over 100 dwelling units shall provide 300 SF of open space per two (2) and three (3) bedroom units, with at least one (1) open area with the minimum dimensions of 200-feet by 150-feet. Swimming pools, tennis courts and other recreational facilities can be counted toward the overall open space requirement, but not toward the required 200-feet by 150-feet area.

DRAFT
ORD 08.19.2019

[6]: Any parking lot with more than two (2) rows of parking spaces shall have a minimum of two (2) percent of the interior of the parking lot landscaped. Such landscaping shall be counted toward the landscaping requirement.

[7]: All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes.

[8]: Lots with more than five (5) dwelling units that are contiguous to a residential zoning district, must be separated by a buffer as established in Article VIII, *Landscape Standards*.

DRAFT
ORDINANCE
08.19.2019

Non-Residential District Development Standards *: For development in the Downtown (DT) District see the standards in Section 4.8, *Downtown (DT) District*. Zoning Districts → Development Standards ↓		Residential-Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District
Abbreviation		RO	NS	GR	C	HC	LI	HI
Maximum Building Size (SF)		*N/A*	5,000 [1]	25,000 [2]	*N/A*	*N/A*	*N/A*	*N/A*
Minimum Lot Requirements	Area (SF)	6,000 [3]	6,000	6,000 43,560	10,000 43,560	12,500 43,560	12,500 43,560	87,120
	Width (Feet)	60	60	60 200	60 200	100 200	100 200	200
	Depth (Feet)	100	100	100 200	100 200	125 200	125 200	350
Minimum Setbacks	Front (Feet)	25 [4, 12]	15 [5]	15 [4, 5]	15 [4, 5]	25 [4]	25 [4]	50+1/2*H*>36 [7] 50 [4]
	Rear (Feet)	30	20 w/o FRW & Alley	10 w/o FRW & Alley	10 w/o FRW & Alley	20 w/o FRW & Alley	10 w/o FRW [7]	20 + 1/2*H*>36 w/o FRW [7]
			0 w/ FRW & Alley	0 w/ FRW & Alley	0 w/ FRW & Alley	1/2*H*>36 w/ FRW & Alley	1/2*H*>36 w/ FRW & Alley [7]	8 + 1/2*H*>36 w/ FRW & Alley [7]
	Rear Adjacent Residential (Feet)[6]	*N/A*	20	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	50 + 1/2*H*>36 [7]
	Side (Feet)	10	5 w/o FRW	10 w/o FRW	10 w/o FRW	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]
			0 w/ FRW	0 w/ FRW	0 w/ FRW	1/2*H*>36 w/ FRW [7]	1/2*H*>36 w/ FRW [7]	8 + 1/2*H*>36 w/ FRW [7]
	Side Adjacent Residential (Feet)[6]	20	20	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	50
Between Buildings (Feet)		15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]	25 + 1/2*H*>36 w/o FRW [7]
						1/2*H*>36 w/ FRW [7]	1/2*H*>36 w/ FRW [7]	16 + 1/2*H*>36 w/ FRW [7]
Building Height [*H*] (Feet)		36	36	36 [8]	60 [9]	60 [9]	60 [13]	60 [13]
~~Minimum Masonry Content (%)~~		~~90~~	~~90~~	~~90~~	~~90~~	~~90~~	~~90~~	~~90~~
Maximum Lot Coverage (%)		40	40	40	60	60	60	85
Floor Area Ratio (FAR)		0.33	*N/A*	2:1	4:1	4:1	2:1	4:1
Maximum Impervious Parking (%)		75-80 [11]	80-85	85-90	85-90	90-95	90-95	90-95
Maximum Number of Entrances and/or Exits	Arterial Streets	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]
	Collector Streets	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]
	Local Streets	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]

DRAFT ORDINANCE 08.10.20

Minimum Landscaping (%)	See Article VIII, *Landscape Standards*

NOTES:
Blue: When adjacent to Interstate 30.
H: Building Height
1/2*H*>36: One-Half the Building Height Over 36-Feet
FRW: Fire Retardant Wall
w/o FRW: Without Fire Retardant Wall

ADDITIONAL REQUIREMENTS:

[1]: A maximum building size of 5,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[2]: A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[3]: Maximum lot area is 43,560 SF.

[4]: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.

[5]: Parking should not be located between the front façade and the property line.

[6]: Lots with non-residential uses that have a side or rear yard contiguous or separated only by an alley, easement, or street, from any residential district must be separated from such residential district by a buffer as defined in Article VIII, *Landscape Standards*, or as approved by the Planning and Zoning Commission.

[7]: Not to exceed 50-Feet.

[8]: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[9]: Building height may be increased up to 240-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[10]: (or) as approved by Planning and Zoning Commission.

[11]: A minimum of seven (7) percent of the interior of the parking lot -- *not including the setback and landscape buffer* -- shall be pervious land area with additional plantings to create an amenity open space.

[12]: Parking shall not be permitted in the required setback.

[13]: Building height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

DRAFT ORDINANCE 08.19.2019

SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

Accessory Structure Development Standards Zoning Districts or Accessory Structure Type → Development Standards ↓		Accessory Structures & Accessory Buildings [1 & 3 ~~8, & 9~~]							
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District	Portable Accessory Building 0 SF – 120 SF [8]	Detached Garage [~~8 &~~ 9]	Carports [7 & 8]
Number of Accessory Structures or Number of Specific Accessory Structure		2[2]	2[2]	2[2]	2	1	1	1	1
Maximum SF of Accessory Structure [5]		~~1,250~~ 1,000[2]	~~1,500~~ 1,000[2]	~~2,000~~ 1,250[2]	~~225~~ 144[6]	100	120	~~900~~ 625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20[4]	20[4]	20[4]	3	3	3	20[4]	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet) [8]		15	15	15	15	10	10	15	15
~~Minimum Masonry Content (%) [3]~~		~~80[5]~~	~~80[5]~~	~~80[5]~~	~~80[5]~~	~~80[5]~~	~~0~~	~~80[5]~~	~~80[5]~~

ADDITIONAL REQUIREMENTS:

1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.

2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is ~~625~~ 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.

3: ~~Greenhouses are exempt from the minimum masonry requirements.~~ Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.

4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.

5: ~~The exterior of the accessory building or structure shall be clad in the same materials in roughly the same proportions as the primary structure; however, accessory buildings or structures that are less than 120 SF and under ten (10) feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.~~ Accessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP).

6: Each property shall be permitted one (1) detached garage up to ~~900~~ 625 SF and one (1) accessory building up to ~~225~~ 144 SF.

7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.

8: ~~Accessory buildings and accessory structures not meeting the masonry requirements shall require the approval of an exception from the Planning and Zoning Commission.~~ Two (2) story accessory buildings or structures shall be prohibited.

~~9: Barns used for agricultural and/or farm animal purposes, on sites ten (10) acres or more that are zoned Agricultural (AG) District, are excluded from this masonry requirement.~~ Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

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Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE VIII, LANDSCAPE AND FENCE STANDARDS, UDC

SECTION 1: PURPOSE

The purpose of Article VIII, *Landscape and Fence Standards*, is to create standards for landscaping and fencing that will complementary to the design and location of existing buildings, streets, sidewalks, and open spaces in the City of Rockwall. By doing this, this Article acknowledges the unique natural beauty of the City, its environment, and the existing vegetation and tree canopy, and sets forth standards that ensure their protection. This article also strives to create natural barriers and soft transition for land uses through the use of natural screening methods and non-transparent fencing.

~~The process of development with its alteration of the natural topography, vegetation, and creation of impervious cover can have a negative effect on the ecological balance of an area by causing increases in air temperatures and accelerating the processes of runoff, erosion, and sedimentation. The economic base of the city can and should be protected through the preservation and enhancement of the unique natural beauty, environment, and vegetative space in this area. Recognizing that the general objectives of this article are to promote and protect the health, safety and welfare of the public, the city council further declares that this article is adopted for the following specific purposes:~~

~~(1) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and stormwater runoff retardation, while at the same time aiding in noise, glare, and heat abatement.~~
~~(2) To provide visual buffering between land uses of differing character.~~
~~(3) To enhance the beautification of the city.~~
~~(4) To safeguard and enhance property values and to protect public and private investment.~~
~~(5) To conserve energy.~~

SECTION 2: APPLICATION OF ARTICLE

SUBSECTION 2.01: APPLICABILITY

(A) *Landscape and Screening.*

(1) The landscape and screening provisions of this Article shall apply to:

(a) All new residential or non-residential development within the corporate limits of the City of Rockwall with the exception of the exemptions listed in Subsection 2.01.(A)(2).
(b) The expansion of a non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.
(c) The expansion of a non-residential parking lot that increases the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.

(2) The landscape and screening provisions of this Article shall *not* apply to:

DRAFT ORDINANCE 08-19-20

395

(a) Any property with a Landscape Plan and/or Site Plan that was approved prior to the adoption of this Article, unless an amended Landscape Plan and/or Site Plan is required by the requirements of Subsection 2.01.A or Article XI, *Development Applications and Review Procedures*.
(b) The restoration of a building or structure that has been damaged by fire, flood, explosion, riot, act of the public enemy, natural disaster, or accident of any kind and is permitted by Section 8, *Non-Conforming Uses, Structures, and Sites*, of Article IV, *Permissible Uses*. For the purposes of this exemption restoration is defined as repairing a building or structure to return it to its former state.
(c) Properties containing only single-family and/or duplex land uses.
(d) Properties zoned Downtown (DT) District, as defined by Subsection 4.07, *Downtown (DT) District*, of Article V, *District Development Standards*.

~~(A) This article does not apply to:~~

~~(1) Any property with a previously approved landscape and/or site plan prior to the adoption of the ordinance from which this article is derived, unless such plan is required to be resubmitted for consideration;~~
~~(2) Lots containing only single-family and/or duplex uses; and~~
~~(3) Lots zoned DT Downtown, as defined in this Unified Development Code.~~

~~(B) Except as otherwise provided in subsection 2.1.A, this article, applies to all uses on a lot when an application for a building permit for work on the lot is made, unless the application is for:~~

~~(1) The restoration of a building that has been damaged by fire, flood, explosion, riot, act of the public enemy, other natural disaster, or accident of any kind, if said structure may be restored under the nonconforming use provisions of this Unified Development Code. For purposes of this subsection, "restoration" means the act of putting back into a former or original state; or~~

~~(2) Construction work on an existing structure that does not increase:~~

~~(a) The number of stories in a building on the lot;~~
~~(b) The total floor area of all buildings on the lot by more than ten percent or 10,000 square feet, whichever is less; or~~
~~(c) The non-permeable coverage of the lot by more than 2,000 square feet.~~

(B) *Fences.*

(1) The fence provisions of this Article shall apply to:

(a) The construction of all new residential or non-residential fences.
(b) The repair of an existing residential or non-residential fence that requires the replacement of 25-linear feet or more.
(c) The repair of an existing residential or non-residential fence that requires the replacement of five (5) or more posts.

(2) The fence provisions of this Article shall *not* apply to:

(a) The repair of a residential or non-residential fence that does not require a fence permit and that is not subject to the requirements of Subsection 2.01.B(1).

DRAFT ORD 19-08

(C) *Overlay Districts.* In addition to the requirements contained in this Article, properties within an establish Overlay District shall be subject to the requirements stipulated by Subsection 6.02, *General Overlay District Standards*, of Article V, *District Development Standards*. In instances where the requirements of this Article conflict with the requirements of the *General Overlay District Standards*, the more restrictive standard will apply.

~~C~~(D) *Planned Development Districts.* The landscaping requirements contained in this Article shall be incorporated into all new or amended Planned Development Districts, unless otherwise approved by the City Council upon recommendation from the Planning and Zoning Commission. ~~development districts. Landscaping requirements consistent with the standards and purposes of this article shall be a part of all ordinances establishing or amending planned development districts, unless otherwise approved by the city council.~~

~~(D) Special exceptions. The planning and zoning commission and city council may grant a special exception to the landscaping requirements of this article upon making a special finding that the resulting landscape will provide an improved amenity for both the general public and users of the facility being landscaped.~~

~~*(Ord. No. 10-14, § 53, 7-6-2010)*~~

SUBSECTION 2.02: EXCEPTIONS TO THE LANDSCAPING STANDARDS

The Planning and Zoning Commission may grant an exception to the landscaping standards contained in this Article upon a finding that the resulting landscaping or landscaping plan will be equivalent to or exceed the requirements stipulated by this Article, and provide an improvement to the aesthetics of the surrounding area. All exceptions to these requirements will be subject to the approval criteria and voting requirements of Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

~~The planning and zoning commission and city council may grant a special exception to the landscaping requirements of this article upon making a special finding that the resulting landscape will provide an improved amenity for both the general public and users of the facility being landscaped.~~

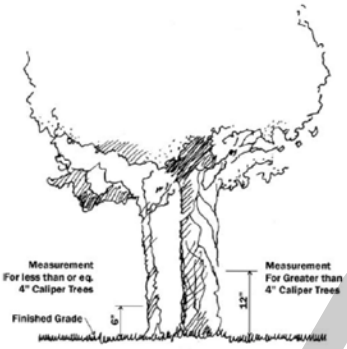
SUBSECTION 2.03: EXCEPTIONS TO THE FENCE STANDARDS

All exceptions to the fence standards contained in this Article will be subject to the requirements of Section 8, *Fence Standards*.

~~*SECTION 3: DEFINITIONS*~~

[MOVED TO ARTICLE XIII, UDC]

DRAFT ORDINANCE 08.19.19



~~Caliper means the diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.~~

~~Canopy or shade tree means a species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.~~

~~Enhanced pavement means any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.~~

~~Evergreen tree or shrub means a tree or shrub of a species which normally retains its leaves throughout the year.~~

~~Ground cover means natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.~~

~~Landscape architect means a person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.~~

~~Landscape buffer strip means a strip of land:~~
~~a. Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and~~
~~b. At least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).~~

~~Large shrub means a shrub which normally reaches a height of six feet or more upon maturity.~~

~~Large tree means a tree of a species which normally reaches a height of 30 feet or more upon maturity.~~

~~Non-permeable coverage means coverage with non-permeable pavement.~~

~~Screening means screening that complies with the construction and maintenance regulations in section 5, Mandatory Provisions, except as those regulations may be expressly modified in this article.~~

~~Small tree means a tree of a species which normally reaches a height of less than 30 feet.~~

DRAFT ORDINANCE 08.19.2019

~~Soil means a medium that plants will grow in.~~

~~Visibility triangle means the term "visibility triangle" as defined in article V, section 1.9 of this Unified Development Code.~~

~~Xeriscaping means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.~~

~~*(Ord. No. 15-32, § 2, 12-7-2015)*~~

SECTION 43: LANDSCAPE PLAN ~~SUBMISSION~~

SUBSECTION 43.01: LANDSCAPE PLAN SUBMITTAL

(A) *Submittal of a Landscape Plan*. A Landscape Plan is required to be submitted as part of an application for a Site Plan or an Amended Site Plan as stipulated by Section 3, *Site Plans*, of Article XI, *Development Applications and Review Procedures*.

(B) *Landscape Plan Content*. The Director of Planning and Zoning or his/her designee shall establish and maintain a list of the required criteria necessary for the submittal of a Landscape Plan.

(C) *Preparation of a Landscape Plan*. Landscape Plans shall be prepared by a *Landscape Architect* or a member in good standing of the American Society of Landscape Architects (ASLA) unless otherwise permitted by the Director of Planning and Zoning.

~~Landscape plans shall be submitted to the director of planning on all sites required to submit a site plan for approval by the planning and zoning commission and city council.~~

SUBSECTION 43.02: APPROVAL OF A LANDSCAPE PLAN

(A) *Administrative Approval*. Landscape Plans that are submitted in conjunction with a Site Plan or an Amended Site Plan that can be reviewed and acted upon at an administrative level -- *as defined in Section 3, Site Plans, of Article XI, Development Applications and Review Procedures* -- may be approved, approved with condition, or denied by the Director of Planning and Zoning or his/her designee.

(B) *Approval by the Planning and Zoning Commission*. The Planning and Zoning Commission may approve a Landscape Plan in accordance with the procedures for approving a Site Plan or an Amended Site Plan as stipulated by Section 3, *Site Plans*, of Article XI, *Development Applications and Review Procedures*.

~~Landscape plans shall be approved or denied by the director of planning or, at his discretion, referred to the planning and zoning commission for approval or denial.~~

~~*SUBSECTION 4.03. PLAN CONTENT*~~

~~The landscape plan shall be submitted in the form and number as prescribed by the city and must contain the following information:~~

DRAFT ORDINANCE 08.20.19

~~(1) Date, scale, north arrow, and the names, addresses, and telephone numbers of both the property owner and the person preparing the plan.~~
~~(2) Project name, street address, and lot and block description.~~
~~(3) Location of existing boundary lines and dimensions of the lot, street address, approximate centerline of existing water courses and the location of the 100-year floodplain, if applicable; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, driveways and sidewalks on or adjacent to the lot.~~
~~(4) Location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours).~~
~~(5) Locations and dimensions of proposed landscape buffer strips.~~
~~(6) Complete description of plant materials shown on the plan, including names, locations, quantities, container or caliper sizes at installation, heights, spread, and spacing. The location and type of all existing trees on the lot over six inches in caliper must be specifically indicated.~~
~~(7) Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided internal to parking areas, the total square footage included in the parking area, and the number and location of required off-street parking and loading spaces.~~
~~(8) Location and description, by type and size, of existing trees proposed to be retained. Such trees shall be marked and dripline of said trees shall be protected prior to and during all construction, including all dirt work.~~
~~(9) Size, height, location and material of proposed seating, lighting, planters, sculptures, water features and landscape paving and other site amenities.~~
~~(10) Identification of visibility triangles on the lot for all driveway intersections with public streets.~~

SECTION 4: APPROVED LANDSCAPING MATERIALS

In satisfying the landscape requirements of this Article, it is recommended that all landscaping utilize high-quality, hardy plant materials. Such plant materials shall adhere to the following requirements:

(A) *Approved Planting Materials*.

(1) All planting materials should conform to the recommended planting materials outlined in Appendix F, *Landscape Guidelines and Requirements*; however, alternative tree, shrub, and grass varieties may be approved by the Director of Planning and Zoning pending the submission of a Landscape Plan and/or a written request.

(2) Unless otherwise noted in this Unified Development Code (UDC), the minimum tree and shrub size at the time of installation shall be as follows:

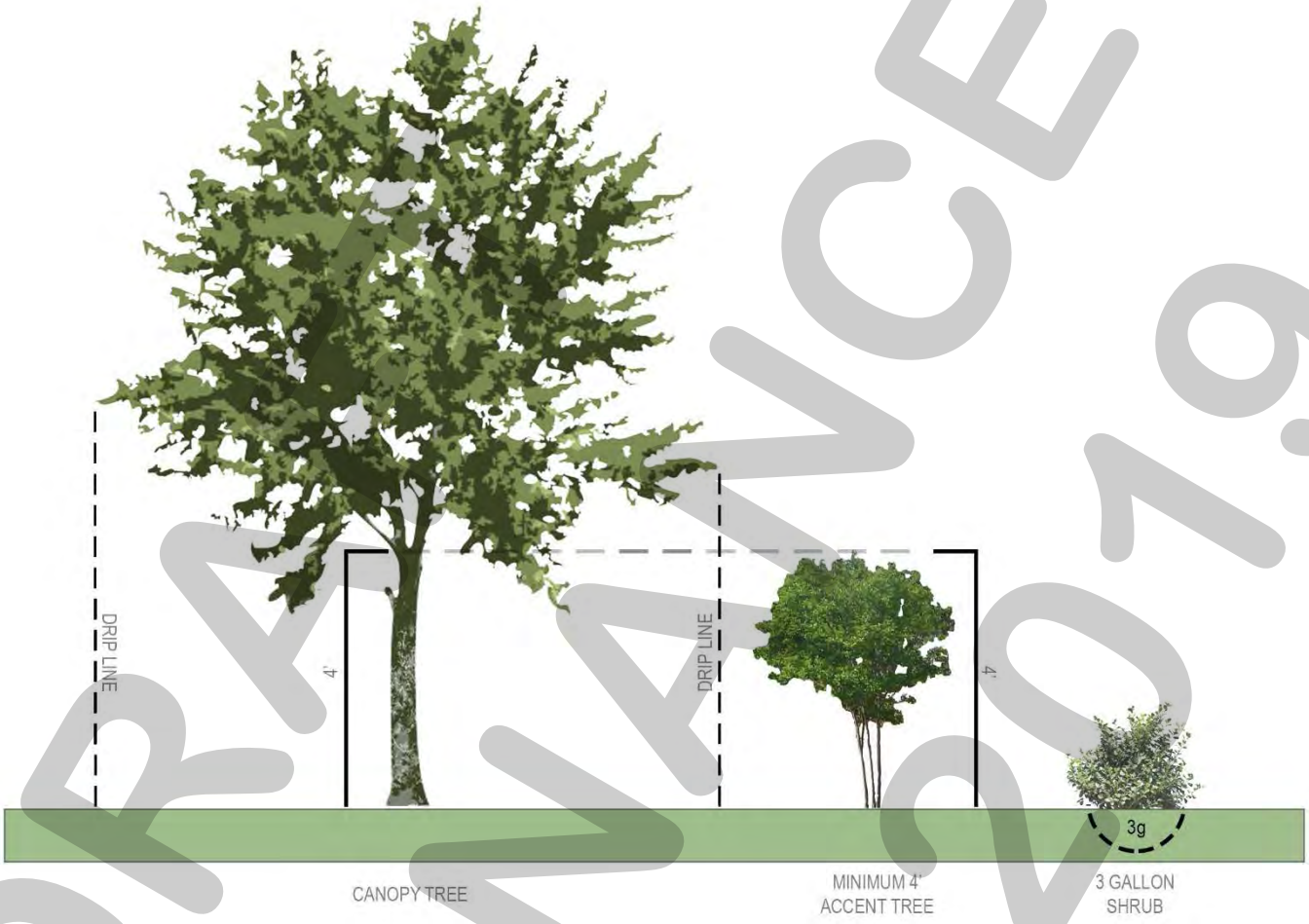
(a) *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.

(b) *Accent Trees* shall be a minimum of four (4) feet in total height.

(c) Shrubs shall be a minimum of three (3) gallons in size.

Figure 1: Approved Planting Materials and Sizes

DRAFT ORD. 08.19.20



(3) For the purposes of this section, the height of an Accent Tree shall be measured from the root flare or from the soil level if still in the container.

(4) DBH or *Diameter at Breast Height* is the standard dendrometric measurement for trees, and is measured at a height of four (4) feet above grade.

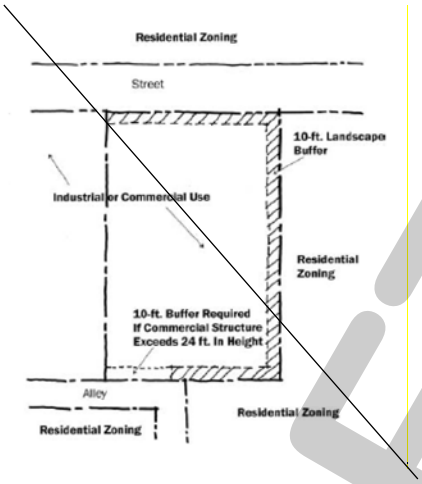
(5) The City of Rockwall encourages developments to incorporate xeriscaping/smartscaping to promote reduced water usage through the use of drought tolerant plants. The City's *Xeriscaping/Smartscaping Standards and Guidelines* are outlined in Section 5.05, *Xeriscaping and Smartscaping Standards*.

(B) Prohibited Planting Materials.

(1) Artificial or synthetic plant materials (*e.g. artificial grass, turf, trees shrubs*) shall be prohibited.

SECTION 5: ~~MANDATORY PROVISIONS~~ LANDSCAPE STANDARDS

DRAFT ORDINANCE 08.19.2019



SUBSECTION 5.01: LANDSCAPE BUFFERS~~- STRIP~~

The minimum requirements for landscape buffers shall be as follows:

(A) *Residential Landscape Buffers in Subdivisions*.

(1) *Abutting a Collector Street*. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a collector street. All residential lots adjacent to a collector street shall incorporate one (1) canopy tree per 50-linear feet of frontage along the collector street inside the required landscape buffer. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

(2) *Abutting a Perimeter Collector Street or Arterial Roadway*. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a perimeter collector street or arterial roadway. All landscape buffers adjacent to a perimeter collector street or arterial roadway shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In addition, one (1) canopy tree and one (1) accent tree shall be required to be planted in the required landscape buffer per 50-linear feet of frontage along the perimeter collector street or arterial roadway. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

Figure 2: Residential Landscape Buffers Example

DRAFT ORDINANCE 08.19.2019



(B) Non-Residential Landscape Buffers.

DRAFT
08.19.2019

(1) *Abutting a Public Right-of-Way*. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a public right-of-way (*i.e. collector street, arterial roadway, or alleyway*) or a residentially zoned or used property that is located directly across a public street (*regardless of the size of the street*). All landscape buffers adjacent to a public right-of-way shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In these areas a minimum of one (1) canopy tree and one (1) accent tree shall be incorporated into the landscape buffer per 50-linear feet of frontage along the adjacency. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

(2) *Abutting Residential*. A minimum of a 20-foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a residentially zoned or used property. For planting requirements in these landscape buffers see Subsection 5.02(B), *Screening from Residential*.

Figure 3: Commercial Landscape Buffers Example

DRAFT ORDINANCE 08.19.2019



(C) Buildings and Paving within a Required Landscape Buffer. Buildings and paving (*e.g. parking lots*) shall not be permitted within any required landscape buffer; however, sidewalks and trails shall be permitted.

~~A minimum ten-foot-wide landscape buffer strip must be provided along the entire length of the portion of the perimeter of any commercial or industrial lot that abuts, without an alley or drive separation, or is directly across a public street from a residential zoning district, exclusive of driveways and access-ways.~~

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~~If the proposed commercial structures exceed 24 feet in height adjacent to an alley, a ten-foot buffer shall also be required along the length of the alley.~~

SUBSECTION 5.02: ~~SCREENING OF OFF-STREET LOADING DOCKS~~ LANDSCAPE SCREENING

(A) *Loading Docks and Outside Storage Areas.* Off-street loading docks and outside storage areas shall be screened from all public streets, open space, adjacent properties and any residential zoning districts or residentially used properties that abut or are directly across a public street or alley from the loading dock or outside storage area in accordance with the requirements of Subsection 1.05, *Screening Standards*, of Article V, *District Development Standards*. As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates one (1) of the following options:

(1) *Alternative #1*. A wrought iron fence and three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) along the entire length of the adjacency. The canopy trees shall be placed on 20-foot centers.

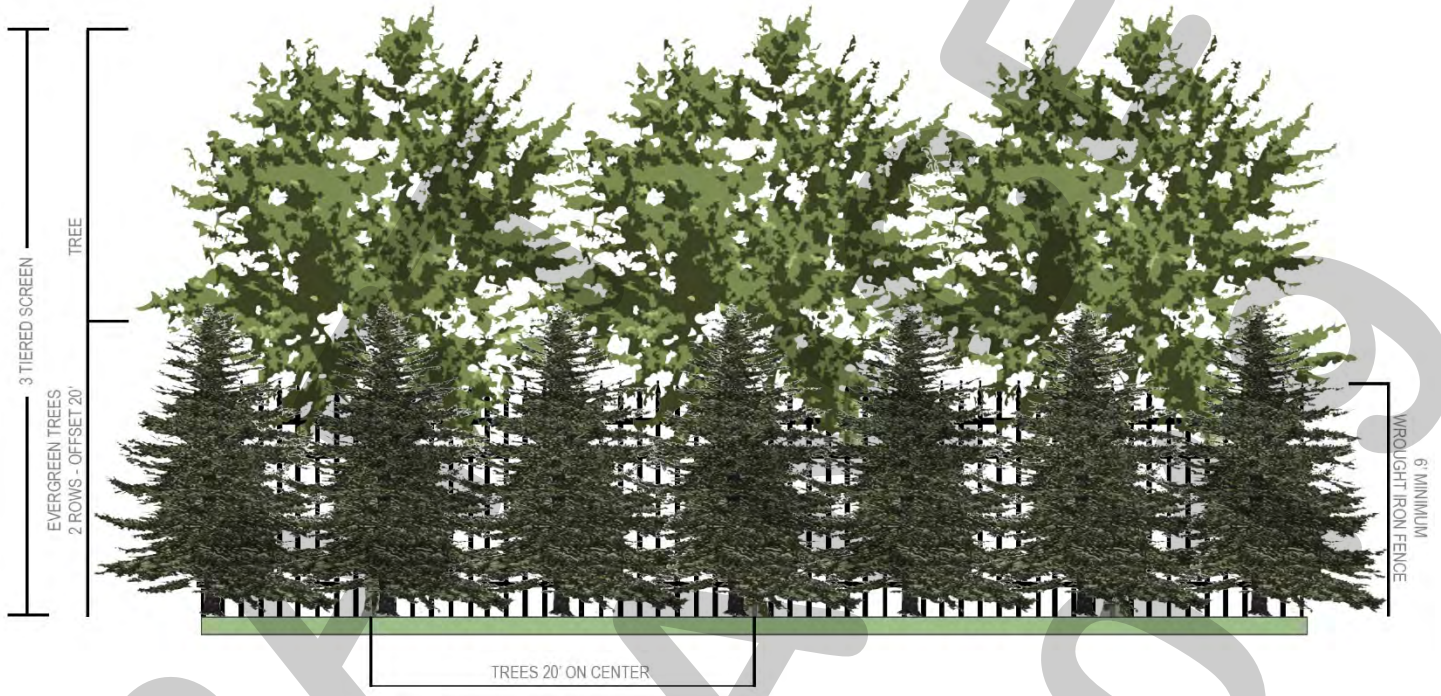
Figure 4: Alternative #1



(2) *Alternative #2*. A wrought iron fence with a mix of two (2) rows of staggered mature evergreen trees and one (1) row of deciduous canopy trees (*a minimum six [6] caliper inches*) along the entire length of the adjacency. All trees will be planted on 20-foot centers.

Figure 5: Alternative #2

DRAFT 08.10.23



(B) *Screening from Residential.* Any non-residential or multi-family land use or parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers (*as depicted in Figures 6 & 7 below*). As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three (3) tiered screening (*i.e. [1] small to mid-sized shrubs, large shrubs or accent trees, and canopy trees or [2] evergreen trees and canopy trees*) along the entire length of the adjacency (*as depicted in Figure 8, 9, & 10 below*). The canopy trees shall be placed on 20-foot centers.

Figure 6: Masonry Fence with Canopy Trees in Plan View

DRAFT ORDINANCE 08.19.20



Figure 7: Masonry Fence with Canopy Trees in Perspective View

DRAFT ORDINANCE 08.19.2019

408



Figure 8: Wrought Iron Fence with Three (3) Tiered Screening in Plan View

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ORDINANCE
08.19.2019

409

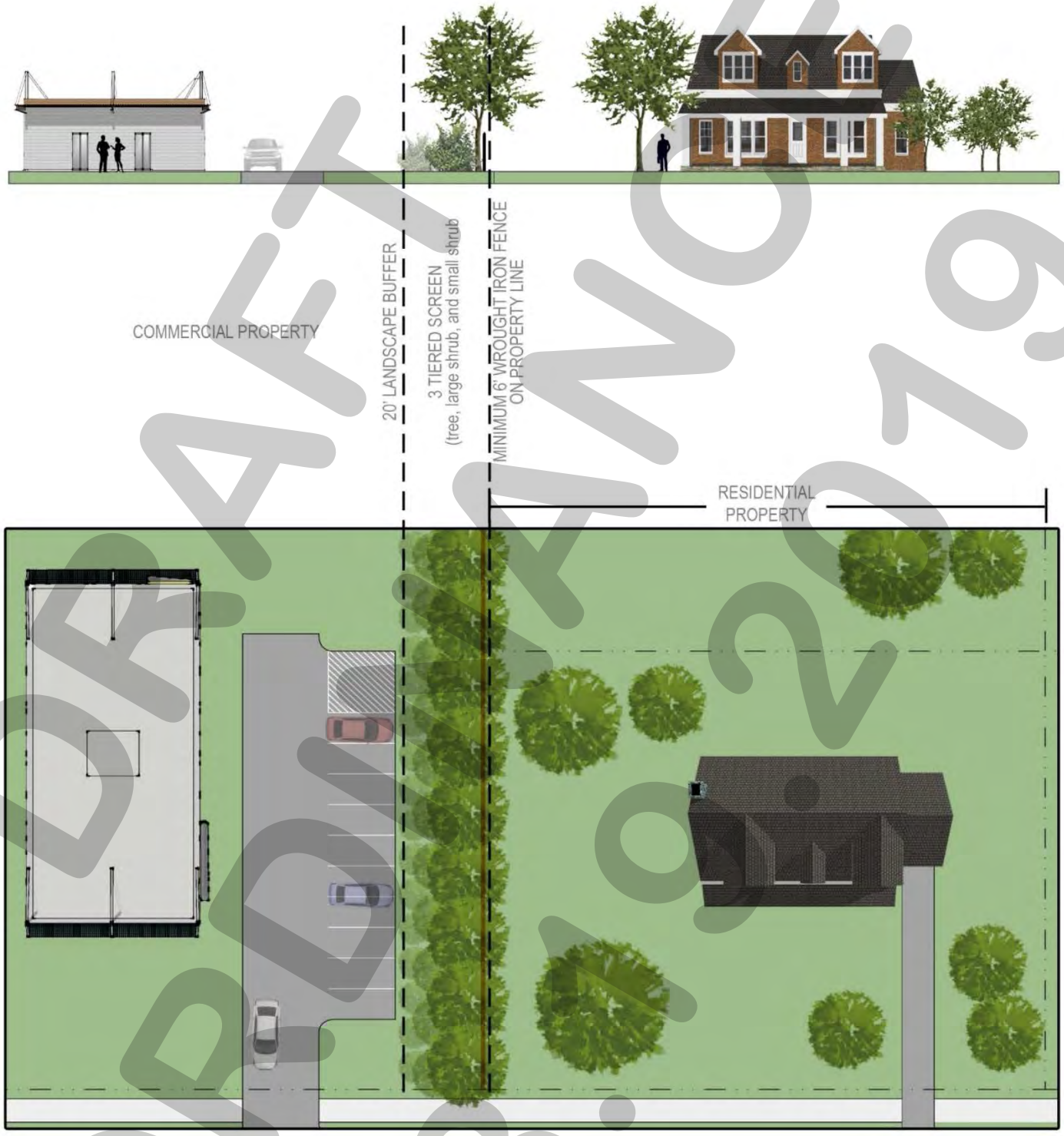


Figure 9: Alternative #1 (Wrought Iron Fence with Three (3) Tiered Screening in Perspective View)

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08.09.2019

410



Figure 10: Alternative #2 (Wrought Iron Fence with Three (3) Tiered Screening in Perspective View)



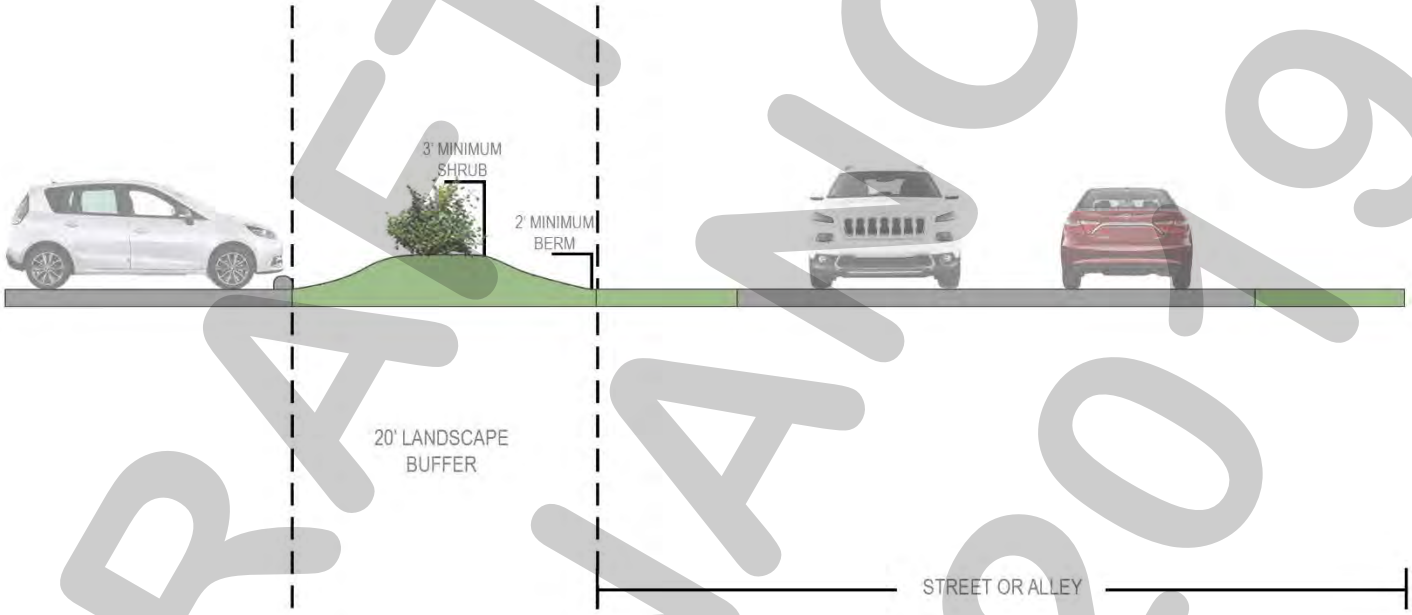
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411

(C) *Headlight Screening.* Head-in parking adjacent to a street shall incorporate one (1) of the following screening methods to mitigate the potential hazard that headlights may pose for on-street vehicular traffic:

(1) *Alternative #1.* A minimum of a two (2) foot berm with mature evergreen shrubs along the entire adjacency of the parking areas.

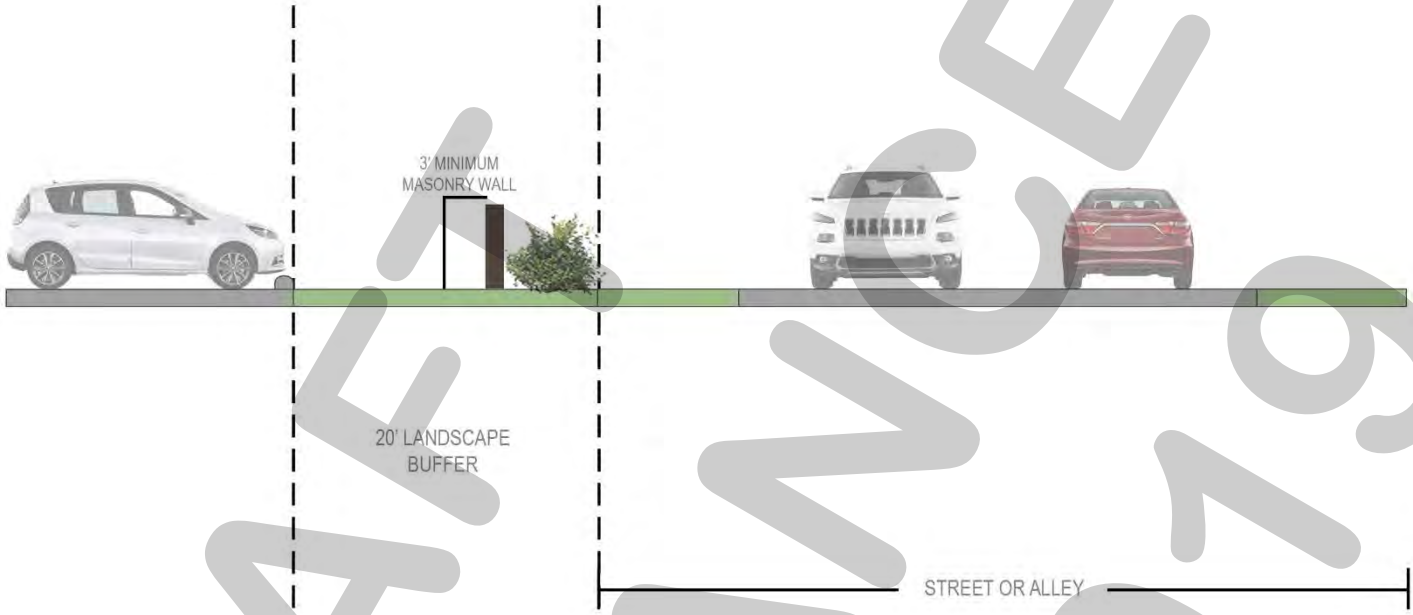
Figure 11: Alternative #1 (Headlight Screening using Landscaping and a Berm)



(2) *Alternative #2.* A minimum of a three (2) foot masonry wall with mature shrubs situated between the wall and the right-of-way along the entire adjacency of the parking areas.

Figure 12: Alternative #2 (Headlight Screening using a Masonry Wall and Landscaping)

DRAFT ORDINANCE 08.19.2019



(D) *General Screening Requirements.* All screening shall meet the following requirements:

(1) *Approval of a Screening Plan.* Prior to construction of any required screening, a site plan and landscape plan shall be approved by the Planning and Zoning Commission showing the type of screening, the proposed materials, and the plant spacing. In approving screening plans, the Planning and Zoning Commission shall determine:

(a) If the proposed screening plan will adequately screen the non-residential land use.
(b) If the proposed screening plantings will withstand the pressures of time and nature.

(2) *Certificate of Occupancy (CO).* Prior to the issuance of a Certificate of Occupancy (CO), the proposed screening shall be installed and verified by the Director of Planning and Zoning or his/her designee.

~~A. Off-street loading docks in commercial zoning classifications must be screened from:~~

~~(1) All public streets; and~~
~~(2) Any residential district that abuts or is directly across a public street or alley from the lot.~~

~~B. Off-street loading docks in industrial zoning classifications must be screened from:~~

~~(1) Arterial streets, as indicated on the city's thoroughfare plan; and~~
~~(2) Any residential district that abuts or is directly across a public street or alley from the lot.~~

~~C. The screening required under subsections 5.2.A and B must be at least six feet in height and may be provided by using any of the methods for providing screening described in this section.~~

SUBSECTION 5.03: LANDSCAPE REQUIREMENTS

(A) *Amount of Landscaping.* The following landscaping percentages shall be required and shall apply to the total site area to be developed:

DRAFT ORDINANCE 08.19.19

413

ZONING DISTRICT	REQUIRED LANDSCAPING (%)	REQUIRED LANDSCAPING WITH MAXIMUM ELIGIBLE CREDITS (%)
Multi-Family 14 (MF-14) District	35	22½
Downtown (DT) District	See Subsection 4.07, *Downtown (DT) District*, of Article V, *District Development Standards*	
Residential Office (RO) District	30	17½
Neighborhood Services (NS) District	25	12½
General Retail (GR) District	20	7½
Commercial (C) District	20	7½
Heavy Commercial (HC) District	15	2½
Light Industrial (LI) District	15	2½
Heavy Industrial (HI) District	10	2½

(B) *Location of Landscaping.* A minimum of 50% of the required landscaping shall be located in the front of and along the side of buildings with street frontage in the Multi-Family 14 (MF-14), Residential Office (RO), Neighborhood Services (NS), General Retail (GR) and Commercial (C) Districts. A minimum of 100% of the total required landscaping shall be located in front of and along the side of buildings with street frontages in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts.

(C) *Minimum Size of Required Landscape Areas.* All required landscaping shall be no less than five (5) feet wide and be a minimum of 25 SF in area unless it is within ten (10) feet of a building on the same lot.

(D) *Detention Basins.* Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs, berms, and accent and canopy trees. There shall be a minimum of one (1) Canopy Tree per 750 SF and one (1) Accent Tree of detention area.

(E) *Parking Lot Landscaping.* The following landscape requirements will apply to parking lots:

(1) Parking lots with more than two (2) rows of parking spaces (*i.e. one [1] drive isle with rows of parking on either side*) shall have a minimum for five (5) percent or 200 SF of landscaping -- *whichever is greater* -- in the interior of the parking lot area. Such landscaping shall be counted toward the total required landscaping.

(2) If the parking and maneuvering space exceeds 20,000 SF, one (1) large canopy tree for every ten (10) parking spaces shall be required to be planted internal to the parking areas.

(3) No tree shall be planted closer than five (5) feet to the edge of pavement or five (5) feet from any water or wastewater line that is less than 12-inches. Water and wastewater lines that are 12-inches and greater require trees to be planted a minimum of ten (10) feet from the centerline of the pipe.

(4) No required parking spaces may be located more than 80-feet from the trunk of a canopy tree.

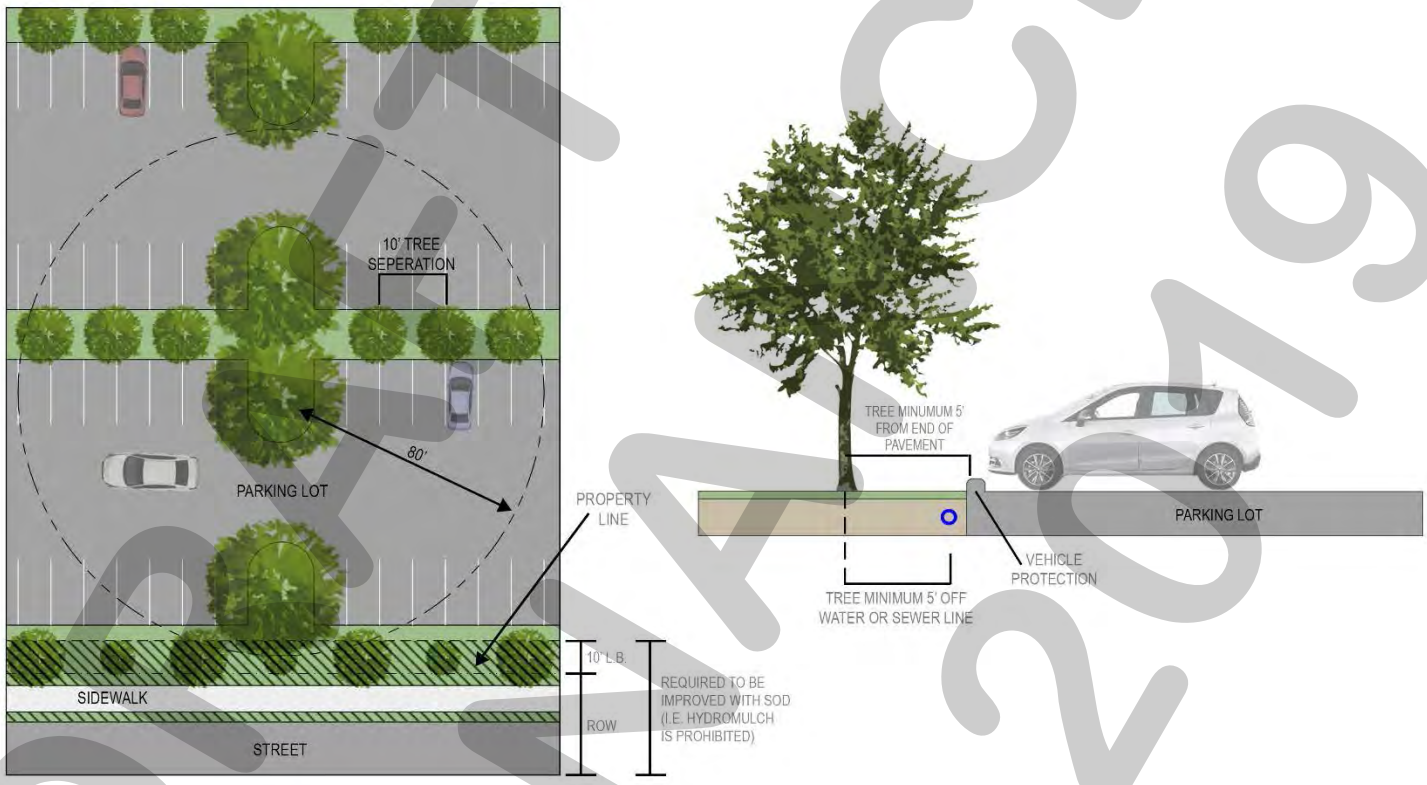
(F) *Protection of Landscape Areas*. Required landscape areas must be protected from vehicular traffic through the use of a concrete curb, or other permanent barrier.

(G) *Landscaping in Landscape Buffers and Public Right-of-Way.* All landscape buffers and public right-of-way located adjacent to a proposed development shall be improved with grass (*i.e. sod -- hydro mulch shall be prohibited in these areas*) prior to the issuance of a Certificate of Occupancy (CO). In addition, it shall be the responsibility of the developer to design the irrigation system within the lot to ensure that the grass placed in public right-of-way is watered and maintained, and to ensure that minimal water will be shed on to the street.

DRAFT OF ORD. 08.19.20

The designer of the irrigation system shall base the systems design on the ultimate proposed width of the street. The plans for design of the irrigation system shall be approved by the Building Inspections Department prior to installation and acceptance of the project.

Figure 13: Landscape Requirements



~~*SUBSECTION 5.03: ACCEPTABLE LANDSCAPE MATERIALS*~~ *[MOVED TO SECTION 4]*

~~A. No artificial plant materials may be used to satisfy the requirements of this article.~~

~~B. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:~~

- ~~✓ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.~~
- ~~✓ Shrubs shall be a minimum of three gallons in size.~~

~~C. For purposes of this section, "height" is measured from the root crown or, if the plant is in a container, from the soil level in the container.~~

~~D. In satisfying the landscaping requirements of this article, the use of high-quality, hardy plant materials on the approved plant list below is recommended and encouraged. Plants found on the disapproved plant list below shall not be placed within the right-of-way or within the required building setback along a street.~~

DRAFT 08.19.2019

415

~~E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.~~

~~F. Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:~~

~~(1) Afghan Pine.~~
~~(2) Bald Cypress.~~
~~(3) Burr Oak.~~
~~(4) Caddo Maple.~~
~~(5) Cedar Elm.~~
~~(6) Chinquapin Oak.~~
~~(7) Eastern Red Cedar.~~
~~(8) Homestead Elm.~~
~~(9) Lace Bark Elm.~~
~~(10) Leyland Cypress.~~
~~(11) Little Gem Magnolia.~~
~~(12) Live Oak.~~
~~(13) October Glory Maple.~~
~~(14) Pecan.~~
~~(15) Red Oak.~~
~~(16) Texas Ash.~~
~~(17) Texas Red Oak.~~

~~and various native understory trees such as:~~

~~(1) Desert Willow.~~
~~(2) Downy Hawthorn.~~
~~(3) Eastern Redbud.~~
~~(4) Eve's Necklace.~~
~~(5) Mexican Buckeye.~~
~~(6) Possumhaw Holly.~~
~~(7) Shantung Maple.~~
~~(8) Yaupon Holly.~~

~~*(Ord. No. 06-14, 4-17-2006; Ord. No. 15-32, § 2, 12-7-2015)*~~

~~*SUBSECTION 5.04: PROTECTION OF LANDSCAPE AREAS* *[MOVED TO SECTION 5.03]*~~

~~Required landscape areas must be protected from vehicular traffic through the use of concrete curbs, or other permanent barriers. Vehicular wheels shall be prevented from extending into landscaped areas.~~

SUBSECTION 5.05~~4~~: IRRIGATION REQUIREMENTS

A. ~~*Generally*~~ *General Irrigation Requirements*. The owner shall be responsible for the health and vitality of plant material through the irrigation of all landscaped areas, turf and plant materials, and shall:

(1) Provide a moisture level in an amount and frequency adequate to sustain growth of the plant materials on a permanent basis.
(2) Be in place and operational at the time of the landscape inspection for Certificate of Occupancy (CO).

DRAFT ORDINANCE 08.19.2019

(3) Be maintained and kept operational at all times to provide for efficient water distribution.

B. *Irrigation Methods*.

(1) *Landscaped Areas*. One (1) of the following irrigation methods shall be used to ensure adequate watering of plant material in landscaped areas:

(a) *Conventional System*. An automatic or manual underground irrigation system ~~which~~ that may be a conventional spray or bubbler type heads.
(b) *Drip or Leaky-Pipe System*. An automatic or manual underground irrigation system in conjunction with a water-saving system such as a drip or a leaky pipe system.
(c) *Temporary and Aboveground Watering*. Landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses and wildflowers, may use a temporary and above ground system, and shall be required to provide irrigation for the first two (2) growing seasons only.

(2) *Natural and Undisturbed Areas*. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.

(3) *Compliance with State Law*. All irrigation systems shall comply with the irrigation code of Chapter 10, *Buildings and Building Regulations*, Article XVI, *Irrigation Code*, of the City of Rockwall Code of Ordinances, and all applicable state laws, as may be amended.

(Ord. No. 09-23, 6-15-2009)

~~*SUBSECTION 5.06: SCREENING FROM RESIDENTIAL USES*~~ *[MOVED TO SECTION 5.03]*

~~A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district, or any multi-family use with more than five dwelling units or parking lot that has a side or rear contiguous to any single-family, townhouse, or duplex district, shall be screened with a masonry fence (tilt wall or concrete block are prohibited; however, precast walls may be approved by the planning and zoning commission), six feet in height. As an alternative, berms in conjunction with a minimum of a six-foot wrought fence and a combination of trees and shrubs can be utilized to meet the screening requirements if the planning and zoning commission determines that the proposed alternative will provide sufficient screening. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.~~

~~B. Prior to construction of any required screens, complete plans showing type of material, depth of beam, and structural support shall be analyzed by the building permit office to determine whether or not:~~

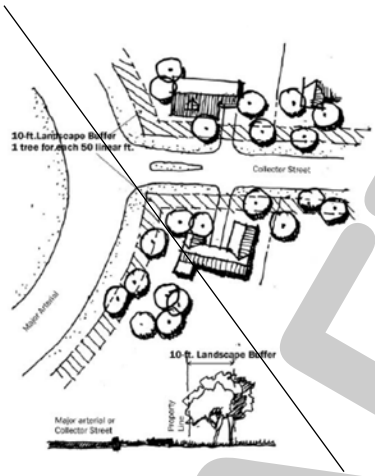
~~(1) The screen will withstand the pressures of time and nature;~~
~~(2) The screen adequately accomplishes the purpose for which it was intended;~~
~~(3) Plans shall be sealed by a registered engineer or they shall conform to the city's standard design for screening walls.~~

~~C. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof.~~

~~D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.~~

ORDINANCE 08-20

~~*(Ord. No. 15-32, § 2, 12-7-2015)*~~



~~*SUBSECTION 5.07: STREET LANDSCAPING*~~ *[MOVED TO SECTION 5.03]*

~~A street landscape buffer strip with a minimum width of ten feet, must be provided along the entire length of the property to be developed that is adjacent to a major arterial or collector street, as defined in the city's thoroughfare plan, exclusive of driveways and access-ways. Large trees, as herein defined, shall be provided in the required buffer in numbers equal to one tree for each 50 feet of street frontage.~~

~~*SUBSECTION 5.08: RIGHT-OF-WAY LANDSCAPING REQUIREMENTS*~~ *[MOVED TO SECTION 5.03]*

~~All street rights-of-way located adjacent to the proposed development shall be improved with grass or ground cover material and shall be maintained. It shall be the responsibility of the developer to design the irrigation system within the lot to ensure that the grass placed in the right-of-way is watered and maintained and to ensure that minimal water will enter the street itself. The designer of the irrigation system shall base the design on the ultimate proposed width of the street when designing the system. The plans for design of the irrigation system shall be approved by the city prior to installation.~~

~~*SUBSECTION 5.09: PARKING LOT LANDSCAPING*~~ *[MOVED TO SECTION 5.03]*

~~A.~~ ~~Any parking lot with more than two rows of spaces shall have a minimum of five percent or 200 square feet, whichever is greater, in the interior of the parking lot in landscaping. Such landscaping shall be counted toward the total landscaping.~~

~~B.~~ ~~If the parking and maneuvering space exceeds 20,000 square feet one large canopy tree for every ten required parking spaces shall be required internal to the parking lot. No tree shall be planted closer than 2½ feet to the pavement.~~

~~(1) No required parking space may be located more than 80 feet from the trunk of a large canopy tree.~~
~~(2) No tree may be planted closer than 2½ feet to the pavement.~~
~~(3) All trees must be internal to the parking lot.~~

*SUBSECTION 5.~~*0510*~~: XERISCAPING/SMARTSCAPING STANDARDS*

DRAFT ORDINANCE 08.19.19

(A) *Purpose*. The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping/smartscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.

(B) *Principles*. All xeriscaping/smartscaping plans submitted to the city should demonstrate conformance with the following principles:

(1) *Planning and Design*. Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: [*1*] preserves and protects existing vegetation, [*2*] preserves and protects topsoil, [*3*] stabilizes and covers all bare soil areas, and [*4*] incorporates energy/water conservation.

(2) *Soil Improvement*. Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.

(3) *Appropriate Plant Selection*. Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape/smartscaping plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the city has been provided in Appendix F, *Recommended Plantings*~~, of the Unified Development Code~~; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: [*1*] diversity of the plant species being proposed, [*2*] size, maturity and water requirements of the selected plantings, and [*3*] variation of height, spread and color.

(4) *Practical Turf Areas*. The type and location of turf areas are considered to be a major design element in xeriscape/smartscaping plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: [*1*] the design of the turf areas (with rounded, compact turf areas being more efficient), [*2*] turf areas should be designed to be on a separate zone from other landscaping, [*3*] turf should be appropriate for the selected location, [*4*] turf should be avoided on slopes and drainage areas in favor of native grasses, and [*5*] minimize turf areas by using native grasses, hardscape elements and alternatives.

(5) *Efficient Irrigation*. All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.

(6) *Use of Mulches*. Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape/smartscaping plans staff shall ensure: [*1*] the use of a deep layer of mulch in planting beds (*typically three to four inches*) is utilized, and [*2*] mulches

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should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.

(7) *Appropriate Maintenance*. Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape/smartscaping plans require less maintenance, fertilizer and other chemicals and pesticides.

(C) *Standards*.

(1) If approved with a *Landscape Plan* native grasses shall be exempt from the rules and requirements of Section 16-43, *Weeds, Brush and Grass*, of Chapter 16, *Environment*, of the Municipal Code of Ordinances; however, the grass should be maintained to a height typical for the particular native grass.

(2) Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.03(E) ~~section 5.12.C~~ (*i.e. one [1] tree per every 750 SF and one [1] accent tree per 1,500 SF of ~~dry land~~ detention area*). Instead, a shrub or ornamental grass per every 750 SF of dry land area shall be required to be planted on the site or around the detention area.

(3) A maximum of 30% ~~percent~~ mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning and Zoning Commission if deemed appropriate and necessary for the proposed plan.

(D) *Approval of Xeriscape/Smartscape Plans*. All xeriscape/smartscape plans shall require approval by the Planning and Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

(Ord. No. 15-32, § 2, 12-7-2015)

~~SUBSECTION 5.11: DIMENSIONS OF LANDSCAPING~~ *[MOVED TO SECTION 5.03]*

~~All required landscaping shall be no less than five feet wide and a minimum of 25 square feet in area unless it is within ten feet of the building.~~

~~SUBSECTION 5.12: REQUIRED LANDSCAPING~~ *[MOVED TO SECTION 5.03]*

~~A. Amount of landscaping.~~

~~1. Minimum square footage requirements for landscaping shall be provided and maintained in the zoning districts set forth as follows. The requirements shall be applied to the total site area to be developed:~~

	~~Percent Requirement~~	~~Net Percent Requirement with Maximum Credits~~
~~Multi-family~~	~~25~~	~~20~~
~~Residential-office~~	~~25~~	~~20~~
~~Neighborhood service~~	~~20~~	~~15~~
~~Research/technology~~	~~20~~	~~15~~
~~General retail~~	~~15~~	~~10~~
~~Commercial~~	~~15~~	~~10~~
~~Heavy commercial~~	~~10~~	~~5~~

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Light industrial	10	5
Heavy industrial	10	5

2. The total site area required for landscaping may be reduced by no more than five percent in accordance with the provisions of section 6. For example, the required percentage of 15 percent for commercial zoning could be reduced to a total of ten percent under the terms of section 6.

B. Location of landscaping. No less than 50 percent of the total requirement shall be located in front of and along side buildings with street frontage in the following zoning districts: "MF-14," "RO," "NS," "GR," "C" and "RT." One hundred percent of the total requirement shall be located in front of and along side buildings with street frontage in the following zoning districts: "HC," "LI," "HI."

C. Detention basins. Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs and trees in all dry land areas. There shall be a minimum of one tree for each 750 square feet of dry land area.

(Ord. No. 06-14, 4-17-2006)

SECTION 6. - LANDSCAPE CREDITS

Credits toward achieving to the landscape requirements may be achieved as follows:

SUBSECTION 6.01: CREDIT FOR REQUIRED LANDSCAPE BUFFERS-STRIPS BETWEEN NON-RESIDENTIAL AND NON-RESIDENTIAL ZONING-USED OR ZONED LAND

The overall landscaping requirement may be reduced by 2.5 percent when the buffer strip, whether required or not, has a minimum average width of 15 feet or greater and contains at least one large tree every 40 feet, or large shrubs at least every ten feet the entire length of the perimeter adjacent to property with residential zoning. This perimeter must equal at least 25 percent of the total perimeter of all adjacent private property.

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer between a non-residential or multi-family land use and a residentially zoned or used property is increased from 20-feet to 40-feet, and utilizes a berm along the entire length of the required landscape buffer. The length of the landscape buffer must be at least the length of the minimum lot depth of the zoning district for which the subject property is located as stipulated by Article V, *District Development Standards*.

SUBSECTION 6.02: CREDIT FOR SURFACE PARKING SCREENING

The overall landscaping requirement may be reduced by 2.5 percent when a surface parking lot located adjacent to a public street is screened as follows:

A. The screen must be voluntary, not required by this Unified Development Code.

B. The screening must be located along the entire length of street frontage of the parking lot, exclusive of driveways, accessways, and visibility triangles. Visibility triangles will be maintained at all driveway intersections.

C. The screening must be at least three feet in height utilizing only evergreen planting materials, berms, and/or masonry walls.

DRAFT ORDINANCE 08.20.19

D. The adjacent street must be generally at the same grade level of the parking lot or below for such credit to qualify.

SUBSECTION 6.03: CREDIT FOR RIGHT-OF-WAY LANDSCAPING REQUIRED LANDSCAPE BUFFER ADJACENT TO A PUBLIC STREET

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer adjacent to a public street is increased from ten (10) feet to 20-feet, and a minimum of two (2) Canopy Trees and four (4) Accent Trees are added per 100-linear feet of frontage. The landscape buffer shall also incorporate a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. The berm and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches.

The overall landscaping requirement may be reduced by 2.5 percent when the public right-of-way adjacent to a proposed development is landscaped meeting the following requirements:

A. All landscaping in the right-of-way shall be provided sufficient irrigation for maintenance.
B. Plants used in landscaping in the right-of-way shall only be varieties included on the approved plant list.
C. The plan for landscaping in right-of-way shall be submitted and approved by the city prior to any work being done in the right-of-way.
D. In certain cases, the city may determine that landscaping in the right-of-way may be infeasible and in such cases this credit shall not apply.
E. Landscaping shall include ground cover, shrubs, trees and/or other plant materials and must cover at least 50 percent of the adjacent right-of-way, exclusive of driveways, to qualify for this credit. Grass alone shall not qualify for this credit.
F. If the city has an adopted landscape plan for the street adjacent to the proposed project, any proposed improvements must be in compliance with said plan.

SUBSECTION 6.04: CREDIT FOR XERISCAPING/SMARTSCAPING

The overall landscaping requirement may be reduced by 2½% percent when the Director of Planning and Zoning or his/her designee determines that the standards stipulated by Section 5.1005, *Xeriscaping/Smartscaping Standards,* of this Article have been satisfied.

(Ord. No. 15-32, § 2, 12-7-2015)

SECTION 7. - COMPLETION OF LANDSCAPING

SUBSECTION 7.01: IN ACCORDANCE WITH APPROVED PLANS

Except as otherwise provided in Subsection 7.02, all landscaping must be completed in accordance with the approved *Landscape Plan* before a Certificate of Occupancy (CO) may be issued for any building on the lot; however, during drought or water emergency response stages the Director of Planning and Zoning or his/her designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.02) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.

DRAFT ORDINANCE 05-19-2016

(Ord. No. 15-32, § 2, 12-7-2015)

SUBSECTION 7.02: ESCROW AND ASSURANCE

If, due to circumstances beyond the property owner's control, the required landscaping cannot be installed prior to completion of the building and if the property owner provides the Chief Building Official with documented assurance that the landscaping will be completed within six (6) months and the funds required to complete the project are placed in escrow with the City, the Chief Building Official may issue one (1), six (6) month temporary Certificate of Occupancy (CO) and permit the property owner to complete his landscaping during the six (6) month period. For purposes of this subsection, "documented assurance" means a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six (6) month period. The City shall hold the funds in escrow until such time as the landscaping is completed in accordance with the approved plan.

SUBSECTION 7.03: FORFEITURE OF ESCROW

If a temporary Certificate of Occupancy (CO) is issued under Subsection 7.02. and, at the end of the six (6) month period, no permanent Certificate of Occupancy (CO) has been issued because the landscaping has not been installed in accordance with the landscape plan, the property owner shall be deemed in violation of this section, the funds placed in escrow shall be forfeited, and the City shall issue a citation for said violation, unless an extension is granted by the City Manager.

SECTION 8: ~~RESERVED~~ FENCE STANDARDS

SUBSECTION 8.01: FENCE PERMIT

No fence shall be constructed within the City without the owner or authorized agent of the owner having secured a permit from the Chief Building Official or his/her designee. A fence repair permit shall be required for the replacement of 25-feet or more of fencing and/or the replacement of five (5) or more posts. The Chief Building Official or his/her designee shall establish and maintain an application for a fence permit that can be utilized for the purpose of issuing fence permits. The fees for such permits shall be established by resolution by the City Council.

SUBSECTION 8.02: GENERAL FENCE STANDARDS

The following general fencing requirements shall apply for all residential and non-residential fences:

(A) *Projections.* No fence guy wire, brace, light standard, sign, vee arm barbed wire base and arm, or any structure attached to a fence shall protrude over any property line.
(B) *Material Requirements.* Unless otherwise provided for in this section [*i.e.* Section 8, *Fence Standards*], the following material requirements shall apply to all residential and non-residential fences:

(1) Permitted fencing materials are limited to wood pickets, vinyl coated chain link, wrought iron, decorative metal (*i.e. with the appearance of wrought iron but is made of powder-coated steel, aluminum or covered with a corrosion protection finish*), brick, stone, split face CMU or burnished block, vinyl, fiberglass composite, and concrete with stone face/form liner.
(2) Steel pipe shall be allowed for residential fences as specified in Subsection 8.03(C).
(3) Barb wire fences may be used without restrictions when in conjunction with an agricultural related land use; however, no barbed wire fence shall be located on any property that is zoned or used as a residential property. In areas where barbed wire fences are allowed, arms or base and arms with barbed wire shall

DRAFT 08.19.2019

not have more than three (3) stands a fixed to the arm or base and arm. Constantine or razor wire is prohibited. Any projection of an arm or base for the purpose of affixing barb wire will be considered a part of the fence for the purposes of determining the maximum height.

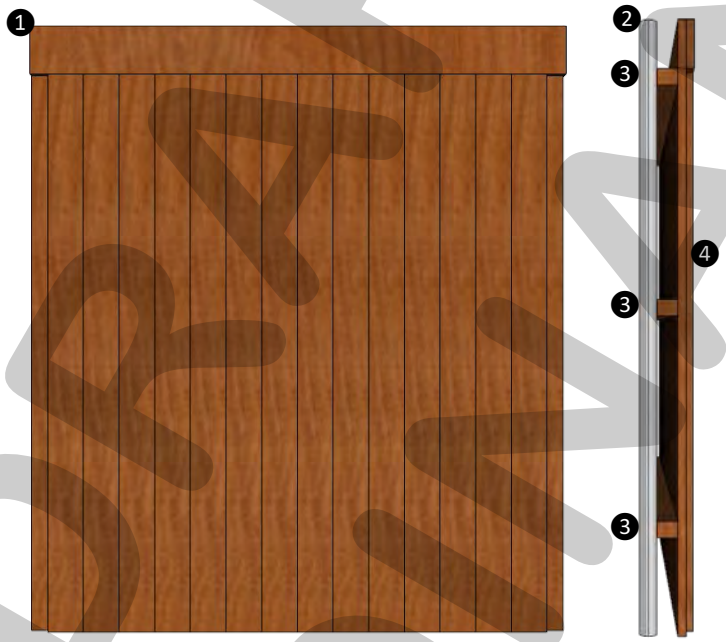
(4) It shall be unlawful for any person to construct or maintain any electrical fence or electrical attachment to a fence.

(5) Precast, smooth face CMU, and corrugated or *R-Panel* fencing shall be prohibited.

(6) Solid wood fencing exceeding 48-inches in height shall be constructed using metal posts set in concrete, or brick, stone or a combination of brick and stone columns.

(C) *General Fence Details*. Unless otherwise specified in this section, fences constructed in the City of Rockwall shall generally conform to the following minimum fence details:

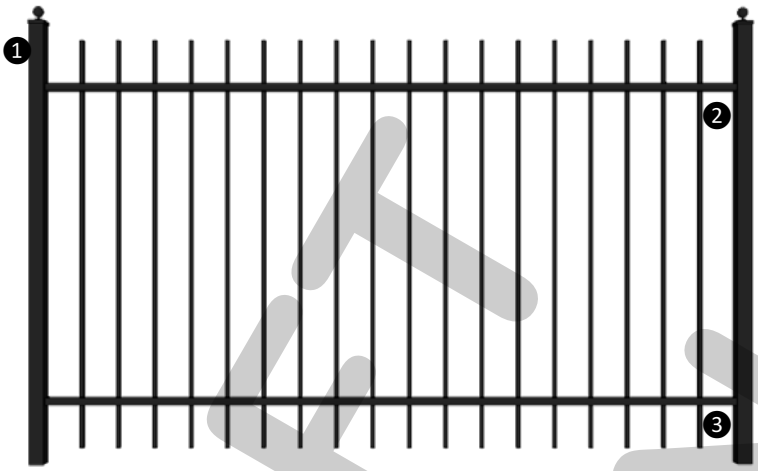
(1) *Wood Fences*.



❶ Top Rail; ❷ Galvanized or Stainless-Steel Post (*Recommended Minimum of* $2\frac{3}{8}$"); ❸ Stinger Board (Recommended Minimum of 2" x 3"); ❹ Minimum ½" Wood Screen.

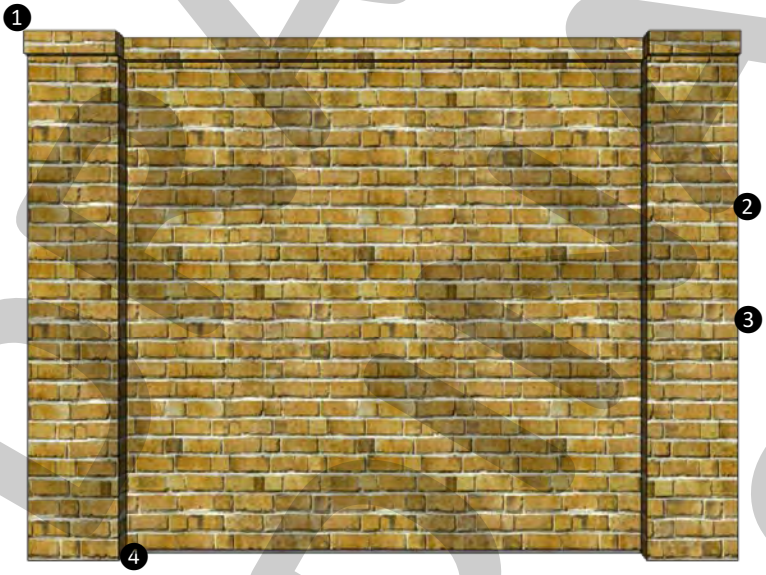
(2) *Wrought Iron Fence*.

DRAFT ORDINANCE 08.19.2019



❶ Painted or Powder Coated with a Decay Resistant Paint; ❷ Top Rail; ❸ Bottom Rail.

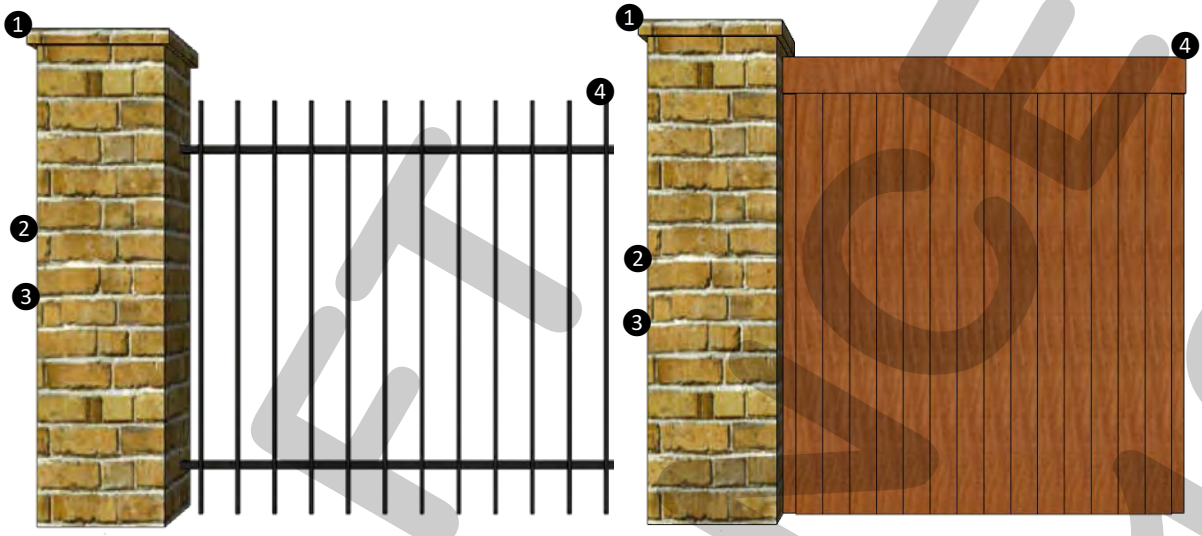
(3) *Masonry Wall.*



❶ Rowlock Cap; ❷ Running Bond; ❸ 3/8 Tooled Joints (*Typical*); ❹ Concrete Footing/Mow Strip.

(4) *Fence with Masonry Columns.*

DRAFT ORDINANCE 08.19.2019



1 Rowlock Cap; 2 Running Bond; 3 3/8 Tooled Joints (*Typical*); 4 Wrought Iron or *Board-On-Board* Wood Fence.

(5) *Vinyl Coated Chain-Link Fence*.



1 Post Cap; 2 Top Rail; 3 Bottom Rail; 4 Tension Band; 5 Tension Bar.

(D) *Fence Height Requirements*. All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard, and shall adhere to the following height requirements:

(1) Residential fencing shall have a maximum height of eight (8) feet.
(2) Non-residential fencing shall have a maximum height of 12-feet.

(E) *Temporary Fences*. The Chief Building Official or his/her designee may permit temporary fencing for the purpose of protecting or securing a construction site. The temporary fences duration of use, location, height, and materials of the temporary fence shall be stated in the request to the Chief Building Official or his/her designee. Barbed wire fencing may be permitted for temporary use; however, Constantine or razor wire is prohibited.

SUBSECTION 8.03: RESIDENTIAL FENCES

DRAFT 08.19.2019

(A) *Fence Standards for New Subdivisions.* All individual residential fencing and walls proposed for new subdivisions shall be architecturally compatible with the design, materials, and colors of the primary structure or structures on the same lot or within the subdivision, and meet the following minimum standards:

(1) *Solid Fencing.* All solid fencing shall be constructed utilizing standard cedar fencing materials (s*pruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side* (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the *private side* (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

(2) *Transparent Fencing.* All transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height. Transparent fencing is required adjacent to all perimeter roadways (*i.e. along the perimeter of the subdivision*), abutting open spaces, greenbelts and parks.

(3) *Corner Lots.* Corner lot fences (*i.e. adjacent to a street, open space, or parks*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A solid cedar *board-on-board* panel fence that is a minimum of six (6) feet in height and a maximum of eight (8) feet in height shall be allowed between the masonry columns along the side and/or rear lot adjacent to an interior street. The fence shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(4) *Perimeter Subdivision Fencing*. Perimeter subdivision fencing shall be constructed of six (6) foot tall tubular steel or wrought-iron type fencing with masonry columns, landscaping, and entry features. All common areas and perimeter subdivision fencing shall be maintained by a Homeowner's Association (HOA) as specified in the City's subdivision regulations.

(5) *Exceptions*. The Planning and Zoning Commission may consider alternative materials that are permitted by Subsection 8.02(B) (*e.g. vinyl or split rail fencing*) or alternative screening for perimeter fencing (*e.g. earthen berms with landscaping*) on a *case-by-case* basis at the time of preliminary plat and/or site plan for all new residential subdivisions. These exceptions will be subject to the approval criteria and voting requirements stipulated by Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(B) *Fence Standards for Existing and Infill Single-Family and Duplex Properties.* All fences being proposed in established residential areas (*i.e. established single-family or duplex subdivision or areas*) -- *that are not regulated by a Planned Development District ordinance* -- shall be architecturally compatible with the design, materials, and colors of the existing fences in the area; however, the following minimum standards shall apply to all fences requiring a fence permit in these areas:

(1) *Solid Fencing.* All solid fencing shall be constructed utilizing standard cedar fencing materials (s*pruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side* (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or

427

framing shall be placed on the *private side* (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

(2) *Transparent Fencing.*

(a) *Wrought Iron Fences.* All new transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height.

(b) *Chain-Link Fences.*

(I) *New Chain-Link Fences.* New chain-link fences shall be prohibited.

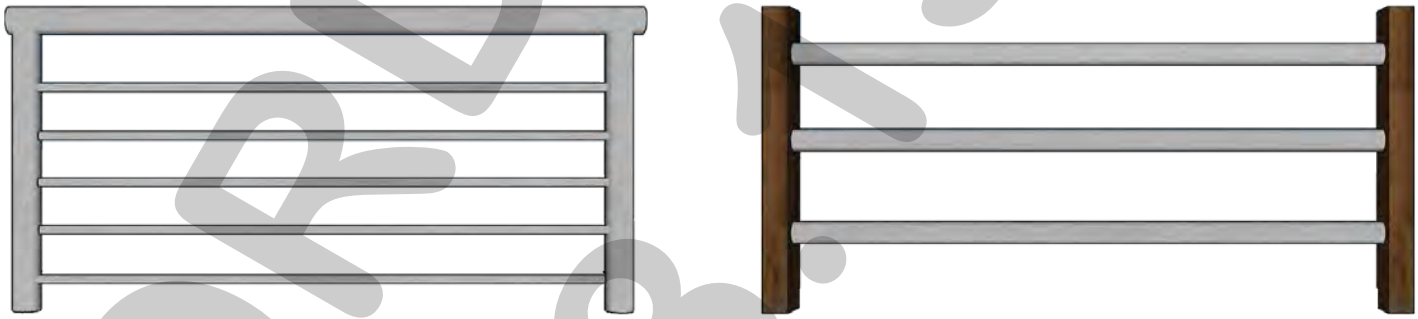
(II) *Replacement of an Existing Chain-Link Fence*. Existing chain-link fences maybe replaced with a new vinyl coated, chain-link fence that is a minimum of four (4) feet in height and a maximum of six (6) feet in height. Replacement chain-link fences may only be placed in the location of the existing chain-link fence.

(III) *Chain-Link Fences in Conjunction with an Accessory Use*. Chain-link fences that are integral to the design of an accessory use (*e.g. dog run, batting cage, etcetera*) maybe be permitted; however, the fence shall be placed a minimum of ten (10) feet from the property lines unless completely screened from adjacent properties, open spaces, right-of-way, and parkland by a structure, fence or solid landscape screen.

(3) *Special Exceptions*. The Planning and Zoning Commission may consider alternative materials that are permitted by Subsection 8.02(B) (*e.g. vinyl or split rail fencing*) on a *case-by-case* basis. These exceptions will be subject to the approval criteria and voting requirements stipulated by Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(C) *Fence Standards for Agricultural and Single-Family Estate Properties*. Fences in the Agricultural (AG), Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), and Single-Family Estate 4.0 (SFE-4.0) Districts shall meet all the requirements stipulated for Subsections 8.03(A) & 8.03(B); however, a metal split-rail or pipe fencing shall be permitted in these districts. Metal split-rail or pipe fencing shall be a minimum of four (4) feet and a maximum of eight (8) feet in height.

EXAMPLE OF METAL SPLIT-RAIL AND/OR PIPE FENCING



(D) *Fence Placement.*

DRAFT ORDINANCE 08.19.2019

(1) *Fences in the Rear and Side Yard*. Fences may be placed in the rear and side yards; however, the following conditions shall apply:

(a) *Side Yard Fences*. Side yard fences shall not extend beyond the front façade of a single-family structure. In cases where a structure has a front porch or other encroachment, the fence shall not extend beyond where the front porch or encroachment meets the front façade of the single-family structure (*as depicted in Figure 18*).

(b) *Abutting an Alleyway*. Fences abutting an alleyway are permitted to be constructed on the side or rear property lines (*as depicted in Figure 14*).

(c) *Through Lots*. Fences proposed for *Through Lots* (*i.e. lots that have street frontage adjacent to the front and rear yard property lines*) may construct a fence on the rear yard property line if all lots within the block have the same lot configuration (*i.e. if all lots are Through Lots fronting in the same direction*) (*as depicted in Figure 15*). If a *Through Lots'* rear property line is adjacent to a house, the rear yard fence for the *Through Lot* shall not extend past the front yard building line (*as depicted in Figure 17*).

(d) *Corner Lots*. Corner lots shall be permitted to construct a fence along the side yard property line adjacent to a street (*as depicted in Figure 14*); however, in cases where a house is facing in the same direction as the side yard of a corner lot, the side yard fence adjacent to the street shall not extend beyond the front yard building setback (*as depicted in Figure 16*).

DRAFT ORDINANCE 08.19.20

Figure 14: Corner Lots.

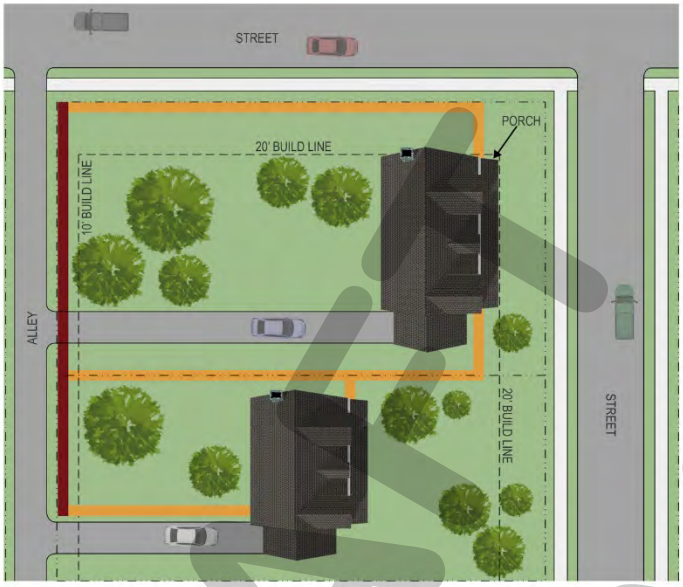


Figure 15: Fences Back to a Street.

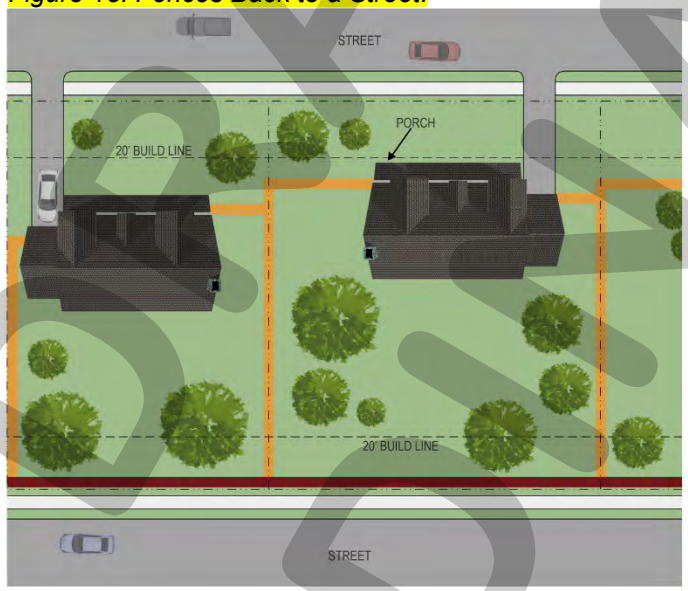


Figure 16: Fences Backing to a Side Yard.

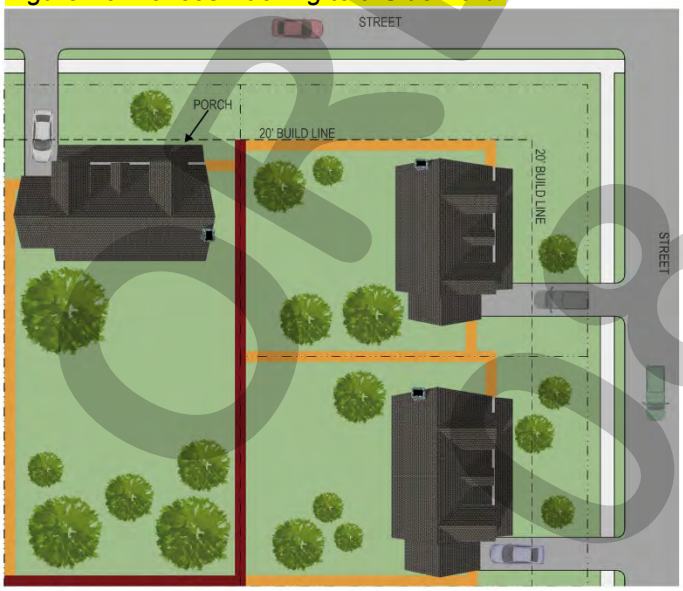


Figure 17: Through Lots.

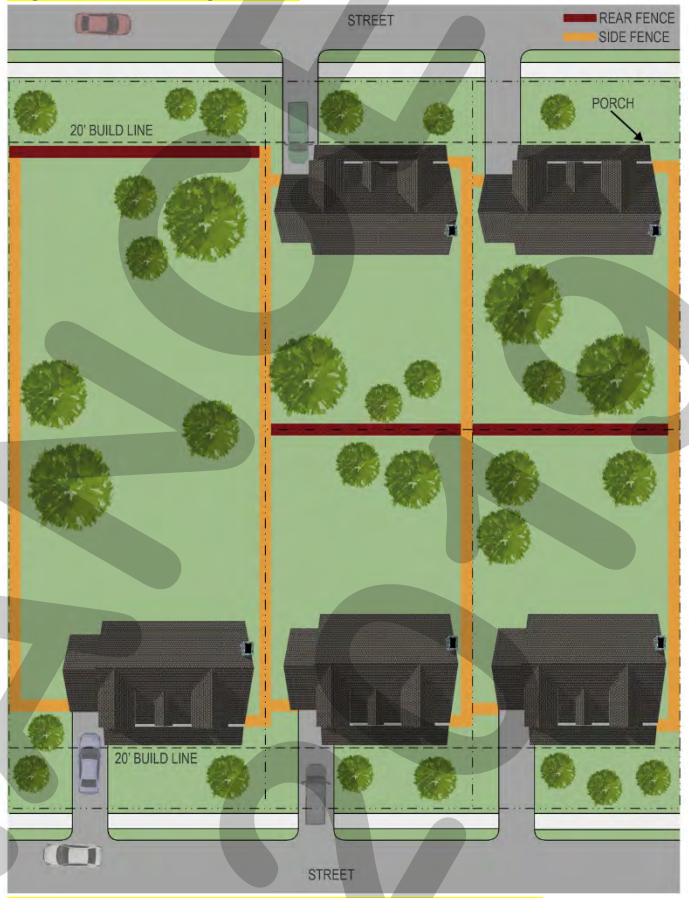


Figure 18: Fences with Common Rear Yards.



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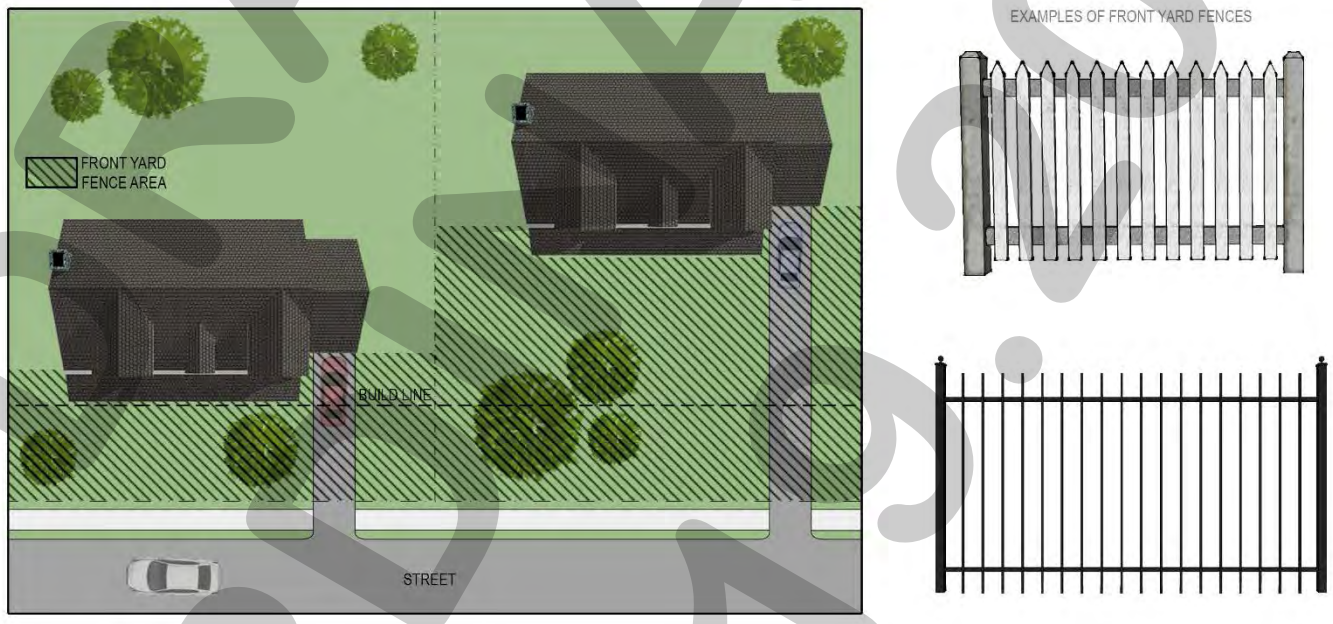
430

(2) *Fences in the Front Yard*. No fence shall be constructed in the front yard of a residential property without being granted an exception from the Planning and Zoning Commission unless specifically permitted by Subsection 8.03(D)(3). For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (*as depicted in Figure 14*). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

(a) *Wood Fences*. Wood fences that are 50% transparent (*e.g. as depicted in Figure 14*) shall not exceed 42-inches in height.
(b) *Wrought Iron or Decorative Metal Fences*. Wrought iron or decorative metal fences that are 50% transparent (*e.g. as depicted in Figure 14*) shall not exceed 48-inches in height.
(c) *Opaque Fences*. Opaque fences are prohibited in the front yard of residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

Figure 19: Residential Front Yard Fences



(3) *Exemptions to the Front Yard Fence Requirements.* The following front yard fences are exempted from the exception process for front yard fences:

(a) *Model Homes.* Model homes that incorporate a fence that is 50% transparent (*e.g. as depicted in Figure 14*), and that does not exceed a maximum height of 42-inches may establish a front yard fence; however, these fences are considered to be temporary and must be removed at the time a permanent residence is established. Alternatively, an exception for a front yard fence can be approved in accordance with the procedures outline in Subsection 8.03(D)(2).
(b) Single-Family Estate Properties. Properties in a Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), or Single-Family Estate 4.0 (SFE-4.0) District shall be permitted to construct a

DRAFT 08.19

431

front yard fence that is 50% transparent (*e.g. as depicted in Figure 14*) and that does not exceed 48-inches in height as long as the fence is [*1*] architecturally harmonious with the development, and [*2*] constructed of metal split rail, wood picket, vinyl, wrought iron, and/or painted steel.

SUBSECTION 8.02: NON-RESIDENTIAL FENCES

(A) *Fence Standards for Properties in a Commercial District.* Non-required fences in the Neighborhood Services (NS), General Retail (GR), and Commercial (C) Districts, shall be constructed of the materials outlined in Subsection 8.02(B); however, wood and vinyl coated chain-link fences shall be prohibited.

(B) *Fence Standards for Properties in the Residential Office (RO) and Downtown (DT) Districts.* Fences in the Residential Office (RO) District and the Downtown (DT) District shall be constructed of the materials outlined in Subsection 8.02(B). Unless otherwise specified in Subsection 4.07, *Downtown (DT) District*, of Article V, *District Development Standards*, wood fences proposed in a Residential Office (RO) District or Downtown (DT) District -- *in conformance with the requirements of Subsection 8.03(B)* -- shall be permitted on properties that have adjacency with a residential zoning district, residentially used property, or a property that has an existing wood fence.

(C) *Fence Standards for Properties in an Industrial District.* Non-required fences in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts, shall be constructed of the materials outlined in Subsection 8.02(B); however, wood fences shall be prohibited.

(D) *Fence Placement*.

(1) *Side and Rear Yard Fences*. Fences may be placed on the side and/or rear yard property line of any non-residential property; however, the Planning and Zoning Commission may require a fence location to be adjusted to account for site constraints through the site plan process.

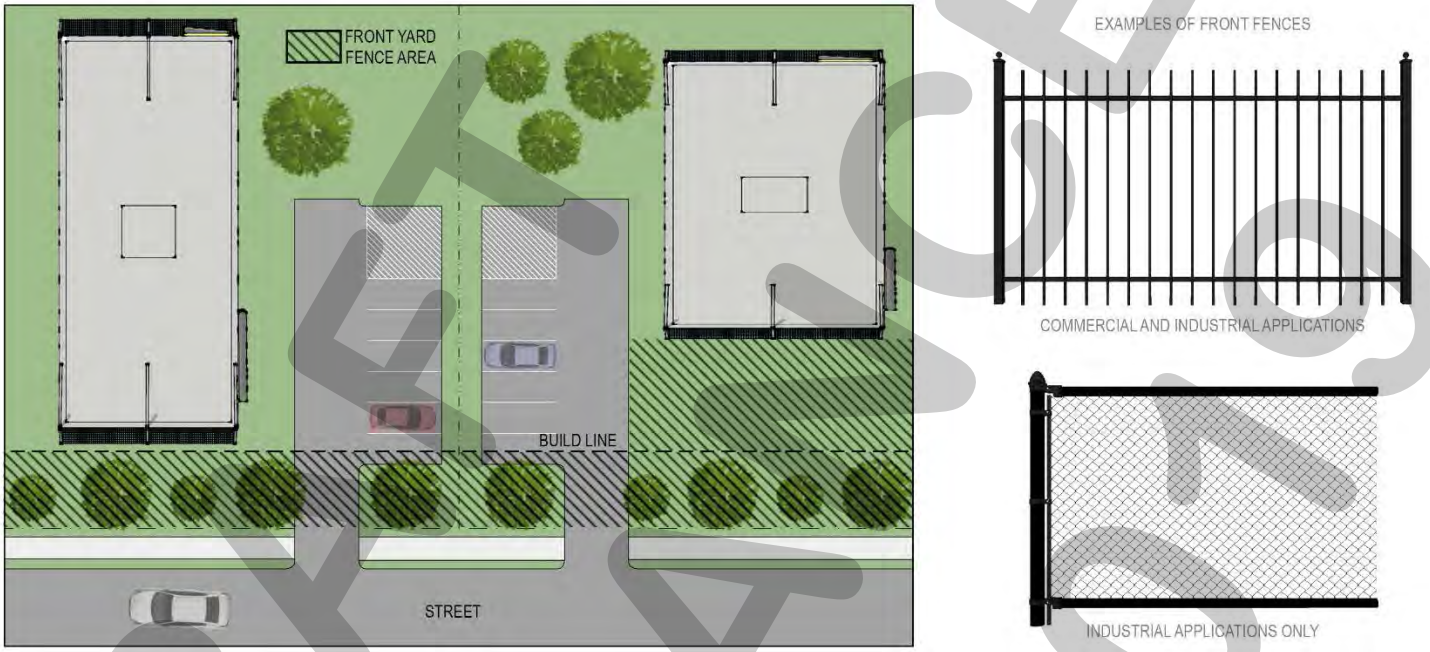
(2) *Front Yard Fences*. No fence shall be constructed in the front yard of a non-residential property without being granted an exception from the Planning and Zoning Commission. For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (*as depicted in Figure 15*). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

(a) *Location.* Properties adjacent to IH-30, John King Boulevard, and SH-205 shall be prohibited from having a front yard fence.
(b) *Wrought Iron or Decorative Metal Fences*. Wrought iron or decorative metal fences (*e.g. as depicted in Figure 15*) shall not exceed eight (8) feet in height.
(c) *Vinyl Coated Chain-Link*. In the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) District a vinyl coated chain-link fence may be established in the front yard pending that it [*1*] is situated a minimum of ten (10) feet off of the front property line, and [*2*] three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) is established in front of the proposed front yard fence along the entire length of the front property line.
(d) *Opaque Fences*. Opaque fences are prohibited in the front yard of non-residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

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Figure 20: Non-Residential Front Yard Fences



SECTION 9: GENERAL MAINTENANCE

SUBSECTION 9.01: MAINTENANCE REQUIREMENTS FOR LANDSCAPING

Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. Any plant that dies must be replaced with another approved plant variety, generally of the same size, that complies with the approved *Landscape Plan* within 90 days after notification by the City.

SUBSECTION 9.01: MAINTENANCE AND INSPECTION REQUIREMENTS FOR FENCES

For information concerning the inspection and maintenance of fences see Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances.

SUBSECTION 9.023: UTILITY LINES AND RIGHTS-OF-WAY

Any damage to utility lines resulting from the negligence of the property owner, his agents, or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials, and return them to their prior locations after the utility work. If, nevertheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

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Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE X, PLANNED DEVELOPMENT REGULATIONS, UDC

SECTION 1: ~~PLANNED DEVELOPMENT—~~GENERAL

SUBSECTION 1.01: PURPOSE

The purpose of this article is to provide for the creation of planned development zoning districts ("PD Districts"). PD Districts are intended to provide for the development of land as an integral unit for single or mixed use in accordance with a PD concept plan that may include uses, regulations and other requirements that vary from this Unified Development Code or from other ordinances, rules or regulations of the city. PD Districts are intended to implement the goals and objectives of the city's comprehensive plan, but may be accompanied by specific amendments to provisions of the comprehensive plan, the parks and open space plan or the thoroughfare plan. PD Districts are also intended to encourage flexible and creative planning, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

- ☑ To provide for a superior design of lots or buildings;
- ☑ To provide for increased recreation and/or open space opportunities for public use;
- ☑ To provide amenities or features that would be of special benefit to the property users or community;
- ☑ To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and view corridors;
- ☑ To protect or preserve existing historical buildings, structures, features or places; or
- ☑ To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

(Ord. No. 10-14, § 55, 7-6-2010)

SUBSECTION 1.02: NATURE OF PD DISTRICTS ~~AND MINIMUM STANDARDS~~

Each ~~PD~~ Planned Development (PD) District is intended to be a freestanding zoning district in which land uses and intensities of land use may be tailored to fit the physical features of the site and to achieve compatibility with existing and planned adjacent uses. In order to ensure that a PD District implements the policies of the comprehensive plan, and to further ensure that the PD District is in accordance with a comprehensive plan of zoning regulation, it is necessary to establish minimum standards for residential and nonresidential uses proposed for the PD District that must be incorporated within an ordinance adopted by the council (the "PD ordinance").

~~(A) *Land Use.*~~

~~(1) *Uses.* Unless otherwise provided by the PD Planned Development (PD) District Ordinance, only those uses authorized by this Unified Development Code are permitted in PD Planned Development (PD) Districts.~~

~~*(Ord. No. 10-14, § 56, 7-6-2010)*~~

~~(2) *Location.* The location of all authorized uses shall be consistent with the PD concept plan and/or PD site plan submitted with the Planned Development (PD) District.~~

~~(B) *Open Space Standards.*~~

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Public and private open space. Unless otherwise provided by the PD ordinance, a minimum of 20 percent of the gross land area within the entire PD District shall be devoted to open space, except where a floodplain exists in the proposed development in which case the dedicated floodplain shall be allowed to count for up to 50 percent of the 20 percent open space requirement, and shall be consistent with the open space requirements of the city's parks and open space plan. Open space for PD Districts may be satisfied by either public or by a combination of public and private open space. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering. Public open space shall be dedicated to the city.

(Ord. No. 07-18, 6-04-2007)

(1) Preservation of natural features. Unless otherwise provided by the PD ordinance or PD concept plan:

(a) Floodplain areas shall be preserved and maintained as open space; and
(b) Significant stands of native trees and shrubs shall be preserved and protected from destruction or alteration.

(2) Open space allocation. Open space requirements shall be satisfied for each phase of a multi-phased residential development. If open space is not to be provided proportionally among phases of development, the applicant must execute a reservation of open space in a form that will assure the city that such open space will be provided. The city may require that all open space within the district must be provided prior to completion of development within the district.

(3) In a residential planned development, all lots less than 12,000 square feet shall be located within 800 feet of a neighborhood-oriented park or open space corridor, which shall be landscaped and serve as a visual amenity and/or gathering place for socializing with neighbors.

(Ord. No. 07-18, 6-04-2007)

(C) *Other minimum development standards.*

(1) Dimensional and area standards. Unless otherwise provided by the PD ordinance, dimensional and area standards for uses shall be the most restrictive standards authorized by this Unified Development Code for the same or similar uses.

(Ord. No. 10-14, § 57, 7-6-2010)

(2) Density standards for residential use. Unless otherwise provided by the PD ordinance, a residential planned development shall allow for a density greater than one unit per gross acre and up to two units per gross acre with a mixture of uses and residential unit size with no minimum lot size. The planned development zoning may be allowed based on the following:

☑ Topographic conditions that will result in quality open space and building arrangements.
☑ Mix of unit types to accommodate elements of "life-cycle" housing.
☑ Amount and distribution of open space to enhance value-creation.
☑ The overall master plan and arrangement of buildings and uses.
☑ The property should be 50 acres or more in size to adequately accommodate the transition to surrounding development.

Additionally, in a residential planned development, a density up to 2.5 units per gross acre may be allowed with the dedication and/or development of additional amenities that would exceed the minimum standards for residential planned developments which could include:

☑ Parks and open space.
☑ Golf course.
☑ Neighborhood amenity/recreation center.
☑ Integration of schools into the community fabric.

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- ☑ Development of trails and parks in floodplains.
- ☑ Development of municipal parks and recreation facilities.

(3) *Anti-Monotony Standards for Residential Use.*

(a) Exterior wall materials must comply with section 3.1, General Residential District Standards, of article V of this [Unified Development] Code. Additionally, masonry chimneys shall be required on all homes.

(b) Front elevations shall not repeat along any block face without at least four intervening homes of differing appearance on the same side of the street and two intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two intervening homes of differing appearance. Identical brick blends may not occur on adjacent (side by side) properties. Homes may differ in appearance in any two of the following ways:

- ☑ Number of stories.
- ☑ Garage location.
- ☑ Roof type and layout.
- ☑ Articulation of the front facade.

(4) *Fencing Standards.*

(a) Solid fencing shall be cedar standard fencing material (minimum one-half-inch thickness or more). Spruce fencing will not be allowed. All cedar pickets shall be placed on the "public side" facing a street or an alley. All posts and framing shall be placed on the "private side" of the fence. Other types of solid fencing (such as vinyl) may be considered on a case-by-case basis during the review of the PD development plan.

(b) Tubular steel or wrought iron type fencing shall also be allowed.

(c) Tubular steel or wrought iron type fencing shall be required on all lots located adjacent to perimeter roadways, open spaces, greenbelts and parks.

(d) Split rail fencing shall be allowed on lots containing 20,000 square feet or more.

(e) Fencing on corner lots constructed adjacent to the street shall provide masonry columns at 45 feet off-center spacing that begins at the rear property lien corner and terminates at least 15 feet behind the front yard building setback line. A maximum six-foot-high, solid board-on-board "panel" cedar fencing or wrought iron-type fencing shall be allowed between the masonry columns along the side and/or rear yard adjacent to a street.

- ☑ On corner lots which have rear lot liens adjacent to alleys or other rear lot lines, fences may be constructed along the side yard adjacent to the street, subject to a minimum five feet setback from the right-of-way. The property owner shall maintain that portion of the property outside of the fence.
- ☑ On corner lots which have rear lot lines adjacent to a side lot line of an adjoining lot(s), only tubular steel or wrought iron-type fences not exceeding 42 inches in height may be constructed beyond the building line. Fences constructed on or behind the building line shall comply with the materials requirement in section 4.e above.

(f) All common areas and perimeter fencing shall be maintained by a homeowners association as specified in the city's subdivision regulations. Perimeter fencing shall be constructed of six-foot-tall tubular steel or wrought iron type fencing with masonry columns and entry features. The planning and zoning commission may consider alternative perimeter screening such as earthen berms with landscaping during the review of the PD development plan.

(Ord. No. 07-18, 6-04-2007)

SUBSECTION 1.03: PD PLANS REQUIRED

There are three types of plans that may be required as part of the development process within a PD District. Each successive plan may modify the previous plan provided that it does not substantially change the general intent of the original PD district. Each successive plan becomes part of the zoning ordinance governing the property and replaces the previously approved plan.

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(A) PD concept plan. The PD concept plan is mandatory and is intended to be used as the first step in the PD development process. It establishes the most general guidelines for the PD District by identifying the land uses and intensities, thoroughfare locations, and open space boundaries (including public trail systems). It may include images of intended style and type of development. The concept plan illustrates the integration of these elements into a master plan for the whole PD District. The PD concept plan establishes the development standards for the PD district.

(B) PD development plan. A PD development plan is optional and is intended to be used where appropriate as the second step of the PD development process. It may be required by the PD ordinance, or it may be submitted voluntarily by the property owner. A PD development plan constitutes an amendment to the approved PD concept plan and PD ordinance and may be used where the developer requests, or the council requires, certain standards for the PD District to be specified after initial establishment of the PD District. A PD development plan includes more detailed information as to the specific development standards and land uses, including their boundaries. The purposes of a PD development plan are to allow flexibility in the development process by deferring specification of all development standards at the time of PD District creation and to enable developers to satisfy conditions imposed on creation of the District prior to submittal of a PD site plan.

(C) PD site plan. A PD site plan is mandatory and is the final step of the PD development process. The purposes of a PD site plan are to ensure that the development of individual building lots, parcels, or tracts within the PD District are consistent with the approved concept plan and development plan, if any, and to ensure that the standards applicable within the PD District are met for each such lot, parcel or tract. A PD site plan shall continue to be valid for a period of two years after it is approved by the commission; however, such period may be extended by the council upon recommendation of the planning commission.

(1) The site plan shall be accompanied by building elevations and landscape and master sign plans, which shall be reviewed by the architectural review board for consistency with the overall objectives of the district. The board's recommendation shall be forwarded to the planning and zoning commission for consideration in their recommendation to city council, if applicable.

(2) A PD site plan shall terminate at the end of a two-year period (or more with an extension approved by the city council) unless, within such period, a preliminary or master plat as required by the city's subdivision ordinance has been filed with the city for all of the land covered by the PD site plan. In which case, the site plan will remain valid as long as there is an approved plat for the property. If a PD site plan terminates, development of the land covered by the terminated plan cannot occur until a new PD site plan has been approved for the land as provided by this article.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.04: PD COMPLIANCE WITH APPROVED PLANS

Except as otherwise provided by the subdivision provisions of this Unified Development Code, no development shall begin and no building permit shall be issued for any land within a PD District until a PD site plan that is consistent with the PD concept plan and applicable PD development plan has been approved. Each PD District shall be developed, used, and maintained in compliance with the approved PD site plans for the district. Compliance with the PD ordinance shall be construed as a condition precedent to granting of certificates of occupancy.

(Ord. No. 10-14, § 58, 7-6-2010)

SECTION 2: PLANNED DEVELOPMENT DISTRICT STANDARDS

SUBSECTION 2.01: GENERAL STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS

All Planned Development (PD) District ordinances shall conform to the following general standards:

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(A) *Size and Acreage Requirements*. A Planned Development (PD) District requires a minimum of 15 contiguous acres for non-residential PD Districts, and 25 contiguous acres for residential PD Districts; however, PD Districts may be less than the stated acreages when the Director of Planning and Zoning determines that the PD District will be in conformance with the policies and guidelines contained in the City's Comprehensive Plan or will serve the public's interest.

(B) *Permitted Land Uses*. Unless otherwise provided by the Planned Development (PD) District ordinance, only those uses authorized by Article IV, *Permissible Uses*, shall be permitted within a PD District.

(C) *Base Zoning*. All Planned Development (PD) District ordinances shall reference an appropriate base zoning district that can provide standards for density and dimensional requirements not specifically addressed in the PD District ordinances. If the standards of the base zoning district are amended, then the amended standards shall apply to a PD District unless the standards are specifically addressed in the PD District ordinance. Any amendments to a base zoning district that affect a PD District do not require special notice to be provided to the properties within the PD District.

SUBSECTION 2.01: MINIMUM STANDARDS FOR RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

The minimum requirements for residential Planned Development (PD) Districts shall be in accordance with Section 3, *Residential Districts*, of Article V, *District Development Standards*, unless otherwise specified below. If the subject property is situated within an established overlay district -- *as noted in Section 6, Overlay Districts, of Article V, District Development Standards* --, and a particular use or standard conflicts with the below minimum requirements then the more restrictive standard would apply.

(A) *Density*. Residential Planned Development (PD) Districts shall allow for density in conformance to the density guidelines contained in the Comprehensive Plan or as otherwise approved by the City Council upon a recommendation from the Planning and Zoning Commission.

(B) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a *4:12* roof pitch. Rear elevations may have a minimum of *6:12* roof pitch.

(C) *Fencing Standards*. The fence standards contained in a Planned Development (PD) District ordinance shall -- *at a minimum* -- conform to the requirements contained in Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

(D) *Landscape and Hardscape Standards*.

(1) *Landscape Buffer*. A minimum of a 30-foot landscape buffer shall be provided adjacent to all perimeter roadways (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent tress shall be planted per 100-feet of linear frontage.

(2) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way.

(3) *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

(E) *Open Space*. A minimum of 20 percent of the gross land area within the entire Planned Development (PD) District shall be devoted to public and private open space. Floodplains shall be counted towards open space requirement at a rate of ½-acre for every acre of dedicated floodplain. Open space for PD Districts may be satisfied by either public, private, or a combination of public and private open space. Open space requirements specified in this subsection are in addition to the requirements for site landscaping and buffering. Public open space shall be dedicated to the City. In addition, open space in a PD District shall adhere to the following:

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(1) *Preservation of Natural Areas*. Floodplain areas shall be preserved and maintained as open space. Significant stands of native trees and shrubs shall be preserved and protected from destruction or alteration.

(2) *Multi-Phase Developments*. Open space requirements shall be satisfied for each phase of a multi-phased residential development. If open space is not to be provided proportionally among phases of the development, the applicant must execute a reservation of open space in a form that will assure the City that such open space will be provided. The City may require that all open space within the district be provided prior to completion of development within the Planned Development (PD) District.

(4) *Open Space Proximity Requirements*. In a residential Planned Development (PD) Districts, all lots less than 12,000 SF shall be located within 800-feet of a neighborhood-oriented park or open space (*i.e. private or public*). All open space areas shall be landscaped and serve as a visual amenity and/or gathering place for socializing with neighbors.

(F) *Lighting Standards*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and positioned to contain all light within the developed area.

(G) *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* necessary to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

(H) *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, amenity center, screening fences and neighborhood signage associated with this development.

(I) *Variances*. The variance procedures and standards for approval that are set forth in Section 9, *Exceptions and Variances*, of Article XI, *Development Applications and Review Procedures* shall apply to all Planned Development (PD) Districts.

SUBSECTION 2.01: MINIMUM STANDARDS FOR NON-RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

Unless otherwise specified in the Planned Development (PD) District ordinance, the minimum standards for all non-residential development shall conform to the minimum standards for overlay districts, which are outlined in Subsection 6.02, *General Overlay District Standards*, of Article V, *District Development Standards*. In cases where the standards differ by overlay district, the most restrictive standard shall apply.

SECTION ~~23~~: PLANNED DEVELOPMENT PROCEDURES

SUBSECTION ~~23~~.01: ESTABLISHMENT OF A PD DISTRICT

(A) *Zoning amendment*. An application for the establishment of a PD District shall be made to the [planning and zoning] commission. The application shall:

(1) Be accompanied by a PD concept plan;
(2) Be accompanied by a list of proposed PD District development standards;

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(3) Identify the city's then-current zoning district which shall apply to the extent not otherwise provided by the PD concept plan or by the proposed PD District development standards;
(4) Be accompanied by a concept plan informational statement, and traffic impact analysis unless waived by the council.

(a) Except to the extent provided by the PD concept plan and the PD ordinance, development within the PD District shall be governed by all of the ordinances, rules, and regulations of the city in effect at the time of such development (including the standards of the city's zoning district so identified in the application). In the event of any conflict between:

(1) The PD concept plan and the PD ordinance; and
(2) The then-current ordinances, rules, and regulations of the city;
(3) the terms, provisions, and intent of the PD concept plan and PD ordinance shall control. In addition, prior to action by the commission on the establishment of the PD District, the applicant shall submit a traffic impact analysis.

(B) PD concept plan. A PD concept plan (or, at the applicant's option, a PD development plan) shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, the PD concept plan (or PD development plan) shall be incorporated as part of the PD ordinance. The graphic depictions contained on a PD concept plan shall be considered as regulatory standards. Each PD concept plan shall be prepared on one or more standard sheets of sizes of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (which may be to any scale). Unless waived by the council on recommendation of the zoning administrator, each PD concept plan shall graphically depict the following:

(1) A diagram or drawing of the boundaries of the proposed PD District;
(2) Proposed and existing land uses by category (including, if applicable, proposed and existing land uses by category for any sub-areas to be developed within the PD District);
(3) Proposed density by type of residential uses, including the maximum numbers of dwelling units for residential uses other than single-family detached, and lot sizes for single-family detached;
(4) Proposed estimated total floor area and floor area ratios by category of nonresidential uses, together with residential view analysis, if any;
(5) Proposed configuration of public and private open space serving the development, showing the relationship to the city's parks and open space plan, including trail system and access points to the trail system, estimated dimensions and approximate area, and areas to be dedicated to the public or to a private maintenance organization, if known;
(6) Proposed and existing thoroughfares, boulevards and roadways;
(7) To the extent known for adjoining land, existing land uses (by zoning district), existing thoroughfares; and existing open space for such adjoining land; and
(8) A general plan for circulation of traffic and pedestrians within and external to the development, including designated points of access.

(C) Concept plan informational statement. A PD concept plan shall be accompanied by an informational statement containing the information set forth below. If the zoning amendment application is approved, the informational statement shall not be binding on the applicant or the land owner and shall not be considered part of the PD concept plan or the PD ordinance. Informational statements shall be updated concurrently with any amendment to the PD concept plan and with each PD development plan. Each statement shall include the following:

(1) A general statement setting forth how the proposed PD District will relate to the city's comprehensive plan;
(2) The total acreage within the proposed PD District;
(3) If the development is to occur in phases, a conceptual phasing plan that identifies the currently anticipated general sequence of development, including the currently anticipated general sequence for installation of major capital improvements to serve the development; and
(4) An aerial photograph with the boundaries of the PD concept plan clearly delineated.

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(D) Proposed PD development standards. Proposed PD District development standards shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, such standards shall be incorporated as part of the PD ordinance. Such proposed development standards may include (but shall not be limited to) uses; density; lot size; lot dimensions; setbacks; coverage; height; landscaping; lighting, fencing, parking and loading; signage; open space; drainage; and utility and street standards. Any graphic depictions used to illustrate such standards, unless otherwise provided in the PD ordinance, shall be considered as regulatory standards.

(E) Traffic impact analysis. Prior to or simultaneous with submission of an application for the establishment of a PD District, the applicant shall submit to the city's transportation engineer a traffic impact analysis for the proposed PD District, unless waived by council. The analysis must be approved by the council prior to or concurrently with the approval by the council of the PD District. The traffic analysis shall not be considered part of the PD concept plan or the PD ordinance but may be used to condition the density or intensity of uses or the timing of development within the district based upon the existence of a supporting roadway network adequate to accommodate the traffic expected to be generated. The traffic impact analysis shall be updated with each PD site plan.

(F) Complete application. No application for the establishment of a PD District shall be deemed to be filed with the city until the zoning administrator has determined that the PD concept plan is complete, that the proposed PD District development standards have been identified, a traffic impact analysis has been submitted, and that the informational statement is complete. Fifteen copies of all such materials shall be submitted.

(G) Commission recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code procedures, shall formulate its recommendation with respect to establishment of a PD District. The recommendation of the commission shall be forwarded to the council for decision.

(Ord. No. 10-14, § 59, 7-6-2010)

(H) Council decision. Following receipt of the commission's recommendation, the council, after notice and public hearing in accordance with this [Unified Development Code] procedures, shall conduct a public hearing and shall approve, approve with conditions, or deny the application for establishment of the PD District.

(I) Approval criteria. Based upon the PD concept plan, the commission, in making its recommendations to the council, and the council, in determining whether the PD District should be established, shall consider whether the following criteria have been met:

(1) The plan of development is generally consistent with the city's comprehensive plan (as such plan may be amended prior to or concurrently with approval of the PD District);
(2) Proposed uses and the configuration of uses are compatible with existing and planned adjoining uses;
(3) The general arrangement of streets conforms to the city's thoroughfare plan (as such plan may be amended prior to or concurrently with approval of the PD District);
(4) Proposed uses, development densities and intensities, and development regulations are generally consistent with this article;
(5) The configuration of the proposed open space serving the development is consistent with the city's parks and open space plan (as such plan may be amended prior to or concurrently with approval of the PD District);
(6) The amenities proposed justify proposed densities or intensities;
(7) The proposed plan of development furthers the public health, safety and general welfare of the community; and
(8) The traffic impact analysis demonstrates that the capacity of the proposed roadways shown on the proposed PD concept plan, together with any roadways within related PD Districts and the supporting roadway network, are adequate to accommodate the traffic expected to be generated by the uses, densities and intensities of use shown on the PD concept plan in and authorized in the PD ordinance in a timely and efficient manner.

(J) Conditions. The commission may recommend, and the council may require, such conditions to the establishment of a PD District and to the approval of a PD concept plan as are reasonably necessary to ensure that the purposes of the district and the approval criteria for the PD concept plan are met. Such conditions may include the requirement of a PD development plan.

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(K) Adopting ordinance. The PD ordinance shall include the PD concept plan as an exhibit to [this article] and shall include the following:

(1) A statement of the purpose and intent of the PD District;
(2) A metes and bounds description of the land within the PD District;
(3) A list of the specific land uses permitted within the PD District, together with a description of the sub-areas, if any, in which such uses are allowed;
(4) The maximum density or intensity of each permitted land use;
(5) A list of all the PD District development standards, together with necessary graphic illustrations;
(6) Identification of the city's then-current zoning district standards that shall apply to the extent not otherwise provided by the PD concept plan or PD ordinance;
(7) Identification of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city), that may be deferred for specification until approval of a PD development plan or that may be varied by the council as part of the approval process for a PD site plan;
(8) Unless otherwise identified on the PD concept plan, the general location and size of open space serving the development, including any proposed dedication of open space to the public or to a maintenance organization;
(9) Provisions governing amenities, if any, to justify densities or intensities;
(10) Such additional conditions as are established by the council to ensure that the PD District and PD concept plan are consistent with the purposes of the district and the approval criteria for the concept plan.

SUBSECTION ~~23~~.02: PD DEVELOPMENT PLANS

If the council requires as a condition of establishing the PD District and approving a PD concept plan that PD development plans be submitted prior to submittal of a PD site plan, a PD development plan may be prepared and submitted for the entire development at one time or for individual phases of development. Each required copy of the PD development plan shall be accompanied by (i) a development plan informational statement and (ii) a preliminary drainage study for the area covered by the proposed plan. If deemed necessary by the city's transportation engineer or zoning administrator, the applicant for a PD development plan shall also submit an updated traffic impact analysis prior to commission action.

(A) Submittal requirements for PD development plans.

(1) Approximations of the following: site boundaries and dimensions, lot lines, site acreage and square footage, and distances to the nearest cross streets;
(2) Location map, north arrow, title block and site data summary table;
(3) Existing land uses and zoning classifications on adjacent properties;
(4) Preliminary tree survey;
(5) Any features omitted from the PD concept plan upon council authorization; and
(6) Such additional features as are necessary to ensure compliance with conditions established by the council to be satisfied by the development plan.

(B) PD development standards. Development standards that were not specified in the PD ordinance, as authorized by the council, shall be submitted and approved as an amendment to the PD ordinance and incorporated therein, in conjunction with approval of the PD development plan.

(C) Development plan informational statement. Each PD development plan shall be accompanied by an informational statement containing the information set forth below. Informational statements shall be updated concurrently with any amendment to a PD development plan and with each PD site plan. Each informational statement shall include the following:

(1) Name and address of landowner and date of preparation of the PD development plan;
(2) Name and address of architect, landscape architect, planner, engineer, surveyor, or other persons involved in the preparation of the PD development plan;
(3) A table listing the specific permitted uses proposed for the property, and, if appropriate, the boundaries of the different land uses and the boundary dimensions;
(4) Development standards for each proposed land use, as follows:

DRAFT ORDINANCE 08.19.20

(a) Minimum lot area;
(b) Minimum lot width and depth;
(c) Minimum front, side, and rear yard areas;
(d) Maximum height of building; and
(e) Maximum building coverage;

(5) A list of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking amendment by the council as part of the PD development plan approval process;
(6) If council approval of any height increase is being requested, a view analysis of the impact of such requested variance on adjacent residential areas of the city;
(7) Preliminary and approximate building locations and building footprints;
(8) Preliminary elevations and perspectives to show the relationship of building heights to surrounding topography;
(9) Location of parking areas and structures for multi-family and nonresidential uses, including areas for off-street parking;
(10) A detailed description of how open space serving the development will be satisfied for the phase of development represented by the PD development plan, including any proposed dedications of open space to the public or to a private maintenance organization;
(11) If the PD development plan is a phase of the project (as described in the applicant's original informational statement submitted with the PD concept plan), depiction of the area subject to the development in relation to the then-current phasing plan, together with any updates of the then-current phasing plan that was submitted as part of the applicant's original informational statement; and
(12) A list identifying each proposed addition or amendment to the PD ordinance.

(D) Preliminary drainage study. Each PD development plan shall be accompanied by a preliminary drainage study for the area covered by the study. The study shall be prepared by a professional engineer licensed in the State of Texas and experienced in the study of drainage issues.

(1) Purpose. The purposes of the drainage design policies are to prevent flooding of adjacent properties, owned by third parties and to regulate water surface elevations and peak discharges. Development within the PD District shall not produce any increase in the water surface elevation (either upstream or downstream) due to a five-year, ten-year, 50-year, or 100-year storm. If the discharge from the area proposed for development would increase the water surface elevation above predevelopment conditions on any property owned by third parties due to any of such storms, then such peak discharge must be regulated to the extent necessary to eliminate the increased water surface elevation. The regulation of discharges to eliminate such increases may be achieved using either on-site or off-site stormwater management facilities (such as detention areas, retention areas, and infiltration and sedimentation ponds).

(2) Content. The preliminary drainage study shall:

(a) Contain a topographical map of the area proposed for development to a scale not smaller than one inch equals 200 feet;
(b) Generally describe how the proposed development will comply with the drainage design policies set forth below;
(c) Include all information deemed necessary by the preparing engineer to support his determination that the proposed development will comply with the drainage design policies; and
(d) Include all information reasonably requested by the city engineer to support his review of the preliminary drainage study.

(E) Updated traffic impact analysis. If deemed necessary by the city's transportation engineer or if required by the PD ordinance, the applicant for a proposed PD development plan shall submit an updated traffic impact analysis prior to action by the commission. The purpose of the updated analysis is to determine whether the traffic estimated to be generated by the development shown on the proposed PD development plan will necessitate specific on-site or adjacent traffic improvements (e.g., turn lanes, stacking lanes, signalization, etc.) and to determine whether conditions attached to the concept plan based on the original traffic impact analysis have been met.

DRAFT ORDINANCE 08.19.2019

443

(F) Commission recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code procedures, shall recommend to the council whether to approve, approve with conditions, or disapprove each PD development plan, together with each proposed amendments to the PD ordinance.

(Ord. No. 10-14, § 60, 7-6-2010)

(G) Council decision. Upon receipt of the commission's recommendation, the council, after notice and public hearing in accordance with this Unified Development Code procedures, shall approve, approve with conditions, or disapprove each PD development plan and each proposed addition or amendment to the PD ordinance.

(Ord. No. 10-14, § 60, 7-6-2010)

(H) Approval criteria. The commission, in making its recommendation to the council, and the council, in acting upon each PD development plan and proposed addition or amendment to the PD ordinance, shall determine whether the proposed PD development plan and ordinance addition or amendment meets the following criteria:

(1) The plan generally is consistent with the approved PD concept plan (including open space, trails, and thoroughfares);
(2) The plan generally is consistent with the development standards set forth in the PD ordinance;
(3) The plan satisfies any conditions established by the council in the PD ordinance relating to development plan approval;
(4) The plan is generally consistent with the standards and conditions of this Unified Development Code and of other ordinances, rules and regulations of the city (to the extent that such standards and conditions are applicable to development within the PD District);
(5) The traffic estimated to be generated by the plan is generally consistent with the original, council approved traffic impact analysis and any conditions to be satisfied at the time of the development plan approval have been met;
(6) The plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (e.g., turn lanes, stacking lanes, signalization, etc.); and
(7) The preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a natural manner.

(Ord. No. 10-14, § 61, 7-6-2010)

(I) Conditions. The commission may recommend, and the council may require, such conditions to the approval of a PD development plan as are reasonably necessary to ensure that the approval criteria are met.

(J) Approving ordinance. The development plan shall be incorporated within an ordinance amending the PD ordinance and the concept plan. The amending ordinance shall set forth all standards necessary for development of the land subject to the development plan that were not included in the PD ordinance. The amending ordinance also shall repeal or amend any conditions that were attached to the PD ordinance that have been satisfied as a result of approving the development plan and associated amendments.

SUBSECTION ~~2~~3.03: PD SITE PLANS

(A) Delegation to commission. The commission hereby is delegated the authority to approve, conditionally approve, or deny PD site plans and all amendments thereto, subject to appeal to the council. Any site plan subject to a request for variances or other modifications that are reserved for the council by these PD regulations shall be decided by the council upon recommendation of the commission.

(B) Submittal requirements. The following requirements apply to each application for PD site plan approval:

(4) Size. PD site plans shall be prepared on one or more standard sheets of sizes of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required,

DRAFT ORDINANCE 08.19.19

444

an overall plan shall be submitted as well (which may be to any scale). PD site plans shall be prepared by a registered engineer, architect, or landscape architect.

(5) General information.

(a) North arrow;
(b) Total site acreage;
(c) Submission date;
(d) Scale (written and graphic);
(e) Vicinity map;
(f) Names, addresses, and telephone numbers of designer, engineer, developer, and owner;
(g) A boundary survey of the site with the location of proposed land uses;
(h) Adjacent subdivision names and property lines; and
(i) Adjacent land uses and structures.

(6) Structures.

(a) Location, dimensions, and use of all existing facilities and proposed building sites;
(b) Setback and separation distances between building sites;
(c) Proposed construction type and facade materials for all multi-family and nonresidential buildings (the commission may require elevations and perspective drawings);
(d) Proposed density of each use;
(e) Proposed location of screening along public roadways shown on the PD concept plan;
(f) Location and types of signs, including lighting and heights;
(g) Elevation drawings citing proposed exterior finish materials; and
(h) Location of solid waste collection facilities.

(7) Streets and sidewalks.

(a) Location and width of all rights-of-way and easements;
(b) Location and dimensions of all pavement and curbing;
(c) Location and width of all sidewalks;
(d) Location and width of all ingress/egress points;
(e) Location and width of all medians and median breaks;
(f) Location of any special traffic regulation facilities;
(g) Location of fire lanes; and
(h) Street names on proposed streets.

(8) Off-street parking and loading areas.

(a) Number, location, and dimension of spaces;
(b) Type of surface material of parking facility;
(c) Dimension of aisles, driveways, maneuvering areas, and curb return radii;
(d) Distance between spaces and adjacent rights-of-way;
(e) Location of all existing and proposed fire lanes and hydrants; and
(f) Proposed lighting diagram.

(9) Landscaping.

(a) Location and size of major tree groupings and existing hardwood trees of four inches caliper or greater, and other protected trees as specified in article IX, Tree Preservation, noting whether they are to be removed or retained;

(Ord. No. 06-14, 4-17-2006)

DRAFT ORDINANCE 08.19.2019

445

(b) Location and size of proposed plant materials, including paving, together with type and species of plants;
(c) Number and type of each landscape element;
(d) Height and type of all fencing or buffering;
(e) Height of all planters, sculptures, and decorative screens;
(f) Location and type of trash receptacle screening;
(g) Location and type of lighting for streets, signage, and parking areas; and
(h) Location of visibility triangles, where required.

(10) Drainage.

(a) Direction of water flow;
(b) Quantity of on-site and off-site water generation;
(c) Topographic contours at a minimum of five-foot intervals;
(d) Points of concentrated water discharge;
(e) Areas where special design and construction may be necessary due to slope or soil conditions;
(f) Location and design of all water detention and drainage areas; and
(g) Drainage ways, creeks, and limits of the 100-year floodplain and floodway as shown on current FEMA mapping or the city's master drainage plan, including location and acreage, together with a general plan for accommodating flood waters and drainage.

(11) Preliminary service plan.

(a) A preliminary drainage plan of the area showing the size and location of each existing and proposed drainage way and retention or detention area. If no development plan has been required and approved by the council, the drainage plan shall incorporate the requirements of the preliminary drainage study;
(b) The proposed method of providing water and sewer service; and
(c) If no development plan has been required and approved by the council, an updated traffic impact analysis.

(12) Special exceptions. A list of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking a special exception by the council as part of the PD site plan approval process.

(C) Commission decision. The commission shall approve, approve subject to conditions, or deny each PD site plan.

(Ord. No. 06-14, 4-17-2006)

(D) Approval criteria. The commission, in approving, conditionally approving, or denying a PD site plan, shall consider the following criteria:

(1) The plan complies with the applicable PD concept plan or development plan, if any, and with the PD ordinance, expressly including conditions attached to the concept plan, development plan or PD ordinance;
(2) The plan complies with the standards and conditions of this Unified Development Code and other ordinances, as well as other rules and regulations of the city (to the extent that such standards and conditions are applicable to development within the PD District);
(3) If no development plan was required and approved by the council, the traffic estimated to be generated by the plan is generally consistent with the original council-approved traffic impact analysis;
(4) If no development plan was required and approved by the council, the plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (e.g., turn lanes, stacking lanes, signalization, etc.);
(5) If no development plan was required and approved by the council, the preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a manner approved by the council; and
(6) Landscaping promotes continuity and unity consistent with the landscape plan for the development and encourages views to public open space and public landmarks.

DRAFT ORDINANCE 08.19.2019

446

(Ord. No. 10-14, § 62, 7-6-2010)

(E) Conditions. The commission, or the council on appeal, may establish such conditions to the approval of a PD site plan as are reasonably necessary to ensure that the approval criteria are met.

(F) Appeal from commission action. If the commission approves a PD site plan with conditions or if it disapproves a PD site plan, the applicant may appeal the decision to the council by filing a written request with the city secretary within ten days after the commission's decision.

(G) Variances. The granting of variance for Planned Development District regulations shall be the purview of city council, not the board of adjustment. If the applicant requests a variance from PD ordinance standards or other ordinance requirements, the variance request will be forwarded to the council with the commission's recommendation for decision. Procedures and criteria for approval shall be those applicable to special exceptions under article II, section 8.5, Criteria for Granting Special Exceptions.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION ~~2~~3.04: AMENDMENT OF PD PLANS

(A) PD concept plans. PD concept plans (excluding informational statements) are considered part of the PD ordinance. Any amendment to a PD concept plan shall be considered a zoning change, and the provisions of V.T.C.A., Local Government Code ch. 211 relating to notices, public hearings, and written protests for changes in zoning districts or regulations shall apply. If a PD District is established subject to approval of PD development plans, the provisions of this subsection 2.4.A shall apply to such PD development plan.

(B) PD site plans. PD site plans are not considered part of a PD ordinance. Except as otherwise provided, any amendment to an approved PD site plan must be approved by the commission. However, "minor modifications" to any PD site plan may be approved by the zoning administrator. If the zoning administrator believes that a request for minor modification entails a significant change in the site plan, he may refer the request to the commission for determination. A "minor modification" to a PD site plan is defined as any modification that does not:

(1) Alter the basic relationship of proposed development to adjacent property;
(2) Change the uses permitted;
(3) Increase the maximum density, floor area, or height;
(4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [article] requirements; or
(5) Reduce the minimum yards or setbacks.

SUBSECTION ~~2~~3.05: PERIODIC REVIEW

(A) Applicability. Each tract of land not yet fully developed, for which (PD) Planned Development District zoning has been granted, shall be reviewed by the planning and zoning commission in order to make inquiry and ascertain the following:

(1) Whether a preliminary plan and/or development plan can reasonably be expected to be filed;
(2) If a preliminary plan and/or development plan can be reasonably expected to be filed at any time within the two-year interval as set out herein;
(3) Whether the granted uses for the tract of land under consideration continues to have a desired relationship with the surrounding area; and
(4) If such density and other design standards originally granted are in accordance with the current community growth patterns and values.

(B) Determination. If, upon inquiry and review, the planning and zoning commission finds that a particular tract of land zoned (PD) Planned Development is not reflective of current community growth patterns or community design policies,

DRAFT ORDINANCE 08.19.2019

or is not in accordance with the comprehensive plan, it may request the city council to initiate hearings on the particular tract of land to consider:

(1) Reform or modification of the PD District on the particular tract; or
(2) Change the zoning to a more suitable land use classification.

(C) Frequency. The planning and zoning commission shall review each tract of land for which Planned Development zoning has been granted beginning in January of each year, at least on two year intervals. The planning and zoning commission may review certain tracts (for which Planned Development zoning has been granted) more frequently if it determines such review is necessary.

SECTION ~~34~~: EFFECT ON EXISTING PDS

SUBSECTION ~~34~~.01: DISTRICT AMENDMENTS

If an amendment is proposed after the effective date of [the ordinance from which] this article [is derived] to any concept plan, development plan, site plan or planned development ordinance approved prior to the effective date of the ordinance from which this article is derived under prior development regulations, the provisions of this article shall apply to those amendments.

SUBSECTION ~~34~~.02: SITE PLANS

For any PD District established under prior planned development regulations for which at least one site plan has been approved pursuant to such prior regulations, the provisions of this article shall not apply, except that procedures related to approval of PD site plans pursuant to this [article] shall apply to any application for PD site plan approval submitted more than 30 days after the effective date of this article.

SECTION 45: AMENDMENTS TO APPROVED PD APPLICATIONS

SUBSECTION 45.01: PROCESSING AMENDMENTS

(A) Amendments to all applications and approvals shall be processed in the same manner as the original application. However, the applicant shall submit a summary of all elements that are proposed to be changed along with the revised plans and application.

(B) Notwithstanding the above, the zoning administrator may approve minor modifications in an approved site plan or PD site plan administratively, provided that they do not:

(1) Alter the basic relationship of proposed development to adjacent property;
(2) Change the uses permitted;
(3) Increase the maximum density, floor area, or height;
(4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [article] requirements;
(5) Reduce the minimum yards or setbacks; or
(6) Detrimentally change or alter the characteristics of the elevation drawings or site plan as approved, but rather allow for some flexibility in minor modification to same.

DRAFT ORDINANCE 08.19.19

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE XI, ~~ZONING-RELATED~~ DEVELOPMENT APPLICATIONS AND REVIEW PROCEDURES, UDC

SECTION 1: GENERAL

SUBSECTION 1.01: ~~FILING OF AN APPLICATION~~ PRE-APPLICATION MEETING

An applicant proposing to [*1*] establish a land use requiring a Specific Use Permit (SUP) on a property or properties, [*2*] the subdivision or assembly of property or properties, [*3*] the change in zoning classification of a property or properties, or [*4*] any other development related activity in the City of Rockwall is encouraged to request a *Pre-Application Meeting* with the Development Review Committee (DRC). Prior to a *Pre-Application Meeting*, the applicant should submit a *Pre-Application Meeting Request* form and provide a concept plan showing the proposed development activities in as much detail as possible. Based on the information provided by the applicant, the DRC will provide initial comments concerning the merits of the proposed development and inform the applicant of any additional requirements that will need to be addressed in the preparation of a development application.

~~(A) Pre-application conference.~~

~~(1) An applicant for a change in zoning is encouraged to request a pre-application conference with a city official or the zoning administrator prior to formal application.~~
~~(2) At the pre-application conference, the applicant should present a draft concept plan with as much detail as possible.~~
~~(3) Based on the information presented, the city representative will provide initial comments concerning the merits of the proposed development and inform the applicant of any additional requirements for preparation of the formal zoning application.~~

~~(B) Application requirements. No application shall be reviewed which is not complete and accompanied by the payment of fees as established in this [Unified Development] Code or other ordinances of the City of Rockwall. All applications shall be filed with the city on forms available in the City of Rockwall offices.~~

~~(C) Timing. Applications for rezonings and plan approvals shall be submitted at least one month prior to the first scheduled hearing date. Special exception and variance applications shall be submitted at least two weeks prior to the first scheduled hearing date.~~

SUBSECTION 1.02: ~~SUBMISSION OF PLANS~~ SUBMISSION OF AN APPLICATION

(A) *Authority to Submit an Application*. Unless otherwise stated in this Article, the following shall apply when submitting an application for a request:

(1) *Development Application*. All zoning, site plan, platting, and miscellaneous cases shall be initiated by the owner of the affected property or his/her authorized representative who files a *Development Application* and pays the appropriate fee.

DRAFT OF 08.19.2019

(2) *Historic Preservation Advisory Board Application*. All Certificate of Appropriateness (COA), small matching grant, and building permit fee waiver requests shall be initiated by the owner of the affected property or his/her authorized representative who files a *Historic Preservation Advisory Board Application*.

(3) *Board of Adjustments Application.* All variance and special exceptions to be considered by the Board of Adjustments (BOA) shall be initiated by the owner of the affected property or his authorized representative or any aggrieved party who files the required application and pays the appropriate fee, or by any person aggrieved by the decision of an administrative officer with authority over any matter that can be appealed to the Board of Adjustments (BOA) per Subsection 4.03, *Jurisdiction*, of Article II, *Development Review Authority*, by an officer of the City, or appropriate board/commission of the City.

[MOVED FROM SECTION 4; ARTICLE II, UDC]

(B) *Ownership.* In the event that the ownership stated on an application is different than the ownership shown on the City's *Certified Tax Roll*, the Director of Planning and Zoning may require additional written proof of ownership be provided with an application.

(C) *Submission Development Application*. All application requests to be considered by the Historic Preservation Advisory Board (HBAP), Board of Adjustments (BOA), Planning and Zoning Commission and/or the City Council, shall be initiated by filing an application with the Director of Planning and Zoning or his/her designee. All applications shall be required to be submitted on the official submittal date. Applications received on a date other than an official submittal date shall ***not*** be accepted and shall be returned to the applicant.

[MOVED FROM SECTION 3; ARTICLE II, UDC]

(D) *Completed Application*. To ensure the submission of adequate information, the Director of Planning and Zoning is hereby empowered to maintain and distribute a list of specific submittal requirements that constitutes a completed application. Any application that does not provide all items required by the Director of Planning and Zoning shall be considered to be incomplete, and shall not be accepted by the City. These requirements may be modified by the Director of Planning and Zoning as deemed necessary.

(E) *Plans and Exhibits*. All plans, surveys, plats, and/or other exhibits submitted as part of any application shall be prepared by a registered architect, engineer, landscape architect, surveyor, planner, or other design professional.

~~A. Preparation. All plans submitted pursuant to this Unified Development Code shall be prepared by a registered architect, engineer, landscape architect, or certified city planner.~~

~~*(Ord. No. 10-14, § 63, 7-6-2010)*~~

~~B. Quantity required. Plans shall be submitted in the form and number as required by the zoning administrator.~~

SUBSECTION 1.03: APPLICATION WITHDRAWAL

Any request for the withdrawal of an application must be submitted in writing to the Director of Planning and Zoning or his/her designee. If an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body. In all requests for withdraw, application fees will not be refunded except in cases where the Director of Planning and Zoning determines that an

DRAFT 08.19.21

application was [*1*] submitted in error, or [*2*] the fee paid exceeds the amount due under the provisions of Section 10, *Fee Schedule*. In cases where the fee paid exceeds the amount due, only the amount of the overpayment may be refunded.

[MOVED FROM SECTION 5; ARTICLE II, UDC]

SUBSECTION 1.04: DENIAL OF AN APPLICATION

Unless otherwise stated in this Article, if an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver is denied *with* prejudice by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council, a new application for the same request may *not* be submitted for the same lot or tract of land -- *or any portion thereof* -- for a period of one (1) year unless the request is deemed to be more restrictive or less intense than the previously denied request. A failure to indicate that a denial is *with* or *without* prejudice, in making a motion to deny, shall be consider a *denial with prejudice*.

SUBSECTION 1.05: REAPPLICATION

A request for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver which has been previously denied *with prejudice* by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council may be resubmitted within one (1) year if there is: [*1*] An actual change in condition relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties, or [*2*] the new request is more restrictive or less intense than the previous request. In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense request. The Director of Planning and Zoning or his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver.

~~*SUBSECTION 1.03: CONSIDERATIONS IN REVIEW AND APPROVAL OF REZONING*~~

~~(A) Consistency with the comprehensive plan.~~
~~(B) Potential impact on adjacent development.~~
~~(C) Availability of utilities and access.~~
~~(D) Site conditions such as vegetation, topography, drainage and floodplain.~~
~~(E) Timing of development as it relates to the city's capital improvement plan.~~
~~(F) Other issues as may be deemed important.~~

SECTION 2: ZONING

SUBSECTION 2.01: AUTHORITY

(A) *Authority to Amend the Zoning Map and Unified Development Code (UDC).*

The City Council may from *time-to-time -- on its own motion or at the request of the Planning and Zoning Commission or Director of Planning and Zoning* -- direct the Director of Planning and Zoning to prepare amendments, changes, and/or supplements to the regulations contained in the Unified Development Code (UDC), and/or the boundaries or designations specified on the City's Zoning Map.

DRAFT ORDINANCE 08-19-20

451

(B) *Authority to Request Changes to the Zoning Map.* A request that proposes a change to the City's Zoning Map (*i.e. zoning changes and Specific Use Permits*) may be requested by the:

(1) City Council;
(2) Planning and Zoning Commission;
(3) Director of Planning and Zoning;
(4) Owner of real property located within the corporate boundaries of the City of Rockwall; or
(5) Authorized representative of an owner of real property located within the corporate boundaries of the City of Rockwall.

(C) *Authority to Order Changes to the Unified Development Code.* Changes to the Unified Development Code (UDC) may be ordered by the:

(1) City Council;
(2) Planning and Zoning Commission; or
(3) Director of Planning and Zoning.

SUBSECTION 2.02: SPECIFIC USE PERMITS (SUP) [MOVED FROM SECTION 4; ARTICLE IV, UDC]

(A) *Purpose.* The purpose of a Specific Use Permit (SUP) is to allow discretionary consideration of certain uses that would typically be considered incompatible within certain locations of a zoning district, but may become compatible with the addition of special provisions, conditions or restrictions. A SUP does not change the base zoning; it allows a particular use that would not normally be permitted in that zoning district. The SUP requirement for any land use is identified in the *Permitted Land Use* table contained in Article IV, *Permissible Uses*, of this Unified Development Code. The discretionary SUP procedure is designed to enable the Planning and Zoning Commission and the City Council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a SUP when it is apparent that a proposed use or structure will or may occasionally harm the community or cause injury to the value, lawful use, and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(B) *Operational Conditions.* In considering a SUP, staff and/or the Planning and Zoning Commission may recommend and the City Council may adopt additional conditions and operational constraints to ensure compatibility with adjacent land uses. These additional conditions and operational constraints will be incorporated into the SUP ordinance, and may relate to: [*1*] a property's specific site conditions, [*2*] increased performance standards, [*3*] compatibility with adjacent properties, [*4*] mitigation of potentially negative or adverse effects of a request, and [*5*] anything that could have a negative impact on the public's health, safety and general welfare.

(C) *Compliance.*

(1) In considering a special use permit application, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefited by the special use as may be necessary to avoid, minimize, or mitigate any potentially injurious effect of such special uses upon other property in the neighborhood, and to carry out the general purpose and intent of this ordinance. Such conditions shall be set out in the ordinance approving the SUP.
(2) Prior to a SUP being issued, the property owner of the affected property shall agree, comply and be bound to the conditions and operational constraints approved by the City Council and contained in the SUP ordinance.

DRAFT
ORDINANCE
07-19

(3) A SUP is considered to be transferable from property owner to property owner for a specific property; however, the conditions and operational constraints of the SUP shall remain in effect and be applicable to the new property owner(s) and/or occupant(s). SUPs cannot be transferred from property to property.

(D) *Abandonment, Expiration and Revocation of a Specific Use Permit (SUP).*

(1) *Abandonment.* A SUP approved by the City Council that remains vacant or inactive for a period of one (1) year shall be deemed to be abandoned and shall automatically expire. Vacancy or inactivity can be determined by the following:

(a) The water and/or electrical services have been disconnected or discontinued on the property; and/or
(b) The subject property (*e.g. lease space, parcel or parcels of land, lot, tract etc.)* is unoccupied; and/or
(c) The use is abandoned due to the issuance of a Certificate of Occupancy (CO) for a use other than (and exclusive from) the use approved with the SUP.

(2) *Expiration.* A Specific Use Permit (SUP) shall automatically expire due to inactivity if:

(a) A building permit has not been issued within one (1) year of the approval date of the SUP ordinance, and/or a Certificate of Occupancy (CO) has not been issued within one (1) year of a building permit due to inactivity on the site (*inactivity in this case is defined as no progress towards construction for six [6] months*), or one (1) year of the approval date of this ordinance if no building permit is necessary; or
(b) A building permit or Certificate of Occupancy (CO) expires, is terminated or revoked under the requirements of the Codes of the City of Rockwall.

(3) *Revocation.* The City Council reserves the right to revoke or rescind any SUP in which the business, property or property owner operating under the guidelines of the SUP ordinance fails to meet the minimum operation requirements set forth in the Specific Use Permit (SUP) ordinance and/or outlined in the Unified Development Code or the Rockwall Municipal Code of Ordinances. The procedure for revocation or rescinding a Specific Use Permit (SUP) shall be the same procedure for requesting a new Specific Use Permit (SUP).

(E) *Extension of a Specific Use Permit (SUP).* Upon recommendation from the Planning and Zoning Commission, the City Council may grant a one (1) time extension to the expiration requirements stated above for a period not to exceed one (1) year. To apply for an extension a property owner shall file a written request with the Director of Planning or his designee at least ninety (90) days prior to the expiration date. Extension requests shall not require a public hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a SUP.

(F) *Existing Specific Use Permits (SUP) and Conditional Use Permits (CUP).* Specific Use Permits (SUP) and Conditional Use Permits (CUP) in existence at the time this section was adopted by the City Council shall automatically terminate one (1) year from the adoption date of this section if a building permit -- *or a Certificate of Occupancy (CO) if no building permit is necessary* -- has not been issued or an extension is not requested under Subsection 2.02(E).

SUBSECTION 2.03: PROCEDURES FOR ZONING APPLICATIONS

All zoning applications (*i.e. zoning changes, Specific Use Permits, and text amendments*) shall be subject to the following procedures:

DRAFT 08.20.21

(A) *Notice of Public Hearing*.

(1) *Notice of Public Hearing for Zoning Changes and Specific Use Permits (SUP's).* Written notice of all public hearings for zoning changes and Specific Use Permits (SUP's) shall be sent to all property owners listed on the certified tax roll, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500-feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording *Zoning Change Requested*. In cases that require notices to be sent to a multi-family property, written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building (*i.e. individual notices to each unit are not required*). In addition, written notice shall be sent to all known Homeowners Association (HOA) representative(s) within 1,500-feet of the subject property at least ten (10) days prior to the public hearing date.

(2) *Newspaper Notice for Zoning Changes and Specific Use Permits (SUP's).* Notice of all public hearing for zoning changes and Specific Use Permits (SUP's) shall be published in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of ten (10) days prior to the date of the public hearing.

(3) *Newspaper Notice for Text Amendments.* Notice of all public hearing for a text amendment to the Unified Development Code (UDC) shall be published in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of 15-days prior to the date of the public hearing.

[MOVED FROM SECTION 6.01; ARTICLE II, UDC]

(B) *Conduct of a Public Hearing*. Subject to the presiding officer's inherent authority to conduct a meeting, a public hearing shall generally be conducted in the following manner:

(1) A report outlining the details of the request shall be given from the Director of Planning and Zoning or his/her designee.
(2) The presiding officer shall open the public hearing.
(3) The applicant will be asked to provide a presentation or comment on the proposed request.
(4) The presiding officer will ask for public comment, questions, and/or testimony.
(5) The applicant will be given a rebuttal to address the public's comments, questions, and/or testimony.
(6) The presiding officer will close the public hearing.
(7) The Planning and Zoning Commission or City Council will be given a chance to discuss the request and ask questions of the Director of Planning and Zoning or his/her designee and/or the applicant.
(8) The Planning and Zoning Commission or City Council will deliberate, make a motion and vote on the request.

[MOVED FROM SECTION 6.03; ARTICLE II, UDC]

(C) *Postponement, Recess, and Continuation of a Public Hearing.*

(1) *Postponement.* A public hearing that was noticed in the manner prescribed by Subsection 2.03(A) may be postponed by announcing the postponement at the time and place of the noticed public hearing. The postponement of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A postponed public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a postponement at a public hearing shall be sufficient notice and no additional notice is required.

(2) *Recess.* A public hearing may be recessed by the Planning and Zoning Commission or City Council any time after the public hearing has commenced.

DRAFT
OCT 18, 2016

(3) *Continuation.* A public hearing may be continued by the Planning and Zoning Commission or City Council any time after the public hearing has commenced. The continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A continued public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required.

[MOVED FROM SECTION 6.2; ARTICLE II, UDC]

(D) *Submitting Additional Information*. New matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council with relation to public hearing for zoning changes, Specific Use Permits (SUP), or text amendments. In the event new evidence develops between the date of the public hearing by the Planning and Zoning Commission and the hearing of the City Council on any zoning change, Specific Use Permit (SUP), or text amendment, or if for any other valid reason a person wishes to present new evidence to the City Council -- *which was not presented to the Planning and Zoning Commission* -- the City Council shall refer the zoning change, Specific Use Permit (SUP), or text amendment back to the Planning and Zoning Commission for a further public hearing to consider the new evidence. Nothing contained herein shall be construed to prohibit anyone from speaking in a public hearing related to a zoning change, Specific Use Permit (SUP), or text amendment.

[MOVED FROM SECTION 17; ARTICLE II, UDC]

(E) *Failure to Appear at a Public Hearing.* If an applicant is not present at a meeting where a public hearing is scheduled, the Planning and Zoning Commission or City Council may deny the request.

(F) *Joint Public Hearings.* The City Council may hold a public hearing -- *after publishing the required notice* -- jointly and with any public hearing required to be held by the Planning and Zoning Commission; however, the City Council shall not act until it has received a recommendation from the Planning and Zoning Commission.

(G) *Protest of a Zoning Change.* Property owners adjacent to and within a radius of 200-feet of a property for which a zoning change or Specific Use Permit (SUP) is being considered have the right to file a written protest against the request. The land area of this 200-foot radius includes public right-of-way, open space and parkland. Whenever such written protest is signed by the owners of 20% or more of the area of the lots or land included in the request, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius, or if such change is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval. For purposes of determining representation on this written protest, the written protest of any one (1) owner of land owned by two (2) or more persons shall be presumed to be the protest of all owners.

SUBSECTION 2.04: PLANNING AND ZONING COMMISSION RECOMMENDATION

(A) *Consideration of a Zoning Change or Specific Use Permit (SUP).* When considering a request for a zoning change or Specific Use Permit (SUP), the Planning and Zoning Commission shall consider the following:

(1) Whether the land uses proposed with the zoning change or Specific Use Permit (SUP) are consistent with the *Future Land Use Plan* contained in the Comprehensive Plan.
(2) Whether the proposed zoning change or Specific Use Permit (SUP) is in accordance with any existing or proposed plans for providing streets, water, wastewater, and/or other utilities or public facilities.

DRAFT
08.13.20

455

(3) The availability of existing infrastructure to properly serve any development proposed with the zoning change or Specific Use Permit (SUP), and the timing of the development compared to the City's Capital Improvements Plan (CIP).
(4) The findings of any studies (*e.g. Traffic Impact Analysis [TIA] or Infrastructure Study*) submitted with the zoning change or Specific Use Permit (SUP).
(5) The amount of vacant land that is currently designated for similar zoning/land uses in the vicinity of the zoning change or Specific Use Permit (SUP) or elsewhere in the City.
(6) The rate at which land is being developed and the rates conformance with the policies and goals of the Comprehensive Plan.
(7) The zoning change or Specific Use Permit's (SUP's) anticipated impact on the environment with regard to floodplains, topography, vegetation, drainage and detention.
(8) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.
(9) Any other factors which will substantially affect the health, safety, and/or general welfare of the community.

(B) *Consideration of a Text Amendment.* When considering a request for a text amendment, the Planning and Zoning Commission shall consider the following:

(1) Whether the proposed text amendment is in conformance with the goals and policies contained in the Comprehensive Plan.
(2) How the proposed text amendment will affect the City's ability to attract and retain high quality development consistent with the City's existing community character.
(3) The impact of the text amendment to the City's environment with regard to floodplains, topography, vegetation, drainage and detention.
(4) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.

(C) *Recommendation to the City Council.* In making a recommendation to the City Council on a zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*), the Planning and Zoning Commission may recommend:

(1) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted;
(2) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted as modified to a more restrictive classification or subject to appropriate conditions as permitted by law; or
(3) That the zoning change, Specific Use Permit (SUP) or text amendment be denied.

(D) *Justification for Denial.* If the Planning and Zoning Commission approves a motion to deny a zoning change, Specific Use Permit (SUP), or text amendment, it shall offer reasons for the denial that can be provided to the City Council.

(E) *Failure to Approve a Motion.* If the Planning and Zoning Commission fails to approve a motion by a majority vote for any zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*), then a recommendation for denial shall be forwarded to the City Council.

[MOVED FROM SECTION 7.02; ARTICLE II, UDC]

SUBSECTION 2.05: CITY COUNCIL ACTION

DRAFT
08.20.19

(A) *Recommendation from the Planning and Zoning Commission*. The City Council shall not act upon any zoning change, Specific Use Permit (SUP), or text amendment prior to a recommendation being forwarded from the Planning and Zoning Commission.

(B) *Action by the City Council.* After the public hearing is closed the City Council shall take one (1) of the following actions with regard to a zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*):

(1) *Approval.* The City Council may approve a request for a zoning change, Specific Use Permit (SUP), or text amendment either as requested or in a more restrictive form as subject to such appropriate conditions allowed by law. Such approval of any request for a text amendment to the Unified Development Code (UDC), or zoning change or Specific User Permit (SUP) as a map amendment shall be granted only if the City Council determines that the request or amendment is consistent with the Comprehensive Plan and/or the Unified Development Code (UDC). In the event of approval of any zoning change, Specific Use Permit (SUP), or text amendment, the City Council shall enact an ordinance amending the Unified Development Code (UDC) or official zoning map (*whichever is applicable*).

(2) *Denial.* The City Council may deny a request for a zoning change, Specific Use Permit (SUP), or text amendment *with* or *without* prejudice. If a request or amendment is denied *with* prejudice, a new application may *not* be submitted for the same lot or tract of land -- *or any portion thereof* -- for a period of one (1) year unless the request is for a more restrictive or less intense land use than the previously denied request and is submitted in conformance with Subsection 2.05(C). If a request or amendment is denied without prejudice, no restrictions on resubmitting an application shall apply (*i.e. an application for the same request may be filed at the applicant's discretion*). A failure to indicate a denial is *with* or *without* prejudice in making a motion to deny a request or amendment shall be consider a *denial with prejudice*.

(C) *Reapplication*. A request for a zoning change, Specific Use Permit (SUP), or text amendment which has previously been denied with prejudice by the City Council may be resubmitted within one (1) year if there is:

(1) An actual change in conditions relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties; or,

(2) The new request is for a more restrictive or less intense land use that the previously denied requested.

In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense land use. The Director of Planning and Zoning or his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for a zoning change, Specific Use Permit (SUP), or text amendment.

[MOVED FROM SECTION 8.03; ARTICLE II, UDC]

SECTION ~~23~~: ~~REQUIRED SITE PLAN (NON-PD)~~ SITE PLANS

SUBSECTION ~~23~~.01: PURPOSE

The purpose of a site plan is to ensure compliance with the City's development standards, and/or other regulations enforceable by the City of Rockwall that may apply to a particular property. Site plans are also intended to be reviewed to promote the safe, efficient, and harmonious use of land through the application of the

DRAFT
08.19.24

City's Unified Development Code (UDC), the Comprehensive Plan, City adopted design guidelines, and the Municipal Code of Ordinances.

~~The purpose of a site plan is to ensure that all of the provisions of this Unified Development Code (UDC) are adhered to while providing for design flexibility; that sensitive environmental issues such as slopes and vegetation are accommodated; and that services and facilities necessary to support the proposed development will be available on an appropriate time schedule.~~

(Ord. No. 10-14, § 64, 7-6-2010)

SUBSECTION ~~23~~.02: ~~GENERAL~~ APPLICABILITY

(A) *Site Plan*. A Site Plan shall be required to be submitted for all new development within the City of Rockwall with the exception of single-family and/or duplex land uses, temporary land uses not requiring a Specific Use Permit (SUP), and agricultural buildings or structures for non-commercial land uses.

(B) *Amended Site Plan*. An Amended Site Plan shall be required for:

(A) All expansions of an existing non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.
(B) All expansions of non-residential parking lots that increase the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.

(C) *Waiver of a Required Site Plan or Amended Site Plan.* In certain circumstances the Director of Planning and Zoning or his/her designee may waive the site plan or amended site plan requirements when it is determined that requiring a site plan [*1*] is not necessary for the development of a property, and/or [*2*] it does not serve the public's interest.

SUBSECTION ~~23~~.03: GENERAL

(A) *Notification.* No public notification is required for the consideration of a site plan or an amended site plan, beyond posting an agenda for the Planning and Zoning Commission meeting.

(B) *Engineering Plans.* No engineering plans shall be submitted for a project prior to the approval of a site plan except when waived by the City Engineer or his/her designee.

(C) *Building Plans*. No building plans shall be submitted for a project prior to the approval of a site plan except when waived by the Director of Planning and Zoning or his/her designee.

(D) *Construction Permits*. No building, fence, or sign permits shall be issued for a property without an approved site plan being approved.

~~A. Applicability. Site plans are required for all new developments except individual single-family and duplex lots, and for expansion of existing development by 50 percent or more of the gross floor area.~~
~~B. [Site plans.] Site plans shall be accompanied by a completed application form and a proposed development schedule.~~
~~C. No permits without site plan. Site plans may be submitted at the time of building permit application, but no permit shall be issued for site grading or construction until a site plan has been approved.~~

DRAFT ORDINANCE 08-19

~~D. Notification. No public notification is required for consideration of a site plan, or amendment, beyond posting as an agenda item for the planning and zoning commission, if appealed or referred to it. This provision does not apply to PD site plans.~~

SUBSECTION ~~23~~.0~~34~~: SITE PLAN SUBMITTAL REQUIREMENTS

(A) *Site Plan Content*. The Director of Planning and Zoning shall establish forms outlining the information, standards, content, and formatting required to constitute a complete application submittal for a site plan or amended site plan.

(B) *Additional Requirements*. When deemed necessary by the Director of Planning and Zoning or the Planning and Zoning Commission, the following plans may be required prior to the approval of a site plan:

(1) Traffic Impact Analysis
(2) Traffic Circulation Study
(3) Infrastructure Study
(4) Flood Study

~~The following requirements apply to each application for non-PD site plan approval:~~

~~1. Size. Site plans shall be prepared on one or more standard sheets of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (which may be to any scale). PD site plans shall be prepared by a registered engineer, architect, or landscape architect.~~

~~2. General information.~~

~~a) North arrow;~~
~~b) Total site acreage;~~
~~c) Submission date;~~
~~d) Scale (written and graphic);~~
~~e) Vicinity map;~~
~~f) Names, addresses, and telephone numbers of designer, engineer, developer, and owner;~~
~~g) A boundary survey of the site with the location of proposed land uses;~~
~~h) Adjacent subdivision names and property lines; and~~
~~i) Adjacent land uses and structures.~~

~~3. Structures.~~

~~a) Location, dimensions, and use of all existing facilities and proposed building sites;~~
~~b) Setback and separation distances between building sites;~~
~~c) Proposed construction type and facade materials for all multi-family and nonresidential buildings (the commission may require elevations and perspective drawings);~~
~~d) Proposed density of each use;~~
~~e) Proposed location of screening along public roadways shown on the PD concept plan;~~
~~f) Location and types of signs, including lighting and heights;~~
~~g) Elevation drawings citing proposed exterior finish materials; and~~
~~h) Location of solid waste collection facilities.~~

~~4. Streets and sidewalks.~~

~~a) Location and width of all rights-of-way and easements;~~

DRAFT ORDINANCE 08.19.2019

459

b) Location and dimensions of all pavement and curbing;
c) Location and width of all sidewalks;
d) Location and width of all ingress/egress points;
e) Location and width of all medians and median breaks;
f) Location of any special traffic regulation facilities;
g) Location of fire lanes; and
h) Street names on proposed streets.

5. Off-street parking and loading areas.

a) Number, location, and dimension of spaces;
b) Type of surface material of parking facility;
c) Dimension of aisles, driveways, maneuvering areas, and curb return radii;
d) Distance between spaces and adjacent rights-of-way;
e) Location of all existing and proposed fire lanes and hydrants; and
f) Proposed lighting diagram.

6. Landscaping.

a) Tree survey of major tree groupings and existing trees of six-inch caliper or greater, noting species and whether they are to be removed or retained;
b) Location and size of proposed plant materials, including paving, together with type and species of plants;
c) Number and type of each landscape element;
d) Height and type of all fencing or buffering;
e) Height of all planters, sculptures, and decorative screens;
f) Location and type of trash receptacle screening;
g) Location and type of lighting for streets, signage, and parking areas; and
h) Location of triangles, where required.

7. Drainage.

a) Direction of water flow;
b) Quantity of on-site and off-site water generation;
c) Topographic contours at a minimum of five-foot intervals;
d) Points of concentrated water discharge;
e) Areas where special design and construction may be necessary due to slope or soil conditions;
f) Location and design of all water detention and drainage areas; and
g) Drainage ways, creeks, and limits of the 100-year floodplain and floodway as shown on current FEMA mapping or the city's master drainage plan, including location and acreage, together with a general plan for accommodating flood waters and drainage.

SUBSECTION 23.04: SITE PLAN REVIEW

(A) *Procedure*. Site plans shall be reviewed, and a decision rendered, by the zoning administrator, or at his prerogative the planning and zoning commission, taking into consideration comments from the plan review committee. The applicant may appeal the decision of the administrator to the planning and zoning commission whose decision shall be final. Such appeal must be made in writing to the administrator within ten business days of the zoning administrator's notification of decision to the applicant. All site plans and amended site plans shall be subject to the following review procedures unless otherwise indicated within this Article:

(1) *Architectural Review Board (ARB)*. All site plans that [*1*] propose alterations to the exterior of an existing building, [*2*] propose the construction of a new building, or [*3*] that request approval of a variance or

DRAFT ORDINANCE 08.19.2019

460

exception shall be subject to review and recommendation by the Architectural Review Board (ARB). In reviewing these site plans, the Architectural Review Board (ARB) shall recommend approval, approval with conditions, or denial of the site plan based on the merits of what is being proposed and the conformance of the site plan with the City's Unified Development Code (UDC).

(2) *Planning and Zoning Commission*. The Planning and Zoning Commission may approve, approve with conditions, or deny a Site Plan -- *upon recommendation from the Architectural Review Board (ARB) if necessary* -- based on the approval criteria listed in Section 3.04(B). The Planning and Zoning Commission shall not approve a site plan prior to review and recommendation by the Architectural Review Board (ARB) if necessary.

(B) *Criteria for Approval of a Site Plan ~~review~~*. In approving, approving with conditions, or denying a site plan ~~under this article~~, the following criteria shall be considered:

(1) The extent to which the site plan fulfills the goals, objectives and standards in the City's Comprehensive Plan, Parks and Open Space Master Plan, and the Unified Development Code (UDC)~~thoroughfare plan~~.
(2) Safety of the motoring and pedestrian public using the facility and the area surrounding the site.
(3) Safety from fire hazards and measures of fire control.
(4) Protection from flooding and water damage.
(5) Noise and lighting glare effects on adjacent neighbors.
(6) Relations of signs to traffic control and their effect on adjacent properties.
(7) Adequacy of streets to accommodate the traffic generation of the proposed development.
(8) Adequacy of off-street parking and loading facilities for the uses specified.
(9) Landscaping and screening provisions appropriately placed per code requirements.
(10) ~~Siting~~ Position of structures and other improvements relative to required setbacks, height limitations, and other density and dimensional requirements.
(11) The impact of the proposed development on slopes, protected vegetation, the open space system, and adjacent properties.
(12) Such other measures as might secure and protect the public health, safety, morals and general welfare.

SUBSECTION ~~23~~.05: EFFECT OF SITE PLAN APPROVAL

(A) *Site Plan Expiration*. If development of a lot or tract with an approved site plan has not been completed within two (2) years, or more with an extension, of its final approval, the site plan shall be deemed to have expired and a new review and approval of a site plan for development of the property shall be undertaken, and this new approval shall be required before a building permit is issued for development. This review and approval shall be evaluated according to the standards of the Unified Development Code (UDC)~~this [Unified Development Code]~~, taking into account all changes to the Unified Development Code (UDC)~~this [Unified Development Code]~~ which have occurred subsequent to the prior site plan approval.

(B) *Phasing Plan Expiration*. If the site plan is submitted in conjunction with an approved phasing plan for the development of the lot or tract, the site plan shall be deemed to have expired if any phase is not completed within the time period approved for such phase. No site plan phase may be planned to exceed three (3) years unless specifically authorized by the Planning and Zoning Commission ~~and City Council~~ when demonstrated that due to the size or complexity of the site the three (3) year time period would create a hardship. If any phase is not completed within the time period approved, the entire remaining uncompleted site plan shall be deemed to have expired and the provisions of Subsection 3.05(A) above shall be followed.

(C) *Extension of Site Plan*. Extension of an approved site plan may be granted by the Planning and Zoning Commission ~~and city council~~ upon submission of a request for such extension by the property owner at least

DRAFT 05.19.20

461

90 days prior to the expiration of the plan. The Planning and Zoning Commission ~~and city council~~ shall take into consideration any changes that have occurred in the Unified Development Code (UDC)~~this [Unified Development Code]~~ subsequent to original approval of the plan and the property owner may be required to bring such plan into compliance with the current requirements. The period of time approved for any such extension shall be indicated in any approval, but in no case, shall the period for extension exceed three (3) years.

SUBSECTION ~~23~~.06: ~~AMENDMENT OF~~ AMENDED SITE PLAN~~S~~

Minor modifications to a site plan may be approved by the Director of Planning and Zoning or his/her designee after the submission of a development application, application fee, and updated plans in accordance with Subsection 1.02, *Submission of an Application*. In the event the Director of Planning and Zoning determines that the modifications entail a significant change in the site plan, the Director of Planning and Zoning may defer the approval of the site plan to the Planning and Zoning Commission.

~~Minor modifications to any site plan may be approved by the zoning administrator. However, if the zoning administrator believes that a request for minor modification entails a significant change in the site plan, he may refer the request to the commission for determination. A "minor modification" to a PD site plan is defined as any modification that does not:~~

~~(1) Alter the basic relationship of proposed development to adjacent property;~~
~~(2) Change the character of the development;~~
~~(3) Change the uses permitted;~~
~~(4) Increase the maximum density, floor area, or height;~~
~~(5) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [Unified Development Code] requirements; or~~
~~(6) Reduce the minimum yards or setbacks.~~

SECTION 4: PLATS

SUBSECTION 5.01: SUBDIVISION ORDINANCE

For the City of Rockwall's platting requirements within the corporate limits and the Extraterritorial Jurisdiction (ETJ) refer to Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

~~*SECTION 4: UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS*~~

~~*SUBSECTION 4.01: PURPOSE AND AUTHORITY*~~

~~The city council may, from time to time, on its own motion, or by request of the planning and zoning commission, the zoning administrator or the city engineer, amend, supplement, or change the regulations established in this Unified Development Code.~~

~~*(Ord. No. 10-14, § 65, 7-6-2010)*~~

~~*SUBSECTION 4.02: PROCEDURES*~~

DRAFT ORDINANCE 08-19-2019

462

~~A. Action by the planning and zoning commission. The planning and zoning commission shall give appropriate notice and hold a public hearing. The commission shall approve, deny or modify the amendment and forward its report and recommendation to the city council.~~

~~B. Action by the city council. The council shall give appropriate notice and hold a public hearing and has final authority to adopt or deny any proposed amendment.~~

SECTION 5: MISCELLANEOUS CASE

(A) *Purpose.* The purpose of a *Miscellaneous Case* is to allow certain requests (*e.g. variances, exceptions, Tree Preservation Plans, etc.*) to be considered by the Planning and Zoning Commission and/or City Council independent of a site plan for the purpose of facilitating development.

(B) *Procedures.* Unless otherwise specified in the Unified Development Code (UDC), *Miscellaneous Cases* shall be subject to the procedures provided for in Section 9, *Exceptions and Variances*.

SECTION ~~36~~: CERTIFICATES OF APPROPRIATENESS (COA)

SUBSECTION ~~36~~.01: GENERAL.

(A) *Applicability*. ~~Prior to the commencement of any work in a Historic Overlay District which requires a certificate of appropriateness, the owner shall file with the historic preservation officer an application for such a certificate.~~ Any person carrying out any work that requires a building permit for exterior alteration, restoration, reconstruction, new construction, moving or demolition of a property within a historic district that is visible must first obtain a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB) as provided for in Subsection 6.2, *Historic Overlay District*, of Article V, District Development Standards ~~of this Unified Development Code~~.

(B) *Criteria for the Approval of a Certificate of Appropriateness (COA)*. The Historic Preservation Advisory Board (HPAB) shall follow the design guidelines as adopted by the City Council in its consideration of all applications for a Certificate of Appropriateness (COA). These standards shall be made available to the property owners of historic landmarks or within a historic district. The Historic Preservation Officer (HPO) shall coordinate with the appropriate City Departments on all Certificate of Appropriateness (COA) applications.

[MOVED FROM SECTION 12.03; ARTICLE II, UDC]

(C) ~~*No Permits without COA*~~ *Permits*. No building or fence permits shall be issued for site improvement or other construction until a Certificate of Appropriateness (COA) has been approved by the Historic Preservation Advisory Board (HPAB).

SUBSECTION ~~36~~.02: ~~COA~~ SUBMITTAL REQUIREMENTS.

The procedures and requirements for a Certificate of Appropriateness (COA) are outlined in Subsection 6.2, *Historic Overlay District*, of Article V, District Development Standards.

(Ord. No. 06-14, 4-17-2006)

DRAFT ORDINANCE 08.20.19

SECTION 7: BUILDING PERMIT FEE WAIVER

SUBSECTION 7.01: PURPOSE

The *Building Permit Waiver and Reduction Program* was established for eligible properties located within the City's Historic Districts for the purpose of encourage development and redevelopment within these districts. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 7.02: ELEGIBILITY

The *Building Permit Waiver and Reduction Program* is eligible for the following properties:

(A) *Commercial Property.*

(1) Commercial properties located within the Old Town Rockwall (OTR) Historic District, Planned Development District 50 (PD-50), the Southside Residential Neighborhood Overlay (SRO) District, and the Downtown (DT) District are eligible for a 50% reduction in building permit fees for projects that include a substantial rehabilitation involving a minimum investment of $50,000.00 that involves work that 1) changes the use of the property (*i.e. residential to commercial*) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met. New development projects shall not be eligible for fee reductions or waivers.

(2) *Landmarked Properties* shall be eligible for a full waiver of building permit fees for projects that include a substantial rehabilitation involving a minimum investment of $25,000.00 that involves work that 1) changes the use of the property (*i.e. residential to commercial*) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met.

(3) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.

(B) *Residential Property.*

(1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for a 50% reduction or a full waiver of building permit fees for projects involving a minimum investment of $5,000.00 that are associated with the rehabilitation or restoration of a property. New development projects shall not be eligible for fee reductions or waivers.

(2) Properties classified as *Non-Contributing* shall be eligible for a 50% reduction of the require building permit fees.

(3) Properties classified as *Contributing* (*i.e. High, Medium or Low Contributing*) shall be eligible for a full waiver of building permit fees.

(4) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.

SUBSECTION 7.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to or concurrently with the submittal of a building permit. Once a building

DRAFT
08.29.19

464

permit has been issued for a project, that project is no longer eligible for the program. The HPAB may review the application concurrently with a building permit submittal; however, no building permit can be issued while a program application is in process. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete application for the program will consist of 1) the application form, 2) a list of all improvements associated with the project, and 3) any additional information deemed necessary for the HPAB to make a determination. It shall be the Planning and Zoning Department's policy not to accept incomplete applications.

[CODIFIED FROM RESOLUTION NO.16-08]

SECTION 8: SMALL MATCHING GRANTS

SUBSECTION 8.01: PURPOSE

Purpose. The *Small Matching Grants Program* was established for eligible properties located within the City's Historic Districts for the purpose of encouraging small improvement and beautification projects. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 8.02: ELIGIBILITY

The *Small Neighborhood Matching Grants Program* is eligible for the following properties:

(A) *Residential Property.*

(1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for the program. The programs shall provide matching funds up to 50% of the total project cost.
(2) Properties classified as Non-Contributing shall be eligible for a total grant amount up to $500.00.
(3) Properties classified as Contributing (*i.e. High, Medium or Low Contributing*) or as a Landmarked Property shall be eligible for a grant amount up to $1,000.00.
(4) Regardless of a properties status no matching grant shall be approved for an amount of less than $100.00 (*i.e. a project minimum of $200.00*).
(5) Only projects proposing improvements to the exterior of a property that will be visible from the street shall be eligible for the program. Examples of these projects include but are not limited to landscaping, painting, replacement of windows, replacement of sidewalks and/or driveways, and etcetera.

SUBSECTION 8.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to the commencement of the proposed project. Once a project has commenced, that project or the portion of project that has commenced shall no longer be eligible for grant monies. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete application for the program will consist of 1) the application form, 2) a list of all improvements associated with the project, and 3) any additional information deemed necessary for the HPAB to make a determination. It shall be the Planning and Zoning Department's policy not to accept incomplete applications.

SUBSECTION 8.04: CERTIFICATION AND VERIFICATION PROCESS

DRAFT ORDINANCE 05-19

465

Applications for the Small Neighborhood Matching Grants pursuant to Subsection 8.03 of this resolution shall be filed with the Planning and Zoning Department. Upon receipt of a completed application, City staff shall process the request, verify that the improvements have not commenced, and prepare a memorandum to the Historic Preservation Advisory Board (HPAB) outlining the request. Within 60 days of the receipt of an application, the HPAB shall act to approve, deny or modify a request based on the requirements of this resolution. Upon action by the HPAB work may commence on the proposed project.

Once a proposed project has been completed, the applicant shall be required to submit a sworn statement of completion acknowledging that the project has been completed in accordance with the application submitted and approved by the HPAB. In addition, the applicant will be required to submit all receipts for the cost of the project. Within 15 days of the receipt of the sworn statement of completion, City staff shall verify that the improvements have been completed as required by the HPAB and document the improvements for the City's records. If the improvements have been completed as approved, staff will issue a check request in the applicant's name to the Finance Department for half the amount depicted on the receipts up to the full amount approved by the HPAB.

[CODIFIED FROM RESOLUTION NO.16-09]

SECTION 9: EXCEPTIONS AND VARIANCES

SUBSECTION 9.01: EXCEPTIONS TO THE GENERAL STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant an exception to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. In cases where an exception or exceptions is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- *but are not limited to* -- any two (2) of the following options:

(A) Increased landscape buffer.
(B) Increased landscaping (*i.e. additional canopy trees, accent trees, landscaping percentage, etc.*).
(C) Increased open space.
(D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
(E) Increased building articulation.
(F) The provision of four (4) sided architecture (*where not already required*).
(G) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (*i.e. brick, stone, or cultured stone*).
(H) The inclusion of 20% natural or cultured stone.
(I) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
(J) Undergrounding existing overhead utility lines.
(K) Compliance with the General Overlay District Standards detailed in Section 6, *Overlay Districts*, of Article V, *District Development Standards*.
(L) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

In requesting an exception or exceptions, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [*1*] the reason or reasons for the exception or exceptions being requested, [*2*] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [*3*] the proposed compensatory measures as detailed above.

466

If the Planning and Zoning Commission denies a request for an exception, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any exception to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 9.02: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in *Section 6.02, General Overlay District Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. In cases where a variance or variances is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- *but are not limited to* -- any two (2) of the following options:

(A) Increased landscape buffer.
(B) Increased landscaping (*i.e. additional canopy trees, accent trees, landscaping percentage, etc.*).
(C) Increased open space.
(D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
(E) Increased building articulation.
(F) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (*i.e. brick, stone, or cultured stone*).
(G) The inclusion of 20% natural or cultured stone.
(H) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
(I) Undergrounding existing overhead utility lines.
(J) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

In requesting a variance or variances, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [*1*] the reason or reasons for the variance or variances being requested, [*2*] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [*3*] the proposed compensatory measures as detailed above.

If the Planning and Zoning Commission denies a request for a variance, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 9.03: CRITERIA FOR GRANTING A VARIANCE OR EXCEPTION

In reviewing a request for a variance or an exception, the Planning and Zoning Commission should review the request to determine:

(A) If the proposed compensatory measures sufficiently offset the requested variance or exception.
(B) If such a request will substantially or permanently injure the appropriate use of adjacent property.
(C) If such a request will adversely affect the health, safety, and/or general welfare of the public.

DRAFT 08.20.19

(D) If such a request will be contrary to the public interest.
(E) If such a request will authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.
(F) If such a request will be in harmony with the spirit and intent of the Unified Development Code (UDC), Comprehensive Plan, and/or other City policies.
(G) If such a request will alter the essential character of the district in which the subject property is located.
(H) If such a request will substantially weaken the general purpose of the zoning requirements established for the district in which the subject property is located.

SECTION 10: FEE SCHEDULE

(A) *Establishment of Fees.* Fees for all development related applications in the City of Rockwall shall be established by the City Council upon recommendation of the City Council. Such fees shall be for the sole purpose of recovering the administrative cost of processing development applications, advertising zoning requests, and holding public hearings required by this Article. Such fee shall *not* be designed to generate revenue for the City other than recovery of actual administrative costs.

[MOVED FROM SECTION 19; ARTICLE II, UDC]

(B) *Fees*. The fees for development related applications in the City of Rockwall shall be as follows:

(1) *Platting*.

(a) *Master Plat*: $100.00 + $15.00/Acre
(b) *Preliminary Plat*: $200.00 + $15.00/Acre
(c) *Final Plat*: $300.00 + $20.00/Acre
(d) *Replat*: $300.00 + $20.00/Acre
(e) *Amending or Minor Plat*: $150.00
(f) *Plat Reinstatement Request*: $100.00

(2) *Site Plan*.

(a) *Site Plan*: $250.00 + $20.00/Acre
(b) *Amended Site Plan*: $100.00

(3) *Zoning*.

(a) *Zoning Change*: $200.00 + $15.00/Acre
(b) *Specific Use Permit (SUP)*: $200.00 + $15.00/Acre
(c) *Planned Development District (PD)*: $200.00 + $15.00/Acre

(4) *Miscellaneous Case*.

(a) *Variance/Special Exception*: $100.00
(b) *Tree Removal*: $75.00
(c) *All Other Miscellaneous Cases*: $0.00

(5) Historic Preservation Advisory Board.

DRAFT ORDINANCE 08.19.19

(a) *Certificate of Appropriateness (COA)*: $0.00
(b) *Small Matching Grants*: $0.00
(c) *Building Permit Fee Waiver*: $0.00

[TAKEN FROM DEVELOPMENT APPLICATIONS]

(C) *Calculation of Fees.* Fees that have a scaled fee structure (*i.e. that are based on the acreage of the property*) are calculated by multiplying the acreage of the property by the scalable fee and adding the base fee. For example, a 5.25-acre property that is requesting a zoning change would be calculated as follows:

5.25-acres x $15.00/Acres = $78.75 + $200.00 [*Base Fee*] = $278.75 [*Fee Due*]

Properties that are less than one (1) acre in total size shall be calculated as one (1) acre. No other rounding methods shall be used in the calculation of a fee.

DRAFT ORDINANCE 08.19.2019

469

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE XIII, DEFINITIONS

SECTION 1: ~~USAGE~~ GENERAL

SUBSECTION 1.01: USAGE

For the purposes of this Unified Development Code (UDC), certain terms and/or words are used and interpreted as defined below. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular. The word *shall* wherever used in this article will be interpreted in its mandatory sense and the word *may* shall be deemed as permissive. The word *building* includes the word structure unless otherwise indicated in the definition. The word *lot* also means *plot* or *tract*. The term *used for* includes the meaning *designed for* or *intended for*.

~~A. For the purpose of these regulations, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this [Unified Development Code].~~
~~B. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular.~~
~~C. The word "shall" wherever used in this article will be interpreted in its mandatory sense; the word "may" shall be deemed as permissive.~~
~~D. The word "building" includes the word "structure"; the word "lot" also means "plot" or "tract."~~
~~E. The term "used for" includes the meaning "designed for" or "intended for."~~

SECTION 2: ~~DEFINITIONS~~ WORDS, TERMS, AND LAND USES DEFINED

SUBSECTION 2.01: GENERAL DEFINITIONS

~~Accessory building or use. A subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.~~

(1) *Adopted Policies*. A written administrative directive discussed at a public meeting and officially adopted by a majority vote of the city council.

(2) *Agriculture*. The planting, cultivating, harvesting and storage of grains, hay or plants, or vineyards, commonly grown in Rockwall County. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept is three acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops and is not primarily for the raising or fattening of livestock. A feed lot exclusively for the fattening of livestock is not considered an agricultural use.

(3) *Alley*. A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street; it is also public space or way, 20 feet or less in width, which has been dedicated or deeded for public use.

470

(4) *Alteration*. Any addition, removal, extension, or change in the location of any exterior wall of a main building or accessory building, or change or modification in construction or occupancy.

(5) *Apartment*. A room or suite of rooms within an apartment house arranged, intended or designed for a place of residence of a single-family or group of individuals living together as a single housekeeping unit and who do their cooking therein. (See Dwelling unit.)

(6) *Apartment house or building*. A building arranged, intended or designed for more than two families. (See Dwelling unit, "multiple.")

(7) *Associated recreation*. Recreational uses which are an integral part of a common ownership or associated with high density residential development (example: homeowners association with a private club, swimming pool, and tennis courts).

(8) *Authorized agent*. An architect, builder, developer, or other person empowered to act on behalf of other persons.

~~*Automobile repair, major*. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90 days.~~

~~*(Ord. No. 93-22, 7-6-1993)*~~

~~*Automobile repair, minor*. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.~~

~~*(Ord. No. 93-26, 8-2-1993)*~~

(9) *Bar, cocktail lounge, tavern, saloon, cantina*. An establishment where alcoholic beverages are sold for on-premises consumption, other than a restaurant as defined in this section.

(10) *Basement or cellar*. A story having more than one-half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

~~*Bed and breakfast*. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.~~

(11) *Block*. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the building official shall determine the outline of the block.

(12) *Boardinghouse or lodginghouse*. A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous

arrangements, but not for the public or transients.

(13) *Buffer*. A visual screen constructed of wood, concrete block, masonry, or landscape material including earthen berms in such a manner that adjacent property will be screened from the use contemplated, so noise, solid waste, or other objectionable influences will be avoided. Such buffer shall be horizontal to the ground, opaque, and a minimum of six feet in height.

(14) *Buildable area*. The "buildable area" of the lot is the maximum amount of allowable space upon which a structure or building may be erected, after meeting the coverage, yard and other requirements of this [Unified Development Code].

(15) *Building*. An enclosed structure, anchored to permanent foundation, and having exterior or party walls and a roof, designed for the shelter of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breeze way shall be deemed as one building. Parking structures shall not be considered as buildings when calculating building coverage.

(16) *Building area*. The building area of the lot is the gross area covered by the structures when placed on the lot.

(17) *Building coverage*. Percentage of the lot that is occupied by the building area, including parking structures and accessory buildings.

(Ord. No. 06-14, 4-17-2006)

(18) *Building height*. The height of the building shall be measured from the average elevation of the finished grade along the front of the building to the highest point of the roof or parapet of the building if it is a flat, mansard or shed roof; or to the midpoint of the roof if it is gable, hip or gambrel roof.

(19) *Building official*. The duly authorized employee or representative of the city charged with implementation, inspection and enforcement of the building codes.

(20) *Building, principal*. A principal building is one in which a main use of the lot on which it is located is conducted.

(21) *Building setback line*. A line defining an area on the building lot between the street right-of-way line and all other property lines and the building line within which no building or structure shall be constructed (also referred to as a "yard"), encroach or project except as specifically authorized in an adopted ordinance of the City of Rockwall. In the GR, C, DT, HC, RT, LI, [and] HI districts, underground parking garages shall not be required to meet side or rear setback requirements, but may be constructed from lot line to lot line.

(Ord. No. 10-14, § 69, 7-6-2010)

(a) *Front building setback line (defining a front yard)*. A line parallel to the street right-of-way line which the building faces, and takes its primary access from. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street (see examples).

(Ord. No. 06-14, 4-17-2006)

(b) *Side building setback line (defining a side yard)*. A line parallel to an adjacent lot which the building sides up to.

(Ord. No. 06-14, 4-17-2006)

(c) *Rear building setback line (defining a rear yard)*. A line parallel to an adjacent lot or alley, which the building backs up to and has its rear or secondary access from.

(Ord. No. 06-14, 4-17-2006)

(22) *Caliper*. The diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.

(23) *Canopy or shade tree*. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.

(24) *Carport*. A structure which is open on at least 2 sides, covered with a roof and constructed specifically for the storage of one or more automobiles; utility room may be included.

(25) *Certificate of occupancy*. A certificate issued by the zoning administrator or his authorized representative stating that the proposed use of the land and/or building conforms to the requirements of this [Unified Development Code].

(26) *City*. The City of Rockwall, Texas.

(27) *Clinic*. An institution, public or private, or a station for the examination and treatment of outpatients by a group of doctors, dentists, opticians, ophthalmologists, orthopedists, or other similar professional physicians.

(28) *Cluster development*. A method of development of land that permits variation in lot sizes without an increase in overall density of population or development. The use of permanent, open space may be one method used to offset the increased density of smaller residential lots.

~~*Cold storage plant*. A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.~~

(29) *Commercial Development.* Any development on private land that is not classified as industrial or residential development (*i.e. that consists of development being performed within the Residential Office [RO], Neighborhood Services [NS], General Retail [GR], Heavy Commercial [HC], or Commercial [C] Districts and that is based in office, retail, personal services, or similar land uses*).

(30) *Commission*. The planning and zoning commission of the City of Rockwall, Texas.

(31) *Comprehensive plan*. The comprehensive plan of the City of Rockwall and includes any unit or a part of such unit separately adopted and any amendment to such plan or parts thereof.

(32) *Condominium*. A multi-family dwelling unit, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roof, parking space, and the land when the building is not constructed on leased land.

(33) *Court*. An open unoccupied space, other than a yard, on the same lot with a building and which is bounded on two or more sides by the building.

(34) *Curb level*. The level of the established curb in front of the building measured at the center of such front, or in the case of a corner lot, along the abutting street where the mean curb level is the highest. Where no curb has been established, the city engineer shall establish such curb or its equivalent for the purpose of this [Unified Development Code].

~~*Day care center or day nursery*. A place for the care of children. Services usually include a staff nurse and a hot meal is normally served.~~

(35) *Density*. The ratio of dwelling units per gross acre of platted area being developed.

(36) *District*. A zone or geographic area within the municipality within which certain zoning or development regulations apply.

~~*Drive-in eating establishments*. Any structure and premises specifically designed for the preparation and dispensing of food and meals for consumption either indoors or in a vehicle parked on the premises or taken away for consumption in the home or other places.~~

(37) *Dwelling unit*. Any building or portion thereof which is designed for or used primarily for residential occupancy, but not including hotels, boardinghouses or mobile homes, trailers, motor coaches or other recreational vehicles.

~~*Single-family*. A building designed for and/or occupied exclusively by one family as a separate dwelling unit.~~

~~*Duplex*. A building designed and/or occupied exclusively by two families living independently of each other.~~

(a) *Triplex*. A building designed for and/or occupied exclusively by three families living independently of each other.

(b) *Fourplex*. A building designed for and/or occupied exclusively by four families living independently of each other.

(c) *Multiple*. A building designed for and/or occupied exclusively by five or more families living independently of each other.

(d) The determination of whether one family is living independently of another is based on one or more of the following criteria:

(1) Separate sanitary facilities.
(2) Separate kitchen facilities.
(3) Separate entrances.
(4) Separate utilities.

(38) *Dwelling unit, minimum square footage*. The minimum square footage required in each zoning district shall not include garages, porches, patios, eaves and/or other areas not part of the main, air-conditioned living space of the dwelling unit.

(Ord. No. 06-14, 4-17-2006)

(39) *Enhanced pavement*. Any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

(40) *Evergreen tree or shrub*. A tree or shrub of a species which normally retains its leaves throughout the year.

(41) *Family*. One or more persons who are related by blood, adoption or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a nonprofit, cost-sharing basis.

(42) *Fence*. Any wall or structure of any material for which the purpose is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building, or structure.

~~*Filling, retail service station*. An establishment where gasoline, oil and grease, or automobile accessories are sold, supplied or dispensed to the vehicle trade or where motor vehicles received limited repair, are equipped for service, or where electric storage batteries are recharged and cared for, or a place where any two or more such activities are carried on or conducted as the principal use of the establishment. (The storage, sale, lease, or rental of more than one boat or mobile home, or more than five hauling trailers is prohibited.)~~

(43) *Floor area ratio*. The relationship of the gross floor area of all buildings on a lot to the total lot area. Parking structures shall be excluded in the calculation of the floor area ratio.

(44) *Frontage*. All the property abutting on one side of a street between two intersecting streets, measured along the street line.

(45) *Garage apartment*. A dwelling unit attached to a private garage.

~~*Garage, commercial*. A commercial garage is any premises and structures used for housing more than three motor driven vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.~~

(46) *Garage, community*. A building or portion thereof, other than a public, private or storage garage as defined below, providing storage for motor vehicles with facilities for washing, but no other services, such garage to be in lieu of private garages within a block or portion of a block.

~~*Garage, detached or private*. An accessory building for storage only of motor vehicles and home laundry.~~

(47) *Garage, public*. A building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles, which is operated for commercial purposes.

(48) *Garage, storage*. A building or portion thereof, except those defined as private, a public, or a community garage providing storage for more than four motor vehicles, with facilities for washing but no other services.

(49) *Ground cover*. Natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

~~*Group housing project*. A dwelling project consisting of three or more buildings, to be constructed on a plot of ground which is not subdivided into customary streets or lots, or where the existing or contemplated street or streets or lot layouts make it impractical to apply the requirements of this [Unified Development Code] to the individual building units in such housing project.~~

~~*Guesthouse*. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.~~

(50) *Height of yard or court*. The vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.

~~*Home occupations*. A "home occupation" is a commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.~~

~~*Hospital, sanitarium, nursing or convalescent homes*. A building or any portion thereof, used or designed for the housing or treatment of the sick, mentally ill, injured, convalescent or infirm persons; provided that this definition shall not include rooms in any residential dwelling, hotel, apartment hotel not ordinarily intended to be occupied by said persons.~~

~~*Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

~~*Hotel, full service*. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops. A full service hotel shall also include the following:~~

~~(a) A minimum room count of 250 rooms.~~
~~(b) Each guestroom shall have a minimum area of 380 square feet.~~
~~(c) A full service restaurant with full kitchen facilities and which provides service to the general public.~~
~~(d) On site staff required 24 hours a day, seven days a week.~~
~~(e) The following amenities are required to be provided:~~
~~(1) A minimum of 10,000 square feet of meeting or conference room space; and~~
~~(2) A swimming pool with a minimum area of 1,000 square feet.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

~~*Hotel, residence*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and~~

~~telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

(51) *Impervious cover*. Roads, parking areas, buildings and other impermeable construction covering the natural land surface that prevent absorption of the water. Water quality basins, swells and other conveyances for overland drainage shall not be calculated as impervious cover.

(52) *Industrial Development.* Any development on private land that is not classified as commercial or residential development (*i.e. that consists of development being performed within the Light Industrial [LI] or Heavy Industrial [HI] Districts and that is based in warehouse, research/technology, light or heavy manufacturing, or similar land uses*).

(53) *Institutional use*. A nonprofit organization or building, public or private, for the benefit of the public including YMCA, YWCA, Boys Clubs, Scouts; educational facilities and schools, including day care centers and kindergartens; churches, temples, cemeteries, mausoleums or crematories for the deposit of the human dead; hospitals, civic clubs, private parks, private libraries, museums, etc.

~~*Kennel*. Any premises in which more than three dogs or three cats or three other domesticated animals over the age of three months, not including livestock or poultry, are housed, boarded, raised, or trained as a commercial enterprise. This definition does not include pet shops.~~

(Ord. No. 90-5, 3-19-1990)

(54) *Kindergarten*. A school for more than five children of preschool age, in which constructive endeavors, object lessons or educational games are prominent features of the curriculum.

(55) *Landscape architect*. A person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.

(56) *Landscape buffer*. A strip of land:

(a) Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and
(b) At least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).

(57) *Landscaping*. Trees, shrubs, ground cover, earthen berms, vines, grass, water, decorative features such as fountains, or other material approved by the city council.

(58) *Large shrub*. A shrub which normally reaches a height of six feet or more upon maturity.

(59) *Large tree*. A tree of a species which normally reaches a height of 30 feet or more upon maturity.

(60) *Legislative or governing body*. The city council of the City of Rockwall, Texas.

(61) *Loading space*. A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks and having a minimum dimension of 12 [feet] by 65 feet and a vertical

clearance of at least 14 feet.

(Ord. No. 06-14, 4-17-2006)

(62) *Lot*. An undivided tract or parcel of land having frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

(63) *Lot area, minimum*. Includes internal sidewalks, recreation areas, floor space, parking area, open space and utility easements, but does not include any public right-of-way street easements or alley easements.

(64) *Lot, corner*. A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the building official, or as specified on an approved plat.

(65) *Lot depth*. The length of a line connecting the midpoints of the front and rear lot lines.

(66) *Lot[,] double frontage[,] or through lot*. A lot abutting on two nonintersecting public streets as distinguished from a corner lot.

(67) *Lot, frontage*. The length of street frontage between property lines.

(68) *Lot, interior*. A lot whose side lot lines do not abut upon any street.

(69) *Lot, irregular*. Any lot not having equal front and rear lot lines, or equal side lot lines; a lot, the opposite lot lines of which vary in dimension and the corners of which have an angle of either more or less than 90 degrees. A lot fronting on a sharp curve or cul-de-sac.

(70) *Lot lines*. The lines bounding a lot as defined herein.

(a) *Front lot line*. The property line between the front yard(s) and the contiguous street right-of-way boundary.

(Ord. No. 06-14, 4-17-2006)

(b) *Rear lot line*. The boundary line which is opposite and most distinct from the front street line; except that in the case of uncertainty the building inspector shall determine the rear line.

(c) *Side lot line*. The property line between two adjacent lots. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street.

(Ord. No. 06-14, 4-17-2006)

(71) *Lot of record*. A parcel of land which is part of a subdivision, the map or plat of which has been recorded in the office of the county clerk of Rockwall County; or a parcel of land not a part of an urban or town lot subdivision, the deed of which has been recorded in the office of the county clerk of Rockwall County prior to the adoption date of the ordinance from which this Unified Development Code is derived which has not been divided since recording.

(72) *Lot, reverse corner*. A corner lot whose front line faces at right angles to the front lot lines of the interior lots or whose rear lot line abuts the side lot lines of interior lots.

(73) *Lot width*. The horizontal distance between side property lines, measured at the front setback line.

(74) *Lots in separate ownership at the time of the passage of this [Unified Development Code]*. A lot whose boundary lines, along their entire length touched lands under other ownership as shown by plat or deed recorded in the office of the county clerk of Rockwall County on or before the date of the adoption of the ordinance from which this Unified Development Code was derived.

(75) *Maneuvering space*. The space entirely on private property required for maneuvering vehicles in such a manner as to preclude the backing of any vehicle into any street right-of-way.

(76) *Manufactured home or HUD-code manufactured home*. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 71, 7-6-2010)

(77) *Masonry*. Masonry construction shall be defined as construction composed of materials in the categories listed below and shall not include hollow clay tile or exposed lightweight block such as cinder block.

(78) *Modular*.

(a) Brick.
(b) Natural or quarried stone.
(c) Cast or cultured stone.
(d) Glass block or glass.
(e) Tile.
(f) Custom concrete masonry units (normal or heavy weight blocks with an integral color that is sandblasted, burnished or has a split face).

~~*Mini-warehouses*. Small individual storage units for rent or lease, restricted to the storage of items that are not for sale on the premises.~~

(79) *Mobile home*. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 72, 7-6-2010)

(80) *Modular homes*. Any permanent, single-family dwelling unit which has been prefabricated or factory constructed as a single unit or in sections or modules, and assembled at the factory or construction site and moved to a permanent location as a unit or in sections or modules, as a permanent single-family dwelling unit placed on a permanent foundation at such site and connected with all required utility services.

~~*Motel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

(81) *Municipal uses*. Facilities owned or controlled by the City of Rockwall, including, but not limited to, office buildings, maintenance shops, treatment plants; community centers.

~~*Nightclub, discotheque, disco or dance hall*. An establishment whose primary activity is the provision of~~

~~facilities for dancing, including a dance floor and live entertainment or amplified music. Such establishment may or may not provide on-premises consumption of alcoholic beverages. Schools of dance are exempted from this definition.~~

(82) *Nonconforming use, building or yard*. A use, building or yard, which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated. It is a legal nonconforming use if established prior to the passage of this [Unified Development Code].

(83) *Non-permeable coverage*. Coverage with non-permeable pavement.

(84) *Parking area*. Space used exclusively for the parking of vehicles and where no other business is conducted paved to city specifications.

(85) *Parking space*. Area, not closer than six feet from the back edge of the curb, the width and length of which shall exceed by a minimum of two feet the dimensions of the type of vehicle normally to be parked in the space, and connected to a street or alley by a driveway affording satisfactory ingress and egress. The minimum dimension of a parking space shall be in accordance with the adopted ordinances of the City of Rockwall regarding off-street parking.

(86) *Patio home*. A single-family, residential dwelling unit that is most often a one-story L-shaped or U-shaped home utilizing the entire lot with an enclosed garden court for open space area. Fire retardant walls are utilized and additional open space is often provided by clustering the units.

(87) *Paving*. Material which provides an all-weather surface for the parking of vehicles. All required paving shall meet the standards specified by applicable city specifications.

(88) *Permitted use*. A use specifically allowed in one or more of the various districts without the necessity of obtaining a use permit.

(89) *Person*. Any individual, association, firm, corporation, governmental agency or political subdivision.

~~*Personal service shop*. An establishment for the purpose of supplying limited personal services such as, but not limited to, barber, shoe, boot, saddle, shine shop.~~

(90) *Place*. An open, unoccupied space other than a street or alley permanently established or dedicated as the principal means of access to property abutting thereon.

(91) *Planned development (PD)*. Includes a combination of different dwelling types and/or a variety of land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity, and comply with provisions of the ordinances governing planned developments.

(92) *Planned shopping center*. A group of architecturally unified commercial establishments built on a site which is planned, developed, owned and managed as one operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.

(93) *Planning consultant*. A private practitioner in planning, who is a member of the American Institute of Certified Planners (AICP).

(94) *Plat*. A map of a subdivision or site plan that represents a tract of land, showing the boundaries and location of individual properties and streets.

~~*Portable building*. A temporary building that may or may not have a foundation and is transportable.~~

~~*(Ord. No. 86-56, 6-16-1986)*~~

~~*Private club*. An establishment providing social and dining facilities as well as alcoholic beverage service to an association of persons and otherwise falling within the definition of and permitted under the provisions of that portion of V.T.C.A., Alcoholic Beverage Code § 32.01 et seq., as it be hereafter amended and as it pertains to the operation of private clubs.~~

(95) *Recreational vehicle or travel trailer*. A vehicle which is:

(a) Built on a single chassis;
(b) 400 square feet or less when measured at the largest horizontal projections;
(c) Designed to be self-propelled or permanently towable by a light duty truck; and
(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(Ord. No. 10-14, § 73, 7-6-2010)

~~*Restaurant or cafe*. A building or portion of a building, where the primary business is the on-premises sale of prepared food, with adequate facilities for the preparation of the food to be sold, the adequacy of said kitchen facilities to be based upon the seating capacity of the restaurant and the type of menu offered.~~

(96) *Residential Development.* Any development on private land that is not classified as industrial or commercial development (*i.e. that consists of development being performed within the Agricultural [AG], Single-Family Estate 1.5 [SFE-1.5], Single-Family Estate 2.0 [SFE-2.0], Single-Family Estate 4.0 [SFE-4.0], Single-Family 1 [SF-1], Single-Family 16 [SF-16], Single-Family 10 [SF-10], Single-Family 8.4 [SF-8.4], Single-Family 7 [SF-7], Zero Lot Line [ZL-5], Two-Family [2F], or Multi-Family 14 [MF-14] Districts that is based in residential land uses*).

(97) *Restaurant (limited service)*. A building or portion of a building, where the primary business is the on-premises sale of prepared food where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' location. Drive-through “pickup/order” window permitted provided that there is no public address system or speakers.

(98) *Retail*. The sale of goods directly to a consumer. Engaged in, pertaining to, or relating to the sale of merchandise at retail. To sell by individual items or by the piece, directly to a consumer.

(99) *Retail food store*. A retail establishment selling meats, fruits, vegetables, bakery products, light hardware, and other similar items which are purchased for use and consumption off the premises (may be drive-in or supermarket type).

(100) *Right-of-way line*. A dividing line between a lot, tract, or parcel of land and the public right-of-way.

(101) *Screening*. Screening that complies with the construction and maintenance regulations in section 5, Mandatory Provisions, except as those regulations may be expressly modified in this article.

~~*Self-storage facility*. Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than~~

~~storage, shall be prohibited. One caretaker/security residence shall be permitted in association with a self-storage facility.~~

(102) *Semi-public uses*. Public facilities including sanitary landfills, water treatment and supply facilities, and wastewater treatment facilities, but not including facilities owned or controlled by the city.

~~*Servant's quarters*. An accessory building or portion of a main building located on the same lot as the main building and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile.~~

(103) *Setback*. See Building setback line.

(104) *Sign*. A name, identification, image, description, display or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs.

(105) *Site*. A combination of continuous lots that may or may not be owned separately, that will be developed under one unified plan, as if it were a single parcel of land.

(106) *Site plan*. The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, floodplain, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting, and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

(107) *Small tree*. A tree of a species which normally reaches a height of less than 30 feet.

(108) *Soil*. A medium that plants will grow in.

(109) *Space*. A plot of ground within a mobile home or recreational vehicle park designated for the accommodation of one mobile home or one recreational vehicle, together with such open space as required by this chapter.

(110) *Storage*. The accumulation, stocking, or depositing of materials or items. These may include materials for the eventual use or sale in a commercial enterprise, but does not include the storing of a personal car or truck on an individual residential lot.

~~*Storage building*. Any building either portable or constructed on site, utilized for storage purposes, and not requiring plumbing and electrical wiring, and not used for residential purposes~~.

(111) *Story*. That part of a building included between the surface of one floor and the surface of the floor next above, or, if there be no floor above, that part of the building which is above the surface of a floor and the ceiling next above. A top story attic is a half-story, when the main line of the eaves is not above the middle of the interior height of such story. The first story is a full story when over 50 percent of its exterior walls are exposed to outside light and air entirely above grade and which exterior walls contain windows or doors permitting entrance of daylight and outside air.

(112) *Street*. A public or approved private thoroughfare which affords the principal means of access to abutting

property, excluding alleys, and as defined in the city's thoroughfare plan.

(113) *Street line*. The dividing line between the street right-of-way and the abutting property.

(114) *Structural alterations*. Any alteration involving a change in or addition to the supporting members of a building, such as bearing walls, columns, beams or girders.

(115) *Structure*. Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, signs, and excluding utility poles, fences and retaining walls.

(116) *Subdivision*. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

~~*Townhouse*. A single-family dwelling unit constructed in a series, or a group of units having common walls, each on a separate lot.~~

(117) *Urban Agriculture*. An industry located within or on the fringe of a town, a city or metro-area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying human and material resources, products and services largely to the urban area.

(118) *Variance*. Relief from or variation of the provisions of these regulations, other than use regulations, as applied to a specific piece of property, as distinct from rezoning, as further set out hereinafter in powers and duties of the board of adjustment.

~~*Veterinary clinic*. An establishment where animals and pets are admitted for examination and medical treatment and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.~~

~~*(Ord. No. 90-5, 3-19-1990)*~~

(119) *Visibility Triangle*. The term “visibility triangle” as defined in article V, section 1.9 of this Unified Development Code.

(120) *Wall, exterior*. Any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.

(121) *Wholesale*. The sale of commodities for the purpose of resale, as to retailers or jobbers rather than to consumers directly; opposed to retail. Of, pertaining to, or engaged in sale at wholesale.

(122) *Xeriscaping*. A type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.

~~*Zero lot line house*. A single-family detached residential dwelling unit with one side wall coincident with the side lot line and a five-foot maintenance easement coincident with the opposite side lot line.~~

SUBSECTION 2.02: LAND USE DEFINITIONS

(A) *Agricultural and Animal Related Land Uses.*

(1) *Agricultural Uses on Unplatted Land*. Any area used for growing farm products, vegetables, fruits, trees, and grain and/or for the raising of farm animals (*e.g. horses, cattle, sheep, etc.*) -- *including the necessary accessory uses for raising, treating, and storing products raised on the premises* -- , but not including the commercial feeding, cultivation of offal (*i.e. entrails or internal organs*) to swine or other animals and not including any type of agriculture or cultivation that is specifically prohibited by this federal, state, or local law.

(2) *Animal Boarding/Kennel*. Any premises in which more than three (3) dogs or three (3) cats or three (3) of any other domesticated animal over the age of three (3) months -- *not including livestock or farm animals* -- are housed, boarded, raised or trained as a commercial enterprise. This definition does not include pet shops.

(3) *Animal Clinic for Small Animals without Outdoor Pens*. An establishment where small animals and pets are admitted for examination, medical treatment, and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.

(4) *Animal Hospital or Clinic*. A facility for the diagnosis, treatment, or hospitalization of animals.

(5) *Animal Production or Husbandry*. An agricultural operation specifically concerned with the raising of animals for meat, milk, eggs, or other products. *Animal Production or Husbandry* includes the *day-to-day* care, selective breeding and the raising of livestock.

(6) *Animal Shelter or Loafing Shed*. An agricultural structure that is typically built inside a pasture or paddock area that provides livestock with shade, water, and/or food.

(7) *Barn or Agricultural Accessory Building*. A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.

(8) *Crop Production*. An area for raising or harvesting agricultural crops such as wheat, field forage, and other plant crops intended to provide food or fiber.

(9) *Commercial Horse Corral or Stable*. A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.

(10) *Private Horse Corral or Stable*. A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, trained, or bred for the private use of the property owner.

(11) *Community Garden*. A use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (*e.g., hand tool storage sheds*) maintained and used by the group.

(12) *Urban Farm*. A use in which plants are grown for sale as products, and in which the plants or their biproducts are sold at the lot where they are grown or off-site, or both, and in which no other items are sold (*e.g. flower and vegetable raising, orchards and vineyards, etc.*).

(13) *Wholesale Nursery (i.e. without Retail Sales On-Site)*. An establishment for the cultivation and propagation, display, storage and wholesale of large plants, shrubs, trees and other materials used in the indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape materials as an accessory use.

(B) *Residential and Lodging Land Uses.*

(1) *Residential Accessory Building or Structure*. A subordinate building having a use customarily incidental to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.

(2) *Bed and Breakfast*. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.

(3) *Caretakers Quarters/Domestic or Security Unit*. A residence located on premises with a main residential or non-residential use and occupied only by a caretaker or guard employed on the premises.

(4) *Convent, Monastery, or Temple*. A facility or building occupied by a community of monks, nuns, priests, or similar sects living under religious vows.

(5) *Duplex*. A building designed and/or occupied exclusively by two (2) families living independently of each other on one (1) lot or parcel of land.

(6) *Commercial Garage*. Any premises and/or structures used for housing more than three (3) motor vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.

(7) *Residential Garage*. A residential accessory building used for the storage motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.

(8) *Guest Quarters/Secondary Living Unit*. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.

(9) *Home Occupation*. A commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.

(10) *Limited-Service Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid

service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.

(11) *Full-Service Hotel*. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security-controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.

(12) *Residence Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.

(13) *Motel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.

(14) *Multi-Family Structure or Development*. A development consisting of at least three (3) single-family dwelling units grouped into a single building or multiple buildings on an individual parcel of land. Examples of a *Multi-Family Development* include Triplexes, Quad or Fourplexes, apartments, condominiums, and etcetera.

(15) *Portable Building*. A temporary building that may or may not have a foundation and is transportable.

(16) *Residential Infill in or Adjacent to an Established Subdivision*. The new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.

(17) *Single-Family Attached Structure*. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).

(18) *Single-Family Detached Structure*. A single-family residential structure that is occupied by one (1) family, is situated on a single parcel of land, does not share a common wall or wall with any adjacent structures, and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).

(19) *Single-Family Zero Lot Line Structure*. A single-family detached structure that has a wall or walls that comes up to, or very near to, the edge of the property line on one (1) side of the property.

(20) *Private Swimming Pool*. A swimming pool constructed for the exclusive use of the property owner and/or residents of a single-family, duplex, multi-family structure or development. A private swimming pool shall not be operated as a business.

(21) *Private Tennis Court*. A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas

except as may be otherwise permitted.

(22) *Townhouse*. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*). These units are typically constructed in a series or group of units.

(23) *Urban Residential*. A development situated within the City's Downtown (DT) District -- *which is also referred to as the urban core* -- that allows for multiple single-family dwelling units grouped into a single building. This type of structure typically contains a mix of office, retail, and residential land uses.

(C) *Institutional and Community Service Land Uses.*

(1) *Assisted Living Facility.* A facility that is licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code that furnishes -- *in one (1) or more buildings* – food, shelter, and limited assistance to persons who are unrelated to the proprietor of the establishment, and also provides personal care services.

(2) *Blood or Plasma Donation Center*. A facility that allows for a person or persons to donate or sell blood or plasma for use in medical or other products.

(3) *Cemetery/Mausoleum.* A land used intended to be used for the burial of the human or animal remains and dedicated for cemetery purposes, including crematories, mortuaries and funeral chapels if operated in connection with and within the boundaries of such cemetery.

(4) *Church/House of Worship*. A facility or area where people gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence.

(5) *College, University, or Seminary*. An institution established for educational purposes offering courses for study beyond the secondary education level. This land use shall exclude *Trade Schools*.

(6) *Convalescent Care Facility/Nursing Home*. A facility providing primarily inpatient health care, personal care, or rehabilitative services on a 24-hour basis over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision, but not hospitalization.

(7) *Congregate Care Facility/Elderly Housing.* A facility for long-term residence -- *exclusively for persons 62 years of age or older* -- who may need limited assistance with daily living activities, and which includes at a minimum each of the following amenities and personal care services: [*1*] private living quarters that are designed for a maximum of double occupancy and which no full kitchen facilities are permitted (i.e. no dishwasher or oven); [*2*] daily prepared meals in a common dining area; [*3*] housekeeping, laundry service, and private bus transportation service; [*4*] dedicated areas for social activities; and [*5*] dedicated areas for indoor and outdoor recreation activities.

(8) *Crematorium*. A facility licensed, or qualified to be licensed, by the State of Texas for the cremation of human remains.

(9) *Daycare with Seven (7) or More Children*. A state licensed facility -- *other than a public, parochial, or private school* -- providing care for seven (7) or more children under the age of 14 years old for less than 24-hours per day (*typically daytime hours only*) at a location other than a residence.

(10) *Emergency Ground Ambulance Services*. A facility that houses Emergency Medical Service (EMS) motor vehicles or ambulances that are dispatched to offer emergency paramedic services that require an urgent medical response.

(11) *Group or Community Home*. A home for disabled persons whose ability to care for themselves, perform manual tasks, learn, work, walk, see, hear, speak or breath is substantially limited because the person has an orthopedic, visual, speech, or hearing impairment, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.

(12) *Government Facility*. An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to: City services/offices, employment offices, police and fire stations, and/or motor vehicle licensing and registration services.

(13) *Halfway House*. A facility where persons are aided in readjusting to society following a period of imprisonment, hospitalization, homelessness, or institutionalized treatment.

(14) *Hospice*. A facility designed to provide a centralized program for palliative and supportive services to dying persons and their families in the form of physical, psychological, social, and spiritual care either directly or on a consulting basis.

(15) *Hospital*. An institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.

(16) *Public Library, Art Gallery, or Museum.* An institution for the collection, display and distribution of objects of art, science, or library sciences and which are sponsored by a public or quasi-public agency that is open to the general public.

(17) *Mortuary or Funeral Chapel.* A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of a deceased for burial and/or the display of the deceased through ceremonies prior to burial or cremation.

(18) *Local Post Office.* A local branch of the United States Postal Services or a private commercial venture engaged in the distribution of mail, packages, and incidental services.

(19) *Regional Post Office*. A branch of the United States Postal Services or a private commercial venture engage in the regional distribution of mail and packages to local post offices.

(20) *Prison/Custodial Institution.* A facility responsible for the incarceration of adults that provides 24-hour supervision by professionals. These types of facilities include prisons, jails, and probation facilities.

(21) *Public or Private Primary School*. A school that is either owned and operated by the independent school district or a private commercial organization for children from five (5) to 11-years of age to receive their primary or elementary education.

(22) *Public or Private Secondary School*. A school that is either owned and operated by the independent school district or a private commercial organization for children from 11 to 18-years of age to receive their secondary or high school education.

(23) *Temporary Education Buildings for a Public or Private School*. A temporary building for classrooms, recreation and administrative needs for the independent school district or a private commercial organization as defined by Section 1202, *Industrialized Housing and Buildings*, of the Texas Occupations Code.

(24) *Rescue Mission or Shelter for the Homeless*. A non-profit housing shelter operating as an accessory use to a religious facility, providing temporary free lodging for indigent individuals or families with no regular home or residential address. A *Rescue Mission or Shelter for the Homeless* shall house a maximum of 15 individuals for a period not to exceed a maximum of 30-days.

(25) *Social Service Provider (Except Rescue Mission or Shelter for the Homeless)*. Any organization operating under a non-profit charter, the activities of which are devoted exclusively to charitable, benevolent, patriotic, employment related, or educational purposes not currently listed elsewhere in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(D) *Office and Professional Land Uses.*

(1) *Financial Institution*. A facility that is open to the public for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds and that is licensed by the appropriate state or federal agency as a bank, savings and loan association, or credit union. Accessory uses may include automatic teller machines, drive through service, offices, and parking. This excludes bail bonds, pawnshops, payday advance/loan businesses, and motor vehicle title loan businesses.

(2) *Office Building*. A facility that provides executive, management, administrative, or professional services not specifically listed elsewhere in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(E) *Recreation, Entertainment and Amusement Land Uses.*

(1) *Temporary Carnival, Circus, or Amusement Ride*. A temporary, traveling show or exhibition that has no permanent structure or installation, and is intended to attract people to a site where there may or may not be an admission charge. These activities include: carnivals, circuses, rides, entertainment, gaming booths, food stands, exhibitions, and animal displays. Outdoor or indoor commercial amusement provided on a temporary basis.

(2) *Indoor Commercial Amusement/Recreation*. Any enterprise whose main purpose is to provide the general public with a variety of amusing or entertaining activities, including such activities as skating rinks, bowling alleys, video arcades, billiard tables and similar enterprises, but does not include theaters and auditoriums.

(3) *Outdoor Commercial Amusement/Recreation*. An amusement enterprise that offers entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open.

(4) *Public or Private Community Recreation Club as an Accessory Use.* (1) *Public:* A facility or area that is owned and/or operated by a nonprofit organization and that provides for sports, leisure, and recreation activities operated for the general public. (2) *Private:* A recreation facility operated for the exclusive use of private residents or neighborhood groups and their guests, and not the general public.

(5) *Private Country Club.* A facility or area laid out for recreational, athletic, and social purposes, with limited membership, and the use of which is primarily restricted to members and their guests. A golf course may be included as an additional principal use. Accessory uses may include retail sales, a club house, and other recreational facilities.

(6) *Golf Driving Range.* An area improved with trees, greens, fairways, hazards, and which may include a clubhouse, dining room, and accessory recreational uses.

(7) *Temporary Fundraising Events by Non-profit.* An event sponsored by a recognized legal nonprofit organization, intended to attract people to a site where there may or may not be an admission charge.

(8) *Gun Club with Skeet or Target Range.* A facility or area for the sport of shooting at targets to test accuracy in rifles, pistols, or archery practice, owned or operated by a corporation, association, or persons.

(9) *Health Club or Gym.* A public or private facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include -- *but are not limited to* -- game courts, weight lifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.

(10) *Private Club, Lodge or Fraternal Organization.* (1) *Private Club.* Private quarters for a private organization, a principal purpose of which is the preparation and service of food and/or drink for members and their guests only and falling within the definition of and permitted by Chapter 32, *Private Club Registration Permit*, of the Texas Alcoholic Beverage Code. (2) *Lodge or Fraternal Organization.* A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics, or other similar interests, but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues, or other houses of worship or religious assembly.

(11) *Private Sports Arena, Stadium, and/or Track.* An athletic field or stadium that is not owned or operated by a public agency such as a city or school and operated for the exclusive use of its members and their guests and not the general public

(12) *Public Park or Playground.* A facility or area for recreational, cultural, or aesthetic use owned or operated by a public agency and available to the general public. This definition may include -- *but is not limited to* -- lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, pavilions, wooded areas, and water courses.

(13) *Sexually Oriented Businesses.* See Article XI, *Sexually Oriented Businesses*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances.

(14) *Tennis Courts (i.e. Not Accessory to a Public or Private Country Club).* A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances. This would be the primary use for a property and not attached to a Public or Private Country Club.

(15) *Theater.* A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment-related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators. Such establishments may include incidental services such as food and beverage sales and other concessions.

(F) *Retail and Personal Service Land Uses.*

(1) *Antique/Collectible Store*. A retail establishment that engages in the selling of works of art, furniture or other artifacts of an earlier period.

(2) *Astrologer, Hypnotist, or Psychic*. An establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.

(3) *Banquet Facility/Event Hall*. An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.

(4) *Portable Beverage Service Facility*. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place to place but that stays at one location during a normal business day; food sales are prohibited in these facilities.

(5) *Brewpub.* A brewpub is a restaurant that incorporates a craft or microbrewery as an accessory use. The craft or microbrewery in conjunction with the restaurant allows for the manufacturing of beer -- *in limited quantities* -- for both on-premise and off-premise consumption.

(6) *Business School.* A business organized to operate for profit that offers instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.

(7) *Catering Service.* A food establishment without on-site banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.

(8) *Temporary Christmas Tree Sales Lot and Similar Uses.* A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.

(9) *Copy Center.* An establishment that reproduces, in printed form, individual orders from a business, profession, service, industry, or government organization.

(10) *Craft/Micro Brewery, Distillery and/or Winery.* A *craft/microbrewery* is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A *distillery and/or winery* is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24% alcohol by volume, distilled spirits and other liquors.

(11) *Incidental Display.* An outdoor retail sale or commercial promotion, not in excess of thirty (30) days during any 12-month period, adjacent to an existing permanent business operated in the city where the products displayed or sold outdoors are the same as those sold inside the existing permanent business and where such activity is incidental to the normal conduct of business operated by the same merchant or his employer in an on-site building for which a valid Certificate of Occupancy (CO) exists and when permitted by the City.

(12) *Food Truck/Trailer.* A food truck or trailer is a mobile food vendor that sells food and/or beverages that are either pre-packaged or prepared in the confines of a portable truck/trailer, which can be moved from place to place, but is typically in a fixed location for extended periods of time.

(13) *Garden Supply/Plant Nursery.* An establishment for the cultivation and propagation, display, storage and sale (*i.e. retail and wholesale*) of large plants, shrubs, trees and other materials used for in indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use.

(14) *General Personal Service.* Establishments primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, dry-cleaning and laundry pick-up stations, tailor or seamstress, and reducing salons/health clubs.

(15) *General Retail Store.* A facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; pets; drugs; hardware; and similar consumer goods. This use does not include uses that are specifically addressed in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(16) *Hair Salon and/or Manicurist.* A business that provides customers with beauty treatments including -- *but not limited to* -- haircuts, manicures, pedicures, and other similar treatments.

(17) *Laundromat with Dropoff/Pickup*. A personal service shop that specializes in cleaning clothes that may or may not include coin-operated washing machines and dryers for public use.

(18) *Self-Service Laundromat.* A facility where patrons wash, dry or dry clean clothing and other fabrics in machines operated by the patron.

(19) *Massage Therapist.* Any building, room, place, or establishment other than where regularly licensed non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by a licensed massage therapist, physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath, with or without the use of therapeutic, electrical, mechanical, or bathing devices.

(20) *Private Museum or Art Gallery.* An institution for the collection, display and distribution of objects of art or science, and which is sponsored by a public or quasi-public agency in a facility that is open to the general public.

(21) *Night Club, Discotheque, or Dance Hall.* An establishment, facility, or room that offers or provides entertainment of any kind for remuneration, whether through fees, ticket sales, cover charges, membership, dues, or portion of funds generated in any other manner, usually collected at the time of customer entry into the establishment. Such establishments may provide accommodations for patron dancing; dispense alcoholic beverages for consumption on the premises; provide live, recorded, or televised music or comedy performances; and/or serve food as an ancillary service. *Night Club* shall not include indoor theaters, auditoriums and stadiums with fixed row seating, private clubs, bars, teen clubs, banquet halls, or establishments defined elsewhere in Section 1, *Land Use Schedule*.

(22) *Pawn Shop.* A retail operation which provides for the lending of money with personal items held as collateral, or the purchasing, or the repurchasing of gold, silver, jewelry, watches, and gems in addition to other merchandise.

(23) *Permanent Cosmetics.* A cosmetic technique which employs permanent pigmentation of the dermis as a means of producing designs that resemble makeup, such as eye-lining and other permanent enhancing colors to the skin of the face, lips, and eyelids.

(24) *Pet Shop.* A *Pet Shop* is a retail business which sells different kinds of animals to the public. A variety of animal supplies and pet accessories are also sold in *Pet Shops*. The products typically sold in these establishments include -- *but are not limited to* -- food, treats, toys, collars, leashes, cat litter, cages and aquariums.

(25) *Temporary Real Estate Sales Office.* *Temporary ~~on-site~~ Real Estate Sales Offices* located on property being sold, shall be limited to the period of sale of the lots with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official.

(26) *Rental Store without Outside Storage and/or Display.* A retail business that sells, rents, or leases tools, equipment, or other goods on a short-time basis to customers to the extent that the item is actually used by the customer.

(27) *Restaurant with Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.

(28) *Restaurant without Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premise and does not provide facilities that allow the serving and consumption of food in personal vehicles on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.

(29) *Retail Store with Gasoline Sales.* An establishment that engages in the sale of fuel, lubricants, and/or accessories for motor vehicles, and that may have ancillary retail sales of convenience goods. A dispenser in a *Retail Store with Gasoline Sales* is assumed to serve two (2) standard motor vehicles.

(30) *Second Hand Dealer.* An establishment for the sale of any goods, materials, or other articles of merchandise that are not new (*e.g. consignment stores*). This definition includes items that have been used or worn previously by another.

(31) *Art, Photography, or Music Studio.* A workplace for the teaching, preparation, or practice of an art such as animation, ceramics, dance, graphic design, music, painting, photography, pottery, scrapbooking, and sculpture.

(32) *Tailor, Clothing, and/or Apparel Shop.* An establishment engaged in custom making, altering, or the repair of clothing.

(33) *Tattoo and/or Body Piercing.* An establishment whose principal business activity, either in terms of operation or as provided to the general public, is the practice of one (1) or more of the following: [*1*] placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin, by means of the use of needles or other instruments designed to contact or puncture the skin; [*2*] creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

(34) *Taxidermist Shop.* A facility engaged in the preserving of an animal's body via mounting or stuffing for the purpose of display or study.

(G) *Commercial and Business Services Land Uses.*

(1) *Bail Bonds*. An establishment that solicits, negotiates, and executes bonds or other security to guarantee the appearance in court of a person accused of a crime.

(2) *Building and Landscape Material.* An establishment for the sale of materials customarily used in the construction of buildings and other structures, including sales of lumber, drywall and similar construction materials.

(3) *Building Maintenance, Service, and Sales*. A facility or area for contracting services such as building repair and maintenance; the installation of plumbing, electrical, air conditioning, and heating equipment; janitorial services; and exterminating services. The retail sale of supplies is permitted as an accessory use.

(4) *Commercial Cleaners*. A facility or area for cleaning items in bulk quantities such as clothes and linens. This definition includes cleaning for hospitals, restaurants, hotels, diaper cleaning services, and other similar accounts, as well as rug and dry-cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant.

(5) *Custom and Craft Work*. A facility or area in which finished, personal, or household items that are either made to order or that involve considerable handwork are produced. Examples include but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting, and other work or wood products on an individualized single item basis. Cabinetmaking and cabinet assembly shops are not included in this definition. The use of mechanized assembly line production is excluded from this definition.

(6) *Electrical, Watch, Clock, Jewelry, and Similar Repair*. An establishment that designs, makes, sells or repairs small consumer goods.

(7) *Feed Store, Ranch Supply*. An establishment for the selling of corn, grain, and other food stuffs for animals and livestock, and including other implements and goods related to agricultural processes, but not including farm machinery.

(8) *Furniture Upholstery/Refinishing and Resale*. A furniture upholstery refinishing or resale business is a business that engages in the act of reupholstering, repairing, stripping, refinishing, restoring or rebuilding furniture for the purpose of retailing the finished good.

(9) *Gunsmith Repair and Sales.* An establishment that specializes in the repair and/or sale of small fire arms (*e.g. handguns and shotguns*) for individuals.

(10) *Heavy Machinery and Equipment Rental, Sales, and Service*. A building or open area, other than a right-of-way or a public parking area, used for the display, sale, rental, and storage of heavy machinery, either machines in general or as a functioning unit. Heavy machinery includes -- *but is not limited to* -- tractors, farm machinery, bulldozers, street graders, and paving devices.

(11) *Locksmith.* A business that works with locks, keys and security systems.

(12) *Machine Shop*. A shop wherein there are facilities and tools, which are utilized in the shaping and forging, welding or fabricating of metal products and/or related items.

(13) *Medical or Scientific Research Lab*. A facility or area for conducting medical or scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition also includes labs for the manufacture of dentures and prostheses.

(14) *Manufactured Homes Sales*. The offering for sale, storage, or display of new and/or used manufactured homes on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

(15) *Research and Technology/Light Assembly*. An indoor facility that includes laboratories and experimental equipment for medical testing, prototype design and development, and product testing.

(16) *Shoe and Boot Repair and Sales*. A business that specializes in the sale and repair of shoes and boots.

(17) *Trade School*. Establishments, other than public or parochial schools, private primary or secondary schools, or colleges, offering training or instruction in a trade, art, or occupation.

(18) *Temporary On-site Construction Office*. A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment.

(H) *Auto and Marine-Related Land Uses Conditions.*

(1) *Major Auto Repair Garage*. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90-days.

(2) *Minor Auto Repair Garage*. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.

(3) *Automobile Rental*. A business that engages in the rental of light load motor vehicles for short periods of time for a fee. This use excludes the truck and heavy equipment rental.

(4) *Boat and Trailer Dealerships (New and Used)*. A business that buys and sell boats and boat trailers that are both new and used.

(5) *Car Wash*. A facility or area for the cleaning or steam cleaning, washing, polishing, or waxing of passenger vehicles by machine or hand-operated facilities. A car wash may be [*1*] a single unit type that has a single bay or a group of single bays with each bay to accommodate one vehicle only; or [*2*] a tunnel type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

(6) *New and/or Used Indoor Motor Vehicle Dealership/Showroom*. The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.

(7) *Motor Vehicle Dealerships for Cars and Light Trucks*. Retail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles within an area or enclosed building.

(8) *Commercial Parking Lot.* An area or structure intended for parking that is operated as a business enterprise with a service charge or fee being paid to the owner or operator for the storage or parking of privately-owned vehicles, and is not reserved or required to accommodate occupants, clients, customers, or employees of a particular establishment or premises.

(9) *Non-Commercial Parking Lot*. An area, structure, or shared area that is open to the general public for the temporary parking of operable personal and light commercial vehicles.

(10) *Recreational Vehicle (RV) Sales and Service.* An establishment that engages in the sale and/or leasing of new and/or used recreation vehicles (including as an accessory use) and the repair and service of these vehicles.

(11) *Service Station*. An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tuneups, lubrication, and minor repairs may also be provided if incidental to such principal use.

(12) *Towing and Impound Yard*. Any lot that two (2) or more motor vehicles of any kind of for the purpose of holding such vehicles in reserve or incapable of being operated due to condition or lack of license have been placed for the purpose of obtaining parts for recycling or resale.

(A) *Conditional Standards.*

(13) *Towing Service without Storage*. Establishment that provides for the removal of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.

(14) *Truck Rental*. The display and rental of new or used heavy commercial vehicles or trucks in operable condition.

(15) *Truck Stop with Gasoline Sales and Accessory Services*. An area for parking heavy commercial vehicles and/or trucks for storage purposes including the retail dispensing and/or sales of truck and automobile fuels, lubricants and/or accessories as an accessory use and not including automotive repair services.

(I) *Industrial and Manufacturing Land Uses.*

(1) *Asphalt or Concrete Batch Plant*. A permanent manufacturing facility for the production of concrete or asphalt.

(2) *Temporary Asphalt or Concrete Batch Plant*. A temporary manufacturing facility for the production of concrete or asphalt during construction of a project and to be removed when the project is completed.

(3) *Bottle Works, Milks, or Soft Drinks*. A facility for food or beverage processing that uses mechanized assembly line production for canned or bottled goods.

(4) *Brewery or Distillery*. A brewery or distillery is an industrial facility where the primary purpose of the facility is the manufacturing of malt, brewed and/or distilled beverages produced on the premises for sale or distributed for off-premise consumption.

(5) *Carpet and Rug Cleaning*. A personal service business that specializes in the cleaning of carpet and rugs in both residential and non-residential structures.

(6) *Environmentally Hazardous Materials*. Any solid, liquid, or gaseous matter which is present in sufficient quantities to endanger health, safety, or comfort of persons in the vicinity or which may cause injury or damage to property.

(7) *Food Processing with No Slaughtering.* A facility or area in which food for human consumption in its final form, such as candy, baked goods, tortillas, and ice cream is produced, and the food is distributed to retailers or wholesalers for resale on or off the premises. Food or beverage processing using mechanized assembly line production of canned or bottled goods is excluded from this definition. Sales may either be retail or wholesale, and are generally made to businesses rather than to individual households.

(8) *Light Assembly and Fabrication.* A business where parts, manufactured elsewhere, are assembled with the assistance of power-driven machines and materials-handling equipment, and manipulated primarily by hand which produces low dust and fiber, and all materials are assembled and stored within an enclosed building.

(9) *Heavy Manufacturing*. A facility or area for generally mass-producing goods usually for sale to wholesalers or other industrial or manufacturing uses. A heavy manufacturing use is one which employs the following or similar types of processes: [*1*] the milling of grain as retail sales and service; [*2*] producing animal food and tanning animal hides; [*3*] production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, or airplanes; [*4*] canning or bottling of food or beverages for human consumption using a mechanized assembly line; [*5*] manufacturing of paint,

oils, pharmaceuticals, cosmetics, solvents, and other chemical products, and use of a foundry for metals; [*6*] production of items made from stone, clay, metal, or concrete; and, [*7*] tire recapping or retreading.

(10) *Light Manufacturing*. A facility or area for producing goods without the use of chemical processing of materials. Light manufacturing activities include -- *but are not limited to* -- the following activities: [*1*] assembly, finishing, and/or packaging of small items from component parts made at another location (examples include but are not limited to cabinetmaking, or the assembly of clocks, electrical appliances, or medical equipment); [*2*] production of items made from materials derived from plants or animals, including but not limited to leather, pre-milled wood, rubber, paper, wool, or cork, or from textiles or plastics; [*3*] electrical component manufacturing; [*4*] reproduction, cutting, printing, or binding of written materials, drawings, or newspapers on a bulk basis using lithography, offset printing, blue printing, and other similar methods; [*5*] machine or welding shop where material is processed by machining, cutting, grinding, welding, or similar processes; and, [*6*] spray painting or motor vehicle conversion.

(11) *Metal/Electro Plating*. The process that uses an electric current to reduce dissolved metal cations so that they form a thin coherent metal coating on an electrode.

(12) *Mining and Extraction (Sand, Gravel, Oil and Other)*. The process of extracting natural resources from the earth that includes -- *but is not limited to* -- sand, gravel, stone, and petroleum.

(13) *Printing and Publishing.* An establishment whose primary service is long-run printing including -- *but not limited to* -- book, magazine, and newspaper publishing.

(14) *Indoor Salvage or Reclamation of Products.* An indoor facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term “scrap or discarded materials” includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes indoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.

(15) *Outdoor Salvage of Products.* An outdoor or partially outdoor facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term “scrap or discarded materials” includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes outdoor or partially outdoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.

(16) *Sheet Metal Shop.* A company that specializes in the creation of metal structures by cutting, bending and assembling processes.

(17) *Tool, Dye, Gauge, and Machine Shop*. A workshop were metal fabrication tools, including but not limited to lathes, presses, and mills, are used for making finishing, or repairing machines or machine parts.

(18) *Welding Repair.* A technique in which a cracked material is removed by arc gouging and the element is welded to re-join the material on either side of the crack.

(19) *Winery*. A winery is the industrial manufacturing, bottling, labeling and packaging of wine in accordance with the Texas Local Government Code (TLGC).

(J) *Wholesale, Distribution and Storage Land Uses.*

(1) *Cold Storage Plant.* A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.

(2) *Heavy Construction/Trade Yard.* A land or structure used primarily for the storage of equipment, vehicles, machinery, building materials, paint, piping, or electrical components being used by the owner or occupant of the premises in the conduct of a building trade.

(3) *Landfill.* A tract of land used for the burial of farm, residential, institutional, or commercial waste that is not hazardous, medical, or radioactive.

(4) *Mini-Warehouse.* A *Mini-Warehouse* (*or self-storage facility*) is an enclosed storage facility containing independent, fully enclosed bays that are generally leased to individuals for long-term storage of their household goods or personal property.

(5) *Outside Storage and/or Outside Display*. The permanent or continuous keeping, displaying, or storing of unfinished goods, material, merchandise, equipment, service vehicles or heavy vehicles outside of a building on a lot or tract overnight of for more than 24-hours.

(6) *Recycling Collection Center*. An enclosed trailer used for the collection and temporary storage of empty beverage containers, aluminum, glass, plastic, paper, clothing, or similar materials for recycling purposes. This definition includes automated can banks that crush cans as they are deposited. This definition does not include donation boxes for clothing, toys, household goods, and similar items.

(7) *Warehouse/Distribution Center*. A building used primarily for the storage and distribution of goods, merchandise, supplies, and equipment including wholesalers which display, sell, and distribute merchandise to business representatives for resale but excluding *Truck Terminal*.

(8) *Wholesale Showroom Facility*. An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area.

(K) *Utilities, Communications, and Transportation Land Uses.*

(1) *Airport, Heliport, or Landing Field.* An area used or intended for use for the landing and takeoff of aircraft and other aviation uses; An appurtenant area used or intended for use for an airport building or other airport facility or right-of-way, including a building or facility for the shelter, supply, repair, and maintenance of aircraft and related purposes; An airport building or facility located on an appurtenant area; Facilities for the fueling of aircraft; Buildings for office use; and Related uses and buildings and other uses and buildings incidental to any of the foregoing.

(2) *Accessory Antenna.* Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves. Antennae may be mounted on towers or on buildings, and may be concealed

or unconcealed.

(3) *Commercial Antenna.* Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain.

(4) *Antenna for Amateur Radio.* Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.

(5) *Antenna Dish.* An antenna that is parabolic or bowl-shaped and that receives and/or transmits signals in a specific directional pattern

(6) *Commercial Freestanding Antenna.* A self-supporting, tubular-shaped antenna support structure which consists of a single vertical pole fixed into the ground and/or attached to a foundation.

(7) *Mounted Commercial Antenna.* Any exterior transmitting or receiving device mounted on or within a support structure, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, television signals, or other communications signals.

(8) *Bus Charter and Service Facility.* A facility for the loading and discharging of train or bus passengers.

(9) *Helipad.* An area of land or water or a structural surface which is used, or intended for use, for the landing and taking-off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.

(10) *Non-Municipally Owned or Controlled Utilities.* The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are non-municipally owned or controlled.

(11) *Municipally Owned or Controlled Facilities, Utilities, and Uses.* The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are municipally owned or controlled.

(12) *Private Streets.* A private vehicular access way shared by and serving 2 or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of the Subdivision Ordinance. The term “private street” shall be inclusive of alleys.

(13) *Radio Broadcasting.*

(14) *Railroad Yard or Shop.* A facility used for the storage of railway cars, boxcars and engines and related equipment.

(15) *Recording Studio.* A facility that provides an environment for the purposes of writing, collaborating, preforming, instruction, preparing, or completing audio recordings.

(16) *Satellite Dish.*

(17) *Solar Energy Collector Panels and Systems.* A ground- or building-mounted solar collection system consisting of solar photovoltaic cells, panels, or arrays and related equipment that relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation, and that supplies electrical power independently of an electrical production and distribution network.

(18) *Transit Passenger Facility.* Any premises for the loading and unloading of passengers by a public or private transit company including the temporary parking of transit vehicles between routes or during stop overs and excluding overnight parking, storage, and maintenance of transit vehicles. This definition shall not include bus stops along rights-of-way.

(19) *Trucking Company.* An area and building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment.

(20) *TV Broadcasting and Other Communication Services.* The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

(21) *Franchise Utilities.* A non-public utility requiring special facilities in residential areas or on public property such as heating, cooling, or communications not customarily provided by the municipality or public utilities.

(22) *General Utility Installation.* Permanent facilities and structures operated by companies engaged in providing transportation and utility services including -- but not limited to -- railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.

(23) *Utility/Transmission Lines.* Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the city or private utility company.

(24) *Wireless Communication Tower.* Any structure that is designed and constructed primarily for the purpose of supporting one or more antennae that transmit information (audio, video, data) in the form of electromagnetic signals to one or more receivers without the use of a physical connection between the transmitting and receiving source. The term includes but is not limited to lattice towers, guyed towers, and monopole towers. The term does not include a clock tower, bell tower, steeple, light pole, power pole, water tower, or similar structure that incidentally supports antennae. Towers may be freestanding or building-mounted, and may be concealed or unconcealed.

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Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE XI, FENCES, CHAPTER 10, BUILDING AND BUILDING REGULATIONS, MUNICIPAL CODE OF ORDINANCES

DIVISION 1: GENERALLY

SECTION 10-402: DEFINITIONS

For the purposes of this article, the term "fence" means any wall or structure of any material, the purpose of which is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building or structure.

~~*(Ord. No. 04-05, § 1(6-124), 1-20-2004)*~~

~~*SECTION 10-403: PERMIT REQUIRED; APPLICATIONS; FEES*~~

~~No fence shall be constructed within the city without the owner or person in control of such premises, or his agent or contractor, having secured a permit therefor from the building official or his designee. A fence repair permit shall be required for the replacement of 25 linear feet or more of fencing and/or the replacement of five or more posts. When five or more posts are replaced, replacement posts must be metal posts. Applications shall be made and a permit issued on forms promulgated by the code official for such purpose. The fees for such permits shall be in amounts as established from time to time by resolution of the city council.~~

~~*(Ord. No. 04-05, § 1(6-125), 1-20-2004)*~~

~~*SECTION 10-404: EXCEPTIONS*~~

~~The following shall be exceptions to the terms of this article:~~

~~(1) Dikes and retaining walls for the purpose of diverting water and retaining soil shall not be considered fences within the terms of this article.~~
~~(2) Fences existing and in place at the time of the enactment of the ordinance from which this article is derived shall be excused from the permit provisions hereof. However, such fences shall be maintained to comply with the provisions hereof. Any such fence or any fence in an area annexed by the city after the effective date of the ordinance from which this article is derived shall be subject to the provisions of this article in the event of reconstruction, modification, enlargement, extension, alteration or any construction thereto other than normal maintenance thereof.~~

~~*(Ord. No. 04-05, § 1(6-132), 1-20-2004)*~~

~~*SECTIONS 10-405—10-423: RESERVED*~~

DIVISION 2: CONSTRUCTION STANDARDS

DRAFT NOT FOR ORDINANCE 08.19.19

SECTION 10-424: ~~SPECIAL PERMIT FOR REQUIRED FRONT YARD~~ FENCE STANDARDS

For *Fence Standards* see Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

~~(a) No fence shall be constructed in the required front yard of a residential property or of a tract or parcel of land adjacent to I-30 without first being granted a special permit by the city council. The city council may authorize the issuance of a special permit for the construction of a front yard fence subject to the provisions of this division. The city council, in considering and determining action on any request for a special permit, may require from the applicant plans, drawings, and other information concerning the proposed front yard fence. The city council may establish conditions of construction of any fence for which a special permit is authorized. However, no front yard fence proposed in a residential subdivision may be constructed without complying with any approved active deed restrictions for the subdivision.~~

~~(1) No fence shall be placed in the required front yard of a residential property in excess of 42 inches in height and constructed of wood or 48 inches in height and constructed of wrought iron, or in a non-residentially zoned area in excess of eight feet in height and shall be constructed of wrought iron. No opaque fences will be allowed in the required front yard.~~

~~(b) Exceptions.~~

~~(1) Model homes meeting the requirements as follows:~~

~~a. The maximum height of front yard fence is not to exceed 42 inches.~~
~~b. No opaque fences allowed in the front yard, fences must be 50 percent see-through.~~
~~c. The fence must be architecturally harmonious with the development and of split rail, picket, vinyl, or wrought iron.~~
~~d. These fences are only temporary and must be removed, or city council approval sought at such time permanent residency will be established.~~

~~(2) Single-Family—Estate (SF-E) meeting the requirements as follows:~~

~~a. No opaque fences allowed in the front yard, fences must be 50 percent see-through.~~
~~b. Front yard fences shall be no more than 48 inches in height.~~
~~c. Front yard fences shall be architecturally harmonious with the development, and of split rail, picket, vinyl, wrought iron or painted steel pipe.~~

~~*(Ord. No. 04-05, § 1(6-126), 1-20-2004; Ord. No. 06-10, § 1(6-126), 3-20-2006; Ord. No. 11-23, § 1, 6-6-2011; Ord. No. 17-15, § 1, 3-20-2017)*~~

~~*SECTION 10-425: STANDARDS; SPECIFICATIONS; PROHIBITIONS*~~

~~The following regulations shall apply to the construction of fences within the city, except for additional standards or requirements referenced in article V and article X of the Unified Development Code:~~

~~(1) No fence, guy wire, brace, light standard, sign, vee arm barbed wire base and arm, or any structure attached to a fence shall protrude over any property line.~~

~~(2) No chainlink fence shall be allowed within ten feet of the property lines unless completely screened from adjacent public areas and properties by either structure or solid landscape screening.~~

~~(3) Precast solid fencing shall require special approval by the planning and zoning commission.~~

DRAFT ORDINANCE 08.19.19

(4) Fence height requirements. All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard.

a. No residential fence shall exceed eight feet in height.
b. No nonresidential fence shall exceed 12 feet in height.

(5) Fences may be placed in the required yards, as regulated in this article, and meeting the following conditions:

a. Corner lots in residentially zoned areas which have rear lot lines adjacent to alleys, or other rear lot lines. Fences may be constructed not to exceed eight feet in height along the side yard and rear yard lines as indicated on appendix B, attached to the ordinance from which this section is derived.
b. Corner lots in residentially zoned areas where the rear lot line is adjacent to a side lot line of an adjoining lot. Only fences not exceeding 42 inches in height and meeting the material requirements of a front yard fence in residentially zoned areas shall be constructed beyond the side building line as indicated on appendix C, attached to the ordinance from which this section is derived. Fences constructed on or behind the building line shall not exceed eight feet in height.
c. Where an alley 15 feet or greater in width intervenes between the above-described lots, or a natural barrier of 15 feet or greater in width exists, such as creeks, railroads or easements where fences are prohibited, a fence not exceeding eight feet in height may be erected on the street side of the property line, indicated on appendix D, attached to the ordinance from which this section is derived.
d. Through lots in residentially zoned areas with street frontage on both the front and rear property line. Fences may be constructed not to exceed eight feet in height along the side yard and rear yard lines on through lots where all lots within the block have a rear yard along the same street frontage, as indicated on appendix E - Example 1, attached to the ordinance from which this section is derived.
e. When both front and rear yards are located along the same street frontage within a block, fences constructed within the designated rear yard shall not exceed 42 inches in height and shall meet the material requirements of a front yard fence in residentially zoned areas, as indicated on appendix E, Example 2, attached to the ordinance from which this section is derived, unless a variance to this request is granted by the zoning board of adjustment, as provided in section 10-447.

(6) Fences may be constructed of materials subject to the provisions of this article and the other codes and ordinances of the city.

a. Permitted materials are wood pickets, chain link, wrought iron, decorative metal (i.e. with the appearance of wrought iron but is made from powder-coated steel, aluminum or covered with a corrosion protection finish), brick, split face CMU blocks, stone, vinyl, fiberglass composite, painted steel pipe where allowed, barbed wire where allowed, concrete with stone face/form liner. Stucco is allowed on residential properties.
b. Any other materials that are not manufactured specifically as fencing materials are prohibited.

(7) Solid wood fencing exceeding 48 inches in height must be constructed using metal post set in concrete, or brick or stone columns.

(8) It shall be unlawful for any person to construct or maintain any electrical fence or electrical attachment of any type, dimension, or composition on any fence within the city. Barbed wire fences may be used without restrictions when in conjunction with agricultural related uses; provided, however, no barbed wire fence shall be located on any platted property that is zoned or used as a residential property. In areas where barbed wire fences are allowed, arms or base and arms with barbed wire not to exceed three strands will be permitted. Concertina/razor wire shall be prohibited. Such attachments will be considered part of the fence for the purposes of determining the maximum height of said fence.

DRAFT ORDINANCE

~~(9) The code official may permit temporary fencing for the purpose of protection or securing of construction sites. The duration of use must be stated in the application for a permit. Barbed wire fences may be allowed for temporary use upon approval of the location, height, and construction by the building official.~~

~~*(Ord. No. 04-05, § 1(6-127), 1-20-2004; Ord. No. 06-10, § 1(6-127), 3-20-2006; Ord. No. 11-23, § 1, 6-6-2011; Ord. No. 17-15, § 1, 3-20-2017)*~~

SECTION 10-42~~56~~: SWIMMING POOL, SPA AND HOT TUB/BARRIER REQUIREMENTS

(a) The top of the barrier shall be at least 48 inches (1,219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches (102 mm).

(b) Openings in the barrier shall not allow passage of a four-inch-diameter (102 mm) sphere.

(c) Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

(d) Placement of members.

(1) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1,143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
(2) Exception. Boards with a minimum 60-degree angle, cut and placed at the top of the horizontal fence members, may be used on existing fences that will become pool barriers. This exception does not apply to fences adjacent to public right-of-way.

(e) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1,143 mm) or more, spacing between vertical members shall not exceed four inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

(f) Maximum mesh size for chainlink fences shall be a 2.25-inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom, which reduce the openings to not more than 1.75 inches (44 mm).

(g) Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).

(h) Access gates shall comply with the requirements of subsections (a) through (g) of this section, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1,372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

DRAFT ORDINANCE 03.19.2019

(1) The release mechanism shall be located on the pool side of the gate at least three inches (76 mm) below the top of the gate; and
(2) The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

(i) Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

(1) The pool shall be equipped with a powered safety cover in compliance with ASTM F1346;
(2) All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within seven seconds and sound continuously for a minimum of 30 seconds immediately after the door and/or its screen, if present are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds. The deactivation switch shall be located at least 54 inches (1,372 mm) above the threshold of the door; or
(3) Other means of protection, such as self-closing doors with self-latching devices, which are approved by the city council, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by subsection (i)(1) or (i)(2) of this section.

(j) Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then:

(1) The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
(2) The ladder or steps shall be surrounded by a barrier which meets the requirements of subsections (a) through (i) of this section. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a four-inch-diameter (102 mm) sphere.

(k) Fence barrier exceptions for spas or hot tubs are as follows:

(1) Safety covers for spas and hot tubs must comply with ASTM F1346-91.
(2) There should be a means of fastening the safety cover to the hot tub or spa, such as key locks, combination locks, special tool, or similar devices.
(3) The safety cover should have a label that provides a warning and message regarding the risk of drowning.
(4) The cover should have been tested to demonstrate that it is capable of supporting the weight of one child (50 pounds) and one adult (225 pounds).
(5) There shall be no openings in the cover itself or at any point where the cover joins the surface of the hot tub or spa that would not allow a four-inch sphere to pass through.
(6) Safety covers are to be installed in accordance with the manufacturer's instructions.

(Ord. No. 04-05, § 1(6-128), 1-20-2004; Ord. No. 06-10, § 1(6-128), 3-20-2006; Ord. No. 08-03, § 1(exh. A, art. IX(6-129)), 1-22-2008)

SECTIONS 10-4267—10-445: RESERVED

DIVISION 3. - ADMINISTRATION

SECTION 10-446: INSPECTION UPON COMPLETION

DRAFT ORDINANCE 08.19.19

Upon completion of a fence constructed under a permit issued by the building official, an inspection shall be made thereof by the building official or his designated representative. If the fence is constructed in accordance with the provisions of this article, the permit, and the application, the building official will issue written notice of acceptance to the permit holder. Any and all fences in the city shall hereafter be constructed under the provisions of this article and existing fences shall be maintained so as to comply with the requirements of this article at all times.

(Ord. No. 04-05, § 1(6-130), 1-20-2004)

SECTION 10-447: RESERVED ~~VARIANCES~~

~~The city council is hereby authorized, after public notice has been given and a public hearing has been held, to hear and decide on requests for variances as it feels will alleviate an unnecessary hardship on a property owner resulting from the literal enforcement of the requirements in this article.~~

~~*(Ord. No. 17-15, § 1, 3-20-2017)*~~

~~*Editor's note — Ord. No. 17-15, § 1, adopted March 20, 2017, amended the Code by repealing former § 10-447 and adding a new § 10-447. Former § 10-447 pertained to appeals, and derived from Ord. No. 04-05, adopted January 20, 2004.*~~

SECTION 10-448: MAINTENANCE

(a) No person owning, leasing, occupying, or having charge of any premises shall maintain or keep a fence in dilapidated condition that, although functional, creates an unsightly condition that substantially detracts from the appearance of the neighborhood.

(b) Each structural and decorative member of a fence shall be free of deterioration and be compatible in size, material, and appearance with the remainder of the fence. Fences shall not be externally braced in lieu of replacing or repairing posts, columns, or other structural members.

(c) The fence shall not be out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence. Except, however, for fencing four (4) feet or less in height, the vertical alignment shall not be more than six (6) inches from the vertical measured at the top of the fence.

(d) Upon becoming aware of conditions set forth in subsections (a) through (c) of this section, the Neighborhood Improvement Services Representative shall make a determination as to whether the fence condition is a nuisance and should be abated. If so, the Neighborhood Improvement Services Representative shall give notice to such person having control of the premises to remedy such condition within ten days, unless good cause can be shown that additional time is needed to rectify the condition.

(Ord. No. 04-05, § 1(6-133), 1-20-2004; Ord. No. 17-15, § 1, 3-20-2017)

SECTIONS 10-449—10-465: RESERVED

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MSAB – AGENDA ITEM MEMORANDUM

TO: **Mayor and City Councilmembers**

FROM: **Main Street Advisory Board**

DATE: **August 19, 2019**

SUBJECT: **MSAB recommendations to the DT District sign ordinance**

The Main Street Advisory Board (MSAB) is requesting City Council consider recommended changes to the allowances for permanent signs in the DT District.

The MSAB was approached by the Downtown Rockwall Association and asked to partner with their group to review the current DT District sign ordinance. The MSAB voted to move forward with the initiative. Over the next few months board members researched other Historic Districts' guidelines in an effort to ensure the nature of their proposed changes were reasonable and appropriate.

The MSAB is very pleased with the amount of both public and private investment taking place downtown. The board is also concerned with preserving the character and charm that make the district unique. An integral part of Main Street's mission is its emphasis on economic vitality through preservation of place. The DT District has experienced considerable growth over the years, with investment and sales tax revenue at an all-time high. With the influx of new and diverse businesses opening throughout the district, the board agreed it was the appropriate time to review the current DT District sign ordinance.

The proposed changes were recommended to compliment the unique historic attributes of the downtown zoning district which set it apart from other commercial districts located throughout the city. The proposed changes focus on the features of the sign, such as materials, colors, illumination.

93 signs were inventoried and 76 are conforming, 17 non-conforming. If adopted by City Council, the proposed changes would go into effect immediately. Every sign in existence upon the adoption of this ordinance amendment shall be considered permitted with non-conforming signs allowed to remain. If in the future the sign is moved, altered, expanded, or the use intensified, the sign would have to be brought into compliance with the new ordinance.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 32. "SIGNS;" ARTICLE III. "REGULATIONS AND REQUIREMENTS;" DIVISION 4. "DOWNTOWN DISTRICT SIGNS" TO MODIFY ALLOWANCES FOR PERMANENT SIGNS IN THE DOWNTOWN DISTRICT; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the city's Main Street Advisory Board exists in part to encourage and facilitate the Rockwall Main Street Program and its goals; and

WHEREAS, the City's Main Street Advisory Board has recommended modifications to the Downtown District's (DT) sign ordinance; and

WHEREAS, the City Council believes it to be in the best interest of the city to accept the recommendations of the Main Street Advisory Board and move forward with making said modifications.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the City of Rockwall's Code of Ordinances is hereby amended in Chapter 32. "Signs;" Article III. "Regulations and Requirements;" Division 4. "Downtown District Signs;" "Sec. 32-262;" subsections "(e)" and "(f)" to read as follows:

Sec. 32-262. - Functional standards within district.

(e) *Materials.* The same materials allowed for general business signs will be allowed in the Downtown Sign District (DT), with the addition of wood also being allowed as an approved sign material and the use of plastic materials being prohibited.

(f) *Sign illumination.* Signs illuminated by a lighting source not affixed to the sign, shall be warm white light, not exceeding 3500 kelvins.

SECTION 2. That the same chapter, article, and division of the Code of Ordinances (as referenced above) is also hereby amended to create a new section, "Sec. 32-263," which shall be called "Prohibited signs within district" and shall read as follows:

Sec. 32-263. – Prohibited signs within district.

(a) Signs with integrated lighting, or internal illumination.

(b) Neon lit signs, unless the sign is historical or a replica of a historical sign and specific to the building's history/time frame, i.e., an old theater, pharmacy or establishment once using a neon sign. Neon lit signs must be approved by the Main Street Advisory Board (See Illustration 6 in § 32-367.)

(c) Three-dimensional single-sided or double-sided face cabinet, can, channel, or box construction signs (See Illustration 7 in § 32-367.)

(d) Changeable Electronic Variable Message Signs (CEVMS)

(e) Perforated film window clings (See Illustration 8 in § 32-367.)

(f) Flashing, intermittently lighted, changing color, revolving, moving or similarly constructed signs shall not be allowed. This also applies to window signs, i.e. "Open" signs.

(g) Signs containing fluorescent materials or fluorescent paint.

SECTION 3. That "Article V. Standards Table and Illustrations" Sec. 32-367 shall be amended to add "Illustration 6," "Illustration 7," "Illustration 8" and "Illustration 9" as reflected in and attached hereto as "Exhibit A;" and

SECTION 4. That the regulations adopted by this Ordinance shall be applicable to the Downtown District (DT) as reflected in "Illustration 9" of Exhibit A of this ordinance; and

SECTION 5. REPEALING ORDINANCES IN CONFLICT. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict; and

SECTION 6. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 7. SAVINGS CLAUSE. That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. The balance of such ordinance is hereby saved from repeal; and

SECTION 8. EFFECTIVE DATE. That this ordinance shall become effective upon its second reading, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 3rd DAY OF SEPTEMBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 08/19/2019

2nd Reading: 09/03/2019

EXHIBIT A

Sec. 32-367. - Illustrations

NEON SIGNS



HISTORIC EXAMPLE



Modern Example

ILLUSTRATION 6

513

CABINET, BOX CONSTRUCTION SIGN



CHANNEL LETTER SIGNS



ILLUSTRATION 7

514

PERFORATED FILM WINDOW CLINGS



ILLUSTRATION 8

515

DOWNTOWN (DT) SIGNS DISTRICT

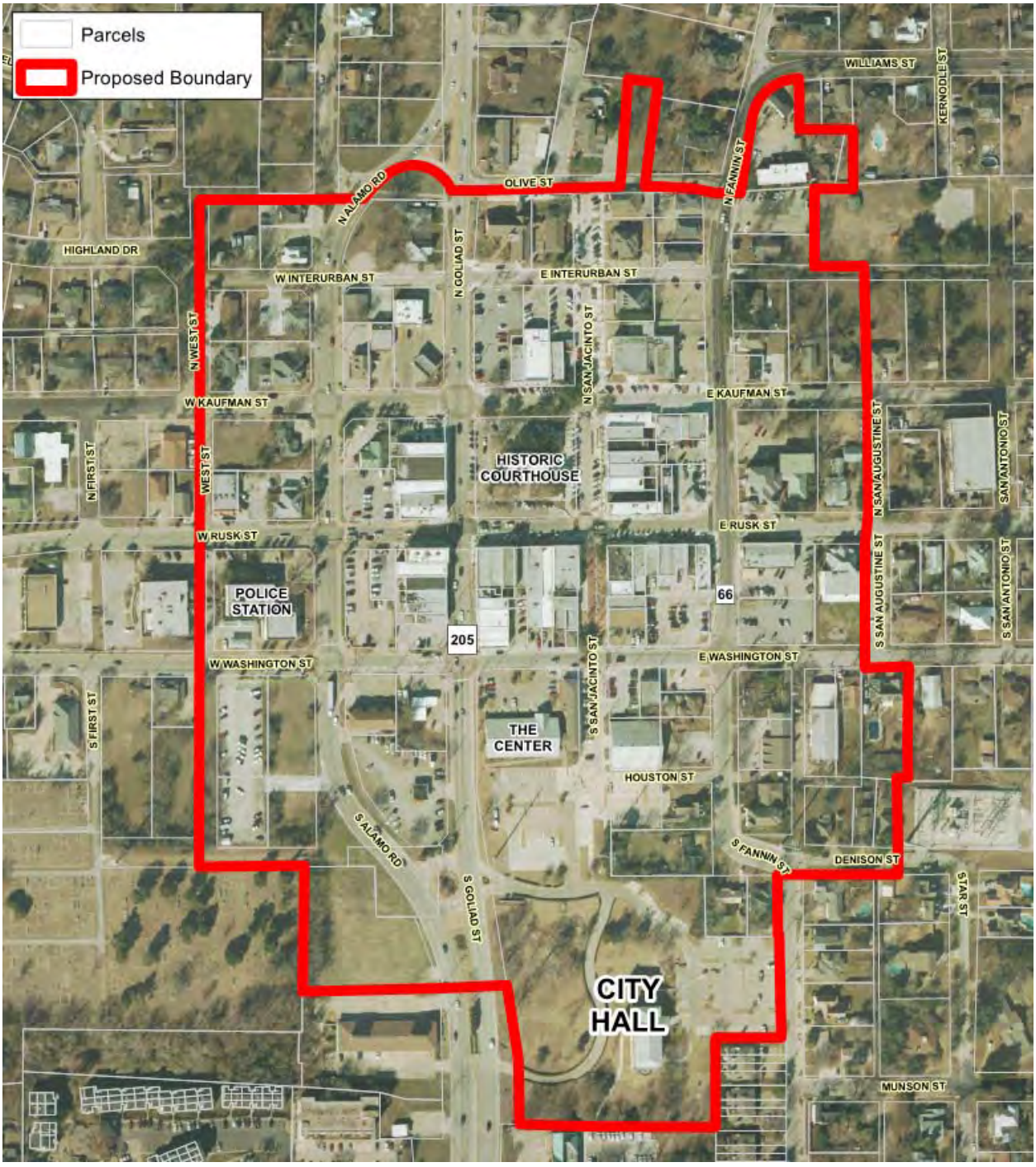


ILLUSTRATION 9

516

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517

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Public Work Director/City Engineer**

DATE: **August 13, 2019**

SUBJECT: **John King/State Highway 205 Schematic**

The Texas Department of Transportation (TXDOT) has requested a letter from the City of Rockwall approving the schematic of John King/State Highway 205 (SH 205) along with a temporary postponement of the implementation of the 14 feet shared outside lanes along John King until the ultimate section of John King is constructed.

John King is currently a four (4) lane divided city street. TXDOT is proposing not widening the roadway for this initial construction phase. Due to the existing roadway width of 24 feet, restriping will not achieve the required 14 foot shared lane and construction of 7.6 miles of an additional four (4) feet (two feet in either direction) to include a shared use lane is cost prohibitive. TXDOT is proposing a temporary postponement of the outside shared lanes until the ultimate improvements of six (6) lanes.

Staff is requesting the City Council consider approval of the schematic along with the postponement of the shared outside lane, and take any action necessary.

AW:jmw

Attachments

Cc: Joey Boyd, Assistant City Manger
Jeremy White, P.E., CFM, Civil Engineer
File

City of Rockwall
The New Horizon

August 20, 2019

Stephen Endres, P.E.
TxDOT Dallas District Office – APD
4777 East Highway 80
Mesquite, TX 75150

Dear Mr. Endres:

Please let this letter serve as the City of Rockwall's support of the schematic design concept for the reconstruction of SH 205 through the City of Rockwall. The City will accept leaving the existing lane widths in place and not providing an outside, fourteen foot shared use lane for the interim project. The city understands that the ultimate six-lane section will provide for the fourteen foot, outside shared use lane in the future. Furthermore, Rockwall supports the project moving forward and advancing to approve the schematic.

If you have any further questions, please feel free to contact my office at (972) 771-7701.

Regards,

Rick Crowley
City Manager

RC/em

DRAFT

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520

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **Aug. 16, 2019**

SUBJECT: **Boards & Commissions (re)Appointments**

Council is asked to consider the following reappointments and vacancies, terms of which expire this month. The Council liaison(s) assigned to each board is listed next to the board title. Unless otherwise noted, each person listed below who is eligible for reappointment has given staff indication that he or she does wish to be reappointed.

Airport Advisory Board (Pruitt, Fowler and Macalik)
- o Mike Potter
- o Tim Wolf
- o Tom Woodruff
- o *VACANCY TO BE FILLED*

Animal Advisory Board (Fowler)
- o Ken Dickson

Architectural Review Board (Daniels)
- o Ashlei Neill
- o Robert Miller
- o Julien Meyrat

ART Review Commission (Macalik)
- o David Sweet
- o Kathleen Morrow
- o Jane Braddock does NOT wish to be reappointed – *VACANCY TO BE FILLED*

521

Board of Adjustments (full Council)

- David Lowrey
- Stuart Smith
- Shannon Bennett
- Peter Flores does NOT wish to be reappointed – *VACANCY TO BE FILLED*
- Todd White is termed out - – *VACANCY TO BE FILLED*

Historic Preservation Advisory Board (Trowbridge)

- Carolyn Francisco
- Jay Odom
- Daniel Nichols
- *VACANCY TO BE FILLED*

Main Street Advisory Board (Trowbridge)

- Terry Gregory resigned - *VACANCY TO BE FILLED*

Park Board (Johannesen)

- Fran Webb does NOT wish to be reappointed – *VACANCY TO BE FILLED*
- *VACANCY TO BE FILLED*

Planning & Zoning Commission (full Council)

- John Womble
- Mark Moeller
- *VACANCY TO BE FILLED*

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523

AGENDA Budget Work Session

ROCKWALL CITY COUNCIL SPECIAL MEETING
Tuesday, August 27, 2019 - 8:00 a.m.
Municipal Court Building - 2860 SH-66 Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. OPEN FORUM / PUBLIC COMMENTS

III. HOLD WORK SESSION TO DISCUSS AND CONSIDER THE PROPOSED FISCAL YEAR 2020 CITY OF ROCKWALL MUNICIPAL BUDGET

IV. DISCUSS WATER / SEWER SERVICE AREA

V. DISCUSS BEST PRACTICES FOR NETWORK SECURITY

VI. DISCUSS FUTURE LEGISLATIVE PLANNING

VII. DISCUSS FIREWORKS PLANNING

VIII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 23rd day of August, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Cole

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Table of Contents

Agenda 5

Hold work session to discuss sidewalks citywide

Memo_Sidewalks 9

Blank Page 17

Childhood Cancer Awareness Month

Proclamation 18

Blank Page 19

Consider approval of the minutes from the August 19, 2019 regular city council meeting, and take any action necessary.

Minutes 20

Blank Page 27

Consider approval of the minutes from the August 27, 2019 Special City Council / Budget Work Session meeting, and take any action necessary.

08/27 Special Budget Mtg Mins 28

Blank Page 31

Consider an ordinance amending the Code of Ordinances in Chapter 10. "Building and Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and Standards Commission" ("the Commission") to appoint the duties of the Commission to the Board of Adjustments, and take any action necessary. (2nd Reading)

Ord (2nd Reading) 32

Blank Page 35

Consider an ordinance amending the Code of Ordinances in Chapter 38. "Subdivisions," Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee schedule for engineering plan review fees, and take any action necessary. (2nd Reading)

Ord (2nd Reading) 36

Blank Page 38

Z2019-015 - Consider a request by Greg Wallis of Mershawn Architects on behalf of the owner for the approval of an ordinance for a Specific Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action necessary (2ndReading).

Ord (2nd Reading) 39

Blank Page 47

Z2019-016 - Consider approval of an ordinance for a text amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances for the purpose of updating the codes to conform to changes made by the 86th Legislative Session, and take any action necessary (2nd Reading).

Ord (2nd Reading) 48

Exhibit A - Article II, Authority and Administrative Procedures . . . 50
Exhibit B - Article IV, Permissible Uses . . . 67
Exhibit C - Article V, District Development Standards [Alternative] . . . 87
Exhibit C - Article V, District Development Standards . . . 140
Exhibit D - Article VIII, Landscape Standards . . . 193
Exhibit E - Article X, Planned Development Regulations . . . 232
Exhibit F - Article XI, Zoning Related Applications . . . 247
Exhibit G - Article XIII, Definitions [Alternative] . . . 268
Exhibit G - Article XIII, Definitions . . . 300
Exhibit H - Chapter 10, Article XI, Fences . . . 332
Blank Page . . . 338

Consider awarding bids to Caldwell Country Chevrolet for 2020 model Police Pursuit Tahoes and Pursuit Safety for the vehicle equipment and authorizing the City Manager to execute Purchase Orders in the amount of $209,300 and $118,000 respectfully to be funded out of the General Fund Reserves, and take any action necessary.

Memo . . . 339
Blank Page . . . 340

Consider approval of an ordinance amending the Code of Ordinances in Chapter 10. "Buildings and Building Regulations;" Article III. "Building Code;" Article IV. "Residential Code;" Article VI. "Plumbing Code;" Article VII. "Fuel Gas Code; and Article IX. "Electrical Code" for the purpose of updating the codes to conform to changes made by the 86th Legislature through passage of H.B. 2439, and taken any action necessary. (1st reading)

Memo . . . 341
Ord_1st Reading . . . 342
Blank Page . . . 346

P2019-032 - Consider a request by Jay and Terri Bedford of A. J. Bedford Group, Inc. on behalf of Raymond Jowers for the approval of a replat for Lot 8, Block A, Bodin Industrial Addition being a 2.029-acre parcel of land identified as Lot 7, Block A, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2040 Kristy Lane, and take any action necessary.

P2019-032 . . . 347
Blank Page . . . 352

P2019-034 - Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a replat for Lots 29-33, Block A, Whisper Rock Addition being a 1.177-acre tract of land currently identified as Lots 1-5, Block A, Whisper Rock Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1206, 1210, 1214, 1218 & 1222 Whisper Rock Drive, and take any action necessary.

P2019-034 . . . 353

Blank Page . . . 358
P2019-036 - Consider a request by Price Pointer of TCB Construction Group, LLC for the approval of a replat for Lot 1, Block A, TCB Addition being a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 505 N. Goliad Street, and take any action necessary.
P2019-036 . . . 359
Blank Page . . . 364
Appointment with Mike Svetz of Pros Consulting to hear a presentation regarding the athletic field feasibility study and take any action necessary.
Field Study Memo . . . 365
Field Study Final Version . . . 366
Blank Page . . . 477
Appointment with Phil Wagner, President of the Rockwall Economic Development Corporation, to request an ordinance to limit on-street parking in the Rockwall Technology Park to no more than two hours, and take any action necessary.
Letter of Request . . . 478
Blank Page . . . 480
Hold a public hearing to receive comments regarding the proposed FY 2020 City of Rockwall budget and tax rate, and take any action necessary
Memo . . . 481
Blank Page . . . 482
Discuss and consider citywide sidewalks policy, and take any action necessary.
Memo_Sidewalks . . . 483
Map . . . 491
Blank Page . . . 492
MIS2019-001 - Discuss and consider approval of a resolution establishing a public hearing date for the consideration of an updated Land Use Assumptions, Capital Improvements Plan, and the adoption of Roadway, Water, and Wastewater Impact Fees, and take any action necessary.
MIS2019-001 . . . 493
Resolution . . . 494
Blank Page . . . 495
Discuss and consider an ordinance approving a negotiated settlement between cities in the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the 2019 Rate Review Mechanism filings, adopting tariffs as part of the settlement, and take any necessary action.
Atmos Rate Case . . . 496
Blank Page . . . 532
Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

Memo_Boards 533
Blank Page 534
Discuss and consider appointments to the city's Youth Advisory Council (YAC), and take any action necessary.
YAC Appts Memo 535
Blank Page 536
Building Inspections Monthly Report - July 2019
July Report 537
Blank Page 549
GIS Division Monthly Report - July 2019
GIS Monthly Report (July 2019) 550
Blank Page 551
Internal Operations Department Monthly Report - July 2019
IO report 552
Blank Page 553
Blank Page 554
PARD Monthly Report - July 2019
Rec Monthly Report - July 2019 555
Police Department Monthly Report - July 2019
PD Monthly Report 560
Blank Page 562
Rockwall Animal Adoption Center Monthly Report - July 2019
July 2019 RAAC 563
Blank Page 566
Rockwall Fire Department Monthly Report - July 2019
Rockwall Fire Department July Monthly Report 567
Blank Page 573
STAR Transit Monthly Report - July 2019
STAR Report 574
Blank Page 576

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, September 03, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.9 **1.** Hold work session to discuss sidewalks citywide

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

VIII. PROCLAMATIONS

p.18 **1.** Childhood Cancer Awareness Month

IX. OPEN FORUM

X. CONSENT AGENDA

p.20 **1.** Consider approval of the minutes from the August 19, 2019 regular city council meeting, and take any action necessary.

p.28 **2.** Consider approval of the minutes from the August 27, 2019 Special City Council / Budget Work Session meeting, and take any action necessary.

p.32 3. Consider an **ordinance** amending the Code of Ordinances in Chapter 10. "Building and Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and Standards Commission" ("the Commission") to appoint the duties of the Commission to the Board of Adjustments, and take any action necessary. **(2nd Reading)**

p.36 4. Consider an **ordinance** amending the Code of Ordinances in Chapter 38. "Subdivisions," Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee schedule for engineering plan review fees, and take any action necessary. **(2nd Reading)**

p.39 5. **Z2019-015** - Consider a request by Greg Wallis of Mershawn Architects on behalf of the owner for the approval of an **ordinance** for a Specific Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action necessary **(2ndReading).**

p.48 6. **Z2019-016** - Consider approval of an **ordinance** for a text amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances for the purpose of updating the codes to conform to changes made by the 86th Legislative Session, and take any action necessary **(2nd Reading).**

p.339 7. Consider awarding bids to Caldwell Country Chevrolet for 2020 model Police Pursuit Tahoes and Pursuit Safety for the vehicle equipment and authorizing the City Manager to execute Purchase Orders in the amount of $209,300 and $118,000 respectfully to be funded out of the General Fund Reserves, and take any action necessary.

p.341 8. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 10. "Buildings and Building Regulations;" Article III. "Building Code;" Article IV. "Residential Code;" Article VI. "Plumbing Code;" Article VII. "Fuel Gas Code; and Article IX. "Electrical Code" for the purpose of updating the codes to conform to changes made by the 86th Legislature through passage of H.B. 2439, and taken any action necessary. **(1st reading)**

p.347 9. **P2019-032** - Consider a request by Jay and Terri Bedford of A. J. Bedford Group, Inc. on behalf of Raymond Jowers for the approval of a replat for Lot 8, Block A, Bodin Industrial Addition being a 2.029-acre parcel of land identified as Lot 7, Block A, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2040 Kristy Lane, and take any action necessary.

p.353 10. **P2019-034** - Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a replat for Lots 29-33, Block A, Whisper Rock Addition being a 1.177-acre tract of land currently identified as Lots 1-5, Block A, Whisper Rock Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1206, 1210, 1214, 1218 & 1222 Whisper Rock Drive, and take any action necessary.

p.359 11. **P2019-036** - Consider a request by Price Pointer of TCB Construction Group, LLC for the approval of a replat for Lot 1, Block A, TCB Addition being a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas,

zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 505 N. Goliad Street, and take any action necessary.

XI. APPOINTMENT ITEMS

p.365 **1.** Appointment with Mike Svetz of Pros Consulting to hear a presentation regarding the athletic field feasibility study, and take any action necessary.

p.478 **2.** Appointment with Phil Wagner, President of the Rockwall Economic Development Corporation, to request an ordinance to limit on-street parking in the Rockwall Technology Park to no more than two hours, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p.481 **1.** Hold a public hearing to receive comments regarding the proposed FY 2020 City of Rockwall budget and tax rate, and take any action necessary

XIII. ACTION ITEMS

p.483 **1.** Discuss and consider citywide sidewalks policy, and take any action necessary.

p.493 **2.** **MIS2019-001** - Discuss and consider approval of a resolution establishing a public hearing date for the consideration of an updated Land Use Assumptions, Capital Improvements Plan, and the adoption of Roadway, Water, and Wastewater Impact Fees, and take any action necessary.

p.496 **3.** Discuss and consider an **ordinance** approving a negotiated settlement between cities in the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the 2019 Rate Review Mechanism filings, adopting tariffs as part of the settlement, and take any necessary action.

p.533 **4.** Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

p.535 **5.** Discuss and consider appointments to the city's Youth Advisory Council (YAC), and take any action necessary.

XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - July 2019
GIS Division Monthly Report - July 2019
Internal Operations Department Monthly Report - July 2019
PARD Monthly Report - July 2019
Police Department Monthly Report - July 2019

Rockwall Animal Adoption Center Monthly Report - July 2019
Rockwall Fire Department Monthly Report - July 2019
STAR Transit Monthly Report - July 2019

2. **City Manager's Report**

XV. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XVI. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XVII. Adjournment

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 30th day of August, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Councilmembers**

FROM: **Rick Crowley, City Manager**

DATE: **August 26, 2019**

SUBJECT: **Sidewalk Policy & Discussions**

At the next City Council meeting, the Staff will be providing a sample policy related to the design and construction of sidewalks adjacent to streets which have been selected for reconstruction with bond funds. Hopefully, this sample policy will assist the Council in determining the provisions for an agreed upon guidance to be used as these projects are designed and built. The sample policy will be structured consistent with our best interpretation of what we thought might have been the inclination of the Council at the time we began to develop the sample policy. There may well be (or may well have been) some change in the inclinations of the Council regarding sidewalks as discussions have continued since that time, or our interpretation of the Council's inclinations may have been incorrect. I do not currently get a sense that there is a unanimous opinion on the subject. Certainly, there is an understanding that the Council may choose to modify any policy as it sees fit before it is considered for adoption. Hopefully having a sample policy before you will help in development of an adopted or new policy.

As Street Department budget discussions are held on Tuesday, we hope to get a better "handle" on the kinds of information that the staff can make available to you that may help you in the decisions related to a sidewalk policy. As reference points for those budget discussions, information below is provided, a sample policy has been drafted and provided, and a series of pictures of various sidewalks currently located throughout the City is provided. It is not likely that any of the provided information will be information of which you are not currently aware, but perhaps it will be helpful to provide it as structured below.

Three basic questions prevail when considering the adoption of a sidewalk policy associated with reconstruction projects. These include:

1. "**When**" to design and build sidewalks with street reconstruction projects.
2. "**Where**" to locate sidewalks within the right-of-way or street construction section when sidewalks are to be built.
3. "**How wide**" to build sidewalks that are to be built.

When

In reviewing the matter of when sidewalks are to be designed and built with street reconstruction projects a wide range of ideas may be considered including those listed below (in an order ranging from including sidewalks on all projects to including sidewalks in no projects):

Design and build sidewalks on ALL street construction projects.

Design and build sidewalks on all reconstruction projects if no/minimal right-of-way acquisition is required to do so.

Design and rebuild sidewalks on streets being reconstructed in cases where intermittent sidewalks exist along the project length and build new sidewalk sections to connect those partially existing sidewalk routes.

Design and rebuild only the existing sections of intermittent sidewalks, but build no new connective sidewalk sections.

Design and build sidewalks on streets selected for reconstruction that meet a predetermined traffic volume test or that are expected to meet a predetermined traffic volume test in the future.

Design and build sidewalks only on streets that meet a predetermined traffic volume test at the time of the reconstruction project selection.

Design and build sidewalks only on streets that are shown on the City's adopted Thoroughfare Plan at a predetermined street classification or above (such as collector and above).

Design and build sidewalks only on streets selected for reconstruction that are designated on the City's Thoroughfare Plan as pedestrian routes to schools, destinations, or State Roadways. (Such a designation would have to be added to the existing Thoroughfare Plan.)

Use preliminary design information for selected projects to determine the potential effect of adding sidewalks on existing trees, shrubs, and landscaping to be used in the final sidewalk decision for each project.

Conduct surveys and/or hold hearings for each project to assist in making the decision as to whether to design and build sidewalks when streets are selected for reconstruction.

Design and build streets without sidewalks unless full length sidewalks exist at the time of project selection.

Where

When sidewalks are to be designed and built with street reconstruction projects, there are a number of options as to the location of sidewalks. An example of most every option currently exists within the City. Presently existing sidewalk locations in the City include:

1. Sidewalks located directly "back of curb" with no space between the concrete curb and sidewalk.
2. Sidewalks located 1'- 5' away from the curb with space between concrete curb and the sidewalk where grass or other vegetation may occur.
3. Sidewalks with location shifting from back of curb to 1'-5' from the curb – sometimes done to avoid conflict with trees, shrubs, mailboxes or other things located along the sidewalk route.
4. Sidewalks of variable width to avoid conflicts as stated above.
5. Discontinuous sidewalks that have occurred based on sidewalk preferences of the owner/builder; sidewalk requirements in place at the time of construction; or to protect trees, shrubs, or landscaping in place at the time of sidewalk construction. (The latter case may involve shifting pedestrians onto the street for a short distance.)

How Wide

Existing sidewalk widths located throughout the City vary. Existing sidewalk widths include:

1. 3' sidewalks (mostly located in older areas of the City – if built today 3' widths may require certain provisions to accommodate ADA compliance or practical use modifications such as periodic "bump outs").
2. 4' sidewalks (if built today may also require certain provisions to accommodate ADA compliance or practical use modifications such as "bump outs").
3. 5' sidewalks.
4. 6' sidewalks.
5. Variable width sidewalks.

Both functionality and aesthetics may be affected by sidewalk width. A number of examples of sidewalk location and widths that currently exist in the City are shown in the attached pictures. Examining these locations may be helpful in determining policy guidelines for future sidewalk construction.

The Staff can use any input received during the discussion of sidewalks as a part of the Street budget to adjust or add information for the Council to consider when the policy matter comes before the Council at the next meeting. If you have any questions, please do not hesitate to contact me in the meantime.

3’ Sidewalks – Old Town



3’ Parkway Sidewalk – N. Fannin St



3’ Parkway Sidewalk N. Goliad Street

4’ Sidewalks



4’ Parkway Sidewalk – Arbor View Place



4’ Parkway Sidewalk – Arbor View Place

4’ Sidewalks



4’ Parkway Sidewalk – Berkley Drive



4’ Parkway Sidewalk – Angie Lane



4’ Back of Curb Sidewalk – Rockwall Pkwy



4’ Back of Curb Sidewalk – Winter Park Ct

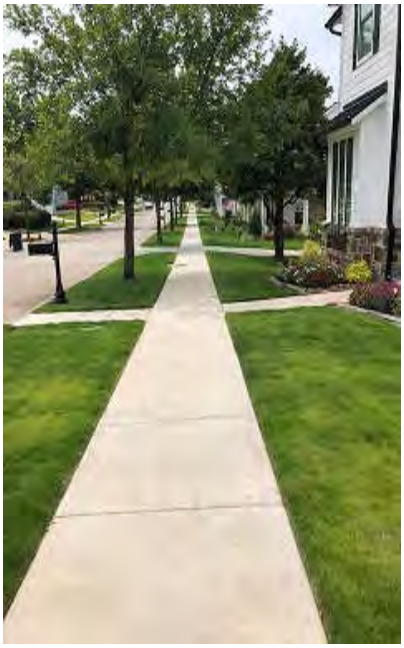
5’ Sidewalks



5’ Parkway Sidewalk – Brazos Way



5’ Parkway Sidewalk – Capstone Way



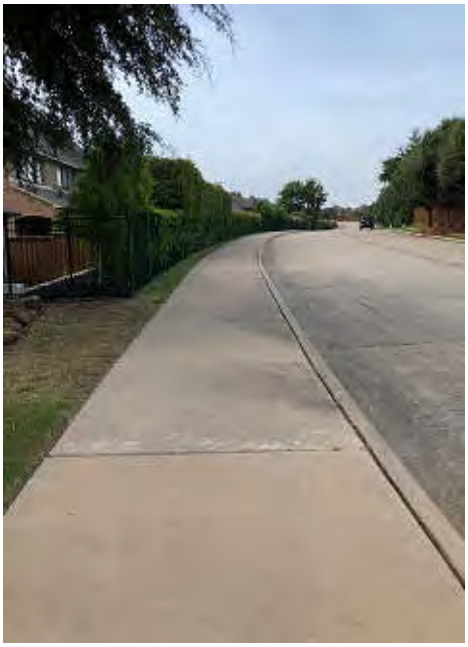
5’ Parkway Sidewalk – Park Place Blvd



5’ Parkway Sidewalk – Ivy Lane

5’ Sidewalks (continued)





5’ Back of Curb Sidewalk – North Lakeshore Drive

6’ Sidewalks



6’ Parkway Sidewalk – E. Boydstun Ave



6’ Parkway Sidewalk – E. Boydstun Ave

6’ Sidewalks



6’ Back of Curb Sidewalk – E. Boydstun Ave



6’ Back of Curb Sidewalk – E. Boydstun Ave



6’ Back of Curb Sidewalk – N. Lakeshore Drive

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17

Rockwall, Texas

Proclamation

Whereas, childhood Cancer is the leading cause of death by disease in children, with 1 in 285 children in the U.S. being diagnosed with cancer before the age of 20; and

Whereas, two-thirds of childhood cancer patients will have chronic health conditions as a result of their treatment toxicity, with one quarter being classified as severe to life threatening; and

Whereas, in the last 20 years only four new drugs have been approved by the FDA to specifically treat childhood cancer; and

Whereas, too many children are affected by this disease, and more must be done to raise awareness and find a cure; and

Whereas, our community has the opportunity to join together to make a significant impact on the lives of the children and families who have been touched by childhood cancer by joining to "Do Your Part" to raise awareness for childhood cancer and encourage funding to find a cure.

Now, Therefor, I, Jim Pruitt, Mayor of Rockwall, do hereby proclaim September, 2019 as:

Childhood Cancer Awareness Month

in the City of Rockwall and encourage all of our citizens to "Do Your Part" to raise awareness for childhood cancer and encourage funding to find a cure.

In Witness Whereof, I hereby affix my official hand and seal this 3rd day of September 2019.

Jim Pruitt, Mayor

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19

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 19, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

Mayor Jim Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and City Council Members John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith and City Attorney Frank Garza. Councilmember Patrick Trowbridge was absent from the meeting.

Mayor Pruitt read the below listed discussion items into the public record before recessing the meeting to go into Executive Session.

II. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. Adjourn Executive Session

Council adjourned from Executive Session at 5:45 p.m.

IV. Reconvene Public Meeting (6:00 p.m.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with six of the seven council members present (Trowbridge absent).

V. Take Any Action as a Result of Executive Session

Mayor Pro Tem Macalik moved to reappoint John Womble and Mark Moeller and newly appoint Sedric Thomas to the Planning & Zoning Commission (these 3 year terms will expire in August of 2022). Councilman Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge). Mr. Thomas replaces outgoing member Johnny Lyons, who is termed out.

VI. Invocation and Pledge of Allegiance – Councilmember Johannesen

Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.

VII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth at this time to address the Council. There being no one indicating such, he then closed Open Forum.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the August 5, 2019 regular city council meeting, and take any action necessary.
2. Consider authorizing the City Manager to engage the firm of BrooksWatson & Co PLLC to conduct the audit of the City's financial statements for the fiscal years ending September 30, 2019 - 2022, and take any action necessary.
3. Consider an **ordinance** amending the Code of Ordinances in Chapter 10. "Building and Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and Standards Commission" ("the Commission") to appoint the duties of the Commission to the Board of Adjustments, and take any action necessary. **(1st Reading)**
4. Consider an **ordinance** amending the Code of Ordinances in Chapter 38. "Subdivisions," Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee schedule for engineering plan review fees, and take any action necessary**. (1st Reading)**
5. **P2019-029** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a master plat for the Northgate Subdivision being a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodgehill Road [FM-3549] and Clem Road, and take any action necessary.
6. **P2019-030** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a preliminary plat for the Northgate Subdivision containing 40 single-family residential lots on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodgehill Road [FM-3549] and Clem Road, and take any action necessary.

Councilmember Hohenshelt moved to approve the entire Consent Agenda as presented (#1, 2, 3, 4, 5, and 6). Mayor Pro Tem Macalik seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 10. "BUILDINGS AND BUILDING REGULATIONS;" ARTILE II. "ADMINISTRATION AND ENGFORCEMENT;" DIVISION 2. "BUILDING AND STANDARDS COMMISSION" TO APPOINT THE DUTIES OF THE CITY'S BUILIDING AND STANDARDS COMMISSION TO THE CITY'S BOARD OF ADJUSTMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. "SUBDIVISIONS," ARTICLE I. "IN GENERAL," SECTION 38-15 "MISCELLANEOUS REQUIREMENTS" TO ESTABLISH AN ENGINEERING PLAN REVIEW FEE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

IX. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the P&Z Commission, Johnny Lyons came forth. Mayor Pruitt thanked Mr. Lyons for his leadership and service on the Commission, indicating that he has 'termed out.' Council thanked Mr. Lyons for his service. Mr. Lyons briefed the Council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda. Council took no action concerning this agenda item.

2. Appointment with Brad Helmer of Heritage Christian Academy to discuss Specific Use Permit (SUP) No. S-201 concerning temporary educational buildings, and take any action necessary.

Brian McKinney came forth on behalf of Mr. Helmer, indicating that he is at new parent/teacher orientation this evening, so he could not be present. Mr. McKinney thanked Councilmembers Johannesen and Trowbridge for their recent advice and guidance. Councilmember Johannesen recommended that the city consider reapproving the SUP once every six months or so in order to provide check points along the way. Mr. McKinney shared that a professional fund raising consultant has been hired to help move the fundraising efforts forward.

Mayor Pruitt moved to approve the proposed timeline that was put forth, calling for HCA to come before the council once every six months to provide updates on the timeline and with the understanding that if things are not going well, the SUP may be discontinued by Council.

Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

X. PUBLIC HEARING ITEMS

1. **Z2019-015** - Hold a public hearing to discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of the owner for the approval of an **ordinance** for a Specific Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information concerning this agenda item. He indicated that thirty-two notices were sent out to property owners and residents located within 500' of the subject property; however, no notices have been returned. The Planning & Zoning Commission has recommended approval of this SUP request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

The applicant - 1520 E. IH-30 Rockwall, TX – came forth briefly. Councilman Johannesen then moved to approve the SUP request. Councilman Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A MINOR AUTO REPAIR GARAGE, IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 1.1107-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 1, HORIZON VILLAGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

2. **Z2019-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a text amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances for the purpose of updating the codes to conform to changes made by the 86th Legislative Session, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information pertaining to this agenda item, sharing that these issues were initially discussed with Council at a work session in early July. He explained that these amendments are in response to passage of recent state legislation. He went on to explain each of the proposed amendments and its purpose. A fifteen day notice was posted in the Herald Banner, and all state and local notification requirements were also met associated with these proposed UDC and Code amendments.

Councilmember Hohenshelt moved to approve Z2019-016 as presented. Councilmember Fowler seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE II, AUTHORITY AND ADMINISTRATIVE PROCEDURES, ARTICLE IV, PERMISSIBLE USES, ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, ARTICLE VIII, LANDSCAPE STANDARDS, ARTICLE X, PLANNED DEVELOPMENT DISTRICT REGULATIONS, ARTICLE XI, ZONING RELATED APPLICATIONS, AND ARTICLE XIII, DEFINITIONS, OF THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38], AND ARTICLE XI, FENCES, OF CHAPTER 10, BUILDING AND BUILDING REGULATIONS, OF THE MUNICIPAL CODE OF ORDINANCES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

After Action Item No. 3, Mayor Pruitt opened the public hearing for this agenda item, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

XI. ACTION ITEMS

1. Discuss and consider recommendations by the Main Street Advisory Board regarding approval of an **ordinance** amending the Code of Ordinances in Chapter 32. "Signs;" Article III. "Regulations and Requirements;" Division 4. "Downtown District Signs" to modify allowances for permanent signs in the Downtown District (DT), and take any action necessary**. (1st Reading)**

Daniel Nichols of the Main Street Advisory Board came forth and provided a brief history to the Council concerning these proposed amendments. Mayor Pruitt indicated that he personally attended the Main Street Advisory Board meeting at which these proposed amendments were discussed. He shared that he has some concerns about some of these proposed regulations. He went on to share his concerns in greater detail. He generally does not feel like the city should be interfering to this degree with the signage that businesses want to install at their downtown buildings. Councilman Daniels pointed out

that some signage preferences are a matter of personal preference and/or opinion. Also, he agrees with the mayor that sometimes a city may be in danger of overstepping its bounds by overregulating.

At one point, Mayor Pruitt pointed out that the draft verbiage that calls for neon signs to be approved by the Main St. Advisory Board is not viable since that particular board is only advisory in nature. So, the city's Planning & Zoning Commission may be a better option since it is regulatory in nature (and perhaps the City Council could serve as the appeal authority).

Councilmember Hohenshelt generally expressed that if the vast majority of business owners are in favor of these sorts of regulations, then that is one thing; however, if more than half of them are not okay with these regulations, then that may be a different story.

Councilmember Fowler moved to table this discussion item. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

Mr. Crowley, City Manager, generally sought guidance regarding what type of additional information or steps are needed in order to revisit this topic at a later date. Councilman Hohenshelt wanted to be sure that anyone who may be impacted by these changes has been notified and invited to attend the meeting the next time this is discussed with Council. Crowley suggested that staff send another notice to all those property owners and businesses that were originally notified, remind them of the proposed regulation changes and invite them to the council meeting when it will be discussed. That way, they have an opportunity to either submit their comments in writing or attend the meeting in person if they so desire. Council generally seemed agreeable to this idea. No further discussion took place at this time.

2. Discuss and consider authorizing the City Manager to issue a letter of support to TXDOT regarding temporarily postponing implementation of shared outside lanes on John King Blvd. until substantial improvements of the roadway are made, and take any action necessary.

City Manager Rick Crowley provided brief background information concerning this agenda item. Following his comments, Councilmember Hohenshelt moved to authorize the City Manager to sign the letter and send it to TXDOT. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

3. Discuss and consider (re)appointments to the city's Airport Advisory Board, Animal Advisory Board, Architectural Review Board, ART Review Commission, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

Mayor Pro Tem Macalik moved to reappoint David Sweet and Kathleen Morrow and newly appoint (in place of Jane Braddock) Amber Crimmings to the city's ART Review Team. Councilmember Fowler seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).

Johannesen moved to reappoint Larry Denny and newly appoint Jamie Rice to the city's Park Board. Councilman Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence.

Councilman Daniels moved to reappoint to the city's Architectural Review Board, Ashlei Neill, Robert Miller and Julien Meyrat. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 6 ayes with 1 absence.

Councilman Fowler moved to reappoint Ken Dickson to Animal Advisory Board. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence.

Mayor Pruitt readdressed Public Hearing Item #2 at this juncture.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Planning & Zoning Commission and Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene in Executive Session following the close of the public meeting agenda. See action taken at the beginning of the 6:00 p.m. meeting as noted above.

XIV. ADJOURNMENT

Mr. Crowley reminded the Council that the budget work session is slated for Tues., Aug. 27 at Municipal Court. Also, Mayor Pruitt indicated that TXDOT will be holding a public meeting concerning John King Boulevard on September 19 at Liberty Hall at the County Courthouse.

Mayor Pruitt then adjourned the meeting at 7:18 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd DAY OF SEPTEMBER, 2019.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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27

MINUTES Budget Work Session

ROCKWALL CITY COUNCIL SPECIAL MEETING
Tuesday, August 27, 2019 - 8:00 a.m.
Municipal Court Building - 2860 SH-66 Rockwall, TX 75087

I. Call Public Meeting to Order

Mayor Pruitt called the meeting to order at 8:04 a.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Trace Johannesen, Bennie Daniels and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, departmental directors, the public information officer and city secretary.

II. Open Forum / Public Comments

At 9:32 a.m., Mayor Pruitt opened Open Forum, asking if anyone would like to speak at this time. Paul Johnson, a city police employee, came forth, indicating that he is the current Vice President of the Rockwall Police Officer's Association. He thanked the city council for the market adjustment raises. He pointed out that the data that HR collects pertaining to the market is not reflective of what those other municipalities will actually be adopting come October 1st of each year, so, essentially, our staff's salaries are already behind other, competitor cities.

Nick Grant
1569 Old E. Quail Run Road
Rockwall, TX

Mr. Grant came forth and asked for more information about plans for SH-205 where it exists going out of the city limits and in other areas along its route. Mayor Pruitt indicated that the city won't be bulldozing homes along the roadway near downtown like what TXDOT may have been proposing to do; however, the city will need to be innovative regarding how it will deal with traffic in that area in the future. Mr. Crowley shared that the $44 million bond election related to John King Boulevard was put forth to voters in a way that indicated the future roadway would be utilized as a SH-205 bypass. He went on to further explain the history of the roadway construction as it relates to TXDOT standards when it was first built and afterwards. No action was taken as a result of the dialogue exchanged with Mr. Grant.

There being no one else wishing to come forth and speak, Mayor Pruitt closed Open Forum at 9:41 a.m.

III. Hold Work Session to Discuss and Consider the Proposed Fiscal Year 2020 City of Rockwall Municipal Budget

Mr. Crowley began the budget discussions, indicating that the proposed budget was prepared based on the effective tax rate of 38.7991 cents per $100 of valuation. This will essentially result in a decrease of the tax rate itself. Staff has been able to begin transferring water / wastewater funds over to the General Fund to "pay it back," essentially. New state legislation will result in an estimated loss of about $175k in franchise-related fees that will no longer be collected by the city. The sales tax rate increase is estimated at about 5.44%, as compared to an increase of 3% projected by the current fiscal year budget. In addition,

there will be added police and fire personnel as well as a four-person parks maintenance crew and water operations staff. There will be a market pay rate adjustment of 3% for non-sworn personnel and a 4% for some public safety positions to address market deficiencies and ensure internal equity in pay.

At 8:50 a.m., Pruitt asked if those present would like to hold Open Forum now or later in the meeting. A (then) unnamed gentlemen present in the audience expressed a desire to hold it after the budget discussions have taken place.

General discussion ensued pertaining to the budget, expenditures, and 'wants' versus 'needs,' including police department seized funds; use of funds for sidewalks (and associated citywide policy); the potential for an additional pickle ball court or two in the future; and possible additional parking at the Harry Myers Community Center/Pickle Ball Court/Park area. Discussions also took place regarding future, additional neighborhood parks and The Harbor 'beach park.' Councilman Trowbridge indicated a desire for staff to evaluate how our city's departmental and General Fund budgets compare to other, comparable, nearby cities (i.e. what percentage of our overall budget goes to Parks and Parks Maintenance and how does our percentage compare to that of other, similar cities nearby?).

Mayor Pruitt called for a break after Open Forum and recessed the public meeting (9:41 a.m.). He reconvened the meeting at 9:59 a.m.

IV. Discuss Water / Sewer Service Area

Mr. Crowley discussed with the Council two residential developments north and south of SH-276 by the Rockwall Tech Park, indicating that they have a combined total of about 950 lots. He went on to discuss the future infrastructure needs of the city as related to these developments and future development elsewhere in the city. He talked about the potential of working with Fate, Wylie and Lavon to discuss the feasibility of joining together for a possible new sewer treatment plant sometime in the future, which may be the most financially viable thing to do. Discussions touched on a large, regional plant versus a 'package plant,' which is much smaller, and that may be a consideration too.

Mrs. Smith, Assistant City Manager/Finance Director, discussed with the Council the city's current water service area and the fact that the City of Rockwall has traditionally only serviced properties that are located within our own city limits. She explained that, in the past, when annexations have occurred, the City negotiates with those water supply corporations to buy the right to serve properties that have newly been brought into the city. However, recent state legislation that limits a city's ability to annex may pose a limiting factor in the future. She mentioned that Mt. Zion Water Supply Corporation may want the City of Rockwall to, over time, take over their system, indicating that our rates are about half of what Mt. Zion's current rates. Discussion took place regarding analyzing what the "cost of delivery" is to the City. Brief comments were made concerning other water corporations, such as Blackland, too. Council expressed that it is generally not opposed to the idea of the City of Rockwall potentially servicing water customers outside of our city limits / ETJ.

V. Discuss Best Practices for Network Security

Denny Lassetter, IT Director, came forth and discussed network security, including ransomeware threats that have been impacting computer networks of both private businesses and government entities. He went on to share some of the 'best practices' that are utilized in order to protect our own municipality's network from these sorts of hackers. He also provided numerous recommendations for how individual

network and e-mail users may proactively work to protect the network too. Furthermore, he recommended that the same password never be utilized over multiple devices and accounts and that software always be kept up-to-date on mobile, tablet and desktop devices.

VI. Discuss Future Legislative Planning

Mr. Crowley discussed this item with the Council. He briefed them on the role that the TX Municipal League (TML) has generally played on behalf of cities at the state legislature. In general, TML has taken the approach that if a piece of proposed legislation will support / enhance 'local control,' then TML has rallied for the bills, and if the proposed legislation generally aims to take away local control, it has taken a stance against said legislation. Mr. Crowley expressed that he would like to know if the Council is generally okay with him proactively working with other cities to encourage that they and TML begin to more solely focus on pieces of proposed legislation that truly, truly matter to cities. The Council was generally agreeable to Mr. Crowley doing so.

VII. Discuss Fireworks Planning

Mr. Crowley reminded the Council that Mr. Scott Self had recently spoken at a council meeting regarding the idea of having 5 lower level fireworks shows for this coming July 4th holiday – with 4 being over Lake Ray Hubbard / on the lake, and one being at Harry Myers Park (the typical location for the city sponsored fireworks show). Mr. Self wanted the city to financially participate to some extent, and he planned to recruit a lot of volunteers to train them and assist with 'pulling off' all of the proposed shows. Mr. Crowley indicated that staff recently met with Mr. Self, and the general gist of the conversation resulted in several 'unanswered' questions and/or several things for which no good, sound answers exist (i.e. from how far away might the 'lower level' fireworks be able to be seen? ; where would people park and/or congregate to watch said shows? ; will they be parking along IH-30 and/or in neighborhoods, some of which are gated, where residents may not appreciate them congregating to watch the fireworks shows? ; is it smart to change the "big show" at Harry Myers to a "lower level" show the very first year? , etc.). Mr. Crowley went on to share that his recommendation is that the city continue to pursue discussions with Mr. Self about the four, other lower level shows over the lake, that staff study (thru GIS mapping and analysis) how far away they will be able to be seen, and that the 'big show' at Harry Myers Park remain a 'big show,' at least for this first, upcoming year (and perhaps beyond). Council generally agreed with Mr. Crowley. It was also clarified that everything about the 4th celebration at Harry Meyers will remain unchanged (i.e. there will still be bands playing that day too).

VIII. Adjournment

Mayor Pruitt adjourned the meeting at 11:44 a.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd DAY OF SEPTEMBER, 2019.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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31

CITY OF ROCKWALL

ORDINANCE NO. 19-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 10. "BUILDINGS AND BUILDING REGULATIONS;" ARTILE II. "ADMINISTRATION AND ENFORCEMENT;" DIVISION 2. "BUILDING AND STANDARDS COMMISSION" TO APPOINT THE DUTIES OF THE CITY'S BUILIDING AND STANDARDS COMMISSION TO THE CITY'S BOARD OF ADJUSTMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas ("City Council") took action on January 20, 2004 through adoption of Ordinance 04-05 to establish the Building and Standards Commission to enforce the Property Maintenance Code; and

WHEREAS, the Building and Standards Commission has met on only a few occasions since its creation. Therefore, the City Council believes it would be prudent to consolidate the Building and Standards Commission with the Board of Adjustments, essentially transferring the duties of the Building and Standards Commission to the City's Board of Adjustment; and

WHEREAS, the City Council has determined it to be in the best interest of the City to amend Chapter 10, Article II, Division 2, "Building and Standards Commission" to appoint the duties of the Building and Standards Commission to the Board of Adjustment;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. AMENDMENT. That the Code of Ordinances of the City of Rockwall, Texas in Chapter 10, Article II, Division 2, "Building and Standards Commission," specifically Section 10-40 is hereby amended to read as follows:

Sec. 10-40. - Created.

(a) *Organization.* There is hereby created a commission known as the Building and Standards Commission. The rules shall be organized as follows:

(1) *Composition.* The Building and Standards Commission shall consist of the members of the city's Board of Adjustment, all of whom are appointed by a majority of the city council in accordance with Article II, Sec. 11 of the City's Unified Development Code (UDC).

(2) *Vacancies.* Vacancies to the Building and Standards Commission shall be filled in accordance with Article II, Sec. 11 of the City's Unified Development Code (UDC).

(3) *Residency and voter requirements.* Each member of the commission shall be a resident citizen and qualified voter of the city.

(4) *Terms.* Terms of office shall be the same as the terms for the members of the Board of Adjustment.

(5) *Compensation.* Members shall serve without compensation.

(6) *Removal.* Council may remove a member for cause on a written charge. Before a decision regarding a removal is made, the council must hold a public hearing on the matter if requested by the commission member subject to the removal action.

(b) *Meetings.* The commission shall hold its meetings on the call of the chairperson, or at such other times as the commission may determine. All meetings shall be open to the public.

(c) *Quorum.* All cases to be heard by the commission must be heard by at least four members.

(d) *Chairperson; vice-chairperson.* A chairperson and a vice-chairperson shall be elected by the members of the commission at the first meeting following the annual appointment of the new members.

(e) *Recordkeeping.* The commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

(f) *Voting.* The concurring vote of four members of the commission shall be necessary for the adoption of any motion, the issuance of any order, the making of any recommendation, or the determination of the amount and duration of any civil penalty. Only the members of the commission present shall have voting privileges.

(g) *Promulgation of regulations.* The commission shall adopt rules in accordance with the Property Maintenance Code, Article XII of this chapter and pursuant to V.T.C.A., Local Government Code § 54.032. The rules shall establish procedures for use in hearings, providing ample opportunity for presentation of evidence and testimony by respondents or person opposing charges brought by the municipality or its building officials relating to alleged violation of ordinances, as specified in V.T.C.A., Local Government Code § 54.031 et seq.

(h) *Appeals.* Appeals to the commission may be made by any person aggrieved, or by a municipal officer, department, or board affected by any decision (related to the Property Maintenance Code, article XII of this chapter) of the building official. Such appeal shall be filed with the commission chairperson within 15 days after the original decision is rendered. All papers constituting the record pertaining to such appeal shall accompany the appeal. Formal notice of the appeal shall be issued by the commission chairperson, such notice to specify the grounds upon which the appeal is made. The commission shall set a reasonable time for the hearing of the appeal. Notice of all proceedings before the commission must be given as follows:

(1) By certified mail, return receipt required to the record owners of the attached property, and such holder of a recorded lien against the affected property, as shown by the records in the office of the county clerk, if the address of the lienholder can be ascertained;

(2) To all unknown owners, by posting a copy of the notice on the front door of each improvement situated on the affected property, or as close to the front door as practicable; and

(3) The notice shall be mailed and posted on or before the tenth day before the date of the hearing before the commission and must state the date, time, and place

of the hearing. In addition, the notice must be published in a newspaper of general circulation within the city at least ten days before the hearing.

SECTION 2. That the remainder of Chapter 10, Article II, Division 2, "Building and Standards Commission" in the City's Code of Ordinances shall remain unchanged. The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance; and

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein; and

SECTION 4. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 5. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said meeting was given; and

SECTION 6. That this ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 3rd DAY OF SEPTEMBER, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 08/19/2019

2nd Reading: 09/03/2019

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35

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 19-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. "SUBDIVISIONS," ARTICLE I. "IN GENERAL," SECTION 38-15 "MISCELLANEOUS REQUIREMENTS" TO ESTABLISH AN ENGINEERING PLAN REVIEW FEE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas ("City Council") deems it to be in the best interest of the City to establish a "plan review fee" associated with engineering related projects.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Code of Ordinances of the City of Rockwall shall be amended in Chapter 38. "Subdivisions;" Article I. "In General;" Section 38-15. "Miscellaneous requirements," to add an additional subsection and associated provisions, which shall hereby read as follows:

> (s) *Engineering Plan Review Fee.* Any person desiring to submit for engineering construction plan review shall, at the time of said plan being submitted to the engineering department, pay to the city a fee in accordance with the following fee schedule:

First Review Fee	Resubmittal Fee
• $100.00 for parcels or tracts of land less than 1-acre. • $125.00 for parcels or tracts of land between 1 to 5-acres. • $175.00 for parcels or tracts of land greater than 5-acres.	$500 **(After Third Review)**

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein; and

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 4. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said

meeting was given; and

SECTION 5. That this ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of September, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 08/19/2019

2nd Reading: 09/03/2019

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38

CITY OF ROCKWALL

ORDINANCE NO. 19-31

SPECIFIC USE PERMIT NO. S-211

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *MINOR AUTO REPAIR GARAGE,* IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 1.1107-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 1, HORIZON VILLAGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Greg Wallace of Mershawn Architects on behalf of the owner for the approval of a Specific Use Permit (SUP) to allow a *minor auto repair garage* in a Commercial (C) District on a 1.1107-acre parcel of land being described as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated by *Ordinance No. 05-20*.

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *minor auto repair garage* as stipulated by Section 1, *Land Use Schedule,* of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*], on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 4.4, *Commercial (C) District,* of Section 4, *Commercial Districts,* of Article V, *District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *minor auto repair garage* on the *Subject Property* and conformance to these stipulations is required for continued operations:

1) The *minor auto repair garage* shall generally conform to the concept plan and building elevations depicted in *Exhibits 'B'* and *'C'* of this ordinance;

2) Vehicles, equipment, parts, and/or inventory shall ***not*** be stored outside overnight.

3) All work must be performed within an enclosed building.

4) The addition shall match the design and materials of the existing buildings as depicted in *Exhibit 'C'* of this ordinance.

5) A ten (10)-foot landscape buffer consisting of ground cover, a built-up berm and/or shrubbery or a combination thereof shall be installed along the entire length of the frontage of the subject property.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF SEPTEMBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: August 19, 2019

2nd Reading: September 3, 2019

Exhibit 'A'
Zoning Exhibit

Address: *2581 Horizon Road [FM-3097]*
Legal Description: *Lot 1, Block 1, Horizon Village Addition*

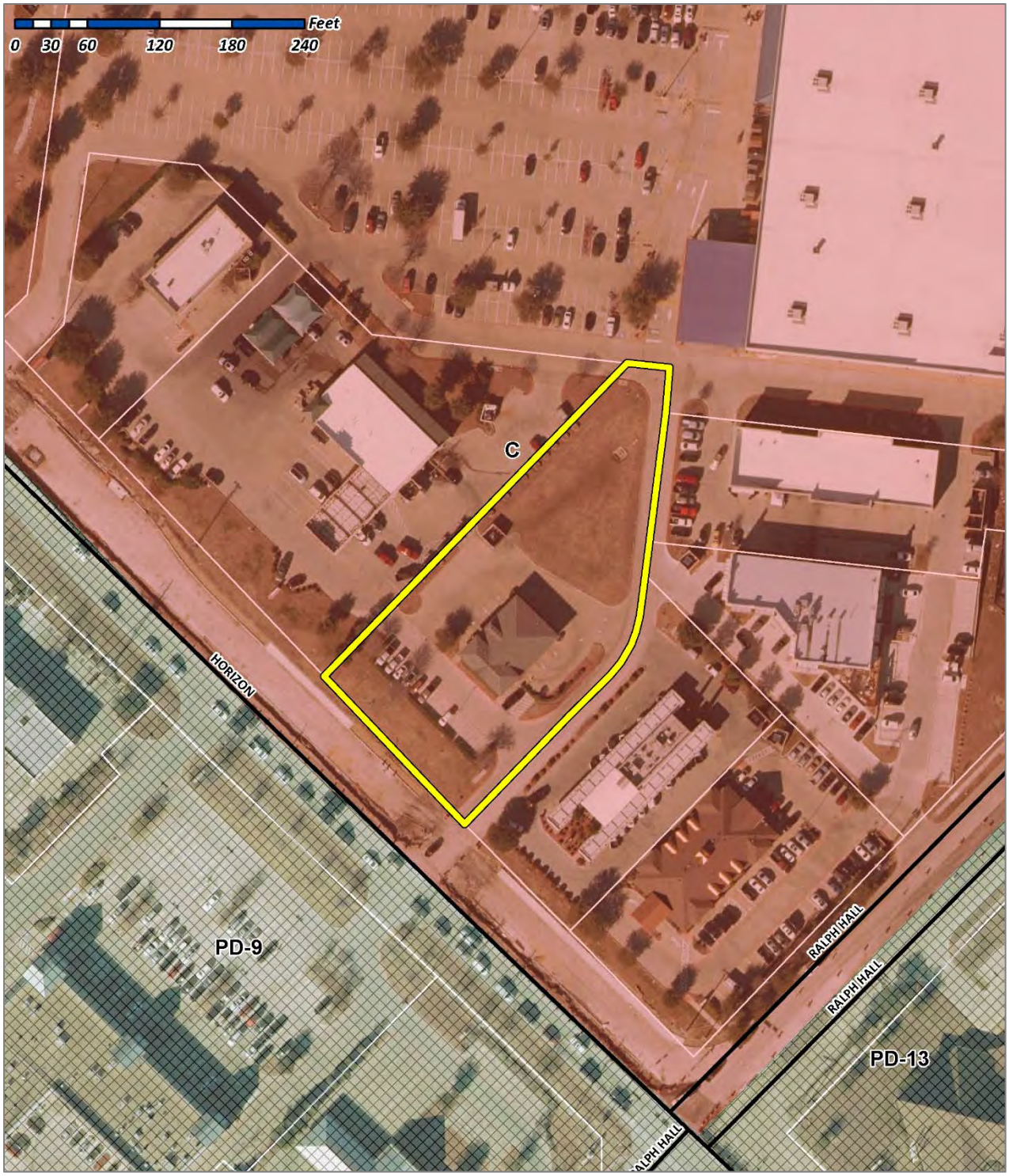


Exhibit 'B':
Concept Plan

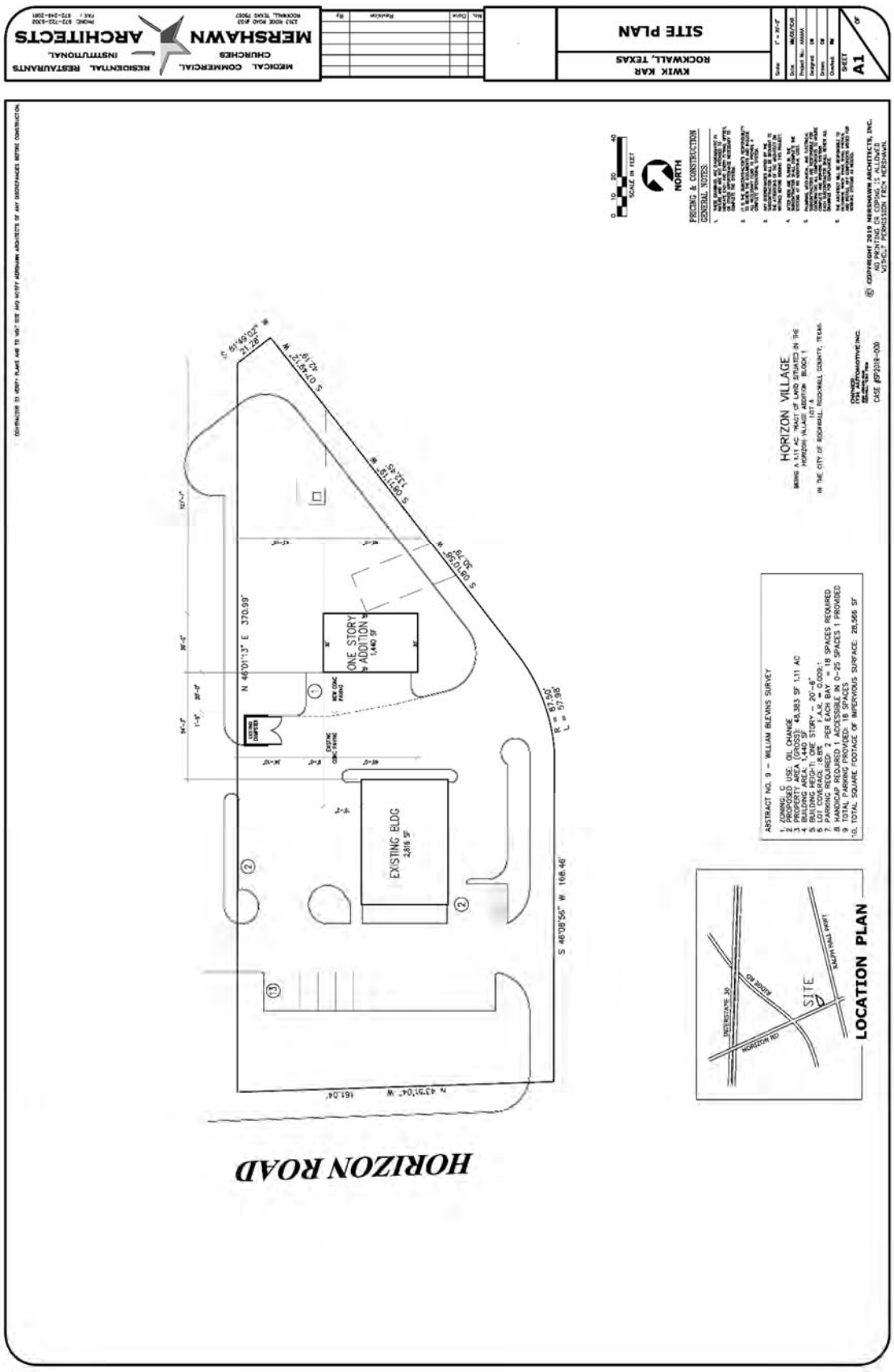


Exhibit 'C':
Conceptual Building Elevations

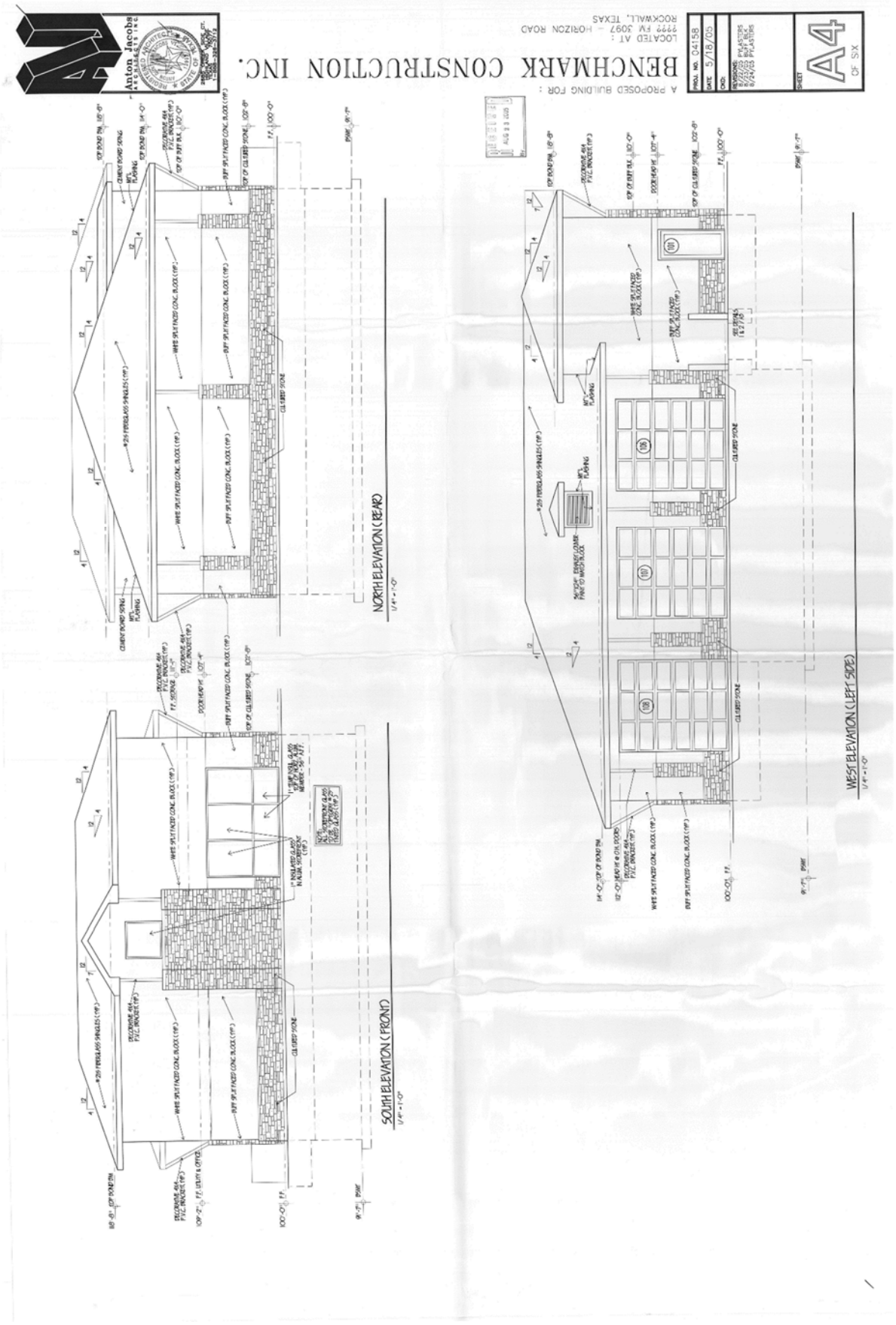


Exhibit 'C':
Conceptual Building Elevations

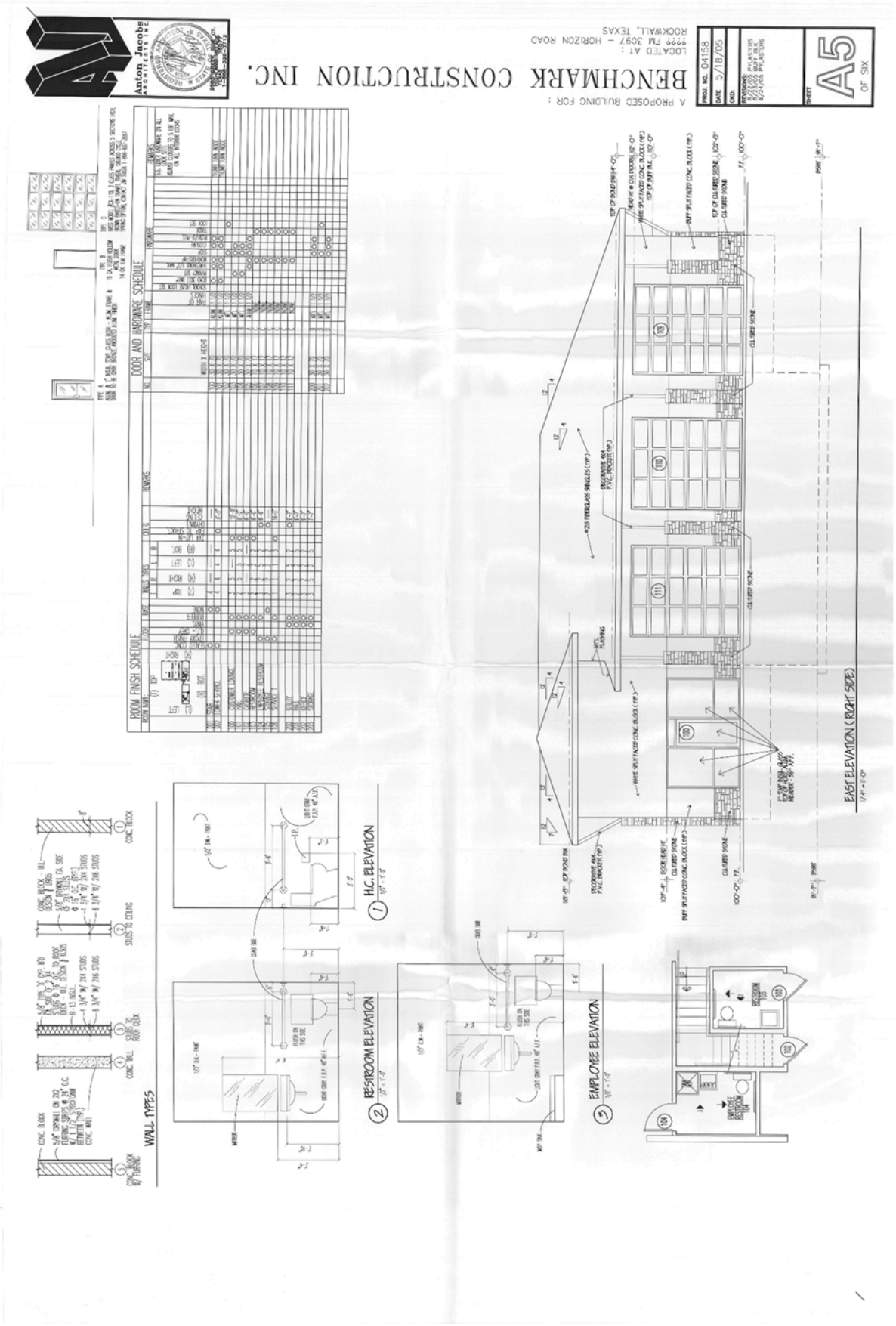
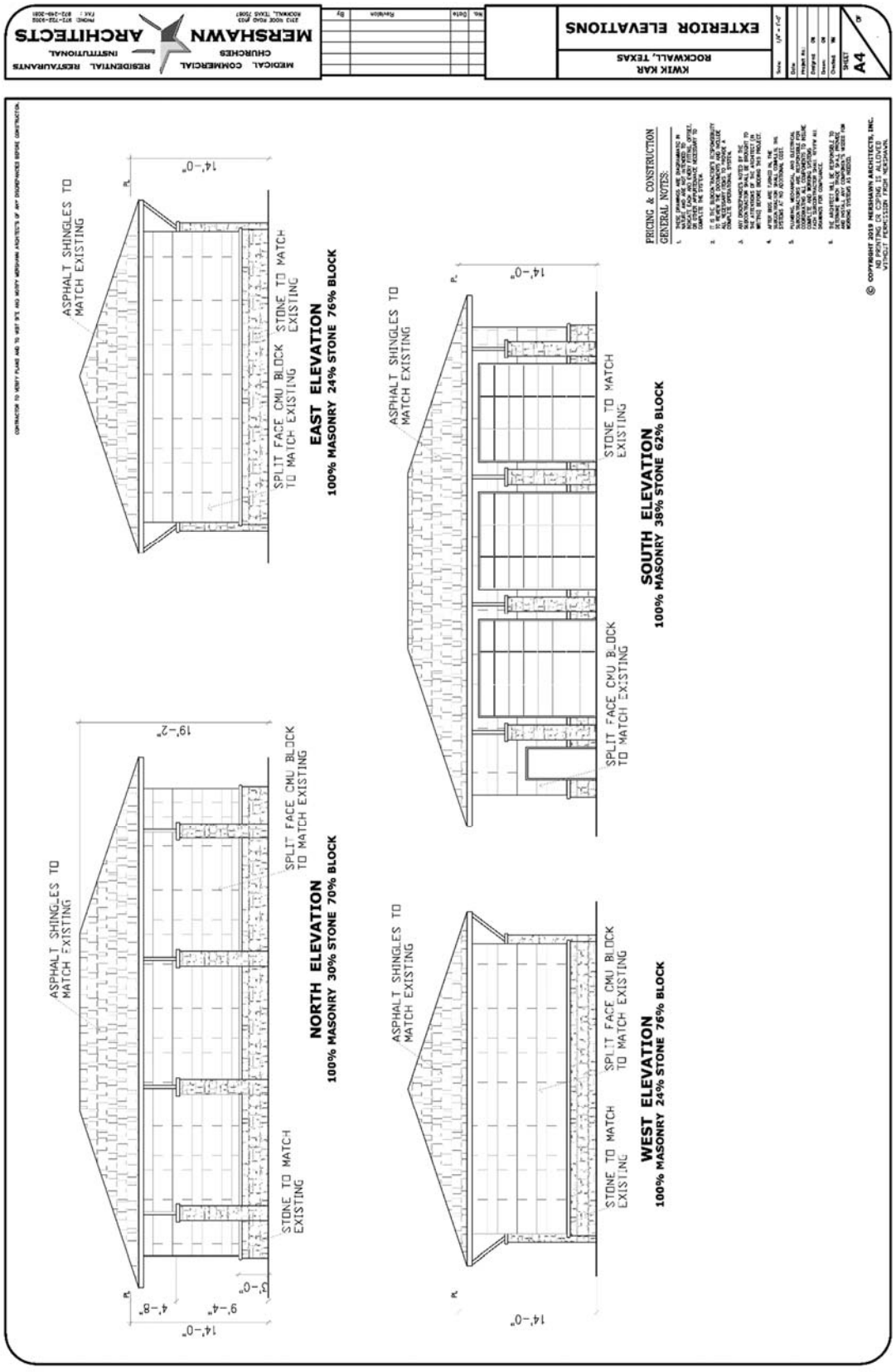


Exhibit 'C':
Conceptual Building Elevations



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47

CITY OF ROCKWALL

ORDINANCE NO. 19-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*, ARTICLE IV, *PERMISSIBLE USES*, ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*, ARTICLE VIII, *LANDSCAPE STANDARDS*, ARTICLE X, *PLANNED DEVELOPMENT DISTRICT REGULATIONS*, ARTICLE XI, *ZONING RELATED APPLICATIONS*, AND ARTICLE XIII, *DEFINITIONS,* OF THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*], AND ARTICLE XI, *FENCES*, OF CHAPTER 10, *BUILDING AND BUILDING REGULATIONS*, OF THE MUNICIPAL CODE OF ORDINANCES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article II, *Authority and Administrative Procedures*; Article IV, *Permissible Uses*; Article V, *District Development Standards*; Article VIII, *Landscape Standards*; Article X, *Planned Development Regulations*; Article XI, *Zoning Related Applications*; and Article XIII, *Definitions,* of the Unified Development Code [*Ordinance No. 04-38*]; and Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] and Municipal Code of Ordinances should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That Article II, *Authority and Administrative Procedures,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance.

SECTION 2. That Article IV, *Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'B'* of this ordinance.

SECTION 3. That Article V, *District Development Standards,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'C'* of this ordinance.

SECTION 4. That Article VIII, *Landscape Standards,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'D'* of this ordinance.

SECTION 5. That Article X, *Planned Development Regulations,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended

as specifically described in *Exhibit 'E'* of this ordinance.

SECTION 6. That Article XI, *Zoning Related Applications,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'F'* of this ordinance.

SECTION 7. That Article XIII, *Definitions,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'G'* of this ordinance.

SECTION 8. That Article XI, *Fences*, of Chapter 10, *Building and Building Regulations,* of the Municipal Code of Ordinances of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'H'* of this ordinance.

SECTION 9. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars ($2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 10. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 11. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF SEPTEMBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: August 19, 2019

2nd Reading: September 3, 2019

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE II, DEVELOPMENT REVIEW AUTHORITY ~~AND ADMINISTRATIVE PROCEDURES~~, UDC

~~SECTION 1: SEQUENCE OF REVIEW~~

~~Where an applicant requests a variance from a provision of this [Unified Development Code] in conjunction with an application for amendment of the official zoning map, the variance shall be considered by the Planning and Zoning Commission and City Council at the same time that they consider the request for the zoning change.~~

~~SECTION 2. - INITIATION OF ADMINISTRATIVE PROCEDURES~~ [MOVED TO SUBSECTION 1.02 OF ARTICLE XI, UDC]

~~All platting, zoning and site plan requests to be considered by the Planning and Zoning Commission and/or the City Council, shall be initiated by filing an application with the City. All requests for building permits shall be initiated by the filing of an application with the City. The applications required by this section shall be on forms supplied by the City of Rockwall which shall be available in the offices of the City.~~

~~SECTION 3. - SUBMITTAL AND ACCEPTANCE~~ [MOVED TO SUBSECTION 1.02 OF ARTICLE XI, UDC]

~~No application shall be processed until such application is complete and the fee established in this [Unified Development Code] or ordinances of the City of Rockwall for processing the application has been paid.~~

~~SECTION 4. - AUTHORITY TO INITIATE A REQUEST~~ [MOVED TO SUBSECTION 1.02 OF ARTICLE XI, UDC]

~~All platting, zoning and site plan requests, and/or requests to amend the comprehensive plan or the thoroughfare plan may be initiated by the owner of the affected property or his authorized representative who files the required application and pays the appropriate fee for the request, or the City Council may direct the director of planning to initiate such a request on behalf of the City.~~

~~Amendments to the text of this [Unified Development Code] shall be initiated only by action of the City Council directing the director of planning to initiate such a request on behalf of the City or by the director of planning's own initiative.~~

~~Variances and special exceptions to be considered by the Board of Adjustments (BOA) may be initiated by the owner of the affected property or his authorized representative or any aggrieved party who files the required application and pays the appropriate fee, or by any person aggrieved by the decision of an administrative officer with authority over any matter appealable to the Board of Adjustments (BOA) per section 11.3 [of this Unified Development Code], or by an officer, or appropriate board of the City.~~

~~SECTION 5. - APPLICATION WITHDRAWAL~~ [MOVED TO SUBSECTION 1.03 OF ARTICLE XI, UDC]

~~Any request for withdrawal of an application must be submitted in writing to the director of planning.~~

~~Once an application for a platting, zoning, or site plan request to be considered by the Planning and Zoning Commission and/or City Council, or a variance, special exception or appeal going before the City Council has been published in a newspaper or notifications of public hearing, if any, have been mailed, such request for withdrawal must be placed on the public hearing agenda and acted upon by the applicable body.~~
~~Application fees are not refundable except in cases in which the director of planning determines that an application was accepted in error, or the fee paid exceeded the amount due under the provisions of this [Unified Development Code] or the ordinances of the City of Rockwall, in which case the amount of the overpayment may be refunded to the applicant.~~

~~*SECTION 6: CONDUCT OF PUBLIC HEARINGS*~~

~~*SUBSECTION 6.01: NOTICE OF PUBLIC HEARING*~~ *[MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]*

~~Written notice of all public hearings on proposed changes in district boundaries shall be sent to all property owners listed on the most current and approved city tax rolls, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500 feet from the boundaries of the subject property at least ten days prior to the public hearing date. In addition, written notice shall also be mailed to all known Homeowners Association (HOA) representative(s) within 1,500 feet of the subject property at least ten days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording "Zoning Change Requested." In cases that require notices to be sent to a multi-family property written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building.~~

~~In addition, notice of such public hearing shall be published one time in a newspaper of general circulation in the City, not less than ten days prior to the date of such hearing, and a four-foot by four-foot double sided sign giving notice of a proposed zoning change shall be placed on the subject property at least ten days prior to the public hearing.~~

~~Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one publication not less than 15 days prior to the public hearing, in the official newspaper of the City.~~

~~*(Ord. No. 10-14, § 1, 7-6-2010; Ord. No. 14-18, § 1, 5-5-2014)*~~

~~*SUBSECTION 6.02: PUBLIC HEARING POSTPONEMENT, RECESS, AND CONTINUATIONS*~~ *[MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]*

~~A. A public hearing for which notice has been given may be postponed by announcing the postponement at or after the time and place the hearing is scheduled to begin.~~
~~B. A public hearing may be recessed and continued any time after the hearing has commenced.~~
~~C. If a postponement or continuance of a public hearing is to a specific date and time no later than 30 days from the first or most recent hearing, the announcement of the postponement or continuance at the public hearing in which the application has been postponed or continued shall be sufficient notice and no additional notice is required.~~
~~D. Postponed or continued public hearing shall be presumed to be held in the same location, unless a different location for the hearing is announced at the time of the postponement or continuance.~~
~~E. In the event that any request or amendment is being considered, whether or not a public hearing is involved, and it is continued at the request of the applicant more than one time, an additional fee shall be required to cover the reasonable costs to the City, including the cost of any additional advertising cost and the cost of the City's consultants due to the postponement.~~
~~F. If the applicant is not present at a meeting where the request is being considered and the request cannot be considered, then an additional fee, as described in 6.2E above, shall also be required.~~

~~*(Ord. No. 18-02, § 1, 1-2-2018)*~~

~~*SUBSECTION 6.03: CONDUCT OF PUBLIC HEARING*~~ *[MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]*

~~Subject to the presiding officer's inherent authority to conduct meetings, the public hearing shall generally be conducted as follows:~~

A. Report by the City representative;
B. Open public hearing;
C. Presentation by the applicant;
D. Testimony and questions by the public;
E. Rebuttal by the applicant;
F. Closure of the public hearing.

SECTION 7: PLANNING AND ZONING COMMISSION AUTHORITY [MOVED TO SUBSECTION 3.04]

SUBSECTION 7.01: APPROVAL AUTHORITY

The Planning and Zoning Commission shall make decisions, or make recommendations to the City Council, on the following matters:

(A) Decisions on site plans, building elevations, lighting plans, landscape plans and tree preservation plans as may be required.
(B) Recommendations to City Council on plats as required by the subdivision ordinance, chapter 38 of part II, Code of Ordinances.
(C) Recommendations to City Council on replats, when such public hearing is required by the provisions of V.T.C.A., Local Government Code Chapter 212.
(D) Recommendations to City Council regarding text amendments to this Unified Development Code.
(E) Recommendations to City Council regarding zoning changes and map amendments, including reclassification of the zoning designations on land, specific use permits, and planned developments.
(F) Decisions regarding variances and special exceptions to this Unified Development Code.
(G) Recommendations to City Council regarding amendments to the comprehensive plan.
(H) Recommendations to City Council regarding amendments to the master thoroughfare plan.
(I) Recommendations to City Council regarding amendments to a master open space plan.

(Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

SUBSECTION 7.02: RECOMMENDATION AUTHORITY [MOVED TO SUBSECTION 2.04 OF ARTICLE XI, UDC]

Upon closure of the public hearing, and when required to make a recommendation to the City Council, the Planning and Zoning Commission may recommend:

(A) That the request or amendment be approved or enacted; or
(B) That the request or amendment be approved or enacted as modified to a more restrictive classification or subject to appropriate conditions as permitted by law; or
(C) That the request or amendment be denied.

(Ord. No. 18-24, § 1, 5-7-2018)

SECTION 8: CITY COUNCIL AUTHORITY [MOVED TO SECTION 2]

SUBSECTION 8.01: AUTHORITY

The City Council shall hold a meeting, conduct a public hearing – if required by this Unified Development Code – and make determinations on the following matters:

A. Text amendments to this Unified Development Code.

B. Zoning changes and map amendments, including reclassification of the zoning designations on land, specific use permits, and planned developments.
C. Appeals related to the Planning and Zoning Commission's decision on special exceptions, variances, or waivers related to site plans for development.
D. Amendments to the comprehensive plan.
E. Amendments to the master thoroughfare plan.
F. Amendments to the master open space plan.
G. Variances, special exceptions and appeals as set out in this Unified Development Code.

(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

SUBSECTION 8.02: JOINT PUBLIC HEARINGS [MOVED TO SUBSECTION 2.05 OF ARTICLE XI, UDC]

The City Council may hold a public hearing, after publishing the required notice, jointly and with any public hearing required to be held by the Planning and Zoning Commission, but the City Council shall not take action until it has received a final report from the Planning and Zoning Commission.

(Ord. No. 18-24, § 1, 5-7-2018)

SUBSECTION 8.03: CITY COUNCIL APPROVAL OR DENIAL [MOVED TO SUBSECTION 2.07 OF ARTICLE XI, UDC]

The council may take the following actions concerning the matters outlined in section 8.1:

A. Approval of an item. The City Council may approve the request or amendment either as requested, or in the form of a more restrictive district, and subject to such appropriate conditions as are allowed by law. Such approval of any request for a text amendment to this Unified Development Code or a zoning change and map amendment shall be granted only if the City Council determines that the request or amendment is consistent with the comprehensive plan and the purposes of this Unified Development Code. In the event the request or amendment concerns a text amendment to this Unified Development Code or a zoning change and map amendment, the City Council shall enact an ordinance amending this Unified Development Code or amending the official zoning map, whichever is applicable.
B. Denial of an item. The City Council may deny a request or amendment with prejudice. If a request or amendment is denied with prejudice, a new application may be submitted for the same lot or tract of land, or any portion thereof, within one year only if the new request is for a more restrictive or less intense use or development. For applications pertaining to a change of zoning and map amendment, a new proposal may not be submitted unless it is more restrictive or less intense than the previously denied proposal for any tract of land, or any portion thereof, for a period of one year from the denial date. If a request or amendment is denied by the City Council without an indication of "with" or "without" prejudice, then the action shall be considered to be "denied with prejudice."
C. Denial without prejudice. The City Council may deny the request or amendment without prejudice, in which case an application for the same request may be filed at the applicant's discretion.
D. Reapplication due to changed conditions. A request or amendment, which has been previously rejected with prejudice by the City Council, may be resubmitted within one year only if there is an actual change in conditions relating to the tract or parcel of land or the property surrounding it. In this event, the applicant must submit to the director of planning and zoning, in writing, a request describing such changed conditions. The director of planning and zoning shall investigate the claim and report to the Planning and Zoning Commission whether or not such change of conditions exist. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile the request or amendment.

(Ord. No. 18-24, § 1, 5-7-2018)

SUBSECTION 8.04: PROTEST OF PROPOSED CHANGE IN ZONING [MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]

Property owners adjacent to and within a radius of 200 feet of a property for which a change in zoning is being considered have the right to file a written protest against the request. The land area of this 200-foot radius includes streets, alleys and other public right-of-way.

~~Whenever such written protest is signed by the owners of 20 percent or more of the area of the lots or land included in such zoning change, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius, or if such change is recommended for denial by the Planning and Zoning Commission, such change in zoning shall require a favorable vote of three-fourths of all eligible members of the City Council.~~

~~For purposes of determining representation on this written protest, the written protest of any one owner of land owned by two or more persons shall be presumed to be the protest of all owners.~~

~~*(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018)*~~

~~Sec. 8.5. - Criteria for granting special exceptions.~~ *[MOVED TO SUBSECTION 9 OF ARTICLE XI, UDC]*

~~The City Council may make special exceptions to the standards in this Unified Development Code that are consistent with the general purpose and intent of the Unified Development Code. The Planning and Zoning Commission shall make recommendations on special exceptions.~~

~~Special exceptions are subject to appropriate conditions and safeguards to ensure that the special exceptions are consistent with the general purpose and intent of this Unified Development Code and the City's comprehensive plan.~~

~~The City Council, pursuant to the powers conferred upon it by state law, the ordinances of the City and this article may grant special exceptions to the provisions of this Unified Development Code upon finding that:~~

~~A. Such special exception will not substantially or permanently injure the appropriate use of adjacent property in the same district;~~
~~B. Such special exception will not adversely affect the health, safety or general welfare of the public;~~
~~C. Such special exception will not be contrary to the public interest;~~
~~D. Such special exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the exception is sought is located, except as provided elsewhere in this Unified Development Code;~~
~~E. Such special exception will be in harmony with the spirit and purpose of this Unified Development Code;~~
~~F. Such special exception will not alter the essential character of the district in which the property is located for which the exception is sought;~~
~~G. Such special exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located; and~~
~~Such special exception is within the spirit and intent of the City's comprehensive plan and other policies.~~

~~*(Ord. No. 18-24, § 1, 5-7-2018)*~~

SECTION 19: BOARDS, COMMISSIONS, AND ADMISTRATIVE STAFF ~~AGENCIES—APPOINTMENT, TERM, AND PROCEDURES~~

All meetings of any Board or Commission shall be open to the public. Each Board or Commission shall keep accurate minutes of each meeting, which shall be forwarded to the City Secretary within ten (10) days following each meeting. Such Board or Commission shall keep an accurate record of the names of the members who are present and absent from their meetings. When public hearings are necessary or required, notice of the public hearings and the conduct of the public hearing ~~same~~ will be in compliance with the requirements of all federal, state and local laws. ~~the Local Government Code and this [Unified Development Code]~~.

Each Board or Commission may establish its own attendance rules, regulations, and method of enforcement unless in conflict with state law, or this Article. Each member of a Board or Commission shall be at least 18 years of age.

SECTION 2: CITY COUNCIL

SUBSECTION 2.01: AUTHORITY

The City Council shall hold a meeting, conduct a public hearing -- *if required by this Unified Development Code* -- and make determinations on the following matters:

(A) Text amendments to this Unified Development Code.
(B) Zoning changes and map amendments including the reclassification of zoning designations on land, Specific Use Permits (SUP), and Planned Development Districts.
(C) Appeals related to the Planning and Zoning Commission's decision on special exceptions, variances, or waivers related to site plans for development.
(D) Amendments to the Comprehensive Plan.
(E) Amendments to the Master Thoroughfare Plan.
(F) Amendments to the Master Open Space Plan Master Plans.

(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

[MOVED FROM SECTION 8]

SECTION ~~3~~10: PLANNING AND ZONING COMMISSION

SUBSECTION ~~3~~10.01: CREATION AND MEMBERSHIP

(A) *Membership*. The members of the Planning and Zoning Commission shall be appointed for a term of three (3) years on a rotating basis and removable for cause by the City Council. The terms of office shall expire on the last day of July or until their successor has been appointed. Any member of the Planning and Zoning Commission may be reappointed by the City Council upon completion of a full term.

(B) *Residency*. Each member of the Planning and Zoning Commission shall be a resident of the City of Rockwall at the time of his appointment. A member of the Planning and Zoning Commission ceasing to reside in the City during his term of office shall immediately forfeit the office.

(C) *Removal*. Any member of the Planning and Zoning Commission may be removed from office for any cause deemed by the City Council to be sufficient for removal of the member. If a vacancy should exist in the Planning and Zoning Commission membership due to removal from office, resignation, death, refusal or inability to serve, the City Council shall appoint a new member to fill the vacancy for the unexpired term.

(Ord. No. 10-04, § 1, 2-1-2010; Ord. No. 10-14, § 2, 7-6-2010)

SUBSECTION ~~3~~10.02: POWERS AND DUTIES

The Planning and Zoning Commission shall have the following powers and duties:

(A) To advise the City Council and make recommendations concerning adoption of, or amendments to, zoning regulations and the zoning map;
(B) To advise the council and make recommendations concerning adoption of, or amendments to the City's Comprehensive Plan, Master Thoroughfare Plan, and Parks and Recreation Master Plan ~~open space plan~~ and implementation thereof;
(C) To oversee the City's regulations governing the platting and recording of subdivisions, including matters pertaining to the dedication of public facilities, and to advise the council on matters pertaining to public improvements, traffic, utility extensions and the provision of public facilities and services, in order to implement the City's Comprehensive Plan;
(D) To undertake such actions as are necessary to exercise its delegated powers, as indicated by adopted ordinance;
(E) To approve certain matters relating to platting and recording of subdivisions as dictated by the City's ordinances and the Unified Development Code (UDC) ~~this [Unified Development Code]~~;
(F) To select a Planning and Zoning Commission Chair;

(G) To call public hearings to initiate zoning changes; and
(H) Other duties as may be prescribed by ordinance or state law.

SUBSECTION ~~310~~.03: PROCEDURES

(A) *Attendance*. If a Planning and Zoning Commissioner has three (3) consecutive absences that are not excused by the Planning and Zoning Commission, or is absent from more than 25% ~~percent~~ of the meetings, he or she may be removed from the Planning and Zoning Commission; however, if absent from 50% ~~percent~~ of the meetings in any calendar year, the member will automatically be removed from the Planning and Zoning Commission.

(B) *Officers*. Pursuant to the Charter § 9.01, the Planning and Zoning Commission shall elect a chair and vice-chair at the first meeting in August for a term of one (1) year. The vice-chair is to preside in the absence of the chair. Both the chair and the vice-chair shall vote on every item unless prohibited by law. The ~~zoning administrator~~ Director of Planning and Zoning shall be secretary of the Planning and Zoning Commission.

(C) *Meetings*.

(1) *Open to the Public.* All meetings of the Planning and Zoning Commission shall be open to the public. The Planning and Zoning Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed in the office of the commission and shall be a public record. The ~~zoning administrator~~ Director of Planning and Zoning of the City of Rockwall shall be the custodian and possessor of the records and minutes of the Planning and Zoning Commission.
(2) *Calling of Meetings.* Meetings of the Planning and Zoning Commission may be held as often as necessary to conduct the business coming before the Planning and Zoning Commission at the call of the chair and at such other times as the commission may determine.
(3) *Quorum*. Any four (4) members shall constitute a quorum for the transaction of the business. The affirmative vote of a majority of those attending any meeting at which there is a quorum present shall be necessary to pass any motion, recommendation or resolution of the Planning and Zoning Commission.

(Ord. No. 10-14, § 3, 7-6-2010)

SUBSECTION 3.04: APPROVAL AUTHORITY

The Planning and Zoning Commission shall make decisions, or make recommendations to the City Council, on the following matters:

(J) Decisions on Site Plans, Building Elevations, Photometric Plans, Landscape Plans, Tree Preservation Plans (*i.e. Tree Mitigation Plans and Tree Removal Plans*), and Open Space Master Plans as may be required.
(K) Recommendations to City Council on all plats (*e.g. master plats, preliminary plats, replats, finals plats, etc.*) as required by Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.
(L) Recommendations to City Council regarding text amendments to the Unified Development Code.
(M) Recommendations to City Council regarding zoning changes and map amendments, including reclassification of the zoning designations on land, Specific Use Permits (SUP), and Planned Development Districts.
(N) Decisions regarding variances and special exceptions to this Unified Development Code.
(O) Recommendations to City Council regarding amendments to the Comprehensive Plan.
(P) Recommendations to City Council regarding amendments to the Master Thoroughfare Plan.
(Q) Recommendations to City Council regarding amendments to the Parks and Recreation Master Plan.

(Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

[MOVED FROM SECTION 7]

SECTION ~~411~~: BOARD OF ADJUSTMENTS (BOA)

SUBSECTION ~~411~~.01: ORGANIZATION

(A) *Membership.* The Board of Adjustments (BOA) is created in accordance with the provisions of article 1011g of the Revised Civil Statutes of Texas [*V.T.C.A., Local Government Code § 211.008*]. The Board of Adjustments (BOA) shall consist of five (5) members who are residents and taxpayers of the City, each to be appointed by the City Council for two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made.

(B) *Alternate Members.* ~~In addition,~~ The City Council shall provide for the appointment of four (4) alternate members of the Board of Adjustments (BOA) who shall serve in the absence of one (1) or more of the regular members. Alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two (2) years, and any vacancy shall be filled in the same manner and they shall be subject to removal the same as the regular members.

(C) *Chief Building Official ~~Zoning Administrator~~*. The Chief Building Official ~~zoning administrator~~, or his authorized representative, shall be an ex-officio member of the zoning Board of Adjustments (BOA) without power of vote and as an ex-officio member of such board shall act as secretary of the ~~zoning~~ Board of Adjustments (BOA) and shall set up and maintain a separate file for each application for appeal, special exception and variance received and shall record therein the names and addresses of all persons, firms and corporations to whom notices are mailed, including the date of mailing and further keep a record of all notices published as required herein. All records and files herein provided for shall be permanent and official files and records of the City.

Charter reference— Board of Adjustments (BOA), § 9.06.
State Law reference— Board of Adjustments (BOA), V.T.C.A., Local Government Code § 211.008.

SUBSECTION ~~411~~.02: PROCEDURES

(A) *Adopting Procedural Rules*. The Board of Adjustments (BOA), by majority vote, shall adopt such procedural rules as are necessary to execute its duties.

(B) *Election of Officers*. The Board of Adjustments (BOA) shall annually select one (1) of its members to be the chair, and the vice chair to act in the absence of the chair.

(C) *Quorum*. All cases before the Board of Adjustments (BOA) must be heard by at least four (4) members.

(D) *Calling Meetings*. Meetings of the Board of Adjustments (BOA) shall be held at the call of the chair, and at such other times as the Board of Adjustments (BOA) may determine. Such chair, or in his absence the acting chair, shall administer oaths and compel attendance of witnesses.

(E) *Meetings Open to the Public*. All meetings of the Board of Adjustments (BOA) shall be open to the public.

(F) *Keeping of Minutes*. The Board of Adjustments (BOA) shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its other official actions, all of which shall be filed in the office of the Board of Adjustments (BOA) and shall be a public record.

The secretary of the Board of Adjustments (BOA) shall forthwith notify in writing the City Council, the Planning and Zoning Commission and the City's Chief Building Official of each decision, interpretation, special exception and variance granted under the provisions of the Unified Development Code ~~this [Unified Development Code]~~.

(G) *Attendance*. If a member has three consecutive absences that are not excused by the Board of Adjustments (BOA), or is absent from more than 25% ~~percent~~ of the meetings, he may be removed from the Board of Adjustments (BOA); however, if absent from 50% ~~percent~~ of the meetings in any calendar year, the member will automatically be removed from the Board of Adjustments (BOA).

(Ord. No. 10-14, § 4, 7-6-2010)

SUBSECTION ~~411~~.03: JURISDICTION

(A) When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustments (BOA) may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following special exceptions to the regulations herein established:

(1) *Appeal of an Administrative Decision*. Consider an appeal from any person aggrieved by a decision of any administrative officer with authority over any matter regulated by the ~~this~~ Unified Development Code or by any officer, department, board or division of the City affected by any decision of the administrative officer. Such appeal shall be received within 15 calendar days after the decision has been rendered by the administrative officer, by filing with the officer whose decision is being appealed and with the Board of Adjustments (BOA), a notice of appeal specifying the grounds of the appeal and the City's required fee.

(2) *Appeal of a Code Decision*. Consider an appeal from any person aggrieved by orders, decisions or determinations made by the building official, fire official or city engineer relative to the application and interpretation of the ~~2015~~ International Residential Code, International Building Code, International Plumbing Code, International Mechanical Code, International Energy Conservation Code, International Fuel Gas Code, International Fire Code, International Existing Building Code, and ~~2014~~ National Electrical Code ~~and City of Rockwall Standards of Design and Construction (Engineering Standards)~~.

The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustments (BOA), all papers constituting the record from which the action appealed was taken. An appeal shall stay all proceedings of the action which has been appealed, unless the officer from whom the appeal is taken, certifies to the Board of Adjustments (BOA) that a stay would, in the officer's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed unless there is a restraining order granted by the Board of Adjustments (BOA) or by a court of competent jurisdiction on application, and notice is given to the officer whose decision is the subject of appeal.

(B) *Odd Shaped Parcels*. Permit such modifications of the height, yard, area, coverage and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification.

(C) *Non-Conforming Use*. Permit the expansion or enlargement of a building occupied by a non-conforming use on the lot or tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use. Upon review of the facts, the Board of Adjustments (BOA) may establish a specific period of time for the occupancy to revert to a conforming use.

(D) *Change of Non-Conforming Use*. To authorize a change of use from one non-conforming use to another nonconforming use, provided that such change is to a use of the same or more restricted classification. In the event that a non-conforming use is changed to a nonconforming use of a higher or more restrictive classification, the building or structure containing such nonconforming use shall not later be reverted to the former lower or less restricted classification. The Board of Adjustments (BOA) may establish a specific period of time for the conversion of the occupancy to a conforming use.

(E) *Discontinuance of a Non-Conforming Use*. Require the discontinuance of nonconforming areas of land or structures under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of the Unified Development Code ~~this [Unified Development Code]~~.

(1) All actions to discontinue a nonconforming use of land or structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of property.

(2) The Board of Adjustments (BOA) shall from time to time on its own motion or upon cause presented by interested property owners inquire into the existence, continuance or maintenance of any nonconforming use within the City.

(F) *Structure for a Legal Non-Conforming Use*. Permit the construction, reconstruction, enlargement or addition of a structure occupied by or for a use, normally ancillary to a single-family residential use, when such single-family residential use or structure, is legally nonconforming; provided, however, such construction, reconstruction, enlargement or addition does not prevent the return of such property to a conforming use.

(G) *Non-Conforming Structure*. To authorize the reconstruction and occupancy of a nonconforming structure, or a structure containing a nonconforming use, where such structure has been damaged by fire or other causes to the extent of more than 50% ~~percent~~, but less than the total, of the replacement cost of the structure on the date of the damage. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or person affected, and shall be considered in regard to the public welfare, character of the area surrounding such structure, and the conservation, preservation and protection of property.

(H) *Expansion of a Non-Conforming Structure*. To authorize the enlargement, expansion or repair of a nonconforming structure in excess of 50% ~~percent~~ of its current value. In such instance, the current value shall be established at the time of application for a hearing before the Board of Adjustments (BOA). If such expansion or enlargement is approved by the Board of Adjustments (BOA), all provisions of the district in which such structure is located shall apply to the new construction on the lot or parcel.

(I) *Occupation of an Abandoned Non-Conforming Structure*. To authorize the occupancy of an abandoned nonconforming structure. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or persons affected, and shall be considered in regard to the public welfare and safety, character or the area surrounding such structure, and the conservation, preservation and protection of property.

(J) *Violation of Other Ordinances*. The Board of Adjustments (BOA) is not authorized to permit or approve any request that would be in violation of any other ordinances or city regulations that would prohibit such improvement or construction to be made.

(Ord. No. 18-13, § 2, 3-5-2018)

SUBSECTION ~~411~~.04: CRITERIA FOR GRANTING VARIANCES

The City's Board of Adjustments (BOA), pursuant to the powers conferred upon it by state law, the ordinances of the City, and this article may grant variances to the provisions of the Unified Development Code ~~this [Unified Development Code]~~ upon finding that:

(A) Such variance will not substantially or permanently injure the appropriate use of adjacent property in the same district;
(B) Such variance will not adversely affect the health, safety or general welfare of the public;
(C) Such variance will not be contrary to the public interest;
(D) Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located~~, except as provided in section 12.3 [of this Unified Development Code]~~;
(E) Such variance will be in harmony with the spirit and purpose of the Unified Development Code ~~this [Unified Development Code]~~;
(F) Such variance will not alter the essential character of the district in which is located the property for which the variance is sought;
(G) Such variance will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
(K) Due to special conditions, a literal enforcement of the Unified Development Code ~~this [Unified Development Code]~~ would result in unnecessary hardship;
(H) The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, the area, shape or slope, and the unique circumstances were not

created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located;

(I) The variance or exception is not a self-created hardship; and

(J) The variance is clearly identified as a variance to the City's standards on the concept plan, site plan or text of the Unified Development Code.

(Ord. No. 10-14, § 5, 7-6-2010)

SUBSECTION ~~411~~.05: ACTIONS OF THE BOARD

(A) In exercising its powers, the Board of Adjustments (BOA), may, in conformity with the provisions of the Local Government Code, revise or reform, wholly or partly, or may modify the order, requirement, decisions, or determination appealed from, and shall have all the powers of the officer from whom the appeal is taken including the power to impose reasonable conditions to be complied with by the applicant.

(B) The concurring vote of four (4) members of the Board of Adjustments (BOA) shall be necessary to revise any order, requirements, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under the Unified Development Code ~~this [Unified Development Code]~~ or to affect any variance in the Unified Development Code ~~this [Unified Development Code]~~.

(C) Any special exceptions authorized by the Board of Adjustments (BOA), either under the provisions of the Unified Development Code ~~this [Unified Development Code]~~ or under the authority granted to the Board of Adjustments (BOA) under the statutes of the state, shall authorize the issuance of a building permit or a Certificate of Occupancy (CO) or other relief as the case may be for a period of 90-days from the date of the favorable action on the part of the Board of Adjustments (BOA), unless the Board of Adjustments (BOA) in its minutes shall, at the same time, grant a longer period.

(D) If a building permit or Certificate of Occupancy (CO) has not been applied for or issued within a 90-day period or as the Board of Adjustments (BOA) may specifically grant, the special exceptions shall be deemed waived; and all rights hereunder terminated. The Board of Adjustments (BOA) may grant one or more extensions to this time period upon the applicant's request and if due cause is shown.

(E) Such termination and waiver shall be without prejudice to a subsequent appeal to the Board of Adjustments (BOA) in accordance with the rules, and regulations regarding appeals.

SUBSECTION ~~411~~.06: APPEALS ON SAME MATTER

No appeal to the Board of Adjustments (BOA) shall be allowed concerning the same matter prior to the expiration of six months from a ruling of the Board of Adjustments (BOA) on any appeal to such body unless other rulings on the same or similar subject matter have, within such six-month period, been altered or changed by ruling of the Board of Adjustments (BOA), in which case such change of circumstances shall permit the allowance of an appeal, but shall in no way have force in law to compel the Board of Adjustments (BOA), after a hearing, to grant such subsequent appeal, but such appeal shall be considered on its merits as in all other cases.

SUBSECTION ~~411~~.07: EFFECTIVE DATE

A decision on a variance shall be effective upon approval by the Board of Adjustments (BOA).

SUBSECTION ~~411~~.08: APPEAL FROM BOARD

Any person aggrieved by any decision of the Board of Adjustments (BOA) or any officer, department, or board of the municipality pursuant to this section, may present to a court of competent jurisdiction, a petition, duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of such illegality.

Such petition shall be presented to the court within ten days after the filing of the decision complained of in the office of the City secretary and not thereafter.

No appeal from a Board of Adjustments (BOA) decision under its jurisdiction, as set out in the ~~this~~ Unified Development Code, shall be heard by the City Council.

(Ord. No. 10-14, § 6, 7-6-2010)

SECTION 5~~12~~: HISTORIC PRESERVATION ADVISORY BOARD

SUBSECTION 5~~12~~.01: ORGANIZATION

(A) *Membership*. There is hereby created a Historic Preservation Advisory Board (HPAB) which shall serve as an advisory body to the City Council. Such board shall consist of seven members to be appointed by the City Council.

(B) *Term of Office; Qualifications*. The members shall be appointed for a term of two (2) years with staggered terms and shall be removable by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term, the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed. The membership shall include:

(1) An architect, planner or representative of a design profession;
(2) A member of the Rockwall County Historical Foundation;
(3) A general contractor;
(4) An owner of property within a historic district;
(5) Three citizens of Rockwall interested in historic preservation.

All board members, regardless of background, shall have a known and demonstrated interest, competence of knowledge of historic preservation within the City. All members must be residents of Rockwall County.

(C) *Duties.* The duties of the Historic Preservation Advisory Board (HPAB) are as follows:

(1) Provide professional recommendations to the City Council and Planning and Zoning Commission as required, regarding site plans, building alternatives, and building plans proposed within the City Historic Overlay (HOV) District ~~(HO)~~. The Historic Preservation Advisory Board (HPAB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission or City Council. The Historic Preservation Advisory Board (HPAB) shall prepare a written assessment of the proposed project regarding compliance with approved guidelines for development within the district, and its applicability in preserving and enhancing the history and culture of the district.
(2) Research, document and maintain in the official files of the City detailed information regarding the original construction and architecture of the district.
(3) Develop and maintain guidelines regarding development and redevelopment within the district including architectural design, materials selections, building styles and other pertinent design considerations. The proposed guidelines shall be submitted to the Planning and Zoning Commission and City Council for approval.
(4) Adopt rules and procedures as necessary to provide for the orderly conduct of board meetings.
(5) Recommend the boundaries of historic districts.
(6) Increase public awareness of the value of historic, cultural, and architectural preservation by encouraging and participating in public education programs developed by the historic preservation office.
(7) Provide recommendations to the Planning and Zoning Commission and City Council concerning the historic preservation impact of proposed, announced or commenced actions by federal, state or local authorities that affect streets, alleys, publicly-maintained utilities and any other public spaces, areas, improvements, other features or zoning within, around or through any district.
(8) Make recommendations to the City for the employment of staff and professional consultants as necessary to carry out the duties of the HPAB.
(9) Review and take action on the designation of landmarks and the delineation of districts, which shall be ratified by the City Council.

(10) Recommend and confer recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
(11) Review and recommend to City Council and other applicable city boards and commissions all proposed changes to the Unified Development Code (UDC) ~~zoning ordinance~~, building code, general plan or other adopted policies of the City than may affect the purpose of the article.
(12) Conduct public hearings and provide comment on buildings, objects, sites, structures, and districts for nomination to the National Register of Historic Places to the Texas Historic Commission. Such recommendations shall be guided by the criteria established in the National Historic Preservation Act of 1966, as amended.
(13) Implement and maintain a system of survey or inventory of significant historic, architectural, and cultural landmarks and all properties located within designated districts located in the City. Such information shall be maintained securely, made accessible to the public and should be updated at least every ten years.
(14) Monitor and report to the Texas Historical Commission all actions affecting any recorded Texas historic landmark, state archaeological landmark, national register property and any locally designated landmark, as deemed necessary.
(15) Create sub-committees from among its membership and delegate to these committees' responsibilities to carry out the purposes of this article.
(16) Maintain written meeting minutes which are recorded by staff and demonstrate all actions taken by the HPAB and the reasons for taking such actions.
(17) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
(18) Review and take action on all certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this article.
(19) Review and take action on all appeals on action taken by the HPO regarding the administrative review of certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this article.
(20) Develop, prepare and adopt specific design guidelines which shall be ratified by the City Council, for use in the review of all certificates of appropriateness applications.
(21) Prepare and submit annually to the City Council a report summarizing budget costs, goals and objectives and work completed during the previous year, as well as anticipated budgetary requests.
(22) Provide recommendations to the City concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and districts within the City.
(23) Recommend to City Council the acquisition of endangered landmarks by demolition where its preservation is essential to the purpose of this article and where private preservation is not feasible.
(24) Propose incentive program(s) to City Council for local property owners of historic landmarks or within local districts.
(25) Review and take action on all city preservation-related incentive program applications involving work on landmarks and districts for compliance with adopted design guidelines pursuant to this article.
(26) Accept on behalf of the City government donations of preservation easements and development rights as well as any other gift of value for the purpose of historic preservation, subject to the approval of City Council.

(D) *Officers.* The Historic Preservation Advisory Board (HPAB) shall elect a chair and vice chair at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Historic Preservation Officer shall be secretary of the Historic Preservation Advisory Board (HPAB) and an ex-officio member.

(E) *Voting; meetings.* Each member in attendance shall have a vote on plans submitted to the Historic Preservation Advisory Board (HPAB) with that vote reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Historic Preservation Advisory Board (HPAB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration. Meetings of the Historic Preservation Advisory Board (HPAB) shall be called as needed by the historic preservation officer.

(F) *Attendance.* If a member has three consecutive absences that are not excused by the Historic Preservation Advisory Board (HPAB), or is absent from more than 25% ~~percent~~ of the meetings, he or she may be removed from the Historic Preservation Advisory Board (HPAB); however, if absent from 50% ~~percent~~ of the meetings in any calendar year, the member will automatically be removed from the historic preservation board.

(Ord. No. 10-14, § 7, 7-6-2010; Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION ~~512~~.02: DESIGNATION OF LANDMARKS IN THE CITY

(A) The Historic Preservation Advisory Board (HPAB) may recommend to the Planning and Zoning Commission and the City Council that certain properties be "landmark districts" and that specific areas be designated as "historic districts" as provided for in Subsection 6.2 of Article V, *District Development Standards* ~~section 6.2 of this Unified Development Code~~.

(Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION ~~512~~.03: CERTIFICATES OF APPROPRIATENESS (COA)

For requirements concerning Certificates of Appropriateness (COA) see Section 6, *Certificates of Appropriateness (COA)*, of Article XI, *Development Applications and Review Procedures*.

~~(A) Applicability. Any person carrying out any work that requires a building permit for exterior alteration, restoration, reconstruction, new construction, moving or demolition of a property within a historic district visible must first obtain a certificate of appropriateness from the historic preservation advisory board as provided for in article V, section 6.2 of this Unified Development Code.~~

~~(B) Criteria for approval of a certificate of appropriateness. The board shall follow the design guidelines as adopted by the City Council in its consideration of all applications for a certificate of appropriateness. These standards shall be made available to the property owners of historic landmarks or within historic districts. The historic preservation officer shall coordinate with the chief building official, and other appropriate city departments, all certificate of appropriateness applications.~~

(Ord. No. 12-25, § 1, 10-1-2012)

SECTION ~~613~~: ARCHITECTURAL REVIEW BOARD

SUBSECTION ~~613~~.01: CREATED

There is hereby created an Architectural Review Board (ARB) of review which shall serve as an advisory body to the Planning and Zoning Commission. Such board shall consist of seven members to be appointed by the City Council after recommendation of the Planning and Zoning Commission.

SUBSECTION ~~613~~.02: TERM OF OFFICE; QUALIFICATIONS

(A) Term. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed.
(B) Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.
(C) Attendance. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25% ~~percent~~ of the meetings, he may be removed from the Architectural Review Board (ARB); however, if absent from 50% ~~percent~~ of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION ~~613~~.03: DUTIES

The purpose of the Architectural Review Board (ARB)is to provide professional recommendations to the Planning and Zoning Commission and the director of planning regarding site plans and building elevations submitted within any zoning district as may be required. Meetings of the Architectural Review Board (ARB) shall be called as needed. The Architectural Review Board (ARB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission. The review shall evaluate compatibility with existing topography, scenic corridors and landscaping, and with the goals and objectives established in the applicable Overlay District and/or Planned Development District, the comprehensive plan and applicable provisions of the urban design guidelines. The Architectural Review Board (ARB) shall make recommendations on design changes based on its professional experience and knowledge. The Planning and Zoning Commission shall consider the Architectural Review Board's (ARB's) recommendations in its deliberation of the proposed development. The commission may include recommended changes in the proposed building elevations and site plan based upon the recommendations of the Architectural Review Board (ARB) in its recommendation to the City Council, if applicable.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 6~~13~~.04: OFFICERS

The Architectural Review Board (ARB) shall elect a chair and vice chair at the first meeting in August or at the first meeting thereafter for a term of one year. The ~~zoning administrator~~ Director of Planning and Zoning shall be secretary of the Architectural Review Board (ARB) and an ex officio member.

(Ord. No. 10-14, § 8, 7-6-2010)

SUBSECTION 6~~13~~.05: VOTING

Each member in attendance shall have a vote on plans submitted to the Architectural Review Board (ARB) with that vote being reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Architectural Review Board (ARB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration.

SECTION 7~~14~~: DIRECTOR OF PLANNING~~/ZONING ADMINISTRATOR~~

SUBSECTION 7~~14~~.01: QUALIFICATIONS

(A) The Director of Planning and Zoning must be a member in good standing of AICP, AIA or PE.
(B) The Director of Planning and Zoning or his/her designee shall serve as the *Zoning Administrator*.

SUBSECTION 7~~14~~.02: POWERS AND DUTIES

(A) The Director of Planning and Zoning shall have the following powers and duties:

(1) To make recommendations and provide assistance to the City Council and Planning and Zoning Commission concerning exercise of their responsibilities under the Unified Development Code ~~this [Unified Development Code]~~;
(2) To develop and recommend to the Planning and Zoning Commission, and the City Council, a Comprehensive Plan for the City or any amendments to the plan and to propose actions to implement the plan;
(3) To coordinate all planning relating to the City's Comprehensive Plan;
(4) To submit recommendations to the Planning and Zoning Commission and City Council on request for zoning changes, variances and exceptions;
(5) To render such administrative decisions as are required of the Director of Planning and Zoning by the Unified Development Code ~~this [Unified Development Code]~~;
(6) To perform such other duties as may be prescribed by ordinance or directed by the City Council or Planning and Zoning Commission.

SECTION ~~8~~15: HISTORIC PRESERVATION OFFICER

SUBSECTION ~~8~~15.01: APPOINTMENT

The City Manager shall appoint a qualified staff person, to serve as Historic Preservation Officer (HPO). This officer shall administer the historic preservation provisions of ~~this~~ the Unified Development Code and advise the Historic Preservation Advisory Board (HPAB) on matters submitted to it.

(Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION ~~8~~15.02: POWERS AND DUTIES

In addition to serving as a representative to the Historic Preservation Advisory Board (HPAB), the Historic Preservation Officer (HPO) shall:

(A) Coordinate the City's preservation activities with those of state and federal agencies and with local, state, and national non-profit preservation organizations.
(B) Administer ~~this~~ the Unified Development Code (UDC) and advise the HPAB on matters submitted to it.
(C) To maintain and hold open for public inspection all documents and records pertaining to the provisions of this article.
(D) Receive and review all applications pursuant to this article to ensure their completeness.
(E) Review and take action on all Certificates of Appropriateness (COA) applications subject to administrative review pursuant to this Article.
(F) Review and forward with any recommendations all applications for certificates of appropriateness subject to review by the HPAB pursuant to this article.
(G) Ensure proper posting and noticing of all HPAB meetings, schedule applications for HPAB review, provide packets to its members prior to the meetings, record meeting minutes and facilitate all HPAB meetings.
(H) Review and help coordinate the City's preservation and urban design activities with those of local, state and federal agencies and with local, state, and national preservation organizations in the private sector.

(Ord. No. 12-25, § 1, 10-1-2012)

SECTION ~~9~~16: CHIEF BUILDING OFFICIAL

SUBSECTION ~~9~~16.01: QUALIFICATIONS

The Chief Building Official must:

(A) Be a licensed architect or engineer in good standing; or
(B) Have a bachelor's degree in urban planning, or related field; supplemented by a minimum six (6) years in a supervisory/management capacity in the field with a municipal or other governmental organization, to include development and implementation of budgetary functions; or an equivalent combination of education, training, and experience which includes the following knowledge, skills, and abilities:

(1) Comprehensive knowledge of modern principles and practices of community development administration.

(2) Thorough knowledge of the federal, state, and local ordinances, laws and regulations relating to departmental activities.

(3) Thorough knowledge of principles of effective administration, to include planning, directing, evaluating, and coordinating.

SUBSECTION ~~9~~16.02: POWERS AND DUTIES

The Chief Building Official shall have the following powers and duties:

(1) To issue permits in accordance with the Unified Development Code ~~this [Unified Development Code]~~;
(2) To issue Certificates of Occupancy (CO) in accordance with the Unified Development Code ~~this [Unified Development Code]~~;
(3) To enforce the provisions of the Unified Development Code ~~this [Unified Development Code]~~;
(4) Such other powers and duties as may be lawfully delegated.

The City Council may designate the City Engineer or Director of Planning and Zoning to perform the duties of the Chief Building Official.

~~SECTION 17. - PROCEDURE IN PLANNING AND ZONING CASES—ADDITIONAL INFORMATION SUBMITTED~~ *[MOVED TO SUBSECTION 2.03(D) OF ARTICLE XI, UDC]*

~~New matters of evidence not present to the Planning and Zoning Commission shall not be heard or considered by the council in its public hearings related to amendments to the Unified Development Code and maps to the City.~~

~~In the event new evidence develops between the date of the hearing by the Planning and Zoning Commission and the hearing of the council on any zoning change, or if for any other valid reason a person wishes to present evidence to the council which had not been presented to the Planning and Zoning Commission, the council shall refer the case back to the Planning and Zoning Commission for further hearings to consider the new evidence.~~

~~Nothing contained herein shall be construed to prohibit anyone from speaking in the public hearing related to changes in zoning.~~

~~*(Ord. No. 10-14, § 9, 7-6-2010)*~~

~~*SECTION 18: COMPUTATION OF TIME*~~

~~Unless otherwise specifically provided, the time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, a Sunday or a legal holiday as observed by the City of Rockwall, that day shall be excluded. Whenever a person has the right, or is required to perform some act within the prescribed period after the service of a notice or other paper upon him, and the notice or paper is served by mail, three calendar days shall be added to the prescribed time unless otherwise specifically provided.~~

~~*SECTION 19: FEES*~~ *[MOVED TO SECTION 10 OF ARTICLE XI, UDC]*

~~Fees for all applications and appeals referred to in this [Unified Development Code] shall be established by the City Council.~~

~~However, the Planning and Zoning Commission, with the concurrence and approval of the City Council, shall determine and set forth a fee schedule for recovering the administrative cost of processing zoning requests and the public hearings called for by this [Unified Development Code]. Such fee shall be paid by the applicant and shall not be designed for restricting an applicant's ability to seek a hearing. In addition, it may not be designed to generate revenue for the City other than recovery of actual administrative costs. Immediately upon receipt of the application and fee, the zoning administrator shall note the date of filing, and make a permanent record.~~

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE IV, PERMISSIBLE USES, UDC

SECTION 1: LAND USE SCHEDULE

SUBSECTION 1.01: USE OF LAND AND BUILDINGS

Buildings, structures, and land uses shall be in conformance with the permitted uses depicted in Subsection 1.02, *Land Use Schedule*, and in compliance with Subsection 2.03, *Conditional Land Use Standards*. The following is the legend for the *Land Use Schedule* contained in Sebsection1.02:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

~~Buildings, structures and land shall be used only in accordance with the uses permitted in the following "land use schedule," subject to all other applicable requirements of this [Unified Development Code], including article V, Zoning District Development Standards.~~

~~(A) The symbol "P" shall mean that the use is permitted as a principal use in that zoning district by right.~~
~~(B) The symbol "S" shall mean that the principal use is permitted in that zoning district only after first obtaining a "specific use permit" as set forth in this article.~~
~~(C) The symbol "A" shall mean that this use is specifically permitted as an accessory use to a main use in the district. This does not exclude other land uses which are generally considered ancillary to the primary use.~~
~~(D) The symbol "+" shall mean that this use is conditional and has special standards or requirements listed in this section, which it must meet in order to be allowed.~~
~~(E) A blank square shall mean that the use is not allowed in that zoning district as a principal use.~~

~~*Table 1. Land Use Tables (December 12, 2010)*~~

~~*(Ord. No. 06-01, 1-3-2006; Ord. No. 06-14, 4-17-2006; Ord. No. 07-06, 2-5-2007; Ord. No. 07-18, 6-4-2007; Ord. No. 07-41, 10-15-2007; Ord. No. 08-05, 1-22-2008; Ord. No. 08-56, 10-20-2008; Ord. No. 10-14, § 12, 7-6-2010; Ord. No. 10-32, § 1, 12-6-2010; Ord. No. 11-13, § 1, 4-13-2011; Ord. No. 11-29, § 1, 7-5-2011; Ord. No. 11-39, § 1, 9-6-2011; Ord. No. 11-47, § 1, 12-5-2011; Ord. No. 14-52, § 1, 12-1-2014; Ord. No. 15-23, § 1, 8-3-2015; Ord. No. 18-04, § 1, 1-2-2018; Ord. No. 18-26, § 1, 6-14-2018; Ord. No. 18-27, § 1, 6-4-2018; Ord. No. 18-47, § 3, 11-19-2018; Ord. No. 19-12, § 1, 3-4-2019)*~~

SUBSECTION 1.02: LAND USE SCHEDULE

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
AGRICULTURAL ~~RURAL~~ AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)																							
Agricultural Uses on Unplatted ~~Un-Platted~~ Land	(1)		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P			
Animal Boarding/Kennel with Outside Pens	(2)	(1)	S	S	S	S																			
Animal Boarding/Kennel without Outside Pens	(2)	(2)	P	S	S	S											S	S	P	P	P	P			
Animal Clinic for Small Animals~~, no~~ without Outdoor Pens	(3)	(3)	S														S	P	P	P	P	S			
Animal Hospital~~,~~ or Clinic	(4)		S															S	S	P	P	P			
Animal Production or Husbandry	(5)		S																						
Animal Shelter or Loafing Shed	(6)		S																		P	P			
Barn or Agricultural Accessory Building	(7)	(4)	S																						
Crop Production	(8)		P																						
Commercial Horse Corral or Stable ~~(Commercial)~~	(9)	(5)	P	S	S	S																			
Private Horse Corral or Stable ~~(Private)~~	(10)	(6)	P	P	P	P	S																		
~~Urban Agriculture -~~ Community Garden	(11)	(7)	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
~~Urban Agriculture -~~ Urban Farm	(12)	(8)	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Wholesale Nursery ~~for Growing of Plants, No~~ (*i.e. without Retail Sale On-Site*)	(13)		S	S	S	S																			
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)																							
Residential Accessory Building or Structure	(1)	(1)		P	P	P	P	P	P	P	P	P	P	P	P	P	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~			
Bed and Breakfast ~~Operation~~	(2)	(2)	S	S	S	S					S				S	P	S								
Caretakers Quarters/Domestic or Security Unit	(3)														P			P	P	P	P	P			
Convent~~, or~~ Monastery, or Temple	(4)		P											P		P		P	P						
Duplex	(5)	(3)											P	P											

69

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Commercial Parking Garage	(6)														A		A	A	A	A	A	A			
Residential Garage	(7)	(4) & (5)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~			
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A	A	A	A	A	A	A	S	S	S	S	P											
Home Occupation	(9)	(7)	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
Limited-Service Hotel	(10)														S			S	S		S				
Full-Service Hotel~~, full service~~	(11)	(8)													S			S	S		S				
Residence Hotel~~, residence~~	(12)														S			S	S		S				
Motel	(13)														S			S	S		S				
Multi-Family Development or Structure	(14)	(9)												P											
Portable Building	(15)	(10)		P	P	P	P		P	P	P	P	P												
~~Residential Care Facility~~														~~P~~		~~S~~	~~S~~	~~S~~	~~S~~						
Residential Infill in an Established Subdivision	(16)	(11)	S	S	S	S	S	S	S	S	S	S	S	S	S	S									
~~Single-family on less than the minimum size lot +~~			~~S~~																						
Single-Family~~,~~ Attached Structure	(17)	(12)										P	P	P											
Single-Family~~,~~ Detached Structure	(18)	(13)	P	P	P	P	P	P	P	P	P	P	P	P		P									
Single-Family~~,~~ Zero Lot Line Structure	(19)	(14)										P	P	P		P									
Private Swimming Pool~~, private~~	(20)		A	A	A	A	A	A	A	A	A	A	A	A	A	A									
Private Tennis Court ~~private~~	(21)		A	S	S	S	S	S	S	S	S	S	S	S		S									
Townhouse	(22)	(15)												P	P	P									
Urban Residential	(23)	(16)												S	P										
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)																							
Assisted Living Facility	(1)	(1)												P	S	S	S	S	S		S				

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Blood Plasma Donor Center	(2)																	P	P	P	P	P			
Cemetery/Mausoleum	(3)		S														P	P	P	P	P	P			
Church/House of Worship	(4)	(2)	S	S	S	S	S	S	S	S	S	S	S	P	S		P	~~PS~~	~~PS~~	P	~~PS~~	P			
College, University, or Seminary	(5)														P				S	P	P	P			
Convalescent Care Facility/Nursing Home	(6)													S	S	P	P	P	P	P	S				
Congregate Care Facility/Elderly Housing	(7)	(3)												P	S	S	S	S	S		S				
Crematorium	(8)																				S	P			
Daycare with Seven (7) or More Children	(9)	(4)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S			
Emergency Ground Ambulance Services ~~ground~~	(10)																	P	P	P	P	P			
Group or Community Home	(11)	(5)	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P							
Government Facility	(12)														S			P	P	P	P	P			
Halfway House	(13)	(6)														S									
Hospice	(14)													S			P	P	P	P	S	S			
Hospital	(15)																	P	P	P	P	S			
Public Library, Art Gallery or Museum ~~(public)~~	(16)														P	P	P	P	P	P	P	P			
Mortuary or Funeral Chapel ~~(stand-alone)~~	(17)																	P	P	P	P				
Local Post Office~~, local service~~	(18)														P		P	P	P	P	P	P			
Regional Post Office~~, regional~~	(19)																			P	P	P			
Prison/Custodial Institution	(20)																			P	P	P			
Public or Private Primary School~~, primary~~	(21)	(7)	S	S	S	S	S	S	S	S	S	S	S	S	S		P	P	P	P	P				
Public or Private Secondary School~~, secondary~~	(22)	(8)	S	S	S	S	S	S	S	S	S	S	S	S	S		P	P	P	P	P				
~~Public or Private School~~ Temporary Education Building for a Public or Private School	(23)	(9)	S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	S					

71

LAND USE SCHEDULE

	LEGEND:
	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Rescue Mission or Shelter for the Homeless	(24)																			S	P	P			
Social Service Provider (Except Rescue Mission or Homeless Shelter)	(25)																S			P	P	P			
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)																							
Financial Institution with Drive-Through	(1)	(1)															S	P	P	P	P	P			
Financial Institution without Drive-Through	(1)														P		P	P	P	P	P	P			
~~Office, general~~															~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~			
Office Building less than 5,000 SF	(2)														P	P	P	P	P	P	P	P			
Office Building 5,000 SF or ~~More~~ Greater	(2)														P	S	S	P	P	P	P	P			
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)																							
Temporary Carnival, Circus, or Amusement Ride~~, temporary~~	(1)	(1)													S		S	P	P	P	P	P			
Indoor Commercial Amusement/Recreation ~~(inside)~~	(2)	(2)													S			S	P	P	P	P			
Outdoor Commercial Amusement/Recreation ~~(outside)~~	(3)	(3)																S	S	P	S	P			
Public or Private Community or Recreation Club as an Accessory Use~~, public or private (accessory)~~	(4)		S	S	S	S	S	S	S	S	S	S	S	S	S		S	P	P	P	P	P			
Private Country Club~~, private~~	(5)		S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P			
Golf Driving Range	(6)																S	S	S	P	P	P			
Temporary Fundraising Events by Non-Profit~~, indoor or outdoor, temporary~~	(7)	(4)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Indoor Gun Club with Skeet or Target Range ~~(indoor)~~	(8)	(5)																S	P	P	P	P			
Outdoor Gun Club with Skeet or Target Range ~~(outdoor)~~	(8)		S																			S			
Health Club or Gym	(9)													A	P		S	P	P	P	P	P			
Private Club, Lodge or Fraternal Organization	(10)	(6)													P S		S	P S	P	P	P	S			
Private Sports Arena, Stadium, and/or Track	(11)																		S	P	P	P			
Public Park or Playground	(12)		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			

72

LAND USE SCHEDULE

LEGEND:

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P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
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X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
~~Sexually Oriented Businesses [Art. XI; CH. 12; Municipal Code] Uses as defined in chapter 12, article XI of Code of Ordinances +~~	(13)	(7)																			S	S			
Tennis Courts (*i.e. Not Accessory to a Public or Private Country Club*)	(14)		S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P			
Theater	(15)														P			S	P	P	P	P			
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)																							
Antique/Collectible Store	(1)														S		S	P	P	P					
Astrologer, Hypnotist, or Psychic ~~Art and Science~~	(2)														S	P	P	P	P	P					
Banquet Facility/Event Hall	(3)														S			P	P	P					
Portable Beverage Service Facility~~, portable~~	(4)	(1)													S	S		S	S	S	S	P			
Brew Pub	(5)														P		P	P	P	P	P	P			
Business School	(6)														P			P	P	P	P				
Catering Service	(7)														A		S	P	P	P	P				
Temporary Christmas Tree Sales Lot and/or Similar Uses~~, temporary~~	(8)	(2)													S		S	P	P	P	P	P			
Copy Center	(9)														P		P	P	P	P	P	P			
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)													S			S	S		P	P			
Incidental Display~~, incidental~~	(11)	(4)													P		P	P	P	P	P				
Food Trucks/Trailers	(12)	(5)													P	S	S	P	P	P	P	P			
Garden Supply/Plant Nursery	(13)																S	P	P	P	P				
General Personal Service	(14)	(6)													P		P	P	P	P	S				
General Retail Store	(15)														P	S	P	P	P	P	S	S			
Hair Salon and/or Manicurist	(16)														P	S	P	P	P	P	S				
~~Laundry, dropoff/pickup~~ Laundromat with Dropoff/Pickup Services	(17)														P		P	P	P	P	P	P			

73

LAND USE SCHEDULE

LEGEND:

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X	Land Use Prohibited by Overlay District
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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
~~Laundry, self-service~~ Self Service Laundromat	(18)														P		P	P	P	P	P	P			
Massage Therapist	(19)														P	P	P	P	P	P					
Private Museum or Art Gallery ~~(private)~~	(20)														P	P	S	P	P		P				
Night Club, Discotheque, or Dance Hall	(21)														S			S	P	P	S	S			
Pawn Shop	(22)																		S	S	P	P			
Permanent Cosmetics	(23)	(7)													A	A	A	A	A	A	A				
Pet Shop	(24)																P	P	P	P					
~~Private Club~~															~~P~~		~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~			
Temporary Real Estate Sales Office~~, on-site, temporary~~	(25)		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
Rental Store without Outside Storage and/or Display	(26)	(8)																S	P	P	P	P			
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(27)	(9)															S	S	S	S	S	S			
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)														P	S	P	P	P	P	P	P			
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(27)	(10)															S	S	P	P	P	P			
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)														P		S	P	P	P	P	P			
Retail Store with Gasoline ~~Product~~ Sales that has ~~Limited to~~ Two (2) or less Dispensers ~~and~~ (*i.e. a Maximum of Four [4] Vehicles*)	(29)																S	P	P	P	P	P	S	S	
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29)																	S	P	P	P	P	S	S	
Secondhand Dealer	(30)														S			P	P	P	P	P			
~~Studio —~~Art, Photography, or Music Studio	(31)														P	P	P	P	P	P	P				
Tailor, Clothing, and/or Apparel Shop	(32)														P		P	P	P	P					

74

LAND USE SCHEDULE

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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Tattoo and/or Body Piercing	(33)																			P					
Taxidermist Shop	(34)																			P	P				
~~Winery +~~			~~S~~												~~S~~			~~S~~	~~S~~		~~P~~	~~P~~			
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)																							
Bail Bond Service	(1)																		S	P	P	P			
Building and Landscape Material with~~out~~ Outside Storage	(2)	(1)																			P	P			
Building and Landscape Material with Limited Outside Storage	(2)	(2)																	P	P	P	P			
Building Maintenance, Service, and Sales with Outside Storage	(3)	(3)																			P	P			
Building Maintenance, Service, and Sales without Outside Storage	(3)																		P	P	P	P			
Commercial Cleaners~~, commercial~~	(4)																			S	P	P			
~~Commercial Uses other than Listed~~																				~~P~~	~~P~~	~~P~~			
Custom and Craft Work	(5)																			P	P	P			
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)														P		S	P	P	P	P	P			
Feed Store or Ranch Supply	(7)																			P	S	P			
~~Food Processing~~																				~~S~~	~~P~~	~~P~~			
~~Furniture or Cabinet Repair~~																				~~P~~	~~P~~				
Furniture Upholstery/Refinishing and Resale	(8)	(4)																	S	P	P				
Gunsmith Repair and Sales	(9)																			P	P				
Rental, Sales and Service of Heavy Machinery and Equipment ~~(rental, sales and service)~~	(10)																			P	S	P			
Locksmith	(11)														P			P	P	P	P	P			
Machine Shop	(12)																			P	P	P			
Medical or Scientific Research Lab	(13)																			P	P	P			

75

LAND USE SCHEDULE

LEGEND:

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X	Land Use Prohibited by Overlay District
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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
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Manufactured Home Sales	(14)																			S		P			
Research and Technology or Light Assembly	(15)																		S	P	P	P			
Shoe and Boot Repair and Sales	(16)														P	S	P	P	P	P					
Trade School	(17)														S			S	P	P	P	P			
Temporary On-Site Construction Office	(18)		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)																							
Major Auto Repair Garage~~, major~~	(1)	(1)																		P	S ~~P~~	P			
Minor Auto repair garage~~, minor~~	(2)	(2)													S			S	S	P	S ~~P~~	P			
Automobile Rental	(3)																		S	P	S	P			
New or Used Boat and Trailer Dealership ~~(new and used)~~	(4)	(3)																	S	P	S	P	X	X	
Full Service Car Wash and Auto Detail	(5)	(4)															S	S	P	P	P	P	S	S	
Self Service Car Wash~~, self-service~~	(5)	(4)																S	P	P	P	P	S	S	
New and/or Used Indoor Motor Vehicle Dealership/Showroom~~, new and/or used~~	(6)	(5)																	S	S	S	S			
New Motor Vehicle Dealership~~, new (~~ for Cars and Light Trucks~~)~~	(7)	(6)																	S	P	S	P			
Used Motor Vehicle Dealership~~, used (~~ for Cars and Light Trucks~~)~~	(7)	(7)																	A	A	A	A			
Commercial Parking~~, commercial~~	(8)														S				P	P	P	P			
Non-Commercial Parking Lot~~, noncommercial~~	(9)														A		S	P	P	P	P	P			
Recreational Vehicle (RV) Sales and Service	(10)																		S	P	S	P			
Service Station	(11)	(8)															S	P	P	P	P	P			
Towing and Impound Yard	(12)	(9)																		S	S	P			
Towing Service~~, no~~ without Storage	(13)	(10)																		P	P	P			
Truck Rental	(14)																			P	S	P			

76

LAND USE SCHEDULE

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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
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Truck Stop with ~~fuel~~ Gasoline Sales and Accessory Services	(15)	(11)																		S	S	P			
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)																							
Asphalt or Concrete Batch Plant	(1)	(1)	S																		S	S			
Temporary Asphalt or Concrete Batch Plant~~, temporary~~	(2)	(2)	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P			
Bottle Works for Milk or Soft Drinks	(3)																				P	P			
Brewery or Distillery	(4)	(3)																			P	P			
Carpet and Rug Cleaning	(5)																			S	P	P			
Environmentally Hazardous Materials	(6)	(4)																		S	S	P			
Food Processing with ~~(~~No Animal Slaughtering~~)~~	(7)																			S	P	P			
Light Assembly and Fabrication	(8)																			P	P	P			
Heavy Manufacturing~~, heavy~~	(9)																			S	S	P			
Light Manufacturing~~, light~~	(10)																			P	P	P			
Metal Plating or Electroplating~~, electro plating~~	(11)																				S	P			
Mining and Extraction of ~~(~~Sand, Gravel, Oil and/or Other Materials~~)~~	(12)	(5)	S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	S	S	S			
~~Monument Works, stone and metal~~																				~~S~~		~~P~~			
Printing and Publishing	(13)																			P	P	P			
Salvage or Reclamation of Products ~~(~~Indoors~~)~~	(14)																			S	P	P			
Salvage or Reclamation of Products ~~(~~Outdoors~~)~~	(15)																				S	P			
Sheet Metal Shop	(16)																			P	P	P			
Tool, Dye, Gauge and/or Machine Shop	(17)																				P				
Welding Repair	(18)																			P	P	P			
Winery	(19)	(6)	S																		P	P			

77

LAND USE SCHEDULE

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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
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WHOLESALE, DISTRIBUTION AND STORAGE LAND USES	2.02(J)	2.03(J)																							
Cold Storage Plant	(1)																			P	P	P			
Heavy Construction/Trade Yard	(2)																			S	P	P			
Landfill~~, sanitary~~	(3)		S																						
Mini-Warehouse	(4)	(1)																	S	P	P	P			
Outside Storage and/or Outside Display	(5)	(2)																		P	P	P			S
Recycling Collection Center	(6)																			S	P	P			
Warehouse/Distribution Center	(7)																			P	P	P			
Wholesale Showroom Facility	(8)																		S	P	P	P			
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)																							
Airport, Heliport or Landing Field	(1)																			S	S	S			
Antenna~~, as an~~ Accessory	(2)	(1)	P	S	S	S	S	S	S	S	S	S	S	P		P	P	P	P	P	P	P			
Commercial Antenna~~, commercial~~	(3)	(2)													S	S		S	S	S	S	P			
Antenna~~, for an~~ Amateur Radio	(4)	(3)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A P	A P	A P	A P	A P			
Antenna Dish	(5)	(4)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A P	A P	A P	A P	A P			
Commercial Freestanding Antenna~~, commercial, freestanding~~	(6)	(5)	S															S	S	S	P	P			
Mounted Commercial Antenna~~, commercial, mounted~~	(7)	(6)													S			S	S	S	P	P			
Bus Charter Service and Service Facility	(8)																			P	P	P			
Helipad	(9)																	S	S	S	S	S			
Utilities (*Non-Municipally Owned or Controlled*), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Private Streets	(12)			S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S			

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS ~~COMMERCIAL/INDUSTRIAL~~						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Radio Broadcasting	(13)														S			P	P	P	P	P			
Railroad Yard or Shop	(14)		S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S			
Recording Studio	(15)														S			S	P	P	P	P			
Satellite Dish	(16)		A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~			
Solar Energy Collector Panels and Systems	(17)	(7)	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~	A ~~P~~			
Transit Passenger Facility	(18)														S	S	S	S	S	S	S	S			
Trucking Company	(19)																			P	P	P			
TV Broadcasting and Other Communication Service	(20)														S			S	S	P	P	P			
Utilities Holding a Franchise from the City of Rockwall	(21)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P			
Utility Installation Other than Listed	(22)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Utility/Transmission Lines	(23)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Wireless Communication Tower	(24)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			

SECTION 2: CONDITIONAL LAND USE STANDARDS AND DEFINITIONS

~~*SUBSECTION 2.01: CONDITIONS*~~

SUBSECTION 2.01: DETERMINATION OF LAND USES

Land uses shall be permitted in a zoning district as indicated in Section 1, *Land Use Schedule*, provided the land use meets the below conditional land use standards and the land use definitions established for such use. Should a new land use -- *not listed in Section 1, Land Use Schedule* -- request to be established in the City, the Director of Planning and Zoning or his/her designee shall determine the closest or most appropriate land use based on the following land use definitions and conditional land use standards. If the Director of Planning and Zoning is unable to classify a land use based on the land uses listed in *Section 1, Land Use Schedule*, then the Director of Planning and Zoning shall defer the decision to the City Council to either [*1*] direct staff to amend the code to incorporate the new land use, or [*2*] deny the request to establish the unlisted land use.

~~The following uses shall be allowed provided the use meets the definition and the standards established of such use.~~

~~*SUBSECTION 2.01.01: RURAL AND ANIMAL RELATED*~~

SUBSECTION 2.02: LAND USE DEFINITIONS

For land use definitions see Section 2.02, *Land Use Definitions*, of Article XIII, *Definitions*.

SUBSECTION 2.03: CONDITIONAL LAND USE STANDARDS

(A) *Agricultural and Animal Related Land Uses*

(1) *Animal Boarding/Kennel with Outside Pens.*

(a) Animals shall be permitted to be in outside pens or kennels.
(b) The outside pens or kennels shall be behind the primary structure and shall be screened from view of adjacent properties, public right-of-way, and parks and open space.

(2) *Animal Boarding/Kennel without Outside Pens.*

(a) Animals shall not be permitted to be in outside pens or kennels.

(3) *Animal Clinic for Small Animals without Outdoor Pens.*

(a) All *Animal Clinics for Small Animals* that incorporate a kennel shall be limited to short-term boarding.
(b) Boarding/kennel land uses should be accessory or incidental to the primary land uses (*i.e. animal clinic*).

~~Animal clinic for small animals, no outdoor pens.~~

~~(1) A place where animals or pets are given medical or surgical treatment and are cared for during the time of~~
~~(2) such treatment.~~
~~(3) Use as a kennel shall be limited to short-time boarding and shall be only incidental to such clinic use.~~

(4) *Barn or Agricultural Accessory Building.*

(a) A *Barn or Agricultural Accessory Building* shall be ~~is~~ a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
~~(2) A Barn or Agricultural Accessory Building is exempt from the masonry requirements stipulated by Section 7.01 , Residential District Development Standards.~~

(b) The *Barn or Agricultural Accessory Building* shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

~~Barn or agricultural accessory building. A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.~~

~~Horse corral or stable (commercial).~~

(5) *Commercial Horse Corral or Stable.*

(a) This use requires a minimum of ten (10) acres to be established.
(b) The ~~Ground~~ ground accumulation~~s~~ of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals~~.; and~~
(c) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal.

~~Horse corral or stable (private).~~

(6) *Private Horse Corral or Stable.*

(a) All ~~private horse corrals or stables~~ *Private Horse Corrals or Stables* shall comply with the standards specified in ~~section~~ *Subsection 3.01, Farm Animals and Horses*~~, in this [article]~~.

~~Urban agriculture.~~

~~Urban agriculture is an industry located within or on the fringe of a town, a city or metro area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying human and material resources, products and services largely to the urban area.~~

~~"Urban agriculture" uses do not include landscaping or gardening that is incidental to a residential use or business if plants or their products are not sold. Further, "urban agriculture" shall not include crop production and/or agricultural uses on unplatted land as allowed by table 1, land use tables, of article IV of the Unified Development Code, provided plants or their products are not sold onsite.~~

(7) *Community Garden.* ~~"Community garden" means a use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group.~~

(a) *Community Gardens* are permitted in the Agricultural (AG) District *by-right*; however, a Specific Use Permit (SUP) shall be required for any on-site retail sales.
(b) *Community Gardens* are permitted in all other zoning districts by Specific Use Permit (SUP) only, and are subject to the additional following conditions:

(1) The *Community Garden* must comply with the lot and building standards for ~~its~~ the zoning district in which the subject property is located.
(2) Any structure(s) for a *Community Garden* shall be reviewed as part of the Specific Use Permit (SUP), including the size~~, building materials~~ and intended use.
(3) All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended.

(4) Sales and donation of ~~only~~ whole, uncut, fresh food and/or horticultural products grown in the *Community Garden* may occur on-site ~~on otherwise vacant property~~, but may not occur on residentially zoned or used property ~~that is developed or occupied for residential use~~.

(5) Retail sales and all other public use of the *Community Garden* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.

(6) One temporary sign advertising only food or horticultural products grown on-site may be displayed during sale~~s~~ hours. The sign must be on-site, non-illuminated, and must not exceed six (6) square feet in area or three (3) feet in height.

(7) ~~Management plan.~~ The applicant shall provide a ~~proposed~~ *Community Garden Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include~~, without limitation~~: [*1*] a site plan, [*2*] a description of the type of equipment necessary for all operations of the *Community Garden*, [*3*] the anticipated frequency and duration of use of any equipment used on-site, [*4*] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [*5*] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

~~(a) A site plan;~~
~~(b) Description of the type of equipment necessary on intended for use in each season and the frequency and duration of anticipated use;~~
~~(c) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;~~
~~(d) Disclosure of whether the operation of the community garden would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.~~

(8) *Urban Farm.* ~~An urban farm means a use in which plants are grown for sale of the plants or their products, and in which the plants or their products are sold at the lot where they are grown or off site, or both, and in which no other items are sold. Examples may include flower and vegetable raising, orchards and vineyards.~~

(a) *Urban Farms* are permitted in the Agricultural (AG) District *by-right*; however, a Specific Use Permit (SUP) shall be required for any on-site retail sales.

(b) *Urban Farms* are permitted in all other zoning districts by Specific Use Permit (SUP) only, and are subject to the additional following conditions:

(1) A site area of not less than one (1) acre and not more than five (5) acres is required, unless otherwise approved by City Council.

(2) ~~Mechanical equipment.~~ Only mechanical equipment designed for residential ~~household~~ use may be used.

(3) ~~Sales.~~ Retail sales and all other public use of the *Urban Farm* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.

(4) ~~Deliveries.~~ Commercial deliveries and pickups are limited to one (1) per day. On-site sales are not considered commercial pickups.

(5) ~~Signs.~~ One identification sign ~~is permitted,~~ not exceeding 144 square inches in area is permitted.

(6) Any structure(s) for urban farms in residential districts shall be reviewed as part of the SUP, including size, building materials and intended use.

(7) ~~Management plan.~~ The applicant shall provide a ~~proposed~~ *Urban Farm Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include~~, without limitation~~: [*1*] a site plan, [*2*] a description of the type of equipment necessary for all operations of the *Community Garden*, [*3*] the anticipated frequency and duration of use of any equipment used on-site, [*4*] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [*5*] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

~~(a) A site plan;~~
~~(b) Description of the type of equipment necessary or intended for use in each season and the frequency and duration of anticipated use;~~
~~(c) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;~~
~~(d) Disclosure of whether the operation of the farm would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.~~

(c) *Urban Farms* are permitted in non-residential zoning districts by Specific Use Permit (SUP) only and are subject to the additional following conditions:

(1) A minimum site area of one (1) acre is required.
(2) ~~Sales.~~ Retail sales and all other public use of the *Urban Farm* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
(3) Any structure(s) for a *Community Garden* shall be reviewed as part of the Specific Use Permit (SUP), including the size~~, building materials~~ and intended use.
(4) ~~Management plan.~~ The applicant shall provide a ~~proposed~~ *Urban Farm Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include~~, without limitation~~: [*1*] a site plan, [*2*] a description of the type of equipment necessary for all operations of the *Community Garden*, [*3*] the anticipated frequency and duration of use of any equipment used on-site, [*4*] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [*5*] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

~~(a) A site plan;~~
~~(b) Description of the type of equipment necessary on intended for use in each season and the frequency and duration of anticipated use;~~
~~(c) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;~~
~~(d) Disclosure of whether the operation of the farm would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.~~

(B) *Residential and Lodging Land Uses*

(1) *Residential Accessory Building or Structure.*

(a) See Subsection 7.04, *Accessory Structure Development Standards*, of Article V, *District Development Standards*.

~~Accessory Building (Accessory to Residential Use). See Section 7.04, Accessory Structure Development Standards.~~

(2) *Bed and Breakfast.*

(a) The *Bed and Breakfast* land use is permitted ~~Permitted~~ in the ~~Historic Overlay District~~ Old Town Rockwall (OTR) Historic District *by-right*~~, and in SF-7 by specific use permit, and must be located on an owner-occupied single-family lot.~~
(b) A *Bed and Breakfast* may only be established on an owner-occupied, single-family lot.
(c) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided. ~~One parking space per bedroom to be rented shall be provided above the single-family parking requirement~~
(d) No signage and/or outside advertising shall be ~~allowed~~ permitted for a *Bed and Breakfast* ~~on the lot~~ unless located in a non-residential zoning district or as permitted by a Specific Use Permit (SUP)~~an SUP~~.
~~(e) A permanent wired smoke alarm system meeting all city codes shall be installed.~~ A *Bed and Breakfast* shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.

(f) A *Bed and Breakfast* shall be subject to an annual inspection by the Fire Department. ~~The premises shall pass a fire code inspection before opening and on an annual basis thereafter.~~
(g) All applicable hotel/motel taxes shall be paid.
(h) The maximum length of a guests stay ~~is~~ shall be limited to 14 consecutive days in any 30-day period.
(i) A Specific Use Permit (SUP) for a Bed and Breakfast ~~Any bed and breakfast specific use permit (SUP)~~ shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) ~~after an initial six-month period~~ and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance ~~in the permit~~.

~~Carport (Residential). See Section 7.04, Accessory Structure Development Standards.~~

(3) *Duplex*.

(a) ~~Limited to two families.~~ Duplexes shall be limited to two (2) dwelling units (*i.e. two [2] families*) per lot or parcel of land.
(b) See the standards for the Two-Family (2F) District Subsection 7.01, *Residential District Development Standards*, of Article V, *District Development Standards*.
~~(2) The dwelling must be permanently attached to a concrete foundation.~~
~~(3) The primary roof pitch must be at least three in 12 inches.~~
~~(4) At least 80 percent of the exterior materials, excluding doors and windows, must be comprised of brick, stone or cast stone. Additional materials like concrete board such as Hardy Board, and stucco or synthetic stucco such as Synergy or Drivet, may be permitted as specified in article V, section 3.1, General Residential Standards, to comprise a portion of the entire exterior wall.~~

(4) *Attached Garage*.

(a) See Section 7.04, *Accessory Structure Development Standards*, of Article V, *District Development Standards*.

(5) *Detached Garage*.

(a) See Section 7.04, *Accessory Structure Development Standards*, of Article V, *District Development Standards*.

(6) *Guest Quarters/Secondary Living Unit*.

(a) *Guest Quarters* or *Secondary Living Units* may be allowed on a property in a residential zoning district provided that it is ancillary to a single-family home.
(b) The area of such quarters shall not exceed 30 percent of the area of the main structure.
(c) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.
(d) *Guest Quarters* or *Secondary Living Units* not meeting the requirements stated above shall require a Specific Use Permit (SUP).

(7) *Home Occupation*.

(a) ~~*Incidental to Primary Use.*~~ The *Home Occupation* use must clearly be incidental and secondary to the primary use of the property as a residence.
(b) ~~*Employees.*~~ No person~~(s)~~ outside the family may be employed in the *Home Occupation* use.
(c) ~~*Exterior Indication.*~~ There shall be no exterior display, signage, exterior storage of materials, and/or ~~no~~ other exterior indication of the *Home Occupation* use or variation from the residential character of the principal building.
(d) ~~*Traffic.*~~ No traffic shall be generated by such *Home Occupation* than would normally be expected in the neighborhood.
(e) ~~*Nuisance.*~~ No nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be generated.
(f) ~~*Excluded Uses.*~~ A *Home Occupation* may not be interpreted to include ~~the following:~~ facilities for the repair of motor vehicles, repair of small motors, or a daycare center.

(8) *Full-Service Hotel*.

(a) The minimum room count for a *Full-Service Hotel* shall be 250-rooms.
(b) Each guestroom shall have a minimum square footage of 380 SF.
(c) A *Full-Service Hotel* shall have a full-service restaurant and kitchen that provides service to the general public.
(d) A *Full-Service Hotel* shall have staff that is present 24-hours a day, seven (7) days a week.
(e) A *Full-Service Hotel* shall have the following minimum amenities: [*1*] a minimum 10,000 SF meeting or conference room, and [*2*] a swimming pool with a minimum area of 1,000 SF.

(9) *Multi-Family Structure or Development*.

(a) See Subsection 7.02, *Multi-Family District Development Standards,* of Article V, *District Development Standards*.

(10) *Portable Building*.

(a) See Subsection 7.04, *Accessory Structure Development Standards,* of Article V, *District Development Standards*.

~~(1) On residentially zoned properties:~~
~~(1) One portable building shall be allowed as an accessory to a residential use on the same lot except for multi-family districts, which shall not contain portable buildings.~~
~~(2) Such building shall not exceed 120 feet in floor area or ten feet in height. In 2F, such building shall be limited to 100 square feet in area.~~

~~Single-family dwelling (attached, detached, zero lot line).~~
~~(1) The dwelling must be permanently attached to a concrete foundation.~~
~~(2) The primary roof pitch must be at least three in 12 inches.~~
~~(3) At least 80 percent of the exterior materials, excluding doors and windows, must be comprised of brick, stone or cast stone. Additional materials like concrete board such as Hardy Board, and stucco or synthetic stucco such as Synergy or Drivet, may be permitted as specified in article V, section 3.1, General Residential Standards, to comprise a portion of the entire exterior wall.~~

(11) *Residential Infill in or Adjacent to an Established Subdivision*.

(a) For the purposes of this Article, an *Established Subdivision* shall be defined as a subdivision that consists of five (5) or more lots, that is 90% or more developed, and that has been in existence for more than ten (10) years.
(b) All proposed residential infill housing that is located within an *Established Subdivision* or a lot or tract of land that is located with 500-feet of an *Established Subdivision* shall be required to apply for a Specific Use Permit (SUP).
(c) As part of the Specific Use Permit (SUP) request the applicant shall be required to submit a residential plot plan or site plan, landscape plans, and building elevations of the proposed home.
(d) In reviewing the proposed Specific Use Permit (SUP), the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing in the *Established Subdivision*.
(e) All housing proposed under this section shall be constructed to be architecturally and visually similar or complimentary to the existing housing in the *Established Subdivision*.

(12) *Single-Family Attached Structure*.

(a) See Section 3, *Residential Districts,* of Article V, *District Development Standards*.
(b) See Subsection 7.01, *Residential District Development Standards,* of Article V, *District Development Standards*.

(13) *Single-Family Detached Structure.*

(a) See Section 3, *Residential Districts,* of Article V, *District Development Standards*.
(b) See Subsection 7.01, *Residential District Development Standards,* of Article V, *District Development Standards*.

(14) *Single-Family Zero Lot Line Structure*.

(a) A five (5) foot maintenance easement is required on the non-zero-lot-line side of the structure.
(b) See Section 3, *Residential Districts,* of Article V, *District Development Standards*.
(c) See Subsection 7.01, *Residential District Development Standards,* of Article V, *District Development Standards*.

(15) *Townhouse.*

(a) See Section 3, *Residential Districts,* of Article V, *District Development Standards*.
(b) See the standards for the Two-Family (2F) District Subsection 7.01, *Residential District Development Standards,* of Article V, *District Development Standards*.

(16) *Urban Residential.*

(a) *Urban Residential* includes residential development ~~which~~ that at least partly face streets, public sidewalks, or common open space, and/or which are located above retail, office or service uses.
(b) Ground floor urban residential should have direct access to a sidewalk via a stoop or landing, and a majority of parking should be located in a structure.

(C) *Institutional and Community Service Land Uses*

(1) *Assisted Living Facility.*

~~(1) A facility licensed under V.T.C.A., Health and Safety Code, ch. 247, that furnishes in one or more buildings, food and shelter to persons who are unrelated to the proprietor of the establishment, and also provides personal care services as defined by state law.~~
(a) ~~For purposes of this [Unified Development Code], "assisted living facility" shall~~ These facilities shall include establishments that accommodate seven (7) or more residents. For facilities with six (6) or fewer residents see *Group or Community Home* ~~below~~ in Subsection 2.04(11).

(2) *Church/House of Worship*.

~~(1) A building used for nonprofit purposes by a recognized and legally established sect solely for the purpose of worship.~~
(a) Significant accessory uses such as schools, coffee houses, daycare centers, bingo parlors and halls may only be allowed in a zoning district that allows such uses.

(3) *Congregate Care Facility/Elderly Housing.*

(a) A *Congregate Care Facility/Elderly Housing* facility may have up to two (2) units for on-site managers, which contain full kitchen facilities.
(b) Full-time medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (*e.g. visiting nurse or home health care*).
(c) These facilities shall incorporate special safety, accessibility and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.

~~In addition, a congregate care facility may have up to two units for onsite managers which contain full kitchen facilities. Full-time medical or nursing care is not typically provided by the facility, but may be privately arranged for by individual~~

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, UDC

SECTION 1: GENERAL STANDARDS

SUBSECTION 1.01: OPEN SPACE

(A) *Purpose.* The City of Rockwall is a rural and recreation-oriented community with open space that ties into a regional framework of open space, trails, and corridors. Open space corridors link all major areas of the city using primarily floodplain and drainage areas. Since open space and recreational amenities are vital to the City's commercial and residential developments, all projects must provide open space in accordance with the City's *Comprehensive Plan* and the *Parks, Recreation, and Open Space Master Plan*.

(B) *Requirements.* All projects in the city must reserve, dedicate and/or develop public and private open spaces consistent with the requirements of the following sections:

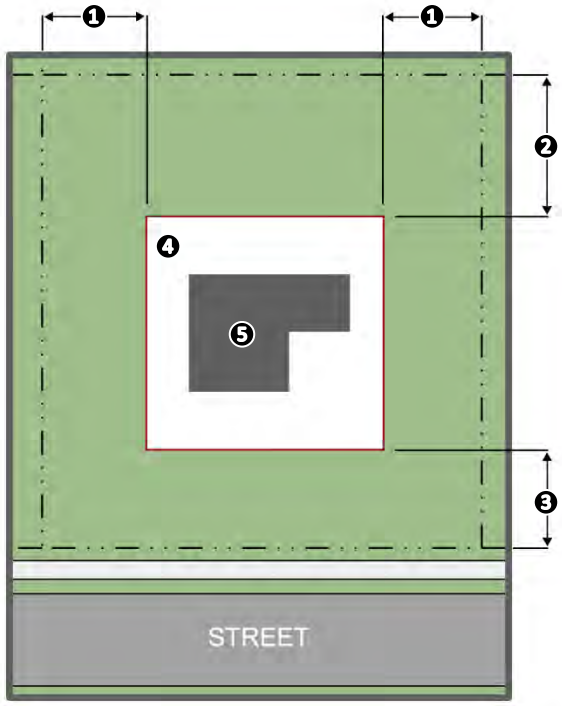
(a) *Residential*. Subsection C, *Open Space,* of Section 3.01, *General Residential District Standards*
(b) *Commercial*. Subsection D, *Open Space Guidelines,* of Section 4.01, *General Commercial District Standards*
(c) *Industrial*. Subsection D, *Open Space Guidelines,* of Section 5.01, *General Industrial District Standards*

SUBSECTION 1.02: SITE PLANS

All development in the City of Rockwall -- *with the exception of single lot single-family and duplex developments* -- shall require the approval of a site plan in accordance with the requirements of Article XI, *Development Applications and Review Procedures*.

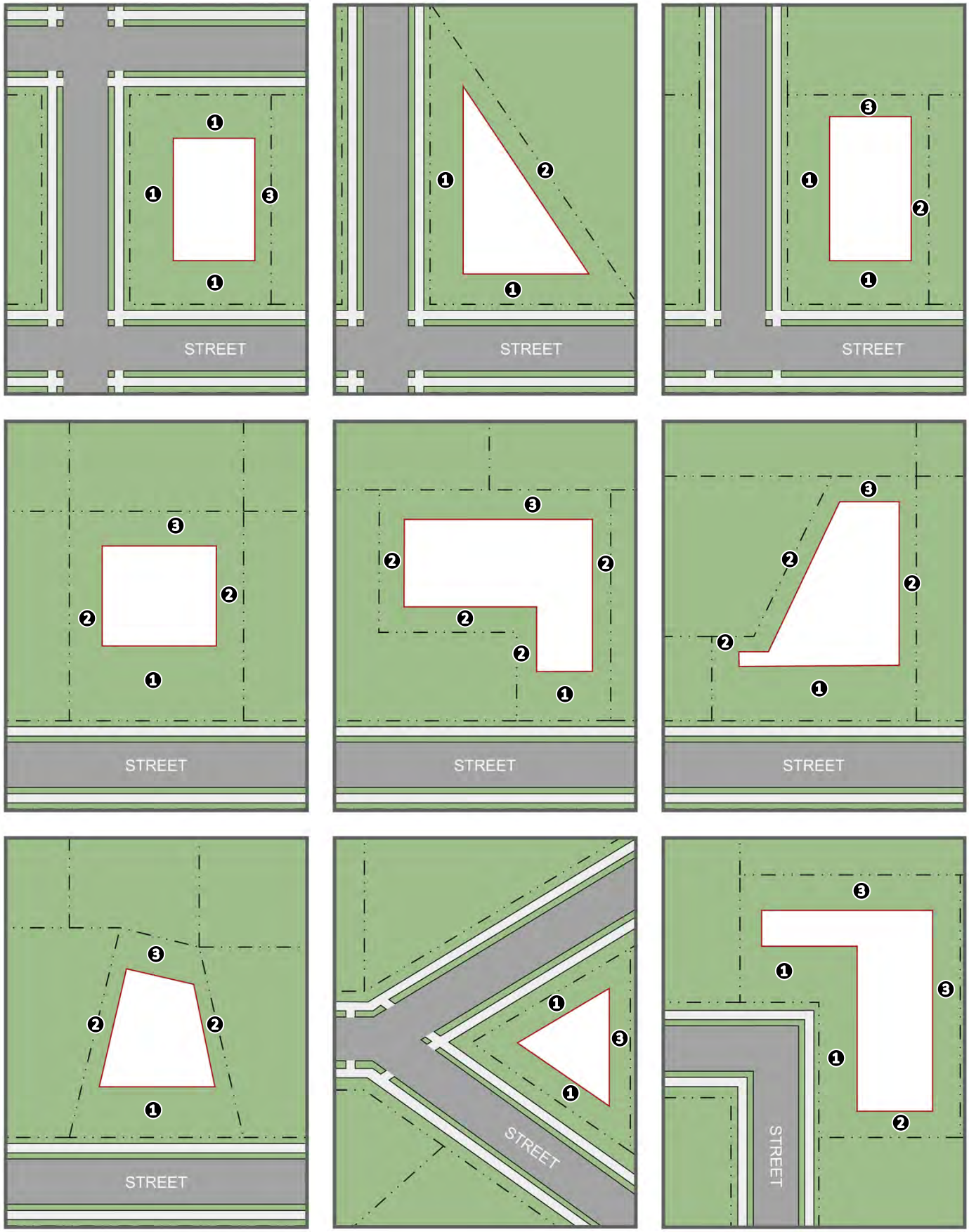
SUBSECTION 1.03: LOT CONFIGURATIONS

(A) *Lots with a Single Street Frontage*. Where lots have a single street frontage, the required setbacks should generally adhere to the following diagram:



❶: Required Side Yard Setback
❷: Required Rear Yard Setback
❸: Required Front Yard Setback
❹: Buildable Area
❺: Building Coverage

(B) *Lots with Multiple Street Frontages*. Where lots have multiple street frontages on one (1) or more streets, the required setbacks should generally adhere to the following diagram:


STREET
STREET
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SUBSECTION 1.04: CALCULATION OF DENSITY

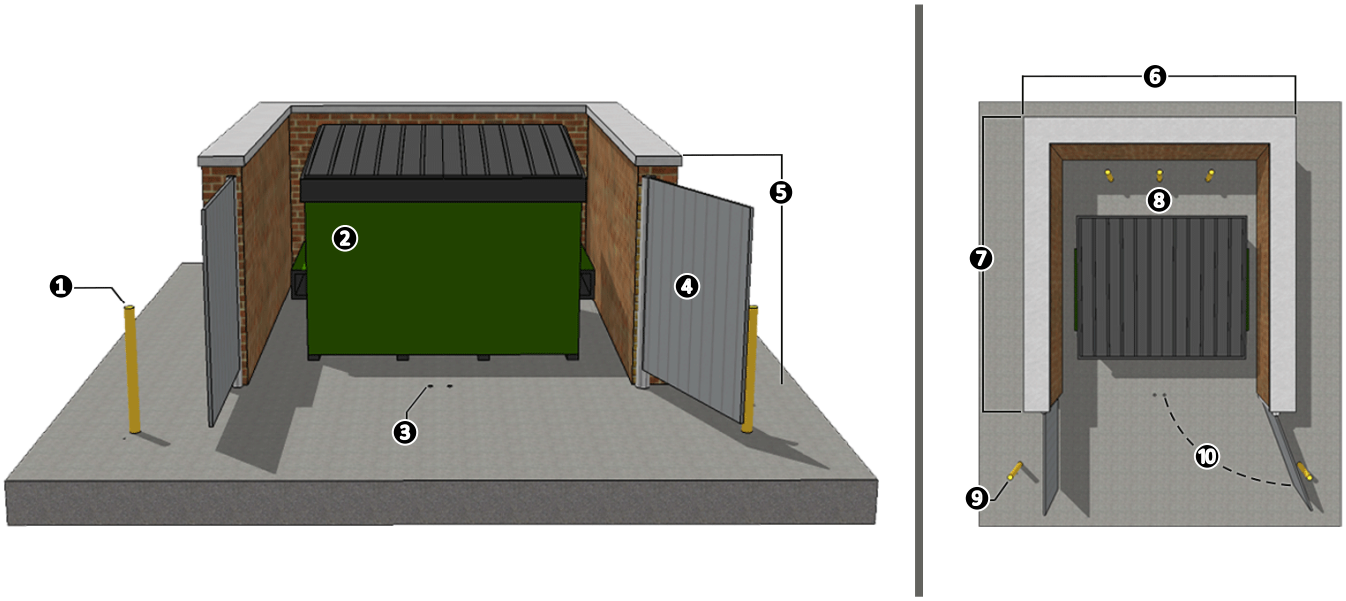
The calculation of the allowable density for residential developments shall be based on the gross site area including right-of-way, floodplain, open space and public/private parks that will be dedicated to the city or preserved and maintained by some other mechanism. Despite this calculation requirement, other provisions of this Unified Development Code may limit the actual density allowed on any given property.

SUBSECTION 1.05: SCREENING STANDARDS

All development shall adhere to the following screening standards:

(1) *Loading Docks.* Off-street loading docks must be screened from all public streets, ~~and~~ any residential zoning district or residentially used property, and any parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least six (6) feet in height and ~~may~~ shall be provided by using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless integral to the buildings design and otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers~~, and/or berms and plantings~~. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape Standards*.

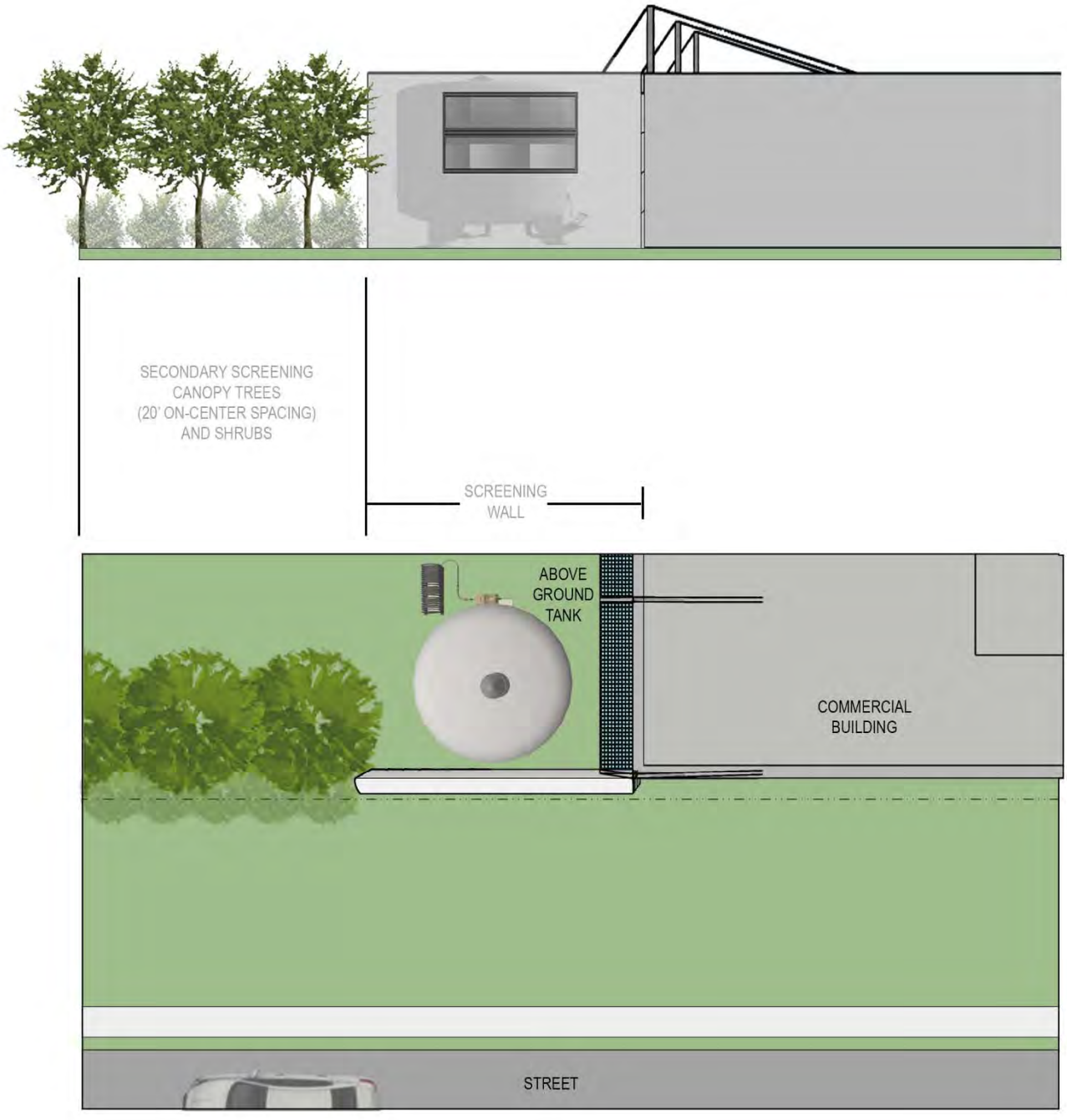
(2) *Trash/Recycling Enclosures*. Trash/Recycling enclosures shall be four (4) sided. These receptacles shall be screened by a minimum six (6) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. The opaque, self-latching gate shall not be constructed utilizing wood fencing materials. If the primary building does not use masonry materials, a masonry material that is complimentary in color and scale shall be utilized. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building. All trash/recycling enclosures shall be constructed in conformance to the diagram below, unless otherwise approved/required by the City and/or its contractor for trash services.



❶: Concrete Filled Steel Protected Pole
❷: Standard End Loading Container
❸: Deep Recesses for Gate Cane Bolts [*If Necessary*]
❹: Opaque Screening Gate
❺: Six (6) Feet in Height [*Eight (8) Feet in Overlay Districts*]
❻: Ten (10) Feet in Width
❼: 12-Feet in Length
❽: Three (3) Concrete Filled Steel Protected Poles
❾: Concrete Filled Steel Protected Pole
❿: 120 Degree Swing on Opaque Screening Gate

(3) *Utility Equipment and Air Condition Units.* Pad or roof mounted utility equipment and air conditioning units shall be screened from the view from of any adjacent public streets or ~~property~~ properties. Roof mounted utility equipment and air conditioning units shall be screened using a parapet wall that completely impairs the visibility of the equipment, and is constructed on all sides of the building. Ground mounted ~~Utility~~ equipment and air conditioning units shall be screened utilizing plantings, berms, walls matching the main structure, or an architectural feature that is integral to the building's design.

(4) *Aboveground Storage Tanks.* Aboveground storage tanks shall be screened utilizing ~~plantings, berms, or~~ walls matching the main structure. Screening plans for above ground storage tanks shall generally conform to the diagram below (*i.e. incorporate primary screening -- screening wall -- and secondary screening*) and be approved by the Planning and Zoning Commission in conjunction with a site plan.



(5) *Outside Storage.* Outside storage of materials or vehicles shall be screened from all public streets, any residential zoning district or residentially used property, and parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least one (1) foot taller than the material or vehicles being stored and shall be achieved using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape Standards*.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.06: RESIDENTIAL ADJACENCY STANDARDS

Subsection 1.06, *Residential Adjacency Standards*, is omitted from this ordinance change, but is retained in its entirety.

~~*SUBSECTION 1.07: FENCES*~~

~~All fences within the City shall conform to Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances, unless otherwise required by this Unified Development Code.~~

~~*(Ord. No. 10-14, § 30, 7-6-2010)*~~

SUBSECTION 1.07~~8~~: PROJECTIONS INTO REQUIRED YARD OR COURT

(A) Every part of a required yard within a building setback shall be unobstructed and open from its lowest point to the sky, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves; provided, however, that none of the above projections shall extend into a court more than six (6) inches nor into a required yard by more than 30-inches; and provided existing open porches extending into the required yard shall not be enclosed.

An open fire escape may project into a required yard by not more than half the width of the setback, but not more than four (4) feet from the building. Fire escapes, solid floored balconies and enclosed outside stairways may project into a rear yard by a maximum of four (4) feet.

(B) Where a lot abuts a right-of-way line has been established for the future widening or opening of a street or highway, then the depth or width of a yard shall be measured from such right-of-way line to the required building setback.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.08~~9~~: PUBLIC RIGHT-OF-WAY VISIBILITY

(A) *Street/drive intersection visibility obstruction triangles.* A landscape plan showing the plan of the street on both sides of each proposed drive/street to the proposed development with the grades, curb elevations, proposed street/drive locations, and all items (both natural and manmade) within the visibility triangles as prescribed below shall be provided with all site plans, if they are not on engineering plans that are submitted at the same time. this plan shall show no horizontal or vertical restrictions (either existing or future) within the areas defined below.

(B) *Obstruction/interference triangles defined.* No fence, wall screen, billboard, sign face, tree or shrub foliage, berm, or any other item, either manmade or natural, shall be erected, planted, or maintained in such a position or place so as to obstruct or interfere within the following minimum standards; however, on non-residentially zoned lots, a single pole for mounting a sign may be placed within this area provided the pole does not exceed 12-inches in diameter, and provided every portion of the sign has a minimum height clearance of nine (9) feet:

(1) *Visibility Triangles*. Vision at all intersections which intersect at or near right angles shall be clear at elevations between 24-inches and nine (9) feet above the top of the curb elevation, within a

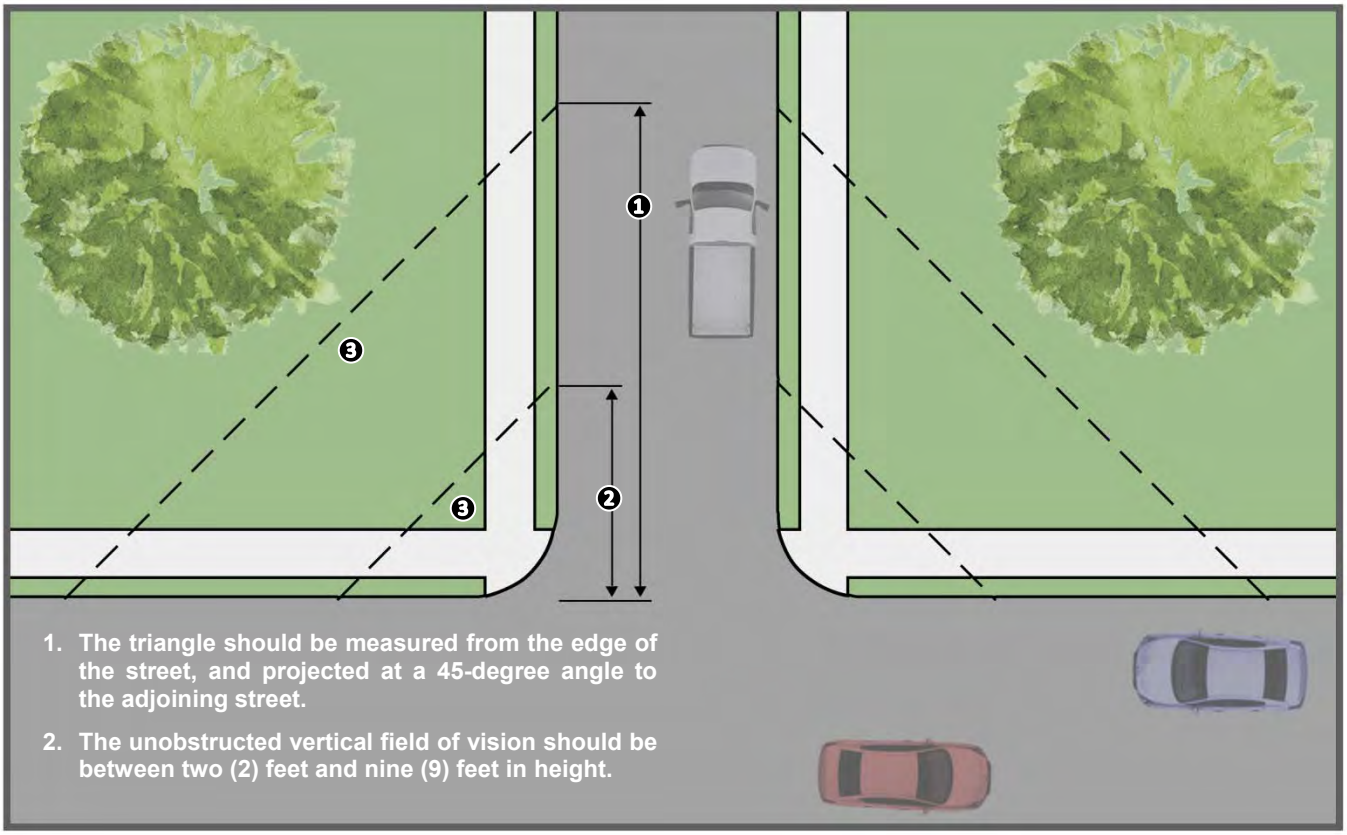
triangular area formed by extending the two (2) curblines from their point of intersection, for the following minimum distances for the applicable intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines from their point of intersection for a distance as prescribed below, and connecting these points with an imaginary line, thereby making a triangle as shown below.

(2) *Intersection of two (2) public streets*. The minimum required distance from the curb shall be 30-feet and the minimum distance from the property line on streets without a curb shall be 20-feet.

(3) *Intersection of a public street and an alley*. The minimum required distance measured from the property line shall be 15-feet, or 25-feet from street curb.

(4) *Intersection of private drive and public street*. The minimum required distance from the curb shall be 15-feet and the minimum distance from the property line on streets without a curb shall be ten (10) feet.

(C) *Sight distance requirements.* The city hereby adopts the standards for both vertical and horizontal sight distance requirements set forth in the latest edition of AASHTO green book "a policy on geometric design of highways and streets" for the construction of both public street intersections and private drive intersections, unless otherwise approved by the city engineer. If, in the opinion of the city engineer, a proposed street or drive intersection does not meet these standards, additional engineering information exhibiting how the standards have been addressed may be required for submission and approval by the city's engineer.



❶: 30-Foot for Arterials and Collectors and 20-Foot for Residential Distance from Intersection for Streets
❷: 10-Foot Distance from Intersection for Alleyways
❸: Visibility Triangles

SECTION 2: AGRICULTURAL DISTRICTS

SUBSECTION 2.01: AGRICULTURAL (AG) DISTRICT

(A) *Purpose*. The Agricultural (AG) District is a zoning designation used for land that is reserved for the anticipated future growth of the city. This district is intended to be used for raw land or land with agricultural land uses, and is intended to be held in these conditions as long as practical and reasonable to promote the orderly growth of the community. This zoning designation is suitable for areas where development is premature due to lack of utilities, capacity, or service. The Agricultural (AG) District is also used to protect areas that are unsuitable for development due to physical constraints or safety issues (*e.g. topography, floodplain, ecologically sensitive areas, etc.*), or to protect green belts, natural areas and/or open space that might otherwise be developed.

(B) *Permitted Uses*. All land uses permitted within the Agricultural (AG) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within an Agricultural (AG) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SECTION 3: RESIDENTIAL DISTRICTS

SUBSECTION 3.01: GENERAL RESIDENTIAL DISTRICT STANDARDS

All residential development shall conform to the following standards:

(A) *Construction Standards ~~Materials~~*.

(1) *Roof Pitch*. All residential structures shall be constructed with a minimum *3:12* roof pitch.
(2) *Concrete Foundation*. All residential structures shall be permanently attached to an engineered concrete foundation.

~~*(A) Materials and Masonry Composition*. All buildings with a building footprint of 120 square feet or greater that are over ten (10) feet in height shall consist of a minimum of 80% *Primary Materials* and/or a maximum of 20% *Secondary Materials* -- *excluding doors and windows* -- as defined below.~~

~~a. *Primary Materials*. *Primary Materials* shall include stone, brick, and cementitious materials. Specific requirements for *Primary Materials* are as follows:~~

~~1. *Cementitious Materials*. The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 60% of the building's exterior façade.~~
~~2. *Chimneys*. All new homes shall be required to incorporate a masonry chimney (*i.e. brick and stone only*).~~

~~b. *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above.~~

~~*(B) Exceptions*. Exceptions to the material requirements -- *including exceptions for buildings for farm animals* -- may be permitted on a case-by-case basis by the Planning and Zoning Commission upon submission and approval of material samples and building elevations of the structure. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

(B) *Accessory Structures.*

(1) *Accessory Structure Standards.* All accessory structures shall conform to the related standards listed within Subsection 7.04, *Accessory Structure Development Standards*.

(C) *Open Space.* On all new subdivisions, ten (10) lots or greater, that are not infill projects (*i.e. projects going into an established area as determined by the Director of Planning and Zoning or his/her designee*) the following open space requirements shall be applied:

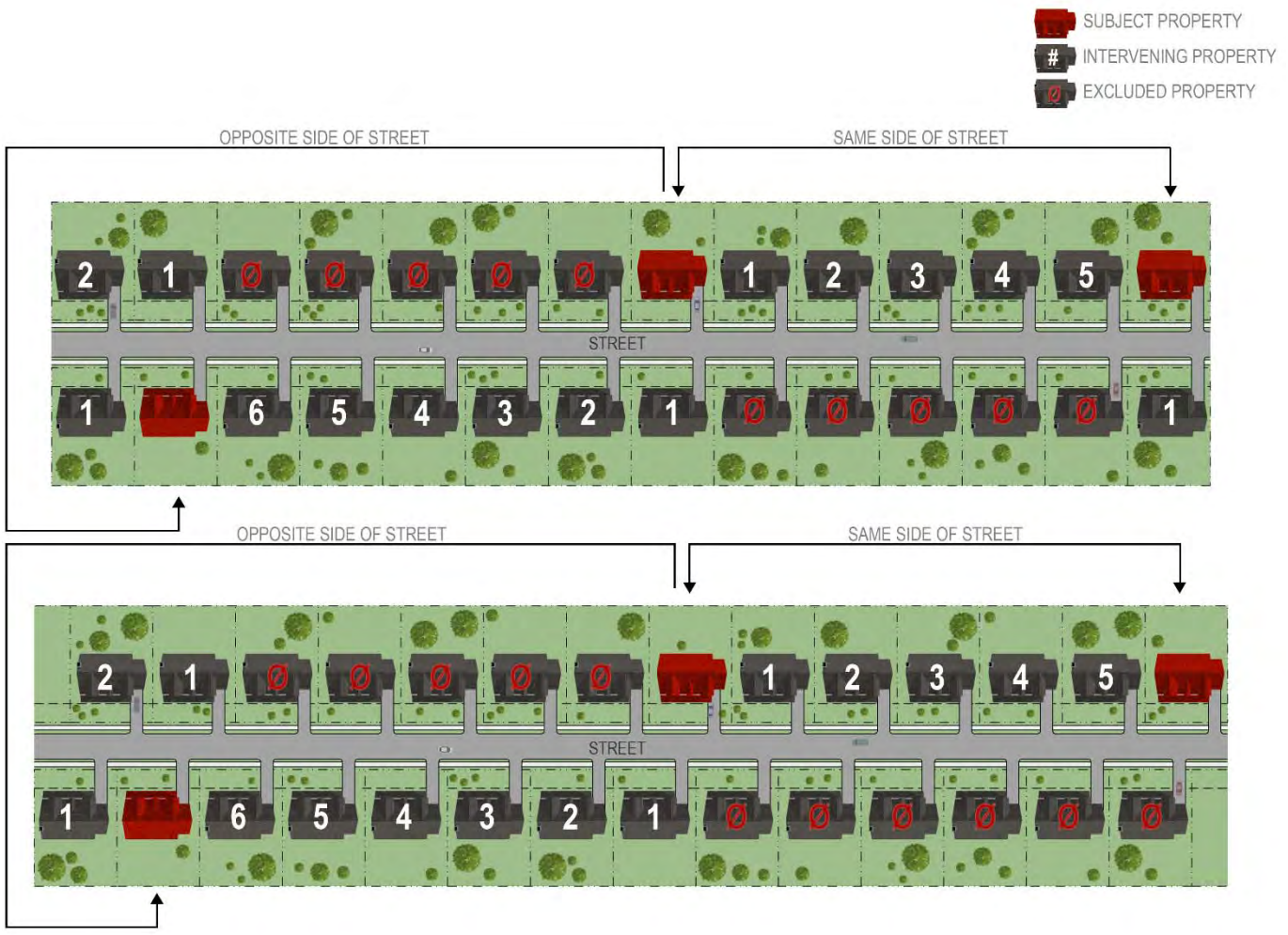
(1) Unless otherwise provided by this Unified Development Code, a minimum of 20% of the gross land area within a residential subdivision that is five (5) acres or greater shall be devoted to open space. Where floodplain exists in a proposed subdivision, the floodplain may be used to meet the 20% requirement at a rate of one-half (½) acre for every one (1) acre of floodplain dedicated to open space. Open space requirements for subdivisions may be satisfied by public open space/parkland,

or by a combination of public and private open space. Public open space/parkland shall be dedicated to the city, and shall be approved by the Parks and Recreation Board and the City Council during the platting process. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering.

(2) To encourage the provision of open space, the minimum lot sizes in a residential subdivision may be reduced by up to 20% in order to preserve additional public and/or private open space, provided that the lots being reduced face onto a single loaded street (*i.e. a street with open space and/or a public park on one side of the street and lots on the other side of the street*). This requirement shall be approved by the City Council at the time of preliminary plat, final plat, or site plan whichever comes first.

(D) *Anti-Monotony.* The front building elevations of a home shall not repeat along any block face without at least ~~four (4)~~ five (5) intervening homes of differing appearance on the same side of the street and ~~two (2)~~ six (6) intervening homes of differing appearance on the opposite side of the street (*see Examples 1 & 2 below*). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least ~~two (2)~~ five (5) intervening homes of differing appearance. Identical ~~brick blends~~ building material blends and colors may not occur on adjacent (*side-by-side*) properties. Homes are considered to differ in appearance if any three (3) ~~two (2) of the following~~ elements are different:

(a) The number of stories of the home.
(b) The garage location/orientation on the home.
(c) The roof type and layout of the home.
(d) The articulation of the front façade of the home.



(E) *Fencing.* All residential fencing shall be subject to the requirements stipulated by Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

~~(a) Solid fencing shall be cedar standard fencing material that is a minimum ½-inch in thickness or more. Spruce fencing is prohibited. All cedar pickets shall be placed on the *public side* (*i.e. facing out*) facing a street or alleyway. All posts and framing shall be placed on the *private side* (*i.e. facing towards the home*) of the fence. Other types of solid fencing (*e.g. vinyl*) may be considered on a *case-by-case basis* by the Planning and Zoning Commission at the time of preliminary plat, final plat, or site plan whichever comes first.~~

~~(b) Tubular steel or wrought iron type fencing shall be allowed.~~

~~(c) Tubular steel or wrought-iron type fencing shall be required on all lots located adjacent to perimeter roadways, open spaces, greenbelts and/or parks.~~

~~(d) Split rail fencing shall be allowed on lots containing 20,000 SF or more.~~

~~(e) Fencing on corner lots constructed adjacent to the street shall provide masonry columns at 45-feet off-center spacing that begins at the rear property line corner and terminates at least 15-feet behind the front yard building setback line. A maximum six (6) foot tall, solid board-on-board, panel cedar fencing or wrought iron type fencing shall be allowed between the masonry columns along the side and/or rear yard adjacent to a street.~~

~~1. On corner lots that have rear lot lines adjacent to alleyways or other rear lot lines, fences may be constructed along the side yard adjacent to the street, subject to a minimum five (5) foot setback from the right-of-way. The property owner shall maintain that portion of the property outside of the fence.~~

~~2. On corner lots that have rear lot lines adjacent to a side lot line of an adjoining lot(s), only tubular steel or wrought iron type fences not exceeding 42-inches in height may be constructed beyond the building line. Fences constructed on or behind the building line shall comply with the material requirements detailed above.~~

~~(f) All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified in the City's subdivision regulations. Perimeter fencing shall be constructed of six (6) foot tall tubular steel or wrought iron type fencing with masonry columns and entry features. The Planning and Zoning Commission may consider alternative perimeter screening such as earthen berms with landscaping at the time of preliminary plat, final plat, or site plan whichever comes first.~~

SUBSECTION 3.02: SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT

(A) *Purpose*. The Single-Family Estate 1.5 (SFE-1.5) District is the proper zoning classification for rural, estate lots that are a minimum of 1½-acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 1.5 (SFE-1.5) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 1.5 (SFE-1.5) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.03: SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT

(A) *Purpose*. The Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 2.0 (SFE-2.0) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 2.0 (SFE-2.0) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.04: SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT

(A) *Purpose*. The Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential

development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage. Developers wishing to restrict their subdivision to a lot size greater than four (4) acres shall be required to use restrictive covenants.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 4.0 (SFE-4.0) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 4.0 (SFE-4.0) District shall conform to the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.05: SINGLE-FAMILY 1 (SF-1) DISTRICT

(A) *Purpose*. The Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size or clustered developments that have a gross density of one (1) dwelling unit per acre. Cluster developments should conserve open space, floodplains, tree groupings, natural slopes and wildlife habitats to achieve the desired density. The Single-Family 1 (SF-1) District is also intended to be used for developments that incorporate public/private parks, denominational and private schools, and churches that are essential in creating the basic neighborhood unit. These developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 1 (SF-1) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 1 (SF-1) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.06: SINGLE-FAMILY 16 (SF-16) DISTRICT

(A) *Purpose*. The Single-Family 16 (SF-16) District is the proper zoning classification for larger lot, single-family developments. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 16 (SF-16) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 16 (SF-16) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.07: SINGLE-FAMILY 10 (SF-10) DISTRICT

(A) *Purpose*. The Single-Family 10 (SF-10) District is the proper zoning classification for the majority of the City's existing single-family residential development, and is the appropriate zoning classification for

single-family developments with medium sized lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 10 (SF-10) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 10 (SF-10) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.08: SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT

(A) *Purpose*. The Single-Family 8.4 (SF-8.4) District is the proper zoning classification for areas of undeveloped land remaining in the City deemed appropriate for medium sized, single-family lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 8.4 (SF-8.4) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 8.4 (SF-8.4) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.09: SINGLE-FAMILY 7 (SF-7) DISTRICT

(A) *Purpose*. The Single-Family 7 (SF-7) District is the proper zoning classification for single-family developments with smaller lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas adjacent to low intensity non-residential land uses, in and around the Old Town Rockwall (OTR) Historic District, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 7 (SF-7) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 7 (SF-7) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.10: ZERO LOT LINE (ZL-5) DISTRICT

(A) *Purpose*. The Zero Lot Line (ZL-5) District is the proper zoning classification for medium-density residential developments that are on separate lots (*i.e. single-family*), and are typically owner occupied. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, adjacent to low intensity non-residential land uses, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, and drainage due to their density.

(B) *Permitted Uses*. All land uses permitted within the Zero Lot Line (ZL-5) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Zero Lot Line (ZL-5) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.11: TWO-FAMILY (2F) DISTRICT

(A) *Purpose*. The Two-Family (2F) District is the proper zoning classification for medium-density, duplex developments (*i.e. two [2] dwelling units per lot*). This zoning district accommodates low to medium-density developments and allows public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, but may be located directly adjacent to low intensity non-residential land uses. These areas are also located where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, drainage, open space and fire protection due to their density.

(B) *Permitted Uses*. All land uses permitted within the Two-Family (2F) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Two-Family (2F) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.12: MULTI-FAMILY 14 (MF-14) DISTRICT

(A) *Purpose*. The Multi-Family 14 (MF-14) District is the proper zoning classification for higher density developments. This zoning district should be located within 1,200-feet of retail and other services, and should not contain more than 500-units within one (1) mile of another multi-family development. These standards are intended to create a strong market for multi-family units, and provide for the ongoing reinvestment in these types developments while helping to ensure that inappropriate concentrations of higher density residential developments are not created. The downtown area shall be exempted from the spacing requirements.

The Multi-Family 14 (MF-14) District allows high density developments that are extremely amenitized, and that necessitate additional requirements for public roadways, water, wastewater, drainage, open space and fire protection. These types of developments should not run traffic through single-family neighborhoods, and should be located close to an arterial or collector street that is capable of carrying the additional traffic.

(B) *Permitted Uses*. All land uses permitted within the Multi-Family 14 (MF-14) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Multi-Family 14 (MF-14) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.02, *Multi-Family District Development Standards*.

SECTION 4: COMMERCIAL DISTRICTS

SUBSECTION 4.01: GENERAL COMMERCIAL DISTRICT STANDARDS

All commercial development shall conform to the following standards:

(A) *Construction Standards ~~Materials~~*.

(1) *Roof Design Standards*. All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials -- excluding doors and windows --* as defined below.~~

~~(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:~~

~~(1) *Stone*. A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.~~

~~(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.~~

~~(3) *Accent Brick and Stone*. Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.~~

~~(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*), cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.~~

~~*(2) Exceptions.* Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request,~~

~~the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

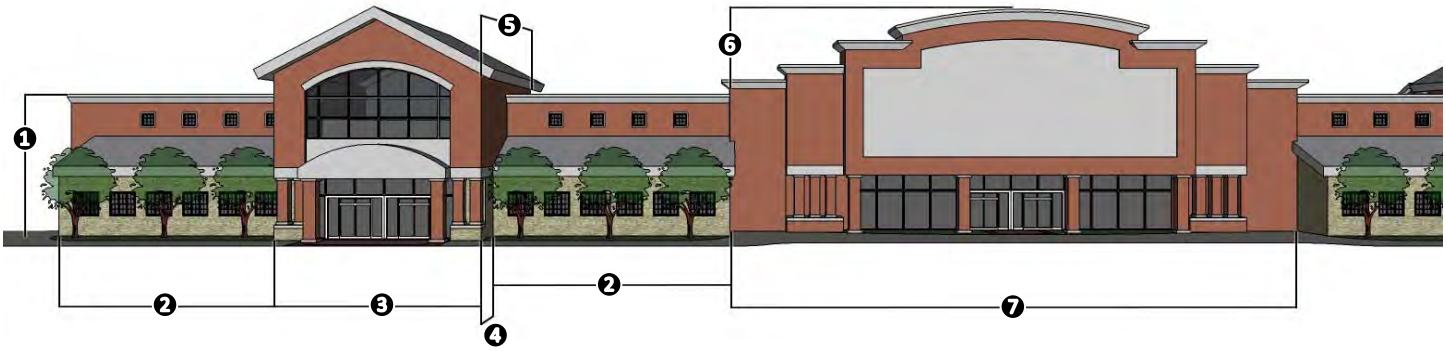
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Commercial Districts*. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Subsection 7.03, *Non-Residential District Development Standards*; however, the following features may be constructed 12-feet higher than the maximum height requirement if they [*1*] are not more than 33% of the total roof area, and [*2*] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

(a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
(b) Flag Poles.
(c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

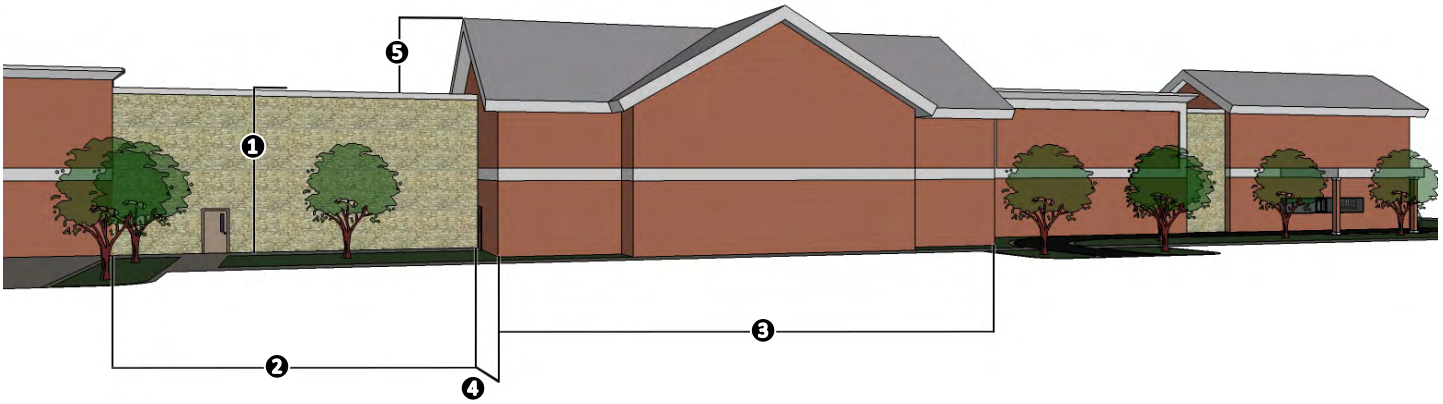
(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on primary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 25% of the wall length *(i.e. 25% x* ❷ ≤ ❸).
❹: *Wall Projection*. The minimum wall projection for a primary and/or secondary entryway/architectural element shall be 25% of the wall height (*i.e. 25% x* ❶ ≤ ❹).
❺: *Primary and/or Secondary Entryway/Architectural Element Width*. The minimum width of the primary and/or secondary entryway/architectural element shall extend for twice the required wall projection (*i.e. 2 x* ❹ ≥ ❺).
❻: *Projection Height*. The primary and secondary entryways/architectural element shall extend a minimum of 25% of the wall height above the top of the wall (*i.e. 25% x* ❶ ≤ ❻).
❼: *Primary Entryway/Architectural Element Length*. The primary entryway/architectural element shall

meet all of the same projections as the secondary entryway/architectural element, but shall extend for a minimum of twice the length of the secondary element (*i.e. 2 x* ❸ ≥ ❼).

(2) *Secondary Building Façade.* A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on secondary building façades:



❶: <u>*Wall Height*</u>. The wall height shall be measured from grade to the top of the wall.
❷: <u>*Wall Length*</u>. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: <u>*Secondary Entryway/Architectural Element Length*</u>. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length *(i.e. 15% x* ❷ ≤ ❸).
❹: <u>*Secondary Entryway/Architectural Element Width*</u>. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e. 15% x* ❶ ≤ ❹).
❺: <u>*Projection Height*</u>. The secondary entryway/architectural element shall extend a minimum of 15% of the wall height above the top of the wall (*i.e. 15% x* ❶ ≤ ❺).

~~(3) *Exceptions*. Exceptions to the building articulation requirements may be permitted on a *case-by-case* basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate, the Planning and Zoning Commission should determine if the proposed request is [*1*] in conformance with the spirit and intent of the building articulation requirements, and [*2*] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

(D) *Open Space Guidelines*. Commercial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making commercial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape

buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

(E) *Commercial Buildings 25,000 SF or Greater.*

(1) *Applicability.* These criteria shall apply to new retail/commercial building construction in all commercial zoning districts. This criteria shall not be applied to the use, re-use, modification or consolidation of existing retail and/or commercial space developed on or before April 2, 2001, or to the expansion of retail space in existence on or before April 2, 2001, that is being expanded by less than ten (10%) percent of the existing floor area.

~~(2) *Exterior Building Materials.* The area of all exterior facades shall consist of 90% brick, stone, cast stone, custom Concrete Masonry Units (CMUs) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*), stucco or a combination of these materials. Each facade shall not contain more than 75% of any single material.~~

~~3~~(2) *Loading Docks.* Loading docks shall not be oriented towards a residential zoning district or residentially used property. Where loading areas are located parallel to a residential zoning district or residentially used property, they must be screened by an architecturally integrated masonry screening wall that is a minimum 14-foot in height and that runs the entire length of the loading space. As an alternative, the Planning and Zoning Commission may approve the use of a berm in conjunction with landscape screening standards detailed in Subsection 5.02, *Landscape Screening*, of Article VIII, *Landscape and Fence Standards*, if it is determined that this screening method will [*1*] provide a suitable substitute to a masonry wall, and [*2*] if the screening method will completely screen the proposed loading docks.

~~4~~(3) *On-Site Circulation Guidelines*.

(a) On-site circulation standards should try to minimize the conflict between pedestrians and vehicles by placing driveways and service areas in locations that reduce the chance of interrupting on-site vehicle movement.
(b) Buildings should be placed in a manner that screens the drive-through lane and creates pedestrian pathways and spaces.
(c) In order to maintain on-site circulation, each drive-through lane is to be separate from pump islands and from routes necessary for entering and exiting the property.

~~5~~(4) *Residential Adjacency Standards*. Where the property immediately abuts a residential zoning district or residentially used property -- *unless separated by an M4D (major collector, four [4] lane, divided roadway) or larger thoroughfare* -- a minimum ~~ten (10)~~ 25-foot wide landscaped buffer must be installed for buildings with a building footprint of 25,000 SF to 49,999 SF in area, a minimum of a ~~15~~ 50-foot wide landscaped buffer for buildings with a building footprint of 50,000 SF or greater ~~to 79,999 SF in area, and a minimum 30-foot wide landscaped buffer for buildings with a building footprint of 80,000 SF and greater in area~~. This shall be in place of ~~addition to~~ the buffer ~~screening~~ required by Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape and Fence Standards*, ~~the landscape regulations of the City of Rockwall for all aforementioned building sizes~~. The landscaped buffer must include a combination of berm~~s,~~ and evergreen shrubs~~, and a mix of evergreen and deciduous trees (*minimum four [4] inch caliper*) placed at a minimum 25 feet on center~~ in addition to the requirements of Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape and Fence Standards*. Planting may be grouped if approved by the Planning and Zoning Commission.

~~6~~(5) *Outside Storage*. Open storage areas shall be connected to the building and screened with a wall that is constructed of the same building materials as the remainder of the primary structure.

~~5~~(6) *Adaptive Reuse Standards*. For those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan indicating potential entrances and exits and loading areas for multiple tenants. This plan will need to be submitted at the time of site plan.

(E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Commercial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION 4.02: RESIDENTIAL-OFFICE (RO) DISTRICT

(A) *Purpose*. The Residential-Office (RO) District is a zoning district intended to recognize the existence of older residential areas of the city, where larger houses have been or can be converted from single-family and multi-family residences to low-intensity office uses in order to extend the economic life of these structures, and to allow the owners to justify the expenditures for repairs and modernization. The intent of this district is to allow for low intensity office development providing professional, medical and other office services and limited retail businesses to residents in adjacent neighborhoods. The Residential-Office (RO) District shall have principle access to major or secondary thoroughfares, and may serve as an area of transition between residential and high-intensity, non-residential uses or busy arterial thoroughfares.

(B) *Permitted Uses*. All land uses permitted within the Residential-Office (RO) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Residential-Office (RO) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.03: NEIGHBORHOOD SERVICES (NS) DISTRICT

(A) *Purpose*. The Neighborhood Services (NS) District is a zoning district intended to provide limited retail land uses near neighborhoods for the purpose of supplying the *day-to-day* retail and personal service needs of residents. The Neighborhood Services (NS) District is typically located at limited corner locations on arterials in existing developments, and is intended to serve small service areas. The average site is from one-half (½) acre to a maximum of two (2) acres. Since these sites are typically small and surrounded by residential development they can appear to be spot zones; however, the Comprehensive Plan acknowledges the need to create neighborhood units, which involve the need for limited retail and service uses in close proximity to neighborhoods. These convenience centers should be constructed to a residential scale, and be visually and dimensionally compatible to adjacent residential developments. The Neighborhood Services (NS) District should not contain uses that create excessive amounts of traffic, noise, litter or that would not be conducive to residential adjacency. Due to the residential adjacency of this zoning district, increased landscaping and buffering requirements are necessary.

(B) *Permitted Uses*. All land uses permitted within the Neighborhood Services (NS) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Neighborhood Services (NS) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.04: GENERAL RETAIL (GR) DISTRICT

(A) *Purpose.* The General Retail (GR) District is a zoning district intended to provide limited retail and service uses for one (1) or more neighborhoods. The land uses specified in this district include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares. This district does ***not*** include strip commercial/retail centers, large shopping centers, wholesaling operations, lumberyards, contractor yards, and/or warehouses with high volumes of commercial truck traffic. The General Retail (GR) District is not a major commercial/retail district, and should try to avoid intensive commercial land uses that carry large volumes of retail traffic. The noise, traffic, litter, late night hours, and other influences that could be harmful to residential areas require adequate buffering and screening from residential areas. Traffic from land uses in this district should not pass through residential areas, except on arterial or major collectors. There are restrictions on access to prevent traffic congestion or an adverse effect on major thoroughfares adjacent to residential areas. Areas should not be zoned General Retail (GR) District unless they are located on or close to an arterial or major collector that is capable of carrying increased traffic. Since the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts.

(B) *Permitted Uses.* All land uses permitted within the General Retail (GR) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a General Retail (GR) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.05: COMMERCIAL (C) DISTRICT

(A) *Purpose*. The Commercial (C) District is the proper zoning classification for most types of commercial development (*e.g. larger shopping centers at major intersections, commercial strips along arterial roadways, etc.*). The land uses specified for the Commercial (C) District include most types of office and retail activity with some special provisions for wholesale land uses. This district mostly excludes land uses that are not compatible with retail shopping (*e.g. lumberyards, contractor yards, warehousing, or other land uses with high volumes of truck traffic and low volumes of retail traffic*). The noise, traffic, litter, late night hours, and other influences that could be harmful to neighborhoods require adequate buffering and mitigating factors when locating adjacent to residential areas. Areas should not be zoned to Commercial (C) District unless they are located on or close to an arterial or major collector that is capable of carrying the additional traffic generated by land uses in this district. In addition, these areas may require increased water, fire protection, wastewater and drainage capacity. The Commercial (C) District is a general business zone, and is intended to service most commercial land uses, with the exception of land uses that would fall into the Heavy Commercial (HC) District. Since the Commercial (C) District is general in nature, the development standards are less stringent and do not require as high of standards of development as the Residential-Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts.

(B) *Permitted Uses*. All land uses permitted within the Commercial (C) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Commercial (C) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Business Operations and Storage*. All business operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as stipulated in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*. This excludes off-street parking and loading, incidental display of retail items for sale, retail outlets where gasoline products are sold and drive-in businesses.

SUBSECTION 4.06: HEAVY COMMERCIAL (HC) DISTRICT

(A) *Purpose*. The Heavy Commercial (HC) District is the proper zoning classification for commercial establishments that may involve uses that would not be suitable in the other commercial zoning districts. Included in this district are commercial uses that involve large volumes of commercial truck traffic, outside operations, outside storage of materials and equipment, excessive noise from heavy service operations, and/or any other possibly adverse operations. The Heavy Commercial (HC) District is commercial in nature, but has some aspects that are similar to industrial land uses. The zoning district allows noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful if directly adjacent to residential areas, and will require adequate buffering and other mitigating factors if such an adjacency exists. Areas should not be zoned to Heavy Commercial (HC) District unless they are located on or close to an arterial that is capable of carrying large volumes of commercial truck traffic. Businesses locating in the Heavy Commercial (HC) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property, and that streets in and adjacent to this district are of a size and strength to accommodate commercial truck traffic.

(B) *Permitted Uses*. All land uses permitted within the Heavy Commercial (HC) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Commercial (C) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Outside Storage*.

(a) All outside storage shall be placed behind the front facade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.
(b) All outside storage shall be screened from streets and public areas in accordance with the requirements of Subsection 1.05, *Screening Standards*.

SUBSECTION 4.07: DOWNTOWN (DT) DISTRICT

Subsection 4.07, *Downtown (DT) District*, is omitted from this ordinance change, but is retained in its entirety.

SECTION 5: INDUSTRIAL DISTRICTS

SUBSECTION 5.01: GENERAL INDUSTRIAL DISTRICT STANDARDS

All industrial development shall conform to the following standards:

(A) *Construction* *Standards* ~~*Materials*~~.

(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* -- *excluding doors and windows* -- as defined below.

(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:

(1) *Stone.* A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.
(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade. The use of concrete tilt-up walls may be permitted on a case-by-case basis in accordance with the exception requirements outlined below.
(3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.

(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards.* All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(2) *Exceptions*. Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and~~

~~Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

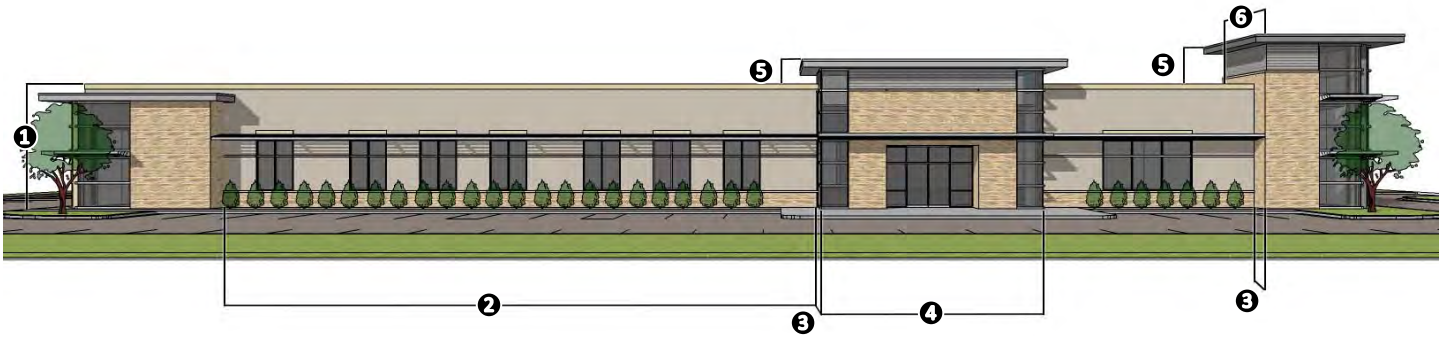
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Industrial Districts*. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Section 7.03, *Non-Residential District Development Standards*; however, the following features may be constructed 12-feet higher than the maximum height requirement if they [*1*] are not more than 33% of the total roof area, and [*2*] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

(a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
(b) Flag Poles.
(c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

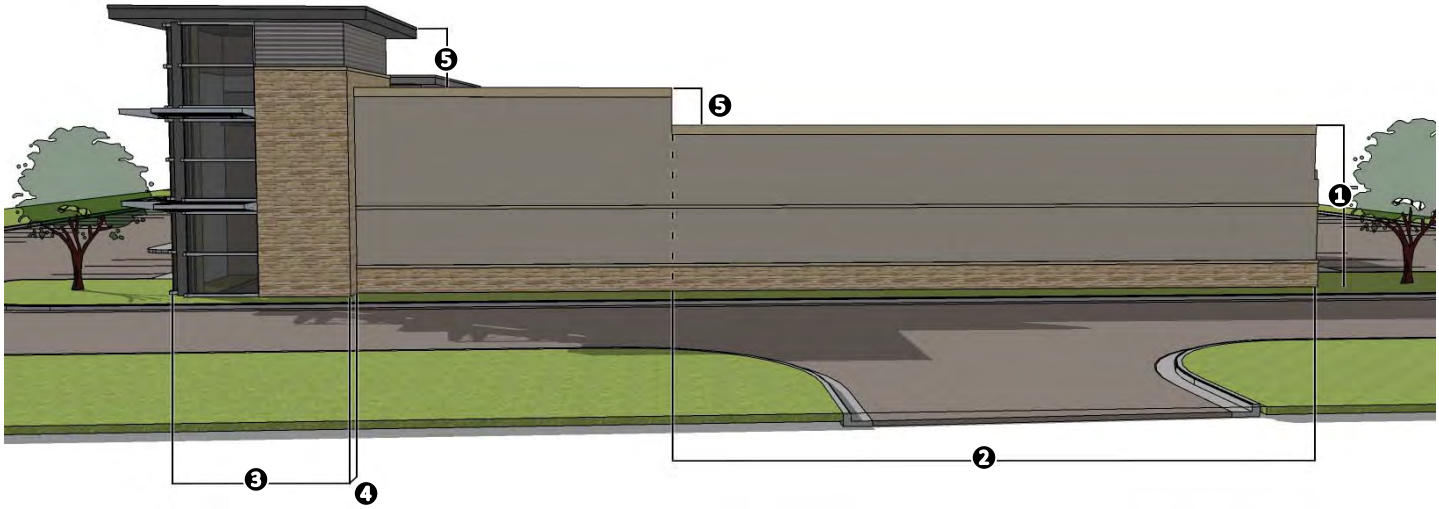
(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All industrial buildings shall meet the following standards for articulation on primary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed four (4) times the wall height (*i.e. 4 x* ❶ ≥ ❷).
❸: *Wall Projection*. The minimum wall projection for an entryway/architectural element shall be 25% of the wall height (*i.e. 25% x* ❶ ≤ ❸).
❹: *Entryway/Architectural Element Length*. The minimum entryway/architectural element length shall be 33% of the wall height (*i.e. 33% x* ❷ ≥ ❹).
❺: *Projection Height*. The entryways/architectural elements shall extend a minimum of 25% of the wall height above the top of the wall (*i.e. 25% x* ❶ ≤ ❺).
❻: *Entryway/Architectural Element Width*. The minimum width of the entryway/architectural element shall extend for twice the required wall projection (*i.e. 2 x* ❸ ≥ ❻).

(2) Secondary Building Façade. A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space,

public/private park, and/or a residentially zoned district or residentially used property. All industrial buildings shall meet the following standards for articulation on secondary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length *(i.e. 15% x* ❷ ≤ ❸).
❹: *Secondary Entryway/Architectural Element Width*. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e. 15% x* ❶ ≤ ❹).
❺: *Projection Height*. The secondary entryways/architectural elements shall extend a minimum of 15% of the wall height above the top of the wall (*i.e. 15% x* ❶ ≤ ❺).

~~*(3) Exceptions.* Exceptions to the building articulation requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate the Planning and Zoning Commission should determine if the proposed request is [1] in conformance with the spirit and intent of the building articulation requirements, and [2] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

(D) *Open Space Guidelines.* Industrial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making industrial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

(E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Industrial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

SUBSECTION 5.02: LIGHT INDUSTRIAL (LI) DISTRICT

(A) *Purpose*. The Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses. With the exception of hazardous materials/manufacturing, this zone allows the same uses as the Heavy Industrial (HI) District. Limitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities. The Light Industrial (LI) District is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building, and any activities conducted outside should be screened and buffered to ensure no external effects (*e.g. excessive noise or odor*) extend beyond the property lines. The locations for these types of industrial land uses are typically a minimum of two (2) acres and average of five (5) to ten (10) acres. These types of development also incorporate open space and significant amounts of land dedicated to landscaping.

Since this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (*e.g. IH-30 and SH-276*) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space. Residential uses should be discouraged from locating directly adjacent to or near the Light Industrial (LI) District to protect these types of businesses from excessive complaints about performance standards. Areas should not be zoned to Light Industrial (LI) District unless they are located on or close to an arterial capable of carrying commercial truck traffic. In industrial parks, internal streets should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Light Industrial (LI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses*. All land uses permitted within the Light Industrial (LI) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Light Industrial (LI) District shall conform to Subsection 4.01, *General Industrial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Manufacturing Operations and Storage*. All business and manufacturing operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as listed in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

SUBSECTION 5.03: HEAVY INDUSTRIAL (HI) DISTRICT

(A) *Purpose*. The City of Rockwall recognizes that some industrial uses cannot be conducted within a totally enclosed building, are not visually attractive, may involve hazardous materials, and could have adverse impacts to adjacent land uses due to noise, odor, pollution, and truck traffic. The Heavy

Industrial (HI) District is intended to provide adequate space and site diversification for these types of developments. The development standards in the Heavy Industrial (HI) District are minimal, and allow both large and small industrial uses either on separate small lots or as part of a larger industrial park. Some screening is required, but because of the potential for hazardous or possibly adverse uses, this district should not be located close to residential areas of any type. Areas should not be zoned Heavy Industrial (HI) District unless they are located on or close to an arterial roadway capable of carrying commercial truck traffic. Internal streets in the Heavy Industrial (HI) District should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Heavy Industrial (HI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses*. All land uses permitted within the Heavy Industrial (HI) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Heavy Industrial (HI) District shall conform to Subsection 4.01, *General Industrial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SECTION 6: OVERLAY DISTRICTS

SUBSECTION 6.01: OVERLAY DISTRICTS

Overlay districts are applied to land that has a traditional zoning district designation already applied to it. It establishes additional uses and standards, which may be either more or less restrictive than the underlying zoning district. The overlay district governs in all cases where it sets out a particular use or standard that conflicts with other sections of this Unified Development Code (UDC). In cases where the overlay district does not specifically address a standard or requirement, the underlying zoning district will govern.

SUBSECTION 6.02: GENERAL OVERLAY DISTRICT STANDARDS

(A) *Applicability*. The *General Overlay District Standards* shall be applied to the following overlay districts:

- ☑ IH-30 Overlay (IH-30 OV) District
- ☑ SH-205 Overlay (SH-205 OV) District
- ☑ Scenic Overlay (SOV) District
- ☑ SH-66 Overlay (SH-66 OV) District
- ☑ SH-205 By-Pass Overlay (SH-205 BY OV) District
- ☑ North SH-205 Overlay (N. SH-205 OV) District
- ☑ East SH-66 Overlay (E. SH-66 OV) District
- ☑ FM-549 Overlay (FM-549 OV) District
- ☑ SH-276 Overlay (SH-276 OV) District

All other overlay district standards are detailed in Sections 6.03 – 6.15.

(B) *Special Use Standards.* Development within the Scenic Overlay (SOV) District and the SH-66 Overlay (SH-66 OV) District shall comply with the *Land Use Schedule* contained in Article IV, *Permissible Uses*, of this Unified Development Code (UDC); however, the following land uses may be considered on a case-by-case basis through a Specific Use Permit:

a. Retail Store with Gasoline Sales (*Any Amount of Dispensers or Vehicles*)

b. Car Wash (*Any Type*)
c. Structures Over 36-Feet in Height

(C) *Architectural Standards.*

(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* -- *excluding doors and windows* -- as defined below.

(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:

(1) *Stone.* A minimum of 20% natural or quarried stone is required on all building façades; however, the Planning and Zoning Commission, upon recommendation from the Architectural Review Board (ARB), may grant the use of a high quality manufactured or cultured stone in lieu of natural or quarried stone if it is determined that the application of the manufactured or cultured stone will be complimentary and integral to the design of the building. In making this determination, both the Architectural Review Board (ARB) and the Planning and Zoning Commission should consider the shape, texture, size, quality and warranty of the product being proposed.
(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.
(3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of primary brick or stone materials in an elevation.

(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, cultured stone or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards*. All structures that have a building footprint of less than 6,000 SF shall be constructed with a pitched roof. Those structures having a footprint 6,000 SF or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish to avoid glare. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent public right-of-way shall be prohibited.

(3) *Mechanical Equipment Screening*. All buildings shall be designed so that no HVAC, satellite dishes, appurtenances and/or any other mechanical equipment visible from any direction. This shall include equipment located on the roof, on the ground, or otherwise attached to the building or located on the site.

(a) Screening of rooftop mechanical equipment and/or other rooftop appurtenances shall be accomplished by either the construction of [*1*] a roof system described in the *Roof Design Standards* above, or [*2*] an architectural feature that is integral to the building's design and

ensures that such rooftop mechanical equipment is not visible from any direction. Fencing or the enclosing of individual mechanical units shall not be permitted.

(b) All rooftop mechanical equipment or architectural features shall be shown on the required building elevations and submitted along with the site plan for review by City Staff, the Architectural Review Board (ARB), and the Planning and Zoning Commission.

(4) *Required Architectural Elements.* All buildings that are less than 50,000 SF shall be designed to incorporate a minimum of four (4) architectural elements, buildings over 50,000 SF shall include a minimum of six (6) architectural elements, and buildings over 100,000 SF shall include a minimum of seven (7) architectural elements. The accepted architectural elements for all buildings are as follows:

- ☑ Canopies, Awnings, or Porticos
- ☑ Recesses/Projections
- ☑ Arcades
- ☑ Peaked Roof Forms
- ☑ Arches
- ☑ Outdoor Patios
- ☑ Display Windows
- ☑ Architectural Details (*e.g. Tile Work and Moldings*) Integrated into the Building's Facade
- ☑ Articulated Ground Floor Levels or Bases
- ☑ Articulated Cornice Line
- ☑ Integrated Planters or Wing Walls that Incorporate Landscape and Sitting Areas
- ☑ Offsets, Reveals or Projecting Rib Expressing Architectural or Structural Bays
- ☑ Varied Roof Heights

NOTE: Other architectural features maybe approved by the Director of Planning and Zoning or his/her designee.

(5) *Four (4) Sided Architecture.* All buildings shall be architecturally finished on all four (4) sides utilizing the same materials, detailing, articulation and features. In addition, a minimum of one (1) row of trees (*i.e. four [4] or more accent or canopy trees*) shall be planted along perimeter of the subject property to the rear of the building.

(6) *Windows.* The color of all windows shall be reviewed by the Architectural Review Board (ARB), and shall have a maximum visible exterior reflectivity of 20%.

(7) *Office Parks, Shopping Centers and Mixed Use Centers.* All buildings within a common retail, commercial or office development shall incorporate complementary architectural styles, materials, and colors. Staff may require a conceptual façade plan and/or sample boards for these types of developments to ensure consistency and compatibility for all buildings within a proposed development. Conceptual façade plans will be used only to ensure compliance to the minimum standards.

(8) *Corporate Identity.* A company's building corporate identity that conflicts with the *General Overlay District Standards* shall be reviewed *case-by-case* basis as a variance in accordance with the requirements of Subsection 9.02, *Variances to the General Overlay District Standards*, of Article XI, *Development Applications and Review Procedures*.

(D) *Site Design Guidelines and Standards.*

(1) *Building Setbacks*. The building setbacks adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) shall be as follows:

(1) Scenic Overlay (SOV) District: 15-feet
(2) SH-66 Overlay (SH-66 OV) District: 15-feet
(3) IH-30 Overlay (IH-30 OV) District: 25-feet
(4) SH-205 Overlay (SH-205 OV) District: 25-feet
(5) North SH-205 Overlay (N. SH-205 OV) District: 25-feet
(6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- ☑ Residential Land Uses: *See* *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

All other building setback regulations shall be the same as set forth in the underlying zoning district.

(2) *Parking Restrictions*. No more than one (1) full row of parking (*i.e. two rows of parking with a drive aisle*) shall be allowed between the primary building façade and the right-of-way of the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*).

(3) *Access/Ingress/Egress*. In an effort to minimize potential vehicular and pedestrian conflicts, special attention must be given to the location of median breaks along major thoroughfares, the number and location of driveways providing ingress/egress, the design of driveways providing ingress/egress in relation to the parking areas and sight/visibility distances. Taking this into consideration it is important to review all site plans for the following guidelines:

a. Driveways should be spaced a minimum of 100-feet from the intersection of any major thoroughfare.
b. The ingress/egress driveways shall have a minimum radius of 30-feet;
c. Driveways should maintain an appropriate visibility triangle at ingress/egress driveways.

d. Main entrances should generally be located at median breaks that provide left turn access into the site.
e. Main entrances should connect to a *straightaway* aisle that does not dead end or require an immediate turn to approach the main building.
f. Aisles intersecting with entrance drives should be spaced at a minimum of 20-feet from the property line to provide for smooth turning movements.

(4) *Cross Access*. *Cross Access Easements* may be required by the Planning and Zoning Commission at the time of site plan approval to ensure access to future median breaks and to reduce the number of curb cuts needed along roadways.

(5) *Shared Parking.* In all office parks, shopping centers and mixed-use centers cross access and shared parking agreements may be required by the City Council along with final plat approval.

(6) *Loading and Service Areas*. All loading and service areas shall be located on the rear and side of buildings where possible. In the event that a loading or service area faces towards the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*), additional screening of the loading and service area may be required by the Architectural Review Board (ARB) and Planning and Zoning Commission. A minimum of a ten (10) foot masonry screening wall shall be required to screen the view of loading docks and loading spaces intended for tractor/semi-trailer delivery from any public right-of-way. This ten (10) foot masonry screening wall must screen the entire loading dock or loading space. Screening materials shall utilize similar masonry materials as the front façade of the primary building. The accommodation of adequate access for service delivery trucks shall be evaluated to determine the extent of screening required.

(7) *Trash/Recycling Receptacles and Dumpster Enclosures*. Trash/Recycling Enclosures shall be four (4) sided. These receptacles shall be screened by a minimum eight (8) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building.

(8) *Play Structures*. Play structures shall not be placed between the primary building façade and a public right-of-way.

(9) *Plan Review*. In addition to the other processes and factors established by this Unified Development Code (UDC), all concept plans, development plans and site plans for property situated within an established overlay district shall be reviewed for the following:

(a) The conformance of the proposed site plan to the site design guidelines and standards.
(b) The conformance of the proposed landscape plan to the intent of the landscaping and screening requirements.
(c) The conformance of the building elevations to the intent of the architectural standards.
(d) The provision of sufficient cross access and circulation on the site plan.
(e) The provision of sufficient visibility triangles to avoid congestion at ingress/egress driveways.

(E) *Landscape Standards*.

(1) *Landscape Buffers*. The minimum landscape buffer adjacent to *Primary Roadways* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) [*outside of and beyond any required right-of-way dedication*] shall be as follows:

(1) Scenic Overlay (SOV) District: 20-feet
(2) SH-66 Overlay (SH-66 OV) District: 20-feet
(3) IH-30 Overlay (IH-30 OV) District: 20-feet
(4) SH-205 Overlay (SH-205 OV) District: 20-feet
(5) North SH-205 Overlay (N. SH-205 OV) District: 20-feet
(6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- ☑ Residential Land Uses: 50-feet
- ☑ Retail/Commercial Land Uses: 25-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

All landscape buffers shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage along the *Primary Roadway*. In the E. SH-66 Overlay (E SH-66 OV), FM-549 Overlay (FM-549 OV), and SH-205 By-Pass Overlay (SH-205 BY OV) Districts the required landscape buffer shall incorporate one (1) additional cedar tree per 100-feet of linear of frontage along the *Primary Roadway*.

(2) *Plant Material Sizes and Selection*. All canopy trees, accent trees, shrubs and ground cover proposed to be planted in any overlay district shall be in conformance to the tables depicted in Appendix F, *Landscaping Guidelines and Requirements*, of this Unified Development Code (UDC) and shall be subject to the following sizes:

a. *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.
b. *Accent Trees* shall be a minimum of four (4) feet in total height.
c. *Deciduous Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.
d. *Evergreen Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.

(3) *Erosion Control/Retaining Walls.* Any slope embankments or retaining walls within the public right-of-way or within the required landscape buffer must be terraced every four (4) feet in height (maximum) with a minimum of a two (2) foot planting area provided between each vertical plane. Materials used for the vertical elements shall be natural stone or any masonry material, which matches the masonry materials used on the primary structure. The planting area must incorporate shrubs, ground cover and grasses.

(F) *Signs.* All signage requirements and variances to these requirements shall conform to Chapter 32, *Signs*, of the Municipal Code of Ordinances; however, approval of any variance to the sign standards for property situated within an established overlay district shall require approval by the City Council by a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

(G) *Lighting Standards.* No light standard, light fixture, light pole, pole base or combination thereof shall exceed 20-feet in total height in any overlay district with the exception of the IH-30 Overlay (IH-30 OV) District, which shall be limited to a maximum height of 30-feet.

(H) *Utility Placement.* All overhead utilities within any overlay district shall be placed underground.

(I) *Residential Standards.* No screening walls shall be erected adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) in conjunction with any residential development. In addition, *eyebrow drives* with clusters of lots (*i.e. 5 – 12 homes*) shall be utilized along the *Primary Roadway* for residential developments. In lieu of *eyebrow drives,* a 50-foot landscape buffer may be utilized as an alternative. Farm fencing, including wood rail type and metal pipe and cable fencing, is allowed within the 50-foot landscape buffer. For residential developments within the SH-205 By-Pass Overlay (SH-205 BY OV) District, see *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*.

SUBSECTION 6.03: HISTORIC OVERLAY (HO) DISTRICT

Subsection 6.03, *Historic Overlay (HO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.04: NORTH GOLIAD CORRIDOR OVERLAY (NGC OV) DISTRICT

Subsection 6.04, *North Goliad Corridor Overlay (NGC OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.05: SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT

Subsection 6.05, *Southside Residential Neighborhood Overlay (SRO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.06: IH-30 OVERLAY (IH-30 OV) DISTRICT

(A) *Purpose.* The intent of the IH-30 Overlay (IH-30 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The IH-30 Overlay (IH-30 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the future right-of-way of IH-30. The IH-30 Overlay (IH-30 OV) District spans east to west along IH-30 from the eastern city limits (approximately 3,600-feet east of FM 549), west to the western city limit line along Lake Ray Hubbard. The standards and regulations set forth in the IH-30 Overlay (IH-30 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the IH-30 Overlay (IH-30 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.07: SH-205 OVERLAY (SH-205 OV) DISTRICT

(A) *Purpose.* The intent of the SH-205 Overlay (SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 Overlay (SH-205 OV) District includes the entirety of all properties which adjoin or are located within 200-feet of the future right-of-way of SH-205. The SH-205 Overlay (SH-205 OV) District spans north to south along SH-205 from the intersection point of SH-205 and FM 740, south to the southern city limits (*approximately 2,800-feet south of FM-1139*). The standards and regulations set forth in the SH-205 Overlay (SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-205 Overlay (SH-205 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.08: SCENIC OVERLAY (SRO) DISTRICT

(A) *Purpose.* The Scenic Overlay (SOV) District is a specialized overlay district along FM-740 which has been identified in the Comprehensive Plan as a scenic thoroughfare. The identified scenic aspects of FM-740 include views of the lake, existing natural topography, and existing natural landscaping. The district has been established to protect scenic or historic qualities through the use of additional development criteria and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it

is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

(B) *Application and Boundaries.* The Scenic Overlay (SOV) District shall apply to all property located within the established boundary along FM-740 (*as set forth in Ordinance No. 87-64*). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless and until an application for zoning, platting, or site planning is re-submitted on the property. All property developed within the Scenic Overlay (SOV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the Scenic Overlay (SOV) District. The most restrictive requirement applicable to the property shall apply.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the Scenic Overlay (SOV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.09: SH-66 OVERLAY (SH-66 OV) DISTRICT

(A) *Purpose.* The SH-66 Overlay (SH-66 OV) District is a specialized overlay district along SH-66 and Washington Street between Lake Ray Hubbard and SH-205, which has been identified as one of the important entry points into the City of Rockwall. The identified important scenic aspects of this corridor include views of the lake, existing natural topography, and existing natural landscaping adjacent to residential neighborhoods. The district has been established to protect scenic or historic qualities through the use of additional development criteria, and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

(B) *Application and Boundaries.* The SH-66 Overlay (SH-66 OV) District shall apply to all property located within the established boundary along SH-66 and Washington Street, between Lake Ray Hubbard and SH-205 (*as set forth in Ordinance No. 01-18*). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless an application for zoning, platting, or site planning is resubmitted on the property. All property developed within the SH-66 Overlay (SH-66 OV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the SH-66 Overlay (SH-66 OV) District. The most restrictive requirement applicable to the property shall apply.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-66 Overlay (SH-66 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.10: SH-205 BY-PASS OVERLAY (SH-205 BY OV) DISTRICT

(A) *Purpose.* The intent of the SH-205 By-Pass Overlay (SH-205 BY OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically

pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility and plan review shall be conducted through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family uses only. All other residential uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 By-Pass Overlay (SH-205 BY OV) District includes the entirety of all properties which adjoin or are located within 500 feet of the current and future right-of-way of John King Boulevard. The SH-205 By-Pass Overlay (SH-205 BY OV) District ~~Zone~~ extends along the current and future right-of-way of John King Boulevard. to the existing city limits. The standards and regulations set forth in the SH-205 By-Pass Overlay (SH-205 BY OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-205 By-Pass Overlay (SH-205 BY OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

(D) *Special District Requirements*.

(1) *Residential Frontage Requirements*. To ensure proper separation of residential land uses from John King Boulevard all residential developments that have direct frontage on John King Boulevard shall utilize one (1) or a combination of the following design alternatives along the entire frontage of John King Boulevard:

a. *Increased Landscape Buffer*. A minimum of a 100-foot landscape buffer maybe substituted for the required landscape buffer as depicted in *Design Alternative #1*.

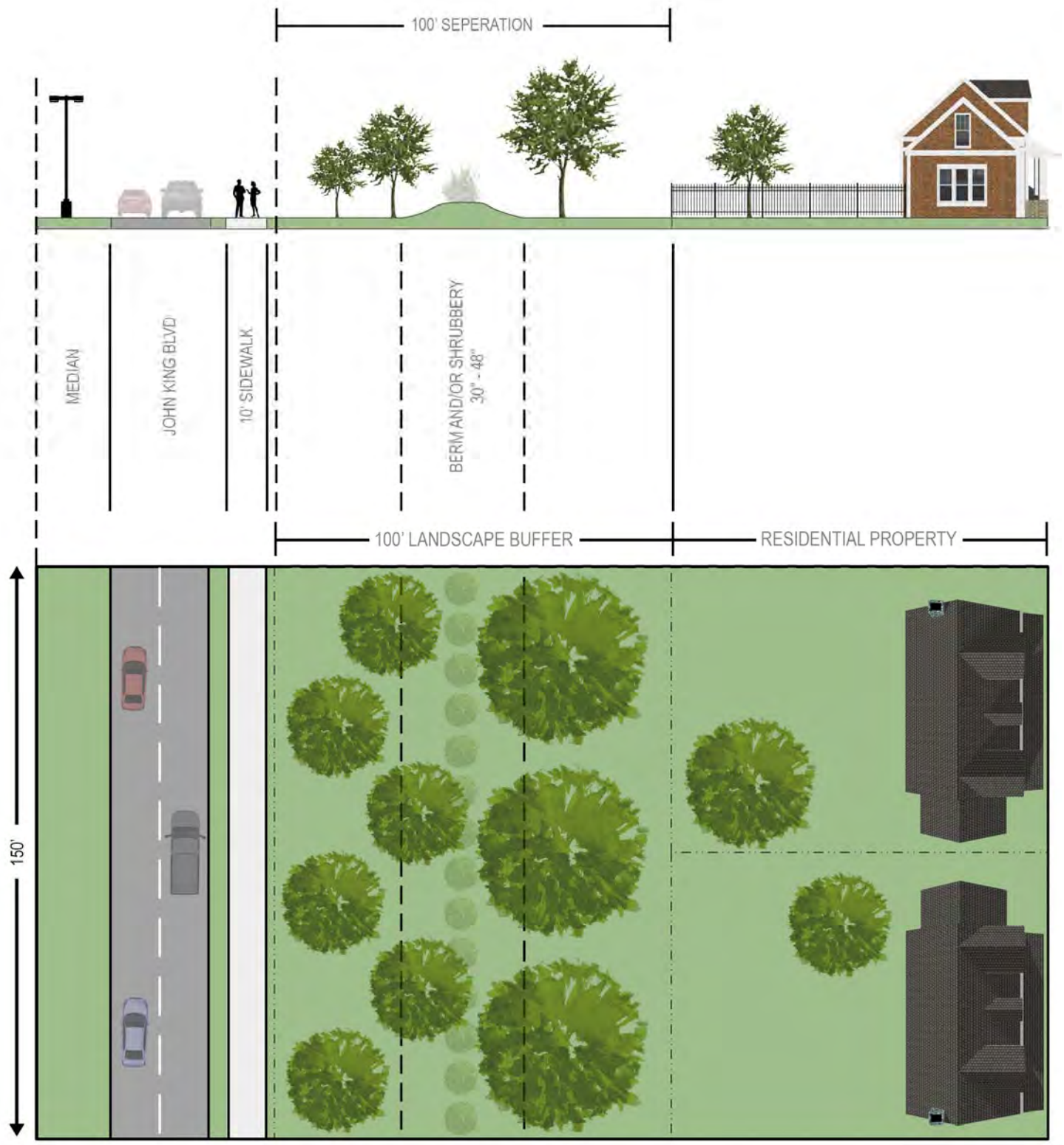
b. *Increased Rear Yard Building Setback*. A minimum of 50-foot rear yard building setback may be incorporated adjacent to the required landscape buffer as depicted in *Design Alternative #2.*

b. *Incorporation of a Slip Street*. A slip street -- *meeting the Engineering Department's requirements for right-of-way design* -- may be incorporated adjacent to and running parallel with the required landscape buffer. Homes are permitted to front or side to the slip street. Examples of this design alternative are depicted in *Design Alternative #3* and *Design Alternative #4.*

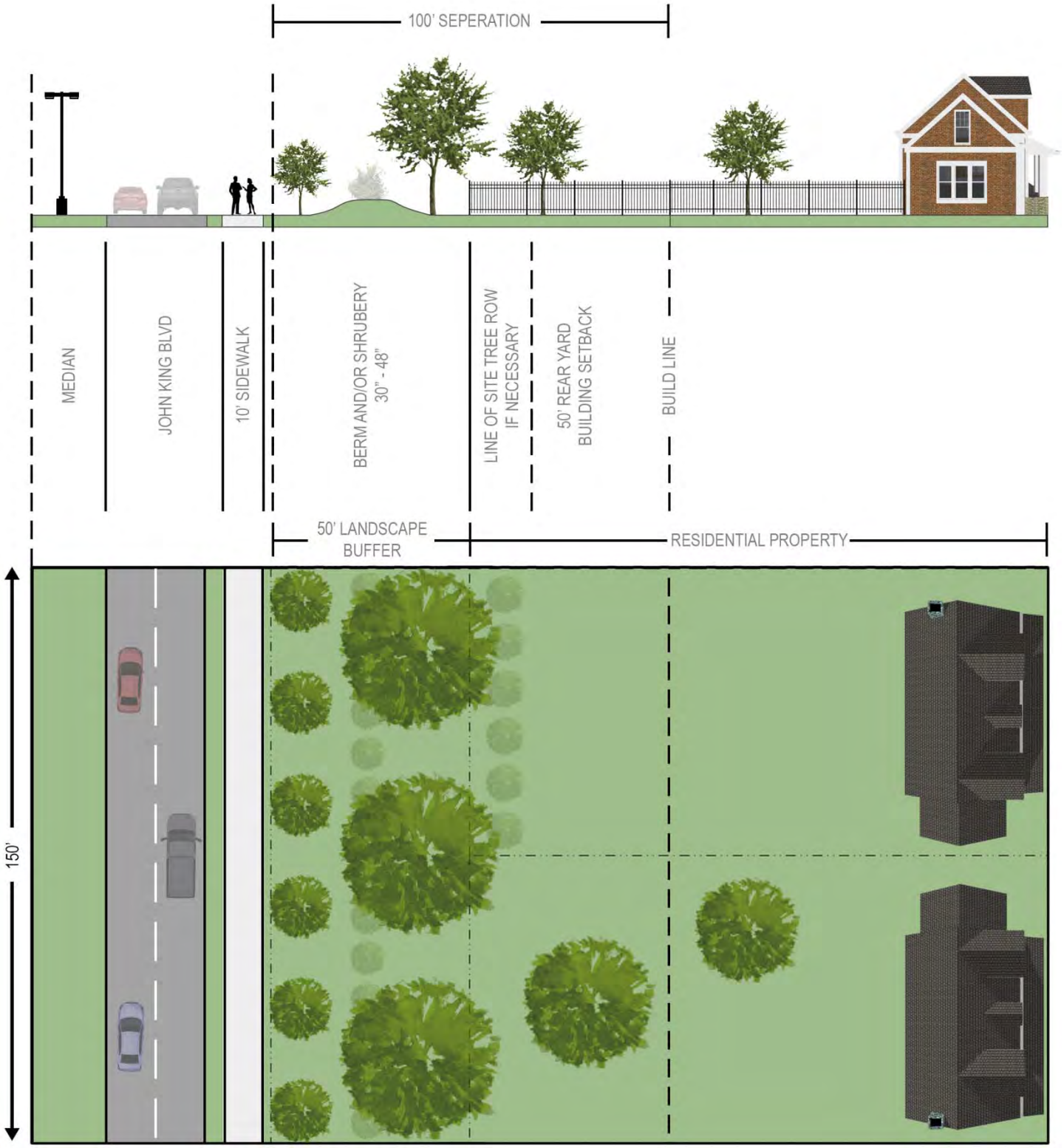
c. *Incorporation of an Eyebrow*. An eyebrow street meeting the -- *Engineering Department's requirements for right-of-way design* -- with a minimum cluster of five (5) homes and a maximum cluster of 12 homes can be incorporated with a 30-foot landscape buffer. All homes should front onto the eyebrow street and have a minimum of a 25-foot front yard building setback. An example of this design alternative is depicted *Design Alternative #5.*

(2) *Design Alternatives.*

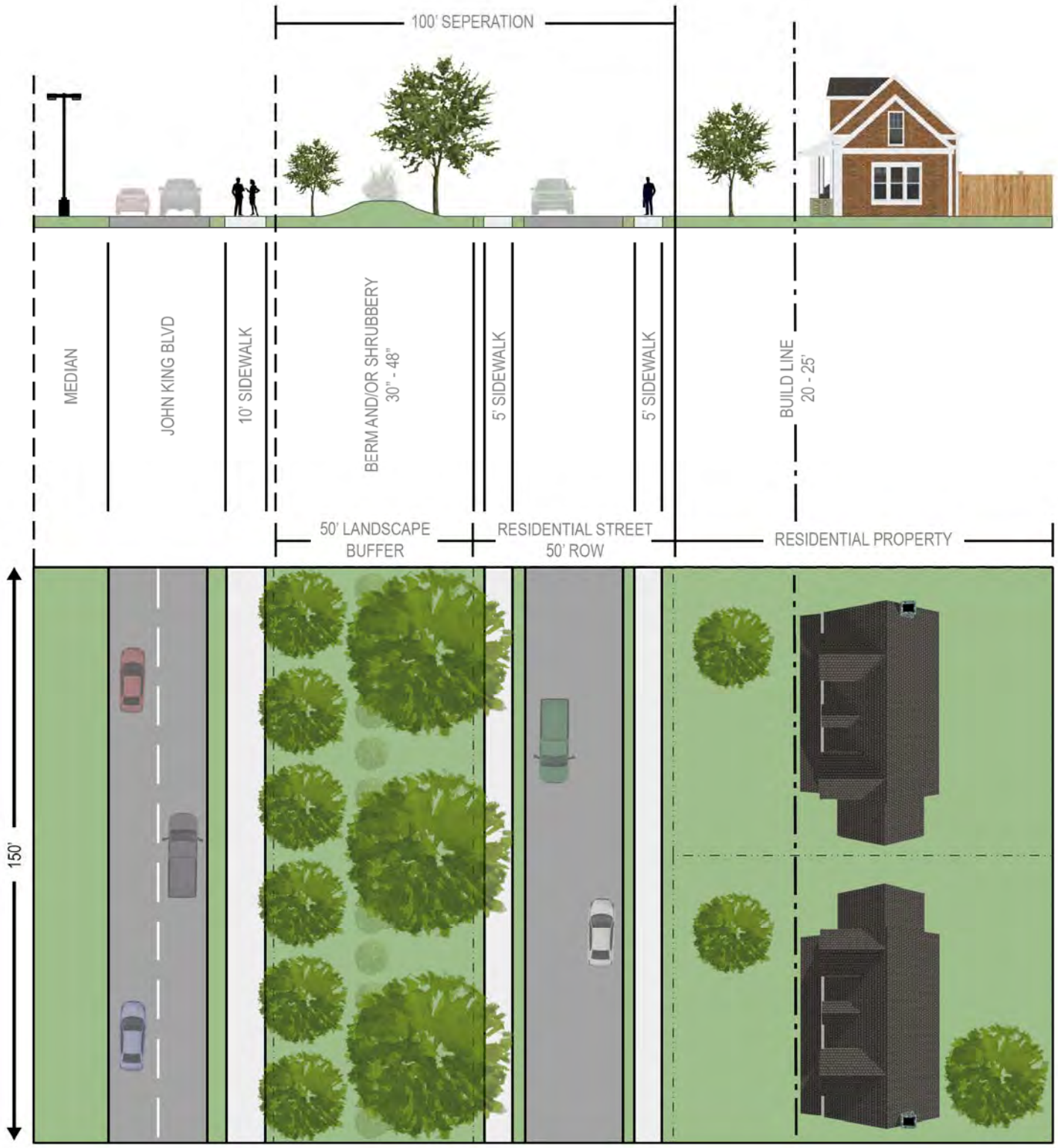
Design Alternative #1



Design Alternative #2



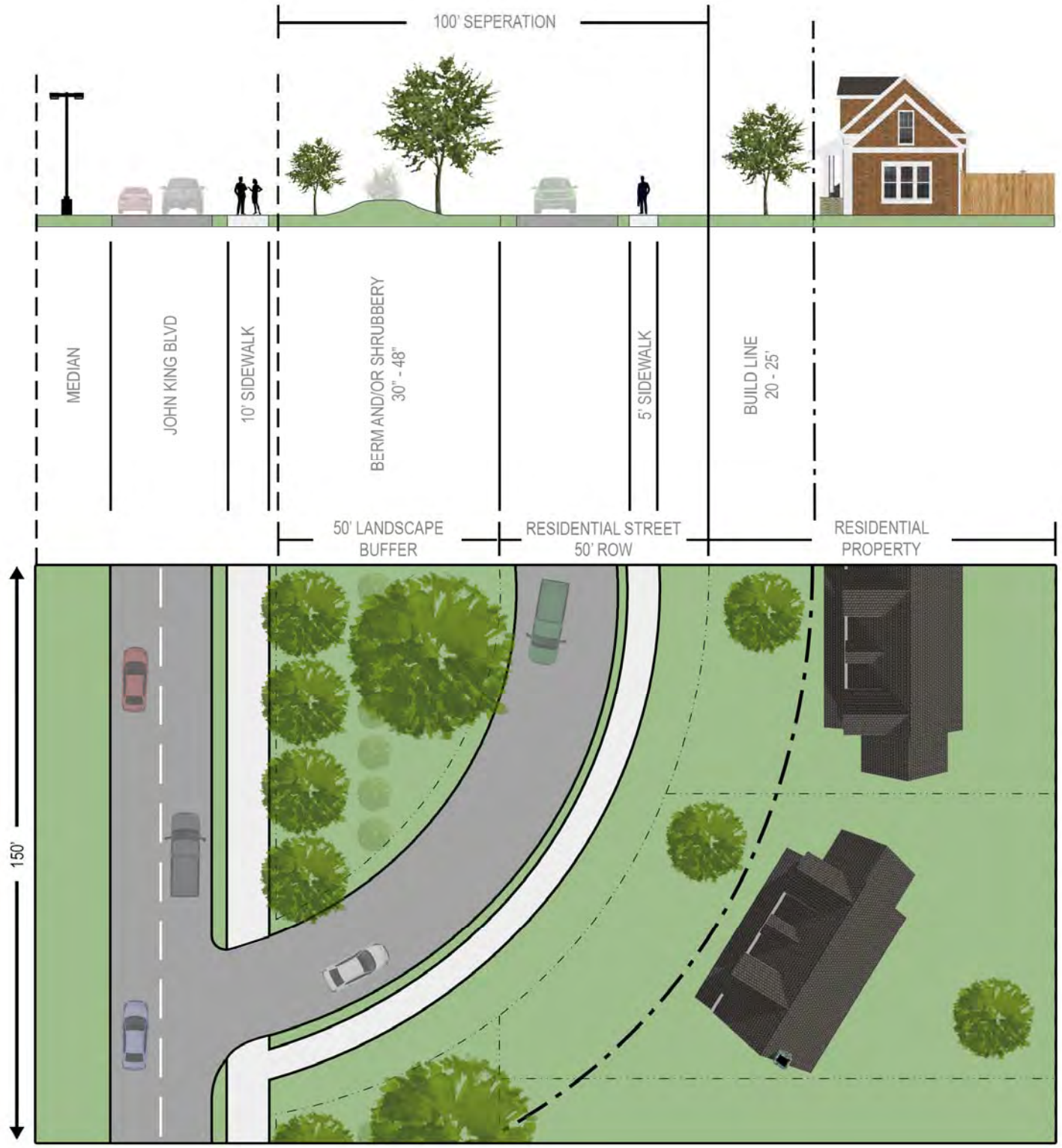
Design Alternative #3



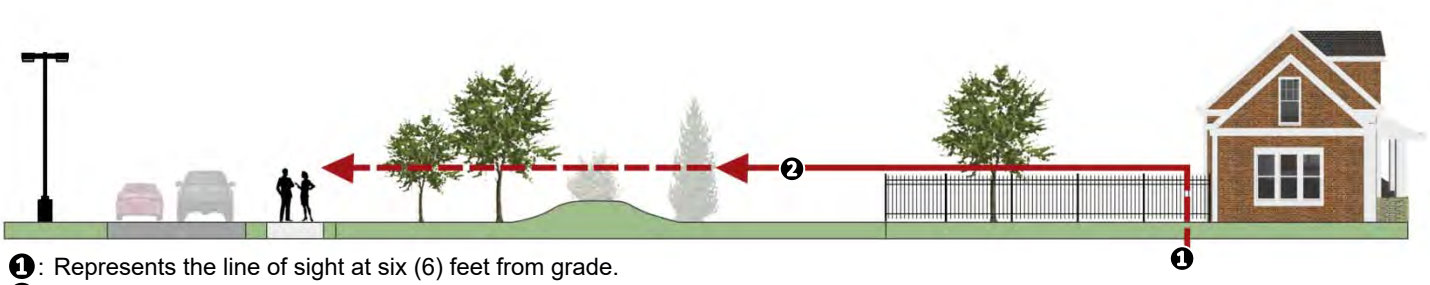
Design Alternative #4



Design Alternative #5



(3) *Line of Sight Requirements*. Homes that back to a required landscape buffer should be built in such a manner where the required berm visually impairs visibility to John King Boulevard. In cases where a berm proves to be ineffective at screening traffic from John King Boulevard (*due to topography, height, etc.*) the developer shall be responsible for incorporating additional landscaping to provide sufficient screening in the required landscape buffer. This will be reviewed by the Planning and Zoning Commission at the time of site plan.



❶: Represents the line of sight at six (6) feet from grade.
❷: The solid red line shows that visibility is impaired from John King Boulevard by [*1*] a row of trees or [*2*] a berm and/or row of shrubbery.

SUBSECTION 6.11: NORTH SH-205 OVERLAY (N. SH-205 OV) DISTRICT

(A) *Purpose.* The intent of the North SH-205 Overlay (N. SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The North SH-205 Overlay (N. SH-205 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of N. SH-205. The North SH-205 Overlay (N. SH-205 OV) District spans north to south along SH-205 from the northern city limits (approximately 4,200-feet north of FM-552), south to the intersection point of SH-205 and Heath Street. The standards and regulations set forth in the North SH-205 Overlay (N. SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the North SH-205 Overlay (N. SH-205 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.12: EAST SH-66 OVERLAY (E. SH-66 OV) DISTRICT

(A) *Purpose.* The intent of the East SH-66 Overlay (E. SH-66 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board

(ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The East SH-66 Overlay (E. SH-66 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of E. SH-66. The East SH-66 Overlay (E. SH-66 OV) District extends from FM-1141 to the east approximately 2,700-feet, and on property that lies within 500-feet of the south right-of-way line of SH-66 beginning at a point approximately 2,700-feet east of FM-1141 and then continuing east to FM-549. The standards and regulations set forth in the East SH-66 Overlay (E. SH-66 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the East SH-66 Overlay (E. SH-66 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.13: FM-549 OVERLAY (FM-549 OV) DISTRICT

(A) *Purpose.* The intent of the FM-549 Overlay (FM-549 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The FM-549 Overlay (FM-549 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of FM-549. The FM-549 Overlay (FM-549 OV) District extends from SH-276 to a point approximately 800-feet north of IH-30 and on property that lies within 500-feet of the west right-of-way line of FM-549 from a point approximately 800-feet north of IH-30 to SH-66. The standards and regulations set forth in the FM-549 Overlay (FM-549 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the FM-549 Overlay (FM-549 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

(A) *Purpose.* The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276.

The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

Subsection 6.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.16: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

See Subsection 9.02, *Variances to the General Overlay Districts Standards, of Article IX, Development Applications and Review Procedures*.

~~Unless otherwise specified in this section, an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in *Section 6.02, General Overlay District Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. If the Planning and Zoning Commission denies a variance request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the variance or variances being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*). Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.~~

SECTION 7: DISTRICT DEVELOPMENT STANDARDS

SUBSECTION 7.01: RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Residential District Development Standards Zoning Districts → Development Standards ↓		Single-Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single-Family Estate 4.0 (SFE-4.0) District	Single-Family 1 (SF-1) District	Single-Family 16 (SF-16) District	Single-Family 10 (SF-10) District	Single-Family 8.4 (SF-8.4) District	Single-Family 7 (SF-7) District	Zero Lot Line (ZL-5) District	Two-Family (2F) District	Agricultural (AG) District
Abbreviation		SFE-1.5	SFE-2.0	SFE-4.0	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	AG
Dwelling Units/Lot		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0
Dwelling Units/Acre		0.67	0.5	0.25	1.0[1]	2.7	4.4	5.2	6.2	8.7	12.4	0.1[11]
Minimum Dwelling Unit (SF)		2,000	2,200	2,500	2,500	2,400	2,200	1,500	1,100	1,000	800	1,600
Minimum Lot Requirements	Area (Square Feet)	65,340	87,120	174,240	8,400	16,000	10,000	8,400	7,000	5,000	7,000	43,560
	Width (Feet) [2]	150	150	200	70	90	80	70	60	50	60	100
	Depth (Feet)	250	250	250	100	100	100	100	100	90	100	200
Minimum Setbacks	Front (Feet)	50	50	50	20	25	20	20	20	20	20	40
	Rear (Feet)	10	10	10	10	10	10	10	10	10	10	10
	Side (Feet) [3]	25	25	25	6	8	6	6	6	0/10[4]	0[5]/6[6]	6
Between Buildings (Feet)		10	10	10	10	10	10	10	10	10	10	12
Building Height (Feet)		36	36	36	36	36	36	36	32	30	32	36
~~Minimum Masonry Content (%)~~		~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~
Maximum Lot Coverage (%)		35	35	35	45	45	45	45	45	50	45	*N/A*
Required Parking Spaces [7]		2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[9]	2[10]	2[8]

ADDITIONAL REQUIREMENTS:

[1]: The Single Family 1 (SF-1) District allows for one (1) unit per gross acre.

[2]: Frontage on a Public Street

[3]: The side setback adjacent to a street is treated the same as a front yard building setback.

[4]: Minimum maintenance easement is ten (10) feet. Minimum maintenance easement on the non-zero lot line side, when adjacent to another lot in the same zoning district is five (5) feet (*this easement shall be maintained as an open space except upon a finding by the building official that the proposed improvements do not impede the use of said easement for maintenance of the adjoining structure*).

[5]: Abutting structures separated by fire retardant walls.

[6]: Townhouses separated by firewall meeting the requirements of the building code may build to the property line where such structures abut.

[7]: Minimum length of driveway pavement from public right-of-way for rear and side yard is 20-feet.

[8]: An enclosed garage shall not be considered in meeting the off-street parking requirements. For all other uses see Article VI, *Parking and Loading*.

[9]: A two (2) car garage is required.

[10]: Two (2) off-street parking spaces plus one (1) garage parking space for each dwelling unit is required.
[11]: A minimum lot size of ten (10) acres is required for the construction of any single-family dwelling.

SUBSECTION 7.02: MULTI-FAMILY DISTRICT DEVELOPMENT STANDARDS

Multi-Family District Development Standards Zoning Districts → Development Standards ↓		Multi-Family 14 (MF-14) District [1]
Abbreviation		MF-14
Dwelling Units/Acre		14.0[2]
Minimum Lot Requirements	Site Area (Square Feet)	10,000
	Lot Area (Square Feet)	2,000 (*Per Unit*)
	Width (Feet)[3]	60
	Depth (Feet)	100
Minimum Setbacks	Front (Feet)	25
	Rear (Feet) w/ Residential Adjacency (Feet)[3 & 8]	One Story = 25 Two Stories = 50 Three Stories = 75
	Rear (Feet)	10
	Side w/ Residential Adjacency (Feet)[4 & 8]	One Story = 25 Two Stories = 50 Three Stories = 75
	Side (Feet)	One Story = 10 Two or More Stories = 15
Between Buildings (Feet)		Main to Accessory = 10 Two Main Buildings w/ Doors or Windows in Facing Walls = 20 Two Main Buildings w/o Doors or Windows in Facing Walls = 15
Building Height (Feet)		36
~~Minimum Masonry Content (%)~~		~~100~~
Maximum Lot Coverage (%)		45[5]
Minimum Landscaping (%)[7]		30% ~~25%~~ of Total Lot Area w/ 30% of Total Required in the Front and Alongside Buildings w/ Street Frontage [6]
Required Parking Spaces		See Article VI, *Parking and Loading*

ADDITION REQUIREMENTS:

[1]: Duplexes shall meet the requirements of the Two-Family (2F) District, with only one (1) duplex per lot.

[2]: Density is calculated by gross acre.

[3]: Unenclosed carports may be built within five (5) feet of any property line that abuts an alley, but no closer than 20-feet from any street intersection.

[4]: Side on street is treated the same as a front yard building setback.

[5]: Each development containing over 100 dwelling units shall provide 300 SF of open space per two (2) and three (3) bedroom units, with at least one (1) open area with the minimum dimensions of 200-feet by 150-feet. Swimming pools, tennis courts and other recreational facilities can be counted toward the overall open space requirement, but not toward the required 200-feet by 150-feet area.

[6]: Any parking lot with more than two (2) rows of parking spaces shall have a minimum of two (2) percent of the interior of the parking lot landscaped. Such landscaping shall be counted toward the landscaping requirement.

[7]: All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes.

[8]: Lots with more than five (5) dwelling units that are contiguous to a residential zoning district, must be separated by a buffer as established in Article VIII, *Landscape Standards*.

SUBSECTION 7.03: NON-RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Non-Residential District Development Standards *: For development in the Downtown (DT) District see the standards in Section 4.8, *Downtown (DT) District*. Zoning Districts → Development Standards ↓		Residential-Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District
Abbreviation		RO	NS	GR	C	HC	LI	HI
Maximum Building Size (SF)		*N/A*	5,000 [1]	25,000 [2]	*N/A*	*N/A*	*N/A*	*N/A*
Minimum Lot Requirements	Area (SF)	6,000 [3]	6,000	6,000 43,560	10,000 43,560	12,500 43,560	12,500 43,560	87,120
	Width (Feet)	60	60	60 200	60 200	100 200	100 200	200
	Depth (Feet)	100	100	100 200	100 200	125 200	125 200	350
Minimum Setbacks	Front (Feet)	25 [4, 12]	15 [5]	15 [4, 5]	15 [4, 5]	25 [4]	25 [4]	50+1/2*H*>36 [7] 50 [4]
	Rear (Feet)	30	20 w/o FRW & Alley	10 w/o FRW & Alley	10 w/o FRW & Alley	20 w/o FRW & Alley	10 w/o FRW [7]	20 + 1/2*H*>36 w/o FRW [7]
			0 w/ FRW & Alley	0 w/ FRW & Alley	0 w/ FRW & Alley	1/2*H*>36 w/ FRW & Alley	1/2*H*>36 w/ FRW & Alley [7]	8 + 1/2*H*>36 w/ FRW & Alley [7]
	Rear Adjacent Residential (Feet) [6]	*N/A*	20	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	50 + 1/2*H*>36 [7]
	Side (Feet)	10	5 w/o FRW	10 w/o FRW	10 w/o FRW	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]
			0 w/ FRW	0 w/ FRW	0 w/ FRW	1/2*H*>36 w/ FRW [7]	1/2*H*>36 w/ FRW [7]	8 + 1/2*H*>36 w/ FRW [7]
	Side Adjacent Residential (Feet) [6]	20	20	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	50
Between Buildings (Feet)		15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]	25 + 1/2*H*>36 w/o FRW [7]
						1/2*H*>36 w/ FRW [7]	1/2*H*>36 w/ FRW [7]	16 + 1/2*H*>36 w/ FRW [7]
Building Height [*H*] (Feet)		36	36	36 [8]	60 [9]	60 [9]	60 [13]	60 [13]
~~Minimum Masonry Content (%)~~		~~90~~	~~90~~	~~90~~	~~90~~	~~90~~	~~90~~	~~90~~
Maximum Lot Coverage (%)		40	40	40	60	60	60	85
Floor Area Ratio (FAR)		0.33	*N/A*	2:1	4:1	4:1	2:1	4:1
Maximum Impervious Parking (%)		75-80 [11]	80-85	85-90	85-90	90-95	90-95	90-95
Maximum Number of Entrances and/or Exits	Arterial Streets	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]
	Collector Streets	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]
	Local Streets	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]

Minimum Landscaping (%)	See Article VIII, *Landscape Standards*

NOTES:
Blue: When adjacent to Interstate 30.
H: Building Height
1/2*H*>36: One-Half the Building Height Over 36-Feet
FRW: Fire Retardant Wall
w/o FRW: Without Fire Retardant Wall

ADDITIONAL REQUIREMENTS:

[1]: A maximum building size of 5,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[2]: A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[3]: Maximum lot area is 43,560 SF.

[4]: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.

[5]: Parking should not be located between the front façade and the property line.

[6]: Lots with non-residential uses that have a side or rear yard contiguous or separated only by an alley, easement, or street, from any residential district must be separated from such residential district by a buffer as defined in Article VIII, *Landscape Standards*, or as approved by the Planning and Zoning Commission.

[7]: Not to exceed 50-Feet.

[8]: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[9]: Building height may be increased up to 240-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[10]: (or) as approved by Planning and Zoning Commission.

[11]: A minimum of seven (7) percent of the interior of the parking lot -- *not including the setback and landscape buffer* -- shall be pervious land area with additional plantings to create an amenity open space.

[12]: Parking shall not be permitted in the required setback.

[13]: Building height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

Accessory Structure Development Standards Zoning Districts or Accessory Structure Type → Development Standards ↓		Accessory Structures & Accessory Buildings [1 & 3 ~~8, & 9~~]					Portable Accessory Building 0 SF – 120 SF [8]	Detached Garage [8 & 9]	Carports [7 & 8]
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Number of Accessory Structures or Number of Specific Accessory Structure		2[2]	2[2]	2[2]	2	1	1	1	1
Maximum SF of Accessory Structure [5]		~~1,250~~ 1,000[2]	~~1,500~~ 1,000[2]	~~2,000~~ 1,250[2]	~~225~~ 144[6]	100	120	~~900~~ 625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20[4]	20[4]	20[4]	3	3	3	20[4]	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet) [8]		15	15	15	15	10	10	15	15
~~Minimum Masonry Content (%)~~ [3]		~~80~~[5]	~~80~~[5]	~~80~~[5]	~~80~~[5]	~~80~~[5]	~~0~~	~~80~~[5]	~~80~~[5]

ADDITIONAL REQUIREMENTS:

1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.

2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is ~~625~~ 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.

3: ~~Greenhouses are exempt from the minimum masonry requirements.~~ Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.

4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.

5: ~~The exterior of the accessory building or structure shall be clad in the same materials in roughly the same proportions as the primary structure; however, accessory buildings or structures that are less than 120 SF and under ten (10) feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.~~ Accessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP).

6: Each property shall be permitted one (1) detached garage up to ~~900~~ 625 SF and one (1) accessory building up to ~~225~~ 144 SF.

7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.

8: ~~Accessory buildings and accessory structures not meeting the masonry requirements shall require the approval of an exception from the Planning and Zoning Commission.~~ Two (2) story accessory buildings or structures shall be prohibited.

~~9: Barns used for agricultural and/or farm animal purposes, on sites ten (10) acres or more that are zoned Agricultural (AG) District, are excluded from this masonry requirement.~~ Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, UDC

SECTION 1: GENERAL STANDARDS

SUBSECTION 1.01: OPEN SPACE

(A) *Purpose.* The City of Rockwall is a rural and recreation-oriented community with open space that ties into a regional framework of open space, trails, and corridors. Open space corridors link all major areas of the city using primarily floodplain and drainage areas. Since open space and recreational amenities are vital to the City's commercial and residential developments, all projects must provide open space in accordance with the City's *Comprehensive Plan* and the *Parks, Recreation, and Open Space Master Plan*.

(B) *Requirements.* All projects in the city must reserve, dedicate and/or develop public and private open spaces consistent with the requirements of the following sections:

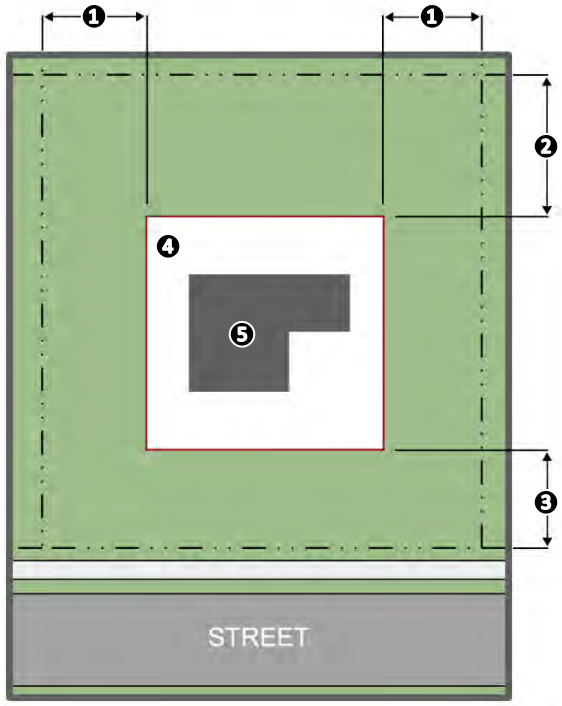
(a) *Residential*. Subsection C, *Open Space,* of Section 3.01, *General Residential District Standards*
(b) *Commercial*. Subsection D, *Open Space Guidelines,* of Section 4.01, *General Commercial District Standards*
(c) *Industrial*. Subsection D, *Open Space Guidelines,* of Section 5.01, *General Industrial District Standards*

SUBSECTION 1.02: SITE PLANS

All development in the City of Rockwall -- *with the exception of single lot single-family and duplex developments* -- shall require the approval of a site plan in accordance with the requirements of Article XI, *Development Applications and Review Procedures*.

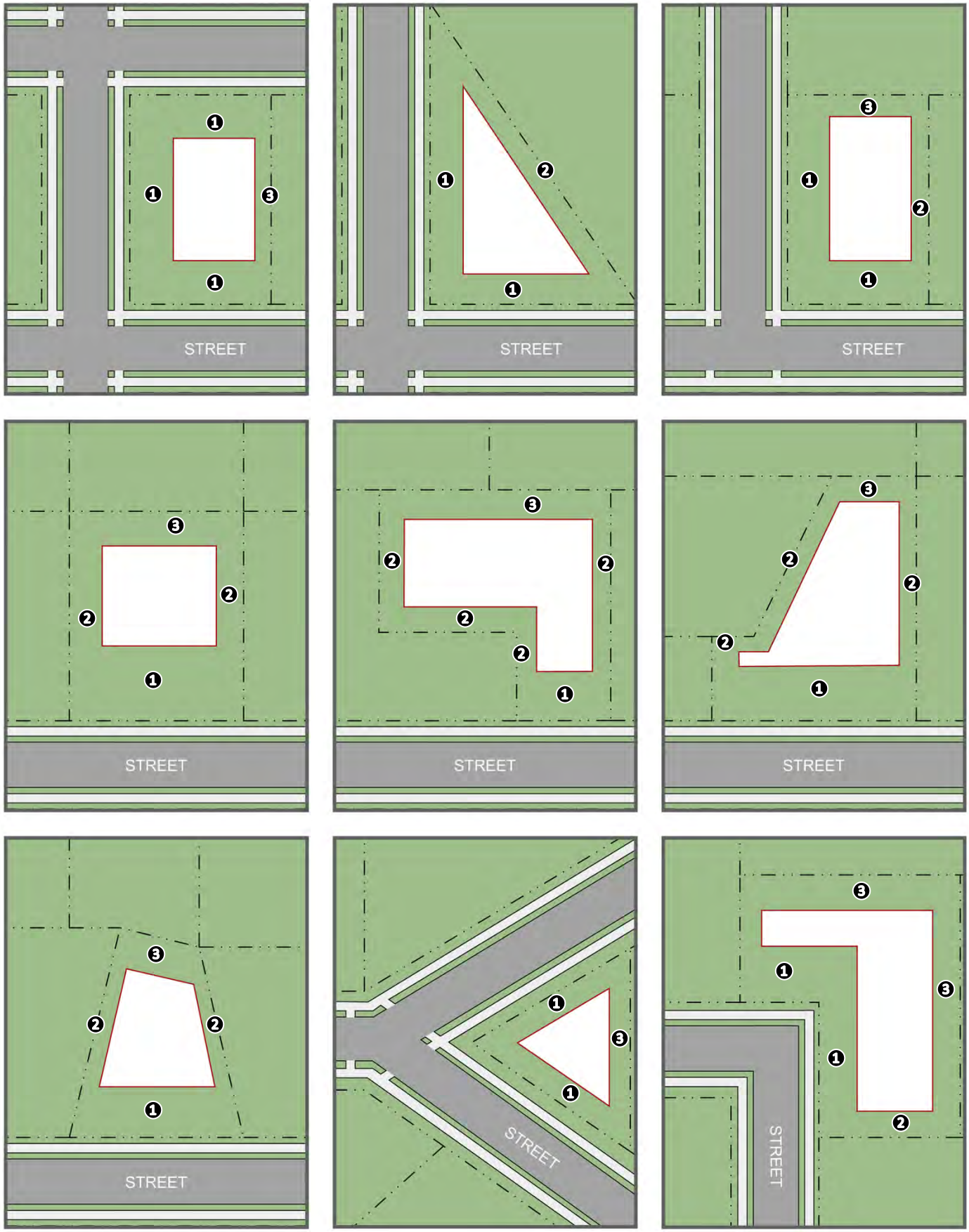
SUBSECTION 1.03: LOT CONFIGURATIONS

(A) *Lots with a Single Street Frontage*. Where lots have a single street frontage, the required setbacks should generally adhere to the following diagram:



❶: Required Side Yard Setback
❷: Required Rear Yard Setback
❸: Required Front Yard Setback
❹: Buildable Area
❺: Building Coverage

(B) *Lots with Multiple Street Frontages*. Where lots have multiple street frontages on one (1) or more streets, the required setbacks should generally adhere to the following diagram:


STREET
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SUBSECTION 1.04: CALCULATION OF DENSITY

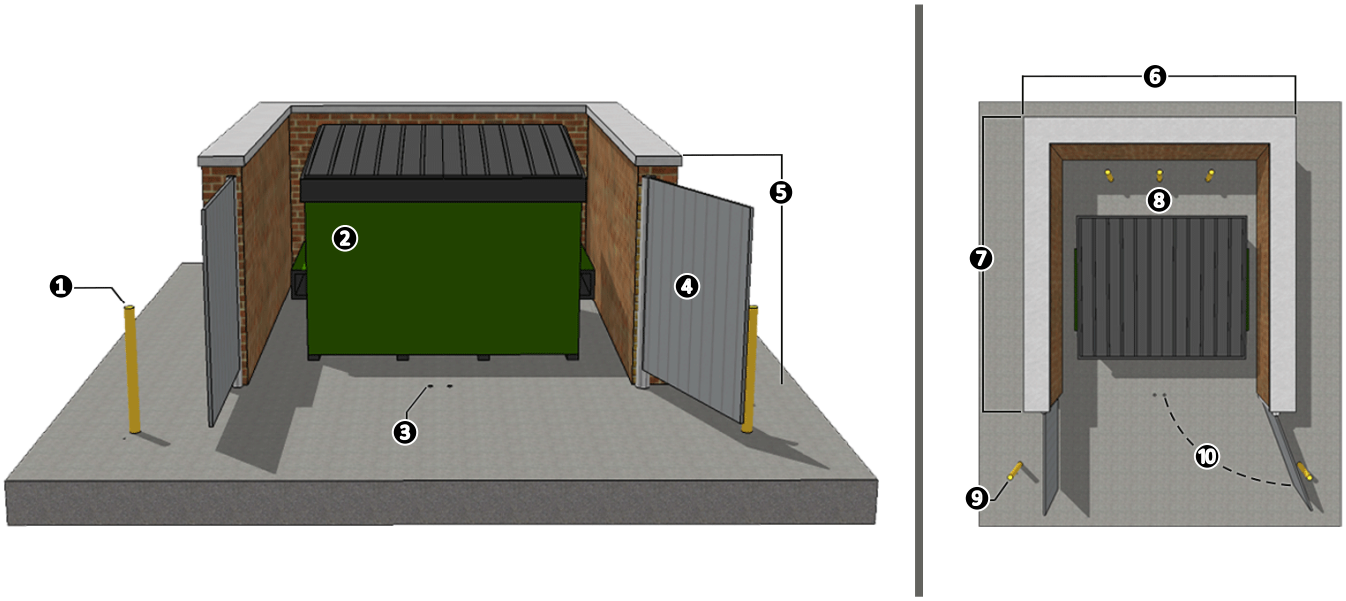
The calculation of the allowable density for residential developments shall be based on the gross site area including right-of-way, floodplain, open space and public/private parks that will be dedicated to the city or preserved and maintained by some other mechanism. Despite this calculation requirement, other provisions of this Unified Development Code may limit the actual density allowed on any given property.

SUBSECTION 1.05: SCREENING STANDARDS

All development shall adhere to the following screening standards:

(1) *Loading Docks.* Off-street loading docks must be screened from all public streets, ~~and~~ any residential zoning district or residentially used property, and any parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least six (6) feet in height and ~~may~~ shall be provided by using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless integral to the buildings design and otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers~~, and/or berms and plantings~~. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape Standards*.

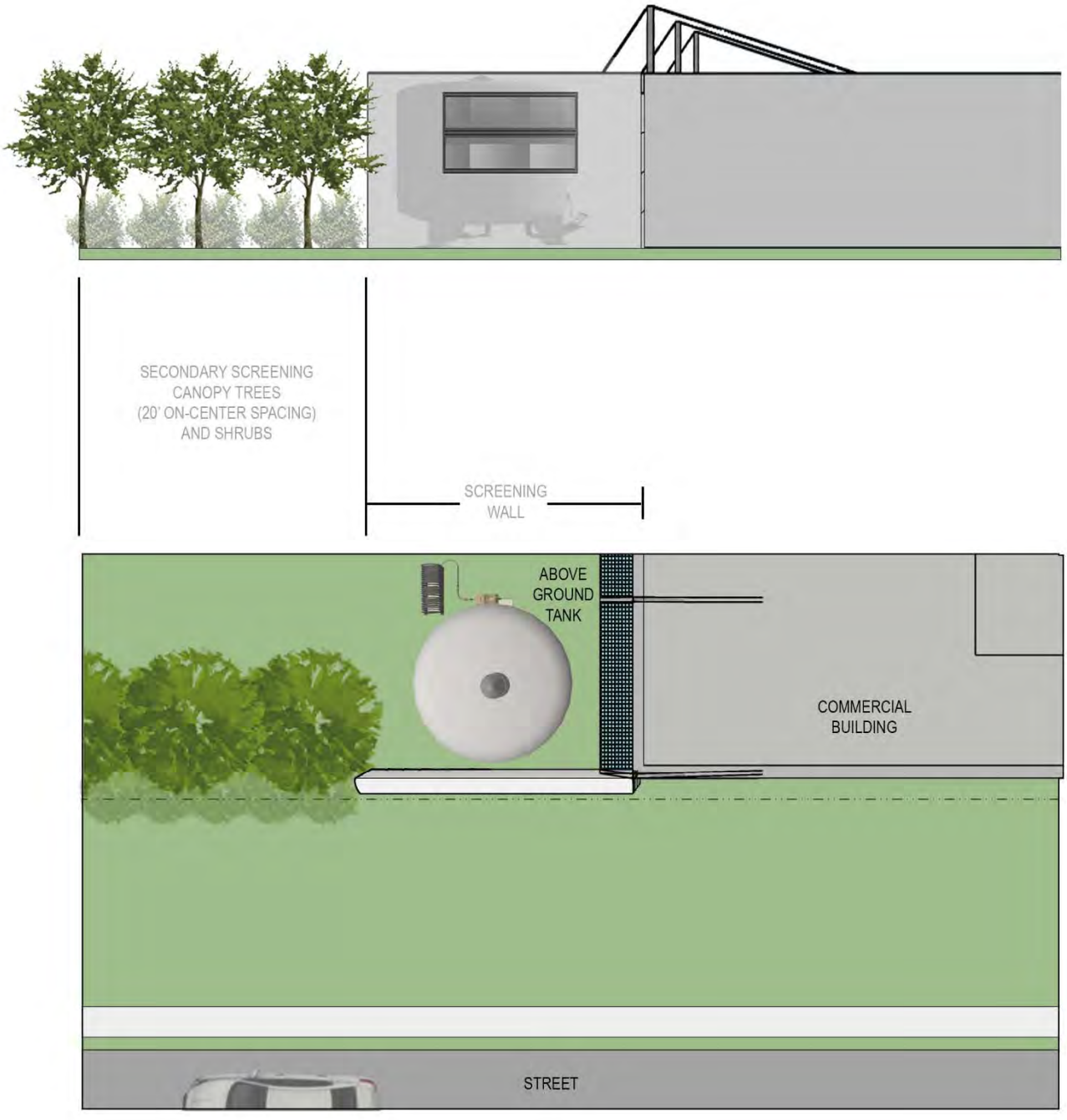
(2) *Trash/Recycling Enclosures*. Trash/Recycling enclosures shall be four (4) sided. These receptacles shall be screened by a minimum six (6) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. The opaque, self-latching gate shall not be constructed utilizing wood fencing materials. If the primary building does not use masonry materials, a masonry material that is complimentary in color and scale shall be utilized. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building. All trash/recycling enclosures shall be constructed in conformance to the diagram below, unless otherwise approved/required by the City and/or its contractor for trash services.



❶: Concrete Filled Steel Protected Pole
❷: Standard End Loading Container
❸: Deep Recesses for Gate Cane Bolts [*If Necessary*]
❹: Opaque Screening Gate
❺: Six (6) Feet in Height [*Eight (8) Feet in Overlay Districts*]
❻: Ten (10) Feet in Width
❼: 12-Feet in Length
❽: Three (3) Concrete Filled Steel Protected Poles
❾: Concrete Filled Steel Protected Pole
❿: 120 Degree Swing on Opaque Screening Gate

(3) *Utility Equipment and Air Condition Units.* Pad or roof mounted utility equipment and air conditioning units shall be screened from the view from of any adjacent public streets or ~~property~~ properties. Roof mounted utility equipment and air conditioning units shall be screened using a parapet wall that completely impairs the visibility of the equipment, and is constructed on all sides of the building. Ground mounted ~~Utility~~ equipment and air conditioning units shall be screened utilizing plantings, berms, walls matching the main structure, or an architectural feature that is integral to the building's design.

(4) *Aboveground Storage Tanks.* Aboveground storage tanks shall be screened utilizing ~~plantings, berms, or~~ walls matching the main structure. Screening plans for above ground storage tanks shall generally conform to the diagram below (*i.e. incorporate primary screening -- screening wall -- and secondary screening*) and be approved by the Planning and Zoning Commission in conjunction with a site plan.



(5) *Outside Storage.* Outside storage of materials or vehicles shall be screened from all public streets, any residential zoning district or residentially used property, and parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least one (1) foot taller than the material or vehicles being stored and shall be achieved using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape Standards*.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.06: RESIDENTIAL ADJACENCY STANDARDS

Subsection 1.06, *Residential Adjacency Standards*, is omitted from this ordinance change, but is retained in its entirety.

~~*SUBSECTION 1.07: FENCES*~~

~~All fences within the City shall conform to Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances, unless otherwise required by this Unified Development Code.~~

~~*(Ord. No. 10-14, § 30, 7-6-2010)*~~

SUBSECTION 1.07~~8~~: PROJECTIONS INTO REQUIRED YARD OR COURT

(A) Every part of a required yard within a building setback shall be unobstructed and open from its lowest point to the sky, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves; provided, however, that none of the above projections shall extend into a court more than six (6) inches nor into a required yard by more than 30-inches; and provided existing open porches extending into the required yard shall not be enclosed.

An open fire escape may project into a required yard by not more than half the width of the setback, but not more than four (4) feet from the building. Fire escapes, solid floored balconies and enclosed outside stairways may project into a rear yard by a maximum of four (4) feet.

(B) Where a lot abuts a right-of-way line has been established for the future widening or opening of a street or highway, then the depth or width of a yard shall be measured from such right-of-way line to the required building setback.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.08~~9~~: PUBLIC RIGHT-OF-WAY VISIBILITY

(A) *Street/drive intersection visibility obstruction triangles.* A landscape plan showing the plan of the street on both sides of each proposed drive/street to the proposed development with the grades, curb elevations, proposed street/drive locations, and all items (both natural and manmade) within the visibility triangles as prescribed below shall be provided with all site plans, if they are not on engineering plans that are submitted at the same time. this plan shall show no horizontal or vertical restrictions (either existing or future) within the areas defined below.

(B) *Obstruction/interference triangles defined.* No fence, wall screen, billboard, sign face, tree or shrub foliage, berm, or any other item, either manmade or natural, shall be erected, planted, or maintained in such a position or place so as to obstruct or interfere within the following minimum standards; however, on non-residentially zoned lots, a single pole for mounting a sign may be placed within this area provided the pole does not exceed 12-inches in diameter, and provided every portion of the sign has a minimum height clearance of nine (9) feet:

(1) *Visibility Triangles*. Vision at all intersections which intersect at or near right angles shall be clear at elevations between 24-inches and nine (9) feet above the top of the curb elevation, within a

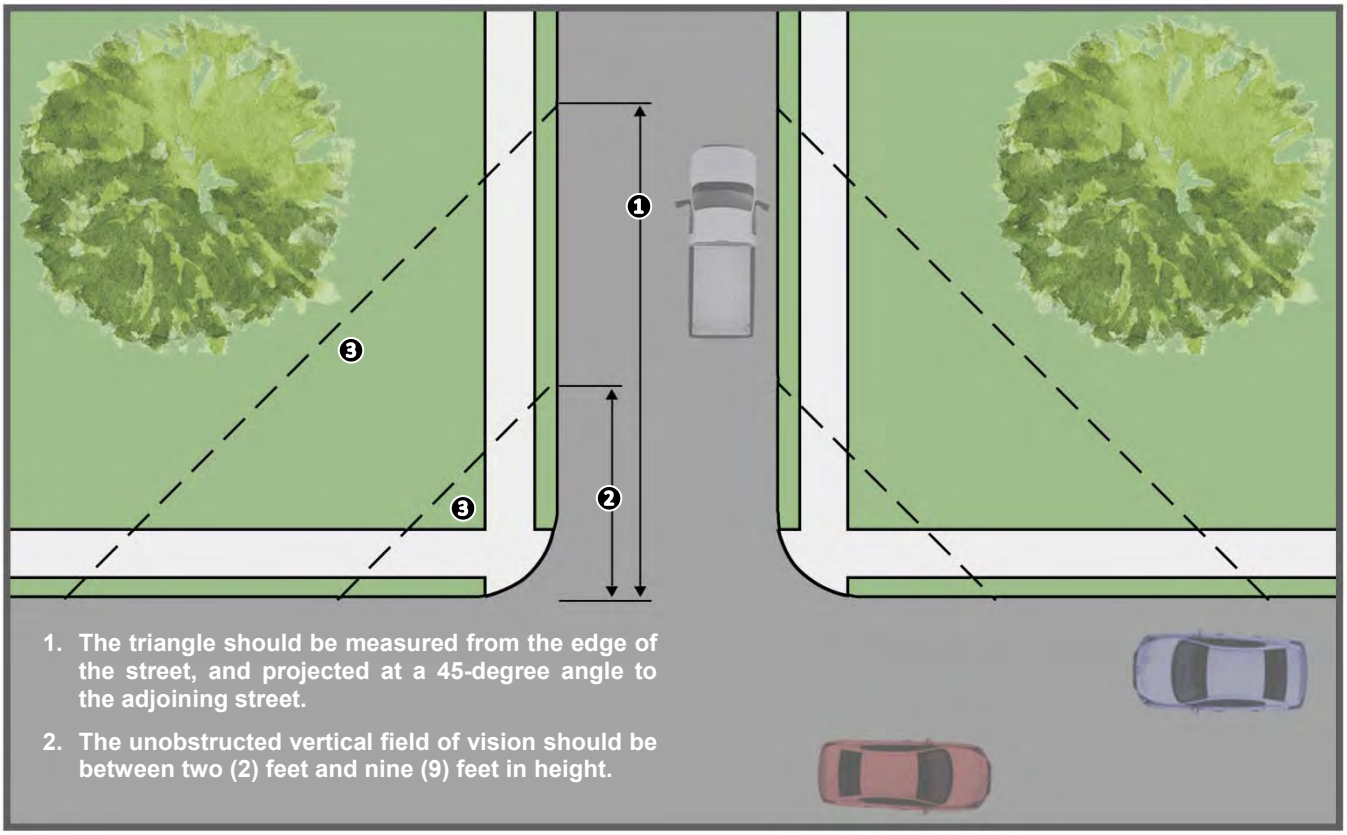
triangular area formed by extending the two (2) curblines from their point of intersection, for the following minimum distances for the applicable intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines from their point of intersection for a distance as prescribed below, and connecting these points with an imaginary line, thereby making a triangle as shown below.

(2) *Intersection of two (2) public streets*. The minimum required distance from the curb shall be 30-feet and the minimum distance from the property line on streets without a curb shall be 20-feet.

(3) *Intersection of a public street and an alley*. The minimum required distance measured from the property line shall be 15-feet, or 25-feet from street curb.

(4) *Intersection of private drive and public street*. The minimum required distance from the curb shall be 15-feet and the minimum distance from the property line on streets without a curb shall be ten (10) feet.

(C) *Sight distance requirements.* The city hereby adopts the standards for both vertical and horizontal sight distance requirements set forth in the latest edition of AASHTO green book "a policy on geometric design of highways and streets" for the construction of both public street intersections and private drive intersections, unless otherwise approved by the city engineer. If, in the opinion of the city engineer, a proposed street or drive intersection does not meet these standards, additional engineering information exhibiting how the standards have been addressed may be required for submission and approval by the city's engineer.



❶: 30-Foot for Arterials and Collectors and 20-Foot for Residential Distance from Intersection for Streets
❷: 10-Foot Distance from Intersection for Alleyways
❸: Visibility Triangles

SECTION 2: AGRICULTURAL DISTRICTS

SUBSECTION 2.01: AGRICULTURAL (AG) DISTRICT

(A) *Purpose*. The Agricultural (AG) District is a zoning designation used for land that is reserved for the anticipated future growth of the city. This district is intended to be used for raw land or land with agricultural land uses, and is intended to be held in these conditions as long as practical and reasonable to promote the orderly growth of the community. This zoning designation is suitable for areas where development is premature due to lack of utilities, capacity, or service. The Agricultural (AG) District is also used to protect areas that are unsuitable for development due to physical constraints or safety issues (*e.g. topography, floodplain, ecologically sensitive areas, etc.*), or to protect green belts, natural areas and/or open space that might otherwise be developed.

(B) *Permitted Uses*. All land uses permitted within the Agricultural (AG) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within an Agricultural (AG) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SECTION 3: RESIDENTIAL DISTRICTS

SUBSECTION 3.01: GENERAL RESIDENTIAL DISTRICT STANDARDS

All residential development shall conform to the following standards:

(A) *Construction Standards ~~Materials~~*.

(1) *Roof Pitch*. All residential structures shall be constructed with a minimum *3:12* roof pitch.
(2) *Concrete Foundation*. All residential structures shall be permanently attached to an engineered concrete foundation.

~~*(A) Materials and Masonry Composition*. All buildings with a building footprint of 120 square feet or greater that are over ten (10) feet in height shall consist of a minimum of 80% *Primary Materials* and/or a maximum of 20% *Secondary Materials* -- *excluding doors and windows* -- as defined below.~~

~~a. *Primary Materials*. *Primary Materials* shall include stone, brick, and cementitious materials. Specific requirements for *Primary Materials* are as follows:~~

~~1. *Cementitious Materials*. The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 60% of the building's exterior façade.~~
~~2. *Chimneys*. All new homes shall be required to incorporate a masonry chimney (*i.e. brick and stone only*).~~

~~b. *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above.~~

~~*(B) Exceptions*. Exceptions to the material requirements -- *including exceptions for buildings for farm animals* -- may be permitted on a case-by-case basis by the Planning and Zoning Commission upon submission and approval of material samples and building elevations of the structure. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

(B) *Accessory Structures.*

(1) *Accessory Structure Standards.* All accessory structures shall conform to the related standards listed within Subsection 7.04, *Accessory Structure Development Standards*.

(C) *Open Space.* On all new subdivisions, ten (10) lots or greater, that are not infill projects (*i.e. projects going into an established area as determined by the Director of Planning and Zoning or his/her designee*) the following open space requirements shall be applied:

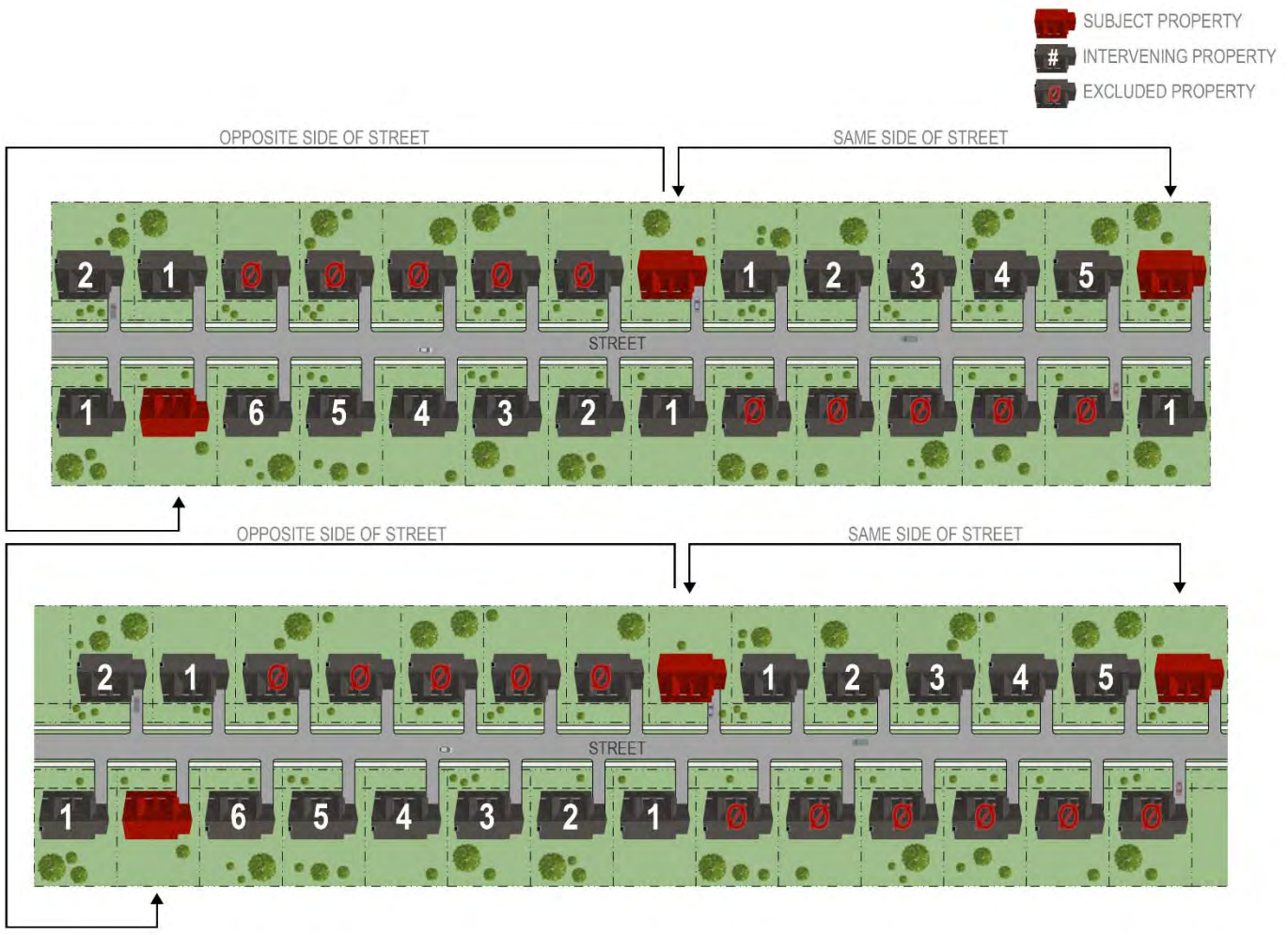
(1) Unless otherwise provided by this Unified Development Code, a minimum of 20% of the gross land area within a residential subdivision that is five (5) acres or greater shall be devoted to open space. Where floodplain exists in a proposed subdivision, the floodplain may be used to meet the 20% requirement at a rate of one-half (½) acre for every one (1) acre of floodplain dedicated to open space. Open space requirements for subdivisions may be satisfied by public open space/parkland,

or by a combination of public and private open space. Public open space/parkland shall be dedicated to the city, and shall be approved by the Parks and Recreation Board and the City Council during the platting process. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering.

(2) To encourage the provision of open space, the minimum lot sizes in a residential subdivision may be reduced by up to 20% in order to preserve additional public and/or private open space, provided that the lots being reduced face onto a single loaded street (*i.e. a street with open space and/or a public park on one side of the street and lots on the other side of the street*). This requirement shall be approved by the City Council at the time of preliminary plat, final plat, or site plan whichever comes first.

(D) *Anti-Monotony.* The front building elevations of a home shall not repeat along any block face without at least ~~four (4)~~ five (5) intervening homes of differing appearance on the same side of the street and ~~two (2)~~ six (6) intervening homes of differing appearance on the opposite side of the street (*see Examples 1 & 2 below*). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least ~~two (2)~~ five (5) intervening homes of differing appearance. Identical ~~brick blends~~ building material blends and colors may not occur on adjacent (*side-by-side*) properties. Homes are considered to differ in appearance if any three (3) ~~two (2) of the following~~ elements are different:

(a) The number of stories of the home.
(b) The garage location/orientation on the home.
(c) The roof type and layout of the home.
(d) The articulation of the front façade of the home.



(E) *Fencing.* All residential fencing shall be subject to the requirements stipulated by Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

~~(a) Solid fencing shall be cedar standard fencing material that is a minimum ½-inch in thickness or more. Spruce fencing is prohibited. All cedar pickets shall be placed on the *public side* (*i.e. facing out*) facing a street or alleyway. All posts and framing shall be placed on the *private side* (*i.e. facing towards the home*) of the fence. Other types of solid fencing (*e.g. vinyl*) may be considered on a *case-by-case basis* by the Planning and Zoning Commission at the time of preliminary plat, final plat, or site plan whichever comes first.~~

~~(b) Tubular steel or wrought iron type fencing shall be allowed.~~

~~(c) Tubular steel or wrought-iron type fencing shall be required on all lots located adjacent to perimeter roadways, open spaces, greenbelts and/or parks.~~

~~(d) Split rail fencing shall be allowed on lots containing 20,000 SF or more.~~

~~(e) Fencing on corner lots constructed adjacent to the street shall provide masonry columns at 45-feet off-center spacing that begins at the rear property line corner and terminates at least 15-feet behind the front yard building setback line. A maximum six (6) foot tall, solid board-on-board, panel cedar fencing or wrought iron type fencing shall be allowed between the masonry columns along the side and/or rear yard adjacent to a street.~~

~~1. On corner lots that have rear lot lines adjacent to alleyways or other rear lot lines, fences may be constructed along the side yard adjacent to the street, subject to a minimum five (5) foot setback from the right-of-way. The property owner shall maintain that portion of the property outside of the fence.~~

~~2. On corner lots that have rear lot lines adjacent to a side lot line of an adjoining lot(s), only tubular steel or wrought iron type fences not exceeding 42-inches in height may be constructed beyond the building line. Fences constructed on or behind the building line shall comply with the material requirements detailed above.~~

~~(f) All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified in the City's subdivision regulations. Perimeter fencing shall be constructed of six (6) foot tall tubular steel or wrought iron type fencing with masonry columns and entry features. The Planning and Zoning Commission may consider alternative perimeter screening such as earthen berms with landscaping at the time of preliminary plat, final plat, or site plan whichever comes first.~~

SUBSECTION 3.02: SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT

(A) *Purpose*. The Single-Family Estate 1.5 (SFE-1.5) District is the proper zoning classification for rural, estate lots that are a minimum of 1½-acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 1.5 (SFE-1.5) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 1.5 (SFE-1.5) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.03: SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT

(A) *Purpose*. The Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 2.0 (SFE-2.0) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 2.0 (SFE-2.0) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.04: SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT

(A) *Purpose*. The Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential

development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage. Developers wishing to restrict their subdivision to a lot size greater than four (4) acres shall be required to use restrictive covenants.

(B) *Permitted Uses*. All land uses permitted within the Single-Family Estate 4.0 (SFE-4.0) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements.* All development within a Single-Family Estate 4.0 (SFE-4.0) District shall conform to the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.05: SINGLE-FAMILY 1 (SF-1) DISTRICT

(A) *Purpose*. The Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size or clustered developments that have a gross density of one (1) dwelling unit per acre. Cluster developments should conserve open space, floodplains, tree groupings, natural slopes and wildlife habitats to achieve the desired density. The Single-Family 1 (SF-1) District is also intended to be used for developments that incorporate public/private parks, denominational and private schools, and churches that are essential in creating the basic neighborhood unit. These developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 1 (SF-1) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 1 (SF-1) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.06: SINGLE-FAMILY 16 (SF-16) DISTRICT

(A) *Purpose*. The Single-Family 16 (SF-16) District is the proper zoning classification for larger lot, single-family developments. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 16 (SF-16) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 16 (SF-16) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.07: SINGLE-FAMILY 10 (SF-10) DISTRICT

(A) *Purpose*. The Single-Family 10 (SF-10) District is the proper zoning classification for the majority of the City's existing single-family residential development, and is the appropriate zoning classification for

single-family developments with medium sized lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 10 (SF-10) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 10 (SF-10) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.08: SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT

(A) *Purpose*. The Single-Family 8.4 (SF-8.4) District is the proper zoning classification for areas of undeveloped land remaining in the City deemed appropriate for medium sized, single-family lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 8.4 (SF-8.4) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 8.4 (SF-8.4) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.09: SINGLE-FAMILY 7 (SF-7) DISTRICT

(A) *Purpose*. The Single-Family 7 (SF-7) District is the proper zoning classification for single-family developments with smaller lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas adjacent to low intensity non-residential land uses, in and around the Old Town Rockwall (OTR) Historic District, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses*. All land uses permitted within the Single-Family 7 (SF-7) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Single-Family 7 (SF-7) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.10: ZERO LOT LINE (ZL-5) DISTRICT

(A) *Purpose*. The Zero Lot Line (ZL-5) District is the proper zoning classification for medium-density residential developments that are on separate lots (*i.e. single-family*), and are typically owner occupied. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, adjacent to low intensity non-residential land uses, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, and drainage due to their density.

(B) *Permitted Uses*. All land uses permitted within the Zero Lot Line (ZL-5) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Zero Lot Line (ZL-5) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.11: TWO-FAMILY (2F) DISTRICT

(A) *Purpose*. The Two-Family (2F) District is the proper zoning classification for medium-density, duplex developments (*i.e. two [2] dwelling units per lot*). This zoning district accommodates low to medium-density developments and allows public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, but may be located directly adjacent to low intensity non-residential land uses. These areas are also located where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, drainage, open space and fire protection due to their density.

(B) *Permitted Uses*. All land uses permitted within the Two-Family (2F) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Two-Family (2F) District shall conform to Subsection 3.01, *General Residential District Standards*, and the related standards listed within Subsection 7.01, *Residential District Development Standards*.

SUBSECTION 3.12: MULTI-FAMILY 14 (MF-14) DISTRICT

(A) *Purpose*. The Multi-Family 14 (MF-14) District is the proper zoning classification for higher density developments. This zoning district should be located within 1,200-feet of retail and other services, and should not contain more than 500-units within one (1) mile of another multi-family development. These standards are intended to create a strong market for multi-family units, and provide for the ongoing reinvestment in these types developments while helping to ensure that inappropriate concentrations of higher density residential developments are not created. The downtown area shall be exempted from the spacing requirements.

The Multi-Family 14 (MF-14) District allows high density developments that are extremely amenitized, and that necessitate additional requirements for public roadways, water, wastewater, drainage, open space and fire protection. These types of developments should not run traffic through single-family neighborhoods, and should be located close to an arterial or collector street that is capable of carrying the additional traffic.

(B) *Permitted Uses*. All land uses permitted within the Multi-Family 14 (MF-14) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Multi-Family 14 (MF-14) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.02, *Multi-Family District Development Standards*.

SECTION 4: COMMERCIAL DISTRICTS

SUBSECTION 4.01: GENERAL COMMERCIAL DISTRICT STANDARDS

All commercial development shall conform to the following standards:

(A) *Construction Standards ~~Materials~~*.

(1) *Roof Design Standards*. All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials -- excluding doors and windows --* as defined below.~~

~~(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:~~

~~(1) *Stone*. A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.~~
~~(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.~~
~~(3) *Accent Brick and Stone*. Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.~~

~~(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*), cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.~~

~~*(2) Exceptions.* Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request,~~

~~the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

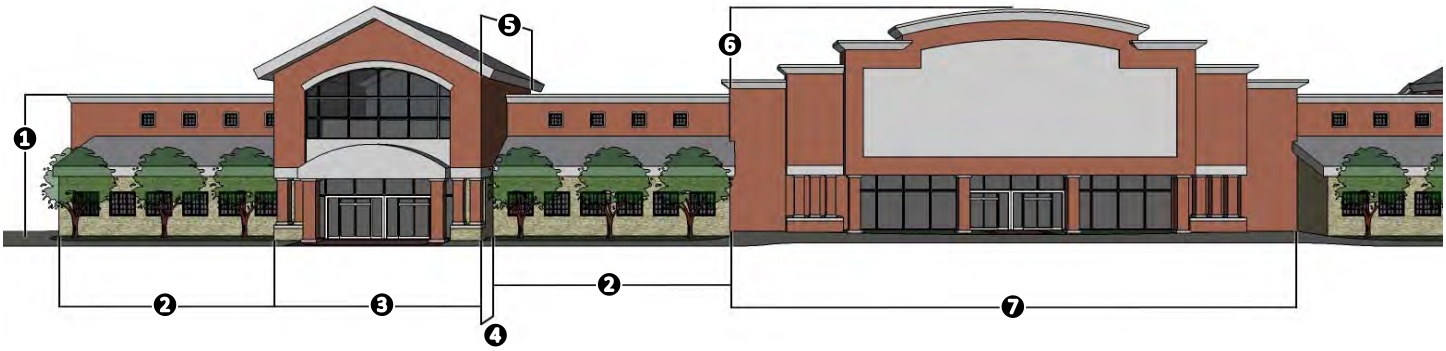
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Commercial Districts*. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Subsection 7.03, *Non-Residential District Development Standards*; however, the following features may be constructed 12-feet higher than the maximum height requirement if they [*1*] are not more than 33% of the total roof area, and [*2*] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

(a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
(b) Flag Poles.
(c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

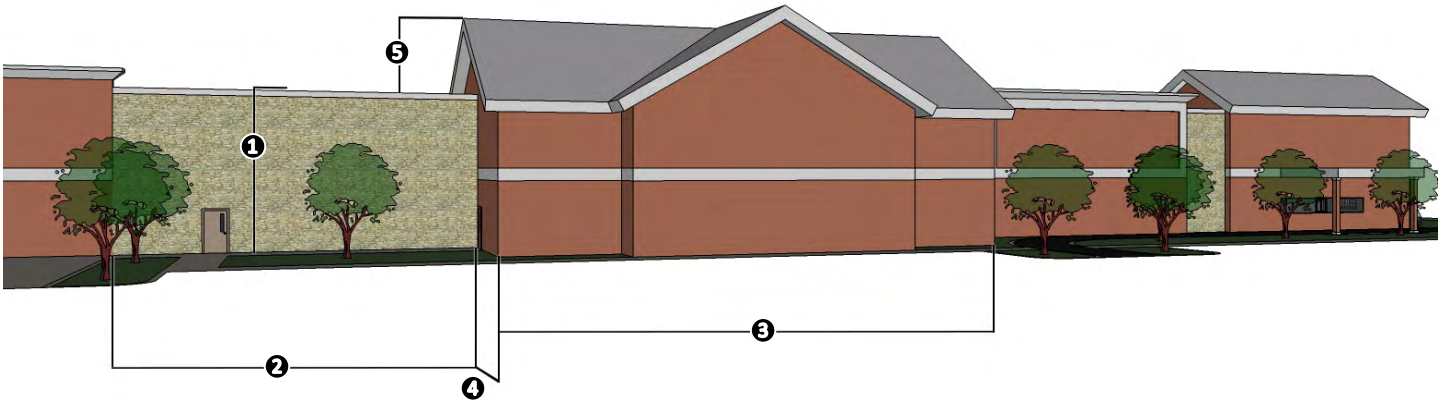
(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on primary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 25% of the wall length *(i.e. 25% x* ❷ ≤ ❸).
❹: *Wall Projection*. The minimum wall projection for a primary and/or secondary entryway/architectural element shall be 25% of the wall height (*i.e. 25% x* ❶ ≤ ❹).
❺: *Primary and/or Secondary Entryway/Architectural Element Width*. The minimum width of the primary and/or secondary entryway/architectural element shall extend for twice the required wall projection (*i.e. 2 x* ❹ ≥ ❺).
❻: *Projection Height*. The primary and secondary entryways/architectural element shall extend a minimum of 25% of the wall height above the top of the wall (*i.e. 25% x* ❶ ≤ ❻).
❼: *Primary Entryway/Architectural Element Length*. The primary entryway/architectural element shall

meet all of the same projections as the secondary entryway/architectural element, but shall extend for a minimum of twice the length of the secondary element (*i.e. 2 x* ❸ ≥ ❼).

(2) *Secondary Building Façade.* A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on secondary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length *(i.e. 15% x* ❷ ≤ ❸).
❹: *Secondary Entryway/Architectural Element Width*. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e. 15% x* ❶ ≤ ❹).
❺: *Projection Height*. The secondary entryway/architectural element shall extend a minimum of 15% of the wall height above the top of the wall (*i.e. 15% x* ❶ ≤ ❺).

~~(3) *Exceptions*. Exceptions to the building articulation requirements may be permitted on a *case-by-case* basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate, the Planning and Zoning Commission should determine if the proposed request is [*1*] in conformance with the spirit and intent of the building articulation requirements, and [*2*] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

(D) *Open Space Guidelines*. Commercial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making commercial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape

buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

(E) *Commercial Buildings 25,000 SF or Greater.*

(1) *Applicability.* These criteria shall apply to new retail/commercial building construction in all commercial zoning districts. This criteria shall not be applied to the use, re-use, modification or consolidation of existing retail and/or commercial space developed on or before April 2, 2001, or to the expansion of retail space in existence on or before April 2, 2001, that is being expanded by less than ten (10%) percent of the existing floor area.

~~(2) *Exterior Building Materials.* The area of all exterior facades shall consist of 90% brick, stone, cast stone, custom Concrete Masonry Units (CMUs) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*), stucco or a combination of these materials. Each facade shall not contain more than 75% of any single material.~~

~~3~~(2) *Loading Docks.* Loading docks shall not be oriented towards a residential zoning district or residentially used property. Where loading areas are located parallel to a residential zoning district or residentially used property, they must be screened by an architecturally integrated masonry screening wall that is a minimum 14-foot in height and that runs the entire length of the loading space. As an alternative, the Planning and Zoning Commission may approve the use of a berm in conjunction with landscape screening standards detailed in Subsection 5.02, *Landscape Screening*, of Article VIII, *Landscape and Fence Standards*, if it is determined that this screening method will [*1*] provide a suitable substitute to a masonry wall, and [*2*] if the screening method will completely screen the proposed loading docks.

~~4~~(3) *On-Site Circulation Guidelines*.

(a) On-site circulation standards should try to minimize the conflict between pedestrians and vehicles by placing driveways and service areas in locations that reduce the chance of interrupting on-site vehicle movement.
(b) Buildings should be placed in a manner that screens the drive-through lane and creates pedestrian pathways and spaces.
(c) In order to maintain on-site circulation, each drive-through lane is to be separate from pump islands and from routes necessary for entering and exiting the property.

~~5~~(4) *Residential Adjacency Standards*. Where the property immediately abuts a residential zoning district or residentially used property -- *unless separated by an M4D (major collector, four [4] lane, divided roadway) or larger thoroughfare* -- a minimum ~~ten (10)~~ 25-foot wide landscaped buffer must be installed for buildings with a building footprint of 25,000 SF to 49,999 SF in area, a minimum of a ~~15~~ 50-foot wide landscaped buffer for buildings with a building footprint of 50,000 SF or greater ~~to 79,999 SF in area, and a minimum 30-foot wide landscaped buffer for buildings with a building footprint of 80,000 SF and greater in area~~. This shall be in place of ~~addition to~~ the buffer ~~screening~~ required by Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape and Fence Standards*, ~~the landscape regulations of the City of Rockwall for all aforementioned building sizes~~. The landscaped buffer must include a combination of berm~~s,~~ and evergreen shrubs~~, and a mix of evergreen and deciduous trees (*minimum four [4] inch caliper*) placed at a minimum 25 feet on center~~ in addition to the requirements of Subsection 5.02, *Landscape Screening Standards*, of Article VIII, *Landscape and Fence Standards*. Planting may be grouped if approved by the Planning and Zoning Commission.

~~6~~(5) *Outside Storage*. Open storage areas shall be connected to the building and screened with a wall that is constructed of the same building materials as the remainder of the primary structure.

~~5~~(6) *Adaptive Reuse Standards*. For those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan indicating potential entrances and exits and loading areas for multiple tenants. This plan will need to be submitted at the time of site plan.

(E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Commercial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION 4.02: RESIDENTIAL-OFFICE (RO) DISTRICT

(A) *Purpose*. The Residential-Office (RO) District is a zoning district intended to recognize the existence of older residential areas of the city, where larger houses have been or can be converted from single-family and multi-family residences to low-intensity office uses in order to extend the economic life of these structures, and to allow the owners to justify the expenditures for repairs and modernization. The intent of this district is to allow for low intensity office development providing professional, medical and other office services and limited retail businesses to residents in adjacent neighborhoods. The Residential-Office (RO) District shall have principle access to major or secondary thoroughfares, and may serve as an area of transition between residential and high-intensity, non-residential uses or busy arterial thoroughfares.

(B) *Permitted Uses*. All land uses permitted within the Residential-Office (RO) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Residential-Office (RO) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.03: NEIGHBORHOOD SERVICES (NS) DISTRICT

(A) *Purpose*. The Neighborhood Services (NS) District is a zoning district intended to provide limited retail land uses near neighborhoods for the purpose of supplying the *day-to-day* retail and personal service needs of residents. The Neighborhood Services (NS) District is typically located at limited corner locations on arterials in existing developments, and is intended to serve small service areas. The average site is from one-half (½) acre to a maximum of two (2) acres. Since these sites are typically small and surrounded by residential development they can appear to be spot zones; however, the Comprehensive Plan acknowledges the need to create neighborhood units, which involve the need for limited retail and service uses in close proximity to neighborhoods. These convenience centers should be constructed to a residential scale, and be visually and dimensionally compatible to adjacent residential developments. The Neighborhood Services (NS) District should not contain uses that create excessive amounts of traffic, noise, litter or that would not be conducive to residential adjacency. Due to the residential adjacency of this zoning district, increased landscaping and buffering requirements are necessary.

(B) *Permitted Uses*. All land uses permitted within the Neighborhood Services (NS) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Neighborhood Services (NS) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.04: GENERAL RETAIL (GR) DISTRICT

(A) *Purpose.* The General Retail (GR) District is a zoning district intended to provide limited retail and service uses for one (1) or more neighborhoods. The land uses specified in this district include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares. This district does ***not*** include strip commercial/retail centers, large shopping centers, wholesaling operations, lumberyards, contractor yards, and/or warehouses with high volumes of commercial truck traffic. The General Retail (GR) District is not a major commercial/retail district, and should try to avoid intensive commercial land uses that carry large volumes of retail traffic. The noise, traffic, litter, late night hours, and other influences that could be harmful to residential areas require adequate buffering and screening from residential areas. Traffic from land uses in this district should not pass through residential areas, except on arterial or major collectors. There are restrictions on access to prevent traffic congestion or an adverse effect on major thoroughfares adjacent to residential areas. Areas should not be zoned General Retail (GR) District unless they are located on or close to an arterial or major collector that is capable of carrying increased traffic. Since the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts.

(B) *Permitted Uses.* All land uses permitted within the General Retail (GR) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a General Retail (GR) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SUBSECTION 4.05: COMMERCIAL (C) DISTRICT

(A) *Purpose*. The Commercial (C) District is the proper zoning classification for most types of commercial development (*e.g. larger shopping centers at major intersections, commercial strips along arterial roadways, etc.*). The land uses specified for the Commercial (C) District include most types of office and retail activity with some special provisions for wholesale land uses. This district mostly excludes land uses that are not compatible with retail shopping (*e.g. lumberyards, contractor yards, warehousing, or other land uses with high volumes of truck traffic and low volumes of retail traffic*). The noise, traffic, litter, late night hours, and other influences that could be harmful to neighborhoods require adequate buffering and mitigating factors when locating adjacent to residential areas. Areas should not be zoned to Commercial (C) District unless they are located on or close to an arterial or major collector that is capable of carrying the additional traffic generated by land uses in this district. In addition, these areas may require increased water, fire protection, wastewater and drainage capacity. The Commercial (C) District is a general business zone, and is intended to service most commercial land uses, with the exception of land uses that would fall into the Heavy Commercial (HC) District. Since the Commercial (C) District is general in nature, the development standards are less stringent and do not require as high of standards of development as the Residential-Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts.

(B) *Permitted Uses*. All land uses permitted within the Commercial (C) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Commercial (C) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Business Operations and Storage*. All business operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as stipulated in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*. This excludes off-street parking and loading, incidental display of retail items for sale, retail outlets where gasoline products are sold and drive-in businesses.

SUBSECTION 4.06: HEAVY COMMERCIAL (HC) DISTRICT

(A) *Purpose*. The Heavy Commercial (HC) District is the proper zoning classification for commercial establishments that may involve uses that would not be suitable in the other commercial zoning districts. Included in this district are commercial uses that involve large volumes of commercial truck traffic, outside operations, outside storage of materials and equipment, excessive noise from heavy service operations, and/or any other possibly adverse operations. The Heavy Commercial (HC) District is commercial in nature, but has some aspects that are similar to industrial land uses. The zoning district allows noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful if directly adjacent to residential areas, and will require adequate buffering and other mitigating factors if such an adjacency exists. Areas should not be zoned to Heavy Commercial (HC) District unless they are located on or close to an arterial that is capable of carrying large volumes of commercial truck traffic. Businesses locating in the Heavy Commercial (HC) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property, and that streets in and adjacent to this district are of a size and strength to accommodate commercial truck traffic.

(B) *Permitted Uses*. All land uses permitted within the Heavy Commercial (HC) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Commercial (C) District shall conform to Subsection 4.01, *General Commercial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Outside Storage*.

(a) All outside storage shall be placed behind the front facade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.
(b) All outside storage shall be screened from streets and public areas in accordance with the requirements of Subsection 1.05, *Screening Standards*.

SUBSECTION 4.07: DOWNTOWN (DT) DISTRICT

Subsection 4.07, *Downtown (DT) District*, is omitted from this ordinance change, but is retained in its entirety.

SECTION 5: INDUSTRIAL DISTRICTS

SUBSECTION 5.01: GENERAL INDUSTRIAL DISTRICT STANDARDS

All industrial development shall conform to the following standards:

(A) *Construction* *Standards~~-Materials~~*.

(1) *Roof Design Standards*. All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials -- excluding doors and windows --* as defined below.~~

~~(a) *Primary Materials. Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:~~

~~(1) *Stone.* A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.~~

~~(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade. The use of concrete tilt-up walls may be permitted on a case-by-case basis in accordance with the exception requirements outlined below.~~

~~(3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.~~

~~(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.~~

~~(2) *Exceptions*. Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the~~

~~Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

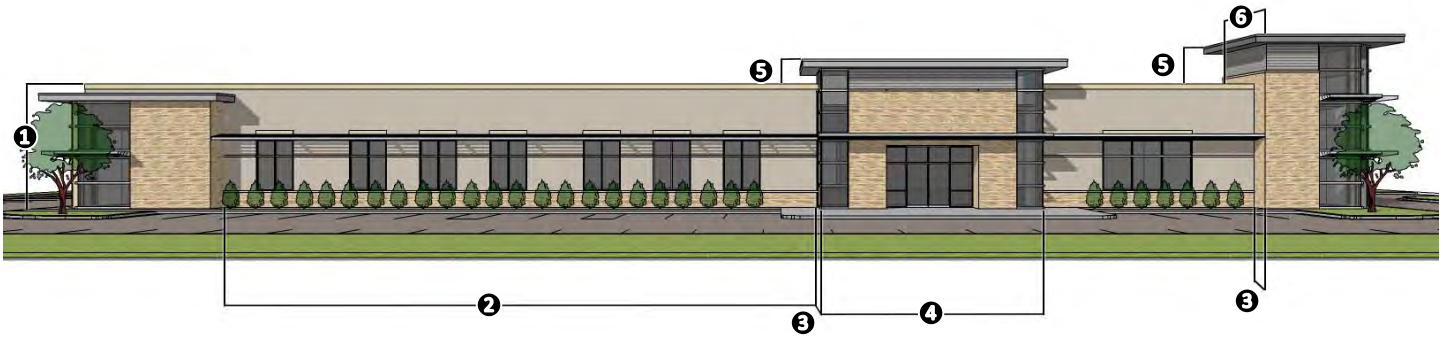
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Industrial Districts*. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Section 7.03, *Non-Residential District Development Standards*; however, the following features may be constructed 12-feet higher than the maximum height requirement if they [*1*] are not more than 33% of the total roof area, and [*2*] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

(a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
(b) Flag Poles.
(c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

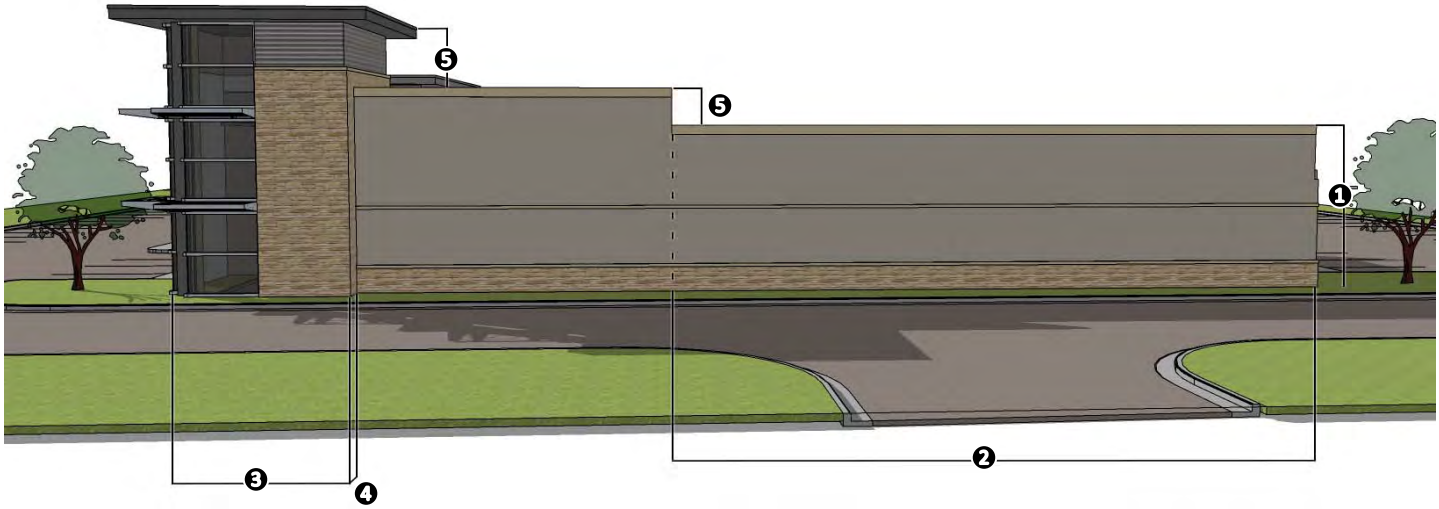
(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All industrial buildings shall meet the following standards for articulation on primary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed four (4) times the wall height (*i.e. 4 x* ❶ ≥ ❷).
❸: *Wall Projection*. The minimum wall projection for an entryway/architectural element shall be 25% of the wall height (*i.e. 25% x* ❶ ≤ ❸).
❹: *Entryway/Architectural Element Length*. The minimum entryway/architectural element length shall be 33% of the wall height (*i.e. 33% x* ❷ ≥ ❹).
❺: *Projection Height*. The entryways/architectural elements shall extend a minimum of 25% of the wall height above the top of the wall (*i.e. 25% x* ❶ ≤ ❺).
❻: *Entryway/Architectural Element Width*. The minimum width of the entryway/architectural element shall extend for twice the required wall projection (*i.e. 2 x* ❸ ≥ ❻).

(2) Secondary Building Façade. A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space,

public/private park, and/or a residentially zoned district or residentially used property. All industrial buildings shall meet the following standards for articulation on secondary building façades:



❶: *Wall Height*. The wall height shall be measured from grade to the top of the wall.
❷: *Wall Length*. The maximum wall length shall not exceed three (3) times the wall height (*i.e. 3 x* ❶ ≥ ❷).
❸: *Secondary Entryway/Architectural Element Length*. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length *(i.e. 15% x* ❷ ≤ ❸).
❹: *Secondary Entryway/Architectural Element Width*. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e. 15% x* ❶ ≤ ❹).
❺: *Projection Height*. The secondary entryways/architectural elements shall extend a minimum of 15% of the wall height above the top of the wall (*i.e. 15% x* ❶ ≤ ❺).

~~*(3) Exceptions.* Exceptions to the building articulation requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate the Planning and Zoning Commission should determine if the proposed request is [1] in conformance with the spirit and intent of the building articulation requirements, and [2] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

(D) *Open Space Guidelines.* Industrial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making industrial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

(E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Industrial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

SUBSECTION 5.02: LIGHT INDUSTRIAL (LI) DISTRICT

(A) *Purpose*. The Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses. With the exception of hazardous materials/manufacturing, this zone allows the same uses as the Heavy Industrial (HI) District. Limitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities. The Light Industrial (LI) District is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building, and any activities conducted outside should be screened and buffered to ensure no external effects (*e.g. excessive noise or odor*) extend beyond the property lines. The locations for these types of industrial land uses are typically a minimum of two (2) acres and average of five (5) to ten (10) acres. These types of development also incorporate open space and significant amounts of land dedicated to landscaping.

Since this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (*e.g. IH-30 and SH-276*) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space. Residential uses should be discouraged from locating directly adjacent to or near the Light Industrial (LI) District to protect these types of businesses from excessive complaints about performance standards. Areas should not be zoned to Light Industrial (LI) District unless they are located on or close to an arterial capable of carrying commercial truck traffic. In industrial parks, internal streets should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Light Industrial (LI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses*. All land uses permitted within the Light Industrial (LI) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Light Industrial (LI) District shall conform to Subsection 4.01, *General Industrial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

(D) *Special District Requirements.*

(1) *Manufacturing Operations and Storage*. All business and manufacturing operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as listed in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

SUBSECTION 5.03: HEAVY INDUSTRIAL (HI) DISTRICT

(A) *Purpose*. The City of Rockwall recognizes that some industrial uses cannot be conducted within a totally enclosed building, are not visually attractive, may involve hazardous materials, and could have adverse impacts to adjacent land uses due to noise, odor, pollution, and truck traffic. The Heavy

Industrial (HI) District is intended to provide adequate space and site diversification for these types of developments. The development standards in the Heavy Industrial (HI) District are minimal, and allow both large and small industrial uses either on separate small lots or as part of a larger industrial park. Some screening is required, but because of the potential for hazardous or possibly adverse uses, this district should not be located close to residential areas of any type. Areas should not be zoned Heavy Industrial (HI) District unless they are located on or close to an arterial roadway capable of carrying commercial truck traffic. Internal streets in the Heavy Industrial (HI) District should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Heavy Industrial (HI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses*. All land uses permitted within the Heavy Industrial (HI) District are outlined in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(C) *Area Requirements*. All development within a Heavy Industrial (HI) District shall conform to Subsection 4.01, *General Industrial District Standards*, and the related standards listed within Subsection 7.03, *Non-Residential District Development Standards*.

SECTION 6: OVERLAY DISTRICTS

SUBSECTION 6.01: OVERLAY DISTRICTS

Overlay districts are applied to land that has a traditional zoning district designation already applied to it. It establishes additional uses and standards, which may be either more or less restrictive than the underlying zoning district. The overlay district governs in all cases where it sets out a particular use or standard that conflicts with other sections of this Unified Development Code (UDC). In cases where the overlay district does not specifically address a standard or requirement, the underlying zoning district will govern.

SUBSECTION 6.02: GENERAL OVERLAY DISTRICT STANDARDS

(A) *Applicability*. The *General Overlay District Standards* shall be applied to the following overlay districts:

- ☑ IH-30 Overlay (IH-30 OV) District
- ☑ SH-205 Overlay (SH-205 OV) District
- ☑ Scenic Overlay (SOV) District
- ☑ SH-66 Overlay (SH-66 OV) District
- ☑ SH-205 By-Pass Overlay (SH-205 BY OV) District
- ☑ North SH-205 Overlay (N. SH-205 OV) District
- ☑ East SH-66 Overlay (E. SH-66 OV) District
- ☑ FM-549 Overlay (FM-549 OV) District
- ☑ SH-276 Overlay (SH-276 OV) District

All other overlay district standards are detailed in Sections 6.03 – 6.15.

(B) *Special Use Standards.* Development within the Scenic Overlay (SOV) District and the SH-66 Overlay (SH-66 OV) District shall comply with the *Land Use Schedule* contained in Article IV, *Permissible Uses*, of this Unified Development Code (UDC); however, the following land uses may be considered on a case-by-case basis through a Specific Use Permit:

a. Retail Store with Gasoline Sales (*Any Amount of Dispensers or Vehicles*)

b. Car Wash (*Any Type*)
c. Structures Over 36-Feet in Height

(C) *Architectural Standards.*

(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* -- *excluding doors and windows* -- as defined below.

(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:

(1) *Stone.* A minimum of 20% natural or quarried stone is required on all building façades; however, the Planning and Zoning Commission, upon recommendation from the Architectural Review Board (ARB), may grant the use of a high quality manufactured or cultured stone in lieu of natural or quarried stone if it is determined that the application of the manufactured or cultured stone will be complimentary and integral to the design of the building. In making this determination, both the Architectural Review Board (ARB) and the Planning and Zoning Commission should consider the shape, texture, size, quality and warranty of the product being proposed.
(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.
(3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of primary brick or stone materials in an elevation.

(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, cultured stone or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards*. All structures that have a building footprint of less than 6,000 SF shall be constructed with a pitched roof. Those structures having a footprint 6,000 SF or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish to avoid glare. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent public right-of-way shall be prohibited.

(3) *Mechanical Equipment Screening*. All buildings shall be designed so that no HVAC, satellite dishes, appurtenances and/or any other mechanical equipment visible from any direction. This shall include equipment located on the roof, on the ground, or otherwise attached to the building or located on the site.

(a) Screening of rooftop mechanical equipment and/or other rooftop appurtenances shall be accomplished by either the construction of [*1*] a roof system described in the *Roof Design Standards* above, or [*2*] an architectural feature that is integral to the building's design and

ensures that such rooftop mechanical equipment is not visible from any direction. Fencing or the enclosing of individual mechanical units shall not be permitted.

(b) All rooftop mechanical equipment or architectural features shall be shown on the required building elevations and submitted along with the site plan for review by City Staff, the Architectural Review Board (ARB), and the Planning and Zoning Commission.

(4) *Required Architectural Elements.* All buildings that are less than 50,000 SF shall be designed to incorporate a minimum of four (4) architectural elements, buildings over 50,000 SF shall include a minimum of six (6) architectural elements, and buildings over 100,000 SF shall include a minimum of seven (7) architectural elements. The accepted architectural elements for all buildings are as follows:

- ☑ Canopies, Awnings, or Porticos
- ☑ Recesses/Projections
- ☑ Arcades
- ☑ Peaked Roof Forms
- ☑ Arches
- ☑ Outdoor Patios
- ☑ Display Windows
- ☑ Architectural Details (*e.g. Tile Work and Moldings*) Integrated into the Building's Facade
- ☑ Articulated Ground Floor Levels or Bases
- ☑ Articulated Cornice Line
- ☑ Integrated Planters or Wing Walls that Incorporate Landscape and Sitting Areas
- ☑ Offsets, Reveals or Projecting Rib Expressing Architectural or Structural Bays
- ☑ Varied Roof Heights

NOTE: Other architectural features maybe approved by the Director of Planning and Zoning or his/her designee.

(5) *Four (4) Sided Architecture.* All buildings shall be architecturally finished on all four (4) sides utilizing the same materials, detailing, articulation and features. In addition, a minimum of one (1) row of trees (*i.e. four [4] or more accent or canopy trees*) shall be planted along perimeter of the subject property to the rear of the building.

(6) *Windows.* The color of all windows shall be reviewed by the Architectural Review Board (ARB), and shall have a maximum visible exterior reflectivity of 20%.

(7) *Office Parks, Shopping Centers and Mixed Use Centers.* All buildings within a common retail, commercial or office development shall incorporate complementary architectural styles, materials, and colors. Staff may require a conceptual façade plan and/or sample boards for these types of developments to ensure consistency and compatibility for all buildings within a proposed development. Conceptual façade plans will be used only to ensure compliance to the minimum standards.

(8) *Corporate Identity.* A company's building corporate identity that conflicts with the *General Overlay District Standards* shall be reviewed *case-by-case* basis as a variance in accordance with the requirements of Subsection 9.02, *Variances to the General Overlay District Standards*, of Article XI, *Development Applications and Review Procedures*.

(D) *Site Design Guidelines and Standards.*

(1) *Building Setbacks*. The building setbacks adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) shall be as follows:

(1) Scenic Overlay (SOV) District: 15-feet
(2) SH-66 Overlay (SH-66 OV) District: 15-feet
(3) IH-30 Overlay (IH-30 OV) District: 25-feet
(4) SH-205 Overlay (SH-205 OV) District: 25-feet
(5) North SH-205 Overlay (N. SH-205 OV) District: 25-feet
(6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- ☑ Residential Land Uses: *See* *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

All other building setback regulations shall be the same as set forth in the underlying zoning district.

(2) *Parking Restrictions*. No more than one (1) full row of parking (*i.e. two rows of parking with a drive aisle*) shall be allowed between the primary building façade and the right-of-way of the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*).

(3) *Access/Ingress/Egress*. In an effort to minimize potential vehicular and pedestrian conflicts, special attention must be given to the location of median breaks along major thoroughfares, the number and location of driveways providing ingress/egress, the design of driveways providing ingress/egress in relation to the parking areas and sight/visibility distances. Taking this into consideration it is important to review all site plans for the following guidelines:

a. Driveways should be spaced a minimum of 100-feet from the intersection of any major thoroughfare.
b. The ingress/egress driveways shall have a minimum radius of 30-feet;
c. Driveways should maintain an appropriate visibility triangle at ingress/egress driveways.

d. Main entrances should generally be located at median breaks that provide left turn access into the site.
e. Main entrances should connect to a *straightaway* aisle that does not dead end or require an immediate turn to approach the main building.
f. Aisles intersecting with entrance drives should be spaced at a minimum of 20-feet from the property line to provide for smooth turning movements.

(4) *Cross Access*. *Cross Access Easements* may be required by the Planning and Zoning Commission at the time of site plan approval to ensure access to future median breaks and to reduce the number of curb cuts needed along roadways.

(5) *Shared Parking.* In all office parks, shopping centers and mixed-use centers cross access and shared parking agreements may be required by the City Council along with final plat approval.

(6) *Loading and Service Areas*. All loading and service areas shall be located on the rear and side of buildings where possible. In the event that a loading or service area faces towards the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*), additional screening of the loading and service area may be required by the Architectural Review Board (ARB) and Planning and Zoning Commission. A minimum of a ten (10) foot masonry screening wall shall be required to screen the view of loading docks and loading spaces intended for tractor/semi-trailer delivery from any public right-of-way. This ten (10) foot masonry screening wall must screen the entire loading dock or loading space. Screening materials shall utilize similar masonry materials as the front façade of the primary building. The accommodation of adequate access for service delivery trucks shall be evaluated to determine the extent of screening required.

(7) *Trash/Recycling Receptacles and Dumpster Enclosures*. Trash/Recycling Enclosures shall be four (4) sided. These receptacles shall be screened by a minimum eight (8) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building.

(8) *Play Structures*. Play structures shall not be placed between the primary building façade and a public right-of-way.

(9) *Plan Review*. In addition to the other processes and factors established by this Unified Development Code (UDC), all concept plans, development plans and site plans for property situated within an established overlay district shall be reviewed for the following:

(a) The conformance of the proposed site plan to the site design guidelines and standards.
(b) The conformance of the proposed landscape plan to the intent of the landscaping and screening requirements.
(c) The conformance of the building elevations to the intent of the architectural standards.
(d) The provision of sufficient cross access and circulation on the site plan.
(e) The provision of sufficient visibility triangles to avoid congestion at ingress/egress driveways.

(E) *Landscape Standards*.

(1) *Landscape Buffers*. The minimum landscape buffer adjacent to *Primary Roadways* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) [*outside of and beyond any required right-of-way dedication*] shall be as follows:

(1) Scenic Overlay (SOV) District: 20-feet
(2) SH-66 Overlay (SH-66 OV) District: 20-feet
(3) IH-30 Overlay (IH-30 OV) District: 20-feet
(4) SH-205 Overlay (SH-205 OV) District: 20-feet
(5) North SH-205 Overlay (N. SH-205 OV) District: 20-feet
(6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- ☑ Residential Land Uses: 50-feet
- ☑ Retail/Commercial Land Uses: 25-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- ☑ Residential Land Uses: 25-feet
- ☑ Retail/Commercial Land Uses: 15-feet
- ☑ Industrial/Office/Technology Land Uses: 50-feet

All landscape buffers shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage along the *Primary Roadway*. In the E. SH-66 Overlay (E SH-66 OV), FM-549 Overlay (FM-549 OV), and SH-205 By-Pass Overlay (SH-205 BY OV) Districts the required landscape buffer shall incorporate one (1) additional cedar tree per 100-feet of linear of frontage along the *Primary Roadway*.

(2) *Plant Material Sizes and Selection*. All canopy trees, accent trees, shrubs and ground cover proposed to be planted in any overlay district shall be in conformance to the tables depicted in Appendix F, *Landscaping Guidelines and Requirements*, of this Unified Development Code (UDC) and shall be subject to the following sizes:

a. *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.
b. *Accent Trees* shall be a minimum of four (4) feet in total height.
c. *Deciduous Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.
d. *Evergreen Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.

(3) *Erosion Control/Retaining Walls.* Any slope embankments or retaining walls within the public right-of-way or within the required landscape buffer must be terraced every four (4) feet in height (maximum) with a minimum of a two (2) foot planting area provided between each vertical plane. Materials used for the vertical elements shall be natural stone or any masonry material, which matches the masonry materials used on the primary structure. The planting area must incorporate shrubs, ground cover and grasses.

(F) *Signs.* All signage requirements and variances to these requirements shall conform to Chapter 32, *Signs*, of the Municipal Code of Ordinances; however, approval of any variance to the sign standards for property situated within an established overlay district shall require approval by the City Council by a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

(G) *Lighting Standards.* No light standard, light fixture, light pole, pole base or combination thereof shall exceed 20-feet in total height in any overlay district with the exception of the IH-30 Overlay (IH-30 OV) District, which shall be limited to a maximum height of 30-feet.

(H) *Utility Placement.* All overhead utilities within any overlay district shall be placed underground.

(I) *Residential Standards.* No screening walls shall be erected adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) in conjunction with any residential development. In addition, *eyebrow drives* with clusters of lots (*i.e. 5 – 12 homes*) shall be utilized along the *Primary Roadway* for residential developments. In lieu of *eyebrow drives,* a 50-foot landscape buffer may be utilized as an alternative. Farm fencing, including wood rail type and metal pipe and cable fencing, is allowed within the 50-foot landscape buffer. For residential developments within the SH-205 By-Pass Overlay (SH-205 BY OV) District, see *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*.

SUBSECTION 6.03: HISTORIC OVERLAY (HO) DISTRICT

Subsection 6.03, *Historic Overlay (HO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.04: NORTH GOLIAD CORRIDOR OVERLAY (NGC OV) DISTRICT

Subsection 6.04, *North Goliad Corridor Overlay (NGC OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.05: SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT

Subsection 6.05, *Southside Residential Neighborhood Overlay (SRO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.06: IH-30 OVERLAY (IH-30 OV) DISTRICT

(A) *Purpose.* The intent of the IH-30 Overlay (IH-30 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The IH-30 Overlay (IH-30 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the future right-of-way of IH-30. The IH-30 Overlay (IH-30 OV) District spans east to west along IH-30 from the eastern city limits (approximately 3,600-feet east of FM 549), west to the western city limit line along Lake Ray Hubbard. The standards and regulations set forth in the IH-30 Overlay (IH-30 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the IH-30 Overlay (IH-30 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.07: SH-205 OVERLAY (SH-205 OV) DISTRICT

(A) *Purpose.* The intent of the SH-205 Overlay (SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 Overlay (SH-205 OV) District includes the entirety of all properties which adjoin or are located within 200-feet of the future right-of-way of SH-205. The SH-205 Overlay (SH-205 OV) District spans north to south along SH-205 from the intersection point of SH-205 and FM 740, south to the southern city limits (*approximately 2,800-feet south of FM-1139*). The standards and regulations set forth in the SH-205 Overlay (SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-205 Overlay (SH-205 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.08: SCENIC OVERLAY (SRO) DISTRICT

(A) *Purpose.* The Scenic Overlay (SOV) District is a specialized overlay district along FM-740 which has been identified in the Comprehensive Plan as a scenic thoroughfare. The identified scenic aspects of FM-740 include views of the lake, existing natural topography, and existing natural landscaping. The district has been established to protect scenic or historic qualities through the use of additional development criteria and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it

is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

(B) *Application and Boundaries.* The Scenic Overlay (SOV) District shall apply to all property located within the established boundary along FM-740 (*as set forth in Ordinance No. 87-64*). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless and until an application for zoning, platting, or site planning is re-submitted on the property. All property developed within the Scenic Overlay (SOV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the Scenic Overlay (SOV) District. The most restrictive requirement applicable to the property shall apply.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the Scenic Overlay (SOV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.09: SH-66 OVERLAY (SH-66 OV) DISTRICT

(A) *Purpose.* The SH-66 Overlay (SH-66 OV) District is a specialized overlay district along SH-66 and Washington Street between Lake Ray Hubbard and SH-205, which has been identified as one of the important entry points into the City of Rockwall. The identified important scenic aspects of this corridor include views of the lake, existing natural topography, and existing natural landscaping adjacent to residential neighborhoods. The district has been established to protect scenic or historic qualities through the use of additional development criteria, and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

(B) *Application and Boundaries.* The SH-66 Overlay (SH-66 OV) District shall apply to all property located within the established boundary along SH-66 and Washington Street, between Lake Ray Hubbard and SH-205 (*as set forth in Ordinance No. 01-18*). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless an application for zoning, platting, or site planning is resubmitted on the property. All property developed within the SH-66 Overlay (SH-66 OV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the SH-66 Overlay (SH-66 OV) District. The most restrictive requirement applicable to the property shall apply.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-66 Overlay (SH-66 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.10: SH-205 BY-PASS OVERLAY (SH-205 BY OV) DISTRICT

(A) *Purpose.* The intent of the SH-205 By-Pass Overlay (SH-205 BY OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically

pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility and plan review shall be conducted through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family uses only. All other residential uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 By-Pass Overlay (SH-205 BY OV) District includes the entirety of all properties which adjoin or are located within 500 feet of the current and future right-of-way of John King Boulevard. The SH-205 By-Pass Overlay (SH-205 BY OV) District ~~Zone~~ extends along the current and future right-of-way of John King Boulevard. to the existing city limits. The standards and regulations set forth in the SH-205 By-Pass Overlay (SH-205 BY OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-205 By-Pass Overlay (SH-205 BY OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

(D) *Special District Requirements*.

(1) *Residential Frontage Requirements*. To ensure proper separation of residential land uses from John King Boulevard all residential developments that have direct frontage on John King Boulevard shall utilize one (1) or a combination of the following design alternatives along the entire frontage of John King Boulevard:

a. *Increased Landscape Buffer*. A minimum of a 100-foot landscape buffer maybe substituted for the required landscape buffer as depicted in *Design Alternative #1*.

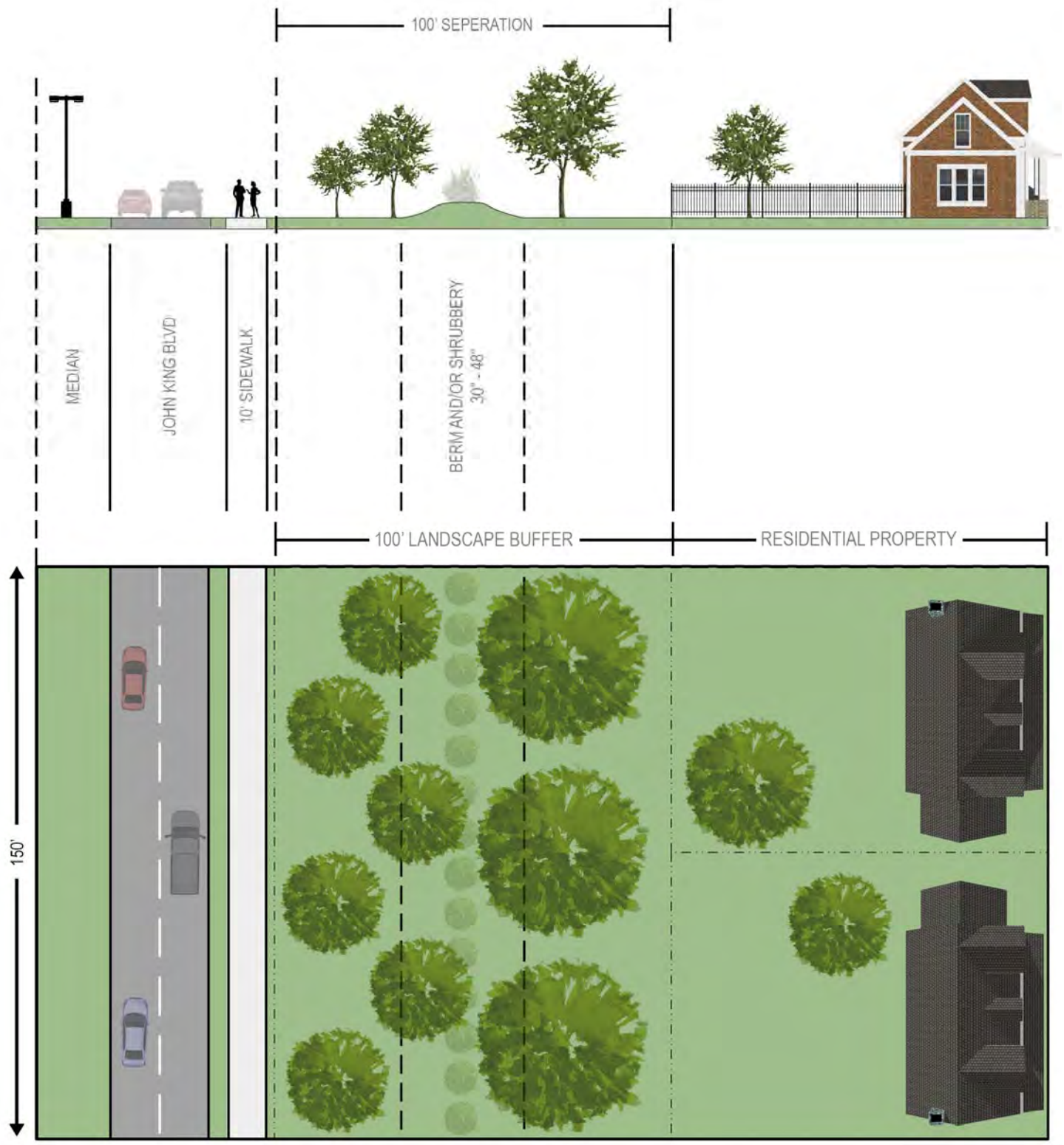
b. *Increased Rear Yard Building Setback*. A minimum of 50-foot rear yard building setback may be incorporated adjacent to the required landscape buffer as depicted in *Design Alternative #2.*

b. *Incorporation of a Slip Street*. A slip street -- *meeting the Engineering Department's requirements for right-of-way design* -- may be incorporated adjacent to and running parallel with the required landscape buffer. Homes are permitted to front or side to the slip street. Examples of this design alternative are depicted in *Design Alternative #3* and *Design Alternative #4.*

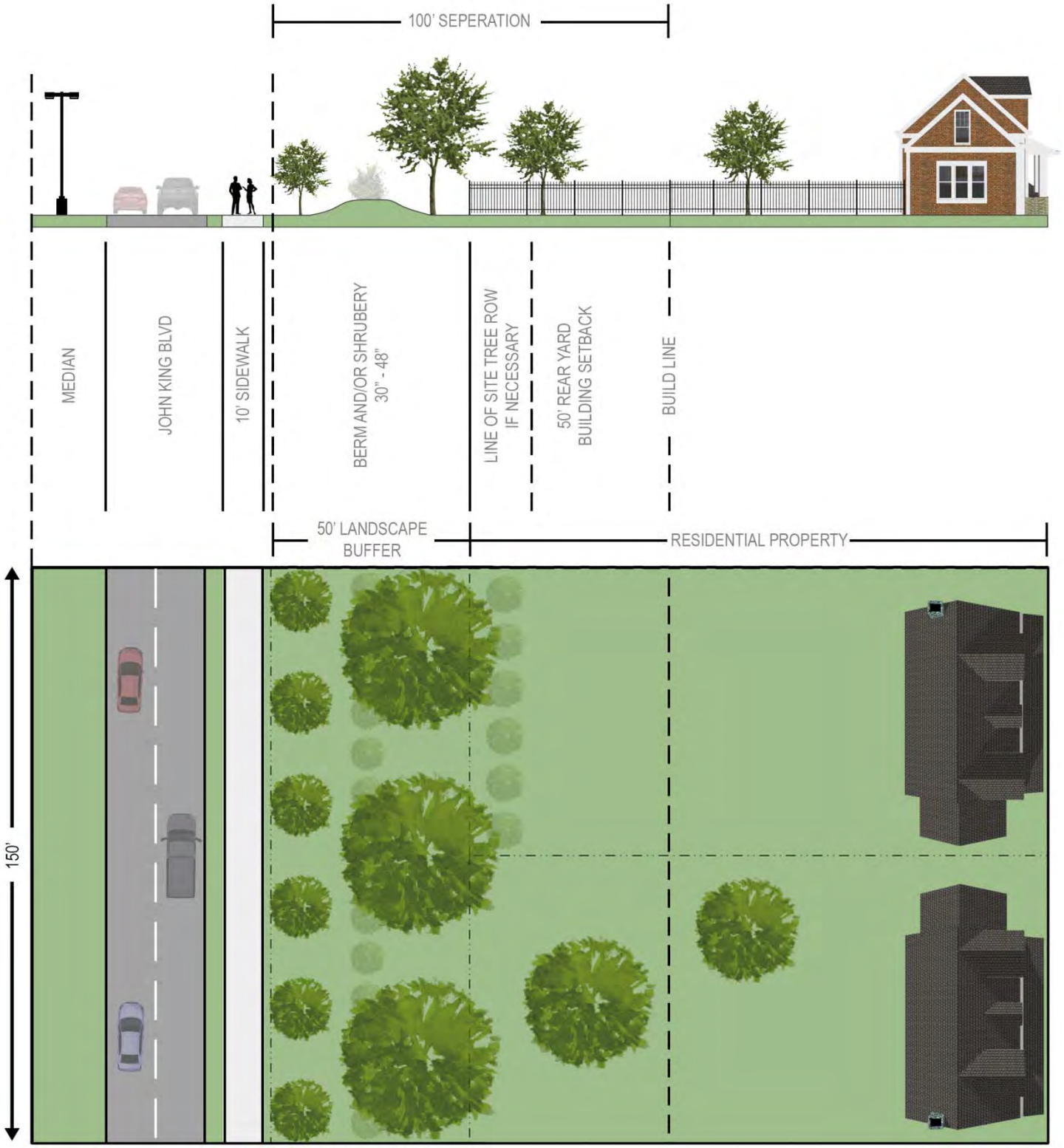
c. *Incorporation of an Eyebrow*. An eyebrow street meeting the -- *Engineering Department's requirements for right-of-way design* -- with a minimum cluster of five (5) homes and a maximum cluster of 12 homes can be incorporated with a 30-foot landscape buffer. All homes should front onto the eyebrow street and have a minimum of a 25-foot front yard building setback. An example of this design alternative is depicted *Design Alternative #5.*

(2) *Design Alternatives.*

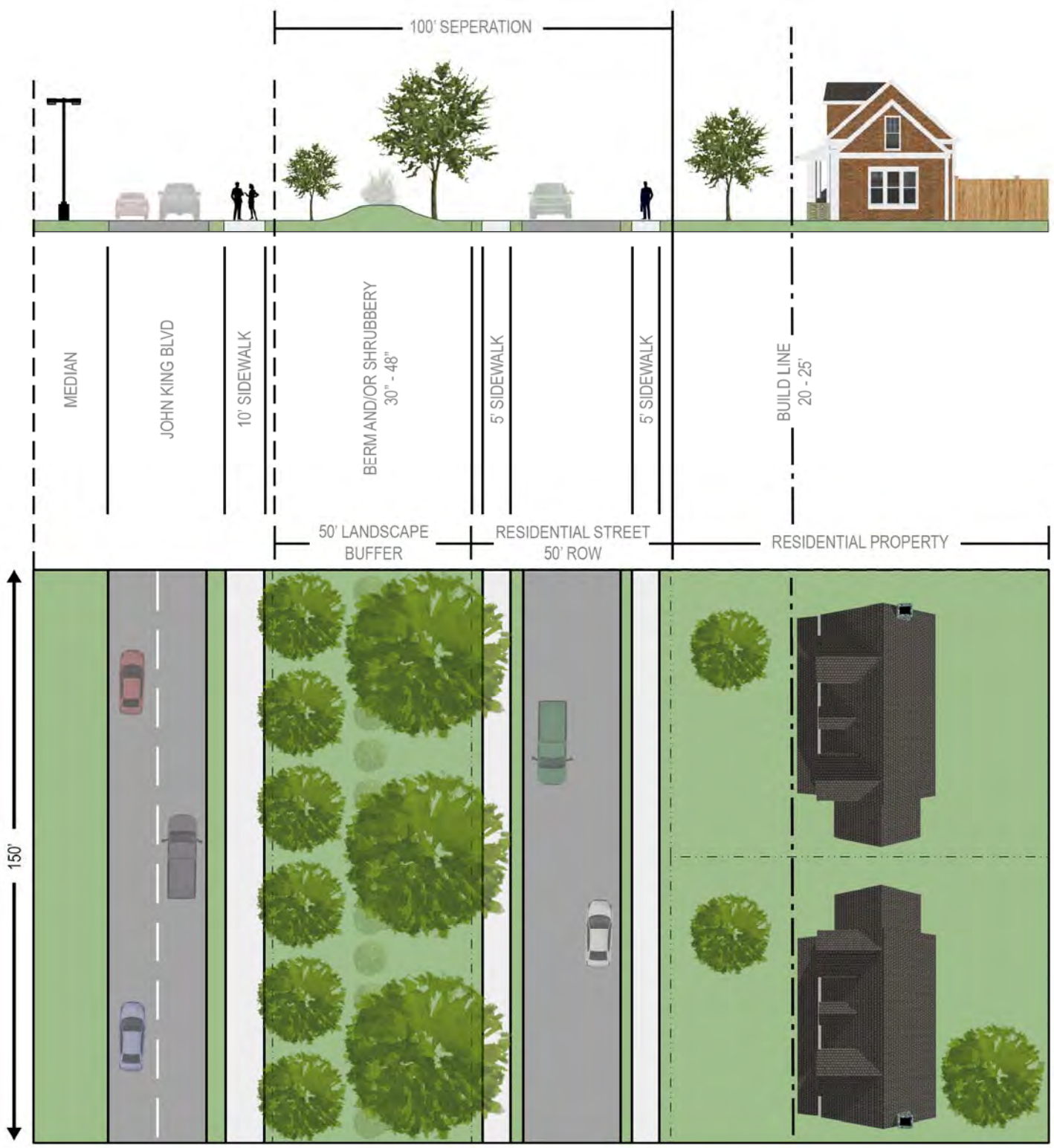
Design Alternative #1



Design Alternative #2



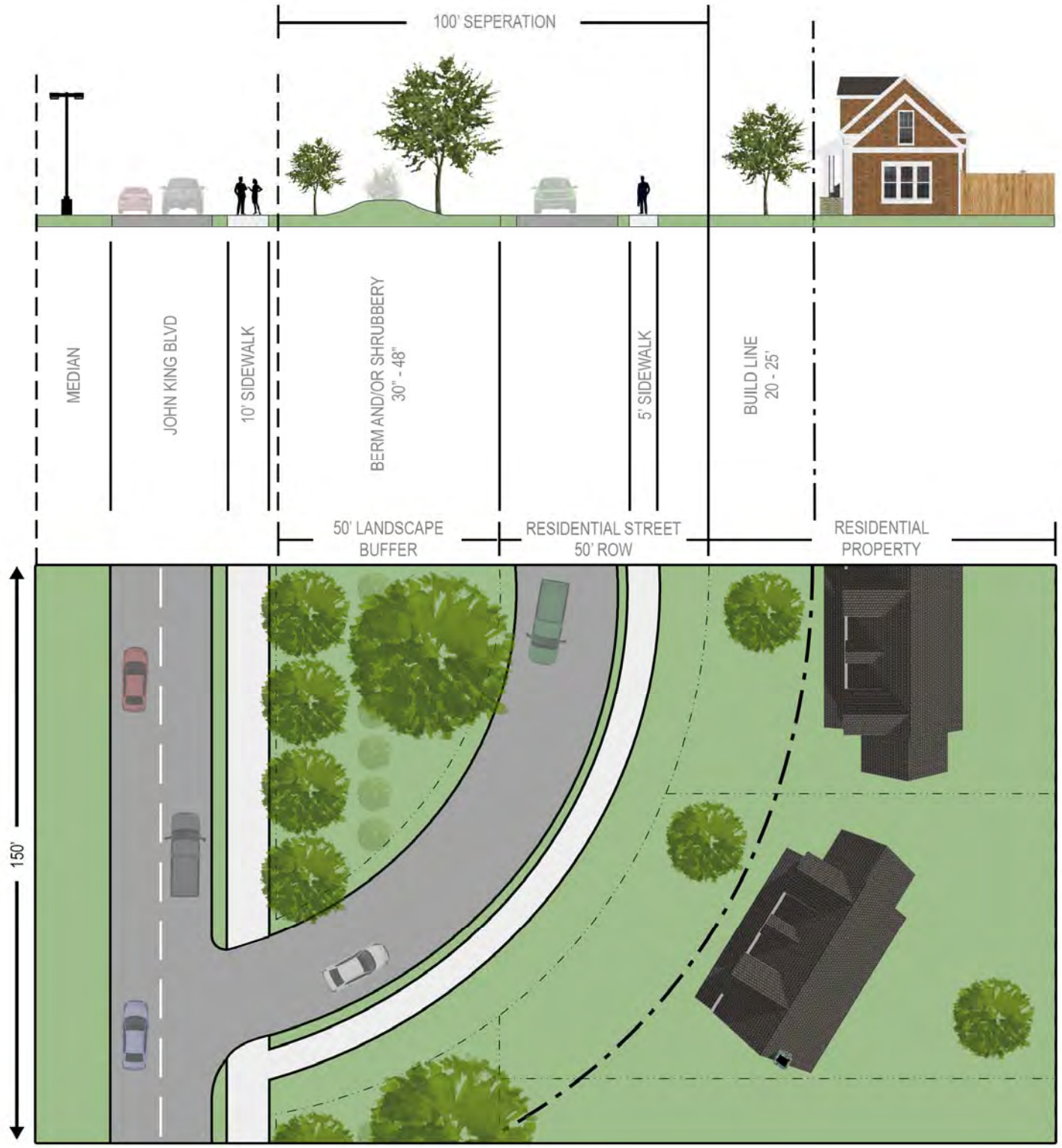
Design Alternative #3



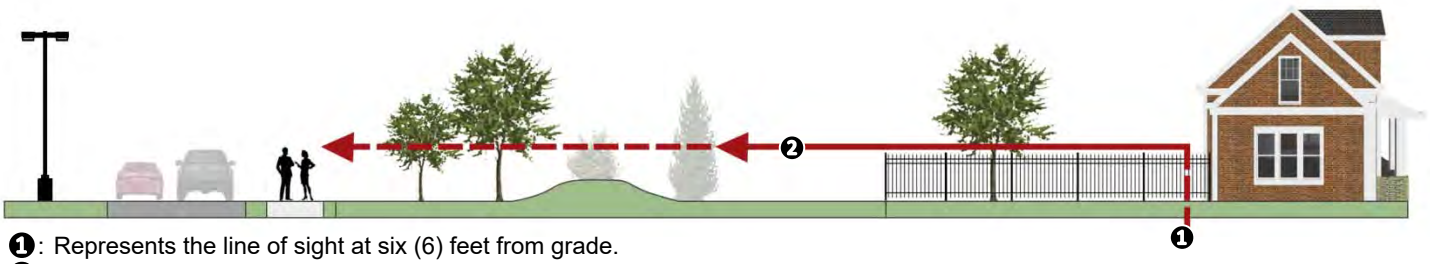
Design Alternative #4



Design Alternative #5



(3) *Line of Sight Requirements*. Homes that back to a required landscape buffer should be built in such a manner where the required berm visually impairs visibility to John King Boulevard. In cases where a berm proves to be ineffective at screening traffic from John King Boulevard (*due to topography, height, etc.*) the developer shall be responsible for incorporating additional landscaping to provide sufficient screening in the required landscape buffer. This will be reviewed by the Planning and Zoning Commission at the time of site plan.



❶: Represents the line of sight at six (6) feet from grade.
❷: The solid red line shows that visibility is impaired from John King Boulevard by [*1*] a row of trees or [*2*] a berm and/or row of shrubbery.

SUBSECTION 6.11: NORTH SH-205 OVERLAY (N. SH-205 OV) DISTRICT

(A) *Purpose.* The intent of the North SH-205 Overlay (N. SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The North SH-205 Overlay (N. SH-205 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of N. SH-205. The North SH-205 Overlay (N. SH-205 OV) District spans north to south along SH-205 from the northern city limits (approximately 4,200-feet north of FM-552), south to the intersection point of SH-205 and Heath Street. The standards and regulations set forth in the North SH-205 Overlay (N. SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the North SH-205 Overlay (N. SH-205 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.12: EAST SH-66 OVERLAY (E. SH-66 OV) DISTRICT

(A) *Purpose.* The intent of the East SH-66 Overlay (E. SH-66 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board

(ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The East SH-66 Overlay (E. SH-66 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of E. SH-66. The East SH-66 Overlay (E. SH-66 OV) District extends from FM-1141 to the east approximately 2,700-feet, and on property that lies within 500-feet of the south right-of-way line of SH-66 beginning at a point approximately 2,700-feet east of FM-1141 and then continuing east to FM-549. The standards and regulations set forth in the East SH-66 Overlay (E. SH-66 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the East SH-66 Overlay (E. SH-66 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.13: FM-549 OVERLAY (FM-549 OV) DISTRICT

(A) *Purpose.* The intent of the FM-549 Overlay (FM-549 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The FM-549 Overlay (FM-549 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of FM-549. The FM-549 Overlay (FM-549 OV) District extends from SH-276 to a point approximately 800-feet north of IH-30 and on property that lies within 500-feet of the west right-of-way line of FM-549 from a point approximately 800-feet north of IH-30 to SH-66. The standards and regulations set forth in the FM-549 Overlay (FM-549 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the FM-549 Overlay (FM-549 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

(A) *Purpose.* The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276.

The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards*. If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of Section 6.01, *General Overlay District Standards*.

SUBSECTION 6.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

Subsection 6.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.16: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

See Subsection 9.02, *Variances to the General Overlay Districts Standards, of Article IX, Development Applications and Review Procedures*.

~~Unless otherwise specified in this section, an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in *Section 6.02, General Overlay District Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. If the Planning and Zoning Commission denies a variance request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the variance or variances being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*). Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.~~

SECTION 7: DISTRICT DEVELOPMENT STANDARDS

SUBSECTION 7.01: RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Residential District Development Standards Zoning Districts → Development Standards ↓		Single-Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single-Family Estate 4.0 (SFE-4.0) District	Single-Family 1 (SF-1) District	Single-Family 16 (SF-16) District	Single-Family 10 (SF-10) District	Single-Family 8.4 (SF-8.4) District	Single-Family 7 (SF-7) District	Zero Lot Line (ZL-5) District	Two-Family (2F) District	Agricultural (AG) District
Abbreviation		SFE-1.5	SFE-2.0	SFE-4.0	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	AG
Dwelling Units/Lot		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0
Dwelling Units/Acre		0.67	0.5	0.25	1.0[1]	2.7	4.4	5.2	6.2	8.7	12.4	0.1[11]
Minimum Dwelling Unit (SF)		2,000	2,200	2,500	2,500	2,400	2,200	1,500	1,100	1,000	800	1,600
Minimum Lot Requirements	Area (Square Feet)	65,340	87,120	174,240	8,400	16,000	10,000	8,400	7,000	5,000	7,000	43,560
	Width (Feet) [2]	150	150	200	70	90	80	70	60	50	60	100
	Depth (Feet)	250	250	250	100	100	100	100	100	90	100	200
Minimum Setbacks	Front (Feet)	50	50	50	20	25	20	20	20	20	20	40
	Rear (Feet)	10	10	10	10	10	10	10	10	10	10	10
	Side (Feet) [3]	25	25	25	6	8	6	6	6	0/10[4]	0[5]/6[6]	6
Between Buildings (Feet)		10	10	10	10	10	10	10	10	10	10	12
Building Height (Feet)		36	36	36	36	36	36	36	32	30	32	36
~~Minimum Masonry Content (%)~~		~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~	~~80~~
Maximum Lot Coverage (%)		35	35	35	45	45	45	45	45	50	45	*N/A*
Required Parking Spaces [7]		2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[8]	2[9]	2[10]	2[8]

ADDITIONAL REQUIREMENTS:

[1]: The Single Family 1 (SF-1) District allows for one (1) unit per gross acre.

[2]: Frontage on a Public Street

[3]: The side setback adjacent to a street is treated the same as a front yard building setback.

[4]: Minimum maintenance easement is ten (10) feet. Minimum maintenance easement on the non-zero lot line side, when adjacent to another lot in the same zoning district is five (5) feet (*this easement shall be maintained as an open space except upon a finding by the building official that the proposed improvements do not impede the use of said easement for maintenance of the adjoining structure*).

[5]: Abutting structures separated by fire retardant walls.

[6]: Townhouses separated by firewall meeting the requirements of the building code may build to the property line where such structures abut.

[7]: Minimum length of driveway pavement from public right-of-way for rear and side yard is 20-feet.

[8]: An enclosed garage shall not be considered in meeting the off-street parking requirements. For all other uses see Article VI, *Parking and Loading*.

[9]: A two (2) car garage is required.

[10]: Two (2) off-street parking spaces plus one (1) garage parking space for each dwelling unit is required.
[11]: A minimum lot size of ten (10) acres is required for the construction of any single-family dwelling.

SUBSECTION 7.02: MULTI-FAMILY DISTRICT DEVELOPMENT STANDARDS

Multi-Family District Development Standards Zoning Districts → Development Standards ↓		Multi-Family 14 (MF-14) District [1]
Abbreviation		MF-14
Dwelling Units/Acre		14.0[2]
Minimum Lot Requirements	Site Area (Square Feet)	10,000
	Lot Area (Square Feet)	2,000 (*Per Unit*)
	Width (Feet)[3]	60
	Depth (Feet)	100
Minimum Setbacks	Front (Feet)	25
	Rear (Feet) w/ Residential Adjacency (Feet)[3 & 8]	One Story = 25 Two Stories = 50 Three Stories = 75
	Rear (Feet)	10
	Side w/ Residential Adjacency (Feet)[4 & 8]	One Story = 25 Two Stories = 50 Three Stories = 75
	Side (Feet)	One Story = 10 Two or More Stories = 15
Between Buildings (Feet)		Main to Accessory = 10 Two Main Buildings w/ Doors or Windows in Facing Walls = 20 Two Main Buildings w/o Doors or Windows in Facing Walls = 15
Building Height (Feet)		36
~~Minimum Masonry Content (%)~~		~~100~~
Maximum Lot Coverage (%)		45[5]
Minimum Landscaping (%)[7]		30% ~~25%~~ of Total Lot Area w/ 30% of Total Required in the Front and Alongside Buildings w/ Street Frontage [6]
Required Parking Spaces		See Article VI, *Parking and Loading*

ADDITION REQUIREMENTS:

[1]: Duplexes shall meet the requirements of the Two-Family (2F) District, with only one (1) duplex per lot.

[2]: Density is calculated by gross acre.

[3]: Unenclosed carports may be built within five (5) feet of any property line that abuts an alley, but no closer than 20-feet from any street intersection.

[4]: Side on street is treated the same as a front yard building setback.

[5]: Each development containing over 100 dwelling units shall provide 300 SF of open space per two (2) and three (3) bedroom units, with at least one (1) open area with the minimum dimensions of 200-feet by 150-feet. Swimming pools, tennis courts and other recreational facilities can be counted toward the overall open space requirement, but not toward the required 200-feet by 150-feet area.

[6]: Any parking lot with more than two (2) rows of parking spaces shall have a minimum of two (2) percent of the interior of the parking lot landscaped. Such landscaping shall be counted toward the landscaping requirement.

[7]: All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes.

[8]: Lots with more than five (5) dwelling units that are contiguous to a residential zoning district, must be separated by a buffer as established in Article VIII, *Landscape Standards*.

SUBSECTION 7.03: NON-RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Non-Residential District Development Standards *: For development in the Downtown (DT) District see the standards in Section 4.8, *Downtown (DT) District*. Zoning Districts → Development Standards ↓		Residential-Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District
Abbreviation		RO	NS	GR	C	HC	LI	HI
Maximum Building Size (SF)		*N/A*	5,000 [1]	25,000 [2]	*N/A*	*N/A*	*N/A*	*N/A*
Minimum Lot Requirements	Area (SF)	6,000 [3]	6,000	6,000 43,560	10,000 43,560	12,500 43,560	12,500 43,560	87,120
	Width (Feet)	60	60	60 200	60 200	100 200	100 200	200
	Depth (Feet)	100	100	100 200	100 200	125 200	125 200	350
Minimum Setbacks	Front (Feet)	25 [4, 12]	15 [5]	15 [4, 5]	15 [4, 5]	25 [4]	25 [4]	50+1/2*H*>36 [7] 50 [4]
	Rear (Feet)	30	20 w/o FRW & Alley	10 w/o FRW & Alley	10 w/o FRW & Alley	20 w/o FRW & Alley	10 w/o FRW [7]	20 + 1/2*H*>36 w/o FRW [7]
			0 w/ FRW & Alley	0 w/ FRW & Alley	0 w/ FRW & Alley	1/2*H*>36 w/ FRW & Alley	1/2*H*>36 w/ FRW & Alley [7]	8 + 1/2*H*>36 w/ FRW & Alley [7]
	Rear Adjacent Residential (Feet) [6]	*N/A*	20	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	50 + 1/2*H*>36 [7]
	Side (Feet)	10	5 w/o FRW	10 w/o FRW	10 w/o FRW	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]
			0 w/ FRW	0 w/ FRW	0 w/ FRW	1/2*H*>36 w/ FRW [7]	1/2*H*>36 w/ FRW [7]	8 + 1/2*H*>36 w/ FRW [7]
	Side Adjacent Residential (Feet) [6]	20	20	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	20 + 1/2*H*>36 [7]	50
Between Buildings (Feet)		15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 + 1/2*H*>36 w/o FRW [7]	15 + 1/2*H*>36 w/o FRW [7]	25 + 1/2*H*>36 w/o FRW [7]
						1/2*H*>36 w/ FRW [7]	1/2*H*>36 w/ FRW [7]	16 + 1/2*H*>36 w/ FRW [7]
Building Height [*H*] (Feet)		36	36	36 [8]	60 [9]	60 [9]	60 [13]	60 [13]
~~Minimum Masonry Content (%)~~		~~90~~	~~90~~	~~90~~	~~90~~	~~90~~	~~90~~	~~90~~
Maximum Lot Coverage (%)		40	40	40	60	60	60	85
Floor Area Ratio (FAR)		0.33	*N/A*	2:1	4:1	4:1	2:1	4:1
Maximum Impervious Parking (%)		75-80 [11]	80-85	85-90	85-90	90-95	90-95	90-95
Maximum Number of Entrances and/or Exits	Arterial Streets	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]	1/200 [10]
	Collector Streets	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]	1/100 [10]
	Local Streets	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]	1/50 [10]

Minimum Landscaping (%)	See Article VIII, *Landscape Standards*

NOTES:
Blue: When adjacent to Interstate 30.
H: Building Height
1/2*H*>36: One-Half the Building Height Over 36-Feet
FRW: Fire Retardant Wall
w/o FRW: Without Fire Retardant Wall

ADDITIONAL REQUIREMENTS:

[1]: A maximum building size of 5,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[2]: A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[3]: Maximum lot area is 43,560 SF.

[4]: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.

[5]: Parking should not be located between the front façade and the property line.

[6]: Lots with non-residential uses that have a side or rear yard contiguous or separated only by an alley, easement, or street, from any residential district must be separated from such residential district by a buffer as defined in Article VIII, *Landscape Standards*, or as approved by the Planning and Zoning Commission.

[7]: Not to exceed 50-Feet.

[8]: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[9]: Building height may be increased up to 240-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

[10]: (or) as approved by Planning and Zoning Commission.

[11]: A minimum of seven (7) percent of the interior of the parking lot -- *not including the setback and landscape buffer* -- shall be pervious land area with additional plantings to create an amenity open space.

[12]: Parking shall not be permitted in the required setback.

[13]: Building height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

Accessory Structure Development Standards Zoning Districts or Accessory Structure Type → Development Standards ↓		Accessory Structures & Accessory Buildings [1 & 3 ~~8, & 9~~]					Portable Accessory Building 0 SF – 120 SF [8]	Detached Garage [8 & 9]	Carports [7 & 8]
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Number of Accessory Structures or Number of Specific Accessory Structure		2[2]	2[2]	2[2]	2	1	1	1	1
Maximum SF of Accessory Structure [5]		~~1,250~~ 1,000[2]	~~1,500~~ 1,000[2]	~~2,000~~ 1,250[2]	~~225~~ 144[6]	100	120	~~900~~ 625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20[4]	20[4]	20[4]	3	3	3	20[4]	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet) [8]		15	15	15	15	10	10	15	15
~~Minimum Masonry Content (%)~~ [3]		~~80~~[5]	~~80~~[5]	~~80~~[5]	~~80~~[5]	~~80~~[5]	~~0~~	~~80~~[5]	~~80~~[5]

ADDITIONAL REQUIREMENTS:

1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.

2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is ~~625~~ 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.

3: ~~Greenhouses are exempt from the minimum masonry requirements.~~ Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.

4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.

5: ~~The exterior of the accessory building or structure shall be clad in the same materials in roughly the same proportions as the primary structure; however, accessory buildings or structures that are less than 120 SF and under ten (10) feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.~~ Accessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP).

6: Each property shall be permitted one (1) detached garage up to ~~900~~ 625 SF and one (1) accessory building up to ~~225~~ 144 SF.

7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.

8: ~~Accessory buildings and accessory structures not meeting the masonry requirements shall require the approval of an exception from the Planning and Zoning Commission.~~ Two (2) story accessory buildings or structures shall be prohibited.

9: ~~Barns used for agricultural and/or farm animal purposes, on sites ten (10) acres or more that are zoned Agricultural (AG) District, are excluded from this masonry requirement.~~ Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE VIII, LANDSCAPE AND FENCE STANDARDS, UDC

SECTION 1: PURPOSE

The purpose of Article VIII, *Landscape and Fence Standards*, is to create standards for landscaping and fencing that will complementary to the design and location of existing buildings, streets, sidewalks, and open spaces in the City of Rockwall. By doing this, this Article acknowledges the unique natural beauty of the City, its environment, and the existing vegetation and tree canopy, and sets forth standards that ensure their protection. This article also strives to create natural barriers and soft transition for land uses through the use of natural screening methods and non-transparent fencing.

~~The process of development with its alteration of the natural topography, vegetation, and creation of impervious cover can have a negative effect on the ecological balance of an area by causing increases in air temperatures and accelerating the processes of runoff, erosion, and sedimentation. The economic base of the city can and should be protected through the preservation and enhancement of the unique natural beauty, environment, and vegetative space in this area. Recognizing that the general objectives of this article are to promote and protect the health, safety and welfare of the public, the city council further declares that this article is adopted for the following specific purposes:~~

~~(1) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and stormwater runoff retardation, while at the same time aiding in noise, glare, and heat abatement.~~
~~(2) To provide visual buffering between land uses of differing character.~~
~~(3) To enhance the beautification of the city.~~
~~(4) To safeguard and enhance property values and to protect public and private investment.~~
~~(5) To conserve energy.~~

SECTION 2: APPLICATION OF ARTICLE

SUBSECTION 2.01: APPLICABILITY

(A) *Landscape and Screening.*

(1) The landscape and screening provisions of this Article shall apply to:

(a) All new residential or non-residential development within the corporate limits of the City of Rockwall with the exception of the exemptions listed in Subsection 2.01.(A)(2).
(b) The expansion of a non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.
(c) The expansion of a non-residential parking lot that increases the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.

(2) The landscape and screening provisions of this Article shall *not* apply to:

(a) Any property with a Landscape Plan and/or Site Plan that was approved prior to the adoption of this Article, unless an amended Landscape Plan and/or Site Plan is required by the requirements of Subsection 2.01.A or Article XI, *Development Applications and Review Procedures*.
(b) The restoration of a building or structure that has been damaged by fire, flood, explosion, riot, act of the public enemy, natural disaster, or accident of any kind and is permitted by Section 8, *Non-Conforming Uses, Structures, and Sites*, of Article IV, *Permissible Uses*. For the purposes of this exemption restoration is defined as repairing a building or structure to return it to its former state.
(c) Properties containing only single-family and/or duplex land uses.
(d) Properties zoned Downtown (DT) District, as defined by Subsection 4.07, *Downtown (DT) District*, of Article V, *District Development Standards*.

~~(A) This article does not apply to:~~

~~(1) Any property with a previously approved landscape and/or site plan prior to the adoption of the ordinance from which this article is derived, unless such plan is required to be resubmitted for consideration;~~
~~(2) Lots containing only single-family and/or duplex uses; and~~
~~(3) Lots zoned DT Downtown, as defined in this Unified Development Code.~~

~~(B) Except as otherwise provided in subsection 2.1.A, this article, applies to all uses on a lot when an application for a building permit for work on the lot is made, unless the application is for:~~

~~(1) The restoration of a building that has been damaged by fire, flood, explosion, riot, act of the public enemy, other natural disaster, or accident of any kind, if said structure may be restored under the nonconforming use provisions of this Unified Development Code. For purposes of this subsection, "restoration" means the act of putting back into a former or original state; or~~

~~(2) Construction work on an existing structure that does not increase:~~

~~(a) The number of stories in a building on the lot;~~
~~(b) The total floor area of all buildings on the lot by more than ten percent or 10,000 square feet, whichever is less; or~~
~~(c) The non-permeable coverage of the lot by more than 2,000 square feet.~~

(B) *Fences.*

(1) The fence provisions of this Article shall apply to:

(a) The construction of all new residential or non-residential fences.
(b) The repair of an existing residential or non-residential fence that requires the replacement of 25-linear feet or more.
(c) The repair of an existing residential or non-residential fence that requires the replacement of five (5) or more posts.

(2) The fence provisions of this Article shall ***not*** apply to:

(a) The repair of a residential or non-residential fence that does not require a fence permit and that is not subject to the requirements of Subsection 2.01.B(1).

(C) *Overlay Districts.* In addition to the requirements contained in this Article, properties within an establish Overlay District shall be subject to the requirements stipulated by Subsection 6.02, *General Overlay District Standards*, of Article V, *District Development Standards*. In instances where the requirements of this Article conflict with the requirements of the *General Overlay District Standards*, the more restrictive standard will apply.

~~C~~(D) *Planned Development Districts.* The landscaping requirements contained in this Article shall be incorporated into all new or amended Planned Development Districts, unless otherwise approved by the City Council upon recommendation from the Planning and Zoning Commission. ~~development districts. Landscaping requirements consistent with the standards and purposes of this article shall be a part of all ordinances establishing or amending planned development districts, unless otherwise approved by the city council.~~

~~(D) Special exceptions. The planning and zoning commission and city council may grant a special exception to the landscaping requirements of this article upon making a special finding that the resulting landscape will provide an improved amenity for both the general public and users of the facility being landscaped.~~

~~*(Ord. No. 10-14, § 53, 7-6-2010)*~~

SUBSECTION 2.02: EXCEPTIONS TO THE LANDSCAPING STANDARDS

The Planning and Zoning Commission may grant an exception to the landscaping standards contained in this Article upon a finding that the resulting landscaping or landscaping plan will be equivalent to or exceed the requirements stipulated by this Article, and provide an improvement to the aesthetics of the surrounding area. All exceptions to these requirements will be subject to the approval criteria and voting requirements of Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

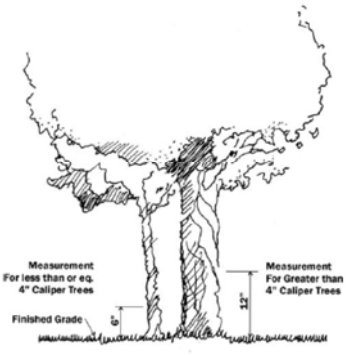
~~The planning and zoning commission and city council may grant a special exception to the landscaping requirements of this article upon making a special finding that the resulting landscape will provide an improved amenity for both the general public and users of the facility being landscaped.~~

SUBSECTION 2.03: EXCEPTIONS TO THE FENCE STANDARDS

All exceptions to the fence standards contained in this Article will be subject to the requirements of Section 8, *Fence Standards*.

~~*SECTION 3: DEFINITIONS*~~

[MOVED TO ARTICLE XIII, UDC]



~~Caliper means the diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.~~

~~Canopy or shade tree means a species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.~~

~~Enhanced pavement means any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.~~

~~Evergreen tree or shrub means a tree or shrub of a species which normally retains its leaves throughout the year.~~

~~Ground cover means natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.~~

~~Landscape architect means a person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.~~

~~Landscape buffer strip means a strip of land:~~
~~a. Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and~~
~~b. At least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).~~

~~Large shrub means a shrub which normally reaches a height of six feet or more upon maturity.~~

~~Large tree means a tree of a species which normally reaches a height of 30 feet or more upon maturity.~~

~~Non-permeable coverage means coverage with non-permeable pavement.~~

~~Screening means screening that complies with the construction and maintenance regulations in section 5, Mandatory Provisions, except as those regulations may be expressly modified in this article.~~

~~Small tree means a tree of a species which normally reaches a height of less than 30 feet.~~

~~Soil means a medium that plants will grow in.~~

~~Visibility triangle means the term "visibility triangle" as defined in article V, section 1.9 of this Unified Development Code.~~

~~Xeriscaping means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.~~

~~*(Ord. No. 15-32, § 2, 12-7-2015)*~~

SECTION 43: LANDSCAPE PLAN ~~SUBMISSION~~

SUBSECTION 43.01: LANDSCAPE PLAN SUBMITTAL

(A) *Submittal of a Landscape Plan*. A Landscape Plan is required to be submitted as part of an application for a Site Plan or an Amended Site Plan as stipulated by Section 3, *Site Plans*, of Article XI, *Development Applications and Review Procedures*.

(B) *Landscape Plan Content*. The Director of Planning and Zoning or his/her designee shall establish and maintain a list of the required criteria necessary for the submittal of a Landscape Plan.

(C) *Preparation of a Landscape Plan*. Landscape Plans shall be prepared by a *Landscape Architect* or a member in good standing of the American Society of Landscape Architects (ASLA) unless otherwise permitted by the Director of Planning and Zoning.

~~Landscape plans shall be submitted to the director of planning on all sites required to submit a site plan for approval by the planning and zoning commission and city council.~~

SUBSECTION 43.02: APPROVAL OF A LANDSCAPE PLAN

(A) *Administrative Approval*. Landscape Plans that are submitted in conjunction with a Site Plan or an Amended Site Plan that can be reviewed and acted upon at an administrative level -- *as defined in Section 3, Site Plans, of Article XI, Development Applications and Review Procedures* -- may be approved, approved with condition, or denied by the Director of Planning and Zoning or his/her designee.

(B) *Approval by the Planning and Zoning Commission*. The Planning and Zoning Commission may approve a Landscape Plan in accordance with the procedures for approving a Site Plan or an Amended Site Plan as stipulated by Section 3, *Site Plans*, of Article XI, *Development Applications and Review Procedures*.

~~Landscape plans shall be approved or denied by the director of planning or, at his discretion, referred to the planning and zoning commission for approval or denial.~~

~~*SUBSECTION 4.03. PLAN CONTENT*~~

~~The landscape plan shall be submitted in the form and number as prescribed by the city and must contain the following information:~~

~~(1) Date, scale, north arrow, and the names, addresses, and telephone numbers of both the property owner and the person preparing the plan.~~
~~(2) Project name, street address, and lot and block description.~~
~~(3) Location of existing boundary lines and dimensions of the lot, street address, approximate centerline of existing water courses and the location of the 100-year floodplain, if applicable; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, driveways and sidewalks on or adjacent to the lot.~~
~~(4) Location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours).~~
~~(5) Locations and dimensions of proposed landscape buffer strips.~~
~~(6) Complete description of plant materials shown on the plan, including names, locations, quantities, container or caliper sizes at installation, heights, spread, and spacing. The location and type of all existing trees on the lot over six inches in caliper must be specifically indicated.~~
~~(7) Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided internal to parking areas, the total square footage included in the parking area, and the number and location of required off-street parking and loading spaces.~~
~~(8) Location and description, by type and size, of existing trees proposed to be retained. Such trees shall be marked and dripline of said trees shall be protected prior to and during all construction, including all dirt work.~~
~~(9) Size, height, location and material of proposed seating, lighting, planters, sculptures, water features and landscape paving and other site amenities.~~
~~(10) Identification of visibility triangles on the lot for all driveway intersections with public streets.~~

SECTION 4: APPROVED LANDSCAPING MATERIALS

In satisfying the landscape requirements of this Article, it is recommended that all landscaping utilize high-quality, hardy plant materials. Such plant materials shall adhere to the following requirements:

(A) *Approved Planting Materials*.

(1) All planting materials should conform to the recommended planting materials outlined in Appendix F, *Landscape Guidelines and Requirements*; however, alternative tree, shrub, and grass varieties may be approved by the Director of Planning and Zoning pending the submission of a Landscape Plan and/or a written request.

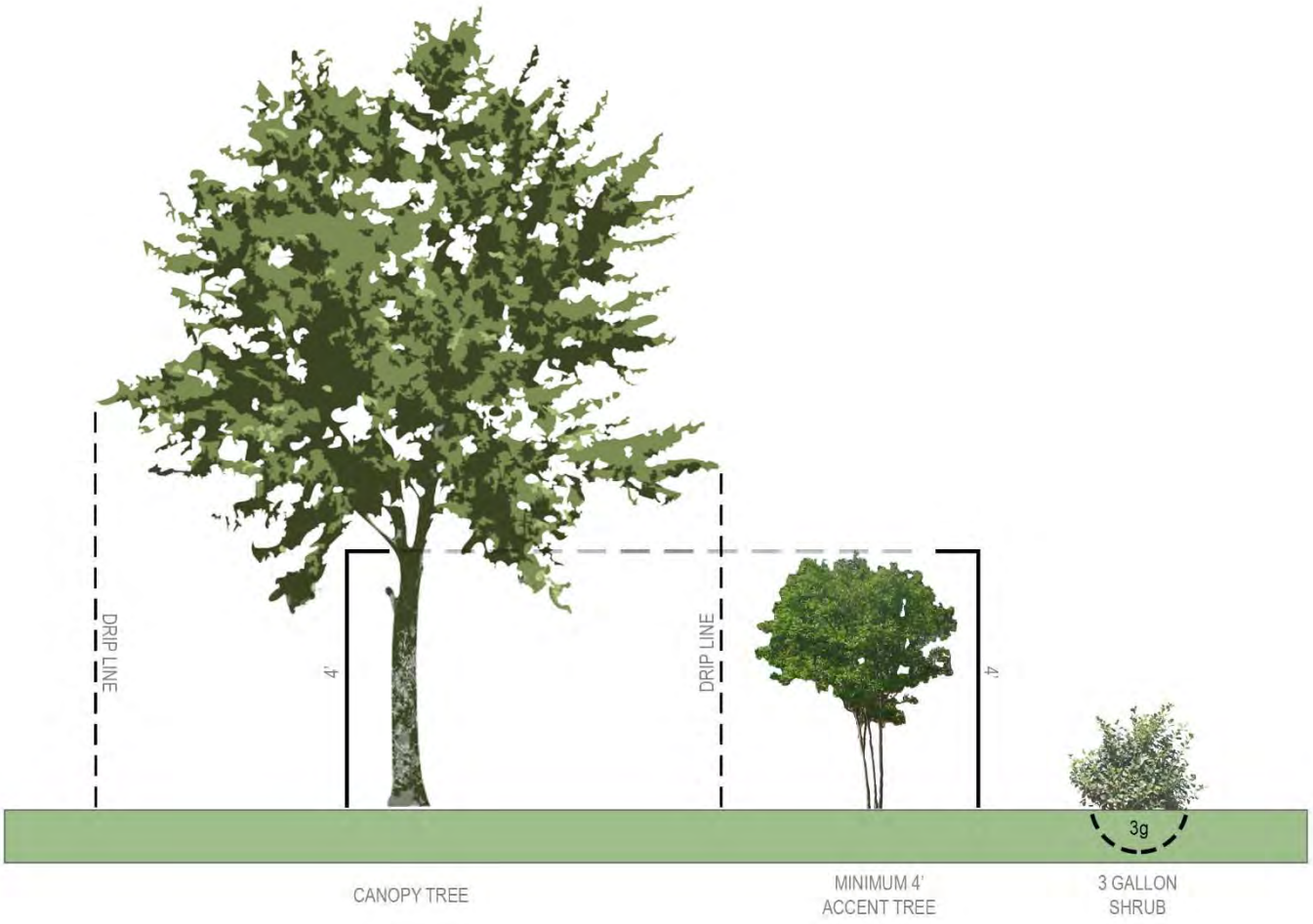
(2) Unless otherwise noted in this Unified Development Code (UDC), the minimum tree and shrub size at the time of installation shall be as follows:

(a) *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.

(b) *Accent Trees* shall be a minimum of four (4) feet in total height.

(c) Shrubs shall be a minimum of three (3) gallons in size.

Figure 1: Approved Planting Materials and Sizes



(3) For the purposes of this section, the height of an Accent Tree shall be measured from the root flare or from the soil level if still in the container.

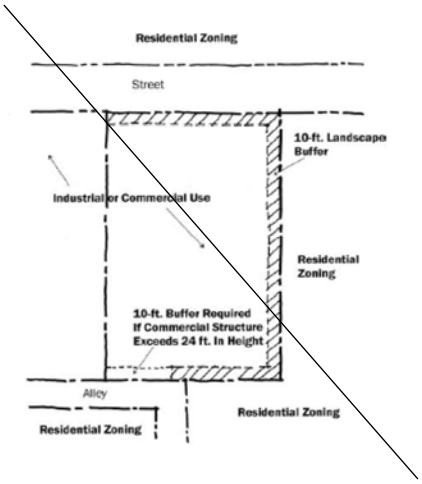
(4) DBH or *Diameter at Breast Height* is the standard dendrometric measurement for trees, and is measured at a height of four (4) feet above grade.

(5) The City of Rockwall encourages developments to incorporate xeriscaping/smartscaping to promote reduced water usage through the use of drought tolerant plants. The City's *Xeriscaping/Smartscaping Standards and Guidelines* are outlined in Section 5.05, *Xeriscaping and Smartscaping Standards*.

(B) Prohibited Planting Materials.

(1) Artificial or synthetic plant materials (*e.g. artificial grass, turf, trees shrubs*) shall be prohibited.

SECTION 5: ~~MANDATORY PROVISIONS~~ LANDSCAPE STANDARDS



SUBSECTION 5.01: LANDSCAPE BUFFERS ~~STRIP~~

The minimum requirements for landscape buffers shall be as follows:

(A) *Residential Landscape Buffers in Subdivisions*.

(1) *Abutting a Collector Street*. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a collector street. All residential lots adjacent to a collector street shall incorporate one (1) canopy tree per 50-linear feet of frontage along the collector street inside the required landscape buffer. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

(2) *Abutting a Perimeter Collector Street or Arterial Roadway*. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a perimeter collector street or arterial roadway. All landscape buffers adjacent to a perimeter collector street or arterial roadway shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In addition, one (1) canopy tree and one (1) accent tree shall be required to be planted in the required landscape buffer per 50-linear feet of frontage along the perimeter collector street or arterial roadway. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

Figure 2: Residential Landscape Buffers Example



(B) Non-Residential Landscape Buffers.

(1) *Abutting a Public Right-of-Way*. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a public right-of-way (*i.e. collector street, arterial roadway, or alleyway*) or a residentially zoned or used property that is located directly across a public street (*regardless of the size of the street*). All landscape buffers adjacent to a public right-of-way shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In these areas a minimum of one (1) canopy tree and one (1) accent tree shall be incorporated into the landscape buffer per 50-linear feet of frontage along the adjacency. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

(2) *Abutting Residential*. A minimum of a 20-foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a residentially zoned or used property. For planting requirements in these landscape buffers see Subsection 5.02(B), *Screening from Residential*.

Figure 3: Commercial Landscape Buffers Example



(C) Buildings and Paving within a Required Landscape Buffer. Buildings and paving (*e.g. parking lots*) shall not be permitted within any required landscape buffer; however, sidewalks and trails shall be permitted.

~~A minimum ten-foot-wide landscape buffer strip must be provided along the entire length of the portion of the perimeter of any commercial or industrial lot that abuts, without an alley or drive separation, or is directly across a public street from a residential zoning district, exclusive of driveways and access ways.~~

~~If the proposed commercial structures exceed 24 feet in height adjacent to an alley, a ten-foot buffer shall also be required along the length of the alley.~~

SUBSECTION 5.02: ~~SCREENING OF OFF-STREET LOADING DOCKS~~ LANDSCAPE SCREENING

(A) *Loading Docks and Outside Storage Areas.* Off-street loading docks and outside storage areas shall be screened from all public streets, open space, adjacent properties and any residential zoning districts or residentially used properties that abut or are directly across a public street or alley from the loading dock or outside storage area in accordance with the requirements of Subsection 1.05, *Screening Standards*, of Article V, *District Development Standards*. As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates one (1) of the following options:

(1) *Alternative #1*. A wrought iron fence and three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) along the entire length of the adjacency. The canopy trees shall be placed on 20-foot centers.

Figure 4: Alternative #1



(2) *Alternative #2*. A wrought iron fence with a mix of two (2) rows of staggered mature evergreen trees and one (1) row of deciduous canopy trees (*a minimum six [6] caliper inches*) along the entire length of the adjacency. All trees will be planted on 20-foot centers.

Figure 5: Alternative #2



(B) *Screening from Residential.* Any non-residential or multi-family land use or parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers (*as depicted in Figures 6 & 7 below*). As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three (3) tiered screening (*i.e. [1] small to mid-sized shrubs, large shrubs or accent trees, and canopy trees or [2] evergreen trees and canopy trees*) along the entire length of the adjacency (*as depicted in Figure 8, 9, & 10 below*). The canopy trees shall be placed on 20-foot centers.

Figure 6: Masonry Fence with Canopy Trees in Plan View



Figure 7: Masonry Fence with Canopy Trees in Perspective View



Figure 8: Wrought Iron Fence with Three (3) Tiered Screening in Plan View



Figure 9: Alternative #1 (Wrought Iron Fence with Three (3) Tiered Screening in Perspective View)



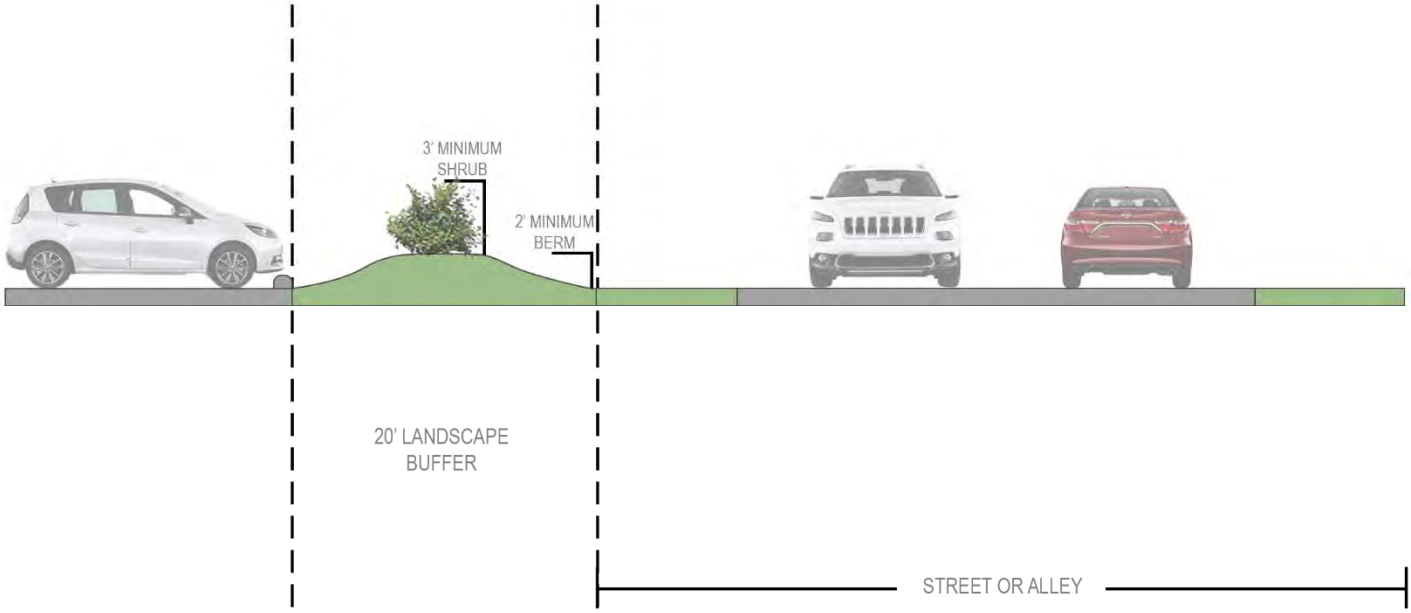
Figure 10: Alternative #2 (Wrought Iron Fence with Three (3) Tiered Screening in Perspective View)



(C) *Headlight Screening.* Head-in parking adjacent to a street shall incorporate one (1) of the following screening methods to mitigate the potential hazard that headlights may pose for on-street vehicular traffic:

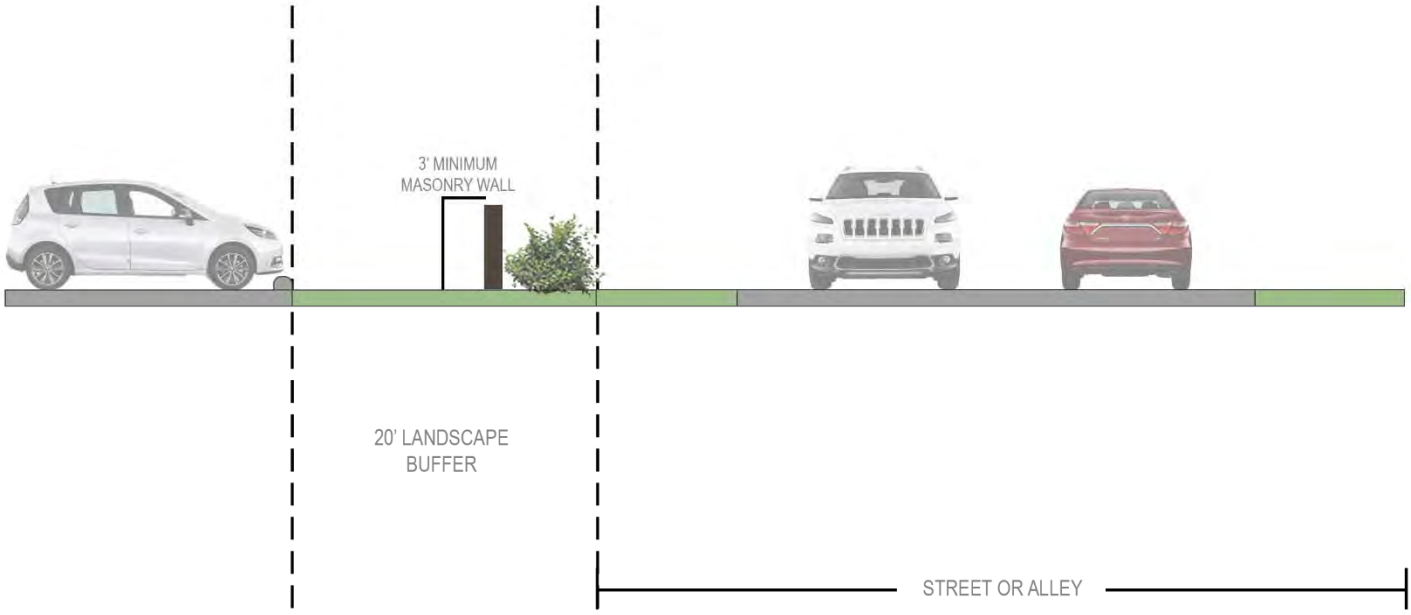
(1) *Alternative #1.* A minimum of a two (2) foot berm with mature evergreen shrubs along the entire adjacency of the parking areas.

Figure 11: Alternative #1 (Headlight Screening using Landscaping and a Berm)



(2) *Alternative #2.* A minimum of a three (2) foot masonry wall with mature shrubs situated between the wall and the right-of-way along the entire adjacency of the parking areas.

Figure 12: Alternative #2 (Headlight Screening using a Masonry Wall and Landscaping)



(D) *General Screening Requirements.* All screening shall meet the following requirements:

(1) *Approval of a Screening Plan.* Prior to construction of any required screening, a site plan and landscape plan shall be approved by the Planning and Zoning Commission showing the type of screening, the proposed materials, and the plant spacing. In approving screening plans, the Planning and Zoning Commission shall determine:

(a) If the proposed screening plan will adequately screen the non-residential land use.
(b) If the proposed screening plantings will withstand the pressures of time and nature.

(2) *Certificate of Occupancy (CO).* Prior to the issuance of a Certificate of Occupancy (CO), the proposed screening shall be installed and verified by the Director of Planning and Zoning or his/her designee.

~~A. Off-street loading docks in commercial zoning classifications must be screened from:~~

~~(1) All public streets; and~~
~~(2) Any residential district that abuts or is directly across a public street or alley from the lot.~~

~~B. Off-street loading docks in industrial zoning classifications must be screened from:~~

~~(1) Arterial streets, as indicated on the city's thoroughfare plan; and~~
~~(2) Any residential district that abuts or is directly across a public street or alley from the lot.~~

~~C. The screening required under subsections 5.2.A and B must be at least six feet in height and may be provided by using any of the methods for providing screening described in this section.~~

SUBSECTION 5.03: LANDSCAPE REQUIREMENTS

(A) *Amount of Landscaping.* The following landscaping percentages shall be required and shall apply to the total site area to be developed:

ZONING DISTRICT	REQUIRED LANDSCAPING (%)	REQUIRED LANDSCAPING WITH MAXIMUM ELIGIBLE CREDITS (%)
Multi-Family 14 (MF-14) District	35	22½
Downtown (DT) District	See Subsection 4.07, *Downtown (DT) District*, of Article V, *District Development Standards*	
Residential Office (RO) District	30	17½
Neighborhood Services (NS) District	25	12½
General Retail (GR) District	20	7½
Commercial (C) District	20	7½
Heavy Commercial (HC) District	15	2½
Light Industrial (LI) District	15	2½
Heavy Industrial (HI) District	10	2½

(B) *Location of Landscaping.* A minimum of 50% of the required landscaping shall be located in the front of and along the side of buildings with street frontage in the Multi-Family 14 (MF-14), Residential Office (RO), Neighborhood Services (NS), General Retail (GR) and Commercial (C) Districts. A minimum of 100% of the total required landscaping shall be located in front of and along the side of buildings with street frontages in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts.

(C) *Minimum Size of Required Landscape Areas.* All required landscaping shall be no less than five (5) feet wide and be a minimum of 25 SF in area unless it is within ten (10) feet of a building on the same lot.

(D) *Detention Basins.* Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs, berms, and accent and canopy trees. There shall be a minimum of one (1) Canopy Tree per 750 SF and one (1) Accent Tree of detention area.

(E) *Parking Lot Landscaping.* The following landscape requirements will apply to parking lots:

(1) Parking lots with more than two (2) rows of parking spaces (*i.e. one [1] drive isle with rows of parking on either side*) shall have a minimum for five (5) percent or 200 SF of landscaping -- *whichever is greater* -- in the interior of the parking lot area. Such landscaping shall be counted toward the total required landscaping.

(2) If the parking and maneuvering space exceeds 20,000 SF, one (1) large canopy tree for every ten (10) parking spaces shall be required to be planted internal to the parking areas.

(3) No tree shall be planted closer than five (5) feet to the edge of pavement or five (5) feet from any water or wastewater line that is less than 12-inches. Water and wastewater lines that are 12-inches and greater require trees to be planted a minimum of ten (10) feet from the centerline of the pipe.

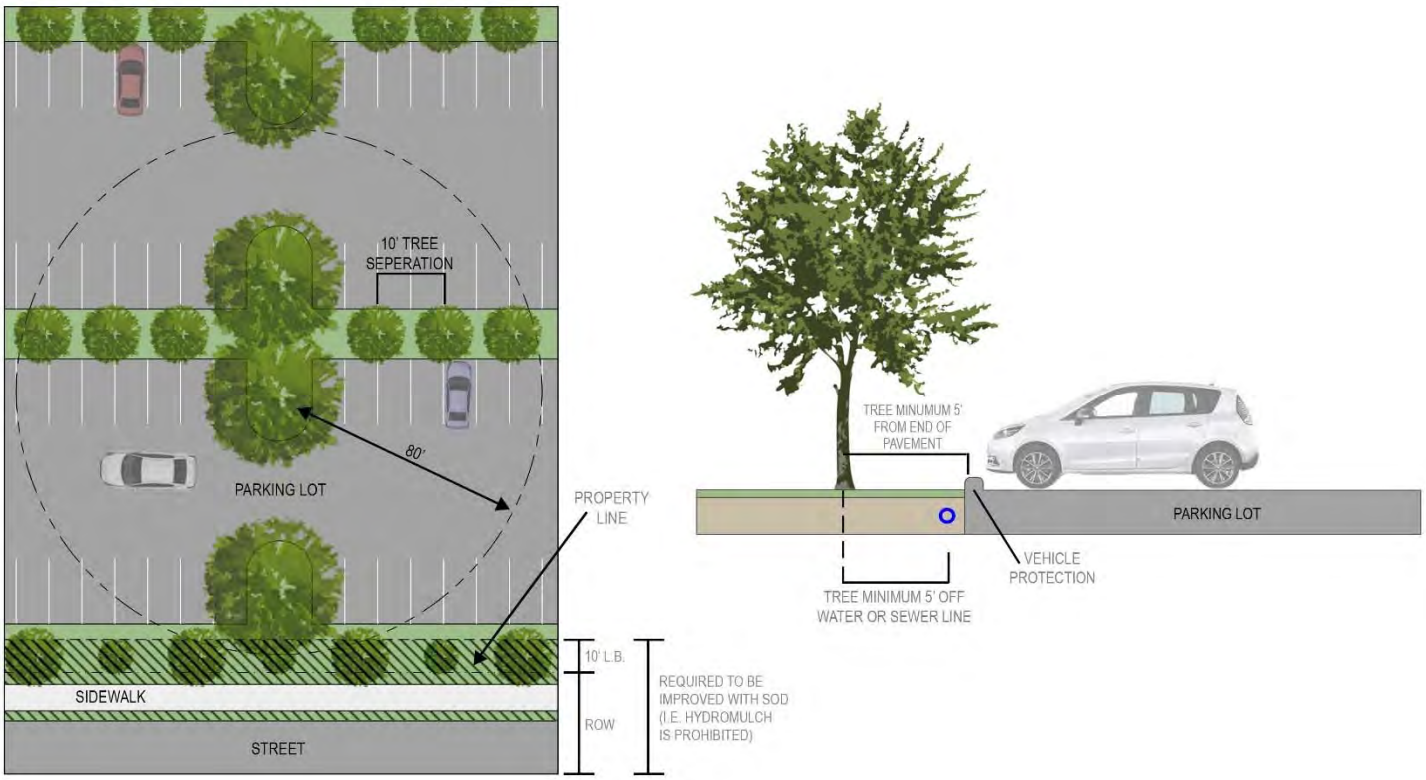
(4) No required parking spaces may be located more than 80-feet from the trunk of a canopy tree.

(F) *Protection of Landscape Areas*. Required landscape areas must be protected from vehicular traffic through the use of a concrete curb, or other permanent barrier.

(G) *Landscaping in Landscape Buffers and Public Right-of-Way.* All landscape buffers and public right-of-way located adjacent to a proposed development shall be improved with grass (*i.e. sod -- hydro mulch shall be prohibited in these areas*) prior to the issuance of a Certificate of Occupancy (CO). In addition, it shall be the responsibility of the developer to design the irrigation system within the lot to ensure that the grass placed in public right-of-way is watered and maintained, and to ensure that minimal water will be shed on to the street.

The designer of the irrigation system shall base the systems design on the ultimate proposed width of the street. The plans for design of the irrigation system shall be approved by the Building Inspections Department prior to installation and acceptance of the project.

Figure 13: Landscape Requirements



~~*SUBSECTION 5.03: ACCEPTABLE LANDSCAPE MATERIALS*~~ *[MOVED TO SECTION 4]*

~~A. No artificial plant materials may be used to satisfy the requirements of this article.~~

~~B. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:~~

~~✓ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.~~

~~✓ Shrubs shall be a minimum of three gallons in size.~~

~~C. For purposes of this section, "height" is measured from the root crown or, if the plant is in a container, from the soil level in the container.~~

~~D. In satisfying the landscaping requirements of this article, the use of high-quality, hardy plant materials on the approved plant list below is recommended and encouraged. Plants found on the disapproved plant list below shall not be placed within the right-of-way or within the required building setback along a street.~~

~~E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.~~

~~F. Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:~~

~~(1) Afghan Pine.~~
~~(2) Bald Cypress.~~
~~(3) Burr Oak.~~
~~(4) Caddo Maple.~~
~~(5) Cedar Elm.~~
~~(6) Chinquapin Oak.~~
~~(7) Eastern Red Cedar.~~
~~(8) Homestead Elm.~~
~~(9) Lace Bark Elm.~~
~~(10) Leyland Cypress.~~
~~(11) Little Gem Magnolia.~~
~~(12) Live Oak.~~
~~(13) October Glory Maple.~~
~~(14) Pecan.~~
~~(15) Red Oak.~~
~~(16) Texas Ash.~~
~~(17) Texas Red Oak.~~

~~and various native understory trees such as:~~

~~(1) Desert Willow.~~
~~(2) Downy Hawthorn.~~
~~(3) Eastern Redbud.~~
~~(4) Eve's Necklace.~~
~~(5) Mexican Buckeye.~~
~~(6) Possumhaw Holly.~~
~~(7) Shantung Maple.~~
~~(8) Yaupon Holly.~~

~~*(Ord. No. 06-14, 4-17-2006; Ord. No. 15-32, § 2, 12-7-2015)*~~

~~*SUBSECTION 5.04: PROTECTION OF LANDSCAPE AREAS*~~ *[MOVED TO SECTION 5.03]*

~~Required landscape areas must be protected from vehicular traffic through the use of concrete curbs, or other permanent barriers. Vehicular wheels shall be prevented from extending into landscaped areas.~~

SUBSECTION 5.0~~5~~4: IRRIGATION REQUIREMENTS

A. ~~*Generally*~~ *General Irrigation Requirements*. The owner shall be responsible for the health and vitality of plant material through the irrigation of all landscaped areas, turf and plant materials, and shall:

(1) Provide a moisture level in an amount and frequency adequate to sustain growth of the plant materials on a permanent basis.

(2) Be in place and operational at the time of the landscape inspection for Certificate of Occupancy (CO).
(3) Be maintained and kept operational at all times to provide for efficient water distribution.

B. *Irrigation Methods*.

(1) *Landscaped Areas*. One (1) of the following irrigation methods shall be used to ensure adequate watering of plant material in landscaped areas:

(a) *Conventional System*. An automatic or manual underground irrigation system ~~which~~ that may be a conventional spray or bubbler type heads.
(b) *Drip or Leaky-Pipe System*. An automatic or manual underground irrigation system in conjunction with a water-saving system such as a drip or a leaky pipe system.
(c) *Temporary and Aboveground Watering*. Landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses and wildflowers, may use a temporary and above ground system, and shall be required to provide irrigation for the first two (2) growing seasons only.

(2) *Natural and Undisturbed Areas*. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.

(3) *Compliance with State Law*. All irrigation systems shall comply with the irrigation code of Chapter 10, *Buildings and Building Regulations*, Article XVI, *Irrigation Code*, of the City of Rockwall Code of Ordinances, and all applicable state laws, as may be amended.

(Ord. No. 09-23, 6-15-2009)

~~*SUBSECTION 5.06: SCREENING FROM RESIDENTIAL USES*~~ *[MOVED TO SECTION 5.03]*

~~A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district, or any multi-family use with more than five dwelling units or parking lot that has a side or rear contiguous to any single-family, townhouse, or duplex district, shall be screened with a masonry fence (tilt wall or concrete block are prohibited; however, precast walls may be approved by the planning and zoning commission), six feet in height. As an alternative, berms in conjunction with a minimum of a six-foot wrought fence and a combination of trees and shrubs can be utilized to meet the screening requirements if the planning and zoning commission determines that the proposed alternative will provide sufficient screening. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.~~

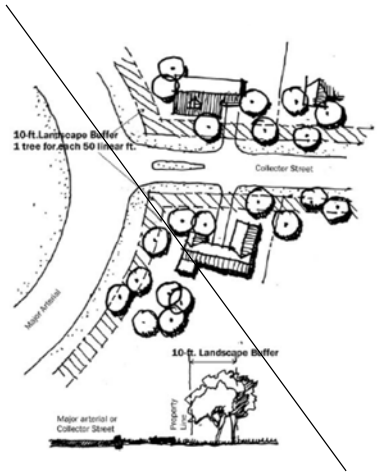
~~B. Prior to construction of any required screens, complete plans showing type of material, depth of beam, and structural support shall be analyzed by the building permit office to determine whether or not:~~

~~(1) The screen will withstand the pressures of time and nature;~~
~~(2) The screen adequately accomplishes the purpose for which it was intended;~~
~~(3) Plans shall be sealed by a registered engineer or they shall conform to the city's standard design for screening walls.~~

~~C. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof.~~

~~D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.~~

~~*(Ord. No. 15-32, § 2, 12-7-2015)*~~



~~*SUBSECTION 5.07: STREET LANDSCAPING*~~ *[MOVED TO SECTION 5.03]*

~~A street landscape buffer strip with a minimum width of ten feet, must be provided along the entire length of the property to be developed that is adjacent to a major arterial or collector street, as defined in the city's thoroughfare plan, exclusive of driveways and access-ways. Large trees, as herein defined, shall be provided in the required buffer in numbers equal to one tree for each 50 feet of street frontage.~~

~~*SUBSECTION 5.08: RIGHT-OF-WAY LANDSCAPING REQUIREMENTS*~~ *[MOVED TO SECTION 5.03]*

~~All street rights-of-way located adjacent to the proposed development shall be improved with grass or ground cover material and shall be maintained. It shall be the responsibility of the developer to design the irrigation system within the lot to ensure that the grass placed in the right-of-way is watered and maintained and to ensure that minimal water will enter the street itself. The designer of the irrigation system shall base the design on the ultimate proposed width of the street when designing the system. The plans for design of the irrigation system shall be approved by the city prior to installation.~~

~~*SUBSECTION 5.09: PARKING LOT LANDSCAPING*~~ *[MOVED TO SECTION 5.03]*

~~A. Any parking lot with more than two rows of spaces shall have a minimum of five percent or 200 square feet, whichever is greater, in the interior of the parking lot in landscaping. Such landscaping shall be counted toward the total landscaping.~~

~~B. If the parking and maneuvering space exceeds 20,000 square feet one large canopy tree for every ten required parking spaces shall be required internal to the parking lot. No tree shall be planted closer than 2½ feet to the pavement.~~

~~(1) No required parking space may be located more than 80 feet from the trunk of a large canopy tree.~~
~~(2) No tree may be planted closer than 2½ feet to the pavement.~~
~~(3) All trees must be internal to the parking lot.~~

SUBSECTION 5.0510: XERISCAPING/SMARTSCAPING STANDARDS

(A) *Purpose*. The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping/smartscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.

(B) *Principles*. All xeriscaping/smartscaping plans submitted to the city should demonstrate conformance with the following principles:

(1) *Planning and Design*. Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: [*1*] preserves and protects existing vegetation, [*2*] preserves and protects topsoil, [*3*] stabilizes and covers all bare soil areas, and [*4*] incorporates energy/water conservation.

(2) *Soil Improvement*. Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.

(3) *Appropriate Plant Selection*. Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape/smartscaping plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the city has been provided in Appendix F, *Recommended Plantings*~~, of the Unified Development Code~~; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: [*1*] diversity of the plant species being proposed, [*2*] size, maturity and water requirements of the selected plantings, and [*3*] variation of height, spread and color.

(4) *Practical Turf Areas*. The type and location of turf areas are considered to be a major design element in xeriscape/smartscaping plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: [*1*] the design of the turf areas (with rounded, compact turf areas being more efficient), [*2*] turf areas should be designed to be on a separate zone from other landscaping, [*3*] turf should be appropriate for the selected location, [*4*] turf should be avoided on slopes and drainage areas in favor of native grasses, and [*5*] minimize turf areas by using native grasses, hardscape elements and alternatives.

(5) *Efficient Irrigation*. All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.

(6) *Use of Mulches*. Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape/smartscaping plans staff shall ensure: [*1*] the use of a deep layer of mulch in planting beds (*typically three to four inches*) is utilized, and [*2*] mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.

(7) *Appropriate Maintenance*. Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape/smartscaping plans require less maintenance, fertilizer and other chemicals and pesticides.

(C) *Standards*.

(1) If approved with a *Landscape Plan* native grasses shall be exempt from the rules and requirements of Section 16-43, *Weeds, Brush and Grass*, of Chapter 16, *Environment*, of the Municipal Code of Ordinances; however, the grass should be maintained to a height typical for the particular native grass.

(2) Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.03(E) ~~section 5.12.C~~ (*i.e. one [1] tree per every 750 SF and one [1] accent tree per 1,500 SF of ~~dry land~~ detention area*). Instead, a shrub or ornamental grass per every 750 SF of dry land area shall be required to be planted on the site or around the detention area.

(3) A maximum of 30% ~~percent~~ mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning and Zoning Commission if deemed appropriate and necessary for the proposed plan.

(D) *Approval of Xeriscape/Smartscape Plans*. All xeriscape/smartscape plans shall require approval by the Planning and Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

(Ord. No. 15-32, § 2, 12-7-2015)

~~SUBSECTION 5.11: DIMENSIONS OF LANDSCAPING~~ *[MOVED TO SECTION 5.03]*

~~All required landscaping shall be no less than five feet wide and a minimum of 25 square feet in area unless it is within ten feet of the building.~~

~~SUBSECTION 5.12: REQUIRED LANDSCAPING~~ *[MOVED TO SECTION 5.03]*

~~A. Amount of landscaping.~~

~~1. Minimum square footage requirements for landscaping shall be provided and maintained in the zoning districts set forth as follows. The requirements shall be applied to the total site area to be developed:~~

	~~Percent Requirement~~	~~Net Percent Requirement with Maximum Credits~~
~~Multi-family~~	~~25~~	~~20~~
~~Residential-office~~	~~25~~	~~20~~
~~Neighborhood service~~	~~20~~	~~15~~
~~Research/technology~~	~~20~~	~~15~~

General retail	15	10
Commercial	15	10
Heavy commercial	10	5
Light industrial	10	5
Heavy industrial	10	5

2. The total site area required for landscaping may be reduced by no more than five percent in accordance with the provisions of section 6. For example, the required percentage of 15 percent for commercial zoning could be reduced to a total of ten percent under the terms of section 6.

B. Location of landscaping. No less than 50 percent of the total requirement shall be located in front of and along side buildings with street frontage in the following zoning districts: "MF-14," "RO," "NS," "GR," "C" and "RT." One hundred percent of the total requirement shall be located in front of and along side buildings with street frontage in the following zoning districts: "HC," "LI," "HI."

C. Detention basins. Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs and trees in all dry land areas. There shall be a minimum of one tree for each 750 square feet of dry land area.

(Ord. No. 06-14, 4-17-2006)

SECTION 6. - LANDSCAPE CREDITS

Credits toward achieving to the landscape requirements may be achieved as follows:

SUBSECTION 6.01: CREDIT FOR REQUIRED LANDSCAPE BUFFERS-STRIPS BETWEEN NON-RESIDENTIAL AND NON-RESIDENTIAL ZONING-USED OR ZONED LAND

The overall landscaping requirement may be reduced by 2.5 percent when the buffer-strip, whether required or not, has a minimum average width of 15 feet or greater and contains at least one large tree every 40 feet, or large shrubs at least every ten feet the entire length of the perimeter adjacent to property with residential zoning. This perimeter must equal at least 25 percent of the total perimeter of all adjacent private property.

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer between a non-residential or multi-family land use and a residentially zoned or used property is increased from 20-feet to 40-feet, and utilizes a berm along the entire length of the required landscape buffer. The length of the landscape buffer must be at least the length of the minimum lot depth of the zoning district for which the subject property is located as stipulated by Article V, *District Development Standards*.

SUBSECTION 6.02: CREDIT FOR SURFACE PARKING SCREENING

The overall landscaping requirement may be reduced by 2.5 percent when a surface parking lot located adjacent to a public street is screened as follows:

A. The screen must be voluntary, not required by this Unified Development Code.

B. The screening must be located along the entire length of street frontage of the parking lot, exclusive of driveways, accessways, and visibility triangles. Visibility triangles will be maintained at all driveway intersections.

~~C. The screening must be at least three feet in height utilizing only evergreen planting materials, berms, and/or masonry walls.~~

~~D. The adjacent street must be generally at the same grade level of the parking lot or below for such credit to qualify.~~

SUBSECTION 6.03: CREDIT FOR ~~RIGHT-OF-WAY LANDSCAPING~~ REQUIRED LANDSCAPE BUFFER ADJACENT TO A PUBLIC STREET

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer adjacent to a public street is increased from ten (10) feet to 20-feet, and a minimum of two (2) Canopy Trees and four (4) Accent Trees are added per 100-linear feet of frontage. The landscape buffer shall also incorporate a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. The berm and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches.

~~The overall landscaping requirement may be reduced by 2.5 percent when the public right-of-way adjacent to a proposed development is landscaped meeting the following requirements:~~

~~A. All landscaping in the right-of-way shall be provided sufficient irrigation for maintenance.~~
~~B. Plants used in landscaping in the right-of-way shall only be varieties included on the approved plant list.~~
~~C. The plan for landscaping in right-of-way shall be submitted and approved by the city prior to any work being done in the right-of-way.~~
~~D. In certain cases, the city may determine that landscaping in the right-of-way may be infeasible and in such cases this credit shall not apply.~~
~~E. Landscaping shall include ground cover, shrubs, trees and/or other plant materials and must cover at least 50 percent of the adjacent right-of-way, exclusive of driveways, to qualify for this credit. Grass alone shall not qualify for this credit.~~
~~F. If the city has an adopted landscape plan for the street adjacent to the proposed project, any proposed improvements must be in compliance with said plan.~~

SUBSECTION 6.04: CREDIT FOR XERISCAPING/SMARTSCAPING

The overall landscaping requirement may be reduced by 2½% ~~percent~~ when the Director of Planning and Zoning or his/her designee determines that the standards stipulated by Section 5.~~10~~05, *Xeriscaping/Smartscaping Standards*, of this Article have been satisfied.

(Ord. No. 15-32, § 2, 12-7-2015)

SECTION 7. - COMPLETION OF LANDSCAPING

SUBSECTION 7.01: IN ACCORDANCE WITH APPROVED PLANS

Except as otherwise provided in Subsection 7.02, all landscaping must be completed in accordance with the approved *Landscape Plan* before a Certificate of Occupancy (CO) may be issued for any building on the lot; however, during drought or water emergency response stages the Director of Planning and Zoning or his/her designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.02) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and

Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.

(Ord. No. 15-32, § 2, 12-7-2015)

SUBSECTION 7.02: ESCROW AND ASSURANCE

If, due to circumstances beyond the property owner's control, the required landscaping cannot be installed prior to completion of the building and if the property owner provides the Chief Building Official with documented assurance that the landscaping will be completed within six (6) months and the funds required to complete the project are placed in escrow with the City, the Chief Building Official may issue one (1), six (6) month temporary Certificate of Occupancy (CO) and permit the property owner to complete his landscaping during the six (6) month period. For purposes of this subsection, "documented assurance" means a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six (6) month period. The City shall hold the funds in escrow until such time as the landscaping is completed in accordance with the approved plan.

SUBSECTION 7.03: FORFEITURE OF ESCROW

If a temporary Certificate of Occupancy (CO) is issued under Subsection 7.02. and, at the end of the six (6) month period, no permanent Certificate of Occupancy (CO) has been issued because the landscaping has not been installed in accordance with the landscape plan, the property owner shall be deemed in violation of this section, the funds placed in escrow shall be forfeited, and the City shall issue a citation for said violation, unless an extension is granted by the City Manager.

SECTION 8: ~~RESERVED~~ FENCE STANDARDS

SUBSECTION 8.01: FENCE PERMIT

No fence shall be constructed within the City without the owner or authorized agent of the owner having secured a permit from the Chief Building Official or his/her designee. A fence repair permit shall be required for the replacement of 25-feet or more of fencing and/or the replacement of five (5) or more posts. The Chief Building Official or his/her designee shall establish and maintain an application for a fence permit that can be utilized for the purpose of issuing fence permits. The fees for such permits shall be established by resolution by the City Council.

SUBSECTION 8.02: GENERAL FENCE STANDARDS

The following general fencing requirements shall apply for all residential and non-residential fences:

(A) *Projections*. No fence guy wire, brace, light standard, sign, vee arm barbed wire base and arm, or any structure attached to a fence shall protrude over any property line.
(B) *Material Requirements*. Unless otherwise provided for in this section [*i.e.* Section 8, *Fence Standards*], the following material requirements shall apply to all residential and non-residential fences:

(1) Permitted fencing materials are limited to wood pickets, vinyl coated chain link, wrought iron, decorative metal (*i.e. with the appearance of wrought iron but is made of powder-coated steel, aluminum or covered with a corrosion protection finish*), brick, stone, split face CMU or burnished block, vinyl, fiberglass composite, and concrete with stone face/form liner.
(2) Steel pipe shall be allowed for residential fences as specified in Subsection 8.03(C).

(3) Barb wire fences may be used without restrictions when in conjunction with an agricultural related land use; however, no barbed wire fence shall be located on any property that is zoned or used as a residential property. In areas where barbed wire fences are allowed, arms or base and arms with barbed wire shall not have more than three (3) stands a fixed to the arm or base and arm. Constantine or razor wire is prohibited. Any projection of an arm or base for the purpose of affixing barb wire will be considered a part of the fence for the purposes of determining the maximum height.

(4) It shall be unlawful for any person to construct or maintain any electrical fence or electrical attachment to a fence.

(5) Precast, smooth face CMU, and corrugated or *R-Panel* fencing shall be prohibited.

(6) Solid wood fencing exceeding 48-inches in height shall be constructed using metal posts set in concrete, or brick, stone or a combination of brick and stone columns.

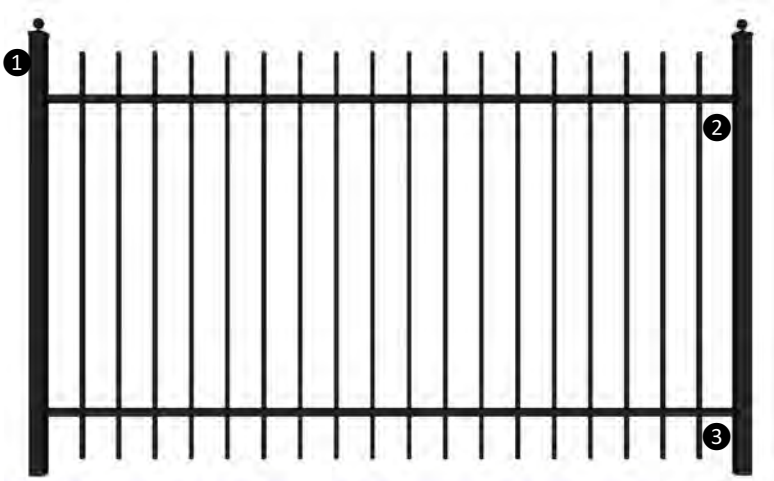
(C) *General Fence Details*. Unless otherwise specified in this section, fences constructed in the City of Rockwall shall generally conform to the following minimum fence details:

(1) *Wood Fences*.



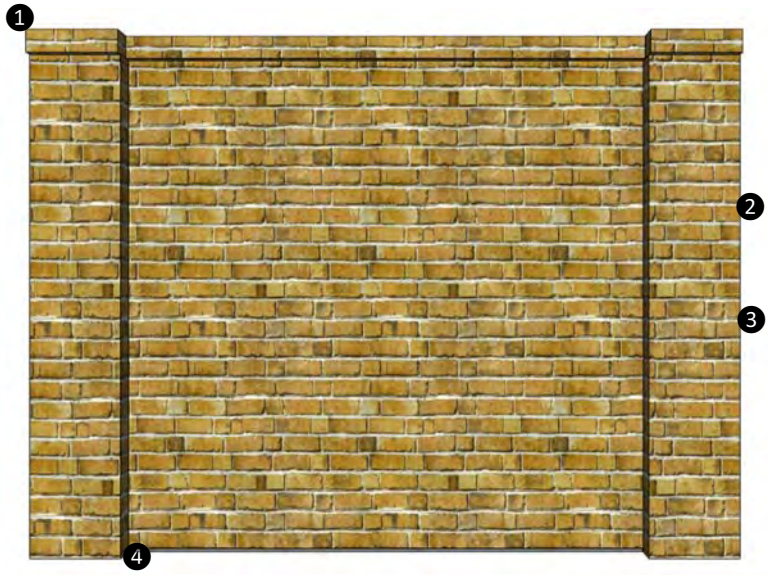
❶ Top Rail; ❷ Galvanized or Stainless-Steel Post (*Recommended Minimum of* $2\frac{3}{8}$"); ❸ Stinger Board (Recommended Minimum of 2" x 3"); ❹ Minimum ½" Wood Screen.

(2) *Wrought Iron Fence*.



❶ Painted or Powder Coated with a Decay Resistant Paint; ❷ Top Rail; ❸ Bottom Rail.

(3) *Masonry Wall*.



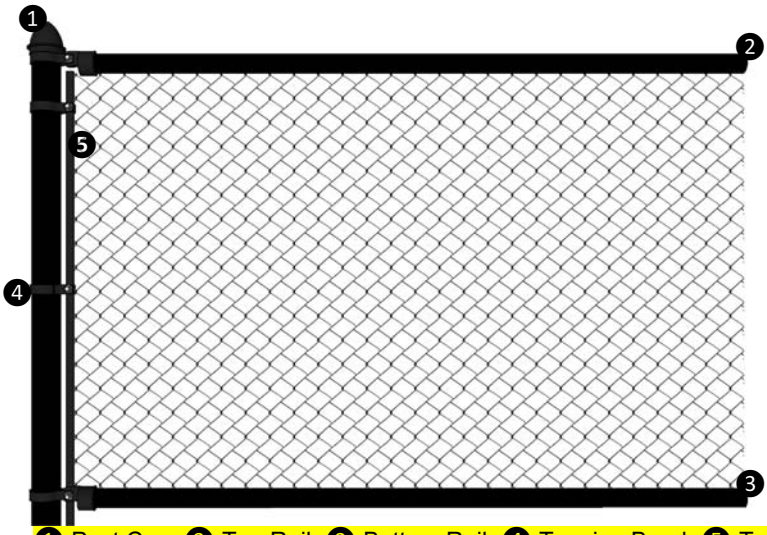
❶ Rowlock Cap; ❷ Running Bond; ❸ 3/8 Tooled Joints (*Typical*); ❹ Concrete Footing/Mow Strip.

(4) *Fence with Masonry Columns*.



❶ Rowlock Cap; ❷ Running Bond; ❸ 3/8 Tooled Joints (*Typical*); ❹ Wrought Iron or *Board-On-Board* Wood Fence.

(5) *Vinyl Coated Chain-Link Fence*.



❶ Post Cap; ❷ Top Rail; ❸ Bottom Rail; ❹ Tension Band; ❺ Tension Bar.

(D) *Fence Height Requirements*. All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard, and shall adhere to the following height requirements:

(1) Residential fencing shall have a maximum height of eight (8) feet.
(2) Non-residential fencing shall have a maximum height of 12-feet.

(E) *Temporary Fences*. The Chief Building Official or his/her designee may permit temporary fencing for the purpose of protecting or securing a construction site. The temporary fences duration of use, location, height, and materials of the temporary fence shall be stated in the request to the Chief Building Official or his/her designee. Barbed wire fencing may be permitted for temporary use; however, Constantine or razor wire is prohibited.

SUBSECTION 8.03: RESIDENTIAL FENCES

(A) *Fence Standards for New Subdivisions.* All individual residential fencing and walls proposed for new subdivisions shall be architecturally compatible with the design, materials, and colors of the primary structure or structures on the same lot or within the subdivision, and meet the following minimum standards:

(1) *Solid Fencing.* All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side* (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the *private side* (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

(2) *Transparent Fencing.* All transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height. Transparent fencing is required adjacent to all perimeter roadways (*i.e. along the perimeter of the subdivision*), abutting open spaces, greenbelts and parks.

(3) *Corner Lots.* Corner lot fences (*i.e. adjacent to a street, open space, or parks*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A solid cedar *board-on-board* panel fence that is a minimum of six (6) feet in height and a maximum of eight (8) feet in height shall be allowed between the masonry columns along the side and/or rear lot adjacent to an interior street. The fence shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(4) *Perimeter Subdivision Fencing*. Perimeter subdivision fencing shall be constructed of six (6) foot tall tubular steel or wrought-iron type fencing with masonry columns, landscaping, and entry features. All common areas and perimeter subdivision fencing shall be maintained by a Homeowner's Association (HOA) as specified in the City's subdivision regulations.

(5) *Exceptions*. The Planning and Zoning Commission may consider alternative materials that are permitted by Subsection 8.02(B) (*e.g. vinyl or split rail fencing*) or alternative screening for perimeter fencing (*e.g. earthen berms with landscaping*) on a *case-by-case* basis at the time of preliminary plat and/or site plan for all new residential subdivisions. These exceptions will be subject to the approval criteria and voting requirements stipulated by Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(B) *Fence Standards for Existing and Infill Single-Family and Duplex Properties.* All fences being proposed in established residential areas (*i.e. established single-family or duplex subdivision or areas*) -- *that are not regulated by a Planned Development District ordinance* -- shall be architecturally compatible with the design, materials, and colors of the existing fences in the area; however, the following minimum standards shall apply to all fences requiring a fence permit in these areas:

(1) *Solid Fencing.* All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side* (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or

framing shall be placed on the *private side* (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

(2) *Transparent Fencing.*

(a) *Wrought Iron Fences*. All new transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height.

(b) *Chain-Link Fences*.

(I) *New Chain-Link Fences.* New chain-link fences shall be prohibited.

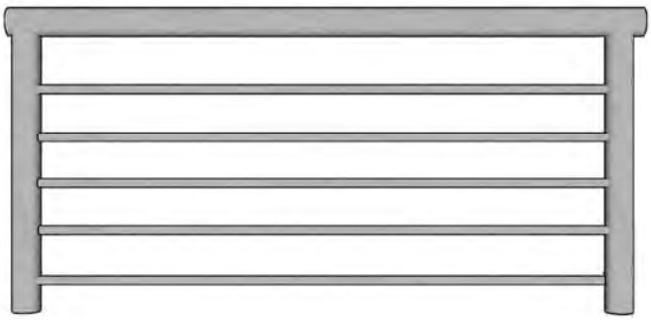
(II) *Replacement of an Existing Chain-Link Fence*. Existing chain-link fences maybe replaced with a new vinyl coated, chain-link fence that is a minimum of four (4) feet in height and a maximum of six (6) feet in height. Replacement chain-link fences may only be placed in the location of the existing chain-link fence.

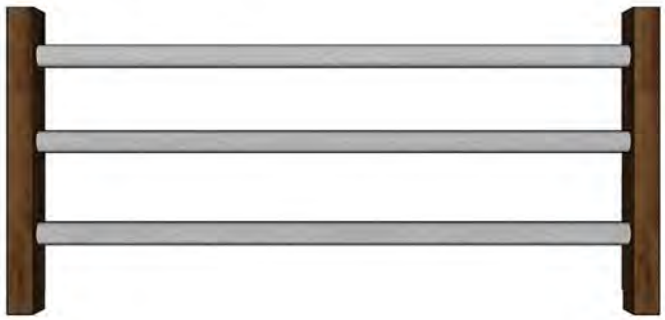
(III) *Chain-Link Fences in Conjunction with an Accessory Use*. Chain-link fences that are integral to the design of an accessory use (*e.g. dog run, batting cage, etcetera*) maybe be permitted; however, the fence shall be placed a minimum of ten (10) feet from the property lines unless completely screened from adjacent properties, open spaces, right-of-way, and parkland by a structure, fence or solid landscape screen.

(3) *Special Exceptions*. The Planning and Zoning Commission may consider alternative materials that are permitted by Subsection 8.02(B) (*e.g. vinyl or split rail fencing*) on a *case-by-case* basis. These exceptions will be subject to the approval criteria and voting requirements stipulated by Section 9.01, *Exceptions to the General Standards*, of Article XI, *Development Applications and Review Procedures*.

(C) *Fence Standards for Agricultural and Single-Family Estate Properties*. Fences in the Agricultural (AG), Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), and Single-Family Estate 4.0 (SFE-4.0) Districts shall meet all the requirements stipulated for Subsections 8.03(A) & 8.03(B); however, a metal split-rail or pipe fencing shall be permitted in these districts. Metal split-rail or pipe fencing shall be a minimum of four (4) feet and a maximum of eight (8) feet in height.

EXAMPLE OF METAL SPLIT-RAIL AND/OR PIPE FENCING





(D) *Fence Placement.*

(1) *Fences in the Rear and Side Yard*. Fences may be placed in the rear and side yards; however, the following conditions shall apply:

(a) *Side Yard Fences*. Side yard fences shall not extend beyond the front façade of a single-family structure. In cases where a structure has a front porch or other encroachment, the fence shall not extend beyond where the front porch or encroachment meets the front façade of the single-family structure (*as depicted in Figure 18*).

(b) *Abutting an Alleyway*. Fences abutting an alleyway are permitted to be constructed on the side or rear property lines (*as depicted in Figure 14*).

(c) *Through Lots*. Fences proposed for *Through Lots* (*i.e. lots that have street frontage adjacent to the front and rear yard property lines*) may construct a fence on the rear yard property line if all lots within the block have the same lot configuration (*i.e. if all lots are Through Lots fronting in the same direction*) (*as depicted in Figure 15*). If a *Through Lots'* rear property line is adjacent to a house, the rear yard fence for the *Through Lot* shall not extend past the front yard building line (*as depicted in Figure 17*).

(d) *Corner Lots*. Corner lots shall be permitted to construct a fence along the side yard property line adjacent to a street (*as depicted in Figure 14*); however, in cases where a house is facing in the same direction as the side yard of a corner lot, the side yard fence adjacent to the street shall not extend beyond the front yard building setback (*as depicted in Figure 16*).

Figure 14: Corner Lots.

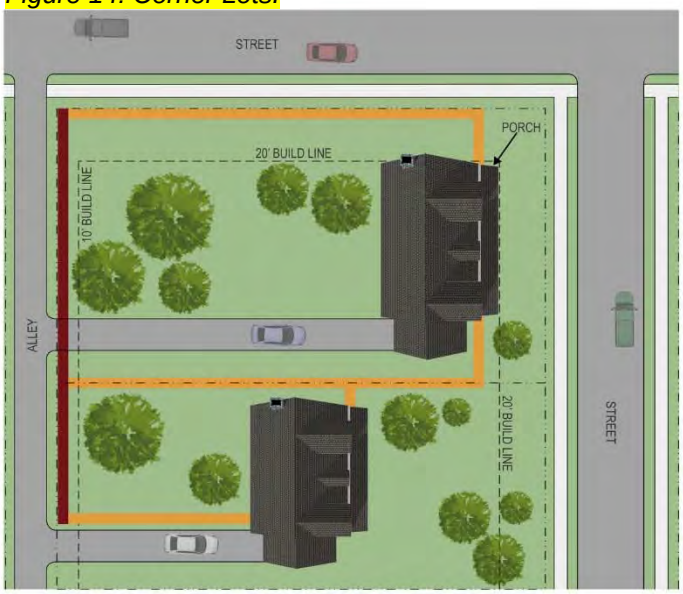


Figure 15: Fences Back to a Street.

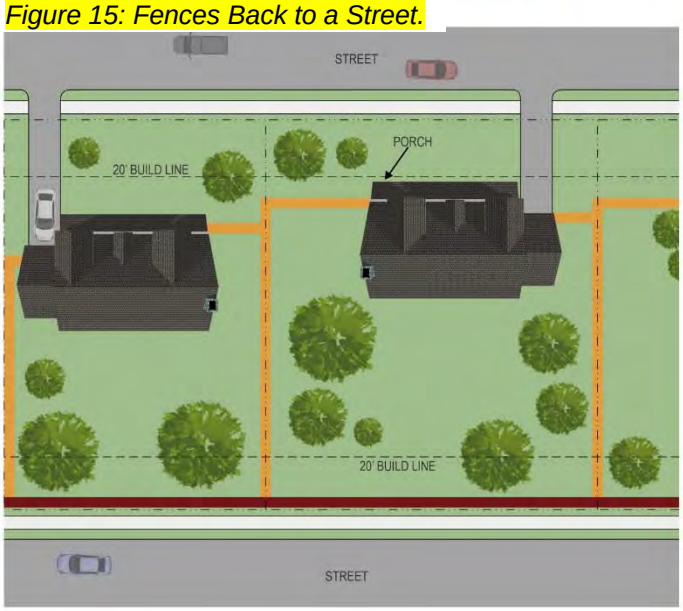


Figure 16: Fences Backing to a Side Yard.

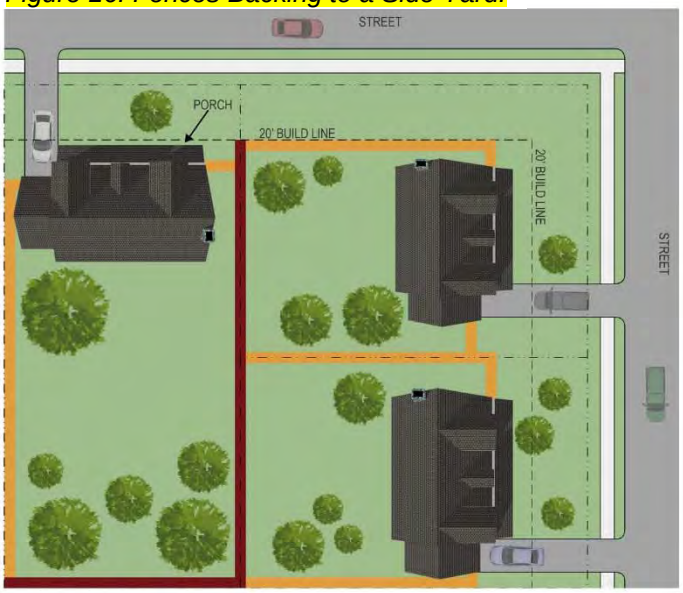


Figure 17: Through Lots.

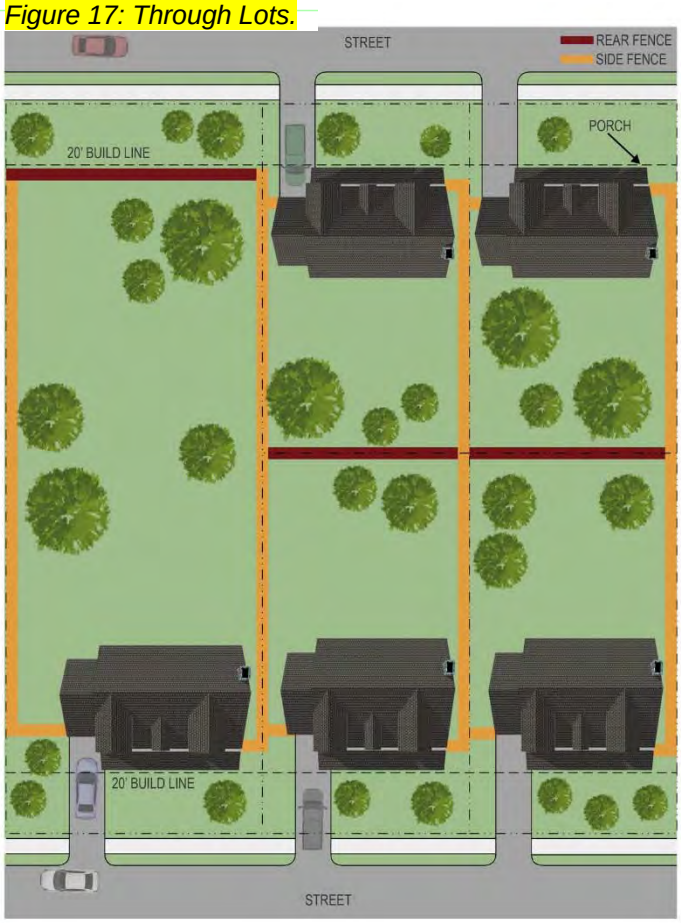
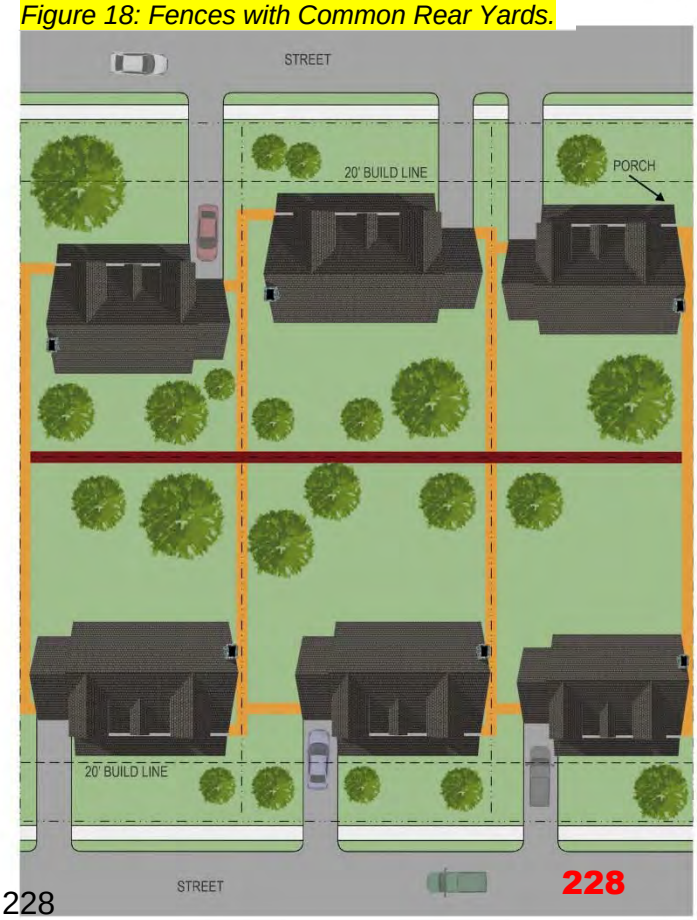


Figure 18: Fences with Common Rear Yards.

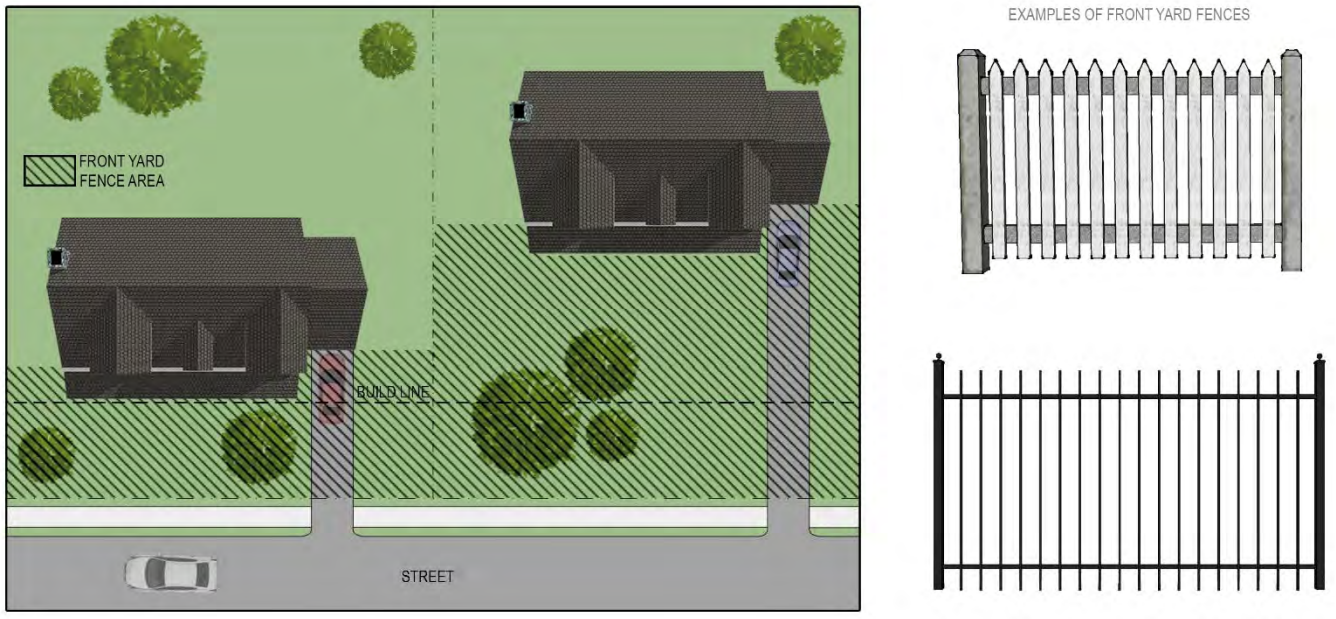


(2) *Fences in the Front Yard*. No fence shall be constructed in the front yard of a residential property without being granted an exception from the Planning and Zoning Commission unless specifically permitted by Subsection 8.03(D)(3). For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (*as depicted in Figure 14*). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

(a) *Wood Fences*. Wood fences that are 50% transparent (*e.g. as depicted in Figure 14*) shall not exceed 42-inches in height.
(b) *Wrought Iron or Decorative Metal Fences*. Wrought iron or decorative metal fences that are 50% transparent (*e.g. as depicted in Figure 14*) shall not exceed 48-inches in height.
(c) *Opaque Fences*. Opaque fences are prohibited in the front yard of residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

Figure 19: Residential Front Yard Fences



(3) *Exemptions to the Front Yard Fence Requirements.* The following front yard fences are exempted from the exception process for front yard fences:

(a) *Model Homes.* Model homes that incorporate a fence that is 50% transparent (*e.g. as depicted in Figure 14*), and that does not exceed a maximum height of 42-inches may establish a front yard fence; however, these fences are considered to be temporary and must be removed at the time a permanent residence is established. Alternatively, an exception for a front yard fence can be approved in accordance with the procedures outline in Subsection 8.03(D)(2).
(b) Single-Family Estate Properties. Properties in a Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), or Single-Family Estate 4.0 (SFE-4.0) District shall be permitted to construct a

front yard fence that is 50% transparent (*e.g. as depicted in Figure 14*) and that does not exceed 48-inches in height as long as the fence is [*1*] architecturally harmonious with the development, and [*2*] constructed of metal split rail, wood picket, vinyl, wrought iron, and/or painted steel.

SUBSECTION 8.02: NON-RESIDENTIAL FENCES

(A) *Fence Standards for Properties in a Commercial District.* Non-required fences in the Neighborhood Services (NS), General Retail (GR), and Commercial (C) Districts, shall be constructed of the materials outlined in Subsection 8.02(B); however, wood and vinyl coated chain-link fences shall be prohibited.

(B) *Fence Standards for Properties in the Residential Office (RO) and Downtown (DT) Districts.* Fences in the Residential Office (RO) District and the Downtown (DT) District shall be constructed of the materials outlined in Subsection 8.02(B). Unless otherwise specified in Subsection 4.07, *Downtown (DT) District*, of Article V, *District Development Standards*, wood fences proposed in a Residential Office (RO) District or Downtown (DT) District -- *in conformance with the requirements of Subsection 8.03(B)* -- shall be permitted on properties that have adjacency with a residential zoning district, residentially used property, or a property that has an existing wood fence.

(C) *Fence Standards for Properties in an Industrial District.* Non-required fences in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts, shall be constructed of the materials outlined in Subsection 8.02(B); however, wood fences shall be prohibited.

(D) *Fence Placement*.

(1) *Side and Rear Yard Fences*. Fences may be placed on the side and/or rear yard property line of any non-residential property; however, the Planning and Zoning Commission may require a fence location to be adjusted to account for site constraints through the site plan process.

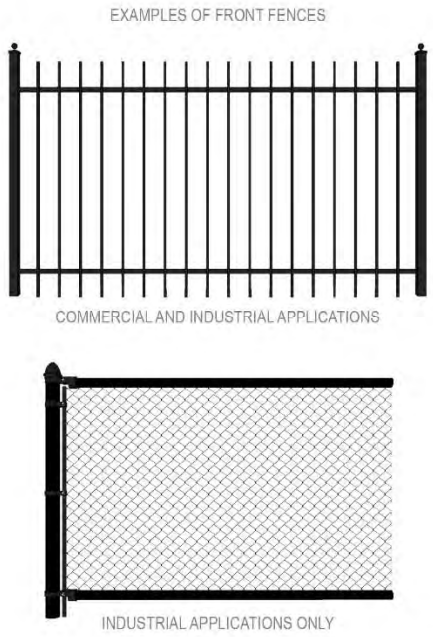
(2) *Front Yard Fences*. No fence shall be constructed in the front yard of a non-residential property without being granted an exception from the Planning and Zoning Commission. For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (*as depicted in Figure 15*). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

(a) *Location.* Properties adjacent to IH-30, John King Boulevard, and SH-205 shall be prohibited from having a front yard fence.
(b) *Wrought Iron or Decorative Metal Fences*. Wrought iron or decorative metal fences (*e.g. as depicted in Figure 15*) shall not exceed eight (8) feet in height.
(c) *Vinyl Coated Chain-Link*. In the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) District a vinyl coated chain-link fence may be established in the front yard pending that it [*1*] is situated a minimum of ten (10) feet off of the front property line, and [*2*] three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) is established in front of the proposed front yard fence along the entire length of the front property line.
(d) *Opaque Fences*. Opaque fences are prohibited in the front yard of non-residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

Figure 20: Non-Residential Front Yard Fences





SECTION 9: GENERAL MAINTENANCE

SUBSECTION 9.01: MAINTENANCE REQUIREMENTS FOR LANDSCAPING

Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. Any plant that dies must be replaced with another approved plant variety, generally of the same size, that complies with the approved *Landscape Plan* within 90 days after notification by the City.

SUBSECTION 9.01: MAINTENANCE AND INSPECTION REQUIREMENTS FOR FENCES

For information concerning the inspection and maintenance of fences see Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances.

SUBSECTION 9.0~~2~~3: UTILITY LINES AND RIGHT~~S~~-OF-WAY

Any damage to utility lines resulting from the negligence of the property owner, his agents, or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials, and return them to their prior locations after the utility work. If, nevertheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

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Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE X, PLANNED DEVELOPMENT REGULATIONS, UDC

SECTION 1: ~~PLANNED DEVELOPMENT~~ GENERAL

SUBSECTION 1.01: PURPOSE

The purpose of this article is to provide for the creation of planned development zoning districts ("PD Districts"). PD Districts are intended to provide for the development of land as an integral unit for single or mixed use in accordance with a PD concept plan that may include uses, regulations and other requirements that vary from this Unified Development Code or from other ordinances, rules or regulations of the city. PD Districts are intended to implement the goals and objectives of the city's comprehensive plan, but may be accompanied by specific amendments to provisions of the comprehensive plan, the parks and open space plan or the thoroughfare plan. PD Districts are also intended to encourage flexible and creative planning, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

- ☑ To provide for a superior design of lots or buildings;
- ☑ To provide for increased recreation and/or open space opportunities for public use;
- ☑ To provide amenities or features that would be of special benefit to the property users or community;
- ☑ To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and view corridors;
- ☑ To protect or preserve existing historical buildings, structures, features or places; or
- ☑ To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

(Ord. No. 10-14, § 55, 7-6-2010)

SUBSECTION 1.02: NATURE OF PD DISTRICTS ~~AND MINIMUM STANDARDS~~

Each ~~PD~~ Planned Development (PD) District is intended to be a freestanding zoning district in which land uses and intensities of land use may be tailored to fit the physical features of the site and to achieve compatibility with existing and planned adjacent uses. In order to ensure that a PD District implements the policies of the comprehensive plan, and to further ensure that the PD District is in accordance with a comprehensive plan of zoning regulation, it is necessary to establish minimum standards for residential and nonresidential uses proposed for the PD District that must be incorporated within an ordinance adopted by the council (the "PD ordinance").

~~(A) *Land Use.*~~

~~(1) *Uses.* Unless otherwise provided by the PD Planned Development (PD) District Ordinance, only those uses authorized by this Unified Development Code are permitted in PD Planned Development (PD) Districts.~~

~~*(Ord. No. 10-14, § 56, 7-6-2010)*~~

~~(2) *Location.* The location of all authorized uses shall be consistent with the PD concept plan and/or PD site plan submitted with the Planned Development (PD) District.~~

~~(B) *Open Space Standards.*~~

~~Public and private open space. Unless otherwise provided by the PD ordinance, a minimum of 20 percent of the gross land area within the entire PD District shall be devoted to open space, except where a floodplain exists in the proposed development in which case the dedicated floodplain shall be allowed to count for up to 50 percent of the 20 percent open space requirement, and shall be consistent with the open space requirements of the city's parks and open space plan. Open space for PD Districts may be satisfied by either public or by a combination of public and private open space. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering. Public open space shall be dedicated to the city.~~

~~*(Ord. No. 07-18, 6-04-2007)*~~

~~(1) Preservation of natural features. Unless otherwise provided by the PD ordinance or PD concept plan:~~

~~(a) Floodplain areas shall be preserved and maintained as open space; and~~
~~(b) Significant stands of native trees and shrubs shall be preserved and protected from destruction or alteration.~~

~~(2) Open space allocation. Open space requirements shall be satisfied for each phase of a multi-phased residential development. If open space is not to be provided proportionally among phases of development, the applicant must execute a reservation of open space in a form that will assure the city that such open space will be provided. The city may require that all open space within the district must be provided prior to completion of development within the district.~~

~~(3) In a residential planned development, all lots less than 12,000 square feet shall be located within 800 feet of a neighborhood-oriented park or open space corridor, which shall be landscaped and serve as a visual amenity and/or gathering place for socializing with neighbors.~~

~~*(Ord. No. 07-18, 6-04-2007)*~~

~~(C) *Other minimum development standards.*~~

~~(1) Dimensional and area standards. Unless otherwise provided by the PD ordinance, dimensional and area standards for uses shall be the most restrictive standards authorized by this Unified Development Code for the same or similar uses.~~

~~*(Ord. No. 10-14, § 57, 7-6-2010)*~~

~~(2) Density standards for residential use. Unless otherwise provided by the PD ordinance, a residential planned development shall allow for a density greater than one unit per gross acre and up to two units per gross acre with a mixture of uses and residential unit size with no minimum lot size. The planned development zoning may be allowed based on the following:~~

~~☑ Topographic conditions that will result in quality open space and building arrangements.~~
~~☑ Mix of unit types to accommodate elements of "life-cycle" housing.~~
~~☑ Amount and distribution of open space to enhance value creation.~~
~~☑ The overall master plan and arrangement of buildings and uses.~~
~~☑ The property should be 50 acres or more in size to adequately accommodate the transition to surrounding development.~~

~~Additionally, in a residential planned development, a density up to 2.5 units per gross acre may be allowed with the dedication and/or development of additional amenities that would exceed the minimum standards for residential planned developments which could include:~~

~~☑ Parks and open space.~~
~~☑ Golf course.~~
~~☑ Neighborhood amenity/recreation center.~~
~~☑ Integration of schools into the community fabric.~~

☑ Development of trails and parks in floodplains.
☑ Development of municipal parks and recreation facilities.

(3) *Anti-Monotony Standards for Residential Use*.

(a) Exterior wall materials must comply with section 3.1, General Residential District Standards, of article V of this [Unified Development] Code. Additionally, masonry chimneys shall be required on all homes.
(b) Front elevations shall not repeat along any block face without at least four intervening homes of differing appearance on the same side of the street and two intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two intervening homes of differing appearance. Identical brick blends may not occur on adjacent (side by side) properties. Homes may differ in appearance in any two of the following ways:

☑ Number of stories.
☑ Garage location.
☑ Roof type and layout.
☑ Articulation of the front facade.

(4) *Fencing Standards*.

(a) Solid fencing shall be cedar standard fencing material (minimum one-half-inch thickness or more). Spruce fencing will not be allowed. All cedar pickets shall be placed on the "public side" facing a street or an alley. All posts and framing shall be placed on the "private side" of the fence. Other types of solid fencing (such as vinyl) may be considered on a case-by-case basis during the review of the PD development plan.
(b) Tubular steel or wrought iron type fencing shall also be allowed.
(c) Tubular steel or wrought iron type fencing shall be required on all lots located adjacent to perimeter roadways, open spaces, greenbelts and parks.
(d) Split rail fencing shall be allowed on lots containing 20,000 square feet or more.
(e) Fencing on corner lots constructed adjacent to the street shall provide masonry columns at 45 feet off-center spacing that begins at the rear property lien corner and terminates at least 15 feet behind the front yard building setback line. A maximum six-foot high, solid board-on-board "panel" cedar fencing or wrought iron type fencing shall be allowed between the masonry columns along the side and/or rear yard adjacent to a street.

☑ On corner lots which have rear lot liens adjacent to alleys or other rear lot lines, fences may be constructed along the side yard adjacent to the street, subject to a minimum five feet setback from the right-of-way. The property owner shall maintain that portion of the property outside of the fence.
☑ On corner lots which have rear lot lines adjacent to a side lot line of an adjoining lot(s), only tubular steel or wrought iron-type fences not exceeding 42 inches in height may be constructed beyond the building line. Fences constructed on or behind the building line shall comply with the materials requirement in section 4.e above.

(f) All common areas and perimeter fencing shall be maintained by a homeowners association as specified in the city's subdivision regulations. Perimeter fencing shall be constructed of six-foot tall tubular steel or wrought iron type fencing with masonry columns and entry features. The planning and zoning commission may consider alternative perimeter screening such as earthen berms with landscaping during the review of the PD development plan.

(Ord. No. 07-18, 6-04-2007)

SUBSECTION 1.03: PD PLANS REQUIRED

There are three types of plans that may be required as part of the development process within a PD District. Each successive plan may modify the previous plan provided that it does not substantially change the general intent of the original PD district. Each successive plan becomes part of the zoning ordinance governing the property and replaces the previously approved plan.

(A) PD concept plan. The PD concept plan is mandatory and is intended to be used as the first step in the PD development process. It establishes the most general guidelines for the PD District by identifying the land uses and intensities, thoroughfare locations, and open space boundaries (including public trail systems). It may include images of intended style and type of development. The concept plan illustrates the integration of these elements into a master plan for the whole PD District. The PD concept plan establishes the development standards for the PD district.

(B) PD development plan. A PD development plan is optional and is intended to be used where appropriate as the second step of the PD development process. It may be required by the PD ordinance, or it may be submitted voluntarily by the property owner. A PD development plan constitutes an amendment to the approved PD concept plan and PD ordinance and may be used where the developer requests, or the council requires, certain standards for the PD District to be specified after initial establishment of the PD District. A PD development plan includes more detailed information as to the specific development standards and land uses, including their boundaries. The purposes of a PD development plan are to allow flexibility in the development process by deferring specification of all development standards at the time of PD District creation and to enable developers to satisfy conditions imposed on creation of the District prior to submittal of a PD site plan.

(C) PD site plan. A PD site plan is mandatory and is the final step of the PD development process. The purposes of a PD site plan are to ensure that the development of individual building lots, parcels, or tracts within the PD District are consistent with the approved concept plan and development plan, if any, and to ensure that the standards applicable within the PD District are met for each such lot, parcel or tract. A PD site plan shall continue to be valid for a period of two years after it is approved by the commission; however, such period may be extended by the council upon recommendation of the planning commission.

(1) The site plan shall be accompanied by building elevations and landscape and master sign plans, which shall be reviewed by the architectural review board for consistency with the overall objectives of the district. The board's recommendation shall be forwarded to the planning and zoning commission for consideration in their recommendation to city council, if applicable.

(2) A PD site plan shall terminate at the end of a two-year period (or more with an extension approved by the city council) unless, within such period, a preliminary or master plat as required by the city's subdivision ordinance has been filed with the city for all of the land covered by the PD site plan. In which case, the site plan will remain valid as long as there is an approved plat for the property. If a PD site plan terminates, development of the land covered by the terminated plan cannot occur until a new PD site plan has been approved for the land as provided by this article.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.04: PD COMPLIANCE WITH APPROVED PLANS

Except as otherwise provided by the subdivision provisions of this Unified Development Code, no development shall begin and no building permit shall be issued for any land within a PD District until a PD site plan that is consistent with the PD concept plan and applicable PD development plan has been approved. Each PD District shall be developed, used, and maintained in compliance with the approved PD site plans for the district. Compliance with the PD ordinance shall be construed as a condition precedent to granting of certificates of occupancy.

(Ord. No. 10-14, § 58, 7-6-2010)

SECTION 2: PLANNED DEVELOPMENT DISTRICT STANDARDS

SUBSECTION 2.01: GENERAL STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS

All Planned Development (PD) District ordinances shall conform to the following general standards:

(A) *Size and Acreage Requirements*. A Planned Development (PD) District requires a minimum of 15 contiguous acres for non-residential PD Districts, and 25 contiguous acres for residential PD Districts; however, PD Districts may be less than the stated acreages when the Director of Planning and Zoning determines that the PD District will be in conformance with the policies and guidelines contained in the City's Comprehensive Plan or will serve the public's interest.

(B) *Permitted Land Uses*. Unless otherwise provided by the Planned Development (PD) District ordinance, only those uses authorized by Article IV, *Permissible Uses*, shall be permitted within a PD District.

(C) *Base Zoning*. All Planned Development (PD) District ordinances shall reference an appropriate base zoning district that can provide standards for density and dimensional requirements not specifically addressed in the PD District ordinances. If the standards of the base zoning district are amended, then the amended standards shall apply to a PD District unless the standards are specifically addressed in the PD District ordinance. Any amendments to a base zoning district that affect a PD District do not require special notice to be provided to the properties within the PD District.

SUBSECTION 2.01: MINIMUM STANDARDS FOR RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

The minimum requirements for residential Planned Development (PD) Districts shall be in accordance with Section 3, *Residential Districts*, of Article V, *District Development Standards*, unless otherwise specified below. If the subject property is situated within an established overlay district -- *as noted in* Section 6, *Overlay Districts*, of Article V, *District Development Standards* --, and a particular use or standard conflicts with the below minimum requirements then the more restrictive standard would apply.

(A) *Density*. Residential Planned Development (PD) Districts shall allow for density in conformance to the density guidelines contained in the Comprehensive Plan or as otherwise approved by the City Council upon a recommendation from the Planning and Zoning Commission.

(B) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a *4:12* roof pitch. Rear elevations may have a minimum of *6:12* roof pitch.

(C) *Fencing Standards*. The fence standards contained in a Planned Development (PD) District ordinance shall -- *at a minimum* -- conform to the requirements contained in Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

(D) *Landscape and Hardscape Standards*.

(1) *Landscape Buffer*. A minimum of a 30-foot landscape buffer shall be provided adjacent to all perimeter roadways (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent tress shall be planted per 100-feet of linear frontage.

(2) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way.

(3) *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

(E) *Open Space*. A minimum of 20 percent of the gross land area within the entire Planned Development (PD) District shall be devoted to public and private open space. Floodplains shall be counted towards open space requirement at a rate of ½-acre for every acre of dedicated floodplain. Open space for PD Districts may be satisfied by either public, private, or a combination of public and private open space. Open space requirements specified in this subsection are in addition to the requirements for site landscaping and buffering. Public open space shall be dedicated to the City. In addition, open space in a PD District shall adhere to the following:

(1) *Preservation of Natural Areas*. Floodplain areas shall be preserved and maintained as open space. Significant stands of native trees and shrubs shall be preserved and protected from destruction or alteration.

(2) *Multi-Phase Developments*. Open space requirements shall be satisfied for each phase of a multi-phased residential development. If open space is not to be provided proportionally among phases of the development, the applicant must execute a reservation of open space in a form that will assure the City that such open space will be provided. The City may require that all open space within the district be provided prior to completion of development within the Planned Development (PD) District.

(4) *Open Space Proximity Requirements*. In a residential Planned Development (PD) Districts, all lots less than 12,000 SF shall be located within 800-feet of a neighborhood-oriented park or open space (*i.e. private or public*). All open space areas shall be landscaped and serve as a visual amenity and/or gathering place for socializing with neighbors.

(F) *Lighting Standards*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and positioned to contain all light within the developed area.

(G) *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* necessary to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

(H) *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, amenity center, screening fences and neighborhood signage associated with this development.

(I) *Variances*. The variance procedures and standards for approval that are set forth in Section 9, *Exceptions and Variances*, of Article XI, *Development Applications and Review Procedures* shall apply to all Planned Development (PD) Districts.

SUBSECTION 2.01: MINIMUM STANDARDS FOR NON-RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

Unless otherwise specified in the Planned Development (PD) District ordinance, the minimum standards for all non-residential development shall conform to the minimum standards for overlay districts, which are outlined in Subsection 6.02, *General Overlay District Standards*, of Article V, *District Development Standards*. In cases where the standards differ by overlay district, the most restrictive standard shall apply.

SECTION ~~2~~3: PLANNED DEVELOPMENT PROCEDURES

SUBSECTION ~~2~~3.01: ESTABLISHMENT OF A PD DISTRICT

(A) *Zoning amendment*. An application for the establishment of a PD District shall be made to the [planning and zoning] commission. The application shall:

(1) Be accompanied by a PD concept plan;
(2) Be accompanied by a list of proposed PD District development standards;

(3) Identify the city's then-current zoning district which shall apply to the extent not otherwise provided by the PD concept plan or by the proposed PD District development standards;
(4) Be accompanied by a concept plan informational statement, and traffic impact analysis unless waived by the council.

(a) Except to the extent provided by the PD concept plan and the PD ordinance, development within the PD District shall be governed by all of the ordinances, rules, and regulations of the city in effect at the time of such development (including the standards of the city's zoning district so identified in the application). In the event of any conflict between:

(1) The PD concept plan and the PD ordinance; and
(2) The then-current ordinances, rules, and regulations of the city;
(3) the terms, provisions, and intent of the PD concept plan and PD ordinance shall control. In addition, prior to action by the commission on the establishment of the PD District, the applicant shall submit a traffic impact analysis.

(B) PD concept plan. A PD concept plan (or, at the applicant's option, a PD development plan) shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, the PD concept plan (or PD development plan) shall be incorporated as part of the PD ordinance. The graphic depictions contained on a PD concept plan shall be considered as regulatory standards. Each PD concept plan shall be prepared on one or more standard sheets of sizes of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (which may be to any scale). Unless waived by the council on recommendation of the zoning administrator, each PD concept plan shall graphically depict the following:

(1) A diagram or drawing of the boundaries of the proposed PD District;
(2) Proposed and existing land uses by category (including, if applicable, proposed and existing land uses by category for any sub-areas to be developed within the PD District);
(3) Proposed density by type of residential uses, including the maximum numbers of dwelling units for residential uses other than single-family detached, and lot sizes for single-family detached;
(4) Proposed estimated total floor area and floor area ratios by category of nonresidential uses, together with residential view analysis, if any;
(5) Proposed configuration of public and private open space serving the development, showing the relationship to the city's parks and open space plan, including trail system and access points to the trail system, estimated dimensions and approximate area, and areas to be dedicated to the public or to a private maintenance organization, if known;
(6) Proposed and existing thoroughfares, boulevards and roadways;
(7) To the extent known for adjoining land, existing land uses (by zoning district), existing thoroughfares; and existing open space for such adjoining land; and
(8) A general plan for circulation of traffic and pedestrians within and external to the development, including designated points of access.

(C) Concept plan informational statement. A PD concept plan shall be accompanied by an informational statement containing the information set forth below. If the zoning amendment application is approved, the informational statement shall not be binding on the applicant or the land owner and shall not be considered part of the PD concept plan or the PD ordinance. Informational statements shall be updated concurrently with any amendment to the PD concept plan and with each PD development plan. Each statement shall include the following:

(1) A general statement setting forth how the proposed PD District will relate to the city's comprehensive plan;
(2) The total acreage within the proposed PD District;
(3) If the development is to occur in phases, a conceptual phasing plan that identifies the currently anticipated general sequence of development, including the currently anticipated general sequence for installation of major capital improvements to serve the development; and
(4) An aerial photograph with the boundaries of the PD concept plan clearly delineated.

(D) Proposed PD development standards. Proposed PD District development standards shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, such standards shall be incorporated as part of the PD ordinance. Such proposed development standards may include (but shall not be limited to) uses; density; lot size; lot dimensions; setbacks; coverage; height; landscaping; lighting, fencing, parking and loading; signage; open space; drainage; and utility and street standards. Any graphic depictions used to illustrate such standards, unless otherwise provided in the PD ordinance, shall be considered as regulatory standards.

(E) Traffic impact analysis. Prior to or simultaneous with submission of an application for the establishment of a PD District, the applicant shall submit to the city's transportation engineer a traffic impact analysis for the proposed PD District, unless waived by council. The analysis must be approved by the council prior to or concurrently with the approval by the council of the PD District. The traffic analysis shall not be considered part of the PD concept plan or the PD ordinance but may be used to condition the density or intensity of uses or the timing of development within the district based upon the existence of a supporting roadway network adequate to accommodate the traffic expected to be generated. The traffic impact analysis shall be updated with each PD site plan.

(F) Complete application. No application for the establishment of a PD District shall be deemed to be filed with the city until the zoning administrator has determined that the PD concept plan is complete, that the proposed PD District development standards have been identified, a traffic impact analysis has been submitted, and that the informational statement is complete. Fifteen copies of all such materials shall be submitted.

(G) Commission recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code procedures, shall formulate its recommendation with respect to establishment of a PD District. The recommendation of the commission shall be forwarded to the council for decision.

(Ord. No. 10-14, § 59, 7-6-2010)

(H) Council decision. Following receipt of the commission's recommendation, the council, after notice and public hearing in accordance with this [Unified Development Code] procedures, shall conduct a public hearing and shall approve, approve with conditions, or deny the application for establishment of the PD District.

(I) Approval criteria. Based upon the PD concept plan, the commission, in making its recommendations to the council, and the council, in determining whether the PD District should be established, shall consider whether the following criteria have been met:

(1) The plan of development is generally consistent with the city's comprehensive plan (as such plan may be amended prior to or concurrently with approval of the PD District);
(2) Proposed uses and the configuration of uses are compatible with existing and planned adjoining uses;
(3) The general arrangement of streets conforms to the city's thoroughfare plan (as such plan may be amended prior to or concurrently with approval of the PD District);
(4) Proposed uses, development densities and intensities, and development regulations are generally consistent with this article;
(5) The configuration of the proposed open space serving the development is consistent with the city's parks and open space plan (as such plan may be amended prior to or concurrently with approval of the PD District);
(6) The amenities proposed justify proposed densities or intensities;
(7) The proposed plan of development furthers the public health, safety and general welfare of the community; and
(8) The traffic impact analysis demonstrates that the capacity of the proposed roadways shown on the proposed PD concept plan, together with any roadways within related PD Districts and the supporting roadway network, are adequate to accommodate the traffic expected to be generated by the uses, densities and intensities of use shown on the PD concept plan in and authorized in the PD ordinance in a timely and efficient manner.

(J) Conditions. The commission may recommend, and the council may require, such conditions to the establishment of a PD District and to the approval of a PD concept plan as are reasonably necessary to ensure that the purposes of the district and the approval criteria for the PD concept plan are met. Such conditions may include the requirement of a PD development plan.

(K) Adopting ordinance. The PD ordinance shall include the PD concept plan as an exhibit to [this article] and shall include the following:

(1) A statement of the purpose and intent of the PD District;
(2) A metes and bounds description of the land within the PD District;
(3) A list of the specific land uses permitted within the PD District, together with a description of the sub-areas, if any, in which such uses are allowed;
(4) The maximum density or intensity of each permitted land use;
(5) A list of all the PD District development standards, together with necessary graphic illustrations;
(6) Identification of the city's then-current zoning district standards that shall apply to the extent not otherwise provided by the PD concept plan or PD ordinance;
(7) Identification of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city), that may be deferred for specification until approval of a PD development plan or that may be varied by the council as part of the approval process for a PD site plan;
(8) Unless otherwise identified on the PD concept plan, the general location and size of open space serving the development, including any proposed dedication of open space to the public or to a maintenance organization;
(9) Provisions governing amenities, if any, to justify densities or intensities;
(10) Such additional conditions as are established by the council to ensure that the PD District and PD concept plan are consistent with the purposes of the district and the approval criteria for the concept plan.

SUBSECTION ~~23~~.02: PD DEVELOPMENT PLANS

If the council requires as a condition of establishing the PD District and approving a PD concept plan that PD development plans be submitted prior to submittal of a PD site plan, a PD development plan may be prepared and submitted for the entire development at one time or for individual phases of development. Each required copy of the PD development plan shall be accompanied by (i) a development plan informational statement and (ii) a preliminary drainage study for the area covered by the proposed plan. If deemed necessary by the city's transportation engineer or zoning administrator, the applicant for a PD development plan shall also submit an updated traffic impact analysis prior to commission action.

(A) Submittal requirements for PD development plans.

(1) Approximations of the following: site boundaries and dimensions, lot lines, site acreage and square footage, and distances to the nearest cross streets;
(2) Location map, north arrow, title block and site data summary table;
(3) Existing land uses and zoning classifications on adjacent properties;
(4) Preliminary tree survey;
(5) Any features omitted from the PD concept plan upon council authorization; and
(6) Such additional features as are necessary to ensure compliance with conditions established by the council to be satisfied by the development plan.

(B) PD development standards. Development standards that were not specified in the PD ordinance, as authorized by the council, shall be submitted and approved as an amendment to the PD ordinance and incorporated therein, in conjunction with approval of the PD development plan.

(C) Development plan informational statement. Each PD development plan shall be accompanied by an informational statement containing the information set forth below. Informational statements shall be updated concurrently with any amendment to a PD development plan and with each PD site plan. Each informational statement shall include the following:

(1) Name and address of landowner and date of preparation of the PD development plan;
(2) Name and address of architect, landscape architect, planner, engineer, surveyor, or other persons involved in the preparation of the PD development plan;
(3) A table listing the specific permitted uses proposed for the property, and, if appropriate, the boundaries of the different land uses and the boundary dimensions;
(4) Development standards for each proposed land use, as follows:

(a) Minimum lot area;
(b) Minimum lot width and depth;
(c) Minimum front, side, and rear yard areas;
(d) Maximum height of building; and
(e) Maximum building coverage;

(5) A list of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking amendment by the council as part of the PD development plan approval process;
(6) If council approval of any height increase is being requested, a view analysis of the impact of such requested variance on adjacent residential areas of the city;
(7) Preliminary and approximate building locations and building footprints;
(8) Preliminary elevations and perspectives to show the relationship of building heights to surrounding topography;
(9) Location of parking areas and structures for multi-family and nonresidential uses, including areas for off-street parking;
(10) A detailed description of how open space serving the development will be satisfied for the phase of development represented by the PD development plan, including any proposed dedications of open space to the public or to a private maintenance organization;
(11) If the PD development plan is a phase of the project (as described in the applicant's original informational statement submitted with the PD concept plan), depiction of the area subject to the development in relation to the then-current phasing plan, together with any updates of the then-current phasing plan that was submitted as part of the applicant's original informational statement; and
(12) A list identifying each proposed addition or amendment to the PD ordinance.

(D) Preliminary drainage study. Each PD development plan shall be accompanied by a preliminary drainage study for the area covered by the study. The study shall be prepared by a professional engineer licensed in the State of Texas and experienced in the study of drainage issues.

(1) Purpose. The purposes of the drainage design policies are to prevent flooding of adjacent properties, owned by third parties and to regulate water surface elevations and peak discharges. Development within the PD District shall not produce any increase in the water surface elevation (either upstream or downstream) due to a five-year, ten-year, 50-year, or 100-year storm. If the discharge from the area proposed for development would increase the water surface elevation above predevelopment conditions on any property owned by third parties due to any of such storms, then such peak discharge must be regulated to the extent necessary to eliminate the increased water surface elevation. The regulation of discharges to eliminate such increases may be achieved using either on-site or off-site stormwater management facilities (such as detention areas, retention areas, and infiltration and sedimentation ponds).

(2) Content. The preliminary drainage study shall:

(a) Contain a topographical map of the area proposed for development to a scale not smaller than one inch equals 200 feet;
(b) Generally describe how the proposed development will comply with the drainage design policies set forth below;
(c) Include all information deemed necessary by the preparing engineer to support his determination that the proposed development will comply with the drainage design policies; and
(d) Include all information reasonably requested by the city engineer to support his review of the preliminary drainage study.

(E) Updated traffic impact analysis. If deemed necessary by the city's transportation engineer or if required by the PD ordinance, the applicant for a proposed PD development plan shall submit an updated traffic impact analysis prior to action by the commission. The purpose of the updated analysis is to determine whether the traffic estimated to be generated by the development shown on the proposed PD development plan will necessitate specific on-site or adjacent traffic improvements (e.g., turn lanes, stacking lanes, signalization, etc.) and to determine whether conditions attached to the concept plan based on the original traffic impact analysis have been met.

(F) Commission recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code procedures, shall recommend to the council whether to approve, approve with conditions, or disapprove each PD development plan, together with each proposed amendments to the PD ordinance.

(Ord. No. 10-14, § 60, 7-6-2010)

(G) Council decision. Upon receipt of the commission's recommendation, the council, after notice and public hearing in accordance with this Unified Development Code procedures, shall approve, approve with conditions, or disapprove each PD development plan and each proposed addition or amendment to the PD ordinance.

(Ord. No. 10-14, § 60, 7-6-2010)

(H) Approval criteria. The commission, in making its recommendation to the council, and the council, in acting upon each PD development plan and proposed addition or amendment to the PD ordinance, shall determine whether the proposed PD development plan and ordinance addition or amendment meets the following criteria:

(1) The plan generally is consistent with the approved PD concept plan (including open space, trails, and thoroughfares);
(2) The plan generally is consistent with the development standards set forth in the PD ordinance;
(3) The plan satisfies any conditions established by the council in the PD ordinance relating to development plan approval;
(4) The plan is generally consistent with the standards and conditions of this Unified Development Code and of other ordinances, rules and regulations of the city (to the extent that such standards and conditions are applicable to development within the PD District);
(5) The traffic estimated to be generated by the plan is generally consistent with the original, council approved traffic impact analysis and any conditions to be satisfied at the time of the development plan approval have been met;
(6) The plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (e.g., turn lanes, stacking lanes, signalization, etc.); and
(7) The preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a natural manner.

(Ord. No. 10-14, § 61, 7-6-2010)

(I) Conditions. The commission may recommend, and the council may require, such conditions to the approval of a PD development plan as are reasonably necessary to ensure that the approval criteria are met.

(J) Approving ordinance. The development plan shall be incorporated within an ordinance amending the PD ordinance and the concept plan. The amending ordinance shall set forth all standards necessary for development of the land subject to the development plan that were not included in the PD ordinance. The amending ordinance also shall repeal or amend any conditions that were attached to the PD ordinance that have been satisfied as a result of approving the development plan and associated amendments.

SUBSECTION ~~23~~.03: PD SITE PLANS

(A) Delegation to commission. The commission hereby is delegated the authority to approve, conditionally approve, or deny PD site plans and all amendments thereto, subject to appeal to the council. Any site plan subject to a request for variances or other modifications that are reserved for the council by these PD regulations shall be decided by the council upon recommendation of the commission.

(B) Submittal requirements. The following requirements apply to each application for PD site plan approval:

(4) Size. PD site plans shall be prepared on one or more standard sheets of sizes of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required,

an overall plan shall be submitted as well (which may be to any scale). PD site plans shall be prepared by a registered engineer, architect, or landscape architect.

(5) General information.

(a) North arrow;
(b) Total site acreage;
(c) Submission date;
(d) Scale (written and graphic);
(e) Vicinity map;
(f) Names, addresses, and telephone numbers of designer, engineer, developer, and owner;
(g) A boundary survey of the site with the location of proposed land uses;
(h) Adjacent subdivision names and property lines; and
(i) Adjacent land uses and structures.

(6) Structures.

(a) Location, dimensions, and use of all existing facilities and proposed building sites;
(b) Setback and separation distances between building sites;
(c) Proposed construction type and facade materials for all multi-family and nonresidential buildings (the commission may require elevations and perspective drawings);
(d) Proposed density of each use;
(e) Proposed location of screening along public roadways shown on the PD concept plan;
(f) Location and types of signs, including lighting and heights;
(g) Elevation drawings citing proposed exterior finish materials; and
(h) Location of solid waste collection facilities.

(7) Streets and sidewalks.

(a) Location and width of all rights-of-way and easements;
(b) Location and dimensions of all pavement and curbing;
(c) Location and width of all sidewalks;
(d) Location and width of all ingress/egress points;
(e) Location and width of all medians and median breaks;
(f) Location of any special traffic regulation facilities;
(g) Location of fire lanes; and
(h) Street names on proposed streets.

(8) Off-street parking and loading areas.

(a) Number, location, and dimension of spaces;
(b) Type of surface material of parking facility;
(c) Dimension of aisles, driveways, maneuvering areas, and curb return radii;
(d) Distance between spaces and adjacent rights-of-way;
(e) Location of all existing and proposed fire lanes and hydrants; and
(f) Proposed lighting diagram.

(9) Landscaping.

(a) Location and size of major tree groupings and existing hardwood trees of four inches caliper or greater, and other protected trees as specified in article IX, Tree Preservation, noting whether they are to be removed or retained;

(Ord. No. 06-14, 4-17-2006)

(b) Location and size of proposed plant materials, including paving, together with type and species of plants;
(c) Number and type of each landscape element;
(d) Height and type of all fencing or buffering;
(e) Height of all planters, sculptures, and decorative screens;
(f) Location and type of trash receptacle screening;
(g) Location and type of lighting for streets, signage, and parking areas; and
(h) Location of visibility triangles, where required.

(10) Drainage.

(a) Direction of water flow;
(b) Quantity of on-site and off-site water generation;
(c) Topographic contours at a minimum of five-foot intervals;
(d) Points of concentrated water discharge;
(e) Areas where special design and construction may be necessary due to slope or soil conditions;
(f) Location and design of all water detention and drainage areas; and
(g) Drainage ways, creeks, and limits of the 100-year floodplain and floodway as shown on current FEMA mapping or the city's master drainage plan, including location and acreage, together with a general plan for accommodating flood waters and drainage.

(11) Preliminary service plan.

(a) A preliminary drainage plan of the area showing the size and location of each existing and proposed drainage way and retention or detention area. If no development plan has been required and approved by the council, the drainage plan shall incorporate the requirements of the preliminary drainage study;
(b) The proposed method of providing water and sewer service; and
(c) If no development plan has been required and approved by the council, an updated traffic impact analysis.

(12) Special exceptions. A list of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking a special exception by the council as part of the PD site plan approval process.

(C) Commission decision. The commission shall approve, approve subject to conditions, or deny each PD site plan.

(Ord. No. 06-14, 4-17-2006)

(D) Approval criteria. The commission, in approving, conditionally approving, or denying a PD site plan, shall consider the following criteria:

(1) The plan complies with the applicable PD concept plan or development plan, if any, and with the PD ordinance, expressly including conditions attached to the concept plan, development plan or PD ordinance;
(2) The plan complies with the standards and conditions of this Unified Development Code and other ordinances, as well as other rules and regulations of the city (to the extent that such standards and conditions are applicable to development within the PD District);
(3) If no development plan was required and approved by the council, the traffic estimated to be generated by the plan is generally consistent with the original council-approved traffic impact analysis;
(4) If no development plan was required and approved by the council, the plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (e.g., turn lanes, stacking lanes, signalization, etc.);
(5) If no development plan was required and approved by the council, the preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a manner approved by the council; and
(6) Landscaping promotes continuity and unity consistent with the landscape plan for the development and encourages views to public open space and public landmarks.

(Ord. No. 10-14, § 62, 7-6-2010)

(E) Conditions. The commission, or the council on appeal, may establish such conditions to the approval of a PD site plan as are reasonably necessary to ensure that the approval criteria are met.

(F) Appeal from commission action. If the commission approves a PD site plan with conditions or if it disapproves a PD site plan, the applicant may appeal the decision to the council by filing a written request with the city secretary within ten days after the commission's decision.

(G) Variances. The granting of variance for Planned Development District regulations shall be the purview of city council, not the board of adjustment. If the applicant requests a variance from PD ordinance standards or other ordinance requirements, the variance request will be forwarded to the council with the commission's recommendation for decision. Procedures and criteria for approval shall be those applicable to special exceptions under article II, section 8.5, Criteria for Granting Special Exceptions.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION ~~2~~3.04: AMENDMENT OF PD PLANS

(A) PD concept plans. PD concept plans (excluding informational statements) are considered part of the PD ordinance. Any amendment to a PD concept plan shall be considered a zoning change, and the provisions of V.T.C.A., Local Government Code ch. 211 relating to notices, public hearings, and written protests for changes in zoning districts or regulations shall apply. If a PD District is established subject to approval of PD development plans, the provisions of this subsection 2.4.A shall apply to such PD development plan.

(B) PD site plans. PD site plans are not considered part of a PD ordinance. Except as otherwise provided, any amendment to an approved PD site plan must be approved by the commission. However, "minor modifications" to any PD site plan may be approved by the zoning administrator. If the zoning administrator believes that a request for minor modification entails a significant change in the site plan, he may refer the request to the commission for determination. A "minor modification" to a PD site plan is defined as any modification that does not:

(1) Alter the basic relationship of proposed development to adjacent property;
(2) Change the uses permitted;
(3) Increase the maximum density, floor area, or height;
(4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [article] requirements; or
(5) Reduce the minimum yards or setbacks.

SUBSECTION ~~2~~3.05: PERIODIC REVIEW

(A) Applicability. Each tract of land not yet fully developed, for which (PD) Planned Development District zoning has been granted, shall be reviewed by the planning and zoning commission in order to make inquiry and ascertain the following:

(1) Whether a preliminary plan and/or development plan can reasonably be expected to be filed;
(2) If a preliminary plan and/or development plan can be reasonably expected to be filed at any time within the two-year interval as set out herein;
(3) Whether the granted uses for the tract of land under consideration continues to have a desired relationship with the surrounding area; and
(4) If such density and other design standards originally granted are in accordance with the current community growth patterns and values.

(B) Determination. If, upon inquiry and review, the planning and zoning commission finds that a particular tract of land zoned (PD) Planned Development is not reflective of current community growth patterns or community design policies,

or is not in accordance with the comprehensive plan, it may request the city council to initiate hearings on the particular tract of land to consider:

(1) Reform or modification of the PD District on the particular tract; or
(2) Change the zoning to a more suitable land use classification.

(C) Frequency. The planning and zoning commission shall review each tract of land for which Planned Development zoning has been granted beginning in January of each year, at least on two year intervals. The planning and zoning commission may review certain tracts (for which Planned Development zoning has been granted) more frequently if it determines such review is necessary.

SECTION ~~34~~: EFFECT ON EXISTING PDS

SUBSECTION ~~34~~.01: DISTRICT AMENDMENTS

If an amendment is proposed after the effective date of [the ordinance from which] this article [is derived] to any concept plan, development plan, site plan or planned development ordinance approved prior to the effective date of the ordinance from which this article is derived under prior development regulations, the provisions of this article shall apply to those amendments.

SUBSECTION ~~34~~.02: SITE PLANS

For any PD District established under prior planned development regulations for which at least one site plan has been approved pursuant to such prior regulations, the provisions of this article shall not apply, except that procedures related to approval of PD site plans pursuant to this [article] shall apply to any application for PD site plan approval submitted more than 30 days after the effective date of this article.

SECTION ~~45~~: AMENDMENTS TO APPROVED PD APPLICATIONS

SUBSECTION ~~45~~.01: PROCESSING AMENDMENTS

(A) Amendments to all applications and approvals shall be processed in the same manner as the original application. However, the applicant shall submit a summary of all elements that are proposed to be changed along with the revised plans and application.

(B) Notwithstanding the above, the zoning administrator may approve minor modifications in an approved site plan or PD site plan administratively, provided that they do not:

(1) Alter the basic relationship of proposed development to adjacent property;
(2) Change the uses permitted;
(3) Increase the maximum density, floor area, or height;
(4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [article] requirements;
(5) Reduce the minimum yards or setbacks; or
(6) Detrimentally change or alter the characteristics of the elevation drawings or site plan as approved, but rather allow for some flexibility in minor modification to same.

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE XI, ~~ZONING-RELATED~~ DEVELOPMENT APPLICATIONS AND REVIEW PROCEDURES, UDC

SECTION 1: GENERAL

SUBSECTION 1.01: ~~FILING OF AN APPLICATION~~ PRE-APPLICATION MEETING

An applicant proposing to [*1*] establish a land use requiring a Specific Use Permit (SUP) on a property or properties, [*2*] the subdivision or assembly of property or properties, [*3*] the change in zoning classification of a property or properties, or [*4*] any other development related activity in the City of Rockwall is encouraged to request a *Pre-Application Meeting* with the Development Review Committee (DRC). Prior to a *Pre-Application Meeting*, the applicant should submit a *Pre-Application Meeting Request* form and provide a concept plan showing the proposed development activities in as much detail as possible. Based on the information provided by the applicant, the DRC will provide initial comments concerning the merits of the proposed development and inform the applicant of any additional requirements that will need to be addressed in the preparation of a development application.

~~(A) Pre-application conference.~~

~~(1) An applicant for a change in zoning is encouraged to request a pre-application conference with a city official or the zoning administrator prior to formal application.~~
~~(2) At the pre-application conference, the applicant should present a draft concept plan with as much detail as possible.~~
~~(3) Based on the information presented, the city representative will provide initial comments concerning the merits of the proposed development and inform the applicant of any additional requirements for preparation of the formal zoning application.~~

~~(B) Application requirements. No application shall be reviewed which is not complete and accompanied by the payment of fees as established in this [Unified Development] Code or other ordinances of the City of Rockwall. All applications shall be filed with the city on forms available in the City of Rockwall offices.~~

~~(C) Timing. Applications for rezonings and plan approvals shall be submitted at least one month prior to the first scheduled hearing date. Special exception and variance applications shall be submitted at least two weeks prior to the first scheduled hearing date.~~

SUBSECTION 1.02: ~~SUBMISSION OF PLANS~~ SUBMISSION OF AN APPLICATION

(A) *Authority to Submit an Application*. Unless otherwise stated in this Article, the following shall apply when submitting an application for a request:

(1) *Development Application*. All zoning, site plan, platting, and miscellaneous cases shall be initiated by the owner of the affected property or his/her authorized representative who files a *Development Application* and pays the appropriate fee.

(2) *Historic Preservation Advisory Board Application*. All Certificate of Appropriateness (COA), small matching grant, and building permit fee waiver requests shall be initiated by the owner of the affected property or his/her authorized representative who files a *Historic Preservation Advisory Board Application*.

(3) *Board of Adjustments Application.* All variance and special exceptions to be considered by the Board of Adjustments (BOA) shall be initiated by the owner of the affected property or his authorized representative or any aggrieved party who files the required application and pays the appropriate fee, or by any person aggrieved by the decision of an administrative officer with authority over any matter that can be appealed to the Board of Adjustments (BOA) per Subsection 4.03, *Jurisdiction*, of Article II, *Development Review Authority*, by an officer of the City, or appropriate board/commission of the City.

[MOVED FROM SECTION 4; ARTICLE II, UDC]

(B) *Ownership.* In the event that the ownership stated on an application is different than the ownership shown on the City's *Certified Tax Roll*, the Director of Planning and Zoning may require additional written proof of ownership be provided with an application.

(C) *Submission Development Application*. All application requests to be considered by the Historic Preservation Advisory Board (HBAP), Board of Adjustments (BOA), Planning and Zoning Commission and/or the City Council, shall be initiated by filing an application with the Director of Planning and Zoning or his/her designee. All applications shall be required to be submitted on the official submittal date. Applications received on a date other than an official submittal date shall ***not*** be accepted and shall be returned to the applicant.

[MOVED FROM SECTION 3; ARTICLE II, UDC]

(D) *Completed Application*. To ensure the submission of adequate information, the Director of Planning and Zoning is hereby empowered to maintain and distribute a list of specific submittal requirements that constitutes a completed application. Any application that does not provide all items required by the Director of Planning and Zoning shall be considered to be incomplete, and shall not be accepted by the City. These requirements may be modified by the Director of Planning and Zoning as deemed necessary.

(E) *Plans and Exhibits*. All plans, surveys, plats, and/or other exhibits submitted as part of any application shall be prepared by a registered architect, engineer, landscape architect, surveyor, planner, or other design professional.

~~A. Preparation. All plans submitted pursuant to this Unified Development Code shall be prepared by a registered architect, engineer, landscape architect, or certified city planner.~~

~~*(Ord. No. 10-14, § 63, 7-6-2010)*~~

~~B. Quantity required. Plans shall be submitted in the form and number as required by the zoning administrator.~~

SUBSECTION 1.03: APPLICATION WITHDRAWAL

Any request for the withdrawal of an application must be submitted in writing to the Director of Planning and Zoning or his/her designee. If an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body. In all requests for withdraw, application fees will not be refunded except in cases where the Director of Planning and Zoning determines that an

application was [*1*] submitted in error, or [*2*] the fee paid exceeds the amount due under the provisions of Section 10, *Fee Schedule*. In cases where the fee paid exceeds the amount due, only the amount of the overpayment may be refunded.

[MOVED FROM SECTION 5; ARTICLE II, UDC]

SUBSECTION 1.04: DENIAL OF AN APPLICATION

Unless otherwise stated in this Article, if an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver is denied *with* prejudice by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council, a new application for the same request may *not* be submitted for the same lot or tract of land -- *or any portion thereof* -- for a period of one (1) year unless the request is deemed to be more restrictive or less intense than the previously denied request. A failure to indicate that a denial is *with* or *without* prejudice, in making a motion to deny, shall be consider a *denial with prejudice*.

SUBSECTION 1.05: REAPPLICATION

A request for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver which has been previously denied *with prejudice* by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council may be resubmitted within one (1) year if there is: [*1*] An actual change in condition relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties, or [*2*] the new request is more restrictive or less intense than the previous request. In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense request. The Director of Planning and Zoning or his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver.

~~*SUBSECTION 1.03: CONSIDERATIONS IN REVIEW AND APPROVAL OF REZONING*~~

~~(A) Consistency with the comprehensive plan.~~
~~(B) Potential impact on adjacent development.~~
~~(C) Availability of utilities and access.~~
~~(D) Site conditions such as vegetation, topography, drainage and floodplain.~~
~~(E) Timing of development as it relates to the city's capital improvement plan.~~
~~(F) Other issues as may be deemed important.~~

SECTION 2: ZONING

SUBSECTION 2.01: AUTHORITY

(A) *Authority to Amend the Zoning Map and Unified Development Code (UDC).*

The City Council may from *time-to-time -- on its own motion or at the request of the Planning and Zoning Commission or Director of Planning and Zoning* -- direct the Director of Planning and Zoning to prepare amendments, changes, and/or supplements to the regulations contained in the Unified Development Code (UDC), and/or the boundaries or designations specified on the City's Zoning Map.

(B) *Authority to Request Changes to the Zoning Map.* A request that proposes a change to the City's Zoning Map (*i.e. zoning changes and Specific Use Permits*) may be requested by the:

(1) City Council;
(2) Planning and Zoning Commission;
(3) Director of Planning and Zoning;
(4) Owner of real property located within the corporate boundaries of the City of Rockwall; or
(5) Authorized representative of an owner of real property located within the corporate boundaries of the City of Rockwall.

(C) *Authority to Order Changes to the Unified Development Code.* Changes to the Unified Development Code (UDC) may be ordered by the:

(1) City Council;
(2) Planning and Zoning Commission; or
(3) Director of Planning and Zoning.

SUBSECTION 2.02: SPECIFIC USE PERMITS (SUP) [MOVED FROM SECTION 4; ARTICLE IV, UDC]

(A) *Purpose.* The purpose of a Specific Use Permit (SUP) is to allow discretionary consideration of certain uses that would typically be considered incompatible within certain locations of a zoning district, but may become compatible with the addition of special provisions, conditions or restrictions. A SUP does not change the base zoning; it allows a particular use that would not normally be permitted in that zoning district. The SUP requirement for any land use is identified in the *Permitted Land Use* table contained in Article IV, *Permissible Uses*, of this Unified Development Code. The discretionary SUP procedure is designed to enable the Planning and Zoning Commission and the City Council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a SUP when it is apparent that a proposed use or structure will or may occasionally harm the community or cause injury to the value, lawful use, and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(B) *Operational Conditions.* In considering a SUP, staff and/or the Planning and Zoning Commission may recommend and the City Council may adopt additional conditions and operational constraints to ensure compatibility with adjacent land uses. These additional conditions and operational constraints will be incorporated into the SUP ordinance, and may relate to: [*1*] a property's specific site conditions, [*2*] increased performance standards, [*3*] compatibility with adjacent properties, [*4*] mitigation of potentially negative or adverse effects of a request, and [*5*] anything that could have a negative impact on the public's health, safety and general welfare.

(C) *Compliance.*

(1) In considering a special use permit application, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefited by the special use as may be necessary to avoid, minimize, or mitigate any potentially injurious effect of such special uses upon other property in the neighborhood, and to carry out the general purpose and intent of this ordinance. Such conditions shall be set out in the ordinance approving the SUP.
(2) Prior to a SUP being issued, the property owner of the affected property shall agree, comply and be bound to the conditions and operational constraints approved by the City Council and contained in the SUP ordinance.

(3) A SUP is considered to be transferable from property owner to property owner for a specific property; however, the conditions and operational constraints of the SUP shall remain in effect and be applicable to the new property owner(s) and/or occupant(s). SUPs cannot be transferred from property to property.

(D) *Abandonment, Expiration and Revocation of a Specific Use Permit (SUP).*

(1) *Abandonment.* A SUP approved by the City Council that remains vacant or inactive for a period of one (1) year shall be deemed to be abandoned and shall automatically expire. Vacancy or inactivity can be determined by the following:

(a) The water and/or electrical services have been disconnected or discontinued on the property; and/or
(b) The subject property (*e.g. lease space, parcel or parcels of land, lot, tract etc.)* is unoccupied; and/or
(c) The use is abandoned due to the issuance of a Certificate of Occupancy (CO) for a use other than (and exclusive from) the use approved with the SUP.

(2) *Expiration.* A Specific Use Permit (SUP) shall automatically expire due to inactivity if:

(a) A building permit has not been issued within one (1) year of the approval date of the SUP ordinance, and/or a Certificate of Occupancy (CO) has not been issued within one (1) year of a building permit due to inactivity on the site (*inactivity in this case is defined as no progress towards construction for six [6] months*), or one (1) year of the approval date of this ordinance if no building permit is necessary; or
(b) A building permit or Certificate of Occupancy (CO) expires, is terminated or revoked under the requirements of the Codes of the City of Rockwall.

(3) *Revocation.* The City Council reserves the right to revoke or rescind any SUP in which the business, property or property owner operating under the guidelines of the SUP ordinance fails to meet the minimum operation requirements set forth in the Specific Use Permit (SUP) ordinance and/or outlined in the Unified Development Code or the Rockwall Municipal Code of Ordinances. The procedure for revocation or rescinding a Specific Use Permit (SUP) shall be the same procedure for requesting a new Specific Use Permit (SUP).

(E) *Extension of a Specific Use Permit (SUP).* Upon recommendation from the Planning and Zoning Commission, the City Council may grant a one (1) time extension to the expiration requirements stated above for a period not to exceed one (1) year. To apply for an extension a property owner shall file a written request with the Director of Planning or his designee at least ninety (90) days prior to the expiration date. Extension requests shall not require a public hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a SUP.

(F) *Existing Specific Use Permits (SUP) and Conditional Use Permits (CUP).* Specific Use Permits (SUP) and Conditional Use Permits (CUP) in existence at the time this section was adopted by the City Council shall automatically terminate one (1) year from the adoption date of this section if a building permit -- *or a Certificate of Occupancy (CO) if no building permit is necessary* -- has not been issued or an extension is not requested under Subsection 2.02(E).

SUBSECTION 2.03: PROCEDURES FOR ZONING APPLICATIONS

All zoning applications (*i.e. zoning changes, Specific Use Permits, and text amendments*) shall be subject to the following procedures:

(A) *Notice of Public Hearing*.

(1) *Notice of Public Hearing for Zoning Changes and Specific Use Permits (SUP's)*. Written notice of all public hearings for zoning changes and Specific Use Permits (SUP's) shall be sent to all property owners listed on the certified tax roll, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500-feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording *Zoning Change Requested*. In cases that require notices to be sent to a multi-family property, written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building (*i.e. individual notices to each unit are not required*). In addition, written notice shall be sent to all known Homeowners Association (HOA) representative(s) within 1,500-feet of the subject property at least ten (10) days prior to the public hearing date.

(2) *Newspaper Notice for Zoning Changes and Specific Use Permits (SUP's).* Notice of all public hearing for zoning changes and Specific Use Permits (SUP's) shall be published in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of ten (10) days prior to the date of the public hearing.

(3) *Newspaper Notice for Text Amendments.* Notice of all public hearing for a text amendment to the Unified Development Code (UDC) shall be published in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of 15-days prior to the date of the public hearing.

[MOVED FROM SECTION 6.01; ARTICLE II, UDC]

(B) *Conduct of a Public Hearing*. Subject to the presiding officer's inherent authority to conduct a meeting, a public hearing shall generally be conducted in the following manner:

(1) A report outlining the details of the request shall be given from the Director of Planning and Zoning or his/her designee.
(2) The presiding officer shall open the public hearing.
(3) The applicant will be asked to provide a presentation or comment on the proposed request.
(4) The presiding officer will ask for public comment, questions, and/or testimony.
(5) The applicant will be given a rebuttal to address the public's comments, questions, and/or testimony.
(6) The presiding officer will close the public hearing.
(7) The Planning and Zoning Commission or City Council will be given a chance to discuss the request and ask questions of the Director of Planning and Zoning or his/her designee and/or the applicant.
(8) The Planning and Zoning Commission or City Council will deliberate, make a motion and vote on the request.

[MOVED FROM SECTION 6.03; ARTICLE II, UDC]

(C) *Postponement, Recess, and Continuation of a Public Hearing.*

(1) *Postponement.* A public hearing that was noticed in the manner prescribed by Subsection 2.03(A) may be postponed by announcing the postponement at the time and place of the noticed public hearing. The postponement of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A postponed public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a postponement at a public hearing shall be sufficient notice and no additional notice is required.

(2) *Recess.* A public hearing may be recessed by the Planning and Zoning Commission or City Council any time after the public hearing has commenced.

(3) *Continuation.* A public hearing may be continued by the Planning and Zoning Commission or City Council any time after the public hearing has commenced. The continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A continued public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required.

[MOVED FROM SECTION 6.2; ARTICLE II, UDC]

(D) *Submitting Additional Information*. New matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council with relation to public hearing for zoning changes, Specific Use Permits (SUP), or text amendments. In the event new evidence develops between the date of the public hearing by the Planning and Zoning Commission and the hearing of the City Council on any zoning change, Specific Use Permit (SUP), or text amendment, or if for any other valid reason a person wishes to present new evidence to the City Council -- *which was not presented to the Planning and Zoning Commission* -- the City Council shall refer the zoning change, Specific Use Permit (SUP), or text amendment back to the Planning and Zoning Commission for a further public hearing to consider the new evidence. Nothing contained herein shall be construed to prohibit anyone from speaking in a public hearing related to a zoning change, Specific Use Permit (SUP), or text amendment.

[MOVED FROM SECTION 17; ARTICLE II, UDC]

(E) *Failure to Appear at a Public Hearing.* If an applicant is not present at a meeting where a public hearing is scheduled, the Planning and Zoning Commission or City Council may deny the request.

(F) *Joint Public Hearings.* The City Council may hold a public hearing -- *after publishing the required notice* -- jointly and with any public hearing required to be held by the Planning and Zoning Commission; however, the City Council shall not act until it has received a recommendation from the Planning and Zoning Commission.

(G) *Protest of a Zoning Change.* Property owners adjacent to and within a radius of 200-feet of a property for which a zoning change or Specific Use Permit (SUP) is being considered have the right to file a written protest against the request. The land area of this 200-foot radius includes public right-of-way, open space and parkland. Whenever such written protest is signed by the owners of 20% or more of the area of the lots or land included in the request, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius, or if such change is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval. For purposes of determining representation on this written protest, the written protest of any one (1) owner of land owned by two (2) or more persons shall be presumed to be the protest of all owners.

SUBSECTION 2.04: PLANNING AND ZONING COMMISSION RECOMMENDATION

(A) *Consideration of a Zoning Change or Specific Use Permit (SUP).* When considering a request for a zoning change or Specific Use Permit (SUP), the Planning and Zoning Commission shall consider the following:

(1) Whether the land uses proposed with the zoning change or Specific Use Permit (SUP) are consistent with the *Future Land Use Plan* contained in the Comprehensive Plan.
(2) Whether the proposed zoning change or Specific Use Permit (SUP) is in accordance with any existing or proposed plans for providing streets, water, wastewater, and/or other utilities or public facilities.

(3) The availability of existing infrastructure to properly serve any development proposed with the zoning change or Specific Use Permit (SUP), and the timing of the development compared to the City's Capital Improvements Plan (CIP).
(4) The findings of any studies (*e.g. Traffic Impact Analysis [TIA] or Infrastructure Study*) submitted with the zoning change or Specific Use Permit (SUP).
(5) The amount of vacant land that is currently designated for similar zoning/land uses in the vicinity of the zoning change or Specific Use Permit (SUP) or elsewhere in the City.
(6) The rate at which land is being developed and the rates conformance with the policies and goals of the Comprehensive Plan.
(7) The zoning change or Specific Use Permit's (SUP's) anticipated impact on the environment with regard to floodplains, topography, vegetation, drainage and detention.
(8) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.
(9) Any other factors which will substantially affect the health, safety, and/or general welfare of the community.

(B) *Consideration of a Text Amendment.* When considering a request for a text amendment, the Planning and Zoning Commission shall consider the following:

(1) Whether the proposed text amendment is in conformance with the goals and policies contained in the Comprehensive Plan.
(2) How the proposed text amendment will affect the City's ability to attract and retain high quality development consistent with the City's existing community character.
(3) The impact of the text amendment to the City's environment with regard to floodplains, topography, vegetation, drainage and detention.
(4) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.

(C) *Recommendation to the City Council.* In making a recommendation to the City Council on a zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*), the Planning and Zoning Commission may recommend:

(1) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted;
(2) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted as modified to a more restrictive classification or subject to appropriate conditions as permitted by law; or
(3) That the zoning change, Specific Use Permit (SUP) or text amendment be denied.

(D) *Justification for Denial.* If the Planning and Zoning Commission approves a motion to deny a zoning change, Specific Use Permit (SUP), or text amendment, it shall offer reasons for the denial that can be provided to the City Council.

(E) *Failure to Approve a Motion.* If the Planning and Zoning Commission fails to approve a motion by a majority vote for any zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*), then a recommendation for denial shall be forwarded to the City Council.

[MOVED FROM SECTION 7.02; ARTICLE II, UDC]

SUBSECTION 2.05: CITY COUNCIL ACTION

(A) *Recommendation from the Planning and Zoning Commission*. The City Council shall not act upon any zoning change, Specific Use Permit (SUP), or text amendment prior to a recommendation being forwarded from the Planning and Zoning Commission.

(B) *Action by the City Council*. After the public hearing is closed the City Council shall take one (1) of the following actions with regard to a zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*):

(1) *Approval.* The City Council may approve a request for a zoning change, Specific Use Permit (SUP), or text amendment either as requested or in a more restrictive form as subject to such appropriate conditions allowed by law. Such approval of any request for a text amendment to the Unified Development Code (UDC), or zoning change or Specific User Permit (SUP) as a map amendment shall be granted only if the City Council determines that the request or amendment is consistent with the Comprehensive Plan and/or the Unified Development Code (UDC). In the event of approval of any zoning change, Specific Use Permit (SUP), or text amendment, the City Council shall enact an ordinance amending the Unified Development Code (UDC) or official zoning map (*whichever is applicable*).

(2) *Denial.* The City Council may deny a request for a zoning change, Specific Use Permit (SUP), or text amendment *with* or *without* prejudice. If a request or amendment is denied *with* prejudice, a new application may *not* be submitted for the same lot or tract of land -- *or any portion thereof* -- for a period of one (1) year unless the request is for a more restrictive or less intense land use than the previously denied request and is submitted in conformance with Subsection 2.05(C). If a request or amendment is denied without prejudice, no restrictions on resubmitting an application shall apply (*i.e. an application for the same request may be filed at the applicant's discretion*). A failure to indicate a denial is *with* or *without* prejudice in making a motion to deny a request or amendment shall be consider a *denial with prejudice*.

(C) *Reapplication*. A request for a zoning change, Specific Use Permit (SUP), or text amendment which has previously been denied with prejudice by the City Council may be resubmitted within one (1) year if there is:

(1) An actual change in conditions relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties; or,

(2) The new request is for a more restrictive or less intense land use that the previously denied requested.

In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense land use. The Director of Planning and Zoning or his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for a zoning change, Specific Use Permit (SUP), or text amendment.

[MOVED FROM SECTION 8.03; ARTICLE II, UDC]

SECTION ~~23~~: ~~REQUIRED SITE PLAN (NON-PD)~~ SITE PLANS

SUBSECTION ~~23~~.01: PURPOSE

The purpose of a site plan is to ensure compliance with the City's development standards, and/or other regulations enforceable by the City of Rockwall that may apply to a particular property. Site plans are also intended to be reviewed to promote the safe, efficient, and harmonious use of land through the application of the

City's Unified Development Code (UDC), the Comprehensive Plan, City adopted design guidelines, and the Municipal Code of Ordinances.

~~The purpose of a site plan is to ensure that all of the provisions of this Unified Development Code (UDC) are adhered to while providing for design flexibility; that sensitive environmental issues such as slopes and vegetation are accommodated; and that services and facilities necessary to support the proposed development will be available on an appropriate time schedule.~~

(Ord. No. 10-14, § 64, 7-6-2010)

SUBSECTION ~~23~~.02: ~~GENERAL~~ APPLICABILITY

(A) *Site Plan*. A Site Plan shall be required to be submitted for all new development within the City of Rockwall with the exception of single-family and/or duplex land uses, temporary land uses not requiring a Specific Use Permit (SUP), and agricultural buildings or structures for non-commercial land uses.

(B) *Amended Site Plan*. An Amended Site Plan shall be required for:

(A) All expansions of an existing non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.
(B) All expansions of non-residential parking lots that increase the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.

(C) *Waiver of a Required Site Plan or Amended Site Plan.* In certain circumstances the Director of Planning and Zoning or his/her designee may waive the site plan or amended site plan requirements when it is determined that requiring a site plan [*1*] is not necessary for the development of a property, and/or [*2*] it does not serve the public's interest.

SUBSECTION ~~23~~.03: GENERAL

(A) *Notification.* No public notification is required for the consideration of a site plan or an amended site plan, beyond posting an agenda for the Planning and Zoning Commission meeting.

(B) *Engineering Plans.* No engineering plans shall be submitted for a project prior to the approval of a site plan except when waived by the City Engineer or his/her designee.

(C) *Building Plans*. No building plans shall be submitted for a project prior to the approval of a site plan except when waived by the Director of Planning and Zoning or his/her designee.

(D) *Construction Permits*. No building, fence, or sign permits shall be issued for a property without an approved site plan being approved.

~~A. Applicability. Site plans are required for all new developments except individual single-family and duplex lots, and for expansion of existing development by 50 percent or more of the gross floor area.~~
~~B. [Site plans.] Site plans shall be accompanied by a completed application form and a proposed development schedule.~~
~~C. No permits without site plan. Site plans may be submitted at the time of building permit application, but no permit shall be issued for site grading or construction until a site plan has been approved.~~

~~D. Notification. No public notification is required for consideration of a site plan, or amendment, beyond posting as an agenda item for the planning and zoning commission, if appealed or referred to it. This provision does not apply to PD site plans.~~

SUBSECTION ~~23~~.0~~34~~: SITE PLAN SUBMITTAL REQUIREMENTS

(A) *Site Plan Content*. The Director of Planning and Zoning shall establish forms outlining the information, standards, content, and formatting required to constitute a complete application submittal for a site plan or amended site plan.

(B) *Additional Requirements*. When deemed necessary by the Director of Planning and Zoning or the Planning and Zoning Commission, the following plans may be required prior to the approval of a site plan:

(1) Traffic Impact Analysis
(2) Traffic Circulation Study
(3) Infrastructure Study
(4) Flood Study

~~The following requirements apply to each application for non-PD site plan approval:~~

~~1. Size. Site plans shall be prepared on one or more standard sheets of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (which may be to any scale). PD site plans shall be prepared by a registered engineer, architect, or landscape architect.~~

~~2. General information.~~

~~a) North arrow;~~
~~b) Total site acreage;~~
~~c) Submission date;~~
~~d) Scale (written and graphic);~~
~~e) Vicinity map;~~
~~f) Names, addresses, and telephone numbers of designer, engineer, developer, and owner;~~
~~g) A boundary survey of the site with the location of proposed land uses;~~
~~h) Adjacent subdivision names and property lines; and~~
~~i) Adjacent land uses and structures.~~

~~3. Structures.~~

~~a) Location, dimensions, and use of all existing facilities and proposed building sites;~~
~~b) Setback and separation distances between building sites;~~
~~c) Proposed construction type and facade materials for all multi-family and nonresidential buildings (the commission may require elevations and perspective drawings);~~
~~d) Proposed density of each use;~~
~~e) Proposed location of screening along public roadways shown on the PD concept plan;~~
~~f) Location and types of signs, including lighting and heights;~~
~~g) Elevation drawings citing proposed exterior finish materials; and~~
~~h) Location of solid waste collection facilities.~~

~~4. Streets and sidewalks.~~

a) Location and width of all rights-of-way and easements;
b) Location and dimensions of all pavement and curbing;
c) Location and width of all sidewalks;
d) Location and width of all ingress/egress points;
e) Location and width of all medians and median breaks;
f) Location of any special traffic regulation facilities;
g) Location of fire lanes; and
h) Street names on proposed streets.

5. Off-street parking and loading areas.

a) Number, location, and dimension of spaces;
b) Type of surface material of parking facility;
c) Dimension of aisles, driveways, maneuvering areas, and curb return radii;
d) Distance between spaces and adjacent rights-of-way;
e) Location of all existing and proposed fire lanes and hydrants; and
f) Proposed lighting diagram.

6. Landscaping.

a) Tree survey of major tree groupings and existing trees of six-inch caliper or greater, noting species and whether they are to be removed or retained;
b) Location and size of proposed plant materials, including paving, together with type and species of plants;
c) Number and type of each landscape element;
d) Height and type of all fencing or buffering;
e) Height of all planters, sculptures, and decorative screens;
f) Location and type of trash receptacle screening;
g) Location and type of lighting for streets, signage, and parking areas; and
h) Location of triangles, where required.

7. Drainage.

a) Direction of water flow;
b) Quantity of on-site and off-site water generation;
c) Topographic contours at a minimum of five-foot intervals;
d) Points of concentrated water discharge;
e) Areas where special design and construction may be necessary due to slope or soil conditions;
f) Location and design of all water detention and drainage areas; and
g) Drainage ways, creeks, and limits of the 100-year floodplain and floodway as shown on current FEMA mapping or the city's master drainage plan, including location and acreage, together with a general plan for accommodating flood waters and drainage.

SUBSECTION ~~23~~.04: SITE PLAN REVIEW

(A) *Procedure*. ~~Site plans shall be reviewed, and a decision rendered, by the zoning administrator, or at his prerogative the planning and zoning commission, taking into consideration comments from the plan review committee. The applicant may appeal the decision of the administrator to the planning and zoning commission whose decision shall be final. Such appeal must be made in writing to the administrator within ten business days of the zoning administrator's notification of decision to the applicant.~~ All site plans and

amended site plans shall be subject to the following review procedures unless otherwise indicated within this Article:

(1) *Architectural Review Board (ARB)*. All site plans that [*1*] propose alterations to the exterior of an existing building, [*2*] propose the construction of a new building, or [*3*] that request approval of a variance or exception shall be subject to review and recommendation by the Architectural Review Board (ARB). In reviewing these site plans, the Architectural Review Board (ARB) shall recommend approval, approval with conditions, or denial of the site plan based on the merits of what is being proposed and the conformance of the site plan with the City's Unified Development Code (UDC).

(2) *Planning and Zoning Commission*. The Planning and Zoning Commission may approve, approve with conditions, or deny a Site Plan -- *upon recommendation from the Architectural Review Board (ARB) if necessary* -- based on the approval criteria listed in Section 3.04(B). The Planning and Zoning Commission shall not approve a site plan prior to review and recommendation by the Architectural Review Board (ARB) if necessary.

(B) *Criteria for Approval of a Site Plan ~~review~~*. In approving, approving with conditions, or denying a site plan ~~under this article~~, the following criteria shall be considered:

(1) The extent to which the site plan fulfills the goals, objectives and standards in the City's Comprehensive Plan, Parks and Open Space Master Plan, and the Unified Development Code (UDC)~~thoroughfare plan~~.
(2) Safety of the motoring and pedestrian public using the facility and the area surrounding the site.
(3) Safety from fire hazards and measures of fire control.
(4) Protection from flooding and water damage.
(5) Noise and lighting glare effects on adjacent neighbors.
(6) Relations of signs to traffic control and their effect on adjacent properties.
(7) Adequacy of streets to accommodate the traffic generation of the proposed development.
(8) Adequacy of off-street parking and loading facilities for the uses specified.
(9) Landscaping and screening provisions appropriately placed per code requirements.
(10) ~~Siting~~ Position of structures and other improvements relative to required setbacks, height limitations, and other density and dimensional requirements.
(11) The impact of the proposed development on slopes, protected vegetation, the open space system, and adjacent properties.
(12) Such other measures as might secure and protect the public health, safety, morals and general welfare.

SUBSECTION ~~23~~.05: EFFECT OF SITE PLAN APPROVAL

(A) *Site Plan Expiration*. If development of a lot or tract with an approved site plan has not been completed within two (2) years, or more with an extension, of its final approval, the site plan shall be deemed to have expired and a new review and approval of a site plan for development of the property shall be undertaken, and this new approval shall be required before a building permit is issued for development. This review and approval shall be evaluated according to the standards of the Unified Development Code (UDC)~~this [Unified Development Code]~~, taking into account all changes to the Unified Development Code (UDC)~~this [Unified Development Code]~~ which have occurred subsequent to the prior site plan approval.

(B) *Phasing Plan Expiration*. If the site plan is submitted in conjunction with an approved phasing plan for the development of the lot or tract, the site plan shall be deemed to have expired if any phase is not completed within the time period approved for such phase. No site plan phase may be planned to exceed three (3) years unless specifically authorized by the Planning and Zoning Commission ~~and City Council~~ when demonstrated that due to the size or complexity of the site the three (3) year time period would create a hardship. If any

phase is not completed within the time period approved, the entire remaining uncompleted site plan shall be deemed to have expired and the provisions of Subsection 3.05(A) above shall be followed.

(C) *Extension of Site Plan*. Extension of an approved site plan may be granted by the Planning and Zoning Commission ~~and city council~~ upon submission of a request for such extension by the property owner at least 90 days prior to the expiration of the plan. The Planning and Zoning Commission ~~and city council~~ shall take into consideration any changes that have occurred in the Unified Development Code (UDC)~~this [Unified Development Code]~~ subsequent to original approval of the plan and the property owner may be required to bring such plan into compliance with the current requirements. The period of time approved for any such extension shall be indicated in any approval, but in no case, shall the period for extension exceed three (3) years.

*SUBSECTION ~~2~~3.06: ~~*AMENDMENT OF*~~ AMENDED SITE PLAN~~S~~*

Minor modifications to a site plan may be approved by the Director of Planning and Zoning or his/her designee after the submission of a development application, application fee, and updated plans in accordance with Subsection 1.02, *Submission of an Application*. In the event the Director of Planning and Zoning determines that the modifications entail a significant change in the site plan, the Director of Planning and Zoning may defer the approval of the site plan to the Planning and Zoning Commission.

~~Minor modifications to any site plan may be approved by the zoning administrator. However, if the zoning administrator believes that a request for minor modification entails a significant change in the site plan, he may refer the request to the commission for determination. A "minor modification" to a PD site plan is defined as any modification that does not:~~

~~(1) Alter the basic relationship of proposed development to adjacent property;~~
~~(2) Change the character of the development;~~
~~(3) Change the uses permitted;~~
~~(4) Increase the maximum density, floor area, or height;~~
~~(5) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [Unified Development Code] requirements; or~~
~~(6) Reduce the minimum yards or setbacks.~~

SECTION 4: PLATS

SUBSECTION 5.01: SUBDIVISION ORDINANCE

For the City of Rockwall's platting requirements within the corporate limits and the Extraterritorial Jurisdiction (ETJ) refer to Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

~~*SECTION 4: UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS*~~

~~*SUBSECTION 4.01: PURPOSE AND AUTHORITY*~~

~~The city council may, from time to time, on its own motion, or by request of the planning and zoning commission, the zoning administrator or the city engineer, amend, supplement, or change the regulations established in this Unified Development Code.~~

~~*(Ord. No. 10-14, § 65, 7-6-2010)*~~

~~*SUBSECTION 4.02: PROCEDURES*~~

~~A. Action by the planning and zoning commission. The planning and zoning commission shall give appropriate notice and hold a public hearing. The commission shall approve, deny or modify the amendment and forward its report and recommendation to the city council.~~

~~B. Action by the city council. The council shall give appropriate notice and hold a public hearing and has final authority to adopt or deny any proposed amendment.~~

SECTION 5: MISCELLANEOUS CASE

(A) *Purpose.* The purpose of a *Miscellaneous Case* is to allow certain requests (*e.g. variances, exceptions, Tree Preservation Plans, etc.*) to be considered by the Planning and Zoning Commission and/or City Council independent of a site plan for the purpose of facilitating development.

(B) *Procedures.* Unless otherwise specified in the Unified Development Code (UDC), *Miscellaneous Cases* shall be subject to the procedures provided for in Section 9, *Exceptions and Variances*.

SECTION ~~36~~: CERTIFICATES OF APPROPRIATENESS (COA)

SUBSECTION ~~36~~.01: GENERAL.

(A) *Applicability*. ~~Prior to the commencement of any work in a Historic Overlay District which requires a certificate of appropriateness, the owner shall file with the historic preservation officer an application for such a certificate.~~ Any person carrying out any work that requires a building permit for exterior alteration, restoration, reconstruction, new construction, moving or demolition of a property within a historic district that is visible must first obtain a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB) as provided for in Subsection 6.2, *Historic Overlay District*, of Article V, District Development Standards ~~of this Unified Development Code~~.

(B) *Criteria for the Approval of a Certificate of Appropriateness (COA)*. The Historic Preservation Advisory Board (HPAB) shall follow the design guidelines as adopted by the City Council in its consideration of all applications for a Certificate of Appropriateness (COA). These standards shall be made available to the property owners of historic landmarks or within a historic district. The Historic Preservation Officer (HPO) shall coordinate with the appropriate City Departments on all Certificate of Appropriateness (COA) applications.

[MOVED FROM SECTION 12.03; ARTICLE II, UDC]

(C) ~~*No Permits without COA*~~ *Permits*. No building or fence permits shall be issued for site improvement or other construction until a Certificate of Appropriateness (COA) has been approved by the Historic Preservation Advisory Board (HPAB).

SUBSECTION ~~36~~.02: ~~COA~~ SUBMITTAL REQUIREMENTS.

The procedures and requirements for a Certificate of Appropriateness (COA) are outlined in Subsection 6.2, *Historic Overlay District*, of Article V, District Development Standards.

(Ord. No. 06-14, 4-17-2006)

SECTION 7: BUILDING PERMIT FEE WAIVER

SUBSECTION 7.01: PURPOSE

The *Building Permit Waiver and Reduction Program* was established for eligible properties located within the City's Historic Districts for the purpose of encourage development and redevelopment within these districts. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 7.02: ELEGIBILITY

The *Building Permit Waiver and Reduction Program* is eligible for the following properties:

(A) *Commercial Property.*

(1) Commercial properties located within the Old Town Rockwall (OTR) Historic District, Planned Development District 50 (PD-50), the Southside Residential Neighborhood Overlay (SRO) District, and the Downtown (DT) District are eligible for a 50% reduction in building permit fees for projects that include a substantial rehabilitation involving a minimum investment of $50,000.00 that involves work that 1) changes the use of the property (*i.e. residential to commercial*) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met. New development projects shall not be eligible for fee reductions or waivers.
(2) *Landmarked Properties* shall be eligible for a full waiver of building permit fees for projects that include a substantial rehabilitation involving a minimum investment of $25,000.00 that involves work that 1) changes the use of the property (*i.e. residential to commercial*) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met.
(3) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.

(B) *Residential Property.*

(1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for a 50% reduction or a full waiver of building permit fees for projects involving a minimum investment of $5,000.00 that are associated with the rehabilitation or restoration of a property. New development projects shall not be eligible for fee reductions or waivers.
(2) Properties classified as *Non-Contributing* shall be eligible for a 50% reduction of the require building permit fees.
(3) Properties classified as *Contributing* (*i.e. High, Medium or Low Contributing*) shall be eligible for a full waiver of building permit fees.
(4) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.

SUBSECTION 7.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to or concurrently with the submittal of a building permit. Once a building permit has been issued for a project, that project is no longer eligible for the program. The HPAB may review the application concurrently with a building permit submittal; however, no building permit can be issued while a program application is in process. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete application for the program will consist of 1) the application form, 2) a list of all improvements associated with the project, and 3) any additional information deemed necessary for the HPAB to make a determination. It shall be the Planning and Zoning Department's policy not to accept incomplete applications.

[CODIFIED FROM RESOLUTION NO.16-08]

SECTION 8: SMALL MATCHING GRANTS

SUBSECTION 8.01: PURPOSE

Purpose. The *Small Matching Grants Program* was established for eligible properties located within the City's Historic Districts for the purpose of encouraging small improvement and beautification projects. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 8.02: ELIGIBILITY

The *Small Neighborhood Matching Grants Program* is eligible for the following properties:

(A) *Residential Property.*

(1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for the program. The programs shall provide matching funds up to 50% of the total project cost.
(2) Properties classified as Non-Contributing shall be eligible for a total grant amount up to $500.00.
(3) Properties classified as Contributing (*i.e. High, Medium or Low Contributing*) or as a Landmarked Property shall be eligible for a grant amount up to $1,000.00.
(4) Regardless of a properties status no matching grant shall be approved for an amount of less than $100.00 (*i.e. a project minimum of $200.00*).
(5) Only projects proposing improvements to the exterior of a property that will be visible from the street shall be eligible for the program. Examples of these projects include but are not limited to landscaping, painting, replacement of windows, replacement of sidewalks and/or driveways, and etcetera.

SUBSECTION 8.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to the commencement of the proposed project. Once a project has commenced, that project or the portion of project that has commenced shall no longer be eligible for grant monies. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete application for the program will consist of 1) the application form, 2) a list of all improvements associated with

the project, and 3) any additional information deemed necessary for the HPAB to make a determination. It shall be the Planning and Zoning Department's policy not to accept incomplete applications.

SUBSECTION 8.04: CERTIFICATION AND VERIFICATION PROCESS

Applications for the Small Neighborhood Matching Grants pursuant to Subsection 8.03 of this resolution shall be filed with the Planning and Zoning Department. Upon receipt of a completed application, City staff shall process the request, verify that the improvements have not commenced, and prepare a memorandum to the Historic Preservation Advisory Board (HPAB) outlining the request. Within 60 days of the receipt of an application, the HPAB shall act to approve, deny or modify a request based on the requirements of this resolution. Upon action by the HPAB work may commence on the proposed project.

Once a proposed project has been completed, the applicant shall be required to submit a sworn statement of completion acknowledging that the project has been completed in accordance with the application submitted and approved by the HPAB. In addition, the applicant will be required to submit all receipts for the cost of the project. Within 15 days of the receipt of the sworn statement of completion, City staff shall verify that the improvements have been completed as required by the HPAB and document the improvements for the City's records. If the improvements have been completed as approved, staff will issue a check request in the applicant's name to the Finance Department for half the amount depicted on the receipts up to the full amount approved by the HPAB.

[CODIFIED FROM RESOLUTION NO.16-09]

SECTION 9: EXCEPTIONS AND VARIANCES

SUBSECTION 9.01: EXCEPTIONS TO THE GENERAL STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant an exception to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. In cases where an exception or exceptions is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- *but are not limited to* -- any two (2) of the following options:

(A) Increased landscape buffer.
(B) Increased landscaping (*i.e. additional canopy trees, accent trees, landscaping percentage, etc.*).
(C) Increased open space.
(D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
(E) Increased building articulation.
(F) The provision of four (4) sided architecture (*where not already required*).
(G) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (*i.e. brick, stone, or cultured stone*).
(H) The inclusion of 20% natural or cultured stone.
(I) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
(J) Undergrounding existing overhead utility lines.
(K) Compliance with the General Overlay District Standards detailed in Section 6, *Overlay Districts*, of Article V, *District Development Standards*.
(L) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

In requesting an exception or exceptions, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [*1*] the reason or reasons for the exception or exceptions being requested, [*2*] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [*3*] the proposed compensatory measures as detailed above.

If the Planning and Zoning Commission denies a request for an exception, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any exception to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 9.02: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in *Section 6.02, General Overlay District Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. In cases where a variance or variances is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- *but are not limited to* -- any two (2) of the following options:

(A) Increased landscape buffer.
(B) Increased landscaping (*i.e. additional canopy trees, accent trees, landscaping percentage, etc.*).
(C) Increased open space.
(D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
(E) Increased building articulation.
(F) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (*i.e. brick, stone, or cultured stone*).
(G) The inclusion of 20% natural or cultured stone.
(H) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
(I) Undergrounding existing overhead utility lines.
(J) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

In requesting a variance or variances, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [*1*] the reason or reasons for the variance or variances being requested, [*2*] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [*3*] the proposed compensatory measures as detailed above.

If the Planning and Zoning Commission denies a request for a variance, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 9.03: CRITERIA FOR GRANTING A VARIANCE OR EXCEPTION

In reviewing a request for a variance or an exception, the Planning and Zoning Commission should review the request to determine:

(A) If the proposed compensatory measures sufficiently offset the requested variance or exception.
(B) If such a request will substantially or permanently injure the appropriate use of adjacent property.
(C) If such a request will adversely affect the health, safety, and/or general welfare of the public.
(D) If such a request will be contrary to the public interest.
(E) If such a request will authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.
(F) If such a request will be in harmony with the spirit and intent of the Unified Development Code (UDC), Comprehensive Plan, and/or other City policies.
(G) If such a request will alter the essential character of the district in which the subject property is located.
(H) If such a request will substantially weaken the general purpose of the zoning requirements established for the district in which the subject property is located.

SECTION 10: FEE SCHEDULE

(A) *Establishment of Fees.* Fees for all development related applications in the City of Rockwall shall be established by the City Council upon recommendation of the City Council. Such fees shall be for the sole purpose of recovering the administrative cost of processing development applications, advertising zoning requests, and holding public hearings required by this Article. Such fee shall *not* be designed to generate revenue for the City other than recovery of actual administrative costs.

[MOVED FROM SECTION 19; ARTICLE II, UDC]

(B) *Fees*. The fees for development related applications in the City of Rockwall shall be as follows:

(1) *Platting*.

(a) *Master Plat*: $100.00 + $15.00/Acre
(b) *Preliminary Plat*: $200.00 + $15.00/Acre
(c) *Final Plat*: $300.00 + $20.00/Acre
(d) *Replat*: $300.00 + $20.00/Acre
(e) *Amending or Minor Plat*: $150.00
(f) *Plat Reinstatement Request*: $100.00

(2) *Site Plan*.

(a) *Site Plan*: $250.00 + $20.00/Acre
(b) *Amended Site Plan*: $100.00

(3) *Zoning*.

(a) *Zoning Change*: $200.00 + $15.00/Acre
(b) *Specific Use Permit (SUP)*: $200.00 + $15.00/Acre
(c) *Planned Development District (PD)*: $200.00 + $15.00/Acre

(4) *Miscellaneous Case*.

(a) *Variance/Special Exception*: $100.00
(b) *Tree Removal*: $75.00
(c) *All Other Miscellaneous Cases*: $0.00

(5) Historic Preservation Advisory Board.

(a) *Certificate of Appropriateness (COA)*: $0.00
(b) *Small Matching Grants*: $0.00
(c) *Building Permit Fee Waiver*: $0.00

[TAKEN FROM DEVELOPMENT APPLICATIONS]

(C) *Calculation of Fees.* Fees that have a scaled fee structure (*i.e. that are based on the acreage of the property*) are calculated by multiplying the acreage of the property by the scalable fee and adding the base fee. For example, a 5.25-acre property that is requesting a zoning change would be calculated as follows:

5.25-acres x $15.00/Acres = $78.75 + $200.00 [*Base Fee*] = $278.75 [*Fee Due*]

Properties that are less than one (1) acre in total size shall be calculated as one (1) acre. No other rounding methods shall be used in the calculation of a fee.

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: Highlighted, Red Text
Links/References: Blue, Underlined

ARTICLE XIII, DEFINITIONS

SECTION 1: ~~USAGE~~ GENERAL

SUBSECTION 1.01: USAGE

For the purposes of this Unified Development Code (UDC), certain terms and/or words are used and interpreted as defined below. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular. The word *shall* wherever used in this article will be interpreted in its mandatory sense and the word *may* shall be deemed as permissive. The word *building* includes the word structure unless otherwise indicated in the definition. The word *lot* also means *plot* or *tract*. The term *used for* includes the meaning *designed for* or *intended for*.

~~A. For the purpose of these regulations, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this [Unified Development Code].~~
~~B. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular.~~
~~C. The word "shall" wherever used in this article will be interpreted in its mandatory sense; the word "may" shall be deemed as permissive.~~
~~D. The word "building" includes the word "structure"; the word "lot" also means "plot" or "tract."~~
~~E. The term "used for" includes the meaning "designed for" or "intended for."~~

SECTION 2: ~~DEFINITIONS~~ WORDS, TERMS, AND LAND USES DEFINED

SUBSECTION 2.01: GENERAL DEFINITIONS

~~Accessory building or use. A subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.~~

(1) *Adopted Policies*. A written administrative directive discussed at a public meeting and officially adopted by a majority vote of the city council.

(2) *Agriculture*. The planting, cultivating, harvesting and storage of grains, hay or plants, or vineyards, commonly grown in Rockwall County. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept is three acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops and is not primarily for the raising or fattening of livestock. A feed lot exclusively for the fattening of livestock is not considered an agricultural use.

(3) *Alley*. A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street; it is also public space or way, 20 feet or less in width, which has been dedicated or deeded for public use.

(4) *Alteration*. Any addition, removal, extension, or change in the location of any exterior wall of a main building or accessory building, or change or modification in construction or occupancy.

(5) *Apartment*. A room or suite of rooms within an apartment house arranged, intended or designed for a place of residence of a single-family or group of individuals living together as a single housekeeping unit and who do their cooking therein. (See Dwelling unit.)

(6) *Apartment house or building*. A building arranged, intended or designed for more than two families. (See Dwelling unit, "multiple.")

(7) *Associated recreation*. Recreational uses which are an integral part of a common ownership or associated with high density residential development (example: homeowners association with a private club, swimming pool, and tennis courts).

(8) *Authorized agent*. An architect, builder, developer, or other person empowered to act on behalf of other persons.

~~*Automobile repair, major*. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90 days.~~

~~*(Ord. No. 93-22, 7-6-1993)*~~

~~*Automobile repair, minor*. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.~~

~~*(Ord. No. 93-26, 8-2-1993)*~~

(9) *Bar, cocktail lounge, tavern, saloon, cantina*. An establishment where alcoholic beverages are sold for on-premises consumption, other than a restaurant as defined in this section.

(10) *Basement or cellar*. A story having more than one-half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

~~*Bed and breakfast*. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.~~

(11) *Block*. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the building official shall determine the outline of the block.

(12) *Boardinghouse or lodginghouse*. A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous

arrangements, but not for the public or transients.

(13) *Buffer*. A visual screen constructed of wood, concrete block, masonry, or landscape material including earthen berms in such a manner that adjacent property will be screened from the use contemplated, so noise, solid waste, or other objectionable influences will be avoided. Such buffer shall be horizontal to the ground, opaque, and a minimum of six feet in height.

(14) *Buildable area*. The "buildable area" of the lot is the maximum amount of allowable space upon which a structure or building may be erected, after meeting the coverage, yard and other requirements of this [Unified Development Code].

(15) *Building*. An enclosed structure, anchored to permanent foundation, and having exterior or party walls and a roof, designed for the shelter of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breeze way shall be deemed as one building. Parking structures shall not be considered as buildings when calculating building coverage.

(16) *Building area*. The building area of the lot is the gross area covered by the structures when placed on the lot.

(17) *Building coverage*. Percentage of the lot that is occupied by the building area, including parking structures and accessory buildings.

(Ord. No. 06-14, 4-17-2006)

(18) *Building height*. The height of the building shall be measured from the average elevation of the finished grade along the front of the building to the highest point of the roof or parapet of the building if it is a flat, mansard or shed roof; or to the midpoint of the roof if it is gable, hip or gambrel roof.

(19) *Building official*. The duly authorized employee or representative of the city charged with implementation, inspection and enforcement of the building codes.

(20) *Building, principal*. A principal building is one in which a main use of the lot on which it is located is conducted.

(21) *Building setback line*. A line defining an area on the building lot between the street right-of-way line and all other property lines and the building line within which no building or structure shall be constructed (also referred to as a "yard"), encroach or project except as specifically authorized in an adopted ordinance of the City of Rockwall. In the GR, C, DT, HC, RT, LI, [and] HI districts, underground parking garages shall not be required to meet side or rear setback requirements, but may be constructed from lot line to lot line.

(Ord. No. 10-14, § 69, 7-6-2010)

(a) *Front building setback line (defining a front yard)*. A line parallel to the street right-of-way line which the building faces, and takes its primary access from. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street (see examples).

(Ord. No. 06-14, 4-17-2006)

(b) *Side building setback line (defining a side yard)*. A line parallel to an adjacent lot which the building sides up to.

(Ord. No. 06-14, 4-17-2006)

(c) *Rear building setback line (defining a rear yard)*. A line parallel to an adjacent lot or alley, which the building backs up to and has its rear or secondary access from.

(Ord. No. 06-14, 4-17-2006)

(22) *Caliper*. The diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.

(23) *Canopy or shade tree*. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.

(24) *Carport*. A structure which is open on at least 2 sides, covered with a roof and constructed specifically for the storage of one or more automobiles; utility room may be included.

(25) *Certificate of occupancy*. A certificate issued by the zoning administrator or his authorized representative stating that the proposed use of the land and/or building conforms to the requirements of this [Unified Development Code].

(26) *City*. The City of Rockwall, Texas.

(27) *Clinic*. An institution, public or private, or a station for the examination and treatment of outpatients by a group of doctors, dentists, opticians, ophthalmologists, orthopedists, or other similar professional physicians.

(28) *Cluster development*. A method of development of land that permits variation in lot sizes without an increase in overall density of population or development. The use of permanent, open space may be one method used to offset the increased density of smaller residential lots.

~~*Cold storage plant*. A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.~~

(29) *Commercial Development.* Any development on private land that is not classified as industrial or residential development (*i.e. that consists of development being performed within the Residential Office [RO], Neighborhood Services [NS], General Retail [GR], Heavy Commercial [HC], or Commercial [C] Districts and that is based in office, retail, personal services, or similar land uses*).

(30) *Commission*. The planning and zoning commission of the City of Rockwall, Texas.

(31) *Comprehensive plan*. The comprehensive plan of the City of Rockwall and includes any unit or a part of such unit separately adopted and any amendment to such plan or parts thereof.

(32) *Condominium*. A multi-family dwelling unit, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roof, parking space, and the land when the building is not constructed on leased land.

(33) *Court*. An open unoccupied space, other than a yard, on the same lot with a building and which is bounded on two or more sides by the building.

(34) *Curb level*. The level of the established curb in front of the building measured at the center of such front, or in the case of a corner lot, along the abutting street where the mean curb level is the highest. Where no curb has been established, the city engineer shall establish such curb or its equivalent for the purpose of this [Unified Development Code].

~~*Day care center or day nursery*. A place for the care of children. Services usually include a staff nurse and a hot meal is normally served.~~

(35) *Density*. The ratio of dwelling units per gross acre of platted area being developed.

(36) *District*. A zone or geographic area within the municipality within which certain zoning or development regulations apply.

~~*Drive-in eating establishments*. Any structure and premises specifically designed for the preparation and dispensing of food and meals for consumption either indoors or in a vehicle parked on the premises or taken away for consumption in the home or other places.~~

(37) *Dwelling unit*. Any building or portion thereof which is designed for or used primarily for residential occupancy, but not including hotels, boardinghouses or mobile homes, trailers, motor coaches or other recreational vehicles.

~~*Single-family*. A building designed for and/or occupied exclusively by one family as a separate dwelling unit.~~

~~*Duplex*. A building designed and/or occupied exclusively by two families living independently of each other.~~

(a) *Triplex*. A building designed for and/or occupied exclusively by three families living independently of each other.

(b) *Fourplex*. A building designed for and/or occupied exclusively by four families living independently of each other.

(c) *Multiple*. A building designed for and/or occupied exclusively by five or more families living independently of each other.

(d) The determination of whether one family is living independently of another is based on one or more of the following criteria:

(1) Separate sanitary facilities.
(2) Separate kitchen facilities.
(3) Separate entrances.
(4) Separate utilities.

(38) *Dwelling unit, minimum square footage*. The minimum square footage required in each zoning district shall not include garages, porches, patios, eaves and/or other areas not part of the main, air-conditioned living space of the dwelling unit.

(Ord. No. 06-14, 4-17-2006)

(39) *Enhanced pavement*. Any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

(40) *Evergreen tree or shrub*. A tree or shrub of a species which normally retains its leaves throughout the year.

(41) *Family*. One or more persons who are related by blood, adoption or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a nonprofit, cost-sharing basis.

(42) *Fence*. Any wall or structure of any material for which the purpose is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building, or structure.

~~*Filling, retail service station*. An establishment where gasoline, oil and grease, or automobile accessories are sold, supplied or dispensed to the vehicle trade or where motor vehicles received limited repair, are equipped for service, or where electric storage batteries are recharged and cared for, or a place where any two or more such activities are carried on or conducted as the principal use of the establishment. (The storage, sale, lease, or rental of more than one boat or mobile home, or more than five hauling trailers is prohibited.)~~

(43) *Floor area ratio*. The relationship of the gross floor area of all buildings on a lot to the total lot area. Parking structures shall be excluded in the calculation of the floor area ratio.

(44) *Frontage*. All the property abutting on one side of a street between two intersecting streets, measured along the street line.

(45) *Garage apartment*. A dwelling unit attached to a private garage.

~~*Garage, commercial*. A commercial garage is any premises and structures used for housing more than three motor driven vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.~~

(46) *Garage, community*. A building or portion thereof, other than a public, private or storage garage as defined below, providing storage for motor vehicles with facilities for washing, but no other services, such garage to be in lieu of private garages within a block or portion of a block.

~~*Garage, detached or private*. An accessory building for storage only of motor vehicles and home laundry.~~

(47) *Garage, public*. A building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles, which is operated for commercial purposes.

(48) *Garage, storage*. A building or portion thereof, except those defined as private, a public, or a community garage providing storage for more than four motor vehicles, with facilities for washing but no other services.

(49) *Ground cover*. Natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

~~*Group housing project*. A dwelling project consisting of three or more buildings, to be constructed on a plot of ground which is not subdivided into customary streets or lots, or where the existing or contemplated street or streets or lot layouts make it impractical to apply the requirements of this [Unified Development Code] to the individual building units in such housing project.~~

~~*Guesthouse*. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.~~

(50) *Height of yard or court*. The vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.

~~*Home occupations*. A "home occupation" is a commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.~~

~~*Hospital, sanitarium, nursing or convalescent homes*. A building or any portion thereof, used or designed for the housing or treatment of the sick, mentally ill, injured, convalescent or infirm persons; provided that this definition shall not include rooms in any residential dwelling, hotel, apartment hotel not ordinarily intended to be occupied by said persons.~~

~~*Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

~~*Hotel, full service*. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops. A full service hotel shall also include the following:~~

~~(a) A minimum room count of 250 rooms.~~
~~(b) Each guestroom shall have a minimum area of 380 square feet.~~
~~(c) A full service restaurant with full kitchen facilities and which provides service to the general public.~~
~~(d) On site staff required 24 hours a day, seven days a week.~~
~~(e) The following amenities are required to be provided:~~

~~(1) A minimum of 10,000 square feet of meeting or conference room space; and~~
~~(2) A swimming pool with a minimum area of 1,000 square feet.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

~~*Hotel, residence*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

(51) *Impervious cover*. Roads, parking areas, buildings and other impermeable construction covering the natural land surface that prevent absorption of the water. Water quality basins, swells and other conveyances for overland drainage shall not be calculated as impervious cover.

(52) *Industrial Development.* Any development on private land that is not classified as commercial or residential development (*i.e. that consists of development being performed within the Light Industrial [LI] or Heavy Industrial [HI] Districts and that is based in warehouse, research/technology, light or heavy manufacturing, or similar land uses*).

(53) *Institutional use*. A nonprofit organization or building, public or private, for the benefit of the public including YMCA, YWCA, Boys Clubs, Scouts; educational facilities and schools, including day care centers and kindergartens; churches, temples, cemeteries, mausoleums or crematories for the deposit of the human dead; hospitals, civic clubs, private parks, private libraries, museums, etc.

~~*Kennel*. Any premises in which more than three dogs or three cats or three other domesticated animals over the age of three months, not including livestock or poultry, are housed, boarded, raised, or trained as a commercial enterprise. This definition does not include pet shops.~~

(Ord. No. 90-5, 3-19-1990)

(54) *Kindergarten*. A school for more than five children of preschool age, in which constructive endeavors, object lessons or educational games are prominent features of the curriculum.

(55) *Landscape architect*. A person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.

(56) *Landscape buffer*. A strip of land:

(a) Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and
(b) At least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).

(57) *Landscaping*. Trees, shrubs, ground cover, earthen berms, vines, grass, water, decorative features such as fountains, or other material approved by the city council.

(58) *Large shrub*. A shrub which normally reaches a height of six feet or more upon maturity.

(59) *Large tree*. A tree of a species which normally reaches a height of 30 feet or more upon maturity.

(60) *Legislative or governing body*. The city council of the City of Rockwall, Texas.

(61) *Loading space*. A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks and having a minimum dimension of 12 [feet] by 65 feet and a vertical clearance of at least 14 feet.

(Ord. No. 06-14, 4-17-2006)

(62) *Lot*. An undivided tract or parcel of land having frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

(63) *Lot area, minimum*. Includes internal sidewalks, recreation areas, floor space, parking area, open space and utility easements, but does not include any public right-of-way street easements or alley easements.

(64) *Lot, corner*. A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the building official, or as specified on an approved plat.

(65) *Lot depth*. The length of a line connecting the midpoints of the front and rear lot lines.

(66) *Lot[,] double frontage[,] or through lot*. A lot abutting on two nonintersecting public streets as distinguished from a corner lot.

(67) *Lot, frontage*. The length of street frontage between property lines.

(68) *Lot, interior*. A lot whose side lot lines do not abut upon any street.

(69) *Lot, irregular*. Any lot not having equal front and rear lot lines, or equal side lot lines; a lot, the opposite lot lines of which vary in dimension and the corners of which have an angle of either more or less than 90 degrees. A lot fronting on a sharp curve or cul-de-sac.

(70) *Lot lines*. The lines bounding a lot as defined herein.

(a) *Front lot line*. The property line between the front yard(s) and the contiguous street right-of-way boundary.

(Ord. No. 06-14, 4-17-2006)

(b) *Rear lot line*. The boundary line which is opposite and most distinct from the front street line; except that in the case of uncertainty the building inspector shall determine the rear line.
(c) *Side lot line*. The property line between two adjacent lots. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street.
(Ord. No. 06-14, 4-17-2006)

(71) *Lot of record*. A parcel of land which is part of a subdivision, the map or plat of which has been recorded in the office of the county clerk of Rockwall County; or a parcel of land not a part of an urban or town lot subdivision, the deed of which has been recorded in the office of the county clerk of Rockwall County prior to the adoption date of the ordinance from which this Unified Development Code is derived which has not been divided since recording.

(72) *Lot, reverse corner*. A corner lot whose front line faces at right angles to the front lot lines of the interior lots or whose rear lot line abuts the side lot lines of interior lots.

(73) *Lot width*. The horizontal distance between side property lines, measured at the front setback line.

(74) *Lots in separate ownership at the time of the passage of this [Unified Development Code]*. A lot whose boundary lines, along their entire length touched lands under other ownership as shown by plat or deed recorded in the office of the county clerk of Rockwall County on or before the date of the adoption of the ordinance from which this Unified Development Code was derived.

(75) *Maneuvering space*. The space entirely on private property required for maneuvering vehicles in such a manner as to preclude the backing of any vehicle into any street right-of-way.

(76) *Manufactured home or HUD-code manufactured home*. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 71, 7-6-2010)

(77) *Masonry*. Masonry construction shall be defined as construction composed of materials in the categories listed below and shall not include hollow clay tile or exposed lightweight block such as cinder block.

(78) *Modular*.

(a) Brick.
(b) Natural or quarried stone.
(c) Cast or cultured stone.
(d) Glass block or glass.
(e) Tile.
(f) Custom concrete masonry units (normal or heavy weight blocks with an integral color that is sandblasted, burnished or has a split face).

~~*Mini-warehouses*. Small individual storage units for rent or lease, restricted to the storage of items that are not for sale on the premises.~~

(79) *Mobile home*. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 72, 7-6-2010)

(80) *Modular homes*. Any permanent, single-family dwelling unit which has been prefabricated or factory constructed as a single unit or in sections or modules, and assembled at the factory or construction site and moved to a permanent location as a unit or in sections or modules, as a permanent single-family dwelling unit placed on a permanent foundation at such site and connected with all required utility services.

~~*Motel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

(81) *Municipal uses*. Facilities owned or controlled by the City of Rockwall, including, but not limited to, office buildings, maintenance shops, treatment plants; community centers.

~~*Nightclub, discotheque, disco or dance hall*. An establishment whose primary activity is the provision of facilities for dancing, including a dance floor and live entertainment or amplified music. Such establishment may or may not provide on-premises consumption of alcoholic beverages. Schools of dance are exempted from this definition.~~

(82) *Nonconforming use, building or yard*. A use, building or yard, which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated. It is a legal nonconforming use if established prior to the passage of this [Unified Development Code].

(83) *Non-permeable coverage*. Coverage with non-permeable pavement.

(84) *Parking area*. Space used exclusively for the parking of vehicles and where no other business is conducted paved to city specifications.

(85) *Parking space*. Area, not closer than six feet from the back edge of the curb, the width and length of which shall exceed by a minimum of two feet the dimensions of the type of vehicle normally to be parked in the space, and connected to a street or alley by a driveway affording satisfactory ingress and egress. The minimum dimension of a parking space shall be in accordance with the adopted ordinances of the City of Rockwall regarding off-street parking.

(86) *Patio home*. A single-family, residential dwelling unit that is most often a one-story L-shaped or U-shaped home utilizing the entire lot with an enclosed garden court for open space area. Fire retardant walls are utilized and additional open space is often provided by clustering the units.

(87) *Paving*. Material which provides an all-weather surface for the parking of vehicles. All required paving shall meet the standards specified by applicable city specifications.

(88) *Permitted use*. A use specifically allowed in one or more of the various districts without the necessity of obtaining a use permit.

(89) *Person*. Any individual, association, firm, corporation, governmental agency or political subdivision.

~~*Personal service shop*. An establishment for the purpose of supplying limited personal services such as, but not limited to, barber, shoe, boot, saddle, shine shop.~~

(90) *Place*. An open, unoccupied space other than a street or alley permanently established or dedicated as the principal means of access to property abutting thereon.

(91) *Planned development (PD)*. Includes a combination of different dwelling types and/or a variety of land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity, and comply with provisions of the ordinances governing planned developments.

(92) *Planned shopping center*. A group of architecturally unified commercial establishments built on a site which is planned, developed, owned and managed as one operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.

(93) *Planning consultant*. A private practitioner in planning, who is a member of the American Institute of Certified Planners (AICP).

(94) *Plat*. A map of a subdivision or site plan that represents a tract of land, showing the boundaries and location of individual properties and streets.

~~*Portable building*. A temporary building that may or may not have a foundation and is transportable.~~

~~*(Ord. No. 86-56, 6-16-1986)*~~

~~*Private club*. An establishment providing social and dining facilities as well as alcoholic beverage service to an association of persons and otherwise falling within the definition of and permitted under the provisions of that portion of V.T.C.A., Alcoholic Beverage Code § 32.01 et seq., as it be hereafter amended and as it pertains to the operation of private clubs.~~

(95) *Recreational vehicle or travel trailer*. A vehicle which is:

(a) Built on a single chassis;
(b) 400 square feet or less when measured at the largest horizontal projections;
(c) Designed to be self-propelled or permanently towable by a light duty truck; and
(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(Ord. No. 10-14, § 73, 7-6-2010)

~~*Restaurant or cafe*. A building or portion of a building, where the primary business is the on-premises sale of prepared food, with adequate facilities for the preparation of the food to be sold, the adequacy of said kitchen facilities to be based upon the seating capacity of the restaurant and the type of menu offered.~~

(96) *Residential Development.* Any development on private land that is not classified as industrial or commercial development (*i.e. that consists of development being performed within the Agricultural [AG], Single-Family Estate 1.5 [SFE-1.5], Single-Family Estate 2.0 [SFE-2.0], Single-Family Estate 4.0 [SFE-4.0], Single-Family 1 [SF-1], Single-Family 16 [SF-16], Single-Family 10 [SF-10], Single-Family 8.4 [SF-8.4], Single-Family 7 [SF-7], Zero Lot Line [ZL-5], Two-Family [2F], or Multi-Family 14 [MF-14] Districts that is based in residential land uses*).

(97) *Restaurant (limited service)*. A building or portion of a building, where the primary business is the on-premises sale of prepared food where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' location. Drive-through "pickup/order" window permitted provided that there is no public address system or speakers.

(98) *Retail*. The sale of goods directly to a consumer. Engaged in, pertaining to, or relating to the sale of merchandise at retail. To sell by individual items or by the piece, directly to a consumer.

(99) *Retail food store*. A retail establishment selling meats, fruits, vegetables, bakery products, light hardware, and other similar items which are purchased for use and consumption off the premises (may be drive-in or supermarket type).

(100) *Right-of-way line*. A dividing line between a lot, tract, or parcel of land and the public right-of-way.

(101) *Screening*. Screening that complies with the construction and maintenance regulations in section 5, Mandatory Provisions, except as those regulations may be expressly modified in this article.

~~*Self-storage facility*. Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited. One caretaker/security residence shall be permitted in association with a self-storage facility.~~

(102) *Semi-public uses*. Public facilities including sanitary landfills, water treatment and supply facilities, and wastewater treatment facilities, but not including facilities owned or controlled by the city.

~~*Servant's quarters*. An accessory building or portion of a main building located on the same lot as the main building and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile.~~

(103) *Setback*. See Building setback line.

(104) *Sign*. A name, identification, image, description, display or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs.

(105) *Site*. A combination of continuous lots that may or may not be owned separately, that will be developed under one unified plan, as if it were a single parcel of land.

(106) *Site plan*. The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, floodplain, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting, and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

(107) *Small tree*. A tree of a species which normally reaches a height of less than 30 feet.

(108) *Soil*. A medium that plants will grow in.

(109) *Space*. A plot of ground within a mobile home or recreational vehicle park designated for the accommodation of one mobile home or one recreational vehicle, together with such open space as required by this chapter.

(110) *Storage*. The accumulation, stocking, or depositing of materials or items. These may include materials for the eventual use or sale in a commercial enterprise, but does not include the storing of a personal car or truck on an individual residential lot.

~~*Storage building*. Any building either portable or constructed on site, utilized for storage purposes, and not requiring plumbing and electrical wiring, and not used for residential purposes~~.

(111) *Story*. That part of a building included between the surface of one floor and the surface of the floor next above, or, if there be no floor above, that part of the building which is above the surface of a floor and the ceiling next above. A top story attic is a half-story, when the main line of the eaves is not above the middle of the interior height of such story. The first story is a full story when over 50 percent of its exterior walls are exposed to outside light and air entirely above grade and which exterior walls contain windows or doors permitting entrance of daylight and outside air.

(112) *Street*. A public or approved private thoroughfare which affords the principal means of access to abutting property, excluding alleys, and as defined in the city's thoroughfare plan.

(113) *Street line*. The dividing line between the street right-of-way and the abutting property.

(114) *Structural alterations*. Any alteration involving a change in or addition to the supporting members of a building, such as bearing walls, columns, beams or girders.

(115) *Structure*. Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, signs, and excluding utility poles, fences and retaining walls.

(116) *Subdivision*. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

~~*Townhouse*. A single-family dwelling unit constructed in a series, or a group of units having common walls, each on a separate lot.~~

(117) *Urban Agriculture*. An industry located within or on the fringe of a town, a city or metro-area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying human and material resources, products and services largely to the urban area.

(118) *Variance*. Relief from or variation of the provisions of these regulations, other than use regulations, as applied to a specific piece of property, as distinct from rezoning, as further set out hereinafter in powers and duties of the board of adjustment.

~~*Veterinary clinic*. An establishment where animals and pets are admitted for examination and medical treatment and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.~~

~~*(Ord. No. 90-5, 3-19-1990)*~~

(119) *Visibility Triangle*. The term "visibility triangle" as defined in article V, section 1.9 of this Unified Development Code.

(120) *Wall, exterior*. Any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.

(121) *Wholesale*. The sale of commodities for the purpose of resale, as to retailers or jobbers rather than to consumers directly; opposed to retail. Of, pertaining to, or engaged in sale at wholesale.

(122) *Xeriscaping*. A type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.

~~*Zero lot line house*. A single-family detached residential dwelling unit with one side wall coincident with the side lot line and a five-foot maintenance easement coincident with the opposite side lot line.~~

SUBSECTION 2.02: LAND USE DEFINITIONS

(A) *Agricultural and Animal Related Land Uses.*

(1) *Agricultural Uses on Unplatted Land.* Any area used for growing farm products, vegetables, fruits, trees, and grain and/or for the raising of farm animals (*e.g. horses, cattle, sheep, etc.*) -- *including the necessary accessory uses for raising, treating, and storing products raised on the premises* -- , but not including the commercial feeding, cultivation of offal (*i.e. entrails or internal organs*) to swine or other animals and not including any type of agriculture or cultivation that is specifically prohibited by this federal, state, or local law.

(2) *Animal Boarding/Kennel*. Any premises in which more than three (3) dogs or three (3) cats or three (3) of any other domesticated animal over the age of three (3) months -- *not including livestock or farm animals* -- are housed, boarded, raised or trained as a commercial enterprise. This definition does not include pet shops.

(3) *Animal Clinic for Small Animals without Outdoor Pens.* An establishment where small animals and pets are admitted for examination, medical treatment, and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.

(4) *Animal Hospital or Clinic.* A facility for the diagnosis, treatment, or hospitalization of animals.

(5) *Animal Production or Husbandry.* An agricultural operation specifically concerned with the raising of animals for meat, milk, eggs, or other products. *Animal Production or Husbandry* includes the *day-to-day* care, selective breeding and the raising of livestock.

(6) *Animal Shelter or Loafing Shed.* An agricultural structure that is typically built inside a pasture or paddock area that provides livestock with shade, water, and/or food.

(7) *Barn or Agricultural Accessory Building.* A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.

(8) *Crop Production.* An area for raising or harvesting agricultural crops such as wheat, field forage, and other plant crops intended to provide food or fiber.

(9) *Commercial Horse Corral or Stable.* A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.

(10) *Private Horse Corral or Stable.* A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, trained, or bred for the private use of the property owner.

(11) *Community Garden.* A use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (*e.g., hand tool storage sheds*) maintained and used by the group.

(12) *Urban Farm.* A use in which plants are grown for sale as products, and in which the plants or their biproducts are sold at the lot where they are grown or off-site, or both, and in which no other items are sold (*e.g. flower and vegetable raising, orchards and vineyards, etc.*).

(13) *Wholesale Nursery (i.e. without Retail Sales On-Site).* An establishment for the cultivation and propagation, display, storage and wholesale of large plants, shrubs, trees and other materials used in the indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape materials as an accessory use.

(B) *Residential and Lodging Land Uses.*

(1) *Residential Accessory Building or Structure.* A subordinate building having a use customarily incidental to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.

(2) *Bed and Breakfast*. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.

(3) *Caretakers Quarters/Domestic or Security Unit.* A residence located on premises with a main residential or non-residential use and occupied only by a caretaker or guard employed on the premises.

(4) *Convent, Monastery, or Temple.* A facility or building occupied by a community of monks, nuns, priests, or similar sects living under religious vows.

(5) *Duplex.* A building designed and/or occupied exclusively by two (2) families living independently of each other on one (1) lot or parcel of land.

(6) *Commercial Garage*. Any premises and/or structures used for housing more than three (3) motor vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.

(7) *Residential Garage.* A residential accessory building used for the storage motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.

(8) *Guest Quarters/Secondary Living Unit.* An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.

(9) *Home Occupation.* A commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.

(10) *Limited-Service Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid

service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.

(11) *Full-Service Hotel*. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security-controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.

(12) *Residence Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.

(13) *Motel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.

(14) *Multi-Family Structure or Development*. A development consisting of at least three (3) single-family dwelling units grouped into a single building or multiple buildings on an individual parcel of land. Examples of a *Multi-Family Development* include Triplexes, Quad or Fourplexes, apartments, condominiums, and etcetera.

(15) *Portable Building*. A temporary building that may or may not have a foundation and is transportable.

(16) *Residential Infill in or Adjacent to an Established Subdivision*. The new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.

(17) *Single-Family Attached Structure*. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).

(18) *Single-Family Detached Structure*. A single-family residential structure that is occupied by one (1) family, is situated on a single parcel of land, does not share a common wall or wall with any adjacent structures, and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).

(19) *Single-Family Zero Lot Line Structure*. A single-family detached structure that has a wall or walls that comes up to, or very near to, the edge of the property line on one (1) side of the property.

(20) *Private Swimming Pool*. A swimming pool constructed for the exclusive use of the property owner and/or residents of a single-family, duplex, multi-family structure or development. A private swimming pool shall not be operated as a business.

(21) *Private Tennis Court*. A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas

except as may be otherwise permitted.

(22) *Townhouse*. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*). These units are typically constructed in a series or group of units.

(23) *Urban Residential*. A development situated within the City's Downtown (DT) District -- *which is also referred to as the urban core* -- that allows for multiple single-family dwelling units grouped into a single building. This type of structure typically contains a mix of office, retail, and residential land uses.

(C) *Institutional and Community Service Land Uses.*

(1) *Assisted Living Facility.* A facility that is licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code that furnishes -- *in one (1) or more buildings* – food, shelter, and limited assistance to persons who are unrelated to the proprietor of the establishment, and also provides personal care services.

(2) *Blood or Plasma Donation Center*. A facility that allows for a person or persons to donate or sell blood or plasma for use in medical or other products.

(3) *Cemetery/Mausoleum.* A land used intended to be used for the burial of the human or animal remains and dedicated for cemetery purposes, including crematories, mortuaries and funeral chapels if operated in connection with and within the boundaries of such cemetery.

(4) *Church/House of Worship*. A facility or area where people gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence.

(5) *College, University, or Seminary*. An institution established for educational purposes offering courses for study beyond the secondary education level. This land use shall exclude *Trade Schools*.

(6) *Convalescent Care Facility/Nursing Home*. A facility providing primarily inpatient health care, personal care, or rehabilitative services on a 24-hour basis over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision, but not hospitalization.

(7) *Congregate Care Facility/Elderly Housing.* A facility for long-term residence -- *exclusively for persons 62 years of age or older* -- who may need limited assistance with daily living activities, and which includes at a minimum each of the following amenities and personal care services: [*1*] private living quarters that are designed for a maximum of double occupancy and which no full kitchen facilities are permitted (i.e. no dishwasher or oven); [*2*] daily prepared meals in a common dining area; [*3*] housekeeping, laundry service, and private bus transportation service; [*4*] dedicated areas for social activities; and [*5*] dedicated areas for indoor and outdoor recreation activities.

(8) *Crematorium*. A facility licensed, or qualified to be licensed, by the State of Texas for the cremation of human remains.

(9) *Daycare with Seven (7) or More Children*. A state licensed facility -- *other than a public, parochial, or private school* -- providing care for seven (7) or more children under the age of 14 years old for less than 24-hours per day (*typically daytime hours only*) at a location other than a residence.

(10) *Emergency Ground Ambulance Services*. A facility that houses Emergency Medical Service (EMS) motor vehicles or ambulances that are dispatched to offer emergency paramedic services that require an urgent medical response.

(11) *Group or Community Home*. A home for disabled persons whose ability to care for themselves, perform manual tasks, learn, work, walk, see, hear, speak or breath is substantially limited because the person has an orthopedic, visual, speech, or hearing impairment, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.

(12) *Government Facility*. An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to: City services/offices, employment offices, police and fire stations, and/or motor vehicle licensing and registration services.

(13) *Halfway House*. A facility where persons are aided in readjusting to society following a period of imprisonment, hospitalization, homelessness, or institutionalized treatment.

(14) *Hospice*. A facility designed to provide a centralized program for palliative and supportive services to dying persons and their families in the form of physical, psychological, social, and spiritual care either directly or on a consulting basis.

(15) *Hospital*. An institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.

(16) *Public Library, Art Gallery, or Museum.* An institution for the collection, display and distribution of objects of art, science, or library sciences and which are sponsored by a public or quasi-public agency that is open to the general public.

(17) *Mortuary or Funeral Chapel.* A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of a deceased for burial and/or the display of the deceased through ceremonies prior to burial or cremation.

(18) *Local Post Office.* A local branch of the United States Postal Services or a private commercial venture engaged in the distribution of mail, packages, and incidental services.

(19) *Regional Post Office*. A branch of the United States Postal Services or a private commercial venture engage in the regional distribution of mail and packages to local post offices.

(20) *Prison/Custodial Institution.* A facility responsible for the incarceration of adults that provides 24-hour supervision by professionals. These types of facilities include prisons, jails, and probation facilities.

(21) *Public or Private Primary School*. A school that is either owned and operated by the independent school district or a private commercial organization for children from five (5) to 11-years of age to receive their primary or elementary education.

(22) *Public or Private Secondary School*. A school that is either owned and operated by the independent school district or a private commercial organization for children from 11 to 18-years of age to receive their secondary or high school education.

(23) *Temporary Education Buildings for a Public or Private School*. A temporary building for classrooms, recreation and administrative needs for the independent school district or a private commercial organization as defined by Section 1202, *Industrialized Housing and Buildings*, of the Texas Occupations Code.

(24) *Rescue Mission or Shelter for the Homeless*. A non-profit housing shelter operating as an accessory use to a religious facility, providing temporary free lodging for indigent individuals or families with no regular home or residential address. A *Rescue Mission or Shelter for the Homeless* shall house a maximum of 15 individuals for a period not to exceed a maximum of 30-days.

(25) *Social Service Provider (Except Rescue Mission or Shelter for the Homeless)*. Any organization operating under a non-profit charter, the activities of which are devoted exclusively to charitable, benevolent, patriotic, employment related, or educational purposes not currently listed elsewhere in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(D) *Office and Professional Land Uses.*

(1) *Financial Institution*. A facility that is open to the public for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds and that is licensed by the appropriate state or federal agency as a bank, savings and loan association, or credit union. Accessory uses may include automatic teller machines, drive through service, offices, and parking. This excludes bail bonds, pawnshops, payday advance/loan businesses, and motor vehicle title loan businesses.

(2) *Office Building*. A facility that provides executive, management, administrative, or professional services not specifically listed elsewhere in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(E) *Recreation, Entertainment and Amusement Land Uses.*

(1) *Temporary Carnival, Circus, or Amusement Ride*. A temporary, traveling show or exhibition that has no permanent structure or installation, and is intended to attract people to a site where there may or may not be an admission charge. These activities include: carnivals, circuses, rides, entertainment, gaming booths, food stands, exhibitions, and animal displays. Outdoor or indoor commercial amusement provided on a temporary basis.

(2) *Indoor Commercial Amusement/Recreation*. Any enterprise whose main purpose is to provide the general public with a variety of amusing or entertaining activities, including such activities as skating rinks, bowling alleys, video arcades, billiard tables and similar enterprises, but does not include theaters and auditoriums.

(3) *Outdoor Commercial Amusement/Recreation.* An amusement enterprise that offers entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open.

(4) *Public or Private Community Recreation Club as an Accessory Use.* (1) *Public:* A facility or area that is owned and/or operated by a nonprofit organization and that provides for sports, leisure, and recreation activities operated for the general public. (2) *Private:* A recreation facility operated for the exclusive use of private residents or neighborhood groups and their guests, and not the general public.

(5) *Private Country Club.* A facility or area laid out for recreational, athletic, and social purposes, with limited membership, and the use of which is primarily restricted to members and their guests. A golf course may be included as an additional principal use. Accessory uses may include retail sales, a club house, and other recreational facilities.

(6) *Golf Driving Range.* An area improved with trees, greens, fairways, hazards, and which may include a clubhouse, dining room, and accessory recreational uses.

(7) *Temporary Fundraising Events by Non-profit.* An event sponsored by a recognized legal nonprofit organization, intended to attract people to a site where there may or may not be an admission charge.

(8) *Gun Club with Skeet or Target Range.* A facility or area for the sport of shooting at targets to test accuracy in rifles, pistols, or archery practice, owned or operated by a corporation, association, or persons.

(9) *Health Club or Gym.* A public or private facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include -- *but are not limited to* -- game courts, weight lifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.

(10) *Private Club, Lodge or Fraternal Organization.* (1) *Private Club.* Private quarters for a private organization, a principal purpose of which is the preparation and service of food and/or drink for members and their guests only and falling within the definition of and permitted by Chapter 32, *Private Club Registration Permit*, of the Texas Alcoholic Beverage Code. (2) *Lodge or Fraternal Organization.* A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics, or other similar interests, but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues, or other houses of worship or religious assembly.

(11) *Private Sports Arena, Stadium, and/or Track.* An athletic field or stadium that is not owned or operated by a public agency such as a city or school and operated for the exclusive use of its members and their guests and not the general public

(12) *Public Park or Playground.* A facility or area for recreational, cultural, or aesthetic use owned or operated by a public agency and available to the general public. This definition may include -- *but is not limited to* -- lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, pavilions, wooded areas, and water courses.

(13) *Sexually Oriented Businesses.* See Article XI, *Sexually Oriented Businesses,* of Chapter 12, *Businesses and Sales,* of the Municipal Code of Ordinances.

(14) *Tennis Courts (i.e. Not Accessory to a Public or Private Country Club).* A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances. This would be the primary use for a property and not attached to a Public or Private Country Club.

(15) *Theater.* A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment-related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators. Such establishments may include incidental services such as food and beverage sales and other concessions.

(F) *Retail and Personal Service Land Uses.*

(1) *Antique/Collectible Store*. A retail establishment that engages in the selling of works of art, furniture or other artifacts of an earlier period.

(2) *Astrologer, Hypnotist, or Psychic*. An establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.

(3) *Banquet Facility/Event Hall*. An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.

(4) *Portable Beverage Service Facility*. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place to place but that stays at one location during a normal business day; food sales are prohibited in these facilities.

(5) *Brewpub.* A brewpub is a restaurant that incorporates a craft or microbrewery as an accessory use. The craft or microbrewery in conjunction with the restaurant allows for the manufacturing of beer -- *in limited quantities* -- for both on-premise and off-premise consumption.

(6) *Business School.* A business organized to operate for profit that offers instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.

(7) *Catering Service.* A food establishment without on-site banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.

(8) *Temporary Christmas Tree Sales Lot and Similar Uses.* A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.

(9) *Copy Center.* An establishment that reproduces, in printed form, individual orders from a business, profession, service, industry, or government organization.

(10) *Craft/Micro Brewery, Distillery and/or Winery.* A *craft/microbrewery* is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A *distillery and/or winery* is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24% alcohol by volume, distilled spirits and other liquors.

(11) *Incidental Display.* An outdoor retail sale or commercial promotion, not in excess of thirty (30) days during any 12-month period, adjacent to an existing permanent business operated in the city where the products displayed or sold outdoors are the same as those sold inside the existing permanent business and where such activity is incidental to the normal conduct of business operated by the same merchant or his employer in an on-site building for which a valid Certificate of Occupancy (CO) exists and when permitted by the City.

(12) *Food Truck/Trailer.* A food truck or trailer is a mobile food vendor that sells food and/or beverages that are either pre-packaged or prepared in the confines of a portable truck/trailer, which can be moved from place to place, but is typically in a fixed location for extended periods of time.

(13) *Garden Supply/Plant Nursery.* An establishment for the cultivation and propagation, display, storage and sale (*i.e. retail and wholesale*) of large plants, shrubs, trees and other materials used for in indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use.

(14) *General Personal Service.* Establishments primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, dry-cleaning and laundry pick-up stations, tailor or seamstress, and reducing salons/health clubs.

(15) *General Retail Store.* A facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; pets; drugs; hardware; and similar consumer goods. This use does not include uses that are specifically addressed in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(16) *Hair Salon and/or Manicurist.* A business that provides customers with beauty treatments including -- *but not limited to* -- haircuts, manicures, pedicures, and other similar treatments.

(17) *Laundromat with Dropoff/Pickup*. A personal service shop that specializes in cleaning clothes that may or may not include coin-operated washing machines and dryers for public use.

(18) *Self-Service Laundromat.* A facility where patrons wash, dry or dry clean clothing and other fabrics in machines operated by the patron.

(19) *Massage Therapist.* Any building, room, place, or establishment other than where regularly licensed non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by a licensed massage therapist, physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath, with or without the use of therapeutic, electrical, mechanical, or bathing devices.

(20) *Private Museum or Art Gallery.* An institution for the collection, display and distribution of objects of art or science, and which is sponsored by a public or quasi-public agency in a facility that is open to the general public.

(21) *Night Club, Discotheque, or Dance Hall.* An establishment, facility, or room that offers or provides entertainment of any kind for remuneration, whether through fees, ticket sales, cover charges, membership, dues, or portion of funds generated in any other manner, usually collected at the time of customer entry into the establishment. Such establishments may provide accommodations for patron dancing; dispense alcoholic beverages for consumption on the premises; provide live, recorded, or televised music or comedy performances; and/or serve food as an ancillary service. *Night Club* shall not include indoor theaters, auditoriums and stadiums with fixed row seating, private clubs, bars, teen clubs, banquet halls, or establishments defined elsewhere in Section 1, *Land Use Schedule*.

(22) *Pawn Shop.* A retail operation which provides for the lending of money with personal items held as collateral, or the purchasing, or the repurchasing of gold, silver, jewelry, watches, and gems in addition to other merchandise.

(23) *Permanent Cosmetics.* A cosmetic technique which employs permanent pigmentation of the dermis as a means of producing designs that resemble makeup, such as eye-lining and other permanent enhancing colors to the skin of the face, lips, and eyelids.

(24) *Pet Shop.* A *Pet Shop* is a retail business which sells different kinds of animals to the public. A variety of animal supplies and pet accessories are also sold in *Pet Shops*. The products typically sold in these establishments include -- *but are not limited to* -- food, treats, toys, collars, leashes, cat litter, cages and aquariums.

(25) *Temporary Real Estate Sales Office.* *Temporary ~~on-site~~ Real Estate Sales Offices* located on property being sold, shall be limited to the period of sale of the lots with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official.

(26) *Rental Store without Outside Storage and/or Display.* A retail business that sells, rents, or leases tools, equipment, or other goods on a short-time basis to customers to the extent that the item is actually used by the customer.

(27) *Restaurant with Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.

(28) *Restaurant without Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premise and does not provide facilities that allow the serving and consumption of food in personal vehicles on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.

(29) *Retail Store with Gasoline Sales.* An establishment that engages in the sale of fuel, lubricants, and/or accessories for motor vehicles, and that may have ancillary retail sales of convenience goods. A dispenser in a *Retail Store with Gasoline Sales* is assumed to serve two (2) standard motor vehicles.

(30) *Second Hand Dealer.* An establishment for the sale of any goods, materials, or other articles of merchandise that are not new (*e.g. consignment stores*). This definition includes items that have been used or worn previously by another.

(31) *Art, Photography, or Music Studio.* A workplace for the teaching, preparation, or practice of an art such as animation, ceramics, dance, graphic design, music, painting, photography, pottery, scrapbooking, and sculpture.

(32) *Tailor, Clothing, and/or Apparel Shop.* An establishment engaged in custom making, altering, or the repair of clothing.

(33) *Tattoo and/or Body Piercing.* An establishment whose principal business activity, either in terms of operation or as provided to the general public, is the practice of one (1) or more of the following: [*1*] placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin, by means of the use of needles or other instruments designed to contact or puncture the skin; [*2*] creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

(34) *Taxidermist Shop.* A facility engaged in the preserving of an animal's body via mounting or stuffing for the purpose of display or study.

(G) *Commercial and Business Services Land Uses.*

(1) *Bail Bonds*. An establishment that solicits, negotiates, and executes bonds or other security to guarantee the appearance in court of a person accused of a crime.

(2) *Building and Landscape Material.* An establishment for the sale of materials customarily used in the construction of buildings and other structures, including sales of lumber, drywall and similar construction materials.

(3) *Building Maintenance, Service, and Sales*. A facility or area for contracting services such as building repair and maintenance; the installation of plumbing, electrical, air conditioning, and heating equipment; janitorial services; and exterminating services. The retail sale of supplies is permitted as an accessory use.

(4) *Commercial Cleaners*. A facility or area for cleaning items in bulk quantities such as clothes and linens. This definition includes cleaning for hospitals, restaurants, hotels, diaper cleaning services, and other similar accounts, as well as rug and dry-cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant.

(5) *Custom and Craft Work*. A facility or area in which finished, personal, or household items that are either made to order or that involve considerable handwork are produced. Examples include but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting, and other work or wood products on an individualized single item basis. Cabinetmaking and cabinet assembly shops are not included in this definition. The use of mechanized assembly line production is excluded from this definition.

(6) *Electrical, Watch, Clock, Jewelry, and Similar Repair.* An establishment that designs, makes, sells or repairs small consumer goods.

(7) *Feed Store, Ranch Supply*. An establishment for the selling of corn, grain, and other food stuffs for animals and livestock, and including other implements and goods related to agricultural processes, but not including farm machinery.

(8) *Furniture Upholstery/Refinishing and Resale*. A furniture upholstery refinishing or resale business is a business that engages in the act of reupholstering, repairing, stripping, refinishing, restoring or rebuilding furniture for the purpose of retailing the finished good.

(9) *Gunsmith Repair and Sales.* An establishment that specializes in the repair and/or sale of small fire arms (*e.g. handguns and shotguns*) for individuals.

(10) *Heavy Machinery and Equipment Rental, Sales, and Service*. A building or open area, other than a right-of-way or a public parking area, used for the display, sale, rental, and storage of heavy machinery, either machines in general or as a functioning unit. Heavy machinery includes -- *but is not limited to* -- tractors, farm machinery, bulldozers, street graders, and paving devices.

(11) *Locksmith.* A business that works with locks, keys and security systems.

(12) *Machine Shop*. A shop wherein there are facilities and tools, which are utilized in the shaping and forging, welding or fabricating of metal products and/or related items.

(13) *Medical or Scientific Research Lab*. A facility or area for conducting medical or scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition also includes labs for the manufacture of dentures and prostheses.

(14) *Manufactured Homes Sales*. The offering for sale, storage, or display of new and/or used manufactured homes on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

(15) *Research and Technology/Light Assembly*. An indoor facility that includes laboratories and experimental equipment for medical testing, prototype design and development, and product testing.

(16) *Shoe and Boot Repair and Sales*. A business that specializes in the sale and repair of shoes and boots.

(17) *Trade School*. Establishments, other than public or parochial schools, private primary or secondary schools, or colleges, offering training or instruction in a trade, art, or occupation.

(18) *Temporary On-site Construction Office*. A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment.

(H) *Auto and Marine-Related Land Uses Conditions.*

(1) *Major Auto Repair Garage*. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90-days.

(2) *Minor Auto Repair Garage*. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.

(3) *Automobile Rental*. A business that engages in the rental of light load motor vehicles for short periods of time for a fee. This use excludes the truck and heavy equipment rental.

(4) *Boat and Trailer Dealerships (New and Used)*. A business that buys and sell boats and boat trailers that are both new and used.

(5) *Car Wash*. A facility or area for the cleaning or steam cleaning, washing, polishing, or waxing of passenger vehicles by machine or hand-operated facilities. A car wash may be [*1*] a single unit type that has a single bay or a group of single bays with each bay to accommodate one vehicle only; or [*2*] a tunnel type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

(6) *New and/or Used Indoor Motor Vehicle Dealership/Showroom*. The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.

(7) *Motor Vehicle Dealerships for Cars and Light Trucks*. Retail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles within an area or enclosed building.

(8) *Commercial Parking Lot.* An area or structure intended for parking that is operated as a business enterprise with a service charge or fee being paid to the owner or operator for the storage or parking of privately-owned vehicles, and is not reserved or required to accommodate occupants, clients, customers, or employees of a particular establishment or premises.

(9) *Non-Commercial Parking Lot*. An area, structure, or shared area that is open to the general public for the temporary parking of operable personal and light commercial vehicles.

(10) *Recreational Vehicle (RV) Sales and Service.* An establishment that engages in the sale and/or leasing of new and/or used recreation vehicles (including as an accessory use) and the repair and service of these vehicles.

(11) *Service Station*. An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tuneups, lubrication, and minor repairs may also be provided if incidental to such principal use.

(12) *Towing and Impound Yard*. Any lot that two (2) or more motor vehicles of any kind of for the purpose of holding such vehicles in reserve or incapable of being operated due to condition or lack of license have been placed for the purpose of obtaining parts for recycling or resale.

(A) *Conditional Standards.*

(13) *Towing Service without Storage*. Establishment that provides for the removal of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.

(14) *Truck Rental*. The display and rental of new or used heavy commercial vehicles or trucks in operable condition.

(15) *Truck Stop with Gasoline Sales and Accessory Services*. An area for parking heavy commercial vehicles and/or trucks for storage purposes including the retail dispensing and/or sales of truck and automobile fuels, lubricants and/or accessories as an accessory use and not including automotive repair services.

(l) *Industrial and Manufacturing Land Uses.*

(1) *Asphalt or Concrete Batch Plant*. A permanent manufacturing facility for the production of concrete or asphalt.

(2) *Temporary Asphalt or Concrete Batch Plant*. A temporary manufacturing facility for the production of concrete or asphalt during construction of a project and to be removed when the project is completed.

(3) *Bottle Works, Milks, or Soft Drinks.* A facility for food or beverage processing that uses mechanized assembly line production for canned or bottled goods.

(4) *Brewery or Distillery*. A brewery or distillery is an industrial facility where the primary purpose of the facility is the manufacturing of malt, brewed and/or distilled beverages produced on the premises for sale or distributed for off-premise consumption.

(5) *Carpet and Rug Cleaning*. A personal service business that specializes in the cleaning of carpet and rugs in both residential and non-residential structures.

(6) *Environmentally Hazardous Materials*. Any solid, liquid, or gaseous matter which is present in sufficient quantities to endanger health, safety, or comfort of persons in the vicinity or which may cause injury or damage to property.

(7) *Food Processing with No Slaughtering.* A facility or area in which food for human consumption in its final form, such as candy, baked goods, tortillas, and ice cream is produced, and the food is distributed to retailers or wholesalers for resale on or off the premises. Food or beverage processing using mechanized assembly line production of canned or bottled goods is excluded from this definition. Sales may either be retail or wholesale, and are generally made to businesses rather than to individual households.

(8) *Light Assembly and Fabrication.* A business where parts, manufactured elsewhere, are assembled with the assistance of power-driven machines and materials-handling equipment, and manipulated primarily by hand which produces low dust and fiber, and all materials are assembled and stored within an enclosed building.

(9) *Heavy Manufacturing*. A facility or area for generally mass-producing goods usually for sale to wholesalers or other industrial or manufacturing uses. A heavy manufacturing use is one which employs the following or similar types of processes: [*1*] the milling of grain as retail sales and service; [*2*] producing animal food and tanning animal hides; [*3*] production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, or airplanes; [*4*] canning or bottling of food or beverages for human consumption using a mechanized assembly line; [*5*] manufacturing of paint,

oils, pharmaceuticals, cosmetics, solvents, and other chemical products, and use of a foundry for metals; [*6*] production of items made from stone, clay, metal, or concrete; and, [*7*] tire recapping or retreading.

(10) *Light Manufacturing*. A facility or area for producing goods without the use of chemical processing of materials. Light manufacturing activities include -- *but are not limited to* -- the following activities: [*1*] assembly, finishing, and/or packaging of small items from component parts made at another location (examples include but are not limited to cabinetmaking, or the assembly of clocks, electrical appliances, or medical equipment); [*2*] production of items made from materials derived from plants or animals, including but not limited to leather, pre-milled wood, rubber, paper, wool, or cork, or from textiles or plastics; [*3*] electrical component manufacturing; [*4*] reproduction, cutting, printing, or binding of written materials, drawings, or newspapers on a bulk basis using lithography, offset printing, blue printing, and other similar methods; [*5*] machine or welding shop where material is processed by machining, cutting, grinding, welding, or similar processes; and, [*6*] spray painting or motor vehicle conversion.

(11) *Metal/Electro Plating*. The process that uses an electric current to reduce dissolved metal cations so that they form a thin coherent metal coating on an electrode.

(12) *Mining and Extraction (Sand, Gravel, Oil and Other)*. The process of extracting natural resources from the earth that includes -- *but is not limited to* -- sand, gravel, stone, and petroleum.

(13) *Printing and Publishing.* An establishment whose primary service is long-run printing including -- *but not limited to* -- book, magazine, and newspaper publishing.

(14) *Indoor Salvage or Reclamation of Products.* An indoor facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes indoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.

(15) *Outdoor Salvage of Products.* An outdoor or partially outdoor facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes outdoor or partially outdoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.

(16) *Sheet Metal Shop.* A company that specializes in the creation of metal structures by cutting, bending and assembling processes.

(17) *Tool, Dye, Gauge, and Machine Shop*. A workshop were metal fabrication tools, including but not limited to lathes, presses, and mills, are used for making finishing, or repairing machines or machine parts.

(18) *Welding Repair.* A technique in which a cracked material is removed by arc gouging and the element is welded to re-join the material on either side of the crack.

(19) *Winery*. A winery is the industrial manufacturing, bottling, labeling and packaging of wine in accordance with the Texas Local Government Code (TLGC).

(J) *Wholesale, Distribution and Storage Land Uses.*

(1) *Cold Storage Plant.* A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.

(2) *Heavy Construction/Trade Yard.* A land or structure used primarily for the storage of equipment, vehicles, machinery, building materials, paint, piping, or electrical components being used by the owner or occupant of the premises in the conduct of a building trade.

(3) *Landfill.* A tract of land used for the burial of farm, residential, institutional, or commercial waste that is not hazardous, medical, or radioactive.

(4) *Mini-Warehouse.* A *Mini-Warehouse* (*or self-storage facility*) is an enclosed storage facility containing independent, fully enclosed bays that are generally leased to individuals for long-term storage of their household goods or personal property.

(5) *Outside Storage and/or Outside Display*. The permanent or continuous keeping, displaying, or storing of unfinished goods, material, merchandise, equipment, service vehicles or heavy vehicles outside of a building on a lot or tract overnight of for more than 24-hours.

(6) *Recycling Collection Center*. An enclosed trailer used for the collection and temporary storage of empty beverage containers, aluminum, glass, plastic, paper, clothing, or similar materials for recycling purposes. This definition includes automated can banks that crush cans as they are deposited. This definition does not include donation boxes for clothing, toys, household goods, and similar items.

(7) *Warehouse/Distribution Center*. A building used primarily for the storage and distribution of goods, merchandise, supplies, and equipment including wholesalers which display, sell, and distribute merchandise to business representatives for resale but excluding *Truck Terminal*.

(8) *Wholesale Showroom Facility*. An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area.

(K) *Utilities, Communications, and Transportation Land Uses.*

(1) *Airport, Heliport, or Landing Field.* An area used or intended for use for the landing and takeoff of aircraft and other aviation uses; An appurtenant area used or intended for use for an airport building or other airport facility or right-of-way, including a building or facility for the shelter, supply, repair, and maintenance of aircraft and related purposes; An airport building or facility located on an appurtenant area; Facilities for the fueling of aircraft; Buildings for office use; and Related uses and buildings and other uses and buildings incidental to any of the foregoing.

(2) *Accessory Antenna.* Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves. Antennae may be mounted on towers or on buildings, and may be concealed

or unconcealed.

(3) *Commercial Antenna.* Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain.

(4) *Antenna for Amateur Radio.* Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.

(5) *Antenna Dish.* An antenna that is parabolic or bowl-shaped and that receives and/or transmits signals in a specific directional pattern

(6) *Commercial Freestanding Antenna.* A self-supporting, tubular-shaped antenna support structure which consists of a single vertical pole fixed into the ground and/or attached to a foundation.

(7) *Mounted Commercial Antenna.* Any exterior transmitting or receiving device mounted on or within a support structure, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, television signals, or other communications signals.

(8) *Bus Charter and Service Facility.* A facility for the loading and discharging of train or bus passengers.

(9) *Helipad.* An area of land or water or a structural surface which is used, or intended for use, for the landing and taking-off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.

(10) *Non-Municipally Owned or Controlled Utilities.* The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are non-municipally owned or controlled.

(11) *Municipally Owned or Controlled Facilities, Utilities, and Uses.* The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are municipally owned or controlled.

(12) *Private Streets.* A private vehicular access way shared by and serving 2 or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of the Subdivision Ordinance. The term "private street" shall be inclusive of alleys.

(13) *Radio Broadcasting.*

(14) *Railroad Yard or Shop.* A facility used for the storage of railway cars, boxcars and engines and related equipment.

(15) *Recording Studio.* A facility that provides an environment for the purposes of writing, collaborating, preforming, instruction, preparing, or completing audio recordings.

(16) *Satellite Dish.*

(17) *Solar Energy Collector Panels and Systems,* A ground- or building-mounted solar collection system consisting of solar photovoltaic cells, panels, or arrays and related equipment that relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation, and that supplies electrical power independently of an electrical production and distribution network.

(18) *Transit Passenger Facility.* Any premises for the loading and unloading of passengers by a public or private transit company including the temporary parking of transit vehicles between routes or during stop overs and excluding overnight parking, storage, and maintenance of transit vehicles. This definition shall not include bus stops along rights-of-way.

(19) *Trucking Company.* An area and building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment.

(20) *TV Broadcasting and Other Communication Services.* The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

(21) *Franchise Utilities.* A non-public utility requiring special facilities in residential areas or on public property such as heating, cooling, or communications not customarily provided by the municipality or public utilities.

(22) *General Utility Installation.* Permanent facilities and structures operated by companies engaged in providing transportation and utility services including -- but not limited to -- railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.

(23) *Utility/Transmission Lines.* Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the city or private utility company.

(24) *Wireless Communication Tower.* Any structure that is designed and constructed primarily for the purpose of supporting one or more antennae that transmit information (audio, video, data) in the form of electromagnetic signals to one or more receivers without the use of a physical connection between the transmitting and receiving source. The term includes but is not limited to lattice towers, guyed towers, and monopole towers. The term does not include a clock tower, bell tower, steeple, light pole, power pole, water tower, or similar structure that incidentally supports antennae. Towers may be freestanding or building-mounted, and may be concealed or unconcealed.

ARTICLE XIII, DEFINITIONS

SECTION 1: ~~USAGE~~ GENERAL

SUBSECTION 1.01: USAGE

For the purposes of this Unified Development Code (UDC), certain terms and/or words are used and interpreted as defined below. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular. The word *shall* wherever used in this article will be interpreted in its mandatory sense and the word *may* shall be deemed as permissive. The word *building* includes the word structure unless otherwise indicated in the definition. The word *lot* also means *plot* or *tract*. The term *used for* includes the meaning *designed for* or *intended for*.

~~A. For the purpose of these regulations, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this [Unified Development Code].~~
~~B. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular.~~
~~C. The word "shall" wherever used in this article will be interpreted in its mandatory sense; the word "may" shall be deemed as permissive.~~
~~D. The word "building" includes the word "structure"; the word "lot" also means "plot" or "tract."~~
~~E. The term "used for" includes the meaning "designed for" or "intended for."~~

SECTION 2: ~~DEFINITIONS~~ WORDS, TERMS, AND LAND USES DEFINED

SUBSECTION 2.01: GENERAL DEFINITIONS

~~Accessory building or use. A subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.~~

(1) *Adopted Policies*. A written administrative directive discussed at a public meeting and officially adopted by a majority vote of the city council.

(2) *Agriculture*. The planting, cultivating, harvesting and storage of grains, hay or plants, or vineyards, commonly grown in Rockwall County. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept is three acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops and is not primarily for the raising or fattening of livestock. A feed lot exclusively for the fattening of livestock is not considered an agricultural use.

(3) *Alley*. A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street; it is also public space or way, 20 feet or less in width, which has been dedicated or deeded for public use.

(4) *Alteration*. Any addition, removal, extension, or change in the location of any exterior wall of a main building or accessory building, or change or modification in construction or occupancy.

(5) *Apartment*. A room or suite of rooms within an apartment house arranged, intended or designed for a

place of residence of a single-family or group of individuals living together as a single housekeeping unit and who do their cooking therein. (See Dwelling unit.)

(6) *Apartment house or building*. A building arranged, intended or designed for more than two families. (See Dwelling unit, "multiple.")

(7) *Associated recreation*. Recreational uses which are an integral part of a common ownership or associated with high density residential development (example: homeowners association with a private club, swimming pool, and tennis courts).

(8) *Authorized agent*. An architect, builder, developer, or other person empowered to act on behalf of other persons.

~~*Automobile repair, major*. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90 days.~~

~~*(Ord. No. 93-22, 7-6-1993)*~~

~~*Automobile repair, minor*. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.~~

~~*(Ord. No. 93-26, 8-2-1993)*~~

(9) *Bar, cocktail lounge, tavern, saloon, cantina*. An establishment where alcoholic beverages are sold for on-premises consumption, other than a restaurant as defined in this section.

(10) *Basement or cellar*. A story having more than one-half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

~~*Bed and breakfast*. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.~~

(11) *Block*. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the building official shall determine the outline of the block.

(12) *Boardinghouse or lodginghouse*. A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.

(13) *Buffer*. A visual screen constructed of wood, concrete block, masonry, or landscape material including earthen berms in such a manner that adjacent property will be screened from the use contemplated, so noise, solid waste, or other objectionable influences will be avoided. Such buffer shall be horizontal to the

ground, opaque, and a minimum of six feet in height.

(14) *Buildable area*. The "buildable area" of the lot is the maximum amount of allowable space upon which a structure or building may be erected, after meeting the coverage, yard and other requirements of this [Unified Development Code].

(15) *Building*. An enclosed structure, anchored to permanent foundation, and having exterior or party walls and a roof, designed for the shelter of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breeze way shall be deemed as one building. Parking structures shall not be considered as buildings when calculating building coverage.

(16) *Building area*. The building area of the lot is the gross area covered by the structures when placed on the lot.

(17) *Building coverage*. Percentage of the lot that is occupied by the building area, including parking structures and accessory buildings.

(Ord. No. 06-14, 4-17-2006)

(18) *Building height*. The height of the building shall be measured from the average elevation of the finished grade along the front of the building to the highest point of the roof or parapet of the building if it is a flat, mansard or shed roof; or to the midpoint of the roof if it is gable, hip or gambrel roof.

(19) *Building official*. The duly authorized employee or representative of the city charged with implementation, inspection and enforcement of the building codes.

(20) *Building, principal*. A principal building is one in which a main use of the lot on which it is located is conducted.

(21) *Building setback line*. A line defining an area on the building lot between the street right-of-way line and all other property lines and the building line within which no building or structure shall be constructed (also referred to as a "yard"), encroach or project except as specifically authorized in an adopted ordinance of the City of Rockwall. In the GR, C, DT, HC, RT, LI, [and] HI districts, underground parking garages shall not be required to meet side or rear setback requirements, but may be constructed from lot line to lot line.

(Ord. No. 10-14, § 69, 7-6-2010)

(a) *Front building setback line (defining a front yard)*. A line parallel to the street right-of-way line which the building faces, and takes its primary access from. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street (see examples).

(Ord. No. 06-14, 4-17-2006)

(b) *Side building setback line (defining a side yard)*. A line parallel to an adjacent lot which the building sides up to.

(Ord. No. 06-14, 4-17-2006)

(c) *Rear building setback line (defining a rear yard)*. A line parallel to an adjacent lot or alley, which the building backs up to and has its rear or secondary access from.

(Ord. No. 06-14, 4-17-2006)

(22) *Caliper*. The diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.

(23) *Canopy or shade tree*. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.

(24) *Carport*. A structure which is open on at least 2 sides, covered with a roof and constructed specifically for the storage of one or more automobiles; utility room may be included.

(25) *Certificate of occupancy*. A certificate issued by the zoning administrator or his authorized representative stating that the proposed use of the land and/or building conforms to the requirements of this [Unified Development Code].

(26) *City*. The City of Rockwall, Texas.

(27) *Clinic*. An institution, public or private, or a station for the examination and treatment of outpatients by a group of doctors, dentists, opticians, ophthalmologists, orthopedists, or other similar professional physicians.

(28) *Cluster development*. A method of development of land that permits variation in lot sizes without an increase in overall density of population or development. The use of permanent, open space may be one method used to offset the increased density of smaller residential lots.

~~*Cold storage plant*. A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.~~

(29) *Commission*. The planning and zoning commission of the City of Rockwall, Texas.

(30) *Comprehensive plan*. The comprehensive plan of the City of Rockwall and includes any unit or a part of such unit separately adopted and any amendment to such plan or parts thereof.

(31) *Condominium*. A multi-family dwelling unit, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roof, parking space, and the land when the building is not constructed on leased land.

(32) *Court*. An open unoccupied space, other than a yard, on the same lot with a building and which is bounded on two or more sides by the building.

(33) *Curb level*. The level of the established curb in front of the building measured at the center of such front, or in the case of a corner lot, along the abutting street where the mean curb level is the highest. Where no curb has been established, the city engineer shall establish such curb or its equivalent for the purpose of this [Unified Development Code].

~~*Day care center or day nursery*. A place for the care of children. Services usually include a staff nurse~~

~~and a hot meal is normally served.~~

(34) *Density*. The ratio of dwelling units per gross acre of platted area being developed.

(35) *District*. A zone or geographic area within the municipality within which certain zoning or development regulations apply.

~~*Drive-in eating establishments*. Any structure and premises specifically designed for the preparation and dispensing of food and meals for consumption either indoors or in a vehicle parked on the premises or taken away for consumption in the home or other places.~~

(36) *Dwelling unit*. Any building or portion thereof which is designed for or used primarily for residential occupancy, but not including hotels, boardinghouses or mobile homes, trailers, motor coaches or other recreational vehicles.

~~*Single-family*. A building designed for and/or occupied exclusively by one family as a separate dwelling unit.~~

~~*Duplex*. A building designed and/or occupied exclusively by two families living independently of each other.~~

(a) *Triplex*. A building designed for and/or occupied exclusively by three families living independently of each other.

(b) *Fourplex*. A building designed for and/or occupied exclusively by four families living independently of each other.

(c) *Multiple*. A building designed for and/or occupied exclusively by five or more families living independently of each other.

(d) The determination of whether one family is living independently of another is based on one or more of the following criteria:

(1) Separate sanitary facilities.
(2) Separate kitchen facilities.
(3) Separate entrances.
(4) Separate utilities.

(37) *Dwelling unit, minimum square footage*. The minimum square footage required in each zoning district shall not include garages, porches, patios, eaves and/or other areas not part of the main, air-conditioned living space of the dwelling unit.

(Ord. No. 06-14, 4-17-2006)

(38) *Enhanced pavement*. Any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

(39) *Evergreen tree or shrub*. A tree or shrub of a species which normally retains its leaves throughout the year.

(40) *Family*. One or more persons who are related by blood, adoption or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a nonprofit, cost-sharing basis.

(41) *Fence*. Any wall or structure of any material for which the purpose is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building, or structure.

~~*Filling, retail service station*. An establishment where gasoline, oil and grease, or automobile accessories are sold, supplied or dispensed to the vehicle trade or where motor vehicles received limited repair, are equipped for service, or where electric storage batteries are recharged and cared for, or a place where any two or more such activities are carried on or conducted as the principal use of the establishment. (The storage, sale, lease, or rental of more than one boat or mobile home, or more than five hauling trailers is prohibited.)~~

(42) *Floor area ratio*. The relationship of the gross floor area of all buildings on a lot to the total lot area. Parking structures shall be excluded in the calculation of the floor area ratio.

(43) *Frontage*. All the property abutting on one side of a street between two intersecting streets, measured along the street line.

(44) *Garage apartment*. A dwelling unit attached to a private garage.

~~*Garage, commercial*. A commercial garage is any premises and structures used for housing more than three motor driven vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.~~

(45) *Garage, community*. A building or portion thereof, other than a public, private or storage garage as defined below, providing storage for motor vehicles with facilities for washing, but no other services, such garage to be in lieu of private garages within a block or portion of a block.

~~*Garage, detached or private*. An accessory building for storage only of motor vehicles and home laundry.~~

(46) *Garage, public*. A building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles, which is operated for commercial purposes.

(47) *Garage, storage*. A building or portion thereof, except those defined as private, a public, or a community garage providing storage for more than four motor vehicles, with facilities for washing but no other services.

(48) *Ground cover*. Natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

~~*Group housing project*. A dwelling project consisting of three or more buildings, to be constructed on a plot of ground which is not subdivided into customary streets or lots, or where the existing or contemplated street or streets or lot layouts make it impractical to apply the requirements of this [Unified Development Code] to the individual building units in such housing project.~~

~~*Guesthouse*. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.~~

(49) *Height of yard or court*. The vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.

~~*Home occupations*. A "home occupation" is a commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.~~

~~*Hospital, sanitarium, nursing or convalescent homes*. A building or any portion thereof, used or designed for the housing or treatment of the sick, mentally ill, injured, convalescent or infirm persons; provided that this definition shall not include rooms in any residential dwelling, hotel, apartment hotel not ordinarily intended to be occupied by said persons.~~

~~*Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

~~*Hotel, full service*. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops. A full service hotel shall also include the following:~~

~~(a) A minimum room count of 250 rooms.~~
~~(b) Each guestroom shall have a minimum area of 380 square feet.~~
~~(c) A full service restaurant with full kitchen facilities and which provides service to the general public.~~
~~(d) On site staff required 24 hours a day, seven days a week.~~
~~(e) The following amenities are required to be provided:~~

~~(1) A minimum of 10,000 square feet of meeting or conference room space; and~~
~~(2) A swimming pool with a minimum area of 1,000 square feet.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

~~*Hotel, residence*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

(50) *Impervious cover*. Roads, parking areas, buildings and other impermeable construction covering the natural land surface that prevent absorption of the water. Water quality basins, swells and other

conveyances for overland drainage shall not be calculated as impervious cover.

(51) *Institutional use*. A nonprofit organization or building, public or private, for the benefit of the public including YMCA, YWCA, Boys Clubs, Scouts; educational facilities and schools, including day care centers and kindergartens; churches, temples, cemeteries, mausoleums or crematories for the deposit of the human dead; hospitals, civic clubs, private parks, private libraries, museums, etc.

~~*Kennel*. Any premises in which more than three dogs or three cats or three other domesticated animals over the age of three months, not including livestock or poultry, are housed, boarded, raised, or trained as a commercial enterprise. This definition does not include pet shops.~~

(Ord. No. 90-5, 3-19-1990)

(52) *Kindergarten*. A school for more than five children of preschool age, in which constructive endeavors, object lessons or educational games are prominent features of the curriculum.

(53) *Landscape architect*. A person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.

(54) *Landscape buffer*. A strip of land:

(a) Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and
(b) At least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).

(55) *Landscaping*. Trees, shrubs, ground cover, earthen berms, vines, grass, water, decorative features such as fountains, or other material approved by the city council.

(56) *Large shrub*. A shrub which normally reaches a height of six feet or more upon maturity.

(57) *Large tree*. A tree of a species which normally reaches a height of 30 feet or more upon maturity.

(58) *Legislative or governing body*. The city council of the City of Rockwall, Texas.

(59) *Loading space*. A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks and having a minimum dimension of 12 [feet] by 65 feet and a vertical clearance of at least 14 feet.

(Ord. No. 06-14, 4-17-2006)

(60) *Lot*. An undivided tract or parcel of land having frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

(61) *Lot area, minimum*. Includes internal sidewalks, recreation areas, floor space, parking area, open space and utility easements, but does not include any public right-of-way street easements or alley easements.

(62) *Lot, corner*. A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the building official,

or as specified on an approved plat.

(63) *Lot depth*. The length of a line connecting the midpoints of the front and rear lot lines.

(64) *Lot[,] double frontage[,] or through lot*. A lot abutting on two nonintersecting public streets as distinguished from a corner lot.

(65) *Lot, frontage*. The length of street frontage between property lines.

(66) *Lot, interior*. A lot whose side lot lines do not abut upon any street.

(67) *Lot, irregular*. Any lot not having equal front and rear lot lines, or equal side lot lines; a lot, the opposite lot lines of which vary in dimension and the corners of which have an angle of either more or less than 90 degrees. A lot fronting on a sharp curve or cul-de-sac.

(68) *Lot lines*. The lines bounding a lot as defined herein.

(a) *Front lot line*. The property line between the front yard(s) and the contiguous street right-of-way boundary.

(Ord. No. 06-14, 4-17-2006)

(b) *Rear lot line*. The boundary line which is opposite and most distinct from the front street line; except that in the case of uncertainty the building inspector shall determine the rear line.
(c) *Side lot line*. The property line between two adjacent lots. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street.
(Ord. No. 06-14, 4-17-2006)

(69) *Lot of record*. A parcel of land which is part of a subdivision, the map or plat of which has been recorded in the office of the county clerk of Rockwall County; or a parcel of land not a part of an urban or town lot subdivision, the deed of which has been recorded in the office of the county clerk of Rockwall County prior to the adoption date of the ordinance from which this Unified Development Code is derived which has not been divided since recording.

(70) *Lot, reverse corner*. A corner lot whose front line faces at right angles to the front lot lines of the interior lots or whose rear lot line abuts the side lot lines of interior lots.

(71) *Lot width*. The horizontal distance between side property lines, measured at the front setback line.

(72) *Lots in separate ownership at the time of the passage of this [Unified Development Code]*. A lot whose boundary lines, along their entire length touched lands under other ownership as shown by plat or deed recorded in the office of the county clerk of Rockwall County on or before the date of the adoption of the ordinance from which this Unified Development Code was derived.

(73) *Maneuvering space*. The space entirely on private property required for maneuvering vehicles in such a manner as to preclude the backing of any vehicle into any street right-of-way.

(74) *Manufactured home or HUD-code manufactured home*. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 71, 7-6-2010)

(75) *Masonry*. Masonry construction shall be defined as construction composed of materials in the categories listed below and shall not include hollow clay tile or exposed lightweight block such as cinder block.

(76) *Modular*.

(a) Brick.
(b) Natural or quarried stone.
(c) Cast or cultured stone.
(d) Glass block or glass.
(e) Tile.
(f) Custom concrete masonry units (normal or heavy weight blocks with an integral color that is sandblasted, burnished or has a split face).

~~*Mini-warehouses*. Small individual storage units for rent or lease, restricted to the storage of items that are not for sale on the premises.~~

(77) *Mobile home*. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 72, 7-6-2010)

(78) *Modular homes*. Any permanent, single-family dwelling unit which has been prefabricated or factory constructed as a single unit or in sections or modules, and assembled at the factory or construction site and moved to a permanent location as a unit or in sections or modules, as a permanent single-family dwelling unit placed on a permanent foundation at such site and connected with all required utility services.

~~*Motel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

(79) *Municipal uses*. Facilities owned or controlled by the City of Rockwall, including, but not limited to, office buildings, maintenance shops, treatment plants; community centers.

~~*Nightclub, discotheque, disco or dance hall*. An establishment whose primary activity is the provision of facilities for dancing, including a dance floor and live entertainment or amplified music. Such establishment may or may not provide on-premises consumption of alcoholic beverages. Schools of dance are exempted from this definition.~~

(80) *Nonconforming use, building or yard*. A use, building or yard, which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated. It is a legal nonconforming use if established prior to the passage of this [Unified Development Code].

(81) *Non-permeable coverage*. Coverage with non-permeable pavement.

(82) *Parking area*. Space used exclusively for the parking of vehicles and where no other business is conducted paved to city specifications.

(83) *Parking space*. Area, not closer than six feet from the back edge of the curb, the width and length of which shall exceed by a minimum of two feet the dimensions of the type of vehicle normally to be parked in the space, and connected to a street or alley by a driveway affording satisfactory ingress and egress. The minimum dimension of a parking space shall be in accordance with the adopted ordinances of the City of Rockwall regarding off-street parking.

(84) *Patio home*. A single-family, residential dwelling unit that is most often a one-story L-shaped or U-shaped home utilizing the entire lot with an enclosed garden court for open space area. Fire retardant walls are utilized and additional open space is often provided by clustering the units.

(85) *Paving*. Material which provides an all-weather surface for the parking of vehicles. All required paving shall meet the standards specified by applicable city specifications.

(86) *Permitted use*. A use specifically allowed in one or more of the various districts without the necessity of obtaining a use permit.

(87) *Person*. Any individual, association, firm, corporation, governmental agency or political subdivision.

~~*Personal service shop*. An establishment for the purpose of supplying limited personal services such as, but not limited to, barber, shoe, boot, saddle, shine shop.~~

(88) *Place*. An open, unoccupied space other than a street or alley permanently established or dedicated as the principal means of access to property abutting thereon.

(89) *Planned development (PD)*. Includes a combination of different dwelling types and/or a variety of land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity, and comply with provisions of the ordinances governing planned developments.

(90) *Planned shopping center*. A group of architecturally unified commercial establishments built on a site which is planned, developed, owned and managed as one operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.

(91) *Planning consultant*. A private practitioner in planning, who is a member of the American Institute of Certified Planners (AICP).

(92) *Plat*. A map of a subdivision or site plan that represents a tract of land, showing the boundaries and location of individual properties and streets.

~~*Portable building*. A temporary building that may or may not have a foundation and is transportable.~~

~~*(Ord. No. 86-56, 6-16-1986)*~~

~~*Private club*. An establishment providing social and dining facilities as well as alcoholic beverage service to an association of persons and otherwise falling within the definition of and permitted under the provisions of that portion of V.T.C.A., Alcoholic Beverage Code § 32.01 et seq., as it be hereafter amended and as it pertains to the operation of private clubs.~~

(93) *Recreational vehicle or travel trailer*. A vehicle which is:

(a) Built on a single chassis;

(b) 400 square feet or less when measured at the largest horizontal projections;
(c) Designed to be self-propelled or permanently towable by a light duty truck; and
(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(Ord. No. 10-14, § 73, 7-6-2010)

~~*Restaurant or cafe*. A building or portion of a building, where the primary business is the on-premises sale of prepared food, with adequate facilities for the preparation of the food to be sold, the adequacy of said kitchen facilities to be based upon the seating capacity of the restaurant and the type of menu offered.~~

(94) *Restaurant (limited service)*. A building or portion of a building, where the primary business is the on-premises sale of prepared food where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' location. Drive-through "pickup/order" window permitted provided that there is no public address system or speakers.

(95) *Retail*. The sale of goods directly to a consumer. Engaged in, pertaining to, or relating to the sale of merchandise at retail. To sell by individual items or by the piece, directly to a consumer.

(96) *Retail food store*. A retail establishment selling meats, fruits, vegetables, bakery products, light hardware, and other similar items which are purchased for use and consumption off the premises (may be drive-in or supermarket type).

(97) *Right-of-way line*. A dividing line between a lot, tract, or parcel of land and the public right-of-way.

(98) *Screening*. Screening that complies with the construction and maintenance regulations in section 5, Mandatory Provisions, except as those regulations may be expressly modified in this article.

~~*Self-storage facility*. Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited. One caretaker/security residence shall be permitted in association with a self-storage facility.~~

(99) *Semi-public uses*. Public facilities including sanitary landfills, water treatment and supply facilities, and wastewater treatment facilities, but not including facilities owned or controlled by the city.

~~*Servant's quarters*. An accessory building or portion of a main building located on the same lot as the main building and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile.~~

(100) *Setback*. See Building setback line.

(101) *Sign*. A name, identification, image, description, display or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs.

(102) *Site*. A combination of continuous lots that may or may not be owned separately, that will be developed

under one unified plan, as if it were a single parcel of land.

(103) *Site plan*. The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, floodplain, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting, and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

(104) *Small tree*. A tree of a species which normally reaches a height of less than 30 feet.

(105) *Soil*. A medium that plants will grow in.

(106) *Space*. A plot of ground within a mobile home or recreational vehicle park designated for the accommodation of one mobile home or one recreational vehicle, together with such open space as required by this chapter.

(107) *Storage*. The accumulation, stocking, or depositing of materials or items. These may include materials for the eventual use or sale in a commercial enterprise, but does not include the storing of a personal car or truck on an individual residential lot.

~~*Storage building*. Any building either portable or constructed on site, utilized for storage purposes, and not requiring plumbing and electrical wiring, and not used for residential purposes~~.

(108) *Story*. That part of a building included between the surface of one floor and the surface of the floor next above, or, if there be no floor above, that part of the building which is above the surface of a floor and the ceiling next above. A top story attic is a half-story, when the main line of the eaves is not above the middle of the interior height of such story. The first story is a full story when over 50 percent of its exterior walls are exposed to outside light and air entirely above grade and which exterior walls contain windows or doors permitting entrance of daylight and outside air.

(109) *Street*. A public or approved private thoroughfare which affords the principal means of access to abutting property, excluding alleys, and as defined in the city's thoroughfare plan.

(110) *Street line*. The dividing line between the street right-of-way and the abutting property.

(111) *Structural alterations*. Any alteration involving a change in or addition to the supporting members of a building, such as bearing walls, columns, beams or girders.

(112) *Structure*. Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, signs, and excluding utility poles, fences and retaining walls.

(113) *Subdivision*. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

~~*Townhouse*. A single-family dwelling unit constructed in a series, or a group of units having common walls, each on a separate lot.~~

(114) *Urban Agriculture*. An industry located within or on the fringe of a town, a city or metro-area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying

human and material resources, products and services largely to the urban area.

(115) *Variance*. Relief from or variation of the provisions of these regulations, other than use regulations, as applied to a specific piece of property, as distinct from rezoning, as further set out hereinafter in powers and duties of the board of adjustment.

~~*Veterinary clinic*. An establishment where animals and pets are admitted for examination and medical treatment and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.~~

~~*(Ord. No. 90-5, 3-19-1990)*~~

(116) *Visibility Triangle*. The term "visibility triangle" as defined in article V, section 1.9 of this Unified Development Code.

(117) *Wall, exterior*. Any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.

(118) *Wholesale*. The sale of commodities for the purpose of resale, as to retailers or jobbers rather than to consumers directly; opposed to retail. Of, pertaining to, or engaged in sale at wholesale.

(119) *Xeriscaping*. A type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.

~~*Zero lot line house*. A single-family detached residential dwelling unit with one side wall coincident with the side lot line and a five-foot maintenance easement coincident with the opposite side lot line.~~

SUBSECTION 2.02: LAND USE DEFINITIONS

(A) *Agricultural and Animal Related Land Uses.*

(1) *Agricultural Uses on Unplatted Land.* Any area used for growing farm products, vegetables, fruits, trees, and grain and/or for the raising of farm animals (*e.g. horses, cattle, sheep, etc.*) -- *including the necessary accessory uses for raising, treating, and storing products raised on the premises* -- , but not including the commercial feeding, cultivation of offal (*i.e. entrails or internal organs*) to swine or other animals and not including any type of agriculture or cultivation that is specifically prohibited by this federal, state, or local law.

(2) *Animal Boarding/Kennel*. Any premises in which more than three (3) dogs or three (3) cats or three (3) of any other domesticated animal over the age of three (3) months -- *not including livestock or farm animals* -- are housed, boarded, raised or trained as a commercial enterprise. This definition does not include pet shops.

(3) *Animal Clinic for Small Animals without Outdoor Pens.* An establishment where small animals and pets are admitted for examination, medical treatment, and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.

(4) *Animal Hospital or Clinic.* A facility for the diagnosis, treatment, or hospitalization of animals.

(5) *Animal Production or Husbandry.* An agricultural operation specifically concerned with the raising of animals for meat, milk, eggs, or other products. *Animal Production or Husbandry* includes the *day-to-day* care, selective breeding and the raising of livestock.

(6) *Animal Shelter or Loafing Shed.* An agricultural structure that is typically built inside a pasture or paddock area that provides livestock with shade, water, and/or food.

(7) *Barn or Agricultural Accessory Building.* A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.

(8) *Crop Production.* An area for raising or harvesting agricultural crops such as wheat, field forage, and other plant crops intended to provide food or fiber.

(9) *Commercial Horse Corral or Stable.* A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.

(10) *Private Horse Corral or Stable.* A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, trained, or bred for the private use of the property owner.

(11) *Community Garden.* A use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (*e.g., hand tool storage sheds*) maintained and used by the group.

(12) *Urban Farm.* A use in which plants are grown for sale as products, and in which the plants or their biproducts are sold at the lot where they are grown or off-site, or both, and in which no other items are sold (*e.g. flower and vegetable raising, orchards and vineyards, etc.*).

(13) *Wholesale Nursery (i.e. without Retail Sales On-Site).* An establishment for the cultivation and propagation, display, storage and wholesale of large plants, shrubs, trees and other materials used in the indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape materials as an accessory use.

(B) *Residential and Lodging Land Uses.*

(1) *Residential Accessory Building or Structure.* A subordinate building having a use customarily incidental to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.

(2) *Bed and Breakfast*. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.

(3) *Caretakers Quarters/Domestic or Security Unit*. A residence located on premises with a main residential or non-residential use and occupied only by a caretaker or guard employed on the premises.

(4) *Convent, Monastery, or Temple*. A facility or building occupied by a community of monks, nuns, priests, or similar sects living under religious vows.

(5) *Duplex*. A building designed and/or occupied exclusively by two (2) families living independently of each other on one (1) lot or parcel of land.

(6) *Commercial Garage*. Any premises and/or structures used for housing more than three (3) motor vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.

(7) *Residential Garage*. A residential accessory building used for the storage motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.

(8) *Guest Quarters/Secondary Living Unit*. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.

(9) *Home Occupation*. A commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.

(10) *Limited-Service Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.

(11) *Full-Service Hotel*. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security-controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.

(12) *Residence Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.

(13) *Motel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel

room units is generally calculated on a nightly basis.

(14) *Multi-Family Structure or Development.* A development consisting of at least three (3) single-family dwelling units grouped into a single building or multiple buildings on an individual parcel of land. Examples of a *Multi-Family Development* include Triplexes, Quad or Fourplexes, apartments, condominiums, and etcetera.

(15) *Portable Building.* A temporary building that may or may not have a foundation and is transportable.

(16) *Residential Infill in or Adjacent to an Established Subdivision.* The new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.

(17) *Single-Family Attached Structure.* A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).

(18) *Single-Family Detached Structure.* A single-family residential structure that is occupied by one (1) family, is situated on a single parcel of land, does not share a common wall or wall with any adjacent structures, and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).

(19) *Single-Family Zero Lot Line Structure*. A single-family detached structure that has a wall or walls that comes up to, or very near to, the edge of the property line on one (1) side of the property.

(20) *Private Swimming Pool*. A swimming pool constructed for the exclusive use of the property owner and/or residents of a single-family, duplex, multi-family structure or development. A private swimming pool shall not be operated as a business.

(21) *Private Tennis Court*. A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas except as may be otherwise permitted.

(22) *Townhouse.* A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*). These units are typically constructed in a series or group of units.

(23) *Urban Residential.* A development situated within the City's Downtown (DT) District -- *which is also referred to as the urban core* -- that allows for multiple single-family dwelling units grouped into a single building. This type of structure typically contains a mix of office, retail, and residential land uses.

(C) *Institutional and Community Service Land Uses.*

(1) *Assisted Living Facility.* A facility that is licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code that furnishes -- *in one (1) or more buildings* – food, shelter, and limited assistance to persons who are unrelated to the proprietor of the establishment, and also provides personal care services.

(2) *Blood or Plasma Donation Center*. A facility that allows for a person or persons to donate or sell blood or plasma for use in medical or other products.

(3) *Cemetery/Mausoleum.* A land used intended to be used for the burial of the human or animal remains and dedicated for cemetery purposes, including crematories, mortuaries and funeral chapels if operated in connection with and within the boundaries of such cemetery.

(4) *Church/House of Worship*. A facility or area where people gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence.

(5) *College, University, or Seminary*. An institution established for educational purposes offering courses for study beyond the secondary education level. This land use shall exclude *Trade Schools*.

(6) *Convalescent Care Facility/Nursing Home*. A facility providing primarily inpatient health care, personal care, or rehabilitative services on a 24-hour basis over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision, but not hospitalization.

(7) *Congregate Care Facility/Elderly Housing.* A facility for long-term residence -- *exclusively for persons 62 years of age or older* -- who may need limited assistance with daily living activities, and which includes at a minimum each of the following amenities and personal care services: [*1*] private living quarters that are designed for a maximum of double occupancy and which no full kitchen facilities are permitted (i.e. no dishwasher or oven); [*2*] daily prepared meals in a common dining area; [*3*] housekeeping, laundry service, and private bus transportation service; [*4*] dedicated areas for social activities; and [*5*] dedicated areas for indoor and outdoor recreation activities.

(8) *Crematorium*. A facility licensed, or qualified to be licensed, by the State of Texas for the cremation of human remains.

(9) *Daycare with Seven (7) or More Children*. A state licensed facility -- *other than a public, parochial, or private school* -- providing care for seven (7) or more children under the age of 14 years old for less than 24-hours per day (*typically daytime hours only*) at a location other than a residence.

(10) *Emergency Ground Ambulance Services*. A facility that houses Emergency Medical Service (EMS) motor vehicles or ambulances that are dispatched to offer emergency paramedic services that require an urgent medical response.

(11) *Group or Community Home*. A home for disabled persons whose ability to care for themselves, perform manual tasks, learn, work, walk, see, hear, speak or breath is substantially limited because the person has an orthopedic, visual, speech, or hearing impairment, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.

(12) *Government Facility*. An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to: City services/offices, employment offices, police and fire stations, and/or motor vehicle licensing and registration services.

(13) *Halfway House*. A facility where persons are aided in readjusting to society following a period of imprisonment, hospitalization, homelessness, or institutionalized treatment.

(14) *Hospice*. A facility designed to provide a centralized program for palliative and supportive services to dying persons and their families in the form of physical, psychological, social, and spiritual care either directly or on a consulting basis.

(15) *Hospital.* An institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.

(16) *Public Library, Art Gallery, or Museum.* An institution for the collection, display and distribution of objects of art, science, or library sciences and which are sponsored by a public or quasi-public agency that is open to the general public.

(17) *Mortuary or Funeral Chapel.* A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of a deceased for burial and/or the display of the deceased through ceremonies prior to burial or cremation.

(18) *Local Post Office.* A local branch of the United States Postal Services or a private commercial venture engaged in the distribution of mail, packages, and incidental services.

(19) *Regional Post Office.* A branch of the United States Postal Services or a private commercial venture engage in the regional distribution of mail and packages to local post offices.

(20) *Prison/Custodial Institution.* A facility responsible for the incarceration of adults that provides 24-hour supervision by professionals. These types of facilities include prisons, jails, and probation facilities.

(21) *Public or Private Primary School*. A school that is either owned and operated by the independent school district or a private commercial organization for children from five (5) to 11-years of age to receive their primary or elementary education.

(22) *Public or Private Secondary School*. A school that is either owned and operated by the independent school district or a private commercial organization for children from 11 to 18-years of age to receive their secondary or high school education.

(23) *Temporary Education Buildings for a Public or Private School*. A temporary building for classrooms, recreation and administrative needs for the independent school district or a private commercial organization as defined by Section 1202, *Industrialized Housing and Buildings*, of the Texas Occupations Code.

(24) *Rescue Mission or Shelter for the Homeless*. A non-profit housing shelter operating as an accessory use to a religious facility, providing temporary free lodging for indigent individuals or families with no regular home or residential address. A *Rescue Mission or Shelter for the Homeless* shall house a maximum of 15 individuals for a period not to exceed a maximum of 30-days.

(25) *Social Service Provider (Except Rescue Mission or Shelter for the Homeless)*. Any organization operating under a non-profit charter, the activities of which are devoted exclusively to charitable, benevolent, patriotic, employment related, or educational purposes not currently listed elsewhere in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(D) *Office and Professional Land Uses.*

(1) *Financial Institution*. A facility that is open to the public for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds and that is licensed by the appropriate state or federal agency as a bank, savings and loan association, or credit union. Accessory uses may include automatic teller machines, drive through service, offices, and parking. This excludes bail bonds, pawnshops, payday advance/loan businesses, and motor vehicle title loan businesses.

(2) *Office Building*. A facility that provides executive, management, administrative, or professional services not specifically listed elsewhere in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(E) *Recreation, Entertainment and Amusement Land Uses.*

(1) *Temporary Carnival, Circus, or Amusement Ride*. A temporary, traveling show or exhibition that has no permanent structure or installation, and is intended to attract people to a site where there may or may not be an admission charge. These activities include: carnivals, circuses, rides, entertainment, gaming booths, food stands, exhibitions, and animal displays. Outdoor or indoor commercial amusement provided on a temporary basis.

(2) *Indoor Commercial Amusement/Recreation*. Any enterprise whose main purpose is to provide the general public with a variety of amusing or entertaining activities, including such activities as skating rinks, bowling alleys, video arcades, billiard tables and similar enterprises, but does not include theaters and auditoriums.

(3) *Outdoor Commercial Amusement/Recreation*. An amusement enterprise that offers entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open.

(4) *Public or Private Community Recreation Club as an Accessory Use*. (1) *Public:* A facility or area that is owned and/or operated by a nonprofit organization and that provides for sports, leisure, and recreation activities operated for the general public. (2) *Private:* A recreation facility operated for the exclusive use of private residents or neighborhood groups and their guests, and not the general public.

(5) *Private Country Club.* A facility or area laid out for recreational, athletic, and social purposes, with limited membership, and the use of which is primarily restricted to members and their guests. A golf course may be included as an additional principal use. Accessory uses may include retail sales, a club house, and other recreational facilities.

(6) *Golf Driving Range.* An area improved with trees, greens, fairways, hazards, and which may include a clubhouse, dining room, and accessory recreational uses.

(7) *Temporary Fundraising Events by Non-profit.* An event sponsored by a recognized legal nonprofit organization, intended to attract people to a site where there may or may not be an admission charge.

(8) *Gun Club with Skeet or Target Range.* A facility or area for the sport of shooting at targets to test accuracy in rifles, pistols, or archery practice, owned or operated by a corporation, association, or persons.

(9) *Health Club or Gym.* A public or private facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include -- *but are not limited to* -- game courts, weight lifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.

(10) *Private Club, Lodge or Fraternal Organization.* (1) *Private Club.* Private quarters for a private organization, a principal purpose of which is the preparation and service of food and/or drink for members and their guests only and falling within the definition of and permitted by Chapter 32, *Private Club Registration Permit*, of the Texas Alcoholic Beverage Code. (2) *Lodge or Fraternal Organization.* A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics, or other similar interests, but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues, or other houses of worship or religious assembly.

(11) *Private Sports Arena, Stadium, and/or Track.* An athletic field or stadium that is not owned or operated by a public agency such as a city or school and operated for the exclusive use of its members and their guests and not the general public

(12) *Public Park or Playground.* A facility or area for recreational, cultural, or aesthetic use owned or operated by a public agency and available to the general public. This definition may include -- *but is not limited to* -- lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, pavilions, wooded areas, and water courses.

(13) *Sexually Oriented Businesses.* See Article XI, *Sexually Oriented Businesses*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances.

(14) *Tennis Courts (i.e. Not Accessory to a Public or Private Country Club).* A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances. This would be the primary use for a property and not attached to a Public or Private Country Club.

(15) *Theater.* A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment-related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators. Such establishments may include incidental services such as food and beverage sales and other concessions.

(F) *Retail and Personal Service Land Uses.*

(1) *Antique/Collectible Store*. A retail establishment that engages in the selling of works of art, furniture or other artifacts of an earlier period.

(2) *Astrologer, Hypnotist, or Psychic*. An establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.

(3) *Banquet Facility/Event Hall*. An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.

(4) *Portable Beverage Service Facility*. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place to place but that stays at one location during a normal business day; food sales are prohibited in these facilities.

(5) *Brewpub.* A brewpub is a restaurant that incorporates a craft or microbrewery as an accessory use. The craft or microbrewery in conjunction with the restaurant allows for the manufacturing of beer -- *in limited quantities* -- for both on-premise and off-premise consumption.

(6) *Business School.* A business organized to operate for profit that offers instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.

(7) *Catering Service.* A food establishment without on-site banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.

(8) *Temporary Christmas Tree Sales Lot and Similar Uses.* A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.

(9) *Copy Center.* An establishment that reproduces, in printed form, individual orders from a business, profession, service, industry, or government organization.

(10) *Craft/Micro Brewery, Distillery and/or Winery.* A *craft/microbrewery* is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A *distillery and/or winery* is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24% alcohol by volume, distilled spirits and other liquors.

(11) *Incidental Display.* An outdoor retail sale or commercial promotion, not in excess of thirty (30) days during any 12-month period, adjacent to an existing permanent business operated in the city where the products displayed or sold outdoors are the same as those sold inside the existing permanent business and where such activity is incidental to the normal conduct of business operated by the same merchant or his employer in an on-site building for which a valid Certificate of Occupancy (CO) exists and when permitted by the City.

(12) *Food Truck/Trailer.* A food truck or trailer is a mobile food vendor that sells food and/or beverages that are either pre-packaged or prepared in the confines of a portable truck/trailer, which can be moved from place to place, but is typically in a fixed location for extended periods of time.

(13) *Garden Supply/Plant Nursery.* An establishment for the cultivation and propagation, display, storage and sale (*i.e. retail and wholesale*) of large plants, shrubs, trees and other materials used for in indoor

or outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use.

(14) *General Personal Service.* Establishments primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, dry-cleaning and laundry pick-up stations, tailor or seamstress, and reducing salons/health clubs.

(15) *General Retail Store.* A facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; pets; drugs; hardware; and similar consumer goods. This use does not include uses that are specifically addressed in Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*.

(16) *Hair Salon and/or Manicurist.* A business that provides customers with beauty treatments including -- *but not limited to* -- haircuts, manicures, pedicures, and other similar treatments.

(17) *Laundromat with Dropoff/Pickup*. A personal service shop that specializes in cleaning clothes that may or may not include coin-operated washing machines and dryers for public use.

(18) *Self-Service Laundromat.* A facility where patrons wash, dry or dry clean clothing and other fabrics in machines operated by the patron.

(19) *Massage Therapist.* Any building, room, place, or establishment other than where regularly licensed non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by a licensed massage therapist, physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath, with or without the use of therapeutic, electrical, mechanical, or bathing devices.

(20) *Private Museum or Art Gallery.* An institution for the collection, display and distribution of objects of art or science, and which is sponsored by a public or quasi-public agency in a facility that is open to the general public.

(21) *Night Club, Discotheque, or Dance Hall.* An establishment, facility, or room that offers or provides entertainment of any kind for remuneration, whether through fees, ticket sales, cover charges, membership, dues, or portion of funds generated in any other manner, usually collected at the time of customer entry into the establishment. Such establishments may provide accommodations for patron dancing; dispense alcoholic beverages for consumption on the premises; provide live, recorded, or televised music or comedy performances; and/or serve food as an ancillary service. *Night Club* shall not include indoor theaters, auditoriums and stadiums with fixed row seating, private clubs, bars, teen clubs, banquet halls, or establishments defined elsewhere in Section 1, *Land Use Schedule*.

(22) *Pawn Shop.* A retail operation which provides for the lending of money with personal items held as collateral, or the purchasing, or the repurchasing of gold, silver, jewelry, watches, and gems in addition to other merchandise.

(23) *Permanent Cosmetics.* A cosmetic technique which employs permanent pigmentation of the dermis as a means of producing designs that resemble makeup, such as eye-lining and other permanent enhancing colors to the skin of the face, lips, and eyelids.

(24) *Pet Shop.* A *Pet Shop* is a retail business which sells different kinds of animals to the public. A variety of animal supplies and pet accessories are also sold in *Pet Shops*. The products typically sold in these establishments include -- *but are not limited to* -- food, treats, toys, collars, leashes, cat litter, cages and aquariums.

(25) *Temporary Real Estate Sales Office.* *Temporary ~~on-site~~ Real Estate Sales Offices* located on property being sold, shall be limited to the period of sale of the lots with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official.

(26) *Rental Store without Outside Storage and/or Display.* A retail business that sells, rents, or leases tools, equipment, or other goods on a short-time basis to customers to the extent that the item is actually used by the customer.

(27) *Restaurant with Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.

(28) *Restaurant without Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premise and does not provide facilities that allow the serving and consumption of food in personal vehicles on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.

(29) *Retail Store with Gasoline Sales.* An establishment that engages in the sale of fuel, lubricants, and/or accessories for motor vehicles, and that may have ancillary retail sales of convenience goods. A dispenser in a *Retail Store with Gasoline Sales* is assumed to serve two (2) standard motor vehicles.

(30) *Second Hand Dealer.* An establishment for the sale of any goods, materials, or other articles of merchandise that are not new (*e.g. consignment stores*). This definition includes items that have been used or worn previously by another.

(31) *Art, Photography, or Music Studio.* A workplace for the teaching, preparation, or practice of an art such as animation, ceramics, dance, graphic design, music, painting, photography, pottery, scrapbooking, and sculpture.

(32) *Tailor, Clothing, and/or Apparel Shop.* An establishment engaged in custom making, altering, or the repair of clothing.

(33) *Tattoo and/or Body Piercing.* An establishment whose principal business activity, either in terms of operation or as provided to the general public, is the practice of one (1) or more of the following: [*1*] placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin, by means of the use of needles or other instruments designed to contact or puncture the skin; [*2*] creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

(34) *Taxidermist Shop.* A facility engaged in the preserving of an animal's body via mounting or stuffing for the purpose of display or study.

(G) *Commercial and Business Services Land Uses.*

(1) *Bail Bonds*. An establishment that solicits, negotiates, and executes bonds or other security to guarantee the appearance in court of a person accused of a crime.

(2) *Building and Landscape Material.* An establishment for the sale of materials customarily used in the construction of buildings and other structures, including sales of lumber, drywall and similar construction materials.

(3) *Building Maintenance, Service, and Sales*. A facility or area for contracting services such as building repair and maintenance; the installation of plumbing, electrical, air conditioning, and heating equipment; janitorial services; and exterminating services. The retail sale of supplies is permitted as an accessory use.

(4) *Commercial Cleaners*. A facility or area for cleaning items in bulk quantities such as clothes and linens. This definition includes cleaning for hospitals, restaurants, hotels, diaper cleaning services, and other similar accounts, as well as rug and dry-cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant.

(5) *Custom and Craft Work*. A facility or area in which finished, personal, or household items that are either made to order or that involve considerable handwork are produced. Examples include but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting, and other work or wood products on an individualized single item basis. Cabinetmaking and cabinet assembly shops are not included in this definition. The use of mechanized assembly line production is excluded from this definition.

(6) *Electrical, Watch, Clock, Jewelry, and Similar Repair.* An establishment that designs, makes, sells or repairs small consumer goods.

(7) *Feed Store, Ranch Supply*. An establishment for the selling of corn, grain, and other food stuffs for animals and livestock, and including other implements and goods related to agricultural processes, but not including farm machinery.

(8) *Furniture Upholstery/Refinishing and Resale*. A furniture upholstery refinishing or resale business is a business that engages in the act of reupholstering, repairing, stripping, refinishing, restoring or rebuilding furniture for the purpose of retailing the finished good.

(9) *Gunsmith Repair and Sales.* An establishment that specializes in the repair and/or sale of small fire arms (*e.g. handguns and shotguns*) for individuals.

(10) *Heavy Machinery and Equipment Rental, Sales, and Service*. A building or open area, other than a right-of-way or a public parking area, used for the display, sale, rental, and storage of heavy machinery, either machines in general or as a functioning unit. Heavy machinery includes -- *but is not limited to* -- tractors, farm machinery, bulldozers, street graders, and paving devices.

(11) *Locksmith.* A business that works with locks, keys and security systems.

(12) *Machine Shop*. A shop wherein there are facilities and tools, which are utilized in the shaping and forging, welding or fabricating of metal products and/or related items.

(13) *Medical or Scientific Research Lab*. A facility or area for conducting medical or scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition also includes labs for the manufacture of dentures and prostheses.

(14) *Manufactured Homes Sales*. The offering for sale, storage, or display of new and/or used manufactured homes on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

(15) *Research and Technology/Light Assembly*. An indoor facility that includes laboratories and experimental equipment for medical testing, prototype design and development, and product testing.

(16) *Shoe and Boot Repair and Sales*. A business that specializes in the sale and repair of shoes and boots.

(17) *Trade School*. Establishments, other than public or parochial schools, private primary or secondary schools, or colleges, offering training or instruction in a trade, art, or occupation.

(18) *Temporary On-site Construction Office*. A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment.

(H) *Auto and Marine-Related Land Uses Conditions.*

(1) *Major Auto Repair Garage*. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90-days.

(2) *Minor Auto Repair Garage*. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.

(3) *Automobile Rental*. A business that engages in the rental of light load motor vehicles for short periods of time for a fee. This use excludes the truck and heavy equipment rental.

(4) *Boat and Trailer Dealerships (New and Used)*. A business that buys and sell boats and boat trailers that are both new and used.

(5) *Car Wash*. A facility or area for the cleaning or steam cleaning, washing, polishing, or waxing of passenger vehicles by machine or hand-operated facilities. A car wash may be [*1*] a single unit type that has a single bay or a group of single bays with each bay to accommodate one vehicle only; or [*2*] a tunnel type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

(6) *New and/or Used Indoor Motor Vehicle Dealership/Showroom*. The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.

(7) *Motor Vehicle Dealerships for Cars and Light Trucks*. Retail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles within an area or enclosed building.

(8) *Commercial Parking Lot.* An area or structure intended for parking that is operated as a business enterprise with a service charge or fee being paid to the owner or operator for the storage or parking of privately-owned vehicles, and is not reserved or required to accommodate occupants, clients, customers, or employees of a particular establishment or premises.

(9) *Non-Commercial Parking Lot*. An area, structure, or shared area that is open to the general public for the temporary parking of operable personal and light commercial vehicles.

(10) *Recreational Vehicle (RV) Sales and Service.* An establishment that engages in the sale and/or leasing of new and/or used recreation vehicles (including as an accessory use) and the repair and service of these vehicles.

(11) *Service Station*. An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tuneups, lubrication, and minor repairs may also be provided if incidental to such principal use.

(12) *Towing and Impound Yard*. Any lot that two (2) or more motor vehicles of any kind of for the purpose of holding such vehicles in reserve or incapable of being operated due to condition or lack of license have been placed for the purpose of obtaining parts for recycling or resale.

(A) *Conditional Standards.*

(13) *Towing Service without Storage*. Establishment that provides for the removal of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.

(14) *Truck Rental*. The display and rental of new or used heavy commercial vehicles or trucks in operable condition.

(15) *Truck Stop with Gasoline Sales and Accessory Services*. An area for parking heavy commercial vehicles and/or trucks for storage purposes including the retail dispensing and/or sales of truck and automobile fuels, lubricants and/or accessories as an accessory use and not including automotive repair services.

(I) *Industrial and Manufacturing Land Uses.*

(1) *Asphalt or Concrete Batch Plant*. A permanent manufacturing facility for the production of concrete or asphalt.

(2) *Temporary Asphalt or Concrete Batch Plant.* A temporary manufacturing facility for the production of concrete or asphalt during construction of a project and to be removed when the project is completed.

(3) *Bottle Works, Milks, or Soft Drinks.* A facility for food or beverage processing that uses mechanized assembly line production for canned or bottled goods.

(4) *Brewery or Distillery*. A brewery or distillery is an industrial facility where the primary purpose of the facility is the manufacturing of malt, brewed and/or distilled beverages produced on the premises for sale or distributed for off-premise consumption.

(5) *Carpet and Rug Cleaning*. A personal service business that specializes in the cleaning of carpet and rugs in both residential and non-residential structures.

(6) *Environmentally Hazardous Materials*. Any solid, liquid, or gaseous matter which is present in sufficient quantities to endanger health, safety, or comfort of persons in the vicinity or which may cause injury or damage to property.

(7) *Food Processing with No Slaughtering.* A facility or area in which food for human consumption in its final form, such as candy, baked goods, tortillas, and ice cream is produced, and the food is distributed to retailers or wholesalers for resale on or off the premises. Food or beverage processing using mechanized assembly line production of canned or bottled goods is excluded from this definition. Sales may either be retail or wholesale, and are generally made to businesses rather than to individual households.

(8) *Light Assembly and Fabrication.* A business where parts, manufactured elsewhere, are assembled with the assistance of power-driven machines and materials-handling equipment, and manipulated primarily by hand which produces low dust and fiber, and all materials are assembled and stored within an enclosed building.

(9) *Heavy Manufacturing*. A facility or area for generally mass-producing goods usually for sale to wholesalers or other industrial or manufacturing uses. A heavy manufacturing use is one which employs the following or similar types of processes: [*1*] the milling of grain as retail sales and service; [*2*] producing animal food and tanning animal hides; [*3*] production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, or airplanes; [*4*] canning or bottling of food or beverages for human consumption using a mechanized assembly line; [*5*] manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents, and other chemical products, and use of a foundry for metals; [*6*] production of items made from stone, clay, metal, or concrete; and, [*7*] tire recapping or retreading.

(10) *Light Manufacturing*. A facility or area for producing goods without the use of chemical processing of materials. Light manufacturing activities include -- *but are not limited to* -- the following activities: [*1*] assembly, finishing, and/or packaging of small items from component parts made at another location (examples include but are not limited to cabinetmaking, or the assembly of clocks, electrical appliances, or medical equipment); [*2*] production of items made from materials derived from plants or animals, including but not limited to leather, pre-milled wood, rubber, paper, wool, or cork, or from textiles or plastics; [*3*] electrical component manufacturing; [*4*] reproduction, cutting, printing, or binding of written materials, drawings, or newspapers on a bulk basis using lithography, offset printing, blue printing, and other similar methods; [*5*] machine or welding shop where material is processed by machining, cutting, grinding, welding, or similar processes; and, [*6*] spray painting or motor vehicle conversion.

(11) *Metal/Electro Plating*. The process that uses an electric current to reduce dissolved metal cations so that they form a thin coherent metal coating on an electrode.

(12) *Mining and Extraction (Sand, Gravel, Oil and Other)*. The process of extracting natural resources from the earth that includes -- *but is not limited to* -- sand, gravel, stone, and petroleum.

(13) *Printing and Publishing.* An establishment whose primary service is long-run printing including -- *but not limited to* -- book, magazine, and newspaper publishing.

(14) *Indoor Salvage or Reclamation of Products.* An indoor facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes indoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.

(15) *Outdoor Salvage of Products.* An outdoor or partially outdoor facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes outdoor or partially outdoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.

(16) *Sheet Metal Shop.* A company that specializes in the creation of metal structures by cutting, bending and assembling processes.

(17) *Tool, Dye, Gauge, and Machine Shop*. A workshop were metal fabrication tools, including but not limited to lathes, presses, and mills, are used for making finishing, or repairing machines or machine parts.

(18) *Welding Repair.* A technique in which a cracked material is removed by arc gouging and the element is welded to re-join the material on either side of the crack.

(19) *Winery*. A winery is the industrial manufacturing, bottling, labeling and packaging of wine in accordance with the Texas Local Government Code (TLGC).

(J) *Wholesale, Distribution and Storage Land Uses.*

(1) *Cold Storage Plant.* A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.

(2) *Heavy Construction/Trade Yard.* A land or structure used primarily for the storage of equipment, vehicles, machinery, building materials, paint, piping, or electrical components being used by the owner or occupant of the premises in the conduct of a building trade.

(3) *Landfill.* A tract of land used for the burial of farm, residential, institutional, or commercial waste that is not hazardous, medical, or radioactive.

(4) *Mini-Warehouse.* A *Mini-Warehouse* (*or self-storage facility*) is an enclosed storage facility containing independent, fully enclosed bays that are generally leased to individuals for long-term storage of their household goods or personal property.

(5) *Outside Storage and/or Outside Display*. The permanent or continuous keeping, displaying, or storing of unfinished goods, material, merchandise, equipment, service vehicles or heavy vehicles outside of a building on a lot or tract overnight of for more than 24-hours.

(6) *Recycling Collection Center*. An enclosed trailer used for the collection and temporary storage of empty beverage containers, aluminum, glass, plastic, paper, clothing, or similar materials for recycling purposes. This definition includes automated can banks that crush cans as they are deposited. This definition does not include donation boxes for clothing, toys, household goods, and similar items.

(7) *Warehouse/Distribution Center*. A building used primarily for the storage and distribution of goods, merchandise, supplies, and equipment including wholesalers which display, sell, and distribute merchandise to business representatives for resale but excluding *Truck Terminal*.

(8) *Wholesale Showroom Facility*. An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area.

(K) *Utilities, Communications, and Transportation Land Uses.*

(1) *Airport, Heliport, or Landing Field.* An area used or intended for use for the landing and takeoff of aircraft and other aviation uses; An appurtenant area used or intended for use for an airport building or other airport facility or right-of-way, including a building or facility for the shelter, supply, repair, and maintenance of aircraft and related purposes; An airport building or facility located on an appurtenant area; Facilities for the fueling of aircraft; Buildings for office use; and Related uses and buildings and other uses and buildings incidental to any of the foregoing.

(2) *Accessory Antenna.* Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves. Antennae may be mounted on towers or on buildings, and may be concealed or unconcealed.

(3) *Commercial Antenna.* Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain.

(4) *Antenna for Amateur Radio.* Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.

(5) *Antenna Dish.* An antenna that is parabolic or bowl-shaped and that receives and/or transmits signals in a specific directional pattern

(6) *Commercial Freestanding Antenna.* A self-supporting, tubular-shaped antenna support structure which consists of a single vertical pole fixed into the ground and/or attached to a foundation.

(7) *Mounted Commercial Antenna.* Any exterior transmitting or receiving device mounted on or within a support structure, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, television signals, or other communications signals.

(8) *Bus Charter and Service Facility.* A facility for the loading and discharging of train or bus passengers.

(9) *Helipad.* An area of land or water or a structural surface which is used, or intended for use, for the landing and taking-off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.

(10) *Non-Municipally Owned or Controlled Utilities.* The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are non-municipally owned or controlled.

(11) *Municipally Owned or Controlled Facilities, Utilities, and Uses.* The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are municipally owned or controlled.

(12) *Private Streets.* A private vehicular access way shared by and serving 2 or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of the Subdivision Ordinance. The term "private street" shall be inclusive of alleys.

(13) *Radio Broadcasting.*

(14) *Railroad Yard or Shop.* A facility used for the storage of railway cars, boxcars and engines and related equipment.

(15) *Recording Studio.* A facility that provides an environment for the purposes of writing, collaborating, preforming, instruction, preparing, or completing audio recordings.

(16) *Satellite Dish.*

(17) *Solar Energy Collector Panels and Systems.* A ground- or building-mounted solar collection system consisting of solar photovoltaic cells, panels, or arrays and related equipment that relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation, and that supplies electrical power independently of an electrical production and distribution network.

(18) *Transit Passenger Facility.* Any premises for the loading and unloading of passengers by a public or private transit company including the temporary parking of transit vehicles between routes or during stop overs and excluding overnight parking, storage, and maintenance of transit vehicles. This definition shall not include bus stops along rights-of-way.

(19) *Trucking Company.* An area and building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment.

(20) *TV Broadcasting and Other Communication Services.* The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

(21) *Franchise Utilities.* A non-public utility requiring special facilities in residential areas or on public property such as heating, cooling, or communications not customarily provided by the municipality or

public utilities.

(22) *General Utility Installation.* Permanent facilities and structures operated by companies engaged in providing transportation and utility services including -- but not limited to -- railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.

(23) *Utility/Transmission Lines.* Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the city or private utility company.

(24) *Wireless Communication Tower.* Any structure that is designed and constructed primarily for the purpose of supporting one or more antennae that transmit information (audio, video, data) in the form of electromagnetic signals to one or more receivers without the use of a physical connection between the transmitting and receiving source. The term includes but is not limited to lattice towers, guyed towers, and monopole towers. The term does not include a clock tower, bell tower, steeple, light pole, power pole, water tower, or similar structure that incidentally supports antennae. Towers may be freestanding or building-mounted, and may be concealed or unconcealed.

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ARTICLE XI, FENCES, CHAPTER 10, BUILDING AND BUILDING REGULATIONS, MUNICIPAL CODE OF ORDINANCES

DIVISION 1: GENERALLY

SECTION 10-402: DEFINITIONS

For the purposes of this article, the term "fence" means any wall or structure of any material, the purpose of which is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building or structure.

~~*(Ord. No. 04-05, § 1(6-124), 1-20-2004)*~~

~~*SECTION 10-403: PERMIT REQUIRED; APPLICATIONS; FEES*~~

~~No fence shall be constructed within the city without the owner or person in control of such premises, or his agent or contractor, having secured a permit therefor from the building official or his designee. A fence repair permit shall be required for the replacement of 25 linear feet or more of fencing and/or the replacement of five or more posts. When five or more posts are replaced, replacement posts must be metal posts. Applications shall be made and a permit issued on forms promulgated by the code official for such purpose. The fees for such permits shall be in amounts as established from time to time by resolution of the city council.~~

~~*(Ord. No. 04-05, § 1(6-125), 1-20-2004)*~~

~~*SECTION 10-404: EXCEPTIONS*~~

~~The following shall be exceptions to the terms of this article:~~

~~(1) Dikes and retaining walls for the purpose of diverting water and retaining soil shall not be considered fences within the terms of this article.~~
~~(2) Fences existing and in place at the time of the enactment of the ordinance from which this article is derived shall be excused from the permit provisions hereof. However, such fences shall be maintained to comply with the provisions hereof. Any such fence or any fence in an area annexed by the city after the effective date of the ordinance from which this article is derived shall be subject to the provisions of this article in the event of reconstruction, modification, enlargement, extension, alteration or any construction thereto other than normal maintenance thereof.~~

~~*(Ord. No. 04-05, § 1(6-132), 1-20-2004)*~~

~~*SECTIONS 10-405—10-423: RESERVED*~~

DIVISION 2: CONSTRUCTION STANDARDS

SECTION 10-424: ~~SPECIAL PERMIT FOR REQUIRED FRONT YARD~~ FENCE STANDARDS

For *Fence Standards* see Section 8, *Fence Standards*, of Article VIII, *Landscape and Fence Standards*.

~~(a) No fence shall be constructed in the required front yard of a residential property or of a tract or parcel of land adjacent to I-30 without first being granted a special permit by the city council. The city council may authorize the issuance of a special permit for the construction of a front yard fence subject to the provisions of this division. The city council, in considering and determining action on any request for a special permit, may require from the applicant plans, drawings, and other information concerning the proposed front yard fence. The city council may establish conditions of construction of any fence for which a special permit is authorized. However, no front yard fence proposed in a residential subdivision may be constructed without complying with any approved active deed restrictions for the subdivision.~~

~~(1) No fence shall be placed in the required front yard of a residential property in excess of 42 inches in height and constructed of wood or 48 inches in height and constructed of wrought iron, or in a non-residentially zoned area in excess of eight feet in height and shall be constructed of wrought iron. No opaque fences will be allowed in the required front yard.~~

~~(b) Exceptions.~~

~~(1) Model homes meeting the requirements as follows:~~

~~a. The maximum height of front yard fence is not to exceed 42 inches.~~
~~b. No opaque fences allowed in the front yard, fences must be 50 percent see-through.~~
~~c. The fence must be architecturally harmonious with the development and of split rail, picket, vinyl, or wrought iron.~~
~~d. These fences are only temporary and must be removed, or city council approval sought at such time permanent residency will be established.~~

~~(2) Single-Family—Estate (SF-E) meeting the requirements as follows:~~

~~a. No opaque fences allowed in the front yard, fences must be 50 percent see-through.~~
~~b. Front yard fences shall be no more than 48 inches in height.~~
~~c. Front yard fences shall be architecturally harmonious with the development, and of split rail, picket, vinyl, wrought iron or painted steel pipe.~~

~~*(Ord. No. 04-05, § 1(6-126), 1-20-2004; Ord. No. 06-10, § 1(6-126), 3-20-2006; Ord. No. 11-23, § 1, 6-6-2011; Ord. No. 17-15, § 1, 3-20-2017)*~~

~~*SECTION 10-425: STANDARDS; SPECIFICATIONS; PROHIBITIONS*~~

~~The following regulations shall apply to the construction of fences within the city, except for additional standards or requirements referenced in article V and article X of the Unified Development Code:~~

~~(1) No fence, guy wire, brace, light standard, sign, vee arm barbed wire base and arm, or any structure attached to a fence shall protrude over any property line.~~

~~(2) No chainlink fence shall be allowed within ten feet of the property lines unless completely screened from adjacent public areas and properties by either structure or solid landscape screening.~~

~~(3) Precast solid fencing shall require special approval by the planning and zoning commission.~~

(4) Fence height requirements. All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard.

a. No residential fence shall exceed eight feet in height.
b. No nonresidential fence shall exceed 12 feet in height.

(5) Fences may be placed in the required yards, as regulated in this article, and meeting the following conditions:

a. Corner lots in residentially zoned areas which have rear lot lines adjacent to alleys, or other rear lot lines. Fences may be constructed not to exceed eight feet in height along the side yard and rear yard lines as indicated on appendix B, attached to the ordinance from which this section is derived.
b. Corner lots in residentially zoned areas where the rear lot line is adjacent to a side lot line of an adjoining lot. Only fences not exceeding 42 inches in height and meeting the material requirements of a front yard fence in residentially zoned areas shall be constructed beyond the side building line as indicated on appendix C, attached to the ordinance from which this section is derived. Fences constructed on or behind the building line shall not exceed eight feet in height.
c. Where an alley 15 feet or greater in width intervenes between the above-described lots, or a natural barrier of 15 feet or greater in width exists, such as creeks, railroads or easements where fences are prohibited, a fence not exceeding eight feet in height may be erected on the street side of the property line, indicated on appendix D, attached to the ordinance from which this section is derived.
d. Through lots in residentially zoned areas with street frontage on both the front and rear property line. Fences may be constructed not to exceed eight feet in height along the side yard and rear yard lines on through lots where all lots within the block have a rear yard along the same street frontage, as indicated on appendix E - Example 1, attached to the ordinance from which this section is derived.
e. When both front and rear yards are located along the same street frontage within a block, fences constructed within the designated rear yard shall not exceed 42 inches in height and shall meet the material requirements of a front yard fence in residentially zoned areas, as indicated on appendix E, Example 2, attached to the ordinance from which this section is derived, unless a variance to this request is granted by the zoning board of adjustment, as provided in section 10-447.

(6) Fences may be constructed of materials subject to the provisions of this article and the other codes and ordinances of the city.

a. Permitted materials are wood pickets, chain link, wrought iron, decorative metal (i.e. with the appearance of wrought iron but is made from powder-coated steel, aluminum or covered with a corrosion protection finish), brick, split face CMU blocks, stone, vinyl, fiberglass composite, painted steel pipe where allowed, barbed wire where allowed, concrete with stone face/form liner. Stucco is allowed on residential properties.
b. Any other materials that are not manufactured specifically as fencing materials are prohibited.

(7) Solid wood fencing exceeding 48 inches in height must be constructed using metal post set in concrete, or brick or stone columns.

(8) It shall be unlawful for any person to construct or maintain any electrical fence or electrical attachment of any type, dimension, or composition on any fence within the city. Barbed wire fences may be used without restrictions when in conjunction with agricultural related uses; provided, however, no barbed wire fence shall be located on any platted property that is zoned or used as a residential property. In areas where barbed wire fences are allowed, arms or base and arms with barbed wire not to exceed three strands will be permitted. Concertina/razor wire shall be prohibited. Such attachments will be considered part of the fence for the purposes of determining the maximum height of said fence.

~~(9) The code official may permit temporary fencing for the purpose of protection or securing of construction sites. The duration of use must be stated in the application for a permit. Barbed wire fences may be allowed for temporary use upon approval of the location, height, and construction by the building official.~~

~~*(Ord. No. 04-05, § 1(6-127), 1-20-2004; Ord. No. 06-10, § 1(6-127), 3-20-2006; Ord. No. 11-23, § 1, 6-6-2011; Ord. No. 17-15, § 1, 3-20-2017)*~~

SECTION 10-42~~56~~: SWIMMING POOL, SPA AND HOT TUB/BARRIER REQUIREMENTS

(a) The top of the barrier shall be at least 48 inches (1,219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches (102 mm).

(b) Openings in the barrier shall not allow passage of a four-inch-diameter (102 mm) sphere.

(c) Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

(d) Placement of members.

(1) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1,143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
(2) Exception. Boards with a minimum 60-degree angle, cut and placed at the top of the horizontal fence members, may be used on existing fences that will become pool barriers. This exception does not apply to fences adjacent to public right-of-way.

(e) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1,143 mm) or more, spacing between vertical members shall not exceed four inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

(f) Maximum mesh size for chainlink fences shall be a 2.25-inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom, which reduce the openings to not more than 1.75 inches (44 mm).

(g) Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).

(h) Access gates shall comply with the requirements of subsections (a) through (g) of this section, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1,372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

(1) The release mechanism shall be located on the pool side of the gate at least three inches (76 mm) below the top of the gate; and
(2) The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

(i) Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

(1) The pool shall be equipped with a powered safety cover in compliance with ASTM F1346;
(2) All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within seven seconds and sound continuously for a minimum of 30 seconds immediately after the door and/or its screen, if present are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds. The deactivation switch shall be located at least 54 inches (1,372 mm) above the threshold of the door; or
(3) Other means of protection, such as self-closing doors with self-latching devices, which are approved by the city council, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by subsection (i)(1) or (i)(2) of this section.

(j) Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then:

(1) The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
(2) The ladder or steps shall be surrounded by a barrier which meets the requirements of subsections (a) through (i) of this section. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a four-inch-diameter (102 mm) sphere.

(k) Fence barrier exceptions for spas or hot tubs are as follows:

(1) Safety covers for spas and hot tubs must comply with ASTM F1346-91.
(2) There should be a means of fastening the safety cover to the hot tub or spa, such as key locks, combination locks, special tool, or similar devices.
(3) The safety cover should have a label that provides a warning and message regarding the risk of drowning.
(4) The cover should have been tested to demonstrate that it is capable of supporting the weight of one child (50 pounds) and one adult (225 pounds).
(5) There shall be no openings in the cover itself or at any point where the cover joins the surface of the hot tub or spa that would not allow a four-inch sphere to pass through.
(6) Safety covers are to be installed in accordance with the manufacturer's instructions.

(Ord. No. 04-05, § 1(6-128), 1-20-2004; Ord. No. 06-10, § 1(6-128), 3-20-2006; Ord. No. 08-03, § 1(exh. A, art. IX(6-129)), 1-22-2008)

SECTIONS 10-4267—10-445: RESERVED

DIVISION 3. - ADMINISTRATION

SECTION 10-446: INSPECTION UPON COMPLETION

Upon completion of a fence constructed under a permit issued by the building official, an inspection shall be made thereof by the building official or his designated representative. If the fence is constructed in accordance with the provisions of this article, the permit, and the application, the building official will issue written notice of acceptance to the permit holder. Any and all fences in the city shall hereafter be constructed under the provisions of this article and existing fences shall be maintained so as to comply with the requirements of this article at all times.

(Ord. No. 04-05, § 1(6-130), 1-20-2004)

SECTION 10-447: RESERVED ~~VARIANCES~~

~~The city council is hereby authorized, after public notice has been given and a public hearing has been held, to hear and decide on requests for variances as it feels will alleviate an unnecessary hardship on a property owner resulting from the literal enforcement of the requirements in this article.~~

~~*(Ord. No. 17-15, § 1, 3-20-2017)*~~

~~*Editor's note— Ord. No. 17-15, § 1, adopted March 20, 2017, amended the Code by repealing former § 10-447 and adding a new § 10-447. Former § 10-447 pertained to appeals, and derived from Ord. No. 04-05, adopted January 20, 2004.*~~

SECTION 10-448: MAINTENANCE

(a) No person owning, leasing, occupying, or having charge of any premises shall maintain or keep a fence in dilapidated condition that, although functional, creates an unsightly condition that substantially detracts from the appearance of the neighborhood.

(b) Each structural and decorative member of a fence shall be free of deterioration and be compatible in size, material, and appearance with the remainder of the fence. Fences shall not be externally braced in lieu of replacing or repairing posts, columns, or other structural members.

(c) The fence shall not be out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence. Except, however, for fencing four (4) feet or less in height, the vertical alignment shall not be more than six (6) inches from the vertical measured at the top of the fence.

(d) Upon becoming aware of conditions set forth in subsections (a) through (c) of this section, the Neighborhood Improvement Services Representative shall make a determination as to whether the fence condition is a nuisance and should be abated. If so, the Neighborhood Improvement Services Representative shall give notice to such person having control of the premises to remedy such condition within ten days, unless good cause can be shown that additional time is needed to rectify the condition.

(Ord. No. 04-05, § 1(6-133), 1-20-2004; Ord. No. 17-15, § 1, 3-20-2017)

SECTIONS 10-449—10-465: RESERVED

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338

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **August 28, 2019**

SUBJECT: **Purchase of New Police Pursuit Vehicles**

Requested in the Proposed 2019-2020 Budget are six (6) new 2020 model police pursuit Tahoe's for Patrol. The total amount for these vehicles and related equipment is $328,000. After the budget work session with City Council yesterday, there were no changes made to this budget line. Staff would like to place the order for these new Tahoe's in September 2019 so that we receive them in a reasonable timeframe of 90 days or less. Staff received notice from GM management that there will be a limited number of 2020 model Tahoe's in production this year due to factory retooling for body changes to the 2021 models. If we order now per GM, we might get our Tahoe's by the end of December 2019, no guarantee. Orders placed after mid-September most likely won't be filled.

The 2020 Pursuit Tahoe is available from Caldwell Country Chevrolet for purchase through the Buy Board Purchasing Cooperative Program. The City, as a member and participant in this cooperative program, has met all formal bidding requirements pertaining to the purchase of these six new Tahoe's for a total cost of $209,300. In addition to the vehicle cost, the new equipment to outfit these vehicles (light bar and emergency lights, cage, console, cage, wiring, install of the computer and audio/video system) total cost is approximately $118,000. The majority of the new equipment and install would be purchased from Pursuit Safety using their contract with the City of Allen for like equipment. We have a cooperative agreement in place with the City of Allen for such purchases as well.

For Council consideration is the bid award for new 2020 Police Pursuit Tahoe's to Caldwell Country Chevrolet, the equipment and install to Pursuit Safety and allow staff to go ahead and place this vehicle order prior to October 1, 2019 and authorize the City Manager to execute purchase orders for these new vehicles and equipment.

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340

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **September 3, 2019**

SUBJECT: **Amending local building codes to conform to actions taken during the 86th Legislative Session and specifically the passage of House Bill 2439**

In response to the passage of HB 2439 during the 86th Legislative Session, Staff has prepared the attached proposed ordinance that if adopted, would repeal several of the City's local building code amendments. After careful review and consultation with the City's Attorney, the determination was made that these local code amendments would violate the new state law.

CITY OF ROCKWALL

ORDINANCE NO. 19-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10. *BUILDINGS AND BUILDING REGULATIONS*; ARTICLE III. *BUILDING CODE;* ARTICLE IV. *RESIDENTIAL CODE;* ARTICLE VI. *PLUMBING CODE*; ARTICLE VII. *FUEL GAS CODE;* AND ARTICLE IX. *ELECTRICAL CODE;* AS HERETOFORE AMENDED, FOR THE PURPOSE OF UPDATING THE CODES TO CONFORM TO CHANGES MADE BY THE 86TH LEGISLATIVE SESSION THROUGH PASSAGE OF H.B. 2439; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, H.B. 2439 was recently passed by the 86th session of the Texas Legislature; and

WHEREAS, as a result, it is necessary for the City of Rockwall to modify various sections of its Building Code in order to comply with said legislation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That Chapter 10. *Buildings and Building Regulations* of the Code of Ordinances of the City of Rockwall is heretofore amended to delete the following sections:

ARTICLE III. - BUILDING CODE

Sec. 10-117. - Amendments.

The following sections, paragraphs, and sentences of the International Building Code, 2015 edition, are hereby amended to read as follows:

~~Section 1505.7; delete the section~~

ARTICLE IV. - RESIDENTIAL CODE

Sec. 10-138. - Amendments.

The International Residential Code, 2015 edition, is hereby amended as follows:

Section M1305.1.3; change to read as follows:

M1305.1.3 Appliances in attics. Attics containing … paragraph unchanged … largest appliance. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.

~~2. A pull down stair with a minimum 300 lb. (136 kg) capacity.~~

~~3.~~ 2. An access door from an upper floor level.

4. 3. Access panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Section G2408.2 (305.3); delete the exception:

G2408.2 (305.3) Elevation of ignition source.

Equipment and appliances having … text unchanged … private garage.

Section G2415.2.2 (404.2.2); add an exception to read as follows:

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of ½" (18 EDH).

Section P2801.7; change to read as follows: delete exception.

Section P2903.7; delete the section, add the following:

P2903.7 Size of water service pipe. The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this code. The water service pipe shall be not less [than] 1 inch in diameter and extend to the first fixture of not less than 20 fixture units.

Section P2903.9.1; change to read as follows:

P2903.9.1 Service valve. Each dwelling unit shall be provided with an accessible main shutoff valve installed on the water meter tailpiece. The valve shall be of a ball type and be equipped with a stainless steel handle. All service valves are to be installed within a plastic valve or meter box large enough so as to not hamper maintenance or operation.

Section P3003.9.2; delete the exception:

P3003.9.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.

Section E3406.3; change to read as follows:

E3406.3 Minimum size of conductors. The minimum size of conductors for feeders and branch circuits shall be 12 AWG copper {remainder of section unchanged}

ARTICLE VI. - PLUMBING CODE

Sec. 10-180. - Amendments.

The International Plumbing Code, 2015 edition, is hereby amended as follows:

Section 603.1; change to read as follows:

603.1 Size of water service pipe. The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this code. The minimum diameter of water service pipe shall be 1 inch and extend to the first fixture of not less than 20 fixture units.

Add Section 606.1.2; as follows:

606.1.2 Service valve. Every water service shall be provided with an accessible main shutoff valve installed on the water meter tailpiece. The valve shall be of a ball type and be equipped with a stainless steel handle. All service valves are to be installed within a plastic valve or meter box large enough so as to not hamper maintenance or operation.

Section 705.11.2; change to read as follows:

~~*705.11.2 Solvent cementing.* Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.~~

ARTICLE VII. - FUEL GAS CODE

Sec. 10-200. - Amendments.

The International Fuel Gas Code, 2015 edition, is hereby amended as follows:

~~Section 402.3; add an exception to read as follows:~~

~~Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of ½" (18 EHD).~~

ARTICLE IX. - ELECTRICAL CODE

Sec. 10-245. - Amendments.

The National Electric Code, 2014 edition, is hereby amended as follows:

~~Article 310.106(A); change to read as follows.~~

~~*310.106 Conductors*~~

~~*Minimum Size of Conductors.* The minimum size of conductors shall be No. 12 AWG.~~

~~Article 310.106 (B) Conductor Material; amend by deleting the section in its entirety and add new.~~

~~*310.106(B) Conductor material.* Conductors in this article shall be of copper or aluminum. The use of aluminum shall be limited to sizes 4/0 or larger, and limited to service entrance and feeder conductors.~~

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein; and

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 4. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said meeting was given; and

SECTION 5. That this ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 16th day of September, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 09/03/2019

2nd Reading: 09/16/2019

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346

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	September 3, 2019
APPLICANT:	Jay and Terri Bedford; *A. J. Bedford Group, Inc.*
CASE NUMBER:	P2019-032; *Lot 8, Block A, Bodin Industrial Addition*

SUMMARY

Consider a request by Jay and Terri Bedford of A. J. Bedford Group, Inc. on behalf of Raymond Jowers for the approval of a replat for Lot 8, Block A, Bodin Industrial Addition being a 2.029-acre parcel of land identified as Lot 7, Block A, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2040 Kristy Lane, and take any action necessary.

PLAT INFORMATION

The applicant is requesting to replat one (1) lot (*i.e. Lot 8, Block A, Bodin Industrial Addition*) for the purpose of abandoning a portion of an existing fire lane, public access, and detention easement. The subject property was annexed in 1980 [*Ordinance No. 80-09*], is zoned Light Industrial (LI) District, and is addressed as 2040 Kristy Lane.

☑ On September 26, 2017, the Planning and Zoning Commission approved a site plan [*Case No. SP2017-026*] for an industrial building on the subject property. On October 2, 2017, the City Council approved variances to the articulation requirements for the approved site plan. On May 7, 2018, the City Council approved a replat [*Case No. P2018-009*] for the subject property.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 8, Block A, Bodin Industrial Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall

Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 27, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff's conditions of approval passed by a vote of 5-0 with Commissioners Womble and Fishman absent.

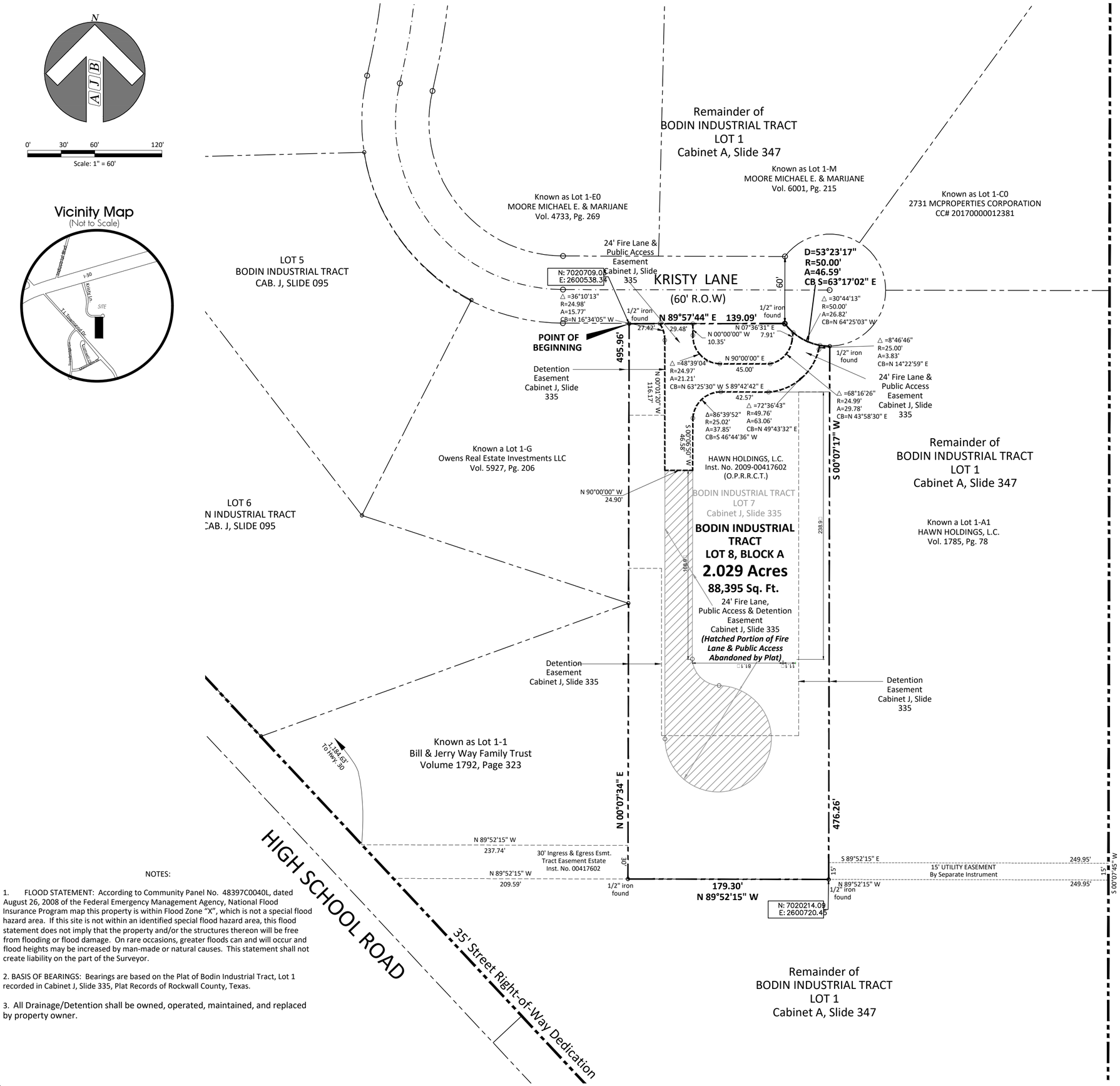


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

349



NOTES:

1. FLOOD STATEMENT: According to Community Panel No. 48397C0040L, dated August 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

2. BASIS OF BEARINGS: Bearings are based on the Plat of Bodin Industrial Tract, Lot 1 recorded in Cabinet J, Slide 335, Plat Records of Rockwall County, Texas.

3. All Drainage/Detention shall be owned, operated, maintained, and replaced by property owner.

BODIN INDUSTRIAL TRACT
LOT 8, BLOCK A
2.029 ACRES

BEING A REPLAT OF LOT 7, BLOCK A
BODIN INDUSTRIAL TRACT
CABINET J, SLIDE 335
2.029 ACRES OR 88,395 SQ. FT.
(1 LOT)
N.M. BALLARD SURVEY, ABSTRACT NO. A-24
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Owner: HAWN HOLDINGS, L.C.
PO BOX 1688
ROCKWALL, TEXAS 75087

Engineer: ERIC L. DAVIS ENGINEERING, INC.
120 EAST MAIN STREET
FORNEY, TEXAS 75126

Scale:	1" = 60'
Date:	July 9, 2019
Technician:	Spradling
Drawn By:	Bedford
Checked By:	A.J. Bedford
P.C.:	Cryer/Spradling
File:	BODIN INDUSTRIAL LOT 7 REPLAT
Job. No.	636-001
GF No.	

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com ajb@ajbedfordgroup.com

Sheet: 1 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

Case No. P_____

N:\ALL FILES\OWERS REAL ESTATE\OWERS PROPERTY\2019 PLATTING\BODIN INDUSTRIAL LOT 7 REPLAT 2019-08-08.dwg, 2019 REPLAT, 8/15/2019 11:48:35 AM

350

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS HAWN HOLDING, L.C. are the owners of a **2.029 acre** tract of land situated in the N.M. Ballard Survey, Abstract No. A-24 and being all of **LOT 7** of **BODIN INDUSTRIAL TRACT** according to the plat recorded in Cabinet J, Slide 335 of the Plat Records of Rockwall County Texas and being all of Tract 1 (Fee Parcel) conveyed to Hawn Holdings, L.C. according to the deed recorded in Document 2009-00417602 of the Official Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found for the northwest corner of said 2.029 acre tract of land and being located in the south line of Kristy Lane (60' wide);

THENCE along the south line of said Kristy Lane, **NORTH 89°57'44" EAST** a distance of **139.09** feet to a ½ inch iron rod found for the beginning of a non-tangent curve to the left having a radius of 50.00 feet and a chord bearing of South 63°17'02" East;

THENCE continuing with the south line of said Kristy Lane with said non-tangent curve to the left through a central angle of **53°23'17"** for and arc length of **46.59** feet to a ½ inch iron rod found for the northeast corner of said 2.029 acre tract of land;

THENCE departing the south line of said Kristy Lane, **SOUTH 00°07'17" WEST** a distance of **476.26** feet to a ½ inch iron rod found for the southeast corner of said 2.029 acre tract of land;

THENCE NORTH 89°52'15" WEST a distance of **179.30** feet to a ½ inch iron rod found for the southwest corner of said 2.029 acre tract of land;

THENCE NORTH 00°07'34" EAST a distance of **495.96** feet to the **POINT OF BEGINNING;**

CONTAINING within these metes and bounds **2.029 acres** or 88,395 square feet of land more or less.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

_____
Austin J. Bedford
Registered Professional Land Surveyor No. 4132
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

NOTES:

1. FLOOD STATEMENT: According to Community Panel No. 48397C0040L, dated August 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

2. BASIS OF BEARINGS: Bearings are based on the Plat of Bodin Industrial Tract, Lot 1 recorded in Cabinet J, Slide 335, Plat Records of Rockwall County, Texas.

3. All Drainage/Detention shall be owned, operated, maintained, and replaced by property owner.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL

We, HAWN HOLDINGS, L.C.., the undersigned owner of the land shown on this plat, and designated herein as the BODIN INDUSTRIAL TRACT subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the BODIN INDUSTRIAL TRACT subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings or structures shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for maintenance, repair, and replacement of the detention/drainage and storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall;

7. The property owner is responsible for the maintenance, repair, and replacement of the drainage and detention systems and easements.

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, my (our) successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

HAWN HOLDING, L.C.

_____
Name: Raymond Jowers
Title: V.P.

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared Raymond Jowers, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2019

_____
Notary Public in and for the State of Texas

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

BODIN INDUSTRIAL TRACT
LOT 8, BLOCK A
2.029 ACRES

BEING A REPLAT OF LOT 7, BLOCK A
BODIN INDUSTRIAL TRACT
CABINET J, SLIDE 335
2.029 ACRES OR 88,395 SQ. FT.
(1 LOT)
N.M. BALLARD SURVEY, ABSTRACT NO. A-24
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Owner: HAWN HOLDINGS, L.C.
PO BOX 1688
ROCKWALL, TEXAS 75087

Engineer: ERIC L. DAVIS ENGINEERING, INC.
120 EAST MAIN STREET
FORNEY, TEXAS 75126

Scale:	1" = 60'
Date:	July 9, 2019
Technician:	Spradling
Drawn By:	Bedford
Checked By:	A.J. Bedford
P.C.:	Cryer/Spradling
File:	BODIN INDUSTRIAL LOT 7 REPLAT
Job. No.	636-001
GF No.	

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com ajb@ajbedfordgroup.com

Sheet: 2 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

Case No. P_____

N:\ALL FILES\JOWERS REAL ESTATE\JOWERS PROPERTY\2019 PLATTING\BODIN INDUSTRIAL LOT 7 REPLAT 2019-08-08.dwg, 2019 REPLAT, 8/15/2019 11:49:13 AM

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352

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	September 3, 2019
APPLICANT:	Matt Atkins; *Engineering Concepts*
CASE NUMBER:	P2019-034; *Lots 29-33, Block A, Whisper Rock Addition*

SUMMARY

Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a replat for Lots 29-33, Block A, Whisper Rock Addition being a 1.177-acre tract of land currently identified as Lots 1-5, Block A, Whisper Rock Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1206, 1210, 1214, 1218 & 1222 Whisper Rock Drive, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a replat for a 1.177-acre tract of land [*i.e. Lot 29-33, Block A, Whisper Rock Addition*] for purpose of establishing a franchise utility easement along the north property line of the existing single family lots [*i.e. Lots. 1-5, Block A, Whisper Rock Addition*]. The *subject property* is zoned Planned Development District 47 (PD-47) and addressed as 1206, 1210, 1214, 1218 & 1222 Whisper Rock Drive.

☑ On June 7, 1999, the City Council approved Planned Development District 47 (PD-47) [*i.e. Ordinance No. 99-17*] to allow single-family residential land uses on the *subject property*.

☑ On January 16, 2018, the City Council approved a preliminary plat [*P2017-066*] for 28 single-family residential lots within Planned Development District 47 (PD-47).

☑ On December 17, 2018, the City Council approved the final plat [*P2018-043*].

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lots 29-33, Block A, Whisper Rock Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 27, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 5-0, with Commissioners Fishman and Womble absent.

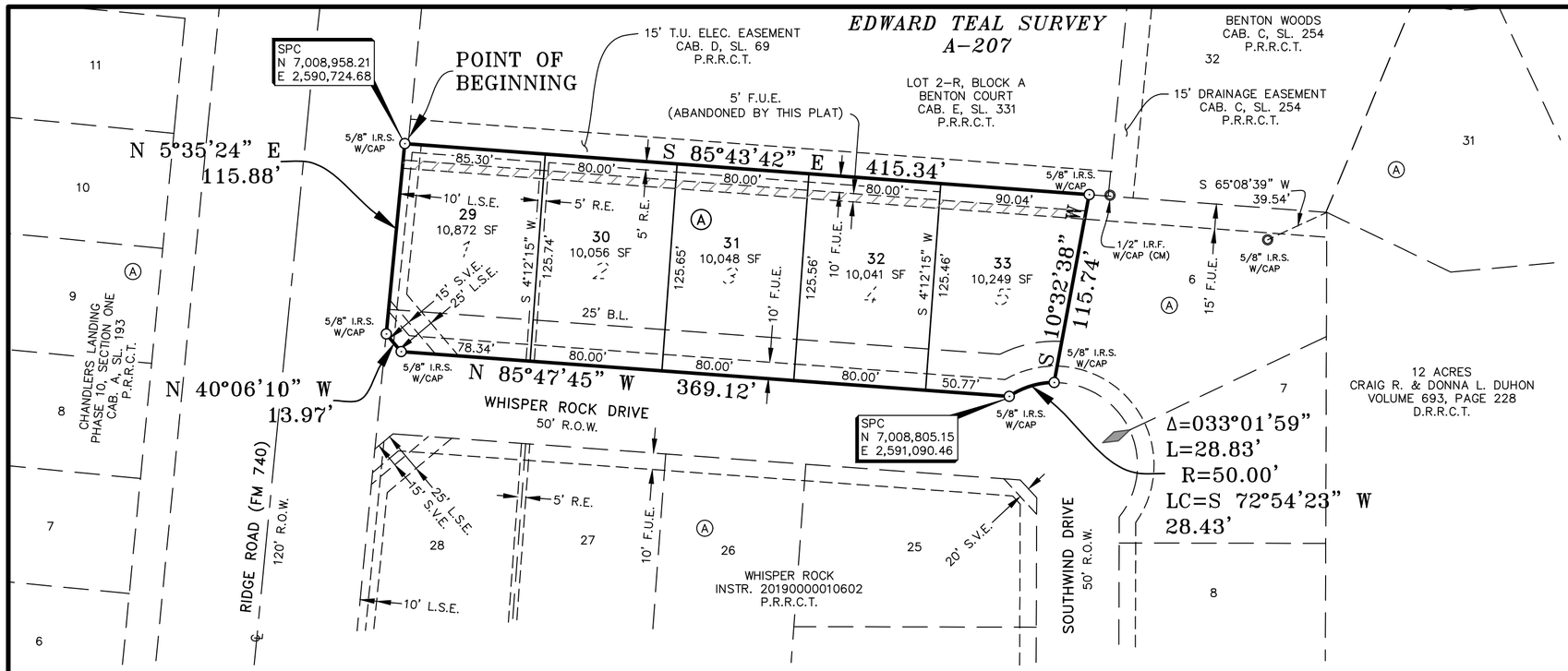


City of Rockwall

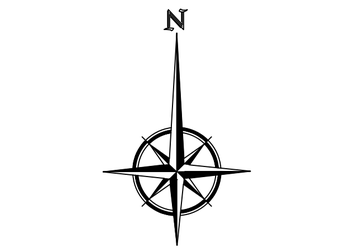
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

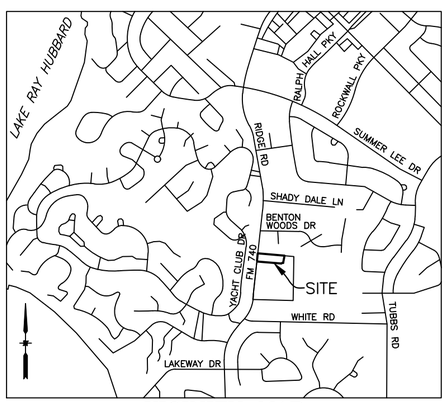
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355



LEGEND	
5/8" I.R.S. W/CAP	5/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 3963"
I.R.F.	IRON ROD FOUND
CM	CONTROL MONUMENT
SPC	STATE PLANE COORDINATES
B.L.	BUILDING SETBACK LINE
R.E.	RETAINING WALL EASEMENT
U.E.	UTILITY EASEMENT
F.U.E.	FRANCHISE UTILITY EASEMENT
L.S.E.	LANDSCAPE EASEMENT
S.V.E.	SIDEWALK & VISIBILITY EASEMENT
P.R.R.C.T.	PLAT RECORDS ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS ROCKWALL COUNTY, TEXAS
◆	INDICATES CHANGE IN STREET NAME





VICINITY MAP
N.T.S.

Notes:

1. Bearings and grid coordinates are based on Texas State Plane Coordinates. Projection: State Plane NAD83 Texas North Central Zone 4202, Lambert Conformal Conic, Feet (TX83-NCF).

2. Unless otherwise noted, a 5/8" iron rod with a yellow cap stamped "RPLS 3963" will be set at all lot corners, whenever possible, after all construction for this subdivision is completed.

3. According to my interpretations of the Rockwall County, Texas and Incorporated Areas, Flood Insurance Rate Map Number 48397C0040L, dated September 26, 2008, the subject property lies within flood Zone "X" and is not shown to be within a Special Flood Hazard Area. This statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the surveyor.

4. The retaining walls located within the Retaining Wall Easements will be owned and maintained by the property owner of the lot in which the retaining wall is located. Retaining walls may not be located on the property lines between lots. The Retaining Wall Easements are private easements to provide access for construction and maintenance of the retaining walls by the affected lot owners.

5. The Homeowners Association or Property Owner will be responsible for all maintenance of the Common Area tracts and Landscape Easements.

6. The purpose of this Amending Plat is to change the Franchise Utility Easement along the north side of Lots 29-33 from 15 feet to 10 feet.

OWNER
RRDC, LTD.
900 HEATHLAND CROSSING
HEATH, TX 75032

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 426C

FINAL PLAT

WHISPER ROCK
LOTS 29-33, BLOCK A

BEING A REPLAT OF

LOTS 1-5, BLOCK A, WHISPER ROCK ADDITION
INSTR. 20190000010602, P.R.R.C.T.

AND BEING

1.177 ACRES
5 SINGLE FAMILY LOTS
ZONED: PD-47

SITUATED IN THE

EDWARD TEAL SURVEY, A-207 CITY OF
ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941-8400 FAX (972) 941-8401

DATE: REV.: 08/23/2019
DATE: 08/16/2019 CASE: P2019-034 SHEET 1 OF 2

02114\DWG\2114 Replat.dwg

356

OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS RRDC, LTD., BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 1.177 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being all of Lots 1 through 5, Block A, Whisper Rock, an addition to the City of Rockwall, recorded as Instrument 20190000010602, Plat Records of Rockwall County, Texas (PRRCT), and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8–inch iron rod with a yellow plastic cap stamped RPLS 3963 found for corner in the east right–of–way line of Ridge Road (FM 740) at the northwest corner of said Lot 1;

THENCE South 85 degrees 43 minutes 42 seconds East, along the north line of said Lots 1 through 5, Block A and partly with the south line of Lot 2–R of the Replat of Benton Court, Lot 2–R and Lot 4, Block A, an Addition to the City of Rockwall recorded in Cabinet E, Slide 331 (PRRCT), a distance of 415.34 feet to a 5/8–inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the northeast corner of said Lot 5;

THENCE South 10 degrees 32 minutes 38 seconds West, along the east line of said Lot 5, a distance of 115.74 feet to a 5/8–inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the beginning of a non–tangent curve to the left having a radius of 50.00 feet, and a chord which bears South 72 degrees 54 minutes 23 seconds West, a distance of 28.43 feet, said corner being in the north right–of–way line of Whisper Rock Drive, a 50 ft. right–of–way;

THENCE Southwesterly, along the north line of said Whisper Rock Drive and said curve to the left, through a central angle of 33 degrees 01 minutes 59 seconds, an arc distance of 28.83 feet to a 5/8–inch iron rod with a yellow plastic cap stamped RPLS 3963 set for corner at the end of said curve;

THENCE North 85 degrees 47 minutes 45 seconds West, continuing along the north line of said Whisper Rock Drive, and with the south lines of said Lots 5–1, respectively, a distance of 369.12 feet to a 5/8–inch iron rod with a yellow plastic cap stamped RPLS 3963 set for corner at a cut back corner on said Lot 1;;

THENCE North 40 degrees 06 minutes 10 seconds West, continuing along the north line of said Whisper Rock Drive, and said Lot 1 a distance of 13.97 feet to a 5/8–inch iron rod with a yellow plastic cap stamped RPLS 3963 set for corner at the most western southwest corner thereof, and being in the east right–of–way line of said Ridge Road;

THENCE North 05 degrees 35 minutes 24 seconds East continuing with the west line of said Lot 1 and the east Right –of–way line of said Ridge Road, a distance of 115.88 feet to the POINT OF BEGINNING and containing 51,266 square feet or 1.177 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

RRDC, LTD., the undersigned owner of the land shown on this plat, and designated herein as WHISPER ROCK, LOTS 29–33, BLOCK A, a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicates to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. RRDC, LTD., further certifies that all other parties who have a mortgage or lien interest in the WHISPER ROCK, LOTS 29–33, BLOCK A subdivision have been notified and signed this plat. RRDC, LTD. understands and does hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. RRDC, LTD. also understands the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

Property owners are responsible for maintenance, repair and replacement of all retaining walls and drainage and detention systems in easements.

RRDC, LTD. further acknowledges that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; RRDC, LTD., its successors and assigns hereby waive any claim, damage, or cause of action that it may have as a result of the dedication of exactions made herein.

FOR: RRDC, LTD.
BY: RRDC–GP, LLC, its general partner

_____
BY: Scott Lewis, Manager

FOR: _____ (LIEN HOLDER)

_____
BY: NAME:
TITLE:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Scott Lewis, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____ , 2019.

_____
Notary Public in and for the State of Texas
My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____ , 2019.

_____
Notary Public in and for the State of Texas
My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Robert C. Myers, do hereby certify that this plat was prepared from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL THIS ___ DAY OF _____, 2019.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. This Amending Platis released on 8/16/2019 for review by the City of Rockwall and other parties for comments and progression to an approved Amending Plat.

_____
ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963

STATE OF TEXAS
REGISTERED
ROBERT C. MYERS
3963
PROFESSIONAL
LAND SURVEYOR

APPROVAL CERTIFICATE

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of WHISPER ROCK, LOTS 29–33, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____ , 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

FINAL PLAT

WHISPER ROCK
LOTS 29–33, BLOCK A

BEING A REPLAT OF

LOTS 1–5, BLOCK A, WHISPER ROCK ADDITION
INSTR. 20190000010602, P.R.R.C.T.

AND BEING

1.177 ACRES
5 SINGLE FAMILY LOTS
ZONED: PD–47

SITUATED IN THE

EDWARD TEAL SURVEY, A–207 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER
RRDC, LTD.
900 HEATHLAND CROSSING
HEATH, TX 75032

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532–0636
FAX (972) 412–4875
EMAIL: rcmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 426C

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941–8400 FAX (972) 941–8401

DATE: REV.: 08/23/2019
DATE: 08/16/2019 CASE: P2019–034 SHEET 2 OF 2

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357

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358

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	September 3, 2019
APPLICANT:	Price Pointer; *TCB Construction Group, LLC*
CASE NUMBER:	P2019-036; *Lot 1, Block A, TCB Addition*

SUMMARY

Consider a request by Price Pointer of TCB Construction Group, LLC for the approval of a replat for Lot 1, Block A, TCB Addition being a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 505 N. Goliad Street, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a replat for a 0.23-acre parcel of land [*i.e. Lot 1, Block A, TCB Addition*] for purpose of establishing public access, drainage & detention easements for the subject property. The *subject property* is zoned Planned Development District 50 (PD-50) and addressed as 505 N. Goliad Street.

☑ On August 5, 2002, the City Council approved *Ordinance No. 02-46* zoning the property *Planned Development District 50 (PD-50)* for Residential Office (RO) District land uses.

☑ On June 3, 2019, the City Council approved a Specific Use Permit [*i.e. Ordinance No. 19-22, SUP No. S-208*] allowing the *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-In* land use on the subject property.

☑ On June 20, 2019, the Historic Preservation Advisory Board (HPAB) approved a Certificate of Appropriateness (COA) for the purpose of converting a single-family home into a residential-office building.

☑ On June 25, 2019, the Planning and Zoning Commission approved a site plan for a restaurant less than 2,000 SF without a drive through for the subject property.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 1, Block A, TCB Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 27, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 5-0, with Commissioners Fishman and Womble absent.

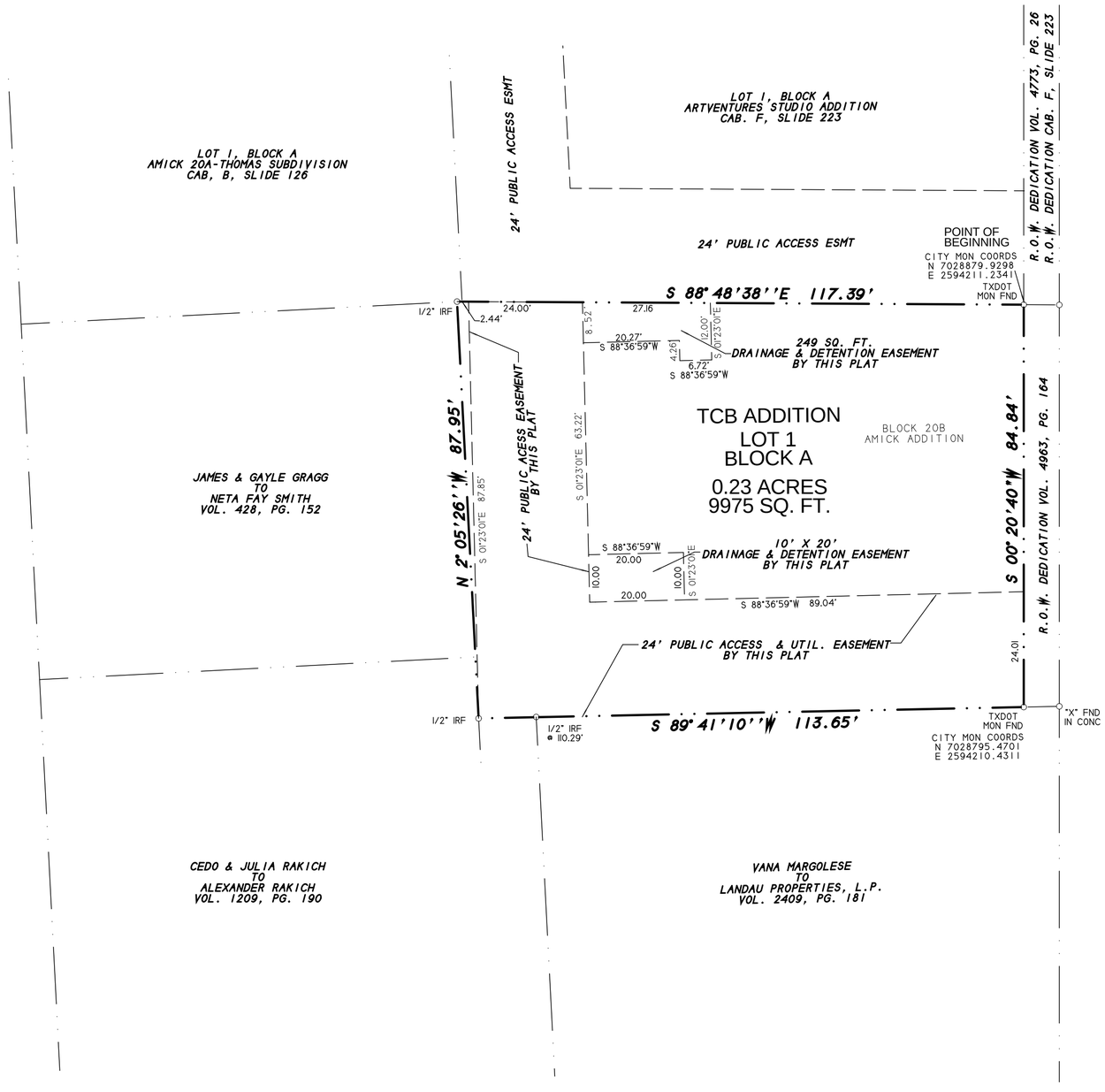


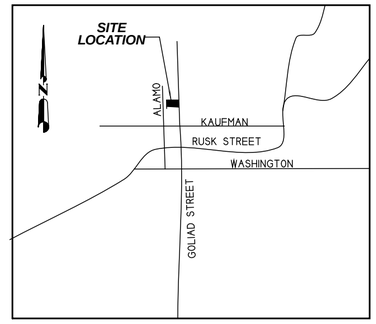
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

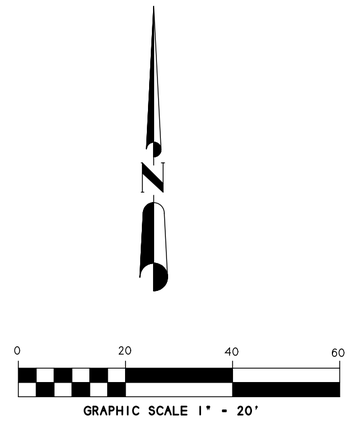
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361





VICINITY MAP
N.T.S.



NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.

FINAL PLAT

TCB ADDITION
LOT 1, BLOCK A

0.23 ACRES OR 9975 S.F.
(1 LOT)
BEING A REPLAT OF BLOCK 20B
AMICK ADDITION
B. F. BOYDSTUN SURVEY
ABSTRACT NO. 14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
PRICE POINTER
MANUEL LOZANO
906 N GOLIAD STREEET
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE APRIL 19, 2019
SCALE 1" = 20' FILE # 20020657-P
CLIENT POINTER & LOZANO

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE P2019-

362

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS PRICE POINTER & MANUEL LOZANO, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being known as a part of Lot 20 of AMICK ADDITION, not of record, and also being a part of a tract of land as described in a Warranty deed from Eddie Walker to Stained Glass Creations, dated August 16, 2002 and being recorded in Volume 2364, Page 181 of the Real Property Records of Rockwall County, Texas, and Correction Warranty deed recorded in Volume 4754, Page 130 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a TXDOT monument found for corner in the West right-of-way line of State Highway 205 N. Goliad Street, at the intersection of said right-of-way with the north line of the above cited tract;

THENCE S. 00 deg. 20 min. 40 sec. W. along said right-of-way line, a distance of 84.84 feet to a TXDOT monument found for corner in the North line of a tract of land as described in a Warranty deed from Vana Margolese to Landau Properties, LP, dated January 23, 2002, and being recorded in Volume 2409, Page 181 of the Real Property Records of Rockwall County, Texas;

THENCE S. 89 deg. 41 min. 10 sec. W. along the common line between said tracts, a distance of 113.65 feet to a 1/2" iron rod found for corner at the Southwest corner of the above cited tract;

THENCE N. 02 deg. 05 min. 26 sec. W. along the West line of said tract, a distance of 87.95 feet to a 1/2" iron rod found for corner being the Northwest corner of said tract;

THENCE S. 88 deg. 48 min. 38 sec. E. a distance of 117.39 feet to the POINT OF BEGINNING and containing 9,975 square feet or 0.23 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as TCB ADDITION, LOT 1, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in TCB ADDITION, LOT 1, BLOCK A, have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development. Property owner is responsible for all maintenance, repair, and replacement of storm systems in easements.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I , my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

_____
PRICE POINTER

_____
MANUEL LOZANO

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared PRICE POINTER known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared MANUEL LOZANO known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III 5034 PROFESSIONAL LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of TCB ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

TCB ADDITION
LOT 1, BLOCK A

0.23 ACRES OR 9975 S.F.
(1 LOT)
BEING A REPLAT OF BLOCK 20B
AMICK ADDITION
B. F. BOYDSTUN SURVEY
ABSTRACT NO. 14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND = CORNER =
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

OWNER:
PRICE POINTER
MANUEL LOZANO
906 N GOLIAD STREEET
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE APRIL 19, 2019
SCALE 1" = 20' FILE # 20020657-P
CLIENT POINTER & LOZANO

CITY CASE P2019-

363

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364

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rockwall City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **August 21, 2019**

SUBJECT: **Athletic Field Feasibility Study**

Mike Svetz with Pros Consulting will be at the meeting on Tuesday, September 3, 2019 to provide a presentation on the findings of the Athletic Field Feasibility Study. A copy of the study is included in the packet for review. Staff will be available to answer any questions.



Athletic Field Feasibility Study

August 2019

City of Rockwall
The New Horizon







Table of Contents

CHAPTER ONE – EXECUTIVE SUMMARY 1

1.1 OVERVIEW 1
1.2 PROJECT OUTCOMES 1
1.3 PROJECT PROCESS 1
1.4 FEASIBILITY STUDY ORGANIZATION 2
1.5 SUMMARY OF KEY FINDINGS AND RECOMMENDATIONS 2
1.6 FUNDING THE FEASIBILITY STUDY 10

CHAPTER TWO – COMMUNITY PROFILE 11

2.1 DEMOGRAPHIC ANALYSIS METHODOLOGY 11
2.2 DEMOGRAPHIC ANALYSIS – CITY OF ROCKWALL SERVICE AREA 13
2.3 DEMOGRAPHIC ANALYSIS – ROCKWALL INDEPENDENT SCHOOL DISTRICT (ISD) SERVICE AREA 18
2.4 DEMOGRAPHIC ANALYSIS – CITY OF ROCKWALL TRADE AREA SERVICE AREA 23
2.5 DEMOGRAPHIC SUMMARY 27
2.6 NATIONAL RECREATION TRENDS ANALYSIS 28
2.7 LOCAL TRENDS - MARKET POTENTIAL 32
2.8 CURRENT PARTICIPATION IN ATHLETIC FIELDS SPORTS 34

CHAPTER THREE - COMMUNITY INPUT 35

3.1 INPUT OPPORTUNITIES 35
3.2 KEY LEADERSHIP, FOCUS GROUP AND PUBLIC INPUT SUMMARY 35

CHAPTER FOUR – ATHLETIC FIELD INVENTORY ASSESSMENT AND SERVICE LEVEL ANALYSIS 36

4.1 LEON TUTTLE ATHLETIC COMPLEX - 1600 AIRPORT ROAD 36
4.2 YELLOW JACKET PARK - 995 W YELLOWJACKET LANE 39
4.3 HARRY MYERS PARK - 815 E WASHINGTON ST, ... 41

CHAPTER FIVE - MARKET ANALYSIS 43

5.1 CITY OF ROCKWALL SERVICE AREA 43
5.2 ROCKWALL ISD SERVICE AREA 45
5.3 CITY OF ROCKWALL TRADE SERVICE AREA 47

CHAPTER SIX - LEVEL OF SERVICE STANDARDS 50

6.1 CITY OF ROCKWALL LEVEL OF SERVICE STANDARDS 50
6.2 CITY OF ROCKWALL SERVICE AREA TECHNICAL NEEDS ANALYSIS 51
6.3 ROCKWALL ISD LEVEL OF SERVICE STANDARDS 57
6.4 ROCKWALL ISD SERVICE AREA TECHNICAL NEEDS ANALYSIS 58
6.5 CITY OF ROCKWALL TRADE AREA SERVICE AREA - LEVEL OF SERVICE STANDARDS 64
6.6 CITY OF ROCKWALL TRADE AREA SERVICE AREA TECHNICAL NEEDS ANALYSIS 65
6.7 ATHLETIC FIELD NEED SUMMARY AND PRIORITIZATION 71

CHAPTER SEVEN - CAPITAL IMPROVEMENT PLAN – ISD SERVICE AREA 72

7.1 SUMMARY OF RECOMMENDED EXISTING CAPITAL IMPROVEMENT COSTS 72
7.2 SUMMARY OF IMPACT OF CAPITAL IMPROVEMENTS TO EXISTING SYSTEM 74
7.3 – CAPITAL IMPROVEMENTS (EXPANDING THE SYSTEM) 75

7.4 SUMMARY OF ALL ATHLETIC FIELD CAPITAL IMPROVEMENTS (EXISTING AND NEW) 81

CHAPTER EIGHT – ALTERNATIVE CAPITAL IMPROVEMENT – CITY OF ROCKWALL SERVICE AREA 82

8.1 SUMMARY OF RECOMMENDED EXISTING CAPITAL IMPROVEMENT COSTS 82
8.2 IMPACT OF EXISTING SYSTEM CAPITAL IMPROVEMENTS ON MEETING NEED 82
8.3 CAPITAL IMPROVEMENTS (EXPANDING THE SYSTEM) 83
8.4 SUMMARY OF ALL ATHLETIC FIELD CAPITAL IMPROVEMENTS (EXISTING AND NEW) 84

CHAPTER NINE - OPERATIONAL AND FINANCIAL PLAN FOR EXPANDING THE SYSTEM 85

9.1 OPERATIONAL STANDARDS 85
9.2 FINANCIAL PLAN 87

CHAPTER TEN – CONCLUSION AND IMPLEMENTATION 93

APPENDIX A - ECONOMIC IMPACT ANALYSIS 94

APPENDIX B- NATURAL VS. SYNTHETIC TURF PLAYING FIELDS 106

369

Chapter One – EXECUTIVE SUMMARY

1.1 OVERVIEW

The City of Rockwall is a growing and dynamic community with an estimated population of 47,000. The community is proud of its world class parks and recreation system that matches Rockwall's reputation of being a vibrant and attractive community in which to live, work, play and visit.

The Parks and Recreation Department manages and operates a range of parks and recreation facilities, and offers recreational opportunities for people of all ages and abilities.

A significant aspect of the Parks and Recreation Department's offerings is providing athletic fields for youth and adult sports programs. With a growing population and increased participation in athletic field sports programs, the City desired to understand its needs for more athletic fields. The City subsequently contracted with PROS Consulting and MHS Planning and Design to complete an Athletic Field Feasibility Study.

1.2 PROJECT OUTCOMES

The outcomes of the Athletic Field Feasibility Study are to:

- Provide a review of the existing facility and uses and collection of background Information.
- Analyze current uses by all users of existing facilities.
- Gather information from City staff, through public workshops and focus group and stakeholder meetings. Utilize other methods needed to collect relevant data related to current and future uses.
- Determine needs related to increased use of the athletic fields.
- Establish a prioritized project list that identifies needs, improvements and enhancements to existing facilities and the development of new athletic fields.

1.3 PROJECT PROCESS

The process of developing the Rockwall Athletic Field Feasibility Study followed a logical planning path as illustrated below:



The foundation of the work as to "mine" local knowledge through the use of a creative and comprehensive public participation process. It was important to engage community members who enjoy the opportunity to participate in planning as well as to encourage thoughts from other stakeholders that typically do not voice their opinions. The public input process incorporated a variety of methods that included interviews, focus group meetings and public forums. The data generated from these critical community interactions was used to aid the consulting team when accurately articulating the true unmet needs, addressing key operational issues, providing recommendations for system improvements, and strategizing to move the Rockwall athletic field system forward for optimum results.

1.4 FEASIBILITY STUDY ORGANIZATION

This Athletic Field Feasibility Study presents the overall analysis, findings, and recommendations of the consulting team related to the areas outlined in the scope of services. This study begins with an Introduction that provides an overview, and the following sections respond to the desired categories outlined in the study scope to reveal findings, determine needs and to offer operational and capital improvement recommendations.

1.5 SUMMARY OF KEY FINDINGS AND RECOMMENDATIONS

Following the assessment of the City's athletic field system, a variety of key findings were identified to support the implementation of the *Feasibility Study.* These key findings help to guide decision-making for the next fifteen years.

1.5.1 COMMUNITY PROFILE

CITY OF ROCKWALL

POPULATION

The population is increasing and is projected to experience a 28% population growth over the next 15 years (66,714). This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

Rockwall has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 31.8% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

HOUSEHOLDS AND INCOME

With median and per capita household income averages above state and national averages, it would be important for the City to prioritize providing offerings that are first class with exceptional customer service while seeking opportunities to create revenue generation.

ROCKWALL ISD

POPULATION

The population is increasing significantly and is projected to experience a 55% population growth over the next 15 years (127,073). This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

The service area has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 31.1% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings to the service area's residents while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

HOUSEHOLDS AND INCOME

With median and per capita household income averages above city, state and national averages, it would be important for the City to prioritize providing offerings to service area residents that are first class with exceptional customer service while seeking opportunities to create revenue generation.

CITY OF ROCKWALL TRADE SERVICE AREA

POPULATION

The population is increasing significantly and is projected to experience a 50% population growth over the next 15 years (354,082). This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

The service area has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 29.4% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings to the service area's residents while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

HOUSEHOLDS AND INCOME

With median and per capita household income averages at or above city, state and national averages, it would be important for the City to prioritize providing offerings to service area residents that are first class with exceptional customer service while seeking opportunities to create revenue generation.

1.5.2 CURRENT PARTICIPATION IN ATHLETIC FIELD SPORTS – KEY TAKEAWAYS

- All organizations surveyed indicated that 90% of participants reside within the Rockwall ISD service area.
- All organizations surveyed indicated that 50% of participants reside within the City of Rockwall.
- All organizations surveyed indicated that participation in their programs is approaching maximum capacity.
- Based on program participation waiting lists, all organizations anticipate 10-25% growth in participation in programs over the next five years, ONLY IF additional athletic fields are made available.
- All organizations surveyed recognize the challenges of utilizing greenspace in neighborhood parks for sport practices (lack of parking, lack of restroom facilities, adverse impact on neighbors).

1.5.3 COMMUNITY INPUT KEY FINDINGS

There has been extensive public input and participation as part of this process. Twelve (12) leadership interviews and community focus groups, and four public workshops were conducted as the foundation of public participation.

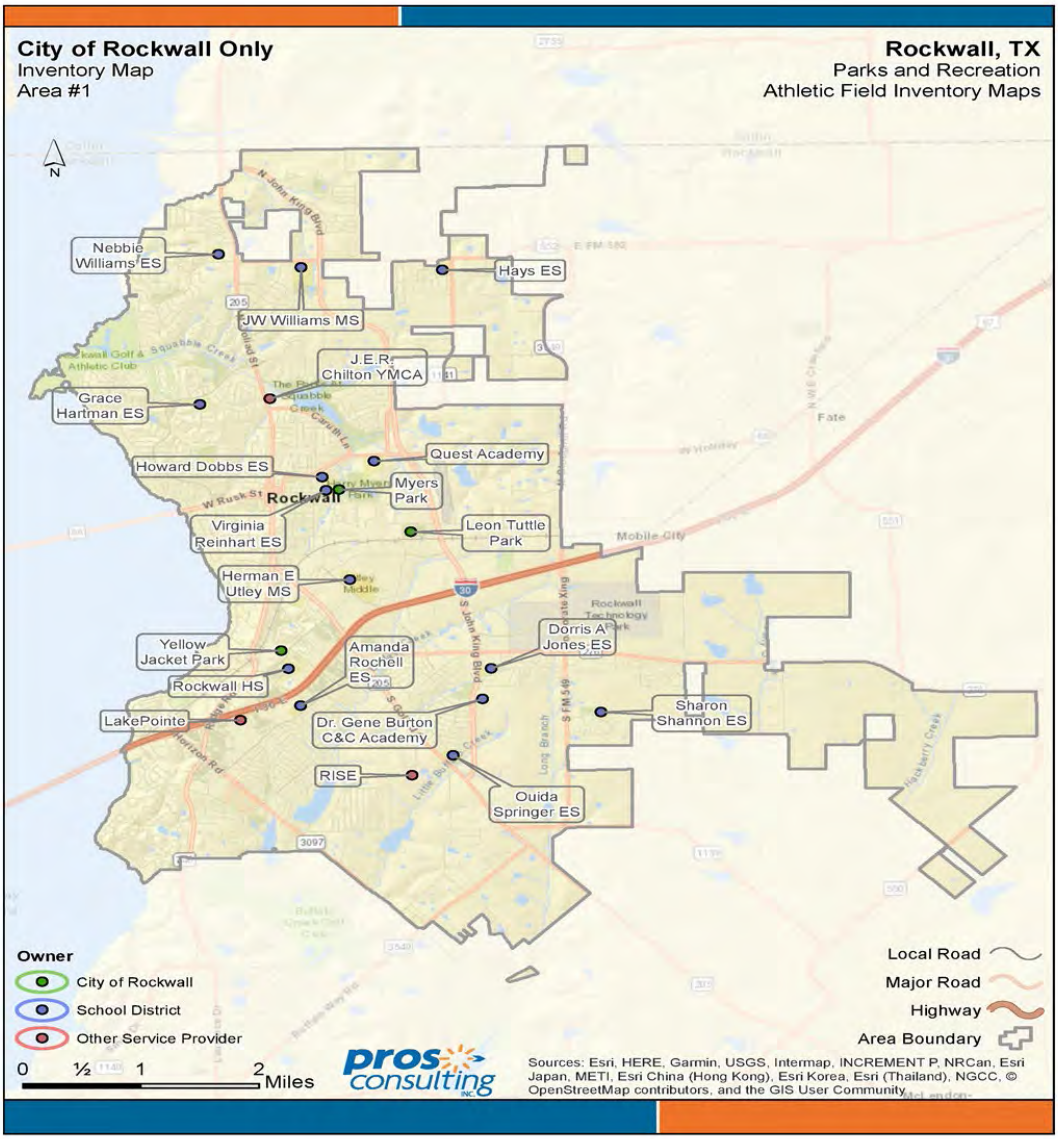
The following summarizes the themes of community input:

- Participants felt that the Rockwall's athletic field system has a strong albeit limited presence in the community.
- Participants see the system as excellently maintained with great staff and enjoy the programs and amenities offered.
- Updating and expanding the athletic field system was continually expressed throughout all focus groups as demand for athletic fields significantly outweighs the supply. Meeting the local need for athletic fields should be prioritized ahead of opportunities for sports tourism.
- Participants are routinely having to drive to the Dallas Metro Region to participate in weekend sport tournaments as field capacity in Rockwall to host large tournaments does not exist.

1.5.4 MARKET ANALYSIS

CITY OF ROCKWALL

INVENTORY MAP



- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is the primary provider of diamond athletic fields in the City of Rockwall.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

CITY OF ROCKWALL ISD

INVENTORY MAP



- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is a primary provider of diamond athletic fields in the ISD service area.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

CITY OF ROCKWALL TRADE SERVICE AREA

INVENTORY MAP



- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available in the service area.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is a primary provider of diamond athletic fields in the Trade Area service area.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

1.5.5 LEVEL OF SERVICE AND FACILITY ANALYSIS

Level of Service (LOS) standards are guidelines that define service areas based on population that support investment decisions related to athletic fields. LOS standards can and will change over time; as the population increases, the need to acquire additional land and develop athletic fields also increases as will the costs to do so.

The LOS standards analysis is a review of the inventory of athletic fields in relation to the total population of the study area and community needs. Ultimately, these standards should be used as goals for Rockwall leadership to use in measuring service levels and making decisions about providing athletic fields. The standards should not be the sole determinant of how Rockwall will invest in its athletic field system over the next 15 years.

CITY OF ROCKWALL

The current service levels adopted have served Rockwall well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, it is recommended at a minimum, that the City adopt the Athletic Field LOS Standards as recommended by the consulting team as shown below.

2019 Inventory - Fields								2019 Facility Standards			2034 Facility Standards			
	Total Inventory	Current Service Level			Recommended Service Levels			Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL
ATHLETIC FIELDS														
Diamond, (Baseball) Teen/Adult	4.00	1.00	field per	11,733	1.00	field per	10,000	Need Exists	1	Field(s)	Need Exists	3	Field(s)	50%
Diamond, (Baseball/Softball) Youth and Adult	9.00	1.00	field per	5,215	1.00	field per	5,000	Meets Standard	0	Field(s)	Need Exists	4	Field(s)	89%
Diamond, (Baseball/Softball) Youth ONLY	4.00	1.00	field per	11,733	1.00	field per	10,000	Need Exists	1	Field(s)	Need Exists	3	Field(s)	75%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	12.00	1.00	field per	3,911	1.00	field per	3,500	Need Exists	1	Field(s)	Need Exists	7	Field(s)	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	17.00	1.00	field per	2,761	1.00	field per	3,000	Meets Standard	-	Field(s)	Need Exists	5	Field(s)	0%

CITY OF ROCKWALL ISD

The current service levels adopted have served the ISD service area well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, ***the PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards as shown below for the ISD service area and invest in athletic fields based on the percentage of service area's population that is comprised of City of Rockwall residents.***

2019 Inventory - Facilities								2019 Facility Standards			2034 Facility Standards						
	Total Inventory	Current Service Level			Recommended Service Levels			Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2034	Rockwall Contribution Level (in terms of meeting field needs based on % of population)	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL
ATHLETIC FIELDS																	
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2	Field(s)	Need Exists	7	Field(s)	58%	53%	4	33%
Diamond, (Baseball/Softball) Youth and Adult	11.00	1.00	field per	7,412	1.00	field per	5,000	Need Exists	5	Field(s)	Need Exists	14	Field(s)	58%	53%	8	73%
Diamond, (Baseball/Softball) Youth ONLY	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2	Field(s)	Need Exists	7	Field(s)	58%	53%	4	50%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	23.00	1.00	field per	3,545	1.00	field per	3,500	Meets Standard	0	Field(s)	Need Exists	13	Field(s)	58%	53%	7	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	22.00	1.00	field per	3,706	1.00	field per	3,000	Need Exists	5	Field(s)	Need Exists	20	Field(s)	58%	53%	11	0%

CITY OF ROCKWALL TRADE SERVICE AREA

The current service levels adopted have served Rockwall well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, If the City chooses to adopt the recommended Athletic Field LOS Standards for the trade area service area as shown below, the consulting team recommends that the City only invest in athletic fields based on the percentage of percentage of service area's population that is comprised of City of Rockwall residents.

2019 Inventory - Facilities								2019 Facility Standards			2034 Facility Standards					
	Total Inventory	Current Service Level			Recommended Service Levels			Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2033	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL
ATHLETIC FIELDS																
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per	39,397	1.00	field per	10,000	Need Exists	18	Field(s)	Need Exists	29	Field(s)	20%	19%	33%
Diamond, (Baseball/Softball) Youth and Adult	19.00	1.00	field per	12,441	1.00	field per	5,000	Need Exists	28	Field(s)	Need Exists	52	Field(s)	20%	19%	42%
Diamond, (Baseball/Softball) Youth ONLY	14.00	1.00	field per	16,884	1.00	field per	10,000	Need Exists	10	Field(s)	Need Exists	21	Field(s)	20%	19%	21%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	28.00	1.00	field per	8,442	1.00	field per	3,500	Need Exists	40	Field(s)	Need Exists	73	Field(s)	20%	19%	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	35.00	1.00	field per	6,754	1.00	field per	3,000	Need Exists	44	Field(s)	Need Exists	83	Field(s)	20%	19%	0%

LEVEL OF SERVICE AND FIELD PRIORITIZATION SUMMARY

In reviewing the current athletic field offerings against the desired offerings of the community, there is great need to expand or add athletic fields in Rockwall. ***The PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards for the ISD service area and invest in athletic fields based on the percentage of service area's population that is comprised of City of Rockwall residents.***

2019 Inventory - Facilities								2019 Facility Standards			2034 Facility Standards						
	Total Inventory	Current Service Level			Recommended Service Levels			Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2034	Rockwall Contribution Level (in terms of meeting field needs based on % of population)	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL
ATHLETIC FIELDS																	
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2	Field(s)	Need Exists	7	Field(s)	58%	53%	4	33%
Diamond, (Baseball/Softball) Youth and Adult	11.00	1.00	field per	7,412	1.00	field per	5,000	Need Exists	5	Field(s)	Need Exists	14	Field(s)	58%	53%	8	73%
Diamond, (Baseball/Softball) Youth ONLY	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2	Field(s)	Need Exists	7	Field(s)	58%	53%	4	50%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	23.00	1.00	field per	3,545	1.00	field per	3,500	Meets Standard	0	Field(s)	Need Exists	13	Field(s)	58%	53%	7	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	22.00	1.00	field per	3,706	1.00	field per	3,000	Need Exists	5	Field(s)	Need Exists	20	Field(s)	58%	53%	11	0%

Prioritizing athletic field needs provides Rockwall with an objective tool for evaluating the priority that should be placed on parks and recreation investments. The priority needs rating reflects the importance residents place on items and the unmet needs (needs that are only being partly met or not met) for each athletic field typology relative to the athletic field typology that rated the highest overall. Since decisions related to future investments should consider both the level of unmet need and the importance of facilities and programs, the priority needs rating weights each of these components equally.

ATHLETIC FIELD NEEDS RANKING
1. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY
2. Diamond, (Baseball/Softball) Youth and Adult
3. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
4. Diamond, (Baseball/Softball) Youth ONLY
5. Diamond, (Baseball) Teen/Adult

1.5.6 RECOMMENDED CAPITAL IMPROVEMENT PLAN (CIP) – ISD SERVICE AREA

This section of the plan reflects the capital improvement recommendations that are necessary to fulfill the athletic field needs of the community BASED ON THE PREFERRED LEVEL OF SERVICE RECOMMENDED – THE ISD SERVICE AREA.

SUMMARY BY PROJECT	
Tier	**Estimated Total Project Cost**
Leon Tuttle Sports Complex	$960,000
Yellowjacket Park	$1,845,000
Harry Myers Park	$2,435,000
New Multi-Purpose Field Complex	$20,000,000
New Diamond Field Complex	$20,000,000
TOTAL	**$45,240,000**

1.5.7 ALTERNATIVE CAPITAL IMPROVEMENT PLAN (CIP) – CITY OF ROCKWALL SERVICE AREA

This section of the plan reflects the capital improvement recommendations that are necessary to fulfill the athletic field needs of the community BASED ON THE CITY OF ROCKWALL LEVEL OF SERVICE.

SUMMARY BY PROJECT	
Tier	**Estimated Total Project Cost**
Leon Tuttle Sports Complex	$960,000
Yellowjacket Park	$1,845,000
Harry Myers Park	$2,435,000
New Athletic Field Complex	$30,000,000
TOTAL	**$35,240,000**

1.6 FUNDING THE FEASIBILITY STUDY

To achieve the outcomes identified in the key findings and recommendations as presented in the Feasibility Study, a reliable and sustainable funding plan is needed. The consulting team identified and analyzed primary funding sources that may be used to fund portions of the capital improvement plan as well as the operations and maintenance for new athletic field complexes as part of the Feasibility Study process.

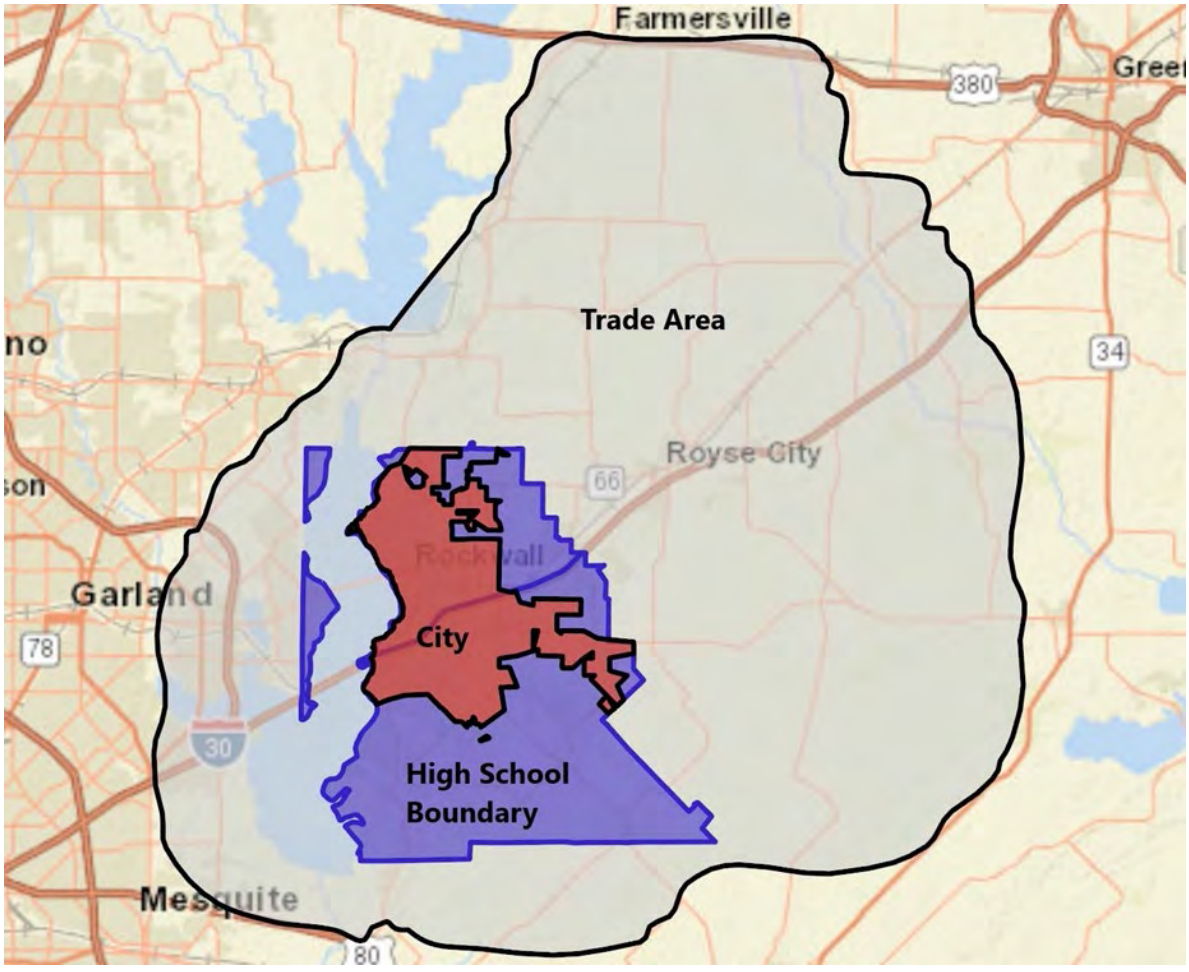
Chapter Two – COMMUNITY PROFILE

The Demographic and Trend Analysis provides an understanding of the population of the City of Rockwall. This analysis demonstrates the overall size of total population by specific age segment, race and ethnicity, and the overall economic status and spending power of the residents through household income statistics. It is important to note that while the demographics analysis evaluates the population characteristics based on the geographic area, the Parks and Recreation Department does tend to serve an audience outside that as well.

All future demographic projections are based on historical trends. All projections should be utilized with the understanding that unforeseen circumstances during or after the time of the projections could have a significant bearing on the validity of the final projections.

2.1 DEMOGRAPHIC ANALYSIS METHODOLOGY

Demographic data used for the analysis was obtained from U.S. Census Bureau and from ESRI, the largest research and development organization dedicated to Geographical Information Systems (GIS) and specializing in population projections and market trends. All data was acquired in January 2019 and reflects actual numbers as reported in the 2010 Censuses, and estimates for 2018 and 2023 as obtained by ESRI. Straight line linear regression was utilized for projected 2028 and 2033 demographics.



2.1.1 RACE AND ETHNICITY DEFINITIONS

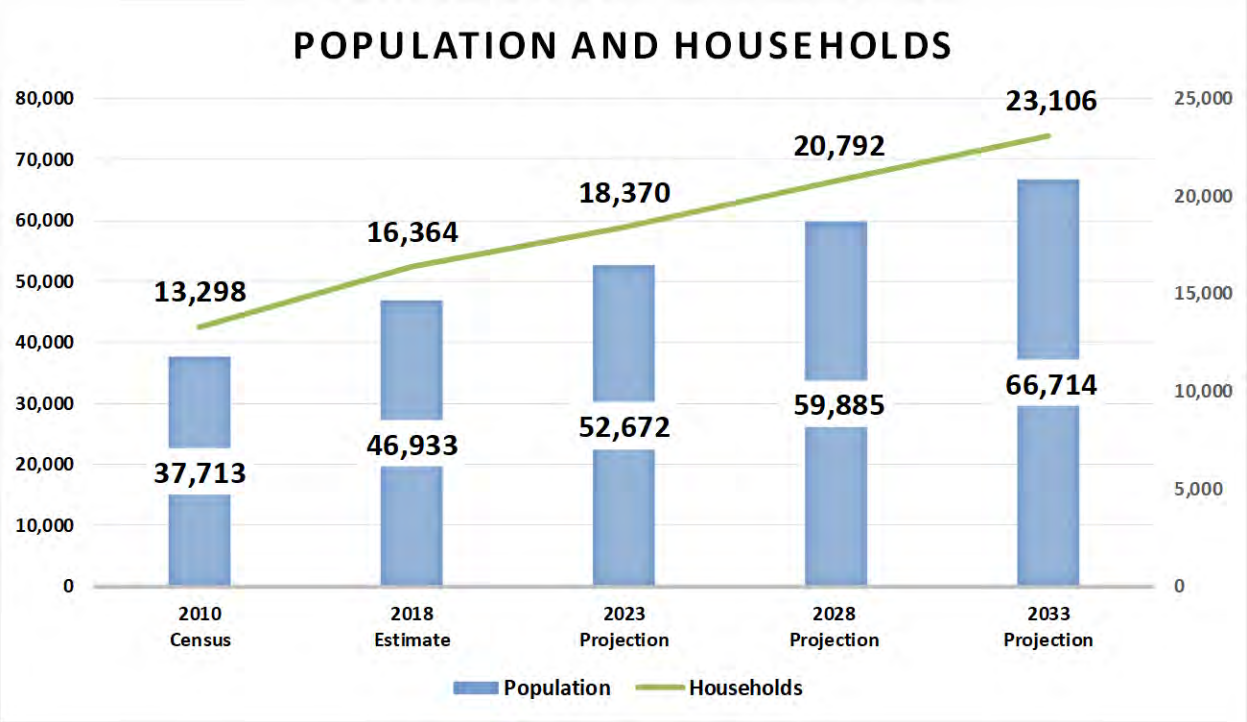
The minimum categories for data on race and ethnicity for Federal statistics, program administrative reporting, and civil rights compliance reporting are defined as below. The Census 2010 data on race are not directly comparable with data from the 2000 Census and earlier censuses; caution must be used when interpreting changes in the racial composition of the US population over time. The latest (Census 2010) definitions and nomenclature are used within this analysis.

- American Indian – This includes a person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- Asian – This includes a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- Black – This includes a person having origins in any of the black racial groups of Africa.
- Native Hawaiian or Other Pacific Islander – This includes a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- White – This includes a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- Some Other Race - Includes all other responses not included in the "White", "Black or African American", "American Indian and Alaska Native", "Asian" and "Native Hawaiian and Other Pacific Islander" race categories described above.
- Two or more races - People may have chosen to provide two or more races either by checking two or more race responses.
- Hispanic or Latino – This is an ethnic distinction, a subset of a race as defined by the Federal Government; this includes a person of Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin, regardless of race.

2.2 DEMOGRAPHIC ANALYSIS – CITY OF ROCKWALL SERVICE AREA

2.2.1 POPULATION

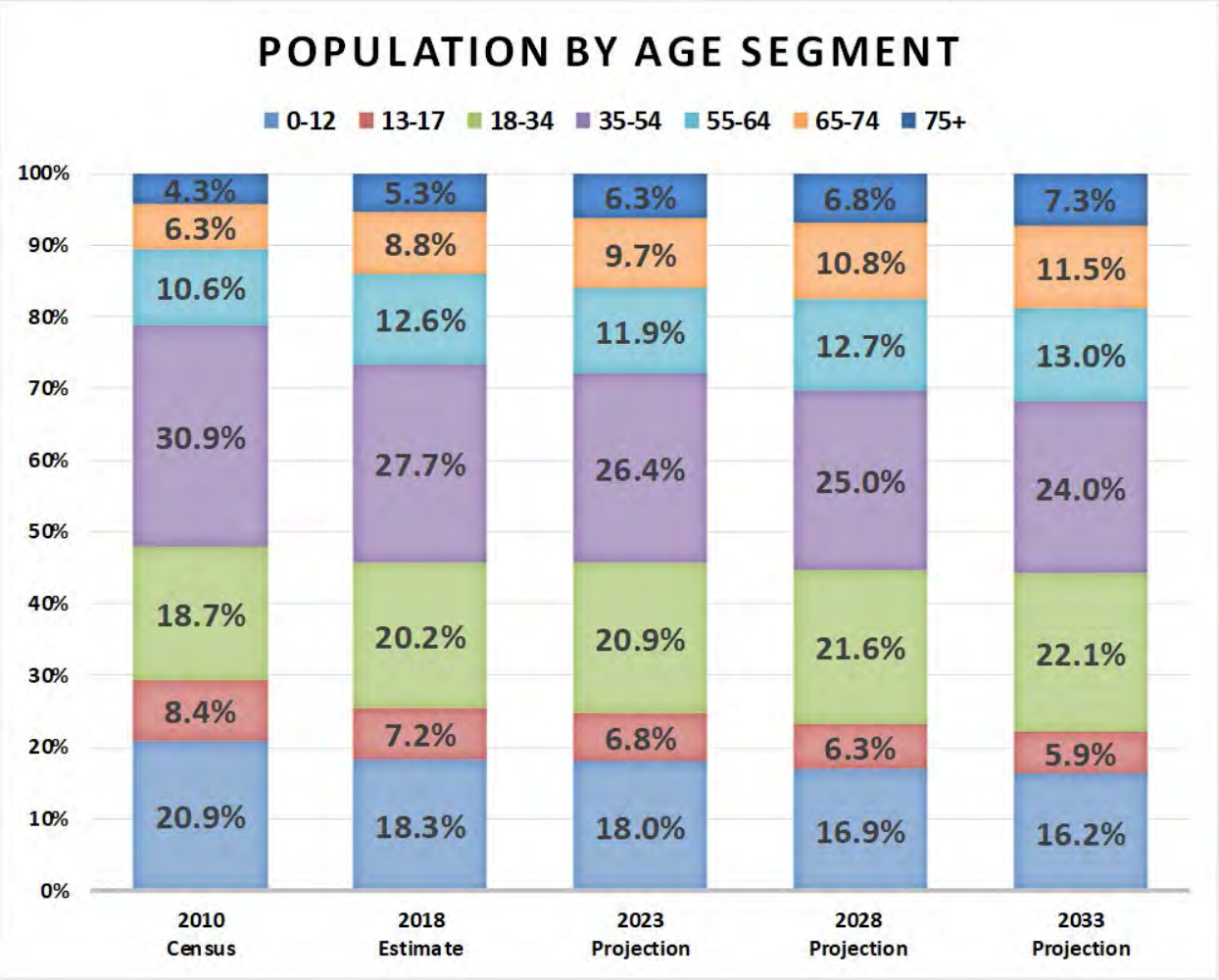
The City's population has experienced a slight growing trend in recent years and is currently estimated at 46,933 individuals. Projecting ahead, the total population is expected to continue to grow at rate two times greater than the U.S. annual growth rate (0.8%) over the next 15 years. Projections indicate that the service area is expected to grow by 28% over the next 15 years and will have 66,714 residents living within 23,106 households by 2033.



2.2.2 AGE SEGMENT

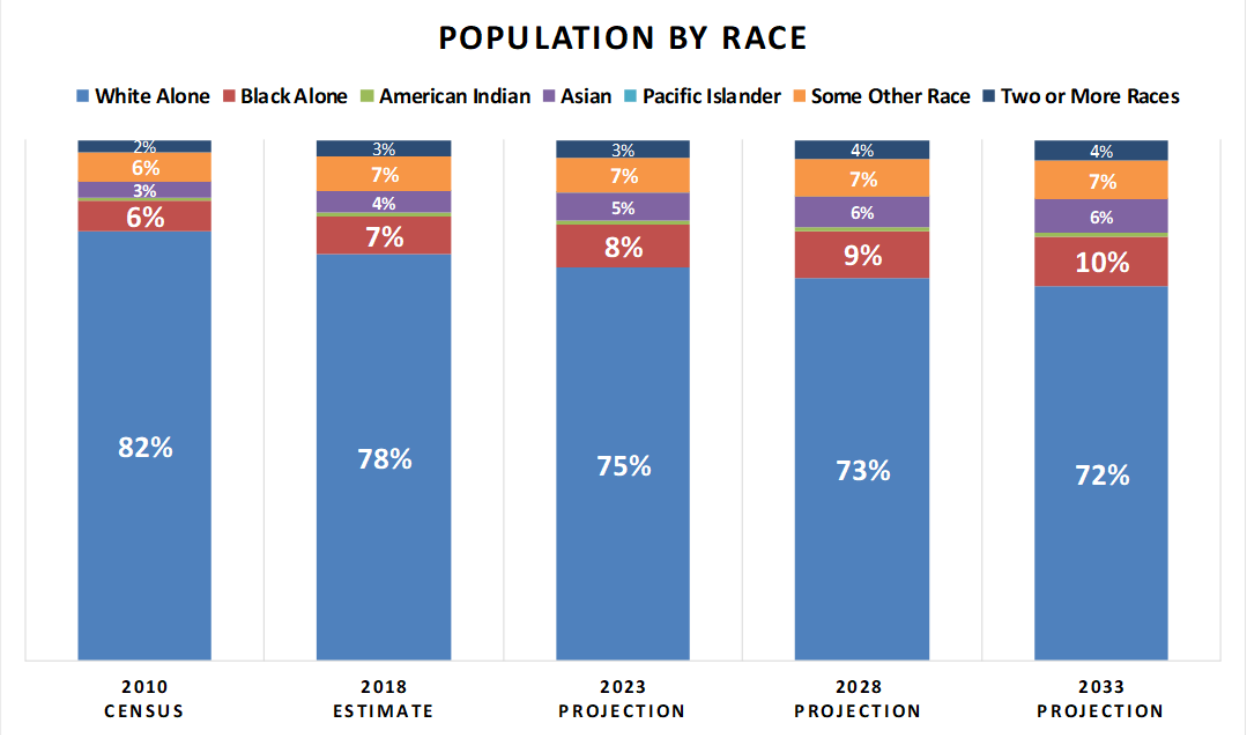
Evaluating the population by age segments, the City exhibits a balanced distribution among the major age segments. Currently, the largest major age segment is the 35-54 segment, making up 27.7% of the population.

The overall age composition of the population within the City is projected to remain balanced and age slightly over the next 15 years as the 55+ age segment will make up 31.8% of the City's population.

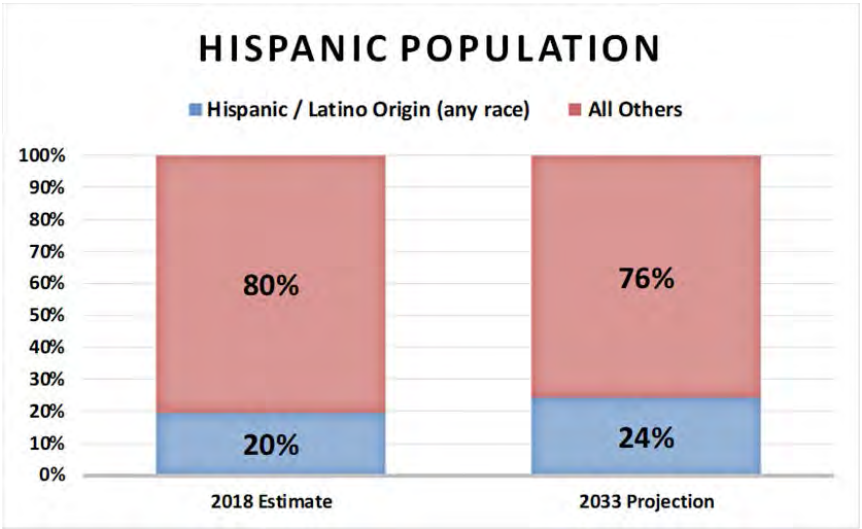


2.2.3 RACE AND ETHNICTY

In analyzing race, the City's current populations are predominately White Alone. The 2018 estimates show that 78% of the service area's population falls into the White Alone category, while the Black Alone category (7%) represents the largest minority. The predictions for 2033 expect that the service area's population by race will diversify with a decrease in the White Alone population by approximately 6% and slight increases in most every other category.

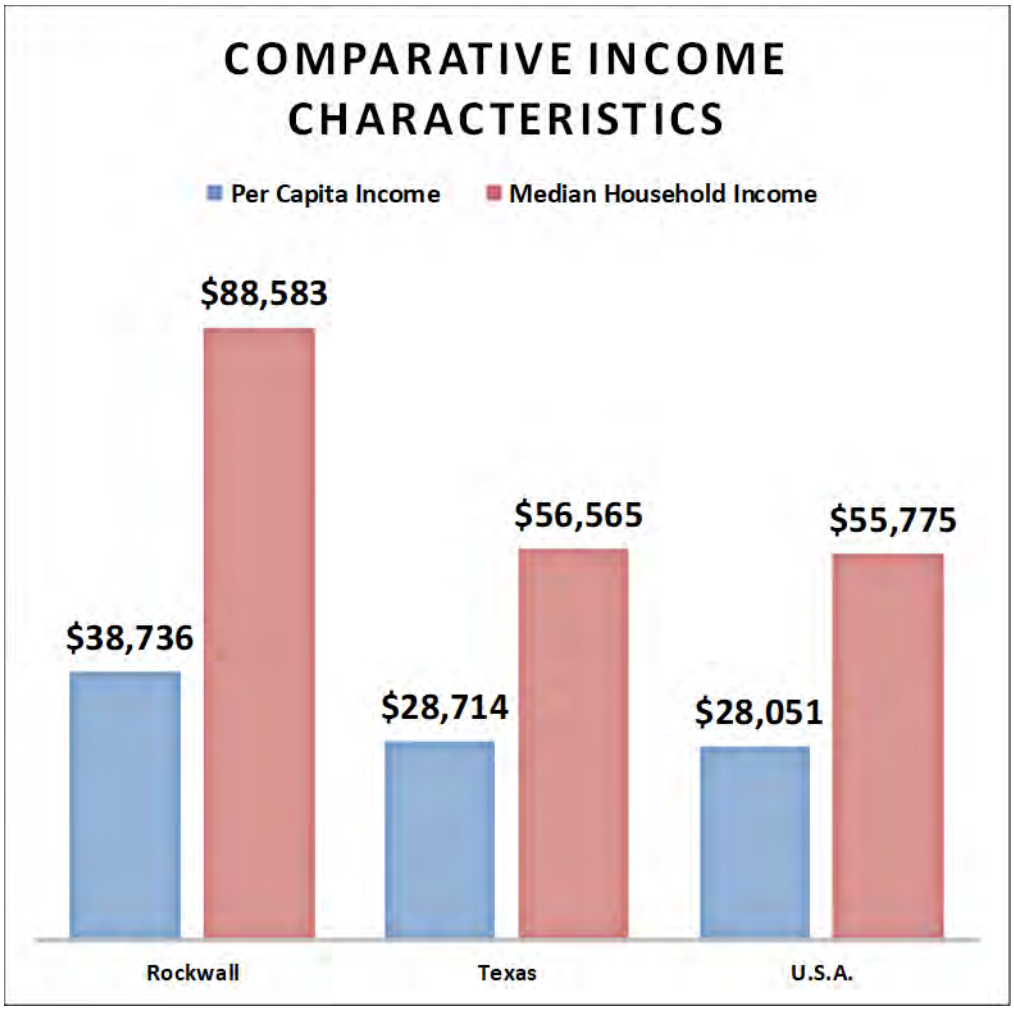


Based on the 2018 estimate, those of Hispanic/Latino origin represented 20% of the service area's total population. The Hispanic/Latino population is expected to experience a slight increase to 24% by 2033.



2.2.4 INCOME

As seen in chart below, the City's per capita and median household income levels are above both the state's and national averages.



CITY OF ROCKWALL SERVICE AREA DEMOGRAPHIC IMPLICATIONS

The following implications are derived from the analyses provided above. Each implication is organized by the outlined demographic information sections.

POPULATION

The population is increasing and is projected to experience a 28% population growth over the next 15 years. This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

Rockwall has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 31.8% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

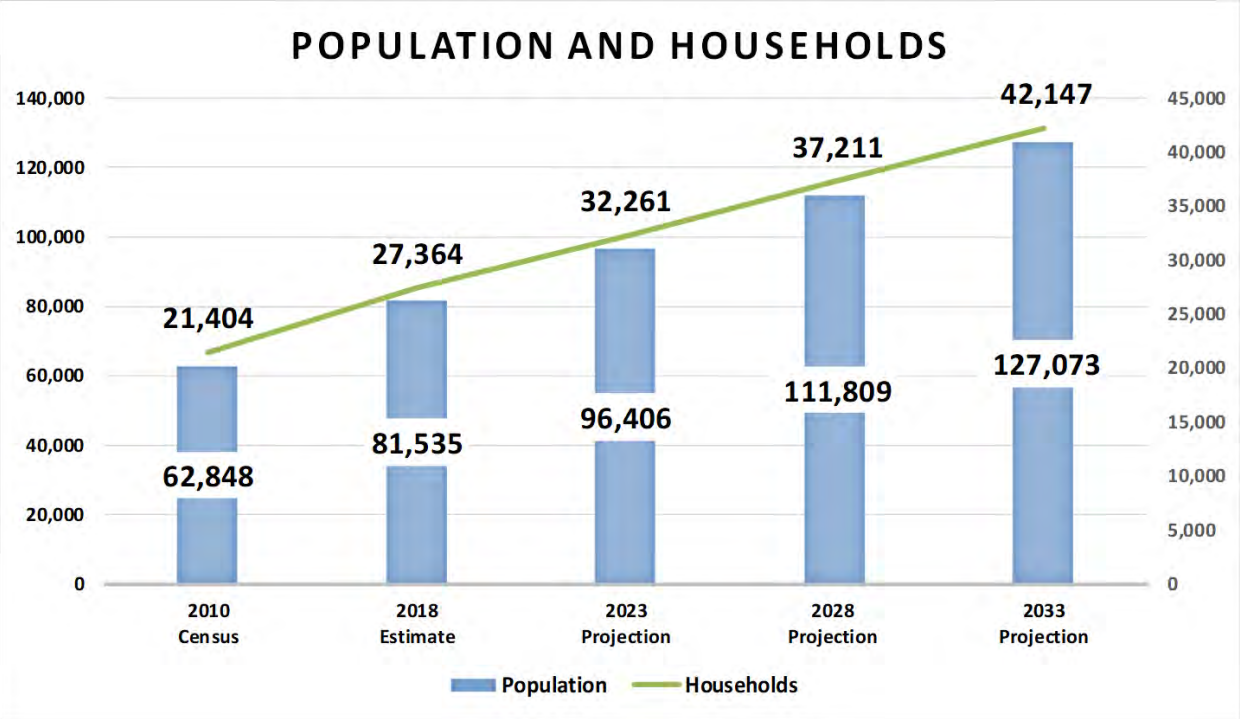
HOUSEHOLDS AND INCOME

With median and per capita household income averages above state and national averages, it would be important for the City to prioritize providing offerings that are first class with exceptional customer service while seeking opportunities to create revenue generation.

2.3 DEMOGRAPHIC ANALYSIS – ROCKWALL INDEPENDENT SCHOOL DISTRICT (ISD) SERVICE AREA

2.3.1 POPULATION

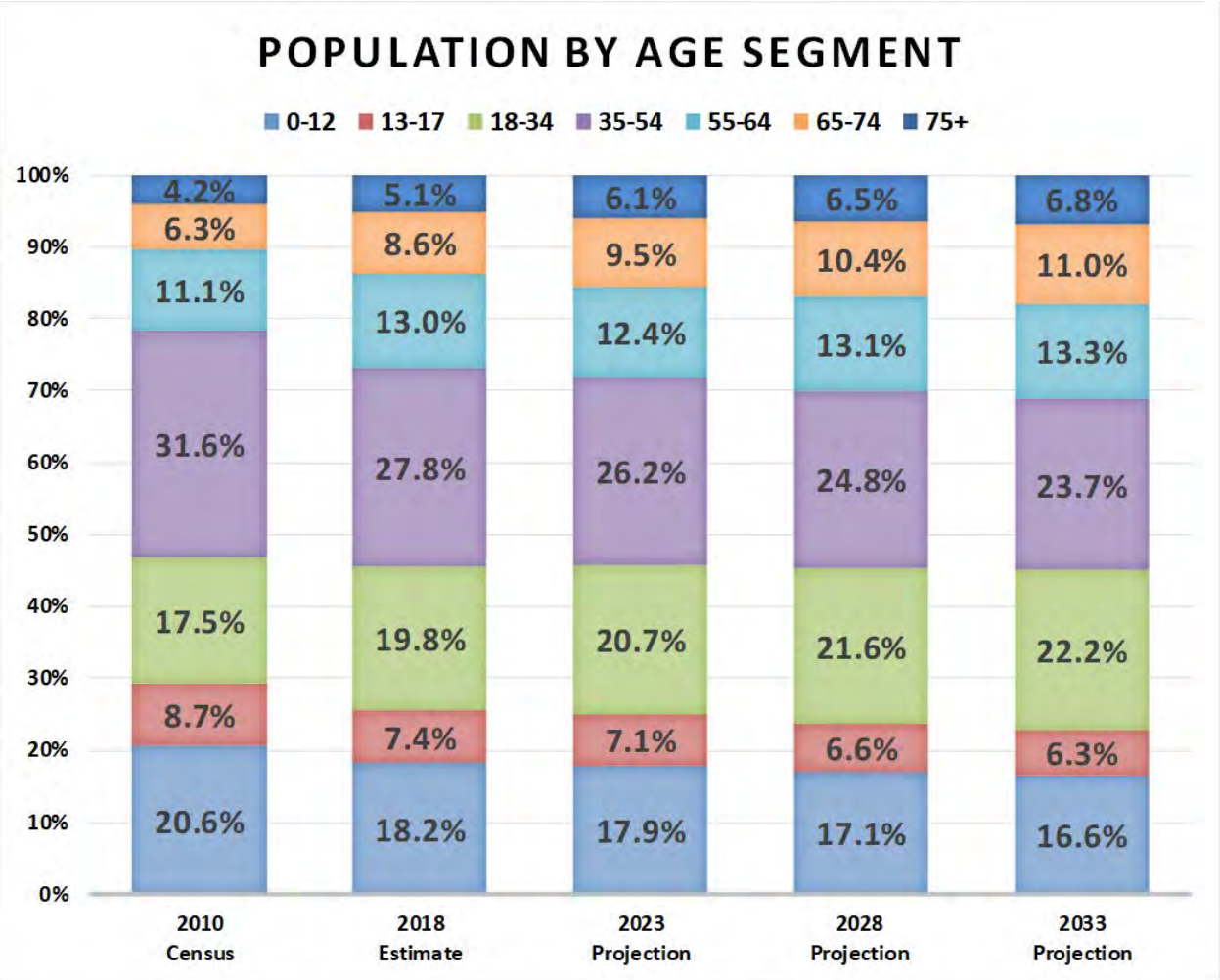
The ISD's service area population has experienced a growing trend in recent years and is currently estimated at 81,535 individuals. Projecting ahead, the total population is expected to continue to grow at rate four and a half times greater than the U.S. annual growth rate (0.8%) over the next 15 years. Projections indicate that the service area is expected to grow by 55% over the next 15 years and will have 127,073 residents living within 42,147 households by 2033.



2.3.2 AGE SEGMENT

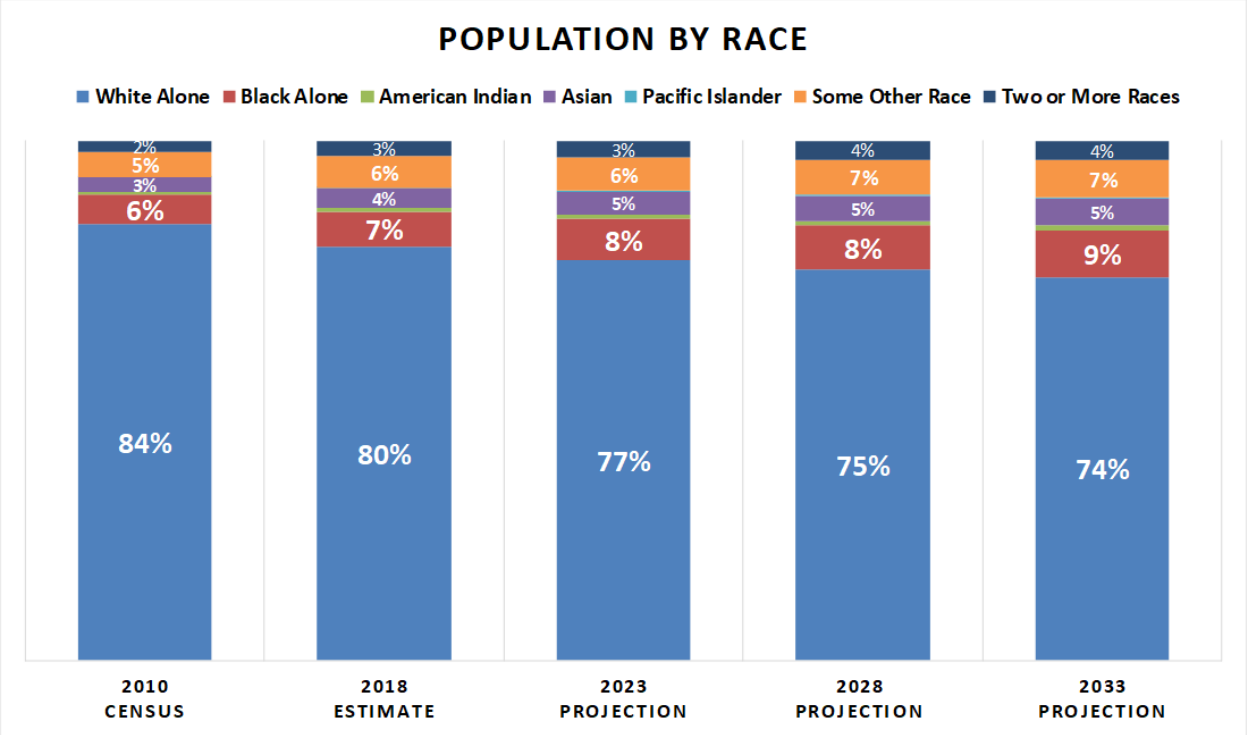
Evaluating the population by age segments, the ISD's service area exhibits a balanced distribution among the major age segments. Currently, the largest major age segment is the 35-54 segment, making up 27.8% of the population.

The overall age composition of the population within the service area is projected to remain balanced and age slightly over the next 15 years as the 55+ age segment will make up 31.1% of the service area's population.

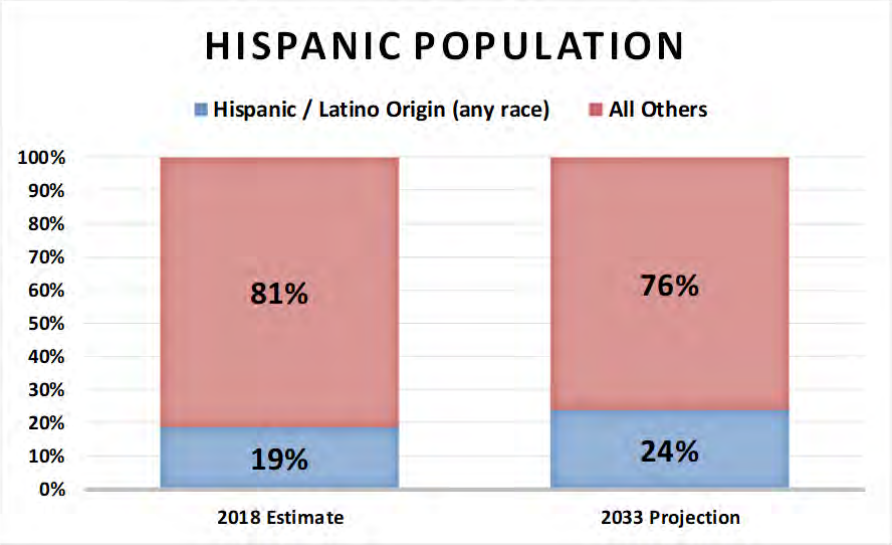


2.3.3 RACE AND ETHNICTY

In analyzing race, the ISD service area's current populations are predominately White Alone. The 2018 estimates show that 78% of the service area's population falls into the White Alone category, while the Black Alone category (7%) represents the largest minority. The predictions for 2033 expect that the service area's population by race will diversify with a decrease in the White Alone population by approximately 6% and slight increases in most every other category.

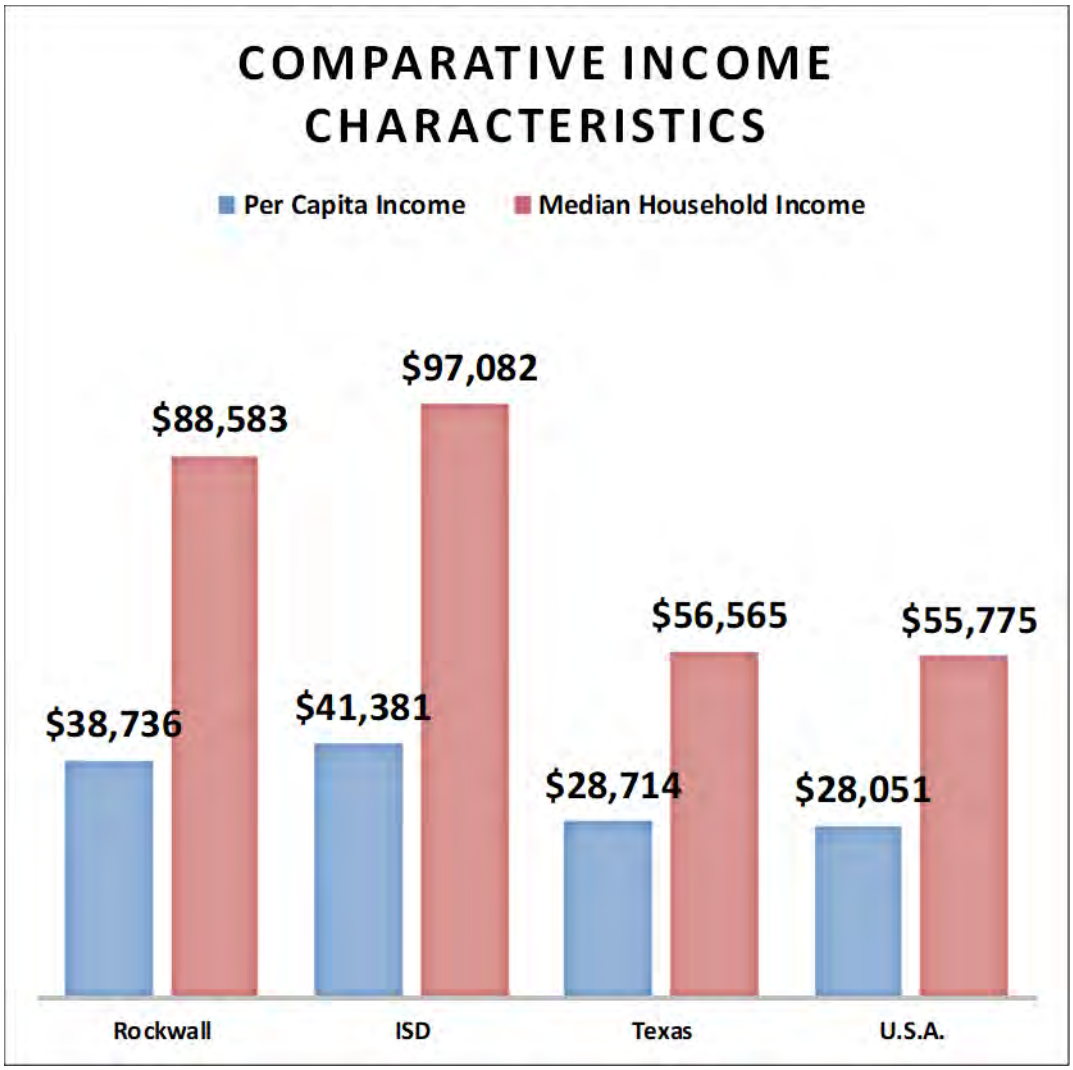


Based on the 2018 estimate, those of Hispanic/Latino origin represented 19% of the service area's total population. The Hispanic/Latino population is expected to experience a slight increase to 24% by 2033.



2.3.4 INCOME

As seen in chart below, the ISD service area's per capita and median household income levels are above city's, the state's and national averages.



ROCKWALL ISD SERVICE AREA DEMOGRAPHIC IMPLICATIONS

The following implications are derived from the analyses provided above. Each implication is organized by the outlined demographic information sections.

POPULATION

The population is increasing significantly and is projected to experience a 55% population growth over the next 15 years. This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

The service area has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 31.1% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings to the service area's residents while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

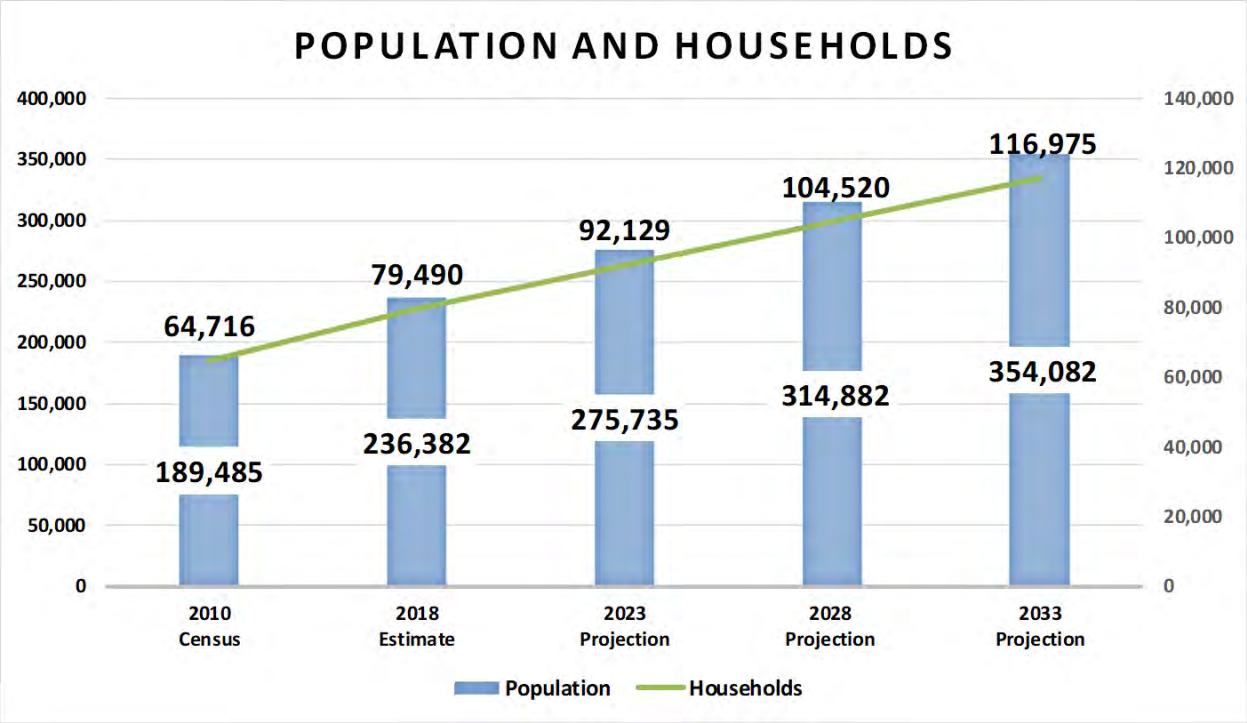
HOUSEHOLDS AND INCOME

With median and per capita household income averages above city, state and national averages, it would be important for the City to prioritize providing offerings to service area residents that are first class with exceptional customer service while seeking opportunities to create revenue generation.

2.4 DEMOGRAPHIC ANALYSIS – CITY OF ROCKWALL TRADE AREA SERVICE AREA

2.4.1 POPULATION

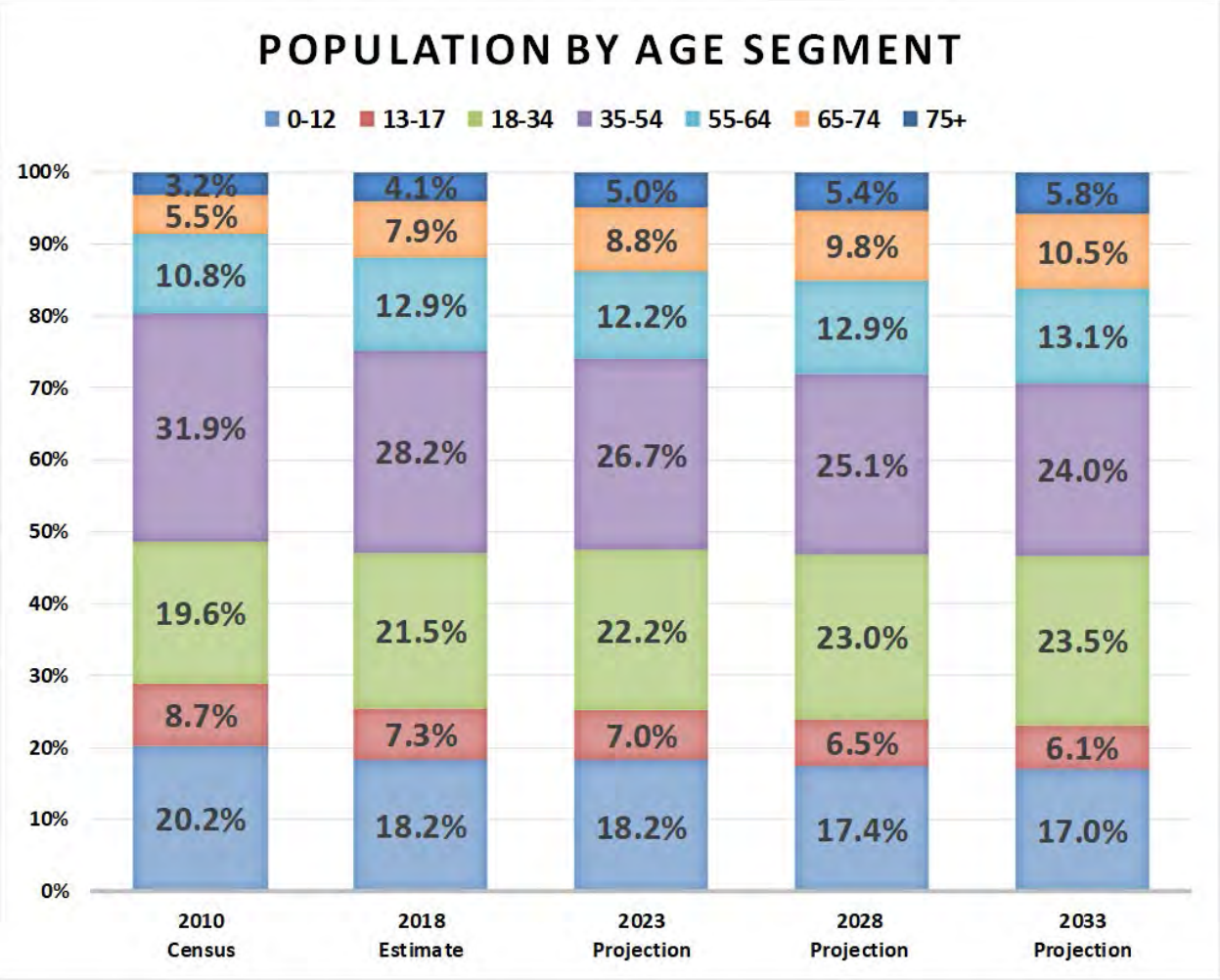
The trade area's service area population has experienced a growing trend in recent years and is currently estimated at 237,382 individuals. Projecting ahead, the total population is expected to continue to grow at rate four times greater than the U.S. annual growth rate (0.8%) over the next 15 years. Projections indicate that the service area is expected to grow by 50% over the next 15 years and will have 354,082 residents living within 116,975 households by 2033.



2.4.2 AGE SEGMENT

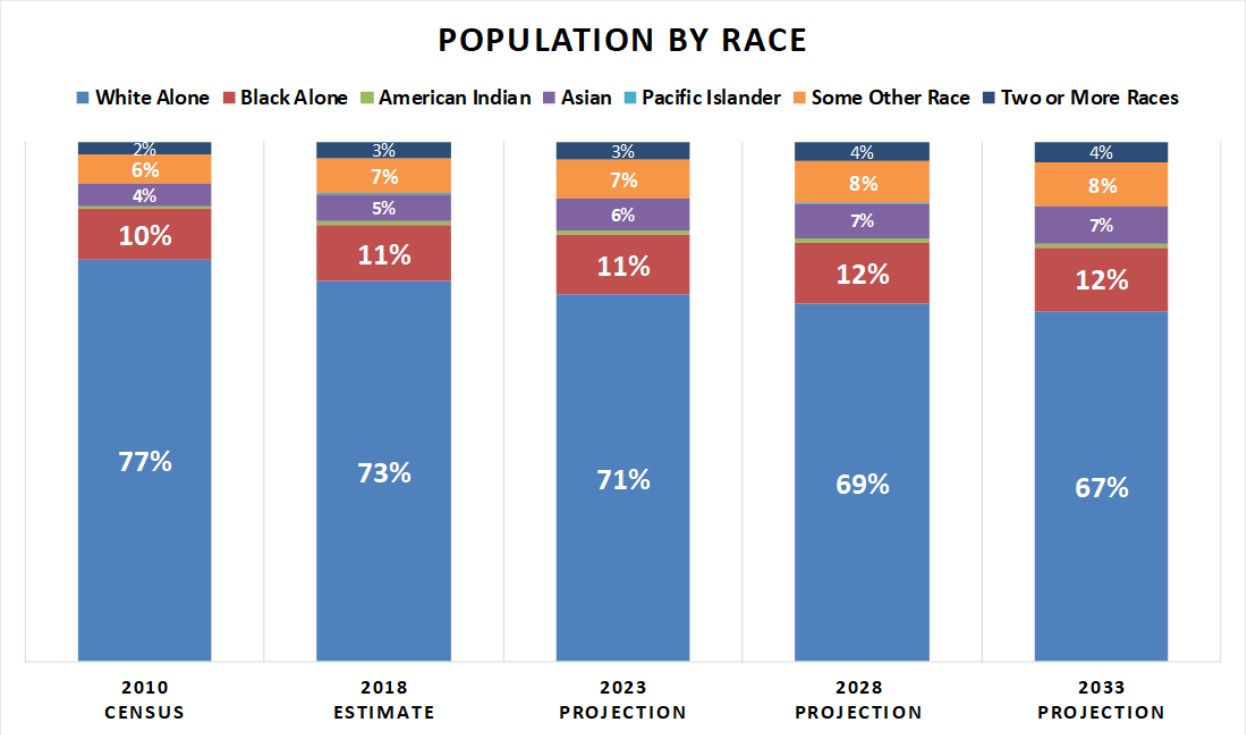
Evaluating the population by age segments, the trade area's service area exhibits a balanced distribution among the major age segments. Currently, the largest major age segment is the 35-54 segment, making up 28.2% of the population.

The overall age composition of the population within the service area is projected to remain balanced and age slightly over the next 15 years as the 55+ age segment will make up 29.4% of the service area's population.

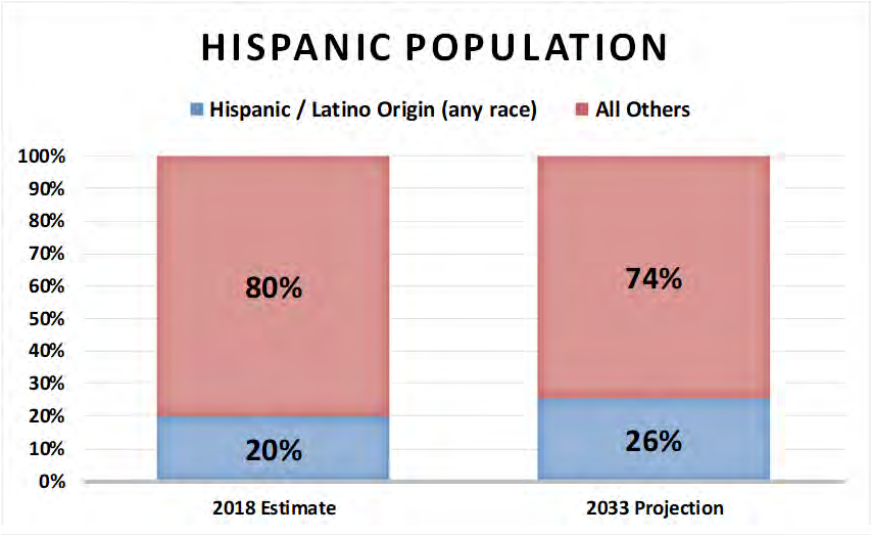


2.4.3 RACE AND ETHNICTY

In analyzing race, the trade area service area's current populations are predominately White Alone. The 2018 estimates show that 73% of the service area's population falls into the White Alone category, while the Black Alone category (11%) represents the largest minority. The predictions for 2033 expect that the service area's population by race will diversify with a decrease in the White Alone population by approximately 6% and slight increases in most every other category.

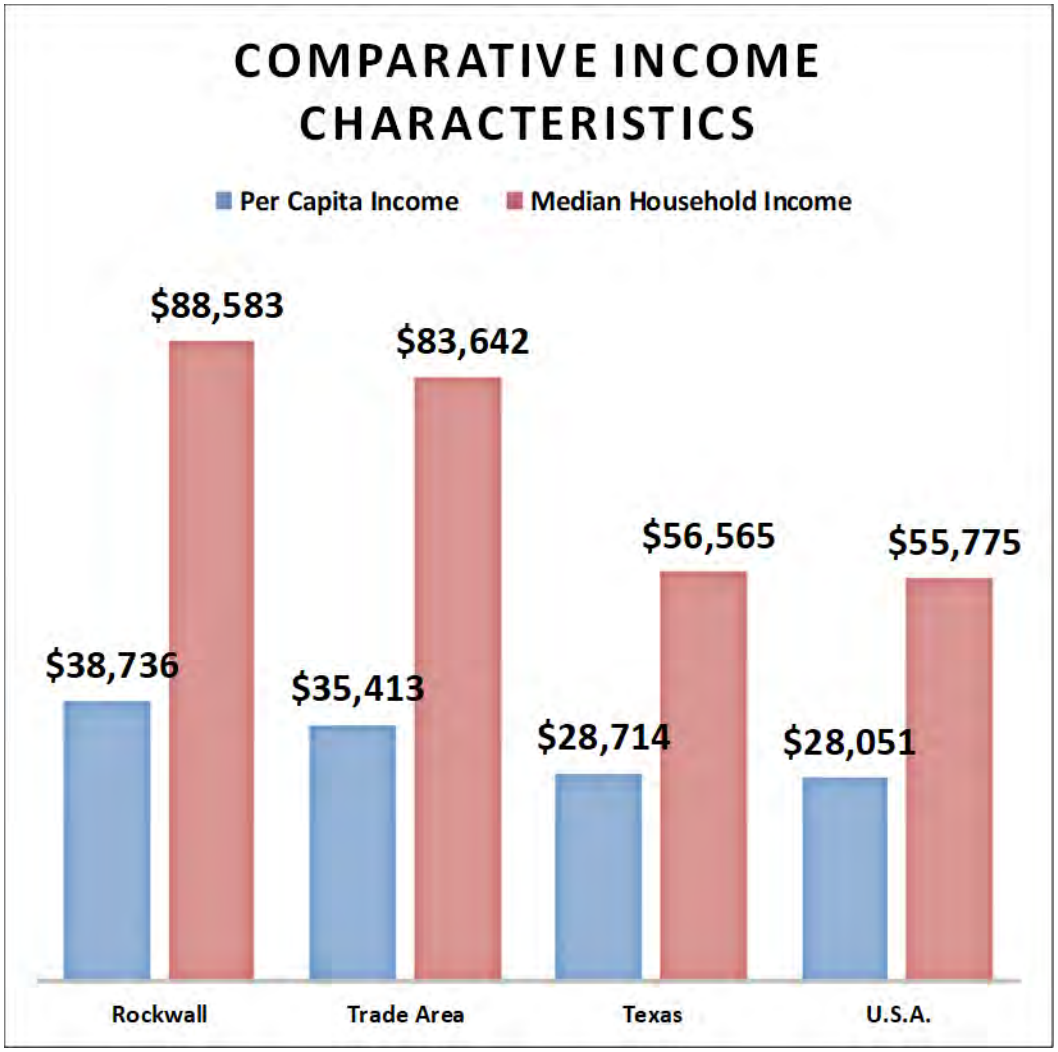


Based on the 2018 estimate, those of Hispanic/Latino origin represented 20% of the service area's total population. The Hispanic/Latino population is expected to experience a slight increase to 26% by 2033.



2.4.4 INCOME

As seen in chart below, the trade area's service area per capita and median household income levels are slightly below the city's levels but above that of the state's and national averages.



ROCKWALL TRADE AREA SERVICE AREA DEMOGRAPHIC IMPLICATIONS

The following implications are derived from the analyses provided above. Each implication is organized by the outlined demographic information sections.

POPULATION

The population is increasing significantly and is projected to experience a 50% population growth over the next 15 years. This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

The service area has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 29.4% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings to the service area's residents while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

HOUSEHOLDS AND INCOME

With median and per capita household income averages at or above city, state and national averages, it would be important for the City to prioritize providing offerings to service area residents that are first class with exceptional customer service while seeking opportunities to create revenue generation.

2.5 DEMOGRAPHIC SUMMARY

Each of the measured service areas around the are demographically similar and project to be similar in 15 years. The growth is significantly greater than that of national averages (2-4.5% annually) over the next 15 years. However, it is anticipated that the makeup of the service areas population will change as it is expected to age slightly and diversify over the next 15 years.

2.6 NATIONAL RECREATION TRENDS ANALYSIS

The Trends Analysis provides an understanding of national, regional, and local recreational trends as well as generational participation trends. Trends data used for this analysis was obtained from Sports & Fitness Industry Association's (SFIA), National Recreation and Park Association (NRPA), and Environmental Systems Research Institute, Inc. (ESRI). All trends data is based on current and/or historical participation rates, statistically-valid survey results, or NRPA Park Metrics.

2.6.1 METHODOLOGY

The Sports & Fitness Industry Association's (SFIA) *Sports, Fitness & Recreational Activities Topline Participation Report 2019* was utilized in evaluating the following trends:

- National Sport and Fitness Participatory Trends
- Core vs. Casual Participation Trends
- Participation by Generation
- Non-Participant Interest by Age Segment

The study is based on findings from surveys carried out in 2018 by the Physical Activity Council (PAC), resulting in a total of 20,069 online interviews. Surveys were administered to all genders, ages, income levels, regions, and ethnicities to allow for statistical accuracy of the national population. A sample size of 20,069 completed interviews is considered by SFIA to result in a high degree of statistical accuracy. A sport with a participation rate of five percent has a confidence interval of plus or minus 0.31 percentage points at a 95 percent confidence interval. Using a weighting technique, survey results are applied to the total U.S. population figure of 300,652,039 people (ages six and older). The purpose of the report is to establish levels of activity and identify key participatory trends in recreation across the U.S.

CORE VS. CASUAL PARTICIPATION

In addition to overall participation rates, SFIA further categorizes active participants as either core or casual participants based on frequency. Core participants have higher participatory frequency than casual participants. The thresholds that define casual versus core participation may vary based on the nature of each individual activity. For instance, core participants engage in most fitness and recreational activities more than 50 times per year, while for sports, the threshold for core participation is typically 13 times per year.

In a given activity, core participants are more committed and tend to be less likely to switch to other activities or become inactive (engage in no physical activity) than causal participants. This may also explain why activities with more core participants tend to experience less pattern shifts in participation rates than those with larger groups of casual participants.

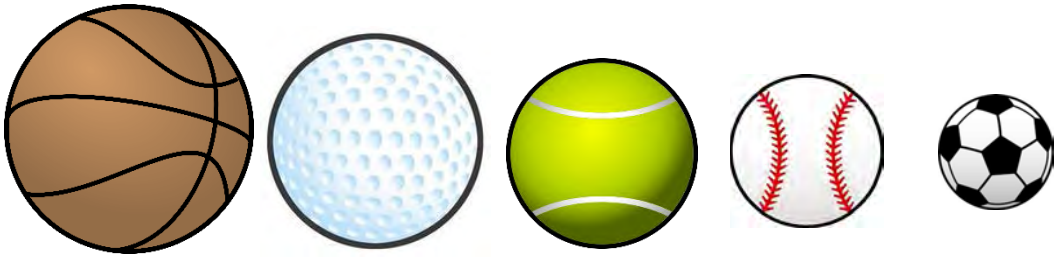
NATIONAL SPORT AND FITNESS PARTICIPATORY TRENDS

2.6.2 NATIONAL TRENDS IN GENERAL SPORTS

PARTICIPATION LEVELS

The sports most heavily participated in the United States were Basketball (24.2 million) and Golf (23.8 million in 2017), which have participation figures well in excess of the other activities within the general sports category. Followed by Tennis (17.8 million), Baseball (15.9 million), and Soccer (11.4 million).

The popularity of Basketball Golf, and Tennis can be attributed to the ability to compete with relatively small number of participants. Even though Golf has experienced a recent decrease in participation, it still continues to benefit from its wide age segment appeal and is considered a life-long sport. Basketball's success can be attributed to the limited amount of equipment needed to participate and the limited space requirements necessary, which make basketball the only traditional sport that can be played at the majority of American dwellings as a drive-way pickup game.



Basketball	Golf*	Tennis	Baseball	Soccer
24.2 Million	23.8 Million	17.8 Million	15.9 Million	11.4 Million

FIVE-YEAR TREND

Since 2013, Roller Hockey (33.6%) and Rugby (31.9%) have emerged as the overall fastest growing sports. During the last five-years, Baseball (19.5%), Cheerleading (18.7%), and Flag Football (17.1%) have also experienced significant growth. Based on the five-year trend, the sports that are most rapidly declining include Ultimate Frisbee (-46.6%), Touch Football (-22.7%), Tackle Football (-16.4%), Badminton (-11.4%), and Outdoor Soccer (-10.4%).

ONE-YEAR TREND

In general, the most recent year shares a similar pattern with the five-year trends; with Pickleball (5.4%), Basketball (3.5%), and Baseball (1.5%) experiencing the greatest increases in participation this past year. However, some sports that increased rapidly over the past five years have experienced recent decreases in participation, such as Roller Hockey (-5.5%). Other sports including Squash (-13.9%) and Ultimate Frisbee (-13.3%) have also seen a significant decrease in participate over the last year.

National Participatory Trends - General Sports					
Activity	Participation Levels			% Change	
	2013	2017	2018	5-Year Trend	1-Year Trend
Golf (9 or 18-Hole Course)	24,720	23,829	N/A	N/A	N/A
Basketball	23,669	23,401	24,225	2.3%	3.5%
Tennis	17,678	17,683	17,841	0.9%	0.9%
Baseball	13,284	15,642	15,877	19.5%	1.5%
Soccer (Outdoor)	12,726	11,924	11,405	-10.4%	-4.4%
Softball (Slow Pitch)	6,868	7,283	7,386	7.5%	1.4%
Football, Flag	5,610	6,551	6,572	17.1%	0.3%
Badminton	7,150	6,430	6,337	-11.4%	-1.4%
Volleyball (Court)	6,433	6,317	6,317	-1.8%	0.0%
Football, Touch	7,140	5,629	5,517	-22.7%	-2.0%
Soccer (Indoor)	4,803	5,399	5,233	9.0%	-3.1%
Football, Tackle	6,165	5,224	5,157	-16.4%	-1.3%
Volleyball (Sand/Beach)	4,769	4,947	4,770	0.0%	-3.6%
Gymnastics	4,972	4,805	4,770	-4.1%	-0.7%
Track and Field	4,071	4,161	4,143	1.8%	-0.4%
Cheerleading	3,235	3,816	3,841	18.7%	0.7%
Racquetball	3,824	3,526	3,480	-9.0%	-1.3%
Pickleball	N/A	3,132	3,301	N/A	5.4%
Ultimate Frisbee	5,077	3,126	2,710	-46.6%	-13.3%
Ice Hockey	2,393	2,544	2,447	2.3%	-3.8%
Softball (Fast Pitch)	2,498	2,309	2,303	-7.8%	-0.3%
Lacrosse	1,813	2,171	2,098	15.7%	-3.4%
Wrestling	1,829	1,896	1,908	4.3%	0.6%
Roller Hockey	1,298	1,834	1,734	33.6%	-5.5%
Rugby	1,183	1,621	1,560	31.9%	-3.8%
Squash	1,414	1,492	1,285	-9.1%	-13.9%
Boxing for Competition	1,134	1,368	1,310	15.5%	-4.2%
NOTE: Participation figures are in 000's for the US population ages 6 and over					
Legend:	Large Increase (greater than 25%)	Moderate Increase (0% to 25%)	Moderate Decrease (0% to -25%)	Large Decrease (less than -25%)	

CORE VS. CASUAL TRENDS IN GENERAL SPORTS

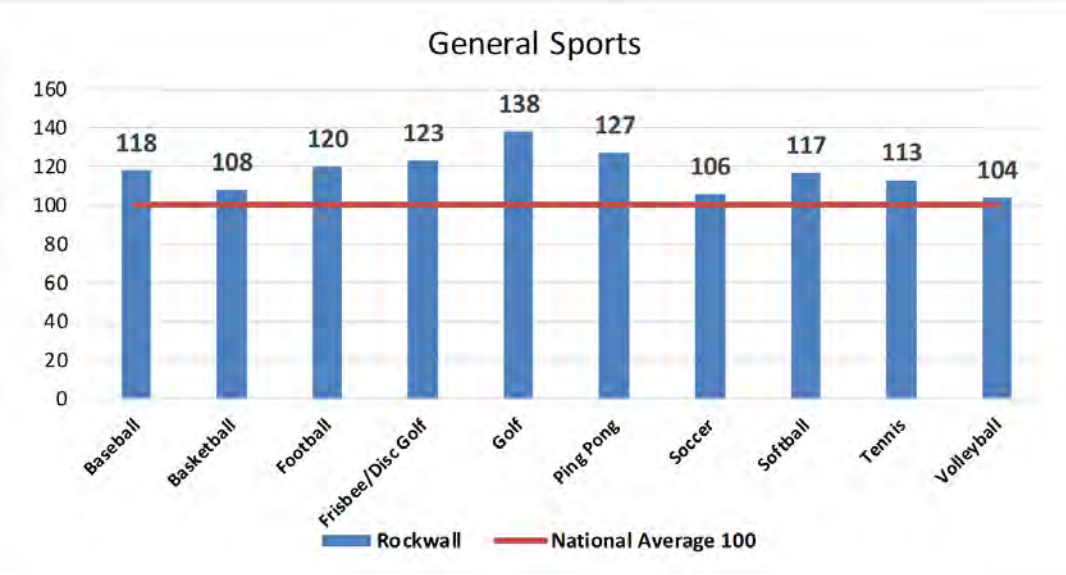
Highly participated in sports, such as Basketball, Baseball, and Slow Pitch Softball, have a larger core participant base (participate 13+ times per year) than casual participant base (participate 1-12 times per year). While less mainstream sports, such as Ultimate Frisbee, Roller Hockey, Squash, and Boxing for Competition have larger casual participation base. These participants may be more inclined to switch to other sports or fitness activities, which is likely why they have all experienced a decline in participation this past year.

National Core vs Casual Participatory Trends - General Sports								
Activity	Participation Levels						% Change	
	2013		2017		2018		5-Year Trend	1-Year Trend
	#	%	#	%	#	%		
Golf (9 or 18-Hole Course)	**24,720**	**100%**	**23,829**	**100%**	**N/A**	**100%**	**N/A**	**N/A**
Basketball	**23,669**	**100%**	**23,401**	**100%**	**24,225**	**100%**	**2.3%**	**3.5%**
Casual (1-12 times)	6,998	30%	8,546	37%	9,335	39%	33.4%	9.2%
Core (13+ times)	16,671	70%	14,856	63%	14,890	61%	-10.7%	0.2%
Tennis	**17,678**	**100%**	**17,683**	**100%**	**17,841**	**100%**	**0.9%**	**0.9%**
Baseball	**13,284**	**100%**	**15,642**	**100%**	**15,877**	**100%**	**19.5%**	**1.5%**
Casual (1-12 times)	4,201	32%	6,405	41%	6,563	41%	56.2%	2.5%
Core (13+ times)	9,083	68%	9,238	59%	9,314	59%	2.5%	0.8%
Soccer (Outdoor)	**12,726**	**100%**	**11,924**	**100%**	**11,405**	**100%**	**-10.4%**	**-4.4%**
Casual (1-25 times)	6,532	51%	6,665	56%	6,430	56%	-1.6%	-3.5%
Core (26+ times)	6,194	49%	5,259	44%	4,975	44%	-19.7%	-5.4%
Softball (Slow Pitch)	**6,868**	**100%**	**7,283**	**100%**	**7,386**	**100%**	**7.5%**	**1.4%**
Casual (1-12 times)	2,685	39%	3,060	42%	3,281	44%	22.2%	7.2%
Core (13+ times)	4,183	61%	4,223	58%	4,105	56%	-1.9%	-2.8%
Badminton	**7,150**	**100%**	**6,430**	**100%**	**6,337**	**100%**	**-11.4%**	**-1.4%**
Casual (1-12 times)	4,834	68%	4,564	71%	4,555	72%	-5.8%	-0.2%
Core (13+ times)	2,316	32%	1,867	29%	1,782	28%	-23.1%	-4.6%
Volleyball (Court)	**6,433**	**100%**	**6,317**	**100%**	**6,317**	**100%**	**-1.8%**	**0.0%**
Casual (1-12 times)	2,715	42%	2,939	47%	2,867	45%	5.6%	-2.4%
Core (13+ times)	3,718	58%	3,378	53%	3,450	55%	-7.2%	2.1%
Football, Flag	**5,610**	**100%**	**6,551**	**100%**	**6,572**	**100%**	**17.1%**	**0.3%**
Casual (1-12 times)	2,813	50%	3,572	55%	3,573	54%	27.0%	0.0%
Core (13+ times)	2,797	50%	2,979	45%	2,999	46%	7.2%	0.7%
Core Age 6 to 17 (13+ times)	1,363	50%	1,565	55%	1,578	54%	15.8%	0.8%
Football, Touch	**7,140**	**100%**	**5,629**	**100%**	**5,517**	**100%**	**-22.7%**	**-2.0%**
Casual (1-12 times)	3,952	55%	3,332	59%	3,313	60%	-16.2%	-0.6%
Core (13+ times)	3,188	45%	2,297	41%	2,204	40%	-30.9%	-4.0%
Volleyball (Sand/Beach)	**4,769**	**100%**	**4,947**	**100%**	**4,770**	**100%**	**0.0%**	**-3.6%**
Casual (1-12 times)	3,261	68%	3,544	72%	3,261	68%	0.0%	-8.0%
Core (13+ times)	1,509	32%	1,403	28%	1,509	32%	0.0%	7.6%
Football, Tackle	**6,165**	**100%**	**5,224**	**100%**	**5,157**	**100%**	**-16.4%**	**-1.3%**
Casual (1-25 times)	2,601	42%	2,145	41%	2,258	44%	-13.2%	5.3%
Core (26+ times)	3,564	58%	3,078	59%	2,898	56%	-18.7%	-5.8%
Core Age 6 to 17 (26+ times)	2,586	42%	2,427	41%	2,353	44%	-9.0%	-3.0%
Gymnastics	**4,972**	**100%**	**4,805**	**100%**	**4,770**	**100%**	**-4.1%**	**-0.7%**
Casual (1-49 times)	3,209	65%	3,139	65%	3,047	64%	-5.0%	-2.9%
Core (50+ times)	1,763	35%	1,666	35%	1,723	36%	-2.3%	3.4%
Soccer (Indoor)	**4,803**	**100%**	**5,399**	**100%**	**5,233**	**100%**	**9.0%**	**-3.1%**
Casual (1-12 times)	1,967	41%	2,657	49%	2,452	47%	24.7%	-7.7%
Core (13+ times)	2,836	59%	2,742	51%	2,782	53%	-1.9%	1.5%
NOTE: Participation figures are in 000's for the US population ages 6 and over								
Participation Growth/Decline	Large Increase (greater than 25%)		Moderate Increase (0% to 25%)		Moderate Decrease (0% to -25%)		Large Decrease (less than -25%)	
Core vs Casual Distribution	Mostly Core Participants (greater than 75%)		More Core Participants (56-74%)		Evenly Divided (45-55% Core and Casual)		More Casual Participants (56-74%)	Mostly Casual Participants (greater than 75%)

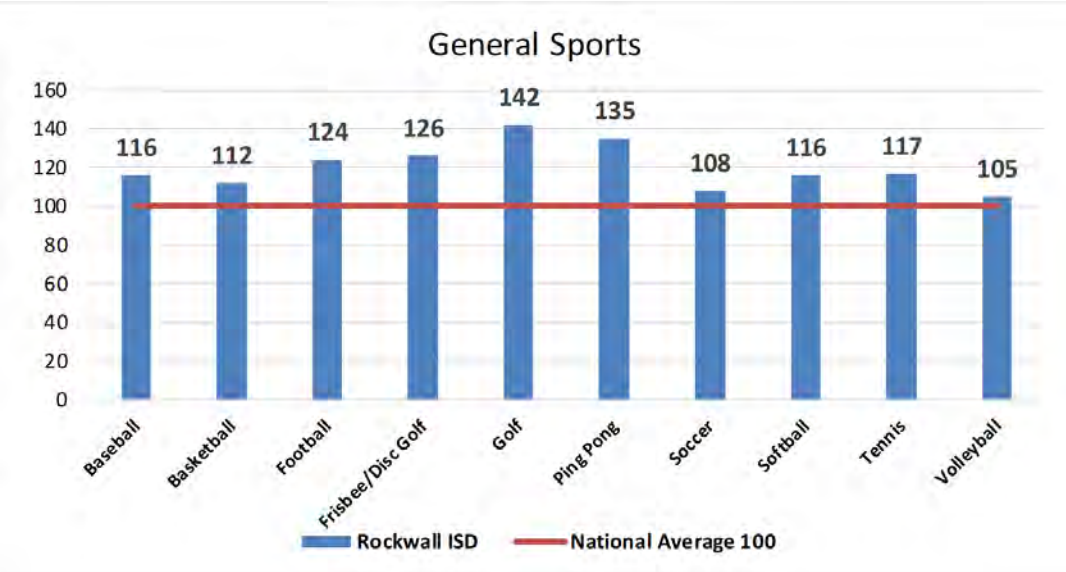
2.7 LOCAL TRENDS - MARKET POTENTIAL

A Market Potential Data (MPI) measures the probable demand for a service in the target area. The MPI communicates the likelihood that a resident of the service area will exhibit certain consumer behavior when compared to the US National average. The National average is 100, therefore above 100 would represent a higher than average participation rate. The following sections illustrate the index of the greatest recreation market potential in each of the service areas.

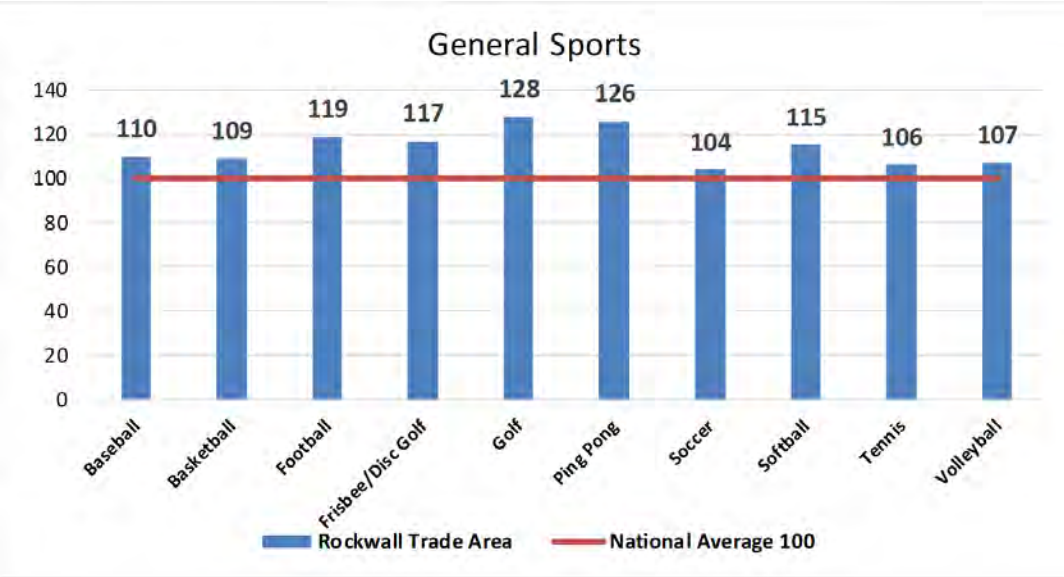
2.7.1 CITY OF ROCKWALL – GENERAL SPORTS MPI



2.7.2 ROCKWALL INDEPENDENT SCHOOL DISTRICT (ISD) SERVICE AREA – GENERAL SPORTS MPI



2.7.3 CITY OF ROCKWALL TRADE AREA SERVICE AREA – GENERAL SPORTS MPI



2.7.4 CONCLUSION

It is critically important for the Rockwall to understand the national participation trends in recreation activities. In doing so, the department can gain general insight into the lifecycle stage of recreation sports programs and activities and thereby anticipate potential changes in need and demand for the programs and activities that it provides to the residents of Rockwall.

Locally, participation in team sports in all three service areas re strong and indicate an opportunity to grow these services.

2.8 CURRENT PARTICIPATION IN ATHLETIC FIELDS SPORTS

The following chart summarizes the current participation level in the various athletic field sports that utilize fields within the Rockwall ISD service area. The strong participation numbers support the high market potential indices noted on the previous page.

Athletic Field Sports Participation	Youth T-Ball, Baseball & Softball	Adult Softball	Youth & Adult Soccer	Youth Football & Cheer	Youth Lacrosse
PROVIDER/ORGANIZATION					
City of Rockwall *	13,325				
LakePointe Church	165		1,700	0	
J.E.R. Chilton YMCA	250		2,000	750	
Rockwall Football				1,200	
Rockwall-Heath Lacrosse					130
RISE (club soccer field rental)			100		
North Texas Soccer			5,000		
TOTALS	14,865	0	8,800	1,950	130

* Includes participation in 17 tournaments hosted by City totaling 11,200

2.8.1 KEY TAKEAWAYS

- All organizations surveyed indicated that 90% of participants reside within the Rockwall ISD service area.
- All organizations surveyed indicated that 50% of participants reside within the City of Rockwall.
- All organizations surveyed indicated that participation in their programs is approaching maximum capacity.
- Based on program participation waiting lists, all organizations anticipate 10-25% growth in participation in programs over the next five years, ONLY IF additional athletic fields are made available.
- All organizations surveyed recognize the challenges of utilizing greenspace in neighborhood parks for sport practices (lack of parking, lack of restroom facilities, adverse impact on neighbors).

Chapter Three - COMMUNITY INPUT

There has been extensive public input and participation as part of this process. Twelve (12) leadership interviews and community focus groups, and four public workshops were conducted as the foundation of public participation.

3.1 INPUT OPPORTUNITIES

The qualitative data collected included multiple leadership interviews, focus groups and community meetings. A summary of the public input opportunities is provided below.

Note: *The findings listed below are solely the opinion of the attendees at these meetings and do not reflect the overall community, staff or the consultant's opinion.*

- Twelve (12) leadership group interviews and focus groups were conducted to be representative, but not exhaustive of interests affecting athletic fields in the City of Rockwall. These sessions included:
    - Administration and leadership
    - Stakeholders
    - Users and non-users of the athletic field system
    - Parks, recreation, and sports user groups
    - Business and community leaders
- Four (4) community meetings were conducted in order to capture representative interests, needs, and priorities of residents through City Council and Parks and Recreation Advisory Board workshops.

3.2 KEY LEADERSHIP, FOCUS GROUP AND PUBLIC INPUT SUMMARY

3.2.1 OVERVIEW

There has been extensive public input and participation in the planning process. Key leadership interviews and focus groups were conducted to help gain an understanding of the community values, as well as determining the priorities for athletic field needs of the City of Rockwall.

3.2.2 SUMMARY

- Participants felt that the Rockwall's athletic field system has a strong albeit limited presence in the community.
- Participants see the system as excellently maintained with great staff and enjoy the programs and amenities offered.
- Updating and expanding the athletic field system was continually expressed throughout all focus groups as demand for athletic fields significantly outweighs the supply. Meeting the local need for athletic fields should be prioritized ahead of opportunities for sports tourism.
- Participants are routinely having to drive to the Dallas Metro Region to participate in weekend sport tournaments as field capacity in Rockwall to host large tournaments does not exist.

Chapter Four – ATHLETIC FIELD INVENTORY ASSESSMENT AND SERVICE LEVEL ANALYSIS

Athletic Field Assessments were conducted as part of the Athletic Field Feasibility Study. The purpose of the assessments is to evaluate the existing conditions and functionality of the athletic fields owned by the City of Rockwall. This review includes the athletic field inventory of Leon Tuttle Athletic Complex, Yellow Jacket Park and Harry Myers Park and a full assessment of the conditions at each of these sites. In addition to the City of Rockwall's fields, an inventory of associated with Rockwall Independent School District fields and the City of Rockwall's Trade Area is also provided. The inventory and assessments provide insight and suggestions as to possible repair, replacement or modification of each field element to meet the recreational use requirements in the City. The results of the assessments are summarized in this report.

On January 17, 2019, Rockwall City Staff and MHS Planning & Design spent the afternoon walking, and inventorying the existing sports fields owned by the City of Rockwall. During the walk through, members of the City of Rockwall staff supplied key information regarding athletic field condition and performance. These individuals also provided considerable insight into the functional relationships and challenges present that affect customer service. The following is an assessment of the city-owned facilities for recreational and club level youth athletics.

4.1 LEON TUTTLE ATHLETIC COMPLEX - 1600 AIRPORT ROAD

Leon Tuttle Athletic Complex is an 18.6-acre athletic field complex that consists of eight multi-purpose baseball/ softball fields. Each field has been constructed in order to accommodate multiple ages with the use of portable pitching mounds and base distances. A total of six of the eight fields are lighted. The existing lighting is 30-foot candles in the infield and 20-foot candles in the outfield. True tournament quality field lighting is to be 50-foot candles in the infield and 30-foot candles in the outfield.

In general, the entire site has drainage issues and water collects on fields making some of them unplayable after minor rain events.

ATHLETIC FIELDS

- Field 1: Lighted. Permanent Fence – 300'. With the use of temporary fences, this field accommodates 4U-14U.
- Field 2: Lighted. Permanent Fence – 300'. With the use of temporary fences, this field accommodates 4U-14U.
- Field 3: Lighted. Permanent Fence – 210'. With the use of temporary fences, this field accommodates 4U-10U.
- Field 4: Lighted. Permanent Fence – 300'. With the use of temporary fences, this field accommodates 4U-12U. Note: Although the permanent fence distance is far enough to accommodate 13U & 14U, the infield is not large enough to accommodate 80' base paths required.
- Field 5: Lighted. Permanent Fence – 185'. With the use of temporary fences, this field accommodates 4U-10U. Note: The permanent fence is 25' too short to accommodate 9U & 10U. In order to allow this age group to play games, the fence has been constructed at 8' tall.

- Field 6: Lighted. Permanent Fence – 280'. With the use of temporary fences, this field accommodates 4U-10U.
- Field 7: Unlighted. Permanent Fence – 185'. With the use of temporary fences, this field accommodates 4U-8U.
- Field 8: Unlighted. Permanent Fence – 185'. With the use of temporary fences, this field accommodates 4U-8U.

SITE AMENITIES

- Concession Stand – The existing concession stand is not centrally located on-site. The size of the concession stand is too small to sufficiently support tournaments. In addition to the lack of space, the existing utilities are not sufficient enough to power the concession stand. The concession stand is currently covered with a large shade canopy that is tattered and in need of replacement.
- Restroom Facilities – Two restroom facilities are located on-site.
- Soft Toss Cages & Warm-Up Areas – One large soft toss cage with six separate bays is located on site. Small lawn areas are provided as warm-up space but the amount of space is not sufficient for the total amount of teams playing.
- Parking – The site currently has a total of 200 parking spaces. Based on the recommended 50 parking spaces per field, the complex currently is in need of an additional 200 spaces.



OPPORTUNITIES FOR IMPROVEMENT – LEON TUTTLE

- **Site Grading (Drainage)** - Water flows west to east from fields 1 & 2 and pools in fields 7 & 8 causing drainage issues. It is recommended to grade each field at 1.6% slope so that water flows outward from second base to the outfield.
    - Constraints - Leon Tuttle Athletic Complex was not effectively graded which may affect future improvements.
- **Concession Stand** - The concession stand and restroom facility is 25- 30 years old. The electrical system is outdated and the facility is dilapidated. It is recommended to tear down and reconstruct the concession stand and adjoining restroom facility so that space is better utilized and adequate for tournaments.
    - Constraints - There is a limited amount of space in the existing location to rebuild the concession stand.
- **Restroom Upgrades** - The independent restroom facility between fields 5 & 8 was constructed 2-4 years ago and is still in good condition. It is recommended to conduct a feasibility study on an expansion of the restroom facility.
    - Constraints - There are currently no constraints for restrooms upgrades.
- **Batting Cages / Warm Up Areas** - There are no batting cages and a lack of warm up areas at Leon Tuttle. It is recommended to construct three batting cages to accommodate for the demand. One should be constructed behind left field of field 3, one between field 1 and field 2 and one should be constructed between field 4 and field 6. Batting cages are typically 70' long by 15' wide. Each field should have designated warm up areas with manicured lawn space.
    - Constraints - There are currently no constraints for providing batting cages and improving warm up areas.
- **Dugouts** - Many of the dugouts are in poor condition due to inclement weather and high usage. It is recommended to replace and upgrade existing dugouts at field five and other necessary fields as needed for tournament quality play and safety.
    - Constraints - There are currently no constraints for improving dugouts.
- **Site Amenities** - In order to provide a tournament quality athletic complex, it is important to implement additional site amenities. It is recommended to provide additional benches, picnic tables and covered bleachers for viewing purposes. Water fountains should be provided next to restroom facilities and the concession stand.
    - **Constraints - There are currently no constraints for enhancing site amenities.**
- **Parking** - There is a need to provide an additional 200 parking spaces to meet the demand of increased park usage.
    - Constraints - Leon Tuttle is built out and confined by Airport Road to the north, in the south by train tracks, in the east by Industrial Boulevard and in the west by the City Service Center. There is no space to provide additional spaces.

4.2 YELLOW JACKET PARK - 995 W YELLOWJACKET LANE

Yellow Jacket Park is a 7.6-acre park that consists of three multi-purpose baseball/softball fields. Each field has been constructed in order to accommodate multiple ages with the use of portable pitching mounds and base distances. None of the fields are currently lighted.

In general, the entire site has drainage issues and water collects on fields making some of them unplayable after minor rain events.

FIELDS

- Field 1: Unlighted. Permanent Fence – 210'. With the use of temporary fences, this field accommodates 9U-12U.
- Field 2: Unlighted. Permanent Fence – 200'. With the use of temporary fences, this field accommodates 7U-10U.
- Field 3: Unlighted. Permanent Fence – 160'. With the use of temporary fences, this field accommodates 4U-8U.

SITE AMENITIES

- Concession Stand – No concession stand is located onsite.
- Restroom Facilities – One restroom facility is located on-site.
- Batting Cages & Warm-Up Areas – No batting cages are located on site. Small lawn areas are provided as warm- up space but the amount of space is not sufficient.
- Parking – The site currently has a total of 80 parking spaces. Based on the recommended 50 parking spaces per field, the complex currently is in need of an additional 70 spaces.



OPPORTUNITIES FOR IMPROVEMENT – YELLOWJACKET PARK

- **Site Grading (Drainage)** - Yellow Jacket Park has problems with drainage as water flows east to west from fields 1 & 2 collecting in field 3. It is recommended to grade each field at 1.6% slope so water flows outward from second base to the outfield.
    - Constraints - Yellow Jacket Park was originally graded improperly which may affect future improvements.
- **Field Lighting** - The fields are unlighted and there is a need to expand the versatility of Yellow Jacket Park by providing lighting for the three. This allows for 2-3 additional hour of play which reduces the demand for field space at Leon Tuttle Park. It is recommended to light 3 fields.
    - Constraints - The neighboring retirement living community could have conflicting interests with lighting the ball fields.
- **Concession Stand** - There is a need to construct a small concession building connected to the restroom facility for game purposes. It is recommended to research the feasibility of constructing a concession building.
    - Constraints - There is a limited amount of space between fields 1 & 2.
- **Warm Up Areas / Batting Cages -** There are no batting cages and a lack of warm up space at Yellow Jacket Park. It is recommended to construct two batting cages at the south end, behind fields 2 & 3, while leaving space for open areas to warm up. Each field should have designated warm up areas with manicured lawn space.
    - Constraints - There are currently no constraints to enhancing fields by providing batting cages and warm up areas.
- **Site Amenities** - It is important to consistently update site amenities to enhance the fields at Yellow Jacket Park. It is recommended to provide additional benches and covered bleachers for spectators. Water fountains should be provided next to restroom facilities.
    - Constraints - There are currently no constraints to providing updated site amenities.
- **Parking** - There is a need to provide an additional 70 parking spots. It is recommended to expand the northeast parking lot to include additional spaces.
    - Constraints - Yellow Jacket Park is nearly built out and confined in the east by West Yellow Jacket Lane, in the west by a parking lot, in the north by commercial buildings in the south by retirement homes and a Ford service shop.

4.3 HARRY MYERS PARK - 815 E WASHINGTON ST,

Harry Myers Park consists of two multi-purpose baseball/softball fields. Each field has been constructed in order to accommodate multiple ages with the use of portable pitching mounds and base distances. Both fields are lighted but insufficient for game play.

In general, the entire site has drainage issues and water collects on fields making some of them unplayable after minor rain events.

FIELDS

- Field 1: Unlighted. Permanent Fence – 210'. With the use of temporary fences, this field accommodates 9U-12U.
- Field 2: Unlighted. Permanent Fence – 200'. With the use of temporary fences, this field accommodates 7U-10U.
- Field 3: Unlighted. Permanent Fence – 160'. With the use of temporary fences, this field accommodates 4U-8U.

SITE AMENITIES

- Concession Stand – No concession stand is located onsite.
- Restroom Facilities – One restroom facility is located on-site.
- Batting Cages & Warm-Up Areas – No batting cages are located on site. Small lawn areas are provided as warm- up space but the amount of space is not sufficient.
- Parking – The site currently has a total of 80 parking spaces. Based on the recommended 50 parking spaces per field, the complex currently is in need of an additional 70 spaces.



OPPORTUNITIES FOR IMPROVEMENT – HARRY MYERS PARK

- **Redesign and Rebuild** - It is recommended to demolish and redesign the ball fields at Harry Myers Park. The rebuilt ball fields should be graded properly so water drains with ease, have permanent outfield fences, and field lighting. In addition, it is recommended to construct a shared use batting cage, covered spectator areas and provide manicured lawns with warm up space on each field. During the conceptual design and planning period it is recommended to research the feasibility of constructing a third ball field and a concession stand at Harry Meyers Park.
    - Constraints - The site currently has the following constraints: a confined area for design, a drainage creek on the northern side of the property, a large overhead utility line runs along the outfield on field 1 and the permanent locations of the existing restroom facility and pavilion.

Chapter Five - MARKET ANALYSIS

PROS Consulting, in conjunction with the City of Rockwall and MHS, identified athletic field providers in the three service areas as defined in Chapter Two. The goal of the market analysis task is to evaluate how the City of Rockwall's athletic field system is positioned in the market and to provide insight on how best to meet the needs of the community in the future.

5.1 CITY OF ROCKWALL SERVICE AREA

This section identifies the athletic field inventory that is publicly accessible within the City of Rockwall's geographic boundaries.

INVENTORY MAP



INVENTORY CHART

City of Rockwall Field Inventory		Adult/Teen Baseball	Adult Softball & Little League	Youth Baseball (U13) & Girls Fastpitch	Multi-Purpose (U12 & up)	Multi-Purpose (under U12)
Park Name	Address	Amenity Inventory				
CITY OF ROCKWALL FIELDS						
Myers Park	815 E Washington St, Rocwall, Tx 75087	0	2	0	0	0
Leon Tuttle Park	1600 Airport, Rd, Rockwall TX 74087	2	4	2	0	0
Yellow Jacket Park	W Yellow Jacket Ln, Rocwall, TX 75087	0	2	1	0	0
SUBTOTAL		2	8	3	0	0
OTHER SERVICE PROVIDER FIELDS						
J.E.R. Chilton YMCA	7203, 1220 N Goliad St, Rockwall, TX 75087	0	0	0	1	4
RISE	2922 S. Goliad, Rockwall, TX 75032	1	0	0	1	3
LakePointe	730 I-30, Rockwall, TX 75087	0	0	0	1	3
SUBTOTAL		1	0	0	3	10
ROCKWALL ISD FIELDS						
Rockwall High School	901 W Yellow Jacket Ln, Rockwall, TX 75087	1	0	1	2	0
Quest Academy	1050 Williams St, Rockwall, TX 75087	0	1	0	0	0
Dr. Gene Burton C&C Acadmey	2301 John King Blvd, Rockwall, TX 75087	0	0	0	0	0
Herman E Utley Middle School	1201 T L Townsend Dr, Rockwall, TX 75087	0	0	0	1	0
JW Williams Middle School	625 E, Farm to Market Rd 552, Rockwall, TX 75087	0	0	0	2	1
Amanda Rochell Elementary School	899 Rochell Ct, Rockwall, TX 75032	0	0	0	1	0
Hays Elementary School	1714 Tannerson Dr, Rockwall, TX 75087	0	0	0	0	2
Dorris A Jones Elementary School	2051 Trail Glen, Rockwall, TX 75032	0	0	0	1	0
Grace Hartman Elementary School	1325 Petaluma Dr, Rockwall, TX 75087	0	0	0	0	2
Howard Dobbs Elementary School	901 E Interurban St, Rockwall, TX 75087	0	0	0	0	0
Virginia Reinhart Elementary School	101 S Clark St, Rockwall, TX 75087	0	0	0	1	0
Nebbie Williams Elementary School	350 Dalton Rd, Rockwall, TX 75087	0	0	0	0	1
Ouida Springer Elementary School	3025 Limestone Hill Ln, Rockwall, TX 75032	0	0	0	0	1
Sharon Shannon Elementary School	3130 Fontanna Blvd, Rockwall, TX 75032	0	0	0	1	0
SUBTOTAL		1	1	1	9	7
GRAND TOTAL		4	9	4	12	17

- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is the primary provider of diamond athletic fields in the City of Rockwall.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

5.2 ROCKWALL ISD SERVICE AREA

This section identifies the athletic field inventory that is publicly accessible within the Rockwall ISD's geographic boundaries.

INVENTORY MAP



INVENTORY CHART

Rockwall ISD Service Area Inventory		Adult/Teen Baseball	Adult Softball & Little League	Youth Baseball (U13) & Girls Fastpitch	Multi-Purpose (U12 & up)	Multi-Purpose (under U12)
Park Name	Address	Amenity Inventory				
CITY OF ROCKWALL FIELDS						
Myers Park	815 E Washington St, Rocwall, Tx 75087	0	2	0	0	0
Leon Tuttle Park	1600 Airport, Rd, Rockwall TX 74087	2	4	2	0	0
Yellow Jacket Park	W Yellow Jacket Ln, Rocwall, TX 75087	0	2	1	0	0
SUBTOTAL		2	8	3	0	0
OTHER SERVICE PROVIDER FIELDS						
J.E.R. Chilton YMCA	7203, 1220 N Goliad St, Rockwall, TX 75087	0	0	0	1	4
RISE	2922 S. Goliad, Rockwall, TX 75032	1	0	0	1	3
LakePointe	730 I-30, Rockwall, TX 75087	0	0	0	1	3
Lakeshore	5575 State Hwy 205, Rockwall, TX 75032	0	0	0	1	0
Towne Center Park	200 Laurence Dr, Heath, TX 75032	0	1	0	2	1
SUBTOTAL		1	1	0	6	11
ROCKWALL ISD FIELDS						
Rockwall High School	901 W Yellow Jacket Ln, Rockwall, TX 75087	1	0	1	2	0
Rockwall-Heath High School	801 Laurence Dr, Rockwall, TX 75032	2	0	2	4	0
Quest Academy	1050 Williams St, Rockwall, TX 75087	0	1	0	0	0
Dr. Gene Burton C&C Acadmey	2301 John King Blvd, Rockwall, TX 75087	0	0	0	0	0
Cain Middle School	6620 Farm To Market Rd 3097, Rockwall, TX75032	0	0	0	3	0
Herman E Utley Middle School	1201 T L Townsend Dr, Rockwall, TX 75087	0	0	0	1	0
JW Williams Middle School	625 E, Farm to Market Rd 552, Rockwall, TX 75087	0	0	0	2	1
Amanda Rochell Elementary School	899 Rochell Ct, Rockwall, TX 75032	0	0	0	1	0
Amy Parks - Heath Elementary School	330 Laurence Dr, Rockwall, TX 75032	0	1	0	0	1
Billie Stevenson Elementary School	636 Stevenson Dr, Rockwall, TX 75087	0	0	0	0	1
Hays Elementary School	1714 Tannerson Dr, Rockwall, TX 75087	0	0	0	0	2
Doris Cullins-Lake-Pointe Elementary School	5701 Scenic Dr, Rowlett, TX 75088	0	0	0	0	1
Dorothy Sim Pullen Elementary	6492 Fm 3097 Rockwall TX 75032	0	0	0	1	0
Dorris A Jones Elementary School	2051 Trail Glen, Rockwall, TX 75032	0	0	0	1	0
Grace Hartman Elementary School	1325 Petaluma Dr, Rockwall, TX 75087	0	0	0	0	2
Howard Dobbs Elementary School	901 E Interurban St, Rockwall, TX 75087	0	0	0	0	0
Virginia Reinhart Elementary School	101 S Clark St, Rockwall, TX 75087	0	0	0	1	0
Linda Lyon Elementary School School (located in Heath)	2186 Trophy Drive, Heath, TX 75126	0	0	0	0	1
Nebbie Williams Elementary School	350 Dalton Rd, Rockwall, TX 75087	0	0	0	0	1
Ouida Springer Elementary School	3025 Limestone Hill Ln, Rockwall, TX 75032	0	0	0	0	1
Sharon Shannon Elementary School	3130 Fontanna Blvd, Rockwall, TX 75032	0	0	0	1	0
SUBTOTAL		3	2	3	17	11
GRAND TOTAL		6	11	6	23	22

- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is a primary provider of diamond athletic fields in the ISD service area.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

5.3 CITY OF ROCKWALL TRADE SERVICE AREA

This section identifies the athletic field inventory that is publicly accessible within the City of Rockwall's Trade Area geographic boundaries.

INVENTORY MAP



INVENTORY CHART

City of Rockwall Trade Area Service Area Field Inventory		Adult/Teen Baseball	Adult Softball & Little League	Youth Baseball (U13) & Girls Fastpitch	Multi-Purpose (U12 & up)	Multi-Purpose (under U12)
Park Name	Address	Amenity Inventory				
CITY OF ROCKWALL FIELDS						
Myers Park	815 E Washington St, Rockwall, Tx 75087	0	2	0	0	0
Leon Tuttle Park	1600 Airport, Rd. Rockwall TX 74087	2	4	2	0	0
Yellow Jacket Park	W Yellow Jacket Ln, Rockwall, TX 75087	0	2	1	0	0
SUBTOTAL		2	8	3	0	0
OTHER SERVICE PROVIDER FIELDS						
J.E.R. Chilton YMCA	7203, 1220 N Goliad St, Rockwall, TX 75087	0	0	0	1	4
RISE	2922 S. Goliad, Rockwall, TX 75032	1	0	0	1	3
LakePointe	730 I-30, Rockwall, TX 75087	0	0	0	1	3
Lakeshore	5575 State Hwy 205, Rockwall, TX 75032	0	0	0	1	0
Towne Center Park	200 Laurence Dr, Heath, TX 75032	0	1	0	2	1
Rowlett Community Park	8500 St Andrews Ln, Rowlett, TX 75089	0	4	4	3	4
Community Park	800 Thomas St, Wylie, TX 75098	0	0	4	1	4
Walker-Hawk Sports Complex	100 Erby Campbell Blvd, Royse City, TX 75189	0	4	0	1	0
Fox Fields	200 Laurence Dr, Heath, TX 75032	0	0	0	0	3
Woodcreek Fate HOA Athletic Fields	100 Woodcreek Blvd, Rockwall, TX 75087	0	0	0	0	2
SUBTOTAL		1	9	8	11	24
ROCKWALL ISD FIELDS						
Rockwall High School	901 W Yellow Jacket Ln, Rockwall, TX 75087	1	0	1	2	0
Rockwall-Heath High School	801 Laurence Dr, Rockwall, TX 75032	2	0	2	4	0
Quest Academy	1050 Williams St, Rockwall, TX 75087	0	1	0	0	0
Dr. Gene Burton C&C Acadmey	2301 John King Blvd, Rockwall, TX 75087	0	0	0	0	0
Cain Middle School	6620 Farm To Market Rd 3097, Rockwall, TX 75032	0	0	0	3	0
Herman E Utley Middle School	1201 T L Townsend Dr, Rockwall, TX 75087	0	0	0	1	0
JW Williams Middle School	625 E, Farm to Market Rd 552, Rockwall, TX 75087	0	0	0	2	1
Amanda Rochell Elementary School	899 Rochell Ct, Rockwall, TX 75032	0	0	0	1	0
Amy Parks - Heath Elementary School	330 Laurence Dr, Rockwall, TX 75032	0	1	0	0	1
Billie Stevenson Elementary School	636 Stevenson Dr, Rockwall, TX 75087	0	0	0	0	1
Hays Elementary School	1714 Tannerson Dr, Rockwall, TX 75087	0	0	0	0	2
Doris Cullins-Lake-Pointe Elementary School	5701 Scenic Dr, Rowlett, TX 75088	0	0	0	0	1
Dorothy Sim Pullen Elementary	6492 Fm 3097 Rockwall TX 75032	0	0	0	1	0
Dorris A Jones Elementary School	2051 Trail Glen, Rockwall, TX 75032	0	0	0	1	0
Grace Hartman Elementary School	1325 Petaluma Dr, Rockwall, TX 75087	0	0	0	0	2
Howard Dobbs Elementary School	901 E Interurban St, Rockwall, TX 75087	0	0	0	0	0
Virginia Reinhart Elementary School	101 S Clark St, Rockwall, TX 75087	0	0	0	1	0
Linda Lyon Elementary School School (located in Heath)	2186 Trophy Drive, Heath, TX 75126	0	0	0	0	1
Nebbie Williams Elementary School	350 Dalton Rd, Rockwall, TX 75087	0	0	0	0	1
Ouida Springer Elementary School	3025 Limestone Hill Ln, Rockwall, TX 75032	0	0	0	0	1
Sharon Shannon Elementary School	3130 Fontanna Blvd, Rockwall, TX 75032	0	0	0	1	0
SUBTOTAL		3	2	3	17	11
GRAND TOTAL		6	19	14	28	35

- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available in the service area.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is a primary provider of diamond athletic fields in the Trade Area service area.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

5.3.1 SUMMARY

The City of Rockwall is a primary provider diamond athletic fields in each of the three services areas, however does not contribute any rectangular or multi-purpose field inventory to meet the demand for sports such as soccer, football and lacrosse.



Chapter Six - LEVEL OF SERVICE STANDARDS

Level of Service (LOS) standards are guidelines that define service areas based on population that support investment decisions related to athletic fields. LOS standards can and will change over time; as the population increases, the need to acquire additional land and develop athletic fields also increases as will the costs to do so.

The LOS standards analysis is a review of the inventory of athletic fields in relation to the total population of the study area and community needs. Ultimately, these standards should be used as goals for Rockwall leadership to use in measuring service levels and making decisions about providing athletic fields. The standards **should not** be the sole determinant of how Rockwall will invest in its athletic field system over the next 15 years.

6.1 CITY OF ROCKWALL LEVEL OF SERVICE STANDARDS

6.1.1 CURRENT CITY OF ROCKWALL LEVEL OF SERVICE

The current level-of-service for athletic fields in the City of Rockwall service area are displayed below.

2019 Inventory - Fields							
	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Total Inventory	Current Service Level		
ATHLETIC FIELDS							
Diamond, (Baseball) Teen/Adult	**2.00**	**1.00**	**1.00**	4.00	1.00	field per	11,733
Diamond, (Baseball/Softball) Youth and Adult	**8.00**	**1.00**	**-**	9.00	1.00	field per	5,215
Diamond, (Baseball/Softball) Youth ONLY	**3.00**	**1.00**	**-**	4.00	1.00	field per	11,733
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	**-**	**9.00**	**3.00**	12.00	1.00	field per	3,911
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	**-**	**7.00**	**10.00**	17.00	1.00	field per	2,761

6.1.2 SERVICE LEVELS RECOMMENDATION

The current service levels adopted have served Rockwall well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, it is recommended at a minimum, that the City adopt the Athletic Field LOS Standards as recommended by the consulting team as shown on the following page.

2019 Inventory - Fields								2019 Facility Standards			2034 Facility Standards			
	Total Inventory	Current Service Level			Recommended Service Levels			Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL
ATHLETIC FIELDS														
Diamond, (Baseball) Teen/Adult	4.00	1.00	field per	11,733	1.00	field per	10,000	Need Exists	1	Field(s)	Need Exists	3	Field(s)	50%
Diamond, (Baseball/Softball) Youth and Adult	9.00	1.00	field per	5,215	1.00	field per	5,000	Meets Standard	0	Field(s)	Need Exists	4	Field(s)	89%
Diamond, (Baseball/Softball) Youth ONLY	4.00	1.00	field per	11,733	1.00	field per	10,000	Need Exists	1	Field(s)	Need Exists	3	Field(s)	75%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	12.00	1.00	field per	3,911	1.00	field per	3,500	Need Exists	1	Field(s)	Need Exists	7	Field(s)	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	17.00	1.00	field per	2,761	1.00	field per	3,000	Meets Standard	-	Field(s)	Need Exists	5	Field(s)	0%

6.2 CITY OF ROCKWALL SERVICE AREA TECHNICAL NEEDS ANALYSIS

6.2.1 EQUITY MAPPING – CURRENT INVENTORY

The City of Rockwall service area's athletic field system has evolved over time and distribution of sites and facilities throughout the community is reflected in the current site locations.

To further illustrate the distribution of current athletic fields in the City, an equity-mapping analysis was conducted to show the service areas and the gaps in service of the *current* inventory of athletic field types and amenities based on the *recommended* LOS standard. The recommended standards established are also indicated in the map title.

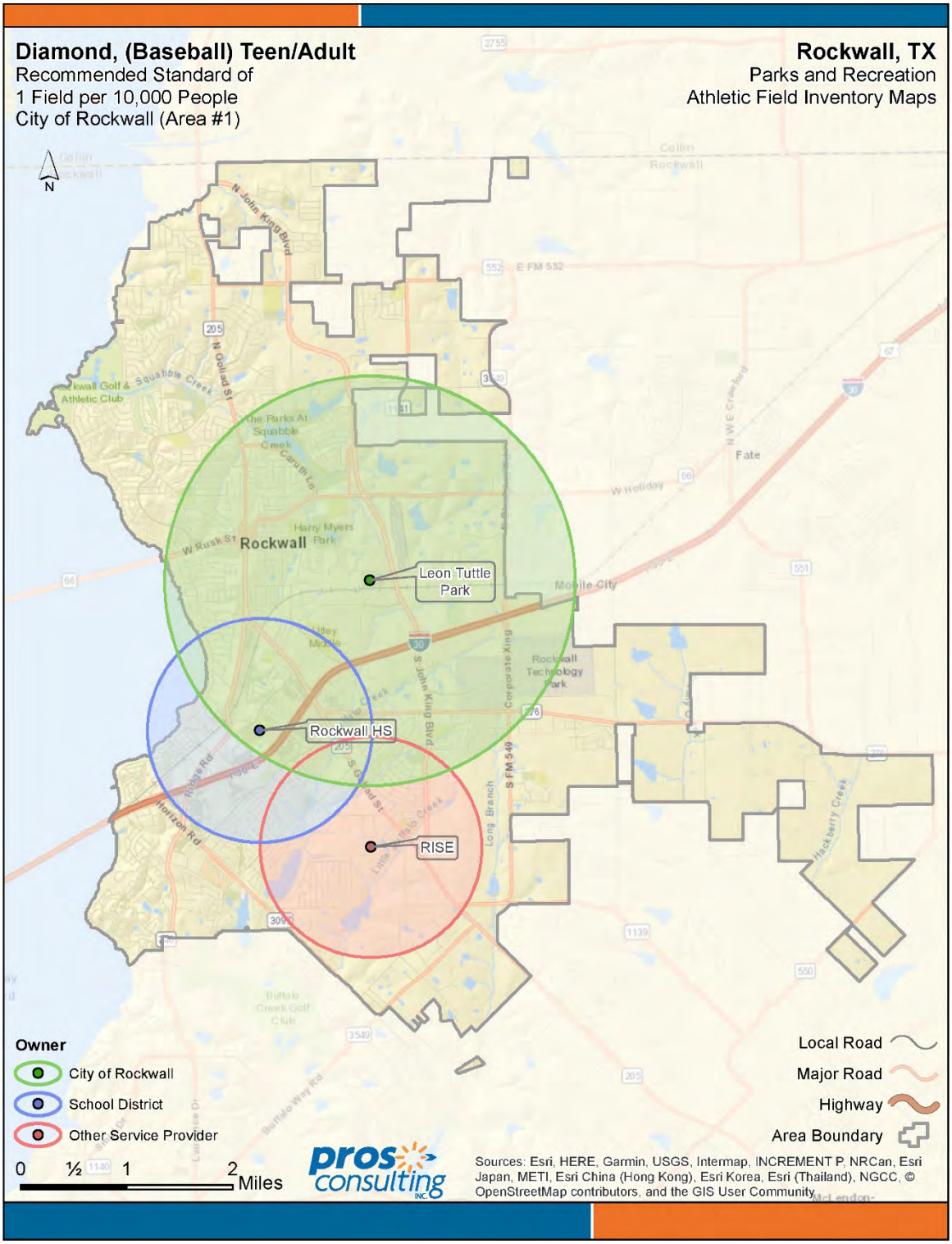
The equity mapping service areas for each athletic field type are calculated by the quantity of inventory of each site extended in a uniform radius until the population served by the recommended standard is reached. Shaded areas indicate the extent of the service area based on recommended inventories; unshaded areas indicate locations that would remain outside of the standard service area for each park type or park asset. Unshaded areas are not always the most appropriate location for future parks or park assets. They only represent areas that might be more thoroughly reviewed for potential additional facilities.

Although there are occasions when the equity mapping service areas may extend beyond the City's borders, only the City of Rockwall's population was utilized for calculating service area standards in this analysis.

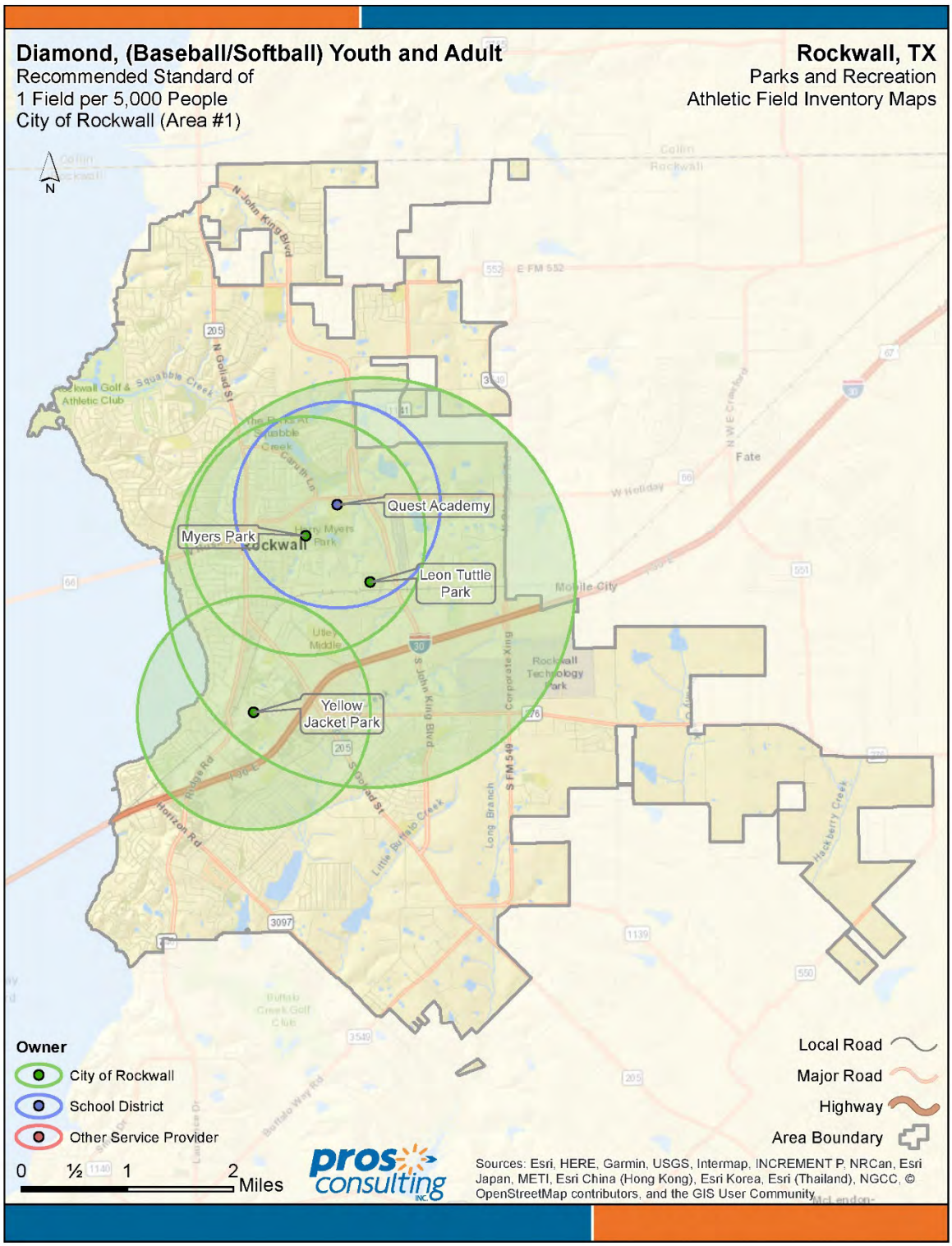
Community-wide maps of existing athletic fields in the City of Rockwall service area identified in this Athletic Field Feasibility Study are provided in the pages that follow. The maps on the following pages identify existing:

1. Diamond, (Baseball) Teen/Adult
2. Diamond, (Baseball/Softball) Youth and Adult
3. Diamond, (Baseball/Softball) Youth ONLY
4. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
5. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY

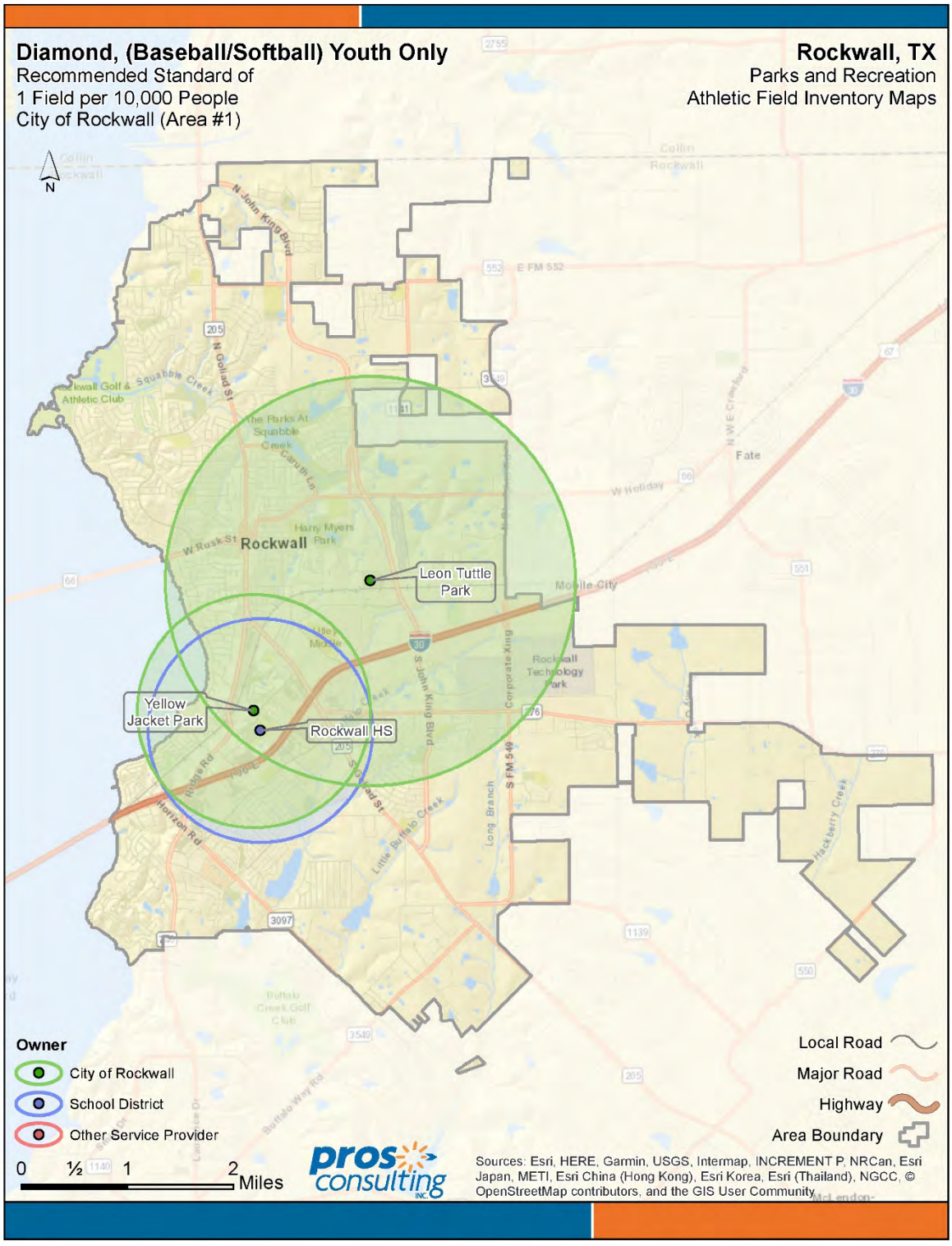
Diamond, (Baseball) Teen/Adult – Existing baseball diamond fields for teens and adults provide adequate equity in the southern and central parts of the community but opportunities exist to add fields in northern and eastern areas of the City.



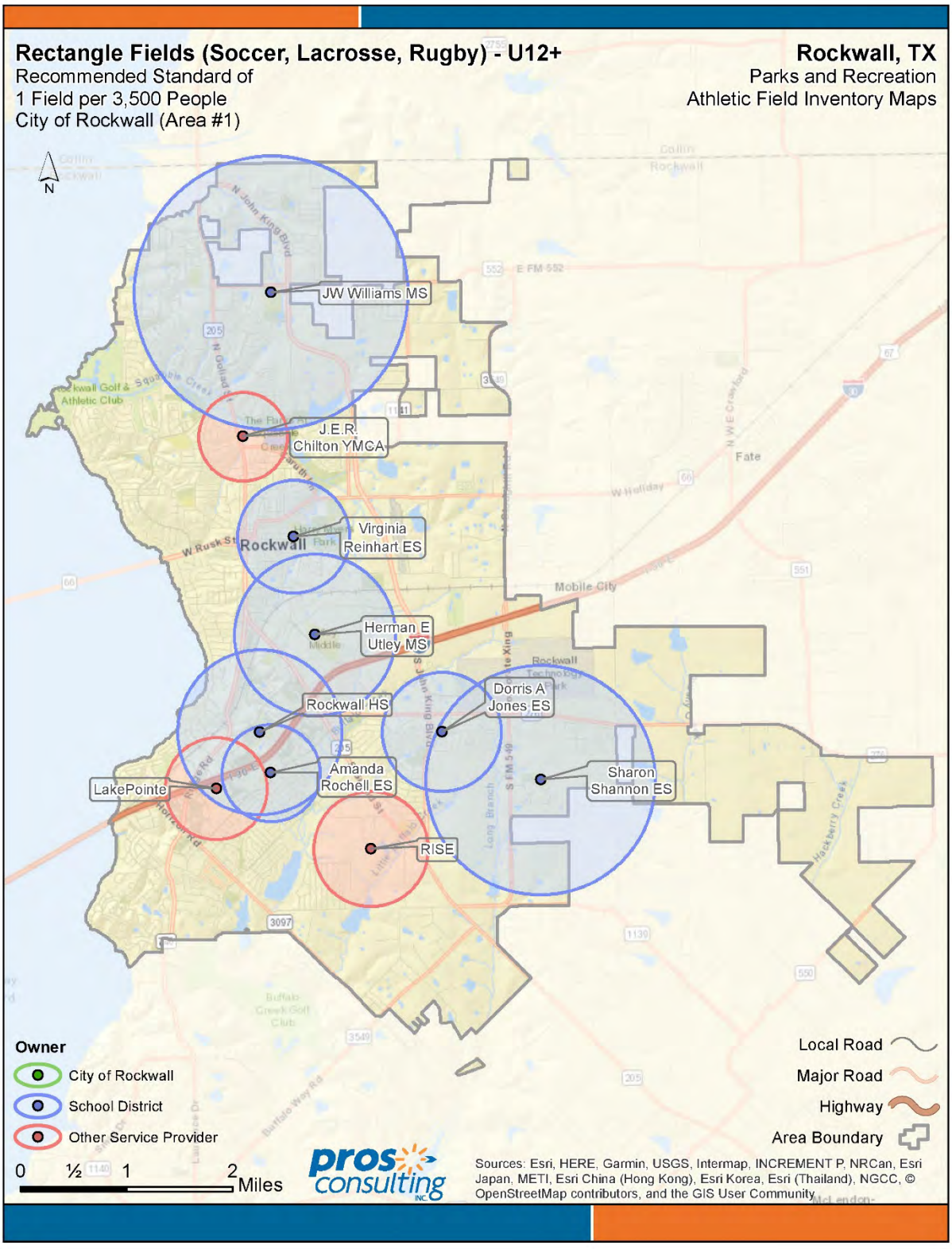
Diamond, (Baseball/Softball) Youth and Adult – Existing ball diamond fields for youth and adult softball provide adequate equity in the central part of the community but opportunities exist to add fields in northern, southern and eastern areas of the City.



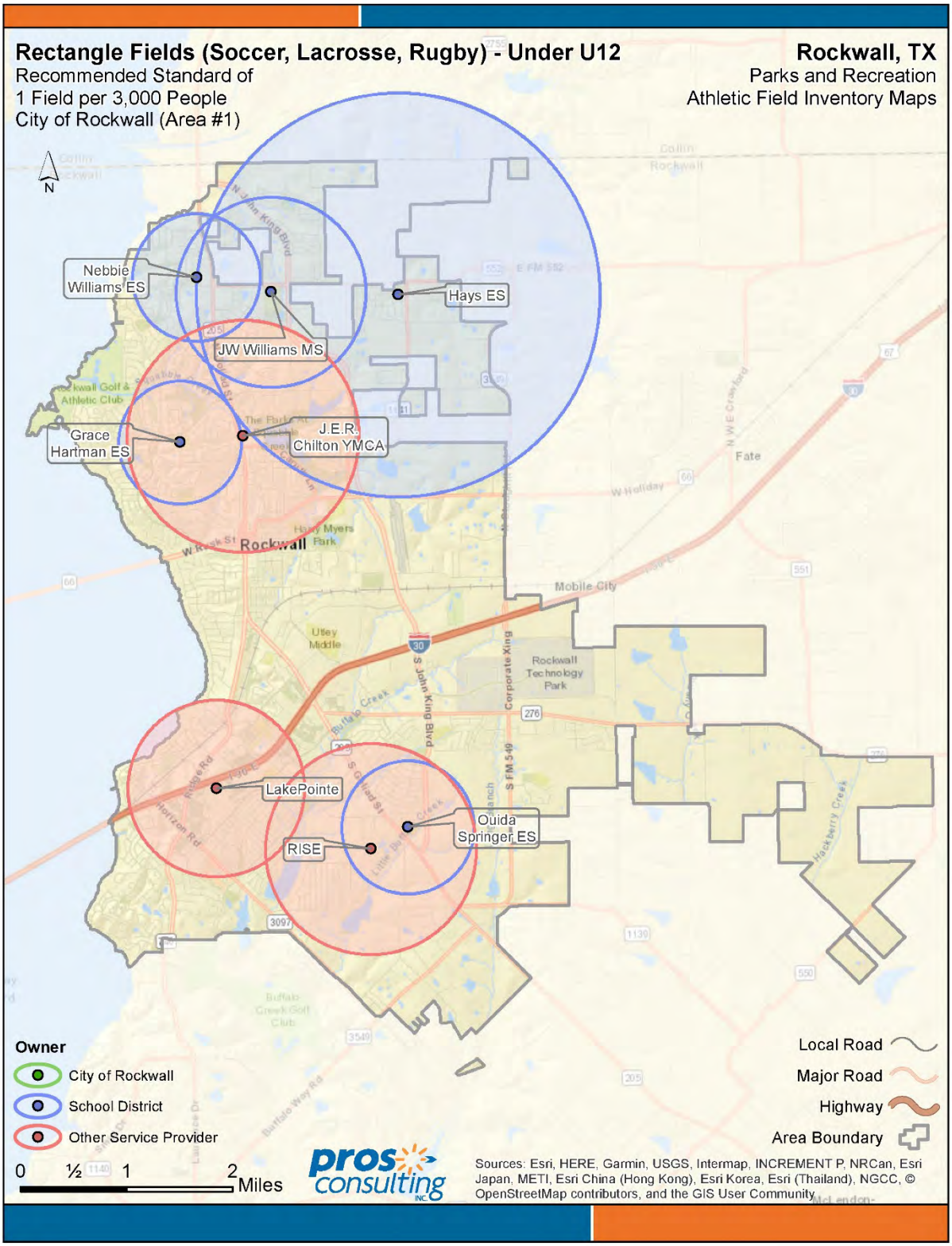
Diamond, (Baseball/Softball) Youth ONLY – Existing ball diamond fields for youth only baseball/softball provide for adequate equity in the central part of the community but opportunity exists to add fields to the northern, southern and eastern parts of the community.



Rectangle Fields (Soccer, Lacrosse, Football) - U12+ - Existing rectangular fields for U12+ are found throughout the City but opportunities to add fields to the central and eastern parts of the City exists.



Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY - Opportunity exists to add U12 rectangle fields for soccer, lacrosse and football in the central and eastern part of the City.



6.3 ROCKWALL ISD LEVEL OF SERVICE STANDARDS

6.3.1 CURRENT ROCKWALL ISD LEVEL OF SERVICE

The current level of service for athletic fields in the Rockwall ISD service area are displayed below.

2019 Inventory - Facilities							
	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Total Inventory	Current Service Level		
ATHLETIC FIELDS							
Diamond, (Baseball) Teen/Adult	2.00	3.00	1.00	6.00	1.00	field per	13,589
Diamond, (Baseball/Softball) Youth and Adult	8.00	2.00	1.00	11.00	1.00	field per	7,412
Diamond, (Baseball/Softball) Youth ONLY	3.00	3.00	-	6.00	1.00	field per	13,589
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	-	17.00	6.00	23.00	1.00	field per	3,545
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	-	11.00	11.00	22.00	1.00	field per	3,706

6.3.2 SERVICE LEVELS RECOMMENDATION

The current service levels adopted have served the ISD service area well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, ***the PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards as shown below for the ISD service area and invest in athletic fields based on the percentage of service area's population that is comprised of City of Rockwall residents.***

2019 Inventory - Facilities								2019 Facility Standards		2034 Facility Standards					
	Total Inventory	Current Service Level			Recommended Service Levels			Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2034	Rockwall Contribution Level (in terms of meeting field needs based on % of population)	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL
ATHLETIC FIELDS															
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2 Field(s)	Need Exists	7 Field(s)	58%	53%	4	33%
Diamond, (Baseball/Softball) Youth and Adult	11.00	1.00	field per	7,412	1.00	field per	5,000	Need Exists	5 Field(s)	Need Exists	14 Field(s)	58%	53%	8	73%
Diamond, (Baseball/Softball) Youth ONLY	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2 Field(s)	Need Exists	7 Field(s)	58%	53%	4	50%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	23.00	1.00	field per	3,545	1.00	field per	3,500	Meets Standard	0 Field(s)	Need Exists	13 Field(s)	58%	53%	7	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	22.00	1.00	field per	3,706	1.00	field per	3,000	Need Exists	5 Field(s)	Need Exists	20 Field(s)	58%	53%	11	0%

6.4 ROCKWALL ISD SERVICE AREA TECHNICAL NEEDS ANALYSIS

6.4.1 EQUITY MAPPING – CURRENT INVENTORY

The Rockwall ISD service area's athletic field system has evolved over time and distribution of sites and facilities throughout the community is reflected in the current site locations.

To further illustrate the distribution of current athletic fields in the service area, an equity-mapping analysis was conducted to show the service areas and the gaps in service of the *current* inventory of athletic field types and amenities based on the *recommended* LOS standard. The recommended standards established are also indicated in the map title.

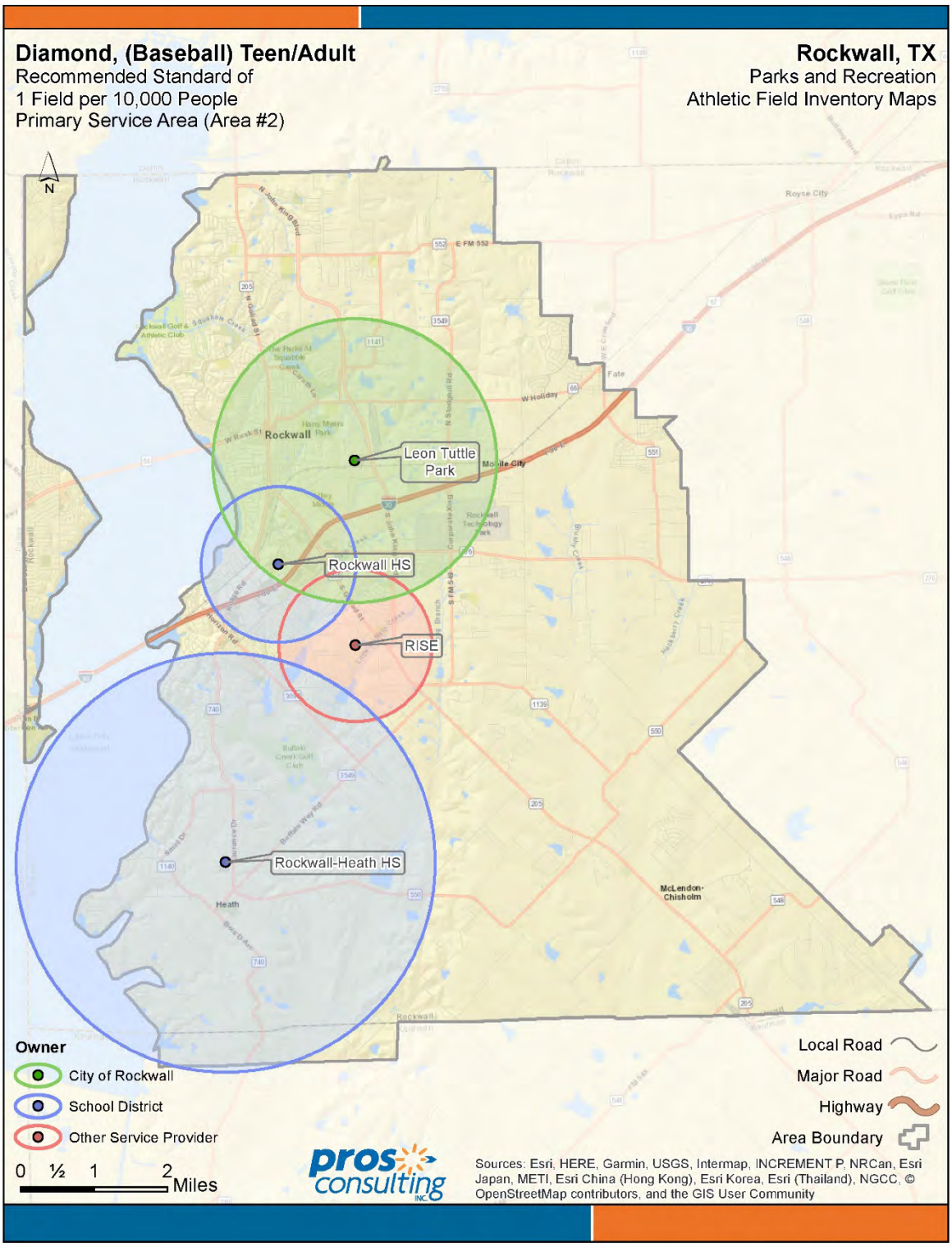
The equity mapping service areas for each athletic field type are calculated by the quantity of inventory of each site extended in a uniform radius until the population served by the recommended standard is reached. Shaded areas indicate the extent of the service area based on recommended inventories; unshaded areas indicate locations that would remain outside of the standard service area for each park type or park asset. Unshaded areas are not always the most appropriate location for future parks or park assets. They only represent areas that might be more thoroughly reviewed for potential additional facilities.

Although there are occasions when the equity mapping service areas may extend beyond the service area's borders, only the service area's population was utilized for calculating service area standards in this analysis.

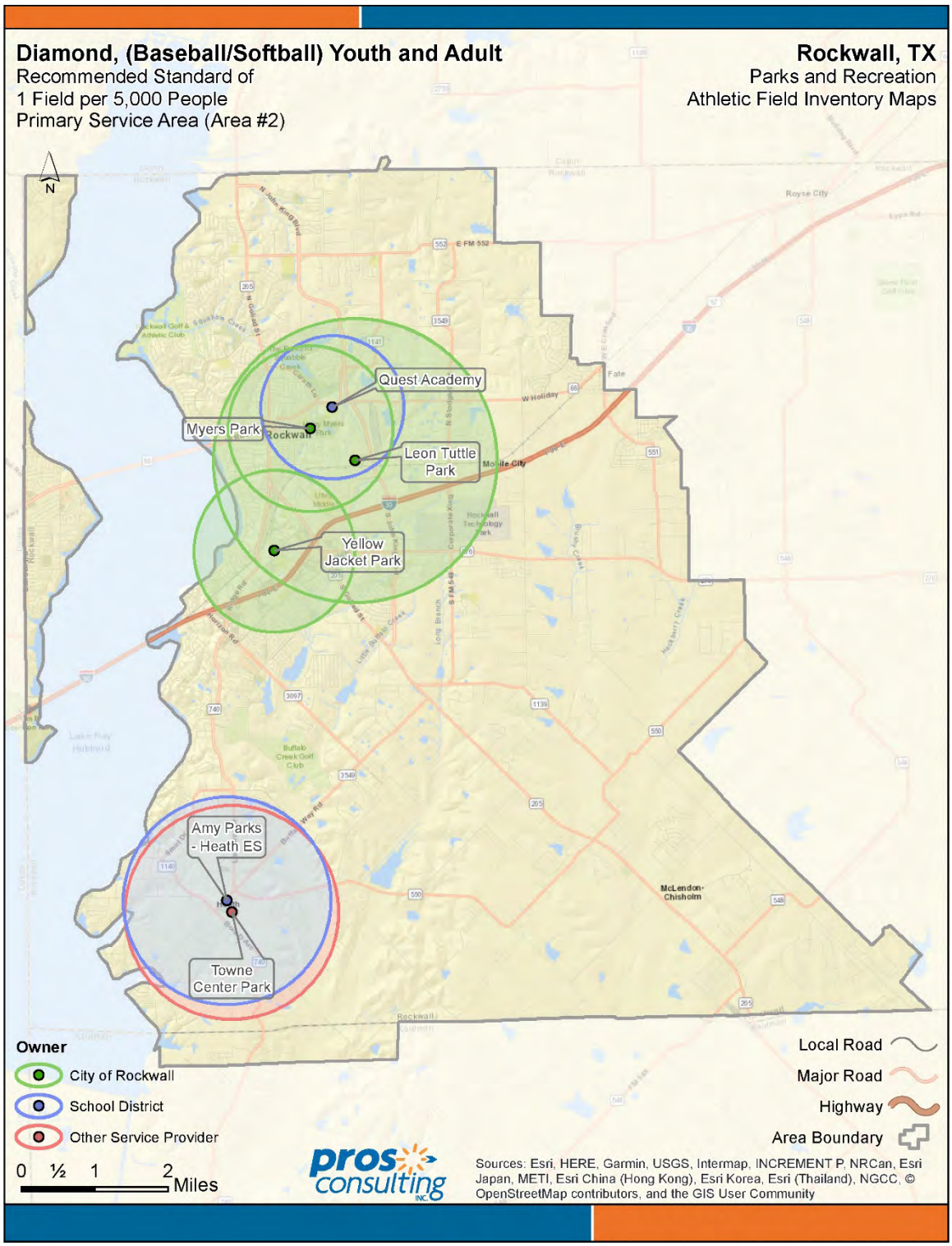
Community-wide maps of existing athletic fields in the Rockwall ISD service area identified in this Athletic Field Feasibility Study are provided in the pages that follow. The maps on the following pages identify existing:

1. Diamond, (Baseball) Teen/Adult
2. Diamond, (Baseball/Softball) Youth and Adult
3. Diamond, (Baseball/Softball) Youth ONLY
4. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
5. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY

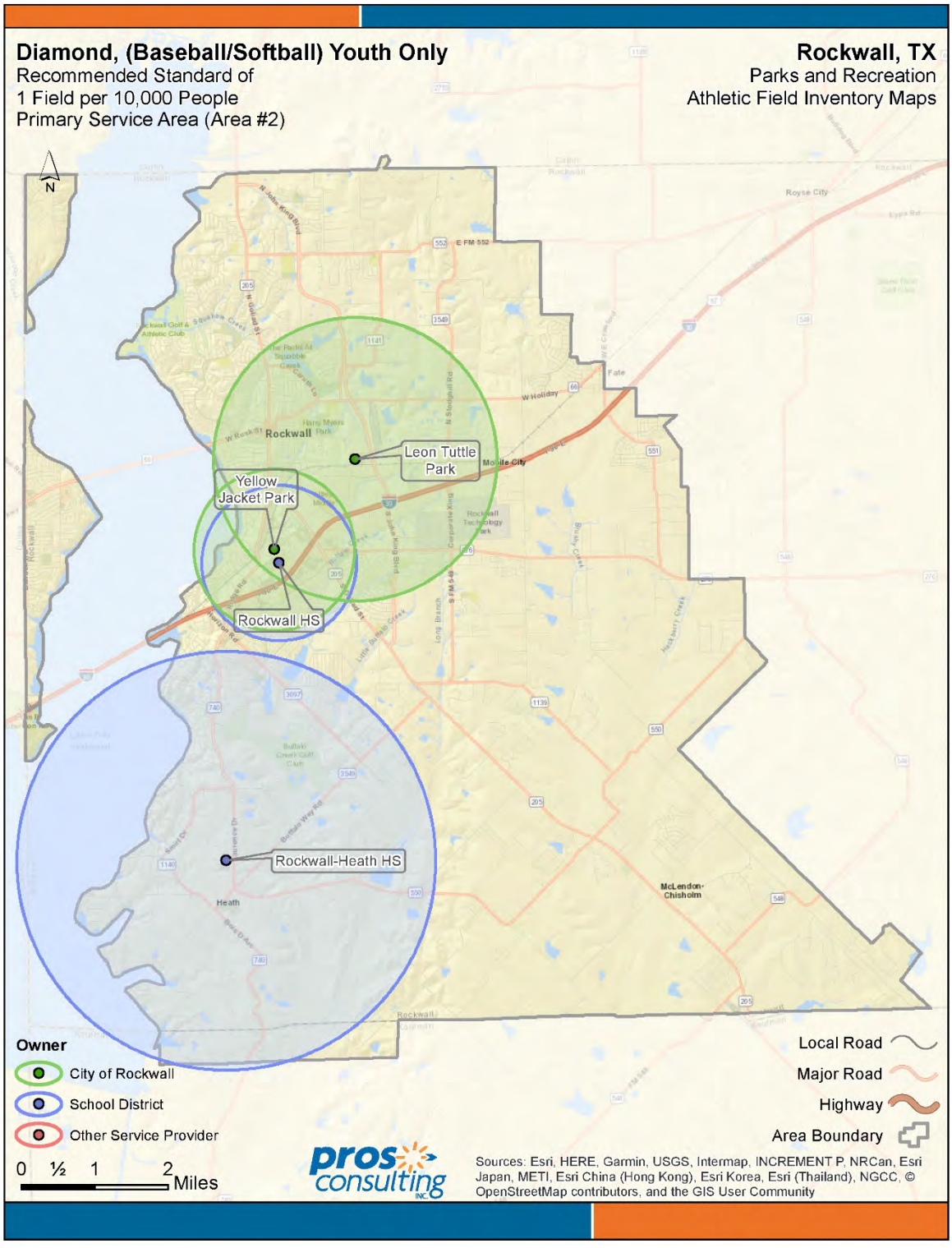
Diamond, (Baseball) Teen/Adult – Existing baseball diamond fields for teens and adults provide adequate equity in the southern and central parts of the service area but opportunities exist to add fields in northern and eastern areas of the ISD.



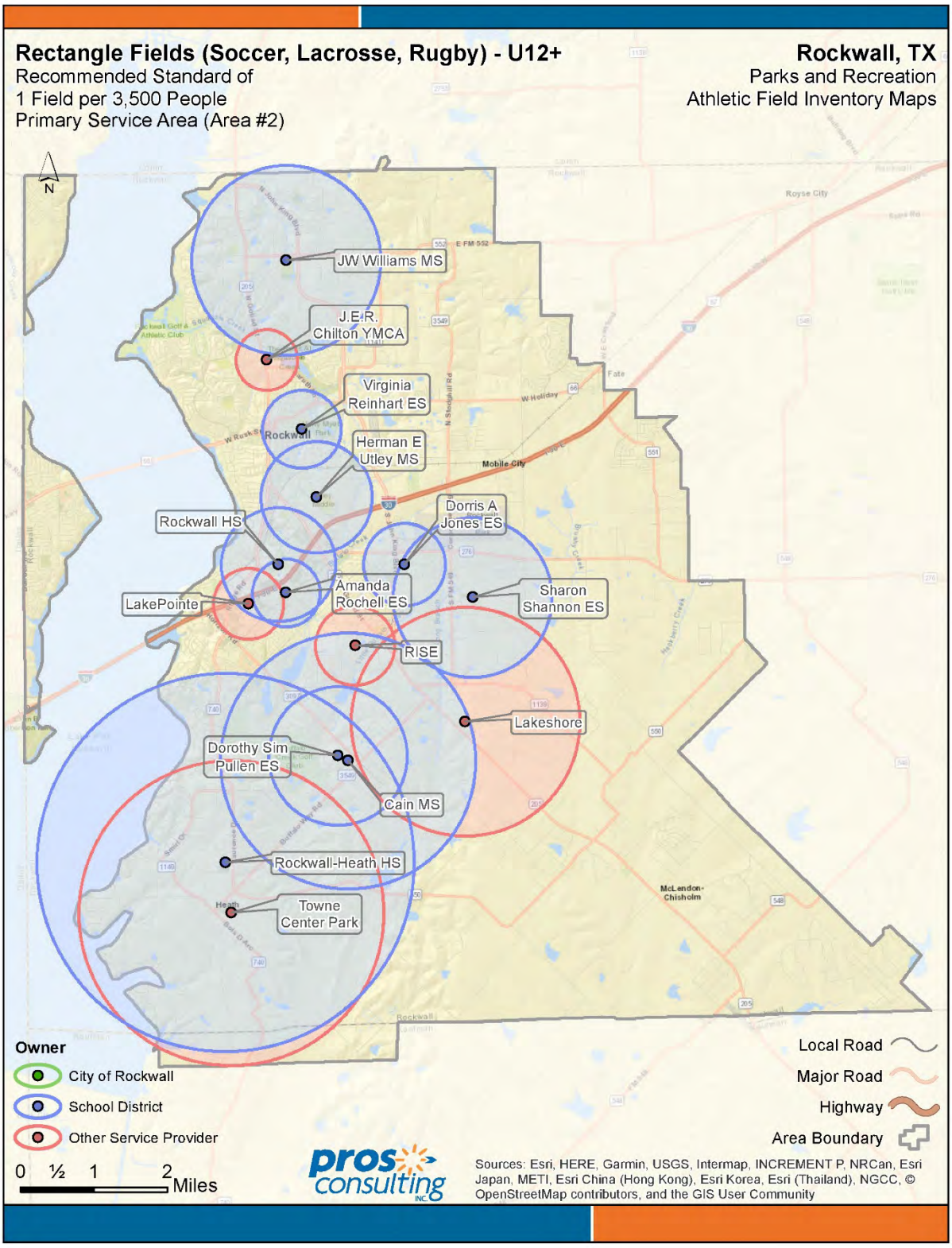
Diamond, (Baseball/Softball) Youth and Adult – Existing ball diamond fields for youth and adult softball provide adequate equity in the central part of the service areas but opportunities exist to add fields in northern, southern and eastern areas of the ISD.



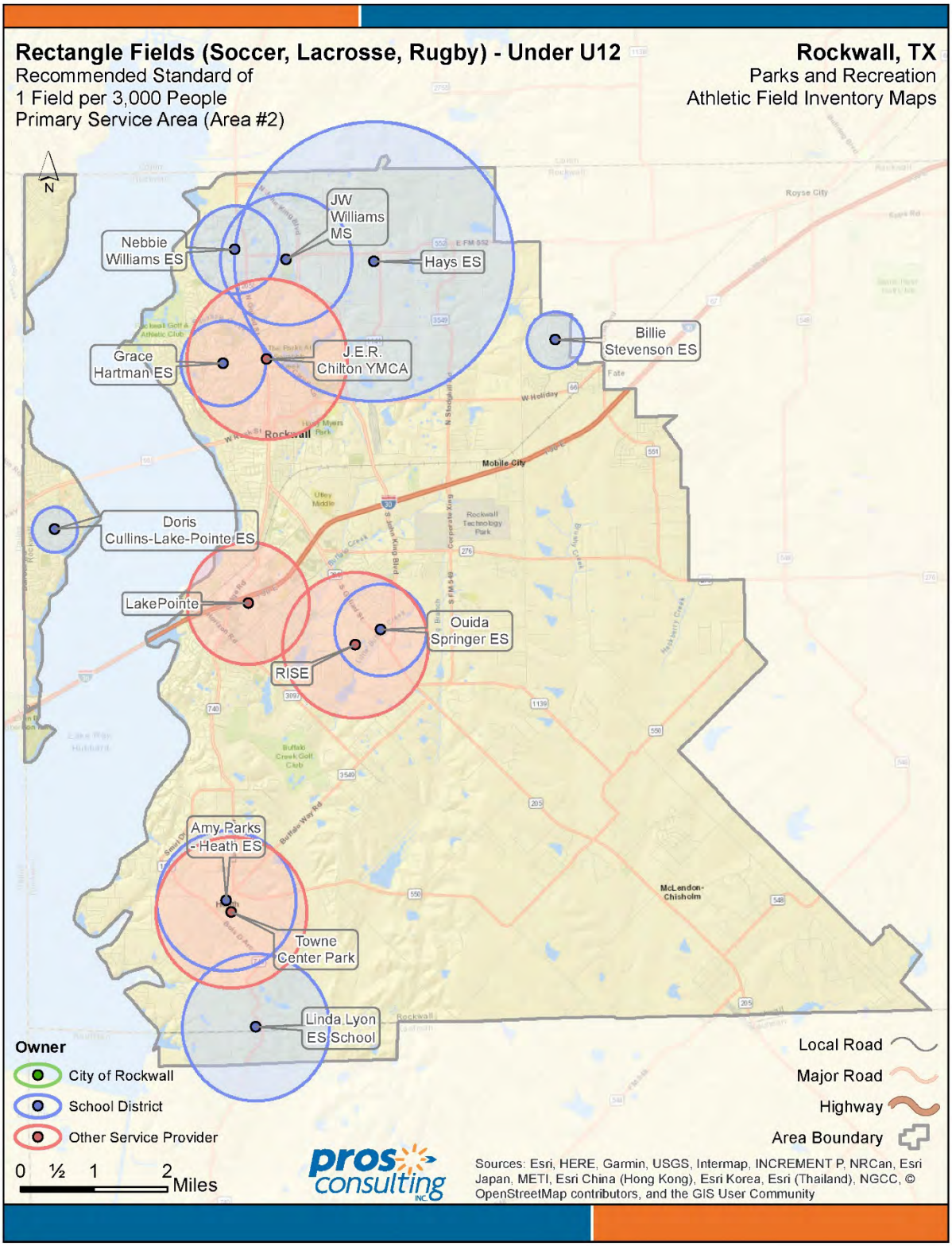
Diamond, (Baseball/Softball) Youth ONLY – Existing ball diamond fields for youth only baseball/softball provide for adequate equity in the central and southern parts of the service area but opportunity exists to add fields to the northern and eastern parts of the ISD.



Rectangle Fields (Soccer, Lacrosse, Football) - U12+ - Existing rectangular fields for U12+ are found throughout the service area but opportunities to add fields to the eastern part of the ISD exists.



Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY - Opportunity exists to add U12 rectangle fields for soccer, lacrosse and football in the central, southern and eastern part of the ISD.



6.5 CITY OF ROCKWALL TRADE AREA SERVICE AREA - LEVEL OF SERVICE STANDARDS

6.5.1 CURRENT CITY OF ROCKWALL LEVEL OF SERVICE

The current level-of-service for athletic fields in the City of Rockwall's trade area service area are displayed below.

2019 Inventory - Facilities	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Total Inventory	Current Service Level		
ATHLETIC FIELDS							
Diamond, (Baseball) Teen/Adult	2.00	3.00	1.00	6.00	1.00	field per	39,397
Diamond, (Baseball/Softball) Youth and Adult	8.00	2.00	9.00	19.00	1.00	field per	12,441
Diamond, (Baseball/Softball) Youth ONLY	3.00	3.00	8.00	14.00	1.00	field per	16,884
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	-	17.00	11.00	28.00	1.00	field per	8,442
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	-	11.00	24.00	35.00	1.00	field per	6,754

6.5.2 SERVICE LEVELS RECOMMENDATION

The current service levels adopted have served Rockwall well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, ***If the City chooses to adopt the recommended Athletic Field LOS Standards for the trade area service area as shown below, the consulting team recommends that the City only invest in athletic fields based on the percentage of percentage of service area's population that is comprised of City of Rockwall residents.***

2019 Inventory - Facilities	Total Inventory	Current Service Level			Recommended Service Levels			2019 Facility Standards			2034 Facility Standards			PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2033	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL
								Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed				
ATHLETIC FIELDS																
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per	39,397	1.00	field per	10,000	Need Exists	18	Field(s)	Need Exists	29	Field(s)	20%	19%	33%
Diamond, (Baseball/Softball) Youth and Adult	19.00	1.00	field per	12,441	1.00	field per	5,000	Need Exists	28	Field(s)	Need Exists	52	Field(s)	20%	19%	42%
Diamond, (Baseball/Softball) Youth ONLY	14.00	1.00	field per	16,884	1.00	field per	10,000	Need Exists	10	Field(s)	Need Exists	21	Field(s)	20%	19%	21%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	28.00	1.00	field per	8,442	1.00	field per	3,500	Need Exists	40	Field(s)	Need Exists	73	Field(s)	20%	19%	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	35.00	1.00	field per	6,754	1.00	field per	3,000	Need Exists	44	Field(s)	Need Exists	83	Field(s)	20%	19%	0%

6.6 CITY OF ROCKWALL TRADE AREA SERVICE AREA TECHNICAL NEEDS ANALYSIS

6.6.1 EQUITY MAPPING – CURRENT INVENTORY

The City of Rockwall Trade Area service area's athletic field system has evolved over time and distribution of sites and facilities throughout the community is reflected in the current site locations.

To further illustrate the distribution of current athletic fields in the service area, an equity-mapping analysis was conducted to show the service areas and the gaps in service of the *current* inventory of athletic field types and amenities based on the *recommended* LOS standard. The recommended standards established are also indicated in the map title.

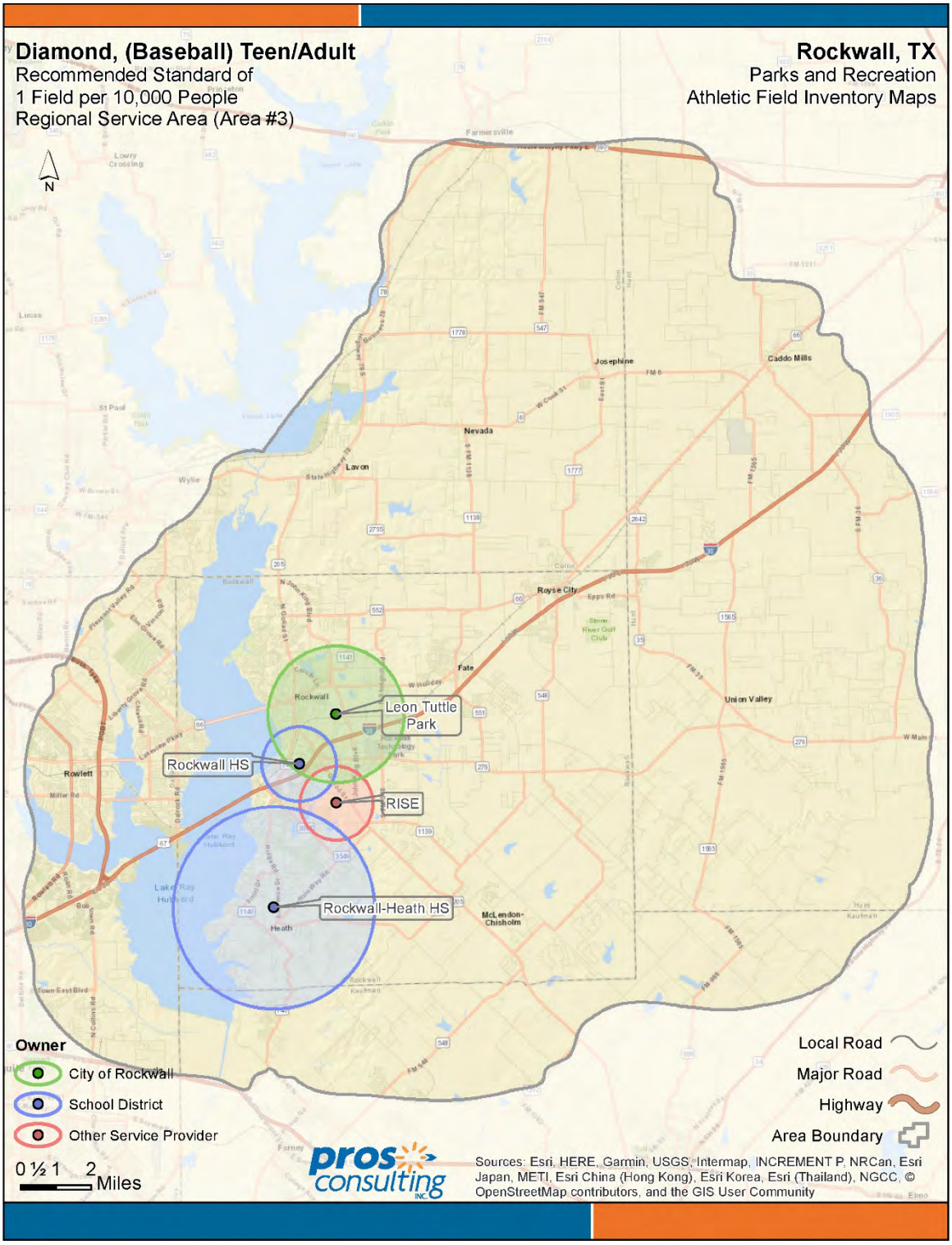
The equity mapping service areas for each athletic field type are calculated by the quantity of inventory of each site extended in a uniform radius until the population served by the recommended standard is reached. Shaded areas indicate the extent of the service area based on recommended inventories; unshaded areas indicate locations that would remain outside of the standard service area for each park type or park asset. Unshaded areas are not always the most appropriate location for future parks or park assets. They only represent areas that might be more thoroughly reviewed for potential additional facilities.

Although there are occasions when the equity mapping service areas may extend beyond the service area's borders, only the service area's population was utilized for calculating service area standards in this analysis.

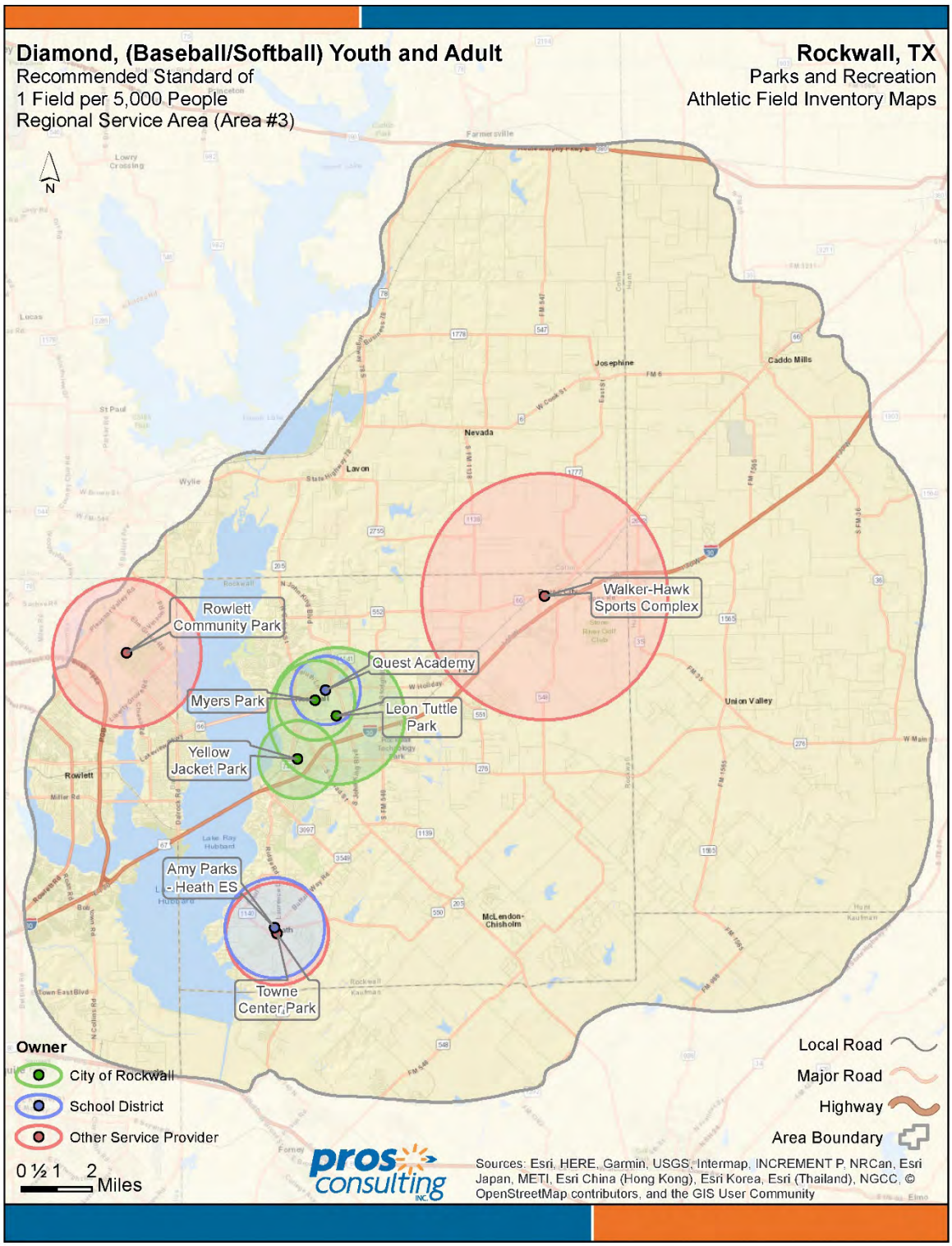
Community-wide maps of existing athletic fields in the City of Rockwall Trade Area service area identified in this Athletic Field Feasibility Study are provided in the pages that follow. The maps on the following pages identify existing:

1. Diamond, (Baseball) Teen/Adult
2. Diamond, (Baseball/Softball) Youth and Adult
3. Diamond, (Baseball/Softball) Youth ONLY
4. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
5. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY

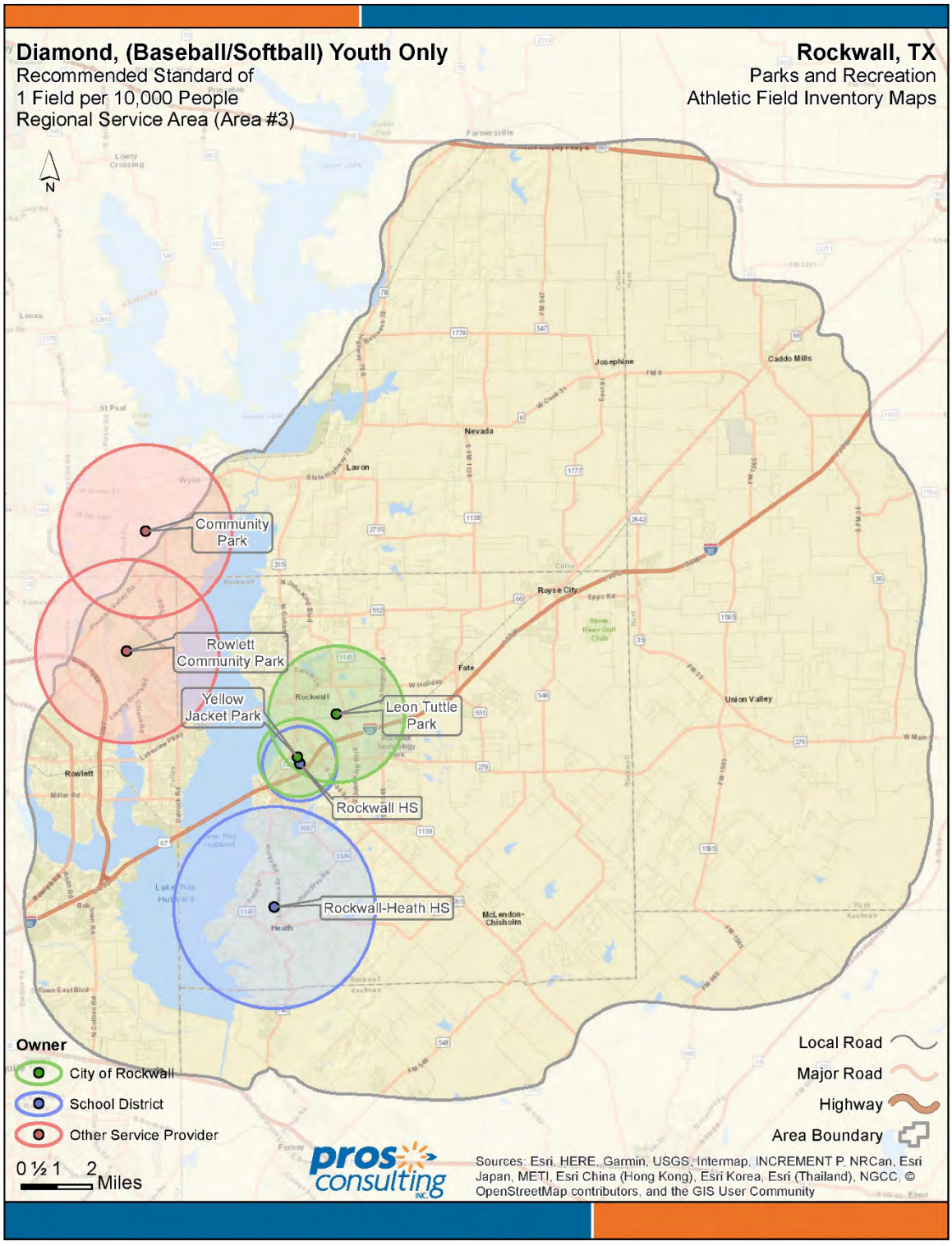
Diamond, (Baseball) Teen/Adult – Existing baseball diamond fields for teens and adults are only provided within the vicinity of the City of Rockwall thereby showing a large void of this field type throughout the service area.



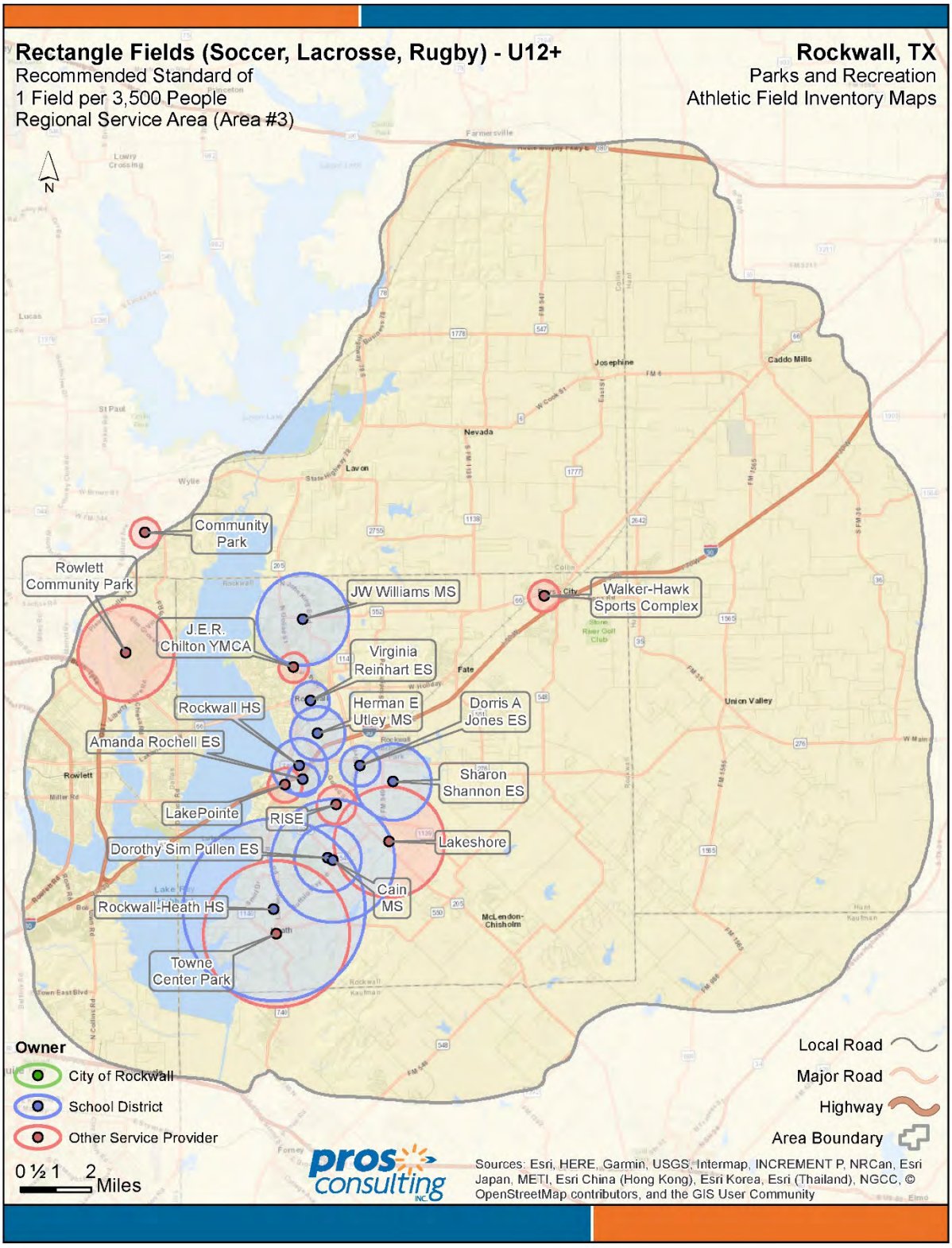
Diamond, (Baseball/Softball) Youth and Adult – Existing ball diamond fields for youth and adult softball are only provided primarily in and adjacent to the City of Rockwall as well as Royse City.



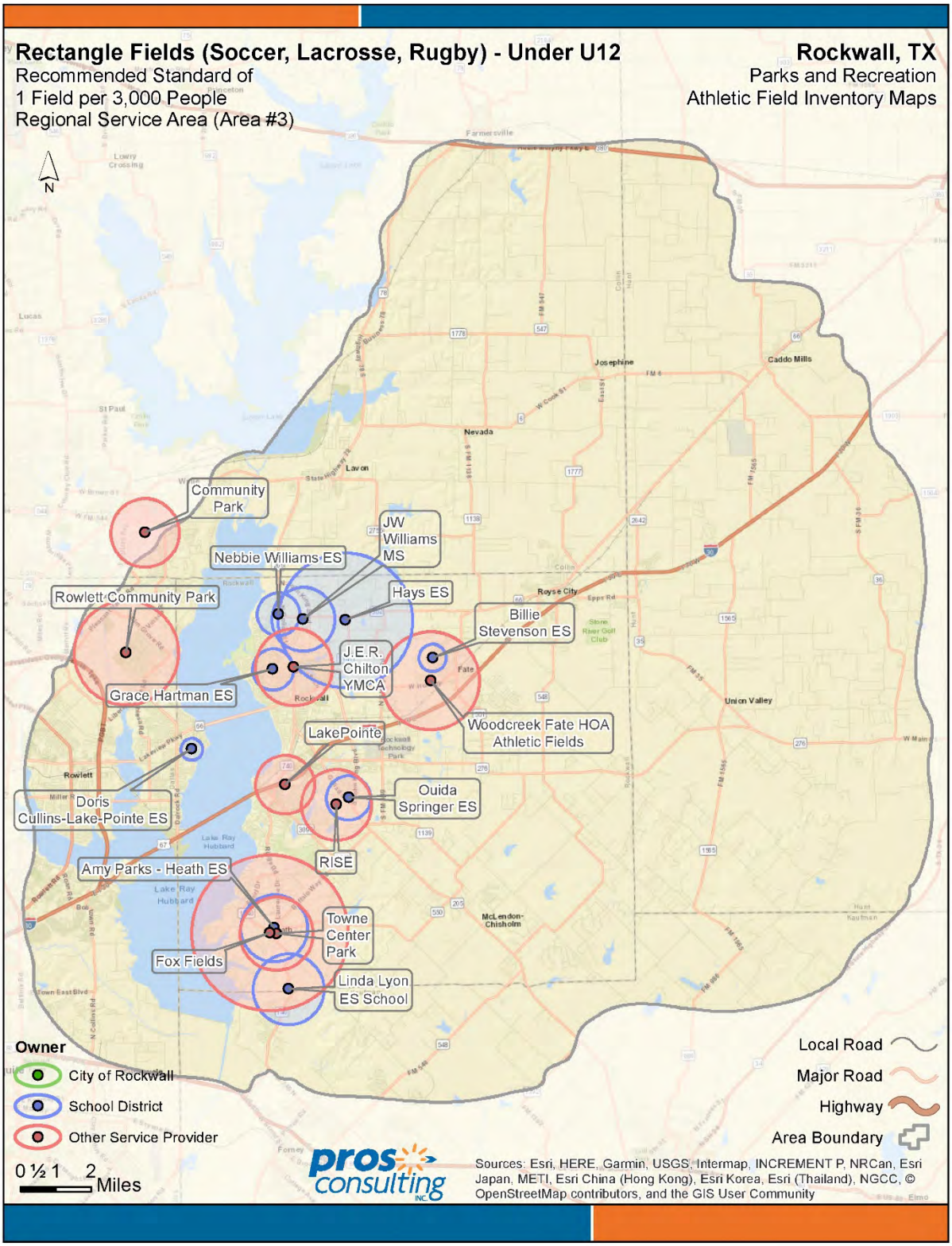
Diamond, (Baseball/Softball) Youth ONLY – Existing ball diamond fields for youth only baseball/softball are only provided in and adjacent to the City of Rockwall, thereby creating a significant need for this athletic field type in much of the service area.



Rectangle Fields (Soccer, Lacrosse, Football) - U12+ - Existing rectangular fields for U12+ are found throughout and adjacent to the City but opportunities to add fields throughout most of the service area exists.



Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY - Opportunity exists to add U12 rectangle fields for soccer, lacrosse and football throughout most of the service area.



6.7 ATHLETIC FIELD NEED SUMMARY AND PRIORITIZATION

In reviewing the current athletic field offerings against the desired offerings of the community, there is great need to expand or add athletic fields in Rockwall. The PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards for the ISD service area and invest in athletic fields based on the percentage of service area's population that is comprised of City of Rockwall residents.

2019 Inventory - Facilities								2019 Facility Standards			2034 Facility Standards						
	Total Inventory	Current Service Level			Recommended Service Levels			Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2034	Rockwall Contribution Level (in terms of meeting field needs based on % of population)	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL
ATHLETIC FIELDS																	
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2	Field(s)	Need Exists	7	Field(s)	58%	53%	4	33%
Diamond, (Baseball/Softball) Youth and Adult	11.00	1.00	field per	7,412	1.00	field per	5,000	Need Exists	5	Field(s)	Need Exists	14	Field(s)	58%	53%	8	73%
Diamond, (Baseball/Softball) Youth ONLY	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2	Field(s)	Need Exists	7	Field(s)	58%	53%	4	50%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	23.00	1.00	field per	3,545	1.00	field per	3,500	Meets Standard	0	Field(s)	Need Exists	13	Field(s)	58%	53%	7	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	22.00	1.00	field per	3,706	1.00	field per	3,000	Need Exists	5	Field(s)	Need Exists	20	Field(s)	58%	53%	11	0%

Prioritizing athletic field needs provides Rockwall with an objective tool for evaluating the priority that should be placed on parks and recreation investments. The priority needs rating reflects the importance residents place on items and the unmet needs (needs that are only being partly met or not met) for each athletic field typology relative to the athletic field typology that rated the highest overall. Since decisions related to future investments should consider both the level of unmet need and the importance of facilities and programs, the priority needs rating weights each of these components equally.

ATHLETIC FIELD NEEDS RANKING
1. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY
2. Diamond, (Baseball/Softball) Youth and Adult
3. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
4. Diamond, (Baseball/Softball) Youth ONLY
5. Diamond, (Baseball) Teen/Adult

Chapter Seven - CAPITAL IMPROVEMENT PLAN – ISD SERVICE AREA

This section of the plan reflects the capital improvement recommendations that are necessary to fulfill the facility needs of the community ***BASED ON THE PREFERRED LEVEL OF SERVICE RECOMMENDED – THE ISD SERVICE AREA.*** In order to plan and prioritize capital investments, the consulting team recommends that Rockwall apply specific guiding principles that balances the improvement/maintenance of current assets over the development of new facilities. This CIP framework is also utilized to determine and plan CIP projects and make budget decisions that are sustainable over time. These criteria (e.g., safety compliance, commitment, efficiency, revenue) and priorities are also focused on maintaining the integrity of the current infrastructure and facilities before expanding and/or enhancing programs and facilities.

7.1 SUMMARY OF RECOMMENDED EXISTING CAPITAL IMPROVEMENT COSTS

The following charts summarize the costs of the recommended capital improvements to the existing athletic field system.

7.1.1 LEON TUTTLE ATHLETIC FIELD COMPLEX

Leon Tuttle Sports Complex		
Project Type	**Brief Description**	**Estimated Total Project Cost**
Repair	Site Grading (Drainage)	$150,000
Expanded Service	Concession Stand Remodel	$150,000
Renovation	Restroom Upgrades	$150,000
Expanded Service	Warm Up Areas / Batting Cages	$50,000
Renovation	Site Amenities	$65,000
Miscellaneous	Mobilization	$95,000
Miscellaneous	Miscellaneous / Contingency	$175,000
Miscellaneous	Design Fees	$125,000
	Total	**$960,000**

7.1.2 YELLOWJACKET PARK

Yellowjacket Park		
Project Type	**Brief Description**	**Estimated Total Project Cost**
Repair	Site Grading (Drainage)	$150,000
Expanded Service	Field Lighting (3)	$460,000
Expanded Service	Concession Stand	$250,000
Expanded Service	Warm Up Areas / Batting Cages	$50,000
Expanded Service	Parking Lot (70 Spaces)	$250,000
Renovation	Site Amenities	$80,000
Miscellaneous	Mobilization	$145,000
Miscellaneous	Miscellaneous / Contingency	$285,000
Miscellaneous	Design Fees	$175,000
	Total	**$1,845,000**

7.1.3 HARRY MYERS PARK

Harry Myers Park		
Project Type	**Brief Description**	**Estimated Total Project Cost**
Repair	Site Grading (Drainage)	$250,000
Expanded Service	Field Lighting (2)	$370,000
Replacement	Ball Field Fencing	$175,000
Expanded Service	Concession Stand (If Feasible)	$450,000
Expanded Service	Warm Up Areas / Batting Cages	$65,000
Replacement	Site Amenities	$95,000
Expanded Service	Parking Lot (20 spaces)	$70,000
Miscellaneous	Field 3 Construction (If Feasible)	$250,000
Replacement	Mobilization	$175,000
Miscellaneous	Design Fees	$195,000
Miscellaneous	Miscellaneous / Contingency	$340,000
	Total	**$2,435,000**

7.1.4 SUMMARY OF EXISTING SYSTEM CAPITAL IMPROVEMENTS

SUMMARY BY PARK	
Tier	**Estimated Total Project Cost**
Leon Tuttle Sports Complex	$960,000
Yellowjacket Park	$1,845,000
Harry Myers Park	$2,435,000
TOTAL	**$5,240,000**

7.2 SUMMARY OF IMPACT OF CAPITAL IMPROVEMENTS TO EXISTING SYSTEM

The following chart summarizes the impact of the recommended improvements to the existing athletic field system utilizing the ***City of Rockwall ISD Service Area LOS*** in meeting community need for athletic fields in Rockwall. Though no additional fields are included as part of the existing system capital improvement recommendations, the lighting of athletic fields at each park will add capacity to the system and thereby improve the level of service.

ISD Athletic Field Level of Service Standards

2019 Inventory - Facilities										2034 Facility Standards BEFORE LIGHTING IMPROVEMENTS			2034 Facility Standards AFTER LIGHTING IMPROVEMENTS		
	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Lighting Improvements	Total Inventory	Recommended Service Levels				Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	
ATHLETIC FIELDS															
Diamond, (Baseball) Teen/Adult	2.00	3.00	1.00		5.00	1.00	site per	10,000		Need Exists	7	Sites(s)	Need Exists	7	Sites(s)
Diamond, (Baseball/Softball) Youth and Adult	8.00	2.00	1.00	-	10.00	1.00	site per	5,000		Need Exists	14	Sites(s)	Need Exists	14	Sites(s)
Diamond, (Baseball/Softball) Youth ONLY	3.00	3.00	-	3.00	9.00	1.00	field per	10,000		Need Exists	4	Field(s)	Need Exists	1	Field(s)
Rectangle Fields (Soccer, Lacrosse, Rugby) - U12+	-	17.00	6.00		17.00	1.00	field per	3,500		Need Exists	13	Field(s)	Need Exists	13	Field(s)
Rectangle Fields (Soccer, Lacrosse, Rugby) - under U12 ONLY	-	11.00	11.00		11.00	1.00	field per	3,000		Need Exists	20	Field(s)	Need Exists	20	Field(s)

As noted above, athletic field needs are still present after the implementation of the athletic field lighting improvements to the existing system. However, the improvements to the existing system significantly reduces the athletic field need for Diamond, (Baseball/Softball) Youth ONLY fields in 2034 from FOUR to ONE and further provides the framework for the core program and "right sizing" of the conceptual plan for the expansion of the athletic field system as detailed in the following chapter.

7.3 – CAPITAL IMPROVEMENTS (EXPANDING THE SYSTEM)

Through the completion of a comprehensive public input process, the level of service analysis and the identification of implementable improvements to the existing athletic field system, the framework for the core program and conceptual plan for the expansion of the athletic field system were defined. As noted previously, the PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards for the ISD service area and invest in athletic fields based on the percentage of service area's population that is comprised of City of Rockwall residents. The following chart identifies the need for athletic fields at new athletic field complexes in Rockwall.

Athletic Field Complexes Core Programs		
Athletic Field Typology		
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	11	Field(s)
Diamond, (Baseball/Softball) Youth and Adult	7	Field(s)
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	7	Field(s)
Diamond, (Baseball/Softball) Youth ONLY	1	Field(s)
Diamond, (Baseball) Teen/Adult	4	Field(s)

7.3.1 DESIGN PRINCIPLES

In developing design principles for an athletic field complex, it is important that the complex be programmed, planned, and designed to meet the needs of its service area within the context of the overall parks and recreation system. The term programming, when used in the context of planning and developing parkland, refers to a list of uses and facilities and does not always include staff-managed recreation programs.

Every park, regardless of type, needs to have an established set of outcomes. Park planners /designers design to those outcomes, including operational and maintenance costs associated with the design outcomes.

DEFINITIONS USED IN THE ATHLETIC FIELD COMPLEX DESIGN PRINCIPLES

Land Usage: The percentage of space identified for either passive use or active use in the athletic field complex. An athletic field complex conceptual plan should follow land usage recommendations.

Programming: Can include active or passive (i.e. none). Active means it is organized and planned with pre-registration by the user. Examples of active programming include sports practices, leagues, and tournaments. Passive programming is self-directed by the user at their own pace. Examples of passive programming include playground usage, picnicking, or walking/jogging.

ATHLETIC FIELD COMPLEX DESIGN PRINCIPLES

Athletic field complexes are developed to provide a minimum of ten athletic fields in one location. Athletic field complexes can be single focused or multi-focused to serve the needs of both youth and adults. Athletic fields should be lighted to maximize value and productivity of the complex. Agencies

developing athletic field complexes focus on meeting the needs of residents while also attracting sport tournaments for economic purposes to the community.

Sport field design includes appropriate field distances for each sport's governing body and support amenities designed to produce revenue to offset operational costs.

Signature athletic field complexes include enhanced amenities such as artificial turf, multipurpose field benches and bleachers, scoreboards, amplified sound, scorer's booths, etc. Enhanced amenities would be identified through discussion between the City, the IDC, NBISD and/or sports associations and dependent upon adequate funding.

- Size of park: Preferably 60 or more acres for stand-alone complexes
- Service radius: Determined by community demand
- Site Selection: Stand-alone athletic field complexes are strategically located on or near arterial streets. Preference is streets on four sides, or three sides with school or municipal use on fourth side.
- Length of stay: Two to three hours experience for single activities. Can be all day for tournaments or special events
- Amenities: A minimum of ten athletic fields in one setting; public restrooms, ample parking, turf types appropriate for the facility and anticipated usage, and field lighting. Amenities are ADA compliant.
- Revenue facilities: Four or more (e.g. fields, concession stand, shelters, retail)
- Land usage: 95 percent active and 5 percent passive
- Programming: Focus on active programming of all amenities
- Maintenance Standards: Provide the highest-level maintenance with available funding. Plan for Level 1 and sometimes 2 level of maintenance standards at signature facility
- Parking: Sufficient to support the amenities. Traffic calming devices encouraged within and next to park
- Lighting: Amenity lighting includes sport field light standards. Security lighting on dual system with 50 percent of lights off at a set time and 50 percent on all night for security
- Signage: Directional signage and facility/amenity regulations to enhance user experience. May include kiosks in easily identified areas of the facility
- Landscape Design: Appropriate design to enhance the park theme/use/experience. Enhanced landscaping at entrances and throughout complex
- Naming: Consistent with the City's naming ordinance, may be named after a prominent or historic person, event, or natural landmark
- Other: Integrated color scheme throughout the park; safety design meets established Crime prevention through environmental design (CPTED) standards.

ATHLETIC FIELD AMENITIES

Basic athletic field amenities are listed below.

BASEBALL FIELD AMENITIES

- Youth Field Size: Preferred: 225-foot outfield fence with minimum 4-foot high outfield fence. Alternate: 215-foot outfield fence with 6-foot high outfield fence.
- Teen/Adult Field Size: Preferred: 300-foot outfield fence at each foul-line increasing to 400 feet in centerfield with minimum 8-foot high outfield fence.
- Youth Field Baselines and infield: 60-foot and 70-foot skinned baseline w/ base sleeves w/ grass infield. Ball field mix extends from backstop down sidelines to fence opening at end of dugout. Home plate included. Bases specified by City and provided by user groups.
- Teen/Adult Field Baselines and infield: 105-foot (first and third base) and 140-foot (second base) skinned baseline with base sleeves w/ grass infield. Ball field mix extends from backstop down sidelines to fence opening at end of dugout. Home plate included. Bases at 90 foot.
- Permanent backstop. Preferred: 2-foot high concrete block w/ safety padding and 18-foot vertical fence (black vinyl coated chain link).
- Fencing: 8-foot high fence (Preferred: black vinyl coated chain link) from backstop to end of skinned infield. Foul poles at outfield fence. 12-foot wide dual-gate opening on one sideline fence for field maintenance equipment access.
- Concrete block bin: 6-foot by 6-foot for ball field mix located adjacent to 12-foot fence opening.
- Dugout: 21-foot by 7-foot including 15-foot long players bench with backrest. 8-foot high fencing around dugout. Dugout opens onto field at home base side of dugout. 2-foot safety wing fencing inside dugout to prevent foul ball entry. Slatted roof over dugout.
- Youth Field Pitching Mound: Raised pitching mound with two pitching rubbers (46-foot and 50-foot to home plate).
- Teen/Adult Field Pitching Mound: Raised pitching mound with one pitching rubbers (60-foot, 6-inches to home plate).
- Interior warm up/practice pitching mound along sideline fences backing up to outfield fence (46-foot distance from pitching rubber to plate). Slats or padding in fence to maintain fence longevity.
- Three row bleachers (21-foot long) on concrete pad both baselines.
- 12-foot by 8-foot concrete pad for storage box. Equipment storage unit funded by user group – approved and installed by City maintenance staff on same side as field mix bin.
- Conduit and pull boxes from power source to backstop, and from backstop to outfield field for future scoreboard. Scoreboard/controller provided by user group.
- Athletic Field lighting as specified by manufacturer.
- Concrete behind dugouts and in dugouts connected to park walkways on all fields.
- Quick disconnect for water behind pitcher's mound.

SOFTBALL FIELD AMENITIES – YOUTH SIZE

- Field size: Preferred: 225-foot outfield fence with 10-foot warning track with 4-foot high outfield fence. Alternate: 215-foot outfield fence with 8-foot high outfield fence.
- Baselines and infield: 50-foot and 60-foot baseline w/ base sleeves on completely skinned infield. Home plate included. Bases specified by City and provided by user groups.
- Permanent backstop. 2-foot high concrete block w/ safety padding and 18-foot vertical fence (black vinyl coated chain link).
- Fencing: 8-foot high fence (black vinyl coated chain link) from backstop to end of skinned infield. On 225-foot field, 4-foot high sideline and outfield fence (black vinyl coated chain link). On 215-foot field, outfield fence increases to 8-foot high. Yellow safety top on outfield fence. Foul poles at outfield fence. 12-foot wide dual-gate opening on one sideline fence for field maintenance equipment access.
- Concrete block bin: 6-foot by 6-foot for ball field mix located adjacent to 12-foot fence opening.
- Dugout: 21-foot by 7-foot including 15-foot long players bench with backrest. 8-foot high fencing around dugout. Dugout opens onto field at home base side of dugout. 2-foot safety wing fencing inside dugout to prevent foul ball entry. Slatted roof over dugout.
- No pitching mound: Three pitching rubbers (30-foot/35-foot/40-foot to home plate). Equipment installed by City maintenance staff.
- Interior warm up/practice pitching area along sideline fences backing up to outfield fence (30-foot/35-foot/40-foot to home plate distance from pitching rubber to plate). Slats or padding in fence to maintain fence longevity.
- Three row bleachers (21-foot long) on concrete pad both baselines.
- 12-foot by 8-foot concrete pad for storage box. Equipment storage unit funded by user group – approved and installed by City maintenance staff on same side as field mix bin.
- Conduit and pull boxes from power source to backstop, and from backstop to outfield field for future scoreboard. Scoreboard/controller provided by user group.
- Field lighting at community and regional parks.
- Concrete behind dugouts and in dugouts connected to park walkways on all fields.
- Quick disconnect for water behind pitcher's mound.

SOFTBALL FIELD AMENITIES – ADULT SIZE

- Field size: 300-foot outfield fence with 10-foot warning track and 8-foot high outfield fence.
- Baselines and infield: 60-foot/ 65-foot/ 70-foot/ 80-foot baseline w/ base sleeves on skinned infield. Home plate included. Bases specified by City and provided by user groups.
- Permanent backstop. 2-foot high concrete block w/ safety padding and 18-foot vertical fence (black vinyl coated chain link).
- Fencing: 8-foot high fence (black vinyl coated chain link) from backstop to end of skinned infield. 8-foot high sideline and outfield fence (black vinyl coated chain link). Foul poles at

outfield fence. 12-foot wide dual-gate opening on one sideline fence for field maintenance equipment access.

- Concrete block bin: 6-foot by 6-foot for ball field mix located adjacent to 12-foot fence opening.
- Dugout: 27-foot by 9-foot including 21-foot long players bench with backrest. 8-foot high fencing around dugout. Dugout opens onto field at home base side of dugout. 2-foot safety wing fencing inside dugout to prevent foul ball entry. Slatted roof over dugout.
- No pitching mound: Two pitching rubbers (50-foot /54-foot to home plate). Equipment installed by City maintenance staff.
- Three row bleachers (21-foot long) on concrete pad both baselines.
- 12-foot by 8-foot concrete pad for storage box. Equipment storage unit funded by user group – approved and installed by City maintenance staff on same side as field mix bin.
- Conduit and pull boxes from power source to backstop, and from backstop to outfield field for future scoreboard. Scoreboard/controller provided by user group.
- Field lighting at community and regional parks.
- Concrete behind dugouts and in dugouts connected to park walkways on all fields.
- Quick disconnect for water behind pitcher's mound.

MULTIPURPOSE FIELDS (SOCCER/FOOTBALL/LACROSSE/FIELD HOCKEY)

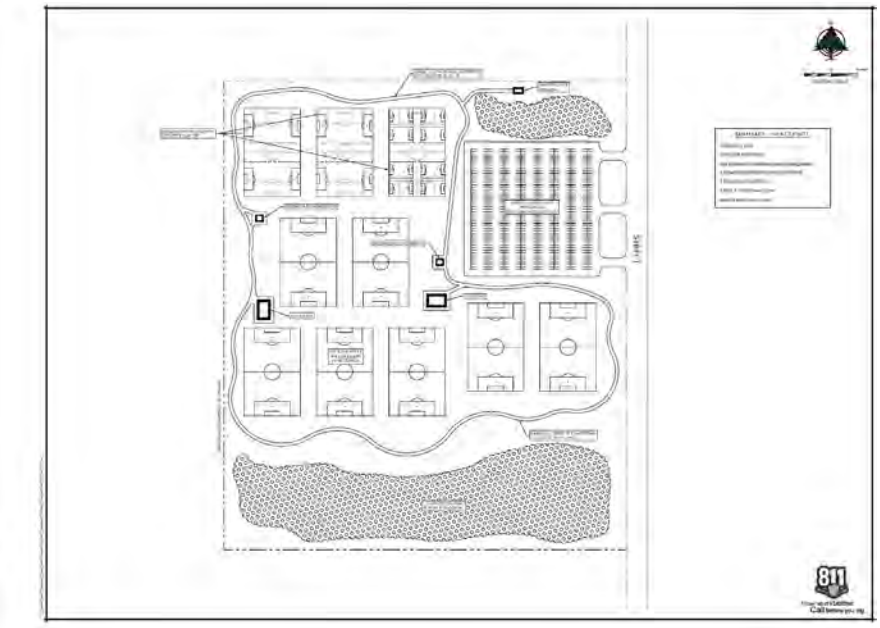
- Field size: Regulation field – 360-foot by 240-foot. Limited space field– 210-foot by 150-foot. 25-foot buffer on same plane as field with no obstructions or drainage fixtures. Buffer applies to both field sizes.
- Goals: Portable, with size specified by user group and provided by City.
- No bleachers or players benches.
- Field lighting at community and regional parks.

7.3.2 SITE SELECTION CRITERIA

The following site selection criteria should be utilized in determining the most appropriate location for the development of the Athletic field complexes:

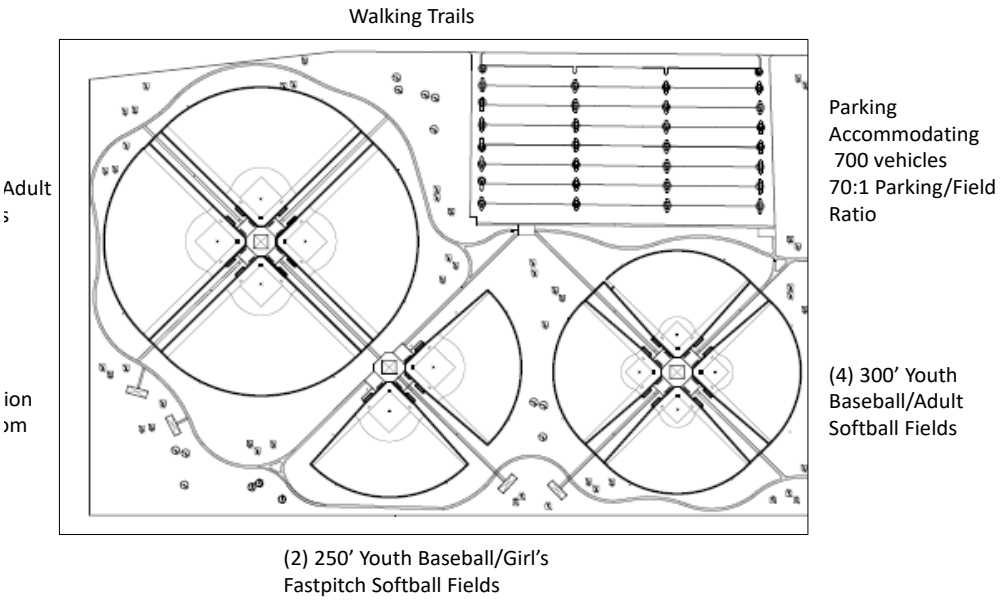
- Adequate Site Size
- Availability of Utilities
- Cost/Availability of Acquisition
- Topography of the Site
- Known Construction Cost Impacts (soils, earthwork, etc.)
- Major Arterial Access
- Pedestrian/ Bicycle Access
- Central to Service Area Population (5, 10, 15-minute drive time)

7.3.3 CONCEPTUAL PLAN – MULTI-PURPOSE FIELD COMPLEX – 60 ACRE SITE



ESTIMATED CONSTRUCTION COST OF MULTI-PURPOSE FIELD ATHLETIC FIELD COMPLEX: $20,000,000 (DOES NOT INCLUDE LAND ACQUISITION)

7.3.4 CONCEPTUAL PLAN – DIAMOND FIELD COMPLEX – 60 ACRE SITE



ESTIMATED CONSTRUCTION COST OF DIAMOND FIELD ATHLETIC FIELD COMPLEX: $20,000,000 (DOES NOT INCLUDE LAND ACQUISITION)

7.4 SUMMARY OF ALL ATHLETIC FIELD CAPITAL IMPROVEMENTS (EXISTING AND NEW)

SUMMARY BY PROJECT	
Tier	**Estimated Total Project Cost**
Leon Tuttle Sports Complex	$960,000
Yellowjacket Park	$1,845,000
Harry Myers Park	$2,435,000
New Multi-Purpose Field Complex	$20,000,000
New Diamond Field Complex	$20,000,000
TOTAL	**$45,240,000**

Chapter Eight – ALTERNATIVE CAPITAL IMPROVEMENT – CITY OF ROCKWALL SERVICE AREA

This section of the plan reflects the alternative capital improvement recommendations that are necessary to fulfill the facility needs of the community BASED ON THE CITY OF ROCKWALL LEVEL OF SERVICE RECOMMENDED.

8.1 SUMMARY OF RECOMMENDED EXISTING CAPITAL IMPROVEMENT COSTS

The following chart summarizes the costs of the recommended capital improvements to the existing athletic field system as shown in Chapter 7.

SUMMARY BY PARK	
Tier	**Estimated Total Project Cost**
Leon Tuttle Sports Complex	$960,000
Yellowjacket Park	$1,845,000
Harry Myers Park	$2,435,000
TOTAL	**$5,240,000**

8.2 IMPACT OF EXISTING SYSTEM CAPITAL IMPROVEMENTS ON MEETING NEED

The following chart summarizes the impact of the recommended improvements to the existing athletic field system utilizing the ***City of Rockwall Service Area LOS*** in meeting community need for athletic fields in Rockwall. Though no additional fields are included as part of the existing system capital improvement recommendations, the lighting of athletic fields at each park will add capacity to the system and thereby improve the level of service.

Rockwall Athletic Field Level of Service Standards

2019 Inventory - Facilities						2034 Facility Standards BEFORE LIGHTING IMPROVEMENTS			2034 Facility Standards AFTER LIGHTING IMPROVEMENTS		
	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Lighting Improvements	Total Inventory	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	
ATHLETIC FIELDS											
Diamond, (Baseball) Teen/Adult	2.00	1.00	1.00		3.00	Need Exists	3	Sites(s)	Need Exists	3	Sites(s)
Diamond, (Baseball/Softball) Youth and Adult	8.00	1.00	-	-	9.00	Need Exists	4	Sites(s)	Need Exists	4	Sites(s)
Diamond, (Baseball/Softball) Youth ONLY	3.00	1.00	-	3.00	7.00	Need Exists	3	Field(s)	Meets Standard	-	Field(s)
Rectangle Fields (Soccer, Lacrosse, Rugby) - U12+	-	9.00	3.00		9.00	Need Exists	7	Field(s)	Need Exists	7	Field(s)
Rectangle Fields (Soccer, Lacrosse, Rugby) - under U12 ONLY	-	7.00	10.00		7.00	Need Exists	5	Field(s)	Need Exists	5	Field(s)

As noted on the previous page, athletic field needs are still present after the implementation of the athletic field lighting improvements to the existing system. However, the improvements to the existing system COMPLETELY eliminates the athletic field need for Diamond, (Baseball/Softball) Youth ONLY fields in 2034 and further provides the framework for the core program and "right sizing" of the conceptual plan for the expansion of the athletic field system.

8.3 CAPITAL IMPROVEMENTS (EXPANDING THE SYSTEM)

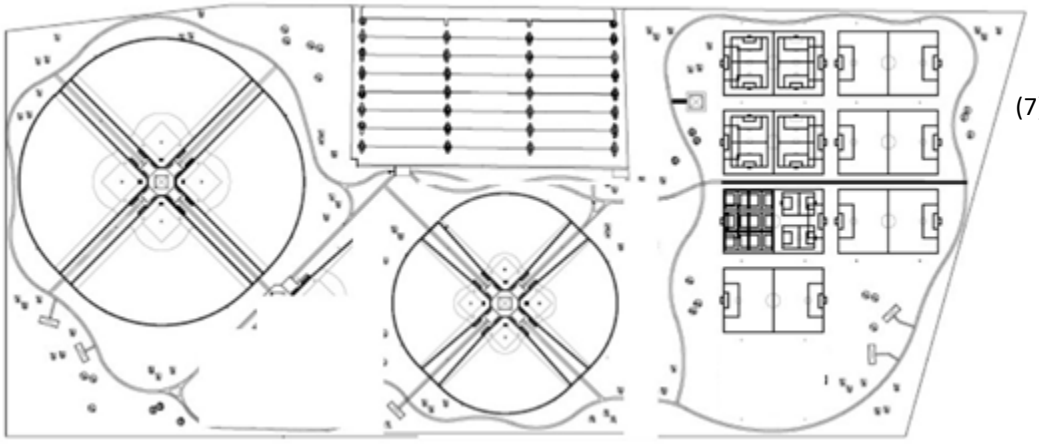
Through the completion of a comprehensive public input process, the level of service analysis and the identification of implementable improvements to the existing athletic field system, the framework for the core program and conceptual plan for the expansion of the athletic field system were defined. The following improvements is based on the City adopting the Athletic Field LOS Standards for the City of Rockwall service area. The following chart identifies the need for athletic fields at new athletic field complexes in Rockwall.

Athletic Field Complexes Core Programs		
Athletic Field Typology		
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	5	Field(s)
Diamond, (Baseball/Softball) Youth and Adult	4	Field(s)
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	7	Field(s)
Diamond, (Baseball/Softball) Youth ONLY	-	Field(s)
Diamond, (Baseball) Teen/Adult	3	Field(s)

8.3.1 CONCEPTUAL PLAN – ATHLETIC FIELD COMPLEX – 100 ACRE SITE

Parking - 1,050 vehicles
70:1 Parking/Field

(4) 400' Teen/Adult Baseball Fields



(7) Soccer Fields

(4) 300' Youth/ Adult Baseball/Softball Fields

ESTIMATED CONSTRUCTION COST OF MULTI-PURPOSE FIELD ATHLETIC FIELD COMPLEX: $30,000,000 (DOES NOT INCLUDE LAND ACQUISITION)

8.4 SUMMARY OF ALL ATHLETIC FIELD CAPITAL IMPROVEMENTS (EXISTING AND NEW)

SUMMARY BY PROJECT	
Tier	**Estimated Total Project Cost**
Leon Tuttle Sports Complex	$960,000
Yellowjacket Park	$1,845,000
Harry Myers Park	$2,435,000
New Athletic Field Complex	$30,000,000
TOTAL	**$35,240,000**

Chapter Nine - OPERATIONAL AND FINANCIAL PLAN FOR EXPANDING THE SYSTEM

9.1 OPERATIONAL STANDARDS

The Operational Standards for each athletic field complex start with a clear philosophy that the city would consider the development of these athletic field complexes to achieve three key goals.

1. Meet the local community sports leagues and tournaments needs for baseball, softball, soccer, lacrosse, football and rugby for both youth and adults.
2. The athletic field complexes can be an economic driver for local economy by providing local retail operations revenue from the sale of food, lodging and retail purchasing from users who play in the local tournaments on weekends and clinics and showcases during the week.
3. Demonstrate to potential residents and businesses that Rockwall has a high quality of life and has invested in quality of life amenities that will attract people to want to live in the area.

To accomplish these three goals the city must be willing to invest in the capital costs and operational costs to accomplish these goals and to put the right management in place to oversee and maintain the athletic field complexes.

If this is accomplished the athletic field complexes will achieve the expectations outlined in this feasibility study. The city must self-operate the facility versus being a facility provider. The Parks and Recreation Department has the skill set to manage this resource within these standards.

The Parks and Recreation staff must operate the athletic field complexes like a revenue center in that they choose to operate the athletic field complexes in a business concept versus a social concept. This will require that the programs, leagues, tournaments and clinics are priced to market rates and managed to the quality that user will expect when they come to the park which is a much higher level than currently exists in the other sports fields in the city currently.

The City must not let sports leagues become entitled to a site and must support the staff in allowing them to operate the athletic field complexes as first-rate athletic field complexes that can serve the needs of local residents and can attract the larger sports tournaments by aggressively marketing the athletic field complexes as a high end destination park. The staff must also track the economic impact of the park on the local community so that residents can see the value of the investment to the community.

9.1.1 MANAGEMENT OF ATHLETIC FIELD COMPLEXES

The City of Rockwall should consider two options for the management of the athletic field complexes.

Preferred Option - Self-operate: This would be the preferred option from the Consulting Team's perspective. Under this arrangement the city is a caretaker only and receives very little public support yet pays for most of the cost to maintain the fields.

If the city self-operates, they would take over ownership of developing the leagues and tournaments for the new site and build public support the value of offering youth and adult sports on the site. They also are able to control all the revenues for the site including concession revenues from the leagues and tournaments held at the athletic field complexes. The city has an excellent maintenance staff that can

manage the site and they have a proven program staff that can manage the leagues, tournaments and clinics.

Alternative Option - Contract the Management of the Athletic field complexes: This option provides the opportunity for the city to contract with a private operator to manage the athletic field complexes for a percentage of the gross. Typical percentage costs are 35% which would cover the city's maintenance and utility costs for the athletic field complexes. The key to this option is finding an operator who has the expertise to manage the athletic field complexes to its highest use and is willing to spend the time marketing the site and programming the site year-round. The operator would schedule all games, develop the leagues, clinics and tournaments for the city and manage the concession operations. Risks of this option include the residents of Rockwall being charged admission for entrance to the athletic field complexes and/or being charged for parking.

9.1.2 ORGANIZATIONAL STRUCTURE

The following organizational structure is provided to give the city a description of how the athletic field complexes should be operated and maintained. The goal of the athletic field complexes is to be as self-supporting as possible and to become an economic tool for the city for weekend tournaments while still serving the local community.

The organizational staffing structure recommended for the athletic field complexes is as follows for the preferred "self-operate" management option:

- Manager (1) FT
- Maintenance Management Staff- (3) FT
- Sports Site Supervisor (1)
- 1200 annual hours for part-time Maintenance Staff

9.1.3 MAINTENANCE STANDARDS

The following best practice maintenance standards are desired for the athletic field complexes:

Task	Frequency	Timeframe
Athletic Fields - Baseball / Softball / Soccer / Multi-use - Level 1		
Goal: To provide a high-quality and safe field that encourages greater use among the community for practice, games and tournaments		
Mow/Trim (1 1/2") March 1 through March 31	1x/7 days	Growing Season
Mow/Trim (2") April 1 through October 31	1x/7 days	Growing Season
Mow/Trim (2")November 1 through November 30	1x/7 days	Growing Season
Mow/Trim (2") December 1 through February 28	1x/ 7 days	Growing Season
Overseed	1x/year	Spring, Summer
Fertilizer	3x/year	Spring, Summer, Fall
Aerate	3x/year	Spring, Summer, Fall
Drag / Line fields for games	7x/week	Year Round
Pick up trash and clean during events	7x/day	Year Round
Inspect bleachers /scoreboards / security lighting	1x/week	Year Round
Water (1 inch / week)	As needed	Year Round
Concession Building - Level 1 Maintenance		
Goal: Provide a clean, inviting area to eat.		
Clean, sweep, vacuum	7x/week	Year-round
Remove and/or replace Garbage Bags and Trash cans	7x/week	Year-round
Clean and stock restrooms	7x/week	Year-round
Clean windows	1x/week	Year-round
Check Lighting	7x/week	Year-round
Check Heating / Cooling	7x/week	Year-round
Clean and wipe tables	7x/week	Year-round
Check and clean storage areas	1x/week	Year-round
Wash areas outside concession stands	7x/week	Year-round
Update and paint signage	1x/year	Year-round
Clean Patio	7x/week	Year-round
Major Mechanical System Inspection (Preventative Maintenance)	1x/month	Year-round
Schedule Lighting, Mechanical Systems	1x/week	Year-round
Inspect furniture	1x/week	Year-round

9.2 FINANCIAL PLAN

PROS Consulting reviewed the preliminary design plans for the athletic field complexes to determine revenue sources to develop, operate and maintain the athletic field complexes. Athletic field complexes of this magnitude should incorporate this business plan/feasibility study for daily operations and revenue management of the site to achieve the desired outcomes of all parties involved. This will include partnership agreements between all entities using the site. The pro forma identifies appropriate levels of staffing, supply and maintenance costs, asset management costs and revenue management requirements desired by the City.

9.2.1 CAPITAL FUNDING SOURCE OPPORTUNITIES

The following funding sources can provide revenue opportunities for the City, but it will take a dedicated staff person to investigate and pursue the source and manage for the future. The following are funding sources that can be developed for the athletic field complexes:

- **Redevelopment Funding:** Redevelopment money from the County or the State to promote sports tourism and for economic development in the area. Redevelopment agencies are typically located as part of cities and counties in most states and this could be a good source to draw on for the capital costs needed for developing the site.
- **Dedicated Sales Tax:** A dedicated sales tax of $0.1 cent on food and beverages sold in the City could to be dedicated to the athletic field complexes.
- **Bed Tax (transient occupancy tax):** A Bed Tax (transient occupancy tax) money from the development of future hotels and motels in the City who would directly benefit from the sports tournaments held at the site. Cities/Counties usually manage this funding source, which would require Rockwall County to support the funding source. This could be one or two percent added to the existing bed tax to support the development of the facility.
- **Facility Improvement District:** Cities across the United States can develop a Facility Improvement District or Business Improvement District to support a recreation sports facility due to the number of people who will use it in one location. Based on the existing partnerships involved between the City of Rockwall, Rockwall County, and the school district, this should be considered.
- **Local, Regional or National Foundations:** Many communities have turned to their local, regional and national foundations in their area to support the development of an athletic field complex. The Harvest Foundation, located in Martinsville, Virginia has successfully developed a $20 million athletic field complex to support local economic opportunities for the community from sports tourism.
- **City and County Bond Issue:** This would require local residents to vote on a bond issue to develop the site from property tax or sales tax commitments by residents.
- **Lease Back Option:** The City would enter into a lease back option with a private finance company to provide the financing for the project. The City, along with their partners, would agree to pay the development costs back over a 30-year period from the revenues earned from the site or from general fund dollars dedicated to the project.
- **Partnership Development Agreement:** Each partner would develop their respective facilities based on set design guidelines with the City or a private management company managing all the site elements. Partners would work collectively to promote the site as a whole versus individual amenities.
- **Naming Rights**: Private fundraising could be developed to fund a portion or all of it through naming rights for the site and through individual amenity naming rights. Naming rights are calculated by the number of impression points by visitors to the site. Complexes could raise 20%-30% of the development costs from naming rights.

- **Grants:** Grants have always been a good source for funding of parks throughout the United States. Grants can be provided by the Federal Government such as the land and conservation fund, transportation enhancement funds for trails and greenways, state grant funds from gambling taxes or alcohol funds, and local grants from community foundations.
- **Land and Water Conservation Fund:** Preserve, develop and renovate outdoor recreation facilities. Focus is on America's Great Outdoors Initiative. New or renovation of pavilions, playgrounds or play areas, ball fields, bleachers, golf course meeting rooms, multi-purpose courts, parking facilities, pathways and trails, roads, signs, ski areas, snowmobile facilities, tennis courts-Federal Funds-Average Award 70k.
- **Establish a Facility Authority:** A Facility Authority is sometime used by park and recreation agencies to improve a specific park or develop a specific improvement such as a stadium, large recreation centers, large aquatic centers, sports venues for competitive events. The sale of these bonds usually comes from sales taxes. The City of Indianapolis has created several community venues for recreation and national competition events for local and economic purposes. The Facility Authority is responsible for managing the sites and operating them in a self-supporting manner.

9.2.2 OPERATIONAL FUNDING COSTS OPPORTUNITIES

Athletic field complexes have numerous revenue sources to draw from to support operational and management costs that include long term capital replacement costs. The following are funding options to consider in operations of the site.

- **User fees:** User fees to access or use the athletic field complexes. Fees can range from $35 dollars for the maintenance cost per player to $400 per team in a sports league.
- **Concessions:** Concessions can be leased out to a private operator for a percentage of gross profits. Typically, 15%-18% of gross profits for concessions of a profit operator, or a managing agency over the site could manage concessions. In this case, it would be the City of Rockwall.
- **Parking Fees:** During major special tournaments the City could charge a $5 parking fee for soccer, baseball, or softball tournament.
- **Field Permits:** The City can issue field permits for practice or games. Permits should cover the operational cost of each field and management costs. If a private operator desires to rent the site for a sporting tournament for private gain, the City should provide a permit fee plus a percentage of gross from the event. The City of Las Vegas, Nevada provides this arrangement on a 22-field soccer complex.
- **Admission Fee:** An admission fee to an event in the park can be utilized. Athletic field complexes similar to this include an admission fee and a parking fee for major sports tournaments. High School sports tournaments typically include an admission fee.
- **Tournament Fees:** Tournament fees for softball, baseball, soccer can be assessed for each team who enters a tournament and can range from $150-$400 a team and can vary based on the number of games guaranteed.
- **Official Drink, Food and Equipment Sponsors:** Official drink and food sponsors can be utilized for the complexes. Official drink and food sponsors pay the agency a set percentage of gross.

Typically, this is 5%-10% of costs for being the official product and receiving exclusive pouring and food rights to the complexes. Likewise, official equipment sponsors work well for trucks, mowers, and tractors.

- **Scoreboard Sponsors:** Scoreboard sponsors pay for the cost of the scoreboards for the life of the board, which is usually 15 years.
- **Official Product Sponsors:** Official product sponsors for balls, shoes, hats, gloves, etc. can be used for the site. The sponsor prices can vary by how much exposure is received and the amount of sales created.
- **Advertising Revenue:** Advertising revenue can come from the sale of ads on banners in the park. The advertising could include sports fields, score boards, dugouts, and sun umbrellas over picnic tables, and in restrooms.
- **Wi-Fi Revenue:** The City can set up a Wi-Fi area whereby a Wi-Fi vendor is able to sell the advertising on the Wi-Fi access banner to local businesses targeting the users of the site. This revenue has amounted to $20,000-$50,000 in revenue for similar sites.
- **Cell Tower:** Cell tower leases on top of sports lights can be used. This revenue source would support $35,000-$50,000 annually for the site if cell towers are needed in the area.
- **Program Fees:** Program Fees to support existing programs at each attraction can be employed in the form of lessons, clinics, camps, life skill programs, and wellness and fitness. These types program would help support the operations of each facility and the park as a whole.
- **Capital Improvement Fee:** A Capital Improvement Fee on all programs and events can be added. The athletic field complexes will require an on-going maintenance endowment to keep the park and amenities updated and positioned for the future. A capital asset fee of $2-$3 on each person who participates in a class, event, or program can be incorporated into the cost of the program or event.
- **Batting Cages:** Batting cages could be incorporated into the facility. They can have a monthly pass available for youth and adults, as well as an individual use fee. This will generate money to support operating and managing the batting facility.
- **Volunteerism:** The revenue source is an indirect revenue source in that persons donate time to assist the complexes in providing a product or service on an hourly basis. This reduces the City's cost in providing the service plus it builds advocacy into the complexes.
- **Special Fundraiser:** Many agencies hold special fundraisers on an annual basis to help cover specific programs and capital projects to be dedicated to the athletic field complexes.
- **Private Management of Elements the Complex:** The City should consider outsourcing elements of the complexes to save operating money where appropriate.

9.2.3 SIX YEAR PRO FORMA – ISD SERVICE AREA CAPITAL IMPROVEMENTS

The following is a summary report of the revenues and expenditures for the athletic field complexes over a six- year period. The breakdown of the summary report is listed in the tables that follow this summary report and takes in a phased approach with the facility achieving higher capacity utilization beginning in year three. The tables breakdown the revenues by category and the expenses by category. Overall the athletic field complexes will be able to achieve a 71% cost recovery rate if managed to the operational and financial plans outlined in this feasibility study.

REVENUES AND EXPENDITURES

	1st Year	2nd Year	3rd Year	4th Year	5th Year	6th Year
Revenues*						
Sports Complex Revenue	$601,000.00	$619,030.00	$637,600.90	$656,728.93	$676,430.79	$696,723.72
Total Revenues	$601,000.00	$619,030.00	$637,600.90	$656,728.93	$676,430.79	$696,723.72
Expenditures	$843,749.53	$869,062.01	$895,133.88	$921,987.89	$949,647.53	$978,136.95
Net Revenues Over (Under) Expenditures	($242,749.53)	($250,032.01)	($257,532.98)	($265,258.96)	($273,216.73)	($281,413.24)
Total Cost Recovery	71.2%	71.2%	71.2%	71.2%	71.2%	71.2%

*NOTE: Revenues assume a full-time year of operations. First year revenues could be significantly less based on when during the fiscal year the facility starts operations, and the initial marketing and promotional efforts. PROS anticipates that the full potential revenues will be reached by the fifth year of operations.

9.2.4 REVENUE MODEL – ISD SERVICE AREA CAPITAL IMPROVEMENTS

REVENUE MODEL

DIVISION	ACCOUNT TITLE	PRICE		UNITS	REVENUES	EXPLANATION
	REVENUES					
Multi-Purpose Sports Fields	Tournaments-Soccer	$600.00	5	48	$144,000.00	Average $500 per team with the average size tournament of 48 teams for soccer hosting 5 tournaments a year
Multi-Purpose Sports Fields	Field Rentals	$60.00	2,000	1	$120,000.00	$60 per field for a two hour time period minimum with 2000 rentals a year (lights included) (50% of total availability rented)
Baseball 4-plex	Tournamants - Youth Baseball	$450.00	24	12	$129,600.00	Average $500 per team with the average size tournament of 12 teams for baseball hosting 24 tournaments a year (2 per month)
Softball 4-plex	Tournaments - Adult Softball	$450.00	12	12	$64,800.00	Average $500 per team with the average size tournament of 12 teams for adult softball hosting 12 tournaments a year (1 per month)
Baseball/Softball 4-plex	Field Rentals	$60.00	500	1	$30,000.00	$60 a field for a two hour time period minimum with 500 rentals a year (lights included)
Softball 4-plex	League Fees Spring/Summer	$400.00	1	12	$4,800.00	$400 for teams a total of 12 teams in adult softball
Softball 4-plex	League Fees Fall	$400.00	1	12	$4,800.00	$400 for teams a total of 12 teams in adult softball
Sports Complex	Miscellaneous Revenues	$500.00	1	1	$500.00	
Sports Complex	Sponsorships	$500.00	50	1	$25,000.00	$500 a season with 50 sponsors for the complex
Sports Complex	Wi-Fi Revenue	$25,000.00	1	1	$25,000.00	Wi-Fi revenue $25,000
Sports Complex	Concessions	$52,500.00	1	1	$52,500.00	Concession revenue based on $350,000 in gross revenue @15% commission
	TOTAL SPORTS COMPLEX REVENUES				**$601,000.00**	

9.2.5 EXPENDITURE MODEL – ISD SERVICE AREA CAPITAL IMPROVEMENTS

Operations and Maintenance Expenditures			
PERSONNEL SERVICES			
Complex Manager		$65,000.00	1 FT
Site Supervisor		$35,000.00	1 FT
Field Staff		$150,000.00	3 FT, 1-$60,000 2-$45,000
Part Time		$64,800.00	4 PT @ average $13.50 for average 30 hrs/wk for 40 weeks
Overtime		$5,000.00	
Employer's Share of FICA		$13,979.28	6.36% of Salaries and Wages
Employer's Share of Medicare		$3,275.02	1.49% of Salaries and Wages
Additional Full-Time Benefits		$89,250.00	35% of Full Time Regular
Total	**Personnel Services**	**$326,304.30**	
SUPPLIES			
Stationary & Printed Materials		$0.00	
Office Supplies		$500.00	
Gasoline		$4,000.00	
Garage & Motor Supplies		$2,000.00	
Repair Parts		$1,500.00	
Small Tools & Minor Equip.		$3,600.00	
Other Maint. Supplies		$1,750.00	
Safety Supplies		$2,000.00	First aid supplies
General Program Supplies		$1,200.00	
Other Miscellaneous		$1,000.00	
Total	**Supplies**	**$17,550.00**	
OTHER SERVICES & CHARGES			
Info Sys Maint/Contracts		$1,200.00	Phone and IT system support
Marketing & Promotions		$24,575.23	3% of other expenditures
Security Services		$1,200.00	
Training Travel & Lodging		$2,500.00	
Cellular Phone Fees		$1,000.00	
Electricity		$30,000.00	$20 for 1500 hours
Water & Sewer		$50,000.00	
Gas		$2,000.00	
Equipment Repairs & Maint.		$5,000.00	
Tournament Management		$84,600.00	25% of tournament revenues
Field Maintenance - Multipurpose		$144,000.00	$18,000 per turf field
Field Maintenance - Baseball/Softball Quad		$80,000.00	$10,000 per baseball field
General Area Maintenance		$25,000.00	$5,000/acre for 5 acres
Trash Collection		$3,000.00	$250 / Mon Dumpster
Subscriptions		$120.00	
Organization & Membership Dues		$1,000.00	
Staff Clothing		$700.00	7 @ $100 ea.
Irrigation Materials		$10,000.00	
Repair Parts		$10,000.00	Plumbing, Hardware, Electrical, Lighting, etc…
Small Tools & Minor Equip.		$5,000.00	Misc. and Specialty Tools
Other Maint. Supplies		$12,000.00	Lubricants, light bulbs, etc.
Safety Supplies		$1,500.00	Safety Glasses, Gloves, Harness, etc…
Internal Instruction Fees		$2,500.00	Customer service training, CPR/First Aid/AED training
External Instructional Fees		$2,000.00	
Special Projects		$1,000.00	Staff morale/incentives
Total	**Other Services**	**$499,895.23**	
TOTAL EXPENSES		**$843,749.53**	

Chapter Ten – CONCLUSION AND IMPLEMENTATION

The City of Rockwall Park and Recreation Department is a best practice agency that has demonstrated to the community the value of having a park and recreation system to access and take great pride in for living in Rockwall. The Athletic Field Feasibility Study is a guide for the development of athletic fields for Department for the next ten years.

The recommendations outlined in the Athletic Field Feasibility Study are aligned with the vision, mission and core values of the community and the Department. These recommendations follow what the community has voiced as a priority. It is possible under the current conditions that all the recommended capital projects in this Feasibility Study can be completed within 10 years. Overall, the capital improvements can be utilized as a guideline for future improvements and development with flexibility to be altered and updated as needed.

APPENDIX A - ECONOMIC IMPACT ANALYSIS

INTRODUCTION

PROS Consulting performed an economic impact analysis to measure the economic benefit of construction and estimated tourism related to the City of Rockwall Sports Field improvements IF the community chose to utilize new athletic field complexes to increase sports tourism in the city. Economic multipliers used in the analysis are from the Regional Input-Output Modeling System produced by the U.S. Department of Commerce - Bureau of Economic Analysis. A model developed in Microsoft Excel uses survey data and the regional multipliers to present the approximate economic impact on the local economy. The economic impact is expressed in terms of dollars generated in the economy and in terms of the change in the number of jobs. The multipliers in this analysis are for illustrative purposes and not specific the Rockwall area.

SUMMARY PROJECTIONS:

The table below shows the summary of the construction and tourism economic analysis for the Multi-Purpose Sports Fields. Tourism spending is estimated at $326,938 annually. The economic impact is of $590,341 of final demand value added with a local job impact of 12 full-time jobs. Final economic impact of $40 Million construction spending for the construction of the athletic field complexes is estimated to be $55,682,214 with a local job increase of 772 full-time jobs. The combined economic impact from tourism and construction is $28,933,672 with a total job increase of 784.

	Economic Impact	Equivalent Jobs
Tourism Total	$ 590,341	12
Construction	$ 55,682,214	772
Total	$ 56,272,555	784

SOCCER TOURNAMENT ASSUMPTIONS

The projected revenues from the estimated economic impact modeling are based on assumptions of events, attendance, and spending patterns. These assumptions were prepared by PROS Consulting in conjunction with the City of Rockwall staff and based on operational experience nationwide.

SOCCER TOURNAMENT EVENT AND ATTENDANCE ASSUMPTIONS

Soccer Tournaments are projected to have 4,320 annual participants. The analysis assumed that 5 tournaments will be held each year, with an average of 48 teams per tournament, and an average of 18 persons per team. Total annual attendees are estimated to be 4,320 as shown below.

Tournaments-Soccer Participants	
5	Tournaments
18	Players Per team
48	Teams
4,320	Estimated Participants

PROJECTED REVENUES RELATED TO PROPOSED SOCCER TOURNAMENTS

The estimated annual revenues from Soccer Tournaments are shown below. The revenues are projected based on the estimated attendees/visitors shown previously. The average team fee is estimated to be $500. Concession and Wi-Fi spending per person is estimated to be $10 and $1 respectively.

Tournaments-Soccer Revenues	
5	Tournaments
48	Teams
240	Estimated Participants
$500	Average Fee Per Team
$120,000	Tournament Revenues
Concessions	
4,320	Estimated Participants
$10	Average Revenue Per Participant
$43,200	Tournament Revenues
Wi-Fi	
4,320	Estimated Participants
$1	Average Revenue Per Participant
$4,320	Tournament Revenues
Total Tournament Revenues	
$ 167,520	Tournament Revenues

PROJECTED OUT-OF-TOWN VISITOR SPENDING RELATED TO PROPOSED SOCCER TOURNAMENTS

The estimated out-of-town visitor revenues from Soccer Tournaments are shown in the table below. Out-of-town visitors are estimated to be 20% of the total attendees/visitors. The out-of-town visitors are estimated to stay one night with average room rate of $100 per double occupancy. The meals and retail spending are estimated to be $30 and $10 respectively.

The estimated economic impact revenues estimated to be $160,224 from Soccer Tournaments are shown

Local spending was not considered in this analysis as money spent at the Athletic field complex is likely a transfer of resources from one sector (e.g. going to the movies) within the local economy to another sector (e.g. going to the Athletic field complex). The transfer of local spending from one sector to another sector within the local economy is typically accounted for as an economic growth neutral.

Total Tournament Revenues		
$	167,520	Tournament Revenues
	20%	Estimated Percent Out-of-Town Attendees/Visitors
$	33,504	Estimated Out-of-Town Tournament Revenues

Estimated Out-of -Town Attendee/Visitor Revenues		
	4,320	Estimated Attendees/Visitors
	20%	Estimated Percent Out-of-Town Attendees/Visitors
	864	Estimated Out-of-Town Attendees/Visitors
$	100.00	Average Cost Per Room Night
	3	Occupants Per Room
$	33.33	Per Person Room Costs
$	30.00	Daily Spending: Meals
$	10.00	Daily Spending: Retail, Other
$	73.33	Daily Attendee/Visitor Spending
	2	Average Attendee/Visitor Days
$	146.67	Average Attendee/Visitor Spending Per Event
$	126,720	Estimated Annual Average Attendee/Visitor Spending

Estimated Total Out-of -Town Soccer Tournament Revenues		
$	33,504	Estimated Out-of-Town Tournament Revenues
$	126,720	Estimated Annual Average Attendee/Visitor Spending
$	**160,224**	Estimated Total Out-of -Town Revenues

The Soccer Tournament revenues are shown in the table below, grouped by the economic impact categories used by the U.S. Department of Commerce.

Out-of -Town Soccer Tournament Revenues by Category		
$	24,000	Tournament Fees
$	57,600	Lodging
$	26,784	Retail
$	51,840	Meals
$	**160,224**	Estimated Total Out-of -Town Revenues

YOUTH BASEBALL TOURNAMENT ASSUMPTIONS

The projected revenues from the estimated economic impact modeling are based on assumptions of events, attendance, and spending patterns. These assumptions were prepared by PROS Consulting in conjunction with the City of Rockwall staff and based on operational experience nationwide.

YOUTH BASEBALL TOURNAMENT EVENT AND ATTENDANCE ASSUMPTIONS

Youth Baseball Tournaments are projected to have 4,320 annual participants. The analysis assumed that 24 tournaments will be held each year, with an average of 15 teams per tournament, and an average of 12 persons per team. Total annual attendees are estimated to be 4,320.

Tournaments-Youth Baseball Participants	
24	Tournaments
12	Players Per team
15	Teams
4,320	Estimated Participants



PROJECTED REVENUES RELATED TO PROPOSED YOUTH BASEBALL TOURNAMENTS

The estimated annual revenues from Youth Baseball Tournaments are shown below. The revenues are projected based on the estimated attendees/visitors shown previously. The average team fee is estimated to be $500. Concession and Wi-Fi spending per person is estimated to be $10 and $1 respectively.

Tournaments-Youth Baseball Participants	
24	Tournaments
12	Players Per team
15	Teams
4,320	Estimated Participants
Tournaments-Youth Baseball Revenues	
24	Tournaments
15	Teams
360	Estimated Participants
$500	Average Fee Per Team
$180,000	Tournament Revenues
Concessions	
4,320	Estimated Participants
$10	Average Revenue Per Participant
$43,200	Tournament Revenues
Wi-Fi	
4,320	Estimated Participants
$1	Average Revenue Per Participant
$4,320	Tournament Revenues
Total Tournament Revenues	
$ 227,520	Tournament Revenues

PROJECTED OUT-OF-TOWN VISITOR SPENDING RELATED TO PROPOSED YOUTH BASEBALL TOURNAMENTS

The estimated out-of-town visitor revenues from Youth Baseball Tournaments are shown previously. Out-of-town visitors are estimated to be 20% of the total attendees/visitors. The out-of-town visitors are estimated to stay one night with average room rate of $100 per double occupancy. The meals and retail spending are estimated to be $30 and $10 respectively.

The estimated economic impact revenues estimated to be $172,224 from Youth Baseball tournaments are shown in the table on the following page.

Local spending was not considered in this analysis as money spent at the Athletic field complexes is likely a transfer of resources from one sector (e.g. going to the movies) within the local economy to another sector (e.g. going to the Athletic field complexes). The transfer of local spending from one sector to another sector within the local economy is typically accounted for as an economic growth neutral.

Total Tournament Revenues		
$	227,520	Tournament Revenues
	20%	Estimated Percent Out-of-Town Attendees/Visitors
$	45,504	Estimated Out-of-Town Tournament Revenues

Estimated Out-of -Town Attendee/Visitor Revenues		
	4,320	Estimated Attendees/Visitors
	20%	Estimated Percent Out-of-Town Attendees/Visitors
	864	Estimated Out-of-Town Attendees/Visitors
$	100.00	Average Cost Per Room Night
	3	Occupants Per Room
$	33.33	Per Person Room Costs
$	30.00	Daily Spending: Meals
$	10.00	Daily Spending: Retail, Other
$	73.33	Daily Attendee/Visitor Spending
	2	Average Attendee/Visitor Days
$	146.67	Average Attendee/Visitor Spending Per Event
$	126,720	Estimated Annual Average Attendee/Visitor Spending

Estimated Total Out-of -Town Youth Baseball Tournament Revenues		
$	45,504	Estimated Out-of-Town Tournament Revenues
$	126,720	Estimated Annual Average Attendee/Visitor Spending
$	**172,224**	Estimated Total Out-of -Town Revenues

The Youth Baseball Tournament revenues are shown below, grouped by the economic impact categories used by the U.S. Department of Commerce.

Out-of -Town Youth Baseball Tournament Revenues by Category		
$	36,000	Tournament Fees
$	57,600	Lodging
$	26,784	Retail
$	51,840	Meals
$	**172,224**	Estimated Total Out-of -Town Revenues

ADULT SOFTBALL TOURNAMENT ASSUMPTIONS

The projected revenues from the estimated economic impact modeling are based on assumptions of events, attendance, and spending patterns. These assumptions were prepared by PROS Consulting in conjunction with the City of Rockwall staff and based on operational experience nationwide.

ADULT SOFTBALL TOURNAMENT EVENT AND ATTENDANCE ASSUMPTIONS

Adult Softball Tournaments are projected to have 1,728 annual participants. The analysis assumed that 12 tournaments will be held each year, with an average of 12 teams per tournament, and an average of 12 persons per team. Total annual attendees are estimated to the 1,728 as shown below.

Tournaments-Adult Softball Participants	
12	Tournaments
12	Players Per team
12	Teams
1,728	Estimated Participants

PROJECTED REVENUES RELATED TO PROPOSED ADULT SOFTBALL TOURNAMENTS

The estimated annual revenues from Adult Softball Tournaments are shown below. The revenues are projected based on the estimated attendees/visitors shown previously. The average team fee is estimated to be $500. Concession and Wi-Fi spending per person is estimated to be $10 and $1 respectively.

Tournaments-Adult Softball Revenues	
24	Tournaments
15	Teams
360	Estimated Participants
$500	Average Fee Per Team
$180,000	Tournament Revenues
Concessions	
1,728	Estimated Participants
$10	Average Revenue Per Participant
$17,280	Tournament Revenues
Wi-Fi	
1,728	Estimated Participants
$1	Average Revenue Per Participant
$1,728	Tournament Revenues
Total Tournament Revenues	
$ 199,008	Tournament Revenues

PROJECTED OUT-OF-TOWN VISITOR SPENDING RELATED TO PROPOSED ADULT SOFTBALL TOURNAMENTS

The estimated out-of-town visitor revenues from Adult Softball Tournaments are shown previously. Out-of-town visitors are estimated to be 20% of the total attendees/visitors. The out-of-town visitors are estimated to stay one night with average room rate of $100 per double occupancy. The meals and retail spending are estimated to be $30 and $10 respectively.

The estimated economic impact revenues estimated to be $90,490 from Adult Softball Tournaments are shown in the table below.

Local spending was not considered in this analysis as money spent at the Sports Fields is likely a transfer of resources from one sector (e.g. going to the movies) within the local economy to another sector (e.g. going to the Sports Fields). The transfer of local spending from one sector to another sector within the local economy is typically accounted for as an economic growth neutral.

Total Tournament Revenues		
$	199,008	Tournament Revenues
	20%	Estimated Percent Out-of-Town Attendees/Visitors
$	39,802	Estimated Out-of-Town Tournament Revenues

Estimated Out-of -Town Attendee/Visitor Revenues		
	1,728	Estimated Attendees/Visitors
	20%	Estimated Percent Out-of-Town Attendees/Visitors
	346	Estimated Out-of-Town Attendees/Visitors
$	100.00	Average Cost Per Room Night
	3	Occupants Per Room
$	33.33	Per Person Room Costs
$	30.00	Daily Spending: Meals
$	10.00	Daily Spending: Retail, Other
$	73.33	Daily Attendee/Visitor Spending
	2	Average Attendee/Visitor Days
$	146.67	Average Attendee/Visitor Spending Per Event
$	50,688	Estimated Annual Average Attendee/Visitor Spending

Estimated Total Out-of -Town Adult Softball Tournament Revenues		
$	39,802	Estimated Out-of-Town Tournament Revenues
$	50,688	Estimated Annual Average Attendee/Visitor Spending
$	**90,490**	Estimated Total Out-of -Town Revenues

The Adult Softball Tournament revenues are shown below, grouped by the economic impact categories used by the U.S. Department of Commerce.

Out-of -Town Adult Softball Tournament Revenues by Category	
$ 36,000	Tournament Fees
$ 23,040	Lodging
$ 10,714	Retail
$ 20,736	Meals
$ 90,490	Estimated Total Out-of -Town Revenues

OUT-OF-TOWN REVENUE ASSUMPTIONS

Thus, the projected out-of-town revenue assumptions for the Athletic field complexes are a total of $422,938 as shown below.

Spending Category	Soccer Tournaments	Youth Baseball Tournaments	Adult Softball Tournaments	Total
Tournament Fees	$ 24,000	$ 36,000	$ 36,000	$ 96,000
Lodging	$ 57,600	$ 57,600	$ 23,040	$ 138,240
Retail	$ 26,784	$ 26,784	$ 10,714	$ 64,282
Meals	$ 51,840	$ 51,840	$ 20,736	$ 124,416
Total	$ 160,224	$ 172,224	$ 90,490	$ 422,938

As noted previously, the assumptions have been intentionally conservative and local spending has not been considered in this analysis in order to accurately depict new revenue and economic impact being driven by these facilities and not simply a transfer from one sector in the City of Rockwall to another.

ECONOMIC IMPACT ANALYSIS OF PROPOSED CITY OF ROCKWALL MULTI-PURPOSE SPORTS FIELDS FROM TOURISM

The economic impact multipliers used in this analysis are from U.S. Department of Commerce - Bureau of Economic Analysis, Regional Economic Analysis Division, Analysis and Special Studies Branch, Regional Input-Output Modeling System (RIMS II). The multipliers in this analysis are for illustrative purposes and not specific the Rockwall area. The table on the following page shows the factors used in the analysis.

	(Impact of Estimated Tourism)				Direct Effect	
Industry	Output (Dollars) <1>	Earnings (Dollars) <2>	Employment / $M Sales (Jobs) <3>	Final-demand Value-added (Dollars) <4>	Direct-effect Earnings (dollars) <5>	Direct-effect Employment (number of jobs) <6>
Performing arts, spectator sports, museums, and related activities	1.5516	0.4508	24.8090	0.9346	1.5513	1.4887
Accommodation	1.5612	0.3952	15.6434	0.8815	0.1566	1.4207
Retail Trade	1.5236	0.4087	16.1219	0.9804	1.4547	1.3434
Food services and drinking places	1.5401	0.4179	23.6217	0.8604	1.4420	1.2095

ECONOMIC IMPACT FROM OUT-OF-TOWN VISITOR SPENDING RELATED TO PROPOSED ROCKWALL ATHLETIC FIELD COMPLEX

The total direct economic impact of the proposed Rockwall Athletic field complex tourism is shown in the table below. Column 1 shows the output in terms of dollars and represents the total dollar change in output that occurs in all industries for each additional dollar of output delivered to final demand by the industry corresponding to the entry. Columns 2 and 3 are estimates of the final effect earnings and employment (jobs), on the Rockwall area. Column 2 represents the total dollar change in earnings of households employed by all industries for each additional dollar of output delivered to final demand by the industry corresponding to the entry. Column 3 represents the total change in number of jobs that occurs in all industries for each additional million dollars of output. Columns 5 and 6 show the Direct-effect Earnings and Total Jobs, respectively. Column 6 represents the total change in number of jobs in all industries for each additional job in the industry corresponding to the entry. The Final-demand Value-added factors include direct, indirect, and induced economic impacts. The economic impact of the proposed Rockwall Athletic field complex is total output of $654,326 and $590,341 of final demand effect value-added with a local job impact of 12 full-time jobs.

		(Impact of Estimated Tourism)				**Direct Effect**	
Industry Segment	Total Rev/Sales Captured by Local Region	Output (Dollars) <1>	Earnings (Dollars) <2>	Employment / $M Sales (Jobs) <3>	Final-demand Value-added (Dollars) <4>	Direct-effect Earnings /5/ (dollars)	Direct-effect Employment /6/ (number of jobs)
Performing arts, spectator sports, museums, zoos, and parks	96,000	148,954	43,277	2	139,212	67,135	4
Accommodation	138,240	215,820	54,632	2	190,246	8,558	3
Other Retail	64,282	97,939	26,272	1	96,020	38,218	1
Food services and drinking places	124,416	191,613	51,993	3	164,864	74,975	4
Total Annual Spending	$ 422,938	$ 654,326	$ 176,175	9	$ 590,341	$ 188,885	12

ECONOMIC IMPACT ANALYSIS OF ROCKWALL ATHLETIC FIELD COMPLEXS CONSTRUCTION

The construction of permanent structures has a strong positive impact of the local economy. The City's construction of the Athletic field complex is the basis for the analysis. The impact of the project was analyzed using construction impact economic multipliers from the U.S. Department of Commerce, Bureau of Economic Analysis, and Regional Input-Output Modeling System (RIMS). Each RIMS industry category has a value multiplier and a jobs multiplier.

The economic impact multipliers used in this analysis are shown below. The multipliers in this analysis are for illustrative purposes and not specific the Rockwall area.

Industry Segment	Final-demand Output /1/ (dollars)	Final-demand Earnings /2/ (dollars)	Final-demand Employment /3/ (number of jobs)	Final-demand Value-added /4/ (dollars)	Direct-effect Earnings /5/ (dollars)	Direct-effect Employment /6/ (number of jobs)
Construction	1.5737	0.4486	12.354	0.8605	1.4648	1.5723
Professional, scientific, and technical services	1.5270	0.4963	10.7786	1.0395	1.3666	1.7257

The following table illustrates the total final economic impact of the Athletic field complex construction. Column 1 shows the output in terms of dollars. Columns 2 and 3 are estimates of the final effect earnings and employment (jobs), in the City. The Final-demand Value-added in dollars is shown in Column 4. The

		Final Demand				Direct Effiect	
Industry Segment	Total Rev/Sales Captured by Local Region	Output (Dollars) <1>	Earnings (Dollars) <2>	Employment / $M Sales (Jobs) <3>	Final-demand Value-added (Dollars) <4>	Direct-effect Earnings /5/ (dollars)	Direct-effect Employment /6/ (number of jobs)
Construction	33,500,000	52,718,950	15,028,100	414	45,364,656	22,013,161	651
Professional, scientific, and technical services	6,500,000	9,925,500	3,225,950	70	10,317,557	4,408,583	121
Total Annual Spending	$ 40,000,000	62,644,450	18,254,050	484	55,682,214	26,421,744	772

Final-demand Value-added factors include direct, indirect, and induced economic impacts.

CONCLUSION OF CONSTRUCTION ECONOMIC IMPACT

Final economic impact of Athletic field complex construction is estimated to be $55,682,214 with a local job increase of 772 full-time jobs.

APPENDIX B- NATURAL VS. SYNTHETIC TURF PLAYING FIELDS

Based on research available through www.safehealthyfields.org, synthetic fields are typically more expensive than natural turf in the short and long-run. The initial costs to install a synthetic field is more expensive than constructing a natural field, ongoing maintenance costs are similar, and synthetic turf will need replacement at the end of its useful life. The following sections compare the installation, equipment, and routine maintenance costs for natural versus synthetic turf.

INSTALLATION COSTS

According to experts from Duke University, the average cost to implement a synthetic turf field can range from $850 to $1 million. (Brian Wolfson, Duke University Soccer Politics Blog, 2015)

Based on information from the Sports Turf Managers Association, per square foot construction costs for various sports field surfaces are as follows (Natural Grass Athletic Fields, Sports Turf Managers Association, and 2009 p.7):

- Natural with on-site native soil (no added top soil or sod) - $0.60-$0.90 per sq. ft
- Natural turfgrass with native soils - $1.25-$2.50 per sq. ft
- Natural with sand cap - $2.60-$3.85 per sq. ft
- Natural with sand and drainage - $4.25-$5.00 per sq. ft
- Synthetic infill systems (carpet, infill, and base) - $4.50 - $10.25 per sq. ft

EQUIPMENT COSTS

Based on data from the Turfgrass Resource Center (TRC), the equipment, supplies, and labor costs can range from $23,250-$12,00 for synthetic turf, and from $42,800-$205,500 for natural grass. Although startup equipment costs may be less for synthetic fields than for grass fields, converting from natural to synthetic turf will require significant replacement costs for specialized equipment. (Cost Analysis - Sports Turf Alternatives Assessment, September 2016, Massachusetts Toxics Use Reduction Institute, Turfgrass Resource Center (TRC) "Natural Grass and Artificial Turf: Separating Myths and Facts.")

Cost of Equipment, Supplies, and Labor (TRC)			
Synthetic Turf		**Natural Grass**	
Water (cooling)	$6,000 - $35,000	Irrigation	$6,000 - $35,000
Sprayer (water application)	$1,000 - $35,000	Equipment for Irrigation	$3,000 - $31,000
Sweeper	$1,500 - $20,000	Mower	$13,000 - $69,000
Mechanical Broom	$500 - $1,000	Fertilizer Application	$1,000 - $3,000
Line Painter	$500 - $3,000	Line Painter	$700 - $3,000
Groomer	$1,500 - $2,000	Rollers	$2,000 - $4,000
Cart (towing)	$7,000 - $16,000	Cart (towing)	$7,000 - $18,500
Field Magnet	$500 - $1,000	Aerator	$3,500 - $17,000
Rollers	$250-$2,000	Vacuum	$2,100 - $5,000
Top Dresser	$4,500 - $10,000	Top Dresser	$4,500 - $20,000
Total	**$23,250 - $127,000**	**Total**	**$42,800 - $205,500**

Source: *Cost Analysis - Sports Turf Alternatives Assessment, September 2016 , Massachusetts Toxics Use Reduction Institute* , Turfgrass Resource Center (TRC) "Natural Grass and Artificial Turf: Separating Myths and Facts."

MAINTENANCE COSTS

Research has dispelled the myth that synthetic fields are cheaper to maintain or that they are maintenance free. Compared to natural grass, synthetic fields require: additional infill, irrigation because of unacceptably high temperatures on warm-sunny days, chemical disinfectants, sprays to reduce static cling and odors, drainage repair and maintenance, erasing and repainting temporary lines and removing organic matter accumulation.

According to Brian Wolfson, "Maintaining a natural grass field is slightly more expensive than a turf field, but not by a significant margin. Plus, if one takes into consideration the $500,000 that must be paid every 8-10 years to replace the carpet of an artificial turf field, and the fact that it is at least $250,000 more expensive to implement, then using natural grass ends up being cheaper in the short and long run." (Brian Wolfson, Duke University Soccer Politics Blog, 2015)

As seen below, the typical annual maintenance costs of synthetic turf fields ranged from $13,720-$39,220, while the typical annual maintenance costs of natural turf fields had a similar range of $8,133-$48,960. (*Cost Analysis - Sports Turf Alternatives Assessment, September 2016, Massachusetts Toxics Use Reduction Institute*, Turfgrass Resource Center (TRC) "Natural Grass and Artificial Turf: Separating Myths and Facts.")

Annual Maintenance Costs			
Synthetic Turf		**Natural Grass**	
Painting / Removal	$1,000 - $10,000	Painting	$800 - $12,300
Top Dressing / Infill	$5,000	Top Dressing (sand)	$0 - $5,400
Brushing / Sweeping	$1,000 - $5,000	Dragging	$0 - $200
Disinfecting / Fabric Softener	$220	Fertilizers	$1,200 - $11,000
Carpet Repair (rips, joints)	$1,000 - $8,000	Pesticides	$650 - $6,300
Water Cooling	$5,000 - $10,000	Aeration	$700 - $960
Weeding	$500 - $1,000	Sod Replacement	$833 - $12,500
		Irrigation	$300 - $3,000
Total	**$13,720 - $39,220**	**Total**	**$8,133 - $48,960**

Source: *Cost Analysis - Sports Turf Alternatives Assessment, September 2016 , Massachusetts Toxics Use Reduction Institute* , Turfgrass Resource Center (TRC) "Natural Grass and Artificial Turf: Separating Myths and Facts."

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477

ROCKWALL
Economic Development Corporation

August 15, 2019

City of Rockwall
Mayor Jim Pruitt and the Rockwall City Council
385 South Goliad
Rockwall, TX 75087

Re: Street Parking in the Rockwall Technology Park

Dear Mayor Pruitt and City Council members,

This letter is being written on behalf of the Rockwall Economic Development Corporation - the declarant of the Rockwall Technology Park Association (RTPA) – to request ordinance approval by the Rockwall City Council limiting on-street parking in the Rockwall Technology Park (RTP) to no more than two hours. While there are currently no local laws prohibiting street parking within the RTP, the existing Covenants, Conditions, and Restrictions (CCR's) for the RTP state that "(tenant) parking areas shall be sufficient to accommodate all parking needs for employees, company vehicles, and visitors without the use of the on-street parking," and "on-street parking shall be prohibited for any vehicle in the Rockwall Technology Park."

Generally, the provision of the CCR's has been respected by tenants in the RTP. When on-street parking is used, it is typically for a brief amount of time and/or creates minimal impact on neighboring tenants. However, in the last few months, street parking has become an issue. Pegasus Foods, a frozen foods manufacturer that announced plans to move to Rockwall from California in 2016, has been increasing their product lines and ramping up employment counts at their facility located at 1635 Innovation Drive – a 125,000 square foot structure previously owned by Col-Met Engineered Finishing Solutions. While the REDC is excited about the growth at Pegasus and the success they have found in Rockwall, the company's largest shift has peaked at 200 more employees than they have parking spaces on their site. This has resulted in, at times, more than 100 hundred cars being parked on the street in the RTP, primarily on Innovation Drive. While Pegasus has worked to optimize their existing 8.5 acre site by creating 50-60 additional spaces, company officials acknowledge that their business will still have an excess parking demand for the foreseeable future.

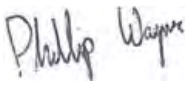
Unfortunately, REDC has received numerous complaints from area businesses of the RTPA over the past few months, with concerns being expressed regarding employee safety, congestion, and inability to move trucks of suppliers and customers. While the REDC wants to be supportive of Pegasus and help facilitate their success when possible, we are charged with looking after the best interests of the other tenants in the RTP as well. Ultimately, we do not believe the street parking situation reflects the image of a high quality business park the REDC and RTPA has maintained for approximately 20 years.

Despite this formal request, we are working with Pegasus to develop a creative solution that

will move all the employee cars off the street. Because of this, it is our hope that the installation of the 2-hour parking signs and subsequent enforcement will be deemed unnecessary. Still, the REDC believes that the ordinance should be adopted to make sure that all parties remain motivated to pursue these alternative parking options.

We appreciate your consideration of this request. Should you have any questions, please do not hesitate to contact me at 972-772-0025.

Sincerely,



Phil Wagner
President
Rockwall Economic Development Corporation

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480

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **August 30, 2019**

SUBJECT: **Fiscal Year 2020 Ad Valorem Taxes and Proposed Budget**

The Council held the budget work session on August 27 and reviewed the Proposed FY20 Budget in detail. The Proposed budget includes three new positions in the Fire Department along with four Parks maintenance workers and a Mental Health officer in the Police Department. In addition, funding has been increased for street maintenance projects.

The Proposed budget reflects tax revenues assuming adoption of the Effective Rate which is a 1.41 cents decrease from the current tax rate. The proposed rate is 38.7990 cents per hundred dollars of assessed value.

Prior to adoption of the budget, the Charter requires a public hearing. The budget is based on the Effective Tax rate so additional public hearings are not required although the tax rate itself is certainly a subject that may be discussed during the Public Hearing.

If the Council has any changes to be made to the budget draft those can be discussed at this meeting and the final version of the budget will be considered for adoption at the September 16th meeting.

481

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482

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Councilmembers**

FROM: **Rick Crowley, City Manager**

DATE: **August 26, 2019**

SUBJECT: **Sidewalk Policy & Discussions**

At the next City Council meeting, the Staff will be providing a sample policy related to the design and construction of sidewalks adjacent to streets which have been selected for reconstruction with bond funds. Hopefully, this sample policy will assist the Council in determining the provisions for an agreed upon guidance to be used as these projects are designed and built. The sample policy will be structured consistent with our best interpretation of what we thought might have been the inclination of the Council at the time we began to develop the sample policy. There may well be (or may well have been) some change in the inclinations of the Council regarding sidewalks as discussions have continued since that time, or our interpretation of the Council's inclinations may have been incorrect. I do not currently get a sense that there is a unanimous opinion on the subject. Certainly, there is an understanding that the Council may choose to modify any policy as it sees fit before it is considered for adoption. Hopefully having a sample policy before you will help in development of an adopted or new policy.

As Street Department budget discussions are held on Tuesday, we hope to get a better "handle" on the kinds of information that the staff can make available to you that may help you in the decisions related to a sidewalk policy. As reference points for those budget discussions, information below is provided, a sample policy has been drafted and provided, and a series of pictures of various sidewalks currently located throughout the City is provided. It is not likely that any of the provided information will be information of which you are not currently aware, but perhaps it will be helpful to provide it as structured below.

Three basic questions prevail when considering the adoption of a sidewalk policy associated with reconstruction projects. These include:

1. "**When**" to design and build sidewalks with street reconstruction projects.
2. "**Where**" to locate sidewalks within the right-of-way or street construction section when sidewalks are to be built.
3. "**How wide**" to build sidewalks that are to be built.

When

In reviewing the matter of when sidewalks are to be designed and built with street reconstruction projects a wide range of ideas may be considered including those listed below (in an order ranging from including sidewalks on all projects to including sidewalks in no projects):

Design and build sidewalks on ALL street construction projects.

Design and build sidewalks on all reconstruction projects if no/minimal right-of-way acquisition is required to do so.

Design and rebuild sidewalks on streets being reconstructed in cases where intermittent sidewalks exist along the project length and build new sidewalk sections to connect those partially existing sidewalk routes.

Design and rebuild only the existing sections of intermittent sidewalks, but build no new connective sidewalk sections.

Design and build sidewalks on streets selected for reconstruction that meet a predetermined traffic volume test or that are expected to meet a predetermined traffic volume test in the future.

Design and build sidewalks only on streets that meet a predetermined traffic volume test at the time of the reconstruction project selection.

Design and build sidewalks only on streets that are shown on the City's adopted Thoroughfare Plan at a predetermined street classification or above (such as collector and above).

Design and build sidewalks only on streets selected for reconstruction that are designated on the City's Thoroughfare Plan as pedestrian routes to schools, destinations, or State Roadways. (Such a designation would have to be added to the existing Thoroughfare Plan.)

Use preliminary design information for selected projects to determine the potential effect of adding sidewalks on existing trees, shrubs, and landscaping to be used in the final sidewalk decision for each project.

Conduct surveys and/or hold hearings for each project to assist in making the decision as to whether to design and build sidewalks when streets are selected for reconstruction.

Design and build streets without sidewalks unless full length sidewalks exist at the time of project selection.

Where

When sidewalks are to be designed and built with street reconstruction projects, there are a number of options as to the location of sidewalks. An example of most every option currently exists within the City. Presently existing sidewalk locations in the City include:

1. Sidewalks located directly "back of curb" with no space between the concrete curb and sidewalk.
2. Sidewalks located 1'- 5' away from the curb with space between concrete curb and the sidewalk where grass or other vegetation may occur.
3. Sidewalks with location shifting from back of curb to 1'-5' from the curb – sometimes done to avoid conflict with trees, shrubs, mailboxes or other things located along the sidewalk route.
4. Sidewalks of variable width to avoid conflicts as stated above.
5. Discontinuous sidewalks that have occurred based on sidewalk preferences of the owner/builder; sidewalk requirements in place at the time of construction; or to protect trees, shrubs, or landscaping in place at the time of sidewalk construction. (The latter case may involve shifting pedestrians onto the street for a short distance.)

How Wide

Existing sidewalk widths located throughout the City vary. Existing sidewalk widths include:

1. 3' sidewalks (mostly located in older areas of the City – if built today 3' widths may require certain provisions to accommodate ADA compliance or practical use modifications such as periodic "bump outs").
2. 4' sidewalks (if built today may also require certain provisions to accommodate ADA compliance or practical use modifications such as "bump outs").
3. 5' sidewalks.
4. 6' sidewalks.
5. Variable width sidewalks.

Both functionality and aesthetics may be affected by sidewalk width. A number of examples of sidewalk location and widths that currently exist in the City are shown in the attached pictures. Examining these locations may be helpful in determining policy guidelines for future sidewalk construction.

The Staff can use any input received during the discussion of sidewalks as a part of the Street budget to adjust or add information for the Council to consider when the policy matter comes before the Council at the next meeting. If you have any questions, please do not hesitate to contact me in the meantime.

3’ Sidewalks – Old Town



3’ Parkway Sidewalk – N. Fannin St



3’ Parkway Sidewalk N. Goliad Street

4’ Sidewalks



4’ Parkway Sidewalk – Arbor View Place



4’ Parkway Sidewalk – Arbor View Place

4’ Sidewalks



4’ Parkway Sidewalk – Berkley Drive



4’ Parkway Sidewalk – Angie Lane



4’ Back of Curb Sidewalk – Rockwall Pkwy



4’ Back of Curb Sidewalk – Winter Park Ct

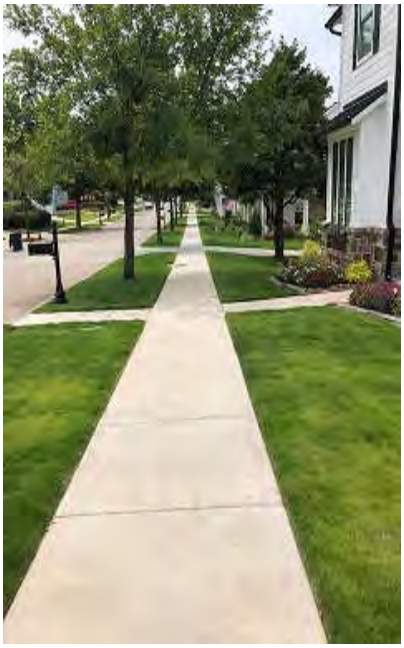
5’ Sidewalks



5’ Parkway Sidewalk – Brazos Way



5’ Parkway Sidewalk – Capstone Way



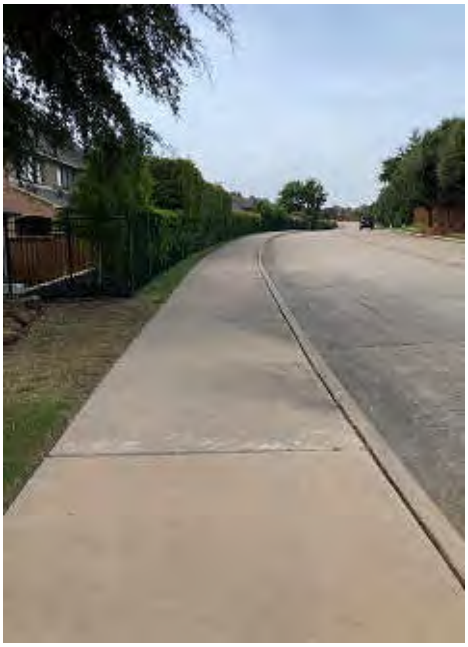
5’ Parkway Sidewalk – Park Place Blvd



5’ Parkway Sidewalk – Ivy Lane

5’ Sidewalks (continued)





5’ Back of Curb Sidewalk – North Lakeshore Drive

6’ Sidewalks



6’ Parkway Sidewalk – E. Boydstun Ave



6’ Parkway Sidewalk – E. Boydstun Ave

6’ Sidewalks



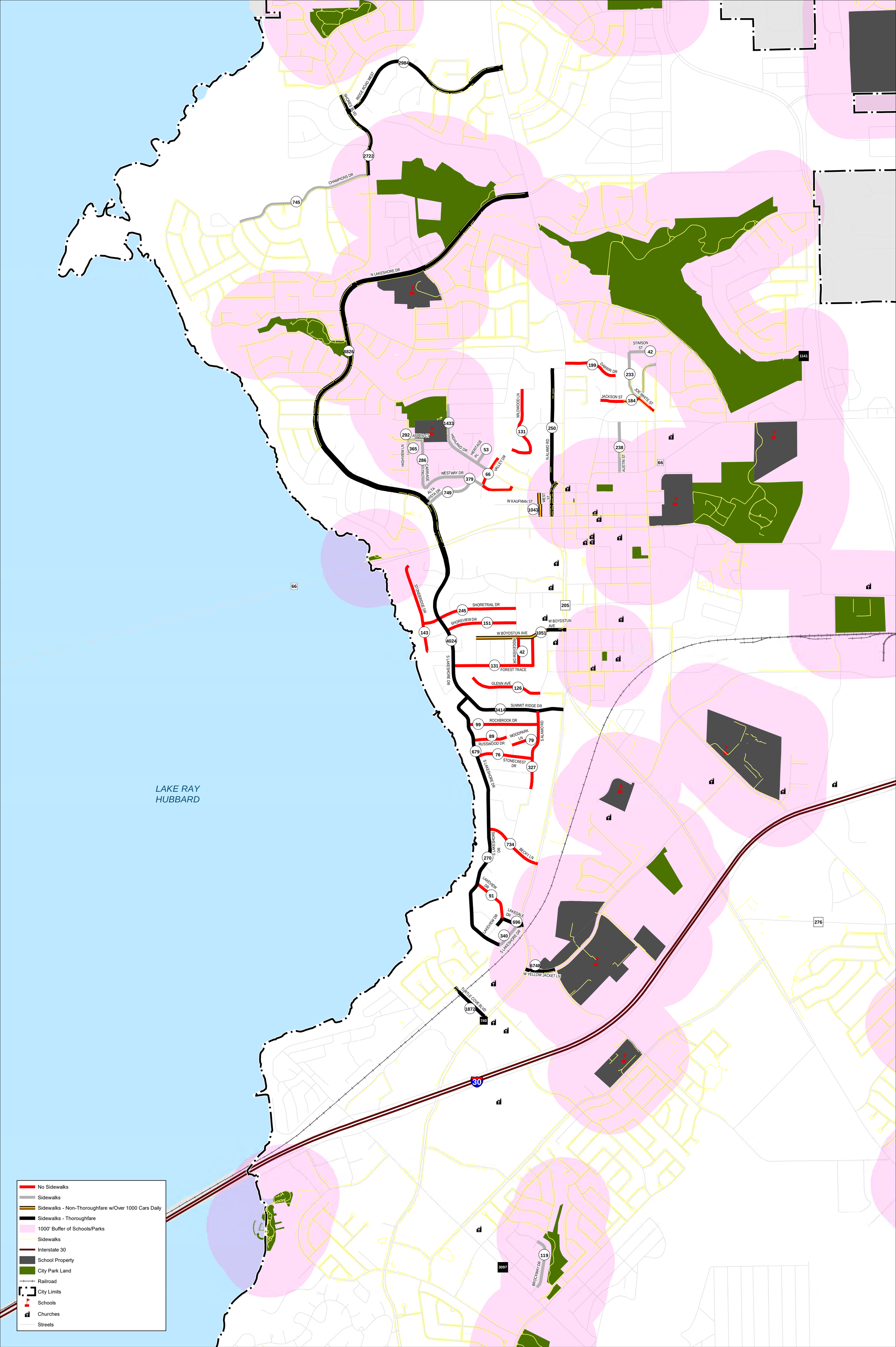
6’ Back of Curb Sidewalk – E. Boydstun Ave



6’ Back of Curb Sidewalk – E. Boydstun Ave



6’ Back of Curb Sidewalk – N. Lakeshore Drive



City of Rockwall

0 500 1,000 Feet

Date: 8/28/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

SAMPLE SIDEWALK POLICY

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492

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager*
	Mary Smith, *Assistant City Manager*
	Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	September 3, 2019
SUBJECT:	Water, Wastewater, and Roadway Impact Fee Study

In accordance with Section 395.047, *Hearing on Impact Fee*, of Chapter 395 of the Texas Local Government Code, attached is a resolution that will set the required public hearing date for the consideration of updates to the Roadway, Water, and Wastewater Impact Fee Program for Monday, October 21, 2019. As part of this consideration the City Council will be required to adopt Land Use Assumptions and a Capital Improvement Plan for roadway, water, and wastewater facilities.

The City's consultants (*Eddie Haas with Freese and Nichols, Inc and Matt Hickey, PE with Brikoff, Hendricks & Carter, LLP*) will continue to work with staff and the Capital Improvements Advisory Committee (CIAC) on finalizing the impact fee report that will be delivered to City Council on September 18, 2019. Should the City Council have any questions, staff will be available at the *September 3, 2019* City Council meeting.

CITY OF ROCKWALL

RESOLUTION NO. 19-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER THE APPROVAL OF UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN, AND IMPACT FEES FOR THE 2019 IMPACT FEE UPDATE.

WHEREAS, the City Council of the City of Rockwall has authorized an impact fee study to determine whether to adopt updated Land Use Assumptions (LUA), Capital Improvement Plan, and Impact Fees for roadway, water, wastewater facilities in accordance with Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (*"Ch, 395 of the TLGC"*) and Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions*, of the City of Rockwall Municipal Code of Ordinances; and

WHEREAS, *Ch. 395 of the TLGC* requires the City Council of the City of Rockwall to hold a public hearing to consider whether to update the Land Use Assumptions, Capital Improvement Plan, and Impact Fees for roadway, water, and wastewater facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. RECITALS. The above recitals are found to be true and correct and they are incorporated as findings of the City Council for all purposes.

SECTION 2. PUBLIC HEARING. A public hearing of the City Council shall be held on *October 21, 2019* at 6:00 PM at City Hall, 385 S. Goliad Street, Rockwall, Texas, for the purpose of considering amendments to the Land Use Assumptions, Capital Improvement Plan, and Impact Fees for roadway, water, wastewater facilities.

SECTION 3. PUBLIC NOTICE. Notice of the public hearing shall be published in a newspaper of general circulation in Rockwall County at least 30-days prior to the public hearing date.

SECTION 4. EFFECTIVE DATE. This *Resolution* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 3RD DAY OF SEPTEMBER, 2019.

APPROVED:

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

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495

City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Assistant City Manager

DATE: August 21, 2019

SUBJECT: Atmos Energy Settlement

BACKGROUND AND SUMMARY

The City, along with 171 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism ("RRM"), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about April 1, 2019, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2018, entitled it to additional system-wide revenues of $70

496

million. Application of the standards set forth in ACSC's RRM Tariff required Atmos to reduce its request to $54 million, $39.3 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be $38.7 million instead of the claimed $54 million. The amount of the $38.7 million deficiency applicable to ACSC members would be $28.2 million.

After the Company reviewed ACSC's consultants' report, ACSC's Executive Committee and the Company negotiated a settlement whereby the Company would receive an increase of $35.4 million from ACSC Cities.

The Executive Committee recommends a settlement at this amount. The Effective Date for new rates is October 1, 2019. ACSC members should take action approving the Ordinance before the end of September.

PROOF OF REVENUES

Atmos generated proof that the rate tariffs attached to the Ordinance will generate $35.4 million in additional revenues from ACSC Cities. That proof is attached as Attachment 1 to this Staff Report. ACSC consultants have agreed that Atmos' Proof of Revenues is accurate.

BILL IMPACT

The impact of the settlement on average residential rates is an increase of $2.05 on a monthly basis, or 3.7 percent. The increase for average commercial usage will be $6.18 or 2.31 percent. A bill impact comparison is attached as Attachment 2.

497

SUMMARY OF ACSC'S OBJECTION TO THE UTILITIES CODE SECTION 104.301 GRIP PROCESS

ACSC strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues while rewarding the Company for increasing capital investment on an annual basis. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow recovery of Cities' rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In ACSC's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

RRM SAVINGS OVER GRIP

While residents outside municipal limits must pay rates governed by GRIP, there are some cities served by Atmos Mid-Tex that chose to remain under GRIP rather than adopt RRM. Additionally, the City of Dallas adopted a variation of RRM which is referred to as DARR. When new rates become effective on October 1, 2019, ACSC residents will have a slight economic monthly advantage over comparable GRIP and comparable DARR rates (see Attachment 3).

EXPLANATION OF "BE IT ORDAINED" PARAGRAPHS:

1. This section approves all findings in the Ordinance.

2. This section adopts the RRM rate tariffs and finds the adoption of the new rates to be just, reasonable, and in the public interest.

3. This section finds that existing rates are unreasonable. Such finding is a necessary predicate to establishment of new rates. The new tariffs will permit Atmos Mid-Tex to recover an additional $35.4 million from ACSC Cities.

4. This section approves an exhibit that establishes a benchmark for pensions and retiree medical benefits to be used in future rate cases or RRM filings.

5. This section approves an exhibit to be used in future rate cases or RRM filings regarding recovery of regulatory liabilities, such as excess deferred income taxes.

6. This section requires the Company to reimburse the City for expenses associated with review of the RRM filing, settlement discussions, and adoption of the Ordinance approving new rate tariffs.

7. This section repeals any resolution or ordinance that is inconsistent with the Ordinance.

8. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

9. This section is a savings clause, which provides that if any section is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Ordinance. This section further directs that the remaining provisions of the Ordinance are to be interpreted as if the offending section or clause never existed.

10. This section provides for an effective date upon passage.

499

11. This section directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for ACSC.

CONCLUSION

The Legislature's GRIP process allowed gas utilities to receive annual rate increases associated with capital investments. The RRM process has proven to result in a more efficient and less costly (both from a consumer rate impact perspective and from a ratemaking perspective) than the GRIP process. Given Atmos Mid-Tex's claim that its historic cost of service should entitle it to recover $70 million in additional system-wide revenues, or $54 million from ACSC Cities, the RRM settlement at $35.4 million for ACSC Cities reflects substantial savings to ACSC Cities in the amount of $18.6 million. ACSC's consultants produced a report indicating that Atmos had justified increased revenues for ACSC Cities of at least $32.7 million. Settlement at $35.4 million is fair and reasonable. The ACSC Executive Committee consisting of city employees of 18 ACSC members urges all ACSC members to pass the Ordinance before September 30, 2019. New rates become effective October 1, 2019.

LEGAL AND CONSULTING FEES

Through July 2019, Lloyd Gosselink Rochelle & Townsend law firm representing the Atmos Cities Steering Committee billed $5,612.50. The rate consultants, Resolved Energy Consulting, has billed $37,394 over the same period. Once the settlement is concluded, all invoices will be compiled and delivered to Atmos Energy for reimbursement to ACSC.

Attachment 1

Proof of Revenues

501

ATMOS ENERGY CORP., MID-TEX DIVISION
RRM CITIES RATE REVIEW MECHANISM
PROOF OF REVENUES - SYSTEMWIDE
TEST YEAR ENDING DECEMBER 31, 2018

Line No.	Customer Class	Current	Proposed	Bills	Ccf/MmBtu
	(a)	(b)	(c)	(d)	(e)
1	**Residential**				
2	Customer Charge	$ 18.85	$ 19.55	18,572,400	
3	Consumption Charge	0.14846	0.17423		876,575,629
4	Revenue Related Taxes				
5	Total Class Revenue				
6					
7	**Commercial**				
8	Customer Charge	$ 43.50	$ 46.50	1,492,740	
9	Consumption Charge	0.09165	0.09924		576,758,305
10	Revenue Related Taxes				
11	Total Class Revenue				
12					
13	**Industrial & Transportation**				
14	Customer Charge	$ 784.00	$ 845.50	9,804	
15	Consumption Charge Tier 1	$ 0.3312	$ 0.3572		10,724,328
16	Consumption Charge Tier 2	$ 0.2425	$ 0.2616		12,346,302
17	Consumption Charge Tier 3	$ 0.0520	$ 0.0561		22,335,700
18	Revenue Related Taxes				
19	Total Class Revenue				
20					
21	**Total Excluding Other Revenue**				
22					
23					
24	**Revenue Related Tax Factor**	6.7078%			

	Current Revenues (f)		Proposed Revenues (g)		Increase (h)
$	350,089,740	$	363,090,420		
	130,136,418		152,725,772		
	32,212,790		34,600,111		
$	512,438,948	$	550,416,303	$	37,977,356
$	64,934,190	$	69,412,410		
	52,859,899		57,237,494		
	7,901,436		8,495,470		
$	125,695,525	$	135,145,374	$	9,449,849
$	7,686,336	$	8,289,282		
	3,551,897		3,830,730		
	2,993,978		3,229,793		
	1,161,456		1,253,033		
	1,032,582		1,113,691		
$	16,426,250	$	17,716,529	$	1,290,278
$	654,560,722	$	703,278,206	$	48,717,483

Attachment 2

Bill Impact

504

ATMOS ENERGY CORP., MID-TEX DIVISION
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2018

Line							CURRENT	PROPOSED	CHANGE	
1	Rate R @ 47.5 Ccf									
2	Customer charge						$ 18.85			
3	Consumption charge	47.5	CCF	X	$ 0.14846	=	7.05			
4	Rider GCR Part A	47.5	CCF	X	$ 0.27375	=	13.00			
5	Rider GCR Part B	47.5	CCF	X	$ 0.27485	=	13.06			
6	Subtotal						$ 51.96			
7	Rider FF & Rider TAX		$ 51.96	X	0.06708	=	3.49			
8	Total						$ 55.45			
9										
10	Customer charge							$ 19.55		
11	Consumption charge	47.5	CCF	X	$ 0.17423	=		8.28		
12	Rider GCR Part A	47.5	CCF	X	$ 0.27375	=		13.00		
13	Rider GCR Part B	47.5	CCF	X	$ 0.27485	=		13.06		
14	Subtotal							$ 53.89		
15	Rider FF & Rider TAX		$ 53.89	X	0.06708	=		3.61		
16	Total							$ 57.50	$	2.05
17										3.70%
18										
19	Rate C @ 367.6 Ccf						CURRENT	PROPOSED	CHANGE	
20	Customer charge						$ 43.50			
21	Consumption charge	367.6	CCF	X	$ 0.09165	=	33.69			
22	Rider GCR Part A	367.6	CCF	X	$ 0.27375	=	100.62			
23	Rider GCR Part B	367.6	CCF	X	$ 0.19927	=	73.25			
24	Subtotal						$ 251.06			
25	Rider FF & Rider TAX		$ 251.06	X	0.06708	=	16.84			
26	Total						$ 267.90			
27										
28	Customer charge							$ 46.50		
29	Consumption charge	367.6	CCF	X	$ 0.09924	=		36.48		
30	Rider GCR Part A	367.6	CCF	X	$ 0.27375	=		100.62		
31	Rider GCR Part B	367.6	CCF	X	$ 0.19927	=		73.25		
32	Subtotal							$ 256.85		
33	Rider FF & Rider TAX		$ 256.85	X	0.06708	=		17.23		
34	Total							$ 274.08	$	6.18
35										2.31%

505

505

ATMOS ENERGY CORP., MID-TEX DIVISION
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2018

Line							CURRENT	PROPOSED	CHANGE	
36	**Rate I @ 4066 MMBTU**									
37	Customer charge						$ 784.00			
38	Consumption charge	1,500	MMBTU	X $	0.3312	=	496.80			
39	Consumption charge	2,566	MMBTU	X $	0.2425	=	622.14			
40	Consumption charge	0	MMBTU	X $	0.0520	=	-			
41	Rider GCR Part A	4,066	MMBTU	X $	2.6733	=	10,868.51			
42	Rider GCR Part B	4,066	MMBTU	X $	0.4491	=	1,825.85			
43	Subtotal						$ 14,597.30			
44	Rider FF & Rider TAX		$ 14,597.30	X 0.06708		=	979.16			
45	Total						$ 15,576.46			
46										
47	Customer charge							$ 845.50		
48	Consumption charge	1,500	MMBTU	X $	0.3572	=		535.80		
49	Consumption charge	2,566	MMBTU	X $	0.2616	=		671.14		
50	Consumption charge	0	MMBTU	X $	0.0561	=		-		
51	Rider GCR Part A	4,066	MMBTU	X $	2.6733	=		10,868.51		
52	Rider GCR Part B	4,066	MMBTU	X $	0.4491	=		1,825.85		
53	Subtotal							$ 14,746.80		
54	Rider FF & Rider TAX		$ 14,746.80	X 0.06708		=		989.19		
55	Total							$ 15,735.99	$ 159.53	
56										1.02%
57	**Rate T @ 4066 MMBTU**						CURRENT	PROPOSED	CHANGE	
58	Customer charge						$ 784.00			
59	Consumption charge	1,500	MMBTU	X $	0.3312	=	496.80			
60	Consumption charge	2,566	MMBTU	X $	0.2425	=	622.14			
61	Consumption charge	0	MMBTU	X $	0.0520	=	-			
62	Rider GCR Part B	4,066	MMBTU	X $	0.4491	=	1,825.85			
63	Subtotal						$ 3,728.79			
64	Rider FF & Rider TAX		$ 3,728.79	X 0.06708		=	250.12			
65	Total						$ 3,978.91			
66										
67	Customer charge							$ 845.50		
68	Consumption charge	1,500	MMBTU	X $	0.3572	=		535.80		
69	Consumption charge	2,566	MMBTU	X $	0.2616	=		671.14		
70	Consumption charge	0	MMBTU	X $	0.0561	=		-		
71	Rider GCR Part B	4,066	MMBTU	X $	0.4491	=		1,825.85		
72	Subtotal							$ 3,878.29		
73	Rider FF & Rider TAX		$ 3,878.29	X 0.06708		=		260.15		
74	Total							$ 4,138.44	$ 159.53	
75										4.01%

506

506

Attachment 3

RRM Monthly Savings Over GRIP and DARR Rates

507

ACSC Margin Advantage Over GRIP and DARR Residential Customers
Effective October 1, 2019

Group	Average Monthly Consumption	Customer Charge	Consumption Charge	Average Bill	Average Monthly Savings
ACSC/RRM	47.5 CCF	$19.55	$0.17423	$27.83	X
Environs GRIP	47.5 CCF	$19.84	$0.18653	$28.70	$0.87
ATM GRIP	47.5 CCF	$21.69	$0.14846	$28.74	$0.92
DARR	47.5 CCF	$21.25	$0.14924	$28.34	$0.51

508

508

FREQUENTLY ASKED QUESTIONS REGARDING ACSC HISTORY AND THE RRM RATEMAKING PROCESS

What is the role of Cities in ratemaking?

Cities have historically exercised original jurisdiction over the level of gas rates charged within their boundaries. Generally, gas distribution utilities have filed rate cases at the City level and have only gone to the Railroad Commission of Texas ("RCT" or "Commission") with an appeal of City action or when they could not reach a settlement with Cities. If a utility and Cities reach an agreement, the utility may then file a case at the RCT to implement the same rates approved by Cities in areas outside municipal boundaries.

Once a case is at the RCT, the Commission Staff generally expects Cities to intervene and do most of the discovery, cross-examination, briefing, and sponsor opposing witnesses. There is no consumer advocate at the RCT. If Cities do not participate in hearings at the RCT, the request of a regulated utility is likely to be rubber-stamped.

How and why was the Atmos Cities Steering Committee created?

The Atmos pipeline and distribution systems were built, owned, and operated by Lone Star Gas ("LSG"), which maintained over 200 rate jurisdictions until it sold its assets to Texas Utilities ("TXU") in the late 1990's. That meant that many Cities had their own unique distribution rates and that individual Cities had to process rate cases at the local level. LSG-Pipeline served all 200-plus distribution systems, and pipeline rates were set by the RCT.

From the early 1980's through the late 1990's, LSG filed no pipeline or system-wide rate cases at the RCT. When LSG was finally brought before the RCT to show cause why its rates should not be reduced, approximately 80 Cities intervened and created an *ad hoc* group known as the Steering Committee of Cities Served by Lone Star. In Gas Utilities Division ("GUD") docket number 8664, three separate groups of Cities and a number of independent Cities (jointly the "Aligned Cities") participated and coordinated their efforts to oppose the rate increase.

TXU purchased the LSG assets in the late 1990's and immediately commenced consolidating 200-plus ratemaking jurisdictions into regions. As regional cases were filed, Cities within each region created an *ad hoc* committee to form a common strategy and negotiating position. Once TXU had aggregated the Cities into five or six jurisdictions, each with a different rate, Texas Utilities Gas Company filed a system-wide case to bring all of the old LSG territory under one common rate. The different City regional committees then united and formed the Allied Coalition of Cities ("ACC"). While the gas utility assets were owned and controlled by TXU, the coalition transformed itself from an *ad hoc* group that came together only in response to rate filings by the utility into a permanent standing coalition.

In Gas Utilities Docket ("GUD") No. 9400 in 2004, TXU's request for a $61.6 million system-wide increase was aggressively opposed by ACC. Cities achieved disallowances of $42.9 million of a regulatory asset and $87.8 million of capitalized gas utility plant. The company received only a $2.01 million increase. Unhappy with that result, TXU decided that owning a gas system was neither as fun nor as profitable as the deregulated electric system, and they sold the system to Atmos Energy Corporation ("Atmos" or "Company"). ACC was then transformed into the Steering Committee of

Cities Served by Atmos and then renamed Atmos Cities Steering Committee to obtain an easy to remember acronym, "ACSC."

What is the Atmos Cities Steering Committee?

ACSC is a coalition of 170 Cities that unite in common purpose to address gas utility rate and franchise issues related to Atmos Energy Corporation. Its objectives are to: (1) ensure that gas utility rates charged to Cities and their residents are fair and reasonable; (2) maintain reasonable franchise fee revenues for Cities; (3) protect Cities' original jurisdiction over rates and services; (4) be a voice for consumers where no state agency assumes such a role; and (5) promote sound ratemaking policies in the public interest.

Cities join the permanent standing committee by passing a resolution and agreeing to support the work of ACSC through modest occasional *per capita* assessments that support ongoing administrative and legislative advocacy and all expenses where Cities are not entitled to reimbursement. Each member City designates a representative to ACSC. Member representatives may volunteer to serve on the ACSC Executive Committee. The Executive Committee sets policy, hires legal counsel and consultants, directs litigation, establishes a legislative agenda, sets assessments on members as needed, and meets quarterly with Atmos executives. The Settlement Committee is directly involved in negotiating resolution of contested matters with Atmos executives. The list of current members is attached.

What is the benefit of membership in ACSC?

One hundred seventy Cities speaking as one voice is much more effective in advocacy before the Railroad Commission and legislature than any one City or multiple small groups of Cities.

The legislature has given gas utilities a right to an annual increase in rates. Resources (both financial and human) of individual Cities are conserved by membership in ACSC. Additionally, membership enhances institutional memory of ratemaking issues, public policy debates, and right-of-way and franchise fee battles.

What has ACSC accomplished?

Going into the 82nd Legislative Session, in December 2010, ACSC released a 48-page report, "Natural Gas Consumers and the Texas Railroad Commission." More than 200 television, newspaper and radio news sites posted information on, and a link to, the report that may be found on ACSC's website, TexasGasConsumers.org.

ACSC has also been instrumental in ongoing Sunset Commission reviews of the RCT. The agency has undergone three Sunset reviews since 2010, and in each case ACSC has maintained a watchful eye on the process to ensure that provisions that could harm the interest of gas utility ratepayers are excluded from the legislation. ACSC representatives also visited on several occasions with the Sunset Commission Staff, and several ACSC recommendations for reform were included in Sunset Commission Reports on the agency. Several ACSC member representatives testified before the legislature regarding the Sunset review of the Railroad Commission.

During the 2011 legislative session, lobbying efforts by ACSC were critical in killing two gas utility bills that would have undermined traditional regulation, deprived Cities of certain rights, and led to even greater rate increases.

ACSC has also resolved a major issue involving franchise fees. In 2010, Atmos unilaterally, without notice, ceased inclusion of franchise fees in the calculations of gross receipts regardless of whether specific franchises included such payments. Several Cities were willing to pursue the matter through litigation. However, counsel for ACSC was able to negotiate a resolution that allowed each member City to determine whether it desired an increase in franchise fee payments based on inclusion of franchise fees in the calculation of gross receipts. If a City opted for inclusion of fee-on-fee revenues, it had the further option of retroactive payments back to the point in time that Atmos decided to curtail fee-on-fee payments. Each member had these options regardless of the wording of the then-valid franchise agreement. This resolution spared significant litigation costs and anxiety and was only possible because of the clout of the ACSC membership.

One of the most significant accomplishments of ACSC occurred in 2007 via a settlement of the then-pending, system-wide rate case. Approximately 50 ACSC City representatives showed up in Arlington for a meeting with Atmos executives who were shocked at the vocal opposition to Atmos' practices, the unfairness of annual Gas Reliability Infrastructure Program ("GRIP") rate filings that precluded City and citizen review, and the Company's lack of coordination with Cities. That meeting led to the creation of the Rate Review Mechanism ("RRM") process and improved ongoing communications between the Company and ACSC.

In 2010, these improved communications between ACSC and the Company led to a workable solution to the need to replace steel service lines in a manner that accommodated Cities' needs to control their rights-of-way, while moderating the rate impact and focusing first on the riskiest service lines based on leak repair histories. This compromise precluded a more onerous (from a City and consumer perspective) program threatened by the RCT.

What is an RRM case?

The concept of an RRM proceeding emerged as a three-year experimental substitute for GRIP cases as part of the settlement of Atmos Mid-Tex's 2007 system-wide rate case. In 2003, the Texas Legislature added Section 104.301, Interim Adjustment for Changes in Investment, to the Gas Utility Regulatory Act. While not identified as such in the law, § 104.301 was referred to as the Gas Reliability Infrastructure Program or GRIP. The GRIP adjustments allowed gas companies to recover changes to invested capital without a review of whether increased revenues or declining expenses offset the invested capital costs. Both Atmos Pipeline and Atmos Mid-Tex filed GRIP cases as soon as the RCT adopted rules to implement the interim adjustments. As explained below, it quickly became apparent that the GRIP adjustments were terrible public policy.

As an alternative to GRIP, ACSC entered into a negotiated agreement with Atmos in 2007 to establish the RRM process. Unlike GRIP, the RRM provided for an annual review of all portions of Mid-Tex's cost of service. It fixed an authorized rate of return on equity for the three-year period at 9.6% (which was less than what the RCT would have authorized) and set caps on the extent to which expenses or investments could increase from one year to the next. More importantly, it allowed Cities to make a comprehensive evaluation of all aspects of the utility's business—investment, operation and maintenance expenses, and revenues—unlike GRIP that only allows consideration of changes to invested capital.

Why is RRM superior to GRIP?

GRIP cases guarantee a one-sided, rubber-stamp approval of the utility's rate request. ACSC attempted to participate in the first two GRIP proceedings filed by both Atmos Pipeline and Atmos Mid-Tex at the RCT. Not only were Cities' motions to intervene denied, but also, ACSC's comments were ignored. At the City level, ACSC consultants determined that Atmos was not only including items such as artwork, chairs, computers, and meals in interim rate adjustments that were allegedly intended to promote pipeline safety, but the Company was also over-earning its previously authorized rate of return. ACSC attacked the Commission's rule in court because it denied City participation, denied a hearing on a contested matter, and denied Cities' recovery of any expenses associated with resisting GRIP rate increases. The courts were not helpful to Cities. In 2011, the Texas Supreme Court upheld the Commission's rule implementing the GRIP statute.

Cities have contended that the GRIP process is terrible public policy since it authorizes what would, from the perspective of a history of public interest regulation, be regarded as unlawful—piecemeal ratemaking. GRIP allows rates to increase if the utility's invested capital net of depreciation increases year-over-year. An increase in rates is mandated under GRIP if investment increases, even if increasing revenues and declining expenses more than offset the costs associated with increased investment.

The RRM process negotiated by ACSC solves the piecemeal ratemaking problem by providing for a comprehensive review of Atmos' expenses and revenues. Furthermore, the RRM process benefitted ACSC by: (1) allowing Cities' participation that would be denied under GRIP; (2) allowing Cities to recover, at utility shareholders' expense, all their ratemaking costs; and (3) avoiding both litigation and RCT jurisdiction.

The legislature has functionally authorized annual increases in gas utility rates through the GRIP process. Since consumers are otherwise stuck with annual rate increases, it is better to have Cities participate in the comprehensive RRM process than be unable to participate in a piecemeal process.

What has been the history of the RRM efforts?

A total of eleven RRM filings have been made by the Company. These filings all resulted in settlements at the City level, except for the 2014 filing, which the ACSC Cities denied. The Company appealed the denial to the RCT, and ACSC was ultimately able to settle that proceeding before it reached the stage of a final RCT order. The results of these filings from a system-wide perspective are as follows (continued on next page):

RRM Filing	Year	Atmos Request	ACSC Settlement
#1	2008	$33.5 million	$20 million
#2	2009	$20.2 million	$2.6 million
#3	2010	$70.2 million	$27 million
#4	2011	$15.7 million	$6.6 million
#5	2013	$22.7 million	$16.6 million
#6	2014	$45.7 million	$43.8 million
#7	2015	$28.8 million	$22.8 million
#8	2016	$35.4 million	$29.6 million
#9	2017	57.4 million	$48 million

RRM Filing	Year	Atmos Request	ACSC Settlement
#10	2018	$27.4 million	$24.9 million
#11	2019	$54 million	$35.4 million

Unable to reach agreement to perpetuate the original RRM terms, Atmos filed a traditional rate case with Cities in 2012 (GUD No. 10170), which was then appealed to the Railroad Commission. A final order in that case was entered in December 2012. The ratemaking decisions of the Commission then became the basis of renewal negotiations on the RRM process. The renewed RRM included some modifications that enhanced the original RRM process. Among these modifications were:

- A limit on the percentage of increase to be included in the monthly customer charge;
- A prohibition against capital post-test year adjustments;
- A time limit for known and measurable adjustments to operating and maintenance expenses;
- A guaranteed reduction in the Company's requested increase of at least $3 million annually; and
- A limitation on the amount of equity in the Company's capital structure.

Changes to the RRM process

As noted in a communication to ACSC in May 2017, the rate of return on equity ("ROE") embedded in the RRM process between 2013 and 2017 of 10.5% is excessive by at least 100 basis points, based upon a reasonable rate of return that reflects the market conditions in which the Company, and its parent Atmos Energy, operates. Because this ROE cannot be altered except by (1) changing the terms of the RRM tariff, or (2) a Commission order coming out of a new rate case, ACSC informed the Company that the 2017 RRM will be the last filing by the Company under the current tariff. Atmos agreed to renegotiate the terms and conditions of a revised RRM tariff in 2017.

In February and March 2018, ACSC adopted a new RRM tariff ordinance that implemented new procedures and criteria for the RRM process. The revised RRM tariff reduced the allowed ROE from 10.5% to 9.8% and captured the reduced federal income tax rate of 21%. The new tariff expanded Cities' review period from three months to five months. It also required Atmos Mid-Tex to accept ACSC's position regarding incentive compensation related to Atmos' Shared Services Unit. The 2019 RRM filing is the second under the new tariff.

When must Cities approve new rates?

ACSC's Tariff Ordinance adopted around March 2018 declares that new rates become effective October 1st of each year. While it is preferable that ordinances or resolutions adopting new tariffs are passed before the end of September, there is no adverse consequence if final action cannot take place until sometime in October. The only thing that will frustrate new rates becoming effective on October 1, 2019 is City action that specifically denies the increase.

What would happen if a City Council denies the RRM rate increase?

Atmos would either appeal the denial to the Railroad Commission or initiate imposition of GRIP rates or both. Rates for residents of that City would be higher than rates of other ACSC member residents. Rate case expenses (both the City and Company) associated with litigation at the Railroad Commission would likely be surcharged back to the City that denied the increase.

If you have other questions please contact me at (512) 322-5875 and/or gmg@lglawfirm.com, or Georgia Crump at (512) 322-5832 and/or gcrump@lglawfirm.com.

Geoffrey Gay
ACSC, General Counsel

CITY OF ROCKWALL

ORDINANCE NO. 19-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2019 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

WHEREAS, the City of Rockwall, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of similarly-situated cities served by Atmos Mid-Tex ("ACSC Cities") that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2019, Atmos Mid-Tex filed its 2019 RRM rate request with ACSC Cities based on a test year ending December 31, 2018; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2019 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of $35.4 million applicable to ACSC Cities; and

WHEREAS, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B); and

WHEREAS, the settlement agreement establishes an amortization schedule for regulatory liability (Exhibit C); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the findings set forth in this Ordinance are hereby in all things approved.

SECTION 2. That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of $35.4 million for ACSC Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2019 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

SECTION 3. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional $35.4 million from customers in ACSC Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

SECTION 4. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

SECTION 5. That amortization of regulatory liability shall be consistent with the schedule found in attached Exhibit C attached hereto and incorporated herein.

SECTION 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2019 RRM filing.

SECTION 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

SECTION 8. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 9. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

SECTION 10. That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2019.

SECTION 11. That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LJB Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3rd DAY OF SEPTEMBER, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

Exhibit A

Rate Tariffs Effective October 1, 2019

518

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	**R – RESIDENTIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2019**	**PAGE:**

Application
Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 19.55 per month
Rider CEE Surcharge	$ 0.05 per month[1]
Total Customer Charge	$ 19.60 per month
Commodity Charge – All Ccf	$0.17423 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

[1]Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2019.

519

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	**C – COMMERCIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2019**	**PAGE:**

Application
Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 46.50 per month
Rider CEE Surcharge	$ 0.02 per month[2]
Total Customer Charge	$ 46.52 per month
Commodity Charge – All Ccf	$ 0.09924 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

[1] Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2019.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	**I – INDUSTRIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2019**	**PAGE:**

Application
Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 845.50 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.3572 per MMBtu
Next 3,500 MMBtu	$ 0.2616 per MMBtu
All MMBtu over 5,000 MMBtu	$ 0.0561 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

521

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2019	PAGE:

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	**T – TRANSPORTATION**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2019**	**PAGE:**

Application
Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 845.50 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.3572 per MMBtu
Next 3,500 MMBtu	$ 0.2616 per MMBtu
All MMBtu over 5,000 MMBtu	$ 0.0561 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees
All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees
Customer shall pay Company the greater of (i) $0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

523

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2019	PAGE:

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement
A transportation agreement is required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 11/01/2019**	**PAGE:**

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf

R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.

HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class

NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.

ADD = billing cycle actual heating degree days.

BI_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the jth customer in ith rate schedule is computed as:

$WNA_i = WNAF_i \times q_{ij}$

Where q_{ij} is the relevant sales quantity for the jth customer in ith rate schedule.

525

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 11/01/2019**	**PAGE:**

Base Use/Heat Use Factors

	Residential		Commercial	
Weather Station	Base use Ccf	Heat use Ccf/HDD	Base use Ccf	Heat use Ccf/HDD
Abilene	9.77	0.1487	88.49	0.7036
Austin	9.04	0.1537	201.48	1.0000
Dallas	13.07	0.2202	184.64	1.1385
Waco	8.77	0.1470	135.70	0.7744
Wichita Falls	11.40	0.1468	117.90	0.5943

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of thatDivision.

526

Exhibit B

2019 Benchmark for Pensions and Retiree Medical Benefits

ATMOS ENERGY CORP., MID-TEX DIVISION
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2018

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Supplemental Executive Benefit Plan	Post-Employment Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark - Fiscal Year 2019 Willis Towers Watson Report as adjusted (1) (2) (3)	$ 2,744,088	$ 2,267,927	$ 4,724,119	$ 193,211	$ 2,621,842	
2	Allocation to Mid-Tex	43.48%	43.48%	73.88%	100.00%	73.88%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	$ 1,193,029	$ 986,012	$ 3,490,241	$ 193,211	$ 1,937,051	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4) (3)	$ 1,193,029	$ 986,012	$ 3,490,241	$ 193,211	$ 1,937,051	$ 7,799,544
6							
7							
8	Summary of Costs to Approve (1):						
9							
10	O&M Expense Factor (WP_F-2.3, Ln 2)	81.35%	81.35%	38.28%	16.24%	38.28%	
11							
12							
13	Total Pension Account Plan	$ 970,514		$ 1,336,038			$ 2,306,553
14	Total Post-Employment Benefit Plan		$ 802,108			$ 741,489	1,543,597
15	Total Supplemental Executive Benefit Plan				$ 31,377		31,377
16	Total (Ln 13 + Ln 14 + Ln 15)	$ 970,514	$ 802,108	$ 1,336,038	$ 31,377	$ 741,489	$ 3,881,527
17							
18	Notes:						
19	1. Studies not applicable to Mid-Tex or Shared Services are omitted.						
20	2. The Company is requesting that the benchmark amount approved by the RRM Cities for future periods include only the expense amount.						
21	The amount attributable to capital would continue to be recorded to utility plant through the overhead process as described in the CAM.						
22	3. SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.						

528

Exhibit C

2019 Amortization Schedule for Regulatory Liability

529

ATMOS ENERGY CORP., MID-TEX DIVISION
RATE BASE ADJUSTMENTS
TEST YEAR ENDING DECEMBER 31, 2018
AMORTIZATION OF REGULATORY LIABILITY

Line No.	Year Ended Dec. 31	Beginning of Year Rate Base Adjustment Amount (1)	Annual Amortization (2)	End of Year Rate Base Adjustment Amount
	(a)	(b)	(c)	(d)
1	2018	$ 290,043,948	$ -	290,043,948
2	2019	290,043,948	12,085,165	277,958,784
3	2020	277,958,784	12,085,165	265,873,619
4	2021	265,873,619	12,085,165	253,788,455
5	2022	253,788,455	12,085,165	241,703,290
6	2023	241,703,290	12,085,165	229,618,126
7	2024	229,618,126	12,085,165	217,532,961
8	2025	217,532,961	12,085,165	205,447,797
9	2026	205,447,797	12,085,165	193,362,632
10	2027	193,362,632	12,085,165	181,277,468
11	2028	181,277,468	12,085,165	169,192,303
12	2029	169,192,303	12,085,165	157,107,139
13	2030	157,107,139	12,085,165	145,021,974
14	2031	145,021,974	12,085,165	132,936,810
15	2032	132,936,810	12,085,165	120,851,645
16	2033	120,851,645	12,085,165	108,766,481
17	2034	108,766,481	12,085,165	96,681,316
18	2035	96,681,316	12,085,165	84,596,152
19	2036	84,596,152	12,085,165	72,510,987
20	2037	72,510,987	12,085,165	60,425,823
21	2038	60,425,823	12,085,165	48,340,658
22	2039	48,340,658	12,085,165	36,255,494
23	2040	36,255,494	12,085,165	24,170,329
24	2041	24,170,329	12,085,165	12,085,165

530

25	2042	12,085,165	12,085,165	(0)
27				
28				
29	Revenue Related Tax Factor		6.71%	See WP_F-5.1
30	Revenue Related Taxes on Annual Amortization (see WP_B-6.3)	$	810,653	Amortization * Tax Factor
31	Related Taxes (see WP_B-6.3)	$	12,905,421	Amortization + Taxes
32				

33 Notes:

34 1. The beginning 2018 balance is the September, 2018 balance. The regulatory
35 liability for excess deferred taxes is an estimate. This estimate will be
36 finalized when the Company files its federal tax return in July, 2019. To the
37 extent that this estimate changes with the filing of the Company's tax return,
38 the Company will 'true-up' the amount in the 2020 RRM filing.
39 2. The annual amortization of a 24 year recovery period is based on the
40 Reverse South Georgia Method.
41 3. The Regulatory Liability is recorded to FERC Account 253, Sub Account 27909.

531

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532

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **Aug. 29, 2019**

SUBJECT: **Boards & Commissions (re)Appointments**

Council is asked to consider the following reappointments and vacancies, terms of which expired last month. The Council liaison(s) assigned to each board is listed next to the board title. Unless otherwise noted, each person listed below who is eligible for reappointment has given staff indication that he or she does wish to be reappointed.

Airport Advisory Board (Pruitt, Fowler and Macalik)

- Mike Potter
- Tim Wolf
- Tom Woodruff
- *VACANCY TO BE FILLED*

Board of Adjustments (full Council)

- David Lowrey
- Stuart Smith
- Shannon Bennett
- Peter Flores does NOT wish to be reappointed – *VACANCY TO BE FILLED*
- Todd White is termed out - – *VACANCY TO BE FILLED*

Historic Preservation Advisory Board (Trowbridge)

- Carolyn Francisco
- Jay Odom
- Daniel Nichols
- *VACANCY TO BE FILLED*

Main Street Advisory Board (Trowbridge)

- Terry Gregory resigned - *VACANCY TO BE FILLED*

Park Board (Johannesen)

- Fran Webb does NOT wish to be reappointed – *VACANCY TO BE FILLED*

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534

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Kristy Cole, City Secretary/Assistant to the City Manager**

DATE: **September 3, 2019**

SUBJECT: **2019-2020 Youth Advisory Council (YAC) appointments**

The Youth Advisory Council has six vacancies to be filled this school year, as six graduated last year. Existing students are shown below, and each of them has expressed a desire to be reappointed to the YAC. Interviews were held with nine applicants on Thurs., August 29, with Councilmembers Fowler and Trowbridge sitting in, as well as some of our existing YAC students (Mary Claire, Susie, Mazie, Peyton, and Parker). The interview panel is recommending that Council consider moving forward with appointing the following slate of students for the 2019-2020 school year:

	New or Reappt.	First Name	Last Name	Grade / School
1	Re-appointment	Mary Claire	Weible	Junior (HmSch)
2	Re-appointment	Susie	Wilson	Senior (RHS)
3	Re-appointment	Mazie	Johnson	Sophomore (RHS)
4	Re-appointment	Kavya	Venugopalan	Senior (RHS)
5	Re-appointment	Peyton	Nielsen	Sophomore (RHS)
6	Re-appointment	Parker	Yarbough	Senior (HmSch)
7	***NEW*** appointment	Maddison	Melcher	Senior (RHS)
8	***NEW*** appointment	Jaxon	Stuart	Freshman (RHS)
9	***NEW*** appointment	Marvin	Villalobos	Freshman (RHS)
10	***NEW*** appointment	Katharine	Castro	Junior (PCCS)
11	***NEW*** appointment	Matt	Kianpour	Senior (RHS)
12	***NEW*** appointment	Chole	Davis	Senior (HmSch)

Please know that Matt Kianpour (newly appointed student), Chloe Davis (newly appointed student) and Parker Yarbrough (existing student) are all residents of Fate. I recently reached out to the City of Fate to inquire about sponsorship of students who live in their city. The City Manager has provided preliminary indication that Fate will be willing to sponsor three students.

I am happy to answer any questions the council may have.

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536

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

July 2019

Permits

Total Permits Issued: 299
Building Permits: 55 Contractor Permits: 244

Total Commercial Permit Values: $ 55,956,744.00
Building Permits: $55,372,500.00 Contractor Permits: $584,244.00

Total Fees Collected: $551,248.76
Building Permits: $529,595.24 Contractor Permits: $21,653.52

Board of Adjustment

Board of Adjustment Cases 1

537

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 7/1/2019 thru 7/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	3	$0.00	$152.50
30 DAY BANNER	3	$0.00	$152.50
CLEAN SHOW	1	$0.00	$75.00
	1	$0.00	$75.00
CO	7	$0.00	$534.00
BUSINESS	4	$0.00	$304.50
INTERIOR	2	$0.00	$153.00
SHELL	1	$0.00	$76.50
COMM	27	$35,732,414.00	$221,637.79
ADDITION	1	$2,500.00	$94.00
ALTERATION	1	$145,000.00	$1,435.40
CONST TRAILER	3	$0.00	$306.00
ELECTRICAL	5	$19,914.00	$509.90
FENCE	2	$1,800.00	$101.00
IRRIGATION	2	$21,000.00	$151.50
MECHANICAL	2	$24,700.00	$464.64
NEW	3	$34,900,000.00	$215,381.47
PLUMBING	2	$2,500.00	$174.17
REMODEL	2	$325,000.00	$2,764.71
REPAIR	1	$15,000.00	$51.00
RETAINING WALL	1	$110,000.00	$51.00
ROOF	2	$165,000.00	$153.00
MULTI FAMILY	2	$20,000,000.00	$192,740.01
MECHANICAL	1	$0.00	$127.50
NEW	1	$20,000,000.00	$192,612.51
SIGNAGE	19	$224,330.00	$1,821.00
MONUMENT	3	$108,000.00	$226.50
POLE	2	$70,000.00	$151.50
SIGN	2	$0.00	$153.00
TEMP REAL ESTATE	1	$450.00	$76.50
WALL	11	$45,880.00	$1,213.50
SINGLE FAMILY	231	$166,175.00	$133,908.46
ACC BLDG	4		$389.76
ADDITION	1		$140.80
BOAT HOUSE	3		$1,685.83
CONCRETE	6		$1,605.66
DEMO	1		$51.00
ELECTRICAL	6		$1,014.95
FENCE	38		$1,914.70
IRRIGATION	23		$1,756.50
MECHANICAL	32		$3,766.00
NEW	21		$111,143.60
PATIO COVER	10		$1,135.14
PERGOLA	2		$213.25
PLUMBING	29		$2,368.50
REMODEL	5		$2,548.77
RETAINING WALL	2		$102.00
ROOF	36		$2,736.00
STORM SHELTER	1		$50.00
SWIM POOL	8		$1,132.50

City of Rockwall

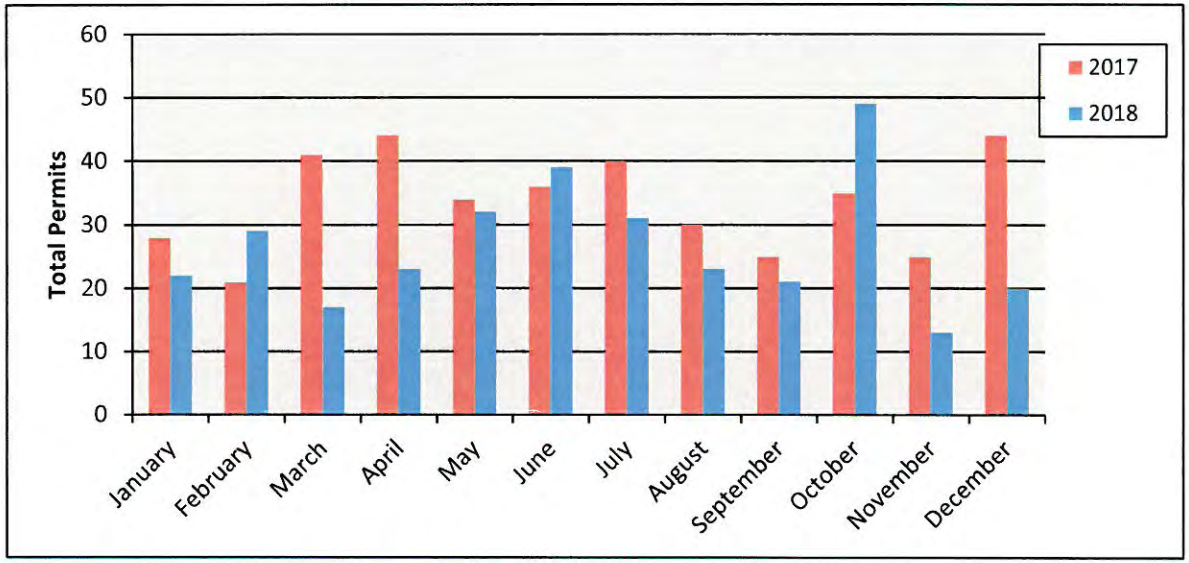
PERMITS ISSUED - Summary by Type and Subtype

For the Period 7/1/2019 thru 7/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
WINDOWS	3		$153.50
SPECIAL EVENT	9		$380.00
	9		$380.00
Totals:	299		$551,248.76

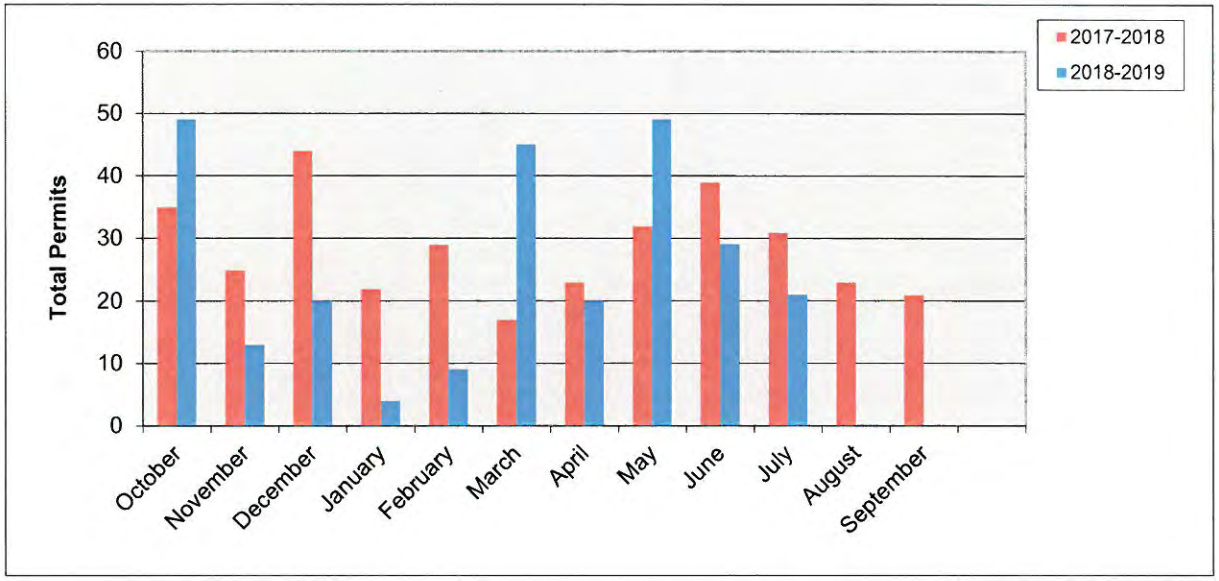
New Residential Permits Calendar Year

	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
Totals	**403**	319



New Residential Permits Fiscal Year

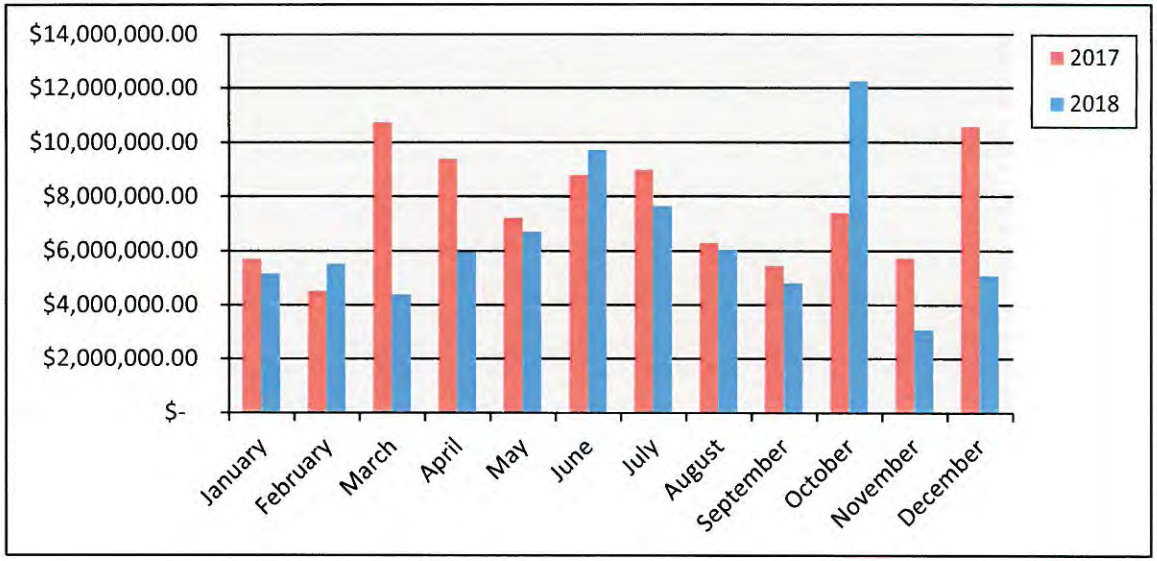
	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	9
March	17	45
April	23	20
May	32	49
June	39	29
July	31	21
August	23	
September	21	
Totals	**341**	**259**



540

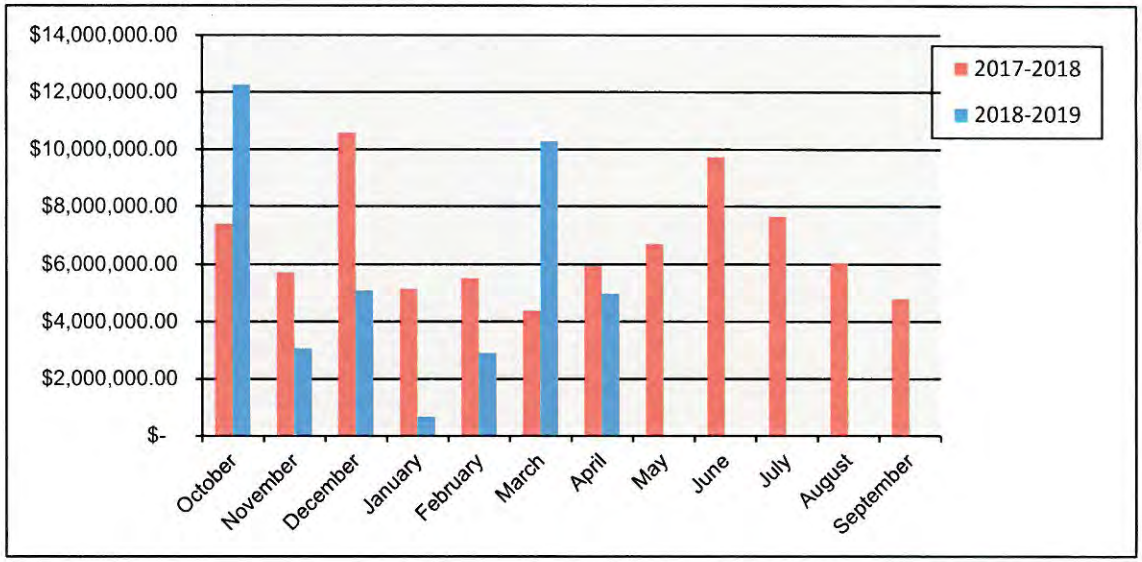
New Residential Value Calendar Year

Year	2017	2018
January	$ 5,698,431.00	$ 5,145,624.00
February	$ 4,497,500.00	$ 5,505,704.00
March	$ 10,740,233.00	$ 4,374,886.00
April	$ 9,394,785.27	$ 5,946,813.00
May	$ 7,210,632.79	$ 6,706,301.00
June	$ 8,782,481.00	$ 9,728,069.00
July	$ 8,983,999.47	$ 7,660,917.00
August	$ 6,295,770.00	$ 6,049,208.00
September	$ 5,443,098.00	$ 4,799,404.00
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
Totals	**$ 90,748,277.89**	**$ 76,318,156.00**



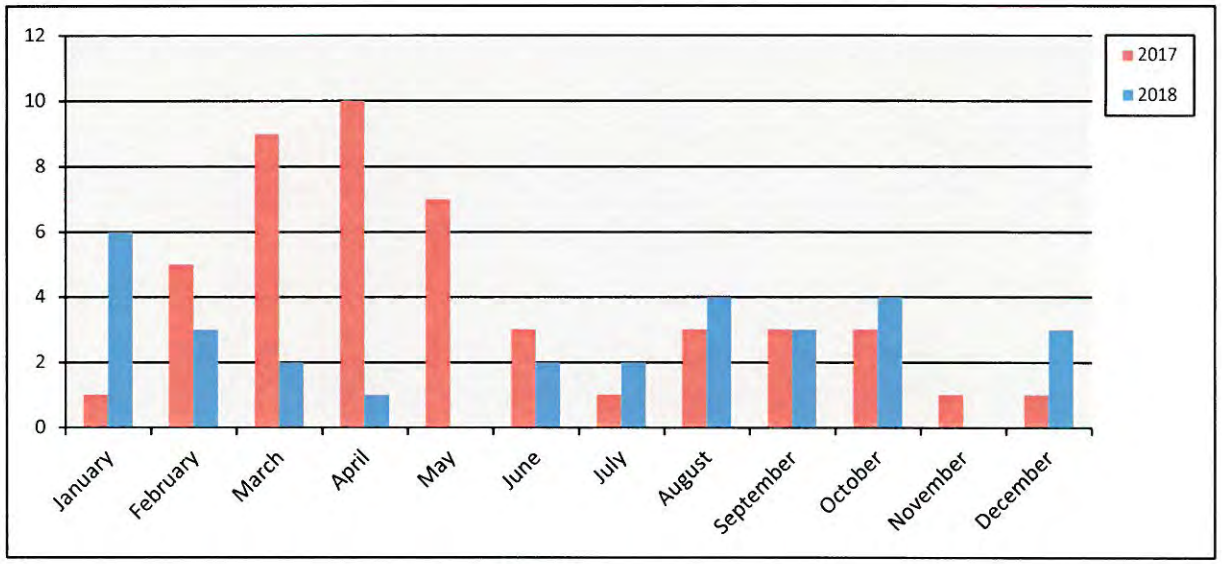
New Residential Value Fiscal Year

Year	2017-2018	2018-2019
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
January	$ 5,145,624.00	$ 681,618.00
February	$ 5,505,704.00	$ 2,897,344.85
March	$ 4,374,886.00	$ 10,294,717.00
April	$ 5,946,813.00	$ 4,977,668.00
May	$ 6,706,301.00	-
June	$ 9,728,069.00	-
July	$ 7,660,917.00	-
August	$ 6,049,208.00	
September	$ 4,799,404.00	
Totals	**$79,618,273.36**	**$ 39,252,577.85**



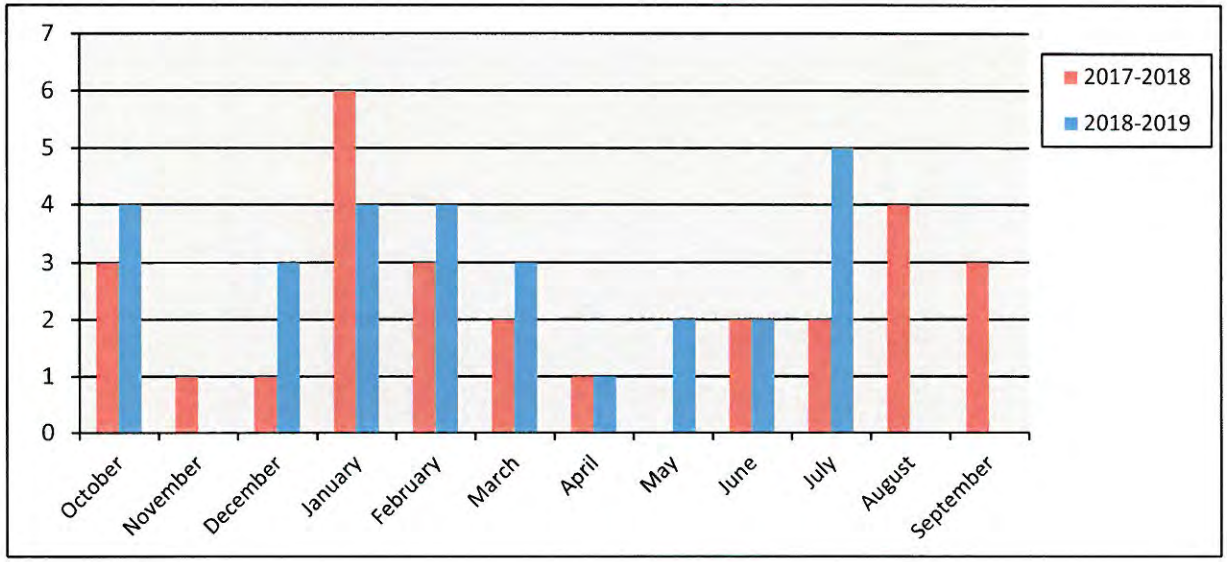
Residential Remodel Permits Calendar Year

Year	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
Totals	**47**	30



Residential Remodel Permits Fiscal Year

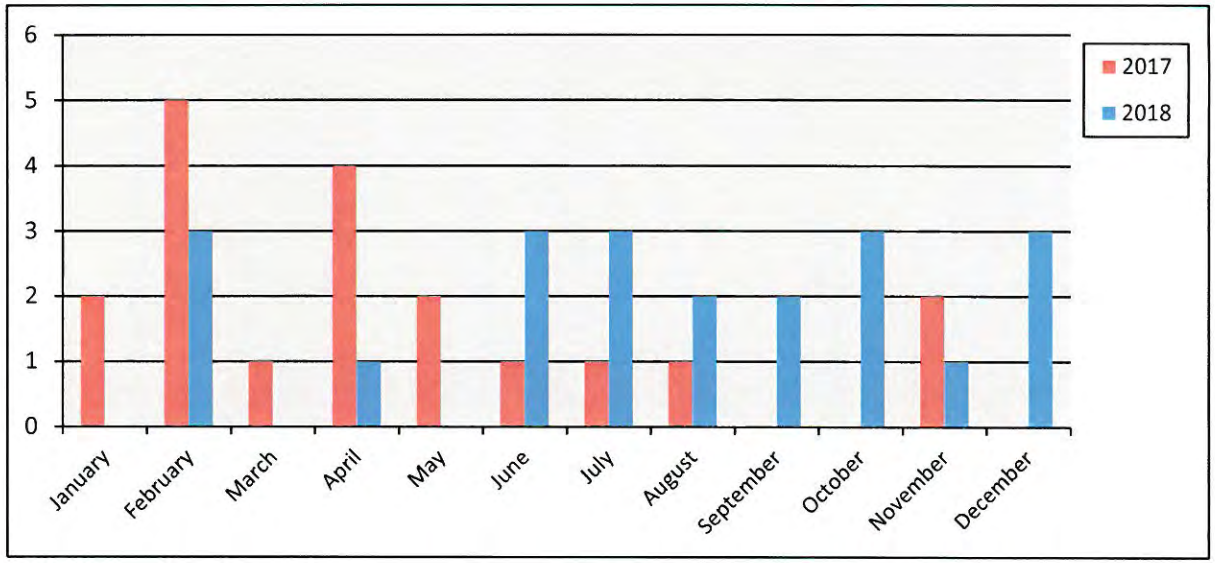
Year	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	4
March	2	3
April	1	1
May	0	2
June	2	2
July	2	5
August	4	
September	3	
Totals	**28**	**28**



542

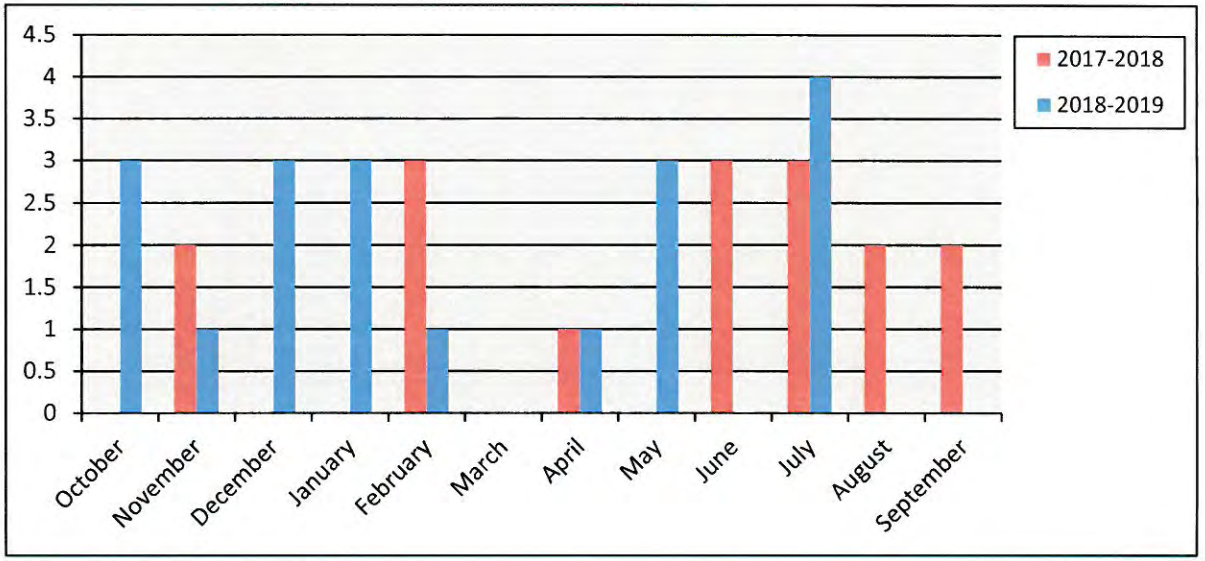
New Commercial Permits Calendar Year

	Year	
	2017	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
Totals	**19**	**21**



New Commercial Permits Fiscal Year

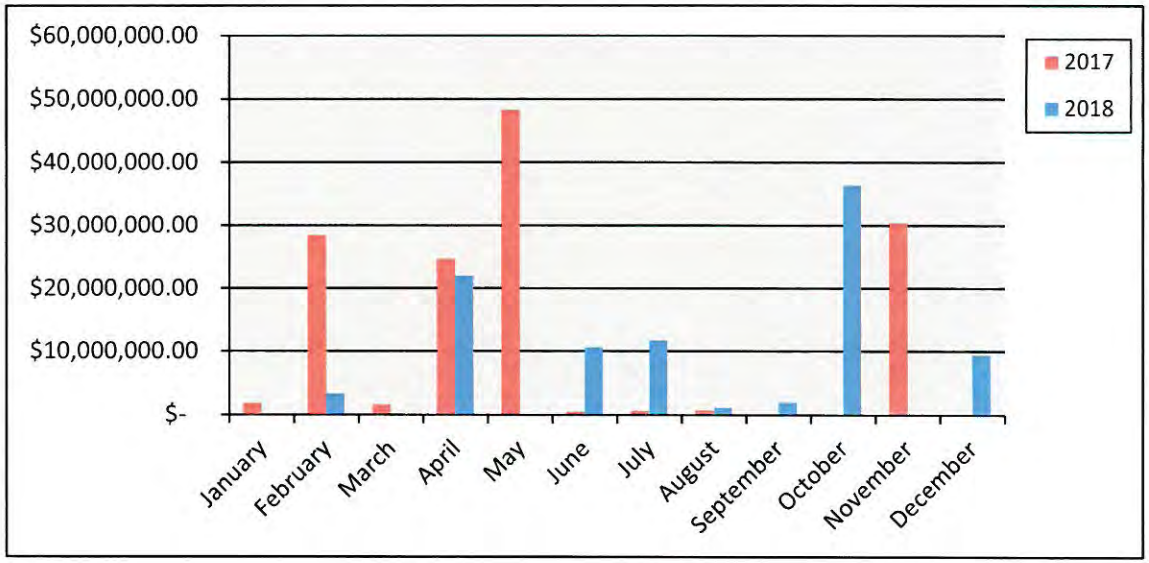
	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	1
March	0	0
April	1	1
May	0	3
June	3	0
July	3	4
August	2	
September	2	
Totals	**16**	**19**



543

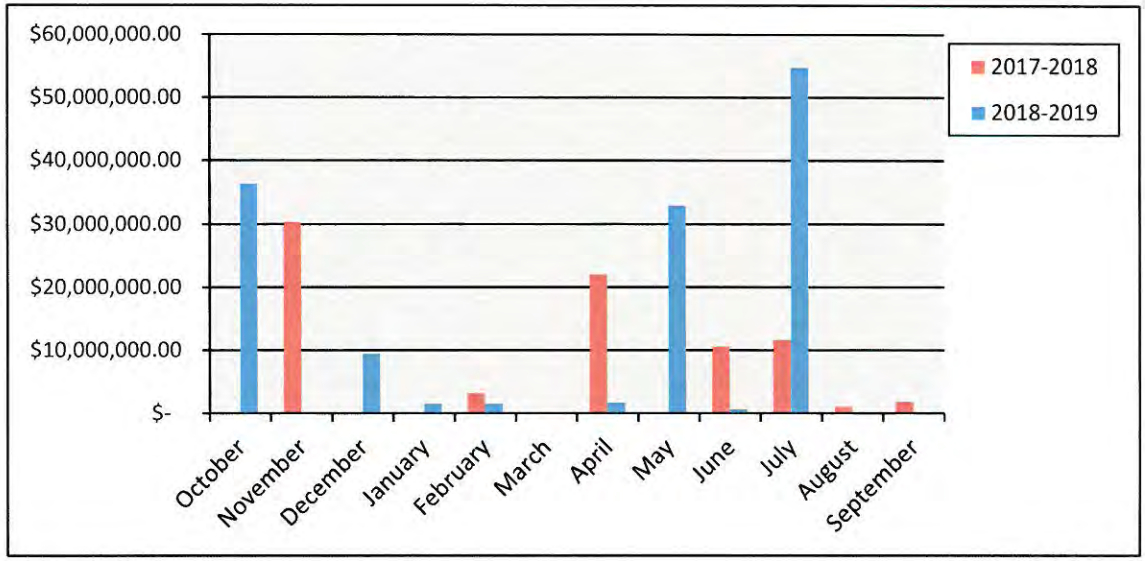
New Commercial Value Calendar Year

Year	2017	2018
January	$ 1,800,000.00	-
February	$ 28,400,000.00	$ 3,221,771.00
March	$ 1,599,026.00	-
April	$ 24,650,000.00	$ 22,000,000.00
May	$ 48,300,000.00	-
June	$ 569,400.00	$ 10,602,430.88
July	$ 700,000.00	$ 11,712,500.00
August	$ 726,506.00	$ 1,111,950.00
September	-	$ 1,930,813.00
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
Totals	**$ 137,134,932.00**	**$ 96,612,264.88**



New Commercial Value Fiscal Year

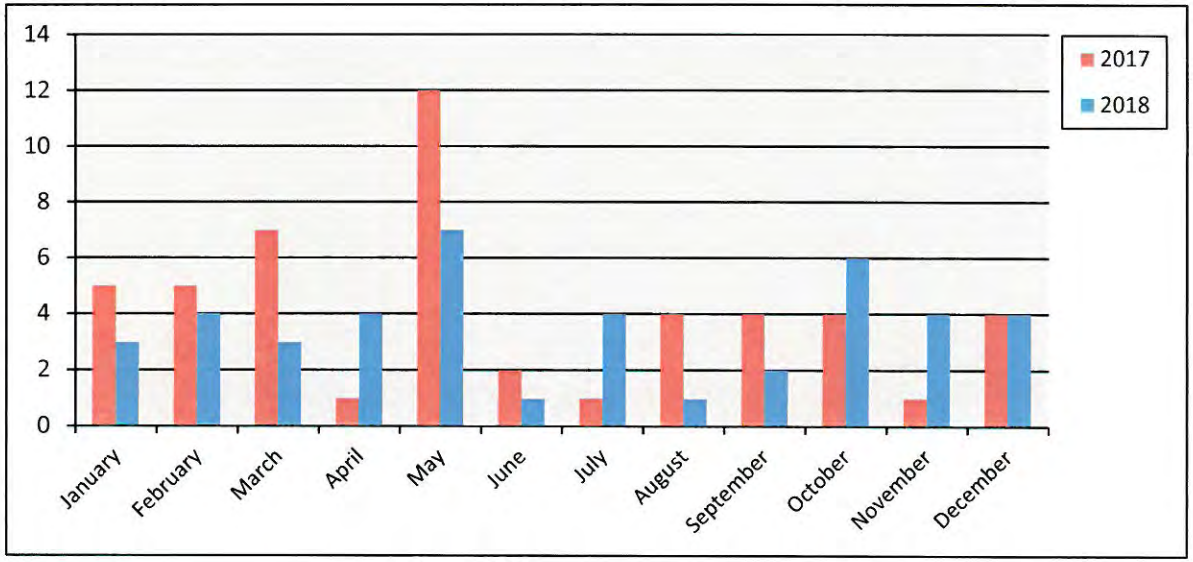
Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
January	-	$ 1,530,000.00
February	$ 3,221,771.00	$ 1,500,000.00
March	-	-
April	$ 22,000,000.00	$ 1,700,000.00
May	-	$ 32,969,700.00
June	$ 10,602,430.88	$ 629,975.28
July	$ 11,712,500.00	$ 54,900,000.00
August	$ 1,111,950.00	
September	$ 1,930,813.00	
Totals	**$ 80,969,464.88**	**$ 139,262,475.28**



544

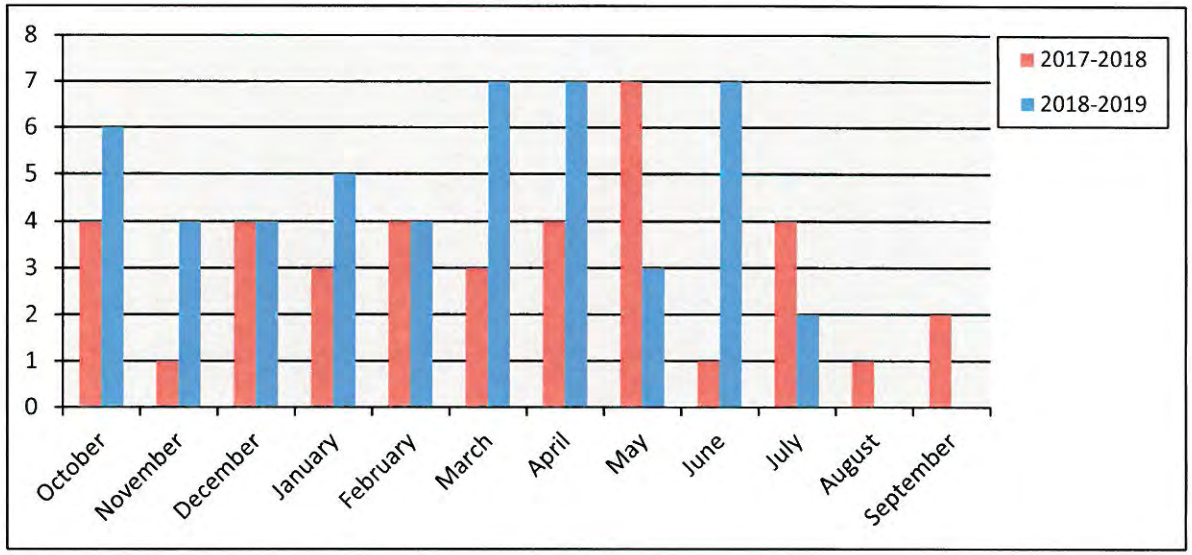
Commercial Remodel Permits Calendar Year

	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
Totals	**50**	**43**



Commercial Remodel Permits Fiscal Year

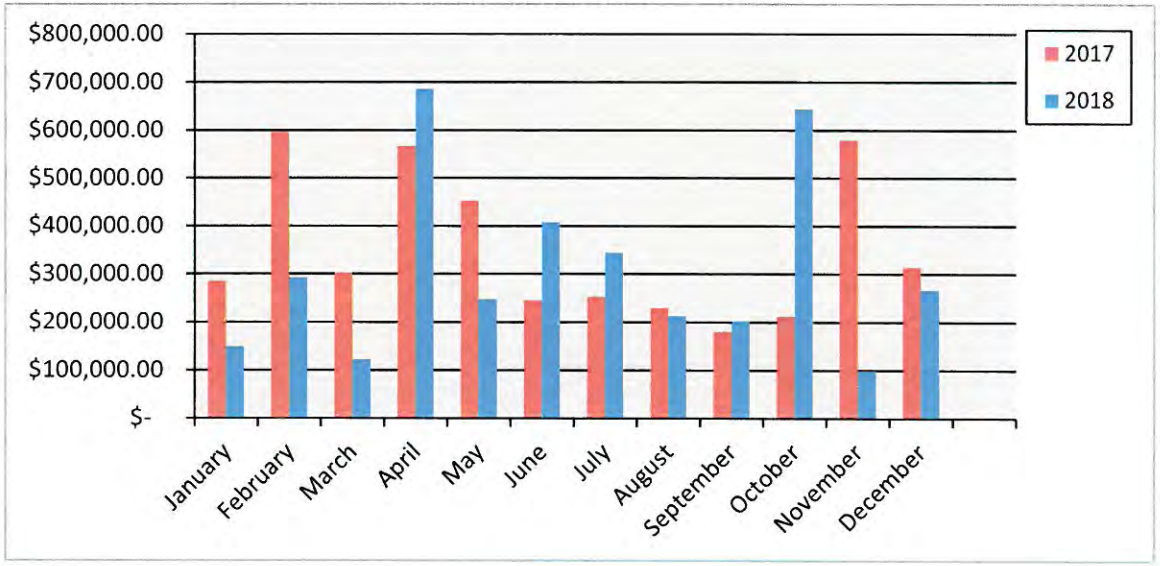
	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	4
March	3	7
April	4	7
May	7	3
June	1	7
July	4	2
August	1	
September	2	
Totals	**38**	**49**



545

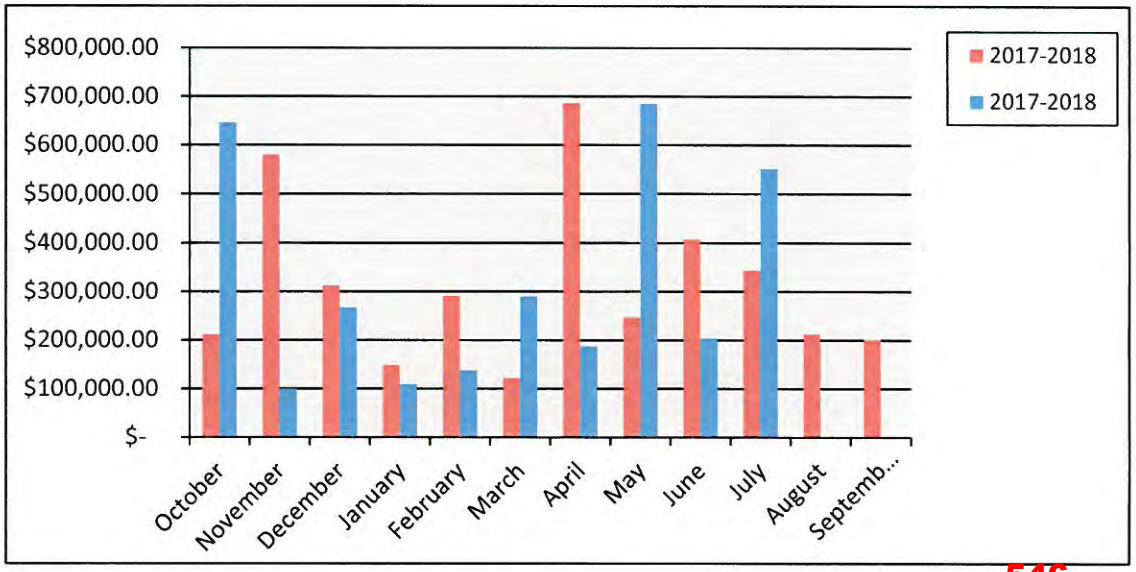
Total Fees Collected Calendar Year

	Year	
	2017	2018
January	$ 284,774.34	$ 149,088.54
February	$ 595,848.26	$ 291,324.78
March	$ 302,406.79	$ 122,271.28
April	$ 566,291.24	$ 686,154.89
May	$ 451,389.66	$ 247,465.55
June	$ 244,930.08	$ 406,799.91
July	$ 252,374.52	$ 343,682.23
August	$ 229,266.56	$ 212,643.16
September	$ 180,561.41	$ 201,855.47
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
Totals	**$ 4,213,035.44**	**$ 3,673,110.11**



Total Fees Collected Fiscal Year

	Year	
	2017-2018	2017-2018
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	$ 137,260.79
March	$ 122,271.28	$ 288,576.03
April	$ 686,154.89	$ 186,555.47
May	$ 247,465.55	$ 685,938.85
June	$ 406,799.91	$ 203,335.14
July	$ 343,682.23	$ 551,248.76
August	$ 212,643.16	
September	$ 201,855.47	
Totals	**$ 3,766,478.39**	**$ 3,173,064.57**



546

City of Rockwall
PERMITS ISSUED
For the Period 7/1/2019 thru 7/31/2019

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name	Valuation	Total Fees	Fees Paid
CO2014-0165	CO	2380 S Goliad St 100	0.00	76.50	76.50
12/18/2014	INTERIOR	4831-0000-0008-00-0R			
07/01/2019	Active	Key-Whitman Eye Center			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	MATT KING	, ,	(469) 742-0678
BUS OWNER	Dr. Edward P Hurst - EPH, LI	2380 S Goliad St #101, Rockwall, TX 75032	
BUSINESS	Key-Whitman Eye Center	2380 S Goliad St #100, Rockwall, TX 75032	
CONTRACTOR	Skyrider Builders	1400 Sweet Springs Rd., Weatherford, TX 76088	(817) 599-8880
ELEC CONTR	Intex Electric	P. O. BOX 1886, Forney, TX 75126	(972) 288-8041
INSP RPT EMAIL	Skyrider Builders	1400 Sweet Springs Rd., Weatherford, TX 76088	(817) 599-8880
MECH CONTR	A-Ok Companies	3610 Oak Tree Ln, MIDLOTHIAN, TX 76065	(972) 617-0781
OWNER	CNLRS, ROCKWALL LP	WOODMONT COMPANY, FORT WORTH, TX 76107-2306	
PLB CONTR	Tom's Plumbing	1232 Colorado Ln. #103, Arlington, TX 76015	(817) 460-3221

CO2019-0048	CO	3100 Ridge Rd	0.00	76.50	76.50
04/17/2019	BUSINESS	3413-0001-000B-B2-0R			
07/29/2019	Active	The Retreat Restorative & Aesthetics			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	The Retreat Restorative & Ae	3100 Ridge Road, Rockwall, TX 75032	(469) 769-7101
BUS OWNER	Ezek Health Solutions PLLC	P.O. Box 1583, ROCKWALL, TX 75087	(713) 302-3069
BUSINESS	The Retreat Restorative & Ae	3100 Ridge Road, ,	(469) 769-7101
OWNER	CHAKMAKJIAN, ZAVEN C	3104 Ridge Road, ROCKWALL, TX 75032	(214) 755-3662

CO2019-0059	CO	1307 Ridge Road	0.00	76.50	76.50
05/17/2019	SHELL	0255-0000-0006-02-0R			
07/01/2019	Active	Lakeview Apartments - Building Shell			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
BUS OWNER	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
BUSINESS	Lakeview Apartments	1307Ridge Rd, Rockwall, TX 75087	(469) 698-9000
MANAGER	KERRY EVANS	, ,	
OWNER	T Rockwall Phase 2 LLC	16600 Dallas Pkwy, Suite 300, Dallas, TX 75248	(972) 428-2936

CO2019-0060	CO	1307 Ridge Road	0.00	76.50	76.50
05/17/2019	BUSINESS	0255-0000-0006-02-0R			
07/01/2019	Active	Lakeview Apartments			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
BUS OWNER	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
BUSINESS	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
MANAGER	KERRY EVANS	, ,	
OWNER	T Rockwall Phase 2 LLC	16600 Dallas Pkwy, Suite 300, Dallas, TX 75248	(972) 428-2936

City of Rockwall
PERMITS ISSUED
For the Period 7/1/2019 thru 7/31/2019

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0062	CO	2455 Ridge Rd 151	0.00	75.00	75.00
05/20/2019	BUSINESS	4854-000A-0009-00-0R			
07/24/2019	Active	Rockwall Colonics & Wellness Center/DripZone IV Hangover Bar			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Rockwall Colonics and Welln	Dominique Robinson, ROCKWALL, TX 75087	(972) 771-8900
BUS OWNER	Rockwall Colonics and Welln	Dominique Robinson, ROCKWALL, TX 75087	(972) 771-8900
OWNER	Rockwall Oceanhill LLC	dba Ridge Road Towne Center, Rockwall, TX 75087	

CO2019-0074	CO	2910 Ridge Rd	0.00	76.50	76.50
06/14/2019	BUSINESS	4476-000A-0001-00-0R			
07/15/2019	Active	Park Avenue Cleaners			

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	TSF Five Co.	2910 Ridge Rd., Rockwall, TX 75032	(940) 337-4046
BUSINESS	Park Avenue Cleaners	2910 Ridge Rd, Rockwall, TX 75032	(972) 772-0234
OWNER	Yang Park	2560 Royal Ln. Suite 210, Dallas, TX 75229	(972) 897-6018

CO2019-0078	CO	1005 W Ralph Hall Pkwy 101	0.00	76.50	76.50
07/02/2019	INTERIOR	4009-000B-0011-00-0R			
07/30/2019	Active	Texas Health Family Care 411			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Texas Health Family Care 41	1005 W Ralph Hall Parkway #101, Rockwall, TX 75032	(972) 771-8686
BUS OWNER	Texas Health amily Care 411	909 Hidden Ridge, Irving, TX 75038	(972) 791-1224
BUSINESS	Texas Health Family Care 41	1005 W Ralph Hall Parkway #101, Rockwall, TX 75032	(972) 771-8686
OWNER	SPT Ivy Rockwall MOB LLC	1005 W Ralph Hall Pkwy #227, Rockwall, TX 75032	
PERMIT TECH	VANESSA KRODELL	ROCKPORT CONSTRUCTION GROUP, ,	(972) 363-0722

Total Valuation:	**0.00**
Total Fees:	**534.00**
Total Fees Paid:	**534.00**

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549

Key Projects:

(1) **Outside Agencies / Citizens**. Zonability Co.

(2) **Engineering / Public Works**. RISD Bus stop locations map; CIP projects, Aluminum Plant water lines, Historic utility calculations, Historic District street names and map, Private streets listing, 5505 Cambria floodplain, 2 acres Water tank exhibit, CityWorks progress check, Project mail outs, CityWorks vac-truck report

(3) **Planning Department**. UDC legislative update - Parking lot landscaping, Residential screening exhibits, Backyard fencing exhibits, Monotony standards exhibit, Landscape buffer exhibit, Headlight screening exhibit, Street landscaping, Tree size exhibit, PD and Overlay numbers, Fencing types, Front yard fencing exhibit, Above ground water tank exhibit, Blackland Prairie exhibit

(4) **GIS**. 911 Addressing, Citizen-Realtor addressing item, Parcel Fabric project, GraniteNet to GIS, Cityworks PLL build, NG911 / GeoComm QC changes – Sync, Update parcels

(5) **Police.** Officer request: (3) misc. maps, PD base map services build

(6) **Admin / Int. Ops.** TML invitation & Save the Date

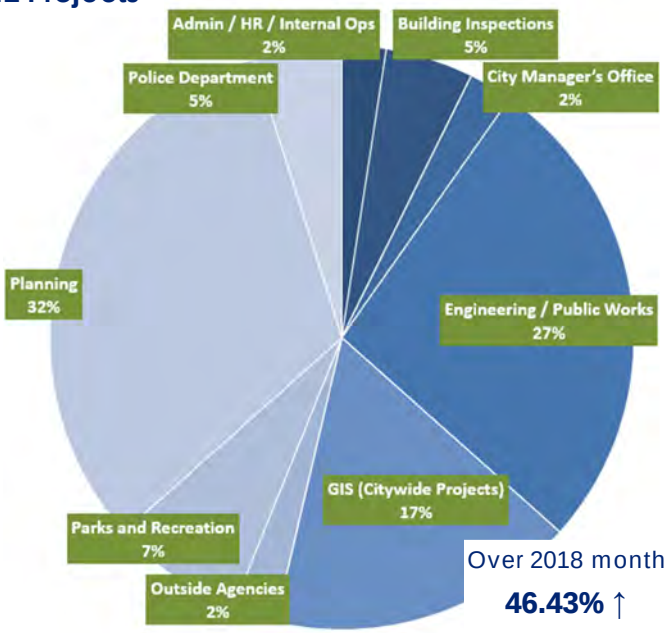
(7) **City Manager's Office**. Eastside Pump Station TXDOT land purchase

(8) **Parks and Rec**. RibRub map update 2019, Parade route map for July 4th, Potential trail location - The Harbor

(9) **Building Inspections.** 302 N. Goliad Map/Mail out, Take Line leases update

Monthly Project Request by Department:

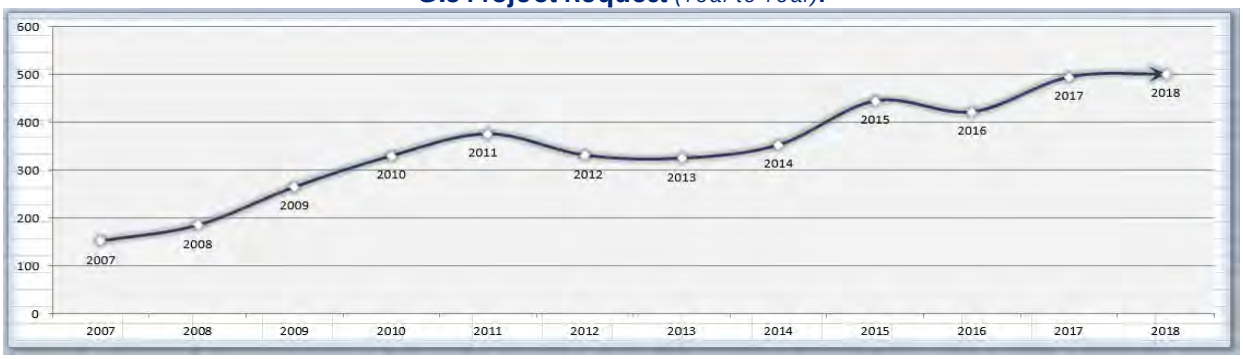
41 Projects



Over 2018 month **46.43%** ↑

Admin / HR / Internal Ops	1
Building Inspections	2
Citizen Request	0
City Council	0
City Manager's Office	1
Neighborhood Improvement Services	0
Engineering / Public Works	11
Finance / Utility Billing	0
Fire Department	0
GIS (Citywide Projects)	7
IT	0
Main Street Program	0
Outside Agencies	1
Parks and Recreation	3
Planning	13
Police Department	2
REDC	0
Total	**41**

GIS Project Request *(Year to Year)*:



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551

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
JULY 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	12	12	0	100%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	5	5	0	100%
ANIMAL SERVICES	11	11	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	2	2	0	100%
ENGINEERING	0	0	0	0%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	52	52	0	100%
INTERNAL OPERATIONS	106	106	0	100%
MUNICIPAL COURT	16	16	0	100%
PARKS & RECREATION	13	13	0	100%
PLANNING & ZONING	2	2	0	100%
POLICE DEPARTMENT	43	43	0	100%
PUBLIC WORKS	11	11	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	274	274	0	100%

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553

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554



JULY 2019 MONTHLY REPORT

ROCKWALL PARKS & RECREATION

PARTICIPATION



FAMILY FUN FRIDAY - THE HARBOR:
250 ATTENDEES



SUMMER ROCK CAMP - APPROX. 25 KIDS A WEEK FOR EACH WEEK IN JULY



CONCERT BY THE LAKE: APPROX. 2500
PICTURE IS JULY 25 CONCERT - THE SPAZMATICS

MONTHLY OVERVIEW	*JULY '19*
Part Time Labor Hours	**867.5**
Program Offerings	**37**
Program Participants	**1814**
Resident Participants	**1022**
Non-Resident Participants	**792**
Programs that Made	**35**
Cancelled Programs	**2**
% of Programs Cancelled	**5.4%**

FEE BASED RESIDENT VS NON-RESIDENT

35 programs

56% **44%**

555

VOLUNTEER IN THE PARKS (V.I.P.)



TOTAL # OF VOLUNTEER HOURS

# OF VOLUNTEERS	20
# OF VOLUNTEER HOURS	6

120



HMCC *JULY '19*

Time Blocks Rented	87
Monthly Revenue	**$1,160**

HMCC RENTAL ACTIVITY BY TIME BLOCK

87 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM

31%	36%	33%



PAVILIONS *JULY '19*

Time Blocks Rented	46
Monthly Revenue	**$1240**

PAVILION RENTAL ACTIVITY BY TIME BLOCK

46 Rentals

6 AM - 3 PM | 3 - 11 PM

46%	54%

556

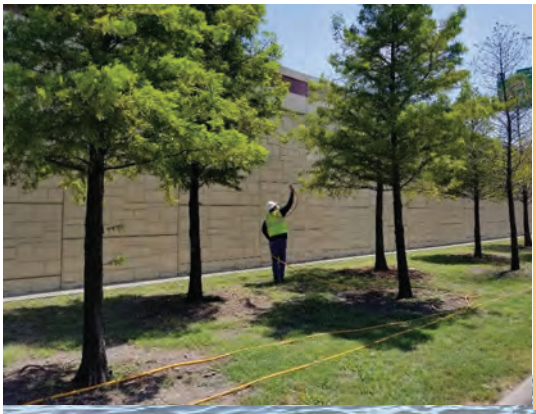
PARKS





FACILITY UPGRADE:
Northshore Park Irrigation

FACILITY UPGRADE:
Northshore Park Soccer/Play Field



FACILITY MANAGEMENT:
Bagworm Treatments on John King at I-30

Waterfall back in operation after replacement of 2 pumps in lake



MARKETING

FACEBOOK PAGE LIKES

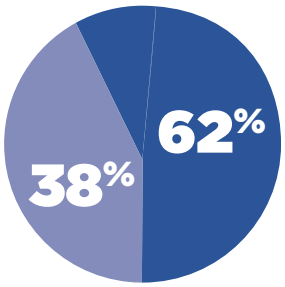
	GAIN OR LOSS
JUN	+429
JUL	+182

TOTAL LIKES THRU 7/31/2019

Like **13,635**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
JUN	8548	+86
JUL	9569	+1021



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

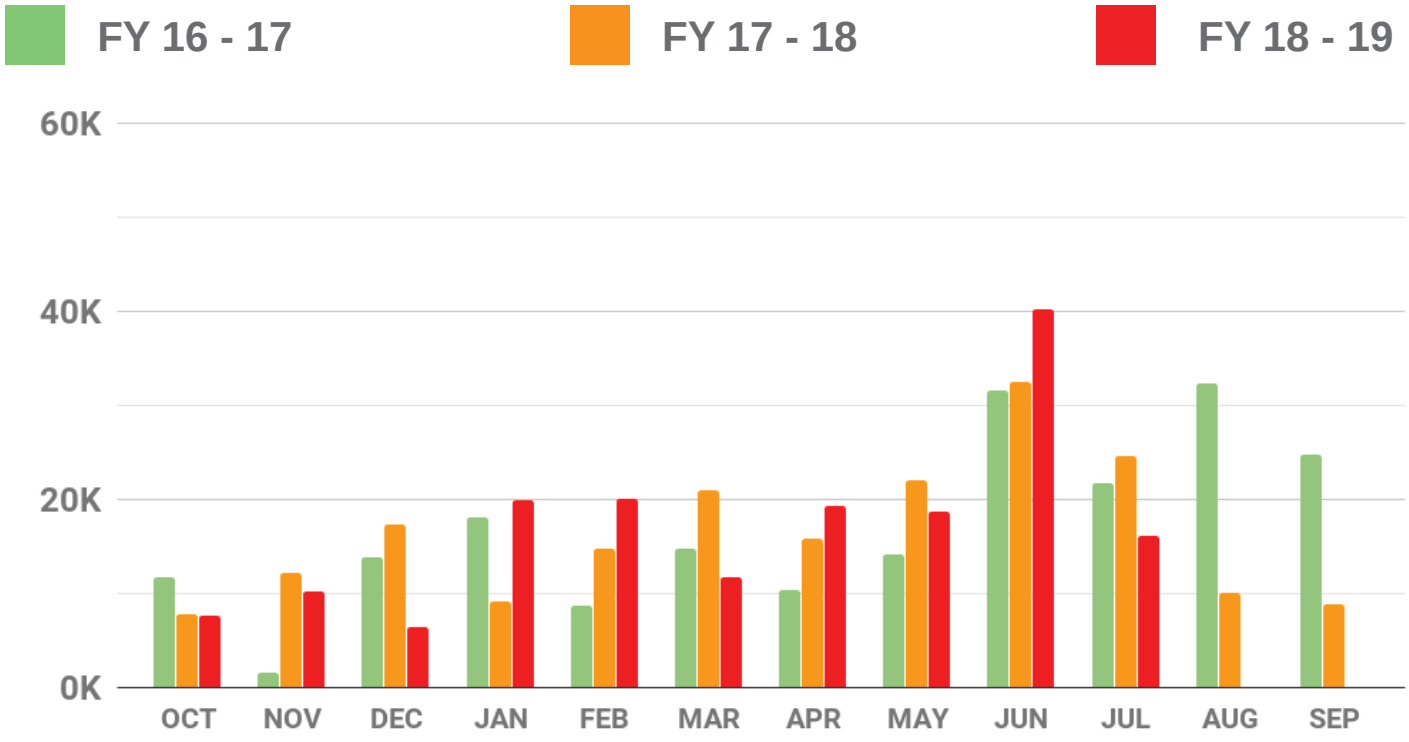
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of July 2019.	179,687
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	40,288
USERS Visitors to playrockwall.com	28,210

REVENUE

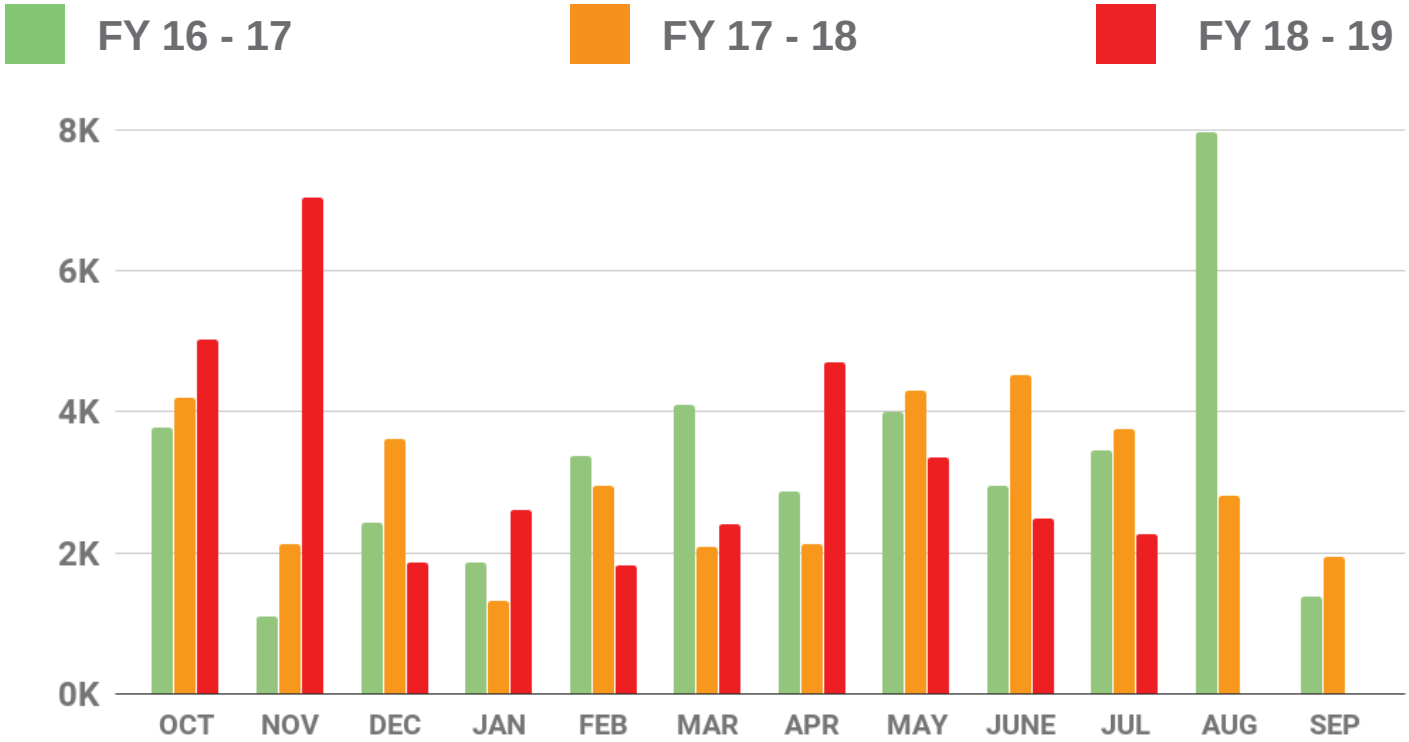
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



559

Rockwall Police Department

Monthly Activity Report

July-2019

ACTIVITY	CURRENT MONTH JULY	PREVIOUS MONTH JUNE	YTD 2019	YTD 2018	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	**-100.00%**
Sexual Assault	2	2	11	5	**120.00%**
Robbery	1	2	7	5	**40.00%**
Aggravated Assault	5	2	16	8	**100.00%**
Burglary	5	5	32	20	**60.00%**
Larceny	75	45	365	391	**-6.65%**
Motor Vehicle Theft	8	2	28	30	**-6.67%**
TOTAL PART I	**96**	**58**	**459**	**460**	**-0.22%**
TOTAL PART II	**108**	**109**	**943**	**1054**	**-10.53%**
TOTAL OFFENSES	**204**	**167**	**1402**	**1514**	**-7.40%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	10	11	115	115	**0.00%**
D.W.I.	8	8	110	143	**-23.08%**
ARRESTS					
FELONY	25	25	224	211	**6.16%**
MISDEMEANOR	50	49	429	509	**-15.72%**
WARRANT ARREST	9	9	72	84	**-14.29%**
JUVENILE	3	3	24	33	**-27.27%**
TOTAL ARRESTS	**87**	**86**	**749**	**837**	**-10.51%**
DISPATCH					
CALLS FOR SERVICE	1635	1476	10472	9600	**9.08%**
ACCIDENTS					
INJURY	7	9	77	82	**-6.10%**
NON-INJURY	55	50	427	360	**18.61%**
FATALITY	0	0	0	2	**-200.00%**
TOTAL	**62**	**59**	**504**	**444**	**13.51%**
FALSE ALARMS					
RESIDENT ALARMS	64	74	399	461	**-13.45%**
BUSINESS ALARMS	144	152	919	892	**3.03%**
TOTAL FALSE ALARMS	**208**	**226**	**1318**	**1353**	**-2.59%**
Estimated Lost Hours	**137.28**	**149.16**	**869.88**	**892.98**	**-2.59%**
Estimated Cost	**$3,265.60**	**$3,548.20**	**$20,692.60**	**$21,242.10**	**-2.59%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**6**
Arrests	**3**
Arrest Warrants	**1**
Search Warrants	**2**
Seized	
Heroin	1.25 kg
Marijuana	16 ounces
Methamphetamine	32.3 kg

Rockwall Police Department
Dispatch and Response Times
July 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**92**
Call to Dispatch	0:01:33		
Call to Arrival	0:06:12		
% over 7 minutes	34%		

	Average Response Time		
Priority 2		Number of Calls	**246**
Call to Dispatch	0:03:19		
Call to Arrival	0:09:49		
% over 7 minutes	56%		

	Average Response Time		
Priority 3		Number of Calls	**76**
Call to Dispatch	0:04:47		
Call to Arrival	0:14:05		
% over 7 minutes	70%		

Average dispatch response time goals are as follows:
Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

561

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562

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	**96%**
March '19	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	**100%**
April '19	38-56%	5-7%	22-32%	1-1%	2-3%	76	68	**95%**
May '19	74-65%	14-12%	18-16%	6-5%	3-3%	135	115	**92%**
June '19	69-60%	18-16%	26-25%	1-1%	1-1%	109	115	**99%**
July '19	62-60%	18-17%	21-20%	2-2%	1-1%	97	104	**97%**
August '19								
September '19								
October '19								
November '19								
December '19								

563

Rockwall Animal Adoption Center

PROFIT AND LOSS

July 2019

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	2,675.00
4112 Adoption Fee - Cat	2,250.00
4113 Adoption Fee - Other	110.00
Total 4100 Adoption Fee	**5,035.00**
4200 Impound Fee	520.00
4300 Owner Surrender	1,170.00
4350 Quarantine Fee	225.00
4400 Direct Public Support	
4410 Corporate Contributions	300.28
Total 4400 Direct Public Support	**300.28**
4650 Medical	785.00
4700 General Donations	2,520.28
47200 Program Income	
47230 Membership Dues	100.00
Total 47200 Program Income	**100.00**
Total Income	**$10,655.56**
GROSS PROFIT	**$10,655.56**
Expenses	
5200 - Shelter Expense	
5202 - Micro Chip	1,248.75
5203 Medication	7,256.57
5209 - Shelter Supplies	1,210.68
5211 - Repair & Maint.	2,156.83
5220 - Truck Maintenance	288.87
5230 - Misc	9.00
Total 5200 - Shelter Expense	**12,170.70**
5300 - Veterinary Expense	5,797.48
5400 - Professional Services	2,291.67
65000 5000 - Administative Expense	
5004 - Paypal/Intuit fee	276.51
5005 - Postage	22.21
5006 - Bank Fees	448.00
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	26,585.16
5055 - Payroll Tax	-311.03
5056 - 401K Employer/Healthcare	433.25
5099 - Misc	145.62
65030 5003 - Printing and Copying	114.71
65040 5001 - Supplies	1,352.93
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**29,571.86**

	TOTAL
68300 Travel and Meetings	21.09
Total Expenses	**$49,852.80**
NET OPERATING INCOME	**$ -39,197.24**
NET INCOME	**$ -39,197.24**

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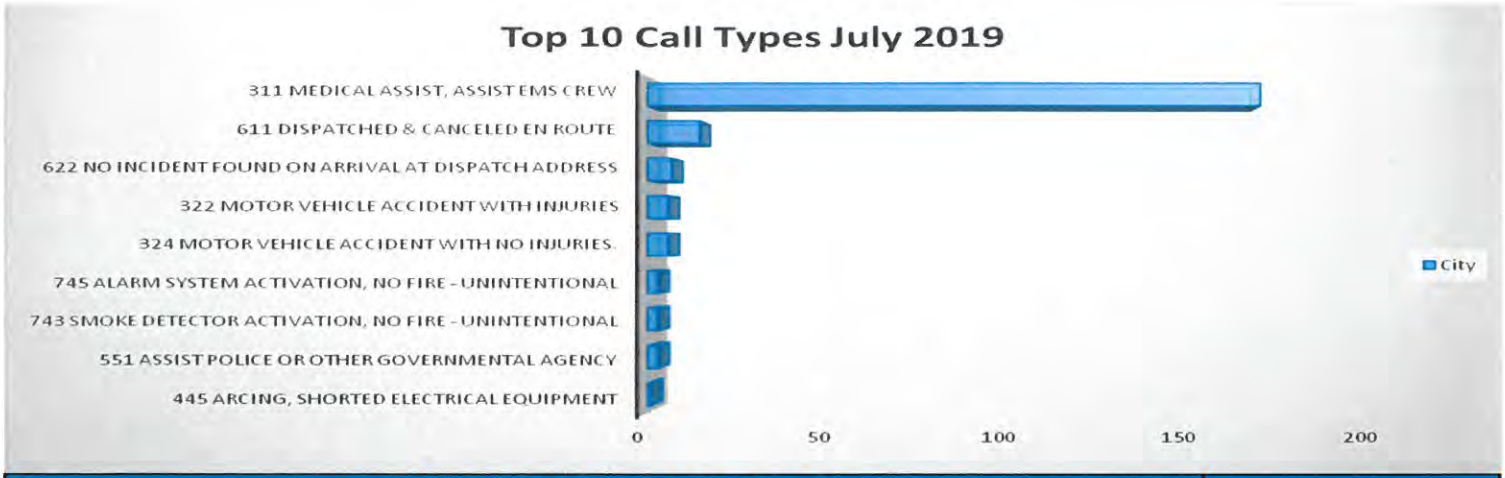
566

ROCKWALL FIRE DEPARTMENT

Monthly Report

July 2019

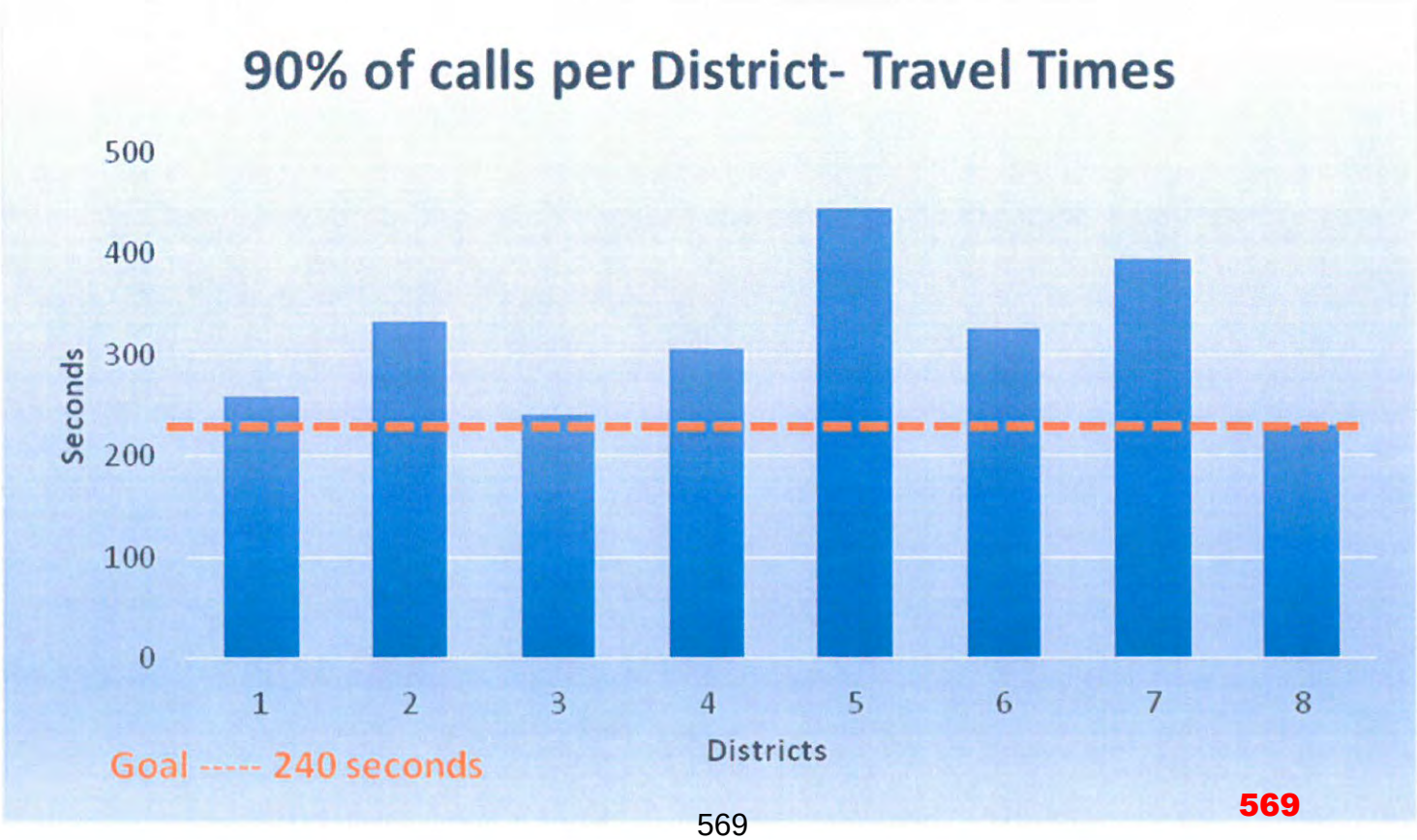
567



July 2019- All Calls	
Situation Type	City
111 Building fire	4
311 Medical assist, assist EMS crew	174
322 Motor vehicle accident with injuries	6
412 Gas leak (natural gas or LPG)	3
611 Dispatched & canceled en route	15
622 No incident found on arrival at dispatch address	7
733 Smoke detector activation due to malfunction	11
735 Alarm system sounded due to malfunction	8
743 Smoke detector activation, no fire - unintentional	3
745 Alarm system activation, no fire - unintentional	3
131 Passenger vehicle fire (cars, pickups, SUV's)	1
651 Smoke scare, odor of smoke	6
324 Motor vehicle accident with no injuries.	6
550 Smoke Detector Battery Change/Install	8
736 CO detector activation due to malfunction	2
731 Sprinkler activation due to malfunction	1
462 Aircraft standby	1
561 Unauthorized burning	1
734 Heat detector activation due to malfunction	1
142 Brush or brush-and-grass mixture fire	1
151 Outside rubbish, trash or waste fire	1
160 Special outside fire, other	6
323 Motor vehicle/pedestrian accident (MV Ped)	1
361 Swimming/recreational water areas rescue	1
365 Watercraft rescue	1
442 Overheated motor	2
511 Lock-out	2
522 Water or steam leak	2
531 Smoke or odor removal	1
744 Detector activation, no fire - unintentional	1
400 Hazardous condition, other	1
132 Road freight or transport vehicle fire (Commercial Vehicles)	1
143 Grass fire	2
154 Dumpster or other outside trash receptacle fire	1
161 Outside storage fire	1
331 Lock-in (if lock out , use 511)	2
342 Search for person in water	1
352 Extrication of victim(s) from vehicle	1
353 Removal of victim(s) from stalled elevator	2
381 Rescue or EMS standby	1
411 Gasoline or other flammable liquid spill	3
441 Heat from short circuit (wiring), defective/worn	1
444 Power line down	2
445 Arcing, shorted electrical equipment	1
510 Person in distress, other	1
520 Water problem, other	1
551 Assist police or other governmental agency	3
631 Authorized controlled burning	1
711 Municipal alarm system, malicious false alarm	1
713 Telephone, malicious false alarm	1
730 System malfunction, other	1
Totals	**309**

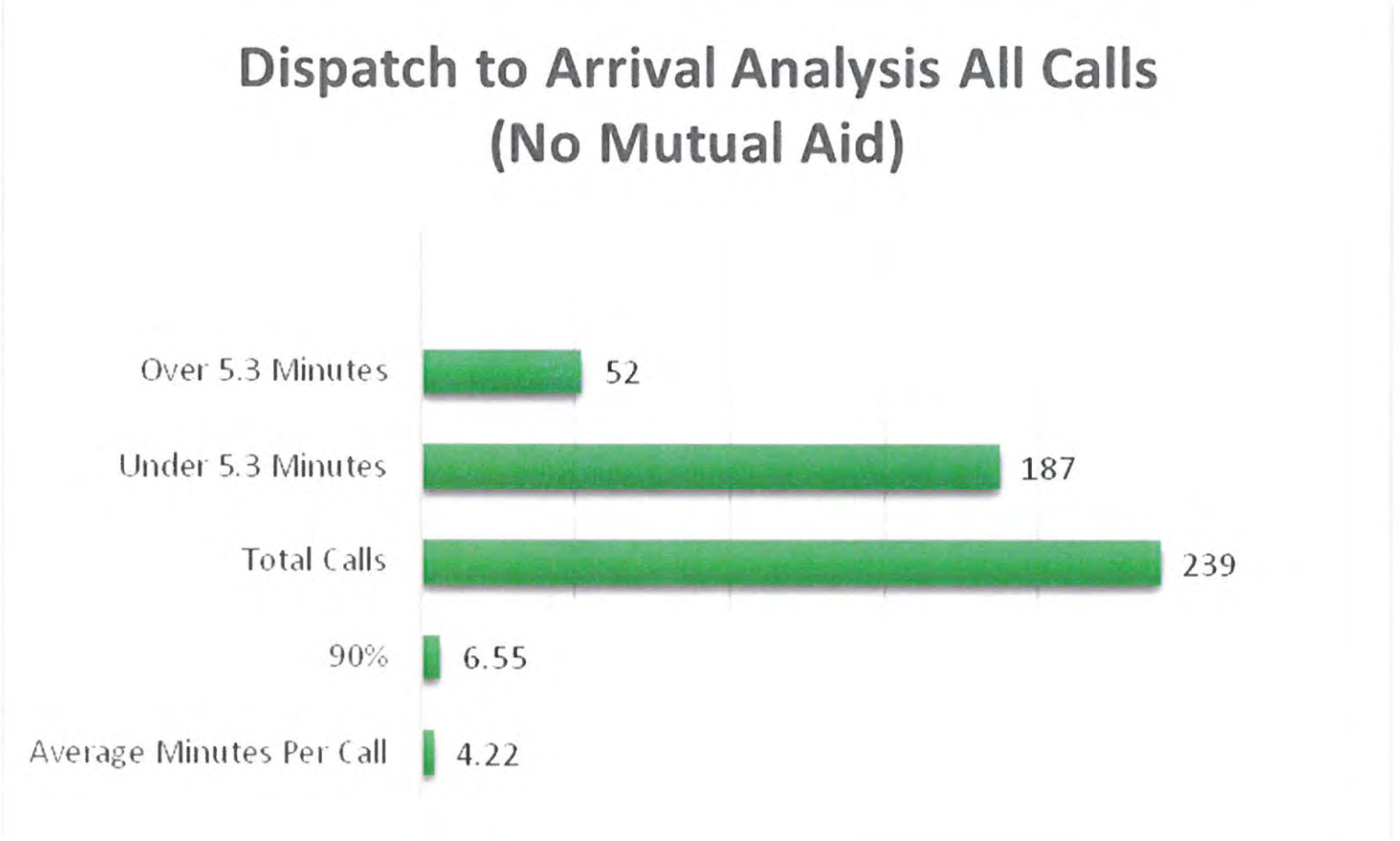
568

Travel Time Analysis-*By District* ALL CALLS- (No Mutual Aid)				Total Number of Calls	Average Travel Time Minutes
% in 4 min or less	All Code 3 Calls-No Cancelled enroute calls				
	100s				
87%	On Scene in	4.0	minutes or less	75	2.64
	200s				
72%	On Scene in	4.0	minutes or less	71	3.33
	300s				
86%	On Scene in	4.0	minutes or less	28	2.48
	400s				
73%	On Scene in	4.0	minutes or less	44	3.15
	500s				
25%	On Scene in	4.0	minutes or less	8	5.45
	600s				
60%	On Scene in	4.0	minutes or less	6	3.76
	700s				
33%	On Scene in	4.0	minutes or less	6	5.02
	800s				
100%	On Scene in	4.0	minutes or less	1	3.85
	900s				
	On Scene in	4.0	minutes or less	0	
			Total Calls	239	



Dispatch to Arrival Analysis
All Calls (No Mutual Aid)
July 2019

Dispatch to Arrival Analysis-(No Mutual Aid)					Total Calls
76%	On Scene in	5.3	minutes or less		187
85%	On Scene in	6.0	minutes or less		216
92%	On Scene in	7.0	minutes or less		221
98%	On Scene in	8.0	minutes or less		234
99%	On Scene in	9.0	minutes or less		238
100%	On Scene in	13.0	minutes or less		239
	Total Calls		239		



570

Total Dollar Losses

July 2019

City of Rockwall
The New Horizon

Print Date/Time: 08/12/2019 16:03
Login ID: rck\sdean
Layer: All
Areas: All

Rockwall Fire Department

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$10,500.00	$0.00	$21,878.00	$136,215.00	$426,372.00
Total Content Loss:	$5,500.00	$0.00	$10,439.00	$50,500.00	$156,935.40
Total Property Pre-Incident Value:	$450,450.00	$0.00	$323,020.00	$5,164,756.92	$1,041,300.00
Total Contents Pre-Incident Value	$108,660.00	$0.00	$1,000.00	$636,576.35	$439,568.00
Total Losses:	$16,000.00	$.00	$32,317.00	$186,715.00	$16,000.00
Total Value:	$559,110.00	$.00	$324,020.00	$5,801,333.27	$1,480,868.00

ROCKWALL FIRE

Fire Marshal Division

Monthly Report - July 2019

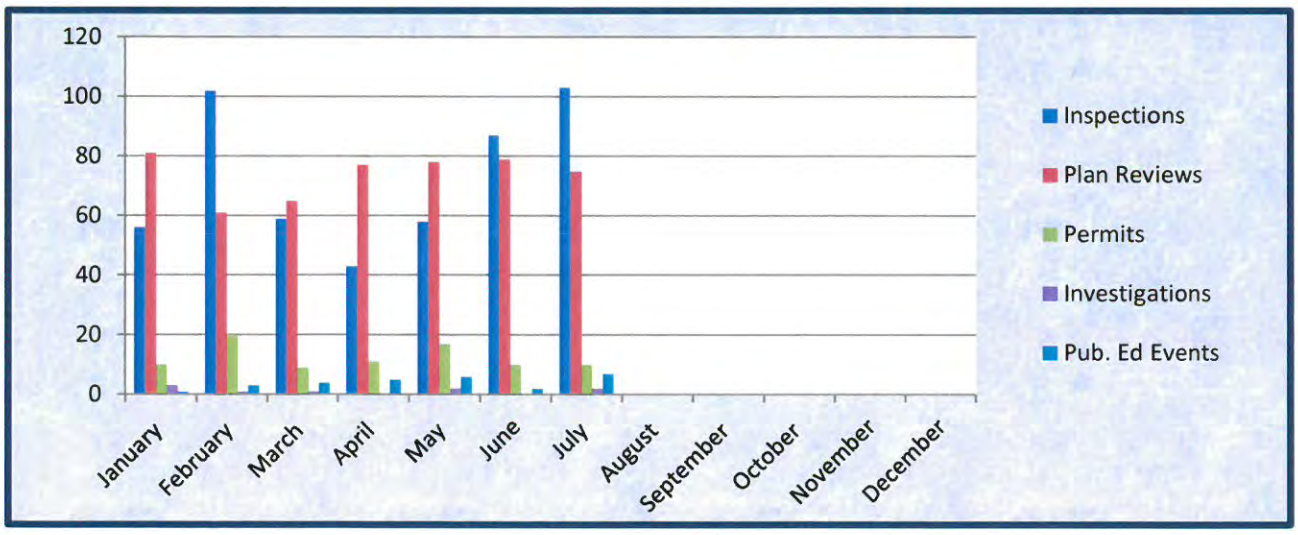
Inspection Status Report	
Total for the Month	**103**

Public Education Events	
Total for the Month	**7**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	2
Total for the Month	**2**

Fire Permit Report	
CO2 System	1
Doors - Access Control	2
Fire Alarm	2
Fire Sprinkler	1
Fireworks	2
Temp Aboveground Tank	1
Underground Sprinkler	1
Total for the Month	**10**

Plan Review Report	
CO	6
COMM	48
Engineering	4
Plat	3
Signage	4
Site Plan	4
Single Family	1
Special Event	1
Zoning	4
Total for the Month	75



572

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573

STAR TRANSIT
Phone: 877-631-5278 | **Fax:** 972-563-0048 | **Website:** STARtransit.org
PO Box 703 | Terrell | TX 75160

August 6, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: July 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
JULY	22	1,537

Non-Service Days: July 4th

NO. OF TRIPS	PURPOSE
783	Contract Service
2	Education
3	Government
12	Medicaid
290	Medical
15	Nutrition (Senior Center)
169	Other (adult-day care, beauty salon, friend's homes, etc.)
151	Shopping
112	Work

JULY UNDUPLICATED PASSENGERS
79
YEAR TO DATE UNDUPLICATED PASSENGERS
260

Adjusted Trip Total	742

*Trip Totals without Contracts or Medicaid

> = 60	482
DIS >60	91
	573
% E & D Trip Total	77%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **17,148**
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: JULY 2018 TRIP TOTAL= 1,545 (52% DECREASE)

ROCKWALL CITY	1Q	2Q	3Q	4Q	*PURPOSE TOTALS*
CONTRACT	1,015	1,936	3,334	1,828	*8,113*
EDU	77	74	83	2	*236*
GOV	5	8	2	6	*21*
MDE	219	245	115	61	*640*
MED	632	605	695	575	*2,507*
NUT	34	43	60	35	*172*
OTH	544	594	696	339	*2,173*
SHP	533	380	437	275	*1,625*
WORK	464	479	503	215	*1,661*
	3,523	4,364	5,925	3,336	*17,148*

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743	1,206	2,415	2,333	1,686	1,906	1,799	1,537		**17,148**	*1,559*
	704	*919*	*885*	*743*	*871*	*814*	*888*	*819*	*884*	*754*	*754*	*0*	*9,035*	*753*
CONTRACT	709	306	0	0	335	1,601	1,445	867	1,022	1,045	783		**8,113**	*738*
EDU	0	41	36	12	17	45	29	45	9	0	2		**236**	*21*
GOV	1	2	2	4	2	2	0	2	0	3	3		**21**	*2*
MDE	62	69	88	90	90	65	42	36	37	49	12		**640**	*58*
MED	171	235	226	200	203	202	228	217	250	285	290		**2,507**	*228*
NUT	10	11	13	17	12	14	22	16	22	20	15		**172**	*16*
OTH	130	247	167	161	209	224	264	212	220	170	169		**2,173**	*198*
SHP	171	139	223	135	148	97	172	79	186	124	151		**1,625**	*148*
WORK	159	175	130	124	190	165	131	212	160	103	112		**1,661**	*151*
TOTAL DR TRIPS	**1,413**	**1,225**	**885**	**743**	**1,206**	**2,415**	**2,333**	**1,686**	**1,906**	**1,799**	**1,537**	**0**	17,148	*1,429*
											0			

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Medicaid	62	69	88	90	90	65	42	36	37	49	12	0	**640**	*53*
Lakepointe Church Contract	709	306	0	0	335	1,601	1,445	867	1,022	1,045	783		**8,113**	*738*
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	**0**	*0*
Charters	0	0	0	0	0	0	0	0	0	0	0	0		
	771	*375*	*88*	*90*	*425*	*1,666*	*1,487*	*903*	*1,059*	*1,094*	*795*	*0*	***8,753***	*729*

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
Adjusted Trip Total	642	850	797	653	781	749	846	783	847	705	742	0	**8,395**	*43,511*
	*Trip Totals without Contracts or Medicaid													

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
> = 60	345	477	393	375	424	447	470	464	479	498	482		**4,854**	*441*
DIS <60	142	167	137	108	156	115	161	125	118	117	91		**1,437**	*131*
	487	*644*	*530*	*483*	*580*	*562*	*631*	*589*	*597*	*615*	*573*	*0*	***6,291***	*524*
% of Adjusted Trip Total	76%	76%	66%	74%	74%	75%	75%	75%	70%	87%	77%	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	*Avg*
GENERAL PUBLIC	155	206	267	170	201	187	215	194	250	90	169	0	**2,104**	*175*
% of Adjusted Total	24%	24%	34%	26%	26%	25%	25%	25%	30%	13%	23%	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19	21	19	21	21	22	20	22	22	249

NoShow/Cancel	527	474	476	370	456	369	483	489	368	401	93		4,506
DENIALS	192	147	96	91	79	41	67	75	41	59	23		911
UNDUPLICATED M2M	82	88	94	80	91	78	89	74	73	76	79		904
UNDUPLICATED YTD		114	144	161	187	202	213	222	230	249	260		1,982
			30	*17*	*26*	*15*	*11*	*9*	*8*	*19*	*11*	*-260*	

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	**323**	**440**	**360**	**319**	**437**	**388**	**438**	**439**	**434**	**358**	**296**		**4,232**
Percent Subs of Total Trips	**23%**	**36%**	**41%**	**43%**	**36%**	**16%**	**19%**	**26%**	**23%**	**20%**	**19%**	**#DIV/0!**	
SUBS Can/NoShow	**119**	**136**	**210**	**211**	**261**	**201**	**235**	**234**	**206**	**203**	**177**		**2,193**

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576

Table of Contents

Agenda 5
Constitution Week
Proclamation 10
Blank Page 11
Consider approval of the minutes from the September 3, 2019 regular city council meeting, and take any action necessary.
09-03-19 CC Mtg Mins 12
Blank Page 25
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Memo 26
Blank Page 27
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Ord (2nd Reading) 28
Blank Page 32
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P2019-017 33
Blank Page 41

P2019-031 - Consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owner Jeff Kennemer of the Saddle Star Land Development, LLC for the approval of a final plat for Phase 1 of the Saddle Star South Subdivision containing 66 single-family residential lots on a 26.411-acre tract of land identified as a portion of a larger 44.292-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

P2019-031 42

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P2019-033 - Consider a request by Bill Bricker of Columbia Development Company, LLC on behalf of David and Laura Cline for the approval of a replat for Lot 47, Block D, Park Place West Phase II Addition being a 0.184-acre parcel of land being currently identified as Lot 20, Block D, Park Place West Phase II Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, addressed as 408 Jordan Farm Circle, and take any action necessary.

P2019-033 48

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Z2019-017 - Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary (1st Reading).

Z2019-017 54

Blank Page 140

Z2019-018 - Hold a public hearing to discuss and consider a request by Rob Whittle for the approval of an ordinance amending Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-1114, and take any action necessary (1st Reading).

Z2019-018 141

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Z2019-019 - Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of an ordinance for a Specific Use Permit (SUP) allowing a Freestanding Commercial Antenna on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary (1st Reading).

Z2019-019 . . . 253
Blank Page . . . 337

Z2019-020 - Hold a public hearing to discuss and consider a request by Todd Panzner for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 11.85-acre tract of land identified as Tract 1-1 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located south of the intersection of Green Circle and SH-276, and take any action necessary (1st Reading).

Z2019-020 . . . 338
Blank Page . . . 355

Discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation for the approval of an ordinance establishing a two (2) hour parking limit for all on-street parking within the Rockwall Technology Park and Corporate Crossing, and take any action necessary. (1st Reading)

Memo . . . 356
REDC Letter to the City . . . 357
Ordinance (1st Reading) . . . 359
Blank Page . . . 362

Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2020 and amended budget for fiscal year 2019, and take any action necessary

Staff memo . . . 363
EDC staff memo . . . 364
EDC 2019 Accomplishments . . . 366
EDC 2020 workplan . . . 368
Budget worksheets . . . 373
Blank page . . . 378

Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2020 and amended budget for fiscal year 2019, and take any action necessary.

Staff memo . . . 379
RTP budget worksheets . . . 380
Blank page . . . 381

Discuss and consider the Hotel Tax Subcommittee recommendations for funding allocations in fiscal year 2020, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.

Staff memo . . . 382
Recommended Funding Levels . . . 383
Blank page . . . 384

Discuss and consider approval of an ordinance amending the budget for fiscal year 2019, and take any action necessary.

Memo . . . 385
Ordinance . . . 386
Blank page . . . 387

Discuss and consider approval of an ordinance adopting the proposed budget for fiscal year 2020, and take any action necessary.

Staff memo . . . 388
General fund Budget . . . 389
Adoption Ordinance . . . 394
Blank page . . . 395

Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2019, and take any action necessary.

Memo . . . 396
Tax Rate Ordinance . . . 397
Blank page . . . 399

Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

Boards Memo . . . 400
Blank Page . . . 401

Discuss and consider authorizing the City Manager to negotiate agreements with WME and Red 11 Music for Founders Day Festival opening and headliner entertainment to be paid from Hotel Occupancy Tax Funds in the amount of $45,000, and take any action necessary.

FDF . . . 402
Blank Page . . . 403

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, September 16, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding ballot nominations associated with elections to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
3. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

VII. PROCLAMATIONS

pg.10 **1.** Constitution Week

VIII. OPEN FORUM

IX. CONSENT AGENDA

pg.12 **1.** Consider approval of the minutes from the September 3, 2019 regular city council meeting, and take any action necessary.

pg.26 **2.** Consider approving an annual contract extension to Terracare for Landscape Maintenance and authorizing the City Manager to execute a contract extension in the amount of $502,480 to be funded out of General Fund, Parks Operations Budget, and take any action necessary.

pg.28 **3.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 10. "Buildings and Building Regulations;" Article III. "Building Code;" Article IV. "Residential Code;" Article VI. "Plumbing Code;" Article VII. "Fuel Gas Code; and Article IX. "Electrical Code" for the purpose of updating the codes to conform to changes made by the 86th Legislature through passage of H.B. 2439, and taken any action necessary. **(2nd reading)**

pg.33 **4.** **P2019-017** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Suresh Shridharani of Harlan Properties, Inc. for the approval of a preliminary plat for the Emerson Farms Subdivision containing 107 single-family residential lots on a 138.756-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 76 (PD-76) for Single Family 1 (SF-1) District land uses, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary.

pg.42 **5.** **P2019-031** - Consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owner Jeff Kennemer of the Saddle Star Land Development, LLC for the approval of a final plat for Phase 1 of the Saddle Star South Subdivision containing 66 single-family residential lots on a 26.411-acre tract of land identified as a portion of a larger 44.292-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

pg.48 **6.** **P2019-033** - Consider a request by Bill Bricker of Columbia Development Company, LLC on behalf of David and Laura Cline for the approval of a replat for Lot 47, Block D, Park Place West Phase II Addition being a 0.184-acre parcel of land being currently identified as Lot 20, Block D, Park Place West Phase II Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, addressed as 408 Jordan Farm Circle, and take any action necessary.

X. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XI. PUBLIC HEARING ITEMS

pg.54 **1.** **Z2019-017** - Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary **(1st Reading).**

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pg.253 **3.** **Z2019-019** - Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a Freestanding Commercial Antenna on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary **(1st Reading).**

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XII. ACTION ITEMS

pg.356 **1.** Discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation for the approval of an **ordinance** establishing a two (2) hour parking limit for all

on-street parking within the Rockwall Technology Park and Corporate Crossing, and take any action necessary. **(1st Reading)**

pg.363 **2.** Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2020 and amended budget for fiscal year 2019, and take any action necessary

pg.379 **3.** Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2020 and amended budget for fiscal year 2019, and take any action necessary.

pg.382 **4.** Discuss and consider the Hotel Tax Subcommittee recommendations for funding allocations in fiscal year 2020, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.

pg.385 **5.** Discuss and consider approval of an **ordinance** amending the budget for fiscal year 2019, and take any action necessary.

pg.388 **6.** Discuss and consider approval of an **ordinance** adopting the proposed budget for fiscal year 2020, and take any action necessary.

pg.396 **7.** Discuss and consider approval of an **ordinance** levying ad valorem taxes for the tax year 2019, and take any action necessary.

pg.400 **8.** Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

pg.402 **9.** Discuss and consider authorizing the City Manager to negotiate agreements with WME and Red 11 Music for Founders Day Festival opening and headliner entertainment to be paid from Hotel Occupancy Tax Funds in the amount of $45,000, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding ballot nominations associated with elections to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
3. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)

4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of September, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, *Texas*

Proclamation

Whereas, the Constitution of the United States of America, the guardian of our liberties, embodies the principal of limited government in a Republic dedicated to rule by law; and

Whereas, September 17, 2019, marks the two hundred and thirty-second anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America, annually designating one week in September as "Constitution Week."

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, by virtue of the authority vested in me, do hereby proclaim September 17 through September 23, 2019 as

CONSTITUTION WEEK

in the City of Rockwall, and urge all citizens to reaffirm the ideals that the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

In Witness Whereof, I hereunto set my hand and official seal this 16th day of September, 2019.

Jim Pruitt, Mayor

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MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, September 03, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Dana Macalik called the public meeting to order at 4:02 p.m. Present were Mayor Pro Tem Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and the city's legal counsel, Patrick Lindner. Mayor Pruitt arrived to the meeting at 4:05 p.m. as noted below.

II. WORK SESSION

1. Hold work session to discuss sidewalks citywide

Mayor Pro Tem Dana Macalik read the work session agenda item and called upon City Engineer/Director of Public Works, Amy Williams. Mrs. Williams provided council members with samples of criteria that they may wish to consider when establishing a sidewalks policy. Mayor Pruitt arrived to the meeting at 4:05 p.m. Ms. Williams' criteria are as follows:

1. **The street is above a residential/local classification or on the currently adopted Thoroughfare Plan (i.e. minor collector, major collector, minor arterial and major arterial)**
2. **If average daily traffic is 1,000 vehicles per day or more**
3. **If a portion of the block of the street is within 1,000 feet of a school, city park, or church, the entire block shall have a sidewalk.**

Council discussed these three points at length with staff, generally clarifying the suggestions and trying to decide if the criteria are acceptable or if they may need to be modified in some way.

Mayor Pruitt opened up the public forum

John Ruess
202 West Boydstun
Rockwall, TX

Mr. Ruess came forth and expressed concern about not having heard the Council or staff mention anything about the home owners who have purchased homes along these roadways and what they may or may not want regarding sidewalks. He encouraged the Council to let the property owners vote and decide for themselves if they do or do not want sidewalks installed in front of their homes / on their streets. All he has heard so far during this work session is "bureaucracy." He personally does not want a sidewalk on Boydstun, and he does not believe they are needed on his street. He wants the Council to let the homeowners exercise democracy and decide for themselves if they will or won't have sidewalks.

Kathleen Ingram
1410 S. Lakeshore Drive
Rockwall, TX

Ms. Ingram came forth and handed out suggested, proposed amendments for the current sidewalks-related ordinance. She too feels that property owners who live along these roadways should have more 'say' regarding if sidewalks will be installed or not. She shared that these suggestions came as a result of a group meeting of property owners on Lakeshore / S. Lakeshore.

R.D. Vanderslice
1408 S. Lakeshore
Rockwall, TX

Mr. Vanderslice came forth and shared that he has lived in Rockwall for thirty-six years. Back in April, he came forth and asked (at a meeting), are the sidewalks a "done deal?" He did not get a good feeling about the answer(s) received at that time. So, he went back and looked at his own survey to see how he had responded. He shared that when the bond description was sent out in a city brochure, indication was given that the city would work with the neighborhoods and that sidewalks were 'possible.' He does not understand why residents were even sent a survey asking if they do or do not want sidewalks if the schematics were already drawn up, and the sidewalks seemed to have been a "done deal" already by the time the neighborhood meeting was held. He suspects that if another, additional survey was sent, the city would receive an overwhelming response because, at this point, they are more educated on the subject of sidewalks. He does not believe that the city is listening to residents who live on these streets, in these neighborhoods. Mr. Vanderslice went on to share that he and his neighbors would rather live with the street 'as is' and not have the roadway improved if it means that sidewalks will be installed.

Gary Piepenburg
1510 S. Lakeshore Drive
Rockwall, TX

Mr. Piepenburg came forth and stated that he has lived in Rockwall about four years, and he has spoken to about forty people who are angry that sidewalks could possibly be installed and interrupt their neighborhood.

Nora Elwonger
308 Meadowdale
Rockwall, TX

Mrs. Elwonger came forth and wanted some clarification on some things. Mayor Pruitt encouraged her to discuss her questions with Ms. Williams (City Engineer). Discussion then took place between Mrs. Elwonger and staff regarding S. Lakeshore being designated (years ago) as a "minor collector roadway" on the city's thoroughfare plan as well as traffic counts. Mrs. Elwonger acknowledged that Texas having the third highest pedestrian fatalities in the nation may not tell the whole story.

Ed Howard
1418 Lakeshore

Rockwall, TX

Mr. Howard shared that he and his wife have lived here for only about 3 years. He walks every morning at 5:30 a.m. for about an hour. Cars drive by fast, and he has had to move off the roadway and into the grass several times because of cars driving by fast. He has also tripped and fallen at least a couple of times. He and his wife are in favor of the sidewalks and the street improvements.

Ron Gilliland
310 Meadowdale
Rockwall, TX

Mr. Gilliland shared that his home would get 160' feet of sidewalk and retaining wall if the city moves forward with installation of sidewalks. About 18 months ago, Alamo was opened, and it has diverted a lot of traffic (even though there was never really a traffic problem to begin with). He and his wife eat breakfast, and 6-8 a.m. in the morning is the prime time for pedestrian walkers. He would hate to make decisions locally for Rockwall based on statewide pedestrian fatality statistics. Mr. Gilliland commented and complimented staff member, Jeremy White, from the Engineering Dept. on his professionalism and assistance in providing information to several residents who asked him for assistance.

Jerry Welch
1509 Lakeshore Drive
Rockwall, TX

Mr. Welch came forth and showed a photo of what his front lawn will look like and how much property will be taken up by sidewalks if they are installed. At first, he thought he was in favor of them; however, he generally expressed that he is now opposed to their installation altogether.

Tom Hughes
1209 Lakehsore
Rockwall, TX

Mr. Hughes reminded Council and staff that they work for the citizens. He pointed out that several 'traffic calming' measures were put in place (striping, speed humps, four-way stops, etc.) on Lakeshore. In some places on the street, a homeowner may not park in front of his or her home. He does not believe that the 'traffic calming' measures that have been put in place have really helped. He believes more efforts are needed. He is not in favor of sidewalks, and they will adversely impact trees, lawns, etc. He is pleased with our police department and their enforcement efforts. He encouraged Council to 'do the right thing' for people who live in this community.

Sophia Tsardoulias
204 Meadowdale Drive
Rockwall, TX 75087

Mrs. Tsardoulias came forth and asked why sidewalks are even being considered. Mayor Pruitt shared that there are residents who do want sidewalks and are in fact in favor of them. The city requires sidewalks to be installed in all new neighborhoods. She is concerned about climate change, and taking them down would adversely impact climate change efforts.

Mayor Pruitt read the below listed discussion items into the public record before recessing the public meeting to go into Executive Session at 5:12 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:58 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

Councilmember Trowbridge delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS

1. Childhood Cancer Awareness Month

Mayor Pruitt called forth Sarah Jones, and he read and presented her with this proclamation. She shared that she has three children, and one of them has been diagnosed with a type of leukemia. It has been eleven months today since he was diagnosed. She shared that the government only gives 4% of its budget to 'childhood cancer.' She encouraged support for finding alternative treatments and a cure for childhood cancer.

Mayor Pruitt allowed several Boy Scouts in the audience to introduce themselves, all of whom indicated they are here this evening because they are working on their merit badges.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, and he then opened up the floor for anyone who would like to come forth and speak at this time.

Steve Curtis
2130 F.M. 1131
Rockwall, (County) Texas

Mr. Curtis came forth and explained that citizens who live in the county will be impacted by decisions that are made by the various cities within the county. He suggested that each city board or commission include at least one county resident.

Julie Barlow
1005 Ridge Road West
Rockwall, TX

Mrs. Barlow came forth and shared some research that she had done. Her neighbor sent out 35 questionnaires, and 21 responses were received back as of this past Saturday (62% response rate) She explained that the survey only went out to residents who live on their street, and she briefed the Council on the results.

Jonna Morton
313 Rockbrook
Rockwall, TX

Mrs. Morton shared the belief that sidewalks will take away from the nice feeling that pedestrians have when walking on her street and in her neighborhood. She is a realtor and has been a realtor for forty years. She bought her house after selling it, previously, to two other clients. She has been blessed to be a successful realtor in Rockwall because selling homes here is so easy. She believes that sidewalks being installed would have a negative effect on her neighborhood.

R.D. Vanderslice
1408 S. Lakeshore
Rockwall, TX

Mr. Vanderslice came forth and showed a photo of a new road that was done on Stonebridge, and sidewalks were not installed there – only a new roadway and new curbs. He showed another photograph of a roadway in front of homes where a few, large, mature trees exist, generally indicating that if sidewalks were installed here, those trees would be adversely impacted. He has lived in Rockwall for thirty-six years, and he and many of his neighbors have lived along this roadway for more than thirty and forty years (he went on to name many of them specifically). He generally spoke about the 'specialness' of this 'legacy neighborhood' and its beautiful landscaping and mature trees and vegetation. He is very opposed to sidewalks and encouraged Council to not move forward with them in his neighborhood / on his street.

John Ruess
202 West Boydstun Avenue

Mr. Ruess acknowledged that Council needs to have a sidewalks policy in place. He strongly suggested that Council's policy be 'let the people, through democracy, decide' on whether or not they want sidewalks. He believes that someone in the city is 'pushing sidewalks.' He does not understand why they are so important if nobody wants them.

There being no one else wishing to come forth and speak, Mayor Pruitt closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the August 19, 2019 regular city council meeting, and take any action necessary.
2. Consider approval of the minutes from the August 27, 2019 Special City Council / Budget Work Session meeting, and take any action necessary.
3. Consider an **ordinance** amending the Code of Ordinances in Chapter 10. "Building and Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and Standards Commission" ("the Commission") to appoint the duties of the Commission to the Board of Adjustments, and take any action necessary. **(2nd Reading)**
4. Consider an **ordinance** amending the Code of Ordinances in Chapter 38. "Subdivisions," Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee schedule for engineering plan review fees, and take any action necessary. **(2nd Reading)**
5. **Z2019-015** - Consider a request by Greg Wallis of Mershawn Architects on behalf of the owner for the approval of an **ordinance** for a Specific Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action necessary **(2ndReading).**
6. **Z2019-016** - Consider approval of an **ordinance** for a text amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances for the purpose of updating the codes to conform to changes made by the 86th Legislative Session, and take any action necessary **(2nd Reading).**
7. Consider awarding bids to Caldwell Country Chevrolet for 2020 model Police Pursuit Tahoes and Pursuit Safety for the vehicle equipment and authorizing the City Manager to execute Purchase Orders in the amount of $209,300 and $118,000 respectfully to be funded out of the General Fund Reserves, and take any action necessary.
8. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 10. "Buildings and Building Regulations;" Article III. "Building Code;" Article IV. "Residential Code;" Article VI. "Plumbing Code;" Article VII. "Fuel Gas Code; and Article IX. "Electrical Code" for the purpose of updating the codes to conform to changes made by the 86th Legislature through passage of H.B. 2439, and taken any action necessary. **(1st reading)**

9. **P2019-032** - Consider a request by Jay and Terri Bedford of A. J. Bedford Group, Inc. on behalf of Raymond Jowers for the approval of a replat for Lot 8, Block A, Bodin Industrial Addition being a 2.029-acre parcel of land identified as Lot 7, Block A, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2040 Kristy Lane, and take any action necessary.
10. **P2019-034** - Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a replat for Lots 29-33, Block A, Whisper Rock Addition being a 1.177-acre tract of land currently identified as Lots 1-5, Block A, Whisper Rock Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1206, 1210, 1214, 1218 & 1222 Whisper Rock Drive, and take any action necessary.
11. **P2019-036** - Consider a request by Price Pointer of TCB Construction Group, LLC for the approval of a replat for Lot 1, Block A, TCB Addition being a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 505 N. Goliad Street, and take any action necessary.

Councilmember Trowbridge moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11). Councilmember Hohenshelt seconded the motion. The ordinance captions were then read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 10. "BUILDINGS AND BUILDING REGULATIONS;" ARTILE II. "ADMINISTRATION AND ENFORCEMENT;" DIVISION 2. "BUILDING AND STANDARDS COMMISSION" TO APPOINT THE DUTIES OF THE CITY'S BUILIDING AND STANDARDS COMMISSION TO THE CITY'S BOARD OF ADJUSTMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. "SUBDIVISIONS," ARTICLE I. "IN GENERAL," SECTION 38-15 "MISCELLANEOUS REQUIREMENTS" TO ESTABLISH AN ENGINEERING PLAN REVIEW FEE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-31
SPECIFIC USE PERMIT NO. S-211

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A MINOR AUTO REPAIR GARAGE, IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 1.1107-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 1, HORIZON VILLAGE ADDITION, CITY OF

ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*, ARTICLE IV, *PERMISSIBLE USES*, ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*, ARTICLE VIII, *LANDSCAPE STANDARDS*, ARTICLE X, *PLANNED DEVELOPMENT DISTRICT REGULATIONS*, ARTICLE XI, *ZONING RELATED APPLICATIONS*, AND ARTICLE XIII, *DEFINITIONS,* OF THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*], AND ARTICLE XI, *FENCES*, OF CHAPTER 10, *BUILDING AND BUILDING REGULATIONS*, OF THE MUNICIPAL CODE OF ORDINANCES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XI. APPOINTMENT ITEMS

1. Appointment with Mike Svetz of Pros Consulting to hear a presentation regarding the athletic field feasibility study, and take any action necessary.

Mr. Svetz came forth and provided a lengthy presentation to Council related to the results of the athletic field feasibility study that his company undertook on behalf of the City of Rockwall. Mr. Svetz indicated that he did present these findings to the city's Park Board as well. Indication was given that further discussions related to this study will be held at some point in the future with both the Park Board and the City Council; however, no action was taken at this time.

2. Appointment with Phil Wagner, President of the Rockwall Economic Development Corporation, to request an ordinance to limit on-street parking in the Rockwall Technology Park to no more than two hours, and take any action necessary.

Mr. Wagner came forth and generally expressed concern about parking shortages that exist in certain areas of the Tech Park. He seemed to indicate that the parking issues make it difficult to attract new businesses to the Park. Following Mr. Wagner's comments, Council asked staff to bring back an ordinance for Council to consider related to limiting parking to two-hours within the Technology Park. Council took no formal action at this juncture.

XII. PUBLIC HEARING ITEMS

1. Hold a public hearing to receive comments regarding the proposed FY 2020 City of Rockwall budget and tax rate, and take any action necessary

Mr. Crowley, City Manager, shared that the proposed budget was prepared based on the effective tax rate. This means that the actual proposed rate for fiscal year 2020 will be less than the current fiscal year's budget. Both property values and sales tax have increased, and staff is anticipating continued

economic stability and health in the coming fiscal year. Mayor Pruitt indicated that a day-long budget session was held last week. Mrs. Smith, Assistant City Manager / Finance Director, shared that the proposed budget is available on the city's website on the Finance Department's webpage. She gave a broad overview of the high points of the budget, including a few new positions and capital purchases. She shared that the actual, final vote on the tax rate and budget will take place at the next, regular city council meeting later on in September.

Mayor Pruitt shared that the city will be adding one, additional police officer that will specifically help with mental health issues, including members of the public that the police interact with as well as training for police staff.

Mayor Pruitt opened up the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. No action was taken by Council at this time.

XIII. ACTION ITEMS

1. Discuss and consider citywide sidewalks policy, and take any action necessary.

Mayor Pruitt shared that this is a continuation of the work session item that Council discussed at the 4 o'clock meeting. He went on to generally share that sidewalks address safety concerns, so there are certainly reasons for having sidewalks, especially when thousands of cars are traveling on some of these streets.

Councilmember Hohenshelt assured the public that he has personally spent five to six hours of his own personal time and another twenty hours or so at various public meetings discussing the topic of sidewalks. He and other members of the Council have been dealing with the topic of sidewalks for several years. The Council is trying to balance interconnectivity of the city and certain neighborhoods and not just look at sidewalks in front of certain homes along certain streets. He pointed out that the land in question is a 'dedicated right-of-way' that belongs to the city. So, the city is not 'taking' anyone's land. Anything that the city disturbs has to be put back in place (i.e. mailboxes, sprinkler systems, etc.). Property owners' lawns will be impacted, regardless, even if no sidewalks are installed – even if only the roadway, waterlines and sewer lines are replaced. Trees may very well still be affected. He shared that he has received many emails from residents who do want sidewalks installed. Councilmember Macalik shared that this has been a tough decision and review for her personally. She remembers when this neighborhood (Ridge Road Village) was developed because she has lived in the area since 1961. She knows that many people who originally came to Rockwall and purchased homes in this neighborhood did so for the suburban lifestyle. She, on the other hand, does recognize that sidewalks may contribute positively to bringing a neighborhood closer together (i.e. kids having lemonade stands and kids learning to ride their bicycles on sidewalks). Sidewalks, according to a study she read, had a positive impact on residential home values by at least $5,000. With that being said, there needs to be some 'give and take' on this topic. She and other members of the Council are diligently trying to figure out a way to create a 'win win' for everyone. She shared that she and other members of the Council have received many, many e-mails from members of the public who have young children – who maybe could not attend the evening meetings because of their kids – and, they are very much in favor of sidewalks.

Councilmember Trowbridge shared that he, personally, has not heard any comments that would lead him to believe that putting cars and people in the same place is a safe, good decision. He went on to generally share that he and other members of Council have absolutely been listening to the citizens,

namely through surveys and various public meetings that have been held. He does not believe that installing sidewalks around 80 year old trees will result in all of them dying – he pointed out that sidewalks were installed about eight years ago on Goliad, and those trees are still living.

Mayor Pruitt summarized that the Council needs to decide how it will choose whether or not sidewalks will be required. So, certain criteria needs to be identified in order to decide on a policy related to sidewalks. Then, in areas where sidewalks will be required, where will they be placed (on the curb or set back from the curb), and how wide they will be if installed.

Councilman Hohenshelt asked staff to pull back up on the overhead screen the following, potential criteria for a sidewalks policy:

1. **The street is above a residential/local classification or on the currently adopted Throughfare Plan (i.e. minor collector, major collector, minor arterial and major arterial)**
2. **If average daily traffic is 1,000 vehicles per day or more**
3. **If a portion of the block of the street is within 1,000 feet of a school, city park, or church, the entire block shall have a sidewalk.**

He initially stated that his preference is to have one and two above *OR* three. Following some additional dialogue with Councilman Fowler, Hohenshelt went on to share that he believes the policy should be that if one, or two, or three exists, then sidewalks will be installed / required. Councilmember Macalik suggested that the 1,000 vehicles per day (on number two above) be lowered to 500 vehicles per day. Mayor Pruitt asked if traffic counts will be utilized based on today's traffic counts or if updated traffic counts will be used some years from now when actual bond projects are being addressed. Council seemed to generally agree to utilize the traffic counts "as is," as presented and identified today.

Mr. Crowley asked for some clarification from Council on if they'd like to see an updated map when the ordinance is brought back for consideration. Also, does the city's adopted Thoroughfare Plan need to be revisited to reclassify certain streets and the proposed roadway widths.

Councilman Trowbridge expressed a desire to include the sixteen block "Downtown District" in the policy to stipulate that "sidewalks are required." Councilman Johannesen pointed out that those streets are already covered under the provision that the street be within 1,000 feet of a school, city park or church.

Extensive dialogue continued to take place related to this proposed sidewalks policy.

Councilmember Hohenshelt made a motion to move forward with setting the city's sidewalk policy as follows:

1. **The street is above a residential/local classification or on the currently adopted Thoroughfare Plan (i.e. minor collector, major collector, minor arterial and major arterial); <u>AND</u>**
2. **The average daily traffic is 750 vehicles per day or more; <u>OR</u>**
3. **A portion of the block of the street is within 1,000 feet of a school, city park, or church, then the entire block shall have a sidewalk.**

Hohenshelt specified that the exact criteria related to how and where traffic counts will take place will be hammered out separately. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Discussion then ensued pertaining to sidewalk width and the placement of the sidewalks (either abutted to the back of the curb or with a strip of grass in between the curb and the sidewalk).

Councilmember Hohenshelt moved to set the policy (for reconstruction projects – NOT for 'new subdivisions') at 6' wide sidewalks and that they be situated right abutted to the back of the curb. Councilmember Trowbridge seconded the motion, which, following brief comments, passed unanimously.

2. **MIS2019-001** - Discuss and consider approval of a resolution establishing a public hearing date for the consideration of an updated Land Use Assumptions, Capital Improvements Plan, and the adoption of Roadway, Water, and Wastewater Impact Fees, and take any action necessary.

Planning Director Ryan Miller provided brief comments. Councilman Hohenshelt moved to set the date for Oct. 21, 2019. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider an **ordinance** approving a negotiated settlement between cities in the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the 2019 Rate Review Mechanism filings, adopting tariffs as part of the settlement, and take any necessary action.

Assistant City Manager Joey Boyd provided brief background information concerning this agenda item. Following his brief comments, Councilmember Macalik moved to approve the ordinance as presented. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2019 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

The motion passed by a vote of 6 ayes with 1 against (Pruitt).

4. Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

No discussion / no action took place concerning this agenda item.

5. Discuss and consider appointments to the city's Youth Advisory Council (YAC), and take any action necessary.

Mrs. Cole, City Secretary, briefed the Council on this agenda item. Councilmember Fowler then moved to reappoint the six students as detailed in the memo and newly appoint the six new students (see table below). Councilmember Trowbridge seconded the motion, which passed unanimously of those present. (7 ayes to 0 nays).

	New or Reappt.	First Name	Last Name
1	Re-appointment	Mary Claire	Weible
2	Re-appointment	Susie	Wilson
3	Re-appointment	Mazie	Johnson
4	Re-appointment	Kavya	Venugopalan
5	Re-appointment	Peyton	Nielsen
6	Re-appointment	Parker	Yarbrough
7	***NEW*** appointment	Madison	Melcher
8	***NEW*** appointment	Jaxon	Stuart
9	***NEW*** appointment	Marvin	Villalobos
10	***NEW*** appointment	Katharine	Castro
11	***NEW*** appointment	Matt	Kianpour
12	***NEW*** appointment	Chloe	Davis

XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - July 2019
GIS Division Monthly Report - July 2019
Internal Operations Department Monthly Report - July 2019
PARD Monthly Report - July 2019
Police Department Monthly Report - July 2019
Rockwall Animal Adoption Center Monthly Report - July 2019
Rockwall Fire Department Monthly Report - July 2019
STAR Transit Monthly Report - July 2019

2. City Manager's Report

Mayor Pruitt reminded the public that the city is hosting its annual volunteers' appreciation reception on Sept. 17. He encouraged all who volunteer their time with the city to attend.

It was announced that the city's Building Official, Jeffrey Widmer, has been selected to serve as President of the Building Officials Association of Texas (B.O.A.T.).

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene in Executive Session following the close of the public meeting agenda. No action was taken.

XVII. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 7:51 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16TH DAY OF SEPTEMBER, 2019.

ATTEST: **_____**
JIM PRUITT, MAYOR

_____
KRISTY COLE, CITY SECRETARY

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **September 5, 2019**

SUBJECT: **Grounds Maintenance Services Contract Extension**

The current contract for landscape maintenance services provides for mowing; weed eating, trimming and debris removal at City facilities, parks, street medians and thoroughfares. Maintenance includes but is not limited to all trees, shrubs, ground cover, beds, turf, mulch and application of herbicides and insecticides. This service was competitively bid in 2016 and a one-year contract was awarded to Terracare by City Council. The contract provides for an annual extension at end of the initial contract period for three consecutive years should the scope of work and bid conditions remain the same; and both parties agree to the extension. This is the last contract extension request. Staff will be soliciting competitive proposals for this service during the spring of 2020.

Staff has determined that it is in the best interest of the City to renew this contract as the Contractor has performed satisfactorily over the last 12 months. The renewal contract period starts October 1, 2019. The current contract terms and conditions will remain in effect. Terracare has agreed to the renewal and is asking for a five percent (5%) unit price increase resulting in a contract increase of $22,337 using the 2018 contract amount of $446,743. This price increase request is afforded by contract. The percent increase requested was compared to the Municipal Cost Index (MCI) average percent change of 4.34% increase for the same period. Using this index helps staff determine whether a price increase is warranted. In addition, a new location was added to the contract in 2019; the medians on FM 3549 ($34,400 annual maintenance cost). The 2019 contract renewal total is $503,480.

Staff asks City Council to consider authorizing the City Manager to execute this contract extension for a period of one year for $503,480. Funding for grounds maintenance services is budgeted in the General Fund, Parks Department operating budget and the cost of this service is within the FY 2020 proposed budget contingent on adoption.

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27

CITY OF ROCKWALL

ORDINANCE NO. 19-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10. *BUILDINGS AND BUILDING REGULATIONS*; ARTICLE III. *BUILDING CODE;* ARTICLE IV. *RESIDENTIAL CODE;* ARTICLE VI. *PLUMBING CODE*; ARTICLE VII. *FUEL GAS CODE;* AND ARTICLE IX. *ELECTRICAL CODE;* AS HERETOFORE AMENDED, FOR THE PURPOSE OF UPDATING THE CODES TO CONFORM TO CHANGES MADE BY THE 86TH LEGISLATIVE SESSION THROUGH PASSAGE OF H.B. 2439; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, H.B. 2439 was recently passed by the 86th session of the Texas Legislature; and

WHEREAS, as a result, it is necessary for the City of Rockwall to modify various sections of its Building Code in order to comply with said legislation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That Chapter 10. *Buildings and Building Regulations* of the Code of Ordinances of the City of Rockwall is heretofore amended to delete the following sections:

ARTICLE III. - BUILDING CODE

Sec. 10-117. - Amendments.

The following sections, paragraphs, and sentences of the International Building Code, 2015 edition, are hereby amended to read as follows:

~~Section 1505.7; delete the section~~

ARTICLE IV. - RESIDENTIAL CODE

Sec. 10-138. - Amendments.

The International Residential Code, 2015 edition, is hereby amended as follows:

Section M1305.1.3; change to read as follows:

M1305.1.3 Appliances in attics. Attics containing … paragraph unchanged … largest appliance. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.

~~2. A pull down stair with a minimum 300 lb. (136 kg) capacity.~~

~~3.~~ 2. An access door from an upper floor level.

~~4.~~ 3. Access panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

~~Section G2408.2 (305.3); delete the exception:~~

~~*G2408.2 (305.3) Elevation of ignition source.*~~

~~Equipment and appliances having … text unchanged … private garage.~~

~~Section G2415.2.2 (404.2.2); add an exception to read as follows:~~

~~Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of ½" (18 EDH).~~

~~Section P2801.7; change to read as follows: delete exception.~~

~~Section P2903.7; delete the section, add the following:~~

~~*P2903.7 Size of water service pipe.* The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this code. The water service pipe shall be not less [than] 1 inch in diameter and extend to the first fixture of not less than 20 fixture units.~~

~~Section P2903.9.1; change to read as follows:~~

~~*P2903.9.1 Service valve.* Each dwelling unit shall be provided with an accessible main shutoff valve installed on the water meter tailpiece. The valve shall be of a ball type and be equipped with a stainless steel handle. All service valves are to be installed within a plastic valve or meter box large enough so as to not hamper maintenance or operation.~~

~~Section P3003.9.2; delete the exception:~~

~~*P3003.9.2 Solvent cementing.* Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.~~

~~Section E3406.3; change to read as follows:~~

~~*E3406.3 Minimum size of conductors.* The minimum size of conductors for feeders and branch circuits shall be 12 AWG copper {remainder of section unchanged}~~

ARTICLE VI. - PLUMBING CODE

Sec. 10-180. - Amendments.

The International Plumbing Code, 2015 edition, is hereby amended as follows:

~~Section 603.1; change to read as follows:~~

~~*603.1 Size of water service pipe.* The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this code. The minimum diameter of water service pipe shall be 1 inch and extend to the first fixture of not less than 20 fixture units.~~

~~Add Section 606.1.2; as follows:~~

~~*606.1.2 Service valve.* Every water service shall be provided with an accessible main shutoff valve installed on the water meter tailpiece. The valve shall be of a ball type and be equipped with a stainless steel handle. All service valves are to be installed within a plastic valve or meter box large enough so as to not hamper maintenance or operation.~~

~~Section 705.11.2; change to read as follows:~~

~~*705.11.2 Solvent cementing.* Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.~~

ARTICLE VII. - FUEL GAS CODE

Sec. 10-200. - Amendments.

The International Fuel Gas Code, 2015 edition, is hereby amended as follows:

~~Section 402.3; add an exception to read as follows:~~

~~Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of ½" (18 EHD).~~

ARTICLE IX. - ELECTRICAL CODE

Sec. 10-245. - Amendments.

The National Electric Code, 2014 edition, is hereby amended as follows:

~~Article 310.106(A); change to read as follows.~~

~~*310.106 Conductors*~~

~~*Minimum Size of Conductors.* The minimum size of conductors shall be No. 12 AWG.~~

~~Article 310.106 (B) Conductor Material; amend by deleting the section in its entirety and add new.~~

~~*310.106(B) Conductor material.* Conductors in this article shall be of copper or aluminum. The use of aluminum shall be limited to sizes 4/0 or larger, and limited to service entrance and feeder conductors.~~

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein; and

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 4. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said meeting was given; and

SECTION 5. That this ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 16th day of September, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 09/03/2019

2nd Reading: 09/16/2019

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32

CITY OF ROCKWALL
CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	September 16, 2019
APPLICANT:	Suresh Shridharani; *Harlan Properties, Inc.*
CASE NUMBER:	P2019-017; *Preliminary Plat for Emerson Farms*

SUMMARY

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Suresh Shridharani of Harlan Properties, Inc. for the approval of a preliminary plat for the Emerson Farms Subdivision containing 107 single-family residential lots on a 138.756-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 76 (PD-76) for Single Family 1 (SF-1) District land uses, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to *preliminary plat* Emerson Farms for the purpose of laying out 107 lots on a 138.756-acre tract of land. The applicant has also submitted preliminary water, sanitary sewer, and drainage plans establishing that the developer can provide adequate utilities to serve the proposed single-family residential subdivision.

☑ On November 3, 2014, the City Council approved *Ordinance No. 14-50,* establishing the development standards for Planned Development District 76 (PD-76) [*i.e. the Emerson Farms Subdivision*]. The single-family residential subdivision will be composed of 107 single-family homes on 138.756-acres of land. A summary of the density and dimensional requirements is as follows:

Table 1: Lot Dimensional Requirements

Minimum Lot Width [1]	150’
Minimum Lot Depth	250’
Minimum Lot Area	*43,560 SF*
Minimum Front Yard Setback [2]	40’
Minimum Side Yard Setback	25’
Minimum Side Yard Setback (Adjacent to a Street)	25’
Minimum Length of Driveway Pavement (Rear and Side Yard Only)	25’
Maximum Height [3]	36’
Minimum Rear Yard Setback [4]	25’
Minimum Area/Dwelling Unit (SF) [5]	2,600 SF
Maximum Lot Coverage	45%
Minimum Number of Paved Off-Street Parking Spaces	2 Spaces
Minimum Distance Between Buildings	10’

General Notes:
[1]: The minimum lot width shall be measured at the Front Yard Building Setback.
[2]: The location of the Front Yard Building Setback as measured from the front property line.
[3]: The Maximum Height shall be measured to the eave or top plate (whichever is greater) of the single family home.
[4]: As measured from the rear yard property line.
[5]: The minimum area/dwelling unit only includes air conditioned square space.

☑ On September 5, 2019, the Parks and Recreation Board was unable to reach a quorum. Due to this, the Parks and Recreation Board will review this request at time of final plat to determine cash in lieu of land and pro-rata equipment fees.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the preliminary plat for *Emmerson Farms*, staff would propose the following conditions of approval:

(1) The *preliminary* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

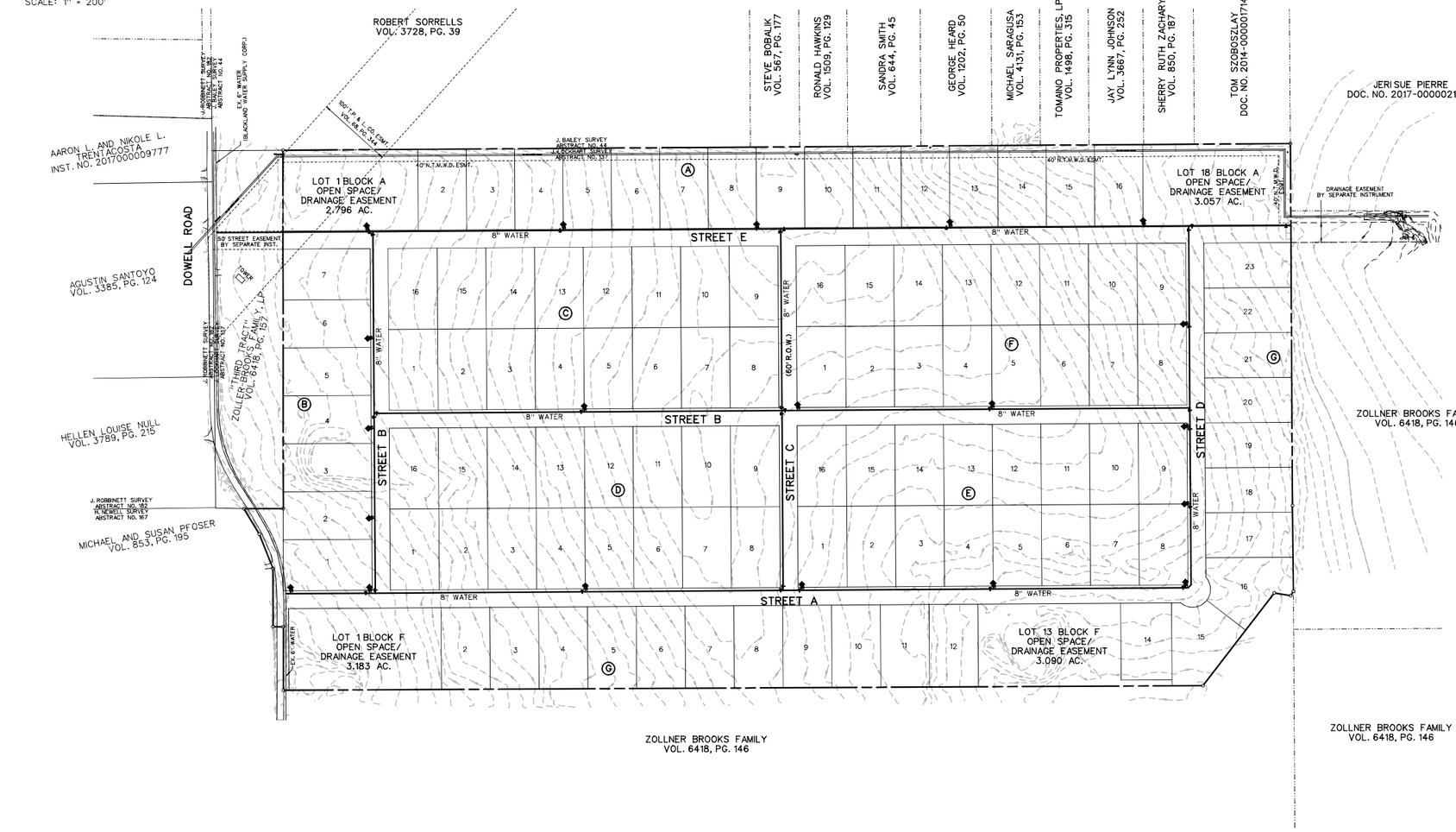
(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 10, 2019, the Planning and Zoning Commission's motion to recommend approval of the preliminary plat with staff's conditions of approval passed by a vote of 6-0 with Commissioner Moeller absent.

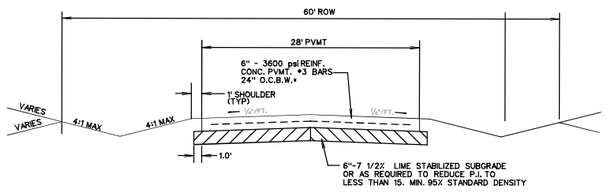
N

0 100 200 400
SCALE: 1" = 200'

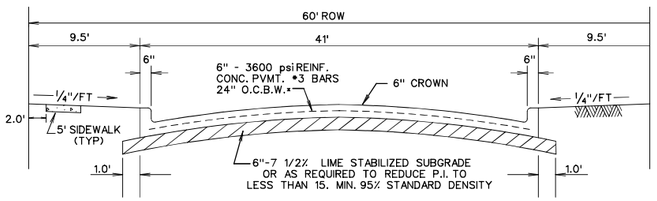


LEGEND

- PROP. WATER LINE
- PROP. FIRE HYDRANT AND VALVE
- PROP. GATE VALVE
- PROP. FLUSH VALVE
- EXIST. WATER LINE
- EXIST. FIRE HYDRANT AND VALVE



TYPICAL PAVEMENT SECTION
N.T.S.
STREET A, B, C & D



TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.
STREET E

NOTES:
1. LOTS WILL UTILIZED SEPTIC TANKS FOR WASTE WATER.
2. WATER SYSTEM WILL BE SERVED BY BLACKLAND WATER SUPPLY CORP.

PRELIMINARY
WATER PLAN
OF

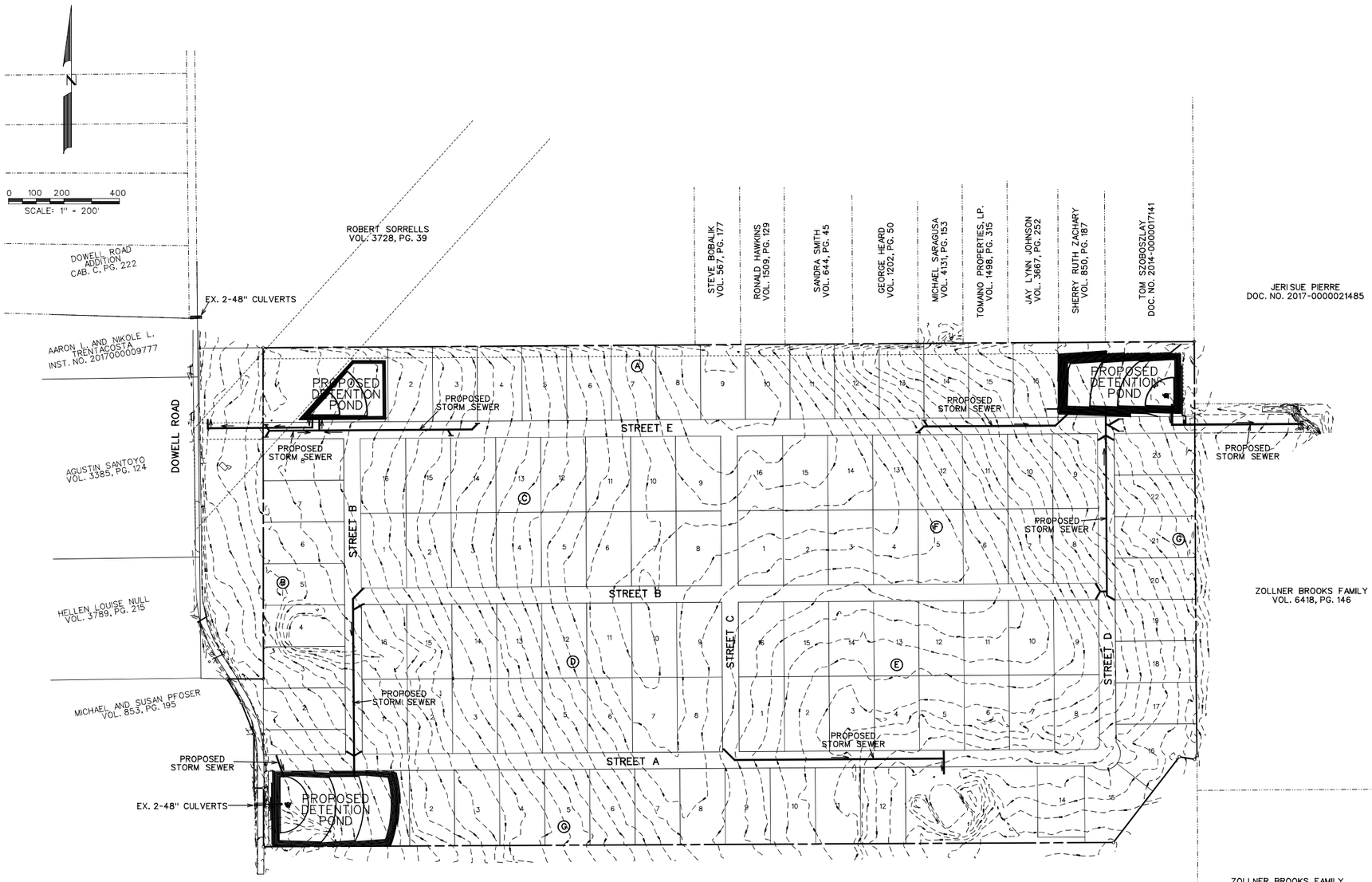
EMERSON FARMS

SITUATED IN THE
J. LOCKHART SURVEY, ABSTRACT NO. 167
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
OWNER
HARLAN PROPERTIES, INC.
2404 TEXAS DRIVE, SUITE 103
IRVING, TEXAS 75062

APRIL 2019 SCALE 1" = 200'

CASE #P2019-XXX

35



LEGEND

PROP. STORM SEWER

PROP. CURB INLETS

PRELIMINARY DRAINAGE PLAN
OF

EMERSON FARMS

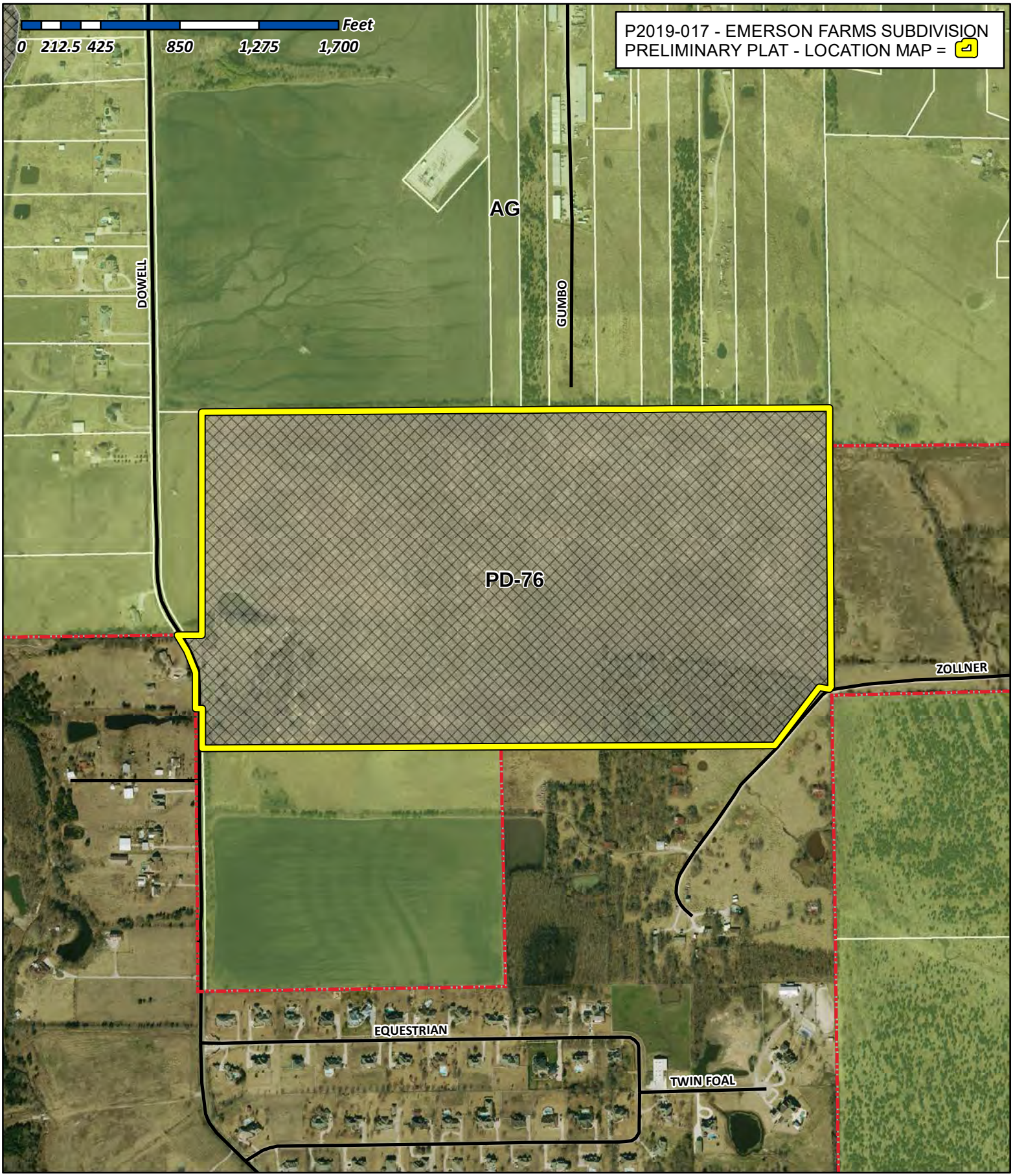
107 LOTS, BEING 138.756 ACRES
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MARCH 2019 SCALE 1" = 200'

CASE #P2019-XXX



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

37

Reviewed for preliminary Approval:

Planning & Zoning Commission Chairman — Date

I hereby certify that the above and foregoing plat of an addiiton to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall, on the_____of_____,2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Mayor, City of Rockwall — City Secretary — City Engineer

LEGEND

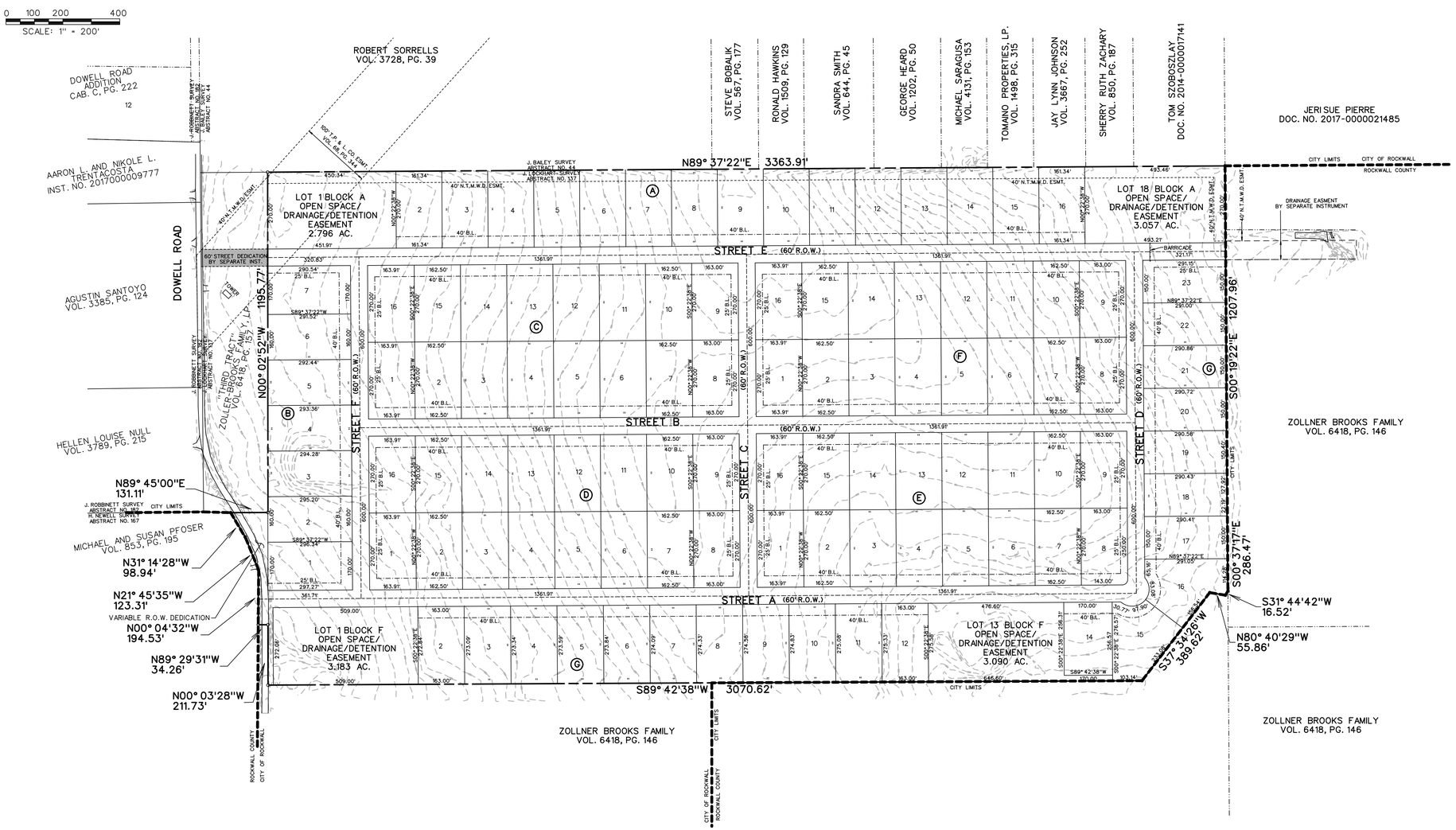
B.L. - BUILDING LINE
U.E. - UTILITY EASEMENT
R.O.W. - RIGHT OF WAY
H.O.A. - HOMEOWNERS ASSOCIATION

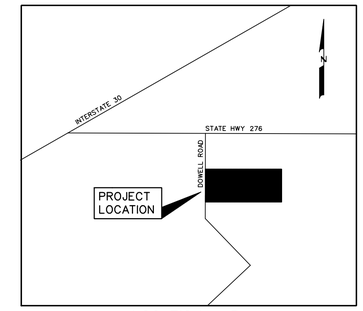
NOTES:

ALL OPEN SPACE AREAS WILL BE MAINTAINED BY THE HOA.

HOA/PROPERTY OWNER TO MAINTAIN, REPLACE, AND REPAIR ALL DRAINAGE, DETENTION, AND OPEN SPACE EASEMENTS AND LOTS.

NO FLOOD PLAIN EXISTS ON SITE PER FEMA FLOOD RATE MAP PANEL NO. 48397C0045 L DATED SEPT. 26, 2008.



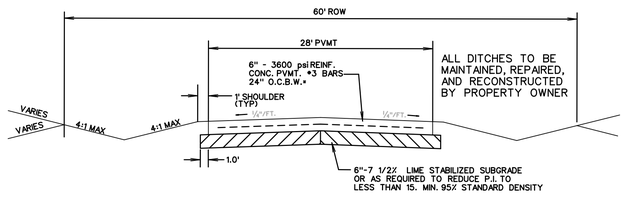


LOCATION MAP
N.T.S.

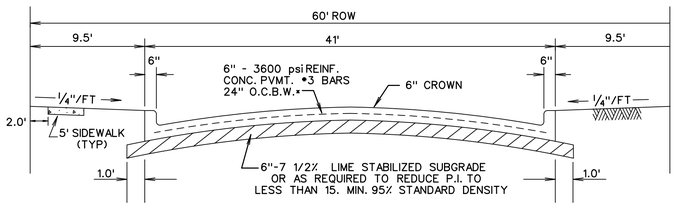
Emerson Farms

Block A		Block C		Block E		Block G	
Lot	SF	Lot	SF	Lot	SF	Lot	SF
1*	121805	1	44255	1	44255	1*	138652
2	43561	2	43875	2	43875	2	44476
3	43561	3	43875	3	43875	3	44512
4	43561	4	43875	4	43875	4	44549
5	43561	5	43875	5	43875	5	44585
6	43561	6	43875	6	43875	6	44622
7	43561	7	43875	7	43875	7	44658
8	43561	8	44010	8	43924	8	44694
9	43561	9	44010	9	44010	9	44731
10	43561	10	43875	10	43875	10	44767
11	43561	11	43875	11	43875	11	44803
12	43561	12	43875	12	43875	12	44840
13	43561	13	43875	13	43875	13*	134638
14	43561	14	43875	14	43875	14	43595
15	43561	15	43875	15	43875	15	48784
16	43561	16	44255	16	44255	16	49528
17*	133196					17	43608
		Block D		Block F		18	43587
		Lot	SF	Lot	SF	19	43587
Block B		1	44255	1	44255	20	43597
Lot	SF	2	43875	2	43875	21	43618
1	50456	3	43875	3	43875	22	43639
2	47329	4	43875	4	43875	23	43661
3	47158	5	43875	5	43875		
4	47011	6	43875	6	43875		
5	46863	7	43875	7	43875		
6	46716	8	44010	8	44010		
7	49475	9	44010	9	44010		
		10	43875	10	43875		
		11	43875	11	43875		
		12	43875	12	43875		
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		15	43875	15	43875		
		16	44255	16	44255		

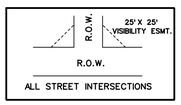
* Denotes Open Space lot



TYPICAL PAVEMENT SECTION
N.T.S.
STREET A, B, C & D



TYPICAL PAVEMENT SECTION
N.T.S.
STREET E



VISIBILITY EASEMENT DETAIL
N.T.S.

TOTAL ACRES 138.756
TOTAL RESIDENTAL LOTS 107
RESIDENTAL DENSITY 1.29

PRELIMINARY PLAT
OF

EMERSON FARMS

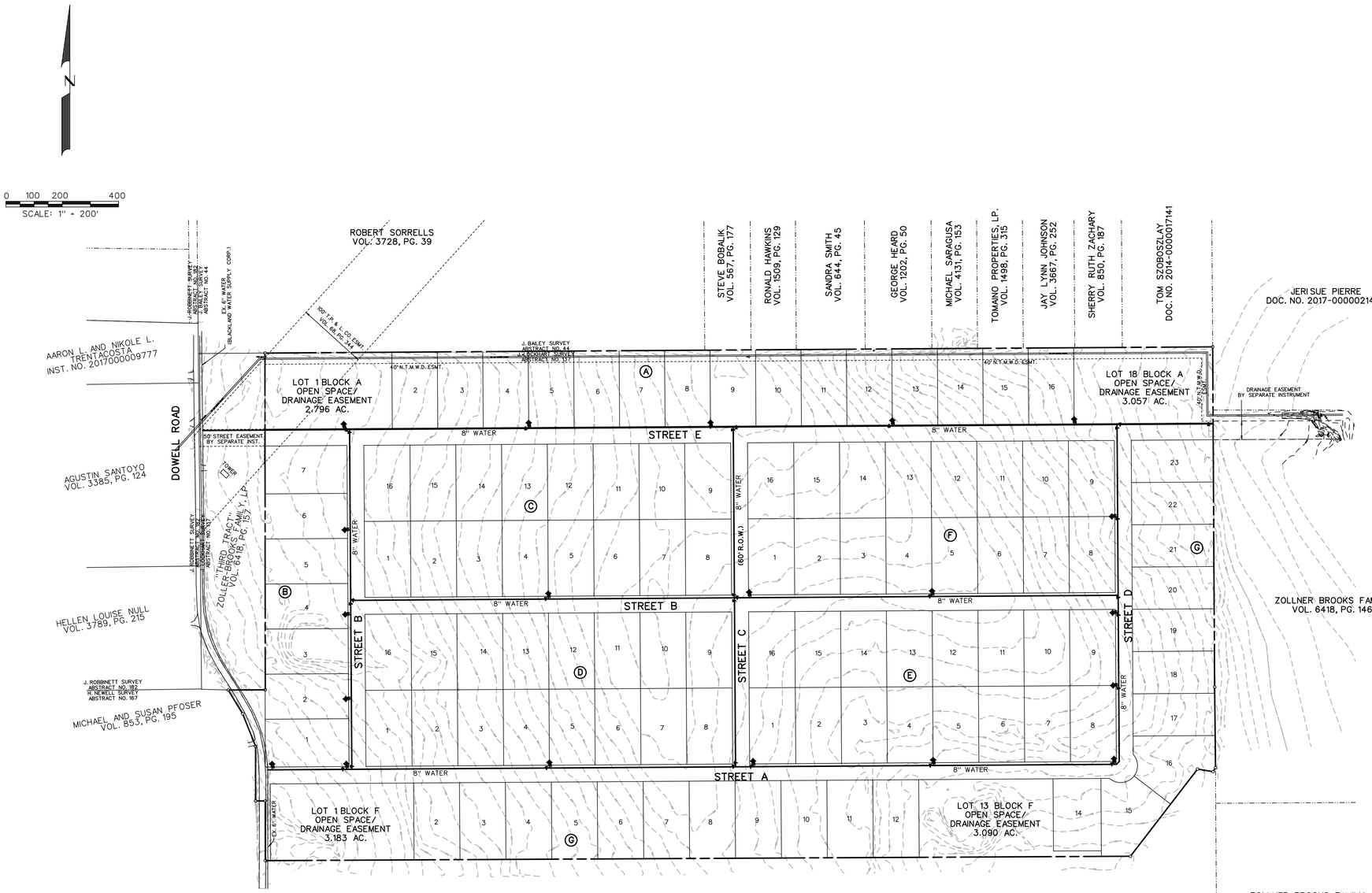
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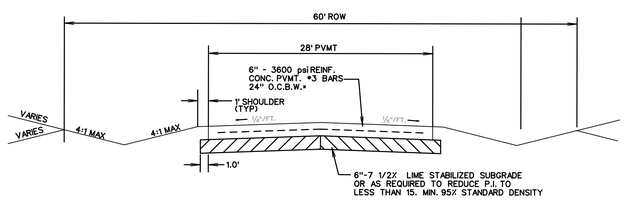
MARCH 2019 SCALE 1" = 200'

CASE #P2019-017

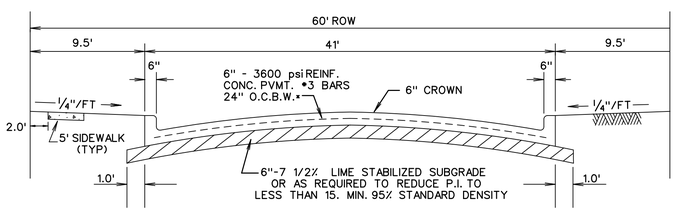
CORWIN JOB# 18016

38





TYPICAL PAVEMENT SECTION
N.T.S.
STREET A, B, C & D



TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.
STREET E

NOTES:
1. LOTS WILL UTILIZED SEPTIC TANKS FOR WASTE WATER.
2. WATER SYSTEM WILL BE SERVED BY BLACKLAND WATER SUPPLY CORP.

PRELIMINARY
WATER PLAN
OF

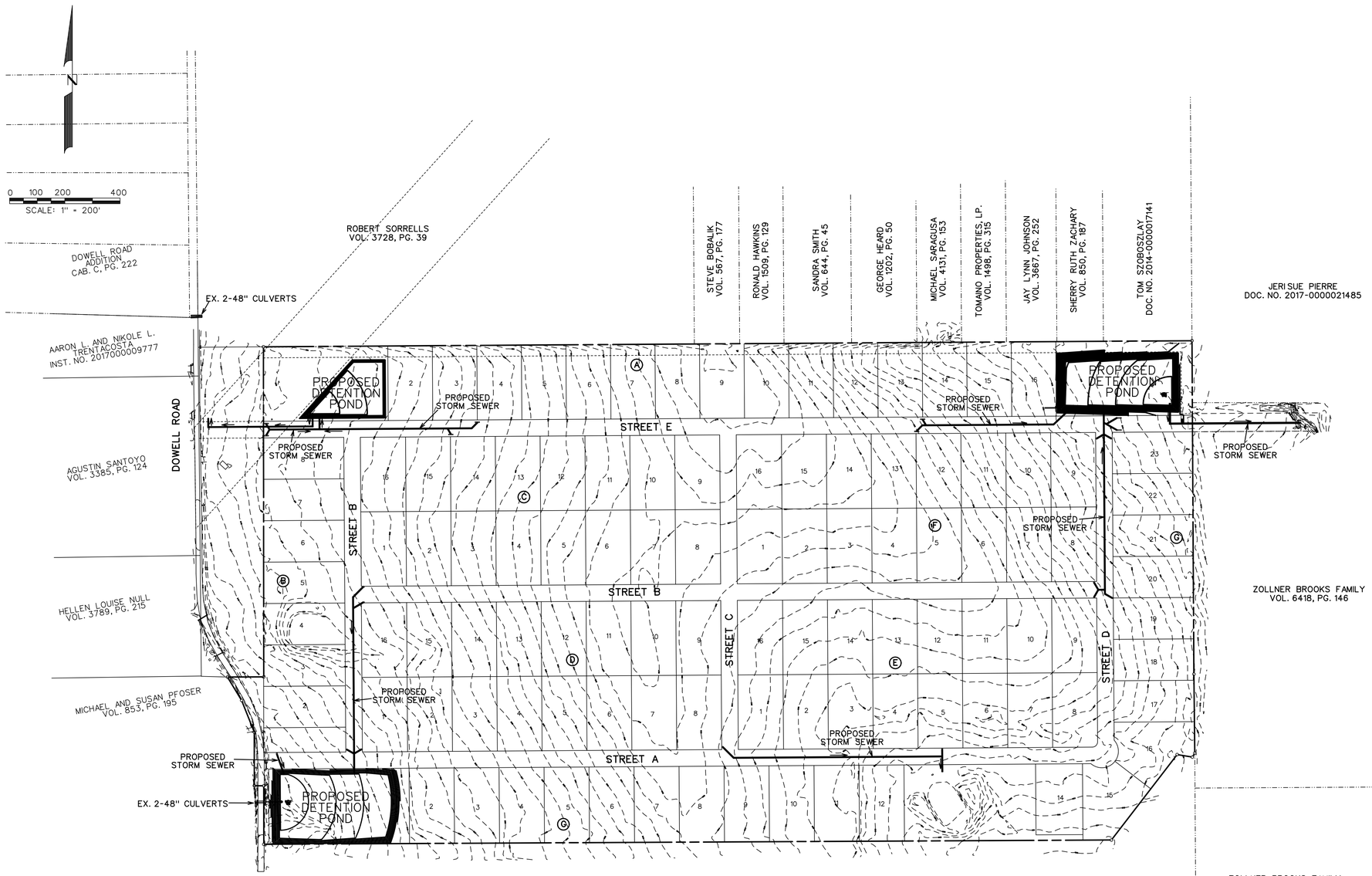
EMERSON FARMS

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APRIL 2019 SCALE 1" = 200'

CASE #P2019-XXX

39



PRELIMINARY DRAINAGE PLAN
OF

EMERSON FARMS

107 LOTS, BEING 138.756 ACRES
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MARCH 2019 SCALE 1" = 200'

CASE #P2019-XXX

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41

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	September 16, 2019
APPLICANT:	Pat Atkins; *Saddle Star Land Development, LLC*
CASE NUMBER:	P2019-031; *Final Plat - Saddle Star South Addition, Phase 1*

SUMMARY

Consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owner Jeff Kennemer of the Saddle Star Land Development, LLC for the approval of a final plat for Phase 1 of the Saddle Star South Subdivision containing 66 single-family residential lots on a 26.411-acre tract of land identified as a portion of a larger 44.292-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a final plat for a 26.411-acre tract of land identified as a portion of a larger 44.292-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97. The purpose of the final plat is to establish 66 single-family residential lots as part of the Saddle Star South, Phase 1 Addition.

- ☑ On January 4, 2016, the City Council approved *Ordinance No. 16-07* [*Case No. Z2015-034*] establishing *Planned Development District 79* (PD-79) for Single-Family 8.4 (SF-8.4) District land uses on the subject property. On June 6, 2016, the City Council approved *Ordinance No. 16-39*, which amended PD-79 to incorporate an additional 11.21-acre tract of land and increasing the number of lots to 138 single-family lots.

- ☑ On March 12, 2019 the Planning and Zoning Commission approved a site plan [*i.e. Case No. SP2019-005*] that included a trailhead entry feature, a ten (10) foot walking trail along John King Boulevard, open space features, and an amenity center.

- ☑ On June 7, 2016, the Parks and Recreations Board approved pro-rata fees of $59,064.00 (*i.e. 138 lots @ $428.00 per lot*) and cash-in-lieu of land fees of $42,090.00 (*i.e. 138 lots @ $305.00 per lot*) for the Saddle Star South Addition. The fees are to be used for the private amenities as a part of Phase 2 and to be located within the open space situated at the center of the development. The pro-rata equipment and cash in lieu of land fees are subject to change each year as new fees are adopted. Per the recommendations of the Parks and Recreations Board, detailed invoices relating to the development of the private amenities are required to be submitted for approval prior to the acceptance of Phase 2.

- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the final plat for *Phase 1 of the Saddle Star South Addition,* staff would propose the following conditions of approval:

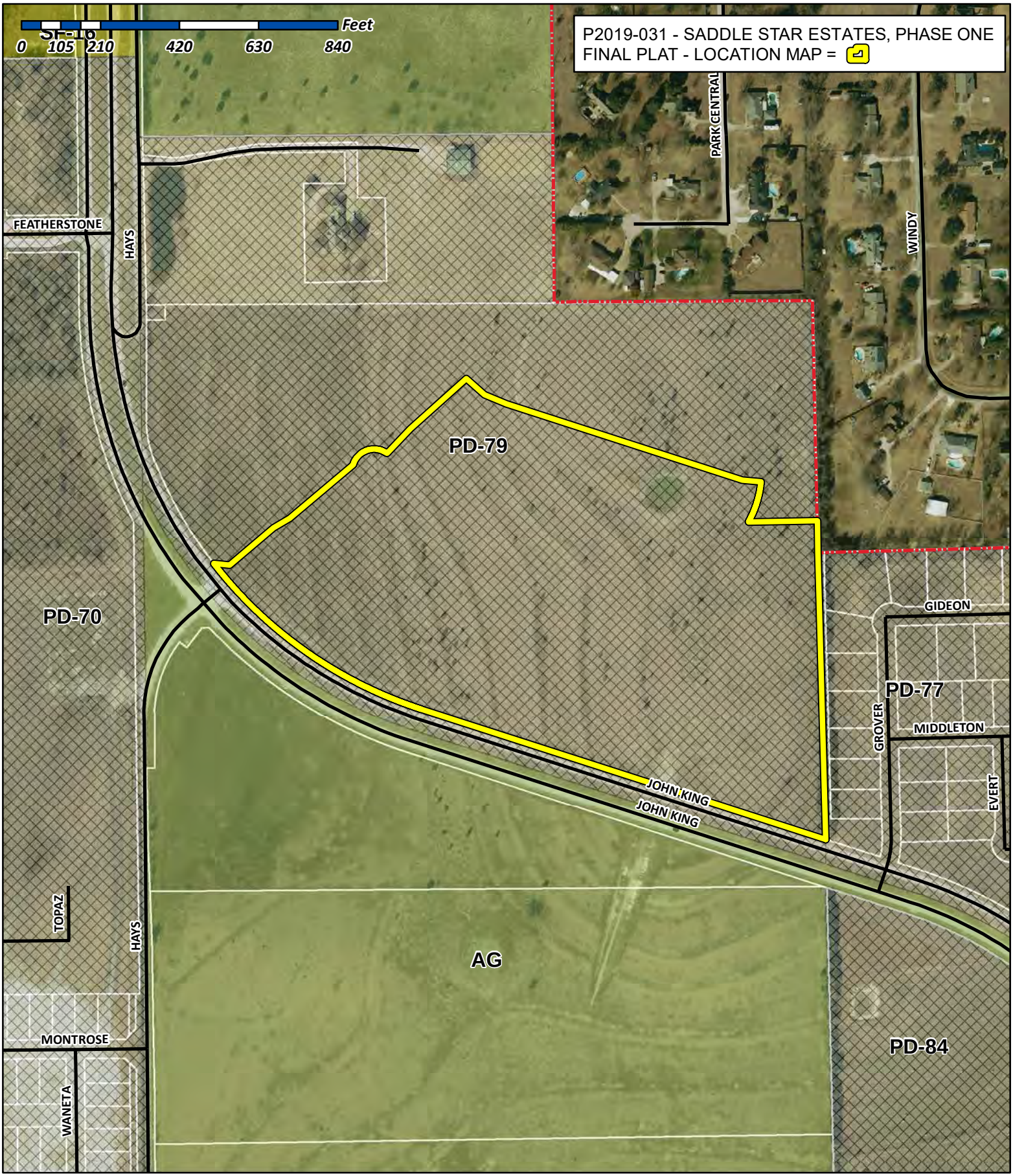
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) That the pro-rata equipment fees and the cash in lieu of land fees shall be paid prior to filing the final plat. These fees are subject to change from the time of approval by the Parks and Recreations Board at their June 7, 2016 meeting.

(3) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 10, 2019, the Planning and Zoning Commission's motion to recommend approval of the final plat with staff conditions passed by vote of 6-0, with Commissioner Moeller absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

44

44.292 AC.
CDT ROCKWALL/2017, LLC
INSTR. 20170000001746
D.R.R.C.T.

34.325 AC.
SADDLE STAR HOLDINGS, LLC
INSTR. 20180000013211
DRRCT

N: 7038187.12
E: 2597378.19

S 72°06'44" E 657.61'

RANDAS WAY
75' R.O.W.
N 72°06'44" W 446.50'

EMILY DR
50' R.O.W.

SARAH DR
50' R.O.W.

ROCKING H TRAIL
50' R.O.W.
N 72°06'44" W 306.78'

JANET DR
50' R.O.W.

MIRANDA LANE
50' R.O.W.
N 72°06'44" W 497.84'

RANDAS WAY
80' R.O.W.

JOHN KING BOULEVARD
(120' RIGHT-OF-WAY)
(VOL. 5124, PG. 210, D.R.R.C.T.)
N 72°06'44" W 1126.56'

S 01°30'45" E 761.52'

LOT 22
LOT 21
LOT 20
BLOCK A
WINDMILL VALLEY
SUBDIVISION
CABINET A, PAGE 157
P.R.R.C.T.
LOT 19

VICINITY MAP
N.T.S.
SHENANDOAH LN
KIMBERLY LN
PRINGLE LN
FM 552
N JOHN KING BLVD
N TRIMMIER RD
PARK CENTRAL DR
WINDMILL LN
STONEHOLLOW LN
COBBLESTONE DR
CREEKBROOK DR
SITE
N JOHN KING BLVD
E QUAIL RUN RD
SADDLE BROOK LN

C.A. 3
HOA OPEN SPACE
76,740 SF
1.762 AC.

C.A. 2
HOA OPEN SPACE
109,041 SF
2.503 AC.

C.A. 1
HOA OPEN SPACE
9,814 SF
0.225 AC.

REMAINDER OF A CALLED
32.5 ACRE TRACT ("FIRST TRACT")
R & R HANCE INVESTMENTS, L.P.
VOLUME 5433, PAGE 49
D.R.R.C.T.

12' EASEMENT TO MT. ZION WATER SUPPLY CORP.
VOLUME 82, PAGE 360
D.R.R.C.T.
(TO BE ABANDONED)

S. BARNES SURVEY, ABSTRACT NO. 13

CALLED 29.185 ACRES
GIDEON GROVE LTD.
INST. NO. 20150000014609
D.R.R.C.T.

P. B. HARRISON SURVEY, ABSTRACT NO. 97

POINT OF BEGINNING
N: 7036964.08
E: 2598331.12

1/2" CIRS
1/2" IRF (CM)
1/2" CIRF, STAMPED "6081" (CM)

CITY OF ROCKWALL
VOLUME 5951, PAGE 84
D.R.R.C.T.

LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	S 84°16'58" E	41.84'
L2	N 49°55'55" E	152.40'
L3	N 58°29'53" E	50.35'
L4	N 49°55'55" E	220.14'
L5	N 43°25'25" E	89.23'
L6	N 48°23'33" E	200.00'
L7	S 48°35'07" E	63.78'
L8	S 66°47'40" E	63.38'
L9	S 84°20'49" E	50.00'
L10	N 88°42'33" E	182.77'
L11	S 01°17'27" E	85.38'
L12	N 38°44'57" E	28.23'
L13	N 04°25'33" E	31.54'
L14	S 17°53'16" W	27.18'
L15	N 62°53'16" E	31.82'

LINE TABLE		
NO.	DIRECTION	DISTANCE
L16	S 43°32'45" W	58.23'
L17	S 17°53'16" W	20.00'
L18	S 27°06'44" E	42.43'
L19	N 85°24'23" W	26.29'
L20	N 64°32'19" W	62.29'
L21	N 50°04'49" W	62.29'
L22	N 35°37'19" W	62.29'
L23	S 21°09'49" E	62.29'
L24	S 06°45'27" E	63.38'
L25	S 01°30'45" E	77.00'
L26	S 16°14'00" W	62.39'
L27	S 03°19'46" W	41.22'
L28	N 62°53'16" E	42.43'
L29	S 49°55'55" W	20.05'

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	034°22'08"	1140.00'	352.55'	683.83'	S 54°55'41" E	673.62'
C2	111°10'32"	57.50'	83.94'	111.57'	S 71°13'07" W	94.87'
C3	023°26'23"	275.00'	57.05'	112.50'	N 17°22'23" E	111.72'
C4	033°50'06"	920.00'	279.83'	543.29'	S 55°11'41" E	535.43'
C5	032°02'39"	620.00'	178.04'	346.75'	S 56°05'25" E	342.25'
C6	030°30'17"	425.00'	115.89'	226.27'	S 56°51'36" E	223.61'
C7	070°35'59"	415.00'	293.84'	511.36'	N 36°48'45" W	479.62'
C8	019°24'01"	425.00'	72.65'	143.90'	N 08°11'15" E	143.22'
C9	090°00'00"	25.00'	25.00'	39.27'	N 27°06'44" W	35.36'
C10	085°43'13"	25.00'	23.20'	37.40'	N 87°12'29" W	34.01'
C11	037°53'34"	250.00'	85.82'	165.34'	N 24°35'58" E	162.34'
C12	019°24'01"	385.00'	65.81'	130.36'	N 08°11'15" E	129.74'
C13	019°24'01"	465.00'	79.48'	157.45'	N 08°11'15" E	156.70'

LEGEND

5/8" CIRS W/CAP	5/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 3963"
CIRF	IRON ROD FOUND WITH CAP
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
B.L.	BUILDING SETBACK LINE
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
S.V.E.	SIDEWALK AND VISIBILITY EASEMENT
P.R.R.C.T.	PLAT RECORDS ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS ROCKWALL COUNTY, TEXAS
◆	INDICATES CHANGE IN STREET NAME

N

100 50 0 100 200
SCALE IN FEET
1" = 100'

OWNER
SADDLE STAR SOUTH HOLDINGS, LLC
2200 ROSS AVE., STE. 4200W
DALLAS, TX 75201

DEVELOPER
HINES
2200 ROSS AVE, SUITE 4200W
DALLAS, TX 75201
(214) 716-2900

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 355

FINAL PLAT
SADDLE STAR ESTATES SOUTH PHASE ONE
66 SINGLE FAMILY LOTS
3 COMMON AREA TRACTS
26.411 ACRES
SITUATED IN THE
P.B. HARRISON SURVEY, A-97
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941-8400 FAX (972) 941-8401

DATE: AUGUST 26, 2019 CASE #: P2019-031 SHEET 1 OF 2

06812\DWG\6812 Final Plat South Ph 1.dwg

OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS SADDLE STAR SOUTH HOLDINGS LLC, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 26.411 acre tract of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being part of a 34.325 acre tract of land described in a Special Warranty Deed to Saddle Star Holdings, LLC, recorded in Instrument 20180000013211, Deed Records, Rockwall County, Texas (DRRCT), and being part of a 44.292 acre tract of land described in a Special Warranty Deed to CDT Rockwall/2017, LLC. recorded in instrument 20170000001746, Deed Records, Rockwall County, Texas (DRRCT), said 26.294 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2–inch capped iron rod stamped, "6081," found for corner in the northeasterly right–of–way line of John Kind Boulevard (120 ft. right–of–way) at the common north corner of Part 1 of Parcel 16 conveyed to the City of Rockwall, recorded in Volume 5124, Page 210, DRRCT and Parcel 15 conveyed to the City of Rockwall, recorded in Volume 5951, Page 84, DRRCT, said corner being the south corner of said 34.325 acre tract and also being in the common line of said First Tract and a called 29.185 acre tract of land conveyed to Gideon Grove Ltd., recorded in Instrument 20150000014609, DRRCT;

THENCE North 72 degrees 06 minutes 44 seconds West, along the common northeasterly line of said John Kind Boulevard, said 34.325 acre tract and said Part 1, a distance of 1,126.56 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the beginning of a tangent curve to the right having a radius of 1,140.00 feet whose chord bears North 54 degrees 55 minutes 41 seconds West, a distance of 673.62 feet;

THENCE in the northwesterly direction, along said curve to the right, and last mentioned common line, through a central angle of 34 degrees 22 minutes 08 seconds, an arc distance of 683.83 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the end of said curve;

THENCE South 84 degrees 16 minutes 58 seconds East, a distance of 41.84 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner;

THENCE North 49 degrees 55 minutes 55 seconds East, a distance of 152.40 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner;

THENCE North 58 degrees 29 minutes 53 seconds East, a distance of 50.35 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner;

THENCE North 49 degrees 55 minutes 55 seconds East, a distance of 220.14 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the beginning of a non–tangent curve to the right having a radius of 57.50 feet, whose chord bears North 71 degrees 13 minutes 07 seconds East, a distance of 94.87 feet;

THENCE Northeasterly, with said curve to the right, through a central angle of 111 degrees 10 minutes 32 seconds, an arc distance of 111.57 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the end of said curve;

THENCE North 43 degrees 25 minutes 25 seconds East, a distance of 89.23 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner;

THENCE North 48 degrees 23 minutes 33 seconds East, a distance of 200.00 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner;

THENCE South 48 degrees 35 minutes 07 seconds East, a distance of 63.78 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner;

THENCE South 66 degrees 47 minutes 40 seconds East, a distance of 63.38 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner;

THENCE South 72 degrees 06 minutes 44 seconds East, a distance of 657.61 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner;

THENCE South 84 degrees 20 minutes 49 seconds East, a distance of 50.00 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the beginning of a non–tangent curve to the right having a radius of 275.00 feet, whose chord bears South 17 degrees 22 minutes 23 seconds West, a distance of 111.72 feet;

THENCE Southwesterly, with said curve to the right, through a central angle of 23 degrees 26 minutes 23 seconds, an arc distance of 112.50 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the end of said curve;

THENCE North 88 degrees 42 minutes 33 seconds East, a distance of 182.77 feet to a 1/2–inch iron rod with a yellow cap stamped, "RPLS 3963," set for corner in the west line of Block A, Windmill Valley Subdivision, an addition to the City of Rockwall, recorded in Cabinet A, Page 157, PRRCT;

THENCE South 01 degrees 17 minutes 27 seconds East, along the common line of said 34.325 acre tract and said Block A, a distance of 85.38 feet to a 1/2–inch iron rod found for the southwest corner of said Block A, and being the northwest corner of said 29.185 acre tract;

THENCE South 01 degrees 30 minutes 45 seconds East, along the common line of said 29.185 acre tract and 44.292 acre tract, a distance of 761.52 feet to the PLACE OF BEGINNING AND CONTAINING 1,150,479 square feet or 26.411 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

SADDLE STAR SOUTH HOLDINGS, LLC, the undersigned owner of the land shown on this plat, and designated herein as the SADDLE STAR ESTATES SOUTH, PHASE ONE, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicates to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. SADDLE STAR SOUTH HOLDINGS, LLC further certifies that all other parties who have a mortgage or lien interest in the SADDLE STAR ESTATES SOUTH, PHASE ONE subdivision have been notified and signed this plat. SADDLE STAR SOUTH HOLDINGS, LLC understands and does hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. SADDLE STAR SOUTH HOLDINGS, LLC also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or
7. Property owner/H.O.A. shall be responsible for all maintenance, repair and replacement of all drainage and detention systems.

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

SADDLE STAR SOUTH HOLDINGS, LLC further acknowledges that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; SADDLE STAR SOUTH HOLDINGS, LLC, it's successors and assigns hereby waive any claim, damage, or cause of action that SADDLE STAR SOUTH HOLDINGS, LLC may have as a result of the dedication of exactions made herein.

FOR: SADDLE STAR SOUTH HOLDINGS, LLC (PROPERTY OWNER)

_____

BY: NAME:
TITLE:

FOR: AMERICAN UNITED BANK OF TEXAS (LIEN HOLDER)

_____

BY: NAME:
TITLE:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ ,known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2019.

_____
Notary Public in and for the State of Texas
My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ ,known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2019.

_____
Notary Public in and for the State of Texas
My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Robert C. Myers, do hereby certify that this plat was prepared from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL THIS ___ DAY OF _____ , 2019.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. This final plat is released on July 30, 2019 for review by the City and other parties for comments and progression to an approved Final Plat.

_____
ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963

STATE OF TEXAS · REGISTERED · ROBERT C. MYERS · 3963 · PROFESSIONAL · LAND SURVEYOR

APPROVAL CERTIFICATE

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

Notes:

1. Bearings and Grid Coordinates shown hereon are per NAD 83 based on City of Rockwall Monument No.
2. A 5/8" iron rod with a yellow cap stamped "RPLS 3963" will be set at all lot corners and/or at reference points to lot corners, wherever possible, after the completion of all utilities and subdivision construction. Offsets to corners will be set in areas impeded by retainer walls or other obstacles lying on the actual lot corner.
3. By graphical plotting, no part of the parcel described hereon lies within a Special Flood Hazard Area (SPHA) as delineated on the Rockwall County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 48397C0030L, dated September 26, 2008. The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by FEMA or some other source. on occasion, greater floods can and will occur and flood heights may be increased by man–made or natural causes. The above flood statement shall not create liability on the part of the surveyor.
4. All non–standard decorative street signs, poles/posts, hardware, attachments, foundations, etc. shall be owned, maintained, repaired and replaced by the HOA.
5. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83–54.
6. The Open Space Lots to be maintained by the Homeowners Association (HOA).

OWNER
SADDLE STAR SOUTH HOLDINGS, LLC
2200 ROSS AVE., STE. 4200W
DALLAS, TX 75201

DEVELOPER
HINES
2200 ROSS AVE, SUITE 4200W
DALLAS, TX 75201
(214) 716–2900

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532–0636
FAX (972) 412–4875
EMAIL: rcmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 355

FINAL PLAT
SADDLE STAR ESTATES SOUTH PHASE ONE
66 SINGLE FAMILY LOTS
3 COMMON AREA TRACTS
26.411 ACRES
SITUATED IN THE
P.B. HARRISON SURVEY, A–97
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941–8400 FAX (972) 941–8401

DATE: AUGUST 26, 2019 CASE #: P2019–031 SHEET 2 OF 2

06812\DWG\6812 Final Plat South Ph 1.dwg

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47

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	September 16, 2019
APPLICANT:	Bill Bricker; *Columbia Development Company, LLC*
CASE NUMBER:	P2019-033; *Lot 47, Block D, Park Place West, Phase II Addition*

SUMMARY

Consider a request by Bill Bricker of Columbia Development Company, LLC on behalf of David and Laura Cline for the approval of a replat for Lot 47, Block D, Park Place West, Phase II Addition being a 0.184-acre parcel of land being currently identified as Lot 20, Block D, Park Place West Phase II Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, addressed as 408 Jordan Farm Circle, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat one (1) lot (*i.e. Lot 47, Block D, Park Place West, Phase II Addition*) for the purpose of abandoning an eight (8)-foot fire lane, public access, and utility easement adjacent to the northern property line of the subject property.

☑ On October 18, 2004, the City Council approved *Ordinance 04-59* [*Case No. Z2004-034*], which established the development standards for the Park Place Subdivision (*i.e. Planned Development District 59 (PD-59*). This was amended on December 11, 2006, by *Ordinance 06-51* [*Case No. Z2006-023*]. On April 19, 2017, staff approved an administrative replat for the purpose of combining two (2) lots (*i.e. Lots 43 & 44, Block D, Park Place West, Phase II Addition*) into one (1) lot (*i.e. Lot 47, Block D, Park Place West, Phase II Addition*).

☑ The proposed replat generally conforms to the concept plan approved by the City Council on December 11, 2006 under *Case No. Z2006-023* [*Ordinance No. 06-51*].

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 47, Block D*, *Park Place West, Phase II Addition*, staff would propose the following conditions of approval:

(1) The replat shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 10, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff's conditions of approval passed by a vote of 6-0 with Commissioner Moeller absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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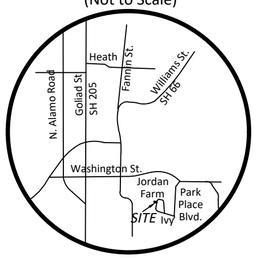
0' 10' 20' 40'

Scale: 1" = 20'

LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
OPRRCT	Official Public Records Rockwall County, Texas
DRRCT	Deed Records Rockwall County, Texas
PRRCT	Plat Records Rockwall County, Texas
RPRRCT	Real Property Records Rockwall County, Texas

Vicinity Map
(Not to Scale)



20' Alley

Lot 26 Block D

Lot 27 Block D

Lot 28 Block D

10' B
& Utili

Block D Lot 25

△ =6°07'28"
R=638.77'
A=68.28'
CB=N 82°50'44" W

VARIABLE WIDTH UTILITY EASEMENT (BY THIS PLAT)

8" WATERLINE

N 79°47'00" W
42.00'

5' STREET WIDENING (BY OTHERS)

8" WATERLINE
STORM SEWER LINE

WV

S 10°13'00" W
10.06'

SSMH

8' Fire Lane, Access & Utility Easement Cab. G, Slide 100 Abandoned by Plat (Hatched Area)

5'

20' Alley

5/8" IRS

S 79°47'00" E

△ =7°13'57"
R=79.28'
A=10.01'
CB=N 11°05'57" E

SSMH

Block X, Lot 6
Park Place West
Phase II Addition
Cabinet G, Slides 100 - 104

10' Utility Easement

10' Utility Easement

RENFRO STREET
(50' Right-of-Way)

73.00'

PP

24" RCP

N: 7026504.31
E: 2596989.28

△ =6°13'21"
R=628.77'
A=68.28'
CB=N 82°53'40" W

S 79°47'00" E
41.85'

5'

110.00'

5/8" IRS

CENTERLINE OF 8" SANITARY SEWER

Lot 47, Block D
0.184 Acres
(8,030 SF)
Lot 20, Block D
Park Place West
Phase II Addition
Cabinet G, Slides 100 - 104

15' Building Line
Cab. G, Slide 100

10' Building Line & Utility Easement
Cab. G Slide 100

N 10°13'00" E

S 10°13'00" W

WM

WV

5/8" IRS

POINT OF BEGINNING

N 79°47'00" W

110.00'

EB

EM RK

TP

TV

EB

N: 7026412.96
E: 2597084.58

1/2" Iron Rod Fnd. W/Cap

PP

15' Building Line

10' Building Line & Utility Easement

Lot 19
Block D

JORDAN FARM CIRCLE
(57' Right-of-Way)
Cabinet G, Slides 100 - 104

Block X, Lot 7

Block D

Lot 22

Lot 21

JORDAN FARM CIRCLE

(57' Right-of-Way)
Cabinet G, Slides 100 - 104

The purpose of this Replat is to abandon a fire lane, access & utility easement.

REPLAT
PARK PLACE WEST PHASE II ADDITION
LOT 47, BLOCK D
BEING 1 LOT CONSISTING OF 0.184 ACRE OF LAND
LOCATED IN THE R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF PARK PLACE PHASE II ADDITION, RECORDED IN CABINET G, SLIDE 100, PLAT RECORDS, ROCKWALL COUNTY, TEXAS AND LOCATED IN B. J. LEWIS SURVEY, ABSTRACT NO. 225 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owners:
DAVID CLINE AND LAURA CLINE
408 JORDAN FARM CIRCLE
ROCKWALL, TEXAS 75087

Scale:	1" = 20'
Date:	June 25, 2019
Technician:	Bedford
Drawn By:	Bedford
Checked By:	A.J. Bedford
P.C.:	Cryer/Spradling
File:	LOT 20 BLOCK D PLAT
Job. No.	668-004
GF No.	

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com, ajb@ajbedfordgroup.com

Sheet: 1 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors

TBPLS REG#10118200

Case No.: P2019-033

Engineer:
TOMDEN ENGINEERING, L.L.P.
214-679-1679
tjones@tomden.com

N:\ALL FILES\TOMDEN ENGINEERING\Rockwall\Park Place\PARK PLACE WEST - PHASE II\LOT 20 BLOCK D PLAT.dwg, AMENDING PLAT, 9/4/2019 9:19:43 AM

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS DAVID CLINE AND LAURA CLINE are the owners of a **0.184 acre** tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas according to the Warranty Deed Instrument No. 20190000011166 Official Public Records, Rockwall County, Texas and being **LOT 20, BLOCK D** of the **AMENDING PLAT for PARK PLACE WEST PHASE II ADDITION** according to the plat recorded in Cabinet G, Slides 100 -104 of Official Public Records of Rockwall, County Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with cap found for the southeast corner of said *Lot 20* and being the northeast corner of Lot 19 of said Park Place West Phase II and being located in the west line of Jordan Farm Circle (57' width);

THENCE departing the west line f said Jordan Farm Circle with the the south line of said *Lot 20* and the north line of said Lot 19 , **NORTH 79°47'00" WEST** a distance of **110.00** feet to a 5/8 inch iron rod set for corner and being located in the east line of Renfro Street (40' right-of-way);

THENCE along the east line of said Renfro Street, **NORTH 10°13'00" EAST** a distance of **73.00** feet to a 5/8 inch iron rod set for corner in the south line of a 20' Alley;

THENCE departing the east line fo said Renfro Street with the south line of said 20' Alley, **SOUTH 79°47'00" EAST** a distance of **110.00** feet to a 5/8 inch iron rod set for corner in the west line of said Jordan Farm Circle;

THENCE along the west line of said Jordan Farm Circle, **SOUTH 10°13'00" WEST** a distance of **73.00** feet to the **POINT OF BEGINNING**;

CONTAINING within these metes and bounds ***0.184 acre*** or ***8,030*** square feet of land more or less.

RECOMMENDED FOR FINAL APPROVAL

_____ _____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____ _____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL

We, **DAVID CLINE AND LAURA CLINE** , the undersigned owners of the land shown on this plat, and designated herein as **LOT 47, BLOCK D, PARK PLACE PHASE II ADDITION** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the **PARK PLACE PHASE II ADDITION** subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall;

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

7. Property owner is responsible for maintenance, repair, and reconstruction of all detention/drainage facilities in easements.

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, my (our) successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

DAVID CLINE AND LAURA CLINE

_____
DAVID CLINE

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared DAVID CLINE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2019

_____
Notary Public in and for the State of Texas

_____
LAURA CLINE

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared LAURA CLINE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2019

_____
Notary Public in and for the State of Texas

NOTES:

1. The purpose of this Replat is to abandon a 8' "Fire Lane, Access & Utility Easement".
2. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
3. Basis of Bearings: Bearings are based on the Final Plat of PARK PLACE WEST PHASE II ADDITION recorded in Cabinet G, Slides 100 - 104, Plat Records Rockwall County, Texas.
4. FLOOD STATEMENT: According to Community Panel No. 48397C0040L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "A" which is the area of 100-year flood with base flood elevations and flood hazard factors determined. The location of Flood Zone "A" shown hereon is approximate and is for informational purposes only and shall not create liability on the part of the Surveyor as to it's accuracy.
5. Property owner/HOA is responsible for all maintenance and repair of Open Space and Drainage Easements.
6. NOTICE: Selling a portion of this addition by metes and bounds is a violation of city subdivisions ordinance and state platting statues and is subject to fines and withholding of utilities and building certificates.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

_____
Austin J. Bedford
Registered Professional Land Surveyor No. 4132
jay@ajbedfordgroup.com
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

The purpose of this Replat is to abandon a fire lane, access & utility easement.

REPLAT
PARK PLACE WEST PHASE II ADDITION
LOT 47, BLOCK D
BEING 1 LOT CONSISTING OF 0.184 ACRE
LOCATED IN THE R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF PARK PLACE PHASE II ADDITION, RECORDED IN CABINET G, SLIDE 100, PLAT RECORDS, ROCKWALL COUNTY, TEXAS
BEING LOCATED IN R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owners:
DAVID CLINE AND LAURA CLINE
408 JORDAN FARM CIRCLE
ROCKWALL, TEXAS 75087

Scale:	1" = 20'
Date:	
Technician:	Bedford
Drawn By:	Bedford
Checked By:	A.J. Bedford
P.C.:	Cryer/Spradling
File:	LOT 20 BLOCK D PLAT
Job. No.	668-004
GF No.	

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com, ajb@ajbedfordgroup.com

Sheet: 2 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

Engineer:
TOMDEN ENGINEERING, L.L.P.
214-679-1679
tjones@tomden.com

Case No.: P2019-033

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CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller; *Director of Planning and Zoning*
DATE:	September 16, 2019
SUBJECT:	Z2019-017; *Zoning Change (AG to PD)*

On September 12, 2019, the applicant, Lance Tyler, submitted a letter requesting to withdraw this case. According to Subsection 1.3, *Application Withdrawal*, of Article XI, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), any request for withdrawal of an application must be submitted in writing to the Director of Planning and Zoning or his/her designee. If an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body. Attached to this memorandum is a copy of the applicant's request to withdraw this case.

From: Lance Tyler
To: Miller, Ryan
Cc: Brooks, Korey
Subject: 1141/John King
Date: Thursday, September 12, 2019 2:03:41 PM

Ryan,

I would like to withdraw our
Request for Townhomes.

Please take off agenda for City Council on the 16th.

Be in touch soon,

Thank you,

Lance Tyler

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	September 16, 2019
APPLICANT:	Lance Tyler; *Marc Development, LLC*
CASE NUMBER:	Z2019-017; *Zoning Change (AG to PD)*

SUMMARY

Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Residential-Office (RO) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary.

BACKGROUND

The subject property was annexed on February 6, 1961 by *Ordinance No. 60-01*. At the time of annexation, the subject property was zoned Agricultural (AG) District. Currently situated on the subject property is a 2,176 SF single-family home, which -- *according to the Rockwall Central Appraisal District* -- was constructed in 1971.

PURPOSE

The applicant -- *Lance Tyler with Marc Development, LLC* -- is requesting to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development (PD) District for Residential-Office (RO) District land uses for the purpose of constructing 12 townhomes.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1451 FM-1141. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Phase 6 of the Caruth Lakes Subdivision, which consists of 158 single-family residential homes. Beyond this are Phases 7A & 7B of the Caruth Lakes Subdivision, which consists of 86 single-family residential homes. These areas are zoned Planned Development District 5 (PD-5) for single-family residential land uses.

South: Directly south of the subject property is FM-1141, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. South of this thoroughfare is a 6.702-acre tract of land (*i.e. Tract 9 & 9-01 of the M. B. Jones Survey, Abstract No. 122*) and a 1.837-acre tract of land zoned Agricultural (AG) District.

East: Directly east of the subject property is a 0.272-acre parcel of land (*i.e. Lot 1, Block X, Caruth Lake, Phase 6*) that is owned by the Caruth Ridge Estates Homeowners Association and zoned Planned Development District 5 (PD-5). Beyond this is John King Boulevard, which is identified as a P6D (*Principle Arterial, six [6] lane, divided roadway*) on the City's Master

Thoroughfare Plan. This roadway delineates the city limits of the City of Rockwall in this area.

West: Directly west of the subject property is Phase 6 of the Caruth Lakes Subdivision, which consists of 158 single-family residential homes. This area is zoned Planned Development District 5 (PD-5) for single-family residential land uses. Beyond this is a 106.866-acre tract of land (*i.e. Tract 14-1 of the S. S. McCurry Survey, Abstract No. 146*). This tract of land is zoned Planned Development District 5 (PD-5) and is part of the Lakes of Squabble Creek Park.

CHARACTERISTICS OF THE REQUEST

The proposed development will consist of 12 townhomes (*laid out as two (2) groups of six (6) homes*) and a private park/open space. The development will incorporate approximately 64% open space, and will have a density of *9.45* units per gross acre. The proposed townhomes will be constructed utilizing a *Neo-Traditional* architecture style and utilize a combination of brick and cementitious lap siding (*e.g. Hardy Board*). The homes will incorporate front porches, rear facing garages, and utilize extended driveways (*i.e. a minimum of 40-feet in length*) to accommodate guest parking. The applicant has stated that the purposed 40-foot long driveway can accommodate up to four (4) vehicles and that with the garage parking each unit will have a total of six (6) parking spaces for vehicles. The garages will be accessible via an existing 20-foot public right-of-way that is accessible through Phase 6 of the Caruth Lakes Subdivision, and that serves as an alleyway for seven (7) single-family homes. According to the applicant, each home will be a maximum of two (2) stories in height and be a minimum of 2,000 SF in size. The front and rear building elevations will not repeat without at least two (2) intervening homes of differing appearance (*i.e. front encroachment layout, primary materials, roof type and layout, or articulation of the front façade*).

According to the concept plan submitted by the applicant the private park will include amenities such as benches, bike racks, and a trail that will meander through the development and connect to the existing sidewalk adjacent to John King Boulevard. The private park will be maintained by the Homeowner's Association (HOA), will be located in the front of the homes, and will include a pedestrian rest area that connects to FM-1141. This area will include a wrought iron fence that will be four (4) feet in height. A emergency access lane will be accessible from FM-1141 and will utilize bollards to prohibit motor-vehicle access. This area will incorporate upgraded pavement and decorative brick pavers. In addition, the private park area will be directly adjacent to a property owned by the Caruth Ridge Estates Homeowner's Association (HOA) and which is undevelopable. This means that the townhomes will be setback a minimum of ~120-feet from John King Boulevard. The proposed Planned Development District (PD) will be subject to the land uses and requirements stipulated for the Residential-Office (RO) District unless specifically called out in the Planned Development District (PD) ordinance. A summary of the proposed development is as follows:

Density and Dimensional Requirements

Minimum Lot Width (1)	24'
Minimum Lot Depth	75'
Minimum Lot Area	1,800 SF
Minimum Front Yard Setback (2) & (5)	5'
Minimum Side Yard Setback (2)	0'/10'
Minimum Length of Driveway Pavement	40'
Maximum Height (3)	36'
Minimum Rear Yard Setback (2) & (4)	20'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,000 SF
Maximum Lot Coverage	75%
Permitted Encroachment in Required Setbacks (5)	Yes

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: No townhome shall be constructed closer than 30-feet from FM-1141 or the northern property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

[6]: A minimum of a ten (10) foot separation between detached buildings shall be required.

INFRASTRUCTURE

In order to develop the subject property as shown on the concept plan, the applicant will be required to provide drainage and detention on the property to prevent increasing the stormwater run-off in the Squabble Creek Watershed. Additionally, an eight (8) inch water line will be required to be installed along the entire length of the property line adjacent to FM-1141 and each home will be required to have an individual water meter. With regard to sanitary sewer, the applicant will need to perform an Infrastructure Study and decide if the sanitary sewer will connect [*1*] to the existing subdivision through the alleyway, or [*2*] down FM-1141 to Waters Edge Drive. Regardless, the sanitary sewer line will need to be a minimum of an eight (8) inch pipe and meet all applicable City standards.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 4.2, *Residential Office (R-O) District*, of Section 5, *Commercial Districts,* of Article V, *District Development Standards,* of the Unified Development Code (UDC), the Residential Office (R-O) District is "…a zoning district intended to recognize the existence of older residential areas of the city where larger houses have been or can be converted from single-family uses to low-intensity office uses in order to extend the economic life of these structures…". The UDC goes on the states that a Residential Office (R-O) District should have principle access to major or secondary thoroughfares and serves as a transition between high intensity, non-residential areas to lower intensity residential areas. In this case, the applicant is proposing a new townhome development, which according to the Unified Development Code (UDC) is a land use that is only permitted in the Residential-Office (RO), Multi-Family 14 (MF-14) and Downtown (DT) Districts. Based on this limitation staff tied the Planned Development District ordinance to the Residential-Office (RO) District as this district is the most restrictive and most appropriate district considering the subject property's adjacencies. Additionally, this development does seem to serve as a transition from the proposed higher intensity general retail land uses to the south and east of the subject property to the lower intensity single-family residential land uses to the north and west of the subject property.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is designated for *Medium Density Residential* land uses and is situated within the *Northwest Residential District*. The plan designates *Medium Density Residential* as a land use category that consists of residential subdivisions that are greater than 2½ units per gross acre, but not higher than three (3) units per gross acre. In this case, the applicant's proposed density of *9.45* units per gross acre is more characteristic of the *High Density Residential* land use designation, which is defined as any development exceed 3½ units per gross acre. This means that if the Planning and Zoning Commission and City Council approve this Planned Development (PD) District, the Future Land Use Plan will need to be amended to reflect a *High Density Residential* designation for the subject property. This has been added as a conditional of approval for this case.

Looking at the *Northwest Residential District*, the district is largely developed with medium-density residential subdivisions; however, it also contains a combination of commercial/retail, parks and open

space, public, and quasi-public land uses. In this case, the applicant is proposing to develop the site with 12 townhomes and incorporate open space, a pedestrian trail, and other park amenities such as benches and bike racks. According to the *District Strategies* associated with the *Northwest Residential District* a ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage. In this case, the subject property does not have direct frontage on John King Boulevard; however, the proposed the open space, trail, and park amenities appear to complement the existing trail system along John King Boulevard.

With regard to the residential policies outlined in the OURHometown Vision 2040 Comprehensive Plan, townhomes developments that are proposed as infill development adjacent to existing single-family homes should incorporate similar development standards and materials as the adjacent housing in order to create a product that is complementary and blends with the existing single-family homes. Niche parking should be provided adjacent to the street in the front of any townhome developments to provide sufficient visitor parking. When more than ten (10) units are proposed, townhome developments should be highly amenitized and incorporate a mix of lifestyle amenities that can justify the density of the development, and provide these residents with similar levels of amenities that are enjoyed in a typical master planned community. In this case, the applicant's intent is to blend the development with the adjacent neighborhood by utilizing similar exterior materials and articulation. The applicant is not proposing to incorporate niche parking; however, the applicant's intent is to provide a minimum of a 40-foot driveway to accommodate guest parking. With regard to amenities, the submitted concept plan is proposing to incorporate a park that includes amenities such as a bike racks, bench seating, landscape pavers, and a bike path. The park will include berms and increased landscaping, and a wrought iron fence. In this case, the Planning and Zoning Commission and City Council will need to establish if the development [*1*] blends with the adjacent single-family development, and [*2*] if the proposed amenity package is sufficiently scaled to provide similar amenities as larger master planned communities.

NOTIFICATIONS

On August 31, 2019, staff sent 75 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes Homeowner's Association (HOA), which is the only HOA/Neighborhood Association within 1,500-feet of the subject property and participating in the Neighborhood Notification Program. At the time this report was written, staff had received 16 emails, nine (9) notices, and one (1) online form in opposition and one (1) email and one (1) online form in favor of the request.

CONDITIONS OF APPROVAL

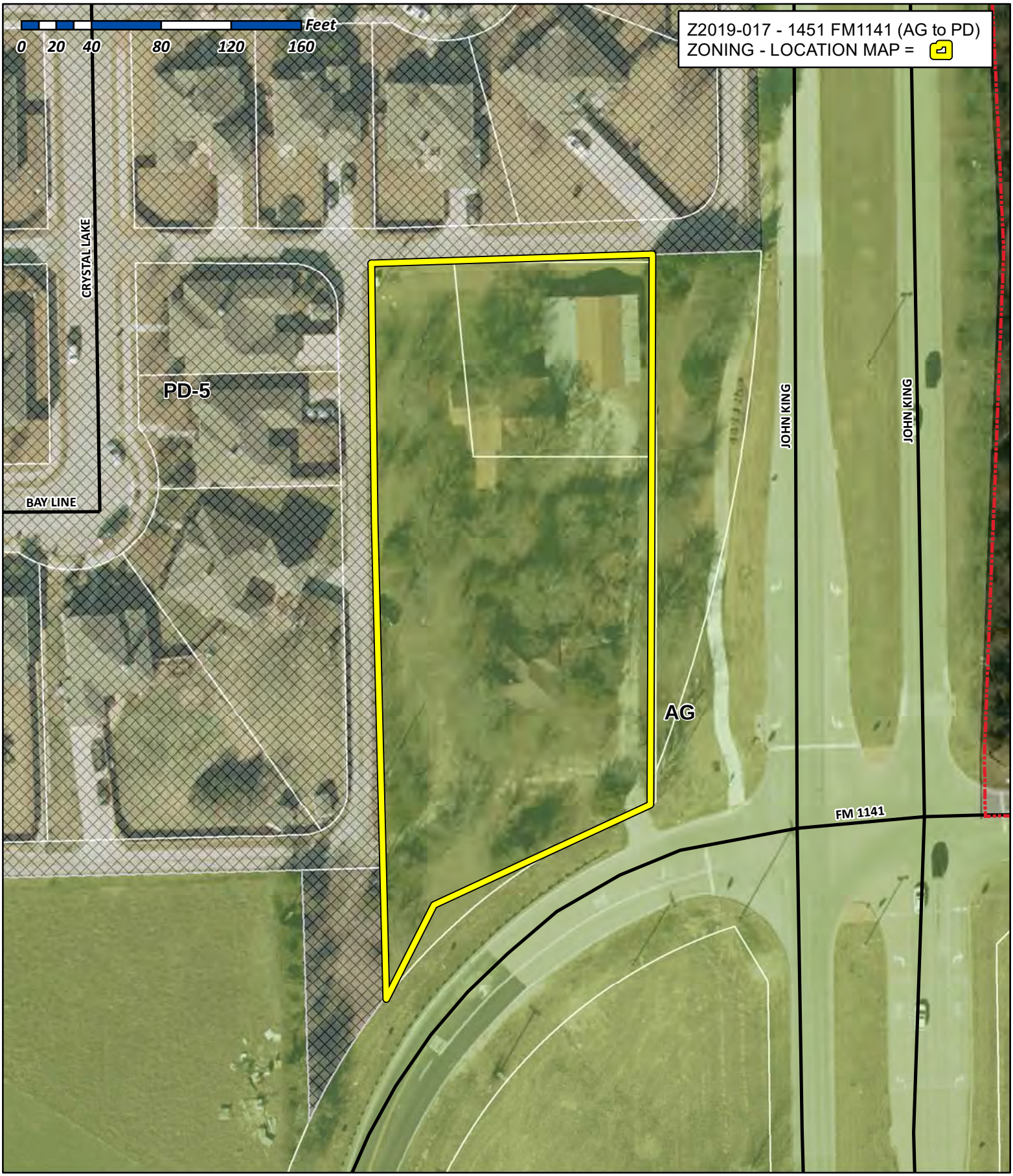
If the City Council chooses to approve the applicant's request, then staff would propose the following conditions of approval:

(1) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a *Medium Density Residential* designation to a *High Density Residential* designation; and,

(2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 10, 2019 the Planning and Zoning Commission approved a motion to deny the zoning change by a vote of 6-0, with Commissioner Moeller absent. According to Section 2.03(G), *Protest of a Zoning Change*, of Article XI, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-forths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

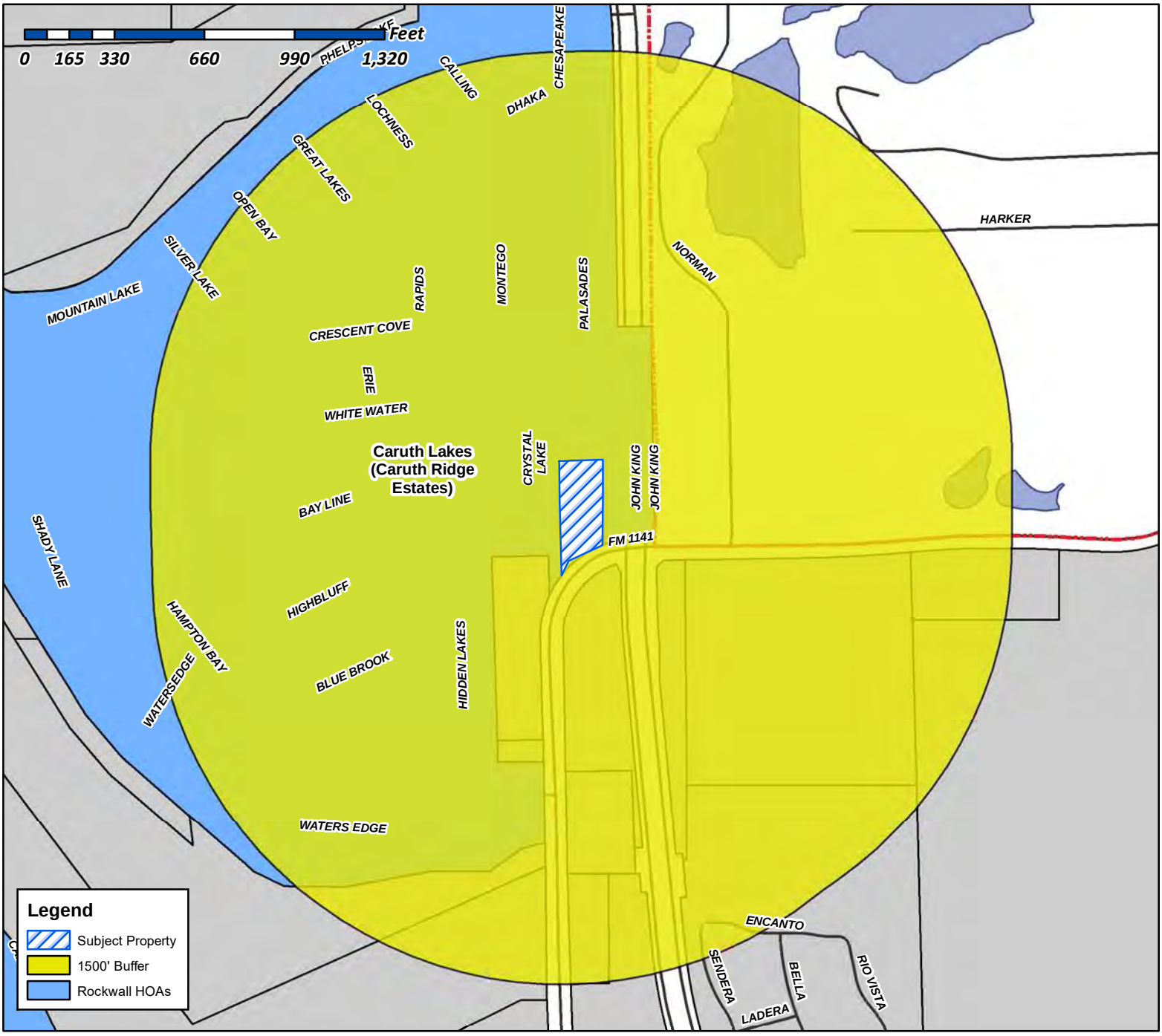
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

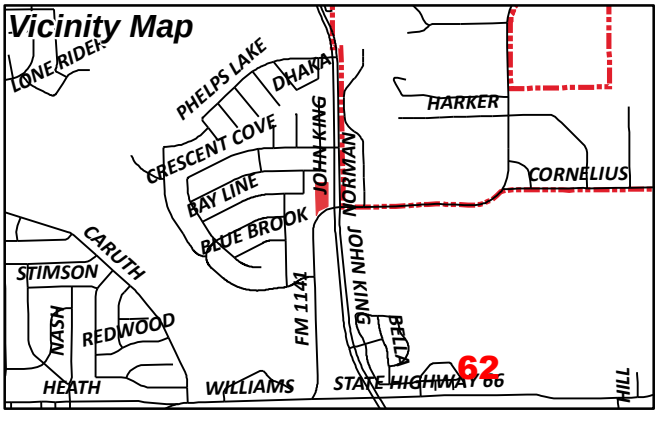
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-017
Case Name: Zoning Change (AG to PD)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1451 FM-1141

Date Created: *8/20/2019*
For Questions on this Case Call (972) 771-7745



From:	Morales, Laura
To:	[redacted]
Cc:	Miller, Ryan; Gonzales, David; Brooks, Korey
Subject:	Neighborhood Notification Program: Notice of zoning request
Date:	Friday, August 30, 2019 11:37:39 AM
Attachments:	Z2019-017 PON Map.pdf PUBLIC NOTICE.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attach ed a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***August 16, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 9/10/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday 9/16/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-017- Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

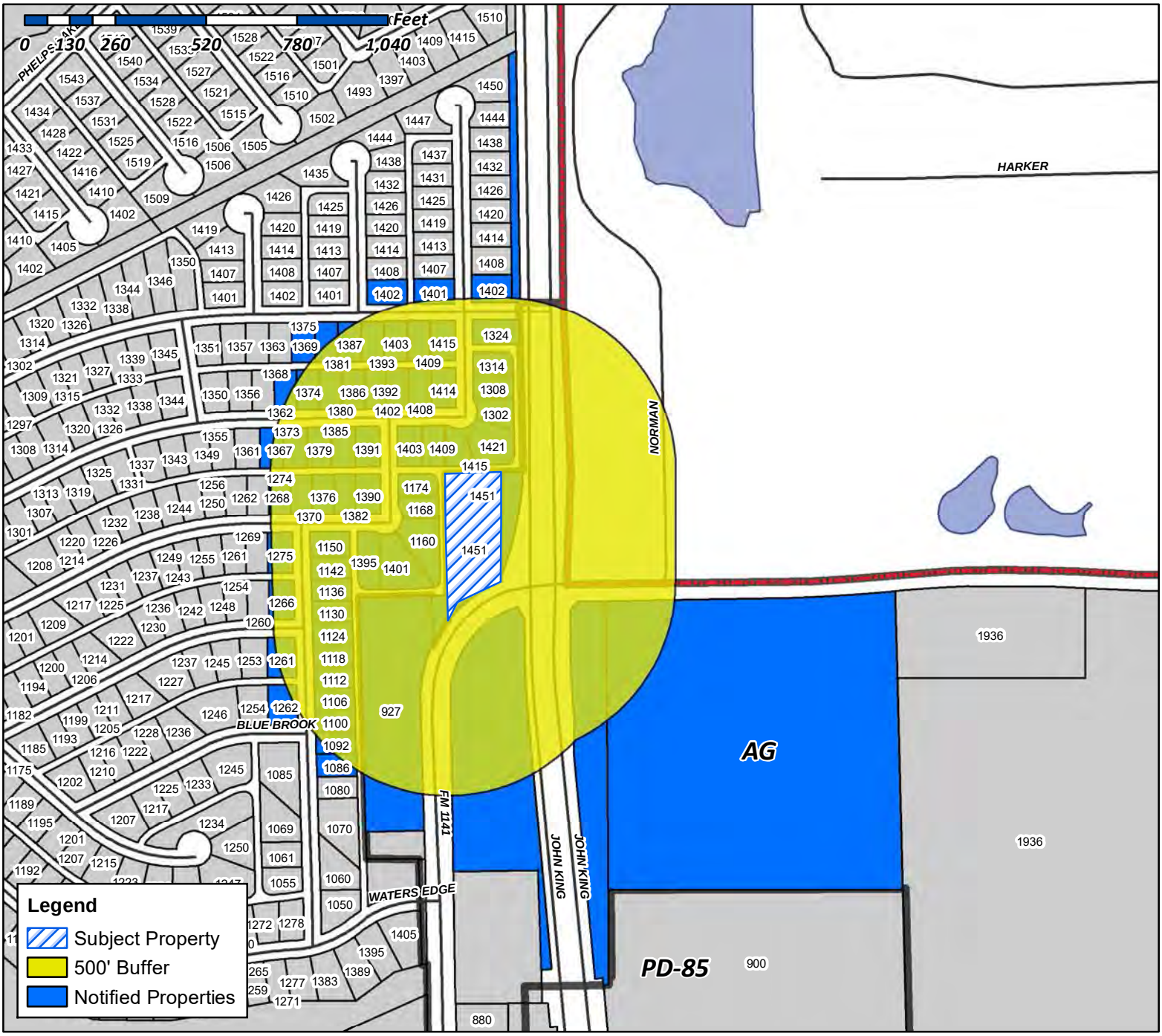
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com |http://www.rockwall.com/planning/

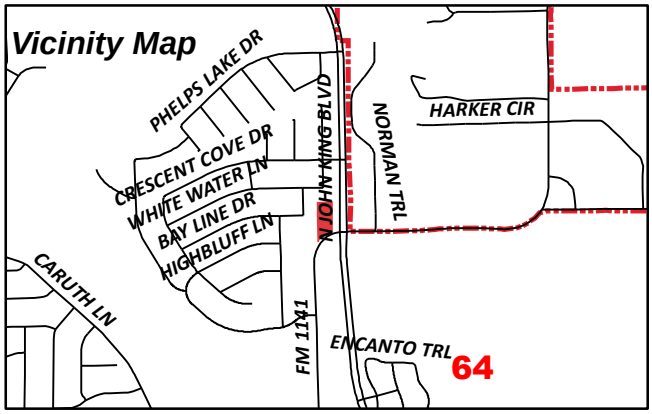
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-017
Case Name: Zoning Change (AG to PD)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1451 FM-1141



Date Created: ***8/20/2019***
For Questions on this Case Call (972) 771-7745

TANNER BACIL H AND NELDA R
1004 NORTH HARRISON
WEST, TX 76691

SHIPP DARLA JUNE & STANLEY JOE
1092 HIDDEN LAKES WAY
ROCKWALL, TX 75087

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

GILPIN THOMAS K & ANGELA J
1100 HIDDEN LAKES WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
1106 HIDDEN LAKES WAY
ROCKWALL, TX 75087

CONFIDENTIAL
1112 HIDDEN LAKES WAY
ROCKWALL, TX 75087

ROWE LORI A
1118 HIDDEN LAKES WAY
ROCKWALL, TX 75087

LARSEN RALPH & MARY ANN
1124 HIDDEN LAKES WAY
ROCKWALL, TX 75087

WHISENHUNT KENNETH AND JUDY
1130 HIDDEN LAKES WAY
ROCKWALL, TX 75087

RUTHERFORD JESSICA R AND
1136 HIDDEN LAKES WAY
ROCKWALL, TX 75087

ROJAS CARLOS
1142 HIDDEN LAKES WAY
ROCKWALL, TX 75087

MARTINEZ AUGUSTINE
1150 HIDDEN LAKES WAY
ROCKWALL, TX 75087

CONFIDENTIAL
1160 CRYSTAL LAKE DRIVE
ROCKWALL, TX 75087

BAUGH MELVA Y
1168 CRYSTAL LAKE DR
ROCKWALL, TX 75087

LAHAIR JOHN & NEALY
1174 CRYSTAL LAKE DR
ROCKWALL, TX 75087

DEWBRE JUSTIN JOEL AND CHERYL CHRISTINE
1261 HIGHBLUFF LN
ROCKWALL, TX 75087

KIERNAN KEVIN & KIMBERLY
1262 BLUE BROOK DRIVE
ROCKWALL, TX 75087

HARVEY DERICK AND
1266 HIGHBLUFF LN
ROCKWALL, TX 75087

LOSS RYAN AND LINDSEY
1274 BAY LINE DR
ROCKWALL, TX 75087

SAVAGE CHRISTINA B AND
1275 BAY LINE DRIVE
ROCKWALL, TX 75087

WHITTINGTON RANDALL S & CHRISTINA L
1302 PALASADES COURT
ROCKWALL, TX 75087

JUAREZ ANALISA MARIE
1308 PALASADES COURT
ROCKWALL, TX 75087

AVENDANO JOSE GREGORIO AND NEREIDA E
1314 PALASADES CT
ROCKWALL, TX 75087

SCHEUMANN DONALD E & TERESA A
1324 PALASADES COURT
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA
1362 PETALUMA DR
ROCKWALL, TX 75087

BALTHROP PAUL JAY AND VALERIE ANN BAKER BALTHROP
1367 WHITE WATER LANE
ROCKWALL, TX 75087

FONTENOT THOMAS J & PATRICIA ANN
1368 WHITE WATER LN
ROCKWALL, TX 75087

IVY FONDA & BARRY
1370 BAY LINE DRIVE
ROCKWALL, TX 75087

ROBINSON JACK K JR & MADONNA M
1373 WHITE WATER LANE
ROCKWALL, TX 75087

HILL JASON C & NICOLE L
1374 WHITE WATER LANE
ROCKWALL, TX 75087

65

SHARRETT BRIAN AND MARGO
1375 CRESCENT COVE DR
ROCKWALL, TX 75087

STIVER BRANDON LEE AND KIMBERLY MAY
1376 BAY LINE DR
ROCKWALL, TX 75087

STEINBERG CORY
1379 WHITE WATER LANE
ROCKWALL, TX 75087

MORRIS BRADY LEE AND MARCELLA
1380 WHITE WATER LN
ROCKWALL, TX 75087

ALLEN FAMILY TRUST, ALBERT FREDERICK &
1381 CRESCENT COVE DR
ROCKWALL, TX 75087

LAMPTEY REBECCA A AND NII LANTE
1382 BAY LINE DRIVE
ROCKWALL, TX 75087

JAGER STEPHEN & GENEVIEVE OBSON
1385 WHITE WATER LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1386 WHITE WATER LN
ROCKWALL, TX 75087

BEATS DIANNA L
1387 CRESCENT COVE DR
ROCKWALL, TX 75087

2017 R GAUNA & M CRUZ REVOCABLE TRUST
1390 BAY LINE DRIVE
ROCKWALL, TX 75087

COLLINGS STEPHEN AND DENEA
1391 WHITE WATER LN
ROCKWALL, TX 75087

TANTON CATHY
1392 WHITE WATER LANE
ROCKWALL, TX 75087

SUDDUTH DEBBIE
1393 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

GARD JOSHUA AND SAMANTHA
1395 BAY LINE DR
ROCKWALL, TX 75087

LOTT LAWRENCE L AND JEAN A
1401 BAY LINE DR
ROCKWALL, TX 75087

ROGERS GENE FRANKLIN
1401 PALASADES COURT
ROCKWALL, TX 75087

STALLCUP CHRISTOPHER AND ASHLEY
1402 MONTEGO COURT
ROCKWALL, TX 75087

GARRETSON MICHAEL S & MELISSA A
1402 PALASADES COURT
ROCKWALL, TX 75087

BENTLEY STEPHEN RAY & CLARISSE RENEE
1402 WHITE WATER LN
ROCKWALL, TX 75087

HUDSON GAYLE AND CALVIN L JR
1403 CRESCENT COVE DR
ROCKWALL, TX 75087

FAKE MARK C & KATHRYN K
1403 WHITE WATER LN
ROCKWALL, TX 75087

HELIE ROBERT A AND MADELEINE B
1408 WHITE WATER LANE
ROCKWALL, TX 75087

SAMFORD CHARLES T JR AND JESSICA D
1409 CRESCENT COVE DR
ROCKWALL, TX 75087

MULLOWNEY PATRICK
1409 WHITE WATER LN
ROCKWALL, TX 75087

MATHAI JOYCE
1414 WHITE WATER LN
ROCKWALL, TX 75087

SHINDOLL LINDA J
1415 CRESCENT COVE DR
ROCKWALL, TX 75087

DENNY READE EDWARD
1415 WHITE WATER LN
ROCKWALL, TX 75087

GAUVIN COLLEEN
1421 WHITE WATER LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1451 FM1141
ROCKWALL, TX 75087

TANNER WILMA GRACE
1451 FM 1141
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

HOFFMAN STEVEN AND DANA
576 LUNE CT
LELAND, NC 28451

CURRENT RESIDENT
927 FM1141
ROCKWALL, TX 75087

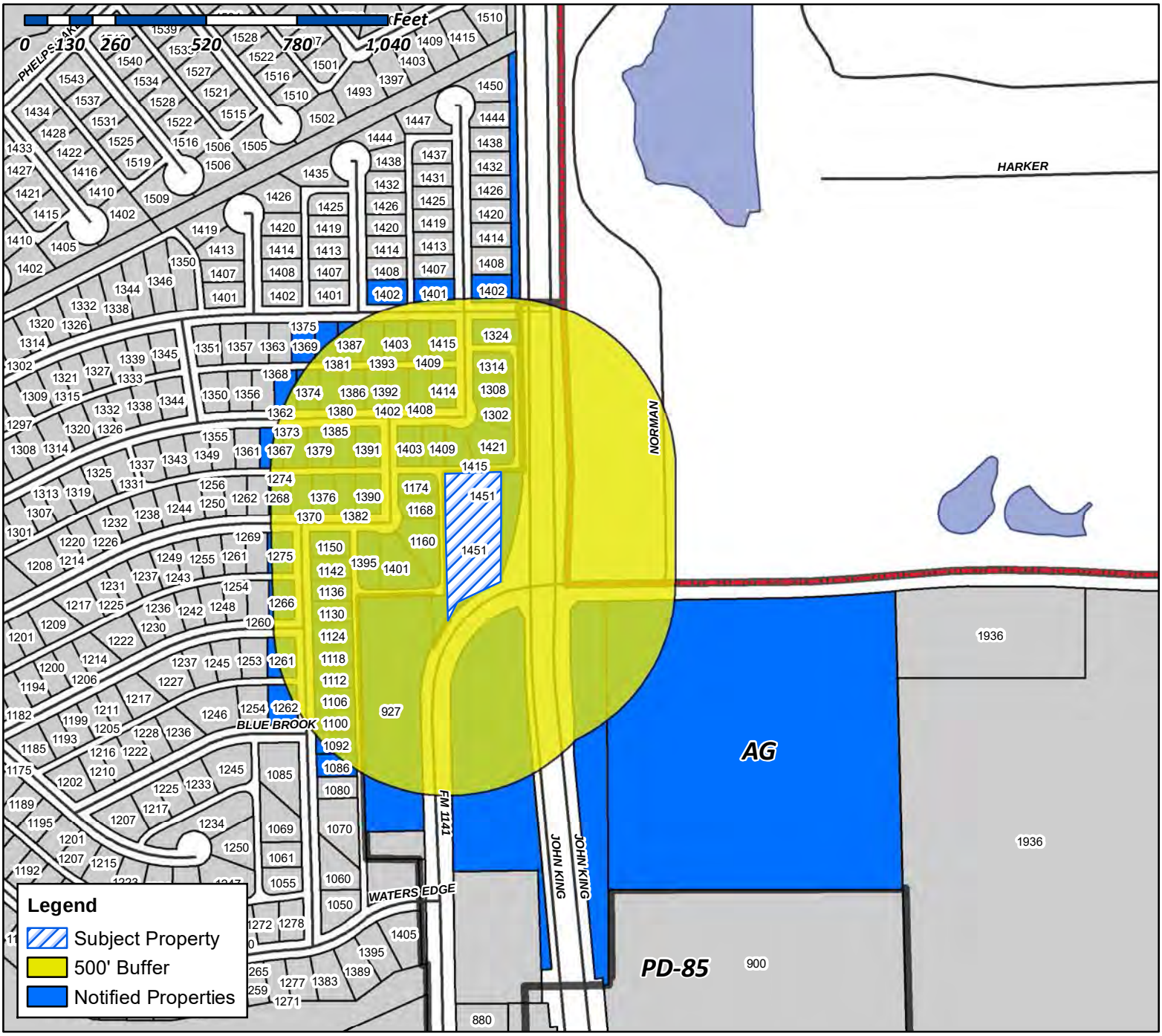
AMERICAN RESIDENTIAL LEASING COMPANY LLC
ATTN: PROPERTY TAX DEPARTMENT
AGOURA HILLS, CA 91301

67

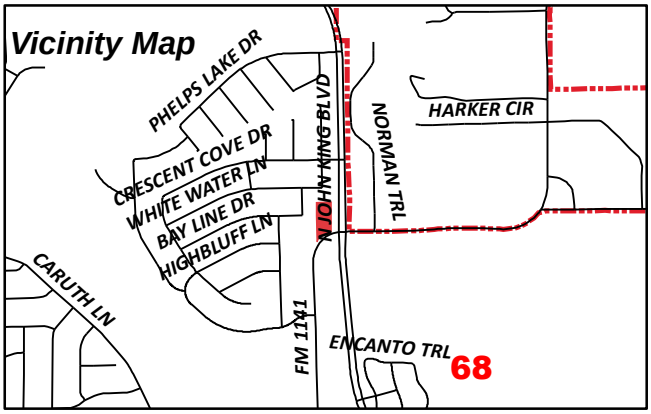
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-017
Case Name: Zoning Change (AG to PD)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1451 FM-1141



Date Created: ***8/20/2019***
For Questions on this Case Call (972) 771-7745

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-017: 1451 FM 1141

Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-017: 1451 FM 1141

Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary.

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Rockwall Planning and Zoning Dept.
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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Density of the project for size of property.
Only alley access
Lack of parking

Name: Jack & Medona Robinson
Address: 1373 White Water Lane; Rockwall TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-017; 1451 FM 1141 - Comments from Concerned Citizen
Date:	Thursday, September 12, 2019 8:23:24 AM
Attachments:	image003.png image004.png

RYAN C. MILLER, AICP
DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

NOTES
1: *APPOINTED AND ELECTED OFFICIALS*: BY *REPLYING ALL* TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
2: PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

From: M B [redacted]
Sent: Thursday, September 12, 2019 12:46 AM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-017; 1451 FM 1141 - Comments from Concerned Citizen

Planning Department:

My name is Melva Baugh Bradley and I reside at 1168 Crystal Lake Drive, directly behind the subject land proposed to be developed.

I am opposed to the request to develop the land in accordance with the documents provided online for the following reasons:

1. The existing alley behind the Caruth Lakes homes at 1160, 1168, and 1174 Crystal Lake Dr. is very narrow and cannot accommodate two-way traffic. Though two-way traffic is required for the convenience of the residents. Special care must be taken when driving on this alley to safely park in the driveway of any of these three residences. Luckily, the primary drivers that live in these homes are careful drivers. I would guess that 5-7 MPH would be a maximum safe driving speed in this alley due to the blind spots created by the wooden fencing at each home. The wooden fencing runs down to nearly the end of each of these driveways, thereby creating a blind spot (to cars pulling in/out of driveways) or for any person who happens to be driving down the alley. Will there be

more blind spots created by the proposed new homes? This would be a safety catastrophe. The existing development is manageable only because of the safe drivers that primarily use the alley. However, the existing alley and development is not an inherently safe traffic situation. Not only is there a risk of vehicular accidents, but several children ride their bicycles up and down their driveway and into the alley (they need to park their bikes in their garage). Add 15 homes and no telling how many vehicles to the mix (as shown on the planning documents), and it renders an extremely unsafe ingress/egress to these properties.

2. Currently, there are three homes that primarily use the alley on Crystal Lake Drive. On the other side (north) of the planned development, and adjoining the alley behind Crystal Lake Dr., are an additional three or more homes (on White Water Lane) that require the same ingress-egress from their driveways. The residents in these homes have been sensible enough to realize the safety issue and drive accordingly. Each home has the same blind spots due to the privacy fencing that extends nearly to the end of each of their driveways. Add in the additional vehicles that would be using this alley from the planned 15 units (potentially up to three times as many drivers from the new development), and the probability of vehicular accidents and personal injuries due to the inherent safety hazards greatly increases. I would personally expect there to be several accidents per year, not to mention the discontent with our new neighbors and lawsuits. I strongly suggest that any voting member on this matter closely analyze this planned setup (ONSITE) and think about how safe you would feel using these alley ways. Then think about the children. Perhaps it would be manageable with half the number of units being built and an improved ingress-egress plan to/from the new homes? But the current plan is a safety hazard.

Because this issue has been brought to your attention well in advance of the development, this is NOT the letter you want tucked in the attorney-for-plaintiff binder once the accidents and injuries begin occurrying, as the attorneys for the plaintiffs will be delighted. I am not aware of any accidents in the alley behind my home since I moved here in 2008. I still do not consider the alley safe, as caution must be exercised when driving by each driveway to get to my home. It just takes one person in a rush to begin the trend of unfortunate statistics. We also have some great families with children in the neighborhood that I do not want to lose or learn that they have been seriously injured.

I strongly oppose the current development plan that is depicted in the documents provided online for this case.

Thank you for the opportunity to express my concerns.

Respectfully,

Melva Baugh Bradley

72

1168 Crystal Lake Dr.
Rockwall, TX 75087
817-821-6407 Eve
903-408-8661 Day

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73

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-017: 1451 FM 1141

Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

To improve the possibilities of future use.

Name: David B. Tanner, Nilda R Tanner
Address: 1004 N Harrison, West, Tx 76691

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Miller, Ryan
To: Brooks, Korey
Subject: FW: Townhomes
Date: Tuesday, September 10, 2019 12:33:28 PM
Attachments: image003.png
image004.png

RYAN C. MILLER, AICP
DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

NOTES
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2: PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

From: Bruce Foith
Sent: Tuesday, September 10, 2019 12:23 PM
To: Miller, Ryan <RMiller@rockwall.com> **Cc:** Pruitt, Jim <JimPruitt@rockwall.com> **Subject:** Townhomes

We won't burden you with a lot of details since we are certain you have heard it all.

We strongly oppose the townhome project, z2019-017, at JKB & FM1141.

1. Density issues
2. Access to the town homes residents, delivery.
3. Design

Please, do not support this project!

Bruce & Lorna Foith
1087 Shady Lane Drive
Rockwall 75087
972-832-0364

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76

From: Carri Noggle
To: Brooks, Korey
Subject: John King/66 Townhomes
Date: Monday, August 26, 2019 4:57:08 PM
Attachments: image1.png

I have just heard of a plan to put townhomes right outside the entrance of our neighborhood. I would like it to be stated that I am against the building of these townhomes. We are losing green space at a ridiculously fast rate all around us. This area is becoming increasingly busy and congested, to turn left out of our neighborhood can be very risky at certain times of the day because of the traffic and speed at which people are driving on John King. Also, according to this comprehensive plan put out by the City of Rockwall, townhomes do not conform, as the lots would be in no way similar to the lots in the stone creek subdivision. Not to mention the flooding and drainage issue that this area is already experiencing, and will worsen with every new construction.

Concerned Citizen,
Carri Noggle



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From: Planning
To: Brooks, Korey
Subject: FW: Case Z2019-017 Townhouses
Date: Tuesday, September 10, 2019 10:48:30 AM

From: C Sparrow [mailto:ladycbird@mypbmail.com]
Sent: Tuesday, September 10, 2019 9:55 AM
To: Planning <planning@rockwall.com>
Subject: Case Z2019-017 Townhouses

Korey -

As a citizen who will be directly affected by the proposed townhouses near the intersection of 1141 and John King, please know that I am strongly opposed to this project. Two words sum up my opposition: access and density. The proposed homes will only be accessable by an alley. What??? I don't care how long the driveways are (40' is proposed) and how many vehicles they will hold (4), ALL residents, delivery trucks, service vans, etc will travel up an alley! This is not acceptable. Children walking to the school bus stop will probably walk between houses on Hidden Lakes Drive, which will share that alley, to avoid alley traffic. Vehicles coming in opposite directions will not have room to pass each other. For that reason alone, this project should not be approved.

And the proposed density (12 homes on a little more than an acre of land) does not go along with the neighborhood standards or the city's own comprehensive development plan.

Please deny this project!

Thank you for your time.

Charlene Sparrow

1245 Highbluff Lane

Rockwall 75087

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

(1) Decreased property value inconsistent w/ existing property values. (2) Restricts usage of personal privacy due to multi units & height (3) increases busyness of traffic in & around area - concerns for grandchildren & children who play in this area. (4) Diminished of rights to peaceful & quiet property enjoyment (5) Visual eyesore & exposure to more excessive noise due to ever traffic from FM1141 Jointing Blvd. & now traffic lights increase (6) Excavation & removal of mature trees to allow for construction of this property exposing existing residents to excessive noise, light invasion from cars headlights, etc. etc.

Name: Colleen Gauvin

Address: 1421 White Water LN. Rockwall TX 75087.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

HTTP://SITES.GOOGLE.COM/SITE/...

PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

will reduce property value of my home

Name: Cory Steinberg

Address: 1379 White water Lane Rockwall TX

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: [redacted]
To: Brooks, Korey
Subject: Development going in at FM1141 and JK (Project Number Z2019-017).
Date: Tuesday, August 27, 2019 12:37:48 PM

Hi Korey,

Re: Z2019-017

I hope you are doing well. I am writing about this proposed development at FM1141 and JK. My husband and I oppose it as initiated now. It does not conform to the Comprehensive Plan for our district, SF Medium Density. Additionally, the three story homes don't fit in with any of the surrounding ones. We are a 1-2 story development. These units will loom over neighbors' yards.

It needs more of a barrier between the homes and JK than a four foot wrought iron fence. JK might transition to a state highway and homes along JK have further setbacks to help alleviate the road noise. There is also no access to this development except through the already crowded alley. I don't see room for visitor parking either.

Lastly, a neighbor noticed the survey plat (Page 20) mentions Caruth Lakes Phase 6. What does that mean? We have already finished building Phase 6. Who will manage these townhomes and their private park?

Thank you!

Donna Dorman

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From: Harry Green
To: Brooks, Korey
Subject: Housing Plan 1141 and John King
Date: Monday, August 26, 2019 10:30:40 PM

Please be aware we are opposed to subject plan. We have not had official notice of this planned housing.

Harry & Elvina Green
1235 Waters Edge Drive

Sent from my iPhone
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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-017: 1451 FM 1141

Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary.

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As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

See attached

Name: John & Nealy Lahair
Address: 1174 Crystal Lake Dr., Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Reasons for opposal to: Case No. Z2019-017
1451 FM 1141

From: John and Nealy Lahair
1174 Crystal Lake Dr.
Rockwall, TX 75087

1. We (1174 Crystal Lake Dr.) will be backed up directly to driveway of townhomes. Too Close! Narrow alleyway. Looks as though each house on the alleyway will be the same way. Accidents are bound to happen!

2. We believe the townhomes will decrease the value of our home.

3. Townhomes will likely turn into rental properties in approximately 4-5 years.

4. Our subdivision streets are already congested with parked cars. We don't need 15 or more cars to deal with.

5. More litter everywhere. Townhomes will be eye-sore to our neighborhood.

84

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-017:1451 FM1141

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

No other 2f zoning designation is anywhere near the proposed site. The proposed zoning change would have negative effects on existing property owners due to overcrowding a small parcel of land, and the loss of privacy due to overlooking. The 2f zoning designation is out of character for the existing single family dwellings near by.

Respondent Information

Please provide your information.

First Name *

Josh

Last Name *

Gard

Address *

1395 bay line dr

City *

Rockwall

State *

Texas

Zip Code *

75077

Email Address *

jgard2522@yahoo.com

Phone Number

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other:

This content is neither created nor endorsed by Google.

Google Forms

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

Don't want town house in a residential neighborhood!

Name: Kenneth Whisenhunt

Address: 1130 Hidden Lakes Way

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: KIMBERLEY Brooks
To: Brooks, Korey
Subject: Zoning for Caruth Lakes Area
Date: Monday, August 26, 2019 4:35:00 PM

Dear planning and zoning personnel,

I would like to voice my displeasure for the new zoning Plans in the Caruth Lakes division area. From what I understand there are plans for 3 story townhomes in this development? Does this comply with the planned medium density development? I am worried about the impact on traffic, utilities and neighborhoods.

Thank you
Kim Brooks
Caruth Lakes resident

Sent from my iPhone
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89

PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

The townhomes will have alley access only, no front parking. Traffic in alley w/ extra cars, delivery people, workman, etc. would be parking in our neighborhood in front of our houses & walking through our properties.

Name: Larry & Jeanie Lott

Address: 1401 Bay Line Dr

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Linda Shindoll
To: Brooks, Korey
Subject: Planned Development 1141 & John King
Date: Monday, August 26, 2019 4:49:15 PM

Hello. I just found out about a planned townhouse development at 1141 & John King. I did not receive a letter or notification concerning this change. Your email address was given to me so that I can respond.

I am opposed to this planned development.

Linda J. Shindoll
1415 Crescent Cove Dr.
214 403 6098

Sent from Yahoo Mail on Android

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Miller, Ryan
To: Brooks, Korey
Subject: FW: Z2019-017:1451 Fm 1141
Date: Tuesday, September 03, 2019 8:28:08 AM

RYAN C. MILLER, AICP
DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

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-----Original Message-----
From: Planning
Sent: Tuesday, September 3, 2019 8:23 AM
To: Miller, Ryan <RMiller@rockwall.com>
Subject: FW: Z2019-017:1451 Fm 1141

-----Original Message-----
From: Mark Fake [redacted]
Sent: Monday, September 2, 2019 3:18 PM
To: Planning <planning@rockwall.com>
Cc: kimdeatonfake84@gmail.com
Subject: Z2019-017:1451 Fm 1141

To: Ryan Miller
Director of Planning and Zoning

From: Mark and Kim Fake
1403 White Water Ln.
Rockwall, Tx 75087
ph.: 214-394-0827

Mr. Miller and City Council Members,

Concerning Case #Z2019-017:1451 Fm 1141, I am opposed for the following reasons:

1. All homes in the vicinity are single family homes that share a common alleyway with the property. The alley will

92

be congested.
2. The city council has in the past consistently monitored lot sizes of developments along John King, and has been vigilant in NOT approving changes to lot sizes asked for by developers that would help over saturate the areas roads and utilities. Planning and Zoning should NOT approve this change as well.
3. The information that I have seen jams as many as 15 “townhomes” into a space that the adjoining neighborhood would have only built three or four homes. This proposal would jam 15 families into a space, just to maximize profit for a developer, instead of thinking about the surrounding neighborhood.
4. This plan would likely add fifteen or more cars to the roadways, and 15 more trash pick-ups which will certainly cause problems in the alleyway with litter, traffic, and noise. If this proposal was to build a few single family homes, then I would be all for it.
5. The homeowners I have spoken to about this are worried that the “townhomes” will likely become rental properties in relatively short order.
6. There would be no servicing these properties from the John King side, so all deliveries and services (UPS/Fedex/USPS-Mail/Pizzas/Phone/Internet/Furniture/Moving vans etc.) would have to be conducted in the alley where there is only room for a single vehicle. This would make it a mess for those of us that live on or near this alley.
7. The proposed plans are for too many homes jammed too tightly together. The appearance would be row houses, or more simply put, a concrete jungle, and an eyesore. The plan looks like it calls for carports, and not garages, so it would invite theft of vehicles left out overnight. Our neighborhood has already been susceptible to car break ins.

Thank you for your consideration,

Mark Fake

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93

From:	Miller, Ryan
To:	Brooks, Korey
Subject:	FW: 1141 and John king
Date:	Wednesday, August 28, 2019 7:58:38 AM
Attachments:	image001.jpg image003.png image004.png image005.jpg

FYI …

RYAN C. MILLER, AICP
DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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From: MARTHA GRIFFEY <griffey4@sbcglobal.net>
Sent: Tuesday, August 27, 2019 7:02 PM
To: Miller, Ryan <RMiller@rockwall.com>
Subject: 1141 and John king

I am wanting to express concern about the small parcel of land and the proposed plan for the townhomes at the intersection of 1141 and John King. It is concerning to have 3 story townhomes on such a small amount of land. I watched the live broadcast of the meeting when Mr. Tyler said the homes would fit in with style of homes in Caruth. I cannot see that his drawing shows they would. Maybe if they were being built close to Park Place homes off Washington.

This area along John King is becoming overcrowded already with all the development.

Martha Griffey

Sent from Yahoo Mail on Android

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Melanie Ryder
To: Brooks, Korey
Subject: Zoning change
Date: Monday, August 26, 2019 6:35:25 PM
Attachments: image1.jpeg

To whom it may concern,
I am a Caruth Lakes resident, located at 1383 Waters Edge Dr and I oppose the proposed zoning change at the corner of 1141 and John King. My residence would be directly affected by this zoning change and I strongly disagree against it. I have seen the proposed development (to put 15 town homes on a 1.25 acre lot) and I disapprove. In my opinion, it will decrease the value of our neighborhood. It will also make the traffic through the proposed shared alley very difficult. In Rockwall's comprehensive plan it says that corner is zoned for medium density and what is planned and this proposed development does not conform to the planning. I am attaching the rediculous proposal and hope that you see this is not in Rockwall's best interest.
Melanie Ryder

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

> Inadequate parking (no street access parking other than Caruth Lakes neighborhood.
> Population density - cramming 15 units on less than 2 acres. > Property value diminishment - At least 3 will tower over our back fence giving full, unobstructed view!

Name: Michael Aaron McGrew

Address: 1160 Crystal Lake Dr.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-017: 1451 FM 1141

Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the **City Council.**

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Lack of parking must enter + exit from alley! Where would they park? Visitors park, mailboxes? Inconsistent with neighborhood.

Name: Pat Allen

Address: 1381 Crescent Cove Dr.

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

DocuSign Envelope ID: 70C1208F-2E60-4DF2-B1AC-CA2BF667CB0E

September 10, 2019

Re: Proposed Luxury Town Homes

Off of 1141 and John King

Dear Commission Members:

I, Pat Atkins, are in favor of the Proposed Luxury Town Homes. These individually plotted and platted Single-Family Owned Luxury Town Homes will be complementary to the area. At a price of $450,000 a unit, it will provide somewhere around $5,400,000.00 more in City Tax revenue for the City of Rockwall. Saddle Star Estates, which is a high-end neighborhood coming in on the North side of town on John King, welcomes it and see's the need and value behind it.

Sincerely,

DocuSigned by:
Kirk P Atkins
0029E2C96527418...

Pat Atkins Director of Land Development and Acquisitions
Saddle Star Land Development L.L.C.
3076 Hays Ln.
Rockwall , Texas 75087
972-388-6383
kpatatkins@yahoo.com

98

From:	Planning
To:	Brooks, Korey
Subject:	FW: Proposed AT&T cell tower
Date:	Wednesday, September 11, 2019 11:21:06 AM
Attachments:	image003.png image004.png

RYAN C. MILLER, AICP
DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

NOTES
1: *APPOINTED AND ELECTED OFFICIALS*: BY *REPLYING ALL* TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
2: PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

From: Paul Fullington [redacted]
Sent: Tuesday, September 10, 2019 5:03 PM
To: Planning <planning@rockwall.com>
Subject: Proposed AT&T cell tower

09/10/2019

Planning and Zoning Dept.

As a fox chase resident I oppose the construction of an AT&T cell tower across the street from our neighborhood. Ironically, the site for the tower is not too far from the proposed helipad that Presbyterian Hospital wanted to also place across the street from our neighborhood. We fought that battle and the helipad was relocated but flyovers over the Fox Chase neighborhood sometimes continue to this day despite Hospital promises that that would not happen. Big business does not always keep its promises.

A drive through of our neighborhood would show you just how well kept the homeowners keep their properties. Three years ago my wife and I drove to every neighborhood in Rockwall that sends their kids to

Rockwall Heath HS, to scout for suitable neighborhoods to host The Rockwall Heath HS March a thon for which we were the directors. We found that Chandlers Landing and Fox Chase had the best well kept neighborhoods and we marched in those neighborhoods.

We realize that we are strategically in a great location and maintaining our property values is important to us because our homes are an investment. A cell tower next to our neighborhood has the potential to devalue our homes.

A cell tower across the street from our homes places a risk of exposure to radiation. We don't need promises from AT&T that the risk of exposure is not real. And why is it acceptable to place our firefighters at great risk of radiation exposure? Don't we owe them more? Please do not place another cell tower next to Fox Chase.

There must be a industrial area where this tower can be placed.

Thanks,

Paul Fullington
3134 Oak Dr
Rockwall, TX 75032
[redacted]
214-546-7381

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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-017

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I'm highly opposed to the rezoning of the listed property. First of all, there are no multifamily units in this entire single family housing. The only access would be the alleys designed for single family subdivision and parking in the back by alleyways also. How would deliveries, emergency personnel and other services get to the condos. The fact that 3 story units would be looking into our backyards and homes is very concerning. I guarantee that not one family would have purchased a home in this subdivision with condos already in place. There would be no way home values could maintain the value with such condos. This is a poor attempt in cramming multifamily housing on to a small piece of property for financial gain. I would think that the city council and town members would feel the same way if they received a letter concerning their neighborhood.
Thank you
Reade Denny

Respondent Information

Please provide your information.

First Name *

Reade

Last Name *

Denny

Address *

1415 WHITE WATER LN

City *

ROCKWALL

State *

Texas

Zip Code *

75087

Email Address *

[redacted]

Phone Number

469-432-4070

Please check all that apply: *

- [ ] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

This content is neither created nor endorsed by Google.

Google Forms

From: Rebecca Gray
To: Brooks, Korey
Subject: Proposed zoning change
Date: Tuesday, August 27, 2019 5:43:49 PM

Hi there, I am a resident of Caruth Lakes and strongly oppose the zoning change of the NW corner of 1141 and John King. I moved to this neighborhood 8 years ago from a south side neighborhood because of the open space, less traffic and scenic charm. I loved living here. But our city is doing everything possible to destroy everything I and many others appreciated. We see more and more trees being destroyed, more land being cleared for development, every day. The residents don't want these changes but nobody seems to care. That particular piece of land is way too small for multi-family homes. There is no common sense to this proposal. Please, for the love of all things good, please abort this proposal and leave just a tiny bit of what your residents enjoy - green space, homes for wild critters, a little scenery. Stop destroying our town and trying to turn it into Plano. If we wanted to live in Plano, we would.

Respectfully,
Rebecca Gray

Sent from my iPhone

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From:	Planning
To:	Brooks, Korey
Subject:	FW: Property under consideration Z2019-017
Date:	Thursday, September 05, 2019 10:10:21 AM

From: Robbie LeMore
Sent: Thursday, September 5, 2019 10:03 AM
To: Planning <planning@rockwall.com>
Subject: Property under consideration Z2019-017

Attn:

Planning & Zoning Commission Members

Jonathan Lyons - *Chair*
Annie Fishman
Eric Chodun –Vice Chair
Mark Moeller
Jerry Welch
Tracey Logan
John Womble

I want to voice my reasons for opposing this for your consideration.

1. Too small an area for that many properties.

2. Appears to be very high density for 1.2 acres

2. Three-story size…They will be looking directly into the back yards of the people across the alley

3. Only rear entry to homes. What an odd concept? Why do this?

4. Where will guests park when they visit? Perhaps blocking the existing alley?

106

Thank you.

Robbie LeMore

1225 Bay Line Drive

Rockwall, TX 75087

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Stacie Bray
To: Brooks, Korey
Subject: Concern about high density development
Date: Wednesday, August 28, 2019 7:55:55 AM

Hi!

I am a current resident of Caruth Lakes, off John King Blvd. I am writing to express my concern about the possible development coming.
My concern is that it is a high density complex (3 stories) that would not fit in with our single unit medium density housing and the sharing of a small alley for access.
This complex won't have a street in front for visitor parking and will most definitely cause traffic and parking issues.
It seems Rockwall is eager to develop every inch of land even if it not in the best interest of its current residents.
I also also have a valid concern of a decrease in my property value because of this housing coming in right by my house.

Thank you for considering my concerns,
Stacie Bray

Sent from my iPhone
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

108

From: Planning
To: Brooks, Korey
Subject: FW: No to the townhomes!!
Date: Wednesday, August 28, 2019 8:20:19 AM

From: Taylor Pointer
Sent: Tuesday, August 27, 2019 4:45 PM
To: Planning <planning@rockwall.com>
Subject: No to the townhomes!!

Please vote NO to the townhomes on 1114 and John king being proposed tomorrow night.
These will be run down in no time and can compromise all of our home values.
Sincerely,
Taylor Pointer
602 Williams st
Rockwall, TX 75087

Sent from my iPhone

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-017: 1451 FM 1141

Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary.

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As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

I, as well as many Residents in Caruth Lakes, oppose the change to allow 65 town homes on a 1.27 acre tract. The town homes would have to use the entrances and alleys in Caruth Lakes as their only access to their homes. There is no planned parking area for guests or access to 1141 or John King other than Caruth Lakes. The town homes would significantly negatively affect home values near their vicinity.

Name: THOMAS GILPIN

Address: 1100 HIDDEN LAKES WAY ROCKWALL, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

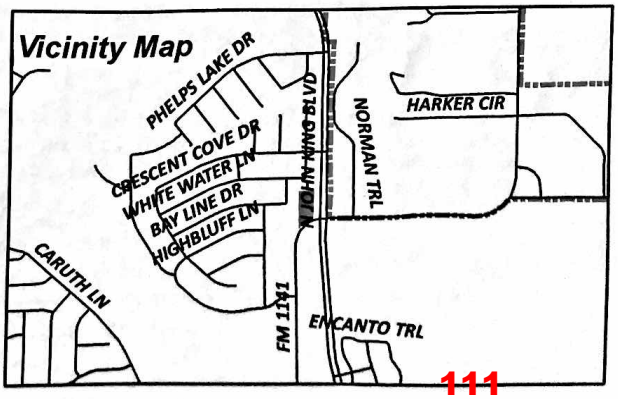
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2019-017
Case Name: Zoning Change (AG to PD)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1451 FM-1141



Date Created: ***8/20/2019***
For Questions on this Case Call (972) 771-7745

111

From:	Planning
To:	Brooks, Korey
Subject:	FW: Oppose case number Z2019-017 1451 FM 1141
Date:	Monday, September 09, 2019 8:30:48 AM
Attachments:	1100 Hidden Lakes Oppose Case Number Z2019-17.pdf More community opinion on Case number Z2019-017.pdf Community Opinion on Case Number Z2019-017.pdf

---

From: Thomas Gilpin
Sent: Sunday, September 8, 2019 12:50 PM
To: Planning <planning@rockwall.com>
Subject: Oppose case number Z2019-017 1451 FM 1141

Korey Brooks and Rockwall Planning and Zoning Department,

I am writing you in deep opposition to Case number Z2019-017. I, as well as many residents in Caruth Lakes and the community, oppose the change to allow 15 townhomes on a 1.27 acre tract. The residents of the townhomes would only have access to their homes by way of the Caruth Lakes neighborhood and alley ways. There is no planned access to 1141 or John King. There is also no planned parking for guests of residents other than driveways that are connected to the alleyways in the Caruth Lake subdivision. If residents of the townhomes have gatherings there is not sufficient parking and would have to park within the already established neighborhood. This plan is poorly designed and seems to have only one goal and that is to pack in as many residents into a 1.27 acre tract without any thought of the impact on residents of the townhomes and the residents of the established near by communities. The plan would significantly negatively affect home values near the vicinity of the development. I have attached a copy of my opposition as well as many opinions about the case from community residents via nextdoor.com.

Thank you,
Thomas Gilpin
1100 Hidden Lakes Way
Rockwall, TX 75087

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

13 NORTHWEST RESIDENTIAL DISTRICT

↑ NORTHERN ESTATES DISTRICT (PAGE 1-24)



2 Shops at Stone Creek



1 Current Suburban Residential

← NORTH LAKESHORE DISTRICT (PAGE 1-22)

→ NORTHEAST RESIDENTIAL DISTRICT (PAGE 1-23)

A

B

C

C

D

E

F

F



2 Kroger Shopping Center

↓ DOWNTOWN DISTRICT (PAGE 1-14)



1 Current Suburban Residential

↓ CENTRAL DISTRICT (PAGE 1-13)



2 Future Neighborhood/Convenience Center

BUILD OUT

2,347

7,018

% OF ROCKWALL

8.91%

1.38%

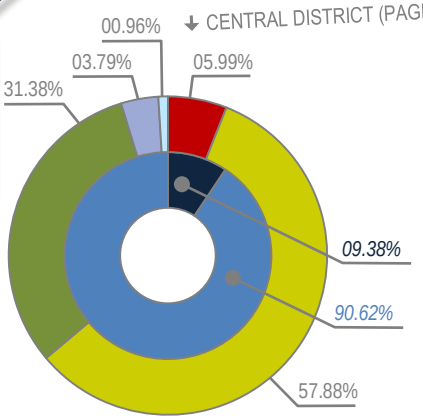
8.95%

CURRENT

1,782

25

5,328



DISTRICT DESCRIPTION

The *Northwest Residential District* is characterized by the two (2) large master planned communities that make up the majority of the acreage in this district. These developments are the Caruth Lakes and Stone Creek Subdivisions. The remainder of this district is expected to develop with similar medium density residential housing product.

DISTRICT STRATEGIES

The *Northwest Residential District* is expected to continue to provide master planned suburban neighborhoods in the future and has no areas that are thought to be transitioning. Based on these assumptions the strategies for this district are as follows:

1. *Suburban Residential.* Many of the remaining tracts of land in this area have been entitled with planned development districts that are targeted at bringing similar *Suburban Residential* products as those that currently exist in the Caruth Lakes and Stone Creek Subdivisions. Any new residential development in these areas should be highly amenitized and include a mixture of lots similar to the lot mixture in the Stone Creek Subdivision.
2. *Neighborhood/Convenience Centers*. The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures. These areas should provide pedestrian access between the *Neighborhood/Convenience Centers* and the *Suburban Residential* developments.
3. *John King Boulevard Trail Plan*. A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

POINTS OF REFERENCE

A. J. W. Williams Middle School
B. The Park at Stone Creek
C. Stone Creek Subdivision
D. Fire Station #3
E. The Parks at Squabble Creek
F. Caruth Lakes Subdivision

LAND USE PALETTES

Current Land Use
Future Land Use

John King Boulevard Trail Plan *Rest Stop/Trailblazer Pylon*

TXDOT 4D	
MINOR COLLECTOR	
M4U	
M4D	

COMMERCIAL	9.38%
RESIDENTIAL	90.62%
MIXED USE	0.00%

COMMERCIAL/RETAIL (CR)	60.20-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	581.3-ACRES
PARKS AND OPEN SPACE (OS)	315.22-ACRES
PUBLIC (P)	38.11-ACRES
QUASI-PUBLIC (QP)	9.66-ACRES

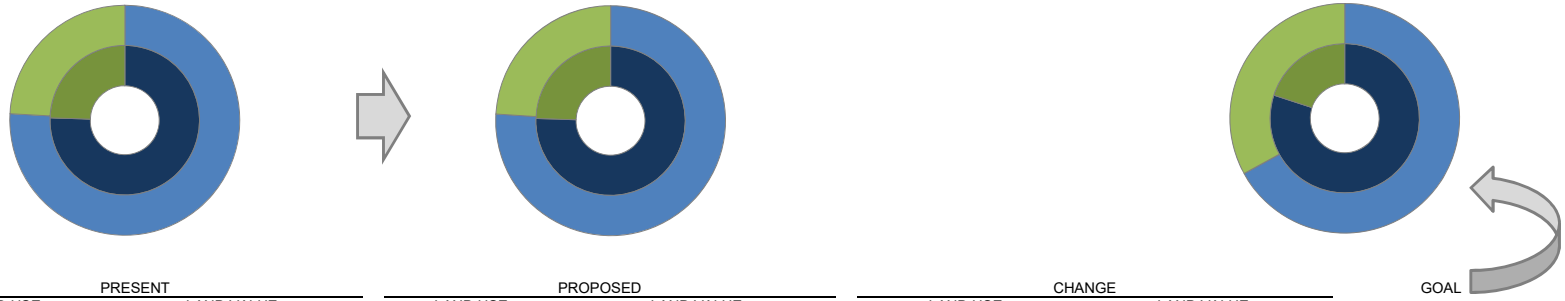
113

FISCAL IMPACT ANALYSIS TOOL

ASSUMPTIONS: (1) All values are based on the Appraised Value and *not* the Market Value; (2) All Agricultural (AG) District land is assumed to be residential under Current Zoning and zoned in accordance to the Future Land Use Map under Current Zoning at Build Out.
DISCLAIMER: The information provided below is not a reasonable basis for the approval or denial of any zoning case. This is a general tool that is meant to assist elected and appointed officials in the understanding the potential fiscal impacts of a zoning request, and to track conformance to the Comprehensive Plan's targeted land use ratios of 80% residential to 20% commercial land use, which is intended to yield a 67% residential value to 33% commercial value.
SUMMARY OF METHODOLOGY: The methods used in this study are based on a rough fiscal impact analysis, and involve reducing the City's land values down to a per square footage cost to estimate potential impact on existing property value. The cost of service model is constructed around the City's current fiscal year costs versus the percentage of land area that is currently residential and non-residential. A per capita multiplier and average cost method were used to estimate sales tax.

CASE NO.: *Z2019-017*
CASE NAME: *Zoning Change (AG to PD) for Townhomes*

ZONING MAP



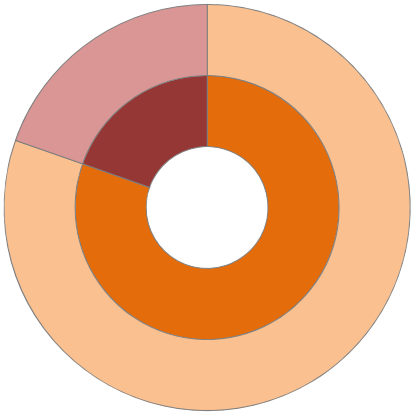
	PRESENT				PROPOSED				CHANGE				GOAL		
	LAND USE		LAND VALUE		LAND USE		LAND VALUE		LAND USE		LAND VALUE				
	ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE	ACREAGE	VALUE	DIFFERENCE
RESIDENTIAL	10,932.42	75.48%	$ 4,084,912,315.77	75.90%	10,932.42	75.48%	4,087,906,933.51	75.91%	-	0.00%	2,994,617.74	0.06%	80%	67%	-8.91%
NON-RESIDENTIAL	3,552.00	24.52%	$ 1,297,389,588.23	24.10%	3,552.00	24.52%	1,297,389,588.23	24.09%	-	0.00%	-	0.00%	20%	33%	-8.91%
	14,484.42	100.00%	$ 5,382,301,904.00	100.00%	14,484.42	100.00%	5,385,296,521.74	100.00%			2,994,617.74	0.06%	100%	100%	
OPEN SPACE	2,487.57		$ 380,531,381.26		2,487.57		$ 381,558,120.00								
TOTAL	16,971.99		$ 5,762,833,285.26		16,971.99		5,766,854,641.74								

FUTURE LAND USE MAP

	PRESENT	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	PROPOSED	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	CHANGE	
	ACRES	%
RESIDENTIAL	-	0.00%
NON-RESIDENTIAL	-	0.00%



ESTIMATED COST/REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
BENCHMARKS				
Residential Value	$ 146,520.00	$ 1,317,220.23	$ 2,994,617.74	$ 1,677,397.51
Non-Residential Value	$ -	$ -	$ -	$ -
Residential Acreage	1.27	1.27	$ 1.27	$ 1.27
Non-Residential Acreage	-	-	$ -	$ -
ANNUAL REVENUES				
Residential Revenues	$ 589.16	$ 5,300.18	$ 12,041.36	$ 6,741.17
Non-Residential Revenues	$ -	$ -	$ -	$ -
Direct Sales Tax Increase	$ -	$ -	$ -	$ -
Indirect Sales Tax Increase	$ 1,138.10	$ 2,193.77	$ 13,657.24	$ 11,463.47
Total Revenues	$ 1,138.10	$ 7,493.96	$ 25,698.60	$ 18,204.64
ANNUAL EXPENDITURES				
Cost of Community Service for Residential	$ (2,024.99)	$ (13,162.46)	$ (25,312.42)	$ (12,149.96)
Cost of Community Service for Non-Residential	$ -	$ -	$ -	$ -
Total Estimated Expenditures	$ (2,024.99)	$ (13,162.46)	$ (25,312.42)	$ (12,149.96)
EST. ANN. COST/REVENUES	$ (886.89)	$ (5,668.50)	$ 386.18	$ 6,054.68
OTHER BENCHMARKS				
Additional Citizens Added to Population		6	34	29
Estimated Non-Resident Consumers in City		-	-	-

114

Texas 811
Know what's below. Call before you dig.

SURVEY PLAT

RHODES Surveying
WWW.RHODESSURVEYING.COM

BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 1451 F.M. 1141, in the city of ROCKWALL, ROCKWALL COUNTY Texas.

STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEING a 0.724 of an acre parcel of land situated in the Samuel S. McCurry Survey, Abstract No. 146, 1 1/2 miles northeast from the town of Rockwall, Texas, being a parcel of land conveyed to Bacil H. Tanner and Nekda R. Tanner, as recorded in Instrument No. 20150000016186 of the Official Public Records of Rockwall County, Texas, as shown on survey, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2-inch iron rod for corner on the northwesterly right-of-way line of Farm to Market (F.M.) 1141, being the southeast corner of a called Green Space in Caruth Lakes, Phase 6, an addition to the City of Rockwall, according to the plat thereof, recorded in Volume F, Page 259, of the Plat Records of Rockwall County, Texas, and being the southwest corner of said Tanner parcel;

THENCE North 01 degrees 22 minutes 19 seconds West, leaving said right-of-way, a distance of 272.25 feet to a found 3/8-inch iron rod for corner, being the southwest corner of a parcel of land conveyed to Frank J. Tanner and Wilma G. Tanner, as recorded in Volume 134, Page 552, of the Deed Records of Rockwall County, Texas;

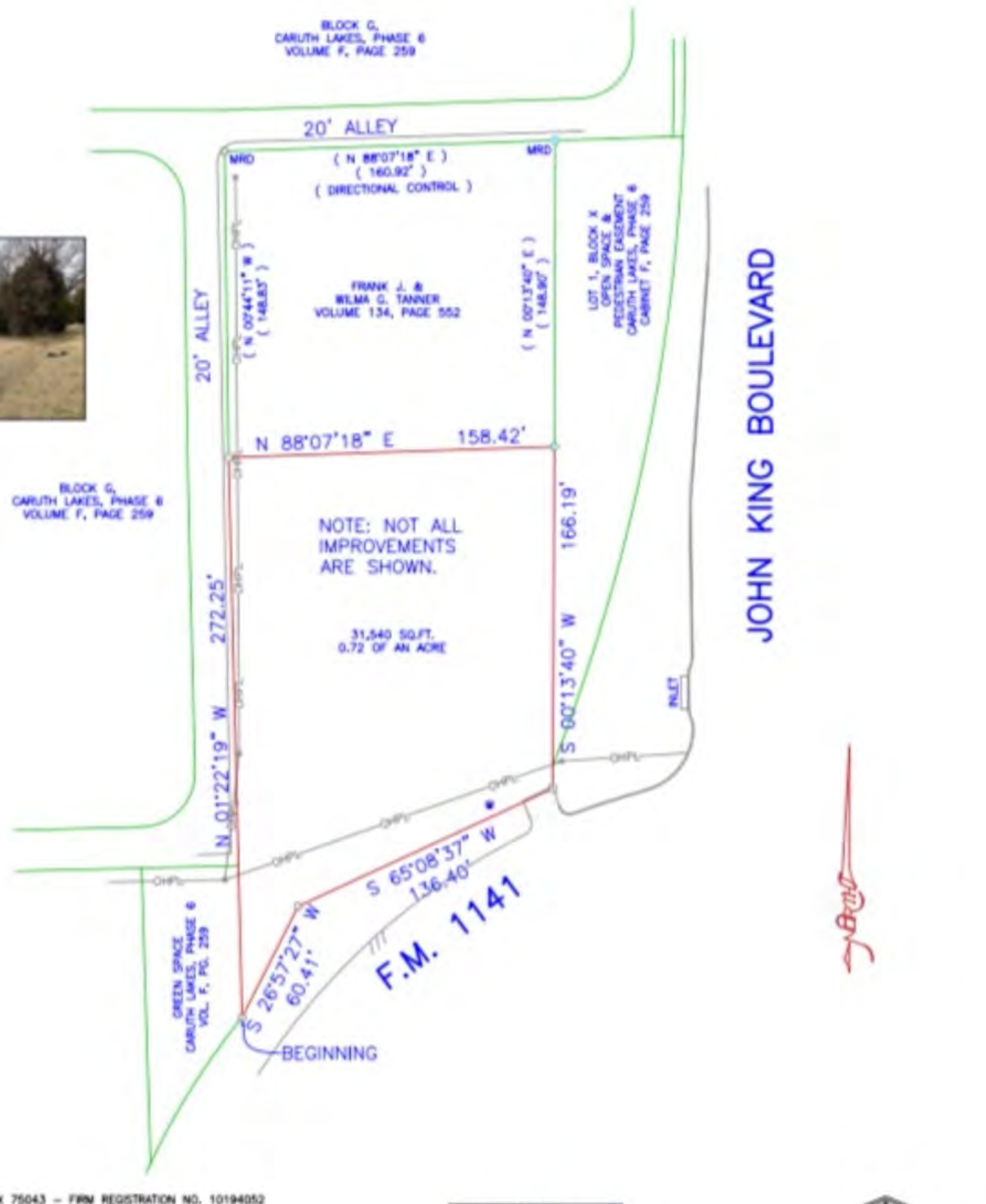
THENCE North 88 degrees 07 minutes 18 seconds East, along the south line of said Tanner/134-552 parcel, a distance of 158.42 feet to a set 1/2-inch yellow-capped iron rod for corner, being on the west line of Lot 1, Block X, of said addition, being on the west right-of-way line of John King Boulevard;

THENCE South 00 degrees 13 minutes 40 seconds West, along said right-of-way, a distance of 166.19 feet to a found "X" cut in concrete for corner, being on the northwesterly right-of-way line of said F.M. 1141;

THENCE South 65 degrees 08 minutes 37 seconds West, along said right-of-way, a distance of 136.40 feet to a found 1/2-inch iron rod for corner;

THENCE continuing along said right-of-way, South 26 degrees 57 minutes 27 seconds West, a distance of 60.41 feet to a PLACE OF BEGINNING and containing 31,540 square feet or 0.724 of an acre of land.





THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

1529 E. I-30, STE. 106, GARLAND, Tx 75043 – FIRM REGISTRATION NO. 10194052
The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat:

TITLE AND ABSTRACTING WORK FURNISHED BY JAMES TANNER
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 60'
Date: 1/22/2019
G. F. No.:
Job no.: 103080
Drawn by: CM

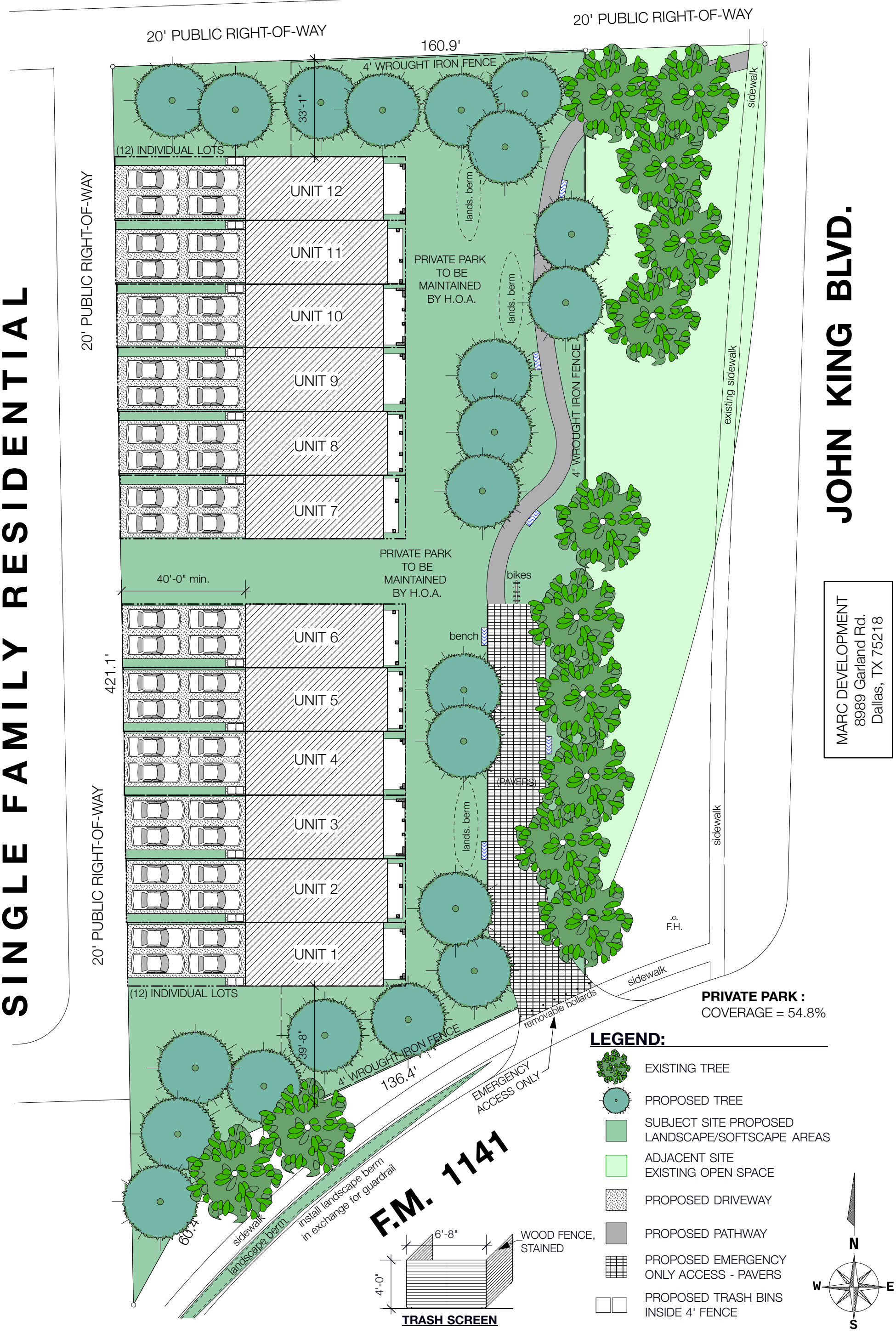
USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.
THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR JAMES TANNER





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SINGLE FAMILY RESIDENTIAL



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1.00

PROPOSED SITE LANDSCAPE - 12 UNITS - 9/04/2019

Scale: 1" = 30'-0"

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110
The Courtland



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121



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CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR RESIDENTIAL-OFFICE (RO) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 1.27-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 29 & 29-1 OF THE S. S. McCURRY SURVEY, ABSTRACT NO. 146, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall has received a request from Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Residential-Office (RO) District land uses, on a 1.27-acre tract of land identified as Tracts 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That the development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That the development of the *Subject Property* shall generally be in accordance with the *Master Parks and Open Space Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to

PENDING ORDINANCE 05.16.19

be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That the development of the *Subject Property* shall generally be in accordance with the *Concept Building Elevations*, depicted in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That the development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'E'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'E'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 6. That the development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(e) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Master Parks and Open Space Plan
(2) PD Site Plan
(3) Final Plat

(c) *Master Parks and Open Space Plan.* A *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with *Exhibit 'C'* of this ordinance, shall be considered for approval by the Planning and Zoning Commission and City Council (*if necessary*) following a recommendation of the Parks and Recreation Board.

(d) *PD Site Plan.* A *PD Site Plan* for the development shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features.

(e) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat* shall be submitted for approval.

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (*$2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other

DRAFT ORDINANCE 09.16.19

person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF OCTOBER, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *September 16, 2019*

2nd Reading: *October 7, 2019*

DRAFT ORDINANCE 09.16.2019

BEING a 0.774-acre parcel of land situated in the Samuel S. McCurry Survey, Abstract No. 146, 1 ½ miles northeast from the town of Rockwall, Texas, being a parcel of land conveyed to Bacil H. Tanner and Nelda R. Tanner, are recorded in Instrument No. 20180000016386 of the Public Records of Rockwall County, Texas as shown on the survey, and being more particularly described by metes and bounds as follows:

BEGINNING at a found ½-inch iron rod found corner on the northwesterly right-of-way of Farm-to-Market (F.M.) 1141, being the southeast corner of a greenspace in Caruth Lakes, Phase 6, an addition to the City of Rockwall, according to the plat thereof, recorded in Volume F. Page 259, of the Plat Records of Rockwall County, Texas, and being the southwest corner of said Tanner parcel;

THENCE North 01 degrees 22 minutes 19 seconds West, leaving the said right-of-way, a distance of 272.25 feet to a 3/8-inch iron rod for corner, being the southeast corner of a parcel of land conveyed to Frank J. Tanner and Wilma G. Tanner, as recorded in volume 137, Page 552, of the Deed Records of Rockwall County, Texas;

THENCE North 88 degrees 07 minutes 18 seconds East, along the south line of said Tanner/134-552 parcel, a distance of 158.42-feet to a set ½-inch yellow-capped iron rod for corner being on the west line of Lot 1, Block X, of said addition, being on the west right-of-way line of John King Boulevard;

Thence South 00 degrees 13 minutes 40 seconds West, along said right-of-way, a distance of 166.19-feet to a found "X" cut in the concrete for corner, being on the northwesterly right-of-way line of said F.M. 1141;

Thence South 65 degrees, 08 minutes 37 seconds West, along said right-of-way, a distance of 136.40-feet to a found ½-inch iron rod for corner;

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DRAFT ORDINANCE 09.16.19

SURVEY PLAT

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RHODES Surveying — WWW.RHODESSURVEYING.COM

BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940

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STATE OF TEXAS {
COUNTY OF ROCKWALL {

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1529 E. I-30, STE. 106, GARLAND, TX 75043 – FIRM REGISTRATION NO. 10194052

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat.

TITLE AND ABSTRACTING WORK FURNISHED BY JAMES TANNER

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 60'

Date: 1/22/2019

G. F. No.:

Job no.: 103080

Drawn by: CM

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR JAMES TANNER





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Density and Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development District ordinance, only *Townhomes* constructed in conformance with *Exhibits 'C'* & *'D'* shall be permitted on the *Subject Property*.

2. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Residential-Office (RO) District, as specified by Article V, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *9.45* dwelling units per gross acre of land; however, in no case should the proposed development exceed *12* units. All lots shall conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Lot Dimensional Requirements

Minimum Lot Width [1]	24'
Minimum Lot Depth	75'
Minimum Lot Area	1,800 SF
Minimum Front Yard Setback [2] & [5]	5'
Minimum Side Yard Setback [2]	0'/10'
Minimum Length of Driveway Pavement	30'
Maximum Height [3]	36'
Minimum Rear Yard Setback [2] & [4]	20'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,000 SF
Maximum Lot Coverage	45%
Permitted Encroachment in Required Setbacks [5]	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: No townhome shall be constructed closer than 30-feet from FM-1141 or the northern property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

[6]: A minimum of a ten (10) foot separation between detached buildings shall be required.

3. *Building Standards.* All development shall adhere to the following building standards:

   (a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 90% of the masonry requirement.

   (b) *Roof Pitch.* All buildings shall be designed such that no roof mounted mechanical equipment (*i.e. HVAC, satellite, vents, etc.*) shall be visible from any direction. *Note: Screening of mechanical equipment is necessary for all equipment regardless of*

DRAFT ORDINANCE 09-16-2019

location (i.e. roof mounted, ground mounted, or otherwise attached to the building and/or located on the site).

(c) Garage Orientation. All garages are required to be rear entry and shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance.

4. *Anti-Monotony Restrictions.* The building elevations shall generally conform to *Exhibit* '*D*'; however, they shall also adhere to the following *Anti-Monotony Requirements*:

(1) Identical brick blends, paint colors, and cementaceous products (*i.e. Hardy Plank lap siding, etc.*) may not occur on adjacent (*side-by-side*) properties within the development without at least two (2) intervening townhomes of differing materials on the same side of the adjacent townhome beginning with the adjacent property.

(2) Front building elevations shall not repeat along any block face without at least two (2) intervening townhomes of differing appearance on the same block face within the development. The rear elevation of the townhomes backing to existing subdivision shall not repeat without at least two (2) intervening townhomes of differing appearance. Townhomes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Front Encroachment (*i.e. porch and/or sunroom*) Type and Layout
(b) Differing Primary Exterior Materials
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(3) The development shall allow for a maximum of one (1) compatible roof color, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

5. *Fencing Standards.* All fences shall be required to be wrought iron or tubular steel fence. Wrought iron/tubular steel fences shall be a minimum of four (4) feet in height; however, may not exceed a maximum of six (6) feet.

6. *Landscape and Hardscape Standards.*

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks. A minimum of a ten (10) foot landscape buffer shall be provided along FM-1141 and shall incorporate ground cover, a *built-up* berm and shrubbery or a combination thereof along the entire length of the frontage. Berms and shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall

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also be responsible for the construction of a five (5) foot sidewalk situated within the landscape buffer adjacent to FM-1141.

(3) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

(4) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

7. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

8. *Trash Dumpster Enclosures.* Trash dumpster enclosures shall be constructed and located in accordance with the detail and locations contained in *Exhibit 'C'* of this ordinance.

9. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

10. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, screening fences and neighborhood signage associated with this development.

11. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Planning and Zoning Commission
DATE:	September 16, 2019
APPLICANT:	Rob Whittle
CASE NUMBER:	Z2019-0018; *Amendment to PD-5*

SUMMARY

Hold a public hearing to discuss and consider a request by Rob Whittle for the approval of an amendment to Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-1141, and take any action necessary.

BACKGROUND

The subject property was annexed on November 30, 1959 by *Ordinance No. 60-01*. The property was zoned to Planned Development District 5 (PD-5) on September 4, 1973 by *Ordinance No. 73-31*. This ordinance included a concept plan that showed that the subject property was designated for a *Neighborhood Shopping Center* and *Garden Apartments*. Planned Development District 5 (PD-5) was amended on May 18, 1987 by *Ordinance No. 87-23*. This zoning amendment incorporated a new concept plan and development standards designating the property for *Multifamily* land uses. On July 1, 1996, -- *at the request of the City of Rockwall* -- the City Council approved *Ordinance No. 96-25* amending Planned Development District 5 (PD-5) and changing the designation of the subject property to *Zero Lot Line* land uses.

On May 15, 2017, a preliminary plat for the Highlands Subdivision [*Case No. P2017-021*] consisting of 53 single-family homes on a 13.376-acre tract of land (*i.e. Tract 2 of the M. B. Jones Survey, Abstract No. 122*) was approved. As part of this case, the applicant proposed a five (5) foot side yard building setback in lieu of the zero (0)/ten (10) foot side yard setback permitted in the Zero Lot Line (ZL-5) District. This preliminary plat was later amended decreasing the number of lots and land area to 43 single-family residential lots on the 11.003-acre subject property. On January 16, 2018, the City Council approved the final plat for the Highlands Subdivision [*Case No. P2017-070*], which consisted of 36 single family residential lots and four (4) open space lots on the subject property.

PURPOSE

On May 15, 2019, the applicant -- *Rob Whittle* -- submitted an application requesting to amend *Ordinance No. 96-25* to change the development requirements for the 11.003-acre subject property. Specifically, the applicant is requesting to change the garage orientation requirements for the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located at the northwest corner of the intersection of FM-1141 and SH-66. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 167.43-acre tract of land (*i.e. Tract 14-1 of the McCurry Survey, Abstract No. 146 [106.866-acres] and Tract 2-3 of the M. B. Jones Survey, Abstract No. 122 [60.277-acres]*) owned by the City of Rockwall. Beyond this is Phase 6 of the Caruth Lakes Subdivision, which consists of 158 single-family residential lots. All of these properties are zoned Planned Development District 5 (PD-5) for Single Family 7 (SF-7) District land uses.

South: Directly south of the subject property is a 21.326-acre tract of land (*i.e. Tract 7 of the G. W. Redline Survey, Abstract No. 183*) that is occupied by the Rockwall Quest Academy and the administrative offices for Rockwall Independent School District (RISD). This property is zoned Light Industrial (LI) District. Adjacent to this, and south of the subject property, is a 9.7-acre parcel of land (*i.e. Lot 1, Block A, Waggoner Gardens Inc. Addition*), which is currently occupied by a non-profit agency and retail store (*i.e. Helping Hands*). This property is zoned Commercial (C) District.

East: Directly east of the subject property is FM-1141, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this is a portion of a 28.011-acre tract of land (*i.e. Tract 5 of the M. B. Jones Survey, Abstract No. 122*), which is vacant and zoned Planned Development District 85 (PD-85) [*Ordinance No. 18-32*] for limited General Retail (GR) District land uses. Beyond this is John King Boulevard, which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) according to the City's Master Thoroughfare Plan.

West: Directly west of the subject property is a 0.62-acre tract of land (*i.e. Tract 11 of the M. B. Jones Survey, Abstract No. 122*) that is zoned Agricultural (AG) District. Beyond this is Caruth Lane, which is identified as a M4U (*i.e. minor arterial, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan. West of this thoroughfare is Phase 5 of the Caruth Lakes Subdivision, which consists of 137 single-family residential lots. This property is zoned Planned Development District 5 (PD-5) for Single Family 7 (SF-7) District land uses.

CHARACTERISTICS OF THE REQUEST AND STAFF ANALYSIS

The applicant is requesting to change the garage setback requirements -- *which currently require a J-Swing or Traditional Swing garage orientation, or recessed front entry (i.e. a minimum of 20-feet behind the front façade of the primary structure)* -- to allow 100% recessed front entry garages that are setback a minimum of five (5) feet from the primary structure. As a compensatory measure for this request, the applicant has proposed incorporating a 25-foot front yard building setback in lieu of the current 20-foot front yard building setback. This will create a 30-foot driveway for the proposed housing product as opposed to the 40-foot driveway created by the recessed front entry required by the Unified Development Code (UDC), and set the house back an addition five (5) feet off of public right-of-way.

As staff has been done with past amendments to existing planned development districts that consist of several regulating ordinances, staff has taken this opportunity to consolidate the regulating ordinances of Planned Development District 5 (PD-5) into one (1) ordinance; however, no changes with regard to the requirements, intent or permitted land uses have been made to any other portion of the planned development district (*with the exception of changing the garage requirements for the subject property*).

CONFORMANCE WITH THE CITY'S CODES

The proposed amendment to Planned Development District 5 (PD-5) conforms to the majority of the City's code requirements; however, it should be noted that the development standards contained within the Planned Development District ordinance deviate from the requirements of the Unified Development

Code (UDC) and the Engineering Department's *Standards of Design and Construction* Manual in the following ways:

- ☑ The Engineering Department's *Standards of Design and Construction* Manual stipulates that, "(A)lleys shall be provided in all residential areas and shall be paved with steel reinforced concrete …"; however, the code does grant the City Council the ability to "… waive the residential alley requirement, if it is in the best interest of the City." (*Section 2.11; Page 14*)

- ☑ The Unified Development Code (UDC) requires that, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages, unless it is a *J-Swing* [*or traditional swing*] garage where the garage door is perpendicular to the street."

Staff should note that the alley requirement was not in place when *Ordinance No. 96-25* was adopted, and the concept plan contained in this ordinance did not depict alley ways within the majority of the development. As a result, the applicant's plat -- *which does not depict alleyways* -- was able to be approved. With regard to the garage orientation requirements, the applicant is proposing to set the garage back a minimum of five (5) feet from the front façade of the primary structure in lieu of the required 20-feet. The applicant has stated that the purpose of this request is to allow them flexibility with regard to the product they will be building, and the applicant has noted the difficulty of providing a *J-Swing* garage orientation on a lot with that is 50-feet wide.

INFRASTRUCTURE

There are no infrastructure requirements associated with the proposed amendment to Planned Development District 5 (PD-5) beyond what will be required for the construction of a new subdivision as stipulated by the Municipal Code of Ordinances, the Unified Development Code (UDC), and the Engineering Department's *Standards of Design and Construction* manual.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

Since the applicant's request does not change the underlying use of the property as allowed by Planned Development District 5 (PD-5), the approval of this zoning case will not have any implications on the Future Land Use Map or the desired residential to commercial land use ratio contained in the OURHometown Vision 2040 Comprehensive Plan. The subject property will remain designated for *Medium Density Residential* land uses.

With regard to the goals and policies contained in the OURHometown Vision 2040 Comprehensive Plan, the following goals and policies apply to the applicant's request:

(1) *Chapter 8; Section 2.03; Goal 3; Policy 3:* In cases where flat front entry garages (*i.e. even with the front façade of the primary structure*) are requested as part of a development, no greater than 20% should be incorporated into the development. In addition, flat front entry garages should have a minimum of a 25-foot front yard building setback to allow vehicles to be parked in the driveway without overhanging public right-of-way. This type of garage may not be appropriate for all developments and should be generally discouraged.

In this case the applicant is proposing to set the primary structure a minimum of 25-feet from the front property line. This coupled with the proposed five (5) foot recessed garage would create a minimum of a 30-foot driveway or ten (10) feet less than the 40-foot driveway created by meeting the current requirements. The only part of the applicant's request that is not in conformance with the OURHometown Vision 2040 Comprehensive Plan is the applicant's request to incorporate 100% flat front entry. The applicant has stated that the reason for this request is due to the inability to incorporate a *J-Swing* or *Traditional Swing* garage orientation with a 50-foot wide lot. This aspect of the request is

discretionary for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On August 28, 2019, staff mailed 1,496 notices to property owners and residents within 500-feet of Planned Development District 5 (PD-5). Staff also emailed notices to the Caruth Lakes/Caruth Ridge Estates, Lakeview Summit, the Preserve, Stone Creek, and Quail Run Valley Homeowner's Associations (HOA), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received 23 notices and four (4) emails returned. These notices were as follows:

(1) One (1) email stating they agreed with the applicant's request.
(2) 11 notices and one (1) email opposed to the applicant's request.
(3) Two (2) email and five (5) notices opposed to zero-lot-line homes, which are already a *by-right* entitlement on the subject property.
(4) Seven (7) notices stating they were opposed to the townhomes associated with *Case No. Z2019-017*, but not stating any direct opinions to the applicant's request.

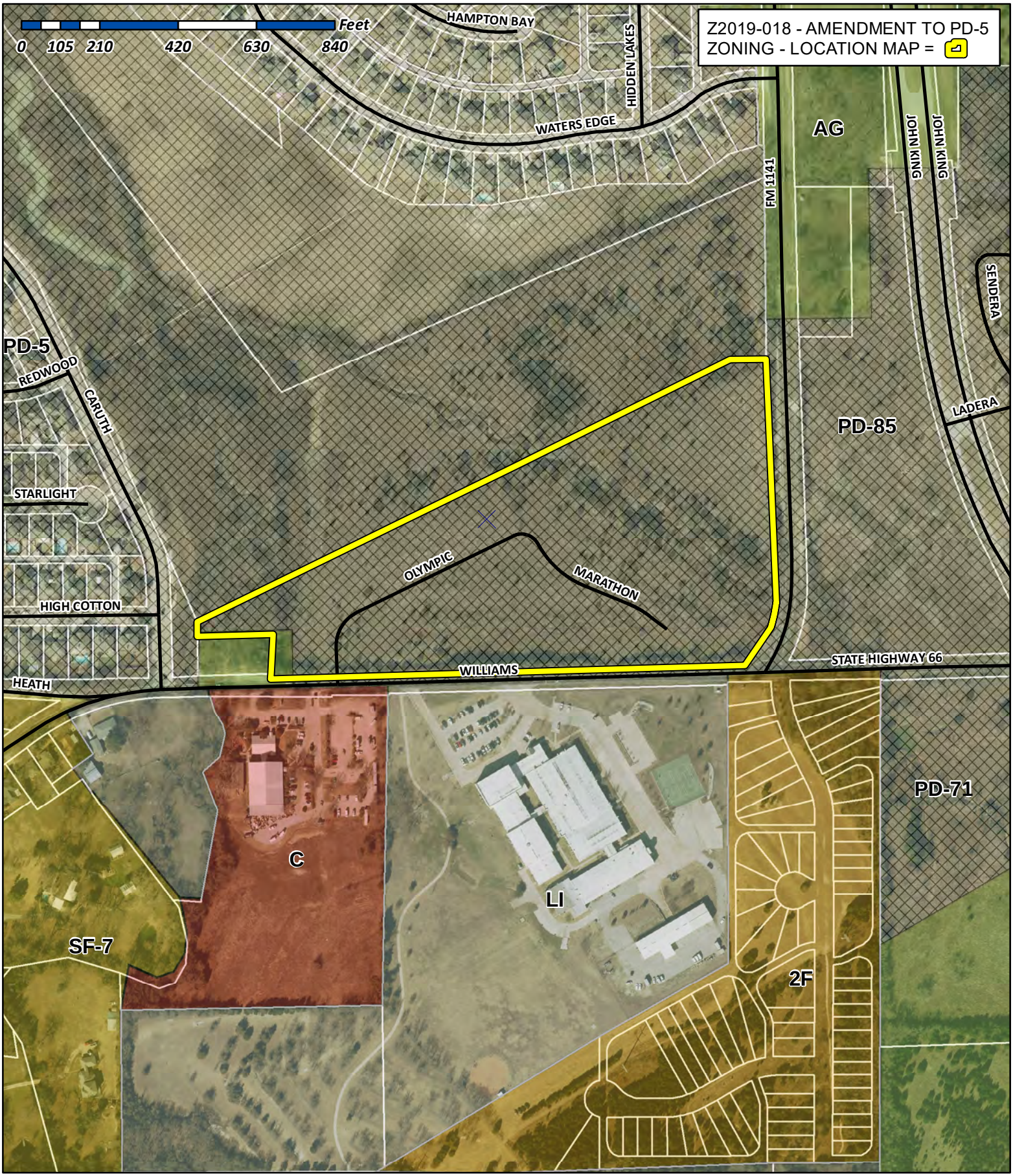
CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to amend Planned Development District 5 (PD-5), then staff would propose the following conditions of approval:

(1) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 10, 2019, the Planning and Zoning Commission approved a motion to recommend approval of the amendment to Planned Development District 5 (PD-5) per staff's conditions of approval by a vote of 6-0, with Commissioner Moeller absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

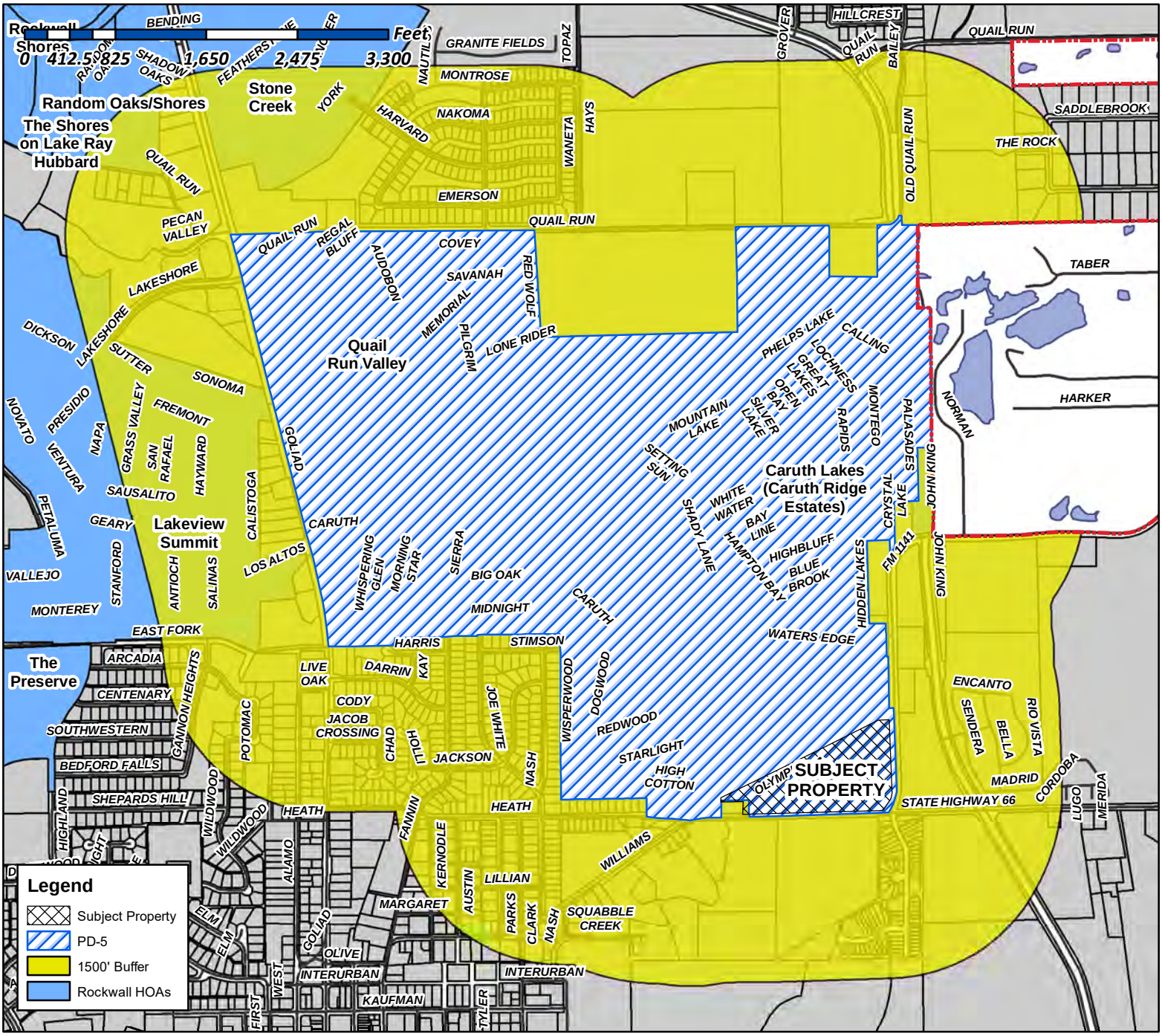
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City of Rockwall

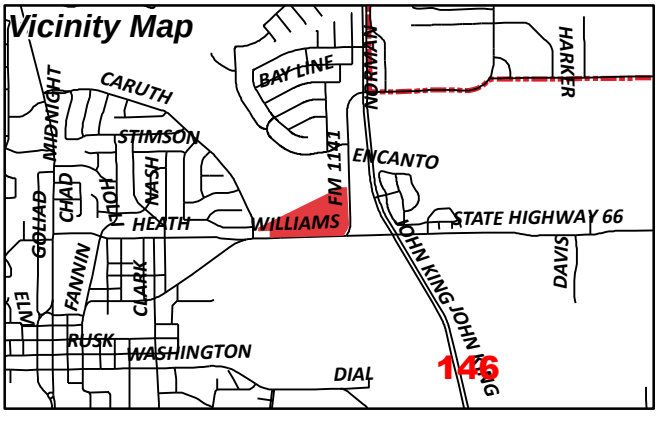
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-048
Case Name: Amendment to PD-5
Case Type: Zoning
Zoning: Amendment to PD-5
Case Address: Corner of Hwy 66 & FM 1141

Date Created: *8/20/2019*
For Questions on this Case Call (972) 771-7745



From:	Morales, Laura
To:	[redacted]
Cc:	Miller, Ryan; Gonzales, David; Brooks, Korey
Subject:	Neighborhood Notification Program: Notice of zoning request
Date:	Friday, August 30, 2019 11:44:55 AM
Attachments:	PUBLIC NOTICE.pdf HOA Notification Map (08.20.2019).pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attach ed a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***August 16, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 9/10/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday 9/16/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-018- Hold a public hearing to discuss and consider a request by Rob Whittle for the approval of an amendment to Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-1114, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

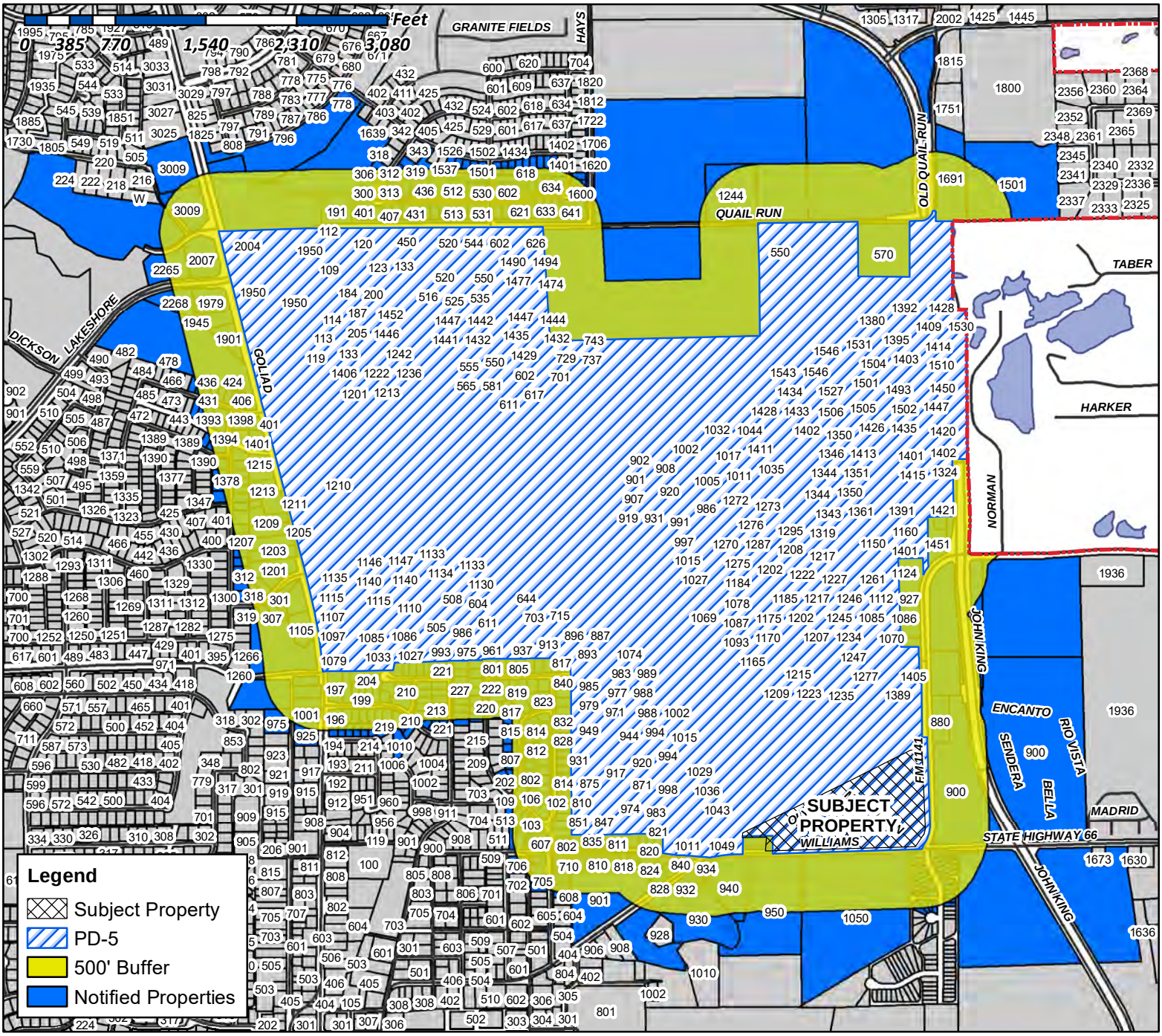
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com |http://www.rockwall.com/planning/

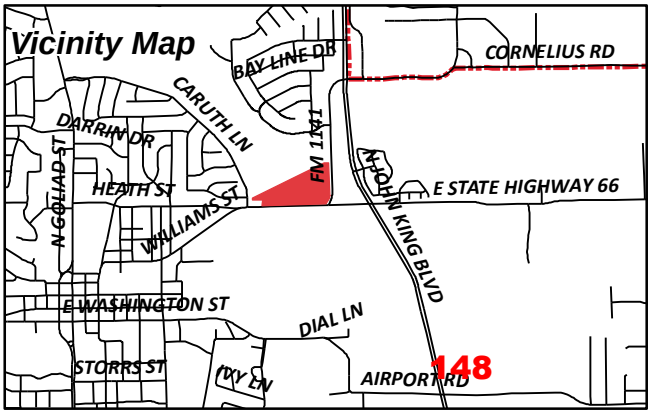
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2018-018
Case Name: Amendment to PD-5
Case Type: Zoning
Zoning: Amendment to PD-5
Case Address: Corner of Hwy 66 & FM 1141



Date Created: *8/20/2019*
For Questions on this Case Call (972) 771-7745

VALK ROBERT AND VIDA FLORES MEMBRENO
1 LANTERN DR
HEATH, TX 75032

THIEMAN KEITH AND KRISTY
100 QUEENS MEADOW LN
ROYSE CITY, TX 75189

EVANS SALLY BOWMAN
1000 MIDNIGHT PASS
ROCKWALL, TX 75087

JOHNSON DOUGLAS E & CHERI LYNN
1000 REDWOOD TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
1001 SAFFLOWER CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1001 STARLIGHT PL
ROCKWALL, TX 75087

CURRENT RESIDENT
1001 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
1002 HIGH COTTON LN
ROCKWALL, TX 75087

VASQUEZ LEILA A
1002 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

BARNETT VERNON K JR AND SHELLY L
1002 SAFFLOWER CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1003 SHADY LANE DR
ROCKWALL, TX 75087

CORNEAU MAX & KRISTINE
1003 MIDNIGHT PASS
ROCKWALL, TX 75087

JOHNSON ARANDA
1003 REDWOOD TRL
ROCKWALL, TX 75087

TANNER BACIL H AND NELDA R
1004 NORTH HARRISON
WEST, TX 76691

RAGAN MICHAEL & LINDA
1004 STARLIGHT PL
ROCKWALL, TX 75087

CURRENT RESIDENT
1005 MOUNTAIN LAKE DR
ROCKWALL, TX 75087

ADAMS JOHNNY R JR & JEANNE K
1005 HIGH COTTON LN
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CURRENT RESIDENT
1006 REDWOOD TR
ROCKWALL, TX 75087

WHITE KEVIN M
1006 SHADY LANE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1007 STARLIGHT PL
ROCKWALL, TX 75087

SMITH DONALD G
1007 SAFFLOWER CT
ROCKWALL, TX 75087

GOODWIN JOHN & DEANNA M
1008 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

LIVAY LLC
1009 HOT SPRINGS DR
ALLEN, TX 75013

HOLLINGSHEAD JOHN D
1009 MIDNIGHT PASS
ROCKWALL, TX 75087

MANNING JEFF M & ERIKA O
1009 REDWOOD TRL
ROCKWALL, TX 75087

RICHMOND RICHARD C & BARBARA L
1009 SHADY LANE DRIVE
ROCKWALL, TX 75087

ROLAND RANDY C AND ANDREA B
101 JOE WHITE ST
ROCKWALL, TX 75087

SPENCE JODY L
1010 HIGH COTTON LN
ROCKWALL, TX 75087

MUMMEY MAURICE E ETUX
1010 HOLLI LANE
ROCKWALL, TX 75087

KOZLOVSKY BECKY
1010 STARLIGHT PLACE
ROCKWALL, TX 75087

KINSELLA ERIC P & CARLA J
1011 HIGH COTTON LN
ROCKWALL, TX 75087

WERTH TREVOR J & JAMI G
1011 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

ZABROUSKI RICHARD F & BERNADETTE A
1012 SHADY LANE
ROCKWALL, TX 75087

RUST WILLIAM KA ND TERRI DAWN
1013 STARLIGHT PL
ROCKWALL, TX 75087

CURRENT RESIDENT
1014 REDWOOD TR
ROCKWALL, TX 75087

WILSON STANLEY L & LILLIE S
1014 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

KROGER TEXAS LP
1014 VINE STREET
CINCINNATI, OH 45202

CURRENT RESIDENT
1015 MIDNIGHT PASS
ROCKWALL, TX 75087

MOHR MICHAEL J & LISA M
1015 REDWOOD TRAIL
ROCKWALL, TX 75087

SMITH CLYDE JR & LINDA
1015 SAFFLOWER CT
ROCKWALL, TX 75087

LY RON VAN & NGOC ANH NGUYEN
1015 SHADY LANE DRIVE
ROCKWALL, TX 75087

HOMS MARK
1016 HIGH COTTON LN
ROCKWALL, TX 75087

COX TANYA K & WILLIAM S
1016 STARLIGHT PL
ROCKWALL, TX 75087

MITCHELL WILLIAM L & KRISTEN M
1017 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

LAMBERT MILDRED L & NORMAN R
1017 HIGH COTTON LN
ROCKWALL, TX 75087

ENGLISH DONALD J JR AND ERICKA M
1017 MOUNTAIN LAKE DR
ROCKWALL, TX 75087

NGUYEN LUONG D & KIMBERLY NGA LY AND
1018 SHADY LANE DRIVE
ROCKWALL, TX 75087

WIENBARG KIMBERLY
1019 STARLIGHT
ROCKWALL, TX 75087

PYLAND KENNETH C & MELANIE M
102 JOE WHITE ST
ROCKWALL, TX 75087

AMELUNKE BRIAN & LACEY
1020 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

TOMLINSON RENA J
1020 N FANNIN ST
ROCKWALL, TX 75087

NASHATKER KATHERINE
1021 REDWOOD TR
ROCKWALL, TX 75087

TIMM KENNETH J AND VALERIA
1021 SHADY LANE DR
ROCKWALL, TX 75087

HEIN KYLE G & VERONICA L
1022 HIGH COTTON LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1022 N FANNIN ST
ROCKWALL, TX 75087

ELLIOTT MICHAEL L AND EMILY C
1022 STARLIGHT PL
ROCKWALL, TX 75087

WILMOT PAUL JOHN AND AVRIL RUTH
1023 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

WOODS WILLIAM & RITA
1023 HIGH COTTON LN
ROCKWALL, TX 75087

BYWATER JAMES AND CANDACE
1023 MOUNTAIN LAKE DR
ROCKWALL, TX 75087

JOHNSON MARY B
1023 N FANNIN ST
ROCKWALL, TX 75087

150

LOPEZ ISIDORO R & IRMA
1024 KAY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1024 N FANNIN ST
ROCKWALL, TX 75087

ROCKWALL STONE CREEK ESTATES
HOMEOWNERS ASSOCIATION
1024 S GREENVILLE AVE 0
ALLEN, TX 75002

GONZALEZ YADIRA & HECTOR
1024 SHADY LANE DRIVE
ROCKWALL, TX 75087

DIXON CHARLES S AND STEPHANIE
1025 KAY LN
ROCKWALL, TX 75087

GOODEN JAMES ALLAN AND WAI KEUNG
ANTHONY CHENG
1025 N FANNIN ST
ROCKWALL, TX 75087

JARESH DONALD & COLETTE
1025 STARLIGHT PL
ROCKWALL, TX 75087

CURRENT RESIDENT
1026 KAY DR
ROCKWALL, TX 75087

HARE ANTHONY & TAMMY
1026 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1026 N FANNIN ST
ROCKWALL, TX 75087

DICKENS EMMA
1027 MIDNIGHT PASS
ROCKWALL, TX 75087

BURNS VICKIE L & STEPHEN F
1027 N FANNIN ST
ROCKWALL, TX 75087

FONTANOT JOSE GIANNINO ALVAREZ Y &
CARLET A ZARRAGA BOHORQUEZ
1027 SHADY LANE DRIVE
ROCKWALL, TX 75087

COX TRACY LEANN
1028 HIGH COTTON LANE
ROCKWALL, TX 75087

COLLINGS JOHN AND JUANITA
1028 KAY DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1028 N FANNIN ST
ROCKWALL, TX 75087

DARRINGTON RUSSELL
1028 REDWOOD TRL
ROCKWALL, TX 75087

BECKWITH CHRISTOPHER W & TRUDI J
1028 STARLIGHT PL
ROCKWALL, TX 75087

FRIETZE CARL M JR
1029 FANNIN
ROCKWALL, TX 75087

WEATHERBEE BILL J & AMANDA J
1029 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

SINGH GURDARSHAN & PARAMJIT AND
1029 HIGH COTTON
ROCKWALL, TX 75087

SASS CHARLES R JR AND KELLY M
1029 MOUNTAIN LAKE DR
ROCKWALL, TX 75087

SIMS WILLIAM HERMAN JR
1029 REDWOOD TRAIL
ROCKWALL, TX 75087

CURRENT RESIDENT
103 JOE WHITE ST
ROCKWALL, TX 75087

CHEN SONG PING AND MEI QIN XIAO
103 N BROADWAY
TECUMSCH, OK 74873

JORGENSEN HARRIS HOLT & DONNA TIPTON
1030 KAY LANE
ROCKWALL, TX 75087

COGGINS MICHAEL F & KRYSTAL C
1030 N FANNIN ST
ROCKWALL, TX 75087

ANDREASON JACQUELINE & WILLIAM
1030 SHADY LANE DRIVE
ROCKWALL, TX 75087

GOODWIN JAMES JR & LINDA M
1031 N FANNIN ST
ROCKWALL, TX 75087

BAKER CHRISTOPHER MILLER AND MONICA
NAHIR
1031 STARLIGHT PL
ROCKWALL, TX 75087

151

ADAMS DEBBIE & MICHAEL
1032 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

HANOVICH JOSEPH T AND TARYN C
1033 MIDNIGHT PASS
ROCKWALL, TX 75087

GONZALES LINDA E & DAVID
1033 SHADY LANE DRIVE
ROCKWALL, TX 75087

BASHAM TOMMY & JAMIE
1034 HIGH COTTON LN
ROCKWALL, TX 75087

WICKER CARY RAY ETUX
1034 N FANNIN ST
ROCKWALL, TX 75087

RYLAARSDAM AUSTIN AND ASHLEY
1035 HAMPTON BAY DR
ROCKWALL, TX 75087

KEGLEY SCOTT
1035 HIGH COTTON LANE
ROCKWALL, TX 75087

CHIRRICK FAMILY TRUST
1035 MOUNTAIN LAKE DR
ROCKWALL, TX 75087

GONZALEZ FRANCISCO J & SOCORRO J
1036 N FANNIN ST
ROCKWALL, TX 75087

HOLDER JUDITH
1036 STARLIGHT PL
ROCKWALL, TX 75087

BROWN KELVIN
1037 STARLIGHT PLACE
ROCKWALL, TX 75087

HUGHES FAMILY LIVING TRUST
1038 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

FERNER DEBORAH
1039 SHADY LANE DRIVE
ROCKWALL, TX 75087

PERRY HERMAN E & DIANNA L
104 JOE WHITE ST
ROCKWALL, TX 75087

JOHNSON ROBERT AND
1040 HIGH COTTON LN
ROCKWALL, TX 75087

CHINN WILLIAM MARCUS AND CODI CAROL
1041 HAMPTON BAY DR
ROCKWALL, TX 75087

PHENNEGER LARRY & KATHY
1041 HIGH COTTON LN
ROCKWALL, TX 75087

MATARELLI GREGORY AND MARCIA G
1042 SHADE LANE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1043 STARLIGHT PL
ROCKWALL, TX 75087

KURKJIAN JOHN S & KARYN ZABROUSKI
1044 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

CADMAN WILLIAM H & MARY V
1045 MIDNIGHT PASS
ROCKWALL, TX 75087

DAVIS ERNEST L JR AND BRANDI N
1045 SHADY LANE DRIVE
ROCKWALL, TX 75087

SADDLER JERRY AND EMILY
1047 HAMPTON BAY DR
ROCKWALL, TX 75087

CONFIDENTIAL
1048 HIGH COTTON LN
ROCKWALL, TX 75087

CASTILLO JAVIER AND PRICILIA ESQUEDA ARREDONDO
1048 SHADY LANE DR
ROCKWALL, TX 75087

BACK STACY ANN & CHARLES BACK JR
1049 HIGH COTTON LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
105 JOE WHITE ST
ROCKWALL, TX 75087

LOPATEGUI EDWARD M
105 CARRACK DR
ROUND ROCK, TX 78681

CURRENT RESIDENT
1050 WILLIAMS
ROCKWALL, TX 75087

KEHM NATALIE & DONAVON
1050 HIDDEN LAKES WAY
ROCKWALL, TX 75087

TAGUINOD OMAR D AND EUNICE V
1051 SHADY LANE DRIVE
ROCKWALL, TX 75087

XHIXHO SOKOL AND REZARTA
1053 HAMPTON BAY DR
ROCKWALL, TX 75087

URIVE CONRAD & BETTY J
1053 MIDNIGHT PASS
ROCKWALL, TX 75087

CALVERLEY JERRY L JR AND DEANNE J
1054 SHADY LANE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1055 HIDDEN LAKES WAY
ROCKWALL, TX 75087

GREEN TRAVIS D & VEATRICE L
1056 WISPERWOOD DR
ROCKWALL, TX 75087

KUMAR MELANIE AND ABHILASH
1057 SHADY LANE DRIVE
ROCKWALL, TX 75087

ZATOPEK ROYCE J & STACY D
1059 MIDNIGHT PASS
ROCKWALL, TX 75087

PEDDIE VIRGINIA A
106 JOE WHITE STREET
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA
1060 HIDDEN LAKES WAY
ROCKWALL, TX 75087

WODNIAK DANIEL
1060 SHADY LANE DR
ROCKWALL, TX 75087

JOHNSON JAMIE L AND RICHARD K
1061 HIDDEN LAKES WAY
ROCKWALL, TX 75087

METZLER LYLE R & CAROL J
1061 WISPERWOOD DR
ROCKWALL, TX 75087

PARR TREVOR G & ROBIN M
1062 WISPERWOOD DR
ROCKWALL, TX 75087

ALLBRITTON DANNY
1063 SHADY LANE DRIVE
ROCKWALL, TX 75087

BINGHAM RACHEL C AND
1065 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

MANLEY MICHAEL J AND MARY F
1065 MIDNIGHT PASS
ROCKWALL, TX 75087

CONFIDENTIAL
1066 SHADY LN
ROCKWALL, TX 75087

DUNCAN GREGORY LYN &
1068 WISPERWOOD DR
ROCKWALL, TX 75087

HANKINS MARQUIS L & JACQUELINE K
1069 HIDDEN LAKES WAY
ROCKWALL, TX 75087

ROBERSON DOUGLAS
1069 OAK CREEK CIR
ROYSE CITY, TX 75189

CONFIDENTIAL
1069 SHADY LANE DRIVE
ROCKWALL, TX 75087

LOWE KEITH MICHAEL AND KIMBERLY
1069 WISPERWOOD DR
ROCKWALL, TX 75087

KRIZAN RASTISLAV
107 JOE WHITE
ROCKWALL, TX 75087

LEAHY ANDERSON C AND
1070 HIDDEN LAKES WAY
ROCKWALL, TX 75087

CALLAHAN DIANE
1071 HAMPTON BAY DR
ROCKWALL, TX 75087

BIRLESON VINCENT R
1071 MIDNIGHT PASS
ROCKWALL, TX 75087

BAUGHMAN TERRY LEE & TONI LYNN
1072 SHADY LANE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1074 WISPERWOOD DR
ROCKWALL, TX 75087

SMITH AARON E & CORTNEY M
1075 SHADY LANE DRIVE
ROCKWALL, TX 75087

153

LANGLEY ROXANE
1075 WHISPERWOOD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1077 HAMPTON BAY
ROCKWALL, TX 75087

ROBINSON JUDITH ANN & SAMUEL L
1078 SHADY LANE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1079 MIDNIGHT PASS
ROCKWALL, TX 75087

CURRENT RESIDENT
108 JOE WHITE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1080 MIDNIGHT PASS
ROCKWALL, TX 75087

FAIRES DEWAIN AND MONICA
1080 HIDDEN LAKES WAY
ROCKWALL, TX 75087

HUDSPETH SAM & DANI
1081 SHADY LANE DR
ROCKWALL, TX 75087

SPEYRER MARK
1083 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

VANDIVER JAY L & PAULA J
1085 HIDDEN LAKES WAY
ROCKWALL, TX 75087

SELLING GEORGE D & LINDA S
1085 MIDNIGHT PASS
ROCKWALL, TX 75087

CRUZ CAROL D & DANIEL
1085 WHISPERING GLN
ROCKWALL, TX 75087

CURRENT RESIDENT
1086 HIDDEN LAKES WAY
ROCKWALL, TX 75087

SANCHEZ BELLO JUAN LEONARDO
1086 SHADY LANE
ROCKWALL, TX 75087

FOITH BRUCE DUANE & LORNA MAE
1087 SHADY LANE
ROCKWALL, TX 75087

BEDELL HOYLE D & ELICIA N
1088 MIDNIGHT PASS
ROCKWALL, TX 75087

ARD JAMES S & LAURA M
1088 MORNING STAR
ROCKWALL, TX 75087

WITHORN BETTY J
1088 WHISPERING GLN
ROCKWALL, TX 75087

CURRENT RESIDENT
1089 HAMPTON BAY
ROCKWALL, TX 75087

EWING LARRY J & LEA ANN
1089 MORNING STAR
ROCKWALL, TX 75087

ANDREWS LEWIS
109 EASTERNER PLACE
ROCKWALL, TX 75032

CURANOVIC JOHN
109 ELM CREST DR
ROCKWALL, TX 75087

PEOPLES JIMMIE DALE
109 JOE WHITE ST
ROCKWALL, TX 75087

HAMPTON GEORGE T & BRENDA J
109 REGAL BLF
ROCKWALL, TX 75087

WEBB LAUREN
1091 MIDNIGHT PASS
ROCKWALL, TX 75087

HENDRICKS JEFFREY T & LENA H
1091 WHISPERING GLN
ROCKWALL, TX 75087

SHIPP DARLA JUNE & STANLEY JOE
1092 HIDDEN LAKES WAY
ROCKWALL, TX 75087

DORMAN THOMAS FRANCIS & DONNA OWENS
1093 SHADY LANE DRIVE
ROCKWALL, TX 75087

MORRIS CRAIG AND SARAH
1095 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

JOHNSON STACY N
1096 MIDNIGHT PASS
ROCKWALL, TX 75087

154

KEARNS TERRY M & JENNIFER M JOINT LIVING TRUST
1096 MORNING STAR
ROCKWALL, TX 75087

CALDWELL BRANDON S AND SHELLEY K
1096 WHISPERING GLN
ROCKWALL, TX 75087

CURRENT RESIDENT
1097 MIDNIGHT PASS
ROCKWALL, TX 75087

BASSINGER BETTY M
1097 MORNING STAR
ROCKWALL, TX 75087

VAN VLECK ALBERT L AND AMY ANN
1097 WHISPERING GLEN
ROCKWALL, TX 75087

PULERA JOHN TRUST
110 AGAVE
LAKE FOREST, CA 92630

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

GILPIN THOMAS K & ANGELA J
1100 HIDDEN LAKES WAY
ROCKWALL, TX 75087

DALLALIO JONATHON AND CARISSA
1101 MIDNIGHT PASS
ROCKWALL, TX 75087

WILCOX REBECCA AND RICHARD J
1102 MIDNIGHT PASS
ROCKWALL, TX 75087

WILCOX RICHARD
1102 MIDNIGHT PASS
ROCKWALL, TX 75087

DODD JAMES H & LAURI J
1102 MORNING STAR
ROCKWALL, TX 75087

SHANDALOW JOEL AND ELIZABETH
1102 WHISPERING GLEN
ROCKWALL, TX 75087

CURRENT RESIDENT
1103 MORNING STAR
ROCKWALL, TX 75087

CURRENT RESIDENT
1105 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
1106 HIDDEN LAKES WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
1107 MIDNIGHT PASS
ROCKWALL, TX 75087

SAENZ ROEL CARLOS II
1107 WHISPERING GLEN
ROCKWALL, TX 75087

SMITH WALTER R & KELLY A
1108 MORNING STAR
ROCKWALL, TX 75087

JOHNSON QUINN PAUL & SUSAN G
1109 MORNING STAR
ROCKWALL, TX 75087

CURRENT RESIDENT
1110 MEMORIAL DR
ROCKWALL, TX 75087

WILLIAMS ROBERT T JR
1110 MEMORIAL DR
ROCKWALL, TX 75087

DE LA CRUZ RAFAEL ANDRES
1110 MIDNIGHT PASS
ROCKWALL, TX 75087

EARLEY BRIAN
1110 TATE LN
ARGYLE, TX 76226

POWERS PETER
1110 WHISPERING GLN
ROCKWALL, TX 75087

CONFIDENTIAL
1112 HIDDEN LAKES WAY
ROCKWALL, TX 75087

GREEN ERIC L & JONI C
1113 MORNING STAR
ROCKWALL, TX 75087

WHITUS JOHN & LORRA BETH
1114 MORNING STAR
ROCKWALL, TX 75087

SEIFERT RICHARD J ETUX DEBORAH
1115 MIDNIGHT PASS
ROCKWALL, TX 75087

DUNCAN JEANETTE
1115 WHISPERING GLEN
ROCKWALL, TX 75087

155

JONES EVELYN ANTHONY AND LINDA NIKOLE
1116 MEMORIAL DRIVE
ROCKWALL, TX 75087

BRACKETT RUSTY
1117 MORNING STAR
ROCKWALL, TX 75087

ROWE LORI A
1118 HIDDEN LAKES WAY
ROCKWALL, TX 75087

BAIN JAMES M & CHASE C
1118 MIDNIGHT PASS
ROCKWALL, TX 75087

MALONE ANTHONY R & TESHA
1118 WHISPERING GLN
ROCKWALL, TX 75087

RHODES KYLE W AND REBECCA
112 REGAL BLUFF
ROCKWALL, TX 75087

PIERATT NATHAN A & SARA R
1120 MORNING STAR
ROCKWALL, TX 75087

WARD LINDA G
1123 MORNING STAR
ROCKWALL, TX 75087

CONFIDENTIAL
1123 WHISPERING GLN
ROCKWALL, TX 75087

LARSEN RALPH & MARY ANN
1124 HIDDEN LAKES WAY
ROCKWALL, TX 75087

HOANG CAM N
1124 MEMORIAL DR
ROCKWALL, TX 75087

SMITH GRAHAM P AND LAUREN E
1125 SIERRA PASS
ROCKWALL, TX 75087

CONFIDENTIAL
1126 MORNING STAR
ROCKWALL, TX 75087

WRIGHT REBEKAH R AND KEVIN P
1126 WHISPERING GLEN
ROCKWALL, TX 75087

CURRENT RESIDENT
1127 MORNING STAR
ROCKWALL, TX 75087

GIDDINGS BRIDGETTE & MARCQUIS
1128 MIDNIGHT PASS
ROCKWALL, TX 75087

CHEV VISAL P AND AMELIA MEALEA CHEV
113 BOB WHITE CT
ROCKWALL, TX 75087

WHISENHUNT KENNETH AND JUDY
1130 HIDDEN LAKES WAY
ROCKWALL, TX 75087

GILLESPIE DONNA M AND RICHARD M
1130 SIERRA PASS
ROCKWALL, TX 75087

MARCHBANKS PATCHARIN & SATO KIMIHIKO
1131 WHISPERING GLN
ROCKWALL, TX 75087

HUNT WILLIAM H AND CONNIE L
1133 MORNING STAR
ROCKWALL, TX 75087

HOWARD RANDALL W & PHYLLIS
1133 SIERRA PASS
ROCKWALL, TX 75087

SLAGLE JACK & DIANE
1134 MIDNIGHT PASS
ROCKWALL, TX 75087

NOWLIN WILLIAM P & CHERYL L MCINTOSH
1134 MORNING STAR
ROCKWALL, TX 75087

PHAM AUBREE E AND
1134 WHISPERING GLEN
ROCKWALL, TX 75087

CURRENT RESIDENT
1135 MIDNIGHT PASS
ROCKWALL, TX 75087

RUTHERFORD JESSICA R AND
1136 HIDDEN LAKES WAY
ROCKWALL, TX 75087

RYAN LARRY J III & WENDY A
1139 WHISPERING GLN
ROCKWALL, TX 75087

GUEVARA GUILLERMO E AND CRYSTAL M
114 BOB WHITE COURT
ROCKWALL, TX 75087

JONES DENNIS P & RITA S
1140 BLITZEN DR
HENDERSON, NV 89012

GUAMANCELA RONY D
1140 MIDNIGHT PASS
ROCKWALL, TX 75087

FARRIS MARK
1140 WHISPERING GLN
ROCKWALL, TX 75087

ROJAS CARLOS
1142 HIDDEN LAKES WAY
ROCKWALL, TX 75087

JOHNSON JULIE
1146 MIDNIGHT PASS
ROCKWALL, TX 75087

PHILLIP SUMA C AND
1147 WHISPERING GLN
ROCKWALL, TX 75087

SOLDAT WILLIAM K & CRYSTAL DHAIRE
1148 WHISPERING GLN
ROCKWALL, TX 75087

HOWLETT NEVA RAE
115 REGAL BLUFF
ROCKWALL, TX 75087

MARTINEZ AUGUSTINE
1150 HIDDEN LAKES WAY
ROCKWALL, TX 75087

CONFIDENTIAL
1160 CRYSTAL LAKE DRIVE
ROCKWALL, TX 75087

AULT JASON L & PATRICIA S
1165 WATERS EDGE DRIVE
ROCKWALL, TX 75087

BAUGH MELVA Y
1168 CRYSTAL LAKE DR
ROCKWALL, TX 75087

CONFIDENTIAL
1170 WATERS EDGE DRIVE
ROCKWALL, TX 75087

SIMPSON L KIMBAL
1171 WATERS EDGE DR
ROCKWALL, TX 75087

LAHAIR JOHN & NEALY
1174 CRYSTAL LAKE DR
ROCKWALL, TX 75087

LINDBERG LONETA
1175 HAMPTON BAY DR
ROCKWALL, TX 75087

RENKIEWICZ TEDDY
1177 WATERS EDGE DRIVE
ROCKWALL, TX 75087

SELMAN PHIL
1180 WATERS EDGE DR
ROCKWALL, TX 75087

DENSON ROBERT JOSEPH
1182 HIGHBLUFF LANE
ROCKWALL, TX 75087

CONFIDENTIAL
1183 BAY LINE DRIVE
ROCKWALL, TX 75087

JOSEPH MATHEWKUTTY V AND LEELAMMA
1183 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

MERRELL CLAY AND KELSIE
1183 WATERS EDGE DRIVE
ROCKWALL, TX 75087

PLESSINGER DEREK
1184 BAY LINE DRIVE
ROCKWALL, TX 75087

MURPHY RYAN J
1185 HIGHBLUFF LANE
ROCKWALL, TX 75087

BAKER BENJAMIN AND LEA J
1186 WATERS EDGE
ROCKWALL, TX 75087

ROHR DAVID AND CHANDRA ROHR
1188 HIGHBLUFF LANE
ROCKWALL, TX 75087

KEFFER MICHAEL & JENNIFER
1189 BAY LINE DRIVE
ROCKWALL, TX 75087

ROY TAMARA LYNN
1189 HAMPTON BAY DR
ROCKWALL, TX 75087

JOYCE MICHAEL RYAN
1189 WATERS EDGE DR
ROCKWALL, TX 75087

JOSEPH ISAAC
119 BOB WHITE COURT
ROCKWALL, TX 75087

CONFIDENTIAL
1190 BAY LINE DR
ROCKWALL, TX 75087

157

MONKS KELLY ELIZABETH
1192 WATERS EDGE DR
ROCKWALL, TX 75087

PINILLA EDGAR ARMANDO AND
1193 HIGHBLUFF LN
ROCKWALL, TX 75087

WILLIAMS JAMES JEFFREY
1194 HIGHBLUFF LN
ROCKWALL, TX 75087

BURNS RUSSELL N AND JULIE K
1195 BAY LINE DR
ROCKWALL, TX 75087

DODSON LEANNE
1195 HAMPTON BAY DR
ROCKWALL, TX 75087

SCOTT DALTON PERRY AND
1195 WATERS EDGE DRIVE
ROCKWALL, TX 75087

STERBENZ BRIAN A & MELINDA L
1196 BAY LINE DR
ROCKWALL, TX 75087

HARLAN TRAVIS L & KERRY L
1198 WATERS EDGE DRIVE
ROCKWALL, TX 75087

AJULUCHUKWU BRYAN AND REBECCA
1199 HIGHBLUFF LN
ROCKWALL, TX 75087

CONFIDENTIAL
120 BOB WHITE CT
ROCKWALL, TX 75087

RAMOS RAMON A & DELMA P
120 IRELAND CT
ROCKWALL, TX 75087

LEWIS ROY AND VICKY
1200 HIGHBLUFF LN
ROCKWALL, TX 75087

SWARTHOUT JOSEPH R AND ROSE E
1201 BAY LINE DR
ROCKWALL, TX 75087

CALLAWAY BROCK E AND SCHAUNA M
1201 MEMORIAL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1201 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1202 BAY LINE DR
ROCKWALL, TX 75087

ALI MD AKBAR
1202 BLUE BROOK DR
ROCKWALL, TX 75087

PRICE J T
1203 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1204 WATERS EDGE DR
ROCKWALL, TX 75087

ABEBE YARED AND
1205 HIGHBLUFF LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1205 N GOLIAD
ROCKWALL, TX 75087

WATKINS ANDREW M & BEVERLY GILL
1206 HIGH BLUFF LANE
ROCKWALL, TX 75087

CELIS PABLO ANDRES AND CHRISTEN MAUREEN
1207 BLUE BROOK DR
ROCKWALL, TX 75087

WILCOXSON CHRISTY R AND
1207 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

SCHROEDER JARED C AND LAURA L
1207 MEMORIAL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1207 N GOLIAD
ROCKWALL, TX 75087

DAVIS DAVID BRIAN
1208 BAY LINE DRIVE
ROCKWALL, TX 75087

LEE ILSEOK OH & EUN HA
1209 BAY LINE DRIVE
ROCKWALL, TX 75087

DENNIS MARVIN J TRUSTEE
1209 N GOLIAD ST
ROCKWALL, TX 75087

RODRIGUEZ ROJELIO M & ELIZA O
1209 VALLEY TRL
HEATH, TX 75032

158

ANTHONY KENDRA AND
1209 WATERS EDGE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1210 N GOLIAD
ROCKWALL, TX 75087

OLSON KARL NORVELL
1211 HIGHBLUFF LANE
ROCKWALL, TX 75087

KERN ALLAN S & DEBRA L
1211 N GOLIAD ST
ROCKWALL, TX 75087

KERN ALLAN S & DEBRA L
1211 N GOLIAD ST
ROCKWALL, TX 75087

GRAY JEFFREY LYNN & REBECCA JOY
1212 WATERS EDGE DRIVE
ROCKWALL, TX 75087

WILLIAMSON DAVID M AND LORI M
1213 MEMORIAL DR
ROCKWALL, TX 75087

ELSEY JOHN
1213 N GOLIAD ST
ROCKWALL, TX 75087

HILLIARD GALEN AND DONNA
1214 BAY LINE DR
ROCKWALL, TX 75087

ROSS BRADLEY GENE & TRACY LORRAYNE
1214 HIGHBLUFF LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1215 HAMPTON BAY DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1215 N GOLIAD
ROCKWALL, TX 75087

BISHOP DUSTIN AND KELLY
1215 WATERS EDGE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1216 BLUE BROOK DR
ROCKWALL, TX 75087

MATTHEWS KENDAHL T
1217 BAY LINE DRIVE
ROCKWALL, TX 75087

LAPRADE TERRY & CYNTHIA
1217 BLUE BROOK DR
ROCKWALL, TX 75087

VAUGHN MICHAEL SHANE AND NATALIE J
1217 HIGHBLUFF
ROCKWALL, TX 75087

DUGAS CARL A & JUDITH A
1219 MEMORIAL DRIVE
ROCKWALL, TX 75087

CULPEPPER DANNA JOHNSON
122 REGAL BLUFF
ROCKWALL, TX 75087

PERRY STEPHEN ELI AND APRIL MARIE
1220 BAY LINE DR
ROCKWALL, TX 75087

WILLIAMS KATHRYN
1220 WATERS EDGE DR
ROCKWALL, TX 75087

PUSKAS THOMAS J
1222 BLUE BROOK DR
ROCKWALL, TX 75087

ROGERS MICHAEL
1222 HIGHBLUFF LN
ROCKWALL, TX 75087

BURNS BILLY C & COBIE M
1222 MEMORIAL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1223 HAMPTON BAY DR
ROCKWALL, TX 75087

COWSER CHAD
1223 WATERS EDGE DRIVE
ROCKWALL, TX 75087

LEMORE ROBERTA
1225 BAY LINE DR
ROCKWALL, TX 75087

BAKER SPENCER R AND JANIS H
1225 BLUE BROOK DRIVE
ROCKWALL, TX 75087

KOPEC FRANK J AND DEBORAH A
1225 MEMORIAL DR
ROCKWALL, TX 75087

BARRERA DUSTIN AND
1226 BAY LINE DRIVE
ROCKWALL, TX 75087

159

BENSON TAMMY MELTON AND TONEY BENSON
1227 HIGHBLUFF LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1228 BLUE BROOK DR
ROCKWALL, TX 75087

WALVOORD KREG ANTHONY AND
1228 WATERS EDGE DR
ROCKWALL, TX 75087

SCOTT KEVIN A AND
1229 WATERS EDGE DRIVE
ROCKWALL, TX 75087

HEIDENREICH ERIN K AND ADAM
123 IRELAND COURT
ROCKWALL, TX 75087

PARMAR PIUS & JYOTSNA
1230 HIGHBLUFF LANE
ROCKWALL, TX 75087

DRENNON ANITA S
1230 MEMORIAL DR
ROCKWALL, TX 75087

OBASUYI BILL IKPOMWOSA & OLIVIA T
1231 BAY LINE DRIVE
ROCKWALL, TX 75087

EDWARDS WENDY AND MICHAEL SCOTT
1231 HAMPTON BAY DR
ROCKWALL, TX 75087

CONFIDENTIAL
1232 BAY LINE DR
ROCKWALL, TX 75087

POWELL LAURA LEE
1233 BLUE BROOK DRIVE
ROCKWALL, TX 75087

BELSETH DALE A
1234 HAMPTON BAY DR
ROCKWALL, TX 75087

M REA PROPERTIES 2 LLC
1234 TRALEE LN
GARLAND, TX 75044

GREEN HARRY & ELVINA
1235 WATERS EDGE DRIVE
ROCKWALL, TX 75087

BAYES AIDA CALDERON
1236 BLUE BROOK
ROCKWALL, TX 75087

SMITH EMILY JANETTE
1236 HIGHBLUFF LN
ROCKWALL, TX 75087

STRAIGHT JOSEPH &
1236 MEMORIAL DR
ROCKWALL, TX 75087

ARSLAN ABDULLAH N
1236 WATERS EDGE DR
ROCKWALL, TX 75087

LARSON JESSICA & WAYNE
1237 BAY LINE DRIVE
ROCKWALL, TX 75087

CARR GLENN W & JUDITH A
1237 HIGHBLUFF LN
ROCKWALL, TX 75087

SMITH BRIAN W AND JOANNA C
1238 BAY LINE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1239 HAMPTON BAY DR
ROCKWALL, TX 75087

VAUGHAN PATRICK G & BRONWYN
1241 WATERS EDGE DR
ROCKWALL, TX 75087

PHILLIPS DYRLE WAYNE & BOBBIE J
1242 HIGHBLUFF LN
ROCKWALL, TX 75087

SHOVE STEVEN G & DANA L
1242 MEMORIAL DR
ROCKWALL, TX 75087

THURMAN DAVID & BEVERLY
1243 BAY LINE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1244 QUAIL RUN
ROCKWALL, TX 75087

WOELTGE STEPHEN AND JACQUELINE
1244 BAY LINE DR
ROCKWALL, TX 75087

CHIRAYIL MARIAMMA REVOCABLE LIVING TRUST
1244 WATERS EDGE DR
ROCKWALL, TX 75087

RIVERA MISAEL E AND PAOLA
1245 BLUE BOOK DRIVE
ROCKWALL, TX 75087

160

SPARROW DONAL F & CHARLENE L REVOCABLE TRUST
1245 HIGHBLUFF LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1246 BLUE BROOK DR
ROCKWALL, TX 75087

GAINES TRACY ALLEN & AMY M
1246 BLUE BROOK DR
ROCKWALL, TX 75087

DAVIS JAMES PETER & PAMELA NELL
1247 HAMPTON BAY DR
ROCKWALL, TX 75087

REED THOMAS AND KATHY
1247 WATERS EDGE DR
ROCKWALL, TX 75087

STAWASZ JOHN BERNARD II & CAHTY LYNN
1248 HIGHBLUFF LN
ROCKWALL, TX 75087

ECHOLS ROBERT ROSS & KRISTIN
1249 BAY LINE DR
ROCKWALL, TX 75087

EAVES DAVID L & CHERYL L
125 BOB WHITE CT
ROCKWALL, TX 75087

TUCHSCHERER PETER J
1250 BAY LINE DRIVE
ROCKWALL, TX 75087

ARIAS WANDA
1250 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

JENSEN JAMES & SANDRA
1252 WATERS EDGE DR
ROCKWALL, TX 75087

SAMPSON KASIE
1253 HIGHBLUFF LN
ROCKWALL, TX 75087

REAZOR TIMOTHY J & TANYA RENEE
1253 WATERS EDGE DR
ROCKWALL, TX 75087

ABDO KHALED AND AMANDA KAY LANGFORD
1254 BLUE BROOK DR
ROCKWALL, TX 75087

BLUNT LUTHER LEWIS & LINDA GAYLE
1254 HIGHBLUFF LN
ROCKWALL, TX 75087

WILEY BROOKE LYNDSEY
1255 BAY LINE DR
ROCKWALL, TX 75087

TARPLEY CAROLYN M
1256 BAY LINE DRIVE
ROCKWALL, TX 75087

CANTU SANDRA C & JAMES A
1259 WATERS EDGE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
126 BOB WHITE CT
ROCKWALL, TX 75087

SURIG MARK JOSEPH
1260 HIGHBLUFF LN
ROCKWALL, TX 75087

RULE AMY & SHAWN
1260 WATERS EDGE DRIVE
ROCKWALL, TX 75087

CONFIDENTIAL
1261 BAY LINE DRIVE
ROCKWALL, TX 75087

DEWBRE JUSTIN JOEL AND CHERYL CHRISTINE
1261 HIGHBLUFF LN
ROCKWALL, TX 75087

KLEPIN DIANNE
1262 BAY LINE
ROCKWALL, TX 75087

KIERNAN KEVIN & KIMBERLY
1262 BLUE BROOK DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1265 CRESCENT COVE DR
ROCKWALL, TX 75087

CONFIDENTIAL
1265 WATERS EDGE DR
ROCKWALL, TX 75087

BISHOP DANIEL R AND TIFFANY D
1266 CRESCENT COVE DR
ROCKWALL, TX 75087

HARVEY DERICK AND
1266 HIGHBLUFF LN
ROCKWALL, TX 75087

CONFIDENTIAL
1266 WATERS EDGE DR
ROCKWALL, TX 75087

161

BERGER JM AND
1268 BAY LINE DRIVE
ROCKWALL, TX 75087

WHEELOCK KIMBERLY K
1269 BAY LINE DR
ROCKWALL, TX 75087

CARROLL THOMAS SEAN &
1270 WHITE WATER LANE
ROCKWALL, TX 75087

HUNTER JAMES DARL & SUSAN BAILEY
1271 WATERS EDGE DRIVE
ROCKWALL, TX 75087

RITTER JAMES AND KAY L
1272 CRESCENT COVE DR
ROCKWALL, TX 75087

SIKORA PAUL PETER & STACI LYNN
1272 WATERS EDGE DR
ROCKWALL, TX 75087

ISOM MARK A AND
1273 CRESCENT COVE DR
ROCKWALL, TX 75087

LOSS RYAN AND LINDSEY
1274 BAY LINE DR
ROCKWALL, TX 75087

SAVAGE CHRISTINA B AND
1275 BAY LINE DRIVE
ROCKWALL, TX 75087

PAYNE ADAM J AND ELIZABETH A
1275 WHITE WATER LN
ROCKWALL, TX 75087

GUO LIN AND JIYONG HUANG
1276 WHITE WATER LN
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL
1277 WATERS EDGE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1278 WATERS EDGE DR
ROCKWALL, TX 75087

SANCHEZ PROTO AND DEBORA
1278 CRESCENT COVE DR
ROCKWALL, TX 75087

YOUNG THEOBIE L & RHONDA R
1279 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

JONES DUANE & AMY
1281 WHITE WATER LANE
ROCKWALL, TX 75087

HENDLEY GARY
1284 CRESCENT COVE DR
ROCKWALL, TX 75087

KENNY RAYMOND E & BILLYE R
1284 SHORES BLVD
ROCKWALL, TX 75087

VON GLAHN JEREMY
1284 WHITE WATER LN
ROCKWALL, TX 75087

CONFIDENTIAL
1285 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

JURADO MICHAEL S AND MALACHIA M
1287 WHITE WATER LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1290 WHITE WATER LN
ROCKWALL, TX 75087

LEE DAYNA N & JASON E
1290 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

VIZCAYA HUGO AND PATRICIA ZINGG DE VIZCAYA
1291 CRESCENT COVE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1295 WHITE WATER LN
ROCKWALL, TX 75087

LAYER FANNIE
1296 CRESCENT COVE DR
ROCKWALL, TX 75087

DALTON MICHAEL B AND COURTNEY D SHOOK
1296 WHITE WATER LANE
ROCKWALL, TX 75087

YOUSIF RAMSEN
1297 CRESCENT COVE DR
ROCKWALL, TX 75087

SCOTT MARK ALAN SR &
130 IRELAND CT
ROCKWALL, TX 75087

MIZE SAMUEL M & PATTIE J
1300 CALISTOGA DR
ROCKWALL, TX 75087

162

VERNER JASON N AND ASHLEY A
1301 WHITE WATER LN
ROCKWALL, TX 75087

LITTLE RANDALL P
1302 CRESCENT COVE DR
ROCKWALL, TX 75087

WHITTINGTON RANDALL S & CHRISTINA L
1302 PALASADES COURT
ROCKWALL, TX 75087

BALDWIN GREGORY D AND PAMELA R
1302 WHITE WATER LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1303 CRESCENT COVE DR
ROCKWALL, TX 75087

BRANDT RONALD W & PRISCILLA V
1306 CALISTOGA DR
ROCKWALL, TX 75087

BRAY AARON S AND STACIE M
1307 WHITE WATER LN
ROCKWALL, TX 75087

WINDHAM JORDAN R AND SAMANTHA L
1308 CRESCENT COVE DR
ROCKWALL, TX 75087

JUAREZ ANALISA MARIE
1308 PALASADES COURT
ROCKWALL, TX 75087

THAMES JONATHAN D AND JESSICA J
1308 WHITE WATER LN
ROCKWALL, TX 75087

VAZIRALLI RAJU J
1309 CRESCENT COVE DR
ROCKWALL, TX 75087

ROCKWALL ENTERPRISES LLC
1309 MORAINE PL
HEATH, TX 75032

THOMAS STACEY
1310 SCARBORO HILLS LN
ROCKWALL, TX 75087

VAUGHN CLYDE & ELWYN J
1312 CALISTOGA DR
ROCKWALL, TX 75087

SMITH VANCE AND KRISTINE
1313 WHITE WATER LN
ROCKWALL, TX 75087

YANCY RONALD L AND DAVID J YOUNG
1314 CRESCENT COVE DR
ROCKWALL, TX 75087

AVENDANO JOSE GREGORIO AND NEREIDA E
1314 PALASADES CT
ROCKWALL, TX 75087

FLIPPEN LYNNE S & JODY J
1314 WHITE WATER LANE
ROCKWALL, TX 75087

GARRETT WILLIAM L
1315 CALLE RAMON
SANTA FE, NM 87501

BAILEY JAVON C & SYDNEY L
1315 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

MCCARRON WILLIAM & ADELE
1318 CALISTOGA DR
ROCKWALL, TX 75087

GARCIA LACI A AND DAVID
1319 WHITE WATER LN
ROCKWALL, TX 75087

DOTSON TREA & TERRY
1320 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

COX WENDELL
1320 WHITE WATER LANE
ROCKWALL, TX 75087

MAYNARD MARIAN
1321 CRESCENT COVE DR
ROCKWALL, TX 75087

HOUSEWRIGHT JOHN & ANNE
1324 CALISTOGA DR
ROCKWALL, TX 75087

SCHEUMANN DONALD E & TERESA A
1324 PALASADES COURT
ROCKWALL, TX 75087

GIRON JOSELITO AND RACHEL
1325 WHITE WATER LN
ROCKWALL, TX 75087

CASARES ALFONSO & MARIA MERCEDES GUERRERO
1326 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

MCAVOY MARK
1326 WHITE WATER LANE
ROCKWALL, TX 75087

MCGARRY LORI
1327 CRESCENT COVE DR
ROCKWALL, TX 75087

AGEE JUSTIN
133 BOB WHITE CT
ROCKWALL, TX 75087

CASTRICONE RICHARD & LEANNE
133 IRELAND CT
ROCKWALL, TX 75087

COUGHLIN JOHN M & JENNIFER
1330 ARBOR GREEN TRL
O FALLON, IL 62269

GARRETT JAY A &
1330 CALISTOGA DR
ROCKWALL, TX 75087

BELL PATRICIA L AND HARRY A II
1331 WHITE WATER LN
ROCKWALL, TX 75087

PHELPS JASON R & TAIASHA D
1332 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

VAUGHAN MELISSA W & JASON A
1332 WHITE WATER LANE
ROCKWALL, TX 75087

ALFORD DANA P
1333 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

MINOR FRANCIS GENE & JOYCE NADINE
1336 CALISTOGA DR
ROCKWALL, TX 75087

MCCORD RONNIE G JR AND RUBY D
1337 WHITE WATER LN
ROCKWALL, TX 75087

THE JOLLY FAMILY LIVING TRUST
1338 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

BAKHTAVORYAN RAFAEL AND SONA
HAYRAPETYAN
1338 WHITE WATER LN
ROCKWALL, TX 75087

BILYEU BOBBY & TRACY
1339 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

DAVIS SHANNON
134 BOB WHITE CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1342 CALISTOGA DR
ROCKWALL, TX 75087

TRZOPEK MICHAL K AND BARBARA
1343 WHITE WATER LN
ROCKWALL, TX 75087

LINDSAY KAREN
1344 CRESCENT COVE DR
ROCKWALL, TX 75087

HIGHNOTE RONNIE L AND DELORES M
1344 WHITE WATER LN
ROCKWALL, TX 75087

STRAUB THERESA
1345 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

RYBOLT PAUL & KRISTINA
1346 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

JURCA JEREMY PAUL AND LEAH MICHELLE
1348 CALISTOGA DR
ROCKWALL, TX 75087

ORTIZ ROBERTO JR AND ERICA
1348 CALISTOGA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1349 WHITE WATER LN
ROCKWALL, TX 75087

DANG DUNG T AND
1350 CALISTOGA DR
ROCKWALL, TX 75087

JACOME CARLOS I &
1350 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

BUNKER ROBERT
1350 SCARBORO HILLS LN
ROCKWALL, TX 75087

DEEL MICHAEL JAMES & SANDRA KING
1350 WHITE WATER LANE
ROCKWALL, TX 75087

RHEA JASON MICHAEL & CASEY GOODNIGHT
1351 CRESCENT DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1354 CALISTOGA DR
ROCKWALL, TX 75087

WINDAHL TODD
1355 WHITE WATER LN
ROCKWALL, TX 75087

GUY GLENN III & HANNAH
1356 WHITE WATER LANE
ROCKWALL, TX 75087

GREER CLINTON SCOTT AND SHARON
1357 CRESCENT COVE DR
ROCKWALL, TX 75087

ARMET TED
136 IRELAND COURT
ROCKWALL, TX 75087

MATHEW ROSHAN V & NATALIE E
1360 CALISTOGA DR
ROCKWALL, TX 75087

DOBSON KATHERINE C AND
1361 WHITE WATER LN
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA
1362 PETALUMA DR
ROCKWALL, TX 75087

LEE RYAN AND CHRISTINA
1362 WHITE ATER LANE
ROCKWALL, TX 75087

REYNA HUMBERTO & LILIANA GARCIA
1363 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

TALLEY DOUGLAS W
1365 CALLISTOGA DRIVE
ROCKWALL, TX 75087

LARKIN GARY W AND CATHERINE G
1366 CALISTOGA DR
ROCKWALL, TX 75087

BALTHROP PAUL JAY AND VALERIE ANN BAKER BALTHROP
1367 WHITE WATER LANE
ROCKWALL, TX 75087

FONTENOT THOMAS J & PATRICIA ANN
1368 WHITE WATER LN
ROCKWALL, TX 75087

MILLER BRENT A & JENNIFER L
1369 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

IVY FONDA & BARRY
1370 BAY LINE DRIVE
ROCKWALL, TX 75087

POOL THERESA
1371 CALISTOGA DR
ROCKWALL, TX 75087

LOWRY STEVEN DAVID
1372 CALISTOGA DR
ROCKWALL, TX 75087

ROBINSON JACK K JR & MADONNA M
1373 WHITE WATER LANE
ROCKWALL, TX 75087

HILL JASON C & NICOLE L
1374 WHITE WATER LANE
ROCKWALL, TX 75087

SHARRETT BRIAN AND MARGO
1375 CRESCENT COVE DR
ROCKWALL, TX 75087

STIVER BRANDON LEE AND KIMBERLY MAY
1376 BAY LINE DR
ROCKWALL, TX 75087

FONTENLA NICHOLAS N
1377 CALISTOGA DR
ROCKWALL, TX 75087

YUEN KENT & LYNN
1378 CALISTOGA DR
ROCKWALL, TX 75087

STEINBERG CORY
1379 WHITE WATER LANE
ROCKWALL, TX 75087

SANDERS APRIL D AND
1380 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

MORRIS BRADY LEE AND MARCELLA
1380 WHITE WATER LN
ROCKWALL, TX 75087

ALLEN FAMILY TRUST, ALBERT FREDERICK &
1381 CRESCENT COVE DR
ROCKWALL, TX 75087

LAMPTEY REBECCA A AND NII LANTE
1382 BAY LINE DRIVE
ROCKWALL, TX 75087

MALLIN RYAN M
1383 CALISTOGA DR
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN
1383 WATER EDGE DRIVE
ROCKWALL, TX 75087

165

JAGER STEPHEN & GENEVIEVE OBSON
1385 WHITE WATER LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1386 WHITE WATER LN
ROCKWALL, TX 75087

DEWEY BRET ADMIRAL
1386 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

BEATS DIANNA L
1387 CRESCENT COVE DR
ROCKWALL, TX 75087

ALLIN WILLIAM BARTLETT & PAULA JEAN
1389 CALISTOGA DR
ROCKWALL, TX 75087

WIGLE NICHOLAS & AMANDA N
1389 WATERS EDGE DRIVE
ROCKWALL, TX 75087

BURNETT CATHY J
139 IRELAND COURT
ROCKWALL, TX 75087

2017 R GAUNA & M CRUZ REVOCABLE TRUST
1390 BAY LINE DRIVE
ROCKWALL, TX 75087

CRAIG JONATHAN P
1390 CALISTOGA DR
ROCKWALL, TX 75087

COLLINGS STEPHEN AND DENEA
1391 WHITE WATER LN
ROCKWALL, TX 75087

KOSTERMAN CHRISTOPHER J & COLLEEN S
1392 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

TANTON CATHY
1392 WHITE WATER LANE
ROCKWALL, TX 75087

SUDDUTH DEBBIE
1393 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

OLOYA MARIANNE M
1394 CALISTOGA DR
ROCKWALL, TX 75087

GARD JOSHUA AND SAMANTHA
1395 BAY LINE DR
ROCKWALL, TX 75087

KLEIN RONALD AND KELLY
1395 PHELPS LAKE DR
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R
1395 WATERS EDGE DRIVE
ROCKWALL, TX 75087

ADAMS JOHN ROBERT JR AND TANYA SUE
1397 CALISTOGA DR
ROCKWALL, TX 75087

NEVANS BRIAN W AND ALISON E
1397 DHAKA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1398 CALISTOGA DR
ROCKWALL, TX 75087

COLE LESLIE E & REBECCA J
1398 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

GANDY MARY J
1400 DHAKA DRIVE
ROCKWALL, TX 75087

LOTT LAWRENCE L AND JEAN A
1401 BAY LINE DR
ROCKWALL, TX 75087

IASINSCHI RAFAEL E
1401 MONTEGO COURT
ROCKWALL, TX 75087

CURRENT RESIDENT
1401 N GOLIAD ST
ROCKWALL, TX 75087

ROGERS GENE FRANKLIN
1401 PALASADES COURT
ROCKWALL, TX 75087

SIMMONS LEE & COLIN
1401 RAPIDS COURTS
ROCKWALL, TX 75087

SUTHER WILFRED R AND ROSE A
1401 SILVER LAKE DR
ROCKWALL, TX 75087

STALLCUP CHRISTOPHER AND ASHLEY
1402 MONTEGO COURT
ROCKWALL, TX 75087

TURNER KELLI & JEFF
1402 OPEN BAY COURT
ROCKWALL, TX 75087

GARRETSON MICHAEL S & MELISSA A
1402 PALASADES COURT
ROCKWALL, TX 75087

CHAMBLESS RUSSELL E & LAN
1402 RAPIDS COURT
ROCKWALL, TX 75087

SANTOS-ROJAS JUAN F AND MARIA E
1402 SILVER LAKE DR
ROCKWALL, TX 75087

BENTLEY STEPHEN RAY & CLARISSE RENEE
1402 WHITE WATER LN
ROCKWALL, TX 75087

HUDSON GAYLE AND CALVIN L JR
1403 CRESCENT COVE DR
ROCKWALL, TX 75087

COWARD BRENDA AND RICHARD
1403 DHAKA DR
ROCKWALL, TX 75087

BELL JEREMY AND MARI CHRISTINE BELL
1403 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

FAKE MARK C & KATHRYN K
1403 WHITE WATER LN
ROCKWALL, TX 75087

DREWISKE LAUREN AND DANIEL
1404 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1405 HARVARD DR
ROCKWALL, TX 75087

HUGHES JIMMY W & TINA M
1405 OPEN BAY COURT
ROCKWALL, TX 75087

LAWSON MATTHEW & ROBBIE
1405 PLUMMER DR
ROCKWALL, TX 75087

HANNAH ANGELIA YVETTE
1405 WATERS EDGE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1406 AUDOBON LANE
ROCKWALL, TX 75087

BARAKATT SHEA N
1407 MONTEGO CT
ROCKWALL, TX 75087

MEZZANOTTE JOHN AND JENNY
1407 PALASADES COURT
ROCKWALL, TX 75087

JENNINGS AMBER B & TIMOTHY D
1407 RAPIDS COURT
ROCKWALL, TX 75087

TUTTLE LEON AND BILLIE J
1408 DHAKA DR
ROCKWALL, TX 75087

FLOWERS DUSTIN PAUL AND KACI RAE
1408 MONTEGO COURT
ROCKWALL, TX 75087

SINGH RANBIR
1408 PALASADES CT
ROCKWALL, TX 75087

DUNLOP LINDA LOU
1408 RAPIDS COURT
ROCKWALL, TX 75087

VANDERSLICE R D AND LYNN
1408 S LAKESHORE DR
ROCKWALL, TX 75087

HELIE ROBERT A AND MADELEINE B
1408 WHITE WATER LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1409 HARVARD DR
ROCKWALL, TX 75087

SAMFORD CHARLES T JR AND JESSICA D
1409 CRESCENT COVE DR
ROCKWALL, TX 75087

BONNYCASTLE JOSEPH AND LOUISE
1409 DHAKA DR
ROCKWALL, TX 75087

SENTER MICHAEL D AND MEGAN E
1409 PHELPS LAKE DR
ROCKWALL, TX 75087

MULLOWNEY PATRICK
1409 WHITE WATER LN
ROCKWALL, TX 75087

FRANKLIN JAMES K AND ELLANORA R
1410 OPEN BAY CT
ROCKWALL, TX 75087

CHILCOTE BARRY J & CONNIE L
1410 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

167

ALEMAN JORGE R AND ELISABETH B
1410 SILVER LAKE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1411 HARVARD DR
ROCKWALL, TX 75087

COMBS JAY M & DONNA
1411 SILVER LAKE DRIVE
ROCKWALL, TX 75087

SNYDER ROBERT A & CARRIE J
14126 20TH DR SE
MILL CREEK, WA 98012

JENNINGS JUDY
1413 MONTEGO CT
ROCKWALL, TX 75087

VAN LOWE KENNETH C JR
1413 RAPIDS CT
ROCKWALL, TX 75087

FRAZIER JOHN C
1414 AUDOBON LANE
ROCKWALL, TX 75087

MILLER CURTIS W & MARY MARGARET MYER
1414 BRITTANY WAY
ROCKWALL, TX 75087

GARCIA MARIE S AND CARLOS C
1414 DHAKA DR
ROCKWALL, TX 75087

CONFIDENTIAL
1414 MONTEGO CT
ROCKWALL, TX 75087

CRABB LAURIE M
1414 PALASADES CT
ROCKWALL, TX 75087

MOBERLY JEFFREY A
1414 RAPIDS CT
ROCKWALL, TX 75087

MATHAI JOYCE
1414 WHITE WATER LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1415 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1415 OPEN BAY CT
ROCKWALL, TX 75087

MOSLENER MICHAEL J & JAN D
1415 BRITTANY WAY
ROCKWALL, TX 75087

SHINDOLL LINDA J
1415 CRESCENT COVE DR
ROCKWALL, TX 75087

ROSPIGLIOSI JOHN A
1415 DHAKA DRIVE
ROCKWALL, TX 75087

ONSUM KEITH W AND RACHEL Y
1415 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

DENNY READE EDWARD
1415 WHITE WATER LN
ROCKWALL, TX 75087

WATSON WILLIAM H AND VIVIAN J
1416 OPEN BAY CT
ROCKWALL, TX 75087

WILLIAMS DARLA AND TERRY
1416 PHELPS LAKE DR
ROCKWALL, TX 75087

BRYANT MICHAEL H & MARY D
1416 SILVER LAKE DRIVE
ROCKWALL, TX 75087

KNIZE NICHOLAS W
1417 RED WOLF DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1419 HARVARD DR
ROCKWALL, TX 75087

MOORE TRAVIS & AMY
1419 MONTEGO CT
ROCKWALL, TX 75087

HAMIL JOHN T AND DONNA
1419 PALASADES CT
ROCKWALL, TX 75087

MASCORRO SHELLEY ANISSA
1419 PILGRIM
ROCKWALL, TX 75087

PATTERSON JIMMY R AND MONICA K PATTERSON
1419 RAPIDS COURT
ROCKWALL, TX 75087

FLETCHER DEBORAH
1420 MONTEGO CT
ROCKWALL, TX 75087

MORALES CLAUDIA A
1420 PALASADES CT
ROCKWALL, TX 75087

PHILPOTT BILLY D AND
1420 RAPIDS COURT
ROCKWALL, TX 75087

KOTTKE BENJAMIN AND TERI L
1421 MEMORIAL DR
ROCKWALL, TX 75087

RUTLEDGE CHRISTOPHER G AND TIFFANY N
1421 OPEN BAY CT
ROCKWALL, TX 75087

GAUVIN COLLEEN
1421 WHITE WATER LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1422 AUDOBON LN
ROCKWALL, TX 75087

LOPEZ OSCAR R & ARELIS
1422 OPEN BAY COURT
ROCKWALL, TX 75087

BURNETT KEITH & MICHELLE
1422 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

EVANS JAMES M & LAURA F
1422 SILVER LAKE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1423 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1423 RED WOLF DR
ROCKWALL, TX 75087

PYLE CARRIE SUZANNE
1424 BRITTANY WAY
ROCKWALL, TX 75087

BREWER ROBERT & LESLIE DODGE
1425 BRITTANY WAY
ROCKWALL, TX 75087

THOMPSON ANTHONY AND KATHY
1425 MONTEGO CT
ROCKWALL, TX 75087

BALLI NOE JR
1425 PALASADES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1426 PALASADES CT
ROCKWALL, TX 75087

FOSTER BRIAN S
1426 MONTEGO CT
ROCKWALL, TX 75087

HARKNESS DONALD W AND SUSAN J
1426 PALASADES CT
ROCKWALL, TX 75087

CONFIDENTIAL
1426 RAPIDS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1427 HARVARD DR
ROCKWALL, TX 75087

HULBERT JULIE
1427 OPEN BAY CT
ROCKWALL, TX 75087

DACUS JOLYNN AND WAYNE
1428 OPEN BAY CT
ROCKWALL, TX 75087

AGUIRRE KATHLEA SWEETSY AND ARISTOTLE
1428 PHELPS LAKE DR
ROCKWALL, TX 75087

PRUITT ASHLEY M & CASEY D
1428 SILVER LAKE DRIVE
ROCKWALL, TX 75087

ELLIOTT KIMBERLY AND MALCOLM
1429 PILGRIM CT
ROCKWALL, TX 75087

SHIRLEY CHAD & CINDY
1429 RED WOLF DR
ROCKWALL, TX 75087

DORAZIO RICHARD & SHARON LIVING TRUST
143 SHEPHERDS GLEN RD
HEATH, TX 75032

WALT EARNEST & PAMELA
1430 AUDOBON LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1431 HARVARD DR
ROCKWALL, TX 75087

RODRIQUEZ ANDRES B & DEANNA M
1431 BRITTANY WAY
ROCKWALL, TX 75087

169

JONES DION GABRIELLE
1431 MEMORIAL DR
ROCKWALL, MS 75087

REMEDIZ CELESTE AND TYLER R
1431 PALASADES CT
ROCKWALL, TX 75087

PAQUIN CHRIS
1432 BRITTANY WAY
ROCKWALL, TX 75087

BECK JENNIFER ANN & JASON S
1432 MONTEGO CT
ROCKWALL, TX 75087

STEVENS COURTNEY
1432 PALASADES COURT
ROCKWALL, TX 75087

JAGACZEWSKI EDWARD & GLORIA
1432 PILGRIM
ROCKWALL, TX 75087

BROWN SHANNON THOMAS AND CORA NICOLE
1432 RED WOLF DR
ROCKWALL, TX 75087

PITTMAN MARK RICHARD AND JULIE A
1433 OPEN BAY COURT
ROCKWALL, TX 75087

JONES ASHLEY
1434 MEMORIAL DRIVE
ROCKWALL, TX 75087

BENNERS ROBERT JR AND TAMMI
1434 OPEN BAY CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1435 HARVARD DR
ROCKWALL, TX 75087

MALONE BRADLEY K AND BRIANNA M
1435 MONTEGO CT
ROCKWALL, TX 75087

CONSELMAN CHARLES A AND MARY ESTHER
1435 PILGRIM
ROCKWALL, TX 75087

CONFIDENTIAL
1435 RED WOLF DR
ROCKWALL, TX 75087

WHITWORTH JOSEPH AND KATHLEEN
1437 BRITTANY WAY
ROCKWALL, TX 75087

CONFIDENTIAL
1437 PALASADES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1438 PALASADES CT
ROCKWALL, TX 75087

JACKSON GLENDA LISA
1438 AUDOBON LN
ROCKWALL, TX 75087

CARRERAS YULY D & ALEXANDER RAMOS PLACENCIA
1438 CALLING CIRCLE
ROCKWALL, TX 75087

YOUNG BRENT W AND IRIS L
1438 MONTEGO CT
ROCKWALL, TX 75087

HAMPTON RONALD T
1438 RED WOLF DRIVE
ROCKWALL, TX 75087

RADOVIC CVETKO
1439 MEMORIAL DR
ROCKWALL, TX 75087

BALLARD ROBERT LEE & SYLVIA JEAN
1440 BRITTANY WAY
ROCKWALL, TX 75087

PACESETTER HOMES LLC
14400 THE LAKES BLVD 0
AUSTIN, TX 78660

PACESETTER HOMES LLC
14400 THE LAKES BLVD 0
AUSTIN, TX 78660

CURRENT RESIDENT
1441 PILGRIM CT
ROCKWALL, TX 75087

CONFIDENTIAL
1441 RED WOLF DR
ROCKWALL, TX 75087

STEWART FAMILY LIVING TR
1442 PILGRIM
ROCKWALL, TX 75087

LYNCH KOLLEEN & RYAN
1444 MONTEGO COURT
ROCKWALL, TX 75087

HILL JUDITH LEEANN AND BILLY
1444 PALASADES CT
ROCKWALL, TX 75087

WINHAM MARY LEE
1444 RED WOLF DR
ROCKWALL, TX 75087

KOUSSA RAMSEY RAM ADEL
1445 BRITTANY WAY
ROCKWALL, TX 75087

SHAIN SHANNON DUANE
1446 AUDOBON LN
ROCKWALL, TX 75087

RAMIREZ RAYNALDO & VALARIE
1446 MEMORIAL DRIVE
ROCKWALL, TX 75087

FARLEY JOHN S & LEIGH A
1447 MEMORIAL DR
ROCKWALL, TX 75087

GIARDINA NICHOLAS J JR
1447 PALASADES CT
ROCKWALL, TX 75087

FRANSEN JAMIESON B AND GINNY A
1447 PILGRIM
ROCKWALL, TX 75087

CONFIDENTIAL
1447 RED WOLF DR
ROCKWALL, TX 75087

STEVENS PAUL H & CAROL J
1448 BRITTANY WAY
ROCKWALL, TX 75087

COVINGTON TIMOTHY K & JULIE K
1448 PILGRIM
ROCKWALL, TX 75087

JAIMES URIEL
1450 MEMORIAL DR
ROCKWALL, TX 75087

CORDER GEORGE E JR AND DOTTIE MAE
1450 PALASADES CT
ROCKWALL, TX 75087

JUNOD HELEN
1450 RED WOLF LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1451 FM1141
ROCKWALL, TX 75087

TANNER WILMA GRACE
1451 FM 1141
ROCKWALL, TX 75087

MITTENDORF CHRIS ERIC & STEPHANY NOELLE
1452 AUDOBON LANE
ROCKWALL, TX 75087

BARLOW CHRISTOPHER CARTER AND
1453 BRITTANY WAY
ROCKWALL, TX 75087

SANDRA PRICE TRUSTEE
1453 RED WOLF DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1454 MEMORIAL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1455 MEMORIAL DR
ROCKWALL, TX 75087

HANES LUCINDA
1456 BRITTANY WAY
ROCKWALL, TX 75087

HAURY SARA
1456 RED WOLF DR
ROCKWALL, TX 75087

GLOGOVAC OBRAD & VERA
1458 AUDOBON LN
ROCKWALL, TX 75087

KING GREGORY P & THERESA A
1459 RED WOLF DR
ROCKWALL, TX 75087

GREY CHRISTOPHER F AND LAURA J
1460 MEMORIAL DR
ROCKWALL, TX 75087

STELLA LESLEY
1461 BRITTANY WAY
ROCKWALL, TX 75032

GRIFFIN BOBBIE DILLAHUNTY
1462 RED WOLF DR
ROCKWALL, TX 75087

STONEHAM LESLIE E
1463 MEMORIAL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1464 AUDOBON LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1464 BRITTANY WAY
ROCKWALL, TX 75087

171

WEEKS LINDA MAYE
1465 RED WOLF DR
ROCKWALL, TX 75087

MEYERS SHELLEY DANNE & TIMOTHY ANDREW
1466 MEMORIAL DR
ROCKWALL, TX 75087

HAYWORTH AMY AND
1468 RED WOLF DR
ROCKWALL, TX 75087

ZINGG LOLA J
1469 BRITTANY WAY
ROCKWALL, TX 75087

PANTER JOSHUA AND AMBER
1470 AUDOBON LN
ROCKWALL, TX 75087

FREEMAN TODD MICHAEL
1471 RED WOLF DR
ROCKWALL, TX 75087

BUIE L M & JANE B
1472 BRITTANY WAY
ROCKWALL, TX 75087

STOLL ROBERT AND ANN
1472 MEMORIAL DR
ROCKWALL, TX 75087

MORENO ANTONIO & JANET
1473 MEMORIAL DR
ROCKWALL, TX 75087

BENSON LINWOOD AND NANCY
1474 RED WOLF DRIVE
ROCKWALL, TX 75087

ELLER DIANE ELIZABETH
1476 AUDOBON LN
ROCKWALL, TX 75087

LANNOYE RACHEL M & MARK C
1477 BRITTANY WAY
ROCKWALL, TX 75087

LOPEZ AURELIO A
1477 RED WOLF DR
ROCKWALL, TX 75087

WATTS KENNETH A & LISA
1478 MEMORIAL DR
ROCKWALL, TX 75087

CASTLEBERRY DANNY LEE & RUTH E
1480 BRITTANY WAY
ROCKWALL, TX 75087

TROUSDALE JOHN R
1480 RED WOLF DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1482 AUDOBON LN
ROCKWALL, TX 75087

VIEDA & GONZALEZ
1483 RED WOLF DR
ROCKWALL, TX 75087

BOTTOMS DEBRA E & CHARLES G
1484 MEMORIAL DR
ROCKWALL, TX 75087

MILLIGAN FAMILY TRUST
1485 BRITTANY WAY
ROCKWALL, TX 75087

BEYER ALFRED B & JANET M
1486 RED WOLF DR
ROCKWALL, TX 75087

VOLPE JOANN
1488 AUDOBON LN
ROCKWALL, TX 75087

ELLIS BRIAN & LAUREN
1488 BRITTANY WAY
ROCKWALL, TX 75087

TUTTLE DAVID & CAROLYN
1490 MEMORIAL DR
ROCKWALL, TX 75087

HAYNES GEORGE J & CAROLYN J
1491 AUDOBON LN
ROCKWALL, TX 75087

MAYO GARY M & LILIAN URBINA-MAYO
1491 RED WOLF DR
ROCKWALL, TX 75087

PADILLA OSCAR & MELISSA
1493 BRITTANY WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
1494 RED WOLF DR
ROCKWALL, TX 75087

CASAZZA ALBERT AND ALEXIS K
1496 BRITTANY WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
1501 CALLING CIR
ROCKWALL, TX 75087

172

CURRENT RESIDENT
1501 HARVARD DR
ROCKWALL, TX 75087

HELMER KALENA AND BRIAN
1501 AUDOBON LN
ROCKWALL, TX 75087

TYLER WILLIAM L AND VANITA RAE
1501 THE ROCK
ROCKWALL, TX 75087

EZRIN RENANA M
1502 LOCHNESS CT
ROCKWALL, TX 75087

BOYLES GLYN E & MARY F
1503 BRITTANY WAY
ROCKWALL, TX 75087

WILLIAMS THOMAS MICHAEL AND
1504 BRITTANY WAY
ROCKWALL, TX 75087

KILLINGSWORTH ANDY OWEN AND LISA
PERKOWSKI KILLINGSWORTH
1504 CALLING CIR
ROCKWALL, TX 75087

PACKETT MICHAEL D AND DANA D
1505 LOCHNESS CT
ROCKWALL, TX 75087

BREWER BETTIE M
1506 GREAT LAKES CT
ROCKWALL, TX 75087

HETMWE MATTHEW A AND DEBRA S
1506 GREAT LAKES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1507 HARVARD DR
ROCKWALL, TX 75087

SUIRE AARON AND SHANNON ARMSTRONG
1507 CALLING CIR
ROCKWALL, TX 75087

INGRAM AUDRA JOY
1509 AUDOBON LN
ROCKWALL, TX 75087

MANN MICHAEL AND KRYSTAL
1509 GREAT LAKES CT
ROCKWALL, TX 75087

SPARKS KERRY JOSHUA AND JENNIFER
1510 CHESAPEAKE DR
ROCKWALL, TX 75087

RANGEL DANIEL & YOSELIN
1510 LOCKNESS CT
ROCKWALL, TX 75087

SCARBOROUGH AUDREY M
1511 BRITTANY WAY
ROCKWALL, TX 75087

RODRIGUEZ NATIVIDAD JR AND CRUZEL VIA
1512 CALLING CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
1513 HARVARD DR
ROCKWALL, TX 75087

ABSTON DAVID AND KATHRYN
1513 CALLING CIRCLE
ROCKWALL, TX 75087

REDDY FAMILY REVOCABLE TRUST
1515 LOCHNESS COURT
ROCKWALL, TX 75087

ROBINETTE MARK P AND JENNIFER L
1516 GREAT LAKES CT
ROCKWALL, TX 75087

VALDERAS KEITH AND LAUREN
1516 LOCHNESS CT
ROCKWALL, TX 75087

HARRIS PATRICIA A
1517 AUDOBON LN
ROCKWALL, TX 75087

BALLARD JOSHUA G AND COLLEEN M
1518 CALLING CIR
ROCKWALL, TX 75087

HANZLICEK BENJAMIN J
1518 CHESAPEAKE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1519 HARVARD DR
ROCKWALL, TX 75087

CONFIDENTIAL
1519 CALLING CIR
ROCKWALL, TX 75087

RATHER CHRIS T
1519 GREAT LAKES CT
ROCKWALL, TX 75087

JOBSON MARK AND PATRICIA
1521 LOCHNESS CT
ROCKWALL, TX 75087

173

EVANS RENEE L
1522 GREAT LAKES CT
ROCKWALL, TX 75087

WHITESIDE JOHN M AND JEANNINE
1522 LOCHNESS CT
ROCKWALL, TX 75087

TOVAR ELISA M
1524 CALLING CIRCLE
ROCKWALL, TX 75087

SIMMONS JESSE ALLAN AND ANGIE MAGDY
1524 CHESAPEAKE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1525 HARVARD DR
ROCKWALL, TX 75087

WILLIAMS MICHAEL L AND PEGGY A
1525 CALLING CIRCLE
ROCKWALL, TX 75087

BOYD TONY L AND LINDA
1525 GREAT LAKES CT
ROCKWALL, TX 75087

BILODEAU ELIZABETH
1527 LOCHNESS CT
ROCKWALL, TX 75087

PERSON BRANDON A AND KRISTINA L
1528 GREAT LAKES CT
ROCKWALL, TX 75087

MAGOUYRK WADE C SR AND COURTNEY L
1528 LOCHNESS CT
ROCKWALL, TX 75087

ORR DONNIE & ALICE
1530 CHESAPEAKE DRIVE
ROCKWALL, TX 75087

PETTY LYNDEN AND VICTORIA
1531 CALLING CIR
ROCKWALL, TX 75087

ADEMA DALE J AND VICKIE J
1531 GREAT LAKES CT
ROCKWALL, TX 75087

RAIBOURN JAMES CRAIG
1533 LOCHNESS COURT
ROCKWALL, TX 75087

WILLIAMS JARED R & HEATHER L
1534 LOCHNESS COURT
ROCKWALL, TX 75087

RICHARD EXPO
1536 TIMBER RIDGE DR
ROCKWALL, TX 75032

RICHARD EXPO
1536 TIMBER RIDGE DR
ROCKWALL, TX 75032

SAFIEDDINE BARRAK
1537 GREAT LAKES CT
ROCKWALL, TX 75087

ARGENAL JULIO GABRIEL & AMBER ELIZABETH
1539 LOCHNESS COURT
ROCKWALL, TX 75087

ARNOLD KELLY L AND MARTIN
1540 GREAT LAKES CT
ROCKWALL, TX 75087

KELSO MICHAEL AND MAURA
1540 LOCHNESS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1543 GREAT LAKES CT
ROCKWALL, TX 75087

PROTHRO ALISE
1543 GREAT LAKES COURT
ROCKWALL, TX 75087

HASSELL ERIN L
1545 LOCHNESS CT
ROCKWALL, TX 75087

NOGGLE SCOTT AND CARRI
1546 GREAT LAKES CT
ROCKWALL, TX 75087

SELMAN JOHN C JR AND VIRGINIA A
1546 LOCHNESS CT
ROCKWALL, TX 75087

GRANT NICHOLAS P & SHERRI D
1569 E QUAIL RUN RD
ROCKWALL, TX 75087

SABRSULA MELISSA
1571 ANNA CADR RD
ROCKWALL, TX 75087

CURRENT RESIDENT
1600 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1604 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1608 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1612 WANETA DR
ROCKWALL, TX 75087

YMCA OF DALLAS
1621 W WALNUT HILL LN
IRVING, TX 75038

ROADRUNNER PROPERTIES LLC
16902 PRESTON RD
DALLAS, TX 75248

LANKFORD BONNIE
1691 OLD E QUAIL RUN RD
ROCKWALL, TX 75087

HPA BORROWER 2018-1 MS LLC
180 N STETSON AVE 0
CHICAGO, IL 60601

HPA TEXAS SUB 2017-1 LLC
180 N STETSON AVE SUITE 3650
CHICAGO, IL 60601

HP TEXAS I LLC DBA HPA TX LLC
180 NORTH STETSON AVENUE 0
CHICAGO, IL 60601

MEGATEL HOMES LLC
1800 VALLEY VIEW LANE 0
FARMERS BRANCH, TX 75234

ESCOBEDO CARLOS DAVID
184 RAINTREE CT
ROCKWALL, TX 75087

CHEN ZEHUA
1840 SAN JACINTO DRIVE
ALLEN, TX 75013

CERBERUS SFR HOLDINGS, L.P.
1850 PARKWAY PLACE 0
MARIETTA, GA 30067

HOLMES HENRIETTA
1862 EMERALD BAY DR
ROCKWALL, TX 75087

WALKER, LORI MICHELE & THOMAS S
187 RAINTREE COURT
ROCKWALL, TX 75087

NEDELCU MIHAI & AMY
190 RAINTREE CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1901 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
191 E QUAIL RUN RD
ROCKWALL, TX 75087

CURRENT RESIDENT
1945 N GOLIAD ST
ROCKWALL, TX 75087

CROY DANNY L
195 CODY PL
ROCKWALL, TX 75087

SHREVE RICHARD
195 RAINTREE COURT
ROCKWALL, TX 75087

CURRENT RESIDENT
1950 N GOLIAD
ROCKWALL, TX 75087

STEWART DEBORAH LYNN
196 DARRIN DR
ROCKWALL, TX 75087

GALLEGOS JUAN ADOLFO
197 DARRIN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1979 N GOLIAD ST
ROCKWALL, TX 75087

KANSIER GAYLE
198 DARRIN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
199 DARRIN DR
ROCKWALL, TX 75087

YOUNG BARBARA NEUMANN
199 CODY PLACE
ROCKWALL, TX 75087

DEAN STACY
200 DARRIN DR
ROCKWALL, TX 75087

KENNET TYLER D AND DONELLE M
200 RAINTREE COURT
ROCKWALL, TX 75087

CURRENT RESIDENT
2004 N GOLIAD
ROCKWALL, TX 75087

175

CURRENT RESIDENT
2007 N GOLIAD
ROCKWALL, TX 75087

MCWHIRTER CRAIG L
201 DARRIN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
202 JOE WHITE ST
ROCKWALL, TX 75087

GANDY GEORGIA KNEL
202 DARRIN DR
ROCKWALL, TX 75087

ABERNATHY HENRY A & DONNA G
2024 SUN DRIVE
ROCKWALL, TX 75032

DEAN LUTHER A
2026 SUN DR
ROCKWALL, TX 75032

CLAY KAREN L
203 CODY PL
ROCKWALL, TX 75087

DAVIS ROBERT C
203 DARRIN
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC
203 E INTERSTATE 30
ROCKWALL, TX 75087

NELSON THERESE D
204 DARRIN DR
ROCKWALL, TX 75087

HATCHER MATTHEW S & IRENE
204 HARRIS DR
ROCKWALL, TX 75087

DRAKE EDWARD J II & JENNIFER R
205 DARRIN DRIVE
ROCKWALL, TX 75087

ZACEK COLLIN M & APRIL O
205 RAINTREE CT
ROCKWALL, TX 75087

RUDOLPH COLLIN J
206 DARRIN DRIVE
ROCKWALL, TX 75087

PEVELER MICHAEL A
206 HARRIS DR
ROCKWALL, TX 75087

MITCHELL KELLI A &
207 CODY PL
ROCKWALL, TX 75087

HARTMEIER MICHAEL J & DEANNA K
208 DARRIN DR
ROCKWALL, TX 75087

FRAZIER BILL E & LISA KEE
208 HARRIS DR
ROCKWALL, TX 75087

HENSON ORA LOUISE
209 DARRIN DR
ROCKWALL, TX 75087

VOGEL TANA
209 HARRIS DRIVE
ROCKWALL, TX 75087

BURNHAM TANA
209 HARRIS DRIVE
ROCKWALL, TX 75087

ZOLMAN ADAM DAVID AND
210 DARRIN DRIVE
ROCKWALL, TX 75087

HARRIS RICHARD D & JUDY A
210 GLENN AVE
ROCKWALL, TX 75087

PERKINS STEPHEN DEWITT
210 HARRIS DR
ROCKWALL, TX 75087

REED TERESA
211 CODY PLACE
ROCKWALL, TX 75087

MARINO STEFANO
211 HARRIS DR
ROCKWALL, TX 75087

BOWEN JAMES A
2111 MEADOWVIEW DR
CADDO MILLS, TX 75135

CURRENT RESIDENT
212 DARRIN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
213 HARRIS DR
ROCKWALL, TX 75087

RATH OSCAR
213 DARRIN DR
ROCKWALL, TX 75087

176

BREWER RICK A AND KRISTINE A
214 DARRIN DRIVE
ROCKWALL, TX 75087

GRIFFIN PATTY JEAN CORNELIUS
2140 AIRPORT RD
ROCKWALL, TX 75087

MURRAY JOHN DAVID
215 CODY PLACE
ROCKWALL, TX 75087

GLOBIS RAYMOND M
215 HARRIS DR
ROCKWALL, TX 75087

DALTON MELLONIE MCCROAN
215 RIVER FERN AVE 0
GARLAND, TX 75040

HENDERSON KATHRYN D
216 JOE WHITE ST
ROCKWALL, TX 75087

SMITH ERICA
217 DARRIN DR
ROCKWALL, TX 75087

BROCKWAY WINDELL C & DONNA K
217 HARRIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
218 JOE WHITE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
219 HARRIS DR
ROCKWALL, TX 75087

DUZAN TIMOTHY AND ANGELA
219 CODY PL
ROCKWALL, TX 75087

ALLISON MARIE E
219 DARRIN DR
ROCKWALL, TX 75087

AGUILLON AUDON ETUX
219 JOE WHITE ST
ROCKWALL, TX 75087

PEOPLES CHRISTINA AND ASHLEY ELIZABETH
GHEEN GANDY AND
220 JOE WHITE STREET
ROCKWALL, TX 75087

MORENO EUGENE MARK & ROCIO
221 DARRIN DRIVE
ROCKWALL, TX 75087

REICK GEORGE & MARY L
221 HARRRIS DR
ROCKWALL, TX 75087

JOPLIN JADE & HEATHER
221 JOE WHITE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
222 JOE WHITE ST
ROCKWALL, TX 75087

SOON OI LING
2221 ALL SAINTS LN
PLANO, TX 75025

KEARBY LESLIE
223 JOE WHITE ST
ROCKWALL, TX 75087

KEARBY JESSICA
223 JOE WHITE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
2265 NORTH LAKESHORE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2268 N LAKESHORE DR
ROCKWALL, TX 75087

ZHOU XIAOQI AND LIRONG LI
227 BRANDON LN
MURPHY, TX 75094

CECIL WILLIAM DALE & LINDA SUE
227 JOE WHITE ST
ROCKWALL, TX 75087

BARFIELD JOHN A
227 WISE
ORANGE GROVE, TX 78372

DARST KATHY S
229 JOE WHITE ST
ROCKWALL, TX 75087

OBENSHAIN HARLIN & CYNTHIA A
231 JOE WHITE ST
ROCKWALL, TX 75087

HUBBARD RICHARD L & BRANDI
2316 SADDLEBROOK LN
ROCKWALL, TX 75087

KYLE JOHN K & MARGARET E
2320 FAIRWAY CIRCLE
HEATH, TX 75032

177

TURBYFILL SANDRA B
235 GLACIER AVE
FAIRBANKS, AK 99701

TAYLOR MARK G & JESSICA K
237 CLEM RD
ROCKWALL, TX 75087

QUAIL RUN VALLEY OWNERS ASSOC
2500 LEGACY DR 0
FRISCO, TX 75034

COSLEY STEVEN M
25129 THE OLD ROAD 0
STEVENSON RANCH, CA 91381

HACKER TREVOR WILLIAM
2513 BLACK TERN WAY
ELK GROVE, CA 95757

WILLIAMS JONI DIANE
2550 DAYBREAK DRIVE
ROCKWALL, TX 75032

STANDARD FAMILY TRUST
2750 S NOLINA PL
CHANDLER, AZ 85286

SMITH GEOFFREY
3 REBECCA CT
WALNUT CREEK, CA 94597

CURRENT RESIDENT
300 LOS ALTOS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
300 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
3009 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
3009 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
301 LOS ALTOS DR
ROCKWALL, TX 75087

GLASS JERRY R
301 MEADOWDALE DR
ROCKWALL, TX 75087

RACK PARTNERS LTD
3021 RIDGE RD SUITE A 0
ROCKWALL, TX 75032

ROCKWALL PROPERTY CORP
305 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
306 NAKOMA DR
ROCKWALL, TX 75087

MAYER CATHERINE
306 LOS ALTOS DR
ROCKWALL, TX 75087

AMH 2014-2 BORROWER LLC
30601 AGOURA RD 0
AGOURA HILLS, CA 91301

CURRENT RESIDENT
307 LOS ALTOS DR
ROCKWALL, TX 75087

ROSINI GREG AND CAROL
3095 WINCREST DR
ROCKWALL, TX 75032

JAEGER DREW AND LAUREN
312 LOS ALTOS DR
ROCKWALL, TX 75087

HUFF ELLIOTT AND TOBIE
312 NAKOMA DRIVE
ROCKWALL, TX 75087

GUNN VALERIA LEWIS & WILBERT
313 LOS ALTOS DR
ROCKWALL, TX 75087

CLARK ALLAN JR
313 NAKOMA DR
ROCKWALL, TX 75087

CHAPMAN CHRISTOPHER G AND
3131 S HASKELL AVE
DALLAS, TX 75223

COLE HC ROCKWALL TX LLC
3150 HORIZON RD
ROCKWALL, TX 75032

WEBER MARY
318 COOPER ST
ROCKWALL, TX 75087

ROWLAND TOM & ELAINE
318 LOS ALTOS DR
ROCKWALL, TX 75087

CARLSON CURT AND MARIA
318 NAKOMA DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
319 LOS ALTOS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
319 NAKOMA DR
ROCKWALL, TX 75087

LEHMANN SARAH M AND JOSHUA B
3208 BOUVIER ST
ROWLETT, TX 75088

CURRENT RESIDENT
325 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
331 NAKOMA DR
ROCKWALL, TX 75087

SANCHEZ JOEL
3310 MINOCO DR
DALLAS, TX 75227

179

FARAH NICOLAS & SIMONE
3402 ANTHONY CIRCLE
ROWLETT, TX 75088

R FIFTY GREEN HOMES
3410 S GLENBROOK DR
GARLAND, TX 75041

RWLADERA LLC
361 W BYRON NELSON BLVD 0
ROANOKE, TX 76262

SALEHI MOHAMMAD
380 BEDFORD DRIVE
RICHARDSON, TX 75087

LOK JAMES S H & JANE F L TRUSTEES
0
3926 KINGRIDGE DR
SAN MATEO, CA 94403

CURRENT RESIDENT
400 FREMONT DR
ROCKWALL, TX 75087

TYSON STEPHANIE AND CARY
401 EMERSON DRIVE
ROCKWALL, TX 75087

NEAL DEMETRIA J
401 SONOMA DR
ROCKWALL, TX 75087

SANTINGA STEVEN D & CAROLYN S
406 FLORENCE DR
ROCKWALL, TX 75087

SMITH W MARK & RENE M
406 FREMONT DR
ROCKWALL, TX 75087

DELAHOUSSAYE GEORGE R AND DORA E
406 SONOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
407 EMERSON DR
ROCKWALL, TX 75087

SEUBERT ELIZABETH A
412 FREMONT DR
ROCKWALL, TX 75087

CURRENT RESIDENT
413 EMERSON DR
ROCKWALL, TX 75087

CULHANE MICHAEL J AND BRANDI HARDIN
41541 44TH ST 2
QUARTZ HILL, CA 93536

MARLOWE JOEL B AND JOYLYNN
418 SONOMA DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
419 EMERSON DR
ROCKWALL, TX 75087

JAVKER REALTY CORP
42 BOND ST
NEW YORK, NY 10012

BRAHIMAJ SHABAN A
424 SONOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
425 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
430 EMERSON DR
ROCKWALL, TX 75087

DANNA RUSSELL JOHN & SUSAN LYNN
430 SONOMA DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
431 EMERSON DR
ROCKWALL, TX 75087

INGALLS MICHELE
431 SONOMA DRIVE
ROCKWALL, TX 75087

JOBE BRYAN AND KAREN
436 EMERSON DRIVE
ROCKWALL, TX 75087

MILLER TOBY M &
0
436 SONOMA DR
ROCKWALL, TX 75087

BRINKMAN DANIEL
437 EMERSON DRIVE
ROCKWALL, TX 75087

HARRISON JEFFERY F & SHARON
437 SONOMA DRIVE
ROCKWALL, TX 75087

RENICK TINA NEILE
442 SONOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
443 SONOMA DR
ROCKWALL, TX 75087

180

DALE JIMMY F AND KAY
446 BARNES BRIDGE RD
SUNNYVALE, TX 75182

SOLER JOSEPH
4462 VISTA MEADOW CT
MOORPARK, CA 93021

TOMASINO JUAN C &
0
448 SONOMA DR
ROCKWALL, TX 75087

WILLIAMS HAROLD B & SHARON R
450 COVEY TRL
ROCKWALL, TX 75087

PERKINS CHARLES B & NEALE S
4553 ACACIA WAY
PENNGROVE, CA 94951

MAXWELL TRACY AND KASSIE
456 COVEY TR
ROCKWALL, TX 75087

REEVES ARTHUR RICHARD IV
4650 WASHINGTON BLVD APT 804
ARLINGTON, VA 22201

JERVISS LINDA M
4701 PARK HILL DR
PLACERVILLE, CA 95667

BAUMANN LAURA
4781 SECRET COVE
ROCKWALL, TX 75032

HODGES PATRICK L
481 ARCADIA WAY
ROCKWALL, TX 75087

SPAFFORD SARAH
494 DOWELL RD
ROCKWALL, TX 75032

CURRENT RESIDENT
500 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
501 EMERSON DR
ROCKWALL, TX 75087

KOLESNYK OKSANA
502 COVEY TRAIL
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY
REVOCABLE TRUST
5035 PINE DR
BAYNTON BEACH, FL 33437

NEGA DONALD D & LISA M
505 BIG OAK CT
ROCKWALL, TX 75087

MUSTAPHA AHMAD
506 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
507 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
508 COVEY TR
ROCKWALL, TX 75087

FREEMAN TIMOTHY O & ANDREA
508 BIG OAK CT
ROCKWALL, TX 75087

COTNER HERBERT E & BARBARA T
511 BIG OAK CT
ROCKWALL, TX 75087

YERKS SHAWN AND LISA
512 EMERSON DRIVE
ROCKWALL, TX 75032

CAMPBELL ROBERT & PATRICIA
512 SANDPIPER LN
MESQUITE, TX 75149

CURRENT RESIDENT
513 COVEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
513 EMERSON DR
ROCKWALL, TX 75087

SIDHU REET
514 BIG OAK CT
ROCKWALL, TX 75087

MCMILLAN ROBERT
514 COVEY TRL
ROCKWALL, TX 75087

HARTSFIELD MELINDA ANN & BRADLEY GENE
516 SAVANAH CT
ROCKWALL, TX 75087

SANDMAN REBECCA
517 BIG OAK CT
ROCKWALL, TX 75087

LANE DEBRA
517 SAVANAH COURT
ROCKWALL, TX 75087

181

BODINO LORI ANN
518 EMERSON DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
519 EMERSON DR
ROCKWALL, TX 75087

DUPRE EMILY JOY
520 COVEY TRAIL
ROCKWALL, TX 75087

HULTQUIST JON J & BETH L
520 SAVANAH COURT
ROCKWALL, TX 75087

CURRENT RESIDENT
521 COVEY TRL
ROCKWALL, TX 75087

BROWN VICTURE D
523 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
524 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
525 EMERSON DR
ROCKWALL, TX 75087

CONFIDENTIAL
525 SAVANAH CT
ROCKWALL, TX 75087

HUNT JUNE
526 COVEY TRL
ROCKWALL, TX 75087

FELKNER GEORGE K AND CAROLYN
526 SAVANAH COURT
ROCKWALL, TX 75087

HAMILTON LYNDSE K
529 COVEY TR
ROCKWALL, TX 75087

CURRENT RESIDENT
530 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
531 EMERSON DR
ROCKWALL, TX 75087

SEATON JOSHUA A AND BETTY I EMELIANTSEV
532 COVEY TR
ROCKWALL, TX 75087

TAYLOR WILLIAM C & JENNIFER L
532 SAVANAH CT
ROCKWALL, TX 75087

COX MELISSA E
535 SAVANAH CT
ROCKWALL, TX 75087

GIBRALTER JEFFREY H & LACIE L
537 COVEY TRL
ROCKWALL, TX 75087

BOWEN JAMES R & CENIA
538 COVEY TRL
ROCKWALL, TX 75087

BURKART RICHARD G & DONNA D
540 SAVANAH CT
ROCKWALL, TX 75087

PAWLIK ROBERT
544 COVEY TR
ROCKWALL, TX 75087

MACK RYAN M SR & ROBIN L
545 COVEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
550 LONE RIDER CT
ROCKWALL, TX 75087

GLOVER KERRY CLOYCE AND JOANN
550 E QUAIL RUN RD
ROCKWALL, TX 75087

BAKER JUSTIN T AND MORGAN CHAIVRE
550 SAVANAH CT
ROCKWALL, TX 75087

HAYS REVOCABLE MANAGEMENT TRUST
0
555 LONE RIDER CT
ROCKWALL, TX 75087

CURRENT RESIDENT
565 LONE RIDER CT
ROCKWALL, TX 75087

YINGLING JOHN R
570 EAST QUAIL RUN ROAD
ROCKWALL, TX 75087

TEFERI ADEY & SINTAYEHU TSEGAHUN
572 DUTCH ELM DR
HERCULES, CA 94547

SILVA JOHN J
573 LONE RIDER CT
ROCKWALL, TX 75087

182

CARUTH RIDGE EST HOMEOWNERS ASSOC INC
0
5757 ALPHA RD STE 680
DALLAS, TX 75240

LAKEVIEW SUMMIT HOMEOWNERS ASSOCIATION
0
5757 ALPHA ROAD 0
DALLAS, TX 75240

HOFFMAN STEVEN AND DANA
576 LUNE CT
LELAND, NC 28451

RK LAM LLC
5803 PENROSE AVENUE
DALLAS, TX 75206

BORCHARDT SCOTT AND JILL
581 LONE RIDER CT
ROCKWALL, TX 75087

JONES PHILIP AND MICHELLE
588 LONE RIDER CT
ROCKWALL, TX 75087

CASTILLO ROLAND
589 LONE RIDER CT
ROCKWALL, TX 75087

C3R INVESTMENTS LLC
594 LONE RIDER CT
ROCKWALL, TX 75087

TUMEY CHRISTOPHER & CARI
594 LONE RIDER CT
ROCKWALL, TX 75087

CASCIO PAUL & MICHELLE
597 LONE RIDER CT
ROCKWALL, TX 75087

REBAC OF ROCKWALL, LLC
6000 UNIVERSITY AVE 0
WEST DES MOINES, IA 50266

CURRENT RESIDENT
601 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
601 E HEATH ST
ROCKWALL, TX 75087

STEGALL VENTURES LLC
601 SUNSET HILL DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
602 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
602 LONE RIDER CT
ROCKWALL, TX 75087

GREAVES LARRY
602 COVEY TRL
ROCKWALL, TX 75087

KELBERT ERIC R
6021 WEST 85TH PLACE
LOS ANGELES, CA 90045

SUTTON JUDITH A
603 E HEATH ST
ROCKWALL, TX 75087

WEIDMAN JOHN R & FELICIA K
604 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
605 EMERSON DR
ROCKWALL, TX 75087

SCARBOROUGH BEN JR & IRENE T
605 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
605 E HEATH ST
ROCKWALL, TX 75087

BRIELLARD MARINETT J & CLEMENT
605 LONE RIDER CT
ROCKWALL, TX 75087

DAVIS SUSAN ELAINE BYRD
605 STORRS
ROCKWALL, TX 75087

CURRENT RESIDENT
606 EMERSON DR
ROCKWALL, TX 75087

SPERLING SANDY
607 E HEATH ST
ROCKWALL, TX 75087

STARK ROBERT S & TINA J
607 SAINT MARY ST
ROCKWALL, TX 75087

OBIOMA CHIBO & BLOSSOM
608 COVEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
609 EMERSON DR
ROCKWALL, TX 75087

183

CURRENT RESIDENT
610 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
610 EMERSON DR
ROCKWALL, TX 75087

DANG YUNKUN & ZILAI ZHANG
6109 WINSTEAD DR
PLANO, TX 75024

2017 D S HARAKAL REVOCABLE TRUST
611 BIG OAK COURT
ROCKWALL, TX 75087

LIGHT THERESA S AND BASILIO JR
611 LONE RIDER CT
ROCKWALL, TX 75087

CURRENT RESIDENT
612 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
613 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
614 EMERSON DR
ROCKWALL, TX 75087

PEOPLES BILLY W JR
614 COVEY TRL
ROCKWALL, TX 75087

FOSTER ROBERT J & KEIKO MURAO
616 BIG OAK
ROCKWALL, TX 75087

CURRENT RESIDENT
617 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
617 EMERSON DR
ROCKWALL, TX 75087

KETTLE JEREMY D
617 LONE RIDER CT
ROCKWALL, TX 75087

CURRENT RESIDENT
618 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
620 COVEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
621 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
622 EMERSON DR
ROCKWALL, TX 75087

WISEMAN JEANETTE H
622 BIG OAK COURT
ROCKWALL, TX 75087

CURRENT RESIDENT
623 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
625 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
626 EMERSON DR
ROCKWALL, TX 75087

HASEGAWA TETSUYA & PATRICIA EMY AOKI
626 COVEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
627 LONE RIDER CT
ROCKWALL, TX 75087

INCRISTI ANTHONY AND RITA ANN
628 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
629 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
630 EMERSON DR
ROCKWALL, TX 75087

MCCLANAHAN GREGORY T & CYNTHIA
631 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
633 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
634 EMERSON DR
ROCKWALL, TX 75087

HURST GREG N
635 LONE RIDER CT
ROCKWALL, TX 75032

HORNBAKER MICHAEL D & APRIL MAY
636 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
637 EMERSON DR
ROCKWALL, TX 75087

AAGENES ORVIS C & JANICE F
637 BIG OAK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
641 EMERSON DR
ROCKWALL, TX 75087

SCHROEDER JOHN & LOVE JOY
641 LONE RIDER COURT
ROCKWALL, TX 75087

WILLIAMS JOHN E
643 BIG OAK CT
ROCKWALL, TX 75087

MELAMED RICHARD AND JOAN I
644 BIG OAK CT
ROCKWALL, TX 75087

WITT LOUISE
649 BIG OAK CT
ROCKWALL, TX 75087

KLEMM MERY & OTTO H
667 SANCTUARY GOLF PLACE
APOPKA, FL 32712

CURRENT RESIDENT
701 LONE RIDER CT
ROCKWALL, TX 75087

METE MUTLU AND NURCAN YURUK
701 SHREWSBURY PL
PLANO, TX 75074

TEMPLETON LORRAINE BIEGLER
702 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
703 BIG OAK CT
ROCKWALL, TX 75087

NICHOLS DANIEL AND
0
703 NASH ST
ROCKWALL, TX 75087

RUSHING BRIAN AND
0
705 NASH ST
ROCKWALL, TX 75087

ARELLANO JESUS L &
0
706 NASH ST
ROCKWALL, TX 75087

PECINA JOE & LORETHIA ANN
706 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
707 NASH ST
ROCKWALL, TX 75087

WILCOX LOYD A
707 LAKE MEADOWS DR
ROCKWALL, TX 75087

KOLWINSKA GERALDINE D
708 PARKS AVE
ROCKWALL, TX 75087

MILLER ANNA
709 BIG OAK COURT
ROCKWALL, TX 75087

BREWER SHERI RENEE
709 NASH ST
ROCKWALL, TX 75087

STARK ROBERT C
710 AGAPE ST
ROCKWALL, TX 75087

KING MISTY
710 NASH STREET
ROCKWALL, TX 75087

SAYRE DONALD AND AMY
711 LONE RIDER CT
ROCKWALL, TX 75087

PALMER LINDA C
714 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
715 BIG OAK CT
ROCKWALL, TX 75087

DYNATEX LLC
716 COUNTRY CLUB DR
HEATH, TX 75032

JONES MARK D & DIANNA ROSE
719 LONE RIDER CT
ROCKWALL, TX 75087

SPARACIO RUTHANN
720 KENSINGTON DRIVE
ROCKWALL, TX 75032

185

GARCIA ESTEBAN AND
0
7215 HALIFAX PL
SPRINGFIELD, VI 22150

MARTINEZ FELIX & BARBARA E
729 LONE RIDER CT
ROCKWALL, TX 75087

GKD PROPERTIES LLC
732 AVALON DRIVE
HEATH, TX 75032

MARRS JACY LARY & SONYA LACHELLE
737 LONE RIDER CT
ROCKWALL, TX 75087

SOLDATOVIC THOMAS
743 LONE RIDER CT
ROCKWALL, TX 75087

GOLIAD REAL ESTATE LLC
7700 EASTERN AVENUE 0
DALLAS, TX 75209

PSB INDEMNITY FAMILY LIMITED PARTNERSHIP
777 PAUL DAVIS LANE
ROCKWALL, TX 75032

CURRENT RESIDENT
801 E HEATH ST
ROCKWALL, TX 75087

BREWER PATRICIA E TRUSTEE OF
0
801 STIMSON STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
802 NASH ST
ROCKWALL, TX 75087

COLUNGA MAXIMO & MARGARITA
802 E HEATH ST
ROCKWALL, TX 75087

AZURDIA CECILIA RAQUEL
802 JACKSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
803 JACKSON ST
ROCKWALL, TX 75087

TAYLOR WANDA
803 E HEATH ST
ROCKWALL, TX 75087

STEGMAN CHRISTOPHER
803 STIMSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
804 JACKSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
804 NASH ST
ROCKWALL, TX 75087

BROWN REBECCA AND THOMAS
804 E HEATH ST
ROCKWALL, TX 75087

CARROLL JEFFREY D ETUX
804 STIMSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
805 JACKSON ST
ROCKWALL, TX 75087

KRUEGER CHARLES H & JENNY L
805 E HEATH ST
ROCKWALL, TX 75087

GHEEN SUE
805 STIMSON
ROCKWALL, TX 75087

CURRENT RESIDENT
806 JACKSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
806 NASH ST
ROCKWALL, TX 75087

CONLEY JANONA & THOMAS J
806 E. HEATH ST
ROCKWALL, TX 75087

DIAL ALICIA
806 STIMSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
807 JACKSON ST
ROCKWALL, TX 75087

MOHEDANO MARTIN
807 E HEATH ST
ROCKWALL, TX 75087

WORTHY SHARON ANN AND DENNIS KEITH
807 JACKSON STREET
ROCKWALL, TX 75087

WATERS DOUGLAS D
807 STIMSON ST
ROCKWALL, TX 75087

186

CURRENT RESIDENT
808 E HEATH ST
ROCKWALL, TX 75087

MILBY BOBBY
808 JACKSON ST
ROCKWALL, TX 75087

MCCASLAND R E
808 NASH ST
ROCKWALL, TX 75087

SMITH JACOB CALVIN
808 STIMSON ST
ROCKWALL, TX 75087

GARY DENNIS AND DIANNE
809 COUNTY CLUB DRIVE
HEATH, TX 75032

CURRENT RESIDENT
809 E HEATH ST
ROCKWALL, TX 75087

ISBELL KATHARINE A
809 JACKSON ST
ROCKWALL, TX 75087

ESTRADA JESSE L
809 STIMSON STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
810 STIMSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
810 E HEATH ST
ROCKWALL, TX 75087

HUNT DENA
810 JACKSON ST
ROCKWALL, TX 75087

COPAUS PHILLIP
810 NASH ST
ROCKWALL, TX 75087

WARDELL LUKE A
811 E HEATH ST
ROCKWALL, TX 75087

JOSEY TRAVIS
811 JACKSON STREET
ROCKWALL, TX 75087

BRIDGES ANTHONY G & LISA D
811 STIMSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
812 JACKSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
812 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
812 E HEATH ST
ROCKWALL, TX 75087

KINSEY HILLARY
812 EAST HEATH STREET
ROCKWALL, TX 75087

WIMPEE REBECCA AND JAKE
812 STIMSON ST
ROCKWALL, TX 75087

GULLEY STAN LAVERE ETUX
813 E HEATH ST
ROCKWALL, TX 75087

NEAL MERCY DAVID
813 JACKSON STREET
ROCKWALL, TX 75087

MASSEY BOBBY JOE
813 NASH ST
ROCKWALL, TX 75087

BIRD MICHAEL EDWIN
813 STIMSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
814 JACKSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
814 E HEATH ST
ROCKWALL, TX 75087

LIDE BRYAN D & CARROLL D
814 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
815 NASH ST
ROCKWALL, TX 75087

HODGES BRIAN CODY & CHRISTY MICHELLE
815 E HEATH ST
ROCKWALL, TX 75087

WEISS WILLIAM RODGERS
815 JACKSON ST
ROCKWALL, TX 75087

REYNOLDS ALAN J & ALANA B
815 N 8TH ST
GROVER BEACH, CA 93433

ROSS THOMAS D II
815 STIMSON STREET
ROCKWALL, TX 75087

NICHOLS CORY
816 E HEATH ST
ROCKWALL, TX 75087

LEROY RAYMOND
816 JACKSON ST
ROCKWALL, TX 75087

DAVIS MARY FRANCINE
816 NASH ST
ROCKWALL, TX 75087

RODRIGUEZ PAULA CANDACE
817 E HEATH STREET
ROCKWALL, TX 75087

GARZA YOLANDA & JUAN
817 JACKSON ST
ROCKWALL, TX 75087

CAMPBELL JIMMY
817 NASH ST
ROCKWALL, TX 75087

TELFORD JEFFREY BRYANT AND KEISHA L
817 STIMSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
818 NASH ST
ROCKWALL, TX 75087

HOLLAND ANN
818 E HEATH ST
ROCKWALL, TX 75087

MOORE MIRIAM
819 E HEATH ST
ROCKWALL, TX 75087

PETERSON DALE ETUX JANIE
819 JACKSON ST
ROCKWALL, TX 75087

FREEMAN DARLENE KING
819 NASH STREET
ROCKWALL, TX 75087

MILLER JOHN G & MARIANNE S
819 STIMSON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
820 HEATH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
820 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
821 NASH ST
ROCKWALL, TX 75087

GRANBERRY COYCE
821 E HEATH ST
ROCKWALL, TX 75087

FLETCHER DONNA G
821 JACKSON ST
ROCKWALL, TX 75087

MCCOY WREY A & RHONDA L
821 STIMSON ST
ROCKWALL, TX 75087

STONE CREEK PHASE 8 LTD
8214 WESTCHESTER DR 0
DALLAS, TX 75225

WINDSOR HOMES CUMBERLAND LLC
8214 WESTCHESTER DR 0
DALLAS, TX 75225

SMALL JESSICA RAELYN
822 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
823 JACKSON ST
ROCKWALL, TX 75087

MCCASLAND KENNETH W ET UX
823 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
824 HEATH ST
ROCKWALL, TX 75087

BICKEL JAMES R & CONNIE L
824 NASH ST
ROCKWALL, TX 75087

DOOLEY THOMAS W
825 NASH ST
ROCKWALL, TX 75087

POSEY SUE ELLEN
826 NASH ST
ROCKWALL, TX 75087

188

CURRENT RESIDENT
827 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
828 HEATH ST
ROCKWALL, TX 75087

WOODARD EMILY E AND BRACY
828 NASH ST
ROCKWALL, TX 75087

SEABOLT MARY LOUISE
829 NASH
ROCKWALL, TX 75087

ROACH KEITH & CHRISTINE
830 GLENMORE CT
ROCKWALL, TX 75087

STEWART IRIS J
830 NASH STREET
ROCKWALL, TX 75087

MCCLAIN LOUETTA
8309 TURNBERRY ST
ROWLETT, TX 75089

FELDMAN HAROLD
831 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
832 WILLIAMS ST
ROCKWALL, TX 75087

JACOBSEN RICHARD S JR & PENNY A
832 COUNTY ROAD 1120
CUMBY, TX 75433

BAGWELL LAURA
832 NASH STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
834 NASH ST
ROCKWALL, TX 75087

RANDALL ROBERT S & SHERY B
835 HIGH COTTON LN
ROCKWALL, TX 75087

CURRENT RESIDENT
836 HEATH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
840 HEATH ST
ROCKWALL, TX 75087

HOUCHIN ZACHARY
840 NASH ST
ROCKWALL, TX 75087

CASTORENA SHARON L
8402 CAPRICORN DR
UNIVERSAL CITY, TX 78148

DOTSON DUNCAN L & DOLORES J
841 HIGH COTTON LN
ROCKWALL, TX 75087

MINCE RANDY JOE & RHONDA LYNN
844 HIGH COTTON LN
ROCKWALL, TX 75087

WAY FAMILY TRUST
8441 S FM ROAD 549
ROCKWALL, TX 75032

MOORE WORTH INVESTMENTS LLC
8445 FREEPORT PKWY 0
IRVING, TX 75063

BISHOP JOHN & AUDREY K
845 REDWOOD TRL
ROCKWALL, TX 75087

WEAVER BONNIE & SCOTT
847 HIGH COTTON LN
ROCKWALL, TX 75087

ACKENBACK SPENCER AND HEATHER LYNN SCHAMBER
847 WEST FM 1564
GREENVILLE, TX 75402

CHUNG WON S & HYE Y
850 HIGH COTTON LN
ROCKWALL, TX 75087

MCGEE JEFFRY S & DONNA L
851 WISPERWOOD DR
ROCKWALL, TX 75087

CONFIDENTIAL
853 HIGH COTTON LN
ROCKWALL, TX 75087

CONFIDENTIAL
853 REDWOOD TR
ROCKWALL, TX 75087

LAIN JACOB & SARAH
856 HIGH COTTON LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
857 WISPERWOOD DR
ROCKWALL, TX 75087

CLEMENT MICHAEL BRENT
859 HIGH COTTON LANE
ROCKWALL, TX 75087

GOUSE STEPHEN M
859 REDWOOD TRAIL
ROCKWALL, TX 75087

COTTI MICHAEL A
862 HIGH COTTON LANE
ROCKWALL, TX 75087

WHITAKER BRENT L & RHODENA Y
863 WISPERWOOD DR
ROCKWALL, TX 75087

HOPEWELL MARILYN E
865 HIGH COTTON LN
ROCKWALL, TX 75087

HOLMAN DAVID AND JULIE
865 REDWOOD TRL
ROCKWALL, TX 75087

CSH 2016-2 BORROWER LLC
8665 EAST HARTFORD DR 0
SCOTTSDALE, AZ 85255

SWH 2017-1 BORROWER LP
8665 EAST HARTFORD DRIVE 0
SCOTTSDALE, AZ 85255

PETERSON MIRIAM P & RONALD S
869 WISPERWOOD DR
ROCKWALL, TX 75087

MCKNIGHT SCOTT A & KAY A
871 HIGH COTTON LN
ROCKWALL, TX 75087

SNIDER DAVID M & DEBORAH
871 REDWOOD TRL
ROCKWALL, TX 75087

LOPEZ JOSE DEJESUS
8727 FOREST HILL BLVD
DALLAS, TX 75218

SMITH SUSAN
875 WHISPERWOOD
ROCKWALL, TX 75087

MCKINNEY ROBERT A & JENNIFER J
877 HIGH COTTON LN
ROCKWALL, TX 75087

TIPPIE ANGELA G
877 REDWOOD TRAIL
ROCKWALL, TX 75087

CURRENT RESIDENT
880 FM1141
ROCKWALL, TX 75087

WARDELL JOHN P & JULIE C
880 IVY LN
ROCKWALL, TX 75087

MERITAGE HOMES OF TEXAS LLC
8840 CYPRESS WATERS BLVD 0
COPPELL, TX 75019

BLY DANIEL S & KELLY JM
887 MIDNIGHT PASS
ROCKWALL, TX 75087

BIRKENBACK WILLIAM R & PRISCILLA L
893 MIDNIGHT PASS
ROCKWALL, TX 75087

HACKENBRACHT JAY S & JANINE
896 MIDNIGHT PASS
ROCKWALL, TX 75087

DALESSIO JEFFREY M & SUZANNE
897 MIDNIGHT PASS
ROCKWALL, TX 75087

OWENS MARK D
900 CEDAR SHORES DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
900 N JOHN KING BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
901 WILLIAMS ST
ROCKWALL, TX 75087

SHIPLEY MICHAEL R & LOUELLEN E
901 MIDNIGHT PASS
ROCKWALL, TX 75087

CHARBONNEAU BRUCE J & JOCELYN E
901 SETTING SUN COURT
ROCKWALL, TX 75087

ESTILL JAMES G JR & DIANA M
902 SETTING SUN COURT
ROCKWALL, TX 75087

STANLEY STEVEN AND ROBIN
905 IVY LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
906 MIDNIGHT PASS
ROCKWALL, TX 75087

ZOMER SHEANICIA
907 MIDNIGHT PASS
ROCKWALL, TX 75087

DRABBLE ASHLEY L & JUSTIN K
907 SETTING SUN COURT
ROCKWALL, TX 75087

CONFIDENTIAL
907 WISPERWOOD DRIVE
ROCKWALL, TX 75032

OVERSTREET LUCAS & JESSICA L
908 SETTING SUN COURT
ROCKWALL, TX 75087

BLAGAILA EMANUEL & DORCA
9115 PEBBLE FIELD WAY
SACRAMENTO, CA 95829

CURRENT RESIDENT
912 MIDNIGHT PASS
ROCKWALL, TX 75087

TATE KATRINA
912 MIDNIGHT PASS
ROCKWALL, TX 75087

PATINO ALVARO
912 WISPERWOOD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
913 MIDNIGHT PASS
ROCKWALL, TX 75087

AMMERMAN ERIC R & LAUREN D
913 SETTING SUN COURT
ROCKWALL, TX 75087

MCKEEVER RANDY L & TERRI L
913 WISPERWOOD DRIVE
ROCKWALL, TX 75087

LINDSEY TIFFANY MICHELE & CHRISTOPHER G
914 SETTING SUN COURT
ROCKWALL, TX 75087

CONFIDENTIAL
917 DOGWOOD LANE
ROCKWALL, TX 75087

SCRIBNER PATRICIA A
918 E GRUBB DR
MESQUITE, TX 75149

BUCKHALTER ASHLEY
918 MIDNIGHT PASS
ROCKWALL, TX 75087

MENCHACA EDWARD L
919 MIDNIGHT PASS
ROCKWALL, TX 75087

ROLLINS DESTINEE AND SEAN
919 SETTING SUN COURT
ROCKWALL, TX 75087

JELIC ANTHONY M & MOLLY A
919 WISPERWOOD DR
ROCKWALL, TX 75087

THREADGILL KATE LATHAM AND BRADLEY SCOTT
920 DOGWOOD LN
ROCKWALL, TX 75087

KING WENDELL D JR AND KIMBERLY A
920 SETTING SUN COURT
ROCKWALL, TX 75087

TIMIS MARIA R & DANUT
920 WHISPERWOOD DR
ROCKWALL, TX 75087

HCL PROPERTIES LLC
921 CHESTNUT LN
ROCKWALL, TX 75087

ANCHONDO OMAR & ENEDINA
923 DOGWOOD LN
ROCKWALL, TX 75087

CURRENT RESIDENT
924 MIDNIGHT PASS
ROCKWALL, TX 75087

VENTURA MIRNA JUDITH
925 MIDNIGHT PASS
ROCKWALL, TX 75087

DONAHOE JOHN M & KATHRINE E
925 N GOLIAD ST
ROCKWALL, TX 75087

DUREN JAMES A & RYNN R
925 SETTING SUN COURT
ROCKWALL, TX 75087

FOWLER ROBERT M
925 WISPERWOOD DR
ROCKWALL, TX 75087

PLOWMAN BRENDA
926 WISPERWOOD DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
927 FM1141
ROCKWALL, TX 75087

191

ARREDONDO MARCELINO & CAROLYN
928 DOGWOOD LANE
ROCKWALL, TX 75087

TATE NATHAN A AND LAURA S AND
0
928 WILLIAMS ST
ROCKWALL, TX 75087

HUBERTUS PATRICK D & PATRICIA A
929 DOGWOOD LN
ROCKWALL, TX 75087

HERRERA ROBERT JOSEPH & SYLVIA
930 MIDNIGHT PASS
ROCKWALL, TX 75087

SINGLETON ROY LEE SR & LINDA D
930 WILLIAMS ST
ROCKWALL, TX 75087

GETZ STEPHEN AND MELISSA SWIFT
931 MIDNIGHT PASS
ROCKWALL, TX 75087

EIGER STEVEN & ARLENE
931 SETTING SUN COURT
ROCKWALL, TX 75087

PAUL TIMOTHY
931 WISPERWOOD DR
ROCKWALL, TX 75087

PETTETT JUDITH
932 WHISPERWOOD DRIVE
ROCKWALL, TX 75087

CANTRELL JANET SUE
932 WILLIAMS ST
ROCKWALL, TX 75087

SHOUSE JACKYE L JR AND CHRISTINA A
CHRISTESON
934 WILLIAMS STREET
ROCKWALL, TX 75087

TRIPODI JOSEPH & MARIE
935 DOGWOOD LANE
ROCKWALL, TX 75087

OWENS JEFFERY ALLEN
936 DOGWOOD LANE
ROCKWALL, TX 75087

IVEY GREGORY JUSTIN & ERIN K
936 MIDNIGHT PASS
ROCKWALL, TX 75087

GILL SCOTT THOMAS & ANGELA R
936 WILLIAMS ST
ROCKWALL, TX 75087

MOORE JOSEPH & PATRICIA E
937 MIDNIGHT PASS
ROCKWALL, TX 75087

SPADE LESLIE & TERESA
937 WISPERWOOD DRIVE
ROCKWALL, TX 75087

SANCHEZ BEATRICE RAQUEL
938 WILLIAMS STREET
ROCKWALL, TX 75087

INGRAM TURHAN JR AND MELISSA MICHELLE
COPPEDGE
938 WISPERWOOD
ROCKWALL, TX 75087

SPILLMAN JAMES T
940 WILLIAMS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
941 DOGWOOD LN
ROCKWALL, TX 75087

CONFIDENTIAL
942 MIDNIGHT PASS
ROCKWALL, TX 75087

DEITELBAUM SAMUEL E
943 MIDNIGHT PASS
ROCKWALL, TX 75087

MICHALENKO WILLIAM J JR
943 WISPERWOOD DR
ROCKWALL, TX 75087

HOLBROOK ALAN E
944 DOGWOOD LANE
ROCKWALL, TX 75087

VELA PATTI D & JOSE F JR
944 WISPERWOOD DR
ROCKWALL, TX 75087

NEXT GENERATION BLESSINGS LLC
947 DOGWOOD LANE
ROCKWALL, TX 75087

BURCHYETT JAMES T
948 MIDNIGHT PASS
ROCKWALL, TX 75087

WILSON CHRISTINE AKA CHRISTINE ANN
WILSON
949 MIDNIGHT PASS
ROCKWALL, TX 75087

PIETRYKOWSKI RICHARD & JEAN
949 WISPERWOOD DR
ROCKWALL, TX 75087

192

CURRENT RESIDENT
950 WILLIAMS ST
ROCKWALL, TX 75087

SHINN THEODORE L JR & LAURA L
950 WISPERWOOD DR
ROCKWALL, TX 75087

RUSO JOHN JR & VIRGINIA K
953 DOGWOOD LN
ROCKWALL, TX 75087

ROEHRIG KYLE
954 MIDNIGHT PASS
ROCKWALL, TX 75087

PEVELER LISA H
955 MIDNIGHT PASS
ROCKWALL, TX 75087

TADLOCK JERRY
955 WISPERWOOD DR
ROCKWALL, TX 75087

STOVALL ANDREW D
956 DOGWOOD LN
ROCKWALL, TX 75087

INSUASTE GEORGE & LAURA LEE
956 WISPERWOOD DRIVE
ROCKWALL, TX 75087

MILAZZO DENNIS M & SHELLY A
959 DOGWOOD LANE
ROCKWALL, TX 75087

PALMER NEAL H & KIMBERLY A
961 MIDNIGHT PASS
ROCKWALL, TX 75087

MAGGIO CHARLES L
961 WISPERWOOD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
962 WISPERWOOD DR
ROCKWALL, TX 75087

R & R HANCE INVESTMENTS LP
963 W YELLOW JACKET LN
ROCKWALL, TX 75087

RANDA BARTON HANCE LIVING TRUST AND
0
963 W YELLOW JACKET LN 0
ROCKWALL, TX 75087

CURRENT RESIDENT
964 DOGWOOD LN
ROCKWALL, TX 75087

YARBOROUGH JAMES AND CONNIE
965 DOGWOOD LANE
ROCKWALL, TX 75087

TALENT MONTE DEWAYNE & SHERRY LEA
967 SHADY LANE DR
ROCKWALL, TX 75087

LARSEN MICHAEL & NANCY
967 WISPERWOOD DR
ROCKWALL, TX 75087

HENSON JAMES A & PATRICIA
968 MIDNIGHT PASS
ROCKWALL, TX 75087

WALTHALL TERRY & MARCIA
968 WISPERWOOD DR
ROCKWALL, TX 75087

DESMOND BRIAN G
971 DOGWOOD LN
ROCKWALL, TX 75087

PETERSON JUSTIN H & LAURA C REVOCABLE LIVING TRUST
9710 OCTOBER GLORY LN
ROWLETT, TX 75089

TOMLINSON MICHAEL P AND
0
972 DOGWOOD LN
ROCKWALL, TX 75087

VASQUEZ MARIANA
973 SHADY LANE
ROCKWALL, TX 75087

FUDGE GERALD L & DENISE B
973 WISPERWOOD DR
ROCKWALL, TX 75087

KIRCHENBAUER BRYAN P
974 MIDNIGHT PASS
ROCKWALL, TX 75087

HILL HEATH D & JENNIFER S
974 STARLIGHT PL
ROCKWALL, TX 75087

BARICHIVICH BEN
974 WISPERWOOD DRIVE
ROCKWALL, TX 75087

DANIEL JASON
975 MIDNIGHT PASS
ROCKWALL, TX 75087

CRAWFORD MICHAEL & MARY
975 N ALAMO RD
ROCKWALL, TX 75087

193

YOUNG WILLIAM D & BARBARA G
977 DOGWOOD LN
ROCKWALL, TX 75087

BAILEY TAMARA N
979 SHADY LANE DRIVE
ROCKWALL, TX 75087

HUBBARD BRANDON & SARAH CHRISTINE
979 WISPERWOOD DRIVE
ROCKWALL, TX 75087

LE VU T
980 DOGWOOD LANE
ROCKWALL, TX 75087

HERNDON JEFFREY C & CYNTHIA B
980 MIDNIGHT PASS
ROCKWALL, TX 75087

SHARP MARCUS & STELLA
980 STARLIGHT PL
ROCKWALL, TX 75087

FAIN BRIAN DAVID AND ELISABETH A
980 WISPERWOOD DRIVE
ROCKWALL, TX 75087

RENDON LETICIA
981 MIDNIGHT PASS
ROCKWALL, TX 75087

HOLST GRACE ELOISE & THOMAS H
983 DOGWOOD LN
ROCKWALL, TX 75087

D'ALESSIO LAWRENCE M AND TEEO A
983 STARLIGHT PL
ROCKWALL, TX 75087

BROOKS MELVIL & KIMBERLEY
985 REDWOOD TRL
ROCKWALL, TX 75087

GILMAN LANI
985 SHADY LANE DRIVE
ROCKWALL, TX 75087

MCGUIRE PHYLLIS J
985 WISPERWOOD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
986 MIDNIGHT PASS
ROCKWALL, TX 75087

JOLICOEUR KEVIN P AND SAMANTHA
986 SHADY LANE
DRIVE, TX 75087

KEIFER R MATTHEW & KRISTEN C
986 STARLIGHT PL
ROCKWALL, TX 75087

MEYER KENNETH B & JENNIFER C
987 MIDNIGHT PASS
ROCKWALL, TX 75087

HAYS ALAN & JERRY LYNN
987 SAFFLOWER CT
ROCKWALL, TX 75087

CONFIDENTIAL
988 DOGWOOD LN
ROCKWALL, TX 75087

MOSELEY PATRICIA M
988 REDWOOD TR
ROCKWALL, TX 75087

COUCH JULIE MARIE
988 SAFFLOWER CT
ROCKWALL, TX 75087

CURRENT RESIDENT
989 DOGWOOD LN
ROCKWALL, TX 75087

CURRENT RESIDENT
991 STARLIGHT PL
ROCKWALL, TX 75087

BYRD NICHOLAS W & KAARINA F
991 REDWOOD TRL
ROCKWALL, TX 75087

PITTMAN JAMES F & ABBEY
991 SHADY LANE DRIVE
ROCKWALL, TX 75087

ZELADA WILLIAM N & JAEL
992 MIDNIGHT PASS
ROCKWALL, TX 75087

CARTER ROY F III AND CHARYSSE K
992 SHADY LANE DR
ROCKWALL, TX 75087

POMROY SHAWN AND PATRICIA
992 STARLIGHT PL
ROCKWALL, TX 75087

CURRENT RESIDENT
993 MIDNIGHT PASS
ROCKWALL, TX 75087

LOPEZ THEODORE LOUIS AND CHERYL MILISA
994 REDWOOD TR
ROCKWALL, TX 75087

194

DRYER MATTHEW J AND LISA
994 SAFFLOWER COURT
ROCKWALL, TX 75087

WILKE ANDREW D
995 SAFFLOWER CT
ROCKWALL, TX 75087

CONFIDENTIAL
997 REDWOOD TRL
ROCKWALL, TX 75087

KUKUWICH WENDEE E & LEE D GRIFFIN
997 SHADY LANE DRIVE
ROCKWALL, TX 75087

RARDON WALLY G AND CELE C
998 SHADY LANE DR
ROCKWALL, TX 75087

GUNDERSON CHRISTOPHER AND DIANA
998 STARLIGHT PL
ROCKWALL, TX 75087

ARP 2014-1 BORROWER LLC
ATTN: PROPERTY TAX DEPARTMENT 0
AGOURA HILLS, CA 91301

AMERICAN RESIDENTIAL LEASING COMPANY LLC
ATTN: PROPERTY TAX DEPARTMENT 0
AGOURA HILLS, CA 91301

AMH 2014-3 BORROWER LLC
ATTN: PROPERTY TAX DEPARTMENT 0
AGOURA HILLS, CA 91301

FEDERAL HOME LOAN MORTGAGE CORPORATION
0
BAC HOME LOANS SERVICING LP 0
PLANO, TX 75024

WIMPEE JANIE K LIFE ESTATE
0
JOE E WIMPEE AND JERRY M WIMPEE 0
FAYETTEVILLE, AR 72701

ROCKWALL COUNTY HELPING HANDS INC
P O BOX 375
ROCKWALL, TX 75087

AMERICAN NATIONAL BANK OF TEXAS
0
P O BOX 40
TERRELL, TX 75160

VENETO HOLDINGS LLC
P. O. BOX 2379
CHANDLER, AZ 85244

YEN GERRY
P. O. BOX 8
LOS ALTOS, CA 94023

CONFIDENTIAL
PO BOX 1112
ROCKWALL, TX 75087

MURDOCK MARK AND EDITH
PO BOX 1393
ROCKWALL, TX 75087

BUDDY AND ALICIA MORAHAN LIVING TRUST
0
PO BOX 140795
DALLAS, TX 75214

SHUGART MELODY S
PO BOX 1491
ROCKWALL, TX 75087

GARRLANG PROPERTIES LLC
PO BOX 1503
ROCKWALL, TX 75087

WORTHY SHARON ANN & DENNIS KEITH
PO BOX 1656
ROCKWALL, TX 75087

TAYLOR JAREN & EMILY
PO BOX 1793
ROCKWALL, TX 75087

VICENTI RUBY E
PO BOX 202
ROCKWALL, TX 75087

GRANT LIVING TRUST
0
PO BOX 2067
SUNNYVALE, CA 94087

SMALL JOHN AND ANN
PO BOX 218
ROCKWALL, TX 75087

CLINE JAMES D AND LILLIAN R
PO BOX 2331
ROCKWALL, TX 75087

EAGLE SEIKI SALES LTD
0
PO BOX 2769
WEATHERFORD, TX 76086

EAGLE SEIKI SALES LTD
0
PO BOX 2769
WEATHERFORD, TX 76086

ROCKWALL ASSEMBLY OF GOD
0
PO BOX 33
ROCKWALL, TX 75087

PEOPLES BILLY W
PO BOX 35
ROCKWALL, TX 75087

195

WHITTLE ROBERT S
PO BOX 369
ROCKWALL, TX 75087

WHITTLE ROBERT S
PO BOX 369
ROCKWALL, TX 75087

CUNNINGHAM BUDDY A & CATHEY L
REVOCABLE LIVING TRUST
PO BOX 96
ROYSE CITY, TX 75189

STATE ROAD PARK
ROCKWALL TX 75087
, 00000

FOERSTER ELWYNNE ANN
0
ROCKWALL, TX 75087

196

LOPEZ ISIDORO R & IRMA
& ARMANDO BARRON
1024 KAY LN
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN
323 ELM DR
ROCKWALL, TX 75087

POWELL LAURA LEE
AKA LAURA LEE KONRATH
1233 BLUE BROOK DRIVE
ROCKWALL, TX 75087

BUDDY AND ALICIA MORAHAN LIVING TRUST
ALICIA MORAHAN- TRUSTEE
PO BOX 140795
DALLAS, TX 75214

SCOTT DALTON PERRY AND
ALYSIA ANN VILLARREAL
1195 WATERS EDGE DRIVE
ROCKWALL, TX 75087

CONFIDENTIAL
ANDREA M DUFF
1285 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

SCOTT KEVIN A AND
ASHLEY N HASTON
1229 WATERS EDGE DRIVE
ROCKWALL, TX 75087

AMERICAN NATIONAL BANK OF TEXAS
ATT TINA NORRIS
P O BOX 40
TERRELL, TX 75160

ROCKWALL PROPERTY CORP
ATTN:BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

PHAM AUBREE E AND
BAO D PHAM
1134 WHISPERING GLEN
ROCKWALL, TX 75087

ISOM MARK A AND
BRENDA C THOMAS
1273 CRESCENT COVE DR
ROCKWALL, TX 75087

QUAIL RUN VALLEY OWNERS ASSOC
C/O ASSURED MGT INC
2500 LEGACY DR STE 220
FRISCO, TX 75034

FEDERAL HOME LOAN MORTGAGE CORP
C/O BANK OF AMERICA, N.A. AS SUCCESSOR BY
MERGER TO
BAC HOME LOANS SERVICING LP 7105
CORPORATE DRIVE
PLANO, TX 75024

ROCKWALL ASSEMBLY OF GOD
C/O DAVID SPIEGEL
PO BOX 33
ROCKWALL, TX 75087

EAGLE SEIKI SALES LTD
C/O ELIZABETH BURKS
PO BOX 2769
WEATHERFORD, TX 76086

EAGLE SEIKI SALES LTD
C/O ELIZABETH BURKS
PO BOX 2769
WEATHERFORD, TX 76086

COLE HC ROCKWALL TX LLC
C/O ROCKWALL REGIONAL HOSPITAL, LLC; ATTN
LEGAL DEPT.
3150 HORIZON RD
ROCKWALL, TX 75032

LAKEVIEW SUMMIT HOMEOWNERS
ASSOCIATION
C/O VCM, INC.
5757 ALPHA ROAD SUITE 680
DALLAS, TX 75240

CARUTH RIDGE EST HOMEOWNERS ASSOC INC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

ANTHONY KENDRA AND
CASSAR JEAN
1209 WATERS EDGE DR
ROCKWALL, TX 75087

RUSHING BRIAN AND
CHANEL KENTOPP
705 NASH ST
ROCKWALL, TX 75087

WALVOORD KREG ANTHONY AND
CHANTAL NICOLE WALVOORD
1228 WATERS EDGE DR
ROCKWALL, TX 75087

MILLIGAN FAMILY TRUST
CHARLES E MILLIGAN AND CARLA A MILLIGAN
TRUSTEES
1485 BRITTANY WAY
ROCKWALL, TX 75087

SAVAGE CHRISTINA B AND
CHRISTOPHER B SCHNABEL
1275 BAY LINE DRIVE
ROCKWALL, TX 75087

PINILLA EDGAR ARMANDO AND
CLAUDIA FERNANDA DELGADO
1193 HIGHBLUFF LN
ROCKWALL, TX 75087

ARELLANO JESUS L &
CYNTHIA A HERRERA
706 NASH ST
ROCKWALL, TX 75087

ZOLMAN ADAM DAVID AND
DARBY ZOLMAN
210 DARRIN DRIVE
ROCKWALL, TX 75087

TATE NATHAN A AND LAURA S AND
DARLENE SINGLETON
928 WILLIAMS ST
ROCKWALL, TX 75087

TOMASINO JUAN C &
DEIDRA LOVEJOY
448 SONOMA DR
ROCKWALL, TX 75087

SCOTT MARK ALAN SR &
DOREEN
130 IRELAND CT
ROCKWALL, TX 75087

STRAIGHT JOSEPH &
ELENA M
1236 MEMORIAL DR
ROCKWALL, TX 75087

ABEBE YARED AND
FIREHIWOT D MULUGETA
1205 HIGHBLUFF LN
ROCKWALL, TX 75087

FRIETZE CARL M JR
FLORANGELA KORNAFEL
1029 FANNIN
ROCKWALL, TX 75087

THE JOLLY FAMILY LIVING TRUST
G RANDAL JOLLY AND ANDREA K JOLLY,
TRUSTEES
1338 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

WILCOXSON CHRISTY R AND
GORDY R & PAMELA F NIX
1207 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

GARCIA ESTEBAN AND
IDALIA RIVERA M
7215 HALIFAX PL
SPRINGFIELD, VI 22150

CHAPMAN CHRISTOPHER G AND
JAMES K CHAPMAN
3131 S HASKELL AVE
DALLAS, TX 75223

HUGHES FAMILY LIVING TRUST
JEFFREY J AND LAURA V HUGHES TRUSTEE'S
1038 MOUNTAIN LAKE DRIVE
ROCKWALL, TX 75087

SANDERS APRIL D AND
JENNIFER S GEGOGEINE
1380 PHELPS LAKE DRIVE
ROCKWALL, TX 75087

PHILPOTT BILLY D AND
JERRYE J FUSSELL
1420 RAPIDS COURT
ROCKWALL, TX 75087

DANG DUNG T AND
JESSICA PHAN
1350 CALISTOGA DR
ROCKWALL, TX 75087

REDDY FAMILY REVOCABLE TRUST
JOHN PATRICK REDDY AND CONNINE BURKHART
REDDY, TRUSTEES
1515 LOCHNESS COURT
ROCKWALL, TX 75087

PULERA JOHN TRUST
JOHN PULERA TRUSTEE
110 AGAVE
LAKE FOREST, CA 92630

BARLOW CHRISTOPHER CARTER AND
JULIE ANN MATUSZ
1453 BRITTANY WAY
ROCKWALL, TX 75087

LEAHY ANDERSON C AND
KAITLIN A WALLER
1070 HIDDEN LAKES WAY
ROCKWALL, TX 75087

DUNCAN GREGORY LYN &
KATHERINE ELIZABETH POPE
1068 WISPERWOOD DR
ROCKWALL, TX 75087

RANDA BARTON HANCE LIVING TRUST AND
LARRY HANCE
963 W YELLOW JACKET LN APT 107
ROCKWALL, TX 75087

RUTHERFORD JESSICA R AND
LIANE B WATKINS
1136 HIDDEN LAKES WAY
ROCKWALL, TX 75087

LOK JAMES S H & JANE F L TRUSTEES
LOK FAMILY TRUST
3926 KINGRIDGE DR
SAN MATEO, CA 94403

HAYWORTH AMY AND
LYNN ROBINSON
1468 RED WOLF DR
ROCKWALL, TX 75087

PAQUIN CHRIS
MANDY WELCHER
1432 BRITTANY WAY
ROCKWALL, TX 75087

JACOME CARLOS I &
MARGARET KEELING
1350 CRESCENT COVE DRIVE
ROCKWALL, TX 75087

GARRETT JAY A &
MARLENE M
1330 CALISTOGA DR
ROCKWALL, TX 75087

DENNIS MARVIN J TRUSTEE
MARVIN J DENNIS TRUST DATED APRIL 14,2010
1209 N GOLIAD ST
ROCKWALL, TX 75087

TOMLINSON MICHAEL P AND
MEREDITH L KANE
972 DOGWOOD LN
ROCKWALL, TX 75087

STEWART FAMILY LIVING TR
MICHAEL H & NELDA A STEWART TRUSTEES
1442 PILGRIM
ROCKWALL, TX 75087

BARRERA DUSTIN AND
NATALIE BARRERA
1226 BAY LINE DRIVE
ROCKWALL, TX 75087

CHIRRICK FAMILY TRUST
NICHOLAS E. CHIRRICK, TRUSTEE AND JANET L.
CHIRRICK, TRUSTEE
1035 MOUNTAIN LAKE DR
ROCKWALL, TX 75087

WILLIAMS THOMAS MICHAEL AND
PANSY ANITA WILLIAMS
1504 BRITTANY WAY
ROCKWALL, TX 75087

ALLEN FAMILY TRUST, ALBERT FREDERICK &
PATRICIA DIANE TRUSTEES
1381 CRESCENT COVE DR
ROCKWALL, TX 75087

198

BREWER PATRICIA E TRUSTEE OF
PATRICIA E BREWER REVOCABLE LIVING TRUST
801 STIMSON STREET
ROCKWALL, TX 75087

GRANT LIVING TRUST
PATRICK & GILDA GRANT TRUSTEES
PO BOX 2067
SUNNYVALE, CA 94087

PHILLIP SUMA C AND
PHILLIP MAMMEN
1147 WHISPERING GLN
ROCKWALL, TX 75087

BERGER JM AND
PR JOHNSON
1268 BAY LINE DRIVE
ROCKWALL, TX 75087

DORAZIO RICHARD & SHARON LIVING TRUST
RICHARD A & SHARON L DORAZIO TRUSTEES
143 SHEPHERDS GLEN RD
HEATH, TX 75032

WIMPEE JANIE K LIFE ESTATE
RICHARD D WIMPEE AND JUDY A HARRIS AND
JOE E WIMPEE AND JERRY M WIMPEE 704 E
MAPLE ST
FAYETTEVILLE, AR 72701

HARVEY DERICK AND
RICK HARVEY AND VICKI HARVEY AND APRIL
MARIE HARVEY
1266 HIGHBLUFF LN
ROCKWALL, TX 75087

SINGH GURDARSHAN & PARAMJIT AND
RITU SINGH
1029 HIGH COTTON
ROCKWALL, TX 75087

STANDARD FAMILY TRUST
ROBERT A & SHIRLEY M STANDARD TRUSTEE
2750 S NOLINA PL
CHANDLER, AZ 85286

NGUYEN LUONG D & KIMBERLY NGA LY AND
RON VAN LY
1018 SHADY LANE DRIVE
ROCKWALL, TX 75087

FONTENLA NICHOLAS N
RORY M FONTENLA
1377 CALISTOGA DR
ROCKWALL, TX 75087

MITCHELL KELLI A &
RYAN S WENZEL
207 CODY PL
ROCKWALL, TX 75087

SANDRA PRICE TRUSTEE
SANDRA PRICE REVOCABLE LIVING TRUST
1453 RED WOLF DR
ROCKWALL, TX 75087

HAYS REVOCABLE MANAGEMENT TRUST
STANLEY E & SUSAN N HAYS CO TRUSTEES
555 LONE RIDER CT
ROCKWALL, TX 75087

MILLER TOBY M &
TAMY J STIVES
436 SONOMA DR
ROCKWALL, TX 75087

KEARNS TERRY M & JENNIFER M JOINT LIVING
TRUST
TERRY M & JENNIFER M KEARNS CO TRUSTEES
1096 MORNING STAR
ROCKWALL, TX 75087

CARROLL THOMAS SEAN &
THOMAS FRANKLIN CARROLL
1270 WHITE WATER LANE
ROCKWALL, TX 75087

BINGHAM RACHEL C AND
THOMAS S BINGHAM & SHARON E BINGHAM
1065 HAMPTON BAY DRIVE
ROCKWALL, TX 75087

NICHOLS DANIEL AND
TIFFANY E RUSHING
703 NASH ST
ROCKWALL, TX 75087

DOBSON KATHERINE C AND
VERNON A RICHEY JR
1361 WHITE WATER LN
ROCKWALL, TX 75087

JOHNSON ROBERT AND
VIRGINIA LEE
1040 HIGH COTTON LN
ROCKWALL, TX 75087

PEOPLES CHRISTINA AND ASHLEY ELIZABETH
GHEEN GANDY AND
WILLIAM TAYLOR GHEEN
220 JOE WHITE STREET
ROCKWALL, TX 75087

ROCKWALL STONE CREEK ESTATES
HOMEOWNERS ASSOCIATION
1024 S GREENVILLE AVE SUITE 230
ALLEN, TX 75002

PACESETTER HOMES LLC
14400 THE LAKES BLVD BUILDING C, SUITE 200
AUSTIN, TX 78660

PACESETTER HOMES LLC
14400 THE LAKES BLVD BUILDING C, SUITE 200
AUSTIN, TX 78660

HPA BORROWER 2018-1 MS LLC
180 N STETSON AVE SUITE 3650
CHICAGO, IL 60601

HP TEXAS I LLC DBA HPA TX LLC
180 NORTH STETSON AVENUE SUITE 3650
CHICAGO, IL 60601

MEGATEL HOMES LLC
1800 VALLEY VIEW LANE SUITE 400
FARMERS BRANCH, TX 75234

CERBERUS SFR HOLDINGS, L.P.
1850 PARKWAY PLACE SUITE 900
MARIETTA, GA 30067

DALTON MELLONIE MCCROAN
215 RIVER FERN AVE APT 2420
GARLAND, TX 75040

199

COSLEY STEVEN M
25129 THE OLD ROAD STE 105
STEVENSON RANCH, CA 91381

RACK PARTNERS LTD
3021 RIDGE RD SUITE A PMB #131
ROCKWALL, TX 75032

AMH 2014-2 BORROWER LLC
30601 AGOURA RD SUITE 200
AGOURA HILLS, CA 91301

RWLADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

REBAC OF ROCKWALL, LLC
6000 UNIVERSITY AVE STE 350
WEST DES MOINES, IA 50266

GOLIAD REAL ESTATE LLC
7700 EASTERN AVENUE SUITE 705
DALLAS, TX 75209

STONE CREEK PHASE 8 LTD
8214 WESTCHESTER DR SUITE 710
DALLAS, TX 75225

WINDSOR HOMES CUMBERLAND LLC
8214 WESTCHESTER DR SUITE 710
DALLAS, TX 75225

MOORE WORTH INVESTMENTS LLC
8445 FREEPORT PKWY SUITE 175
IRVING, TX 75063

CSH 2016-2 BORROWER LLC
8665 EAST HARTFORD DR SUITE 200
SCOTTSDALE, AZ 85255

SWH 2017-1 BORROWER LP
8665 EAST HARTFORD DRIVE SUITE 200
SCOTTSDALE, AZ 85255

MERITAGE HOMES OF TEXAS LLC
8840 CYPRESS WATERS BLVD SUITE 100
COPPELL, TX 75019

ARP 2014-1 BORROWER LLC
ATTN: PROPERTY TAX DEPARTMENT 30601
AGOURA ROAD, SUITE 200PT
AGOURA HILLS, CA 91301

AMERICAN RESIDENTIAL LEASING COMPANY LLC
ATTN: PROPERTY TAX DEPARTMENT 30601
AGOURA ROAD, SUITE 200PT
AGOURA HILLS, CA 91301

AMH 2014-3 BORROWER LLC
ATTN: PROPERTY TAX DEPARTMENT 30601
AGOURA ROAD, SUITE 200PT
AGOURA HILLS, CA 91301

200

Miller, Ryan

From: Att <markfake@att.net>
Sent: Tuesday, September 3, 2019 1:11 PM
To: Miller, Ryan
Subject: Re: Case #Z2019-018:Amendment to Planned Development District 5 (PD-5)

I would agree to a five foot change, but not any more.

Thanks,

Mark

Sent from my iPhone

> On Sep 3, 2019, at 12:22 PM, Miller, Ryan <RMiller@rockwall.com> wrote:
>
> Mark ... The property is currently entitled and platted for 36 single-family homes. The lots are a minimum of 50-feet wide. According to the applicant, since they can not provide a J-Swing or Traditional Swing garage configuration on a lot that is less than 60-feet wide, they would like the flexibility to provide several different front entry products. Since this does not meet the zoning requirements they are required to go through a zoning amendment. As a compensatory measure the applicant is proposing a 25-foot front yard building setback as opposed to the required 20-foot. This will be a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. If you have any additional questions please let me know. Thanks.
>
> RYAN C. MILLER, AICP
> DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF
> ROCKWALL
> 972.772.6441 OFFICE
> RMILLER@ROCKWALL.COM
> 385 S. GOLIAD STREET • ROCKWALL, TX 75087
>
>
> HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION
> WEBSITE | MUNICIPAL CODE WEBSITE GIS DIVISION WEBSITE | CITY OF
> ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE
>
>
> NOTES
> 1: APPOINTED AND ELECTED OFFICIALS: BY REPLYING ALL TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
> 2: PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME
> PUBLIC RECORD
>
> -----Original Message-----
> From: Att <markfake@att.net>
> Sent: Tuesday, September 3, 2019 12:18 PM
> To: Miller, Ryan <RMiller@rockwall.com>
> Subject: Re: Case #Z2019-018:Amendment to Planned Development District
> 5 (PD-5)
>
> That seems pretty far off the original specification. Why would they ask for such a short setback?

>
>
> Mark Fake
>
> Sent from my iPhone
>
>> On Sep 3, 2019, at 8:27 AM, Miller, Ryan <RMiller@rockwall.com> wrote:
>>
>> Mark ... I will provide your response to the City Council. With regard to the case, no additional lots or density is being added. The only thing that is being changed is the garage setback requirements. Currently, the code requires a garage to be setback a minimum of 20-feet from the front façade and the applicant is requesting to decrease this to five (5) feet. If you have any additional questions please let me know. Thanks.
>>
>>
>> RYAN C. MILLER, AICP
>> DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF
>> ROCKWALL
>> 972.772.6441 OFFICE
>> RMILLER@ROCKWALL.COM
>> 385 S. GOLIAD STREET • ROCKWALL, TX 75087
>>
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>> WEBSITE | MUNICIPAL CODE WEBSITE GIS DIVISION WEBSITE | CITY OF
>> ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE
>>
>>
>> NOTES
>> 1: APPOINTED AND ELECTED OFFICIALS: BY REPLYING ALL TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
>> 2: PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME
>> PUBLIC RECORD
>>
>> -----Original Message-----
>> From: Planning
>> Sent: Tuesday, September 3, 2019 8:23 AM
>> To: Miller, Ryan <RMiller@rockwall.com>
>> Subject: FW: Case #Z2019-018:Amendment to Planned Development
>> District
>> 5 (PD-5)
>>
>>
>>
>> -----Original Message-----
>> From: Mark Fake [mailto:markfake@att.net]
>> Sent: Monday, September 2, 2019 3:54 PM
>> To: Planning <planning@rockwall.com>
>> Cc: kimdeatonfake84@gmail.com
>> Subject: Case #Z2019-018:Amendment to Planned Development District 5
>> (PD-5)
>>
>> To: Ryan Miller, AICP

>> Directior of Planning & Zoning
>>
>> From: Mark and Kim Fake
>> 1403 White Water Ln.
>> Rockwall, TX 75087
>> ph.:214-394-0827
>>
>> Mr. Miller, and City Council,
>>
>> It is difficult for me to understand the way the Amendment is worded. It states the developer wants to change the garage setback, but it is not clear as to “from what, to what?”. Is it already a zero lot line, or is it proposing to go to a zero lot line?
>>
>> I am in opposition to anything that adds density to the area, beyond what has already been agreed upon. If the developer is making the change to add more residences after the fact of the original plan, then I am opposed on the grounds that it will add congestion to a growing area.
>>
>> If I am not understanding this issue, please clarify it for me.
>>
>> Thank you,
>>
>> Mark Fake
>> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>>
>>
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
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>

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

I am opposed to this development because I don't want to live near any townhomes, condos, or apartments

Name: Candace Bywaters

Address: 1023 Mountain Lake Dr. Rockwall 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-018

Please place a check mark on the appropriate line below: *

- [x] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

No new details are given as to what the request is asking for specifically. Zero lot lines are already the only ones in the area and I believe that the developer needs to adhere to his original word and not change thins once the project is started.

Respondent Information

Please provide your information.

First Name *

Josh

Last Name *

Gard

Address *

1395 bay line drive

City *

Rockwall

State *

Texas

Zip Code *

75087

Email Address *

jgard2521@yahoo.con

Phone Number

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

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Google Forms

From:	Planning
To:	Miller, Ryan
Subject:	FW: Amendment to Planned Development District 5 (PD-5)
Date:	Wednesday, September 4, 2019 10:25:06 AM

From: Keith Onsum [mailto:keithonsum@gmail.com]
Sent: Wednesday, September 4, 2019 10:16 AM
To: Planning <planning@rockwall.com>
Subject: Amendment to Planned Development District 5 (PD-5)

Ryan Miller,

I am opposed to the request on the Z2019-018 Amendment to Planned Development District 5 (PD-5).

This is an area of bigger homes and nice neighborhoods and I believe with a zero lot line community it would decrease the value of ours.

Keith Onsum
1415 Phelps Lake Dr
Rockwall, TX 75087

Sent from my iPhone

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Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Name: Kenneth Whisenhunt

Address: 1130 Hidden Lakes Way

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Hold a public hearing to discuss and consider a request by Rob Whittle for the approval of an amendment to Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-114, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the **City Council.**

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

Name: Lea Ann Ewing
Address: 1089 Morning Star

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019018

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I oppose this due to traffic impact on SH66 and FM1141 and the second order impacts to John King. Has a traffic impact study been accomplished for this development and if so what are the results of the projected traffic during rush hour? The impact on the ISD headquarters is significant, as well as the entrance to Helping Hands. This is a very bad plan with no good resolution. The high-density housing must NOT be allowed here.

Respondent Information

Please provide your information.

First Name *

max

211

Last Name *

corneau

Address *

1003 Midnight Pass

City *

Rockwall

State *

TX

Zip Code *

75087

Email Address *

maxipter@gmail.com

Phone Number

469-338-9310

212

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- (●) I received a property owner notification in the mail.
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- ( ) I saw a zoning sign on the property.
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Google Forms

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Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

IT WILL INCREASE HOUSING DENSITY AND THEREBY LOWER PROPERTY VALUES.
STRONGLY OPPOSE.

Name: RICK & KRIS BROWN

Address: 214 DARLIN DR

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

1 - Planned Development District 5 (PD-5) must remain intact to ensure full integrity of the area. It could affect home values negatively. (Amendments)

2 - The Amendment will not ensure aesthetics given Mr. Whittle track records and integrity.

3 - We do not need the ROS Whittle circus to affect quality of life in our neighborhood.

Name: Silas Barnhart

Address: 1407 Montejo Ct Rockwall, 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Hold a public hearing to discuss and consider a request by Rob Whittle for the approval of an amendment to Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-114, and take any action necessary.

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Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

I oppose the amendment to allow for Zero lot line District land use. The planned development District 5 guidelines are in place to protect home values. This amendment would set a precedent for other builders in the area and negatively effect home values.

Name: THOMAS GILPIN

Address: 1100 HIDDEN LAKES WAY ROCKWALL, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

① Decreased Property Value inconsistent w/ existing property values. ② Restricts usage of personal privacy due to multi units, & height. ③ Increases business of traffic in & around area - concern for safety of children who play in this area ④ Diminished perception in rights to peaceful & quiet property enjoyment ⑤ Excavation of removing privacy trees, concealing noise of traffic on John King & Fm1141

Name: Colleen GAUVIN

Address: 1421 White Water Ln. Rockwall TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

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Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

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For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

Not enough room in that area. Traffic will be an issue & that area floods

Name: Donavon & Natalie Kehm

Address: 1050 Hidden Lakes Way Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Planning
To: Miller, Ryan
Subject: FW: Case No Z2019-018: Amendment to Planned Development District 5 (PD-5)
Date: Monday, September 9, 2019 12:33:00 PM

From: Linda Shindoll [mailto:lshindoll@yahoo.com]
Sent: Monday, September 9, 2019 11:24 AM
To: Planning <planning@rockwall.com>
Subject: Case No Z2019-018: Amendment to Planned Development District 5 (PD-5)

I oppose zero lot line proposal for 1141 and 66. It should have standard set back requirements so that it blends in with the Caruth Lakes neighborhood.

Thank you

Linda Shindoll
1415 Crescent Cove Dr
214 403 6098

Sent from Yahoo Mail on Android

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-017: 1451 FM 1141

Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-017: 1451 FM 1141

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Will make John bring too busy

Name: Robert Helis
Address: 1400 White Water Lane

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Planning
To: Miller, Ryan
Subject: FW: Case # Z2019-018: Amended to Planned Development District 5 (PD-5)
Date: Monday, September 9, 2019 8:31:30 AM

From: Robbie LeMore [mailto:robbie.lemore@gmail.com]
Sent: Sunday, September 8, 2019 12:15 PM
To: Planning <planning@rockwall.com>
Subject: Case # Z2019-018: Amended to Planned Development District 5 (PD-5)

After several e-mails back and forth, Ryan, all I have to say is Rob Whittle is an experienced developer/builder, why didn't he know his planned garages wouldn't fit?

I have only lived here eight years, but I know the Whittle name and know about some of his shenanigans. Since the project has been approved by the City Council I feel there's no hope of them denying this change. More's the pity.

I still don't understand why there is no picture or rendering of how this is going to look.

Mrs. Roberta LeMore
1225 Bay Line Drive
Rockwall, TX

Virus-free. www.avast.com

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Hold a public hearing to discuss and consider a request by Rob Whittle for the approval of an amendment to Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-114, and take any action necessary.

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As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

TOO CLOSE TO FLOOD ZONE

Name: SHARON DORAZIO TRUSTEE
Address: 1007 STARLIGHT PL ROCKWALL 75087

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Case No. Z2019-018: Amendment to Planned Development District 5 (PD-5)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

See attached — Flood Zone
Also no ingress or egress onto 66 or 1141 Makes
Congestion for development & Contiguous to requested planned
development

Name: Sharon L Dorazio - Trustee

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-018

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

This plan is not acceptable to the homeowners in this area. The traffic and congestion of the area create a major safety hazard and lowers property valve for our neighborhood

Respondent Information

Please provide your information.

First Name *

Bradley

Last Name *

Malone

Address *

1435 Montego Ct

City *

Rockwall

State *

Texas

Zip Code *

75087

Email Address *

bradmalone2104@gmail.com

Phone Number

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

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- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

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Google Forms

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Rockwall, TX 75087

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Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Keep Rockwall Standards!

Name: James M. Evans
Address: 1422 Silver Lake Dr., Rockwall, TX 75087

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Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Highway 66 too busy & congestion already & also FM 1141 too busy!

Name: John & Neely Lakair
Address: 1174 Crystal Lake Dr., Rockwall, TX 75087

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Please place a check mark on the appropriate line below:

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Currently, Caruth Lakes residents complain of too much residential parking on the neighborhood streets. If the proposed townhomes are placed on the proposed lot, this would add to residential traffic in already tight spaces (e.g. alleyways & streets). There wouldn't be any appropriate place for overflow residential parking from the new constructed townhomes.

Name: Jenna Little

Address: 1302 Crescent Cove Dr. Rockwall 75087

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☒ I am opposed to the request for the reasons listed below.

NO it will be very crowded

Name: BARBAR & MICHAL TRZOPEK

Address: 1343 WHITE WATER LN Rockwall TX 75087

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☒ I am opposed to the request for the reasons listed below. TOO CLOSE, DENSITY

EVERY TIME I DRIVE DOWN STORRS BETWEEN STARR & SHERMAN & THOSE S OFF ST. MARY'S FROM BARNES TO FANNIN I WONDER WHAT CITY OFFICIALS & P&Z WERE THINKING ALLOWING SOMETHING THAT PRESENTED SUCH AN EYESORE THAT GOT WORSE IN TIME, AS THEY BECAME RENTAL PROPERTY & WORSEN TO AFFECT THE OLD TOWN RENEWAL & REVISION. MODIFIED P&Z RULINGS FOR GARAGE SET-BACK, ZERO-LOT LINE HAVE NEGATIVE LONG TIME RAMIFICATIONS & DEMISE OF SINGLE-FAMILY RESIDENCES NEARBY BY ATTRACTING A CRIMINAL ELEMENT, CRIME, & BRING PROPERTY VALUES AS THEY DECLINE. TRAFFIC AT A BUSY INTERSECTION IS ANOTHER REASON TO OPPOSE THESE & ANY MODIFICATIONS

Name: GILL HENSON

Address: 209 DARRIN DR. ROCKWALL, TX. 75087

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Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Changing the setback for garages will not look right compare to other homes in area

Name: Jack & Madonna Robinson
Address: 1373 White Water Lane, Rockwall TX 75087

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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-018

Please place a check mark on the appropriate line below: *

- [x] I am in favor of the request.
- [ ] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I don ‘t want a strip shopping center. High end town homes would attract empty nesters or single owners who don’t want to maintain a yard.

Respondent Information

Please provide your information.

First Name *

Lori

233

Last Name *

McGarry

Address *

1327 Crescent Cove Drive

City *

Rockwall

State *

Texas

Zip Code *

75087

Email Address *

Lori612@hotmail.com

Phone Number

469-323-5478

234

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: .....

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- (•) I received a property owner notification in the mail.
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Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Stick to your orignal plan.

Name: Melanie Ryder
Address: 1383 Waters Edge Dr.

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8/14/19

Robert S. Whittle
P.O. Box 369
Rockwall, TX 75087

Ryan Miller
Director of Planning and Zoning
City Hall
City of Rockwall
385 S. Goliad St.
Rockwall, TX 75087

e-mail: rmiller@rockwall.com
Re: The Highlands

Dear Ryan,

We hereby request a change in zoning to allow us to have a 5-foot offset from the front façade of the home for the garages instead of a 20-foot offset. I have owned this property since 1992. It was zoned multifamily when I purchased it. I changed the zoning to 60 patio home lots when the City asked me to in the 1990's. We are willing to make our front building line for the homes 30 feet instead of 20 feet. We have designed many of the lots deeper than the traditional 50-foot lot. Approval of this request will allow us to build a more aesthetically pleasing front elevation. It will also result in our homes having more front yard landscaping.

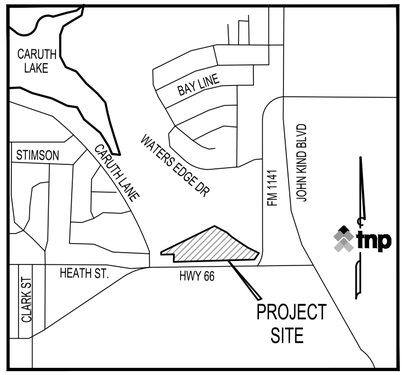
I have enclosed a check made payable to the City of Rockwall for the applicable zoning request fees.

Sincerely,



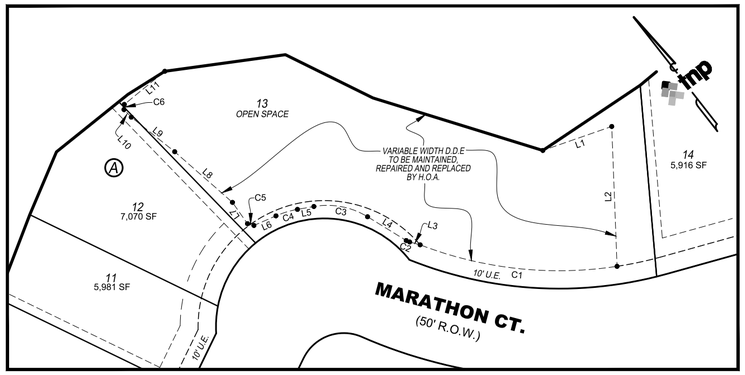
Robert S. Whittle, President

237



VICINITY MAP

NOT TO SCALE

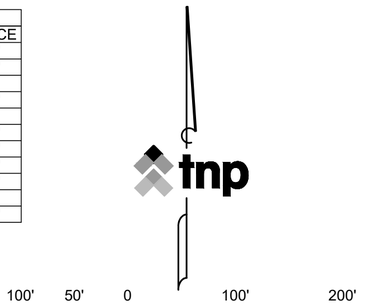


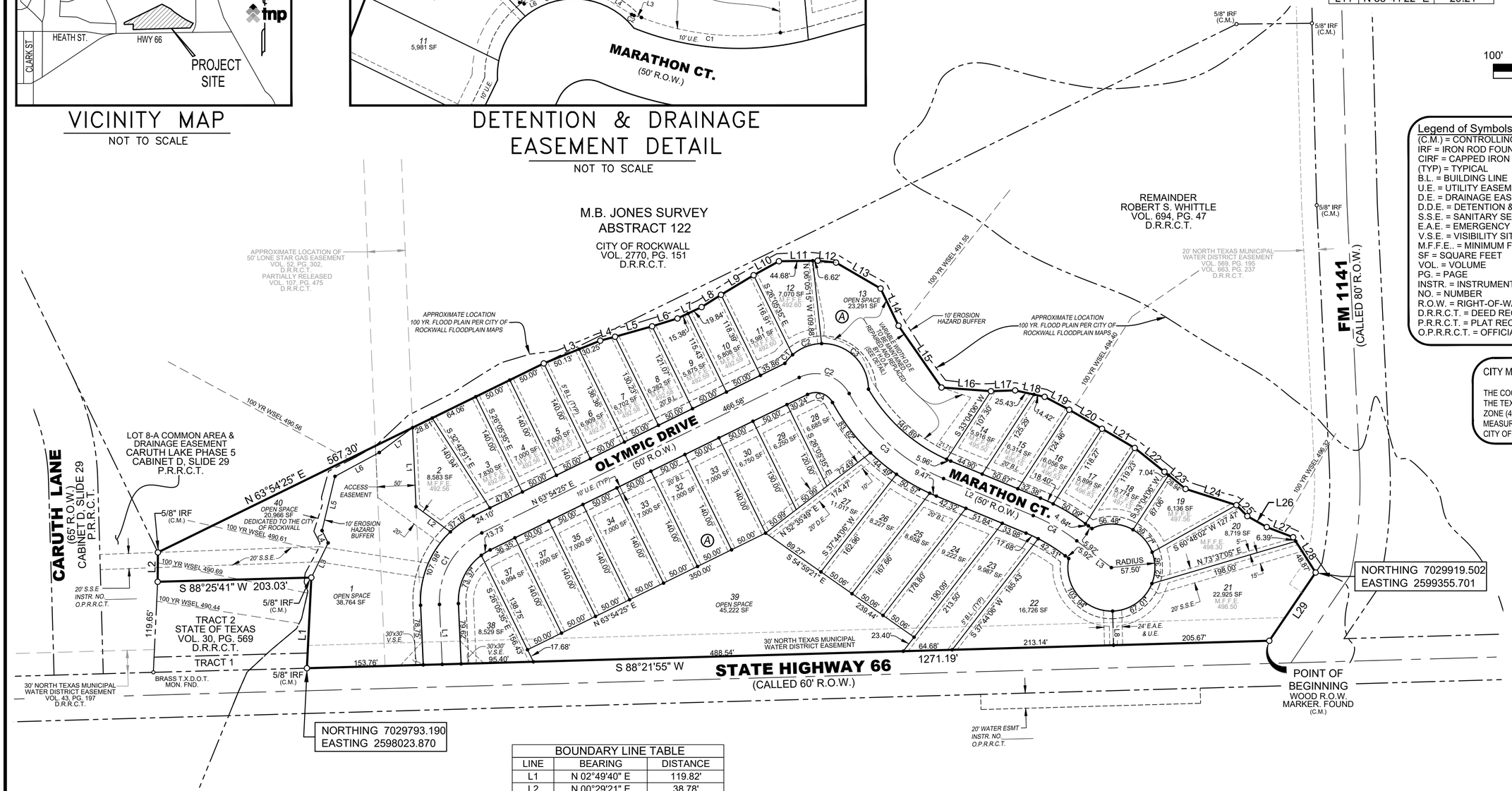
DETENTION & DRAINAGE EASEMENT DETAIL

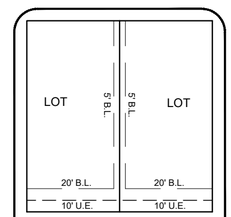
NOT TO SCALE

EASEMENT CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	111.98'	215.00'	29°50'32"	N 45°46'01" W	110.72'
C2	2.13'	6.96'	17°32'21"	N 29°10'46" W	2.12'
C3	31.22'	43.04'	41°33'41"	N 41°11'26" W	30.54'
C4	12.58'	53.04'	13°35'05"	N 68°45'49" W	12.55'
C5	4.05'	2.96'	78°17'57"	N 36°24'23" W	3.74'
C6	3.29'	1.96'	96°05'15"	N 41°57'22" E	2.92'

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 71°11'16" E	40.78'
L2	N 35°48'53" E	78.22'
L3	N 36°48'35" W	6.05'
L4	N 20°24'36" W	25.36'
L5	N 61°58'16" W	9.33'
L6	N 75°33'21" W	13.42'
L7	N 02°44'36" E	14.57'
L8	N 10°44'15" W	42.95'
L9	N 13°29'33" W	30.97'
L10	N 06°05'15" W	5.89'
L11	N 88°41'22" E	29.21'

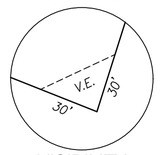






TYPICAL LOT DETAIL

NOT TO SCALE



VISIBILITY EASEMENT DETAIL

NOT TO SCALE

Legend of Symbols & Abbreviations

(C.M.) = CONTROLLING MONUMENT
IRF = IRON ROD FOUND
CIRF = CAPPED IRON ROD FOUND
(TYP) = TYPICAL
B.L. = BUILDING LINE
U.E. = UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
D.D.E. = DETENTION & DRAINAGE EASEMENT
S.S.E. = SANITARY SEWER EASEMENT
E.A.E. = EMERGENCY ACCESS EASEMENT
V.S.E. = VISIBILITY SITE EASEMENT
M.F.F.E. = MINIMUM FINISHED FLOOR ELEVATION
SF = SQUARE FEET
VOL. = VOLUME
PG. = PAGE
INSTR. = INSTRUMENT
NO. = NUMBER
R.O.W. = RIGHT-OF-WAY
D.R.R.C.T. = DEED RECORDS ROCKWALL COUNTY TEXAS
P.R.R.C.T. = PLAT RECORDS ROCKWALL COUNTY TEXAS
O.P.R.R.C.T. = OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY TEXAS

CITY MONUMENT NOTE

THE COORDINATES SHOWN ON THIS PLAT ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON SITE AND REFERENCED TO THE CITY OF ROCKWALL GPS MONUMENT NETWORK.

CENTERLINE LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 02°38'04" W	79.18'
L2	S 67°33'56" E	128.15'
L3	S 52°17'20" E	57.71'

LOT LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 02°29'37" E	104.41'
L2	S 53°45'42" E	56.25'
L3	S 25°50'53" W	50.81'
L4	S 26°24'21" E	18.19'
L5	S 13°28'33" W	73.59'
L6	S 61°41'09" W	66.39'
L7	S 53°16'33" W	54.87'
L8	S 01°38'05" E	45.00'

LOT CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	60.50'	14°29'53"	15.31'	N 41°43'59" E	15.27'
C2	60.50'	39°40'15"	41.89'	N 68°49'03" E	41.06'
C3	60.50'	91°08'09"	96.23'	S 45°46'45" E	86.40'
C4	25.00'	87°43'43"	38.28'	N 72°13'43" W	34.65'

CENTERLINE CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	100.00'	66°32'29"	116.14'	N 30°38'10" E	109.72'
C2	50.00'	87°43'43"	76.56'	S 72°13'43" E	69.30'
C3	250.00'	39°12'04"	171.05'	S 47°57'54" E	167.73'
C4	250.00'	15°16'36"	66.66'	S 59°55'38" E	66.46'

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 02°49'40" E	119.82'
L2	N 00°29'21" E	38.78'
L3	N 68°04'00" E	80.39'
L4	N 75°09'25" E	20.21'
L5	N 74°16'46" E	50.83'
L6	N 72°47'15" E	35.04'
L7	N 64°47'37" E	35.22'
L8	N 57°43'08" E	30.34'
L9	N 59°00'34" E	50.18'
L10	N 61°02'02" E	38.15'
L11	N 89°11'41" E	51.30'
L12	S 84°05'28" E	24.24'
L13	S 59°49'49" E	68.07'
L14	S 25°43'03" E	54.58'
L15	S 34°49'31" E	99.35'
L16	S 85°47'09" E	65.46'
L17	N 88°11'15" E	31.97'
L18	S 77°41'46" E	39.84'
L19	S 62°19'53" E	36.68'
L20	S 59°52'10" E	50.07'
L21	S 59°36'42" E	50.05'
L22	S 51°15'54" E	50.25'
L23	S 50°54'45" E	35.98'
L24	S 72°21'00" E	70.45'
L25	S 44°49'34" E	20.45'
L26	S 60°35'24" E	29.52'
L27	S 68°59'24" E	37.25'
L28	S 32°28'10" E	55.26'
L29	S 34°11'01" W	108.85'

GENERAL NOTES

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM of 1983, NORTH CENTRAL ZONE (4202), GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON THE GROUND AND COMPUTED BY ONLINE POSITIONING USER SERVICE (OPUS) OFFERED BY THE NATIONAL GEODETIC SURVEY.
2. ALL CORNERS ARE 5/8" IRON RODS WITH CAP STAMPED "TNP" UNLESS OTHERWISE NOTED.
3. THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
4. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
5. THE PROPERTY SHOWN HEREON BY GRAPHIC SCALE IS LOCATED IN ZONE "X" WHICH IS NOT A FLOOD HAZARD AREA AND ZONE "A" NO BASE FLOOD ELEVATION DETERMINED ACCORDING TO MAP NO. 48397C0030 L AND 48397C0040 L, DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

FINAL PLAT
THE HIGHLANDS

BLOCK A, LOTS 1-40
36 RESIDENTIAL LOTS AND 4 OPEN SPACES
11.003 ACRES
SITUATED IN THE
M.B. JONES SURVEY, ABSTRACT NO. 122
IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER
ROBERT S. WHITTLE
P.O. BOX 2109
Rockwall, Texas 75087

ENGINEER
F.C. CUNY CORP.
#2 Horizon Court, Suite 100
Heath, Texas 75032
(469) 402-7700

PROJECT INFORMATION
Project No.: FCU 18271
Date: January 9, 2019
Drawn By: JM
Scale: 1"=100'
SHEET 1 0F 2

SURVEYOR
TEAGUE NALL & PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com

tnp

Drawing: L:\Projects\FCU 18271 Highlands Ref 17-1762\Acad\Deliverables\Final_Plat\2019 01 15_FCU 18271 The_Highlands_F_Plat.dwg at Jan 15, 2019--5:51pm by jmaddox

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

I the undersigned owner of the land shown on this plat, and designated herein as THE HIGHLANDS to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in THE HIGHLANDS addition have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwalls West regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

Robert S. Whittle

_____
Owner

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Robert S. Whittle, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of

_____, 2019.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS Robert S. Whittle is the owner of a tract of land located in the M.B. Jones Survey, Abstract No. 122, Rockwall County, Texas, and being a portion of a tract of land described by deed to Robert S. Whittle recorded in Volume 694, Page 47 of the Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at a Wood R.O.W. marker found at the intersection of the north line of State Highway 66, (a called 60' R.O.W.) and the west line of F.M. 1141, (a called 80' R.O.W.);

THENCE South 88 degrees 21 minutes 55 seconds West, along the north line of said State Highway 66, a distance of 1271.19 feet to a 5/8 inch iron rod found for the southeast corner of a tract of land described by deed to the State of Texas (called Tract 1 for right-of-way purposes) recorded in Volume 30, Page 569 of the Deed Records of Rockwall County, Texas;

THENCE North 02 degrees 49 minutes 40 seconds East, along the east line of said State of Texas tract, a distance of 119.82 feet to a 5/8 inch iron rod found for the northeast corner of said State of Texas tract (called Tract 2 for Roadside Park purposes);

THENCE South 88 degrees 25 minutes 41 seconds West, along the north line of said Tract 2, a distance of 203.03 feet to a 5/8 inch iron rod with cap stamped “TNP" set for corner lying on the east line of Lot 8-A, Common Area and Drainage Easement shown on Caruth Lake Phase 5, an addition to the City of Rockwall recorded in Cabinet D, Slide 29 of the Plat Records of Rockwall County, Texas;

THENCE North 00 degrees 29 minutes 21 seconds East, along the east line of said Lot 8-A, a distance of 38.78 feet to a 5/8 inch iron rod found for the south corner of tract of land described by deed to the City of Rockwall recorded in Volume 2770, Page 151 of the Deed Records of Rockwall County, Texas;

THENCE North 63 degrees 54 minutes 25 seconds East, along the southeast line of said City of Rockwall tract, a distance of 567.30 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE departing the southeast line of said City of Rockwall tract and through the interior of said Whittle tract the following courses and distances;

THENCE North 68 degrees 04 minutes 00 seconds East, a distance of 80.39 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE North 75 degrees 09 minutes 25 seconds East, a distance of 20.21 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE North 74 degrees 16 minutes 46 seconds East, a distance of 50.83 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE North 72 degrees 47 minutes 15 seconds East, a distance of 35.04 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE North 64 degrees 47 minutes 37 seconds East, a distance of 35.22 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE North 57 degrees 43 minutes 08 seconds East, a distance of 30.34 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE North 59 degrees 00 minutes 34 seconds East, a distance of 50.18 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE North 61 degrees 02 minutes 02 seconds East, a distance of 38.15 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE North 89 degrees 11 minutes 41 seconds East, a distance of 51.30 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 84 degrees 05 minutes 28 seconds East, a distance of 24.24 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 59 degrees 49 minutes 49 seconds East, a distance of 68.07 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 25 degrees 43 minutes 03 seconds East, a distance of 54.58 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 34 degrees 49 minutes 31 seconds East, a distance of 99.35 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 85 degrees 47 minutes 09 seconds East, a distance of 65.46 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE North 88 degrees 11 minutes 15 seconds East, a distance of 31.97 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 77 degrees 41 minutes 46 seconds East, a distance of 39.84 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 62 degrees 19 minutes 53 seconds East, a distance of 36.68 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 59 degrees 52 minutes 10 seconds East, a distance of 50.07 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 59 degrees 36 minutes 42 seconds East, a distance of 50.05 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 51 degrees 15 minutes 54 seconds East, a distance of 50.25 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 50 degrees 54 minutes 45 seconds East, a distance of 35.98 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 72 degrees 21 minutes 00 seconds East, a distance of 70.45 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 44 degrees 49 minutes 34 seconds East, a distance of 20.45 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 60 degrees 35 minutes 24 seconds East, a distance of 29.52 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 68 degrees 59 minutes 24 seconds East, a distance of 37.25 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 32 degrees 28 minutes 10 seconds East, a distance of 55.26 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner lying on the aforementioned west line of F.M. 1141;

THENCE South 34 degrees 11 minutes 01 seconds West along the west line of said F.M. 1141, a distance of 108.85 feet to the POINT OF BEGINNING containing 479,278 square Feet, or 11.003 acres of land.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED, AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS, PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT-OF- WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE _____ DAY OF _____, 2019.

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

RECOMMENDED FOR FINAL APPROVAL

_____ _____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of THE HIGHLANDS, an addition to the City of Rockwall, Texas, was

approved by the City Council of the City of Rockwall on the _____ day of _____, 2018.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 2018.

_____
Mayor, City of Rockwall

_____
City Secretary

_____
City Engineer

FINAL PLAT
THE HIGHLANDS

BLOCK A, LOTS 1-40
36 RESIDENTIAL LOTS AND 4 OPEN SPACES
11.003 ACRES
SITUATED IN THE
M.B. JONES SURVEY, ABSTRACT NO. 122
IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

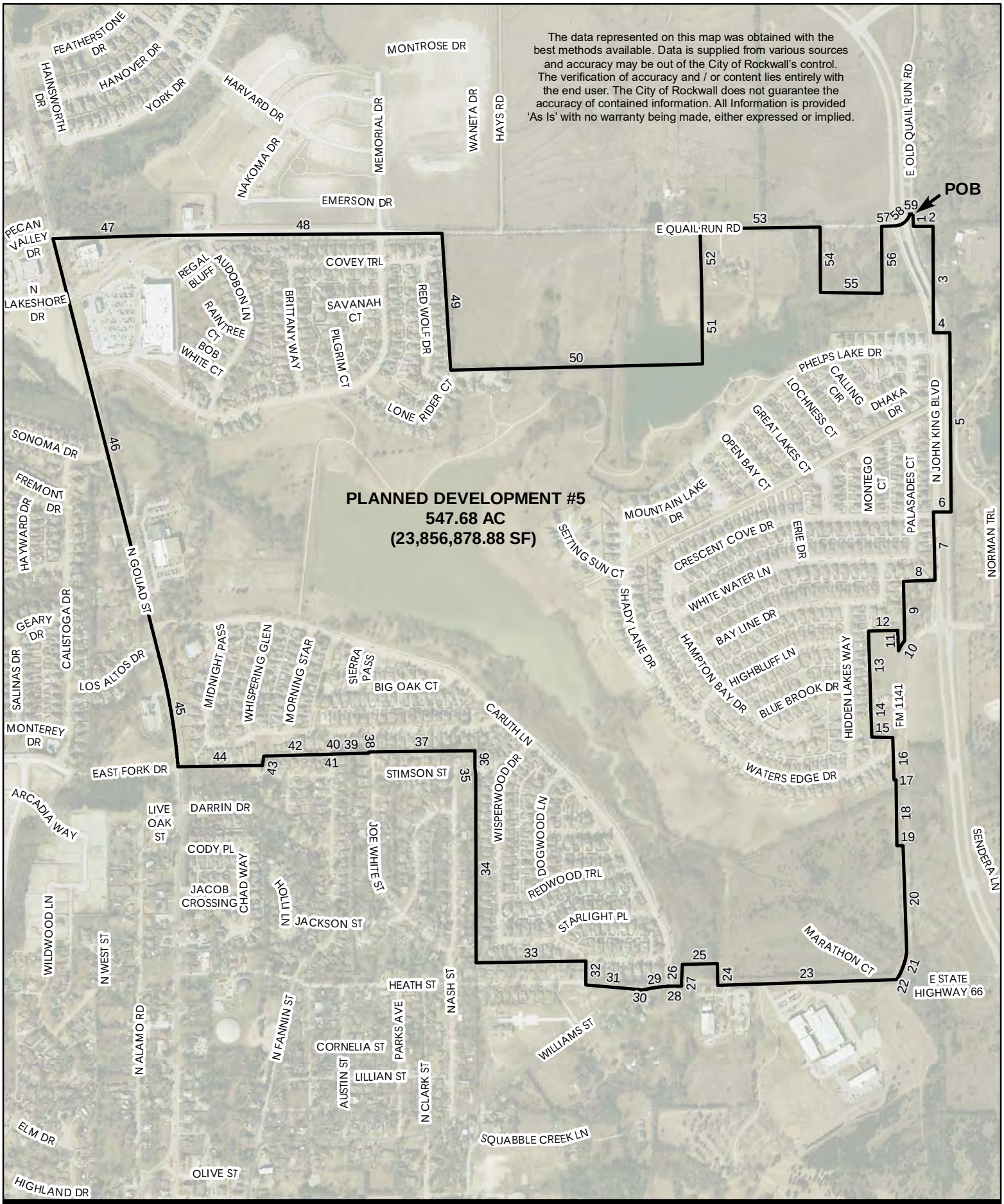
OWNER
ROBERT S. WHITTLE
P.O. BOX 2109
Rockwall, Texas 75087

ENGINEER
F.C. CUNY CORP.
#2 Horizon Court, Suite 100
Heath, Texas 75032
(469) 402-7700

PROJECT INFORMATION
Project No.: FCU 18271
Date: January 9, 2019
Drawn By: JM
Scale: 1"=100'
SHEET 2 0F 2

SURVEYOR
TEAGUE NALL & PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpinc.com

239


The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.
POB
PLANNED DEVELOPMENT #5
547.68 AC
(23,856,878.88 SF)
FEATHERSTONE DR
HANOVER DR
HAINSWORTH DR
YORK DR
HARVARD DR
MONTROSE DR
MEMORIAL DR
WANETA DR
HAYS RD
NAKOMA DR
EMERSON DR
E OLD QUAIL RUN RD
E QUAIL RUN RD
PECAN VALLEY DR
N LAKESHORE DR
REGAL BLUFF
AUDOBON LN
COVEY TRL
RAINTREE CT
BOB WHITE CT
BRITTANY WAY
SAVANAH CT
PILGRIM CT
RED WOLF DR
LONE RIDER CT
PHELPS LAKE DR
CALLING CIR
LOCHNESS CT
DHAKA DR
GREAT LAKES CT
OPEN BAY CT
MOUNTAIN LAKE DR
MONTEGO CT
PALASADES CT
N JOHN KING BLVD
NORMAN TRL
SONOMA DR
FREMONT DR
HAYWARD DR
N GOLIAD ST
SETTING SUN CT
SHADY LANE DR
CRESCENT COVE DR
ERIE DR
WHITE WATER LN
BAY LINE DR
HIGHBLUFF LN
HAMPTON BAY DR
BLUE BROOK DR
HIDDEN LAKES WAY
FM 1141
GEARY DR
CALISTOGA DR
SALINAS DR
LOS ALTOS DR
MIDNIGHT PASS
WHISPERING GLEN
MORNING STAR
SIERRA PASS
BIG OAK CT
MONTEREY DR
CARUTH LN
EAST FORK DR
STIMSON ST
WISPERWOOD DR
WATERS EDGE DR
ARCADIA WAY
LIVE OAK ST
DARRIN DR
CODY PL
JACOB CROSSING
CHAD WAY
JOE WHITE ST
DOGWOOD LN
REDWOOD TRL
HOLT LN
JACKSON ST
STARLIGHT PL
MARATHON CT
SENDERA LN
WILDWOOD LN
N WEST ST
N ALAMO RD
HEATH ST
NASH ST
N FANNIN ST
PARKS AVE
CORNELIA ST
WILLIAMS ST
AUSTIN ST
LILLIAN ST
N CLARK ST
ELM DR
SQUABBLE CREEK LN
OLIVE ST
HIGHLAND DR
E STATE HIGHWAY 66
City of Rockwall
0 500 1,000 Feet
Date: 8/21/2019
BOUNDARY MAP
240

Legal Description

BEING 547.68 acres of land (also known as Planned Development No. 5, City of Rockwall) generally situated in Abstract 146, S. S. McCurry Survey, Abstract 122, M. B. Jones Survey, and Abstract 124, J. H. B. Jones Survey in the County of Rockwall, Texas and being more particularly described by metes and bounds as follows:

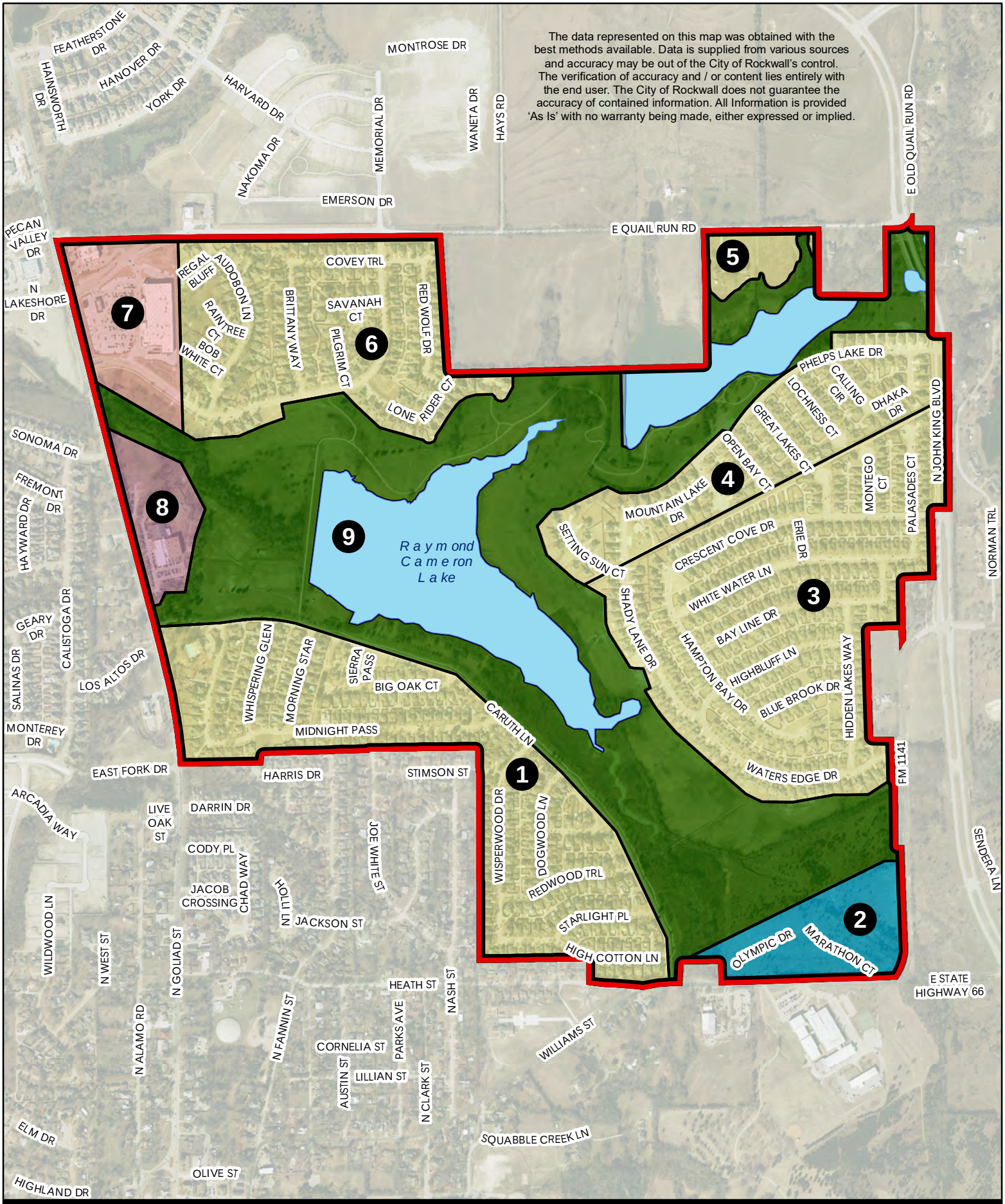
BEGINNING at a point on the Eastern Right of Way line of North John King Blvd. and East Quail Run Rd. *(located at NAD83 Texas State Plane GPS Coordinate (Grid): 2599456.003E, 7035211.252N Feet)*, point also bears North 4°-12'-55" East a distance of 2,426.862 feet, from a White Water Ln. storm drainage inlet benchmark (*NAD83 Texas State Plane GPS Coordinate (Grid): 2598875.433E, 7032771.106 N feet)*:

1 **THENCE** South 1°-55'-15" East, a distance of 87.002 feet, for a corner;
2 **THENCE** North 89°-59'-44" East, a distance of 139.965 feet, for a corner;
3 **THENCE** South 0°-12'-13" East, a distance of 752.184 feet, for a corner;
4 **THENCE** North 89°-26'-3" East, a distance of 113.821 feet, for a corner;
5 **THENCE** South 0°-28'-28" East, along the Eastern Right of Way line of North John King Blvd., distance of 1266.225 feet, for a corner;
6 **THENCE** South 89°-56'-36" West, a distance of 125.88 feet, for a corner;
7 **THENCE** South 1°-19'-57" East, along the Eastern boundary of the Caruth Lakes Addition, a distance of 484.248 feet, for a corner;
8 **THENCE** South 88°-7'-18" West, a distance of 222.984 feet, for a corner;
9 **THENCE** South 1°-10'-33" East, a distance of 419.674 feet, to the beginning of a curve to the left having a radius of 358.409 feet;
10 **Continuing** along said curve to the left, through a central angle of 13° 24' 34", a distance of 83.691 feet, a chord bearing of South 31°-54'-10" West, an arc length of 83.882 feet, tangent of 42.133 feet for a corner;
11 **THENCE** North 1°-41'-27" West, a distance of 143.627 feet, for a corner;
12 **THENCE** South 88°-32'-19" West, a distance of 207 feet, for a corner;
13 **THENCE** South 1°-41'-27" East, a distance of 490.818 feet, to a point;
14 **THENCE** South 1°-41'-27" East, a distance of 260.031 feet, for a corner;
15 **THENCE** South 89°-19'-55" East, a distance of 150.377 feet, for a corner;
16 **THENCE** South 1°-27'-36" East, a distance of 299.847 feet, for a corner;
17 **THENCE** North 87°-52'-30" East, a distance of 14.643 feet, for a corner;
18 **THENCE** South 0°-38'-51" East, a distance of 466.086 feet, for a corner;
19 **THENCE** North 89°-7'-10" East, a distance of 42.873 feet, for a corner;
20 **THENCE** South 1°-59'-37" East, along the centerline of FM1141, a distance of 755.941 feet, to the beginning of a curve to the right having a radius of 463.619 feet;
21 **Continuing** along said curve to the right, through a central angle of 25° 29' 28", a distance of 204.568 feet, a chord bearing of South 20°-17'-10" West, an arc length of 206.265 feet, tangent of 104.868 feet for a corner;
22 **THENCE** South 16°-36'-29" West, a distance of 0.296 feet, for a corner;
23 **THENCE** South 88°-11'-53" West, along the centerline of State Highway 66 (Williams St), a distance of 1265.935 feet, for a corner;
24 **THENCE** North 0°-29'-15" West, a distance of 154.265 feet, for a corner;
25 **THENCE** South 88°-21'-55" West, a distance of 249.226 feet, for a corner;
26 **THENCE** South 1°-55'-26" West, a distance of 116.711 feet, to a point;
27 **THENCE** South 0°-34'-45" East, a distance of 35.308 feet, for a corner;
28 **THENCE** South 89°-8'-43" West, a distance of 63.899 feet, to the beginning of a curve to the left having a radius of 892.973 feet;
29 **Continuing** along said curve to the left, through a central angle of 13° 56' 26", a distance of 83.691 feet, a chord bearing of South 82°-28'-34" West, an arc length of 217.267 feet, tangent of 109.173 feet to a point;
30 **THENCE** North 81°-52'-11" West, a distance of 28.666 feet, to a point;
31 **THENCE** North 84°-46'-25" West, a distance of 370.870 feet, for a corner;
32 **THENCE** North 0°-13'-33" West, a distance of 166.864 feet, for a corner;

33 **THENCE** South 89°-8’-37” West, a distance of 775.659 feet, for a corner;
34 **THENCE** North 0°-8’-56” West, a distance of 1331.182 feet, to a point;
35 **THENCE** North 7°-19’-27” West, a distance of 46.023 feet, to a point;
36 **THENCE** North 0°-32’-38” West, a distance of 123.421 feet, for a corner;
37 **THENCE** South 89°-20’-56” West, a distance of 749.143 feet, for a corner;
38 **THENCE** South 5°-24’-36” East, a distance of 10.011 feet, for a corner;
39 **THENCE** South 88°-53’-57” West, a distance of 247.504 feet, to a point;
40 **THENCE** South 87°-17’-12” West, a distance of 0.478 feet, to a point;
41 **THENCE** South 87°-3’-23” West, a distance of 47.974 feet, to a point;
42 **THENCE** South 88°-30’-6” West, a distance of 447.084 feet, for a corner;
43 **THENCE** South 9°-13’-57” West, a distance of 68.404 feet, for a corner;
44 **THENCE** South 89°-5’-31” West, a distance of 596.411 feet, to the beginning of a curve to the left having a radius of 4342.699 feet;
45 **Continuing** along said curve to the left, through a central angle of 10° 41’ 5”, a distance of 808.673 feet, a chord bearing of North 9°-50’-4” West, an arc length of 809.846feet, tangent of 406.101 feet to a point;
46 **THENCE** North 14°-15’-56” West, along the centerline of State Highway 205 (N. Goliad St.), a distance of 3030.52 feet, for a corner;
47 **THENCE** North 88°-15’-29” East, a distance of 784.634 feet, to a point;
48 **THENCE** North 89°-36’-51” East, along the centerline of East Quail Run Rd., a distance of 1968.743 feet, for a corner;
49 **THENCE** South 3°-32’-29” East, a distance of 969.901 feet, for a corner;
50 **THENCE** North 88°-30’-49” East, a distance of 1779.891 feet, for a corner;
51 **THENCE** North 0°-21’-3” West, a distance of 530.608 feet, to a point;
52 **THENCE** North 1°-35’-46” West, a distance of 424.101 feet, for a corner;
53 **THENCE** North 89°-10’-59” East, along the centerline of East Quail Run Rd., a distance of 847.002 feet, for a corner;
54 **THENCE** South 0°-16’-35” East, a distance of 462.415 feet, for a corner;
55 **THENCE** South 89°-23’-26” East, a distance of 435.817 feet, for a corner;
56 **THENCE** North 0°-4’-34” West, a distance of 473.06 feet, for a corner;
57 **THENCE** North 89°-2’-49” East, a distance of 99.793 feet, to the beginning of a curve to the left having a radius of 113.58 feet;
58 **Continuing** along said curve to the left, through a central angle of 69° 11’ 2”, a distance of 128.965 feet, a chord bearing of North 49°-25’-7” East, an arc length of 137.147 feet, tangent of 78.33 feet to a point;
59 **THENCE** North 89°-14’-25” East, a distance of 22.678 feet to the POINT OF BEGINNING AND CONTAINING 547.68 acres of land (23,856,878.88 square feet) more or less. The above description also intended to follow all adjacent existing city limits, and abutting parcel boundaries unless noted.

Closure Report
Number of Courses: 59
Total Perimeter Length: 26622.146
Misclosure As X/Y: 0, 0.001
Misclosure As Direction/Distance: N 24°-14’-24” E, 0.001 feet

242


The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.
FEATHERSTONE DR
HANOVER DR
HAINSWORTH DR
YORK DR
HARVARD DR
MONTROSE DR
MEMORIAL DR
WANETA DR
HAYS RD
NAKOMA DR
EMERSON DR
E OLD QUAIL RUN RD
E QUAIL RUN RD
PECAN VALLEY DR
N LAKESHORE DR
REGAL BLUFF
AUDOBON LN
COVEY TRL
RAINTREE CT
BOB WHITE CT
BRITTANY WAY
SAVANAH CT
PILGRIM CT
RED WOLF DR
LONE RIDER CT
PHELPS LAKE DR
CALLING CIR
LOCHNESS CT
DHAKA DR
GREAT LAKES CT
OPEN BAY CT
MOUNTAIN LAKE DR
MONTEGO CT
PALASADES CT
N JOHN KING BLVD
NORMAN TRL
SONOMA DR
FREMONT DR
HAYWARD DR
Raymond Cameron Lake
SETTING SUN CT
CRESCENT COVE DR
ERIE DR
WHITE WATER LN
BAY LINE DR
HIGHBLUFF LN
BLUE BROOK DR
HIDDEN LAKES WAY
SHADY LANE DR
HAMPTON BAY DR
GEARY DR
CALISTOGA DR
SALINAS DR
LOS ALTOS DR
WHISPERING GLEN
MORNING STAR
SIERRA PASS
BIG OAK CT
MIDNIGHT PASS
CARUTH LN
MONTEREY DR
EAST FORK DR
HARRIS DR
STIMSON ST
WATERS EDGE DR
FM 1141
ARCADIA WAY
LIVE OAK ST
DARRIN DR
CODY PL
JACOB CROSSING
CHAD WAY
HOLT LN
JOE WHITE ST
JACKSON ST
WISPERWOOD DR
DOGWOOD LN
REDWOOD TRL
STARLIGHT PL
HIGH COTTON LN
OLYMPIC DR
MARATHON CT
SENDERA LN
E STATE HIGHWAY 66
WILDWOOD LN
N WEST ST
N GOLIAD ST
N ALAMO RD
HEATH ST
NASH ST
N FANNIN ST
PARKS AVE
CORNELIA ST
AUSTIN ST
LILLIAN ST
N CLARK ST
WILLIAMS ST
ELM DR
SQUABBLE CREEK LN
OLIVE ST
HIGHLAND DR
1
2
3
4
5
6
7
8
9
City of Rockwall
0
500
1,000 Feet
Date: 8/21/2019
PD-5
243

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5) [*ORDINANCE NO.'S 73-31, 87-23, 88-11, 96-25 & 00-28*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5), BEING A ~547.68-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (*$2,000.00*) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Rob Whittle for the approval of an amendment to Planned Development District 5 (PD-5) [*Ordinance No.'s 73-31, 87-23, 88-11, 96-25 & 00-28*] for the purpose of amending the garage orientation requirements for an 11.003-acre portion of the larger ~547.68-acre Planned Development District, which is situated within the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 5 (PD-5), and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 5 (PD-5) [*Ordinance No.'s 73-31, 87-23, 88-11, 96-25 & 00-28*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 73-31, 87-23, 88-11, 96-25 & 00-28*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the *PD Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

DRAFT ORDINANCE 09.16.19

SECTION 5. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars *($2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code [*Ordinance No. 04-38*] of any provision of the *City Code*, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code [*Ordinance No. 04-38*] (*including references to the Unified Development Code*), and references to overlay districts, in this ordinance or any of the *Exhibits* hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF OCTOBER, 2019.

_____

Jim Pruitt, *Mayor*

ATTEST:

_____

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: September 16, 2019

2nd Reading: October 7, 2019

DRAFT ORDINANCE 09.16.2019

BEING 547.68 acres of land (also known as Planned Development No. 5, City of Rockwall) generally situated in Abstract 146, S. S. McCurry Survey, Abstract 122, M. B. Jones Survey, and Abstract 124, J. H. B. Jones Survey in the County of Rockwall, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the Eastern Right of Way line of North John King Blvd. and East Quail Run Rd. *(located at NAD83 Texas State Plane GPS Coordinate (Grid): 2599456.003E, 7035211.252N Feet),* point also bears North 4°-12'-55" East a distance of 2,426.862 feet, from a White Water Ln. storm drainage inlet benchmark (*NAD83 Texas State Plane GPS Coordinate (Grid): 2598875.433E, 7032771.106 N feet)*:

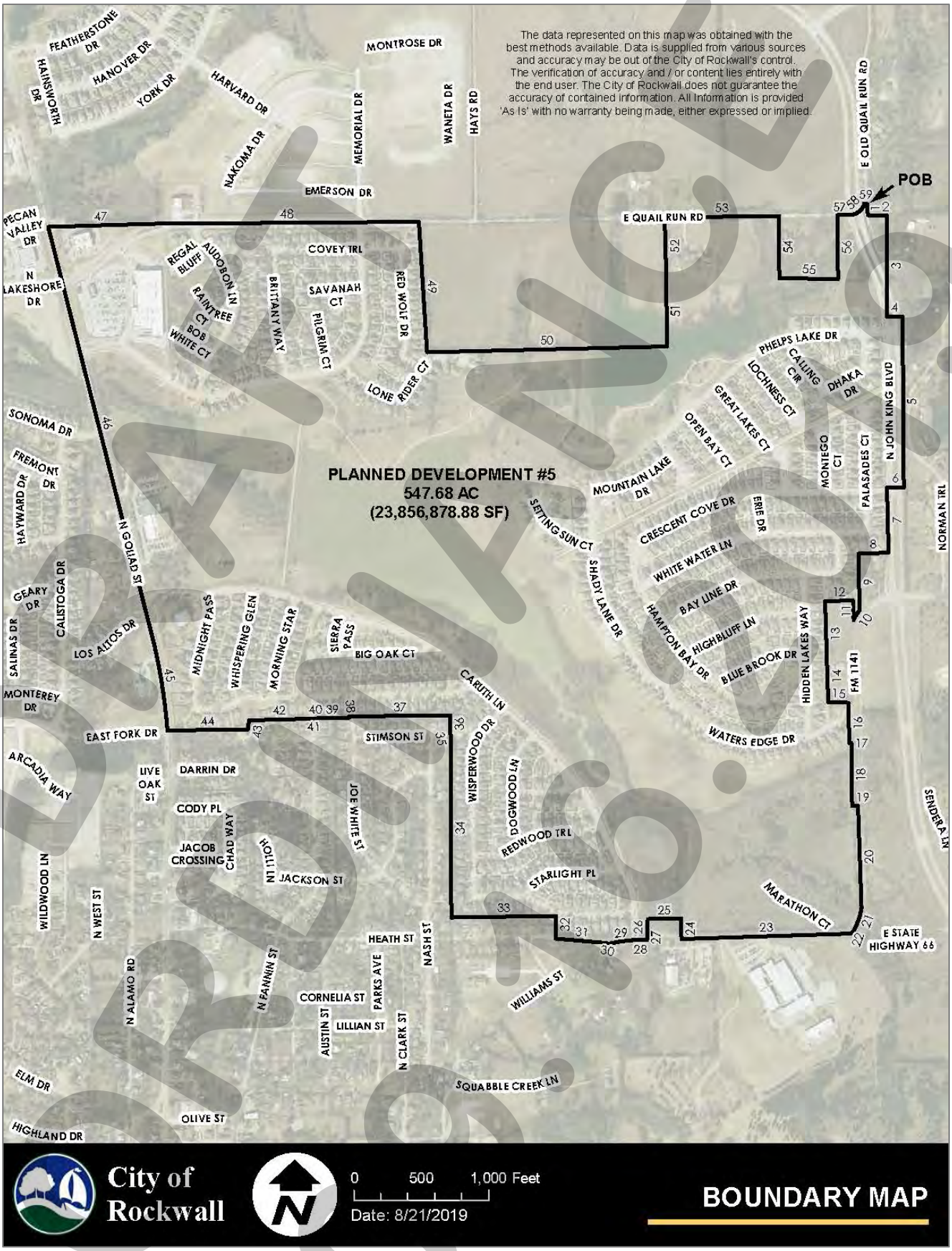
1 ***THENCE*** South 1°-55'-15" East, a distance of 87.002 feet, for a corner;
2 ***THENCE*** North 89°-59'-44" East, a distance of 139.965 feet, for a corner;
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8 ***THENCE*** South 88°-7'-18" West, a distance of 222.984 feet, for a corner;
9 ***THENCE*** South 1°-10'-33" East, a distance of 419.674 feet, to the beginning of a curve to the left having a radius of 358.409 feet;
10 ***CONTINUING*** along said curve to the left, through a central angle of 13° 24' 34", a distance of 83.691 feet, a chord bearing of South 31°-54'-10" West, an arc length of 83.882 feet, tangent of 42.133 feet for a corner;
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DRAFT 09.16.2019

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57 ***THENCE*** North 89°-2'-49" East, a distance of 99.793 feet, to the beginning of a curve to the left having a radius of 113.58 feet;
58 ***CONTINUING*** along said curve to the left, through a central angle of 69° 11' 2", a distance of 128.965 feet, a chord bearing of North 49°-25'-7" East, an arc length of 137.147 feet, tangent of 78.33 feet to a point;
59 ***THENCE*** North 89°-14'-25" East, a distance of 22.678 feet to the *POINT OF BEGINNING AND CONTAINING* 547.68 acres of land (23,856,878.88 square feet) more or less. The above description also intended to follow all adjacent existing city limits, and abutting parcel boundaries unless noted.

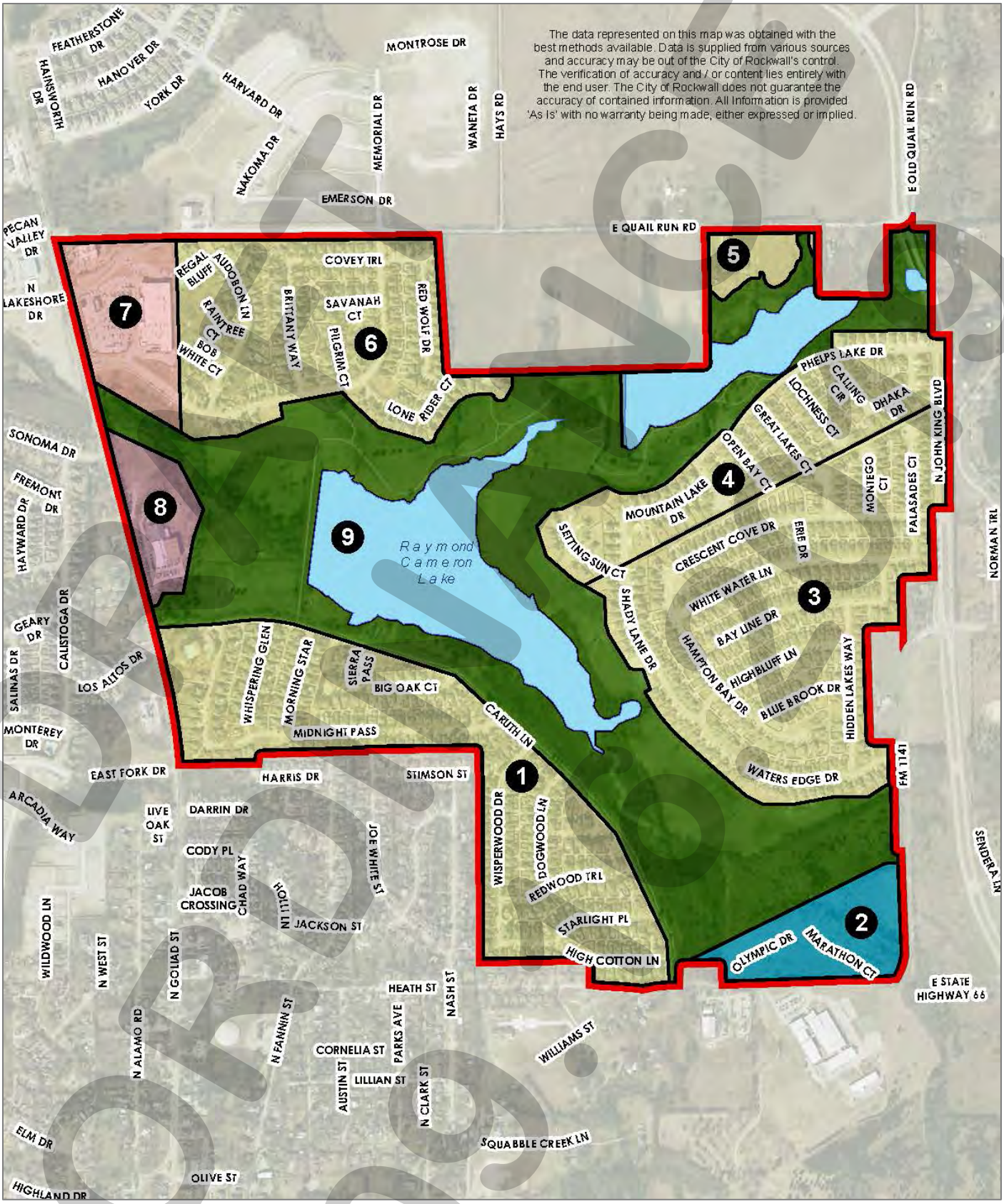
Closure Report
Number of Courses: 59
Total Perimeter Length: 26622.146
Misclosure As X/Y: 0, 0.001
Misclosure As Direction/Distance: N 24°-14'-24" E, 0.001 feet

DRAFT ORDINANCE 09.16.2019



DRAFT
Doc. 2019

248



DRAFT 09/09/2019

249

(A) *Purpose.*

(1) *October 7, 2019.* The purpose of this amendment to Planned Development District 5 (PD-5) is to consolidate *Ordinance No.'s 73-31, 87-23, 88-11, 96-25 & 00-28*; however, this ordinance does not change the intent, restrictions or land uses established in any previous ordinance with the exception of changing the garage setback requirements for *Tract 2* as depicted in *Exhibit 'B'* of this ordinance.

(B) *Density and Development Standards*

(1) *Tracts 1 & 3.* The area identified as *Tracts 1 & 3* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the Single-Family 7 (SF-7) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.

(2) *Tracts 4, 5 & 6.* The area identified as *Tracts 4, 5 & 6* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the Single-Family 8.4 (SF-8.4) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.

(3) *Tract 2.* The area identified as *Tract 2* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the Zero Lot Line (ZL-5) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional conditions:

(a) *Garage Orientation*. Garages shall be permitted to be oriented in a front entry configuration; however, garages oriented toward the street in a front entry configuration must be situated a minimum of five (5) feet behind the front building façade of the primary structure. In addition, properties utilizing a front entry configuration shall have a minimum of a 25-foot front yard building setback. In this case the front façade of the primary structure does not include an accessory structure attached to the primary structure (*e.g. a porch, sunroom, etcetera*). All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code (UDC).

(4) *Tract 7.* The area identified as *Tract 7* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the General Retail (GR) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional land uses being permitted *by-right*:

- ☑ Planned Shopping Center (*Less Than 19.0-Acres*)
- ☑ Neighborhood Convenience Center
- ☑ Restaurants
- ☑ Restaurants with Drive Through/Drive-In Facilities
- ☑ Restaurants with Accessory Outdoor Seating
- ☑ Pharmacy with Drive Through/Drive-In Facilities
- ☑ Retail Store Limited to Six (6) Gas Pump Dispensers[1]

Notes:

DRAFT
09.16.19

[1]: *Subject to review by the Architectural Review Board (ARB), Planning and Zoning Commission, and City Council.*

(5) *Tract 8.* The area identified as *Tract 8* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the Agricultural (AG) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional land uses being permitted *by-right*:

☑ Community or Recreation Club (*Public or Private*)

(6) *Tract 9.* The area identified as *Tract 9* in *Exhibit 'B'* of this ordinance is designated as open space/public park land.

DRAFT ORDINANCE 09.16.2019

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252

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller; *Director of Planning and Zoning*
DATE:	September 16, 2019
SUBJECT:	Z2019-019; SUP for Freestanding Commercial Antenna

On September 13, 2019, the applicant, Doug Henderson submitted a letter requesting to postpone the public hearing for this case until October 7, 2019. According to the applicant, the purpose for this postponement is to allow additional time to address concerns presented at the Planning and Zoning Commission Meeting on September 10, 2019. According to Subsection 2.03(C), *Postponement, Recess, and Continuation of a Public Hearing*, of Article XI, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), a public hearing may be postponed by announcing the postponement at the time and place of the notified public hearing. The public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. Attached to this memorandum is a copy of the applicant's letter.

September 13, 2019

The Honorable Members of
The Rockwall City Council
385 S. Goliad Street
Rockwall. TX 75097

Request for Public Hearing Continuation: Z 2019-019:
SUP for Freestanding Commercial Antenna at Fire Station Site: 920 Rockwall Parkway

Dear Members of the City Council:

The City Council is scheduled to hear public testimony on September 16, 2019 for the proposed SUP Z2019-019, an SUP for Freestanding Commercial Antenna on City Property at 920 Rockwall Parkway. AT&T, represented by Crafton Communications, respectfully requests that, after taking testimony from those persons present, City Council not close the public hearing on September 16, 2019, but rather continue the public hearing to the October 7, 2019 City Council meeting.

With the realization that there are several items of concern, AT&T would like to use the additional time to gather additional information for public and City Council consideration.

We look forward to visiting with you regarding this project.
Thank you for your thoughtful consideration.

Doug Henderson, AICP
Site Acquisition Contractor
Crafton Communications, Inc.
1870 Crown Drive, Suite 1500
Dallas, TX 75234
817-729-7006

254

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	September 16, 2019
APPLICANT:	Doug Henderson; *Crafton Communications, Inc.*
CASE NUMBER:	*Z*2019-019; *SUP for Freestanding Commercial Antenna*

SUMMARY

Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of a Specific Use Permit (SUP) allowing a *Freestanding Commercial Antenna* on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary.

BACKGROUND

The subject property was annexed in 1973 [*Ordinance No. 73-44*], is zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, and is addressed as 920 Rockwall Parkway. Currently the subject property contains a municipal building (*i.e. Fire Station No. 2*) and an existing telecommunications tower.

PURPOSE

The applicant is requesting approval of a Specific Use Permit (SUP) to construct a 110-foot telecommunications tower and an equipment cabinet on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located at 920 Rockwall Parkway. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property there are several medical facilities (*i.e. Presbyterian Hospital, Rockwall Medical Office, Britt Eye Care and Laser Center*) followed by Horizon Road [*FM-3097*], which is identified as a TxDOT4D (*Texas Department of Transportation principle arterial, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. These areas are zoned Planned Development 9 District (PD-9) for General Retail (GR) District land uses.

South: Directly south of the subject property is Summer Lee Drive, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Following this thoroughfare is a single-family residential subdivision (*i.e. Foxchase Subdivision*), which is zoned Planned Development District 9 (PD-9) for Single-Family 10 (SF-10) District land uses.

East: Directly east of the subject property are several medical facilities (*i.e. Presbyterian Hospital and Lakeside Rockwall*) followed by Tubbs Road, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. These

areas are zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses.

West: Directly west of the subject property is Rockwall Parkway, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Following this there are several medical office facilities (*i.e. Open Imaging of Rockwall and Rockwall Medical Center Phase II*). These areas are zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses.

CHARACTERISTICS OF THE REQUEST

According to the applicant, the proposed communications tower will be approximately 110-feet in height and will be situated behind the main structure (*i.e. Fire Station No. 2*). Currently, there is an existing telecommunications tower that is approximately 200-feet in height and will remain in order to serve the needs of the fire station and other emergency responders. The proposed tower will be a monopole tower (*i.e. freestanding tower*) and include a ground-mounted equipment cabinet that will be approximately 560 SF and approximately nine (9) feet in height. The applicant is proposing to screen the existing ground-mounted telecommunications equipment and the new equipment with a combination of a wrought iron fence -- *that will be six (6)-feet height* -- and mature landscaping. The proposed landscaping will be Leland Cypress trees that are a minimum of six (6) feet in height and planted between five (5) to six (6) feet on-center.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 2.1.11, *Utilities, Communications, and Transportation*, of Section 2, *Use Standards,* of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), a freestanding commercial antenna shall not exceed 125-feet in height. The Unified Development Code (UDC) also stipulates that any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge, which will achieve a height of at least six (6)-feet at maturity. In this case, the proposed freestanding antenna will be 110-feet in height and the applicant is proposing to provide a wrought iron fence with mature landscaping to screen the equipment cabinet. Since the proposed tower will be lower than the maximum allowable height and the applicant will be providing the decorative fence with landscaping, this request appears to conform to the requirements of the Unified Development Code (UDC).

STAFF ANALYSIS

When looking at the applicant's request, staff should point out that there is a single-family residential subdivision located immediately across Summer Lee Drive and, if approved, there will be a second tower on the subject property. Staff should also point out that the proposed tower will be approximately one-half (1/2) the height of the existing tower. Due to the design of the tower (*i.e. a freestanding/monopole tower*) it appears that the tower will occupy a smaller footprint since no guy-wires will be necessary. Given that there is an existing telecommunications tower located adjacent to the proposed monopole tower coupled with the proposed landscape screening of the existing and proposed equipment, approval of this request (*i.e. to allow a second telecommunications tower on the subject property*) does not appear to negatively impact the subject property or the surrounding properties. With that being said, staff should note that approval of a Specific Use Permit (SUP) is discretionary to the City Council, pending a recommendation from the Planning and Zoning Commission. Should this request be approved the applicant would be required to submit a site plan to be reviewed by Planning and Zoning Commission.

NOTIFICATIONS

On August 30, 2019, staff notified 61 property owners and occupants within 500-feet of the subject property. Staff also notified the Foxchase Homeowner's Association (HOA), which is the only

HOA/Neighborhood Association within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was written, staff had received 13 emails, 18 notices, and three (3) online forms in opposition and one (1) notice and one (1) online form in favor of the request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request, then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:

a) The freestanding commercial antenna shall generally conform to the concept plan and the conceptual antenna elevation depicted in Exhibits 'B' & 'C' of the attached Specific Use Permit (SUP) ordinance;

b) The developer shall plant a thick vegetative screening adjacent to the boundaries of the leased area utilizing evergreen shrubs as depicted in Exhibit 'C' of the attached Specific Use Permit (SUP) ordinance.

(1) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 10, 2019 the Planning and Zoning Commission approved a motion to deny the Specific Use Permit (SUP) by a vote of 5-1, with Commissioner Logan Dissenting and Commissioner Moeller absent. According to Section 2.03(G), *Protest of a Zoning Change*, of Article XI, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-forths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."



City of Rockwall

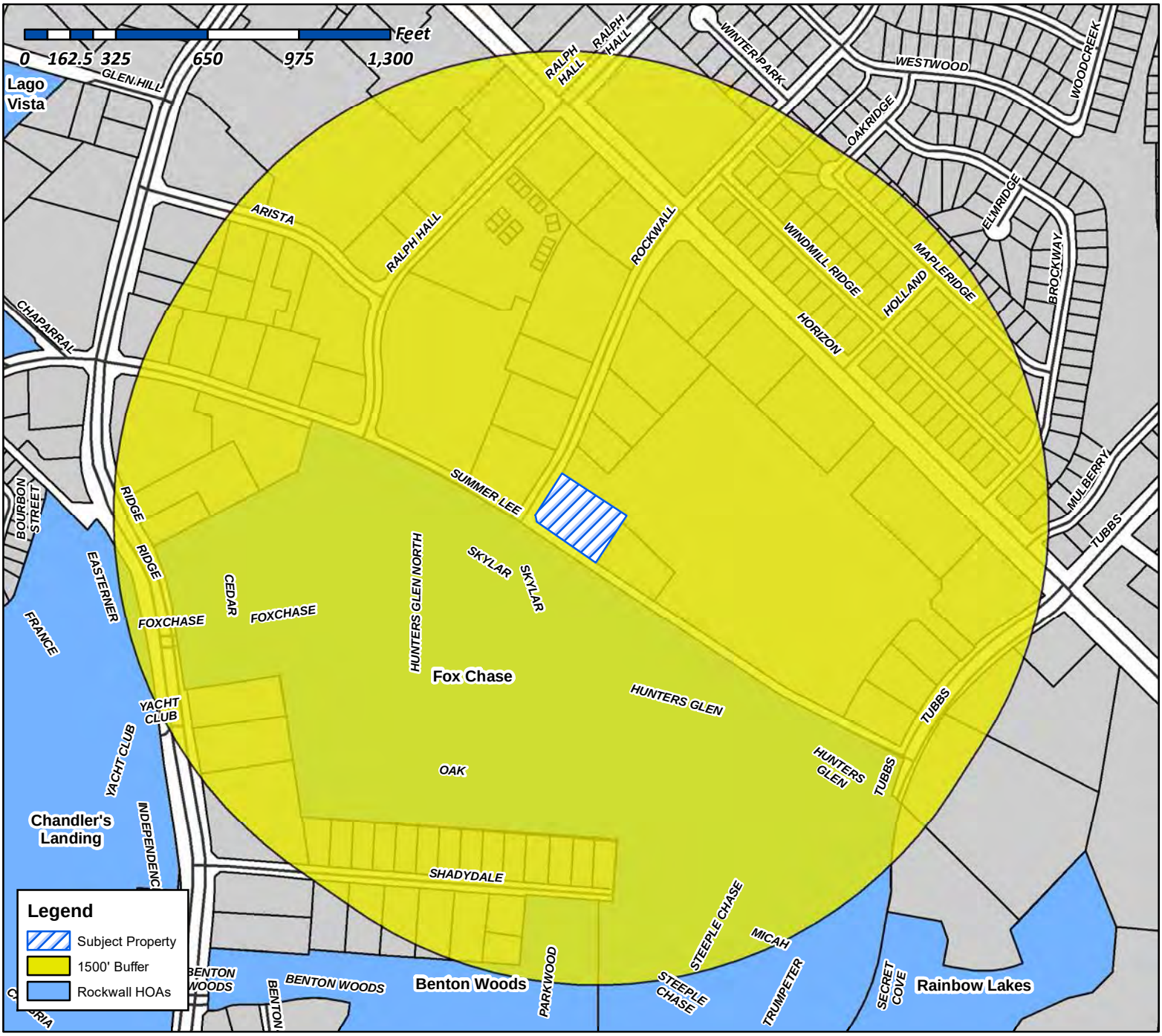
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

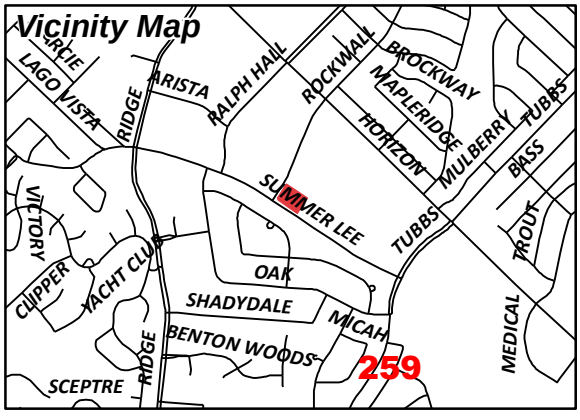
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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Case Number: Z2019-019
Case Name: SUP for Freestanding Commercial Antenna
Case Type: Zoning
Zoning: Planned Development (PD-9) District
Case Address: 920 Rockwall Parkway



Date Created: ***8/19/2019***
For Questions on this Case Call (972) 771-7745

From:	Morales, Laura
To:	[redacted]
Cc:	Miller, Ryan; Gonzales, David; Brooks, Korey
Subject:	Neighborhood Notification Program: Notice of zoning request
Date:	Friday, August 30, 2019 11:50:16 AM
Attachments:	Z2019-019 HOA Map.pdf PUBLIC NOTICE.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attach ed a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***August 16, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 9/10/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday 9/16/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-019- Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of a Specific Use Permit (SUP) allowing a *Freestanding Commercial Antenna* on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

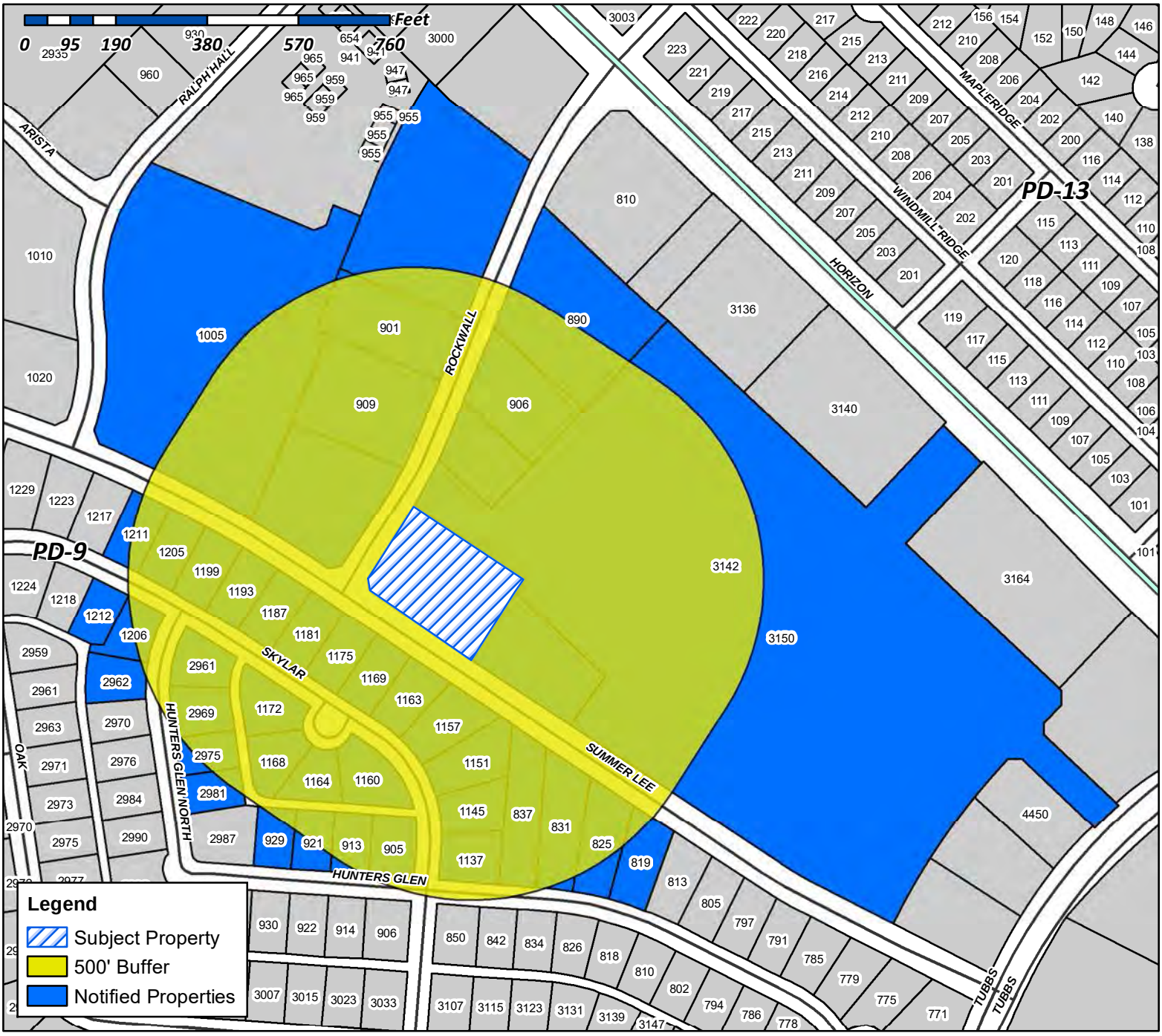
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com |http://www.rockwall.com/planning/

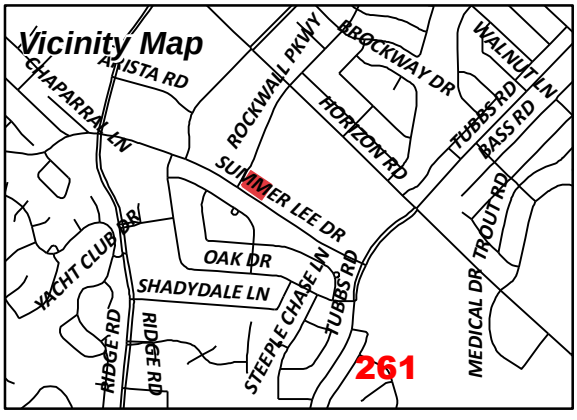
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-019
Case Name: SUP for Freestanding Commercial Antenna
Case Type: Zoning
Zoning: Planned Development (PD-5) District
Case Address: 920 Rockwall Parkway



Date Created: ***8/19/2019***
For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT
1005 W RALPH HALL PKWY
ROCKWALL, TX 75032

BCL REAL ESTATE LLC
103 GROSS RD
MESQUITE, TX 75149

MEEDER JEFFREY S
1137 SKYLAR DR
ROCKWALL, TX 75032

SIPPLE CHRISTOPHER C & JENNIFER N
1145 SKYLAR DR
ROCKWALL, TX 75032

STUBBS MARK A & CAROLYN C
1151 SKYLAR DR
ROCKWALL, TX 75032

GEMMELL II ANTONY & CAROLYN
1157 SKYLAR DR
ROCKWALL, TX 75032

MASE RICHARD J JR & KRISTIANE K
1160 SKYLAR DR
ROCKWALL, TX 75032

RICHARD FLOYD M & TERI
1163 SKYLAR DR
ROCKWALL, TX 75032

JAMESON JANIE
1164 SKYLAR DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
1168 SKYLAR DR
ROCKWALL, TX 75032

CARROLL BENJAMIN THOMAS AND NICOLE
CAMILLE LIUDAHL
1169 SKLYAR DR
ROCKWALL, TX 75032

WORSHAM JERRY L & CAROLYN C &
1172 SKYLAR DR
ROCKWALL, TX 75032

MITCHELL CASEY & DEANNA
1175 SKYLAR DR
ROCKWALL, TX 75032

HAIL KATHLEEN
1181 SKYLAR DR
ROCKWALL, TX 75032

DUPONT GARRETT J AND JENNY L
1187 SKYLAR DR
ROCKWALL, TX 75032

GOINS GARY A & MELANIE K
1193 SKYLAR DR
ROCKWALL, TX 75032

WATKINS STEVEN & SARAH G
1199 SKYLAR DR
ROCKWALL, TX 75032

MAC SPORTS AND REHAB LLC
120 MONT BLANC DRIVE
HEATH, TX 75032

CURRENT RESIDENT
1205 SKYLAR DR
ROCKWALL, TX 75032

GRAVES CARL L & SANDRA L
1206 SKYLAR DR
ROCKWALL, TX 75032

ALLEN L KEITH & BETTY L
1211 SKYLAR DR
ROCKWALL, TX 75032

WINDELS R LEONARD
1212 SKYLAR DRIVE
ROCKWALL, TX 75032

ARHC RMRWLTX01 LLC
1735 MARKET ST 0
PHILADELPHIA, PA 19103

GUO ZHENJING AND
2017 RUMSON DRIVE
ARLINGTON, TX 76006

YV ROCKWALL REALTY HOLDINGS LLC
2266 LAFAYETTE LNDG
ROCKWALL, TX 75032

BROWN DORIS MAE TRUST
2400 LEGEND DR
HEATH, TX 75032

CROSSLAND RAY WALKER & STACY WORSHAM
2961 HUNTERS GLN N
ROCKWALL, TX 75032

POWELL TIMOTHY J AND BARBARA TURNER
POWELL AND
2962 HUNTERS GLEN N
ROCKWALL, TX 75032

CARPENTER DWIGHT D & LINDA K
2969 HUNTERS GLN N
ROCKWALL, TX 75032

CHANCELLOR CINDY R
2975 HUNTERS GLEN NORTH
ROCKWALL, TX 75032

262

CURRENT RESIDENT
2981 N HUNTERS GLEN
ROCKWALL, TX 75032

CURRENT RESIDENT
3142 HORIZON
ROCKWALL, TX 75032

CURRENT RESIDENT
3150 3150 HORIZON
ROCKWALL, TX 75032

CAMBRIDGE ROCKWALL LTD
4500 DORR ST
TOLEDO, OH 43615

BLPT LLC
5 BROCKFIELD CT
HEATH, TX 75032

SPT IVEY ROCKWALL MOB LLC
591 WEST PUTNAM AVENUE
GREENWICH, CT 06830

ROCKWALL REGIONAL HOSPITAL LLP
612 E LAMAR BLVD 0
ARLINGTON, TX 76011

JOSEPH MATHEW CORBETE AND SARAH KATHRYN
819 HUNTERS GLEN
ROCKWALL, TX 75032

GIELOW JOHN L & LISA LEE
825 HUNTERS GLN
ROCKWALL, TX 75032

BOWNE BENJAMIN AND VALERIE
831 HUNTERS GLEN
ROCKWALL, TX 75032

SHULTZ ZACHARY AND CRYSTAL
837 HUNTERS GLEN
ROCKWALL, TX 75032

CURRENT RESIDENT
890 ROCKWALL PKWY
ROCKWALL, TX 75032

MRP INVESTMENTS INC
901 ROCKWALL PKWY
ROCKWALL, TX 75032

MILLER JAYME AND JASON T
905 HUNTERS GLEN
ROCKWALL, TX 75032

CURRENT RESIDENT
906 ROCKWALL PKWY
ROCKWALL, TX 75032

CURRENT RESIDENT
909 ROCKWALL PKWY
ROCKWALL, TX 75032

CURRENT RESIDENT
913 N HUNTERS GLEN
ROCKWALL, TX 75032

WARREN LARRY RAY AND BEVERLY JOAN
921 HUNTERS GLEN
ROCKWALL, TX 75032

LEAL JAIME & LORI DEANN GILLILAN
929 HUNTERS GLEN
ROCKWALL, TX 75032

CHRISMER LANE LTD
960 W RALPH HALL PKWY
ROCKWALL, TX 75032

PARKHILL GAIL C &
PO BOX 100
PARIS, TX 75461

SEYMORE REVOCABLE LIVING TRUST
PO BOX 1987
ROCKWALL, TX 75087

263

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of a Specific Use Permit (SUP) allowing a Freestanding Commercial Antenna on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

We live directly across the street from the proposed cell tower. We have only lived in this home for two years and the cell tower would directly affect the value of our property. As a young couple who is planning on having children, I am deeply concerned about my family's health and the cell tower's affect on my children's health.

Name: Nicole ~~Carroll~~ Camille (Ludahl) Carroll

Address: 1169 Skylar Drive, Rockwall, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

The addition of another antenna ~~on~~ in my backyard would decrease the value of my home. It is unnecessary and an unwanted eyesore. There is already one antenna back there so besides blasting my family with EMF waves I am unsure of the reasoning.

Name: -Ben Carroll

Address: 1169 Skyler Drive, Rockwall, TX, 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From:	Ben Carroll
To:	Planning; Brooks, Korey
Subject:	Opposition To Case No. Z2019-019: SUP for Freestanding Commercial Antenna
Date:	Monday, September 09, 2019 10:43:56 PM

Dear Rockwall Planning and Zoning Dept.,
My name is Benjamin Thomas Carroll and I live at 1169 Skylar Drive, Rockwall, Texas 75032. I am opposed to the request for Case No. Z2019-019: SUP for Freestanding Commercial Antenna for reasons listed below.
This application is in clear violation of the following general purposes of the use districts of Rockwall, as cited in the City of Rockwall Comprehensive Zoning Ordinances, section 1.6 Purpose of the Use Districts:

F. To protect use areas against pollution, environmental hazards, and other objectionable influences.

A 110 foot electromagnetic frequency (EMF) tower in my backyard is clearly in violation of this ordinance, as EMF waves are known to affect the physical health of residents who are forced to live nearby these intense radio frequency waves. My wife is a Ph.D. Student at Texas Woman's University and has access to peer-reviewed studies on this topic, using her university's database. Peer-reviewed means that these research studies have been published in scholarly journals after having met the strictest criteria for research ethics. They are published from respected research institutions with quality methods, after having been anonymously evaluated by experts in the field. Please see the email directly following this one, including a research summary on this topic which directly demonstrates that EMF and radiofrequency (RF) waves are both a clear environmental hazard and objectionable influence to the Fox Chase neighborhood. My property line is approximately only 50 feet from the property line of the firehouse property and we would be in the direct path of this environmental hazard and objectionable influences.

H. ..... through the controls over the spacing and height of buildings and other structures.

A 110 foot structure will clearly tower over every building within miles of the structure. There clearly isn't enough space between this obscenely tall structure and the residences across the street.

I. ..... to protect the character of the districts; to conserve the value of the land and buildings; and to protect the city's tax base.

A 110 foot structure built across the street from our backyards in no way protects the character of our beautiful Fox Chase residential neighborhood. The character of OUR neighborhood is where residents walk their dogs, play with their children in the backyard, say hello to a friendly neighbor, and sleep peacefully knowing that their city plans to keep them safe and not expose them to harm. This cell tower would be visible from every frontyard, backyard, and street in Fox Chase. It in no way is aesthetically compatible with our neighborhood.

The market value of homes when a cell tower is built nearby dramatically decrease. One estimate is as high as a 20% decrease with homes 200-300 meters from the tower (Bond, 2015). With our home being as close as you could possibly be to the tower, I imagine a 20% decrease is imminent. Zillow currently estimates 1169 Skylar Drive to be $369,707. Realtor.com currently estimates 1169 Skylar Drive as $360,800. Trulia currently estimates 1169 Skylar Drive to be $371,443. The average of these three market values is $367,316. A 20% decrease would cause us a potential home investment loss of $73,463.

267

Decreased home values would clearly impact the city's tax base, through losses in assessed market values of homes in Fox Chase, and therefore, decreased monetary value in home taxes provided to the city.

J. To promote the most efficient use of city facilities and services.

A different location could surely be found in a more appropriate industrial or commercial district, which would be best serviced by the use of a cell tower for daily operations. Many potential locations exist which are not bordered by a heavily populated residential district.

L. To accommodate use activities and operations whose external physical effects are restricted to the area of the district, and in no manner affect in a detrimental way any of the surrounding districts.

A 110 foot cell tower would clearly have physical effects that are not restricted to the area of its district, as it is clearly visible from from every property within Fox Chase neighborhood and is not aesthetically fitting for our beautiful neighborhood. The use activities of this cell tower include blasting the residences in the area with harmful electromagnetic frequency waves on a daily basis. The use activities of the proposed cell tower are clearly not restricted to the district of the tower, as the application's direct purpose is to affect the nearby areas, as cited by the cover letter of the application itself.

Please see the email directly following this one, with research studies on how the cell tower would produce detrimental physical health effects for the nearby residences. Financial (home investment) loss is also clearly detrimental to the nearby homes.

M. To preserve and protect the favorable unique quality of life enjoyed by the citizens of Rockwall.

A gigantic metal tower in my backyard in no way preserves or protects my quality of life.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Planning
To: Brooks, Korey
Subject: FW: Opposition to Case No. Z2019-019:SUP for Freestanding Commercial Antenna.
Date: Friday, September 06, 2019 4:15:02 PM

-----Original Message-----
From: Nicole Carroll
Sent: Friday, September 6, 2019 3:43 PM
To: Planning <planning@rockwall.com>
Subject: Opposition to Case No. Z2019-019:SUP for Freestanding Commercial Antenna.

Dear Rockwall Planning and Zoning Department, My name is Nicole Camille (Liudahl) Carroll and my address is 1169 Skylar Drive, Rockwall, TX 75032.
I am deeply saddened and disappointed to receive news of the application to consider Case No. Z2019-019:SUP for Freestanding Commercial Antenna.
My husband and I bought this home only two years ago when we made the decision to move to Rockwall. We decided to move to Rockwall because it seemed like a community that puts families first and values the livelihood and health of the people in their communities. The building of this tower directly opposes these values.
1) Our home is DIRECTLY across the street from the proposed cell tower. Not only will the value of our new home drastically decrease if a tower is built, the tower would be directly visible from both our backyard and front yard. We will be unable to sell our home when the time comes to do so.
2) As a young, married couple who is wanting to start a family and have children very soon, this news is devastating. As a Ph.D. student in Early Childhood Development and Education at Texas Woman's University, I have access to immense research that demonstrates the devastating health effects that exposure to cell towers has on the physical health and cognitive development of children. In addition, because it is a relatively new area of study, unknown physical health effects are likely to exist as well.
3) A large, unsightly tower already exists in this exact location. The building of a new tower is unnecessary. We already have excellent cell reception.
4) As a young woman who already struggles with health issues (Type 1 Diabetes) and currently has a tumor, this tower will be detrimental to my health. There is research that exists that supports the fact that exposure to cell tower radiation increases the likelihood of cancer to people who live within miles of the tower. Me and my family live MERE FEET from the proposed cell tower. Not to mention that the cell tower radiation has harmful effects on pregnant women for both mother and growing child.

I implore you to consider the family values of our Rockwall community, which puts families and their health as a priority. The cell tower would put our beloved neighborhood, with so many families and children, at immense risk.

Sincerely,
Nicole Camille (Liudahl) Carroll, MS, LPC, RPT, NCC TWU PhD in Early Childhood Development Candidate
Licensed Professional Counselor and Registered Play Therapist [redacted]Personal Cellphone: 712-490-7088

Be the Change You Wish to See in the World- Mahatma Ghandi
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269

From: Planning
To: Brooks, Korey
Subject: FW: opposition to Z2019-019; SUP for Freestanding Commercial Antenna
Date: Tuesday, September 10, 2019 1:31:12 PM
Attachments: Comments on Case No. Z2019-019 SUP for Freestanding Commercial Antenna (1).docx

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From: Nicole Carroll [mailto:nccarroll09@gmail.com]
Sent: Tuesday, September 10, 2019 1:27 PM
To: Planning <planning@Rockwall.com>
Subject: opposition to Z2019-019; SUP for Freestanding Commercial Antenna

Nicole Carroll
1169 Skylar Drive
I oppose Case No. Z2019-019; SUP for Freestanding Commercial Antenna for the reasons listed below.
Using the City of Rockwall Comprehensive Zoning Ordinance (Ordinance No . 83 – 23) and also the City Zoning Ordinances Document available online, I would like to comment on how the proposed application applies to the following city zoning ordinances.
Section 2.17 (PD) Planned Development District (p. 88)

A. Purpose

…… for zones to creatively complement each other and harmonize with existing and proposed land uses in the vicinity…..

A tall, metal tower in no way complements or harmonizes with the existing residential neighborhood of short, brick buildings that it borders. The height of the tower is an eyesore and will clearly stand out from an otherwise beautiful residential neighborhood.

B. Permitted Uses

…. I don't see the use of a commercial cell tower in the list of permitted uses. I do, however, see "any combination of uses that are compatible with one another". As stated above, a tall, commercial cell tower is not compatible with the short, brick residential buildings that are next door.

C. Prohibited Uses

3. Any use deemed by the City Council as being detrimental to the health, safety, or general welfare of the citizens of Rockwall.

EMF waves are detrimental to the health of nearby citizens, as can be seen in the research summary sent in a previous email. The safety of my home is potentially at risk, due to the height of the tower. I do not see any information in the application about the plan to meet a minimum required setback from Summer Lee Drive. Being that my property line is approximately only 40 feet across the street from the property line of the firehouse, and the minimum setback requirement of the tower is ONLY 50 feet, it is highly possible that if the pole were to be knocked down in a storm or tornado, it would damage my fence and trees that border the street. The general welfare of the citizens of Rockwall should include the likely drastic decrease in home investment value, which will affect the financial future of every home nearby the tower.

D. Area Requirements

2.C. The combination of different dwelling types and/or the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses in the vicinity.

As stated previously, the combination of neighborhood residential district and large, tall, metal tower are not complementary and in no way harmonize.

2.E. Financial reasons shall not be the sole reason for modification of standards.

It is stated in Mr. Doug Henderson's cover page of his application that "With approval of this site, the City will be encouraging other telecom carriers to collocate on the AT&T structure, which will be made available for leasing at market rates established by master lease agreements within the industry. This proposal is also an opportunity to make the existing telecom site more attractive. AT&T is planning to remove some of the existing chain link fencing and replace it with decorative wrought iron, surrounding the existing equipment as well as the new equipment. This fence in turn will be surrounded with evergreen Leyland Cypress trees." Mr. Henderson is here implying that there is financial motivation and financial benefits for the city with this application with new fencing and landscaping. In addition, he is also implying that there are potential financial connections in the future with other telecom companies

***A Single-Family Residential District is intended for areas that are properly buffered from non-residential uses, and protected from pollution and/or environmental hazards….**

As previously stated, EMF waves should be considered an environmental hazard. In addition, a 6 foot-tall line of trees that meets the bare minimum requirements according to the code is hardly acceptable. With a 110-foot monopole, a 6 foot tall "buffer" would only cover approximately 5% of the entire tower. This is unacceptable.

Section 4 Commercial Districts

Subsection 4.04 General Retail (GR) District

"The General Retail (GR) District is not a major commercial/retail district, and should try to avoid intensive commercial land uses that carry large volumes of retail traffic. This zone is a light retail zone"

Mr. Doug Henderson implies in the cover page of his application that the invitation towards several telecommunications companies to use this site is invited in the future.
"With approval of this site, the City will be encouraging other telecom carriers to collocate on the AT&T structure, which will be made available for leasing at market rates established by master lease agreements within the industry." Therefore, it is clear that the site would not be intended for limited commercial uses. Including the potential for future other telecom carriers implies heavy future use and traffic on this tower.

Maximum height of structures – 120 feet. Any structure which exceeds 60 feet shall require a conditional use permit. If the building height exceeds 36 feet, the building shall be set back ½ the height of the building which exceeds 36 feet from any lot line that abuts residentially zoned property.

I was unable to find information in the application plan which states that the structure would be built a minimum of 50 feet from Summer Lee Drive. In addition, given the height of the structure, a very tall tower such as this would not be appropriate as it could impair the views of cars on Summer Lee Drive and Rockwall Parkway.

"The noise, traffic, litter, late night hours, and other influences that could be harmful to residential areas require adequate buffering and screening from residential areas"

The application plan demonstrates that it plans to only meet the bare requirements of landscape trees that are 6 feet in height. As stated previously, this provides only a mere 5% buffer from the bordering residential properties nearby. The screen's height does not adequately buffer the height of the tower, again due to the mere 5% height buffer from bordering residential properties nearby.

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270

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-019; SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Eyesore to my neighborhood; decrease in my home value; should go in a commercial/retail/industrial neighborhood instead

Respondent Information

Please provide your information.

First Name *

Benjamin

Last Name *

Carroll

Address *

1169 Skylar Drive

City *

Rockwall

State *

Texaa

Zip Code *

75032

Email Address *

btcarroll18@icloud.com

Phone Number

817-422-4511

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

This content is neither created nor endorsed by Google.

Google Forms

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: BETTY ALLEN

Address: 1211 SKYLAR DRIVE

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case #Z2019-019:Freestanding Commercial Antenna
Date:	Tuesday, September 10, 2019 8:02:02 AM
Attachments:	image003.png image004.png

RYAN C. MILLER, AICP
DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

NOTES
1: *APPOINTED AND ELECTED OFFICIALS*: BY *REPLYING ALL* TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
2: PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

From: Carolyn Keith
Sent: Monday, September 9, 2019 11:07 PM
To: Planning <planning@rockwall.com>
Subject: Case #Z2019-019:Freestanding Commercial Antenna

To Whom it May Concern,
I am opposed to the approval of the cell phone tower being placed any where near my Fox Chase neighborhood. I do not want decreased property values caused by this unnecessary cell tower. A 110 ft antenna in such close proximity is unacceptable not only because of the incomparable neighborhood aesthetics but the potential health risks caused by radiation from this tower are completely unacceptable.

Please consider moving it to a different location near a commercial or industrial site and NOT directly in our neighborhood.

Prayerfully,
Carolyn Keith
4574 Steeple Chase
Rockwall, TX 75032

Sent from Yahoo Mail for iPhone

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of a Specific Use Permit (SUP) allowing a Freestanding Commercial Antenna on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: LARRY KEITH

Address: 4574 STEEPLE CHASE LN. ROCKWALL, TX. 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Name: CAROLYN KEITH

Address: 4574 Steeple Chase Rockwall, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Morales, Laura
To: "Carol Gemmell"
Cc: Brooks, Korey
Subject: RE: Z2019-019
Date: Thursday, September 05, 2019 2:51:07 PM

Mrs. Gemmell,
I'm forwarding your email with your expressed concerns and questions to the case manager for the case, Korey Brooks.

Thank you.

Laura

From: Carol Gemmell [redacted]
Sent: Thursday, September 5, 2019 2:39 PM
To: Morales, Laura <lmorales@rockwall.com>
Subject: Re: Z2019-019

Dear Ms. Morales

What kind of light will be on the tower? When the large tower was put on the fire station land a number of years ago, it had a light that produced a terrible noise when it flashed. It took me nearly a year of complaining, before eventually someone from planning visited my home, along with the fire chief, and agreed that it was a **torturous nuisance** and the light was changed so that it was silent. The problem at that time was standing under the pole hardly any noise was noticeable, but whenever they visited my home (the back of my house faces the fire station and Summer Lee) they could hear the noise at the front of the house, which is on Skylar Drive. The fire station is on higher ground than our home and for whatever, reason any noise coming from the fire station is accentuated seven fold. **I do not want a repetition of that horrible year, where we were unable to sit in our yard or use our pool because of the noise**. Please advise and refer back to your records if necessary!!

Looking at the plans it would appear that the proposed new tower is in front of the existing tower, and nearer to Summer Lee - why can it not be set further back and nearer to the commercial area, rather than being set nearest to the residential area - since it is so ugly and will undoubtedly cause problems if we tried to sell our house. Undoubtedly the existing eye sore of a tower puts any buyers off, so an extra one will cause even more problems.

MOST IMPORTANTLY - what research has been done regarding the risk to our health. Do you have documentation. It would appear that people who live so close to these radio towers experience headaches, loss of memory and even cardiovascular issues.
I would like the city to put in writing that there is absolutely no risk to health whatsoever, and if they cannot do so then the question is why would they risk their residents health for the sake of $$$$'s. It would appear from the documentation you sent to me that there will be other communications added to, and using the tower. I can only imagine that this increases our health risk exposure.

I await your response.

278

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Effect Property Values
BETTER, LESS INVASIVE sites exist – City putting $$$ above residents
EMF EXPOSURE VERY CONCERNING – headaches, memory loss, heart issues
Additional Noise Nuisance – running our backyards

Name: Tony & CAROL GEMMELL

Address: 1157 SKYLAR DRIVE, ROCKWALL, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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Regards,

Carol Gemmell.

On Thu, Sep 5, 2019 at 1:32 PM Morales, Laura <lmorales@rockwall.com> wrote:

> Mrs. Gemmell,
> Please see below link with the documents the applicant provided. Feel free to contact us should you have any additional questions. Thank you.
>
> Z20196-019: http://www.rockwall.com/pz/Planning/Development%20Cases/2019/Z2019-019.pdf
>
> *Laura Morales*
> Planning & Zoning Coordinator
> City of Rockwall Planning & Zoning Department
> 972-771-7745 | 972-772-6438
> Lmorales@rockwall.com |http://www.rockwall.com/planning/

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NOTICE OF PUBLIC HEARING

CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of a Specific Use Permit (SUP) allowing a Freestanding Commercial Antenna on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary.

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As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Name: DANETTE & DAVID HOVENDEN
Address: 779 HUNTERS GLEN, ROCKWALL, 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-019

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Daryl

Last Name *

Bird

Address *

844 Elgin Ct

City *

Rockwall

State *

TX

Zip Code *

75032

Email Address *

d.birdman@yahoo.com

Phone Number

214-755-8338

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- ( ) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- (•) My neighbors told me about the request.
- ( ) Other: _____

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Google Forms

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Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

The potential health hazards caused by 5G technology need to be further investigated before we allow this tower to be built in this populated area. Also, no one wants to see a 20% decrease in property values in this neighborhood.

Name: David Teaff

Address: 922 Hunters Glen, Rockwall, Texas

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Hope that the new tower will enhance my cell phone signal.

Name: DONALD MARKS

Address: 755 HUNTERS GLEN
ROCKWALL, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-019
Date:	Wednesday, September 11, 2019 11:21:18 AM
Attachments:	image003.png image004.png

RYAN C. MILLER, AICP

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL

972.772.6441 OFFICE

RMILLER@ROCKWALL.COM

385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

NOTES

1: *APPOINTED AND ELECTED OFFICIALS*: BY *REPLYING ALL* TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.

2: PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

From: Mike <f-richard@sbcglobal.net>
Sent: Tuesday, September 10, 2019 5:00 PM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-019

I am opposed
Floyd and Teri Richard
1163 Skylar Dr

Sent from Mail for Windows 10

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

Please don't do this to us Again. We already have a 200 ft tower outside our back gate. Find a non-residential area for the new one,

1) Safety concerns over EMF Radiation. 2) Impact on property values. 3) It is/will be an unattractive feature from my property. We I live directly across from the fire station, the existing 200 foot tower is already an eye-sore, the proposed 106 foot tower is on the street side of the lot & even CLOSER to my back yard.

Name: Floyd and Teri Richard

Address: 1163 Skylar Dr. 972-971-6015

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PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From:	Planning
To:	Brooks, Korey
Subject:	FW: Oppose Case Number Z2019-019
Date:	Tuesday, September 10, 2019 8:03:17 AM
Attachments:	image003.png image004.png

RYAN C. MILLER, AICP

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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From: Garrett DuPont
Sent: Monday, September 9, 2019 5:45 PM **To:**
Planning <planning@rockwall.com> **Subject:**
Oppose Case Number Z2019-019

Good Evening,

My Wife and I oppose the City of Rockwall zoning Case Number Z2019-019 proposed plan for AT&T to install a 110-foot mono pole cell tower. I feel this would cause health concerns for my wife and I as well as my baby!

Please do not build this tower.

Regards,

Garrett DuPont
1187 Skylar Drive
Rockwall, TX 75032
214-562-3881

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Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Unsafe! Dangerous radiation exposure! We have 2 kids that will reside here for years to come, please do not endanger their long term health with this tower!

Name: Jayme + Jason Miller

Address: 905 Hunters Glen Rockwall, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-019
Date:	Tuesday, September 10, 2019 8:16:02 AM

From: Jayme Miller
Sent: Monday, September 9, 2019 4:48 PM
To: Planning <planning@rockwall.com>
Cc: Daniels, Bennie <BennieDaniels@rockwall.com>; Hohenshelt, John <JohnHohenshelt@rockwall.com>; Fowler, Kevin <KevinFowler@rockwall.com>; Johannesen, Trace <TraceJohannesen@rockwall.com>; Macalik, Dana <DanaMacalik@rockwall.com>; Trowbridge, Patrick <PatrickTrowbridge@rockwall.com>
Subject: Case No. Z2019-019

Dear Mr. Miller and City Council members,
We are STRONGLY OPPOSED to the AT&T Commercial Antenna and ask you to please deny the request! It will be highly visible, bad for our health and bad for our property values. Fox Chase is a beautiful, quiet neighborhood full of families and people who care about quality of life here in Rockwall. We already experience disruptive helicopter traffic and sirens on a regular basis from the hospital and fire station. Our young family lives very close to the proposed site and would be directly impacted in a negative manner for many years to come!
Thank you for your valuable time, serious consideration and dedicated service to our community.
Sincerely,
Jayme & Jason Miller
905 Hunters Glen
Rockwall, TX 75032
503-891-5387

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☑ I am opposed to the request for the reasons listed below.

TOO CLOSE TO HOSPITAL AND LANDING PAD

Name: LEONARD SPINELLI

Address: 4648 STEEPLE CHASE LN. ROCKWALL, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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From:	Planning
To:	Brooks, Korey
Subject:	FW: NO to the proposed cell tower near Fox Chase neighborhood
Date:	Monday, September 09, 2019 2:12:53 PM

From: Jeff M.
Sent: Monday, September 9, 2019 1:55 PM
To: Planning <planning@rockwall.com>
Subject: NO to the proposed cell tower near Fox Chase neighborhood

I just want to voice my concern that the city's planning and zoning department would even consider allowing AT&T or anyone else to build an antennae or cell phone tower next to our Fox Chase neighborhood (at Fire Station No. 2).

A significant number of studies have demonstrated the health hazards and risks to both children and adults of these towers located near neighborhoods, schools and even public parks, not to mention the negative effect they have on the values of homes located in neighborhoods next to or near these towers.

Our neighborhood is already up and arms about this. I have already spoken to over 25 different residents, and not one is in favor of this measure. In fact, every single one is vehemently opposed. Unfortunately, not many can attend your meetings. I am not sure I will be able to attend. But they are nevertheless watching very closely how you vote.

We are therefore asking you, the city council and planning and zoning department, to not allow this proposal to be approved. I am asking you to **vote "NO" against this or any other proposal that would allow AT&T or anyone else to build an antennae or cell phone tower next to our neighbor, or next to anyone else's neighborhood in our city**. These types of towers need to be built in areas far away from homes and neighborhoods.

Thank you,

Jeffrey C. Monk
914 Hunters Glen
Rockwall, TX 75032
Resident of Fox Chase neighborhood, next to the proposed site of the AT&T cellular tower

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Director of Planning & Zoning

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Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

I am vehemently opposed to this request to build a cellular tower next to our Fox Chase neighborhood for the health risks that towers pose to residents who live nearby. We already have adequate cell phone and wireless data coverage. This will also negatively affect our home values.

Name: JEFFREY C. NONIS

Address: 914 HUNTERS GLEN

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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The Rockwall City Council must reject this request and not allow this tower/antenna to be built near our neighborhood, or

294

From:	Planning
To:	Brooks, Korey
Subject:	FW: Z2019-019 Comercial Antenna
Date:	Monday, September 09, 2019 12:32:39 PM

From: jeffrey meeder
Sent: Monday, September 9, 2019 11:44 AM
To: Planning <planning@rockwall.com>
Subject: Z2019-019 Comercial Antenna

My name is Jeff Meeder. I live at 1137 Skylar drive, within the 500 ft buffer. I am in favor of the request. Mobile infrastructure is necessary to keep my phones working with ever growing bandwidth needs. A monopole next to the existing tower on city property seems like a good choice. I do not have safety concerns about "EMF" as expressed by some.

thank you
Jeff Meeder
1137 Skylar Dr
Rockwall Tx 75032

469-338-6200

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From: Planning
To: Brooks, Korey
Subject: FW: OPPOSITION TO PROPOSED CELL TOWER
Date: Monday, September 09, 2019 2:13:50 PM

From: Jennifer Sipple
Sent: Monday, September 9, 2019 2:06 PM
To: Planning <planning@rockwall.com>
Cc: Pruitt, Jim <JimPruitt@rockwall.com>; Crowley, Rick <RCrowley@rockwall.com>; Daniels, Bennie <BennieDaniels@rockwall.com>; Fowler, Kevin <KevinFowler@rockwall.com>; Macalik, Dana <DanaMacalik@rockwall.com>; Hohenshelt, John <JohnHohenshelt@rockwall.com>; Johannesen, Trace <TraceJohannesen@rockwall.com>; Trowbridge, Patrick <PatrickTrowbridge@rockwall.com>
Subject: OPPOSITION TO PROPOSED CELL TOWER

Reference Zoning Case No. Z2019-019 Case Name: SUP for Freestanding Commercial Antenna

This is Jennifer Sipple. My address is 1145 Skylar Drive, Rockwall TX 75032.

Please consider this email as notice that I am in STRONG OPPOSITION to the placement of a 110-foot monopole cellular tower at 920 Rockwall Pkwy. I am requesting that a different location be used, one that is not immediately located in the backyards of an established residential neighborhood. This tower needs to be located in a commercial or industrial location. This proposed cellular tower will produce high levels of RF radiation, which poses health risks to those located directly near it. Hence, why it DOES NOT need to be in a neighborhood. Additionally, placement of this cellular tower in this area will not only create a decrease in property value for us as homeowners but it will also have an undeniable negative impact on the feel of this section of the Rockwall community. We already have the city tower directly behind us. Two towers is undeniably inappropriate for this proposed location.

Respectfully submitted,

Jennifer Sipple

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of a Specific Use Permit (SUP) allowing a Freestanding Commercial Antenna on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

IN OPPOSITION TO THE PROPOSED TOWER IN OUR NEIGHBORHOOD DUE TO IMPACT ON HEALTH OF OUR RESIDENTS/CHILDREN. THIS WOULD POSE A HIAH AMOUNT OF RF RADIATION DIRECTLY INTO OUR HOMES AND BACKYARDS. ADDITIONALLY, HOME VALUES WILL DECREASE WITH A CELL TOWER IN SUCH CLOSE PROXIMITY. PLEASE FIND A COMMERCIAL/INDUSTRIAL LOCATION AND NOT OUR RESIDENTIAL NEIGHBORHOOD.

Name: JENNIFER SIPPLE SEPTEMBER 7, 2019

Address: 1145 SKYLAR DRIVE, ROCKWALL, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

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Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

I am opposed to a large cell tower ~~with~~ hosting multiple wireless carriers due to the documented health risks of microwave radiation as well as repeated warnings from the World Health Organization (WHO). Additionally, the presence of large cell towers ~~has~~ has been linked to diminished property values.

Name: Chris Sipple

Address: 1145 Skylar Drive Rockwall TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-019 SUP for Freestanding Commercial Antenna
Date:	Tuesday, September 10, 2019 1:33:35 PM

From: Kay Maxwell
Sent: Tuesday, September 10, 2019 11:59 AM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-019 SUP for Freestanding Commercial Antenna

To: P & Z Board Members and City Council Members:

I AM **STRONGLY OPPOSED TO THE Z2019-019 REQUEST** FOR THE REASONS LISTED BELOW:

1. The installation of the cell tower poses notable and documented health risks to adults, children, and pets in the Fox Chase community and surrounding areas. Cell towers emit harmful microwave radiation that can travel as far as 1-2 miles and can easily penetrate homes and buildings. Even low level radiation from cell towers can damage human cell tissue and DNA. Emissions have been linked to cancer, immune system function, miscarriage, Alzheimer's, and other serious illnesses.

2. The installation of the cell tower poses an immediate and a long-term (possibly generational) threat to adults, children, pets, and visitors in the Fox Chase community. Many young families live in the community. Families and visitors enjoy Fox Chase Park. The medical district with patients in need of treatment, a caring staff, and many visitors is within walking distance of the proposed tower site. Our first responders work and serve 24/7 on the proposed site. A cell tower on the site puts the health of all at risk.

3. The installation of the cell tower will impact the value of properties in the neighborhood and, as a result will impact the tax value for the local taxing districts. Studies have shown that there is less interest in homes near cell towers. One study has shown that values for homes near cell towers can decline for up to 20%.

4. The installation of the cell tower is incompatible with the neighborhood aesthetics.

My greatest concern is health risks that clearly come with installation of the cell tower in such close proximity to a neighborhood area. Please consider the serious health risks that a cell tower would introduce to what is quiet, family-friendly neighborhood

and VOTE NO on the cell tower installation proposed by Z2019-019.

Kay Maxwell
1218 Skylar Drive
Rockwall, TX 75032

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

300

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-019 Commercial AT&T antenna

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

It will affect our property values

Respondent Information

Please provide your information.

First Name *

Ken

301

301

Last Name *

Nixon

Address *

2707 Cedar Court

City *

Rockwall

State *

Texas

Zip Code *

75032

Email Address *

[redacted]

Phone Number

972-771-4856

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- ( ) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- (•) Other: neighborhood group

This content is neither created nor endorsed by Google.

Google Forms

From:	Planning
To:	Brooks, Korey
Subject:	FW: proposed site of the AT&T cellular tower...
Date:	Tuesday, September 10, 2019 8:02:59 AM
Attachments:	image003.png image004.png

RYAN C. MILLER, AICP
DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

NOTES

1: *APPOINTED AND ELECTED OFFICIALS*: BY *REPLYING ALL* TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.

2: PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

From: Kevin Monk
Sent: Monday, September 9, 2019 7:43 PM
To: Planning <planning@rockwall.com>
Subject: proposed site of the AT&T cellular tower...

I just want to voice my concern that the city's planning and zoning department would even consider allowing AT&T or anyone else to build an antennae or cell phone tower next to our Fox Chase neighborhood (at Fire Station No. 2).

A significant number of studies have demonstrated the health hazards and risks to both children and adults of these towers located near neighborhoods, schools and even public parks, not to mention the negative effect they have on the values of homes located in neighborhoods next to or near these towers.

Many of the residents in our neighborhood are already up and arms about this, and not one is in favor of this measure. Unfortunately, not many will be able to attend your upcoming meetings. But they are nevertheless watching very closely how you vote.

We are therefore asking you, the city council and planning and zoning department, to not allow this proposal to be approved. I am asking you to **vote "NO" against this or any other proposal that would allow AT&T or anyone else to build an antennae or cell phone tower next to our neighbor, or next to anyone else's neighborhood in our city**. These types of towers need to be built in areas far away from homes and neighborhoods.

Thank you,

Kevin T. Monk
2962 Oak Drive
Rockwall, TX 75032
Resident of Fox Chase neighborhood, next to the proposed site of the AT&T cellular tower

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

WE NEED AS MANY RESIDENTS AS POSSIBLE TO COME TO THE NEXT TWO MEETINGS TO VOICE THEIR OPPOSITION. THE PLANNING AND ZONING COMMISSION PUBLIC HEARING WILL BEING HELD TUESDAY, SEPTEMBER 10, 2019 AT 6:00 PM AND THE CITY COUNCIL PUBLIC HEARING BEING HELD ON MONDAY, SEPTEMBER 16, 2019. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street, Rockwall, Texas.

Sizable turn-out is crucial and the most effective way to influence the City Council board members. Our intent is to have our petition included in the city's file for this application. Please mark your calendars and try to make these very important meetings.

If you cannot attend these meetings, please voice your opposition by emailing the Rockwall Zoning and Planning Department at planning@rockwall.com. Please include your name and address for identification purposes along with your opposition email. Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

IN ADDITION TO THIS PETITION, please fill out the notice that was sent by the city to each Fox Chase homeowner (sent to those within the 500' Buffer zone) and check the "I Oppose" box on the form and mail back to the Rockwall Planning and Zoning Department at 385 S. Goliad Street, Rockwall, Texas 75087.

Thank you for reading our petition. Please share this with as many residents as possible!

We, the undersigned, oppose The City of Rockwall, Texas Zoning Case Number Z2019-019 proposed plan for AT&T to install a 110-foot monopole cell tower (SUP for Freestanding Commercial Antenna) and any collocation of carriers on this tower, which is proposed to be located at 920 Rockwall Parkway.

We stand together in this notion and ask that a different location be found near a commercial or industrial site and NOT directly in our neighborhood.

LISA MONK
Name (PRINTED)

Business Name (IF APPLICABLE)

2962 Oak Dr, Rockwall, TX 75032
Address

972-772-3437
Telephone Number

Lisa Monk 9/10/19
Signature and Date

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We stand together in this notion and ask that a different location be found near a commercial or industrial site and NOT directly in our neighborhood.

Kevin T. Monk
Name (PRINTED)

Business Name (IF APPLICABLE)

2962 Oak Drive Rockwall, TX 75032
Address

972.772.3437
Telephone Number

KMonk 9/8/19
Signature and Date

We are strongly opposed to the installation of the AT&T cell tower for the following reasons:

1. **Potential health risks to adults and pets** – Cell phone towers emit harmful microwave radiation that can travel as far as 1-2 miles, and further, and of course can easily penetrate homes and buildings, this directly exposing us to harmful radiation in our homes, backyards and neighborhood park. The closer you are to the cell tower, the greater the health danger. Towers that collocate one or more carriers create clusters of antennas propagating multiple different frequencies simultaneously. These base stations emit a continuous stream of microwave radiofrequencies exposing residents to whole body exposures, as stated by the Physicians for Safe Technology via. www.mdsafetech.org. AT&T plans to allow other companies to collocate their transmitters on the proposed cell phone tower, further adding to the radiation levels in the Fox Chase Neighborhood and surrounding area, putting us at even greater risk of harmful radiation exposure.

Any level of exposure of man-made non-ionizing electromagnetic radiation can be diagnosed by a medical practitioner as an adverse health effect pursuant to the WHO's International Classification of Diseases ICD-10, code W90 thus rendering any safety limit as set by the government safety standards obsolete as to protecting one's individual health.

Studies have shown that even at low levels of radiation from cell towers, there is evidence of damage to cell tissue and DNA, and it has been linked to brain tumors, cancer, suppressed immune function, depression, miscarriage, low sperm count, Alzheimer's disease, and numerous other serious illnesses.

For example, in "The Influence of Being Physically Near to a Cell Phone Transmission Mast on the Incidence of Cancer" by Horst Eger, Klaus Uwe Hagen, Birgitt Lucas, Peter Vogel, Helmut Voit (Published in Umwelt·Medizin·Gesellschaft 17,4 in 2004), the researchers found a fourfold increase in cancer rates amongst people living within 350 meters of a cell phone tower. Amongst women there was a tenfold increase.

In 2011, The World Health Organization (WHO)/International Agency for Research on Cancer (IARC) classified EMR (microwave radiation) as a possible carcinogen to humans (the same classification as DDT and lead) based on an increased risk for glioma (a malignant type of brain cancer).

In 2015, Morgan, Miller, Sasco and Davies published a paper in the *International Journal of Oncology* titled "Mobile phone radiation causes brain tumors and should be classified as a probable human carcinogen (2A)." The title says it all in this case.

In the past five years alone, about 1,800 new scientific papers have been published that show adverse health effects. Dr. George Carlo, a public health expert who coordinated the telecommunications industry's own study, which was mandated by congress, confirms that exposure to communications radiation from wireless technology is "potentially the biggest health insult" this nation has ever seen. Dr. Carlo believes RF/microwave radiation is a greater threat than cigarette smoking and asbestos.

In addition to the known health effects caused by existing cellular infrastructure, the health effects of the next-generation of cellular technology (5G) has yet to be fully understood. Several European countries (Belgium, Switzerland, and Finland) have halted the roll-out of their 5G networks due to a lack of evidence that the new ultra-high-frequency equipment is safe for the public. Additionally, multiple US cities (Sacramento, CA & Mill Valley, CA) have also halted 5G deployments until it can be proven safe. Wireless service providers, like AT&T, continue to push their 5G roll-out plans under the assumption of safety, despite the warnings from the medical and scientific communities and the WHO (World Health Organization). If this proposed 110-foot AT&T tower is approved, it is almost certain that it will host multiple 5G transmitters in the near future, exposing our neighborhood to additional unknown health risks that have yet to be understood.

2. Potential health risks to children. The Fox Chase Neighborhood and surrounding neighborhood areas have a large number of young families with children. Additionally, the Primrose School of Rockwall is located in this neighborhood area and has a substantial amount of babies and young children that would be greatly affected by radiation from this tower. Children have thinner skulls and the immaturity of their central nervous systems puts them more at risk. See, for example, Morgan, Kesari, and Davis, 2014, "Why children absorb more microwave radiation than adults: The consequences", published in the *Journal of Microscopy and Ultrastructure.*

3. The devaluation of real estate. In March, 2014 the *National Institute for Science, Law and Public Policy's* survey "Neighborhood Cell Towers & Antennas—Do They Impact a Property's Desirability?" found that an overwhelming majority of respondents (94%) reported that cell towers and antennas in a neighborhood or on a building would impact interest in a property and the price they would be willing to pay for it.

Studies by Dr. Sandy Bond, Ph.D. have shown that a cell phone tower negatively affects the real estate values of homes surrounding it. Depending on proximity to the cell phone tower property values can be reduced by up to 20% for properties within 200-300 meters of the tower

According to a survey by the National Institute for Science, Law & Public Policy (NISLAPP), an overwhelming 94 percent of home buyers and renters surveyed say they are less interested and would pay less for a property located near a cell tower or antenna. What's more, of the 1,000 survey respondents, 79 percent said that under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas, and almost 90 percent said they were concerned about the increasing number of cell towers and antennas in their residential neighborhood. *National Association of Realtors, Realtor Magazine, July 2014.*

Fox Chase residents do not want decreased property values caused by an unnecessary cell phone tower, and we hope that the City of Rockwall wouldn't want the value of homes to fall substantially; as such a decrease would be accompanied by a significant decline in property tax revenues.

5. The cell phone tower will be put in the parking lot of Rockwall Fire Station No.2, which is directly next to the Rockwall Texas Health Presbyterian Hospital and medical plaza. Our cherished and valued Rockwall firefighters will be experiencing an extremely high exposure of microwave radiation from this tower, as it will sit directly on the Fire Station property. These firefighters spend up to 12-hour shifts at the fire station and the City of Rockwall should ensure their employees have a safe work environment and are not subjected to unnecessary radiation. Additionally, the families (not to mention the employees of the hospital and surrounding medical practices) that come to get treated should not be subjected to any possible health risks. Texas Health Presbyterian Hospital-Rockwall has plans to add a Level 2 Neonatal Intensive Care Unit (NICU) to the hospital, with construction of this beginning early 2020. This would put these premature babies at higher risk of unnecessary radiation while in the NICU. Additionally, the hospital and pediatrics practice sees newborn babies and children – those most vulnerable to the radiation.

6. A 110-foot tower is incompatible with the neighborhood aesthetics. The antenna will be in the close proximity to our quiet residential neighborhood and the beautiful Fox Chase Park, which is enjoyed by so many children and adults alike. We stand together in the notion that a different location be found near a commercial or industrial site and NOT directly in our neighborhood.

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

HEALTH AND ENVIRONMENT
POPERTY VALUES

Name: LARRY WARREN

Address: 921 HUNTERSGLEN

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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NOTICE OF PUBLIC HEARING

CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

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As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

1. It's a potential health risk to adults and pets.
2. It's a potential health risk to children
3. It will devalue our realestate
4. Firefighters, hospital & medical employees, and families coming for treatment will be subject to high exposure of radiation
5. A 110' tower is incompatible with neighborhood aesthetics

Name: Ayida Chavez

Address: 850 Hunters Glen

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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From: Planning
To: Brooks, Korey
Subject: FW: NO to Zoning Case No. Z2019-019
Date: Friday, September 06, 2019 4:52:03 PM

From: lgillilan
Sent: Friday, September 6, 2019 4:16 PM
To: Planning <planning@rockwall.com>
Subject: NO to Zoning Case No. Z2019-019

Good afternoon,

We oppose the proposed addition of a cell tower and any future telecom carriers to collocate the commercial tower located at 920 Rockwall Parkway.

Please vote "NO" to Zoning Case No. Z2019-019

Thank you,
Lori

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-019 Commercial Antenna

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

It will be a hazard to the care flights landing/taking off at Presby Hospital. We do not need a crash on the hospital or fire station.

Respondent Information

Please provide your information.

First Name *

MARY

Last Name *

NIXON

Address *

2707 CEDAR COURT

City *

ROCKWALL

State *

TX

Zip Code *

75032

Email Address *

[redacted]

Phone Number

972-771-4856

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- ( ) I received a property owner notification in the mail.
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- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- (•) Other: Neighborhood Yahoo group

This content is neither created nor endorsed by Google.

Google Forms

From:	Planning
To:	Brooks, Korey
Subject:	FW: Proposed AT&T cell tower
Date:	Wednesday, September 11, 2019 11:21:06 AM
Attachments:	image003.png image004.png

RYAN C. MILLER, AICP
DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

NOTES
1: *APPOINTED AND ELECTED OFFICIALS*: BY *REPLYING ALL* TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
2: PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

From: Paul Fullington [redacted]
Sent: Tuesday, September 10, 2019 5:03 PM
To: Planning <planning@rockwall.com>
Subject: Proposed AT&T cell tower

09/10/2019

Planning and Zoning Dept.

As a fox chase resident I oppose the construction of an AT&T cell tower across the street from our neighborhood. Ironically, the site for the tower is not too far from the proposed helipad that Presbyterian Hospital wanted to also place across the street from our neighborhood. We fought that battle and the helipad was relocated but flyovers over the Fox Chase neighborhood sometimes continue to this day despite Hospital promises that that would not happen. Big business does not always keep its promises.

A drive through of our neighborhood would show you just how well kept the homeowners keep their properties. Three years ago my wife and I drove to every neighborhood in Rockwall that sends their kids to

Rockwall Heath HS, to scout for suitable neighborhoods to host The Rockwall Heath HS March a thon for which we were the directors. We found that Chandlers Landing and Fox Chase had the best well kept neighborhoods and we marched in those neighborhoods.

We realize that we are strategically in a great location and maintaining our property values is important to us because our homes are an investment. A cell tower next to our neighborhood has the potential to devalue our homes.

A cell tower across the street from our homes places a risk of exposure to radiation. We don't need promises from AT&T that the risk of exposure is not real. And why is it acceptable to place our firefighters at great risk of radiation exposure? Don't we owe them more? Please do not place another cell tower next to Fox Chase.

There must be a industrial area where this tower can be placed.

Thanks,

Paul Fullington
3134 Oak Dr
Rockwall, TX 75032
[redacted]
214-546-7381

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Planning
To: Brooks, Korey
Subject: FW: Proposed Cell Tower
Date: Monday, September 09, 2019 8:29:34 AM

From: Randy Howell
Sent: Sunday, September 8, 2019 4:09 PM
To: Planning <planning@rockwall.com>
Cc: Pruitt, Jim <JimPruitt@rockwall.com>; Crowley, Rick <RCrowley@rockwall.com>
Subject: Proposed Cell Tower

Reference Zoning Case No. Z2019-019 Case Name: SUP for Freestanding Commercial Antenna

This is Randall R. Howell, my address is 3155 Oak Drive, Rockwall TX.

Please consider this email as notice that I am in strong opposition to the placement of a monopole cell tower at 920 Rockwall Pkwy. I am requesting that a different location be used, one that is not immediately adjacent to a well established residential neighborhood. Placement of a second tower in this area will not only create a decrease in property value for us as homeowners but it will also have an undeniable negative impact on the feel of this section of the Rockwall community. Two is too much!

Respectfully submitted,

Randy Howell

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-019

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Sahba

Last Name *

Kasiri

Address *

32 Shady Dale Lane

City *

Rockwall

State *

Texas

Zip Code *

75032

Email Address *

sahba75@hotmail.com

Phone Number

817-419-7004

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- ( ) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- (•) My neighbors told me about the request.
- ( ) Other: _____

This content is neither created nor endorsed by Google.

Google Forms

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of a Specific Use Permit (SUP) allowing a Freestanding Commercial Antenna on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

mailed 8/10/19

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Health reasons, home values in area, no cell tower needed in area

Name: Zachary Shulte

Address: 837 Hunters Glen Rockwall TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

I feel this antenna will be a health risk to the people that back up to Summerlee and the other neighbors. It also will devalue Fox Chase

Name: Cynthia Seymore

Address: 1168 Skylar Dr.

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

I am concerned about the radiation the tower would be putting off. There are to many people that would be at risk. There is a hospital, Doctor offices, fire station, park and a large residential area close by. Out by the interstate would be a better location.

Name: Janie Jameson

Address: 1164 Skylar Dr.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Case No. Z2019-019: SUP for Freestanding Commercial Antenna

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Decreased Property Values
EMF exposure Increases Neurobehavioral Problems
Better Locations exist - the City is being greedy.
Creation of Additional humming Noise, ruining Backyard Ambienc

Name: Rick & Kristi Mase

Address: 1160 Skylar DR.

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

August 16, 2019

The Honorable Members of
The Rockwall City Council and The Rockwall Planning and Zoning Commission
385 S. Goliad Street
Rockwall. TX 75097

RE: Letter of Intent - SUP for a Wireless Communication Tower at 920 Rockwall Parkway

Dear Members of the City Council and Planning and Zoning Commission:

AT&T, represented by Crafton Communications, is pleased to submit this Application for SUP to allow development of a 110 FT Monopole Communication Tower with a landscaped equipment compound at 920 Rockwall Parkway. The proposed site part of the Fire Station property at that location.

The subject facility is needed to meet the rapidly increasing demand for wireless voice and data services in the residential and retail neighborhoods surrounding the fire station. This demand has placed a strain on AT&T's limited capacity. AT&T would like to stress, however, that this proposal is aimed at addressing the concern for better wireless coverage well before there is a problem for general or emergency calls.

The search for a site was thorough, and it should be noted that there were no opportunities for collocating on existing structures, an option that is much preferred whenever possible. With approval of this site, the City will be encouraging other telecom carriers to collocate on the AT&T structure, which will be made available for leasing at market rates established by master lease agreements within the industry.

This proposal is also an opportunity to make the existing telecom site more attractive. AT&T is planning to remove some of the existing chain link fencing and replace it with decorative wrought iron, surrounding the existing equipment as well as the new equipment. This fence in turn will be surrounded with evergreen Leyland Cypress trees.

AT&T is proud to be of service to the people who call Rockwall home. This un-manned site will work hard in its service to the community while placing no service demand on drainage, water, sewer, schools, parks or roads.

We look forward to visiting with you regarding this project.
Thank you for your thoughtful consideration.

Doug Henderson, AICP
Site Acquisition Contractor
Crafton Communications, Inc.
1870 Crown Drive, Suite 1500
Dallas, TX 75234
817-729-7006

326

N MN
2°58' E
NORTH

LOT 5 BLOCK B
HORIZON RIDGE ADDITION
CAB. F, PG. 130
P.R.R.C.T.
ZONING: PD-9

ROCKWALL PARKWAY
(60' PUBLIC ROW)

AT&T EASEMENT
CAB. G, PG. 43

SSMH
FH
GAS MTR

NEW 5' FIBER/UTILITY
EASMENT. REF. SURVEY

OFH

LOT 15 BLOCK A
PRESBYTERIAN HOSPITAL
OF ROCKWALL ADDITION
CAB. G, PG. 275
P.R.R.C.T.
ZONING: PD-9

24' FIRE LANE, ACCESS
& UTILITY EASEMENT
CAB. G, PG. 43

15' TXU EASEMENT
2007-00376826

EXISTING PROPERTY LINE

260'-0"

GATE

NEW 6' TALL WROUGHT IRON
FENCE & LANDSCAPING

REF. ENLARGED CONCEPTUAL SITE
PLAN ON SHT. ZD.02 FOR ENLARGED
VIEW OF THIS AREA

OWNER:
CITY OF ROCKWALL
VOL. 1738, PG. 8
D.R.R.C.T.

EXISTING FIRE
STATION

16" OAK

6X PVC/RISERS

14" CYPRESS

LOT 9 BLOCK A
HORIZON RIDGE CENTER
CAB. E, PG. 149
P.R.R.C.T.
ZONING: PD-9

CONCRETE
PAVING

EQUIPMENT
SHELTER

NEW AT&T LEASE AREA
(553 SQ. FT.) REF. SURVEY

EXISTING 200' MONOPOLE
TOWER, EQUIPMENT SHELTER
& ICE BRIDGE TO REMAIN

NEW 110' MONOPOLE TOWER

37'-0"

10'-0"

EXISTING FIRE
STATION

TS VAULT

SSCO

SSCO
SSCO
SSMH
SSMH
14"
CYPRESS

CONCRETE
PAVING

16" OAK

NEW 24' ACCESS EASEMENT
REF. SURVEY

167'-0"

CONCRETE
PAVING

CONCRETE
PAVING

15' TXU EASEMENT
2007-00376826

GATE

FH

LOT 12 BLOCK A
PRESBYTERIAN HOSPITAL
OF ROCKWALL ADDITION
CAB. G, PG. 43
P.R.R.C.T.
ZONING: PD-9

BLOCK E
FOXCHASE PHASE V ADDITION
CAB. D, PG. 110
P.R.R.C.T.
ZONING: PD-9

SUMMER LEE DRIVE
(60' PUBLIC ROW)

STORM MH

15' BUILDING LINE
CAB. G, PG. 43

1 CONCEPTUAL SITE PLAN
SCALE: (34" X 22") 1"=20'-0"
SCALE: (17" X 11") 1"=40'-0"
SCALE (FEET)
0 20 40 60 80

NOTES:

1. ALL NEW LANDSCAPING TO BE PROVIDED AS REQUIRED BY THE CITY OF ROCKWALL AND SHALL BE IRRIGATED PER CITY OF ROCKWALL CODES AND REGULATIONS.

2. NO NEW IMPROVEMENTS SHALL BE PLACED WITHIN THE APPARENT DETENTION/DRAINAGE DITCH AREA.

ZONING CASE NUMBER:
Z2019-019

CELERIS GROUP

Celeris Group Consulting Engineers
605 E. Border Street
Arlington, TX 76010
Phone: 817-446-1700
Fax: 817-460-0677
www.celerisgroup.com

Engineer:
Celeris Group Consulting Engineers
605 E. Border Street
Arlington, TX 76010
Phone: 817-446-1700
Fax: 817-460-0677
Registration No: F-13992

STAMP:

STATE OF TEXAS
ZHENJING GUO
84667
LICENSED
PROFESSIONAL ENGINEER
9/3/2019

No.	Description	Date
A	ISSUED FOR PRELIM REVIEW	08/14/19
B	ISSUED FOR PRELIM REVIEW	08/16/19
0	ISSUED	09/03/19

AT&T

AT&T SITE NUMBER
DXL04460

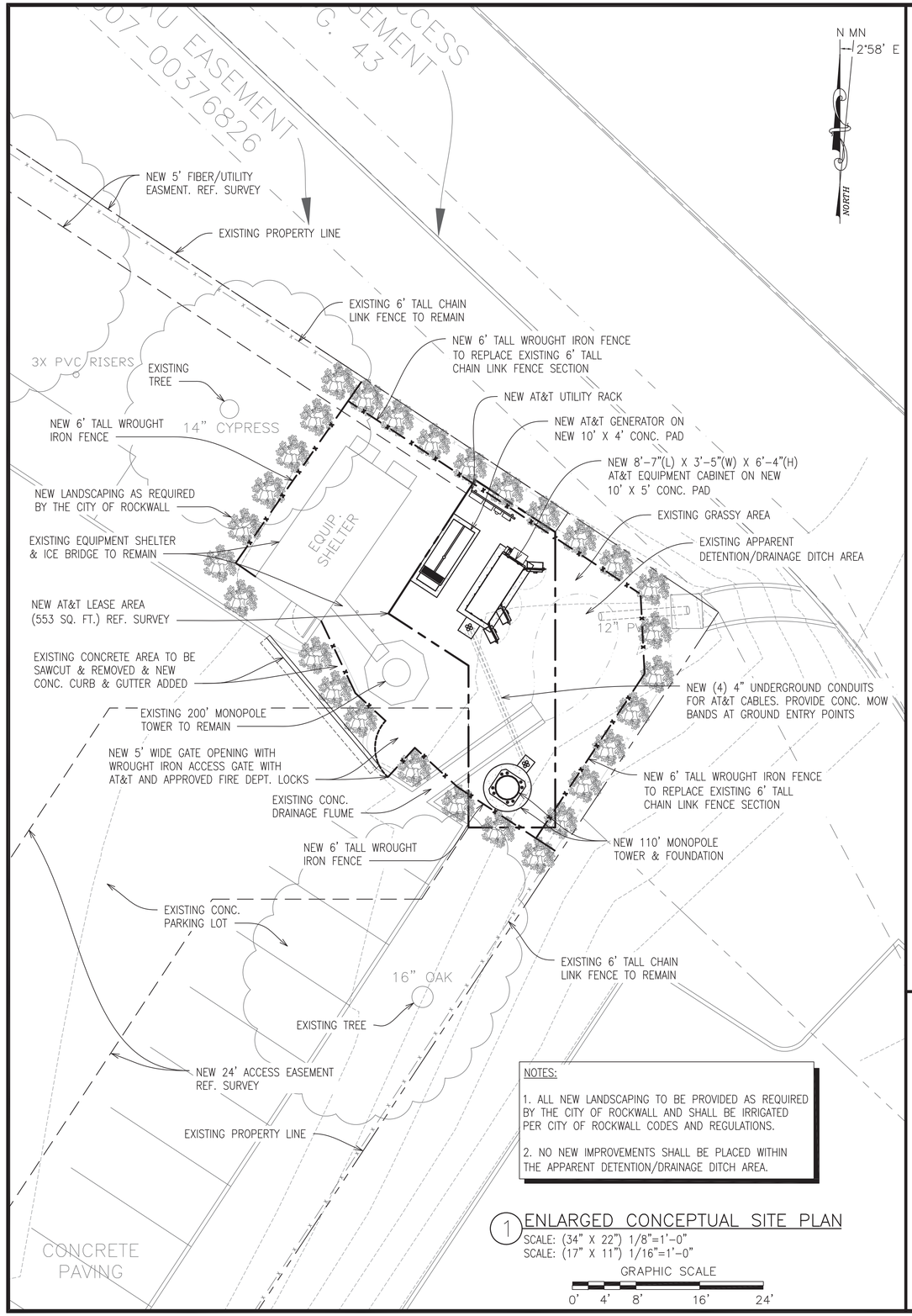
AT&T SITE NAME
FREEDOM COURT /
ROCKWALL

CONCEPTUAL SITE PLAN

Project number	19-13702
Date	09/03/19
Drawn by	BA
Checked by	ZG

ZD.01

Scale



NOTES:

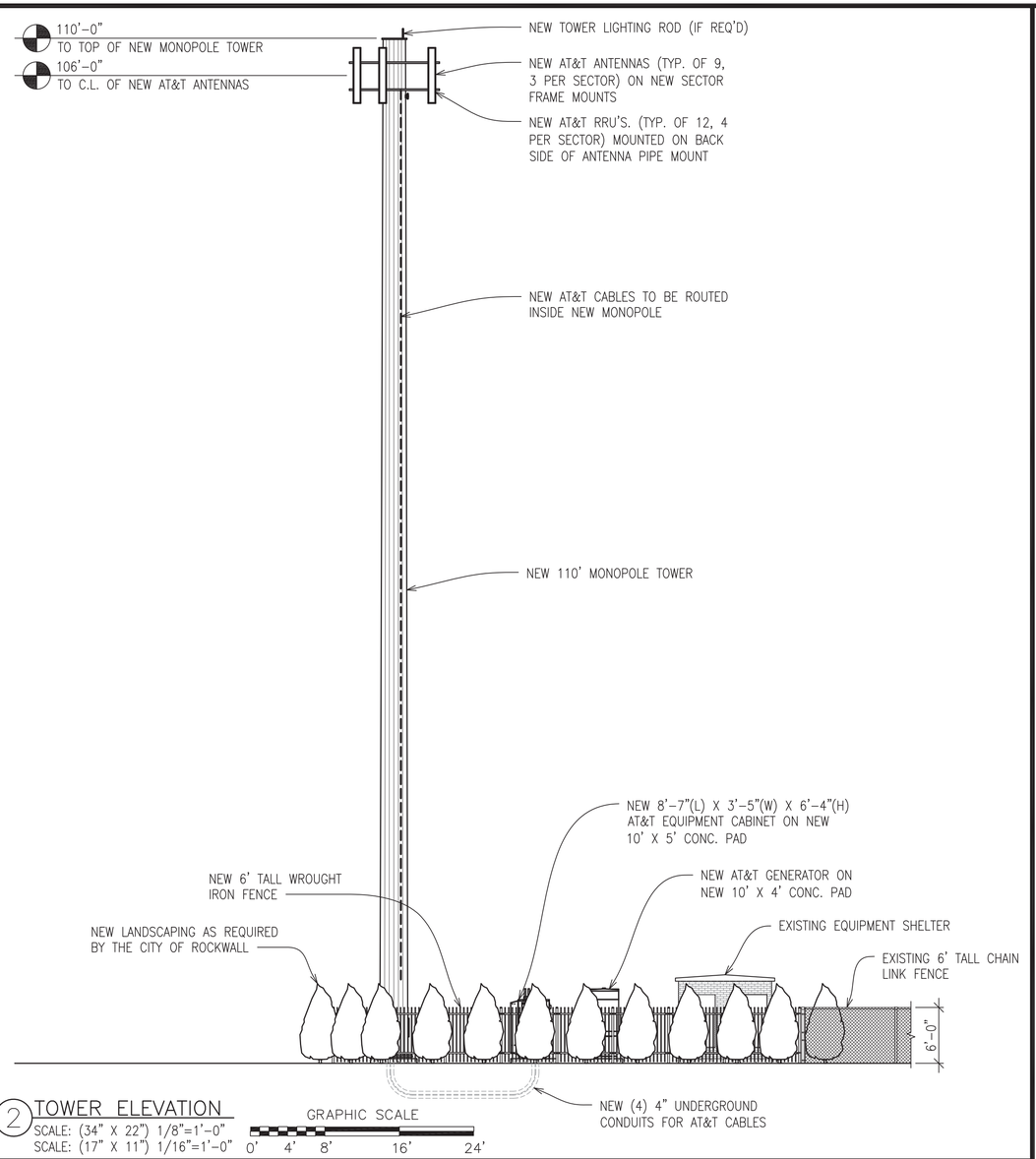
1. ALL NEW LANDSCAPING TO BE PROVIDED AS REQUIRED BY THE CITY OF ROCKWALL AND SHALL BE IRRIGATED PER CITY OF ROCKWALL CODES AND REGULATIONS.

2. NO NEW IMPROVEMENTS SHALL BE PLACED WITHIN THE APPARENT DETENTION/DRAINAGE DITCH AREA.

1 ENLARGED CONCEPTUAL SITE PLAN

SCALE: (34" X 22") 1/8"=1'-0"
SCALE: (17" X 11") 1/16"=1'-0"

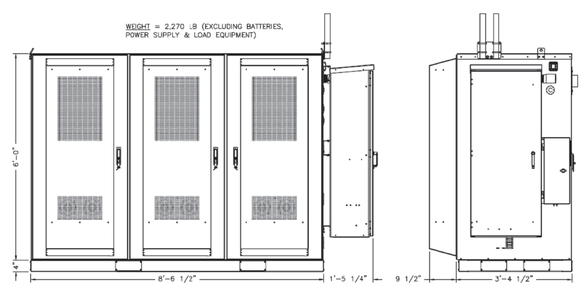
GRAPHIC SCALE
0' 4' 8' 16' 24'



2 TOWER ELEVATION

SCALE: (34" X 22") 1/8"=1'-0"
SCALE: (17" X 11") 1/16"=1'-0"

GRAPHIC SCALE
0' 4' 8' 16' 24'



3 EQUIPMENT CABINET ELEVATIONS

SCALE: (34" X 22") N.T.S.
SCALE: (17" X 11") N.T.S.

ZONING CASE NUMBER:
Z2019-019

CELERIS GROUP

Celeris Group Consulting Engineers
605 E. Border Street
Arlington, TX 76010
Phone: 817-446-1700
Fax: 817-460-0677
www.celerisgroup.com

Engineer:
Celeris Group Consulting Engineers
605 E. Border Street
Arlington, TX 76010
Phone: 817-446-1700
Fax: 817-460-0677
Registration No: F-13992

STAMP:



No.	Description	Date
A	ISSUED FOR PRELIM REVIEW	08/14/19
B	ISSUED FOR PRELIM REVIEW	08/16/19
0	ISSUED	09/03/19

AT&T

AT&T SITE NUMBER
DXL04460

AT&T SITE NAME
FREEDOM COURT / ROCKWALL

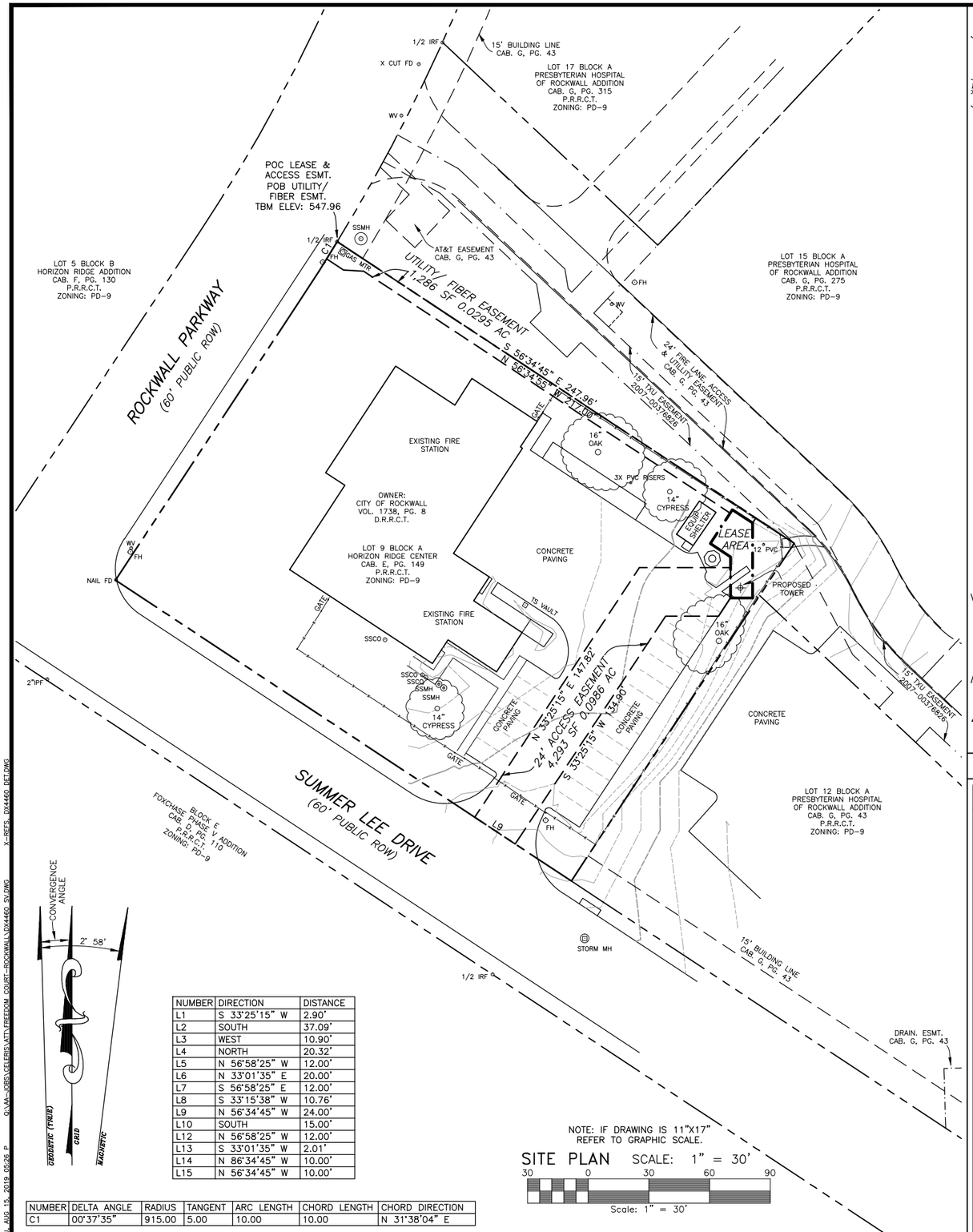
ENLARGED CONCEPTUAL SITE PLAN / TOWER ELEVATION

Project number	19-13702
Date	09/03/19
Drawn by	BA
Checked by	ZG

ZD.02

Scale

328



NUMBER	DIRECTION	DISTANCE
L1	S 33°25'15" W	2.90'
L2	SOUTH	37.09'
L3	WEST	10.90'
L4	NORTH	20.32'
L5	N 56°58'25" W	12.00'
L6	N 33°01'35" E	20.00'
L7	S 56°58'25" E	12.00'
L8	S 33°15'38" W	10.76'
L9	N 56°34'45" W	24.00'
L10	SOUTH	15.00'
L12	N 56°58'25" W	12.00'
L13	S 33°01'35" W	2.01'
L14	N 86°34'45" W	10.00'
L15	N 56°34'45" W	10.00'

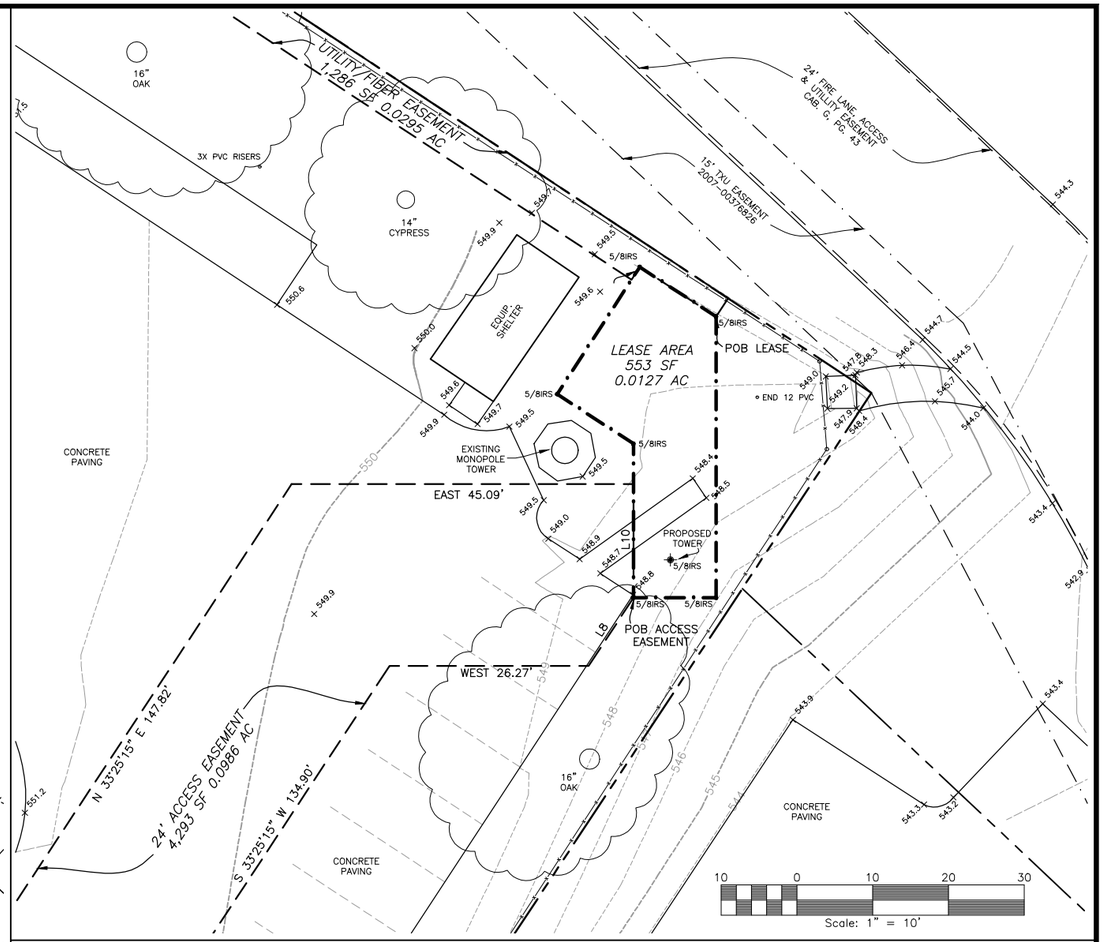
NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	00°37'35"	915.00	5.00	10.00	10.00	N 31°38'04" E

NOTE: IF DRAWING IS 11"X17" REFER TO GRAPHIC SCALE.

SITE PLAN SCALE: 1" = 30'

30 0 30 60 90

Scale: 1" = 30'



ENLARGED SITE PLAN SCALE: 1" = 10'

PROJECT INFORMATION

CENTER OF TOWER COORDINATES:

Latitude (DMS): N 32° 53' 06.5541" NAD83
Longitude (DMS): W 96° 28' 04.5605" NAD83
Latitude (DD): N 32.885154° NAD83
Longitude (DD): W 96.467933° NAD83
Ground Elevation (AMSL): 548.5 Feet

NOTES:

INGRESS/EGRESS IN COMMON WITH LESSOR.

LATITUDE AND LONGITUDE SHOWN HEREON ARE BASED ON NAD83 AND ELEVATIONS NAVD 1988.

MAGNETIC DECLINATION INFORMATION TAKEN FROM NOAA WEB SITE AND IS APPROXIMATE.

LATITUDE AND LONGITUDE FROM GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY, 1983 NORTH AMERICAN DATUM.

BASIS OF ELEVATION: GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY.

BASIS OF BEARINGS: GRID BEARINGS BASED ON GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY.

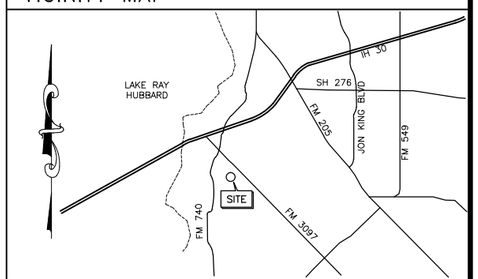
CONVERGENCE ANGLE: 1° 06' 30"

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS WITHIN ZONE "X", AREAS OUTSIDE OF A 100 YR. FLOOD PLAIN AS SHOWN BY FIRM MAP COMMUNITY–PANEL NUMBER 48397C0040L, DATED 09/26/2008. NO SURVEYING WAS DONE TO DETERMINE THIS FLOOD ZONE.

LEGEND

- PP – POWER POLE
- TPED – TELEPHONE RISER
- WV– WATER VALVE
- FH – FIRE HYDRANT
- TOWER CENTROID
- LP – LIGHT POLE
- EM – ELECTRIC METER
- GM – GAS METER
- IRS – IRON ROD SET
- IRF – IRON ROD FOUND
- TBM BENCH MARK
- BUILDING LINES
- FENCE LINE
- OHP POWER LINE

VICINITY MAP



SURVEYOR'S CERTIFICATE}

The undersigned does hereby certify that a survey was made on the ground of the property legally described hereon prepared by the undersigned and is true and correct to the best of my knowledge; the survey correctly shows the location of all buildings, structures and other improvements situated on the property; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights–of–way except as shown on the plat hereon; that subject property has access to a public roadway; and the plat hereon is a true, correct and accurate representation of the property described hereinabove. Furthermore, the undersigned hereby certifies that he has calculated the quantity of land or acreage contained within the tract shown on this plat of survey and described hereon and certifies that the quantity of land shown hereon is correct. This survey meets the applicable requirements for land surveys as defined by the "Texas Society of Professional Surveyors Manual of Practice for Land Surveying in Texas".

Kurtis R. Webb
R.P.L.S. #4125

KRW JOB NO: 216–150

Webb Surveying, Inc.
3401 Custer Road
Suite 190
Plano, TX 75023
Phone: (972) 599–2300
Fax: (972) 599–2302
mail@webbsurveying.com

SURVEY

SITE NAME: FREEDOM COURT/ROCKWALL
SITE NUMBER: DX4460
920 ROCKWALL PARKWAY
ROCKWALL, TX 75032

at&t

STATE OF TEXAS
KURTIS R. WEBB
4125
REGISTERED PROFESSIONAL LAND SURVEYOR

DRWN KRW
CK KRW

NO:	DATE:	DESCRIPTION:
1	09/12/2016	DATE OF SURVEY
2	09/19/2016	ISSUED
3	01/12/2017	ADDED NEW TOWER
4	07/26/2019	REVISED LEASE AREA
5	08/15/2019	MISC. REVISIONS
6		
7		

SV–1

THU, AUG 15, 2019 05:26 P Q:\AA–JOBS\CLIENTS\ATT\FREEDOM COURT–ROCKWALL\DX4460_SV.DWG X–REFS: DX4460_DET.DWG

PARENT TRACT

Being a tract or land, situated In the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, State of Texas, and being a part of Tract 1 as recorded in Volume 1119, Page 246, of the Deed Records of
Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the TxDOT right-of-way concrete monument located on the west right-of-way of FM 3097, and also being 515.34 feet south of the centerline of Rockwall Parkway, THENCE N 45° 46' 04" W, for a distance of 465.34 feet to a 1/2" iron rod set for a corner; THENCE S 44° 15' 22" W, for a distance of 33.49 feet to a 1/2" iron rod set for a corner; THENCE along a curve to the left having a central angle of 22s 06' 20", a radius of 795.00 feet, for length of 306.72 feet to a 1/2" iron rod set for a corner; THENCE S 22° 09' 01" W for a distant of 471.78 feet to a 1/2" iron rod set for a corner; THENCE along a curve to the right having a central angle of 9° 49' 03", a radius of 915.00 feet, for length of 146.46 feet to a 1/2" iron rod set for a corner and also being the POINT OF BEGINNING;

THENCE S 56° 34' 45" E for a distant of 270.62 feet to a 1/2" iron rod set for a corner;

THENCE S 33° 25 33" VV. for a distant of 200.00 feet to a 1/2" iron rod set for a corner;

THENCE N 56° 34' 45" W, for a distant of 270.00 feet to a 1/2" iron rod set for a corner;

THENCE N 33 25' 38"W for a distant of 166.37 feet to a 1/2" iron rod set for a corner;

THENCE along a curve to the left having a central angle of 2° 06' 22", a radius of 915.00 feet, for a length of 33.63 feet to a 1/2" iron rod for a POINT OF BEGINNING and containing 1.2393 acres (54,007 SF) of land, more or less.

BEING that certain tract of land as described by Special Warranty Deed dated October 15, 1999, and conveyed to City of Rockwall, Texas, recorded in Volume 1738, Page 8, Deed Records, Rockwall County, Texas.

LEASE AREA

BEING a tract of land situated in the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, also being situated in Lot 9, Block A, Horizon Ridge Center, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Page 149, Plat Records, Rockwall County, Texas, and being out of and a portion of that certain tract of land conveyed to City of Rockwall, Texas by Special Warranty Deed dated October 15, 1999, and recorded in Volume 1738, Page 8, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod found for the northwesterly corner of said Lot 9, Block A, Horizon Ridge Center, same being the southwesterly corner of Lot 17, Block A, Presbyterian Hospital of Rockwall Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, Page 315, Plat Records, Rockwall County, Texas, and being on the easterly right-of-way line of Rockwall Parkway (60' public right-of-way);

THENCE along the northerly line of said Lot 9, Block A, Horizon Ridge Center, same being the southerly line of Lot 17, Block A, Presbyterian Hospital of Rockwall Addition, South 56 degrees 34 minutes 45 seconds East, a distance of 247.96 feet to a Point;

THENCE through the interior of said Lot 9, Block A, Horizon Ridge Center, South 33 degrees 25 minutes 15 seconds West, a distance of 2.90 feet to the POINT OF BEGINNING hereof;

THENCE continuing through the interior of said Lot 9, Block A, Horizon Ridge Center, the following six (6) courses:

1. SOUTH, a distance of 37.09 feet to a 5/8" iron rod set with cap marked "WEBB-4125";
2. WEST, a distance of 10.90 feet to a 5/8" iron rod set with cap marked "WEBB-4125";
3. NORTH, a distance of 20.32 feet to a 5/8" iron rod set with cap marked "WEBB-4125";
4. North 56 degrees 58 minutes 25 seconds West, a distance of 12.00 feet to a 5/8" iron rod set with cap marked "WEBB-4125";
5. North 33 degrees 01 minutes 35 seconds East, a distance of 20.00 feet to a 5/8" iron rod set with cap marked "WEBB-4125";
6. South 56 degrees 58 minutes 25 seconds East, a distance of 12.00 feet to the POINT OF BEGINNING hereof and containing 0.0127 acres or 553 square feet of land, more or less.

ACCESS EASEMENT

BEING a tract of land situated in the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, also being situated in Lot 9, Block A, Horizon Ridge Center, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Page 149, Plat Records, Rockwall County, Texas, and being out of and a portion of that certain tract of land conveyed to City of Rockwall, Texas by Special Warranty Deed dated October 15, 1999, and recorded in Volume 1738, Page 8, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod found for the northwesterly corner of said Lot 9, Block A, Horizon Ridge Center, same being the southwesterly corner of Lot 17, Block A, Presbyterian Hospital of Rockwall Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, Page 315, Plat Records, Rockwall County, Texas, and being on the easterly right-of-way line of Rockwall Parkway (60' public right-of-way);

THENCE along the northerly line of said Lot 9, Block A, Horizon Ridge Center, same being the southerly line of Lot 17, Block A, Presbyterian Hospital of Rockwall Addition, South 56 degrees 34 minutes 45 seconds East, a distance of 247.96 feet to a Point;

THENCE through the interior of said Lot 9, Block A, Horizon Ridge Center, the following three (3) courses:

1. South 33 degrees 25 minutes 15 seconds West, a distance of 2.90 feet to a 5/8" iron rod set with cap marked "WEBB-4125" for the northeast corner of the lease area described hereon;
2. Along the east line of said lease area, SOUTH, a distance of 37.09 feet to a 5/8" iron rod set with cap marked "WEBB-4125" for the southeast corner of said lease area;
3. Along the south line of said lease area, WEST, a distance of 10.90 feet to a 5/8" iron rod set with cap marked "WEBB-4125" for the most southerly southwest corner of said lease area and the POINT OF BEGINNING hereof;

THENCE continuing through the interior of said Lot 9, Block A, Horizon Ridge Center, the following three (3) courses:

1. South 33 degrees 15 minutes 38 seconds West, a distance of 10.76 feet to a Point;
2. WEST, a distance of 26.27 feet to a Point;
3. South 33 degrees 25 minutes 15 seconds West, a distance of 134.90 feet to a Point on the northerly right-of-way line of Summer Lee Drive (60' public right-of-way);

THENCE along the northerly right-of-way line of Summer Lee Drive, North 56 degrees 34 minutes 45 seconds West, a distance of 24.00 feet to a Point;

THENCE through the interior of said Lot 9, Block A, Horizon Ridge Center, the following three (3) courses:

1. North 33 degrees 25 minutes 15 seconds East, a distance of 147.82 feet to a Point;
2. EAST, a distance of 45.09 feet to a Point on the west line of said lease area;
3. Along the west line of said lease area, SOUTH, a distance of 15.00 feet to the POINT OF BEGINNING hereof and containing 0.0986 acres or 4,293 square feet of land, more or less.

UTILITY/FIBER EASEMENT

BEING a tract of land situated in the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, also being situated in Lot 9, Block A, Horizon Ridge Center, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Page 149, Plat Records, Rockwall County, Texas, and being out of and a portion of that certain tract of land conveyed to City of Rockwall, Texas by Special Warranty Deed dated October 15, 1999, and recorded in Volume 1738, Page 8, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found for the northwesterly corner of said Lot 9, Block A, Horizon Ridge Center, same being the southwesterly corner of Lot 17, Block A, Presbyterian Hospital of Rockwall Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, Page 315, Plat Records, Rockwall County, Texas, and being on the easterly right-of-way line of Rockwall Parkway (60' public right-of-way);

THENCE along the northerly line of said Lot 9, Block A, Horizon Ridge Center, same being the southerly line of Lot 17, Block A, Presbyterian Hospital of Rockwall Addition, South 56 degrees 34 minutes 45 seconds East, a distance of 247.96 feet to a Point;

THENCE through the interior of said Lot 9, Block A, Horizon Ridge Center, the following six (6) courses:

1. South 33 degrees 25 minutes 15 seconds West, a distance of 2.90 feet to a Point;
2. North 56 degrees 58 minutes 25 seconds West, a distance of 12.00 feet to a Point;
3. South 33 degrees 01 minutes 35 seconds West, a distance of 2.01 feet to a Point;
4. North 56 degrees 34 minutes 55 seconds West, a distance of 217.00 feet to a Point;
5. North 86 degrees 34 minutes 45 seconds West, a distance of 10.00 feet to a Point;
6. North 56 degrees 34 minutes 45 seconds West, a distance of 10.00 feet to a Point, same being on the easterly right-of-way line of Rockwall Parkway;

THENCE along the easterly line of Rockwall Parkway, and along a curve to the left having a radius of 915.00 feet, an arc distance of 10.00 feet, through a central angle of 00 degrees 37 minutes 35 seconds,
and whose chord bears North 31 degrees 38 minutes 04 seconds East, a distance of 10.00 feet to the POINT OF BEGINNING hereof and containing 0.0295 acres or 1,286 square feet of land, more or less.

EASEMENT NOTES:

Channel Easement for Highway Purposes by Kirby Albright to State of Texas, dated 3/1/1969 recorded 3/10/1969 in book 86 page 97. Does not affect the subject tract.

Sewer Easements for Existing Lines by Whittle Development Corporation to City of Rockwall, dated 3/12/1987 recorded 3/26/1987 in Volume 313, Page 232. Does not affect the subject tract.

Easement and Right of Way by Schlumberger Technology Corporation, a Texas Corporation to Texas Utilities Electric Company, a Texas Corporation, dated 5/18/1994 recorded 6/9/1994 in Volume 909, Page 192. Does not affect the subject tract.

Mineral Deed between J.L. Parker and Helen Alexander, the wife of J.D. Alexander dated 3/31/1966 in Volume 75, Page 201. Affects parent tract.

Mineral Reservation in Deed between The National Life and Accident Insurance Company dated 11/1/1940 in Volume 36, Page 233. Affects parent tract.

Plat recorded 8/9/1968 in book 2 page 5. Does not affect the subject tract.

Plat recorded 12/28/2001 in Instrument No. 247845 (Cabinet E, Page 149, Plat Records, Rockwall County, Texas). Pertains to the parent tract.

PROJECT INFORMATION

CENTER OF TOWER COORDINATES:

Latitude (DMS): N 32° 53' 06.5541" NAD83
Longitude (DMS): W 96° 28' 04.5605" NAD83
Latitude (DD): N 32.885154° NAD83
Longitude (DD): W 96.467933° NAD83
Ground Elevation (AMSL): 548.5 Feet

NOTES:

INGRESS/EGRESS IN COMMON WITH LESSOR.

LATITUDE AND LONGITUDE SHOWN HEREON ARE BASED ON NAD83 AND ELEVATIONS NAVD 1988.

MAGNETIC DECLINATION INFORMATION TAKEN FROM NOAA WEB SITE AND IS APPROXIMATE.

LATITUDE AND LONGITUDE FROM GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY, 1983 NORTH AMERICAN DATUM.

BASIS OF ELEVATION: GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY.

BASIS OF BEARINGS: GRID BEARINGS BASED ON GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY.

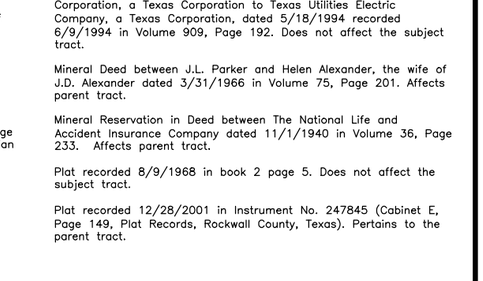
CONVERGENCE ANGLE: 1° 06' 30"

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS WITHIN ZONE "X", AREAS OUTSIDE OF A 100 YR. FLOOD PLAIN AS SHOWN BY FIRM MAP COMMUNITY-PANEL NUMBER 48397C0040L, DATED 09/26/2008. NO SURVEYING WAS DONE TO DETERMINE THIS FLOOD ZONE.

LEGEND

- PP – POWER POLE
- TPED – TELEPHONE RISER
- WV– WATER VALVE
- FH – FIRE HYDRANT
- TOWER CENTROID
- LP – LIGHT POLE
- EM – ELECTRIC METER
- GM – GAS METER
- IRS – IRON ROD SET
- IRF – IRON ROD FOUND
- TBM – BENCH MARK
- BUILDING LINES
- FENCE LINE
- OHP – POWER LINE

VICINITY MAP



SURVEYOR'S CERTIFICATE}

The undersigned does hereby certify that a survey was made on the ground of the property legally described hereon prepared by the undersigned and is true and correct to the best of my knowledge; the survey correctly shows the location of all buildings, structures and other improvements situated on the property; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights-of-way except as shown on the plat hereon; that subject property has access to a public roadway; and the plat hereon is a true, correct and accurate representation of the property described hereinabove. Furthermore, the undersigned hereby certifies that he has calculated the quantity of land or acreage contained within the tract shown on this plat of survey and described hereon and certifies that the quantity of land shown hereon is correct. This survey meets the applicable requirements for land surveys as defined by the "Texas Society of Professional Surveyors Manual of Practice for Land Surveying in Texas".

Kurtis R. Webb
R.P.L.S. #4125

KRW JOB NO: 216-150

Webb Surveying, Inc.
3401 Custer Road
Suite 270
Plano, TX 75023
Phone: (972) 599-2300
Fax: (972) 599-2302
mail@webbsurveying.com

SURVEY

SITE NAME: FREEDOM COURT/ROCKWALL
SITE NUMBER: DX4460
920 ROCKWALL PARKWAY
ROCKWALL, TX 75032

at&t

STATE OF TEXAS
REGISTERED
KURTIS R. WEBB
4125
PROFESSIONAL
LAND SURVEYOR

DRWN KRW
CK KRW

NO:	DATE:	DESCRIPTION:
1	09/12/2016	DATE OF SURVEY
2	09/19/2016	ISSUED
3	01/12/2017	ADDED NEW TOWER
4	07/26/2019	REVISED LEASE AREA
5	08/15/2019	MISC. REVISIONS
6		
7		

SV-2

330

THU, AUG 15, 2019 05:26 P Q:\AA-JOBS\CELERIS\ATT\FREEDOM COURT-ROCKWALL\DX4460 SV.DWG X-REFS: DX4460 DET.DWG

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 9 (PD-9) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *FREESTANDING COMMERCIAL ANTENNA* ON A 0.0055-ACRE PORTION OF A LARGER 1.24-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 9, BLOCK 1, HORIZON RIDGE CENTER ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Doug Henderson of Crafton Communications for the approval of a Specific Use Permit (SUP) to allow a *freestanding commercial antenna* on a 0.0055-acre portion of a larger 1.24-acre parcel of land being described as Lot 9, Block 1, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 9 (PD-9) and the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *freestanding commercial antenna* as stipulated by Section 1, *Land Use Schedule,* of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

PRELIMINARY 09.09.2019

Planned Development District 9 (PD-9) and the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *freestanding commercial antenna* on the *Subject Property* and conformance to these conditions are required for continued operations:

1) The *freestanding commercial antenna* shall generally conform to the concept plan and the conceptual antenna elevation depicted in *Exhibits 'B'* & *'C'* of this ordinance;

2) The developer shall plant a thick vegetative screening adjacent to the boundaries of the leased area utilizing evergreen shrubs as depicted in *Exhibit 'C'* of this ordinance.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS ($2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF OCTOBER, 2019.

DRAFT ORD. 09-19

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *September 16, 2019*

2nd Reading: *October 7, 2019*

DRAFT
ORDINANCE
09.16.2019

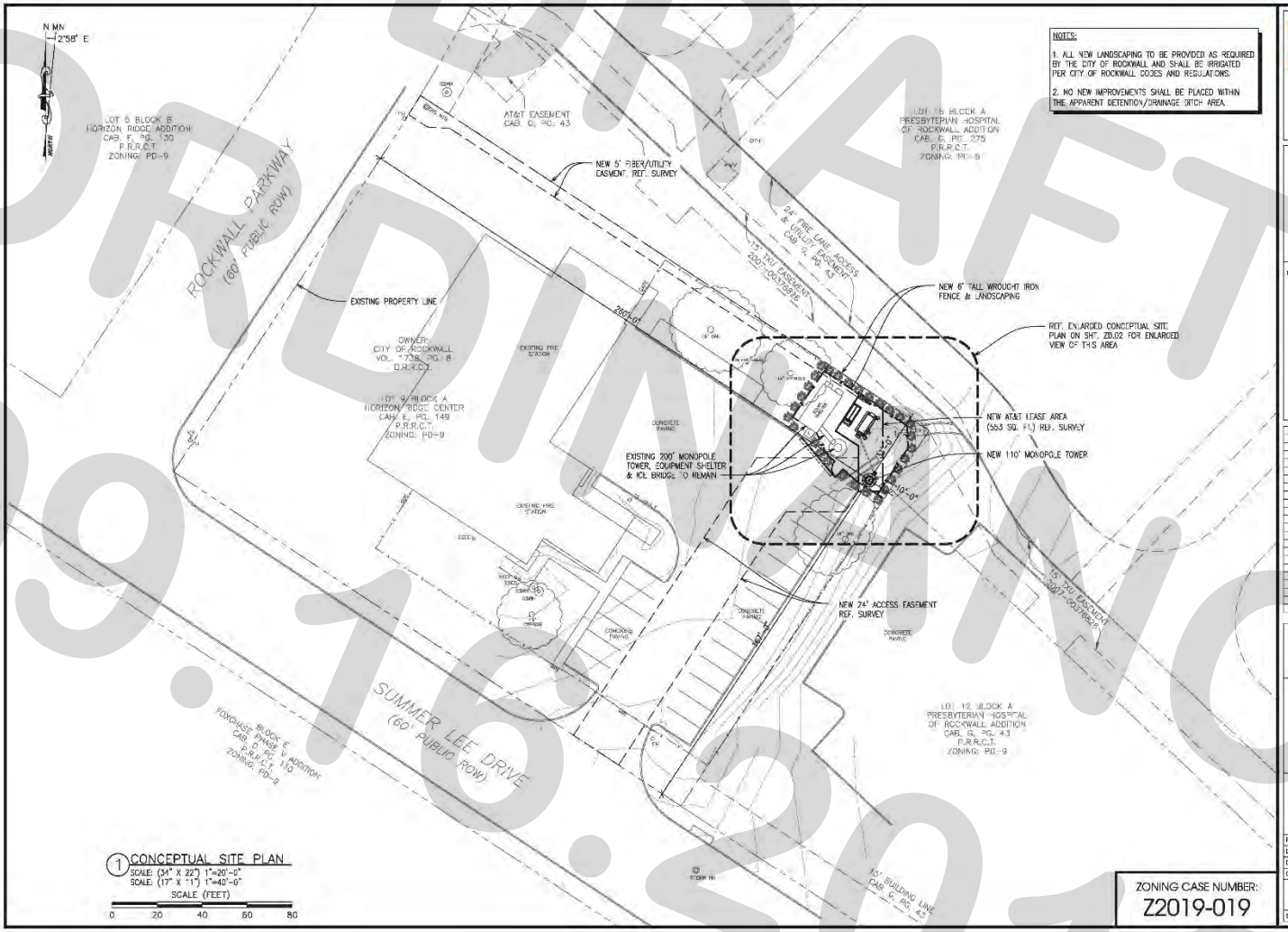
Address: *920 Rockwall Parkway*
Legal Description: *Lot 9, Block A, Horizon Ridge Center Addition*



PLANNING & ZONING CASE

334

DRAFT ORDINANCE 09.16.2019



1 CONCEPTUAL SITE PLAN
SCALE: (34" X 22") 1"=20'-0"
SCALE: (17" X 11") 1"=40'-0"
SCALE (FEET)
0 20 40 60 80

NOTES:

1. ALL NEW LANDSCAPING TO BE PROVIDED AS REQUIRED BY THE CITY OF ROCKWALL AND SHALL BE IRRIGATED PER CITY OF ROCKWALL CODES AND REGULATIONS.

2. NO NEW IMPROVEMENTS SHALL BE PLACED WITHIN THE APPARENT DETENTION/DRAINAGE DITCH AREA.

ZONING CASE NUMBER:
Z2019-019

CELERIS GROUP
Celeris Group Consulting Engineers
605 E. Snyder Street
Arlington, TX 76010
Phone: 817-446-1700
Fax: 817-460-0677
www.celerisgroup.com

Engineer:
Celeris Group Consulting Engineers
605 E. Border Street
Arlington, TX 76010
Phone: 817 446 1700
Fax: 817-460-0677
Registration No: F-13592

STAMP:

No.	Description	Date
A	ISSUED FOR PRELIM REVIEW	08/14/19
B	ISSUED FOR PRELIM REVIEW	08/16/19
0	ISSUED	09/05/19

AT&T

AT&T SITE NUMBER
DXL04460

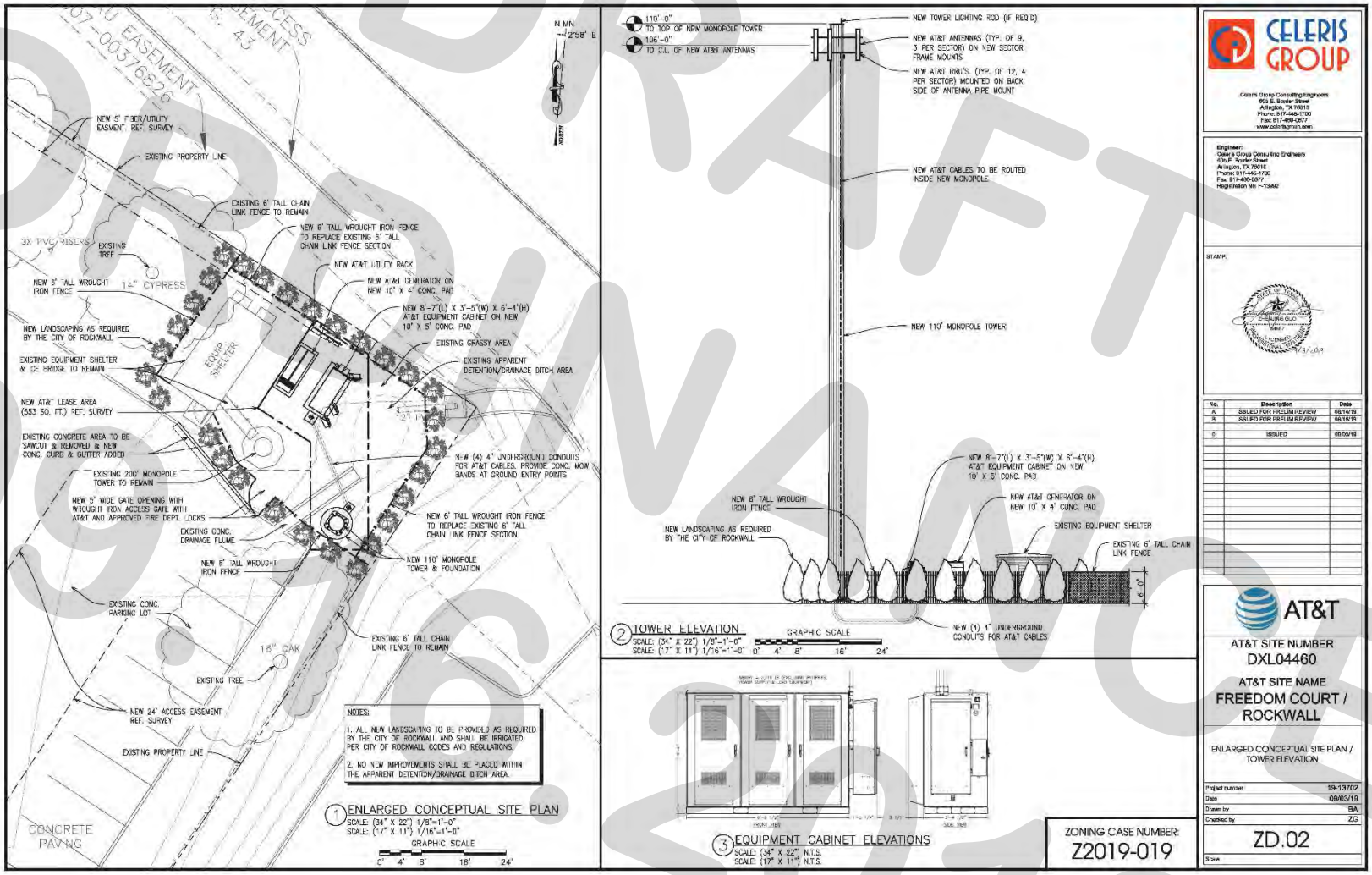
AT&T SITE NAME
FREEDOM COURT / ROCKWALL

CONCEPTUAL SITE PLAN

Project number	19-13702
Date	09/03/19
Drawn by	BA
Checked by	ZG
Scale	

ZD.01

335



DRAFT ORDINANCE 09.16.2019

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337

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	September 16, 2019
APPLICANT:	Todd Panzner
CASE NUMBER:	Z2019-020.; *Zoning Change from AG to C*

SUMMARY

Hold a public hearing to discuss and consider a request by Todd Panzner for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 11.85-acre tract of land identified as Tract 1-1 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located south of the intersection of Green Circle and SH-276, and take any action necessary.

BACKGROUND

The subject property was annexed on December 22, 2008 by *Ordinance No. 08-65.* At the time of annexation, the subject property was zoned Agricultural (AG) District, which is considered to be a designation used for land that is reserved for future growth, agricultural purposes, or for areas where development is premature due to the lack of utilities, capacity, and/or service.

PURPOSE

On August 15, 2019, the applicant -- *Todd Panzner* -- submitted an application requesting to change the zoning from an Agricultural (AG) District to a Commercial (C) District for the 11.85-acre subject property.

ADJACENT LAND USES AND ACCESS

The subject property is situated within the SH-276 Overlay (SH-276 OV) District, and is generally located south of the intersection of Green Circle and SH-276. The land uses adjacent to the subject property are as follows:

North: Directly north of the *subject property* is SH-276, which is identified as a TXDOT6D (Texas Department of Transportation, six [6] lane, divided roadway) according to the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an unincorporated area of the City's Extraterritorial Jurisdiction (ETJ) that contains a mix of both residential and non-residential land uses.

South: Directly south of the *subject property* are several large tracts of vacant land zoned Agricultural (AG) District.

East: Directly east of the *subject property* are several tracts of land zoned Agricultural (AG) District that contain a mix of non-residential land uses, and that were annexed at the same time as the *subject property*.

West: Directly west of the *subject property* are two (2) large tracts of vacant land and a two (2) smaller tracts of land with single family homes situated on them. These properties were annexed at the same time as the *subject property* and are zoned Agricultural (AG) District.

CHARACTERISTICS OF THE REQUEST AND STAFF ANALYSIS

The applicant is requesting to rezone the subject property from an Agricultural (AG) District to a Commercial (C) District for the purpose of facilitating the sale or future development of the property. Currently, the subject property is vacant, and consists of11.85-acres. The majority of this tract of land is situated within the 100-year floodplain, which will limit the development this property in the future. When development occurs on this property adequate public services (*i.e. infrastructure*) necessary to serve the property will be required.

INFRASTRUCTURE

Based on the applicant's request to rezone the subject property, the following infrastructure will be required to be constructed in order to provide adequate public services to the subject property:

Water: The Master Water Plan indicates that the subject property is located within Water Service Area 780 which is not currently serviced by the City of Rockwall. This service area is currently being served by the Blackland WSC. As a result, the applicant will be required to contact Blackland WSC in order to determine if the property can be serviced, and if sufficient flow can be provided for fire service.

Wastewater: The Master Wastewater Plan indicates that there is no wastewater infrastructure in the vicinity. There are no immediate plans for the City to install infrastructure in the area. As a result, the applicant will need to provide an On-site Sewage Facility (OSSF) meeting Rockwall County's standards.

Stormwater: On-site detention will be required to accommodate increases in stormwater runoff if development occurs.

Roadways: According to the Master Thoroughfare Plan, SH-276 is indicated as a TXDOT6D (*Texas Department of Transportation, six [6] lane, divided roadway*) which requires a minimum of 120-foot right-of-way and no on-street parking. The applicant is required to dedicate all portions of the subject property that is within 60-feet of the centerline of SH-276 at the time the subject property is platted.

All proposed infrastructure improvements must meet the Engineering Department's *Standards of Design and Construction*.

CONFORMANCE WITH THE CITY'S CODES

If developed the subject property will be required to conform to all requirements of the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan*, adopted with the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the *South Central Estates District* and is designated for *Commercial/Retail* (*i.e. northern portion of property*) and *Parks and Open Space* land uses (*i.e. southern portion of property that is located in the 100-year floodplain*). The applicant's request to change the zoning of the subject property to a Commercial (C) District is in conformance with the *Commercial/Retail* designation. In addition, the OURHometown Vision 2040 Comprehensive Plan

seeks to "…(p)reserve the City's current residential to non-residential land use ratio (*i.e. 80% Residential; 20% Commercial*) in order to maintain a balance mix of land uses for fiscal sustainability …" [*Section 02.01; CH. 1; Page 1-1*]. The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential land use balance. Currently, the land use balance is at 75.90% residential to 24.10% non-residential. If the City Council chooses to approve this case -- *since this case is proposing zoning in conformance to the Land Use Plan* -- the ratio will remain virtually the same. A more detailed view of the current and proposed land use ratios has been included in the attached packet. With all this being said, zoning requests are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On August 28, 2019, staff mailed 16 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there are no Homeowners Associations (HOA's) or neighborhood groups participating in the HOA/Neighborhood Notification Program within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received one (1) notice in favor of the applicant's request.

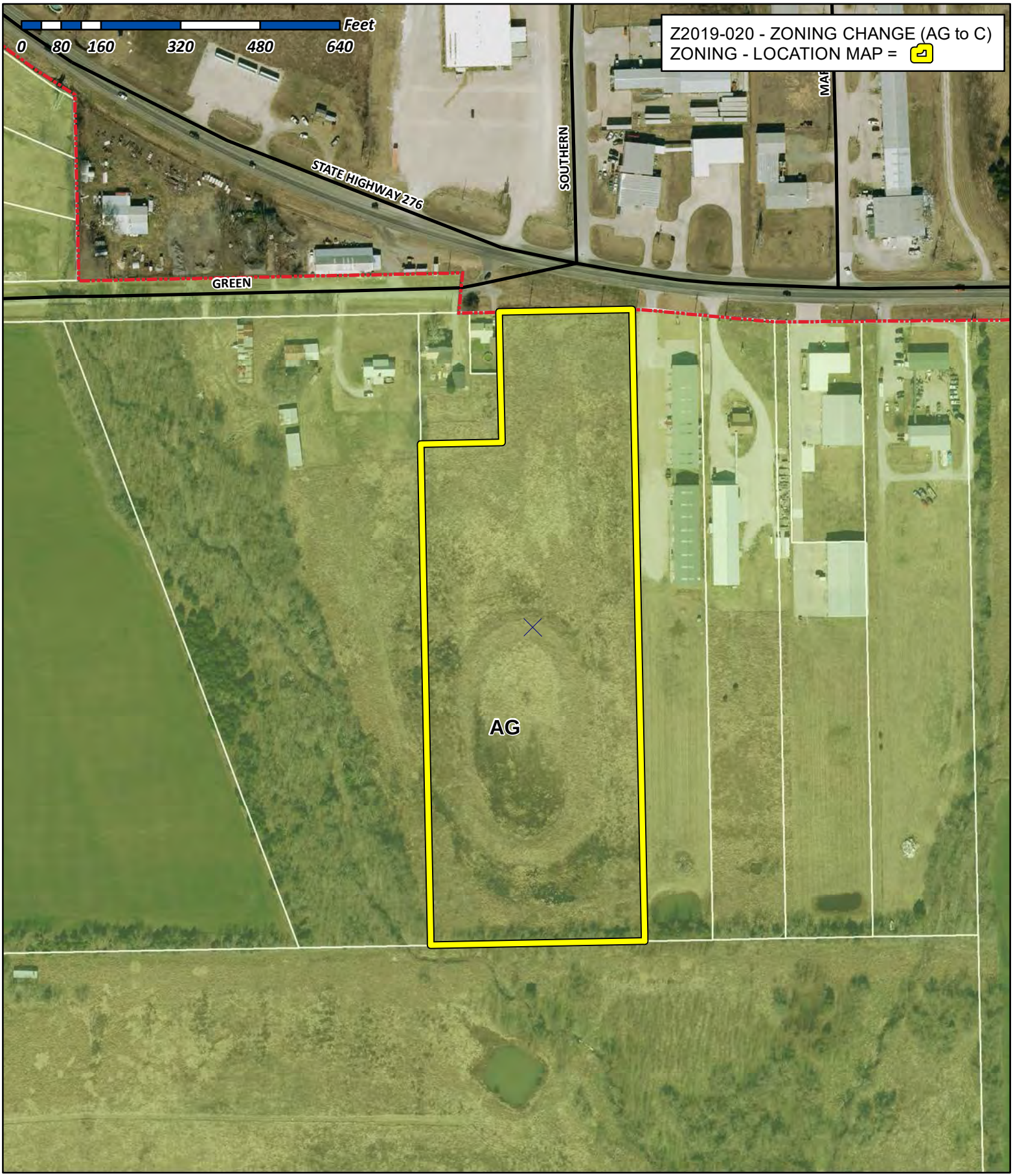
CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to change the zoning from an Agricultural (AG) District to a Commercial (C) District, then staff would propose the following conditions of approval:

(1) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 10, 2019, the Planning and Zoning Commission's motion to recommend approval of the zoning change from an Agricultural (AG) District to a Commercial (C) District passed by a vote of 6-0, with Commissioner Moeller absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

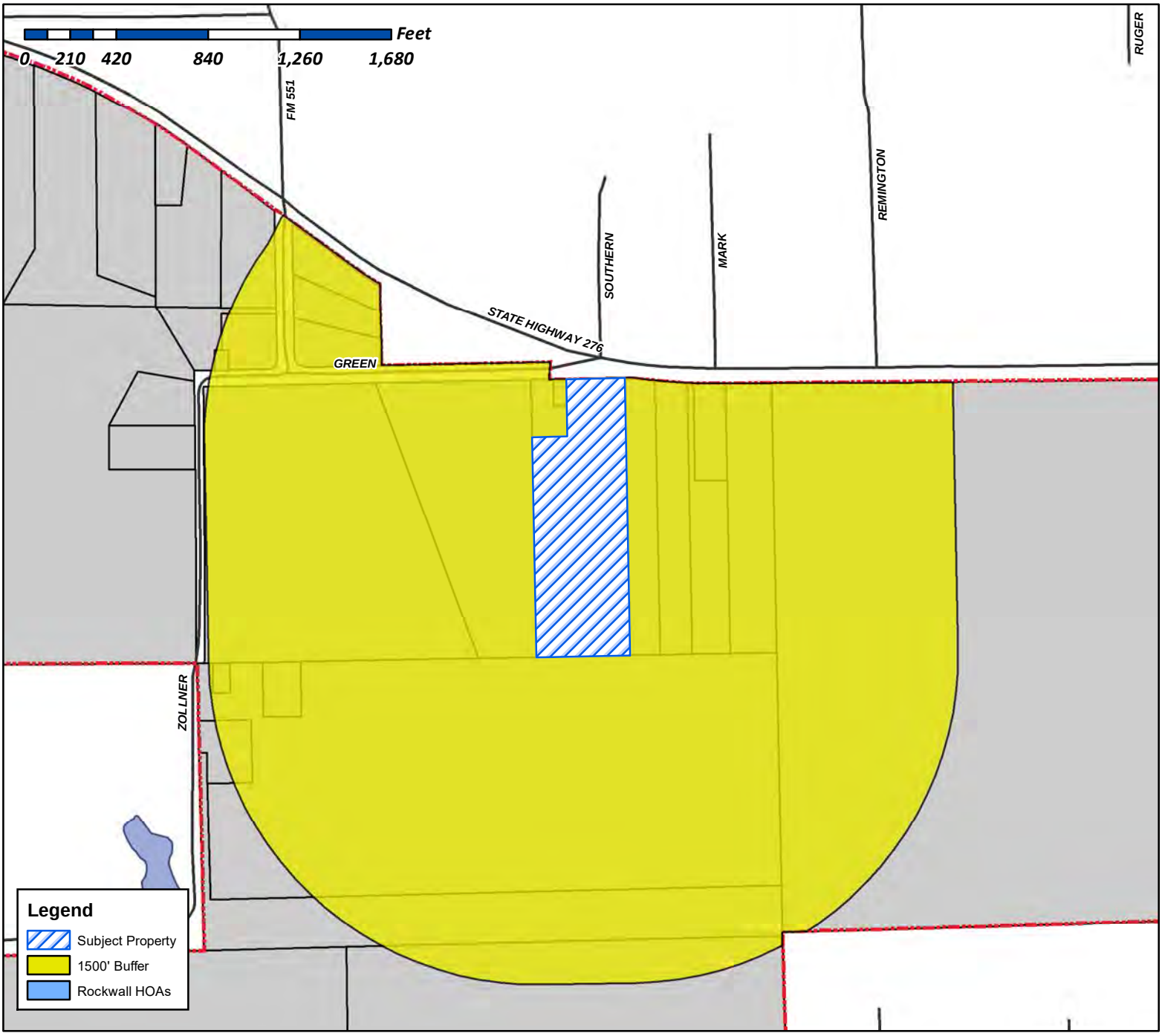
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

341

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

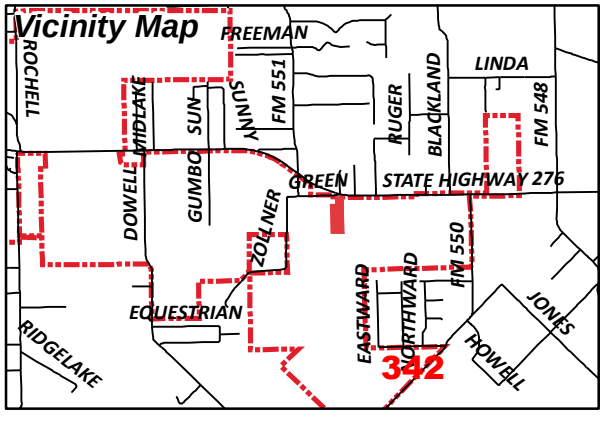
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Case Number: Z2019-020
Case Name: Zoning Change (AG to C)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: South of the Intersection of Green Circle and SH-276

Date Created: ***8/20/2019***

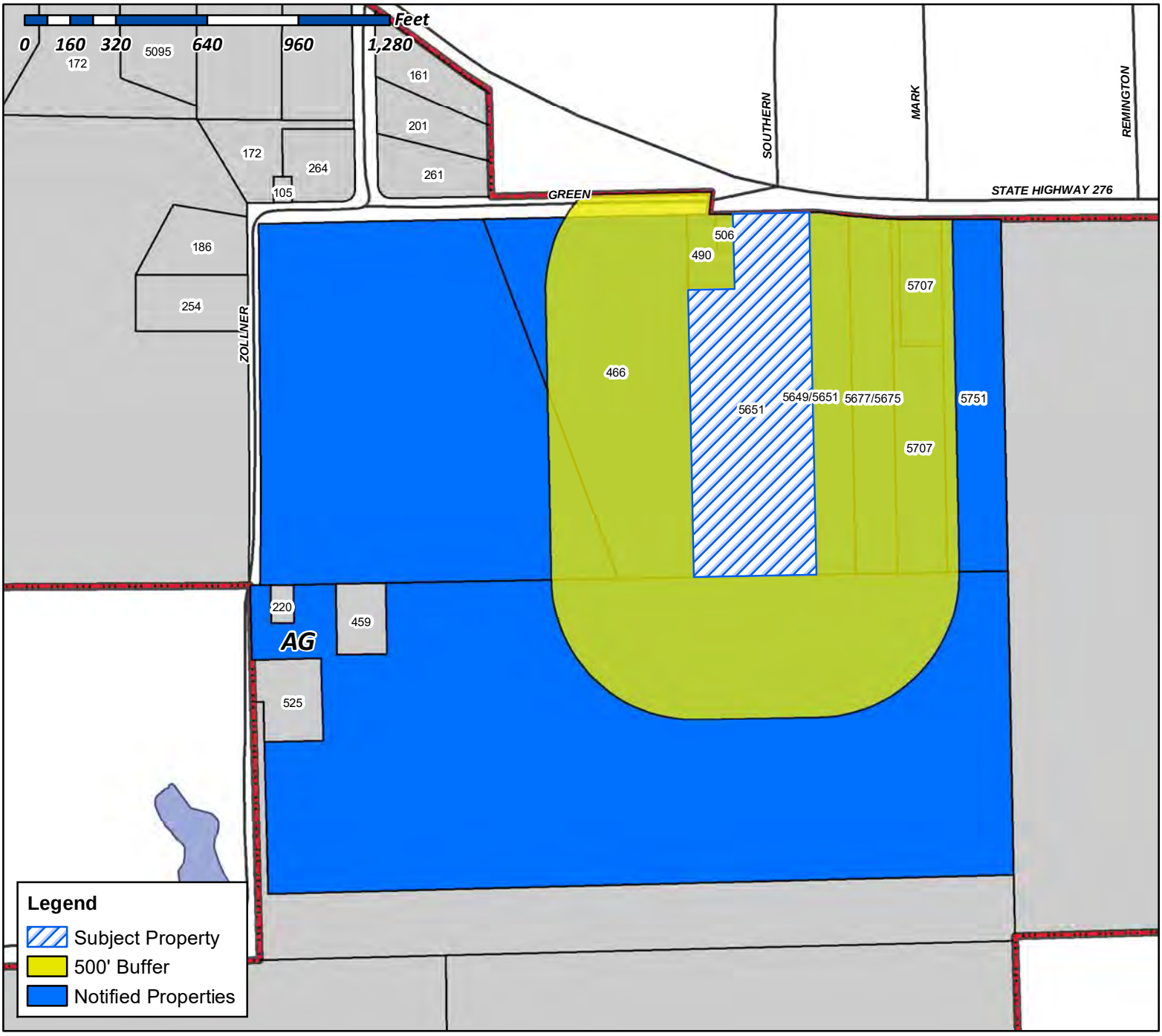
For Questions on this Case Call (972) 771-7745



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

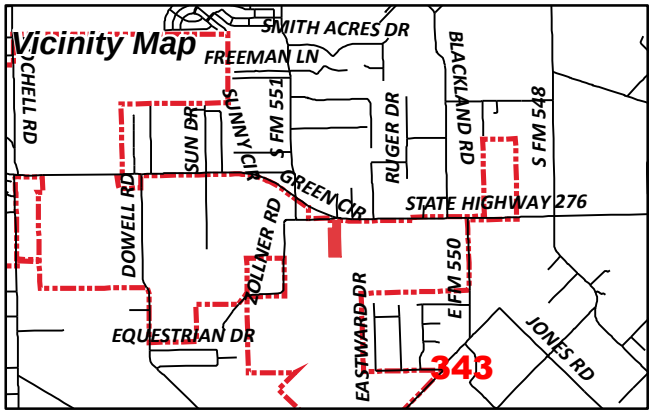
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Case Number: Z2019-020
Case Name: Zoning Change (AG to C)
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: Intersection of SH-276 and Green Circle

Date Created: *8/27/2019*

For Questions on this Case Call (972) 771-7745



ENRIQUEZ MARIA AND UBALDO
1225 LOST VIEW
ROYSE CITY, TX 75189

LIMON LORENZO & MARIANA
2305 STANFORD ST
GREENVILLE, TX 75401

THOMPSON JAMES
459 ZOLLNER RD
ROYSE CITY, TX 75189

CURRENT RESIDENT
466 GREEN LOOP
ROCKWALL, TX 75087

CURRENT RESIDENT
490 GREEN CR
ROCKWALL, TX 75087

PANZNER TODD R AND
HEATHER PANZNER AND SHANNON PANZNER
500 HOFFMAN LN
HAUPPAUGE, NY 11788

PEARSON KYLE & JENNIFER
506 GREEN CIRCLE
ROYSE CITY, TX 75189

CURRENT RESIDENT
5649/5651 HWY276
ROCKWALL, TX 75087

CURRENT RESIDENT
5651 GREEN CIR
ROCKWALL, TX 75087

MULLEN ADVENTURES LLC
5677 STATE HIGHWAY 276
ROYSE CITY, TX 75189

JAY & PAM PROPERTIES LLC
5707 STATE HIGHWAY 276
ROYSE CITY, TX 75189

SIGN OF QUALITY LLC
5707 STATE HIGHWAY 276
ROYSE CITY, TX 75189

HASHERT TERRY
5751 STATE HIGHWAY 276
ROYSE CITY, TX 75189

KENNEDY RICK
9912 COUNTY ROAD 2426
TERRELL, TX 75160

ASBURY MICHAEL & LEAANN
PO BOX 1012
ROCKWALL, TX 75087

344

PANZNER TODD R AND
HEATHER PANZNER AND SHANNON PANZNER
500 HOFFMAN LN
HAUPPAUGE, NY 11788

345

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-020: Zoning Change AG to C

Hold a public hearing to discuss and consider a request by Todd Panzner for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 11.85-acre tract of land identified as Tract 1-1 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located south of the intersection of Green Circle and SH-276, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/10/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/16/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/16/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-020: Zoning Change AG to C

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

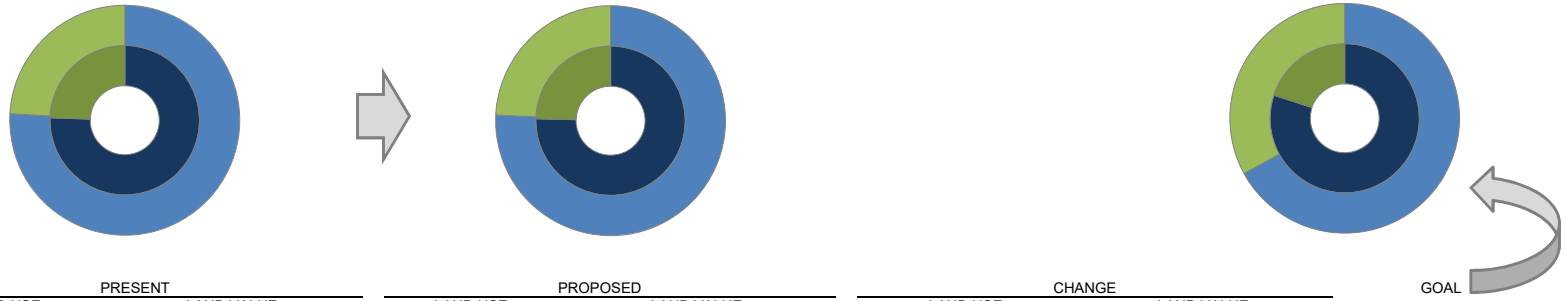
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

FISCAL IMPACT ANALYSIS TOOL

ASSUMPTIONS: (1) All values are based on the Appraised Value and *not* the Market Value; (2) All Agricultural (AG) District land is assumed to be residential under Current Zoning and zoned in accordance to the Future Land Use Map under Current Zoning at Build Out.
DISCLAIMER: The information provided below is not a reasonable basis for the approval or denial of any zoning case. This is a general tool that is meant to assist elected and appointed officials in the understanding the potential fiscal impacts of a zoning request, and to track conformance to the Comprehensive Plan's targeted land use ratios of 80% residential to 20% commercial land use, which is intended to yield a 67% residential value to 33% commercial value.
SUMMARY OF METHODOLOGY: The methods used in this study are based on a rough fiscal impact analysis, and involve reducing the City's land values down to a per square footage cost to estimate potential impact on existing property value. The cost of service model is constructed around the City's current fiscal year costs versus the percentage of land area that is currently residential and non-residential. A per capita multiplier and average cost method were used to estimate sales tax.

CASE NO.: *Z2019-020*
CASE NAME: *Zoning Change (AG to C)*

ZONING MAP



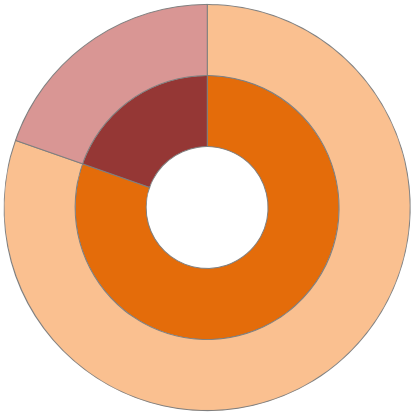
	PRESENT				PROPOSED				CHANGE				GOAL		
	LAND USE		LAND VALUE		LAND USE		LAND VALUE		LAND USE		LAND VALUE				
	ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE	ACREAGE	VALUE	DIFFERENCE
RESIDENTIAL	10,932.42	75.48%	$ 4,084,912,315.77	75.90%	10,920.57	75.40%	4,084,751,155.77	75.79%	(11.85)	-0.08%	(161,160.00)	0.00%	80%	67%	-8.79%
NON-RESIDENTIAL	3,552.00	24.52%	$ 1,297,389,588.23	24.10%	3,563.85	24.60%	1,304,868,413.55	24.21%	11.85	0.08%	7,478,825.32	0.14%	20%	33%	-8.79%
	14,484.42	100.00%	$ 5,382,301,904.00	100.00%	14,484.42	100.00%	5,389,619,569.32	100.00%			7,317,665.32	0.14%	100%	100%	
OPEN SPACE	2,487.57		$ 380,531,381.26		2,487.57		$ 381,558,120.00								
TOTAL	16,971.99		$ 5,762,833,285.26		16,971.99		5,771,177,689.32								

FUTURE LAND USE MAP

	PRESENT	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	PROPOSED	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	

	CHANGE	
	ACRES	%
RESIDENTIAL	-	0.00%
NON-RESIDENTIAL	-	0.00%



ESTIMATED COST/REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
BENCHMARKS				
Residential Value	$ -	$ -	$ -	$ -
Non-Residential Value	$ 161,160.00	$ 2,107,955.83	$ 2,107,955.83	$ -
Residential Acreage	-	-	$ -	$ -
Non-Residential Acreage	11.85	11.85	$ 11.85	$ -
ANNUAL REVENUES				
Residential Revenues	$ -	$ -	$ -	$ -
Non-Residential Revenues	$ 648.02	$ 12,504.06	$ 12,504.06	$ -
Direct Sales Tax Increase	$ -	$ 43,906.51	$ 43,906.51	$ -
Indirect Sales Tax Increase	$ -	$ -	$ -	$ -
Total Revenues	$ 648.02	$ 56,410.57	$ 56,410.57	$ -
ANNUAL EXPENDITURES				
Cost of Community Service for Residential	$ -	$ -	$ -	$ -
Cost of Community Service for Non-Residential	$ -	$ (17,438.62)	$ (17,438.62)	$ -
Total Estimated Expenditures	$ -	$ (17,438.62)	$ (17,438.62)	$ -
EST. ANN. COST/REVENUES	$ 648.02	$ 38,971.95	$ 38,971.95	$ -
OTHER BENCHMARKS				
Additional Citizens Added to Population		-	-	-
Estimated Non-Resident Consumers in City		30	107	77

347

17 SOUTH CENTRAL ESTATES DISTRICT

DISTRICT DESCRIPTION

The *South Central Estates District* has the potential to have a mixture of land uses, but is currently relatively undeveloped. The district does have a low density (*i.e. Equestrian Meadows*) and a medium density (*i.e. West View*) subdivision situated within the southern portions of the district. Along SH-276, there are currently some transitional commercial land uses and residential homes situated on long narrow lots. This district is projected to transition to more intense commercial land uses along SH-276, but still maintain estate and rural residential land uses south of SH-276. Much of the areas along SH-276 will depend on the viability and alignment of the future Outer Loop.

POINTS OF REFERENCE

A. Equestrian Meadows Subdivision
B. Westhaven Subdivision

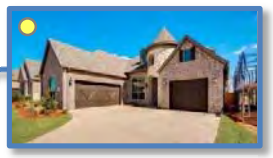
LAND USE PALETTES

- Current Land Use
- Future Land Use

DISTRICT STRATEGIES

Taking into account that the *South Central Estates District* has a large amount of mostly vacant or raw land with limited access to infrastructure (*i.e. water and wastewater facilities*), the following are the recommended strategies for this district:

1. *Opportunity Zone (Intersection of SH-276 & FM-548)*. When constructed this intersection will be a major land use node in the district and have the potential to provide employment and professional campus land uses mixed with entertainment, restaurant and retail land uses that can create an "18-Hour" environment (*i.e. an environment that provides the ability to live, work, shop and dine*).
2. *Suburban Residential*. The district has several large tracts of land that can support highly amenitized master planned communities. Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (*e.g. larger lots or a large landscape buffer*) adjacent to the existing subdivision. Due to the availability of infrastructure residential in this area may also be suitable for 1½-acre lots with septic systems.
3. *Commercial/Retail Centers*. Due to the anticipated alignment of the Outer Loop (*i.e. current alignment of FM-548*), the commercial/retail centers along SH-276 are ideal for larger scale retail businesses and restaurants that could support any office or residential development in the area. These areas could also provide neighborhood service uses intended to allow smaller commercial uses that can support adjacent residential land uses. All commercial developments should incorporate appropriate screening (*e.g. berms, landscaping and large buffers*) to transition uses.
4. *Business Center*. The areas designated as *Business Center* are intended to provide space for larger office facilities and combination manufacturing/warehouse and office facilities (*e.g. corporate headquarters*). This area is also suitable for mixed office/commercial land uses.



2 Future Suburban Residential

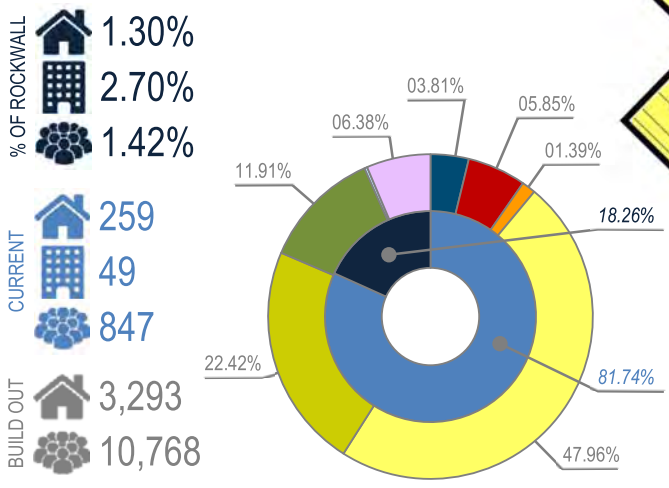


4 Future Business Center



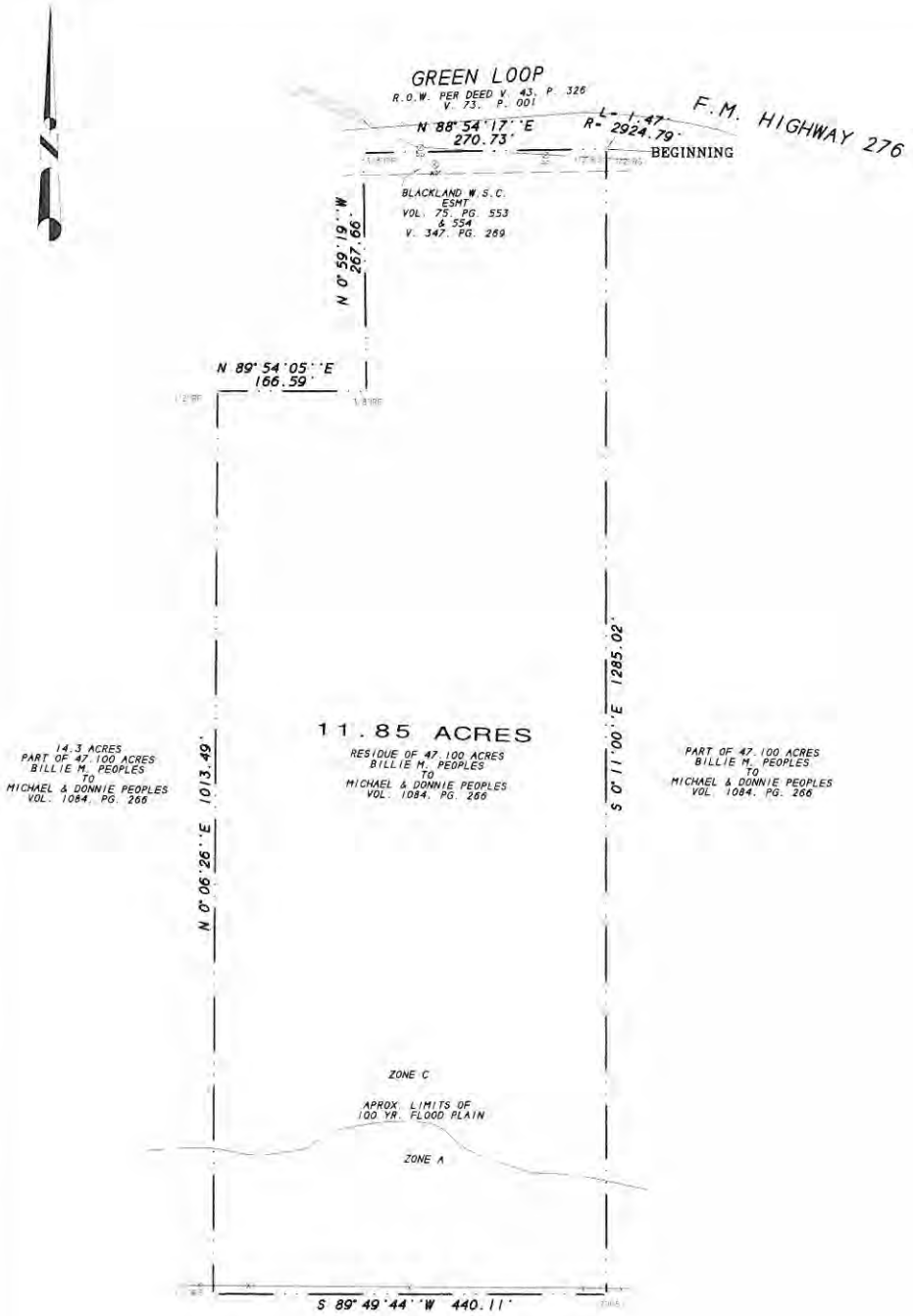
2 Future Suburban Residential

- MINOR COLLECTOR
- M4U
- OUTER LOOP



COMMERCIAL	18.26%
RESIDENTIAL	81.74%
MIXED USE	0.00%

BUSINESS CENTER	106.13-ACRES
COMMERCIAL/RETAIL (CR)	162.92-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	38.71-ACRES
LOW DENSITY RESIDENTIAL (LDR)	1,336.88-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	624.93-ACRES
PARKS AND OPEN SPACE (OS)	332.01-ACRES
QUASI-PUBLIC (QP)	7.79-ACRES
TECHNOLOGY/EMPLOYMENT CENTER (TEC)	177.95-ACRES



DESCRIPTION

All that certain lot, tract or parcel of land situated in the J.H. BAILEY SURVEY, ABSTRACT NO. 22, Rockwall County, Texas, and being a part of that 47.10 acres tract of land as described in a Warranty deed from Billie Marie Peoples to Michael L. Peoples and Donnie B. Peoples, dated February 2, 1996 and being recorded in Volume 1084, Page 266 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner, said point being N. 89 deg. 50 min. 18 sec. W. 223.09 feet and along a curve to the right having a central angle of 09 deg. 14 min. 53 sec., a radius of 2924.79 feet, a chord of N. 85 deg. 12 min. 51 sec. W., 471.58 feet, and an arc distance of 472.09 feet from a 3/8" iron rod found at the Northeast corner of the above cited tract, said point being in the South right-of-way line of State Highway 276;

THENCE S. 00 deg. 11 min. 00 sec. E. (Controlling bearing line) parallel to the East line of said tract, a distance of 1285.02 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the South line of said tract;

THENCE S. 89 deg. 49 min. 44 sec. W. along the South line of said tract, a distance of 440.11 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner;

THENCE N. 00 deg. 06 min. 26 sec. E. a distance of 1013.49 feet to a 1/2" iron rod found for corner;

THENCE N. 89 deg. 54 min. 05 sec. E. a distance of 166.59 feet to a 3/8" iron rod found for corner;

THENCE N. 00 deg. 59 min. 19 sec. W. a distance of 267.66 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the South right-of-way line of Green Loop and in the North boundary line of said 47.10 acres tract;

THENCE N. 88 deg. 54 min. 17 sec. E. along Green Loop a distance of 270.73 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the Southwest right-of-way line of State Highway 276;

THENCE in a Southeasterly direction along a curve to the left having a central angle of 00 deg. 01 min. 44 sec. a radius of 2924.79 feet, a chord of S. 80 deg. 34 min. 33 sec. E., 1.47 feet, along said right-of-way line an arc distance of 1.47 feet to the POINT OF BEGINNING and containing 11.85 acres of land.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480543 0075 B dated Sept 17, 1980, this property lies in Zone A & C. This property does appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED DEED IN VOL. 1084, PG. 266, R.P.R.R.C.T.

3) ALL 1/2" IRS ARE CAPPED WITH "YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

SURVEYOR'S CERTIFICATE

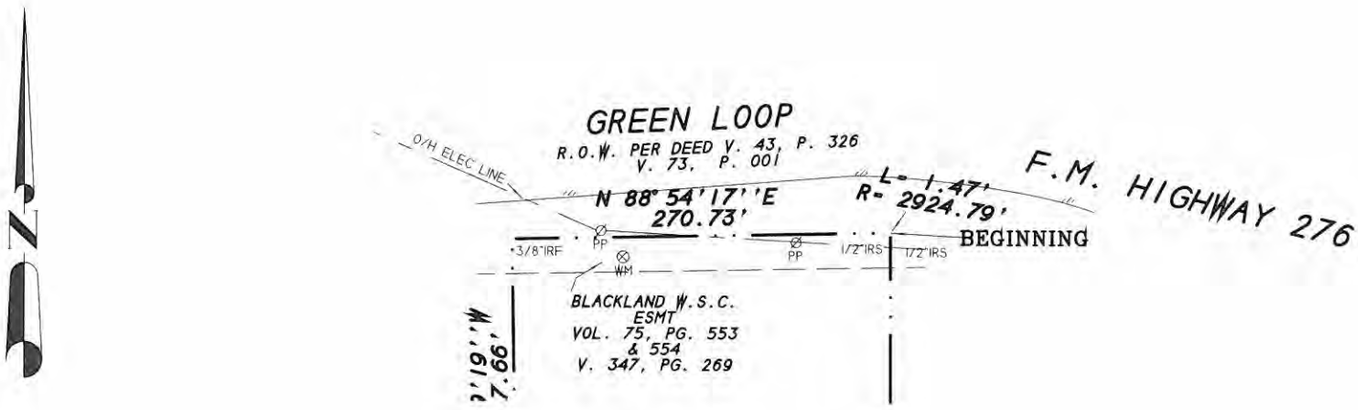
I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for BILLIE M. PEOPLES, at F.M. HIGHWAY 276, ROCKWALL COUNTY, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 8th day of Febuary, 2000.

Harold D. Fetty III, R.P.L.S. No. 5034

ROCKWALL SURVEYING COMPANY, INC.
306 E. WASHINGTON, SUITE C ROCKWALL, TEXAS 75087 PHONE (972) 772-5434 FAX (972) 772-5443

349

SURVEY DATE FEB. 8, 2000
SCALE 1" = 100' FILE # 99709.E
CLIENT PEOPLES GF # NONE



DESCRIPTION

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THENCE S. 00 deg. 11 min. 00 sec. E. (Controlling bearing line) parallel to the East line of said tract, a distance of 1285.02 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the South line of said tract;

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THENCE in a Southeasterly direction along a curve to the left having a central angle of 00 deg. 01 min. 44 sec., a radius of 2924.79 feet, a chord of S. 80 deg. 34 min. 33 sec. E., 1.47 feet, along said right-of-way line an arc distance of 1.47 feet to the POINT OF BEGINNING and containing 11.85 acres of land.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 480543 0075 B dated Sept 17, 1980, this property lies in Zone A & C. This property does appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED DEED IN VOL. 1084, PG. 266, R.P.R.R.C.T.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for BILLIE M. PEOPLES, at F.M. HIGHWAY 276, ROCKWALL COUNTY, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 8th day of Febuary, 2000.

Harold D. Fetty III, R.P.L.S. No. 5034

ROCKWALL SURVEYING COMPANY, INC.
306 E. WASHINGTON, SUITE C ROCKWALL, TEXAS 75087 PHONE (972) 772-5434 FAX (972) 772-5443

SURVEY DATE FEB. 8, 2000
SCALE 1" = 100' FILE # 98729-6
CLIENT PEOPLES JOB # NONE

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR AN 11.85-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-1 OF THE J. H. BAILEY SURVEY, ABSTRACT NO. 22, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Todd Panzner for the approval of a change in zoning from an Agricultural (AG) District to a Commercial (C) District for an 11.85-acre tract of land identified as Tract 1-1, of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located south of the intersection of Green Circle and SH-276, and more specifically depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Commercial (C) District; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes provided for a *Commercial (C) District* as stipulated by Subsection 1.1, *Use of Land and Buildings*, of Article IV, *Permissible Uses*, and Subsection 4.05*, Commercial (C) District,* of Section 4*, Commercial Districts,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the

DRAFT ORDINANCE 05.16.19

zoning described herein.

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 7TH DAY OF OCTOBER, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *September 16, 2019*

2nd Reading: *October 7, 2019*

DRAFT ORDINANCE 09.16.2019

All that certain lot, tract or parcel of land situated in the J.H. BAILEY SURVEY, ABSTRACT NO. 22, Rockwall County Texas, and being a part of that 47.10 acres tract of land as described in a Warranty deed from Billie Marie Peoples to Michael L. Peoples and Donnie B. Peoples, dated February 2, 1996 and being recorded in Volume 1084, Page 266 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner, said point being N. 89 deg. 50 min. 18 sec. W., 223.09 feet and along a curve to the right having a central angle of 09 deg. 14 min. 53 sec., a radius of 2924.79 feet, a chord of N. 85 deg. 12 min. 51 sec. W., 471.58 feet, and an arc distance of 472.09 feet from a 3/8" iron rod found at the Northeast corner of the above cited tract, said point being in the South right-of-way line of State Highway 276;

THENCE S. 00 deg. 11 min. 00 sec. E. (Controlling bearing line) parallel to the East line of said tract, a distance of 1285.02 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the South line of said tract;

THENCE S. 89 deg. 49 min. 44 sec. W. along the South line of said tract, a distance of 440.11 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner;

THENCE N. 00 deg. 06 min. 26 sec. E. a distance of 1013.49 feet to a 1/2" iron rod found for corner; THENCE N. 89 deg. 54 min. 05 sec. E. a distance of 166.59 feet to a 3/8" iron rod found for corner;

THENCE N. 00 deg. 59 min. 19 sec. W. a distance of 267.66 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the South right-of-way line of Green Loop and in the North boundary line of said 47.10 acres tract;

THENCE N. 88 deg. 54 min. 17 sec. E. along Green Loop a distance of 270.73 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the Southwest right-of-way line of State Highway 276;

THENCE in a Southeasterly direction along a curve to the left having a central angle of 00 deg. 01 min. 44 sec., a radius of 2924.79 feet, a chord of S. 80 deg. 34 min. 33 sec. E., 147 feet, along said right-of-way line an arc distance of 1.47 feet to the *POINT OF BEGINING* and containing 11.85 acres of land.

DRAFT ORDINANCE 09.16.2019



DRAFT ORDINANCE 09.16.2018

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355

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Public Work Director/City Engineer**

DATE: **September 10, 2019**

SUBJECT: **Two-Hour Parking Limitation in the Rockwall Technology Park**

On September 3, 2019, Phil Wagner, President of the Rockwall Economic Development Corporation, requested the city adopt a two (2) parking limit for on-street parking in the Rockwall Technology Park. Based on this request, the City Council directed staff to prepare an ordinance limiting parking in the Rockwall Technology Park and bring the item back to the September 16, 2019 City Council meeting. In accordance with this direction, staff has prepared an ordinance which is contained in the attached packet. Staff should note that the City Attorney has reviewed this ordinance. Should the City Council have any questions staff will be available at the September 16, 2019 meeting.

AW:AW

Attachments

Cc: Joey Boyd, Assistant City Manger
Jeremy White, P.E., CFM, Civil Engineer
File

August 15, 2019

City of Rockwall
Mayor Jim Pruitt and the Rockwall City Council
385 South Goliad
Rockwall, TX 75087

Re: Street Parking in the Rockwall Technology Park

Dear Mayor Pruitt and City Council members,

This letter is being written on behalf of the Rockwall Economic Development Corporation - the declarant of the Rockwall Technology Park Association (RTPA) – to request ordinance approval by the Rockwall City Council limiting on-street parking in the Rockwall Technology Park (RTP) to no more than two hours. While there are currently no local laws prohibiting street parking within the RTP, the existing Covenants, Conditions, and Restrictions (CCR's) for the RTP state that "(tenant) parking areas shall be sufficient to accommodate all parking needs for employees, company vehicles, and visitors without the use of the on-street parking," and "on-street parking shall be prohibited for any vehicle in the Rockwall Technology Park."

Generally, the provision of the CCR's has been respected by tenants in the RTP. When on-street parking is used, it is typically for a brief amount of time and/or creates minimal impact on neighboring tenants. However, in the last few months, street parking has become an issue. Pegasus Foods, a frozen foods manufacturer that announced plans to move to Rockwall from California in 2016, has been increasing their product lines and ramping up employment counts at their facility located at 1635 Innovation Drive – a 125,000 square foot structure previously owned by Col-Met Engineered Finishing Solutions. While the REDC is excited about the growth at Pegasus and the success they have found in Rockwall, the company's largest shift has peaked at 200 more employees than they have parking spaces on their site. This has resulted in, at times, more than 100 hundred cars being parked on the street in the RTP, primarily on Innovation Drive. While Pegasus has worked to optimize their existing 8.5 acre site by creating 50-60 additional spaces, company officials acknowledge that their business will still have an excess parking demand for the foreseeable future.

Unfortunately, REDC has received numerous complaints from area businesses of the RTPA over the past few months, with concerns being expressed regarding employee safety, congestion, and inability to move trucks of suppliers and customers. While the REDC wants to be supportive of Pegasus and help facilitate their success when possible, we are charged with looking after the best interests of the other tenants in the RTP as well. Ultimately, we do not believe the street parking situation reflects the image of a high quality business park the REDC and RTPA has maintained for approximately 20 years.

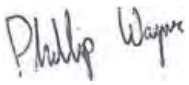
Despite this formal request, we are working with Pegasus to develop a creative solution that

357

will move all the employee cars off the street. Because of this, it is our hope that the installation of the 2-hour parking signs and subsequent enforcement will be deemed unnecessary. Still, the REDC believes that the ordinance should be adopted to make sure that all parties remain motivated to pursue these alternative parking options.

We appreciate your consideration of this request. Should you have any questions, please do not hesitate to contact me at 972-772-0025.

Sincerely,



Phil Wagner
President
Rockwall Economic Development Corporation

358

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE ORDINANCES OF THE CITY OF ROCKWALL, BY AMENDING SECTION 26-506, *TWO-HOUR PARKING LIMIT*, OF ARTICLE VII, *STOPPING, STANDING OR PARKING*, OF CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*, TO INCORPORATE ADDITIONAL STREETS SUBJECT TO THE TWO (2) HOUR PARKING LIMIT AS DEPICTED IN *EXHIBT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS ($200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall Economic Development Corporation (REDC) has requested the City Council of the City of Rockwall, Texas incorporate two (2) hour parking limits on the streets in the Rockwall Technology Park (*i.e. Discovery Boulevard, Innovation Drive, Observation Trail, Science Place, Technology Way, Research Circle, Data Drive, Capital Boulevard*) which are more specifically depicted in *Exhibit 'A'* of this ordinance and incorporated by reference herein; and,

WHEREAS, the City of Rockwall, Texas, a *Home Rule City*, by State Law and the City's Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and,

WHEREAS, the City has exclusive control and power over the streets, alleys, and public grounds and highways of the City pursuant to Transportation Code §311.001, as it may be amended; and,

WHEREAS, the City Council of the City of Rockwall, Texas has directed staff to prepare an ordinance establishing two (2) hour parking limits on the streets in the Rockwall Technology Park;

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. Findings. The recitals are hereby found to be true and correct and are hereby incorporated as part of this Ordinance.

SECTION 2. That the Section 26-506, *Two-Hour Parking Limit*, of Article VII, *Stopping, Standing or Parking*, of Chapter 26, *Motor Vehicles and Traffic*, of the Code of Ordinances be hereby amended to henceforth to read in its entirety as follows:

SECTION 26-506: TWO-HOUR PARKING LIMIT

(a) It shall be unlawful for any person, driver, operator or owner to leave, park or stand any vehicle upon either side of the following specified public streets located within the city for a period of more than two consecutive hours:

(1) Three spaces located on the Eastside of the 100 block of S. San Jacinto Street.
(2) 100 Block of E. Rusk Street.
(3) 200 Block of E. Rusk Street.
(4) 100 Block of N. San Jacinto Street.
(5) 100 Block of S. San Jacinto Street.
(6) 100 Block of South Fannin.
(7) 100 Block of E. Kaufman Street.
(8) 2400 Block through the 4000 Block of Discovery Boulevard.
(9) Capital Boulevard.
(10) Data Drive.
(11) Technology Way.
(12) Research Circle.
(13) Observation Trail.

(14) Science Place.
(15) Innovation Drive.
(16) Corporate Crossing.

(b) All emergency vehicles shall be exempt from the restrictions set forth in subsection (a) of this section. Emergency vehicles shall include ambulances, fire trucks and equipment, paramedic vehicles, police vehicles and all governmental vehicles used for necessary governmental purposes.

(c) The City Manager or his designee shall provide for appropriate notice and signage for the parking restrictions as contained in this section and also provide for and designate appropriate parking spaces for loading and unloading zones not to exceed 15 minutes. The City Manager or his designee shall also be authorized to issue citations and perform other enforcement provisions in accordance with this chapter.

(d) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict;

SECTION 4. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance;

SECTION 5. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable;

SECTION 6. That this ordinance shall take effect immediately from and after its publication of the caption of said ordinance as the law in such cases provides and upon the installation of signs designating the Two Hour Parking Limitation. .

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OFOCTOBER, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

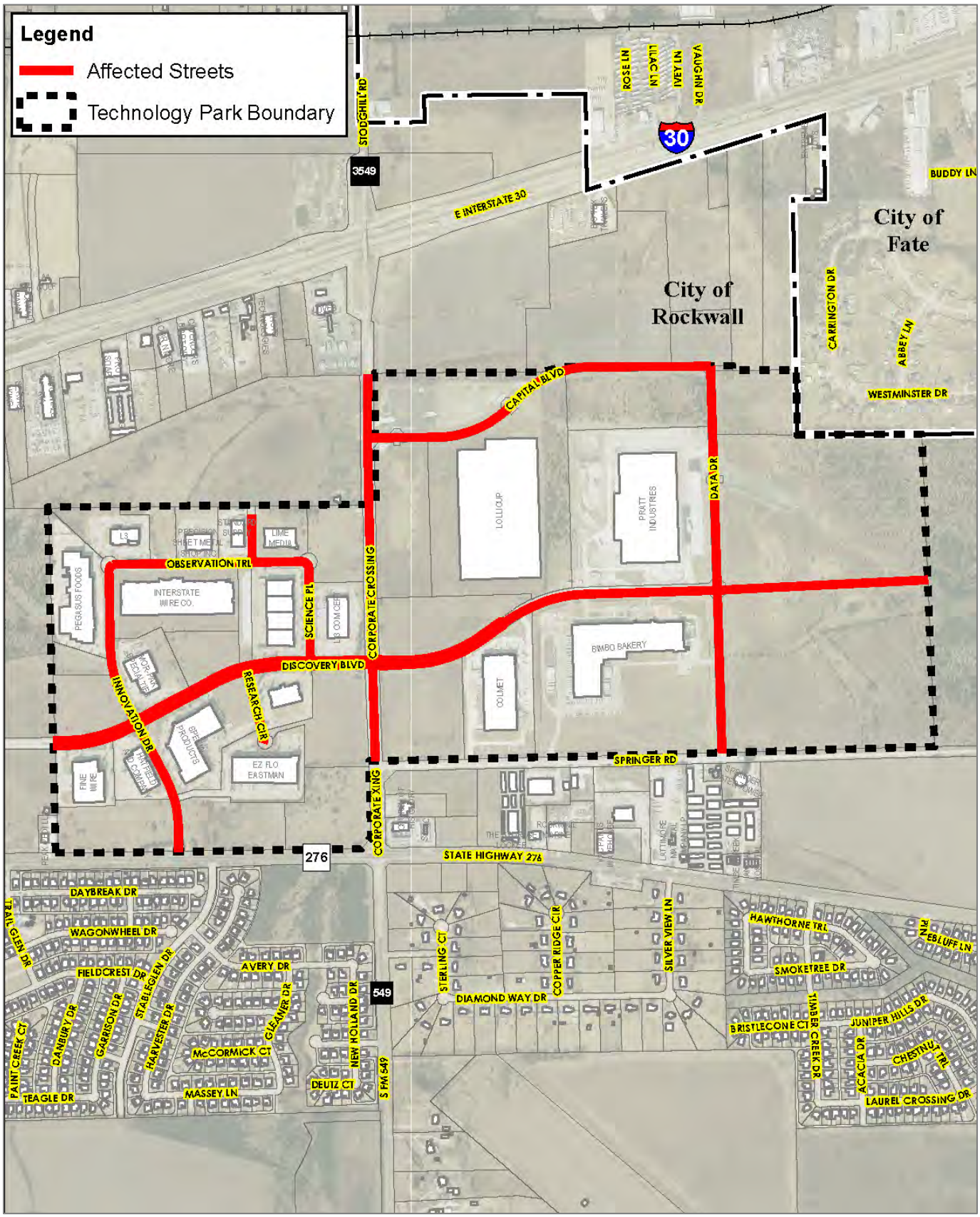
_____
Frank J. Garza, City Attorney

1st Reading: September 16, 2019

2nd Reading: October 7, 2019

Exhibit 'A'

Location Map of Affected Streets



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362

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 4, 2019**

SUBJECT: **REDC Budget**

The Rockwall Economic Development Corporation Board approved the attached budget at their Board meeting on August 15, 2019.

The operating budget reflects the Board's decision to eliminate the vacant marketing position and rely more extensively on contracts for marketing efforts. The budget includes funds from an anticipated bond issuance for land acquisition and infrastructure improvements. A number of previously contracted incentives are due to be paid in fiscal year 2020.

REDC President, Phil Wagner, will be available at the Council meeting to present aspects of the budget and answer any questions.

ROCKWALL
Economic Development Corporation

Memo

To: REDC Board of Directors

From: Phil Wagner, President

cc: REDC Staff

Date: August 8, 2019

Re: Fiscal Year 2020 REDC Budget

The REDC Board of Directors will receive a presentation from Assistant City Manager / Finance Director Mary Smith on the proposed Fiscal Year 2020 budget, as well as a third quarter budget update. While budget documents are attached, staff has prepared the following summary to outline the overall budgetary increases or savings in each category that have been recommended from FY19 to FY20. While some items have changed since the review – which will be noted by staff – the preliminary budget was recommended by the Executive Committee on July 17.

- **Personnel Salaries and Benefits ($112,900 in savings from FY19):** Due to the success the REDC has had working with an outside marketing agency; staff feels comfortable permanently removing the REDC marketing position from the budget.

- **Contractual ($166,700 in additional expenses from FY19):** Significant increases in marketing are being recommended to cover a full year of service from the Boxcar Creative marketing firm, as well as increasing ad placement, and making a strong commitment to three REDC hosted events. Additional increases are recommended in the area of consulting fees, primarily to cover a regional drainage study in FY20, due diligence on potential land acquisitions, a possible tree survey, as well as increase in support services fees to the City of Rockwall for which REDC staff believes is overdue. Some offsetting savings are being proposed as a result of the new REDC lease, and the organization not anticipating any major building repairs in FY20.

- **Supplies ($0 changes from FY19).**

- **Operational ($52,800 in savings from FY19):** Savings are recommended in travel as well as prospect visits/ business retention expenses. A good portion of the savings is also reflected in Common Area Maintenance, as this line item was the location for the Discovery median improvement in FY19.

- **Utilities ($3,350 in savings from FY19):** Savings are primarily a result of budgeting closer to the REDC's actual expenses in areas of electricity and telephone in recent years.

- **Capital ($20,738,000 additional expenses from FY19):** This line item corresponds with the Board of Director's desire to explore land acquisitions as well as possible infrastructure improvements on raw land owned by the REDC in order to create significantly more shovel ready property to be marketed to qualified prospects. This line item also includes potentially $1.2M for the engineering and construction of 200 space surface lot that the board may elect to construct in the Technology Park to resolve on-street parking. Finally, at the advice of the City's Information Technology Department, a total of $28,000 has been budgeted for computer equipment for the REDC to update its antiquated servers, and provide three new workstations for REDC employees.

- **Incentives ($837,500 in additional expenses from FY19):** Funding has been budgeted to meet the REDC's contractual obligations, with some contingency granted for projects which may develop during the budget year.

Staff recommends approval of the Fiscal Year 2020 REDC budget which staff believes is consistent with the direction of the Board of Directors and aligned with the goals of the Fiscal Year 2020 Annual Work Plan. If approved, the Budget will be submitted to City Council for approval in September, along with the Fiscal Year 2020 Annual Work Plan and Fiscal Year 2019 List of Accomplishments.

Fiscal Year 2019 List of Accomplishments from Annual Work Plan

Goal 1: Expand and Diversify Tax Base

- Successfully completed land development agreement in Rockwall Technology Park with Lime Media Group Agreement in December
- Completed Land Acquisition Plan in March
- Completed REDC Incentive Guidelines in April, with ROI calculations provided to the Board on every prospect

Goal 2: Expand and Diversify Tax Base

- Facilitated the expansion of local company, SPR Packaging, in June
- Served as a liaison between business and government on regulatory issues, with SPR height variance in winter/spring serving as the largest example
- Hosted Rockwall Employee Appreciation Event in May as a way to honor, and provide awards, to primary employers
- Utilized various community events to deepen relationships with area businesses

Goal 3: Attract New Business & Investment

- Facilitated at least $73M in private investment between Lime Media, SPR Packaging and Project April (assuming the completion of Project April agreement in FY19)
- Hired Boxcar Creative marketing firm to revitalize website, marketing collateral, and improve media placement in January
- Revitalized REDC website, with LoopLink real estate tool, launched in May

Goal 4: Enhance Existing Job Opportunities and Create New Ones

- Realized community-wide growth of median household income by 3.9% - $89,173 in August 2018 to $92,665 in June 2019 according to the US Census
- Facilitated the creation of more than 100 high paying jobs between the Lime Media, SPR Packaging, and Project April recruitment projects (assuming the completion of Project April in FY19)
- More than doubled employer participation in Rockwall Job Fair from 2017 to 2018, expect continued growth in September 2019 event
- REDC President accepted as representative of Rockwall County on Economic Development Board for North Central Texas Council of Government, in April, in part to address regional workforce development issues

Goal 5: Ensure all Business of the REDC is Conducted Appropriately

- Successfully oriented and onboarded two new board members in January
- Conducted all meetings, published agendas, and filed minutes in accordance with organizational standards, by-laws, Texas Open Meetings Act, and Public Information Act
- Maintained compliance with annual budget with demonstrated savings in many areas
- Completed three-year office lease renewal in January 2019, with completion of office renovation project in the spring
- Completed professional development opportunities for REDC staff

Goal 1: Expand and Diversify Tax Base

- Objective 1: Support continued community growth of new taxable improvements

  Benchmark: Achieve $150M in new taxable improvements (January 1, 2020 values)

- Objective 2: Pursue development agreements at the Rockwall Technology Park

  Benchmark: Execution of at least one land development agreement per year

- Objective 3: Acquire land to create additional shovel-ready capacity for light industrial and/or office development pursuant to the Board's direction and the approved 2019 Land Acquisition and Improvement Plan

  Benchmark: Acquire at least one parcel, at the direction of the REDC Board

- Objective 4: Add public infrastructure necessary for the development of business growth in the expanded Rockwall Technology Park

  Benchmark: Infrastructure work commenced in Phase III or new portions of the Rockwall Technology Park at the Board's direction, as well as resolution on whether to pursue local or regional detention

- Objective 5: Ensure the REDC Board of Directors are aware of land acquisition possibilities, market conditions, and the organization's strategic position to capitalize on opportunities to grow capacity of light industrial or office development

  Benchmark: Make annual update to the previously approved Land Acquisition and Improvement Plan and review with the Board of Directors

- Objective 6: Negotiate all REDC agreements and incentives with acceptable rate of return and payback periods to safeguard the interest of the Rockwall taxpayer

  Benchmark: All incentive offers and agreements align with the REDC Incentive Guidelines, unless directed otherwise by Board of Directors or Rockwall City Council

Goal 2: Retain & Expand Existing Business

- Objective 1: Encourage growth of existing primary employers in Rockwall

  Benchmark: Facilitate or incentivize at least one business expansion per year

- Objective 2: Develop business retention database by meeting with primary employers and conducting business retention interviews, asking standardized questions related to their opportunities and challenges associated with their business

Benchmark: Meet with at least 20 primary employers to establish database with demonstrated proactive response to any issues or concerns that arise

- Objective 3: Continually serve as advocate for existing primary employers by serving as a liaison between company and governmental agencies on regulatory issues

  Benchmark: Assist at least three companies – and respond to all inquiries- by helping facilitate a positive, streamlined, and/or transparent response from the City of Rockwall, or another governmental entity.

- Objective 4: Host one event annually recognizing the employees of primary sector employers in the community; develop and implement award program as part of the effort.

  Benchmark: Grow the event by at least 25% from the number of primary employers that attended (14) or the total number of attendees (294) from the 2019 event, while receiving positive feedback from participants

- Objective 5: Host one event annually recognizing the executives and management of primary sector employers in the community

  Benchmark: Host the event and receive positive feedback from participants

- Objective 6: Create opportunities to develop connections with existing businesses between both the REDC staff and Board members, including utilizing events and promotions to further build relationships

  Benchmark: Pursue at least five opportunities to host and entertain local businesses to deepen relationships, utilizing events like the Chamber of Commerce Golf Tournament, Chamber Clay Shoot, Rockwall ISD Education Foundation Bowling Tournament, etc.

- Objective 7: Utilize planned business travel and conferences as opportunities to gather information and make connections to suppliers or customers on behalf of existing businesses that may not be at the conference; additionally, when travelling staff should schedule headquarter visits for local primary employers when appropriate and convenient

  Benchmark: Offer service to at least five companies that may gain valuable information from the REDC's business travel; additionally pursue headquarter visits when appropriate

- Objective 8: Facilitate improved relationships between local business and the DGNO railroad with the goal of enhancing the quality and quantity of industrial rail service in Rockwall

  Benchmark: Receive feedback on improved rail service from local business and/or receiving a clear understanding from the DGNO on what is required for increased rail service

- Objective 9: Ensure all public infrastructure in the RTP is meeting its intended purpose and providing a high level of service for local business

  Benchmark: Resolve the issue with Pegasus parking and ensure Pegasus employee cars are not consistently parked on the street

Goal 3: Attract New Business & Investment

- Objective 1: REDC facilitation or incentivizing of direct commercial investment

  Benchmark: Facilitate or incentivize at least $33M in private investment

- Objective 2: Development and execution of recruitment strategy, including utilization of local and regional partnerships, responding to leads, hosting familiarization tours, attendance at trade shows and recruitment missions, and direct communication

  Benchmark: Develop plan and establish at least three qualified prospects for recruitment consideration through work conducted or relationships established by the REDC staff

- Objective 3: Establish relationships with commercial real estate brokers and/or site selectors to promote services provided by the REDC and the benefits of conducting business in Rockwall

  Benchmark: Attend or host at least 10 gatherings or local meetings with brokers or site selectors

- Objective 4: Promote Rockwall on a national basis through attendance at various trade shows, marketing trips, and/or site selector/commercial real estate conferences

  Benchmark: Attend at least 6 events that hold national exposure opportunities for the REDC

- Objective 5: Retain services of marketing firm to increase recognition and improve inbound marketing opportunities through the optimization of the REDC website, social media, digital or print advertisements, or other efforts

  Benchmark: Receive positive reporting and analytical data tracking the growth of impressions and exposure on a semi-annual basis; additionally, generate at least one prospect through marketing channels created or managed by the firm

- Objective 6: Maintain updated information and vital statistics on community profile

  Benchmark: Ensure all online and marketing collateral is updated annually, at a minimum

Goal 4: Enhance Existing Job Opportunities and Create New Ones

- Objective 1: Realize growth in median household income in Rockwall

  Benchmark: Increase median household income by at least 2% from previous year ($92,665 per census.gov in July 2019)

- Objective 2: REDC facilitation or incentivizing of high quality jobs within Rockwall

  Benchmark: Facilitate or incentivize at least 50 jobs with annual salary greater than 10% higher than half the median household income ($51,000 per job)

- Objective 3: Continue to host and grow Rockwall job fair

  Benchmark: Grow employer and/or attendee participation by 25% from previous year

- *Objective 4:* Address pertinent workforce development challenges by meeting with primary employers to identify issues pertaining to skills gaps while meeting with area community colleges and school district officials to ascertain programs or educational opportunities that exist, or can be developed, that will allow those gaps to be narrowed

  Benchmark: Actively facilitate at least one partnership between a primary employer and an educational institution or workforce development program where a skills gap has or is planned to be addressed

Goal 5: Ensure all Business of the Rockwall Economic Development Corporation is Conducted

- Objective 1: Meet all requirements of organizational bylaws and policies

  Benchmark: Achieve 100% compliance with bylaws and REDC policies

- Objective 2: Keep updated on all germane provisions state law relating to economic development sales tax corporations, open meetings law, and the public information act.

  Benchmark: One staff member (on a rotational basis) to attend a day long sales-tax training seminar hosted by the Texas Economic Development Council

- Objective 3: Ensure all parties maintain compliance with all REDC development and incentive agreements

  Benchmark: Achieve all standards for taxable value, jobs and wages set in REDC agreements, or enforce clawback provisions as articulated in each agreement (unless waived by the Board of Directors)

- Objective 4: Administer all board meetings and committee meetings of the REDC, timely publishing agendas and filing of all minutes

Benchmark: Conduct all meetings in compliance with the Texas Open Meetings Act, with a minimum of 9 Board meetings occurring each year

- Objective 5: Maintain a detailed and accurate budget, and ensure that all expenditures are appropriately processed and Technology Park assessments are billed in an accurate and timely fashion

  Benchmark: Maintain compliance with annual budget, along with no complaints from vendors for late payments

- Objective 6: Ensure the REDC is an attractive and competitive employer for talented staff

  Benchmark: Achieve 100% retention of staff, with each staff member being allowed to explore a professional development opportunity related to the REDC's mission

SUMMARY OF OPERATIONS

Fund
22 Tech Park Association

	Actual 17-18	Budgeted 18-19	Amended 18-19	Adopted 19-20
Total Revenues	193,445	215,100	215,100	197,250
Total Expenditures	194,094	215,100	215,100	197,250
Excess Revenues Over (Under) Expenditures	(649)	-	-	-
Net Other Financing Sources (Uses)	-	-	-	-
Net Gain (Loss)	(649)	-	-	-
Fund Balance - Beginning	47,321	37,415	34,298	34,298
Fund Balance - Ending	34,298	37,415	34,298	34,298

SUMMARY OF REVENUES

Fund

22 Tech Park Association RTPA

Account	Description	Actual 17-18	Budgeted 18-19	Amended 18-19	Adopted 19-20
4470	RTP Dues - Tenants	83,175	82,500	82,500	137,250
	REDC Cam Dues	110,270	132,600	132,600	60,000
	Total Revenues	193,445	215,100	215,100	197,250

DIVISION SUMMARY

Fund	Department	Division
22 Tech Park Association	70 Economic Development	RTPA

Expenditure Summary

	Actual 17-18	Budgeted 18-19	Amended 18-19	Adopted 19-20
Contractual	156,486	171,300	171,300	153,750
Supplies	7,768	10,300	10,300	10,000
Utilities	29,840	33,500	33,500	33,500
Total	194,094	215,100	215,100	197,250

ECONOMIC DEVELOPMENT

Fund	Department	Division 75
22 Tech Park Association	70 Economic Develop.	RTPA Developed Phases

= Account	Description	Actual 17-18	Budgeted 18-19	Amended 18-19	Adopted 19-20
Contractual					
210	Auditing	500	500	500	500
227	Insurance - Property	900	900	900	900
247	Landscape/Irrig Maint	114,768	132,000	132,000	150,350
299	Administrative Svcs	2,000	2,000	2,000	2,000
	Total Contractual	118,168	135,400	135,400	153,750
Supplies					
329	Flag Replacements	7,768	9,000	9,000	9,000
347	Gen. Maint. Supplies	-	1,000	1,000	1,000
	Total Supplies	7,768	10,000	10,000	10,000
Utilities					
501	Electric	2,259	3,500	3,500	3,500
513	Water	27,581	30,000	30,000	30,000
	Total Utilities	29,840	33,500	33,500	33,500
Division Total		155,776	178,900	178,900	197,250

ECONOMIC DEVELOPMENT

Fund	Department	Division 77
22 Tech Park Association	70 Economic Develop.	RTPA Undeveloped Phases

Account	Description	Actual 17-18	Budgeted 18-19	Amended 18-19	Adopted 19-20
Contractual					
227	Insurance - Property	900	900	900	-
247	Landscape/Irrig Main	37,418	35,000	35,000	-
	incl. mowing EDC owned lots, Justin Road, Discovery Median				
	Total Contractual	38,318	35,900	35,900	-
Supplies					
347	Gen. Maint. Supplies	-	300	300	-
	Total Supplies	-	300	300	-
Utilities					
501	Electric	-	-	-	-
513	Water	-	-	-	-
	Total Utilities	-	-	-	-
Division Total		38,318	36,200	36,200	-

All expenses associated with EDC owned land, Justin Road, and the Discovery Median have been moved to the EDC budget beginning with budget year 2020.

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378

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 12, 2019**

SUBJECT: **RTPA Budget**

The Rockwall Technology Park Association Board met Thursday September 12, 2019 to approve the budget for maintenance of the Tech Park. The budget includes a slight increase in the park maintenance budget to include some landscape and irrigation improvements which are being made in the Park.

EDC President, Phil Wagner, will be available at the Council meeting to answer any questions about the proposed budget.

SUMMARY OF OPERATIONS

Fund
22 Tech Park Association

	Actual 17-18	Budgeted 18-19	Amended 18-19	Adopted 19-20
Total Revenues	193,445	215,100	215,100	197,250
Total Expenditures	194,094	215,100	215,100	197,250
Excess Revenues Over (Under) Expenditures	(649)	-	-	-
Net Other Financing Sources (Uses)	-	-	-	-
Net Gain (Loss)	(649)	-	-	-
Fund Balance - Beginning	47,321	37,415	34,298	34,298
Fund Balance - Ending	34,298	37,415	34,298	34,298

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381

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Councilmembers**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 13, 2019**

SUBJECT: **Hotel/Motel Funding Recommendation**

The Hotel Occupancy Tax subcommittee comprised of Mayor Pro Tem Macalik and Council members Daniels and Fowler met to discuss funding requests for budget year 2019-2020. The Council received a notebook including the organization's requests along with their required reporting for this year's funded events. Attached is a summary of the requests with the previous year's allocations to the organizations. This summary also includes the subcommittee recommendations for funding.

Revenues and Fund Balance

Staff continues to be conservative in the projection of revenues. The Hilton rebate agreement ended December 31 and their first payment was made in April so we didn't budget a full year's revenue in 2019 but have for 2020. At the end of FY2019 we expect a fund balance reserve of at least $363,500.

Funding Levels

Funding requests for fiscal year 2020 totaled $720,645 which is an increase from the 2019 requests. Each specific application was discussed and whether they met our stated purposes and the state statute's requirement for "heads in beds". The subcommittee's recommendations for funding are attached. The subcommittee's goal was to allocate the current hotels revenues and retain a healthy reserve as decisions are made regarding the City's strategic initiative for these funds. Specific items which were not funded are noted on the attached spreadsheet as well.

Contract Language/Documentation

Each organization will continue to be required to provide documentation such as a log, guestbook, registration list or other documentation that specifically notes if each person is spending the night in a hotel establishment. We are going to strongly recommend that more effort needs to be put into documenting hotel stays through use of a hotel code or question on registration form by which the organizations could better nail down hotel occupancy. It is imperative for the organizations to put in the effort to document hotel stays. Efforts in this regard will be noted as a condition for consideration of future funding.

The subcommittee Staff will be available at the Council meeting to answer any questions.

Hotel Occupancy Tax Funding Requests for FY 2020

	2018 Actual	2019 Budget	2020 Request	2020 Event	Council Subcommittee Recommendation	
Tourism						
American Legion	2,400	1,300	-	D Day 75th Anniversary	**2,000**	
Art League	3,500	3,000	6,000	Fine Art Show	**3,000**	
Aspasians	2,000	2,000	6,000	Market Place (April & Oct)	**3,000**	
Boys & Girls Club	20,000	20,000	20,000	Rubber Duck Regatta	**20,000**	
Chamber of Commerce	123,380	120,860	128,455	CVB staff & directory/map	**128,455**	
Colbert Project	20,000	20,000	25,000	Firefighters Ball	**25,000**	
Downtown Association	15,000	23,000	38,700	Christmas/Cinco de Mayo/Web site	**30,000**	No funding for website
Friends of the Library	comp space	comp space	2,000	Christmas Luncheon	**comp space**	
Helping Hands	7,000	9,000	11,500	Festival of Trees	**10,000**	
HHS Hawk Booster Club	15,000	-	-	State Gymnastics Meet	**-**	
Hyzerbomb Discs	5,000	7,500	10,000	Disc Golf Tournament	**10,000**	
Kiwanis	9,500	11,000	12,000	Tri-Rock Triathlon	**12,000**	
Lone Star CASA	7,500	7,500	20,000	Car Show	**11,500**	
Meals on Wheels			15,000	Gala	**5,000**	
RHS Robotics			12,500	Tournament of Robots	**12,500**	
Rotary Noon	11,000	12,000	12,000	Hot Rocks Bike Race	**12,000**	
Sail with Scott	7,500	-	15,000	Sailing events	**5,000**	
Soroptimist	5,000	-	-	Casino Night ($5000 from FY18)	**-**	
Starr Commonwealth	12,000	12,000	-	Conference	**-**	
TrendHR	2,500	2,000	5,000	Conference	**2,000**	
SubTotal	268,280	251,160	339,155		**291,455**	
Cultural						
Music Fest	10,000	8,000	15,000	Concerts	**10,000**	
Playhouse	5,000	3,500	13,575	Theatre Productions	**7,000**	
Summer Musicals	3,500	5,000	15,000	Musical Productions	**10,000**	
SubTotal	18,500	16,500	43,575		**27,000**	
Historical						
Historical Foundation	6,650	7,500	-	Advertising and promo		
Historical Foundation	-	25,000	37,470	Building Restoration/maintenance	**32,470**	Restoration only
SubTotal	6,650	32,500	37,470		**32,470**	
City						
Main Street	20,348	23,500	23,500	Downtown concerts	**23,500**	
Main Street	17,244	16,700	17,700	Advertising	**17,700**	
Main Street	-	4,000	-	Destination Rockwall	**-**	
Concerts by the Lake	38,481	42,000	48,500	Concerts	**48,500**	
Founders Day	99,899	100,000	175,445	Concert	**175,445**	
Memorial Day	4,506	5,000	7,000	Concert	**7,000**	
Rib Rub	14,606	15,000	28,300	BBQ contest and 5K	**28,300**	
TRAPS		6,000		Conference		
SubTotal	195,084	212,200	300,445		**300,445**	
Totals	488,514	512,360	720,645		**651,370**	

Fund Summary

Fund Balance 10-01-19	**363,500**	
Projected Revenue FY20		
Hotel Taxes	**425,000**	
Hilton Taxes	**584,000**	
Less Cultural		**27,000**
Less City Events		**300,445**
Less Tourism/Historical		**323,925**
Sub Total		**651,370**
Fund Balance 09-30-20		**721,130**

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384

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 4, 2019**

SUBJECT: **Amending the Fiscal Year 2019 Budget**

The final General fund budget summary sheets for the fiscal year 2019 amended and fiscal year 2020 proposed budget are included in the Council packet with the budget adoption agenda item. The amended budget was not changed during budget discussions.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 19-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the budget of the City Council of the City of Rockwall for the fiscal year October 1, 2018, through September 30, 2019, be and the same is hereby amended and such amendments are indicated and shown on **Exhibit "A"** attached hereto and made a part hereof for all purposes.

Section 2. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16TH DAY OF SEPTEMBER, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

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387

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 13, 2019**

SUBJECT: **Adopting the Fiscal Year 2020 Budget**

Notebook. It is included by reference only, rather than presented again in its entirety.

General Fund

The General Fund as adopted will anticipate tax collections based on a 38.7990 cent tax rate with expenditures adjusted as discussed at the Council worksession including several purchases previously noted as being from seized funds which are now included in the General Fund budget. If further discussion of any specific appropriation is needed it should take place prior to the vote on the budget ordinance.

Water – Sewer Fund

The budget as proposed reflects increased sales revenue from a rate increase. The associated rate resolution will be presented to Council shortly with the new rates to be effective on January 1st.

Recreation Development Fund

There was a brief discussion at the budget worksession regarding the Harbor Urban Park and whether or not to include it in the adopted budget. If the Council would like to discuss this item that could take place with this agenda item. It is not currently in the proposed budget. The funds are available in a combination of developer fees and unappropriated funds in Recreation Development. These could be amended into the budget during the fiscal year if Council is not ready for that discussion at this meeting.

Budget Cover Wording

Senate Bill 656 effective for budgets adopted after September 1, 2013 requires specific wording is included in the adopted budget document. The following statement will appear on the cover of the document and be published on the City's website for one year:

"This budget will raise the same amount of revenue from property taxes as last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $563,173."

SUMMARY OF OPERATIONS

Fund
01 General

	Actual 17-18	Budgeted 18-19	Amended 18-19	Proposed 19-20
Total Revenues	37,419,597	37,905,500	38,483,300	39,048,300
Total Operating Expenditures	32,230,841	34,766,250	35,132,700	36,356,600
Capital Reserve Expenditures	-	1,750,600	1,750,600	1,272,500
Excess Revenues Over (Under) Expenditures	5,188,756	1,388,650	1,600,000	1,419,200
Net Other Financing Sources (Uses)	(3,190,500)	(3,150,500)	(3,120,350)	(2,669,500)
Net Gain (Loss)	1,998,256	(1,761,850)	(1,520,350)	(1,250,300)
Fund Balance - Beginning	10,827,050	12,258,336	12,825,306	11,304,956
Fund Balance - Ending	12,825,306	10,496,486	11,304,956	10,054,656

SUMMARY OF REVENUES

Fund
01 General

Account	Description	Actual 17-18	Budgeted 18-19	Amended 18-19	Proposed 19-20
4100	Current Taxes	12,292,079	12,275,000	12,275,000	12,701,650
4105	Delinquent Taxes	89,180	80,000	80,000	80,000
4110	Penalty & Interest	73,008	60,000	60,000	60,000
	Total Property Taxes	12,454,267	12,415,000	12,415,000	12,841,650
4150	Sales Taxes	17,010,227	17,796,350	17,870,400	18,406,550
4155	Beverage Taxes	246,327	300,000	300,000	300,000
4160	Sales Tax Rebate	(20,246)	-	-	-
	Total Sales Taxes	17,236,307	18,096,350	18,170,400	18,706,550
4201	Electrical Franchise	1,883,743	1,810,000	1,960,000	1,960,000
4203	Telephone Franchise	145,673	125,000	140,000	120,000
4205	Gas Franchise	497,529	497,500	619,500	620,000
4207	Cable TV Franchise	430,262	450,000	400,000	275,000
4209	Garbage Franchise	298,438	290,000	305,000	305,000
	Total Franchise Fees	3,255,645	3,172,500	3,424,500	3,280,000
4250	Park & Recreation Fees	50,217	35,000	35,000	38,000
4251	Municipal Pool Fees	17,680	22,000	22,000	22,000
4253	Center Rentals	41,203	39,500	44,500	39,500
4255	Harbor Rentals	3,180	10,000	2,000	10,000
4260	Tax Certificate Fees	-	250	-	-
4270	Code Enforcement Fees	32,608	5,000	40,000	10,000
4280	Zoning Request Fees	65,071	65,000	60,000	60,000
4283	Construction Inspection	463,805	450,000	600,000	500,000
4295	Fire - Plans	4,125	4,500	4,500	4,500
	Total Fees	677,888	631,250	808,000	684,000

Summary of Revenues, Cont'd.

Account		Actual 3,255,645	Budgeted 18-19	Amended 18-19	Proposed 19-20
	Total Franchise				
4300	Building Permits	1,039,228	1,000,000	1,060,000	1,000,000
4302	Fence Permits	22,480	20,000	20,000	20,000
4304	Electrical Permits	26,902	30,000	20,000	20,000
4306	Plumbing Permits	54,936	50,000	50,000	50,000
4308	Mechanical Permits	77,715	65,000	55,000	55,000
4310	Daycare Center Permits	6,720	5,500	5,500	5,500
4312	Health Permits	117,696	132,000	122,000	132,000
4314	Sign Permits	16,325	20,000	20,000	20,000
4288	Beverage Permits	13,740	15,000	15,000	15,000
4320	Miscellaneous Permits	111,170	50,000	70,000	50,000
	Total Permits	1,486,912	1,387,500	1,437,500	1,367,500
4400	Court Fines	438,218	450,000	350,000	350,000
4402	Court Fees	123,971	115,000	90,000	90,000
4404	Warrant Fees	41,740	45,000	40,000	40,000
4406	Court Deferral Fees	209,764	205,000	195,000	195,000
4408	Animal Registration Fees	4,397	5,000	5,000	5,000
4414	Alarm Fees and Fines	66,102	80,000	64,000	64,000
	Total Municipal Court	884,192	900,000	744,000	744,000
4001	Interest Earnings	134,818	85,000	215,000	200,000
4007	Sale of Supplies	258	500	500	500
4010	Auction/Scrap Proceeds	28,443	40,000	40,000	40,000
4019	Miscellaneous	118,834	20,000	30,000	20,000
4450	Land Sales	172,689	-	-	-
4480	Tower Leases	25,710	51,000	22,000	25,000
4680	Developer Contributions	44,793	35,500	35,500	64,000
	Total Miscellaneous	525,545	232,000	343,000	349,500
4500	Grant Proceeds	17,434	-	70,000	-
4510	School Patrol	424,879	603,750	603,750	621,850
4520	County Contracts	960	1,000	1,000	1,000
4530	City Contracts	455,568	466,150	466,150	452,250
	Total Intergovernmental	898,841	1,070,900	1,140,900	1,075,100
Total Revenues		37,419,597	37,905,500	38,483,300	39,048,300

SUMMARY OF OPERATING TRANSFERS

Fund
01 General

	Actual 17-18	Budgeted 18-19	Amended 18-19	Proposed 19-20
Other Financing Sources				
Operating Transfers In:				
From Water & Sewer	-	-	-	200,000
From Court Fees	25,000	37,500	37,500	13,200
From Radio Fund	-	-	40,150	-
Total Other Financing Sources	25,000	37,500	77,650	213,200
Other Financing Uses				
Operating Transfers Out:				
To Public Safety Fund	-	73,000	73,000	-
To Radio Fund	95,500	-	-	-
To Airport Fund	10,000	-	10,000	-
To Employee Benefit Fund (Ins.)	2,500,000	2,500,000	2,500,000	2,250,000
To Workers Compensation Fund	175,000	180,000	180,000	180,000
To Tech. Replacement Fund	185,000	185,000	185,000	202,700
To Vehicle Replacement Fund	250,000	250,000	250,000	250,000
Total Other Financing Uses	3,215,500	3,188,000	3,198,000	2,882,700
Less Capital Reserve	-	-	-	-
Net Other Financing Sources (Uses)	(3,190,500)	(3,150,500)	(3,120,350)	(2,669,500)

SUMMARY OF EXPENDITURES

Fund
01 General

Dept.	Div.		Actual 17-18	Budgeted 18-19	Amended 18-19	Proposed 19-20
10	01	Mayor/Council	127,123	124,250	124,250	121,800
10	05	Administration	1,893,276	2,017,100	2,046,550	2,023,800
10	06	Administrative Services	550,222	587,600	593,400	588,800
10	09	Internal Operations	2,190,434	2,353,150	2,407,400	2,338,100
15	11	Finance	690,277	835,450	838,950	849,000
15	15	Municipal Court	429,862	450,100	425,600	454,400
20	25	Fire Operations	3,744,630	4,335,700	4,472,000	4,968,400
20	29	Fire Marshal	518,296	640,500	706,150	674,250
30	31	Police Administration	1,390,227	1,264,000	1,285,600	1,289,000
30	32	Communications	1,184,600	1,245,850	1,250,850	1,311,400
30	33	Patrol	5,544,396	5,945,950	5,935,950	6,035,700
30	34	CID	1,318,129	1,471,550	1,498,200	1,722,400
30	35	Community Services	1,023,163	1,445,850	1,440,550	1,511,650
30	36	Warrants	243,864	260,900	260,900	244,350
30	37	Records	528,790	470,150	478,850	498,400
40	41	Planning	722,367	1,110,200	1,051,900	832,750
40	42	Neighborhood Improv.	528,651	585,650	563,650	548,450
40	43	Building Inspections	714,347	808,100	809,900	828,100
45	45	Parks	2,573,187	2,744,100	2,806,650	3,061,350
45	46	Harbor O&M	559,412	524,100	562,100	727,900
45	47	Recreation	960,771	1,006,350	1,039,050	1,024,950
45	48	Animal Services	637,684	698,650	705,350	660,050
50	53	Engineering	1,059,930	1,166,700	1,168,700	1,201,550
50	59	Streets	3,097,203	4,424,900	4,410,800	4,112,550
			32,230,841	36,516,850	36,883,300	37,629,100
Less Capital Reserve			-	1,750,600	1,750,600	1,272,500
Total Operating Expenditures			32,230,841	34,766,250	35,132,700	36,356,600

CITY OF ROCKWALL

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2019, THROUGH SEPTEMBER 30, 2020; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Rockwall, Texas has heretofore filed with the City Secretary a proposed General Budget for the City covering the fiscal year aforesaid, and

WHEREAS, the governing body of the City has concluded its public hearing on said budget,

WHEREAS, in accordance with Section 7.06 of the City Charter, the budget for fiscal year 2019-20 is being adopted in a timely manner,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That said budget for the fiscal year October 1, 2019, through September 30, 2020 be and the same is hereby attached to this ordinance and made a part hereof for all purposes and marked **"Exhibit A".**

Section 2. That said budget attached hereto and marked **"Exhibit A"** be, and the same hereby is, approved and adopted by fund, by the City Council, as the official budget for the City for the fiscal year aforesaid.

Section 3. That expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance unless otherwise amended by a duly enacted ordinance of the city.

Section 4. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 16th day of September, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

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395

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 4, 2019**

SUBJECT: **Tax Rate Adoption**

The Council agenda for Monday September 16, 2019 includes the ordinance to adopt the Ad Valorem tax rate of 38.7990 cents per one hundred dollars of assessed value. Specific language in the motion is not required this year since we are adopting the Effective tax rate.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 19-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2019 AT A RATE OF $.387990 PER ONE HUNDRED DOLLARS ($100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2019 TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2019 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That there be and is hereby levied for the year 2019 on all taxable property, real, personal and mixed, situated within the limits of the City of Rockwall, Texas, and not exempt by the Constitution of the state and valid State Laws, a tax of $.387990 on each **ONE HUNDRED DOLLARS** ($100.00) assessed value of taxable property and shall be apportioned and distributed as follows:

a. For the purpose of defraying the current expenses of municipal government of the City, a tax of $.219590 each ONE HUNDRED DOLLARS ($100.00) assessed value of all taxable property.

b. For the purpose of creating a sinking fund to pay the interest and principal on all outstanding bonds of the City not otherwise provided for, a tax of $.1684 each ONE HUNDRED DOLLARS ($100.00) assessed value of all taxable property, within the city which shall be applied to the payment of such interest and maturities of all outstanding bonds.

Section 2. That all ad valorem taxes shall become due and payable on October 1, 2019, and all ad valorem taxes for the year shall become delinquent after January 31, 2020. If any person fails to pay the ad valorem taxes on or before the 31st of January, 2020, the following penalties shall be payable thereon, to wit:

During the month of February, six percent (6%); during the month of March, seven percent (7%); during the month of April, eight percent (8%); during the month of May, nine percent (9%); during the month of June, ten percent (10%); and on or after the first day of July, twelve percent (12%).

Section 3. Taxes are payable in Rockwall, Texas, at the office of the designated Tax Collector. The City shall have available all rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

Section 4. All delinquent taxes shall bear the maximum rate of interest per annum as provided by law, in addition to the penalties provided herein.

Section 5. All taxes for the year 2019 which remain delinquent on July 1, 2020 shall incur an additional penalty of twenty percent (20%) of the amount of taxes, penalty and interest due to defray cost of collection.

Section 6. That pursuant to Article VIII-1b of the Constitution of Texas, $60,000 of the appraised value of residence homesteads of any married or unmarried persons, including those living alone, who were sixty-five (65) years of age or older on January 1, 2005, shall be exempt from ad valorem taxes.

Section 7. This ordinance is enacted in order to authorize the collection of ad valorem taxes for the year 2019 and shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16TH DAY OF SEPTEMBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

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399

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **Sept. 11, 2019**

SUBJECT: **Boards & Commissions (re)Appointments**

Council is asked to consider the following reappointments and vacancies, terms of which expired last month. The Council liaison(s) assigned to each board is listed next to the board title. Unless otherwise noted, each person listed below who is eligible for reappointment has given staff indication that he or she does wish to be reappointed.

Airport Advisory Board (Pruitt, Fowler and Macalik)

- Mike Potter
- Tim Wolf
- Tom Woodruff
- *VACANCY TO BE FILLED*

Board of Adjustments (full Council)

- David Lowrey
- Stuart Smith
- Shannon Bennett
- Peter Flores does NOT wish to be reappointed – *VACANCY TO BE FILLED*
- Todd White is termed out - – *VACANCY TO BE FILLED*

Historic Preservation Advisory Board (Trowbridge)

- Carolyn Francisco
- Jay Odom
- Daniel Nichols
- *VACANCY TO BE FILLED*

Main Street Advisory Board (Trowbridge)

- Terry Gregory resigned - *VACANCY TO BE FILLED*

Park Board (Johannesen)

- Fran Webb does NOT wish to be reappointed – *VACANCY TO BE FILLED*

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401

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rockwall City Council

FROM: Joey Boyd, Assistant City Manager

DATE: September 9, 2019

SUBJECT: 2020 Founders Day Festival Headlining Artists

In preparation for the 2020 Founders Day Festival scheduled for Saturday, May 16, 2020, staff is requesting that the City Council authorize the City Manager to make a formal offer and enter into contract negotiations with WME and Red11 Music for festival opening and headline entertainment. The total contract amount is $45,000 plus rider requirements to be paid from the Hotel/Motel Tax funds. These funds are appropriated in the FY 2020 budget.

Staff is requesting this authorization earlier than normal due to May being a popular month for outdoor festivals in the DFW area and many artists are booked several months in advance for the various events throughout North Texas. The staff wants to act quickly to get the main stage talent reserved before other venues book them. If approved and formal offers are accepted by the respective artists, final contracts will be brought back to the City Council for consideration and approval.

There will also be daytime entertainment featuring regional acts. The Parks & Recreation Department is working to complete the roster for the smaller stage as well. Staff will be available to answer any questions at the meeting.

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403

Table of Contents

Agenda 6

Hold work session with city attorney to hear briefing regarding recently passed state legislation impacting cities.

- Presentation 11
- Blank Page 21

Hold Work Session to discuss flag pole entry feature on IH-30

- Flagpole Project Memo 22
- Exhibits 24
- Blank Page 27

Hold work session to hear updates to the Engineering Department's "Standards of Design and Construction" and receive City Council input prior to adoption.

- Memo 28
- Recommendation Letter 30
- Map 32
- Standards 33
- Blank Page 440

Fire Prevention Month

- Proclamation 441
- Blank Page 442

Rockwall Fire Dept. Presentation of Life Saving Award to Tyra Winters

- Tyra Newspaper Write Up 443
- Blank Page 444

Consider approval of the minutes from the September 16, 2019 regular city council meeting, and take any action necessary.

- Minutes 445
- Blank Page 455

Z2019-018 - Consider a request by Rob Whittle for the approval of an ordinance amending Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-1114, and take any action necessary (2nd Reading).

- Ord (2nd Reading) 456
- Blank Page 464

Z2019-020 - Consider a request by Todd Panzner for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 11.85-acre tract of land identified as Tract 1-1 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located south of the intersection of Green Circle and SH-276, and take any action necessary (2nd Reading).

Ord (2nd Reading) . . . 465

Blank Page . . . 469

Consider awarding a bid to All Seasons Foam Coatings and authorizing the City Manager to execute a Contract for a new Liner for the Harbor Fountain in the amount of $142,500 to be funded out of General Fund Reserves, and take any action necessary.

Memo . . . 470

Blank Page . . . 471

Consider awarding a bid to B&B Concrete and authorizing the City Manager to execute a Contract for the removal and replacement of 4,200 sf of concrete trail at Myers Park in the amount of $59,600 to be funded out of the Recreation Development Fund, and take any action necessary.

Memo . . . 472

Blank Page . . . 473

P2019-037 - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Carla Rankin Real Estate Holding for the approval of a final plat for Lot 1, Block A, Rankin Addition being a 0.29-acre tract of land identified as Tract 22 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Residential Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 4035 N. Goliad Street [SH-205], and take any action necessary.

P2019-037 . . . 474

Blank Page . . . 478

P2019-038 - Consider a request by Bryon Connally of CBG Surveying Texas, LLC on behalf of Shannon McCord Riddell for the approval of a replat for Lot 1, Block A, Goliad-Riddle Addition being a 0.4079-acre tract of land identified as Lot C, Block 117, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, addressed as 501 S. Goliad Street, and take any action necessary.

P2019-038 . . . 479

Blank Page . . . 484

Consider awarding a bid to Play Works - Playwell Group and authorizing the City Manager to execute a Purchase Order for new shade canopy at Tuttle Sports Complex Playground in the amount of $38,853 to be funded out of the Recreation Development Fund, and take any action necessary.

Memo . . . 485

Blank Page . . . 486

Consider awarding a bid to MHC Kenworth and authorizing the City Manager to execute a Purchase Order for a new Brush Truck in the amount of $190,462.32 for Streets and Drainage Operations to be funded out of General Fund Reserves, and take any action necessary.

Memo . . . 487
Blank Page . . . 488

Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program (RAMP) at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

RAMP Contract . . . 489
Blank Page . . . 502

Consider authorizing the City Manager to execute a contract between the City of Rockwall and STAR Transit for transportation services for fiscal year 2020 in the amount of $109,884 to be funded by the Administration Department Operating Budget, and take any action necessary.

STAR Contract . . . 503
Blank Page . . . 516

Consider authorizing the City Manager to execute a contract with Meals on Wheels Senior Services for certain nutritional and senior service programs for fiscal year 2020 in the amount of $40,000 to be funded from the Administration Department Operating Budget, and take any action necessary.

MOW Contract . . . 517
Blank Page . . . 524

Consider awarding a bid to Freightliner/CLS Equipment Co. and authorizing the City Manager to execute a Purchase Order for a new Vac Truck in the amount of $389,415.25 to be funded out of the Water and Sewer Fund, Wastewater Operations budget, and take any action necessary.

Memo . . . 525
Blank Page . . . 526

Consider authorizing the City Manager to execute an Engineering Services Agreement with Binkley & Barfield, Inc. for the 2020 fiscal year to provide general engineering services for the preparation and review of all TIAs ("traffic impact analysis") submitted to the City of Rockwall, to be funded by the 2019-2020 Engineering Consulting Budget with developer reimbursement, and take any action necessary.

Memo . . . 527
Contract . . . 528
Blank Page . . . 538

Consider authorizing the City Manager to execute an interlocal agreement between the city and Rockwall County regarding fire protection services, and take any action necessary.

Memo_Fire ILA . . . 539
Fire ILA . . . 540
Blank Page . . . 545

Appointment with representative(s) of The Downtown Rockwall Association to consider a request to utilize a portion of parking on N. San Jacinto for a valet parking stand (including loading / unloading) for the “Shop Small Saturday” event on November 30, and take any action necessary.

Downtown Ltr . . . 546
Blank Page . . . 548

Appointment with Josh Deaton of Sideways BBQ to request permission to sell alcoholic beverages at The Harbor public event venue as part of a Veteran’s Day event on November 9, 2019, and take any action necessary.

Request . . . 549
Blank Page . . . 550

Discuss and consider approval of the Hotel Occupancy Subcommittee's recommendation for funding of the "Salute to Veterans" event, and take any action necessary.

Subcommittee recommendation . . . 551
Salute to Veterans Request . . . 552
Blank page . . . 559

Discuss and consider approval of a resolution providing for the submission of names to the Rockwall Central Appraisal District (CAD) for nominations to the Board of Directors, and take any action necessary.

Rockwall Central Appraisal District Ltr . . . 560
Resolution #19-21 . . . 562
Blank Page . . . 564

SP2019-031 - Discuss and consider an appeal by Ryan Moorman of R. D. Moorman, Inc. concerning a variance request denied by the Planning and Zoning Commission in conjunction with an approved site plan for an office building on a 1.244-acre parcel of land identified as Lot 22, Rainbow Acres Addition, City or Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 Ranch Trail, and take any action necessary.

SP2019-031 . . . 565
Blank Page . . . 577

Discuss and consider appointing a Comprehensive Plan Advisory Committee (CPAC) to assist staff in the annual update to the Comprehensive Plan, and take any action necessary.

Memorandum . . . 578
Blank Page . . . 584

Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

Memo . . . 585
Blank Page . . . 586

Discuss and consider approval of a resolution establishing a "Complete Count Committee" for the U.S. 2020 Census, and take any action necessary.

Memo . . . 587

Resolution . . . 588
Blank Page . . . 589
Building Inspections Monthly Report - August 2019
August Report . . . 590
Blank Page . . . 602
GIS Division Monthly Report - August 2019
GIS Monthly Report (August 2019) . . . 603
Blank Page . . . 604
Harbor PD Monthly Report - August 2019
Harbor PD - Aug 2019 . . . 605
Blank Page . . . 606
Internal Operations Department Monthly Report - August 2019
IO report . . . 607
Blank Page . . . 608
Recreation Monthly Report - August 2019
Rec Monthly Report - Aug 2019 . . . 609
Blank Page . . . 614
Rockwall Animal Adoption Center Monthly Report - August 2019
RAAC-August 2019 . . . 615
Blank Page . . . 617
Rockwall Fire Dept. Monthly Report - August 2019
Rockwall Fire Dept August 2019 Monthly Report . . . 618
Blank Page . . . 624
Rockwall Meals on Wheels Senior Services 4th Quarter Report
MoW 4th quarter . . . 625
Blank Page . . . 626
Rockwall Police Department Monthly Report - August 2019
PD Monthly Report . . . 627
Blank Page . . . 629
STAR Transit Monthly Report - August 2019
STAR Report . . . 630
Blank Page . . . 632

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, October 07, 2019 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.11 **1.** Hold work session with city attorney to hear briefing regarding recently passed state legislation impacting cities.

p.22 **2.** Hold Work Session to discuss flag pole entry feature on IH-30

p.28 **3.** Hold work session to hear updates to the Engineering Department's "Standards of Design and Construction" and receive City Council input prior to adoption.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).

2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)

4. Discussion regarding sale of real property in the vicinity of IH-30 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

5. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

6. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section §551.071 (Attorney/Client Consultation).

7. Discussion regarding ballot nominations associated with elections to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

8. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)

9. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

VI. **TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

VII. **INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER**

VIII. **PROCLAMATIONS**

p.441 **1.** Fire Prevention Month

p.443 **2.** Rockwall Fire Dept. Presentation of Life Saving Award to Tyra Winters

IX. **OPEN FORUM**

X. **CONSENT AGENDA**

p.445 **1.** Consider approval of the minutes from the September 16, 2019 regular city council meeting, and take any action necessary.

p.456 **2.** **Z2019-018** - Consider a request by Rob Whittle for the approval of an **ordinance** amending Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-1141, and take any action necessary **(2nd Reading).**

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p.470 **4.** Consider awarding a bid to All Seasons Foam Coatings and authorizing the City Manager to execute a Contract for a new Liner for the Harbor Fountain in the amount of $142,500 to be funded out of General Fund Reserves, and take any action necessary.

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p.527 14. Consider authorizing the City Manager to execute an Engineering Services Agreement with Binkley & Barfield, Inc. for the 2020 fiscal year to provide general engineering services for the preparation and review of all TIAs ("traffic impact analysis") submitted to the City of Rockwall, to be funded by the 2019-2020 Engineering Consulting Budget with developer reimbursement, and take any action necessary.

p.539 15. Consider authorizing the City Manager to execute an interlocal agreement between the city and Rockwall County regarding fire protection services, and take any action necessary.

XI. APPOINTMENT ITEMS

p.546 1. Appointment with representative(s) of The Downtown Rockwall Association to consider a request to utilize a portion of parking on N. San Jacinto for a valet parking stand (including

loading / unloading) for the “Shop Small Saturday” event on November 30, and take any action necessary.

p.549 **2.** Appointment with Josh Deaton of Sideways BBQ to request permission to sell alcoholic beverages at The Harbor public event venue as part of a Veteran’s Day event on November 9, 2019, and take any action necessary.

XII. ACTION ITEMS

p.551 **1.** Discuss and consider approval of the Hotel Occupancy Subcommittee's recommendation for funding of the "Salute to Veterans" event, and take any action necessary.

p.560 **2.** Discuss and consider approval of a resolution providing for the submission of names to the Rockwall Central Appraisal District (CAD) for nominations to the Board of Directors, and take any action necessary.

p.565 **3.** **SP2019-031** - Discuss and consider an appeal by Ryan Moorman of R. D. Moorman, Inc. concerning a variance request denied by the Planning and Zoning Commission in conjunction with an approved site plan for an office building on a 1.244-acre parcel of land identified as Lot 22, Rainbow Acres Addition, City or Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 Ranch Trail, and take any action necessary.

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p.585 **5.** Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

p587 **6.** Discuss and consider approval of a resolution establishing a "Complete Count Committee" for the U.S. 2020 Census, and take any action necessary.

XIII. CITY MANAGER’S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.590 Building Inspections Monthly Report - August 2019
p.603 GIS Division Monthly Report - August 2019
p.605 Harbor PD Monthly Report - August 2019
p.607 Internal Operations Department Monthly Report - August 2019
p.609 Recreation Monthly Report - August 2019
p.615 Rockwall Animal Adoption Center Monthly Report - August 2019
p.618 Rockwall Fire Dept. Monthly Report - August 2019
p.625 Rockwall Meals on Wheels Senior Services 4th Quarter Report
p.627 Rockwall Police Department Monthly Report - August 2019
p.630 STAR Transit Monthly Report - August 2019

2. City Manager’s Report

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3. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
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9. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of October, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

2019 LEGISLATIVE UPDATE: BILLS IMPACT ON CITIES

Frank J. Garza
Davidson Troilo Ream & Garza

Anti-City Legislative Session

- The 2019 Legislative Session was an anti-city session. Some success because the following bills did NOT pass:
  - S.B. 29, would have limited cities' ability to lobby
  - "Super-preemption" bills that would have prevented cities from regulating anything to do with business if located in more than 1 city
  - Short term rental regulation preemption
  - Bills limiting the issuance of certificates of obligation
  - Granting the AG authority to settle city environmental lawsuits without city approval
  - 6 chickens for every backyard

Revenue Cap



- SB 2 relating to ad valorem taxation.
- SB 2 **did pass &** would re-name the effective tax rate as the "no-new-revenue maintenance and operations (M&O) tax rate."
- SB 2 would re-name the rollback tax rate as the "voter-approval tax rate."
- SB 2 establishes differing voter-approval tax rate calculations for taxing units. For a special taxing unit, the percentage would remain at 8 percent;

Revenue Cap

- Other taxing units (including cities, except school districts) the percentage would be limited 3.5 %. Cities would also be able to include their unused increment rate in calculating the voter-approval tax rate
- Cities with a population of 30,000 or more that adopt a tax rate above the voter-approval tax rate would be required to hold an election.
- Cities with a population of less than 30,000 (that adopt a tax rate above the voter-approval tax rate or the de minimis rate (whichever is higher) would have to hold an election to approve the adopted rate.

Residential Permit Fees HB 852

- Bill provides that in determining the amount of a building permit or inspection fee required in connection with the construction or improvement of a residential dwelling, **the city may not consider** (a) the value of the dwelling; or (b) the cost of constructing or improving the dwelling
- The bill was signed by the Gov. on May 21st, and it was effective immediately. Options on how to charge for permits include square footage-based fees, a flat fee schedule, or any other non-cost-based and reasonable calculation.

Building Materials- H.B. 2439

- H.B. 2439 relates to certain regulations adopted by cities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings.
- The bill preempts city ordinances relating prohibition or limitation to building materials; allowing any material to be used provided it's listed in an international building code.
- Bill **passed.**
- Effective September 1, 2019



Permit Shot Clocks-H.B. 3167

- H.B. 3167 relating to county and municipal approval procedures for land development applications.
- The bill places a 30 or 60-day "shot clock" in place during which time a city must approve many permits, or else they're deemed granted.
- The bill prohibits a City responsible for approving plans from requesting or requiring an applicant to waive a deadline.
- Bill **passed**.
- Effective September 1, 2019.



State Wide Annexation

- SB 6 (Campbell) is a bill passed in the Special Session in 2017
- SB 6 allowed Tier 1 cities to continue annexing land in accordance with then state law.
- **Tier 1 cities** were cities in counties of less than 500,000 residents.
- Complicated procedural process had be followed

Senate Bill 6

- SB 6 provided as a requirement to annex new areas that **Tier 2 cities** in counties of 500,000 or more population
  - Annexation on request of landowner;
  - Annexation by petition of 50% or area landowners when the area has less than 200 residents; or
  - Annexation by conducting an election of the land owners proposed to be annexed if 200 or more residents. **Only if a majority of the voters in the area vote to be annexed**, may the city proceed with annexation. (It will never happen).

State Wide Annexation Restrictions-H.B. 347

- H.B. 347, relating to eliminating distinctions in the application of consent annexation requirements.
- The Bill eliminates the tier 1 and tier 2 distinctions; all cities that will want to annex any area with over 200 residents will need to call an election.
- Any area to be annexed with 200 or less will require a petition to be signed by more than 50% of the landowners
- The bill **passed**.
- Effective date: **Immediately**
- All future annexations, must comply with the Tier 2 process

Elections- H.B. 1048

- H.B. 1048, relating to the use of a county early voting polling place by a political subdivision. The bill would require cities holding May or November elections to use county polling places for early voting by personal appearance.
- May not use City locations unless designated by county as county polling place.
- The bill **passed**.



Open Meetings Act - "Walking Quorum"

- S.B. 1640 relating to changing the criminal offense of conspiracy to circumvent the open meetings law
- Redefines "deliberation" to include a verbal or written exchange between a quorum of the Council
- Retitles the criminal conspiracy provision from "conspiracy to circumvent chapter" to "prohibited series of communications"
- The bill effective **immediately**

Open Meetings Act

- The bill provides that a councilmember commits an offense if the member:

  (1) knowingly engages in at least one communication among a series of communications that each occur outside of a meeting authorized and that concern an issue within the jurisdiction of the city in which the members engaging in the individual communications constitute fewer than a quorum of members; **and**

  (2) knew at the time the member engaged in the communication, that the series of communications:

  (a) involved or would involve a quorum; and

  (b) would constitute a deliberation once a quorum of members engaged in the series of communications

Public Information Act-S.B. 944

- Personal Devices and Accounts
  - The bill requires a city employee or official to turn over city-related information on a private device or account to the city to be stored
  - City shall make reasonable efforts to obtain public information from city employee or elected official if the information has been requested from the city and city is aware or believes that the official has possession of the information





Public Information Act-S.B. 944

- City employee or official with possession, custody, or control of public information shall surrender or return the information to the City not later than the 10th day after the date the City requests the City employee or official to surrender or return the information
- Failure to turn over the information is grounds for discipline action by the City, including penalties provided by the Act
- The bill effective **immediately**

Franchise Fee Elimination- S.B. 1152

- S.B. 1152, relating to the payment of certain fees to municipalities by entities that provide telecommunications and cable or video services installs lines in a city's right-of-way .
- This bill will cut the fees cities receive for use of city right of way by companies that provide both video and phone service.
- SB 1152 **passed**
- Effective September 1, 2019.
- Litigation filed by cities.



Workers' Compensation for Police Officers- S.B. 1582

- S.B. 1582, relating to benefits for peace officers relating to certain diseases or illnesses. The bill would apply the firefighters' disease presumption law to city police officers except for cancer found in Chapter 607 of Govt. Code.
- Bill **passed**
- Effective September 1, 2019



Dogs on Restaurant Patios- S. B. 476

- S.B. 476 authorizes a restaurant to permit a customer to be accompanied by a dog in an outdoor dining area. The bill sets out the requisite conditions.
- The bill prohibits a City from adopting or enforcing an ordinance that imposes a requirement on a food service establishment that is more stringent than the bill's requirements.
- The bill exempts a service animal from the application of these requirements.
- Bill **passed**.
- Effective September 1, 2019.


ANY
QUESTIONS
?

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21

City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **October 3, 2019**

SUBJECT: **Flagpole Entry Feature on Interstate 30**

Background

In January 2019, a small planning committee consisting of City Council members Bennie Daniels and Trace Johannesen, Rockwall residents David Cutcomb and John Adams, and city staff began discussing potential sites to place a flagpole entry feature on Interstate 30 at the western boundary of the City. The planning group evaluated 5 separate sites and multiple heights. Attached are exhibits showing the 5 original sites and heights that were initially discussed and considered.

After consideration of all the sites, the planning group selected site #3 as the preferred site due to its proximity to Interstate 30, elevation, and that this location is in State right-of-way and is not shown to be involved in the reconstruction plans for Interstate 30. The plans show that the roadway project will only involve adding a sidewalk around the perimeter of this property. Attached for reference is an aerial overlay of the I-30 improvements. The planning group has discussed several heights but prefers to have a flagpole as tall in height as possible but to stay under the 200' that will require obstruction lighting by the FAA at the top of the pole.

State Approval

TXDOT recently indicated to John Polster, Rockwall County Roadway Consortium consultant, that the State does not have a problem with the project, but they will want to see plans showing a structural footing without any massive above-ground structure. The State didn't indicate a concern with the height. Information for the Flag Project has been

sent to Lane Selman, PE with TXDOT for review. Mr. Selman is the Dallas District Area Engineer. If authorized, staff will work with Mr. Selman locally to get final written approval of the project at this site and develop an agreement for use of the State's property.

Budget Estimates

150' Flagpole with installation:	$57,750
170' Flagpole with installation:	$76,114
180' Flagpole with installation:	$98,340
195/200' Flagpole with installation:	$113,340

These cost estimates are for the flagpole, foundation, lighting, and two flags and do not include electrical service to the site, landscaping, irrigation, grading, crane rental, retaining walls (if necessary), design and construction administration from a landscape architect if the decision is to make any further improvements to the site other than the installation of the flag pole, electrical and lighting. At the time authorization is given to construct the project, it will go through the bidding process. There are funds available in general fund reserves for this project.

Authorization to Proceed

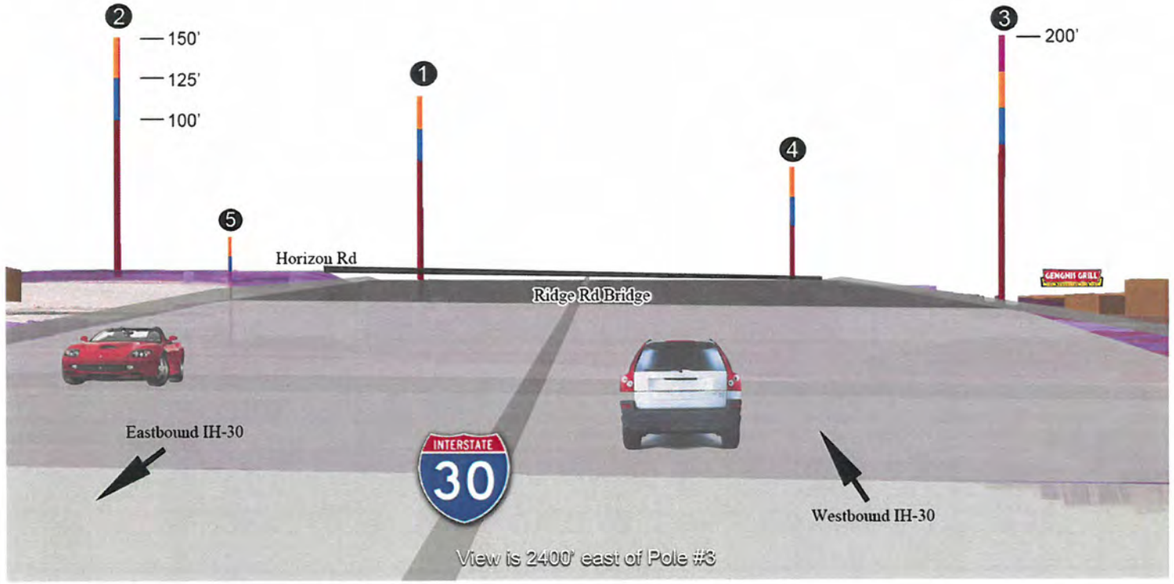
During the work session, the planning committee is seeking direction as to if the City Council approves of the concept of the entry feature, a confirmation of the 3rd site being the preferred site, and authorization to further study the site by performing a geotechnical study to get a soil report for base design. Based on the geotechnical report, a structural engineering firm will perform foundation design and provide a rendering to submit to TXDOT for approval. The design will be performed and stamped by a structural engineer. The cost for the geotechnical study and report is $3,500 and base design is $1,200.

An FAA Study will be required due to the location of the site being within 7 nautical miles of an airport. The study is free but can take up to 12 weeks to complete. This can be conducted while the City gets written authorization from the State and while geotechnical and flagpole base design is being performed for the site.

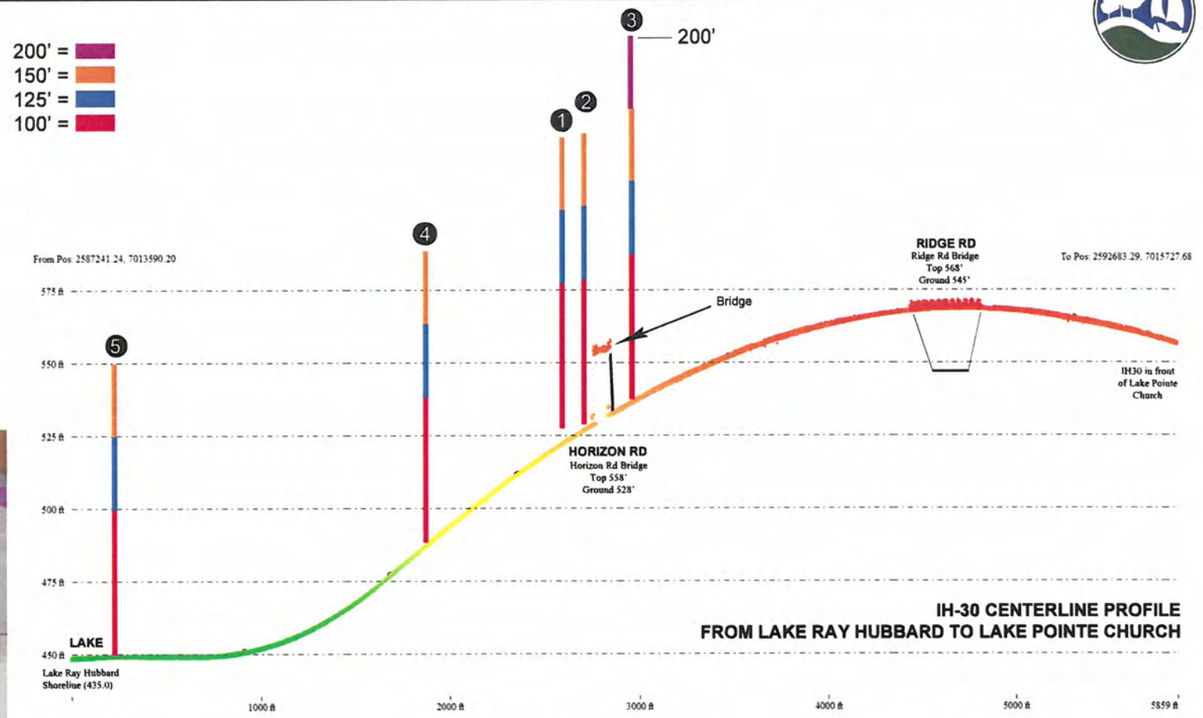
Staff and member of the planning committee will be available to answer questions at the work session.

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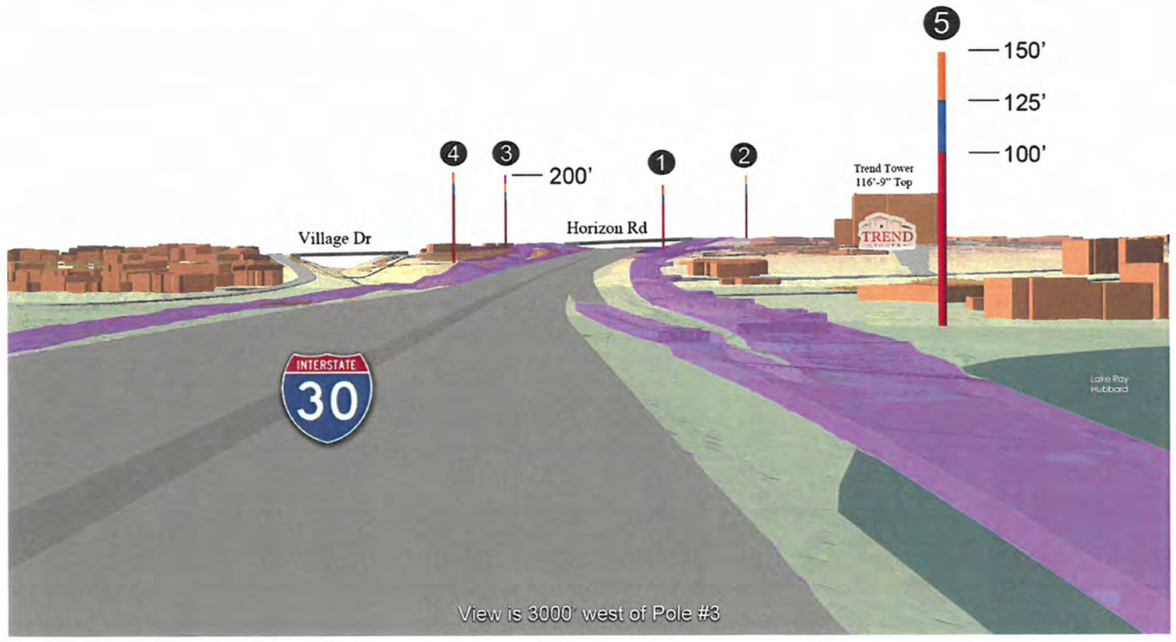
IH30 LOOKING WEST FROM RIDGE RD

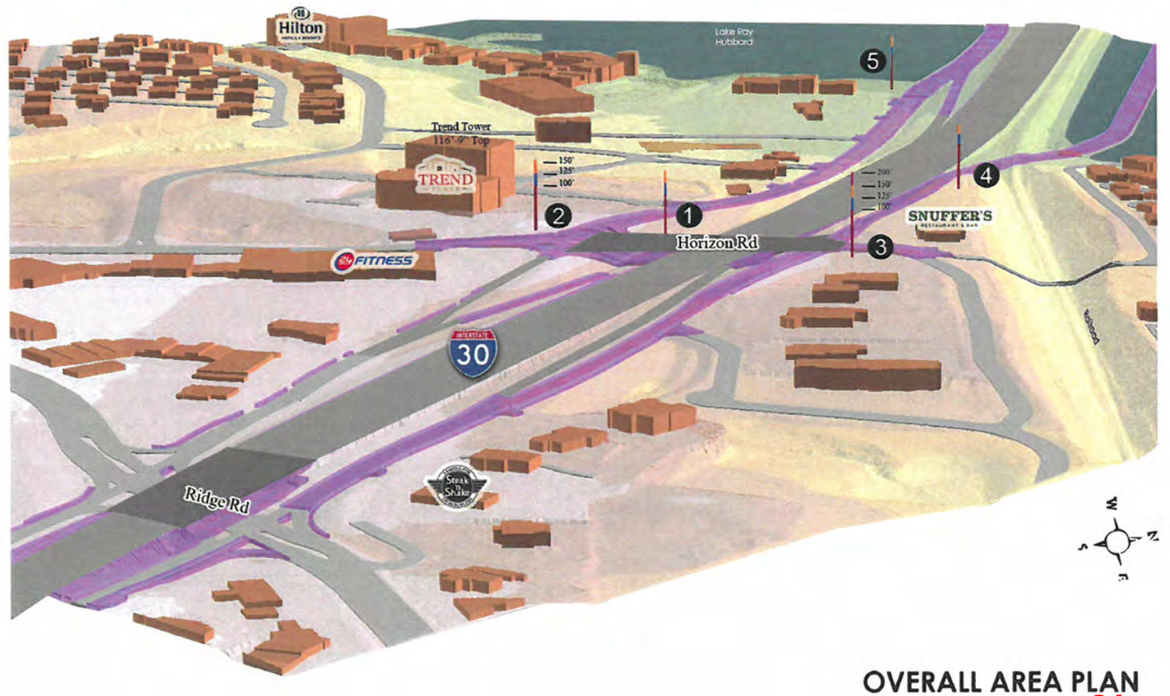


POTENTIAL FLAG POLE & MONUMENT SITES (IH30 @ HORIZON RD)



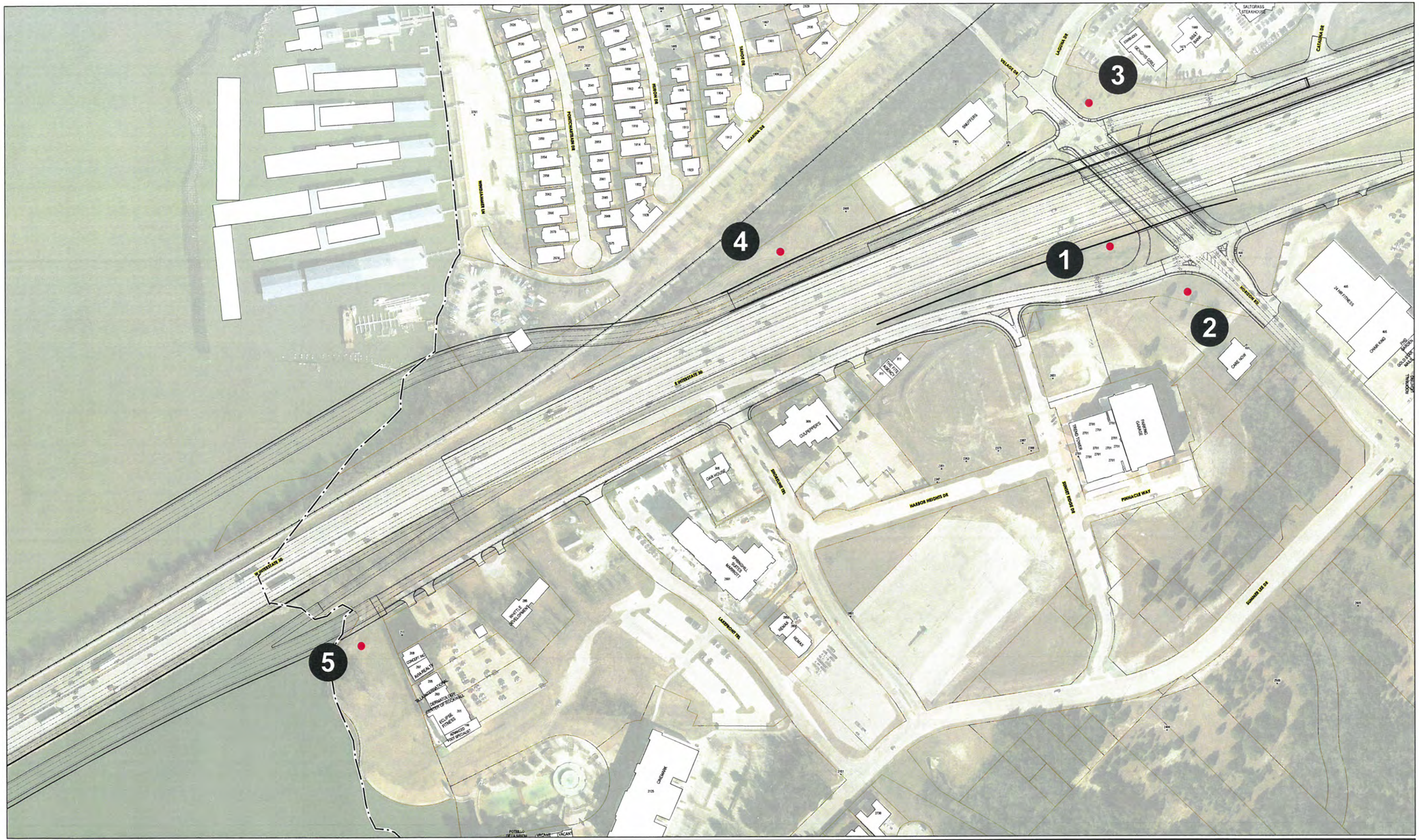
IH30 LOOKING EAST FROM LAKE





OVERALL AREA PLAN

24



City of Rockwall

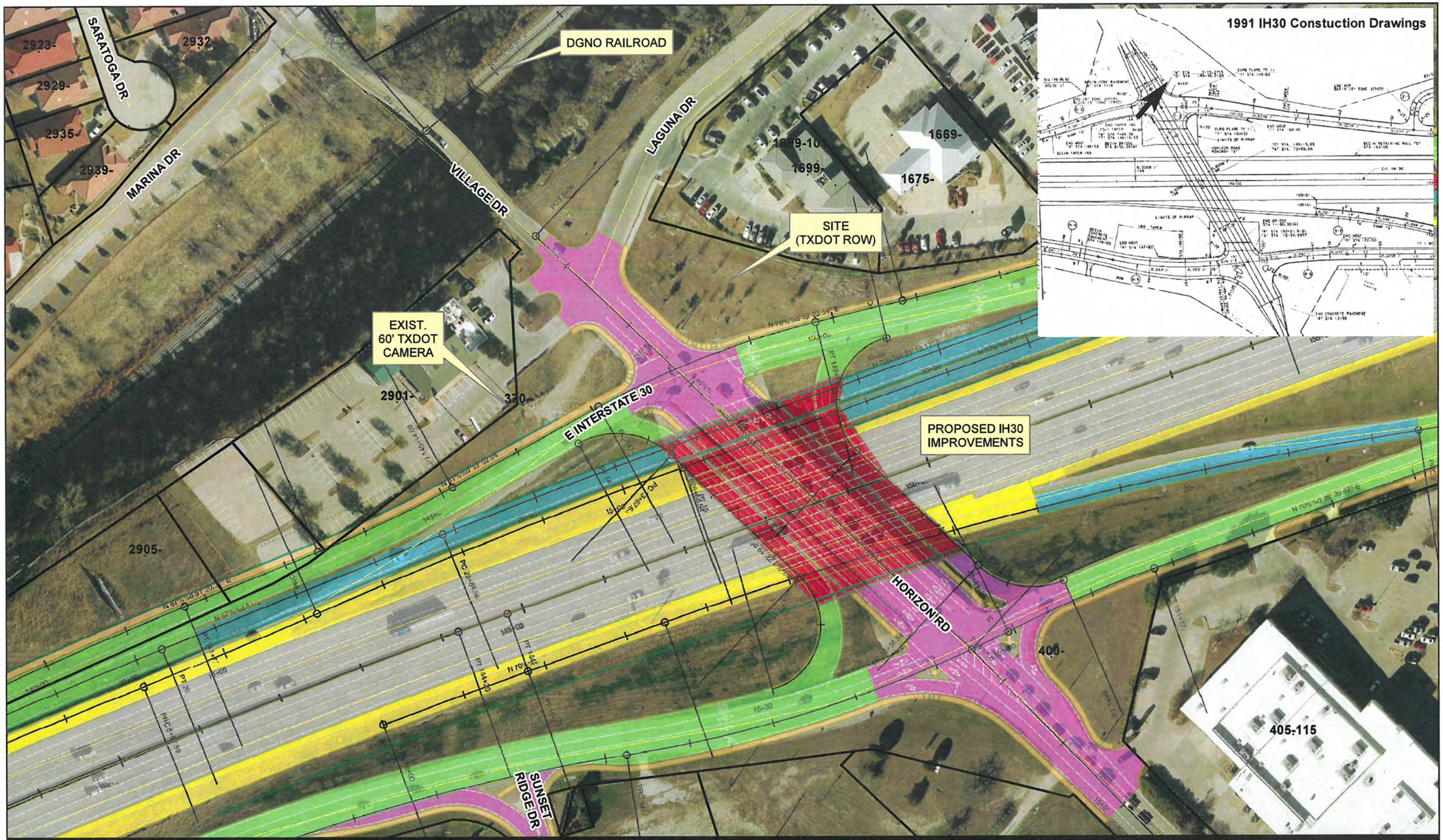
0 150 300 Feet

Date: 11/30/2018

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POTENTIAL FLAG POLE AND MONUMENT SITES
IH30 @ HORIZON RD

25



City of Rockwall

0 50 100 Feet

Date: 5/21/2019

CITY OF ROCKWALL GIS

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IH30 @ VILLAGE DR (FLAG POLE SITE #3)

26

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27

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **September 30, 2019**

SUBJECT: **2019 Update of the Standards of Design and Construction**

Over the course of the last year and half staff has updated the City's Standards of Design and Construction. The current Standards of Design and Construction were approved by City Council on November 7, 2016. Staff conducted several internal reviews of the Standards to address current gaps and additions.

Staff has attached a list of major changes to these standards that were made and the Updated 2019 Standards of Design and Construction. For reference the portions of the standards that have been changed are in "red". There are two of the major items that staff would like to discuss with City Council in detail. They are:

- Section 3.4: Detention
  - The addition of requiring storm water detention in the Buffalo Creek Watershed for all developments. A map has been attached for your reference as far as the extents of the Buffalo Creek Watershed within the City Limits along with a letter of recommendation from the Cities hydrologic and hydraulics engineering consultant.
- Section 6.2: Grading, Fill, Excavation and Earthwork Permit
  - The addition of the following language: *"An early fill, excavation and earthwork permit will not be issued to any development or re-development projects that are in actively being reviewed by the Engineering Division. Grading for the parcels/development will only be released after final construction plan release by the Engineering Division."*

Staff request consideration to proceed with the City Council adoption of the October 2019 update to the Standards of Design and Construction.

If you have any questions, please advise.

AJW

Attachment

Cc: Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
Rick Sherer, Water/Wastewater Manager
Billy Chaffin, Superintendent of Streets & Drainage
File

Major Changes to the Standards of Design and Construction

1. **General Requirements**
   - Standard Specifications: Adoption of the 5th Edition, November 2017, NCTCOG Standard Specifications for Public Works Construction.
   - Clarification of right-of-way and easement requirements
2. **Streets**
   - Addition of procedures for driveway construction and replacement on TxDOT Facilities.
   - Addition of sidewalk requirements for roadway reconstruction project. Result of the 2018 roadway bond project sidewalk policy decision from the September 3, 2019 Council Meeting.
   - Clarification of decorative sign poles and fixtures.
   - Clarification of requirements for Temporary Traffic Control.
   - Addition of Traffic Impact Analysis and Mitigation Requirements.
3. **Storm Drainage Facilities**
   - Clarification of requirements, definitions and procedures pertaining to the Unit Hydrograph Method.
   - Addition of requiring storm water detention for all developments within the Buffalo Creek Watershed.
   - Addition of requirements for determining local 100-year flood zones.
   - Clarifications and expansion of the Flood Studies, Reclamation and Modifications section to work to reduce problems staff has dealt with in past reviews.
4. **Vegetation**
   - Expanded definition of how close trees can be planted next to public utilities based on the size of the utility.
5. **Water System and Wastewater System**
   - Combined Water and Wastewater in to one section.
   - Addition of requirements for when a Infrastructure Capacity Study shall be performed.
   - Addition of procedures for water and wastewater line installation within TxDOT Right-of-Way
   - Clarification of requirements for Crossings (Culvert, Creek, TxDOT Highway, and Railroad)
   - Addition of requirements for sizing water and wastewater mains.
   - Clarification of requirements for design flow of wastewater system.
   - Addition of requirements for dead end water mains.
   - Addition of requirements on manholes for internal drop connections, corrosion protection and inflow prevention.
   - Addition of structural requirements for wastewater aerial creek crossings.
   - Addition of new sub-section for wastewater lift stations and force mains.
6. **Miscellaneous Requirements**
   - Addition of requirements allowing when grading permits are issued.
7. **Special Provisions to the NCTCOG's Standard Specifications for Public Works Construction Standards**
   - Updated to conform to the NCTCOG's 5th Edition, November 2017 and integrate City amendments.
8. **Special Provisions to the NCTCOG's Standard Drawings for Public Works Construction Standards**
   - Updated to conform to the NCTCOG's 5th Edition, November 2017 and integrate City amendments.
   - Addition of several new and updated standard details.

September 27, 2019

Amy Williams, P.E.
City Engineer
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Re: Detention Considerations for Buffalo Creek Watershed

Dear Ms. Williams:

Two of the largest watershed areas within the City of Rockwall are the Buffalo Creek watershed and the Squabble Creek watershed. Both watersheds have a long history of flooding problems, especially for areas located at the downstream portions of their drainage system. The City's stormwater management requirements for the Squabble Creek watershed have long been more stringent than those for the Buffalo Creek watershed, requiring detention and other mitigation measures for both non-residential and residential developments. In the Buffalo Creek watershed, detention has normally been a requirement for only non-residential development, although some residential developments have incorporated detention facilities or other mitigation measures for the purpose of preventing increases in flooding and flood damage potential.

As the City is well aware, one of the major flooding issues associated with the Buffalo Creek watershed is the ongoing flooding of homes along Rockwall Lake. These flooded homes, for whatever reason, were allowed to be constructed within flood prone areas prior to the City annexing the area. Although detention requirements for future development within the watershed will not prevent or partially mitigate any of the existing flooding conditions in the vicinity of Rockwall Lake, it is highly recommended that the City provide regulation to at least help prevent the flooding situation from becoming worse in the future. Therefore, it is recommended that the City adopt stormwater management standards for the Buffalo Creek watershed similar to those currently enforced in regulating stormwater within the Squabble Creek watershed. Such standards should include the requirement of providing forms of mitigation to include, but not be limited to, detention facilities to prevent any increases in flood peak discharges and flood elevations at all points downstream of any proposed development, extending downstream to include Rockwall Lake (and the discharges through Rockwall Lake Dam). Additionally, as it has been determined that homes around Rockwall Lake, as well as other structures along Buffalo Creek, begin to flood during storm events that produce less than the 100-year frequency rainfall, this standard should not be limited to just the 100-year flood event, but should also include lesser flood events, such as the 10-year, 25-year, and 50-year floods.

It is recognized that the City's ordinances related to stormwater management already requires that proposed construction not cause any unacceptable increases in flooding on other off-site

properties. However, requiring flood detention facilities for new developments within the Buffalo Creek watershed, that are properly designed, constructed, operated, and maintained, will help prevent the current flooding situation along Rockwall Lake from becoming worse, by helping to prevent faster-rising flood levels and helping to prevent increases in lake flood elevations (to levels more than would otherwise occur for any particular flood).

To be consistent with stormwater management requirements throughout the City, it is further recommended that the City consider similar standards for regulating stormwater in other watersheds. For example, similar flooding situations associated with Wallace Lake, located within the Little Buffalo Creek watershed, could benefit by these requirements for proposed construction within the upstream watershed.

Additionally, the City's Master Drainage Study for the Buffalo Creek watershed has become outdated in many respects. Therefore, it is further recommended that the hydrologic and hydraulic digital computer models for the watershed be updated as soon as possible. Providing such models to engineering consultants for their use in design and analyses of future development projects will help reduce the burden of complying with the City's requirements of proving that proposed construction will not cause increased flooding at Rockwall Lake and along streams downstream of their projects.

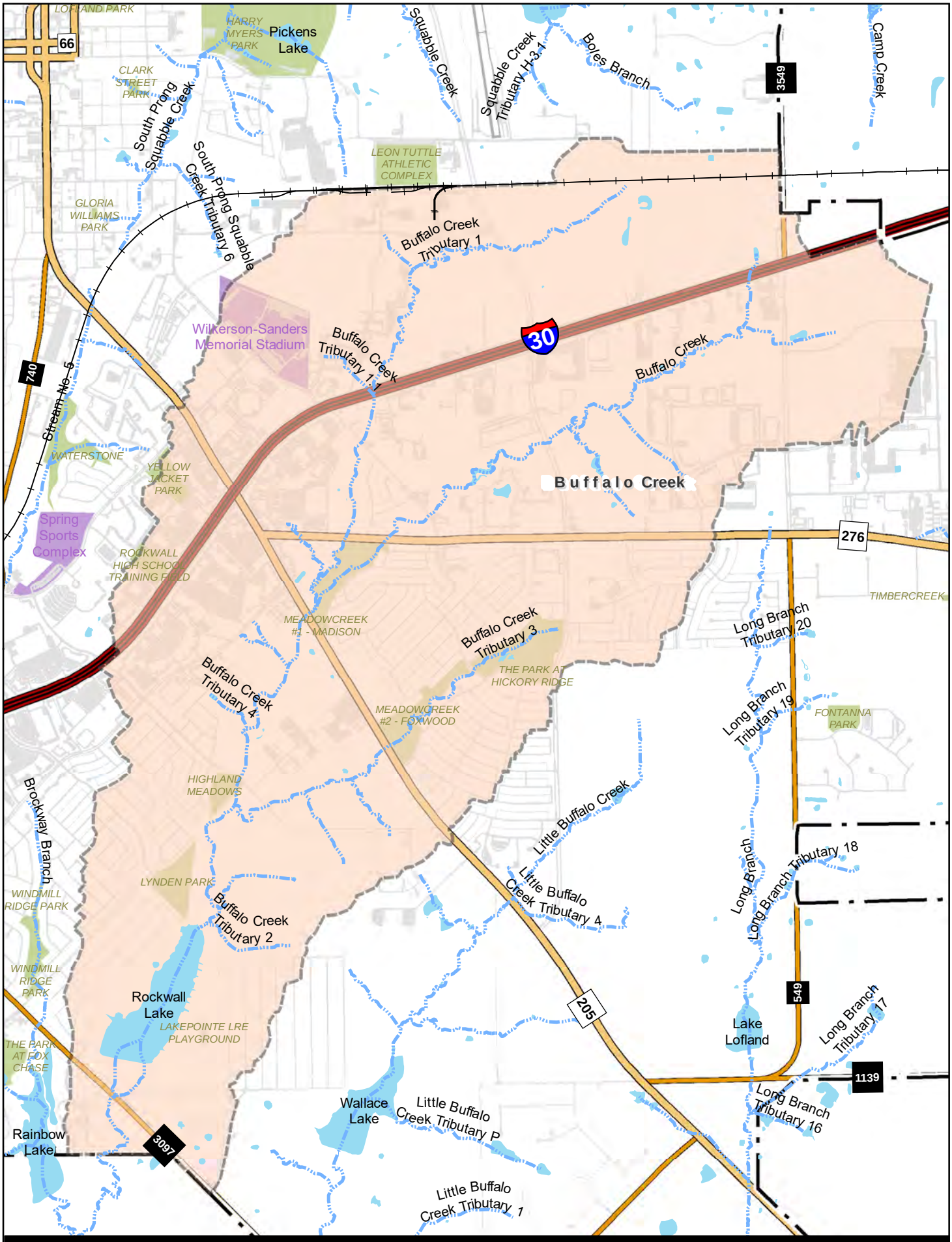
Please feel free to contact me if you have any questions or would like to discuss these recommendations.

Sincerely,

Dwayne Stubblefield

Dwayne Stubblefield, P.E., CFM
President
HydroLogical Support Services, LLC
[TBPE Firm No. F-13821]





City of Rockwall

600 Feet

Date: 9/30/2019

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Buffalo Creek Watershed

CITY OF ROCKWALL, TEXAS

STANDARDS OF DESIGN AND CONSTRUCTION

City of Rockwall

The New Horizon

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

October 2019

33

City of Rockwall
The New Horizon

TABLE OF CONTENTS

1. GENERAL REQUIREMENTS 1

1.1 Introduction 1
1.2 Standards of Design 1
1.3 Standard Specifications for Construction 2
1.4 Standard Details 2
1.5 Inspection of Construction by City Personnel 2
1.6 Franchise and Public Utilities to be Underground 3
1.7 Submittal to Utility Companies 3
1.8 Requirements of the Final Engineering Drawings 3
1.9 Engineering Plan Approval/Construction Permit Release 3
1.10 Easements and ROW 4
1.11 Final Acceptance 4
1.12 Changes in Standards of Design, Construction Specifications and this Document 5

2. STREETS 6

2.1 General 6
2.2 Street Arrangement 6
2.3 Thoroughfare and Street Geometry 6
2.4 Turn Lanes 11
2.5 Median Openings, Width, Location and Spacing 11
2.6 Driveway Locations 13
2.6.1 Driveways on TxDOT Facilities 13
2.7 Block Lengths 13
2.8 Street Intersections 15
2.9 Relation to Adjoining Streets 15
2.10 Dead End Streets, Cul-de-Sacs and Courts 16
2.11 Alleys and Alley Widths 16
2.12 Street Grades 16
2.13 Pavement Design 19
2.13.1 Subgrade 19
2.13.2 Steel Reinforced Concrete Pavement 19
2.14 Parkways, Grades and Sidewalks 22
2.14.1 Roadway Reconstruction 22
2.15 Driveways/Drive Aisles 23
2.15.1 Residential 23
2.15.2 Multi-Family and Non-Residential 23
2.15.3 Grades 23
2.16 Traffic Information and Control Devices 26
2.16.1 Regulatory Signage 26
2.16.2 Street Name Blades 27
2.16.3 Standard Street Sign Pole and Fixtures 28
2.16.4 Decorative Sign Poles and Fixtures 28
2.16.5 Miscellaneous 30
2.17 Temporary Traffic Control 30
2.18 Street Lighting 32
2.19 Barrier Free Ramps 32

2.20 Off-Street Parking 32
2.21 Traffic Impact Analysis and Mitigation 42
2.21.1 Purpose 42
2.21.2 Determination of Applicability 42
2.21.3 Applicability of TIA Requirements 42
2.21.4 Requirements for TIA Updates 45
2.21.5 Funding Resources 45
2.21.6 Responsibility of TIA Preparation and Review 46
2.21.7 TIA Standards 46
2.21.8 TIA Methodology 48
2.21.9 TIA Report Format 50
2.21.10 Traffic Impact Mitigation 51
2.21.11 Administration of the TIA 52
2.21.12 Cost of TIA Review 52

3. STORM DRAINAGE FACILITIES 53
3.1 Introduction 53
3.2 Storm Drainage Design Criteria 55
3.2.1 Rational Method 55
3.2.1.1 Runoff Coefficient (C) 55
3.2.1.2 Time of Concentration 55
3.2.1.3 Rainfall Intensity (I) 58
3.2.2 Unit Hydrograph Method 60
3.2.3 Design Storm Frequencies 66
3.2.4 Drainage Calculations Summary Tables 66
3.2.5 Flow in Streets 67
3.2.6 Flow in Alleys 67
3.2.7 Permissible Spread of Water (Ponding Width) 68
3.2.7.1 General 68
3.2.7.2 Major and Minor Arterials (P6D & M4D) – Divided 68
3.2.7.3 Collector Streets – (M4U, M3U & Minor Collector) 68
3.2.7.4 Residential Streets 68
3.2.7.5 Alleys 68
3.2.7.6 Parking Lots 69
3.2.8 Inlet Design 69
3.2.8.1 General 69
3.2.8.2 Types of Inlets 69
3.2.8.3 Location 71
3.2.8.4 Curb Inlets On-Grade 72
3.2.8.5 Curb Inlets at Sag/Low Point 78
3.2.9 Drop Inlets / 'Y' Inlet Design 80
3.2.1 Combination and Grate Inlet Design 80
3.2.2 Flow in Storm Drain Conduits and Their Appurtenances 92
3.2.2.1 Hydraulic Gradient of Conduits 92
3.2.2.2 Minor Head Losses 94
3.2.2.3 Minimum Grades 98
3.2.2.4 Maximum Velocities 98
3.2.2.5 Discharge of Storm Drain Pipe 98
3.2.2.6 Manholes 99
3.2.2.7 Lateral Lines 99
3.2.2.8 100-Year Flood Zones 101
3.2.2.9 Local 100-Year Flood Zones 101

3.2.2.10 Floodplain Markers 101
3.2.2.11 Inlet Markers 101
3.2.2.12 Dumpsters 101
3.2.2.13 Fueling Stations 101
3.2.2.14 Testing 101
3.2.3 Storm Sewer Design – Closed Conduit 102
3.2.3.1 General 102
3.2.4 Storm Sewer Design – Open Channels 104
3.2.4.1 General 104
3.2.5 Culvert Design 108
3.2.5.1 General 108
3.2.6 Bridge Design 118
3.2.7 Erosion Hazard Setback 118
3.2.7.1 Definition and Purpose 118
3.2.7.2 Determination 118
3.2.7.3 Non-Permitted Structures 119
3.2.7.4 Modifications 119
3.3 Minimum Freeboard Requirements 121
3.4 Detention 122
3.4.1 Intent 122
3.4.2 Where is Detention Required? 122
3.4.3 Type of Detention Facilities 122
3.4.3.1 Site of ½ Acre or Less 122
3.4.3.2 Site of Greater Than ½ Acre, On-site 122
3.4.3.3 Greater Than ½ Acre, Off-site Shared 123
3.4.3.4 Existing Ponds 124
3.4.4 Geometry, Restrictions and Appurtenances 124
3.4.5 Detention Calculations 126
3.4.5.1 Methodology 126
3.4.5.2 Outfall Structures 129
3.5 Floodplain Studies, Reclamation and Modification 130
3.6 Storm Drainage Management Plan 135
3.6.1 General 135
3.6.2 Site Drainage 135
3.6.3 Subdivision Development 136
3.6.4 Construction Erosion Controls 136
3.6.5 Lot Development 138

4. VEGETATION 140
4.1 General 140
4.2 Coverage 140
4.3 Planting Season 140
4.4 Additional Information 140

5. WATER AND WASTEWATER SYSTEMS 142
5.1 General Requirements 142
5.1.1 System Capacity Studies 142
5.1.2 Connections for Future Adjacent Developments 143
5.1.3 Easements 143
5.1.4 Separation of Water and Wastewater Lines 143
5.1.5 Water and Wastewater Lines within TxDOT Right-of-Way 143

5.1.6 Boring, Jacking and Tunneling 144
5.1.7 Crossings 145
5.1.7.1 Culvert Crossings 145
5.1.7.2 Creek Crossings 145
5.1.7.3 TxDOT Highway Crossing 145
5.1.7.4 Railroad Crossings 145
5.2 WATER SYSTEM 146
5.2.1 General 146
5.2.2 Connections to Existing Distribution System 146
5.2.3 Sizing of Water Mains 147
5.2.4 Water Mains Location/Alignment 149
5.2.5 Depth of Cover 149
5.2.6 Pipe Material and Embedment 149
5.2.7 Valves 149
5.2.7.1 Gate Valves 150
5.2.7.2 Butterfly Valves 150
5.2.7.3 Air Release, Air/Vacuum, and Combination Air Valves 150
5.2.8 Fittings 151
5.2.9 Connection to existing Water Mains 151
5.2.9.1 Tapping Sleeves and Valves 151
5.2.9.2 Cut-In Connection 151
5.2.10 Dead-End Mains 151
5.2.11 Fire Hydrants 152
5.2.12 Water Service Connections 153
5.2.13 Abandonment of Water Mains 154
5.3 WASTEWATER SYSTEM 156
5.3.1 General 156
5.3.2 Ownership and Maintenance 156
5.3.2.1 Ownership 156
5.3.2.2 Maintenance 156
5.3.3 Connections to Existing Wastewater Collection System 157
5.3.4 Design Flow 157
5.3.5 Sizing Wastewater Collection Mains 158
5.3.5.1 General 158
5.3.5.2 Average Daily Flow 158
5.3.5.3 Peak Flow Factor 159
5.3.5.4 Inflow and Infiltration 159
5.3.6 Wastewater Mains 160
5.3.6.1 Pipe Material 160
5.3.6.2 Minimum Grades 160
5.3.6.3 Curved Sewers 161
5.3.7 Wastewater Service Laterals 161
5.3.8 Manholes 162
5.3.8.1 Internal Drop Manholes 162
5.3.8.2 Corrosion Protection 163
5.3.8.3 Watertight Sealed Manholes 163
5.3.8.4 Inflow Prevention 163
5.3.9 Cleanouts 163
5.3.10 Testing 165
5.3.11 Abandoning Existing Wastewater Mains and Manholes 165
5.3.12 Creek Crossings 165
5.3.12.1 Aerial Creek Crossings 166

5.3.12.2 Inverted Siphon 166
5.4 WASTEWATER LIFT STATIONS AND FORCE MAINS 167
5.4.1 General 167
5.4.2 Design Report and Plans 168
5.4.2.1 Report 168
5.4.2.2 Plans 168
5.4.3 Site Selection 169
5.4.4 Site Requirements 169
5.4.4.1 Access 169
5.4.4.2 Security 172
5.4.4.3 Site Interior 173
5.4.5 Wet Well and Valve Vault Design 173
5.4.5.1 Wet Well Design 173
5.4.5.2 Wet Well Volume 174
5.4.5.3 Valve Vault 175
5.4.6 Pumps, Lift Station Piping, and Valves 175
5.4.6.1 Pumps 175
5.4.6.2 Pump Capacity 176
5.4.6.3 Lift Station Piping 176
5.4.6.4 Valves 177
5.4.7 Force Main 178
5.4.7.1 General 178
5.4.7.2 Embedment 178
5.4.8 Control Panel 179
5.4.8.1 General: 179
5.4.8.2 Enclosure: 179
5.4.8.3 Inner Dead Front Door: 179
5.4.8.4 Back Plate: 179
5.4.8.5 Power Distribution: 179
5.4.8.6 Circuit Breakers: 180
5.4.8.7 Motor Starters: 180
5.4.8.8 Transformers: 180
5.4.8.9 Lightning-Transient Protection: 181
5.4.8.10 Phase Monitor: 181
5.4.8.11 Alarm System: 181
5.4.8.12 24 VAC Regulator System: 181
5.4.8.13 Ancillary Equipment: 182
5.4.8.14 Miscellaneous: 183

6. MISCELLANEOUS REQUIREMENTS 185
6.1 Grading 185
6.2 Grading, Fill, Excavation and Earthwork Permit 185
6.3 Private Utility Construction 186
6.3.1 Trench Backfill – City Right-of-Way 186
6.3.2 Parkway Cleanup 187
6.4 Additional Permits or Approvals 187
6.5 Retaining Walls 187
6.6 Maintenance Bonds 188
6.7 Construction 188
6.7.1 Preliminary Site Preparation 188
6.7.2 Inspection Scheduling 190

6.7.3 Vertical Above Slab Construction Permit....191
6.7.4 Disposal of Excess Materials....191
6.7.5 Construction Site Safety....192

7. Special Provisions to the NCTCOG's Standard Specifications for Public Works Construction Standards....193
7.1 Division 100 General Provisions....193
7.2 Division 200 Site Protection & Preparation....203
7.3 Division 300 Roadway Construction....206
7.4 Division 400 Roadway Maintenance & Rehabilitation....215
7.5 Division 500 Underground Construction & Appurtenances....217
7.6 Division 600 Conduit & Appurtenance Rehabilitation....241
7.7 Division 700 Structures....243
7.8 Division 800 Miscellaneous Construction & Materials....245

8. Special Provisions to the NCTCOG's Standard Drawings for Public Works Construction Standards....250
8.1 Division 1000 Erosion and Sediment Control....250
8.2 Division 2000 Pavement Systems....258
8.3 Division 3000 General Underground Conduit....301
8.4 Division 4000 Water Distribution....312
8.5 Division 5000 Wastewater Collection....326
8.6 Division 6000 Storm Water Drainage....345
8.7 Division 7000 Rockwall Miscellaneous Details....362

APPENDIX....365
APPENDIX A – Engineering Plan Review Check List....366
APPENDIX B – Approved Water Materials List....378
APPENDIX C – Approved Wastewater Materials List....382
APPENDIX D – Example Checklist for Final Acceptance (Residential and Commercial)....385

City of Rockwall
The New Horizon

LIST OF FIGURES

Figure 2.1A: Typical Thoroughfare Cross Sections 8
Figure 2.1B: Typical Thoroughfare Cross Sections 9
Figure 2.1C: Typical Thoroughfare Cross Sections 10
Figure 2.2: Median Design Standards 12
Figure 2.3: Minimum Driveway Spacing & Corner Clearance 14
Figure 2.4: Driveway Profiles on an Upgrade 25
Figure 2.5: Driveway Profiles on a Downgrade 25
Figure 2.6a: 90° Parking – Double Row 34
Figure 2.6b: 90° Parking – Single Row 35
Figure 2.7a: 60° Parking – Double Row 36
Figure 2.7b: 60° Parking Single Row 37
Figure 2.8a: 45° Parking - Double Row 38
Figure 2.8b: 45° Parking – Single Row 39
Figure 2.9: Handicap Space Parking 40
Figure 3.1: IDF Curve 59
Figure 3.2: Thoroughfare Gutter Capacity based on Maximum Permissible Ponding Width 70
Figure 3.3: Gutter Cross-Section Diagram 73
Figure 3.4: Curb Inlet Capacity On-Grade Principal & Minor Arterial (P6D & M4D) 75
Figure 3.5: Curb Inlet Capacity On-Grade Major Collector (M4U) 76
Figure 3.6: Curb Inlet Capacity On-Grade Collector 2-Lane w. Continuous Left (M3U) 76
Figure 3.7: Curb Inlet Capacity On-Grade Minor Collector 77
Figure 3.8: Curb Inlet Capacity On-Grade Local (Residential) Street 77
Figure 3.9: Curb Inlet Capacity On-Grade Alley 78
Figure 3.10: Standard Curb Inlet Capacity Sag/Low Point 79
Figure 3.11: Recessed Curb Inlet Capacity Sag/Low Point 79
Figure 3.12: Drop/'Y' Inlet Capacity 80
Figure 3.13: Two Grate Combination Inlet Capacity Curves on Grade 84
Figure 3.14: Four Grate Combination Inlet Capacity Curves on Grade 85
Figure 3.15: Three Grate Inlet and Three Grate Combination Inlet Capacity Curves on Grade 86
Figure 3.16: Two Grate Inlet Capacity Curves on Grade 87
Figure 3.17: Four Grate Inlet Capacity Curves on Grade 88
Figure 3.18: Six Grate Inlet Capacity Curves on Grade 89
Figure 3.19: Grate Inlet Capacity Curves at Low Point 90
Figure 3.20: Combination Inlet Capacity Curves at Low Point 91
Figure 3.21: Capacity of Circular Pipes Flowing Full 93
Figure 3.22: Headwater Depth for Concrete Box Culvert with Inlet Control 112
Figure 3.23: Headwater Depth for Concrete Pipe Culvert with Inlet Control 113
Figure 3.24: Head for Concrete Box Culvert Flowing Full 114
Figure 3.25: Head for Concrete Pipe Culverts Flowing Full 115
Figure 3.26: Critical Depth of Flow for Rectangular Conduits 116
Figure 3.27: Critical Depth of Flow for Circular Conduits 117
Figure 3.28: Erosion Hazard Setbacks and Drainage Easements 120
Figure 5.1: Typical Lift Station Site Layout 171

City of Rockwall
The New Horizon

LIST OF TABLES

Table 2.1 Thoroughfare Geometric Design Standards 7
Table 2.2A: Crest Vertical Curves 17
Table 2.2B: Sag Vertical Curves 18
Table 2.3: Steel Reinforced Concrete Pavement Design 20
Table 2.4: Driveway Grades and Grade Change 24
Table 2.5: Vertical Curve Lengths for Driveways 24
Table 2.6: Criteria for Determining TIA Study Requirements 44
Table 2.7: Criteria for Determining TIA Update Requirements 45
Table 3.1: Drainage Easements – Minimum Width 53
Table 3.2: Runoff Coefficient for Types of Land Use 56
Table 3.3: Minimum Inlet Time of Concentration 56
Table 3.4: Sheet Flow 'n' Values 57
Table 3.5a: Precipitation Frequency Estimates (Inches) for Rockwall, Texas 64
Table 3.5b: NRCS Runoff Curve Numbers (AMC_{II}) for Various Land Use Classifications 65
Table 3.6: Storm Drain Inlets 71
Table 3.7: Entrance Loss Coefficients 95
Table 3.8: Velocity Head Loss Coefficients for Closed Conduits 97
Table 3.9: Minimum Grades for Storm Drain Pipelines 98
Table 3.10: Maximum Velocities in Closed Conduits 98
Form 3.4: Open Channel Calculations Table 105
Table 3.11: Roughness Coefficients for Open Channels and Maximum Velocity 107
Table 3.12: Culvert Discharge Velocities 109
Table 3.13: Minimum Freeboard Requirements 121
Table 5.1: Water & Wastewater Line Easements – Minimum Width 143
Table 5.2: Water Demand Rates 147
Table 5.3: Standard Water Main Sizes 148
Table 5.4: Depth of Cover to Top of Pipe 149
Table 5.5: Standard Wastewater Collection System Pipe Sizes 158
Table 5.6: Wastewater Per Capita and Usage Rates 159
Table 5.7: Pipe Materials for Wastewater Gravity Mains 160
Table 5.8: Minimum Grades for Wastewater Pipelines 161
Table 5.9: Minimum Manhole Sizes 162
Table 5.10: Minimum Pump Cycle Time 175
Table 8.1: Revisions to NCTCOG's Division 100 General Provisions 193
Table 8.2: Revisions to NCTCOG's Division 200 Site Protection & Preparation 203
Table 8.3: Revisions to NCTCOG's Division 300 Roadway Construction 206
Table 8.4: Revisions to NCTCOG's Division 400 Roadway Maintenance & Rehabilitation 215
Table 8.5: Revisions to NCTCOG's Division 500 Underground Construction & Appurtenances 217
Table 8.6: Revisions to NCTCOG's Division 600 Conduit & Appurtenance Rehabilitation 241
Table 8.7: Revisions to NCTCOG's Division 700 Structures 243
Table 8.8: Revisions to NCTCOG's Division 800 Miscellaneous Construction & Materials 245
Table 9.1: Revisions to NCTCOG's Division 1000 Erosion and Sediment Control 250
Table 9.2: Revisions to NCTCOG's Division 2000 Pavement Systems 258
Table 9.3: Revisions to NCTCOG's Division 3000 General Underground Conduit 301
Table 9.4: Revisions to NCTCOG's Division 4000 Water Distribution 312
Table 9.5: Revisions to NCTCOG's Division 5000 Wastewater Collection 326

Table 9.6: Revisions to NCTCOG's Division 6000 Storm Water Drainage 345
Table 9.7: Division 7000 Rockwall Miscellaneous Details 362

LIST OF FORMS

Form 3.1: Drainage Area Calculations Table 66
Form 3.2: Inlet Design Calculations Table 81
Form 3.3: Storm Sewer Calculations Table 102
Form 3.5: Culvert Design Calculations Table 111

City of Rockwall
The New Horizon

1. GENERAL REQUIREMENTS

1.1 Introduction

The "Standards of Design" are generated to implement the provisions of the Subdivision Ordinance and to provide for the orderly, safe, healthy and uniform development of the area within the corporate city limits and within the surrounding City, extraterritorial jurisdiction (ETJ).

The 5th Edition of the NCTCOG Standard Specifications for Public Works Construction dated November 2017 as modified by the City of Rockwall Special Provisions are supplemental and are made a part of these Standards of Design. These documents are to be considered as the minimum requirements of engineering design. The adherence to the requirements of these documents and/or the approval by the City of Rockwall and its agents in no way relieves the developer or their engineer of the responsibility for adequacy of design, which may require more stringent standards than these, the completeness of plans and specifications or the suitability of the completed facilities. In unusual circumstances, the City of Rockwall may determine that designs other than those of the Standards are necessary and will inform the developer of such requirements before final engineering review.

The developer and/or their representative shall obtain authorization from the City of Rockwall, in writing, for any deviations from the requirements set forth in the Standards of Design, Standard Specifications for Construction or Standard Details.

1.2 Standards of Design

The Standards of Design, as adopted by the City of Rockwall, are set forth herein. These standards shall be considered as the minimum requirements, and it shall be the responsibility of the developer to determine if more stringent requirements are necessary for a particular development. It is not intended that the Standards of Design cover all aspects of a development. For those elements omitted, the developer will be expected to provide designs and facilities in accordance with good engineering practice and to cause the facilities to be constructed utilizing first class workmanship and materials. The City Engineer reserves the right to request additional information not covered within these Standards of Design to be included in the design plans by the developer/design engineer in order to validate the intent, safety, constructability, readability and competency of the design plans.

Developer/Engineer must ensure that all design and construction is in accordance with all Federal, State and local regulations and must provide certification on final plans. A copy of all determinations, permits, and approvals

received from Federal, State, and local agencies must be provided to the Engineering Division prior to approval.

Engineering design and plans submitted to the Engineering Division by the developer/design engineer shall be in conformance with the adopted Standards of Design and Construction that are in affect when the 1st submittal is received by the Engineering Division. If subsequent submittals have not been received within one (1) year of the previous submittal, any subsequent submittals must conform to the current adopted Standards of Design and Construction. Approved construction plans will expire within one (1) year of approval date, and must be reviewed and revised to meet the current adopted Standards of Design and Construction.

1.3 Standard Specifications for Construction

The City of Rockwall Special Provisions to the NCTCOG Standard Specifications for Public Works Construction, 5th Edition, November 2017, as adopted by the City of Rockwall is referenced in this document. The Standard Specifications for construction set forth the minimum requirements for materials and workmanship for streets, parking lots, sidewalks, drainage, water and wastewater systems.

1.4 Standard Details

In an effort to have uniformity and to facilitate maintenance, the City has adopted the North Central Texas Council of Governments (NCTCOG) Standard Drawings as modified by the City of Rockwall Special Provisions for certain facilities such as manholes, street sections, sidewalks, water, wastewater, storm water, curb inlets, barrier free ramps, etc. The City of Rockwall Special Provisions can be obtained from the City Engineering Division of the Public Works Department. The NCTCOG Standard Specifications can be obtained from the North Central Texas Council of Governments, Regional Information Center 817-695-9140.

1.5 Inspection of Construction by City Personnel

Inspection of construction and verification of compliance to the plans and specifications shall be conducted by the City of Rockwall staff under the direction of the City Engineer. The facilities included in this inspection requirement are streets, sidewalks, parking lots, alleys, storm drainage facilities, water distribution systems, wastewater collection system, etc. The developer shall advise all of his construction contractors of this requirement. No development will be accepted by the City until all construction has been approved by the City of Rockwall's staff. The developer shall be responsible for any additional expense to the City at a rate established by the City at that time when inspection is done after normal business hours of the City. The date of acceptance will be when all items have been accepted by the City. Twenty months from the date of acceptance the City will determine any failures or defects and repairs will be made by the contractor.

The accepted method of inspection for underground utilities shall be videoed and the City will require a copy of such inspection. The developer or contractor shall be responsible for the cost of the videoed inspection.

1.6 Franchise and Public Utilities to be Underground

All franchise and public utilities within a residential development shall be placed underground. Utilities are defined for this purpose as water pipelines, wastewater pipelines, storm water pipelines, natural gas pipelines, telephone wires, cable TV wires and electric wires. In case of special or unique circumstances, the City may grant variances or exceptions to this requirement. Any request for variance or exception should be submitted in writing to the City of Rockwall setting forth the justification for an exception. The granting of a variance or exception by the City will be in writing. No work will be accepted without written approval from the City Engineer or in the case of franchise utilities, the Planning Director. Commercial developments may have overhead utilities as approved by the City Council.

1.7 Submittal to Utility Companies

The developer shall be responsible for submittal of information needed to design private utilities for the development. This information shall be submitted to the franchise (gas, electric, phone, and cable) companies. Written confirmation from the franchise companies shall be submitted to the Engineering Department, verifying that the affected utility companies have installed their respective utilities prior to engineering acceptance of project.

1.8 Requirements of the Final Engineering Drawings

The final engineering drawings shall conform to the established “Engineering Drawings Requirements” and these Standards of Design. The Engineering Drawings Requirements can be found the Appendix.

The final engineering drawings will consist of drawings showing all information necessary to completely review the engineering design of improvements proposed for or affected by the site and sealed by a Registered Professional Engineer within the State of Texas.

1.9 Engineering Plan Approval/Construction Permit Release

All review fees (plan, flood study, TIA, Lift station, etc.) shall be paid prior to engineering construction permit release and submittal of building permit.

1.10 Easements and ROW

All easements and right-of-way required for construction of a proposed project must be approved and accepted for filing prior to the approval or release of the final design/construction drawings.

A. Requirements for On-Site Easements and Right-of-Way Dedication to the City:
   1. All easements and right-of-way shall be dedicated on a plat. No separate instruments will be allowed.
   2. No structures (buildings, walls, fences, decks, swimming pools, signage/monuments, etc.) are allowed in or over any easements or right-of-ways. No trees shall be planted within 10' of any public water or sewer line 10" in diameter or larger. No trees shall be planted within 5' of any public water and sewer line less than 10" in diameter. No trees shall be planted within 5' of any public storm system.
   3. All drainage and detention easements shall be maintained, repaired, and replaced by the property owner. This statement is to be noted on the plat.
   4. No public utilities allowed in detention easements.
   5. All right-of-ways shall have a minimum 10' utility easement dedicated adjacent to them.
   6. Easement dimensions and other special requirements can be found in the utility's respective section of these Standards.

B. Requirements for Off-Site Easements Dedicated to the City:
   1. All easement and right-of-way documents shall be written by the City.
   2. Owner/Developer shall furnish the City a current title report and, metes and bounds description, and exhibit that is signed and sealed by a Texas Registered Professional Land Surveyor that shows the easements' or right-of-way, location, and current ownership information.
   3. All easements shall be reviewed and approved by the City prior to releasing the documents for signatures by the property owners.
   4. The individual or entity requesting the easement shall pay all filing fees required by the County.
   5. The individual or entity shall return, to the City, all originally signed documents and a check for filing fees made out to Rockwall County for filing.
   6. All filing information for all easements must be shown on all plats.
   7. After recordation, a copy of the filed document will be forwarded to the property owner.

1.11 Final Acceptance

Final Acceptance shall occur when all the items on the Checklist for Final Acceptance have been completed and signed-off by the City. An example of the

checklist for final acceptance has been included in the Appendix. Items on the checklist for final acceptance will vary per project and additional items not shown on the check list may be required. After improvements have been constructed, the developer shall be responsible for providing to the City "As Built" or "Record Drawings". The Design Engineer shall furnish all digital files of the project formatted in Auto Cad 14, or 2000 format or newer **and** Adobe Acrobat (.pdf) format with a CD-ROM disk or flash drive. The disk or drive shall include a full set of plans along with any landscaping, wall plans, and details sheets.

Submit 1-set of printed drawings of the "Record Drawings" containing copies of all sheets. The printed sheets will be reviewed by the construction inspector **PRIOR** to producing the "Record Drawing" digital files on disk or flash drive. This will allow any revisions to be addressed prior to producing the digital files.

Record Drawing Disk drawings shall have the Design Engineers seal, signature and must be stamped and dated as "Record Drawings" or "As Built Drawings" on all sheets.

The City of Rockwall will not accept any Record Drawing disk drawings which include a disclaimer with the like or similar verbiage. A disclaimer shall not directly or indirectly state or indicate that the design engineer or the design engineer's surveyor/surveyors did not verify grades after construction, or that the Record Drawings were based solely on information provided by the construction contractor/contractors. Any Record Drawings which include like or similar disclaimer verbiage will not be accepted by the City of Rockwall.

Example of Acceptable Disclaimer:

To the best of our knowledge ABC Engineering, Inc., hereby states that this plan is As-Built. This information provided is based on surveying at the site and information provided by the contractor.

1.12 Changes in Standards of Design, Construction Specifications and this Document

These Standards of Design, Construction Specifications and this document can be modified by City Council through ordinance or resolution. This document can also be updated time to time to reflect changes in City requirements. It is the responsibility of the user to obtain the latest revisions of the City's requirements.

2. STREETS

2.1 General

The street system, including the street layout, shall be in accordance with generally accepted engineering practices and in compliance with the Comprehensive Plan, the latest Thoroughfare Plan, the Zoning Ordinances, the Subdivision Regulations and other applicable regulations. The drainage system, as incorporated into the street system, shall comply with Section 3 of this document. The plans and specifications, design computations, if required, and other applicable data shall be submitted to the City for review. Construction shall not commence prior to approval of the plans and specifications by the City. All changes during construction shall be submitted to the Engineering Division for approval prior to any construction modifications.

2.2 Street Arrangement

Unless otherwise approved by the City, provisions shall be made for the extension of existing major arterials, collector streets and local streets in accordance with the Thoroughfare Plan and any specific street alignments as adopted by the City Council.

Off-center intersections will be considered for approval only for minor collector and local streets and only when there is a minimum property line separation of 125’ unless otherwise approved by the City Engineer.

Within residential areas, the following design elements are encouraged: (A) Developing only a limited number of access points to arterial streets bordering the subdivision; (B) More than one point of access; (C) Incorporate curvilinear streets into the plan and (D) Incorporating a discontinuous residential street network, which utilizes three-way intersections in lieu of four-way intersections. When these factors are incorporated into a residential street plan, the result is enhanced character and traffic safety.

2.3 Thoroughfare and Street Geometry

Geometric design standards are presented in two formats within this section. Table 2.1 identifies specific design criteria for each standard roadway type. Figure 2.1A and 2.1B shows the typical cross-section for each standard roadway type. It is noted that dimensions shown are to the face of curb, unless specifically identified otherwise.

Each roadway type is keyed to the City Thoroughfare Plan, with the exception of local streets. The reader is referred to this document for information as to the locations where these roadways are to be used.

City of Rockwall
The New Horizon

Table 2.1 Thoroughfare Geometric Design Standards

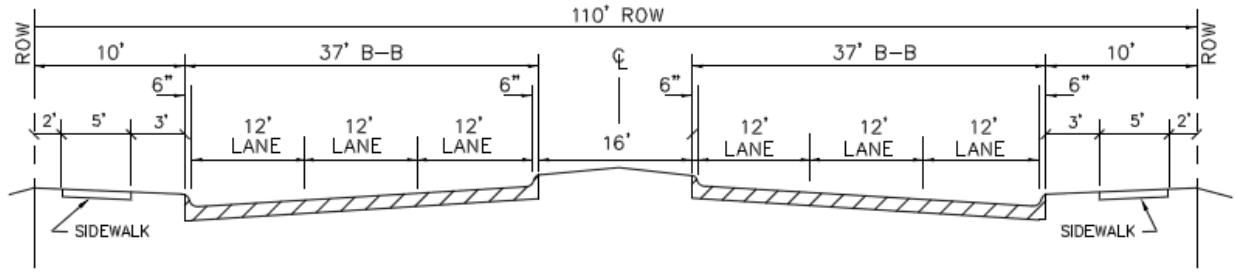
Thoroughfare Designation	P6D	M4D	M4U	Minor Collector	M3U		
Thoroughfare Type	Principal Arterial Divided 6-Lane	Minor Arterial Divided 4-Lane	Major Collector Undivided 4-Lane	Minor Collector/ Local Commercial Undivided	Minor Collector w/ Continuous Left Turn Lane	Local (Residen -tial)	Alley
Number Traffic Lanes	6	4	4	2	2	2	1
Minimum Lane Width (feet)	12	12	11	11 + 2 Parking	12	14.5	12
Minimum R.O.W. * Width (feet)	110	85	65	60	70	50	20
Design speed (m.p.h.)	45	40	35	30	30	30	20
Posted Speed (m.p.h.)	40	35	30	25	30		
Stopping sight distance (feet)	400	325	275	200	200	200	125
Median Width ** (feet)	16	14	—	—	Left Turn Lane Width 14’	—	—
Minimum Lateral Clearance (feet)	6	6	6	6	6	—	—
Parking Permitted	NO	NO	NO	COM.-SOME RES.-YES	NO	RES.-YES	NO
Minimum Horizontal Centerline Curvature (feet)	1200	850	Com.-700 Res.-600	Com.-500 Res.-350	Com.-500 Res.-350	Res.-250 Elbow - 50’	See Details
Crest Vertical Curve Minimum K Value	120	80	50	30	30	30	10
Sag Vertical Curve Minimum K Value	90	70	50	40	40	40	20
Maximum Grade (%)	7.5 (For max length of 200’)	7.5 (For max length of 200’)	7.5	7.5	7.5	10.0	10.0
Minimum Grade (%)	0.7	0.7	0.7	0.7	0.7	0.7	0.7

* **RIGHT-OF-WAY REQUIREMENTS FOR STATE HIGHWAYS AND/OR THE PROVISION OF RIGHT TURN LANES OR OTHER INTERSECTION IMPROVEMENTS MAY EXCEED THIS MINIMUM R.O.W. STANDARD.**

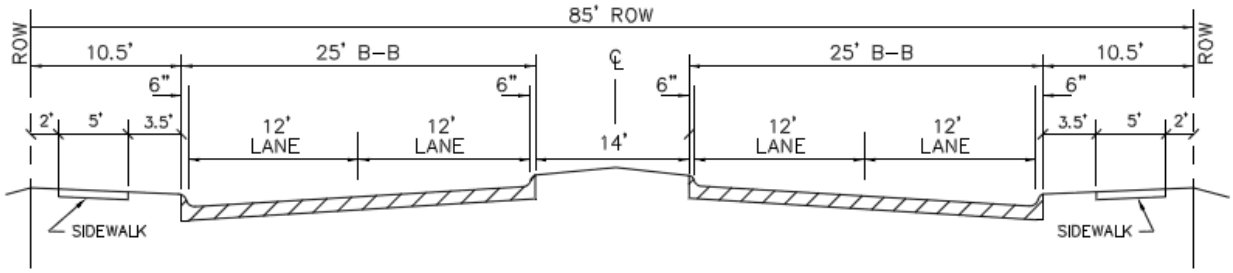
** **LARGER MEDIANS MAY BE REQUIRED TO PROVIDE FOR MULTIPLE TURN LANES.**

*** **LOCAL RESIDENTIAL CUL-DE-SACS SHALL HAVE A MINIMUM R.O.W. RADIUS OF FIFTY-SEVEN AND HALF FEET (57.5’).**

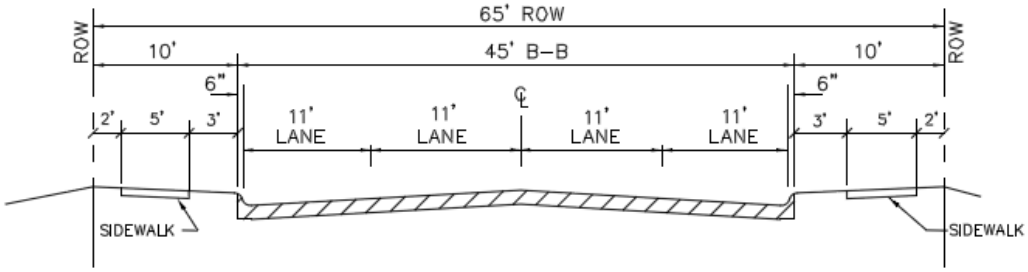
**** **CROSS-SLOPE VARIANCE NEEDS APPROVAL FROM CITY ENGINEER.**



PRINCIPAL ARTERIAL DIVIDED 6-LANE
P6D

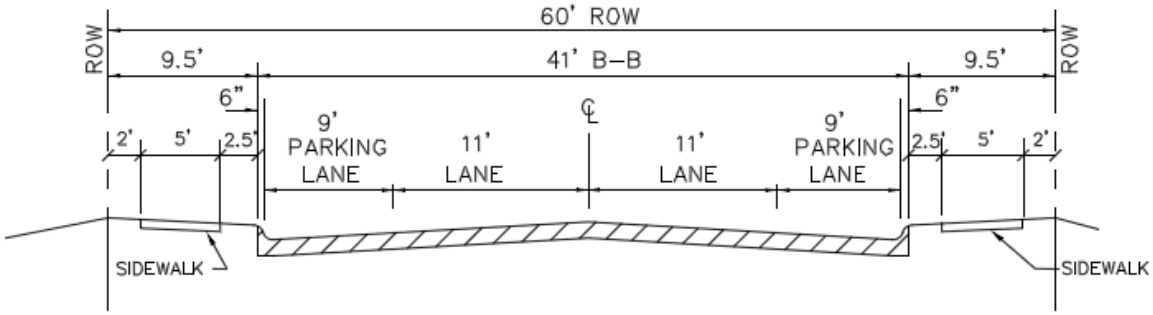


MINOR ARTERIAL DIVIDED 4-LANE
M4D

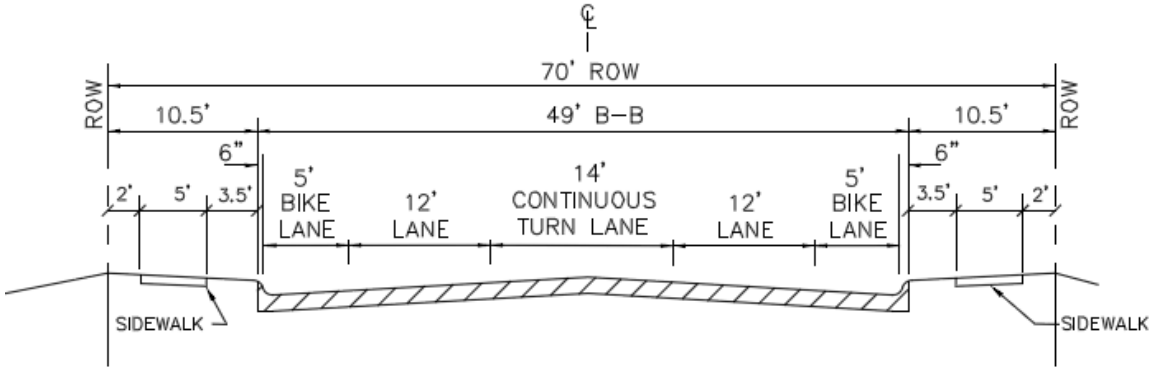


MAJOR UNDIVIDED COLLECTOR 4-LANE
M4U

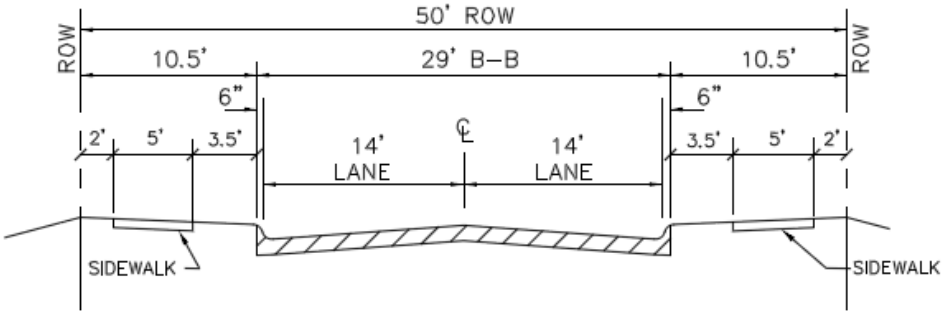
Figure 2.1A: Typical Thoroughfare Cross Sections



MINOR COLLECTOR AND/OR LOCAL COMMERCIAL UNDIVIDED

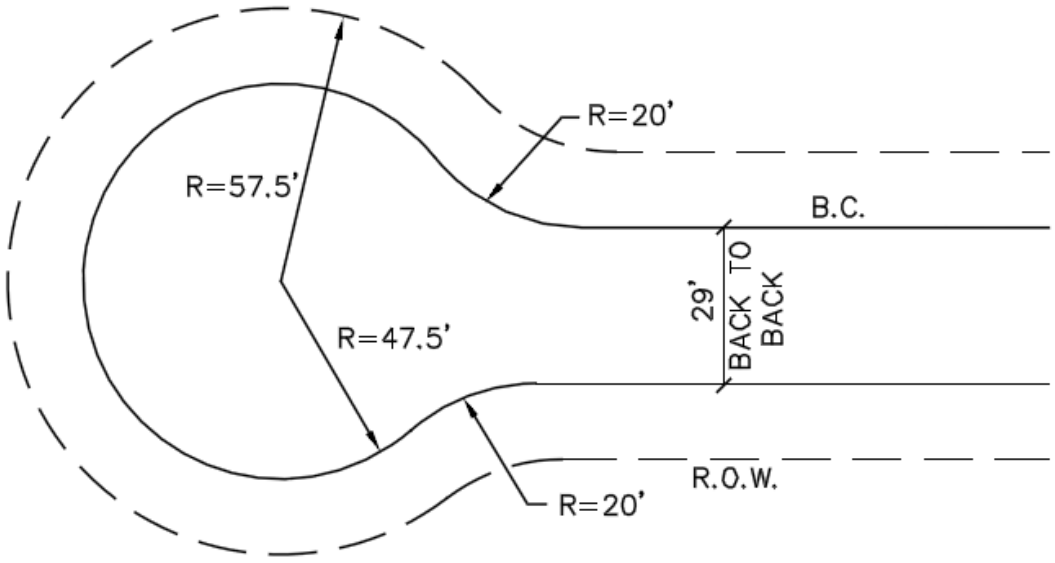


MINOR COLLECTOR – 2 LANE WITH CONTINUOUS LEFT TURN LANE
M3U

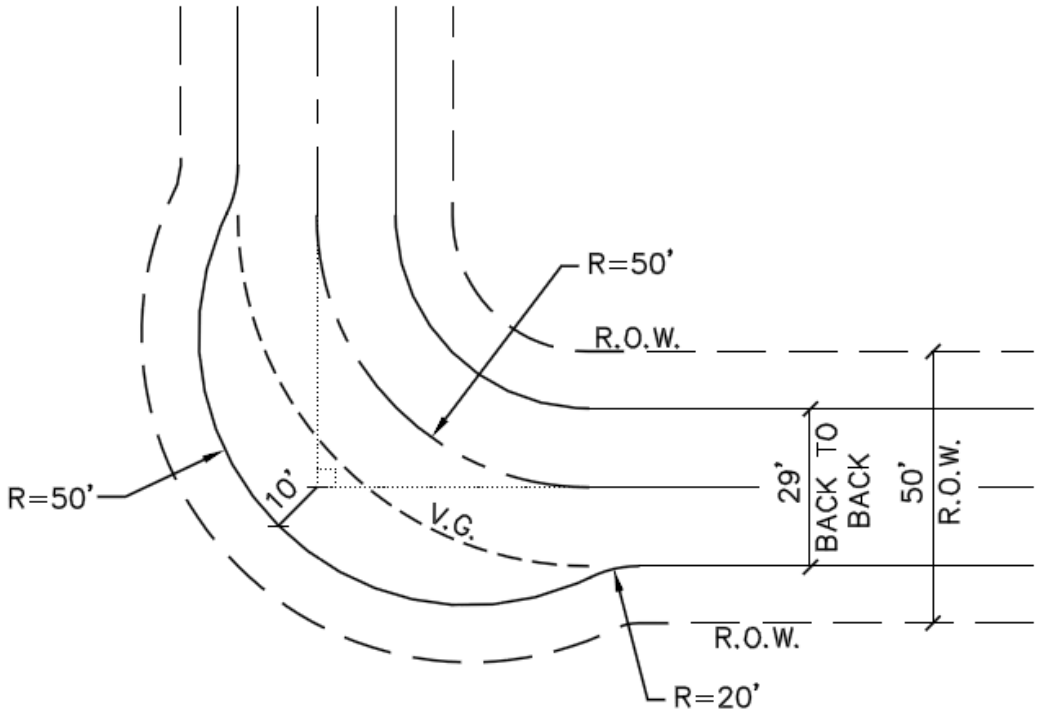


LOCAL (RESIDENTIAL STREET)

Figure 2.1B: Typical Thoroughfare Cross Sections



TYPICAL CUL-DE-SAC



TYPICAL EYEBROW

Figure 2.1C: Typical Thoroughfare Cross Sections

2.4 Turn Lanes

All left turn storage areas shall be eleven (11) feet wide with minimum storage requirements for left-turn lanes as in Figure 2.2. The transition curves used in left-turn lanes shall be two (2), 250-foot radius reverse curves with a total transition length of 100 feet. Medians less than seven (7') feet wide (face to face) are required to be constructed of reinforced integral stained and stamped color concrete a minimum of six (6") inch thick median pavement. All median noses are to be constructed of City approved integral stained and stamped color concrete. The color and pattern to be approved by the City. The paver system shall be installed a distance of ten (10') feet from the end of the nose.

2.5 Median Openings, Width, Location and Spacing

Arterial thoroughfares in Rockwall have raised medians. Arterials having continuous two-way left turn lanes are discouraged and may be utilized only in special circumstances with the approval of the City Council.

Median openings at intersections shall be from right-of-way to right-of-way of the intersecting street, unless otherwise approved by the City Engineer.

The width of mid-block median openings shall not be less than 60 feet, but no greater than 70 feet.

Using the above requirements, examples of the minimum distance between median openings on a divided street where left-turn storage is provided in both directions are:

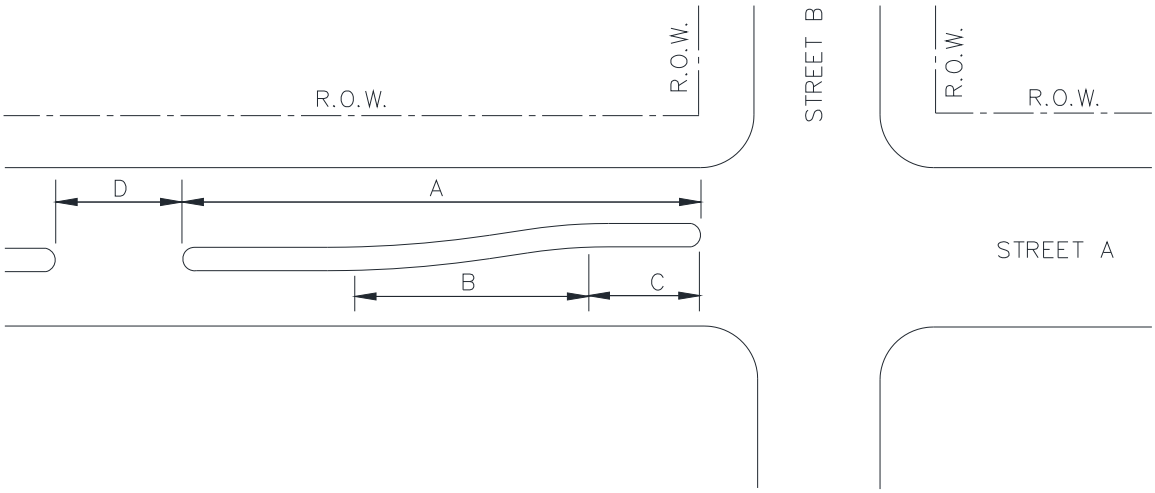
A. 310 feet from nose to nose of the median from the intersection of two major thoroughfares to a street or drive (see Figure 2.2);

B. 260 feet from nose to nose of the median from the intersection of two secondary thoroughfares or a secondary thoroughfare and a major thoroughfare to a residential street or a drive, and;

C. 220 feet from nose to nose of the median for intersection combinations of drives and/or residential streets.

Medians less than seven (7') feet wide are required to be constructed of a City approved paver or stamped concrete system. All median noses are to be constructed of City approved paver or stamped concrete system, a distance of ten (10') feet from the end of the nose. Any median that has landscaping requires a mow ramp to be installed for access. Noses shall be a solid poured steel reinforced concrete bullet nose.

Figure 2.2: Median Design Standards



INTERSECTING STREET TYPE		MINIMUM LENGTH (FEET)			
STREET A	STREET B	A	B	C*	D**
Principal Arterial (6 Lanes)	Principal Arterial (6 Lanes)	310	100	150	60
Principal Arterial (6 Lanes)	Minor Arterial (4 Lanes)	260	100	100	60
Principal Arterial (6 Lanes)	Major Collector (4 Lanes) Minor Collector (2 Lanes)	260	100	100	60
Principal Arterial (6 Lanes)	Local/Private (2 Lanes)	220	100	60	60
Minor Arterial (4 Lanes)	Principal Arterial (6 Lanes)	310	100	150	60
Minor Arterial (4 Lanes)	Minor Arterial (4 Lanes)	260	100	100	60
Minor Arterial (4 Lanes)	Major Collector (4 Lanes) Minor Collector (2 Lanes)	260	100	100	60
Minor Arterial (4 Lanes)	Local/Private	220	100	60	60

LEFT-TURN STORAGE AREA WIDTH 11' MINIMUM

MEDIAN WIDTH (SEE GEOMETRIC DESIGN STANDARD FOR PRINCIPAL AND MINOR ARTERIAL).

***MINIMUM LENGTH – ACTUAL LENGTH DEPENDENT UPON ANTICIPATED TURN VOLUME**

** **OR STREET WIDTH + 8 FEET – WHICHEVER IS GREATER. A VARIANCE MAYBE GRANTED BY CITY COUNCIL ON A CASE BY CASE BASIS.**

2.6 Driveway Locations

Minimum standards for driveway separation accessing the same site are shown in Figure 2.3. This standard applies to all non-residential uses.

There is a minimum distance upstream and downstream from adjacent intersections within which driveways should not be located. This separation distance varies with the classification of street and is shown in Figure 2.3. This standard applies to all non-residential users.

At mid-block access points, there is a minimum distance from a median nose, within which driveways should not be located. This is shown in Figure 2.3 and is equally applicable along both major and minor arterials for non-residential uses. All proposed paving connections to existing paving requires a longitudinal butt joint connection.

2.6.1 Driveways on TxDOT Facilities

Driveways on TxDOT Facilities shall be placed in accordance to City Standards set forth in this section and the requirements of the current TxDOT's Access Management Manual and require TxDOT Driveway Permit approval. TxDOT Driveway Permits shall be processed through the Engineering Division. TxDOT Permit Plan sets shall be 11"x17" in size and signed and sealed by a licensed professional engineer with the State of Texas. Permit plan sets shall include: Typical Sections, Paving Plan and Profile, all applicable TxDOT Standard Details, Traffic Control Plans Sheets, Striping Plans, Demo Plans, Drainage Plans (Drainage Area Map, Storm Sewer Plans and Profiles, Culvert Plans and Profiles), and any other items required by TxDOT or City Engineer to construct the driveway. A Traffic Impact Analysis shall be submitted to the Engineering Division with all TxDOT Driveway Permits.

2.7 Block Lengths

In general, streets shall be provided at such intervals as to serve cross traffic adequately and to intersect with existing streets. Where no existing plats control, the blocks shall be not more than 1,600 feet in length. Block arrangements must provide access to all lots, and in no case, shall a block interfere with traffic circulation.

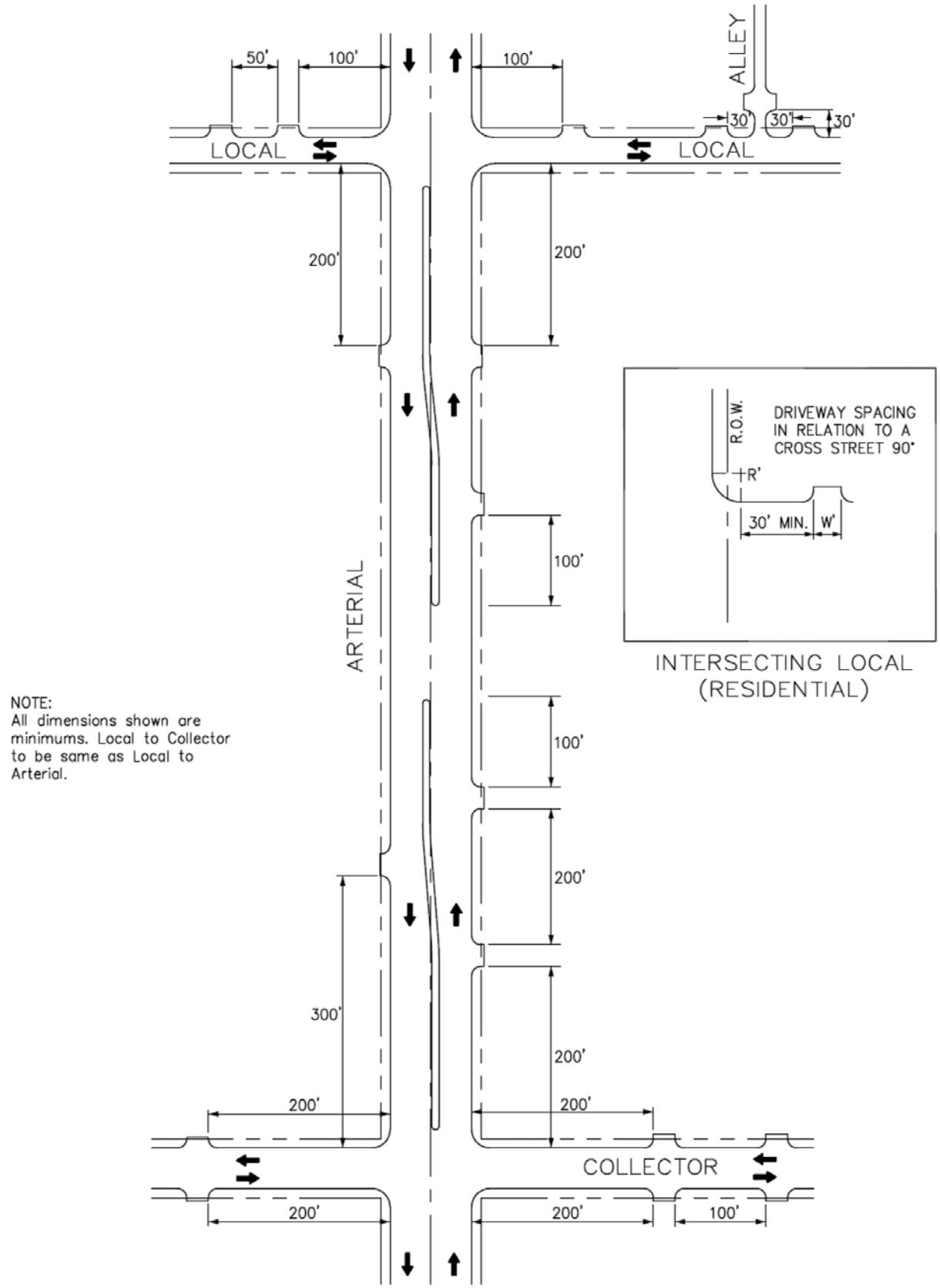


Figure 2.3: Minimum Driveway Spacing & Corner Clearance

2.8 Street Intersections

More than two streets intersecting at one point shall be avoided. All streets and thoroughfares should intersect other streets and thoroughfares at an angle of ninety (90) degrees unless otherwise approved by the City Engineer.

Arterial and collector street intersections shall have property line corner clips with a minimum tangent distance of thirty (30) feet. Residential streets shall not normally be required to have a ROW corner clip at their intersection with other streets or thoroughfares, but a 10-foot by 10-foot sidewalk corner easement will be required.

Visibility easements will be required for all ninety (90°) degree intersections. For all intersections that are not ninety (90°) degrees, an engineered visibility easement is required by the design engineer.

A. Arterial/Collector street intersections - thirty (30) foot by thirty (30) foot easement
B. Residential street intersections - twenty (20) foot by twenty (20) foot easement
C. Alley to street intersections - ten (10) foot by ten (10) foot easement

Curb radii at intersections shall have a minimum radius of thirty (30) feet along arterials, twenty-five (25) feet along collectors and twenty (20) feet along residential streets.

In any case where streets intersect at an angle of other than ninety (90) degrees, the City may require non-standard right-of-way corner clips and curb return radii.

All proposed paving connections to existing paving requires a longitudinal butt joint connection.

2.9 Relation to Adjoining Streets

The system of streets designed for the development, except in unusual cases, must connect with streets already dedicated in adjacent developments. Where no adjacent connections are platted, the streets must be the reasonable projection of streets in the nearest subdivided tracts and must be continued to the boundaries of the tract development, so that other developments may eventually connect with the proposed development. Strips of land controlling access to or egress from other property or any street or alley or having the effect of restricting or damaging the adjoining property for development or subdivision purposes or which will not be taxable or accessible for special improvements shall not be permitted in any development unless such reserve strips are conveyed to the City on fee simple. This determination is made by the City

Planning Director or City Engineer. When such access is needed to maintain permanent City owned utilities, the roadway will be an improved right-of-way. If the utilities are temporary, an improved easement may be approved.

2.10 Dead End Streets, Cul-de-Sacs and Courts

Cul-de-sacs are permitted and encouraged within residential subdivisions. Use of this design shall provide proper access to all lots and shall not exceed six hundred (600) feet in length, measured from the center of the cul-de-sac to the center of the intersecting street (not a dead end street). Cul-de-sac shall have a minimum paving radius of forty-seven and half (47 ½) feet and a minimum right-of-way radius of fifty-seven and half (57 ½) feet. Specific aspects of the standard cul-de-sac design are given in Figure 2.1C. In lieu of the typical design shown, the City may approve alternative concepts for a specific application.

2.11 Alleys and Alley Widths

Alleys shall be provided in all residential areas and shall be paved with steel reinforced concrete. No alley may be over 1,000 feet long. The City Council may waive the residential alley requirement, if it is in the best interest of the City. Alleys may be required in commercial and industrial districts. The City may waive this requirement where other definite and assured provisions are made for service access such as off-street loading, unloading and parking consistent with and adequate for the uses proposed. The minimum right-of-way width of an alley shall be twenty (20) feet. Dead-end alleys shall not be permitted. The City may waive this requirement where such dead-end alleys are unavoidable and where adequate turnaround facilities have been provided. Adequate provisions shall be made at all intersections in order that equipment, such as garbage collection vehicles and maintenance vehicles, can maneuver the corners. The interior edge of the pavement, at the corners, shall have a minimum radius of thirty (30) feet. The exterior edge of the pavement, at the corners, shall have a minimum radius of twenty (20) feet. The alley paving is to be flared at the street intersection. The right-of-way limits shall be expanded, if necessary, beyond the minimum requirement in order to include all of the paved section and utilities within the right-of-way of the alley. Alley turnouts shall be paved to the property line and shall be fifteen (15) feet wide at that point. All alleys shall have a minimum of twelve (12) feet of steel reinforced paved concrete roadway. Alley shall have a minimum thickness of seven (7) inches on the exterior edges and five (5) inches in the center sections.

2.12 Street Grades

Arterial streets may have a maximum grade of seven and one-half (7 ½) percent, for a maximum continuous distance of two hundred (200) feet. Collector streets may have a maximum grade of seven and one-half (7 ½) percent. Residential streets may have a maximum grade of ten (10) percent, unless otherwise

approved by the City, where the natural topography is such as to require steeper grades. All streets must have a minimum grade of at least seven-tenths (0.7) of one (1) percent. Centerline grade changes with an algebraic difference of more than one (1) percent shall be connected with vertical curves in compliance with the minimum length requirements set forth in Table 2.2.

Table 2.2A: Crest Vertical Curves

Design Speed (MPH)	Coeff. of Friction (a)	Stopping Sight Dist. (Ft.)	Stopping Sight Dist. Rounded for Design (Ft.)	K	K Rounded for Design
15	0.42	72.98	75	4.01	5
20	0.40	106.83	125	8.59	10
25	0.38	146.70	150	16.19	20
30	0.36	193.58	200	28.20	30
35	0.34	248.72	250	46.55	50
40	0.32	313.67	325	74.03	80
45	0.31	383.12	400	110.44	120

(a) AASHTO, p. 316

ROUNDED
MINIMUM LENGTH OF VERTICAL CURVE IN FEET
For Speeds and K Values Shown Below
(L = KA)

Algebraic Grade Diff. (%) (A)	MPH	15	20	25	30	35	40	45
	K	5	10	20	30	50	80	120
1		5	10	20	30	50	80	120
2		10	20	40	60	100	160	240
3		15	30	60	90	150	240	360
4		20	40	80	120	200	320	480
5		25	50	100	150	250	400	600
6		30	60	120	180	300	480	720
7		35	70	140	210	350	560	840
8		40	80	160	240	400	640	960
9		45	90	180	270	450	720	1080
10		50	100	200	300	500	800	1200
11		55	110	220	330	550	880	1320
12		60	120	240	360	600	960	1440
13		65	130	260	390	650	1040	1560
14		70	140	280	420	700	1120	1680
15		75	150	300	450	750	1200	1800

City of Rockwall
The New Horizon

Table 2.2B: Sag Vertical Curves

Design Speed (MPH)	Coeff. of Friction (a)	Stopping Sight Dist. (Ft.)	Stopping Sight Dist. Rounded for Design (Ft.)	K	K Rounded for Design
15	0.42	72.98	75	8.13	10
20	0.40	106.83	125	14.75	20
25	0.38	146.70	150	23.56	30
30	0.36	193.58	200	34.78	40
35	0.34	248.72	250	48.69	50
40	0.32	313.67	325	65.69	70
45	0.31	383.12	400	84.31	90

(a) AASHTO, p. 316
(b) AASHTO. p. 312

ROUNDED
MINIMUM LENGTH OF VERTICAL CURVE IN FEET
For Speeds and K Values Shown Below
(L = KA)

Algebraic Grade Diff. (%) (A)	MPH	15	20	25	30	35	40	45
	K	10	20	30	40	50	70	90
1		10	20	30	40	50	70	90
2		20	40	60	80	100	140	180
3		30	60	90	120	150	210	270
4		40	80	120	160	200	280	360
5		50	100	150	200	250	350	450
6		60	120	180	240	300	420	540
7		70	140	210	280	350	490	630
8		80	160	240	320	400	560	720
9		90	180	270	360	450	630	810
10		100	200	300	400	500	700	900
11		110	220	330	440	550	770	990
12		120	240	360	480	600	840	1080
13		130	260	390	520	650	910	1170
14		140	280	420	560	700	980	1260
15		150	300	450	600	750	1050	1350

2.13 Pavement Design

Traffic projections for next 30 years, engineered paving designs, and sub-grade conditions are required for the pavement design section determinations of all collector and arterial streets.

2.13.1 Subgrade

Subgrades shall be compacted and finished to a smooth uniform surface. Subgrades of native material which have a Plasticity Index (P.I.) of fifteen (15) or more shall be lime stabilized to a minimum depth of six (6) inches. The lime stabilization shall be used for the full width of the street, back of curb to back of curb, plus twelve (12) inches on outside of the curb. The minimum lime content shall be six (6) percent of the dry weight of the material (at least 27 lbs. per square yard). Lime stabilization or concrete stabilization may be required for soils showing a P.I. of 15 or less. Type of stabilization and paving design will be determined prior to pavement construction by a certified geotechnical testing lab. The subgrade materials will be tested in accordance to the Standard Specifications for Construction, unless otherwise approved by the City. In general, the soils testing will include the testing of Atterburg limits and testing of sulfates to determine if lime stabilization is infeasible. Laboratory tests must be submitted to the Engineering Division for approval to determine amount of lime required. Subgrades should be compacted to ninety-five (95) percent standard densities. No sand is allowed under any paving.

2.13.2 Steel Reinforced Concrete Pavement

All pavement shall be steel reinforced size and spacing shall conform to Table 2.3 below. All non-structural cracks in paving shall be routed and sealed as determined by the City. All reinforcing steel placed within the public right-of-way shall be grade 60 steel and comply with Texas Department of Transportation specifications.

Fly ash may be used in concrete pavement locations provided that the maximum cement reduction does not exceed 20% by weight per cubic yard of concrete. The fly ash replacement shall be 1.25 pounds per 1.0 pound of cement reduction.

At a minimum all concrete pavement shall conform to Table 2.3.

Table 2.3: Steel Reinforced Concrete Pavement Design

Street/Pavement Type	Minimum Thick-ness (inches)	Strength 28-Day (psi)	Minimum Cement (sacks / CY)		Steel Reinforcement	
			Machine placed	Hand Placed	Bar #	Spacing (O.C.E.W.)
Arterial *	10”	3,600	6.0	6.5	#4 bars”	18”
Collector *	8”	3,600	6.0	6.5	#4 bars	18”
Residential	6”	3,600	6.0	6.5	#3 bars	24”
Alley	7”-5”-7”	3,600	6.0	6.5	#3 bars	24”
Fire Lane	6”	3,600	6.0	6.5	#3 bars	24”
Driveways	6”	3,600	6.0	6.5	#3 bars	24”
Barrier Free Ramps	6”	3,600	N/A	6.5	#3 bars	24”
Sidewalks	4”	3,000	N/A	5.5	#3 bars	24”
Parking Lot/Drive Aisles	5”	3,000	5.0	5.5	#3 bars	24”
Dumpster Pads	7”	3,600	6.0	6.5	#3 bars	24”

* Paving section designs for arterials and collectors shall be based off 30 year projected traffic volumes and geotechnical analysis/report. (Paving section design shall include but not limited to the following: pavement thickness, reinforcing size and spacing, pavement strength, subgrade thickness, subgrade treatment type (lime or cement))

Concrete batch designs for all paving, sidewalks, and sewer/storm structures are to be reviewed and approved by the Engineering Division. All batch designs shall be submitted with history of recent cylinder breaks for each separate strength requirement (machine placement and hand placed). All batch designs shall have the current date, project name, and use labeled on each design. Submit batch designs to the Engineering Division a minimum of ten (10) days prior to the projected placement date for review and approval.

During construction the contractor shall furnish the following at his own expense:

- Batch plant control from a qualified commercial laboratory. Laboratory personnel shall be competent to determine free moisture in aggregates and make needed adjustments in control of the mix and slump.

- Prepare a minimum four compression cylinders for each 150 cubic yards of concrete or fraction thereof, with one cylinder break at 7 days, one at 14 days, and a minimum of two cylinders broken at 28 days. Note* No averaging on cylinder breaks.

- Testing labs are to submit copies of any and all concrete cylinder breaks that do not meet 28 day break specifications. Cores are to be taken within ten (10) days of any 28 day cylinder break failures.

- Test data and copies of all laboratory reports for site work are to be directed to the attention of the designated engineering construction inspector that is assigned to the project.

The City of Rockwall may suspend concreting operations if the quality of the concrete being placed is not acceptable or due to adverse climate conditions. Concrete placement shall cease if the concrete temperature meets or exceeds ninety-five (95) degree Fahrenheit. If in the opinion of the owner or the City of Rockwall concrete placement operations shall cease a combination of temperature, wind, and humidity create conditions which are adversely affecting the condition of the concrete. Concrete placement shall also cease if concrete temperature is below forty (40) degrees Fahrenheit and falling. Except by specific written authorization of the owner/City of Rockwall, no concrete shall be placed when the air temperature is less than forty (40) degrees Fahrenheit and falling but may be placed when the air temperature is above thirty-five (35) degrees Fahrenheit and rising, "Pending No Freezing Weather is Imminent" with the temperature being taken in the shade away from artificial heat. When and if such permission is granted, the contractor shall furnish sufficient protective material and devices to enclose and protect the fresh concrete in such a way as to maintain the temperature of fifty (50) degree Fahrenheit for a period of at least five (5) days. No concrete shall be placed on frozen subgrades. If in the opinion of the owner or the City of Rockwall concrete operations shall cease if a combination of temperature, wind, and humidity create conditions which are adversely affecting the condition of the concrete, then concrete placement shall cease. It is to be distinctly understood that the contractor is responsible for the quality and strength of the concrete placed under any weather conditions.
Maximum time intervals between the addition of mixing water and/or cement to the batch, and the placing of concrete in the forms shall not exceed the following:

Air or Concrete Temperature Which Ever is Higher	Maximum Time From Addition Of Water To Placement
Non-Agitated Concrete	
Up to 80° F	30 Minutes
Above 80° F	15 Minutes
Agitated Concrete	
Up to 75° F	90 Minutes
75° to 89° F	60 Minutes
Over 89° F	45 Minutes

The use of an approved set-retarding admixture will permit the extension of the above time maximums, by thirty (30) minutes for agitated concrete only.

2.14 Parkways, Grades and Sidewalks

All parkways shall be constructed to conform to top of curb grades with a standard transverse slope of one-quarter (1/4) inch per foot rise from top of curb to right-of-way. All City right-of-way shall be sodded if disturbed.

Where the natural topography is such as to require steeper grades, transverse slopes (except for sidewalk) up to three-quarter (¾) inch per foot may be used with approval of the City of Rockwall.

Sidewalks shall be provided for all residential streets in subdivisions zoned for one or two family dwellings and on all streets designated on the adopted Master Thoroughfare Plan. Barrier free ramps and sidewalks along screening walls, landscaped areas, trails, parks, open space, greenbelts, and/or drainage ways, shall be installed by the Developer with street construction and the sidewalks in front of residential lots shall be installed by the home builder. The City may require sidewalks in other locations. Sidewalks shall be five (5) feet in width and shall have two (2) feet of green space between the Right of Way line and the outside edge of sidewalk. Sidewalks shall be located wholly within the street Right of Way, sidewalk corner clip easement, or road easement. If a fire hydrant is too close to the sidewalk, swerve sidewalk toward the right-of-way line to maintain five (5) feet clear path. If sidewalk has to be built outside the right-of-way, a sidewalk easement is required. This requirement may be waived by the City Council as provided for in Section 24-17 of the Code of Ordinances.

Sidewalks/Trails wider than 5' will be required to have engineered details.

Sidewalks placed adjacent to the back of the curb must be six (6) feet wide and lugged in to the curb. Sidewalks to be place against the back of curb shall be approved by the City Engineer.

2.14.1 Roadway Reconstruction

During a roadway reconstruction project if a block of a street to be reconstructed does not currently have sidewalks in place, a six (6) foot sidewalk against/adjacent to the curb shall be required on both sides of the roadway within that street block if the following criteria are met:

1. The roadway is above a residential/local classification or on the currently adopted Thoroughfare Plan. (i.e. Minor Collector, Major Collector, Minor Arterial and Major Arterial) and has an Average Daily Traffic (ADT) of 750 vehicles or more per day; or,
2. Any portion of the street block is located within 1,000 feet of a school, city park, or church. In cases where the street block is located within this 1,000 foot buffer the street block shall have a direct connection to another street block or sidewalk system that is also located within the 1,000 foot

buffer. Any street block or sidewalk system that is inhibited from connecting to an existing street block or sidewalk system by a physical barrier (e.g. bridges) may be exempted from this requirement at the discretion of the City Engineer.

For the purpose of this section a street block shall be defined as the section of the road that extends from one (1) street intersection to another, or from a street intersection to the end of a cul-de-sac or dead-end.

This section shall only apply to City initiated reconstruction projects.

2.15 Driveways/Drive Aisles

2.15.1 Residential

Steel reinforced concrete residential driveways to serve single car garages shall not be less than twelve (12) feet. For two car garages, carports and/or storage areas shall be not less than eighteen (18) feet nor more than twenty four (24) feet in width at the property line. The width of the driveway for a three car garage shall be twenty eight (28) feet or larger on a case by case basis.

Residential driveways shall be separated from one another by a distance of at least ten (10) feet. The radii of all residential driveway returns shall be a minimum of five (5) feet and shall not extend past the adjoining property line. The driveway approaches devoted to one use shall not occupy more then sixty percent (60%) of the frontage abutting the roadway or alley.

2.15.2 Multi-Family and Non-Residential

Steel reinforced concrete driveways providing access to multi-family or non-residential uses shall have a minimum width of twenty four (24) feet and a maximum width of forty five (45) feet when measured at their narrowest point near, or at, the property line. The minimum radius for these uses shall be twenty-five (25) feet. Larger radii are encouraged. Limitations on permissible locations for these driveways are addressed in Section 2.6, Driveway Locations. Driveway radii returns shall not extend across abutting property lines. The drive aisles shall have a minimum width of twenty four (24) feet.

2.15.3 Grades

The change in grade between the roadway cross slope and the slope of the driveway apron is important to ensure a smooth, low speed turning maneuver. The maximum algebraic change in grade is shown in Table 2.4. An abrupt change in grade will cause the front bumper to drag on the surface of the street and driveway.

Table 2.4: Driveway Grades and Grade Change

Type	Max Grade	Max Algebraic Change in Grade
Residential	14%	12%
Non-Residential	8%	8%

When an algebraic change in grade occurs within a driveway of more than 4% vertical curve will be required. The minimum recommended lengths of vertical curve for the corresponding change in grade for driveway profiles are shown in Table 2.5. It is recommended to put a 2 foot vertical curve where ever the algebraic change in grade is less than 4%.

Table 2.5: Vertical Curve Lengths for Driveways

Algebraic Change in Grade	Minimum Length (ft)	
	Crest Curve	Sag Curve
< 4%	2	2
4% - 5%	5	6
6% - 8%	5	7
9% – 12%	6	8

All driveway profiles should be designed to accommodate a sidewalk crossing at a maximum allowable cross-slope of 2% in order to meet ADA requirements. A sidewalk crossing grade of 2% shall be incorporated into the driveway even if a sidewalk is not to be constructed at the same time.

Reference Figure 2.4 for driveway profiles on an upgrade and Figure 2.5 for driveway profiles on a downgrade. No downgrade driveways will be allowed for new development or construction. If an existing driveway with a downgrade already exists it shall be reconstructed to conform to Figure 2.5. All down grade driveways shall have a raise that must be equal to or above the top of curb elevation.

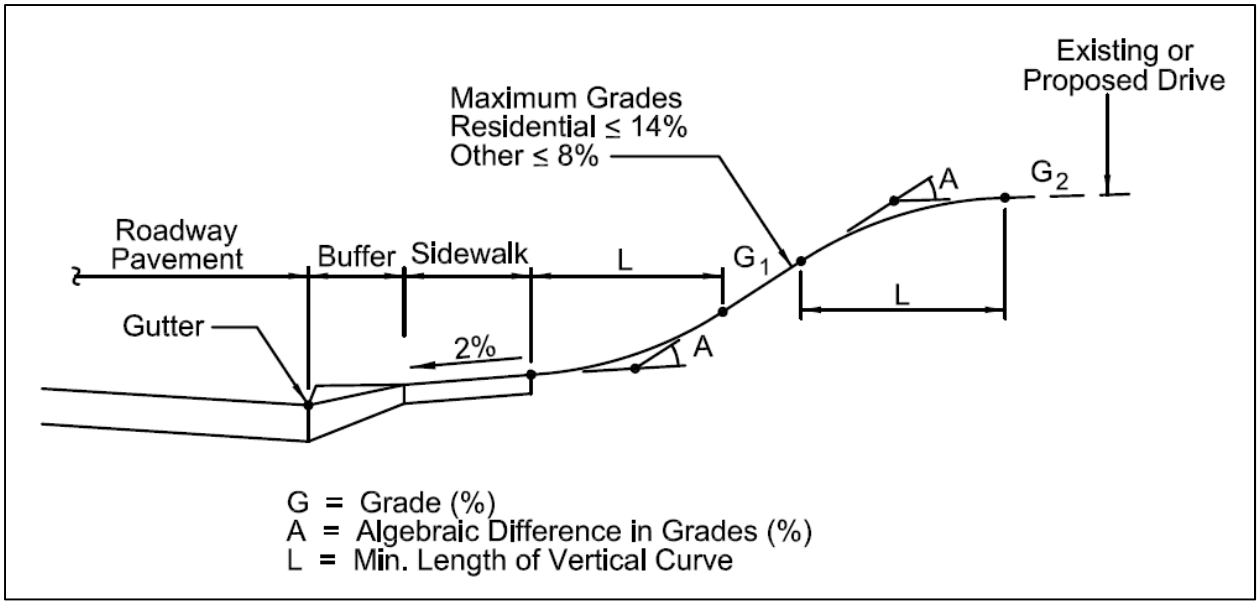


Figure 2.4: Driveway Profiles on an Upgrade

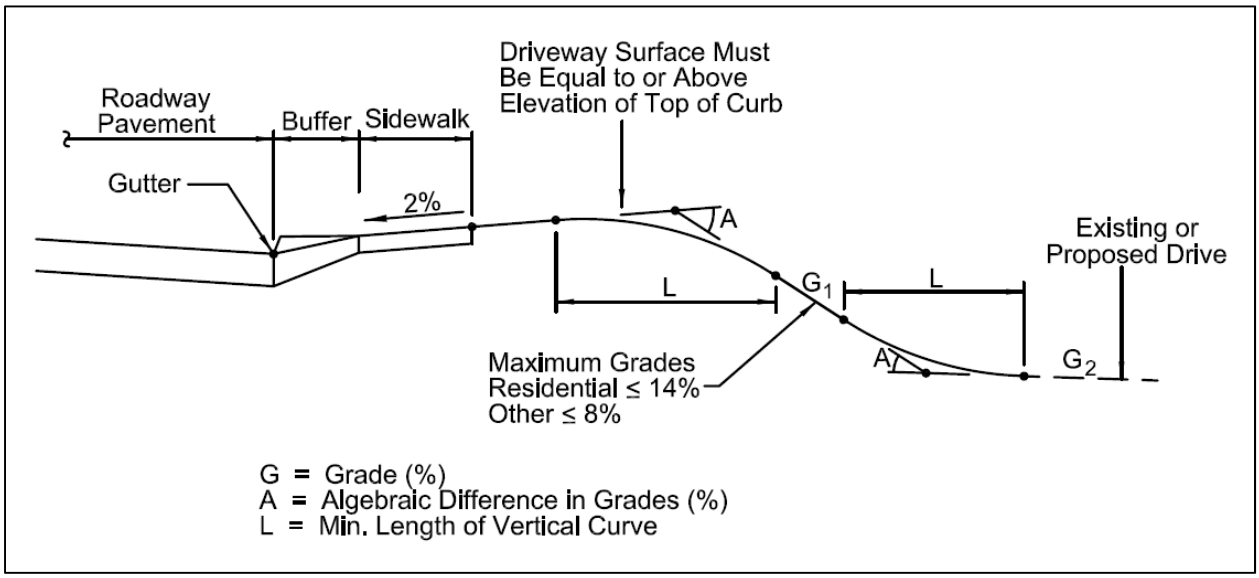


Figure 2.5: Driveway Profiles on a Downgrade

2.16 Traffic Information and Control Devices

Any work disturbing traffic on City streets shall require a signed and sealed traffic control plan by a Registered Professional Engineer in the State of Texas. All signage in City Right of Way shall conform to the Texas Manual of Uniform Traffic Control Devices.

The developer shall be responsible for and arrange for the installation of all pavement striping, regulatory, warning, guide, and school zone signs including posts, as shown on the plans or as directed by the City. Street name signs shall be installed at each intersection. Examples of regulatory, warning, information and guide signs are as follows:

A. Regulatory signs shall include, but are not limited to, STOP, 4-WAY, YIELD, KEEP RIGHT and speed limit signs.

B. Warning signs shall include, but are not limited to, DEAD END, NO OUTLET, DIVIDED ROAD, DIP, and PAVEMENT ENDS.

C. Guide signals shall include, but are not limited to, street name signs, DETOUR, direction arrow and advance arrow.

D. Traffic striping and buttons shall be provided by the developer as shown on plans or as directed by the City.

All signage within medians shall be break away pole bases.

2.16.1 Regulatory Signage

Regulatory signs should be used only where justified by engineering judgment. All signage plans shall be reviewed and approved by the City of Rockwall Engineering Division and be designed in accordance with the principles described in the current Texas Manual on Uniform Traffic Control Devices (TMUTCD).

All street and regulatory signage shall be installed, inspected and approved, prior to final acceptance of the project. This inspection typically takes place as part of the Engineering Division's final walkthrough. Any sign related issue/issues will be noted on the projects final punch list.

A. A detailed street and regulatory signage plan is to be submitted to the City of Rockwall Engineering Division. All signs shall be shown in the engineering plans for review and approval. The signage plan shall be shown on a separate signage & pavement marking layout sheet or as a part of the plan & profile sheet. The plan shall identify the specific sign

designation, size and location for each sign. Sign standards shall also be included in the engineering plans.

B. All signage installed shall comply with the current "*Texas Manual on Uniform Traffic Control Devices*" and the "*Standard Highway Sign Designs for Texas."* The sign layout drawings shall show the color and dimensions of all sign face legend components including background color, legend color, borders, symbols, letter size and style.

C. The developer shall be responsible for furnishing and installing all regulatory signage, warning signage and street name signage along with all necessary sign mounts in accordance with the approved engineering plans. A sample production sign shall be submitted to the Traffic Signs & Pavement Markings Supervisor for review and approval. The sample shall be directed to the City of Rockwall Service Center located at 1600 Airport Road, Rockwall Texas 75087. The sample sign must be submitted at least 10 days prior to the scheduled installation date.

D. For a street with a cul-de-sac end, a standard W 14-2a shall be mounted over the street name blade, if the cul-de-sac is not clearly visible from the adjoining roadway, or is located in excess of 400 linear feet from the adjoining roadway.

2.16.2 Street Name Blades

A. Street name sign blades shall be double-sided with rounded corners.

B. Street Name Blades shall be nine-inch (9") tall flat aluminum. The blades shall be 0.080 inches thick and be a minimum of 36" long.

C. The lettering for the street signs shall be 3M 3930 high Intensity prismatic material sheeting for street, regulatory and warning signs and shall be high intensity diamond grade type III prismatic. The street sign background shall be green and the legend shall be white.

D. The street sign blade must incorporate the current City of Rockwall logo. The logo shall consist of white Scotchlite Series 3930 high intensity prismatic material. (Product Code 3930)

E. Block Numbers are required on all street name blades and shall be located on the top right corner of the street blade.

F. The lettering for the street blades shall be composed of a combination of lower-case letters with initial upper-case letters. The Clearview TCAD-1W font shall be used. The lettering shall be composed of initial upper-case letters of at least 6 inches in height and lower case letters of at least 4.5

inches in height. For supplementary lettering to indicate the type of street (such as Street, Avenue or Road) shall be composed of initial upper-case letters at least 3-inches in height and lower-case letters at least 2.25 inches in height. Abbreviations may be used (for example St., Ave., or Rd) except the street name itself. The supplementary lettering shall be located at the lower right corner of the street blade, under the block number.

G. The street blade sign shall consist of green Scotchlite 3930 high intensity prismatic material background (product code 3937) and white Scotchlite 3930 high intensity prismatic material for the lettering (product code – 3930). The background sheeting shall be white 3M 390 high intensity prismatic material. The background material shall be applied to the full width and height of the sign blank leaving no metal exposed. The background material shall be one continuous piece of material. Patching of background material is not allowed and any sign with patching material of any type will be rejected by the City.

   Alternative Option:
   As an alternative, the foreground color may be green transparent Scotchlite ElectroCut1177 film (E.C. film). Lettering shall be cut out and removed producing a single continuous piece of green transparent film material.

2.16.3 Standard Street Sign Pole and Fixtures

A. Standard Street Sign Post – shall be 12’ long - minimum (2-3/8”) galvanized steel round post with a minimum of 60 mil wall thickness.

B. Standard Post Installation Depth – sign post shall be installed into solid ground to a minimum depth of 24-inches and anchored with a minimum of 60lbs of concrete.

C. Standard Post Bracket – shall be (18”) cast aluminum round post bracket street sign mount for bottom street blade.

D. Standard Top Crossing Bracket – shall be (12”) cast aluminum top crossing street sign bracket mount for top street blade.

E. Standard Mounting Bracket Assemblies – shall be (2-2/8”) diameter aluminum round post interlocking bracket x 2 per pole.

2.16.4 Decorative Sign Poles and Fixtures

The City of Rockwall will allow the installation of decorative signs and posts or other non-standard items by Developers/Homeowners Associations on a case-by-case basis provided that their installation does not result in an adverse

impact to the public safety and that there is no cost to the City for installation or maintenance. Residential Developer requested installations require the documentation of an incorporated Homeowner's Association (HOA).The City of Rockwall maintains only Standard Street and Regulatory Signs/Post installed on public streets within its designated right-of-ways. The City of Rockwall does not maintain Decorative sign poles and fixtures installed by Developers/Homeowners Associations.

If the developer elects to install non-standard decorative signs, sign poles and fixtures, the designated Homeowners Association must enter into a maintenance agreement with the City covering the hold harmless provisions. These provisions shall be noted on the approved final plat for the subdivision. The platted maintenance provisions will serve as the agreement and applies to all non-standard decorative signs, poles/post, hardware, or any other attachments. The City of Rockwall has no maintenance or other responsibility to these items. The ownership and maintenance of all such signs, poles and fixtures become the maintenance responsibility of the designated Homeowners Association.

Decorative Sign Pole/Fixture Submittals:

A detail of the decorative sign poles, pole fixtures and base mounting shall be included with the submittal of the civil engineering construction plans. The submittal shall also to include a scale subdivision street/site plan indicating the location/identification of all proposed signage and post.

HOA Maintenance - Responsibilities and Provisions:

A. The Homeowners Association is responsible for maintaining all non-standard decorative signs, poles/post, hardware, attachments or other approved non-standard items under this agreement. The City of Rockwall has no maintenance or other responsibility to these items. The City of Rockwall and the Homeowners Association agree the Association will bear any and all maintenance cost related to the said improvements. The City has the statutory authority to install and maintain Traffic Control Devices for vehicular traffic on public streets/roads within the City limits of the City of Rockwall, Texas. This agreement in no way constitutes a change in that authority and does not constitute any delegation of this authority to the Association.

B. The City of Rockwall reserves the right to install temporary replacement signs using standard sign post mounting or alternate temporary mounting when decorative sign posts and signs are damaged. Routine maintenance/replacement of damaged signs, posts and any sign mounting backboard/trim/hardware or other fixtures is the sole

responsibility of the Homeowners Association and must be repaired within 4 weeks of reporting to the Homeowners Association.

C. The City of Rockwall will not handle, store or be responsible for any decorative non-standard sign, post or associated fixtures installed under this agreement.

D. All signs (regulatory and warning) shall be in conformance with the "Texas Manual on Uniform Traffic Control Devices" (Texas MUTCD) and the "Standard Highway Sign Designs for Texas."

E. Sign posts must be of sufficient height to mount the sign in conformance with the current (Texas MUTCD) requirements. Most typical installations require a vertical clearance of 7 feet from the bottom edge of the sign to the ground surface. Overhead signs must conform to all required standards.

F. Signs/posts must be installed in locations as provided in the approved engineering/construction plans or as otherwise approved by the City of Rockwall. On occasion it may be necessary to re-locate signage/poles based engineering judgment, study or when otherwise deemed necessary by the City.

G. The City of Rockwall reserves the right to approve or disapprove any sign/pole design and/or location. The City of Rockwall must approve the color of signposts and any requested sign mounting/trim.

2.16.5 Miscellaneous

Street address markers shall be installed for each lot in the subdivision. The markers shall be located at the center of the lot on the face of the curbs. The address markers shall have a deep green background with reflective white numbers. The number size shall be four (4) inches in height. The background of the address marker shall be eighteen (18) inches in length and from the top of curb to the gutter flow line. The address marker shall show the full numerical portion of the address of the lot.

All signage for multifamily, commercial, retail and industrial developments are required to have a separate permit from the building department. Signs, including any overhangs, are not allowed in any right-of-ways and/or easements. Location of any signage is not approved on engineering plans

2.17 Temporary Traffic Control

When the normal function of the roadway is suspended through closure of any portion of the ROW, temporary construction work zone traffic control devices

shall be installed to effectively guide the motoring public through the area. Consideration for road user safety, worker safety, and the efficiency of road user flow is an integral element of every traffic control zone.

All traffic control plans shall be prepared and submitted to the Engineering Division in accordance with the standards identified in Part VI of the most recent edition of the TMUTCD. Lane closures will not occur on roadways without an approved traffic control plan. Traffic control plans shall be required on all roadways as determined by the City Engineer or the designated representative.

All traffic control plans must be prepared and signed and sealed by an individual that is licensed as a professional engineer in the State of Texas. All traffic control plans and copies of work zone certification must be submitted for review and approval a minimum of seven (7) working days prior to the anticipated temporary traffic control.

The contractor executing the traffic control plan shall notify all affected property owners two (2) weeks prior to any the closures.

Any deviation from an approved traffic control plan must be reviewed by the City Engineer or the designated representative. If an approved traffic control plan is not adhered to, the contractor will first receive a verbal warning and be required to correct the problem immediately. If the deviation is not corrected, all construction work will be suspended, the lane closure will be removed, and the roadway opened to traffic.

All temporary traffic control devices shall be removed as soon as practical when they are no longer needed. When work is suspended for short periods of time at the end of the workday, temporary traffic control devices that are no longer appropriate shall be removed or covered. The first violation of this provision will result in a verbal warning to the construction foreman. Subsequent violations will result in suspension of all work at the job site for a minimum of 48 hours. All contractors working on City funded projects will be charged one working day for each 24 hour closure.

Lane closures on any major or minor arterial will not be permitted between the hours of 6:00 am to 9:00 am and 4:00 pm to 7:00 pm. Where lane closures are needed in a school area, they will not be permitted during peak hours of 7:00 am – 9:00 am and 3:00 pm to 5:00 pm. Closures may be adjusted according to the actual start-finish times of the actual school with approval by the City Engineer. The first violation of this provision will result in a verbal warning to the construction foreman. Subsequent violations will result in suspension of all work at the job site for a minimum of 48 hours. All contractors working on City funded projects will be charged one working day for each 24 hour closure of a roadway whether they are working or not.

2.18 Street Lighting

All developments shall provide streetlights. In general, lights should be located at street intersections and at intervals no greater than four hundred (400) feet apart. Street lights shall be centered one and half (1 ½) feet off the back of curb.

2.19 Barrier Free Ramps

Barrier free ramps shall be provided in all commercial areas and in residential areas which have sidewalks. Ramps shall be located to provide access in accordance with the standards set by the Texas Department of Licensing and Regulation (TDLR) at all pedestrian sidewalks. Laydown curbs and ramps shall be constructed at all street intersections and driveways whether or not sidewalks are being installed. Laydown curbs and ramps shall be constructed by the developer. Barrier free ramps shall have truncated dome plates in the color approved by the City. No truncated dome pavers or ridges allowed.

2.20 Off-Street Parking

All parking areas and spaces shall be designed and constructed of steel reinforced concrete in accordance with the following requirements:

1. All parking areas and spaces shall be designed and constructed of steel reinforced concrete so as to have free ingress and egress at all times.

2. No parking space or parking area shall be designed so as to require a vehicle to back into a public street or across a public sidewalk, except in the case of one and two family dwelling units.

3. Minimum Dimensions for Off-Street Parking:

   a) Ninety-degree parking (Figures 2.6a and 2.6b) – All parking spaces shall be a minimum of nine (9) feet in width. Each parking space adjacent to a building shall not be less than twenty (20) feet in length. Dual head in parking spaces should be a minimum of twenty (20) feet in length. Parking spaces not adjacent to a building or dual head may be eighteen (18) feet in length with two (2) feet of clear (no obstruction including landscaping, lighting, wheel stops, and/or signage) over hang between curb and sidewalk or property line. Maneuvering space shall not be less than twenty-four (24) feet.

   b) Sixty-degree angle parking (Figures 2.7a and 2.7b) – Each parking space shall be not less than nine (9) feet wide perpendicular to the parking angle nor less than twenty and one tenth (20.1) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than fourteen and one half (14 ½)

feet for one way traffic or twenty two (22) feet for two way traffic perpendicular to the building or parking line.

c) Forty-five degree angle parking (Figures 2.8a and 2.8b) – Each parking space shall not be less than nine (9) feet wide perpendicular to the parking angle nor less than nineteen (19) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than twelve (12) feet for one way traffic or twenty-one (21) feet for two-way traffic perpendicular to the building or parking line.

d) Parallel Parking – Each parking space shall not be less than nine (9) feet in width and twenty-two (22) feet in length. Maneuvering space will not be less than twenty (20) feet.

e) Handicap Space Parking – Where handicapped parking is required or installed, the design shall be as in Figure 2.9.

f) When off-street parking facilities are provided in excess of minimum amounts herein specified, or when off-street parking facilities are provided, but not required by this chapter, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space herein specified.

g) Each parking space/stall shall be striped to the minimum dimension detailed out above in this section.

h) No dead-end parking shall be allowed for more than 6 parking spaces. A minimum turnaround of a 15 feet wide by 64 feet long shall be provide and striped off as “No Parking”.

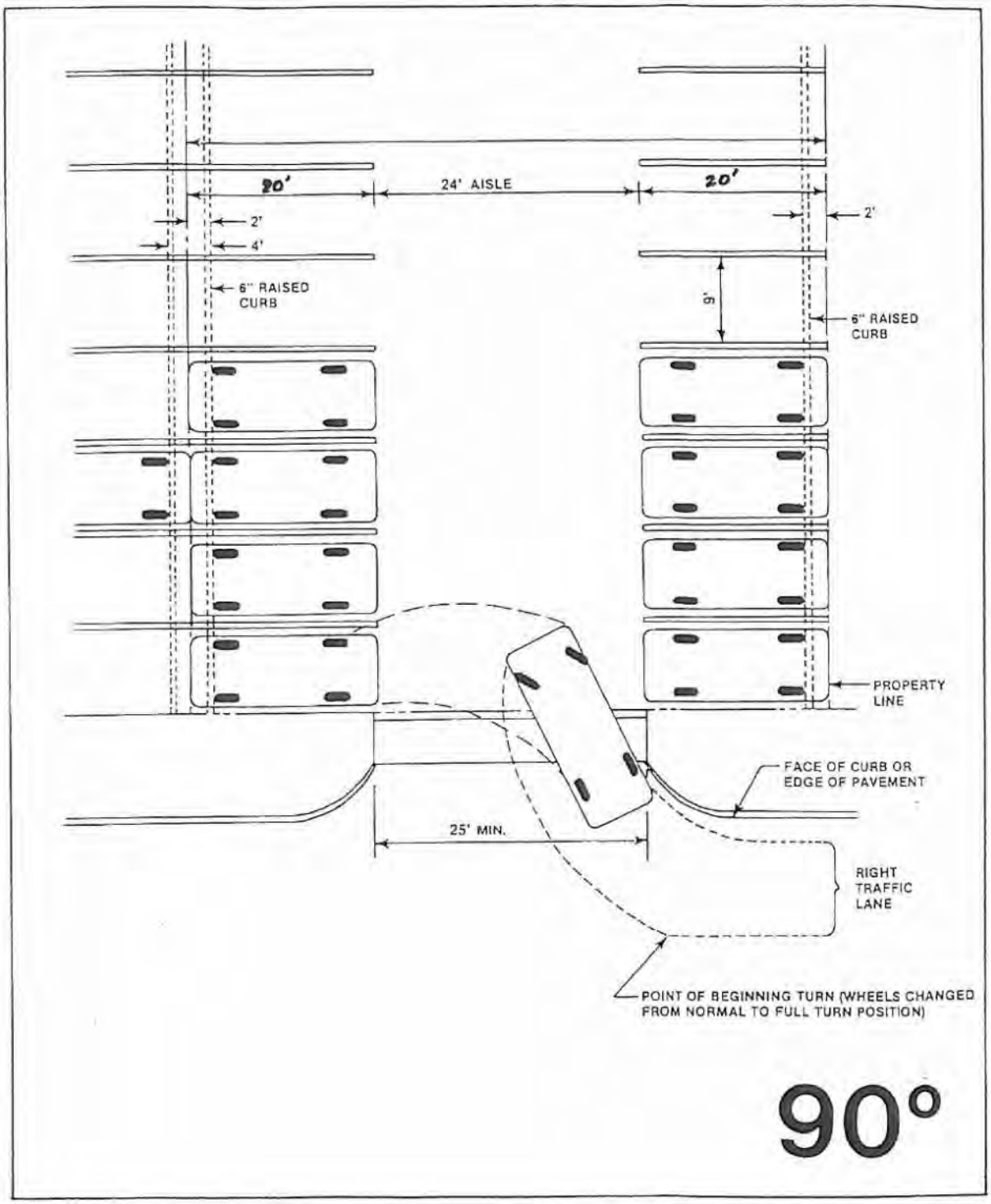


Figure 2.6a: 90° Parking – Double Row

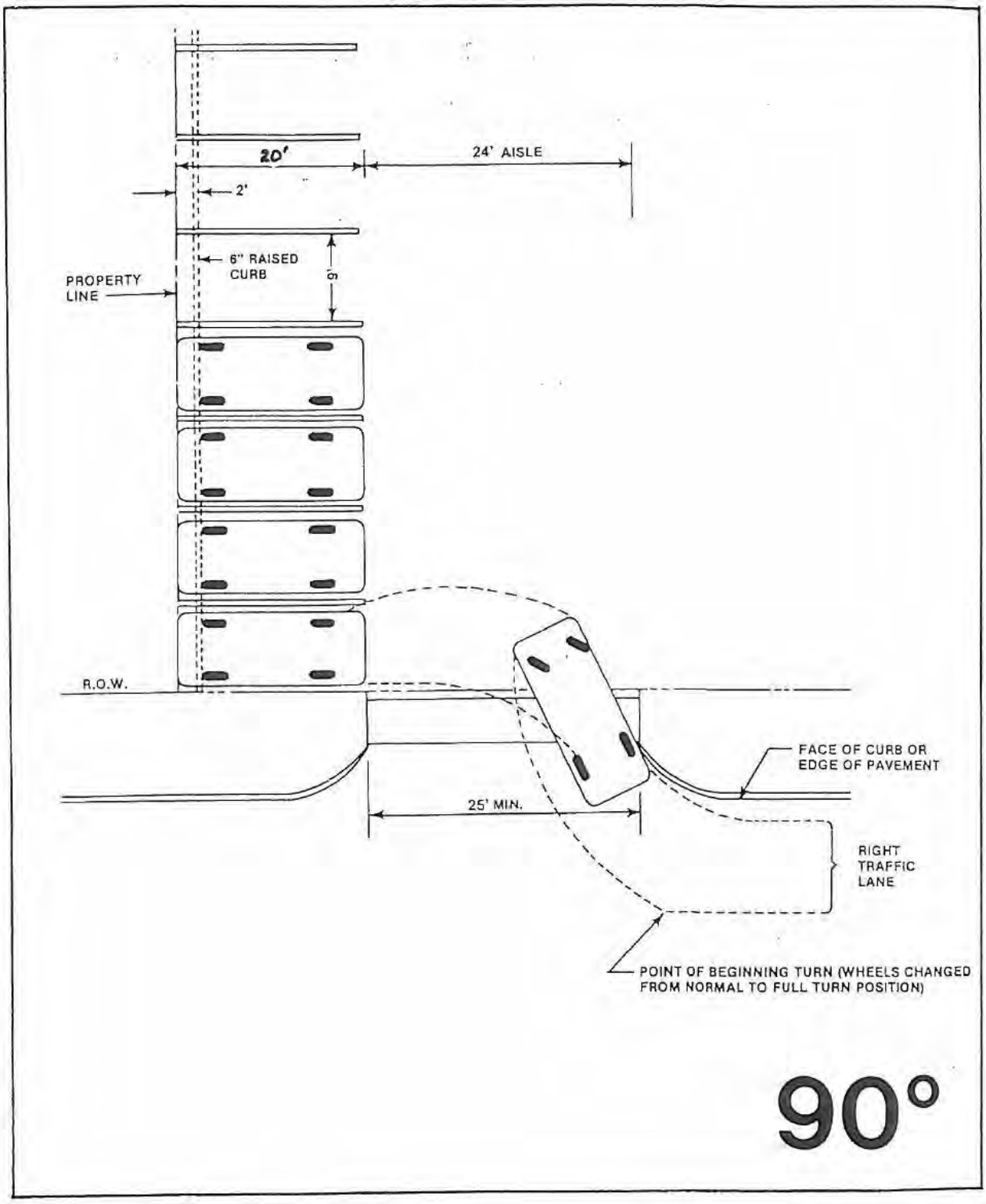


Figure 2.6b: 90° Parking – Single Row

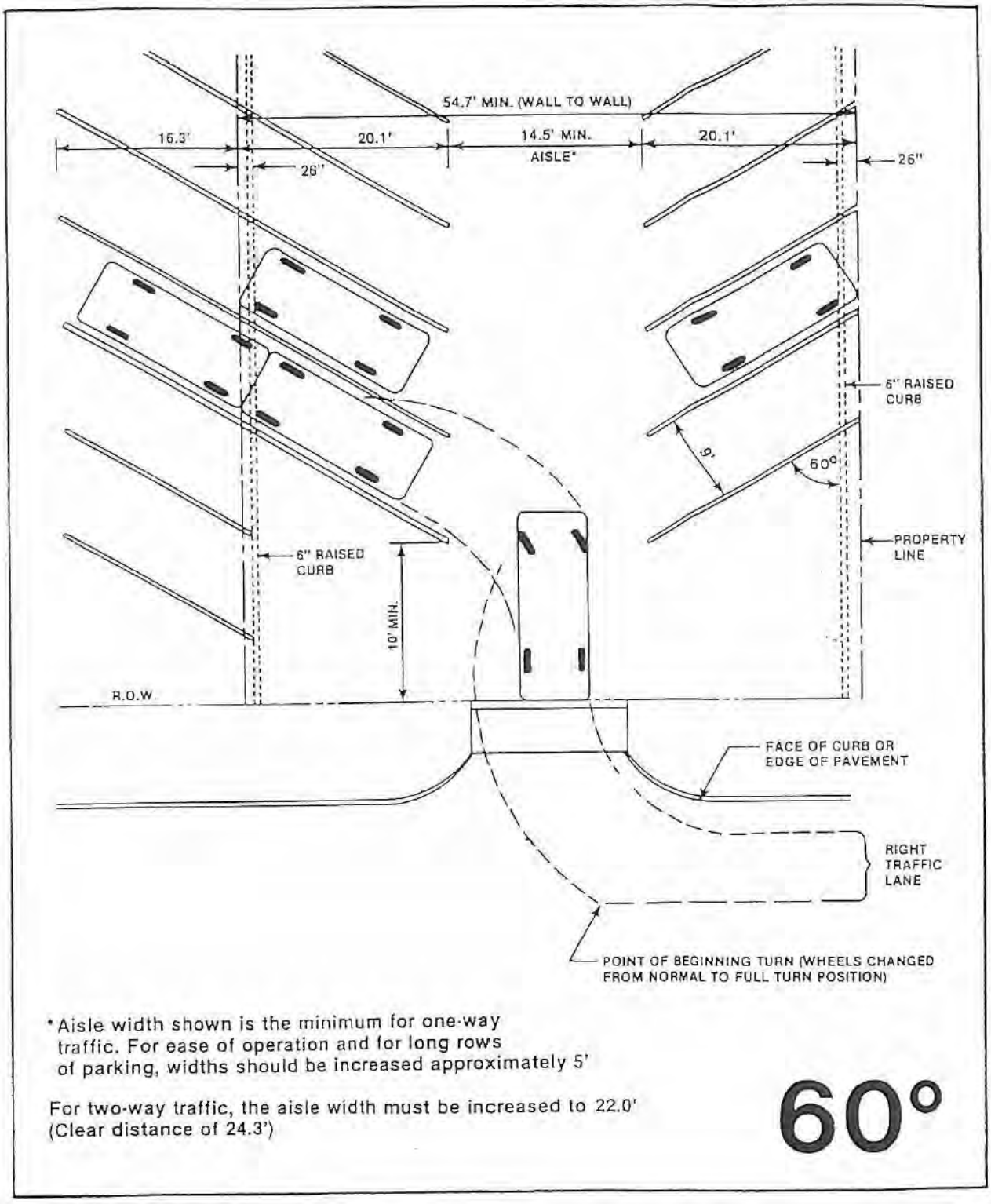


Figure 2.7a: 60° Parking – Double Row

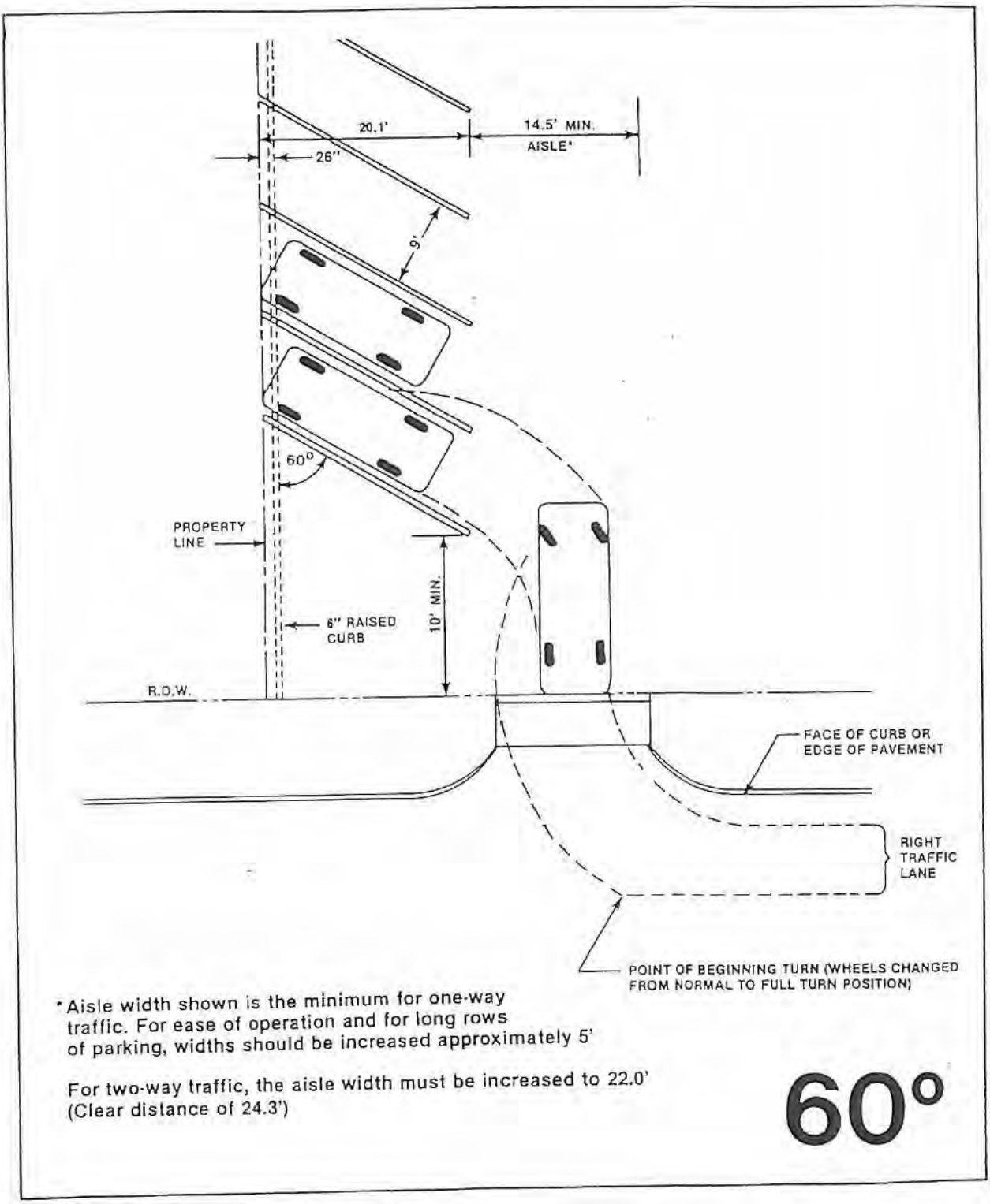


Figure 2.7b: 60° Parking Single Row

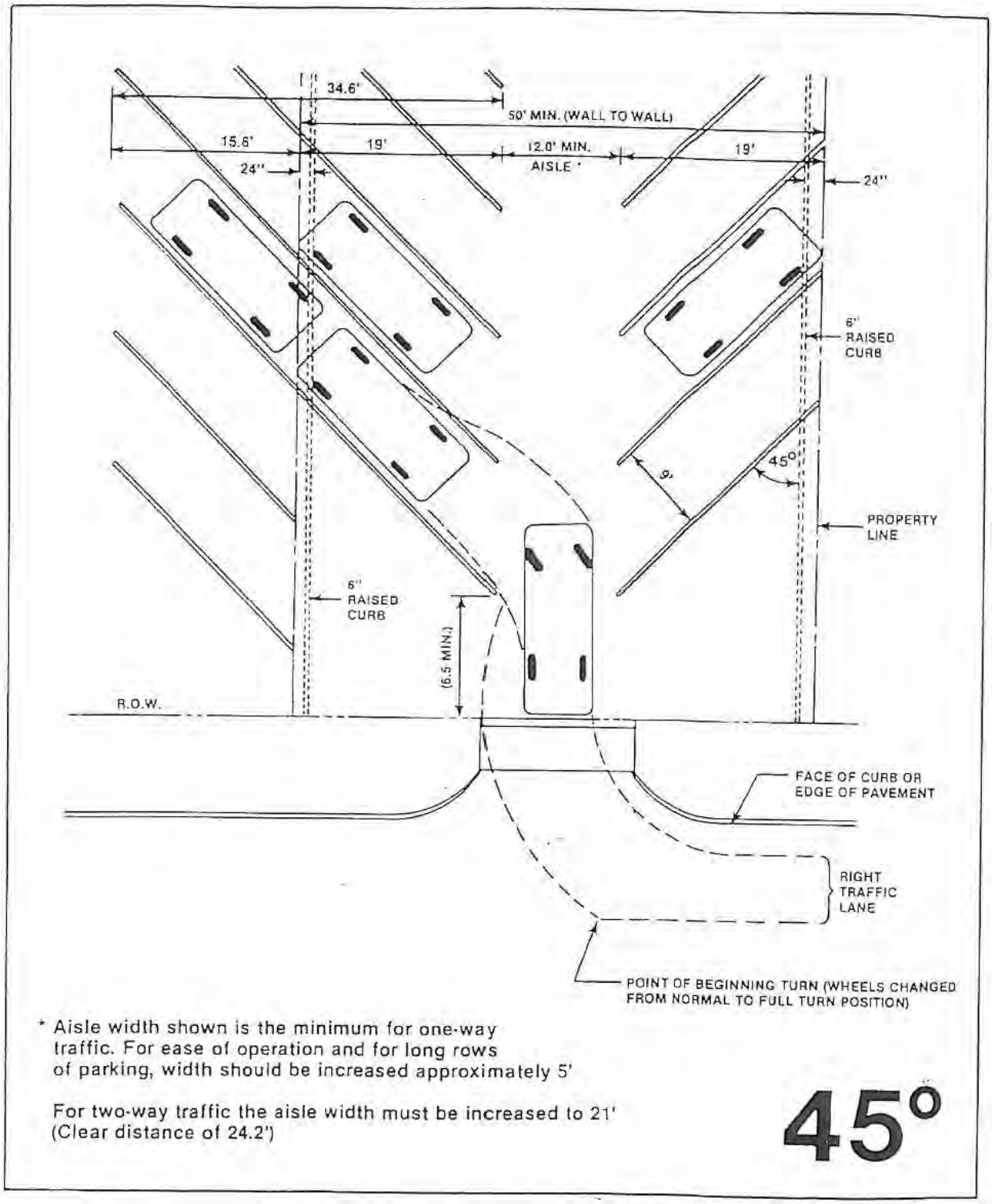


Figure 2.8a: 45° Parking - Double Row

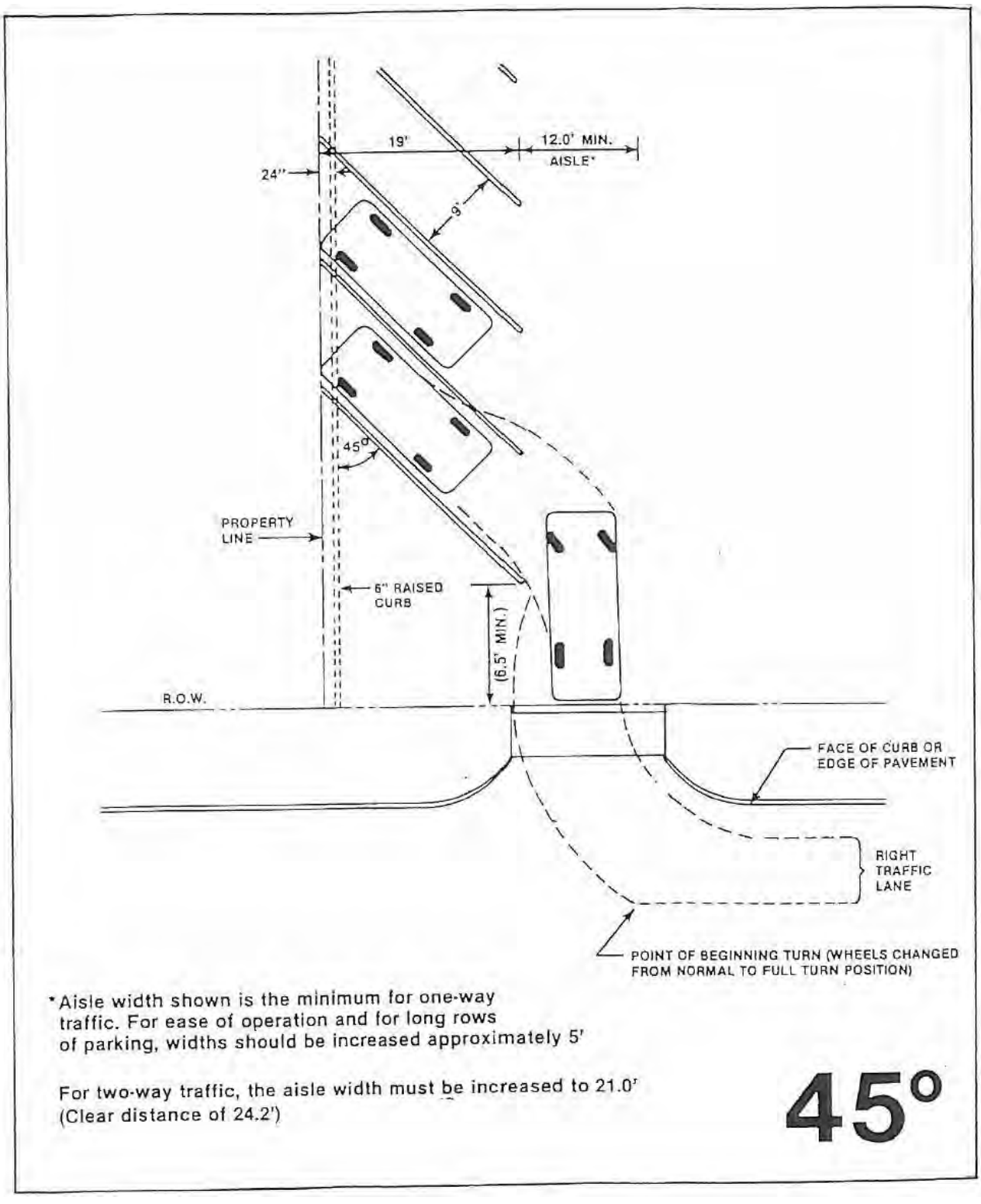


Figure 2.8b: 45° Parking – Single Row

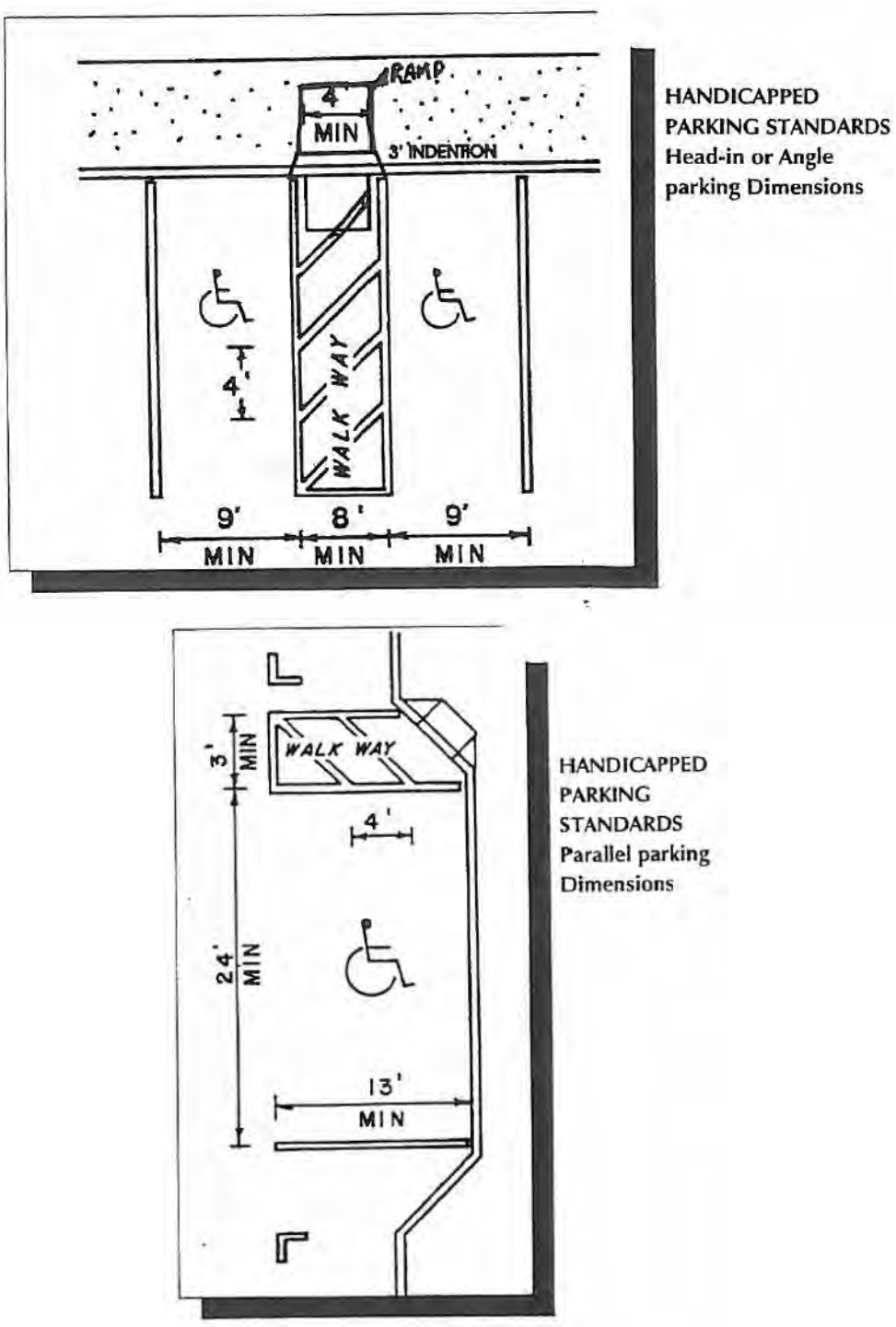


Figure 2.9: Handicap Space Parking

4. Paving Standards:

a) Unless otherwise approved by the City Council or as specified in these standards, all parking lots shall be paved with steel reinforced concrete and designed according to City standards and specifications. The parking lanes must be clearly marked by approved paint, buttons or other material.

b) All driveway approaches shall be constructed of steel reinforced concrete in the same strength, thickness, and reinforcing as the adjacent street and shall be curbed per City standards.

c) All parking lot pavement and drive aisles shall be steel reinforced concrete except for existing asphalt parking lots being rehabilitated. A steel reinforced concrete or asphalt pavement (rehabilitated parking lots) design shall be provided to the City Engineer for review and approval.

d) Industrial and commercial parking lot pavement shall be steel reinforced concrete and designed by a Professional Engineer. Pavement design shall be submitted to the City for approval.

e) The pavement within a designated loading area shall be designed and constructed to carry the additional loading of merchandise, goods, sanitation pick-up, etc., in order to prevent any unnecessary failure in the pavement itself. The pavement design shall be included in the engineering construction plans and specifications and submitted to the City Engineer for approval. The pavement design is shall designed by a Geotechnical Engineer.

f) Fire lane shall have a maximum running slope of ten (10) percent and a cross slope of five (5) percent. A vertical curve is required for grade breaks greater than one (1) percent.

5. Dead end parking shall be designed and constructed with a minimum length of fifteen (15) feet and width of twenty-four (24) feet turnaround space provided at the end of the dead end parking area.

6. If a portion of an existing street is removed for construction, the entire concrete panel must be removed and replaced with the same strength steel reinforced concrete and one (1”) inch thicker than the existing thickness.

7. All entrances or exits in a parking lot shall be a minimum of thirty (30) feet from the beginning point of any corner radius.

8. All entrances or exits in a parking lot shall be a minimum of twenty-four (24) feet and a maximum of forty-five (45) feet in width, unless one-way, in which

case they shall both be a minimum of twelve (12) feet, or as approved by the City Council.

9. No parking areas or parking spaces shall be allowed to pave over or utilize public right-of-way, with the exception of approved entrances and exits, unless the City Council grants an exception and/or a facilities agreement.

10. All multi-family and commercial parking areas and parking spaces shall be designed and constructed to protect adjacent residences from the direct glare of headlights of vehicles using the parking area.

11. No City street curb, alley or street pavement may be cut without a permit from the City.

12. If required, the contractor shall submit a traffic control design to the City of Rockwall Engineering Division prepared by a registered professional engineer prior to beginning of construction. The contractor shall provide signs and barricades in construction areas and comply with the Texas Department of Transportation standard of work zone traffic control. Employees exposed to public vehicular traffic, shall be provided with and wear warning vest or other suitable garments marked with or made of reflective or high visibility material. The contractor shall provide flagman when working inside an active street right-of-ways where necessary.

2.21 Traffic Impact Analysis and Mitigation

2.21.1 Purpose

The purpose of a Traffic Impact Analysis (TIA) is to assess the effects of specific development activity on the existing and planned thoroughfare system. Development activity may include, but is not limited to, rezoning, preliminary site plans, site plans, preliminary plats, driveway permits, certificates of occupancy, and Thoroughfare Plan amendments.

2.21.2 Determination of Applicability

The need for a TIA shall be determined by the City based upon the results and recommendation from a pre-development meeting. It shall be the responsibility of the applicant to demonstrate that a TIA should not be required. If a TIA is required, the level of effort for a TIA submission shall be determined based on the criteria set forth in Table 2.6.

2.21.3 Applicability of TIA Requirements

A. Zoning, Site Plan and Platting – These TIA requirements shall apply to all requests for land use changes which will establish a land use that is deemed to be more intense than the land use depicted on the Land Use

Plan contained within the Comprehensive Plan for a particular property. Applicable requests will also include zoning, site plan, and platting cases, Thoroughfare Plan amendments, and/or where deemed necessary by the City Engineer, Director of Planning and Zoning, the Planning and Zoning Commission, or the City Council. Special circumstances -- *including but not limited to development with no case history* -- may also require a TIA.

B. Development – These TIA requirements shall apply to all development requests for land uses, except single-family residential developments, which will generate over 100 total trips during the AM or PM peak hour. Applicable development requests include all development related applications. Special cases, in which site generated peak hour trip activity is different from that of the adjacent street (weekdays 7:00-9:00 a.m. and 4:00-6:00 p.m.), may require an additional separate analysis. Such circumstances may include, but are not limited to, the establishment of commercial/retail, entertainment or institutional developments or activity. The TIA requirement may be waived for a development request if a TIA was performed previously with the zoning request and the conditions listed in the report are still current.

    I. Single-Family Residential Exception – A TIA for single-family residential development will not be required if the development contains fewer than six (6) dwelling units unless special circumstances exist, as determined by the City Engineer and/or Director of Planning and Zoning. These special circumstances may include, but are not limited to, impacts to other residential developments from cut-through traffic, inadequate site accessibility, the construction or delay of construction of a thoroughfare prior to or after the anticipated date of construction resulting from a proposed development, or the street or access system not being anticipated to accommodate the expected traffic generation.

C. Depending upon the specific site characteristics of the proposed development, one or more of the following elements may also be required as part of the TIA: an accident analysis, sight distance analysis, traffic simulation, roundabout analysis, traffic signal warrant analysis, queuing analysis, right/left-turn lane analysis, access spacing analysis, link capacity analysis, and/or traffic circulation plan.

City of Rockwall
The New Horizon

Table 2.6: Criteria for Determining TIA Study Requirements

Analysis Category	Criteria	TIA Analysis Periods[1]	Study Area[4]
I	Projected site generated ADT of 750 OR Projected site generated peak hour trips of 100 per hour AND No significant modification of traffic signals or roadway geometry proposed	1. Existing year 2. Opening year[2]	1. All driveway access points, adjacent roadways, and major intersections 2. All signalized intersections on each street serving the site within ¼ mile of the site boundary
II	Projected site generated ADT of 751-2,000 OR Projected site generated peak hour trips of 101-250 per hour OR Installation or modification a traffic signal or roadway geometry proposed, regardless of project size	1. Existing year 2. Opening year[3] 3. Five years after completion	1. All driveway access points, adjacent roadways, and major intersections 2. All signalized intersections and major unsignalized intersections on each street serving the site within ½ mile of the site boundary
III	Projected site generated ADT exceeds 2,000 OR Projected site generated peak hour trips exceeds 250 per hour OR Installation or modification of two or more traffic signals, addition of travel lanes, or modification of interchange proposed, regardless of project size	1. Existing year 2. Opening year[3] 3. Five years after completion	1. All driveway access points, adjacent roadways, and major intersections 2. All signalized intersections and major unsignalized intersections on each street serving the site within 1 mile of the site boundary

1. Analysis periods shall include build and no-build scenarios. Assume full occupancy for each phase as they open.
2. Assume full build-out and occupancy.
3. Additional analysis periods relating to completion of interim phases may be considered for phased developments to support delaying construction of planned mitigations until future phases are constructed. Assume full build-out and occupancy of each particular phase
4. The City may enlarge or reduce the study area depending on the project. This is meant to provide general guidance to the developer. Land uses within the study area should include recently approved or pending development adjacent to the site.

2.21.4 Requirements for TIA Updates

A TIA shall be updated when the time or circumstances of the original study fall within the parameters presented in Table 2.7. The applicant is responsible for the preparation and submittal of appropriate documentation in order for City staff to process the zoning or development application. A TIA for site development requests must be updated if two (2) years have passed since the original submittal and/or approval, or if existing or assumed conditions have changed within the defined study area.

Table 2.7: Criteria for Determining TIA Update Requirements

Original TIA Report was based on:	Changes to the Originally Proposed Development:	
	Access Changed[1] OR Trip Generation Increased by more than 10%	Access Not Changed AND Trip Generation Increased by less than 10%
Zoning; or Preliminary Site Plan or Site Plan that is less than 2 years old	Letter Amendment Required: Identify and report only analysis conditions that have changed	Letter Documenting Change (No analysis is required)
Preliminary Site Plan or Site Plan that is more than 2 years old	Prepare New Study. Must meet all current TIA requirements	Prepare New Study. Must meet all current TIA requirements.

1. Changed access includes proposed new access or refinement of general access locations not specifically addressed in original proposed development.

2.21.5 Funding Resources

A. The Developer will be responsible for all costs related to the design, construction and implementation of all recommended mitigations that have been accepted and deemed required by the City Engineer not otherwise funded by government agencies. The City Engineer may require consideration of alternative mitigation options that may not have been included in the TIA.

B. The TIA may take into account the city/state/county approved traffic improvements with dedicated funding. Prior to issuance of a Certificate of Occupancy (CO) permit, the Developer shall complete any required traffic improvements approved by the City as a result of the development which have not been funded or otherwise completed by government agencies. The City may approve delaying the construction of required improvements based on the development's phasing.

2.21.6 Responsibility of TIA Preparation and Review

A. A TIA shall be prepared in accordance with all of the guidelines in this section and submitted in accordance with the Development Review Schedule set by the City. The responsibility for TIA preparation shall rest with the applicant and must be performed by a Professional Engineer (P.E.) licensed in the State of Texas with experience in traffic and transportation engineering. The final TIA report must be signed and sealed by the P.E. responsible for the analysis to be considered for review by the City. Application and review fees are due at the time of each submittal. City staff and consultants shall serve primarily in a review and advisory capacity and will only provide data to the applicant when available.

B. It shall be the responsibility of the applicant to submit two (2) printed and one (1) electronic PDF draft TIA reports and executive summaries prior to the zoning and/or development request submission. The proper number of reports, the timing for submission, and the review of these reports shall be based on standard City development review procedures. Incomplete TIAs or failure to submit a TIA prior to the submission shall delay consideration of zoning and development requests. Should it be determined during the review of any zoning and/or development plans that a TIA is required, consideration shall be deferred until the applicant submits a completed TIA, the TIA has been reviewed, and the City has approved the TIA.

C. The City and/or the City's consultant shall review the TIA and provide comments to the applicant. It shall be the responsibility of the applicant to submit two (2) printed and one (1) electronic PDF finalized TIA reports and executive summaries once all review comments have been addressed. Electronic submission may substitute for the required hard copies only with written authorization of the City Engineer.

2.21.7 TIA Standards

A. Capacity Analysis – A capacity analysis for appropriate peak periods shall be conducted for all driveways, intersections, and streets identified during the pre-development meeting. Capacity calculations shall include both near term and long-term projections. Capacity calculations must be based on the operational analysis technique contained in the most current edition of the Highway Capacity Manual (HCM). Alternative calculations must be approved by the City Engineer.

B. Design Level of Service – The minimum acceptable level of service (LOS) within the City shall be defined as LOS "D" in the peak hour for all critical movements/intersections and links. All development impacts on both thoroughfare and intersection operations must be measured against

this standard.

C. Trip Generation Resources – The City's standard for trip generation rates for various land use categories shall be those found in the latest edition of *Trip Generation Manual* published by the Institute of Transportation Engineers (ITE) or other published or recognized sources applicable to the region. Alternate trip generation rates may be accepted on a case-by-case basis if the applicant can provide current supporting data substantiating that their development significantly differs from the ITE rates. The City and/or City's consultant must approve alternative trip generation rates in writing in advance of the TIA submission.

D. Trip Reductions – Trip reductions for pass-by trips and mixed-use developments will be permitted, subject to analytical support provided by the applicant and approved by the City and/or the City's consultant on a case-by-case basis. Assumptions relative to automobile occupancy, transit mode share, or percentage of daily traffic to occur in the peak hour must be documented and will be considered subject to analytical support provided by the applicant.

E. Study Horizon Years – The TIA must evaluate the impact of the proposed development on both existing traffic conditions and future traffic conditions for the horizon year(s) as specified in Table 2.6. Horizon year(s) are defined as any analysis year beyond the existing year. These applications should take into account the Master Thoroughfare Plan or pending amendments.

F. Traffic Data Collection – Appropriate traffic counts shall be collected. These shall include weekday/weekend daily and peak-hour traffic counts at all locations as directed by the City, Weekday counts shall be taken on a typical Tuesday, Wednesday or Thursday unless other days are required/approved. Peak-hour intersection turning movement counts shall include 15-minute increments. Traffic counts used in a TIA shall be less than one (1) year old and should occur outside of holiday time periods and when public schools are in session unless otherwise approve by the City Engineer. The City Engineer may request additional counts based on specific conditions. The existing counts shall be presented in figures/exhibits for each intersection counted with original data sheets provided in the Appendix.

G. Design Standards – The TIA must evaluate site access characteristics including, access spacing requirements, left/right-turn lane requirements, visibility and sight distance requirements, as needed, relative to City of Rockwall and Texas Department of Transportation (TxDOT) requirements, as appropriate. Any TIA with access to a TxDOT facility must meet TxDOT minimum standards and requirements.

H. Traffic Signal Timing and Phasing – The analysis of all existing traffic signals shall be based on the most current signal timing plans, if available. When signal timing plans are not available the assumed signal timing shall be based on field observations, actuation/detection capabilities and corridor coordination and offsets.

2.21.8 TIA Methodology

A. Site Location/Study Area – A brief description of the size, general features, and location of the site, including a map of the site in relation to the study area and surrounding vicinity. The description should include all existing and proposed traffic control devices within the study area, posted speed limits on all existing, adjoining or impacted roads, pedestrian facilities, intersection layout, and lane usages. If applicable to the project, information may also include lane widths and right of way widths for all existing roads impacted by the development. Photographs may be included to document existing transportation conditions;

B. Existing Zoning – A description of the existing zoning for the site and adjacent property, including land area by zoning classification and density by Floor Area Ration (FAR), square footage, number of hotel rooms, and dwelling units, etc. (as applicable);

C. Existing Development – A description of any existing development on the site and adjacent to the site. If applicable, include impacts to existing development.

D. Site Access – A description or illustration of the existing and proposed site access points and associated turn lanes and/or median openings, including cross-section, lane assignment, turn restrictions, throat width, curb radii, turn-lane requirements, sight distance calculations and access spacing conditions;

E. Proposed Zoning/Site Development – A description of the proposed zoning/development for the site, including land area by zoning classification and density by FAR, square footage, number of hotel rooms, and dwelling units, etc. (as applicable); identify recently approved or pending land uses within the area;

F. Thoroughfare System – A description and/or map of existing planned/proposed thoroughfares and traffic signals for horizon year(s) within the study area;

G. Model Assumptions and Design Factors – The roadway network must be modeled as accurately as possible using field data measurements, industry standards and engineering judgement. This includes, but is not limited to, intersection/roadway segment geometries, traffic flow characteristics and traffic signal phasing and operations;

H. Existing Traffic Volumes – Recent traffic counts for the study area including pedestrian and bike volumes where appropriate;

I. Projected Traffic Volumes – Background traffic projections within the study area for the horizon year(s). Background traffic projections shall include the growth in regional traffic as well as the traffic that will be generated by the undeveloped land adjacent to the site and/or within the study area that is likely to develop by the horizon year(s), as determined by the City Engineer and/or City's Consultant. These traffic projections shall be based upon recently approved development applications, the current zoning on the undeveloped land, the City's Future Land Use Plan or the requested future land use of the development;

J. Density of Development – A table displaying the amount of development assumed for existing zoning and/or the proposed development (using gross floor area, dwelling units, occupied beds, etc., as required by the trip generation methodology);

K. Existing Site Trip Generation – A table displaying trip generation rates and total trips generated by land use category for the appropriate peak hours and on a daily basis for each phase and full development based on existing zoning (if applicable), and including all appropriate trip reductions (as approved by the City and/or City's consultant);

L. Proposed Site Trip Generation – A table displaying trip generation rates and total trips generated by land use category for the appropriate peak hours and on a daily basis for each phase and full development based on existing zoning (if applicable) and/or proposed development, and including all appropriate trip reductions (as approved by the City and/or City's consultant);

M. Net Change in Trip Generation (for rezoning cases) – Proposed trip generation minus existing trip generation (if applicable); the net increase in trips to be added to base volumes for the design year;

N. Trip Distribution and Traffic Assignment – Tables and/or figures/exhibits of trips generated by the proposed development (or net change in trips, if applicable) added to the existing and projected volumes, as appropriate, with distribution and assignment assumptions, unless computer modeling has been performed. Each step of the procedure should be clearly shown in enough detail so that all calculations can be verified;

O. Level of Service Evaluations – Capacity analyses for appropriate peak hours for both existing conditions and horizon year(s) projections for intersections, thoroughfare links, median openings and turn lanes associated with the site, as applicable. Results of the capacity analyses must be summarized in exhibits and/or tables for each analysis period

and scenario providing the level of service designation and average control delay for each intersection overall and for each major lane group as applicable. Volume-to-capacity ratio and 95th percentile queues should be provided for all movements found to operate at a deficient level of service;

P. Intersection Control Evaluations – The need for new intersection controls (i.e. traffic signals, all-way stop control) shall be based on warrants and include their impact on the performance of the transportation system;

Q. Evaluation of Proposed/Necessary Mitigation – Capacity analyses for appropriate peak hours for intersections, thoroughfare links, median openings and turn lanes associated with the site under proposed/necessary traffic mitigation measures;

R. Conclusions – Identification of all thoroughfares, driveways, intersections, and individual movements that exceed LOS D or and any operational problems likely to occur;

S. Recommendations – Identify and summarize any necessary roadway improvements and time frames for improvements to occur. Include any intersections, turn lanes, etc which will not be improved to LOS D or better and support for why improvements are not provided. Mitigation measures should be consistent with Traffic Impact Mitigation section below;

T. Other information required for proper review – As requested by the City Engineer and/or the City's consultant.

2.21.9 TIA Report Format

A. The TIA report must be prepared on 8½" x 11" sheets of paper. However, it may contain figures/exhibits on larger sheets, provided they are folded to this size. All text and map products shall be computer-based and provided in both published format and computer file format (PDF). In addition, all electronic files used as part of the traffic analysis (i.e., Synchro, HCS, Passer II/III, CORSIM, VISSIM, ARCADY, etc.) shall be provided.

B. Traffic volumes must be illustrated on prepared figures/exhibits depicting appropriate movements at each study intersection. This includes, existing and horizon year(s) (i.e. projected background traffic volumes, site generated traffic volumes, background + site generated).

C. The sections of the TIA report should be categorized according to the outline shown below:

I. Executive Summary
II. Introduction
    a. Purpose & Overview of Study
III. Existing Conditions
    a. Site Location/Study Area
    b. Existing Zoning/Development
    c. Study roads/streets and intersections
    d. Traffic Volumes
IV. Proposed Development
    a. Zoning, phasing, densities, etc.
    b. Site Trip Generation
    c. Net Change in Trip Generation (if applicable)
    d. Trip Distribution and Traffic Assignment
V. Projected Volumes
    a. Background Volumes
    b. Background + Site Volumes
VI. Analysis
    a. Level of Service Evaluations
    b. Warrant studies (as applicable)
    c. Link Capacity (as applicable)
    d. Sight Distance (as applicable)
    e. Access Spacing (as applicable)
    f. Left-turn/Right-turn Lanes (as applicable)
    g. Accident (as applicable)
    h. Queuing (as applicable)
    i. Mitigations
VII. Summary/Conclusions
VIII. Recommendations
IX. Appendices

2.21.10 Traffic Impact Mitigation

A. Mitigation of traffic impacts shall be required if the proposed development would cause a facility or traffic movement (if applicable) to exceed LOS D, or where it already exceeds LOS D and the development would contribute five percent (5%) or more of the total traffic during any projected horizon year. If mitigation is required, the applicant must only mitigate the impact of the proposed development, and would not be responsible for alleviating any deficiencies in the thoroughfare system that may occur without the proposed development.

B. Mitigation is not required if it can be shown that the traffic impacts of the project are fully mitigated ten (10) years after the final opening with any improvements that are already programmed to be implemented within five (5) years of the initial opening.

2.21.11 Administration of the TIA

Based on the results of the TIA and actions recommended by the City staff, the City's consultant, the Planning & Zoning Commission and/or the City Council, as appropriate, the City shall take one or more of the following actions:

A. Approve the zoning or development request, if the project has been determined to have no significant impact or where the impacts can be adequately mitigated;

B. Approve the development request, subject to a phasing plan;

C. Recommend study of the City Thoroughfare Plan to determine amendments required to increase capacity;

D. Recommend amendment of the Capital Improvement Program (CIP) to expedite construction of needed improvements; or

E. Deny the zoning or development request, where the impacts cannot be adequately mitigated.

2.21.12 Cost of TIA Review

The City may utilize an engineering consulting firm to assist City staff in the review of a TIA. The cost of this consultant review shall be borne by the developer, engineer, or property owner submitting the TIA. The City shall first obtain a cost estimate from the engineering consultant for the TIA review at time of the initial TIA submittal. Before the review begins, the developer, engineer, or property owner submitting the TIA shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the review progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting the TIA shall be informed of the shortage and a new estimate made by the consultant engineer to complete the TIA review. Additional funds will then be deposited with the City by the developer, engineer or property owner submitting the TIA to cover the estimated shortfall before the review of the study resumes. Any unused funds to be reimbursed to the developer, engineer or property owner submitting the TIA. If review process is performed by City staff, the City will submit a cost estimate for TIA review at time of the initial engineering submittal.

3. STORM DRAINAGE FACILITIES

3.1 Introduction

Drainage facilities shall be designed and constructed at such locations and of such size and dimensions to adequately serve the development and the contributing drainage area upstream of the development. The developer shall provide all the necessary easements and rights-of-ways required for drainage structures including, but not limited to, storm drains and open channels, (lined or unlined), flood detention facilities, and stormwater diversion or containment facilities (such as levees, dams, berms and stream diversions). The minimum easement widths for drainage facilities shall be per Table 3.1. For detention pond easements, waterlines and wastewater lines will not be allowed in the easement. A variance to allow walls in detention ponds and easement will be required approval by the Planning and Zoning Commission and appeal from the City Council.

Table 3.1: Drainage Easements – Minimum Width

		Minimum Easement Width (ft)
Conduit Size	18" – 48" RCP	20'
	48" – 72"RCP	25'
	Box 3' – 4' span, RCB	20'
	Box 5' – 8' span, RCB	25'
	Box 9' – 12' span, RCB	30'
Depth of Conduit	< 14'	20'
	14' - 16'	25'
	17' – 20'	30'
	21' – 23'	35'
	> 23'	40'
Open Channel		15' wider than top width of channel
Emergency Overflow Flume		20'
Creeks/Stream/Floodplains		Reference Erosion Hazard Setback Section
Detention Ponds		Set at 100-YR freeboard elevation. (Ref. Minimum Freeboard Requirements Section)

The design flows for the drainage system shall be calculated by the Rational Method in accordance with the requirements set forth in this document unless otherwise noted within these Standards (such as where the unit hydrograph methods are required). Curbs, inlets, manholes, etc. shall be designed and constructed in accordance to the Standard Details. Materials and construction procedures shall conform to the requirements of the Standard Specifications for Construction.

The developer shall provide plans, specifications, and design calculations for all drainage structures. All open channels that are not concrete lined shall be designed to prevent erosion (Table 3.11). The City shall specifically approve the type of methods used for prevention of erosion.

The design, size, type and location of all storm drainage facilities shall be subject to the approval of the Engineering Division. The requirements set forth herein are considered minimum requirements. **The developer and their engineers shall bear the total responsibility for the adequacy of design. The approval of the facilities by the City in no way relieves the developer and their engineer of this responsibility.**

The design factors, formulas, graphs and procedures described shall serve as means to prove that adequate conveyance of storm water and adequate flood prevention within the City is being provided. Responsibility for the actual design remains with the developers and their engineers. Deviation from the requirements of these standards shall require the approval of the City Engineer.

The City, as a participant in the National Flood Insurance Program (NFIP), must enforce all parts of its adopted Flood Hazard Damage Prevention and Erosion Control Ordinance, as approved by the Federal Emergency Management Agency (FEMA). Therefore, the requirements of that ordinance are adopted and included as a part of the City's Standards of Design and Construction.

The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the overall watershed, whether upstream or downstream of the development, are not adversely affected by storm drainage from facilities on the development. These are outlined in the Storm Drainage Management Plan Section 3.4.

The storm drainage management plan provided as part of the final engineering drawings shall address how storm water on the proposed development and affected adjoining properties will be controlled during phased and completed development. Off-site improvements may be required to carry the additional flows caused by the proposed development. If the downstream system is insufficient to carry the proposed flow without causing potentially increased flood damages, detention will be required to release only the flow amount capable of being carried in the existing system.

Storm drainage released from the site will be discharged to a natural water course or storm sewer system of an adequate size to convey the 100-year storm runoff expected after development.

All storm drainage structures shall be constructed with a minimum of 4,200 psi concrete in 28 days with a cement content of not less than 6.5 sack per cubic yard for machine placed and not less than 7.0 sack per cubic yard for hand

place. All batch designs shall be reviewed and approved by the Engineering Division. All batch designs shall have the current date, project name, and use labeled on each design. Submit batch designs to the Engineering Division a minimum of ten (10) days prior to the projected placement date for review and approval. If pre-cast structures are being utilized, shop drawings must be submitted to the City Engineer for approval along with the batch design which is provided by the manufacturer. All drainage structures shall be double formed. No earth forms will be allowed.

3.2 Storm Drainage Design Criteria

3.2.1 Rational Method

For all drainage areas less than 160 acres, the rational method of computing runoff may be used for design of small drainage facilities (such as storm sewer systems, inlets, street gutter, and small detention facilities. The rational method is expressed by the following equation:

$$Q = CIA$$

Equation 3.1

where:

Q = The storm flow rate at a given point (cfs)
C = runoff coefficient (the ratio of rainfall to peak runoff) as indicated in Table 3.2
I = The average intensity of rainfall, for a period equal to the time of flow from the farthest point of the drainage area to the point of design and is obtained from Figure 3.1. (inches/hr)
A = The area that is contributing to the point of design (acres)

3.2.1.1 Runoff Coefficient (C)

For design of proposed drainage facilities using the Rational Method, runoff coefficients shall be based on the future land use. The runoff coefficients for different land uses should be taken from Table 3.2. A weighted runoff coefficient shall be used if different land uses are contributing to a discharge design point.

3.2.1.2 Time of Concentration

The time of concentration is defined as the longest time, without unreasonable delay, that will be required for water to flow from the upper limit of a drainage area to the point of concentration. The time of concentration to any point in a storm drainage system is a combination of the "inlet time" and the time of flow in the storm drain. The inlet time is the period of time required for water to flow over the surface of the ground to the storm drain inlet. The time of concentration for any one design point shall not exceed ten (10) minutes for storm drain designs.

Using the Rational Method for small drainage acres under average conditions, the minimum time of concentration from the upstream end of a drainage system will coincide with Table 3.3.

Table 3.2: Runoff Coefficient for Types of Land Use

TYPE OF AREA OR LAND USE	ADOPTED RUNOFF COEFFICIENT
Parks or Open Areas	0.35
Single Family Residential or Duplex	0.50
School	0.70
Apartments	0.75
Townhouse	0.80
Churches	0.80
Industrial	0.90
Commercial Business	0.90
Mercantile District	0.90
Retail	0.90
Parking Lot	0.90
Major and Minor Arterials – R.O.W.	0.90

Table 3.3: Minimum Inlet Time of Concentration

TYPE OF AREA OR LAND USE	MINIMUM INLET TIME (minutes)
Parks or Open Areas	20
Single Family Residential or Duplex	10
School	10
Apartments	10
Townhouse	10
Churches	10
Industrial	10
Commercial Business	10
Mercantile District	10
Retail	10
Parking Lot	10
Major and Minor Arterials – R.O.W.	10

Under circumstances which will produce times of concentration in excess of those shown in Table 3.3 the following NRCS TR55 methodology shall be used to determine the time of concentration (Tc). This method separates the flow through the drainage area into sheet flow, shallow concentrated flow, and open channel flow. The Tc is the sum of travel times for sheet flow, concentrated shallow flow and open channel flow. The time of concentration flow path and sheet flow path and following calculations shall be shown in the plans.

A. Sheet Flow: The maximum allowable length for sheet flow shall be no more than 100 feet if not prior to 100 feet. Guidelines for determining the maximum allowable sheet flow length are provided in Unit Hydrograph Method Section. The T_t in minutes for sheet flow is determined using the following equation:

$$T_t = \frac{0.007(nl)^{0.8}}{(P_2)^{0.5}S^{0.4}}$$

Equation 3.2

where:
T_t = travel time, (hr)
n = Manning's roughness coefficient, (Table 3.4)
l = flow length, (ft)
P_2 = 2-year, 24-hour rainfall, (Table 3.5a)
S = land slope of hydraulic grade line (ft/ft)

Table 3.4: Sheet Flow 'n' Values

Surface Description	n (1)
Smooth surfaces (concrete, asphalt, gravel, or bare soil)	0.011
Fallow (no residue)	0.05
Cultivated soils:	
Residue cover less than 20%	0.06
Residue cover greater than 20%	0.17
Grass:	
Short Prairie Grass	0.15
Dense grasses	0.24
Bermuda grass	0.41
Range (natural)	0.13
Woods:	
Light underbrush	0.40
Dense underbrush	0.80

(1) These "n" values are only applicable for flow depths of approximately 0.1 foot or less where sheet flow occurs. For greater flow depths, typically concentrated shallow overland flow or channel flow occurs, with lower "n" values typical of those generally used in open-channel flow.

B. Shallow concentrated flow travel time is computed as:

$$t_{SC} = \frac{L_{SC}}{3600 K S_{SC}{}^{0.5}}$$

Equation 3.3

where:
t_{sc} = shallow concentrated flow time, (hr)
L_{sc} = shallow concentrated flow length, (ft)
K = 16.13 for unpaved surface, 20.32 for paved surface
S_{sc} = shallow concentrated flow slope, (ft/ft)

C. Channel Flow travel time shall be computed by dividing the channel length by the flow rate obtained from Manning's Equation. This is shown by Equation 3.4.

$$t_{ch} = \frac{L_{ch}}{3600 \frac{1.49}{n} R^{\frac{2}{3}} S_{ch}{}^{\frac{1}{2}}}$$

Equation 3.4

where:
t_{ch} = channel flow time, (hr.)
L_{ch} = channel flow length, (ft)
S_{ch} = channel flow slope, (ft/ft)
n = Manning's roughness coefficient (Table 3.11)
R = channel hydraulic radius (ft), $R = \frac{a}{p_w}$
where: a = cross sectional area (ft^2)
p_w = wetted perimeter (ft)

Since urbanization is anticipated on all drainage areas, all drainage improvements shall be designed for the case of fully developed watersheds. It is generally not practical to design improvements to gravity drainage systems in stages to match development, except in the case of unlined ditches, and then, it is essential that ultimate rights-of-way be obtained at the outset. When the watershed in question is basically undeveloped, the developer shall attempt to anticipate future fully developed conditions and storm water drainage patterns and flow characteristics when determining the time of concentration.

3.2.1.3 Rainfall Intensity (I)

The Rainfall intensity shall be taken from Figure 3.1 below for the minimum inlet time above.

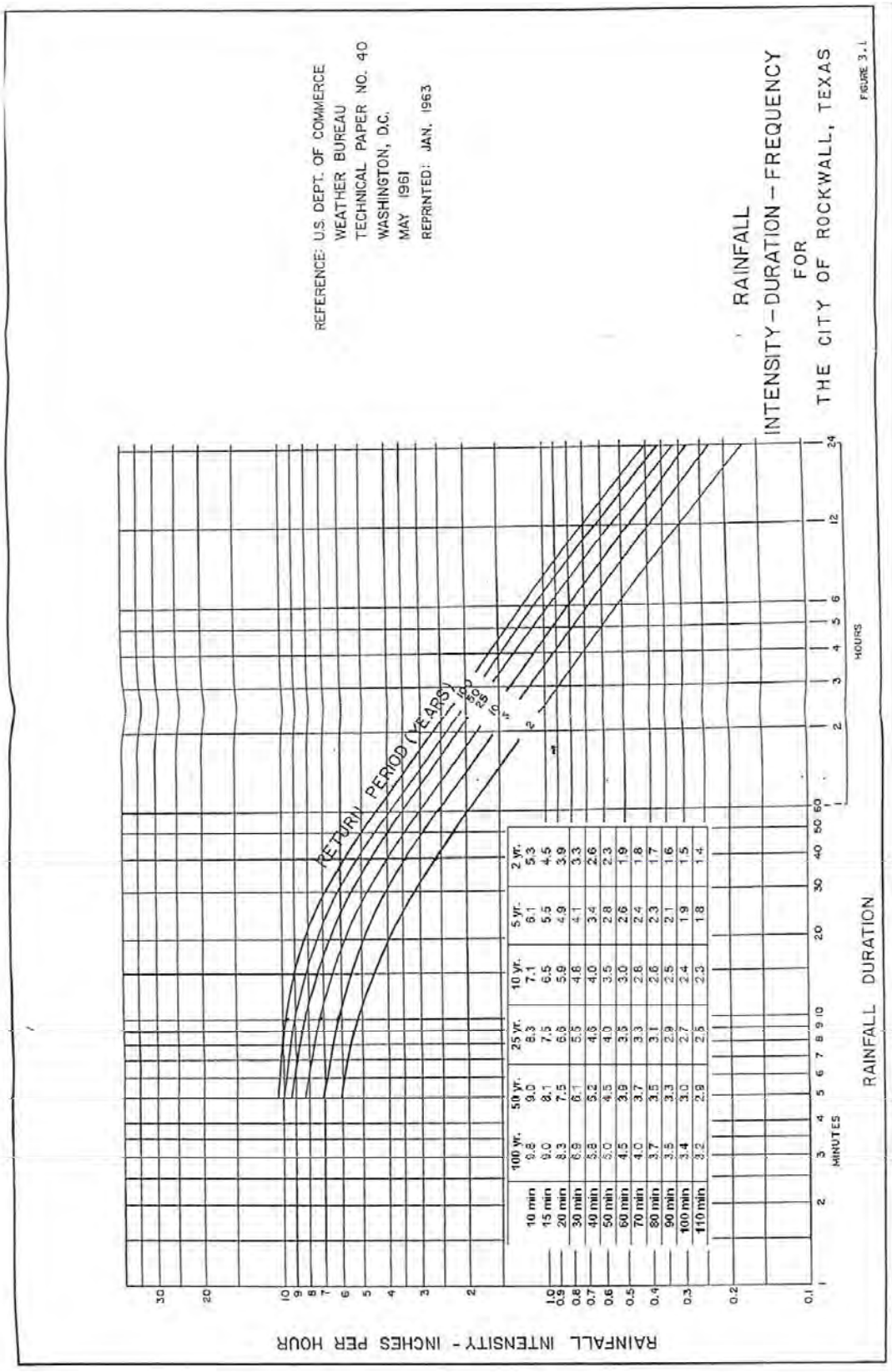


Figure 3.1: IDF Curve

3.2.2 Unit Hydrograph Method

For contributing drainage areas greater than 160 acres, the unit hydrograph method, shall be used to determine the peak storm discharge quantities. This method shall also be used for verification of adequacy of stormwater detention facilities with contributing drainages areas that are equal to or greater than 20 acres.

The City will utilize an engineering consulting firm to assist City staff in the review of a flood and detention studies that utilize the Unit Hydrograph Method. The cost of this consultant review shall be borne by the developer, engineer, or property owner submitting the study. The City shall first obtain a cost estimate from the engineering consultant for the study review at time of the initial study submittal. Before the review begins, the developer, engineer, or property owner submitting the study shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the review progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting the study shall be informed of the shortage and a new estimate made by the consultant engineer to complete the study review. Additional funds will then be deposited with the City by the developer, engineer or property owner submitting the study to cover the estimated shortfall before the review of the study resumes. Any unused funds to be reimbursed to the developer, engineer or property owner submitting the study. If review process is performed by City staff, the City will submit a cost estimate for study review at time of the initial engineering submittal.

The use of a unit hydrograph method shall be based upon standard and accepted engineering principles used in the profession. Acceptable methods include the Natural Resources Conservation Service (NRCS) Technical Release Number 55 (TR-55) for drainage areas 160 acres to 2,000 acres and NRCS's Technical Release Number 20 (TR-20), or the United States Army Corps of Engineers HEC-HMS models for drainage areas 160 acres or more. When the flood study involves a watershed that does not already have any available hydrology model, or in the case where conversion of an existing model to a later version hydrology model is desired, the City's preference is the latest version of HEC-HMS model available.

When the unit hydrograph method is used, a flood study report shall be prepared and provided to the City Engineer, documenting the methodology, assumptions, derivation of all data used, and results of the study. In order to maintain consistency of all hydrologic studies within the City, the following requirements/conditions shall be used when preforming the unit hydrograph method. These requirements/conditions shall be included in the plan set and the flood study report:

1. Use the NRCS 24-hour Type III Rainfall Distribution.
2. Use wet antecedent soil moisture conditions (AMC-III).
   a. Storm runoff/loss parameter calculations, such as NRCS runoff curve numbers (CN). CN values should first be computed based on average antecedent soil moisture conditions (AMC-II) to the nearest 0.1 value (CN2), based on hydrologic soil group, land cover and treatment practices. Then compute the CN3 value for AMC-III conditions, to the nearest 0.1 value, using the NRCS conversion equation as follows:

$$CN_3 = \frac{23CN_2}{10 + 0.13CN_2}$$

Equation 3.4a

3. Compute both pre-construction conditions (based on existing off-site watershed conditions) and post-construction conditions and show comparison in summary table of results.
4. In addition to No. 3 compute projected future fully developed conditions to determine design elevations and erosion protection.
5. 24-hour rainfall storm totals, (See Table 3.5a)
6. Time of Concentration (Tc) and Lag Time Calculations, computed to the nearest 0.01 hour: The lag time is generally considered to be 0.6 x Tc. The Tc calculations should include sheet flow travel time, shallow concentrated flow travel time, channel flow travel time, and travel time associated with any storm sewer system pipes, street gutter flow, and other travel times. Storm sewer pipe travel time may be derived based on design velocities and pipe flow lengths from available or proposed sewer pipe plans. General guidelines pertaining to NRCS TR-55 methodology for determining flow times for sheet flow, concentrated shallow flow, channel flow, and other flow types are included in the section above. The length of sheet flow used with the unit hydrograph method should be determined based on the following procedures to determine where sheet flow ends:
   a. Field investigations, where possible, to detect overland drainage patterns and where sheet flow transitions to other types of overland or pipe flow (such as observation of beginning of overland flow rill erosion patterns or entrance to a storm water inlet).
   b. Information from topographic maps, such as deflections in elevation contours indicating where sheet flow ends and shallow concentrated flow or channel flow may begin.
   c. For areas where previous construction has occurred, review of as-built drainage plans.
   d. High-resolution photography, which may indicate locations where overland flow begins to form shallow concentrated flow as evidenced by erosion patterns.
   e. If the length of sheet flow cannot be determined by the above procedures, or if it is determined by the above procedures to be

greater than 100 feet, the maximum length to be used shall be the lesser of 100 feet or the length computed by the following equation [as taken from the NRCS National Engineering Handbook, Part 630 – Hydrology, Chapter 15]:

$$L = \frac{100S^{0.5}}{n}$$

Equation 3.4b

where:
L = limiting sheet flow length, (ft)
S = land slope over length L, (ft/ft)
n = Manning's roughness coefficient over length L

7. When using a unit hydrograph procedure, mixing the hydrology modeling data with data based on differing procedures is not acceptable:
   a. The time of concentration should be calculated using actual travel time computations. [Do not assume a 10-minute inlet time as assumed in Rational Method].
   b. Use total storm precipitations (inches) listed in Table 3.5a. [Do not use rainfall intensities (inches/hour) or derive total storm precipitation based on the Rational Method rainfall intensities].
   c. For detention ponds with drainage areas greater than 20 acres, if a proposed pond and dam is first designed based on Modified Rational Method, but is found to be inadequate when checked with the unit hydrograph method, then it should be re-designed to safely pass the maximum required design storm using the unit hydrograph method, without flow passing over the top of the dam (and with required freeboard) and without increased discharges being passed downstream from the project site.
8. Drainage areas shall be rounded to the nearest 0.01 acre (0.000001 sq. mi.) in hydrology models, as well as for areas of land use and soil categories when computing composite runoff curve numbers.
9. Impervious areas of a drainage basin should be included within the computed composite runoff curve number calculations used in the hydrology models (instead of using a percentage of impervious area in combination with a weighted curve number in hydrology models that contain that option).
10. Stream reach hydrograph routing computations within hydrology models must be performed using a procedure that accounts for the effects of channel and floodplain storage (such as Modified Puls method), so that impacts on flood discharges due to loss of flood valley storage within the reach, whether caused by currently proposed construction or due to future development, can be determined.

11. NRCS runoff curve numbers listed in NRCS's Technical Release 55 (TR-55) for urban and residential districts are generally inappropriate for typical developments in the City of Rockwall, due to the indicated low percentage of impervious areas indicated with the values. Therefore, curve numbers typical of conditions in the City of Rockwall are included in Table 3.5b. These values should be used in most cases; however, other curve numbers for conditions not listed in Table 3.5b may be derived and used if reasonably justified and documented.
12. Options available in hydrology models to automatically compute pond spillway discharges, based on spillway or outlet type or configuration, are sometimes limited and often do not adequately represent the designed spillway. In such cases, pond water surface elevations versus discharges may need to be computed by other methods and entered into the hydrology model as user defined paired data.

Table 3.5a: Precipitation Frequency Estimates (Inches) for Rockwall, Texas

ARI* (Years)	Duration														
	5 min	10 min	15 min	30 min	60 min	2 hr	3 hr	6 hr	12 hr	24 hr	2 days	3 days	4 days	7 days	10 days
1	---	---	---	1.23	1.60	1.85	2.03	2.44	2.88	3.30	---	---	---	---	---
2	0.495	0.83	1.06	1.47	1.90	2.31	2.54	3.03	3.52	4.09	4.76	---	5.53	6.35	7.09
5	0.58	0.97	1.24	1.79	2.36	3.08	3.35	4.02	4.77	5.48	6.21	---	7.22	8.39	9.24
10	0.64	1.07	1.37	2.02	2.69	3.62	3.95	4.75	5.64	6.57	7.39	---	8.40	9.83	10.90
25	0.73	1.22	1.57	2.35	3.17	4.25	4.65	5.73	6.59	7.67	8.80	---	10.12	11.56	12.87
50	0.80	1.34	1.72	2.61	3.53	4.75	5.20	6.35	7.50	8.70	9.91	---	11.54	13.25	14.53
100	0.87	1.47	1.88	2.87	3.90	5.25	5.77	7.02	8.50	9.75	11.32	---	13.09	14.60	16.25
500	---	---	---	---	---	---	---	---	---	12.0	---	---	---	---	---
PMP*	---	---	---	---	---	---	---	30.8	36.4	41.5	46.80	49.2	---	---	---

* ARI = Average Recurrence Interval

* PMP = Probable Maximum Precipitation

References: U.S. Department of Commerce / National Oceanic and Atmospheric Administration / National Weather Service and U.S. Department of the Army:

1. Technical Memorandum NWS HYDRO-35, *Five- to 60-Minute Precipitation Frequency for the Eastern and Central United States*, June 1977.
2. Technical Paper No. 40, *Rainfall Frequency Atlas of the United States for Durations from 30 Minutes to 24 Hours and Return Periods from 1 to 100 Years*, May 1961.
3. Technical Paper No. 49, *Two- to Ten-Day Precipitation for Return Periods of 2 to 100 Years in the Contiguous United States*, 1961
4. Hydrometeorogical Report No. 51, *Probable Maximum Precipitation Estimates, United States East of the 105th Meridian*, June 1978.

Note: For rainfall durations of 5 minutes through 60 minutes, rainfall frequency estimates for ARI's of 2 years through 100 years are based on Technical Memorandum NWS HYDRO-35, which supersedes values presented in Technical Paper No. 40.

Table 3.5b: NRCS Runoff Curve Numbers (AMC_{II}) for Various Land Use Classifications

Land Use Classification	Hydrologic Soil Group			
	A	B	C	D
Wooded (Wf)	36	60	73	79
Wooded (Wg)	30	55	70	77
Open Space/Range/Pasture (OSf)	49	69	79	84
Open Space/Range/Pasture (OSg)	39	61	74	80
Cultivated, Straight Row (Csr)	72	81	88	91
Cultivated, Contoured w/o Terracing (Cc)	70	79	84	88
Cultivated, Contoured and Terraced (Cct)	66	74	80	82
Residential (R20) **	59	74	82	86
Residential (R30) **	60	75	83	87
Residential (R40) **	66	78	85	88
Residential (R50) **	69	80	86	89
Residential (R60) **	74	83	88	91
Residential (R70) **	80	87	91	93
Bare Soil	77	86	91	94
Commercial/Business/Multifamily (CBM)	89	92	94	95
Industrial	81	88	91	93
Dirt or Gravel Roads, R.O.W. (Rd)	76	85	89	91
Paved Roads, R.O.W. (Rp)	83	89	92	93
Inundated (W)	100	100	100	100
Urban High Runoff Equivalent *	83	89	92	94

* Urban high runoff equivalent is used only for projected fully-developed watershed conditions.
** Residential coding refers to percent impervious (for example, R60 is for 60% impervious) (For areas that fall between listed Values, Please round to the nearest coding.)
Note: Curve numbers listed above are for average antecedent moisture conditions (AMC_{II}).

3.2.3 Design Storm Frequencies

The design storm frequencies shall be the 100-year storm.

For the Rational Method the relationship between rainfall intensity, duration and frequency is set forth in Figure 3.1. These curves have been developed using Technical Paper No. 40, "Rainfall Frequency Atlas of the United States" by the U.S. Weather Bureau.

For the Unit Hydrograph Method the total rainfall for the 24-hour duration storm is used. See Table 3.5a.

3.2.4 Drainage Calculations Summary Tables

The calculations of the storm water discharge shall be provided to the City. As a minimum, the engineering plans shall include:

- Existing and Proposed Drainage Area Calculations Table using Form 3.1,
- Inlet Calculations Table using Form 3.2
- Storm Sewer Calculations Table using Form 3.3.
- Open Channel Calculations Table using Form 3.4
- Culvert Design Calculations Table using Form 3.5

Form 3.1: Drainage Area Calculations Table

Areas Drained					Weighted Runoff Coeff. C	C*A
Area ID	Total Drainage Area	Parks or Open Area (C=0.35)	Residential (C=0.5)	Comm. (C=0.9)		
	(acres)	(acres)	(acres)	(acres)	(acres)	(acres)
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Time of Concentration T_C	Design Storm Frequency	Intensity I	Storm Runoff Q	Drains To/ Remarks
(min)	(yrs)	(in/hr)	(cfs)	
(8)	(9)	(10)	(11)	(12)

Instructions for Form 3.1: Drainage Area Calculation Table

Column (1)	Drainage area identification number or designation
Column (2)	Total Drainage area in acres
Column (3 to 5)	Area drained for each land use type in acres (add additional columns for different land use areas as needed) Runoff Coefficient taken from Table 3.2
Column (6)	Weighted Runoff Coefficient calculated from Columns 2 to 5
Column (7)	Product of Column (2) and Column (6)
Column (8)	Minimum inlet time of concentration taken from Table 3.3
Column (9)	Design Storm Frequency, shall be 100-yr for all areas
Column (10)	Using the time of concentration and design storm frequency, the rainfall intensity is taken from Figure 3.1
Column (11)	Solution of Equation 3.1
Column (12)	A detailed description of where the drainage area drains to including but not limited to Inlet ID, Street Location, Creek Name, Detention Pond Designation, etc.

3.2.5 Flow in Streets

Capacity of Arterials, Collectors and Residential streets shall be calculated using a straight crown: Storm water flow in streets having a straight crown shall be calculated as follows:

$$Q = \frac{0.56}{n} S_x^{\frac{5}{3}} S^{\frac{1}{2}} T^{\frac{8}{3}}$$

Equation 3.5

where:
Q = gutter flow rate, (cfs)
n = Manning's roughness coefficient; value = 0.0175
S = the longitudinal slope of the street gutter, (ft/ft)
S_x = pavement cross slope, (ft/ft)
T = ponded width, (ft)

3.2.6 Flow in Alleys

Capacity of alleys should be taken from Manning's Equation:

$$Q = \frac{1.49}{n} AR^{2/3} S^{1/2}$$

Equation 3.6

where:
Q = alley flow rate, (cfs)
n = Manning's roughness coefficient; value = 0.0175
A = cross sectional area of flow, (ft^2)
R = hydraulic radius, (ft)
S = the longitudinal slope of the alley, (ft/ft)

3.2.7 Permissible Spread of Water (Ponding Width)

3.2.7.1 General

Spread of water refers to the amount of water that may be allowed to collect in streets during a storm of specific design frequency. The following Equation 3.7, a re-arranging of Equation 3.5, shall be used to determine the ponding width "T" for straight crowned streets. (Arterials, Collectors and Residential).

$$T = 1.24\left(\frac{Qn}{{S_x}^{5/3}S^{1/2}}\right)^{\frac{8}{3}}$$

Equation 3.7

where:
Q = gutter flow rate, (cfs)
n = Manning's roughness coefficient; value = 0.0175
S = the longitudinal slope of the street gutter, (ft/ft)
S_x = pavement cross slope, (ft/ft)
T = ponded width, (ft)

In order that excess storm water will not collect in streets during a storm of the design frequency, the following spread of water values shall be used for the various types of streets. Figure 3.2 provided below shows the relationship between thoroughfare type, gutter flow capacity and street slope based on maximum permissible ponding width described in the next sub-sections.

3.2.7.2 Major and Minor Arterials (P6D & M4D) – Divided

Based on pavement cross-slope of 2.0%, the 100-year Design Frequency flow shall not exceed the elevation of the lowest top of curb. The design engineer shall verify that one lane of traffic in each direction shall remain free of ponding in the 100-year storm event.

3.2.7.3 Collector Streets – (M4U, M3U & Minor Collector)

Based on a straight cross-slope with a roof top crown of six (6) inches, the 100-year storm event flows shall not exceed the top of curb, six (6) inches.

3.2.7.4 Residential Streets

Based on a straight cross-slope with a roof top crown of six (6) inches, the 100-year storm event flows shall not exceed the top of curb, six (6) inches.

3.2.7.5 Alleys

The 100-year Design Frequency shall not exceed the capacity of the alley pavement, a depth of five (5) inches. No ponding will be allowed beyond the pavement edge. Alley paving to be warped to drain the paving toward the inlet.

3.2.7.6 Parking Lots

The 100-yr design frequency shall not exceed a depth of six (6) inches except where on pavement detention is occurring where one (1) foot in depth is permissible.

3.2.8 Inlet Design

3.2.8.1 General

Determination of the required size of the storm drain inlets will be based on the calculations called out in this section and the instructions for FORM 3.2: Inlet Design Calculations Table.

3.2.8.2 Types of Inlets

City requires the use of depressed curb inlets. A depressed curb inlet is more efficient than a non-depressed inlet because a depressed inlet induces a greater cross-flow toward the inlet allowing less water to flow past it. Also, the transition out of the depression causes a backwater effect, which further increases the capacity of the storm drain. A gutter depression for all curb inlets shall be six (6) inches, as shown in the Standard Details. Inlets shall be sized in multiplier of five (5) feet (5, 10, 15 and 20). Construction of inlets shall be in accordance with the Standard Details. Use Table 3.6 for the selection of inlets to be used within the City. No grate inlets are allowed without approval from the City Engineer.

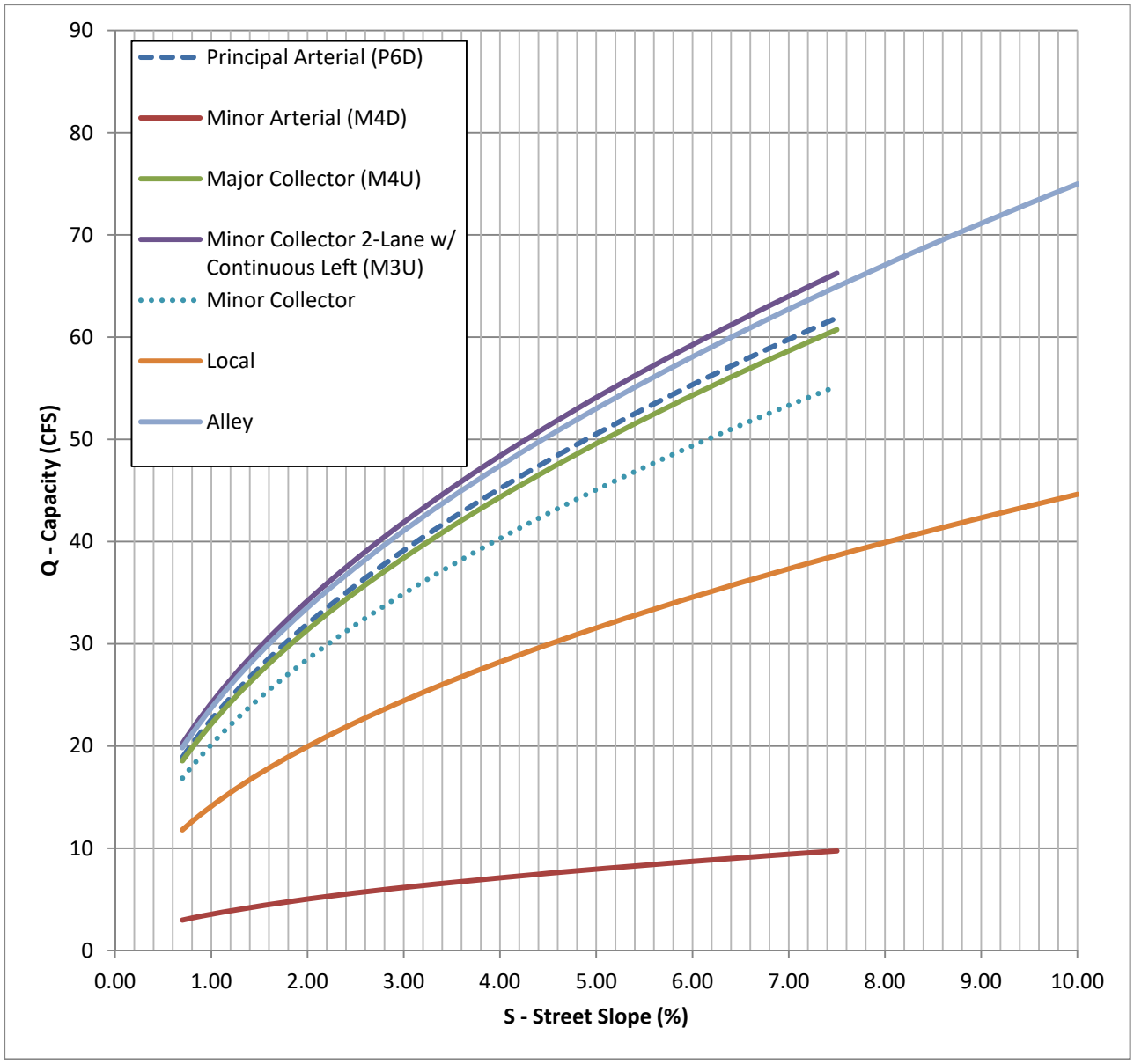


Figure 3.2: Thoroughfare Gutter Capacity based on Maximum Permissible Ponding Width

Table 3.6: Storm Drain Inlets

INLET DESCRIPTION	AVAILABLE INLET SIZES	WHERE USED	DESIGN EQUATIONS
Standard Curb Opening Inlet on Grade	5' 10' 15' 20'	Arterials (P6D & M4D) Collectors (M4U, Minor & M3U) Local (Residential) Alley	Equation 3.8 through 3.16
Standard Curb Opening Inlet at Low Point	5' 10' 15' 20'	Arterials (P6D & M4D) Collectors (M4U, Minor & M3U) Local (Residential) Alley	Equation 3.17 & 3.18
Recessed Curb Opening Inlet on Grade	5' 10' 15' 20'	**Street Grade 6% or Greater** Arterials (P6D & M4D) Collectors (M4U, Minor & M3U)	Equation 3.8 through 3.16
Combination Inlet on Grade	4' 6' 8'	Combination Inlets to be Used Where Space Behind Curb Prohibits Other Inlet Types and Alleys **City Engineer Approval Required**	
Combination Inlet at Low Grade	4' 6' 8'	Combination Inlets to be Used Where Space Behind Curb Prohibits Other Inlet Types and Alleys **City Engineer Approval Required**	
Grate Inlet	2 Grate 3 Grate 4 Grate 6 Grate	**No grate inlets are allowed without approval from the City Engineer**	
Drop Inlet	2'x2' 3'x3' 4'x4' 5'x5'	Open Channels/Area Drain	Equation 3.19 & 3.20

3.2.8.3 Location

All inlets (edge of opening) shall be a minimum of ten (10) feet from street or driveway curb return. Recessed inlets will be required to be installed at all inlet locations where the street grade is to be 6% or greater except on residential streets. At locations where depressed inlets are expected to interfere with pedestrian activity, usually at crosswalks or interior spans of the block used for parking, a depression of less than six (6) inches may be required. These locations may require additional inlet width to compensate for the reduced depression. The City will consider all variances from a standard six- (6) inch gutter on an individual basis.

A. Major and Minor Arterials (Divided): Inlets shall be located at street intersections, at low points of grade or where the gutter flow exceeds the permissible spread of water criteria. Inlets shall be located, when possible, on lesser traveled streets or alleys when grades permit. Inlets located on arterials and where street grade is 6% or greater shall be recessed in order to minimize interference of the gutter depression with travel lanes. In super-elevated sections, inlets placed against the

center medians shall have no gutter depression and shall intercept gutter flow at the point of vertical curvatures to prevent flow from crossing the arterial. Unless expressly approved by the City Engineer, storm waters will not be allowed to cross arterials on the surface in valley gutters or otherwise. All sag inlets will require a reinforced concrete emergency overflow flume. The capacity of the emergency overflow flume shall equal or exceed the 100-yr design storm flow coming to the sag point.

B. Collector Streets: Inlets shall be located at street intersections, low points of grade or where the gutter flow exceeds the permissible spread of water criteria. Inlets shall be located, when at all possible, on lesser traveled streets or alleys where grade permits. All sag inlets will require a reinforced concrete emergency overflow flume. The capacity of the emergency overflow flume shall equal or exceed the 100-yr design storm flow coming to the sag point.

C. Residential Streets: Inlets shall be located at street intersections, low points of grade or where the gutter flow exceeds the permissible spread of water criteria. All sag inlets will require a reinforced concrete emergency overflow flume unless the design engineer calculates that the street will carry the overflow above the crest of the roadway without the water surface elevation exceeding the top of curb. The capacity of the emergency overflow flume shall equal or exceed the 100-yr design storm flow coming to the sag point.

D. Alleys: Inlets shall be located before intersections with streets, alley to alley intersections, change in alley directions, low points of grade or where the gutter flow exceeds the permissible spread of water criteria. All sag inlets will require a reinforced concrete emergency overflow flume. The capacity of the emergency overflow flume shall equal or exceed the 100-yr design storm flow coming to the sag point.

E. Parking Lots: Inlets shall be located at all sag points and before ponding exceeds six (6) in depth except when on pavement detention is occurring.

3.2.8.4 Curb Inlets On-Grade

The sizing of curb inlets on-grade shall be done based on the following Equations 3.8 through 3.16 and Figure 3.3. Figures 3.4 through 3.9 are provided as reference for On-Grade Curb Inlet Capacities on the City Thoroughfares.

$$L_r = 0.6Q^{0.42}S^{0.3}\left(\frac{1}{nS_e}\right)^{0.6}$$

Equation 3.8

where:
Lr = length of curb inlet required (ft)
Q = flow rate in gutter (cfs)
S = longitudinal slope (ft./ft)
n = Manning's roughness coefficient, value = 0.0175
Se = equivalent cross slope (ft./ft.)

$$S_e = S_x + \frac{a}{W}E_0$$

Equation 3.9

where:
S_e = equivalent cross slope (ft/ft)
S_x = cross slope of the road (ft/ft)
a = gutter depression depth (ft), all inlet depressions shall be 0.50 feet (6 inches)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft
E_o = ratio of depression flow to total flow

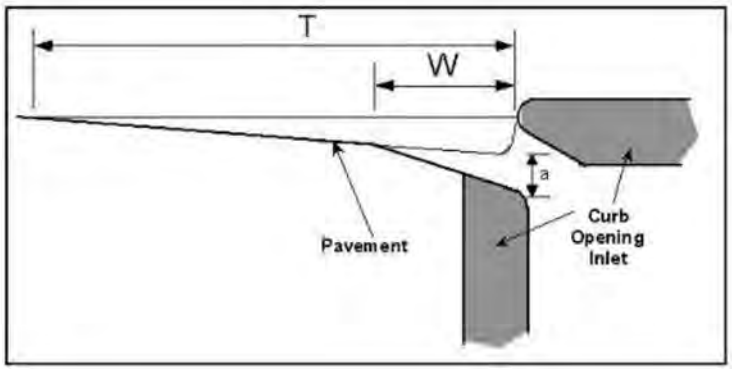


Figure 3.3: Gutter Cross-Section Diagram

$$E_0 = \frac{K_W}{K_W + K_0}$$

Equation 3.10

where:
E_0 = ratio of depression flow to total flow
K_W = conveyance of the depressed gutter section (cfs)
K_0 = conveyance of the gutter section beyond the depression (cfs)

$$K = \frac{1.486A^{5/3}}{nP^{2/3}}$$

Equation 3.11

where:
K = conveyance of cross section (cfs)
A = area of cross section (ft^2)
n = Manning's roughness coefficient, value = 0.0175
P = wetted perimeter (ft)

$$A_W = WS_X\left(T - \frac{W}{2}\right) + \frac{1}{2}aW$$

Equation 3.12

where:
A_W = area of depressed gutter section (ft^2)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft
S_X = cross slope (ft/ft)
T = calculated ponded width (ft)
a = gutter depression depth (ft), all inlet depressions shall be 0.50 feet (6 inches)

$$P_W = \sqrt{(WS_X + a)^2 + W^2}$$

Equation 3.13

where:
P_W = wetted perimeter of depressed gutter section (ft)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft
S_X = cross slope (ft./ft)
a = gutter depression depth (ft), all inlet depressions shall be 0.50 feet (6 inches)

$$A_0 = \frac{S_X}{2}(T - W)^2$$

Equation 3.14

A_0 = area of gutter/road section beyond the depression width (ft^2)
S_X = cross slope (ft/ft)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft
T = calculated ponded width

$$P_0 = T - W$$

Equation 3.15

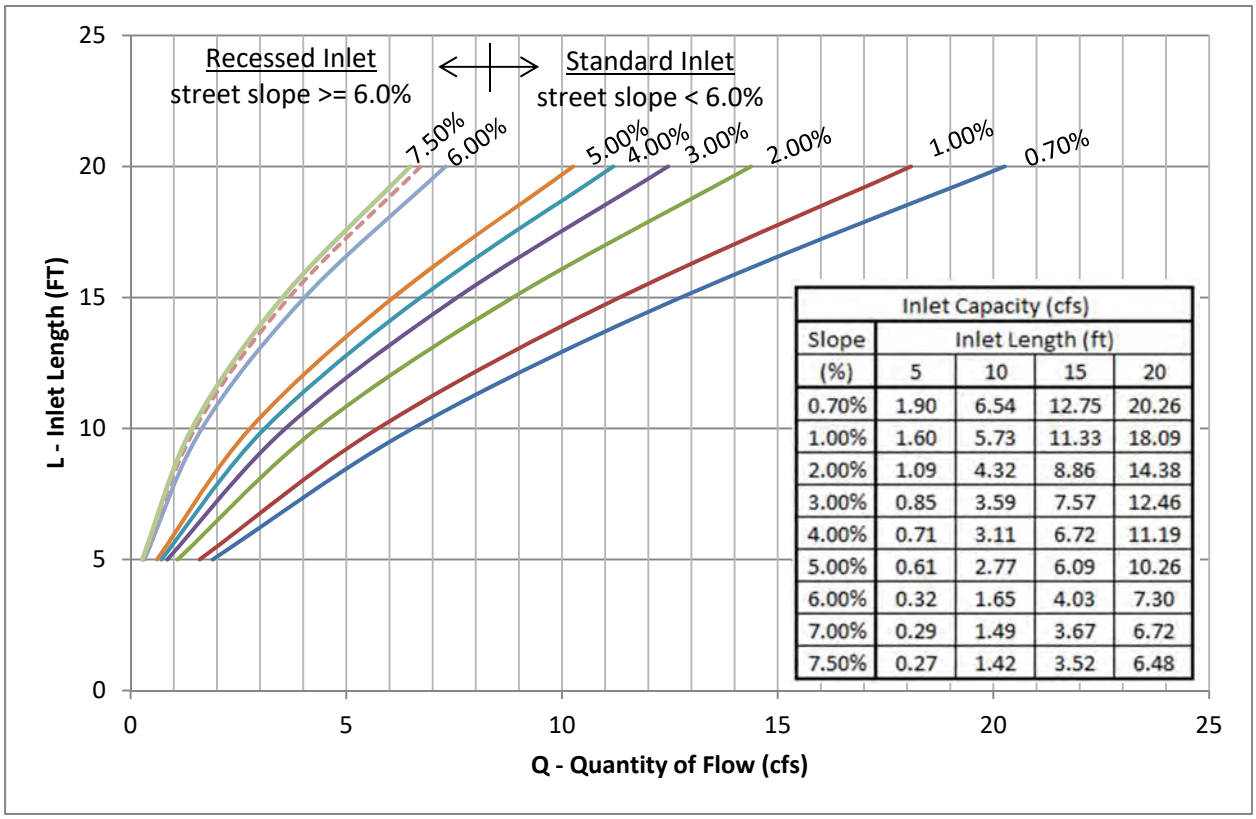
P_0 = wetted perimeter of the depressed gutter section (ft)
T = calculated ponded width (ft)
W = gutter depression width (ft)
(standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft)

For determining the bypass of an curb inlet on grade use the following Equation 3.13 which factors in the ratio of the actual length of curb inlet (L_a) to the length of inlet required (L_r)

$$Q_{bypass} = Q\left(1 - \frac{L_a}{L_r}\right)^{1.8}$$

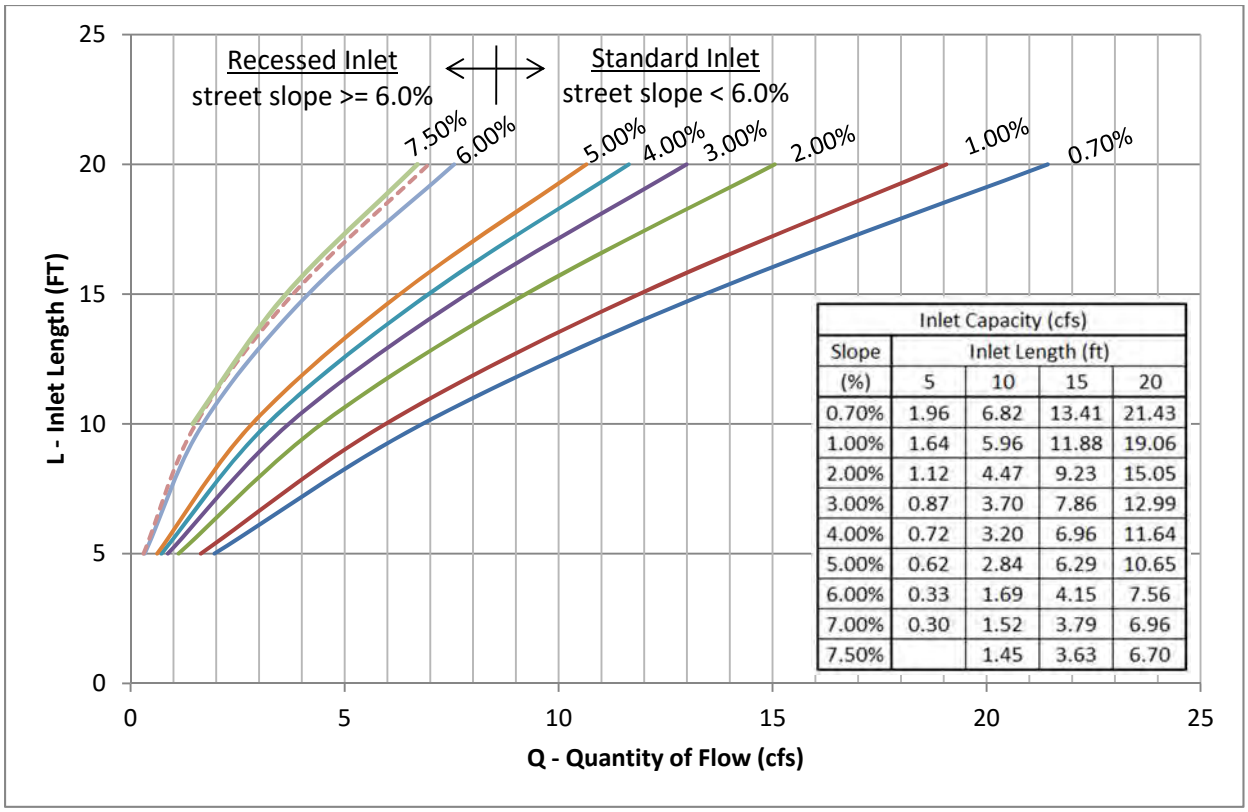
Equation 3.16

where:
Q_{bypass} = carryover discharge (cfs)
Q = total discharge (cfs)
L_a = design length of the curb opening inlet (ft)
L_r = length of curb opening inlet required to intercept the total flow (ft)



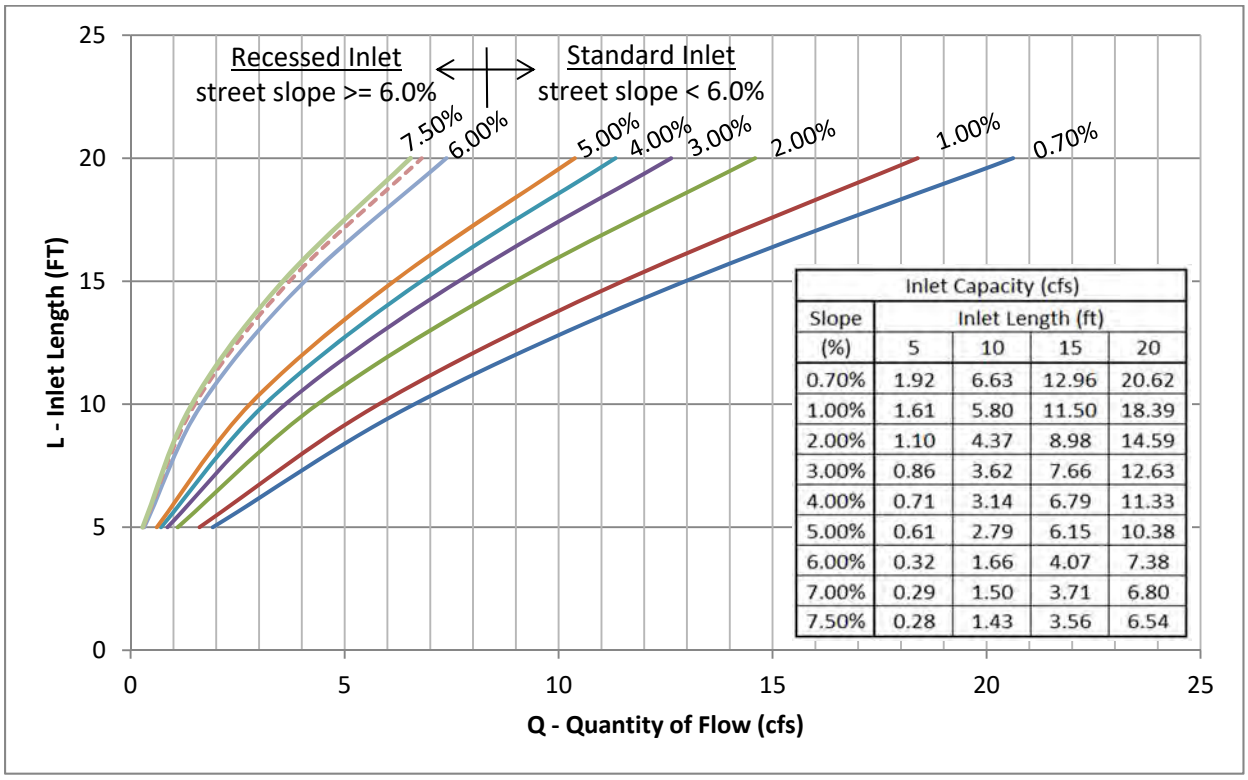
Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	1.90	6.54	12.75	20.26
1.00%	1.60	5.73	11.33	18.09
2.00%	1.09	4.32	8.86	14.38
3.00%	0.85	3.59	7.57	12.46
4.00%	0.71	3.11	6.72	11.19
5.00%	0.61	2.77	6.09	10.26
6.00%	0.32	1.65	4.03	7.30
7.00%	0.29	1.49	3.67	6.72
7.50%	0.27	1.42	3.52	6.48

Figure 3.4: Curb Inlet Capacity On-Grade Principal & Minor Arterial (P6D & M4D)



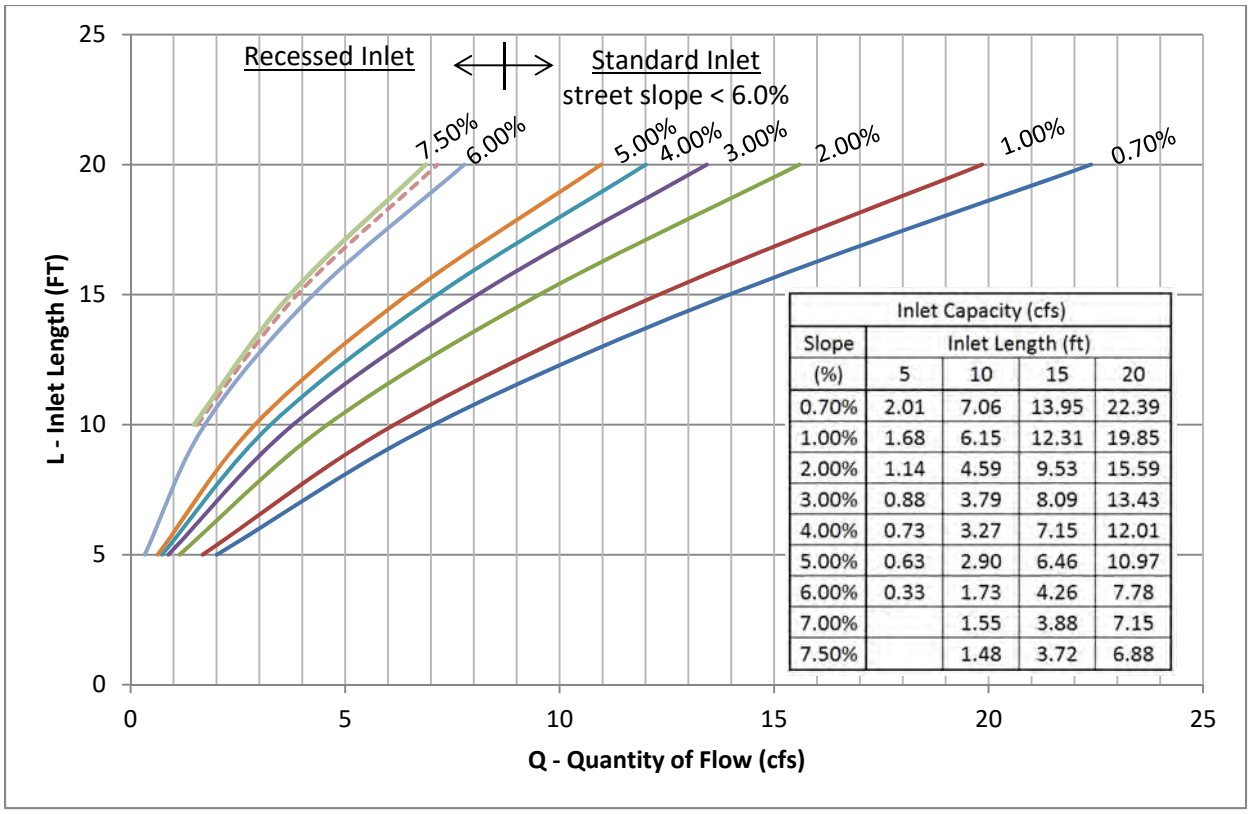
Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	1.96	6.82	13.41	21.43
1.00%	1.64	5.96	11.88	19.06
2.00%	1.12	4.47	9.23	15.05
3.00%	0.87	3.70	7.86	12.99
4.00%	0.72	3.20	6.96	11.64
5.00%	0.62	2.84	6.29	10.65
6.00%	0.33	1.69	4.15	7.56
7.00%	0.30	1.52	3.79	6.96
7.50%		1.45	3.63	6.70

Figure 3.5: Curb Inlet Capacity On-Grade Major Collector (M4U)



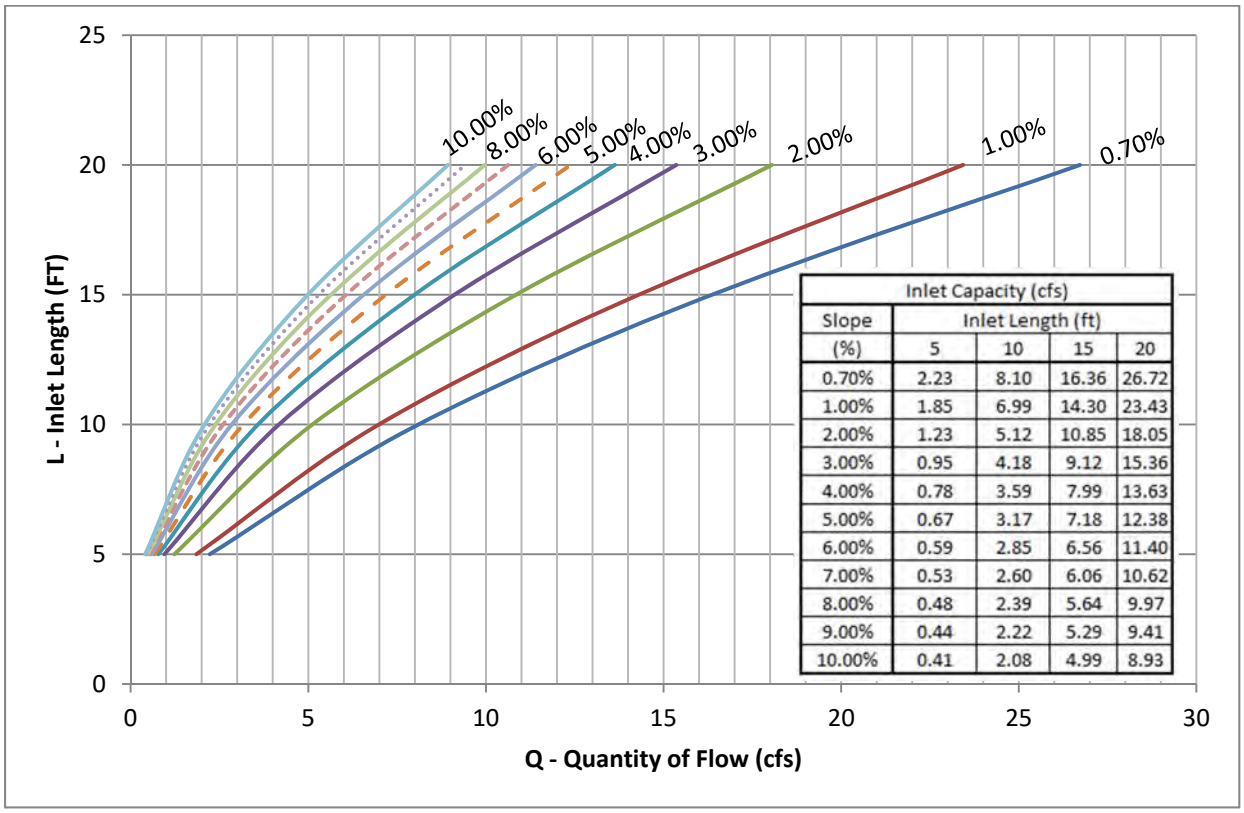
Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	1.92	6.63	12.96	20.62
1.00%	1.61	5.80	11.50	18.39
2.00%	1.10	4.37	8.98	14.59
3.00%	0.86	3.62	7.66	12.63
4.00%	0.71	3.14	6.79	11.33
5.00%	0.61	2.79	6.15	10.38
6.00%	0.32	1.66	4.07	7.38
7.00%	0.29	1.50	3.71	6.80
7.50%	0.28	1.43	3.56	6.54

Figure 3.6: Curb Inlet Capacity On-Grade Collector 2-Lane w. Continuous Left (M3U)



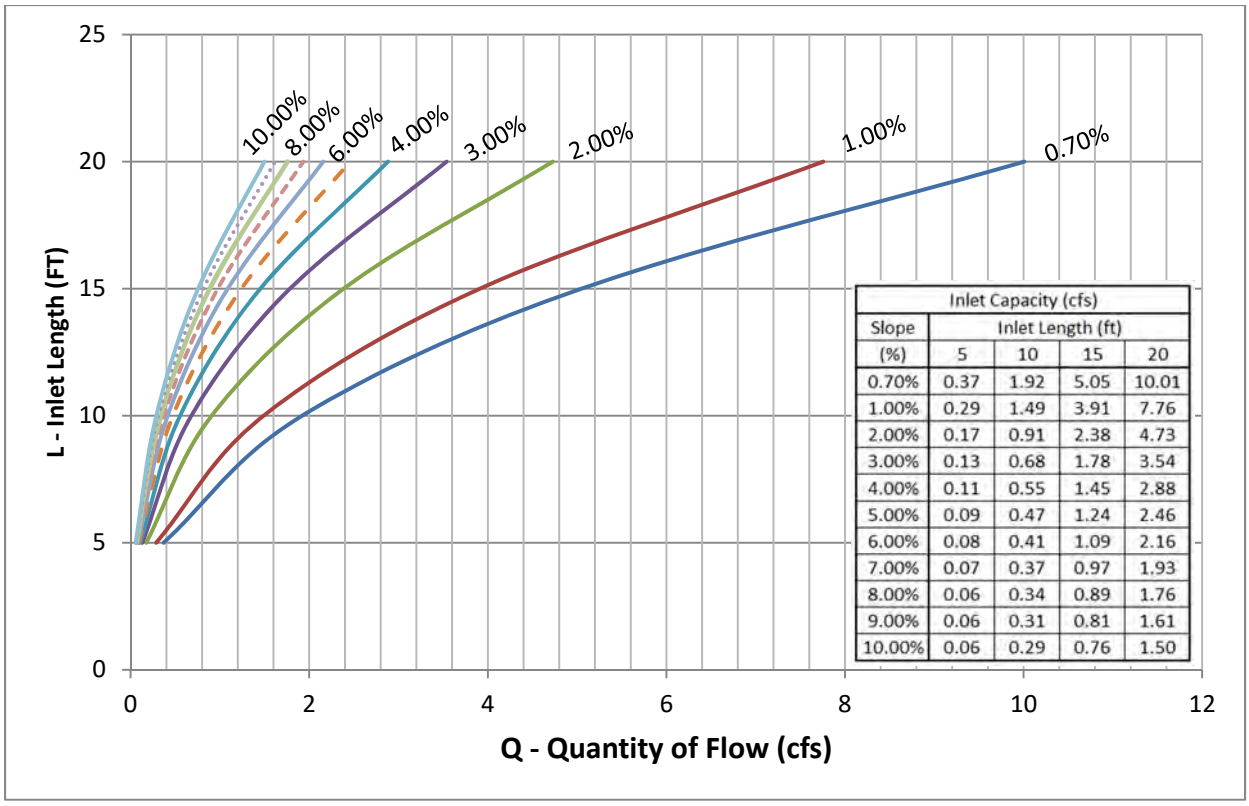
Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	2.01	7.06	13.95	22.39
1.00%	1.68	6.15	12.31	19.85
2.00%	1.14	4.59	9.53	15.59
3.00%	0.88	3.79	8.09	13.43
4.00%	0.73	3.27	7.15	12.01
5.00%	0.63	2.90	6.46	10.97
6.00%	0.33	1.73	4.26	7.78
7.00%		1.55	3.88	7.15
7.50%		1.48	3.72	6.88

Figure 3.7: Curb Inlet Capacity On-Grade Minor Collector



Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	2.23	8.10	16.36	26.72
1.00%	1.85	6.99	14.30	23.43
2.00%	1.23	5.12	10.85	18.05
3.00%	0.95	4.18	9.12	15.36
4.00%	0.78	3.59	7.99	13.63
5.00%	0.67	3.17	7.18	12.38
6.00%	0.59	2.85	6.56	11.40
7.00%	0.53	2.60	6.06	10.62
8.00%	0.48	2.39	5.64	9.97
9.00%	0.44	2.22	5.29	9.41
10.00%	0.41	2.08	4.99	8.93

Figure 3.8: Curb Inlet Capacity On-Grade Local (Residential) Street



Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	0.37	1.92	5.05	10.01
1.00%	0.29	1.49	3.91	7.76
2.00%	0.17	0.91	2.38	4.73
3.00%	0.13	0.68	1.78	3.54
4.00%	0.11	0.55	1.45	2.88
5.00%	0.09	0.47	1.24	2.46
6.00%	0.08	0.41	1.09	2.16
7.00%	0.07	0.37	0.97	1.93
8.00%	0.06	0.34	0.89	1.76
9.00%	0.06	0.31	0.81	1.61
10.00%	0.06	0.29	0.76	1.50

Figure 3.9: Curb Inlet Capacity On-Grade Alley

3.2.8.5 Curb Inlets at Sag/Low Point

Determining the capacity of curb inlets at sag/low point shall be taken from Equation 3.17 while the inlet operates as a weir until the water depth approaches 1.4 times the curb opening height.

$$Q = 2.3(L + 1.8W)y^{1.5}$$

Equation 3.17

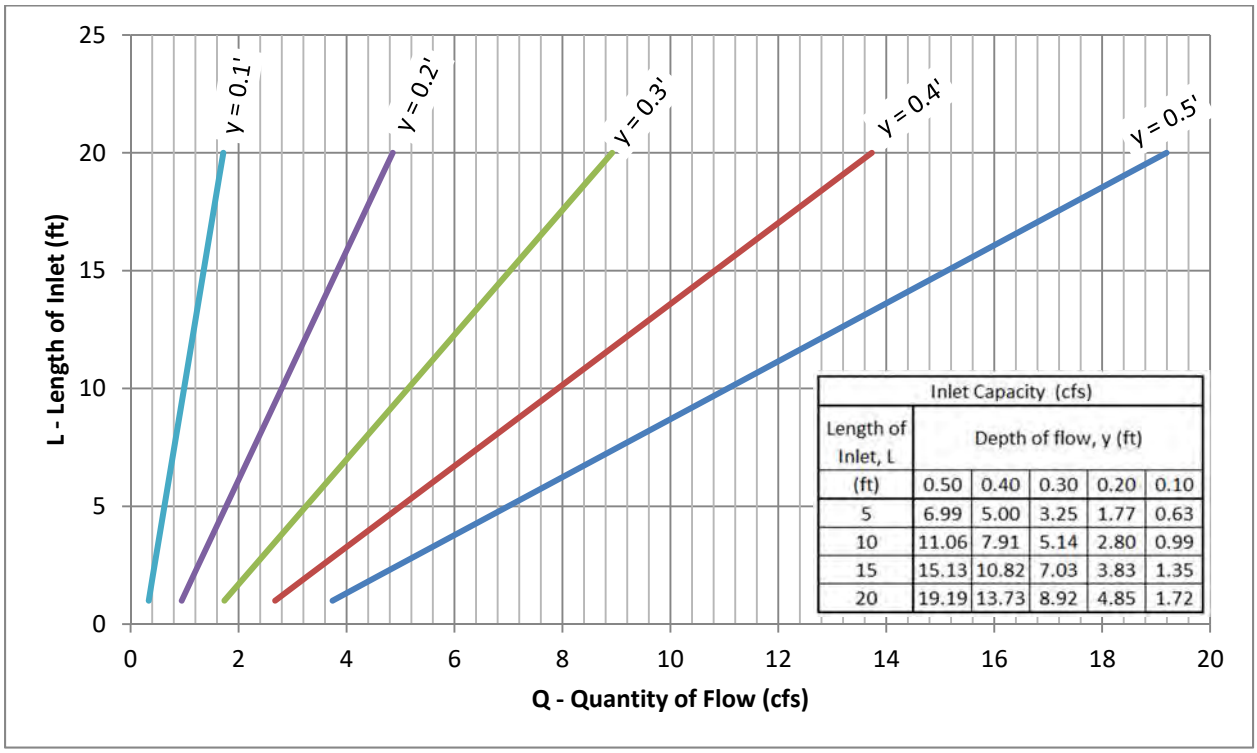
Equation 3.14 can be rearranged to find the required curb inlet length at a sag point as shown in Equation 3.18.

$$L = \frac{Q}{2.3y^{1.5}} - 1.8W$$

Equation 3.18

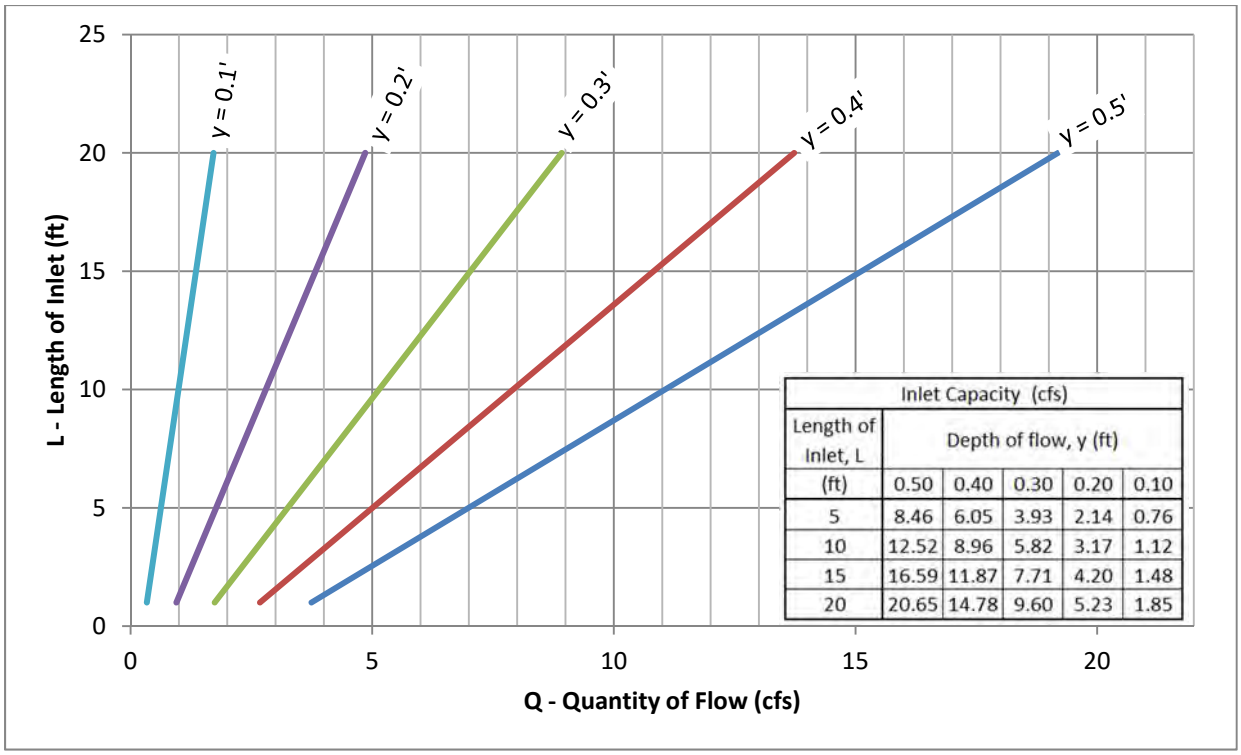
where:
Q = total flow reaching inlet (cfs)
y = depth of flow (ft)
L = length of curb inlet opening (ft)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft

Figures 3.10 through 3.11 are provided as reference for Standard and Recessed Sag Curb Inlet Capacities.



Inlet Capacity (cfs)					
Length of Inlet, L	Depth of flow, y (ft)				
(ft)	0.50	0.40	0.30	0.20	0.10
5	6.99	5.00	3.25	1.77	0.63
10	11.06	7.91	5.14	2.80	0.99
15	15.13	10.82	7.03	3.83	1.35
20	19.19	13.73	8.92	4.85	1.72

Figure 3.10: Standard Curb Inlet Capacity Sag/Low Point



Inlet Capacity (cfs)					
Length of Inlet, L	Depth of flow, y (ft)				
(ft)	0.50	0.40	0.30	0.20	0.10
5	8.46	6.05	3.93	2.14	0.76
10	12.52	8.96	5.82	3.17	1.12
15	16.59	11.87	7.71	4.20	1.48
20	20.65	14.78	9.60	5.23	1.85

Figure 3.11: Recessed Curb Inlet Capacity Sag/Low Point

3.2.9 Drop Inlets / 'Y' Inlet Design

The capacity of drop inlets shall be taken from the Equation 3.19. All drop inlets shall be sized to have a maximum allowable head (depth of water) on the inlet to be six (6) inches.

$$Q = 3.087Ly^{3/2}$$

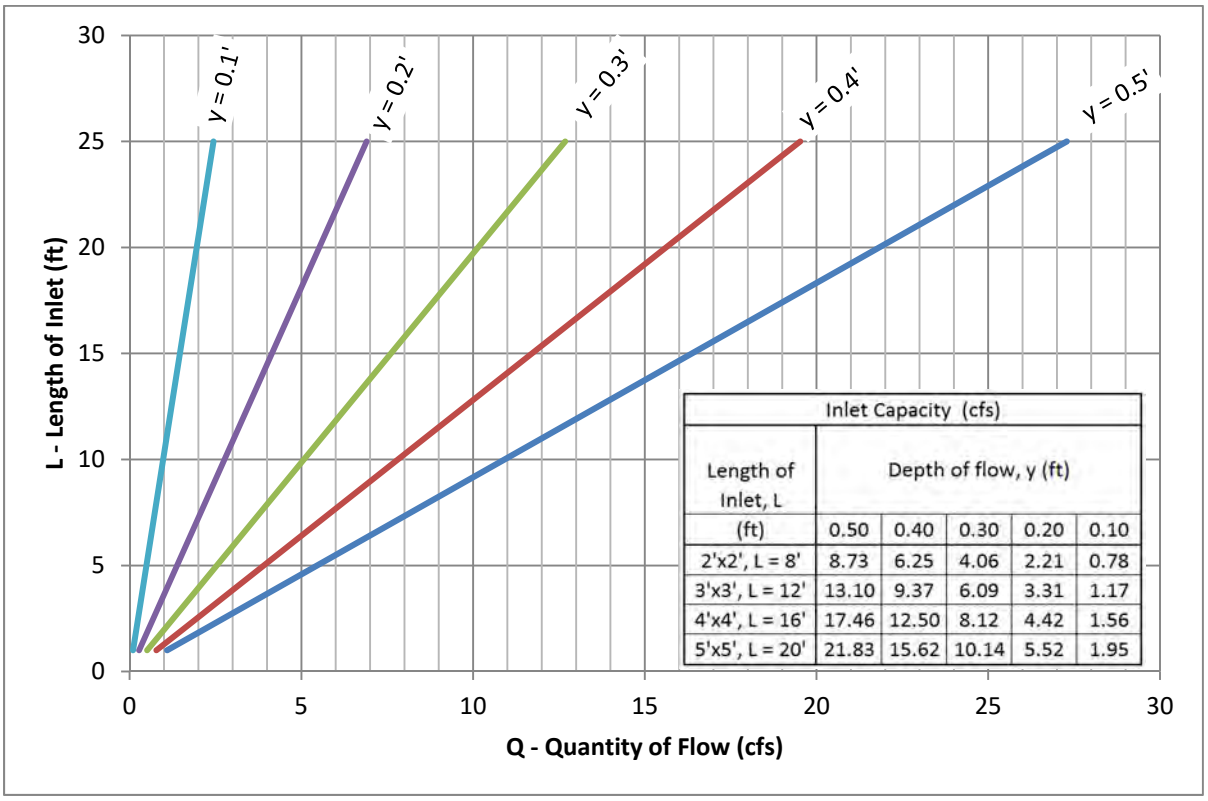
Equation 3.19

The equation can be rearranged to find the length of Drop Inlet opening as shown in Equation 3.20.

$$L = \frac{Q}{3.087y^{3/2}}$$

Equation 3.20

where:
Q = flow to inlet (cfs)
L = length of inlet opening (ft)
y = depth of water (head) at inlet (ft)



Inlet Capacity (cfs)					
Length of Inlet, L	Depth of flow, y (ft)				
(ft)	0.50	0.40	0.30	0.20	0.10
2'x2', L = 8'	8.73	6.25	4.06	2.21	0.78
3'x3', L = 12'	13.10	9.37	6.09	3.31	1.17
4'x4', L = 16'	17.46	12.50	8.12	4.42	1.56
5'x5', L = 20'	21.83	15.62	10.14	5.52	1.95

Figure 3.12: Drop/'Y' Inlet Capacity

3.2.1 Combination and Grate Inlet Design

When allowed by the City Engineer combination and grate Inlets shall be sized using Figures 3.13 through Figure 3.20.

City of Rockwall
The New Horizon

Form 3.2: Inlet Design Calculations Table

Inlet ID	Location				Area Runoff					
	Alignment	Station	Offset	Design Freq.	C	Area ID	Time of Concen-tration Tc	Intensity I	Area A	Runoff Q
				(yr)			(min)	(in/hr)	(acres)	(cfs)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

	Upstream Bypass C*A	Total Gutter Flow Q_a	Gutter Flow							
			Thorough-fare Type	On-Grade/ Sag	Manning's n	Long Slope S	Crown Type	Cross Slope S_X	Depression	
									Depth a	Width W
	(cfs)	(cfs)				(ft/ft)		(ft/ft)	(ft)	(ft)
	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)

Gutter Flow					Inlets Capacity			
Ponding Width/ Spread		Depth of Gutter Flow		Max. Allowable Flow based on Max. Allowable Ponding Width $Q_{allow\ gutter}$	Depressed Gutter Section		Section Beyond Depression	
(allow) T_{allow}	(actual) T_{actual}	(allow) y_{allow}	(actual) y_{actual}		Area	Wetted Perimeter	Area	Wetted Perimeter
					A_W	P_W	A_0	P_0
(ft)	(ft)	(ft)	(ft)	(cfs)	(ft^2)	(ft)	(ft^2)	(ft)
(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)

Inlets Capacity							Inlet By-pass			
Conveyance		Ratio of Depression flow to Total Flow E_0	Equivalent Cross-slope, S_e	Inlet Length		Inlet Capacity Q_C	Flow Q_{bypass}	C*A	To Inlet ID	Remarks
Depression Section Kw	Section Beyond Depression K_0			Required $L_{Req'd}$	Actual L_{actual}					
(cfs)	(cfs)		(ft/ft)	(ft)	(ft)	(cfs)	(cfs)			
(31)	(32)	(33)	(34)	(35)	(36)	(37)	(38)	(39)	(40)	(41)

City of Rockwall
The New Horizon

Instructions for Form 3.2: Inlet Design Calculation Table

Column (1)	Inlet number or designation, starting with the most upstream inlet.
Column (2)	Street Alignment/ Name in which the inlet is located.
Column (3)	Station along the alignment in which the inlet is located.
Column (4)	Offset distance and side (RT/LT) inlet is located.
Column (5)	Design Storm Frequency, shall be 100-yr for all inlets.
Column (6)	Runoff coefficient taken from Table 3.2.
Column (7)	Contributing drainage area ID.
Column (8)	Minimum inlet time of concentration taken from Table 3.3.
Column (9)	Using the time of concentration and design storm frequency, the rainfall intensity is taken from Figure 3.1.
Column (10)	Runoff area to inlet in acres.
Column (11)	Solution of Equation 3.1.
Column (12)	Taken from Column (39) of the upstream inlet.
Column (13)	$= Column\ (9)\left\{\begin{matrix} Column(12) + \\ \{Column(6) * Column(10)\} \end{matrix}\right\}$
Column (14)	Thoroughfare Type Taken from Section 2 Streets, (P6D, M4D, M4U, M3U, Minor Collector, Local, Alley, Parking).
Column (15)	Determined by location of inlet (On-Grade or Sag).
Column (16)	Manning's n value.
Column (17)	Street longitudinal gutter slope of the street taken in (feet/feet).
Column (18)	Street crown type on which the inlet is located.
Column (19)	Street cross-slope in feet/feet .
Column (20)	Gutter depression depth, reference Figure 3.3.
Column (21)	Gutter depression width, reference Figure 3.3.
Column (22)	Determined by the type of thoroughfare in the permissible spread width section.
Column (23)	Solution of Equation 3.7.
Column (24)	The product of Column (22) and Column (19).
Column (25)	The product of Column (23) and Column (19).
Column (26)	Solution of Equation 3.5 using the maximum allowable pond width from Column (22).
Column (27)	Solution of Equation 3.12.
Column (28)	Solution of Equation 3.13.
Column (29)	Solution of Equation 3.14.
Column (30)	Solution of Equation 3.15.
Column (31)	Solution of Equation 3.11 using Columns (27) and (28).
Column (32)	Solution of Equation 3.11 using Columns (29) and (30).
Column (33)	Solution of Equation 3.10.
Column (34)	Solution of Equation 3.9.
Column (35)	Solution of Equation 3.8 for on-grade curb inlets, Equation 3.18 for sag curb inlet, or Equation 3.20 for drop inlets.
Column (36)	Selected Inlet Size.
Column (37)	The capacity of the selected inlet size of Column (35), solution found by

	iteratively solving for capacity based on Equation 3.8 for curb inlets, Equation 3.17 for sag curb inlets, Equation 3.19 for drop inlets.
Column (38)	For on-grade inlets the solution of Equation 3.16.
Column (39)	Equal Column (38) divided by Column (9).
Column (40)	Next downstream inlet to which by the by-pass is going.
Column (41)	Special design comments are entered here.

EXAMPLE

Known:

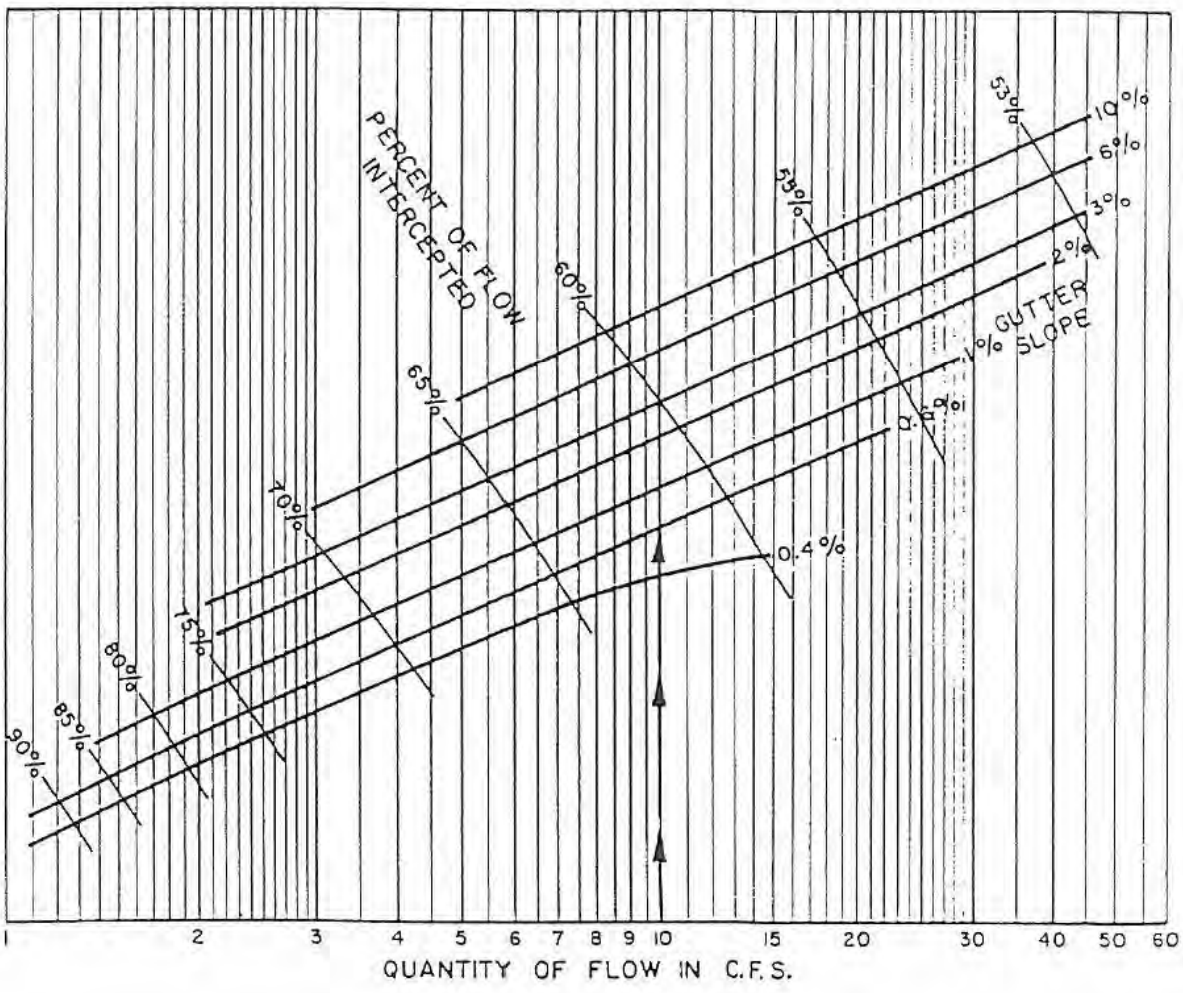
Quantity of Flow = 10.0 c.f.s.
Gutter Slope = 0.6 %

Find:

Capacity of Two Grate Combination Inlet

Solution:

Enter Graph at 10.0 c.f.s.
Intersect Slope = 0.6 %
Read Percent of Flow Intercepted = 62 %
62 % of 10.0 c.f.s. = 6.2 c.f.s. as Capacity of Two Grate Combination Inlet
Remaining Gutter Flow = 10.0 c.f.s – 6.2 c.f.s. = 3.8 c.f.s.



TWO GRATE COMBINATION INLET
CAPACITY CURVES
ON GRADE

Figure 3.13: Two Grate Combination Inlet Capacity Curves on Grade

EXAMPLE

Known:

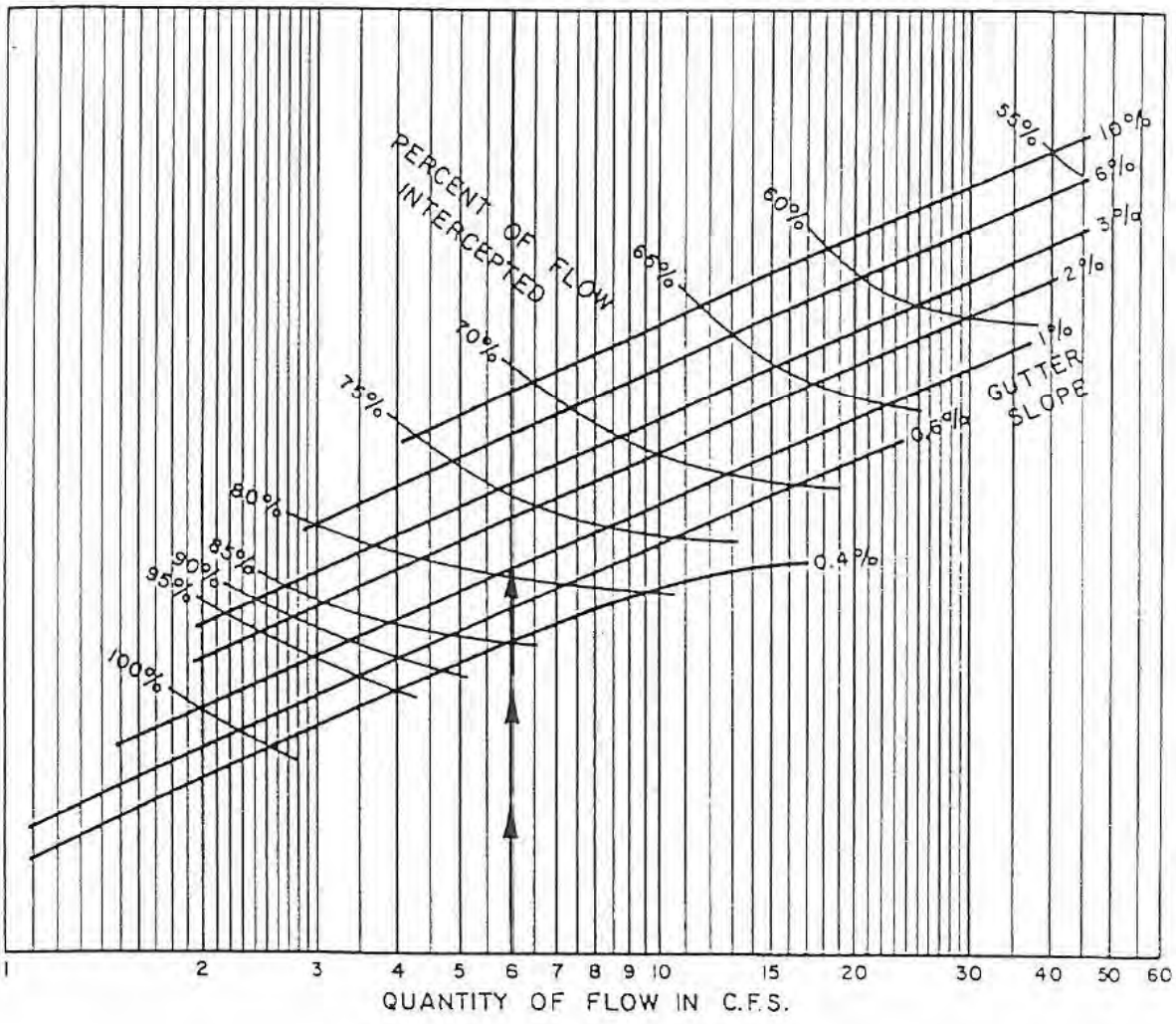
Quantity of Flow = 6.0 c.f.s.
Gutter Slope = 1.0 %

Find:

Capacity of Four Grate Combination Inlet

Solution:

Enter Graph at 6.0 c.f.s.
Intersect Slope = 1.0 %
Read Percent of Flow Intercepted = 79 %
79 % of 6.0 c.f.s. = 4.7 c.f.s.
as Capacity of Four Grate Combination Inlet
Remaining Gutter Flow =
6.0 c.f.s. – 4.7 c.f.s. = 1.3 c.f.s.



FOUR GRATE COMBINATION INLET
CAPACITY CURVES
ON GRADE

Figure 3.14: Four Grate Combination Inlet Capacity Curves on Grade

EXAMPLE

Known:

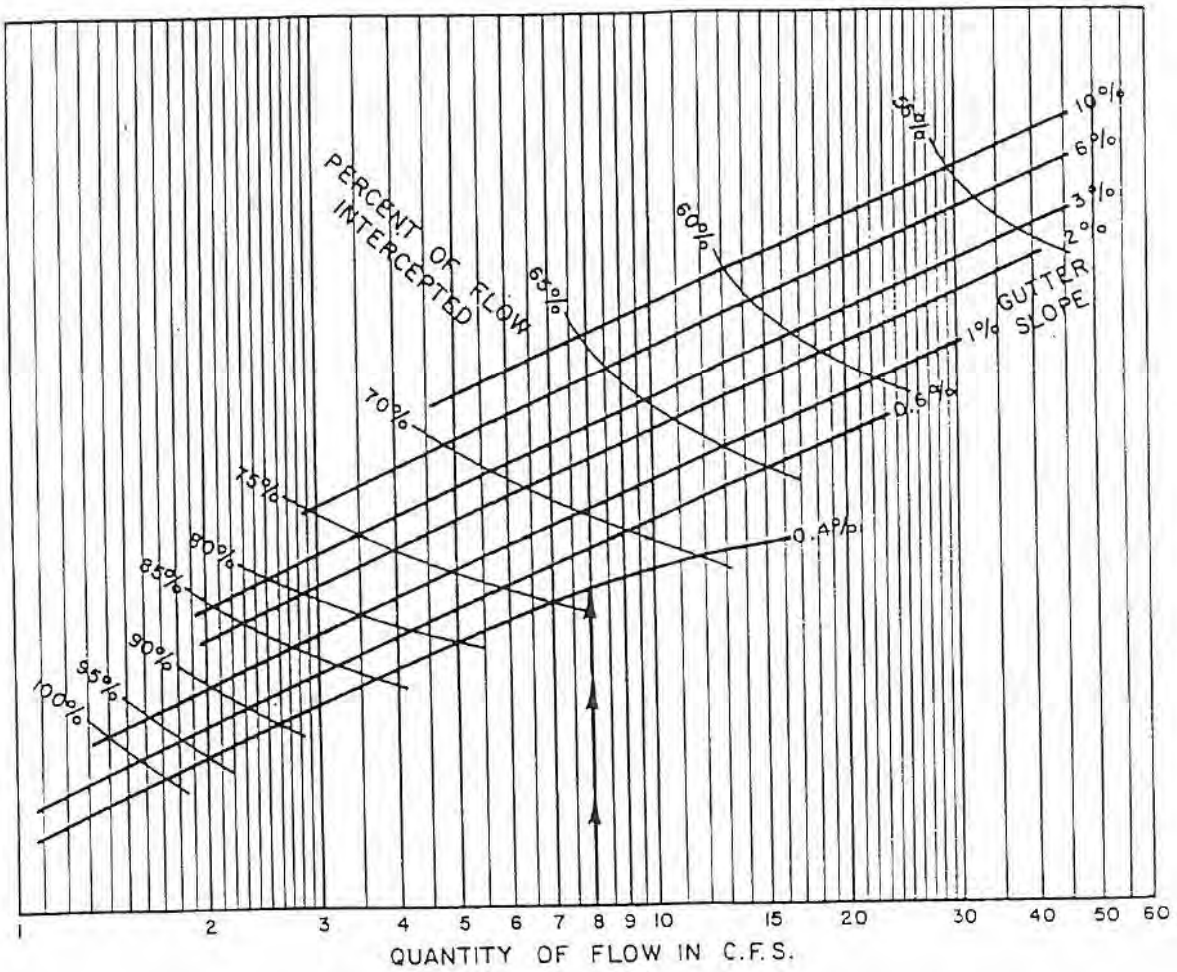
Quantity of Flow = 8.0 c.f.s.
Gutter Slope = 0.4%

Find:

Capacity of Three Grate Inlet

Solution:

Enter Graph at 8.0 c.f.s.
Intersect Slope = 0.4%
Read Percent of Flow
Intercepted = 74%
74% of 8.0 c.f.s. = 5.9 c.f.s.
as Capacity of Three Grate Inlet
Remaining Gutter Flow =
8.0 c.f.s. – 5.9 c.f.s. = 2.1 c.f.s.



THREE GRATE INLET AND
THREE GRATE COMBINATION INLET
CAPACITY CURVES
ON GRADE

Figure 3.15: Three Grate Inlet and Three Grate Combination Inlet Capacity Curves on Grade

EXAMPLE

Known:

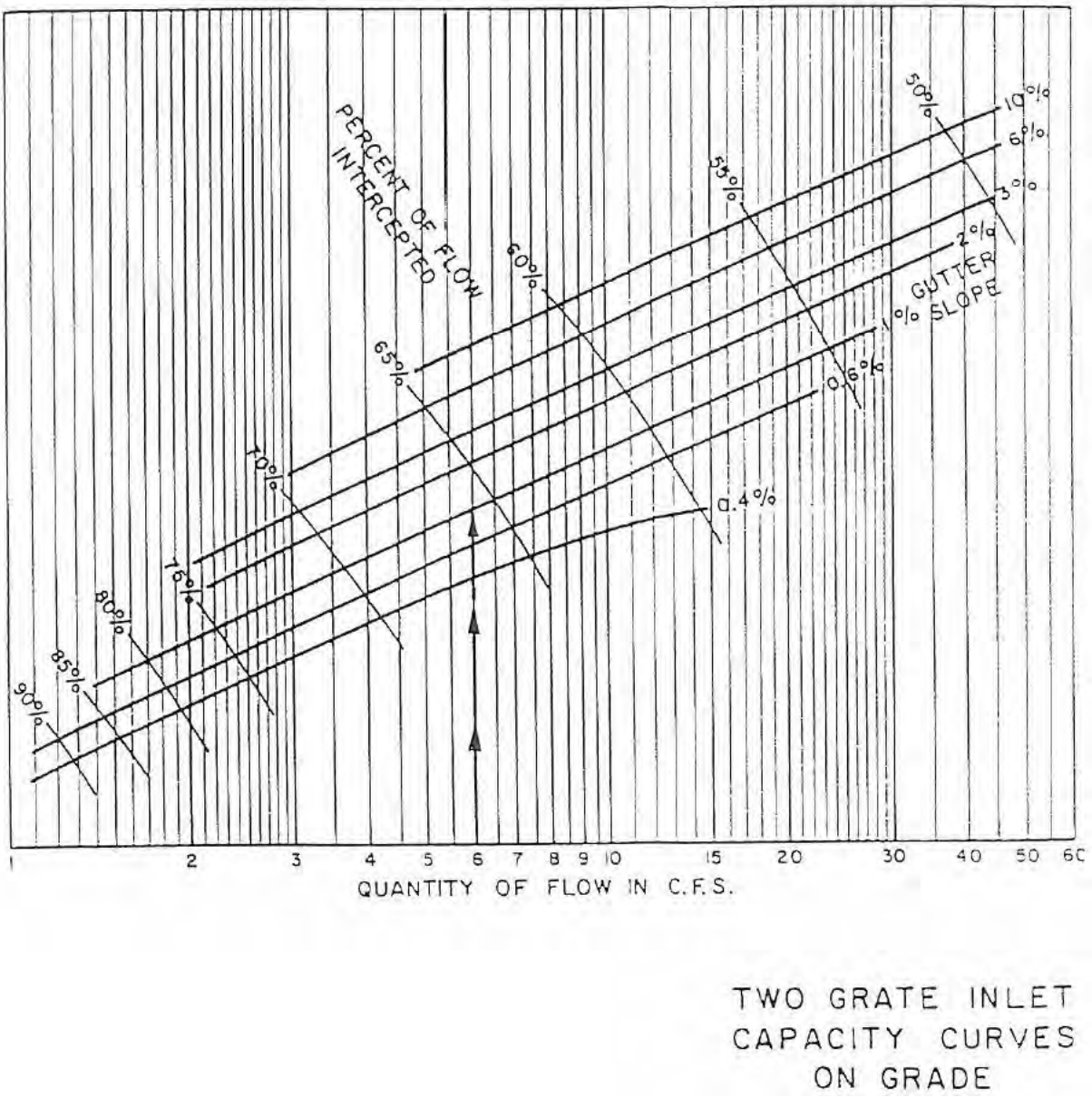
Quantity of Flow = 6.0 c.f.s.
Gutter Slope = 1.0%

Find:

Capacity of Two Grate Inlet

Solution:

Enter Graph at 6.0 c.f.s.
Intersect Slope = 1.0%
Read Percent of Flow
Intercepted = 66%
66% of 6.0 c.f.s. = 4.0 c.f.s.
as Capacity of Two Grate Inlet
Remaining Gutter Flow =
6.0 c.f.s. – 4.0 c.f.s. = 2.0 c.f.s.



TWO GRATE INLET
CAPACITY CURVES
ON GRADE

Figure 3.16: Two Grate Inlet Capacity Curves on Grade

EXAMPLE

Known:

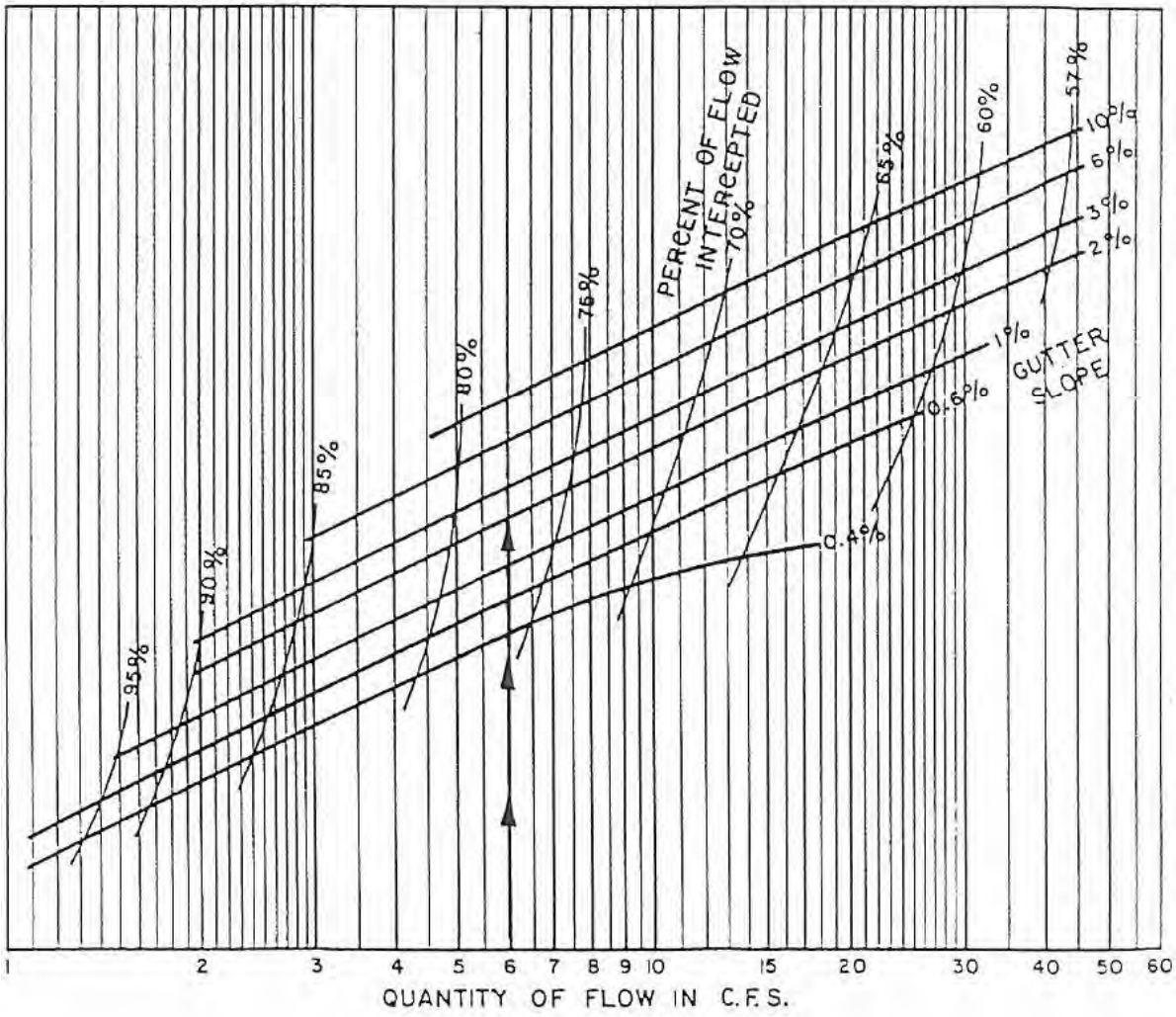
Quantity of Flow = 6.0 c.f.s.
Gutter Slope = 1.0%

Find:

Capacity of Four Grate Inlet

Solution:

Enter Graph at 6.0 c.f.s.
Intersect Slope = 1.0%
Read Percent of Flow
Intercepted = 77%
77% of 6.0 c.f.s. = 4.6 c.f.s.
as Capacity of Four Grate Inlet
Remaining Gutter Flow =
6.0 c.f.s. – 4.6 c.f.s. = 1.4 c.f.s.



FOUR GRATE INLET
CAPACITY CURVES
ON GRADE

Figure 3.17: Four Grate Inlet Capacity Curves on Grade

EXAMPLE

Known:

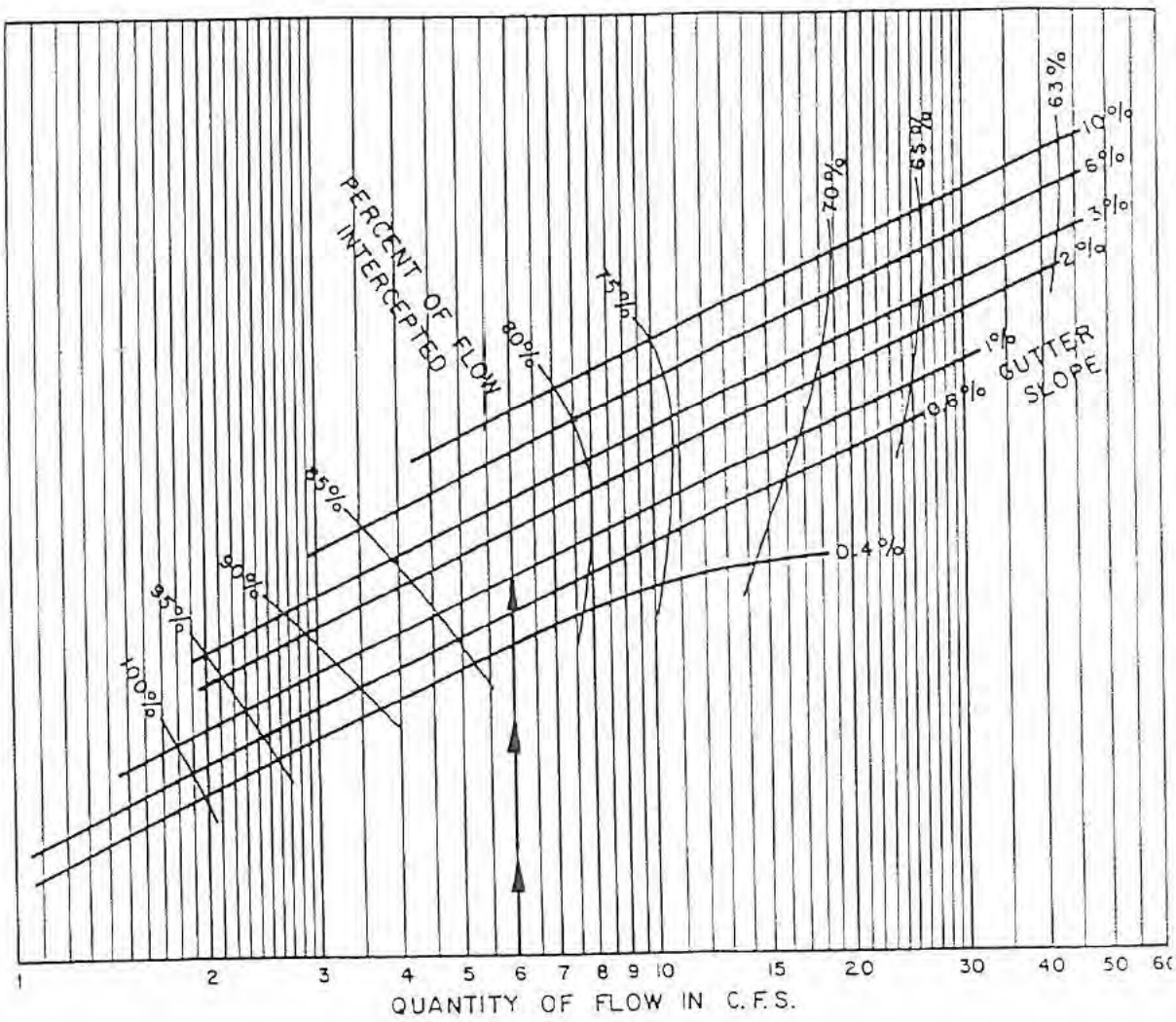
Quantity of Flow = 6.0 c.f.s.
Gutter Slope = 1.0%

Find:

Capacity of Six Grate Inlet

Solution:

Enter Graph at 6.0 c.f.s.
Intersect Slope = 1.0%
Read Percent of Flow
Intercepted = 82%
82% of 6.0 c.f.s. = 4.9 c.f.s.
as Capacity of Six Grate Inlet
Remaining Gutter Flow =
6.0 c.f.s. − 4.9 c.f.s. = 1.1 c.f.s.



SIX GRATE INLET
CAPACITY CURVES
ON GRADE

Figure 3.18: Six Grate Inlet Capacity Curves on Grade

EXAMPLE

Known:

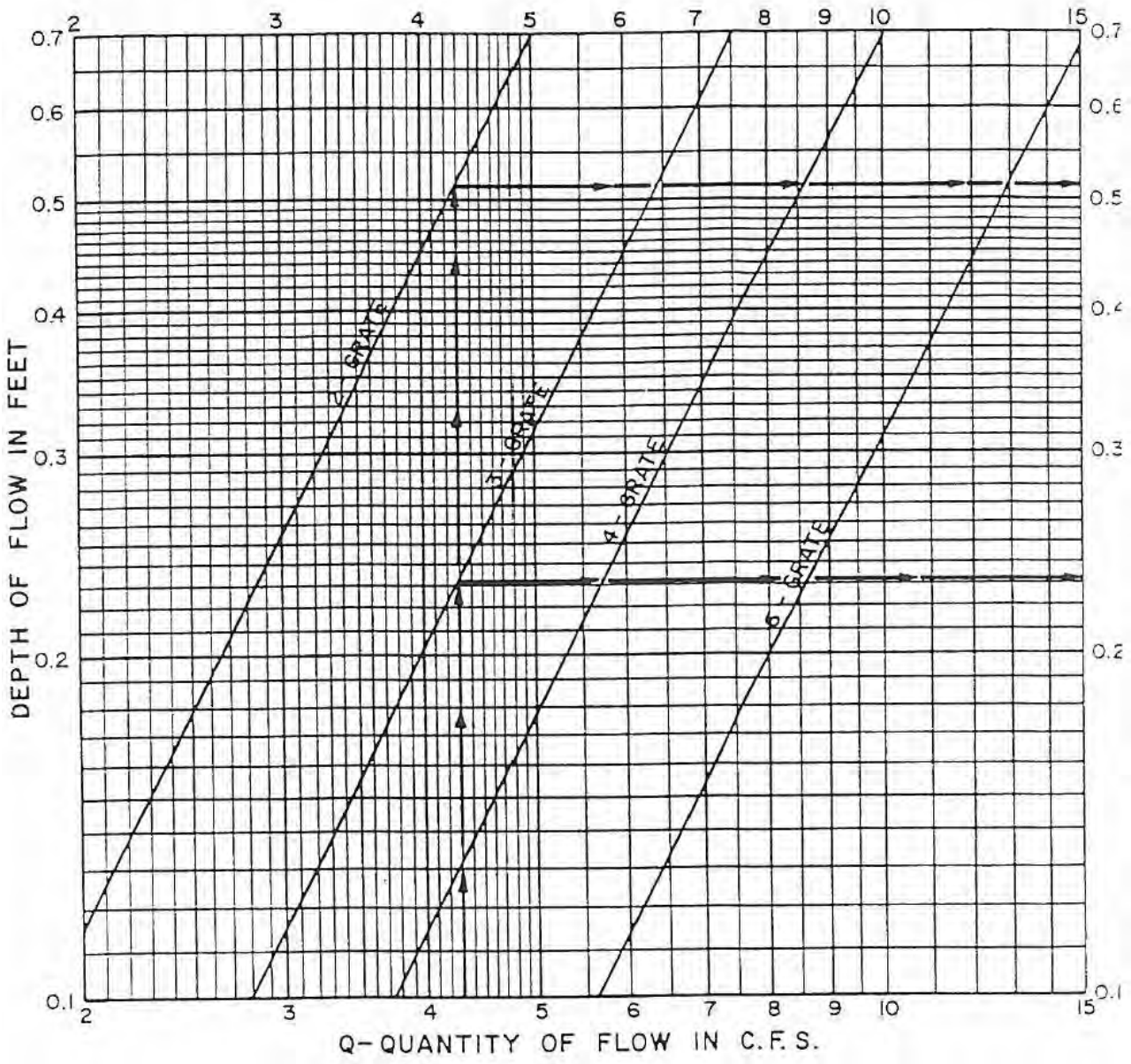
Quantity of Flow = 4.3 c.f.s.
Maximum Depth of Flow Desired at Low Point = 0.3'

Find:

Inlet Required

Solution:

Enter Graph at 4.3 c.f.s.
Intersect 3 - Grate at 0.23'
Intersect 2 - Grate at 0.51'
Use 3 - Grate



GRATE INLET
CAPACITY CURVES
AT LOW POINT

Figure 3.19: Grate Inlet Capacity Curves at Low Point

EXAMPLE

Known:

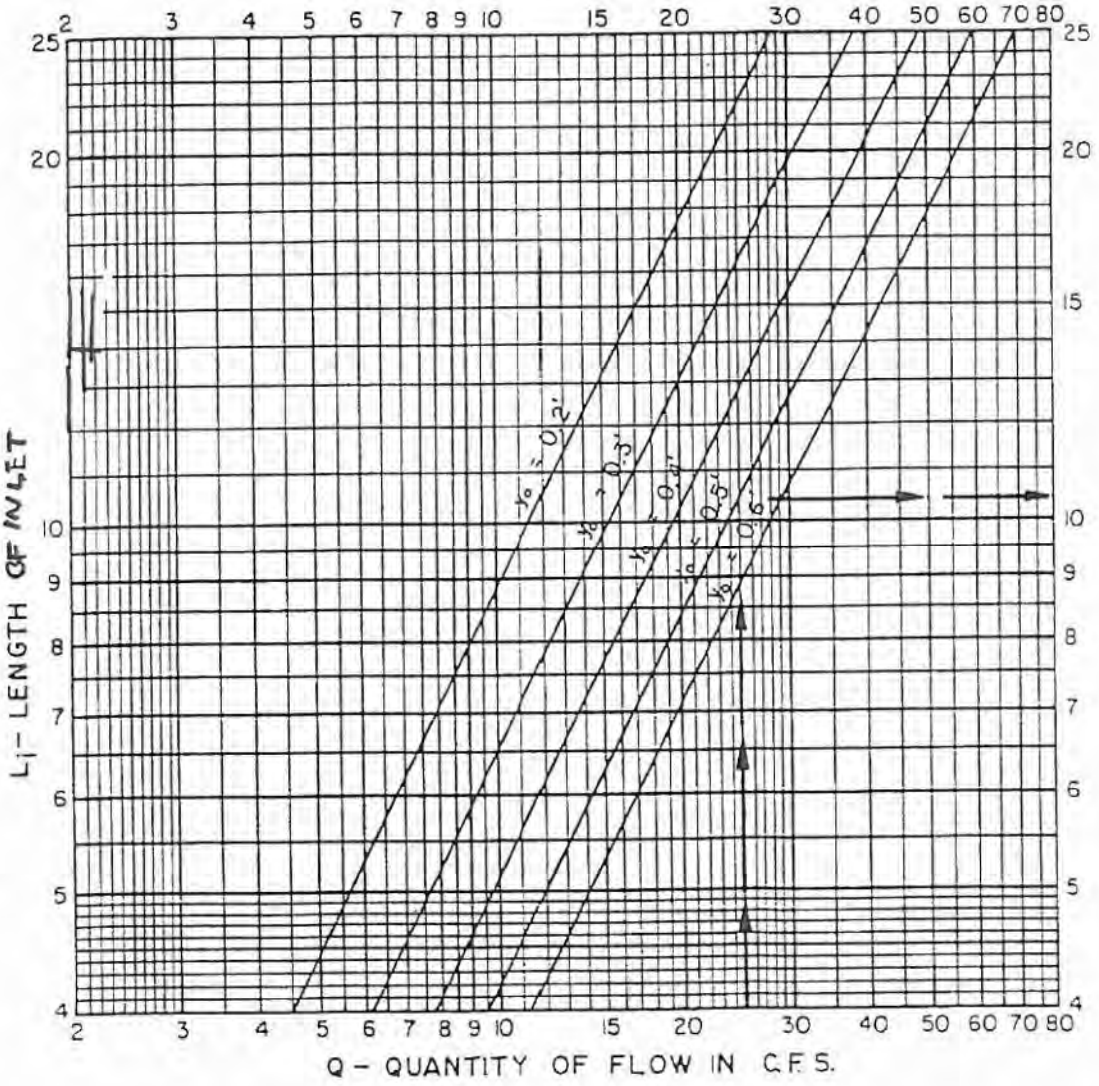
Quantity of Flow = 25.0 c.f.s.
Maximum Depth of Flow Desired
At Low Point (y_o) = 0.5'

Find:

Length of Inlet Required (L_i)

Solution:

Enter Graph at 25.0 c.f.s.
Intersect y_o = 0.5'
Read L_i = 10.4'
Use 12' Inlet



ROUGHNESS COEFFICIENT n = .0175	
STREET WIDTH	CROWN TYPE
ALL	Straight and Parabolic

COMBINATION INLET CAPACITY CURVES AT LOW POINT

Figure 3.20: Combination Inlet Capacity Curves at Low Point

3.2.2 Flow in Storm Drain Conduits and Their Appurtenances

3.2.2.1 Hydraulic Gradient of Conduits

A storm drainage conduit must have sufficient capacity to discharge a design storm with a minimum of interruption and inconvenience to the public using streets and thoroughfares. The size of the conduit is determined by accumulating runoff from contributing inlets and calculating the slope of a hydraulic gradient from Manning's Equation:

$$S_f = \frac{Qn^2}{1.49AR^{2/3}}$$

Equation 3.21

where:
Q = flow in conduit, (cfs)
n = Manning's roughness coefficient; value = 0.013
A = cross sectional area of flow, (ft^2)
R = hydraulic radius, (ft)
S_f = hydraulic friction slope, (ft/ft)

Hydraulic gradient for the selected conduit size shall be 1.50' below gutter (2.0' below top of curb) for each contributing inlet to insure that the selected conduit will carry the design flow at an elevation below the gutter profile. As the conduit size is selected and the hydraulic gradient is plotted between each inlet pickup point, a head loss due to a change in velocity and pipe size must be incorporated in the gradient profile.

At an outfall/headwall the starting hydraulic grade line (HGL) for a conduit system shall be set to the greater of the following: the conduit soffit or the 100yr water surface elevation for the receiving channel or detention pond.

Concrete pipe conduit shall be used to carry the storm water, and flow chart, FIGURE 3.21, based on Manning's Equation may be used to determine the various hydraulic elements including the pipe size, the hydraulic gradient and the velocity. Special hydraulic calculators are also available for solution of Manning's Equation.

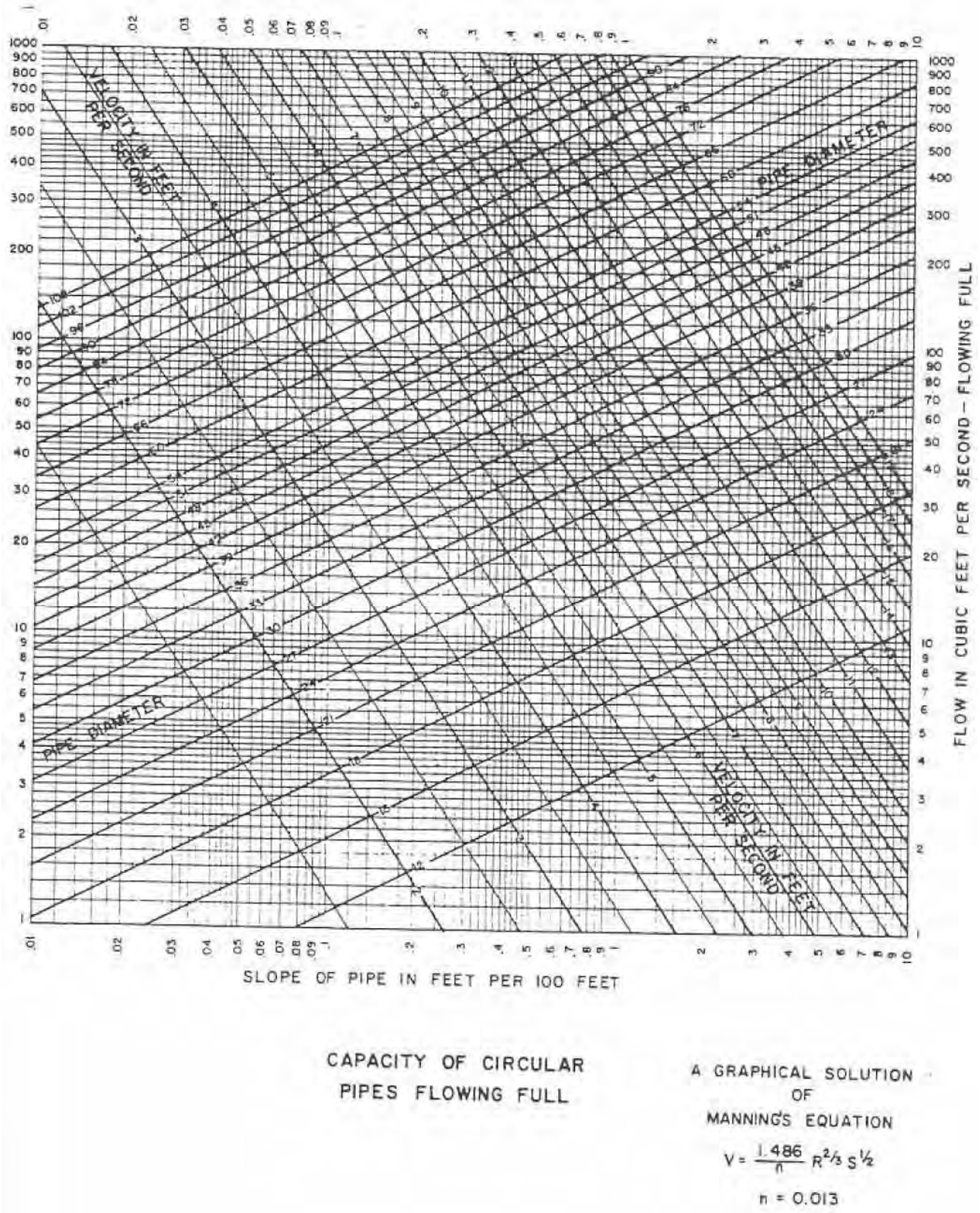


Figure 3.21: Capacity of Circular Pipes Flowing Full

The roughness coefficient 'n' for storm sewer conduit shall be 0.013.

With the hydraulic gradient established, considerable latitude is available for establishment of the conduit flow line. The inside top of the conduit must be at or below the hydraulic gradient thus allowing the conduit to be lowered where necessary. The hydraulic gradient at every inlet should be plotted directly on the construction plan profile worksheet and adjusted as necessary.

There will be hydraulic conditions, which cause the conduits to flow partially full, and where this occurs, the hydraulic gradient should be shown at the inside crown (soffit) of the conduit. This procedure will provide a means for conservatively selecting a conduit size, which will carry the flood discharge.

All public storm sewer systems shall be reinforced concrete pipe. Storm sewer pipe, with two (2) feet or less of cover, are required to be Class IV reinforced concrete pipe. All storm pipes and laterals are required to have a plan and profile on engineering plans. All flow data (Q_{100}, Q_{cap}, velocity, hydraulic slope) is required at every change in pipe size, slope and/or change in flow rate.

3.2.2.2 Minor Head Losses

When establishing the hydraulic gradeline of a storm sewer, minor head losses at points of turbulence shall be calculated and included in the computation of the hydraulic gradeline.

Entrance Losses

Entrance losses to a closed storm sewer system from an open channel or lake shall be calculated using Equation 3.22.

$$H_L = K_E \frac{{V_1}^2}{2g}$$

Equation 3.22

where:
H_L = head loss (ft)
K_E = head loss coefficient (see Table 3.7).
V_1 = velocity in the downstream conduit (ft/s)
g = the acceleration of gravity (32.3 ft/s^2)

Table 3.7: Entrance Loss Coefficients

Type of Structure and Design of Entrance	Coeff. K_E
Pipe (Concrete)	
Projecting from fill, socket end (groove-end)	0.2
Projecting from fill, square cut end	0.5
Headwall or headwall and wingwalls	
Socket end of pipe (groove-end)	0.2
Square-edge	0.5
Rounded (radius = 1/12D)	0.2
Mitered to conform to fill slope	0.7
End-section conforming to fill slope	0.5
Beveled edges, 33.7- or 45-degree bevels	0.2
Side- or slope-tapered inlet	0.2
Pipe, or Pipe-Arch, (Corrugated Metal)	
Projecting from fill (no headwall)	0.9
Headwall or headwall and wingwalls square-edge	0.5
Mitered to conform to fill slope, paved or unpaved slope	0.7
End-section conforming to fill slope	0.5
Beveled edges, 33.7- or 45-degree bevels	0.2
Side- or slope-tapered inlet	0.2
Box (Reinforced Concrete)	
Headwall parallel to embankment (no wingwalls)	
Square-edged on 3 edges	0.5
Rounded on 3 edges to radius of 1/12 barrel dimension or beveled edges on 3 sides	0.2
Wingwalls at 30- to 75-degrees to barrel	
Square-edged at crown	0.4
Crown edge rounded to radius of 1/12 barrel dimension dimension, or beveled top edge	0.2
Wingwall at 10- to 25-degrees to barrel	
Square-edged at crown	0.5
Wingwall parallel (extension of sides)	
Square-edged at crown	0.7
Side- or slope-tapered inlet	0.2

Inlet Losses

Inlet losses shall be calculated using Equation 3.23.

$$H_L = 1.25 \frac{V_{Lat}{}^2}{2g}$$

Equation 3.23

where:
H_L = head loss (ft)
V_{LAT} = velocity in the lateral (ft/s)
g = the acceleration of gravity (32.2 ft/s^2)

Expansion Losses

For pipe size expansions, head loss shall be calculated using the following Equation 3.24.

$$H_L = \left(1 - \left(\frac{D_1}{D_2}\right)^2\right)\frac{V_1{}^2}{2g}$$

Equation 3.24

Where:
H_L = head loss (ft)
V_1 = upstream velocity (ft/s)
D_1 = upstream conduit diameter (ft)
D_2 = downstream conduit diameter (ft)
g = the acceleration of gravity (32.2 ft/s^2)

Manhole and Bend Losses

Head losses associated with manholes for pipe direction changes and bends in pipes of equal diameter shall be calculated using Equation 3.25.

$$H_L = K_j\frac{V_2{}^2}{2g}$$

Equation 3.25

Where:
H_L = Head loss (ft)
K_j = Head loss coefficient (see Table 3.8).
V_2 = Downstream velocity (ft/s)
g = the acceleration of gravity (32.2 ft/s^2)

Junction Losses

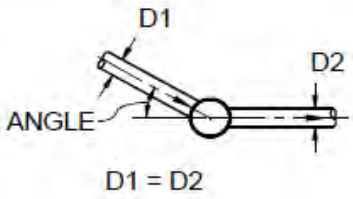
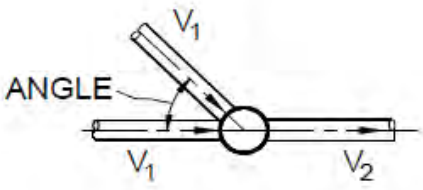
Head losses associated with wye connections or manholes with branch laterals entering the main line shall be calculated by using Equation 3.26.

$$H_L = \frac{V_2{}^2}{2g} - K_j\frac{V_1{}^2}{2g}$$

Equation 3.26

Where:
H_L = Head loss (ft)
V_1 = Velocity in the upstream conduit (ft/s)
V_2 = Velocity in the downstream conduit (ft/s)
K_j = Head loss coefficient from Table 3.8.
g = the acceleration of gravity (32.2 ft/s^2)

Table 3.8: Velocity Head Loss Coefficients for Closed Conduits

MANHOLE AT CHANGE IN PIPE DIRECTION		
DESCRIPTION	ANGLE	HEAD LOSS COEFFICIENT Kj
	90°	0.55
	60°	0.48
	45°	0.42
	30°	0.3
	0°	0.05
BENDS IN PIPES		
DESCRIPTION	ANGLE	HEAD LOSS COEFFICIENT Kj
	90°	0.5
	60°	0.43
	45°	0.37
	30°	0.25
JUNCTION		
DESCRIPTION	ANGLE	HEAD LOSS COEFFICIENT Kj
	0°	1
	22 1/2°	0.75
	45°	0.5
	60°	0.35
	90°	0.25

3.2.2.3 Minimum Grades

Storm drains should operate with flow velocities sufficient to prevent excessive deposits of solid materials; otherwise objectionable clogging may result. The controlling velocity with regard to sediment deposition is near the bottom of the conduit and considerably less than the mean velocity of the storm. Storm drains shall be designed to have a minimum mean velocity flowing full of 2.5 feet per second (f.p.s.). Table 3.9 indicates the minimum grades for concrete pipe with "Manning's "n" = 0.013 and flowing at 2.5 f.p.s.

Table 3.9: Minimum Grades for Storm Drain Pipelines

Pipe Dia. (Inches)	Slope (foot/foot)	Pipe Dia. (Inches)	Slope (foot/foot)
18	0.0018	48	0.0005
21	0.0015	54	0.0005
24	0.0013	60	0.0004
27	0.0011	66	0.0004
30	0.0009	72	0.0003
33	0.0008	78	0.0003
36	0.0007	84	0.0003
39	0.0006	90	0.0002
42	0.0006	96	0.0002
45	0.0005	102	0.0002

3.2.2.4 Maximum Velocities

The slope of a storm sewer should also be such that excessive velocities will not damage the pipeline or drainage structures. Table 3.10 delineates the maximum desirable velocities for storm sewer.

Table 3.10: Maximum Velocities in Closed Conduits

Type of Conduit	Maximum Velocity
Culverts	15 f.p.s.
Inlet Laterals	15 f.p.s.
Storm Sewer Pipe	12.5 f.p.s.

* The maximum velocities shall be the actual velocity – full flow or partial flow.

3.2.2.5 Discharge of Storm Drain Pipe

Storm drain pipes discharging into Lake Ray Hubbard shall be set such that the top of the pipe shall be set at elevation 435.5 or otherwise approved by the City Engineer. Discharge into Lake Ray Hubbard will require approval from the City of Dallas. Pipes discharging into the lake

shall run to the lake to prevent erosion of the shoreline (City of Dallas detail, see Exhibit 3A). Where storm drain pipes discharge into water courses, the invert of the pipe shall be at the same grade as the low point of the water course and angled a maximum of sixty (60) degrees to flow downstream. Adequate grouted rock riprap or other erosion protection shall be provided. Storm sewers shall discharge into open channels at a maximum velocity of eight (8) feet per second.

3.2.2.6 Manholes

Storm drain manholes shall be located at intervals not to exceed five hundred (500) feet for all underground storm conduit systems. Manholes shall also be placed at locations where CCTV and Vac-con equipment can inspect/clean entire system without getting stuck or unable to make bends/wye connection turns. Therefore manholes shall also be placed where there is no more than one (1) bend or wye connection between manholes or inlets. Inlet and manhole lids shall be twenty-four (24) inches with locking lids.

3.2.2.7 Lateral Lines

The minimum size of reinforced concrete storm sewer line from the inlet box to the collector lines shall be eighteen (18) inches in diameter for a discharge of less than 10 cfs. Where discharge exceeds 10 cfs and/or connects to a ten (10) foot inlet, lateral lines shall be a minimum of twenty-one (21) inches in diameter.

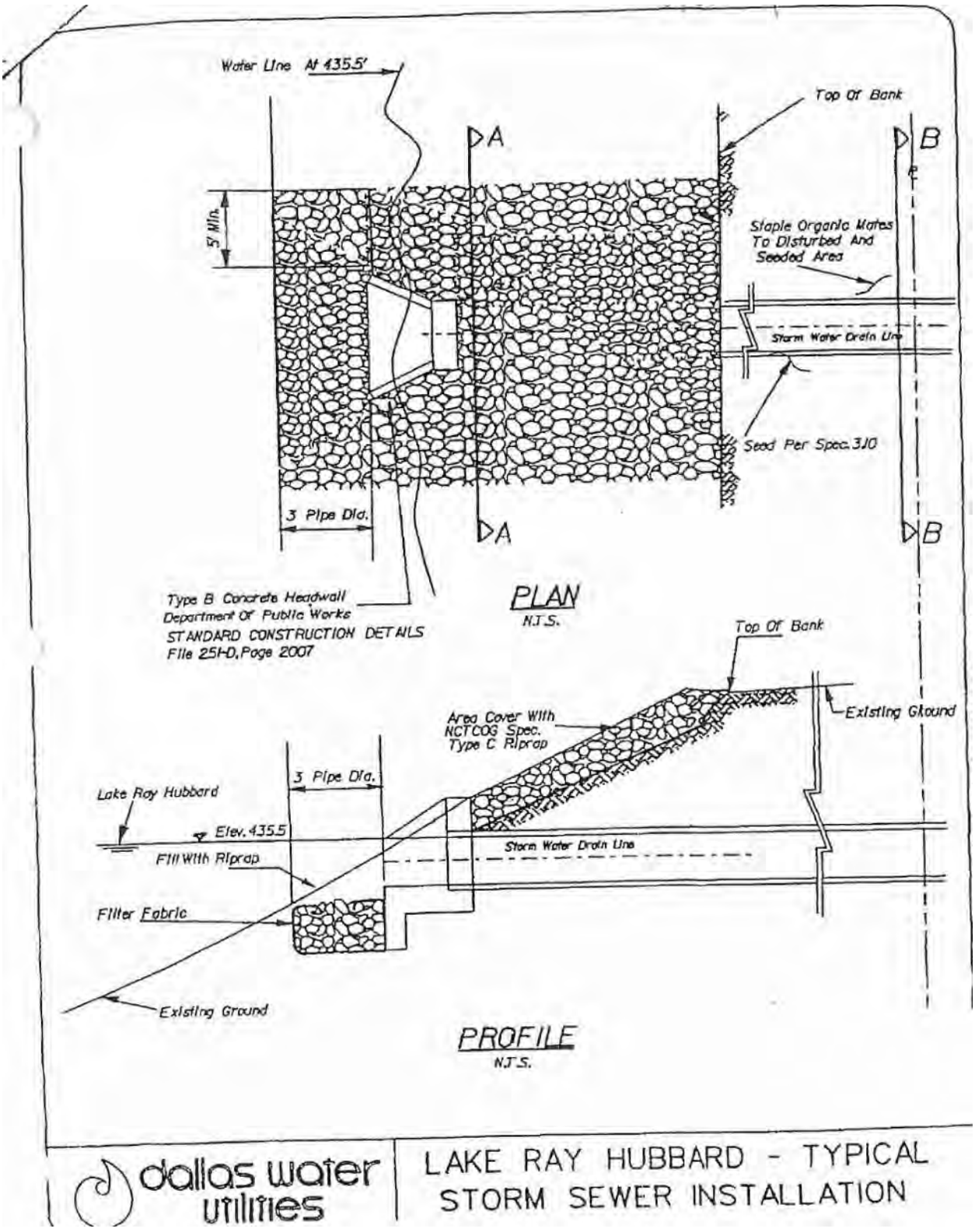

Water Line At 435.5'
Top Of Bank
A
B
5' Min.
Staple Organic Mates To Disturbed And Seeded Area
Storm Water Drain Line
Seed Per Spec. 310
3 Pipe Dia.
A
B
Type B Concrete Headwall
Department Of Public Works
STANDARD CONSTRUCTION DETAILS
File 25HD, Page 2007
PLAN
N.T.S.
Top Of Bank
Existing Ground
Area Cover With NCTCOG Spec. Type C Riprap
3 Pipe Dia.
Lake Ray Hubbard
Elev. 435.5
Fill With Riprap
Storm Water Drain Line
Filter Fabric
Existing Ground
PROFILE
N.T.S.
dallas water utilities
LAKE RAY HUBBARD - TYPICAL STORM SEWER INSTALLATION

Exhibit 3A

3.2.2.8 100-Year Flood Zones

Where the Federal Emergency Management Administration (FEMA) has defined a flood hazard area with regard to a drainage course as shown on the effective Flood Insurance Rate Maps (FIRMs), the flood hazard zone and the floodplain, floodway, cross-section lines and water surface elevations at each cross-section, if available, shall be shown on the plat and engineering plans.

3.2.2.9 Local 100-Year Flood Zones

Where flood information has not been determined for streams, creeks, channels, or impoundments located within or adjacent to a proposed development, the 100-year fully developed flood elevations and flood boundaries shall be determined by the developers' engineers. The local floodplain, cross-section lines and water surface elevations at each cross-section shall be shown on the plat and engineering plans.

3.2.2.10 Floodplain Markers

The City will provide floodplain markers to be installed by the developer which shall be placed at the property corner of each lot adjacent to the flood plain and a maximum distance apart of 300 feet along the floodplain line.

3.2.2.11 Inlet Markers

The City will provide "No Dumping, Drains to Waterway" inlet markers to be installed on each inlet by the developer.

3.2.2.12 Dumpsters

If a dumpster is to facilitate any type of food, food by-product, or oil/grease based product disposal, the dumpster site area shall drain through a private oil/water separator prior to connecting to the storm water system. All dumpster surface area must drain into a private slot or area drain to prevent any drainage from leaving the dumpster area. This private system shall discharge into a storm system and cannot discharge into a wastewater system.

3.2.2.13 Fueling Stations

If there is a fueling station on the site the storm line serving the fueling station drainage area shall have an oil/water separator installed before leaving the site. This private system shall discharge into a storm system and cannot discharge into a wastewater system.

3.2.2.14 Testing

All storm sewers and laterals shall be visually inspected by photographic means (television and DVD) at the contractor's expense prior to final acceptance by the City of Rockwall. Any sags, open joints, cracked pipes, etc. shall be repaired or removed by the contractor at the

contractor's expense. Pipes shall be cleaned prior to televising the pipe. The contractor shall furnish a DVD to the Engineering Division inspector for review.

3.2.3 Storm Sewer Design – Closed Conduit

3.2.3.1 General

To facilitate the design of closed conduit storm sewers, design will be based on the calculations called out in this section and the instructions for Form 3.3: Storm Sewer Calculations. Form 3.3 in its entirety shall be included in the plans and calculations shall be provided for each system including laterals.

Form 3.3: Storm Sewer Calculations Table

SYSTEM ID	Conduit Properties								
	Collection Point Station		Length	# of Barrels	Pipe Size	Box		Type	Area
	U/S	D/S				Span	Rise		
			(ft)		(inches)	(ft)	(ft)		(ft^2)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Conduit Properties						Incremental Drainage Area			
Wetted Perimeter P_W	Hydraulic Radius	Manning's n	Flowline Elevation		Slope	Inlet ID	Area	Runoff Coeff. C	Incre-mental C*A
			Up-stream	Down-stream					
(ft)	(ft)				(ft/ft)		(acres)		
(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)

Accum-ulated C*A	Up-stream T_C	Design Storm Freq.	Intensity I	Runoff Q	Conduit Capacity Q_C	Partial Flow	Velocity V	Time in Conduit
	(min)	(yr)	(in/hr)	(cfs)	(cfs)	(Yes/No)	(ft/s)	(min)
(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)

Friction Slope S_f	Friction Head-loss	HGL		Headloss Calculations					Design HGL	Top of Curb Elev.	HGL Depth Below T/C	Remarks
		U/S	D/S	$\frac{V_1^2}{2g}$	$\frac{V_2^2}{2g}$	Jct. Type	Coeff. K_J	Head-loss H_L				
(ft/ft)	(ft)			(ft)	(ft)			(ft)			(ft)	
(30)	(31)	(32)	(33)	(34)	(35)	(36)	(37)	(38)	(39)	(40)	(41)	(42)

City of Rockwall
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Instructions for Form 3.3: Storm Sewer Calculation Table

Column (1)	System ID, if private label (ex. Line-A, Line-B, ….; Lat-A1, Lat-A2, ….)
Column (2)	Storm sewer line station at the upstream end of conduit section
Column (3)	Storm sewer line station at the downstream end of conduit section
Column (4)	Length of Conduit segment, equal to Column (2) minus Column (3)
Column (5)	Number of barrels of conduit
Column (6)	Size of Pipe in inches
Column (7)	Span of Box Conduit
Column (8)	Rise of Box Conduit
Column (9)	Conduit Type (ex. RCP, RCB, PVC, HDPE, ….)
Column (10)	Conduit area
Column (11)	Wetted Perimeter
Column (12)	Equal to Column (10) divided by Column (11)
Column (13)	Manning's Roughness Coefficient
Column (14)	Conduit flowline elevation at the upstream end of conduit section
Column (15)	Conduit flowline elevation at the downstream end of conduit section
Column (16)	Conduit slope in feet/feet
Column (17)	The incremental drainage area ID contributing to the conduit section
Column (18)	The incremental drainage area in acres contributing to the conduit section
Column (19)	The incremental drainage area runoff coefficient contributing to the conduit section
Column (20)	Equal to Column (18) multiplied by Column (19)
Column (21)	Equal to Column (20) plus Column (21) of the upstream conduit section
Column (22)	Equal to inlet Tc if most upstream conduit section, or the sum of previous conduit section Column (22) and Column (29)
Column (23)	Design Storm Frequency shall be 100-yr
Column (24)	Shall be taken from Figure 3.1 using Columns (22) and (23)
Column (25)	Solution of Equation 3.1 using Columns (21) and (24)
Column (26)	Solution of Manning's Equation 3.6 where the conduit is flowing full (depth of flow is equal to height of conduit)
Column (27)	Yes, if Column (25) < Column (26). No, if Column (25) ≥ Column (26)
Column (28)	The actual velocity within the conduit
Column (29)	Equal to Column (4) divided by Column (28) divided by 60 sec/min
Column (30)	Solution of Equation 3.21
Column (31)	Equal to Column (4) multiplied by Column (30)
Column (32)	Upstream Hydraulic Grade Line. Equal to Column (33) plus Column (31)
Column (33)	This is the beginning hydraulic gradient of the line. It is equal to the Design HGL Column (38) for the next downstream segment, or the beginning HGL of the system.
Column (34)	Velocity Head of the incoming pipe at the wye, junction, inlet or manhole.
Column (35)	Velocity Head of the outgoing pipe (the pipe segment being analyzed) at the wye, junction, inlet or manhole.
Column (36)	Upstream junction type (ex. Inlet, 60° Wye, 30° Bend, Jct. Box, ….)

Column (37)	Taken from Tables 3.8
Column (38)	Taken for Equations 3.23 through 3.26 depending on Junction Type
Column (39)	Upstream Hydraulic Grade Line design point of the conduit segment. Column (24) plus Column (32)
Column (40)	The top of curb elevation at which the inlet is located
Column (41)	Equal to the Column (40) minus Column (39)
Column (42)	Special design comments are entered here.

3.2.4 Storm Sewer Design – Open Channels

3.2.4.1 General

All channels shall be designed to have a minimum bottom width of six (6) feet and based on a maximum flow and a minimum flow line slope of one (1) percent. Side slopes of channels shall not be steeper than one (1) foot rise to four (4) feet horizontal distance. Where slopes are steeper than 4 to 1, the slopes shall be concrete lined for slope protection. In unlined open channels, the side slopes and channel slopes shall be such that erosion is controlled and the channel is stable. Channels discharging into Lake Ray Hubbard must have City of Dallas approval and shall have inverts a minimum of two (2) feet below normal conservation pool level (435.5). Channels discharging into water courses shall have the same invert level as the water course.

The instructions for Form 3.4: Open Drainage Channel Calculations Table, have been included in this section to facilitate the hydraulic design of an open channel.

OPEN CHANNEL CALCULATIONS

PROJECT NAME _____ BY _____

LINE NAME _____ DATE _____

CHANNEL STATION From	CHANNEL STATION To	Channel Type	Flow "Q" (c.f.s.)	Roughness Coeff. "n"	Slope "S" (ft./ft.)	$S^{1/2}$	$\frac{Q \times n}{1.486 S^{1/2}}$	Width "b" (feet)	Depth "d" (feet)	Side Slope	Area "A" (sq.ft.)	Wetted Perimeter "WP" (feet)	Hydraulic Radius "R" = $\frac{A}{WP}$	$R^{2/3}$	$A \times R^{2/3}$	Velocity $V = \frac{Q}{A}$	Velocity Head $\frac{V^2}{2g}$ (ft.)	REMARKS
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

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INSTRUCTIONS FOR FORM 3.4:
OPEN DRAINAGE CHANNEL CALCULATIONS

Column (1)	Downstream limit of the section of channel under consideration.
Column (2)	Upstream limit of the section of channel under consideration.
Column (3)	Type of channel as shown shall be either Type I natural unimproved channel, Type II unlined with maintenance section, (concrete pilot channel) or Type III, concrete lined channel.
Column (4)	Flow in the section of channel under consideration.
Column (5)	Roughness coefficient of the channel cross-section taken from TABLE 3.11.
Column (6)	Slope of the channel which is most often parallel to slope of the hydraulic gradient.
Column (7)	Square root of Column (6).
Column (8)	Calculation is made using the values in Columns (4), (5) and (7).
Column (9)	Assumed width of the bottom width of the channel.
Column (10)	Assumed depth of flow.
Column (11)	Assumed slope of the sides of the channel.
Column (12)	Area of flow which is calculated based on Columns (9), (10) and (11).
Column (13)	Wetter perimeter calculated from Columns (9), (10) and (11).
Column (14)	Value is calculated from Columns (12) and (13).
Column (15)	Column (14) raised to 2/3 power.
Column (16)	Product of Column (13) times Column (15).
When the value of Column (16) equals the value of Column (8) the channel has been adequately sized. When the value of Column (16) exceeds the value of Column (8) by more than five percent, the channel width or depth should be decreased and another trial section analyzed.	
Column (17)	Calculation is based on the values of Columns (4) and (12)
Column (18)	Calculation is based on Column (17)
Column (19)	Remarks concerning the channel section analyzed may be entered.

Table 3.11: Roughness Coefficients for Open Channels and Maximum Velocity

Channel Description	Roughness Coefficient Minimum	Roughness Coefficient Normal	Roughness Coefficient Maximum	Maximum Velocity
Minor Natural Streams - Type I Channel				
Moderately Well Defined Channel				
Grass and Weeds, Little Brush	0.025	0.030	0.033	8
Dense Weeds, Little Brush	0.030	0.035	0.040	8
Weeds, Light Brush on Banks	0.030	0.035	0.040	8
Weeds, Heavy Brush on Banks	0.035	0.050	0.060	8
Weeds, Dense Willows on Banks	0.040	0.060	0.080	8
Irregular Channel with Pools and Meanders				
Grass and Weeds, Little Brush	0.030	0.036	0.042	8
Dense Weeds, Little Brush	0.036	0.042	0.048	8
Weeds, Light Brush on Banks	0.036	0.042	0.048	8
Weeds, Heavy Brush on Banks	0.042	0.060	0.072	8
Weeds, Dense Willows on Banks	0.048	0.072	0.096	8
Flood Plain, Pasture				
Short Grass, No Brush	0.025	0.030	0.035	8
Tall Grass, No Brush	0.030	0.035	0.050	8
Flood Plain, Cultivated				
No Crops	0.025	0.030	0.035	8
Mature Crops	0.030	0.040	0.050	8
Flood Plain, Uncleared				
Heavy Weeds, Light Brush	0.035	0.050	0.070	8
Medium to Dense Brush	0.070	0.100	0.160	8
Trees with Flood State below Branches	0.080	0.100	0.120	8
Major Natural Streams - Type I Channel				
The roughness coefficient is less than that for minor streams of similar description because banks offer less effective resistance.				
Moderately Well Defined Channel	0.025	---	0.060	8
Irregular Channel	0.035	---	0.100	8
Unlined Vegetated Channels - Type II Channel				
Mowed Grass, Clay Soil	0.025	0.030	0.035	8
Mowed Grass, Sandy Soil	0.025	0.030	0.035	6
Unlined Non-Vegetated Channels - Type II Channel				
Clean Gravel Section	0.022	0.025	0.030	8
Shale	0.025	0.030	0.035	10
Smooth Rock	0.025	0.030	0.035	15
Lined Channels - Type II				
Smooth Finished Concrete	0.013	0.015	0.020	15
Riprap (Rubble)	0.030	0.040	0.050	12

3.2.5 Culvert Design

3.2.5.1 General

The design of culverts shall be sized to convey the discharge of the design flood frequency of 100-yr fully-developed watershed. The hydraulic calculations shall be entered into Form 3.5, which is further described herein. If computer modeling software is used in culvert design such as HY-8, HEC-RAS, etc. all input and output parameters shall be included in the plans, or in a certified report referenced in the plans.

Where a parallel culvert is to be placed in a roadside ditch the culvert headwalls shall start at the end of the curb return and extend beyond the return.

1. Information in the upper right of form:

- Culvert Location – This is a word description of the physical location.
- Length – The actual length of the culvert.
- Total Discharge, Q – This is the flow computed on FORM 3.1.
- Design Storm Frequency – 100-year storm
- Roughness Coefficient, n – value = 0.013.
- Maximum Discharge Velocity – Obtained from TABLE 3.12.
- Tailwater – This is the design depth of water in the downstream channel and is obtained in connection with the channel design performed on FORM 3.4.
- D.S. Channel Width – This is the bottom width of the downstream channel. The culvert should be sized to approximate this width whenever possible.
- Entrance Description – This is a listing of the actual condition as shown in the “Culvert Entrance Data” shown on the calculation sheet.
- Roadway Elevation – The elevation of the top of curb at the upstream end of culvert.
- U.S. Culvert F.L. – The flow line of the culvert at the upstream end.
- Difference – The difference in elevations of the roadway and the upstream flow line.
- Required Freeboard – The vertical distance required for safety between the upstream design water surface and the roadway elevation or such other requirements, which may occur because of particular physical conditions.
- Allowable Headwater – This is obtained by subtracting the freeboard from the difference shown immediately above.
- D.S. Culvert F.L. – The flow line elevation of the downstream end of the culvert.

- Culvert Slope, S – This is the physical slope of the structure calculated as indicated.

The instructions for FORM 3.5: Culvert Design Calculations Table have been included in this section to facilitate the hydraulic design of a culvert.

Table 3.12: Culvert Discharge Velocities

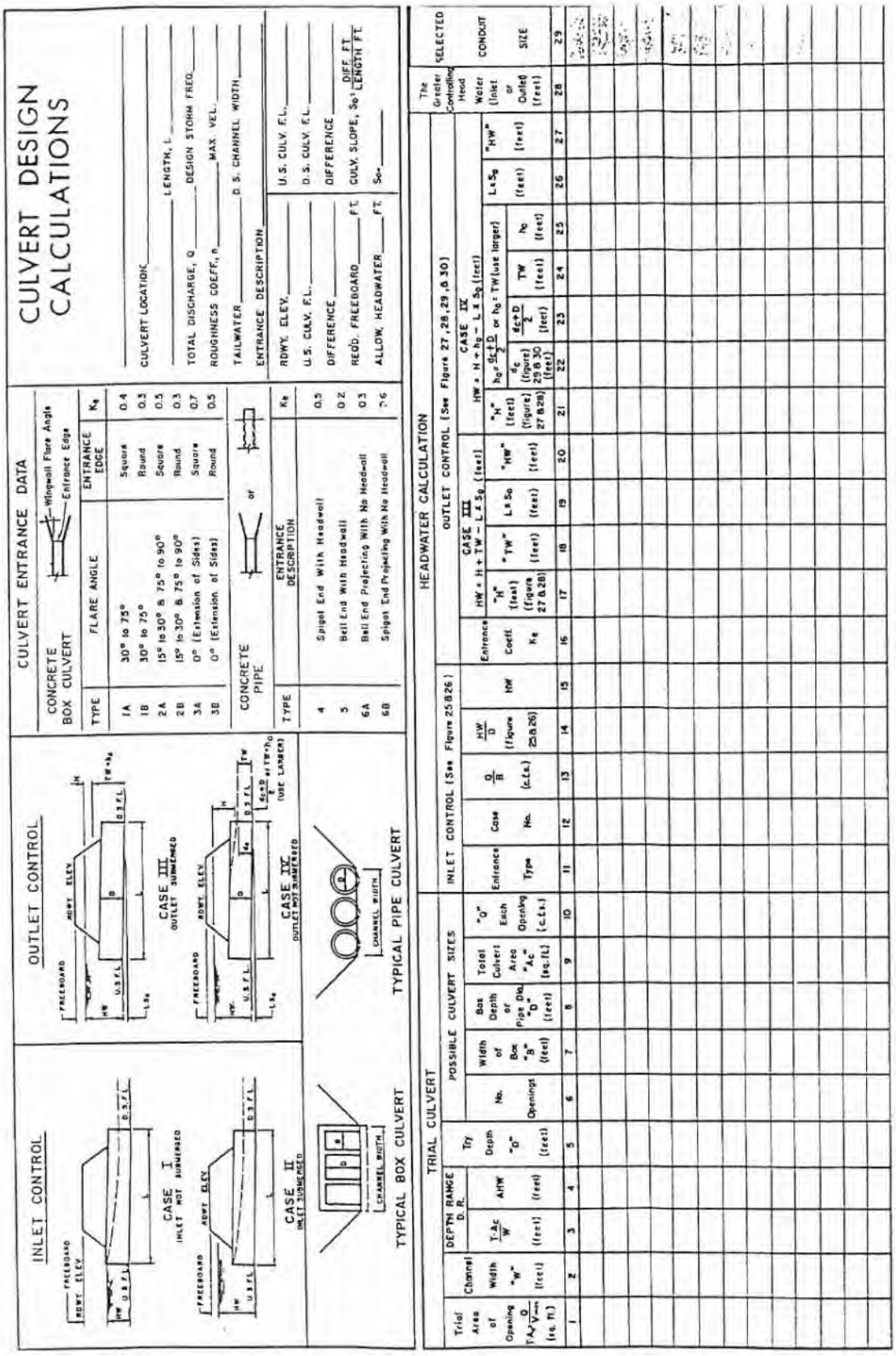
Culvert Discharges On	Maximum Allowable Velocity (f.p.s.)
Earth (Sandy)	6
Earth (Clay)	8
Sodded Earth	8
Concrete	15
Shale	10
Rock	15

*Velocities are based on actual velocity – partial or full flow

INSTRUCTIONS FOR FORM 3.5:
CULVERT DESIGN CALCULATONS

Columns 1 through 10 deal with selection of trial culvert size and are explained as follows:	
Column 1	Total design discharge, Q, passing through the culvert divided by the allowable maximum velocity gives trial total area of culvert opening.
Column 2	Culvert width should be reasonably close to the channel bottom width, W, downstream of the culvert.
Column 3	Lower range for choosing culvert depth is trial area of culvert opening, Column 1 divided by channel width, Column 2.
Column 4	Allowable headwater obtained from upper right of sheet.
Column 5	Trial depth, D, of culvert corresponding to available standard sized and between the numerical values of Columns 3 and 4.
Columns 6, 7 and 8 are solved simultaneously based on providing a total area equivalent to the trial area of opening in Column 1.	
Column 6	Number of culvert openings.
Column 7	Inside width of one opening.
Column 8	Inside depth of one opening if culvert is box structure or diameter if culvert is pipe.
Column 9	Column 6 multiplied by Column 7 and Column 8.
Column 10	Total discharge divided by number of openings shown in Column 6.
Columns 11 through 15 (Inlet Control) and 16 through 27 (Outlet Control) deal with headwater calculations which verify hydraulics of trial culvert selected and are explained as follows.	
Column 11	Obtained from upper right of sheet.

Column 12	When the allowable headwater is equal to or less than the value in Column 8, enter Case I. When the allowable headwater is more than the value in Column 8, enter Case II.
Column 13	Column 10 divided by Column 7.
Column 14	Obtained from FIGURE 3.22 for box culverts or FIGURE 3.23 for pipe culverts.
Column 15	Column 14 multiplied by Column 8.
Column 16	Obtained from upper part of sheet.
Column 17	Obtained from FIGURE 3.24 for box culverts and FIGURE 3.25 for pipe culverts.
Column 18	Tailwater depth from upper right of sheet.
Column 19	Culvert slope, S, multiplied by culvert length, both obtained from upper right of sheet.
Column 20	Sum of Columns 17 and 18, minus Column 19.
Column 21	Obtained from FIGURE 3.24 for box culverts and FIGURE 3.25 for pipe culverts.
Column 22	Critical depth obtained from FIGURE 3.26 for box culverts and FIGURE 3.27 for pipe culverts.
Column 23	Sum of Columns 22 and 8 divided by 2.
Column 24	Tailwater depth from upper right of sheet.
Column 25	Enter the larger of the two values shown in Column 23 or Column 24.
Column 26	Previously calculated in Column 19 and may be transposed.
Column 27	The sum of Columns 21 and 25 minus Column 26.
Column 28	Enter the larger of the values from either Column 15, Column 20 or Column 27. This determines the controlling hydraulic conditions of the particular size culvert investigated.
Column 29	When the Engineer is satisfied with the hydraulic investigations of various culverts and has determined which would be the most economical selection; the description should be entered.



Form 3.5: Culvert Design Calculations Table

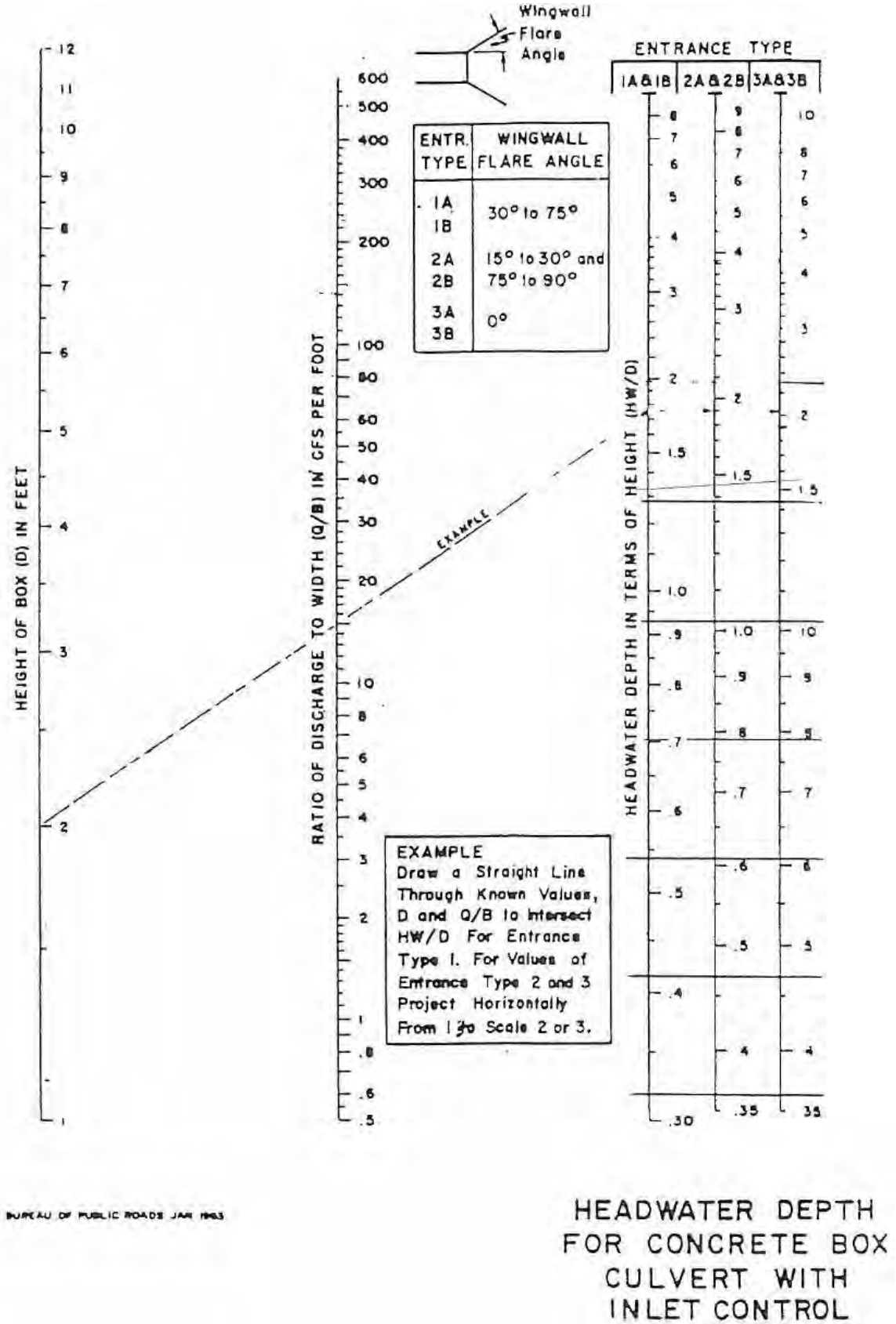


Figure 3.22: Headwater Depth for Concrete Box Culvert with Inlet Control

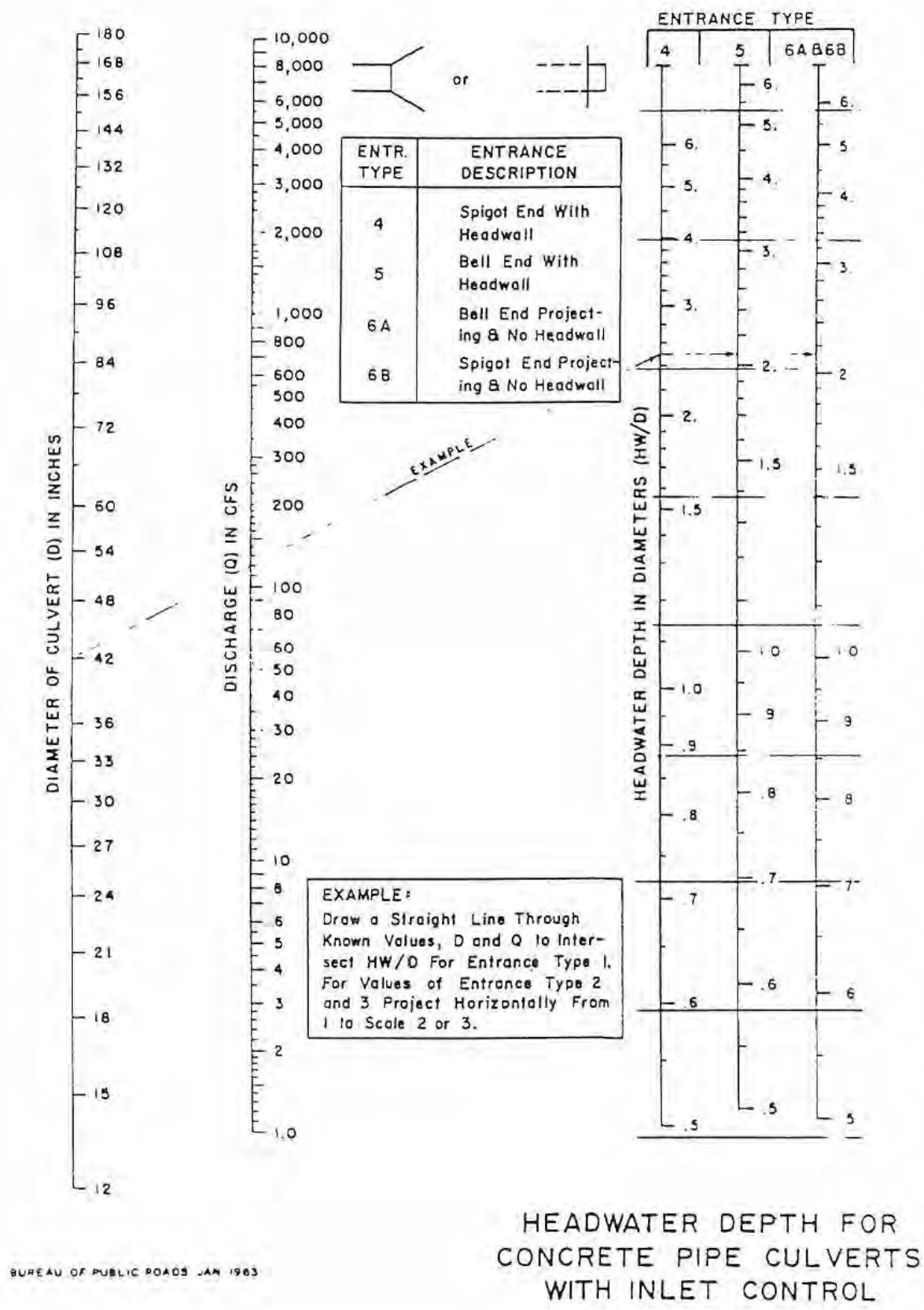


Figure 3.23: Headwater Depth for Concrete Pipe Culvert with Inlet Control

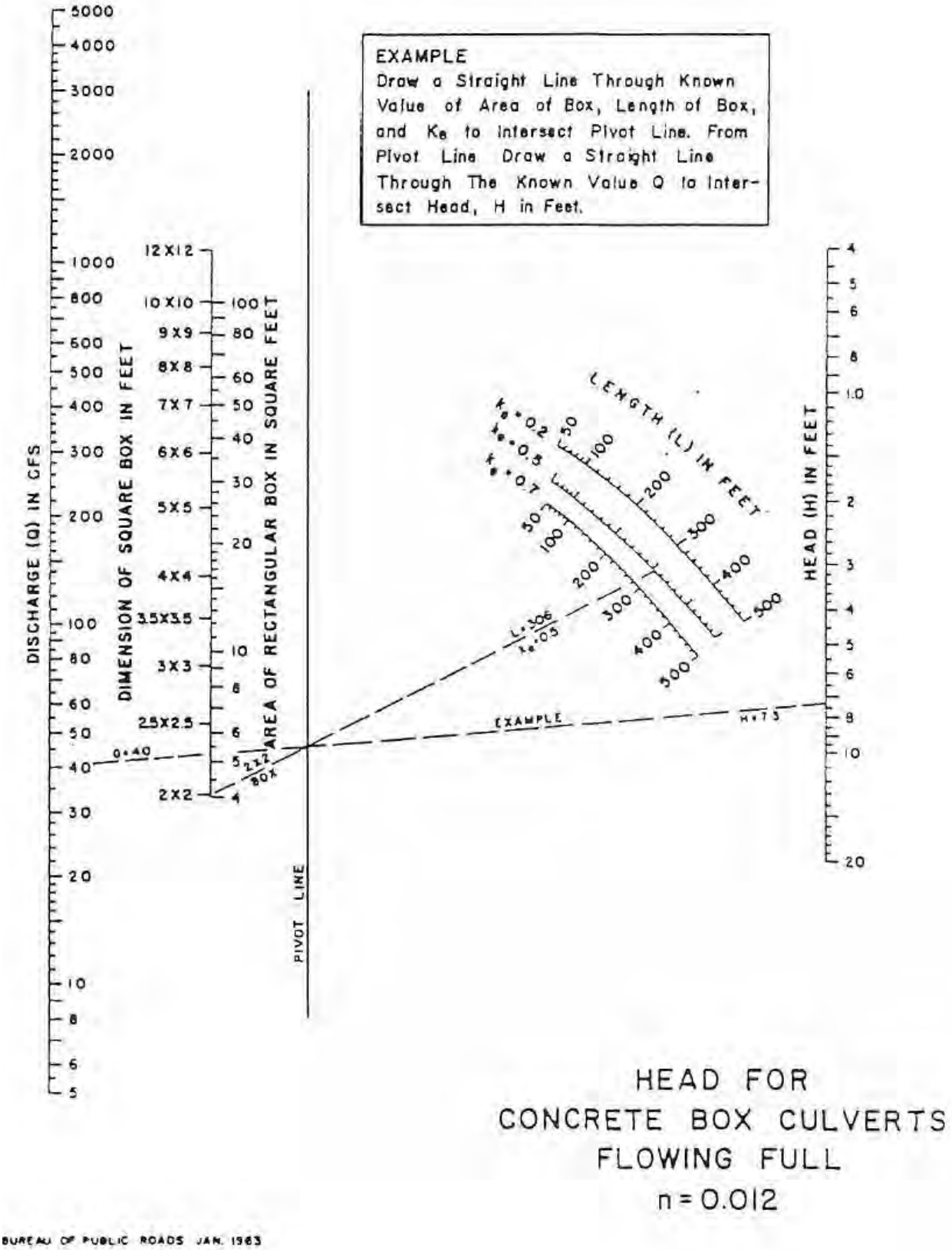


Figure 3.24: Head for Concrete Box Culvert Flowing Full

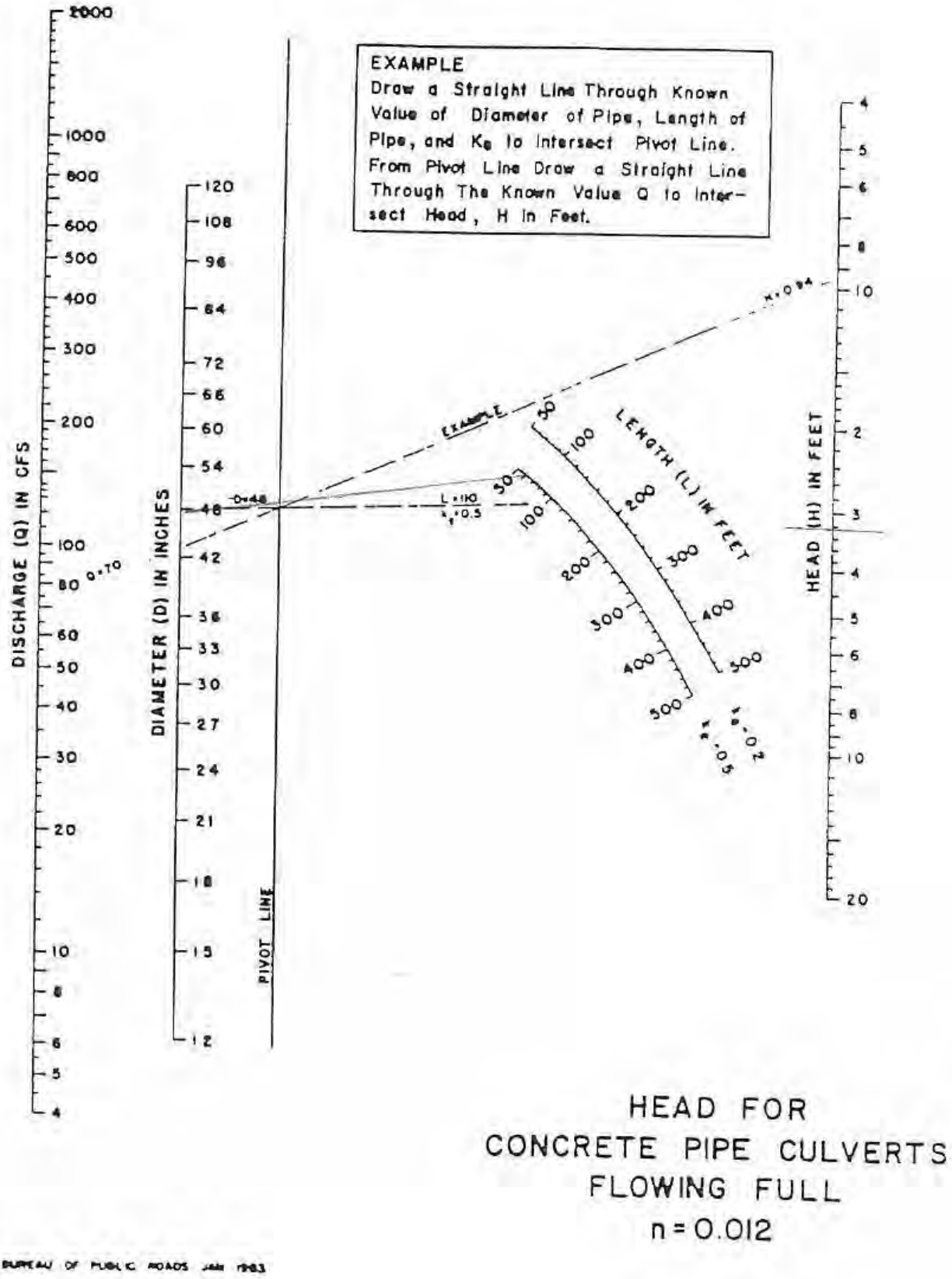


Figure 3.25: Head for Concrete Pipe Culverts Flowing Full

EXAMPLE

Known:

Discharge = 200 c.f.s.

Width of Conduit = 5'

Q/B = 40

Find:

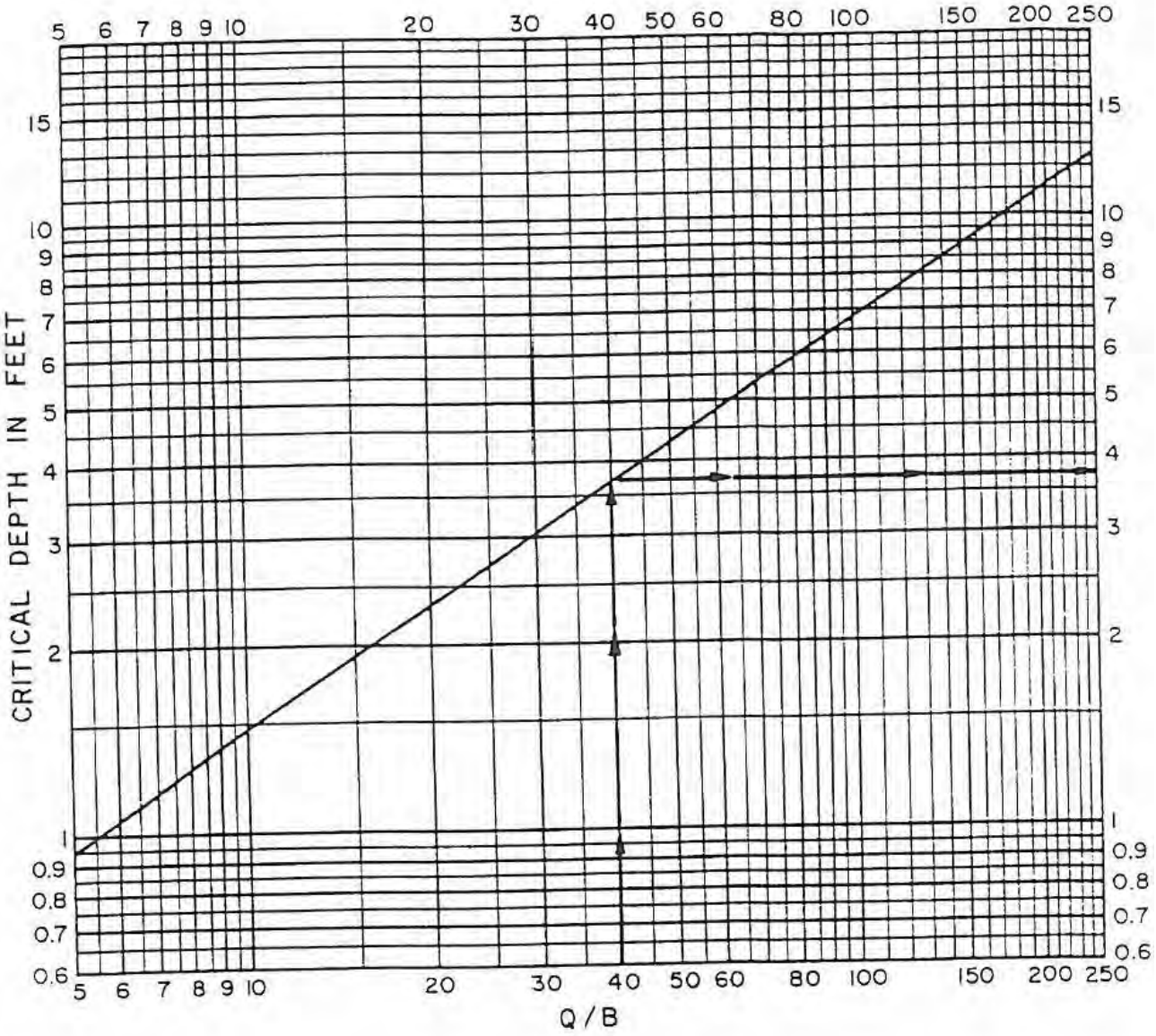
Critical Depth

Solution:

Enter Graph at Q/B = 40

Intersect Critical Depth

at 3.7



CRITICAL DEPTH OF FLOW FOR RECTANGULAR CONDUITS

Figure 3.26: Critical Depth of Flow for Rectangular Conduits

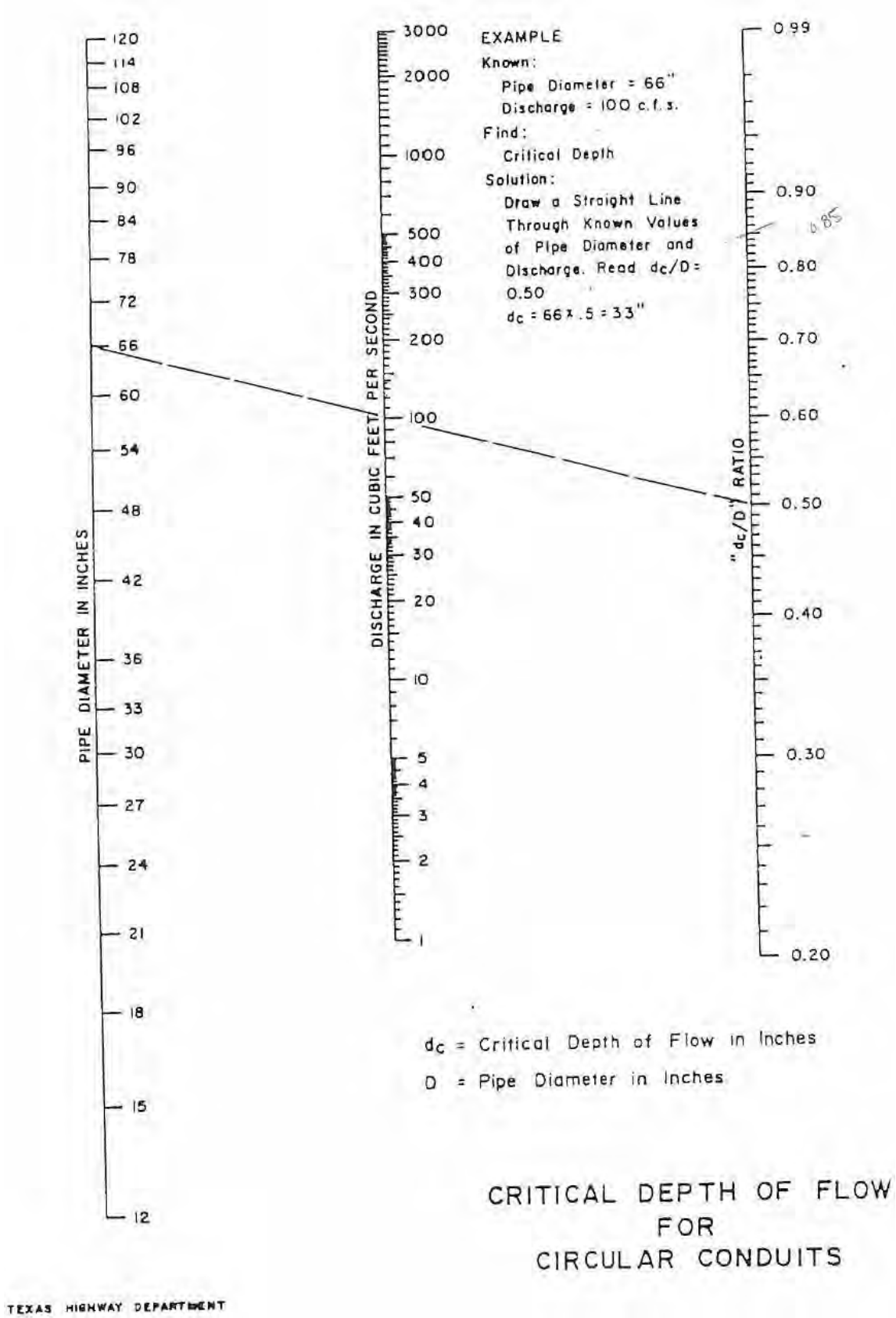


Figure 3.27: Critical Depth of Flow for Circular Conduits

3.2.6 Bridge Design

A. A scour analysis shall be performed and submitted in or with the design plans.

B. For all bridges a flood study report shall be prepared and provided to the City Engineer, documenting the methodology, assumptions, derivation of all data used, and results of the study.

C. The 100-yr projected fully developed water surface elevation shall not be increased upstream or downstream of the bridge.

3.2.7 Erosion Hazard Setback

3.2.7.1 Definition and Purpose

Erosion hazard setbacks shall be determined for every stream and creek (flowing or not) in which natural channels are to be preserved. The purpose of this erosion hazard setback is to reduce the potential for any damage to a private lot, building, utilities or street right-of-way caused by the natural erosion of the creek bank and to minimize the expenditure of public funds for stream bank stabilization projects. The erosion hazard setback shall be included within the drainage easement and its own lot and block that is maintained by the property owner for the stream/creek for any property plat or re-plat.

3.2.7.2 Determination

The erosion hazard setback shall be determined by the following steps:

- Locate the toe of the natural stream bank. The toe may be located outside of the low flow channel.
- Project at a 4(H):1(V) line sloping away from the center of the creek/stream until it intersects natural ground or the new proposed elevation, whichever results in the greater setback.
- From this intersecting point continue an additional 15 feet horizontally away from bank. This shall set the limit of the erosion hazard setback.
- In certain scenarios the calculated erosion hazard setback is within the 100-yr fully developed floodplain. In these scenarios the erosion hazard setback shall be set to 10 feet beyond the 2 foot of freeboard elevation for the 100-yr fully developed floodplain.

The typical erosion hazard setback established by steps above is shown in Figure 3.28.

Proof of determination of the above shall be included in the Engineering Plan set. It shall include the following:

- Locating and labeling of the toe of the natural stream bank. If trapezoidal in nature both toes shall be identified.
- Existing one-foot topographic contours of the entire site.
- Projected hypothetical one-foot contours representing the 4(H):1(V) line sloping away from the center of the creek/stream until it intersects natural ground or the new proposed elevation
- Show and label hypothetical projected intersecting point/top of 4:1 slope line.
- Show and label Erosion Hazard Setback (15 foot offset away from bank of intersecting point/top of 4:1 slope line)
- Show and label 100-yr fully developed floodplain.
- Show and label 2 foot freeboard line.
- Show and label 10 foot offset of the 2 foot freeboard line.
- Show and label the required Drainage Easement that encompasses the Erosion Hazard Setback and Floodplain.

3.2.7.3 Non-Permitted Structures

The following are non-permitted structures within the erosion hazard setback: building, wall, parking lot, driveway, fences, decks, swimming pools, signage, monumentation, detention structures/ponds or other structures. Water and wastewater lines shall be placed beneath the projected 4:1 slope line. The pipe shall be concrete encased when there is less than 4 foot of cover from the 4:1 slope line.

3.2.7.4 Modifications

Any modifications to the erosion hazard setback will require the following items and approval by the City Engineer:

- A geotechnical and stream geomorphological stability analysis signed and sealed by a licensed professional geotechnical engineer within the State of Te xas.
- Structural plans, calculations and report of the permanent stream bank stabilization measures signed and sealed by a licensed professional structural engineer within the State of Texas.
- Grading permit.
- Adequate access to maintain the stream bank stabilization measures indefinitely.

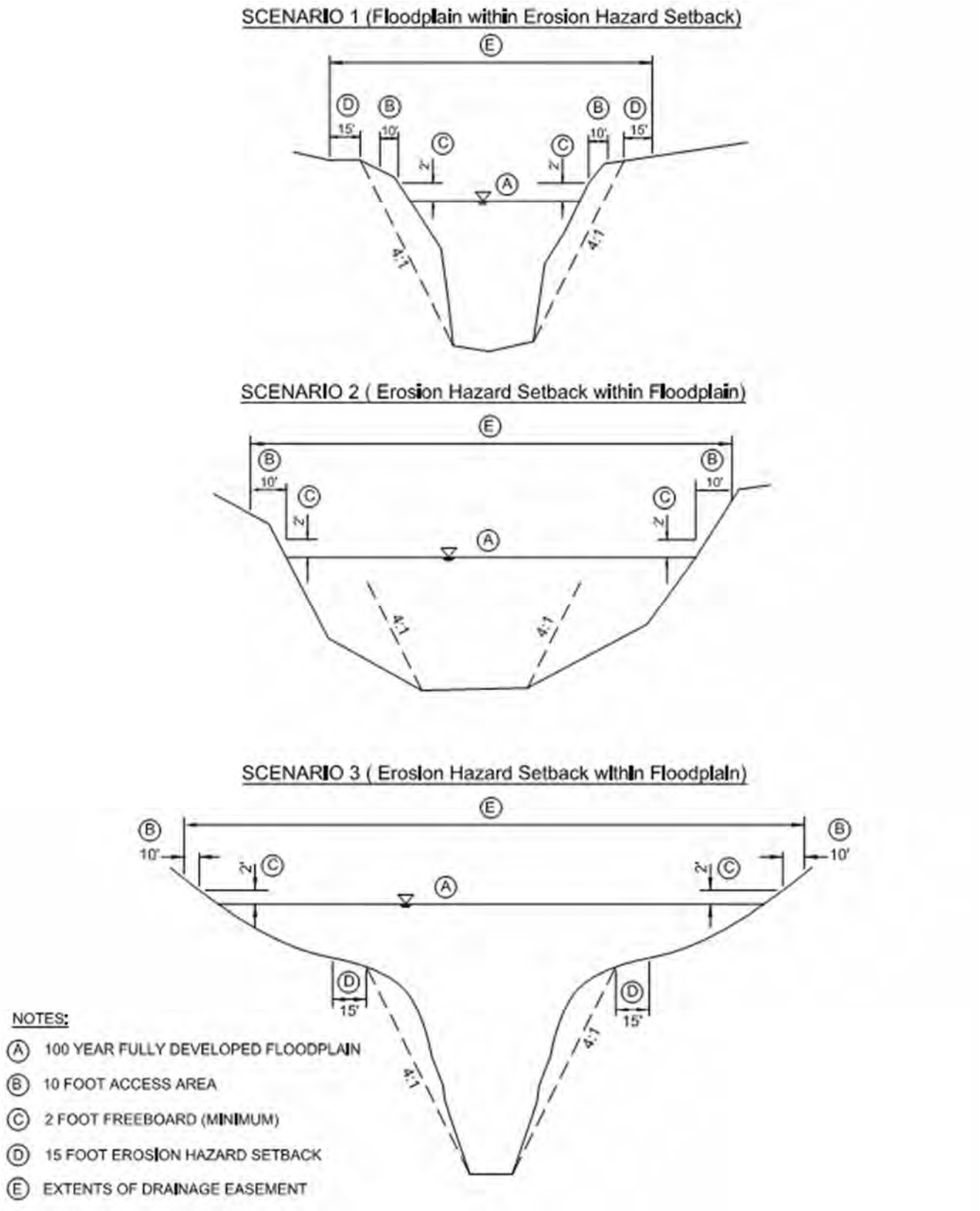


Figure 3.28: Erosion Hazard Setbacks and Drainage Easements

3.3 Minimum Freeboard Requirements

To help prevent flood damages and protect public safety, all design elevation requirements related to water surface elevations and flood elevations shall be based, at a minimum, on the 100-year flood, fully-developed watershed conditions. The difference between a minimum design elevation above the 100-year flood is commonly referred to as minimum freeboard. Table 3.13 provides a summary of absolute minimum freeboard requirements for design and construction in the City of Rockwall. However, prudent engineering in setting design elevations should be incorporated into any design. In some situations, a greater freeboard than those listed in Table 3.13 may be required by the City, at the discretion of the City Engineer, or as required by State and Federal regulations and guideline, depending of flood hazard potential in relation to property damages and public safety. The City's minimum freeboard requirements are not intended to take precedence over State and Federal regulations (except when the City's requirements exceed those set by State and Federal regulations). The minimum elevations of all flood protection levees and all dams must meet requirements of all State and Federal regulations and guidelines.

Table 3.13: Minimum Freeboard Requirements

Description	Minimum Freeboard above 100-year Flood Elevation (ft)*
Minimum Floor Elevations (including basements and sunken floor areas):	
Residential	2.0
Non-Residential (unless flood proofed; see flood damage prevention ordinance	2.0
Building Pad Elevations for Structures (at lowest adjacent structure grade)	1.0
Dams (freeboard above effective crest elevation of dam, after allowing for settlement and consolidation of embankment):	
Less than or equal to 5-ft maximum height	1.0
More than 5-ft maximum height (must meet State and Federal Requirements)	2.0
Dams with entire embankment having overflow protection (such as concrete)	1.0
Detention and Retention Ponds (freeboard along all shoreline areas around the pond):	
Per dam height:	
With Dams less than or equal to 5-ft maximum height	1.0
With Dams more than 5-ft maximum height	2.0
Incised Ponds (no dam)	1.0
Per area draining to pond:	
1 acre or less drainage area	0.0
5 acres to 1 acre drainage area	1.0
Greater than 5 acres	2.0
Flood Protection Levees, Dikes, or Walls (City Engineer Approval Required):	
Significant or High Hazard Flood Damage or Public Safety Potential	3.0
Low Hazard Flood Damage Potential or Public Safety Potential	2.0
Public Roadways, Alleys, and Parking Lots (as measured from edge of pavement/top of curb)	1.0

Channels	1.0
Bridges (as measured from lowest point of low chord)	1.0
Culverts (as measured from edge of pavement/top of curb)	1.0
Sanitary Sewer and Water Manhole Covers	2.0

*The 100-year flood elevations as determined based on discharges resulting from a fully-developed watershed. Greater freeboard may be required, at discretion of City Engineer (depending on flood hazard potential) or by State and Federal Regulations.

3.4 Detention

3.4.1 Intent

It is the City's intent to utilize detention (or detention/retention) of storm water runoff as a solution towards control of potential hazards created by storm water runoff including; reduction in the impact on downstream storm water drainage facilities; prevention of erosive conditions in water drainage ways; protection against downstream and adjacent property damage; and preservation of existing floodplains along major creeks. Detention basins may also improve water quality by allowing some sediment to settle out.

3.4.2 Where is Detention Required?

A. All non-residential development (not within the Downtown Zoning District or other redevelopment areas that will not impact the storm water flow) shall construct detention facilities.

B. Residential developments shall construct detention facilities if it is determined that the downstream system does not have adequate hydraulic capacity for the developed flow and the capacity of the downstream system cannot be increased to allow the conveyance of the developed flows.

C. All development within the Squabble Creek and Buffalo Creek watersheds will construct detention facilities and provide a flood study using hydrology and hydraulic models, to prove that the proposed development will not cause any increase in peak flood discharge rates and flood elevations at all computed points downstream of the proposed development. For Squabble Creek this study shall extend downstream to Lake Ray Hubbard and for Buffalo Creek shall extend downstream through Rockwall Lake Dam.

3.4.3 Type of Detention Facilities

The following detention facilities are to be utilized for detention.

3.4.3.1 Site of ½ Acre or Less

A. Underground
B. On concrete Parking Surface (max 1-foot water depth)

3.4.3.2 Site of Greater Than ½ Acre, On-site

A. Underground
B. On concrete Parking Surface (max 1-foot water depth)

C. Detention Basin
- Side Slopes 4 to 1, or Less (no fencing allowed)
- Area to be Landscaped
- Maintained by Developer
- Additional Amenities Preferred
- Ownership Stays With Property Owner
- Dams Over 5-foot to be approved by State. Dam must meet state dam safety guidelines.

3.4.3.3 Greater Than ½ Acre, Off-site Shared

A. Detention Basin Shared with Other Developments
- May Expand Existing Pond
- No Increase in 100-year Flood Plain Elevation
- Capacity Expanded Above Existing Water Surface
- Need Engineering Study

B. Flow to Regional Detention Basin
- Regional Facility Manager (owner of facility) Must Approve Improvements
- Developer/s Funds Improvements to Regional Basin
- Developer/s Improves Storm Water Conveyance System to Basin (based on fully-developed 100-year flow)
- Dams Over 5-foot to be approved by State. Dam must meet state dam safety guidelines.
- Dam Cannot be Over 15-feet tall
- Basins with Water Retention to have Stored Water Depth of at Least 4-feet
- Need Landscaping and Amenity Features (Approved by Planning Dept.)
- Facility Manager to Assure Good Retained Water Quality
- Trash Collectors Required at Outfall Structures
- Side Slopes to be 4 to 1 or Less
- Developer/Owner Owns and Maintains Basin
- Facility Manager to Develop and Perform Maintenance Program
- Underground (preferred); Natural Open Channel (existing creek with 100-year developed capacity); Developer/s to Obtain Additional Drainage Easement for 100-year Developed Flow Area; No Concrete or Gabion Sidewalls
- Possible Pro-rata from Other Developments that Utilize Basin

C. Existing Lake
- Lake Manager Must Approve
- Developer/s Fund Improvements to Lake
- Developer/s Improves Storm Water Conveyance System to Lake (developed 100-year flow): Underground (preferred); Natural Open Channel (existing creek with developed 100-year capacity);

Developers to Obtain Additional Drainage Easement for 100-year Developed Flow Area; No Concrete or Gabion Channel Sidewalls
- Additional Storage Out of 100-year Storage

3.4.3.4 Existing Ponds

A. Developer/s Improve Existing Undesirable Detention Facilities
- Remove Fencing Where Possible
- Provide Concrete Flume in Bottom
- Provide Landscaping
- Improve Maintenance Access
- Reconstruct with Underground System
- Remove Pond by Conveying Storm Water Flow to Shared Detention Facility without adverse impacts to other properties.

3.4.4 Geometry, Restrictions and Appurtenances

A. Detention ponds shall have a side slope 4:1 or flatter.

B. The detention pond bottom grade shall be at a minimum of 1% slope. A 4-inch thick concrete low flow flume shall be installed from the ponds inlet structure/structures to the outfall structure.

C. All detention ponds and reserved shoreline shall have the appropriate amount of freeboard as called out in Table 3.13 – Minimum Freeboard Requirements from the 100-year water surface, based on flood inflows determined assuming fully-developed watershed conditions (without consideration of any future upstream detention), including incised ponds (without embankment/dams), or a higher design criteria if required by the State.

D. The State of Texas has jurisdiction of all dams, regardless of dam height or impoundment storage size, if they are classified by State regulations and guidelines with hazard classifications as “high – or significant-hazard”. [Reference: Texas Administrative Code, Title 30, Part 1, Chapter 299, Subchapter A, (a)(3)]. Dams with maximum height of over 5 feet must be approved by the State, unless the dam maximum height is less than 15 feet and a registered professional engineer licensed in Texas adequately shows, with an engineering study using the State of Texas Dam Safety guidelines and regulations, that a sudden breach of the dam during and a major flood event, as specified and determined by the State’s procedures, would not cause any significant increase in flooding or significant increase is flood damages as compared to a non-breach of the dam during a non-breach flood event. For dams permanently impounding water, the study should also determine the extent of additional flooding that would be caused by a sudden breach of the dam during non-flooding events. If the breach of the dam can be proven to not cause any significant flood

damages (other than to the dam embankment), then it can be proven to be classified as a "low-hazard" dam by State definition, and the dam may be exempt, at the City Engineer's discretion, from requiring State review and approval. However, regardless of whether the dam design is reviewed by the State, all dams, regardless of size, must have an emergency spillway and be designed, constructed, maintained, and operated per State Dam Safety Guidelines, including emergency action management. The maximum height of the dam, hazard classifications, and "significant" increased flooding (as related to embankment breach analyses) are determined based on the State's definitions and regulations.

E. No detention is allowed in the FEMA 100-yr and local 100-yr fully developed floodplain.

F. No detention pond is allowed with outlet elevation below a receiving stream's or channel's 100-yr fully developed flood elevation.

G. No franchise utilities (Gas, Electric, Cable, Telephone, Communications, etc.), water lines and wastewater lines (except storm systems) are allowed in detention ponds, and detention easements.

H. Underground detention systems must be a fully enclosed pipe system.

I. The detention pond shall have an emergency overflow in case the main outfall structure gets clogged. The emergency overflow shall be sized to pass the fully-developed 100-year flood at a minimum, or greater based on State Dam Safety requirements. City-approved erosion protection shall be placed along the length of the emergency overflow to the flowline of the receiving structure, creek or channel, and extended as necessary to prevent erosion of the dam structure.

J. The detention systems are to be installed and verified for design compliance along with the associated storm sewer and outfall structures and drainage channels, prior to any paving operations. All constructed detention ponds, drainage ways, and open channels shall have the sides and bottom stabilized with sod or anchored seeded matting prior to any paving construction (including building slab). The matting or sod shall be anchored at high velocity locations if deemed necessary. Erosion protection is to be placed at the pond's outflow structure along with any associated erosion BMP's noted on the erosion control plan

K. Sometimes a detention facility will be utilized by several developments, and then a pro-rata agreement/detention masterplan may be entered into with the development constructing the facility and the other developments utilizing the facility Without a pro-rata agreement/detention master plan of all parties in advance of construction of all combined developments, no

new proposed development will be allowed to take credit for any "over detention" of a previous development or the reduction of discharges from a previous development within the watershed in the determination of detention requirements.

L. Detention pond outfall structures shall be fitted with a trash rack.

3.4.5 Detention Calculations

The detention design calculations and outfall rating curves shall be included in the plans and flood study. Increased peak discharges from the detention basin are not allowed for the 5-year, 10-year, 25-year and 100-yr frequency floods based on existing off-site conditions.

3.4.5.1 Methodology

Detention facilities that have a drainage area of less than 20 acres shall be sized using the Modified Rational Method. If the drainage area is equal to or greater than 20 acres then the Unit Hydrograph Method shall be used. The Modified Rational method may be used for drainage areas more than 20 acres but the Unit Hydrograph Method must be performed as a comparison. The more conservative of the two methods shall be used to design the pond (and technical documentation of both methods should be provided to the City for review and verification of the most conservative method selected).

The following conditions shall be used when implementing the Modified Rational Method.

A. The proposed development will construct detention facilities to detain the increase in runoff between the existing 100-year flows (C-undeveloped, T_C = 20 minute) and the fully developed flows (C – depends on zoning, T_C = 10 minute). The "C" value is based on zoning, not pervious/impervious areas. Large area of dedicated open space dedicated to City can be considered by City in this value.

B. Storm rainfall intensity (in/hr) for different storm years shall be as follows:

	100 year	50 year	25 year	10 year	5 year	2 year
10 min	9.8	9.0	8.3	7.1	6.1	5.3
15 min	9.0	8.1	7.5	6.5	5.5	4.5
20 min	8.3	7.5	6.6	5.9	4.9	3.9
30 min	6.9	6.1	5.5	4.8	4.1	3.3
40 min	5.8	5.2	4.6	4.0	3.4	2.6
50 min	5.0	4.5	4.0	3.5	2.8	2.3
60 min	4.5	3.9	3.5	3.0	2.6	1.9
70 min	4.0	3.7	3.3	2.8	2.4	1.8
80 min	3.7	3.5	3.1	2.6	2.3	1.7

90 min	3.5	3.3	2.9	2.5	2.1	1.6
100 min	3.4	3.0	2.7	2.4	1.9	1.5
110 min	3.2	2.9	2.5	2.3	1.8	1.4

C. The following is an example calculation on how the Modified Rational Method is performed to determine detention volume:

MODIFIED RATIONAL METHOD DETENTION BASIN DESIGN

Given: A 10-acre site, currently agricultural use, is to be developed for townhouses. The entire area is the drainage area of the proposed detention basin.

Determine: Maximum release rate and required detention storage.

Solution:

1. Determine 100-year peak runoff rate prior to site development. This is the maximum release rate from site after development.

NOTE: Where a basin is being designed to provide detention for both its drainage area and a by-pass area; the maximum release rate is equal to the peak runoff rate prior to site development for the total of the areas minus the peak runoff rate after development for the by-pass area. This rate for the by-pass area will vary with the duration being considered.

2. Determine inflow hydrograph for storms of various durations in order to determine maximum volume required with release rate determined in Step 1.

NOTE: Incrementally increase durations by 10 minutes to determine maximum required volume. The duration with a peak inflow less than maximum release rate or where required storage is less than storage for the prior duration is the last increment.

PROCEDURE

STEP 1. Present Conditions (Agricultural)

$Q = C*I*A$
$C = 0.35$
$T_c = 20$ minutes
$I_{100} = 8.3$ in/hr
$Q_{100} = (0.35)(8.3)(10 \text{ acres}) = 29.05$ cfs (Maximum release rate)

STEP 2. Future Conditions (Townhouses)

C = 0.80
T_c = 10 minutes
I_{100} = 9.8 in/hr
Q_{100} = (0.80)(9.8)(10 acres) = 78.40 cfs

Check various duration storms:

15 minutes	I = 9.0 Q = (0.80)(9.0)(10 acres) = 72.0 cfs
20 minutes	I = 8.3 Q = (0.80)(8.3)(10 acres) = 66.4 cfs
30 minutes	I = 6.9 Q = (0.80)(6.9)(10 acres) = 55.2 cfs
40 minutes	I = 5.8 Q = (0.80)(5.8)(10 acres) = 46.4 cfs
50 minutes	I = 5.0 Q = (0.80)(5.0)(10 acres) = 40.0 cfs
60 minutes	I = 4.5 Q = (0.80)(4.5)(10 acres) = 36.0 cfs
70 minutes	I = 4.0 Q = (0.80)(4.0)(10 acres) = 32.0 cfs
80 minutes	I = 3.7 Q = (0.80)(3.7)(10 acres) = 29.6 cfs
90 minutes	I = 3.5 Q = (0.80)(3.5)(10 acres) = 28.0 cfs
100 minutes	I = 3.4 Q = (0.80)(3.4)(10 acres) = 27.2 cfs
110 minutes	I = 3.2 Q = (0.80)(3.2)(10 acres) = 25.6 cfs

Maximum Storage Volume is determined by deducting the volume of runoff released during the time of inflow from the total inflow for each storm duration.

10 min Storm	Inflow = (10)(78.4 cfs)(60 sec/min)	= 47,040 cf
	Outflow=(0.5)(20 min)(29.05 cfs)(60 sec/min)	= 17,430 cf
		= 29,610 cf
15 min Storm	Inflow = (15)(72.0 cfs)(60 sec/min)	= 64,800 cf
	Outflow = (0.5)(25 min)(29.05 cfs)(60 sec/min)	= 21,788 cf
		= 43,012 cf
20 min Storm	Inflow= (20)(66.4 cfs)(60 sec/min)	= 79,680 cf
	Outflow= (0.5)(30 min)(29.05 cfs)(60 sec/min)	= 26,145 cf
		= 53,535 cf
30 min Storm	Inflow = (30)(55.2 cfs)(60 sec/min)	= 99,360 cf
	Outflow = (0.5)(40 min)(29.05 cfs)(60 sec/min)	= 34,860 cf
		= 64,500 cf
40 min Storm	Inflow = (40)(46.4 cfs)(60 sec/min)	= 111,360 cf
	Outflow = (0.5)(50 min)(29.05 cfs)(60 sec/min)	= 43,575 cf
		= 67,785 cf
50 min Storm	Inflow = (50)(40.0 cfs)(60 sec/min)	= 120,000 cf
	Outflow = (0.5)(60 min)(29.05 cfs)(60 sec/min)	= 52,290 cf
		= 67,710 cf

60 min Storm	Inflow = (60)(36.0 cfs)(60 sec/min)	= 129,600 cf
	Outflow = (0.5)(70 min)(29.05 cfs)(60 sec/min)	= 61,005 cf
		= **68,595 cf**
70 min Storm	Inflow = (70)(32.0 cfs)(60 sec/min)	= 134,400 cf
	Outflow =(0.5)(80 min)(29.05 cfs)(60 sec/min)	= 69,720 cf
		= 64,680 cf
80 min Storm	Inflow = (80)(29.6 cfs)(60 sec/min)	= 142,080 cf
	Outflow = (0.5)(90 min)(29.05 cfs)(60 sec/min)	= 78,435 cf
		= 63,645 cf
90 min Storm	Inflow = (90)(28.0 cfs)(60 sec/min)	= 151,200 cf
	Outflow = (0.5)(100 min)(29.05 cfs)(60 sec/min)	= 87,150 cf
		= 64,050 cf
100 min Storm	Inflow = (100)(27.2 cfs)(60 sec/min)	= 163,200 cf
	Outflow = (0.5)(110 min)(29.05 cfs)(60 sec/min)	= 95,865 cf
		= 67,335 cf
110 min Storm	Inflow = (110)(25.6 cfs)(60 sec/min)	= 168,960 cf
	Outflow = (0.5)(120 min)(29.05 cfs)(60 sec/min)	= 104,580 cf
		= 64,380 cf

Maximum volume required is **68,595 cf** at the 60 min. storm duration.

3.4.5.2 Outfall Structures

Detention out fall structures shall be multi-staged and designed to detain the 5-yr, 10-yr, 25yr and 100-yr storm events without increasing the peak discharge. A chart shall be furnished by the design engineer showing the allowable flows verses the actual flows through the detention pond outflow structure for 5-yr, 10-yr, 25-yr, and 100-yr storm events.

When the design is based on the Modified Rational Method, outfall structures shall be designed in accordance to the equations established in Hydraulic Engineering Circular No. 22, Urban Drainage Design Manual (HEC-22). The Engineer shall include all calculations/ equations for the outfall structure in the plans, including each stage of the structure (5-yr, 10-yr, 25-yr, and 100-yr storm events).

When the detention pond and outfall structure is designed using a unit hydrograph method (hydrology model) and a hydraulic model is being prepared (such as for a detention pond with dam located across a stream for which flood elevations will be determined), the outfall structure discharges may be determined with the hydraulic model. All

flow characteristics and conditions of the outfall structure should be adequately represented in the hydraulic model or other calculations to account for orifice flow conditions, weir flow conditions, and full-pipe and partially-full pipe flow conditions for all discharge openings, pipes, and overflow areas of both the discharge structure and the dam. The resulting discharge versus pond flood elevation data should be adequately represented in the hydrology model to ensure that the flood elevations computed with the hydrology model reasonably agree with those computed by the hydraulic model for all ranges of discharges.

City approved erosion protection shall be placed around the outfall structure and shall extend downstream the entire flow path length to the flowline of the receiving structure, creek or channel. The erosion protection shall extend to 2 feet above the 100-yr water surface elevation.

3.5 Floodplain Studies, Reclamation and Modification

All floodplain studies, reclamation, modification, flood boundary delineations and design of structures within or adjacent to creeks or streams shall meet the following guidelines set forth in this section and the most current Flood Hazard Damage Prevention and Control Ordinance.

A. The qualified professional engineer licensed in the State of Texas shall prepare a flood study report documenting all data, methodology, and assumptions used in the study. The study report shall be properly signed and sealed, and include a concluding statement certifying that the hydrologic and hydraulic study is based on standard engineering practice, that the project is constructed, or proposed to be constructed, as shown in certified engineering plans used in the study such that there will be no adverse increases in flooding or flood damages on other properties and that the project meets the requirements of all parts of the City's current Flood Hazard Damage Prevention and Control Ordinance.

B. Flood studies shall follow the general procedures set by FEMA for applying for a LOMR or CLOMR, including hydrologic and hydraulic modeling; drainage area workmap; floodplain workmap; annotated FIRM; FEMA forms; and complete technical documentation of all data used in the study, including, but not limited to, calculations of times-of-concentrations or lag times and calculations of other runoff parameters such as NRCS curve numbers. For hydrology models, drainage areas should be determined to the nearest 0.01 acre (0.000015 sq. mi.); times of concentration and lag times should be computed to the nearest 0.01 hour (6 min.); and NRCS composite runoff curve numbers should be computed to the nearest 0.1 value. Other requirements are contained in Unit Hydrograph Method Section of these standards. These

procedures shall be performed even for flood studies not being submitted to FEMA.

C. Floodplains and watersheds shall be modeled using standard practice engineering models that are public domain. The use of computer modeling software that is not public domain will require approval by the City Engineer. [The most recent versions of HEC-HMS and HEC-RAS are currently the City's preferred hydrology and hydraulic models for flood studies. The use of these models is highly encouraged in cases where a conversion from older models is desired or in previously-unstudied areas where new models are to be created].

D. All design elevations shall be based on computed flood elevations using flood discharges for 100-year projected fully-developed watershed conditions, including the effects of changes in storm water runoff and effects of encroachment and changes in flood valley storage caused by the proposed project.

E. All flood study models shall utilize the most current available models from the City or FEMA as base models (if available) and shall incorporate all additional modifications that have occurred since the last update of these models. Conversion of base models to newer approved digital models is allowed, as noted below.

F. Results of hydrology and floodplain hydraulic computer models shall be summarized in tabular form, to show differences in computed 100-year flood discharges and flood elevations. The computer model results to be included in the comparison tables include:

a. The original effective base hydrology and hydraulic models, if available, as provided by the City or FEMA.

b. Improved modeling procedures may be allowed and included, such as conversion of original models to newer versions of computer modeling software, such as conversion of HEC-2 models to HEC-RAS and conversion of TR-20 or HEC-1 models to HEC-HMS. Conversion to computer software that is not free public domain software ~~or~~ and that is not on FEMA's approved list of computer modeling software must receive approval by the City Engineer. Results of conversion to improved modeling should be performed prior to any updates or corrections to the model data and compared in tabular form with the original base model results.

c. Corrected hydrologic and hydraulic models (commonly referred to as "corrected effective" models by FEMA procedures) to include any improved data or needed corrections, such as new surveyed floodplain cross sections, inclusion of additional cross sections, or improved

topographic mapping, but should not include and man-made changes to the watershed or floodplain.

d. Pre-project hydrologic and hydraulic models, to update the computer models by adding man-made changes that have occurred in the watershed and floodplain since the date of the original effective base models. [If there are no updates based on man-made changes, then the "corrected effective" and "pre-project" models are the same].

e. Post-project hydrologic and hydraulic models, to include all changes that are included in the pre-project models, plus hydrologic and hydraulic characteristics that are representative of changes based on the project's proposed final completed construction. The post-project hydrology should include changes in runoff conditions related to modifications of land cover and grading, changes in times-of-concentration or lag times, alteration of stream channels and floodplain areas (including changes in floodplain valley storage and changes in flow velocities), changes in drainage areas and drainage patterns, and any proposed mitigation to prevent increases in flood discharges. The post-project hydraulic models should include effects to floodplain hydraulic characteristics, including changes in floodplain and channel configuration, such as encroachments, excavations, channelization, proposed hydraulic structures, clearing of areas that will be continually maintained, and changes in hydrology (flood discharges). The effects of temporary clearing of vegetation in areas that will not be maintained should not be included.

Hydrologic and hydraulic computer modeling must be provided for both existing watershed conditions (both pre-project and post-project conditions), with summary comparisons of various steps ("a" through "e", above) shown in tabular form, to include computed 100-year discharges and flood elevations. The results of hydrology and hydraulic post-project models will be compared with results of pre-project models to verify compliance of City Standards requiring no increased flooding on other properties. Additionally, hydrology and hydraulic models must be provided based on fully-developed watershed conditions with the proposed project. The results of the fully-developed condition models, will be used to determine compliance with the City's design elevation standards. When construction of a project will be in phases, the City Engineer may require flood studies to be submitted for each phase.

G. When transferring discharges computed by the hydrology models as input data entered into the hydraulic models, round-off of discharges is allowed only to the nearest one (1) cfs. All hydrology models should be set to compute discharges to the nearest one (1) cfs and flood elevations (such as in ponds) to the nearest 0.01 ft. All hydraulic models should be set to compute flood elevations to the nearest 0.01 ft. Locations of flow changes in the hydraulic

model should be carefully determined to avoid undue under-calculation of flood elevations. For example, in order to prevent unreasonable under-calculations of flood elevations along portions streams, discharges computed at sub-basin outlets along a stream should normally be used in the hydraulic model for a reasonable extended portion of the upstream floodplain reach, in order to avoid neglecting all of the lateral inflow within the upper stream reach in the hydraulic model computations.

H. The completed flood study, including detailed technical documentation; printed hydraulic and hydrological model input data and output results, digital model files (as listed in "F", above, for both existing and projected future fully-developed watershed conditions), supporting calculations, drainage area maps, floodplain boundary maps, and certification statement (as noted in "A.", above) shall be submitted to the City for review.

I. The watershed work map(s) should include the following:

a. Multiple watershed work maps may be submitted for pre-project and proposed project conditions, as long as all of the following items are provided.

b. Total watershed drainage area and sub-basin drainage delineation boundaries, including those representative of the original base hydrology model, the corrected drainage delineations (if any), and proposed project changes in drainage delineations and any added sub-basins. All sub-areas should be labeled in agreement with sub-area labels used in the hydrology models.

c. Topography overlaid on high-resolution aerial photography, with elevation contour labeling.

d. Delineation of hydrologic soil groups and land cover conditions (these may be included on a separate map, with drainage delineations).

e. Property boundaries of the tract of land where the proposed project is located, including any proposed division lines for the current and future project phases.

f. Proposed project, with proposed grading and changes in land cover.

g. Stream channel centerline flow path, with flow direction indicated.

h. Flow path used in determining times-of-concentration or lag times (both pre-project and modifications based on proposed construction).

i. Title block, legend, north arrow, and bar scale.

J. The floodplain work map(s) should include the following:

a. Multiple floodplain work maps may be submitted, as long as all of the following items are provided.

b. Floodplain cross sections, with location and orientation relative to the floodplain, with labels in agreement with the stations referenced in the hydraulic models. If the study involves a stream that has been previously studied, stream stationing should be in general agreement with stationing used in the previous study. For streams with no previous flood studies, the stream stationing should be based on channel distance upstream from the stream's point of termination (downstream location of where the stream enters a larger receiving stream or major lake (such as Lake Ray Hubbard).

c. Topography overlaid on high-resolution aerial photography, with elevation contour labeling.

d. Floodplain boundaries and flood elevations for the 100-year flood using discharges for both pre-project existing watershed conditions and modifications based on proposed project discharges.

e. Floodplain boundaries identified on the Flood Insurance Rate Maps as Special Flood Hazard Areas, and floodplain boundaries from previous studies (if available from the City) with 100-year flood elevations.

f. Floodplain boundaries and flood elevations for the 100-year flood based on projected fully-developed watershed conditions, with the proposed project.

g. Stream channel centerline (invert) with direction of flow indicated (for both pre-project and any changes in stream channel centerline based on the proposed construction).

h. Property boundaries of the tract of land where the proposed project is located, including any proposed division lines for the current and future project phases.

i. Title block, legend, north arrow, and bar scale.

K. In order for the City to maintain and update their hydrology and hydraulic computer models, after construction is completed, the developer's engineer must update and submit to the City their final certified flood study report, with hydrology and hydraulic models, along with all supporting calculations, maps,

report, AutoCAD (.dwg files), and GIS files and other exhibits to adequately represent as-built conditions. If the project has been submitted to FEMA, the updated models and revisions to flood study reports should include all modifications that were approved by FEMA.

L. The City Engineer will determine whether the proposed development will require a LOMR or CLOMR. All documentation prepared for submitting to FEMA (LOMRs/CLOMRs) will be reviewed by the City. The City will not approve the flood study prepared for a LOMR, nor sign a LOMR application form, until construction grading associated with the LOMR has been completed, certified "as-built" plans are submitted to the City, construction has been verified by onsite inspection(s), and all required Local, Federal, and State permits and approvals have been received.

M. The City will utilize an engineering consulting firm to assist City staff in the review of a flood study. The cost of this consultant review shall be borne by the developer, engineer, or property owner submitting the flood study. The City shall first obtain a cost estimate from the engineering consultant for the flood study review at time of the initial flood study submittal. Before the review begins, the developer, engineer, or property owner submitting the flood study shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the review progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting the flood study shall be informed of the shortage and a new estimate made by the consultant engineer to complete the flood study review. Additional funds will then be deposited with the City by the developer, engineer or property owner submitting the flood study to cover the estimated shortfall before the review of the study resumes. Any unused funds to be reimbursed to the developer, engineer or property owner submitting the flood study. If review process is performed by City staff, the City will submit a cost estimate for flood study review at time of the initial engineering submittal.

3.6 Storm Drainage Management Plan

3.6.1 General

Storm drainage facilities shall include all elements of a drainage system consisting of streets, alleys, storm drains, channels, culverts, bridges, swales and any other facility through which or over which storm water flows, all of which the City must have a right in, either in the form of a dedicated right-of-way, floodway or drainage easements.

3.6.2 Site Drainage

All new subdivisions shall provide as part of the subdivision review process a complete storm drainage management plan. This plan will include, but not be limited to, the following: a complete review of all on-site, upstream and downstream drainage within the impacted watershed; determine all on-

site and downstream drainage facility improvements due to the increased runoff from the proposed development and future upstream and downstream developments; and contain calculations necessary to determine compliance with the Standards of Design herein. Detention will be required if the downstream storm system is not capable of handling the proposed drainage flows. The plan shall be done, using current zoning conditions or land use prescribed by the City's Land Use Plan (whichever creates the greatest storm water runoff), with maximum development considered throughout the watershed. The storm drainage plan shall show all necessary improvements with flow data provided at each point of interception of water. As part of the storm drainage plan, the developer shall show a lot grading plan to direct all water to proper intersection points avoiding cross flow of water from lot to lot. All upstream discharge shall be intercepted and carried through the proper intersection points avoiding cross flow of water from lot to lot. All upstream discharge shall be intercepted and carried through the proposed development in compliance with the Standards of Design herein. All discharge from the proposed development shall be designed in accordance with the Standards of Design herein with all necessary improvements being installed by the developer to protect downstream property and adjacent properties from damage. The determination of necessary improvements to existing drainage facilities downstream of a proposed development shall be reviewed by the City Engineer for compliance and adequacy. Deviations from the City Engineer's recommendations and the Standards of Design herein may be approved through the requesting and granting of a variance by the City Council. If a storm drainage plan has been completed prior to new proposed development in question, the developer may use this plan if the City Engineer deems the existing plan is adequate.

3.6.3 Subdivision Development

All subdivision developments shall be built in complete compliance with a storm drainage plan as outlined herein. All lots shall be graded at the time of development in accordance with the plan. All grading shall not exceed a slope of 4 to 1 unless approved by the City Engineer. Approved erosion control shall be provided as part of the development construction on any or all lots within the development to protect the drainage, lot development and adjacent property.

The finish building pad for all subdivision developments shall be elevated to a minimum of 1.0 foot above the crown of the road. In no circumstance shall a building pad and finish floor of any structure be placed below street grade.

3.6.4 Construction Erosion Controls

Construction Erosion Controls shall follow the guidelines set out in NCTCOG's iSWM™ Technical Manual: Construction Controls April 2010, Revised 9/2014 or more recent revision.

In order to address the requirements of pollution reduction at construction sites, a variety of controls should be employed to reduce soil erosion, reduce sediment loss from the site, and manage construction-generated waste and construction related toxic materials. Controls consist of both temporary and permanent methods to reduce pollution from a construction site. The majority of controls address loss of soil from the site. Soil loss in the form of erosion and sediment due to storm events and wind constitute the majority of pollution generated from construction sites. Controls that address erosion and sediment are typically more site specific than waste and toxics management. Erosion and sediment controls are dependent on site slopes, drainage patterns and drainage quantities along with other site-specific conditions. Materials and waste management consists primarily of "good housekeeping" practices which are dependent on the type of construction and the quantity and type of building materials.

Control measures shall follow the control selection guide set forth in the iSWM manual. Control measures from each of the three categories; Erosion Controls, Sediment Controls and the Material and Waste Controls shall be used in the design of an Erosion Control Plan for a site. Standard details called out in Division 1000 of NCTCOG's Standard Specifications and Standard drawing shall be utilizes as well in the development of an erosion control plan.

Control Measures such are Silt Fences, Inlet Protection, rock berms, etc. shall be removed from the site once grass cover has been established. Grass cover shall be determined by the Vegetation section of these Standards.

1. Construction Entrance:

   No crushed concrete is allowed and rock must be a minimum of twelve (12) inches thick using well graded rock with minimum diameters of four (4) to six (6) inches.

2. Silt Fence:

   No wooden stakes to be allowed on any erosion control device.

3. Performance:

   Erosion from construction sites can be a significant water quality problem. Developing areas are cleared of vegetation during

construction leaving the soil exposed and susceptible to erosion. Runoff then transports eroded sediment from these areas and deposits it downstream. The accumulation of silt in streams and ponds is a form of water pollution that is unattractive and impedes drainage.

Prevention is a key aspect of erosion control. Many of the control methods presented herein can be placed in a manner that will protect highly erodible areas such as steep slopes. The prevention of erosion requires prior planning to ascertain the placement of selected control methods. The rewards of this planning will be a significant reduction in soil loss. Not only can soil loss be prevented, but eroded soil can be recovered on the construction site and used for fill.

The particulate material in construction site runoff is generally heavier and larger than particulates in urban runoff. These attributes facilitate the removal of the material whether the removal is by settling in a sediment trap or by filtration through a filter fence. Temporary sediment traps, filters and routing devices an effectively control erosion for construction sites if properly applied. These methods are even more effective when permanent management techniques are used in an effort to control temporary increases in sediment loads.

3.6.5 Lot Development

All lot developments shall include a drainage plan preventing all diversion of water from the approved path of discharge. The builder at the time of permit application shall furnish a grading plan in compliance with the appropriate chapter of the building code adopted by the City, the grading plan for the development and the storm drainage plan approved for that particular development. If the re-grading of a lot is necessary, the builder shall be required to furnish a new drainage plan indicating the diversion and rerouting of the affected storm water. When the re-grading of a lot prevents the drainage from flowing to the proper structures as designated in the drainage plan, then the builder will furnish a registered engineer's review for adequacy of existing structures to which the water is diverted. If improvements are necessary to provide for adequate drainage due to re-grading of a lot, then the improvement must be made at the builder's expense before a grading permit or other permits for construction will be issued by the City. The City Engineer will review the information submitted for compliance with the approved grading and drainage management plan. Accepted City streets are not to be used as an erosion control. No inlet protection is allowed in an accepted City street.

A. Off-Site Cost Sharing: The developer shall be fully responsible for the construction of off-site drainage improvements necessary for his subdivision and the surrounding area, unless other provisions are approved by the City Council. Provisions for reimbursement of cost in excess of those necessary to serve his subdivision, and any other provisions, shall be made a part of a facilities agreement. For any subsequent subdivision utilizing such facilities, any cost due prior developers shall be pro-rated based on the increased contribution of storm water runoff. Such pro-rated amounts shall be made a part of any subsequent agreement, collected by the City and repaid to the original developer making such improvements.

   The original developer shall provide the City with acceptable documentation of actual construction cost from which calculation of reimbursable amounts will be made for inclusion in the facilities agreement.

B. Exemptions: when a development is of two lots or less and in the City Engineer's opinion does not affect existing drainage facilities or affect the adjacent property, the City Engineer may allow the developer to waive any off-site pro-rata costs.

C. All City right-of-ways shall be sodded if disturbed. No artificial grass is allowed in any City right-of-way and/or easements.

D. Before Acceptance of Streets and Alleys silt fencing shall be placed at the back of curb/edge of all pavement.

City of Rockwall
The New Horizon

4. VEGETATION

4.1 General

All seeding, sodding and fertilizer requirements are to be done in accordance with the North Central Texas Council of Governments (NCTCOG) Standards and Specifications (Under Item 202) as modified by the City of Rockwall – Item 202

4.2 Coverage

The developer shall establish grass and maintain the seeded area, including watering, until a "Permanent Stand of Grass" is obtained at which time the project will be accepted by the City. A "Stand of Grass" shall consist of 75% to 80% coverage and a minimum of one-inch (1") in height as determined by the City. Re-seeding will be required in all washed areas and areas that don't grow.

All City right-of-ways shall be sodded if disturbed. No artificial grass is allowed in any City right-of-way and/or easements.

4.3 Planting Season

Type I	Bermuda Grass – Hulled 50 lbs./acre, April through June
Type II	Annual Rye Grass 40 lbs./acre, September through March
Type III	Bermuda Grass – Unhulled 50 lbs./acre, January through March and July through August

A mix of seed shall be used in overlapping planting seasons.

4.4 Additional Information

For a public utility less than 10 inches in size no tree shall be planted within 5 feet of the utility and for a utility greater than or equal to 10 inches in size no tree shall be planted within 10 feet of the utility.

If trees are approved by Zoning to be within the right-of-way then a City approved root barrier will be required to be installed in order to keep roots from degrading the pavement structure.

Vegetation over two feet in height shall not be planted in any visibility easement or potential sight visibility (including medians).

5. WATER AND WASTEWATER SYSTEMS

5.1 General Requirements

The design and construction of the water and wastewater system to serve the development shall be in accordance with good engineering principles, with these Standards of Design, the Standard Specifications for Construction and the Standard Details and with the requirements of the Texas Commission on Environmental Quality (TCEQ).

All materials to be permanently incorporated for use on projects in the City of Rockwall shall be produced in the United States of America, alternate products must be approved in writing prior to installation by the City Engineer. Therefore, "Domestically produced in the United States of America" means all manufacturing processes must occur in the United States of America, to mean, in one of the 50 States, the District of Columbia, Puerto Rico or in the territories and possessions of the United States.

All on-site and off-site water and wastewater mains shall be sized and located to conform to projected demands in accordance with the current Water Master Plan and Wastewater Master Plan and the computer model with regard to the impact of each development on the existing and proposed water system. No construction shall commence prior to the approval of the plans and specifications by the City.

5.1.1 System Capacity Studies

A Water and Wastewater System Capacity Study shall be performed for all developments or re-developments that propose a change in existing land use (change in density) that does not conform to the Cities current Water and Wastewater System Master Plan.

The City will utilize an engineering consulting firm to assist City staff in performing Water and Wastewater System Capacity Studies. The cost of this study, by the consultant, shall be borne by the developer, engineer, or property owner requesting the proposed change in land use. The City shall first obtain a cost estimate from the engineering consultant for the study at time of the initial submittal. Before the study begins, the developer, engineer, or property owner submitting for a change in land use shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the study progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting for the change in land use shall be informed of the shortage and a new estimate made by the consultant engineer to complete the study. Additional funds will then be deposited with the City by the developer, engineer or property owner to cover the estimated shortfall before the study is complete. Any unused funds to be

reimbursed to the developer, engineer or property owner submitting for a change in land use. If review process is performed by City staff, the City will submit a cost estimate for the study at time of the initial submittal.

5.1.2 Connections for Future Adjacent Developments

All development shall accommodate future adjacent and upstream/downstream developments by extending water and wastewater lines across the proposed development in order to create water and wastewater systems connectivity. This connectivity will provided for an ease of future development and limited disturbance to existing developments. These extensions of the water and wastewater facilities shall match the City's Water Master Plan and Wastewater Master Plan.

5.1.3 Easements

If a water or wastewater main is located on private property the mains shall be within an easement that conforms to the minimum width in Table 5.1.

Table 5.1: Water & Wastewater Line Easements – Minimum Width

		Minimum Easement Width (ft)
Conduit Size	<= 48" diameter	20'
	> 48" diameter	Approval City Engineer
Depth of Conduit	< 14'	20'
	14' - 16'	25'
	17' – 20'	30'
	21' – 23'	35'
	> 23'	40'

5.1.4 Separation of Water and Wastewater Lines

All water lines and wastewater lines shall be separated 10 foot horizontally and per TCEQ Rules and Regulations. Refer to the following:

- Chapter 290 - Public Drinking Water SUBCHAPTER D: RULES AND REGULATIONS FOR PUBLIC WATER SYSTEMS §§290.38 - 290.47
- Chapter 217 - Design Criteria for Domestic Wastewater Systems SUBCHAPTER C: CONVENTIONAL COLLECTION SYSTEMS §§217.51 - 217.70

For separation between storm lines a spacing of 5 foot horizontal shall be maintained from outside dimension of storm pipe to the water or wastewater line.

5.1.5 Water and Wastewater Lines within TxDOT Right-of-Way

Water and wastewater lines within or crossing a TxDOT right-of-way shall meet the requirements of the TxDOT District Office and the TxDOT Utility Manual. Utility permits for lines within or crossing TxDOT rights-of-way shall be processed through the Engineering Division. TXDOT Permit Plan sets shall

be 11”x17” in size and signed and sealed by a licensed professional engineer with the State of Texas. Plan sets shall include all applicable TxDOT Standard Details and Traffic Control Plans Sheets to construct the lines.

5.1.6 Boring, Jacking and Tunneling

All water and wastewater mains to be installed in steel casing under existing roadways, railroads, and creeks shall be installed by a method other than open cut, unless otherwise approved by the City Engineer. All Boring of existing water lines mains shall be shall be by dry bore methods. All boring of water and wastewater lines shall be by dry bore methods. No wet bores will be allowed.

Steel casing thickness and diameter size shall be designed by the engineer of record for construction and maintenance of the carrier pipe per the requirements below. Raci patented casing spacers, or approved equal, shall be used. No bends and/or curves are permitted with casing pipes. Casings may also be required where deemed necessary by the City Engineer. The construction bore and receiving pit shall be located at a minimum distance of 4 feet behind the back of curb. The engineer of record shall provide a distance greater than 4 feet where there is no curb or barrier protection at the edge of pavement. Additional bore setback distances or shoring shall be required to maintain roadway integrity and the safety of construction personnel. When bore and receiving pits are located on private property, permanent water and wastewater easements for the pits will be required for the installation and future maintenance of the line.

The engineer of record shall design the pipe casing for the following loading conditions and/or applicable combinations thereof:

- Cooper's E-80 Railway loading or AASHTO HS20 loading, as applicable.
- Earth loading with the height of fill above the casing as shown on the plans as existing or finish grade whichever is greater.
- All other applicable loading conditions, including loads applied during transportation and handling.
- Max casing deflection of ½-inch from the above loading conditions.

Engineer of records shall consider the location, size, and depth of bore and receiving pits relative to existing utilities when establishing the beginning and ending stations.

Manufacturers: Paint Manufacturers for pipe casing shall be 46-465 H.B. Tnemecol – Tnemec Inc. or approved equal.

5.1.7 Crossings

5.1.7.1 Culvert Crossings

A steel encasement pipe shall be used to encase the carrier pipe with a minimum vertical clearance of two (2) feet from the bottom of the culvert and casing pipe. The encasement pipe shall be extended a minimum of five (5) feet from the outside edge of a box culvert or the outside diameter edge of the storm sewer for future maintenance of the carrier pipe. All culvert crossing shall be profiled.

5.1.7.2 Creek Crossings

Water and wastewater lines at creek crossing shall be design to go under the flowline of the crossing. The lines shall be steel encasement pipe with a minimum vertical clearance of four (4) feet from the encasement pipe and the flowline of the creek to protect from future creek undercutting. The encasement pipe shall be extended to the creeks erosion hazard set back line for future maintenance of the carrier pipe. Where an erosion hazard set back does not exist due to a shallow creek the encasement pipe shall extend 15 feet on either side of the main channel of the creek. All creek crossings shall be profiled and shall show the erosion hazard set back line along with the projected 4(H):1(V) sloping line and 15 foot buffer from the intersecting point of the ground.

Aerial crossing of water lines are not allowed.

Aerial crossings for wastewater lines may be used only when all other alternatives have been evaluated and determined not to be feasible. Aerial crossings of wastewater lines require approval of the City Engineer. If an aerial crossing is to be installed reference additional requirements in the Wastewater System Section.

5.1.7.3 TxDOT Highway Crossing

A steel encasement pipe shall be used to encase the carrier pipe at all TxDOT highway crossings. The crossing shall be at 90 degree (perpendicular) to the highway. All boring of water and wastewater lines shall be by dry bore methods. No wet bores will be allowed unless approved in writing by the TxDOT District Office.

5.1.7.4 Railroad Crossings

Prior to the design of any railroad crossing, the engineer of record shall contact the railroad and the appropriate regulatory agency to determine if there are any special design and/or construction requirements and shall copy the City Engineer on all correspondence with each regulatory agency.

5.2 WATER SYSTEM

5.2.1 General

All facilities shall be sufficient size to provide adequate capacity for ultimate development as called out in the latest copy of the Water Master Plan. The water mains shall be sized to meet the maximum instant domestic requirements plus an appropriate allowance for fire protection water. The design criteria for water demand shall be submitted to the City with the plans and specifications. The City reserves the right to require larger water mains than required for the proposed development in order to provide capacities for areas outside the development. The developer will be responsible to construct water mains adjacent to his property in accordance with the latest Water Master Plan or as required by the City Engineer.

5.2.2 Connections to Existing Distribution System

Preliminary discussions concerning take-off points in the water system should be conducted with the City of Rockwall Engineering Division or its designated representative prior to finalizing the preliminary designs of the water system, which will serve the development. Connections to the City's existing water system will be allowed only at locations where the City believes that sufficient quantity and pressures are available to meet the projected requirements of the development. In general, the connections to the existing water system shall be made in such a manner to keep "shut-downs" to a minimum. Preference should be given to a tapping valve connection.

In a proposed development where City water is not adjacent to the property but is accessible, the developer shall provide, at their expense, a minimum of eight (8") inch water main, an off-site water main of sufficient size to serve his development or as shown on the City's Water Master Plan, whichever is larger. The City can participate (if funds are available) or collect pro-rata for the oversize of the required line. The City participation must be approved by the City Council. The proposed development may require a loop into the existing water system in order to provide adequate water pressure. The loop will be at the developer's expense. All water main shall be extended to the property lines for future connections.

In general, the City will not approve a development, which cannot be served by extensions to the City water system. Some areas in the City are served by public water supply corporations. The Developer shall contact these public water supply corporations for notification of future development. The Developer shall still be responsible to construct water facilities that meet City requirements and as shown on the City's Water Master Plan. The City will inspect the water facilities.

Under unusual circumstances, the City may consider approval of a private water system, which will supply an adequate quantity of potable water to every lot in a residential development. Such systems must meet the approval of the City, the TCEQ, the State Board of Insurance and other appropriate regulatory agencies. In addition, an agreement between the City and the developer must be executed whereby the City may acquire the system at such time as it can be connected into the City's owned and operated distribution network. In all cases, the engineering drawings shall show the source of water for the development.

5.2.3 Sizing of Water Mains

A. Water mains shall be sized to have maximum velocities of 7 feet per second for Maximum Daily Demands and maximum velocities of 10 feet per second for Combined Maximum Daily Demand and Fire Flow Demands.
B. Table 5.2 provides the water demand for residential land uses and non-residential land uses and shall apply for any development where the lot layout has not been finalized. Land uses not listed shall be classified by the land use they most nearly resemble in Table 5.2 or calculated by the engineer in accordance with the anticipated use. The engineer shall submit the Maximum Daily Demand and the Maximum Hourly Demand to the City Engineer for review and approval. The City reserves the right to assign a higher water usage rate, population per unit, and/or units per acre to be used for developments anticipated to generate higher than typical usage rates.

Table 5.2: Water Demand Rates

Land Use	Units Per Acre	Population per Unit	Max Day per Capita (gpcd)	Max Hour per Capita (gpcd)	Max Day per Acre (gpad)	Max Hour per Acre (gpad)
Residential						
Single Family - Low Density	3.5	2.87	350	700		
Single Family - Medium Density	8.0	2.87	350	700		
Single Family - High Density	18.0	2.87	350	700		
Townhome	4.0	2.50	350	700		
Multi Family	12.0-16.0	2.00	350	700		
Non-Residential						
Mixed Use / Live Work / Downtown			350	700		
Commercial Retail / Business Center					1,500	3,000
Public / Quasi-Public					1,500	2,000
Commercial Industrial					2,000	3,000
Special Commercial Corridor / Technology Employment Center					3,000	3,900
Light Manufacturing *					2,000	3,000
Heavy Manufacturing *					2,500	3,000
Schools (Elementary)			39 per student	52 per student		
Schools (Middle / High Schools / Colleges)					1,500	2,000

Hospitals			720 gpd per bed	864 gpd per bed		
Nursing Homes / Assisted Living			240 gpd per bed	288 gpd per bed		
Restaurants					1,500	3,000
Parks and Open Space					1,500	1,500
Golf Course **					1,000	1,000

* Engineer shall provide the maximum daily demand and maximum hourly demand flows and/or the number and size of water meters proposed for the particular land use for review by the City.
** Engineer shall provide the number and size of water and irrigation meters proposed for the golf course for review by the City.

C. The engineer shall sufficiently size all water mains to provide adequate capacity for ultimate development as called out in the latest copy of the Water Master Plan. For all developments, re-developments, and any type of facility tying into the City's water distribution system, the following guidelines shall be used:
   i. The engineer shall obtain the available record drawings. When record drawings are not available, field investigations and verifications shall be required prior to construction.
   ii. The standard water main sizes that shall be used are noted in the Table 5.3.

Table 5.3: Standard Water Main Sizes

8 inch	12 inch	16inch	18 inch	20 inch
24 inch	30 inch	36 inch	42 inch	48 inch
54 inch	60 inch	66 inch	72 inch	-----

   iii. The minimum water main size to serve residential areas shall be eight inches (8") in diameter
   iv. The minimum water main size serving commercial, business, industrial, etc. shall be eight inches (8").
   v. Fire Flow Demands for all districts shall be calculated with a minimum residual pressure of 20 psi under combined fire and domestic (Maximum Daily Demand) water flow conditions and/or the latest requirement by the TCEQ. The developer shall provide facilities sufficient for fire flows in accordance with the minimum criteria set for by the City's Fire Marshal Office.
   vi. Mains are to be sized to ensure less than 1 foot of head loss per 1000 feet of water main using a Hazen Williams coefficient of C = 110 for the Maximum Hourly Demand flow rates within the subdivision internal distribution system.
   vii. Mains shall be sized to provide service to adjacent properties.

5.2.4 Water Mains Location/Alignment

Water pipelines shall be located in the parkways between the back of the curb and the street right-of-way. The location shall be six feet (6') from the back of curb on the north side of east-west streets and on the west side of north-south streets. When horizontal curvature is used the minimum radius of curvature shall be equal to that recommended by the pipe manufacturer.

A blue EMS Locator Pad will be located as shown in the Standard Drawings. Water mains shall have blue EMS locator pads at every two hundred fifty (250') feet, change in direction, valve, curb stop, and service connection to the main water main.

5.2.5 Depth of Cover

The minimum depth of cover for water mains are indicated in Table 5.4.

Table 5.4: Depth of Cover to Top of Pipe

Pipe Size	Minimum Depth of Cover
6 inch through 8 inch	4.0 feet
12 inch through 18 inch	5.0 feet
20 inch and larger	6.0 feet

The engineer shall consider the ultimate roadway elevations in determining the depth of cover. Additional depth of cover shall be required for future development and as directed by the City Engineer. Depths of cover greater than 8 feet shall be approved by the City Engineer.

5.2.6 Pipe Material and Embedment

Water mains shall be PVC pipe conforming to the Standard Specifications for Construction. In general, the water pipelines shall be AWWA C900-16 PVC Pipe (blue in color) for all sizes, DR 14 (PC 305) for pipeline sizes 12-inch and smaller, and DR 18 (PC 235) for 14-inch and larger water pipelines. All pipes shall be installed in embedment material as shown on the Standard Drawings and in conformance with the Standard Specifications for Construction.

5.2.7 Valves

Valves shall be installed to isolate pipe at a minimum of every other fire hydrant and on both sides of all public roadways. All gate valves shall comply with the approved list or an approved equal with resilient seat only and shall conform to and shall be installed according to the Standard Specifications for Construction.

A. Valves shall be placed in straight run sections at spacing no greater than 500 feet.
B. All valve boxes shall be encased in a concrete pad that shall be twelve inches by twelve inches by six inches (24”x24”x6”) and reinforced with No. 3 steel bars.
C. Valve extensions shall be 316 stainless steel.
D. Unless otherwise requested by the developer and approved by the City, valves shall be located in the northwest quadrant of the street intersection.
E. Valves shall be placed at or near the ends of mains in such a manner that a shutdown can be made for a future main extension without causing loss of service on the existing main. A minimum of 20 feet of main shall be installed past the valve and mechanical pipe thrust restraints shall be used to anchor it.
F. Where fire lines are connected to the water main, valves shall be installed on one side of the connection to provide the ability to isolate the main line and continue to provide water to the fire line. The fire line shall be provided with a valve at the connection with the main line.
G. Valve boxes shall be provided for buried valves. They shall be three-piece screw-type cast iron boxes of the extension type. The three pieces shall consist of the top section, bottom section, and cover.
H. Two inch square nuts that would be over 4 feet deep shall have stainless steel valve stem extensions. In these cases, the 2 inch square valve operating nut shall be no greater than 2 feet from the finish grade. Valve box extensions may be cast iron or C-900 PVC.

5.2.7.1 Gate Valves

Valves 12 inches and under shall be Resilient Wedge Gate Valves (RWGV). Valves are required to have 316 Stainless Steel hardware. Gate valves shall be located outside the paved streets and shall be six feet (6’) from back of curb of the intersecting street. In general, gate valves shall be located at street intersections (except for fire hydrant leads).

5.2.7.2 Butterfly Valves

Valves greater than 12 inches shall be flanged butterfly type spaced at a maximum of 1,000 foot intervals. All valves shall have horizontal mounted actuators with a manhole for access to the actuators.

5.2.7.3 Air Release, Air/Vacuum, and Combination Air Valves

A. Air release valves, air/vacuum, and combination air valves shall be required on 16 inch and larger water mains and as necessary for proper system operation. There are three primary functions of the valves that the engineer shall consider as follows:

i. To vent large volumes of air during filling of the line;
ii. To allow air into the pipe during emptying for maintenance and/or repairs; and,
iii. To vent small volumes of air that come out of solution during service.

B. Typically these are installed at high points where the pipeline has a vertical change in gradient. Additional installation locations may be requested by the City Engineer.
C. A fire hydrant shall be required at high points on 12 inch water mains for air relief and flushing maintenance operations. When a fire hydrant cannot be used, an air release valve may be approved by the City Engineer.

5.2.8 Fittings

Mega-lugs or approved equal shall be installed. No compaction fittings allowed. Fittings shall be ductile iron in accordance with AWWA C110 or AWWA C153. All buried metal shall be wrapped in polyethylene tube wrap.

5.2.9 Connection to existing Water Mains

5.2.9.1 Tapping Sleeves and Valves

A. Size on size tapping sleeves are not allowed. The largest allowable tapping sleeve shall be the main line size less one standard pipe size (Example: 16 inch x 12 inch, 8 inch x 6 inch, etc.). If a size on size connection is required, then a cut-in connection shall be used.
B. Connections to an existing line shall be made with full body stainless steel tapping sleeve and valve. A resilient wedge gate valve shall be flanged to the tapping sleeve.

5.2.9.2 Cut-In Connection

When connecting to an existing main, it may be required to provide a cut-in connection with a tee and valve being installed into the existing main in lieu of a tapping sleeve and valve where there is not an existing main line valve between proposed water connection locations as directed by the City Engineer. A test shut down of the existing water main(s) shall be conducted by the Public Works Department - Water Division. The requirement for a test shut-down may be waived with approvals of the City Engineer.

5.2.10 Dead-End Mains

A. Dead-end mains shall be avoided and may only be considered when a looped or interconnected water main system is not available. The design of all water

distribution systems should include the opportunity for future looping or interconnect of any approved or proposed dead-end line.

B. All dead-end lines shall only be installed upon approval from the City Engineer and at a maximum length of 150 feet.
C. Dead-end non-residential water mains shall only have one fire hydrant or service without looping the water main.
D. Where dead-end mains are approved, the engineer shall provide flush point at the end of the dead end main.

5.2.11 Fire Hydrants

In general, fire hydrants shall be located at each street intersection and at intervals on the interior of each block.

A. Residential and Duplex
Residential and duplex areas shall have a fire hydrant at each street intersection and at four hundred foot (400') intervals on the interior of each block.

B. Multi Family
Multi-Family areas shall have a fire hydrant at each street intersection and at four hundred foot (400') intervals on the interior of each block and along fire lanes.

C. Commercial, Retail and Industrial
Commercial, retail and industrial areas shall have a fire hydrant at each street intersection and at a maximum of four hundred foot (400') intervals on the interior of each block and along fire lanes

Fire hydrants shall be installed a minimum of three feet (3') and no greater than six feet (6') behind curb of a fire lane, driveway, access, and/or street as measured from the centerline of the fire hydrant to back of curb, edge of pavement, or fire lane. All fire hydrants shall have five feet (5') of clearance around, including parking stall curbs.

The spacing of fire hydrants shall be measured along the street frontage or fire lanes. The City Fire Marshal and Engineering Division shall review all fire hydrant spacing. When a special condition exists due to land use, the Fire Marshal or City Engineer may require additional hydrants for fire protection. All existing fire flows and pressure tests shall be obtained from a private company (City does not perform this test).

Fire hydrants shall comply with the approved list or an approved equal conforming to the requirements set forth in the Standard Specifications for Construction. All fire hydrants shall be installed with a six-inch (6") gate valve on the hydrant lead. The installation shall be as set forth in the

Standard Specifications for Construction. Fire hydrants shall be painted to meet the City's requirements for color code as set forth in the Standard Specifications. In general, the fire hydrant will be reflective silver with differing cap color, which corresponds to the size of hydrant feeder line, as detailed in Approved Water Materials List in the Appendix. Fire hydrants shall be installed at the end of each dead end line. Minimum main size for a fire hydrant shall be eight inches (8") if main is fifty feet (50') or longer. Fire hydrants are not to be powder coated. Fire hydrants are to be a minimum of nineteen (19) inches to a maximum of twenty-eight (28) inches above final grade. All fire hydrants to have five (5) feet of clearance from any structure or parked vehicle. Nozzle diameter shall be two hose nozzles measuring two and one-half (2 ½) inches nominal inner diameter and one pumper nozzle measuring for and one-half (4 ½) inches nominal inner diameter. All nozzles are to have National Standard Hose Threads. The operating nut and nozzle nuts shall be 1 ½ inch pentagon-point to flat size/shape.

A. Standard fire hydrant barrel shoe depth where ever practical shall be 5 feet. The fire hydrant lead line shall be adjusted to meet the standard fire hydrant depth.
B. The connection to the main line shall include a flanged tee connected to a flange by mechanical joint gate valve. The mechanical joint shall be restrained so that the fire hydrant is anchored to the valve.
C. Specifications – Fire hydrants shall be three-way breakaway type no less than 5- 1/4 inch size. Mechanical joint connection is required.

5.2.12 Water Service Connections

Service connections shall be in accordance with the designs shown on the Standard Drawings. The materials shall comply with approved list or approved equal and shall be installed in accordance with the Standard Specifications for Construction.

A. All service pipelines shall be constructed of SDR-9 (Polytube) having a minimum size of one-inch (1"). All connections shall be compression type or approved equal.
B. Detector pads embedded in sand shall be installed above all service connections.
C. All meter boxes shall be set between the sidewalk and the back of curb. Meter box tops shall be set one-half inch to one and one-half inch (1/2" to 1 ½") above the curb, and an angle meter stop shall be set six inches (6") below the meter box top. Meter boxes shall have a one-inch (1") wide slot from five inches (5") below the top of the box to the bottom of the box on the side facing the lot for service connection.
D. A domestic and/or irrigation service connection shall not be allowed on fire hydrant leads.

E. Service saddle shall be double bronze flattened straps (no banded straps shall be allowed) with brass body. Minimum size tap shall be 1 inch diameter.
F. All meters two-inch (2") and under shall be supplied by the City and will be at developer's/contractor's expense. All meters greater than two inches shall be furnished and paid for by the developer/contractor.
G. Concrete meter vaults are required for meter sizes 3 inches and larger, meters and vaults shall be provided by the contractor. Meter vault and meter requirements are shown in the Standard Drawing section.
H. Residential Water Meters
    a. In single family residential developments, the nearest edge of the water meter box shall be a minimum of 6 inches behind the back of curb, and the water service shall be no more than 12 inches deep, covered with a meter box in place at grade. If no curb is present, the water meter shall be located at the right of way line, no more than 12 inches deep, covered with a meter box in place at grade. Along roadways without a curb, the water service line shall be constructed at a minimum of 24 inches below the ditch flowline. Meter boxes shall not be placed in the invert of a ditch.
    b. For multi-family, condominium and townhouse developments installation of multiple meter boxes: may only be installed at approved locations. Each service box shall service one (1) lot. Installation on multiple meters per water service will not be allowed. Only one meter per service will be allowed.
I. Non-Residential Water Meters
    a. Installation of non-residential meters will include two mainline valves, one bypass valve with chain and lock, and bypass line, all located inside the vault. Clearances between fasteners on valves, strainers, and meters to interior surfaces shall provide adequate room for maintenance.
    b. Non-residential water meters will be located in a water easement and clear of high traffic areas.
    c. Water meter vaults shall be sized according to the size of the water meter and to allow for a minimum of a 12 inch clear working area for maintenance and operation. Minimum water meter vault sizes are shown in the City of Rockwall Standard Details.
    d. Non-residential irrigation meters shall have a testable double check backflow preventer.

5.2.13 Abandonment of Water Mains

A. The engineer is to note the limits and appropriate conditions for abandoning existing water mains that are being replaced. For lines being abandoned, the engineer should note and locate points of cut and plug at the junction with the line that remains in service.

B. The engineer shall make allowances to permit the existing and proposed mains to remain in service simultaneously thereby providing a means for transferring customer's services from the old main to the new main with minimum interruption. If the construction of a proposed main necessitates the abandoning of the existing main prior to the new main's placement into service, then provisions for a temporary water main with services must be addressed with the design.
C. Abandoned water lines to remain in place shall be cut and plugged and all void spaces within the abandoned line shall be filled with grout, flowable fill or an expandable permanent foam product. Valves to be abandoned in place shall have any extensions and the valve box removed and shall be capped in concrete.
D. Existing fire hydrants and valves located on mains being abandoned are to be removed and delivered to the Public Works Department.

5.3 WASTEWATER SYSTEM

5.3.1 General

All facilities shall be sufficient size to provide adequate capacity for the ultimate development. The wastewater lines shall be sized to meet the peak-day dry weather flow plus an appropriate allowance for infiltration of storm water. The minimum wastewater main size (other than service lines) for all developments shall be eight inches (8") in diameter. The design criteria and calculation shall be submitted to the City with the plans and specifications. The City reserves the right to require a wastewater main of a larger size than that required by the development in order to provide capacities for areas outside of the development. Wastewater systems shall be designed so that all wastewater mains will be gravity flow. The use of a wastewater lift station can only be allowed with written approval by the City Engineer.

Connections to substandard mains and manholes shall not be allowed. Substandard mains shall be determined by the City Engineer based on criteria including, but not limited to: size, material, condition, flow rate, capacity, etc. Offsite improvements may be necessary to provide adequate wastewater service to the site.

All wastewater mains shall be installed at a depth sufficient to permit all water mains to be above the wastewater when the water main has a minimum cover of four feet (4'). In such cases where water mains either cross or otherwise come within 10 feet (10') of a wastewater main, the wastewater main may be PVC pressure pipe with a minimum working pressure class of 150 psi or encased in concrete.

5.3.2 Ownership and Maintenance

5.3.2.1 Ownership

Ownership of wastewater systems shall conform to the following:

- Wastewater mains within right-of-way or easements shall be owned by the City. This shall include the manholes and cleanouts on those lines.
- Wastewater service laterals shall be owned by the property being serviced, from the wastewater main connection to the structure being serviced. This includes any and all manholes and cleanouts on the service lateral.

5.3.2.2 Maintenance

Maintenance of wastewater system shall conform to the following:

- Wastewater mains within right-of-way or easements shall be maintained by the City. This shall include the manholes and cleanouts on those lines.

- Wastewater service lateral shall be maintained by the property owner being served from the structure to the right-of-way line and the City shall maintain from the right-of-way line to the wastewater main.

5.3.3 Connections to Existing Wastewater Collection System

Preliminary discussion concerning entrance points in the wastewater system should be conducted with the City of Rockwall Engineering Division or its designated representative prior to finalizing the preliminary designs of the collection system to serve the development. In a proposed development where City wastewater facilities are not adjacent to the property but are accessible, the developer shall provide, at his expense, an off-site wastewater interceptor of sufficient size to serve his development and the contributing service area (using fully developed flows), or as shown on the City's Wastewater Master Plan, whichever is larger. Developers can request a pro-rata agreement for wastewater over-size above ten (10") inch to be executed with the City, where the City collects a pro-rated amount as other developments connect to the system. This money would be distributed back to the developer that constructed the over-sized system. The pro-rata agreement requires approval by City Council.

Connections to Existing Wastewater Mains – When connecting a 6 inch or larger new line to an existing wastewater main the engineer shall provide a new manhole at the point of connection. Prior to breaking into the existing line the new manhole and upstream pipe segment shall pass inspection by the City Engineer or designated representative. Connections in residential locations shall be completed after the preliminary walk through has been performed by the Engineering Department and approval is granted.

In general, the City will not approve a development which cannot be served by extensions to the City's wastewater collection system unless the development has received an approved variance granted by City Council.

5.3.4 Design Flow

All wastewater collection systems shall be designed in accordance with the current Wastewater Master Plan.

Where possible, all collection systems will be laid out so that all lines will be gravity flow unless approved by the City Engineer.

All wastewater collection systems must be designed to covey the peak wet weather flow from the entire service area including offsite areas through the system. The basin delineation shall be provided by using the latest LIDAR and surveyed contours. Contours shall be provided on 2 foot or less intervals.

Flow calculations must include the specifics of the average daily flows, peak factor (ratio of peak to average flows) and the allowance for inflow and infiltration.

5.3.5 Sizing Wastewater Collection Mains

5.3.5.1 General

A. The engineer shall reference the Wastewater Master plan to determine the size of wastewater mains required in order to serve the development. For all developments or re-developments that propose a change in existing land use (change in density) that does not conform to the Cities current Wastewater System Master Plan a Wastewater System Capacity Study shall be performed. This shall be done as per Section 5.1.1 – System Capacity Studies.
B. The standard wastewater pipe sizes that shall be used are noted in the Table 5.5.

Table 5.5: Standard Wastewater Collection System Pipe Sizes

8 inch	10 inch	12 inch	15 inch	18 inch
21 inch	24 inch	27 inch	30 inch	33 inch
36 inch	39 inch	42 inch	48 inch	54 inch
60 inch	------	------	------	------

5.3.5.2 Average Daily Flow

A. Table 5.6 shall be used to calculate the average daily wastewater flow. The collection system shall be designed based on the peak flow calculations, plus an allowance for Inflow and Infiltration.
B. For replacement of existing sewer for additional capacity, wastewater flow data will be provided by the City Engineer and the Cities wastewater modeling consultant from data generated by the Wastewater Master Plan computer model.
C. Wastewaters with direct connections to service lines shall be designed to be no more than 70% full and interceptors shall be designed for 100% full.
D. Table 5.6 summarizes the residential and non-residential land use wastewater usage rates. Land uses not listed shall be classified by the land use they most nearly resemble in Table 5-8 or calculated by the engineer in accordance with the anticipated use. The engineer shall submit the average daily flow and peak flow calculations including off-site flows within the drainage basin to the City Engineer for review and approval. The City reserves the right to assign a higher wastewater usage rate and/or population per unit to be used for developments anticipated to generate higher than typical usage rates.

Table 5.6: Wastewater Per Capita and Usage Rates

Land Use	Units per Acre	Population per Unit	Average Daily Flow (gallons per person or unit /day)	Average Daily Flow per Acre (gpad)
Residential				
Single Family - Low Density	3.5	2.87	90	
Single Family - Medium Density	8.0	2.87	90	
Single Family - High Density	18.0	2.87	90	
Townhome	4.0	2.5	90	
Multi Family	12.0-16.0	2.00	80	
Non-Residential				
Mixed Use / Live Work / Downtown				800
Commercial Retail / Business Center				800
Public / Quasi-Public				1,000
Commercial Industrial				1,500
Special Commercial Corridor / Technology Employment Center				1,200
Light Manufacturing *				1,500
Heavy Manufacturing *				3,000
Schools (Elementary)			30 per student	
Schools (Middle / High Schools / Colleges)			30 per student	
Hospitals			400 per bed	
Nursing Homes / Assisted Living			300 per bed	
Restaurants			50 per seat	
Hotels			200 per room	
Parks and Open Space				0
Golf Course**				100

5.3.5.3 Peak Flow Factor

Peak flow factors are as follows:

A. For average daily flow less than 0.05 MGD – Peak Flow Factor = 5.
B. For average daily flow between 0.05 MGD and 1.0 MGD – Peak Flow Factor = 4.
C. For average daily flow between 1.0 MGD and 2.0 MGD – Peak Flow Factor = 3.5.
D. For average daily flow greater than 2.0 MGD – Peak Flow Factor = 3.

5.3.5.4 Inflow and Infiltration

After determining the peak flow amount, the engineer shall add an average daily inflow and infiltration rate of 400 gpad. The inflow and infiltration amount calculated shall be added to the peak flow calculated, with the resultant being the peak wet weather flow, the basis for design.

5.3.6 Wastewater Mains

Wastewater pipelines shall be located in the parkways between the back of the curb and the street right-of-way. The location shall be six feet (6') from the back of the curb on the south side of east-west streets and on the east side of north-south streets. A green EMS Locator Pad is to be installed at every manhole, cleanout, and service connection to the wastewater main. If a wastewater line is to be constructed greater than 10 feet in depth and services are required than a parallel line is to be constructed at a depth shallower than 10 feet. The deeper line shall be 6' from the back of curb in the pavement side and the shallower line with services shall be 6 feet from the back of curb toward the right of way.

5.3.6.1 Pipe Material

Allowable for gravity wastewater mains shall be per Table 5.7.

Table 5.7: Pipe Materials for Wastewater Gravity Mains

Pipe Size	Pipe Material
4 inch through 15 inch	Green PVC – SDR 35 (ASTM D3034) [less 10 ft cover] Green PVC – SDR 26 (ASTM D3034) [10 ft or more cover]
18 inch and Lager	Green PVC – PS 46 (ASTM F679) [less 10 ft cover] Green PVC – PS 115 (ASTM F679) [10 ft or more cover]

Pipe shall have a minimum earth cover of four (4') feet. All pipes shall be installed in embedment material as shown on the Standard Details and in conformance for the Standard Specification for Construction. Any main with less than minimum cover shall be encased in concrete and is subject to approval by the City Engineer. Depth of cover greater than 20 feet must be approved by the City Engineer. All pipelines shall be tested for infiltration.

5.3.6.2 Minimum Grades

Wastewater lines should operate with velocities of flow sufficient to prevent excessive deposits of solid materials, otherwise objectionable clogging may result. The controlling velocity with regard to sediment deposition is near the bottom of the conduit and considerably less than the mean velocity flowing full of 2.5 feet per second (f.p.s.). Table 5.8 indicates the minimum grades for wastewater pipe with a Manning's "n" = 0.013 and flowing at 2.4 f.p.s.

Table 5.8: Minimum Grades for Wastewater Pipelines

Pipe Size (Inches)	Slope (n = 0.013) (Foot/Foot)	Pipe Size (Inches)	Slope (n = 0.013) (Foot/Foot)
6	0.0050	39	0.0006
8	0.0033	42	0.0006
10	0.0025	45	0.0005
12	0.0023	48	0.0005
15	0.0023	54	0.0004
18	0.0018	60	0.0004
21	0.0015	66	0.0004
24	0.0013	72	0.0003
27	0.0011	78	0.0003
30	0.0009	84	0.0003
33	0.0008	96	0.0002
36	0.0007		

5.3.6.3 Curved Sewers

No vertical curves will be allowed. Horizontal curvature may be allowed by joint deflection or pipe flexure but not both. The Engineer must specify on the plans the method of deflection allowed and the allowable radius or joint deflection for each pipe size.

When pipe flexure is used, the minimum radius of curvature shall be equal to that recommended by the pipe manufacturer or $300*D_0$, where D_0 is the average outside diameter of the pipe in inches, whichever is greater. The Engineer shall note on the plans that when using pipe flexure, all joints are to remain fully seated.

If a joint deflection will be used to provide horizontal curvature, the allowable deflection shall be 5° or 80% of the Manufacturer's recommended maximum joint deflection, or 80% of the National Reference Standard maximum recommended joint reflection, whichever is less. When joint reflection is used, the Engineer must specify the size of mandrel used for reflection testing. The mandrel shall be sized to verify that the maximum joint deflection has not been exceeded.

Horizontal curves shall match change in street direction as near as possible.

5.3.7 Wastewater Service Laterals

Wastewater service pipelines shall be laid to each lot. The service pipelines shall be plastic pipe having a minimum diameter of four inches (4") and shall extend to the property line. Wastewater service pipelines shall be located on the lower side of each lot and as approved on the final construction plans by the City. In general, a service pipeline shall serve only one lot. Special wastewater service sizing may be required in some instances. Where water

and wastewater pipelines pass within nine feet (9') of each other, the method of construction shall be specified in order to meet TCEQ criteria. No wastewater main shall be located nearer than five feet (5') from any tree. Service lines cannot connect to wastewater mains that are over ten feet (10') deep.

Service laterals shall have a minimum horizontal separation of 10 feet downstream from the water service.

Retail and Commercial – Service lateral size shall be 6 inch minimum at a 2 percent minimum grade.

5.3.8 Manholes

In general, manholes shall be located at all intersections of wastewater pipelines, changes in grade, changes in alignment and at distances not to exceed five hundred feet (500'). All manholes will be hydrostatically or vacuum tested. For manholes that have an epoxy coating after constructed, a spark test will be required prior to acceptance. Manhole sizing shall be per Table 5.9 with a thirty inch (30") lid. If a manhole exceeds ten (10') feet in depth, increase the diameter by one (1') foot from the sizes given in Table 5.9.

Table 5.9: Minimum Manhole Sizes

Wastewater Main Size	Minimum Manhole Diameter
6", 8" and 10"	4.0 foot *
12", 15", 18", 21", 24" and 27"	5.0 foot *
30" and 36"	6.0 foot *

* Internal Drop Manholes shall be 6.0 foot minimum

Manholes shall be a minimum of 4,200 psi pre-cast concrete (minimum 6.5 sack mix) or cast-in-place (minimum 7.0 sack mix) and shall conform to Standard Details and the Standard Specifications for Construction. Existing brick manholes shall be replaced. All private manholes shall have covers with the label "Private" forged into the cover.

5.3.8.1 Internal Drop Manholes

Internal drop manholes shall be required when the inflow elevation is more than 18 inches above the outflow elevation. New internal drop manholes shall be constructed with inside drops with a 6 foot minimum diameter. Depending on the depth of the drop manhole and inside clearances between drop bowl apparatus and the manhole, the City Engineer may increase the minimum diameter above 6 feet. Drop manholes shall increase in diameter as necessary to accommodate the pipe for an internal drop connection as necessary to provide 48 inches of clear space for construction and maintenance operations. Within the manhole the inverts shall be sloped to maintain a smooth transition

through the manhole connecting all inlets and outlets. Outside drop connections will not be allowed.

5.3.8.2 Corrosion Protection

All Manholes shall have Raven Liner 405 epoxy coating, ConShield, or approved equal, shall be installed in all new manholes and in existing manholes being modified. Consheild must have terracotta color dye mixed in the precast and cast-in-place concrete. Where connections to existing manholes are made the contractor shall rehab manhole as necessary and install a 125 mil thick coating of Raven Liner 405 or approved equal. Manhole shall be replaced at the developer's/contractor's expense if it cannot be rehabilitated.

5.3.8.3 Watertight Sealed Manholes

All manholes shall be sealed if located in an area of storm water flow (paving, creek, drain way, etc.). When manholes are placed within the limits of the fully developed 100-year floodplain watertight sealed manholes (Type S) shall be used to prevent the entrance of stormwater and properly vent manhole. Manholes installed in the floodplain shall be a minimum of (60") diameter with a concentric flat top that has a rim elevation (2') above the limits of the fully developed 100-year floodplain. When allowed by the City Engineer manholes may be below the 100-year floodplain but must be bolted and gasketed. Every third manhole shall be vented (2') feet above the fully developed 100-year floodplain elevation or 4 feet above the adjacent ground line, whichever is higher. Manhole rim shall be a minimum of 2 feet above ground line. The engineer shall obtain and provide the elevation of the fully developed 100-year floodplain.

5.3.8.4 Inflow Prevention

In order to reduce the size of wastewater system main trunk lines and reduce the cost of wastewater treatment efforts to reducing inflow and infiltration in to the wastewater collection system shall be taken. All manholes (public or private) shall be fitted with inflow prevention. The inflow prevention shall conform to the measures called out in standard detail R-5031.

5.3.9 Cleanouts

Cleanouts shall be constructed on the end of all lines. The maximum distance between a manhole and an upstream cleanout is two hundred fifty feet (250'). Cleanouts may be located at the end of the line only.

Double clean outs shall be installed for non-residential services at the right of way line, property line, or easement line where a public line changes to a private service.

Cleanouts shall conform to the Standard Details and the Standard Specifications for Construction.

5.3.10 Testing

All wastewater lines shall be tested for infiltration in accordance with the procedures set forth in the Standard Specifications for Construction. In general, all wastewater pipes shall be installed so that the completed wastewater will have a maximum exfiltration of one hundred fifty (150) gallons per inch of internal diameter, per mile of pipe, per 24 hours, where the maximum hydrostatic head at the centerline of the pipe does not exceed twenty-five (25) feet. All wastewater pipes shall be inspected by photographic means (television or DVD) prior to final acceptance. The contractor shall furnish a DVD to the Engineering Division Construction Inspector for review. Any sags, open joints, cracked pipes, etc. shall be repaired or removed by the contractor at the contractor's expense. A television survey will be performed as part of the final testing in the twentieth (20^{th}) month of the maintenance period. The City's representative shall be present at all testing. All expenses for this work shall be the developer's responsibility.

5.3.11 Abandoning Existing Wastewater Mains and Manholes

When an existing wastewater line is to be abandoned all services and laterals on the main to be abandoned shall connect back into the system. All existing wastewater mains that are to be abandoned shall be videotaped to determine the location of the services and laterals. A copy of the videos shall be given to the Cities Construction Inspector for review before the line is fully abandoned.

All abandoned wastewater and force main lines shall be cut and plugged and all void spaces within the abandoned line shall be filled with grout, flowable fill or an expandable permanent foam product.

Wastewater manholes shall be abandoned per Standard Drawing No. 5170.

5.3.12 Creek Crossings

Wastewater lines constructed under or over any flowing stream or semi-permanent body of water, such as a marsh or pond, shall be installed inside a separate watertight encasement pipe. Wastewater lines shall have manholes on each side of the crossing.

The engineer of record shall determine the type and limits of any special embedment, and specify the limits for specialized backfills to prevent soil erosion at the areas of trench backfill as approved by the City Engineer.

5.3.12.1 Aerial Creek Crossings

Aerial crossings for wastewater lines may be used only when all other alternatives have been evaluated and determine not to be feasible. Aerial crossings of wastewater lines require approval of the City Engineer.

Aerial crossing shall meet the following requirements:

- The design of all piers, bents, restraints, abutments, steel casing, etc. for the aerial crossing shall be performed and signed and sealed by a Professional Structural Engineer licensed in the State of Texas.
- The engineer of record shall use steel encasement pipe around all aerial carrier pipes. The carrier pipe shall be restrained or welded all around joints or be a monolithic pipe between a span section.
- The pier spacing for the aerial crossing supports must maintain adequate grade, and span the 100-year floodway.
- A span section must withstand the hydraulic forces applied by the occurrence of a 100-year flood including buoyancy. Both the aerial crossing encasement pipe and the supporting structure shall be capable of withstanding impacts from debris and water.
- A scour analysis report prepared by a geotechnical professional engineer shall be submitted to the City Engineer for review.
- A Hydrologic and Hydraulics Study of the aerial crossing shall be performed. The aerial crossing shall not increase the 100-year floodplain water surface elevations or velocities.
- Geotechnical borings at the creek crossing and report shall be prepared by a Professional Geotechnical Engineer licensed in the State of Texas.
- Wastewater lines shall have manholes on each side of the crossing.
- The upstream bent/abutment section of the aerial crossing shall be designed with a minimum 2-inch underdrain at the flowline of the embedment to collect infiltration that is travel within the upstream embedment of the aerial crossing. This shall day light at the aerial crossing current day slope to prevent erosion of the aerial crossing at the upstream end.
- The aerial crossing shall be designed to extend to the erosion hazard setback line with piers and bents.

5.3.12.2 Inverted Siphon

Inverted siphons at creek crossings for wastewater lines are not allowed.

5.4 WASTEWATER LIFT STATIONS AND FORCE MAINS

5.4.1 General

All lift station design plans and specifications shall be submitted to the City Engineer and TCEQ for review and approval prior to construction. Developments which increase the flow to existing lift stations will be subject to a pro-rata charge if sufficient capacity is available in the existing lift station or will be required to increase the capacity of the existing facility. Lift stations and force mains shall be designed and built for the upstream drainage area using a fully developed condition. This will include off-site areas if applicable. Developers are responsible for the construction of regional lift stations and force mains, per the Wastewater Master Plan. Developers can request a pro-rata agreement be executed with the City, where the City collects a pro-rated amount as other developments connect to the system. This money would be distributed back to the developer that constructed the oversized system. The pro-rata agreement requires approval by City Council.

The City will utilize an engineering consulting firm to assist City staff in the review of a report and plans for wastewater lift stations and force mains. The cost of this consultant review shall be borne by the developer, engineer, or property owner submitting the report and plans for wastewater lift stations and force mains. The City shall first obtain a cost estimate from the engineering consultant for the review at time of the initial engineering submittal. Before the review begins, the developer, engineer, or property owner submitting the report and plans for wastewater lift stations and force mains shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the review progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting the report and plans for wastewater lift stations and force mains shall be informed of the shortage and a new estimate made by the consultant engineer to complete the review. Additional funds will then be deposited with the City by the developer, engineer or property owner submitting the report and plans for wastewater lift stations and force mains to cover the estimated shortfall before the review resumes. Any unused funds to be reimbursed to the developer, engineer or property owner submitting the report and plans for wastewater lift stations and force mains. If review process is performed by City staff, the City will submit a cost estimate for the review at time of the initial engineering submittal.

5.4.2 Design Report and Plans

A typed lift station and force main design report shall be prepared and signed and sealed by a register professional engineer licensed in the State of Texas.

5.4.2.1 Report

The typed report shall include the following information at a minimum:

- A brief summary of project scope that includes:
  - General description of proposed development
  - General explanation on circumstances that warrant a lift station including other options considered.
  - Description of any potential phasing of lift station until sewer basin is built-out if City Engineer approves lift station size less than fully developed conditions.
- Influent hydraulic calculations showing:
  - Area in acres of the sewer basin and the development.
  - The area of each proposed use for the development and the ultimate projected use for the basin per City future land use.
  - The average design flow and the maximum peak flow for the basin and the development.
  - Elevation of the proposed lift station site.
  - The elevation of the proposed discharge point of the force main.
- Wet well volume calculations
- Force main size with proposed velocities in pipe.
- Power outage records on Electric provider letterhead for power outages in area for the past 24 months.
- Opinion of probable costs for lift station, force main, and annual operating and maintenance costs.
- Ground water levels in proposed site area.
- Proposed system's effect on existing system's capacity.
- Odor control methods shall be submitted to the City Engineer for review and approval. The potential odor determination must include the estimated flows immediately following construction and throughout a system's 50-year expected life cycle.

5.4.2.2 Plans

The plan or plans submitted shall contain the following information:

- Scale
- North Arrow
- Vicinity map
- Delineation of the boundary of the proposed development and offsite areas of the sewer basin (service area) in which the development lies. Basin delineation shall be provided using NCTCOG, LIDAR or surveyed contours. Contours shall be provided on 2 foot or less intervals. USGS topo is not permissible.

- Area in acres of the development and of the sewer basin contributing to the Lift Station.
- Proposed use or uses for the development and service area.
- The proposed lift station location.
- The proposed force main routing.
- Delineation of the 100-year Fully Developed flood plain, FEMA 100-year flood plain and Erosion Hazard setbacks.
- The location and size of the existing collection system at the tie-in point.
- Property lines, easement lines, ROW lines.

5.4.3 Site Selection

The following are the minimum criteria that shall be met for a lift station site.

The station should be located as remotely as possible from populated areas. The lift station site shall not be located within 150 feet of an existing or proposed residential dwelling and 100 feet from a residential lot.

The station shall be protected from the 100-year flood and shall be accessible during a 100-year flood. The elevation of the site shall be a minimum of 1 feet above both the Fully Developed 100-year flood plain.

The station site and its access shall be dedicated to the City as a wastewater easement. The fencing set back shall be 5 feet from the easement line to allow for a landscape and drainage buffer.

The station site shall be located so it may serve as much of the entire sewer drainage basin as possible. This may require that the station be located off-site of the development. When a station serves a larger area than the proposed development, the developer can request a pro-rata agreement with the City to be reimbursed the cost of excess capacity as other developments connect to the system.

5.4.4 Site Requirements

The lift station site shall conform to the requirements in these subsections and Typical Lift Station Site Layout - Figure 5.1.

5.4.4.1 Access

Access drive will be provided by a reinforced concrete pavement from a public street and/or dedicated access easement. Concrete shall be a minimum 8 inches thick, 3,600 psi (6.5 sack/CY) with #4 bars at 18” O.C.E.W. -reinforced concrete pavement with a minimum of 20 feet in width and 40 feet in length (within fenced area of lift station) to allow maintenance vehicles to park fully outside of the City right-of-way.

When an access drive for the lift station connects to a City Thoroughfare or TxDOT designated highway a “T” shaped turnaround shall be provided with applicable turning radii. The alignment of the drive shall allow maintenance vehicles the ability to back up straight to the wet well.

Access shall be functional during a 100-year flood. All area within the lift station fencing and access drive shall be a minimum of 1 foot above the water level caused by a 100-year fully developed floodplain.

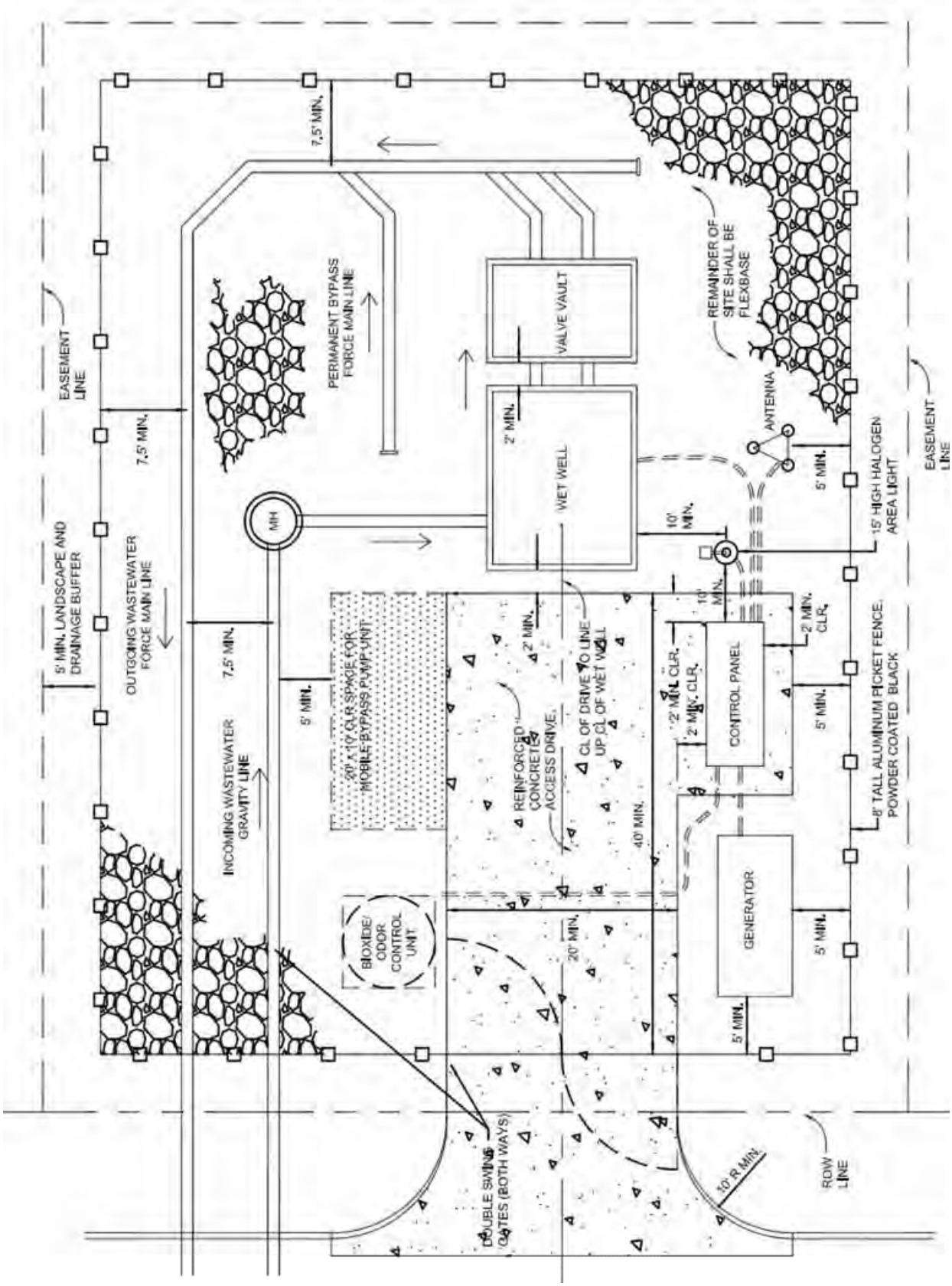


Figure 5.1: Typical Lift Station Site Layout

5.4.4.2 Security

At a minimum, security of the lift station site shall be provided by an intruder-resistant fence (IRF) to restrict access by an unauthorized person(s). The IRF shall be placed around the perimeter of the site encompassing all interior structures and apparatuses and shall maintain a minimum 5 foot clearance from all lift station components and 7.5 foot off of lift station piping.

The IRF shall be a minimum of 8 feet aluminum picket fence with a 20 foot wide minimum double swing gate for access. All components shall be manufactured from aluminum extrusions having a minimum ultimate strength of 35,000 psi, using 6005 T5 alloy. The fence, post and gates shall be powder coated black with a minimum cure film thickness of 2.0 mils.

Technical Data

Pickets: The hollow pickets shall pass through the rails and are to be attached using stainless steel screws allowing the pickets to be always parallel to the terrain. Screws shall be on one side of rail only. Pickets shall be 1" square x 0.062" thick.

Horizontal Rails: Rails shall be C-Channels with ribbed reinforced side walls. Square holes shall be punched in the top of the rails to allow the pickets to pass through.

- Four rails are required.
- Heavy Industrial Rails shall be 1-5/8" x 1-5/8" with a side thickness of 0.100", top wall thickness 0.070" and bottom wall thickness of 0.062", which snaps into the top allowing all screws to be enclosed inside the rail.

Posts: Posts shall be hollow square extrusion with holes pre-punched to allow the rails from the fence sections to slide into them. All posts shall include aluminum post caps. Posts can be placed no more than 6 feet apart.

- Line Posts and End Posts are 3" square x 0.125" thick
- Gate Posts are 4" square x 0.125" thick weighing 9.00 pounds per foot

Gates: Gates shall be fabricated with 2" or 2½" square ends, 1-5/8" x 1-5/8" rails and 1" square pickets. The gate shall be a double swing gate. Gate shall match appearance of fence panel. The gate shall have a double rail that allows for hidden fasteners and no exposed cavities under the rail. Gate shall be designed and manufactured by the fence manufacturer.

- Each gate shall have a hasp for chain locking welded to the frame as detailed in the construction plans.
- Gates shall be designed and manufactured by the fence manufacturer.
- Assembled section shall be able to support 500-pounds of vertical load at the mid-point of any horizontal frame rail.

- Swing gates shall include cane-bolts for each gate panel. The cane-boll shall have a stop to hold it in the up position for operating the gate.
- Hinges shall have minimum 3/8" stainless steel pins.

Post Installation: The post shall be set 36" in the concrete footing. The gate post shall set a minimum of 48" into the concrete footing.

There should be a minimum of a 5ft landscape and drainage buffer from the easement line to the Lift Station fencing. The 5 ft buffer shall have red tip photinias place within the buffer to screen the lift station site.

5.4.4.3 Site Interior

Interior of the site that is not part of the access drive shall be a minimum 6 inches thick flex base. Site shall be graded to drain away from the station to prevent storm water inflow or infiltration into the wet well, valve vault and manholes. The wet well and valve vault top elevation shall be a minimum of 12 inches higher that interior concrete and flex base.

Control panel shall have a 2 foot minimum clear reinforced concrete working area away from face, sides and back of cabinet. Electrical and Instrumentation Panels shall be located where they do not obstruct vehicle access to the wet well or the dry well. They shall be placed at an elevation so that they are easily accessible.

A 15 foot high halogen area light with photometric cell on an aluminum pole shall be placed within 10 feet of wet well and control panel without obstructing daily operations.

5.4.5 Wet Well and Valve Vault Design

5.4.5.1 Wet Well Design

Wet well shall be cast in place or pre-cast watertight and gas tight walls with watertight joint meeting ASTM C478-90. Steel, HDPE and RCP are not acceptable materials. The tops may be pre-cast with the hatches built in. All wall penetrations through the wet well wall shall be gas tight. The wet well shall be hydrostatically tested to the top of the wet well for 48 hours prior to putting the lift station into service. Only losses due to evaporation will be tolerated.

Additional design requirements are as follows:

A. Orientation

- Orientation shall consider the routing of incoming sewer and force main for ease of maintenance and to minimize effluent turbulence.
- Orientation shall allow a 5 ton vehicle to pull in forwards or backwards directly to the wet well or the dry well.

- All influent gravity mains discharging into the wet well shall be located so that the invert/flowline is above the "on" setting liquid level of the pumps.

B. Level Sensors
- Level control system shall use a PRESSURE TRANSDUCER with BUILT IN SURGE PROTECTION for pump operation with Off and High Level Floats as BACK-UP in case transducer fails.
- Sensors shall be provided for "All Pumps Off," "Lead Pump On," "Lag Pump On," and "High Level Alarm" levels as well as additional "Lag-Lag Pump On" for lift stations with more than two pumps.
- Level Sensors shall be placed in the wet well.

C. Wet Well and Valve Vault Separation
- Wet wells and valve vaults shall be separated by a minimum of 2.0 feet.

D. Liner and Coatings
- Wet wells shall have a minimum of 10 percent sloped bottoms to thepump intakes and shall have a smooth finish to avoid excess sludge deposits.
- Wet wells shall be Con-sheild, Raven Lining or approved equal to protect against hydrogen sulfide gases.

E. Hatches
- The wet well shall have a lockable odor suppressing aluminum door with an aluminum frame and safety grate. The minimum opening size shall be 4 feet x 6 feet with 2 doors large enough to adequately maintain the wet well.
- All hatches shall have accommodations for locking above grade with 3/8" shaft padlocks provided by the City.

F. Ventilation
- The design of a wet well must reduce odor potential in a populated area or as directed by the City Engineer.
- Passive ventilation structures shall be provided and must include screening to prevent the entry of birds and insects to the wet well. An air vent pipe shall have a minimum diameter of 4 inches with outlet located 1 foot above wet well top.
- Continuous mechanical ventilation structures shall be provided with ventilation equipment providing a minimum capacity of 12 air exchanges per hour and be constructed of corrosion resistant material.

G. Cable Strain Relief – A stainless steel cable holder shall be provided for all cables in the wet well for cable strain relief purposes.

5.4.5.2 Wet Well Volume

A. Wet well volume for a submersible pump station is the volume contained above the top of the motor, or as specified by the pump manufacturer.

B. High level alarm elevation shall be a minimum of 60 inches below the top of the wet well or 48 inches below the flowline elevation of the lowest service tap, whichever elevation is lower.
   - Alarm shall be sent when both pumps are running on a duplex station or when the level is 6 inches to 12 inches over all pumps running. The City Engineer shall approve all situations and levels that need to trigger an alarm.
   - Wet well volume shall be calculated by the following method:

$$V = \frac{TQ}{4(7.48)}$$

where:
V = active volume, (cubic feet)
Q = pump capacity, (gallons per minute)
T = cycle time, (minutes)
7.48 = conversion factor, (gallons per cubic foot)

C. Pump cycle time, based on Peak Flow, must equal or exceed the criteria shown in Table 5.10.

Table 5.10: Minimum Pump Cycle Time

Pump Horsepower	Minimum Cycle Times
< 50 6 minutes	6 minutes
50-100 10 minutes	10 minutes
> 100 15 minutes	15 minutes

D. The operation cycle "T" shall not be less than 10 minutes for Average flow and not more than 60 minutes for minimum flow conditions. The operation cycle time must exceed the manufacturer's requirements.

5.4.5.3 Valve Vault

A. Valve vaults shall have sloped bottoms towards a floor drain to remove liquid build up. The floor drain line from the valve vault connecting to the wet well must prevent gas and liquids from entering valve vault.
B. The valve vault shall have a lockable aluminum door with an aluminum frame. The minimum opening size shall be 2 feet x 3 feet or large enough to adequately maintain the valve vault.

5.4.6 Pumps, Lift Station Piping, and Valves

5.4.6.1 Pumps

A. Stations shall contain a minimum of two pumps and shall be capable of handling peak flows with one pump out of service.

B. All pumps shall be explosion proof, non-clog, submersible type capable of passing a 2-1/2 inch diameter sphere or greater. Vortex impellers shall be used to prevent clogging.
C. Pumps shall be sized to operate at optimum efficiency. Minimum acceptable efficiency at the operating point will be 60 percent. The minimum required horsepower for the motor must be capable of handling the entire range as shown in the pump curve. Where necessary, a higher horsepower pump will be required to prevent any damage to the motor as a result of loss of hydraulic head situation.
D. All submersible pumps shall be equipped with an automatic flush valve attached to the pump volute using the hydraulic energy created by the pump operation to temporary suspend settled materials.
E. The pump rail system shall be MTM Sch 40 stainless steel with supports on 8 feet maximum spacing.

5.4.6.2 Pump Capacity

A. The firm pumping capacity shall be greater than the peak flow for the entire fully developed drainage basin. If the fully developed drainage basin is significantly larger than the proposed development and it is not feasible to design for this flow, the firm capacity may be designed to handle a portion of the basin with the ability to expand for the ultimate basin capacity with approval from the City Engineer.
B. The pump curves shall be selected so that during normal operating conditions the pumps will run near the best efficiency point. The curves shall not approach shut off head when the pumps are running together.
C. System head curves, pump curves, and head calculations shall be submitted. Calculations and pump curves at both minimum (all pumps off) and maximum (last normal operating pump on) static heads, and for a C value of both 100 and 140 must be provided for each pump and for the combination of pumps with modified pump curves. Head calculations shall be the sum of static head, friction head in force main and lift station piping, and a fittings head.
D. Flow calculations, system curves, and head calculations shall be shown in the construction drawings as well as in a final design report. Final design report shall include all of the preliminary design submittal requirements with the exception of the replacement of final design information.

5.4.6.3 Lift Station Piping

A. Piping inside the lift station shall be ductile iron Class 200 psi, AWWA C151-75, C171-76, or latest edition thereof. Pipe shall be centrifugally cast with rubber gasket type joint. All fittings shall be ductile iron Class 250 meeting AWWA C110-77 or latest revision for sizes 12 inches and smaller or Class150 on sizes 14 inches and larger. All pipe and fittings shall have a prime coat on the outside surface and shall have an interior lining of 40-mils nominal dry film thickness of Protecto 401

Ceramic Epoxy Lining or approved equal, applied in accordance to the manufacturer's recommendations.

B. All nut and bolt assemblies inside the wet well shall be ASTM 316 stainless steel.

C. Lift station piping shall be designed with an additional emergency by-pass pump connection, allowing the station to be operated with the primary pump(s) out of service for an extended period of time. The by-pass pump connection shall be fitted with a CamLock fitting and cap. Bypass piping shall be supported by a strut type pipe support set in a reinforced concrete pad. By-pass piping and valves shall maintain a minimum of a 24 inch clear from the ground.

5.4.6.4 Valves

(Isolation valves, check valves, and air release/vacuum valves shall be located in the valve vault)

A. Isolation Valves
- Each pump shall have one isolation valve downstream of the pump and check valve, including a discharge pressure gauge between the pump and isolation valve. Isolation valves shall be resilient seated gate valves meeting the City Standard Specifications. The discharge pressure gauge shall be a minimum of 4 inch diameter within the appropriate pressure ranges for the design.
- All external nuts and bolts shall be ASTM 316 stainless steel.

B. Check Valves
- Check valves shall be a controlled closing swing check valve with a lever and spring.
- Check valves shall be located upstream of the isolation valve.
- All external nuts and bolts shall be ASTM 316 stainless steel.

C. Air Release/Vacuum Valves
- Air release valves of a type suitable for wastewater service shall be installed along the force main where the force main would be prone to trapped air.
- The type of valve shall be air release or a combination of air release and vacuum breaker. Valves shall be fitted with blow off valves, quick disconnect coupling and hose to permit back flushing after installation without dismantling the valve.
- All external nuts and bolts shall be ASTM 316 stainless steel.
- The engineer shall determine the valve type and location. The calculations for valve type and valve sizing shall be provided to the City Engineer.
- Isolation valves for 3 inch and smaller air release valves shall be all bronze or brass. Isolation valves 4 inch and larger shall meet standard specifications for resilient wedge gate valve.
- Locations of the air release/vacuum valves shall be shown on the plan and profile sheets for the force main.

5.4.7 Force Main

5.4.7.1 General

A. Force main capacity shall be sized to meet the pump capacity. The force main shall be sized to handle the ultimate basin capacity. The force main may be designed to handle a portion of the basin with the ability to expand for the ultimate basin capacity if approved by the City Engineer. The minimum force main size shall be 4 inch diameter except for grinder pump lift stations. The minimum recommended velocity is 3 feet per second, and the velocity shall not be less than 2.5 feet per second when only the smallest pump is in operation.
B. Force main sewer pipe shall be designed to meet the working pressure requirements of the particular application. Design calculations and pipe selection shall be submitted to the City Engineer in report format.
C. A force main must be designed to abate any anticipated odor.
D. Force main pipe materials shall AWWA C900-16 PVC Pipe (green in color) for all sizes, DR 14 (PC 305) for pipeline sizes 12-inch and smaller, and DR 18 (PC 235) for 14-inch and larger wastewater pipelines.
E. For trench depths greater than 12 feet or other dead and/or live loading considerations, the engineer shall provide a pipe with the appropriate DR rating which shall exceed the minimum requirements.
F. All fittings shall be wrapped ductile iron in accordance with AWWA C110 or AWWA C153. Fittings shall have a prime coat on the outside surface and shall have an interior lining of 40-mils nominal dry film thickness of Protecto 401 Ceramic Epoxy Lining or approved equal, applied in accordance to the manufacturer's recommendations
G. All valves and fittings shall be restrained with Mega-lug or approved equal. Joint material for PVC shall conform to ASTM F471.
H. Plans shall include plan and profile for the force main.
I. Force main shall have a minimum of 4 feet of cover and be laid to standard specifications for potable waterline.
J. Force main separation and design criteria from water mains and all other utility lines shall meet the minimum requirements from TCEQ.
K. All force mains shall have green EMS locator pads at every two hundred fifty (250') feet, change in direction, valve, manhole, etc.

5.4.7.2 Embedment

A. All force main pipes shall be installed in embedment material as shown on the Standard Details and in conformance for the Standard Specification for Construction

5.4.8 Control Panel

5.4.8.1 General:

The control system shall be designed to operate the required number of pumps specified on the drawing at the power characteristics shown on the plans.

The control function shall provide for the operation of the pumps in Hand (manual) and Auto (controlled by PLC). See "24VAC Regulator System" for further information. The control shall function as described below. The equipment listed below is a guide and does not relieve the supplier from providing a system that will function as required.

5.4.8.2 Enclosure:

The enclosure shall be a NEMA 4x rated stainless steel. The enclosure shall be a wall mount type with a minimum depth of 8" sized to adequately house all the components. The door gasket shall be rubber composition with a retainer to assure a positive weatherproof seal. **The door shall operate with a single action handle that accepts a 3/8" shaft padlock** and opens a minimum of 180 degrees.

5.4.8.3 Inner Dead Front Door:

A polished aluminum dead front shall be mounted on a continuous aircraft type hinge, contain cutouts for mounted equipment, and provide protection of personnel from live internal wiring. Cutouts for breaker handles shall be provided to allow operation of breakers without entering the compartment. **No door mounted operating mechanisms allowed for breaker operation.** All control switches, indicator pilot lights, ONE general purpose GFI duplex receptacle and other operational devices shall be mounted on the external surface of the dead front. The dead front shall open a minimum of 150 degrees to allow access to equipment for maintenance. A ¾" break shall be formed around the perimeter of the dead front to provide rigidity.

5.4.8.4 Back Plate:

The back plate shall be manufactured of 12-gauge sheet steel and be finished with a primer coat and two (2) coats of baked on white enamel. All devices shall be permanently identified.

5.4.8.5 Power Distribution:

The panel power distribution shall include all necessary components and be wired with stranded copper conductors rated at a minimum of 90 degrees C.

System shall be equipped with an **Emergency Generator** with an automatic transfer switch **capable of programmable test dates and times. Inputs shall be provided to PLC to indicate Generator**

Running, Generator Alarm, and Generator Low Fuel Level OR a Stand Alone Manual Double Throw Safety Switch to allow hard wiring to a portable generator. Emergency Generator shall meet the requirements of the most recently adopted noise ordinance.

No door mounted operating mechanisms allowed for breaker operation in control panel. All conductor terminations shall be as recommended by the device manufacturer.

5.4.8.6 Circuit Breakers:

All circuit breakers shall be heavy-duty thermal magnetic or motor circuit protectors similar and equal to Square D type FAL. Each motor breaker shall be adequately sized to meet the pump motor operating characteristics and shall have a minimum of 10,000 amps interrupting capacity for 230 VAC and 14,000 amps at 480 VAC. The control circuit and the duplex receptacles shall be individually controlled by heavy-duty breakers.

Circuit breakers shall be indicating type, providing "ON-OFF-TRIP" positions of the operating handle. When the breaker is tripped automatically, the handle shall assume a middle position indicating "TRIP". Thermal magnetic breakers shall be quick-made and quick-break on both manual and automatic operation and have inverse time characteristics secured through the use of bimetallic tripping elements supplemented by a magnetic trip.

Breakers shall be designed so that an overload on one pole automatically trips and opens all legs. Field installed handled ties shall not be acceptable.

5.4.8.7 Motor Starters:

Motor starters shall be open frame, across the line; NEMA rated with individual overload protection in each leg. Motor starter contact and coil shall be replaceable from the front of the starter without being removed from its mounted position. **Overload heaters shall be solid state motor logic type** with the following features: 3 to 1 adjustment for trip current, phase loss and unbalance protection, LED power indication, ambient insensitive and self-powered, and shall have availability of electrical remote reset. Overloads shall be sized for the full load amperage draw of the pumps. Definite purpose contactors, fractional size starters and horsepower rated contactors or relays shall not be acceptable.

5.4.8.8 Transformers:

Control transformers shall provide the 120 VAC and/or 24 VAC for control circuits. Transformers shall be fused on the primary and secondary circuits. The secondary shall be grounded.

5.4.8.9 Lightning-Transient Protection:

A lightning-transient protector with tell-tale warning lights on each phase to indicate loss of protection on the individual phases shall be provided. The device shall be solid state with a response time of less than 5 nanoseconds withstanding surge capacity of 6500 amperes. Unit shall be instant recovery, long life and have no holdover currents.

5.4.8.10 Phase Monitor:

A line voltage rated, adjustable phase monitor shall be installed to sense low voltage, loss of power, reversed phasing and loss of a phase. Control circuit shall de-energize upon sensing any of the faults and shall automatically restore service upon return to normal power.

5.4.8.11 Alarm System:

The alarm light shall be a weatherproof, shatterproof, red light fixture with 500 lumens minimum to indicate alarm conditions. The alarm light shall be turned on by the alarm level.

The alarm light shall be mounted on the exterior of the cabinet. The alarm horn shall provide an audio signal of not less than 90 db at 10 feet. An **alarm silence switch** shall be **mounted on the exterior of the cabinet** and deactivate the alarm horn; however, the alarm light shall flash until the alarm condition ceases to exist. **An Input shall be provided to PLC to indicate High Wet Well Condition.**

5.4.8.12 24 VAC Regulator System:

SCADA:

Equipment for SCADA shall be Kimark part # TR-Y160-C50-P-ICC consisting of a **PLC, Radio, Antenna, etc**. to operate the system. Control cabinet **components shall be installed when the panel is built**.

Programming shall be included in purchase price of the above part by Kimark, using Schneider Electric Proworx32 PLC programming software. **Check with Kimark to verify all needed inputs and outputs for PLC Programing.**

Contact Kimark for equipment specifications for installation in the control panel and on the rack. Engineer shall contact the Public Works Department - Pump Division at 972-771-7730 for current contact for Kimark. Programming shall be included in purchase price of the above part by Kimark, using Schneider Electric Unity PLC programming software. Check with Kimark to verify all needed inputs and outputs for PLC Programing.

The control system shall provide for both automatic and manual control and alternation of the pumps to maintain a pumped down condition of the wet well.

Wet well levels shall be sensed by a pressure transducer. **Float regulators shall be installed as back up for HIGH and LOW levels only.** The transducer shall sense the “OFF”, “LEAD”, “LAG”, and “HIGH” levels as given on the plans. As the level in the wet well raises the lead pump, as determined by the alternator, shall start and pump the station to the “OFF” position. In the event the incoming flow exceeds the capacity of the lead pump, the lag pump shall start and both pumps shall run to the off level. If the wet well level continues to rise, high well alarm functions shall be activated. The alternator shall switch when the off level is reached.

All inputs and outputs shall be wired to a terminal strip at bottom of cabinet.

5.4.8.13 Ancillary Equipment:

HOA Switches: A three position HOA switch shall be provided on the inner dead front for each pump. **Inputs shall be provided to PLC to indicate position of HOA.**

Run Indicators: A run pilot indicator shall be provided on the inner dead front. All indicator lights shall be push to test. **Inputs shall be provided to PLC to indicate pump running.**

Elapsed Time: Elapse time meter shall be mounted on the dead front door.

Cabinet Temperature Control: The cabinet shall be equipped with a panel heater controlled by a thermostat and a vent fan controlled by a thermostat.

Receptacles: One duplex receptacle located on inner dead front door for general purpose use. This receptacle shall be of the ground fault type, 120volt, and protected by a 20 amp breaker. A second single receptacle shall be located on the back panel to provide power for UPS back up system. This receptacle shall be 120 volt and protected by a separate 20 amp breaker.

UPS Back Up System: Will provided **120 Volt power** to SCADA communication equipment and all low voltage power transformers. This must be installed in the control panel. UPS shall be APC 650VA 120 Volt or equivalent.

The System must be able to transmit all alarms and wet well levels when on backup power.

Motor Protection: A control and status module shall sense either motor over temperature or seal leakage, and shall turn off the pump, lock out the pump, and send an alarm. **Inputs shall be provided to PLC to indicate Pump Fail, Seal Fail and Temp Fail individually for each pump.**

5.4.8.14 Miscellaneous:

Panel Racks:
Posts supporting racks shall be **3" minimum rigid conduit capped** and **bolted directly to channel framework supporting the panels.**

Panels shall have a **"rain shield" structure using ¼" minimum aluminum plating** providing a **solid back plate** behind panels **continuous to overhead plate** to protect panel from rain. Provide lighting mounted on structure with switch mounted on exterior of panel to light up panel area.
Contact City of Rockwall at 972-771-7730 for location of existing type structure.

Each pump must have its own conduit for power cord and a separate conduit for all float wires.

Drawings: Control panel schematic drawings shall be submitted for approval with the submittal plans.
Final control panel wire schematic drawings including a list of all legends (2 sets total) shall be provided. One set shall be encapsulated in Mylar and attached to the inside of the front door of the control cabinet. A second set shall be delivered to the City of Rockwall Wastewater Division.

Panel Markings: All component parts in the control panel shall be permanently marked and identified as they are indicated on the drawing. Marking shall be on the back plate adjacent to the component. All control conductors shall be identified with wire markers as close as practical to each end of conductors.

Panel Wiring: All wiring in panel shall maintain a **minimum of 1 1/2"** spacing between components and wire ways.

Testing: All panels shall be tested to the power requirements as shown on the plans to assure proper operation of all the components. Each control function shall be activated to check for proper operation and indication.

Guarantee: All equipment shall be guaranteed for a period of three (3) years from date of acceptance. The guarantee is effective against all defects in workmanship and/or defective components. The warranty is limited to replacement or repair of the defective equipment.

6. MISCELLANEOUS REQUIREMENTS

6.1 Grading

The backfill material shall be placed in layers not to exceed eight (8) inches loose thickness. The moisture content shall be uniform and near the optimum moisture content for the material. In cases, where the materials being placed do not have the proper moisture, the material shall be dried out or additional moisture shall be added by satisfactory methods such that the additional water is distributed uniformly throughout the material being placed. The layers of the backfill shall be reduced in thickness when satisfactory compaction cannot be obtained with the equipment being used. In all cases a density of not less than ninety-five (95) percent of the standard proctor density must be obtained. The contractor shall arrange for the necessary laboratory testing, at their expense, to determine the density of the material. All franchise utility companies (phone, gas, electrical, cable, internet, and any utility that isn't supplied by the City) working within the right-of-ways of streets or alleys shall also comply with the above noted specifications with laboratory testing results provided to the City of Rockwall. Easement locations under pavement shall also have a density control backfill to ninety-five (95) percent of the standard proctor density. All densities are to be within the acceptable moisture range of (-2 to +4) percent of optimum moisture unless otherwise approved by the City Engineer.

A sheeps-foot roller shall be utilized for compaction of all fill material. Mechanical tamping is allowed for trench backfill.

It shall be the responsibility of the Developer to adjust all City and franchise utilities the final grades of the development.

All slopes should be a maximum of 4:1 and a minimum of 1%. In locations where a 4:1 slope is not possible, retaining walls, gabion baskets, concrete slope protection or other approved retaining methods may be required. Retaining methods must be approved by the City Engineer.

At the beginning of the project the Developer will provide offset stakes at intervals of fifty (50) feet. The stakes will be offset from the back of the outside curb, a convenient distance to permit all operations, to be completed without disturbing these stakes. Information that shall be included on the stakes includes the station number, offset distance from back of curb, and elevations of hub. It will be the contractors responsibility to maintain these stakes, and use the information for all other horizontal and vertical control required. The contractor will set all forms using the data shown on the approved plans.

6.2 Grading, Fill, Excavation and Earthwork Permit

A grading, fill, excavation and earthwork permit shall be obtained prior to stockpiling or filling property within the City limits. No filling in drainage swales, creeks, wetlands, etc. is allowed without a flood study approval. Erosion protection shall be installed around stockpiled or stored material until grass is established. If fill is placed for use other than stockpiling or storage, a grading plan shall be prepared by a Professional Engineer and submitted with the grading, fill, excavation and earthwork permit. Temporary stockpiles have a maximum time limit of six (6) months. Densities shall be taken and proper compaction techniques used when placing the fill. In all cases a Professional Engineer shall certify that the proposed fill location is not within a stream or creek (flowing or not) flood plain. If the City Engineer determines the fill is to be placed near a creek or stream or possible drainage way, the 100-year floodplain shall be staked by a registered surveyor.

An early fill, excavation and earthwork permit will not be issued to any development or re-development projects that are in actively being reviewed by the Engineering Division. Grading for the parcels/development will only be released after final construction plan release by the Engineering Division.

The City of Rockwall requires that the design engineer provide a letter of concurrence. The letter is to verify that the drainage patterns, grade to drains locations, detention systems including outfall structures, detention pond volume, pad elevations, and drainage structures located within the project scope were installed to the general elevations as shown on the approved plans. The letter shall also verify that the project was constructed to meet the approved design requirements or is within acceptable design tolerances (max 0.2 feet for residential pad elevations). The design engineer or their designated representative shall direct all survey work necessary to verify elevations and design compliance. The letter of concurrence is to have the seal and signature of the design engineer.

6.3 Private Utility Construction

6.3.1 Trench Backfill – City Right-of-Way

1. No concrete streets shall be open cut by utility companies without City approval. Utilities crossing concrete streets shall be tunneled or bored.

2. Asphalt streets may be open cut. Backfill above utilities shall be concrete stabilized sand or cement. The asphalt pavement shall be repaired per City detail.

3. All trench backfill is to be compacted to 95% Standard Proctor Density within City rights-of-way. The compaction may be obtained by mechanical tamping, rolling, etc. No water jetting is allowed. In the parkway, the backfill material may be from the excavated trench, except

no rocks larger than two inches (2") shall be used. Material from rock or shale excavation cannot be used. The contractor for the utility company or the utility company shall furnish density reports from a materials testing company verifying the densities. Densities shall be taken at each twelve-inch (12") lift at a maximum spacing of 150 feet. The moisture content shall be uniform and near the optimum moisture content for the material. In cases, where the materials being placed do not have the proper moisture, the material shall be dried out or additional moisture shall be added by satisfactory methods such that the additional water is distributed uniformly throughout the material being placed.

6.3.2 Parkway Cleanup

The contractor for the utility company or utility company shall remove any rocks or excess trench material from the parkway and replace any disturbed areas with grass sod.

6.4 Additional Permits or Approvals

Developer or developer's representative is responsible for obtaining any other approvals or permits needed for their development, for example: TCEQ, TXDOT, City of Dallas, FEMA, USACOE etc. prior to start of construction. Copies of the permits/approvals shall be furnished to the City.

6.5 Retaining Walls

A. Retaining walls or concrete slope protection shall be installed where lot slope is greater than 4:1.

B. No railroad tie retaining walls shall be constructed in public or private property.

C. No retaining walls including the footing shall be placed in the right-of-way, easements or overlapping property lines.

D. All retaining walls shall be stone, masonry or reinforced concrete with a stone face or form liner. No smooth concrete retaining walls to be installed.

E. Retaining walls three feet (3') and higher shall be designed and inspected by a professional licensed engineer in the State of Texas. Property lines and right-of-ways shall be noted on the wall plans. The City requires a verification letter (signed/sealed) from the design engineer stating that the retaining walls installed with the site/subdivision were inspected by the engineer or their designated representative and that the walls were installed to the engineered design and general construction standards. The

verification letter shall be delivered to the Engineering Division prior to the project acceptance by the City.

F. Retaining walls over 30" in height that have sidewalk, trail or other walking surface on the top side of the wall will require railing.

G. Traffic rated guard rail or barrier will be required when roadway, parking lot or alley is within 10 feet of a retaining wall that is over 30" in height.

H. Gabion retaining walls may be used only with City Engineer's approval for walls less than three feet (3') along drainage ways.

I. All retaining walls shall be placed according to offset hubs set by certified professional surveyors noting grade cuts, wall elevations and stop points for each wall end. Wall locations and elevations shall match those shown on the approved site grading plans.

6.6 Maintenance Bonds

The City requires ten (10%) percent-two (2) year maintenance bond for paving, paving improvements, water systems, wastewater systems, storm sewer systems including detention systems, and associated fixtures and structures which are located within the right-of-ways or defined easements. The two (2) year maintenance bond is to state "from date of City acceptance" as the starting time.

A review of the site shall be conducted at twenty (20) months into the two (2) year maintenance period. The design engineer or their designated representative shall be present to walk the site with the City of Rockwall Engineering Inspection personnel.

6.7 Construction

6.7.1 Preliminary Site Preparation

Site Preparation - The below noted site preparation items are to be in place, inspected and approved by the City, prior to the start of any clearing, grubbing or grading operations.

1. Protected trees which are designated to remain on site - are to be identified, tagged and banded with bright orange or red bands.

2. Protected trees which are designated to be removed from the site are to be identified tagged and banded with blue bands or blue paint markings.

3. Tree identification tags – are to consist of metal tags which have the tree identification number stenciled or stamped or engraved on the tag. The

numbers used to identify the protected trees shall correspond to the tree identification number noted on the approved treescape plans.

4. Protected Tree - Barrier Fencing:

   - Chain link barrier fencing – shall be placed around the drip lines of the individual protected trees or groups of protected trees, which are designated to remain at the site if they are located within 10-feet of any cut/fill grading location.

   - Plastic mesh barrier fencing - shall be placed around the drip lines of individual protected trees or groups of protected trees, which are located over 10-feet or more outside a cut/fill grading location.

5. Silt fence along with construction entrance and any other designated erosion BMP's must be installed and inspected. No silt fencing may be installed at the site until the trees have been identified, banded, tagged, fenced and inspected by the City.

6. Portable toilet facilities will be required on all construction sites or as otherwise deemed necessary by the City of Rockwall. It is essential that adequate on-site restroom facilities be available for all construction workers. It will be the responsibility of the contractor to install and maintain the facilities through the completion of the project. These facilities must be on site and verified prior to moving personnel on site and before construction can begin.

7. Portable trash receptacle is to remain on the job site through the course of construction. The site is to remain free of construction litter and debris. Construction workers shall place all lunch trash in the "trash containers" immediately after lunch. Trash receptacle must be on site and verified prior to moving personnel on site and before construction can begin.

8. Construction Site Working Hours and Noise Control Signage – Construction and construction related activities are limited to the hours of 7:00 am to 7:00 pm Monday through Friday and 8:00 am to 7:00 pm on Saturday. No Sunday construction allowed. The City of Rockwall requires that a sign be posted at each Commercial/Residential development construction site. The sign must be installed at the site and verified prior to moving personnel on site and before construction can begin. The construction related activities are to include but not be limited to the following:

   - Maintenance, servicing and fueling of construction equipment.
   - The delivery of construction related materials and/or construction equipment.

At locations where compliance to Ordinance 05-45 is not being observed, the City of Rockwall may issue written orders to stop work or further regulate the site construction work hours. The City may also issue citations if it is determined that a violation of the construction ordinance exist.

(Construction Site Sign - Example)

Ordinance # 05-45
Construction Site Working Hours and Noise Control

City Ordinance – No. 05-45 limits construction and construction related activities to the hours of 7:00 a.m. - 7:00 p.m. Monday through Friday, and 8:00 a.m. - 7:00 p.m. on Saturday. (No Sunday construction allowed).

ORDENANZA #05-45
HORAS DE TRABAJO EN EL SITIO DE CONSTRUCCION Y EL CONTROL DE RUIDO

La Ordenanza de la Ciudad – No. 05-45 limita la construcción y las actividades relacionadas con la construcción a las horas de 7:00 a.m. – 7:00 p.m. de Lunes a Viernes, y de 8:00 a.m. – 7:00 p.m. los Sábados. (No se permitirá construcción los Domingo).

Noise Ordinance Sign
(Sign Size – 3' wide x 2' tall)

6.7.2 Inspection Scheduling

It is the responsibility of the contractor to schedule inspections prior to construction. Inspections may be scheduled and coordinated in the field or by cell phone directly with the Engineering Division Construction Inspector. Inspection of construction and verification of compliance to plans and specifications shall be conducted by the City of Rockwall Engineering Construction Inspector. The general contractor shall notify all of his construction contractors of this requirement. Items to be inspected must be sufficiently ready for inspection at the time of your requested inspection appointment as inspector's time is limited. Failure to be ready for inspections may result in inspection rescheduling to the following day. No development will be accepted by the City of Rockwall until all construction has been approved by the City of Rockwall inspectors.

1. Saturday Inspections: The contractor will be charged a minimum 2 hours inspection charge for all Saturday inspections. All Saturday inspections must be scheduled in writing to the Engineering Division by noon on the Thursday before the inspection date. A signed Saturday Engineering Inspection Request form must be emailed to the City Engineer and Senior

Construction Inspector. Approval/disapproval will be emailed back to the requesting contractor with the Saturday inspector's information. All cancellations must be given verbally and in writing to the Saturday inspector no later than 8 am on day of inspection. Two hours of overtime inspection will be charged to the contractor if no cancellation is given prior to the inspector arriving at the project site. Contractor must sign Engineering Inspector's Report of Overtime form to finalize the inspection. No acceptance and/or certification of occupancy will be given until all overtime engineering inspection fees are paid in full.

2. Before/After Weekday Hours Inspections: Contractor will be charged on 15 minute intervals for any before/after hour's inspections. Contractor must sign Engineering Inspector's Report of Overtime form to finalize the inspection. No acceptance and/or certification of occupancy will be given until all overtime engineering inspection fees are paid in full.

6.7.3 Vertical Above Slab Construction Permit

No vertical (above slab) construction will be allowed until such time as the following minimum site requirements have been addressed at the site and a vertical above slab construction permit has been issued. Minimum requirements for vertical construction are subject to but not necessarily limited to the below noted items:

- Fire lane pavement is installed, tested, and approved for use
- Fire lane pavement is painted and marked to Fire Department specifications
- Water lines for the site are installed, tested, and approved for use
- All fire hydrants are installed and approved for use
- Fire hydrant nozzles and bonnets are painted as per line size color code
- Reflective fire hydrant locator buttons are in place at hydrant pavement locations
- Fire hydrants are flow tested to verify flow at designated hydrant locations
- Fire hydrant nozzle diameters, proper height above final grade, and clearance are verified and approved
- Silt fence is placed above the fire lane if it is deemed necessary at positive flow areas
- Exterior building materials are approved by the Planning and Zoning Department.

6.7.4 Disposal of Excess Materials

The contractor shall properly dispose of all excess material by removing from the job site all the brush, trash, debris, etc. upon completion of construction. All material shall be properly disposed.

6.7.5 Construction Site Safety

Construction site safety measures are to be in place at all construction projects located within the City of Rockwall. All necessary measures required to ensure that safe work zones exist for the protection of construction workers and general public living in or near such construction zones. Construction zones shall comply with work zone traffic control specifications and requirements. Occupational Health and Safety Administration requirements and regulations must be in compliance. Temporary construction fencing is to be places around open trenches, pits, or other locations deemed necessary by the City of Rockwall. Any miscellaneous items that may pose direct or potential hazard to workers or the general public that is known by the contractor or brought to the attention of the contractor shall be addressed immediately.

It is the responsibility of the contractor(s) to establish and maintain construction site safety measures. However, the City of Rockwall will temporarily suspend work at a construction site if it is deemed necessary due to unsafe or hazardous conditions until such conditions have been corrected.

In each circumstance where it is deemed that proper safety measures are not being followed, a warning will be issued by the engineering construction inspector. Construction may be temporarily suspended if deemed necessary until items responsible for issuance of the safety warning have been properly addressed. Issuance of three (3) or more safety warnings will require that the designated construction be suspended until such time that a safety meeting is scheduled with contractor personnel along with City of Rockwall representatives to discuss the appropriate measures to correct the identified problems and determine any further possible actions which may be necessary.

7. Special Provisions to the NCTCOG's Standard Specifications for Public Works Construction Standards

All work included as a part of this contract shall be performed in accordance with the Standard Specifications for Public Works Construction, North Central Texas, November 2017, Fifth Edition, except where noted otherwise in the City of Rockwall's Supplemental Special Provisions, the Special Conditions included in the Specifications and Contract Documents.

The North Central Texas Standard Specifications shall be modified and clarified by the addition to the following requirements to the various items. Except when specifically stated, none of the requirements of the North Central Texas Standard Specifications shall be deleted.

7.1 Division 100 General Provisions

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.1: Revisions to NCTCOG's Division 100 General Provisions

Revised	Standard Specification Item No.	Description
	101	**DEFINITIONS AND ABBREVIATIONS**
	101.1	Definitions
	101.2	Abbreviations and Acronyms
	102	**PROPOSAL PROCEDURES**
	102.1	Proposal Form
	102.2	Quantities in Proposal Form
	102.3	Examination of Plans, Specifications and Site of the Work
	102.4	Preparation of Proposal
	102.5	Proposal Guaranty
	102.6	Filing of Proposals
	102.7	Withdrawing Proposals
	102.8	Opening Proposals
	102.9	Consideration of Proposal
	102.10	Irregular Proposals
	102.11	Rejection of Proposals

	102.12	Disqualification of Bidders
	102.13	Return of Proposal
	103.	**AWARD AND EXECUTION CONTRACT**
	103.1	Contractor's Warranties and Understanding
(1)	103.2	Award of Contract
	103.3	Surety Bonds
(1)	103.4	Insurance
	103.5	Execution of Contract
	103.6	Notice to Proceed and Commencement of Work
	103.7	Delay of Contract
	103.8	Order of Work to be Performed
	104.	**SCOPE OF WORK**
	104.1	Intent of contract Documents
	104.2	Change of Modification of Contract
	104.3	Disrupted Work and Claims for Additional Compensation
	104.4	Performance of Extra Disputed Work
	105.	**CONTROL OF WORK**
(1)	105.1	Contract of Documents
(1)	105.2	Workmanship, Warranties and Guarantees
(1)	105.3	Shop Drawings, Product Data and Samples
(1)	105.4	Construction Stakes
(1)	105.5	Means and Methods of Construction
	105.6	Supervision by Contractor
(1)	105.7	Owner's Representatives
	105.8	Service of Notices
	105.9	Inspection
(1)	105.10	Acceptance
	106	**CONTROL OF MATERIAL**
	106.1	Substitution of Materials
	106.2	Materials and Equipment
	106.3	Salvageable Material
	106.4	Off-Site Storage
	106.5	Samples and Tests of Materials
	106.6	Surplus Material
	107	**LEGAL RELATIONS AND CONTRACT RESPONSIBITIES**
	107.1	Contractor Independence
	107.2	No Third Party Contractual Rights
(1)	107.3	Indemnification

	107.4	Owner's Officers, Employees or Agents
	107.5	Venue and Governing Law
	107.6	No Waiver of Legal Rights
	107.7	Severability
	107.8	Headings
	107.9	Obligation to Perform Functions
(1)	107.10	Performance of the Work
	107.11	Successors and Assigns
	107.12	Supervision and Construction of Procedures
	107.13	Labor and Materials
(1)	107.14	Equal Employment Opportunity
(1)	107.15	State and Local Sales and Use Taxes
	107.16	Patents
(1)	107.17	Compliance with Laws
	107.18	Sanitary Provisions
	107.19	Public Convenience and Safety
(1)	107.20	Protection of Work and Persons and Property
	107.21	Project Signs
	107.22	Working Area
	107.23	Railway Crossings
	107.24	Existing Structures, Facilities and Appurtenances
	107.25	Project Clean-Up
	107.26	Disposal of Materials
	107.27	Restoration of Property
	107.28	Environmental Compliance
	108.	**PROSECTUTION AND PROGRESS**
	108.1	Progress Schedule
	108.2	Prosecution of the Work
	108.3	Other Contractors; Obligation to Cooperate
	108.4	Employees
	108.5	Subcontracts
	108.6	Assignments
	108.7	Owner's Right to Temporarily Suspend Work
	108.8	Delays; Extension of time; Liquidated Damages
	108.9	Contractor Default: Owner's Right to Suspend Work and Annul Contract
	108.10	Suspension by Court Order Against The Owner
	108.11	Termination For Convenience of the Owner
	108.12	Claims Against Owner and Action Theron
	108.13	Use of Completed Portions of Work
	109	**MEASUREMENT AND PAYMENT**

	109.1	Payment for Labor and Material; No Liens
	109.2	Payment for Materials
	109.3	Payment for Extra Work
	109.4	Payment Withheld
(1)	109.5	Monthly Estimate, Partial Payments, Retainage, Final Inspection, Acceptance and final Payment
	109.6	Wire Transfers
	110	**AIR QUALITY REQUIREMENTS FOR EQUIPMENT**
	110.1	Equipment Requirements
	110.2	Operational Requirements
	110.3	Reporting to Owner
	110.4	Enforcement

ITEM 103 AWARD AND EXECUTION CONTRACT

103.2 Award of Contract

Delete Item 103.2 in its entirety and substitute therefore the following:

It is the intention of the Owner to award a contract for the work included in this project on the basis of the lowest acceptable bid submitted by a qualified bidder, as determined by the Owner.

Within five (5) working days after the bid opening, the low bidder shall submit such evidence as the Owner may require establishing the bidder's qualifications to satisfactorily perform the work included in this project. Information that may be required shall include the following:

(1) Current Financial Statement.
(2) Letter of Auditor's opinion.
(3) Previous years Balance Sheet, Income Statement and Change of Financial Position.
(4) List of projects that have been satisfactorily completed by the Bidder that are of the same general type as included in this contract, together with names, addresses and phone numbers or persons familiar with this work.
(5) Other information that may be pertinent to the Bidder's Qualifications.

Should the bidder fail to produce evidence satisfactory to the Owner on any of the foregoing points he may be disqualified and the work awarded to the next bidder so qualifying.

The Owner will notify the successful bidder, in writing, within sixty (60) days after the date of receiving bids, of the acceptance of the proposal. The Contractor or Contractors shall complete execution of the required bonds and Contract within ten (10) days of such notice.

103.4 Insurance

Add the following sub-item:

103.4.6 Bonds and Insurance

103.4.6.1 Performance, Payment and Other Bonds

Contractor shall furnish Performance and Payment Bonds as security for the faithful performance and payment of all his obligations under the Contract Documents. These Bonds shall be, at all times, in amounts equal to the total Contract Price, and in such form as set forth in the Contract Documents and with such corporate sureties as are licensed to conduct business in the state where the Project is located and are named in the current list of "Surety Companies Acceptable on Federal Bonds" as published in the Federal Register by the Audit Staff Bureau of Accounts, U.S. Treasury Department. The Performance and Payment Bonds shall be expanded to include any extension of the Contract Period of total Price.

If the surety on any Bond furnished by Contractor is declared bankrupt or becomes insolvent or its right to do business in terminated in any state where any part of the Project is located in revoked, Contractor shall within five (5) days thereafter substitute another Bond and surety, both of which may be acceptable to the City.

103.4.6.2 Additional Bonds and Insurance

Prior to delivery of the executed Contract by City to the Contractor, City may require CONTRACTOR to furnish such other Bonds and such additional insurance in such form and with such sureties or insurers as the City may require.

ITEM 105 CONTROL OF WORK

105.1 Contract of Documents

105.1.1 Priority of Contract Documents

Change the first sentence of Item 105.1.1 to read:

In case of conflict between contract documents, priority of interpretation shall be in the following order: signed agreement, performance and payment bonds, addenda, special conditions, project (or contract) drawings and specifications, City of Rockwall Special Provisions to the Standard Specifications for Public Works Construction – North Central Texas, standard drawings, advertisement for bids, contractor's bid proposal and bid form.

105.1.3 Contract Drawings and Specifications

Add the following:

In general, the number of copies of the plans and specifications furnished to the Contractor shall be limited to five (5). Additional copies may be obtained at cost of reproduction.

105.2 Workmanship, Warranties and Guarantees

105.2.2 Special Warranty

Add the following:

The Contractor shall provide a Maintenance Bond in the amount of ten percent (10%) of the total amount of the contract guaranteeing the work in accordance with the plans and specifications for a period of two (2) years after acceptance by the City of Rockwall. This bond shall provide for repair and/or

replacement of all defects due to faulty material and workmanship that appear within a period of two (2) years from the date of completion and acceptance of the improvements by the City of Rockwall.

105.3 Shop Drawings, Product Data and Samples

Add the following:

Review of Shop Drawings by the Engineer shall be of the sole purpose of determining the sufficiency of the said drawings or schedules to result in finished improvements in conformance with the plans and specifications, and shall not relieve the Contractor of his duty as an independent contractor. It being understood and agreed that the Engineer does not assume any duty to pass upon the propriety or adequacy of such drawings or schedules or any means or methods reflected thereby in relation to the safety of either person or property during the contractors performance hereunder.

105.4 Construction Stakes

Add the following to the first paragraph:

The Contractor shall be required to utilize the control monuments provided in the plans to set horizontal and vertical control and construction staking with the contractor's own surveyor.

105.5 Means and Methods of Construction

Add the following:

105.5.1 Water for Construction

The Contactor shall make the necessary arrangements for securing and transporting all water required in the construction, including water required for mixing of concrete, sprinkling, testing, flushing, flooding or jetting. The Contactor shall provide water as required at his own expenses.

Any party requesting the use of a temporary meter on a fire hydrant in the City of Rockwall shall execute an agreement with the City of Rockwall and shall deposit with the City of Rockwall the amount required by ordinance. Such deposit shall be returned upon payment of all charges for water use, and upon return of the meter, fittings, and wrench in their original condition.

Stationary meters shall be locked to fire hydrants at all times. Installation, set up and service fees shall be in the amounts established by ordinance.

It shall be unlawful for any person to open or close any fire hydrant used to obtain water for any purpose with any tool or device other than a standard accepted fire hydrant wrench, which can be supplied by the City of Rockwall.

All stationary fire hydrant meters shall be read monthly at their location in the field. All mobile fire hydrant meters are to be brought to the Utility Maintenance Department, Rockwall, Texas, between the 1st and 10th of each month to be read.

Temporary fire hydrant meters shall be read monthly by representatives of the City of Rockwall, and bills rendered at the current rates for all consumption. Customers using such meters shall comply with the written procedures implemented by the City with regard to making the meters

available to be read by representatives of the Rockwall Water Division. It shall be unlawful for any person to fail to make such meter available to be read by representatives of the Rockwall Utilities Division, as required by written procedures issued by the City.

Upon conviction of violation of the above requirements punishment shall be by fine not to exceed Two Hundred Dollars ($200.00). Each day on which a violation exists shall constitute a separate offense.

105.7 Owner's Representatives

Add the following:

105.7.3 Observation of Work by Engineer

The Engineer shall make periodic visits to the site to familiarize himself/herself generally with the progress of the executed work and to determine if such work generally meets the essential performance and design features and the technical and functional engineering requirements of the Contract Documents; provided and except, however, that the Engineer shall not be responsible for making any detailed, exhaustive, comprehensive or continuous on-site inspection of the quality or quantity of the work or be in any way responsible, directly or indirectly, for the construction means, methods, techniques, sequences, quality, procedures, programs, safety precautions or lack of same incident thereto or in connection therewith. Notwithstanding any other provision of this agreement or any other Contract Document, the Engineer shall not be in any way responsible or liable for any acts, errors, omissions or negligence of the Contractor, any subcontractor or any of the Contractor's or subcontractor's agents, servants or employees or any other person, firm or corporation performing or attempting to perform any of the work.

105.10 Acceptance

Add the following:

Once the work is satisfactory to the City of Rockwall and in accordance with the plans, specifications, contract documents, and the City has received; the Contractor's Affidavit of Final Payment and Release, Maintenance Bond, and Contractor's redlines/markups plans of actual work performed by the Contractor will the City issue a certificate of acceptance.

ITEM 107 LEGAL RELATIONS AND CONTRACT RESPONSIBILITIES

107.3 Indemnification

Delete Item 107.2 in its entirety and substitute therefore the following:

The Contractor and his sureties shall indemnify, defend and save harmless the OWNER and all of its officers, agents and employees, ENGINEER and all of its officers and employees from all suits, actions or claims of any character, name and description brought for or on account of any injuries, including death or damages received or sustained by any person, persons or property on account of the operations of the Contractor, his agents, employees or subcontractors; or on account

of any negligent act or fault of the Contractor, his agents, employees or subcontractors in the execution of said contract; or on account of the failure of the Contractor to provide the necessary barricades, warning lights or signs; and shall be required to pay any judgment, with cost, which may be obtained against the Owner or Engineer growing out of such injury, including death or damage.

107.14 Equal Employment Opportunity

Delete Item 107.14.5 Reports in this item in its entirety.

107.15 State and Local Sales and use Taxes

Delete in its entirety and substitute therefore the following;

Recent legislation has removed the sales tax exemption previously provided by Section 151.311 of the Tax Code covering tangible personal property purchased by a contractor for use in the performance of a contract for the improvement of City–owned realty.

It is still possible, however, for a contractor to make tax-free purchases of tangible personal property that will be incorporated into and become part of a City construction project through the use of a "separated contract" with the City. A "separated contract" is one, which separates charges for materials from charges for labor. Under such a contract, the contractor becomes a "seller" of those materials, which are incorporated into the project, such as bricks, lumber, concrete, paint, etc. The contractor issues a resale certificate in lieu of paying the sales tax at the time such items are purchased. The contractor then receives an exemption certificate from the City for those materials. (This procedure may not be used, however, for materials, which do not become a part of the finished product. For example, equipment rentals, form materials, etc. are not considered as becoming "incorporated" into the project.)

Utilization of this "separated contract" approach eliminates the need for bidders to figure in sales tax for materials, which are to be incorporated into the project. Bid items, which contain non-taxable materials, are identified in the Bid Schedule or this project. The successful bidder will be required to complete a Contract Form provided by the Owner identifying and separating non-taxable materials from the labor and taxable materials which are not incorporated into the finished project. The completed contractor form will be used to develop the "separated contract" and will determine the extent of the tax exemption.

107.17 Compliance with Laws

Add the following sub item:

107.17.2 Antitrust

The Contractor hereby assigns to the Owner any and all claims for over-charges associated with this contract which arise under the Antitrust Laws of the United States, 15 U.S.C.A. Section 1, et seq., (1973).

Add the following sub item:

107.17.3 Wage Rate

All employees of the Contractor on the work to be performed under this contract shall be paid the prevailing wage scale in this locality for work of a

similar character, and in no event less than the rates shown in the Special conditions to the Specifications.

107.20 Protection of Work and Persons and Property

107.20.2 Protection of Persons and Property

Add the following:

The Contractor shall at all times exercise reasonable precautions for the safety of employees and others on or near the work and shall comply with all applicable provisions of Federal, State, and Municipal Safety laws and building and construction codes. All machinery equipment and other physical hazards shall be guarded in accordance with the "Manual of Accident Prevention in Construction" of the Associated General Contractors of America except where incompatible with Federal, State and Municipal laws or regulations. The Contractor shall provide such machinery, guards, safe walkways, ladders, bridges, gangplanks and other safety devices. The safety precautions actually taken and their adequacy shall be the sole responsibility of the Contractor, acting at his discretion as an independent contractor.

Add the following sub item:

107.20.4 Small Claims for Damages or Injury

If any person files a claim against the OWNER or CONTRACTOR for personal injury or property damage resulting from, arising out of, or caused by the operations of the Contactor, or any work within the limits of the project, the Contractor must either submit to the Owner a duly executed full release within thirty (30) days from the date of written claim, or immediately report the claim to his liability insurance carrier for their action in adjusting the claim. If the Contractor fails to comply with this provision within the stipulated time limit, it will be Automatically deemed that the Contractor has appointed the Owner as its irrevocable Attorney in Fact authorizing the Owner to report the claim directly with the liability insurance carrier. This provision is in and of itself a Power of Attorney from the Contractor to the Owner which authorizes the Owner to take said action on behalf of the Contactor without the necessity of the execution of any other document. If the Contractor fails to comply with the provisions of this item the Owner, at its own discretion, may terminate this contract or take any other actions it deems appropriate. Any payment or portion thereof due the Contractor, whether it is a final payment, progress payment, payment out of retainage or refund payment may be withheld by the Owner as is authorized by item 109.4. Bankruptcy, insolvency or denial of liability by the insurance carrier shall not exonerate the Contractor from liability.

ITEM 109 MEASUREMENT AND PAYMENT

109.5 Monthly Estimate, Partial Payments, Retainage, Final Inspection, Acceptance and Final Payment

109.5.2 Retainage

Add the following:

(4) On projects where the contract price, at the time of execution, is greater than $400,000.00 the Owner may retain 10 percent of the amount due the Contractor, with the retainage above 5 percent deposited in an interest bearing account and interest earned on such 5 percent retained funds shall be paid to the Contractor upon completion of the contract.

109.5.3 Final Inspection and Acceptance

Add the following:

Within ten (10) days after the Contractor has given the Engineer written notice that the work has been completed, or substantially completed, the Engineer and the Owner shall inspect the work and within said time, if the work be found to be completed or substantially completed in accordance with the Contract Documents, the Engineer shall issue to the Owner and the Contractor his Certificate of Completion, and there upon it shall be the duty of the Owner within ten (10) days to insure a Certificate of acceptance of the work to the Contractor or to advise the Contractor in writing of the reason for non-acceptance.

Definition of Substantially Complete: The date of substantial completion of a project or specified area of a project is the date when the construction is sufficiently completed, in accordance with the contract documents, as modified by any change order agreed to by the parties, so that the Owner can occupy or utilize the project or specified area of the project for the use for which it was intended.

City of Rockwall
The New Horizon

7.2 Division 200 Site Protection & Preparation

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.2: Revisions to NCTCOG's Division 200 Site Protection & Preparation

Revised	Standard Specification Item No.	Description
	201.	**SITE PROTECTION**
	201.1.	Removal, Protection, and Replacement of Trees, Shrubbery, Plants, Sod and Other Vegetation
	201.2.	Determining Location and Protection of Existing Structures and Utilities
	201.3.	Maintenance of Streets and Rights of Way During Construction
	202.	**TEMPORARY EROSION, SEDIMENTATION, AND WATER POLLUTION PREVENTION AND CONTROL**
	202.1.	Description
	202.2.	Items of Work and Materials
	202.3.	Pre-construction Submittals
	202.4.	Construction Requirements
(1)	202.5.	Silt Fence
	202.6.	Interceptor Swale
	202.7.	Diversion Dike
	202.8.	Triangular Sediment Filter Dike
	202.9.	Check Dam (Rock)
	202.10.	Check Dam (Filter Tube)
(1)	202.11.	Stabilized Construction Exit
	202.12.	Stop Outlet Sediment Trap
	202.13.	Pipe Slope Drain
	202.14.	Inlet Protection
	202.15.	Erosion Control Blankets
	202.16.	Section Held for Future Use
	202.17.	Section Held for Future Use
	202.18.	Filter Tubes
	202.19.	Measurement and Payment
	203.	**SITE PREPARATION**
	203.1.	General Site Preparation

(1)	203.2.	Unclassified Street Excavation
	203.3.	Section Held for Future Use
	203.4.	Borrow & Spoil
(1)	203.5.	Embankment
	203.6.	Dust Control
	204.	**LANDSCAPING**
	204.1.	Removal, Protection, and Replacement of Trees, Shrubbery, Plants, Sod and Other Vegetation
(1)	204.2.	Topsoil
	204.3.	Soil Amendments
	204.4.	Fertilizer
	204.5.	Sodding
(1)	204.6.	Seeding Turf-grass
	204.7.	Rejection

ITEM 201 TEMPORARY EROSION, SEDIMENTATION, AND WATER POLLUTION PREVENTION AND CONTROL

202.5. Silt Fence

202.5.2. Materials

202.5.2.2. Posts

Delete the last sentence in its entirety and replace with the following:

No wood stakes shall be allowed.

202.11. Stabilized Construction Exit

202.11.2. Materials

202.11.2.1 Stone

Delete the following subsection in its entirety and replace with the following:

Stone material shall consist of 4 to 6-inch minimum course aggregate riprap and shall be place in a layer 12-inch thick. No crushed concrete shall be allowed.

ITEM 203 SITE PREPERATION

203.2. Unclassified Street Excavation

203.2.3. General

Add to the following as the third paragraph:

Unless otherwise approved in writing by the City of Rockwall, where excavation to grade established in the field by the Owner terminates in loose or solid rock, the Contractor shall excavate 6 inches below the required subgrade elevations for the entire roadbed width and shall backfill with suitable selected materials as indicated on the plans. Suitable selected material shall include lime treated subgrade or a base material having a plasticity index not

greater than 12. Payment for such work will be made under the items of unclassified street excavation, lime treated subgrade and hydrated lime. The 6-inch lime treated subgrade or base shall be compacted to 95% standard proctor density.

ITEM 204 LANDSCAPING

204.2. Topsoil

204.2.3. Construction Methods

Add the following:

A minimum of four (4) inches of topsoil shall be provided on all major thoroughfare medians and rights-of-way and on all earthen channel slopes to the lines and grades established by the construction plans. This will be material imported from off site. The City will approve material prior to placement.

204.6 Seeding Turfgrass

204.6.1. General

Add the following:

The Contractor shall maintain the seeded areas including watering until a "Stand of Grass" is obtained. A "Permanent Stand of Grass" shall consist of **75% to 80%** coverage, a minimum of one (1) inch in height. Re-seeding will be required in washed areas.

204.6.3. Planting Season and Application Rate

Delete the mixture, rate, and planting dates in Table 204.6.3.(a) Seeding Turfgrass and substitute:

Type I: Bermuda Grass - Hulled
50 lbs/acre April - June

Type II: Annual Rye Grass
40 lbs/acre September - March

Type III Bermuda Grass - Unhulled
January - March/July - August - 50 lbs/acre

A mix of seed shall be used in overlapping seasons.

City of Rockwall
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7.3 Division 300 Roadway Construction

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.3: Revisions to NCTCOG's Division 300 Roadway Construction

Revised	Standard Specification Item No.	Description
	301.	**SUBGRADE, SUBBASE AND BASE PREPARATION**
	301.1.	General
(1)	301.2.	Lime Treatment
(1)	301.3.	Portland Cement Treatment
	301.4.	Asphalt Emulsion Treatment
(1)	301.5.	Flexible Sub-base or Base (Crushed Stone/Concrete)
	301.6.	Geo-textiles Used in Paving applications
	302.	**ASPHALT PAVEMENT**
	302.1.	Description
	302.2.	Aggregates for Hot-Mix Asphalt Pavement
	302.3.	Bituminous Materials
	302.4.	Section Held for Future Use
	302.5.	Storage, Heating and Application Temperature of Bituminous Materials
	302.6.	Emulsified Asphalt Treatment
	302.7.	Prime Coat
	302.8.	Asphalt Base Course
	302.9.	Hot-Mix Asphalt Pavement
	302.10.	Measurement and Payment
	303.	**PORTLAND CEMENT CONCRETE PAVEMENT**
	303.1.	Description
(1)	303.2.	Portland Cement Concrete Pavement Materials
(1)	303.3.	Mix Design and Mixing Concrete
	303.4.	Equipment
(1)	303.5.	Construction Methods
	303.6.	Alley Paving
	303.7.	Pavement Leave-outs
(1)	303.8.	Pavement Testing and Evaluation
	303.9.	Measurement and Payment

	304.	**PAVING UNITS**
(1)	304.1.	Solid Concrete Interlocking Paving Units
	305.	**MISCELLANEOUS ROADWAY CONSTRUCITON**
(1)	305.1.	Concrete Curb and Gutter
(1)	305.2.	Concrete Sidewalks, Driveway Approaches, and Barrier Free Ramps
(1)	305.3.	Concrete Medians
	305.4.	Reinforced Concrete Headers

ITEM 301. SUBGRADE, SUBBASE AND BASE PREPERATION

301.2 Lime Treatment

Add the following sentences:

Quick Lime shall not be used in the construction of roadway work in the City. Dry hydrated lime shall not be used for treating subgrade or base material unless specified on the plans

301.2.1. Materials

301.2.1.2. Quicklime

301.2.1.2.1. General

Add to the beginning of the first paragraph:

Quicklime (dry) shall not be used in the City without written approval from the City.

301.2.3. Lime Treatment Construction Methods

301.2.3.3. General Construction

301.2.3.3.1. Treatment for Materials in Place

Add the following:

Prior to final compaction of subgrade, samples of the subgrade material shall be collected by a testing laboratory approved by the City, and laboratory tests made to determine the amount of lime required.

The application rate for hydrated lime shall be selected to obtain at least the optimum lime percentage indicated by test method ASTM C977-83a, Appendix XI; however, not less than 27 lbs. per S.Y. shall be applied. A Geotechnical Engineer's report reflecting the recommended application rate and including supporting test data shall be submitted in writing to the City, for approval prior to beginning any lime treatment. Laboratory test may be waived provided a minimum of 36 lbs. per S.Y. is applied. Testing shall look for sulfates to see if Lime Treatment will cause and adverse effect on the subgrade.

301.2.3.7. Maintenance

Add the following to the first paragraph:

The lime treated subgrade shall be moist cured until covered by other base or pavement up to fourteen (14) days after final compaction.

After 14 days without covering an application of 0.10 to 0.20 gallons per square yard emulsified asphalt shall be applied at the Contractor's expense. Reapplication of emulsified asphalt may be required if lime treated subgrade is not covered shortly after first application. Lime treated subgrade may be covered by other base or pavement when density of 95% of maximum at optimum moisture content is obtained.

301.3 Portland Cement Treatment

Add the following:

Portland cement modification of subgrade soils is not approved in Rockwall. Subgrade soils means natural ground or embankment encountered in the construction.

301.5 Flexible Subbase or Base (Crushed Stone/Concrete)

301.5.1. Material

301.5.1.1. General

Add the sentence:

No local limestone material shall be used as flexible base (crushed limestone) on Rockwall paving projects, unless otherwise shown on the plans.

301.5.1.2 Tests and Physical Requirements

After the first sentence add the sentence:

Samples of crushed limestone shall be submitted to the engineer testing laboratory employed by the City for testing and conformance with the specifications.

ITEM 303 PORTLAND CEMENT PAVEMENT

303.2. Portland Cement Concrete Pavement Materials

303.2.1. Aggregates for Portland Cement Concrete

303.2.1.3. Coarse Aggregates

Gradation: Add the sentence: For Rockwall paving projects, the coarse aggregate's gradation shall meet the requirements of Size No. 4 shown in the table.

303.3 Mix Design and Mixing Concrete for Pavement

303.3.5. Mixing and Delivery

303.3.5.3. Central Mixing Plant

Add the following:

When a fly ash admixture is used with Type I cement in the production of portland cement concrete, separate silos shall be provided for fly ash and cement and provisions shall be made for individual measurements.

303.5 Construction Methods

303.5.6.Finishing

Delete 303.5.6. and add the following:

The finished concrete pavement construction under these specifications is expected to meet certain quality standards for surface of the concrete including the durability, texture, riding surface and appearance. The surface must be durable, firm, dense and well bonded to the aggregate to maintain an appearance and texture which is satisfactory to the Owner. Concrete pavement having a poor surface which has spalled (exposed aggregate) due to poor quality paste, high water-cement ratio, over-vibration, improper curing, extreme weather or any other reason, or does not have a satisfactory riding surface shall be removed and replaced at the Contractor's expense. It is extremely important that the pavement have a good rideable surface, free from undulations and rough joints. The City Engineer shall determine the acceptability of the pavement.

303.5.6.1. Machine Finishing

Machine finishing of pavement shall include the use of power-driven spreaders, reciprocating type power-driven vibrators, power-driven transverse strike-off, and screed.

The concrete pavement shall be consolidated by a reciprocating type mechanical vibrator. As soon as the concrete has been spread between the forms, the mechanical vibrator shall be operated to consolidate the concrete and remove all voids. Hand manipulated vibrators shall be used for areas not covered by the mechanical vibratory unit.

The transverse finishing machine shall first be operated to compact and finish the pavement to the required section and grade, without surface voids. The machine shall be operated over each area as many times and at such intervals as directed. At least two trips will be required and the last trip over a given area shall be a continuous run of not less than 40 feet. After completion of finishing with the transverse finishing machine a transverse drag float may be used.

After the floating has been completed and the excess water removed, but while the concrete is still plastic, the surface of the concrete shall be tested for trueness with an approved 10-foot steel straightedge furnished by the Contractor. The straightedge shall be operated from the side of the pavement, placed parallel to the pavement centerline and passed across the slab to reveal any high sports or depressions. The straightedge shall be advanced along the pavement in successive stages of not more than one-half its length. Practically perfect contact of the straightedge with surface will be required, and the pavement shall be leveled to this condition, in order to insure conformity with the surface test required below after the pavement has fully hardened and to insure a smooth rideable surface. Any correction of the surface required shall be accomplished by adding

concrete if required and by operating the longitudinal float over the area. The surface test with the straightedge shall then be repeated.

After completion of the straightedge testing and surface correction the surface of the pavement shall be finished by an approved method. Methods available for pavement surface finish including a burlap drag finish, a broom finish or a belt finish. Unless otherwise shown on the plans, the pavement surface shall be finished with the burlap drag.

303.5.6.1.1. Burlap Drag Finish

If the surface texture is to be a drag finish, a drag shall be used; it shall consist of a seamless strip of damp burlap or cotton fabric, and it shall produce a uniform surface of gritty texture after dragging it longitudinally along the full width of pavement. For pavement 16 feet or more in width, the drag shall be mounted on a bridge which travels on the forms. The diameter of the drag shall be such that a strip of burlap or fabric at least 3 feet wide is in contact with the full width of pavement surface while the drag is used. The drag shall consist of not less than two layers of burlap with the bottom layer approximately 6 inches wider than the upper layer. The drag shall be maintained in such a condition that the resultant surface is of uniform appearance and reasonably free from gravels over 1/16-inch in depth. Drags shall be maintained clean and free from encrusted mortar. Drags that cannot be cleaned shall be discarded and new drags substituted.

303.5.6.1.2. Broom Finish

If the surface texture is to be broom finished, it shall be applied when the water sheen has practically disappeared. The broom shall be drawn from the center to the edge of the pavement with adjacent strokes slightly overlapping. The broom operation shall be so executed that the corrugation produced in the surface shall be uniform in appearance and not more than 1/16-inch in depth. Brooming shall be completed before the concrete is in such condition that the surface will be torn or unduly roughened by the operation. The surface thus finished shall be free from rough and porous areas, irregularities, and depressions resulting from improper handling of the broom. Brooms shall be of the quality, size, and construction and shall be operated to produce a surface finish meeting the approval of the Owner. Subject to the approval of the Owner, the Contractor may be permitted to substitute mechanical brooming in lieu of the manual brooming as herein described.

303.5.6.1.3. Belt Finish

If the surface texture is to be belt finish, when straightedging is completed and after sheen has practically disappeared and just before the concrete becomes non-plastic,

the surface shall be belted with a 2-ply canvas belt not less than 8 inches wide and at least 3 feet longer than the pavement width. Hand belts shall have suitable handles to permit controlled, uniform manipulation. The belt shall be operated with short strokes transverse to the centerline and with a rapid advance parallel to the centerline.

303.5.6.2. Hand Finishing

Hand finishing of concrete pavement will be permitted in areas where it is not practical or possible to construct with finishing machines. These areas include, but are not limited to, intersections, left turn lanes, crossovers, transition areas and where the pavement width is not uniform. In all hand finished areas, one-half (1/2) extra sack of cement per cubic yard of concrete shall be used in the mix. In hand finished areas, the concrete shall be struck off with an approved strike-off screed to such elevation that when consolidated and finished the surface of the pavement shall conform to the required section and grade. The strike template shall be moved forward with a combined transverse and longitudinal motion in the direction the work is progressing, maintaining a slight excess of material in front of the cutting edge. The concrete shall then be tamped with an approved tamping template to compact the concrete thoroughly and eliminate surface voids and the surface screeded to required section. After completion of a strike-off, consolidation and transverse screeding, a hand-operated longitudinal float shall be operated to test and level the surface to the required grade.

Workmen shall operate the float from approved bridges riding on the forms and spanning the pavement. The longitudinal float shall be held in contact with the surface and parallel to the centerline and operated with short longitudinal strokes while being passed from one side of the pavement to the other. If contact with the pavement is not made at all points, additional concrete shall be placed, if required, and screeded, and the float shall be used to produce a satisfactory surface. Care shall be exercised to keep the ends of the float from digging into the surface of the pavement. After a section has been smoothed so that the float maintains contact with the surface at all points in being passed from one side to the other, the bridges may be moved forward half the length of the float and the operation repeated. Other operations and surfaces tests shall be as required for machine finishing.

303.5.6.3. Edging at Forms and Joints

After the final finish, but before the concrete has taken its initial set, the edges of the pavement along each side of each slab, and on each side of transverse expansion joints, formed joints, transverse construction joints, and emergency construction joints shall be worked with an approved tool and rounded to the radius required by the plans. A well-defined and continuous radius shall be produced and a smooth,

dense mortar finish obtained. The surface of the slab shall not be unduly disturbed by tilting of the tool during use.

At all joints, any tool marks appearing on the slap adjacent to the joints shall be eliminated by brooming the surface. In doing this, the rounding of the edge shall not be disturbed. All concrete on top of the joint filler shall be completely removed.

All joints shall be tested with a straightedge before the concrete has set, and correction shall be made if one side of the joint is higher than the other or if they are higher or lower than the adjacent slabs.

303.8 Pavement Testing and Elevation

303.8.2. Pavement Thickness Test

Delete in its entirety and substitute therefore the following:

Upon completion of the work and before final acceptance and final payment shall be made, pavement thickness tests shall be made by the Contractor. Tests shall be made at 400-foot spacings along the length of the pavement. In the event a deficiency in the thickness of pavement is revealed, two (2) subsequent sets necessary to isolate the deficiency shall be made - one at a jointed section prior to the deficient station and one at a jointed section following the deficient station. Additional tests shall be obtained as necessary, at jointed section intervals to isolate the deficient area. Removal and replacement of concrete shall extend to joint boundaries, the full width of pavement section. If the average thickness of pavement in a particular section is less than called for on the plans, the pavement section shall be removed and replaced with the correct thickness, extending to joint boundaries, the full width of the pavement section, at the Contractor's entire expense. No additional payment over the contract unit price shall be made for any pavement of a thickness exceeding that required on the plans.

303.8.3. Pavement Strength Test

303.8.3.1 For Standard Classes of Concrete

Revise the first paragraph to read:

During the progress of the work, the Inspector or a commercial laboratory shall cast test cylinders or beams to maintain a check on the strengths of the concrete being placed. Add the following sentence and table: A table titled "PAVEMENT STRENGTH REQUIREMENTS", is provided showing the required pavement thickness, 7-day strength, 28-day strength, minimum cement factor and maximum slump for each street type to be constructed in Rockwall.

Add to the 5th paragraph:

Test cores shall be obtained within ten (10) working days after the 28-day test results have been provided by the commercial laboratory. All test cores shall be obtained by a commercial laboratory, at the Contractors expense. One (1) core shall be obtained in the immediate area of the deficiency and two (2) additional cores shall be obtained - one at a jointed section prior to the deficient station and one

at a jointed section following the deficient station. Additional cores shall be obtained as necessary, at jointed section intervals to isolate the deficient area. Removal and replacement of concrete shall extend to joint boundaries, the full width of pavement section.

Amend the second sentence of the 7th paragraph to read:

"Pavement not meeting the minimum specified 28-day strength after cores have been tested shall be removed and replaced at the Contractor's expense."

Delete the table 303.8.3.1.(a) and the paragraph below it.

Add the following table:

Pavement Strength Requirements

Street Type	Minimum Thick-ness (inches)	Compr. 7-Day (psi)	Strength 28-Day (psi)	Minimum Cement (sacks / CY)		Slump (inches)
				Machine placed	Hand Placed	
* Arterial	10”	2,500	3,600	6.0	6.5	3” to 5”
* Collector	8”	2,500	3,600	6.0	6.5	3” to 5”
Residential	6”	2,500	3,600	6.0	6.5	3” to 5”
Alley	7”-5”-7”	2,500	3,600	6.0	6.5	3” to 5”
Fire Lane	6”	2,500	3,600	6.0	6.5	3” to 5”
Driveways	6”	2,500	3,600	6.0	6.5	3” to 5”
Barrier Free Ramps	5”	2,500	3,600	N/A	6.5	3” to 5”
Sidewalks	4”	2,100	3,000	N/A	5.5	3” to 5”
Parking Lot/ Drive Aisles	5”	2,100	3,000	5.0	5.5	3” to 5”
Dumpster Pads	7”	2,500	3,600	6.0	6.5	3” to 5”

* Paving section designs for arterials and collectors shall be based off 30 year projected traffic volumes and geotechnical analysis/report. (Paving section design shall include but not limited to the following: pavement thickness, reinforcing size and spacing, pavement strength, subgrade thickness, subgrade treatment type (lime or cement))

ITEM 304 PAVING UNITS

304.1. Solid Concrete Interlocking Paving Units

304.1.2. Materials

304.1.2.2. Base

Delete in its entirety and replace with the following:

The base shall be constructed of 3,600 psi reinforced concrete meeting the requirements of Item 303 of the Standard Specifications.

#4 reinforcing bars shall be placed 18 inches on center, both ways, in all concrete.

304.1.3. Construction Methods

304.1.3.3. Construction Procedures

304.1.3.3.3 Paving Units and Joints

Delete paragraph two in its entirety and replace with the following:

Joints between paving units shall have a spacing of (1/8”).

304.1.4. Measurement and Payment

Delete in its entirety and replace with the following:

Interlocking Concrete Paving Stone shall be measured and paid for by the square foot of stone, sand and concrete base furnished and installed, which price shall include all labor, including excavation, materials, equipment, tools and incidentals necessary to complete the work. No separate payment shall be made for 6" concrete base or washed sand. Payment for removal and disposal of existing concrete median pavement, if required, shall be made by the square foot. Payment shall include all labor, equipment, materials, tools, and incidentals necessary to complete the work.

ITEM 305. MISCELLANEOUS ROADWAY CONSTRUCTION

305.1. Concrete Curb and Gutter

305.1.3. Construction Methods

305.1.3.2. Reinforcing Steel

The third sentence, first paragraph shall be revised to read:

All bars at splices shall be lapped a minimum of 30 diameters of the bar or 12-inches, whichever is greater.

305.2 Concrete Sidewalks, Driveway Approaches, and Barrier Free Ramps

305.2.2. Materials

305.2.2.2. Reinforcement

Revise the first sentence to read:

Driveway approaches and walk reinforcing shall be No. 3 bars on 24-inch centers.

305.2.3. Construction Methods

305.2.3.1. General

Add to end of first paragraph:

The drive approach shall have a minimum thickness equal to the thickness of the adjacent street or 6 inches, whichever is greater.

305.2.3.7. Joints

Revise second sentence to read:

Expansion joints shall be placed in the sidewalk at 20-foot intervals or as otherwise specified by the Owner.

305.3. Concrete Medians

Delete in entirety.

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7.4 Division 400 Roadway Maintenance & Rehabilitation

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.4: Revisions to NCTCOG's Division 400 Roadway Maintenance & Rehabilitation

Revised	Standard Specification Item No.	Description
	401.	**CRACK SEALING**
	401.1.	General
	401.2.	Materials
	401.3.	Methods
	401.4	Measurement and Payment
	402.	**PAVEMENT CUT, EXCAVATION AND REPAIR**
	402.1.	General Requirements
	402.2.	Minimum Size of Repair
(1)	402.3.	Sawing
	402.4.	Replacing Paved Surfaces
	403.	**ASPHALTIC PAVEMENT REPAIR**
	403.1.	Description
	403.2.	Materials and Mixing
	403.3.	Methods
	403.4.	Measurement and Payment
	404.	**SURFACE TREATMENT**
	404.1.	Description
	404.2.	General
	404.3.	Slurry Seals and Micro-(Re)Surfacing
	404.4.	Bituminous Surface Treatment (Chip Seal)
	405.	**ULTRA THIN CONCRETE PAVING (WHITETOPPING)**
	405.1.	Description
	405.2.	Materials
	405.3.	Construction Methods
	405.4.	Measurements
	405.5.	Payment

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ITEM 402 PAVEMENT CUT, EXCAVATION AND REPAIR

402.3 Sawing

402.3.2. Equipment

Revise second paragraph to read:

Saw blades shall make a clean, smooth cut, producing a grove a minimum of 3/8-inch wide and to the full depth required by these specifications or as shown on the plans.

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7.5 Division 500 Underground Construction & Appurtenances

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.5: Revisions to NCTCOG's Division 500 Underground Construction & Appurtenances

Revised	Standard Specification Item No.	Description
	501.	**UNDERGROUND CONDUIT MATERIALS**
	501.1.	General
	501.2.	Clay Wastewater Pipe
	501.3.	Vitrified Clay Pipe for Micro-tunneling, Slip-lining, Pipe Bursting and Tunnels
(1)	501.4.	Concrete Pressure Pipe and Fittings
(1)	501.5.	Reinforced Concrete Wastewater Pipe With Rubber Gasket Joints
	501.6.	Reinforced Concrete Culvert, Storm Drain, Pipe and Box Section
(1)	501.7.	Ductile-Iron Pressure Pipe and Fittings
	501.8.	Ductile-Iron Pipe for Pipe Rehabilitation
(1)	501.9.	Steel Pipe and Fittings
	501.10.	Seamless Copper Tubing
	501.11.	Corrugated Metal Pipe or Arch Shapes
	501.12.	Structural Plate Structures
	501.13.	Tunnel Liner Plates
(1)	501.14.	Polyvinyl Chloride (PVC) Water Pipe
	501.15.	Polyvinyl Chloride (PVC) Pressure-Rated (SDR Series)
	501.16.	Molecularly Oriented Polyvinyl Chloride (PVCO) Water Pipe
	501.17.	Polyvinyl Chloride (PVC) Wastewater Pipe & Fittings with Dimension Control
	501.18.	Polyvinyl Chloride (PVC) Profile Gravity Wastewater Pipe and Fittings-For Direct Bury and Slip-lining Applications
	501.19.	PVC Composite Pipe for Wastewater Conduits
	501.20.	Polyvinyl Chloride (PVC) Corrugated Storm Water Pipe with Smooth Interior and Fittings
	501.21.	Solid Wall Polyethylene Plastic Pipe for Water, Wastewater and Pipe Rehabilitation
	501.22.	Polyethylene (PE) Large Diameter Wastewater Pipe with

		Modified Wall Profiles and Performance Standards
	501.23.	Polyethylene (PE) Corrugated Drainage Tubing and Corrugated Smooth Lined Storm Water Pipe and Fittings
	501.24.	Fiberglass (Glass-Fiber-Reinforced Thermosetting-Resin) Wastewater Pipe
	501.25.	Fiberglass (Glass-Fiber-Reinforced Thermosetting-Resin) Water Pipe
	502.	**APPURTENANCES**
(1)	502.1.	Manholes
	502.2.	Wastewater Main Cleanouts
(1)	502.3.	Fire Hydrants
	502.4.	Thrust Restraint
(1)	502.5.	Fittings
(1)	502.6.	Valves
	502.7.	Performed Flexible Conduit Joint Sealant
	502.8.	Polyethylene Wrap for Metal Pipe Fittings
	502.9.	Corrosion-Resistant Coatings and Liners for Wastewater Conduit and Appurtenances
	502.10.	Connections to Conduit for Service
	502.11.	Miscellaneous Conduit Connections
	502.12.	Structures
	503.	**TRENCHLESS INSTALLATION**
	503.1.	Conduit Materials
	503.2.	Tunnel/Chasing Pipe Spacers
	503.3.	Methods of Jacking, Boring or Tunneling
	503.4.	Measurement and Payment
	504.	**OPEN CUT - BACKFILL**
	504.1.	General
(1)	504.2.	Materials
(1)	504.3.	Excavation and Foundation
(1)	504.4.	Backfill-General Requirements
(1)	504.5.	Embedment
(1)	504.6.	Final Backfill
	504.7.	Measurement and Payment of Backfill
	505.	**OPEN CUT – GENERAL CONDUIT INSTALLATION**
	505.1.	General
	505.2.	General Installation Requirements for Pipe Types
	506.	**OPEN CUT – WATER CONDUIT INSTALLATION**

	506.1.	Description
	506.2.	Materials
(1)	506.3.	Laying Water Conduit
	506.4.	Pipe Joints
(1)	506.5.	Hydrostatic Test
	506.6.	Connections to Existing Water Conduits
	506.7.	Purging and Disinfection of Water Conduits
	506.8.	Plugs
	506.9.	Measurements and Payments
	507.	**OPEN CUT- WASTEWATER CONDUIT INSTALLATION**
	507.1.	Description
	507.2	Materials
	507.3.	Laying Wastewater Conduit
	507.4.	Wastewater Conduit Joints
(1)	507.5.	Test and Inspections
	507.6.	Measurement and Payment for Wastewater Conduit Installation
	508.	**OPEN CUT – STORM WATER CONDUIT INSTALLATION**
	508.1.	Description
	508.2.	General
	508.3.	Reinforced Concrete Pipe for Storm Water
	508.4.	Corrugated Metal Pipe
	508.5.	Structural Plate Conduit
	508.6	Measurement and Payment for Strom Water Conduit Installation
(1)	508.7	Storm Sewer Conduit Inspection
	509.	**CROSSINGS**
	509.1.	General
	509.2.	State Highway Crossings
	509.3.	Street and Alley Crossings
	509.4.	Railroad Crossing
(1)	509.5.	Creek and River Crossings
	509.6.	Measurement and Payment of Crossings

ITEM 501.UNDERGROUND CONDUIT MATERIALS

501.4 Concrete Pressure Pipe and Fittings

Add the following:

C302 Reinforced Concrete Pressure Pipe, Non Cylinder Type, for Water and Other Liquids, and C300 Reinforced Concrete Pressure Pipe, Steel Cylinder Type, for

Water and Other Liquids are not approved for use in the City, unless otherwise shown in the plans or approved in writing. Reinforced concrete cylinder pipe in sizes 16 inches through 21 inches shall be Bar-Wrapped Concrete Cylinder Pipe AWWA Type C303. For pipe 42 inches in diameter and above the pipe shall be Prestressed Concrete Pressure Pipe, Steel Cylinder Type, AWWA Type C301. Between 24 inches and 36 inches the pipe furnished may be either type. All pipe shall be designed to withstand the working pressure and external load as shown in the plans.

501.5 Reinforced Concrete Wastewater Pipe With Rubber Gasket Joints

501.5.1. General

Add the following:

All reinforced concrete pipe used in the sanitary sewer system shall conform to ASTM Designation C76 and shall be of the Thick Wall Pipe design with aggregates consisting of limestone aggregate in the proportion of at least 75 percent by weight of the total aggregates, unless otherwise provided in the Special Conditions to the Specifications.

501.7 Ductile-Iron Pressure Pipe and Fittings

501.7.1. General

Add the following:

Minimum design thickness for all Ductile-Iron Pipe installed shall be Class 51 on sizes 12 inches and smaller, and Class 52 on sizes 14 inches and larger.

501.9 Steel Pipe and Fittings

501.9.3. Pipe and Fitting Requirements

Substitute the second to last sentence with the following:

All steel pipe to be furnished for this project shall be designed in accordance with AWWA M11 for the most critical application of internal pressures and external loads. The following design conditions shall apply:

Internal Pressure (Design to account for working and surge together)

1) Working Pressure of 200 psi
2) Surge allowance of 250 psi

External Loading for Buried Pipe

1) External loads shall be comprised of the weight of the backfill together with live and impact loads. Earth loads shall be calculated based on ditch and positive projecting conduit. The earth load for the pipe design shall be the greater of the above two conditions.
2) External live loads shall be at least equivalent to AASHTO HS-20 loading.
3) Modulus of soil reaction (E') < 1000 psi
4) Unit weight of fill (w) > 120 pcf
5) Deflection lag factor (D1) (1.0)
6) Bedding constant (K) = 0.100
7) hw = h = depth of cover above top of pipe

8) Maximum deflection in percent of pipe diameter shall be as determined by AWWA M11, latest edition, as calculated using moment of inertia of steel cross section of pipe wall. Moment of inertia of cement mortar shall not be included in calculation of maximum deflection.

Available Deflections

Mortar-lined and coated = 2 percent of pipe diameter

Maximum Working Stress

The maximum combined stress based on working pressure shall be no greater than 50 percent of the minimum yield strength or 18,000 psi, whichever is less.

The maximum combined stress based on test pressure shall be no greater than 75 percent of the minimum yield strength or 24,000 psi, whichever is less.

501.9.4. Joints

Add the following:

In general, pipe joints shall be as follows, as indicated on the Drawings or as specified.

1) Flanged joints shall be provided as a minimum at all flanged valves, meters and other equipment.
   a. Flanges: Unless otherwise noted, flanges shall conform to the requirements of AWWA C207, Table D, E or F as required.
   b. Flange Bolts and Nuts: Shall be furnished in size and numbers stipulated in AWWA C207. Unless otherwise indicated, bolts shall be carbon steel to meet the requirements of ASTM Designation A307, Grade B for regular joints.
2) Restrained Lap-Welded slip joints (expanded bell) with a single fillet weld.
3) Carnegie-Shape Rubber Gasket Joint: Bell and spigot rubber gasket joint will be furnished with the bell end of the pipe mechanically expanded to the required internal diameter and the spigot end furnished as a sized Carnegie shape welded to the opposite end of the pipe. The expanded bell and Carnegie spigot shall be designed such that when the pipe is laid and jointed, it will be self centered, and the O-ring rubber gasket will be enclosed tightly on all four sides and confined under compression adequate to ensure watertightness. Gaskets to be full-face for use with flat face flanges and ring type for use with raised face flanges. Gasket material for water service pipe shall be cloth inserted rubber sheet, 1/8-inch thick or red rubber, ASTM D1330, Grade 1. Gasket material for air piping shall be as above, but of EPDM.
4) Mechanical Couplings: Mechanical couplings designed to provide a stress relieving flexible joint shall consist of a cylindrical sleeve, two gaskets, two follower rings and a set of bolts and nuts.
   a. Sleeves: Manufactured of ASTM A53 steel for sizes 10-inches and smaller. ASTM A36 steel for sizes 12-inches and larger. Minimum sleeve length shall be five inches for pipe 12-inches and smaller,

7-inches for pipe 14-inches through 24-inches, and 10-inches for pipe larger than 24-inches.

b. Follower Rings: Ductile Iron ASTM A536 or AISI C1020 Steel.
c. Bolts and Nuts: High strength low alloy steel with heavy semi-finished hexagon nuts.
d. Gaskets: Shall be of synthetic rubber suitable for operating conditions.
e. Shop Finish: Manufacturer's standard unless otherwise noted.
f. Manufacturer: Baker 200, Dresser Style 39, Rockwell Series 411 or approved equal.

501.14 Polyvinyl Chlorine (PVC) Water Pipe

Add the following:

All PVC water pipelines shall be AWWA C900-16 PVC Pipe (blue in color), DR 14 (PC 305) for pipeline sizes 12-inch and smaller, and DR 18 (PC 235) for 14-inch and larger water pipelines. All PVC water pipe shall be extruded PVC pipe of the rubber gasket type joint and shall be furnished in 20-foot nominal laying lengths.

All fittings shall be ductile-iron of bell and spigot or mechanical joint, Class 250, in accordance with AWWA Specification C 110, C 111 or C 153 (Compact), and shall be tar coated on the outside surface and shall have an interior cement lining with seal coat per AWWA Specification C104, unless otherwise shown in the plans.

502 APPURTENANCES

502.1 Manholes

502.1.1. Manhole Materials

502.1.1.1. Precast Reinforced Manhole Sections

502.1.1.1.1. Joints

Add the following:

All sanitary sewer manholes installed in the City of Rockwall, shall have "O" ring joints conforming with ASTM Designation C443

502.1.4. Manhole Construction

502.1.4.1. Manhole Types and Requirements

502.1.4.1.1. Cast-In-Place Concrete Manholes

Add the following:

502.1.4.1.1.1. Forms

Manholes shall be constructed in place in accordance with the details shown in the plans and using forms as market by Improved Construction Methods, Inc., Jacksonville, Arkansas or Symons Corp., DePlaines, Illinois, or an approved equal.

502.1.4.1.1.2. Base

The base shall be cast monolithically with the rest of the manhole. The invert and flow channel shall be formed during or immediately after the placing of the

concrete and trowel-finished as soon as the concrete has set sufficiently. The concrete must set for 24 hours before any pipe inside the manhole is trimmed. Concrete shall be minimum 4200 psi.

The base concrete shall be 4200 psi, maximum slump 4 inches vibrated or tamped on undisturbed bearing. The base shall have a minimum diameter or width of at least 1'-0" greater than the outside diameter of the manhole, and a minimum thickness including the area under the pipe as follows:

0' to 12' manhole…….	12"
12’ to 20' manhole……..	15"
20' and above…….	18"

502.1.4.1.1.3. Invert

All invert channels shall be smooth and accurately shaped to a semi-circular bottom conforming to the inside of the adjacent sewer section. Inverts shall be formed directly in the concrete of the manhole base or may be constructed by laying full section sewer pipe through the manhole and breaking out the top half after the base is constructed. Inverts shall extend up at least half of the diameter of the pipe. Changes in the direction of the sewer and entering branches shall have a true curve of as large a radius as the size of the manhole will permit. Where the pipe is laid through the manhole, the invert shall be finished to 1/4-inch below the center of the pipe. The pipe shall be trimmed down to 1/4-inch below the surface of the invert, and the edges of the pipe along the invert and at the walls of the manhole shall be plastered and brush-finished. Plaster shall be 2-parts of masonry sand to 1-part of Portland cement, or an approved non-shrink grout.

502.1.4.1.1.4. Manhole Barrel Section

The vertical forms, wall spaces, and placing cone must be carefully positioned and firmly clamped in place before any placement is made. The wall spacers must be located 90 degrees from each other. The manhole shall be cast of 4200 psi concrete with a maximum slump of 4 inches. The first placement shall consist of approximately 1/2 yard of concrete evenly around the walls and vibrated until there is a minimum slump of 60 degrees from the bottom of the forms to the bearing surface both inside and outside of the manhole. When this is complete and before additional concrete is added, the concrete must be carefully vibrated on each side of each pipe. Additional concrete must be deposited in evenly distributed layers of

about 18 inches with each layer vibrated to bond it to the preceding layer. The wall spacers must be raised as the placements are made with the area from which the spacer is withdrawn being carefully vibrated. Excessive vibration is to be avoided. A maximum of 2% calcium chloride may be added to the concrete, at the Contractor's option, to speed the set. The forms may be removed as soon as the concrete has sufficiently set (approximately 2 hours after placement depending on field conditions).

Form marks and offsets up to 1-inch will be permitted on the outside surface of the manhole. Form marks and offsets up to 1/2-inch will be permitted inside the manhole. All offsets on the inside surface of the manhole will be smoothed and plastered so there is no projection or irregularity capable of scratching a worker or catching and holding water or solid materials. Honeycomb will be plastered with a mortar consisting of 3 parts of masonry sand and 1-part Portland cement upon removal of the forms. Manholes deemed to be structurally unsound shall be replaced.

502.1.4.1.1.5. Backfilling

Will be performed evenly and carefully around the manhole 24 hours or more after the placement of concrete is completed and shall conform to these specifications.

502.1.4.1.1.6. Cold Joints:

Should circumstances make a cold joint necessary, a formed groove or reinforcing dowels will be required in the top of the first placement for shear protection. Immediately before the second placement is made, the surface of the cold joint shall be thoroughly cleaned and wetted with a 1-1/2 inch layer of mortar (2 parts sand and 1-part cement) being deposited on the surface. Cold joints below the natural water table or in the bottom 4 feet of the manhole shall include an approved waterstop material. Waterstops shall be heavy duty polyvinyl conforming to Corps of Engineers Specification CRD-572, latest edition, as manufactured by Servicised Products Division of W.R. Grace and Co.; B.F. Goodrich Company; Electrovert, Inc.; W.R. Meadows, Inc.; or approved equal.

502.3 Fire Hydrants

302.3.1. Materials

Delete all parts of Item 502.3.1 in its entirety except sub items 502.3.1.3, 502.3.1.4., 502.3.1.10, and 502.3.1.14.

Add the following:

All fire hydrants furnished shall conform strictly with the latest specification C-502 of the American Water Works Association Standards for dry barrel fire hydrants and must comply with the following supplementary details and changes or addition.

a) Inlet Connection:

Unless otherwise specified the inlet connection shall be a six (6) inch standard mechanical joint complete with all joint accessories. The inlet shoe shall be cast of the same or stronger metal than the lower barrel to prevent impact damage of the shoe. The interior of the shoe, including the lower valve plate and/or cap nut shall have a protective epoxy coating of at least 4 mils applied in the shop. If a cap nut is utilized it must be locked in place with a stainless steel lock washer or similar non-corrosive device and all machined surfaces must be protected from water intrusion to prevent corrosion and assure ease of field teardown or maintenance.

b) Main Valve:

The main valve shall be reversible compression type, closing with the pressure and shall be not less than 5-1/4" in diameter. Composition of the main valve shall be molded rubber or neoprene having a durometer hardness of 90 ± 5 and shall be not less than 1" thick to protect against hydrant chatter and give long term durability.

c) Outlet Nozzles:

All hydrants shall be "three way", equipped with two hose nozzles and one pumper nozzle.

d) Diameter Outlet Nozzles:

The hydrant shall have two hose nozzles, two and one-half (2-1/2") inches nominal I.D., and one pumper nozzle four and one-half (4-1/2") inches nominal I.D. with Natural Standard Hose Threads.

e) Nozzle Attachment:

All nozzles shall be mechanically connected into the barrel and have "O" Ring pressure seals to provide a positive seal between nozzles and hydrant barrel. A suitable nozzle lock shall be provided and shall be stainless steel or bronze. Nozzles shall not be caulked in.

Nozzle caps shall be furnished with pentagon nut the same size as the operating nut. They shall be furnished with interior rubber gaskets that will seat against bronze nozzles. All caps shall be secured to hydrant barrel by heavy duty non-kinking chains with a chain loop on each cap that permits free turning of the cap, for speed and ease of removal by fire fighters.

f) Operating Nut:

The operating nut shall be non-rising, pentagonal shape, measuring 1-1/4" at the top and 1-1/2" at the base from point to flat. Pentagon shall have a depth of at least one and one-quarter inch (1-1/4"). The hydrant shall be constructed in such a manner that the operating nut, "O" Rings and washers can be removed and replaced

without removing the bonnet. All bearing surfaces of the operating nut shall be bronze.

g) Holddown Nut:

Holddown nut must have integral weather seal. Resilient seal between holddown nut and operating nut shall prevent debris entry to protect operating nut from damage.

h) Lubrication Reservoir:

The hydrant shall have a completely "O" Ring sealed oil reservoir with a minimum of two (2) "O" Ring pressure seals to prevent contamination of the oil around the operating parts of the hydrant. The oil reservoir shall be cast in such a manner that all operating parts shall be repairable without removal of the bonnet to facilitate repairs and shall be of a design that all bearing surfaces and threaded parts will be automatically lubricated upon each operation of the hydrant. If bearing surfaces are not lubricated, the design shall keep operating friction to a minimum. A high wear resistant thermoset plastic anti-friction washer shall be in place above the thrust collar to minimize operation torque and facilitate long term ease of operation. The operating threads must be sealed against contact with water to all times regardless of open or closed position of main valve. The hydrant shall have the capability of field personnel to visually check oil level and add additional oil if needed. Filler and inspection plug shall be recessed or flush type.

i) Traffic Feature:

Hydrants shall be "traffic model" having upper and lower barrel joined approximately two inches (2") above the ground line by a breakable "swivel" flange providing 360 degree rotation of the upper barrel for nozzle positioning and must be capable of rotating barrel with line pressure on. The ground line shall not be less than eighteen inches (18") below the centerline of the lowest nozzle and shall be clearly marked in a permanent manner on the lower barrel. A breakable stainless steel stem coupling shall join the two-piece stem adjacent to the ground line flange. Screws, clevis pins, fasteners or bolts used in the coupling shall be Series 300 stainless steel. The weakened portion of the stem coupling shall be located to divert pressure from the stem coupling directly to the upper and lower stems when torque is applied in seat ring removal.

Design of the coupling shall be such that when the coupling is broken, no part of the coupling will shatter or come loose and fall into hydrant and the break will not occur through the pins or bolts holding the coupling to the stem.

j) Drain Valve Assembly:

Hydrants shall be equipped with two drain valves which drain the barrel when the hydrant is closed and seal shut when the hydrant is in the open position. The upper valve plate, seat ring and drain ring (shoe bushing) must be bronze and work in conjunction to form an all bronze drainway. Upper valve plate if not bronze, must be epoxy coated.

The bronze seat ring shall be a minimum 5-1/4" inside diameter and shall thread into a bronze drain ring forming an all bronze drainway with two (2) drain outlets for double protection against drain clogging and corrosive damage. All bronze components shall have less than 16% zinc alloy, Grade A to give high corrosion resistance as recommended in Section 2.1, Table I of American Water Works Association Standard C-502. Seat ring seals shall be "O" Rings. Hydrant shall be designed so that during opening and closing operation(s), water pressure force flushes the drain valve and drain openings to prevent clogging, thus allowing barrel drainage.

k) Repair:

All internal operating parts shall be removable from above ground level with a lightweight stem wrench.

l) Provisions for Extension:

All hydrants shall be capable of being extended to accommodate future grade changes without excavation. Extension of the hydrant shall be made by adding at the groundline flange a new coupling and stem section equal to the length of the extension. This must facilitate easy field grade adjustment.

Stem extensions made by adding new section of stem to the threaded section of the stem at the top of the hydrant will not be accepted.

Extension kits must be available from manufacturer in six-inch (6") increments.

m) Pressure Loss and Working Pressure

Pressure loss through one (1) four and one-half inch (4-1/2") nozzle at 1000 GPM shall not be more than 5.0 psi.

n) Nuts and Bolts

Body Bolts, studs and nuts shall be 316 stainless steel.

Add the following:

502.3.4. Paint and Protective Coatings

All fire hydrants furnished under these specifications shall have paint and protective coatings applied at the factory or in the field as specified herein.

a) Factory Coating:

All hydrants shall be cleaned at the factory by shot blasting and shall be painted above the groundline (at the factory) with two (2) coats of neutral orange rust-prohibitive primer which shall be compatible with the finished coating.

All continuously wetted ferrous metal surfaces in the hydrant shoe shall be protected with a two-part thermoset epoxy coating to a nominal thickness of 4 mils of corrosion protection and shall be of a color that is easily identified as an epoxy coating. All other exposed exterior surfaces below ground level shall be coated with asphalt varnish as specified in American Water Works Association Standard C-502, Section 4.2 or as otherwise outlined in these specifications. All

remaining interior surfaces above the main valve, except machined surfaces such as the threaded portion of the operating stem or nut, shall be coated with asphalt varnish.

The thermoset epoxy coating shall be a two-part epoxy and shall function as a physical, chemical and electrical barrier between the base metal to which it is applied and the surroundings. The coating shall be non-toxic and shall not impart taste to water. The coating must be formulated from materials deemed acceptable per the Food & Drug Administration Document Title 21 of the Federal Regulations of Food Additives, Section 121.2514 entitled Resins & Polymeric Coatings. The coating shall have a satin finish and shall be suitable for field overcoating and touch-up with the same coating material without sanding or special surface preparation, or application of heat in excess of room temperatures.

b) Field Coatings:

All hydrants shall be field painted at the time the Contractor is instructed by the Public Works Inspector and shall be painted above ground with two (2) coats of aluminum paint, Mobil 11-A-19 or Tnemec 2-color, Tnemec-Gloss or approved equal according to the following color schedule:

Water Main Size	Bonnet and Caps Color
6”	Silver
8”	Blue
10” & Larger	Yellow

Add the following:

502.3.5. Experience and Certification

Fire hydrants, furnished under these specifications, shall be manufactured by a firm that has been producing hydrants of this general type continuously for the past five (5) years. Each company or manufacturer supplying hydrants under these specifications shall have on file, at the City of Rockwall, approved records of experience and detailed drawings of the proposed hydrants. Drawings shall cover the specific hydrant to be furnished for installation in the City and shall show all dimensions including metal thickness, construction details and materials used in all parts of the hydrant together with ASTM Designation and structural properties of these materials.

For ease of identification, all hydrants shall have "City of Rockwall, Texas" stenciled on the lower barrel. This stencil shall be applied at the factory. The manufacturer shall furnish to the City of Rockwall, a Certification that the fire hydrant complies with the specifications without any exceptions. This certification shall apply to specific hydrants being installed within the City water distribution system. The certification shall state (1) the number of hydrants covered by the certification, (2) the Addition where hydrants are being installed or the Project Name and (3) name of Contractor installing hydrants.

The City may require the Manufacturer, Supplier or Contractor to dismantle hydrants at any time to determine compliance with these specifications. Location of any hydrant within the City system, installed after adoption of these specifications, that does not meet the specifications completely shall be cause for prohibiting the future use of any hydrants from the same manufacturer.

502.5 Fittings

502.5.1. Brass Stops, Cocks and Fittings for Water Works Service

Add the following:

502.5.1.2. Physicals

All pressure holding components of brass stops or fittings shall be certifiably pressure tested before assembly as specified herein, including meter coupling tailpieces, flared nuts, compression nuts, etc.

502.5.1.3. Design Features of Stop and Cocks

The stem end of the key, prestaked key nut and the "D" washer shall be so designed that they turn in unison and if tightened to the failure point, the stem will not break causing the key to blow out.

Corporation, curb and angle stop bodies shall be of one-piece construction to provide optimum resistance to installation, operating and earth-load stresses. The operating head and checks of these stops shall be integrally cast with the plug or cap of the stop for maximum resistance to torque feature.

Angle valves shall have a lockwing and shall be "O" ring sealed at the top of the key to prevent leakage during operation and to act as a secondary protection against external top leakage. Meter swivel nuts shall be of the saddle nut construction to support the meter during installation. Inlet flare and compression parts for angle valves shall be field interchangeable on 3/4-inch and 1-inch sizes to make repairs easier and more economical.

502.5.1.4. Design Features of Fittings

Add the following to the third paragraph of this item:

Flare joints shall have curved metal to metal seating surfaces and flare nuts shall meet the following overall minimum length to insure that the flare nut will give adequate pipe support to this type of joint.

Flare Nut - Minimum	Overall Length
¾”……	1-1/2"
1"……..	2"
1-1/2"……..	3"
2"……..	3-1/2"

Add the following to the sixth paragraph of this item:

All stops and fitting joints shall be of the compression type for copper pipe unless otherwise noted. Compression coupling nuts shall be designed to "bottom out" on a machined shoulder on the fitting to

provide a visual check for proper assembly and eliminate field judgment errors of the installation. The coupling nut shall house the compression gasket in a smooth machined area and shall be internally coated with a fluorocarbon (Teflon) lubricant to prevent gasket damage and reduce installation torques. The compression gasket shall be a heavy armored gasket to provide electrical continuity through the fitting and prevent gasket cold flow and shall house a concave hardened stainless steel overlapping gripper band that is automatically activated and set by shouldering out the fitting properly.

Minimum pullout (or tensile strength) required of these fittings after installation to protect against earthloads are as follows:

3/4 "	2,000 lbs.
1"	3,000 lbs.
1-1/2"	3,500 lbs.
2"	4,000 lbs.

All outlet threads on compression connections shall be compatible with the City's present drilling and tapping machine equipment.

502.6 Valves

502.6.1. Metal-Seated Gate Valves for Ordinary Water Works Service

502.6.1.2. Bonnet Bolting

Delete in its entirety and replace with the following:

Body Bolts, studs and nuts shall be 316 stainless steel.

502.6.2. Resilient-Seated Gate Valves for Ordinary Water Works Service

502.6.2.1. General Description

Add the following:

Unless otherwise approved in writing, all Gate Valves for direct buried service in the City's distribution system, 6 inches through 12 inches in diameter, shall be Resilient Seated Gate Valves that conform strictly with the latest specification C-509 of the American Water Works Association Standards and must comply with the following supplementary details, changes or additions. Gate valves shall be iron body designed for a working pressure of 250 psi. All valves shall be hydrostatically tested at 200 psi and shell tested at 500 psi. Any leakage during testing shall be cause for rejection. For ease of repair the body, bonnet and stuffing box shall be flanged together with ASTM Grade B bolts and nuts. Each valve shall have the maker's initials, pressure rating, and year in which manufactured cast in the body.

502.6.2.2. Bonnet Bolting

Delete in its entirety and replace with the following:

Body Bolts, studs and nuts shall be 316 stainless steel.

502.6.2.5. Valve Stem and Nuts

Add the following:

Stems shall be machined from manganese bronze rod with an integral forged thrust collar machined to size. The stems shall be non-rising and equipped for nut operation, which shall be opened by turning to the left. The seals shall consist of two "O" rings above and one "O" ring below the thrust collar. An anti-friction washer shall be located above and below the thrust collar for operating torque. The stem nut shall be ASTM B-62 bronze.

502.6.2.17. Resilient Wedge

Add the following:

The wedge shall be cast iron, fully encapsulated in molded rubber complying with ASTM D2000. Wedge must have molded wedge guides preventing the disc from tilting downstream during operation. Protective guide cap bearings made of polymer bearing material to provide a bearing interface between the wedge guide and valve interior.

502.6.2.18. Paint and Protective Coatings:

Add the following:

All valves furnished under these specifications shall be painted on the exterior as specified in AWWA C-509 with asphalt varnish.

All ferrous metal surfaces in the internal part of the valve shall be protected with a fusion epoxy coating to a nominal thickness of 10 mils for corrosion protection and shall be of a color that is easily identified as an epoxy coating.

The proguard fusion epoxy coating shall fully comply with AWWA C550 and certified NSF 61. The coating shall be non-toxic and shall not impart taste to water. The coating must be formulated from materials deemed acceptable per the Food & Drug Administration Document Title 21 of the Federal Regulations of Food Additives, Section 121.2514 entitled Resins and Polymeric Coatings. The coating shall have a satin finish and shall be suitable for field overcoating and touchup with the same coating material without sanding or special surface preparation, or application of heat in excess of room temperature.

502.6.2.19. Experience and Certification

Add the following:

Valves, furnished under these specifications, shall be manufactured by a firm that has been producing valves of this general type continuously for the past five (5) years. Each company or manufacturer supplying valves under these specifications shall have on file, with the City of Rockwall, approved records of experience and detailed drawings of the proposed valves. Drawings shall cover the specific valve to be furnished for installation and shall show all dimensions including metal thickness, construction details and materials used in all parts of the valve together with ASTM Designation and Structural properties of these materials.

The manufacturer shall furnish to the City of Rockwall, a Certification that the valve complies with the specifications without any

exceptions. This certification shall apply to specific valves being installed within the City water distribution system. The certification shall state (1) the number of valves covered by the certifications, (2) the Addition where valves are being installed or the Project Name, and (3) name of Contractor installing valves.

The City may require the Manufacturer, Supplier or Contractor to dismantle valves at any time to determine compliance with these specifications. Location of any valve within the City system, installed after adoption of these specifications, that does not meet the specifications completely shall be cause for prohibiting the future use of any valves from the same manufacturer.

502.6.2.20. Tapping Sleeves:

Add the following:

The materials for tapping sleeve bodies shall be cast-iron or ductile-iron in accordance with AWWA Standard C110 (ANSI 21.10), in two sections, or halves to be bolted together with high-strength, corrosion resistant, low alloy steel bolts conforming to AWWA Standard C111 (ANSI 21.11).

Cast iron and ductile-iron sleeve shall be mechanical joint, or as specified, or dimensions to secure proper fit on the type and class of pipe on which they are to be used. Each sleeve shall be furnished with a 3/8-inch test opening so that tests can be made prior to tapping. Opening shall be provided with a 3/8-inch bronze plug.

502.6.5. Butterfly Valves

Add the following:

All Butterfly Valves for installation underground in the City's distribution system 16 inches through 48 inches shall be in accordance with this specification.

All butterfly valves furnished shall conform strictly with the latest specification C-504 of the American Water Works Association Standard for rubber-seated butterfly valves and must comply with the following supplementary details and changes or addition.

a) Body:

The body shall be cast-iron ASTM A126, Class B and shall have face to face dimensions in accordance with AWWA Standards for short body, Class 150-B. All butterfly valves shall have a floating body seat ring to compensate for change in direction of flow to assure bottle-tight seal in either direction.

b) Shaft:

Valve shafts shall be an 18-8, Type 316 stainless steel. Valve disc and shaft shall be standard self adjusting Chevron “V” type packing. Shaft seals shall be of a design allowing replacement without removing the valve shaft.

c) Disc and Seat:

The valve disc shall be cast iron ASTM A126, Class B. The valve seat shall be Buna-N located on the valve body. Valves 20” and smaller

shall have a bonded seat that meets test procedures in ASTM D429, Method B. Valves 24" and larger shall be retained in the valve body by mechanical means without the use of metal retainers or other devices located in the flow stream.

d) Operator:

Butterfly valve operators shall be of the traveling nut design. All operators shall have adjustable mechanical stop limiting devices to prevent over travel of the disc. The operator shall have a mechanical stop which will withstand an input torque of 450 Ft. lbs. against the stop. The traveling nut shall engage alignment grooves in the housing.

e) Operation:

Unless otherwise shown in the plans, all valves shall open counter clockwise.

f) Valve Ends:

Valve ends shall be Mechanical Joint End, or Flanged Ends. Mechanical joint valves shall come complete with bolts, nuts, gaskets and glands. It shall be the responsibility of the Contractor to coordinate the ends of the adjoining pipe with the type valve end he/she proposes to use.

g) Testing:

All valves seats shall be tested at 150 psi as described in AWWA C-504 and in addition shall have a shell test of 300 psi. Any leakage shall be cause for rejection.

h) Paint and Protective Coatings:

All butterfly valves furnished under these specifications shall be painted on exterior as specified in AWWA C-504, with asphalt varnish.

All ferrous metal surfaces in the internal part of the valve shall be protected with a two-part thermoset epoxy coating to a nominal thickness of 4 mils for corrosion protection and shall be of a color that is easily identified as an epoxy coating. This shall be applied in shop.

The thermoset epoxy coating shall be a two-part epoxy and shall function as a physical, chemical and electrical barrier between the base metal to which it is applied and the surroundings. The coating shall be non-toxic and shall not impart taste to water. The coating must be formulated from materials deemed acceptable per the Food & Drug Administration Document Title 21 of the Federal Regulations of Food Additives, Section 121.2514 entitled Resins & Polymeric Coatings. The coating shall have a satin finish and shall be suitable for field overcoating and touchup with the same coating material without sanding or special surface preparation, or application of heat in excess of room temperatures.

i) Experience and Certification:

Butterfly valves, furnished under these specifications, shall be manufactured by a firm that has been producing valves of this general type continuously for the past five (5) years. Each company or manufacturer supplying valves under these specifications shall have on

file, at the City of Rockwall, approved records of experience and detailed drawings of the proposed valves. Drawings shall cover the specific valve to be furnished for installation in the City of Rockwall and shall show all dimensions including metal thickness, construction details and materials used in all parts of the valve together with ASTM Designation and structural properties of these materials.

The manufacturer shall furnish to the City, a Certification that the valve complies with the specifications without any exceptions. This certification shall apply to specific valve being installed with the City water distribution system. The certification shall state (1) the number of valves covered by the certification, (2) the Addition where valves are being installed or the Project Name and (3) name of Contractor installing valves.

The City may require the Manufacturer, Supplier or Contractor to dismantle valves at any time to determine compliance with these specifications. Location of any valve with the City system, installed after adoption of these specifications, that does not meet the specifications completely shall be cause for prohibiting the future use of any valves from the same manufacturer.

ITEM 504. OPEN CUT – BACKFILL

504.2 Materials

504.2.2. Pipe Bedding Material for Storm, Water and Sanitary Sewer Mains

Add the following:

Unless otherwise indicated, storm sewer pipe shall be bedded with Class "C" bedding in accordance with the details shown on the plans.

504.2.2.1. Crushed Stone Embedment

Add the following:

Where stone is called out for pipe embedment, Standard Crushed Rock-Aggregate, Grade 4, shall be used unless otherwise approved in writing.

504.3. Excavation and Foundation

Add the Following:

504.3.1 Excavation

Add the following:

Prior to start of excavation the Contractor shall remove and stockpile the Topsoil and protect the Topsoil from contamination during construction.

504.5 Embedment

Add the following:

Rock Cuttings or Sand will not be permitted in the pipe bedding for sanitary sewer or water lines in the City of Rockwall.

504.5.2. Embedment Classes

504.5.2.9. Class "C" Embedment

Replace the last sentence in its entirety with the following sentence:

Density shall be at least 95% of maximum density under paving, 90% of maximum density elsewhere, as determined by ASTM D698.

504.5.2.15. Class "H" Embedment

Class "H" Embedment shall be used on the P.V.C. Sanitary Sewer Pipe installed within the City of Rockwall.

On PVC Pipe 18 inches through 27 inches in diameter the crushed stone shall be brought up in uniform layers to a point nine inches over the top of the pipe when compacted.

504.6. Final Backfill

Add the following:

After the trench has been refilled, topsoil shall be replaced to the extent that rock, excavated from the trench, will be completely covered and the area is returned to its original condition, except that in cultivated areas a minimum of 12 inches of top soil shall be replaced.

504.6.1. Excavated Material

Add the following:

The material used in the backfill shall be pulverized to the extent necessary to produce a free flowing material free of clay balls larger than 6-inch diameter.

506. OPEN CUT - WATER CONDUIT INSTALLATION

506.3. Laying Water Conduit

Add the following:

Valves for installation in the City's distribution system shall be installed by direct burial as shown on the standard detail sheets and shall be provided with valve boxes for operation of the valve.

506.5 Hydrostatic Test

Delete first paragraph and table and replace with:

All hydrostatic tests shall be maintained over a period of not less than four hours.

"Before being accepted, all ductile iron, C-900 PVC or concrete cylinder water mains shall be tested with a hydraulic test pressure of not less than four hours. Concrete pressure pipe shall be tested with a hydraulic test pressure of 120 percent of the design pressure. Steel pressure pipe shall be tested with a hydraulic test pressure not to exceed 150 percent and not less than 120 percent of the designed working pressure. The rate of leakage of all pipe tested shall not exceed the amounts shown in the tables titled "Hydrostatic Test-C-900 PVC, Steel or Ductile Iron Water Mains" or "Hydrostatic Test-Concrete Cylinder Water Mains". Water lines of material in combination shall be tested for the type of pipe (material) with the least stringent hydraulic test pressure and maintained over a period of not less than four hours."

City of Rockwall
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HYDROSTATIC TEST
C900-16 PVC, STEEL OR DUCTILE-IRON WATER MAINS

GALLONS ALLOWED									
L.F. PIPE	Pipe Diameter								
	4"	6"	8"	10"	12"	14"	16"	18"	20"
5	0.016	0.024	0.032	0.039	0.047	0.055	0.063	0.071	0.079
10	0.032	0.047	0.063	0.079	0.095	0.110	0.126	0.142	0.158
20	0.063	0.095	0.126	0.158	0.189	0.221	0.253	0.284	0.316
30	0.095	0.142	0.189	0.237	0.284	0.331	0.379	0.426	0.473
40	0.126	0.189	0.253	0.316	0.379	0.442	0.505	0.568	0.631
50	0.158	0.239	0.316	0.395	0.473	0.552	0.631	0.710	0.789
60	0.189	0.284	0.379	0.473	0.568	0.663	0.758	0.852	0.947
70	0.221	0.331	0.442	0.552	0.663	0.773	0.884	0.994	1.105
80	0.253	0.379	0.505	0.631	0.756	0.884	1.010	1.136	1.263
90	0.284	0.426	0.568	0.710	0.852	0.994	1.136	1.278	1.420
100	0.316	0.473	0.631	0.789	0.947	1.105	1.263	1.420	1.578
200	0.631	0.947	1.263	1.578	1.894	2.210	2.525	2.841	3.157
300	0.947	1.420	1.894	2.367	2.841	3.314	3.788	4.261	4.735
400	1.263	1.894	2.525	3.157	3.788	4.419	5.051	5.682	6.313
500	1.578	2.367	3.157	3.946	4.735	5.524	6.313	7.102	7.891
600	1.894	2.841	3.788	4.735	5.682	6.629	7.576	8.523	9.470
700	2.210	3.314	4.419	5.524	6.629	7.734	8.838	9.943	11.048
800	2.525	3.788	5.051	6.313	7.576	8.838	10.101	11.364	12.626
900	2.841	4.261	5.682	7.102	8.523	9.943	11.364	12.784	14.205
1000	3.157	4.735	6.313	7.891	9.470	11.048	12.626	14.205	15.783

Maximum allowable water loss in 4 hours at 180 pounds per square inch of pressure for a rate of 25 gallons per inch diameter of pipe per mile over a 24-hour period

EQUATION THE ABOVE CHART IS BASED ON:

$$Maximum\ Loss\ (Gal.) = 25\ \times Diameter\ of\ Pipe\ (inches) \times \frac{L.F.\ of\ Pipe}{5280\ Pipe} \times \frac{4}{24}$$

City of Rockwall
The New Horizon

HYDROSTATIC TEST
CONCRETE CYLINDER WATER MAINS

GALLONS ALLOWED									
L.F. PIPE	Pipe Diameter								
	4"	6"	8"	10"	12"	14"	16"	18"	20"
5	0.031	0.047	0.063	0.078	0.095	0.110	0.126	0.142	0.158
10	0.063	0.095	0.126	0.158	0.189	0.221	0.253	0.284	0.315
20	0.126	0.189	0.253	0.316	0.379	0.442	0.505	0.568	0.631
30	0.188	0.284	0.379	0.473	0.568	0.663	0.758	0.852	0.947
40	0.253	0.379	0.505	0.631	0.758	0.884	1.010	1.136	1.263
50	0.316	0.473	0.631	0.789	0.947	1.105	1.263	1.420	1.578
60	0.379	0.568	0.758	0.947	1.136	1.326	1.515	1.704	1.894
70	0.442	0.663	0.884	1.105	1.326	1.547	1.768	1.989	2.210
80	0.505	0.758	1.010	1.263	1.515	1.768	2.020	2.273	2.525
90	0.568	0.852	1.136	1.420	1.704	1.989	2.273	2.557	2.841
100	0.631	0.947	1.263	1.578	1.894	2.209	2.525	2.841	3.156
200	1.263	1.894	2.525	3.156	3.788	4.419	5.050	5.682	6.313
300	1.894	2.841	3.788	4.735	5.682	6.628	7.575	8.522	9.470
400	2.525	3.788	5.050	6.313	7.575	8.838	10.100	11.363	12.626
500	3.158	4.735	6.313	7.891	9.470	11.047	12.626	14.204	15.782
600	3.788	5.682	7.575	9.469	11.363	13.257	15.151	17.045	18.938
700	4.419	6.628	8.838	11.047	13.257	15.468	17.676	19.885	22.095
800	5.050	7.575	10.100	12.626	15.152	17.676	20.201	22.726	25.251
900	5.682	8.522	11.363	14.204	17.044	19.886	22.726	25.567	28.405
1000	6.313	9.469	12.626	15.782	18.939	22.096	25.253	28.408	31.564

Maximum allowable water loss in 4 hours at 180 pounds per square inch of pressure for a rate of 50 gallons per inch diameter of pipe per mile over a 24-hour period

EQUATION THE ABOVE CHART IS BASED ON:

$$Maximum\ Loss\ (Gal.) = 50\ \times Diameter\ of\ Pipe\ (inches) \times \frac{L.F.\ of\ Pipe}{5280\ Pipe} \times \frac{4}{24}$$

507 OPEN CUT – WASTEWATER CONDUIT INSTALLATION

507.5. Tests and Inspections

507.5.2. Television Inspection

Add the following to this section:

All sanitary sewer pipe construction in this contract shall be visually inspected by photographic means (television and video taped) prior to final acceptance by the Owner. No separate measurement or payment shall be provided for the video inspection. All labor, materials and equipment required are subsidiary to the appropriate bid items as established in the Proposal and Bid Schedule.

ITEM 508 OPEN CUT – STORM WATER CONDUIT INSTALLATION

Add the following:

508.8 Inspection

All storm sewers shall be visually inspected by photographic means (television and video taped) , at Contractor's expense, prior to final acceptance by the City. Any sags, open joints, cracked pipes, etc. shall be repaired or removed by the Contractor at Contractor's expense. Pipes will be cleaned prior to televising the pipe. The contractor shall furnish a DVD formatted video to the City.

ITEM 509 CROSSINGS

509.5. Creek and River Crossings

Add the following:

509.5.1. Aerial Crossings

509.5.1.1. General

Piers for aerial crossings will be drilled piers and columns of the diameter shown on the plans. Piers shall be founded at least 6'-0" into firm gray limestone and 8'-0" into undisturbed material, unless otherwise directed by the Owner.

Materials and workmanship required to construct piers and cap shall conform to Reinforced Concrete Structures, of the specifications. Concrete of piers shall be Class A, 3000 psi.

Anchor straps and bolts shall be installed as shown on the plans, and shall be hot dipped galvanized after fabrication.

After installing the aerial crossing, including the junction collars with the main sewer pipe, an approved coal tar mastic jointing compound shall be installed the full inside circumference of the pipe at each joint to produce a smooth surface with no sharp flow transitions.

509.5.1.2. Steel Pipe

Steel pipe used of Aerial Crossings shall be of the diameter and wall thickness shown on the plans and shall be line pipe manufactured in accordance with the following specifications:

1) AWWA C200-75 Mill Type Steel Water Pipe, Grade B
2) ASTM A139, Grade B

Pipe shall be designed for a clear span as shown on the plans. Couplings shall be Dresser Type 38, or approved equal and shall be located as shown on the plans. Bolts shall be stainless steel or galvanized.

The steel pipe sizes shown on the plans are the nominal diameters of the minimum size steel pipe which may be furnished and installed. Pipe of a larger size may be furnished at the Contractor's option, but no extra payment will be allowed. If larger pipe is utilized, it shall be set so as to retain the flow lines designated on the plans.

All steel pipe shall receive an interior shop-applied Liquid Epoxy Coating System in conformance with AWWA C-210, latest revision.

509.5.1.3. Exterior Painting

Exterior painting for aerial crossings shall conform to Item 804.2.

All surface prepared in the field shall be inspected by the City of Rockwall for adequate surface preparation as defined above prior to application of paint coating. All surfaces to be painted in the field shall have their readiness for painting approved by the City of Rockwall before work is started.

Paint shall be applied to all ferrous material part of the aerial crossing including but not limited to pipe, couplings, straps, nuts, bolts, etc.

509.5.1.3.1. Paints

Paints for aerial crossings shall be:

1) TNEMEC Series 66, or Mobile 78 Series, or Koppers 200 HB, 5.0 mil dry film thickness each coat.
2) TNEMEC Series 66, or Mobile 78 Series, or Koppers 200 HB, 6.0 mil dry film thickness each coat.

Approved material of other manufacturers which are equivalent in all respects to the brands named above, may be substituted upon approval. All paint applied must be by the same manufacturer. The color on the final coat shall be selected by the City of Rockwall.

509.5.1.4. Measurement of Payment

Aerial crossings will be measured for payment per each between the limits shown on the plans and will be paid for at the lump sum bid price for each crossing in the Bid Schedule.

Concrete piers and collars to the elevations shown in the plans will be measured and paid for in the lump sum price for aerial crossings. Payment in vertical feet for additional depth of reinforced concrete piers as approved by the City of Rockwall, shall be as provided in the Proposal and Bid Schedule.

Payment of the unit or lump sum prices shall be full compensation for furnishing all labor, supervisions, materials, tools, equipment, and incidentals, and for performing all work necessary in construction the aerial crossings and piers, including excavation, dewatering, backfilling, disposal of surplus material, painting, testing,

concrete encasement, hauling, transportation costs, disposal costs, salvaging, and any other work required in accordance with the Plans and Specifications.

City of Rockwall
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7.6 Division 600 Conduit & Appurtenance Rehabilitation

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.6: Revisions to NCTCOG's Division 600 Conduit & Appurtenance Rehabilitation

Revised	Standard Specification Item No.	Description
	601.	**PIPELINE REHABILITATION**
	601.1.	Description
	601.2.	General
	601.3.	General Materials
	601.4.	General Methods
	601.5.	Section Held for Future Use
	601.6.	Section Held for Future Use
	601.7.	Cured-In-Place Pipe Liner (CIPP Liner)
	601.8.	Pipe Bursting With Polyethylene
	601.9.	Pipe Bursting With Rigid Place
	601.10.	Polyvinyl Chloride (PVC) Profile Gravity Liner Pipe (Segmental Sliplining)
	601.11.	Measurement and Payment
	602.	**REHABILITATION OF MANHOLES OR UNDERGROUND VAULTS**
	602.1	General
	602.2.	Submittals
	602.3.	Quality Assurance
	602.4.	Delivery, Storage and Handling
	602.5.	Rehabilitation
	602.7.	Inspection and Testing
	602.8.	Measurement and Payment
	603.	**ABATEMENT OF COATINGS CONTAINING HEAVY METALS**
	603.1.	General
	603.2.	Job Plan
	603.3.	Testing
	603.4.	Monitoring
	603.5.	Protection

	603.6.	Lead-Based Coating Removal
	603.7.	Lead-Based Coating Encapsulation
	603.8.	Clean-Up and Disposal
	603.9.	Payment
	604.	**REMOVAL OF ASBESTOS-CEMENT PIPE (ACP)**
	604.1	General
	604.2	Job Plan
	604.3	Procedures
	604.4	Disposal
	604.5	Payment

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7.7 Division 700 Structures

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.7: Revisions to NCTCOG's Division 700 Structures

Revised	Standard Specification Item No.	Description
	701.	**GENERAL STRUCTURES**
	701.1.	Structural Wood Products
	701.2.	Structural Excavation
	701.3.	Structural Bolting
	702.	**CONCRETE STRUCTURES**
	702.1.	Description
	702.2.	Concrete Structure Materials
(1)	702.3.	Mix Design and Mixing Concrete for Structures
	702.4.	Mix Design and Mixing Lightweight Concrete for Structures
	702.5.	Constructing Concrete Structures
	702.6.	Pre-stressed Concrete for Structures
	702.7.	Pneumatically Placed Concrete (Gunite)
	702.8.	Drilled Shaft Foundations
	702.9.	Pre-cast and Cast-In-Place Concrete Units
	703.	**STEEL STRUCTURES**
	703.1.	Description
	703.2.	Materials for Steal Structures
	703.3.	Steel Structure Construction
	703.4.	Painting Metal Structures
	703.5.	Measurement and Payment
	704.	**PILING**
	704.1.	Piling Materials
	704.2.	Driving Piling
	704.3.	Penetration
	704.4.	Bearing Resistance
	704.5.	Constructing Cast-In-Place, Pre-stressed Concrete Piling
	704.6.	Measurement and Payment

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ITEM 702 CONCRETE STRUCTURES

702.3. Mix Design and Mixing Concrete for Structures

702.3.4. Quality of Concrete

702.3.4.2. Standard Classes

Add the following:

Type "G" Concrete: Min.- Sacks Cement per C.Y. – 7.0; min. 28-day Comp. Strength - 5,000 psi; Min. 7-day Strength 3600 psi; Max. Water Cement Ratio - 5.0; Course Aggregate 1-1/2”.

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7.8 Division 800 Miscellaneous Construction & Materials

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.8: Revisions to NCTCOG's Division 800 Miscellaneous Construction & Materials

Revised	Standard Specification Item No.	Description
	801.	**BARRIERS, WARNING & DEOUR SIGNS AND FENCES**
	801.1.	Barriers and Warning and Detour Signs
(1)	801.2.	Metal Beam Guard Fence
	801.3.	Railing
	801.4.	Chain Link Fence
(1)	801.5.	Wire Fence
	802.	**STEPS AND RETAINING WALLS**
	802.1.	Concrete Steps
	802.2.	Concrete Retaining Walls
	802.3.	Segmental Retaining Wall Systems
	802.4.	Cofferdams
	803.	**SLOPE AND CHANNEL PROTECTION**
	803.1.	Articulating Concrete Block
(1)	803.2.	Gabion Structures
(1)	803.3.	Riprap
	803.4.	Geotextiles Used in Drainage and Stabilization Applications
	804.	**PAINTING AND OTHER PROTECTIVE TREATMENTS; PAVEMENT MARKING**
	804.1.	Description
(2)	804.2.	Painting and Marking
	804.3.	Galvanizing
	804.4.	Measurement and Payment
	804.5.	Specialty Coatings
	805.	**ELECTRICAL COMPONENTS AND CONDUIT**
	805.1.	Description
	805.2.	General Requirements for Electrical Components

(1)	805.3.	Conduit Construction Methods
(1)	805.4.	Measurement and Payment
	806.	**METALS MATERIALS**
	806.1.	General
	806.2.	Structural Steel
	806.3.	Forgings
	806.4.	Castings
	806.5.	Copper
	806.6.	Bolts, Nuts and Washers
	806.7.	Measurement and Payment

801 BARRIERS, WARNING & DETOUR SIGNS, AND FENCES

801.1. Barriers and Warning And Detour Signs

Add the Following

Reflectorized marking for guard rail and other traffic control used shall meet the requirements of 3M Scotchlite Brand Reflective Sheeting Grade, Series 2800, 3800 or 5800, or equal. The marking shall conform to U.S. Department of Transportation, Federal Highway Administration, STANDARD SPECIFICATIONS FOR CONSTRUCTION OF ROADS AND BRIDGES ON FEDERAL HIGHWAY PROJECTS, 1979 FP-79, Type III A, Sections 633.36 and 718.01 and Federal Supply Service, General Services Administration, LS-300 C, SHEETING AND TAPE REFLECTIVE NON-EXPOSED LENS, Reflectivity 2, Class 4.

801.2. Metal Beam Guard Fence

Add the following:

Reflectorized Marking shall be applied to metal beam guardrail at locations shown on the plans. To apply properly, the following equipment and accessories are recommended:

a. Heat Activated Adhesive

(1) Heat lamp vacuum applicator with temperature control.

(2) Remove protective liner from adhesive and place glossy side of liner over the sign face. Sheeting and liner may require perforation to aid in air evaluation.

b. Pressure Sensitive Adhesive

(1) 48" Interstate Squeeze Roll Applicator.

(2) Hand application. To obtain maximum initial adhesion use firm pressure with 2" (5 cm) rubber roller or plastic squeeze. Multiple, heavy overlapping strokes should be used. Resqueeze all edges.

801.5. Wire Fencing

801.5.2. Material

Add the following:

801.5.2.1. Wire Fencing Fabric:

All chain link fencing shall be No. 9 gage copper bearing open-hearth steel wire.

801.5.2.2. Posts

801.5.2.2.1 Metal Posts

All posts shall be heavily galvanized by the hot-dip process after fabrication and shall be fitted with watertight malleable iron caps. All posts shall be of the following size and shape:

801.5.2.2.2. Line Posts

"H" Section hot rolled weighing not less than 4.10 pounds per linear foot or 3-1/2-inch O.D. pipe weighing not less than 3.65 pounds per linear foot.

801.5.2.2.3. Terminal Posts

Three inch (3") steel pipe weighing not less than 5.79 pounds per linear foot.

801.5.2.2.4. Gate Posts

Four inch (4") O.D. steel pipe weighing not less than 9.11 pounds per linear foot.

801.5.2.3. Rails, Gates, Braces and Fittings

Shall be 1-5/8 inch steel pipe weighing not less than 2.27 pounds per linear foot.

ITEM 803 SLOPE AND CHANNEL PROTECTION

803.2. Gabion Structures

803.2.2. Materials

803.2.2.1. Baskets

Add the sentence:

All wire used, including tie and connecting wire, shall be certified by Mill Test Reports showing compliance with specification requirements.

803.2.2.2. Stone

Add the following:

Facing stone shall be hand selected, large stone and shall be selected for best appearance. Facing stone shall be an off-white color and prior to laying the stone, samples shall be delivered to the site and shall be approved by the Engineer for gradation and appearance.

803.2.3. Gabion Construction

803.2.3.1. Geotextile Filter Layer

Add the following:

High strength permeable barrier fabric for use as a filter media, shall be placed along the earth side of the Gabion Structures. The permeable barrier fabric to be used shall be TREVIRA S1115 as manufactured by Hoechst Fibers Industries, Spartenburg, South Carolina; MIRAFI 140 Fabric, produced by Fiber Industries, Inc.; Bidim

U-14 as distributed by Quline Corporation, Houston, Texas, or approved equal.

803.3. Riprap

803.3.2. Riprap Materials

803.3.2.2. Stone

803.3.2.2.1. Types

Broken Concrete.

Delete this sub-section and replace with the following wording:

Broken concrete shall not be used for riprap.

ITEM 804 PAINTING AND OTHER PROTECTIVE TREATMENTS, PAVEMENT MARKINGS

804.2 Painting and Marking

804.2.3. Preparing Structures for Paint

804.2.3.1.Descaling, Cleaning and Preparation of Surfaces

Add the following:

Prior to painting concrete or masonry screening walls the concrete must be thoroughly cured and dry for proper adhesion of paint. Preparation of work shall include either of the following:

(1) The concert surface shall be thoroughly washed with a solution of one (1) gallon Muriatic Acid to ten (10) gallons H_2O (Caution: Always add acid to H_2O rather than H_2O to acid). Rinse thoroughly with clear water and paint while damp.

(2) Treatment of surface with masonry conditioner such as a clear alkali-resistant soya alkyd binder type sealer or as recommended by paint manufacturer.

804.2.5. Painting New Structures

804.2.5.5. Finish Coats

Add the following:

On masonry walls which are painted, the total dry film thickness shall be 6 mils (2 coats applied at 8 mils wet and spreading rate = 200 square feet per gallon based on 36% $\pm$ 2% Volume Solids). The thickness shall be tested using a Wet Film Thickness Gage.

804.2.6. Cleaning and Painting Existing Structures

Add the following:

Masonry walls which require repainting shall be sand blasted or cleaned with a power brush, removing all mastic, powdery, thick layered, peeling or heavily chalked old paint. Spot prime all bare areas with Masonry Conditioner. If old paint is a cement-based paint, apply Masonry Conditioner to entire surface and apply 2 coats of paint in accordance with 8.9.3 (k) above.

ITEM 805 ELECTRICAL COMPONENTS AND CONDUIT

805.3. Material

Add the following:

In the City of Rockwall, conduit for street lighting shall be 2 inch PVC pipe and for traffic control shall be 3-inch PVC pipe, meeting the requirements of Item 2.10, Electrical Components.

Add the following:

805.3.7. Pull Box.

All pull boxes shall be #36 supplied by Traffic Signal Equipment Company, Fort Worth, Texas or approved equal. Boxes shall be approximately 10 1/2"x17"x12" and shall be furnished with a concrete cover.

805.4 Conduit Construction Methods

Revise first sentence, third paragraph to read as follows:

All conduit shall be placed a minimum of thirty-six (36) inches below finish grade. Conduit in median shall be placed a minimum of thirty-six (36) inches below inside of curb as shown on plans.

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8. Special Provisions to the NCTCOG's Standard Drawings for Public Works Construction Standards

All work within the City of Rockwall shall conform to the standard drawings called out within this section. The City of Rockwall's Standard Drawing for Construction shall conform to Section II – Standard Drawings for North Central Texas Council of Governments Standard Specifications and Standard Drawings, November 2004, Fifth Edition.

The North Central Texas Standard Drawings shall be modified and clarified by the deletion, revision, and/or addition of the following drawings. Except when specifically stated, none of the standard drawings of the North Central Texas Standard Specifications shall be deleted.

8.1 Division 1000 Erosion and Sediment Control

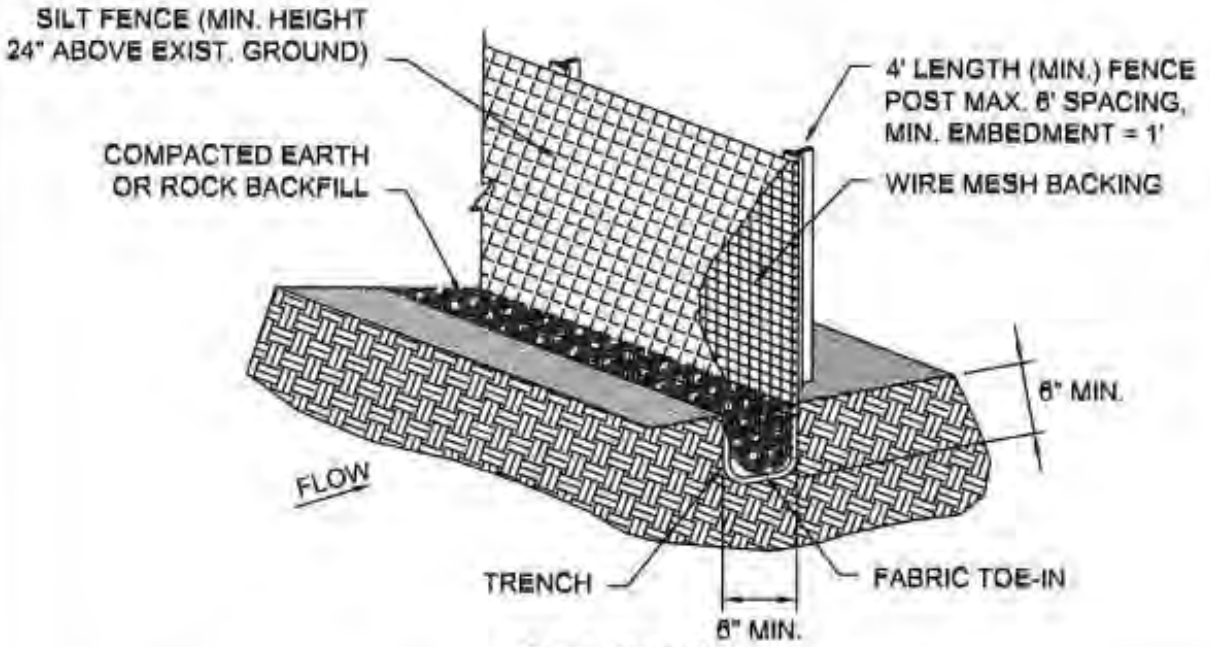
NOTE:
(1) Deleted NCTCOG Drawing
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

Table 9.1: Revisions to NCTCOG's Division 1000 Erosion and Sediment Control

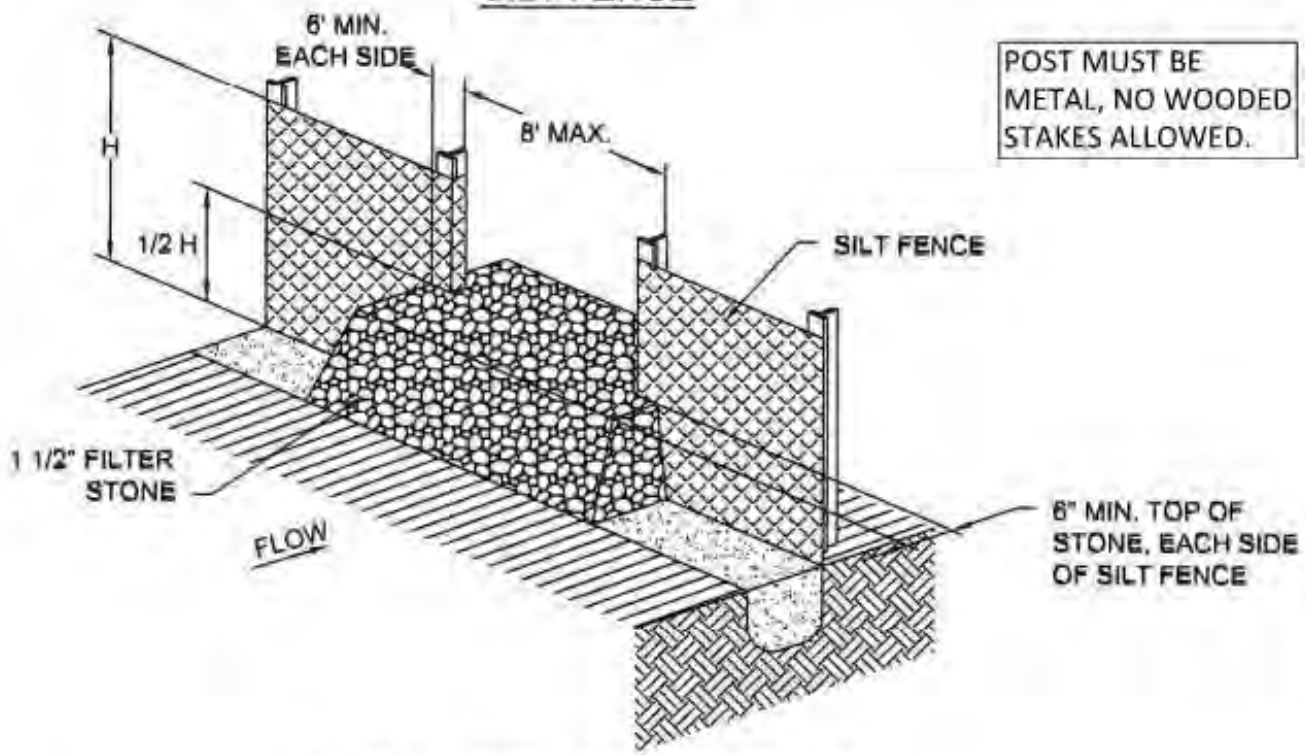
Revised	Drawing No.	Subject
	1010	RESERVED
(1)	~~1020A~~	~~Silt Fence~~
(3)	**R-1020A**	**Silt Fence**
(1)	~~1020B~~	~~Silt Fence – General Notes~~
(3)	**R-1020B**	**Silt Fence – General Notes**
	1030A	Interceptor Swale
	1030B	Interceptor Swale
	1040A	Diversion Dike
	1040B	Diversion Dike
	1050A	Triangular Sediment Filter Dike
	1050B	Triangular Sediment Filter Dike
	1060A	Rock Check Dam
(1)	~~1060B~~	~~Rock Check Dam~~
(3)	**R-1060B**	**Rock Check Dam**
(1)	~~1070A~~	~~Stabilized Construction Entrance~~
(3)	**R-1070A**	**Stabilized Construction Entrance**
(1)	~~1070B~~	~~Stabilized Construction Entrance~~
(3)	**R-1070B**	**Stabilized Construction Entrance**

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Revised	Drawing No.	Subject
	1080A	Sandbag Check Dam
	1080B	Sandbag Check Dam
(1)	~~1090~~	~~Stone Outlet – Sediment Trap~~
(3)	**R-1090**	**Stone Outlet – Sediment Trap**
	1100	Pipe Outlet – Sediment Basin
	1110	Pipe Slope Drain
	1120	Inlet Protection – Filter Barrier
(1)	~~1130~~	~~Inlet Protection-Drop – Block and Gravel~~
(1)	~~1140~~	~~Inlet Protection-Curb – Block and Gravel~~
	1150	Inlet Protection – Excavated Impoundment
	1160A	Erosion Control Blankets
	1160B	Erosion Control Blankets



SILT FENCE



POST MUST BE METAL, NO WOODED STAKES ALLOWED.

STONE OVERFLOW STRUCTURE

SILT FENCE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE: 202.5 *	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-1020A

SILT FENCE GENERAL NOTES:

1. POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POST MUST BE EMBEDDED A MINIMUM OF ONE FOOT.

2. THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. WHERE FENCE CANNOT BE TRENCHED IN (e.g. PAVEMENT), WEIGHT FABRIC FLAP WITH ROCK ON UPHILL SIDE TO PREVENT FLOW FROM SEEPING UNDER FENCE.

3. THE TRENCH MUST BE A MINIMUM OF 6 INCHES DEEP AND 6 INCHES WIDE TO ALLOW FOR THE SILT FENCE FABRIC TO BE LAID IN THE GROUND AND BACKFILLED WITH COMPACTED MATERIAL.

4. SILT FENCE SHOULD BE SECURELY FASTENED TO EACH SUPPORT POST OR TO WIRE BACKING, WHICH IN TURN IS ATTACHED TO THE FENCE POST. THERE SHALL BE A 3 FOOT OVERLAP, SECURELY FASTENED WHERE ENDS OF FABRIC MEET.

5. INSPECTION SHALL BE AS SPECIFIED IN THE SWPPP. REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.

6. SILT FENCE SHALL BE REMOVED WHEN FINAL STABILIZATION IS ACHIEVED OR ANOTHER EROSION OR SEDIMENT CONTROL DEVICE IS EMPLOYED.

7. ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF HALF THE HEIGHT OF THE FENCE. THE SILT SHALL BE DISPOSED OF AT AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CONTRIBUTE TO ADDITIONAL SILTATION.

8. FILTER STONE SHALL BE WRAPPED IN FILTER FABRIC AND BURIED SIX (6") INCHES MINIMUM.

SILT FENCE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE: 202.5 *	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-1020B

ROCK CHECK DAM GENERAL NOTES:

1. STONE SHALL BE WELL GRADED WITH SIZE RANGE FROM 1½ TO 3½ INCHES IN DIAMETER DEPENDING ON EXPECTED FLOWS.

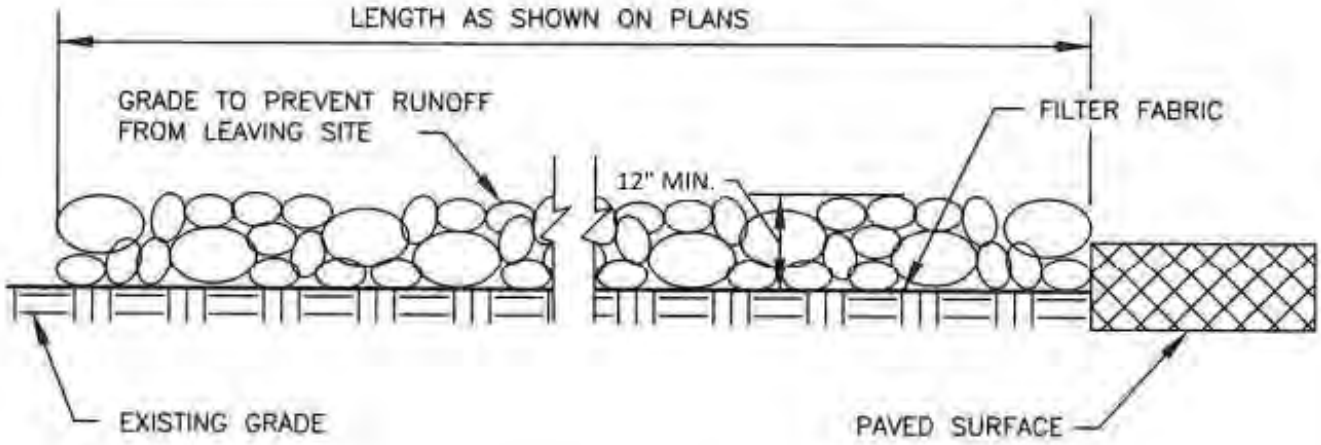
2. THE CHECK DAM SHALL BE INSPECTED AS SPECIFIED IN THE SWPPP AND SHALL BE REPLACED WHEN THE STRUCTURE CEASES TO FUNCTION AS INTENDED DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.

3. WHEN SILT REACHES A DEPTH EQUAL TO ONE-THIRD OF THE HEIGHT OF THE CHECK DAM OR ONE FOOT, WHICHEVER IS LESS, THE SILT SHALL BE REMOVED AND DISPOSED OF PROPERLY.

4. WHEN THE SITE HAS ACHIEVED FINAL STABILIZATION OR ANOTHER EROSION OR SEDIMENT CONTROL DEVICE IS EMPLOYED, THE CHECK DAM AND ACCUMULATED SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED MANNER.

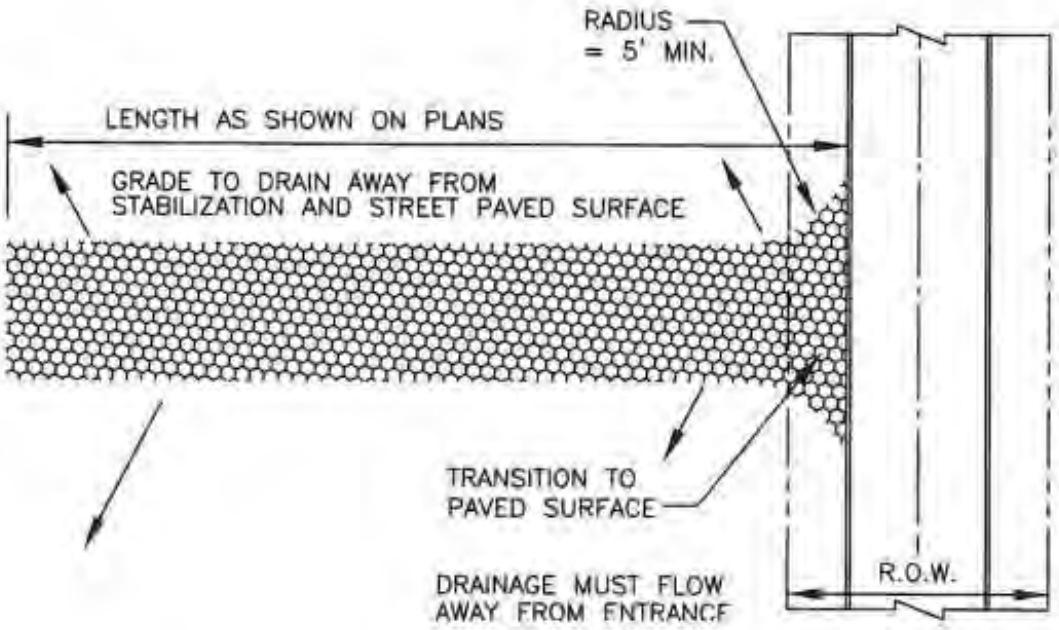
5. FILTER STONE SHALL BE WRAPPED IN APPROPRIATE SIZED WIRE MESH TO CONTAIN STONE AND BURIED SIX (6") INCHES MINIMUM.

ROCK CHECK DAM	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 202.9*	
		DATE Mar. 2018	STANDARD DRAWING NO. R-1060B



PROFILE VIEW

N.T.S.



PLAN VIEW

N.T.S.

Note: No crushed concrete allowed.

STABILIZED CONSTRUCTION ENTRANCE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 202.II *	
		DATE Mar. 2018	STANDARD DRAWING NO. R-1070A

STABILIZED CONSTRUCTION ENTRANCE GENERAL NOTES:

1. STONE SHALL BE 4 TO 6 INCH DIAMETER COARSE AGGREGATE.

2. MINIMUM LENGTH SHALL BE 50 FEET AND WIDITH SHALL BE 20 FEET.

3. THE THICKNESS SHALL NOT BE LESS THAN 12 INCHES.

4. THE WIDTH SHALL BE NO LESS THAN THE FULL WIDTH OF ALL POINTS OF INGRESS OR EGRESS.

5. WHEN NECESSARY, VEHICLES SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO A PUBLIC ROADWAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE WITH DRAINAGE FLOWING AWAY FROM BOTH THE STREET AND THE STABILIZED ENTRANCE. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING ANY STORM DRAIN, DITCH OR WATERCOURSE USING APPROVED METHODS.

6. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PAVED SURFACES. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND. ALL SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO PAVED SURFACES MUST BE REMOVED IMMEDIATELY.

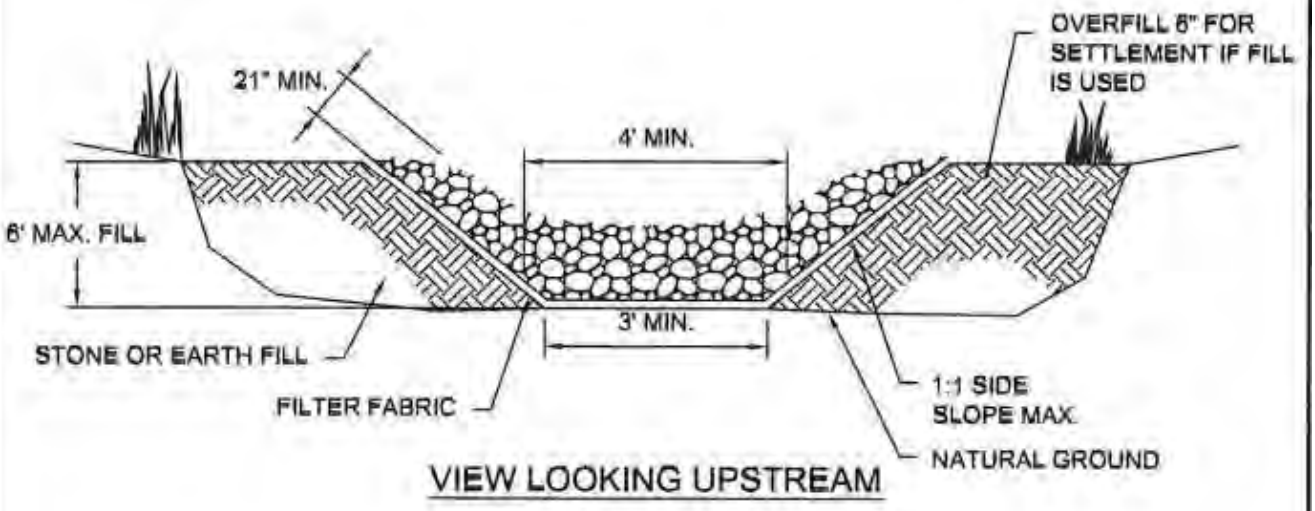
7. THE ENTRANCE MUST BE PROPERLY GRADED OR INCORPORATE A DRAINAGE SWALE TO PREVENT RUNOFF FROM LEAVING THE CONSTRUCTION SITE.

8. PREVENT SHORTCUTTING OF THE FULL LENGTH OF THE CONSTRUCTION ENTRANCE BY INSTALLING BARRIERS AS NECESSARY.

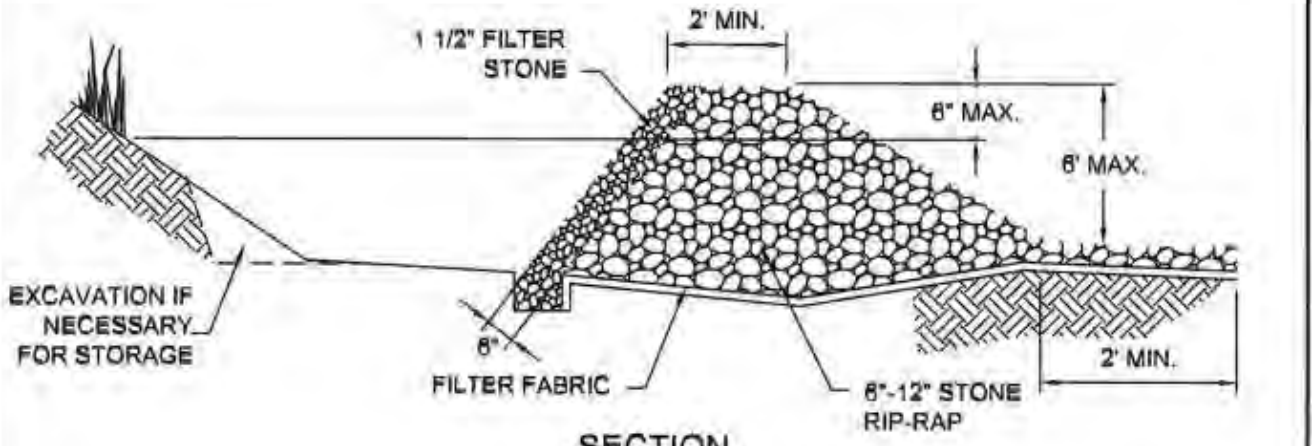
9. INSPECTION SHALL BE AS SPECIFIED IN THE SWPPP.

10. NO CRUSHED CONCRETE ALLOWED.

STABILIZED CONSTRUCTION ENTRANCE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 202.11 *	
		DATE Mar. 2018	STANDARD DRAWING NO. R-1070B



VIEW LOOKING UPSTREAM



SECTION

NOTE: FILTER STONE SHALL BE WRAPPED IN APPROPRIATE SIZED WIRE MESH TO CONTAIN STONE.

STONE OUTLET SEDIMENT TRAP	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 202.12 *	
		DATE Mar. 2018	STANDARD DRAWING NO. R-1090

8.2 Division 2000 Pavement Systems

NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

Table 9.2: Revisions to NCTCOG's Division 2000 Pavement Systems

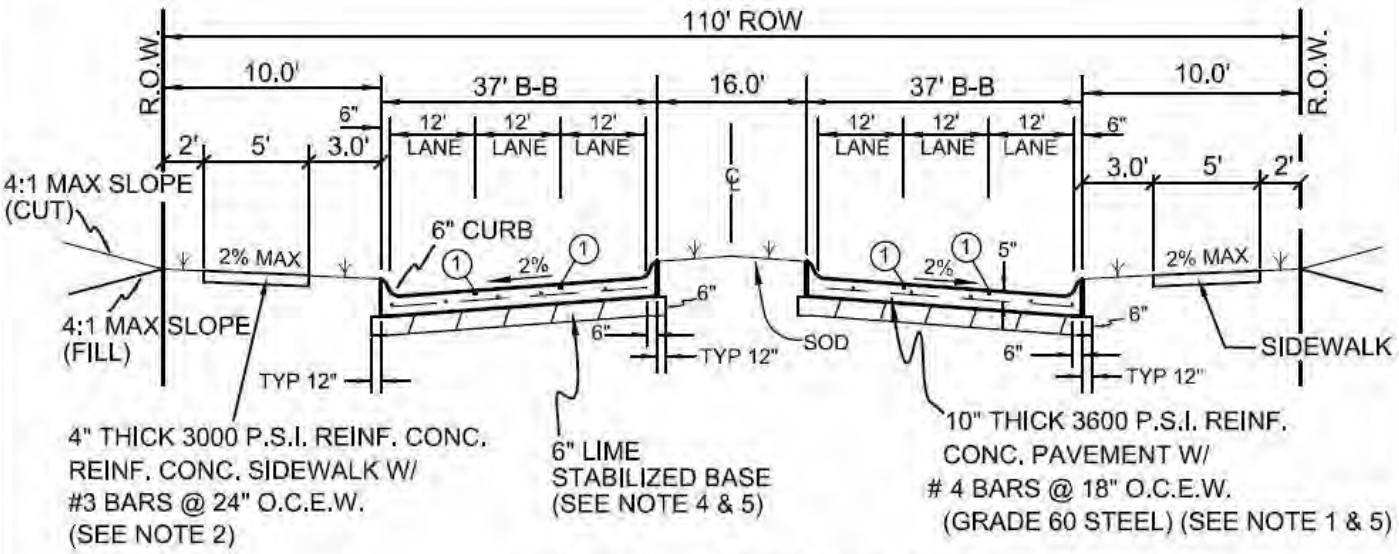
Revised	Drawing No.	Subject
(1)	~~*2010*~~	~~*Reinforced Concrete Pavement – Six Lane Divided Thoroughfare*~~
(3)	**R-2010**	**Reinforced Concrete Pavement – (P6D) Principal Arterial Divided 6-Lane**
(1)	~~*2020*~~	~~*Reinforced Concrete Pavement – Four Lane Divided Thoroughfare*~~
(3)	**R-2020**	**Reinforced Concrete Pavement – (M4D) Minor Arterial Divided 4-Lane**
(1)	~~*2030*~~	~~*Reinforced Concrete Pavement – 2- & 4- Undivided Thoroughfare*~~
(3)	**R-2030**	**Reinforced Concrete Pavement – (M4U) Major Collector Undivided 4-Lane**
(3)	**R-2031**	**Reinforced Concrete Pavement – Minor Collector/Local Commercial**
(3)	**R-2032**	**Reinforced Concrete Pavement – (M3U) Minor Collector – 2 Lane with Continuous Left Turn Lane**
(3)	**R-2033**	**Reinforced Concrete Pavement – Local Residential Street**
(1)	~~*2040*~~	~~*Reinforced Concrete Pavement - Alleys*~~
(3)	**R-2040**	**Reinforced Concrete Pavement – Alleys**
(3)	**R-2041**	**Reinforced Concrete Pavement – Fire Lane**
(1)	~~2050~~	~~Reinforced Concrete Pavement - Joints~~
(3)	**R-2050**	**Reinforced Concrete Pavement - Joints**
(3)	**R-2051**	**Reinforced Concrete Pavement – Longitudinal Butt Joint**
	2060	Reinforced Concrete Pavement – Transverse Joint Spacing
(1)	~~2070~~	~~Reinforced Concrete Pavement – Street Headers~~
(3)	**R-2070**	**Reinforced Concrete Pavement – Street Headers**
	2080	Reinforced Concrete Pavement – Bridge Approach Slab
(1)	~~2090~~	~~Hot Mix Asphalt Pavement – Six Lane Divided Thoroughfare~~
(1)	~~2100~~	~~Hot Mix Asphalt Pavement – Four Lane Divided Thoroughfare~~
(1)	~~2110~~	~~Hot Mix Asphalt Pavement – 2- & 4- Undivided Thoroughfare~~

City of Rockwall
The New Horizon

Revised	Drawing No.	Subject
	2120	Concrete Curb and Gutter – Integral, Separate, and Doweled
(1)	~~2125A-2125B~~	~~Curb Ramps~~
(3)	R-2125A-R-2125D	Directional Curb Ramp
(4)		TxDOT: PED-18: Pedestrian Facilities – Curb Ramps
(1)	~~2130~~	~~Median Island Pavement – Nose & Left Turn Lane~~
(3)	R-2130	Median Island Pavement – Nose & Left Turn Lane
(1)	~~2140~~	~~Median Island Pavement – Monolithic Concrete Nose~~
(3)	R-2140	Median Island Pavement – Monolithic Concrete Nose
(1)	~~2150A-2150B~~	~~Driveway Approach – Flared Return Type~~
(1)	~~2155~~	~~Driveway Approach – Radius Return Type~~
(3)	R-2150	Driveway Detail – Residential Driveway
(1)	~~2160~~	~~Alley Approach – Radius Return Type~~
(3)	R-2160	Alley Approach – Radius Return Type
(1)	~~2170~~	~~Reinforced Concrete Sidewalks – Joints and Spacing~~
(3)	R-2170	Reinforced Concrete Sidewalks – Joints and Spacing
(1)	~~2180~~	~~Reinforced Concrete Retaining Wall - Integral With Sidewalk~~
(3)	R-2180	Reinforced Concrete Retaining Wall - Integral With Sidewalk
(1)	~~2190~~	~~Pavement Systems – General Notes~~
(3)	R-2190	Pavement Systems – General Notes
	2200	Subdrains – Pavement Subgrade
(1)	~~2210~~	~~Alley Geometrics – Type "A": & Type "B"~~
(3)	R-2210	Alley Geometrics – Type "A": & Type "B"
(1)	~~2220~~	~~Alley Geometrics - Type "C": & Type "D"~~
(3)	R-2220	Alley Geometrics - Type "C": & Type "D"
(1)	~~2230~~	~~Alley Geometrics - Type "E": & Type "F"~~
(3)	R-2230	Alley Geometrics - Type "E": & Type "F"
(1)	~~2240~~	~~Alley Geometrics - Type "G": & Type "H"~~
(3)	R-2240	Alley Geometrics - Type "G": & Type "H"
(1)	~~2250~~	~~Alley Geometrics - Type "J"~~
(3)	R-2250	Alley Geometrics - Type "J"
(3)	R-2251	Alley Geometrics – Alley Warping at Inlet
	2260	Alley Intersection – Proposed to Existing
(3)	R-2270	Left Turn Lane – Concrete Removal & Replacement
(1)	~~2270A~~	~~Metal Beam Guard Fence – Roadside Placement & Beam Elements~~
(1)	~~2270B~~	~~Metal Beam Guard Fence – Line Post & Connections~~
(1)	~~2270C~~	~~Metal Beam Guard Fence – End Section & Angle Anchor Post~~
(1)	~~2270D~~	~~Metal Beam Guard Fence – Special End Shoe & Anchor~~

City of Rockwall
The New Horizon

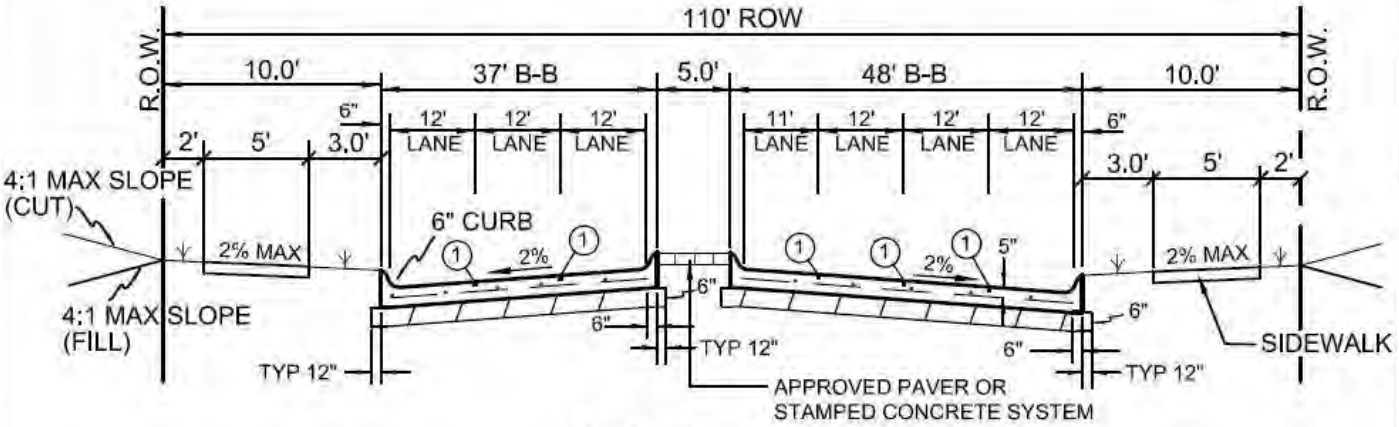
Revised	Drawing No.	Subject
		~~*Post*~~
(1)	~~*2270E*~~	~~*Metal Beam Guard Fence – General Notes*~~
(1)	~~*2280A*~~	~~*Metal Beam Guard Fence – Two-Way Traffic Bridge End*~~
(1)	~~*2280B*~~	~~*Metal Beam Guard Fence – Two-Way Traffic Bridge End*~~
(4)		**TxDOT: Metal Beam Guard Fence**
	2290	Metal Beam Guard Fence – End of Road
(3)	**R-2300**	**Street Regulatory Sign - Street Name Blades**
(3)	**R-2310**	**Illuminated Street Name Sign – ILSN Sign Detail**
(3)	**R-2320**	**Raised Pavement Markings – Lane Lines**
(3)	**R-2330**	**Raised Pavement Markings – Chevron and Crosshatch**
(3)	**R-2340**	**Raised Pavement Markings – Intersection Approach**
(3)	**R-2350**	**Type C Intersection – Right Lane Drop Markings**
(3)	**R-2360**	**Typical Thoroughfare Layouts**
(3)	**R-2370**	**Typical Crosswalk Layouts**
(3)	**R-2380**	**Typical Crosswalk and Dashed Markings**
(3)	**R-2390**	**Chevron Striping**
(3)	**R-2400**	**Diagonal Crosshatch Striping**



110' ROW – Principal 6 Lane Divided Arterial Regular Section

(Not to Scale)

① SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT



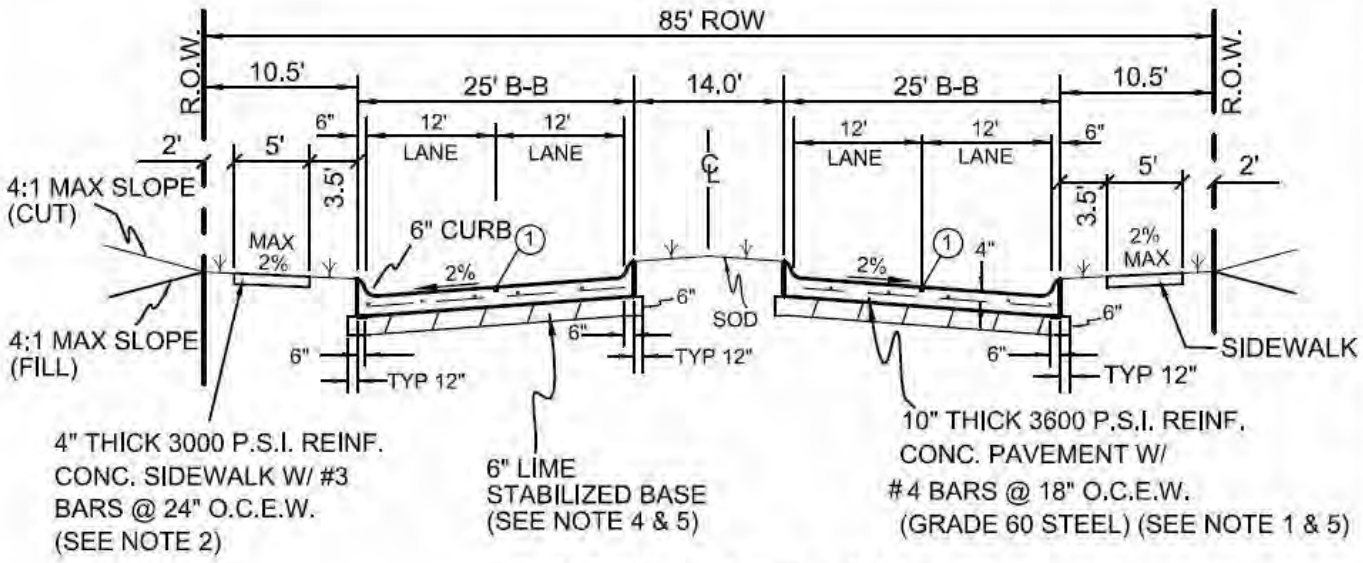
Left Turn Section

(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6.0 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compact to 95% standard density.
5. Paving Section design shall be based off the 30 year projected traffic volumes and geotechnical analysis/report.

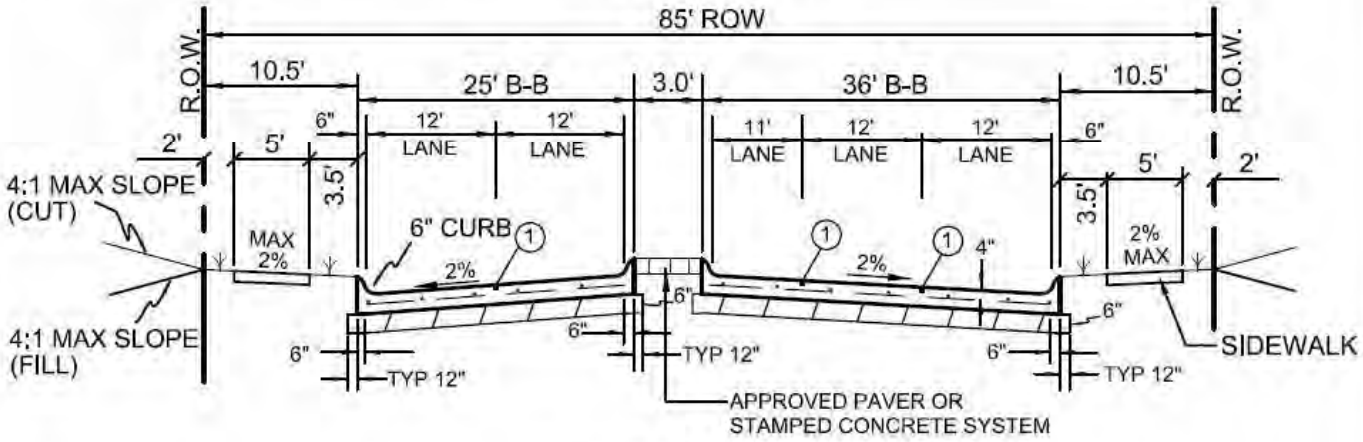
REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL		
(P6D) PRINCIPAL ARTERIAL DIVIDED 6-LANE		DATE AUG. '15	DRAWING NO. R-2010



1 SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT

85' ROW – Minor 4 Lane Divided Arterial Regular Section

(Not to Scale)



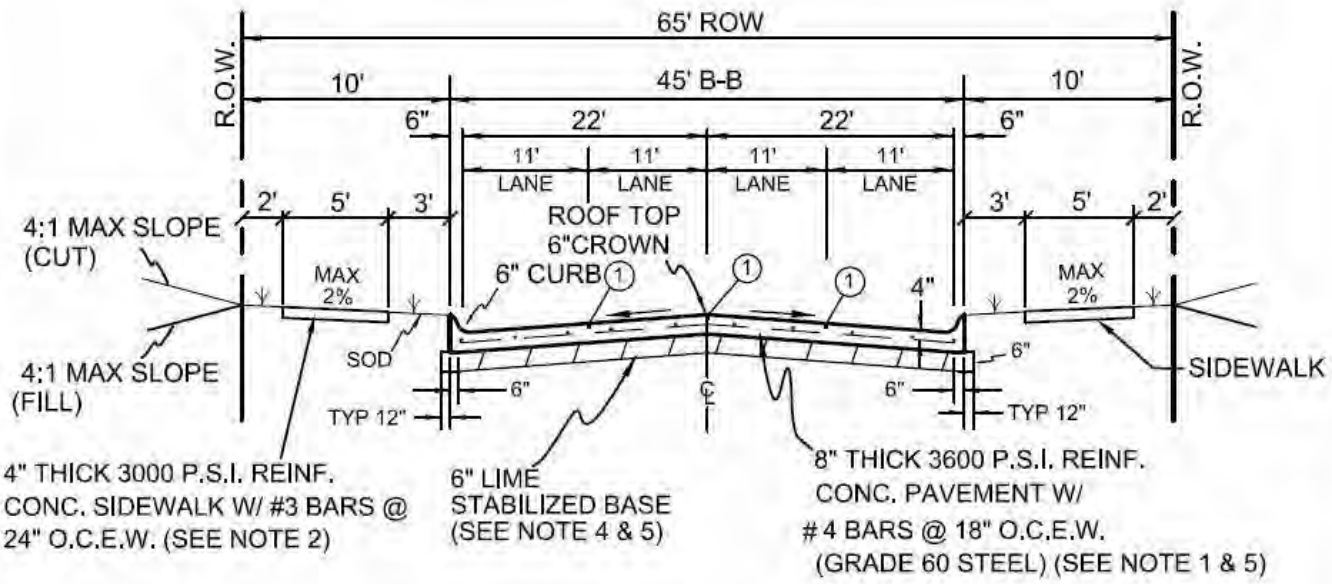
Left Turn Section

(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.
5. Paving Section design shall be based off the 30 year projected traffic volumes and geotechnical analysis/report.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
(M4D) MINOR ARTERIAL DIVIDED 4–LANE		DATE AUG. '15 / DRAWING NO. R–2020



① SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT

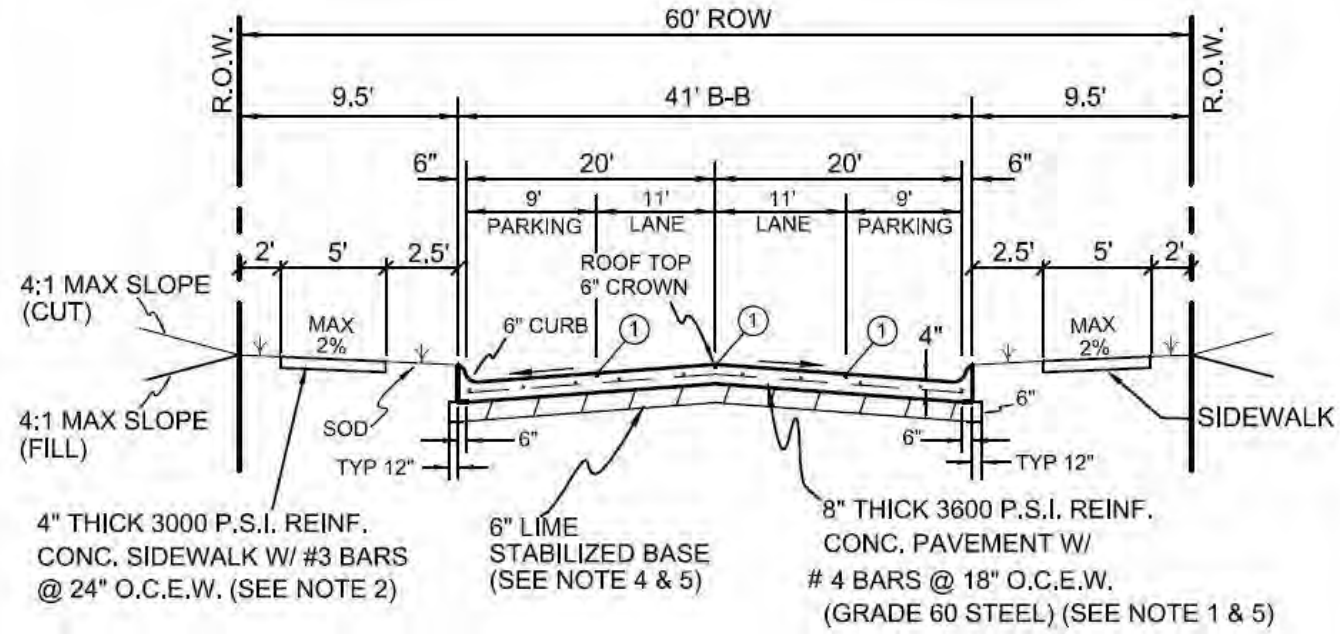
65' ROW – Major 4 Lane Undivided Collector

(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.
5. Paving Section design shall be based off 30 year projected traffic volumes and geotechnical analysis/report.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
(M4U) MAJOR COLLECTOR UNDIVIDED 4–LANE		DATE AUG. '15 / DRAWING NO. R–2030



(1) SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT

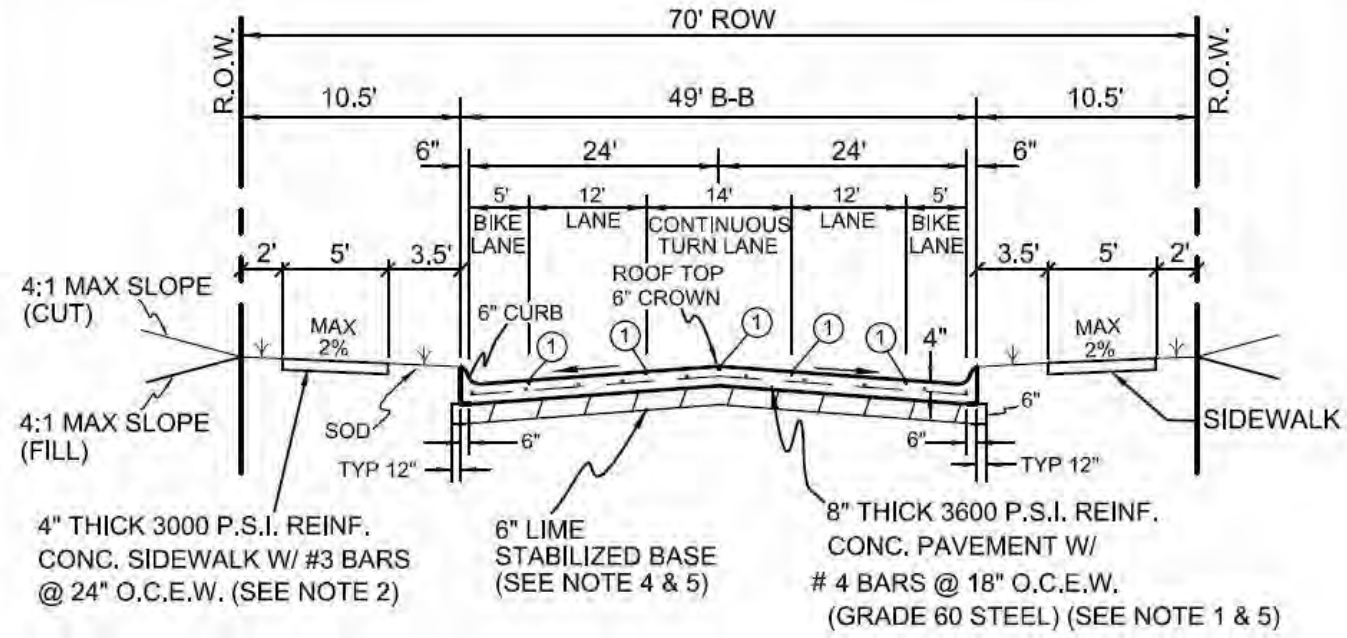
60' ROW – Minor Collector and or Local Commercial

(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.
5. Paving Section design shall be based off the 30 year traffic volumes and geotechnical analysis/report.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
MINOR COLLECTOR/LOCAL COMMERCIAL		DATE AUG. '15 / DRAWING NO. R-2031

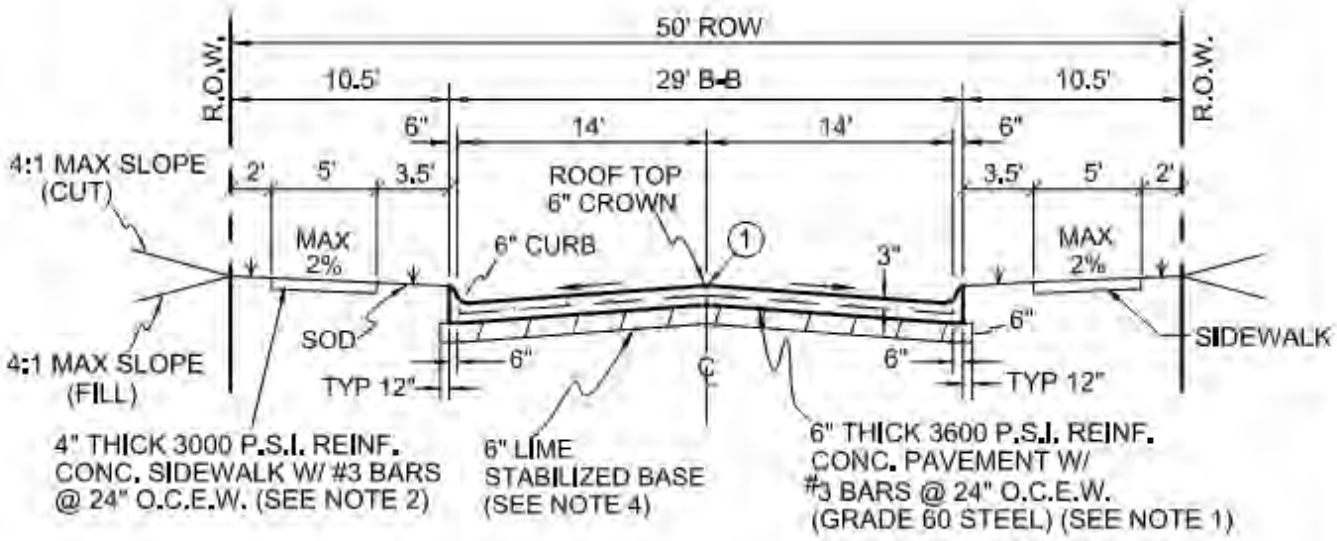


70' ROW – Minor Collector
2 Lane with Continuous Left Turn Lane
(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.
5. Paving Section design shall be based off the 30 year projected traffic volumes and geotechnical analysis/report.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
(M3U) MINOR COLLECTOR – 2 LANE WITH CONTINUOUS LEFT TURN LANE		DATE AUG. '15 / DRAWING NO. R–2032



(1) SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT

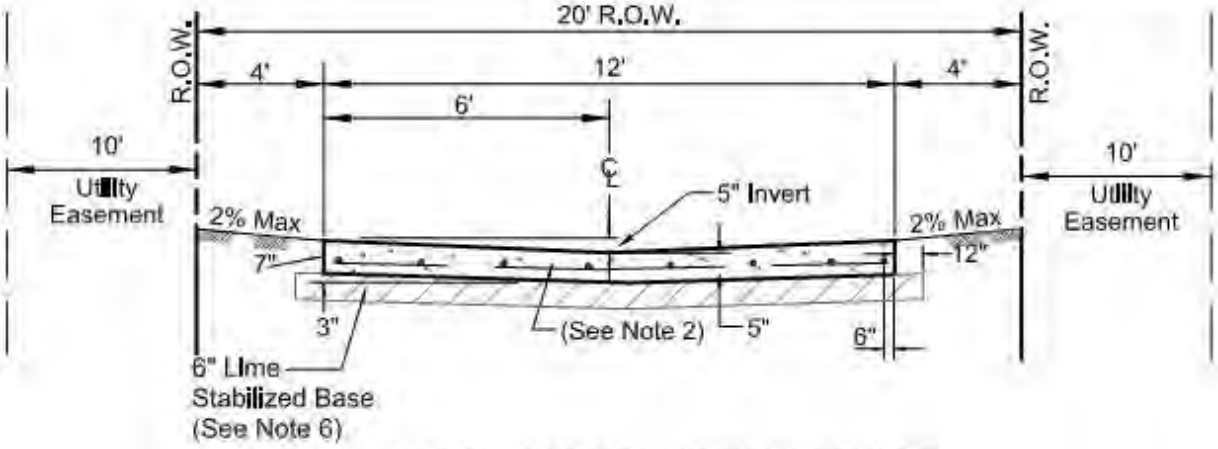
50' R.O.W. Residential Street

(Not to Scale)

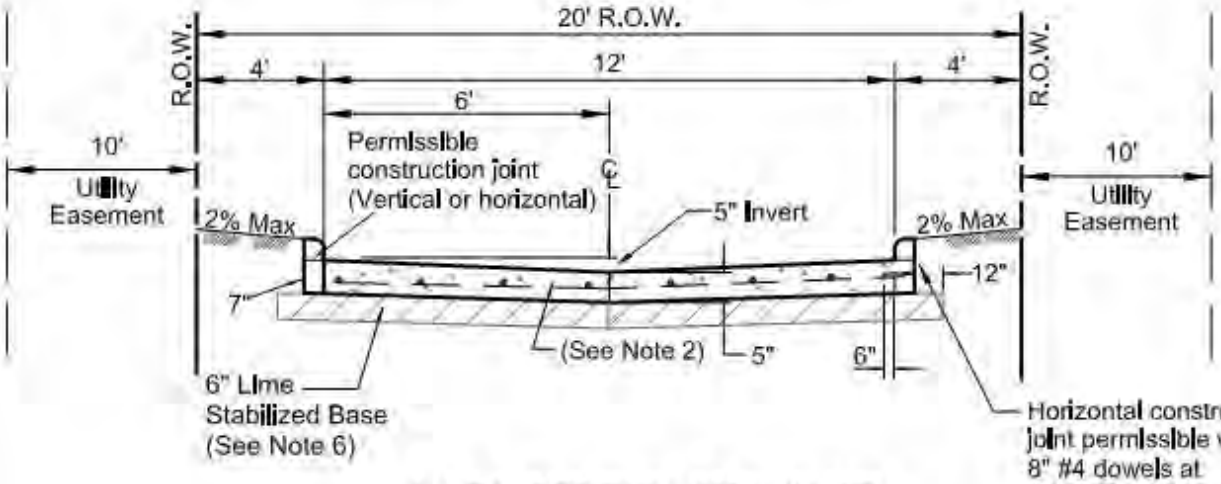
NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
LOCAL RESIDENTIAL STREET		DATE: AUG. '19 / DRAWING NO: R-2033



ALLEY SECTION WITHOUT CURB
(Not to Scale)

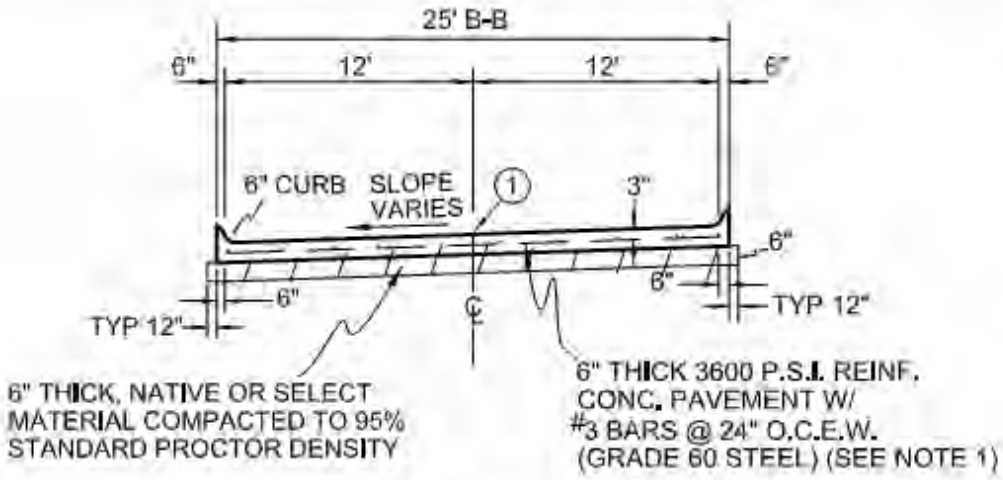


ALLEY SECTION WITH CURB
(Not to Scale)

NOTES:

1. Provide sawed transverse contraction joints not more than 20' C-C.
2. Reinforced with no. 3 bars at 24" C-C both ways.
3. Expansion joints to be placed at all intersections and not to exceed 600' between joints.
4. Concrete shall be 7"-5"-7" Thick 3,600 P.S.I., Alley cement content shall be min. 6.0 sack for machine placed and 6.5 sack mix for hand placed.
5. No sand allowed under pavement.
6. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.

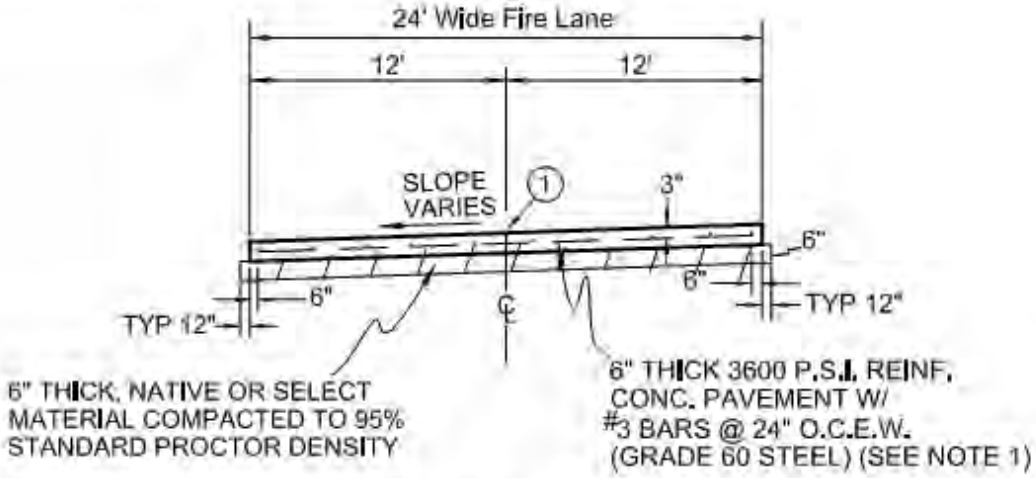
REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
ALLEYS		DATE: AUG '19 / DRAWING NO.: R-2040



24' Wide Fire Lane with Curbs

(Not to Scale)

(1) SAWED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT



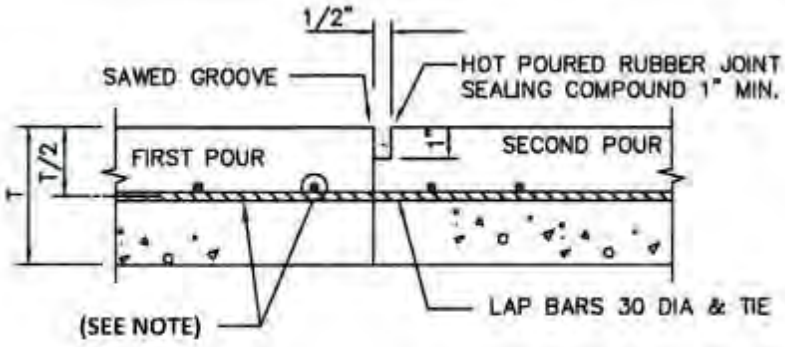
24' Wide Fire Lane

(Not to Scale)

NOTES:

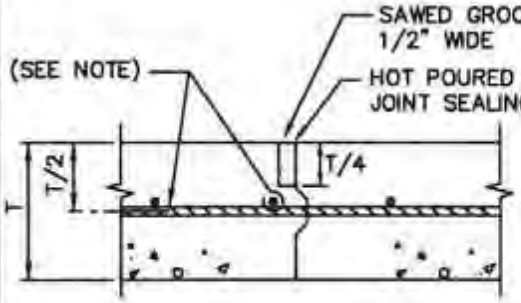
1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
FIRE LANE		DATE: AUG. '19 / DRAWING NO.: R-2041



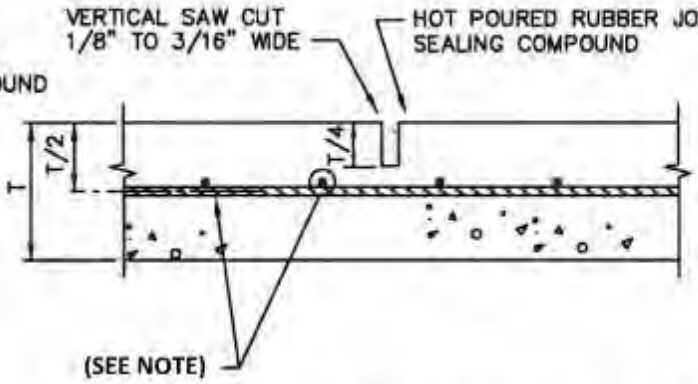
CONSTRUCTION JOINT

N.T.S.



KEYWAY JOINT

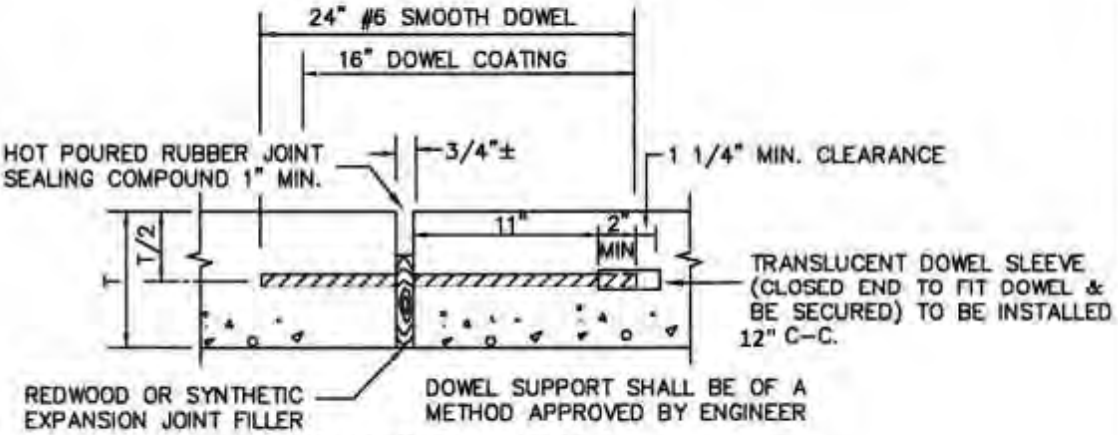
(FOR PAVEMENT THICKNESS > 6")
N.T.S.



SAWED CONTRACTION JOINT

N.T.S.

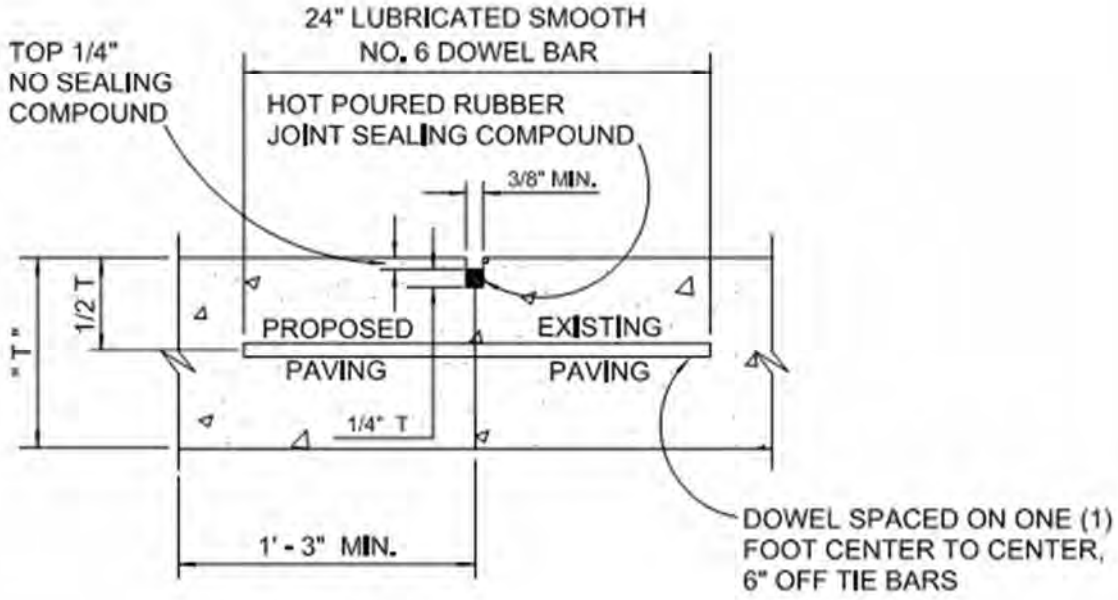
NOTE:
REINFORCING SHALL BE - #3 BARS AT 24" FOR 6" THICK PAVEMENT AND LESS. #4 BARS AT 18" FOR 8" THICK PAVEMENT AND GREATER.



EXPANSION JOINT

(SPACED 600 FT. MAXIMUM; LOCATE AT STRUCTURES AND AT INTERSECTION P.C.'S & P.T.'S)
N.T.S.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5.4.	
JOINTS		DATE Mar. 2018	STANDARD DRAWING NO. R-2050

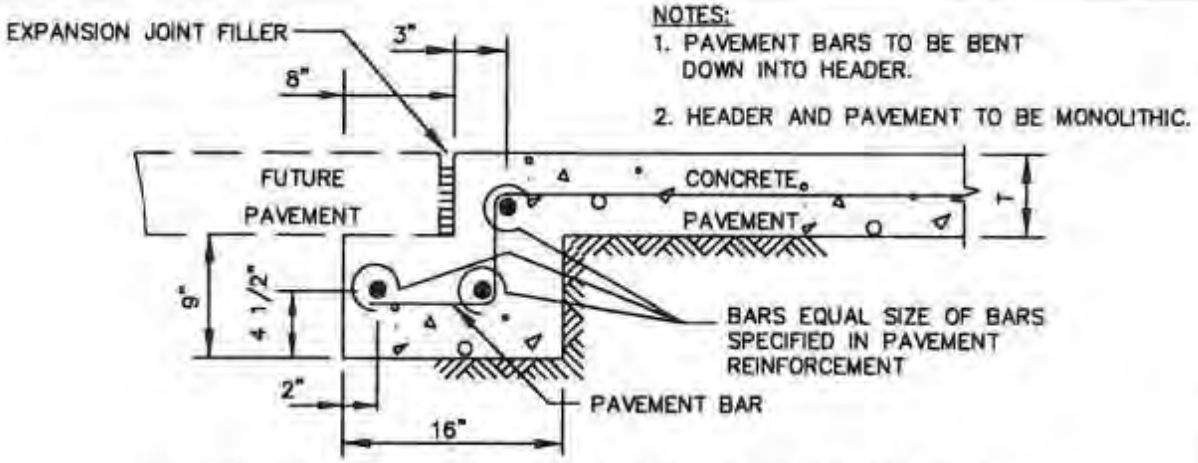


NOTES: T = PAVEMENT

1. LONGITUDINAL BUTT CONSTRUCTION MAY BE UTILIZED IN PLACE OF LONGITUDINAL HINGED (KEYWAY) JOINT AT CONTRACTORS OPTION.
2. DOWEL BARS SHALL BE DRILLED INTO PAVEMENT HORIZONTALLY BY USE OF A MECHANICAL RIG.
3. DRILLING BY HAND IS NOT ACCEPTABLE, PUSHING DOWEL BARS INTO GREEN CONCRETE NOT ACCEPTABLE.

LONGITUDINAL BUTT JOINT
NOT TO SCALE

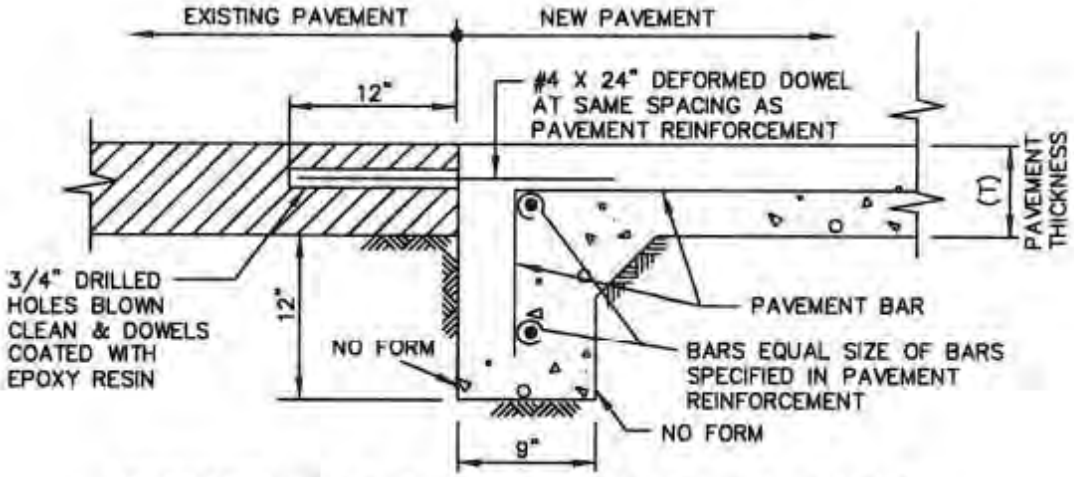
REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
LONGITUDINAL BUTT JOINT		DATE: OCT. '17 / DRAWING NO.: R-2051



NOTES:
1. PAVEMENT BARS TO BE BENT DOWN INTO HEADER.
2. HEADER AND PAVEMENT TO BE MONOLITHIC.

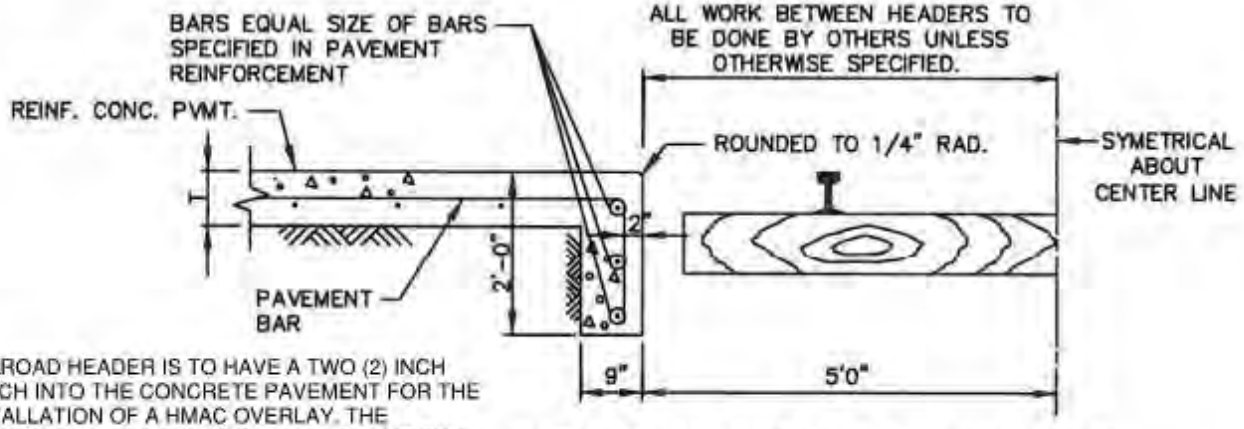
STREET HEADER FOR FUTURE PAVEMENT

N.T.S.



STREET HEADER AT EXISTING PAVEMENT

N.T.S.



RAILROAD HEADER IS TO HAVE A TWO (2) INCH NOTCH INTO THE CONCRETE PAVEMENT FOR THE INSTALLATION OF A HMAC OVERLAY. THE CONCRETE UNDER THE HMAC IS TO BE THE FULL STREET THICKNESS. THE NOTCH SHOULD START AT THE END OF THE PAVEMETN AND GO TWENTY (20) FEET UP THE ROAD AWAY FROM THE CROSSING.

STREET HEADER AT RAILROAD

N.T.S.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 305.4	
STREET HEADERS		DATE Mar. 2018	STANDARD DRAWING NO. R-2070

EJ – Expansion Joint *(See 2170MA for more details)*

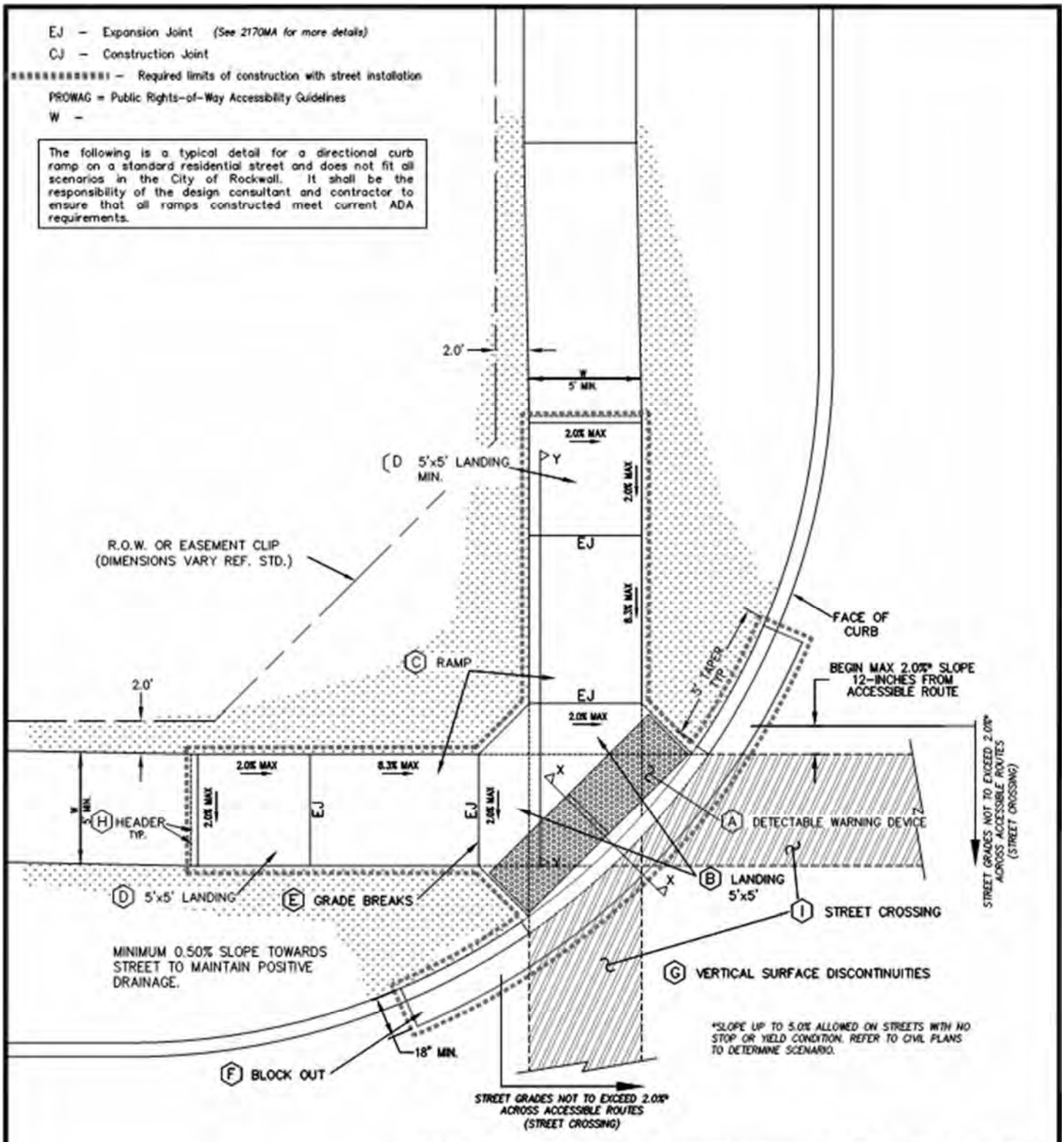
CJ – Construction Joint

▪▪▪▪▪▪▪▪▪▪▪▪▪▪ – Required limits of construction with street installation

PROWAG = Public Rights-of-Way Accessibility Guidelines

W –

The following is a typical detail for a directional curb ramp on a standard residential street and does not fit all scenarios in the City of Rockwall. It shall be the responsibility of the design consultant and contractor to ensure that all ramps constructed meet current ADA requirements.



NOTES: All newly constructed sidewalks, curb ramps and crosswalks installed within City of Rockwall public rights-of-way shall be considered a pedestrian access route and shall conform to the most current "Draft" Guidelines for Public Rights-of-Way created by the United States Access Board.

1. SEE DETAIL R-2125B FOR RAMP FEATURE DESCRIPTIONS
2. SEE DETAIL R-2125C FOR SECTIONS X-X AND Y-Y
3. SEE DETAIL R-2125D FOR ADDITIONAL NOTES

DIRECTIONAL CURB RAMP	CITY OF ROCKWALL	DATE	DRAWING NO.
		MAR. '17	R-2125A

A. Detectable Warning Devices (DWD) shall be pre-manufactured cast-in-place truncated dome plates installed to the manufacturer's specifications, and shall meet all ADA requirements. No Brick Pavers allowed. Color to be approved by the City. DWD shall be 24 inches in length for the full width of the street connection starting at the back of curb. A maximum 2-inch border shall be allowed on the sides of the DWD for proper installation.

B. Also known as "Clear Space" per ADA PROWAG, the City requires a minimum landing space of 5-foot by 5-foot at the bottom of every ramp. This landing space shall have a cross slope in both directions that does not exceed 2.0% and shall be wholly outside the parallel vehicular travel path.

C. The ramp component of the directional curb ramp shall have a continuous longitudinal slope more than 5% and less than 8.3%. The ramp shall also have a cross slope of no more than 2.0%. Length of ramp can vary, but shall not exceed 15 feet to achieve desired elevation change.

D. Also known as "Turning Space" per ADA PROWAG, a minimum landing space of 5-foot by 5-foot shall be at the top of every ramp. This landing (turning) space shall have a cross slope in both directions that does not exceed 2.0%. Landing must match width of sidewalk and length shall be the same distance ("Squared" Landing).

E. All curb ramps shall have grade breaks at the top and bottom that are perpendicular to the direction of the ramp run. Where the ends of the bottom grade break are less than or equal to 5 feet, the DWD shall be placed within the ramp at the bottom grade break. Where either end of the bottom grade break is greater than 5 feet, the DWD shall be placed behind the back of the curb.

F. Paving contractor shall leave block out with a keyway joint installed, minimum of 18 inches measured from back of curb. Block out shall be poured monolithically with Curb Ramp. Concrete shall tie to street paving with a keyway joint per NCTCOG detail 2050. No curb shall be constructed where a DWD is provided. The curb on either side shall have a typical 5 foot taper to transition from the standard 6-inch curb height to be flush with ramp.

G. All work associated with accessible routes shall be installed flush with all features to minimize vertical surface discontinuities. Each segment along accessible route shall be flush with no more (zero tolerance) than a ¼-inch grade separation (elevation difference), or ½-inch grade separation if beveled (bevel slope shall not be steeper than 50%).

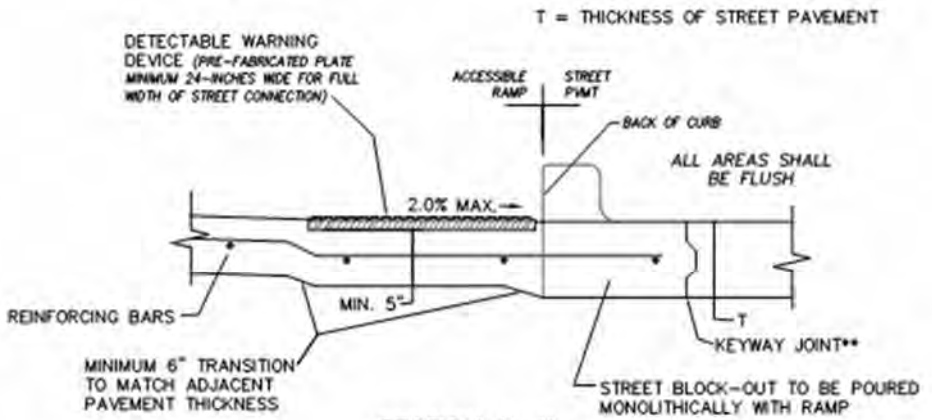
H. A sidewalk header shall be constructed at ends of all work performed.

I. Street crossings shall adhere to same guidelines as other accessible routes within public right-of-way, and shall be for the full width of the in-line accessible route. Cross slope shall not exceed 2%*. New street construction shall incorporate all ADA design requirements. It shall be the responsibility of the Design Professional and Contractor to ensure all street crossings meet the requirements of PROWAG. Street alterations on existing streets to bring to compliance shall be at the City Engineer's discretion.

J. All curbs constructed as part of an ADA Ramp shall match City curb standards.

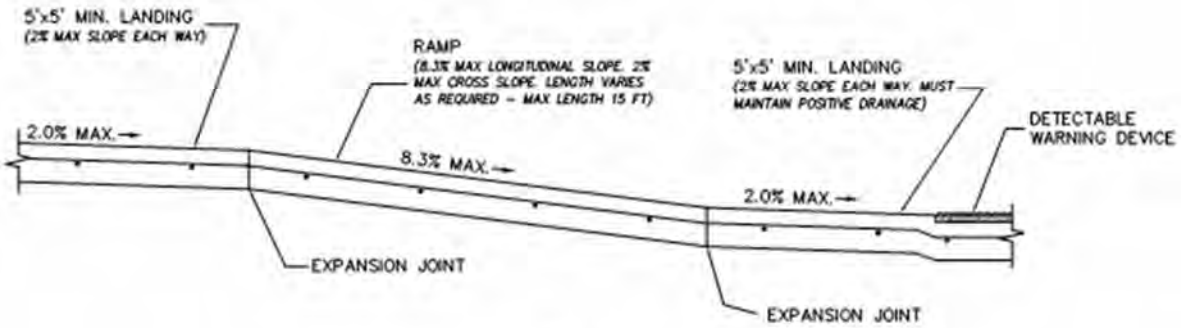
** See PROWAG special design considerations when street crossing has no stop or yield condition.*

DIRECTIONAL CURB RAMP	CITY OF ROCKWALL	
		DATE: MAR. '17 / DRAWING NO.: R-2125B



SECTION X-X
N.T.S.

**KEYWAY JOINT FOR NEW CONSTRUCTION. STREET CONNECTION SHALL BE LONGITUDINAL BUTT JOINT FOR CONNECTIONS TO EXISTING ROADWAYS.



SECTION Y-Y
N.T.S.

NOTE: ALL SIDEWALK CURB RAMPS WILL BE 3,600 PSI (6.5 SACK/CY) CONCRETE.

DIRECTIONAL CURB RAMP	CITY OF ROCKWALL	
		DATE: MAR. '17 / DRAWING NO.: R-2125C

PEDESTRIAN ACCESSIBILITY (WITHIN PUBLIC R.O.W.)

All newly constructed sidewalks, curb ramps and crosswalks installed within City of Rockwall public rights-of-way shall be considered a pedestrian access route and shall conform to the most current Guidelines for Public Rights-of-Way created by the United States Access Board.

CURB RAMPS

1. All slopes shown are MAXIMUM ALLOWABLE. Lesser slopes that will still drain properly should be used. Adjust curb ramp length or grade of approach sidewalks as directed.
2. Landings shall be 5'x 5' minimum with a maximum 2% slope in the transverse and longitudinal directions..
3. Clear space at the bottom of curb ramps shall be a minimum of 5'x 5' wholly contained within the crosswalk and wholly outside the parallel vehicular travel path.
4. Maximum allowable cross slope on sidewalk and curb ramp surfaces is 2%.
5. Additional information on curb ramp location, design, light reflective value and texture may be found in the most current edition of the Texas Accessibility Standards (TAS) and 16 TAC 68.102. Federal guidelines shall supersede any conflicts.
6. Crosswalk dimensions, crosswalk markings and stop bar locations shall be as shown elsewhere in the plans. At intersections where crosswalk markings are not required, curb ramps and accessible routes shall align with theoretical crosswalks unless otherwise directed.
7. Handrails are not required on curb ramps.
8. Provide a flush transition where the curb ramps connect to the street.
9. Accessible routes are considered "ramps" when longitudinal slopes are between 5% and 8.3% (maximum allowable). Sidewalks under 5% longitudinal slope are deemed accessible routes and must follow all applicable guidelines.

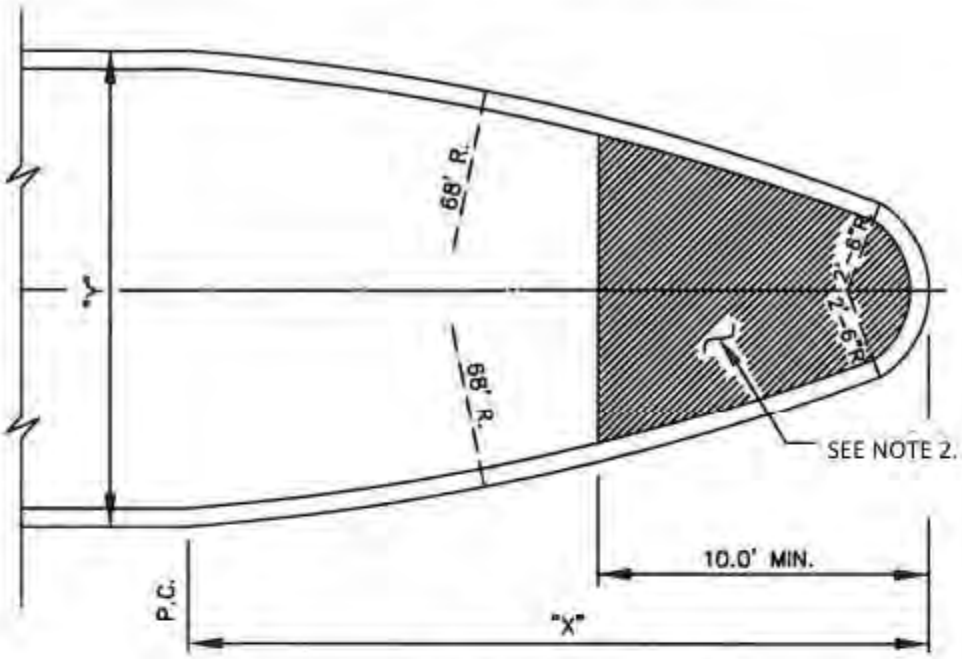
DETECTABLE WARNING DEVICE

10. Curb ramps must contain a detectable warning surface that consists of raised truncated domes complying with Section 705 of the TAS. The surface must contrast visually with adjoining surfaces. Furnish and install an approved cast-in-place dark red detectable warning surface material adjacent to uncolored concrete, unless specified elsewhere in the plans.
11. Detectable Warning Materials shall be truncated dome plates in the color approved by the City. Install products in accordance with manufacturer's specifications.
12. Detectable warning surfaces must be slip resistant and not allow water to accumulate.
13. Detectable warning surfaces shall be a minimum of 24" in depth in the direction of pedestrian travel, and extend the full width of the curb ramp or landing where the pedestrian access route enters the street.
14. Detectable warning surfaces shall be located so that the edge nearest the curb line is at the back of curb. When placed on the ramp, align the rows of domes to be perpendicular to the grade break between the ramp run and the street. Where detectable warning surfaces are provided on a surface with a slope that is less than 5 percent, dome orientation is less critical. Detectable warning surfaces may be curved along the corner radius.

SIDEWALKS

15. Provide clear ground space at operable parts, including pedestrian push buttons. Operable parts shall be placed within one or more reach ranges specified in TAS 308.
16. Place traffic signal or illumination poles, ground boxes, controller boxes, signs, drainage facilities and other items so as not to obstruct the pedestrian access route or clear ground space.
17. Street grades and cross slopes shall be as shown elsewhere in the plans.
18. Changes in level greater than 1/4 inch are not permitted (1/2 inch with bevel).
19. The least possible grade should be used to maximize accessibility. The running slope of sidewalks and crosswalks within the public right of way may follow the grade of the parallel roadway. Where a continuous grade greater than 5% must be provided, handrails may be desirable to improve accessibility. Handrails may also be needed to protect pedestrians from potentially hazardous conditions. If provided, handrails shall comply with TAS 505.
20. Handrail extensions shall not protrude into the usable landing area or into intersecting pedestrian routes.

DIRECTIONAL CURB RAMP	CITY OF ROCKWALL	
		DATE: MAR. '17 / DRAWING NO.: R-2125D



DIMENSIONS OF MEDIAN NOSE

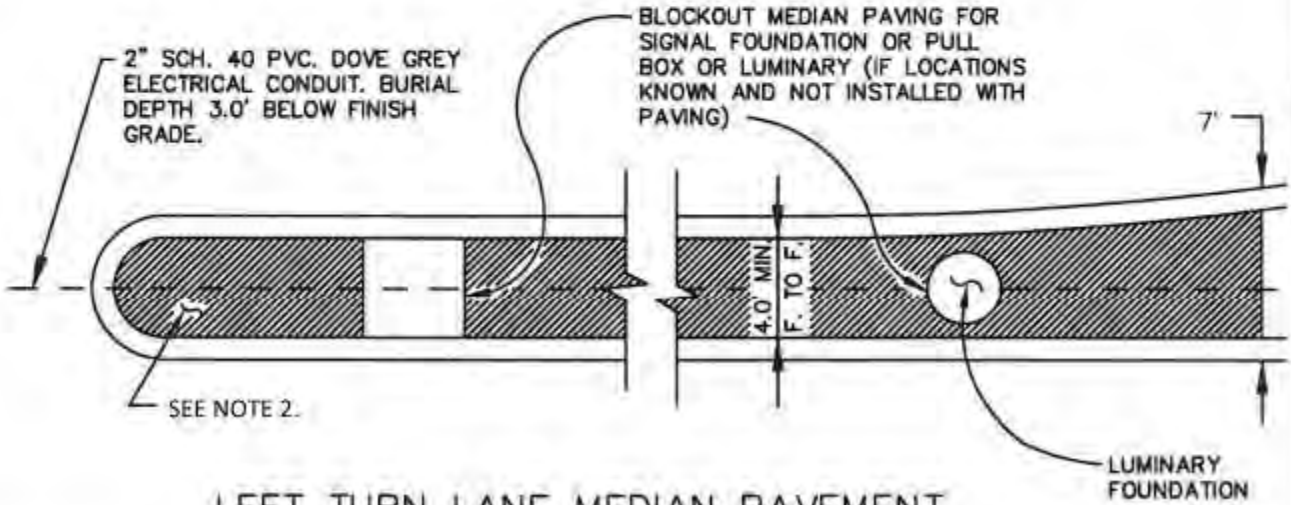
Y = 15'	X = 27.6'
Y = 16'	X = 28.8'
Y = 17'	X = 29.9'
Y = 18'	X = 30.9'

CONCRETE NOSE FOR MEDIAN ISLAND

N.T.S.

NOTES

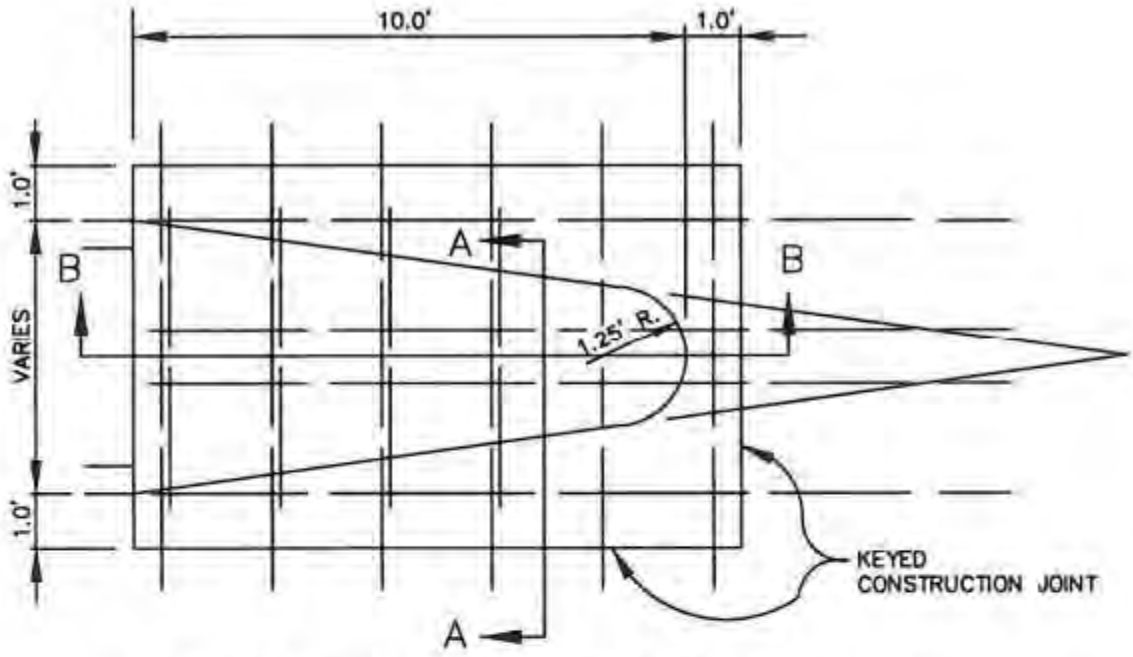
1. LEFT TURN LANE SHALL HAVE A MOWER ACCESS RAMP.
2. MEDIAN PAVING TO BE CONSTRUCTED OF INEGRAL STAMPED & STAINED REINFORCED CONCRETE, COLOR AND PATTERN TO BE APPROVED BY THE CITY. CONCRETE TO BE MINIMUM SIX (6") INCH 3600PSI (6.5 SACK/CY) WITH #4 BARS ON 18" CENTERS.
3. STREET LIGHT POLE BASES IN MEDIAN ARE TO HAVE THIRTY-SIX (36") INCH BY THIRTY-SIX (36") INCH, FOUR (4") INCH THICK, 3000PSI REINFORCED CONCRETE MOW STRIP.



LEFT TURN LANE MEDIAN PAVEMENT

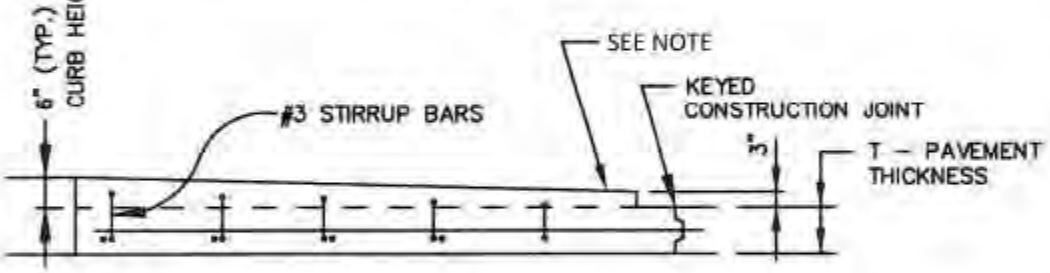
N.T.S.

MEDIAN ISLAND PAVEMENT	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 305.3	
NOSE & LEFT TURN LANE		DATE AUG. '19	STANDARD DRAWING NO. R-2130



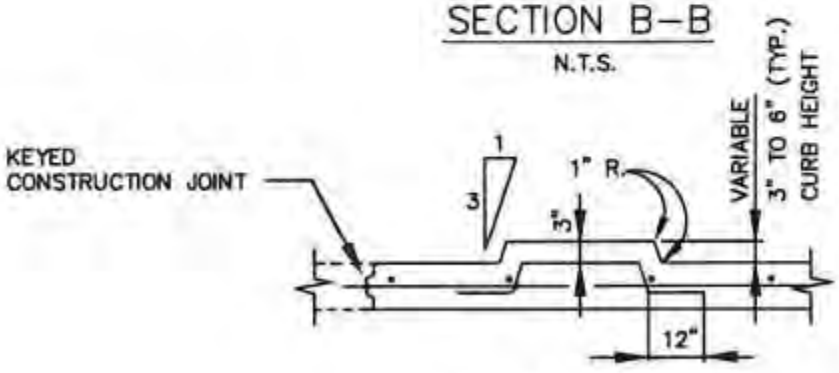
MONOLITHIC CONCRETE MEDIAN NOSE

N.T.S.



SECTION B–B

N.T.S.

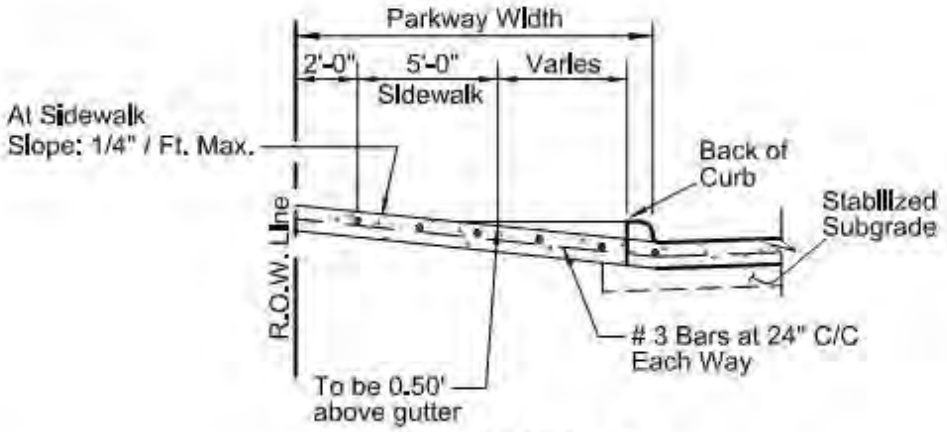


SECTION A–A

N.T.S.

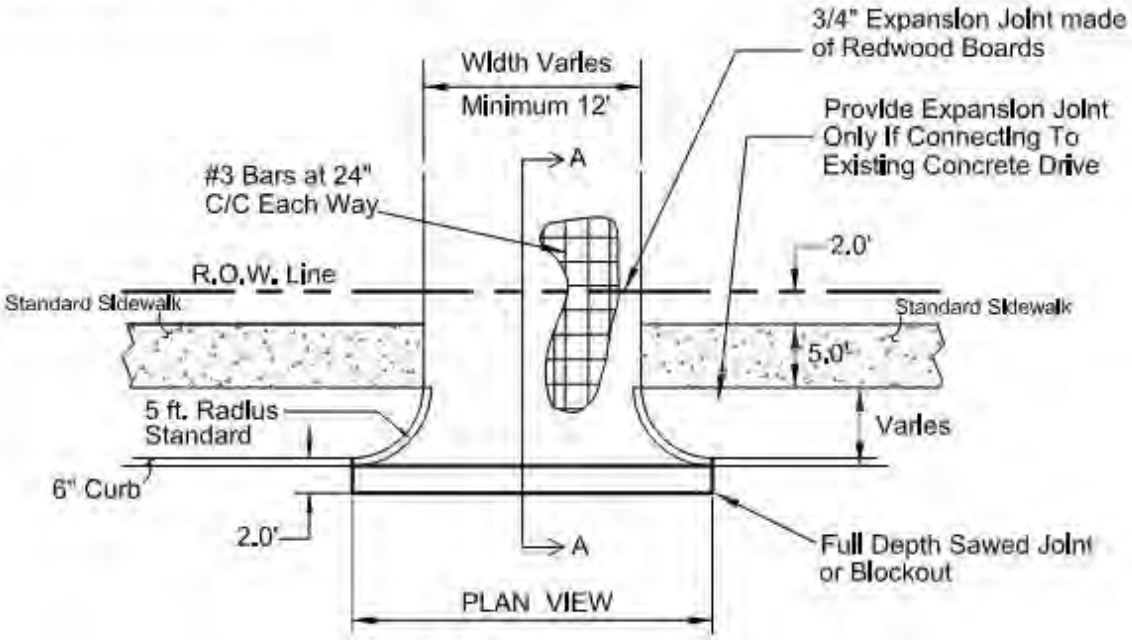
NOTE
1. MEDIAN NOSE PAVEMENT STRENGTH SHALL MATCH THAT OF STREET PAVING.
2. MONOLITHIC NOSE REQUIRED WHEN LESS THAN 6.0' FACE TO FACE.
3. REINFORCEMENT BARS SHALL MATCH THOSE IN PAVEMENT.

MEDIAN ISLAND PAVEMENT	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 305.3	
MONOLITHIC CONCRETE NOSE		DATE AUG. '19	STANDARD DRAWING NO. R-2140



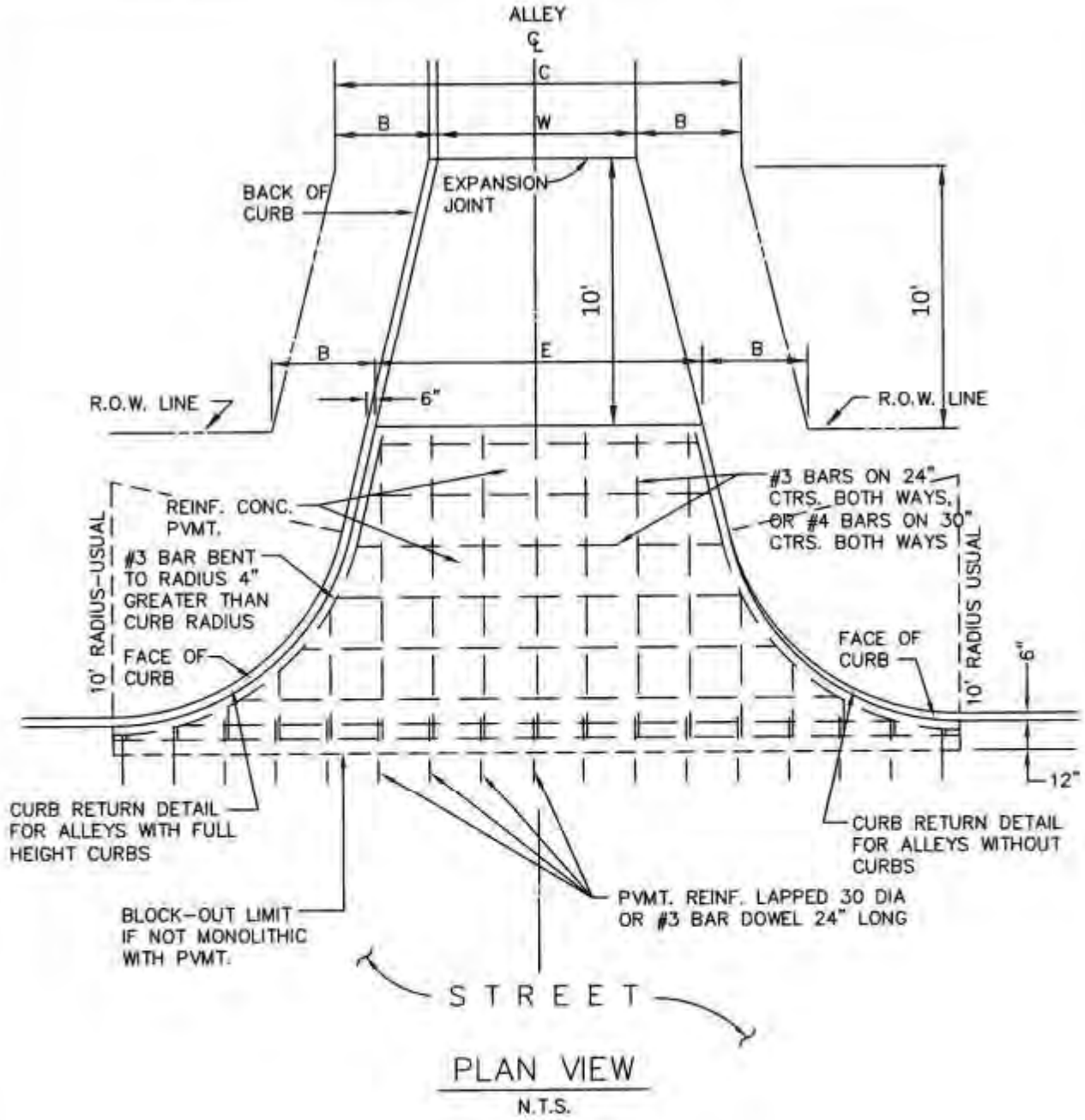
SECTION A-A

NOTE:
Sidewalk section thru driveway to be poured same thickness as driveway - 6" Thick 3,600 P.S.I. Reinf. Conc. Pvmt. w/ #3 Bars @ 24" O.C.E.W. (Grade 60 Steel)



DRIVEWAY DETAILS
(Not to Scale)

DRIVEWAY DETAIL	CITY OF ROCKWALL		
RESIDENTIAL DRIVEWAY		DATE AUG '19	DRAWING NO. R-2150

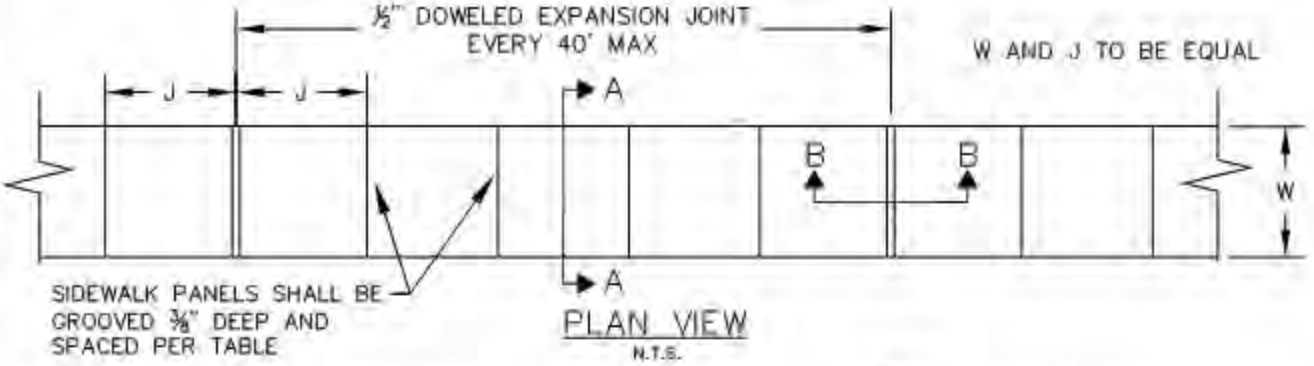


PLAN VIEW

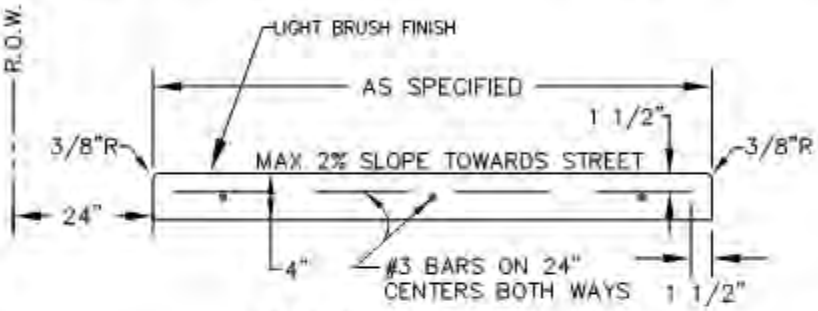
N.T.S.

ALLEY WIDTH (W)	R.O.W. WIDTH (C)	B	E
12'	20'	4'	14'

ALLEY APPROACH RADIUS RETURN TYPE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 305.2	
		DATE Mar. 2018	STANDARD DRAWING NO. R-2160

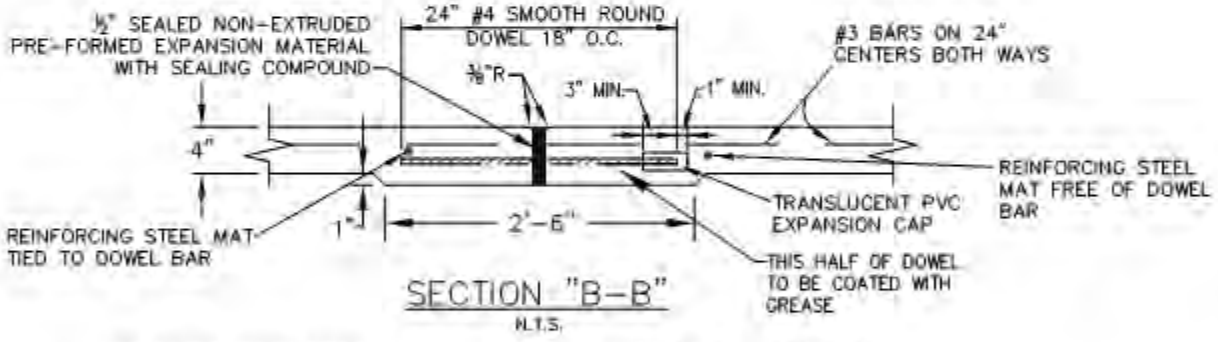


PLAN VIEW
N.T.S.

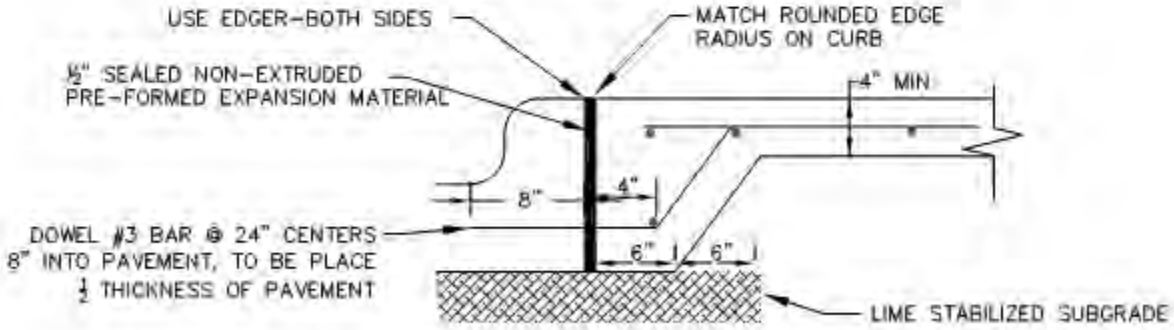


SECTION "A–A"
N.T.S.

NOTES:
1. CROSS SLOPE OF SIDEWALK SHALL BE NO GREATER THAN 2%
2. SIDEWALK CONCRETE WITHIN CITY R.O.W. SHALL BE MINIMUM 3,000 PSI (5.5 SACK/C.Y.) CONCRETE.
3. ALL SIDEWALKS SHALL MAINTAIN POSITIVE DRAINAGE.
4. ALL HONEYCOMB IN BACK OD CURB TO BE TROWEL–PLASTERED BEFORE POURING SIDEWALK.
5. MINIMUM WIDTH OF 6' IF SIDEWALK ADJACENT TO CURB A LUGGED INTO THE CURB.
6. STEEL WIRE MESH IS NOT ACCEPTABLE.

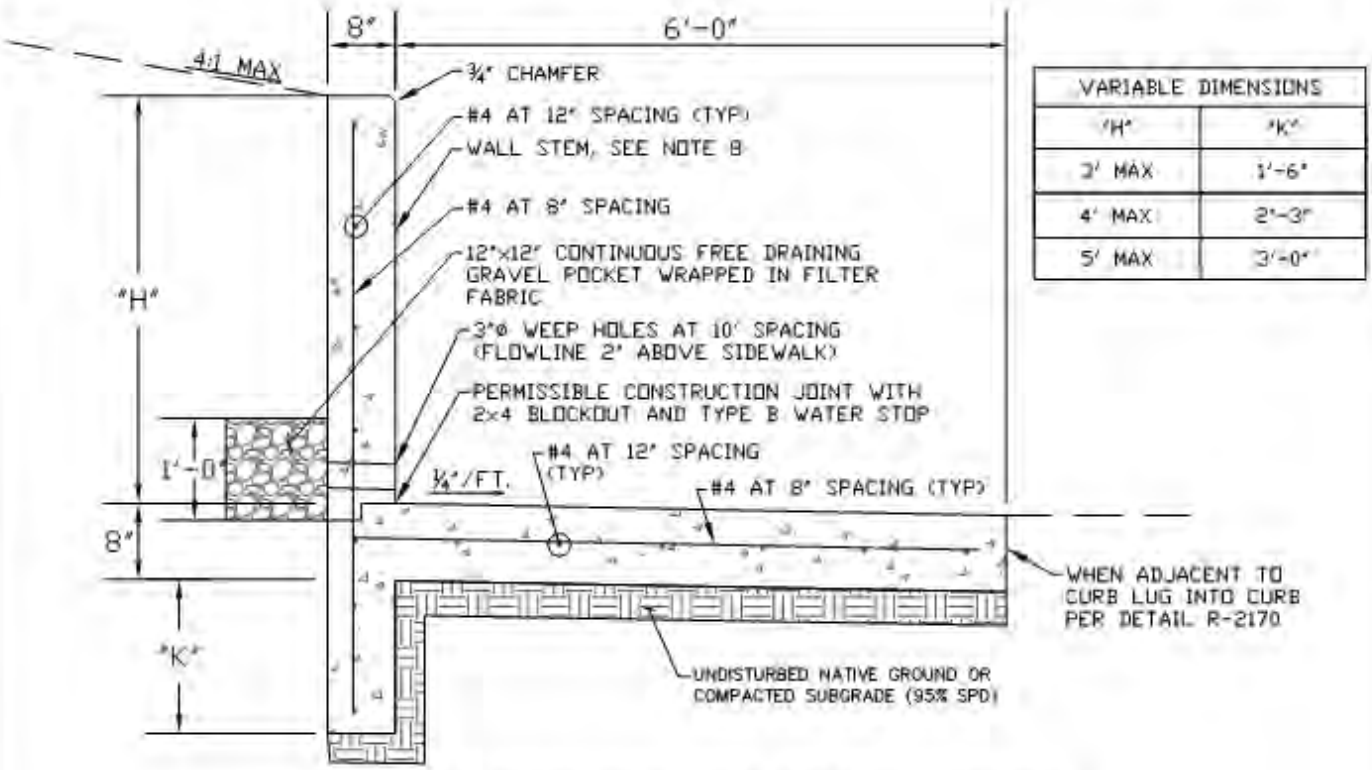


SECTION "B–B"
N.T.S.



JOINT LUG DETAIL FOR MEDIAN PAVEMENT
LEAD WALK CONNECTIONS OR SIDEWALK ADJACENT TO CURB
N.T.S.

REINFORCED CONCRETE SIDEWALKS	CITY OF ROCKWALL	
JOINTS AND SPACING		DATE: AUG '19 / DRAWING NO.: R–2170



VARIABLE DIMENSIONS	
"H"	"K"
3' MAX	1'-6"
4' MAX	2'-3"
5' MAX	3'-0"

RETAINING WALL WITH INTEGRAL SIDEWALK

N.T.S.

NOTES:

1. FOR USE OF THIS STANDARD DETAIL, THE FOLLOWING GEOTECHNICAL SITE CONDITIONS MUST BE MET:
   - -MINIMUM ALLOWABLE BEARING PRESSURE: 1,500 PSF
   - -MINIMUM COEFFICIENT OF FRICTION: 0.3
   - -MAXIMUM ACTIVE PRESSURE COEFFICIENT (Ka): 0.65
2. ALL MATERIALS SHALL BE SUBMITTED FOR APPROVAL PRIOR TO CONSTRUCTION.
3. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI.
4. ALL REINFORCING STEEL SHALL BE GRADE 60.
5. ALL CLEAR COVER SHALL BE 2" WHERE FORMED AND 3" WHERE CAST AGAINST EARTH.
6. IF ANY SURCHARGE LOAD IS ANTICIPATED AN ENGINEERING DESIGN IS REQUIRED, SEALED BY A REGISTERED ENGINEER IN THE STATE OF TEXAS. THIS INCLUDES DEAD LOAD SURCHARGES AND LIVE LOAD SURCHARGES SUCH AS TRAFFIC LOADS.
7. JOINT LOCATIONS SHALL MATCH ON SIDEWALK AND WALL. JOINT SPACING SHALL BE EVERY 30 FEET FOR CONTROL JOINTS AND EVERY 90 FEET FOR EXPANSION JOINTS. TYPE B WATERSTOP SHALL BE APPLIED ON THE FILL SIDE OF ALL EXPANSION AND CONSTRUCTION JOINTS.
8. WALL FACE SHALL BE FORM LINER OR STONE VENEER WITH RANDOM ROCK ASHLAR PATTERN, NO SMOOTH CONCRETE SURFACE ALLOWED

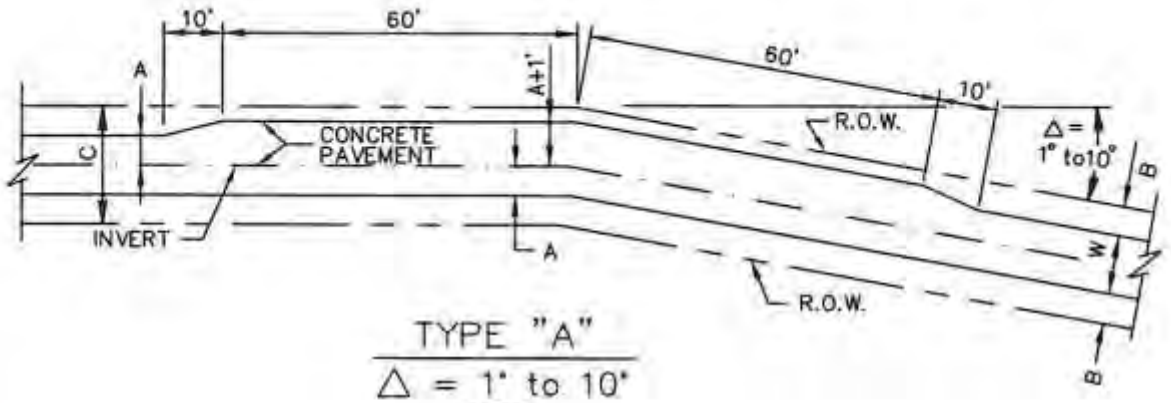
REINFORCED CONCRETE RETAINING WALL	CITY OF ROCKWALL	
INTEGRAL WITH SIDEWALK		DATE: AUG '19 / DRAWING NO.: R-2180

GENERAL NOTES:

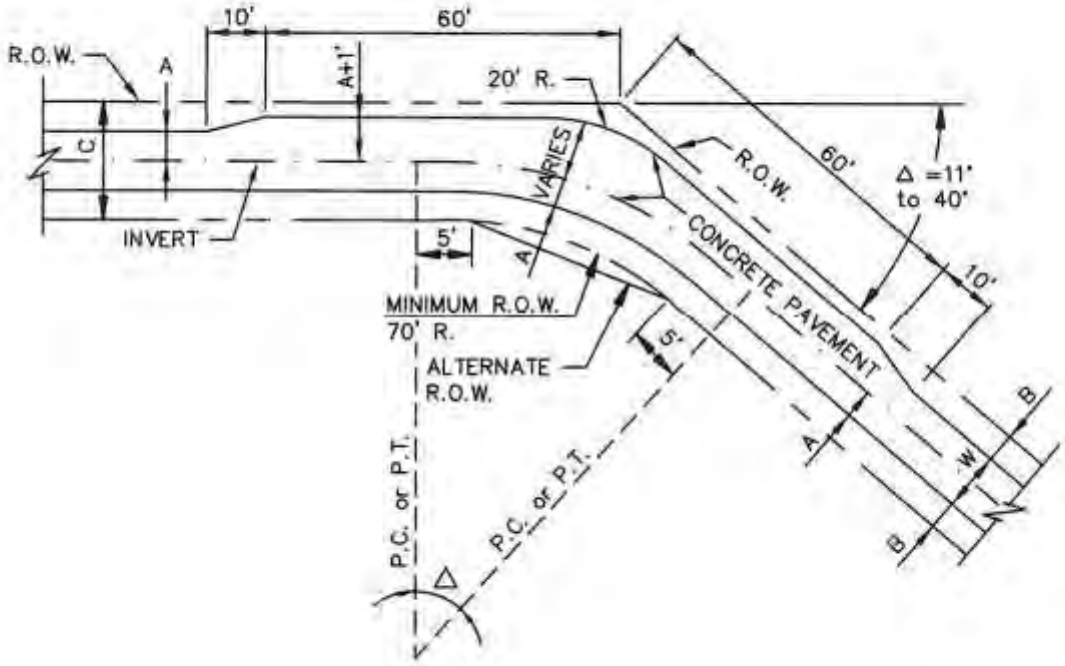
1. REINFORCED CONCRETE PAVEMENT:
   A. ALL CURBS SHALL BE PLACED INTEGRAL WITH PAVEMENT UNLESS OTHERWISE APPROVED BY THE OWNER.
   B. CURBS SHALL MEET THE SAME COMPRESSIVE STRENGTH AS SPECIFIED FOR THE PAVEMENT.
   C. BAR LAPS SHALL BE 30 DIAMETERS.
   D. REINFORCING BARS SHALL BE SUPPORTED BY CHAIRS OR OTHER DEVICES APPROVED BY THE OWNER.

2. SUBGRADE: (UNLESS OTHERWISE SPECIFIED BY OWNER)
   A. SUBGRADE UNDER ALL PAVEMENTS SHALL BE STABILIZED TO A MINIMUM DEPTH OF SIX (6") INCHES WITH HYDRATEDLIME CEMENT. LABORATORY TESTS WILL BE PERFORMED TO DETERMINE THE AMOUNT OF LIME OR CEMENT TO USE.

PAVEMENT SYSTEMS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE: 302,303	
GENERAL NOTES		DATE: Mar. 2018	STANDARD DRAWING NO.: R-2190



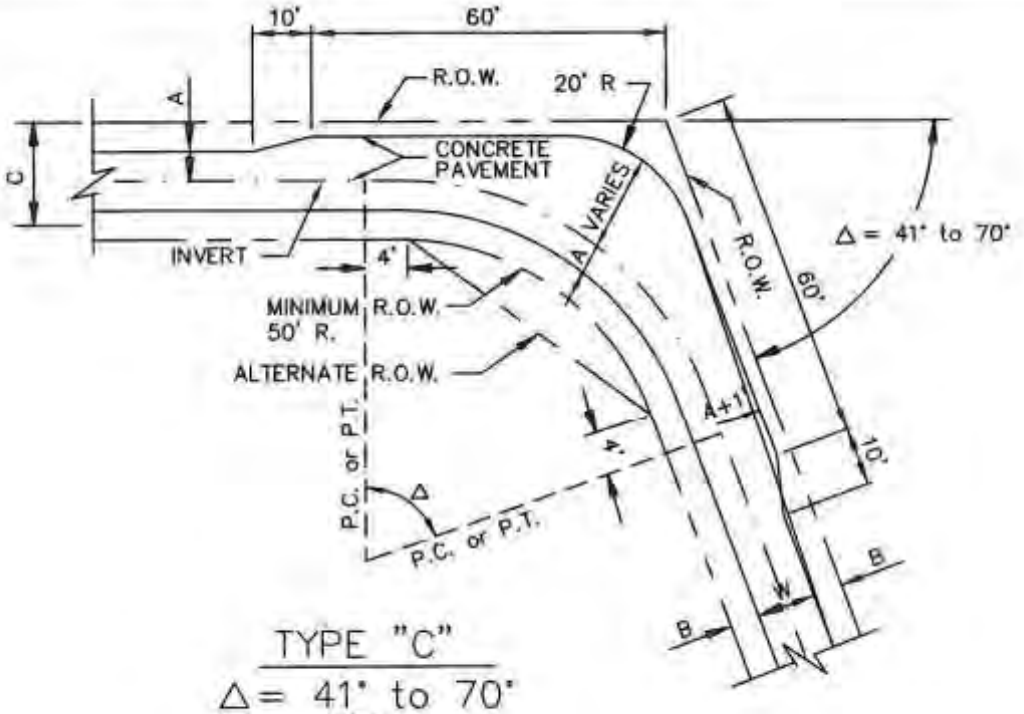
TYPE "A"
Δ = 1° to 10°
N.T.S.



TYPE "B"
Δ = 11° to 40°
N.T.S.

NOTES:
1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

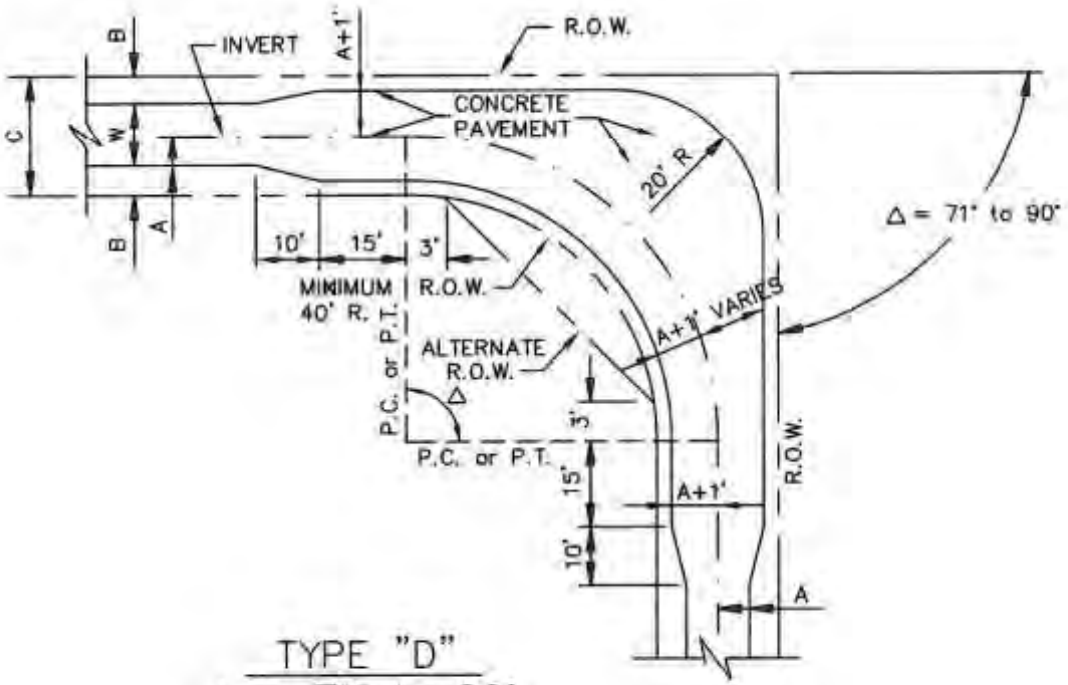
ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "A" & TYPE "B"		DATE Mar. 2018	STANDARD DRAWING NO. R-2210



TYPE "C"

Δ = 41° to 70°

N.T.S.



TYPE "D"

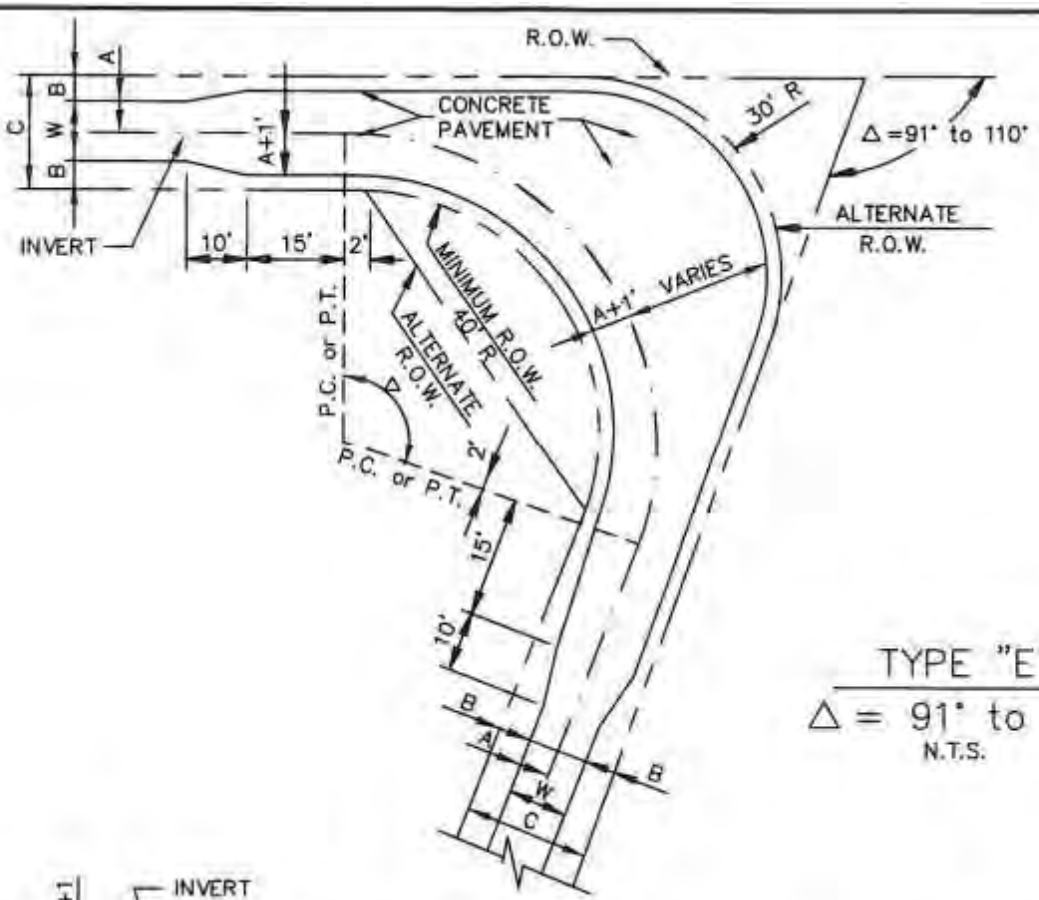
Δ = 71° to 90°

N.T.S.

NOTES:

1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

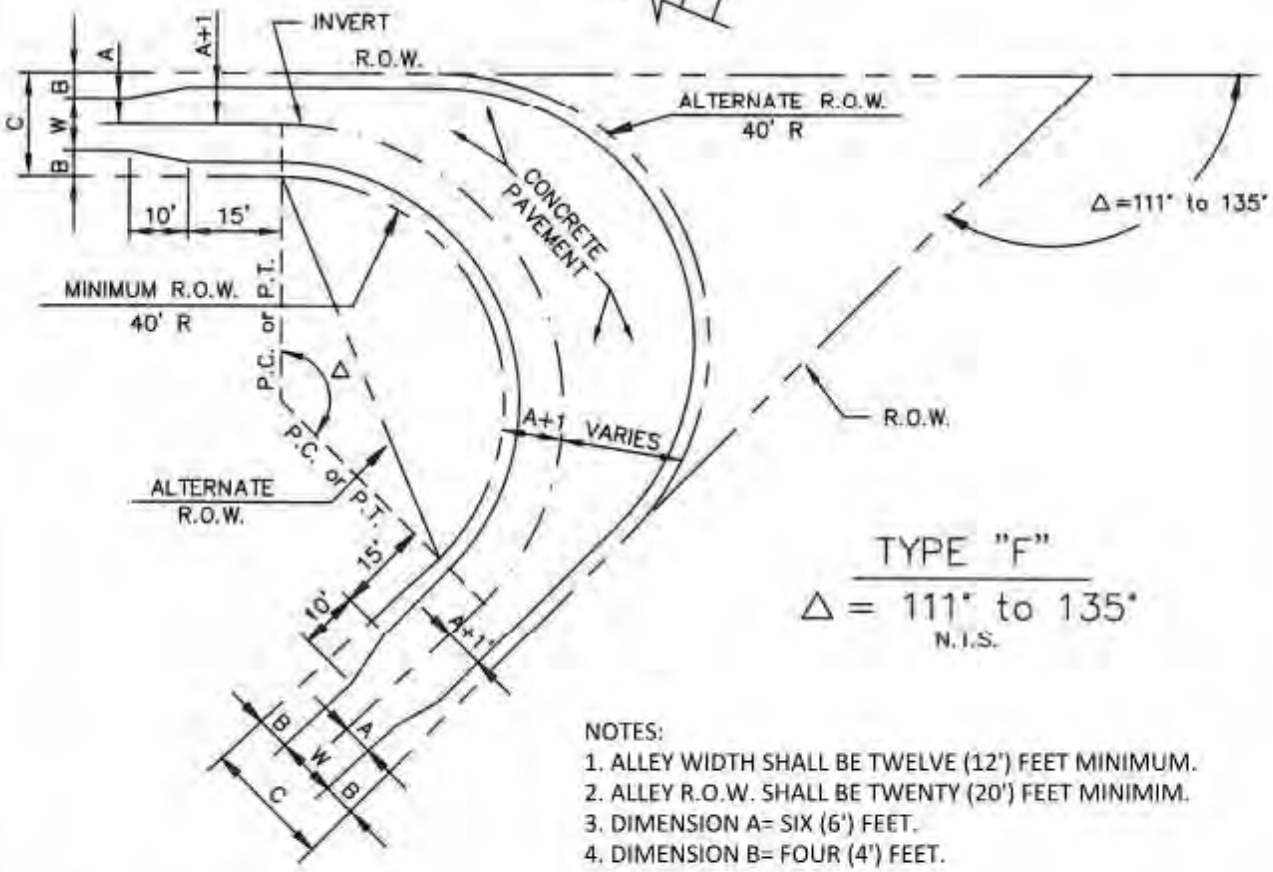
ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "C" & TYPE "D"		DATE Mar. 2018	STANDARD DRAWING NO. R-2220



TYPE "E"

Δ = 91° to 110°

N.T.S.



TYPE "F"

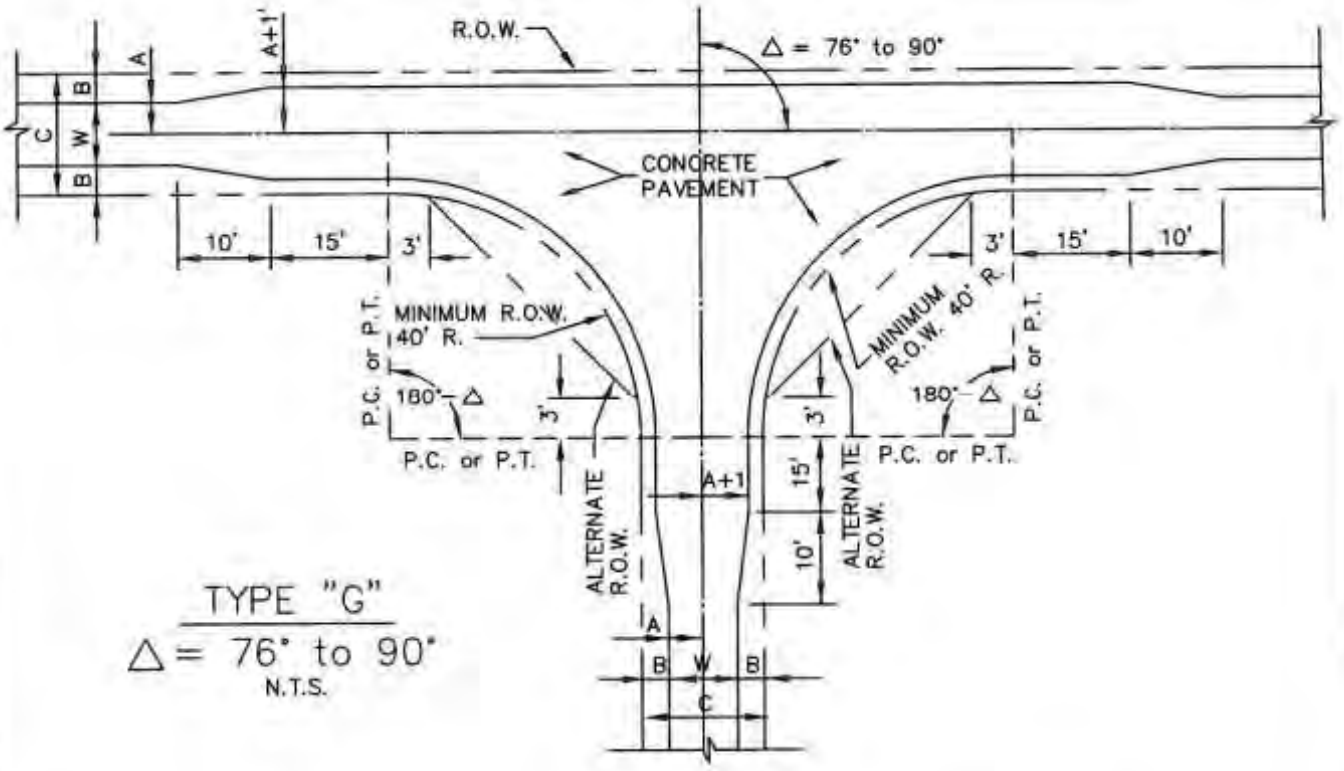
Δ = 111° to 135°

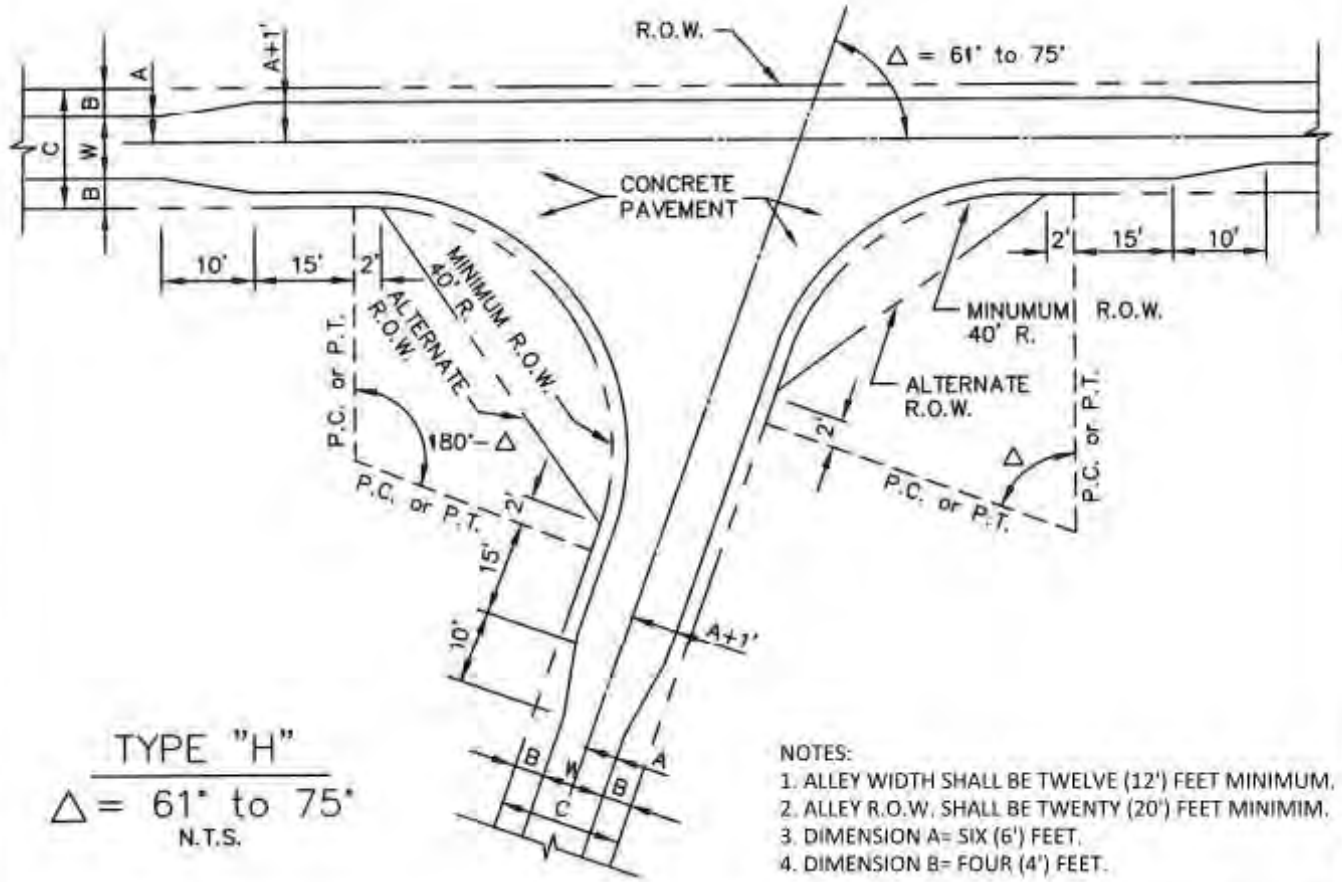
N.T.S.

NOTES:

1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

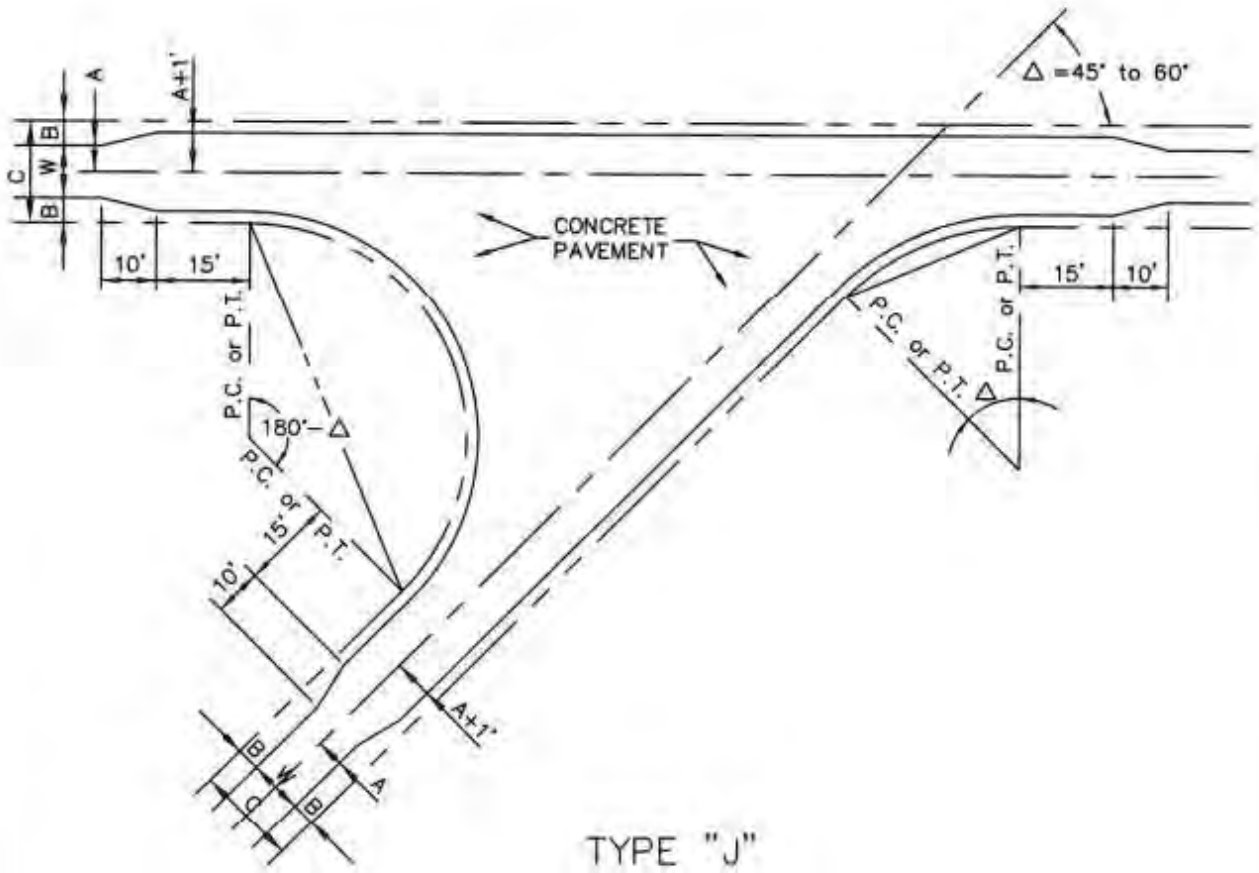
ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "E" & TYPE "F"		DATE Mar. 2018	STANDARD DRAWING NO. R-2230





NOTES:
1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "G" & TYPE "H"		DATE Mar. 2018	STANDARD DRAWING NO. R-2240



TYPE "J"

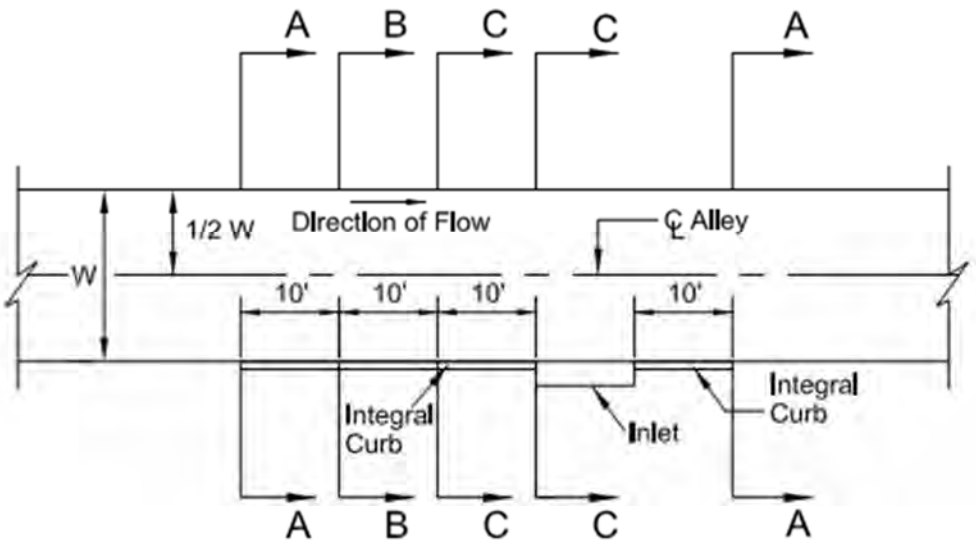
Δ = 45° to 60°

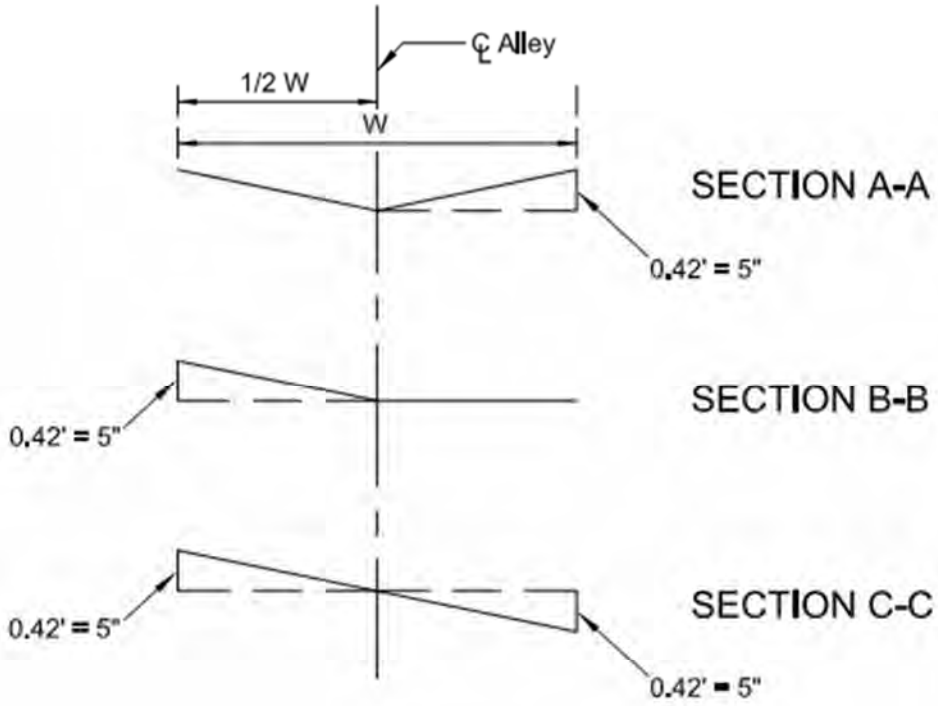
N.T.S.

NOTES:

1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "J"		DATE Mar. 2018	STANDARD DRAWING NO. R-2250

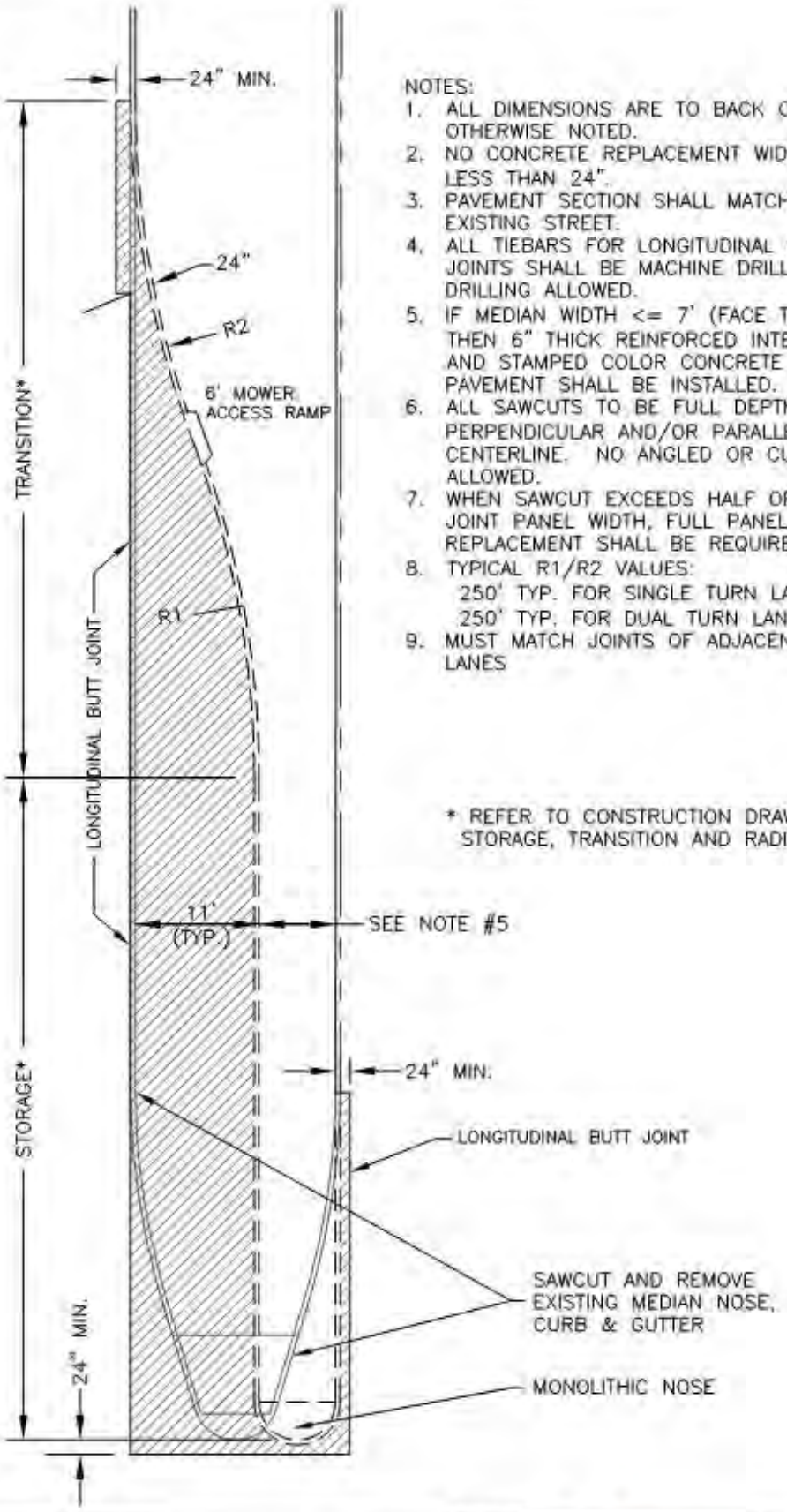




TYPICAL ALLEY WARPING AT INLET

(Not to Scale)

ALLEY GEOMETRICS	CITY OF ROCKWALL		
ALLEY WARPING AT INLET		DATE OCT. '17	DRAWING NO. R-2251



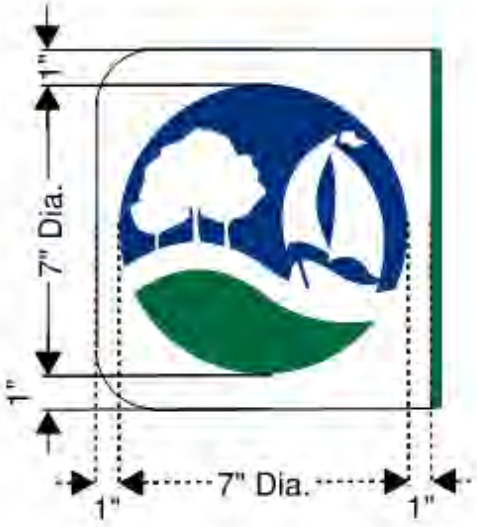
NOTES:

1. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
2. NO CONCRETE REPLACEMENT WIDTH SHALL BE LESS THAN 24".
3. PAVEMENT SECTION SHALL MATCH THAT OF EXISTING STREET.
4. ALL TIEBARS FOR LONGITUDINAL CONSTRUCTION JOINTS SHALL BE MACHINE DRILLED. NO HAND DRILLING ALLOWED.
5. IF MEDIAN WIDTH <= 7' (FACE TO FACE) THEN 6" THICK REINFORCED INTEGRAL STAINED AND STAMPED COLOR CONCRETE MEDIAN PAVEMENT SHALL BE INSTALLED.
6. ALL SAWCUTS TO BE FULL DEPTH AND EITHER PERPENDICULAR AND/OR PARALLEL WITH STREET CENTERLINE. NO ANGLED OR CURVED SAWCUTS ALLOWED.
7. WHEN SAWCUT EXCEEDS HALF OF CONSTRUCTION JOINT PANEL WIDTH, FULL PANEL REMOVAL AND REPLACEMENT SHALL BE REQUIRED.
8. TYPICAL R1/R2 VALUES:
   250' TYP. FOR SINGLE TURN LANE
   250' TYP. FOR DUAL TURN LANE
9. MUST MATCH JOINTS OF ADJACENT TRAFFIC LANES

* REFER TO CONSTRUCTION DRAWINGS FOR STORAGE, TRANSITION AND RADII DIMENSIONS.

LEFT TURN LANE	CITY OF ROCKWALL	
CONCRETE REMOVAL & REPLACEMENT		DATE: AUG. '19 / DRAWING NO.: R-2270





Rockwall Logo Detail

NOT TO SCALE

Notes:
1. Street name blades shall consist of white SCOTCHLITE 3930 High Intensity Prismatic Material, digitally printed using HP Latex 360 or higher.
Green: Pantone 335C with overlay CMYK 100-0-20-0 set to darken.
Blue: Pantone 287C.

2. Lettering to be composed of a combination of upper and lowercase letters, with initial uppercase letters. Font to be Clearview TCAD-1w with uppercase to be 6" Min. height and lowercase to be 4.5" Min. height. No more than 65% compression on font width.

3. Lettering for street designations and block numbers to be composed of initial uppercase letters at least 3" Min. height and lower-case letters at least 2.25" Min. height.

4. Sign post to be 2 3/8" O.D. galvanized steel tube sign pole.

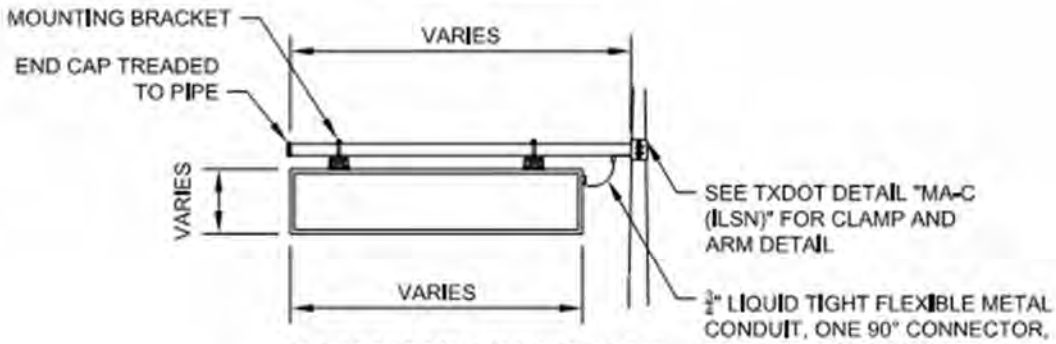
STREET SIGN DETAIL

NOT TO SCALE

STREET REGULATORY SIGNAGE	CITY OF ROCKWALL	
TYPICAL STREET SIGN DETAIL		DATE: May 2018 / DRAWING NO.: R-2300



EXAMPLE SINGLE STREET NAME DETAIL



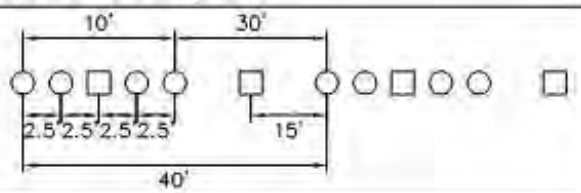
ILSN MOUNTING DETAIL

NOTES:

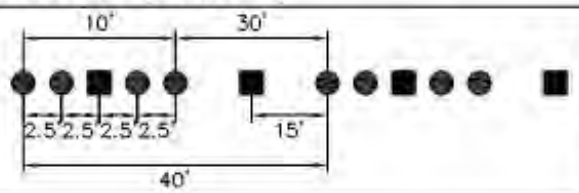
1. UNLESS OTHERWISE SPECIFIED, ALL LETTER SPACING AND WIDTH SHALL BE 100% OF THE US DOT MINIMUM RECOMMENDATION.
   A. LEGENDS REQUIRING LENGTHS GREATER THAN THE 96" WIDTH OF THE SIGN USING STANDARD SPACING, MAY BE ADJUSTED TO FIT.
2. ILSNS UP TO 6' IN LENGTH MAY BE PLACED ON A 7' ILSN CLAMP-ON ARM. ILSNS UP TO 8' IN LENGTH MAY BE PLACED ON A 9' ILSN CAMP-ON ARM.
3. LETTERING SIZE AND SPACING BETWEEN THE VARIOUS SIGN ELEMENTS SHALL FOLLOW THE CURRENT VERSION OF THE *STANDARD HIGHWAY SIGN DESIGNS FOR TEXAS* MANUAL FOR D3-1.
   A. DESIRED LETTER HEIGHT FOR STREET NAME SIGNS SHALL BE 12" FOR UPPER CASE LETTERS. STREET NAME LETTER HEIGHT MAY BE REDUCED TO 10" TO REDUCE THE SIZE OF THE SIGN AS NEEDED.
4. THE CITY LOGO HEIGHT SHALL MATCH MAXIMUM TEXT SIZE HEIGHT ON SIGN LEGEND. THE LOGO SHALL BE PLACED ON THE LEFT SIDE OF EACH SIDE OF THE SIGN ON A WHITE BACKGROUND.
5. THE ILSN LEGEND MAY BE COMPOSED OF ONE LINE OR TWO LINES OF TEXT. CONTRACTOR TO VERIFY WITH CITY BEFORE SUBMITTING SHOP DRAWINGS FOR SIGNS WITH TWO LINES OF TEXT.
6. SIGNS SHALL BE EDGELIT LED ILLUMINATED
7. FACE COLOR/MATERIAL: GREEN EC FILM OVER HIGH-INTENSITY TRANSLUCENT REFLECTIVE WHITE SHEETING ON UV LEXAN.
8. FRAME WIDTH TO BE PROVIDED BY MANUFACTURER.
9. SIGN BODIES AND DOORS ARE TO BE POWDER COATED GLOSSY BLACK.
10. SIGNS SHALL BE SINGLE SIDED EXCEPT UNDER THE FOLLOWING CONDITION:
    SIGN SHALL BE DOUBLE SIDED IF BOTH APPROACHES FACING THE SIGN ARE UNDIVIDED(NO MEDIAN).
11. SIGNS SHALL BE TOP MOUNTED USING STANDARD TXDOT DETAILS.
12. ILSN SHALL BE MOUNTED ON A STANDARD TXDOT ILSN CLAMP-ON ARM UNLESS OTHERWISE DIRECTED IN THE PLANS
13. ILSN SHALL BE FULLY GASKETED AND WATERTIGHT.
14. TRAFFIC SIGNAL POLE SHALL BE AT LEAST 24' HEIGHT. (SEE TXDOT TRAFFIC SIGNAL POLE STANDARDS)
15. A SEPARATE PHOTOCELL FOR ILSN/120 VOLT CIRCUIT WILL BE REQUIRED.
16. TWO #8 XHHW CONDUCTORS SHALL BE INSTALLED FROM SERVICE TO TERMINAL BLOCK OF EACH POLE WITH ILSN UNLESS OTHERWISE SHOWN IN THE PLANS. (CONDUCTORS FROM SERVICE TO TERMINAL BLOCK OF EACH POLE SHALL BE PAID FOR SEPARATELY FROM THE ILSN PAY ITEM.)
    A. DAISY CHAIN ALL ILSNS UNLESS OTHERWISE DIRECTED IN THE PLANS.
17. TWO # 12 XHHW CONDUCTORS SHALL BE INSTALLED FROM TERMINAL BLOCK OF POLE TO ILSN UNLESS OTHERWISE SHOWN IN THE PLANS. (CONDUCTORS FROM THE TERMINAL BLOCK OF EACH POLE TO ILSN SHALL BE PAID FOR SEPARATELY FROM THE ILSN PAY ITEM.)
18. CONTRACTOR TO SUBMIT SHOP DRAWINGS OF THE LED ILSNS TO CITY OF ROCKWALL FOR APPROVAL PRIOR TO FABRICATION.
19. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EQUIPMENT NECESSARY TO INSTALL THE ILSN SIGN.
20. ALL ISLNS SHALL FOLLOW ALL RULES AND GUIDELINES AS SPECIFIED IN THE MOST RECENT EDITIONS OF THE *STANDARD HIGHWAY SIGN DESIGNS FOR TEXAS* AND THE *TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES*. SHOULD ANY CONFLICTS BETWEEN THE ABOVE NOTES AND THESE DOCUMENTS, THESE DOCUMENTS SHALL GOVERN.

ILLUMINATED STREET NAME SIGN	CITY OF ROCKWALL	
ILSN SIGN DETAIL		DATE: JUN '17 / DRAWING NO.: R-2310

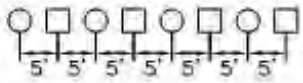
BROKEN WHITE LANE LINE



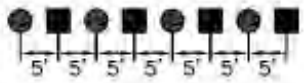
BROKEN YELLOW LANE LINE



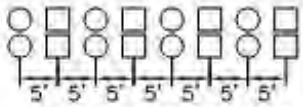
SINGLE WHITE LINE



SINGLE YELLOW LINE



TURN LANE LINE/WIDE WHITE LINE



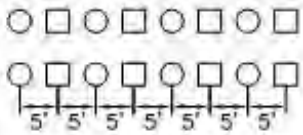
(NO SPACE BETWEEN ADJACENT BUTTONS)

WIDE YELLOW LINE



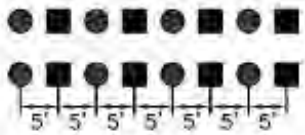
(NO SPACE BETWEEN ADJACENT BUTTONS)

DOUBLE WHITE LINE



(4" SPACE BETWEEN ADJACENT BUTTONS)

DOUBLE YELLOW CENTERLINE



(4" SPACE BETWEEN ADJACENT BUTTONS)

NOTES:

UNLESS OTHERWISE NOTED, THE FOLLOWING BUTTON TYPES SHALL BE USED:

- ● = 4" ROUND YELLOW CERAMIC NON-REFLECTIVE BUTTON
- ■ = 4" SQUARE YELLOW/YELLOW ACRYLIC REFLECTIVE BUTTON
- ○ = 4" ROUND WHITE CERAMIC NON-REFLECTIVE BUTTON
- □ = 4" SQUARE CLEAR/RED ACRYLIC REFLECTIVE BUTTON

RAISED PAVEMENT MARKINGS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
LANE LINES		DATE: Mar. 2018	STANDARD DRAWING NO.: R-2320

RAISED PAVEMENT MARKINGS

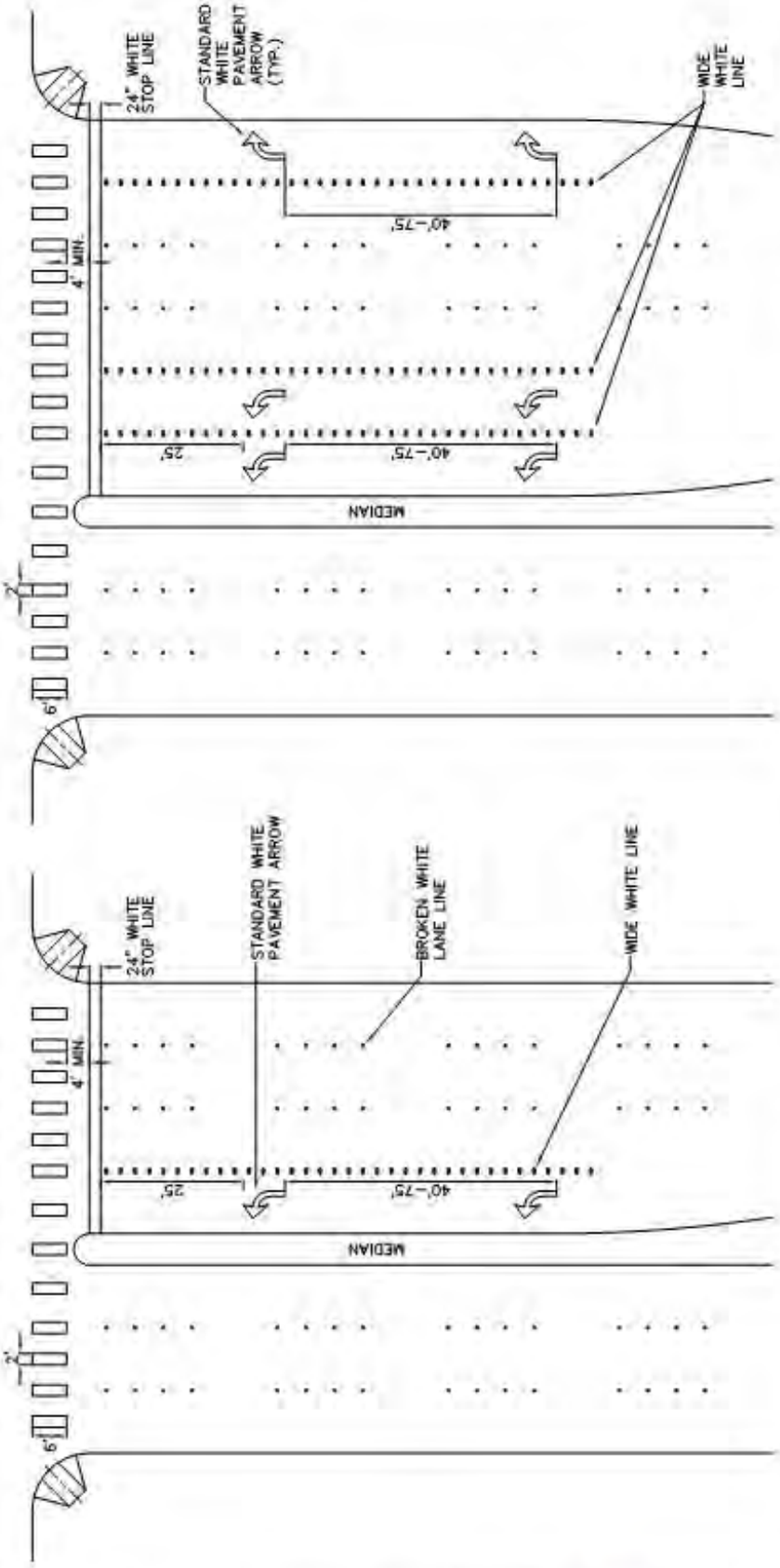
CHEVRON AND CROSSHATCH

CITY OF ROCKWALL

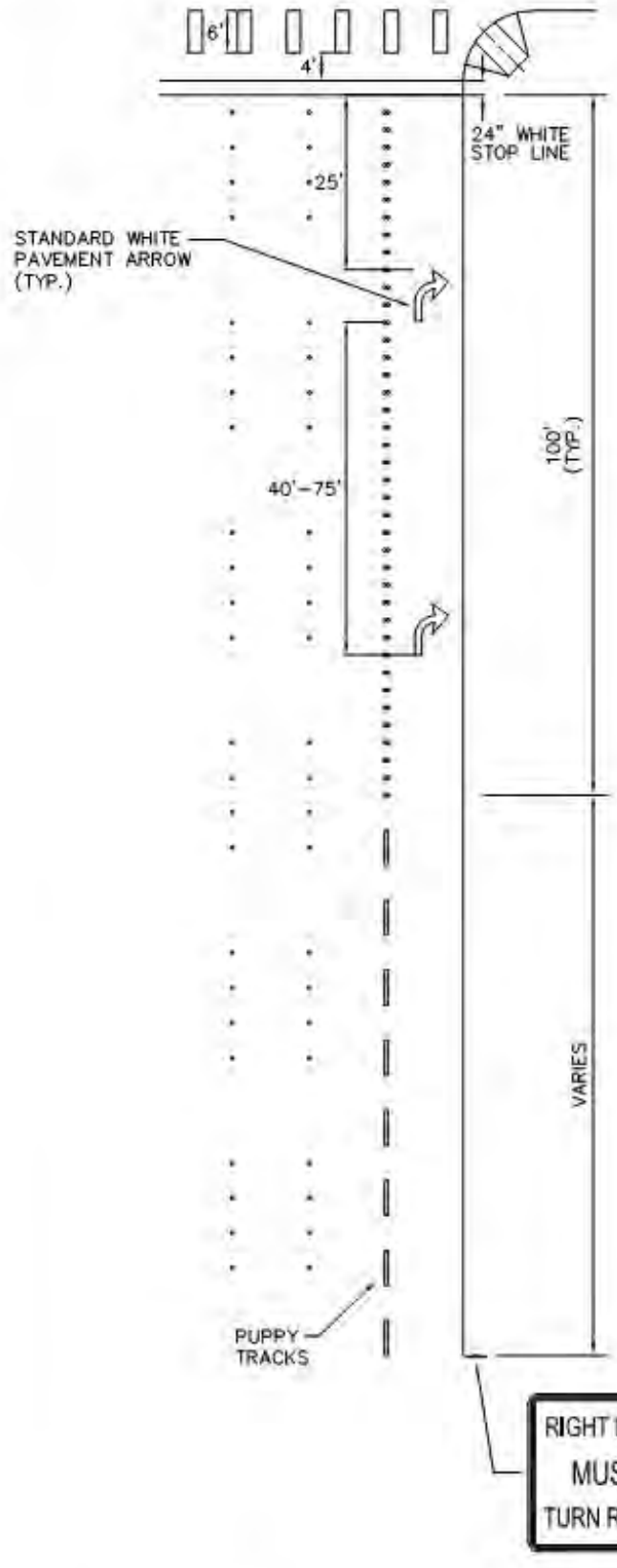
STANDARD SPECIFICATION REFERENCE

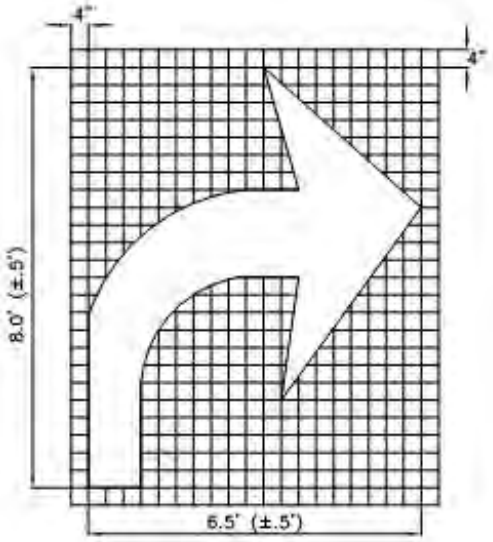
DATE: Mar. 2018

STANDARD DRAWING NO.: R-2330



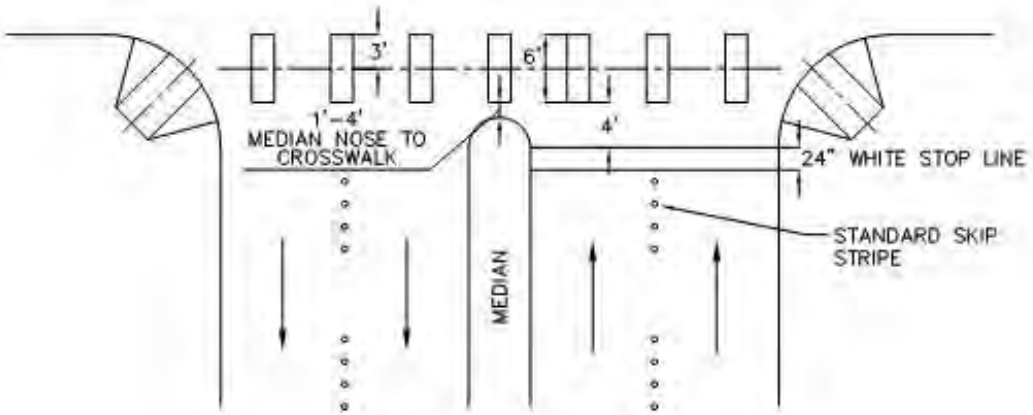
RAISED PAVEMENT MARKINGS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
INTERSECTION APPROACH		DATE Mar. 2018	STANDARD DRAWING NO. R-2340



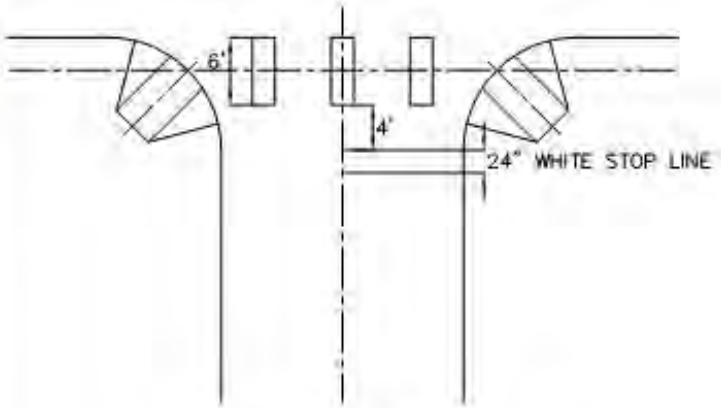


TURN ARROW

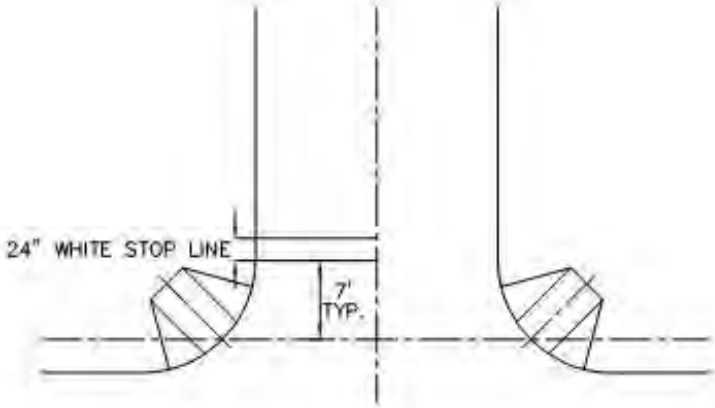
TYPE C INTERSECTION	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
RIGHT LANE DROP MARKINGS		DATE Mar. 2018	STANDARD DRAWING NO. R-2350



TYPICAL LAYOUT
TYPE D THOROUGHFARE
STOP LINE WITH CROSSWALK



TYPICAL LAYOUT
TYPE F&G THOROUGHFARE
CROSSWALK WITH STOP LINE



TYPICAL LAYOUT
TYPE F&G THOROUGHFARE
STOP LINE WITHOUT CROSSWALK

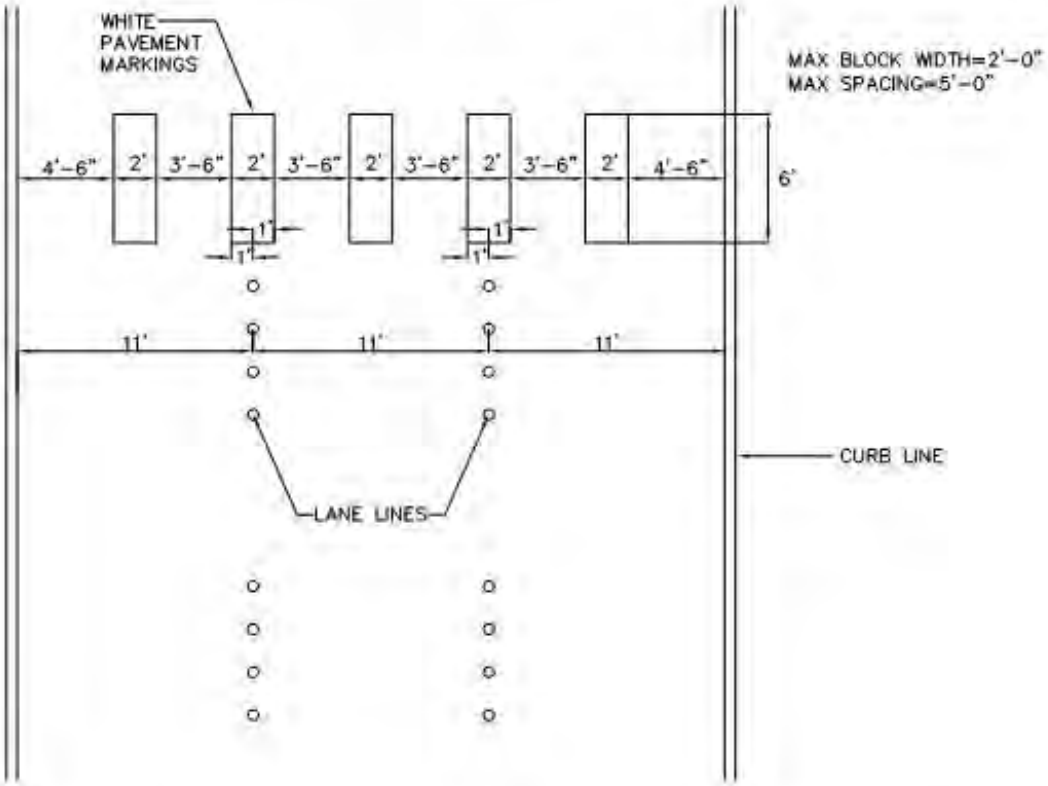
TYPICAL THOROUGHFARE LAYOUTS

CITY OF ROCKWALL

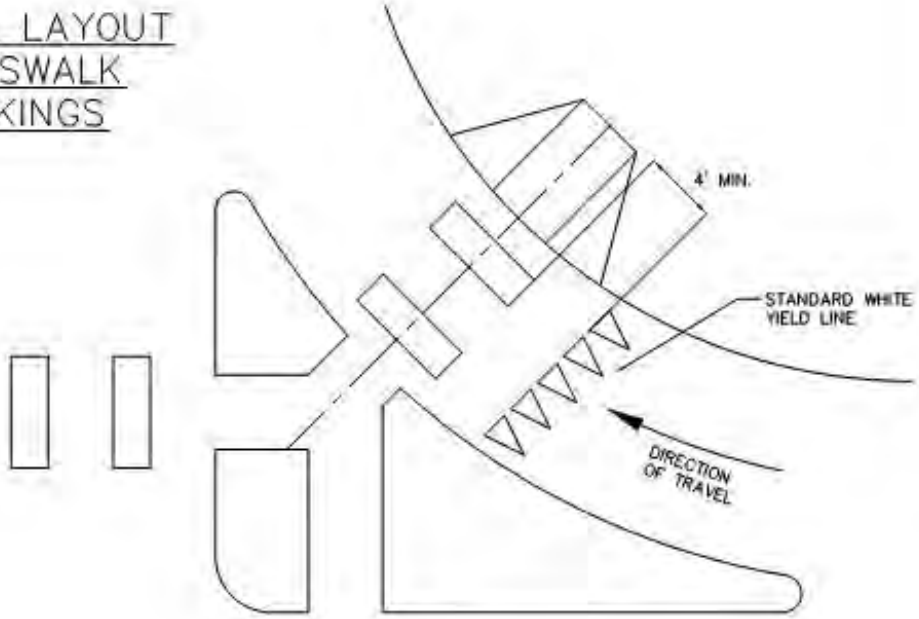
STANDARD SPECIFICATION REFERENCE

DATE Mar. 2018

STANDARD DRAWING NO. R-2360

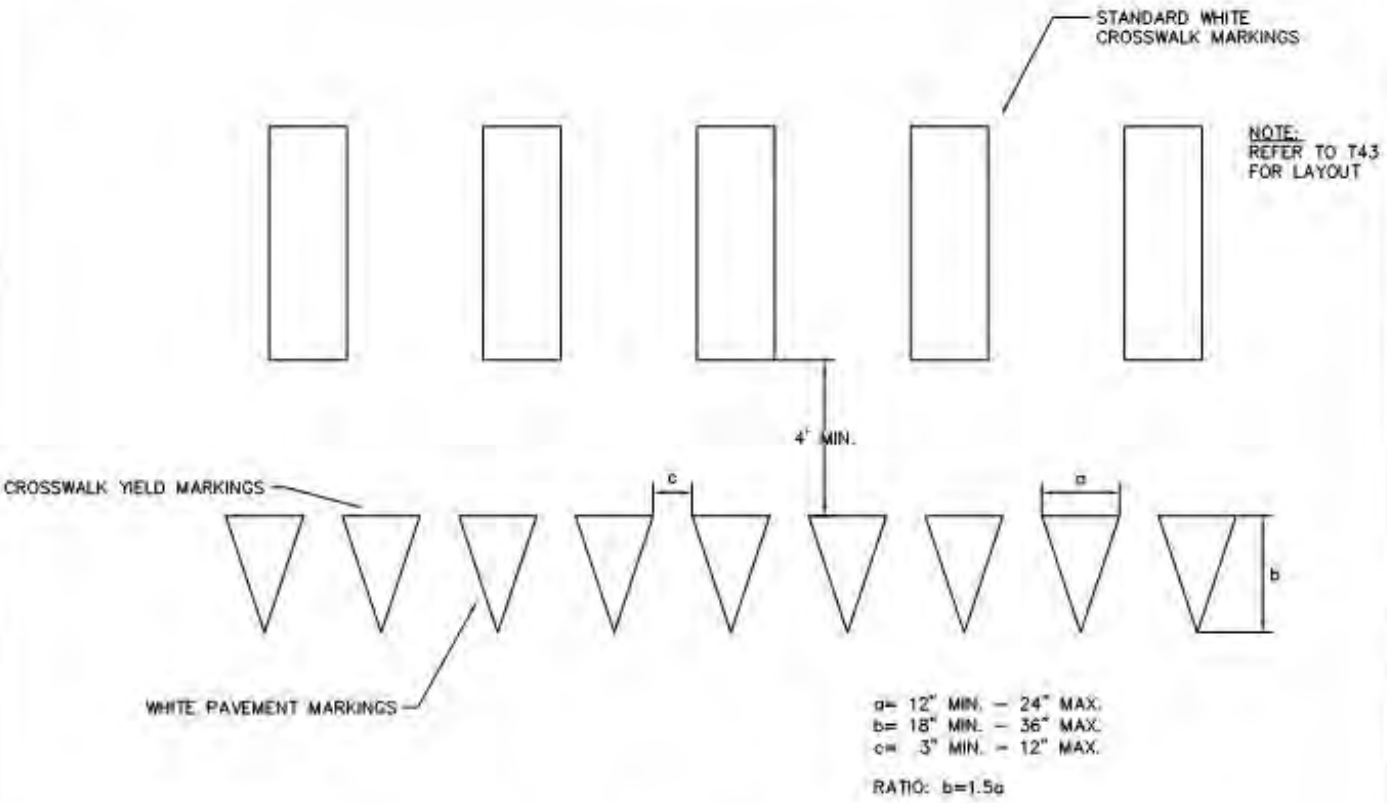


TYPICAL LAYOUT
CROSSWALK
MARKINGS

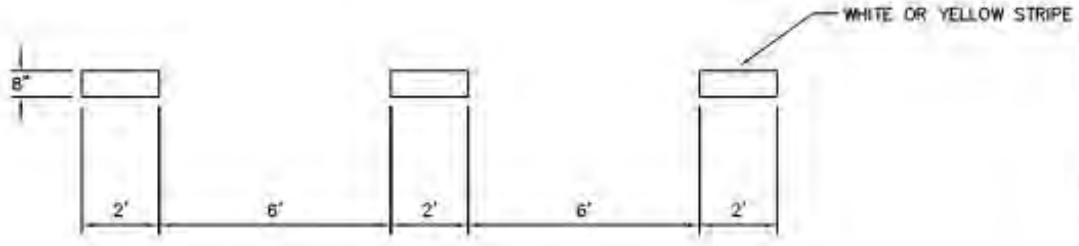


TYPICAL LAYOUT
CHANNELIZING ISLAND
YIELD LINE WITH CROSSWALK

TYPICAL CROSSWALK LAYOUTS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-2370

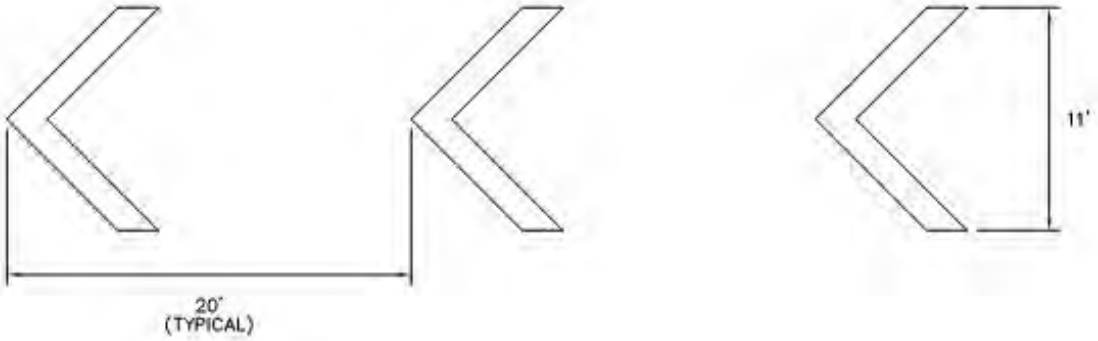


CROSSWALK MARKINGS

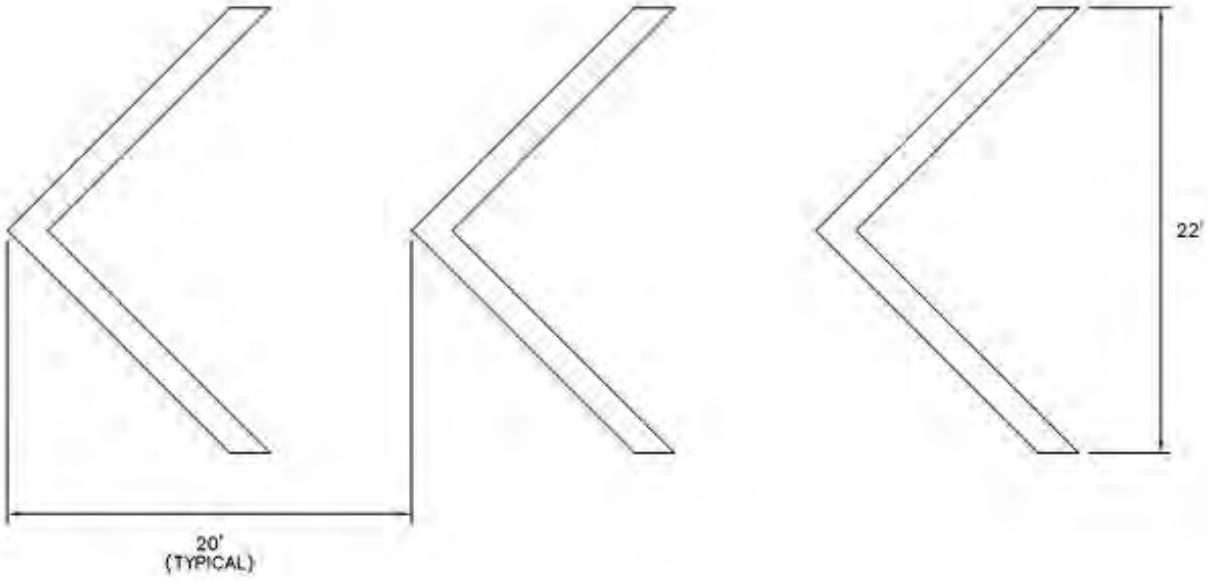


DASH LINE ("PUPPY TRACK") MARKINGS

TYPICAL CROSSWALK AND DASHED MARKINGS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-2380

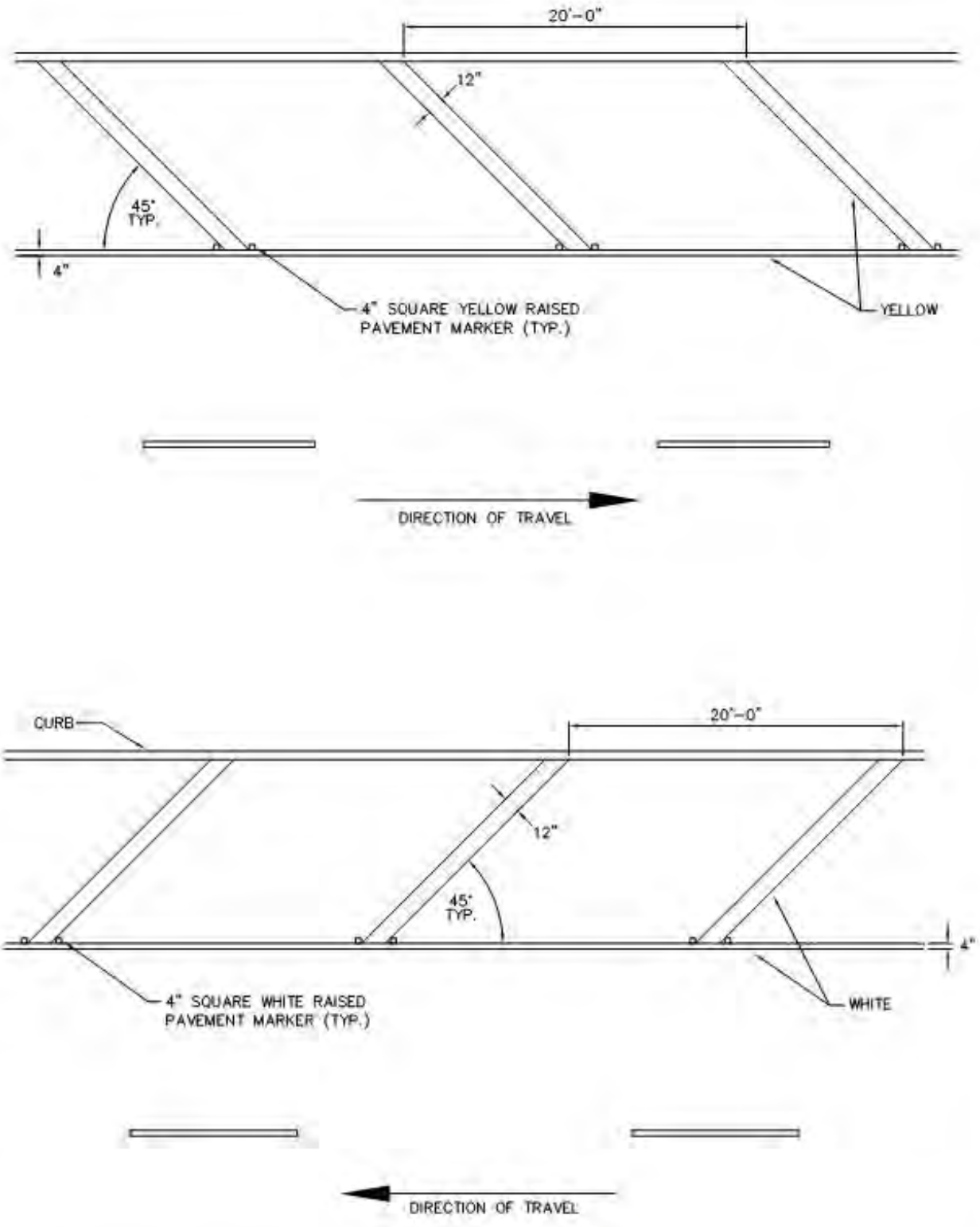


11' WIDE CHEVRON STRIPE



22' WIDE CHEVRON STRIPE

CHEVRON STRIPING	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-2390



DIAGONAL CROSSHATCH STRIPING	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
		DATE Mar. 2018	STANDARD DRAWING NO. R-2400

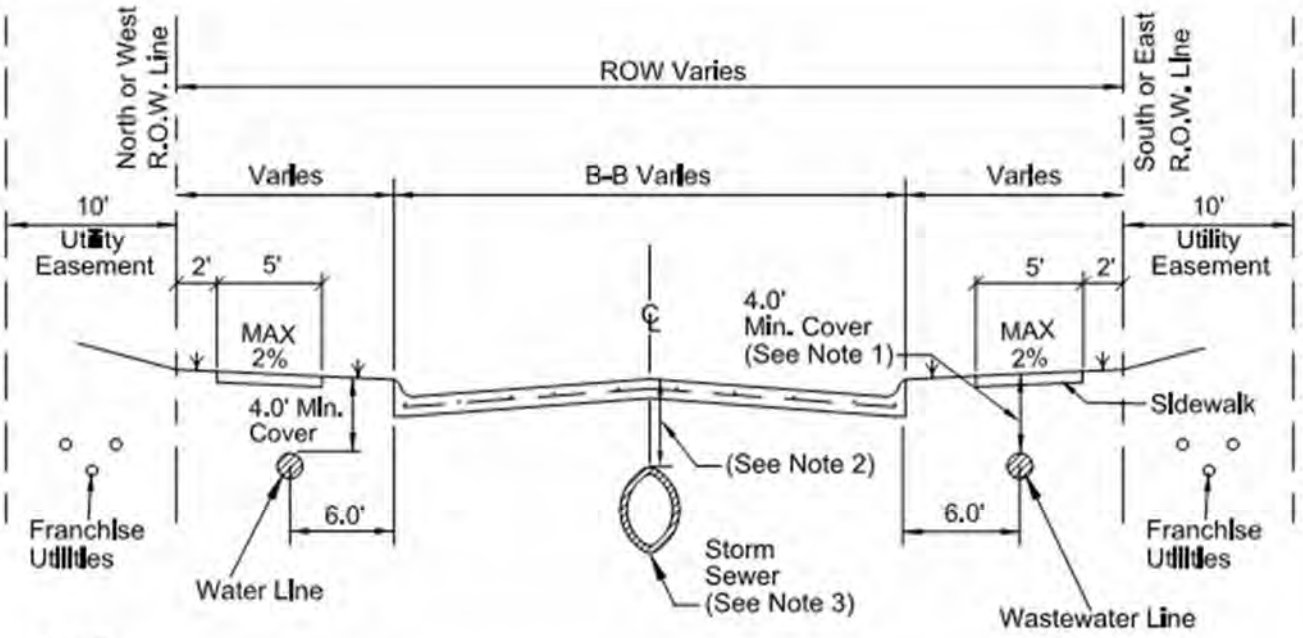
City of Rockwall
The New Horizon

8.3 Division 3000 General Underground Conduit

NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

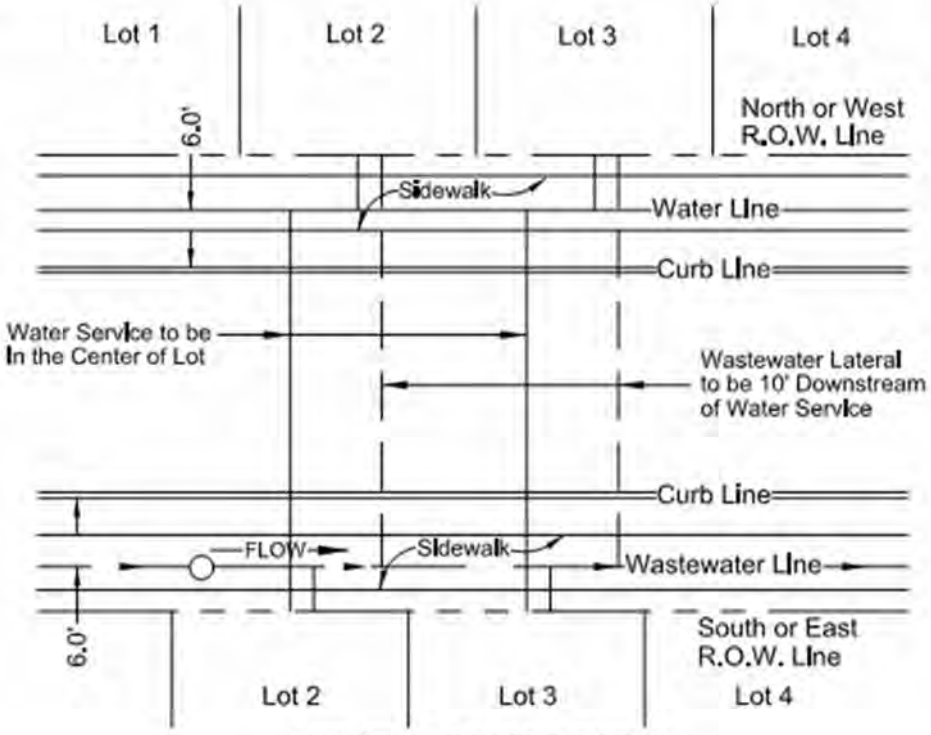
Table 9.3: Revisions to NCTCOG's Division 3000 General Underground Conduit

Revised	Drawing No.	Subject
(3)	**R-3000**	**Utilities Location Detail**
(1)	~~3010~~	~~Embedment – Class "A" & "A-1"~~
(3)	**R-3010**	**Embedment – Class "A" & "A-1"**
(1)	~~3020~~	~~Embedment – Class "B", "B+" & "B-1"~~
(3)	**R-3020**	**Embedment – Class "B", "B+" & "B-1"**
(1)	~~3030~~	~~Embedment – Class "B-2", "B-3" & "B-4"~~
(3)	**R-3030**	**Embedment – Class "B-2", "B-3" & "B-4"**
(1)	~~3040~~	~~Embedment – Class "C", "C+" & "C-1"~~
(3)	**R-3040**	**Embedment – Class "C", "C+" & "C-1"**
(1)	~~3050~~	~~Embedment – Class "D+" & "G"~~
(3)	**R-3050**	**Embedment – Class "D+" & "G"**
(1)	~~3060~~	~~Embedment – Class "G-1" & "H"~~
(3)	**R-3060**	**Embedment – Class "G-1" & "H"**
(1)	~~3070A~~	~~Pavement Cut and Repair – Concrete and Parkway~~
(3)	**R-3070A**	**Pavement Cut and Repair – Concrete and Parkway**
(1)	~~3070B~~	~~Pavement Cut and Repair – Asphalt~~
(3)	**R-3070B**	**Pavement Cut and Repair – Asphalt**
(1)	~~3070C~~	~~Pavement Cut and Repair – Extent - Residential~~
(1)	~~3070D~~	~~Pavement Cut and Repair – Extent - Multiple Lanes~~
(1)	~~*3080*~~	~~*Infiltration Protection – Conduit Under Channel*~~
(3)	*R-3090*	*Underground Conduit – Steel Encased Bore*



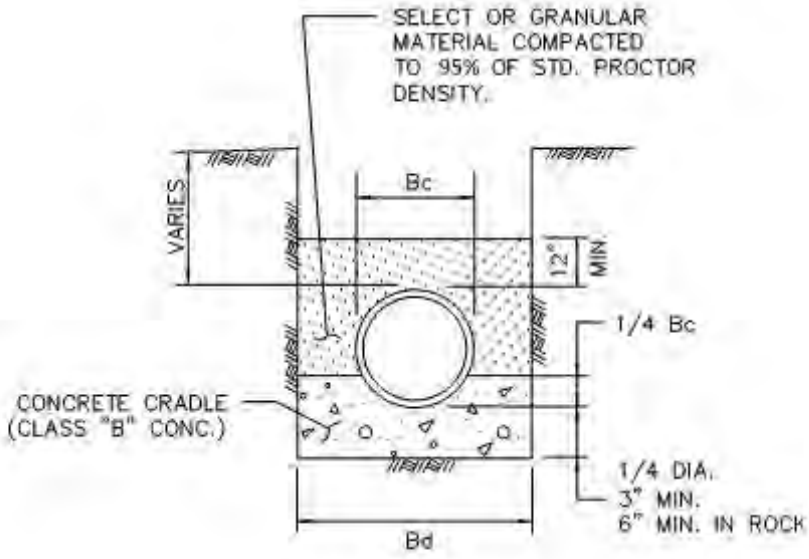
NOTE:

1. If wastewater line has a cover greater than ten feet (10') than pipe shall be minimum SDR 26 and no services allowed.
2. If cover is two (2) feet or less than Class IV RCP is required.
3. Horizontal location of storm sewer for divided roads to be determined by design engineer. Not to be placed in the parkway.



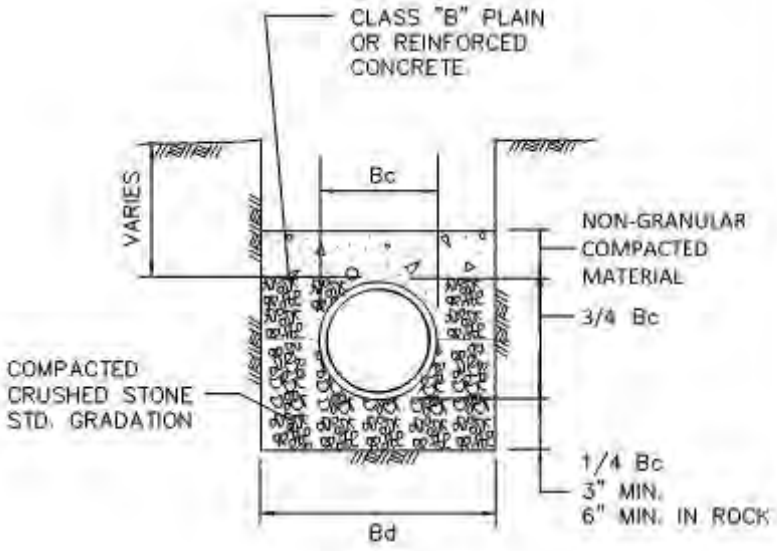
UTILITY SERVICE DETAIL

GENERAL UNDERGROUND CONDUIT	CITY OF ROCKWALL	
UTILITIES LOCATION DETAIL		DATE: OCT. '17 / DRAWING NO.: R-3000



CLASS "A"

CLASS "B" CONCRETE CRADLE N.T.S.
PLAIN CONC. LF 2.8
REINF. CONC. LF 3.4 P=0.4%



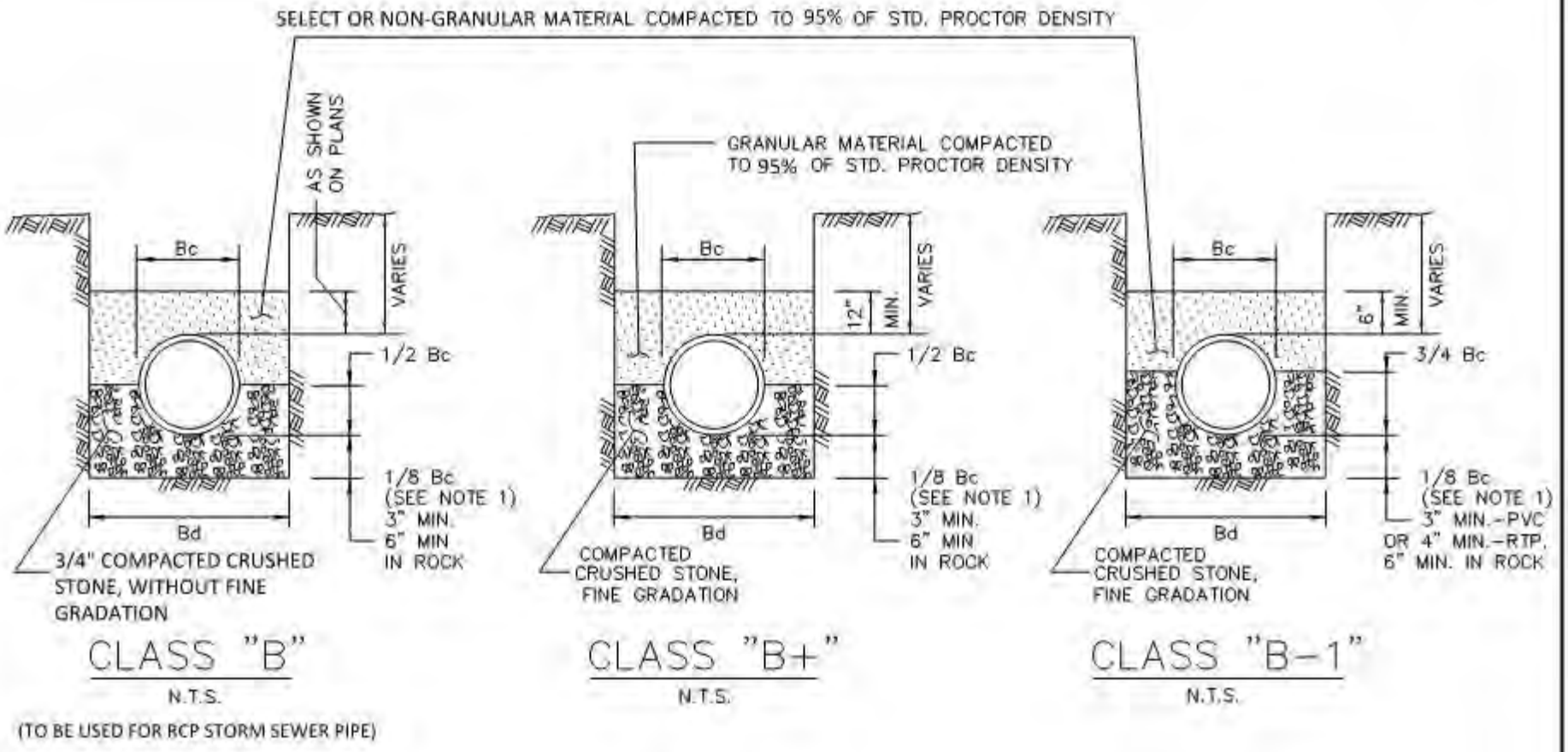
CLASS "A-1"

CLASS "B" CONCRETE CAP N.T.S.
PLAIN CONC. LF 2.8
REINF. CONC. LF 3.4 P=0.4%
REINF. CONC. LF 4.8 P=1.0%

NOTES:

1. LF. = LOAD FACTOR TO BE USED TO DETERMINE 3 EDGE BEARING BASED ON TYPE OF EMBEDMENT.
2. FREE-FALL OF CONCRETE NOT TO EXCEED 5 FT. MAXIMUM.
3. P = Rho FOR STEEL %
4. Bc = OUTSIDE DIAMETER OF PIPE
5. Bd = TRENCH WIDTH

STANDARD DRAWING NO. 3010	EMBEDMENT CLASS "A" & "A-1"	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 504.5	
			DATE Mar. 2018	STANDARD DRAWING NO. R-3010



NOTES:

1. FOR MAINS 42" DIAMETER AND LARGER LARGER, 1/8 Bc SHALL BE TAKEN AS 6".
2. Bc = OUTSIDE DIAMETER OF PIPE
3. Bd = TRENCH WIDTH

STANDARD DRAWING NO. R-3020

EMBEDMENT

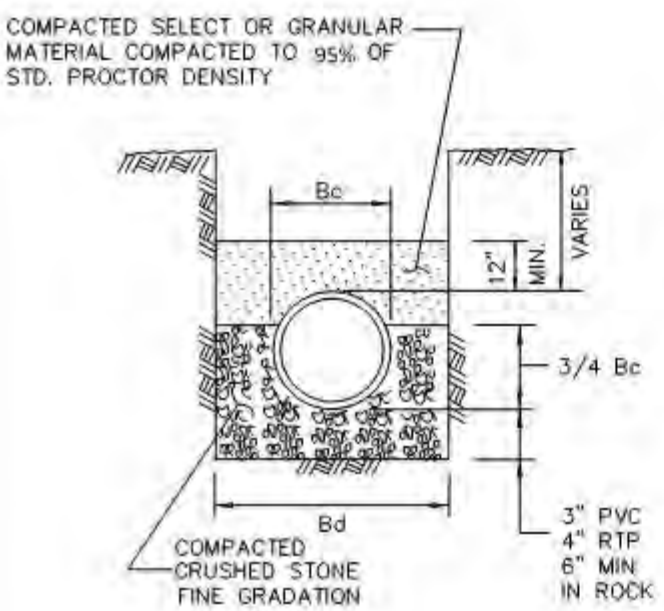
CLASS "B", "B+", & "B-1"

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 504.5

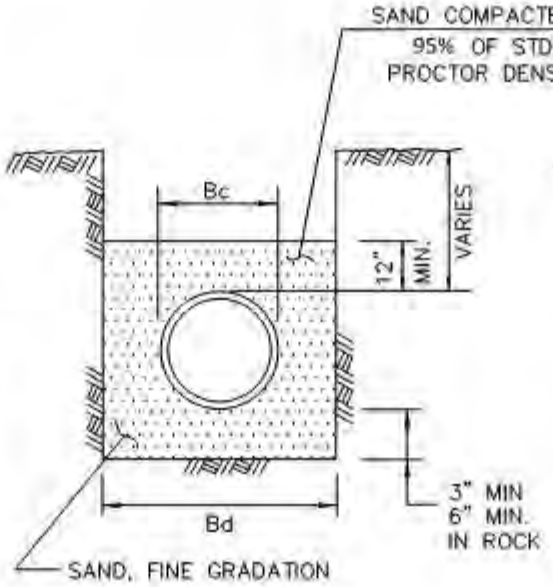
DATE Mar. 2018

STANDARD DRAWING NO. R-3020



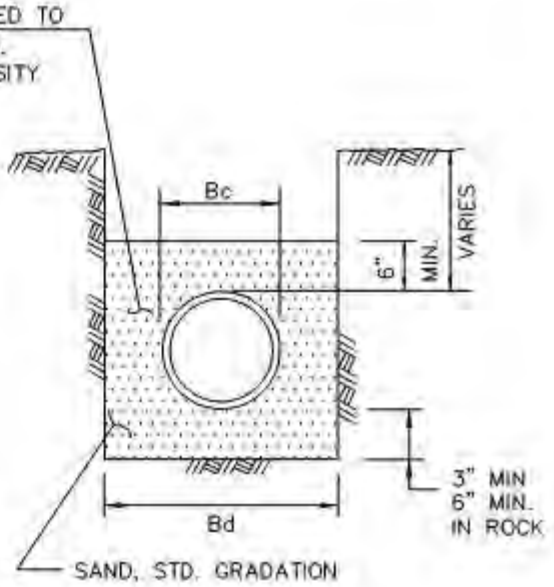
CLASS "B-2"

N.T.S.



CLASS "B-3"

N.T.S.



CLASS "B-4"

N.T.S.

(TO BE USED FOR PVC WATER PIPE AND PVC WASTE WATER FORCE MAIN PIPE)

NOTES:

1. Bc = OUTSIDE DIAMETER OF PIPE
2. Bd = TRENCH WIDTH
3. NO GRANULAR MATERIAL ABOVE ROCK OR STONE EMBEDMENT

STANDARD DRAWING NO. 3030

EMBEDMENT

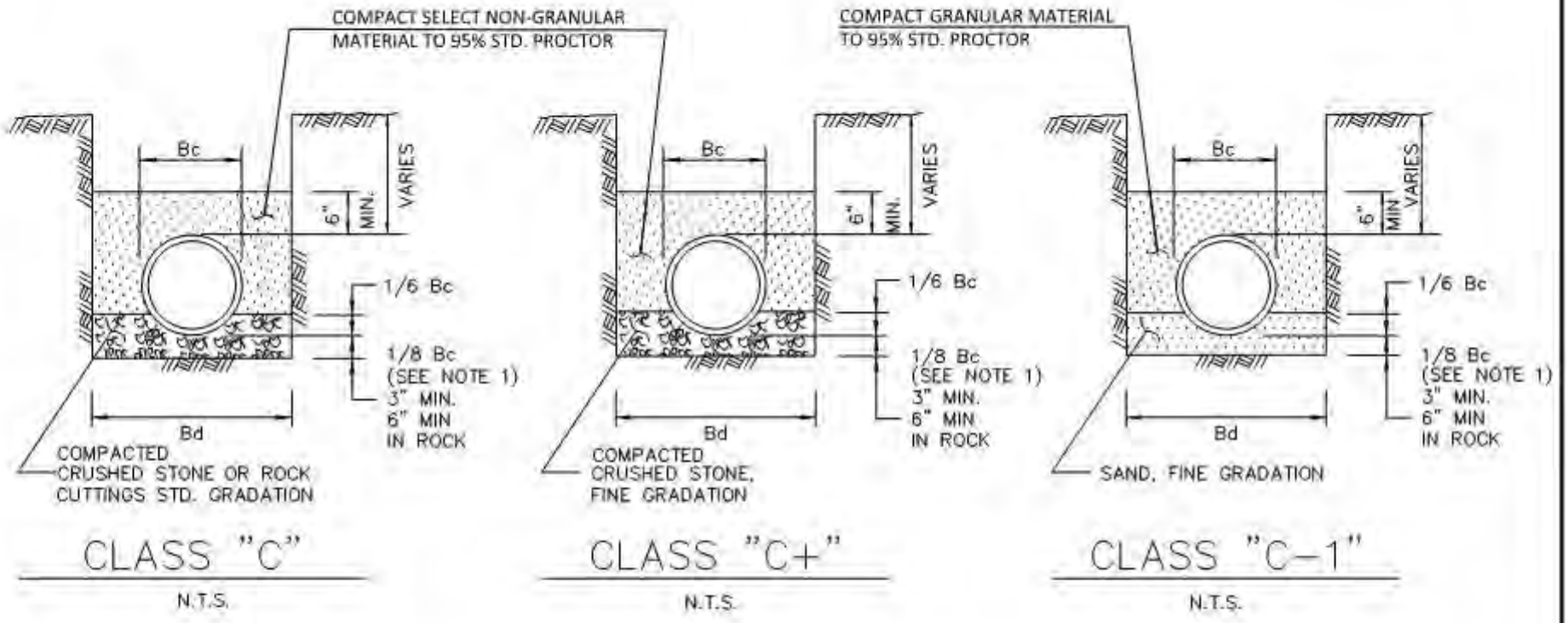
CLASS "B-2","B-3", & "B-4"

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 504.5

DATE AUG. '19

STANDARD DRAWING NO. R-3030



NOTES:

1. FOR MAINS 42" DIAMETER AND LARGER, 1/8 Bc SHALL BE TAKEN AS 6".
2. Bc = OUTSIDE DIAMETER OF PIPE
3. Bd = TRENCH WIDTH

STANDARD DRAWING NO. R-3040

EMBEDMENT

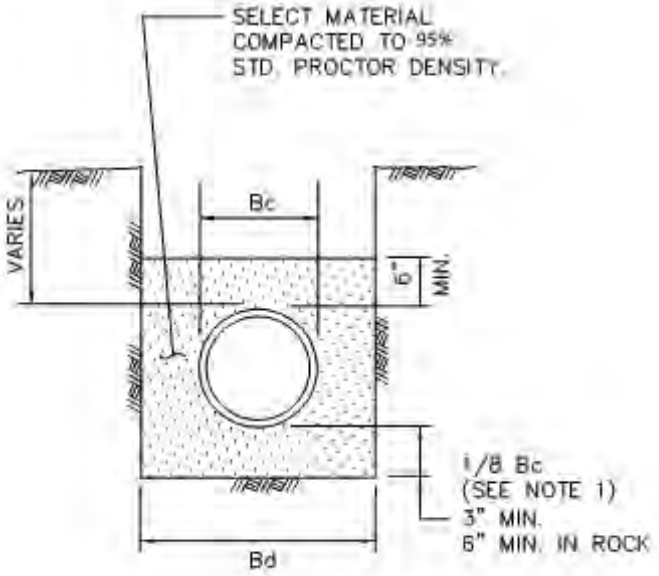
CLASS "C", "C+", & "C-1"

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 504.5

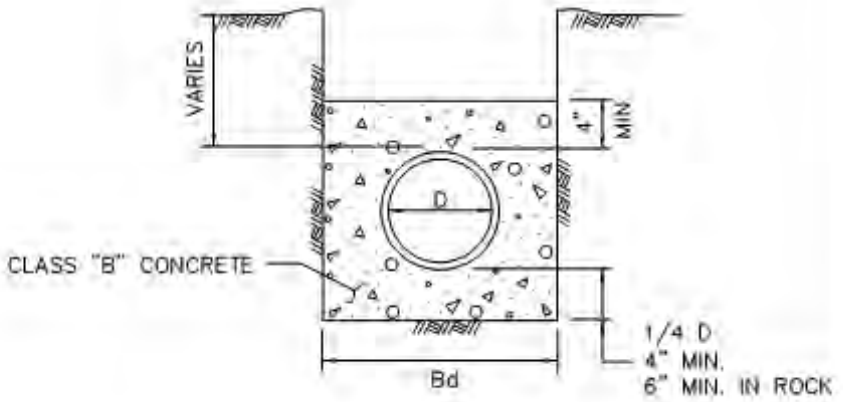
DATE Mar. 2018

STANDARD DRAWING NO. R-3040



CLASS "D+"

N.T.S.



CLASS "G"

N.T.S.

NOTES:

1. FOR MAINS 42" DIAMETER AND LARGER, 1/8 Bc SHALL BE TAKEN AS 6".
2. Bc = OUTSIDE DIAMETER OF PIPE
3. Bd = TRENCH WIDTH
4. D = INSIDE DIAMETER OF PIPE

STANDARD DRAWING NO. R-3050

EMBEDMENT

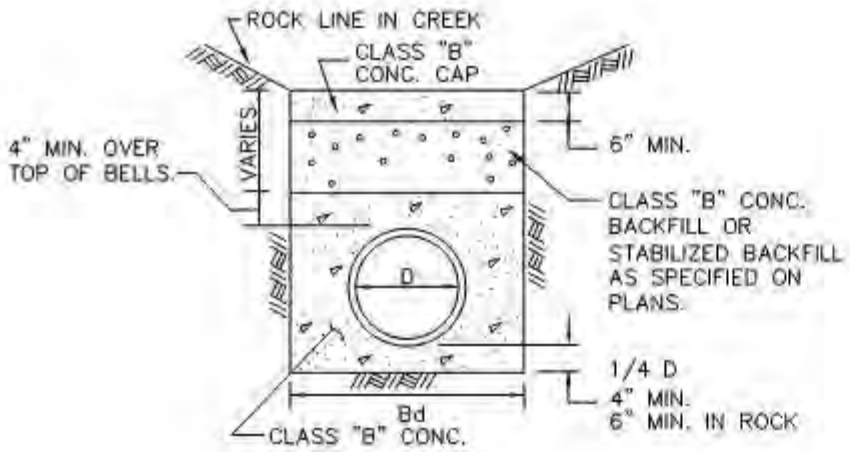
CLASS "D+" & "G"

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 504.5

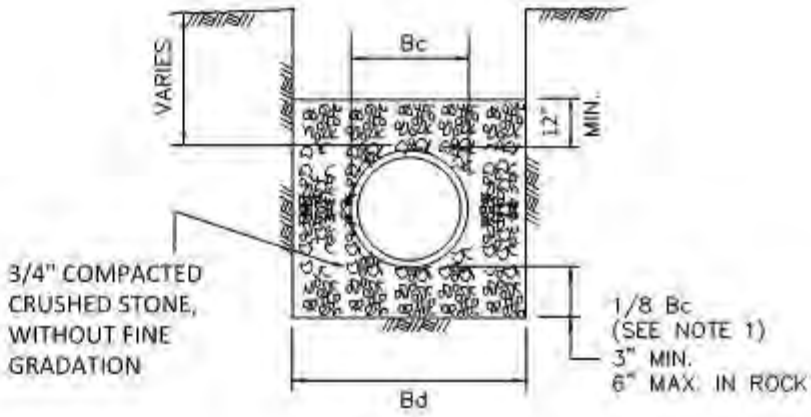
DATE Mar. 2018

STANDARD DRAWING NO. R-3050



CLASS "G-1"

(FOR ROCK DITCHES IN CREEKS)
N.T.S.



CLASS "H"

N.T.S.

(TO BE USED FOR PVC WASTEWATER PIPE)

NOTES:

1. FOR MAINS 42" DIAMETER AND LARGER, 1/8 Bc SHALL BE TAKEN AS 6".
2. Bd = TRENCH WIDTH
3. Bc = OUTSIDE DIAMETER OF PIPE
4. D = INSIDE DIAMETER OF PIPE

STANDARD DRAWING NO. R-3060

EMBEDMENT

CLASS "G-1" & "H"

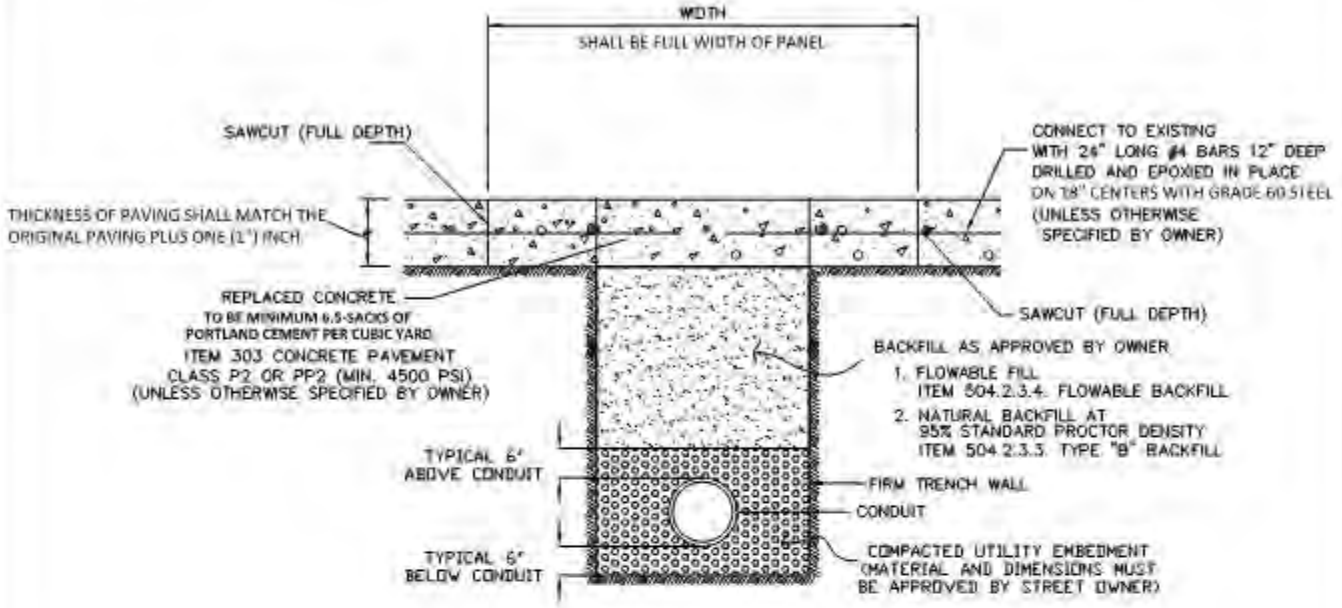
CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 504.5

DATE AUG. '19

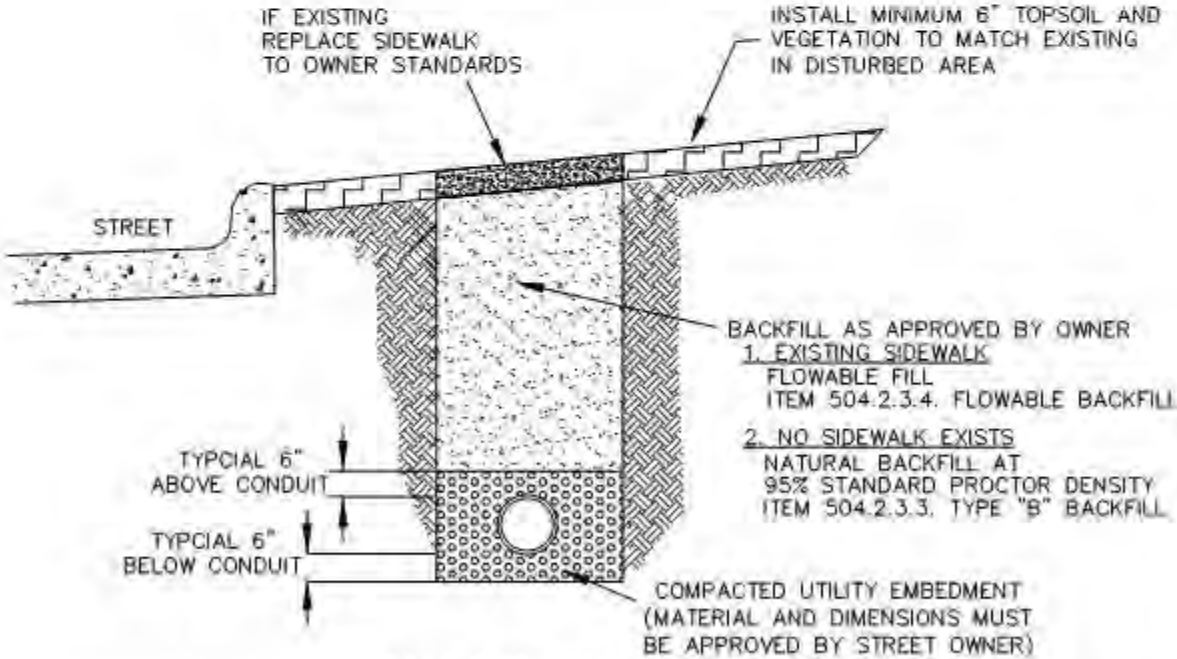
STANDARD DRAWING NO. R-3060

GENERAL NOTE: CHECK WITH STREET OWNER FOR SPECIFIC REQUIREMENTS NOT CONTAINED HEREIN



CONCRETE PAVEMENT

N.T.S.

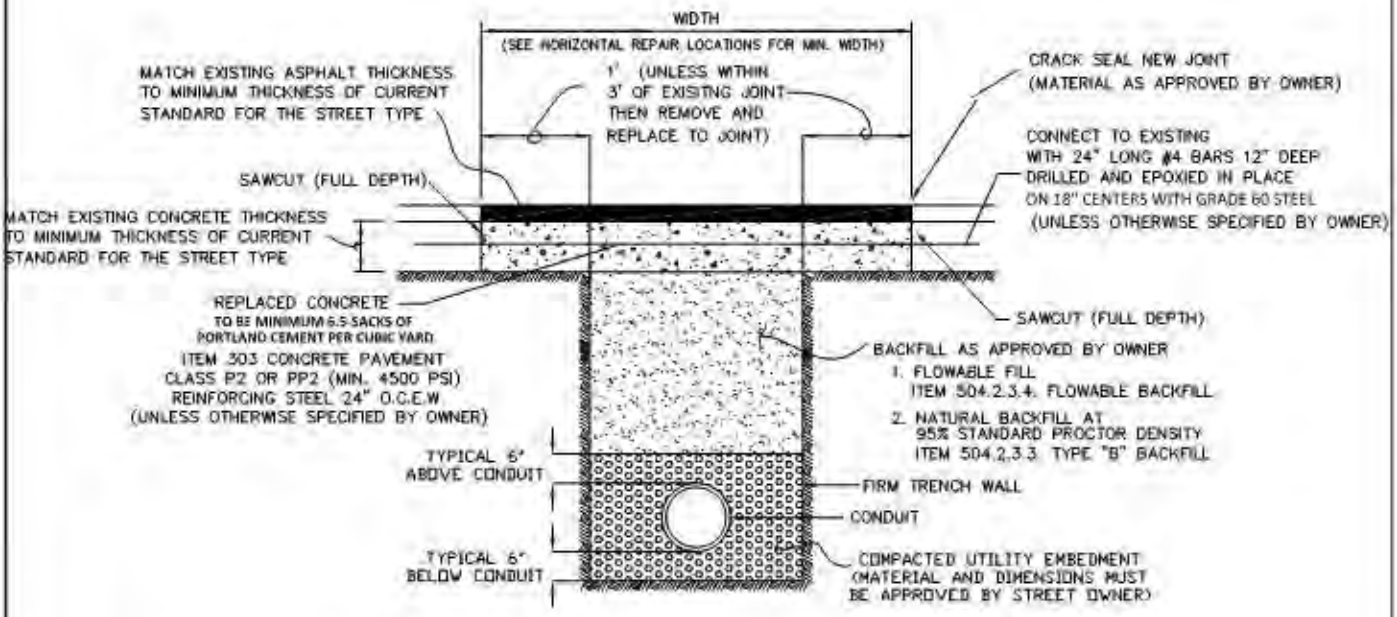


STREET PARKWAY

N.T.S.

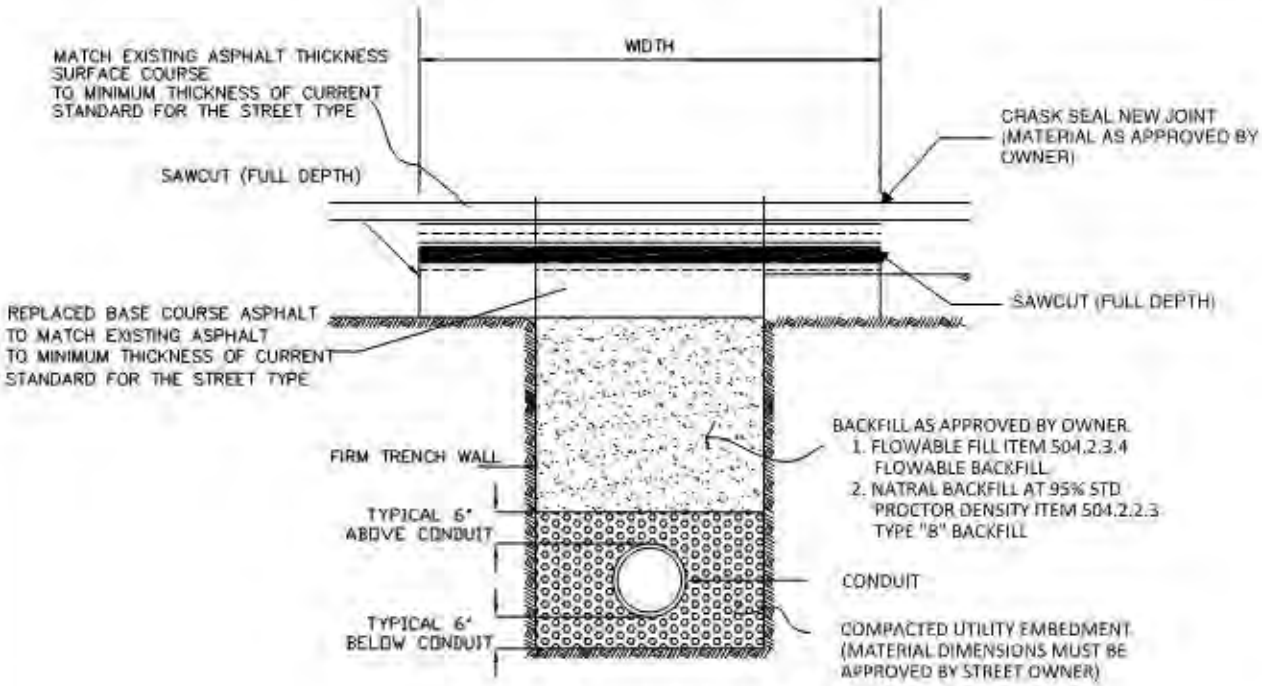
PAVEMENT CUT AND REPAIR	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 402	
CONCRETE AND PARKWAY		DATE Mar. 2018	STANDARD DRAWING NO. R-3070A

GENERAL NOTE: CHECK WITH STREET OWNER FOR SPECIFIC REQUIREMENTS NOT CONTAINED HEREIN



CONCRETE PAVEMENT WITH ASPHALT OVERLAY

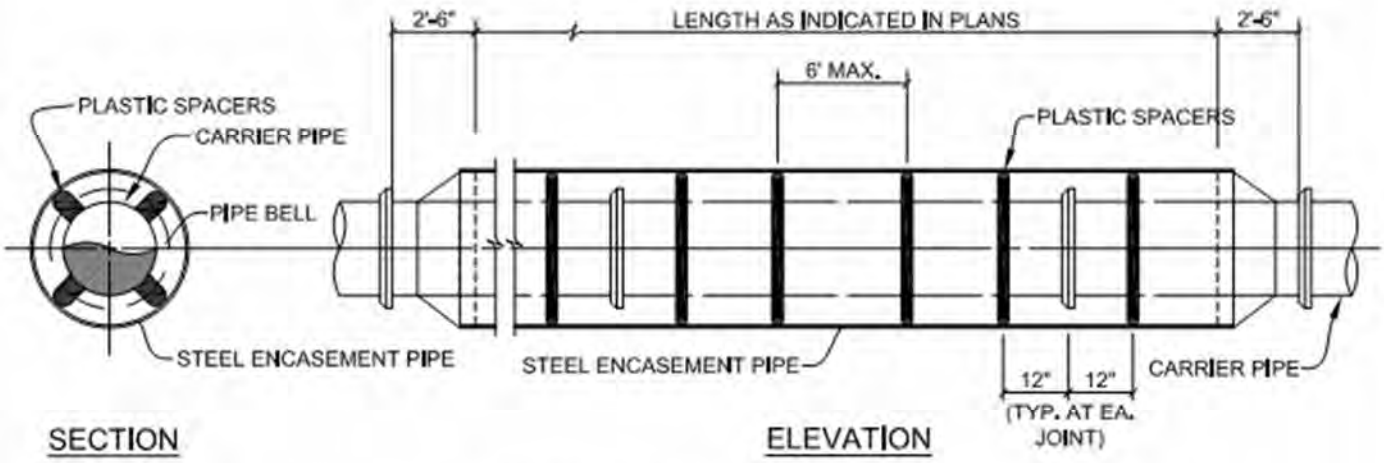
N.T.S.



FULL DEPTH ASPHALT PAVEMENT

N.T.S.

PAVEMENT CUT AND REPAIR	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 402	
ASPHALT		DATE Mar. 2018	STANDARD DRAWING NO. R-3070B



ENCASED ROAD BORE

NO SCALE

NOTES:

1) ALL BORES BY CONTRACTOR SHALL BE DRY BORES.
2) PREFABRICATED PLASTIC SPACERS SHALL BE RACI NORTH AMERICA OR APPROVED EQUAL. FOR THE SPECIFIC APPLICATION AS RECOMMENDED BY THE MANUFACTURER.
3) CONTRACTOR SHALL PROVIDE SUPPORT UNDER CARRIER PIPE TO HAVE A MIN. 1" CLEARANCE BETWEEN PIPE BELL AND ENCASEMENT PIPE.
4) ENDS OF ENCASEMENT PIPE SHALL HAVE END SEALS INSTALLED PER MANUFACTURER'S REQUIREMENTS. END SEALS SHALL BE CCI MODEL ESW WRAP-AROUND BY CCI PIPELINE SYSTEMS OR APPROVED EQUAL.
5) THE DESIGN ENGINEER SHALL DESIGN THE MINIMUM THICKNESS OF THE ENCASEMENT PIPE. DESIGN WILL NEED TO INCLUDE DEAD LOADING BASED ON THE HEIGHT OF COVER AND HS-20 LOADINGS FOR ROADWAY CROSSINGS AND E-80 LOADINGS FOR RAILROAD CROSSINGS.
6) STEEL ENCASEMENT PIPE SHALL CONFORM TO AWWA C-200. PIPE SHALL BE FABRICATED IN ACCORDANCE WITH ASTM A-570 FROM STEEL PLATES HAVING MINIMUM YIELD STRENGTH 36,000 PSI.
7) STEEL ENCASEMENT PIPE SHALL BE PAINTED INSIDE AND OUTSIDE WITH TWO COATS OF TNEMEC, HB TNEMECOL, SERIES 46+465 COAL TAR, OR CITY APPROVED EQUIVALENT PRIOR TO DELIVERY TO THE JOB SITE. MINIMUM COATING INSIDE AND OUTSIDE SHALL BE 12+MILS DRY FILM THICKNESS (DFT) PER EACH COAT.
8) ENCASEMENT PIPE SHALL BE FEILD WELDED IN ACCORDANCE WITH AWWA C-206. WELDED JOINTS SHALL BE WIRE BRUSHED AND PAINTED WITH ONE COAT OF TNEMEC, OMNITHANE SERIES 530, 2.5-MILS DRY FILM THICKNESS 9DFT) OR CITY APPROVED EQUIVALENT.

UNDERGROUND CONDUIT	CITY OF ROCKWALL	
STEEL ENCASED BORE		DATE: OCT. '17 / DRAWING NO.: R-3090

City of Rockwall
The New Horizon

8.4 Division 4000 Water Distribution

NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

Table 9.4: Revisions to NCTCOG's Division 4000 Water Distribution

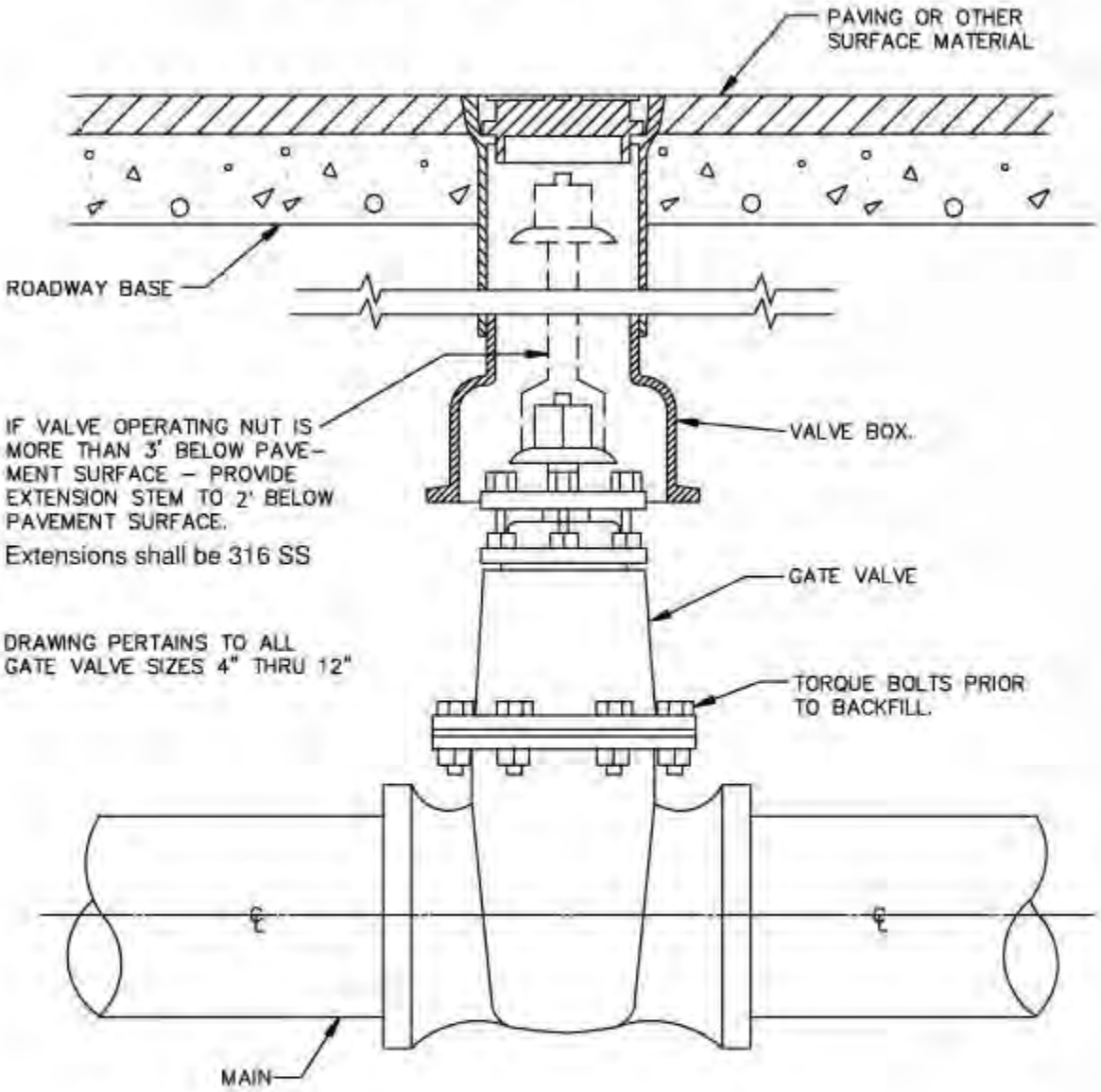
Revised	Drawing No.	Subject
	4010A	Horizontal Thrust Blocking – At Pipe Bend
	4010B	Horizontal Thrust Blocking – At Pipe Bend
	4010C	Horizontal Thrust Blocking – At Pipe Bend
	4020	Horizontal Thrust Blocking – At Tees and Plugs
	4030	Vertical Thrust Blocking – At Pipe Bend
	4040	Thrust Block – General Notes
(1)	~~4050~~	~~Gate Valve 4" to 12" – Box & Extension Stem~~
(3)	**R-4050**	**Gate Valve 4" to 12" – Box & Extension Stem**
(1)	~~4060A~~	~~Vault Construction – Horizontal Gate Valve ≥ 16"~~
(1)	~~4060B~~	~~Vault Construction – Horizontal Gate Valve ≥ 16"~~
(3)	**R-4060**	**16" Thru 21" – Horizontal Butterfly Valves**
(1)	~~4070A~~	~~Vault Construction – Vertical Gate Valve ≥ 16"~~
(1)	~~4070B~~	~~Vault Construction – Vertical Gate Valve ≥ 16"~~
	4080A	Vault Construction – Butterfly Valve ≥ 48"
	4080B	Vault Construction – Butterfly Valve ≥ 48"
(1)	~~4090~~	~~Combination Air Vacuum Valve – Type "1"~~
(3)	**R-4090**	**Combination Air Vacuum Valve – Type "1"**
	4100A	Combination Air Vacuum Valve – Type "2"
	4100B	Air Release Valve – Type "2"
(1)	~~4110~~	~~Flush Point Installation – Type "1"~~
(3)	**R-4110**	**Flush Point Installation – Type "1"**
(1)	~~4120~~	~~Fire Hydrant - Installation~~
(3)	**R-4120**	**Fire Hydrant - Installation**
(1)	~~4130~~	~~Water Service Installation – ¾" or 1" Line~~
(3)	**R-4130**	**Water Service Installation – ¾" or 1" Line**
(1)	~~4140~~	~~Water Service Installation – 1 ½" or 2" Line~~
(3)	**R-4140**	**Water Service Installation – 1 ½" or 2" Line**
(3)	**R-4145**	**Single Service Meter Tail Connection**
(1)	~~4150~~	~~4" Combination Service – With 4" Meter~~
(3)	**R-4150**	**4" Combination Service – With 4" Meter**
(1)	~~4160~~	~~8" Detector Check – Service with 8" Meter~~
(3)	**R-4060**	**Domestic Meter Vault – 3", 4" or 6" Line**
(3)	~~4170~~	~~8" Fire Line Standpipe – Service with 8" Meter~~
(3)	**R-4070**	**Irrigation Meter Vault – 3", 4" or 6" Line**
(1)	~~4180~~	~~4" Domestic Service – With 3" Meter~~
(1)	~~4190A~~	~~Large Service Meter – Vault Installation~~

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Revised	Drawing No.	Subject
(1)	~~4190B~~	~~Large Service Meter – Precast Vault~~
(1)	~~4200~~	~~Water Main Lowering – Below Wastewater Main~~
(3)	**R-4200**	**Water Main Lowering – Below Wastewater Main**

NOTE:

IN UNPAVED AREAS, INSTALL 2' x 2' x 6" CONCRETE VALVE PAD FLUSH WITH THE TOP OF VALVE BOX. REINFORCE WITH #3 BARS ON 6" CENTERS BOTH WAYS.



GATE VALVE BOX AND EXTENSION STEM

N.T.S.

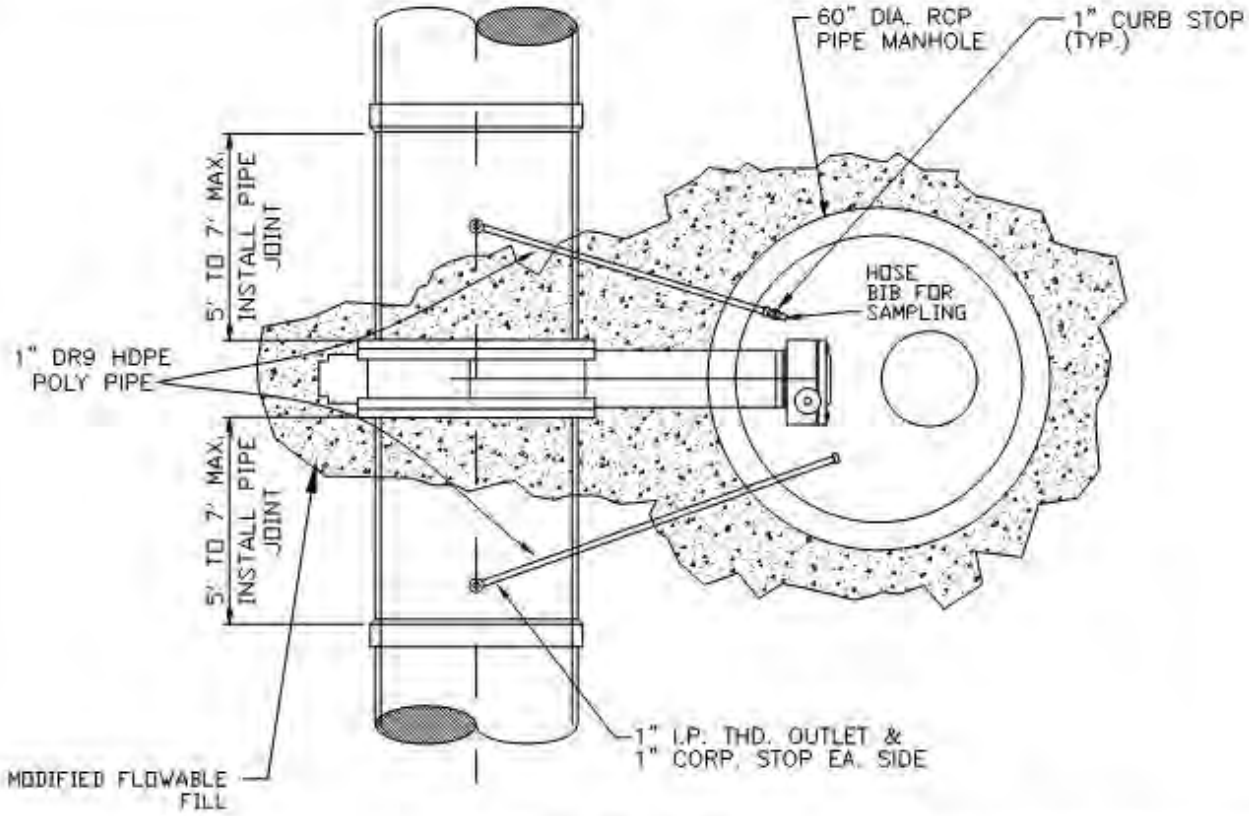
GATE VALVE 4" TO 12" BOX & EXTENSION STEM	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.6.6*	
		DATE AUG. '19	STANDARD DRAWING NO. R-4050

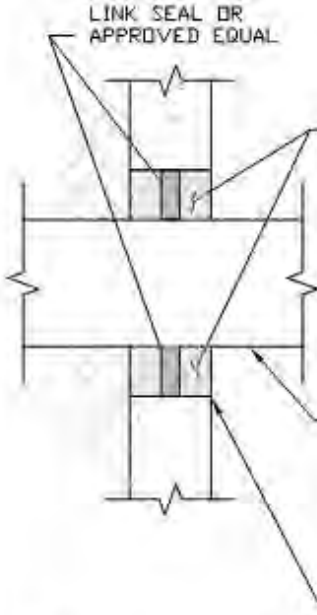
NOTES:

1. VALVE OPERATOR EXTENSION STEM SHALL BE 1" SOLID STEEL WITH WELDED CONNECTIONS. EXTENSION STEM SHALL NOT UTILIZE CLIPS AND SHALL NOT BE PERMANENTLY CONNECTED TO ACTUATOR.
2. WAX TAPE ALL BURIED FLANGES, BOLTS, AND MECHANICAL JOINTS.
3. WRAP VALVE IN 8 MIL POLYETHYLENE SHEET FOR BOND BREAKER PRIOR TO PLACEMENT OF MODIFIED FLOWABLE FILL.
4. DURING THE WATER LINE TESTING PROCESS, THE 1" HDPE DR9 POLY PIPE SHALL BE EXTENDED AND SUPPORTED TO 3 FEET ABOVE THE RIM ELEVATION OF THE VAULT FOR USE AS A WATER SAMPLING TEST STATION.
5. POLY PIPE SHALL BE SEAMLESS 250 PSI BLUE COLORED POLYETHYLENE ASTM D2737, DR 9, CTS WATER PIPE.
6. CONTRACTOR SHALL VERIFY VALVE BONNET, ACTUATOR, AND STEM EXTENSION DIMENSIONS WITH VALVE MANUFACTURER. COORDINATE LOCATION OF THE 2-INCH SQUARE NUT WITH VALVE BOX CAST IN MANHOLE ROOF SLAB. SUBMIT SHOP DRAWINGS CLEARLY SHOWING DIMENSIONS AND LOCATION OF THE ALL SLAB OPENINGS. ENSURE ADEQUATE CLEARANCE FOR ACTUATOR AND HATCH OPENING.
7. FOR SIZES ABOVE 20-INCH, THE ENGINEER OF RECORD SHALL SUBMIT A STRUCTURAL DESIGN TO THE CITY FOR REVIEW AND APPROVAL FOR CONSTRUCTION. THE STRUCTURAL DESIGN AND DETAIL SHALL FOLLOW THE GENERAL CONFIGURATION AND LAYOUT ILLUSTRATED IN STD. DWG. NO. R-4060

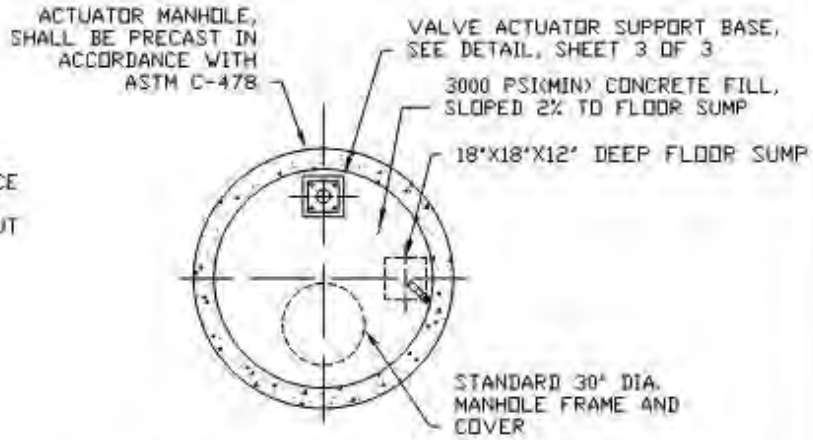
SHEET 1 OF 3

16" THRU 21"	CITY OF ROCKWALL	
HORIZONTAL BUTTERFLY VALVES		DATE: AUG '19 / DRAWING NO.: R-4060





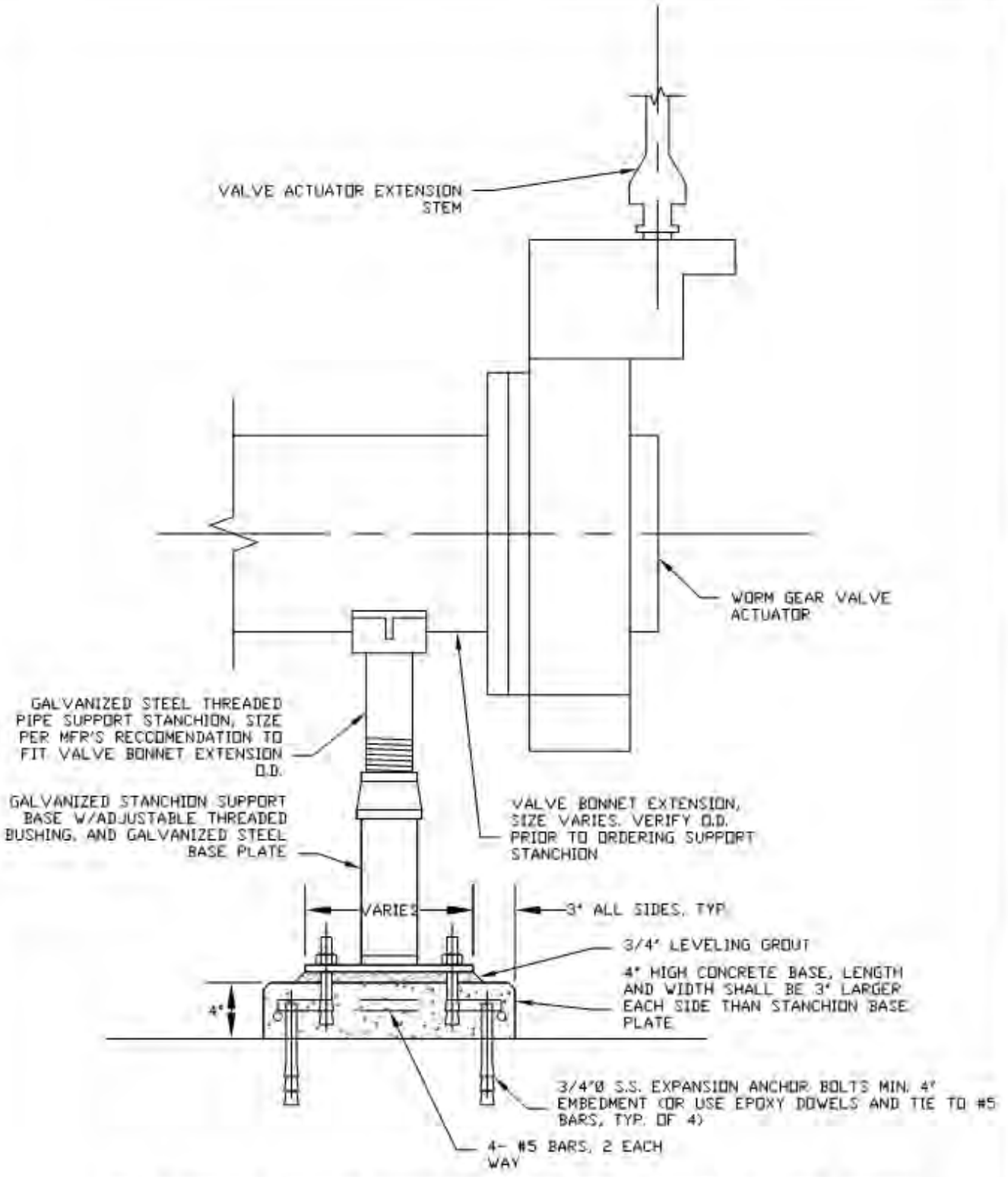
MANHOLE WALL PENETRATION DETAIL
N.T.S.



BFV SUPPORT & ACTUATOR MANHOLE
STANDARD DETAIL-MANHOLE INTERIOR PLAN
N.T.S.

SHEET 2 OF 3

16" THRU 21"	CITY OF ROCKWALL	
HORIZONTAL BUTTERFLY VALVES		DATE: AUG '19 / DRAWING NO.: R-4060



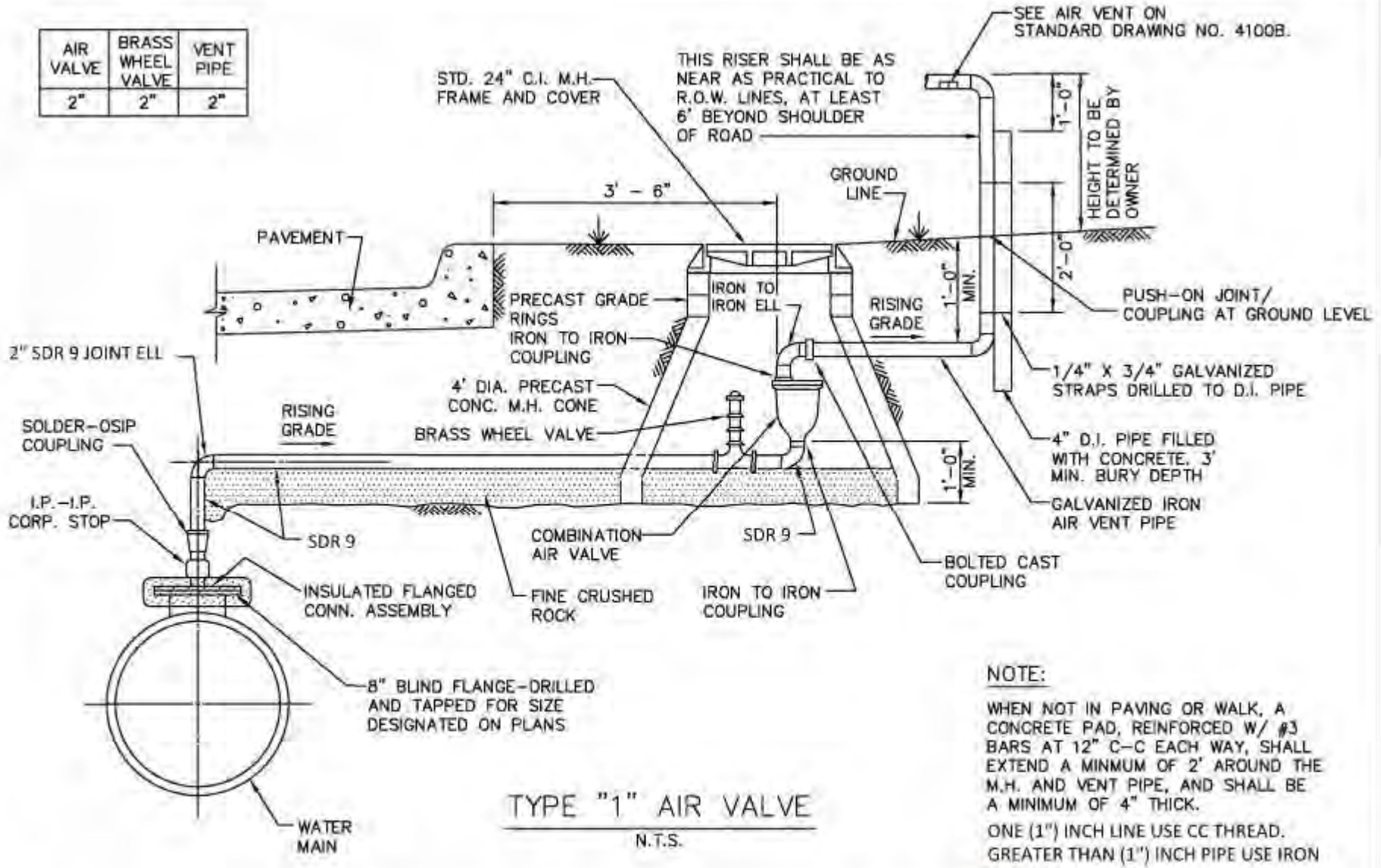
BFV SUPPORT & ACTUATOR MANHOLE STANDARD DETAIL - VALVE ACTUATOR SUPPORT

N.T.S.

SHEET 3 OF 3

16" THRU 21"	CITY OF ROCKWALL		
HORIZONTAL BUTTERFLY VALVES		DATE AUG '19	DRAWING NO R-4060

AIR VALVE	BRASS WHEEL VALVE	VENT PIPE
2"	2"	2"



TYPE "1" AIR VALVE

N.T.S.

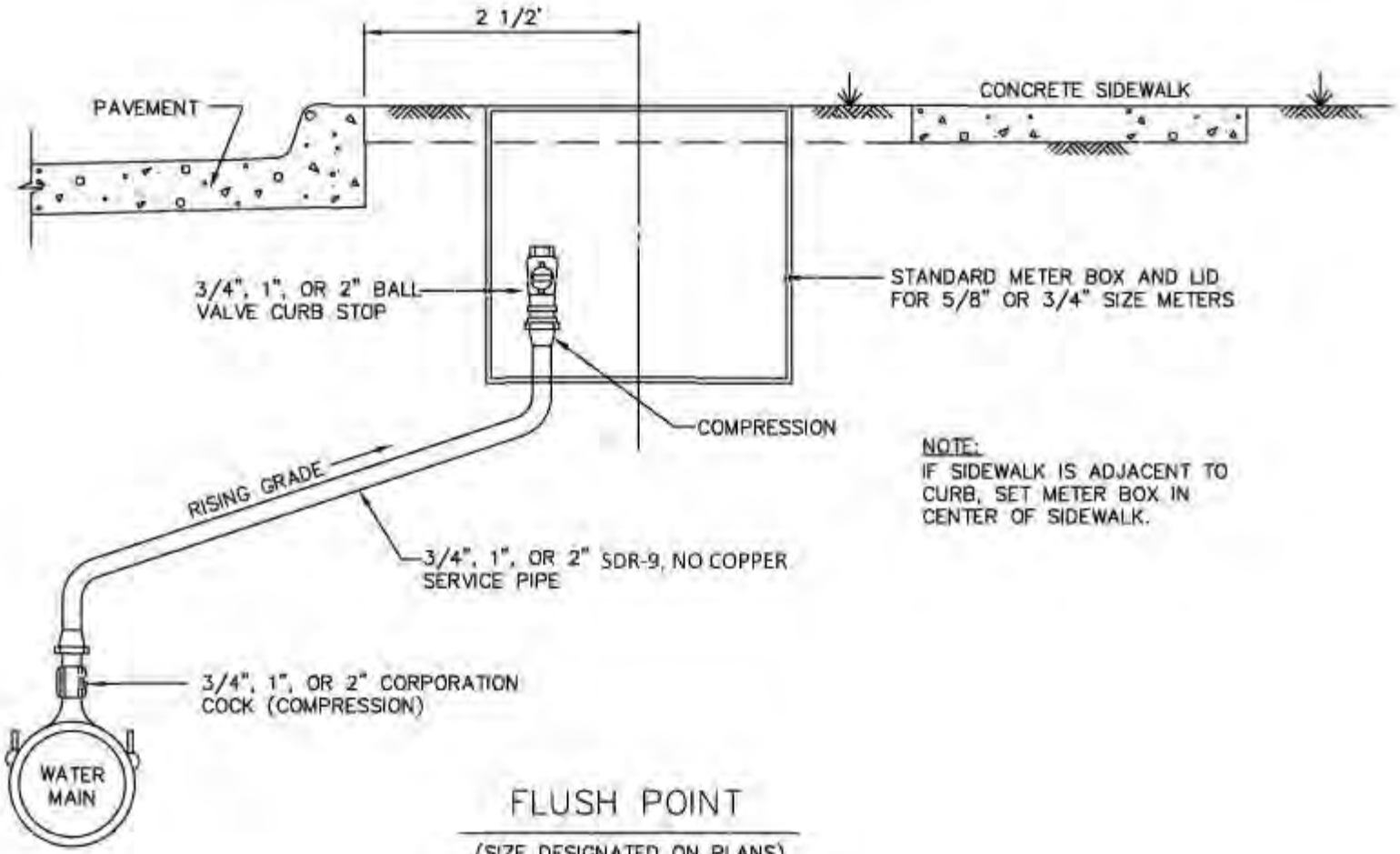
NOTE:

WHEN NOT IN PAVING OR WALK, A CONCRETE PAD, REINFORCED W/ #3 BARS AT 12" C-C EACH WAY, SHALL EXTEND A MINMUM OF 2' AROUND THE M.H. AND VENT PIPE, AND SHALL BE A MINIMUM OF 4" THICK.

ONE (1") INCH LINE USE CC THREAD. GREATER THAN (1") INCH PIPE USE IRON THREAD.

COMBINATION AIR VACUUM VALVE TYPE "1"	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.6.6*	
		DATE Mar. 2018	STANDARD DRAWING NO. R-4090

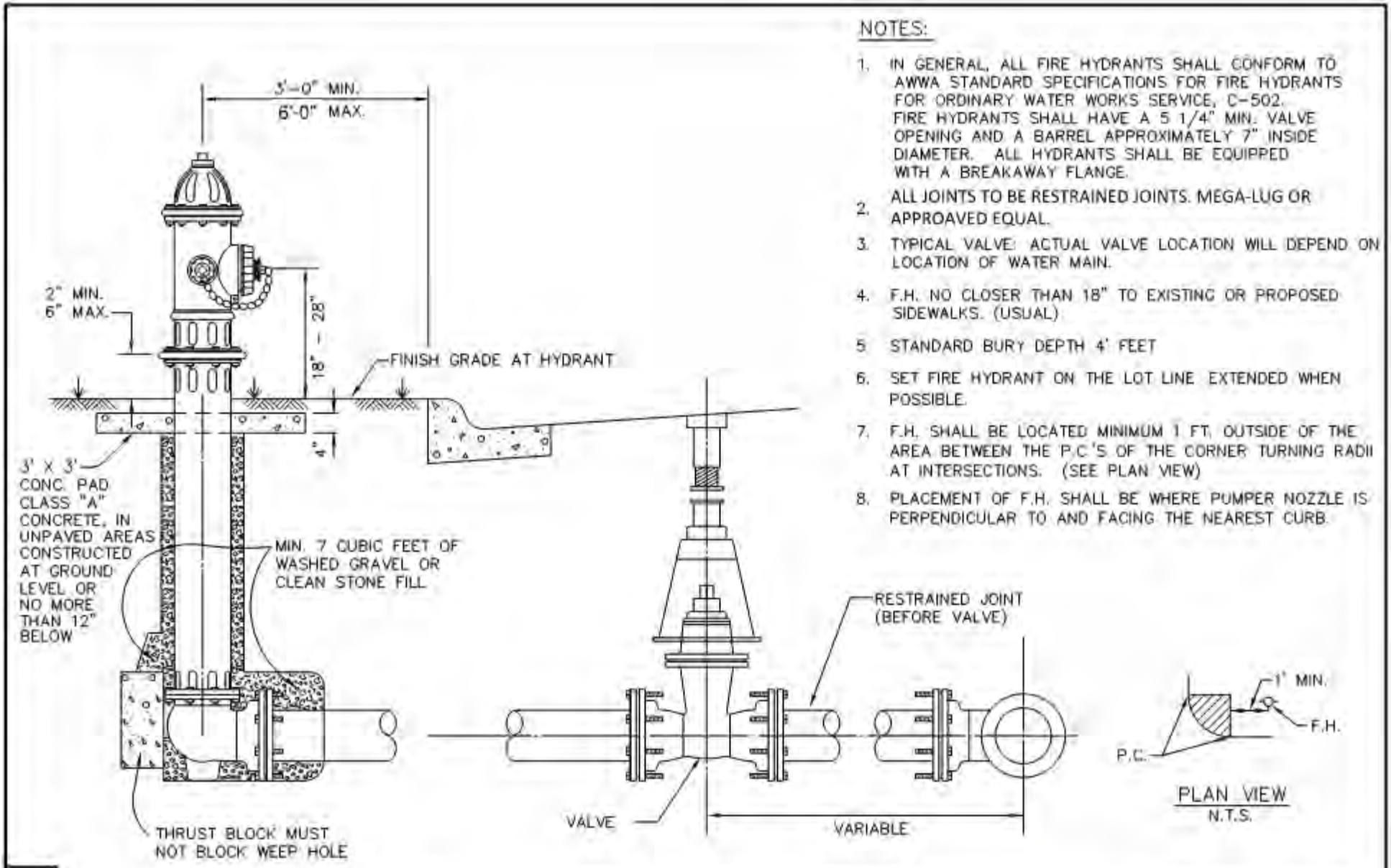
STANDARD DRAWING NO. R-4090



FLUSH POINT

(SIZE DESIGNATED ON PLANS)
N.T.S.

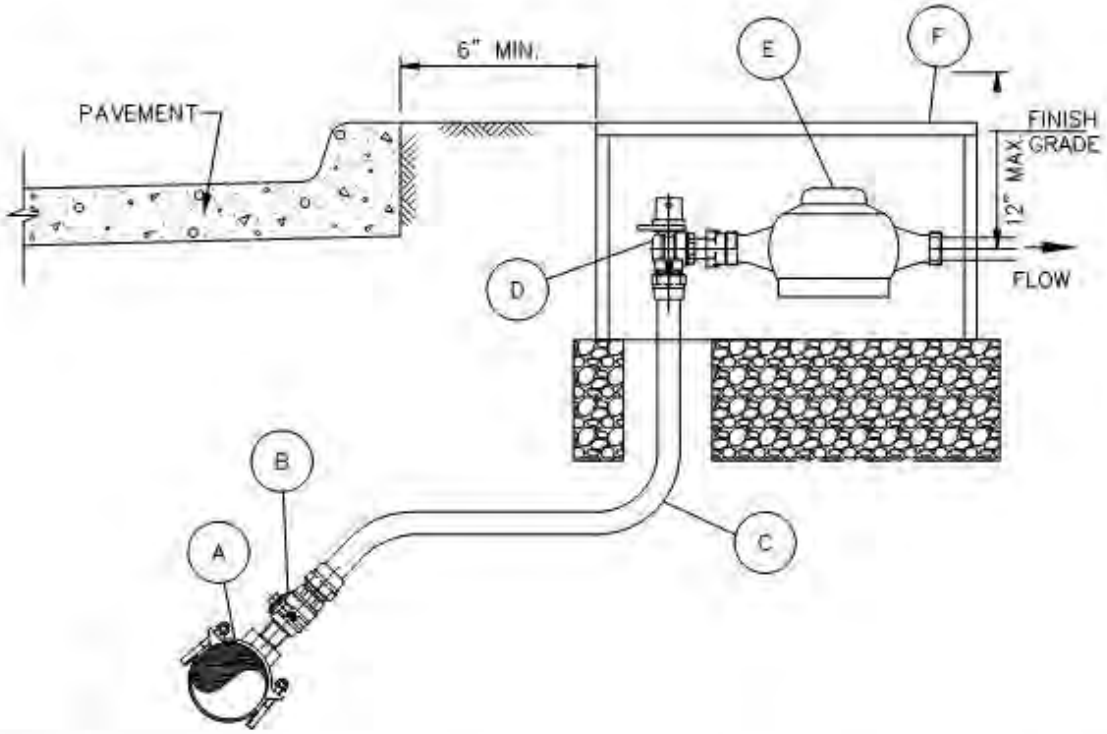
STANDARD DRAWING NO.	FLUSH POINT INSTALLATION	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE
R-4110	TYPE "1"		502.10.3*
			DATE: Mar. 2018 / STANDARD DRAWING NO.: R-4110



NOTES:

1. IN GENERAL, ALL FIRE HYDRANTS SHALL CONFORM TO AWWA STANDARD SPECIFICATIONS FOR FIRE HYDRANTS FOR ORDINARY WATER WORKS SERVICE, C-502. FIRE HYDRANTS SHALL HAVE A 5 1/4" MIN. VALVE OPENING AND A BARREL APPROXIMATELY 7" INSIDE DIAMETER. ALL HYDRANTS SHALL BE EQUIPPED WITH A BREAKAWAY FLANGE.
2. ALL JOINTS TO BE RESTRAINED JOINTS. MEGA-LUG OR APPROAVED EQUAL.
3. TYPICAL VALVE: ACTUAL VALVE LOCATION WILL DEPEND ON LOCATION OF WATER MAIN.
4. F.H. NO CLOSER THAN 18" TO EXISTING OR PROPOSED SIDEWALKS. (USUAL)
5. STANDARD BURY DEPTH 4' FEET
6. SET FIRE HYDRANT ON THE LOT LINE EXTENDED WHEN POSSIBLE.
7. F.H. SHALL BE LOCATED MINIMUM 1 FT. OUTSIDE OF THE AREA BETWEEN THE P.C.'S OF THE CORNER TURNING RADII AT INTERSECTIONS. (SEE PLAN VIEW)
8. PLACEMENT OF F.H. SHALL BE WHERE PUMPER NOZZLE IS PERPENDICULAR TO AND FACING THE NEAREST CURB.

STANDARD DRAWING NO.				
R-4120	FIRE HYDRANT INSTALLATION	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.3	
			DATE Aug. 2019	STANDARD DRAWING NO R-4120



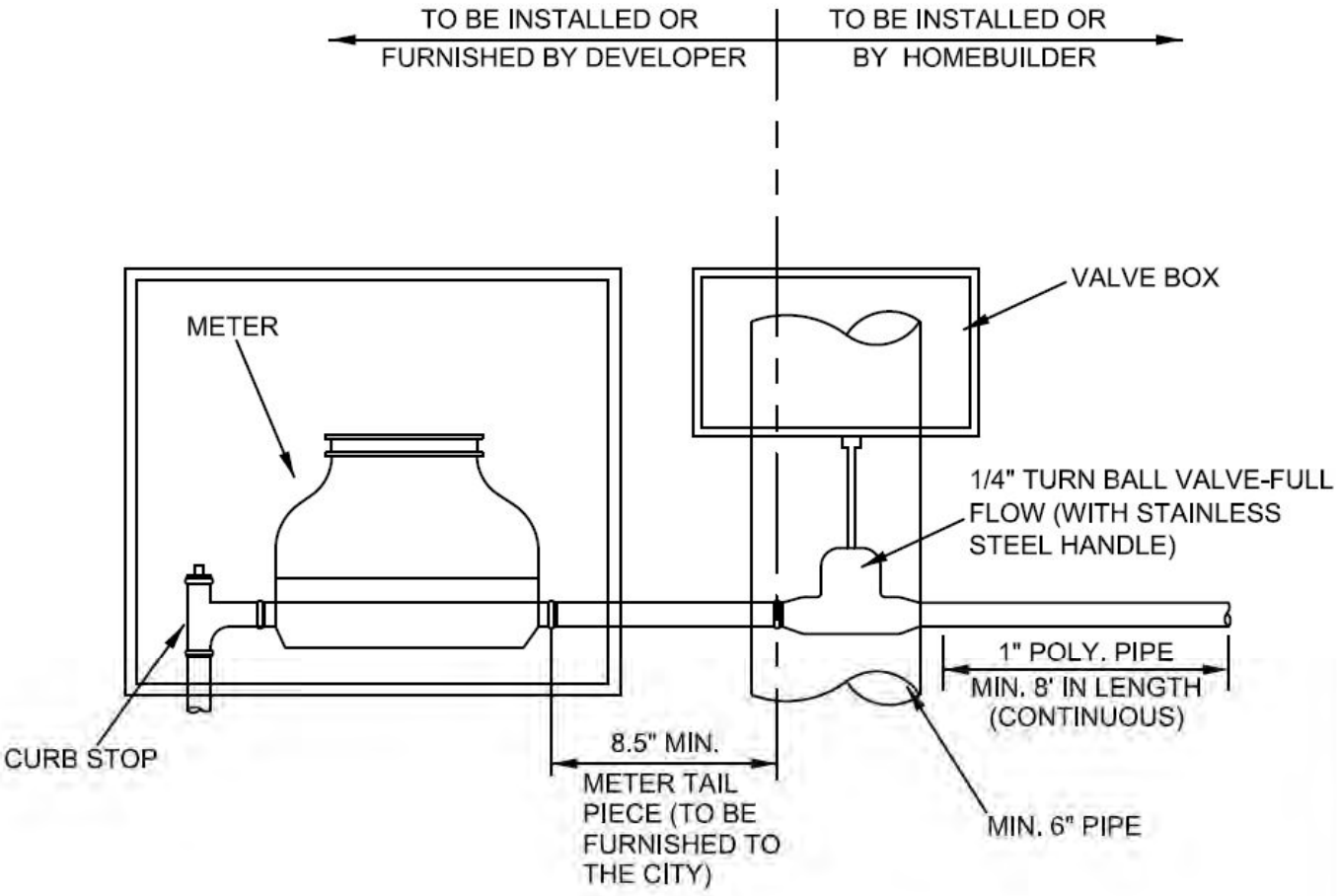
NOTES:

1. SERVICE PIPE SHALL BE 1" OR 2" SEAMLESS 250 PSI BLUE COLORED POLYETHYLENE ASTM D2737, SDR 9, CTS WATER SERVICE PIPE, NSF61 APPROVED.
2. TOP OF METER BOXES SHALL BE 1" ABOVE FINISHED GRADE.
3. METER BOX SHALL HAVE A MINIMUM OF 6" OF GRAVEL BENEATH METER BOX AS ILLUSTRATED.
4. LOCATION OF THE METER BOX SHALL BE LOCATED TO ALLOW 6" CLEARANCE FROM CURB.

MATERIAL LIST:

A. SERVICE SADDLE SHALL BE BRASS WITH DOUBLE BRONZE FLATTENED STRAPS OR STAINLESS STEEL DOUBLE BOLT WIDE STRAPS. NO BANDED OR HINGED STRAPS SHALL BE ALLOWED. SERVICE SADDLES SHALL MEET AWWA/CC TAPPING OUTLET (TAPERED THREADS) REQUIREMENTS. ALL SERVICE SADDLES SHALL BE PER APPROVED WATER MATERIALS LIST.
B. 1" OR 2" CORPORATION STOP PER APPROVED WATER MATERIALS LIST.
C. 1" OR 2" SERVICE PIPE SHALL BE SEAMLESS 250 PSI BLUE COLORED POLYETHYLENE ASTM D2737, SDR9, CTS WATER SERVICE PIPE, NSF61 APPROVED.
D. 1" OR 2" LOCKING ANGLE METER VALVE (STOP) PER APPROVED WATER MATERIALS LIST.
E. WATER METERS CENTERED IN BOX AS ILLUSTRATED.
F. ROUND METER BOX PER APPROVED WATER MATERIALS LIST.

WATER SERVICE INSTALLATION	CITY OF ROCKWALL		
1" OR 2" LINE		DATE AUG '19	DRAWING NO. R-4130



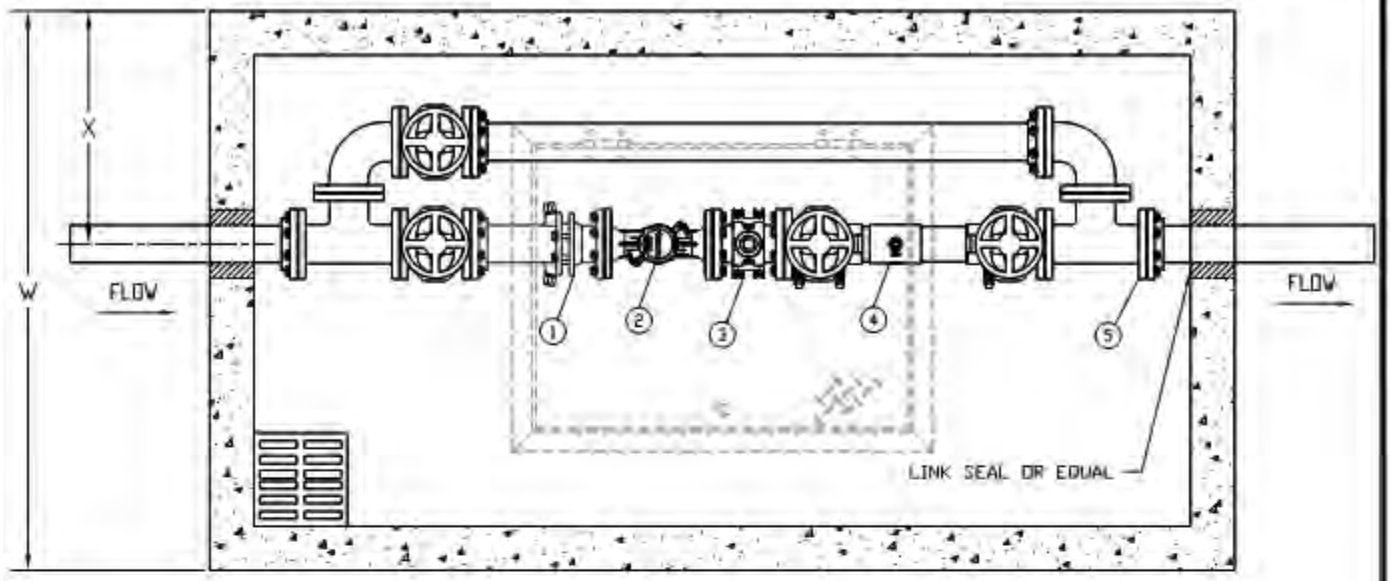
NOTE:

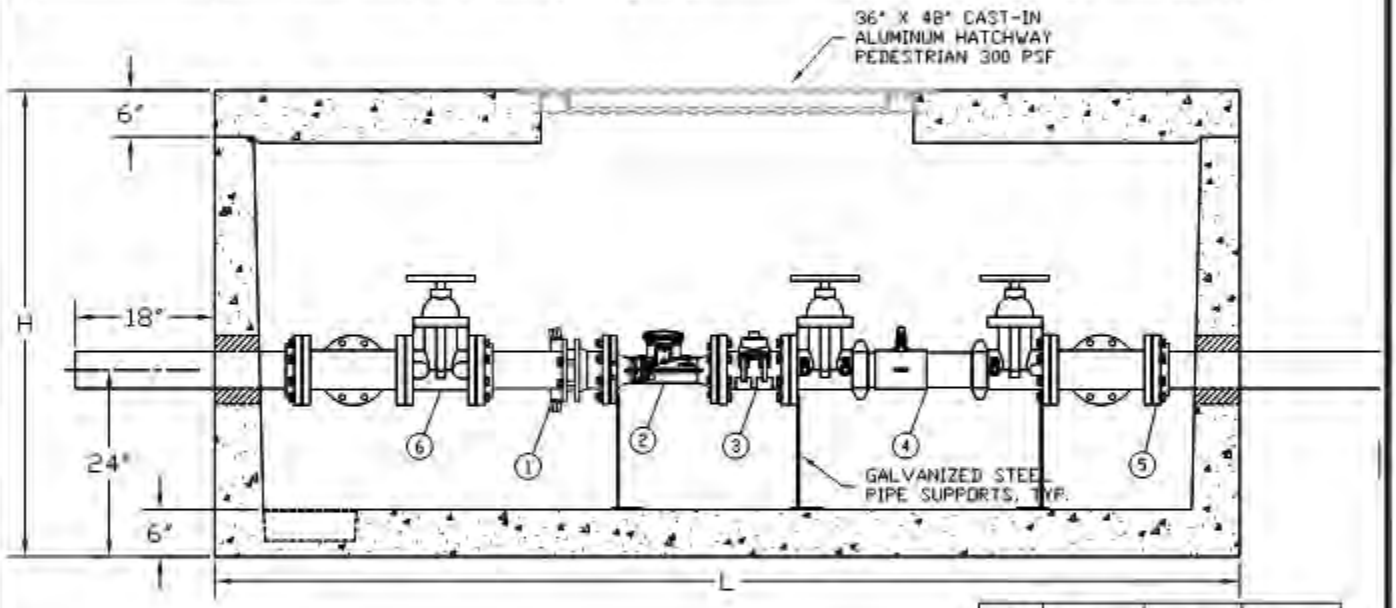
VALVE BOX TO BE TRAFFIC RATED IF UNDER PAVING.

SINGLE SERVICE METER TAIL CONNECTION

NOT TO SCALE

WATER METER DETAIL	CITY OF ROCKWALL	
SINGLE SERVICE		DATE AUG. '15 / DRAWING NO. R-4145





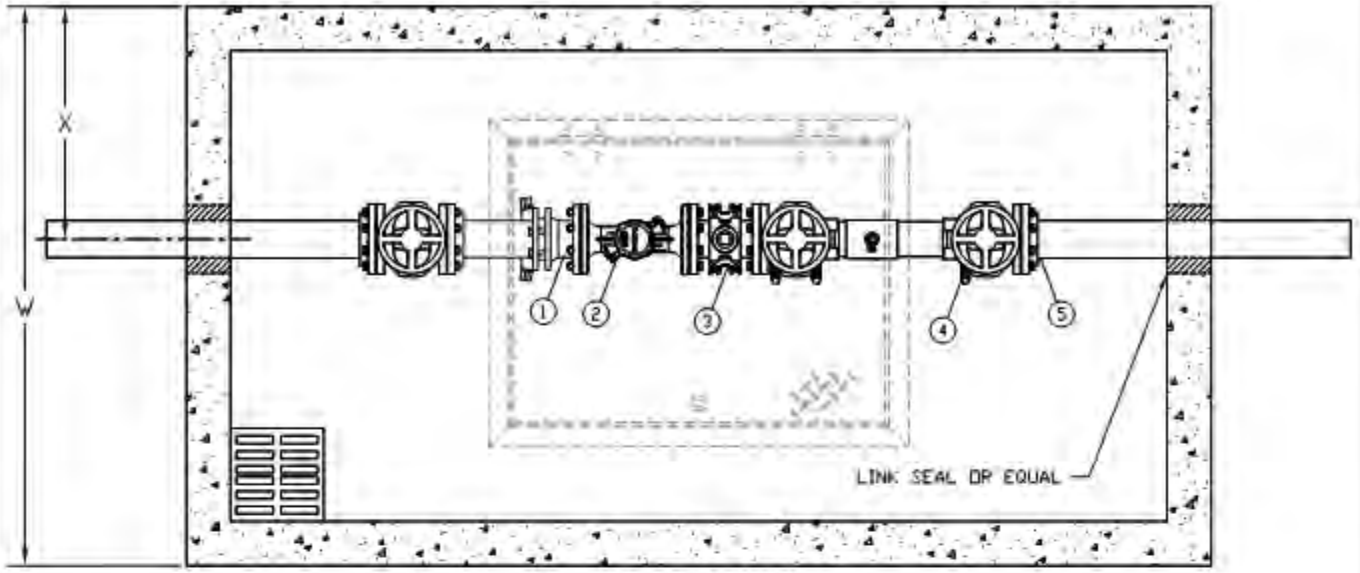
SIZE	L	W	H
3"	11'- 0"	6'- 0"	5'- 0"
4"	8'- 8"	5'- 0"	5'- 0"
6"	11'- 0"	6' 0"	5'- 0"

NOTES:

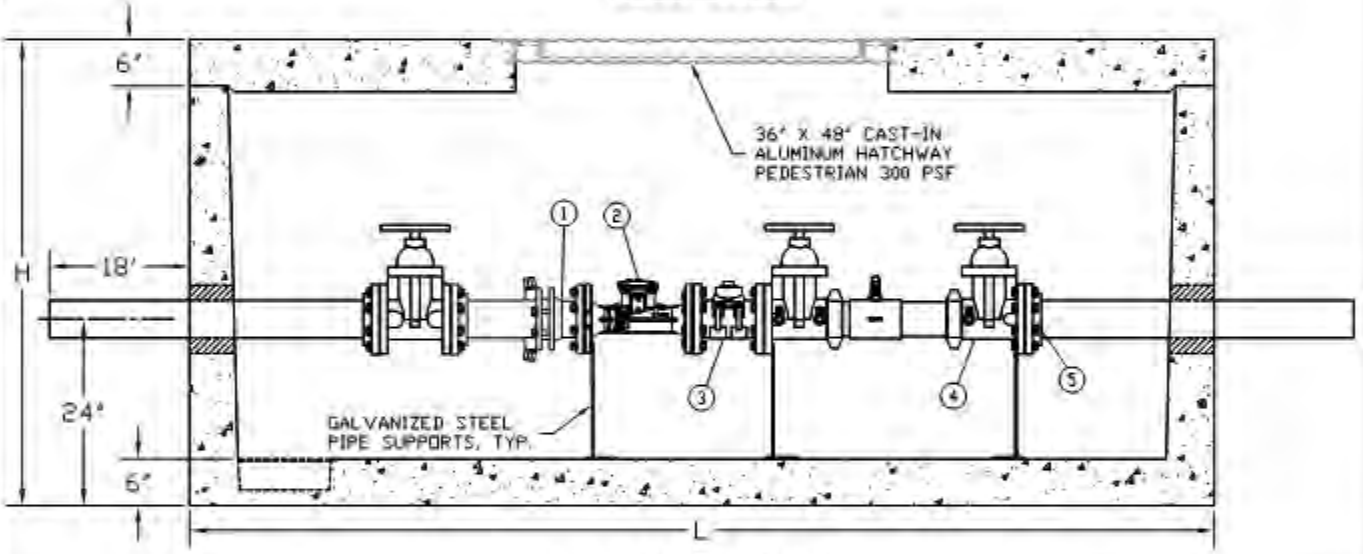
1. CONCRETE SHALL HAVE MIN STRENGTH OF 4200 PSI AT 28 DAYS. NO CAST IN PLACE VAULTS SHALL BE ALLOWED.
2. REINFORCEMENT SHALL BE GRADE 60. STEEL BAR SHALL CONFORM TO ASTM A615 ON REQUIRED CENTERS OR EQUALS.
3. ACCESS IS 1/4" ALUMINUM DIAMOND PLATE COVER WITH ALUMINUM FRAME. HATCH TO BE FURNISHED WITH 316 STAINLESS STEEL SLAM LOCK & HINGES.

ITEM	DESCRIPTION
1	FLANGE COUPLING ADAPTER
2	MASTER METER OCTAVE METER
3	STRAPPING SADDLE W/2" NPT PLUG
4	DOUBLE CHECK ASSEMBLY
5	FLG X P.E. SPOOL, D.I.
6	FLG NRS GATE VALVE

IRRIGATION WATER METER VAULT	CITY OF ROCKWALL	
3", 4" OR 6" LINE		DATE: AUG '19 / DRAWING NO.: R-4160



PLAN VIEW



ELEVATION VIEW

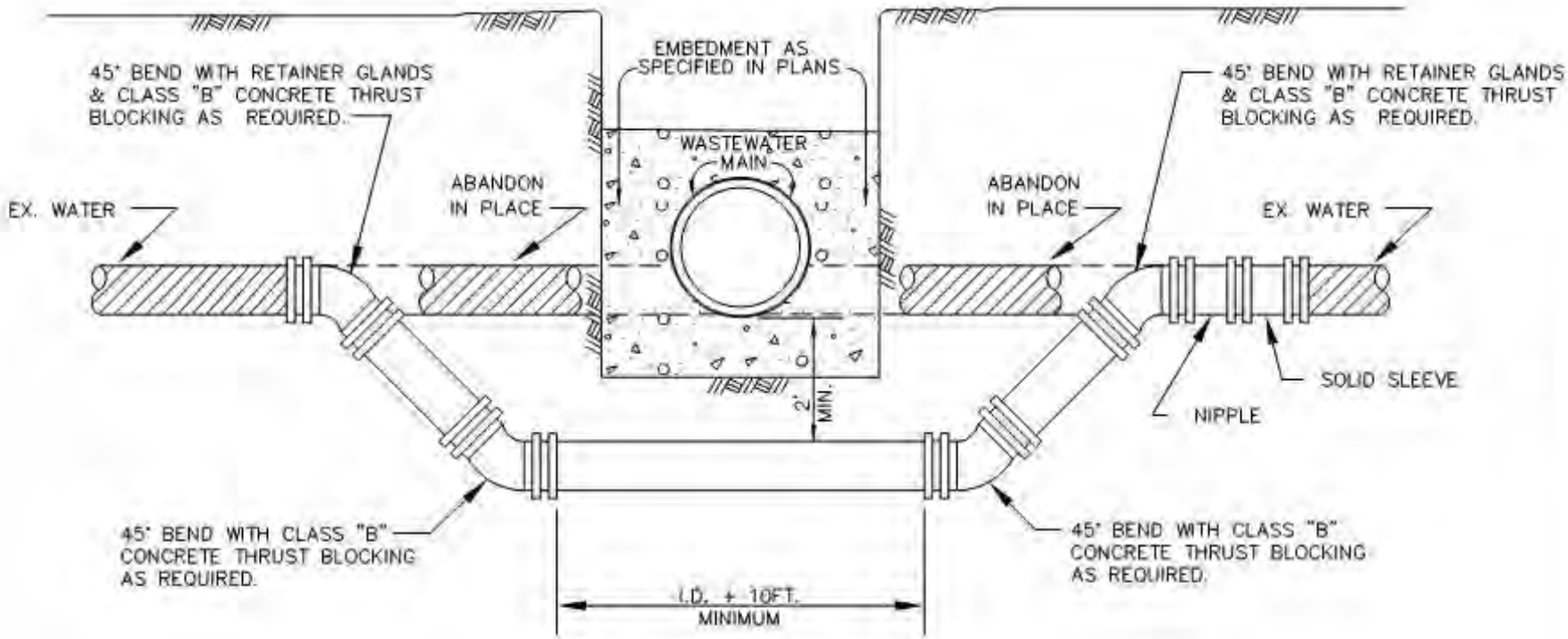
SIZE	L	W	H
3"	11'- 0"	6'- 0"	5'- 0"
4"	11'- 0"	6'- 0"	5'- 0"
6"	11'- 0"	6'- 0"	5'- 0"

NOTES:

1. CONCRETE SHALL HAVE MIN STRENGTH OF 4200 PSI AT 28 DAYS. NO CAST IN PLACE VAULTS SHALL BE ALLOWED.
2. REINFORCEMENT SHALL BE GRADE 60. STEEL BAR SHALL CONFORM TO ASTM A615 ON REQUIRED CENTERS OR EQUALS.
3. ACCESS IS 1/4" ALUMINUM DIAMOND PLATE COVER WITH ALUMINUM FRAME. HATCH TO BE FURNISHED WITH 316 STAINLESS STEEL SLAM LOCK & HINGES.

ITEM	DESCRIPTION
1	FLANGE COUPLING ADAPTER
2	MASTER METER OCTAVE METER
3	STRAPPING SADDLE W/2" NPT PLUG
4	DOUBLE CHECK ASSEMBLY
5	FLG X P.E. SPOOL, D.I.

IRRIGATION WATER METER VAULT	CITY OF ROCKWALL	
3", 4" OR 6" LINE		DATE: AUG '19 / DRAWING NO.: R-4170



CONCRETE ENCASEMENT SHALL ENCASE ENTIRE WASTEWATER MAIN. DEFLECT WATER LINE WHEN POSSIBLE

STANDARD DRAWING NO. R-4200

WATER MAIN LOWERING BELOW WASTEWATER MAIN	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 506.6	
		DATE Mar. 2018	STANDARD DRAWING NO R-4200

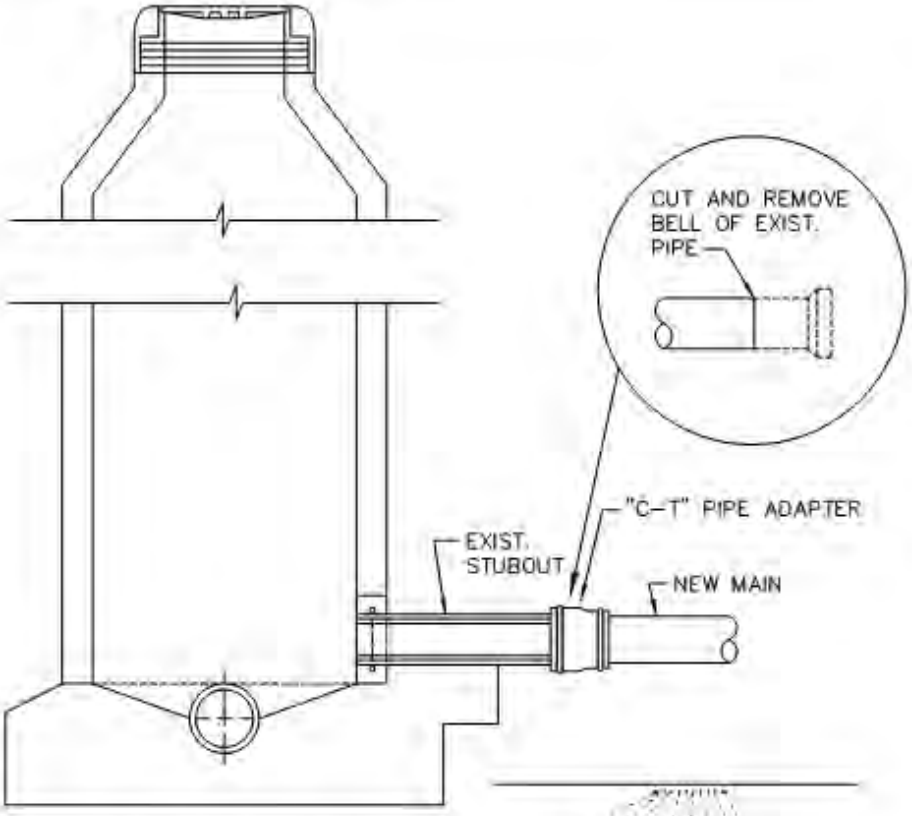
City of Rockwall
The New Horizon

8.5 Division 5000 Wastewater Collection

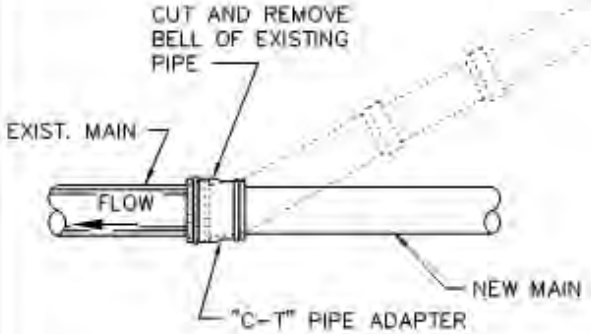
NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

Table 9.5: Revisions to NCTCOG's Division 5000 Wastewater Collection

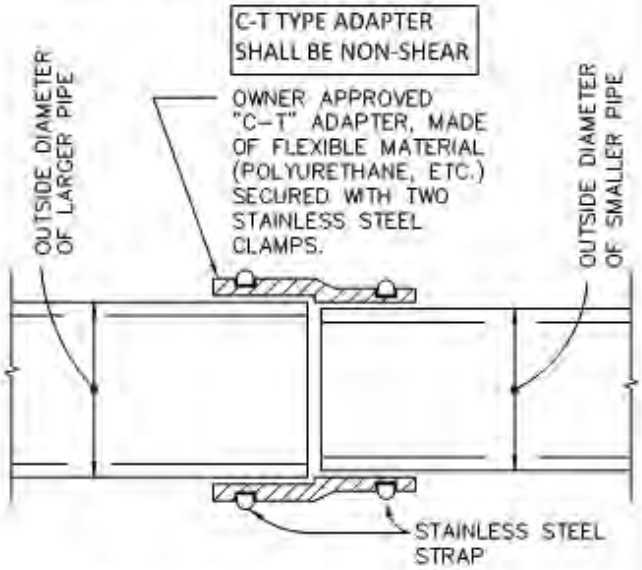
Revised	Drawing No.	Subject
(1)	~~*5010*~~	~~*Wastewater Main Tie-In – At Cleanout or M.H. Stubout*~~
(3)	***R-5010***	***Wastewater Main Tie-In – At Cleanout or M.H. Stubout***
(1)	~~*5020*~~	~~*Wastewater Manhole – Precast*~~
(3)	***R-5020***	***Wastewater Manhole – Precast***
(1)	~~*5030*~~	~~*Wastewater Manhole – Cast-In-Place*~~
(3)	***R-5030***	***Wastewater Manhole – Cast-In-Place***
(1)	~~*5040*~~	~~*Wastewater Manhole – Fiberglass*~~
(1)	~~*5050*~~	~~*Wastewater Manhole – Pressure Type*~~
(3)	***R-5050***	***Wastewater Manhole – Pressure Type***
(1)	~~*5060*~~	~~*Wastewater Manhole – Vented*~~
(3)	***R-5060***	***Wastewater Manhole – Vented***
(1)	~~*5070*~~	~~*Wastewater Manhole – Outside Drop Connections*~~
(1)	~~*5080*~~	~~*Wastewater Manhole – Inside Drop Connection*~~
(3)	***R-5080***	***Wastewater Manhole – Inside Drop Connection***
	5090	Wastewater Manhole – Line Intersection
	5100	Wastewater Manhole – False Bottom
(3)	**R-5101**	**Wastewater Manhole – Hinged Rim & Cover**
(3)	**R-5102**	**Wastewater Manhole – Bolt and Gasket Rim & Cover**
(3)	**R-5103**	**Wastewater Manhole – Private Rim & Cover**
(1)	~~5110~~	~~Wastewater Main – Cleanout~~
(3)	**R-5110**	**Wastewater Main – Cleanout**
(1)	~~5120~~	~~Wastewater Laterals – With & Without Cleanout~~
(3)	**R-5120**	**Wastewater Lateral Connections – Residential**
(1)	~~5130~~	~~Wastewater Lateral Connections – In Earth & In Rock~~
	5140	Wastewater Lateral Connections – Cleanout Frame & Cover
(1)	~~5150~~	~~Wastewater Lateral Stubout – In Advance of Paving~~
(3)	**R-5150**	**Wastewater Lateral Stubout – In Advance of Paving**
(1)	~~5160~~	~~Wastewater Lateral Replacement – In Advance of Paving~~
(3)	**R-5160**	**Wastewater Lateral Replacement – In Advance of Paving**
(1)	~~5170~~	~~Abandonment of Manhole – In or Out of Pavement~~
(3)	**R-5170**	**Abandonment of Manhole – In or Out of Pavement**
(3)	**R-5180**	**Manhole and Valve Vault – Mow Strip**



AT STUBOUT
N.T.S.



AT CLEANOUT
N.T.S.



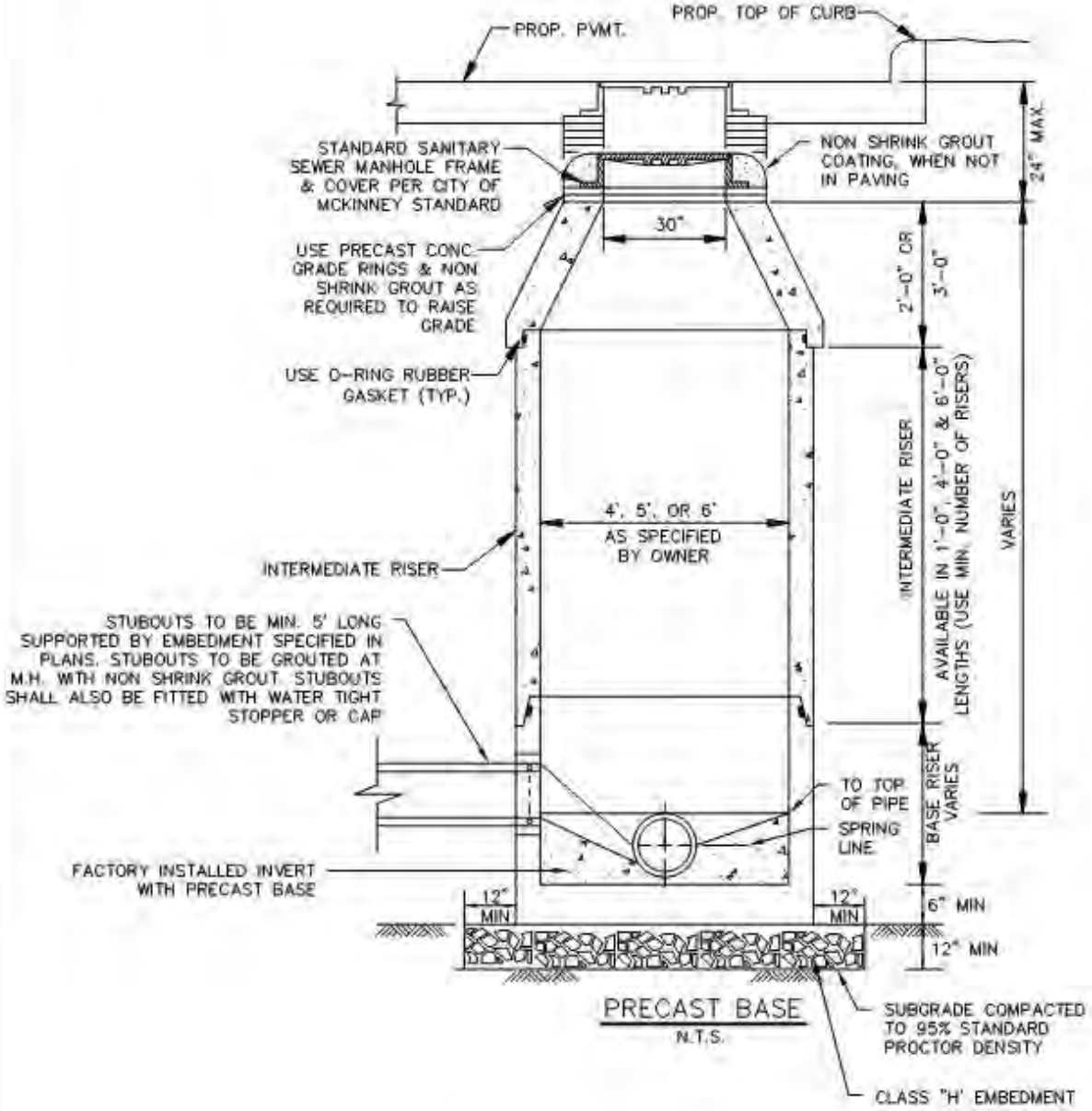
"C-T" PIPE ADAPTER
N.T.S.

NOTE:
THIS DETAIL FOR USE ONLY WHEN NEW MAIN WILL NOT MATE WITH EXISTING MAIN JOINT DUE TO DIFFERENT DIMENSIONS OR MATERIALS AND A MANHOLE IS NOT REQUIRED.

WASTEWATER MAIN TIE-IN	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.10	
AT CLEANOUT OR M.H. STUBOUT		DATE Mar. 2018	STANDARD DRAWING NO. R-5010

NOTES:

1. FIRST MAIN LINE JOINT TO BE A MIN. OF 5' LONG.
2. IF FALSE M.H. ARE REQUIRED, THEY SHALL BE CONSTRUCTED, INSTALLED AND REMOVED PER STD. DWG. NO. 5100.
3. M.H.'S LOCATED OUTSIDE OF PAVING SHALL BE CONSTRUCTED WITH A CONCRETE MOW STRIP PER STD. DWG. NO. R-7005.
4. REFER TO STD. DWG. NO. R-5031 FOR INFLOW PROTECTION AT MANHOLE GRADE RINGS, MANHOLE JOINTS AND ON OUTSIDE OF STRUCTURE.
5. REFER TO STD. DWG. NO. R-5032 FOR CORROSION PROTECTION.
6. CONCRETE SHALL BE 4,200 PSI (7.0 SACK/CY) 28 DAY STRENGTH.
7. REINFORCING SHALL MEET OR EXCEED ASTM C478 REQUIREMENTS.
8. INSTALL GREEN EMS DISK AT ALL MANHOLES.
9. LIP TO BE PRECAST.



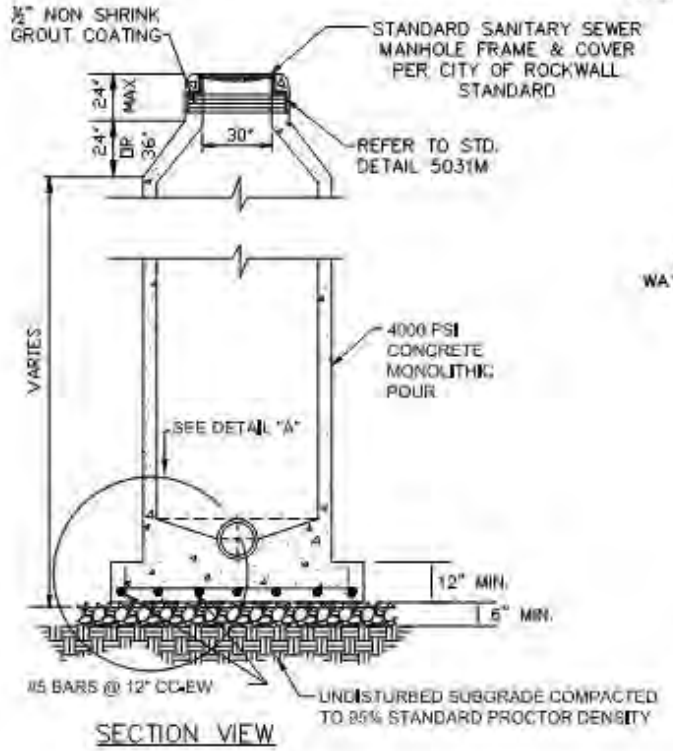
WASTEWATER MANHOLE	CITY OF ROCKWALL	
PRECAST		DATE: AUG '19 / DRAWING NO.: R-5020

CONCRETE CONE

⇦ ACCESS OPTIONS ⇨

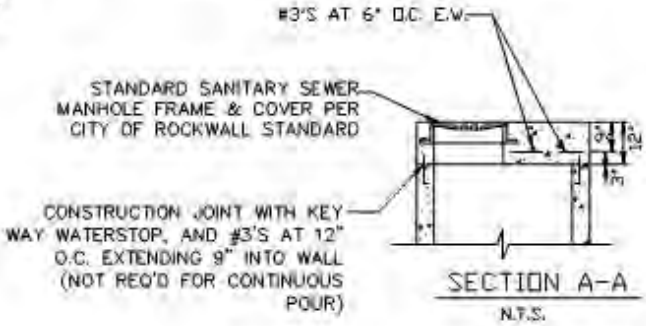
N.T.S.

REINFORCED CONCRETE SLAB (FLAT TOP) TO BE USED WHEN MANHOLE IS IN FLOODPLAIN



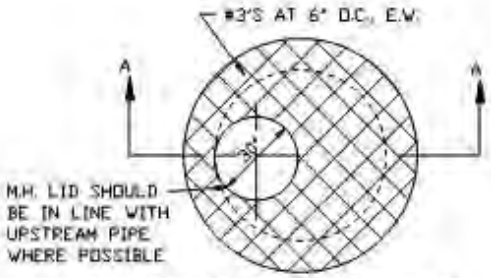
SECTION VIEW

N.T.S.



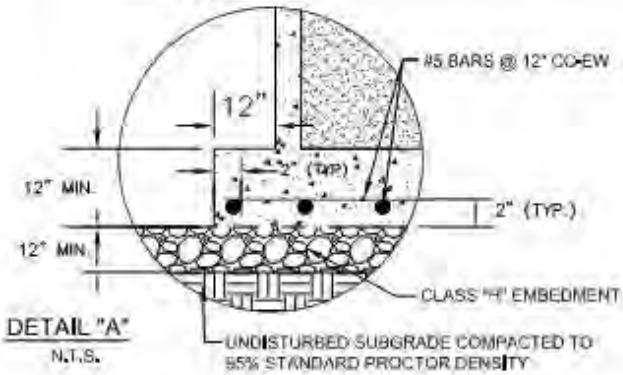
SECTION A-A

N.T.S.



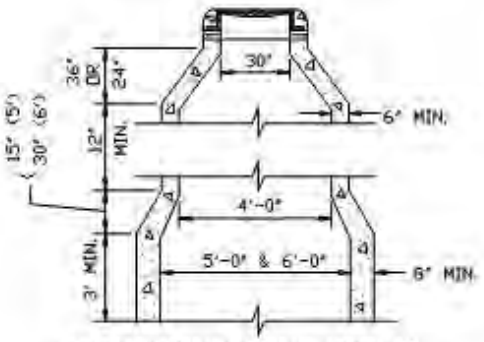
ACCESS STEEL LAYOUT

N.T.S.



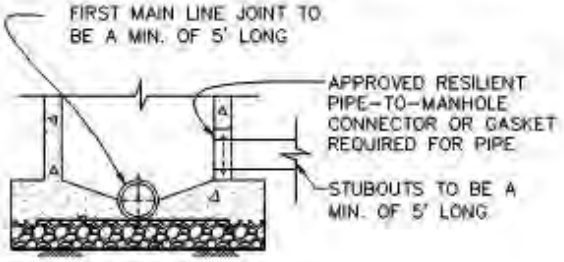
DETAIL "A"

N.T.S.



TRANSITION DETAIL FOR 5' & 6' DIA. M.H.'S

N.T.S.



STUBOUT CONNECTION

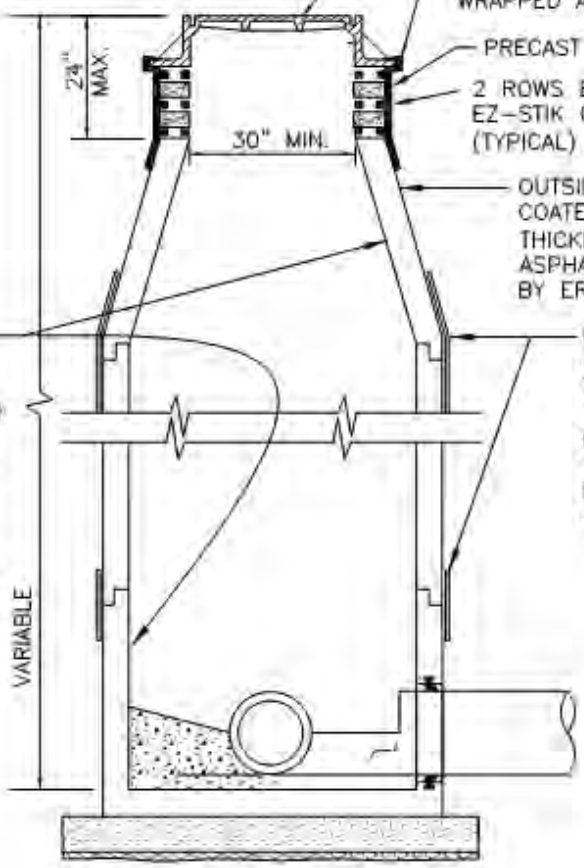
N.T.S.

NOTES:

1. IF FALSE M.H. BOTTOMS ARE REQUIRED THEY SHALL BE CONSTRUCTED, INSTALLED AND REMOVED. PER STD. DWG. NO. 5100
2. M.H.'S LOCATED OUTSIDE OF PAVING SHALL BE CONSTRUCTED WITH A CONCRETE MOW STRIP PER STANDARD DETAIL R-7005.
3. REFER TO STD. DWG. NO. R-5031 FOR INFLOW PROTECTION AT MANHOLE GRADE RINGS AND ON THE OUTSIDE OF MANHOLE STRUCTURE.
4. CAST IN PLACE BASE MUST BE A MINIMUM 12" THICK WITH #5 BARS @ 12" OC-EW (EACH WAY) AND SHALL EXTEND 1' BEYOND MANHOLE.
6. CONCRETE SHALL BE 4,200 PSI (7.0 SACK/CY) 28 DAY STRENGTH.
7. REINFORCING SHALL MEET OR EXCEED ASTM C478 REQUIREMENTS.
8. INSTALL GREEN EMS DISK AT ALL MANHOLES.

WASTEWATER MANHOLE	CITY OF ROCKWALL	
CAST-IN-PLACE		DATE: AUG '19 / DRAWING NO.: R-5030

CORROSION PROTECTION ⇦ ⇨ INFLOW PREVENTION



ELEVATION
N.T.S.

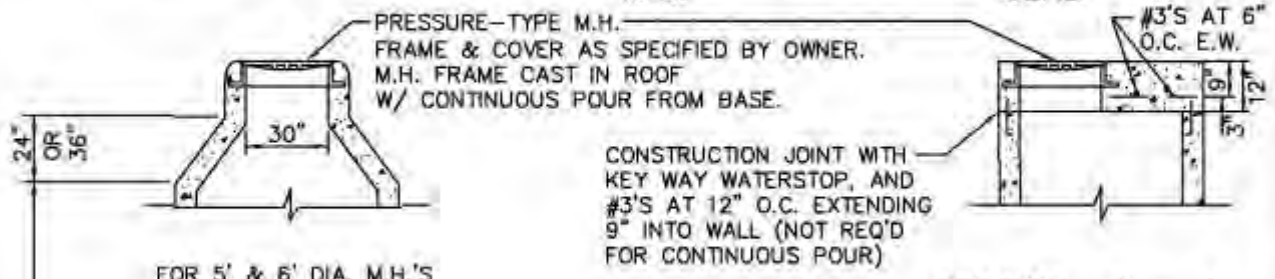
INFLOW PREVENTION NOTES:
1. REQUIRED ON ALL SANITARY SEWER MANHOLES AND LIFT STATION WET WELLS AND VALVE VAULTS.

CORROSION PREVENTION NOTES:
1. TO CORROSION PROTECTIVE COATING PROCESS, PRESSURE WASH AND CLEAN STRUCTURE. FILL BUG HOLES, JOINTS, HONEYCOMBS AND AROUND PIPE PENETRATIONS WITH A CEMENTITOUS REPAIR MATERIAL (CRM) AS NEEDED. USE STRONG SEAL MS2C MANUFACTURED BY THE STRONG COMPANY, INC. OR APPROVED EQUAL. THEN APPLY A MINIMUM OF 125 MILS ($\frac{1}{8}$ INCH) THICKNESS OF A POLYURETHANE COATING MATERIAL (EXISTING MANHOLES REQUIRE A MINIMUM OF 250 MILS THICKNESS OF POLYURETANE COATING MATERIAL). FOR THE POLYURETHANE COATING MATERIAL USE RAVEN 405 LINER OR APPROVED EQUAL.
2. ADDITIONAL CLEANING, PREPARATION, AND REPAIR METHODS MAY BE REQUIRED FOR EXISTING MANHOLES DEPENDING ON CONDITION ASSESSMENT OF THE MANHOLE. CONTACT ENGINEERING DIVISION FOR ADDITIONAL SPECIFICATIONS.
3. SPARK TESTING IS REQUIRED FOR COATINGS. COST FOR TESTING IS SUBSIDIARY TO OTHER BID ITEMS. CITY INSPECTOR TO BE PRESENT FOR SPARK TESTING. CONTRACTOR TO PROVIDE WRITTEN SPARK TEST RESULTS TO CITY.
4. EXISTING BRICK MANHOLES SHALL BE REPLACED.
5. REQUIRED ON ALL WASTEWATER MANHOLES AND LIFT STATION WET WELLS.

WASTEWATER MANHOLE	CITY OF ROCKWALL	
INFLOW PREVENTION & CORROSION PROTECTION		DATE: AUG '19 / DRAWING NO.: R-5031

CONCRETE CONE ⇦ ROOF OPTIONS ⇨ REINFORCED CONCRETE SLAB

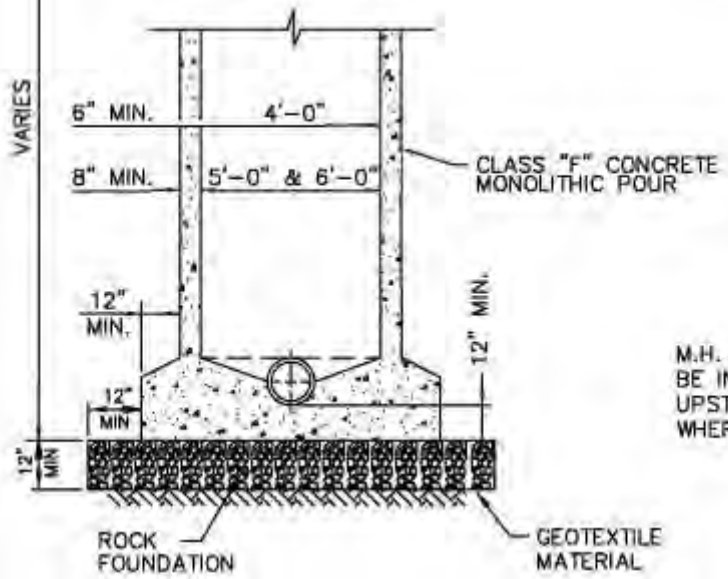
N.T.S.

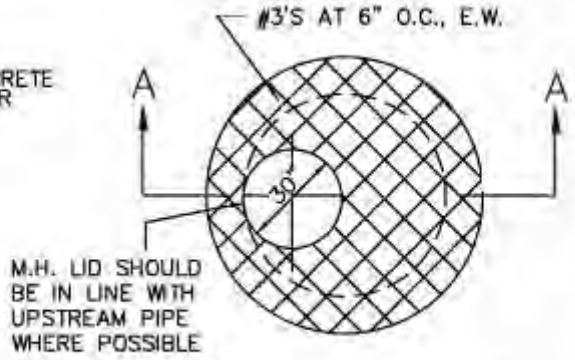


FOR 5' & 6' DIA. M.H.'S SEE TRANSITION DETAIL

SECTION A – A

N.T.S.

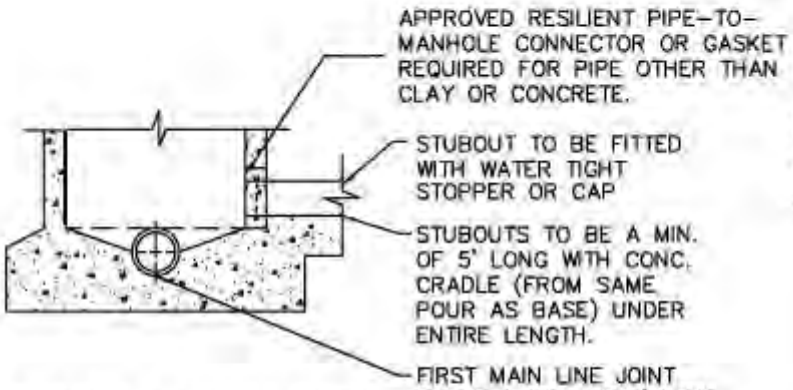




ROOF STEEL LAYOUT

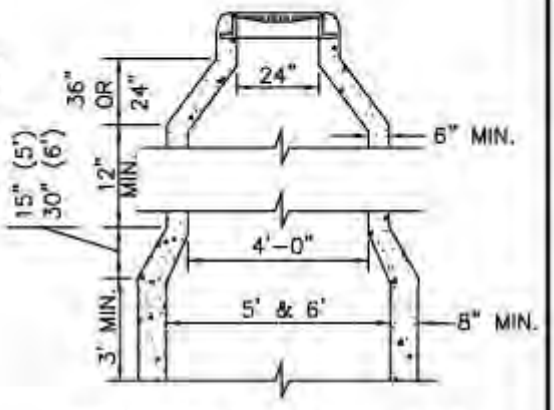
N.T.S.

INSTALL GREEN EMS DISKS AT ALL MANHOLES.



STUBOUT CONNECTION

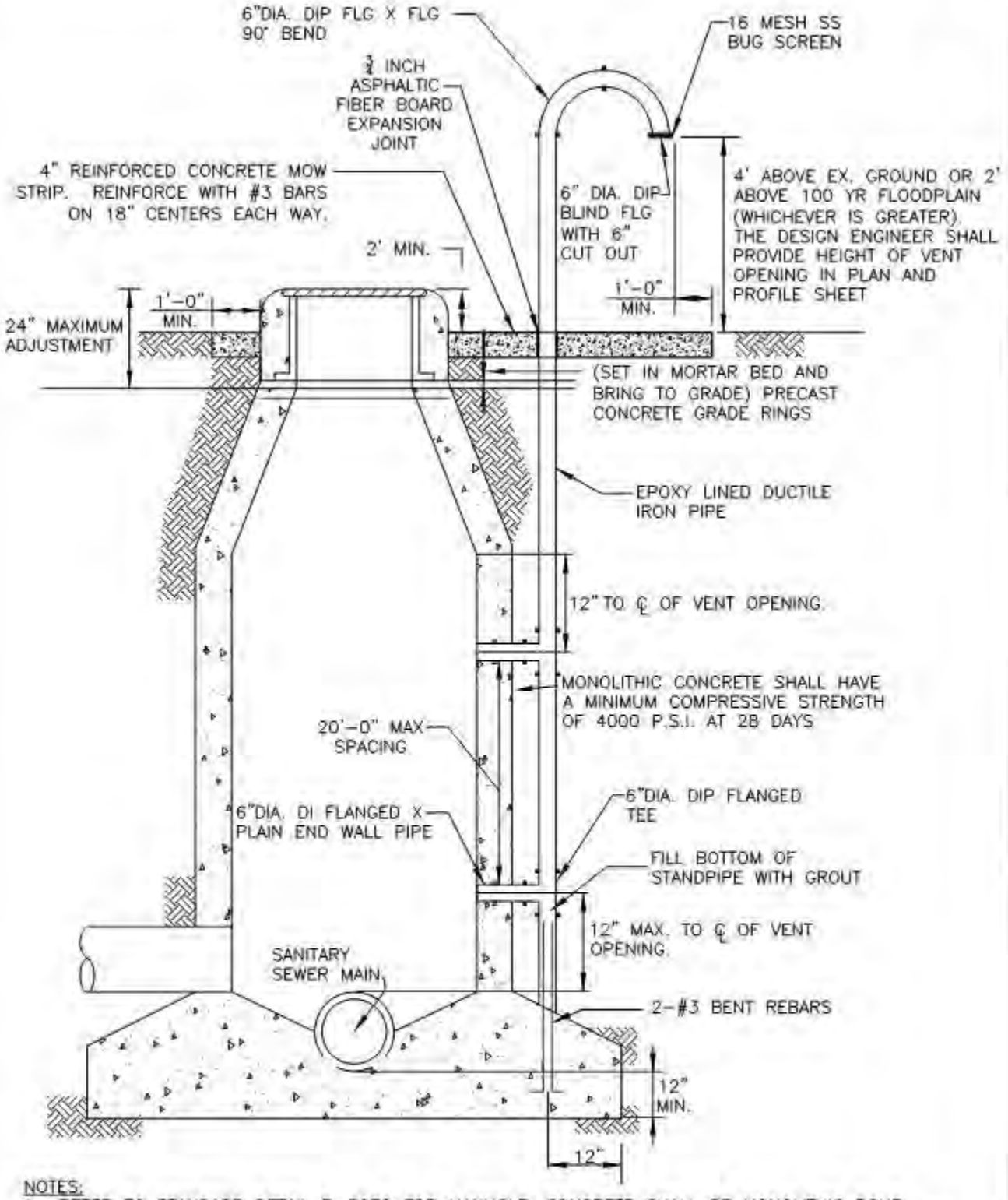
N.T.S.



TRANSITION DETAIL FOR 5' & 6' DIA. M.H.'S

N.T.S.

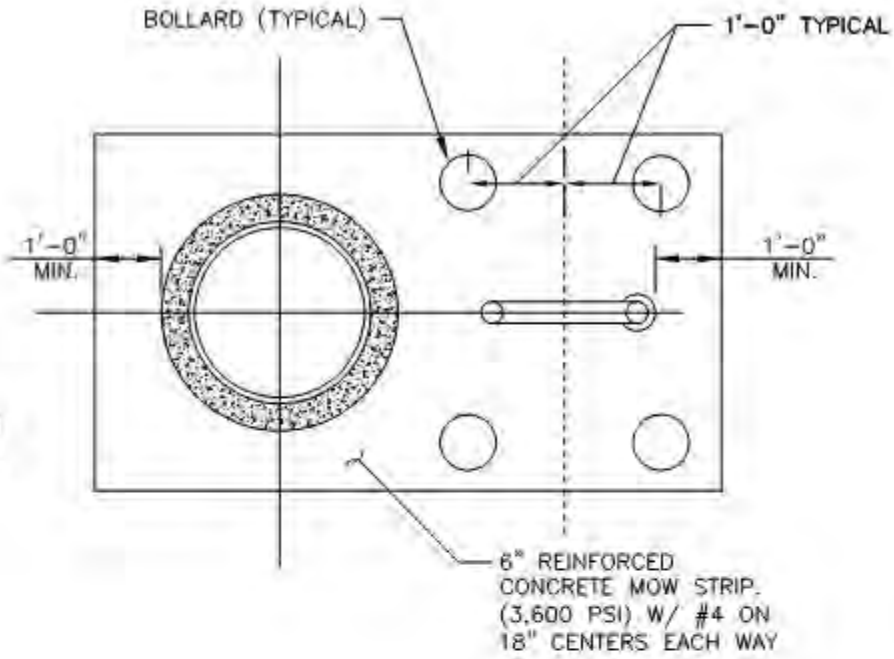
WASTEWATER MANHOLE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.1.4.1.5*	
PRESSURE-TYPE		DATE Mar. 2018	STANDARD DRAWING NO. R-5050



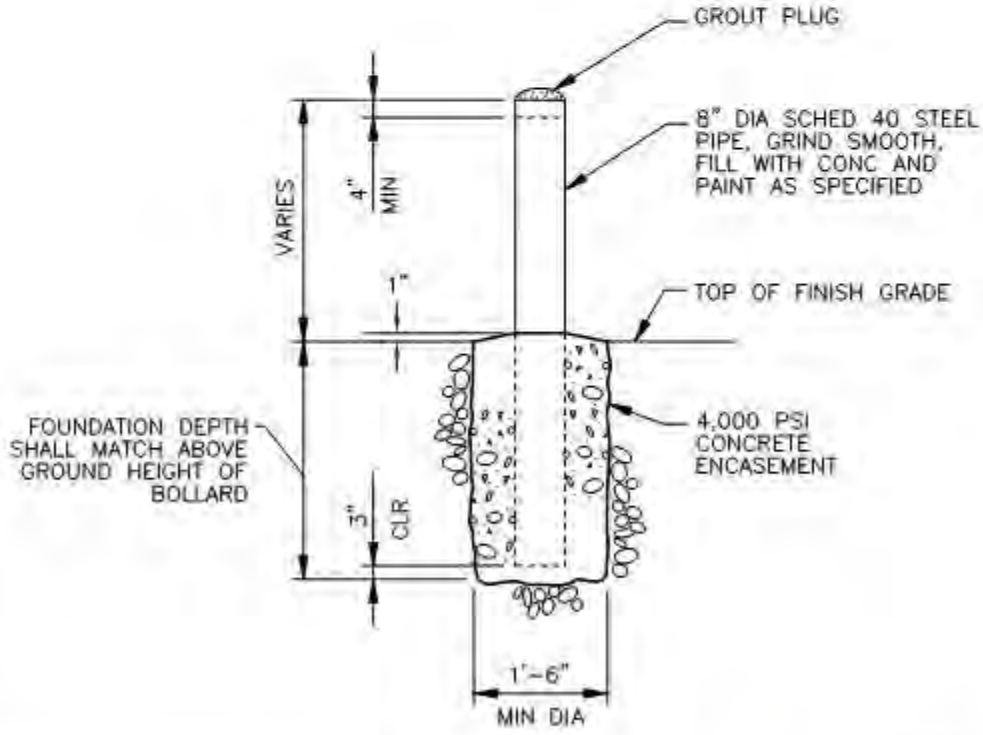
NOTES:
1. REFER TO STANDARD DETAIL R-5030 FOR MANHOLE. CONCRETE SHALL BE MONOLITHIC POUR.
2. REFER TO STD. DWG. NO. R-5031 FOR INFLOW PROTECTION AT MANHOLE GRADE RINGS, MANHOLE JOINTS, AND ON OUTSIDE OF STRUCTURE.

SHEET 1 OF 2

WASTEWATER MANHOLE	CITY OF ROCKWALL	
VENTED		DATE: AUG '19 / DRAWING NO.: R-5060

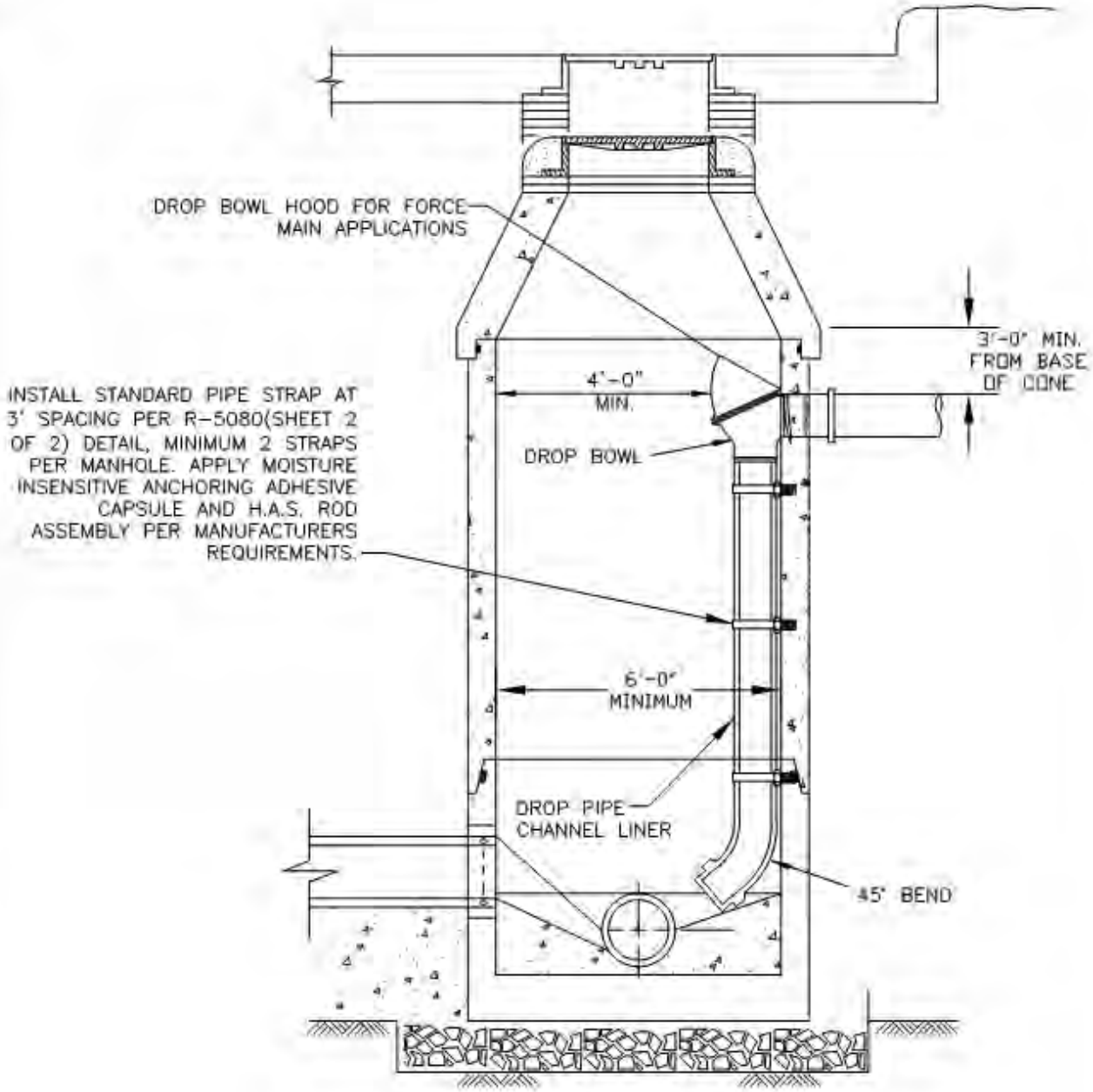


NOTES:
1. BOLLARD HEIGHT SHALL EXTEND TO 1 FOOT ABOVE THE OVERALL HEIGHT OF THE VENT PIPE.



SHEET 2 OF 2

WASTEWATER MANHOLE	CITY OF ROCKWALL		
VENTED		DATE AUG '19	DRAWING NO. R-5060



ELEVATION
N.T.S.

NOTE:
1. DROP BOWL, DROP PIPE CHANNEL LINER AND STAINLESS STEEL PIPE CLAMPS AS MANUFACTURED BY RELINER/DURAN INC. OR APPROVED EQUAL.

SHEET 1 OF 2

WASTEWATER MANHOLE	CITY OF ROCKWALL		
DROP CONNECTIONS		DATE AUG '19	DRAWING NO R-5080

HVA ADHESIVE CAPSULE ANCHOR

A. DRILL HOLES WITH ANSI B212.15 MATCHED TOLERANCE CARBIDE TIPPED DRILL BITS WITH DRILL IN ROTO-HAMMER MODE OR USE A MATCHED TOLERANCE DIAMOND CORE DRILL BIT OF DIAMETER SPECIFIED BY HILTI.
B. DRILLED HOLE SPECIFICATIONS (DIAMETER & DEPTH) SHALL COMPLY WITH HILTI SPECIFICATION OR ICC ESR 1582.
C. ALLOWABLE LOADS MAY BE INCREASED BY 33-1/3% FOR SHORT-TERM WIND OR SEISMIC LOAD RESISTANCE (AW ICC ESR 1682 UNLESS NOT PERMITTED BY THE APPLICABLE BUILDING CODE.
D. WHEN CONDUCTED, PROOF TEST ANCHORS IN THE FIELD TO 150-200% OF HILTI PUBLISHED ALLOWABLE TENSION LOAD UNLESS NOTED OTHERWISE IN A PROOF TEST LOAD TABLE. TORQUE TESTING IS NOT PERMITTED.
E. ANCHORS SHALL BE TIGHTENED WITH A CALIBRATED TORQUE WRENCH. USE OF AN IMPACT WRENCH IS NOT PERMITTED.
F. CONTACT HILTI TECHNICAL SUPPORT AT 1-800-879-8000 FOR INSTALLATION INSTRUCTIONS IN SUBMERGED WATER CONDITIONS.
G. CONTACT HILTI TECHNICAL SUPPORT AT 1-800-879-8000 FOR ADDITIONAL ASSISTANCE WITH HVA ADHESIVE ANCHOR INSTALLATIONS.
H. INSTALLATION INSTRUCTIONS:

*1. FOR HVA ADHESIVE CAPSULES WITH H.A.S. THREADED RODS:

1. DRILL ANCHOR HOLE WITH A CARBIDE BIT (SEE NOTE 1 ABOVE), TO SPECIFIED EMBEDMENT DEPTH.
2. CLEAN HOLE WITH COMPRESSED AIR OR BLOW OUT PUMP. INSERT NOZZLE TO BOTTOM OF HOLE.
3. IF USING MATCHED TOLERANCE CORE BIT, REMOVE STANDING WATER FROM HOLE.
4. INSERT APPROPRIATE HVU CAPSULE INTO HOLE WITH POINTED END FIRST. CAPSULE LENGTH IS LONGER THAN STANDARD EMBEDMENT AND WILL PROTRUDE FROM HOLE. DO NOT CUT OFF ANY PART OF THE HVU CAPSULE.
5. THREAD NUT ONTO ROD.
6. PLACE A WASHER ON FIRST NUT AND THREAD BLACK SETTING NUT DOWN ON WASHER.
7. TIGHTEN NUTS TOGETHER SO THAT BLACK SETTING WASHER IS AT TOP OF ROD.
8. INSERT SQUARE DRIVE SHAFT INTO HAMMER DRILL AND ATTACH PROPER IMPACT SOCKET.
9. WITH HAMMER DRILL ON ROTARY HAMMER, ENGAGE TOP NUT OF HAS ROD ASSEMBLY AND ROTOHAMMER ROD THROUGH CAPSULE(S) INTO THE HOLE. STOP DRILL ROTATION IMMEDIATELY UPON REACHING BOTTOM OF HOLE.
10. DO NOT DISTURB OR LOAD ANCHOR BEFORE CURING TIME ELAPSES.

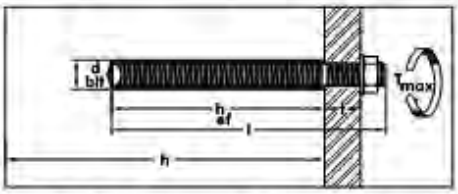
HVA INSTALLATION SPECIFICATION TABLE FOR H.A.S. RODS

DETAILS / HAS Rod Size		In.	3/8	1/2	5/8	3/4	7/8	1	1-1/4
d_{bit} : nominal bit diameter		In.	15/32	9/16	11/16	7/8	1	1-1/8	1-3/8
h_{nom} = std. depth of embed. = capsule length		In.	3-1/2	4-1/4	5	6-5/8	8-5/8	9-3/4	12
t: max. thickness fastened		In.	1	1-1/2	1-3/4	2	2-1/4	2-1/2	2-3/4
T_{max} : max. tightening torque	All HILTI Rods	ft-lb	15	30	75	150	175	235	400
h: minimum base material thickness	h_{ef} = h_{nom}	In.	5-1/4	6-3/8	7-1/2	10	10	13-3/8	18
	h_{ef} = 1.0h_{ef} + 2mm	In.	1.0h_{ef} + 2	1.0h_{ef} + 2	1.0h_{ef} + 2	1.0h_{ef} + 2	1.0h_{ef} + 2	1.0h_{ef} + 2-1/4	1.0h_{ef} + 2
Recommended HILTI Rotary Hammer Drill			TE-5,15, 15M,25	TE-15M,25,55,75		TE-55, 75		TE-75	

For SI: 1 inch = 25.4mm, 1ft-lb = 1.4 Nm.

Curing Time Table (Approximate)

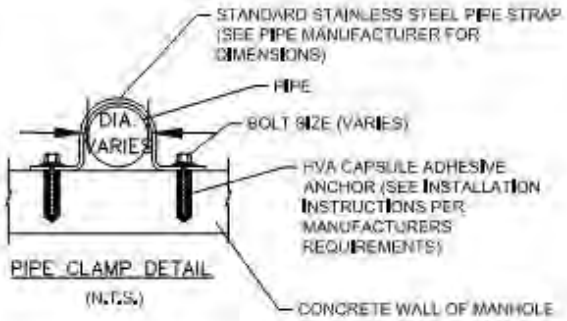
Approx. Curing Time	Base Material Temperature
20 Minutes	ABOVE 68° F/20° C
30 Minutes	50° F/10° C
1 Hour	32° F/0° C
5 Hour	23° F/-5° C



HILTI HVA ADHESIVE CAPSULE ANCHOR
OR APPROVED EQUAL

INSTALLATION INSTRUCTIONS:

1. SET THE DRILL DEPTH GAUGE AND DRILL A HOLE TO THE REQUIRED HOLE DEPTH. IMPORTANT: CLEAN OUT DUST AND DEBRIS. USE COMPRESSED AIR OR VACUUM AT BOTTOM OF THE HOLE. WHEN USING THE HILTI MATCHED TOLERANCE DIAMOND CORE BIT, IMMEDIATELY REMOVE STANDING WATER.
2. INSERT APPROPRIATE DIAMETER HVU ADHESIVE CAPSULE INTO PRE-DRILLED HOLE IN BASE MATERIAL. NOTE: THE BEST METHOD FOR SETTING MULTIPLE CAPSULES IS TO CRUSH THE FIRST CAPSULES(S) INTO THE HOLE AND THEN INSERT THE NEXT CAPSULE. DO NOT CUT OFF CAPSULES PARTIALLY PROTRUDING FROM THE HOLE.
3. CAPSULE LENGTH IS LONGER THAN STANDARD EMBED. DEPTH AND WILL PROTRUDE FROM THE HOLE.
4. THREAD A H.A.S. NUT ON THE H.A.S. ROD. PLACE A WASHER ON TOP OF THE FIRST NUT AND THEN THREAD A BLACK SETTING NUT DOWN ON TOP OF THE WASHER. TIGHTEN THE TWO NUTS TOGETHER "LOCKING" THE WASHER BETWEEN THEM. THE TOP NUT SHOULD BE FLUSH WITH THE TOP OF THE ROD.
5. INSERT A SQUARE DRIVE SHAFT INTO THE HAMMER DRILL AND ATTACH THE PROPER IMPACT SOCKET. AT THE ROTARY HAMMER DRILL SETTING, ENGAGE THE TOP NUT OF THE HAS ROD ASSEMBLY WITH THE SOCKET AND DRIVE THE ROD DOWN THROUGH THE CAPSULE(S). STOP DRILL ROTATION IMMEDIATELY UPON REACHING BOTTOM OF HOLE.
6. DO NOT DISTURB OR LOAD THE SET ANCHOR BEFORE THE SPECIFIED CURING TIME ELPASES.



PIPE CLAMP DETAIL
(N.T.S.)

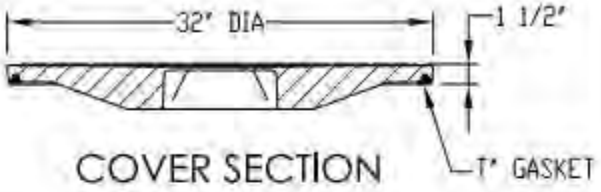
DROP FIXTURE ANCHOR
(N.T.S.)

SHEET 2 OF 2

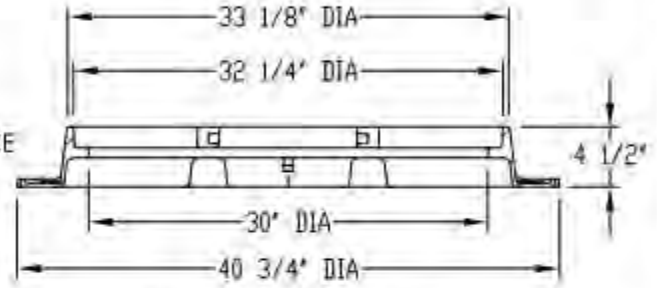
WASTEWATER MANHOLE	CITY OF ROCKWALL	
DROP CONNECTIONS		DATE: AUG '19 / DRAWING NO.: R-5080



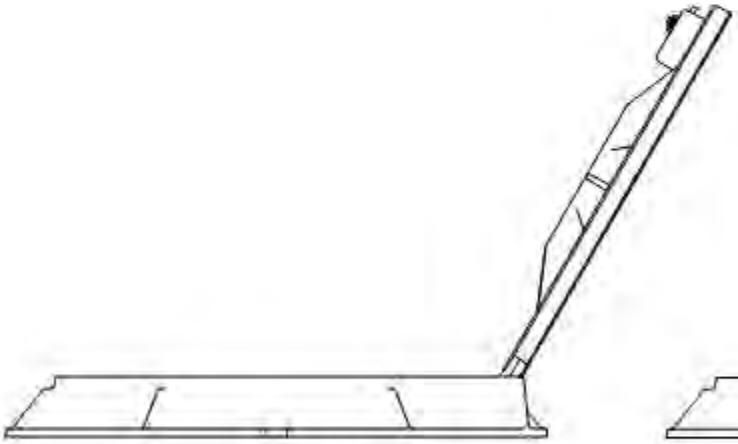
PLAN VIEW



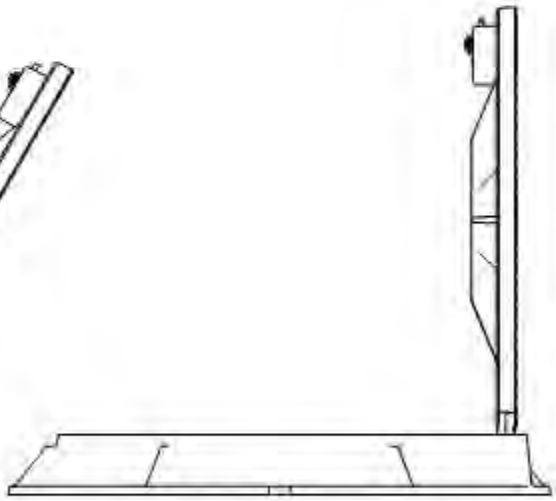
COVER SECTION



FRAME SECTION

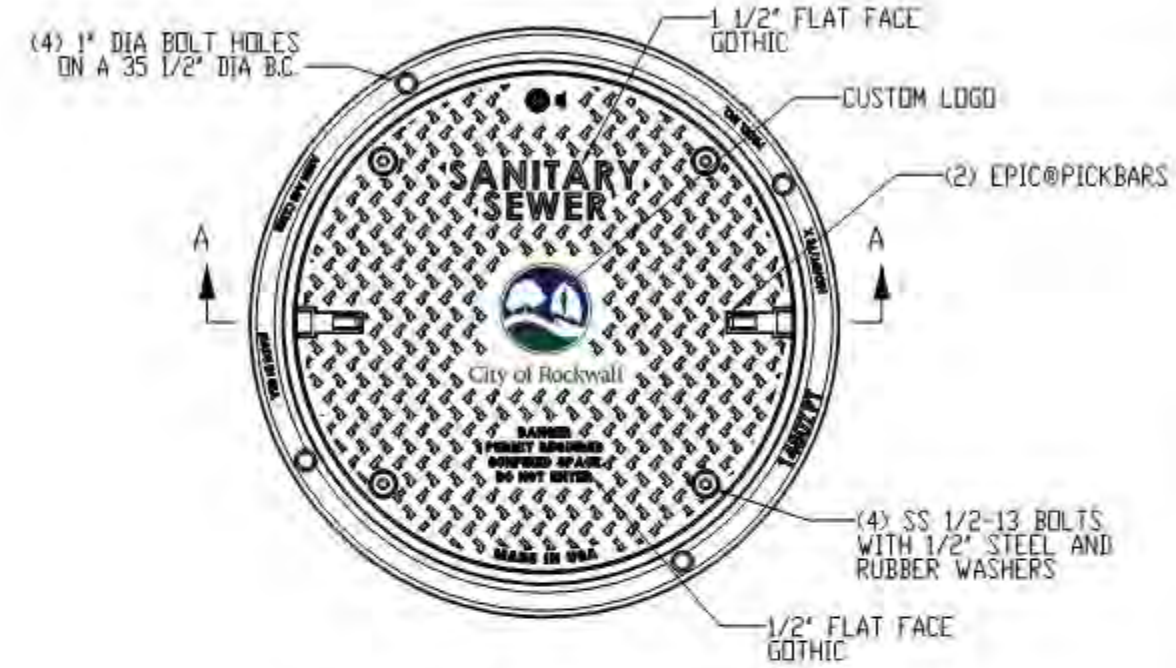


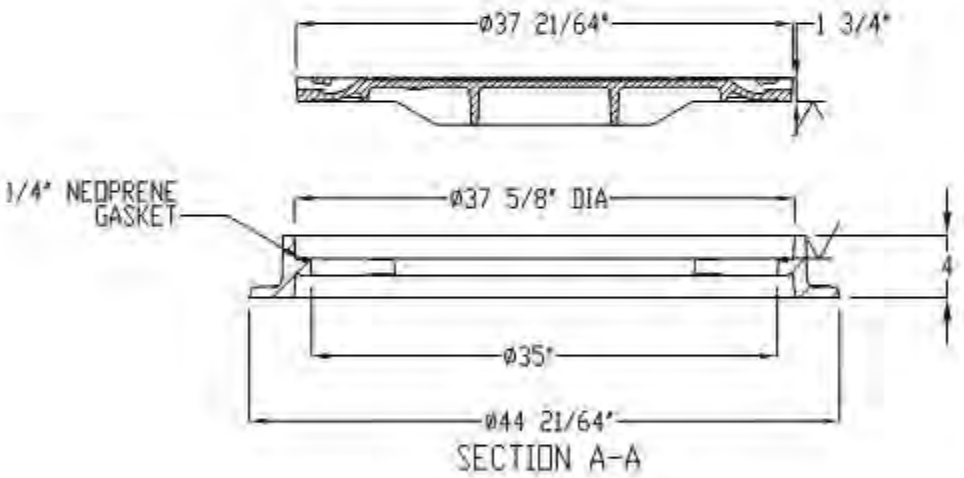
FULLY OPENED POSITION AT 120°



SAFETY LOCK & REMOVAL POSITION AT 90°

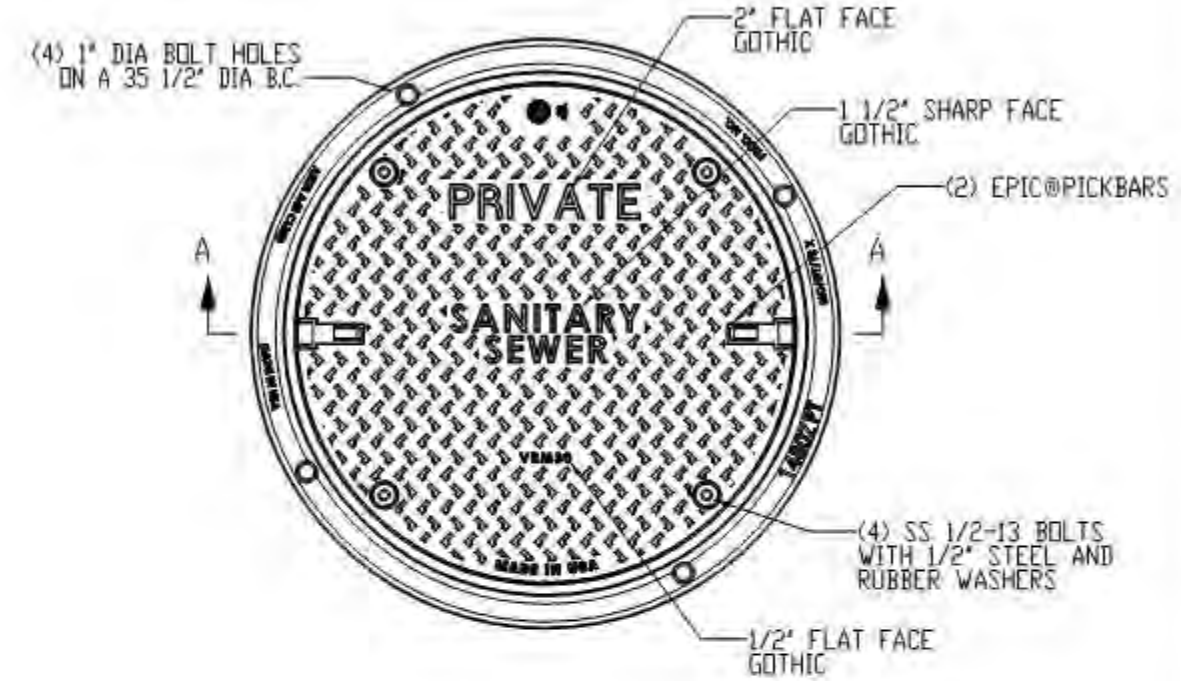
WASTEWATER MANHOLE	CITY OF ROCKWALL		
HINGED RIM AND COVER		DATE AUG '19	DRAWING NO. R-5101

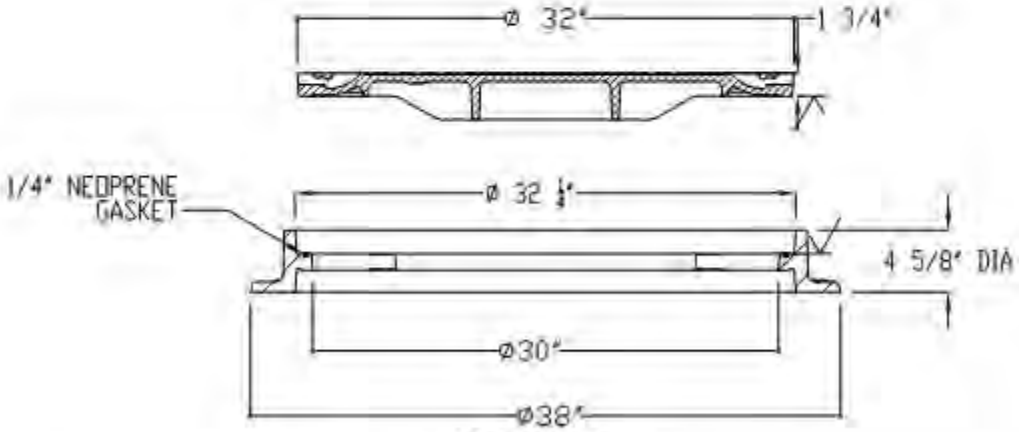




SECTION A-A

WASTEWATER MANHOLE	CITY OF ROCKWALL		
BOLT AND GASKET RIM AND COVER		DATE AUG '19	DRAWING NO. R-5102

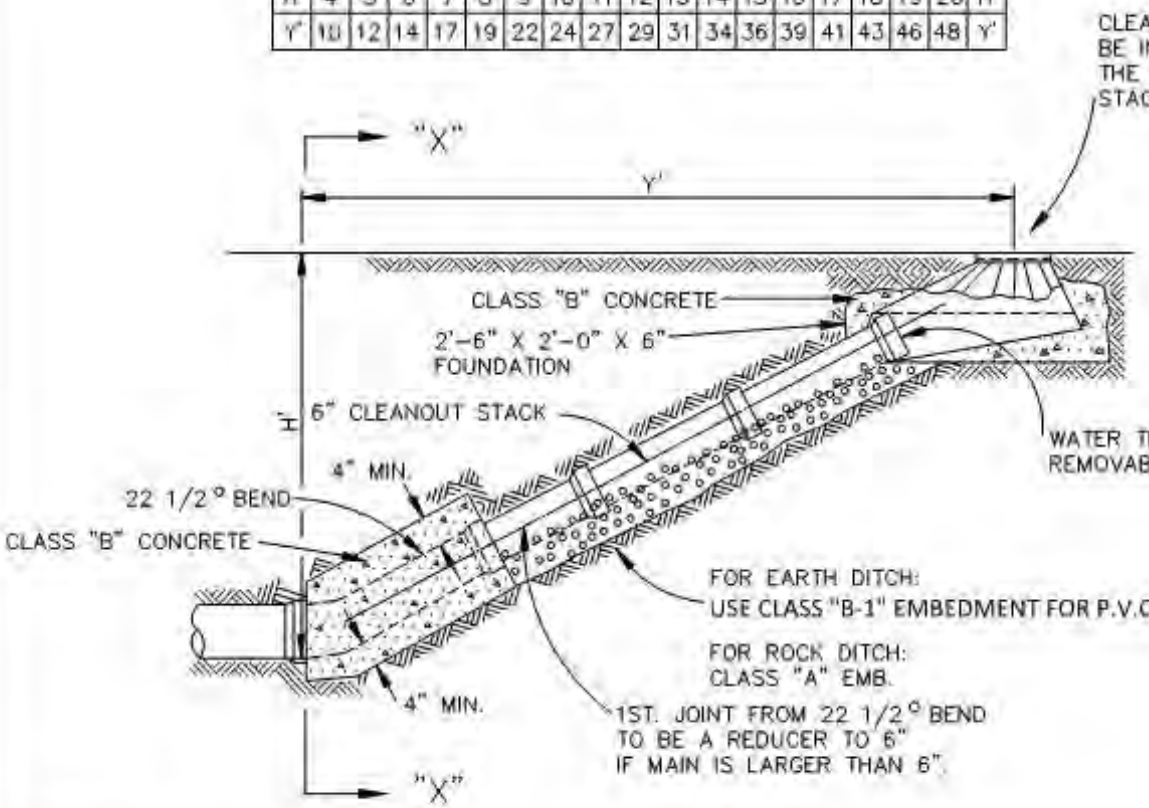




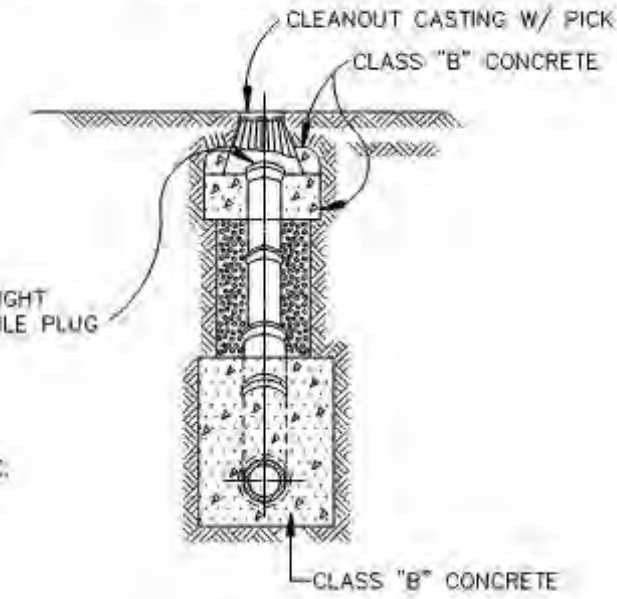
SECTION A-A

WASTEWATER MANHOLE	CITY OF ROCKWALL		
PRIVATE RIM AND COVER		DATE AUG '19	DRAWING NO. R-5103

H'	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	H'
Y'	10	12	14	17	19	22	24	27	29	31	34	36	39	41	43	46	48	Y'



PROFILE VIEW
N.T.S



SECTION "X - X"
N.T.S

NOTES:
1. IF CLEANOUT IS PLACED IN ADVANCE OF PAVEMENT PLACE SAND AROUND CLEANOUT CASTING IN LIEU OF CLASS "B" CONCRETE.
2. IF CLEANOUT IS OUTSIDE OF PAVEMENT, CENTER CASTING IN 15"x15" CLASS "A" CONCRETE PAD "4" THICK.

STANDARD DRAWING NO. R-5110

WASTEWATER MAIN
CLEANOUT

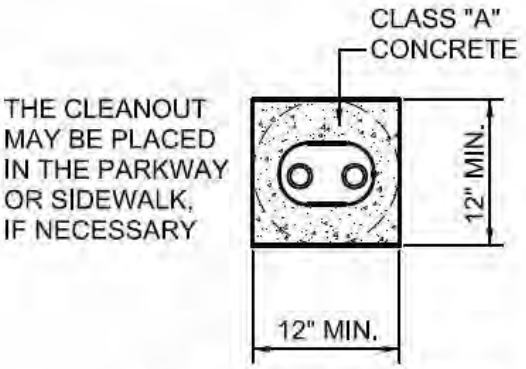
CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 502.2

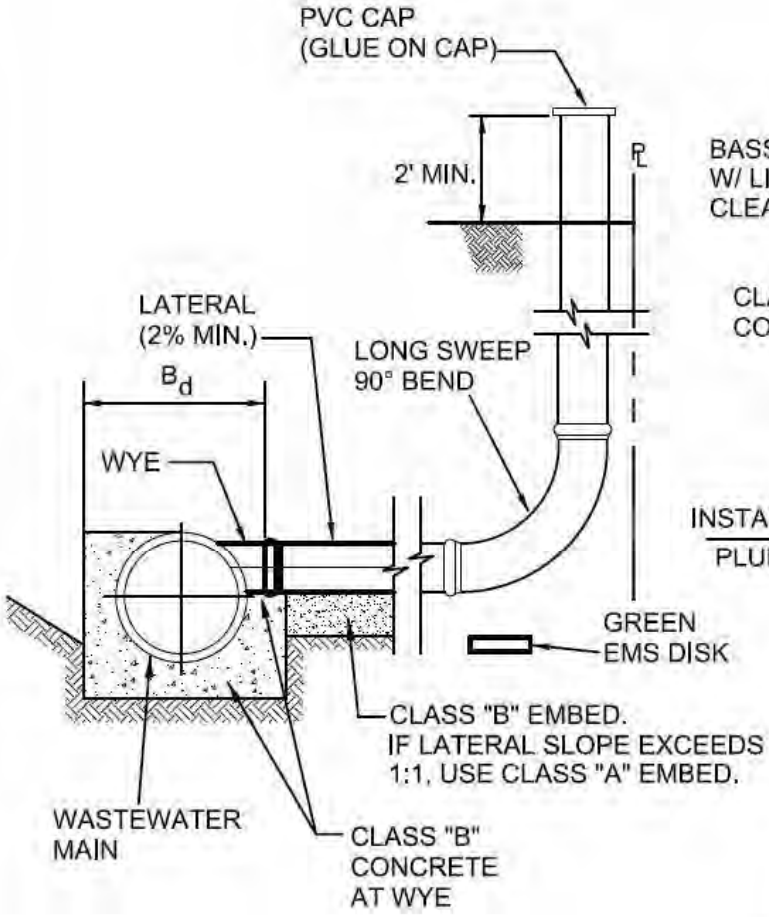
DATE Mar. 2018

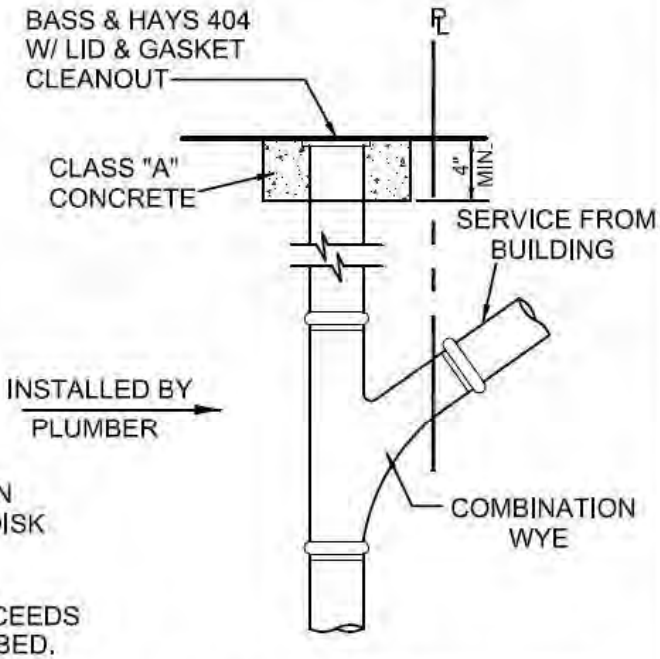
STANDARD DRAWING NO. R-5110

CLASS CONCRETE	BAGS CEMENT PER C.Y.	MIN. STRENGTH 28 - DAY PSI
A	5.5	3000
B	4	2000



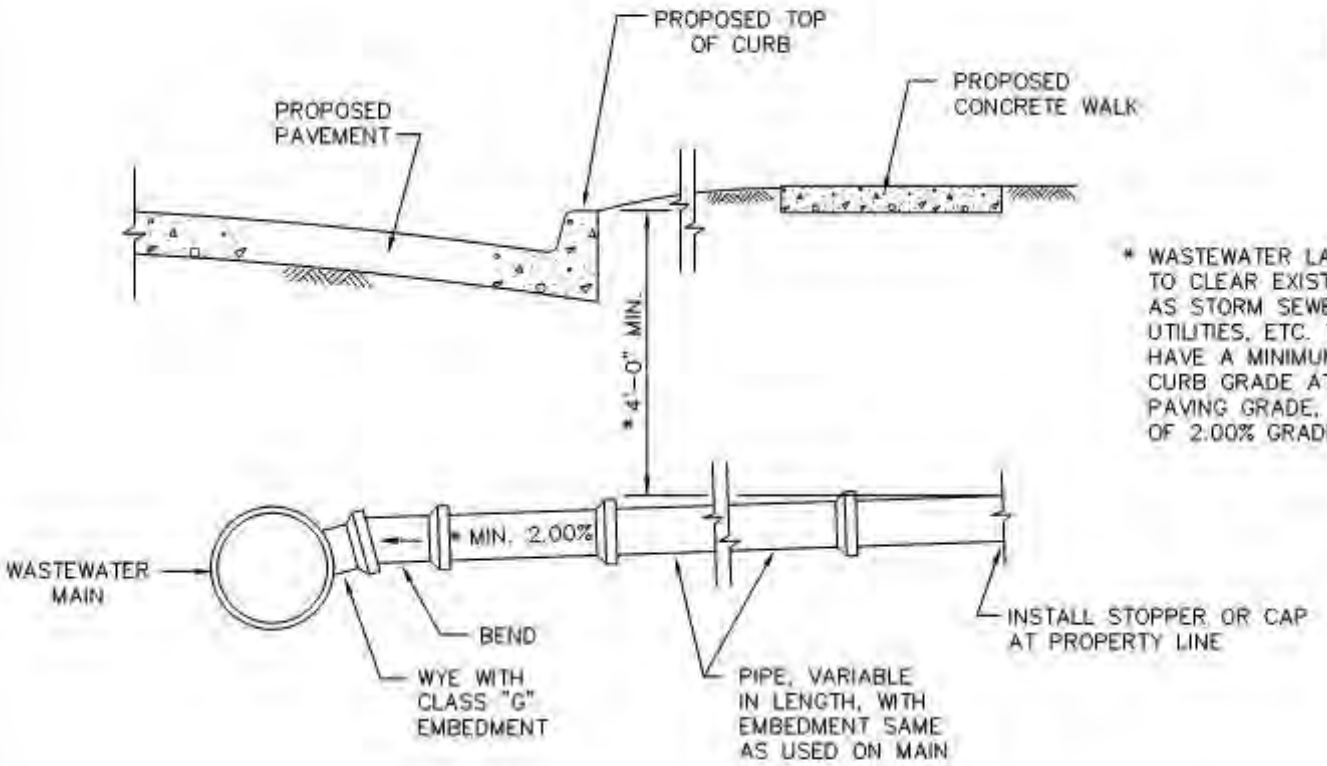
TOP VIEW OF CLEANOUT





PLUMBER TO CUT CLEANOUT RISER TO INSTALL COMBINATION WYE TO CORRESPOND W/ GRADE OF THE PIPE LEADING FROM BUILDING. AFTER INSTALLATION OF THE WYE, INSERT CLEANOUT INTO THE TOP OF THE RISOR.

WASTEWATER LATERAL	CITY OF ROCKWALL	
CONNECTIONS – RESIDENTIAL		DATE AUG. '15 / DRAWING NO. R–5120



INSTALL GREEN EMS DISKS AT END OF LATERAL.

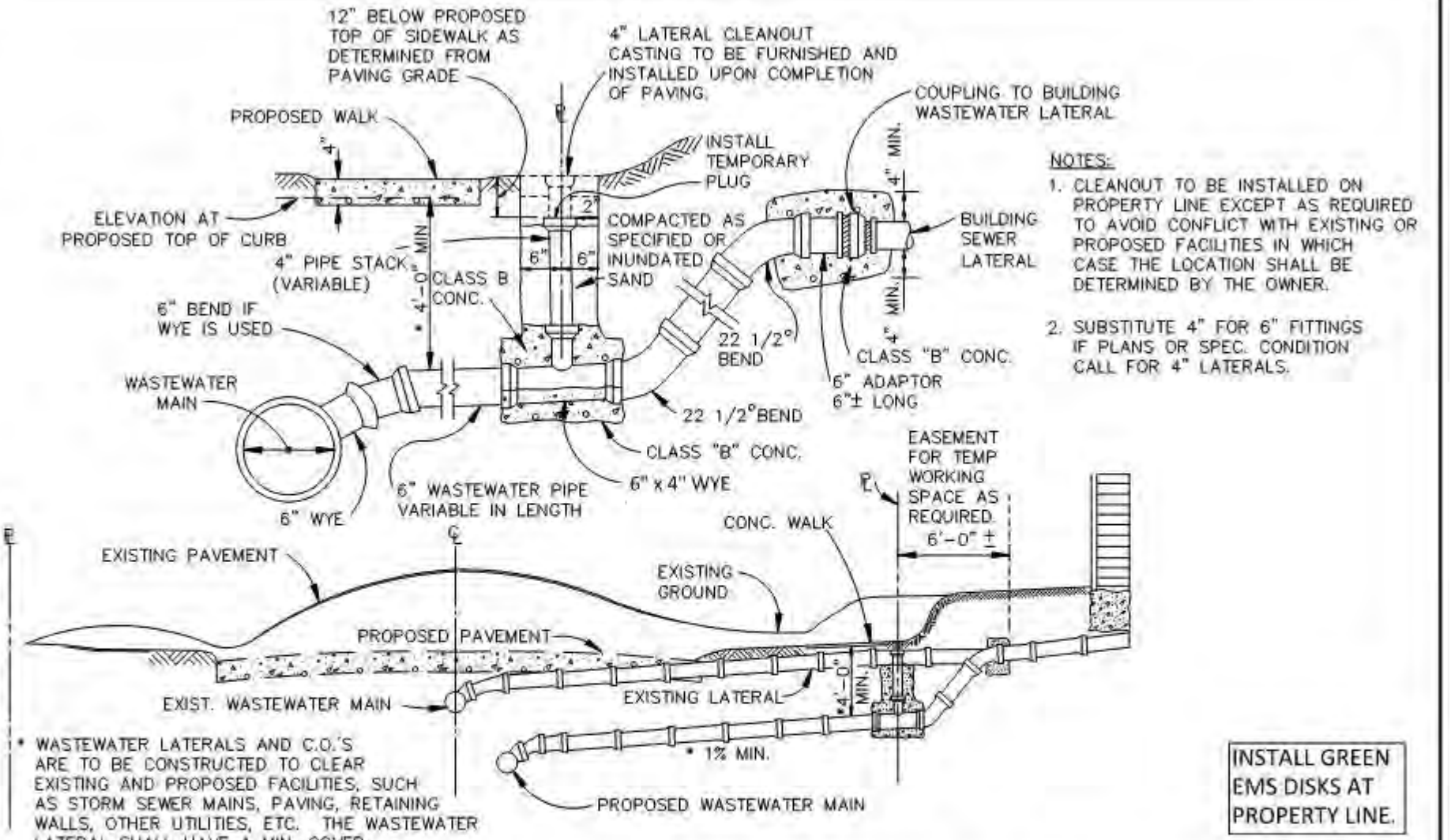
* WASTEWATER LATERALS ARE TO BE CONSTRUCTED TO CLEAR EXISTING AND PROPOSED FACILITIES, SUCH AS STORM SEWER MAINS, RETAINING WALLS, OTHER UTILITIES, ETC. THE WASTEWATER LATERAL SHALL HAVE A MINIMUM COVER OF 4'-0" BELOW THE PROPOSED CURB GRADE AT THE PROPERTY LINE, DETERMINED FROM PAVING GRADE, OR AS REQUIRED TO MAINTAIN A MINIMUM OF 2.00% GRADE, OR AS DIRECTED BY THE OWNER.

WASTEWATER LATERAL STUBOUT

(FOR FUTURE CONNECTION, 4" OR 6" AS SPECIFIED)

N.T.S.

STANDARD DRAWING NO. R-5150	WASTEWATER LATERAL STUBOUT IN ADVANCE OF PAVING	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.10
			DATE Mar. 2018 / STANDARD DRAWING NO. R-5150

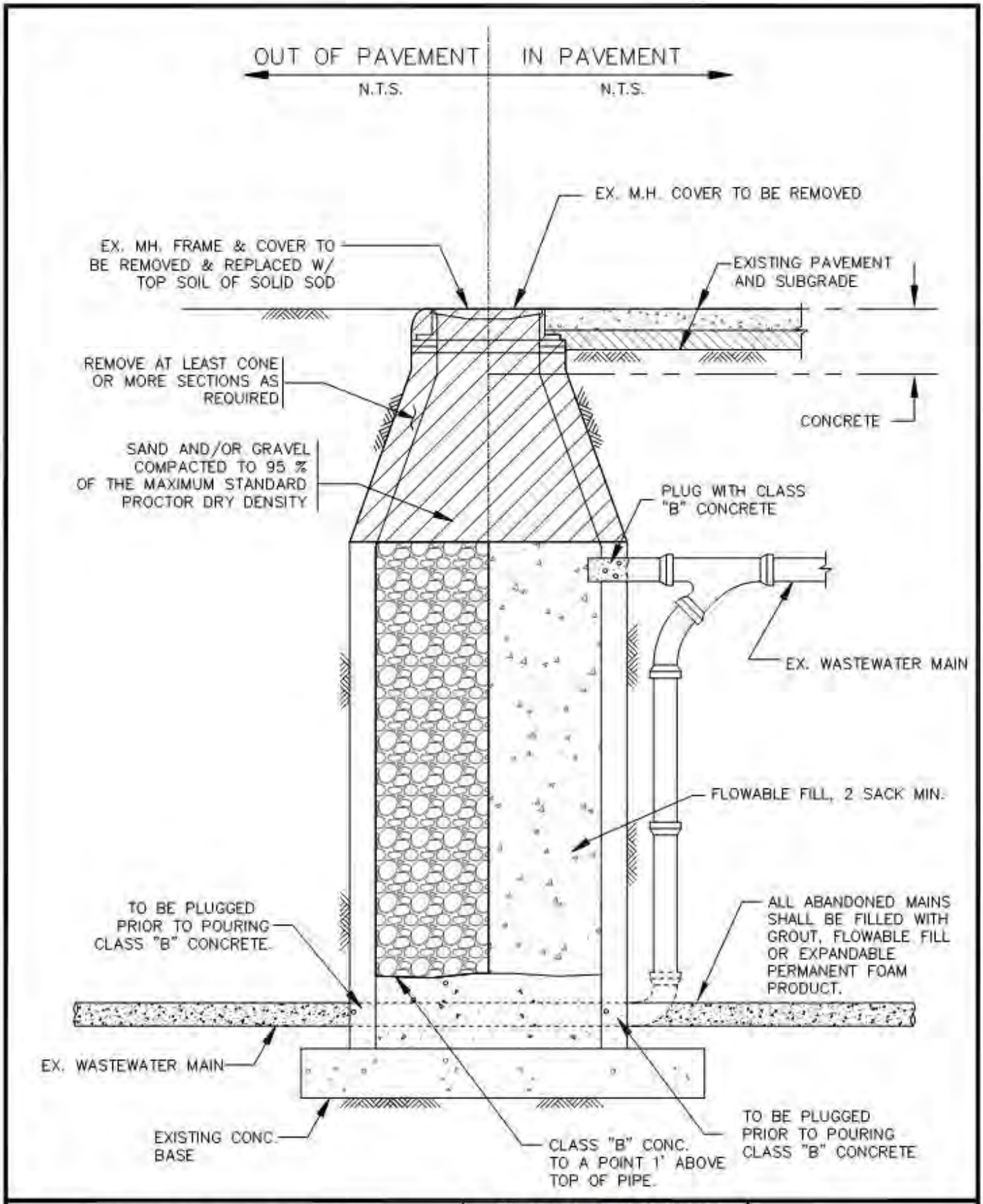


WASTEWATER LATERAL REPLACEMENT

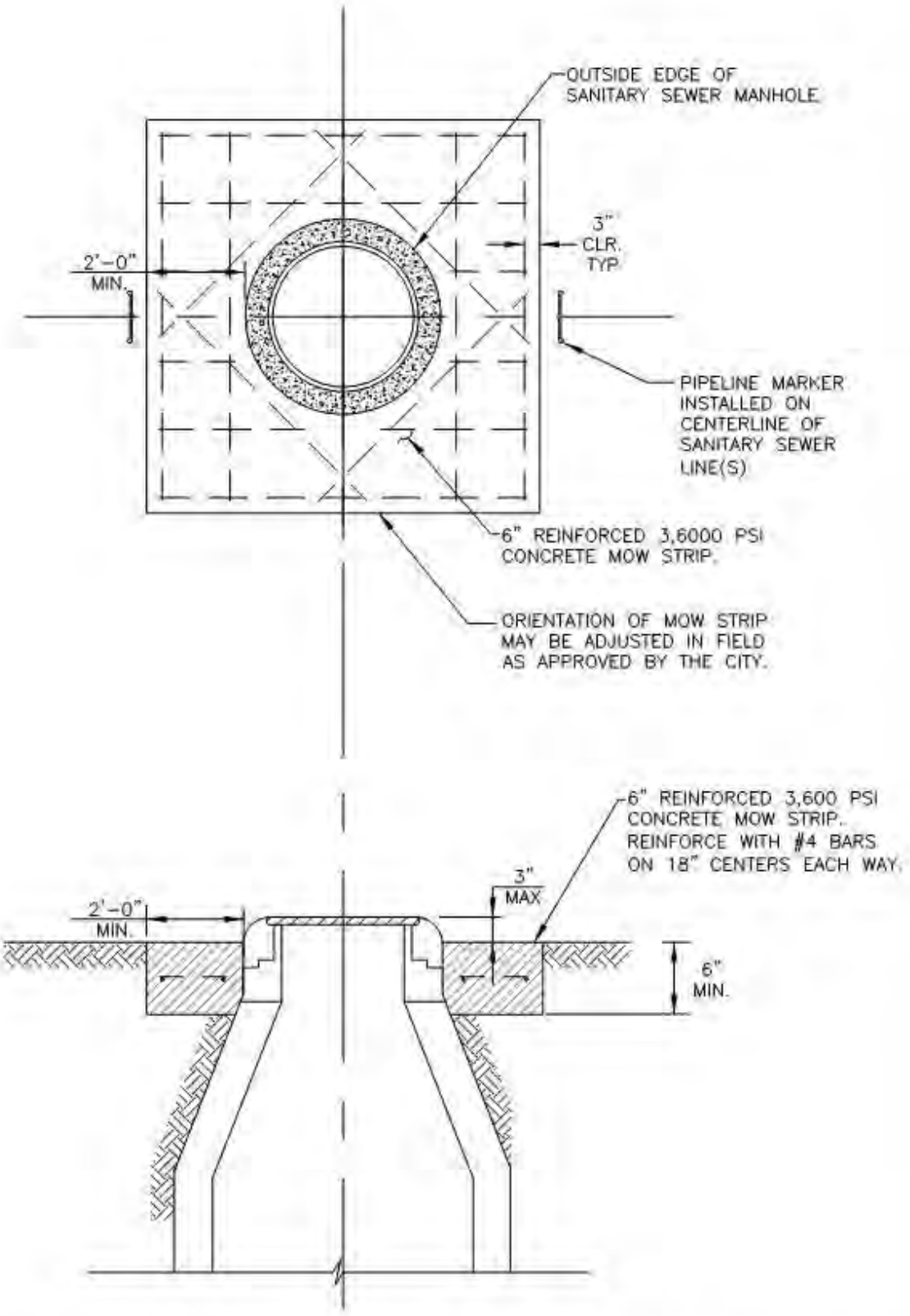
N.T.S.

WASTEWATER LATERAL REPLACEMENT IN ADVANCE OF PAVING	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.10	
		DATE Mar. 2018	STANDARD DRAWING NO R-5160

STANDARD DRAWING NO R-5160



ABANDONMENT OF MANHOLE	CITY OF ROCKWALL	
INSIDE AND OUTSIDE OF PAVEMENT		DATE: AUG '19 / DRAWING NO.: R-5170



MANHOLE AND VALVE VAULT	CITY OF ROCKWALL	
MOW STRIP		DATE: AUG '19 / DRAWING NO.: R-5180

City of Rockwall
The New Horizon

8.6 Division 6000 Storm Water Drainage

NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

Table 9.6: Revisions to NCTCOG's Division 6000 Storm Water Drainage

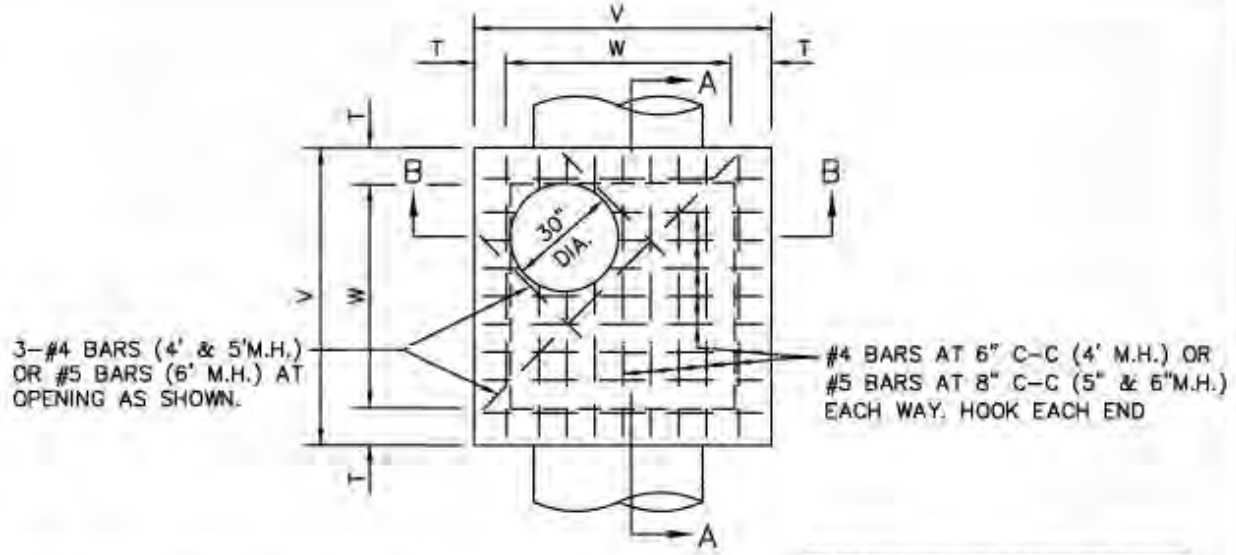
Revised	Drawing No.	Subject
(1)	~~6010A~~	~~Storm Water Manhole – 4', 5', 6' Square~~
(3)	**R-6010A**	**Storm Water Manhole – 4', 5', 6' Square**
(1)	~~6010B~~	~~Storm Water Manhole – 4', 5', 6' Square~~
(3)	**R-6010B**	**Storm Water Manhole – 4', 5', 6' Square**
(1)	~~6020A~~	~~Curb Inlet – 5', 10' 15' or 20' Opening~~
(3)	**R-6020A**	**Curb Inlet – 5', 10' 15' or 20' Opening**
(1)	~~6020B~~	~~Curb Inlet – Cross Section & Inlet Throat~~
(3)	**R-6020B**	**Curb Inlet – Cross Section & Inlet Throat**
(1)	~~6020C~~	~~Curb Inlet – Rebar & M.H. Frame & Cover~~
(3)	**R-6020C**	**Curb Inlet – Rebar & M.H. Frame & Cover**
(1)	~~6020D~~	~~Curb Inlet – Bill of Reinforcing Steel~~
(3)	**R-6020D**	**Curb Inlet – Bill of Reinforcing Steel**
(1)	~~6020E~~	~~Curb Inlet – Summary of Quantities~~
(3)	**R-6020E**	**Curb Inlet – Summary of Quantities**
(1)	~~6030A~~	~~Curb Inlet Recessed – 5', 10' 15' or 20' Opening~~
(3)	**R-6030A**	**Curb Inlet Recessed – 5', 10' 15' or 20' Opening**
(1)	~~6030B~~	~~Curb Inlet Recessed – Cross Section & Center Beam~~
(3)	**R-6030B**	**Curb Inlet Recessed – Cross Section & Center Beam**
(1)	~~6030C~~	~~Curb Inlet Recessed – Inlet Throat & M.H. Frame & Cover~~
(3)	**R-6030C**	**Curb Inlet Recessed – Inlet Throat & M.H. Frame & Cover**
(1)	~~6030D~~	~~Curb Inlet Recessed – General Notes~~
(3)	**R-6030D**	**Curb Inlet Recessed – General Notes**
(1)	~~6040~~	~~Drop Inlet – 2', 4', 5', or 6' Square~~
(3)	**R-6040**	**Drop Inlet – 2', 4', 5', or 6' Square**
(1)	~~6050~~	~~Full Channel Lining – Concrete Reinforced~~
(3)	**R-6050**	**Full Channel Lining – Concrete Reinforced**
(1)	~~6060~~	~~Concrete Apron – Vertical Headwall~~
(3)	**R-6060**	**Concrete Apron – Vertical Headwall**
(1)	~~6070~~	~~Concrete Apron - Sloping Headwall~~
(3)	**R-6070**	**Concrete Apron - Sloping Headwall**
(4)		TxDOT: Single Box Culvert – Cast-in-place and Precast
(4)		TxDOT: Multiple Box Culvert – Cast-in-place
(4)		TxDOT: Wingwalls for Single & Multi-Box Culverts
(4)		TxDOT: Concrete Headwalls for Pipe Culverts
(4)		TxDOT: Safety End Treatment for Box Culverts
(4)		TxDOT: Safety End Treatment For Pipe Culverts

Note: Storm sewer headwalls, wingwalls, box culverts and safety pipe runners shall be per Texas Department of Transportation Standard Details and made part of the City of Rockwall Standard Details.

TxDOT Standard Drawings

Drawings shall be modified as follows:

1. All concrete for structures shall be Class F (4200 psi, minimum 6.5 sack cement).
2. No fly ash is allowed in concrete for structures.

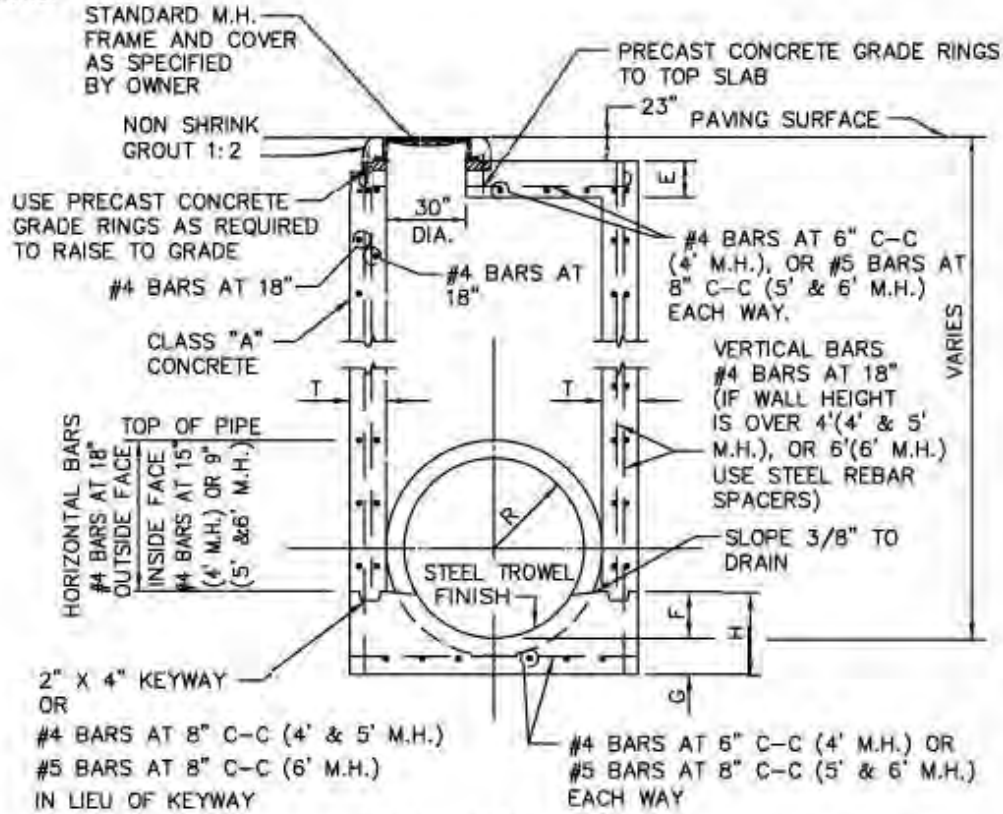


PLAN
N.T.S.

M.H. SIZE(W)	V	T	E	F	G	H
4'	5'-4"	8"	6"	9"	6"	1'-3"
5'	6'-4"	8"	6"	12"	8"	1'-8"
6'	7'-6"	9"	9"	16"	10"	2'-2"

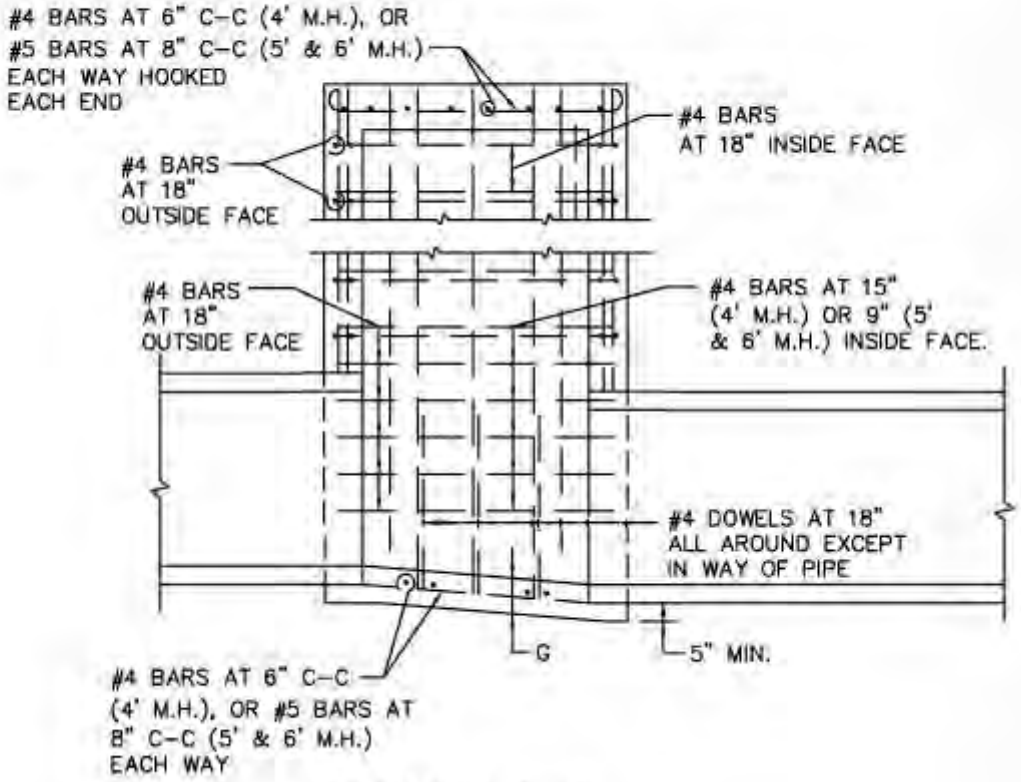
TABLE OF DIMENSIONS
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

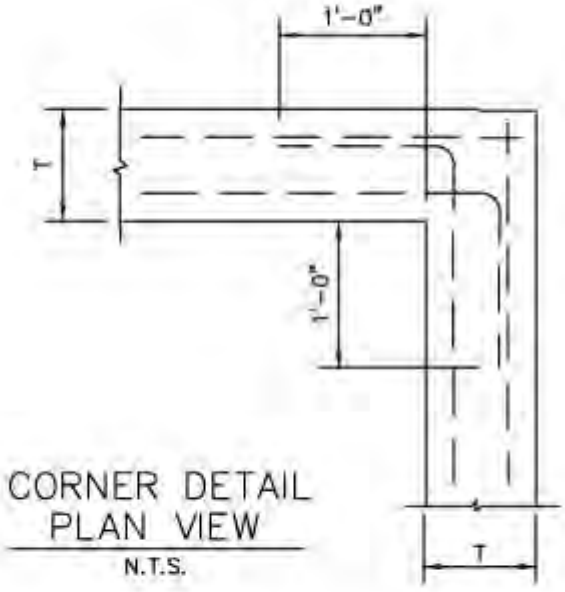


SECTION B-B
N.T.S.

STORM WATER MANHOLE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE: 502.1.4.1*	
4', 5', OR 6' SQUARE		DATE: Mar. 2018	STANDARD DRAWING NO.: R-6010A



SECTION A–A
N.T.S.

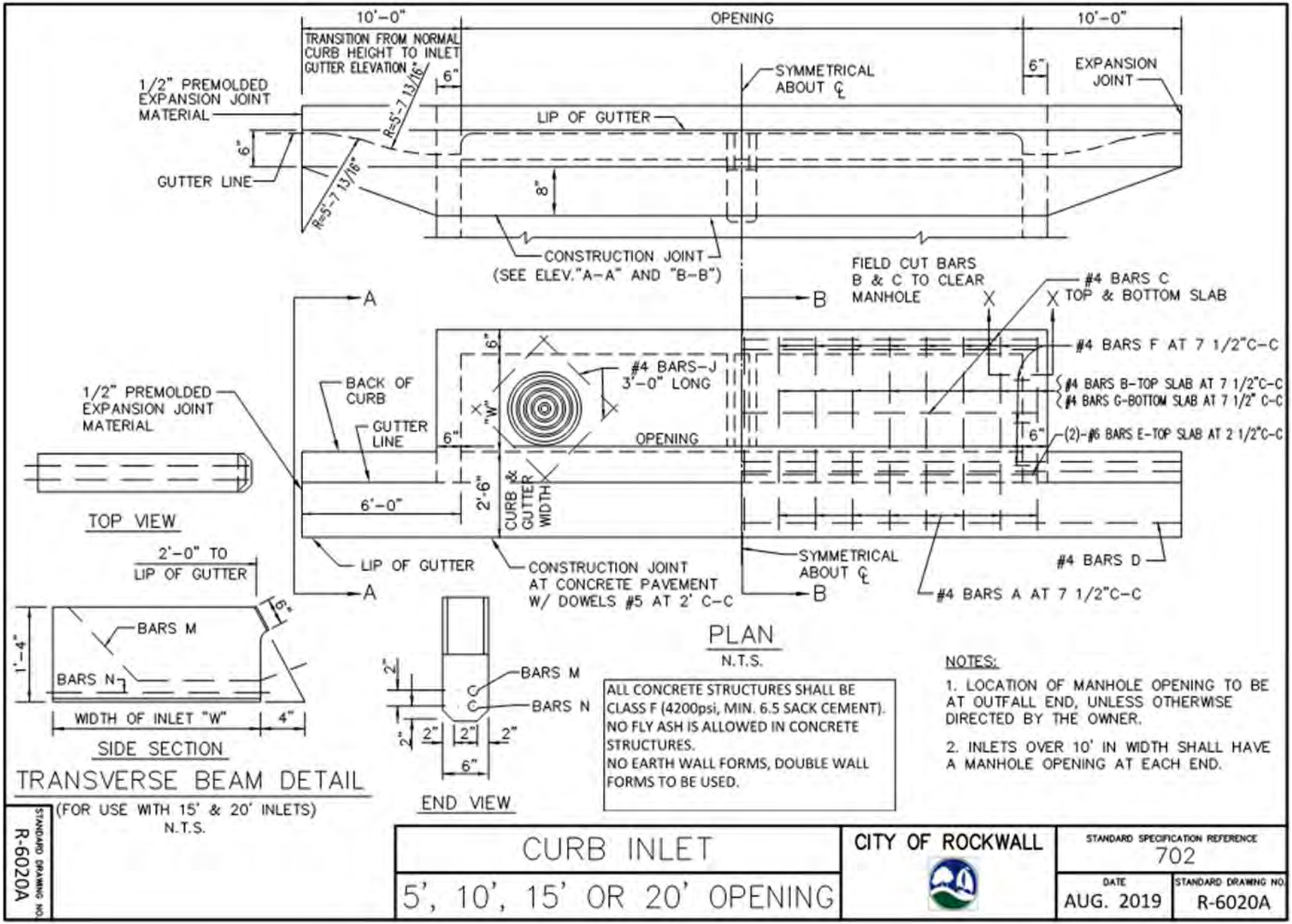


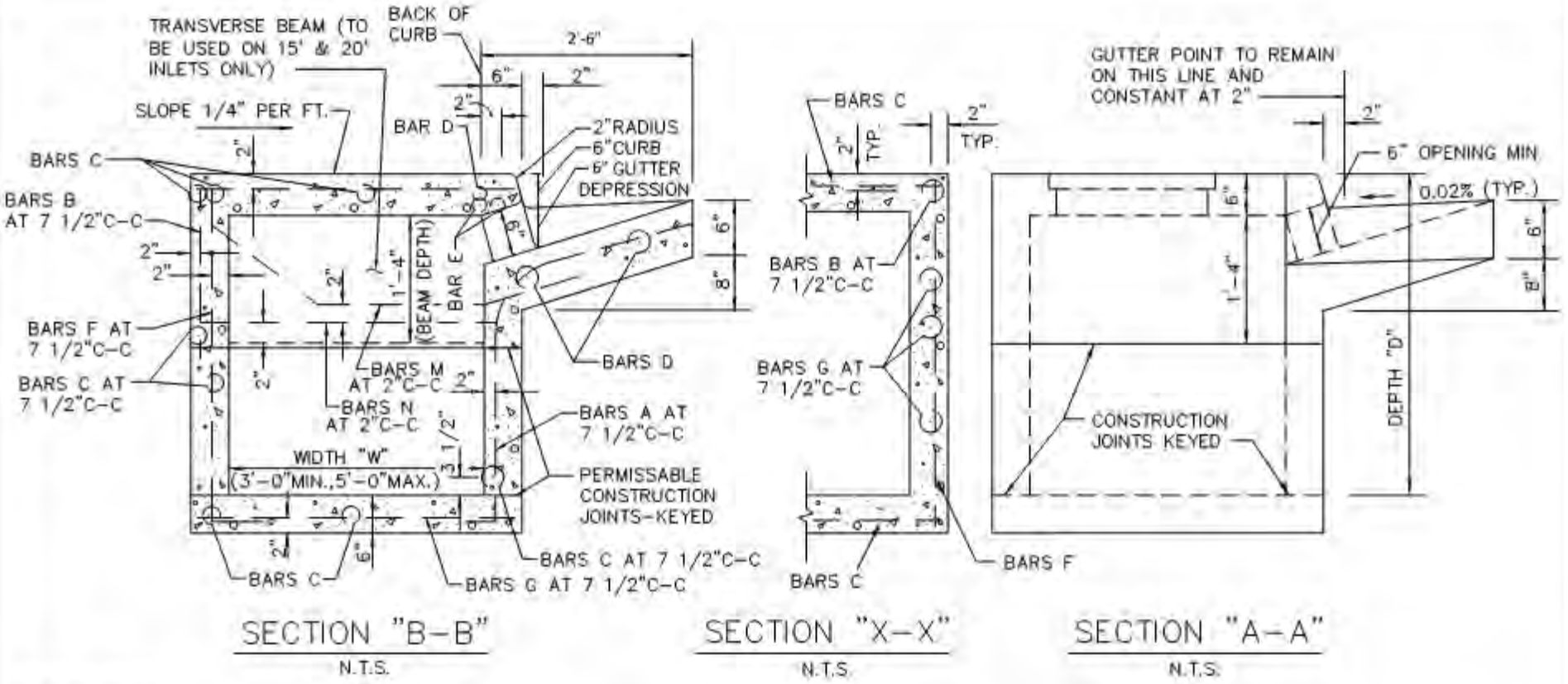
CORNER DETAIL
PLAN VIEW
N.T.S.

NOTES:

1. SLOPE INVERT OF MANHOLE AS INDICATED ON PLAN–PROFILE SHEET.
2. LAYERS OF REINFORCING STEEL NEAREST THE INTERIOR AND EXTERIOR SURFACE SHALL HAVE A COVER OF 2" TO THE CENTER OF BARS, UNLESS OTHERWISE NOTED.
3. ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT).
4. NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

STORM WATER MANHOLE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.1.4.1*	
4', 5', OR 6' SQUARE		DATE Mar. 2018	STANDARD DRAWING NO. R-60108


10'-0"
OPENING
10'-0"
TRANSITION FROM NORMAL CURB HEIGHT TO INLET GUTTER ELEVATION
6"
1/2" PREMOLDED EXPANSION JOINT MATERIAL
R=5'-7 13/16"
SYMMETRICAL ABOUT ℄
6"
EXPANSION JOINT
LIP OF GUTTER
6"
GUTTER LINE
8"
CONSTRUCTION JOINT (SEE ELEV."A-A" AND "B-B")
FIELD CUT BARS B & C TO CLEAR MANHOLE
#4 BARS C TOP & BOTTOM SLAB
#4 BARS F AT 7 1/2"C-C
#4 BARS B-TOP SLAB AT 7 1/2"C-C
#4 BARS G-BOTTOM SLAB AT 7 1/2" C-C
(2)-#6 BARS E-TOP SLAB AT 2 1/2"C-C
#4 BARS-J 3'-0" LONG
BACK OF CURB
GUTTER LINE
"W"
OPENING
6'-0"
2'-6"
CURB & GUTTER WIDTH
LIP OF GUTTER
CONSTRUCTION JOINT AT CONCRETE PAVEMENT W/ DOWELS #5 AT 2' C-C
SYMMETRICAL ABOUT ℄
#4 BARS D
#4 BARS A AT 7 1/2"C-C
A
B
TOP VIEW
PLAN
N.T.S.
2'-0" TO LIP OF GUTTER
1'-4"
BARS M
BARS N
WIDTH OF INLET "W"
4"
SIDE SECTION
BARS M
BARS N
2"
2"
2"
2"
6"
END VIEW
TRANSVERSE BEAM DETAIL
(FOR USE WITH 15' & 20' INLETS)
N.T.S.
ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT).
NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.
NOTES:
1. LOCATION OF MANHOLE OPENING TO BE AT OUTFALL END, UNLESS OTHERWISE DIRECTED BY THE OWNER.
2. INLETS OVER 10' IN WIDTH SHALL HAVE A MANHOLE OPENING AT EACH END.
STANDARD DRAWING NO.
R-6020A
CURB INLET
5', 10', 15' OR 20' OPENING
CITY OF ROCKWALL
STANDARD SPECIFICATION REFERENCE
702
DATE
AUG. 2019
STANDARD DRAWING NO.
R-6020A



SECTION "B-B"
N.T.S.

SECTION "X-X"
N.T.S.

SECTION "A-A"
N.T.S.

GENERAL NOTES:

1. ALL CONCRETE SHALL BE CLASS "A" CONCRETE.
2. REINFORCING BARS SHALL BE STANDARD GRADE STEEL, DEFORMED REINFORCING BARS OF A DIAMETER AND LENGTH AS SHOWN.
3. CHAMFER ALL EXPOSED CORNERS 3/4" EXCEPT WHERE OTHERWISE NOTED.
4. DIMENSIONS RELATING TO REINFORCING STEEL ARE TO CENTERS OF BARS.
5. FIELD CUT AND BEND BARS AS NECESSARY TO ACCOMODATE STORM SEWER PIPE.
6. RING AND COVER SHALL BE APPROVED BY THE OWNER AND INSTALLED BY THE CONTRACTOR.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.

STANDARD DRAWING NO. R-6020B

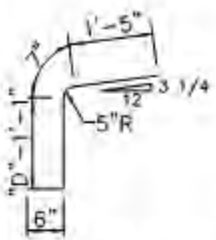
CURB INLET
CROSS SECTION & INLET THROAT

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE: 702

DATE: AUG. 2019

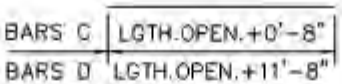
STANDARD DRAWING NO.: R-6020B



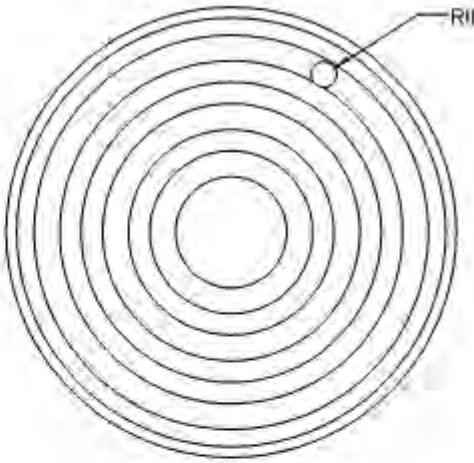
#4 BARS A
N.T.S.



#4 BARS B
N.T.S.

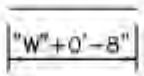


#4 BARS C & D
N.T.S.

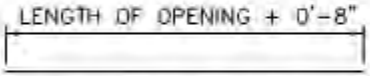




#4 BARS F
N.T.S.

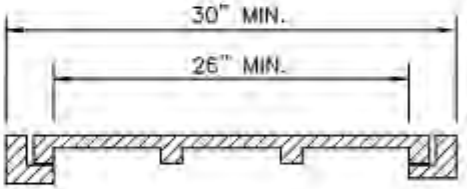


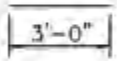
#4 BARS G
N.T.S.



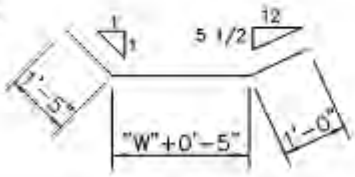
#4 BARS E
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES. INLET LID TO BE LOCKING.

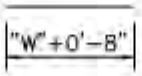




#4 BARS J
N.T.S.



#3 BARS M
N.T.S.



#5 BARS N
N.T.S.

CAST IRON
FRAME AND COVER
N.T.S

STANDARD DRAWING NO. 6020C

CURB INLET	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 702	
REBAR & M.H. FRAME & COVER		DATE Mar. 2018	STANDARD DRAWING NO. R-6020C

BILL OF REINFORCING STEEL

DEPTH "D"	ALL WIDTHS AND LENGTHS				OPENING LENGTH "L" = 5ft						OPENING LENGTH "L" = 10ft						OPENING LENGTH "L" = 15 ft								OPENING LENGTH "L" = 20 ft							
					Widths "W"						Widths "W"						Widths "W"								Widths "W"							
					3ft	4ft	5ft				3ft	4ft	5ft				3ft	4ft	5ft						3ft	4ft	5ft					
	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS
	C	D	E	J	F	F	F	A	B	G	F	F	F	A	B	G	F	F	F	A	B	G	M	N	F	F	F	A	B	G	M	N
3'-6"	17	3	2	4	20	24	28	10	10	20	28	32	36	18	18	28	36	40	44	26	26	36	2	2	44	48	52	34	34	44	2	2
3'-9"	18	"	"	"	"	"	"	"	"	20	"	"	"	"	"	28	"	"	"	"	"	36	"	"	"	"	"	"	"	"	44	"	"
4'-0"	19	"	"	"	"	"	"	"	"	24	"	"	"	"	"	32	"	"	"	"	"	40	"	"	"	"	"	"	"	"	48	"	"
4'-3"	19	"	"	"	"	"	"	"	"	24	"	"	"	"	"	32	"	"	"	"	"	40	"	"	"	"	"	"	"	"	48	"	"
4'-6"	21	"	"	"	"	"	"	"	"	26	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	"	"	"	50	"	"
4'-9"	21	"	"	"	"	"	"	"	"	26	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	"	"	"	50	"	"
5'-0"	21	"	"	"	"	"	"	"	"	26	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	"	"	"	50	"	"
5'-3"	23	"	"	"	"	"	"	"	"	28	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	"	"	"	52	"	"
5'-6"	23	"	"	"	"	"	"	"	"	28	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	"	"	"	52	"	"
5'-9"	25	"	"	"	"	"	"	"	"	30	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	"	"	"	54	"	"
6'-0"	25	"	"	"	"	"	"	"	"	30	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	"	"	"	54	"	"
6'-3"	26	"	"	"	"	"	"	"	"	30	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	"	"	"	54	"	"
6'-6"	27	"	"	"	"	"	"	"	"	32	"	"	"	"	"	40	"	"	"	"	"	48	"	"	"	"	"	"	"	"	56	"	"
6'-9"	27	"	"	"	"	"	"	"	"	32	"	"	"	"	"	40	"	"	"	"	"	48	"	"	"	"	"	"	"	"	56	"	"
7'-0"	29	"	"	"	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	"	"	"	58	"	"
7'-3"	29	"	"	"	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	"	"	"	58	"	"
7'-6"	30	"	"	"	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	"	"	"	58	"	"
7'-9"	31	"	"	"	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	52	"	"	"	"	"	"	"	"	60	"	"
8'-0"	31	"	"	"	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	52	"	"	"	"	"	"	"	"	60	"	"
8'-3"	32	"	"	"	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	52	"	"	"	"	"	"	"	"	60	"	"
8'-6"	33	"	"	"	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	54	"	"	"	"	"	"	"	"	62	"	"
8'-9"	34	"	"	"	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	54	"	"	"	"	"	"	"	"	62	"	"
9'-0"	35	"	"	"	"	"	"	"	"	40	"	"	"	"	"	48	"	"	"	"	"	56	"	"	"	"	"	"	"	"	64	"	"
9'-3"	36	"	"	"	"	"	"	"	"	40	"	"	"	"	"	48	"	"	"	"	"	56	"	"	"	"	"	"	"	"	64	"	"
9'-6"	37	"	"	"	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	58	"	"	"	"	"	"	"	"	66	"	"
10'-0"	38	"	"	"	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	58	"	"	"	"	"	"	"	"	66	"	"

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

NOTE:
FOR CONVENIENCE, DEPTHS OF INLETS SHOWN IN ABOVE TABLES ARE IN INCREMENTS OF 3 INCHES BUT ANY DEPTHS OTHER THAN THOSE SHOWN ABOVE MAY BE USED WHEREVER DEEMED NECESSARY. QUANTITIES FOR OTHER DEPTHS FALLING WITHIN THE LIMITS OF THE TABLE MAY BE FOUND BY INTERPOLATION.

STANDARD DRAWING NO. R-6020D

CURB INLET

BILL OF REINFORCING STEEL

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 702

DATE Mar. 2018

STANDARD DRAWING NO. R-6020D

SUMMARY OF QUANTITIES FOR CURB INLETS

DEPTH "D"	5'-0" OPENING						10'-0" OPENING						15'-0" OPENING						20'-0" OPENING					
	WIDTH 3'-0"		WIDTH 4'-0"		WIDTH 5'-0"		WIDTH 3'-0"		WIDTH 4'-0"		WIDTH 5'-0"		WIDTH 3'-0"		WIDTH 4'-0"		WIDTH 5'-0"		WIDTH 3'-0"		WIDTH 4'-0"		WIDTH 5'-0"	
	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.
3'-6"	2.62	306	2.95	332	3.28	373	4.12	479	4.64	521	5.20	564	5.69	667	6.40	721	7.10	775	7.20	846	8.11	909	9.03	976
3'-9"	2.70	309	3.04	341	3.39	373	4.25	494	4.78	536	5.34	579	5.87	687	6.58	741	7.30	796	7.42	874	8.34	937	9.27	1010
4'-0"	2.78	328	3.14	364	3.49	399	4.38	518	4.92	565	5.49	610	6.05	718	6.77	776	7.49	835	7.64	909	8.58	976	9.51	1046
4'-3"	2.87	334	3.23	370	3.59	406	4.51	526	5.06	573	5.64	619	6.22	729	6.95	787	7.69	847	7.87	922	8.81	990	9.75	1061
4'-6"	2.95	356	3.32	394	3.69	431	4.64	558	5.20	607	5.79	656	6.40	770	7.14	830	7.88	891	8.09	973	9.04	1043	9.99	1115
4'-9"	3.03	361	3.41	410	3.79	438	4.77	566	5.34	616	5.94	665	6.57	780	7.32	841	8.07	903	8.31	986	9.27	1056	10.23	1129
5'-0"	3.12	367	3.51	416	3.90	445	4.90	574	5.47	624	6.09	674	6.75	791	7.51	853	8.27	915	8.53	999	9.50	1070	10.47	1144
5'-3"	3.20	383	3.60	424	4.00	465	5.03	600	5.61	652	6.23	704	6.93	827	7.69	890	8.46	955	8.76	1044	9.73	1118	10.71	1194
5'-6"	3.28	389	3.69	430	4.10	472	5.16	608	5.75	661	6.38	713	7.11	837	7.88	901	8.66	967	8.98	1057	9.97	1131	10.95	1208
5'-9"	3.37	405	3.78	451	4.20	495	5.29	635	5.89	690	6.53	744	7.28	874	8.07	940	8.85	1007	9.20	1102	10.20	1178	11.19	1258
6'-0"	3.45	415	3.88	460	4.30	504	5.42	646	6.03	702	6.68	757	7.45	888	8.25	954	9.05	1022	9.42	1119	10.43	1196	11.43	1276
6'-3"	3.53	425	3.97	470	4.41	515	5.55	661	6.17	718	6.83	773	7.63	908	8.44	975	9.24	1044	9.64	1147	10.66	1223	11.67	1305
6'-6"	3.62	437	4.06	486	4.51	532	5.68	681	6.31	739	6.97	797	7.81	935	8.62	1005	9.43	1057	9.87	1178	10.89	1258	11.92	1340
6'-9"	3.70	441	4.15	490	4.61	537	5.81	688	6.45	747	7.12	806	7.98	945	8.81	1015	9.63	1066	10.09	1191	11.12	1272	12.15	1355
7'-0"	3.78	460	4.25	510	4.71	560	5.94	716	6.59	777	7.27	837	8.16	981	8.99	1053	9.82	1126	10.31	1237	11.35	1319	12.40	1404
7'-3"	3.86	465	4.34	516	4.81	567	6.07	724	6.72	785	7.42	846	8.33	992	9.18	1065	10.02	1138	10.53	1249	11.59	1333	12.64	1418
7'-6"	3.95	477	4.43	529	4.91	570	6.20	742	6.86	804	7.57	866	8.51	1016	9.36	1089	10.21	1163	10.75	1290	11.82	1365	12.88	1451
7'-9"	4.03	491	4.53	544	5.02	597	6.33	762	7.00	826	7.71	890	8.67	1040	9.55	1116	10.41	1193	10.98	1313	12.05	1399	13.12	1498
8'-0"	4.12	496	4.62	550	5.12	604	6.46	770	7.14	834	7.86	899	8.86	1051	9.73	1129	10.60	1205	11.20	1325	12.28	1412	13.36	1510
8'-3"	4.20	504	4.71	559	5.22	613	6.59	784	7.28	849	8.01	915	9.04	1069	9.92	1149	10.80	1228	11.42	1353	12.51	1440	13.60	1529
8'-6"	4.28	519	4.80	576	5.32	632	6.71	804	7.42	871	8.16	938	9.21	1107	10.10	1176	10.99	1257	11.64	1385	12.74	1474	13.84	1565
8'-9"	4.37	528	4.90	586	5.42	643	6.84	819	7.56	886	8.31	954	9.39	1119	10.29	1199	11.18	1280	11.87	1410	12.97	1500	14.08	1592
9'-0"	4.45	545	4.99	605	5.53	664	6.97	842	7.70	912	8.46	982	9.56	1148	10.47	1231	11.38	1313	12.09	1447	13.21	1539	14.32	1631
9'-3"	4.53	554	5.08	614	5.63	674	7.10	858	7.84	929	8.60	999	9.74	1169	10.66	1252	11.57	1335	12.31	1474	13.44	1563	14.56	1660
9'-6"	4.62	568	5.17	630	5.73	692	7.23	878	7.97	950	8.75	1022	9.92	1195	10.84	1280	11.77	1365	12.53	1505	13.67	1600	14.80	1696
10'-0"	4.78	582	5.36	645	5.93	708	7.49	900	8.11	974	9.05	1048	10.27	1227	11.21	1312	12.16	1399	12.98	1546	14.13	1642	15.29	1739

NOTE:
FOR CONVENIENCE, DEPTHS OF INLETS SHOWN IN ABOVE TABLES ARE IN INCREMENTS OF 3 INCHES BUT ANY DEPTHS OTHER THAN THOSE SHOWN ABOVE MAY BE USED WHEREVER DEEMED NECESSARY. QUANTITIES FOR OTHER DEPTHS FALLING WITHIN THE LIMITS OF THE TABLE MAY BE FOUND BY INTERPOLATION.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT).
NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

STANDARD DRAWING NO. R-6020E

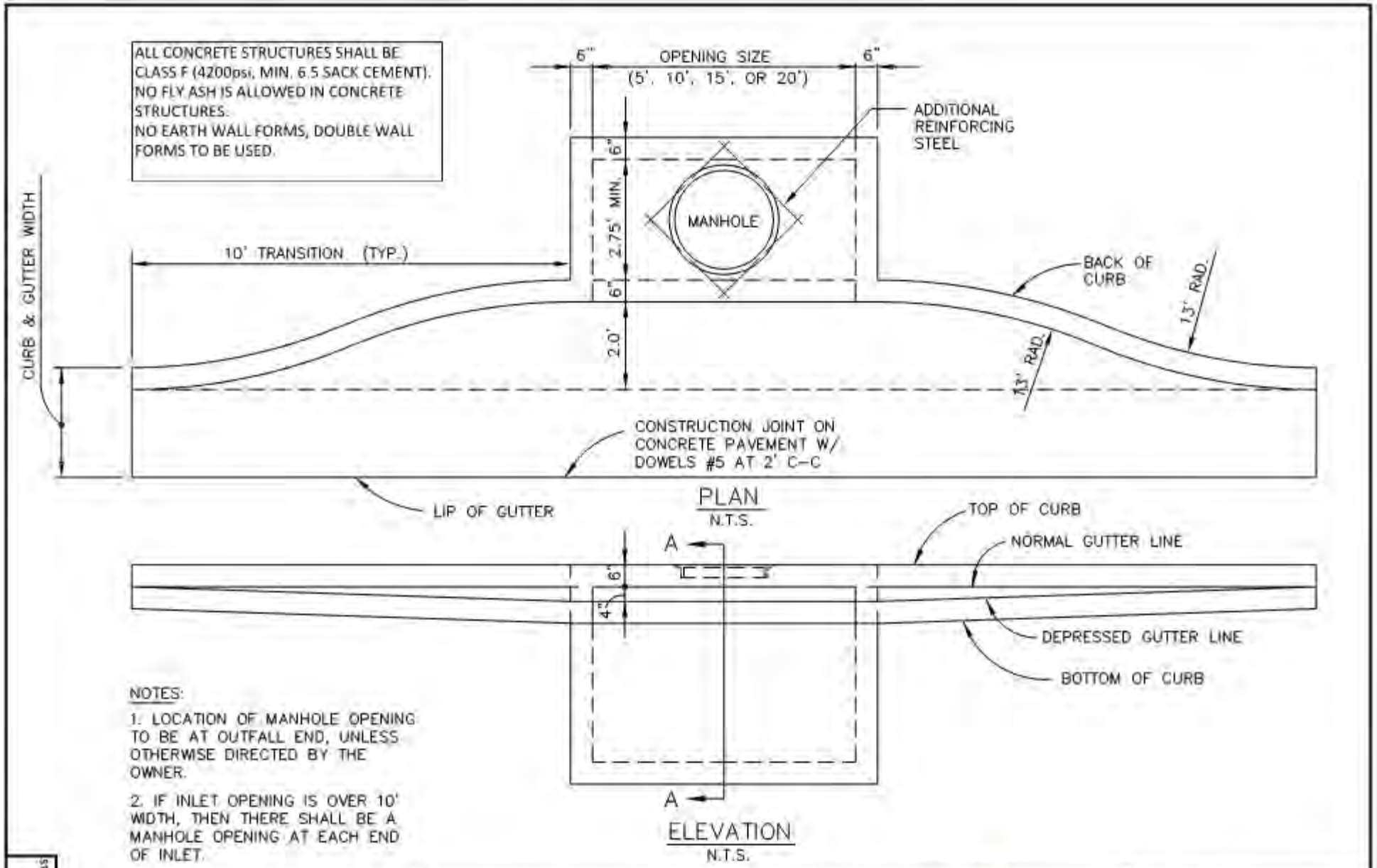
CURB INLET
SUMMARY OF QUANTITIES

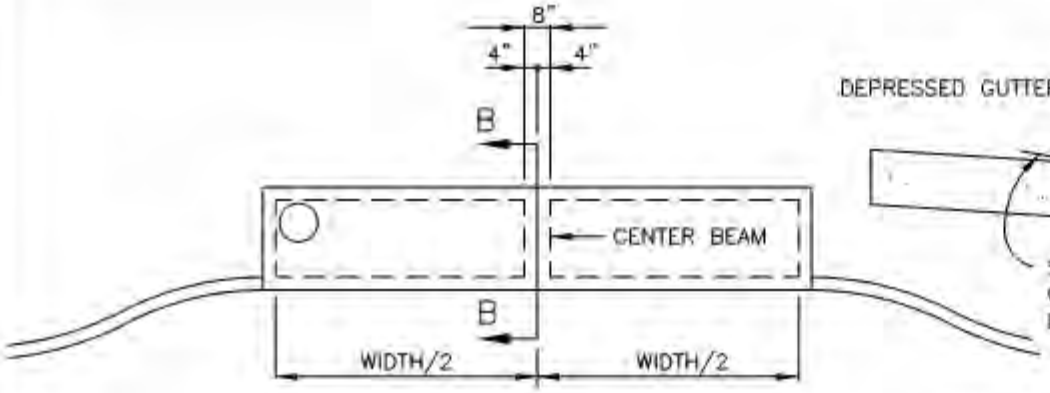
CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 702

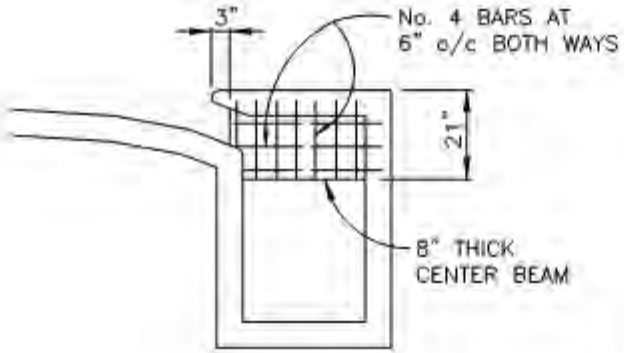
DATE Mar. 2018

STANDARD DRAWING NO. R-6020E

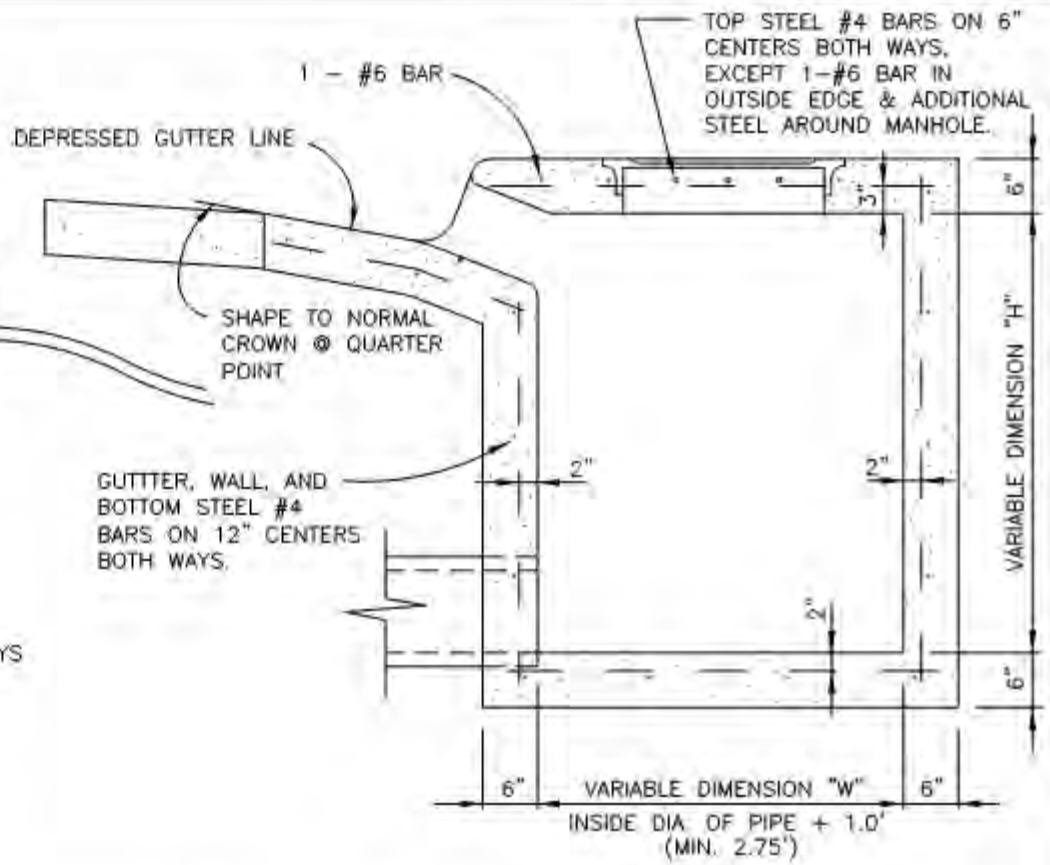

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.
6"
OPENING SIZE
(5', 10', 15', OR 20')
6"
ADDITIONAL REINFORCING STEEL
6"
2.75' MIN.
6"
2.0'
MANHOLE
CURB & GUTTER WIDTH
10' TRANSITION (TYP.)
BACK OF CURB
13' RAD.
13' RAD.
CONSTRUCTION JOINT ON CONCRETE PAVEMENT W/ DOWELS #5 AT 2' C-C
LIP OF GUTTER
PLAN
N.T.S.
A
6"
4"
TOP OF CURB
NORMAL GUTTER LINE
DEPRESSED GUTTER LINE
BOTTOM OF CURB
A
ELEVATION
N.T.S.
NOTES:
1. LOCATION OF MANHOLE OPENING TO BE AT OUTFALL END, UNLESS OTHERWISE DIRECTED BY THE OWNER.
2. IF INLET OPENING IS OVER 10' WIDTH, THEN THERE SHALL BE A MANHOLE OPENING AT EACH END OF INLET.
STANDARD DRAWING NO.
R-6030A
CURB INLET RECESSED
5', 10', 15' OR 20' OPENING
CITY OF ROCKWALL
STANDARD SPECIFICATION REFERENCE
702
DATE
Mar. 2018
STANDARD DRAWING NO.
R-6030A



CENTER BEAM FOR
15' AND 20' INLETS
N.T.S.



SECTION B–B
N.T.S.



SECTION A–A
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT).
NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.

STANDARD DRAWING NO. R-6030B

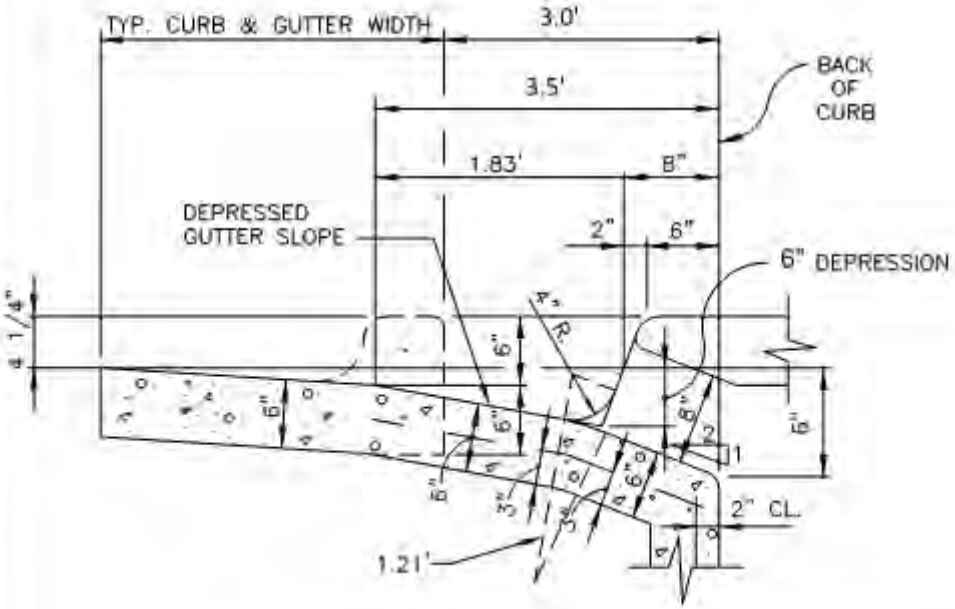
CURB INLET RECESSED
CROSS SECTION & CENTER BEAM

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE: 702

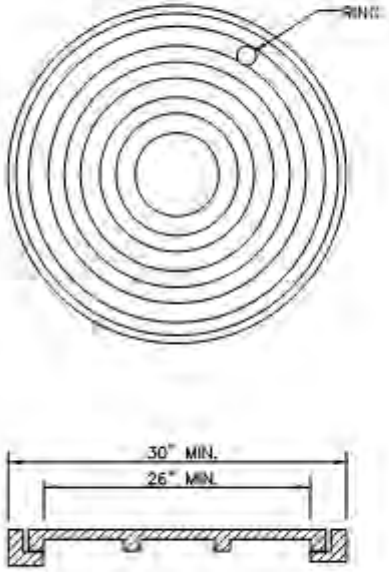
DATE: Mar. 2018

STANDARD DRAWING NO: R-6030B



INLET THROAT
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.



MANHOLE FRAME & COVER
N.T.S.

INLET LID OF BE LOCKING

STANDARD DRAWING NO. R-6030C

CURB INLET RECESSED

INLET THROAT & M.H. FRAME & COVER

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 702

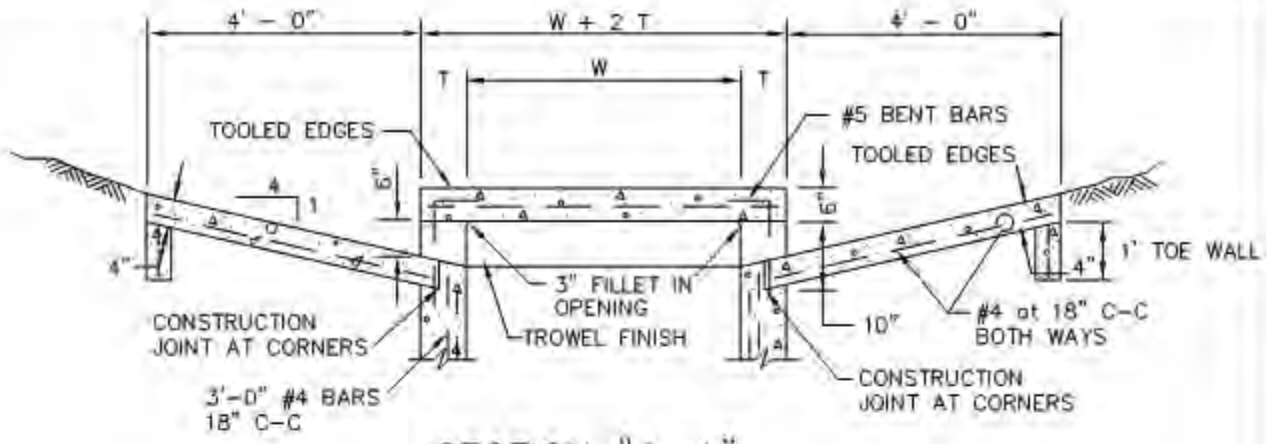
DATE Mar. 2018

STANDARD DRAWING NO. R-6030C

GENERAL NOTES:

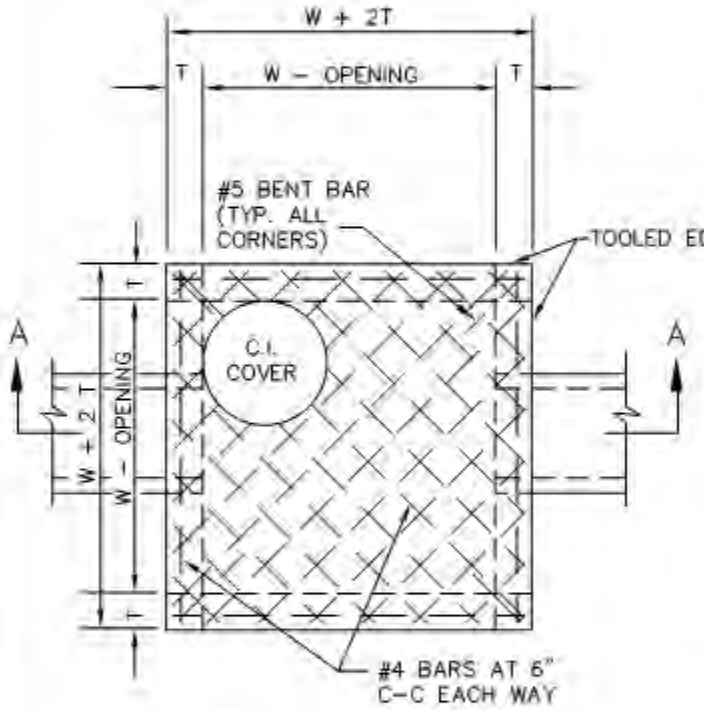
1. IN GENERAL, REINFORCING STEEL SHALL BE #4 BARS ON 12" CENTERS BOTH WAYS FOR GUTTER, BOTTOM SLAB ENDS, FRONT AND BACK WALLS, AND #4 BARS ON 6" CENTERS BOTH WAYS FOR TOP SLAB. AN ADDITIONAL #6 BAR SHALL BE PLACED IN THE FRONT EDGE OF THE TOP SLAB IN THE INLETS AND ADDITIONAL REINFORCING STEEL SHALL BE PLACED AROUND MANHOLES AS SHOWN.
2. ALL REINFORCING STEEL SHALL BE GRADE 60.
3. ALL CONCRETE SHALL BE CLASS "A". ALL EXPOSED CORNERS SHALL BE CHAMFERED 3/4".
4. ALL REINFORCING STEEL SHALL HAVE A MINIMUM COVER OF 2" TO THE CENTERS OF THE BARS.
5. 10'-0" OF EXISTING CURB AND GUTTER UPSTREAM AND 10'-0" OF EXISTING CURB AND GUTTER DOWNSTREAM SHALL BE REMOVED AND REPOURED INTEGRALLY WITH EACH INLET.
6. ALL BACK FILLING SHALL BE PERFORMED BY MECHANICAL TAMPING TO 95% STANDARD PROCTOR DENSITY.
7. ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT).
8. NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

STANDARD DRAWING NO.				
R-6030D	CURB INLET RECESSED GENERAL NOTES	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 702	
			DATE Mar. 2018	STANDARD DRAWING NO. R-6030D



SECTION "A-A"

N.T.S.



PLAN OF TOP SLAB

N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.

INLET SIZE	T	W
2' SQUARE	7"	2'-0"
4' SQUARE	7"	4'-0"
5' SQUARE	8"	5'-0"
6' SQUARE	9"	6'-0"

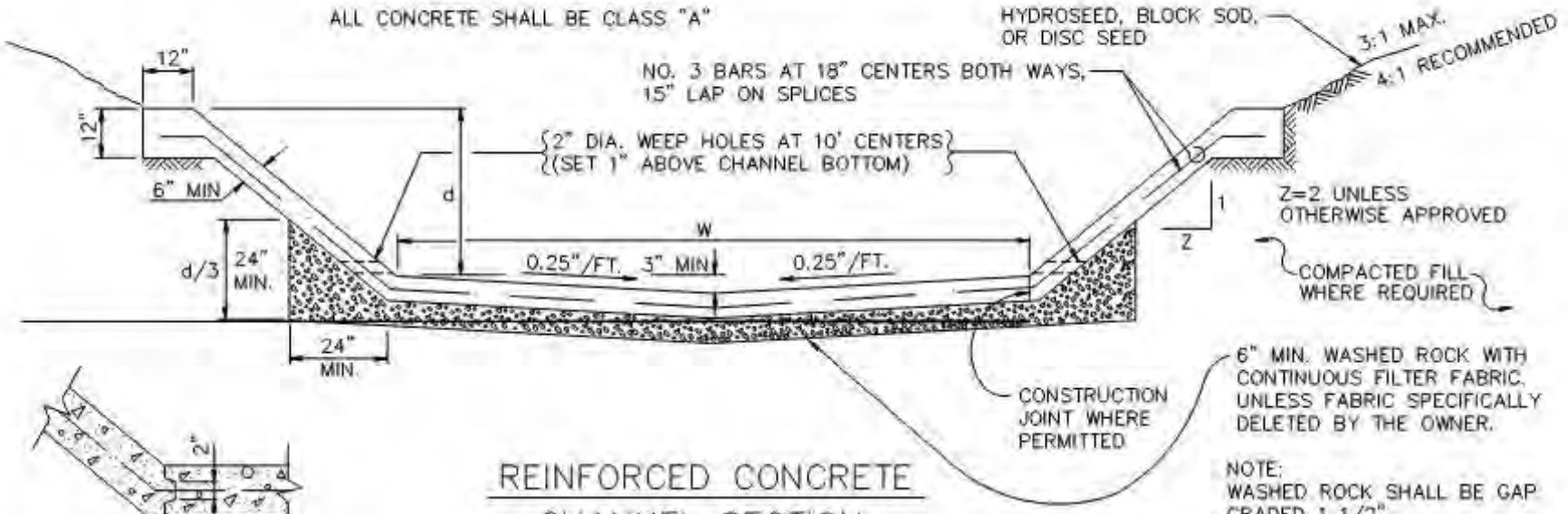
NOTES:

1. MATERIAL AND WORKMANSHIP SHALL CONFORM WITH THE REQUIREMENTS OF NCTCOG STANDARD SPECIFICATIONS FOR STANDARD CONCRETE MANHOLES. MINIMUM CLASS "A" CONCRETE.
2. LAYERS OF REINFORCING STEEL NEAREST THE INTERIOR AND EXTERIOR SURFACES SHALL HAVE A COVER OF 2" TO THE CENTER OF BARS, UNLESS OTHERWISE NOTED.
3. FOR DETAILS OF REINFORCING OF LOWER PORTIONS OF INLET SEE APPROPRIATE SQUARE MANHOLE DETAILS.
4. DEPTH OF DROP INLET FROM FINISHED GRADE TO FLOW LINE OF INLET IS VARIABLE. APPROXIMATE DEPTH WILL BE SHOWN ON PLANS AT LOCATION OF INLET.
5. ALL STANDARD DROP INLETS SHALL HAVE ONE OPENING ON EACH SIDE UNLESS OTHERWISE SHOWN ON PLANS.
6. DECK MAY BE REINFORCED SAME AS 4' SQUARE MANHOLE.

DROP INLET	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 702	
2', 4', 5' OR 6' SQUARE		DATE Mar. 2018	STANDARD DRAWING NO. R-6040

FILL AREAS SHALL BE COMPACTED TO 95% STD. PROCTOR DENSITY AT OPTIMUM MOISTURE CONTENT PRIOR TO CHANNEL EXCAVATION.

ALL CONCRETE SHALL BE CLASS "A"

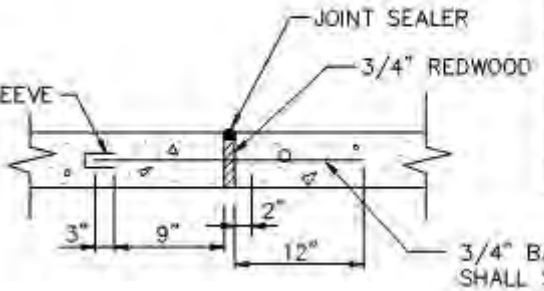


NOTE:
WASHED ROCK SHALL BE GAP GRADED 1 1/2".

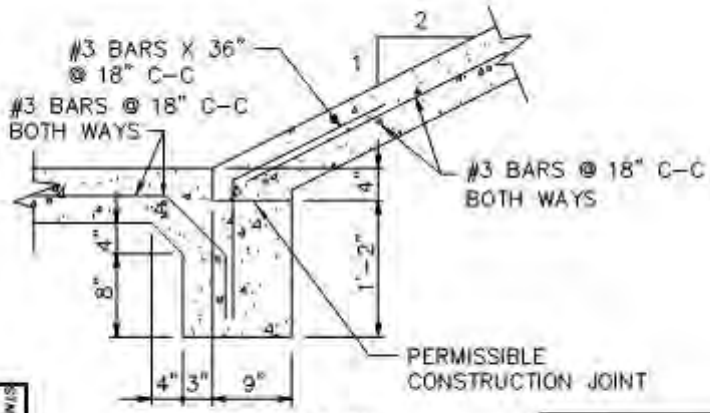
REINFORCED CONCRETE CHANNEL SECTION
N.T.S.

CONSTRUCTION JOINT
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.



TRANSVERSE EXPANSION JOINT
SPACE 100' C-C AND USE AT ENDS OF CURVES – P.C. AND P.T.
N.T.S.



ALTERNATE CONSTRUCTION JOINT
N.T.S.

STANDARD DRAWING NO. R-6050

FULL CHANNEL LINING
CONCRETE REINFORCED

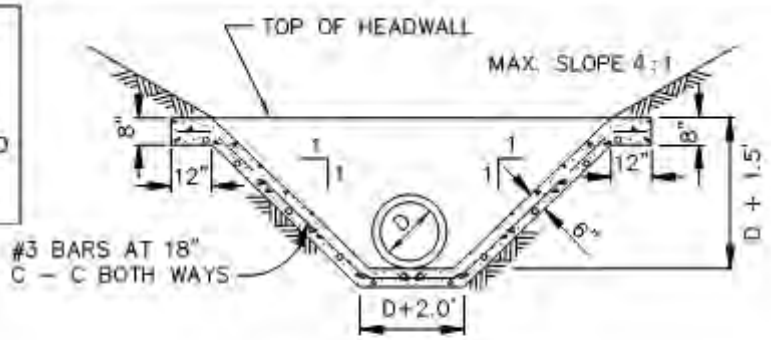
CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 803.3

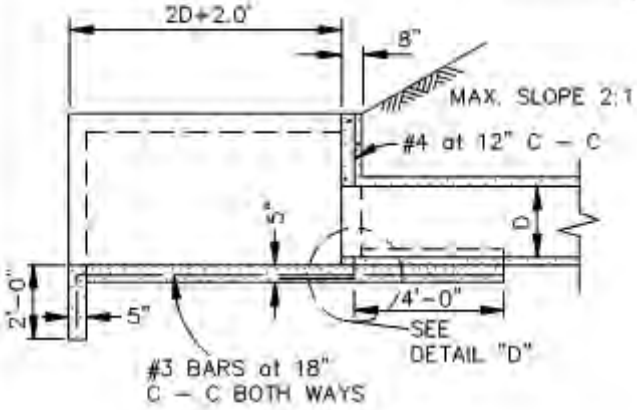
DATE Mar. 2018

STANDARD DRAWING NO. R-6050

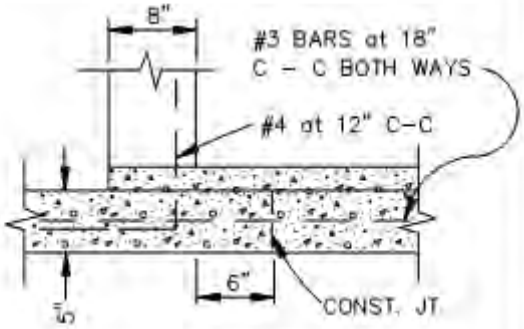
ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.



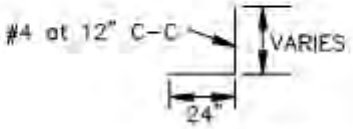
SECTION "B–B"
N.T.S.



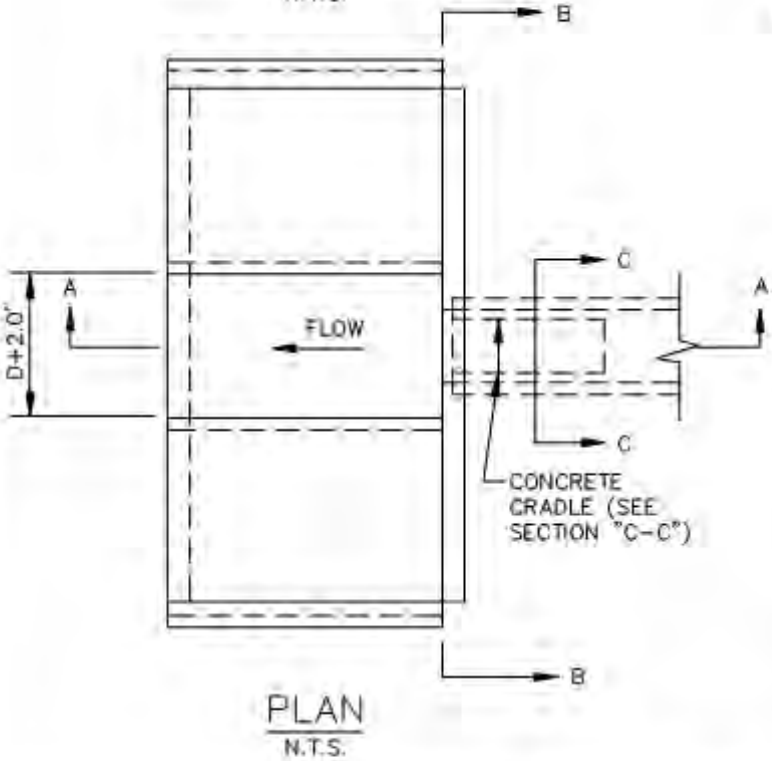
SECTION "A–A"
N.T.S.



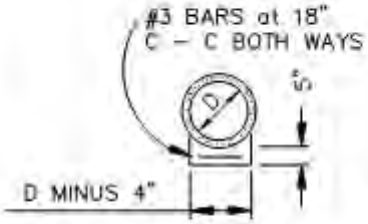
DETAIL "D"
N.T.S.



BAR DETAIL
N.T.S.



PLAN
N.T.S.

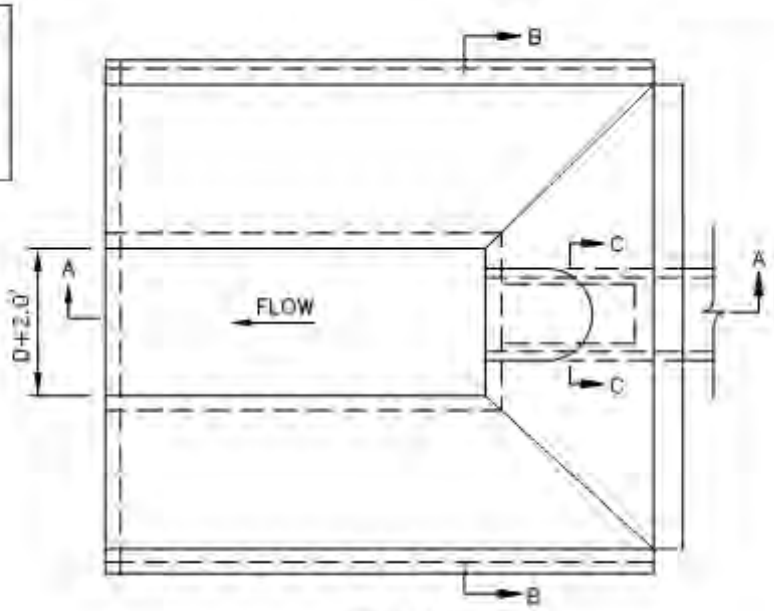


SECTION "C–C"
N.T.S

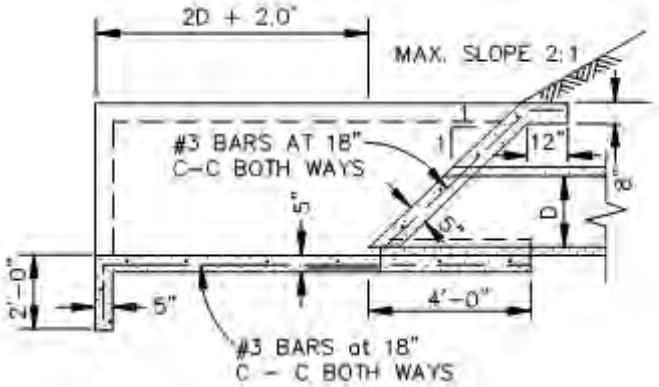
NOTE:
CONCRETE SHALL BE CLASS "A"

CONCRETE APRON	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 803.3	
VERTICAL HEADWALL		DATE Mar. 2018	STANDARD DRAWING NO. R-6060

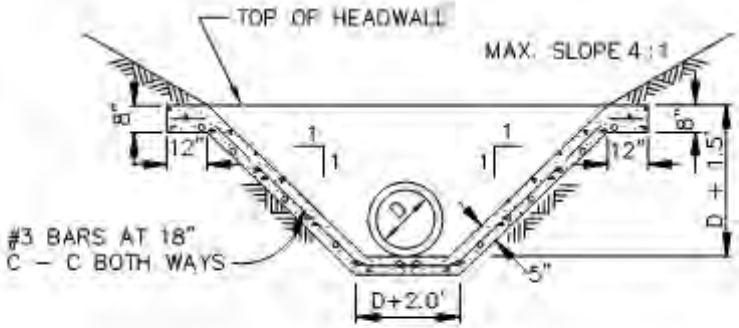
ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 6.5 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.



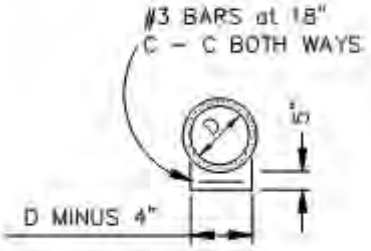
PLAN
N.T.S.



SECTION A–A
N.T.S.



SECTION B–B
N.T.S.



SECTION C–C
N.T.S.

NOTE:
CONCRETE SHALL BE CLASS "A".

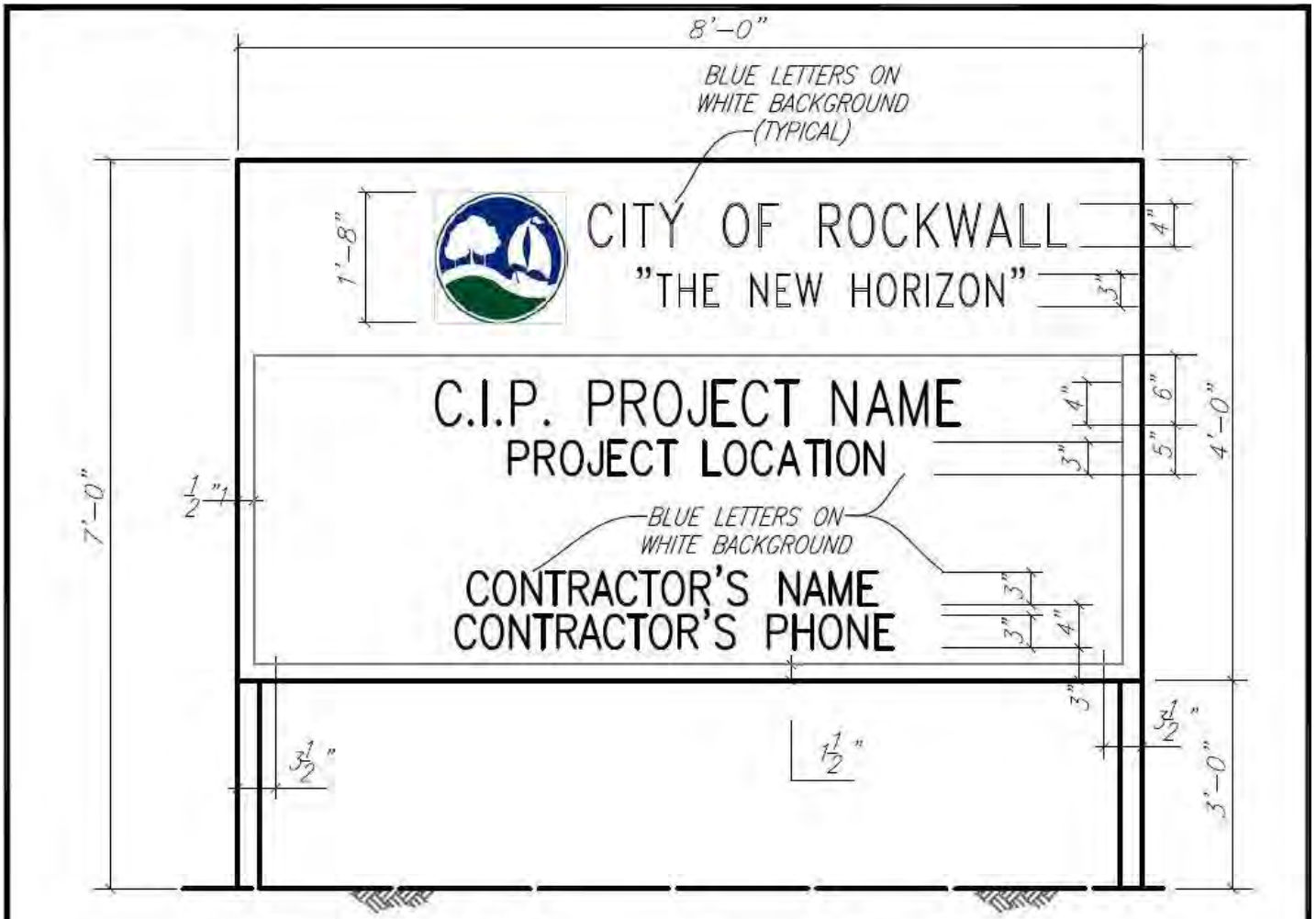
CONCRETE APRON SLOPING HEADWALL	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 803.3	
		DATE Mar. 2018	STANDARD DRAWING NO. R-6070

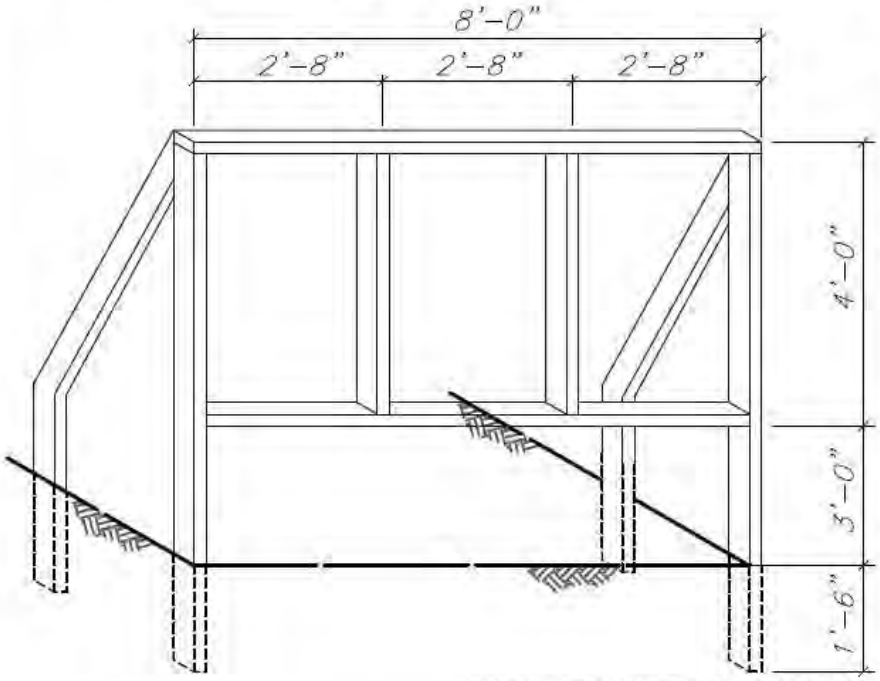
8.7 Division 7000 Rockwall Miscellaneous Details

This Division 7000 is to be added to the NCTCOG's Standard Drawings for Public Works Construction Standards. Division 7000 contains miscellaneous standard details added by the City. The following Table 9.7 contains a list of the miscellaneous standards being added.

Table 9.7: Division 7000 Rockwall Miscellaneous Details

Drawing No.	Subject
R-7010	**Miscellaneous Details – Construction Sign Detail**
R-7020	**Miscellaneous Details – Residential Lot Typical Wall & Swale Detail**





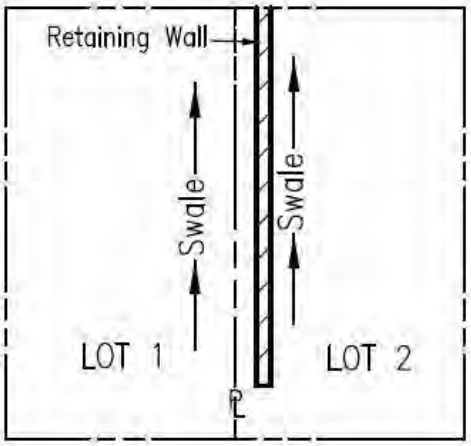
SIGN FRAME ELEVATION

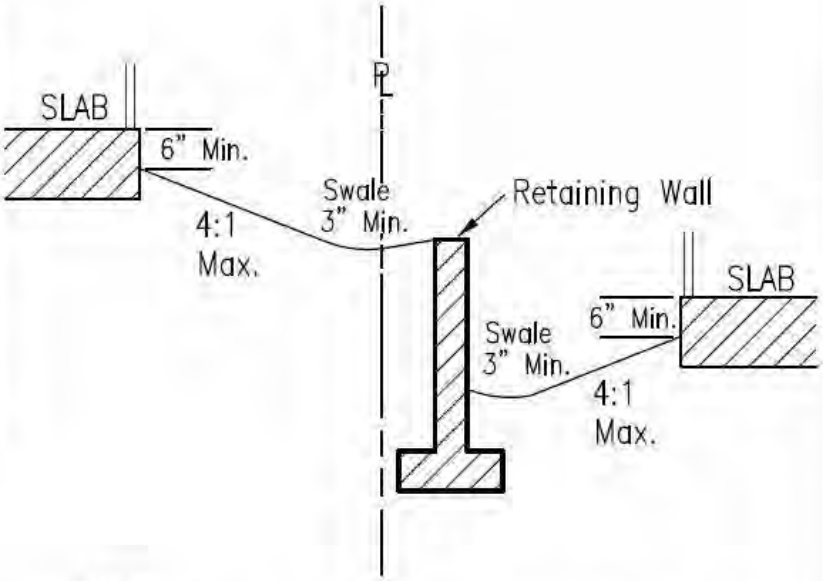
SIGN PANEL 3/4" EXTERIOR PLYWOOD PAINT AS SHOWN ON DETAIL ABOVE

FRAME 2"x4" STOCK FRAME TO BE PAINTED WHITE

ALL PAINT TO BE "EXTERIOR GRADE"

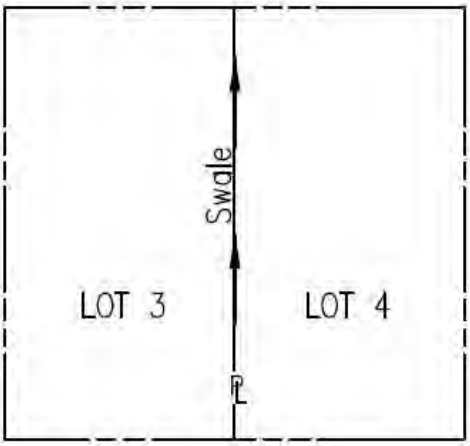
MISCELLANEOUS DETAILS	CITY OF ROCKWALL	
CONSTRUCTION SIGN DETAIL		DATE AUG. '15 / DRAWING NO. R-7010

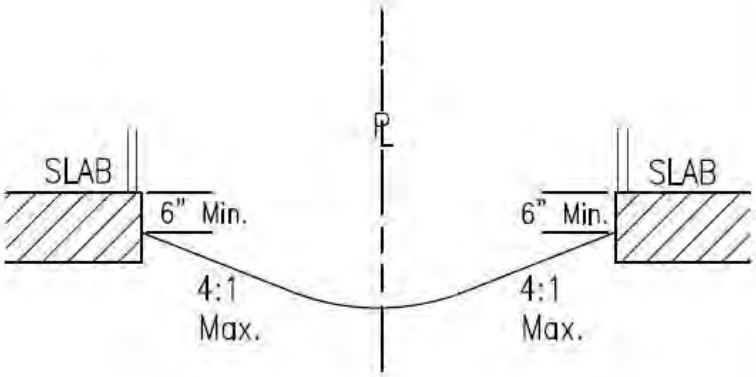




NOTE:

No Retaining Walls including the footing shall be placed in the right-of-way, easements, or overlapping property lines.





NO WALL

MISCELLANEOUS DETAILS	CITY OF ROCKWALL	
RESIDENTIAL LOT TYPICAL WALL & SWALE DETAIL		DATE: AUG. '15 / DRAWING NO.: R-7020

City of Rockwall
The New Horizon

APPENDIX

City of Rockwall
The New Horizon

APPENDIX A – Engineering Plan Review Check List

City of Rockwall
The New Horizon

Engineering Plan Review Check List

Item Description
Administrative Items
Engineering Plan Submission Application with submittal checklist
Engineering-Plan Review Checklist
Four Complete Copies of Engineering Plans Initial Submittal; Three Complete Copies of Engineering Plans Re-Submittal; Two additional sets each submittal is proposed lift station.
Markups from Previous Submittals, if subsequent submittal
Annotated Review Comments, if applicable
Two copies of any Study or Report Completed in Support of the Project
Submission of Required Fire Flows Form to Fire Marshal
Submission of Fire Hydrant Flow Form to Fire Marshal
Floodplain Administrator Development Permit Application
Storm Drainage Management Plan
TxDOT preliminary letter of approval for Drive Approach Connections
TxDOT permits obtained
Franchised Utility Approval Obtained (specify)
Other Agency or Land Owner Approval Obtained (specify)
Corps of Engineers (COE) Wetland Permit Obtained (if applicable) or letter of determination
Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR)
Other Agreements (explain)
Studies - If Required
Geotechnical Report
Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) Flood Study
Wetland Determination
Lift Station Report
Hydraulic Study Submitted
Water Study Submitted
Sanitary Sewer Capacity Study Submitted
Traffic Impact Analysis
Flood Study (100 year-fully developed) (Local or FEMA)
Sight Visibility Determination for easements
All Sheets
Sheet Size 24" x 36"
Title Block with Subdivision Name, Project Name and Sheet Description
Revision Block - Filled Out
North Arrow

City of Rockwall
The New Horizon

Item Description
Vertical and Horizontal Scale Listed and Accurate
Benchmarks Listed and Described
Legend of All Drawing Symbols and Line Types Used
Engineer's Seal, Signature and Date per Texas Engineering Practices Act
Responsibility Note Required on All Sheets except site plan and standard details: "ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN."
Provide Key Map for Large Projects Showing Sheet Locations
Clear Drafting with Proper Line Weights for Ease of Reading
No Overlapping Text
Drafting at Adequate Scale to Obtain Ease of Reading and Scanning
Cover Sheet
Project Name
Official Plat Name as Assigned by the Planning and Zoning Department (including Block & Lot)
Official Project Address Assigned by the City Planning and Zoning Department
Mapsco Grid Reference
Month and Year of Probable Start of Project Construction
Revision Table
Engineer Contact Information (Name, Address, Phone Number, email address)
Owner Contact Information (Name, Address, Phone Number, email address)
Sheet Index - List ALL sheets included in plan set including details
Location Map with North Arrow
Side Bar - Plat Subdivision Name & Project Name
Title of type of sheet (i.e. Grading, Utility, Water,….)
Approved Site Plan
Approved Site Plan
Approved Landscape/Treescape Plan
Approved Landscape and Treescape Plan
Proposed Final Plat
Plat Included
Correct Plat Name
Plat Closure Calculations (Sealed by Registered Surveyor or Engineer)
GPS Grid Coordinates Shown for the Property Corners Properly Into City Monumentation System (x, y coordinates on 2 property corners)
Location map
Street Names with Right-of-Ways Widths Identified

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The New Horizon

Item Description
Benchmark (if near drainage feature or flood zone)
Basis of bearing
Metes and Bounds of Tract
Adjacent Land Ownership Information
List Corners Found or Set
Property Pins Shown for tracts across ROW with verification of existing ROW Widths
Building Setback Lines Shown
Recording Volume and Page Information for all separate easements and ROW dedications within platted area or adjacent tracts
100-Year Floodplain for Fully Developed Conditions showing cross sections and elevations
Minimum Finished Floor Elevations Shown (if near drainage feature or flood zone)
Drainage & Drainage Maintenance Easements Shown and annotated
Required Utility Easements Shown (20' minimum width) and annotated
Access Easements Shown and annotated
ROW. Dedication Shown and annotated
ROW Corner Clips and annotated
All Existing easements (on-site) shown and annotated
Visibility Easements Shown and annotated
Surveyor Seal, Signature and Date
Demolition Plan
All existing topographic features including but not limited to: pavement, curbs sidewalks, barrier-free-ramps, light poles, driveways, storm sewer inlets, manholes, junction boxes headwalls retaining walls, fences , mailboxes landscape planters, trees, etc.
All wet utilities (water lines, wastewater lines and storm sewer) including sizes
All franchise utilities (electric, cable, communications, gas, etc.)
Pavement removals with full depth pavement sawcut locations
Water line, wastewater line and storm sewer removals
Dimensional Control & Paving Plan
Lot Boundary with Dimensions and Bearings
Street Names Shown
Existing ROW
ROW. Dedication and ROW Corner Clips Shown with Dimensions
Verification of public rights-of-way width ("variable width" is not acceptable) (When Required)
Visibility Easements Shown as Required by City Code
Building Setback Lines Shown
Dimensions (thickness, width, length, radius) for all paved areas (parking areas, driveways, fire lanes, turn lanes, drive aisles, sidewalks, etc)
Driveways Location, Spacing and Width Meet City Code and TxDOT Requirements

City of Rockwall
The New Horizon

Item Description
Driveways- Width, Radius, Distance to Adjacent Drives, Alignment with other Drives Across Street Shown
Fire Lane - Width, Radius & Distance from Building Shown and Detailed including turn-arounds and dead-ends
All Pavement Thickness, Concrete Strength, Reinforcing, Subgrade Detailed Per City Requirements
Location of Fire Sprinkler Fire Department Connection (FDC) Shown
Location of Electrical Transformers Shown
Dumpster Location, Access and Construction Requirements Met and approved by Planning and Zoning Department (Backing Distance and Maneuver - Accessible by SU-30 Turning Template)
All Existing and Proposed Utility and Drainage Easements Shown
Existing and Required Access Easements Shown
Screening Wall Location, Foundation, Height, Start/End of Wall
Retaining Wall Location, Foundation, Height, Start/End of Wall
Existing and Required Sidewalks and Trails Shown with Dimensions
Show Location of Required ADA Ramps
Limits of 100-Year Ultimate Flood Plain Shown (FEMA and local)
Note Identifying Reference for 100-Year Floodplain and WSE Information with cross section with elevations
New/Relocating Left Turn Lane and/or deceleration lanes complies with City and TxDOT Requirements (Spacing, Length, Construction)
Existing and Proposed Infrastructure within Median Modifications Shown (Trees, Street Lights, Conduit, Irrigation, pavers, etc)
Street Lighting and Street Sign Plan
Roadway Paving Plan and Profile
Street Name and Cross Street Names
Block, Lot, and Address Labels
All existing and proposed easements
Dimensions labels of roadway width, ROW width, sidewalk widths, curb return radius, etc.
Show and label all storm sewer inlets with roadway stationing
Legend showing type of pavements, thickness, strength, reinforcing, etc.
Roadway centerline stationing every 100 ft, al labels for all Start, PC, PT, PI, PRC, etc.
Driveway centerline stationing location off roadway
Label Cross-slope (At cross-slope transitions the cross-slope shall be labeled every 25 ft and at critical design points)
Show and Label Proposed Profile station and elevation (All Slopes, VPI, PI, Vertical Curves, LP, HP, K, e, PC, PT,VPRC, etc.)
Show and Label Existing ground Centerline, Left ROW, Right ROW, and any other critical profiles
Show in Profile an Major Utility Crossing (Culverts, Water/Wastewater Transmission Lines, Gas Transmission Lines, Electric and Communication Duct Banks)
Existing and Proposed Ground lines elevation in profile every 50 ft
100-Year floodplain line and WSEL

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The New Horizon

Item Description
Cross-Sections
Cross sections shall be provided for all Arterial and Collector Roadways
Cross-Sections shall be taken every 50 feet, driveway centerline, intersecting streets, and other critical points or features.
Include Existing and Proposed ROW lines
Existing Ground Line
Proposed Pavement thickness, and subgrade depths, and sidewalks
Proposed Slopes
Cross-sections at Driveways shall have all slope and VC Labeled
Grading Plan
Benchmarks
Exist Lot Lines & Corners (lot lines screened if being changed)
Proposed Lot Lines
Existing (screened) & Proposed ROW
Street Names Shown
Drainage Easements for Drainage Features and Structures Shown
Existing & Proposed Improvements (paving and building footprints)
Minimum Finished Floor (FF) Elevations for Structures meet Requirements of Drainage Ordinance
Minimum Finished Floor (FF) Elevation Shown for each Structure
Existing & Proposed Contours for Site and Minimum of 50' Beyond Property Lines (with appropriate contour interval) with all ponds and waterways labeled
Existing & Proposed Spot Elev. Showing Grade; High & Low Points; Swales, Inverts & Ridges with Flow Arrows
Label Lot Area and Disturbed Land Area
Adjacent Property Improvements Within Minimum 25' of site
Existing & Proposed On-site and Off-site Drainage Features (Design Info Shown)
Maximum Cross Slope 4H:1V (H=Horizontal, V=Vertical) Min Running Slope 1% for unpaved areas
Ditches Adjacent to Site Cleared, Cleaned & Regraded (only with permission from property owner)
Positive Overflow Routes with elevations (All public roads that have a sag require an overflow route)
Lot grading to be above street elevation (Residential Only)
Limits of 100-Year Ultimate Floodplain Shown
Ultimate (Fully Developed) 100-Year Floodplain Water Surface Elevations (WSE's) shown on cross sections
Note Identifying Reference for 100-Year Floodplain and WSE Information
Cross sections to scale with hydraulic calculations
Location of Cross-Sections With Stationing Shown
Cut or Fill Areas shown on Cross-Sections

Item Description
Existing and Proposed Retaining Walls with Top & Bottom Spot Elevations and calculations as required
No Residential Cross Lot Drainage
Grading Plan Matches Drainage Area Map
Does Grading Plan Address Impacts to Adjacent Properties Requiring Easements or Letters of Permission
All Detention Areas with Flumes with Elevations and Side Slopes Labeled
Retaining Wall Plan and Profiles
Label Beginning and Ending of Wall
Label Top of Wall, Bottom of Wall, Bottom of Footing
Railing type and limits
Detailed Structural Sections for each differing section type
Flume locations shown in plan and sections (no water allowed to overtop retaining walls)
Show locations of all Water, Sanitary Sewer, Storm Sewer, Franchise Utility Crossings in Plan
Show locations of all Water, Sanitary Sewer, Storm Sewer, Franchise Utility Crossings in Profile along with elevations
Profile Existing Natural Ground Line, Proposed Ground Line at Bottom and Top of Wall
Drainage Area Map
Existing Drainage Area Map (Pre-Project Conditions), Proposed Drainage Area Map (Current proposed phase of development conditions) and Ultimate Drainage Area Map (Built-out conditions of development)
Storm Drainage Analysis and design shall comply with the Drainage Ordinance and the Flood Hazard Damage Prevention and Control Ordinance.
Existing and Proposed Drainage System and Structures Shown (pipe, inlets, etc)
Current Zoning or Anticipated Ultimate Development Shown and Correct For Off-Site Areas
Ensure Site Drainage is Collected on Site
Design for a Ultimate (Fully Developed) 100 Year Storm Event
Design showing Elevation Contours for the Entire Off-Site Drainage Basin and 50' beyond Property
Design with most recent surveyed Contour Information
Drainage Area Map shows Subbasins For Each Collection Point and Inlet
Each Drainage Area has ID, Q100, Acres and Direction of Flow to the Outfall Shown
Each Outfall labeled with an Identification, direction of flow and Total Flow
Drainage Direction Arrows for Both On-site and Off-site Drainage Basins
Indicate all Sags and Crests With Flow Arrows
City Standard Drainage Area Map Calculation Table for Current and Future Conditions With Outfall Summary Included
I - Values Meet City Requirements
C - Values Meet City Requirements (based on Zoning)
Time of Concentration Values Used Meet City Requirements
Q - Calculated Flow in cfs

City of Rockwall
The New Horizon

Item Description
Provide a Subtotal for each Major Drainage Line
Drainage Area Map & Calculations for all Offsite Drainage
Limits of 100-Year Ultimate Floodplain Shown
Ultimate (Fully Developed) 100-Year Floodplain Water Surface Elevations (WSE's) shown (FEMA and local)
Note Identifying Reference for 100 Year Floodplain and WSE Information (FEMA and local)
Show Limits of Each Plan Sheet (Tile)
Show Detention
Show Existing Drainage Areas (lighter line type)
Label where each drainage area drains (inlet number, swale, etc.)
Storm Drainage Plans and Profiles *(Storm Drainage Structures including Pipe, Inlets, Etc.)*
Benchmark Location and Elevation
Flood Study / FEMA FIRM Map Reference Information Listed by Note
Storm Sewer Alignment Logical, Sharp Bends Eliminated
Collecting On-Site Drainage with Storm Sewer/Inlets
Profile Given for all Storm Sewer Mains and Laterals (shall be along the centerline of pipe)
Pipe Size, Material and Class Identified on Plan and Profile
Hydraulic Grade Line Shown on all Storm Sewer Profiles for Mains/Laterals, in both full and partial flow conduit conditions
Hydraulic Grade Line Elevations labeled on Storm Sewer Profiles at every change in flow, change in pipe size, horizontal bend, vertical bend, wye, manhole, inlet, headwall, etc.
Other Hydraulic Info Shown on Storm Sewer Profiles for all Mains/Laterals (Q100, Qcap, Velocity, V2/2g) on every conduit section between every junction and/or increase in flow
Vertical and Horizontal Alignment and Slope Shown for all Mains/Laterals on Plan and Profile
Hydraulic Grade Line Meets City Design Requirements
Starting Hydraulic Grade Line Calculations/Assumptions Listed
Starting Hydraulic Grade Line Meets City Design Requirements
Pipe Velocity Within Ordinance Requirements and Limitations
Elevation Information on Plan View (Flowlines, Top-of-Curb, Hgl or 100 yr water surface (partial flow) at every inlet, etc) Matches Profile View
Show Crossings of Existing and Proposed Water and Sanitary Sewer on Storm Sewer Profile
Note minimum Cover for Pipes and Culverts
Drainage System Reviewed for Constructability - Depth and Clearance From Streets, Structures, Other Utilities (dimensions)
Inlet Capacity Calculations Provided In City Standard Tabular Form
Inlets Placed to Capture Runoff Before It Enters Street or Major Thoroughfare
Storm Sewer Calculations Provided In City Standard Tabular Form
If Street Drainage, Calculations Showing Curb & Street Capacity
If Street Drainage, Show Nearest Inlet & all Upstream Drainage
Inlet Construction Layout Information Shown (Top of Curb, Flowline, Throat Elevation, Type, Size, Hgl, Q100, Etc)

City of Rockwall
The New Horizon

Item Description
Storm Sewer Inlet Location, Size, Type, and Construction Detail Per City Requirements
Storm Sewer Manhole Location, Size, Type, and Construction Detail Per City Requirements
Outfall, Headwall, and Other Structure Location, Type, Velocity and Erosion/Scouring Protection Per City Standards
Positive Overflow Route Through Site with grades
Sag Points Identified and Paved Positive Overflow Designed
Outfall/Headwall Locations No Greater Than 1' Above Creek Flowline and Pointed Down Stream
Outfalls Discharge into Existing Drainage Features or Provide Easements as Required
Outfall Velocity Meets City Requirements
Outfall Protection / Energy Dissipation When Required
Appropriate Details are Included for Structures, Junction Boxes, Headwalls and Inlets (if different than NCTCOG 4th Ed. or City details)
Connection Details Provided for Non-Standard Connections
Limits of 100-Year Ultimate Floodplain Shown (FEMA and local)
Ultimate (Fully Developed) 100-Year Floodplain Water Surface Elevations (WSE's) shown (FEMA and local)
Note Identifying Reference for 100 Year Floodplain and WSE Information
Drainage Easements for Drainage Features and Structures Shown (15' minimum width)
Storm Drainage Plans and Profiles *(Ditches, Swales, and Open Channels)*
Direction of Flow Indicated for Ditches, Swales and Open Channels
Ditches, Swales and Open Channels have 100 year Ultimate Water Surface Shown on Profile (min 1% Running Slope)
Ditches, Swales and Open Channels have 100 year Ultimate Water Surface Shown on Cross Sections
Ditches, Swales and Open Channels Armored with Approved Material in Areas Where Average & Localized Velocities are Above 6 fps
Ditches, Swales and Open Channels can Carry 100-year Ultimate Storm with required Freeboard
Ditches, Swales and Open Channels Hydraulic Information Shown On Plans
Ditches, Swales and Open Channels Hydraulic Information Shown On Plans Matches Hydraulic Report or Flood Study Submitted
Ditches, Swales and Open Channels Side Slopes Less Than 4H:1V for Grassed/Un-Armored Sections
Ditch, Swale and Open Channel Width, Depth, Running and Side Slopes and Capacity Per City Requirements
Drainage Easements for Drainage Features and Structures Shown
Storm Drainage Plans *(Detention and Ponds)*
Required Detention Shown
Detention Calculation Shown and Correct
Outfall discharge curves for required storm events
Detention/Retention Pond Location, Size, Depth, Capacity, and Material Per City Requirements, 100 year Water Surface Elevations
Provide Access and Structures that Contribute to Long Term Maintenance of Detention Pond

Item Description
Drainage Easements for Drainage Features and Structures Shown (15' minimum width)
Provide chart showing flow allowable vs. flow actual for Q_5, Q_{10}, Q_{25}, and Q_{100}
Utility Plans *(Water & Wastewater)*
Water
Water Main Sized In Compliance with Water System Master Plan
Water Mains Provided to Front Property Along all Street Frontages or Otherwise Extended to Serve Adjacent Properties
Water Main Extension Required By Code Shown
Water Mains Looped to Provide Circulating and Redundant Feed
Water Main Size, Material and Class Called Out
Existing Water Mains and Valves Shown; Show Valves on both sides of Tap in Case Area Needs to be Isolated
Existing & Proposed Fire Hydrants Shown
Utility Easements for Water Mains Shown
Proposed and Existing Fire Lanes Shown
Fire Hydrant Spacing Meets Requirements of Adopted International Fire Code (IFC)
Fire Sprinkler Fire Department Connection (FDC) Location Shown
Water Main Fittings, Valves, etc Identified
Water Mains 16" and Larger Profiled
All Water Main Bores Profiled
All Crossings Identified on Appropriate Profile
Bore complies with Bore and Utility Crossing General Design Standards and TxDOT Standards if in TxDOT ROW
Existing Water Meters Shown
Proposed Water Meters Shown (Both Domestic and Irrigation)
Domestic and Irrigation Water Meters on Looped/Circulating Main
All Water Meters on Separate Service - No Water Meter "Bullheads" or Manifolds Allowed
Water Meters Location, Preferred to be in Unpaved Area
Water Meter Sizes Identified
Appropriate Double Check/Backflow Prevention Shown on Private Side of All Meters
Water System Reviewed for Constructability and Maintenance - Depth and Clearance From Streets, Structures, Other Utilities (Dimensions)
Water Mains Identified as Either Public or Private with Lines of Demarcation
Utility Crossings Shown in All Profiles and Bore Profiles including Franchise Utilities and Street Light Utilities
If Fire Sprinkler Line is Shown, Add Note to Plans to Indicated the Requirement for Separate Permit from the Fire Department and label min 10-foot separation distance from all other utilities
Wastewater
Wastewater Mains Provided to Front Property or Otherwise Extended to Serve Upstream Property
Existing Wastewater Mains, Manholes, Cleanouts and Services Shown

City of Rockwall
The New Horizon

Item Description
Proposed Wastewater Mains, Manholes, Cleanouts and Services Shown
Sanitary Sewer Mains Profiled along centerline of pipe
Bore complies with Bore and Utility Crossing General Design Standards and TxDOT Standards if in TxDOT ROW
Wastewater Main Size, Material and Class Identified on Plan and Profile
Wastewater Main Depth, Slope, Service Locations, Cleanouts and Manholes shown in all Profiles
Wastewater Rim, Flow Line In & Flow Line Out Elevations for All Manholes (min 2% drop between manhole flow-in and flow-out)
Utility Crossings Shown in All Profiles and Bore Profiles including Franchise Utilities and Street Light Utilities
Wastewater System Reviewed for Constructability and Maintainability - Depth and Clearance From Streets, Structures, Other Utilities (Dimensions)
All Existing and Proposed Public and Private Easements and Rights of Way Shown
Wastewater Mains Identified as Either Public or Private with Lines of Demarcation and Private Utility Note
Private Utility Note: "ALL WASTEWATER WORK DESIGNATED AS “PRIVATE” IN THIS SET OF PLANS SHALL BE INSTALLED IN ACCORDANCE WITH THE INTERNATIONAL PLUMBING CODE, PERMITTED AND INSPECTED BY THE CITY BUILDING INSPECTION DEPARTMENT AND INSTALLED BY A LICENSED PLUMBER."
Lift Station
Lift Station Report
Dimension and Site Plans
Grading Plan
Force Main Plan and Profile
Landscape Plan
Electrical and Control Plans
Detail Sheets
Erosion Control *(For Sites Greater 1- Acre or Larger)* / SWP3 *(If Required by TCEQ Regulations)*
Owners Name , Address & Phone No.
Developers Name Address & Phone No.
Engineers Name Address & Phone No.
Site Acreage Listed
Disturbed Acreage Listed (Acres)
Limits of Construction and Disturbed Areas Shown
Existing Ground Contours, Drainage Features and Structures
100-Yr Flood Plain with Elevations (FEMA and local)
Limits of Trees/Shrubs to Remain
Grades to Match Grading Plan
Proposed Storm Drainage, Structures & Pavement
Borrow & Spoil Area Identified

Item Description
BMP Locations, details, Calculations, and Maintenance Schedule
Sediment Basin, required if disturbed area greater than 10 acres
Standard Details
All Standard Details that are required for construction from Standard Specifications for Public Works Construction, North Central Texas, Fifth Edition, or the City of Rockwall Standards of Design and Construction shall be included in all plan sets.
TXDOT Details
Include all Pertinent Details called out in plans

City of Rockwall
The New Horizon

APPENDIX B – Approved Water Materials List

City of Rockwall
The New Horizon

Approved Water Materials List

All materials on this list do not require separate submittals. All materials must be new and in good condition.

Fire Hydrants

- Mueller "Super Centurion 250-A423"
- American Darling "B-84B-5"
- Waterous "Pacer WB67"
- Clow "Medallion"
- M&H "Model 129 & 929"
- WaterMaster 5CD250

Valves (all bolts, nuts and washers for valves to be type 316 stainless steel)

- Mueller Resilient Seat
- Mueller Resilient Wedge
- Mueller Butterfly
- American Darling Resilient Wedge
- American Darling Butterfly
- U.S. Pipe & Foundry "Metro-Seal" Resilient Wedge
- American Flow Control – Series 2500 Resilient Wedge Valve
- Clow Resilient Wedge
- Pratt Butterfly
- American AVK Resilient Seated Gate Valve Series 25, 4"-12"

Valves – Air Release / Combination Air & Vacuum

- Vent-O-Mat 025 RBX 2521 – 1"
- Vent-O-Mat 050 RBX 2521 – 2"

Tapping Sleeves and Valves (all bolts, nuts and washers to be type 316 stainless steel)

- All require ¾" NPT brass test plug.

Sleeves (all bolts, nuts and washers to be type 316 stainless steel)

- Mueller H-304 Stainless Steel Tapping Sleeve w/Stainless Steel Flange
- Tyler Traverse Tapping Sleeve
- Clow Traverse Tapping Sleeve
- Dresser Style 630 Heavy Stainless Steel Tapping Sleeve
- PowerSeal Model 3490 Stainless Steel Tapping Sleeve
- Ford All Stainless Tapping Sleeve Style FTSS
- Ford All Stainless Tapping Sleeve Style FTSS-MJ
- Smith-Blair 665 Stainless Steel Tapping Sleeve with Stainless Steel Flange
  Smith-Blair 665MJ Stainless Steel Tapping Sleeve with Stainless Steel Flange
  Romac Industries, SST III

Service Saddles

Service Saddles (for PVC, DI or CI)				
Size/Manufacturer	Mueller	Jones	Ford	A.Y. McDonald
¾-inch, 2 Strap	BR-2B, BR-2S	J-979, J-969	202B, 202BS	3825, 3845
1-inch, 2 Strap	BR-2B, BR-2S	J-979, J-969	202B, 202BS	3825, 3845
1 ½ -inch, 2 Strap	BR-2B, BR-2S	J-979, J-969	202B, 202BS	3825, 3845
2-inch, 2 Strap	BR-2B, BR-2S	J-979, J-969	202B, 202BS	3825, 3845

All of the above service saddles are to be cc thread. Saddles must be supplied with stainless steel bolt/nut/washer, with the exception of a double strap bronze saddle.

Restraint (Retainer) Glands (all bolts, nuts and washers to be type 316 stainless steel)

- Uni-Flange Series 1400 for 4" thru 12" (Ductile Iron)
- Uni-Flange Series 1500 for 4" thru 12" (C900 PVC)
- EBAA Iron 1100 Series Megalug (Ductile Iron)
- EBAA Iron 2000PV Series Megalug (C900 PVC)
- Stargrip Series 4000 (C900 PVC)
- Stargrip Series 3000 (Ductile Iron)
- Sigma – One Lok (C900/905 PVC)
- Tyler Union Field Lock (Ductile Iron)
- Tyler Union Tufgrip 1000 (Ductile Iron)
- Tyler Union Tufgrip 2000 (PVC)

Restraint (Internal Joint Restrained) (all bolts, nuts and washers to be type 316 stainless steel)

- Eagle LOC 900 for 4" thru 12" C900 DR14 PVC Pipe
- Diamond Lok-21 for 4" thru 12" C900 DR14 PVC Pipe

Corporation Valve (Stops)

Corporation Valves				
Size/Manufacturer	Mueller	Jones	Ford	A.Y. McDonald
¾-inch	B-25008	J-1937-SG	FB-1000-3-Q	4701BQ
1-inch	B-25008	J-1937-SG	FB-1000-4-Q	4701BQ
1 ½ -inch	B-25008	J-1937-SG	FB-1000-6-Q	4701BQ
2-inch	B-25008	J-1937-SG	FB-1000-7-Q	4701BQ

Angle Valves (Stops)

Angle Meter Valves				
Size/ Manufacturer	Mueller	Jones	Ford	A.Y. McDonald
¾-inch	B-24258	J-1963W-SG	BA43-332-WQ	4602BQ 3/4
1-inch	B-24258	J-1963W-SG	BA43-444-WQ	4602BQ 1
1 ½ -inch	B-24276	J-1975W-SG	BFA43-666-WQ	4602BQ 1 ½
2-inch	B-24276	J-1975W-SG	BFA43-777-WQ	4602BQ 2

Ductile Iron Fittings (Compact Only -C153)

- American Pipe
- Tyler Pipe Products
- Clow Products
- Star Pipe Products (tees, bends & anchor nipples)
- Sigma/Nappco Products (tees, bends & anchor nipples)
- Griffin Pipe Products

Valve Stacks and Boxes

- Bass & Hays adjustable valve box Model No. 2436S

Fire Hydrant Paint

Main Size	Color	Paint
6”	Silver – Top & Bottom	Sherwin Williams Silver-Brite Heavy Duty Rust Resistant Aluminum Paint B59S11
8”	Safety Blue Top – Aluminum Bottom	Sherwin Williams Heavy Duty Rust Resistant Aluminum Paint-Safety Blue B54T104
10” or larger	Yellow Top – Aluminum Bottom	Sherwin Williams Heavy Duty Rust Resistant Aluminum Paint-Safety Yellow B54Y37

Meter Boxes

< 1 inch Service	DFW1814F-1BA DFW Plastics, Inc Not Traffic Rated
1-1/2-inch, 2-inch Service	DFW2818F-1BA DFW Plastics, Inc Not Traffic Rated
Traffic Rated Meter Box	DFW65C-14-10BA DFW65C-1BA - Can DFW65C-Overlay-Lid DFW Plastics
Lids	DFW 18-AMRL-lid E Series

City of Rockwall
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APPENDIX C – Approved Wastewater Materials List

City of Rockwall
The New Horizon

Approved Wastewater Materials List

Note: All specified materials on this list do not require separate submittals. All materials must be new and in good condition.

Wastewater Main and Service Pipe (Gravity Flow Only)

- ASTM D3034 SDR-35 PVC 4" to 15" Diameter (Green in color)
- ASTM D3034 SDR-26 PVC 18" to 30" Diameter and for any wastewater installed 10' and deeper (Green in color)
- ASTM D3262 Fiberglass Sewer Pipe 18" to 54" and ASTM 4161 Fiberglass Fittings (must submit thickness design for wall thickness calculations) Approved Manufactures for Fiberglass Pipe and fitting are Hobas Pipe, US Composite Pipe South and Ameron International.

Manhole Pipe Connectors

- Link-Seal
- A-LOC
- KOR-N-SEAL – 306 Series By National Pollution Control Systems Inc.
- PS (Press-Seal) – PSX: Direct Drive

Wastewater Manhole Lids and Rings

- Pamrex with Lock
- East Jordan Iron Works 30" ERGO XL with Camlock Security closing device, MPIC Pick slot, elastomer T-Gasket in lid and infiltration plugs at the hinges. – Product No. 00148026L01
- East Jordan Iron Works 24" ERGO with Camlock Security closing device, MPIC Pick slot, elastomer T-Gasket in lid and infiltration plugs at the hinges – Product No. NPR10-1213A (for retrofit work only).

Manhole Coatings (No dark colors allowed)

- Raven 405 (125 mils thick)-light blue colored only
- ConShield-terra cotta colored only (must be spark tested per NACE International Standard)

Geotextile Material (installed under precast manholes)

- Mirafi 140N
- Geotex 401

Manhole Grade Rings

- HDPE Adjustment Rings by Ladtech Inc.
- ARPRO Expanded Polypropylene, ASTM D3575, by Cretex Seals
- East Jordan Iron Works Infra-Riser.

Pre-Cast Manhole Gaskets

- Hanson – CR 097
- Hydroconduit – Profile

Manhole Chimney Seals and Ring & Cover Sealing Systems

- Cretex with stainless steel self locking bands. (interior & exterior)
- Riser Wrap by PSI

Manhole Drop Bowl

- Reliner / Duran Inc., Inside Drop Bowl with Stainless Steel anchor assemblies
- Approved Equal

Cleanout

- Bass & Hays 404 Lateral Cleanout with lid and gasket
- Bass & Hays 339 Wastewater Cleanout Boot

Double Cleanout Meter Box

- Bass & Hays 3-LID2 (Sewer)
- Approved Equal

Threaded Anchor

- Hilti – KB3-SS304 5/8" anchor bolts or equal
- Stainless Steel all thread 5/8" (embedded min 4-1/2" into cone with a epoxy or Wedge-it)
- Simpson Strong Tie – Strong-Bolt 5/8"

Force Main Pipe

- AWWA C-905 pipe, green colored

Air Release Valve

- Vent-O-Mat Anti-Shock Air Release and Vacuum Break Valves
- Approved Equal

Isolation Gate Valve

- American-Series 2500 2"-12" Resilient Wedge Gate Valves with Flanged Ends
- Approved Equal

All exposed Stainless Steel Bolts and Nuts must be coated with approved anti-seize compound: Permatex Nickel Anti-Seize or approved equal.

Materials not on this list will need to be submitted for review

City of Rockwall
The New Horizon

APPENDIX D – Example Checklist for Final Acceptance (Residential and Commercial)

City of Rockwall
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EXAMPLE – CHECKLIST FOR FINAL ACCEPTANCE (RESIDENTIAL)

(DATE)

(ENGINEER'S NAME)
(ENGINEERING COMPANY)
(ADDRESS)
(CITY, TX ZIP)

Re. *(PROJECT NAME)* – Checklist for final acceptance

Dear *(ENGINEER'S NAME)*,

The following items are to be completed at the above mentioned site to bring the project into compliance with City specifications and to meet specific project requirements. The listed items are items identified during the walkover of the site and are to be addressed prior to final acceptance of the project. The City will conduct daily site visits (during daily rounds) at the project until completion of the noted items. A copy of this list will also be directed to the developer/owner and general contractor. The below listed items are to be directed to the appropriate responsible parties for completion.

-Required Documentation-

1. The City of Rockwall requires that the design engineer provide a letter of concurrence. The letter is to verify that the drainage flow patterns, grade to drain locations, pad elevations, and drainage structures, including the volume of the surface and/or subsurface detention system and detention outlet structure located at the project were installed to the general elevations as shown on the approved plans. The letter shall also verify that the project was constructed to meet the approved design requirements or is within acceptable design tolerances. **The Design Engineer or his designated representative shall direct all "survey-work"** necessary to **verify** elevations and design compliance. The letter of concurrence is to have the **seal and signature** of the design engineer.

Example of Letter of Concurrence verbiage which will not be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, the final grading and site drainage comply with the City approved plans and details".

Example of Letter of Concurrence verbiage which will be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, that based on my observations along with survey work conducted at the site, the final grading, site drainage, and detention outfall with required volume comply with the City approved plans and details".

2. The Design Engineer shall furnish a digital file of the project formatted in Auto Cad 14, or 2000 format or newer **and** Adobe Acrobat (pdf.) format with a CD-ROM. The disk shall include a full set of plans along with any landscaping, wall plans, and details sheets.

- Submit 1-set of blue line drawings of the "Record Drawings" containing copies of all sheets. The blue line copy will be reviewed by the construction inspector **PRIOR** to producing the "Record Drawing" disk. This will allow any revisions to be addressed prior to producing the disk.

Record Drawing Disk drawings shall have the Design Engineers seal, signature and must be stamped and dated as "Record Drawings" or "As Built Drawings" on all sheets.

The City of Rockwall will not accept any Record Drawing disk drawings which include a disclaimer with the like or similar verbiage. A disclaimer shall not directly or indirectly state or indicate that the design engineer or the design engineers, surveyor/surveyors did not verify or grades after construction, or that the Record Drawings were based solely on information provided by the construction contractor/contractors. Any Record Drawings which include like or similar disclaimer verbiage will not be accepted by the City of Rockwall.

Example of Acceptable Disclaimer:

To the best of our knowledge Smith Engineering, Inc., hereby states that this plan is As-Built. This information provided is based on surveying at the site and information provided by the contractor.

3. 4% Engineering Inspection Fee (Final As-Built Adjustments) – Prior to the start of construction at the project, engineering inspection fees for the project were established. The preliminary inspection fee amounts were based upon the projected contract quantity and unit price amounts which were submitted to the City. A fee based on 4% of the projected quantity cost was paid to the City. The final fee amounts are to be adjusted if necessary to match the unit quantity and unit price amounts based on the as-built contract unit quantity amounts. Please provide a copy of the as-built quantity amounts with total amounts for each item. The as built amounts should be noted or stamped as "as-built contract quantity and unit price amounts". The engineering inspection fee charged by the City will be adjusted to match these amounts if necessary. The City is to receive payment on the adjusted cost amounts prior to project acceptance. As-built contract **unit quantity and unit price** amounts for the pavement, drive approaches, sidewalks, barrier free ramps, wastewater, storm sewer, drainage structures (including underground detention), water lines, along with all associated fixtures which are located within the defined right-of-ways and easements of the project.

4. All weekday and weekend overtime engineering inspections fees are to be paid.

5. Flood study review fees to be paid if there is an excess due over the initial review fee. If all of the initial fees were not utilized for the flood study review, those monies will be refunded.

6. Gas and Electric facilities are to be installed at the site and be ready to provide service to each lot. A letter of installation verification and operation will be required from electric and gas project managers and will need to be directed to the City of Rockwall prior to project acceptance or any early lot releases. The letter may be from the above noted parties or their designated representatives.

7. Storm Sewer Outfall Coordinates - It is now necessary to tie down all the storm sewer outfall pipes to our state plane Coordinate System. The design engineer will be required to provide the following coordinate information which is to be submitted in letterform showing the x, y, and z coordinates at the end of all storm sewer outfalls of the project.

8. The City of Rockwall – Elevation Survey Monuments which are to be installed at the project shall be tied to the City of Rockwall monument coordinates both horizontally and vertically. The information shall be transferred to the City of Rockwall. **Elevations and monument locations are to be shown on the as built mylars on both the paving plans and the storm sewer plans and shall also be submitted to the City in letter-form.** The monuments are to be supplied by the City of Rockwall and installed by the utility contractor. The monument locations are as follows:

   A. *(LOCATION)*
   B. *(LOCATION)*

9. Right-of-way Compaction and Density Reports – Final grade densities are to be conducted at approximately each 500 – foot intervals on both sides of each street in the general fill areas of the right-of-ways. Full Depth trench densities are to be taken at all utility trenching locations where trenching operations consisted of cutting trench 10-inches wide or wider. All final grade right-of-way and easement compaction density tests are to be a minimum of 95% of the standard proctor density. Copies of the compaction tests performed for the developer's contractors as well as by the franchise utility company's contractors shall be provided to the City prior to project acceptance.

10. Maintenance bonds are to be submitted to the City of Rockwall for the paving and utilities installed at the project. The bonds shall be **two-year** 10% maintenance bonds to cover maintenance, for a two-year timeline starting from the **"Date of City of Rockwall's Acceptance"** for the project. There is to be no date in the starting timeline only the above wording.

    A. The utility bond shall cover the following utility systems and their associated fixtures.

        - Water
        - Wastewater
        - Storm sewer (including detention systems)

    B. The paving bond shall cover the following:

        - Street Pavement.
        - Driveway Approaches
        - Side walks.
        - Barrier free ramps.

11. Engineered Retaining Wall Inspection & Letter of Concurrence – The City requires the design engineer for any retaining wall which is three-feet in height or taller, to periodically inspect, or make arrangements for his designated representative to periodically inspect the retaining wall/walls during the construction process. The design engineer is to submit letter of concurrence for the retaining wall/walls to the City prior to project acceptance. The letter shall contain the **seal and signature** of the retaining wall design engineer.

12. City Council approved and owner signed final/replat plat mylars and tax certificates to be submitted to Planning Department for filing.

- Site Items -

1. Site Working Hours and Noise Control Signage **- Ordinance No. 05-45 –** signs are to be placed at all

entrances, which provides an access entry way into the subdivision. The signs are to note allowed hours of construction as mandated by the City Ordinance. The signs must be installed prior to project acceptance or prior to the start of any early lot release construction. The signs may be placed in the City right-of-way provided that it is not placed within the 30-feet visibility easement clips, which are located at all street intersections. Each posted sign shall contain the following ordinance work-hours information and contain both the English and the Spanish version of the ordinance. The face of the sign shall be a minimum of 4-feet wide by 3-feet tall with the sign post being approximately 4-feet tall when measured from the top of the ground to the bottom of the sign face. The maximum height of the sign shall not exceed a height of 7-feet, 6 inches when measured from the top of the ground to the top of the sign. The sign face shall consist of a white background with blue or black lettering. The letters shall be of sufficient size so as to be readily visible to all vehicular traffic entering the subdivision.

City of Rockwall - Ordinance

Ordinance # 05-45
Construction Site Working Hours and Noise Control

City Ordinance – No. 05-45 limits construction and construction related activities to the hours of 7:00 a.m. - 7:00 p.m. Monday through Friday, and 8:00 a.m. - 7:00 p.m. on Saturday. (No Sunday construction allowed).

ORDENANZA # 05-45
HORAS DE TRABAJO EN EL SITIO DE CONSTRUCCION Y EL CONTROL DE RUIDO

La Ordenanza de la Ciudad – No. 05-45 limita la construcción y las actividades relacionadas con la construcción a las horas de 7:00 a.m. – 7:00 p.m. de Lunes a Viernes, y de 8:00 a.m. – 7:00 p.m. los Sábados. (No se permitirá construcción los Domingo).

(Sign size to be approximately 4-feet wide x 3-feet tall)

2. The maximum slope allowed by the City will be a 4:1 slope, however this slope will only be allowed when it is not possible or feasible to achieve a slope of 4:1 or less. Retaining walls or other City approved retaining methods will be required where it is not possible or feasible to comply with the 4:1 maximum slope requirement. All slopes are to be compacted to 95% of the standard proctor density.

3. Install floodway monument markers. The City will furnish the marker cap, which is to be set in concrete as directed by the City of Rockwall. The developers designated representative shall install the marker prior to project acceptance. Monument installation shall meet City of Rockwall specifications.

   A. **The monument marker location is to be shown on the Record Drawing Mylar's on the grading plan.**

B. The City of Rockwall will furnish the marker cap.

C. Install "No Dumping, Drains to Waterway" inlet markers to be installed on each inlet by the developer

4. Street Address Marker Blocks – shall be painted on the curbs in the center of each lot and comply with the City of Rockwall specifications. The street address markers are to be installed at each lot in the subdivision. The markers shall be located at the center of the lot on the face of the street curb. The address markers shall have a Forest green background with **reflective** white numbers. The number size shall be four-inches in height. The background of the address marker shall be eighteen-inches in length and be located from the top of the curb to the gutter flow line. The address marks shall show the full numerical portion of the address of the lot.

5. Interior Erosion Protection – install reinforced silt fencing which complies with (NCTCOG) standard drawing (1020A) Third Addition. Silt fencing is to be installed at the back of the street pavement curbs and at 1-foot off the outside pavement edge of the alleys. The silt fence should contain the entire perimeter of the disturbed lot areas.

6. When installing the silt fence at the street (back of curb) and alley (edge of paving) locations take care to address the following issues:

   A. Allow for a clearance radius of 5-feet around each hydrant.

   B. Block the silt fence around and to the backside of each water meter.

   C. When placing the silt fence at an alley intersection be sure to transition the silt fence to allow a turning radius for vehicles.

   D. Do place the silt fence within the sight visibility easements which are located at the street and alley intersections.

7. Maintain existing or install additional construction site erosion BMP's as necessary, to stabilize the disturbed soil or contain silt migration.

8. All street and alley parkways and right-of-way locations are to be graded so as to obtain a 2% grade (1/4-inch per foot) slope. All parkways and right-of-way locations are to have positive drainage flow towards the street or alley to the right-of-way. The transitional grading from the right-of-way to the existing natural grade is to match the approved grading plans.

9. Final Site Grading – all grading is to be completed and verified to meet the approved grading plans. All graded areas including slopes are to be brought to a final grade surface that is smooth and uniform being relatively free of erosion washouts, tire ruts, dirt clods, silt deposits, etc, care should be taken to re-grade any rough surface areas prior to the application of grass seed, sod or erosion matting.

10. Remove and dispose any miscellaneous construction related debris, trash rocks etc from the job-site and properly dispose.

11. Rout and seal all miscellaneous random cracks which are located in the street and alley locations.

12. Provide the construction inspector with electronic copies of all testing reports for the project. These

shall include but not be limited to soils reports, utility densities, utility videos along with supporting documents, subgrade test reports and all concrete related reports for utilities and paving.

13. Conduct a video survey of the public sanitary and storm lines to the construction inspector assigned to the project. Videos shall be taken after the franchise utilities on the project have been completed.

14. Complete the installation of all barrier free ramps.

15. Construct all sidewalks that are located in the common open areas.

16. Clean and sweep all roadways to remove all of the dirt and debris that has accumulated during construction.

17. Random Pavement Depth Checks – random depth core test are to be conducted at various street and alley locations, as directed by the engineering inspector. The location of the test and the number of test necessary will be left to the discretion of the engineering inspector.

18. Complete the landscaping per the approved landscaping plans.

19. Fire hydrants are required to have a nozzle height of 19-inches to 28-inches above the final grade elevation. Hydrant nozzles that do not meet this specification are to be raised or lowered as necessary to obtain compliance.

20. All fire hydrants are to have a clearance radius of 5-feet in all directions. No structures, traffic bollards, silt fencing, landscaping etc, are to be placed within the clearance area.

21. Paint all fire hydrants located at the site to City specifications. A minimum of two coats of aluminum paint, Mobile 11-A-19 or Tnemec 2-color Tnemec-Gloss or approved equal are to be applied to each hydrant. The fire hydrant body shall be painted silver. The hydrant nozzle and bonnet are to be painted to comply with the following line size color code. The color indicating the line size shall be as follows:

    A. Solid silver for 6-inch water mains.

    B. Blue for 8-inch lines water mains.

    C. Yellow for 10-inch water mains and above.

22. Water Valve and Waste Water Manhole Curb Cut Marks – The pavement curbs are to be marked at all water valve and waste water manhole locations. The curb cut marks are to be sawn into the pavement curb. The curb cut marks are to consist of the following :

    A. Valves – place a (V) mark on the curb to note the valve locations, (blue paint for general, white paint for stub outs or dead ends, and red paint for fire hydrants and or fire lines).

    B. Manholes – place a (M-H) mark on the pavement curb to indicate manhole locations (green paint).

    C. Curb stops – place a (I) mark on the pavement curb to indicate curb stop locations (blue paint).

City of Rockwall
The New Horizon

D. Cleanouts – place a (II) mark on the pavement curb to indicate sewer clean out locations (green paint).

23. Seal and vacuum test all manholes. All manholes which require grade adjustments are to be re-tested.

24. Perform a television camera inspection of all sanitary sewer and storm sewers, along with the associated storm sewer laterals. Copies of the inspection tapes which are to be on a thumb drive or DVD format are to be submitted to *Engineering Inspector* with the City of Rockwall Engineering Department. Videos shall be taken after the franchise utilities on the project have been completed. Also forward the results of all air and mandrel test to *Engineering Inspector*.

25. The lift station is to be operational and approved for use, by the design engineer and the City of Rockwall.

26. Install guard rail at all locations as noted on the approved plans.

27. Ryan Miller - Director of Planning and Zoning or his designated representative shall conduct an inspection of the landscaping and project screening upon completion.

28. Information (Future Item) – Twenty-Month Maintenance Review – The City of Rockwall requires a twenty-month maintenance review of every project. This review is to be conducted at twenty-months into the two-year maintenance warranty. The Design Engineer or his designated representative along with the contractors designated representatives shall be present to perform a walkover of the project with the City of Rockwall. A second T.V. camera of sanitary sewer main shall be done at this time with a thumb drive or DVD formatted copy provided to the City of Rockwall

29. Grass is to be established in all disturbed areas. Grass shall be at least 1'' in height with 75%-80% coverage of all disturbed areas.

For additional information, regarding this check list or site work status please contact – *Engineering Inspector* who is the designated Construction Inspector for the site-work on this project for the City of Rockwall, regarding this list. Project acceptance is subject to but not necessarily limited to the above listed punch list items. *Engineering Inspector* may be reached at telephone no. 972-771-7746.

Sincerely,

Engineering Inspector
Construction Inspector
City of Rockwall Engineering Department

City of Rockwall
The New Horizon

EXAMPLE – CHECKLIST FOR FINAL ACCEPTANCE (COMMERCIAL)

(DATE)

(ENGINEER'S NAME)
(ENGINEERING COMPANY)
(ADDRESS)
(CITY, TX ZIP)

Re: *(PROJECT NAME)* – Checklist for final acceptance

Dear *(ENGINEER'S NAME)*,

The following items are to be completed at the above mentioned site to bring the project into compliance with City specifications and to meet specific project requirements. The listed items are items identified during the walkover of the site and are to be addressed prior to final acceptance of the project. The City will conduct daily site visits (during daily rounds) at the project until completion of the noted items. A copy of this list will also be directed to the developer/owner and general contractor. The below listed items are to be directed to the appropriate responsible parties for completion.

-Required Documentation-

1. The City of Rockwall requires that the design engineer provide a letter of concurrence. The letter is to verify that the drainage flow patterns, grade to drain locations and drainage structures, including the volume of the surface and/or subsurface detention system and detention outlet structure located at the project were installed to the general elevations as shown on the approved plans. The letter shall also verify that the project was constructed to meet the approved design requirements or is within acceptable design tolerances. **The Design Engineer or his designated representative shall direct all "survey-work"** necessary to **verify** elevations and design compliance. The letter of concurrence is to have the **seal and signature** of the design engineer.

Example of Letter of Concurrence verbiage which will not be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, the final grading and site drainage comply with the City approved plans and details".

Example of Letter of Concurrence verbiage which will be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, that based on my observations along with survey work conducted at the site, the final grading, site drainage, and detention outfall with required volume comply with the City approved plans and details".

2. The Design Engineer shall furnish a digital file of the project formatted in Auto Cad 14, or 2000 format or newer **and** Adobe Acrobat (pdf.) format with a CD-ROM. The disk shall include a full set of plans along with any landscaping, wall plans, and details sheets.

City of Rockwall
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- Submit 1-set of blue line drawings of the "Record Drawings" containing copies of all sheets. The blue line copy will be reviewed by the construction inspector **PRIOR** to producing the "Record Drawing" disk. This will allow any revisions to be addressed prior to producing the disk.

Record Drawing Disk drawings shall have the Design Engineers seal, signature and must be stamped and dated as "Record Drawings" or "As Built Drawings" on all sheets.

The City of Rockwall will not accept any Record Drawing disk drawings which include a disclaimer with the like or similar verbiage. A disclaimer shall not directly or indirectly state or indicate that the design engineer or the design engineers, surveyor/surveyors did not verify or grades after construction, or that the Record Drawings were based solely on information provided by the construction contractor/contractors. Any Record Drawings which include like or similar disclaimer verbiage will not be accepted by the City of Rockwall.

Example of Acceptable Disclaimer:

To the best of our knowledge Smith Engineering, Inc., hereby states that this plan is As-Built. This information provided is based on surveying at the site and information provided by the contractor.

3. 4% Engineering Inspection Fee (Final As-Built Adjustments) – Prior to the start of construction at the project, engineering inspection fees for the project were established. The preliminary inspection fee amounts were based upon the projected contract quantity and unit price amounts which were submitted to the City. A fee based on 4% of the projected quantity cost was paid to the City. The final fee amounts are to be adjusted if necessary to match the unit quantity and unit price amounts based on the as-built contract unit quantity amounts. Please provide a copy of the as-built quantity amounts with total amounts for each item. The as built amounts should be noted or stamped as "as-built contract quantity and unit price amounts". The engineering inspection fee charged by the City will be adjusted to match these amounts if necessary. The City is to receive payment on the adjusted cost amounts prior to project acceptance. As-built contract **unit quantity and unit price** amounts for the pavement (including fire lane if applicable), drive approaches, sidewalks, barrier free ramps, wastewater, storm sewer, drainage structures (including underground detention), water lines, along with all associated fixtures which are located within the defined right-of-ways and easements of the project.

4. All weekday and weekend overtime engineering inspections fees are to be paid.

5. Flood study review fees to be paid if there is an excess due over the initial review fee. If all of the initial fees were not utilized for the flood study review, those monies will be refunded.

6. Storm Sewer Outfall Coordinates - It is now necessary to tie down all the storm sewer outfall pipes to our state plane Coordinate System. The design engineer will be required to provide the following coordinate information which is to be submitted in letterform showing the x, y, and z coordinates at the end of all storm sewer outfalls of the project.

7. Maintenance bonds are to be submitted to the City of Rockwall for the paving and utilities installed at the project. The bonds shall be **two-year** 10% maintenance bonds to cover maintenance, for a two-year timeline starting from the **"Date of City of Rockwall's Acceptance"** for the project. There is to be no date in the starting timeline only the above wording.

A. The utility bond shall cover the following utility systems and their associated fixtures.
   - Water
   - Wastewater
   - Storm sewer (including detention systems)

B. The paving bond shall cover the following:
   - Street Pavement.
   - Driveway Approaches
   - Fire Lane.
   - Side walks.
   - Barrier free ramps.

8. Engineered Retaining Wall Inspection & Letter of Concurrence – The City requires the design engineer for any retaining wall which is three-feet in height or taller, to periodically inspect, or make arrangements for his designated representative to periodically inspect the retaining wall/walls during the construction process. The design engineer is to submit letter of concurrence for the retaining wall/walls to the City prior to project acceptance. The letter shall contain the **seal and signature** of the retaining wall design engineer.

9. City Council approved and owner signed final/replat plat mylars and tax certificates to be submitted to Planning Department for filing.

- Site Items -

1. Grass is to be established at all of the disturbed areas. The grass is to be maintained until such time that a general coverage density of 75-80% of the disturbed area has been established with a minimum grass stand height of one-inch.

2. Maintain existing or install additional construction site erosion BMP's as necessary, to stabilize the disturbed soil or contain silt migration.

3. All fire lanes are to be sawn and crack sealed. All miscellaneous random cracks are to be routed and sealed. All expansion joints are to be sealed in the fire lane.

4. The fire lane is to be re-painted where necessary if there are locations where the fire lane is scuffed or is flaking. The locations which require re-painting shall be sandblasted, prior to re-painting.

5. Wipe the inside ring and cover of the sanitary sewer manhole, using "Non-Shrink" grout and seal if necessary.

6. Repair all gouges, cracks, and other deformities on the curbs.

7. Adjust meter cans and valve stacks to final grade elevation.

8. Adjust fire hydrants to grade. All fire hydrants must have the operating nut between 19 and 28 inches above the final grade elevation around them.

9. All fire hydrants are to have a clearance radius of 5-feet in all directions. No structures, traffic bollards, barricades, guardrail, landscaping etc, are to be placed within the clearance area.

10. All valve stacks located outside of paving are to have a 2'x2' four inch thick reinforced concrete pad

around them.

11. Water Valve and Waste Water manhole curb cut marks- The pavement curbs are to be marked at all water valve and waste water manhole locations. The curb cut marks are to be sawn into the pavement curb. The curb cut marks are to consist of the following:

    A. Valves - Place a (V) mark on the curb to note the valve locations, (blue paint for general, white paint for sub outs or dead ends, and red paint for fire hydrants and or fire lines).

    B. Curb stops – Place a (I) mark on the pavement curb to indicate curb stop locations, (blue paint).

    C. Clean outs – Place a (II) mark on the pavement curb to indicate sewer clean-out locations, (green paint).

12. Cut an invert in the sanitary sewer connection into the existing manhole at station 0+00, and re-seal the bottom of the manhole.

13. Clean mud from concrete flume in detention pond.

14. Install floodway monument markers. The City will furnish the marker cap, which is to be set in concrete as directed by the City of Rockwall. The developers designated representative shall install the marker prior to project acceptance. Monument installation shall meet City of Rockwall specifications.

    A. **The monument marker location is to be shown on the Record Drawing Mylar's on the grading plan.**

    B. The City of Rockwall will furnish the marker cap.

    C. Install "No Dumping, Drains to Waterway" inlet markers to be installed on each inlet by the developer

15. All parking lot and handicap striping along with all associated signs must be installed.

16. All construction related trash material and miscellaneous debris is to be removed from the site and properly disposed.

17. Maximum slopes allowed by the City of Rockwall shall be a 3:1 slope. All slope areas which exceed the above noted slope requirements are to be re-graded or retained unless otherwise approved by the City Engineer. All slopes are to be graded so as to achieve the most gradual slope possible, unless otherwise noted on the approved construction plans.

18. Final Grading – re-establish all drainage swales, as necessary to achieve conformance to the drainage patterns shown on the approved grading plans. Grade to drain any locations which may hold water or obstruct approved drainage flow patterns. All graded areas, including slopes are to be brought to a final grade surface that is smooth and uniform being relatively free of erosion washouts, tire ruts, dirt clods, silt deposits etc, care should be taken to re-grade any rough surface areas prior to the application of erosion matting or grass seeding.

19. All required landscaping is to be installed at the site and comply with the approved landscape plan.

City of Rockwall
The New Horizon

The site landscaping is to be inspected by Ryan Miller- Director of Planning and Zoning, or his designated representative prior to project acceptance.

For additional information, regarding this check list or site work status please contact – *(Inspector's Name)*, who is the designated Construction Inspector for the site-work on this project for the City of Rockwall, regarding this list. Project acceptance is subject to but not necessarily limited to the above listed punch list items. *(Inspector's Name)* may be reached at telephone no. 972-771-7746.

Sincerely,

Construction Inspector
City of Rockwall, Engineering Department

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440

Rockwall, Texas

Proclamation

Whereas, the City of Rockwall is committed to ensuring the safety and security of all those living in and visiting Rockwall; and

Whereas, fire is a serious public safety concern, both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

Whereas, Rockwall residents should identify places in their home where fires can start and eliminate those hazards as well as install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home; and

Whereas, Rockwall residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

Whereas, the Rockwall Fire Department is dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

Whereas, Rockwall's residents are able to take action to increase their safety from fire, especially in their homes; and

Whereas, the 2019 Fire Prevention theme - "Not Every Hero Wears a Cape. Plan and Practice Your Escape" – works to educate everyone about the small but important actions they can take to be a hero by keeping themselves and those around them safe.

Now, Therefore I, Jim Pruitt, Mayor of the City of Rockwall do hereby proclaim October 2019 as **Fire Prevention Month** in the City of Rockwall and urge all residents to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of the Rockwall Fire Department during Fire Prevention Month 2019.

In Witness Whereof, I hereunto set my hand and seal this 7th day of October, 2019.

Jim Pruitt, Mayor

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442

blueribbonnews.com

Rockwall High Student is a Homecoming Hero After Saving Boy in Parade



(ROCKWALL, TX – Sept. 30, 2019) Tyra Winters is not your ordinary high school cheerleader. Not only can she tumble down the field while leading a crowd, she is a hero!

During the Rockwall High School homecoming parade, Tyra's courage and leadership skills would be put to the test.

While she was in the parade, she heard someone yelling "HELP" and saw a boy choking on a piece of candy. Without hesitation, Tyra rushed over to the boy, performed the Heimlich maneuver until the candy dislodged.

Her courage and kind spirit saved the boy.

Thank you, Tyra!

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444

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, September 16, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

Mayor Pruitt called the public meeting to order at 5:00 p.m. with the following council members and staff being present: Mayor Jim Pruitt, Council Members Patrick Trowbridge, Kevin Fowler, Bennie Daniels and Trace Johannesen, City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pro Tem Dana Macalik and Councilmember John Hohenshelt were absent from the entirety of the meeting.

Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session at 5:01 p.m.

II. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding ballot nominations associated with elections to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
3. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. Adjourn Executive Session

Council adjourned from Executive Session at 5:52 p.m.

IV. Reconvene Public Meeting (6:00 p.m.)

Mayor Pruitt reconvened the public meeting at 6:06 p.m.

V. Take Any Action as a Result of Executive Session

Mayor Pruitt indicated that no action is needed as a result of Executive Session.

VI. Invocation and Pledge of Allegiance – Mayor Pruitt

Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS

1. Constitution Week

Two guests, including Mrs. Marilyn King, came forth and addressed the audience and Council concerning "Daughters of the American Revolution" (DAR) and the importance of the U.S. Constitution. Mayor Pruitt then read and presented the proclamation for "Constitution Week."

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth at this time to address the Council.

Jim Turner
1691 E. Old Quail Run
Rockwall, TX

Mr. Turner came forth and expressed concern about the SH-205 / John King Boulevard roadway 'swap.' He encouraged the city to hold a public forum and/or put out additional information about this topic, as he believes that a lot of residents are uninformed about this topic. He thanked Council Members for replying to his email; however, he believes the general public needs much more information about this topic.

There being no one else wishing to come forth and speak, Mayor Pruitt closed Open Forum.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the September 3, 2019 regular city council meeting, and take any action necessary.
2. Consider approving an annual contract extension to Terracare for Landscape Maintenance and authorizing the City Manager to execute a contract extension in the amount of $502,480 to be funded out of General Fund, Parks Operations Budget, and take any action necessary.
3. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 10. "Buildings and Building Regulations;" Article III. "Building Code;" Article IV. "Residential Code;" Article VI. "Plumbing Code;" Article VII. "Fuel Gas Code; and Article IX. "Electrical Code" for the purpose of updating the codes to conform to changes made by the 86th Legislature through passage of H.B. 2439, and taken any action necessary. **(2nd reading)**
4. **P2019-017** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Suresh Shridharani of Harlan Properties, Inc. for the approval of a preliminary plat for the Emerson Farms Subdivision containing 107 single-family residential lots on a 138.756-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 76 (PD-76) for Single Family 1 (SF-1) District land uses,

generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary.

5. **P2019-031** - Consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owner Jeff Kennemer of the Saddle Star Land Development, LLC for the approval of a final plat for Phase 1 of the Saddle Star South Subdivision containing 66 single-family residential lots on a 26.411-acre tract of land identified as a portion of a larger 44.292-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

6. **P2019-033** - Consider a request by Bill Bricker of Columbia Development Company, LLC on behalf of David and Laura Cline for the approval of a replat for Lot 47, Block D, Park Place West Phase II Addition being a 0.184-acre parcel of land being currently identified as Lot 20, Block D, Park Place West Phase II Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses, addressed as 408 Jordan Farm Circle, and take any action necessary.

Councilmember Fowler moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, and 6). Councilmember Trowbridge seconded the motion, which passed unanimously of those present (Macalik and Hohenshelt absent).

The ordinance caption for Consent Agenda item #3 was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10. *BUILDINGS AND BUILDING REGULATIONS*; ARTICLE III. *BUILDING CODE;* ARTICLE IV. *RESIDENTIAL CODE;* ARTICLE VI. *PLUMBING CODE*; ARTICLE VII. *FUEL GAS CODE;* AND ARTICLE IX. *ELECTRICAL CODE;* AS HERETOFORE AMENDED, FOR THE PURPOSE OF UPDATING THE CODES TO CONFORM TO CHANGES MADE BY THE 86TH LEGISLATIVE SESSION THROUGH PASSAGE OF H.B. 2439; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

X. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Jerry Welch from the Planning & Zoning Commission came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's city council meeting agenda. Council took no action pertaining to this agenda item.

Mayor Pruitt addressed Open Forum next.

XI. PUBLIC HEARING ITEMS

1. **Z2019-017** - Hold a public hearing to discuss and consider a request by Lance Tyler of Marc Development, LLC for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Two-Family (2F) District land uses to allow townhomes on a 1.27-acre tract of land identified as Tract 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1451 FM-1141, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller briefly explained that the applicant has requested to withdraw this application at this time. However, since it was advertised, the Council will still need to take action. Following brief comments, Councilmember Trowbridge moved to accept the applicant's request to withdraw. Councilmember Johannesen seconded the motion, which, after brief comments, passed by a vote of 5 ayes with 2 absent (Macalik and Hohenshelt).

2. **Z2019-018** - Hold a public hearing to discuss and consider a request by Rob Whittle for the approval of an **ordinance** amending Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-1114, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information concerning this agenda item. Notices were sent out to property owners and residents located within 500' of the subject property and PD-5. Also, homeowners associations were also noticed. One email was received back in favor. 12 notices and 2 emails expressing opposition were received. Two emails and 5 notices were received back expressing opposition to the land use, and 7 notices were received back expressing opposition to Case No. 2019-018. In addition, the Planning & Zoning Commission heard this case and has recommended approval of the amendment to the PD, per staff's conditions of approval by a vote of 6-0 with Commissioner Moeller being absent.

Rob Whittle
P.O. Box 369
Rockwall, TX

Mr. Whittle, the applicant, came forth and briefly addressed Council concerning his request. He generally asked Council to approve his request.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, Mayor Pruitt then closed the public hearing.

Councilmember Trowbridge moved to approve Z2019-018. Councilmember Fowler seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5) [*ORDINANCE NO.'S 73-31, 87-23, 88-11, 96-25 & 00-28*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5), BEING A ~547.68-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (*$2,000.00*) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 absent (Macalik, Hohenshelt).

Mayor Pruitt next addressed the proclamation for Constitution Week.

3. **Z2019-019** - Hold a public hearing to discuss and consider a request by Doug Henderson of Crafton Communications, Inc. for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a Freestanding Commercial Antenna on a 0.0055-acre portion of a larger 1.24-acre parcel of land, identified as Lot 9, Block A, Horizon Ridge Center Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 920 Rockwall Parkway, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller indicated that the applicant expressed to staff this afternoon that he would like to withdraw this request. Mayor Pruitt then moved to allow the applicant to withdraw this application/request. Councilman Fowler seconded the motion. The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).

4. **Z2019-020** - Hold a public hearing to discuss and consider a request by Todd Panzner for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 11.85-acre tract of land identified as Tract 1-1 of the J. H. Bailey Survey, Abstract

No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located south of the intersection of Green Circle and SH-276, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information concerning this agenda item. He indicated that sixteen notices were sent out to adjacent property owners and residents located within 500' of the subject property. One notice has been received back in favor. In addition, the Planning & Zoning Commission has recommended approval of this request.

Todd Panzner
1600 Eldridge Pkwy., Apt. 1204
Houston, TX

The applicant briefly came forth and addressed Council.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the public hearing.

Councilman Fowler moved to approve Z2019-020. Councilmember Johannesen seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR AN 11.85-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-1 OF THE J. H. BAILEY SURVEY, ABSTRACT NO. 22, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).

XII. ACTION ITEMS

1. Discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation for the approval of an **ordinance** establishing a two (2) hour parking limit for all on-street parking within the Rockwall Technology Park and Corporate Crossing, and take any action necessary. **(1st Reading)**

Mr. Phil Wagner came forth and shared that he has spoken with the city attorney, Mr. Garza, and it has been suggested that one caveat be added to this ordinance between first and second reading. And that is that parking permits would be issued for those vehicles that have no other option but to park for more

than 2-hours at a time (i.e. construction-related vehicles doing work in the area). Mayor Pruitt asked who would be issuing said permits. Mr. Crowley, City Manager, shared that the REDC staff would issue said permits on behalf of the city. Mayor Pruitt expressed concern and general disagreement with criminalizing parking and with empowering the REDC to issue the permits and decide who will and won't be criminalized. General discussion ensued pertaining to the fact that the original building occupant received a parking requirement variance; however, since that time, the original tenant is no longer there, and a new tenant is now occupying the facility. The new tenant operates a type of business that has many employees, whereas the original tenant operated a business that did not have a lot of employees. This is how and why the parking woes have emerged. General discussion ensued pertaining to enforcement. Mayor Pruitt strongly expressed opposition to making this a criminal matter when it is truly a civil matter. He does not mind making it a civil penalty; however, he has a problem utilizing our Police Department to enforce these parking limitations on a criminal basis. City Attorney Frank Garza provided brief comments, generally indicating that enforcing this two-hour parking limit will be very difficult to enforce. Also, he does understand the mayor's concerns pertaining to creating criminal penalties concerning this topic. That is why some cities have made it an 'administrative violation' rather than a 'criminal violation.'

Craig Renfro
1556 Parkside Circle
Rockwall, TX

Mr. Renfro, current Chairman of the REDC, came forth and shared his observations pertaining to the parking congestion in the area. He generally indicated that the parking congestion is causing potential business prospects to be dissuaded from signing contracts to locate their business(es) in the Tech Park because of the parking-related concerns. He seemed to reinforce Mr. Wagner's sentiments that some sort of remedy is most assuredly needed with regards to solving the parking-related concerns. It is viewed as negative by companies that visit from places like China and Germany.

General discussion ensued pertaining to civil versus criminal remedies associated with solving the parking concerns. Mr. Wagner mentioned that the property's deeds, covenants and restrictions do call for no 'on street' parking; however, he has concerns about taking a tenant to court and suing them (civilly) to get them to comply and remedy their parking problems.

Council generally asked the City Manager to go out to the Tech Park and speak with the tenant to explain to the tenant the parking-related remedies that the city *could* potentially institute if they are unable to get their own parking congestion under control.

So, Council took no formal action pertaining to this agenda item at this time.

2. Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2020 and amended budget for fiscal year 2019, and take any action necessary

Following brief comments from Mrs. Smith, Assistant City Manager/Finance Director, Mayor Pruitt moved to approve the budget and amended budget. Councilmember Johannesen seconded the motion, which passed by a vote of 5 ayes with 2 absences (Hohenshelt and Macalik).

3. Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2020 and amended budget for fiscal year 2019, and take any action necessary.

Phil Wagner of the REDC came forth and shared that this is essentially Rockwall's business park, and there are approximately twenty tenants that operate there. The REDC owns land there, and it handles maintenance of common areas, irrigation, planters and the like. Councilmember Trowbridge moved to approve the budget as presented. Councilmember Fowler seconded the motion, which passed unanimously of those present (5 ayes with 2 absences – Macalik and Hohenshelt).

4. Discuss and consider the Hotel Tax Subcommittee recommendations for funding allocations in fiscal year 2020, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.

Mary Smith, Assistant City Manager and Finance Director of the City, provided brief background information pertaining to this agenda item. City Attorney Frank Garza indicated that if any councilmember is a member of an organization's board of directors (not a member of the organization itself, but a member of the actual board of directors), then he needs to recuse himself from voting on the funding request for that particular organization. Indication was given that Councilman Fowler is a member of the Noon Rotary's Board, and Councilmember Johannesen is a member of the American Legion's Board. Therefore, they will recuse themselves from voting on those organizations' funding requests.

Councilmember Trowbridge then moved to approve all recommended funding requests except for the American Legion and Noon Rotary ones. Councilmember Daniels seconded the motion, which passed by a vote of 5 ayes and 2 absences (Macalik and Hohenshelt).

Fowler moved to approve the funding request for the American Legion. Councilman Daniels seconded the motion, which passed by a vote of 4 ayes, 1 abstention (Johannesen) and 2 absences (Macalik and Hohenshelt).

Councilman Trowbridge moved to approve the Noon Rotary-related funding request. Councilman Johannesen seconded the motion, which passed by a vote of 4 ayes, 1 abstention (Fowler) and 2 absences (Macalik and Hohenshelt).

5. Discuss and consider approval of an **ordinance** amending the budget for fiscal year 2019, and take any action necessary.

Mayor Pruitt moved to approve the ordinance amending the budget. Councilman Trowbridge seconded the motion, which passed by a vote of 5 ayes with 2 absences (Hohenshelt, Macalik).

6. Discuss and consider approval of an **ordinance** adopting the proposed budget for fiscal year 2020, and take any action necessary.

Councilmember Trowbridge moved to approve the ordinance adopting the budget. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2019, THROUGH SEPTEMBER 30, 2020; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE

MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).

7. Discuss and consider approval of an **ordinance** levying ad valorem taxes for the tax year 2019, and take any action necessary.

Mayor Pruitt moved to approve the tax rate at a lower rate of .3879 (per $100 of assessed valuation), which is just below the effective tax rate. Councilmember Daniels seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2019 AT A RATE OF $.3879 PER ONE HUNDRED DOLLARS ($100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2019 TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2019 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).

8. Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

No discussion took place, and no action was taken concerning this agenda item.

9. Discuss and consider authorizing the City Manager to negotiate agreements with WME and Red 11 Music for Founders Day Festival opening and headliner entertainment to be paid from Hotel Occupancy Tax Funds in the amount of $45,000, and take any action necessary.

Councilmember Fowler moved to authorize the City Manager to negotiate the agreements with WME and Red 11 Music for Founder's Day, as presented. Councilmember Johannesen seconded the motion, which passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).

2. Discussion regarding ballot nominations associated with elections to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

3. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. Adjournment

Mayor Pruitt adjourned the meeting at 7:27 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 7TH DAY OF OCTOBER, 2019.

ATTEST: _____
JIM PRUITT, MAYOR

_____
KRISTY COLE, CITY SECRETARY

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CITY OF ROCKWALL

ORDINANCE NO. 19-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5) [*ORDINANCE NO.'S 73-31, 87-23, 88-11, 96-25 & 00-28*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5), BEING A ~547.68-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (*$2,000.00*) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Rob Whittle for the approval of an amendment to Planned Development District 5 (PD-5) [*Ordinance No.'s 73-31, 87-23, 88-11, 96-25 & 00-28*] for the purpose of amending the garage orientation requirements for an 11.003-acre portion of the larger ~547.68-acre Planned Development District, which is situated within the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 5 (PD-5), and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 5 (PD-5) [*Ordinance No.'s 73-31, 87-23, 88-11, 96-25 & 00-28*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 73-31, 87-23, 88-11, 96-25 & 00-28*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the *PD Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars *($2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code [*Ordinance No. 04-38*] of any provision of the *City Code*, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code [*Ordinance No. 04-38*] (*including references to the Unified Development Code*), and references to overlay districts, in this ordinance or any of the *Exhibits* hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF OCTOBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 09-16-2019

2nd Reading: 10-07-2019

EXHIBIT 'A':
Legal Description

BEING 547.68 acres of land (also known as Planned Development No. 5, City of Rockwall) generally situated in Abstract 146, S. S. McCurry Survey, Abstract 122, M. B. Jones Survey, and Abstract 124, J. H. B. Jones Survey in the County of Rockwall, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the Eastern Right of Way line of North John King Blvd. and East Quail Run Rd. *(located at NAD83 Texas State Plane GPS Coordinate (Grid): 2599456.003E, 7035211.252N Feet),* point also bears North 4°-12'-55" East a distance of 2,426.862 feet, from a White Water Ln. storm drainage inlet benchmark (*NAD83 Texas State Plane GPS Coordinate (Grid): 2598875.433E, 7032771.106 N feet)*:

1 ***THENCE*** South 1°-55'-15" East, a distance of 87.002 feet, for a corner;
2 ***THENCE*** North 89°-59'-44" East, a distance of 139.965 feet, for a corner;
3 ***THENCE*** South 0°-12'-13" East, a distance of 752.184 feet, for a corner;
4 ***THENCE*** North 89°-26'-3" East, a distance of 113.821 feet, for a corner;
5 ***THENCE*** South 0°-28'-28" East, along the Eastern Right of Way line of North John King Blvd., distance of 1266.225 feet, for a corner;
6 ***THENCE*** South 89°-56'-36" West, a distance of 125.88 feet, for a corner;
7 ***THENCE*** South 1°-19'-57" East, along the Eastern boundary of the Caruth Lakes Addition, a distance of 484.248 feet, for a corner;
8 ***THENCE*** South 88°-7'-18" West, a distance of 222.984 feet, for a corner;
9 ***THENCE*** South 1°-10'-33" East, a distance of 419.674 feet, to the beginning of a curve to the left having a radius of 358.409 feet;
10 ***CONTINUING*** along said curve to the left, through a central angle of 13° 24' 34", a distance of 83.691 feet, a chord bearing of South 31°-54'-10" West, an arc length of 83.882 feet, tangent of 42.133 feet for a corner;
11 ***THENCE*** North 1°-41'-27" West, a distance of 143.627 feet, for a corner;
12 ***THENCE*** South 88°-32'-19" West, a distance of 207 feet, for a corner;
13 ***THENCE*** South 1°-41'-27" East, a distance of 490.818 feet, to a point;
14 ***THENCE*** South 1°-41'-27" East, a distance of 260.031 feet, for a corner;
15 ***THENCE*** South 89°-19'-55" East, a distance of 150.377 feet, for a corner;
16 ***THENCE*** South 1°-27'-36" East, a distance of 299.847 feet, for a corner;
17 ***THENCE*** North 87°-52'-30" East, a distance of 14.643 feet, for a corner;
18 ***THENCE*** South 0°-38'-51" East, a distance of 466.086 feet, for a corner;
19 ***THENCE*** North 89°-7'-10" East, a distance of 42.873 feet, for a corner;
20 ***THENCE*** South 1°-59'-37" East, along the centerline of FM1141, a distance of 755.941 feet, to the beginning of a curve to the right having a radius of 463.619 feet;
21 ***CONTINUING*** along said curve to the right, through a central angle of 25° 29' 28", a distance of 204.568 feet, a chord bearing of South 20°-17'-10" West, an arc length of 206.265 feet, tangent of 104.868 feet for a corner;
22 ***THENCE*** South 16°-36'-29" West, a distance of 0.296 feet, for a corner;
23 ***THENCE*** South 88°-11'-53" West, along the centerline of State Highway 66 (Williams St), a distance of 1265.935 feet, for a corner;
24 ***THENCE*** North 0°-29'-15" West, a distance of 154.265 feet, for a corner;
25 ***THENCE*** South 88°-21'-55" West, a distance of 249.226 feet, for a corner;
26 ***THENCE*** South 1°-55'-26" West, a distance of 116.711 feet, to a point;
27 ***THENCE*** South 0°-34'-45" East, a distance of 35.308 feet, for a corner;
28 ***THENCE*** South 89°-8'-43" West, a distance of 63.899 feet, to the beginning of a curve to the left having a radius of 892.973 feet;
29 ***CONTINUING*** along said curve to the left, through a central angle of 13° 56' 26", a distance of 83.691 feet, a chord bearing of South 82°-28'-34" West, an arc length of 217.267 feet, tangent of 109.173 feet to a point;
30 ***THENCE*** North 81°-52'-11" West, a distance of 28.666 feet, to a point;
31 ***THENCE*** North 84°-46'-25" West, a distance of 370.870 feet, for a corner;
32 ***THENCE*** North 0°-13'-33" West, a distance of 166.864 feet, for a corner;
33 ***THENCE*** South 89°-8'-37" West, a distance of 775.659 feet, for a corner;
34 ***THENCE*** North 0°-8'-56" West, a distance of 1331.182 feet, to a point;

35 ***THENCE*** North 7°-19'-27" West, a distance of 46.023 feet, to a point;
36 ***THENCE*** North 0°-32'-38" West, a distance of 123.421 feet, for a corner;
37 ***THENCE*** South 89°-20'-56" West, a distance of 749.143 feet, for a corner;
38 ***THENCE*** South 5°-24'-36" East, a distance of 10.011 feet, for a corner;
39 ***THENCE*** South 88°-53'-57" West, a distance of 247.504 feet, to a point;
40 ***THENCE*** South 87°-17'-12" West, a distance of 0.478 feet, to a point;
41 ***THENCE*** South 87°-3'-23" West, a distance of 47.974 feet, to a point;
42 ***THENCE*** South 88°-30'-6" West, a distance of 447.084 feet, for a corner;
43 ***THENCE*** South 9°-13'-57" West, a distance of 68.404 feet, for a corner;
44 ***THENCE*** South 89°-5'-31" West, a distance of 596.411 feet, to the beginning of a curve to the left having a radius of 4342.699 feet;
45 ***CONTINUING*** along said curve to the left, through a central angle of 10° 41' 5", a distance of 808.673 feet, a chord bearing of North 9°-50'-4" West, an arc length of 809.846feet, tangent of 406.101 feet to a point;
46 ***THENCE*** North 14°-15'-56" West, along the centerline of State Highway 205 (N. Goliad St.), a distance of 3030.52 feet, for a corner;
47 ***THENCE*** North 88°-15'-29" East, a distance of 784.634 feet, to a point;
48 ***THENCE*** North 89°-36'-51" East, along the centerline of East Quail Run Rd., a distance of 1968.743 feet, for a corner;
49 ***THENCE*** South 3°-32'-29" East, a distance of 969.901 feet, for a corner;
50 ***THENCE*** North 88°-30'-49" East, a distance of 1779.891 feet, for a corner;
51 ***THENCE*** North 0°-21'-3" West, a distance of 530.608 feet, to a point;
52 ***THENCE*** North 1°-35'-46" West, a distance of 424.101 feet, for a corner;
53 ***THENCE*** North 89°-10'-59" East, along the centerline of East Quail Run Rd., a distance of 847.002 feet, for a corner;
54 ***THENCE*** South 0°-16'-35" East, a distance of 462.415 feet, for a corner;
55 ***THENCE*** South 89°-23'-26" East, a distance of 435.817 feet, for a corner;
56 ***THENCE*** North 0°-4'-34" West, a distance of 473.06 feet, for a corner;
57 ***THENCE*** North 89°-2'-49" East, a distance of 99.793 feet, to the beginning of a curve to the left having a radius of 113.58 feet;
58 ***CONTINUING*** along said curve to the left, through a central angle of 69° 11' 2", a distance of 128.965 feet, a chord bearing of North 49°-25'-7" East, an arc length of 137.147 feet, tangent of 78.33 feet to a point;
59 ***THENCE*** North 89°-14'-25" East, a distance of 22.678 feet to the *POINT OF BEGINNING AND CONTAINING* 547.68 acres of land (23,856,878.88 square feet) more or less. The above description also intended to follow all adjacent existing city limits, and abutting parcel boundaries unless noted.

Closure Report
Number of Courses: 59
Total Perimeter Length: 26622.146
Misclosure As X/Y: 0, 0.001
Misclosure As Direction/Distance: N 24°-14'-24" E, 0.001 feet

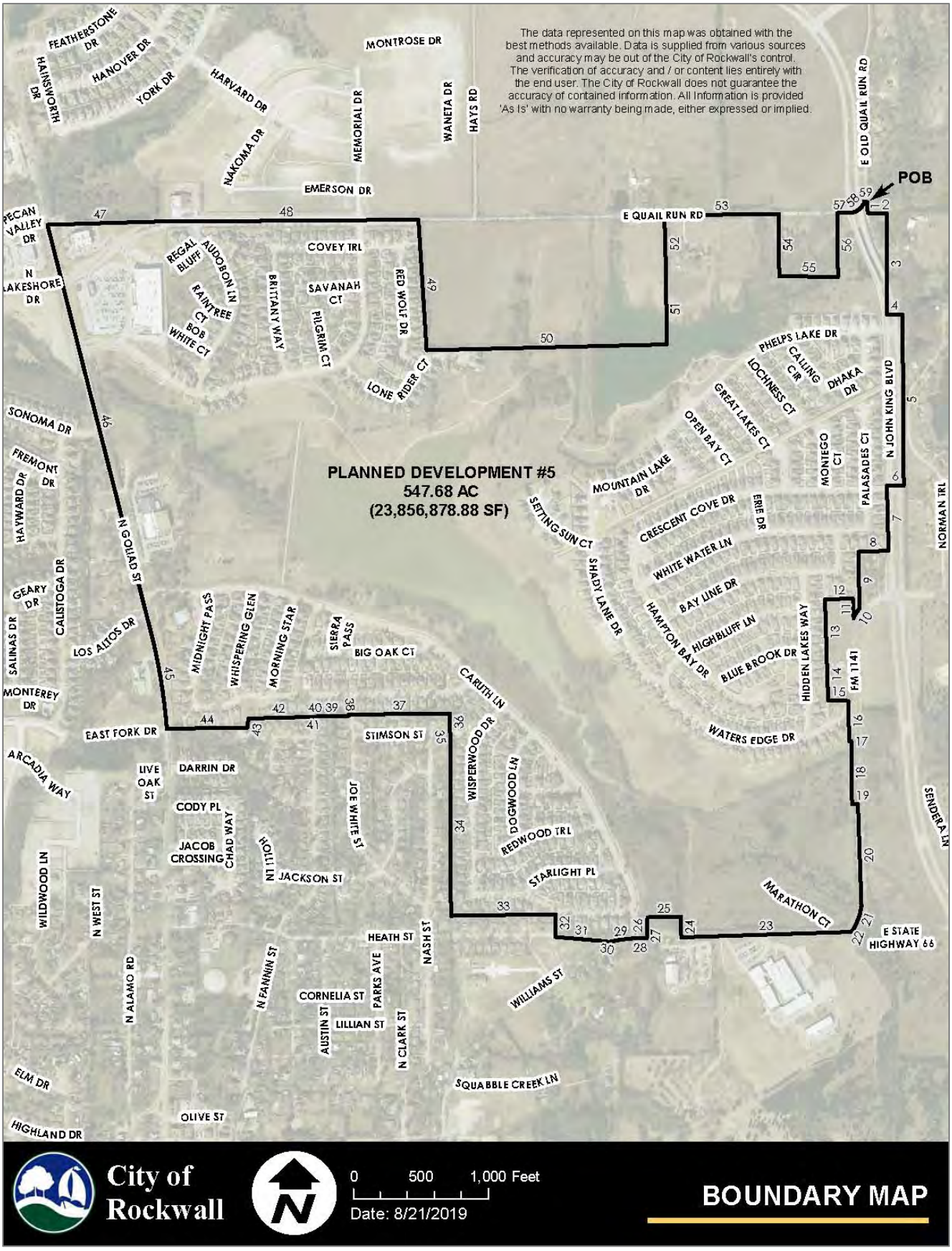

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.
POB
PLANNED DEVELOPMENT #5
547.68 AC
(23,856,878.88 SF)
E QUAIL RUN RD
E OLD QUAIL RUN RD
MONTROSE DR
EMERSON DR
HARVARD DR
NAKOMA DR
MEMORIAL DR
WANETA DR
HAYS RD
FEATHERSTONE DR
HANOVER DR
YORK DR
HAINSWORTH DR
PECAN VALLEY DR
N LAKESHORE DR
REGAL BLUFF
AUDOBON LN
RAINTREE CT
BOB WHITE CT
COVEY TRL
BRITTANY WAY
PILGRIM CT
SAVANAH CT
RED WOLF DR
LONE RIDER CT
PHELPS LAKE DR
CALLING CIR
LOCHNESS CT
DHAKA DR
GREAT LAKES CT
OPEN BAY CT
MOUNTAIN LAKE DR
SETTING SUN CT
SHADY LANE DR
CRESCENT COVE DR
ERIE DR
WHITE WATER LN
BAY LINE DR
HAMPTON BAY DR
HIGHBLUFF LN
BLUE BROOK DR
HIDDEN LAKES WAY
MONTEGO CT
PALASADES CT
N JOHN KING BLVD
NORMAN TRL
HM 1141
WATERS EDGE DR
SONOMA DR
FREMONT DR
HAYWARD DR
GEARY DR
CALISTOGA DR
SALINAS DR
LOS ALTOS DR
MONTEREY DR
N GOLIAD ST
MIDNIGHT PASS
WHISPERING GLEN
MORNING STAR
SIERRA PASS
BIG OAK CT
EAST FORK DR
STIMSON ST
CARUTH LN
WISPERWOOD DR
DOGWOOD LN
REDWOOD TRL
STARLIGHT PL
MARATHON CT
E STATE HIGHWAY 66
SENDERA LN
ARCADIA WAY
LIVE OAK ST
DARRIN DR
CODY PL
JACOB CROSSING
CHAD WAY
JOE WHITE ST
JACKSON ST
WILDWOOD LN
N WEST ST
N ALAMO RD
HEATH ST
NASH ST
N FANNIN ST
CORNELIA ST
PARKS AVE
AUSTIN ST
LILLIAN ST
N CLARK ST
WILLIAMS ST
SQUABBLE CREEK LN
ELM DR
OLIVE ST
HIGHLAND DR
City of Rockwall
0 500 1,000 Feet
Date: 8/21/2019
BOUNDARY MAP

EXHIBIT 'B':
Concept Plan

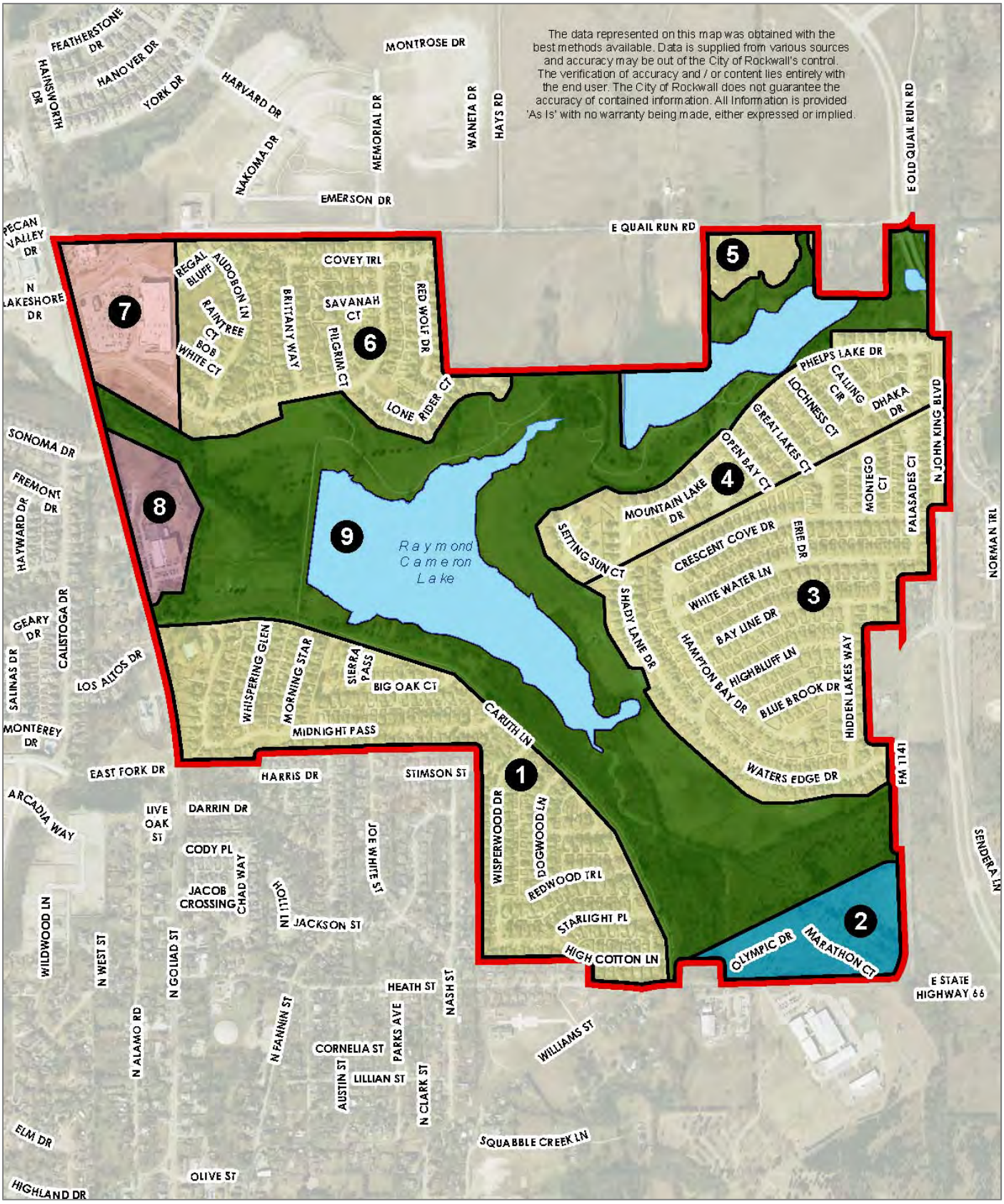


EXHIBIT 'C':
PD Development Standards

(A) *Purpose.*

(1) *October 7, 2019.* The purpose of this amendment to Planned Development District 5 (PD-5) is to consolidate *Ordinance No.'s 73-31, 87-23, 88-11, 96-25 & 00-28*; however, this ordinance does not change the intent, restrictions or land uses established in any previous ordinance with the exception of changing the garage setback requirements for *Tract 2* as depicted in *Exhibit 'B'* of this ordinance.

(B) *Density and Development Standards*

(1) *Tracts 1 & 3.* The area identified as *Tracts 1 & 3* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the Single-Family 7 (SF-7) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.

(2) *Tracts 4, 5 & 6.* The area identified as *Tracts 4, 5 & 6* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the Single-Family 8.4 (SF-8.4) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.

(3) *Tract 2.* The area identified as *Tract 2* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the Zero Lot Line (ZL-5) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional conditions:

(a) *Garage Orientation*. Garages shall be permitted to be oriented in a front entry configuration; however, garages oriented toward the street in a front entry configuration must be situated a minimum of five (5) feet behind the front building façade of the primary structure. In addition, properties utilizing a front entry configuration shall have a minimum of a 25-foot front yard building setback. In this case the front façade of the primary structure does not include an accessory structure attached to the primary structure (*e.g. a porch, sunroom, etcetera*). All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code (UDC).

(4) *Tract 7.* The area identified as *Tract 7* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the General Retail (GR) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional land uses being permitted *by-right*:

- ☑ Planned Shopping Center (*Less Than 19.0-Acres*)
- ☑ Neighborhood Convenience Center
- ☑ Restaurants
- ☑ Restaurants with Drive Through/Drive-In Facilities
- ☑ Restaurants with Accessory Outdoor Seating
- ☑ Pharmacy with Drive Through/Drive-In Facilities
- ☑ Retail Store Limited to Six (6) Gas Pump Dispensers[1]

Notes:

[1]: *Subject to review by the Architectural Review Board (ARB), Planning and Zoning Commission, and City Council.*

(5) *Tract 8.* The area identified as *Tract 8* in *Exhibit 'B'* of this ordinance shall be subject to the land use and development standards permitted for the Agricultural (AG) District as stipulated by Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC) of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional land uses being permitted *by-right*:

☑ Community or Recreation Club (*Public or Private*)

(6) *Tract 9.* The area identified as *Tract 9* in *Exhibit 'B'* of this ordinance is designated as open space/public park land.

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464

CITY OF ROCKWALL

ORDINANCE NO. 19-39

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR AN 11.85-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-1 OF THE J. H. BAILEY SURVEY, ABSTRACT NO. 22, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Todd Panzner for the approval of a change in zoning from an Agricultural (AG) District to a Commercial (C) District for an 11.85-acre tract of land identified as Tract 1-1, of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located south of the intersection of Green Circle and SH-276, and more specifically depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Commercial (C) District; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes provided for a *Commercial (C) District* as stipulated by Subsection 1.1, *Use of Land and Buildings*, of Article IV, *Permissible Uses*, and Subsection 4.05*, Commercial (C) District,* of Section 4*, Commercial Districts,* of Article V*, District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the

zoning described herein.

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 7TH DAY OF OCTOBER, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 09-16-2019

2nd Reading: 10-07-2019

Exhibit 'A'
Legal Description

All that certain lot, tract or parcel of land situated in the J.H. BAILEY SURVEY, ABSTRACT NO. 22, Rockwall County Texas, and being a part of that 47.10 acres tract of land as described in a Warranty deed from Billie Marie Peoples to Michael L. Peoples and Donnie B. Peoples, dated February 2, 1996 and being recorded in Volume 1084, Page 266 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner, said point being N. 89 deg. 50 min. 18 sec. W., 223.09 feet and along a curve to the right having a central angle of 09 deg. 14 min. 53 sec., a radius of 2924.79 feet, a chord of N. 85 deg. 12 min. 51 sec. W., 471.58 feet, and an arc distance of 472.09 feet from a 3/8" iron rod found at the Northeast corner of the above cited tract, said point being in the South right-of-way line of State Highway 276;

THENCE S. 00 deg. 11 min. 00 sec. E. (Controlling bearing line) parallel to the East line of said tract, a distance of 1285.02 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the South line of said tract;

THENCE S. 89 deg. 49 min. 44 sec. W. along the South line of said tract, a distance of 440.11 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner;

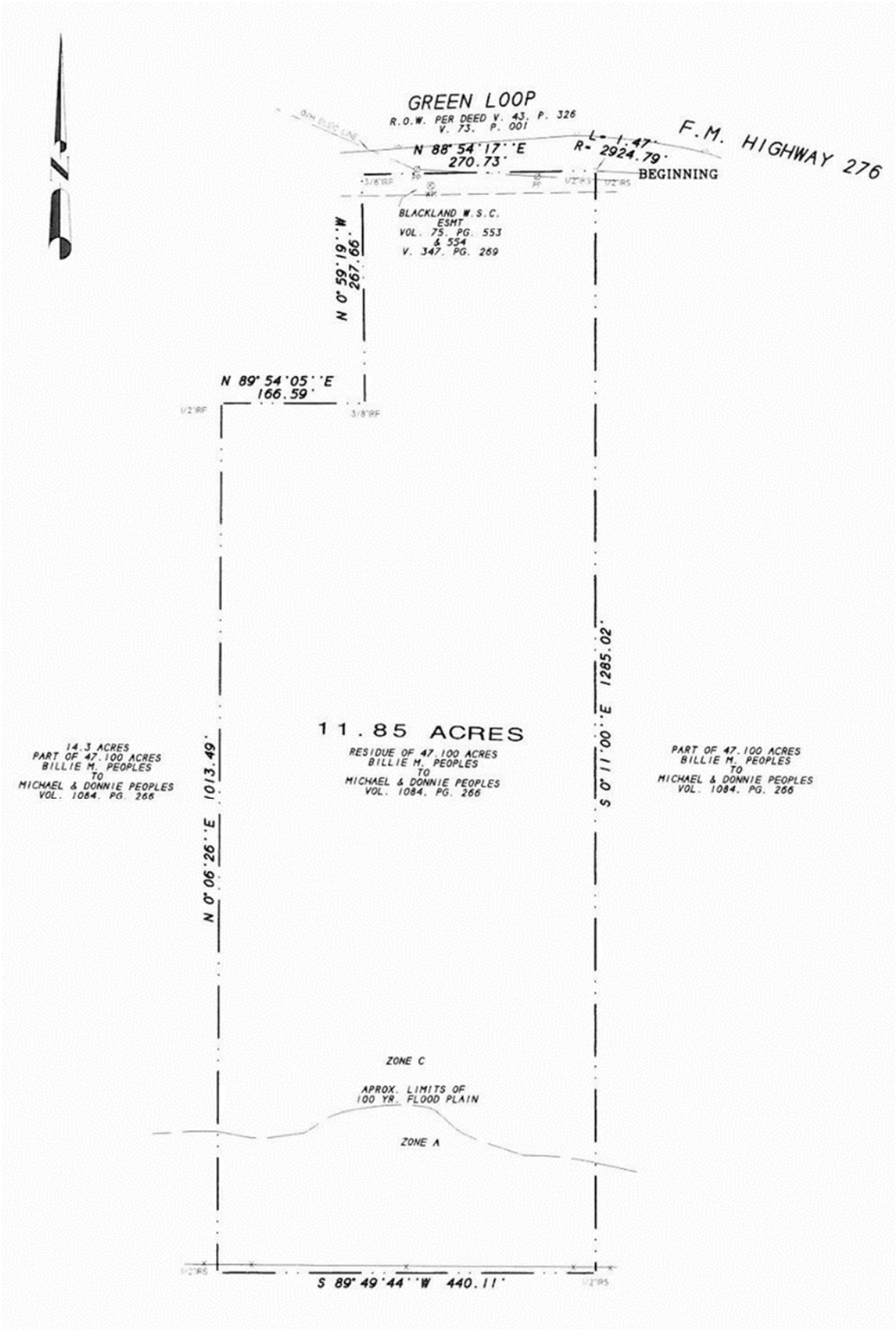
THENCE N. 00 deg. 06 min. 26 sec. E. a distance of 1013.49 feet to a 1/2" iron rod found for corner; THENCE N. 89 deg. 54 min. 05 sec. E. a distance of 166.59 feet to a 3/8" iron rod found for corner;

THENCE N. 00 deg. 59 min. 19 sec. W. a distance of 267.66 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the South right-of-way line of Green Loop and in the North boundary line of said 47.10 acres tract;

THENCE N. 88 deg. 54 min. 17 sec. E. along Green Loop a distance of 270.73 feet to a 1/2" iron rod set with yellow plastic cap stamped "R.S.C.I. RPLS 5034" for corner in the Southwest right-of-way line of State Highway 276;

THENCE in a Southeasterly direction along a curve to the left having a central angle of 00 deg. 01 min. 44 sec., a radius of 2924.79 feet, a chord of S. 80 deg. 34 min. 33 sec. E., 147 feet, along said right-of-way line an arc distance of 1.47 feet to the *POINT OF BEGINING* and containing 11.85 acres of land.

Exhibit 'B'
Survey



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469

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **Oct. 4, 2019**

SUBJECT: **Bid Award for New Liner for Harbor Fountain Basin**

Approved in the General Fund, Harbor Operations budget is $165,000 for removal of the existing liner and add a new liner to the Harbor fountain basin. The current fountain liner manufacturer is out of business. Staff has been working with liner product manufacturers for about a year in search of a liner that would have a stronger polymer chemistry to withstand breakdown because of the fluctuating water PH level and have a minimum useful life of 10 years. Only one product was located that met these two requirements – Elastaflex HP manufactured by Specialty Products Inc. The 2020 budget request was prepared using this product specs and cost.

This new liner project was published for sealed competitive bid and one bidder responded, All Seasons Foam Coatings who is the only certified applicator of the Elastaflex HP product in the State of Texas. The reason why this project was bid is this particular product does not hold a US Patent and staff thought there might be a similar product in the industry that was missed during the liner spec development process. The total bid cost of this project is $142,500 with the remaining budget dollars used as needed for fountain concrete and stone coping repairs.

For Council consideration is the bid award to All Seasons Foam Coatings for $142,500 and authorize the City Manager to execute a contract for this project.

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471

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **Oct. 1, 2019**

SUBJECT: **Bid Award for Myers Park Concrete Trail Replacement**

Approved in the Recreation Development budget is $60,000 for the replacement of approximately 4,200 square feet of concrete trail along the west side of the Myers Park pond trail loop. The total cost of this project is $59,600 using the City of Mesquite Purchasing coop contract vendor B & B Concrete. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to this construction project.

For Council consideration is the bid award to B & B Concrete for $59,600 and authorize the City Manager to execute a contract for this project.

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473

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	October 7, 2019
APPLICANT:	Dub Douphrate; *Douphrate & Associates, Inc.*
CASE NUMBER:	P2019-037; *Lot 1, Block A, Rankin Addition*

SUMMARY

Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Carla Rankin Real Estate Holding for the approval of a final plat for Lot 1, Block A, Rankin Addition being a 0.29-acre tract of land identified as Tract 22 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Residential Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 4035 N. Goliad Street [SH-205], and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting to final plat a 0.29-acre tract of land (*i.e. Tract 22, of the J. Strickland Survey, Abstract No. 187*) into one (1) lot (*i.e. Lot 1, Block A, Rankin Addition*) for the purpose of converting a single-family home into an office.
- ☑ The subject property was annexed in 1983 [*Ordinance No. 83-57*] and currently contains a single-family home. On June 25, 2019, the Planning and Zoning Commission approved a site plan [*Case No. SP2019-020*] for the purpose of converting a single-family home into an office.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the final plat for *Lot 1, Block A, Rankin Addition*, staff would propose the following conditions of approval:

(1) The final plat shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 24, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff recommendations passed by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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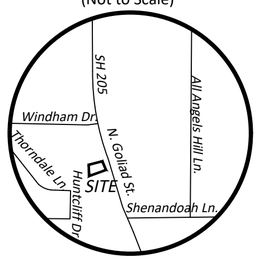
0' 15' 30' 60'

Scale: 1" = 30'

LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
DRRCT	Deed Records Rockwall County, Texas
PRRCT	Plat Records Rockwall County, Texas
RPRRCT	Real Property Records Rockwall County, Texas
OPRRCT	Official Public Records Rockwall County, Texas

Vicinity Map
(Not to Scale)



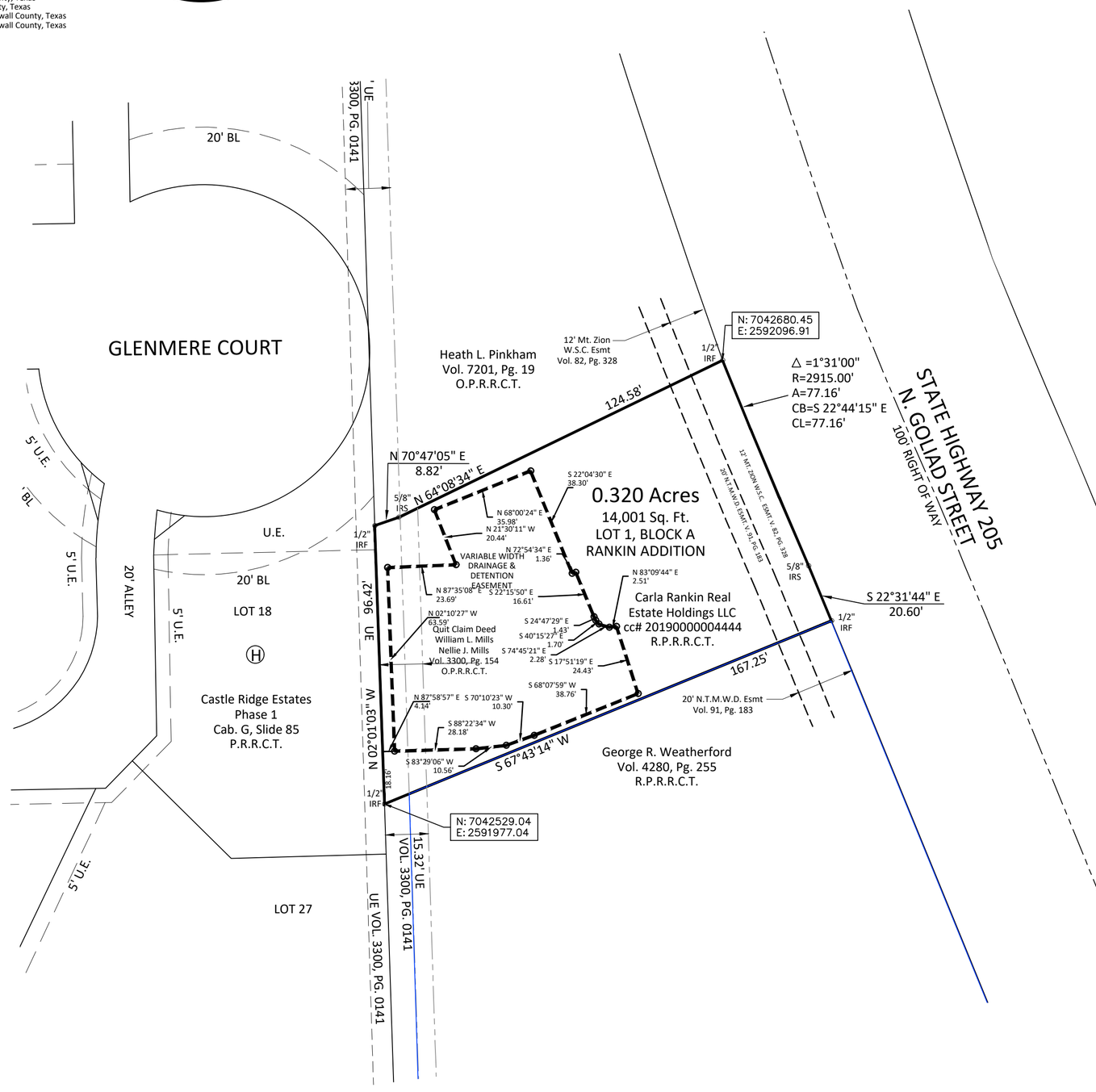
GENERAL NOTES:

It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have bee accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

The use of the word "certify or certificate" used hereon constitutes an expression of professional opinion regarding those facts of findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

Basis of Bearings: Bearings are based on document recorded in Clerk File #20190000000444 or the Official Public Records, Rockwall County, Texas.

FLOOD STATEMENT: According to Community Panel No. 48397C0030L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor



Case No.: P

FINAL PLAT
RANKIN ADDITION
LOT 1, BLOCK A

BEING 0.320 ACRES LOCATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
CARLA RANKIN REAL ESTATE HOLDINGS LLC
807 MOUNTCASTLE DRIVE
ROCKWALL, TEXAS 75087

Scale:	1" = 30'
Date:	July 7, 2019
Technician:	Bedford
Drawn By:	Bedford
Checked By:	A.J. Bedford
P.C.:	Cryer/Spradling
File:	RANKIN ADDITION FINAL PLAT
Job. No.	658-006
GF No.	

Engineer:
DOUPHRATE & ASSOCIATES, INC.
TEXAS REGISTERED ENGINEERING FIRM F-886
2235 RIDGE ROAD
ROCKWALL, TEXAS 75087 972-771-9004

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com, ajb@ajbedfordgroup.com

Sheet: 1 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

N:\ALL FILES\DOUPHRATE\4035 N GOLIAD\RANKIN ADDITION FINAL PLAT.dwg, PLAT, 8/16/2019 9:04:37 AM

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING a 0.320 acre tract of land situated in the J. STRICKLAND SURVEY, ABSTRACT NO. 187, in the City of Rockwall, Rockwall Dallas, County, Texas and being part of a conveyed to CARLA RANKIN REAL ESTATE HOLDINGS, LLC according to the document recorded in Clerk File #20190000004444 of the Official Public Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found for southwest corner of the herein described tract of land and being located in the east line of *CASTLE RIDGE ESTATES, PHASE 1* recorded in CABINET G, SLIDE 85 of the Official Public Records of Rockwall County, Texas;

THENCE with the east line of said CASTLE RIDGE ESTATES, PHASE 1, ***NORTH 02°01'03" WEST*** a distance of ***96.42*** feet to a ½ inch iron rod found for corner;

THENCE departing the east line of said Castle Ridge Estates, ***NORTH 70°47'05" EAST*** a distance of ***8.82*** feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 64°08'34" EAST a distance of ***124.58*** feet to a ½ inch iron rod found is the west line of STATE HIGHWAY 205 (NORTH GOLIAD STREET) and being the beginning of a curve to the left having a radius of 2,915.00 and a chord bearing of South 22°44'15" East;

THENCE along the west line of said STATE HIGHWAY 205 (NORTH GOLIAD STREET) as follows:

Continuing with said curve to the left through a central angle of ***01°31'00"*** for an arc length of ***77.16*** feet to a 5/8 inch iron rod set for corner;

SOUTH 22°31'44" EAST a distance of ***20.60*** feet to a ½ inch iron rod found for corner;

THENCE departing the west line of said STATE HIGHWAY 205 (NORTH GOLIAD STREET), ***SOUTH 67°43'14" WEST*** a distance of ***167.25*** feet to a ½ iron rod found for corner in the east line of said CASTLE RIDGE ESTATES, PHASE 1;

THENCE along the east line of said *CASTLE RIDGE ESTATES, PHASE 1*, ***NORTH 02°01'03" WEST*** a distance of ***96.42*** feet to the ***POINT OF BEGINNING***;

CONTAINING within these metes and bounds ***0.320 acre or 14,001 square feet*** of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL

We, **CARLA RANKIN REAL ESTATE HOLDINGS, LLC** the undersigned owners of the land shown on this plat, and designated herein as the **RANKIN ADDITION** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the **RANKIN ADDITION** subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall;

7. Property owner is responsible for maintenance, repair, and replacement of all detention/drainage facilities in easements;

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, my (our) successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

CARLA RANKIN REAL ESTATE HOLDINGS, LLC

_____
Name:
Title:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2019

_____
Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

Austin J. Bedford
Registered Professional Land Surveyor No. 4132
jay@ajbedfordgroup.com
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

GENERAL NOTES:

It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have bee accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

The use of the word "certify or certificate" used hereon constitutes an expression of professional opinion regarding those facts of findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

Basis of Bearings: Bearings are based on document recorded in Clerk File #2019000000444 or the Official Public Records, Rockwall County, Texas.

FLOOD STATEMENT: According to Community Panel No. 48397C0030L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

Case No.: P

FINAL PLAT
RANKIN ADDITION
LOT 1, BLOCK A

BEING 0.320 ACRES LOCATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
CARLA RANKIN REAL ESTATE HOLDINGS LLC
807 MOUNTCASTLE DRIVE
ROCKWALL, TEXAS 75087

Engineer:
DOUPHRATE & ASSOCIATES, INC.
TEXAS REGISTERED ENGINEERING FIRM F-886
2235 RIDGE ROAD
ROCKWALL, TEXAS 75087 972-771-9004

Scale: 1" = 60'
Date: July 7, 2019
Technician: Bedford
Drawn By: Bedford

Checked By:
P.C.: Cryer/Spradling
File: RANKIN ADDITION FINAL PLAT
Job. No. 658-006
GF No.

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com

Sheet: 2 Of: 3

AJ Bedford Group, Inc.
Registered Professional Land Surveyors
TBPLS REG#10118200

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477

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478

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	October 7, 2019
APPLICANT:	Bryon Connally; *CBG Surveying Texas, LLC*
CASE NUMBER:	P2019-038; *Lot 1, Block A, Goliad-Riddell Addition*

SUMMARY

Consider a request by Bryon Connally of CBG Surveying Texas, LLC on behalf of Shannon McCord Riddell for the approval of a replat for Lot 1, Block A, Goliad-Riddle Addition being a 0.4079-acre tract of land identified as Lot C, Block 117, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, addressed as 501 S. Goliad Street, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a replat for a 0.4079-acre parcel of land [*i.e. Lot 1, Block A, Goliad-Riddell Addition*] for purpose of establishing a drainage & detention easement for the in conjunction with the expansion of the existing building on the subject property. The *subject property* is zoned General Retail (GR) District and addressed as 501 S. Goliad Street.

☑ On August 13, 2019, the Planning and Zoning Commission approved a site plan [*i.e.SP2019-029*] for the purpose of expanding an existing personal service facility [*i.e. Jour Salon & Spa*] subject property. The proposed expansion will increase the total square footage of the existing structure to 3,448 SF (*i.e. an increase of 736 SF*). According to the Rockwall Central Appraisal District (RCAD) records, the existing structure was constructed in 1990.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 1, Block A, Goliad-Riddell Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 24, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 7-0.

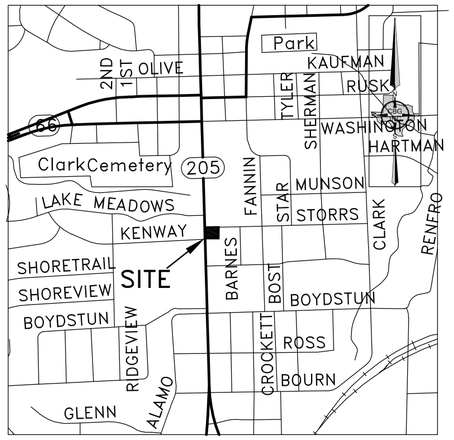


City of Rockwall

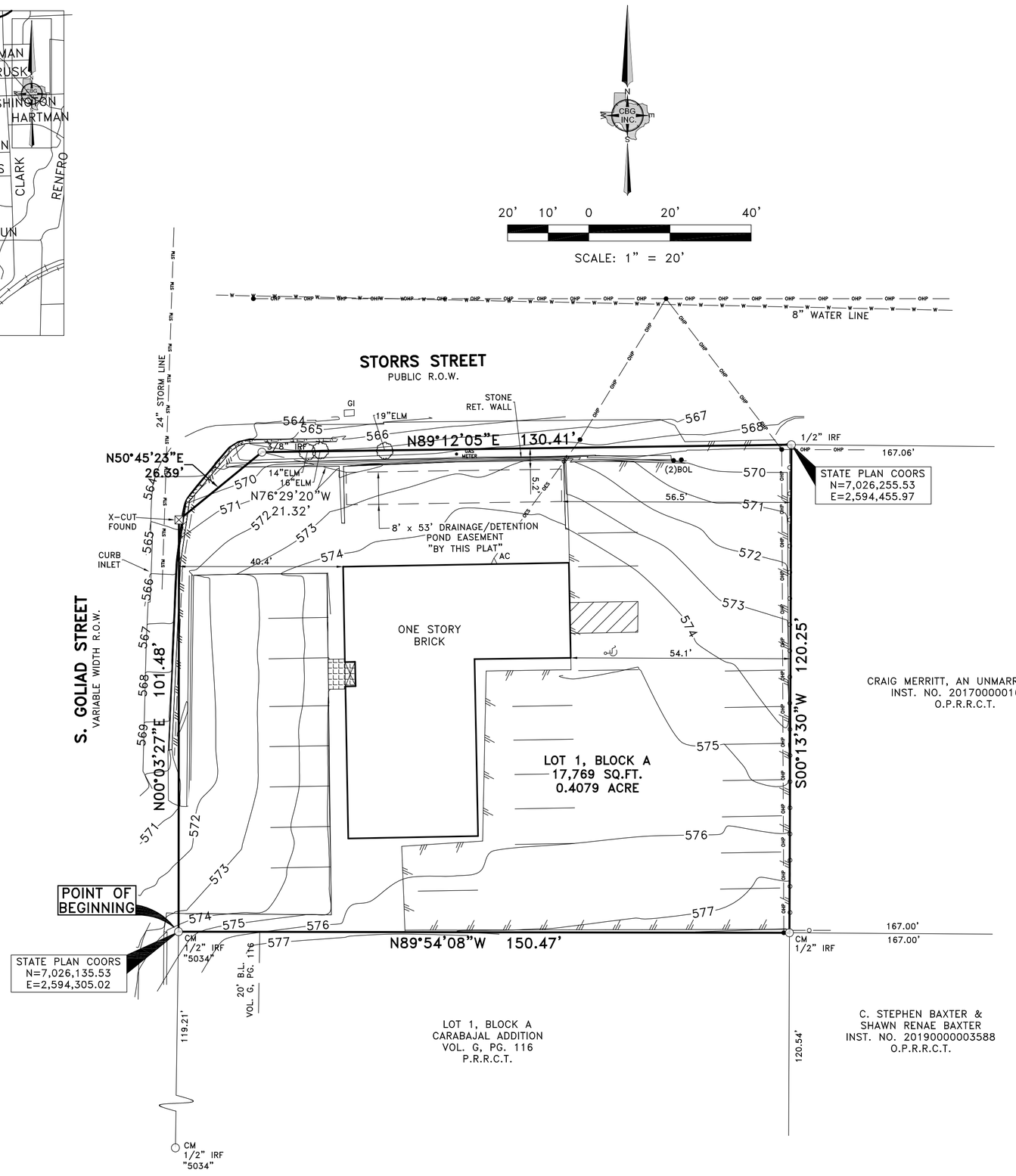
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

481



VICINITY MAP
NOT TO SCALE



GENERAL NOTES:

1) THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS.

2) THE PURPOSE OF THIS PLAT IS TO CREATE 1 LOT.

3) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

4) ACCORDING TO THE F.I.R.M. IN MAP NO. 48397C0040L, THIS PROPERTY DOES LIE IN ZONE X AND DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE.

5) DRAINAGE/DETENTION EASEMENT SHALL BE OWNED, MAINTAINED, REPAIRED BY PROPERTY OWNER.

LEGEND:

IRS	IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "CBG SURVEYING"
1/2 IRF	1/2 INCH IRON ROD FOUND
CM	CONTROLLING MONUMENT
N	NORTHING
E	EASTING
VOL	VOLUME
PG	PAGE
R.O.W.	RIGHT-OF-WAY
CAB.	CABINET
SQ.FT.	SQUARE FEET
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
R.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

REPLAT
GOLIAD-RIDDELL ADDITION
LOT 1, BLOCK A
17,769 SQ.FT. / 0.4079 ACRES
E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER: SHANNON McCORD RIDDELL
501 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
972-979-0866
SHANNON@LITTLETIPSYBOUTIQUE.COM

CBG SURVEYING TEXAS LLC
PROFESSIONAL LAND SURVEYORS
DFW - Houston - East Texas - Austin - San Antonio

PLANNING & SURVEYING
Main Office
12025 Shiloh Road, Ste. 230
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbginctx.com

SCALE: 1"=20' / DATE: 8/16/2019 / JOB NO. 1912983-1PLAT / DRAWN BY: CC

CASE NO. _____

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Shannon McCord Riddell, a married woman, being the owner of a tract of land situated in the E.P. Gaines Chisum Survey, Abstract No. 64 and being that same tract of land conveyed to Shannon McCord Riddell by General Warranty Deed recorded in Instrument No. 20140000018421, Official Public Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod stamped "5034" found at the Northwest corner of Lot 1, Block A of Carabajal Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the map recorded in Volume G, Page 116, Map Records, Rockwall County, Texas, said point being on the East right-of-way line of S. Goliad Street (variable width right-of-way);

THENCE North 00 degrees 03 minutes 27 seconds East, along said East right-of-way line of said S. Goliad Street, a distance of 101.48 feet to an "X" found at a corner clip;

THENCE North 50 degrees 45 minutes 23 seconds East, along said corner clip, a distance of 26.39 feet to a 3/8 inch iron rod found for corner on the South right-of-way line of Storrs Street (public right-of-way);

THENCE North 89 degrees 12 minutes 05 seconds East, along said South right-of-way line of said Storrs Street, a distance of 130.41 feet to a 1/2 inch iron rod found at the Northwest corner of a tract of land conveyed to Craig Merritt by Deed recorded in Instrument No. 20170000016401, Official Public Records, Rockwall County, Texas, said corner being in the South right-of-way line of said Storrs Street;

THENCE South 00 degrees 13 minutes 30 seconds West, along the West line of said Merritt tract, a distance of 120.25 feet to a 1/2 inch iron rod found for corner, said corner being the Southwest corner of said Merritt tract, also being the Northwest corner of a tract of land conveyed to C. Stephen Baxter and Shawn Renae Baxter by Deed recorded in Instrument No. 20190000003588, Official Public Records, Rockwall County, Texas, said corner also being the Northeast corner of said Lot 1, Block A, Carabajal Addition;

THENCE North 89 degrees 54 minutes 08 seconds West, along the North line of said Lot 1, Block A, Carabajal Addition, a distance of 150.47 feet to the POINT OF BEGINNING and containing 17,769 square feet or 0.4079 of an acre of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner(s) of the land shown on this plat, and designated herein as the **GOLIAD-RIDDELL ADDITION**, an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the **GOLIAD-RIDDELL ADDITION** have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

By: _____
Shannon McCord Riddell, (Owner)

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Shannon McCord Riddell, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of_____, 2019.

By: _____

printed name: _____
Notary Public in and for the State of Texas

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Bryan Connally, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Dated this the_____ day of _____, 2019.

RELEASED FOR REVIEW 8/8/19 PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Bryan Connally
Texas Registered Professional Land Surveyor No. 5513

RECOMMENDED FOR FINAL APPROVAL

_____ _____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the Council of the City of Rockwall on the _____ day of_____ 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____
Mayor, City of Rockwall

_____
City Secretary

_____
City Engineer

OWNER: SHANNON McCORD RIDDELL
501 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
972-979-0866
SHANNON@LITTLETIPSYBOUTIQUE.COM

SHEET 2 OF 2

REPLAT
GOLIAD-RIDDELL ADDITION
LOT 1, BLOCK A
17,769 SQ.FT. / 0.4079 ACRES
E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CBG SURVEYING TEXAS LLC
PROFESSIONAL LAND SURVEYORS
DFW - Houston - East Texas - Austin - San Antonio

PLANNING & SURVEYING
Main Office
12025 Shiloh Road, Ste. 230
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgintctx.com

SCALE: 1"=20' / DATE: 8/16/2019 / JOB NO. 1912983-1PLAT / DRAWN BY: CC

CASE NO. _____

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484

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **Oct. 1, 2019**

SUBJECT: **Bid Award for Shade Canopy Replacement at Tuttle Sports Complex Playground**

Approved in the Recreation Development budget is $39,000 for replacement of the shade canopy over the playground at Tuttle Sports Complex. The total cost of this project is $38,853 using the Texas Association of School Boards Buy Board Purchasing coop contract vendor Play Works – Playwell Group. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase and install of the new canopy.

For Council consideration is the bid award to Play Works – Playwell Group for $38,853 and authorize the City Manager to execute a purchase order for this project.

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486

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 1, 2019**

SUBJECT: **Purchase of a New Brush Truck for Streets Department**

Approved in the General Fund, Streets and Drainage Operations budget is $195,000 to purchase a new Brush Truck using General Fund Reserves.

The unit is available from MHC (Kenworth) Dallas through the Buy Board purchasing cooperative contract 521-16. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to this purchase.

For Council consideration is the bid award to MHC for $190,462.32 for this new truck and authorize the City Manager to execute the purchase order.

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488

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **September 10, 2019**

SUBJECT: **Routine Airport Maintenance Program Grant Agreement**

As part of the budget process, the City Council approved funds for maintenance and improvements at the Ralph M. Hall / Rockwall Municipal Airport. The Routine Airport Maintenance Program grant funds up to $100,000.00 per year for each general aviation airport and reimburses local governments 50% of the cost of these smaller projects.

Attached is the FY 2020 RAMP grant agreement between the State and the City for the Ralph M. Hall / Rockwall Municipal Airport for consideration. The City Council is asked to consider approval of the contract and authorize the City Manager to enter into an agreement with the Texas Department of Transportation – Aviation Division for the City of Rockwall to participate in the Routine Airport Maintenance Program.

TEXAS DEPARTMENT OF TRANSPORTATION
GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM

(State Assisted Airport Routine Maintenance)

TxDOT Project ID.: M2018RCKW

Part I - Identification of the Project

TO: The City of Rockwall, Texas

FROM: The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Rockwall, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and the Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code Chapter 21.

The project is for **airport maintenance** at the ROCKWALL - RALPH M HALL/ROCKWALL MUNI Airport.

Part II - Offer of Financial Assistance

1. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

   State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for fifty percent (50%) of the eligible project costs for this project or $50,000.00, whichever is less, per fiscal year and subject to availability of state appropriations.

   Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

   Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

Work shall be accomplished by August 31, 2020, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.

5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

   The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

Part III - Sponsor Responsibilities

1. In accepting this Grant, if applicable, the Sponsor guarantees that:

   a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and

   b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and

   c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and

   d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting and navigational aids; and

   e. through the fence access shall be reviewed and approved by the State; and

   f. it shall not permit non-aeronautical use of airport facilities without prior approval of the State; and

g. the Sponsor shall submit to the State annual statements of airport revenues and expenses when requested; and

h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and

i. an Airport Fund shall be established by resolution, order or ordinance in the treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or another revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent grant or loan, Sponsor has complied with the requirements of this subparagraph; and

j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and

k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.

l. mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of any mowing services.

2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.

3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

   If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.

5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.

6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.

7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

Part IV - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.

2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:

   a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;

   b. enter into contracts as necessary for execution of scope of services;

   c. if State enters into a contract as Agent: exercise supervision and direction of the project work as the State reasonably finds appropriate. Where there is an irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

   d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;

   e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

   f. reimburse sponsor for approved contract maintenance costs no more than once a month.

Part V - Recitals

1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.

2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.

3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.

   a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these remedies shall not limit the State's authority to enforce its rules, regulations or orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.

   b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.

4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.

5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.

6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

Part VI - Acceptances

Sponsor

The City of Rockwall, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this _____ day of _____, 20____.

The City of Rockwall, Texas

Sponsor

_____

Sponsor Signature

_____

Sponsor Title

Certificate of Attorney

I, _____, acting as attorney for the City of Rockwall, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at _____, Texas, this _____ day of _____, 20____.

_____

Attorney's Signature

Acceptance of the State

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS

TEXAS DEPARTMENT OF TRANSPORTATION

By:_____

Date:_____

Attachment A

Scope of Services
TxDOT Project ID: M2018RCKW

Eligible Scope Item	Estimated Costs Amount A	State Share Amount B	Sponsor Share Amount C
GENERAL MAINTENANCE	$70,000.00	$35,000.00	$35,000.00
TOTAL	$70,000.00	$35,000.00	$35,000.00

Accepted By: The City of Rockwall, Texas

_____

Signature

Title:_____

Date:_____

GENERAL MAINTENANCE: As needed, Sponsor may contract for services / purchase materials for routine maintenance / improvement of airport pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide / application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

CERTIFICATION OF AIRPORT FUND

TxDOT Project ID: M2018RCKW

The City of Rockwall does certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

Sponsor: The City of Rockwall, Texas

By:_____

Title:_____

Date:_____

Certification of State Single Audit Requirements

I, _____, do certify that the City of Rockwall, Texas,

(Designated Representative)

will comply with all requirements of the State of Texas Single Audit Act if the City of Rockwall, Texas, spends or receives more than the threshold amount in any grant funding sources during the most recently audited fiscal year. And in following those requirements, the City of Rockwall, Texas, will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold in grant receivables or expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recent audited fiscal year.

_____

Signature

_____

Title

_____

Date

DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT Project ID: M2018RCKW

The City of Rockwall, Texas, designates, _____
(Name, Title)

as the Sponsor's authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

Sponsor: The City of Rockwall, Texas

By:_____

Title:_____

Date:_____

DESIGNATED REPRESENTATIVE

Mailing Address: _____

_____

_____

_____

Overnight Mailing Address: _____

_____

_____

_____

Telephone Number: _____

Fax Number: _____

Email Address: _____

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502

City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **September 11, 2019**

SUBJECT: **STAR Transit Contract for Fiscal Year 2020**

Included for City Council review and consideration is the agreement between the City of Rockwall and STAR Transit for transportation services in the City for fiscal year 2020.

The key points of the agreement are:

- The term of the agreement is: October 1, 2019 through September 30, 2020.
- The City and STAR agree that no fixed route service may be provided under the terms of this Agreement, that no funds from this Agreement will be utilized to support a fixed route service, and that STAR Transit will not request funds or in kind support from the City if STAR Transit elects to operate a fixed route in the City of Rockwall under funding outside of this Agreement.
- Service will be provided five (5) days per week, Monday through Friday and begin at 5:00 AM and end at 9 PM. A total of 22 hours of in-service time including pre- and post-trip time on average each operating day will be limited exclusively to trip origins in the incorporated areas of the City of Rockwall.
- The hourly rate charged for transit service is $49.95.

The City Council is asked to consider approval of the contract with STAR Transit in the amount of $109,884 and authorize the City Manager to execute the agreement on behalf of the City of Rockwall. Funds are available in the Administration Operating Budget for this service.

503

INTERLOCAL COOPERATIVE AGREEMENT
BETWEEN
STAR TRANSIT
AND
CITY OF ROCKWALL, TEXAS

This Interlocal Cooperative Agreement ("Agreement") is between STAR TRANSIT ("STAR Transit") a political sub-division of the State of Texas and the CITY OF ROCKWALL, Texas ("CITY") a political sub-division of the State of Texas, each organized and existing under the laws of the State of Texas, and acting by, through and under the authority of their respective governing bodies. STAR Transit and the CITY may each be referred to as a "Party" to this Agreement and may be collectively referred to as "Parties" in this Agreement.

WITNESSETH

WHEREAS, STAR Transit is a Rural Transit District established pursuant to the authority of Chapter 458, Texas Transportation Code, as amended, with its headquarters in Terrell, Texas, and currently provides transit services within several area jurisdictions; and

WHEREAS, the CITY is a local government entity of the State of Texas; and

WHEREAS, the CITY has requested STAR Transit provide services and is authorized to execute this Agreement with STAR Transit for the purpose of providing for the operation and management of public transportation services for the benefit of the citizens of the CITY; and

WHEREAS, STAR Transit, its officers and supervisory employees are trained and experienced in the operation and management of public transportation and is authorized to execute this Agreement with the CITY for the purpose of providing services as specified herein; and

WHEREAS, the Agreement is made pursuant to and under the authority of the Interlocal Cooperation Act of 1971, as amended, and codified in Chapter 791 of the Texas Government Code (the "Act"); and

WHEREAS, STAR Transit and the CITY are local governments as defined in §791.003 of the Act, and each are empowered by §791.011 of the Act to contract with each other to provide governmental functions and services including public and elderly transportation; and

WHEREAS, STAR Transit publishes an annual cost of service letter with its Fiscal Year operating cost schedule no later than June 1 each year and utilizes an hourly rate to adjust amounts payable by its local partners, including CITY, each year; and,

WHEREAS, the purpose of this Agreement is to provide a variety of public transit services to the benefit of residents and businesses in the CITY, the "Public Transit Services".

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

ARTICLE I
Incorporation of Recitals

The foregoing recitals are hereby incorporated into the body of this Agreement and shall be considered part of the mutual covenants, consideration and promises that bind the Parties.

ARTICLE II
Term

This Agreement shall be effective upon execution by both Parties with services already in progress due to previous arrangements between the Parties and the initial term shall begin on October 1, 2019 and end on September 30, 2020. If not otherwise terminated in accordance with the termination provisions of Article V of this Agreement, this Agreement extends for subsequent twelve (12) month periods starting on the first (1st) day of October each year.

ARTICLE III

Rights, Duties and Responsibilities of STAR Transit

3.1 Board of Directors. STAR Transit is designated to supervise the performance of this Agreement and to operate the Public Transit Service within the CITY's jurisdictions and subdivisions. Such operations shall be overseen solely by the STAR Transit Board of Directors. STAR Transit shall be responsible for the safe, efficient, and effective operation of all services provided.

3.2 Management Scope. STAR Transit agrees to manage, supervise and operate the Public Transit Services in an efficient and economical manner. STAR Transit shall operate all properties, equipment, facilities, routes, and services now or hereafter existing for the purposes of this Agreement. STAR Transit shall provide full and complete management services for the Public Transit Service and any specific duties and obligations set forth shall not be construed as limitations. STAR Transit shall perform the active direction of the Public Transit Services, including transportation, maintenance, schedule preparation, dispatching, communications, accounting, public relations, and safety. All such services may be provided at the principal office of STAR Transit in Terrell, Texas or at such other place, or places as STAR Transit shall determine.

3.3 Administrative Functions. STAR Transit shall administer all properties, equipment, buses, vehicles, facilities, maintenance, gasoline, repairs, replacements, services, expenditures, and resources necessary for safe, efficient, and effective operations. STAR Transit shall employ, train, furnish, and supervise the personnel necessary for the operation of the Public Transit Services. STAR Transit shall oversee all aspects of employment including employee recruiting, selection, training, wages and benefits. STAR Transit shall perform all aspects of general administrative oversight including technical guidance, payroll, accounts payable, purchasing, contracting, finance and other administration necessary for the proper operation of the system.

3.4 Transit Vehicle Operators. Every vehicle providing Public Transit Service under this Agreement shall be operated by an operator duly licensed by the State of Texas to operate vehicles of the type and size being operated by such operator and such operator shall be appropriately dress in a uniform selected by STAR Transit.

3.5 Routes, Schedules, Fares. The Public Transit Services shall be operated with routes and schedule established by STAR Transit with input from CITY. In no case shall the Public Transit Services operate on a Saturday, Sunday, regular annual holidays as designated by the STAR Transit Board of Directors, or days on which STAR Transit deem conditions are unsafe or otherwise inappropriate for service in accordance with Section 7.4. STAR Transit shall have authority to make modifications to any routes without the necessity of obtaining CITY approval. In no case shall the Public Transit Services require a service beginning prior to 5:00 AM or ending after 9:00 PM. Fares for riders shall be established by the STAR Transit Board of Directors and such fares shall be consistent throughout the STAR Transit system. The Parties agree that no fixed route service may be provided under the terms of this Agreement, that no funds from this Agreement will be utilized to support a fixed route service, and that STAR Transit will not request funds or in kind support from CITY if STAR Transit elects to operate a fixed route in the City of Rockwall under funding outside of this Agreement.

3.6 Transit Vehicles. STAR Transit shall use only such vehicles as are appropriate to provide the Public Transit Service. All vehicles shall be fully compliant with the Americans with Disabilities Act of 1990, U.S. Code §12101, et. seq., as amended and relevant regulations applicable thereto, licensed for passenger operations by the State of Texas and equipped with a two-way communication system. STAR Transit shall provide or cause to be provided all mechanical and other repairs, maintenance and upkeep necessary to maintain vehicles in good working order and in a clean, sanitary and safe condition.

3.7 Operating Cost Charge to CITY. STAR Transit shall charge for services and CITY agrees to compensate STAR Transit for services based on the following:

A. Service Days: Service up to five (5) days per week, Monday through Friday; set and calculated as two hundred fifty (250) service days each Fiscal Year. This number of Service Days shall be charged each Fiscal Year regardless of actual calendar service days or events as noted in Section 7.4. This number of charged Service Days may be adjusted only by Amendment to the Contract duly approved by CITY and the STAR Transit Board of Directors.

B. Daily Hours: A total of twenty-two (22) hours of in-service time including pre- and post-trip time on average each operating day. Average Daily Hours may be adjusted, in writing, by mutual agreement of the parties, no more often than once per every one hundred and twenty (120) calendar days.

C. Hourly Cost: For the first STAR Transit Fiscal Year, average cost per hour shall be charged at forty-nine dollars and ninety-five cents ($49.95). Each Fiscal Year thereafter, during the term of this Agreement, the average cost per hour shall be charged at the current STAR Transit Public Transit Hourly Rate. The STAR Transit Board of Directors shall publish an annual cost of service letter with its upcoming Fiscal Year operating cost schedule no later than the first (1st) day of June each year and utilize that hourly rate to adjust amounts payable by CITY.

D. Annual Operating Cost. Each Fiscal Year, the annual operating cost shall be calculated by multiplying Service Days (Line A) by Daily Hours (Line B) and by Hourly Cost (Line C).

E. Operating Off-Sets. STAR Transit expects a net sixty percent (60%) operating cost subsidy on the Public Transit Service from a combination of Federal, State, Regional, and Private Contract sources. So long as such subsidy is in place, it shall be used as an off-set to reduce the Annual Operating Cost charged to CITY. The Operating Off-Set may be adjusted only by Amendment to the Agreement duly approved by CITY and the STAR Transit Board of Directors.

F. Monthly Charge to CITY. The Monthly Charge to CITY shall be the Annual Operating Cost (Line E) multiplied by any Operating Off-Set (Line F) divided by twelve (12). For the first Fiscal Year, the Monthly Charge to CITY is set at nine thousand one hundred fifty-seven dollars ($9,157.00). Payment for all services shall be due fifteen (15) days in advance of service. STAR Transit shall invoice CITY for each service month no earlier than forty-five (45) days prior to each service month. For future Fiscal Years, starting with the cost for operations in to be performed in October 2020, STAR Transit shall invoice, and CITY agrees to pay, based on the up-to-date monthly calculation as described herein.

G. Subsequent Fiscal Years. In following STAR Transit Fiscal Years, the monthly charge to CITY shall be calculated by STAR Transit with the identical methodology utilizing any updated parameters. This calculation and the resulting monthly rate will be provided by STAR Transit in writing to CITY prior to the first (1st) day of June each year.

H. Additional Services. Any month in which the CITY requests average daily hours for non-holiday weekdays exceeding the average daily hours established in Section 3.7 (B) shall be a month in which STAR Transit shall increase the monthly charge in the next available billing cycle by the total number of increased hours (or partial hours) of service multiplied by the current charter rate as established by the STAR Transit Board of Directors. Any other special services requested by CITY and scheduled by STAR Transit, which is not covered under the specific monthly service terms of this Agreement, or under subsequent duly approved Amendments or modifications, shall be billed to CITY on the next available invoice by STAR Transit at the current charter rate as established by the STAR Transit Board of Directors.

3.8 Capital Cost Charge to CITY. The parties concur that the CITY will not participate in capital expenditures.

3.9 Marketing. STAR Transit will provide the CITY with service information for posting on the CITY Website and advertise the services on the STAR Transit homepage. As part of its regular outreach programs, STAR Transit will market the Public Transit Service in a variety of media and locations likely to attract potential riders. STAR Transit shall maintain rights to final approval of all marketing materials.

3.10 Reporting. STAR Transit will provide the CITY a monthly summary of ridership data within thirty (30) days after the last day of the preceding month, an annual summary of ridership after the end of the STAR Transit Fiscal Year, a copy of the adopted Annual Budget, and a copy of the approved annual audit.

3.11 Contract Management. STAR Transit will pursue and apply for grant funding opportunities which may be applicable to and beneficial to the Agreement. STAR Transit will be responsible for complying with the obligations and responsibilities under all grants and all accompanying certifications, assurances, and agreements made or given by the Federal Transit Administration, Texas Department of Transportation, or any other applicable entity. STAR Transit will be responsible for complying with all applicable laws, rules, regulations and guidelines associated with STAR Transit services. STAR Transit will provide any documents needed to support Federal, State, or Regional grant administration or other data or audit requirements to the appropriate entity in a timely manner. Grant funding shall be used to offset monthly charges to the CITY if applicable to service provided within the CITY.

3.12 Permits. STAR Transit shall secure or cause to be secured, at its cost and expense, all permits and other governmental authorizations, which may be required to fulfill this Agreement.

ARTICLE IV
Rights, Duties and Responsibilities of the CITY

4.1 Payment for Service. CITY shall pay all invoices provided by STAR Transit under this Agreement within thirty (30) days of receipt. Such payments shall constitute a current expense of the CITY and shall not in any way be considered or construed to be a debt of the CITY's in contravention of any constitutional, statutory, or charter provision. Any CITY paying for STAR Transit's services must make those payments with current revenues available and the CITY hereby affirms that funds to pay said payments to STAR Transit are available for the current Fiscal Year.

4.2 Parking. Permit STAR Transit to access or temporarily park vehicles in the public parking areas of CITY facilities under the condition that such access does not exceed one (1) hour per episode

4.3 Promotions. The CITY shall promote services via CITY facilities, municipal resident water bill, CITY Social Media Outlets, News Releases, CITY Website and additional promotional opportunities that become available during the duration of the Agreement. The CITY shall facilitate, as needed and within CITY budget constraints, the efforts of STAR Transit to market the Public Transit Services. CITY shall make all CITY generated marketing materials available for review and approval by STAR Transit.

ARTICLE V
Termination

5.1 Program Conclusion. During the initial term, but no later than June 30, 2020, either party may provide written notice of termination to be effective on September 30, 2020. During subsequent twelve (12) month terms, either party may provide written notice of termination no later than June 30 for the following Fiscal Year commencing on the first (1st) day of October.

5.2 Mutual Agreement. This Agreement may be terminated immediately at any time by a written agreement signed by both Parties setting forth the agreed termination date.

5.3 Termination due to Default. Termination due to Default must be preceded by (1) written notice stating specific provision violated in this Agreement, (2) a thirty (30) day period for cure and (3) a second notice of failure to cure and final termination. A Party shall be in default of this Agreement if such Party fails to timely keep or perform any term, provision, covenant, or condition to be kept or performed by such Party under the terms of this Agreement and/or any other agreement now or

hereafter existing between the Parties and such failure continues for thirty (30) days after written notice by the non-defaulting Party to the defaulting Party (a "Default"). Upon the occurrence of a Default, the non-defaulting Party shall have the right to terminate this Agreement by written notice to the defaulting Party and shall further have the right to exercise any and/or all other rights and/or remedies available to such Party at common law, by statute, in equity or otherwise pursuant to the laws of the State of Texas. In addition, CITY may terminate due to default if performance standards are not met or if CITY deems the operation of the service by STAR Transit is unreliable, unsafe or of poor quality.

5.4 Termination by Operation or Breach of Law. In the performance of this agreement, STAR Transit shall comply with all state, federal and local laws, regulations and standards. If the purpose or intent of this agreement is prevented or is contrary to any other law, including but not limited to section 458.012, Texas Transportation Code, this agreement shall be deemed null and void and of no force and effect. If the operation of the service by STAR Transit is in violation of any law or regulation that does not frustrate the purpose or intent of this agreement, or if repeated violations occur, the CITY may terminate the service immediately upon notice. Any pre-paid amounts for monthly service shall be immediately refunded to CITY.

ARTICLE VI
Responsible Party Provisions

6.1 Legal Liability. As a designated political subdivision, STAR Transit is a "governmental unit" as that term is defined in Chapter 101 of the Texas Civil Practice and Remedies Code. Therefore, the extent of STAR Transit's liability for actions arising out of the operation of a public transportation system shall be governed by Chapter 101 of the Texas Civil Practice and Remedies Code.

6.2 Limitation of Liability. To the extent authorized by the Constitution and laws of the State of Texas, the Parties agree that each Party shall be responsible for its own acts and omissions and the acts and omissions of its agents, representatives and employees in the performance of this Agreement. It is expressly understood and agreed by the Parties that neither Party shall be held liable for the acts or omissions of the other Party or for the acts or omissions of the other Party's agents, representatives, or employees in the performance of this Agreement. Both parties shall hold harmless, indemnify and defend the other from and against any claims, damages, losses or liability

of any character, type, or description, including all expenses of litigation, court costs, and attorney's fees, for injury or death to any person, injury or loss to any property, or economic loss, received or sustained by any person or persons, or property, directly or indirectly arising out of, or occasioned by the acts, omissions or conduct of the indemnifying party, without waiving the party's governmental, sovereign or other immunities or defenses available under Texas law and without waiving any defenses of the parties under Texas law.

6.3 Insurance. Each party shall maintain its own insurance in sufficient amounts to cover any occurrence or claim related to its responsibilities in delivering the Public Transit Services.

6.4 Immunity. In the execution and performance of this Agreement, the Parties do not waive, and neither Party shall be deemed to have waived, any immunity or defense that would otherwise be available to each Party as a local governmental entity and/or political subdivision of the State of Texas. Nothing in this Agreement shall be deemed or construed to created any right or interest in any person not a party to this Agreement, and there are no third-party beneficiaries hereof.

6.5 Survival. All provisions of this Article shall expressly survive the termination of this Agreement.

Article VII
Miscellaneous

7.1 Captions. The descriptive captions of this Agreement are for convenience of reference only and shall in no way define, describe, limit, expand or affect the scope, terms, conditions, or intent of this Agreement.

7.2 Compliance with Laws. STAR Transit and its officers, agents and employees shall comply with all applicable federal, state and local health, safety, disability, environmental and other laws, ordinances, rules and regulations in the performance of the Public Transit Service.

7.3 Powers. STAR Transit has all the powers of CITY necessary to operate its services. By way of illustration, but not for limitation, STAR Transit has the power to contract, to acquire and own real and personal property, and to accept and expend funds from government, legal entities and

individuals. STAR Transit does not have the power to tax, to obligate CITY, to assess CITY, or to adopt ordinances or laws.

7.4 Force Majeure. STAR Transit shall not be liable to CITY for any failure, delay, interruption of service caused by acts of God, fire, snow, ice, flooding, tornado, utility outages, riots, civil commotion, labor disruptions, sabotage, sovereign conduct, acts of terror, or any other cause beyond the reasonable control of STAR Transit and not attributable to any neglect or negligence on the part of STAR Transit. In the event of such occurrence, the time for performance of such services shall be suspended until such time that such inability to perform shall be removed. STAR Transit shall make all reasonable efforts to mitigate the effects of any such suspension or interruption of service and CITY shall not be entitled to any compensation for any such event.

7.5 Severability. The sections, paragraphs, sentences, clauses, and phrases of this Agreement are severable and, if any phrase, clause, sentence, paragraph, or section of this Agreement should be declared invalid, illegal, or unenforceable by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect the validity or enforceability of any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Agreement and such remaining provisions shall remain in full force and effect and shall be construed and enforced as if the invalid provision had never been included in the Agreement.

7.6 Notices. Any notice required or permitted to be given under the terms of this Agreement shall be in writing and shall be considered properly given if mailed by United States mail, certified mail, return receipt requested, in a postage paid envelope addressed to the Party at the address set forth below, or by delivering same in person to the intended addressee by hand delivery or by a nationally recognized courier service such as Federal Express or United Parcel Service. Notices mailed by certified mail as set forth above shall be effective upon deposit in the United States mail. Notice given in any other manner shall be effective only if and when received by the addressee. For purposes of notice, the addresses of the Parties shall by as set forth below; provided, however, that any Party shall have the right to change such Party's address for notice purposes by giving the other Party at least thirty (30) days prior written notice of such change of address in the manner set forth herein:

STAR Transit: STAR Transit;
Attn: Executive Director
P.O. Box 703
Terrell, TX 75160

CITY: City Manager; City of Rockwall
385 S. Goliad Street
Rockwall, TX 75087

7.7 Entire Agreement. This Agreement, together with all attachments hereto, sets forth the entire Agreement between the Parties with respect to the subject matter hereof, and all prior discussions, representations, proposals, offers, and oral or written communications of any nature are entirely superseded hereby and extinguished by the execution of this Agreement.

7.8 Modification. This Agreement may only be revised, modified, or amended by a written document signed by STAR Transit and the CITY. Oral revisions, modification, or amendments are not permitted.

7.9 Waiver. All waivers, to be effective, must be in writing and signed by the waiving party. No failure by either Party to insist upon the strict or timely performance of any covenant, duty, agreement, term, or condition of this Agreement shall constitute a waiver of any such covenant, duty, agreement, term, or condition. No delay or omission in the exercise of any right or remedy accruing to either Party upon a breach of this Agreement shall impair such right or remedy or be construed as a waiver of any such breach or a waiver of any breach theretofore or thereafter occurring.

7.10 Authority. Each Party represents and warrants to the other that this Agreement has been authorized by the governing body of such Party and that each such Party has the full power and authority to enter into and fulfill its obligations under this Agreement. Each person signing this Agreement represents that such person has the authority to sign this Agreement on behalf of the Party indicated.

7.11 Assignment. This Agreement shall not be assigned or transferred by either Party without prior written consent of the other Party, which consent shall not be unreasonably withheld.

7.12 Independence. The Parties are acting herein as independent contractors and independent employers. Nothing herein shall create or be construed as creating a partnership, joint venture or agency relationship between any of the Parties and no Party shall have the authority to bind the other in any respect. Nothing in this Agreement prevents STAR Transit from pursue contracting opportunities to provide any services with other public and private entities within the CITY or outside the CITY.

7.13 Effective Date. This Agreement shall not be effective unless and until it is executed by both STAR Transit and the CITY. "Effective Date" as used herein shall mean the later of the two dates this Agreement is executed by STAR Transit and the CITY.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by their duly authorized agents, officers, and/or officials on the dates set forth below.

CITY OF ROCKWALL, TX	STAR TRANSIT
By:_____	By:_____
Name:_____	Name:_____
Title:_____	Title:_____
Date:_____	Date:_____

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516

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rockwall City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **September 10, 2019**

SUBJECT: **Contract with Meals On Wheels Senior Services**

Margie VerHagen, Executive Director of Meals On Wheels Senior Services, requested funding for nutritional / senior service programs provided in Rockwall in the amount of $40,000. This amount was approved in the operating budget for this fiscal year. Attached for the City Council's review and consideration is a contract with Meals On Wheels for FY 2020.

The City Council is asked to consider approval of the proposed contract and authorize the City Manager to enter into an agreement with Meals On Wheels Senior Services for nutritional and senior service programs in the City of Rockwall.

AGREEMENT FOR NUTRITIONAL PROGRAMS FOR THE ELDERLY AND DISABLED

STATE OF TEXAS §
COUNTY OF ROCKWALL § **KNOW ALL MEN BY THESE PRESENTS:**

THIS AGREEMENT is entered into by the **CITY OF ROCKWALL, COUNTY OF ROCKWALL, TEXAS (hereinafter referred to as "City"),** a municipal corporation, acting by and through Rick Crowley, City Manager, its duly authorized representative and **MEALS ON WHEELS SENIOR SERVICES, a nonprofit Texas corporation**, acting by and through Margie VerHagen, its duly authorized representative. The parties do hereby covenant and agree as follows:

Section 1. **Grant**. For and in consideration of compliance by Meals On Wheels Senior Services with covenants and conditions herein set forth, and the ordinances and regulations of the City, the City hereby contracts with Meals On Wheels Senior Services to provide certain nutritional programs to the elderly and disabled within the corporate limits of the City.

Meals On Wheels Senior Services shall conduct operations in accordance with all federal, state and local laws that exist at the time of the execution of this agreement and any additional laws, regulations, or requirements that may become effective during the term of this agreement. In addition, Meals On Wheels Senior Services agrees to conduct operations in accordance with the description of services outlined in Attachment "A" attached hereto and made a part hereof for all purposes. Meals On Wheels Senior Services shall be responsible for obtaining any permits or licenses required to fulfill its obligations under this agreement.

Section 2. **Payment.** City agrees to pay Meals On Wheels Senior Services the sum of **Forty Thousand Dollars and No/Cents ($40,000.00)** for the provision of certain nutritional / service programs to the elderly and disabled. Said payments shall be made on the following dates: **December 31, 2019 for 1st Quarter, March 31, 2020 for 2nd Quarter, June 30, 2020 for 3rd Quarter, and September 30, 2020 for 4th Quarter upon Receiving a Quarterly Report and Invoice.**

Section 3. **Term**. This agreement is to take effect and continue and remain in full force and effect for a period to expire on September 30, 2020.

Section 4. **Scope and Nature of Operation.** It is expressly agreed and understood that Meals On Wheels Senior Services shall provide the services as outlined in Attachment "A" continuously during the contract period.

Section 5. **Surety and Cancellation.** If at any time, the City Council determines that Meals On Wheels Senior Services has failed to perform, or performed in an unacceptable manner, any of the terms, covenants or conditions herein set forth, the City may revoke and cancel this agreement. The City Council shall be the sole judge of whether Meals On Wheels Senior Services has failed to perform. Meals On Wheels Senior Services shall be given written notice at least 10 days prior to consideration by the City Council of such action. Should the City Council revoke this agreement, Meals On Wheels Senior Services shall be responsible for reimbursing the City on a pro-rata basis any unearned funds paid by the City.

Section 6. **Complaint Handling by Meals On Wheels Senior Services.** Meals On Wheels Senior Services shall, at its own expense, provide a locally accessible telephone number and will answer calls from 9:00 a.m. until 5:00 p.m. daily, Monday through Friday, excluding such holidays as may be approved by the City, for the purpose of handling complaints and other calls regarding services provided by Meals On Wheels Senior Services. Meals On Wheels Senior Services shall maintain a log of all complaints and disposition of the complaints. This log shall be submitted to the City on a monthly basis. All complaints shall be given prompt and courteous attention and when possible, shall be resolved within a 24-hour period.

Section 7. **Vehicular Identification.** There are no vehicle identification requirements at this time. Provided that such markings or identification becomes necessary during the term of this agreement, the parties agree to implement such markings, and if so, will be the responsibility of Meals On Wheels Senior Services.

Section 8. **Reporting.** Meals On Wheels Senior Services shall provide quarterly reports to the City detailing the following:

Nutritional Programs for the Elderly and Disabled

a. Number of users – average daily and monthly totals

b. Type of services provided

c. Complaint logs

Section 9. **Books and Records.** Meals On Wheels Senior Services agrees to maintain adequate books and records relating to their performance under the provisions of the Agreement. The City may request from Meals On Wheels Senior Services specific periodic reports containing information deemed necessary by the City. The records of Meals On Wheels Senior Services applicable to the performance of this agreement shall and will be available when wanted for inspection by the City at any time during normal working hours upon 10 days written request.

Section 10. **Indemnification Insurance.** Meals On Wheels Senior Services assumes risk of loss or injury to property or persons arising from any of its operations under this agreement and agrees to indemnify and hold harmless the City from all claims, demands, suits, judgments, costs or expenses, including expenses of litigation and attorney's fees, arising from any such loss or injury. It is expressly understood that the foregoing provisions shall not in any way limit the liability of Meals On Wheels Senior Services. Meals On Wheels Senior Services shall require that all drivers carry at all times, in the vehicle, insurance certificates of financial responsibility.

Section 11. **Assignment.** No assignment, transfer, subletting, conveyance or disposition of this agreement or any right occurring under it shall be made in whole or in party by Meals On Wheels Senior Services without the prior written consent of the City Council. In the event Meals On Wheels Senior Services assigns, transfers, sublets, conveys, or disposes of this agreement without the prior consent of the City Council, the City may, at its discretion, terminate this agreement.

Section 12. **Venue.** This agreement shall be considered consummated in Rockwall County, Texas. All actions brought hereunder shall be brought in Rockwall County, Texas.

Section 13. **Modification.** This agreement constitutes the entire agreement and understanding between the parties hereto, and it shall not be considered modified, altered, changed, or amended in any respect unless modified by approval of the City Council as provided herein.

Section 14. **Right to Require Performance.** The failure of the City at any time to require performance by Meals On Wheels Senior Services of any provisions hereof shall in no way affect the rights of the City thereafter to enforce the same. No waiver by the City of any breach of any provisions hereof shall be taken or held to be a waiver of any provision itself.

Section 15. **Illegal Provisions.** If any provision of this agreement shall be declared illegal, void or unenforceable, the other provisions shall not be affected and shall remain in full force and effect.

Section 16. **Notices.** Any notice required or permitted to be delivered hereunder shall be in writing and shall be deemed to be delivered, whether or not actually received, when deposited in the United States Mail, postage prepaid, certified mail, return receipt requested, addressed to a respective party at the addresses set forth below:

If intended for the City:

City of Rockwall
Attention: City Secretary
385 S. Goliad
Rockwall, Texas 75087

If intended for Committee:

Meals On Wheels Senior Services
Attention: Executive Director
950 Williams Street, Suite 200
Rockwall, Texas 75087

Section 17. **Approval by the City.** This agreement shall not be considered fully executed, nor binding on the City, until the same shall have been executed by Meals On Wheels Senior Services, the City Manager and the City Secretary.

Section 18. **Effective Date.** This contract shall be effective on the _____ day of October, 2019.

CITY OF ROCKWALL, TEXAS

_____
Richard Crowley, City Manager

_____
Date

ATTEST:

_____
Kristy Cole, City Secretary

[S E A L]

MEALS ON WHEELS SENIOR SERVICES

Margie VerHagen, Executive Director

Date

ATTACHMENT A
Nutritional / Service Programs

Nutritional Programs

Title III

C-1 Congregate Meals

- Clients over 60 years old receive nutritious meals at a Senior Center.
- Meals should provide 1/3 of the RDA nutrition requirements.
- Meals are served a minimum of 250 days a year.

C-2 Home Delivered Meals

- Meals delivered to eligible homebound seniors due to physical or health reasons.
- Meals should provide 1/3 of the RDA nutrition requirements.
- Meals are delivered a minimum of 250 days a year.

Title IXX and XX

To provide nutritious meals to those who are handicapped or disabled (of any age) and home bound.

- Meals should provide 1/3 of the RDA nutrition requirements.
- Meals are delivered a minimum of 250 days a year as needed.

General Senior Services

Information and educational seminars and symposiums will be sponsored by Meals On Wheels Senior Services concerning benefits counseling, prescription drugs, senior health, training sessions, caregiver support and information, referrals, social events as venues for information and education exchange, ombudsman services, entitlement programs and senior issues, i.e. Medicare/Medicaid information and pharmaceutical assistance, and emergency food bags in the winter.

522

ATTACHMENT B
Holidays

The following are closure days for which Meals On Wheels Senior Services will not be providing services but will render services the following working day:

Thanksgiving Day

Christmas Day

New Year's Day

Martin Luther King, Jr. Holiday

Memorial Day

July 4th

Labor Day

Bad Weather days as determined by Meals On Wheels Senior Services pending weather reports and street conditions.

523

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524

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 1, 2019**

SUBJECT: **Purchase of a New VAC-CON Truck for Sewer Department**

Approved in the Water and Sewer Fund, Sewer Operations budget is $401,100 to purchase a new VAC Truck. This vehicle/equipment unit will be used to clean lift station pumps, perform hydro excavation and unclog lines and drains.

The unit is available from Freightliner/CLS Equipment Company, VAC-CON dealer through the H-GAC purchasing cooperative contract HT06-18. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to this purchase.

For Council consideration is the total bid award to Freightliner/CLS of $389,415.25 for this unit and authorize the City Manager to execute the purchase order.

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526

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, Director of Public Works/City Engineer**

DATE: **September 30, 2019**

SUBJECT: **General Engineering Service Agreement for Traffic Impact Analysis**

At the November 5, 2018 City Council meeting, the City Council approved a policy requiring a Traffic Impact Analysis (TIA) for specific zoning applications. To recoup the City's review costs, a Traffic Impact Analysis (TIA) review fee was implemented in October 2018 by the City for developments requiring a TIA. The City currently use Binkley & Barfield, Inc. as the Cities Engineering Traffic Review Consultant, to perform the review of TIAs and to ensure compliance with the City's TIA requirements.

Binkley & Barfield's, Inc. current contract ends on September 30, 2019 with the City. Staff requests the City Council consider approval of the attached Engineering Services Agreement with Binkley & Barfield, Inc. for the 2020 fiscal year to provide general engineering services for the preparation and review of all TIAs submitted to the City of Rockwall. This agreement will be funded by the 2019-2020 Engineering Consulting budget with developer reimbursement.

AW:jw

Cc:
Mary Smith, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
File

527

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Binkley & Barfield, Inc., ("ENGINEER"), located at 1801 Gateway Blvd., Suite 101 Richardson, Texas 75080, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Miscellaneous Traffic Consulting Services.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be based on an as-needed time-and-materials basis and billed as an hourly basis plus costs per rates provided in Exhibit "B". Engineer is not authorized to perform any work without approval by City.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY

Richard Crowley
City Manager
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

ENGINEER

Binkley & Barfield, Inc.
Attn: Cameron L. Williams, P.E.
1801 Gateway Boulevard Suite 101
Richardson, Texas 75080

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 29th day of September 2019.

Binkley & Barfield, Inc.

By: Cameron L Williams

Name: Cameron L. Williams, P.E., PTOE, PTP

Title: Managing Director – Traffic Engineering

EXECUTED in triplicate originals on this ____ day of October 2019.

ATTEST: **City of Rockwall**

Richard Crowley, City Manager

EXHIBIT "A"

SCOPE OF SERVICES

The scope of services for this contract is for Binkley & Barfield, Inc. (BBI) to provide miscellaneous consulting services on an as-needed basis for issues related to traffic impact analysis and other traffic engineering matters, which may be requested from time to time by, or approved by, the City of Rockwall's City Engineer/Public Works Director, or by the City Engineer's/Public Works Director's representative(s) or assistant(s). Such services are anticipated to typically consist of the following:

A. Perform traffic impact analyses for the City as requested.

B. Perform traffic counts for the City as requested.

C. Assist in scoping traffic impact analyses for proposed developments which shall include study intersections/limits, required traffic counts, analyses, etc.

D. Review and provide comments on traffic impact analyses submitted to the City

E. Provide opinions, advice, recommendations and other miscellaneous assistance to the City regarding traffic impact analyses and traffic operations.

F. Attendance at developer review meetings, planning and zoning meetings, City Council meetings, and others as required or needed.

G. Other miscellaneous traffic engineering services as requested by the City and agreed by BBI provided that such services are within the field of expertise of BBI.

Exclusions
The following services are excluded from this scope of services:

A. PS&E Documents
B. Construction Inspection
C. Construction Administration
D. Surveying

EXHIBIT "B"

COMPENSTATION

Hourly rate schedule

CLASSIFICATION	2019 BILLABLE RATES
Principal (Eng. VII)	$275.00
Sr. Project Manager (Eng. VI)	$250.00
Project Manager (Eng. V)	$194.00
Structural Engineer	$194.00
Construction Manager (Eng V)	$194.00
Project Engineer (Eng. IV)	$163.00
Project Engineer (Eng. III)	$139.00
Process / Civil / Engineer	$163.00
Field Engineer	$150.00
Electrical & Instrumentation Engineer	$163.00
Engineer Technician	$136.00
EIT II	$125.00
Graduate Engineer / EIT I	$110.00
Crew - 2 person	$185.00
Construction Observer / Sr. Inspector	$125.00
Construction Observer / Inspector II	$116.00
Construction Observer / Inspector I	$95.00
Sr. Designator	$105.00
Designator	$90.00
Sr. Utility Coordinator	$151.00
Utility Coordinator	$132.00
Production Manager	$205.00
Production Technician	$84.00
Sr. Electrical Designer	$143.00
Sr. CADD / Designer	$135.00
CADD / Designer	$122.00
CADD Technician	$100.00
Sr. Clerical / Administrator / Document Specialist / Recordkeeper	$85.00
Clerical / Administrator	$80.00
3D Modeling (Per day)	$788.00

Note:

1. For years past 2019, maximum rates can be determined using an annual escalation rate of five percent, or, will be renegotiated.

2. Subconsultant, reproduction, delivery and other associated expenses shall be reimbursed at cost plus 10%.

3. Mileage shall be reimbursed at the current Federal rate as published by the IRS.

Traffic Counts would be considered a subconsultant service and reimbursed at cost plus 10%

EXHIBIT "C"

SCHEDULE

The term of this agreement shall commence upon execution of the agreement by both parties and will extend through September 30, 2020, unless otherwise terminated or extended as agreed in writing. Consulting services listed in Exhibit "A" will be scheduled on an as-needed basis during the term of contract and any extension as agreed. Consulting services will end immediately upon termination of the contract.

BBI will provide services and response on the following time tables for these specific tasks:

A. Traffic Impact Analyses – Within 3 weeks of NTP.

B. Traffic Counts – Within 2 weeks of receiving notice to proceed with counts.

C. Scoping of traffic impact analyses – Within one week of initial NTP from City and available information from the City.

D. Review of traffic impact analyses – Within two weeks of receiving traffic impact analysis.

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538

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Rick Crowley, City Manager**

DATE: **October 4, 2019**

SUBJECT: **Fire ILA**

This is the standard Interlocal Agreement that the City annually enters into with Rockwall County. I or Chief Cullins will be available to answer any questions the Council may have at the meeting Monday evening.

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

INTERLOCAL AGREEMENT FOR FIRE PROTECTION SERVICES

THIS AGREEMENT is made and entered into by and between the County of Rockwall, Texas, hereinafter referred to as "County" and the City of Rockwall, Texas, hereinafter referred to as "City" or "Rockwall".

WITNESSETH:

WHEREAS, pursuant to §352.001(b)(3) of the Texas Local Government Code, a county is authorized to execute interlocal agreements with any city, town or village within such county to provide fire protection services to the citizens of any such county residing outside the corporate limits of any city, town or village; and

WHEREAS, pursuant to Chapter 791 of the Texas Government Code, the City is authorized to execute interlocal agreements with a county to provide governmental services and functions such as fire protection; and

WHEREAS, the City is the owner of certain trucks and other equipment designed for and capable of being used in the protection of persons and property from and in the suppression and fighting of fires; and

WHEREAS, the County desires to obtain such services for its citizens residing in unincorporated areas of the County, and the City is willing to provide such services as hereinafter set forth and provided.

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

Section 1. That the recitals set forth above are true and correct and incorporated herein.

Section 2. Definitions. The following words shall have the following meanings when used in this Agreement:

a) "Call" means each response by the City of Rockwall Fire Department to rescues, auto accidents, actual fire, false alarms, fires to be found extinguished on arrival of the City's fire unit or units, potential fire situations or emergencies.

b) "Chief Administrative Officer" means the Mayor or City Manager of the City.

c) "District" means the area within the boundaries of Rockwall County, Texas, for which the City of Rockwall Fire Department has permanent responsibility for first alarm response to fires in such district. This includes Public Protected Classification, outside protected areas, and Fire Districts defined by the Texas Department of Insurance.

d) "Employed" means a fire fighter who is paid a salary by the City, or volunteer fire fighter.

e) "Fire Chief" means the Fire Chief of the City or his duly authorized designees.

f) "Fire Fighter" means a fire fighter of the City.

g) "Requesting Party" means the entity requesting fire protection assistance from the City for fire services for residents of the County, but not living within any city's incorporated limit.

Section 3. The parties hereto hereby agree that the City will provide fire equipment and services to points in the County which are outside the corporate limits of any city in the County, but inside the boundary limits known as First Alarm County District for the City. Areas outside such boundary shall be known as the Second Alarm County District for the City, and a closer fire department shall be notified for first response.

Section 4. In consideration of such service, the County will pay to the City the sum of Sixty-Eight Thousand Two Hundred and Fifty (68,250.00) dollars for calls outside the corporate limits of any city in the County subject to annual funding approval by the Rockwall County Commissioner's Court during the regular budget process. Said payment shall be made on an annual basis upon written request from the City to the Rockwall County Auditor and will be payable within thirty (30) days after receipt of such, by the Auditor's Office.

Section 5. County hereby gives and grants to the City full and complete authority to operate its fire fighting vehicles on and over public roads, highways, and other thoroughfares of the County and other public places.

Section 6. City shall, at its own cost and expense, purchase and keep in force at all times insurance for the minimum amount of liability under the Texas Tort Claims Act. City agrees to provide copies of such policy or policies of insurance and/or other evidence satisfactory to the County Auditor of Rockwall County, Texas.

Section 7. The Fire Chief shall be the sole judge of the amount and type of equipment and number of personnel dispatched to calls made pursuant to this Agreement. Said Fire Chief, or his designee, shall be in charge of the firefighting techniques used in response to any calls.

For each call made pursuant to this Agreement, the Fire Chief shall prepare a report showing the date, location, and description of the call. True copies of such reports shall be on file with the Fire Chief and available for review by the County Auditor or Commissioner's Court of the County.

Section 8. City hereby agrees to render services to other Fire Districts within the County if backup emergency assistance is requested. The City's fire fighters shall report to the Requesting Party's Officer In Control at the location to which they have been assigned, and shall be under the command of the Requesting Party's Fire Chief and will be released when their services are no longer required.

Calls for assistance may be aborted only by (1) another Fire Department at the scene; (2) an officer of the Sheriff's Department at the scene; (3) a State Department of Public Safety Officer at the scene; (4) the responding department's Fire Chief or designee; (5) or Dispatch.

Section 9. While any fire fighter, regularly employed as such by the City, is in the service of the Requesting Party, such fire fighter shall be a fire fighter of the Requesting Party and be under the command of the Requesting Party's Chief, with all the powers of a regular fire fighter of the Requesting Party, as fully as if such fire fighter were within the territorial limits of the governmental entity where such fire fighter is regularly employed. A fire fighter's qualifications for employment by the governmental entity by which he or she is regularly employed shall constitute such fire fighter's qualifications for such position within the territorial limits of the Requesting Party, and no other oath, bond or compensation need be made.

Section 10. Each party to this Agreement expressly waives the right to recovery from the other party for reimbursement of wages, disability, pension payments, damages to equipment and clothing, medical expenses, travel, food and lodging expenses.

Section 11. Any fire fighter or other person who is assigned, designated or ordered by the Fire Chief of the party which regularly employs such, to perform duties pursuant to this Agreement, shall receive the same wages, salary, pension, compensation and all other rights for such service, including injury benefits, death benefits, and worker's compensation benefits, as if the service had been rendered within the territorial limits of the party where such fire fighter is regularly employed. Moreover, all wage and disability payments, including worker's compensation benefits, pension payments, damage to equipment and clothing, medical expenses, and expenses of travel, food and lodging, shall be paid by the party which regularly employs such person in the same manner as if the service had been rendered within the territorial limits of the party where such fire fighter is regularly employed.

Section 12. In the event that any person performing fire fighting services pursuant to this Agreement shall be cited as a party to any civil lawsuit, state or federal, arising out of the performance of those services, such fire fighter shall be entitled to the same benefits that he or she would be entitled to receive if such civil action had arisen out of the performance of such person's

duties as a member of the department where and in the jurisdiction of the party where such person is regularly employed.

Section 13. Each party to this Agreement expressly waives all claims against the other party for compensation arising from loss, damage, personal injury or death occurring as a consequence of the performance of this Agreement.

Section 14. Third party claims against parties hereto shall be governed by the Texas Tort Claims Act or other appropriate statutes, charters and ordinances of the parties.

Section 15. It is expressly understood and agreed that by executing this Agreement, neither party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise by available to it, against claims arising in the exercise of governmental powers and functions.

Section 16. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.

Section 17. This Agreement shall be governed by and constructed in accordance with the laws of the State of Texas. Venue shall be in Rockwall County, Texas.

Section 18. If any one or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity or illegality shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein, and shall not render the entire Agreement invalid.

Section 19. This Agreement constitutes the entire Agreement and understanding between parties. Any modification, change or amendment to this Agreement shall be in writing and approved by both parties.

Section 20. This Agreement shall become effective as of October 1, 2019 and shall continue through September 30, 2020.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed under authority of appropriate action taken by their respective governing bodies.

COUNTY OF ROCKWALL, TEXAS

David Sweet
County Judge

CITY OF ROCKWALL, TEXAS

Jim Pruitt, Mayor

Fire Chief

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545

Downtown Rockwall Association

Re: Shop Small Saturday – Request to use public street/parking area 200 block of North San Jacinto

Representative: Tammy Sharp, Downtown Rockwall Association President

The Downtown Rockwall Association is asking permission to utilize a portion of San Jacinto for a parking valet attendant stand during our Shop Small Saturday event that will be held on Saturday, November 30th. Shop Small Saturday is a nationwide shopping event that is held the Saturday after Thanksgiving.

The Downtown merchants will be opening at 8:00 a.m., therefore valet parking will be available from 8:00 – 5:00. Cars will be parked in the following areas:

- T&T Color Supply parking lot: 202 North Fannin Street
- Certa Pro Painters, 204 North Fannin Street
- Legacy Village, 102 North Fannin Street

The charge will be $7.00 per car and will not be subsidized by the Downtown Association. An estimate of up to 60 cars will be able to be parked at once.

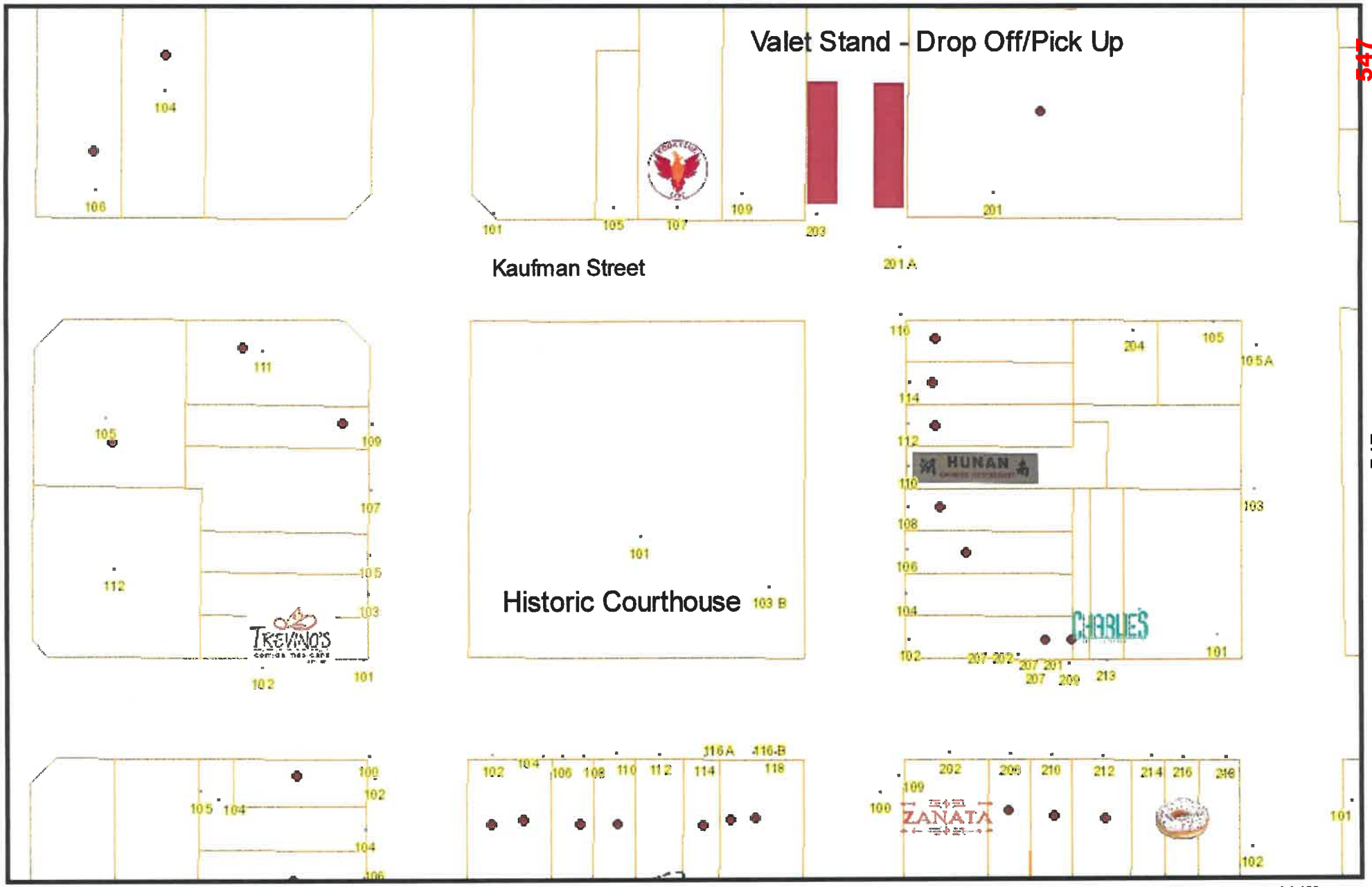
Thank you for your continued partnership with Downtown Rockwall!

Respectfully

Tammy Sharp
President
Downtown Rockwall Association

546

Web Map



Thank you for using the
City of Rockwall
GIS INTERACTIVE MAPPING SITE

10/3/2019, 9:49:51 AM
1:1,128
0 0.0075 0.015 0.03 mi
0 0.01 0.02 mi

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

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548

Cole, Kristy

Subject: FW: Sideways Beer Sales Request

-----Original Message-----
From: Sideways
Sent: Monday, September 23, 2019 3:13 PM
To: Boyd, Joey <JBoyd@rockwall.com>
Subject: Sideways Beer Sales Request

Joey,

Great talking to you today. I'm officially requesting to be on the next council agenda to sale Band Of Brothers Beer At our Veteran event Nov 9th. We will sale a cup and 2 tickets which gets you 2 beers. The tickets and cup will be taken to a booth where the cup will be filled with Band Of Brothers beer from Woodcreek Brew Company. The money will be 100% donated to a Vet Charity. We will give each person a stamp for 2 tickets. After 2 stamps and 4 beers they will he cut off. Not to mention, but I will he purchasing liquor beer liability insurance for that day to protect all of us. 4 beers that's all! But this money is essential to raising awareness and support for our Vets. Please let me know the next steps that I need to take to move forward. I will be at the council meeting if I need to. Thank you so much!

Josh Deaton
CO-Owner Sideways
972-670-3970

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550

City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council Members

FROM: Hotel Occupancy Tax Sub-committee Members
Mary Smith, Assistant City Manager

DATE: October 2, 2019

SUBJECT: Sideways BBQ – Salute to Veterans Event

The City received an application for hotel occupancy taxes for a Veteran Days event to be coordinated by Josh Deaton – the owner of Sideways BBQ. The event will be held on Saturday November 9th at the Harbor and will include food and entertainment. The total request was for $33,300.

Prior to Council action on the above, the Hotel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 363,500**
Budgeted Revenues	**1,009,000**
Previously Allocated Funding	**(651,370)**
Projected Fund Balance	**$ 721,130**

Subcommittee members Kevin Fowler, and Bennie Daniels met to discuss the request and are recommending a $7,500 award from hotel occupancy tax and the waiver of rental fees at the Harbor for the event. Council is asked to consider approving the funding as recommended by the subcommittee.

551

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2019

Application

MUST BE TYPED or PRINTED

DELIVER TO:
City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name: Sideways BBQ

Name of Event:	Sideways Solute to Vets		
Date(s) of Event:	Saturday, November 9, 2019		
Funding Request $:	$33,000		
Website Address:			
Mailing Address:	2067 Summer Lee Drive Suite 105 , Rockwall, TX 75032		
Physical Address:	2067 Summer Lee Drive Suite 105 , Rockwall, TX 75032		
Telephone:	972-670-3970	Work Cell:	469-769-1551

Primary Contact Name: (Project Director)	Josh Deaton		
Mailing Address:	5446 Ranger Drive, Rockwall, Texas 75032		
Email Address:	sideways@sidewaysbbq.com		
Telephone:	972-670-3970	Work Cell:	469-769-1551

Secondary Contact Name: (President/Board Chairman)	Mark Kipphut		
Mailing Address:			
Email Address:			
Telephone:	520-668-2216	Fax:	

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

1. Mark an "X" next to the category or categories that your organization is requesting funds:

552

☒ **Advertising/Tourism** **Requested funding amount $**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Describe the program or event for the upcoming fiscal year (Oct. 1, 2019 – Sept. 30, 2020) that the requested Hotel funding. What is your event and why are you having it?
This event is being offered to raise money for veteran's charities purposes. The event will support veterans and be an opportunity to show support and celebrate together with our Rockwall area veterans.

3. How does the event/program meet the definition of the categories marked in #1 (promotion of tourism and the hotel industry in Rockwall)?
The event will draw people from around the area in support of veterans charitable causes. We expect around 500 visitors to come and celebrate with us at The Harbor.

4. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property? If no, skip Question #5.
Yes Name location: The Harbor

5. Will your organization provide special event insurance coverage for the event/program if held on City property?
NO Name of Insurance Company:

6. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.
This is the 1st year of this event.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms

553

7. What specific market will you target with the event/program's marketing plan?
We target families between the ages of 35-70 but anyone is welcome. Program is advertised on social media and in local print/digital media outlets.
Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).
We will market via Local News papers, and online news outlets as well as through business connections.

8. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
   a) Separate checking account without combining with any other revenues or maintained in any other bank account or
   b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

   Will the organization be able to segregate the accounting process in either a) or b) above? Yes (B)

9. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Print Name:

Signature

Date

Event/Program Director:

Print Name: Josh Deaton

Signature

Date: 9/6/19

Both signatures are required for application to be considered complete.

554

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2020

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Sideways BBQ
Event/Program Name: Sideways Salute to Vets
Requested Funding: $ 33,000

Expenses (for this project only)		Funding Request a	Cash from all other sources b		Total a + b = c
1. Personnel					
Administrative					
Artistic					
Technical					
Other personnel					
2. Fees for outside professional service					
Administrative					
Artistic					
Technical					
3. Space Rental					
4. Equipment Rental					
5. Travel/Transportation					
6. Promotion/Printing					
7. Costumes/Royalties					
8. Other (supplies, postage etc.)					
9. Sub -Totals					
10. Total Expenses					

Revenues (for this project only)					
1. Total Amount of funding request		33,000			
2. Admissions (ticket and concessions)					
3. Donations					
4. Organizational funds budgeted					
5. Grants (State)					
6. Other (list):					
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions					
11. Total In-Kind					
12. Total Revenues					

Financial Information (for this project only)					
Fiscal Year (Oct 1st – Sept 30th)		2016	2017	2018	2019
Total Revenues					
Total Expenses					
Total Prior Year Hotel funds awarded					

555

ACTION	Costs	Cost+Tax	
LOGISTICS			
Golf Carts	1000	1082.5	
Musicians	7800	8443.5	
Sound System Bobby Clause 214-244-9747	2000	2165	
Lighting	1000	1082.5	
Music permit/DJ for non live music			
Power/Extension Cords	300	324.75	
Permits	359	388.6175	TABC 259, Special Event 60, Food Permit 40
Tents		0	
Table/Chairs 1.50/chair 8.00/table	500	541.25	
TABC Requiremets (WoodCreek)	259	280.3675	
Insurance		0	
Liability (Special Event Insurance)			
Weather		0	
Land Rental	1515	1639.9875	
Police/Security	3000	3247.5	
EMT	600	649.5	
Porta Johns and any support materials	2720	2944.4	City Potties Male and Female $2000 Each And United Site Services 866-330-4553 5=$657.62 + Tax
Ropes/Cones for sections	0	0	
Food and Accessories	3000	3247.5	
Setup Crew	0	0	
Tear Down Crew	0	0	
Determine Volunteer Reqt & Positions	0	0	
Clean up Garbage/bags/cans etc	100	108.25	
Parking Areas Approved and Secured		0	
Water (500) Bottles	300	324.75	
		0	
PROMOTIONS/Advertising		0	
Advertising		0	
Newspaper	500	541.25	
Social Media	1500	1623.75	
FUND RAISING		0	
Items to Raffel		0	
2 Smokers 1 Drum Smoker & 1 Trailer Smoker	3525	3815.8125	
Solicit other items to raffel		0	
Procure raffel tickets	500	541.25	
How much will we sell the raffel tickets for each		0	
		0	
Misc Items		0	
Kids Activities?		0	
	30478	32992.435	
		0	
Action Items			
Request 1 Cone Pod which is 50 Cones			
Waitning on Insurance Quotes			

556

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ **Go to *www.irs.gov/FormW9* for instructions and the latest information.**

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Sideways BBQ LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☑ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ C

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
2067 Summer Lee Dr. Suite 105

Requester's name and address (optional)

6 City, state, and ZIP code
Rockwall Tx 75032

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
[ ][ ][ ] - [ ][ ] - [ ][ ][ ][ ]

or

Employer identification number
8 2 - 2 9 0 2 0 4 7

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here | **Signature of U.S. person** ▶ By Sideways BBQ LLC | **Date** ▶ 2/20/19

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number:
2019-537620

Date Filed:
09/09/2019

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Sideways BBQ
Rockwall, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Sideways BBQ

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Hot2020
Festival to raise money for Vet charities and celebrate our Vets

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO Interested Party. [X]

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

_____
Signature of authorized agent of contracting business entity
(Declarant)

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559

Rockwall
Central Appraisal District

September 4, 2019

City of Rockwall
Rick Crowley
385 S. Goliad
Rockwall, Texas 75087

Texas Property Code Sec. 6.03 (a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section…To be eligible to serve on the board of directors, an individual must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office.

Texas Property Tax Code 6.03 (d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote,by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number.

Texas Property Tax Code 6.03 (g) Each taxing unit… that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.

Texas Property Tax Code 6.03 (j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsection (g)…alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.

Attached is a list reflecting each taxing unit's number of votes.

Current appointed members are:
Russell Summers
Mark Moeller
John Hohenshelt
Lorne Liechty
Lou Johnson

841 Justin Road
Rockwall, TX 75087
www.rockwallcad.com

Metro: 972-771-2034
Toll Free: 1-877-438-5304
Fax: 972-771-6871

560

2020-2021 Rockwall Central Appraisal District
Board of Directors Election

Entity	Number of Votes
City of Dallas	0
City of Fate	70
City of Garland	0
City of Heath	130
City of McLendon Chisolm	15
City of Rockwall	450
City of Rowlett	110
City of Royse City	110
City of Wylie	10
Rockwall ISD	2720
Royse City ISD	645
Rockwall County	755

561

CITY OF ROCKWALL
RESOLUTION NO. 19-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR SUBMISSION OF NAMES FOR BOARD MEMBER NOMINATIONS TO THE ROCKWALL CENTRAL APPRAISAL DISTRICT (CAD) BOARD OF DIRECTORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Texas Property Code Sec. 6.03 (a) provides that a board of directors governs the central appraisal district (CAD); and

WHEREAS, state law requires board of director appointments to the Rockwall CAD Board every odd numbered year to take office in even numbered years; and

WHEREAS, eligible taxing units participate in the appointment process by nominating up to five candidates for service consideration and submitting those names to the chief appraiser by October 15; and

WHEREAS, the chief appraiser will then prepare a ballot of all nominees and deliver it to the presiding officer of the governing body of each of the taxing units for voting by October 30; and

WHEREAS, a taxing unit's entitlement is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taking unit entitled to vote, by multiplying the quotient by 1,000 and rounded to the nearest whole number; and

WHEREAS, according to the chart contained within the letter dated September 4, 2019 and mailed to the City of Rockwall by the appraisal district, the City of Rockwall will have 450 votes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

Section 1. the Rockwall City Council, as a result of the Executive Session held at its regular city council meeting on the 7th day of October, 2019 hereby nominates and instructs the City Manager to send for submission to the CAD the following individuals:

1. John Hohenshelt
2. Patrick Trowbridge

Section 2. this Resolution shall become effective from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7th DAY OF October, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

563

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564

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller; Director of Planning and Zoning
DATE:	October 7, 2019
SUBJECT:	SP2019-031; *Appeal for a Variance for 259 Ranch Trail*

On August 16, 2019, the applicant Ryan Moorman of R. D. Moorman Inc. submitted an application requesting approval of a site plan converting an existing single-family home into an office building and proposing to construct a metal office/warehouse building on the subject property at 259 Ranch Trail. In conjunction with the site plan request, the applicant requested an exception to the building articulation requirements for the proposed metal office/warehouse building. Specifically, Subsection 4.01, *General Commercial District Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), states that the maximum wall length shall not exceed more than three (3) times the walls' height without a recess or projection of an architectural element. In this case, the maximum wall length permitted without a projection or off-set on the proposed metal/warehouse building would be ~48-feet. Based on the proposed building elevations submitted by the applicant the north and south façades show a wall length of 110-feet without a projection or off-set. According to Section 9.01, *Exceptions to the General Standards*, of Article XI, *Zoning Related Applications*, of the UDC, the Planning and Zoning Commission has the ability to grant an exception to the building articulation standards where [*1*] a unique or extraordinary condition exists or [*2*] where strict adherence to the technical requirements of the UDC would create an undue hardship. In cases where an exception is being requested the applicant is required to provide a letter to staff outlining [*1*] the reason for the exception being requested, [*2*] the unique or extraordinary condition that exists, and [*3*] the proposed compensatory measures (*e.g. increased landscaping, masonry building materials in percentages equal to or greater than the surrounding properties, etc.*). The applicant provided staff with a letter outlining the proposed compensatory measures (*i.e. [1] the provision of a wainscot on the front of the building and [2] 41.25% landscape in lieu of the ten [10%] required*); however, did not provide [*1*] the reason for the exception being requested or [*2*] the unique or extraordinary circumstance that exists. On September 10, 2019, the Planning and Zoning Commission reviewed the site plan, building elevations, and the applicant's letter and approved a motion to approve the site plan by a vote of 4-2, with Commissioners Womble and Welch dissenting and Commissioner Moeller absent; however, due to the lack of a supermajority vote (*i.e. three-fourths of the members present*) the exception to the building articulation standards was denied.

In response to this denial, the applicant has submitted a request to appeal the decision to the City Council. According to Section 9.01, *Exceptions to the General Standards*, of Article XI, *Zoning Related Applications*, of the UDC, "(i)f the Planning and Zoning commission denies a request for an exception, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any exception … shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative." Attached to this memorandum is the applicant's appeal letter and the packet provided to the Planning and Zoning Commission. Approval of any appeal relating to an exception is a discretionary decision for the City Council.

R.D. MOORMAN, INC.

September 30, 2019

Mr. Korey Brooks
City of Rockwall, Senior Planner
Planning and Zoning Department Coordinator
385 S. Goliad
Rockwall, TX 75087

Re: 259 Ranch Trail, Rockwall, TX 75032

Dear Mr. Brooks:

We applied to Planning and Zoning for a site plan approval and a variance to the articulation standard. The site plan was approved but the variance was denied. We are appealing the denial based on the below statements.

Justification for appeal:

M. 9 "The building elevations do not meet the horizontal articulation requirements. Facades shall have a maximum wall length of three (3) time the wall height or an exception to the articulation standards is required to be approved by the Planning and Zoning Commission. According to Subsection 9.01 Exceptions to the General Standards, of Article XI, Zoning related applications of the Unified Development Code, of the Unified Development Code (UDC), **in cases where an exception(s) are being requested, the applicant shall provide compensatory measures that directly offset the requested exception**. These may include – but not limited to a masonry wainscot on all four (4) sides of the building, increase landscaping (i.e. additional canopy trees, accent trees, landscape percentage, etc.)."

We are currently providing wainscot on the front of the proposed building and providing 41.25% landscape, which only required (10%).

259 Ranch Trail,
Rockwall, TX 75032
Office (972) 722-2408; Fax (972) 722-0035; Email: admin@rdmoormaninc.com

Furthermore, Exhibit A, aerial view shows all the existing buildings do not meet the articulation standard.

In addition to providing the two compensatory measures, our argument is per our exhibit, we are requesting to be consistent with the other businesses on the street, all of which do not meet the articulation standards.

If the City Council does not approve our variance, we would be the only building on the street that meets the articulation standard.

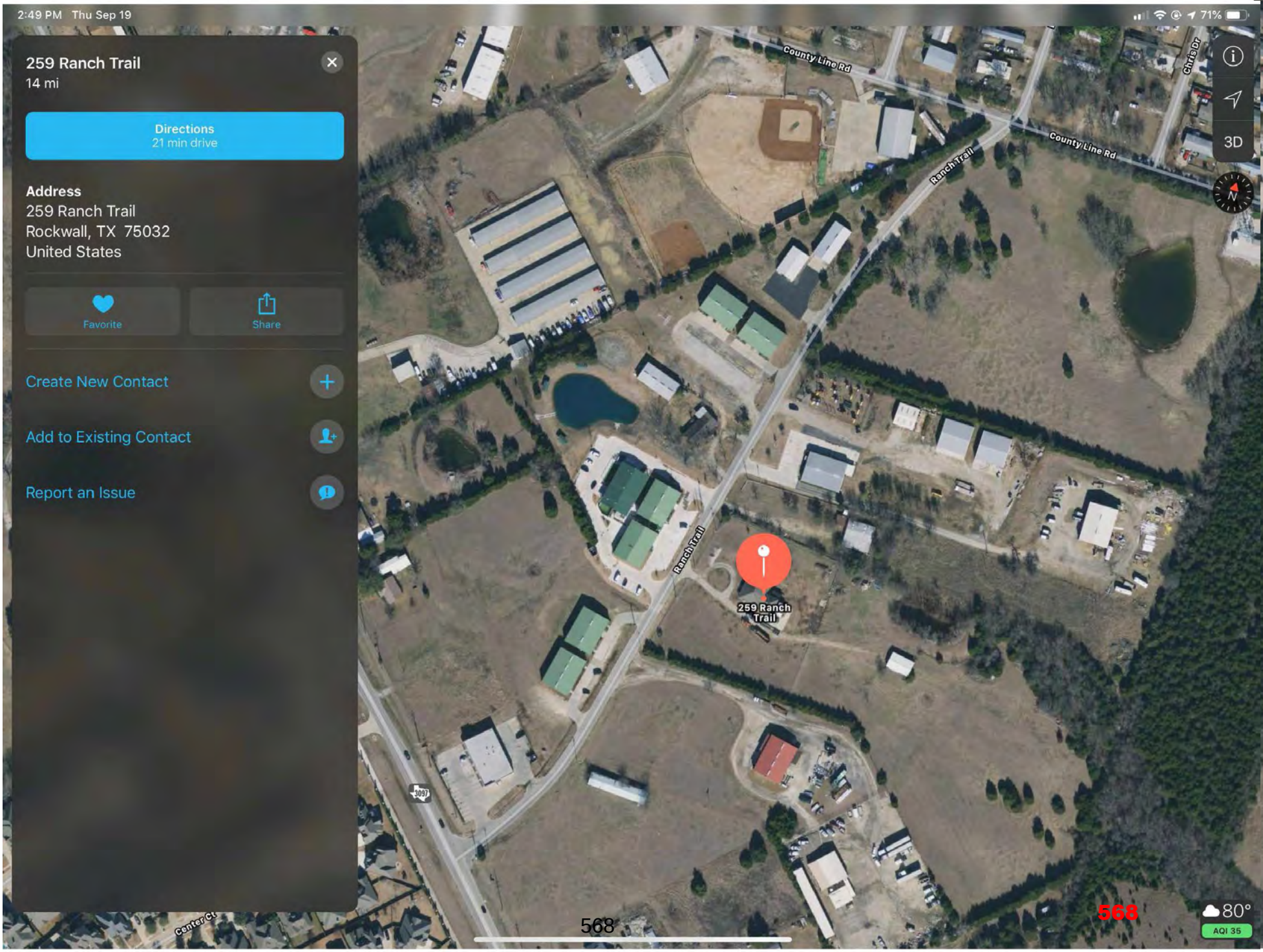
Regards,

Ryan Moorman
Ryan Moorman

Attached Ex. A

259 Ranch Trail,
Rockwall, TX 75032
Office (972) 722-2408; Fax (972) 722-0035; Email: admin@rdmoormaninc.com

Exhibit A


2:49 PM Thu Sep 19
71%
259 Ranch Trail
14 mi
Directions
21 min drive
Address
259 Ranch Trail
Rockwall, TX 75032
United States
Favorite
Share
Create New Contact
Add to Existing Contact
Report an Issue
County Line Rd
Chris Dr
Ranch Trail
3D
259 Ranch Trail
Center Ct
568
80°
AQI 35

CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Planning and Zoning Commission
DATE:	September 10, 2019
APPLICANT:	Ryan Moorman; *R. D. Moorman, Inc.*
CASE NUMBER:	SP2019-031; *Site Plan for 259 Ranch Trail*

SUMMARY

Discuss and consider a request by Ryan Moorman of R. D. Moorman, Inc. for the approval of a site plan for an office building on a 1.244-acre parcel of land identified as Lot 22, Rainbow Acres Addition, City or Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 Ranch Trail, and take any action necessary.

BACKGROUND

The subject property was annexed in 2004 [*Ordinance No. 04-34*] and zoned Commercial (C) District. In 2017, the City Council approved a replat [*Case No. P2017-050*] to subdivide the subject property (*i.e. Lots 22 and 23*) from the adjacent property in order for it to be developed for the construction of a mini-warehouse facility on Lot 23. Currently situated on the subject property is a single-family home that has been converted into an office building. In addition, the subject property has a detached garage and a metal accessory building located behind the primary structure.

PURPOSE

The applicant is requesting to construct a 4,950 SF metal office building in conjunction with and adjacent to the existing office building. The subject property is a 1.244-acre parcel of land that is zoned Commercial (C) District. According to the applicant, the purpose of the building is to provide additional office space and storage.

ADJACENT LAND USES AND ACCESS

The subject property is located at 259 Ranch Trail. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are several commercial structures. Beyond this is vacant tract of land adjacent to County Line Road. County Line Road is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. These areas are all zoned Commercial (C) District.

South: Directly south of the subject property several are commercial structures. Beyond this is vacant tract of land that is adjacent to FM-3097. FM-3097 is identified as a M4D *(Major Collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan. These areas are zoned Commercial (C) District.

East: Directly east of the subject property is a 7.489-acre parcel of land where a mini-warehouse facility has been proposed to be constructed. This is followed by a 131.39-acre tract of vacant land (*i.e. Tract 43-01 of the W. W. Ford Survey, Abstract No. 80 – commonly referred to as the Wallace Tract*). These areas are zoned Commercial (C) and Agricultural (AG)

District. Beyond this are two (2) single-family residential subdivisions (*i.e. the Oaks of Buffalo Way and Willowcrest Estates Subdivisions*), which are zoned Single-Family Estates 1.5 (SFE-1.5) District.

West: Directly west of the subject property is Ranch Trail, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this are several commercial structures, that are zoned Commercial (C) District.

DENSITY AND DIMENSIONAL REQUIREMENTS

According to Section 1.1, *Land Use and Buildings,* of Article IV, *Permissible Uses,* of the Unified Development Code (UDC), an office building is permitted by-right in a Commercial (C) District and no additional approvals are necessary with regard to the proposed land use. With the exception of the variances being requested the submitted site plan, landscape plan, treescape plan, and building elevations generally conform to the technical requirements contained within the UDC for a property located within a Commercial (C) District. A summary of the density and dimensional requirements for the subject property are as follows:

Ordinance Provisions	*Zoning District Standards*	*Conformance to the Standards*
Minimum Lot Area	*10,000 SF*	*X=54,210 SF; In Conformance*
Minimum Lot Frontage	*60-Feet*	*X=200-Feet-In Conformance*
Minimum Lot Depth	*100-Feet*	*X=227-336-Feet; In Conformance*
Minimum Front Yard Setback	*15-Feet*	*X=15-Feet; In Conformance*
Minimum Rear Yard Setback	*10-Feet*	*X=10-Feet; In Conformance*
Minimum Side Yard Setback	*10-Feet*	*X=10-Feet; In Conformance*
Maximum Building Height	*60-Feet*	*X=16-Feet; In Conformance*
Max Building/Lot Coverage	*60%*	*X=14%; In Conformance*
Minimum Number of Parking Spaces	*17 Parking Spaces*	*X=26 Spaces; In Conformance*
Minimum Landscaping Percentage	*15%*	*X=41%; In Conformance*
Maximum Impervious Coverage	*85-90%*	*X=41%; In Conformance*

The proposed office building will be approximately 4,950 SF, 16-feet in height, and be situated adjacent to the north façade of the existing office building. The structure will be constructed of metal and utilize a four (4) foot brick wainscot, storefront glass, and a roll-up door on the front façade. According to the applicant, the existing metal accessory building will be removed. Staff should note that most of the surrounding buildings are metal and this office building will be located directly in front of a proposed mini-warehouse facility that will consist of 575 units within 19 metal buildings.

TREESCAPE PLAN

The submitted landscape plan identifies that there are no protected trees being removed from the site.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 4.05, *Commercial (C) District*, of Section 4, *Commercial Districts*, Article V, *District Development Standards*, of the Unified Development Code (UDC), the Commercial (C) District is a district "…intended to provide commercial land uses such as retail, large shopping centers, and restaurants. Commercial (C) Districts are generally situated in close proximity to an arterial or major collector that is capable of carrying the traffic generated by the land uses in the district…" In addition, these areas "…may require increased water, fire protection, and wastewater and drainage capacity. Since the Commercial (C) District is general in nature, development standards are less stringent as lower intensity districts such as Residential-Office (RO), Neighborhood Services (NS), and General Retail (GR) Districts…" In this case, the applicant's request appears to conform to the requirements of the Unified Development Code (UDC). Specifically, the subject property is adjacent to Ranch Trail

Road -- *identified as a Minor Collector on the City's Master Thoroughfare Plan* --, and the proposed land use (*i.e. office*) is not typically a high-volume water/wastewater user. With regard to the land use, an office building is permitted by-right in a Commercial (C) District.

Subsection 5.2, *Screening of Off-Street Loading Docks*, of Section 5, *Mandatory Provisions*, of Article VIII, *Landscape Standards,* of the Unified Development Code (UDC), off-street loading docks in commercial zoning classification must be screened from public streets and any residential district that abuts or is directly across a public street or alley from the lot. In this case, the proposed office building incorporates one (1) roll-up door (*i.e. loading dock*) that will face Ranch Trail. The applicant is proposing to screen the loading dock by providing additional landscaping directly in front of the roll-up door to limit visibility from Ranch Trail. Additionally, the landscape buffer adjacent to Ranch Trail will also provide screening from the street. Staff should note, although screening is being provided, it is possible that the roll-up door will still have limited visibility from Ranch Trail. In addition, this seems to be similar to other buildings that are located along Ranch Trail. The Planning and Zoning Commission is tasked with reviewing the proposed screening and determining additional screening is necessary. Approval of this request is a discretionary decision for the Planning and Zoning Commission.

EXCEPTIONS REQUESTED BY THE APPLICANT

Based on the information submitted by the applicant, staff has identified the following exceptions to the requirements of the Unified Development Code (UDC):

(1) Building Articulation

(a) *Maximum Wall Length*. Subsection 4.01, *General Commercial District Standards*, of Section 4, *Commercial District*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), stipulates that the maximum wall length shall not exceed more than three (3) times the wall's height without a recess or projection of an architectural element. In this case the maximum wall length is approximately 48-feet; however, the length of the north and south façade of the proposed metal building will be 110-feet and will not utilize a projection, recess, or architectural element. Since this exceeds the maximum wall length, an exception to the building articulation standards is required to be approved by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). Section 9, *Exceptions and Variances,* of Article XI, *Zoning Related Applications,* of the Unified Development Code (UDC), gives the Planning and Zoning Commission the ability to grant an exception to the building articulation standards where unique or extraordinary conditions exists or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. In cases where an exception is being requested the applicant is required to provide a letter to staff outlining [1] the reason for the exception being requested, [2] the unique or extraordinary conditions that exists, and [3] the proposed compensatory measures (*e.g. increased landscaping, masonry building materials in percentages equal to or greater than the surrounding properties, etc*.). The applicant has provided staff with a letter outlining the proposed compensatory measures; however, did not provide [1] the reason for the exception being requested or [2] the unique or extraordinary circumstance that exists. In this case, the Planning and Zoning Commission is tasked with reviewing the proposed compensatory measures and determining if additional compensatory measures are necessary to offset the exception being requested.

This exception is a discretionary decision for the Planning and Zoning Commission and requires a super-majority vote with a minimum of four (4) votes in the affirmative for approval. In the event that the exception is denied, the applicant has the ability to appeal the Planning and Zoning Commission's decision to the City Council by filing a written request with the Planning and Zoning Department.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The Future Land Use Plan adopted with the OurHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the ***Southwest Residential District*** and is situated within an area that is identified as a *Transitional Area*. According to the district, the *Transitional Area* is defined as, "…currently transitioning from interim land uses and building types to more permanent structures with conforming land uses. These areas should be given special consideration with regard to requests that further the establishment of uses and structures that will improve the property values of the adjacent properties…" In this case, this use and the proposed metal buildings are similar to the existing buildings in the area, and the proposed improvements are similar to other buildings that have been approved along Ranch Trail since this area was annexed by the City in 2004.

The Comprehensive Plan aims to encourage quality commercial development throughout the city by ensuring that industrial/office uses are adequately buffered and/or screening from residential land uses. Roadways and open space serve as a natural separation between non-residential areas and residential subdivisions. Landscape buffers utilizing a combination of berms and mature landscaping should be utilized for non-residential properties that area adjacent to residential or agricultural land. In this case, the subject property is largely surrounded by commercial/industrial uses. The applicant is also providing a landscape buffer adjacent to Ranch Trail. Due to these reasons, this request seems to generally conform to the policies of the Comprehensive Plan regarding screening of non-residential properties.

ARCHITECTURAL REVIEW BOARD (ARB):

On August 28, 2019, the Architectural Review Board (ARB) reviewed the proposed building elevations and passed a motion to recommend approval of the site plan by a vote of 3-1 with Board Member Neill dissenting and Board Members Meyrat, Wacker, and Johnson absent.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's site plan then staff would propose the following conditions of approval:

(1) The existing metal accessory building shall be removed prior to issuance of a Certificate of Occupancy (CO). This requirement is due to the change of use on the property and the non-conforming nature of the structure.

(2) Any construction resulting from the approval of this site plan shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

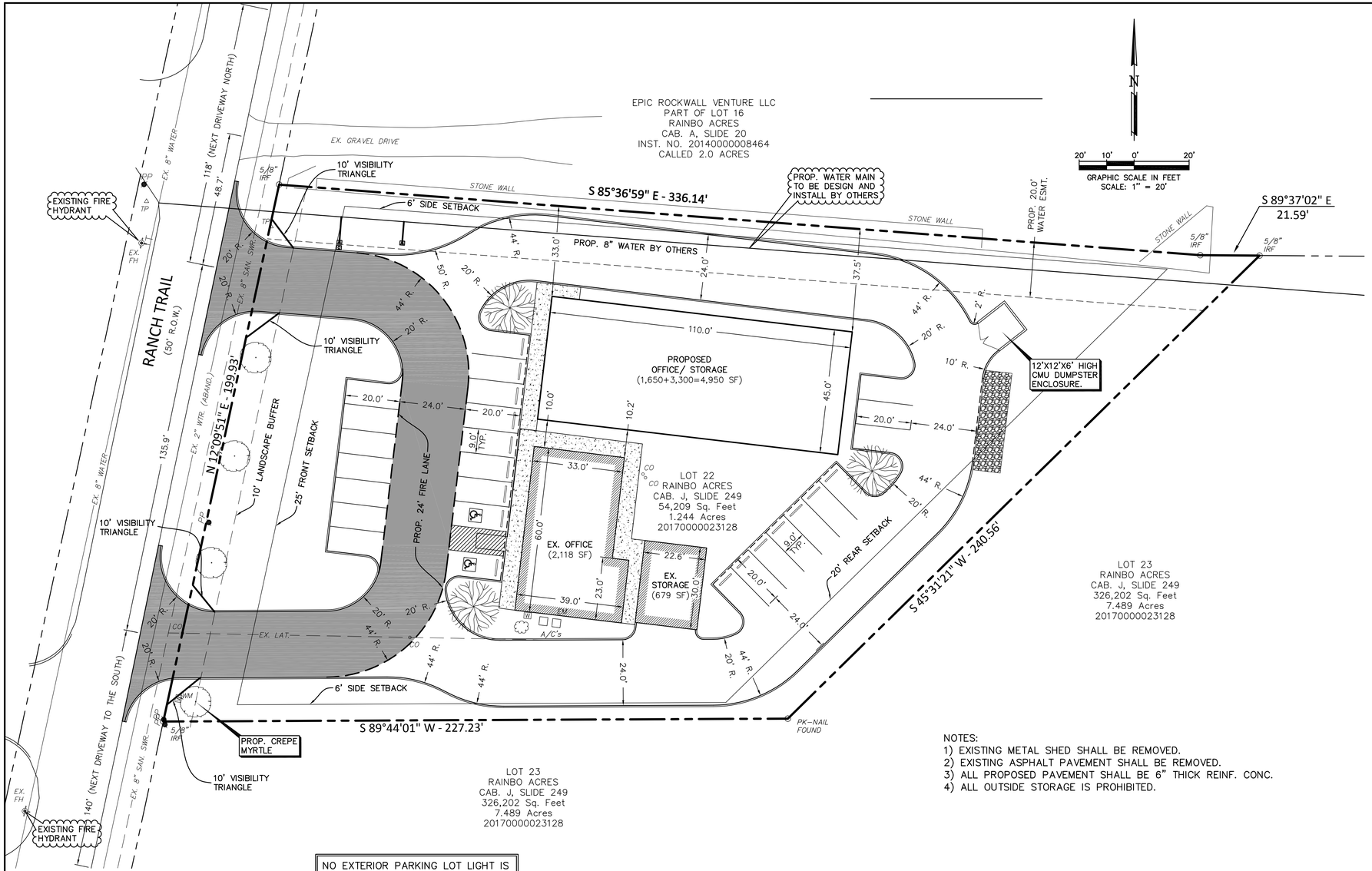


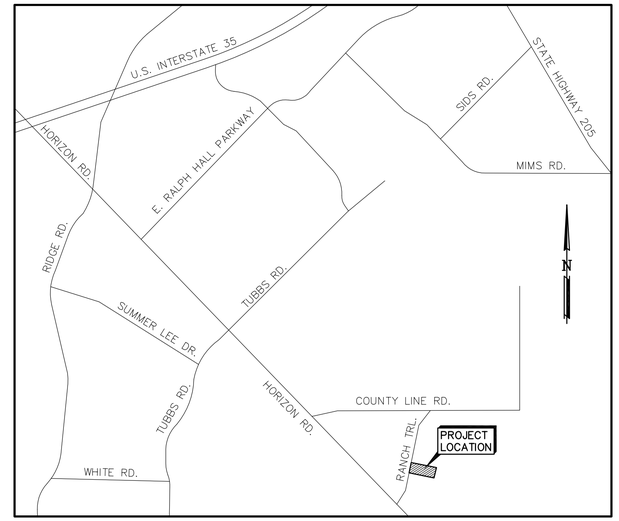
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

573





VICINITY MAP
N.T.S.

SITE DATA

LOT AREA	54,210 SF ~ 1.244 AC
ZONING	COMMERCIAL
IMPERVIOUS AREA – BUILDING	7,747 SF
IMPERVIOUS AREA – PAVING	24,100 SF
TOTAL IMPERVIOUS AREA	31,847 SF (58.75%)
LANDSCAPE AREA	22,363 SF (41.25%)

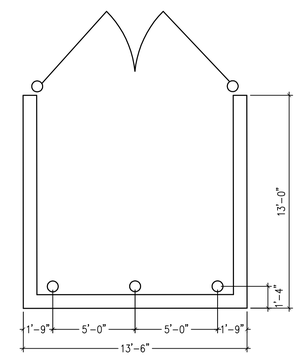
PARKING CALCULATION

PARKING REQUIRED (OFFICE)	2,118/300 = 7 SPACES
PARKING REQUIRED (OFFICE)	1,650/300 = 6 SPACES
PARKING REQUIRED (STORAGE)	679/1000 = 1 SPACE
PARKING REQUIRED (STORAGE)	3,300/1000 = 3 SPACES
TOTAL PARKING REQUIRED	17 SPACES
PARKING PROVIDED	26 SPACES

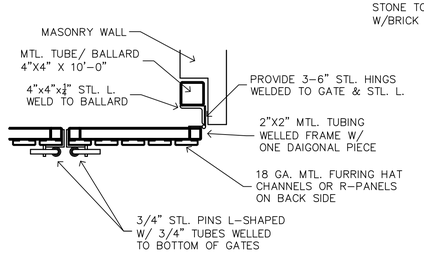
NOTES:
1) EXISTING METAL SHED SHALL BE REMOVED.
2) EXISTING ASPHALT PAVEMENT SHALL BE REMOVED.
3) ALL PROPOSED PAVEMENT SHALL BE 6" THICK REINF. CONC.
4) ALL OUTSIDE STORAGE IS PROHIBITED.

NO EXTERIOR PARKING LOT LIGHT IS PROPOSED FOR THIS DEVELOPMENT

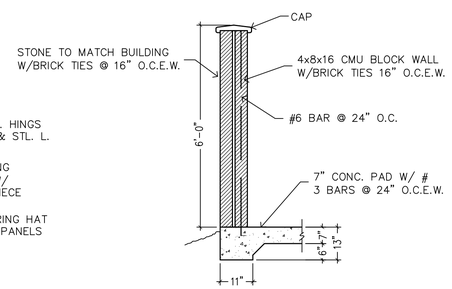
DETENTION FOR THIS DEVELOPMENT (LOT 22) WILL BE DESIGNED AND PART OF LOT 23 DEVELOPMENT, PER OWNERS AGREEMENT.



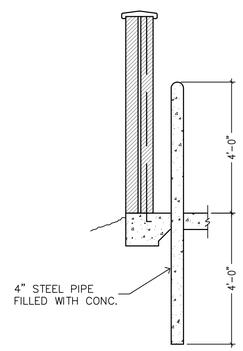
1 DUMPSTER PLAN
N.T.S.



2 DETAIL@ BALLARD
N.T.S.



3 SECTION @ DUMPSTER WALL
N.T.S.



4 DETAIL@ BALLARD
N.T.S.

OWNER:
R.D. MOORMAN, INC.
259 RANCH TRAIL
ROCKWALL, TEXAS 75032

SURVEY INFORMATION ON THIS DRAWING WAS PROVIDED BY OTHERS. LAM CONSULTING ENGINEERING IS NOT RESPONSIBLE FOR THE ACCURACY OF THE TOPOGRAPHIC MAPPING NOR BENCHMARK DATUM.

ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN.

THE INFORMATION SHOWN ON THIS PLAN IS FROM RECORD DRAWINGS. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS DRAWING. CONTRACTOR SHALL FIELD VERIFY ALL UTILITIES AND CONTACT ALL UTILITY COMPANIES 48 HRS PRIOR TO ANY EXCAVATION. 1-800-DIG TESS

PRELIMINARY FOR REVIEW ONLY

STATE OF TEXAS
TUAN P. LAM
86968
LICENSED PROFESSIONAL ENGINEER

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TUAN P. LAM, P.E. 86968 ON 8/27/19. ALTERATION OF A SEALED DOCUMENT WITHOUT THE PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

CASE# SP2019-031

SITE PLAN

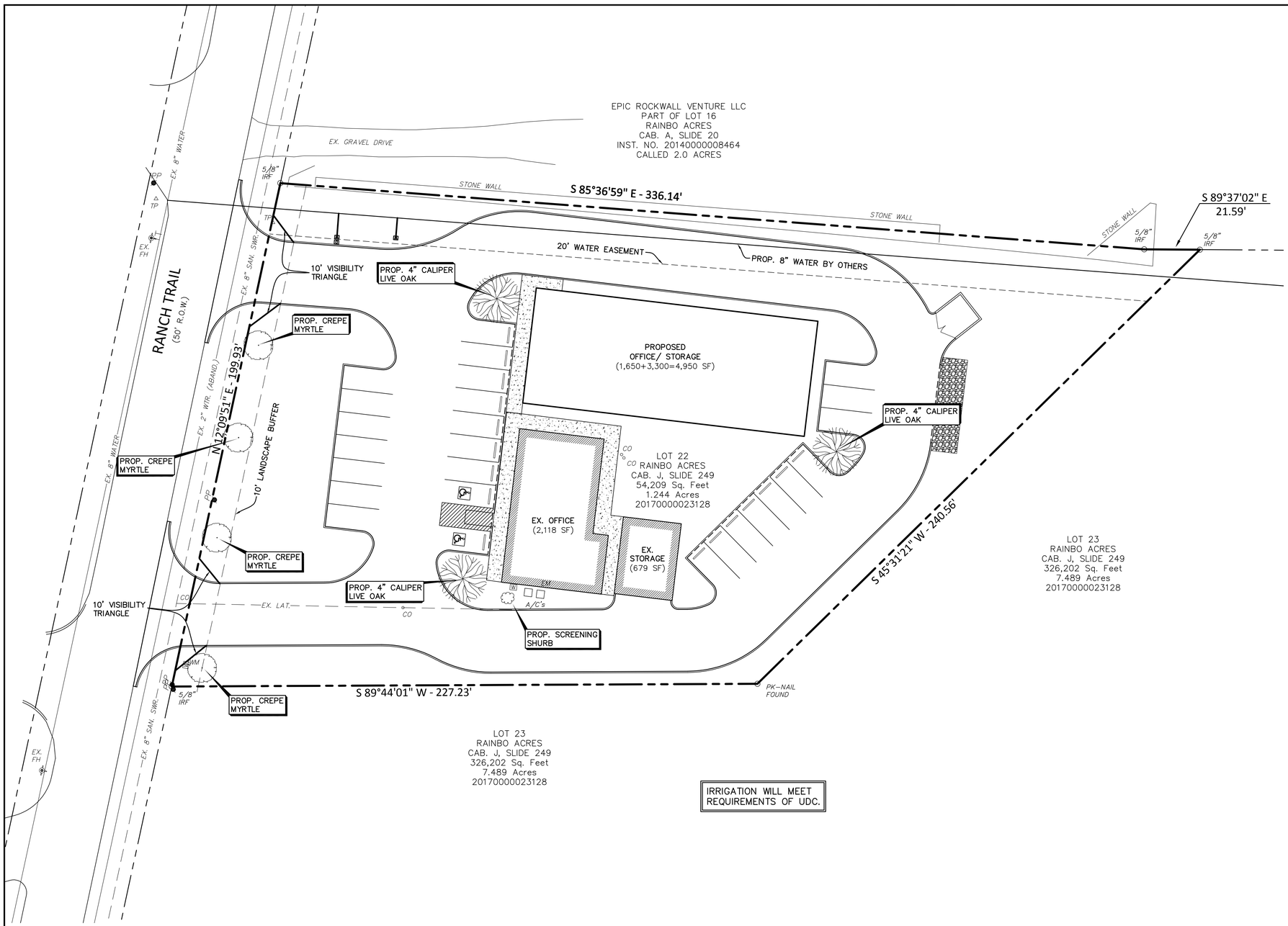
RAINBO ACRES – LOT 22
R.D. MOORMAN, INC.
259 RANCH TRAIL
ROCKWALL, TEXAS 75032

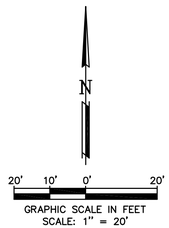
LAM CONSULTING ENGINEERING
6804 WILHELMINA DRIVE
SACHSE, TEXAS 75048
Phone (214) 766-1011
www.lamcivil.com
Firm #F-9763

DESIGN:	LCE	CHECK:	LCE	SCALE:	AS NOTED
DRAWN:	CTL	DATE:	AUGUST 2019	PROJECT:	0643-19

2 OF X

574





IRRIGATION WILL MEET REQUIREMENTS OF UDC.

SITE DATA

LOT AREA	54,210 SF ~ 1.244 AC
ZONING	COMMERCIAL
IMPERVIOUS AREA – BUILDING	7,747 SF
IMPERVIOUS AREA – PAVING	24,100 SF
TOTAL IMPERVIOUS AREA	31,847 SF (58.75%)
LANDSCAPE AREA	22,363 SF (41.25%)

LANDSCAPE TABLE

1 TREE PER 50' OF FRONTAGE	200'/50 = 4 TREES
1 TREE PER 20,000 SF PARKING	4,680/20,000 = 1 TREE
TOTAL TREE REQUIRED	5 TREES
TOTAL TREE PROVIDED	3 TREES (LIVE OAK)
	4 TREES (CREPE MYRTLE)
TOTAL LANDSCAPE REQUIRED	5,421 SF (10.0%)
TOTAL LANDSCAPE PROVIDED	22,363 SF (41.25%)

ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN.

PRELIMINARY FOR REVIEW ONLY

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OWNER:
R.D. MOORMAN, INC.
259 RANCH TRAIL
ROCKWALL, TEXAS 75032

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CASE# SP2019-031

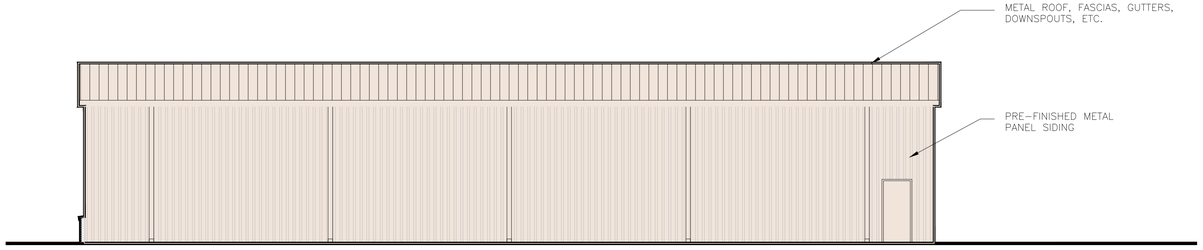
LANDSCAPE PLAN

RAINBO ACRES - LOT 22
R.D. MOORMAN, INC.
259 RANCH TRAIL
ROCKWALL, TEXAS 75032

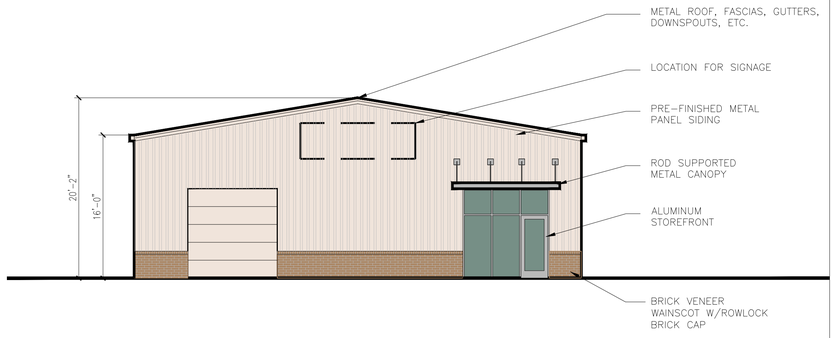
LAM CONSULTING ENGINEERING
6804 WILHELMINA DRIVE
SACHSE, TEXAS 75048
Phone (214) 766-1011
www.lamcivil.com
Firm #F-9763

DESIGN: LCE	CHECK: LCE	SCALE: AS NOTED	3 OF X
DRAWN: CTL	DATE: AUGUST 2019	PROJECT: 0643-19	

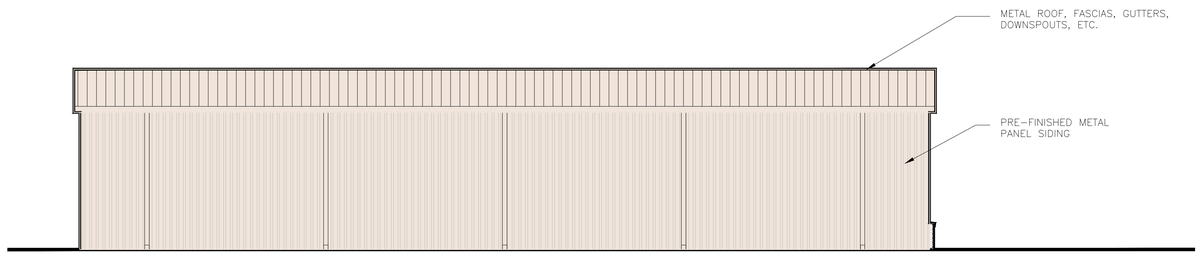
575



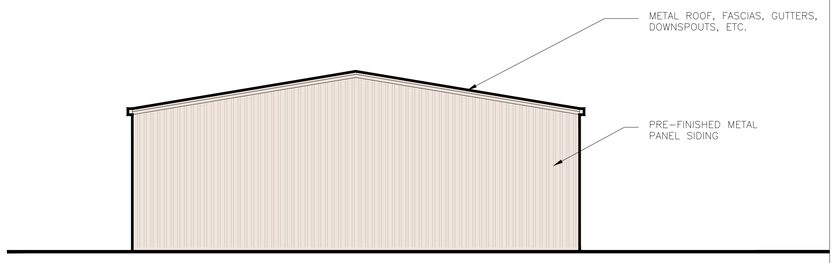
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THIS DOCUMENT IS FOR INTERIM REVIEW ONLY AND NOT INTENDED TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

RONALD G. BROWN
REGISTERED ARCHITECT
TEXAS NO. 14293

PRIZM ARCHITECTS INTERNATIONAL LTD., INC.
ARCHITECTS DESIGNERS PLANNERS
580 DECKER DRIVE, SUITE 170 IRVING, TEXAS 75062
(972) 714-0420, FAX (972) 714-0282

MINI-WAREHOUSE COMPLEX
RANCH TRAIL
ROCKWALL, TEXAS

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□□□□□DA□□□ 09/20/2017

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577

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	October 7, 2019
SUBJECT:	Comprehensive Plan Advisory Committee (CPAC)

On December 3, 2018, the City Council approved *Ordinance No. 18-48*, which adopted the OURHometown Vision 2040 Comprehensive Plan. This document was the result of a two (2) year collaboration between the Comprehensive Plan Advisory Committee (CPAC), the City's boards and commissions, City staff, and the general public. The original resolution that established the CPAC in 2016 (*i.e. Resolution No. 16-17*) contained a sunset clause dissolving the committee upon the adoption of the Comprehensive Plan; however, one of the adopted implementation strategies approved with the plan calls for a standing CPAC committee that can assist staff with the required annual updates.

In response to this implementation strategy staff is requesting that the City Council appoint a standing CPAC that will function similar to the City's other advisory boards. To assist the City Council, staff has included the memorandum and guidelines presented to the City Council in 2016, and a list of the previous members of the CPAC. Staff should point out that while the previous CPAC consisted of seven (7) members, the City Council may establish a larger committee at their discretion. Staff anticipates that this committee will only meet two (2) to three (3) times a year during the annual update process, and potentially more during the five (5) and ten (10) year update process. Once the City Council has provided staff with direction concerning the committee and the number of members, staff will prepare a resolution outlining the responsibilities of the committee. Staff is currently preparing the annual update to the OURHometown Vision 2040 Comprehensive Plan for the committee's review. Should the City Council have any questions concerning this request, staff will be available at the *October 7, 2019* City Council meeting.

2016 CPAC Members:

1) Donna Dorman
   Personal: *Unknown*
   Boards/Committees: Rockwall Summer Musicals Member, Keep John King a Boulevard, Friends of Raymond Cameron Lake
   Address: 1093 Shady Lane Drive (Caruth Lakes, Phase 6)
   Phone: (972) 571-9855
   Email:donnadorman@swbell.net

2) Johnny Lyons
   Personal: Lyons Heating and Air (108 Interruban Street)
   Boards/Committees: Planning and Zoning Commission
   Address: 101 Becky Lane
   Phone: (214) 808-9029
   Email: jlyons@lyonsairandheat.com

3) Jerry Welch
   Personal: Ebby Halliday Realtors
   Boards/Committees: Architectural Review Board (ARB)
   Address: 1509 S. Lakeshore Drive
   Phone: (972) 800-3915
   Email: jerry@thewelchteam.com

4) Bob Wacker
   Personal: Retired
   Boards/Committees: N/A
   Address: 806 Miramar Drive (Stone Creek)
   Phone: (214) 801-9377
   Email: bobwacker@att.net

5) Shannon Nerren
   Personal: Civil Engineer
   Boards/Committees: N/A
   Address: 401 Forest Trace (599 Trout Street -- LRE)
   Phone: (409) 504-8769
   Email: swn@azb-engrs.com

6) Mike Larriviere
   Personal: Keystone Insurance & Bonds
   Volunteer: YMCA, Carter BloodCare, RISD, Lake Pointe Church
   Address: 1425 E. Quail Run Road
   Phone: (214) 649-3699
   Email: mike@kswins.com

7) Dale Cherry
   Personal: Civil Engineer
   Boards/Committees: REDC
   Address: 508 Highview Lane
   Phone: 972-978-3650
   Email: jdalecherry@gmail.com

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: October 3, 2016

SUBJECT: Comprehensive Plan Advisory Committee (CPAC) Resolution

As will be discussed in the work session on October 3, 2016, the City Council will need to appoint a citizen steering committee to assist staff through the proposed Comprehensive Plan update. In order to give the City Council the option of approving the resolution and/or appointing members at the October 3, 2016 meeting staff has placed this as an action item on the agenda; however, this item can be postponed to a future meeting date and does not require the Council to take action. Staff has attached the proposed resolution and a list of suggested criteria for selecting members that was provided to the City Council during the 2010 Comprehensive Plan update (*see Exhibits 'A'*). Should the City Council have any questions staff will be available at the meeting to discuss.

Suggestions for Comprehensive Plan Advisory Committee

- ☑ Former Planning and Zoning Commissioners;
- ☑ Current or past REDC Board Members;
- ☑ Former or Current County Commissioners;
- ☑ Independent local businessmen with interest in community;
- ☑ Representatives from the R.I.S.D. (could be a teacher);
- ☑ Real Estate individual involved in residential and commercial development;
- ☑ Local Corporate Business owner or CEO;
- ☑ Local Builder/Developer;
- ☑ Banking/Financial Investment representative involved in local development and business investment;
- ☑ Individuals that represent large neighborhoods/subdivisions or H.O.A. within the city;
- ☑ Local Civil Engineers involved in land use and development;
- ☑ Citizens that are large land owners or representatives of large land owners within the City; and,
- ☑ Representatives from non-profit organizations that affect large areas of the City.

The potential participants on the Committee should generally be individuals that:

- ☑ are interested in the growth of the City
- ☑ may have been involved in land use planning
- ☑ may have been involved in a land use conflict
- ☑ may have a considerable influence on land use planning
- ☑ may be affected by the outcome of land use planning

CITY OF ROCKWALL

RESOLUTION NO. 16-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING THE COMPREHENSIVE PLAN ADVISORY COMMITTEE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a City's Comprehensive Plan -- *also known as a general plan or master plan* -- is a document intended to layout a 20-year vision for a city and guide a City Council's actions on policy decisions relating to land use and development regulations, and expenditures for capital improvements; and,

WHEREAS, the City Charter for the City of Rockwall states that "(t)he existing master plan [*Comprehensive Plan*] for the physical development of the City contains recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction ... "; and,

WHEREAS, the City of Rockwall's Comprehensive Plan was originally drafted in 1966 with major updates being approved in 1986, 1995, and 2001; and,

WHEREAS, the City of Rockwall's last Comprehensive Plan update was adopted on March 5, 2012 by *Resolution No. 12-07*; and,

WHEREAS, the City Council of the City of Rockwall acknowledges that the Comprehensive Plan needs to be updated from *time-to-time* to account for changes to the physical development of the City and to provide a clear vision for the future growth of the community; and,

WHEREAS, in an effort to ensure transparency and to further citizen involvement in the planning process, the City Council hereby establishes an appointed board of Rockwall citizens to serve as the Comprehensive Plan Advisory Committee (CPAC); and,

WHEREAS, the Comprehensive Plan Advisory Committee (CPAC) shall serve as an advisory and recommending body to ensure that the findings, recommendations and strategies identified by City staff are in alignment with the goals and vision of the community and the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. *Purpose.* The Comprehensive Plan Advisory Committee (CPAC) serves in an advisory role overseeing the preparation of the Comprehensive Plan update to achieve the following:

1) To provide advisory recommendations to City Staff, the City Council Development Review Committee (CCDC), and the City Council; and,

2) To ensure that all findings, recommendations and strategies prepared for the Comprehensive Plan update are in alignment with the goals and vision of the Community and the City Council.

SECTION 2. *Members.* The Comprehensive Plan Advisory Committee (CPAC) shall consist of seven (7) members that are appointed by the City Council. These members should be representative of the community and may consist of members of the City's other boards and commissions, community leaders, stakeholder groups and development experts; however, all

appointees shall be citizens of the City of Rockwall.

SECTION 3. *Officers.* At the first Comprehensive Plan Advisory Committee (CPAC) meeting, the committee shall elect a Chairman and Vice-Chairman. These positions will serve for the duration of the committee [*i.e. until the dissolution date*].

SECTION 4. *Voting.* All recommendations and decisions of the Comprehensive Plan Advisory Committee (CPAC) shall be decided by a simple majority vote.

SECTION 5. *Meetings.* The Comprehensive Plan Advisory Committee (CPAC) shall meet on an as needed basis. Since the CPAC is an advisory board and not a regulatory board, its meetings shall not be subject to the requirements of the Texas Open Meetings Act as stipulated by Chapter 551 of the *Texas Local Government Code*; however, the agenda for each meeting shall be posted on the City's bulletin board, in front of City Hall, a minimum of 24-hours prior to the meeting. The agenda shall indicate the time and place of each meeting. All CPAC meetings shall be open to the general public.

SECTION 6. *Dissolution Date [Sunset Clause].* Upon the completion and adoption of the 2017 Comprehensive Plan Update, the Comprehensive Plan Advisory Committee (CPAC) shall be dissolved and its members shall be released from any further obligations with respect to the Committee.

SECTION 7. *Effective Date.* This resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 3RD DAY OF OCTOBER, 2016.

APPROVED:

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

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584

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **October 2, 2019**

SUBJECT: **Boards & Commissions (re)Appointments**

Council is asked to consider the following reappointments and vacancies, terms of which expired last month. The Council liaison(s) assigned to each board is listed next to the board title. Unless otherwise noted, each person listed below who is eligible for reappointment has given staff indication that he or she does wish to be reappointed.

Airport Advisory Board (Pruitt, Fowler and Macalik)

- Mike Potter
- Tim Wolf
- Tom Woodruff
- *VACANCY TO BE FILLED*

Board of Adjustments (full Council)

- David Lowrey
- Stuart Smith
- Shannon Bennett
- Peter Flores does NOT wish to be reappointed – *VACANCY TO BE FILLED*
- Todd White is termed out - – *VACANCY TO BE FILLED*

Historic Preservation Advisory Board (Trowbridge)

- Carolyn Francisco
- Jay Odom
- Daniel Nichols
- *VACANCY TO BE FILLED*

Main Street Advisory Board (Trowbridge)

- Terry Gregory resigned - *VACANCY TO BE FILLED*

Park Board (Johannesen)

- Fran Webb does NOT wish to be reappointed – *VACANCY TO BE FILLED*
- Ray Harton termed out - *VACANCY TO BE FILLED*

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586

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **October 4, 2019**

SUBJECT: **2020 Census Complete Count Committee**

The U.S. Census has asked the City of Rockwall to consider establishing a "Complete Count Committee" to assist in securing an accurate population count associated with the 2020 Census. City Manager Rick Crowley and Councilman Bennie Daniels have discussed the matter, and Councilman Daniels has expressed a willingness to take on this task.

A resolution related to this matter is included on the agenda / in the packet for Council consideration at the meeting Monday evening.

Mr. Crowley will be available to answer any questions the Council may have.

CITY OF ROCKWALL

RESOLUTION NO. 19-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF A COMPLETE COUNT COMMITTEE AND RELATED MATTERS FOR THE 2020 U.S. CENSUS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall ("the City") recognizes the importance of the Decennial U.S. Census; and

WHEREAS, the City recognizes that Census data collection is used for such matters as apportionment to the states of Federal elected officials; and

WHEREAS, the City recognizes that the data collected by the Census is used throughout the decade in many ways, including contributing to allocation determinations of Federal dollars to transportation and a number of grants to state and local entities; and

WHEREAS, the Rockwall City Council acknowledges the importance of achieving a "complete count" in the City of Rockwall.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

Section 1. a Complete Count Committee for the 2020 Census is hereby established;

Section 2. Councilman Bennie Daniels is hereby appointed as the Chairman of said committee and is authorized to secure such assistance as he may deem necessary, including appointments of committee members;

Section 3. the City Manager is hereby authorized to provide staff assistance to the Complete Count Committee.

Section 4. this Resolution shall become effective immediately from and after its adoption, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7th DAY OF October, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

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589

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

August 2019

Permits

Total Permits Issued: 324

Building Permits: 59 Contractor Permits: 265

Total Commercial Permit Values: $ 11,442,117.39

Building Permits: $10,462,450.00 Contractor Permits: $959,727.39

Total Fees Collected: $254,601.49

Building Permits: $224,620.00 Contractor Permits: $29,981.49

Board of Adjustment

Board of Adjustment Cases 0

590

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 8/1/2019 thru 8/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	3	$0.00	$151.50
30 DAY BANNER	3	$0.00	$151.50
CO	8	$0.00	$609.00
BUSINESS	4	$0.00	$303.00
INTERIOR	1	$0.00	$76.50
NEW CONSTRUCTION	3	$0.00	$229.50
COMM	48	$11,422,177.39	$114,837.37
ACC BLDG	1	$10,000.00	$192.75
CONCRETE	3	$131,200.00	$1,279.16
CONST TRAILER	2	$11,049.31	$204.00
DEMO	1	$45,000.00	$51.00
ELECTRICAL	12	$617,807.08	$7,027.21
FENCE	1	$4,800.00	$50.00
IRRIGATION	1	$4,000.00	$76.50
MECHANICAL	1	$7,903.00	$168.05
MISCELLANEOUS	1	$0.00	$51.00
NEW	2	$9,736,987.00	$97,364.03
PLUMBING	4	$20,500.00	$594.96
REMODEL	8	$725,463.00	$6,938.71
ROOF	11	$107,468.00	$840.00
SIGNAGE	10	$57,550.00	$987.00
MONUMENT	1	$8,000.00	$76.50
POLE	1	$33,500.00	$75.00
TEMP REAL ESTATE	1	$450.00	$75.00
WALL	7	$15,600.00	$760.50
SINGLE FAMILY	238		$136,855.62
ACC BLDG	7	$0.00	$610.17
BALCONY	1	$0.00	$161.77
CONCRETE	3	$0.00	$151.00
DECK	1	$0.00	$76.50
DEMO	1	$0.00	$51.00
ELECTRICAL	8	$0.00	$1,596.26
FENCE	43	$0.00	$2,185.00
IRRIGATION	24	$0.00	$1,833.00
MECHANICAL	26	$0.00	$3,157.00
MISCELLANEOUS	5	$0.00	$254.00
NEW	21		$116,477.60
PATIO COVER	7	$0.00	$788.52
PERGOLA	2	$0.00	$151.50
PLUMBING	38	$0.00	$3,207.50
REMODEL	5	$0.00	$1,822.70
RETAINING WALL	3	$0.00	$202.00
ROOF	28		$2,009.10
SWIM POOL	12	$0.00	$1,968.00
WINDOWS	3	$0.00	$153.00
SPECIAL EVENT	15	$0.00	$778.50
	15	$0.00	$778.50
TCO	2	$0.00	$382.50
	2	$0.00	$382.50

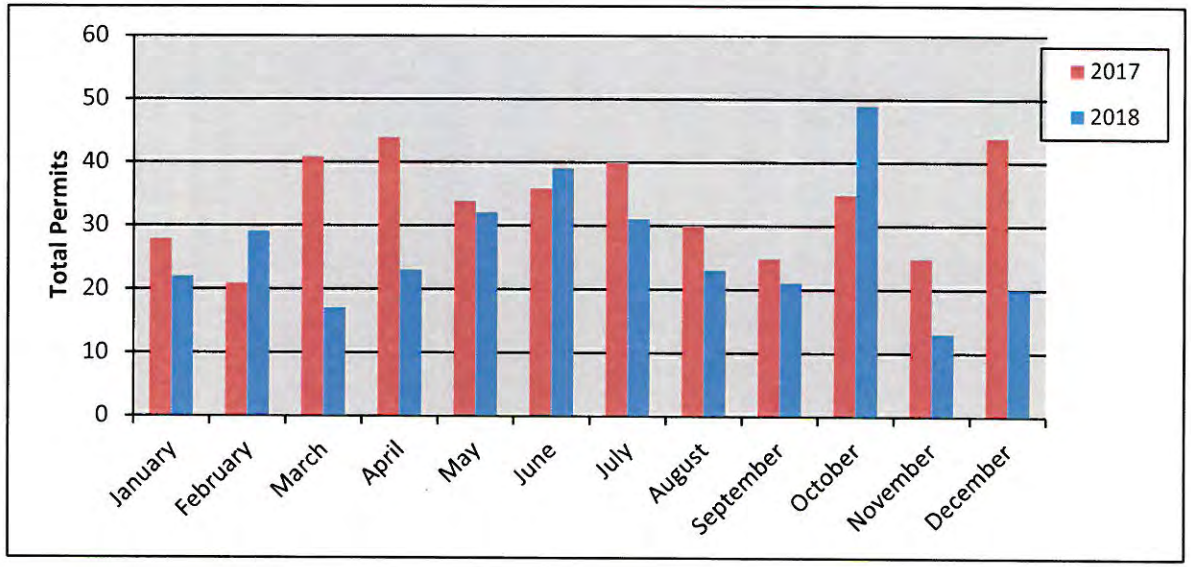
City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 8/1/2019 thru 8/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
Totals:	324		$254,601.49

CRW SYSTEMS

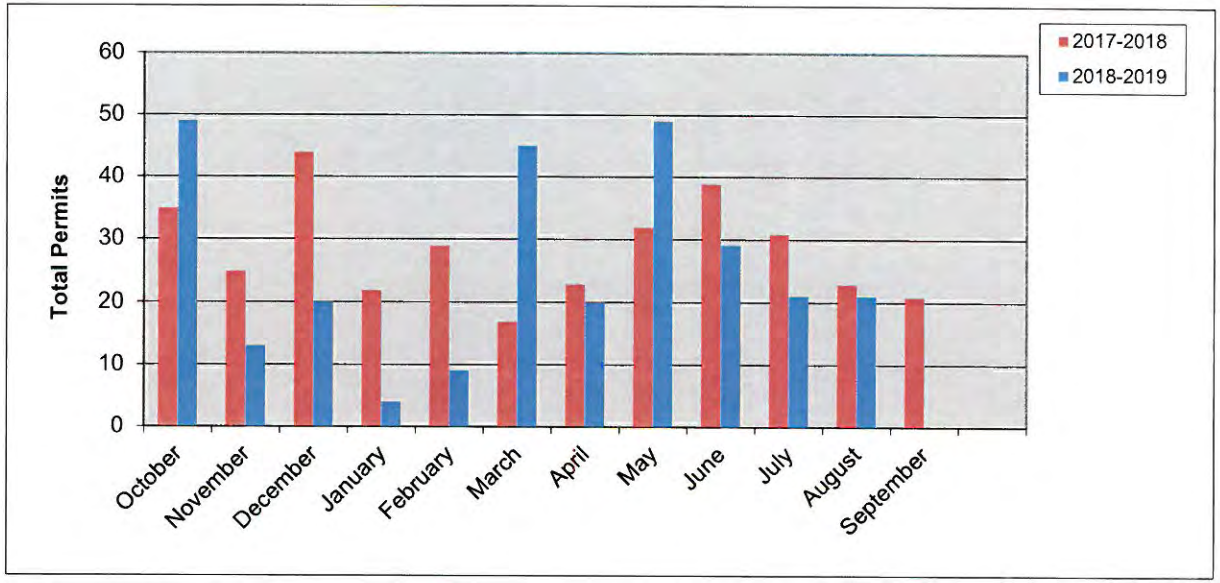
New Residential Permits Calendar Year

	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
Totals	**403**	319



New Residential Permits Fiscal Year

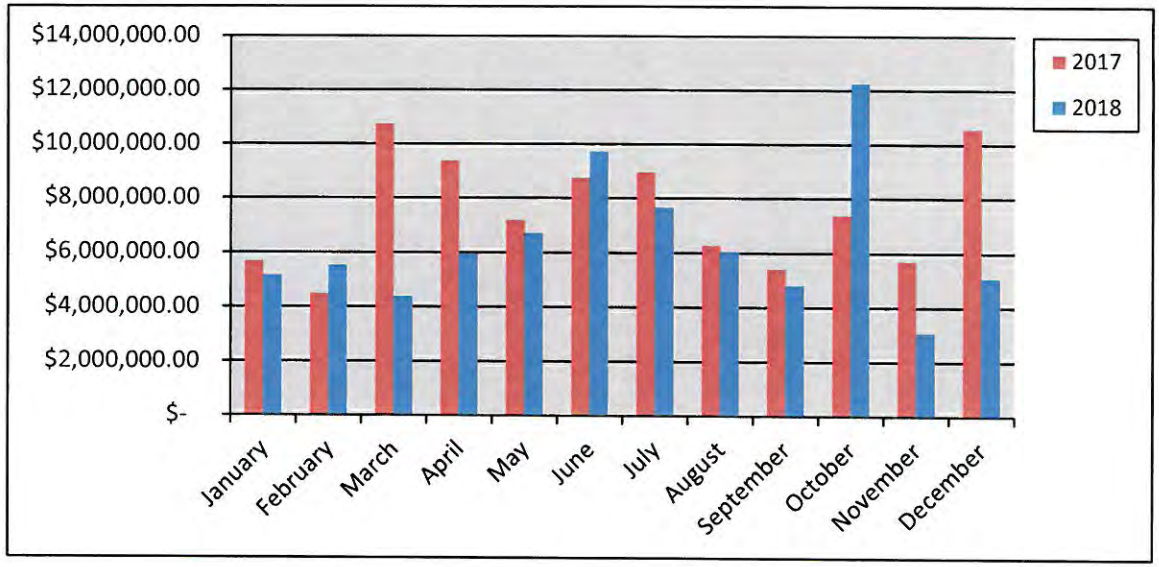
	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	9
March	17	45
April	23	20
May	32	49
June	39	29
July	31	21
August	23	21
September	21	
Totals	**341**	**280**



593

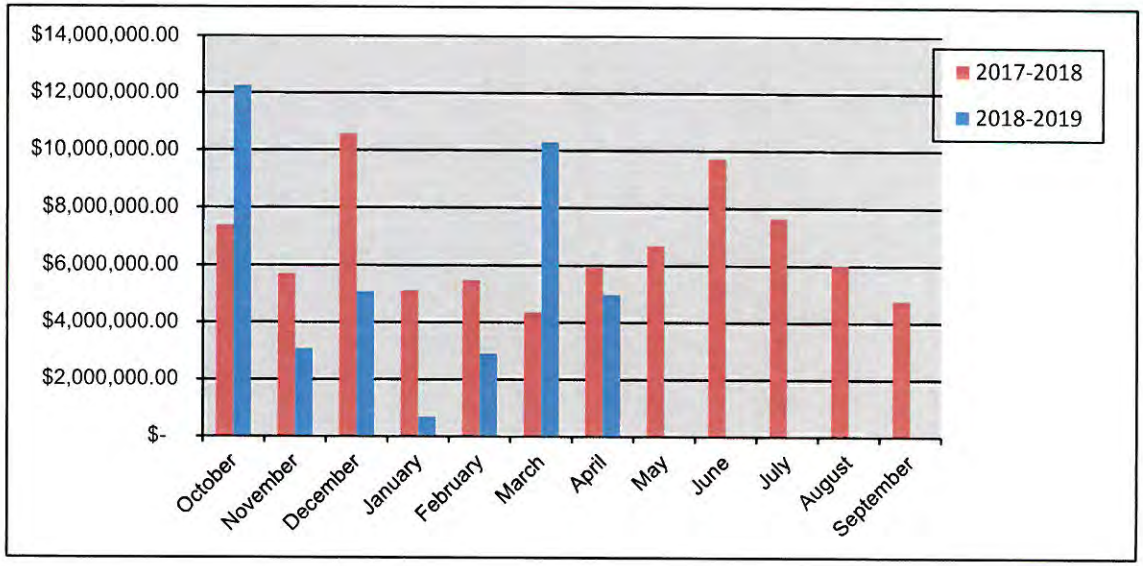
New Residential Value Calendar Year

Year	2017	2018
January	$ 5,698,431.00	$ 5,145,624.00
February	$ 4,497,500.00	$ 5,505,704.00
March	$ 10,740,233.00	$ 4,374,886.00
April	$ 9,394,785.27	$ 5,946,813.00
May	$ 7,210,632.79	$ 6,706,301.00
June	$ 8,782,481.00	$ 9,728,069.00
July	$ 8,983,999.47	$ 7,660,917.00
August	$ 6,295,770.00	$ 6,049,208.00
September	$ 5,443,098.00	$ 4,799,404.00
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
Totals	**$ 90,748,277.89**	**$ 76,318,156.00**



New Residential Value Fiscal Year

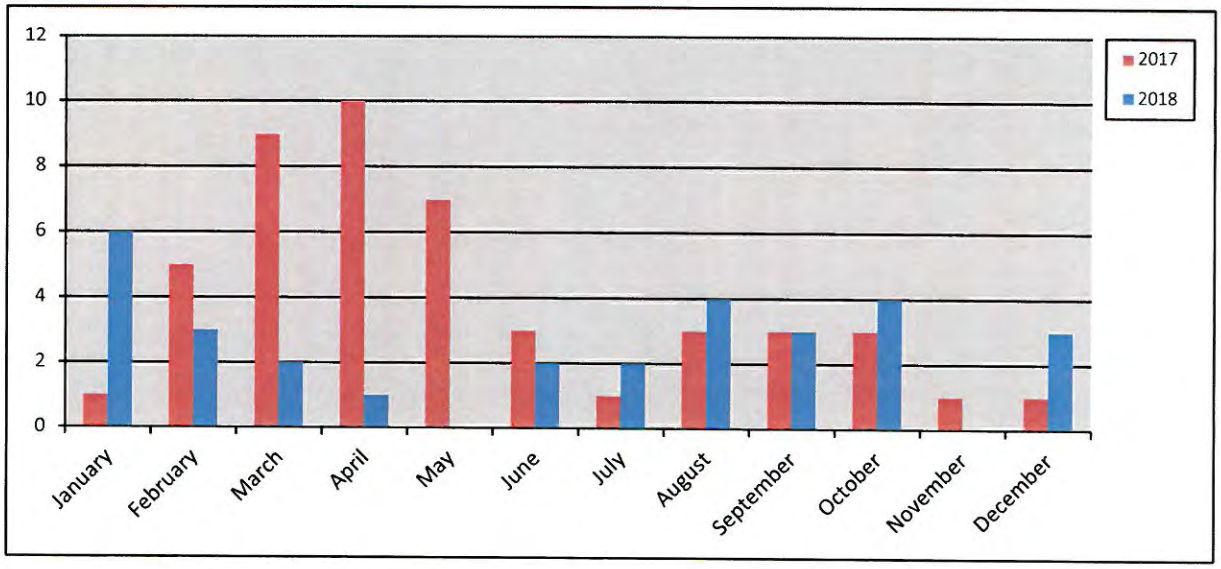
Year	2017-2018	2018-2019
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
January	$ 5,145,624.00	$ 681,618.00
February	$ 5,505,704.00	$ 2,897,344.85
March	$ 4,374,886.00	$ 10,294,717.00
April	$ 5,946,813.00	$ 4,977,668.00
May	$ 6,706,301.00	-
June	$ 9,728,069.00	-
July	$ 7,660,917.00	-
August	$ 6,049,208.00	-
September	$ 4,799,404.00	
Totals	**$79,618,273.36**	**$ 39,252,577.85**



594

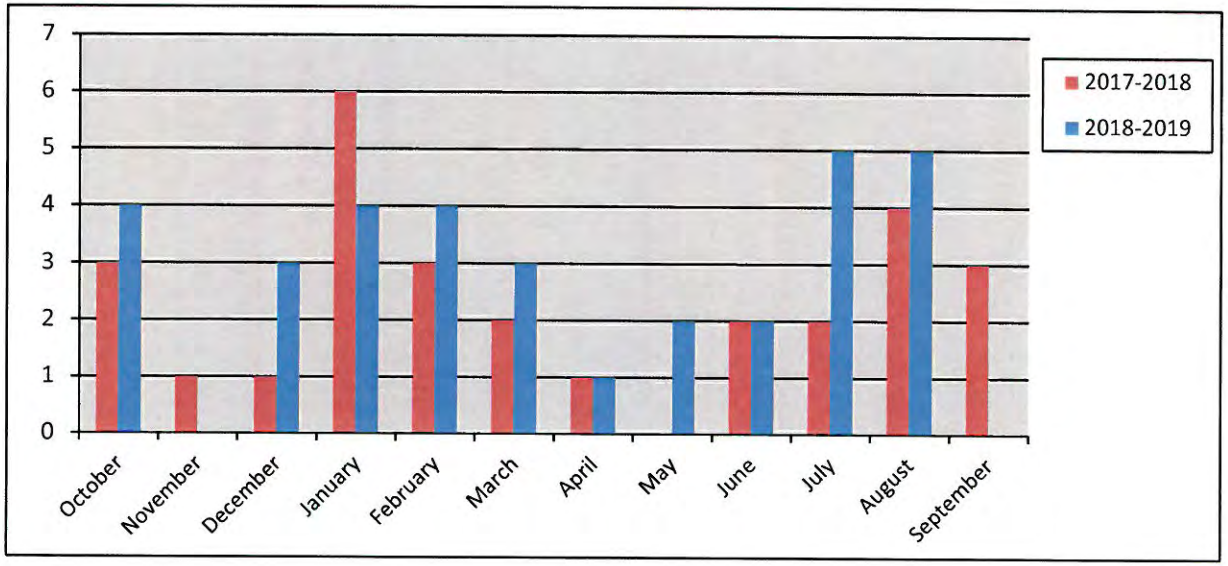
Residential Remodel Permits Calendar Year

	Year	
	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
Totals	**47**	30



Residential Remodel Permits Fiscal Year

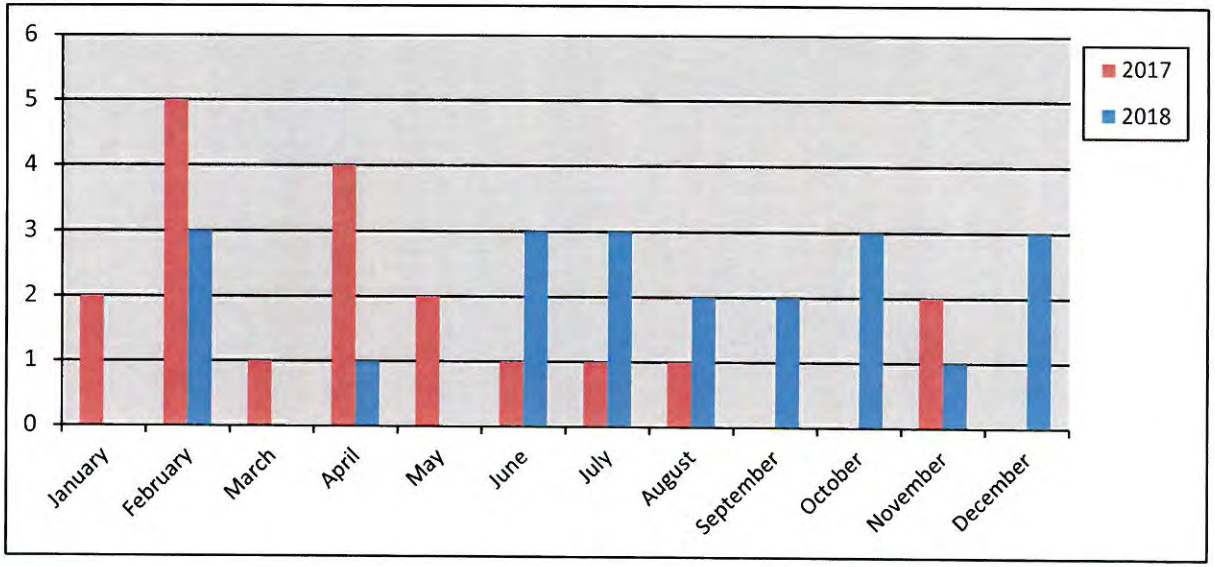
	Year	
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	4
March	2	3
April	1	1
May	0	2
June	2	2
July	2	5
August	4	5
September	3	
Totals	**28**	**33**



595

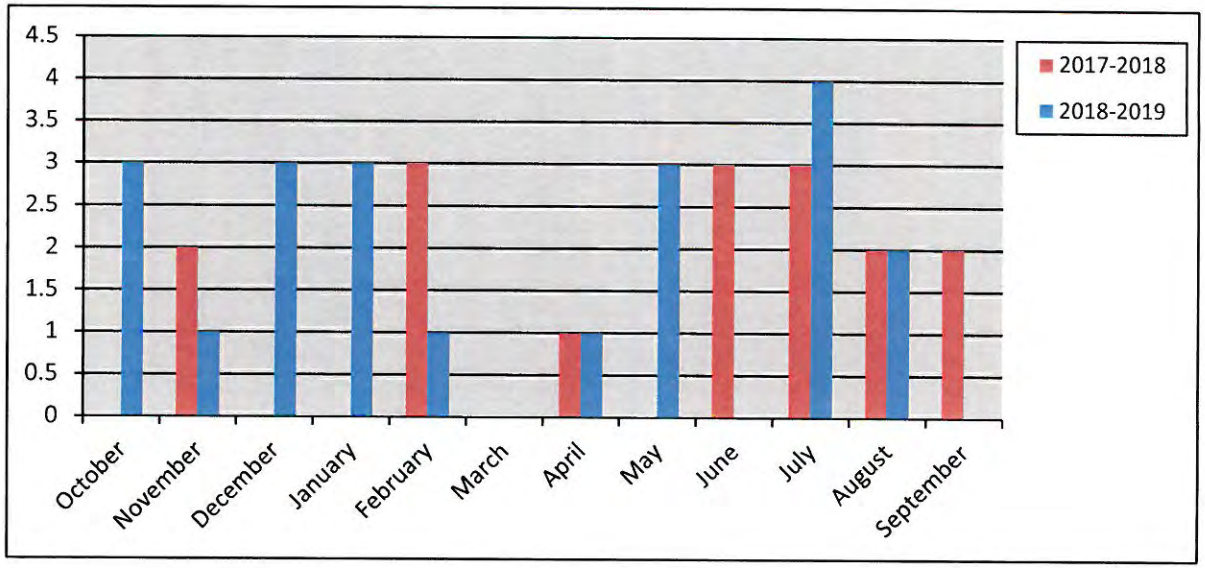
New Commercial Permits Calendar Year

	Year	
	2017	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
Totals	**19**	**21**



New Commercial Permits Fiscal Year

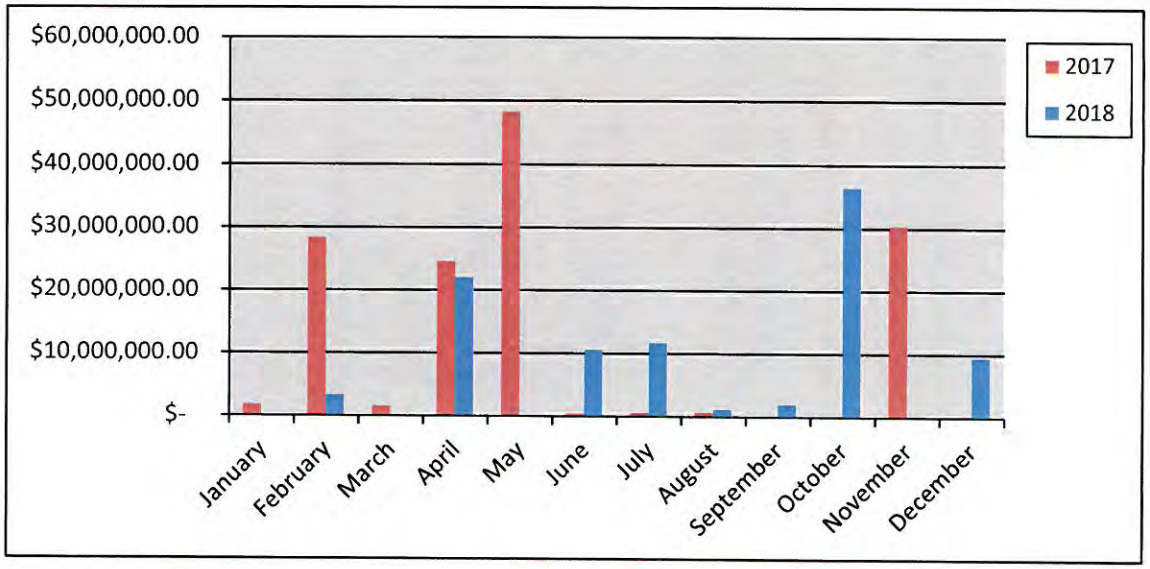
	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	1
March	0	0
April	1	1
May	0	3
June	3	0
July	3	4
August	2	2
September	2	
Totals	**16**	**21**



596

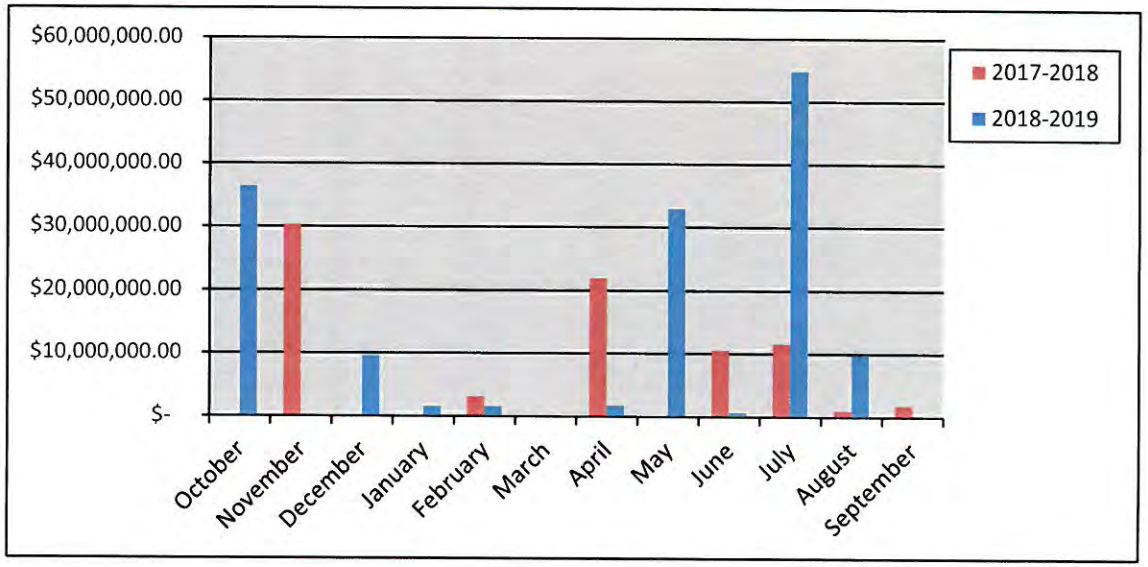
New Commercial Value Calendar Year

Year	2017	2018
January	$ 1,800,000.00	-
February	$ 28,400,000.00	$ 3,221,771.00
March	$ 1,599,026.00	-
April	$ 24,650,000.00	$ 22,000,000.00
May	$ 48,300,000.00	-
June	$ 569,400.00	$ 10,602,430.88
July	$ 700,000.00	$ 11,712,500.00
August	$ 726,506.00	$ 1,111,950.00
September	-	$ 1,930,813.00
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
Totals	**$ 137,134,932.00**	**$ 96,612,264.88**



New Commercial Value Fiscal Year

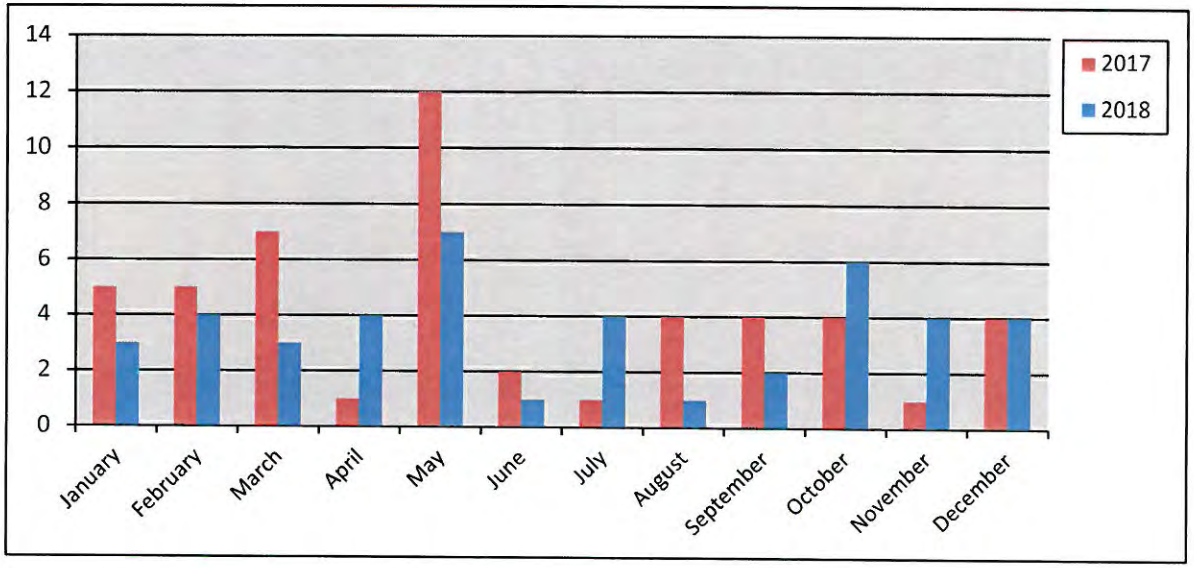
Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
January	-	$ 1,530,000.00
February	$ 3,221,771.00	$ 1,500,000.00
March	-	-
April	$ 22,000,000.00	$ 1,700,000.00
May	-	$ 32,969,700.00
June	$ 10,602,430.88	$ 629,975.28
July	$ 11,712,500.00	$ 54,900,000.00
August	$ 1,111,950.00	$ 9,736,987.00
September	$ 1,930,813.00	
Totals	**$ 80,969,464.88**	**$ 148,999,462.28**



597

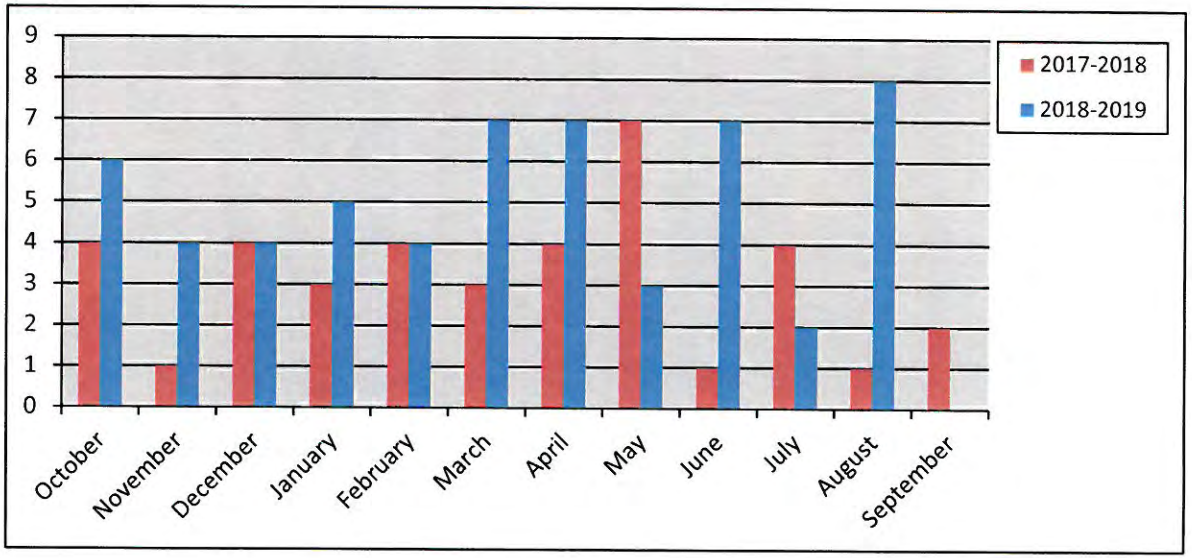
Commercial Remodel Permits Calendar Year

	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
Totals	**50**	**43**



Commercial Remodel Permits Fiscal Year

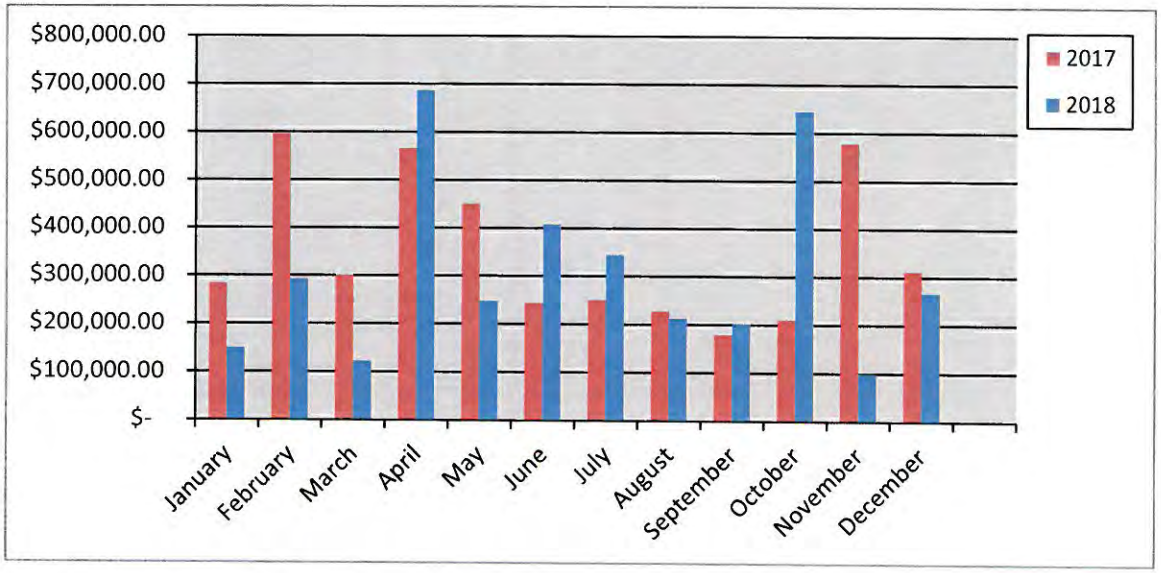
	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	4
March	3	7
April	4	7
May	7	3
June	1	7
July	4	2
August	1	8
September	2	
Totals	**38**	**57**



598

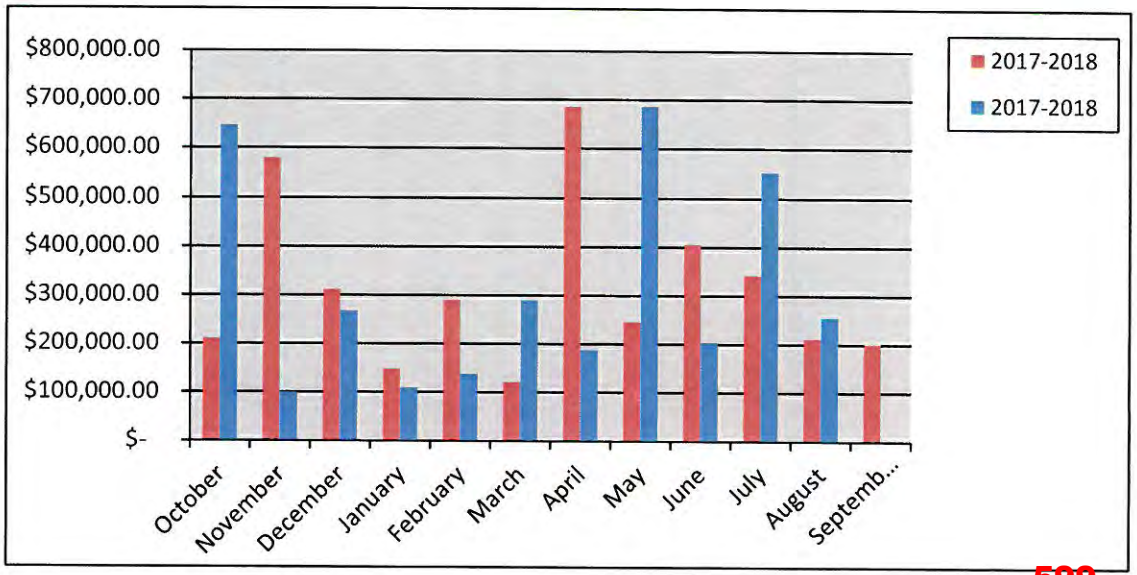
Total Fees Collected Calendar Year

Year	2017	2018
January	$ 284,774.34	$ 149,088.54
February	$ 595,848.26	$ 291,324.78
March	$ 302,406.79	$ 122,271.28
April	$ 566,291.24	$ 686,154.89
May	$ 451,389.66	$ 247,465.55
June	$ 244,930.08	$ 406,799.91
July	$ 252,374.52	$ 343,682.23
August	$ 229,266.56	$ 212,643.16
September	$ 180,561.41	$ 201,855.47
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
Totals	**$ 4,213,035.44**	**$ 3,673,110.11**



Total Fees Collected Fiscal Year

Year	2017-2018	2017-2018
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	$ 137,260.79
March	$ 122,271.28	$ 288,576.03
April	$ 686,154.89	$ 186,555.47
May	$ 247,465.55	$ 685,938.85
June	$ 406,799.91	$ 203,335.14
July	$ 343,682.23	$ 551,248.76
August	$ 212,643.16	$ 254,601.49
September	$ 201,855.47	
Totals	**$ 3,766,478.39**	**$ 3,427,666.06**



599

City of Rockwall
PERMITS ISSUED
For the Period 8/1/2019 thru 8/31/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name	Valuation	Total Fees	Fees Paid
CO2019-0085 08/07/2019 08/30/2019	CO BUSINESS Active	925 N Goliad St 4048-000A-0001-00-0R GARNER	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Cari Foote	1411 Red Tip Rd, Allen, TX 75002	(830) 798-5884
BUS OWNER	Cari Foote	1411 Red Tip Rd, Allen, TX 75002	(830) 798-5884
BUSINESS	Cari Foote, MA, LPC, LMFT	925 N. Goliad St, ROCKWALL, TX 75087	(830) 798-5884
OWNER	CFPC Investments, LLC - Ca	P.O. Box 1731, Marble Falls, TX 78654	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name	Valuation	Total Fees	Fees Paid
CO2019-0056 05/13/2019 08/27/2019	CO NEW CONSTRUCTION Active	950 Sids Rd Bldg C 4733-000A-0002-00-0R RAYBURN COUNTRY ADDITION	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Rayburn Country Electric Co	950 Sids Rd, Rockwall, TX 75032	(469) 402-2100
BUS OWNER	David Naylor	950 Sids Rd, Rockwall, TX 75032	(469) 402-2100
BUSINESS	Rayburn Country Electric Co	950 Sids Rd, Rockwall, TX 75032	(469) 402-2100
CONSULTANT	STEPHEN GEIGER	CALL FOR INSPECTION, ,	(469) 402-2112
OWNER	Rayburn Country Electric Co	950 Sids Rd, Rockwall, TX 75032	(469) 402-2100

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name	Valuation	Total Fees	Fees Paid
CO2019-0055 05/13/2019 08/27/2019	CO NEW CONSTRUCTION Active	950 Sids Rd Bldg B 4733-000A-0002-00-0R RAYBURN COUNTRY ADDITION	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Rayburn Country Electric Co	950 Sids Rd. Building B, Rockwall, TX 75032	(469) 402-2100
BUS OWNER	David Naylor	950 Sids Rd. Building B, Rockwall, TX 75032	(469) 402-2100
BUSINESS	Rayburn Country Electric Co	950 Sids Rd. Building B, Rockwall, TX 75032	(469) 402-2100
CONSULTANT	STEPHEN GEIGER	CALL FOR INSPECTION, ,	(469) 402-2112
OWNER	Rayburn Country Electric Co	950 Sids Rd. Building B, Rockwall, TX 75032	(469) 402-2100

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name	Valuation	Total Fees	Fees Paid
CO2019-0088 08/21/2019 08/23/2019	CO BUSINESS Active	3014 RIDGE RD 5266-000A-0001-00-0R WILLIS-SEALOCK ADDITION	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Ketan P. Parekh DDS	3014 Ridge Rd, Rockwall, TX 75032	(469) 338-2397
BUS OWNER	Ketan P. Parekh DDS	3014 Ridge Rd, Rockwall, TX 75032	(469) 338-2397
BUSINESS	Ketan P. Parekh DDS	3014 Ridge Rd, Rockwall, TX 75032	(469) 338-2397
OWNER	Ketan P. Parekh DDS	3014 Ridge Rd, Rockwall, TX 75032	(469) 338-2397
PROP OWNER	C. Real Estate LLC	5 Terrabella Ln, Heath, TX 75032	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name	Valuation	Total Fees	Fees Paid
CO2019-0081 07/22/2019 08/19/2019	CO NEW CONSTRUCTION Active	615 Highland Dr 4849-000A-0001-00-0R NORTHSHORE PH 1	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Rockwall ISD	1050 Williams Dr., ROCKWALL, TX 75087	(979) 574-9491
BUSINESS	Reinhardt Elementary	615 Highland Dr., ROCKWALL, TX 75087	(979) 574-9497
OWNER	Rockwall ISD	1050 Williams Dr., ROCKWALL, TX 75087	(979) 574-9491

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name	Valuation	Total Fees	Fees Paid
CO2019-0071 06/05/2019	CO BUSINESS	627 National Dr. 0128-0000-0002-17-0R	0.00	76.50	76.50

CRW SYSTEMS

City of Rockwall
PERMITS ISSUED
For the Period 8/1/2019 thru 8/31/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name	Valuation	Total Fees	Fees Paid
08/19/2019	Active				

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Scott Tatum	627 National Dr., Rockwall, TX 75032	(214) 862-4711
BUSINESS	Oasis Construction	627 National Dr., Rockwall, TX 75032	(214) 862-4711
OWNER	D & A Real Estate Partners	PO Box 850, Rockwall, TX 75087	(214) 862-7890

CO2019-0084	CO	955 W RALPH HALL 105 & 107	0.00	75.00	75.00
08/07/2019	BUSINESS	4009-000B-0006-09-0R			
08/08/2019	Active	HORIZON RIDGE ADDITION			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Cheryl LeClaire	955 W. Ralph Hall Pkwy. # 105&107, Rockwall, TX 75032	(903) 495-2935
BUS OWNER	Cheryl LeClaire	955 W. Ralph Hall Pkwy. # 105&107, Rockwall, TX 75032	(903) 495-2935
BUSINESS	Melange Beauty LLC	955 W. Ralph Hall Pkwy. #105&107, Rockwall, TX 75032	(214) 734-0024
OWNER	Kris Sharp	3021 Ridge Road #160, Rockwall, TX 75032	(972) 772-7411

CO2019-0072	CO	3201 Capital Blvd 200	0.00	76.50	76.50
06/05/2019	INTERIOR	4876-000A-0002-00-0R			
08/02/2019	Active	ROCKWALL TECHNOLOGY PARK, PHASE			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Michael Shao	3201 Capial Blvd, Suite 200, Rockwall, TX 75032	(626) 991-9858
BUS OWNER	Michael Shao	3201 Capial Blvd, Suite 200, Rockwall, TX 75032	(626) 991-9858
BUSINESS	Atosa Catering Equipment	3201 Capial Blvd, Suite 200, Rockwall, TX 75032	(626) 991-9858
OWNER	Michael Shao	3201 Capial Blvd, Suite 200, Rockwall, TX 75032	(626) 991-9858

Total Valuation: **0.00**
Total Fees: **609.00**
Total Fees Paid: **609.00**

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602

Key Projects:

(1) **Outside Agencies / Citizens**. Census LUCA Feedback, Zonability Data Request, NG911 Data / Syncs, Farmers Electric (Annexation Information Request), NCTCOG 911 Imagery Services, County Hazmat Layer review, NCTCOG (Local Review of Demographics Data), Kimley Horn Data Request, Citizen Address Issues w/ RCAD & Oncor (X2)

(2) **Engineering / Public Works**. Sidewalk Research, Fire Hydrants Query (Replaced/Removed), Training Guide, CCN Map, Cityworks Reports, Historic District Street Names, Cityworks Employee-Vehicle Updates, Aluminum Plant Water Lines, GPS Unit Training, RISD Bus Stops Locations, Rockwall Commons Storm Sewer, GraniteNet Project Closeout

(3) **Planning Department**. UDC – (Street Lamps, Pipe Fencing, Commercial Signage, Monotony Standards Exhibit, Backyard Fencing Exhibits), Zoning Hyperlinks, COGO Planning Cases, P&Z Labels, PD5 Legal Description and Exhibit, Masterfile Plat Cabinet Order, PD and Overlay Calculations, Bear Creek Population and Demographics

(4) **GIS**. 911 Addressing, Restaurant Brochure, City Limits & ETJ Brochure, Lift Station Readdressing (Mims Rd), Parcel Fabric Completion, GIS Annual Performance Reviews, GPS Technician Training, Subdivision Addressing / New Street Name Verifications, Cityworks PLL Preparation Task, GPS Utilities and Grease Traps, GIS Day Prep

(5) **Police.** Events (3) Maps, Rapid SOS Layer Request

(6) **Fire.** Fire Hydrant Inspection Meeting

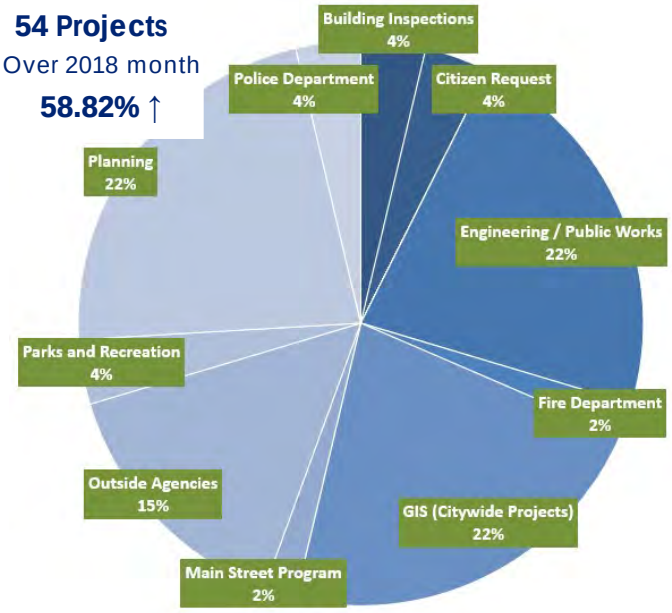
(7) **Building Inspections**. Street index listing, 302 N. Goliad Map and Mail out Labels

(8) **Parks and Rec**. Founders Day Parking, Parks Hay Maze

(9) **Main Street.** Courthouse Valet Map

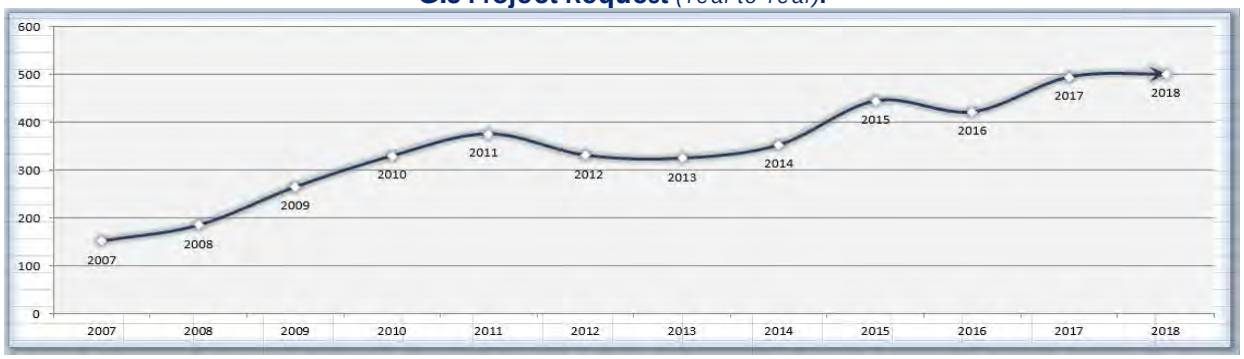
Monthly Project Request by Department:

54 Projects
Over 2018 month
58.82% ↑



Admin / HR / Internal Ops	0
Building Inspections	2
Citizen Request	2
City Council	0
City Manager's Office	0
Neighborhood Improvement Services	0
Engineering / Public Works	12
Finance / Utility Billing	0
Fire Department	1
GIS (Citywide Projects)	12
IT	0
Main Street Program	1
Outside Agencies	8
Parks and Recreation	2
Planning	12
Police Department	2
REDC	0
Total	**54**

GIS Project Request *(Year to Year)*:



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604

Rockwall Police Department

Harbor District Call For Service

August 2019

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2019-00025369	8/26/2019	9:05:08	Hilton Hotel	Assault	Citation
2019-00025046	8/23/2019	12:27:44	Cinemark Movies 12	BMV	Report
2019-00025436	8/26/2019	16:44:26	Cinemark Movies 12	BMV	Report
2019-00025602	8/27/2019	16:43:21	Cinemark Movies 12	BMV	Report
2019-00024119	8/16/2019	21:31:35	Cinemark Movies 12	Criminal Trespass	No Report
2019-00022691	8/3/2019	22:26:58	Glorias Restaurant	Disturbance	No Report
2019-00022782	8/4/2019	20:48:55	Cinemark Movies 12	Disturbance	No Report
2019-00025600	8/27/2019	15:50:53	Terri Savelle Foy Ministries	Fraud	No Report
2019-00022619	8/3/2019	3:08:03	Hilton Hotel	Intoxicated	No Report
2019-00025598	8/27/2019	16:05:09	The Harbor	Meet Complainant	No Report
2019-00025838	8/29/2019	8:21:16	The Harbor	Meet Complainant	No Report
2019-00025819	8/29/2019	5:09:07	Hilton Hotel	Motor Vehicle Theft	Report
2019-00024955	8/22/2019	19:50:33	Cinemark Movies 12	Motor Vehicle Theft	No Report
2019-00023075	8/7/2019	14:55:49	The Harbor	Open Door	No Report
2019-00024009	8/15/2019	21:42:03	Cinemark Movies 12	Property	Report
2019-00022463	8/2/2019	1:04:58	Hilton Hotel	Suspicious Activity	Arrest
2019-00022505	8/2/2019	10:21:43	The Harbor	Theft	Report
2019-00025288	8/25/2019	11:12:15	The Harbor	Welfare Concern	No Report
2019-00022775	8/4/2019	19:12:09	Hilton Hotel	Welfare Concern	No Report
2019-00023462	8/10/2019	11:02:26	Glorias Restaurant	Welfare Concern	No Report

Common Name	
Cinemark Movies 12	7
Glorias Restaurant	2
Hilton Hotel	5
Terri Savelle Foy Ministries	1
The Harbor	5
Total	**20**

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606

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
AUGUST 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	5	5	0	100%
ADMINISTRATIVE SERVICES	4	4	0	100%
AIRPORT	2	2	0	100%
ANIMAL SERVICES	4	4	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	2	2	0	100%
FINANCE	5	5	0	100%
FIRE DEPARTMENT	33	33	0	100%
INTERNAL OPERATIONS	108	108	0	100%
MUNICIPAL COURT	19	19	0	100%
PARKS & RECREATION	10	10	0	100%
PLANNING & ZONING	1	1	0	100%
POLICE DEPARTMENT	31	31	0	100%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	229	229	0	100%

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608



PARTICIPATION



CONCERT BY THE LAKE:
APPROXIMATELY 1000 PEOPLE



ANIMAL SHOT CLINIC WITH FREE CITY REGISTRATION: APPROXIMATELY 100 PETS REGISTERED



LAST OPEN SWIM DAY AT THE HARRY MYERS PARK POOL

MONTHLY OVERVIEW	*AUG '19*
Part Time Labor Hours	**16.5**
Program Offerings	**9**
Program Participants	**1344**
Resident Participants	**682**
Non-Resident Participants	**682**
Programs that Made	**7**
Cancelled Programs	**2**
% of Programs Cancelled	**22%**

FEE BASED RESIDENT VS NON-RESIDENT

7 programs



609

ANIMAL SERVICES



AUGUST SHOT CLINIC

TOTAL # OF DOGS SEEN

# OF DOGS SEEN	142
# OF CITY REGISTRATIONS	100

142



HMCC

	AUG '19
Time Blocks Rented	66
Monthly Revenue	**$1320**

HMCC RENTAL ACTIVITY BY TIME BLOCK

66 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM

6 - 11 AM	11 AM - 5 PM	5 - 11 PM
29%	35%	36%



PAVILIONS

	AUG '19
Time Blocks Rented	27
Monthly Revenue	**$960**

PAVILION RENTAL ACTIVITY BY TIME BLOCK

27 Rentals

6 AM - 3 PM | 3 - 11 PM

6 AM - 3 PM	3 - 11 PM
37%	63%

PARKS



FACILITY MANAGEMENT:

Tuttle mini renovation for 2019 Fall Season



FACILITY UPGRADES:

New dugout covers at Leaon Tuttle 5-8.



FACILITY MAINTENANCE:

Pecan tree injection treatments at Myers Dog Park.



611

MARKETING

FACEBOOK PAGE LIKES

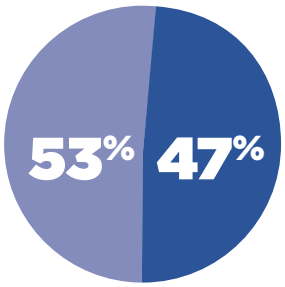
	GAIN OR LOSS
JUL	+182
AUG	+60

TOTAL LIKES THRU 8/31/2019

Like **13,703**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
JUL	8857	+103
AUG	8891	+34



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

PLAYROCKWALL.COM

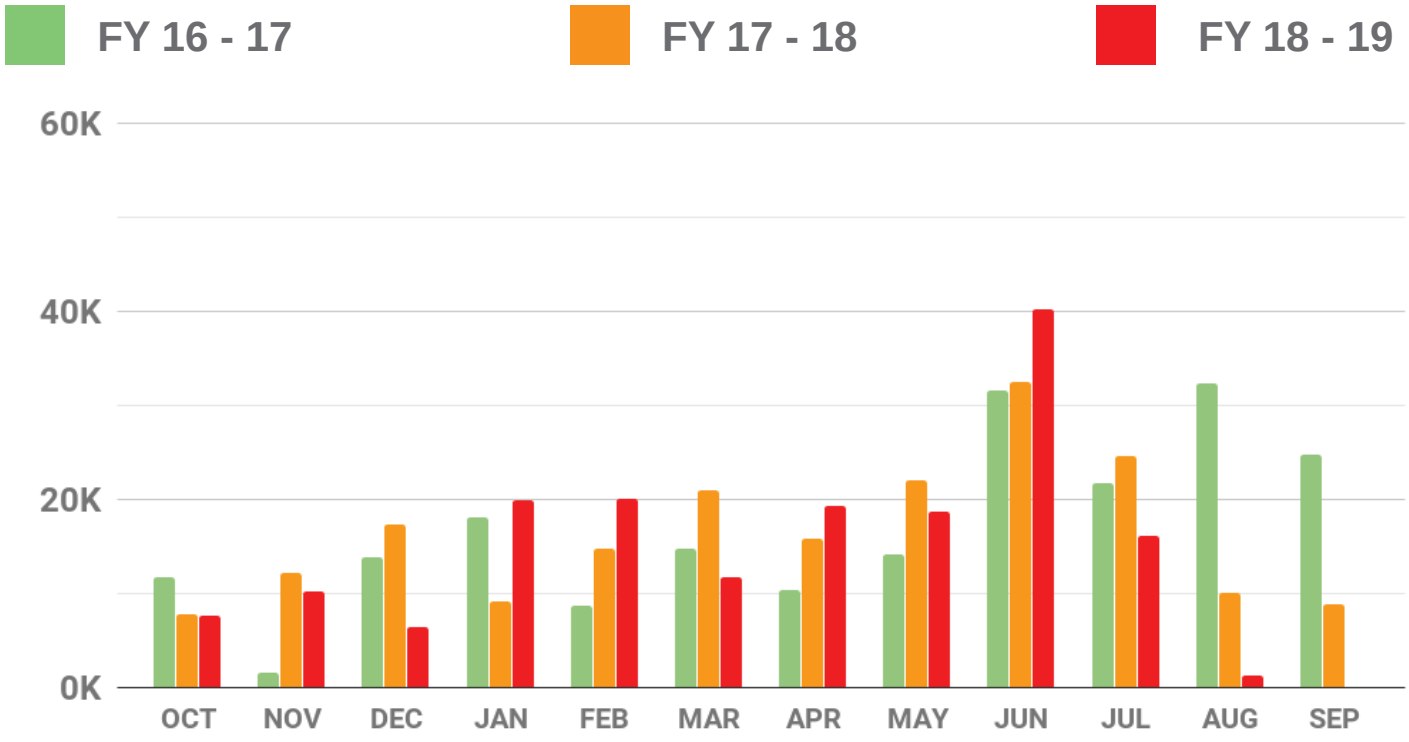
PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of August 2019.	90,612
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	17,492
USERS Visitors to playrockwall.com	11,840

612

REVENUE

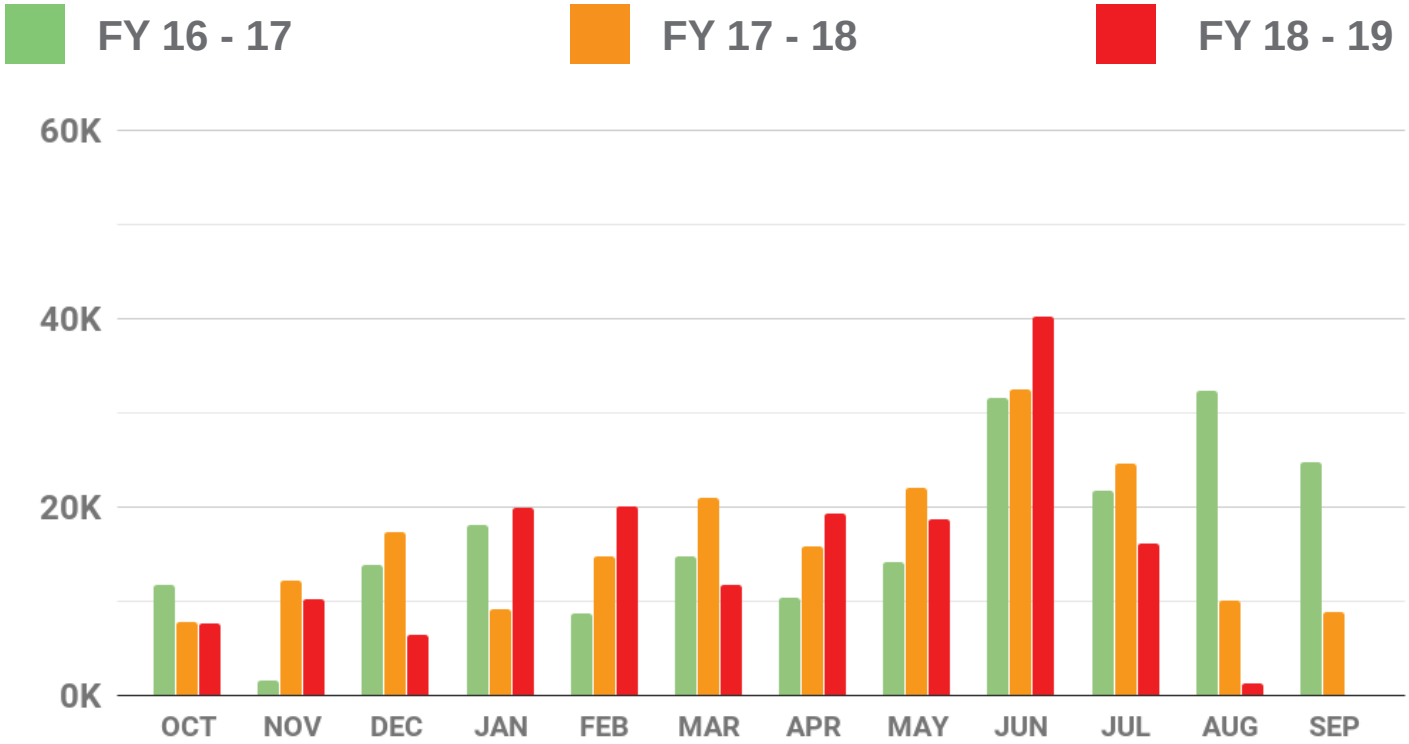
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



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614

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	**96%**
March '19	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	**100%**
April '19	38-56%	5-7%	22-32%	1-1%	2-3%	76	68	**95%**
May '19	74-65%	14-12%	18-16%	6-5%	3-3%	135	115	**92%**
June '19	69-60%	18-16%	26-25%	1-1%	1-1%	109	115	**99%**
July '19	62-60%	18-17%	21-20%	2-2%	1-1%	97	104	**97%**
August '19	64-65%	10-10%	24-24%	1-1%	0-0%	114	99	**99%**
September '19								
October '19								
November '19								
December '19								

615

Rockwall Animal Adoption Center

PROFIT AND LOSS

August 2019

	TOTAL
Income	
4000 City of Rockwall	97,617.86
4100 Adoption Fee	
4111 Adoption Fee - Dog	4,095.00
4112 Adoption Fee - Cat	1,785.00
Total 4100 Adoption Fee	**5,880.00**
4200 Impound Fee	770.00
4300 Owner Surrender	1,545.00
4400 Direct Public Support	
4410 Corporate Contributions	70.42
Total 4400 Direct Public Support	**70.42**
4650 Medical	1,355.00
4700 General Donations	5,931.45
47200 Program Income	
47230 Membership Dues	125.00
Total 47200 Program Income	**125.00**
Total Income	**$113,294.73**
GROSS PROFIT	**$113,294.73**
Expenses	
5200 - Shelter Expense	
5203 Medication	6,711.54
5209 - Shelter Supplies	414.70
5220 - Truck Maintenance	221.81
5230 - Misc	34.05
Total 5200 - Shelter Expense	**7,382.10**
5300 - Veterinary Expense	4,990.26
5400 - Professional Services	2,083.34
65000 5000 - Administative Expense	
5002 - Website	333.79
5004 - Paypal/Intuit fee	289.89
5005 - Postage	33.20
5006 - Bank Fees	-201.00
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	24,971.34
5055 - Payroll Tax	1,843.30
5056 - 401K Employer/Healthcare	1,125.44
65040 5001 - Supplies	88.17
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**28,988.63**
Total Expenses	**$43,444.33**
NET OPERATING INCOME	**$69,850.40**
NET INCOME	**$69,850.40**

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617

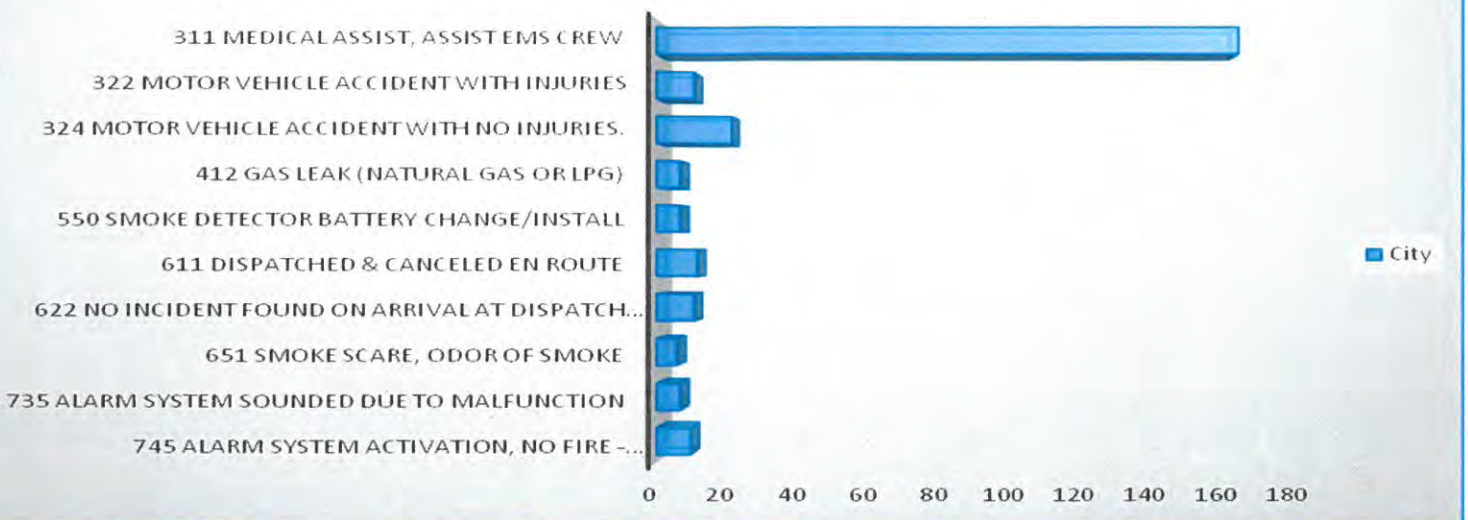
ROCKWALL FIRE DEPARTMENT

Monthly Report

August 2019

618

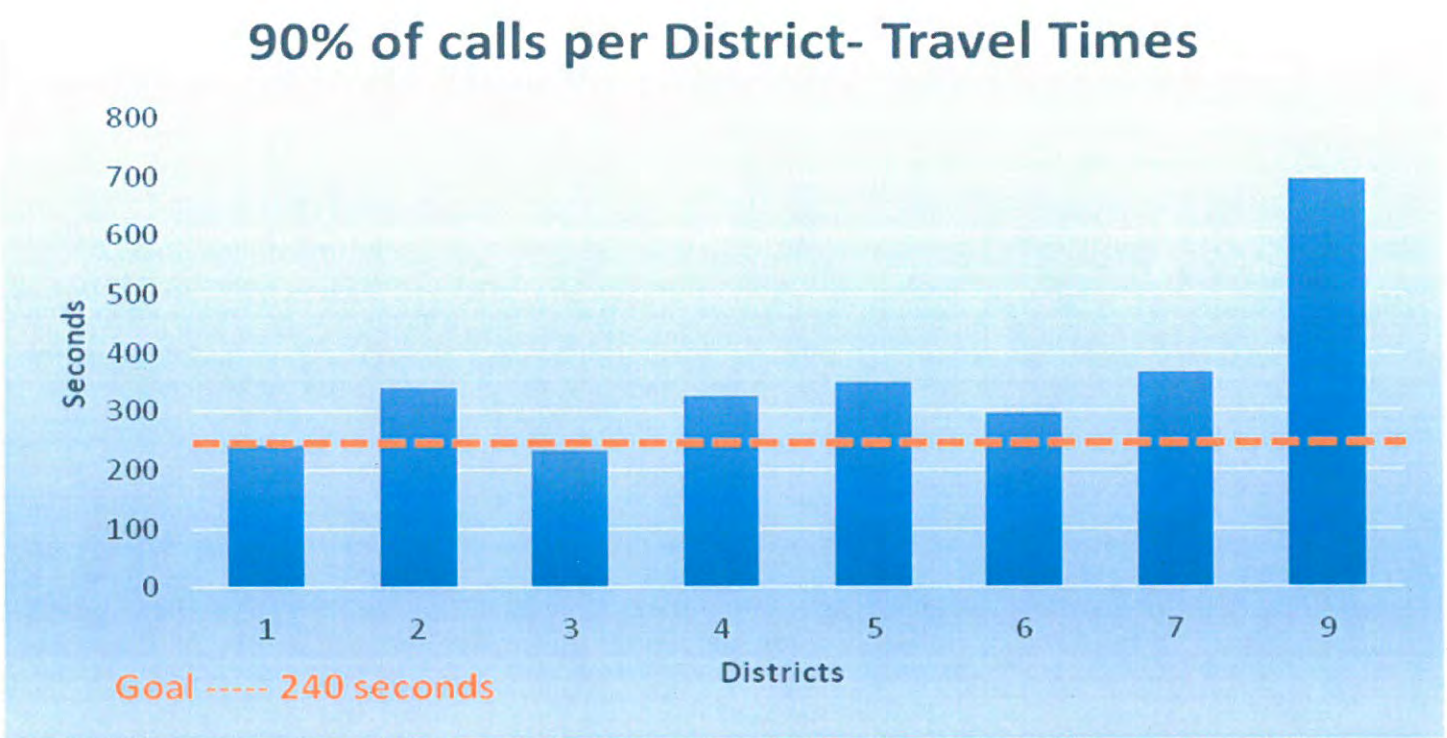
August 2019 Top Ten Calls



August 2019- All Calls	
Situation Type	City
311 Medical assist, assist EMS crew	168
324 Motor vehicle accident with no injuries.	22
611 Dispatched & canceled en route	12
622 No incident found on arrival at dispatch address	11
322 Motor vehicle accident with injuries	11
745 Alarm system activation, no fire - unintentional	10
735 Alarm system sounded due to malfunction	7
412 Gas leak (natural gas or LPG)	7
550 Smoke Detector Battery Change/Install	7
651 Smoke scare, odor of smoke	6
743 Smoke detector activation, no fire - unintentional	5
652 Steam, vapor, fog or dust thought to be smoke	5
733 Smoke detector activation due to malfunction	4
131 Passenger vehicle fire (cars, pickups, SUV's)	3
160 Special outside fire, other	3
365 Watercraft rescue	2
740 Unintentional transmission of alarm, other	2
736 CO detector activation due to malfunction	2
555 Defective elevator, no occupants	2
342 Search for person in water	2
142 Brush or brush-and-grass mixture fire	2
671 HazMat release investigation w/no HazMat	2
444 Power line down	2
111 Building fire	1
113 Cooking fire, confined to container	1
510 Person in distress, other	1
150 OTHER Outside rubbish fire	1
424 Carbon monoxide incident	1
553 Public service	1
463 Vehicle accident, general cleanup	1
554 Assist invalid	1
700 False alarm or false call, other	1
151 Outside rubbish, trash or waste fire	1
413 Oil or other combustible liquid spill	1
132 Road freight or transport vehicle fire (Commercial Vehicles)	1
814 Lightning strike (no fire)	1
360 Water & ice-related rescue, other	1
744 Detector activation, no fire - unintentional	1
361 Swimming/recreational water areas rescue	1
746 Carbon monoxide detector activation, no CO	1
162 Outside equipment fire	1
411 Gasoline or other flammable liquid spill	1
462 Aircraft standby	1
Totals	**317**

619

August 2019 Travel Times

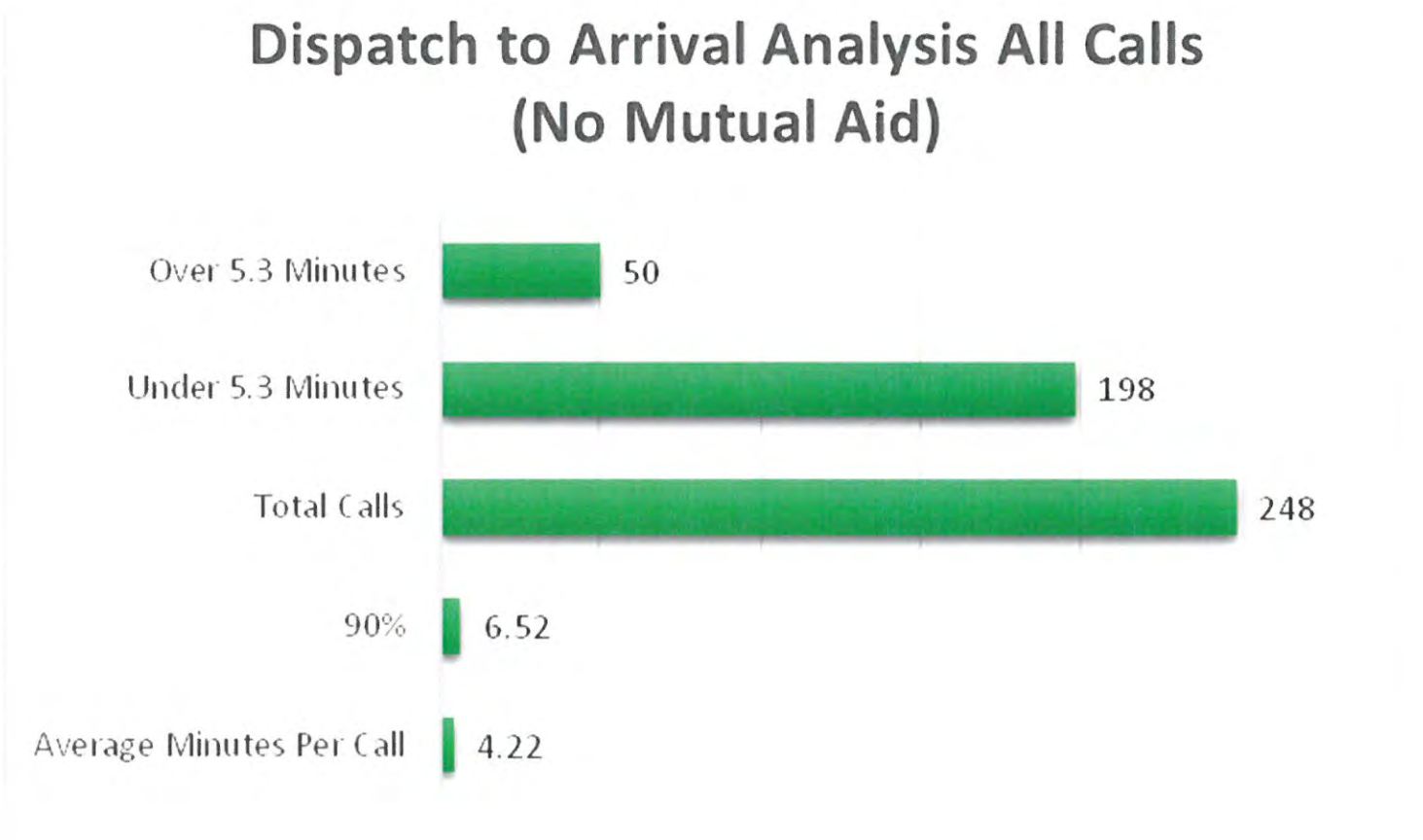


Travel Time Analysis-*By District* ALL CALLS- (No Mutual Aid)					Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% in 4 min or less	All Code 3 Calls-No Cancelled enroute calls						
	100s						
89%	On Scene in	4.0	minutes or less		81	2.40	33.06%
	200s						
77%	On Scene in	4.0	minutes or less		70	2.96	28.57%
	300s						
89%	On Scene in	4.0	minutes or less		18	2.68	7.35%
	400s						
75%	On Scene in	4.0	minutes or less		55	3.27	22.45%
	500s						
30%	On Scene in	4.0	minutes or less		7	6.92	2.86%
	600s						
50%	On Scene in	4.0	minutes or less		4	3.85	1.63%
	700s						
11%	On Scene in	4.0	minutes or less		9	4.92	3.67%
	800s						
0%	On Scene in	4.0	minutes or less		0		
	900s						
0%	On Scene in	4.0	minutes or less		1	11.55	0.41%
				Total Calls	245		

620

August 2019 Dispatch to Arrival Analysis

Dispatch to Arrival Analysis-(No Mutual Aid)					Total Calls
78%	On Scene in	5.3	minutes or less		198
84%	On Scene in	6.0	minutes or less		209
92%	On Scene in	7.0	minutes or less		229
97%	On Scene in	8.0	minutes or less		241
98%	On Scene in	9.0	minutes or less		244
100%	On Scene in	13.0	minutes or less		248
	Total Calls		248		



Total Dollar Losses

August 2019

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 09/20/2019 16:30
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$10,500.00	$95,876.00	$136,215.00	$522,248.00
Total Content Loss:	$0.00	$5,500.00	$12,281.40	$50,500.00	$169,216.80
Total Property Pre-Incident Value:	$0.00	$450,450.00	$811,930.00	$5,164,756.92	$1,853,230.00
Total Contents Pre-Incident Value	$0.00	$108,660.00	$256,005.00	$636,576.35	$695,573.00
Total Losses:	$.00	$16,000.00	$108,157.40	$186,715.00	$.00
Total Value:	$.00	$559,110.00	$1,067,935.00	$5,801,333.27	$2,548,803.00

ROCKWALL FIRE

Fire Marshal Division

Monthly Report - August 2019

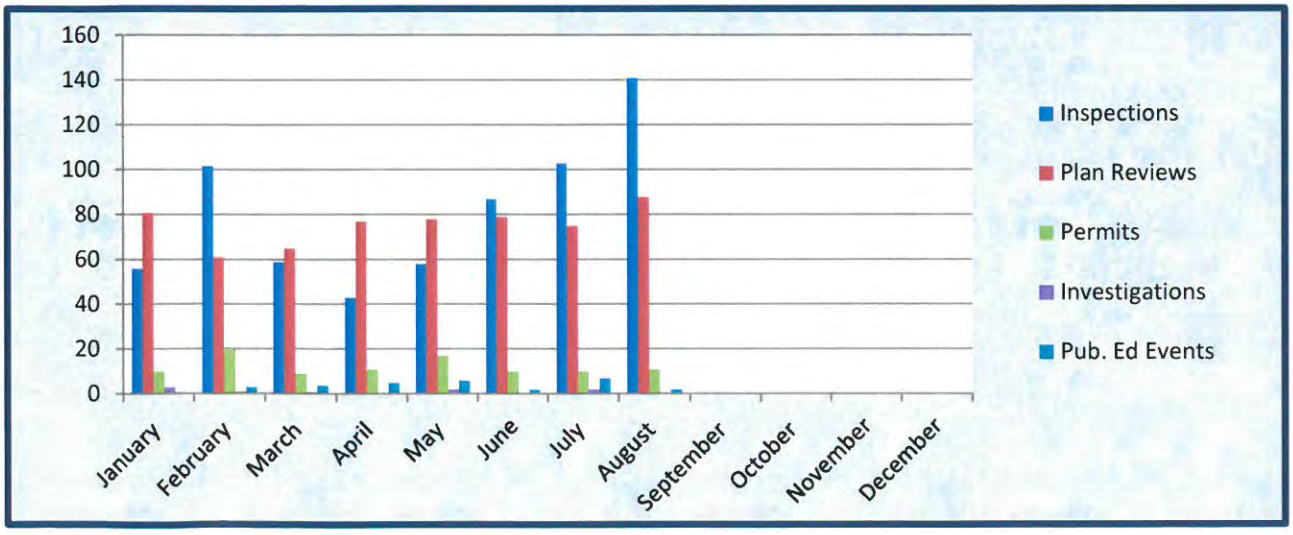
Inspection Status Report	
Total for the Month	**141**

Public Education Events	
Total for the Month	**2**

Fire Permit Report	
Doors - Access Control	2
Fire Alarm	2
Fire Sprinkler	4
Fireworks	1
Kitchen Suppression	1
Underground Sprinkler	1
Total for the Month	**11**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	0
Total for the Month	**0**

Plan Review Report	
CO	12
COMM	46
Engineering	6
Plat	6
Site Plan	6
Single Family	2
Special Event	5
TCO	2
Zoning	3
Total for the Month	88



623

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624

FY2019 City of Rockwall In kind values /Meals 4th Quarter
Meals on Wheels Senior Services

Jul-19 — 22 Days served

ROUTES	MILES	$
A	294	$160.23
B1,B2 & Co	220	$125.40
C	675	$384.75
E	630	$359.10
F& K	410	$233.70
H	260	$148.20
I&J	1220	$695.40
RM & R	310	$176.70
	4019	$2,283.48

	HOURS	$
A	22	$306.24
B	34	$459.36
C	22	$306.24
E	22	$306.24
F & K	44	$612.48
H	24	$320.16
I&J	28	$389.76
RM & R	33	$459.36
	229	$3,159.84

$ Value in kind volunteer services **$5,443.32**

4th of July Holiday Meal $900.00
Private sponsor
Volunteer Miles & Hrs. $220.00
Intern/Admin. $1,120.00

Total July In-kind value(only for Nutrition program)

ROCKWALL PROGRAM MEALS
2,814 Home Delivered and Disabled
376 Congregate Centers
200 Holiday Meals
Total purchased Meals 3,390

Aug-19 — 22 Days served

ROUTES	MILES	$
A	294	$160.23
B1,B2 & Co	220	$125.40
C	675	$384.75
E	630	$359.10
F& K	410	$233.70
H	260	$148.20
I&J	1220	$695.40
RM & R	310	$176.70
	4019	$2,283.48

	HOURS	$
A	22	$306.24
B	34	$459.36
C	22	$306.24
E	22	$306.24
F & K	44	$612.48
H	24	$320.16
I&J	28	$389.76
RM & R	33	$459.36
	229	$3,159.84

$ Value in kind volunteer services **$5,443.32**

Intern/Admin. $1,120.00

TotalAugust In-kind value (only for Nutrition program)

ROCKWALL PROGRAM MEALS
2,742 Home Delivered and Disabled
364 Congregate Centers
Total purchased Meals 3,106

Sep-19 — 20 Days served

ROUTES	MILES	$
A	264	$143.88
B1, B2 & Co	200	$112.00
C	680	$380.80
E	620	$347.20
F& K	400	$224.00
H	250	$140.00
I&J	1150	$655.50
RM & R	301	$168.56
	3865	$2,171.94

	HOURS	$
A	20	$278.40
B	30	$417.60
C	20	$278.40
E	20	$278.40
F & K	40	$584.64
H	20	$278.40
I&J	25	$348.00
RM & R	30	$417.60
	205	$2,881.44

$ Value in kind volunteer services **$5,053.38**

Labor Day Holiday Meal $1,200.00

Volunteer Miles & Hrs $220.00
Intern/Admin. $1,120.00

Total September In-kind value (only for Nutrition Program)

ROCKWALL PROGRAM MEALS
2,525 Home Delivered and Disabled
320 Congregate Centers
200 Holiday Meals
Total Purchased Meals 3,045

THANK YOU
FOR YOUR
SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program 9,541

In-kind VALUE Donated 4thQuarter FY19
July $7,683.32
August$6,563.32
Sept. $7,593, 38
Total $ 21,840.02
Meal Delivery only
625

625

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626

Rockwall Police Department

Monthly Activity Report

August-2019

ACTIVITY	CURRENT MONTH AUGUST	PREVIOUS MONTH JULY	YTD 2019	YTD 2018	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	**-100.00%**
Sexual Assault	0	2	11	7	**57.14%**
Robbery	0	1	7	5	**40.00%**
Aggravated Assault	3	5	19	13	**46.15%**
Burglary	6	5	38	22	**72.73%**
Larceny	60	75	425	457	**-7.00%**
Motor Vehicle Theft	11	8	39	36	**8.33%**
TOTAL PART I	**80**	**96**	**539**	**541**	**-0.37%**
TOTAL PART II	**122**	**108**	**1065**	**1195**	**-10.88%**
TOTAL OFFENSES	**202**	**204**	**1604**	**1736**	**-7.60%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	22	10	137	132	**3.79%**
D.W.I.	22	8	132	174	**-24.14%**
ARRESTS					
FELONY	30	25	254	238	**6.72%**
MISDEMEANOR	67	50	496	582	**-14.78%**
WARRANT ARREST	12	9	84	104	**-19.23%**
JUVENILE	5	3	29	37	**-21.62%**
TOTAL ARRESTS	**114**	**87**	**863**	**961**	**-10.20%**
DISPATCH					
CALLS FOR SERVICE	1696	1635	12168	11037	**10.25%**
ACCIDENTS					
INJURY	8	7	85	102	**-16.67%**
NON-INJURY	68	55	495	424	**16.75%**
FATALITY	0	0	0	2	**-200.00%**
TOTAL	**76**	**62**	**580**	**528**	**9.85%**
FALSE ALARMS					
RESIDENT ALARMS	47	64	446	531	**-16.01%**
BUSINESS ALARMS	145	144	1064	1026	**3.70%**
TOTAL FALSE ALARMS	**192**	**208**	**1510**	**1557**	**-3.02%**
Estimated Lost Hours	**126.72**	**137.28**	**996.6**	**1027.62**	**-3.02%**
Estimated Cost	**$3,014.40**	**$3,265.60**	**$23,707.00**	**$24,444.90**	**-3.02%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**6**
Arrests	**3**
Arrest Warrants	**1**
Search Warrants	
Seized	
Cocaine	12.5 kg
Heroin	6.7 kg
Marijuana	2 lbs
Methamphetamine	106 kg

Rockwall Police Department

Dispatch and Response Times

August 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**116**
Call to Dispatch	0:01:41		
Call to Arrival	0:05:40		
% over 7 minutes	22%		

	Average Response Time		
Priority 2		Number of Calls	**298**
Call to Dispatch	0:03:44		
Call to Arrival	0:10:32		
% over 7 minutes	60%		

	Average Response Time		
Priority 3		Number of Calls	**63**
Call to Dispatch	0:04:59		
Call to Arrival	0:14:08		
% over 7 minutes	62%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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629

Phone: 877-631-5278 | **Fax:** 972-563-0048 | **Website:** STARtransit.org
PO Box 703 | Terrell | TX 75160

September 9, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: August 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
AUGUST	22	1,855

Non-Service Days: None

NO. OF TRIPS	PURPOSE
1,120	Contract Service
8	Education
0	Government
12	Medicaid
315	Medical
14	Nutrition (Senior Center)
133	Other (adult-day care, beauty salon, friend's homes, etc.)
103	Shopping
150	Work

AUGUST UNDUPLICATED PASSENGERS
84
YEAR TO DATE UNDUPLICATED PASSENGERS
273

Adjusted Trip Total	723

*Trip Totals without Contracts or Medicaid

> = 60	533
DIS >60	111
	644
% E & D Trip Total	89%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **19,003**
(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: AUGUST 2018 TRIP TOTAL= 1,409 (32% INCREASE)

ROCKWALL CITY	1Q	2Q	3Q	4Q	*PURPOSE TOTALS*
CONTRACT	2,622	1,460	2,858	1,869	*8,809*
EDU	14	2	24	8	*48*
GOV	6	2	2	4	*14*
MDE	215	254	249	180	*898*
MED	752	489	782	755	*2,778*
NUT	152	71	89	104	*416*
OTH	961	902	742	589	*3,194*
SHP	405	161	514	332	*1,412*
WORK	576	413	446	464	*1,899*
	5,703	3,754	5,706	4,305	*19,468*

ROCKWALL CITY	**Sep-17**	**Oct-17**	**Nov-17**	**Dec-17**	**Jan-18**	**Feb-18**	**Mar-18**	**Apr-18**	**May-18**	**Jun-18**	**Jul-18**	**Aug-18**	**TOTALS**
(UPT) Unlinked Passenger Trips	1,970	2,146	1,587	1,145	1,335	1,274	2,060	1,762	1,884	1,489	1,545	1,409	**19,606**
CONTRACT	894	1,052	676	417	550	493	1,166	818	874	625	711	533	**8,809**
EDU	7	6	1	0	2	0	8	13	3	4	2	2	**48**
GOV	4	0	2	2	0	0	2	0	0	2	2	0	**14**
MDE	69	78	68	91	71	92	72	68	109	78	59	43	**898**
MED	267	267	218	139	174	176	242	258	282	286	220	249	**2,778**
NUT	33	74	45	22	26	23	26	40	23	37	35	32	**416**
OTH	311	313	337	282	313	307	299	247	196	178	147	264	**3,194**
SHP	159	162	84	72	46	43	117	172	225	131	86	115	**1,412**
WORK	226	194	156	120	153	140	128	146	172	148	145	171	**1,899**
TOTAL DR TRIPS	**1,970**	**2,146**	**1,587**	**1,145**	**1,335**	**1,274**	**2,060**	**1,762**	**1,884**	**1,489**	**1,407**	**1,409**	19,468
	1,076	*1,094*	*911*	*728*	*785*	*781*	*894*	*944*	*1,010*	*864*	*696*	*876*	

	Sep-17	**Oct-17**	**Nov-17**	**Dec-17**	**Jan-18**	**Feb-18**	**Mar-18**	**Apr-18**	**May-18**	**Jun-18**	**Jul-18**	**Aug-18**	**TOTALS**
Medicaid	69	78	68	91	71	92	72	68	109	78	59	43	**898**
Lakepointe Church Contract	894	1,052	676	417	550	493	1,166	818	874	625	711	533	**8,809**
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	**0**
Charters	0	0	0	0	0	0	0	0	0	0	0	0	**0**
	963	*1,130*	*744*	*508*	*621*	*585*	*1,238*	*886*	*983*	*703*	*770*	*576*	***9,707***

	Sep-17	**Oct-17**	**Nov-17**	**Dec-17**	**Jan-18**	**Feb-18**	**Mar-18**	**Apr-18**	**May-18**	**Jun-18**	**Jul-18**	**Aug-18**	**TOTALS**
Adjusted Trip Total	1,007	1,016	843	637	714	689	822	876	901	786	775	833	**9,899**
	*Trip Totals without Contracts or Medicaid												

	Sep-17	**Oct-17**	**Nov-17**	**Dec-17**	**Jan-18**	**Feb-18**	**Mar-18**	**Apr-18**	**May-18**	**Jun-18**	**Jul-18**	**Aug-18**	**TOTALS**
> = 60	550	645	491	309	338	350	457	480	502	462	390	421	**5,395**
DIS <60	231	256	214	181	229	170	169	201	164	141	144	143	**2,243**
	781	*901*	*705*	*490*	*567*	*520*	*626*	*681*	*666*	*603*	*534*	*564*	***7,638***
% of Adjusted Trip Total	78%	89%	84%	77%	79%	75%	76%	78%	74%	77%	69%	68%	

	Sep-17	**Oct-17**	**Nov-17**	**Dec-17**	**Jan-18**	**Feb-18**	**Mar-18**	**Apr-18**	**May-18**	**Jun-18**	**Jul-18**	**Aug-18**	**TOTALS**
GENERAL PUBLIC	226	115	138	147	147	169	196	195	235	183	241	269	**2,261**
% of Adjusted Total	22%	11%	16%	23%	21%	25%	24%	22%	26%	23%	31%	32%	

	Sep-17	**Oct-17**	**Nov-17**	**Dec-17**	**Jan-18**	**Feb-18**	**Mar-18**	**Apr-18**	**May-18**	**Jun-18**	**Jul-18**	**Aug-17**	**TOTALS**
DOS	20	22	20	19	22	19	21	21	22	21	21	23	251
NoShow/Cancel	504	600	709	565	673	519	566	585	617	577	602	565	7082
UNDUPLICATED M2M	122	132	115	98	101	114	116	111	120	104	115	88	1336
UNDUPLICATED YTD	-	168	195	227	254	280	308	333	364	385	413	427	3354
			27	*32*	*27*	*26*	*28*	*25*	*31*	*21*	*28*	*14*	

	Sep-17	**Oct-17**	**Nov-17**	**Dec-17**	**Jan-18**	**Feb-18**	**Mar-18**	**Apr-18**	**May-18**	**Jun-18**	**Jul-18**	**Aug-17**	**TOTALS**
Subscription Trips	**394**	**449**	**354**	**372**	**430**	**404**	**397**	**462**	**495**	**376**	**420**	**342**	**4895**
Percent Subs of Total Trips	**20%**	**21%**	**22%**	**32%**	**32%**	**32%**	**19%**	**26%**	**26%**	**25%**	**30%**	**24%**	
SUBS Can/NoShow	**104**	**101**	**187**	**209**	**229**	**12**	**201**	**165**	**193**	**249**	**240**	**178**	**2068**

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632

Table of Contents

Agenda 4
Domestic Violence Awareness Month
Domestic Violence Awareness Month 8
Blank Page 9
First Presbyterian Church of Rockwall Day
FPC of Rockwall 10
Blank Page 11
National Community Planning Month
Proclamation 12
Blank Page 13
Texas Chamber of Commerce Week
Chamber Proc 14
Blank Page 15
Consider approval of the minutes from the October 7, 2019 regular city council meeting, and take any action necessary.
10/7 Mins 16
Blank Page 25
Consider approving cooperative purchasing agreement with the City of Cleburne and authorizing the City Manager to execute the Interlocal Cooperative Agreement, and take any action necessary.
Memo 26
agreement 27
Blank Page 30
Consider approving cooperative purchasing agreement with the City of Royse City and authorizing the City Manager to execute the Interlocal Cooperative Agreement, and take any action necessary.
Memo 31
agreement 32
Blank Page 35
Consider awarding a bid to Musco Sports Lighting and authorizing the City Manager to execute a Purchase Order for adding lights at the Myers Park Pickle Ball Court in the amount of $42,612 to be funded out of General Fund Reserves, and take any action necessary.
Memo 36
Blank Page 37
Consider awarding a bid to Caldwell Country Chevrolet and Rockdale Country Ford and authorizing the City Manager to execute Purchase Orders for new 2020 model vehicles in the amount of $301,502 to be funded out of General Fund Reserves and Water Sewer Fund, and take any action necessary.
Memo 38
Blank Page 39

Consider authorizing the City Manager to execute a maintenance and services agreement with RLC Controls, Inc. for the 2020 fiscal year to provide maintenance and service for Supervisory Control and Data Acquisition computer systems (SCADA) for the Water, Wastewater, and Street Divisions of Public Works, to be funded by the 2019-2020 budget, and take any action necessary.

Memo . . . 40
Contract . . . 41
Insurance . . . 44
Blank Page . . . 45

MIS2019-001 - Hold a public hearing to discuss and consider approval of an ordinance adopting updated impact fees for water, wastewater, and roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary. (1st Reading)

MIS2019-001 [1] . . . 46
MIS2019-001 [2] . . . 171
MIS2019-001 [3] . . . 198
MIS2019-001 [4] . . . 252
Blank Page . . . 301

Z2019-021 - Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of an ordinance for a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary (1st Reading).

Z2019-021 . . . 302
Blank Page . . . 334

Z2019-022 - Hold a public hearing to discuss and consider a request by Marty Wright for the approval of an ordinance for a Specific Use Permit (SUP) allowing an accessory building on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary (1st Reading).

Z2019-022 . . . 335
Blank Page . . . 374

Z2019-024 - Hold a public hearing to discuss and consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of an ordinance for a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the residential subdivision being a ~336.00-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [N. Goliad Street], and take any action necessary (1st Reading).

Z2019-024 . . . 375
Blank Page . . . 498

Discuss and consider a request for a variance from the sign separation requirement for a new monument sign to be located at 1306 Summer Lee Drive, and take any action necessary.

Staff memo . . . 499
Exhibits . . . 500
Blank Page . . . 506

Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, and Park Board, and take any action necessary.

Memo_Boards . . . 507
Blank Page . . . 508

Discuss and consider trends in water consumption, and take any action necessary.

Trowbridge Request . . . 509
Blank Page . . . 510

Discuss and consider appointing a Comprehensive Plan Advisory Committee (CPAC) to assist staff in the annual update to the Comprehensive Plan, and take any action necessary.

Memorandum . . . 511
Blank Page . . . 520

Discuss and consider approval of an ordinance amending the Rockwall Code of Ordinances in Chapter 38. Subdivisions; Article I. In General; Sec. 38-23 Standards for Design of Developments within Subdivisions Adopted to reflect the 2016 update to these standards, and take any action necessary. [1st reading]

Memo . . . 521
Recommendation Letter . . . 523
Basin Map . . . 525
Ordinance . . . 526
Standards of Design . . . 529

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, October 21, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discuss the Texas State Soil and Water Conservation Board Dam Improvement Program. Section 551.071 (Consultation with Attorney).
2. Discuss contract negotiations with wholesale utility customers pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding TXDOT program for exchange of right-of-way pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
5. Discussion regarding possible sale/purchase/lease of real property in the vicinity of downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
6. Discussion regarding sale/exchange of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
7. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNSEN

VI. PROCLAMATIONS

pg.8 **1.** Domestic Violence Awareness Month

pg.10 **2.** First Presbyterian Church of Rockwall Day

pg.12 **3.** National Community Planning Month

pg.14 **4.** Texas Chamber of Commerce Week

VII. OPEN FORUM

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

IX. CONSENT AGENDA

pg.16 **1.** Consider approval of the minutes from the October 7, 2019 regular city council meeting, and take any action necessary.

pg.26 **2.** Consider approving cooperative purchasing agreement with the City of Cleburne and authorizing the City Manager to execute the Interlocal Cooperative Agreement, and take any action necessary.

pg.31 **3.** Consider approving cooperative purchasing agreement with the City of Royse City and authorizing the City Manager to execute the Interlocal Cooperative Agreement, and take any action necessary.

pg.36 **4.** Consider awarding a bid to Musco Sports Lighting and authorizing the City Manager to execute a Purchase Order for adding lights at the Myers Park Pickle Ball Court in the amount of $42,612 to be funded out of General Fund Reserves, and take any action necessary.

pg.38 **5.** Consider awarding a bid to Caldwell Country Chevrolet and Rockdale Country Ford and authorizing the City Manager to execute Purchase Orders for new 2020 model vehicles in the amount of $301,502 to be funded out of General Fund Reserves and Water Sewer Fund, and take any action necessary.

pg.40 **6.** Consider authorizing the City Manager to execute a maintenance and services agreement with RLC Controls, Inc. for the 2020 fiscal year to provide maintenance and service for Supervisory Control and Data Acquisition computer systems (SCADA) for the Water, Wastewater, and Street Divisions of Public Works, to be funded by the 2019-2020 budget, and take any action necessary.

X. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XI. PUBLIC HEARING ITEMS

pg.46 **1.** **MIS2019-001** - Hold a public hearing to discuss and consider approval of an **ordinance** adopting updated impact fees for water, wastewater, and roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary. **(1st Reading)**

pg.302 **2.** **Z2019-021** - Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of an **ordinance** for a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts

1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary **(1st Reading).**

pg.335 **3.** **Z2019-022** - Hold a public hearing to discuss and consider a request by Marty Wright for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing an accessory building on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary **(1st Reading).**

pg.375 **4.** **Z2019-024** - Hold a public hearing to discuss and consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of an **ordinance** for a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the residential subdivision being a ~336.00-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [N. Goliad Street], and take any action necessary **(1st Reading).**

XII. ACTION ITEMS

pg.499 **1.** Discuss and consider a request for a variance from the sign separation requirement for a new monument sign to be located at 1306 Summer Lee Drive, and take any action necessary.

pg.507 **2.** Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, and Park Board, and take any action necessary.

pg.509 **3.** Discuss and consider trends in water consumption, and take any action necessary.

pg.511 **4.** Discuss and consider appointing a Comprehensive Plan Advisory Committee (CPAC) to assist staff in the annual update to the Comprehensive Plan, and take any action necessary.

pg.521 **5.** Discuss and consider approval of an **ordinance** amending the Rockwall Code of Ordinances in Chapter 38. Subdivisions; Article I. In General; Sec. 38-23 Standards for Design of Developments within Subdivisions Adopted to reflect the 2016 update to these standards, and take any action necessary. **[1st reading]**

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discuss the Texas State Soil and Water Conservation Board Dam Improvement Program. Section 551.071 (Consultation with Attorney).
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6. Discussion regarding sale/exchange of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
7. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the **18th** day of **October,** 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, Texas

Proclamation

Whereas, according to the National Coalition Against Domestic Violence:

- A woman is assaulted or beaten every 9 seconds in the U.S., an average of 20 people are physically abused by intimate partners every minute, and there are more than 10 million abuse victims annually;
- One in 3 women and 1 in 4 men has been physically abused by an intimate partner, with 1 in 5 women and 1 in 7 men having been severely physically abused;
- On a typical day, domestic violence hotlines, nationwide, receive about 20,000 calls;
- Twenty-one to 60% of victims lose their job due to reasons stemming from abuse; and

Whereas, domestic violence is prevalent in every community, affecting people regardless of age, socioeconomic status, sexual orientation, gender, race or nationality; and

Whereas, those who are abused often do not leave the abusive relationship for many reasons, such as fear that the abuser's violent behavior will escalate if he or she tries to leave; the belief or hope that the abuser may change; the victim is financially dependent on the abuser; or religious or cultural beliefs prevent the person from leaving; and

Whereas, domestic violence can result in physical injury, mental trauma, and even death, with children often becoming victimized as well.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of **October** as **Domestic Violence Awareness Month** in the City of Rockwall encouraging all citizens to help raise awareness about domestic violence in our community and support organizations that aim to eradicate this crime and assist those who are affected.

In Witness Whereof, I hereunto set my hand and official seal this 21st day of October, 2019.

Jim Pruitt, Mayor

8

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Rockwall, Texas

Proclamation

Whereas, First Presbyterian Church of Rockwall has been a vital part of Rockwall since both the community and the church were founded 165 years ago in 1854; and

Whereas, First Presbyterian Church of Rockwall has been actively serving God by serving our neighbors in the County since November 7 of that year; and

Whereas, for 165 years, First Presbyterian Church of Rockwall has consistently contributed to the spiritual growth and physical and emotional well-being of the greater community by supporting numerous organizations within Rockwall and beyond; and

Whereas, First Presbyterian Church of Rockwall was instrumental in the founding of and ongoing support of Rockwall County Helping Hands; and

Whereas, First Presbyterian Church of Rockwall embraces as its call to help people "*Feel* the Love. *Be* the Love," and its members continue to reach out to the community so that all may feel the love of God in Christ and have the opportunity to be God's love for others.

Now, Therefor, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim November 7, 2019 as:

FIRST PRESBYTERIAN CHURCH OF ROCKWALL DAY

in the City of Rockwall, and express our most sincere appreciation for the valuable contributions of First Presbyterian Church of Rockwall to our community and encourage others to "*Feel* the love. *Be* the love." on this day and every day.

In Witness Whereof, I hereunto affix my hand and official seal this 21st day of October, 2019.

Jim Pruitt, Mayor

10

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Rockwall, Texas

Proclamation

Whereas, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

Whereas, community planning and planners can help manage this change in a way that provides better choices for how people work, live, and play; and

Whereas, community planning provides an opportunity for all residents to be equally involved in making choices that determine the shared-vision of their neighborhoods; and

Whereas, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

Whereas, the month of October is designated as National Community Planning Month throughout the United States of America and its territories; and

Whereas, the American Planning Association and its professional institute, the American Institute of Certified Planners, annually endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our neighborhoods and environment; and

Whereas, this month, we would like to publicly recognize the participation and dedication of the members of our planning-related commissions and other citizen planners who contribute their time and expertise to the improvement of the City of Rockwall.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **October 2019** as:

APA National Community Planning Month

In the City of Rockwall and urge all citizens to join me in recognizing the many valuable contributions made by both the professional planners of the City and by our many volunteers and extend our heartfelt thanks for the continued commitment to public service by these individuals.

In Witness Whereof, I hereby affix my official hand and seal this 21st day of October, 2019.

Jim Pruitt, Mayor

12

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Rockwall, Texas

Proclamation

Whereas, Chambers of Commerce work with area industry, businesses, and merchants to advance the civic, economic, industrial, professional, and cultural life of cities; and

Whereas, Chambers of Commerce were first chartered by the Republic of Texas in 1840 and have contributed to the civic and economic life of Texas for 179 years; and

Whereas, this year marks the 90th anniversary of the Rockwall Area Chamber of Commerce and the 113th Anniversary of the Texas Association of Chamber of Commerce Executives, the state's longest standing association of Chamber professionals in the nation; and

Whereas, the Rockwall Area Chamber of Commerce, founded in 1929, is the leading broad-based business organization that serves as a unified voice for area business; and

Whereas, Chambers of Commerce encourage the growth of existing industries, services, and commercial firms and encourage new businesses and individuals to locate in Rockwall, acting as a liaison with the State of Texas, City and County of Rockwall, schools and business community; and

Whereas, Chambers of Commerce remain strong, viable organizations of professionals throughout the nation; and

Whereas, Chambers of Commerce provide guidance and leadership to communities across the state and serve as a career development organization for chamber of commerce professionals.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim October 14 - 18 as

Chamber of Commerce Week

in the City of Rockwall and encourage all citizens to recognize and applaud this organization for its many professional endeavors which benefit our city and beyond.

In Witness Whereof, I hereunto set my hand and official seal this 14th day of Oct., 2019.

Jim Pruitt, Mayor

14

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MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, October 07, 2019 - 4:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, and Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels, and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza.

II. WORK SESSION

1. Hold work session with city attorney to hear briefing regarding recently passed state legislation impacting cities.

City Attorney Frank Garza briefed the Council on various pieces of recently passed legislation that impact cities.

2. Hold Work Session to discuss flag pole entry feature on IH-30

City Councilman Bennie Daniels came forth and provided background information pertaining to this agenda item. He explained that this idea was birthed as a result of a discussion he had over two years ago with a local veteran, former FBI agent and resident, David Cutcomb. In late 2018, Councilmember Johannesen and John Adams, both of whom are members of the local American Legion Auxiliary, were asked to join the efforts. Councilman Daniels further explained that the purpose of this flag being placed in a prominent location is to send the message that the City of Rockwall is proud of the United States of America. Assistant City Manager Joey Boyd then came forth and shared with the Council three, separate possible locations for placement of a 200' flagpole that will display the American flag. Indication was given that the initial project would consist of the flagpole, flag and lighting but not landscaping. The funding would come out of General Fund Reserves. The options considered by the group included the following (along with associated budget estimates):

150' Flagpole with installation: $57,750
170' Flagpole with installation: $76,114
180' Flagpole with installation: $98,340
195/200' Flagpole with installation: $113,340

Mr. Boyd explained that the planning committee is seeking direction as to if the City Council approves of the concept of the entry feature, a confirmation of the 3rd site being the preferred site, and authorization to further study the site by performing a geotechnical study to get a soil report for base design. Based on the geotechnical report, a structural engineering firm will perform foundation design

and provide a rendering to submit to TXDOT for approval. The design will be performed and stamped by a structural engineer. The cost for the geotechnical study and report is $3,500 and base design is $1,200. In addition, an FAA Study will be required due to the location of the site being within 7 nautical miles of an airport. The study is free but can take up to 12 weeks to complete. This can be written authorization from the State and while geotechnical and flagpole base design is being performed for the site.

Mr. Boyd also shared that the ongoing costs is estimated at $3000 - $6000 annually for flags and a replacement flag. Council generally gave indication that they desire for Councilman Daniels and staff to go ahead and move forward with the next steps of the project, which is expected to cost no more than $8,000.

3. Hold work session to hear updates to the Engineering Department's "Standards of Design and Construction" and receive City Council input prior to adoption.

City Engineer Amy Williams briefed the Council on the updated design standards, which are quite lengthy and were included in council members' informational meeting packet. Following brief comments, Council generally gave its blessing for staff to move forward by bringing the proposed standards back to Council at a future meeting for formal action.

Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session at 4:52 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding sale of real property in the vicinity of IH-30 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
5. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
6. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section §551.071 (Attorney/Client Consultation).
7. Discussion regarding ballot nominations associated with elections to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
8. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
9. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. Adjourn Executive Session

Council adjourned from Executive Session at 5:56 p.m.

V. Reconvene Public Meeting (6:00 p.m.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members present.

VI. Take Any Action as a Result of Executive Session

Council took no action as a result of Executive Session.

VII. Invocation and Pledge of Allegiance – Councilmember Fowler

Councilmember Fowler delivered the invocation and led the Pledge of Allegiance.

VIII. Proclamations

1. Fire Prevention Month

Mayor Pruitt read the proclamation for Fire Prevention Month. Fire Chief, Kenneth Cullins indicated that the Fire Department will host its annual Open House this Saturday at Fire Station #2 behind the Kroger on the South side of the city. He shared that there will be bounce houses, food and fun, and he invited and encouraged everyone to attend.

2. Rockwall Fire Dept. Presentation of Life Saving Award to Tyra Winters

Mayor Pruitt, Fire Chief Cullins and Assistant Fire Chief, Brett Merritt presented Tyra with a Life Saving Award, recognizing her heroic efforts related to recently dislodging a piece of candy from the throat of a small child who was choking during the RHS homecoming parade. Tyra introduced her family, sharing that she learned this lifesaving technique after a classmate was choking on a granola bar in 8th grade, and she – at the time – did not know what to do to help. Thereafter, her mother got her trained in CPR and the Heimlich maneuver. She thanked her family for its support.

IX. Open Forum

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time.

Dennis Denney
162 Meadowlark Circle
Rockwall, TX 75087

Mr. Denney came forth to speak about the planned RV park on Cornelious Road (located outside the city limits, in the county). He expressed various concerns associated with this proposed development, including environmental concerns such as water run off and the development being solely on septic.

There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the September 16, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-018** - Consider a request by Rob Whittle for the approval of an **ordinance** amending Planned Development District 5 (PD-5) to change the garage setback requirements for an 11.003-acre tract of land identified as Lots 1-40, Block A, the Highlands Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located at the northwest corner of the intersection of SH-66 and FM-1141, and take any action necessary **(2nd Reading).**
3. **Z2019-020** - Consider a request by Todd Panzner for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 11.85-acre tract of land identified as Tract 1-1 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located south of the intersection of Green Circle and SH-276, and take any action necessary **(2nd Reading).**
4. Consider awarding a bid to All Seasons Foam Coatings and authorizing the City Manager to execute a Contract for a new Liner for the Harbor Fountain in the amount of $142,500 to be funded out of General Fund Reserves, and take any action necessary.
5. Consider awarding a bid to B&B Concrete and authorizing the City Manager to execute a Contract for the removal and replacement of 4,200 sf of concrete trail at Myers Park in the amount of $59,600 to be funded out of the Recreation Development Fund, and take any action necessary.
6. **P2019-037** - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Carla Rankin Real Estate Holding for the approval of a final plat for Lot 1, Block A, Rankin Addition being a 0.29-acre tract of land identified as Tract 22 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Residential Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 4035 N. Goliad Street [SH-205], and take any action necessary.
7. **P2019-038** - Consider a request by Bryon Connally of CBG Surveying Texas, LLC on behalf of Shannon McCord Riddell for the approval of a replat for Lot 1, Block A, Goliad-Riddle Addition being a 0.4079-acre tract of land identified as Lot C, Block 117, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, addressed as 501 S. Goliad Street, and take any action necessary.
8. Consider awarding a bid to Play Works - Playwell Group and authorizing the City Manager to execute a Purchase Order for new shade canopy at Tuttle Sports Complex Playground in the amount of $38,853 to be funded out of the Recreation Development Fund, and take any action necessary.
9. Consider awarding a bid to MHC Kenworth and authorizing the City Manager to execute a Purchase Order for a new Brush Truck in the amount of $190,462.32 for Streets and Drainage Operations to be funded out of General Fund Reserves, and take any action necessary.

10. Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program (RAMP) at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

11. Consider authorizing the City Manager to execute a contract between the City of Rockwall and STAR Transit for transportation services for fiscal year 2020 in the amount of $109,884 to be funded by the Administration Department Operating Budget, and take any action necessary.

12. Consider authorizing the City Manager to execute a contract with Meals on Wheels Senior Services for certain nutritional and senior service programs for fiscal year 2020 in the amount of $40,000 to be funded from the Administration Department Operating Budget, and take any action necessary.

13. Consider awarding a bid to Freightliner/CLS Equipment Co. and authorizing the City Manager to execute a Purchase Order for a new Vac Truck in the amount of $389,415.25 to be funded out of the Water and Sewer Fund, Wastewater Operations budget, and take any action necessary.

14. Consider authorizing the City Manager to execute an Engineering Services Agreement with Binkley & Barfield, Inc. for the 2020 fiscal year to provide general engineering services for the preparation and review of all TIAs ("traffic impact analysis") submitted to the City of Rockwall, to be funded by the 2019-2020 Engineering Consulting Budget with developer reimbursement, and take any action necessary.

15. Consider authorizing the City Manager to execute an interlocal agreement between the city and Rockwall County regarding fire protection services, and take any action necessary.

Councilman Johannesen moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15). Councilmember Trowbridge seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5) [*ORDINANCE NO.'S 73-31, 87-23, 88-11, 96-25 & 00-28*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5), BEING A ~547.68-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (*$2,000.00*) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 19-39

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR AN 11.85-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-1 OF THE J. H. BAILEY SURVEY, ABSTRACT NO. 22, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XI. APPOINTMENT ITEMS

1. Appointment with representative(s) of The Downtown Rockwall Association to consider a request to utilize a portion of parking on N. San Jacinto for a valet parking stand (including loading / unloading) for the "Shop Small Saturday" event on November 30, and take any action necessary.

Tammy Sharp
108 Teakwood Drive
Rockwall, TX

Mrs. Sharp came forth and briefed the Council on this proposal. Councilmember Macalik thanked Tammy, her husband and everyone for their efforts this past Saturday at the Rib Rub Run & Roll. Councilman Fowler moved to approve this request, as presented. Councilman Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Appointment with Josh Deaton of Sideways BBQ to request permission to sell alcoholic beverages at The Harbor public event venue as part of a Veteran's Day event on November 9, 2019, and take any action necessary.

Josh Deaton
5446 Ranger Drive
Rockwall, TX 75032

Mr. Deaton came forth and briefed the Council on the nature of his request, generally explaining that he is seeking permission to sell alcoholic beverages at The Harbor as part of a Veterans' Day event on Nov. 9. He shared that he was in the Marine Corps., and his son is in the Marines as well. So, he is very passionate about putting on this Veteran's Day event. He's received a lot of support from the community, businesses and the city. Mike Thorton, a Medal of Honor recipient, is scheduled to speak at 1:00 p.m., and two bands are scheduled, so far. Two high dollar smokers have been donated for the cause, and Wood Creek is willing to donate their beer. Also, five veteran-related charities have been identified, and 100% of the proceeds raised during the event will be donated to these charities. He went on to explain

the plan for selling tickets for the beer, and he shared that a person will be 'cut off' and unable to purchase any more beer after they've been served four beers and received four stamps on their hand.

Mayor Pruitt shared that he has looked into the city's ordinances and policies concerning the sale of beer (specifically downtown, at The Center, and at The Harbor). He went on to explain that, as long as Mr. Deaton's plans comply with the existing, city policies, then his event may be handled administratively by staff, and the Council will not need to vote on this matter.

Councilmember Johannesen asked if Mr. Deaton is working with TABC on this matter. Mr. Deaton explained that, yes, he is working closely with TABC, and he is purchasing related insurance for the event as well.

XII. ACTION ITEMS

1. Discuss and consider approval of the Hotel Occupancy Subcommittee's recommendation for funding of the "Salute to Veterans" event, and take any action necessary.

Mr. Deaton shared further details pertaining to his vision for this Salute to Veterans event, which he plans to hold at The Harbor on Nov. 9. Following discussion concerning the requirements associated with spending 'hotel occupancy tax ("HOT") funds,' Mayor Pruitt moved to approve the subcommittee's recommendation of $7,500 in funding and the waiver of Harbor rental related fees. Councilman Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Johannesen).

2. Discuss and consider approval of a resolution providing for the submission of names to the Rockwall Central Appraisal District (CAD) for nominations to the Board of Directors, and take any action necessary.

Mayor Pruitt moved to put forth John Hohenshelt and Patrick Trowbridge as the nominees for City of Rockwall for the CAD Board of Directors. Councilmember Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. **SP2019-031** - Discuss and consider an appeal by Ryan Moorman of R. D. Moorman, Inc. concerning a variance request denied by the Planning and Zoning Commission in conjunction with an approved site plan for an office building on a 1.244-acre parcel of land identified as Lot 22, Rainbow Acres Addition, City or Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 Ranch Trail, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. Mayor Pruitt made a motion deny the requested exception to the standards pertaining to vertical articulation. Councilman Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider appointing a Comprehensive Plan Advisory Committee (CPAC) to assist staff in the annual update to the Comprehensive Plan, and take any action necessary.

Mayor Pruitt suggested to Mr. Miller that he get with the previous CPAC committee members and see if they would like to serve again.

5. Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.

Councilmember Johannesen moved to appoint Jason Alvarado on the city's Park Board. Councilman Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Trowbridge moved to appoint Stuart Smith to the Main Street Advisory Board (to replace Terry Gregory, who resigned, with a partial term expiring in Jan. 2020). Councilmember Hohenshelt seconded the motion, which passed unanimously (7 ayes to 0 nays).

Councilmember Fowler moved to reappoint Mr. Potter, Mr. Wolf, and Mr. Woodruff to the Airport Advisory Board (thru August 2021). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

6. Discuss and consider approval of a resolution establishing a "Complete Count Committee" for the U.S. 2020 Census, and take any action necessary.

Mayor Pruitt moved to approve the resolution, including appointing Councilman Bennie Daniels to head up the effort. Councilman Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XIII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - August 2019
GIS Division Monthly Report - August 2019
Harbor PD Monthly Report - August 2019
Internal Operations Department Monthly Report - August 2019
Recreation Monthly Report - August 2019
Rockwall Animal Adoption Center Monthly Report - August 2019
Rockwall Fire Dept. Monthly Report - August 2019
Rockwall Meals on Wheels Senior Services 4th Quarter Report
Rockwall Police Department Monthly Report - August 2019
STAR Transit Monthly Report - August 2019

2. City Manager's Report

No discussion, questions, or action took place pertaining to departmental or city manager's reports.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).

2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding sale of real property in the vicinity of Mims Rd. and IH-30 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
5. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
6. Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section §551.071 (Attorney/Client Consultation).
7. Discussion regarding ballot nominations associated with elections to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
8. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
9. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XVI. Adjournment

Mayor Pruitt adjourned the meeting at 6:51 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21st DAY OF OCTOBER, 2019.

ATTEST: _____
JIM PRUITT, MAYOR

_____
KRISTY COLE, CITY SECRETARY

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 14, 2019**

SUBJECT: **Cooperative Purchasing Agreement with the City of Cleburne**

An Interlocal Purchasing Agreement for participation in a cooperative purchasing program with the City of Cleburne is attached for City Council consideration.

The interlocal agreement provides for cooperative purchasing between the Cities of Rockwall and Cleburne for goods, materials and services. By participating in this cooperative program, cities realize additional savings through economies of scale when utilizing the coop contracts. Another benefit is by piggybacking other cities' contracts we would meet all the formal bidding requirements pertaining to contract purchases and eliminate the cost of the competitive bidding process for the contracted materials and services. The interlocal agreement would remain in effect until terminated by either the City of Rockwall or Cleburne.

City of Cleburne contacted me about the opportunity to coop so that they may use our contract with New Edge Services LLC for CityWorks software purchase.

Staff asks City Council to consider joining this purchasing cooperative by authorizing the City Manager to execute the cooperative agreement.

26

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement ("Agreement") is by and between the City of Rockwall, Texas ("Rockwall"), and the City of Cleburne, Texas ("Cleburne"), acting by and through their authorized officers.

RECITALS:

WHEREAS, this Agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code; and

WHEREAS, Section 271.102 of the TEX. LOC. GOV'T CODE authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization; and

WHEREAS, a local government that purchases goods and services pursuant to a Cooperative Purchasing Program with another local government satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and materials; and

WHEREAS, each party has and will on an annual basis obtain competitive bids for the purchase of goods and services; and

WHEREAS, the parties desire to enter into a cooperative purchasing program, which will allow each party to purchase goods and services under each other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE;

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

ARTICLE I
PURPOSE

The purpose of this Agreement is to establish a cooperative purchasing program between the parties, which will allow each party to purchase goods and services under each other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE.

27

ARTICLE II
TERM

The term of this Agreement shall be for a period of one (1) year commencing on the last date of execution hereof ("Effective Date"). Thereafter this Agreement shall automatically renew for successive periods of one (1) year each under the terms and conditions stated herein, unless sooner terminated as provided herein.

ARTICLE III
TERMINATION

Either party may terminate this Agreement by providing thirty (30) days prior written notice to the other party.

ARTICLE IV
PURCHASING

The City Manager or designee for each of party is authorized to act on behalf of the respective party in all matters relating to this cooperative purchasing program. Each party shall make payments to the other party or directly to the vendor under the contract made pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE. Each party shall be responsible for the respective vendor's compliance with provisions relating to the quality of items and terms of delivery.

ARTICLE V
MISCELLANEOUS

5.1 **Relationship of Parties**: This Agreement is not intended to create, nor should it be construed as creating, a partnership, association, joint venture or trust.

5.2 **Notice**: Any notice required or permitted to be delivered hereunder shall be deemed received when sent in the United States Mail, Postage Prepaid, Certified Mail, Return Receipt Requested, or by hand-delivery or facsimile transmission addressed to the respective party at the address set forth below the signature of the party.

5.3 **Amendment**: This Agreement may be amended by the mutual written agreement of both parties hereto.

5.4 **Severability**: In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

28

5.5 **Governing Law**: The validity of this Agreement and any of its terms and provisions as well as the rights and duties of the parties shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in the State District Court of Rockwall County, Texas.

5.6 **Entire Agreement**: This Agreement represents the entire agreement among the parties with respect to the subject matter covered by this Agreement. There is no other collateral, oral or written agreement between the parties that in any manner relates to the subject matter of this Agreement.

5.7 **Recitals**: The recitals to this Agreement are incorporated herein.

5.8 **Counterparts**: This Agreement may be executed in any number of counterparts, each of whom shall be deemed an original and constitute one and the same instrument.

EXECUTED this _____ day of _____, 2019.

CITY OF ROCKWALL, TEXAS

By: _____
RICHARD CROWLEY, CITY MANAGER

385 S. Goliad, St.
Rockwall, TX 75087

ATTEST:

By: _____
KRISTY COLE, CITY SECRETARY

EXECUTED this _____ day of _____, 2019.

CITY OF CLEBURNE, TEXAS

By: _____

_____

ATTEST:

By: _____

_____

29

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 14, 2019**

SUBJECT: **Cooperative Purchasing Agreement with the City of Royse City**

An Interlocal Purchasing Agreement for participation in a cooperative purchasing program with the City of Royse City is attached for City Council consideration.

The interlocal agreement provides for cooperative purchasing between the Cities of Rockwall and Royse City for goods, materials and services. By participating in this cooperative program, cities realize additional savings through economies of scale when utilizing the coop contracts. Another benefit is by piggybacking other cities' contracts we would meet all the formal bidding requirements pertaining to contract purchases and eliminate the cost of the competitive bidding process for the contracted materials and services. The interlocal agreement would remain in effect until terminated by either the City of Rockwall or Royse City.

Royse City has competitively bid and awarded a contract for mowing to Chief Landscape. We would like to piggyback this contract for the mowing and trimming at the water yards and lift stations. This service is funded in the Water and Sewer Fund, Water and Wastewater operations budgets. Estimated annual mowing cost with Chief Landscape is $57,000.

Staff asks City Council to consider (1) joining this purchasing cooperative by authorizing the City Manager to execute the cooperative agreement, (2) award a bid to Chief Landscaping for water yards and lift station mowing services for $57,000 and authorize the City Manager to execute a contract for this service.

31

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement ("Agreement") is by and between the City of Rockwall, Texas ("Rockwall"), and the City of Royse City, Texas ("Royse City"), acting by and through their authorized officers.

RECITALS:

WHEREAS, this Agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code; and

WHEREAS, Section 271.102 of the TEX. LOC. GOV'T CODE authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization; and

WHEREAS, a local government that purchases goods and services pursuant to a Cooperative Purchasing Program with another local government satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and materials; and

WHEREAS, each party has and will on an annual basis obtain competitive bids for the purchase of goods and services; and

WHEREAS, the parties desire to enter into a cooperative purchasing program, which will allow each party to purchase goods and services under each other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE;

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

ARTICLE I
PURPOSE

The purpose of this Agreement is to establish a cooperative purchasing program between the parties, which will allow each party to purchase goods and services under each other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE.

ARTICLE II
TERM

The term of this Agreement shall be for a period of one (1) year commencing on the last date of execution hereof ("Effective Date"). Thereafter this Agreement shall automatically renew for successive periods of one (1) year each under the terms and conditions stated herein, unless sooner terminated as provided herein.

ARTICLE III
TERMINATION

Either party may terminate this Agreement by providing thirty (30) days prior written notice to the other party.

ARTICLE IV
PURCHASING

The City Manager or designee for each of party is authorized to act on behalf of the respective party in all matters relating to this cooperative purchasing program. Each party shall make payments to the other party or directly to the vendor under the contract made pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE. Each party shall be responsible for the respective vendor's compliance with provisions relating to the quality of items and terms of delivery.

ARTICLE V
MISCELLANEOUS

5.1 **Relationship of Parties**: This Agreement is not intended to create, nor should it be construed as creating, a partnership, association, joint venture or trust.

5.2 **Notice**: Any notice required or permitted to be delivered hereunder shall be deemed received when sent in the United States Mail, Postage Prepaid, Certified Mail, Return Receipt Requested, or by hand-delivery or facsimile transmission addressed to the respective party at the address set forth below the signature of the party.

5.3 **Amendment**: This Agreement may be amended by the mutual written agreement of both parties hereto.

5.4 **Severability**: In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

33

5.5 **Governing Law**: The validity of this Agreement and any of its terms and provisions as well as the rights and duties of the parties shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in the State District Court of Rockwall County, Texas.

5.6 **Entire Agreement**: This Agreement represents the entire agreement among the parties with respect to the subject matter covered by this Agreement. There is no other collateral, oral or written agreement between the parties that in any manner relates to the subject matter of this Agreement.

5.7 **Recitals**: The recitals to this Agreement are incorporated herein.

5.8 **Counterparts**: This Agreement may be executed in any number of counterparts, each of whom shall be deemed an original and constitute one and the same instrument.

EXECUTED this _____ day of _____, 2019.

CITY OF ROCKWALL, TEXAS

By: _____
RICHARD CROWLEY, CITY MANAGER

385 S. Goliad, St.
Rockwall, TX 75087

ATTEST:

By: _____
KRISTY COLE, CITY SECRETARY

EXECUTED this _____ day of _____, 2019.

CITY OF ROYSE CITY, TEXAS

By: _____

_____

ATTEST:

By: _____

_____

34

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **Oct. 11, 2019**

SUBJECT: **Bid Award for Pickle Ball Court Lighting**

Approved in the General Fund, Parks Operations budget is $50,000 for adding lights to the pickle ball court at Myers Park. The total cost of this project is $42,612 using the Texas Association of School Boards Buy Board Purchasing coop contract vendor Musco Sports Lighting. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase and install of the new lights.

For Council consideration is the bid award to Musco for $42,612 and authorize the City Manager to execute a purchase order for this project.

36

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37

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 16, 2019**

SUBJECT: **Purchase of 2020 Model Vehicles**

Approved in the current budget are eight (8) new work trucks and one (1) Police Pursuit SUV.

Dept	Item	Budget	Cost	Funding
Inter Operations	2 trucks	$91,000	$82,260	Gen Fund Res
Parks	2 trucks	$84,000	$75,495	Gen Fund Res
Bldg Inspection	1 truck	$28,200	$22,886	Gen Fund Res
Engineering	2 trucks	$57,000	$45,772	Gen Fund Res
Police Patrol	SUV	$51,700	$36,900	Gen Fund Res
Water	1 truck	$46,000	$38,189	Water Sewer Fund

These vehicles are available for purchase from Caldwell Country Chevrolet and Rockdale Country Ford through the Texas Association of School Board (Buy Board) and the State of Texas Smart Buy cooperative purchasing programs. As a member and participant in these cooperative programs, the City has met all formal bidding requirements pertaining to the purchase of the new vehicles. The remaining budget dollars will be used to purchase safety equipment, emergency lights, decals, install of radios and computer equipment once these vehicles are received by the City.

For Council consideration are the bid award to Caldwell Country Chevrolet $226,413 and Rockdale Country Ford $75,089 and authorize the City Manager to execute purchase orders.

38

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39

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **October 16, 2019**

SUBJECT: **General Service Agreement for Supervisory Control and Data Acquisition**

Supervisory Control and Data Acquisition (SCADA) computer systems gather and analyzing real-time data. Examples of the numerous functions the City's SCADA systems provide are monitor and control school zone lights, water levels in City water storage systems, and usage, monitoring the multiple lift stations throughout the City. SCADA allows employees to control operations from a computer and notifies employees of issues 24/7 through cell phones.

The contract with RLC Controls, Inc. will ensure the SCADA system is updated annually with the latest technology and replace or repair any components associated with the systems. Staff requests the City Council consider approval of the attached general services contract for the 2020 fiscal year. This agreement will be funded by the 2019-2020 Water, Wastewater, and Street Department budget.

RLC Controls, Inc.

Maintenance and Service Agreement

RLC Controls agrees to provide and the "CUSTOMER" agrees to accept, under the terms and conditions of this agreement, technical services on a "Time and Material" basis as defined hereafter.

This agreement is effective for the period of one (1) year from _____. This agreement may be canceled by either party within thirty (30) days written notice to the other party. The agreement shall be renewed automatically unless either party wishes to terminate\renegotiate by mutual consent one (1) month in advance of expiration of said agreement.

1) Service Categories

a. Scheduled Service:

Schedule Service is defined as non-critical services scheduled with one (1) week of notice.
A minimum of two (2) hours will be charged for Scheduled or Non-Critical Services.
Material, special tools and job site facilities requested to be furnished by RLC Controls shall be invoiced for at actual documented costs plus 15% markup. Mileage rate shall be billed at $0.75 per mile

Scheduled Annual System Calibration will consist of a complete system checkout and completing miscellaneous request by the "CUSTOMER". All integral parts of the system including Computers, Software, and RTUs will be tested and exercised during this week. A report will be generated documenting any problems found and resolved during this procedure.

Scheduled monthly services will consist of completing and checking any miscellaneous problems or request the "CUSTOMER" may have. We ask that "CUSTOMER" keep a log of issues and/or items to be addressed during this visit.

b. Emergency Service:

Emergency Services is defined as technical assistance being on-site within twenty four (24) hours of call. Emergency service requests will be returned by telephone within one (1) hour of contact from the customer. RLC Controls shall make every effort to provide requested services in a timely manner. On-Site response to requests for emergency services shall be expected within 4-6 hours. Communication between the technician and customer will remain open during this time period.

Upon an emergency service call, a minimum of four (4) hours will be charged.
Material, special tools, and job site facilities requested to be furnished by RLC Controls shall be invoiced for at actual documented costs plus 25% markup. Mileage rate shall be billed at $0.75 per mile.

c. Time and Material Projects (Not to Exceed Quotes)

For "Special Projects" that are non-emergency related, a meeting between RLC and "CUSTOMER" will be conducted to determine project scope, project schedule and budget\GMP pricing. "CUSTOMER" staff is responsible for ensuring compliance with District Purchasing Policy.

41

2) **Service Rates:**

	Scheduled Service / Project Rate	Emergency Service Rate
Engineering		
Senior Project Engineer	$ 135.00	$ 156.00
Project Engineer	$ 110.00	$ 127.00
Field Engineer	$ 100.00	$ 115.00
I&C Technician	$ 75.00	$ 87.00
Fiber Technician	$ 75.00	$ 87.00
Security Specialist	$ 75.00	$ 87.00
Convergence Engineer	$ 137.00	$ 158.00
Construction		
Superintendent	$ 100.00	$ 115.00
Electrician	$ 75.00	$ 87.00
Installer /Elec Helper	$ 60.00	$ 69.00
Project Support		
Project Manager	$ 105.00	$ 121.00
Construction Manager	$ 85.00	$ 98.00
Panel Shop Manager	$ 60.00	$ 69.00
Assistant Mgr	$ 75.00	$ 87.00
Office / Admin	$ 47.00	$ 55.00
Designer / CAD	$ 90.00	$ 104.00
Panel Shop Technician	$ 50.00	$ 58.00

Labor rates include all payroll taxes, benefits, hand tools, overhead and profit. Straight time rates apply for all hours worked during the normal eight (8) hour day, Monday through Friday. Overtime will be billed at "Time and a Half" (standard rate X 1.5) and shall apply for all hours worked in excess of the normal eight (8) hour day and all day Saturday and Sunday.

Double time rates shall apply for all hours worked during following Holidays:

a. New Year's Day
b. Easter Sunday
c. Memorial Day
d. July 4th
e. Labor Day
f. Thanksgiving Day and the Friday following
g. Christmas Day

Travel time shall be charged at the applicable rate.

42

3) Invoicing

a. Change of Rate

All rates and charges specified are those currently in effect and will not change for the period of this agreement. RLC Controls reserves the right to review and modify any change of rate at the renewal of this agreement.

b. Invoicing

Invoicing shall be monthly and include a recap of all services provided and related supporting documentation. Invoicing will be job/ project specific and will denote the physical location that the work was completed at.

c. Taxes

Invoices shall include applicable sales tax as a separate line item. Taxes shall be charged on material and labor except that work for which the customer provides an executed tax exemption certificate to RLC Controls.

4. Insurance and Liability

a. Insurance

RLC Controls agrees to obtain and maintain insurance with the following minimum coverages:

General Liability:	$1,000,000/$2,000,000
Umbrella Liability	$10,000,000
Automobile Liability:	$1,000,000
Workers Compensation:	$500,000

A certificate of insurance shall be provided upon request.

b. Conduct and Performance

RLC Controls shall assume full responsibility for the conduct and performance of our employees and/or subcontractors.

c. Disclaimer and Limitation of Liability

RLC Controls shall not be responsible for consequential or special damages resulting from any work, or lack thereof, carried out on the equipment covered by this agreement, except that damage which is determined to be caused directly by negligence on the part of RLC Controls employees or agents thereof. In any event, liability shall be limited to repair or replacement of damaged equipment.

RLC Controls, Inc.

Date: 10/16/19

"CUSTOMER"

Date:

43

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/16/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Keystone Southwest Insurance Agency P O Box 1747 Rockwall TX 75087	CONTACT NAME: Jennifer Rodriguez PHONE (A/C, No, Ext): (972) 771-3861 FAX (A/C, No): (972) 772-1021 E-MAIL ADDRESS: jrodriguez@kswins.com
INSURED RLC Controls, Inc. 8115 Hicks Hollow McKinney TX 75071	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A : Great Northern Insurance Co — 20303 INSURER B : Federal Insurance Company — 20281 INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** 19/20 Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [X] PRO-JECT [ ] LOC OTHER:			3604-55-01	01/07/2019	01/07/2020	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Employee Benefits	$ 1,000,000 $ 1,000,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $ 1,000,000
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
B	[ ] UMBRELLA LIAB [ ] OCCUR [X] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $			7818-69-12	01/07/2019	01/07/2020	EACH OCCURRENCE AGGREGATE	$ 3,000,000 $ 3,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N [ ] If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		7177-07-67	01/07/2019	01/07/2020	[X] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

General Liability policy includes Blanket Waiver of Subrogation, Blanket Additional Insured that is primary and non-contributory, when required by written contract.
Workers compensation policy includes Blanket Waiver of Subrogation coverage when required by written contract.

CERTIFICATE HOLDER

City of Rockwall
385 S Goliad Street
Rockwall TX 75087

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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45

CITY OF ROCKWALL
CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	October 21, 2019
SUBJECT:	Water, Wastewater, and Roadway Impact Fee Study

In accordance with Chapter 395 of the Texas Local Government Code, the City Council is scheduled to hold a public hearing at the October 21, 2019 City Council meeting to consider the approval of updated Land Use Assumptions and a Capital Improvements Plan for water, wastewater, and roadway impact fees. The Capital Improvements Advisory Committee (CIAC) [*i.e. the Planning and Zoning Commission*] reviewed the Land Use Assumptions, Capital Improvements Plan, and impact fees on September 10, 2019 and provided the City Council with a written recommendation. This recommendation is provided as an attachment to this memorandum and was provided to the City Council on September 25, 2019 in accordance with the requirements of the Texas Local Government Code.

The CIAC's recommendations on roadway impact fees included: [*1*] expanding the program to include additional projects, and [*2*] increasing the roadway impact fees by 25% of the previous collection rate or from $256.00 to $320.00 for all service areas. With regard to water and wastewater impact fees, the CIAC's recommendation is that both impact fees be increased to 50% of the maximum fee calculated. The CIAC made these recommendations after a finding that the updated impact fees would continue to keep Rockwall competitive with its comparable cities while reducing the tax-payers burden as much as possible. It is also not anticipated that the updated impact fees will have a negative impact on development in the City.

The City's consultants (*Eddie Haas with Freese and Nichols, Inc and Matt Hickey, PE and Derek Chaney, PE with Brikoff, Hendricks & Carter, LLP*) will be making presentations concerning their findings prior to the public hearing. Staff will also be available to answer any questions concerning the Land Use Assumptions report, which was prepared by staff at the beginning of the update process.

August 24, 2019

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager and Director of Finance*
Joey Boyd, *Assistant City Manager and Director of Internal Operations*

FROM: Eric Chodun, *Capital Improvement Advisory Committee Chairman*

SUBJECT: Recommendation from the CIAC Concerning the 2019 Water, Wastewater and Roadway Impact Fee Update

In accordance with Section 395.058 of the Texas Local Government Code, the Capital Improvement Advisory Committee (CIAC) has been conducting meetings with City staff and the City's consultants -- *Edmund Haas, AICP of Freese and Nichols, Inc. and Matt Hickey, PE and Derek Chaney, PE of Birkoff, Hendrix & Carter, LLP* -- for the purpose of commenting on technical data relative to the update of the Water, Wastewater, and Roadway Impact Fee program. This section of the Texas Local Government Code requires that the program be reviewed periodically with a review happening at least every five (5) years. Technical elements reviewed included Land Use Assumptions (2019-2029), respective Capital Improvement Plans and the resultant cost per service unit calculations for determining impact fees.

After consideration and deliberation of the information, the CIAC recommends the following:

(1) Concurrence with the information presented in the Land Use Assumptions for Impact Fees, the Impact Fee Capital Improvement Plans, resultant cost per service unit calculations, and Final Impact Fee Reports;

(2) *Collection Rates*:

(a) For roads, an increase from the previous collection rate of $256.00 by 25%, to a new collection rate of $320.00 per service unit for all service areas (*i.e. Services Areas 1-4*) within the program. A review of benchmarking data presented found Rockwall to remain competitive, given the proposed increase, with other similar communities with impact fee programs.

(b) For water and wastewater, fee collections should be increased to 50% of the calculated maximum fee. This recommendation was driven primarily by the incorporation of projects passed through to the city as part of the North Texas Municipal Water District (NTMWD) Regional Systems. Based on benchmark data, increasing collections for water to the 50% level would have nominal impacts to fees on a standard single-family home (*i.e. an increase of $13.99*). A review of benchmarking data presented found Rockwall to remain competitive, given the proposed increase, with other similar communities with impact fee programs.

The Committee came to these conclusions after reviewing comparable cities' impact fees to ensure that Rockwall would remain competitive if the rates were raised. The consensus of the Committee was a desire to reduce the tax-payers burden as much as possible while maintaining reasonable rates that would not negatively impact development. The updated rates should not affect growth in the City of Rockwall over the next five (5) years.

The CIAC would recommend that the City Council approve the updated Land Use Assumptions Report, Capital Improvements Plan, and the water, wastewater, and roadway impact fees as presented.

Sincerely,

Eric Chodun
Capital Improvement Advisory Committee Chairman

CITY OF ROCKWALL

RESOLUTION NO. 19-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER THE APPROVAL OF UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN, AND IMPACT FEES FOR THE 2019 IMPACT FEE UPDATE.

WHEREAS, the City Council of the City of Rockwall has authorized an impact fee study to determine whether to adopt updated Land Use Assumptions (LUA), Capital Improvement Plan, and Impact Fees for roadway, water, wastewater facilities in accordance with Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (*"Ch, 395 of the TLGC"*) and Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions*, of the City of Rockwall Municipal Code of Ordinances; and

WHEREAS, *Ch. 395 of the TLGC* requires the City Council of the City of Rockwall to hold a public hearing to consider whether to update the Land Use Assumptions, Capital Improvement Plan, and Impact Fees for roadway, water, and wastewater facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. RECITALS. The above recitals are found to be true and correct and they are incorporated as findings of the City Council for all purposes.

SECTION 2. PUBLIC HEARING. A public hearing of the City Council shall be held on *October 21, 2019* at 6:00 PM at City Hall, 385 S. Goliad Street, Rockwall, Texas, for the purpose of considering amendments to the Land Use Assumptions, Capital Improvement Plan, and Impact Fees for roadway, water, wastewater facilities.

SECTION 3. PUBLIC NOTICE. Notice of the public hearing shall be published in a newspaper of general circulation in Rockwall County at least 30-days prior to the public hearing date.

SECTION 4. EFFECTIVE DATE. This *Resolution* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 3RD DAY OF SEPTEMBER, 2019.

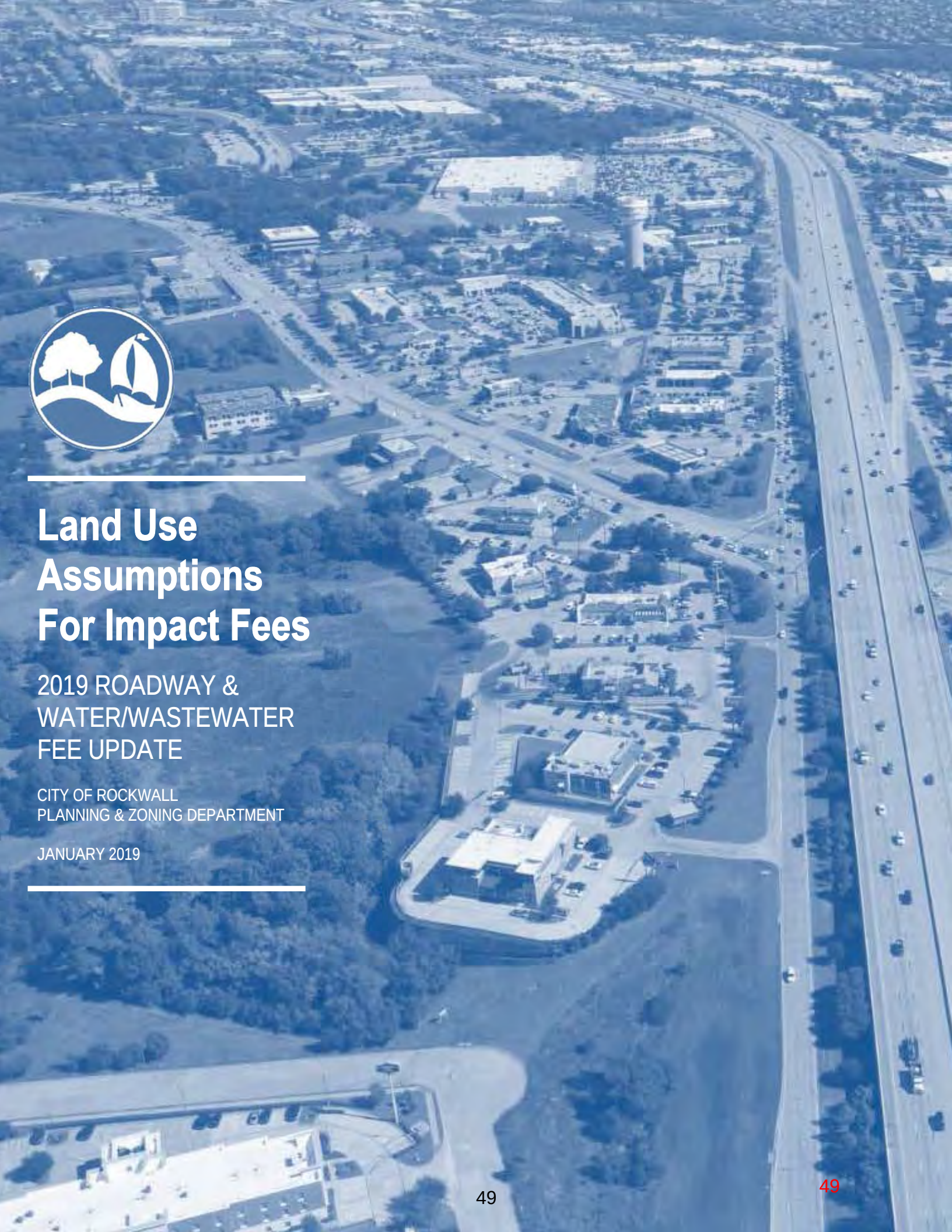
APPROVED:

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

CITY OF ROCKWALL TEXAS
SEAL



Land Use Assumptions For Impact Fees

2019 ROADWAY & WATER/WASTEWATER FEE UPDATE

CITY OF ROCKWALL
PLANNING & ZONING DEPARTMENT

JANUARY 2019

49

ACKNOWLEDGEMENTS

CITY COUNCIL

- JIM PRUITT, *MAYOR*
- KEVIN FOWLER, *MAYOR PRO-TEM*
- JOHN HOHENSHELT
- BENNIE DANIELS
- DANA MACALIK
- TRACE JOHANNESEN
- PATRICK TROWBRIDGE

CAPITAL IMPROVEMENT ADVISORY COMMITTEE

[*PLANNING AND ZONING COMMISSION*]

- JOHNNY LYONS, *CHAIRMAN*
- ERIC CHODUN, *VICE-CHAIRMAN*
- ANNIE FISHMAN
- MARK MOELLER
- JERRY WELCH
- TRACEY LOGAN
- JOHN WOMBLE

STAFF MEMBERS BY DEPARTMENT/DIVISION

PLANNING AND ZONING DIVISION

- RYAN MILLER, AICP, *DIRECTOR OF PLANNING AND ZONING*
- DAVID GONZALES, AICP, *PLANNING MANAGER*
- KOREY BROOKS, AICP, *SENIOR PLANNER*

GIS DIVISION

- LANCE SINGLETON, *GIS SUPERVISOR*
- LINDSAY HICKS, *GIS ANALYST*
- JORGE RUIZ, *GIS TECHNICIAN*

ENGINEERING DEPARTMENT

- AMY WILLIAMS, PE, *CITY ENGINEER/DIRECTOR OF PUBLIC WORKS*
- JEREMY WHITE, PE, *ENGINEER*
- SARAH HAGER, *EIT*

BUILDING INSPECTIONS DEPARTMENT

- JEFFERY WIDMER, *CHIEF BUILDING OFFICIAL*

ADDITIONAL ACKNOWLEDGEMENTS

- BIRKHOFF, HENDRICKS & CARTER, LLP
- FREESE & NICHOLS, INC.



50



TABLE OF CONTENTS

FOREWORD 2
PURPOSE 2
Elements of the Land Use Assumptions Report 2
METHODOLOGY 3
Land Use Assumptions Report Methodology 3
DATA COLLECTION ZONES AND SERVICE AREAS 4-6
Data Collection Zones 4
Service Areas 5
Summary of Data 5
BASE YEAR DATA 7
Households 7
Population 7
Employment 7
TEN-YEAR GROWTH PROJECTIONS 8-10
Growth Assumptions 8
Population Growth Rate Analysis 8
Projected Population for 2029 9
Projected Employment for 2029 10
BUILD OUT ANALYSIS 11-12
Establishing Households and Population at the City's Build Out 11
Establishing Employment at the City's Build Out 12
SUMMARY 13

APPENDIX A 14
Housing, Population, & Employment Data
By Roadway Fee Service Area 14
APPENDIX B 15
Housing, Population, & Employment Data
By Water/Wastewater Impact Fee Service Area 15
APPENDIX C 16
Employment Breakdown Data
By Roadway Impact Fee Service Areas 16
APPENDIX D 17
Employment Breakdown Data
By Roadway Impact Fee Service Areas 17

51



52

FORWARD

What are *Impact Fees? Impact Fees* are charges that are imposed by local governments against new development for the purpose of generating revenue for or to recoup the cost of capital facilities (*i.e. infrastructure*) that are necessitated by and attributable to new development. These fees are generally implemented to reduce the economic burden of a municipality and its taxpayers when addressing the need for adequate capital improvements to accommodate growth. Impact fees are typically paid to a municipality in advance of the completion of a particular development project, and are based on a defined methodology and calculation that is derived from the cost of the facility and the scope/impact of the development.

PURPOSE

Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code outlines the process for adopting and updating impact fees for political subdivisions. On October 20, 2014, the City of Rockwall adopted roadway and water/wastewater impact fees through *Ordinance No. 14-47*. According to the statutory requirements stipulated by the Texas Local Government Code impact fees are required to be updated at a minimum of every five (5) years [*§395.052*].

In approaching an update to existing impact fees it is important for a city to assess its growth and employment potential, and establish land use assumptions that will guide development for a ten (10) year planning period (*i.e. 2019-2029*) [*§395.001(5)*]. These land use assumptions form the basis for the preparation of the *Impact Fee Capital Improvement Plan* for water, wastewater, and roadway facilities.

In order to determine the need and timing of capital improvements to serve future development, a rational estimate of the future growth of the City is required. The purpose of this report is to formulate growth and employment projections based upon assumptions pertaining to the type, location, quantity and timing of future development within the City, and to establish and document the methodology used for preparing these land use assumptions.

ELEMENTS OF THE LAND USE ASSUMPTIONS REPORT

This report contains the following components:

- *Methodology*: This component of the report contains the systematic and theoretical analysis of the methods and principals used to prepare the projections and land use assumptions contain within this report.
- *Data Collection Zones and Service Areas*: This component provides an explanation of the data collection zones (*i.e. Land Use Districts established in the OURHometown 2040 Comprehensive Plan*) and the Roadway, Water and Wastewater Impact Fee Service Areas for capital facilities.
- *Base Year Data*: This component provides information on population, housing and employment in the City of Rockwall as of January 1, 2019 for each capital facility service area.
- *Ten-Year Growth Projections*: This component provides assumptions with respect to the population, housing and employment data for the City of Rockwall in ten (10) years (*i.e. 2029*). This information is broken out by the capital facility service area.
- *Build Out Analysis:* This component provides projections for population, housing and employment under the assumption that the City and its Extraterritorial Jurisdiction (ETJ) are developed to their carrying capacity, or their *Built Out*.
- *Summary*: This component provides a synopsis of the land use assumptions contained within this report.
- *Appendices:* This component contains information that was important in deriving the population, housing and employment projections for 2019-2029.

METHODOLOGY

Building off the base year and build out projections contained in the OURHometown Vision 2040 Comprehensive Plan, and the growth assumptions and capital improvement needs estimated to support future growth, it is possible to develop an impact fee structure that fairly allocates improvement cost to growing areas of the City with relation to the growths' potential impact on the entire infrastructure system. The data contained in this report has been formulated using reasonable and generally accepted planning principles.

These land use assumptions and future growth projections take into consideration several factors influencing development patterns, including:

- The character, type, density and quantity of existing development.
- The current zoning patterns as documented on the City's zoning map and the anticipated future land uses as established in the OURHometown Vision 2040 Comprehensive Plan, which contains the City's Future Land Use Plan.
- The availability of land and infrastructure to support future expansion of development.
- The current and historical growth trends of both population and employment within the City.
- The location and configuration of vacant parcels of land and their ability to support development.
- The growth of employment utilizing previously established and generally accepted data from ESRI's ArcGIS *Business Analyst*.
- Local knowledge concerning future development projects or anticipated development within the city.

LAND USE ASSUMPTIONS REPORT METHODOLOGY

The following is the general methodology that was used for the preparation of this report:

(1) Population, housing and employment data was collected from the United States Census Bureau, North Central Texas Council of Governments (*NCTCOG*), the City of Rockwall's Geographic Information Systems (GIS) Division, the City of Rockwall's Building Inspection Department and other acceptable sources. This information was then analyzed and used to provide base information for all service areas from which projections could be extrapolated [see *Service Areas and Data Collection Zones*].

(2) The base year (*i.e. January 1, 2019*) estimates for housing, population and employment were calculated based on the information collected [see *Base Year Data*].

(3) From the base year and the information gathered from various sources a growth rate was established by examining recent growth trends experienced by the City over the last ten (10) years. This growth rate was then applied to each of the impact fee service areas to project the base year data over the ten (10) year planning period (*i.e. 2019-2029*) [see *Ten Year Growth Assumptions*].

(4) After the projections for housing, population and employment were prepared for the ten (10) year planning period, city staff made adjustments to account for known or anticipated development activity within the planning periods. In making these adjustments city staff took into consideration the recommendations made within the newly adopted OURHometown Vision 2040 Comprehensive Plan, existing public works data, and demographic information provided by the GIS Division and the Building Inspections Department.

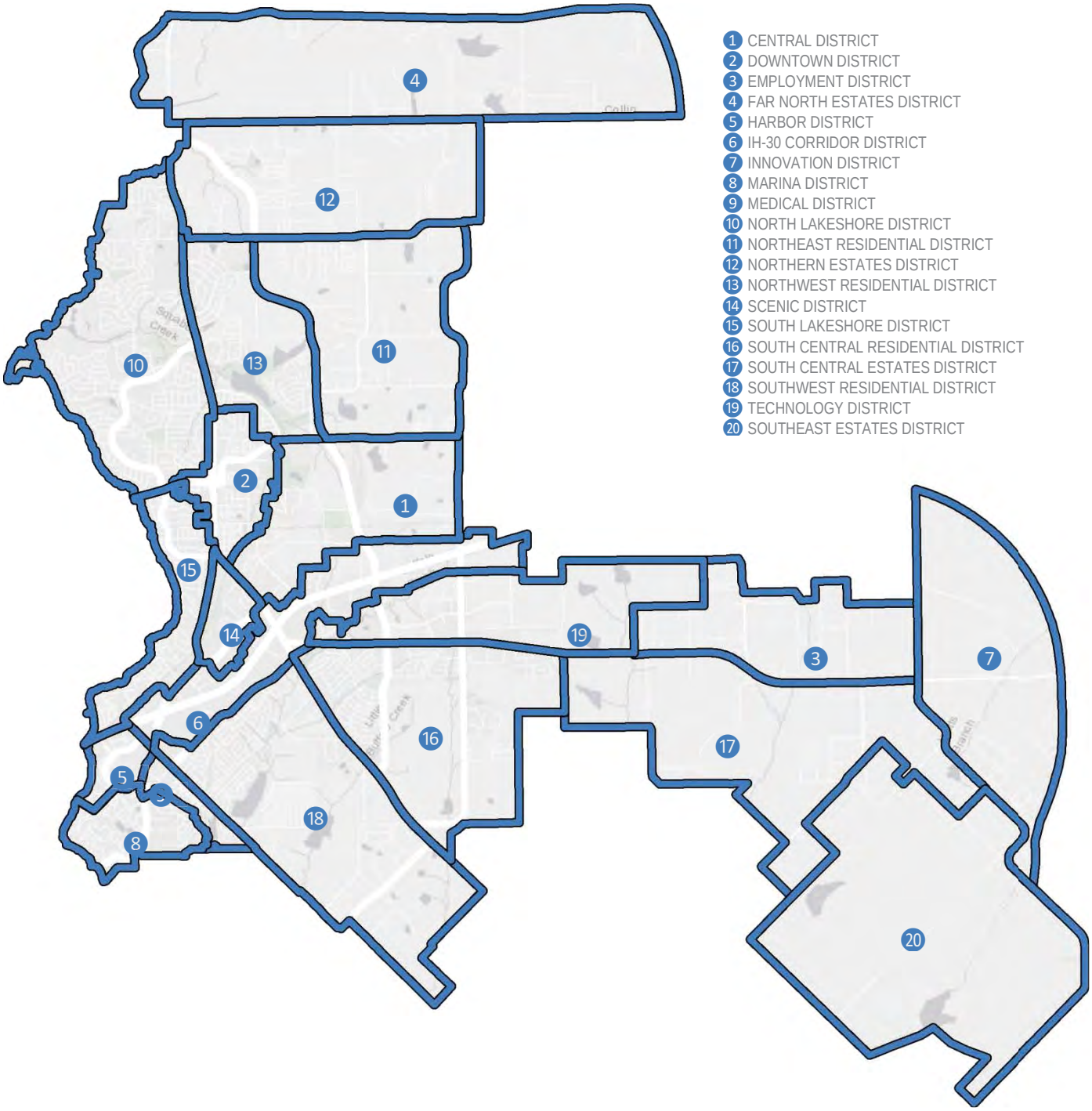
(5) Finally, the City's *Build Out* projections for housing, population and employment were calculated by establishing the City's carrying capacity in terms of developable acres and projecting population forward using the previously established Compound Annual Growth Rate (CAGR) to establish a *Build Out Year*. The housing and employment information were then projected to the *Build Out Year* [see *Build Out Projections*].

DATA COLLECTION ZONES AND SERVICE AREAS

DATA COLLECTION ZONES

The *Data Collection Zones* used for this study were taken from the OURHometown Vision 2040 Comprehensive Plan, which breaks the City down into 20 *Land Use Districts* (*see Figure 1*). These districts were created as a way of breaking down the overall *Future Land Use Plan* to create strategies to help manage growth and land uses in the future. They were also intended to be used as a tool by the City's various boards, commissions and the City Council when contemplating policy changes that could affect certain areas of the City.

FIGURE 1: DATA COLLECTION ZONES
NOTE: The Data Collection Zones are the Land Use Districts contained in the OURHometown Vision 2040 Comprehensive Plan.



SERVICE AREAS

The Texas Local Government Code (TLGC) requires that service areas be established within the corporate boundaries of a political subdivision for the purpose of ensuring that capital improvements service the areas generating need. The boundaries for impact fees are defined as follows:

- *Roadway Impact Fees* refers to a service area that is limited to the corporate boundaries of a political subdivision or city, and cannot extend into the Extraterritorial Jurisdiction (ETJ) or for a distance exceeding more than six (6) miles. The City of Rockwall is divided into four (4) service areas that are depicted in *Figure 3*.

- *Water and Wastewater Impact Fees* refers to a service area that includes a city's corporate boundaries and Extraterritorial Jurisdiction (ETJ), which is depicted in *Figure 2*. This service area is depicted in *Figure 4*.

SUMMARY OF DATA

As opposed to the databases calculated in 2007 and 2013 -- *which utilized Traffic Survey Zones (TSZ) as the data collection zones* -- the current database utilizes the following geographic areas:

- *Land Use Districts from the OURHometown Vision 2040 Comprehensive Plan.* These geographic areas better conformed to the City's corporate boundaries, and were drafted with the OURHometown Vision 2040 Comprehensive Plan as the geographic regions intended to be used for all future long-range planning/data collection exercises.

- *Service Areas.* The Service Areas correlate to the Water, Wastewater and Roadway Service Areas identified in *Figures 3 & 4*. As previously stated, the corporate boundaries of the City of Rockwall serve as the limits for the Roadway Service Areas and the Water and Waste Water Service Areas include the corporate boundaries and the Extraterritorial Jurisdiction (ETJ) of the City.

Additionally, all databases and projections utilized the following variables:

- *Households (2019).* The *Residential Address Point* feature class in the City's Geographic Information Systems (GIS) software includes all residential addresses (i.e. *single-family, duplex, multi-family, group home/quarters, etc.*) existing as of January 1, 2019. The total number of residential address points (*i.e. households*) was queried from this layer to establish the base years' numbers.

FIGURE 2: CITY OF ROCKWALL CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)

NOTE: The City Limits of Rockwall are depicted in RED. The Extraterritorial Jurisdiction (ETJ) is depicted in BLUE.

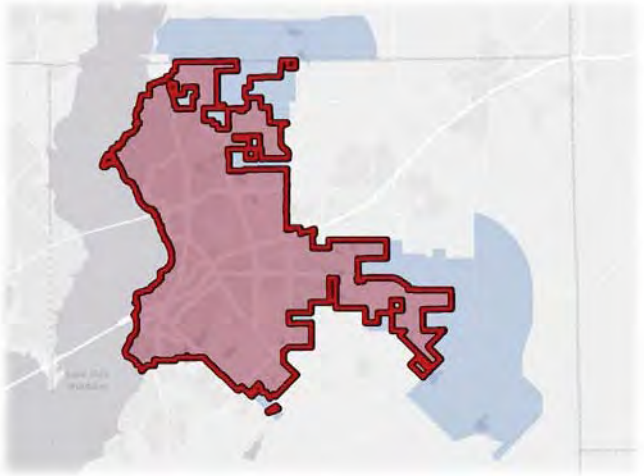


FIGURE 3: ROADWAY SERVICE AREAS

This is the derived service area structure for roadway facilities. These service areas conform to the current city limits of the City of Rockwall and are divided by John King Boulevard and Interstate Highway 30.

NOTE: RED: Service Area 1; BLUE: Service Area 2; GREEN: Service Area 3; YELLOW: Service Area 4

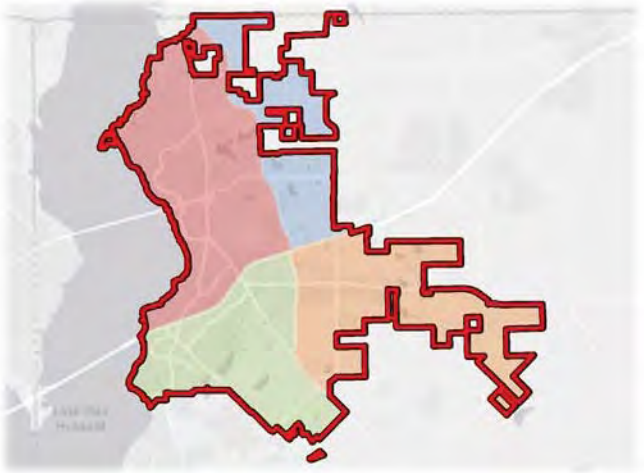
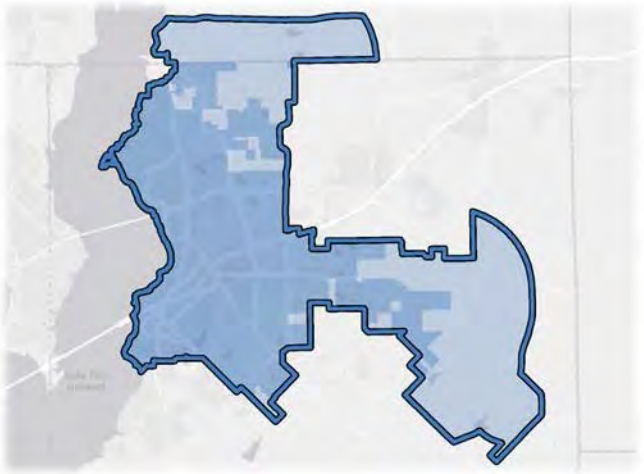


FIGURE 4: WATER/WASTE WATER SERVICE AREAS

This is the derived service area structure for water/wastewater facilities. These service areas conform to the current city limits and Extraterritorial Jurisdiction (ETJ).

NOTE: BLUE: Service Area



- *Households (2029).* This is the projected household data by service area for the year 2029, which represents a ten (10) year growth projection. This information was derived by staff using the stated databases and proper projection techniques.
- *Population (2019)*. This is the existing population for the base year (i.e. *2019*). This information was calculated utilizing the number of households existing as of January 1, 2019, the occupancy, rate and the average household size as established by the United States Census Bureau for each Census Block.
- *Population (2029)*. This is the projected population by service area for the year 2029, which represents a ten (10) year growth projection. This information was derived by staff using the stated databases and proper projection techniques.
- *Employment (2019).* Employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the Business Analyst tool available from ESRI (*the City's provider for its geospatial database software*). These service sectors serve as the basis for non-residential trip generation. The following is a summary of these employment sectors followed by corresponding North American Industry Classification System (NAICS) code:

    - *Basic.* Land use activities that produce goods and services such as those that are exported outside the local economy. These include manufacturing, construction, transportation, wholesale trade, warehousing and other industrial uses (NAICS Code: *#210000 - #422999*).
    - *Retail.* Land use activities that provide for the retail sale of goods that primarily serve households and whose location choice is oriented toward the residential sector. These include uses such as grocery stores, restaurants, etc. (NAICS Code: *#440000 - #454390*).
    - *Service.* Land use activities that provide personal and professional services. These include such uses as financial, insurance, government, and other professional and administrative offices (NAICS Code *#520000 - #928199*).

- *Employment (2029).* The projected employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the Business Analyst tool available from ESRI. These service sectors were then projected by service area to the year 2029, which represents a ten (10) year growth projection. This information was derived by staff using the stated databases and proper projection techniques.

BASE YEAR DATA

This section documents the methods used to derive the base year data for the City of Rockwall as of January 1, 2019. This *benchmark* information provides data for the corporate limits and Extraterritorial Jurisdiction (ETJ) of the City, and creates a starting point in which to extrapolate the ten (10) year growth projections that are depicted in the following section (*see Ten-Year Growth Projections*). This information was initially developed with the OURHometown Vision 2040 Comprehensive Plan, but has been updated to include the additional growth that has taken place since the original numbers were derived and the numbers for January 1, 2019.

HOUSEHOLDS

Utilizing the City's Geographic Information System (GIS) software, the residential addresses for each data collection zone (*i.e. Land Use Districts*) were queried. This provided the raw housing data that was then reviewed to remove any vacant lots or anomalies in the data set. Based on this process, the City of Rockwall was shown to have 16,690 households inside the City's corporate limits and 1,700 households in the City's Extraterritorial Jurisdiction (ETJ) as of January 1, 2019. The total number of households is 18,390. Staff should note that this query included all residential housing types (*i.e. multi-family, single-family, and group homes*) from the data sets.

POPULATION

The City of Rockwall generally uses the North Central Texas Council of Government's (NCTCOG) population estimates as the City's official population; however, for the purposes of this planning study it was necessary to calculate a baseline population that was specific to January 1, 2019. This was also necessary in order to estimate the population of the City's Extraterritorial Jurisdiction (ETJ).

To calculate the population as of January 1, 2019, the City's Geographic Information Systems (GIS) Division utilized the following formula to derive the population estimate for each of the data collection zones:

$$\sum_{d=1}^{20} POP = ((a * o) * f)$$

Where:

POP = Population as of January 1, 2019
d = Land Use District
a = Number of Residential Address Points in Each District
o = Occupancy Rate [per U.S. Census Bureau]
f = Density Factor per Census Block [U.S. Census Bureau]

Using this methodology the base year population as of January 1, 2019 was established to be 44,575 residents inside the corporate limits and 5,041 people residing in the Extraterritorial Jurisdiction (ETJ).

EMPLOYMENT

The base employment data was calculated using ArcGIS *Business Analyst*, which is software that provides location-based market information. Utilizing this tool, the City's Geographic Information Systems (GIS) Division was able to query employment and business information relating to each data collection zone (*i.e. Land Use District*). This information was then broken down into one (1) of the three (3) employment categories (*i.e. Basic, Service, or Retail*). Based on the analysis, the City's corporate limits were shown to have a total employment of 24,083 jobs on January 1, 2019. Of the total employment 2,505 jobs were classified as *Basic*, 12,403 jobs were classified as *Service*, and 9,175 jobs were classified as *Retail*. The Extraterritorial Jurisdiction (ETJ) was shown to have an additional 643 jobs, with 535 jobs being classified as *Service* and 108 jobs being classified as *Retail*. In addition, the GIS Division calculated the total non-residential building square footages (*i.e. improvements*) relating to all of these employment types at ~14,444,596 SF inside the City's corporate boundaries and Extraterritorial Jurisdiction (ETJ), with ~3,209,401 SF being classified as *Basic*, ~5,374,068 SF being classified as *Service*, and ~5,861,127 SF being classified as *Retail*. The total non-residential square footage of land area 139,424,433.67 (or 3,200.74-acres), with 11,967,581.81 SF being classified as *Basic*, 58,451,896.18 SF being classified as *Service*, and 69,004,955.68 SF being classified as *Retail*.

TEN-YEAR GROWTH PROJECTIONS

GROWTH ASSUMPTIONS

In this planning study, growth is characterized in two (2) forms: 1) Population (*i.e. residential land use*), and 2) Employment (*i.e. non-residential land use*). To calculate a reasonable growth rate for population and employment it was necessary for staff to make a series of assumptions on which to base the ten (10) year growth projections. These assumptions are summarized as follows:

- Future growth identified within this study will conform to the *Future Land Use Plan* depicted in the OURHometown Vision 2040 Comprehensive Plan.
- Infrastructure will continue to be development driven, and the City will continue to be able to finance any other necessary improvements needed to accommodate future growth.
- School facilities will continue to be sufficient to accommodate any increases in population.
- Densities will generally conform to the land classifications and *District Strategies* identified within the OURHometown Vision 2040 Comprehensive Plan, and as depicted on the Future Land Use Map.
- The residential and non-residential carrying capacity for the City or its *build out* will occur simultaneously.

The ten (10) year projections for population are based on the growth rate, which was previously discussed and staff's consideration of past development trends. The ten (10) year projections for employment are based on the overall carrying capacity for non-residential development compared to the current non-residential development in the City. *Tables 1 & 2* detail the ten (10) year projections for households, population and employment for the service areas associated with roadway and water/wastewater impact fees.

POPULATION GROWTH RATE ANALYSIS

The City of Rockwall has experienced steady residential population growth (*see Figure 5*) over the last 18-years and -- *with the City being ~48.29% vacant and taking into account the City's current availability of water and wastewater infrastructure* -- staff anticipates that the population growth will continue to be fairly steady. It should be noted, however, that the City has seen a slight decline in the population growth percentage over the last five (5) years. From 2000 to 2018, the population growth percentage was 5.08%, but when looking at the last five (5) years this number drops to 1.79% (*see Table 3*).

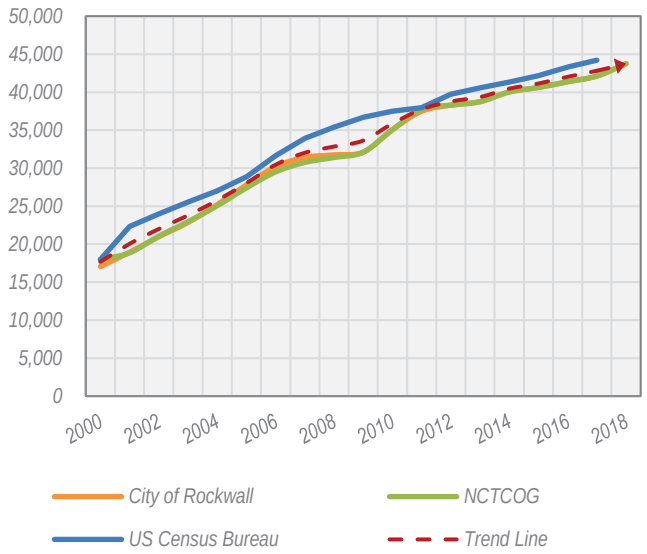
TABLE 1: SUMMARY OF TEN-YEAR GROWTH (ALL ROADWAY SERVICE AREAS)

	2019	2029	Increase
Households	16,690	22,135	24.60%
Population	44,575	59,898	25.58%
Total Employment	24,083	32,366	25.59%
Basic	2,505	3,367	25.60%
Service	12,403	16,669	25.59%
Retail	9,175	12,330	25.59%

TABLE 2: SUMMARY OF TEN-YEAR GROWTH (WATER/WASTE WATER SERVICE AREA)

	2019	2029	Increase
Households	18,390	26,609	30.89%
Population	49,616	73,228	32.24%
Total Employment	25,369	34,065	25.53%
Basic	2,505	3,367	25.60%
Service	13,473	18,082	25.49%
Retail	9,391	12,616	25.56%

FIGURE 5: POPULATION BY AGENCY, 2000-2018



To calculate the ten (10) year population projections, City staff utilized the *Compound Annual Growth Rate (CAGR)* method. CAGR allows for a general assessment of growth when considering periodic increases and decreases in residential

population growths that coincide with changing economic conditions. The formula for CAGR is as follows:

$$CAGR = \left(\frac{x}{y}\right)^{\left(\frac{1}{n}\right)} - 1$$

Where:
CAGR = Compound Annual Growth Rate
x = End Value
y = Beginning Value
n = Number of Years

In 2007, a CAGR of four (4) percent was used to calculate the ten (10) year population projections; however, based on the five (5) year annual growth rate and the number depicted in *Table 3*, staff utilized a more conservative three (3) percent annual growth rate. In assessing the past growth rates, staff used several sources including the North Central Texas Council of Governments (NCTCOG), the U.S. Census Bureau, and the City of Rockwall. Based on a three (3) percent CAGR, the following chart shows the anticipated population growth over the next ten (10) years:

TABLE 4: TEN (10) YEAR POPULATION GROWTH
This table shows the projected ten (10) year population growth at a three (3) percent Compound Annual Growth Rate (CAGR).

Year	Population
2019	44,575
2020	45,907
2021	47,284
2022	48,703
2023	50,164
2024	51,669
2025	53,219
2026	54,815
2027	56,460
2028	58,154
2029	59,898

TABLE 3: CITY OF ROCKWALL GROWTH RATES

Data Source	Growth Rate
2014 – 2017 US Census	*1.70%*
2010 – 2017 US Census	*2.08%*
2000 – 2017 US Census	*5.13%*
2014 – 2018 Single Family Permits	*1.82%*
2010 – 2018 Single Family Permits	*4.80%*
2000 – 2018 Single Family Permits	*-2.93%*
Future Growth Projection	*3.0%*

PROJECTED POPULATION FOR 2029

Utilizing the three (3) percent Compound Annual Growth Rate (CAGR) established in the previous section, staff projects that the population for the City will be 59,898 in 2029 (*see Table 4 and Figure 6*). This estimate does appear to be consistent with trends that have been observed at the county and regional level (*see Figure 7 for a comparison of the City's population growth versus the County's population growth*). Although, the growth rate has slowed over the last five (5) years this is seen as a temporary trend and not a sign indicative of the City's future growth trend.

In determining this population projection, staff observed how this projection would relate to the City's projected building permits, and the additional population added to the City on an annual basis (*see Table 5*). Taking this into consideration, the estimated average annual building permits anticipated over this time period is approximately 522. This represents a decrease of approximately 121 permits annually from the estimates completed in 2014. This estimate -- *while still likely high in some years due to shifts in market demand* -- is a more conservative estimate than what was used in 2014. It should be noted that this estimate takes into consideration the type of development likely to occur in a given area (*i.e. single-family or multi-family*).

FIGURE 6: TEN (10) YEAR POPULATION GROWTH
This chart shows the projected ten (10) year population growth at a three (3) percent Compound Annual Growth Rate (CAGR).

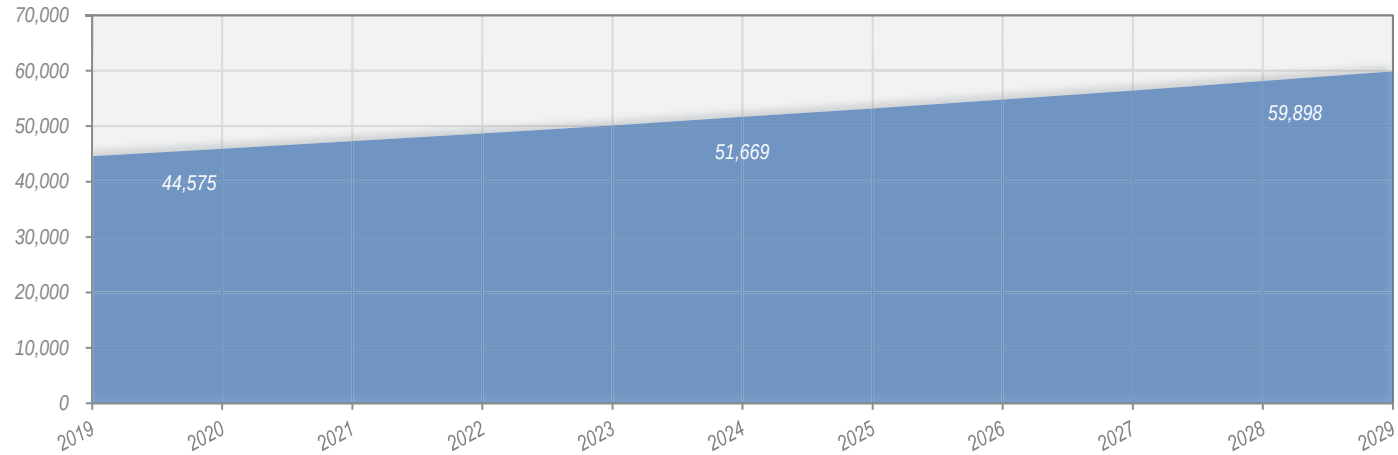
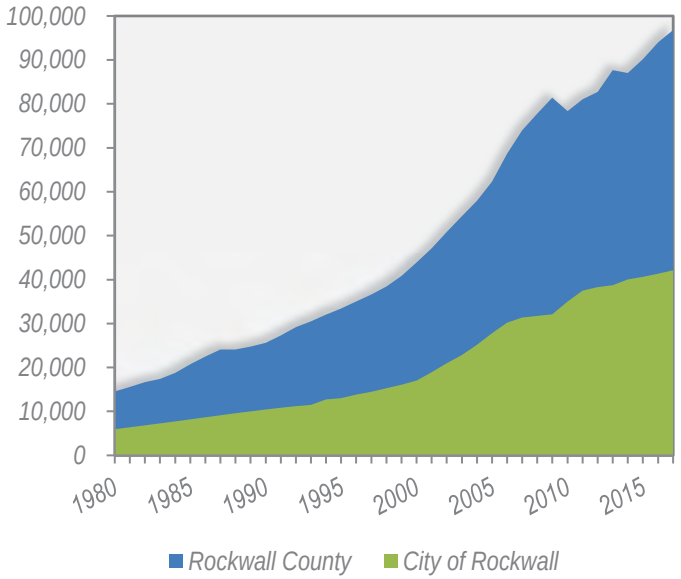


TABLE 5: PROJECTED BUILDING PERMITS

Year	Population	New Residents	New Building Permits
2019	44,575	825	294
2020	45,907	1,332	474
2021	47,284	1,377	490
2022	48,703	1,419	505
2023	50,164	1,461	520
2024	51,669	1,505	536
2025	53,219	1,550	552
2026	54,815	1,597	568
2027	56,460	1,644	585
2028	58,154	1,694	603
2029	59,898	1,745	621
Average Number of Annual Permits:			522

FIGURE 7: CITY POPULATION VS COUNTY POPULATION, 1980-2017



PROJECTED EMPLOYMENT FOR 2029

Employment data for the year 2029 was calculated by taking the information established in the base year analysis -- *which was obtained through the ArcGIS Business Analyst tool* -- and the corresponding ratio of employment to population, and extrapolating this information out to January 1, 2029. These estimates are summarized in Appendix C, *Employment Breakdown by Roadway Service Area*, and Appendix D, *Employment Breakdown by Water/Wastewater Service Area*.

BUILD OUT ANALYSIS

A *Build Out Projection* for a city (also referred to as the city's *Carrying Capacity*) is an estimate of the location and density of all potential development, employment and population that a city can support within its future corporate boundaries.

ESTABLISHING HOUSEHOLDS AND POPULATION AT THE CITY'S BUILD OUT

As part of the newly adopted OURHometown Vision 2040 Comprehensive Plan, City staff calculated the number of households and residents at *Build Out*. In establishing the City's households and population at *Build Out* staff made the following assumptions:

- All vacant or undeveloped land within the City's corporate boundaries will develop with the maximum density permitted for the current zoning per the Unified Development Code (UDC).
- All Agricultural (AG) District property is assumed to be vacant or undeveloped and will develop at the maximum density permitted in accordance to the property's' designation on the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan.
- All property within the Extraterritorial Jurisdiction (ETJ) is assumed to be vacant and will be developed in conformance with the Future Land Use Map at the maximum density permitted by the OURHometown Vision 2040 Comprehensive Plan.
- The City's ETJ is fixed and will not increase in the future.

Taking these assumptions into consideration, staff utilized Geographical Information Systems (GIS) software to calculate all the undeveloped land within the city's corporate boundaries, including the ETJ. Once calculated the acreages were broken down by land use and multiplied by the maximum density permitted for each of the land uses as established within the Unified Development Code (UDC) and the Comprehensive Plan. These totals were then multiplied by the average people per household [*i.e. 2.81 per the US Census Bureau*] to establish the unadjusted population at *Build Out*. Staff then reviewed the projected densities coupled with current land use patterns, and adjusted the numbers to account for known or anticipated development activity. Based on the final *Build Out* population (*i.e. 149,525*), staff projected the population forward using the previously established three (3) percent Compound Annual Growth Rate (CAGR) [*see the Ten-Year Growth Assumptions section*] until the build out population was reached (*see Table 6*). This established a build out year of 2060. The following formula lays out the methodology used to calculate these numbers:

TABLE 6: PROJECTED POPULATION @ 3% COMPOUND ANNUAL GROWTH (CAGR)

Year	Population	New Residents
2018	43,750	1,630
2019	44,570	820
2020	45,907	1,337
2021	47,284	1,377
2022	48,703	1,419
2023	50,164	1,461
2024	51,669	1,505
2025	53,219	1,550
2026	54,815	1,597
2027	56,460	1,644
2028	58,154	1,694
2029	59,898	1,745
2030	61,695	1,797
2031	63,546	1,851
2032	65,453	1,906
2033	67,416	1,964
2034	69,439	2,022
2035	71,522	2,083
2036	73,667	2,146
2037	75,877	2,210
2038	78,154	2,276
2039	80,498	2,345
2040	82,913	2,415
2041	85,401	2,487
2042	87,963	2,562
2043	90,602	2,639
2044	93,320	2,718
2045	96,119	2,800
2046	99,003	2,884
2047	101,973	2,970
2048	105,032	3,059
2049	108,183	3,151
2050	111,429	3,245
2051	114,771	3,343
2052	118,215	3,443
2053	121,761	3,546
2054	125,414	3,653
2055	129,176	3,762
2056	133,052	3,875
2057	137,043	3,992
2058	141,154	4,111
2059	145,389	4,235
2060	149,751	*BO:* 149,525

$$BO = P + CP + EP$$

$$CP = (\sum[(LU_1 xD_1) \dots (LU_x\, xD_x)]\,) x\ AHS$$

$$EP = (LDR\ x\ 2.5) + (MDR\ x\ 3.5) + (HDR\ x\ 5)$$

Where:

BO = Build Out Population
P = Population as of January 1, 2019
CP = Population of Vacant or Undeveloped Land in the City Limits
EP = Population of Vacant or Undeveloped Land in the ETJ
LU = Vacant Available Land Inside the City Limits for a Land Use
D = Maximum Density Permitted for a Land Use per UDC
AHS = Average Household Size [2.81185 per US Census Bureau]
LDR = Low Density Residential Acreage Available in ETJ
MDR = Medium Density Residential Acreage Available in ETJ
HDR = High Density Residential Acreage Available in ETJ

ESTABLISHING EMPLOYMENT AT THE CITY'S BUILD OUT

To calculate employment at *Build Out*, staff utilized the employment numbers calculated with the base year analysis, and -- *based on the estimated current year population* -- calculated ratios between employment and population for the City and its Extraterritorial Jurisdiction (ETJ). These ratios were then used to extrapolate the number of employees for basic, service and retail sectors for the ten (10) year and build out projections.

SUMMARY

The following is a summary of staff's findings when preparing the *Land Use Assumption Report* in preparation for the update of the Roadway, Water and Wastewater Impact Fees for 2019:

- The average annual growth rate as calculated by staff is three (3) percent. This growth rate was established based on data from the US Census, North Texas Council of Governments (NCTCOG), the City and County of Rockwall. Using this growth rate staff projected the following population numbers:
  - The population of the City of Rockwall as of January 1, 2019 was 44,691. This is expected to increase by 25.39% in the next ten (10) years to an estimated 59,898 by January 1, 2029.
  - The population for the City of Rockwall and its Extraterritorial Jurisdiction (ETJ) as of January 1, 2019 was 49,743. This is expected to increase by 32.07% in the next ten (10) years to an estimated 73,228 by January 1, 2029.
- The estimated employment for the City of Rockwall as of January 1, 2019 was 24,083 jobs, with another 1,286 jobs existing within its Extraterritorial Jurisdiction (ETJ). Staff estimates this number to climb to 32,366 jobs within the current city limits, and another 1,699 jobs within the current Extraterritorial Jurisdiction (ETJ) by January 1, 2029.
- Staff has established that there are currently 8,204.17 undeveloped acres of land within the city limits. This represents ~48.29% of the current land in the City. Additionally, the City of Rockwall has access to another 14,083.24-acres of land within its current Extraterritorial Jurisdiction (ETJ). Approximately 75.11% (10,577.67-acres) of the land within this area is vacant.
- According to staff's estimate, the City of Rockwall is expected to be built out in the year 2060, with a total population of 149,525.

APPENDIX A: SUMMARY OF ROADWAY SERVICE AREAS

SERVICE AREA 1

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
Central District	216	455	2,332	427	899	3,134	816	1,714	4,331
Downtown District	971	2,332	3,105	1,056	2,519	4,173	1,060	2,531	5,767
IH-30 Corridor District	-	-	2,825	-	-	3,797	-	-	5,247
North Lakeshore District	3,884	11,081	944	4,318	12,324	1,269	4,326	12,350	1,753
Northern Estates District	3	9	4	12	34	5	184	513	7
Northwest Residential District	1,422	3,974	667	2,291	6,401	896	2,324	6,493	1,239
Scenic District	1,084	2,280	1,161	1,217	2,559	1,560	1,248	2,624	2,156
South Lakeshore District	1,578	3,317	968	1,578	3,317	1,301	1,595	3,352	1,798
	9,158	23,448	12,006	10,898	28,053	16,135	11,553	29,577	22,298

SERVICE AREA 2

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
IH-30 Corridor District	1	3	205	-	-	276	-	-	381
South Central Estates District	37	112	122	148	448	164	2,504	7,611	227
South Central Residential District	795	2,417	-	1,487	4,522	-	2,399	7,293	-
Technology District	47	100	824	162	367	1,107	1,748	4,760	1,530
	880	2,632	1,151	1,797	5,336	1,547	6,651	19,664	2,138

SERVICE AREA 3

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
Harbor District	552	1,255	2,766	1,040	2,364	3,717	1,713	3,893	5,137
IH-30 Corridor District	-	-	2,613	-	-	3,512	-	-	4,853
Marina District	1,423	3,441	630	1,525	3,702	847	1,537	3,734	1,170
Medical District	-	-	1,897	-	-	2,549	-	-	3,523
South Central Residential District	1,089	3,310	371	1,089	3,310	499	1,089	3,310	689
Southwest Residential District	2,257	7,260	1,900	3,695	11,847	2,553	3,943	12,509	3,529
Technology District	615	1,292	63	618	1,298	85	658	1,383	117
	5,936	16,558	10,240	7,966	22,520	13,762	8,940	24,829	19,018

SERVICE AREA 4

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
Central District	92	193	167	182	382	224	349	735	310
IH-30 Corridor District	-	-	71	-	-	95	-	-	132
Northeast Residential	361	1,009	438	762	2,129	589	1,786	4,988	813
Northern Estates District	263	735	10	529	1,478	13	1,066	2,984	19
	716	1,937	686	1,473	3,990	922	3,201	8,707	1,274

GRAND TOTAL	16,690	44,575	24,083	22,135	59,898	32,366	30,345	82,777	44,728

APPENDIX B: SUMMARY OF WATER/WASTEWATER SERVICE AREA

DISTRICTS	ESTIMATES (JANUARY 1, 2019)			PROJECTIONS (JANUARY 1, 2029)			BUILD OUT PROJECTIONS (2060)		
	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
Central District	308	648	2,499	609	1,281	3,358	1,165	2,449	4,641
Downtown District	971	2,332	3,105	1,056	2,519	4,173	1,060	2,531	5,767
Employment District	314	971	880	532	1,645	1,162	630	1,952	5,538
Far North Estates District	230	674	96	676	1,980	127	4,426	12,950	-
Harbor District	552	1,255	2,766	1,040	2,364	3,717	1,713	3,893	5,741
IH-30 Corridor District	1	3	5,714	-	-	7,679	-	-	10,612
Innovation District	268	822	66	794	2,438	87	5,323	16,407	415
Marina District	1,423	3,441	630	1,525	3,701	847	1,537	3,734	1,170
Medical District	-	-	1,897	-	-	2,549	-	-	3,523
North Lakeshore District	3,884	11,081	944	4,317	12,324	1,269	4,326	12,350	1,753
Northeast Residential District	629	1,758	438	1,244	3,476	589	2,384	6,658	813
Northern Estates District	512	1,439	14	1,090	3,065	19	2,626	7,390	26
Northwest Residential District	1,422	3,974	667	2,291	6,401	896	2,324	6,493	1,239
Scenic District	1,084	2,280	1,161	1,217	2,558	1,560	1,248	2,624	2,156
South Lakeshore District	1,578	3,317	968	1,578	3,317	1,301	1,595	3,352	1,798
South Central Residential District	1,970	5,987	371	3,265	9,923	499	3,618	10,998	689
South Central Estates District	315	956	366	824	2,502	486	3,760	11,428	1,762
Southwest Residential District	2,267	7,286	1,900	3,772	12,068	2,553	4,229	13,344	3,529
Technology District	662	1,392	887	780	1,665	1,192	2,406	6,143	1,647
Southeast Estates District	-	-	-	-	-	-	8,168	24,829	441
	18,390	49,616	25,369	26,609	73,228	34,064	52,538	149,525	53,262

APPENDIX C: EMPLOYMENT BREAKDOWN BY ROADWAY SERVICE AREAS

SERVICE AREA 1

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
Central District	973	633	726	1,308	851	976	1,807	1,176	1,348
Downtown District	608	1,104	1,393	817	1,484	1,872	1,129	2,050	2,587
IH-30 Corridor District	599	916	1,310	805	1,231	1,761	1,112	1,701	2,433
North Lakeshore District	-	608	336	-	817	452	-	1,129	624
Northern Estates District	-	4	-	-	5	-	-	7	-
Northwest Residential District	-	531	136	-	714	183	-	986	253
Scenic District	-	650	511	-	874	687	-	1,207	949
South Lakeshore District	-	572	396	-	769	532	-	1,062	735
	2,180	5,018	4,808	2,930	6,744	6,462	4,049	9,320	8,930

SERVICE AREA 2

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
IH-30 Corridor District	-	-	205	-	-	276	-	-	381
South Central Estates District	-	94	28	-	126	38	-	175	52
South Central Residential District	-	-	-	-	-	-	-	-	-
Technology District	298	283	243	400	380	327	553	526	451
	298	377	476	400	507	640	553	700	884

SERVICE AREA 3

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
Harbor District	27	2,456	283	36	3,301	380	50	4,561	526
IH-30 Corridor District	-	845	1,768	-	1,136	2,376	-	1,569	3,284
Marina District	-	267	363	-	359	488	-	496	674
Medical District	-	1,651	246	-	2,219	331	-	3,066	457
South Central Residential District	-	331	40	-	445	54	-	615	74
Southwest Residential District	-	924	976	-	1,242	1,312	-	1,716	1,813
Technology District	-	44	19	-	59	26	-	82	35
	27	6,518	3,695	36	8,760	4,966	50	12,105	6,862

SERVICE AREA 4

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
Central District	-	167	-	-	224	-	-	310	-
IH-30 Corridor District	-	-	71	-	-	95	-	-	132
Northeast Residential	-	313	125	-	421	168	-	581	232
Northern Estates District	-	10	-	-	13	-	-	19	-
	-	490	196	-	659	263	-	910	364

GRAND TOTAL	2,505	12,403	9,175	3,367	16,669	12,330	4,652	23,035	17,040

APPENDIX D: EMPLOYMENT BREAKDOWN BY WATER/WASTEWATER SERVICE AREA

	ESTIMATES (JANUARY 1, 2019)			ESTIMATES (JANUARY 1, 2029)			BUILD OUT (2060)		
DISTRICTS	BASIC	SERVICE	RETAIL	BASIC	SERVICE	RETAIL	BASIC	SERVICE	RETAIL
Central District	973	800	726	1,308	1,075	976	1,807	1,486	1,348
Downtown District	608	1,104	1,393	817	1,484	1,872	1,129	2,050	2,587
Employment District	-	742	138	-	980	182	-	4,670	869
Far North Estates District	-	86	10	-	114	13	-	-	-
Harbor District	27	2,456	283	36	3,301	380	50	5,103	589
IH-30 Corridor District	599	1,761	3,354	805	2,367	4,507	1,112	3,271	6,229
Innovation District	-	54	12	-	71	16	-	340	76
Marina District	-	267	363	-	359	488	-	496	674
Medical District	-	1,651	246	-	2,219	331	-	3,066	457
North Lakeshore District	-	608	336	-	817	452	-	1,129	624
Northeast Residential District	-	313	125	-	421	168	-	581	232
Northern Estates District	-	14	-	-	19	-	-	26	-
Northwest Residential District	-	531	136	-	714	183	-	986	253
Scenic District	-	650	511	-	874	687	-	1,207	949
South Lakeshore District	-	572	396	-	769	532	-	1,062	735
South Central Residential District	-	331	40	-	445	54	-	615	74
South Central Estates District	-	282	84	-	375	112	-	1,358	404
Southwest Residential District	-	924	976	-	1,242	1,312	-	1,716	1,813
Technology District	298	327	262	400	439	352	553	607	487
Southeast Estates District	-	-	-	-	-	-	-	189	252
	2,505	13,473	9,391	3,367	18,082	12,616	4,652	29,958	18,651



69

City of Rockwall

2019 Update of Roadway Impact Fees

Final Report

Submitted By:

FREESE AND NICHOLS

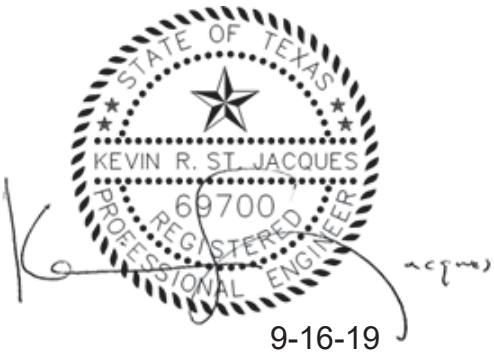
September 16, 2019

70

City of Rockwall

2019 Update of Roadway Impact Fees

Final Report



FREESE AND NICHOLS, INC.
TEXAS REGISTERED
ENGINEERING FIRM
F-2144

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FREESE AND NICHOLS

September 16, 2019

71

Table of Contents

LIST OF TABLES II

LIST OF FIGURES II

CHAPTER 1: INTRODUCTION 1

Study Methodology 2
Organization of Report 3

CHAPTER 2: ROADWAY IMPACT FEE SERVICE AREAS 4

CHAPTER 3: ROADWAY IMPACT FEE SERVICE UNITS 6

Service Units 6
Service Units for New Development 7

CHAPTER 4: EXISTING CONDITIONS ANALYSIS 12

Existing Conditions 12
Existing Volumes 12
Vehicle-Miles of Existing Capacity Supply 13
Vehicle-Miles of Existing Demand 13
Vehicle-Miles of Existing Excess Capacity and Deficiencies 13

CHAPTER 5: PROJECTED CONDITIONS ANALYSIS 15

Projected Growth 15
Projected Vehicle-Miles of New Demand 15
Capital Improvements Program 16
Projected Vehicle-Miles Capacity Available for New Growth 19
Cost of Roadway Improvements 19

CHAPTER 6: CALCULATION OF IMPACT FEES 21

Cost Per Service Unit 21
Calculation of Roadway Impact Fees 22

CHAPTER 7: CONCLUSIONS 23

APPENDICES 25

A. Roadway Impact Fee Definitions 26
B. Land Use Definitions 29
C. Calculation of Vehicle-Miles of New Demand 33
D. Existing Capital Improvements 35
E. Roadway Improvement Plan Projects 38
F. Roadway Improvements Plan Cost Analysis 45
G. Service Area Analysis Summary 48

List of Tables

Table 1: Trip Reduction Estimates (PM Peak Hour) 9
Table 2: Average Trip Lengths 9
Table 3: Land-Use Vehicle-Mile Equivalency Table 11
Table 4: Roadway Facility Vehicle-Mile Lane Capacities 12
Table 5: Peak Hour Vehicle-Miles of Existing Capacity and Demand 14
Table 6: Peak Hour Vehicle-Miles of Excess Capacity and Deficiencies 14
Table 7: Vehicle-Miles of New Demand 16
Table 8: Roadway Impact Fee Capital Improvements Plan 18
Table 9: Vehicle-Miles of New Capacity Supplied 19
Table 10: Summary of Roadway Improvements Plan Cost Analysis 19
Table 11: Capital Improvements Plan Costs Attributable to New Development 20
Table 12: Cost Per Service Unit Summary 21

List of Figures

Figure 1: Service Areas for Roadway Impact Fees 5
Figure 2: Roadway Impact Fee Capital Improvement Project Locations 17

Chapter 1: Introduction

Shrinking funds available for transportation improvements on city thoroughfares limit many cities from upgrading infrastructure to meet increasing travel demands. To meet the needs of new growth, many cities collect "impact fees" from new development to help fund transportation improvements necessitated by such development. What is unique about impact fees is that they often finance roadway improvements that are considered “offsite” to new development. However, when considering the traffic implications created by new development on the roadway system, impact fees provide a means by which infrastructure may keep pace with new development.

Texas initially authorized the use of impact fees with the 1987 legislature. Now codified in Chapter 395 of the Texas Local Government Codes, the legislation authorizes cities to collect fees from new developments to finance new construction or expansion of capital improvements such as water treatment and distribution facilities, storm and wastewater facilities, and transportation facilities. The law stipulates that all fees collected from new development must not exceed the maximum amount calculated by the methodology described therein.

The law also mandates that impact fee systems be updated periodically to ensure that an appropriate cost per service unit is calculated commensurate with an impact fee capital improvements program. The law also mandates that as new transportation improvements are completed, actual costs are inserted into the cost per service unit calculation to reflect a more accurate reading of service area costs as opposed to estimated costs that were established at the onset of the impact fee system. Finally, new capital improvement projects may be added to the program, subject to meeting eligibility requirements.

In September 2001, Chapter 395 was amended which revised called for several technical and administrative changes of impact fee systems including:

- Expansion of the permissible service area structure for roadway facilities from three to six miles;
- A credit for the portion of ad valorem tax revenues generated by improvements over the program period, or the credit equal to 50% of the total projected cost of implementing the capital improvements plan;
- A city's share of costs on the federal or Texas highway system, including matching funds and costs related to utility line relocation, the establishment of curbs and gutters, sidewalks, drainage appurtenances, and rights-of-way;
- Increase in the time period of update of impact fee land use assumptions and capital improvements plan from a three to five-year period;
- Changes in compliance requirements as they relate to annual reporting; and
- Consolidation of the land use assumptions and capital improvements plan hearings.

The implementation and administration of roadway impact fee systems offers several advantages to both a city and new development among which include: 1) a systematic, structured approach to assessment of fees, 2) a clear, equitable distribution of costs associated with the impact of new development, 3) the ability to pool funds for project initiation within a service area, 4) assurance that fees collected will be spent in the area where new development is occurring, 5) up-front knowledge of fees to be imposed, 6)

credits for developer participation, and 7) ability for developers to demonstrate that, pursuant to city guidelines, specific unit equivalencies (service unit generation) may be different from those presented in the land use equivalency table.

Recognizing the need to provide adequate facilities and desiring to have equitable funding of transportation improvements, the City of Rockwall embarked in the development of a roadway impact fee system in January 2008 and is updating the program to comply with legislative requirements identified in Chapter 395. The program was updated in 2013. This update amends the roadway capital improvements program based on updated land use assumptions as well as, input by the designated impact fee Capital Improvements Advisory Committee. To assist with this study, the City of Rockwall retained Freese and Nichols, Inc. to update the roadway impact fee system.

Study Methodology

To update the roadway impact fee for the City of Rockwall, a series of work tasks were undertaken and are described below:

1. Meetings were held with the City of Rockwall Staff and the Capital Improvement Advisory Committee to discuss the approach and roadway methodology to be used in the study update.

2. Impact fee service areas were reviewed and amended for any city annexations. Roadway service areas are contained to the current city limits.

3. The vehicle-mile of travel (VMT) during the PM peak hour was retained as the unit of measure for the roadway impact fee system.

4. A roadway conditions inventory was conducted on Rockwall thoroughfares for lane geometries, roadway classifications and segment lengths. New arterial and/or collector streets not previously assessed were added to the program database.

5. The existing roadway network was evaluated based on traffic volume count data collected May 2019, to determine roadway capacity, current utilization, and if any capacity deficiencies exist within each impact fee service area.

6. Projected 10-year growth, in terms of vehicle-miles of demand, was calculated for the service areas based on updated land use assumptions (projections of population and employment growth) prepared by Rockwall City Staff in June 2019 and supplemented with the updated land use equivalency table. The Land Use Assumptions for Impact Fees report was reviewed and approved by the Capital Improvements Advisory Committee (CIAC) prior to development of VMT growth projections and capital improvements plan (CIP) update.

7. The existing impact fee CIP was evaluated with updated traffic count data to ensure that excess capacity remained within each impact fee project for retention in the system. The analysis of the existing impact fee CIP revealed excess capacity and therefore could remain in the impact fee program.

8. A roadway impact fee CIP was reviewed and amended relative to projected growth from the updated land use assumptions, analysis of existing system deficiencies, likelihood of project initiation over the short-term, the Rockwall Comprehensive Plan, and input by the CIAC and City Staff. The CIP was amended for John King Boulevard to include portions of the roadway that were previously out of the city and the addition of several new projects to the program.

9. Roadway costs associated with construction, engineering, right-of-way, and project financing for recoupment projects were provided by the City. Cost estimates for new projects were prepared by Freese and Nichols. Costs for study updates are eligible for recovery and were included in the total project cost. Roadway cost data was compiled and distributed by service area.

10. The cost of capacity supplied, cost attributable to new development and the maximum cost per service unit was calculated for each service area. A credit of 50% was applied to the overall cost of the capital improvements program for use in the calculation of the cost per service unit.

11. This report was prepared to document the procedures, findings, and conclusions of the study.

Organization of Report

This report describes the background information, analysis, and findings of the study in six parts, with a chapter devoted to each:

- Roadway Impact Fee Service Areas (Chapter 2)
- Roadway Impact Fee Service Units (Chapter 3)
- Existing Conditions Analysis (Chapter 4)
- Projected Conditions Analysis (Chapter 5)
- Calculation of Impact Fees (Chapter 6)
- Conclusion (Chapter 7)

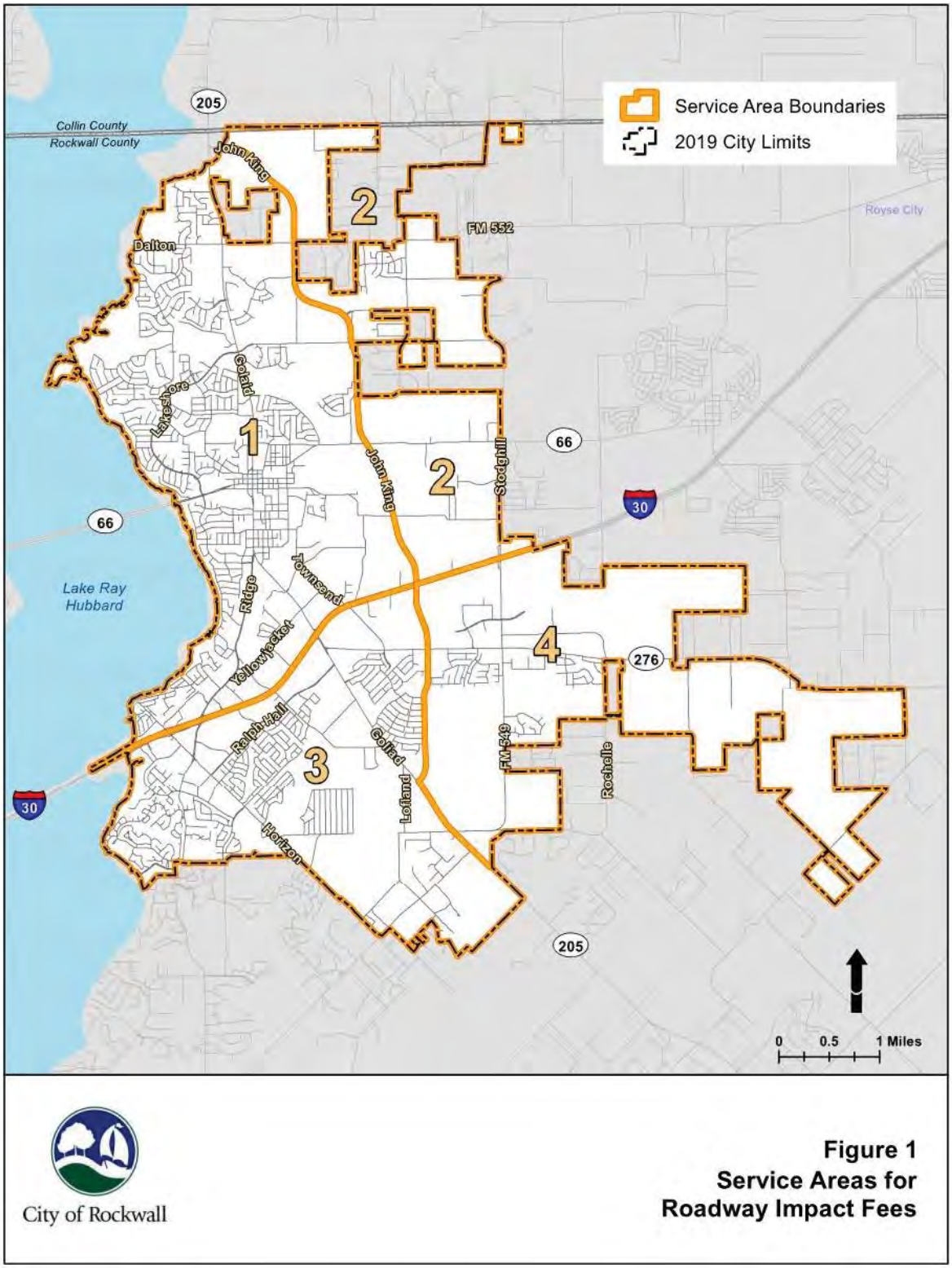
Chapter 2: Roadway Impact Fee Service Areas

Chapter 395 requires that service areas be defined for impact fees to ensure that facility improvements are in proximity to the area that is generating the need. Legislation mandates that roadway service areas be limited to a six-mile maximum and must be located within the current city limits. Roadway service areas are different from other impact fee service areas, which can include the city limits and Extra-Territorial Jurisdiction (ETJ). This is primarily because roadway systems are "open" to both local and regional use as opposed to a defined limit of service that is provided with water and wastewater systems. The result is that new development can only be assessed an impact fee based on the cost of necessary capital improvements within that service area.

The service area structure was developed using the criteria defined in Chapter 395 as it relates to conformance with city limits and the six-mile boundary limits. Other considerations included use of physical or natural features, potential roadway projects and their relation to undeveloped areas of the community, and the planning areas used in long-range plan efforts (for consideration of service area expansion due to possible annexation).

Four service areas were initially developed for the program in 2007 and have been retained in each of the program updates and are generally delineated by John King Boulevard and IH-30. Changes to the service area structure include city annexations on the northern and southern sector of the city. The service area structure for Rockwall is illustrated in **Figure 1**.

Figure 1: Service Areas for Roadway Impact Fees



Chapter 3: Roadway Impact Fee Service Units

An important aspect of the impact fee system is the determination of the proper service unit to be used to calculate and assess impact fees for new developments. As defined in Chapter 395, "Service unit means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development in accordance with generally accepted engineering or planning standards for a particular category of capital improvements or facility expansions."

To determine the roadway impact fee for a development, the service unit must accurately identify the impact that the development will have on the transportation system serving the development. This impact is a combination of the number of new trips generated by the development, the peaking characteristics of the land-use(s) within the development, and the length of each new trip on the transportation system.

The correct service unit must also reflect the supply, which is provided by the roadway system, and the demand placed on the system during the time in which peak, or design, conditions are present on the system. Transportation facilities are designed and constructed to accommodate volumes expected to occur during the peak hours (design hours). These volumes typically occur during the morning (AM) and evening (PM) rush hours as motorists travel to and from work.

The vehicle-mile was retained as the service unit for calculating and assessing transportation impact fees in Rockwall. The vehicle-mile as a service unit establishes a way to relate the intensity of land development to the demand on the system with published trip generation data. It also recognizes state legislation requirements with regards to trip length.

The PM peak hour was retained as the time period for assessing impacts because the greatest demand for roadway capacity occurs during this hour. Roadways are sized to meet this demand, and roadway capacity can more easily be defined on an hourly basis. Traffic volume data collected in May 2019 was used as the basis for the system update.

Service Units

Service units create a link between supply (roadway projects) and demand (development). Both can be expressed as a combination of the number of vehicles traveling during the peak hour and the distance traveled by these vehicles in miles.

Service Unit Supply

For roadway capital projects improvement, the number of service units provided during the peak hour is simply the product of the capacity of the roadway in one hour and the length of the project. For example:

> Given a four-lane divided roadway project with a 600 vehicle per hour per lane capacity and a length of two miles, the number of service units provided is:
>
> *600 vehicles per hour per lane x 4 lanes x 2 miles = 4,800 vehicle-miles*

Service Unit Demand

The demand placed on the system can be expressed in a similar manner. For example, a development generating 100 vehicle trips in the PM peak hour with an average trip length of two miles would generate:

100 vehicle-trips x 2 miles/trip = 200 vehicle-miles

Likewise, the existing demand placed on the roadway network is calculated in the same manner with a known traffic volume (peak hour roadway tube counts) on a street and a given segment length.

Service Units for New Development

An important objective in the development of the impact fee system is the development of a specific service unit equivalency for individual developments. The vehicle-miles generated by a new development are a function of the trip generation and average trip length characteristics of that development. The following describes the process used to develop the vehicle-equivalency table, which relates land use types and sizes to the resulting vehicle-miles of demand created by that development.

Travel characteristics were reviewed and deemed to be similar in nature to the previous system update, and therefore no changes were made to the resultant land use equivalency table.

Trip Generation

Trip generation information for the PM peak hour was based on data published in the Tenth Edition of *Trip Generation* by the Institute of Transportation Engineers (ITE). *Trip Generation* is a reference publication that contains travel characteristics of over 160 land uses across the nation and is based on empirical data gathered from over 4,600 studies that were reported to the Institute by public agencies, developers and consulting firms. Data contained in this publication is generally accepted for use in studies by transportation engineers throughout the nation. Data not available was drawn from other published information. Rates were established for specific land use types within the broader categories of residential, office, commercial, industrial and institutional land uses. Within each of the land use categories, a rate was also established for any land uses not specifically identified.

Adjustments

The actual "traffic impact" of a specific site for impact fee purposes is based on the amount of traffic added to the street system as a result of new development. To accurately estimate new trips generated, adjustments must be made to trip generation rates and equations to account for pass-by and diverted trips. The added traffic is adjusted so that each development is assigned only for a portion of trips associated with a specific development and thus reducing the possibility of over-counting by counting only primary trips generated. Trip generation rates were reduced by percentages presented in **Table 1** to isolate the primary trip purpose.

Pass-by trips are those trips that are already on a route for a different purpose and simply stop at a development on that route. For example, a stop at a convenience store on the way home from the office is a pass-by trip for the convenience store. A pass-by trip does not create an additional burden on the street system and therefore should not be counted in the assessment of impact fees of a convenience store.

A diverted trip is a similar situation, except that a diversion is made from the regular route to make an interim stop. For example, a trip from work to home using Ridge Road (from IH-30) would be a diverted trip if the travel path were changed Yellow Jacket and Goliad for the purpose of stopping at a retail site. On a system-wide basis, this trip places a slightly additional burden on the street system but in many cases, this burden is minimal.

Table 1 contains the documented estimates of trip rate adjustments used in determining the appropriate rate to use in the impact fee calculation process. Adjustments were based on studies documented in the ITE trip generation manual.

The resulting recommended trip rates are illustrated as part of Table 3 Land Use/Vehicle Mile Equivalency Table illustrated later in this chapter. Rates were developed in lieu of equations to simplify the assessment of impact fees by the City and likewise, the estimation of impact fees by persons who may be required to pay an impact fee in conjunction with a development project.

A local study may also be conducted to confirm rates in *Trip Generation* or change rates to reflect local conditions. In such cases, a minimum of three sites should be counted. Selected sites should be isolated in nature with driveways that specifically serve the development and not other land uses. The results should be plotted on the scatter diagram of the selected land use contained in *Trip Generation* for comparison purposes. It is recommended that no change be approved unless the results show a variation of at least fifteen percent across the range of sample sizes surveyed. *Trip Generation* was used as the primary source of information for this study.

Trip Length

Trip lengths (in miles) are used in conjunction with site trip generation to estimate vehicle-miles of travel. Trip length data was based on information generated in the 1995 North Central Texas Council of Governments (NCTCOG) Workplace Survey and the National Workplace Survey. These travel characteristics were applied to Rockwall to determine average trips lengths for common land use types.

Table 2 summarizes the derived average trip lengths for major land use categories. These trip lengths represent the average distance that a vehicle will travel between an origin and destination of which either the origin or destination contains the land-use category identified below. Data compiled by the Workplace Survey represents the best available information on trip lengths for this area.

Table 1: Trip Reduction Estimates (PM Peak Hour) *

ITE Code	Land Use Category	Pass-by Trips	Diverted Trips
110	General Light Industrial	0	0
130	Industrial Park	0	0
150	Manufacturing	0	0
151	Mini-Warehousing	0	0
210	Single-Family Detached Housing	0	0
220	Apartment	0	0
250	Retirement Community	0	0
540	Junior/Community College	0	0
560	Church/Place of Worship	0	0
565	Day Care Center	0	0
610	Hospital	0	0
710	General Office Building	0	0
750	Office Park	0	0
760	Research Center	0	0
815	Discount Store	17%	35%
820	Shopping Center	34%	26%
831	Quality Restaurant	44	27
832	High-Turnover Restaurant (Sit-down)	43	26
834	Fast Food Restaurant w/Drive-thru	50	23
843	Auto Parts Sales	41	13
848	Tire Store	36	38
851	Convenience Market	66	22
862	Convenience Market w/Gas Pumps	63	26
862	Home Improvement Store	48	24
863	Electronics Superstore	40	33
880	Pharmacy with Drive-thru	49	13
881	Pharmacy without Drive-thru	49	13
912	Bank with Drive-thru	47	26

DU = Dwelling Unit, GFA = Gross Floor Area; (*) Expressed as percent of total PM peak hour trips generated.
Source: Trip Generation, ITE 10th Edition, 2018

Table 2: Average Trip Lengths

Land Use Category	Average Trip Length (miles)	Localized Trip Length (miles)	Adjusted Trip Length (miles)
General Office	12.06	6.81	3.41
General Retail/Shopping Center	4.12	2.33	1.16
Industrial	9.95	5.62	2.81
Residential	11.16	6.31	3.15
Warehousing	8.84	4.99	2.50
Drive-In Bank	2.62	1.48	0.74
Specialty Retail	2.86	1.62	0.81
Hospital	5.18	2.93	1.46
Medical Office/Clinic	9.63	5.44	2.72
School	4.12	2.33	1.16
Hotel	4.15	2.34	1.17
Restaurant	3.74	2.11	1.06
Fast-Food Restaurant	3.53	1.99	1.00
Day Care Center	1.64	0.93	0.46
Supermarket	1.84	1.04	0.52
Pharmacy without Drive-thru	1.93	1.09	0.55

Source: US Census Bureau, NCTCOG, and Freese and Nichols.

Adjustments

The assessment of an individual development's impact fee is based on the premise that each vehicle-trip has an origin and a destination and that the development end should pay for one-half of the cost necessary to complete each trip. Thus, the development is charged only for a portion of the vehicle-trip associated with that development.

To prevent double charging, and to fairly attribute the demand placed on the system to each trip end location, the trip length was adjusted to remove travel on the federal roadway system and then divided by two to reflect half of the vehicle trip to and from the development. Data from the NCTCOG travel forecast model was used to compare vehicle-miles of travel (VMT) by roadway functional class. Data revealed 43% of travel to use the federal system and thus the average trip length was reduced by this percentage to reflect localized travel on city streets (reflected in column 2). The average trip length, localized trip length, and adjustment for one-half trip length are illustrated in column 3 of Table 2. Where specific land uses were considered to exhibit different trip length characteristics than those identified in Table 3, engineering judgment was used to estimate the average trip length. Finally, as the service area structure was based on a six-mile boundary, those land uses that exhibited trip lengths greater than six miles were limited to this threshold.

Service Unit Equivalency Table

The result of combining the trip generation and trip length information is an equivalency table which establishes the service unit rate for various land uses. These service unit rates are based on an appropriate development unit for each land use. For example, a dwelling unit is the basis for residential uses, while 1,000 gross square feet of floor area is the basis for office, commercial, and retail uses. Other less common land uses are based on appropriate independent variables.

Separate rates have been established for specific land uses within the broader categories of residential, commercial, industrial and institutional to reflect the differences between land uses within the categories. However, even with these specific land use types, information is not available for every conceivable land use, so limitations do exist.

The updated equivalency table is illustrated in **Table 3**. Table 3 is reflective of adjusted trip rates (detailed in Table 1) and trip lengths (Table 2).

Table 3: Land-Use Vehicle-Mile Equivalency Table

CATEGORY	LAND USE	DEVELOPMENT UNITS (X)	TRIP RATE	LOCAL TRIP LENGTH (mi.)	TOTAL SERVICE UNITS (VEH-MI / DEV UNIT)
RESIDENTIAL					
	SINGLE-FAMILY DETACHED	D.U.	0.99	3.15	3.12
	APARTMENT/TOWNHOUSE	D.U.	0.56	3.15	1.77
	RETIREMENT COMMUNITY	D.U.	0.16	2.27	0.36
	INDEPENDENT SR. LIVING FACILITY	D.U.	0.30	2.27	0.68
OFFICE					
	GENERAL OFFICE BLDG	1000 GFA	1.15	3.41	3.92
	CORPORATE HEADQUARTERS BLDG	1000 GFA	0.60	3.41	2.05
	MEDICAL-DENTAL OFFICE BLDG	1000 GFA	3.46	2.72	9.42
	U.S. POST OFFICE	1000 GFA	3.36	2.26	7.60
	BUSINESS PARK	1000 GFA	0.42	3.41	1.43
	RESEARCH AND DEVELOPMENT CENTER	1000 GFA	0.49	3.41	1.67
COMMERCIAL					
	RETAIL/SHOPPING CENTER	1000 GLA	1.52	1.16	1.77
	QUALITY RESTAURANT	1000 GFA	3.75	1.06	3.97
	FAST FOOD RESTAURANT WITH DRIVE-THROUGH	1000 GFA	8.82	1.00	8.79
	HIGH TURNOVER RESTAURANT	1000 GFA	3.03	1.10	3.33
	GAS STATION w/CONVENIENCE MARKET	1000 GFA	2.40	0.50	1.20
	CONVENIENCE MARKET WITH GASOLINE PUMPS	1000 GFA	5.42	0.50	2.71
	GROCERY/SUPERMARKET	1000 GFA	2.40	0.52	1.25
	DISCOUNT CLUB	1000 GFA	2.93	1.12	3.29
	AUTO SALES	1000 GFA	2.43	1.26	3.07
	BANK	1000 GFA	7.73	0.74	5.74
	PHARMACY/DRUGSTORE WITH DRIVE-THROUGH	1000 GFA	3.91	0.55	2.13
	APPAREL STORE	1000 GFA	2.88	0.96	2.76
	MOVIE THEATER	SCREENS	14.60	0.93	13.61
	FURNITURE STORE	1000 GFA	0.08	1.32	0.11
	HOME IMPROVEMENT SUPERSTORE	1000 GFA	0.65	1.16	0.76
	HARDWARE/PAINT STORE	1000 GFA	1.23	0.45	0.56
	BUILDING MATERIALS/LUMBER STORE	1000 GFA	1.55	0.45	0.70
	NURSERY (GARDEN CENTER)	1000 GFA	5.21	0.74	3.87
	NURSERY (WHOLESALE)	1000 GFA	3.89	0.74	2.89
	HOTEL	ROOMS	0.38	1.17	0.45
	MOTEL	ROOMS	0.38	1.17	0.45
	ALL SUITES HOTEL	ROOMS	0.36	1.17	0.42
	AUTO CARE CENTER	1000 GFA	3.75	0.81	3.03
	QUICK LUBE SHOP	1000 GFA	2.43	0.81	1.96
	AUTO PARTS SALES	1000 GFA	0.77	0.81	0.62
	TIRE STORE	1000 GFA	3.98	1.16	4.63
	MINI-WAREHOUSE/SELF STORAGE	1000 GFA	0.17	1.79	0.30
INDUSTRIAL					
	GENERAL LIGHT INDUSTRIAL	1000 GFA	0.63	2.81	1.77
	MANUFACTURING	1000 GFA	0.67	2.90	1.95
	INDUSTRIAL PARK	1000 GFA	0.40	2.82	1.13
	WAREHOUSING	1000 GFA	0.19	2.50	0.47
INSTITUTIONAL					
	PRIVATE SCHOOL (K-12)	STUDENTS	0.17	1.16	0.20
	JUNIOR/COMMUNITY COLLEGE	STUDENTS	0.11	1.19	0.13
	UNIVERSITY/COLLEGE	STUDENTS	0.15	1.41	0.21
	DAY CARE CENTER	STUDENTS	0.20	0.46	0.09
	HOSPITAL	BEDS	0.97	1.46	1.42
	NURSING HOME	BEDS	0.59	1.46	0.86
	ASSISTED LIVING CENTER	BEDS	0.26	1.46	0.38
	PLACE OF WORSHIP	1000 GFA	0.49	0.70	0.34

* THIS REPRESENTS TOTAL SERVICE UNIT EQUIVALENCY FOR LAND USES NOT SPECIFIED IN THIS CATEGORY. ACTUAL EQUIVALENCY MAY VARY AND MAY BE DEMONSTRATED BY PROPERTY OWNER TO BE DIFFERENT.

DU = Dwelling Unit
GFA = Gross Floor Area
GLA = Gross Leasable Area

Chapter 4: Existing Conditions Analysis

Chapter 395 identifies specific requirements necessary in the capital improvements plan for impact fees. The existing conditions, including defining the existing roadway system, and analysis of the total capacity, the level of current usage, and commitments for usage of the existing roadway, are required as part of the capital improvements plan. This chapter discusses the existing conditions.

Existing Conditions

An inventory of the collector and arterial roadway facilities within the city limits was conducted to determine existing conditions throughout Rockwall. This analysis determines the capacity provided by the existing roadway system, the demand currently placed on the system, and the potential existence of deficiencies on the system. Updated data for the inventory was obtained from traffic volume counts conducted by the City and field reconnaissance of current roadway sections.

The roadways were divided into segments based on volume changes, major intersections, service area boundaries, and capacity changes. For each roadway segment, the length, number of lanes, cross-section, and PM peak hour volume data were obtained. Lane capacities were assigned to each segment based on functional street classification, associated roadway lane capacities and the present number of lanes. Lane capacities used in the analysis are shown in **Table 4.**

Table 4: Roadway Facility Vehicle-Mile Lane Capacities

Roadway Facility	Designation	Hourly Vehicle-Mile Capacity per Lane Mile of Roadway Facility
Divided Arterial	DA	600
Divided Collector	DC	500
Undivided Arterial	UA	575
Undivided Collector	UC	475
Special Arterial (with two-way left turn lane)	SA	450

Roadway hourly volume capacities are based on information reflecting Level-of-Service “C” operation, as identified in the transportation element of the Rockwall Comprehensive Plan.

Existing Volumes

Existing directional PM peak hour volumes were obtained from automated traffic counts conducted in May 2019 by the City. Automated traffic counts at 25 separate locations were collected on major roadways (as identified in the Thoroughfare Plan as arterial or collector status) throughout Rockwall. To minimize the total number of counts, data was collected at locations where traffic volumes would typify link volumes on the major segments within the immediate area. For segments not counted, existing volumes were used, or estimates were developed based on data from adjoining roadway counts.

Data was compiled for roadway segments throughout the city and entered into the database for use in calculations. A summary of volumes by roadway segment is included in **Appendix D** as part of the existing capital improvements database.

Vehicle-Miles of Existing Capacity Supply

An analysis of the total capacity for each service area was performed. For each roadway segment, the existing vehicle-miles of capacity supplied were calculated using the following equation:

Vehicle-Miles of Capacity = Link capacity per peak hour per lane x Number of lanes x Length of segment (miles)

A summary of the current capacity available on the roadway system is shown in **Table 5**. It is important to note that the roadway capacity depicted in Table 5 is system-wide for most major roadways and not restricted to those roadways proposed in the impact fee capital improvements plan. Directional calculations of capacity were performed separately. For a detailed listing of vehicle-miles of capacity by roadway segment, refer to Appendix D.

Vehicle-Miles of Existing Demand

The level of current usage in terms of vehicle-miles was calculated for each roadway segment. The vehicle-miles of existing demand were calculated by the following equation:

Vehicle-Miles of Demand = PM peak hour volume x Length of segment (miles)

Table 5 also lists total vehicle-miles of demand. Appendix D includes a detailed listing of vehicle-miles of demand by directional roadway segment.

Vehicle-Miles of Existing Excess Capacity and Deficiencies

For each roadway segment, the existing vehicle-miles of excess capacity and/or deficiencies were calculated. Each direction was evaluated to determine if vehicle demands exceeded the available capacity. If demand exceeded capacity in one or both directions, the deficiency is deducted from the supply associated with the impact fee capital improvement plan. A summary of peak hour excess capacity and deficiencies are shown in **Table 6**. A detailed listing of the existing excess capacity and deficiencies by roadway segment is also located in Appendix D.

Table 5: Peak Hour Vehicle-Miles of Existing Capacity and Demand

Service Area	Capacity (Veh-Mile)	Demand (Veh-Mile)
1	32,508	18,560
2	10,799	4,944
3	21,972	16,417
4	9,674	6,816
Total	74,952	46,738

Table 6: Peak Hour Vehicle-Miles of Excess Capacity and Deficiencies

Service Area	Excess Capacity (Veh-Mile)	Deficiencies (Veh-Mile)
1	15,085	1,137
2	5,854	0
3	6,480	925
4	3,666	808
Total	31,085	2,871

Chapter 5: Projected Conditions Analysis

Chapter 395 requires a description of all capital improvements or facility expansions and their costs necessitated by and attributable to new development within the service area. This chapter describes the projected growth, vehicle-miles of new demand, capital improvements program, vehicle-miles of new capacity supplied, and costs of the roadway improvements.

Projected Growth

The projected growth for each transportation service area is represented by the increase in the number of new vehicle-miles generated over the 10-year planning period. The basis for the calculation of new demand is the population and employment projections that were prepared as part of a technical report entitled Land Use Assumptions for Roadway Impact Fees by the Rockwall Planning Department in June 2019. Estimates of population and employment were prepared for the years 2019 and 2029.

Population data was provided in terms of the number of dwelling units, households and persons. Employment data is aggregated into three sectors of employees: basic, service and retail. These employment sectors serve as the typical components used in the traffic forecast modeling process. The employment grouping also correlate with the North American Industrial Classification (NAIC) system and include: basic employment (NAIC 210000-422999) generally encompasses the industrial and manufacturing uses; service employment (NAIC 520000-928199) encompasses government, office and professional uses; and retail employment (NAIC 440000-454390) generally includes commercial and retail use.

Projected Vehicle-Miles of New Demand

Projected vehicle-miles of demand were calculated based on the growth expected to occur during the 10-year planning period and the service unit generation for each of the population and employment data components (basic, service and retail). Separate calculations were performed for each data component and were then aggregated for the service area. Vehicle-miles of demand for population growth were based on dwelling units, and vehicle-miles of demand for employment were based on the number of employees and estimates of square footage per employee.

Land Use Equivalency for 10-Year Demand Estimate

Information extracted from the NCTCOG regional travel demand model, used for development of the Mobility 2040, provides information on average trip lengths for the residential and the three types of land uses. These are : 3.12 vehicle-miles per dwelling unit for residential, 1.77 vehicle-miles per thousand square feet for Basic and Retail employment, and 3.92 vehicle-miles per thousand square feet for Service employment.

Table 7 lists the projected vehicle-miles of demand over the 10-year planning period for Rockwall. **Appendix C** contains the projected demand calculation worksheet.

Table 7: Vehicle-Miles of New Demand

Service Area	Projected 10-Year Growth (Vehicle-Miles)
1	13,731
2	3,676
3	13,001
4	2,814
Total	33,222

Capital Improvements Program

Evaluation of Current Impact Fee CIP

At the outset of the update process, capacity of the CIP was evaluated to ensure that excess capacity remained in previously approved impact fee projects. Chapter 395 mandates that only CIP projects with excess capacity are eligible for consideration. The initial impact fee program contained only one project, John King Boulevard, which extended from the northern city limit to Goliad Street (SH205) just north of FM549. Traffic volume count data collected at several locations within this corridor was used to determine if excess capacity remains on this project. The analysis revealed all segments of John King Boulevard to contain excess capacity and therefore can be retained in the program.

New Impact Fee CIP – Recoupment & Future Projects

Recoupment Projects:

John King Boulevard was the lone project identified for the initial impact fee program in 2008 and 2013 update. At the time the impact fee system was initiated, not all portions of this roadway in the north were within the city limits. The segment between FM552 and SH205 was within the county and not eligible for impact fee consideration. With annexations in 2013, additional portions of the facility were included in the program.

Three of the added projects were recently implemented and are considered recoupment. Traffic counts were also conducted on these three to assess whether excess capacity remains in these projects.

Future Projects:

Two new CIP projects are future projects planned for implementation within the next 10 years. Costs estimates for new project segments were prepared by Freese and Nichols.

Actual costs for project recoupment were provided by City Staff. **Figure 2** illustrates the location of this capital improvement in relation to the city and associated service areas. Project costs were broken into general categories of construction, engineering, right-of-way and finance (debt service). The breakout of costs among the various service areas are listed in **Table 8**. The cost of the impact fee program is $145.9 million. When considering the state mandated credit (50%), the cost eligible for impact fee consideration totals $72.9 million. The impact fee CIP also includes the cost of two five-year updates estimated at $40,000 each.

Figure 2: Roadway Impact Fee Capital Improvement Plan

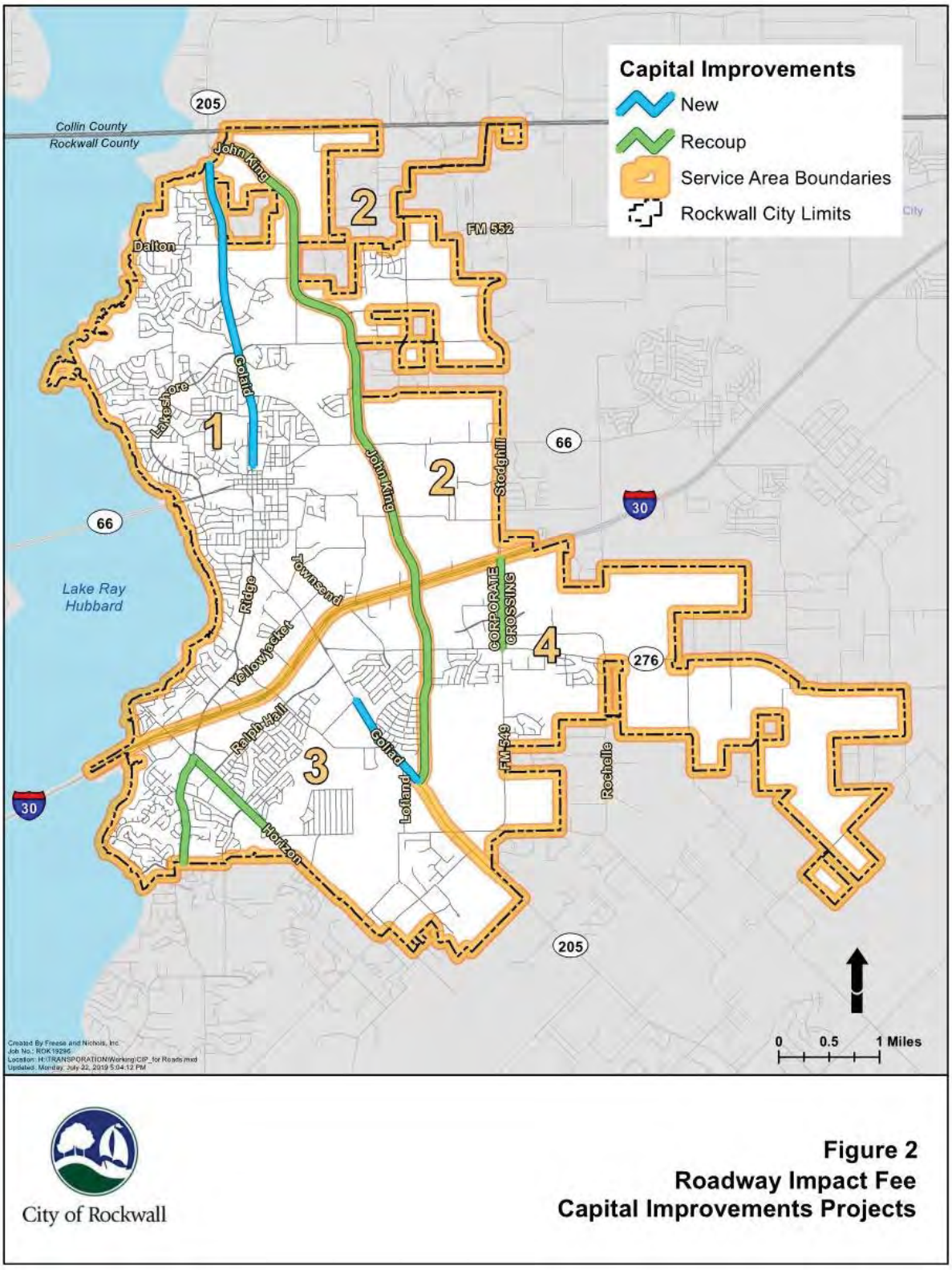


Table 8: Roadway Impact Fee Capital Improvements Plan

2019 Rockwall Roadway Impact Fee Study Update

Serv Area Number	CIP Year	Roadway	From	To	Length (mi)	No. of Lanes	Rdwy. Type	Pct. in Serv. Area	Project Status	Roadway Costs *Engineering*	Roadway Costs *ROW*	Roadway Costs *Construction**	Roadway Costs *Finance*	Project Cost
1/2	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
1/2	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
1/2	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
1/2	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
1	2019	SH 205 (Goliad St)	Olive	Live Oak	0.33	4	SA	100%	N	$236,600	$17,300	$3,380,500	$0	$3,634,400
1	2019	SH 205 (Goliad St)	Olive	N. City Limit	2.98	4	DA	100%	N	$2,481,248	$314,700	$35,446,400	$0	$38,242,348
Sub-total SA 1					**8.39**					**$4,160,539**	**$3,876,160**	**$50,734,244**	**$14,748,559**	**$73,519,502**
2/1	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
2/1	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
2/1	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
2/1	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
Sub-total SA 2					**5.08**					**$1,442,691**	**$3,544,160**	**$11,907,344**	**$14,748,559**	**$31,642,754**
3/4	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
3/4	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
3	2019	SH 205 (Goliad St)	Sids	John King Blvd	0.96	6	DA	100%	N	$974,148	$101,900	$13,916,400	$0	$14,992,448
3	2019	FM3097/Horizon	Ridge Road	County Line Rd	1.13	4	DA	100%	R	$0	$0	$900,000	$0	$900,000
3	2019	FM740/Ridge Rd	Horizon	S. City Limit	1.10	4	DA	100%	R	$0	$0	$472,902	$0	$472,902
Sub-total SA 3					**5.42**					**$1,244,200**	**$684,694**	**$18,049,682**	**$6,171,201**	**$26,149,776**
4/3	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
4/3	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
4	2019	FM 549 (Corp Crossing)	IH30	SH276	0.87	4	DA	100%	R	$0	$0	$4,724,665	$0	$4,724,665
Sub-total SA 4					**3.09**					**$270,052**	**$582,794**	**$7,485,045**	**$6,171,201**	**$14,509,091**
Totals:					**13.80**					**$7,117,483**	**$8,687,808**	**$88,176,313**	**$41,839,518**	**$145,821,123**

	City portion of construction of John King Blvd. (formerly 205 By-Pass):	***100%***

Totals:

Engineering Cost	$7,117,483
Right-of-Way Cost	$8,687,808
Construction Cost	$88,176,313
Finance Cost	$41,839,518
TOTAL NET COST	$145,821,123
Future Impact Fee Update C	$80,000
TOTAL IMPLEMENTATION	$145,901,123

Notes: * City's portion of costs incurred. (No particiaption by other agencies.)
Cost figures provided by the City.

Notes:

DA- Divided Arterial

N- New Impact Fee Project

R- Impact Fee Recoupment Project

Projected Vehicle-Miles Capacity Available for New Growth

The vehicle-miles of new capacity supply were calculated similar to the vehicle-miles of existing capacity supplied. The equation used was:

Vehicle-Miles of New Capacity Supplied = Link capacity per peak hour per lane
x Num. of lanes within Service Area
x Length of segment (miles)

Vehicle-miles of new supply provided by the CIP are listed in **Table 9**. While the project has not been built, there are system deficiencies (by service area) that have been removed from the total supply to properly account for new "net" availability. Table 9 depicts net availability of supply by the CIP. **Appendix E** details capacity calculations provided by the CIP program.

Table 9: Vehicle-Miles of New Capacity Supplied

Service Area	Vehicle-Miles of New Capacity Supplied	Vehicle-Miles of Net New Capacity Supplied
1	13,836	5,869
2	6,096	3,114
3	11,489	4,476
4	4,751	2,405
Total	36,172	15,864

Cost of Roadway Improvements

The total and net cost to implement the roadway improvements plan projects by service area is shown in **Table 10**. If traffic exists on proposed CIP project roadways or there are any deficiencies present in each respective service area, the total system cost is adjusted to reflect the net capacity being made available by the impact fee program. In other words, only the unused portion of the CIP and its associated costs are considered eligible. A detailed listing by project segment in each service area can be found in **Appendix F**. **Appendix G** details system costs by service area.

Table 10: Summary of Roadway Improvements Plan Cost Analysis

Service Area	Actual Cost of Proposed Impact Fee Program	Adjusted Cost (50% Credit) of Proposed Impact Fee Program
1	$73,550,103	$36,775,052
2	$31,656,236	$15,828,118
3	$26,175,186	$13,087,593
4	$14,519,597	$7,259,799
Total	$145,901,123	$72,950,562

State law is specific in identifying that only the portion of the CIP necessitated and attributable to new development is eligible for cost recovery. For example, if only 60% of the net service units supplied by the CIP are needed in the next 10 years, only 60% of the cost (credited at 50% per legislative requirements) may be considered in the calculation of fees. All the capacity provided by the impact fee CIP will be necessitated to address future growth over the 10-year planning period. The cost attributable to new

growth is $31.9 million and represents the citywide cost to implement projects on the impact fee program. **Table 11** depicts CIP costs attributable to new growth by service area.

Table 11: Capital Improvements Plan Costs Attributable to New Development

Service Area	Adjusted Cost (50% Credit) of Net New Capacity	Adjusted Cost (50% Credit) Attributable to New Growth
1	$15,598,596	$15,598,596
2	$8,084,777	$8,084,777
3	$5,098,520	$5,098,520
4	$3,675,714	$3,675,714
Total	$31,993,304	$31,993,304

Chapter 6: Calculation of Impact Fees

This chapter discusses the calculation of the cost per service unit and the calculation of roadway impact fees. The transportation impact fee will vary by the land use, service area, and size of the development. Examples are included to better illustrate the method by which the transportation impact fees are calculated.

Cost Per Service Unit

The cost per service unit is calculated by dividing the cost of the CIP necessitated and attributable to new demand (net cost) by the projected service units of growth over the 10-year planning period.

Generally, the cost per service unit varies by service area because of variations in cost of CIP, projected growth and the number of service units necessitated by new growth between zones. Where net capacity supplied is greater than demand, the cost per service unit is simply the cost of the net capacity divided by the number of service units provided. In this case, only the portion of the CIP necessitated by new development is used in the calculation. If the net capacity supplied is *less* than projected new demand, then the cost per service unit is calculated by dividing the total cost of net supply by the portion of new demand attributable and necessary by development. The result is generally a decrease in the cost per service unit, because such cost is spread over the larger number of service units of growth.

Table 12 lists the results of the cost per service unit calculation by service area. The actual cost per service unit reflects the true burden to the City for the implementation of the roadway capital improvements program. As per state law, a credit for the portion of ad-valorem tax revenues generated by improvements over the program period, or a credit equal to 50% of the total projected cost of implementing the capital improvements plan must be given. Based on this analysis, the maximum collection rate reflects the maximum amount per service unit that can be charged to follow the state statute. **Appendix G** details the maximum fee per service unit calculation for each service area.

Table 12: Cost Per Service Unit Summary

Service Area	Actual Cost Per Service Unit	Maximum Fee per Service Unit (50% Credit)
1	$2,272.00	$1,136.00
2	$4,398.00	$2,199.00
3	$784.00	$392.00
4	$2,612.00	$1,306.00
Total	$1,926.00	$963.00

Calculation of Roadway Impact Fees

The calculation of roadway impact fees for new development involves a two-step process. Step one is the calculation of the total number of service units that will be generated by the development. Step two is the calculation of the impact fee due by the new development.

Step 1: Determine number of service units (vehicle-miles) generated by the development using the equivalency table.

No. of Development Units	x	Vehicle-miles per development unit	=	Development's Vehicle-miles

Step 2: Calculate the impact fee based on the fee per service unit for the service area where the development is located.

Development's Vehicle-miles	x	Fee per vehicle-mile	=	Impact Fee due from Development

Examples: The following fees would be assessed to new developments in Service Area 3 if the cost per service unit were retained at the current collection rate $256.00 (adopted in 2008, retained in 2013).

Single-Family Dwelling

1 dwelling unit x 3.12 vehicle-miles/dwelling unit = 3.12 vehicle-miles
3.12 vehicle-miles x $256.00 /vehicle-mile = $798.72

20,000 square foot (s.f.) Office Building

20 (1,000 s.f. units) x 3.92 vehicle-miles/1,000 s.f. units = 78.40 vehicle-miles
78.40 vehicle-miles x $256.00 /vehicle-mile = $20,070.40

100,000 s.f. Retail Center

100 (1,000 s.f. units) x 1.77 vehicle-miles/1,000 s.f. units = 177.00 vehicle-miles
177.00 vehicle-miles x $256.00 /vehicle-mile = 45,312.00

200,000 s.f. Industrial Development

200 (1,000 s.f. units) x 1.77 vehicle-miles/1,000 s.f. units = 354.00 vehicle-miles
354.00 vehicle-miles x $256.00 /vehicle-mile = $90,624.00.

Chapter 7: Conclusions

Chapter 395 authorizes the assessment and collection of impact fees in Texas for transportation related capital improvements that must be met in order to assess and collect impact fees. This study was conducted to fulfill the requirements of Chapter 395 in developing a transportation-related impact fee for the City of Rockwall.

Three service areas were created for Rockwall. This service area structure was configured so that no point is greater than the six-mile maximum set forth by law. The six-mile limit ensures that roadway improvements are near the development paying the fees that it serves.

Vehicle-miles of travel in the PM peak hour are used as the service unit for calculating and assessing impact fees. Vehicle-miles establish a relationship between the intensity of land development and the demand on the roadway system using published trip generation data and average trip length. The PM peak hour is used as the time period for assessment because typically the greatest demand for roadway capacity occurs during this hour. Additionally, roadways are sized to meet this demand and roadway capacity can more accurately be defined on an hourly basis.

The service units (vehicle-miles) for new development are a function of trip generation and the average trip length for specific land uses. Trip generation information was based on data published by the Institute of Transportation Engineers as reported in the initial study. Where appropriate, trip generation rates were adjusted to reflect the primary trip purpose. This ensures that new development is assigned for the portion of trips associated with that specific development. Average trip length data was based on information compiled by NCTCOG and based on data from a NCTCOG Workplace Survey, statistics from the US Census Bureau National Workplace Survey and tailored to Rockwall.

The result of combining trip generation and trip length information is an equivalency table that establishes a service unit rate for various land uses. Separate rates were established for specific land uses within the broader categories of residential, community, industrial and institutional uses.

An analysis of existing conditions revealed that the current roadway system provides over 74,952 vehicle-miles of capacity. The existing demand placed on the system was determined to be 46,738 vehicle-miles. Evaluation of the existing roadway system found 2,871 vehicle-miles of deficiencies on the existing roadway network.

Projected growth, in terms of vehicle-miles over the 10-year planning period, was based on population and employment data that was prepared in the Land Use Assumptions for Roadway Impact Fees dated August 2019 by the City Planning Department. Based on this growth, the projected vehicle-miles of demand calculated to be 33,222.

Rockwall City Staff identified the roadway impact fee capital improvements program for the 10-year planning period. Projects eligible for this CIP include arterial and collector streets that have been designated on the officially adopted Thoroughfare Plan of the City. Developer funded roadways are not eligible for inclusion in calculating impact fees. Projects totaling $145.9 million, was identified for impact fee consideration based on need, projected growth, project affordability and achievability, financial

considerations, jurisdictional issues, the Thoroughfare Plan, and staff recommendation. The credited (50%) cost attributable to new growth is $72.94 million and represents 100% of the net capacity made available for development by impact fee roadway projects. The recommended CIP program will provide 15,864 vehicle-miles of new net capacity.

The *actual* cost per service unit was calculated to be between $784.00 and $4,398.00 and was based on the total cost of net capacity supplied by the CIP and the demand attributable to new development over the 10-year planning period. State legislation requires that a credit for the portion of ad-valorem tax revenues generated by improvements over the program period, or a credit equal to 50% of the total projected cost of implementing a roadway impact fee capital improvements program be given. Based on a 50% credit, the cost per service unit ranges between $392.00 and $2,199.00.

The determination of fees due from new development is based upon the size of development, its associated service unit generation (equivalency table) and the cost per service unit derived or adopted for each service area.

APPENDICES

A. Roadway Impact Fee Definitions

ROADWAY IMPACT FEE DEFINITIONS

Average Trip Length - the average actual travel distance between two points. The average trip length by specific land use varies.

Diverted Trip - similar to pass-by trip, but a diversion is made from the regular route to make an interim stop.

Impact Fee - a charge or assessment imposed by a city against new development to generate revenue for funding or recouping roadway improvements necessitated and attributable to new development.

Land Use Equivalency – correlation of a land use to the rate of vehicle miles CIP of network capacity it would consume

Maximum Fee Per Service Unit - the highest impact fee that may be collected by the City per vehicle-mile of supply. Calculated by dividing the costs of the capital improvements by the total number of vehicle-miles of demand expected in the 10-year planning period.

Pass-by Trip - a trip made as an intermediate stop on the way from an origin to a primary trip destination. For example, a stop at a convenience store on the way to office from home.

PM Peak Hour - the hour when the highest volume of traffic typically occurs. Data collection (May 2019) revealed the peak hour of travel between 5:00 and 6:00 pm for Rockwall.

PM Peak Hour Traffic Counts - the number of vehicles passing a certain point during the peak hours of travel. Traffic counts are conducted during the PM peak hour because the greatest demand for roadway capacity occurs during this hour.

Primary Trip - a trip made for the specific purpose of visiting a destination; for example, from home to office.

Roadway Demand - the demand placed on the roadway network as a result of development. Determined by multiplying the trip generation of a specific land use by the average trip length.

Roadway Supply (or Capacity) - the number of service units provided by a segment of roadway over a period of time. Determined by multiplying the lane capacity by the roadway length.

Service Area - the area within the city boundaries to be served by capital improvements. Criteria for developing the service area structure include; 1) restricted to six-mile limit by legislation (to ensure proximity of roadway improvements to development), 2) conforms to census or forecast model boundaries, 3) projects on CIP as boundaries, 4) effort to match roadway supply with projected demand, or 5) city limit boundaries.

Service Unit - a measure of use or generation attributable to new development for roadway improvements. Also used to measure supply provided by existing and proposed roadway improvements.

Trip - a single, one-direction vehicle movement from an origin to a destination.

Trip Generation - the total trip ends for a land use over a given period or the total of all trips entering and exiting a site during that designated time. Used in the development of the land use equivalency table for Rockwall. Based primarily on data prepared by the Institute of Transportation Engineers (ITE).

Vehicle - for impact fee purposes, any motorized appurtenance that carries passengers and/or goods on the roadway system during peak periods of travel.

Vehicle-mile - a unit used to express both supply and demand provided by, and placed on, the roadway system. A combination of a number of vehicles traveling during a given time period and the distance in which these vehicles travel in miles.

B. Land Use Definitions

LAND USE DEFINITIONS

Residential

Single-Family Detached - Any single-family detached home on an individual lot is included in this category. A typical example of this land use is a home in a suburban subdivision. Also included are duplex residential units and manufactured homes and other residential land uses not specified above.

Multi-Family - This land use includes both low-rise ("walk-up" dwellings) and high-rise multi-family apartments. An apartment is defined as a dwelling unit that is located within the same building with three or more dwelling units. Also included in this land use are residential condominiums, townhomes, triplex and quadplex units. Residential condominiums and townhomes are defined as single-family units that have at least one other single-family unit within the same building structure.

Independent Senior Living Facility - Retirement communities - restricted to adults or senior citizens - contain residential units like apartments or condominiums and are usually self-contained villages. They may also contain special services such as medical facilities, dining facilities, and some limited supporting retail facilities.

Office (Service)

General Office Building - A general office building houses one or more tenants and is the location where affairs of a business, commercial or industrial organization, and professional activity are conducted. The building or buildings may be limited to one tenant or contain a mixture of tenants including professional services, insurance companies, investment brokers, company headquarters, and services for the tenants such as a bank or savings and loan, a restaurant or cafeteria, and several retail facilities. Also included in this category are office parks, and other office uses not specified above.

Medical Office Building – A building that provides diagnoses and outpatient care on a routine basis but is unable to provide prolonged in-house medical and surgical care. One or more private physicians or dentists generally operate this type of facility.

Commercial/Retail

General Retail – General retail includes a variety of land uses that include shopping centers, home improvement stores, hardware stores selling a complete assortment of food, household goods and materials, apparel, servicing items. A shopping center is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. It is related to its market area in terms of size, location, and type of store. Shopping centers provide on-site parking facilities. Some centers may include non-merchandising uses such as small office professional services, post offices, banks, health clubs, video rentals, and recreational facilities such as ice-skating rinks or video arcades.

Restaurant - This land use consists of sit-down eating establishments. Quality and high-turnover (sit-down) restaurants are included in this category. Quality restaurants usually have a turnover rate of at least one hour or longer. The turnover rate for a high-turnover (sit-down) restaurant is usually less than one hour.

Fast Food Restaurant - This category includes fast food restaurants with or without drive-through windows, such as McDonalds, Burger King, Dunkin Donuts, and Taco Bell. Some establishments may include an indoor or outdoor playground.

Convenience Store/Gas Station - Any convenience market that sells convenience foods, newspapers, magazines, and often, beer and wine and may have gasoline pumps. Gas stations generally are located at intersections or freeway interchanges and may include facilities for servicing, repairing, fueling motor vehicles and may have convenience stores. Convenience stores/gas stations that have a fast-food restaurant contained within should be calculated on a separate basis based on the appropriate independent variable.

Bank - This land use includes walk-in and drive-in banks. Walk-in banks are generally free-standing buildings with their own parking lots. These banks do not have drive-in windows. Drive-in banks provide banking facilities for the motorist while in a vehicle; many also serve patrons who walk into the building. Savings and loan companies should also be included in this category.

Hotel/Motel – A place of lodging that provides sleeping accommodations, small restaurants, lounges, and meeting spaces. Some hotels or motels may provide banquet rooms or other retail and service shops.

Furniture and Appliance Sales - A store specializing in the sale of furniture, household appliances and goods and often, carpeting.

Theater – This land use consists of a movie or live theater and contains audience seating, single or multiple auditoriums, lobby, offices and refreshment stands.

Self-Storage Facilities - A self-serve storage unit or vault that is rented for the storage of goods. Each unit is physically separated from other units and access is usually provided through an overhead door or other common access point.

Industrial (Basic)

General Industrial – General industrial includes a variety of land uses such as light industrial, manufacturing, salvage, facilities for preparation/assembly and warehouse/distribution of goods. Other uses include materials testing laboratories, high-tech facilities and assemblers of technical equipment. Most facilities are free standing and devoted to a single use. Also included in this category are any other industrial uses not specified above.

Manufacturing – Facilities where the primary activity is the conversion or fabrication of raw materials to finished products. In addition to production of goods, manufacturing facilities may also have ancillary office, warehouse and associated functions.

Warehousing – These facilities are primarily devoted to the storage of materials. These facilities differ from mini warehouse in that they are generally not self-service in nature.

Institutional

Private School - Private schools serve students between the kindergarten and middle school or high school levels. Private schools are usually centrally located in residential communities in order to facilitate student access and have no student drivers.

Community College - Community college provides two and four-year advanced degrees. Vocational and technical schools are other uses that may fall under this category.

Day Care Center - A day care center is a facility where care for pre-school age children is provided, normally during the daytime hours. Day care facilities generally include classrooms, offices, eating areas, and playgrounds. Some centers also provide after-school care for older children.

Hospital - A hospital is any institution where medical or surgical care is given to non-ambulatory and ambulatory patients, and overnight accommodations are provided.

Nursing Home - A nursing home is any facility whose primary purpose is to care for persons who are unable to care for themselves. The term applies to rest homes, chronic care, and convalescent homes.

Religious Facilities – Churches, synagogues or houses of worship that provide public worship services, and generally house an assembly hall or sanctuary, meeting rooms, classrooms, and occasionally dining, catering, or party facilities.

Activity Centers – A recreational center or private club such as a YMCA that may offer classes and clubs for adults and children; a day care or a nursery school, meeting rooms, swimming pools and whirlpools; saunas, tennis, racquetball and handball courts, exercise classes, weightlifting equipment and locker rooms. Some may offer a small restaurant or snack bar within.

U.S. Post Office – A building that contains service windows for mailing packages and letters, post office boxes, offices, sorting and distributing facilities for mail and vehicle storage areas.

C. Calculation of Vehicle-Miles of New Demand

2019-2029 Vehicle-Mile Trip Generation, Rockwall Roadway Impact Fee Study

Based on June 2019 Land Use Assumptions by City of Rockwall; ITE 10th-Trip Gen., NCTCOG Avg. Trip Lengths; FNI employee densities.

Estimated Residential Growth Vehicle-Mile Trip Generation (single family detached, typ.)

Service Area	Added Dwelling Units	Vehicle-Miles per DU	Total Vehicle-Miles
1	1,740	3.12	5,426
2	917	3.12	2,860
3	2,030	3.12	6,331
4	757	3.12	2,361

Estimated Basic Employment Growth Vehicle-Mile Generation (general light industrial, typ.)

Service Area	Added Employees	Square Feet per emp.	Total Square Feet	Vehicle-Miles Per 1000/SF	Total Vehicle-Miles
1	750	1500	1,125,000	1.77	1,992
2	102	1500	153,000	1.77	271
3	9	1500	13,500	1.77	24
4	0	1500	0	1.77	0

Estimated Service Employment Growth Vehicle-Mile Generation (general office building, typ.)

Service Area	Added Employees	Square Feet per emp.	Total Square Feet	Vehicle-Miles Per 1000/SF	Total Vehicle-Miles
1	1,726	500	863,000	3.92	3,384
2	130	500	65,000	3.92	255
3	2,242	500	1,121,000	3.92	4,396
4	169	500	84,500	3.92	331

Estimated Retail Employment Growth Vehicle-Mile Generation (retail/shopping center, typ.)

Service Area	Added Employees	Square Feet per emp.	Total Square Feet	Vehicle-Miles Per 1000/SF	Total Vehicle-Miles
1	1,654	1000	1,654,000	1.77	2,929
2	164	1000	164,000	1.77	290
3	1,271	1000	1,271,000	1.77	2,251
4	69	1000	69,000	1.77	122

2013-2023 Vehicle-mile Generation Summary

Service Area	Residential Growth Vehicle-Miles	Basic Growth Vehicle-Miles	Service Growth Vehicle-Miles	Retail Growth Vehicle-Miles	Total Growth Vehicle-Miles
1	5,426	1,992	3,384	2,929	**13,731**
2	2,860	271	255	290	**3,676**
3	6,331	24	4,396	2,251	**13,001**
4	2,361	0	331	122	**2,814**
Total	16,977	2,286	8,367	5,592	**33,222**

D. Existing Capital Improvements

EXISTING CAPITAL IMPROVEMENTS

Definitions

LANES	The total number of lanes in both directions available for travel.
TYPE	The type of roadway (used in determining capacity): DA = divided arterial UA = undivided arterial UC = undivided collector
PK-HR VOLUME	The existing volume of cars on the roadway segment traveling during the afternoon (P.M.) peak hour of travel. A and B indicate the two directions of travel. Direction A is a northbound or eastbound and direction B is southbound or westbound. If only one half of the roadway is located within the service area (see % in service area), the opposing direction will have no volume in the service area.
% IN SERVICE AREA	If the roadway is located on the boundary of the service area (with the city limits running along the centerline of the roadway), then half of the roadway is inventoried in the service area and the other half is not. This value is either 50% or 100%.
VEH-MI SUPPLY PK-HR	The number of total service units (vehicle-miles) supplied within the service area, based on the length and established capacity of the roadway type.
VEH-MI TOTAL DEMAND PK-HR	The total service unit (vehicle-mile) demand created by existing traffic on the roadway segment in the afternoon peak hour.
EXCESS CAPACITY PK-HR VEH-MI	The number of service units supplied but unused by existing traffic in the afternoon peak hour.
EXISTING DEFICIENCIES PK-HR VEH-MI	The number of service units of demand in excess of the service units supplied.

NOTE: Excess capacity and existing deficiencies are calculated separately for each direction. It is possible to have excess capacity in one direction and an existing deficiency in the other. When both directions have excess capacity or deficiencies, the total for both directions are presented.

2019 Rockwall Roadway Impact Fee Study Update
Existing Capital Improvements Analysis

Serv Area	Roadway	From	To	Length (mi)	No. of Lanes	Type	PM Pk Cap per Lane	Pct. in Serv. Area	IF on CIP	Peak Hour Volume A	B	Total	VMT Supply Pk Hr Total	VMT Demand Pk Hr Total	Excess VMT Capacity	Exist. VMT Deficiency
1	Goliad	N . City Limit	FM 552	0.57	2	UA	575	100%	N	300	300	600	656	342	314	0
1	Goliad	FM 552	Ridge Road W.	0.67	2	UA	575	100%	N	450	460	910	771	610	161	0
1	Goliad	Ridge Road W.	Quail Run	0.45	2	UA	575	100%	N	600	618	1218	518	548	0	31
1	Goliad	Quail Run	Caruth	0.48	2	UA	575	100%	N	830	804	1634	556	790	0	234
1	Goliad	Caruth	Heath	1.00	2	UA	575	100%	N	850	820	1670	1146	1664	0	518
1	Goliad	Heath	Olive	0.27	2	UA	575	100%	N	900	900	1800	311	486	0	176
1	Goliad	Olive	Washington	0.18	6	DA	600	100%	N	1135	1088	2223	650	401	249	0
1	Goliad	Washington	Ridge Road	0.65	6	DA	600	100%	N	1810	1040	2850	2355	1864	497	7
1	Goliad	Ridge Road	IH 30 WB FR	0.99	6	DA	600	100%	N	1158	642	1800	3554	1777	1777	0
1	Ridge Road	Goliad	Yellow Jacket	0.58	4	DA	600	100%	N	1275	900	2175	1384	1254	173	43
1	Ridge Road	Yellow Jacket	IH 30 WB FR	0.61	4	DA	600	100%	N	1371	1138	2509	1464	1530	38	104
1	John King	City Limit (near Goliad)	FM552	1.28	4	DA	600	50%	Y	0	275	275	1536	352	1184	0
1	John King	FM 552	Quail Run	1.29	4	DA	600	50%	Y	0	500	500	1548	645	903	0
1	John King	Quail Run	SH 66	1.04	4	DA	600	50%	Y	0	550	550	1248	572	676	0
1	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	Y	0	615	615	1764	904	860	0
1	Yellow Jacket	Ridge Road	Goliad	0.89	4	DC	500	100%	N	228	274	502	1780	447	1333	0
1	Yellow Jacket	Goliad	T.L. Townsend	0.28	4	DC	500	100%	N	126	87	213	560	60	500	0
1	Townsend	IH 30 WB FR	Yellow Jacket	0.27	4	DA	600	100%	N	160	142	302	648	82	566	0
1	FM 552	Goliad	E. City Limits	0.71	2	UA	575	100%	N	359	355	714	817	507	310	0
1	Lakeshore	Goliad	Lake Forest	0.95	4	DC	500	100%	N	391	319	710	1900	675	1226	0
1	Lakeshore	Lake Forest	Rusk	1.29	4	DC	500	100%	N	195	159	354	2580	457	2123	0
1	Quail Run	Goliad	John King Blvd	1.13	2	UA	575	100%	N	168	172	340	1300	384	915	0
1	Heath	Goliad	SH 66	0.60	2	UC	475	100%	N	176	101	277	567	165	402	0
1	Rusk	Lake Ray Hubbard	Cemetery	0.53	4	DA	600	100%	N	1161	675	1836	1277	977	300	0
1	Rusk	Cemetery	Goliad	0.22	6	DA	600	100%	N	1361	875	2236	802	498	304	0
1	Rusk	Goliad	Fanin	0.10	4	DA	600	100%	N	330	330	660	236	65	171	0
1	SH66	Heath	John King Blvd	0.51	2	UA	575	100%	N	623	371	994	584	505	104	24
Sub-Total SA1				*5.08*									*32,508*	*18,560*	*15,085*	*1,137*
2	Cornelius	FM 1141	FM 549	1.04	2	UC	475	100%	N	50	50	100	988	104	884	0
2	FM 1141	City Limit (Clem)	FM 552	0.64	2	UA	575	100%	N	61	60	121	736	77	659	0
2	FM 1141	John King Blvd	Cornelius	0.40	2	UA	575	100%	N	120	80	200	460	80	380	0
2	John King	City Limit (near Goliad)	FM552	1.28	4	DA	600	50%	Y	300	0	300	1536	384	1152	0
2	John King	FM 552	Quail Run	1.29	4	DA	600	50%	Y	550	0	550	1548	710	839	0
2	John King	Quail Run	SH 66	1.04	4	DA	600	50%	Y	650	0	650	1248	676	572	0
2	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	Y	825	0	825	1764	1213	551	0
2	SH66	John King Blvd	Stodghill (FM 549)	1.31	2	UA	575	100%	N	550	245	795	1507	1041	465	0
2	Stodghill (FM 549)	IH 30 WB FR	SH 66	0.88	2	UA	575	100%	N	449	300	749	1012	659	353	0
Sub-Total SA2				*9.35*									*10,799*	*4,944*	*5,854*	*0*
3	Ridge	IH 30 EB FR	Horizon	0.63	4	DA	600	100%	N	892	1031	1923	1512	1211	301	0
3	Ridge	Horizon	S. City Limit	1.24	4	DA	600	100%	N	880	955	1835	2976	2275	701	0
3	Horizon	IH 30 EB FR	Ridge	0.31	4	DA	600	100%	N	700	800	1500	744	465	279	0
3	Horizon	Ridge	Ralph Hall	0.23	4	DA	600	100%	N	719	816	1535	552	353	199	0
3	Horizon	Ralph Hall	Tubbs	0.48	4	DA	600	100%	N	611	775	1386	1152	665	487	0
3	Horizon	Tubbs	FM 549	1.85	2	UA	575	100%	N	411	494	905	2128	1674	453	0
3	Ralph Hall	Horizon	Market Center	0.68	4	DA	600	100%	N	890	950	1840	1632	1251	381	0
3	Ralph Hall	Market Center	Goliad	0.36	4	DA	600	100%	N	892	957	1849	864	666	198	0
3	Goliad	IH 30 EB FR	SH 276	0.13	6	DA	600	100%	N	1550	1700	3250	452	408	44	0
3	Goliad	SH 276	Ralph Hall	0.20	6	DA	600	100%	N	1355	1587	2942	713	582	130	0
3	Goliad	Ralph Hall	Sids	0.41	6	DA	600	100%	N	805	1089	1894	1473	775	698	0
3	Goliad	Sids	John King Blvd	1.01	2	UA	575	100%	N	680	807	1487	1162	1502	0	340
3	Goliad	John King Blvd	FM 549	0.88	2	UA	575	50%	N	0	825	825	504	723	0	219
3	Goliad	FM 549	S. City Limit	0.28	2	UA	575	50%	N	0	1025	1025	160	285	0	125
3	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	Y	0	871	871	1063	772	291	0
3	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	Y	0	225	225	1608	302	1307	0
3	S. FM549	Goliad	Horizon (FM3097)	1.28	2	UA	575	100%	N	398	413	811	1472	1038	434	0
3	SH 276	Goliad	John King Blvd	1.01	2	UA	575	100%	N	645	743	1388	1162	1402	0	240
3	T.L. Townsend	IH 30 EB FR	SH 276	0.56	2	UA	575	100%	N	33	86	119	644	67	577	0
Sub-Total SA 3				*2.23*									*21,972*	*16,417*	*6,480*	*925*
4	SH 276	John King Blvd	FM 549	0.74	2	UA	575	100%	N	600	820	1420	854	1055	0	201
4	SH 276	FM 549	Rochelle	1.01	2	UA	575	100%	N	545	969	1514	1162	1529	30	398
4	SH 276	Rochelle	E. City Limits	0.68	2	UA	575	100%	N	245	475	720	779	488	291	0
4	Goliad	John King Blvd	FM 549	0.88	2	UA	575	50%	N	805	0	805	504	706	0	202
4	Goliad	FM 549	S. City Limit	0.28	2	UA	575	50%	N	605	0	605	160	168	0	8
4	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	Y	656	0	656	1063	581	482	0
4	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	Y	225	0	225	1608	302	1307	0
4	FM 549	IH 30 EB FR	SH 276	0.89	2	UA	575	100%	N	346	409	755	1019	669	350	0
4	FM 549	SH 276	FM 1139	1.84	2	UA	575	100%	N	268	275	543	2116	999	1117	0
4	FM 1139	Goliad (SH205)	E. City Limits	0.43	2	UC	475	100%	N	368	375	743	409	320	89	0
Sub-Total SA 4				8.96746									*9674*	*6816*	*3666*	*808*
Total				**25.62**									**74,952**	**46,738**	**31,085**	**2,871**

Notes:
DA- Divided Arterial
UA- Undivided Arterial
UC- Undivided Collector

E. Roadway Improvement Plan Projects

ROADWAY IMPROVEMENTS PLAN PROJECTS

Definitions

LANES	The total number of lanes in both directions available for travel.
TYPE	The type of roadway (used in determining capacity): DA = divided arterial SA = special arterial (similar to DA)
PK-HR VOLUME	the existing volumes of cars on the roadway segment traveling during the afternoon (P.M.) peak hour of travel.
% IN SERVICE AREA	If the roadway is located on the boundary of the service area (with the city limits running along the centerline of the roadway), then half of the roadway is inventoried in the service area and the other half is not. This value is either 50% or 100%.
VEH-MI SUPPLY TOTAL	The number of total service units (vehicle-miles) supplied within the service area, based on the length and established capacity of the roadway type.
VEH-MI TOTAL DEMAND PK-HR	The total service unit (vehicle-mile) demand created by existing traffic on the roadway segment in the afternoon peak hour.
EXCESS CAPACITY PK-HR VEH-MI	The number of service units supplied but unused by existing traffic in the afternoon peak hour.
FINANCE COST	Estimate of the cost of financing the cost of project development. Included for recoupment projects along John King Boulevard. Not applied for new recoupment and future projects added under this updated Impact Fee CIP
ROW	Estimated value of private owned right of way needed to be acquired for construction of the roadway improvements.

Table 8
2019 Rockwall Roadway Impact Fee Study Update
Roadway Capital Improvements Plan

Serv Area Number	CIP Year	Roadway	From	To	Length (mi)	No. of Lanes	Rdwy. Type	Lane Capacity	Pct. in Serv. Area	VMT Supply Pk Hr Total	VMT Demand Pk Hr Total	Excess VMT Capacity	CIP VMT Deficiency	Project Status	Roadway Costs				Project Cost
															Engineering	*ROW*	*Construction**	*Finance*	
1/2	2007	John King	City Limit (near G	FM552	1.28	4	DA	600	50%	1536	352	1184	0	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
1/2	2007	John King	FM 552	Quail Run	1.29	4	DA	600	50%	1548	645	903	0	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
1/2	2007	John King	Quail Run	SH 66	1.04	4	DA	600	50%	1248	572	676	0	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
1/2	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	1764	904	860	0	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
1	2019	SH 205 (Goliad St)	Olive	Live Oak	0.33	5	SA	450	100%	588	567	21	0	N	$236,600	$17,300	$3,380,500	$0	$3,634,400
1	2019	SH 205 (Goliad St)	Live Oak	N. City Limit	2.98	4	DA	600	100%	7152	3791	3362	0	N	$2,481,248	$314,700	$35,446,400	$0	$38,242,348
Sub-total SA 1					**8.39**					**13836**	**6831**	**7006**	**0**		**$4,160,539**	**$3,876,160**	**$50,734,244**	**$14,748,559**	**$73,519,502**
2/1	2007	John King	City Limit (near G	FM552	1.28	4	DA	600	50%	1536	384	1152	0	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
2/1	2007	John King	FM 552	Quail Run	1.29	4	DA	600	50%	1548	710	839	0	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
2/1	2007	John King	Quail Run	SH 66	1.04	4	DA	600	50%	1248	676	572	0	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
2/1	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	1764	1213	551	0	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
Sub-total SA 2					**5.08**					**6096**	**2982**	**3114**	**0**		**$1,442,691**	**$3,544,160**	**$11,907,344**	**$14,748,559**	**$31,642,754**
3/4	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	1063	772	291	0	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
3/4	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	1608	302	1307	0	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
3	2019	SH 205 (Goliad St)	Sids	John King Blvd	0.96	6	DA	600	100%	3474	1435	2039	0	N	$974,148	$101,900	$13,916,400	$0	$14,992,448
3	2019	FM3097/Horizon	Ridge Road	County Line Rd	1.13	4	DA	600	100%	2705	1562	1143	0	R	$0	$0	$900,000	$0	$900,000
3	2019	FM740/Ridge Rd	Horizon	S. City Limit	1.10	4	DA	600	100%	2640	2019	622	0	R	$0	$0	$472,902	$0	$472,902
Sub-total SA 3					**5.42**					**11489**	**6088**	**5401**	**0**		**$1,244,200**	**$684,694**	**$18,049,682**	**$6,171,201**	**$26,149,776**
4/3	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	1063	581	482	0	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
4/3	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	1608	302	1307	0	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
4	2019	FM 549 (Corp Crossing)	IH30	SH276	0.87	4	DA	600	100%	2080	654	1425	0	R	$0	$0	$4,724,665	$0	$4,724,665
Sub-total SA 4					**3.09**					**4751**	**1537**	**3214**	**0**		**$270,052**	**$582,794**	**$7,485,045**	**$6,171,201**	**$14,509,091**
Totals:					**13.80**					**36,172**	**17,438**	**18,734**	**0**		**$7,117,483**	**$8,687,808**	**$88,176,313**	**$41,839,518**	**$145,821,123**

Notes:

DA- Divided Arterial

SA- Special Arterial with two-way left turn lane (TWLTL)

N- New Impact Fee Project

R- Impact Fee Recoupment Project

Red font = added in this Impact Fee CIP

A

City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

Olive St to Live Oak St

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	5
Length (lf):	1,725		
Right-of-Way Width (ft.):	70		
Median Type:	TWLTL		
Pavement Width (BOC to BOC):	45		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	0	SF	$ 1.00	$ -
2	Right of Way Preparation	18	STA	$ 4,000.00	$ 72,000
3	Remove Existing Pavement	18	STA	$ 1,000.00	$ 18,000
4	Unclassified Street Excavation	3,200	CY	$ 20.00	$ 64,000
5	8" Lime Stabilized Subgrade	9,100	SY	$ 10.00	$ 91,000
6	Lime for Stabilization (48 lb/SY)	200	TON	$ 180.00	$ 36,000
7	10" Concrete Pavement w/ Integral Curb	8,700	SY	$ 75.00	$ 652,500
8	4" Concrete Sidewalk and Ramps	20,700	SY	$ 55.00	$ 1,138,500
9	Solid Sod	22,400	SY	$ 5.00	$ 112,000
				Paving Estimate Subtotal:	**$ 2,184,000**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 43,700
11	Traffic Control	4%	$ 87,400
12	Erosion Control	3%	$ 65,600
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 436,800
14	Utility Adjustments	5%	$ 109,200
	Other Components Estimate Subtotal:		**$ 742,700**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	None	$ -	$ -
16	Bridge Structures	None	$ -	$ -
17	Traffic Signals	None	$ -	$ -
		Special Components Estimate Subtotal:		**$ -**
		I, II, & III Construction Subtotal:		$ 2,926,700
		Mobilization	5%	$ 146,400
		Contingency	10%	$ 307,400
		Construction Cost Estimate Total:		**$ 3,380,500**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 3,380,500
Engineering/Survey/Testing		7.0%	$ 236,600
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 17,300	$ 17,300
	Impact Fee Project Cost Estimate Total:		**$ 3,634,400**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 432,400**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

B

City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

Live Oak St to N. City Limit

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	4
Length (lf):	15,735		
Right-of-Way Width (ft.):	85		
Median Type:	Raised		
Pavement Width (BOC to BOC):	50		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	157,400	SF	$ 1.00	$ 157,400
2	Right of Way Preparation	158	STA	$ 4,000.00	$ 632,000
3	Remove Existing Pavement	158	STA	$ 1,000.00	$ 158,000
4	Unclassified Street Excavation	32,100	CY	$ 20.00	$ 642,000
5	8" Lime Stabilized Subgrade	94,500	SY	$ 10.00	$ 945,000
6	Lime for Stabilization (48 lb/SY)	1,990	TON	$ 180.00	$ 358,200
7	10" Concrete Pavement w/ Integral Curb	87,500	SY	$ 75.00	$ 6,562,500
8	4" Concrete Sidewalk and Ramps	188,820	SY	$ 55.00	$ 10,385,100
9	Solid Sod	361,900	SY	$ 5.00	$ 1,809,500
				Paving Estimate Subtotal:	**$ 21,492,300**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 429,900
11	Traffic Control	4%	$ 859,700
12	Erosion Control	3%	$ 644,800
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 4,298,500
14	Utility Adjustments	5%	$ 1,074,700
	Other Components Estimate Subtotal:		**$ 7,307,600**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	1 minor	$ 150,000	$ 150,000
16	Bridge Structures	175' long bridge south of Lakeshore Blvd	$ 1,139,600	$ 1,139,600
17	Traffic Signals	3 Existing Signals; 1 new @ N John King	$ 600,000	$ 600,000
		Special Components Estimate Subtotal:		**$ 1,889,600**

I, II, & III Construction Subtotal:		$ 30,689,500
Mobilization	5%	$ 1,534,500
Contingency	10%	$ 3,222,400
Construction Cost Estimate Total:		**$ 35,446,400**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 35,446,400
Engineering/Survey/Testing		7.0%	$ 2,481,200
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 314,700	$ 314,700
	Impact Fee Project Cost Estimate Total:		**$ 38,242,300**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 4,550,800**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

C

City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

Sids Rd to John King Blvd

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	6
Length (lf):	5,095		
Right-of-Way Width (ft.):	120		
Median Type:	Raised		
Pavement Width (BOC to BOC):	74		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	101,900	SF	$ 1.00	$ 101,900
2	Right of Way Preparation	51	STA	$ 4,000.00	$ 204,000
3	Remove Existing Pavement	51	STA	$ 1,000.00	$ 51,000
4	Unclassified Street Excavation	15,400	CY	$ 20.00	$ 308,000
5	8" Lime Stabilized Subgrade	44,200	SY	$ 10.00	$ 442,000
6	Lime for Stabilization (48 lb/SY)	930	TON	$ 180.00	$ 167,400
7	10" Concrete Pavement w/ Integral Curb	41,900	SY	$ 75.00	$ 3,142,500
8	4" Concrete Sidewalk and Ramps	61,140	SY	$ 55.00	$ 3,362,700
9	Solid Sod	173,200	SY	$ 5.00	$ 866,000
				Paving Estimate Subtotal:	**$ 8,543,600**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 170,900
11	Traffic Control	4%	$ 341,800
12	Erosion Control	3%	$ 256,400
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 1,708,800
14	Utility Adjustments	5%	$ 427,200
	Other Components Estimate Subtotal:		**$ 2,905,100**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	2 Minor crossings	$ 300,000	$ 300,000
16	Bridge Structures	None	$ -	$ -
17	Traffic Signals	1 Existing @ John King; 1 new @ Sids	$ 300,000	$ 300,000
		Special Components Estimate Subtotal:		**$ 600,000**

I, II, & III Construction Subtotal:		$ 12,048,700
Mobilization	5%	$ 602,500
Contingency	10%	$ 1,265,200
Construction Cost Estimate Total:		**$ 13,916,400**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 13,916,400
Engineering/Survey/Testing		7.0%	$ 974,100
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 101,900	$ 101,900
	Impact Fee Project Cost Estimate Total:		**$ 14,992,400**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 1,784,000**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

D

City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

John King Blvd to S. City Limit

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	6
Length (lf):	13,358		
Right-of-Way Width (ft.):	120		
Median Type:	Raised		
Pavement Width (BOC to BOC):	74		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	267,200	SF	$ 1.00	$ 267,200
2	Right of Way Preparation	134	STA	$ 4,000.00	$ 536,000
3	Remove Existing Pavement	134	STA	$ 1,000.00	$ 134,000
4	Unclassified Street Excavation	40,300	CY	$ 20.00	$ 806,000
5	8" Lime Stabilized Subgrade	115,800	SY	$ 10.00	$ 1,158,000
6	Lime for Stabilization (48 lb/SY)	2,440	TON	$ 180.00	$ 439,200
7	10" Concrete Pavement w/ Integral Curb	109,900	SY	$ 75.00	$ 8,242,500
8	4" Concrete Sidewalk and Ramps	160,300	SY	$ 55.00	$ 8,816,500
9	Solid Sod	454,200	SY	$ 5.00	$ 2,271,000
				Paving Estimate Subtotal:	**$ 22,403,200**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 448,100
11	Traffic Control	4%	$ 896,200
12	Erosion Control	3%	$ 672,100
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 4,480,700
14	Utility Adjustments	5%	$ 1,120,200
	Other Components Estimate Subtotal:		**$ 7,617,300**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	1 Minor crossing, 2 major crossing	$ 750,000	$ 750,000
16	Bridge Structures	None	$ -	$ -
17	Traffic Signals	1 Existing Signal @ Lofland Cir	$ 150,000	$ 150,000
		Special Components Estimate Subtotal:		**$ 900,000**

I, II, & III Construction Subtotal:		$ 30,920,500
Mobilization	5%	$ 1,546,100
Contingency	10%	$ 3,246,700
Construction Cost Estimate Total:		**$ 35,713,300**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 35,713,300
Engineering/Survey/Testing		7.0%	$ 2,499,900
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 267,200	$ 267,200
	Impact Fee Project Cost Estimate Total:		**$ 38,480,400**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 4,579,100**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

F. Roadway Improvements Plan Cost Analysis

ROADWAY IMPROVEMENTS PLAN COST ANALYSIS

Definitions

LANES	The total number of lanes in both directions available for travel.
TYPE	The type of roadway (used in determining capacity): DA = divided arterial SA = special arterial
% IN SERVICE AREA	If the roadway is located on the boundary of the service area (with the city limits running along the centerline of the roadway), then half of the roadway is inventoried in the service area and the other half is not. This value is either 50% or 100%.
TOTAL SEGMENT COST	The estimated cost (in dollars) of the entire segment of the proposed improvement.
TOTAL COST IN SERVICE AREA	The estimated cost (in dollars) of the portion of the proposed roadway improvement within the service area.

2019 Rockwall Roadway Impact Fee Study Update
Roadway Capital Improvements Plan

Serv Area Number	CIP Year	Roadway	From	To	Length (mi)	No. of Lanes	Rdwy. Type	Pct. in Serv. Area	Roadway Costs				Project Cost
									Engineering	*ROW*	*Construction**	*Finance*	
1/2	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
1/2	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
1/2	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
1/2	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
1	2019	SH 205 (Goliad St)	Olive	Live Oak	0.33	5	SA	100%	$236,600	$17,300	$3,380,500	$0	$3,634,400
1	2019	SH 205 (Goliad St)	Live Oak	N. City Limit	2.98	4	DA	100%	$2,481,248	$314,700	$35,446,400	$0	$38,242,348
Sub-total SA 1					**8.39**				**$4,160,539**	**$3,876,160**	**$50,734,244**	**$14,748,559**	**$73,519,502**
2/1	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
2/1	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
2/1	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
2/1	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
Sub-total SA 2					**5.08**				**$1,442,691**	**$3,544,160**	**$11,907,344**	**$14,748,559**	**$31,642,754**
3/4	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
3/4	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
3	2019	SH 205 (Goliad St)	Sids	John King Blvd	0.96	6	DA	100%	$974,148	$101,900	$13,916,400	$0	$14,992,448
3	2019	FM3097/Horizon	Ridge Road	County Line Rd	1.13	4	DA	100%	$0	$0	$900,000	$0	$900,000
3	2019	FM740/Ridge Rd	Horizon	S. City Limit	1.10	4	DA	100%	$0	$0	$472,902	$0	$472,902
Sub-total SA 3					**5.42**				**$1,244,200**	**$684,694**	**$18,049,682**	**$6,171,201**	**$26,149,776**
4/3	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
4/3	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
4	2019	FM 549 (Corp Crossing)	IH30	SH276	0.87	4	DA	100%	$0	$0	$4,724,665	$0	$4,724,665
Sub-total SA 4					**3.09**				**$270,052**	**$582,794**	**$7,485,045**	**$6,171,201**	**$14,509,091**
Totals:					**13.80**				**$7,117,483**	**$8,687,808**	**$88,176,313**	**$41,839,518**	**$145,821,123**

Notes:

DA- Divided Arterial

SA- Special Arterial with two-way left turn lane (TWLTL)

N- New Impact Fee Project

R- Impact Fee Recoupment Project

G. Service Area Analysis Summary

2019 Rockwall Roadway Impact Fee Study
Service Area Analysis Summary (John King @ 4D + Project Additions)

	1	2	3	4	5	6	7	8	9	10	11	12	13
Service Area	Capacity Supplied by CIP (veh-mi)	Existing Utilization	Existing Deficiencies	Net Capacity Supplied by CIP	Total Project Cost of CIP	Project Cost of CIP with 50% Credit	Cost of Net Capacity Supplied	Cost to Meet Existing Utilization	Projected 10yr Demand (veh-miles)	Pcnt. of CIP Attributable to New Dev. (10-yr)	Cost Attributable to New Dev.	Fee per Service Unit @ 50% Discount	*Actual Cost per Service Unit (veh-mi)*
1	13,836	6,831	1,137	5,869	$73,550,103	$36,775,052	$15,598,596	$21,176,456	13,731	100.0	$15,598,596	$1,136.00	*$2,272.00*
2	6,096	2,982	0	3,114	$31,656,236	$15,828,118	$8,084,777	$7,743,341	3,676	100.0	$8,084,777	$2,199.00	*$4,398.00*
3	11,489	6,088	925	4,476	$26,175,186	$13,087,593	$5,098,520	$7,989,073	13,001	100.0	$5,098,520	$392.00	*$784.00*
4	4,751	1,537	808	2,405	$14,519,597	$7,259,799	$3,675,714	$3,584,085	2,814	100.0	$3,675,714	$1,306.00	*$2,612.00*
Totals	36,172	17,438	2,871	15,864	$145,901,123	$72,950,562	$31,993,304	$40,957,258	33,222	100.0	$31,993,304	$963.00	*$1,926.00*

Dbase D + Project Additions

1. TOTAL VEH-MI OF CAPACITY SUPPLIED BY CIP (TVMCAP)
2. TOTAL VEH-MI OF EXISTING DEMAND (VMEXT)
3. TOTAL VEH-MI OF EXISTING DEFICENCIES (VMDEF)
4. NET AMOUNT OF ROADWAY CAPACITY SUPPLIED (NVMCAP) =
   NVMCAP =TVMCAP-VMEXT-VMDEF
5. TOTAL COST OF CIP WITHIN STUDY AREA (TVMCOST)
6. TOTAL COST OF CIP IN SERVICE AREA w/50% CREDIT (TVMCOST)
7. COST OF NET CAPACITY SUPPLIED (NCVMCAP) =
   NCVMCAP = (NVMCAP/TVMCAP)*TVMCOST
8. COST TO MEET EXISTING NEEDS AND USAGE (EXCOST) =
   EXCOST = TVMCOST-NCVMCAP
9. TOTAL VEH-MI OF NEW DEMAND OVER TEN YEARS (TNEWDEM)
10. PERCENT OF CIP ATTRIBUTABLE TO NEW DEVELOPMENT (NPCNT) =
    IF TNEWDEM > NVMCAP, NPCNT = 100%
    IF TNEWDEM < NVMCAP, NPCNT = (TNEWDEM / NVMCAP)*100
11. COST OF CIP ATTRIBUTABLE TO NEW DEVELOPMENT (NCVMDEM) =
    NCVMDEM = (TNEWDEM / NVMCAP) * NCVMCAP
12. MAXIMUM FEE PER SERVICE UNIT (50%) =
    MAX FEE = NCVMDEM / TNEWDEM
13. ACTUAL COST PER SERVICE UNIT (100%)

2019 – 2029 WATER & WASTEWATER IMPACT FEE UPDATE

Submitted To

CITY OF ROCKWALL

Submitted By

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
TBPE Firm No. 526

September 2019

123

CITY OF ROCKWALL
2019 - 2029 WATER & WASTEWATER IMPACT FEE UPDATE

TABLE OF CONTENTS

Page No.

SECTION I - INTRODUCTION

A. General 1

B. Water & Wastewater Impact Fee Glossary 2

C. Land Use Assumptions 5

- Table No. 1: Residential and Non-Residential Growth from 2019 to 2029 6

SECTION II - WATER & WASTEWATER C.I.P. & IMPACT FEE ANALYSIS

A. Definition of a Service Unit – Water and Wastewater 7

- Table No. 2: Living Unit Equivalencies for Various Types & Sizes of Water Meters 7

B. Calculation of Water & Wastewater – Living Unit Equivalents 8

- Table No. 3: Water Living Unit Equivalents 2019 – 2029 8
- Table No. 4: Wastewater Living Unit Equivalents 2019 – 2029 9

C. Cost of Facilities 9

D. Water Distribution System 10

1. Existing Pump Stations, Ground Storage Reservoirs & Elevated Storage Tanks 10
   - Table No. 5: Water Distribution System – Existing Pump Station and Ground Storage 10
   - Table No. 6: Existing Elevated Storage Tanks 11
2. Distribution Lines 11
3. Water Supply 11
4. Water Distribution System Capital Improvement Projects for Impact Fees 12
   - Exhibit 1 10-Year Water Distribution System C.I.P. for Impact Fees 13
   - Table No. 7: 10-Year Water Distribution System C.I.P. for Impact Fees 14

5. Utilized Capacity 15

- Table No. 8: Summary of Eligible Water Distribution Project Cost and Utilized Capacity Cost 15
- Table No. 9: Water Pump Station Facilities 16
- Table No. 10: Ground Storage Reservoirs 17
- Table No. 11: Elevated Storage Tanks 18
- Table No. 12: Existing Impact Fee Water Lines 19
- Table No. 13: Proposed Impact Fee Water Lines 24
- Table No. 14: CCN Acquisition 26

E. Wastewater Collection System 27

1. Collection Lines 27

2. Treatment 27

3. Wastewater System Capital Improvement Projects for Impact Fees 28

- Exhibit 2 Wastewater Collection System 10-Year C.I.P. for Impact Fees 29
- Table No. 15: Wastewater Collection System 10-Year C.I.P. for Impact Fees 30

4. Utilized Capacity 32

- Table No. 16: Summary of Eligible Capital Cost & Utilized Capacity Cost 32
- Table No. 17: Existing Impact Fee Wastewater Lines 33
- Table No. 18: Proposed Impact Fee Wastewater Lines 37
- Table No. 19: Wastewater Facilities 40
- Table No. 20: Proposed NTMWD Facilities 41
- Table No. 21: Summary of Utilized Capacity Allocation between City of Rockwall & NTMWD Wastewater System 42

F. Calculation of Maximum Impact Fees – Water and Wastewater 43

- Table No. 22: Maximum Assessable Water & Wastewater Impact Fee 44



09/16/19



09/16/19

CITY OF ROCKWALL
2019 – 2029 WATER & WASTEWATER IMPACT FEE UPDATE

SECTION 1 – INTRODUCTION

A. GENERAL

In accordance with the requirements of Chapter 395.052 of the Local Government Code, this report establishes the City of Rockwall's Capital Improvement Plan for water and wastewater impact fees and calculates the maximum allowable fee for each. Land use assumptions for impact fees were generated under a separate document prepared by the City of Rockwall's Planning Department.

Chapter 395, of the Local Government Code is an act that provides guidelines for financing capital improvements required by new development in municipalities, counties, and certain other local governments. The basis for determination of an impact fee requires the preparation and adoption of a land use plan and growth assumption, and the preparation of a 10-year capital improvement plan. The capital improvement plan requires an analysis of total capacity, the level of current usage and commitments of capacity of existing capital improvements. From these two phases, a maximum impact fee is calculated.

The Act allows the maximum impact fee to be charged if revenues from future ad valorem taxes, and water and sewer bills are included as a credit in the analysis. If not, the Act allows the maximum fee to be set at 50% of the calculated maximum fee. The following items were included in the impact fee calculation:

1. The portion of the cost of the new infrastructure that is to be paid by the City, including engineering, property acquisition and construction cost.

2. Existing excess capacity in lines and facilities that will serve future growth and which were paid for in whole or part by the City.

3. Engineering and quality control fees for construction projects.

4. Interest and other finance charges on bonds issued by the City to cover its portion of the cost. 5% is assumed for this analysis.

The engineering analysis portion of the Water and Wastewater Fee determines utilized capacity cost of the major water distribution and wastewater collection facilities between the year 2019 and the year 2029. Facilities in this analysis include, water pump stations, water storage tanks, water transmission lines and wastewater collection lines. The North Texas Municipal Water District (NTMWD) water treatment, and water distribution components were excluded from this analysis. The study period is a ten-year period with 2019 as the base year. The impact fee calculations for the water and wastewater systems are based on land use assumptions prepared by the City of Rockwall. Prior to this impact fee update, the City's Water Distribution and Wastewater Collection hydraulic models were updated for 2019, 2029 and buildout conditions. The hydraulic model results are available for review from the City of Rockwall. The equivalency factors utilized in this analysis conform to the American Water Works Association Standards (C700 - C703).

B. WATER & WASTEWATER IMPACT FEE GLOSSARY

1. Advisory Committee means the capital improvements advisory committee established by the City for purposes of reviewing and making recommendations to the City Council on adoption of the City's impact fee program.

2. Area-Related Facility means a capital improvement or facility expansion which is designated in the impact fee capital improvements plan and which is not a site-related facility. Area-Related Facility may include capital improvements that are located off-site, or within or on the perimeter of the development site.

3. Assessment means the determination of the amount of the maximum impact fee per service unit that can be imposed on new development.

4. Capital Improvement means either a water facility or a wastewater facility with a life expectancy of three or more years, to be owned and operated by or on behalf of the City.

5. City means the City of Rockwall, Texas.

6. Credit means the amount of the reduction of an impact fee due, determined under this ordinance or pursuant to administrative guidelines that is equal to the value of area-related

facilities provided by a property owner pursuant to the City's subdivision or zoning regulations or requirements, for the same type of facility.

7. Debt Service means the 20-year financing costs of projects applied to all eligible existing and proposed water and wastewater facilities.

8. Facility Expansion means either a water facility expansion or a sewer facility expansion.

9. Impact Fee means either a fee for water facilities or a fee for wastewater facilities, imposed on new development by the City pursuant to Chapter 395 of the Texas Local Government Code in order to generate revenue to fund or recoup the costs of capital improvements or facility expansion necessitated by and attributable to such new development. Impact fees do not include the dedication of rights-of-way or easements for such facilities, or the construction of such improvements, imposed pursuant to the City's zoning or subdivision regulations.

10. Impact Fee Capital Improvements Plan means either a water capital improvements plan or a wastewater capital improvement plan adopted or revised pursuant to the impact fee regulations.

11. Land Use Assumptions means the projections of population and growth, and associated changes in land uses, densities and intensities over at least a ten-year period, as adopted by the City and as may be amended from time to time, upon which the capital improvements plans are based.

12. Land Use Equivalency Table means a table converting the demands for capital improvements generated by various land uses to numbers of service units, as may be amended from time to time.

13. New Development means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

14. Recoupment means the imposition of an impact fee to reimburse the City for capital improvements that the City had previously oversized to serve new development.

15. Service Area means either a water service area or wastewater service area which impact fees for capital improvements or facility expansion will be collected for new development occurring within such area, and within which fees so collected will be expended for those types of improvements or expansions identified in the type of capital improvements plan applicable to the service area.

16. Service Unit means the applicable standard units of measure shown on the land use equivalency table in the Impact Fees Capital Improvements Plan that can be converted to water meter equivalents, for water or for wastewater facilities, which serves as the standardized measure of consumption, use or generation attributable to the new unit of development.

17. Site-Related Facility means an improvement or facility which is for the primary use or benefit of a new development, and/or which is for the primary purpose of safe and adequate provision of water or wastewater facilities to serve the new development, and which is not included in the impact fees capital improvements plan and for which the property owner is solely responsible under subdivision or other applicable development regulations.

18. Utility Connection means installation of a water meter for connecting a new development to the City's water system, or connection to the City's wastewater system.

19. Wastewater Facility means a wastewater interceptor or main, lift station or other facility included within and comprising an integral component of the City's collection system for wastewater. Wastewater facility includes land, easements or structure associated with such facilities. Wastewater facility excludes site-related facilities.

20. Wastewater Facility Expansion means the expansion of the capacity of any existing wastewater improvement for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing sewer facility to serve existing development.

21. Wastewater Capital Improvements Plan means the adopted plan, as may be amended from time to time, which identifies the wastewater facilities or wastewater expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.

22. Water Facility means a water main, pump station, storage tank or other facility included within and comprising an integral component of the City's water storage or distribution system. Water facility includes CCN acquisition, land, easements or structures associated with such facilities. Water facility excludes site-related facilities.

23. Water Facility Expansion means the expansion of the capacity of any existing water facility for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing water improvement to serve existing development.

24. Water Capital Improvements Plan means the adopted plan, as may be amended from time to time, which identifies the water facilities or water expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.

25. Water Meter means a device for measuring the flow of water to a development, whether for domestic or for irrigation purposes.

C. LAND USE ASSUMPTIONS *(Prepared By: City of Rockwall Planning Department)*

The impact fee land use assumptions utilized in this update were prepared by the City of Rockwall's Planning Department and are presented in a separate document. The land use assumptions projected an ultimate residential population of approximately 149,525 in the City of Rockwall's ultimate planning boundary.

The residential and non-residential growth provided by the City for the year 2019 through 2029 is summarized in Table No. 1.

TABLE NO. 1

Residential and Non-Residential Growth from 2019 to 2029

Year	LUA Residential Population *	Residential Population Served **	Non-Residential Uses*** Employees	
2019	49,616	44,748	25,369	
2029	73,228	64,768	34,064	
Res. Growth Rate	**1.48**		**Non-Res. Growth Rate**	**1.34**

** Residential Population Inside Planning Boundary*
*** Residential Population Served Inside Existing City of Rockwall City Limit Boundary*
**** Basic – Industrial Land Uses*
**** Service – Office & Institutional Land Uses*
**** Retail – Commercial Land Uses*

As shown in Table No. 1, increases in the residential population and non-residential uses will occur during the 10-year capital recovery period. The water demand and wastewater flows from the residential and non-residential uses dictate the ultimate size of facilities, while the rate of growth is important to determine the timing of system improvements to meet the City's growing needs. The eligible water impact fee facilities are shown **on Exhibit 1**. The eligible wastewater facilities are shown on **Exhibit 2** in this report.

SECTION II

WATER & WASTEWATER C.I.P. AND IMPACT FEE ANALYSIS

A. DEFINITION OF A SERVICE UNIT – WATER AND WASTEWATER

Chapter 395 of the Local Government Code requires that impact fees be based on a defined service unit. A "service unit" means a standardized measure of consumption, use generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards. This impact fee defines a water and wastewater service unit to be a *5/8-inch water meter* and has referred to this service unit as a Single Family Living Unit Equivalent (SFLUE). The SFLUE is based on the continuous duty capacity of a 5/8-inch water meter. This is the City of Rockwall's typical meter used for a single family detached dwelling, and therefore is considered to be equivalent to one "living unit". Other meter sizes can be compared to the 5/8-inch meter through a ratio of water flows as published by the American Water Works Association as shown in **Table No. 2** below. This same ratio is then used to determine the proportional water and wastewater impact fee amount for each water meter size.

TABLE NO. 2

Living Unit Equivalencies For Various Types and Sizes of Water Meters

Meter Type	Meter Size	Continuous Duty Maximum Rate (gpm) [a]	Ratio to 5/8" Meter
Simple	5/8"	10	1.0
Simple	1"	25	2.5
Simple	1-1/2"	50	5.0
Simple	2"	80	8.0
Compound	2"	80	8.0
Turbine (Irrigation)	2"	160	16.0
Compound	3"	160	16.0
Turbine (Irrigation)	3"	350	35.0
Compound	4"	250	25.0
Turbine (Irrigation)	4"	650	65.0
Compound	6"	500	50.0
Turbine (Irrigation)	6"	1,400	140.0
Compound	8"	800	80.0
Turbine (Irrigation)	8"	2,400	240.0
Turbine	10"	3,500	350.0
Turbine	12"	4,400	440.0

[a] *Source: AWWA Standard C700 - C703*

B. CALCULATION OF WATER & WASTEWATER - LIVING UNIT EQUIVALENTS

The City of Rockwall provided the existing water meter count by size category as of December 2018. In total, there are 15,680 domestic water and irrigation meters serving an existing population of 49,616 residents and business. **Table No. 3** shows the number of existing meters, the living unit equivalent factor and the total number of living unit equivalents for each sized water meter.

Similar, the City provided the number of wastewater accounts by corresponding water meter size. This number of wastewater accounts is 15,053. **Table No. 4** illustrates the existing wastewater accounts and the SFLUE's. The difference between the water and wastewater accounts is irrigation meters are not included in the wastewater accounts.

The residential growth rate of 1.48 in **Table 1** was applied to 5/8-inch through 1-1/2-inch meters. The non-residential growth rate of 1.34 in **Table 1** was applied to 2-inch through 12-inch meters. Utilizing these growth rates in a straight-line extrapolation of the existing water and wastewater accounts, the numbers of new accounts was calculated for the year 2029. City records indicate the historical growth of 5/8-inch and 1-inch meters is approximately 96% 5/8-inch meters and 4% 1-inch meters for the base meter sizes. These percentages were applied to the total growth of 5/8-inch and 1-inch meters. Living unit equivalents were then applied to the water meters and wastewater accounts for 2019 and 2029, resulting in a total number of living units. The difference in the total number of 2019 and 2029 living units results in the new living unit equivalents during the impact fee period. The calculation of living unit equivalents is summarized in **Table 3 and Table 4**.

TABLE NO. 3

Water Living Unit Equivalents 2019 – 2029

Meter Size	2019			2029			New Living Unit Equivalents During Impact Fee Period
	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	
5/8"	14,261	1.0	14,261	21,108	1.0	21,108	6,847
1"	597	2.5	1,493	882	2.5	2,205	712
1-1/2"	188	5.0	940	278	5.0	1,390	450
2"	617	8.0	4,936	827	8.0	6,616	1,680
3"	5	16.0	80	7	16.0	112	32
4"	10	25.0	250	13	25.0	325	75
6"	2	50.0	100	3	50.0	150	50
8"	0	80.0	0	0	80.0	0	0
10"	0	350.0	0	0	350.0	0	0
12"	0	440.0	0	0	440.0	0	0
Totals	**15,680**		**22,060**	**23,118**		**31,906**	**9,846**

TABLE NO. 4

Wastewater Living Unit Equivalents 2019 – 2029

Meter Size	2019			2029			New Living Unit Equivalents During Impact Fee Period
	Number of Wastewater Accounts	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	
5/8"	14,179	1.0	14,179	20,956	1.0	20,956	6,777
1"	377	2.5	943	587	2.5	1,468	525
1-1/2"	126	5.0	630	186	5.0	930	300
2"	358	8.0	2,864	480	8.0	3,840	976
3"	5	16.0	80	7	16.0	112	32
4"	6	25.0	150	8	25.0	200	50
6"	2	50.0	100	3	50.0	150	50
8"	0	80.0	0	0	80.0	0	0
10"	0	350.0	0	0	350.0	0	0
12"	0	440.0	0	0	440.0	0	0
Totals	**15,053**		**18,946**	**22,227**		**27,656**	**8,710**

C. COST OF FACILITIES

Unit costs for proposed water and wastewater lines larger than 12 inches in diameter that are anticipated to be constructed between 2019 and 2029 by private development include the City's oversize cost participation only. These water and wastewater lines are colored green on **Exhibits 1 and 2**. Oversize cost participation from City is based on availability of funds. For City participation, the developer must bid the 12-inch as a base and the oversize as an additive alternate. City initiated water and wastewater lines include the full cost of the proposed facility. These water and wastewater lines are colored red on **Exhibits 1 and 2**. Developer initiated water and wastewater line projects which are 12 inches or less in diameter are not included in this Impact Fee analysis, as the cost for these size lines are the responsibility of the developer. These water and wastewater lines are colored light blue (cyan) on **Exhibits 1 and 2**.

Actual construction costs of the various existing elements of the water and wastewater systems were utilized where the information was known. The existing cost of facilities was determined from Contractor's final pay requests, City purchase orders, bid tabulation forms and developer's agreements. Existing water and wastewater facilities included in the impact fee analysis are only those with excess capacity available for future growth are colored dark blue on **Exhibits 1 and 2**.

Cost data for existing water and wastewater facilities included in the impact fee analysis were provided by the City. A 5% debt service, over a period of 20-years, has been added to all projects. Actual costs were used for those existing projects where records were available.

D. WATER DISTRIBUTION SYSTEM

Computer hydraulic models for the years 2019, 2029 and Buildout were prepared and analyzed by Birkhoff, Hendricks & Carter, L.L.P. The models were developed and water demand distributed from residential population and non-residential land use projections prepared by the City of Rockwall's Planning Department. The projected developed land areas from the City's Land Use Assumptions follow closely to the construction of major facilities in the system. These facilities include pump stations, storage tanks, and major distribution lines. All computer models were run for the Maximum Hourly Demands in a three-day extended period simulation to ensure proper sizing of the facilities to meet peak demands.

1. Existing Pump Stations, Ground Storage Reservoirs & Elevated Storage Tanks

The existing water distribution system included in the impact fee analysis (As of December 2018) includes the facilities summarized in **Table No. 5** and **Table No. 6**.

TABLE NO. 5

Water Distribution System -- Existing Pump Stations & Ground Storage

Pump Station	Number of Pumps	Rated Capacity (MGD)	Number of Ground Storage Tanks	Total Ground Storage Available (Gallons)
Heath Street 698.75	6	17.7	1	3,000,000
Eastside 698.75	6	25.9	1	3,000,000
698.75 Subtotal:	**12**	**43.6**	**2**	**6,000,000**
Eastside 780	3	8.6	1	1,000,000
780 Subtotal:	**3**	**8.6**	**1**	**1,000,000**
Total:	**15**	**52.2**	**3**	**7,000,000**

TABLE NO. 6

Existing Elevated Storage Tanks

Elevated Storage Tanks	Capacity in Million Gallons
Southside Elevated Storage Tank	1.0
Country Lane Elevated Storage Tank	2.0
Springer Elevated Storage Tank	2.0
Total	**5.0**

The pump stations and ground storage facilities were analyzed with the maximum daily demand, while elevated storage acts dynamically and therefore was analyzed utilizing the difference between the Maximum Hourly Demand and the Maximum Daily Demand.

2. Distribution Lines

The distribution lines consist of all lines within the Service Area planning boundary supplying water to customers in the City of Rockwall. Existing and proposed distribution lines vary in size from 5/8-inch services to 48-inch transmission lines and pump station piping. The cost of water lines includes construction cost, appurtenances (water valves, fire hydrants, taps and the like), utility relocations, purchase of easements and engineering costs. Financing cost over a 20-year term is included for each project.

Unit cost for proposed capital improvement water lines 12-inches and larger in diameter classified as City initiated, or City participation in oversize water lines. Developer's initiated water line projects, 12 inches or less in diameter were not included in this Impact Fee analysis, as the cost for these size lines are the responsibility of the developer.

3. Water Supply

The City of Rockwall currently receives all of its water supply from the North Texas Municipal Water District (NTMWD). Rockwall's allocation of the capital cost of services as a Member of the NTMWD was specifically excluded from the impact fee analysis.

If included, Rockwall's share of the NTMWD capital cost could include the original construction cost, expansion cost and financing cost of the following components:

a) Water Rights Cost in Lake Lavon and other Sources

b) Raw Water Intake Structures

c) Raw Water Pump Stations

d) Treatment Plant and Expansion

e) High Service Pump Stations

f) Transmission Lines

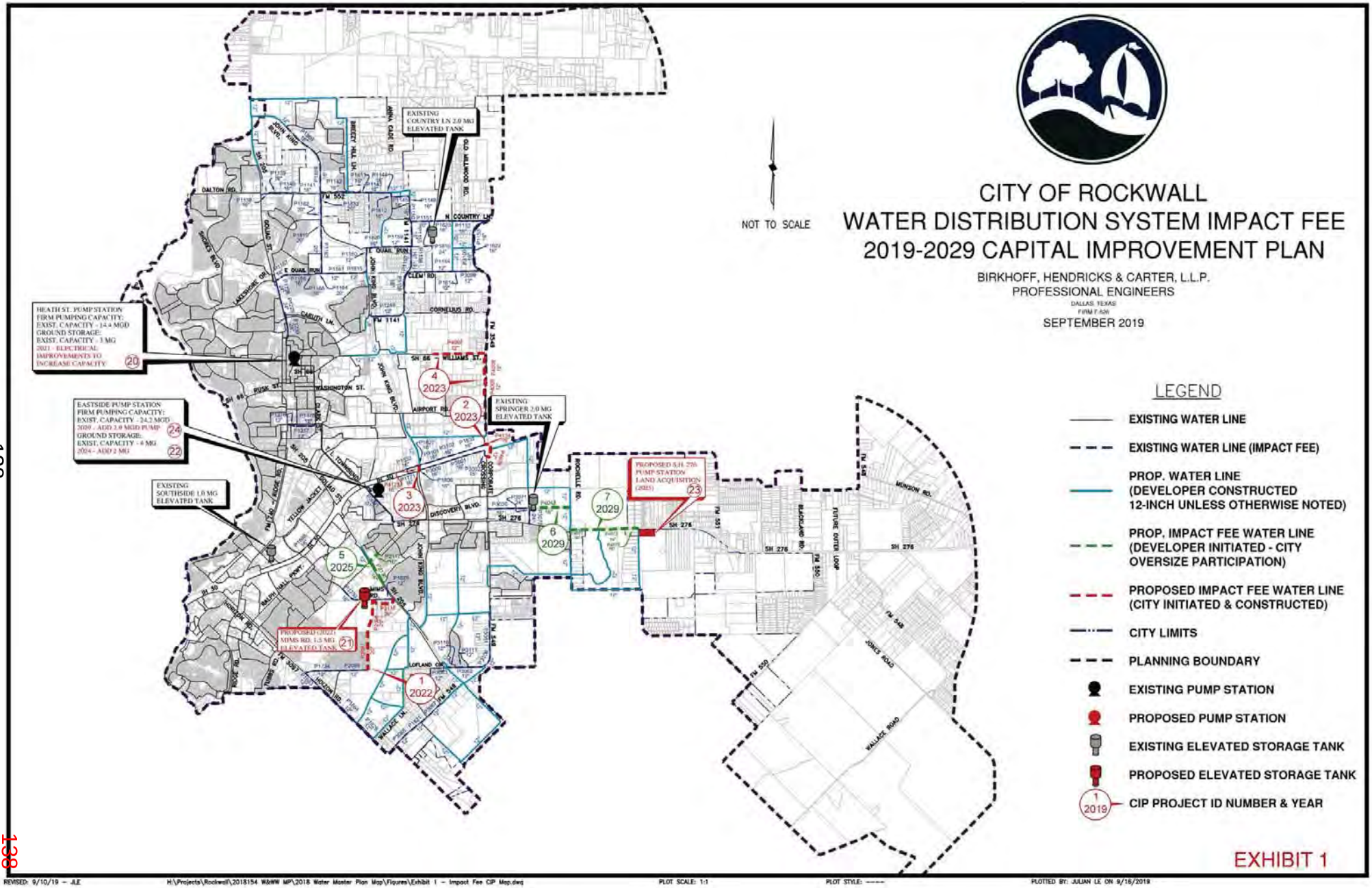
g) NTMWD Owned Ground Storage Facilities

NTMWD has indicated that determining Rockwall's portion of cost for these items would not be possible, thus these costs have not been included in this analysis.

4. Water Distribution System Capital Improvement Projects for Impact Fees

In order to meet the demands of the anticipated growth over the next 10-years, as provided in the Land Use Assumptions prepared by the City of Rockwall, certain water distribution system improvements are required. **Exhibit 1** shows the recommended water system improvements and **Table No. 7** itemizes each project and the project cost in 2019 dollars. These recommended improvements form the basis for the water system impact fee calculation.

The capital improvement plan for impact fees provides for system improvements within the defined Service Area Planning Boundary. Most of the capital improvements are within the city limits, as requested by the City due to new State of Texas Annexation Laws.


CITY OF ROCKWALL
WATER DISTRIBUTION SYSTEM IMPACT FEE
2019-2029 CAPITAL IMPROVEMENT PLAN
BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS
FIRM F-526
SEPTEMBER 2019
NOT TO SCALE
HEATH ST. PUMP STATION
FIRM PUMPING CAPACITY:
EXIST. CAPACITY - 14.4 MGD
GROUND STORAGE:
EXIST. CAPACITY - 3 MG
2021 - ELECTRICAL IMPROVEMENTS TO INCREASE CAPACITY
20
EASTSIDE PUMP STATION
FIRM PUMPING CAPACITY:
EXIST. CAPACITY - 24.2 MGD
2039 - ADD 3.9 MGD PUMP
24
GROUND STORAGE:
EXIST. CAPACITY - 4 MG
2024 - ADD 2 MG
22
EXISTING SOUTHSIDE 1.0 MG ELEVATED TANK
EXISTING COUNTRY LN 2.0 MG ELEVATED TANK
EXISTING SPRINGER 2.0 MG ELEVATED TANK
PROPOSED 0.5 MG MIMS RD. ELEVATED TANK
21
PROPOSED S.H. 276 PUMP STATION LAND ACQUISITION (2025)
23
1 2022
2 2023
3 2023
4 2023
5 2025
6 2029
7 2029
LEGEND
EXISTING WATER LINE
EXISTING WATER LINE (IMPACT FEE)
PROP. WATER LINE (DEVELOPER CONSTRUCTED 12-INCH UNLESS OTHERWISE NOTED)
PROP. IMPACT FEE WATER LINE (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION)
PROPOSED IMPACT FEE WATER LINE (CITY INITIATED & CONSTRUCTED)
CITY LIMITS
PLANNING BOUNDARY
EXISTING PUMP STATION
PROPOSED PUMP STATION
EXISTING ELEVATED STORAGE TANK
PROPOSED ELEVATED STORAGE TANK
CIP PROJECT ID NUMBER & YEAR
EXHIBIT 1
REVISED: 9/10/19 - JLE
H:\Projects\Rockwall\2018154 W&WW MP\2018 Water Master Plan Map\Figures\Exhibit 1 - Impact Fee CIP Map.dwg
PLOT SCALE: 1:1
PLOT STYLE: ----
PLOTTED BY: JULIAN LE ON 9/16/2019

138

Table No. 7

10-Year Water System Capital Improvement Plan for Impact Fees

PROPOSED WATER LINES

CIP #	Year	1=City Participation in Cost Oversize 2=City Initiated and Funded	Service Area	Water Line Projects (X) = Water Line CIP Project ID Number	Length (FT)	Size	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
1	2022	2	698.75	Mims Road / County Line Road Looping Water Lines (Pipes 2096, 2097, 2118)	6,151	20"	$ 1,402,428	$ 736,275	$ 2,138,703
2	2023	2	780	IH-30 - F.M. 3549/Corporate Crossing (Pipes 4039, 4124)	1,287	12"-16"	$ 531,800	$ 279,195	$ 810,995
3	2023	2	780	John King Blvd. 780 Water Lines North (Pipes 4123)	423	16"	$ 274,950	$ 144,349	$ 419,299
4	2023	2	780	S.H. 66 - F.M. 3549 780 Service Area Loop (Pipes 4007, 4008, 4009)	6,394	12"	$ 767,280	$ 402,822	$ 1,170,102
5	2025	1	698.75	S.H. 205 Water Lines (Pipes 2117, 2136)	2,496	16"	$ 149,760	$ 78,624	$ 228,384
6	2029	1	780	Springer Ln. 16" Water Line (Pipe 4043)	2,714	16"	$ 162,840	$ 85,491	$ 248,331
7	2029	1	780	S.H. 276 Pump Station Transmission Main West (Pipes 4071, 4072, 4073)	3,329	16"	$ 270,300	$ 141,908	$ 412,208
				Subtotal: Proposed Water Lines			**$ 3,559,358**	**$ 1,868,664**	**$ 5,428,022**

PROPOSED PUMPING AND STORAGE FACILITIES

CIP #	Year	Service Area	Pump Station, Ground Storage & Elevated Storage Project		Added Capacity	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
20	2021	698.75	Heath Street Pump Station Improvements		7.0 MGD	$ 2,730,000	$ 1,433,250	$ 4,163,250
21	2022	780	Mims 1.5 MG EST & Purchase 2-Acres		1.5 MG	$ 3,421,075	$ 1,796,064	$ 5,217,139
22	2024	698.75/780	Eastside Ground Storage Reservoir No. 3		2.0 MG	$ 2,855,600	$ 1,499,190	$ 4,354,790
23	2025	780	Proposed SH 276 Pump Station Land Acquisition		10 Acres	$ 590,340	$ 309,929	$ 900,269
24	2029	698.75/780	Eastside 780 Service Area 2.9 MGD Pump		2.9 MGD	$ 1,878,025	$ 985,963	$ 2,863,988
			Subtotal: Proposed Pumping and Storage Facilities			**$ 11,475,040**	**$ 6,024,396**	**$ 17,499,436**

PLANNING EXPENSES

Year		Project Description			Engineering Services	Debt Service (B)	Total Project Cost
2019		Water & Wastewater System Master Plan & Impact Fee Analysis			$ 74,675		$ 74,675
		Subtotal: Planning Expenses			**$ 74,675**	**$ -**	**$ 74,675**
		GRAND TOTAL: WATER DISTRIBUTION 10-YEAR CIP			**$ 15,109,073**	**$ 7,893,060**	**$ 23,002,133**

(A) Opinion of Cost includes:
a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%

5. Utilized Capacity

Utilized capacity for the water distribution system was calculated based on the water line size required for each model year (2019, 2029 and buildout). Analysis of the water distribution system is based on the maximum daily demand, maximum hourly demand, and the minimum hourly demand. Pump station capacity is generally based on the maximum daily system demand while transmission and distribution facilities are sized based on either the maximum hourly demand or the minimum hourly demand, whichever demand is greater for a particular water line. Often times, the capacity of water lines are determined by the flows generated by the minimum hourly demand. The minimum hourly flows are usually higher in those lines that are used to refill elevated storage. For each line segment in the water distribution model, the maximum buildout flow rate in the line was compared to the flow rate in the same line segment for the 2019 and the 2029 models.

The percent utilized capacity was then calculated for each year based on the buildout capacity. The utilized capacity during the Impact Fee period is the difference between the year 2029 capacity and the year 2019 capacity. **Table No. 8** below summarizes the project cost and utilized capacity cost over the Capital Recovery Period (CRP) of 2019 - 2029 for each element of the Water Distribution System. The utilized capacity for each water distribution facility, both existing and proposed, is presented in detail in Impact Fee Capacity Calculation **Table Nos. 9, 10, 11, 12, 13 and 14.**

Table No. 8

Summary of Eligible Water Distribution Project Cost and Utilized Capacity Cost

Water System Facility	20-Year Project Cost	Utilized Capacity ($) In the CRP
Existing Pump Stations & Storage	$24,635,679	$8,804,864
Existing Transmission/Distribution Lines	$14,222,504	$2,863,156
Proposed Pump Stations & Storage	$17,499,436	$15,502,253
Proposed Transmission/Distribution Lines	$5,428,022	$3,005,499
CCN Acquisition	$5,048,042	$656,510
Planning Expenses	$74,675	$74,675
Total:	**$66,908,358**	**$30,906,957**

TABLE NO. 9
Water Pump Station Facilities

Pump Station Improvements			Year Const.	Projected Capacity (MGD)	Pump Station Cost ($) Const.	Engineering & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2019	2029	In The CRF Period	Capacity Utilized ($) 2019	2029	In The CRF Period
PUMP STATIONS														
Existing Pump Station Facilities														
Heath Street Original Construction	[6]		Unknown	7.7	$ 1,363,700		$ 715,943	$ 2,079,643	49%	100%	51%	$ 1,013,029	$ 2,079,643	$ 1,066,614
Eastside 698.75 Original Pump Station	[5]		1992	8.0	$ 1,245,503		$ 653,889	$ 1,899,392	100%	100%	0%	$ 1,899,392	$ 1,899,392	$ -
Eastside 698.75 Replace Pump 1 & 2, Install Pump 4	[3]		1999	9.9	$ 357,909	$ 39,000	$ 208,377	$ 605,286	100%	100%	0%	$ 605,286	$ 605,286	$ -
Eastside 698.75 Install Pump 6	[1]		2004	7.5	$ 130,000	$ 143,080	$ 143,367	$ 416,447	100%	100%	0%	$ 416,447.0	$ 416,447.0	$ -
Eastside 780 Pump Station	[3]		2007	8.7	$ 1,629,000	$ 226,522	$ 974,149	$ 2,829,671	42%	96%	54%	$ 1,188,462	$ 2,716,484	$ 1,528,022
Existing Pump Station Subtotal:					**$ 4,726,112**	**$ 408,602**	**$ 2,695,725**	**$ 7,830,439**				**$ 5,122,616**	**$ 7,717,252**	**$ 2,594,636**
Proposed Pump Station Facilities														
Heath St. Electrical Improvements & Emergency Generators to Increase Pump Capacity	[1]	**	2021	+7	$ 2,481,818	$ 248,182	$ 1,433,250	$ 4,163,250	0%	100%	100%	$ -	$ 4,163,250	$ 4,163,250
Proposed SH 276 Land Acquisition (10-Acres)	[1]		2025		$ 550,340	$ 40,000	$ 309,929	$ 900,269	0%	100%	100%	$ -	$ 900,269	$ 900,269
Eastside 780 Install Pump 4	[1]	**	2029	+2.9	$ 1,707,295	$ 170,730	$ 985,963	$ 2,863,988	0%	96%	96%	$ -	$ 2,749,428	$ 2,749,428
Proposed Pump Station Subtotal:					**$ 4,739,454**	**$ 458,911**	**$ 2,729,142**	**$ 7,927,507**				**$ -**	**$ 7,812,947**	**$ 7,812,947**
Pump Station Grand Total					**$ 9,465,566**	**$ 867,513**	**$ 5,424,867**	**$ 15,757,946**				**$ 5,122,616**	**$ 15,530,199**	**$ 10,407,583**

* Includes Property Acquisition
** 10% of Construction Assumed for Engineering and Testing
(1) Estimated Cost in 2019 Dollars
[4] Number of Pumps

141

TABLE NO. 10
Ground Storage Reservoirs

Pump Station		Year Const.	Capacity (MG)	Capital Cost ($) Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2019	2029	In the CRF Period	Capacity Utilized ($) 2019	2029	In the CRF Period
EXISTING GROUND STORAGE RESERVOIRS													
Eastside No. 2	1	2006	4.0	$ 2,420,695	$ 67,524	$ 1,306,315	$ 3,794,534	67.0%	78.0%	11.0%	$ 2,542,338	$ 2,959,737	$ 417,399
Heath St. No. 1	1	1986	3.0	$ 825,810		$ 433,550	$ 1,259,360	77.0%	100.0%	23.0%	$ 969,707	$ 1,259,360	$ 289,653
Existing Ground Storage Subtotal			**7.00**	**$ 3,246,505**	**$ 67,524**	**$ 1,739,865**	**$ 5,053,894**				**$ 3,512,045**	**$ 4,219,097**	**$ 707,052**
PROPOSED GROUND STORAGE RESERVOIRS													
Eastside No. 3 (Tank Buried)	2*	2024	2.0	$ 2,596,000	$ 259,600	$ 1,499,190	$ 4,354,790	0.0%	78%	78.3%	$ -	$ 3,411,252	$ 3,411,252
Proposed Ground Storage Subtotal			**2.00**	**$ 2,596,000**	**$ 259,600**	**$ 1,499,190**	**$ 4,354,790**				**$ -**	**$ 3,411,252**	**$ 3,411,252**
Ground Storage Grand Total			**9.00**	**$ 5,842,505**	**$ 327,124**	**$ 3,239,055**	**$ 9,408,684**				**$ 3,512,045**	**$ 7,630,349**	**$ 4,118,304**

142

* 10% of Construction Assumed for Engineering and Testing

(1) Actual Cost

(2) Estimated Cost in 2019 Dollars

142

TABLE NO. 11
Elevated Storage Tanks

Elevated Storage	Pressure Divide	Year Const.	Storage Capacity (MGD)	Capital Cost ($)				Capacity Utilized (%)			Capacity Utilized ($)		
				Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	2019	2029	In the CRF Period	2019	2029	In the CRF Period
EXISTING ELEVATED STORAGE TANKS													
Southside 2	698.75	1992	1.0	$ 1,363,700	$ -	$ 715,943	$ 2,079,643	100.0%	100.0%	0.0%	$ 2,079,643	$ 2,079,643	$ -
Springer 1	698.75	2004	2.0	$ 2,158,000	$ 215,800	$ 1,246,245	$ 3,620,045	16.0%	51.0%	35.0%	$ 579,207	$ 1,846,223	$ 1,267,016
Country Ln. 1	780	2008	2.0	$ 3,863,300	$ 105,000	$ 2,083,358	$ 6,051,658	30.0%	100.0%	70.0%	$ 1,815,497	$ 6,051,658	$ 4,236,161
Existing Elevated Storage Subtotal			**5.0**	**$ 7,385,000**	**$ 320,800**	**$ 4,045,546**	**$ 11,751,346**				**$ 4,474,348**	**$ 9,977,524**	**$ 5,503,176**
PROPOSED ELEVATED STORAGE TANKS													
Mims 2*	698.75	2022	2.0	$ 3,110,068	$ 311,007	$ 1,796,064	$ 5,217,139	0.0%	82.0%	82.0%	$ -	$ 4,278,054	$ 4,278,054
Existing Elevated Storage Subtotal			**2.0**	**$ 3,110,068**	**$ 311,007**	**$ 1,796,064**	**$ 5,217,139**				**$ -**	**$ 4,278,054**	**$ 4,278,054**
Elevated Storage Grand Total			**5.0**	**$ 10,495,068**	**$ 631,807**	**$ 5,841,610**	**$ 16,968,485**				**$ 4,474,348**	**$ 14,255,578**	**$ 9,781,230**

* 10% of Construction Assumed for Engineering and Testing
(1) Actual Cost
(2) Estimated Cost in 2019 Dollars

143

143

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
											2019	2029	During Fee Period	2019	2029	During Fee Period
FM 552 WATER LINE (SH 205 TO MIDDLE SCHOOL)																
2	P1138	698.75	652	16		$82.70	$53,918		$28,307	$82,225	100%	100%	0%	$82,225	$82,225	$0
2	P1139	698.75	371	16		$82.70	$30,680		$16,107	$46,787	100%	100%	0%	$46,787	$46,787	$0
2	P1140	698.75	1,125	16		$82.70	$93,034		$48,843	$141,877	100%	100%	0%	$141,877	$141,877	$0
2	P1141	698.75	1,803	16		$82.70	$149,102		$78,278	$227,380	100%	100%	0%	$227,380	$227,380	$0
	Subtotal:		**3,951**		**2007**		**$326,734**	**5%**	**$171,535**	**$498,269**				**$498,269**	**$498,269**	**$0**
FM 552 WATER LINE (MIDDLE SCHOOL TO FM 1141)																
1	P1142	698.75	1,823	16		$3.98	$7,257		$3,810	$11,067	100%	100%	0%	$11,067	$11,067	$0
1	P1143	698.75	358	16		$3.98	$1,425		$748	$2,173	100%	100%	0%	$2,173	$2,173	$0
1	P1144	698.75	968	16		$3.98	$3,854		$2,023	$5,877	100%	100%	0%	$5,877	$5,877	$0
1	P1145	698.75	1,197	16		$3.98	$4,765		$2,502	$7,267	100%	100%	0%	$7,267	$7,267	$0
1	P1811	698.75	1,492	16		$3.98	$5,940		$3,119	$9,059	100%	100%	0%	$9,059	$9,059	$0
1	P1812	698.75	266	16		$3.98	$1,059		$556	$1,615	100%	100%	0%	$1,615	$1,615	$0
	Subtotal:		**6,104**		**2006**		**$24,300**	**5%**	**$12,758**	**$37,058**				**$37,058**	**$37,058**	**$0**
FM 1141 WATER LINE (FM 552 TO COUNTRY LANE)																
1	P1149	698.75	432	16		$19.92	$8,605		$4,518	$13,123	100%	100%	0%	$13,123	$13,123	$0
1	P1150	698.75	1,285	16		$19.92	$25,595		$13,437	$39,032	100%	100%	0%	$39,032	$39,032	$0
	Subtotal:		**1,717**		**2006**		**$34,200**	**5%**	**$17,955**	**$52,155**				**$52,155**	**$52,155**	**$0**
FM 1141 WATER LINE (COUNTRY LANE TO CLEM ROAD)																
2	P1155	698.75	1,674	16		$125.19	$209,566		$110,022	$319,588	100%	100%	0%	$319,588	$319,588	$0
2	P1156	698.75	724	16		$125.19	$90,637		$47,584	$138,221	23%	45%	22%	$31,791	$62,199	$30,409
2	P1157	698.75	1,063	16		$125.19	$133,076		$69,865	$202,941	22%	45%	23%	$44,647	$91,323	$46,676
	Subtotal:		**3,461**		**2008**		**$433,279**	**5%**	**$227,471**	**$660,750**				**$396,026**	**$473,110**	**$77,085**

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
											2019	2029	During Fee Period	2019	2029	During Fee Period
COUNTRY LANE WATER LINE (FM 1141 TO COUNTRY LANE ELEVATED STORAGE TANK)																
2	P1151	698.75	1,158	20		$109.56	$126,874		$66,609	$193,483	100%	100%	0%	$193,483	$193,483	$0
2	P1810	698.75	611	24		$109.56	$66,943		$35,145	$102,088	100%	100%	0%	$102,088	$102,088	$0
	Subtotal:		**1,769**		**2008**		**$193,817**	**5%**	**$101,754**	**$295,571**				**$295,571**	**$295,571**	**$0**
700 SERVICE AREA WATER LINE IMPROVEMENTS																
16" Country Ln. from Country Ln. EST to FM 549; 16" FM 549 from Country Ln. to Clem Road; 12" Clem Rd. from FM549 to FM 1141; 16" & 12" FM 1441 from Clem Rd. to SH 205 Bypass)																
2	P1152	698.75	2,128	16		$61.16	$130,142		$68,325	$198,467	100%	100%	0%	$198,467	$198,467	$0
2	P1153	698.75	2,026	16		$61.16	$123,904		$65,050	$188,954	100%	100%	0%	$188,954	$188,954	$0
2	P1154	698.75	3,019	12		$61.16	$184,633		$96,932	$281,565	84%	89%	5%	$236,515	$250,593	$14,078
2	P1158	698.75	2,686	16		$61.16	$164,268		$86,241	$250,509	41%	58%	17%	$102,709	$145,295	$42,587
2	P1249	698.75	1,965	12		$61.16	$120,174		$63,091	$183,265	94%	100%	6%	$172,269	$183,265	$10,996
2	P1814	698.75	242	12		$61.16	$14,800		$7,770	$22,570	100%	100%	0%	$22,570	$22,570	$0
2	P1822	698.75	221	16		$61.16	$13,516		$7,096	$20,612	100%	100%	0%	$20,612	$20,612	$0
2	P1823	698.75	1,509	16		$61.16	$92,286		$48,450	$140,736	54%	83%	29%	$75,997	$116,811	$40,813
2	P3099	780	1,486	12		$61.16	$90,879		$47,711	$138,590	100%	100%	0%	$138,590	$138,590	$0
2	P3100	780	1,382	16		$61.16	$84,519		$44,372	$128,891	100%	100%	0%	$128,891	$128,891	$0
	Subtotal:		**16,664**		**2008**		**$1,019,122**	**5%**	**$535,038**	**$1,554,159**				**$1,285,574**	**$1,394,048**	**$108,474**
HAYS ROAD WATER LINE (FM 552 TO QUAIL RUN ROAD)																
2	P1162	698.75	894	20		$210.52	$188,201		$98,806	$287,007	40%	45%	5%	$114,803	$129,153	$14,350
2	P1163	698.75	1,505	20		$210.52	$316,826		$166,334	$483,160	63%	65%	2%	$304,391	$314,054	$9,663
2	P1819	698.75	684	20		$210.52	$143,993		$75,596	$219,589	36%	39%	3%	$79,052	$85,640	$6,588
2	P1833	698.75	816	20		$210.52	$171,781		$90,185	$261,966	57%	63%	6%	$149,321	$165,039	$15,718
	Subtotal:		**3,899**		**2002**		**$820,800**	**5%**	**$430,921**	**$1,251,722**				**$647,567**	**$693,886**	**$46,319**
QUAIL RUN ROAD WATER LINE I (SH 205 (GOLIAD) TO HAYS ROAD)																
1	P1164	698.75	482	20		$15.88	$7,654		$4,018	$11,672	81%	85%	4%	$9,454	$9,921	$467
1	P1165	698.75	419	16		$15.88	$6,654		$3,493	$10,147	80%	85%	5%	$8,118	$8,625	$507
1	P1166	698.75	1,211	16		$15.88	$19,231		$10,096	$29,327	77%	84%	7%	$22,582	$24,635	$2,053
1	P1167	698.75	1,005	16		$15.88	$15,960		$8,379	$24,339	77%	84%	7%	$18,741	$20,445	$1,704
	Subtotal:		**3,117**		**2002**		**$49,500**	**5%**	**$25,986**	**$75,485**				**$58,895**	**$63,626**	**$4,731**
QUAIL RUN ROAD WATER LINE II (HAYS ROAD TO SH 205 BYPASS)																
2	P1161	698.75	1,541	12		$85.74	$132,122		$69,364	$201,486	100%	100%	0%	$201,486	$201,486	$0
2	P1815	698.75	1,394	12		$85.74	$119,518		$62,747	$182,265	100%	100%	0%	$182,265	$182,265	$0
	Subtotal:		**2,935**		**2008**		**$251,640**	**5%**	**$132,111**	**$383,751**				**$383,751**	**$383,751**	**$0**

145

145

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
QUAIL RUN ROAD WATER LINE III (SH 205 BYPASS TO FM 1141)																
2	P1159	698.75	1,888	12		$92.26	$174,185		$91,447	$265,632	100%	100%	0%	$265,632	$265,632	$0
2	P1160	698.75	1,582	12		$92.26	$145,954		$76,626	$222,580	50%	61%	11%	$111,290	$135,774	$24,484
2	P1820	698.75	985	16		$92.26	$90,875		$47,709	$138,584	100%	100%	0%	$138,584	$138,584	$0
	Subtotal:		**4,455**		**2008**		**$411,014**	**5%**	**$215,782**	**$626,796**				**$515,506**	**$539,990**	**$24,484**
SH 205 WATER LINE (DARRIN DRIVE TO QUAIL RUN ROAD)																
2	P1228	698.75	449	24		$132.11	$59,316		$31,141	$90,457	73%	85%	12%	$66,034	$76,888	$10,855
2	P1229	698.75	1,865	24		$132.11	$246,380		$129,349	$375,729	73%	85%	12%	$274,282	$319,370	$45,087
2	P1230	698.75	1,613	24		$132.11	$213,089		$111,872	$324,961	72%	90%	18%	$233,972	$292,465	$58,493
	Subtotal:		**3,927**		**2003**		**$518,785**	**5%**	**$272,362**	**$791,147**				**$574,288**	**$688,723**	**$114,435**
IH 30 EASTBOUND SERVICE ROAD WATER LINE (WEST OF SH 205 BYPASS TO FM 549)																
2	P1771	698.75	609	16		$153.22	$93,313		$48,989	$142,302	100%	100%	0%	$142,302	$142,302	$0
2	P1806	698.75	136	16		$153.22	$20,838		$10,940	$31,778	100%	100%	0%	$31,778	$31,778	$0
2	P3000	780	1,404	16		$153.22	$215,125		$112,941	$328,066	58%	100%	42%	$190,278	$328,066	$137,788
2	P3001	780	2,768	16		$153.22	$424,120		$222,663	$646,783	48%	100%	52%	$310,456	$646,783	$336,327
2	P3002	780	808	16		$153.22	$123,804		$64,997	$188,801	36%	59%	23%	$67,968	$111,393	$43,424
	Subtotal:		**5,725**		**2004**		**$877,200**	**5%**	**$460,530**	**$1,337,730**				**$742,782**	**$1,260,322**	**$517,539**
IH 30 WESTBOUND SERVICE ROAD WATER LINE (FM 549 TO ENTERPRISE)																
2	P1532	698.75	685	16		$115.23	$78,934		$41,440	$120,374	95%	100%	5%	$114,355	$120,374	$6,019
2	P1533	698.75	2,506	16		$115.23	$288,773		$151,606	$440,379	100%	100%	0%	$440,379	$440,379	$0
2	P1827	698.75	187	16		$115.23	$21,548		$11,313	$32,861	100%	100%	0%	$32,861	$32,861	$0
2	P3101	780	648	16		$115.23	$74,671		$39,202	$113,873	100%	100%	0%	$113,873	$113,873	$0
2	P3102	780	1,285	16		$115.23	$148,074		$77,739	$225,813	100%	100%	0%	$225,813	$225,813	$0
	Subtotal:		**5,311**		**2004**		**$612,000**	**5%**	**$321,300**	**$933,300**				**$927,281**	**$933,300**	**$6,019**
TOWNSEND DRIVE WATER LINE (EASTSIDE PS TO SH 276)																
2	P3091	780	2,646	20		$181.55	$480,393		$252,206	$732,599	43%	74%	31%	$315,018	$542,123	$227,106
	Subtotal:		**2,646**		**2007**		**$480,393**	**5%**	**$252,206**	**$732,599**				**$315,018**	**$542,123**	**$227,106**

146

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
SPRINGER ROAD WATER LINE (FM 549 TO SPRINGER ELEVATED STORAGE TANK)																
2	P3020	780	2,669	16		$76.53	$204,256		$107,234	$311,490	72%	76%	4%	$224,273	$236,732	$12,460
Subtotal:			**2,669**		**2004**		**$204,256**	**5%**	**$107,234**	**$311,490**				**$224,273**	**$236,732**	**$12,460**
SPRINGER ELEVATED STORAGE TANK WATER LINE (SPRINGER ROAD TO SH 276)																
2	P3071	780	225	24		$147.72	$33,238		$17,450	$50,688	32%	38%	6%	$16,220	$19,261	$3,041
2	P3072	780	861	24		$147.72	$127,189		$66,774	$193,963	57%	67%	10%	$110,559	$129,955	$19,396
Subtotal:			**1,086**		**2004**		**$160,427**	**5%**	**$84,224**	**$244,651**				**$126,779**	**$149,216**	**$22,437**
MIMS ROAD WATER LINE (SIDS ROAD TO SH 205)																
2	P1739	698.75	2,233	16		$100.71	$224,876		$118,060	$342,936	100%	100%	0%	$342,936	$342,936	$0
2	P1828	698.75	1,340	12		$100.71	$134,946		$70,847	$205,793	77%	100%	23%	$158,461	$205,793	$47,332
Subtotal:			**3,573**		**2008**		**$359,822**	**5%**	**$188,907**	**$548,729**				**$501,397**	**$548,729**	**$47,332**
FM 549 WATER LINE I (FONTANNA RANCH ADDITION TO OAKS OF BUFFALO WAY ADDITION)																
2	P3061	780	2,835	12		$90.67	$257,043		$134,948	$391,991	18%	59%	41%	$70,558	$231,275	$160,716
2	P3062	780	1,124	12		$90.67	$101,911		$53,503	$155,414	100%	100%	0%	$155,414	$155,414	$0
2	P3063	780	1,435	12		$90.67	$130,108		$68,307	$198,415	47%	50%	3%	$93,255	$99,208	$5,952
2	P3106	780	806	12		$90.67	$73,078		$38,366	$111,444	49%	61%	12%	$54,608	$67,981	$13,373
3	P3110	780	594	12		$90.67	$53,857		$28,275	$82,132	31%	48%	17%	$25,461	$39,423	$13,962
4	P3111	780	821	12		$90.67	$74,438		$39,080	$113,518	100%	100%	0%	$113,518	$113,518	$0
Subtotal:			**7,615**		**2008**		**$690,436**	**5%**	**$362,479**	**$1,052,914**				**$512,814**	**$706,819**	**$194,003**

147

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
FM 549 WATER LINE II (STANDING OAK LANE TO JEFF BOYD DRIVE)																
2	P1821	698.75	475	12		$32.08	$15,238		$8,000	$23,238	13%	30%	17%	$3,021	$6,971	$3,950
2	P3067	780	1,260	12		$32.08	$40,422		$21,221	$61,643	10%	38%	28%	$6,164	$23,424	$17,260
2	P3068	780	2,252	12		$32.08	$72,246		$37,929	$110,175	14%	20%	6%	$15,425	$22,035	$6,611
	Subtotal:		**3,987**		**2008**		**$127,907**	**5%**	**$67,150**	**$195,056**				**$24,610**	**$52,430**	**$27,821**
FM 3097 WATER LINE (BUFFALO CREEK WWTPP TO WALLACE LANE)																
2	P1663	698.75	2,324	12		$95.50	$221,938		$116,517	$338,455	22%	70%	48%	$74,460	$236,919	$162,458
2	P1664	698.75	2,335	12		$95.50	$222,988		$117,069	$340,057	5%	78%	73%	$17,003	$265,244	$248,242
2	P1829	698.75	1,457	12		$95.50	$139,141		$73,049	$212,190	0%	72%	72%	$0	$152,777	$152,777
	Subtotal:		**6,116**		**2008**		**$584,067**	**5%**	**$306,635**	**$890,702**				**$91,463**	**$654,940**	**$563,477**
COUNTY LINE ROAD WATER LINE I (FM 3097 TO RANCH TRAIL)																
2	P1734	698.75	2,324	12		$95.79	$222,625		$116,878	$339,503	37%	81%	44%	$125,616	$274,997	$149,381
	Subtotal:		**2,324**		**2008**		**$222,625**	**5%**	**$116,878**	**$339,503**				**$125,616**	**$274,997**	**$149,381**
JOHN KING / BREEZY HILL WATER LINE (FM 552 TO BREEZY HILL)																
1	P1868	698.75	2,632	16		$18.04	$47,493		$24,934	$72,427	21%	77%	56%	$15,210	$55,769	$40,559
1	P1869	698.75	2,662	16		$18.04	$48,035		$25,218	$73,253	16%	67%	51%	$11,720	$49,080	$37,359
	Subtotal:		**5,294**		**2014**		**$95,528**	**5%**	**$50,152**	**$145,680**				**$26,930**	**$104,849**	**$77,918**
BOYDSTUN STREET WATER LINE (FROM GOLIAD STREET TO CLARK STREET)																
2	P1376	698.75	171	12		$225.86	$38,622		$20,277	$58,899	84%	100%	16%	$49,475	$58,899	$9,424
2	P1377	698.75	403	12		$225.86	$91,020		$47,786	$138,806	85%	100%	15%	$117,985	$138,806	$20,821
2	P1378	698.75	1,194	12		$225.86	$269,673		$141,579	$411,252	96%	100%	4%	$394,802	$411,252	$16,450
	Subtotal:		**1,768**		**2018**		**$399,315**	**5%**	**$209,642**	**$608,957**				**$562,262**	**$608,957**	**$46,695**
COUNTY LINE ROAD WATER LINE II (FROM LYNNE DRIVE TO RENEE DRIVE)																
2	P2098	698.75	1,782	12		$240.78	$429,069		$225,261	$654,330	2%	93%	91%	$13,087	$608,527	$595,440
	Subtotal:		**1,782**		**2019**		**$429,069**	**5%**	**$225,261**	**$654,330**				**$13,087**	**$608,527**	**$595,440**
EXISTING TOTAL:			**101,895**				**$9,326,237**		**$4,896,271**	**$14,222,504**				**$8,938,972**	**$11,802,128**	**$2,863,156**

148

148

TABLE NO. 13
Proposed Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

**Average Unit Costs are Based in 2019 Dollars Unless Otherwise Indicated and Includes 20% for Engineering and Easements.*

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
1 - MIMS ROAD / COUNTY LINE ROAD LOOPING WATER LINES																
Pipes P2096 & P2097 Along Future Thouroghfare and Renee Drive from Mims Road South to County Line Road; Pipe 2118 Along Mims Road to Goliad Street																
2	P2096 *	698.75	2,162	20		$228.00	$492,936		$258,792	$751,728	0%	97%	97%	$0	$729,176	$729,176
2	P2097 *	698.75	2,459	20		$228.00	$560,652		$294,342	$854,994	0%	95%	95%	$0	$812,244	$812,244
2	P2118 *	698.75	1,530	20		$228.00	$348,840		$183,141	$531,981	0%	71%	71%	$0	$377,707	$377,707
	Subtotal:		**6,151**		**2022**		**$1,402,428**	**5%**	**$736,275**	**$2,138,703**				**$0**	**$1,919,127**	**$1,919,127**
2 - I.H.-30 - FM 3549/CORPORATE CROSSING																
Creating 780 Service Area North of IH-30 (*16" Diameter Cost Based on Bore Across IH-30 & FM549*)																
2	P4039 *	780	575	12		$120.00	$69,000		$36,225	$105,225	0%	28%	28%	$0	$29,463	$29,463
2	P4124 *	780	712	16		$650.00	$462,800		$242,970	$705,770	0%	33%	33%	$0	$232,904	$232,904
			1,287		**2023**		**$531,800**	**5%**	**$279,195**	**$810,995**				**$0**	**$262,367**	**$262,367**
3 - JOHN KING BLVD 780 WATER LINES NORTH																
Pipe P4123 is a Bore Across IH-30																
2	P4123 *	780	423	16		$650.00	$274,950		$144,349	$419,299	0%	21%	21%	$0	$88,053	$88,053
			423		**2023**		**$274,950**	**5%**	**$144,349**	**$419,299**				**$0**	**$88,053**	**$88,053**
4 - S.H. 66 - F.M. 3549 780 SA LOOP																
From the Termination of the Existing S.H. 66 12" Water Line East to F.M. 549, South Along F.M. 549 from S.H. 66 to Eastridge Church of Christ 16" Existing Water Line																
2	P4007 *	780	3,439	12		$120.00	$412,680		$216,657	$629,337	0%	38%	38%	$0	$239,148	$239,148
2	P4008 *	780	2,174	12		$120.00	$260,880		$136,962	$397,842	0%	11%	11%	$0	$43,763	$43,763
2	P4009 *	780	781	12		$120.00	$93,720		$49,203	$142,923	0%	12%	12%	$0	$17,151	$17,151
	Subtotal:		**6,394**		**2023**		**$767,280**	**5%**	**$402,822**	**$1,170,102**				**$0**	**$300,062**	**$300,062**
5 - S.H. 205 WATER LINES																
Pipe P2117 southwest from Graystone Drive to S.H. 205. Pipe P2136 southeast along S.H. 205.																
1	P2117 *	698.75	846	16		$60.00	$50,760		$26,649	$77,409	0%	100%	100%	$0	$77,409	$77,409
1	P2136 *	698.75	1,650	16		$60.00	$99,000		$51,975	$150,975	0%	100%	100%	$0	$150,975	$150,975
	Subtotal:		**2,496**		**2025**		**$149,760**	**5%**	**$78,624**	**$228,384**				**$0**	**$228,384**	**$228,384**

149

TABLE NO. 13
Proposed Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

**Average Unit Costs are Based in 2019 Dollars Unless Otherwise Indicated and Includes 20% for Engineering and Easements.*

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
6 - SPRINGER LN. 16" WATER LINE															
From Springer Elevated Storage Tank East to Rochelle Road															
1 P4043 *	780	2,714	16		$60.00	$162,840		$85,491	$248,331	0%	51%	51%	$0	$126,649	$126,649
Subtotal:		**2,714**		**2029**		**$162,840**	**5%**	**$85,491**	**$248,331**				**$0**	**$126,649**	**$126,649**
7 - S.H. 276 PUMP STATION TRANSMISSION MAIN WEST															
From Proposed S.H. 276 Pump Station West Along S.H. 276 to Proposed Subdivision															
1 P4071 *	780	1,906	16		$60.00	$114,360		$60,039	$174,399	0%	28%	28%	$0	$48,832	$48,832
1 P4072 *	780	1,906	16		$60.00	$114,360		$60,039	$174,399	0%	14%	14%	$0	$24,416	$24,416
1 P4073 *	780	693	16		$60.00	$41,580		$21,830	$63,410	0%	12%	12%	$0	$7,609	$7,609
Subtotal:		**4,505**		**2029**		**$270,300**	**5%**	**$141,908**	**$412,208**				**$0**	**$80,857**	**$80,857**
PROPOSED TOTAL:		**23,970**				**$3,559,358**		**$1,868,664**	**$5,428,022**				**$0**	**$3,005,499**	**$3,005,499**

150

150

TABLE NO. 14
CCN Acquisition

Elevated Storage		Year Acquired	Area (Ac.)	Capital Cost ($) Purchase Price				Capacity Utilized (%) 2019	2029	In the CRF Period	Capacity Utilized ($) 2019	2029	In the CRF Period
CCN Acquisition													
Aquasourse		2013	284.0	$ 3,402,318			$ 3,402,318	100.0%	100.0%	0.0%	$ 3,402,318	$ 3,402,318	$ -
RCH W.S.C.		2007-2009	803.0	$ 332,847			$ 332,847	29.0%	30.0%	1.0%	$ 96,526	$ 99,854	$ 3,328
Mt. Zion W.S.C.		2011	468.0	$ 325,725			$ 325,725	15.0%	64.0%	49.0%	$ 48,859	$ 208,464	$ 159,605
Blaclland W.S.C.		2005-2012	1,251.0	$ 987,152			$ 987,152	8.0%	58.0%	50.0%	$ 78,972	$ 572,548	$ 493,576
Total			**2,806.0**	**$ 5,048,042**	**$ -**	**$ -**	**$ 5,048,042**				**$ 3,626,675**	**$ 4,283,184**	**$ 656,510**

151

151

E. WASTEWATER COLLECTION SYSTEM

Computer models for the years 2019, 2029 and Buildout were prepared by Birkhoff, Hendricks & Carter L.L.P. The models were developed and peak flows calculated from the residential population and non-residential land use projections prepared by the City of Rockwall's Planning Department. Computer models were run to determine peak wet weather flow to insure proper sizing of the collection system.

1. Collection Lines

The natural creeks, whose basins will collect wastewater through the installed system of collection lines that flow into the geographic treatment area serviced by the NTMWD.

The wastewater collection system analysis covered all of the drainage basins within the Service Area planning boundary. Each collection system was analyzed for line sizes 12-inches in diameter and larger. Eliminating line sizes smaller than 12-inches in diameter from the study leaves only the interceptor and trunk lines included in the study. The wastewater project costs include necessary appurtenances (manholes, lift stations, aerial crossings and the like), purchase of easements, utility relocation, pavement removal and replacement, and engineering costs. For existing Impact Fee projects, actual costs were utilized where known. Future project cost estimates were based on 2019 average unit cost per linear foot and includes engineering, easements, and construction cost.

All eligible wastewater collection line projects in the Service Area planning boundary were included in the impact fee analysis. Eligible existing and proposed wastewater facilities are shown on **Exhibit 2** and have capacity for future growth.

2. Treatment

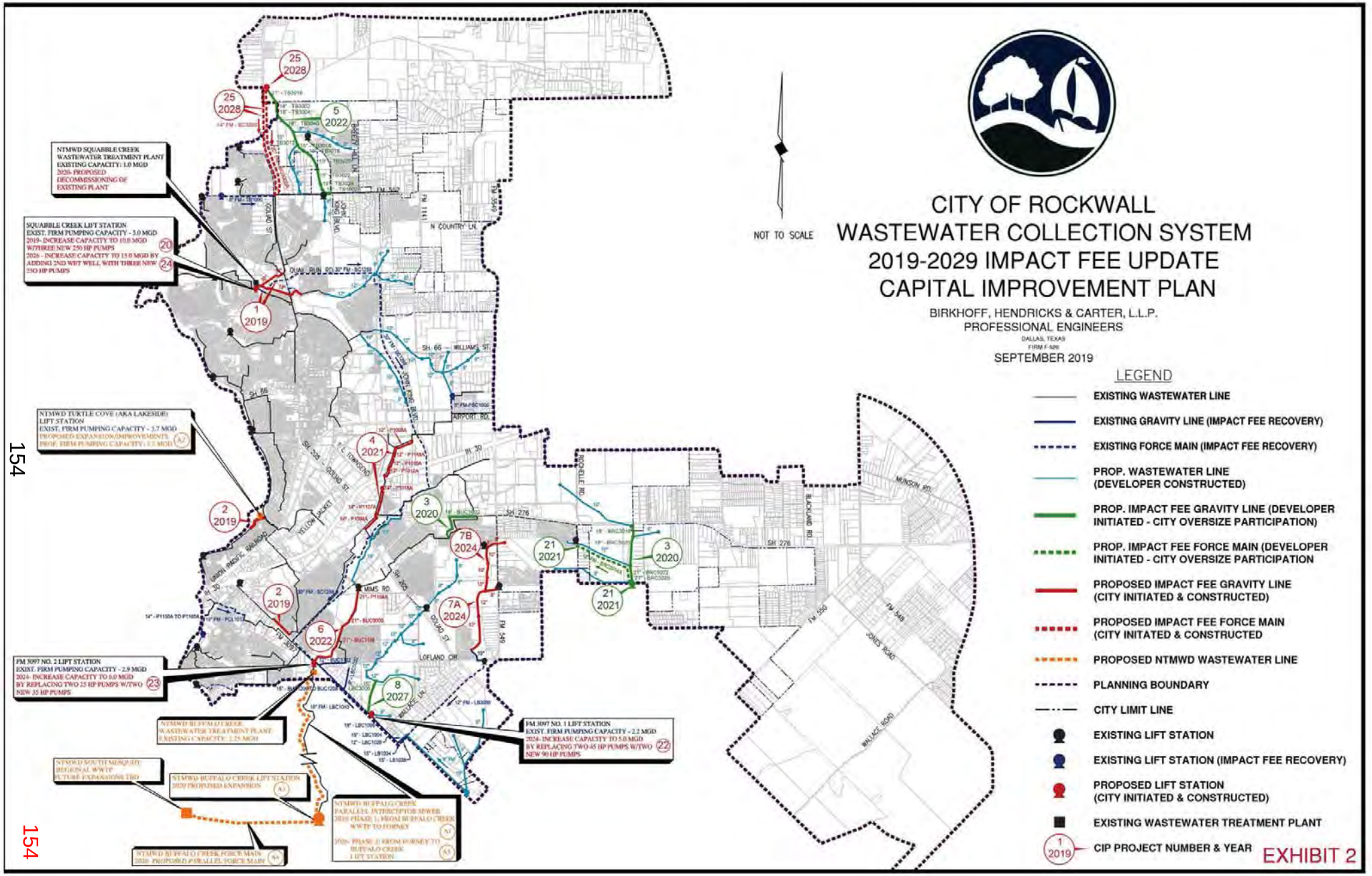
The North Texas Municipal Water District (NTMWD) provides the City of Rockwall with the entirety of wastewater treatment. NTMWD owns and operates the Squabble Creek and Buffalo Creek Wastewater Treatment Plants (WWTP). Excess flows above the permit levels of the Squabble Creek and Buffalo Creek WWTP's are conveyed to the NTMWD Buffalo Creek Regional system. Rockwall pays NTMWD for the cost of this service according to the City's percentage of wastewater flow contributions in any given year.

This Impact Fee study includes the cost of NTMWD regional collection and transportation, and facilities located within the City's Service Area planning boundary that were paid for by NTMWD. Existing treatment plant and future treatment plant expansion costs of NTMWD were included in this Impact Fee analysis.

3. Wastewater System Capital Improvement Projects for Impact Fees

The 10-year Wastewater System Capital Improvement Plan for Impact Fees was developed by Birkhoff, Hendricks & Carter L.L.P. **Exhibit 2** shows the recommended system improvements and **Table No. 15** itemizes each project and the project cost. These recommended improvements form the basis for the Wastewater System Impact Fee Calculation.

The capital improvement plan for impact fees provides for system improvements within the defined Service Area Planning Boundary.


NOT TO SCALE
CITY OF ROCKWALL
WASTEWATER COLLECTION SYSTEM
2019-2029 IMPACT FEE UPDATE
CAPITAL IMPROVEMENT PLAN
BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS
FIRM F-526
SEPTEMBER 2019
LEGEND
EXISTING WASTEWATER LINE
EXISTING GRAVITY LINE (IMPACT FEE RECOVERY)
EXISTING FORCE MAIN (IMPACT FEE RECOVERY)
PROP. WASTEWATER LINE (DEVELOPER CONSTRUCTED)
PROP. IMPACT FEE GRAVITY LINE (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION)
PROP. IMPACT FEE FORCE MAIN (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION
PROPOSED IMPACT FEE GRAVITY LINE (CITY INITIATED & CONSTRUCTED)
PROPOSED IMPACT FEE FORCE MAIN (CITY INITATED & CONSTRUCTED
PROPOSED NTMWD WASTEWATER LINE
PLANNING BOUNDARY
CITY LIMIT LINE
EXISTING LIFT STATION
EXISTING LIFT STATION (IMPACT FEE RECOVERY)
PROPOSED LIFT STATION (CITY INITIATED & CONSTRUCTED)
EXISTING WASTEWATER TREATMENT PLANT
CIP PROJECT NUMBER & YEAR
EXHIBIT 2
NTMWD SQUABBLE CREEK WASTEWATER TREATMENT PLANT EXISTING CAPACITY: 1.0 MGD 2020- PROPOSED DECOMMISSIONING OF EXISTING PLANT
SQUABBLE CREEK LIFT STATION EXIST. FIRM PUMPING CAPACITY - 3.0 MGD 2019- INCREASE CAPACITY TO 10.0 MGD W/THREE NEW 250 HP PUMPS 2026 - INCREASE CAPACITY TO 15.0 MGD BY ADDING 2ND WET WELL WITH THREE NEW 250 HP PUMPS
NTMWD TUKTLE COVE (AKA LAKESIDE) LIFT STATION EXIST. FIRM PUMPING CAPACITY - 3.7 MGD PROPOSED EXPANSION/IMPROVEMENTS PROP. FIRM PUMPING CAPACITY - 11 MGD
FM 3097 NO. 2 LIFT STATION EXIST. FIRM PUMPING CAPACITY - 2.9 MGD 2024- INCREASE CAPACITY TO 6.0 MGD BY REPLACING TWO 25 HP PUMPS W/TWO NEW 35 HP PUMPS
NTMWD BUFFALO CREEK WASTEWATER TREATMENT PLANT EXISTING CAPACITY: 3.25 MGD
NTMWD SOUTH MESQUITE REGIONAL WWTP FUTURE EXPANSION TBD
NTMWD BUFFALO CREEK LIFT STATION 2020 PROPOSED EXPANSION
NTMWD BUFFALO CREEK FORCE MAIN 2020- PROPOSED PARALLEL FORCE MAIN
NTMWD BUFFALO CREEK PARALLEL INTERCEPTOR SEWER 2019 PHASE 1: FROM BUFFALO CREEK WWTP TO FORNEY
2026- PHASE 2: FROM FORNEY TO BUFFALO CREEK LIFT STATION
FM 3097 NO. 1 LIFT STATION EXIST. FIRM PUMPING CAPACITY - 2.2 MGD 2024- INCREASE CAPACITY TO 5.0 MGD BY REPLACING TWO 45 HP PUMPS W/TWO NEW 90 HP PUMPS
N COUNTRY LN
SH 66
WILLIAMS ST
AIRPORT RD
SH 205
SH 276
MIMS RD
LOFLAND CIR
BRIDGE LN
MUNSON RD
BUCKLEY RD
JONES ROAD
WALLACE ROAD
FM 549
FM 550
25 2028
5 2022
1 2019
2 2019
4 2021
3 2020
7B 2024
7A 2024
6 2022
8 2027
21 2021
20
24
23
22

154

Table No. 15

10-Year Wastewater System Capital Improvement Plan for Impact Fees

PROPOSED WASTEWATER LINES

CIP #	Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Size (Diameter)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
1	2019	2	Quail Run & Memorial Lift Station Bypass Trunk Sewer	18"-30"	$ 2,159,050	$ 1,133,500	$ 3,292,550
2	2019	2	Turtle Cove & Windmill Ridge Sewer Improvements	8"-12"	$ 800,000	$ 420,000	$ 1,220,000
3	2020	1	Proposed Brushy Creek Trunk Sewer & Timber Creek Lift Station Abandonment	18"-21"	$ 285,896	$ 150,095	$ 435,991
4	2021	2	Buffalo Creek Existing Gravity Sewer - 12" & 14" Pipe Burst	12"-14"	$ 1,281,901	$ 672,997	$ 1,954,898
5	2022	1	Proposed Thompson Branch Trunk Sewer	15"-21"	$ 339,296	$ 178,131	$ 517,427
6	2022	2	Proposed Lower Buffalo Creek East Trunk Sewer & Mims Rd. Lift Station Abandonment	21"	$ 1,734,075	$ 910,389	$ 2,644,464
7A	2024	2	Fontana Ranch Lift Station Abandonment & Gravity Relief Sewer	8"-12"	$ 985,844	$ 517,568	$ 1,503,412
7B	2024	2	Lofland Farms Lift Station Abandonment & Gravity Relief Sewer	8"-10"	$ 510,375	$ 267,947	$ 778,322
8	2027	1	Proposed Little Buffalo Creek Trunk Sewer	15"	$ 52,223	$ 27,417	$ 79,640
			Subtotal: Proposed Wastewater Lines		**$ 8,148,660**	**$ 4,278,044**	**$ 12,426,704**

PROPOSED WASTEWATER FACILITIES

CIP #	Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Capacity (MGD)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
20	2019	2	Squabble Creek Lift Station Improvements - Install Three 250-HP Pumps, Electrical Upgrades & Standby Pump System	10.0 MGD	$ 2,800,769	$ 1,470,404	$ 4,271,173
21	2021	1	Proposed Brushy Creek Lift Station & 12" Force Main	3.3 MGD	$ 1,610,000	$ 845,250	$ 2,455,250
22	2024	2	FM 3097 No. 1 Lift Station Improvements - Replace Two 45-HP Pumps w/Two 90-HP Pumps	5.0 MGD	$ 575,000	$ 301,875	$ 876,875
23	2024	2	FM 3097 No. 2 Lift Station Improvements - Replace Two 25-HP Pumps w/Two 35-HP Pumps	6.0 MGD	$ 862,500	$ 452,813	$ 1,315,313
24	2026	2	Squabble Creek Lift Station Improvements - Add 2nd Wet Well w/Three New 250-HP Pumps	15.0 MGD	$ 4,600,000	$ 2,415,000	$ 7,015,000
25	2028	2	Proposed Bluff Creek Lift Station & Parallel Force Mains (14" & 20")	2.4 MGD	$ 5,865,000	$ 3,079,125	$ 8,944,125
			Subtotal: Proposed Wastewater Facilities		**$ 16,313,269**	**$ 8,564,467**	**$ 24,877,736**
Total City of Rockwall Proposed Wastewater System Improvements					**$ 24,461,929**	**$ 12,842,511**	**$ 37,304,440**

(A) Opinion of Cost includes:

a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%

Table No. 15 (Continued)

10-Year Wastewater System Capital Improvement Plan for Impact Fees

NTMWD REGIONAL SYSTEM

CIP #	Year	3=Funded by NTMWD, 100% City Responsibility 4=Part of NTMWD Buffalo Interceptor System, assumed 59% City Responsibility 5=Part of NTMWD Regional Systems, assumed 2.915% City Responsibility	NTMWD Wastewater Line & Facility Projects	Size/ Added Capacity	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
A1	2019	4	NTMWD Buffalo Creek Parallel Interceptor Sewer - Phase 1: From Buffalo Creek WWTP to Forney	TBD	$ 11,835,394	$ -	$ 11,835,394
A2	2020	3	NTMWD Turtle Cove (a.k.a. Lakeside) Lift Station Expansion/Replacement	+1.6 MGD	$ 4,600,000	$ -	$ 4,600,000
A3	2020	4	NTMWD Buffalo Creek Lift Station Expansion	TBD	$ 17,868,150	$ -	$ 17,868,150
A4	2020	4	NTMWD Buffalo Creek Parallel Force Main	TBD	$ 1,681,500	$ -	$ 1,681,500
A5	2026	4	NTMWD Buffalo Creek Parallel Interceptor - Phase 2: From Forney to Buffalo Creek Lift Station	TBD	$ 7,924,880	$ -	$ 7,924,880
A6	2019-2029	5	10-Year CIP for NTMWD Sewer System (Rockwall Responsibility Only)	N/A	$ 5,435,164	$ -	$ 5,435,164
A7	2019-2029	5	10-Year CIP for NTMWD Regional Wastewater System (Rockwall Responsibility Only)	N/A	$ 11,619,512	$ -	$ 11,619,512
			Total: NTMWD Wastewater System Improvements:		**$ 60,964,600**	**$ -**	**$ 60,964,600**

(A) Opinion of Cost includes:

a) Engineer's Opinion of Construction Cost

b) Professional Services Fees (Survey, Engineering, Testing, Legal)

c) Cost of Easement or Land Acquisitions

Notes: 1. City obligations estimated based on City of Rockwall's contracted proportion or historical usage of NTMWD Regional Systems.

2. 10-Year CIP for NTMWD Regional Systems based on project listings provided for "Summary of Sewer System CIP" and "Summary of Regional Wastewater System CIP", both dated May 11, 2018.

PLANNING EXPENSES

	Project Description	Engineering Services	Opinion of Project Cost (A)
2029	Wastewater Masterplan & Impact Fee Update	$ 59,850	$ 59,850
		Total: Planning Expenses:	**$ 59,850**
Grand Total, City of Rockwall & NTMWD Wastewater System Improvements:			**$ 98,328,890**

4. Utilized Capacity

Utilized capacity for the wastewater collection system was calculated based on land use assumptions prepared by the City of Rockwall. The population and non-residential growth in each wastewater drainage basin was determined utilizing the City's growth projections. These growth rates were utilized to calculate 2019, 2029 and buildout peak design flows.

The percent-utilized capacity was calculated for the design flow of each study year based on the buildout capacity. The utilized capacity during the Impact Fee period is the difference between the year 2019 capacity and the year 2029 capacity. **Table No. 16** below summarizes the project cost and utilized cost over the impact fee period of 2019 – 2029. The utilized capacity for each eligible existing and proposed wastewater collection line is presented in detail in the Impact Fee Capacity Calculation **Table Nos. 17 and 18**. **Table No. 19** summarizes the utilized capacity of lift stations eligible for impact fee recovery. **Table 20** summarizes the utilized capacity of NTMWD facilities eligible for impact fee recovery. **Table 21** includes the summary of utilized capacity allocation between the City of Rockwall and NTMWD.

TABLE NO. 16

Summary of Eligible Wastewater System Project Cost and Utilized Capacity Cost

Wastewater System Facility	20-Year Project Cost	Utilized Capacity ($) in the CRP Period
Existing Wastewater Collection Line	$12,344,474	$3,863,647
Existing Wastewater Facilities	$6,402,514	$629,875
Proposed Wastewater Collection Line	$12,426,705	$9,608,437
Proposed Wastewater Facilities	$24,877,736	$18,193,334
NTMWD Facilities	$60,964,600	$9,627,128
Planning Expenses	$59,850	$59,850
Total:	**$117,075,879**	**$41,982,271**

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
SQUABBLE / CARUTH LAKE SEWER															
From the Squabble Creek Wastewater Treatment Plant to SH 205 to Caruth Lane															
2	SC1008	158	36		$74.89	$11,844		$6,218	$18,062	72%	89%	17%	$12,946	$15,994	$3,048
2	SC1112	663	36		$74.89	$49,676		$26,080	$75,756	72%	89%	17%	$54,307	$67,179	$12,872
2	SC1114	275	36		$74.89	$20,614		$10,822	$31,436	72%	89%	17%	$22,740	$27,999	$5,259
2	SC1116	125	36		$74.89	$9,382		$4,926	$14,308	72%	89%	17%	$10,346	$12,729	$2,383
2	SC1118	902	27		$74.89	$67,561		$35,469	$103,030	68%	87%	20%	$69,891	$90,065	$20,174
2	SC1120	293	24		$74.89	$21,927		$11,512	$33,439	68%	87%	20%	$22,683	$29,231	$6,548
2	SC1154	313	24		$74.89	$23,404		$12,287	$35,691	68%	87%	20%	$24,210	$31,198	$6,989
2	SC1290	1,345	36		$74.89	$100,702		$52,868	$153,570	72%	89%	17%	$110,598	$136,445	$25,847
2	SC1292	173	36		$74.89	$12,959		$6,803	$19,762	72%	89%	17%	$14,232	$17,558	$3,326
2	SC1294	389	36		$74.89	$29,123		$15,290	$44,413	72%	89%	17%	$31,917	$39,422	$7,505
2	SC1296	16	27		$74.89	$1,176		$617	$1,793	72%	89%	17%	$1,285	$1,590	$305
2	SC1298	170	27		$74.89	$12,761		$6,700	$19,461	72%	89%	17%	$13,945	$17,242	$3,297
2	SC1300	124	27		$74.89	$9,285		$4,875	$14,160	72%	89%	17%	$10,151	$12,556	$2,405
2	SC1302	464	24		$74.89	$34,759		$18,248	$53,007	68%	87%	20%	$35,958	$46,338	$10,380
2	SC1334	219	36		$74.89	$16,402		$8,611	$25,013	72%	89%	17%	$18,084	$22,281	$4,197
2	SC1336	541	36		$74.89	$40,481		$21,252	$61,733	72%	89%	17%	$44,626	$54,941	$10,315
	Subtotal:	**6,170**		**1997**		**$462,056**	**5%**	**$242,578**	**$704,634**				**$497,919**	**$622,768**	**$124,850**
DALTON ROAD FORCE MAIN															
Begins at the Intersection of Dalton Road and Beacon Hill Drive and Extends East to SH 205															
2	TB1000	155	8		$51.43	$7,959		$4,178	$12,137	100%	100%	0%	$12,137	$12,137	$0
2	TB1040	3,409	8		$51.43	$175,324		$92,046	$267,370	100%	100%	0%	$267,370	$267,370	$0
	Subtotal:	**3,564**		**2002**		**$183,283**	**5%**	**$96,224**	**$279,507**				**$279,507**	**$279,507**	**$0**

158

158

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
SH 205 GRAVITY SEWER															
From Dalton Road / FM 522 to Quail Run Road															
2	SC1104	407	18		$78.32	$31,874		$16,734	$48,608	28%	42%	14%	$13,415	$20,355	$6,939
2	SC1106	347	18		$78.32	$27,185		$14,272	$41,457	26%	41%	15%	$10,978	$17,017	$6,039
2	SC1108	78	18		$78.32	$6,115		$3,210	$9,325	27%	41%	14%	$2,512	$3,828	$1,316
2	SC1316	233	18		$78.32	$18,218		$9,564	$27,782	27%	41%	14%	$7,425	$11,338	$3,912
2	SC1318	402	18		$78.32	$31,488		$16,531	$48,019	27%	42%	15%	$12,991	$20,070	$7,079
2	SC1320	778	18		$78.32	$60,918		$31,982	$92,900	26%	41%	15%	$24,601	$38,133	$13,532
2	SC1322	496	18		$78.32	$38,883		$20,414	$59,297	26%	40%	14%	$15,473	$23,794	$8,321
2	SC1324	281	18		$78.32	$22,037		$11,569	$33,606	26%	41%	15%	$8,798	$13,749	$4,951
2	SC1326	518	18		$78.32	$40,577		$21,303	$61,880	27%	41%	14%	$16,797	$25,442	$8,645
2	SC1328	277	18		$78.32	$21,720		$11,403	$33,123	29%	42%	13%	$9,680	$14,001	$4,322
2	SC1330	474	18		$78.32	$37,100		$19,477	$56,577	29%	42%	13%	$16,534	$23,916	$7,382
2	SC1332	329	18		$78.32	$25,754		$13,521	$39,275	29%	43%	14%	$11,543	$16,869	$5,326
2	TB1012	508	18		$78.32	$39,759		$20,873	$60,632	33%	43%	11%	$19,897	$26,375	$6,478
2	TB1028	174	18		$78.32	$13,593		$7,136	$20,729	32%	43%	11%	$6,629	$8,991	$2,362
	Subtotal:	**5,302**		**2003**		**$415,221**	**5%**	**$217,989**	**$633,210**				**$177,273**	**$263,878**	**$86,604**
SIGNAL RIDGE FORCE MAIN															
From Signal Ridge Lift Station to Ridge Road															
2	BUC1210	4,662	10		$110.66	$515,915		$270,855	$786,770	93%	100%	7%	$730,029	$786,770	$56,741
	Subtotal:	**4,662**				**$515,915**	**5%**	**$270,855**	**$786,770**				**$730,029**	**$786,770**	**$56,741**
AMITY LANE FORCE MAIN															
From Amity Lane Lift Station to Airport Road															
2	SC1002	1,193	6		$18.53	$22,103		$11,604	$33,707	35%	100%	65%	$11,848	$33,707	$21,859
	Subtotal:	**1,193**		**2007**		**$22,103**	**5%**	**$11,604**	**$33,707**				**$11,848**	**$33,707**	**$21,859**

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
FM 3097 SANITARY SEWER IMPROVEMENTS															
From FM 3097 LS No. 2 to FM549; 12" on County road from FM 3097 to Valerie Place; 8" on Ranch Trail from FM 3097 to 1,500-LF East															
2	BUC1040	441	15		$150.81	$66,506		$34,916	$101,422	39%	96%	58%	$39,193	$97,809	$58,617
2	BUC1042	299	24		$150.81	$45,039		$23,645	$68,684	43%	95%	51%	$29,805	$65,001	$35,196
2	BUC1044	109	24		$150.81	$16,380		$8,599	$24,979	47%	94%	46%	$11,847	$23,415	$11,568
2	BUC1162	1,788	12		$150.81	$269,645		$141,564	$411,209	99%	100%	0%	$408,380	$410,339	$1,958
2	BUC1200	390	15		$150.81	$58,764		$30,851	$89,615	42%	99%	57%	$37,573	$89,057	$51,484
2	BUC1202	109	18		$150.81	$16,366		$8,592	$24,958	42%	99%	57%	$10,464	$24,803	$14,339
2	BUC1204	200	18		$150.81	$30,190		$15,850	$46,040	41%	99%	58%	$18,983	$45,753	$26,770
2	BUC1206	200	15		$150.81	$30,097		$15,801	$45,898	39%	99%	60%	$18,012	$45,613	$27,602
2	BUC1208	433	15		$150.81	$65,269		$34,266	$99,535	38%	95%	57%	$37,709	$94,909	$57,200
2	LBC1002	250	12		$150.81	$37,774		$19,831	$57,605	16%	73%	56%	$9,497	$41,952	$32,455
2	LBC1004	1,193	15		$150.81	$179,972		$94,485	$274,457	14%	73%	58%	$39,787	$199,880	$160,094
2	LBC1006	1,282	18		$150.81	$193,280		$101,472	$294,752	13%	73%	60%	$39,070	$214,661	$175,591
2	LBC1016	539	15		$150.81	$81,324		$42,695	$124,019	34%	100%	66%	$42,323	$124,019	$81,696
2	LBC1022	1,506	8		$150.81	$227,061		$119,207	$346,268	52%	84%	32%	$180,397	$291,710	$111,312
	Subtotal:	**8,738**		**2007**		**$1,317,667**	**5%**	**$691,774**	**$2,009,441**				**$923,040**	**$1,768,921**	**$845,882**

160

160

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
SQUABBLE CREEK TO BUFFALO CREEK WASTEWATER TRANSFER FORCE MAIN															
From Squabble Creek Wastewater Treatment Plant to FM 3097															
2	SC1340	1,137	30		$124.90	$141,978		$74,538	$216,516	32%	67%	35%	$69,966	$144,751	$74,785
2	SC1259	20,471	30		$124.90	$2,556,676		$1,342,255	$3,898,931	32%	67%	35%	$1,259,918	$2,606,616	$1,346,699
2	SC1261	19,232	30		$124.90	$2,402,049		$1,261,076	$3,663,125	32%	67%	35%	$1,183,718	$2,448,969	$1,265,251
2	SC1260	623	30		$124.90	$77,792		$40,841	$118,633	32%	67%	35%	$38,336	$79,312	$40,976
Subtotal:		**41,463**		**2011**		**$5,178,495**	**5%**	**$2,718,710**	**$7,897,205**				**$2,551,938**	**$5,279,648**	**$2,727,711**
Existing Wastewater Line Total		**71,091**				**$8,094,740**		**$4,249,734**	**$12,344,474**				**$5,171,554**	**$9,035,199**	**$3,863,647**

Notes:

1 - City Participate in Cost Oversize

2 - City Initiated and Funded

161

161

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
1 - QUAIL RUN & MEMORIAL LIFT STATION BYPASS TRUNK SEWER															
2	SC1206	51	18		$436.24	$22,388		$11,754	$34,142	0%	97%	97%	$0	$33,057	$33,057
2	SC1208	414	18		$436.24	$180,565		$94,797	$275,362	0%	97%	97%	$0	$266,607	$266,607
2	SC1210	160	18		$436.24	$69,580		$36,529	$106,109	0%	97%	97%	$0	$102,735	$102,735
2	SC1212	197	18		$436.24	$86,014		$45,157	$131,171	0%	97%	97%	$0	$126,993	$126,993
2	SC1214	182	18		$436.24	$79,583		$41,781	$121,364	0%	97%	97%	$0	$117,485	$117,485
2	SC1216	42	18		$436.24	$18,204		$9,557	$27,761	0%	97%	97%	$0	$26,874	$26,874
2	SC1218	519	18		$436.24	$226,531		$118,929	$345,460	0%	97%	97%	$0	$334,399	$334,399
2	SC1220	510	18		$436.24	$222,300		$116,707	$339,007	0%	97%	97%	$0	$328,134	$328,134
2	SC1222	306	18		$436.24	$133,350		$70,009	$203,359	0%	97%	97%	$0	$196,814	$196,814
2	SC1224	37	18		$436.24	$16,311		$8,563	$24,874	0%	97%	97%	$0	$24,075	$24,075
2	SC1226	182	18		$436.24	$79,610		$41,795	$121,405	0%	97%	97%	$0	$117,497	$117,497
2	SC1228	446	18		$436.24	$194,542		$102,135	$296,677	0%	97%	97%	$0	$287,128	$287,128
2	SC1236	92	24		$436.24	$40,143		$21,075	$61,218	0%	41%	41%	$0	$24,896	$24,896
2	SC1238	40	24		$436.24	$17,402		$9,136	$26,538	0%	41%	41%	$0	$10,831	$10,831
2	SC1240	75	24		$436.24	$32,919		$17,282	$50,201	0%	44%	44%	$0	$22,211	$22,211
2	SC1242	85	24		$436.24	$36,902		$19,374	$56,276	0%	44%	44%	$0	$24,855	$24,855
2	SC1244	121	24		$436.24	$52,929		$27,788	$80,717	0%	44%	44%	$0	$35,660	$35,660
2	SC1246	161	30		$436.24	$70,113		$36,809	$106,922	0%	44%	44%	$0	$47,140	$47,140
2	SC1248	183	30		$436.24	$79,671		$41,827	$121,498	0%	43%	43%	$0	$52,727	$52,727
2	SC1252	224	30		$436.24	$97,766		$51,327	$149,093	0%	43%	43%	$0	$64,599	$64,599
2	SC1254	500	30		$436.24	$218,121		$114,513	$332,634	0%	43%	43%	$0	$143,599	$143,599
2	SC1256	240	30		$436.24	$104,711		$54,973	$159,684	0%	43%	43%	$0	$68,936	$68,936
2	SC1230	182	36		$436.24	$79,396		$41,683	$121,079	0%	50%	50%	$0	$61,124	$61,124
	Subtotal:	**4,949**		**2019**		**$2,159,050**	**5%**	**$1,133,500**	**$3,292,551**				**$0**	**$2,518,376**	**$2,518,376**
2 - TURTLE COVE & WINDMILL RIDGE SEWER IMPROVEMENTS															
2	BB1040A	1,553	8		$269.98	$419,263		$220,113	$639,376	0%	99%	99%	$0	$630,992	$630,992
2	LS1260A	1,410	12		$269.98	$380,737		$199,887	$580,624	0%	94%	94%	$0	$543,957	$543,957
	Subtotal:	**2,963**		**2019**		**$800,000**	**5%**	**$420,000**	**$1,220,000**				**$0**	**$1,174,949**	**$1,174,949**
3 - PROPOSED BRUSHY CREEK TRUNK SEWER															
1	BUC3002	3,382	15		$24.00	$81,174		$42,616	$123,790	0%	100%	100%	$0	$123,790	$123,790
1	BRC3018	724	18		$48.00	$34,748		$18,243	$52,991	0%	48%	48%	$0	$25,539	$25,539
1	BRC3020	1,948	18		$48.00	$93,513		$49,094	$142,607	0%	55%	55%	$0	$78,962	$78,962
1	BRC3022	1,045	21		$72.00	$75,242		$39,502	$114,744	0%	59%	59%	$0	$67,981	$67,981
1	BRC3026	17	21		$72.00	$1,219		$640	$1,859	0%	57%	57%	$0	$1,057	$1,057
	Subtotal:	**7,116**		**2020**		**$285,896**	**5%**	**$150,095**	**$435,991**				**$0**	**$297,329**	**$297,329**

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
4 - BUFFALO CREEK EXISTING GRAVITY SEWER - 12" & 14" PIPE BURST															
Pipe Burst Exsiting 8" and 10" to 12" and Existing 12" to 14" from northwest of John King and IH 30 to S.H. 205 Goliad															
2	BUC1008A	1,314	12		$192.00	$252,369		$132,494	$384,863	0%	29%	29%	$0	$110,863	$110,863
2	BUC1010A	755	12		$192.00	$144,970		$76,109	$221,079	0%	34%	34%	$0	$75,022	$75,022
2	BUC1012A	660	12		$192.00	$126,802		$66,571	$193,373	0%	34%	34%	$0	$65,620	$65,620
2	BUC1148A	766	12		$192.00	$147,096		$77,225	$224,321	0%	34%	34%	$0	$76,115	$76,115
2	BUC1018A	188	14		$192.00	$36,073		$18,938	$55,011	0%	42%	42%	$0	$23,219	$23,219
2	BUC1094A	1,155	14		$192.00	$221,669		$116,376	$338,045	0%	46%	46%	$0	$156,886	$156,886
2	BUC1098A	1,838	14		$192.00	$352,922		$185,284	$538,206	0%	44%	44%	$0	$237,802	$237,802
	Subtotal:	**6,677**		**2021**		**$1,281,901**	**5%**	**$672,997**	**$1,954,898**				**$0**	**$745,527**	**$745,527**
5 - PROPOSED THOMPSON BRANCH TRUNK SEWER															
1	TB1002A	720	15		$24.00	$17,287		$9,076	$26,363	0%	93%	93%	$0	$24,620	$24,620
1	TB3012	899	15		$24.00	$21,582		$11,331	$32,913	0%	94%	94%	$0	$31,021	$31,021
1	TB3014	501	15		$24.00	$12,028		$6,315	$18,343	0%	96%	96%	$0	$17,633	$17,633
1	TB3018	644	15		$24.00	$15,457		$8,115	$23,572	0%	96%	96%	$0	$22,658	$22,658
1	TB3020	1,038	15		$24.00	$24,910		$13,078	$37,988	0%	96%	96%	$0	$36,632	$36,632
1	TB3022	982	15		$24.00	$23,572		$12,375	$35,947	0%	96%	96%	$0	$34,658	$34,658
1	TB3034	388	15		$24.00	$9,307		$4,886	$14,193	0%	96%	96%	$0	$13,558	$13,558
1	TB3002	544	18		$48.00	$26,114		$13,710	$39,824	0%	99%	99%	$0	$39,497	$39,497
1	TB3004	714	18		$48.00	$34,275		$17,994	$52,269	0%	99%	99%	$0	$51,840	$51,840
1	TB3040	1,089	18		$48.00	$52,276		$27,445	$79,721	0%	95%	95%	$0	$75,546	$75,546
1	BLC3016	1,312	21		$72.00	$94,494		$49,609	$144,103	0%	70%	70%	$0	$100,463	$100,463
1	BC3006	67	27		$120.00	$7,994		$4,197	$12,191	0%	28%	28%	$0	$3,397	$3,397
	Subtotal:	**8,899**		**2022**		**$339,296**	**5%**	**$178,131**	**$517,427**				**$0**	**$451,523**	**$451,523**
6 - PROPOSED LOWER BUFFALO CREEK EAST TRUNK SEWER															
2	BUC1104A	1,506	21		$264.00	$397,554		$208,716	$606,270	0%	100%	100%	$0	$606,270	$606,270
2	BUC1168	3,640	21		$264.00	$960,968		$504,508	$1,465,476	0%	100%	100%	$0	$1,465,476	$1,465,476
2	BUC3000	1,423	21		$264.00	$375,553		$197,165	$572,718	0%	100%	100%	$0	$572,718	$572,718
	Subtotal:	**6,568**		**2022**		**$1,734,075**	**5%**	**$910,389**	**$2,644,464**				**$0**	**$2,644,464**	**$2,644,464**
7A - FONTANA RANCH LIFT STATION ABANDONMENT & GRAVITY RELIEF SEWER															
2	LB1004A	1,238	8		$100.00	$123,764		$64,976	$188,740	0%	79%	79%	$0	$148,599	$148,599
2	LB3014	930	12		$192.00	$178,560		$93,744	$272,304	0%	81%	81%	$0	$219,938	$219,938
2	LB3016	740	12		$192.00	$142,080		$74,592	$216,672	0%	81%	81%	$0	$175,016	$175,016
2	LB3018	1,240	12		$192.00	$238,080		$124,992	$363,072	0%	74%	74%	$0	$268,153	$268,153
2	LB3020	815	12		$192.00	$156,480		$82,152	$238,632	0%	81%	81%	$0	$192,750	$192,750
2	LB3028	765	12		$192.00	$146,880		$77,112	$223,992	0%	81%	81%	$0	$180,921	$180,921
	Subtotal:	**5,728**		**2024**		**$985,844**	**5%**	**$517,568**	**$1,503,412**				**$0**	**$1,185,377**	**$1,185,377**

163

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
7B - LOFTLAND FARMS LIFT STATION ABANDONMENT & GRAVITY RELIEF SEWER															
2	LB1000A	380	8		$100.00	$38,000		$19,950	$57,950	0%	69%	69%	$0	$40,142	$40,142
2	LB3002	1,238	8		$100.00	$123,775		$64,982	$188,757	0%	57%	57%	$0	$107,993	$107,993
2	LB3022	910	10		$120.00	$109,200		$57,330	$166,530	0%	73%	73%	$0	$121,185	$121,185
2	LB3024	935	10		$120.00	$112,200		$58,905	$171,105	0%	73%	73%	$0	$124,541	$124,541
2	LB3026	1,060	10		$120.00	$127,200		$66,780	$193,980	0%	64%	64%	$0	$124,690	$124,690
	Subtotal:	**4,523**		**2026**		**$510,375**	**5%**	**$267,947**	**$778,322**				**$0**	**$518,551**	**$518,551**
8 - PROPOSED LITTLE BUFFALO CREEK TRUNK SEWER															
1	LBC3006	2,176	15		$24.00	$52,223		$27,417	$79,640	0%	91%	91%	$0	$72,341	$72,341
	Subtotal:	**2,176**		**2027**		**$52,223**	**5%**	**$27,417**	**$79,640**				**$0**	**$72,341**	**$72,341**
	Sewer Line CIP Total	**49,599**				**$8,148,660**		**$4,278,044**	**$12,426,705**				**$0**	**$9,608,437**	**$9,608,437**

Notes: 1 - City Participate in Cost Oversize
2 - City Initiated and Funded

164

164

TABLE NO. 19
Impact Fee Wastewater Facilities

Pump Station		Year Const.	Capacity (MGD)	Capital Cost ($) Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2019	2029	In the CRF Period	Capacity Utilized ($) 2019	2029	In the CRF Period
EXISTING LIFT STATIONS													
Dalton Road Lift Station & Force Main	1	2002	1.2	$ 272,178	$ 40,200	$ 163,998	$ 476,376	43%	43%	0%	$ 204,842	$ 204,842	$ -
Amity Lane Lift Station	1	2006	0.4	$ 167,009	$ 18,800	$ 97,550	$ 283,359	34%	35%	1%	$ 96,342	$ 99,176	$ 2,834
Chandlers Marina Lift Station	1	2007	0.4	$ 244,331	$ 16,500	$ 136,936	$ 397,767	72%	76%	4%	$ 286,392	$ 302,303	$ 15,911
FM 3097 No. 1 Lift Station & 16" Force Main	1	2007	2.2	$ 450,460	$ 21,000	$ 247,517	$ 718,977	15%	100%	85%	$ 107,847	$ 718,977	$ 611,130
FM 3097 No. 2 Lift Station	1	2007	2.9	$ 525,845	$ 25,000	$ 289,194	$ 840,039	100%	100%	0%	$ 840,039	$ 840,039	$ -
Chandlers Deep Lift Station	1	2012	0.7	$ 196,555	$ 61,000	$ 135,216	$ 392,771	70%	70%	0%	$ 274,940	$ 274,940	$ -
Squabble Creek Transfer Lift Station	1	2012	2.9	$ 1,500,346	$ 165,325	$ 874,477	$ 2,540,148	100%	100%	0%	$ 2,540,148	$ 2,540,148	$ -
Existing Wastewater Facility Subtotal			**13.20**	**$ 3,820,685**	**$ 377,685**	**$ 2,204,144**	**$ 6,402,514**				**$ 4,350,550**	**$ 4,980,425**	**$ 629,875**
PROPOSED WASTEWATER TREATMENT PLANT & LIFT STATION/FORCE MAIN IMPROVEMENTS													
Squabble Creek Lift Station Improvements (Install Three 250-HP Pumps & Electrical Upgrades)	1	2019	10.0	$ 2,690,519	$ 110,250	$ 1,470,404	$ 4,271,173	73.6%	100%	26%	$ 3,141,918	$ 4,271,173	$ 1,129,255
Proposed Brushy Creek Lift Station & 12" Force Main	2*	2021	3.3	$ 1,400,000	$ 210,000	$ 845,250	$ 2,455,250	0.0%	49%	49%	$ -	$ 1,196,674	$ 1,196,674
FM 3097 No. 1 Lift Station Improvements (Replace Two 45-HP Pumps w/Two 90-HP Pumps)	2*	2024	2.8	$ 500,000	$ 75,000	$ 301,875	$ 876,875	6.6%	75%	68%	$ 57,611	$ 656,306	$ 598,695
FM 3097 No. 2 Lift Station Improvements (Replace Two 25-HP Pumps w/Two 35-HP Pumps)	2*	2024	3.1	$ 750,000	$ 112,500	$ 452,813	$ 1,315,313	50.2%	99%	49%	$ 660,068	$ 1,304,571	$ 644,503
Squabble Creek Lift Station Improvements (Add 2nd Wet Well w/Three New 250-HP Pumps)	2*	2026	5.0	$ 4,000,000	$ 600,000	$ 2,415,000	$ 7,015,000	0.0%	95%	95%	$ -	$ 6,631,139	$ 6,631,139
Proposed Bluff Creek Lift Station & Parallel Force Main (14" & 20")	2*	2028	2.4	$ 5,100,000	$ 765,000	$ 3,079,125	$ 8,944,125	0.0%	89%	89%	$ -	$ 7,993,066	$ 7,993,066
Proposed Wastewater Facility Subtotal			**26.60**	**$ 14,440,519**	**$ 1,872,750**	**$ 8,564,467**	**$ 24,877,736**				**$ 3,859,596**	**$ 22,052,930**	**$ 18,193,334**
Total			**39.80**	**$ 18,261,204**	**$ 2,250,435**	**$ 10,768,611**	**$ 31,280,250**				**$ 8,210,146**	**$ 27,033,355**	**$ 18,823,209**

165

* 15% of Construction Assumed for Engineering and Testing
(1) Actual Cost
(2) Estimated Cost in 2019 Dollars

165

TABLE NO. 20
WASTEWATER COLLECTION SYSTEM -- PROPOSED NTMWD FACILITIES

CIP #	Project Description		Year Const.	Length (FT)	Size/Added Capacity	Capital Cost ($)			Capacity Utilized			Capacity Utilized (%)			Capacity Utilized ($)		
						City of Rockwall Participation Cost	Eng. & Testing	Total Project Cost	2019	2029	In The CRF Period	2019	2029	In The CRF Period	2019	2029	In The CRF Period
North Texas Municipal Water District (NTMWD) Proposed Facility Improvements																	
A1	NTMWD Buffalo Creek Parallel Incerceptor Sewer - Phase 1: From Buffalo Creek WWTP to Forney	4	2019	TBD	TBD	$ 11,835,394		$ 11,835,394				33%	49%	16%	$ 3,927,269	$ 5,796,236	$ 1,868,967
A2	NTMWD Turtle Cove (a.k.a. Lakeside) Lift Station Expansion/Replacement	3	2020	TBD	+1.6 MGD	$ 4,600,000		$ 4,600,000				33%	49%	16%	$ 1,526,391	$ 2,252,793	$ 726,402
A3	NTMWD Buffalo Creek Lift Station Expansion	4	2020	TBD	TBD	$ 17,868,150		$ 17,868,150				33%	49%	16%	$ 5,929,083	$ 8,750,703	$ 2,821,620
A4	NTMWD Buffalo Creek Parallel Force Main	4	2020	TBD	TBD	$ 1,681,500	Included in Const. Cost	$ 1,681,500	Utilized Capacity for Regional NTMWD Treatment Facilities calculated using proportion of years 2019 & 2029 population to build-out population.			33%	49%	16%	$ 557,962	$ 823,494	$ 265,532
A5	NTMWD Buffalo Creek Parallel Interceptor - Phase 2: From Forney to Buffalo Creek Lift Station	4	2026	TBD	TBD	$ 7,924,880		$ 7,924,880				33%	49%	16%	$ 2,629,666	$ 3,881,111	$ 1,251,445
A6	10-Year CIP for NTMWD Sewer System (Rockwall Responsibility Only)	5	2019-2029	N/A	N/A	$ 5,435,164		$ 5,435,164				33%	49%	16%	$ 1,803,518	$ 2,661,803	$ 858,285
A7	10-Year CIP for NTMWD Regional Wastewater System (Rockwall Responsibility Only)	5	2019-2029	N/A	N/A	$ 11,619,512		$ 11,619,512				33%	49%	16%	$ 3,855,634	$ 5,690,511	$ 1,834,877
Proposed NTMWD Facility Total						**$ 60,964,600**		**$ 60,964,600**							**$ 20,229,523**	**$ 29,856,651**	**$ 9,627,128**

Notes: 1. City obligations estimated based on City of Rockwall's historical usage of NTMWD Regional Systems.
2. 10-Year CIP for NTMWD Regional Systems based on project listings provided for "Summary of Sewer System CIP" and "Summary of Regional Wastewater System CIP", both dated May 11, 2018.
3. Funded by NTMWD, 100% City Responsibility
4. Part of NTMWD Buffalo Interceptor System, assumed 59% City Responsibility
5. Part of NTMWD Regional Systems, assumed 2.915% City Responsibility
6. Utilized capacities for NTMWD facilities were determined using the proportion of the existing and projected 2029 population as compared to the build-out population.

TABLE NO. 21

Summary of Utilized Capacity Allocation between City of Rockwall & NTMWD Wastewater System

	CITY OF ROCKWALL Utilized Capacity		NTMWD Utilized Capacity		TOTAL	
	($)	%	($)	%	($)	%
Existing Wastewater System	$ 4,493,522	100.00%	$ -	0.00%	$ 4,493,522	100%
Proposed Wastewater System & Planning Cost	$ 27,861,621	74.32%	$ 9,627,128	25.68%	$ 37,488,749	100%
TOTAL	**$ 32,355,143**	**77.07%**	**$ 9,627,128**	**22.93%**	**$ 41,982,271**	**100%**

F. CALCULATION OF MAXIMUM IMPACT FEES - WATER & WASTEWATER

Chapter 395, of the Local Government Code allows the maximum impact fee to be charged if revenues from Future Ad Valorem Taxes, and water and sewer bills are included as a credit in the analysis. If not, the Act allows the maximum assessable fee to be set at 50% of the calculated maximum fee. The maximum impact fees for the water and wastewater systems are calculated separately by dividing the cost of the capital improvements or facility expansions necessitated and attributable to new development in the Service Area within the ten year period by the number of living units anticipated to be added to City within the ten year period. To simplify collection, we recommend the fee remain fixed throughout the 5-year period, unless changed by Council.

The **Water System** impact fee for a 5/8" meter is calculated as follows:

$$\text{Maximum Impact Fee} = \frac{\text{Eligible Existing Facility Cost} + \text{Eligible Proposed Facility Cost}}{\text{Number of New Living Unit Equivalent over the Next 10-Years}}$$

$$= \frac{\$12,324,530 + \$18,582,427}{9,846} = \frac{\$30,906,957}{9,846}$$

Calculated Water Maximum Impact Fee = $3,139.04 *

* Maximum Allowable Water Impact Fee is 50% of the Calculated Water Maximum Impact Fee

Maximum Assessable Water Impact Fee = $3,139.04 X 50% = $1,569.52

The **Wastewater System** impact fee for a 5/8" water meter is calculated as follows:

$$\text{Maximum Impact Fee} = \frac{\text{Eligible Existing Facility Cost} + \text{Eligible Proposed Facility Cost}}{\text{Number of New Living Unit Equivalent over the Next 10-Years}}$$

$$= \frac{\$4,493,522 + \$37,488,749}{8,710} = \frac{\$41,982,271}{8,710}$$

Calculated Water Maximum Impact Fee = $4,820.01 *

* Maximum Allowable Water Impact Fee is 50% of the Calculated Water Maximum Impact Fee

Maximum Assessable Wastewater Impact Fee = $4,820.01 X 50% = $2,410.00

Table No. 22 summarizes the per service unit equivalent maximum assessable impact fee that can be charged based on the calculated 50% credit above.

TABLE NO. 22

Maximum Assessable Water & Wastewater Impact Fee

Maximum Assessable Water Impact Fee per Living Unit Equivalent: **$1,569.52**

Maximum Assessable Wastewater Impact Fee per Living Unit Equivalent: **$2,410.00**

Typical Land Use	Meter Type	Meter Size	Living Unit Equivalent	Max. Assessable Impact Fee				
				Water	City of Rockwall Wastewater	NTMWD Wastewater	Wastewater Total	Grand Total
Single Family Residential	Simple	5/8"	1.0	$ 1,569.52	$ 1,855.70	$ 554.30	$ 2,410.00	$ 3,979.52
Single Family Residential	Simple	1"	2.5	$ 3,923.80	$ 4,639.25	$ 1,385.75	$ 6,025.00	$ 9,948.80
Single Family Residential	Simple	1-1/2”	5.0	$ 7,847.60	$ 9,278.50	$ 2,771.50	$ 12,050.00	$ 19,897.60
Single Family Residential	Simple	2”	8.0	$ 12,556.16	$ 14,845.60	$ 4,434.40	$ 19,280.00	$ 31,836.16
Comm./Retail	Compound	2”	8.0	$ 12,556.16	$ 14,845.60	$ 4,434.40	$ 19,280.00	$ 31,836.16
Comm./Retail/ Irrigation	Turbine	2”	16.0	$ 25,112.32	$ 29,691.20	$ 8,868.80	$ 38,560.00	$ 63,672.32
Comm./Retail/ Multi Family	Compound	3”	16.0	$ 25,112.32	$ 29,691.20	$ 8,868.80	$ 38,560.00	$ 63,672.32
Comm./Retail/ Irrigation/ Multi Family	Turbine	3”	35.0	$ 54,933.20	$ 64,949.50	$ 19,400.50	$ 84,350.00	$ 139,283.20
Comm./Retail/ Multi Family	Compound	4”	25.0	$ 39,238.00	$ 46,392.50	$ 13,857.50	$ 60,250.00	$ 99,488.00
Comm./Retail/ Irrigation/ Multi Family	Turbine	4”	65.0	$102,018.80	$120,620.50	$ 36,029.50	$156,650.00	$ 258,668.80
Industrial	Compound	6”	50.0	$ 78,476.00	$ 92,785.00	$ 27,715.00	$120,500.00	$ 198,976.00
Industrial/ Irrigation	Turbine	6”	140.0	$219,732.80	$259,798.00	$ 77,602.00	$337,400.00	$ 557,132.80
Industrial	Compound	8”	80.0	$125,561.60	$148,456.00	$ 44,344.00	$192,800.00	$ 318,361.60
Industrial/ Irrigation	Turbine	8”	240.0	$376,684.80	$445,368.00	$133,032.00	$578,400.00	$ 955,084.80



2019-2029 WATER & WASTEWATER IMPACT FEE UPDATE

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS

SEPTEMBER 2019

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, FOR THE PURPOSE OF AMENDING THE IMPACT FEES FOR WATER, WASTEWATER, AND ROADWAY FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR SAID FACILITIES; ESTABLISHING UPDATED SERVICE AREAS FOR SUCH FACILITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR COLLECTION AND ASSESSMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall adopted its impact fee program for roadway impact fees by *Ordinance No. 08-21*, and its impact fee program for water and wastewater impact fees by *Ordinance No. 90-22*; and

WHEREAS, the City of Rockwall has prepared studies updating its land use assumptions (*see Exhibit 'A'*), capital improvements plan (*see Exhibits 'B' & 'C'*) and impact fees for water, wastewater, and roadway facilities and associated service areas and equivalency tables; and

WHEREAS, the City of Rockwall has recalculated the maximum impact fee for water, wastewater, and roadway facilities that may be assessed against new development based on such land use assumptions and capital improvements plan; and

WHEREAS, a public hearing, following written endorsement of the impact fee update study by the Capital Improvements Advisory Committee (CIAC) [*Planning & Zoning Commission*], was held before the City Council and testimony was taken on *October 21, 2019*, to consider proposed amendments to land use assumptions, capital improvements plan and impact fees for water, wastewater, and roadway facilities and associated service areas and equivalency tables, and corresponding changes to rates of assessment and collection for impact fees; and

WHEREAS, the City published notice of such public hearing in a newspaper of general circulation within the City in accordance with the requirements of Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City Council finds that the collection of impact fees for new developments at revised rates in order to fund water, wastewater, and roadway improvements to serve such developments substantially furthers the public health, safety and general welfare; and

WHEREAS, the City Council finds that changes to the land use assumptions, capital improvements plan and impact fee assessment and collection rates are fully warranted, as presented in the impact fee update studies prepared by the City's engineering consultants; and

WHEREAS, the City Council further finds that the collection rates for water, wastewater, and roadway impact fees are reasonable and further the public health, safety and general welfare;

WHEREAS, the City Council further finds that the collection rates for water, wastewater, and roadway facilities are substantially less than the City's actually costs of mitigating the impacts from new development on the City's water, wastewater, and roadway systems;

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. ***Municipal Code of Ordinances.*** *Sections 38-360 & 38-361* of Chapter 38, *Subdivisions*,

of the City of Rockwall's Municipal Code of Ordinances are hereby repealed in their entirety replaced with the provisions contained in *Exhibit 'A'* of this ordinance; and

SECTION 2. ***Land Use Assumptions.*** The land use assumptions for water, wastewater, and roadway impact fees are hereby updated and amended, as set forth in *Exhibit 'B': Land Use Assumptions for Impact Fees* of this ordinance, which herein after shall be referred to as *Exhibit 'B'*, and incorporated herein by reference; and

SECTION 3. ***Service Areas.*** The service areas for roadway impact fees hereby is updated and amended as depicted in *Figure 3: Roadway Service Area* of *Exhibit 'B'* of this ordinance, and the service areas for water and wastewater impact fees hereby are updated and amended as depicted in *Figure 4: Water/Wastewater Service Area* of *Exhibit 'B'* of this ordinance.

SECTION 4. ***Capital Improvements Plans.*** The capital improvements plan for roadway impact fees hereby is updated and amended as set forth in *Exhibit 'C': 2019 Update of Roadway Impact Fees* of this ordinance -- *which herein after shall be referred to as Exhibit 'C', and incorporated herein by reference* --, and the capital improvements plan for water and wastewater impact fees hereby are updated and amended, as set forth in *Exhibit 'D': 2019-2029 Water & Wastewater Impact Fee Update* of this ordinance -- *which herein after shall be referred to as Exhibit 'D', and incorporated herein by reference* --; and

SECTION 5. ***Land Use Equivalency Tables.*** The land use equivalency table that converts land uses into the total service units for roadway impact fees hereby is updated and amended as set forth in *Table 3: Land-Use Vehicle Mile Equivalency Table* of *Exhibit 'C'* of this ordinance; and, the land use equivalency table that coverts land uses into number of living unit equivalents (*service units*) for water and wastewater impact fees, hereby is updated and amended, as set forth in *Table No. 22: Maximum Assessable Water & Wastewater Impact Fee* of *Exhibit 'D'* of this ordinance.

SECTION 6. ***Impact Fee Assessment.*** The amount of the roadway impact fees to be assessed per roadway service area hereby is established as set forth in *Section 1* of *Section 362.(a)(1)* of *Exhibit 'A'* of this ordinance, and the amount of the water and wastewater impact fees to be assessed per living unit equivalent hereby is established as set forth in *Schedule 1* of *Section 362.(b)(1)* of *Exhibit 'A'* of this ordinance.

SECTION 7. ***Impact Fee Collection.*** The amount of the roadway impact fees to be collected per roadway service area hereby is established as set forth in *Schedule 2* of *Section 362.(a)(2)* of *Exhibit 'A'* of this ordinance, and the water and wastewater impact fees to be collected per living unit equivalent hereby is established as set forth in *Schedule 2* of *Section 362.(b)(2)* of *Exhibit 'A'* of this ordinance.

SECTION 8. ***Ordinances Cumulative.*** All ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby superseded to the extent of that conflict.

SECTION 9. ***Severability.*** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Subdivision Regulations of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 10. ***Effective Date.*** This ordinance shall take effect immediately.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF NOVEMBER, 2019.

DRAFT ORDINANCE 10.21.19

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *October 21, 2019*

2nd Reading: *November 4, 2019*

DRAFT ORDINANCE 10.21.2019

SECTION 38-360: LAND USE ASSUMPTIONS REPORT

See *Ordinance No. 19-XX* for the 2019 Land Use Assumptions Report.

SECTION 38-361: SCHEDULES FOR IMPACT FEES

(a) *Roadway Impact Fees.*

(1) *Schedule 1: Roadway Impact Fee Assessment*. The following schedule is for roadway impact fee assessment.

Service Area	Cost Per Service Unit
1	$2,272.00
2	$4,398.00
3	$784.00
4	$2,612.00

(2) *Schedule 1: Roadway Impact Fee Collection*. The following schedule is for roadway impact fee collection.

Service Area	Cost Per Service Unit
1	$320.00
2	$320.00
3	$320.00
4	$320.00

(b) *Water & Wastewater Impact Fees.*

(1) *Schedule 1: Maximum Water & Wastewater Impact Fees*. The following schedule is the maximum impact fees per single-family living unit equivalent for water and wastewater facilities. The below impact fees per service unit depicted in each column also apply to new developments that were unplatted and which did not require platting at the time of development within the period listed.

	Land Platted or Replatted between 07/16/1990 & 06/02/2008 [1]	Land Platted or Replatted between 06/02/2008 & 10/20/2014	Land Platted or Replatted between 10/20/2014 & 11/04/2019	Land Platted after 11/04/2019
Water (per SFLUE)	$848.00	$4,229.03	$3,111.05	$3,139.04
Wastewater (per SFLUE)	$3,340.00	$783.49	$2,472.58	$4,820.01

Notes:
[1]: For nonresidential uses, assessment was expressed as SFLUEs per acre: 2.11 SFLUE/acre for water impact fees and 2.17 SFLUE/acre for wastewater impact fees, within the period listed.

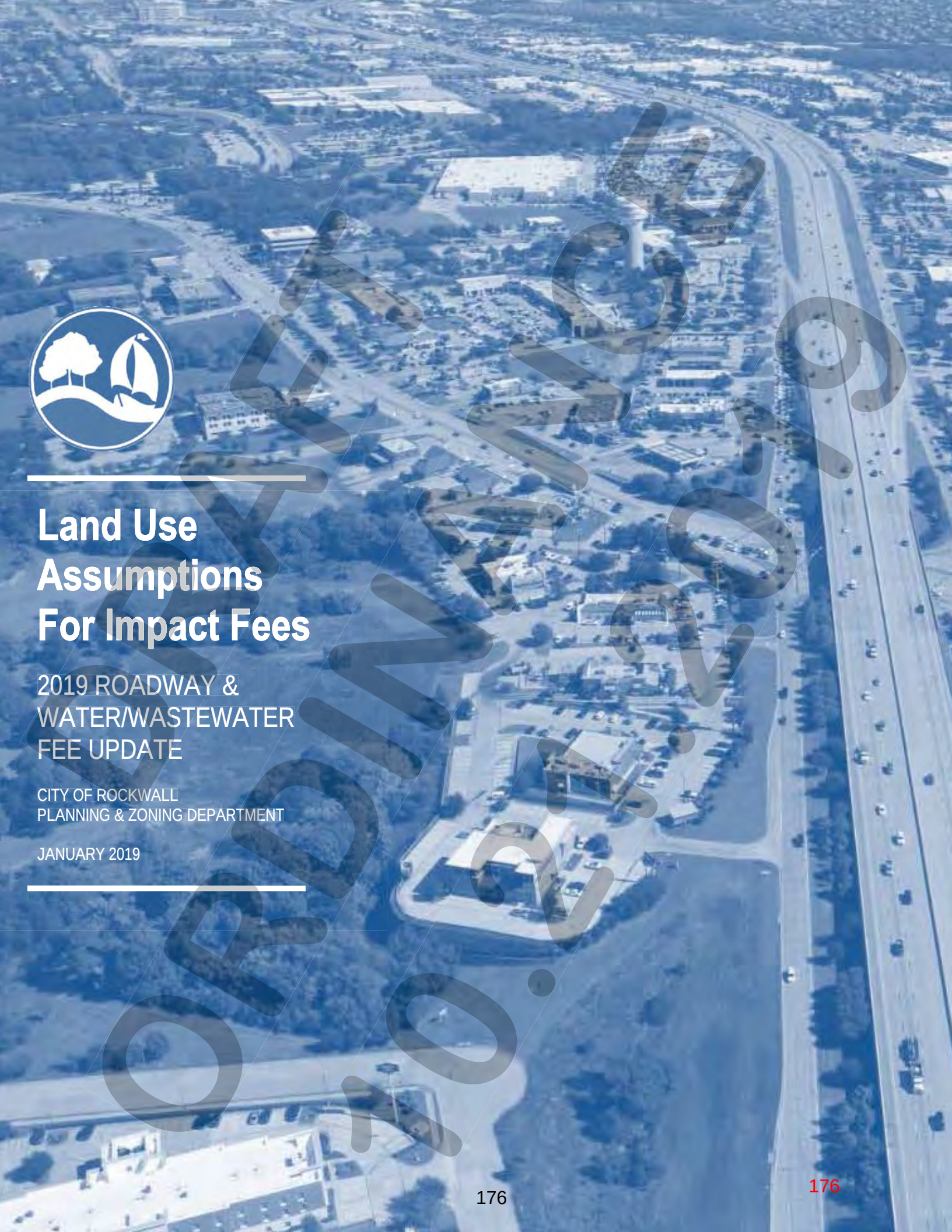
(2) *Schedule 2: Impact Fees to be Paid Per Service Unit for Water and Wastewater Facilities.*

	Per Living Unit Equivalent (5/8" Water Meter)
Water Facilities	$1,569.52
Wastewater Facilities	$2,410.00

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10.21.2019

Exhibit 'B':
Land Use Assumptions for Impact Fees
2019 Roadway & Water/Wastewater Fee Update



Land Use Assumptions For Impact Fees

2019 ROADWAY & WATER/WASTEWATER FEE UPDATE

CITY OF ROCKWALL
PLANNING & ZONING DEPARTMENT

JANUARY 2019

DRAFT
ORDINANCE
No. 19-09

176

ACKNOWLEDGEMENTS

CITY COUNCIL

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- SARAH HAGER, *EIT*

BUILDING INSPECTIONS DEPARTMENT

- JEFFERY WIDMER, *CHIEF BUILDING OFFICIAL*

ADDITIONAL ACKNOWLEDGEMENTS

- BIRKHOFF, HENDRICKS & CARTER, LLP
- FREESE & NICHOLS, INC.



DRAFT
ORDINANCE
10.21.2019

177

TABLE OF CONTENTS

FOREWORD 2
PURPOSE 2
Elements of the Land Use Assumptions Report 2
METHODOLOGY 3
Land Use Assumptions Report Methodology 3
DATA COLLECTION ZONES AND SERVICE AREAS 4-6
Data Collection Zones 4
Service Areas 5
Summary of Data 5
BASE YEAR DATA 7
Households 7
Population 7
Employment 7
TEN-YEAR GROWTH PROJECTIONS 8-10
Growth Assumptions 8
Population Growth Rate Analysis 8
Projected Population for 2029 9
Projected Employment for 2029 10
BUILD OUT ANALYSIS 11-12
Establishing Households and Population at the City's Build Out 11
Establishing Employment at the City's Build Out 12
SUMMARY 13

APPENDIX A 14
Housing, Population, & Employment Data
By Roadway Fee Service Area 14
APPENDIX B 15
Housing, Population, & Employment Data
By Water/Wastewater Impact Fee Service Area 15
APPENDIX C 16
Employment Breakdown Data
By Roadway Impact Fee Service Areas 16
APPENDIX D 17
Employment Breakdown Data
By Roadway Impact Fee Service Areas 17

DRAFT ORDINANCE 10.21.2019

178



DRAFT ORDINANCE 10.21.19

179

FORWARD

What are *Impact Fees? Impact Fees* are charges that are imposed by local governments against new development for the purpose of generating revenue for or to recoup the cost of capital facilities (*i.e. infrastructure*) that are necessitated by and attributable to new development. These fees are generally implemented to reduce the economic burden of a municipality and its taxpayers when addressing the need for adequate capital improvements to accommodate growth. Impact fees are typically paid to a municipality in advance of the completion of a particular development project, and are based on a defined methodology and calculation that is derived from the cost of the facility and the scope/impact of the development.

PURPOSE

Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code outlines the process for adopting and updating impact fees for political subdivisions. On October 20, 2014, the City of Rockwall adopted roadway and water/wastewater impact fees through *Ordinance No. 14-47*. According to the statutory requirements stipulated by the Texas Local Government Code impact fees are required to be updated at a minimum of every five (5) years [*§395.052*].

In approaching an update to existing impact fees it is important for a city to assess its growth and employment potential, and establish land use assumptions that will guide development for a ten (10) year planning period (*i.e. 2019-2029*) [*§395.001(5)*]. These land use assumptions form the basis for the preparation of the *Impact Fee Capital Improvement Plan* for water, wastewater, and roadway facilities.

In order to determine the need and timing of capital improvements to serve future development, a rational estimate of the future growth of the City is required. The purpose of this report is to formulate growth and employment projections based upon assumptions pertaining to the type, location, quantity and timing of future development within the City, and to establish and document the methodology used for preparing these land use assumptions.

ELEMENTS OF THE LAND USE ASSUMPTIONS REPORT

This report contains the following components:

- *Methodology*: This component of the report contains the systematic and theoretical analysis of the methods and principals used to prepare the projections and land use assumptions contain within this report.
- *Data Collection Zones and Service Areas*: This component provides an explanation of the data collection zones (*i.e. Land Use Districts established in the OURHometown 2040 Comprehensive Plan*) and the Roadway, Water and Wastewater Impact Fee Service Areas for capital facilities.
- *Base Year Data*: This component provides information on population, housing and employment in the City of Rockwall as of January 1, 2019 for each capital facility service area.
- *Ten-Year Growth Projections*: This component provides assumptions with respect to the population, housing and employment data for the City of Rockwall in ten (10) years (*i.e. 2029*). This information is broken out by the capital facility service area.
- *Build Out Analysis:* This component provides projections for population, housing and employment under the assumption that the City and its Extraterritorial Jurisdiction (ETJ) are developed to their carrying capacity, or their *Built Out*.
- *Summary*: This component provides a synopsis of the land use assumptions contained within this report.
- *Appendices:* This component contains information that was important in deriving the population, housing and employment projections for 2019-2029.

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METHODOLOGY

Building off the base year and build out projections contained in the OURHometown Vision 2040 Comprehensive Plan, and the growth assumptions and capital improvement needs estimated to support future growth, it is possible to develop an impact fee structure that fairly allocates improvement cost to growing areas of the City with relation to the growths' potential impact on the entire infrastructure system. The data contained in this report has been formulated using reasonable and generally accepted planning principles.

These land use assumptions and future growth projections take into consideration several factors influencing development patterns, including:

- The character, type, density and quantity of existing development.
- The current zoning patterns as documented on the City's zoning map and the anticipated future land uses as established in the OURHometown Vision 2040 Comprehensive Plan, which contains the City's Future Land Use Plan.
- The availability of land and infrastructure to support future expansion of development.
- The current and historical growth trends of both population and employment within the City.
- The location and configuration of vacant parcels of land and their ability to support development.
- The growth of employment utilizing previously established and generally accepted data from ESRI's ArcGIS *Business Analyst*.
- Local knowledge concerning future development projects or anticipated development within the city.

LAND USE ASSUMPTIONS REPORT METHODOLOGY

The following is the general methodology that was used for the preparation of this report:

(1) Population, housing and employment data was collected from the United States Census Bureau, North Central Texas Council of Governments (*NCTCOG*), the City of Rockwall's Geographic Information Systems (GIS) Division, the City of Rockwall's Building Inspection Department and other acceptable sources. This information was then analyzed and used to provide base information for all service areas from which projections could be extrapolated [see *Service Areas and Data Collection Zones*].

(2) The base year (*i.e. January 1, 2019*) estimates for housing, population and employment were calculated based on the information collected [see *Base Year Data*].

(3) From the base year and the information gathered from various sources a growth rate was established by examining recent growth trends experienced by the City over the last ten (10) years. This growth rate was then applied to each of the impact fee service areas to project the base year data over the ten (10) year planning period (*i.e. 2019-2029*) [see *Ten Year Growth Assumptions*].

(4) After the projections for housing, population and employment were prepared for the ten (10) year planning period, city staff made adjustments to account for known or anticipated development activity within the planning periods. In making these adjustments city staff took into consideration the recommendations made within the newly adopted OURHometown Vision 2040 Comprehensive Plan, existing public works data, and demographic information provided by the GIS Division and the Building Inspections Department.

(5) Finally, the City's *Build Out* projections for housing, population and employment were calculated by establishing the City's carrying capacity in terms of developable acres and projecting population forward using the previously established Compound Annual Growth Rate (CAGR) to establish a *Build Out Year*. The housing and employment information were then projected to the *Build Out Year* [see *Build Out Projections*].

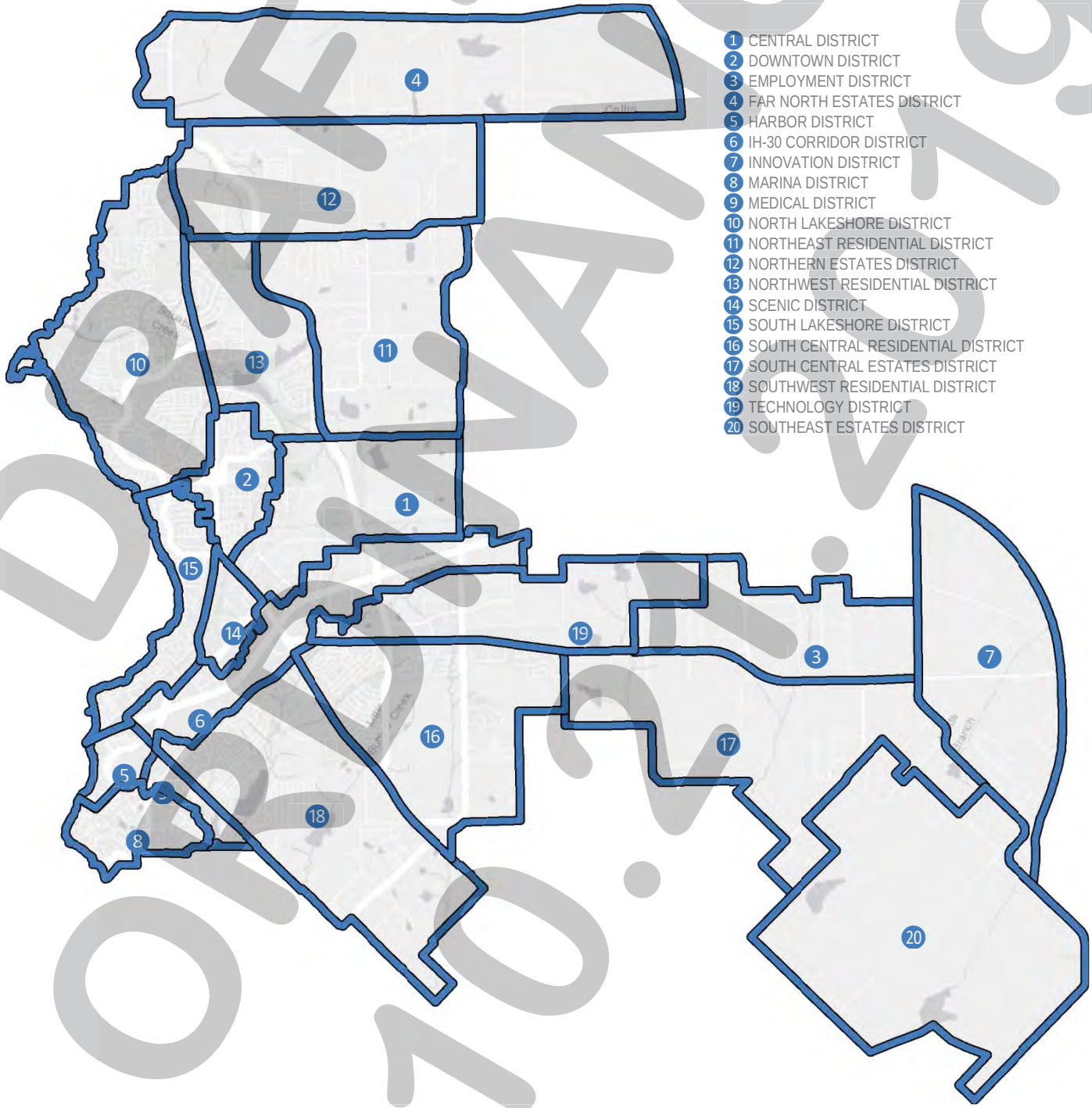
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DATA COLLECTION ZONES AND SERVICE AREAS

DATA COLLECTION ZONES

The *Data Collection Zones* used for this study were taken from the OURHometown Vision 2040 Comprehensive Plan, which breaks the City down into 20 *Land Use Districts* (*see Figure 1*). These districts were created as a way of breaking down the overall *Future Land Use Plan* to create strategies to help manage growth and land uses in the future. They were also intended to be used as a tool by the City's various boards, commissions and the City Council when contemplating policy changes that could affect certain areas of the City.

FIGURE 1: DATA COLLECTION ZONES
NOTE: The Data Collection Zones are the Land Use Districts contained in the OURHometown Vision 2040 Comprehensive Plan.



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SERVICE AREAS

The Texas Local Government Code (TLGC) requires that service areas be established within the corporate boundaries of a political subdivision for the purpose of ensuring that capital improvements service the areas generating need. The boundaries for impact fees are defined as follows:

- *Roadway Impact Fees* refers to a service area that is limited to the corporate boundaries of a political subdivision or city, and cannot extend into the Extraterritorial Jurisdiction (ETJ) or for a distance exceeding more than six (6) miles. The City of Rockwall is divided into four (4) service areas that are depicted in *Figure 3*.

- *Water and Wastewater Impact Fees* refers to a service area that includes a city's corporate boundaries and Extraterritorial Jurisdiction (ETJ), which is depicted in *Figure 2*. This service area is depicted in *Figure 4*.

SUMMARY OF DATA

As opposed to the databases calculated in 2007 and 2013 -- *which utilized Traffic Survey Zones (TSZ) as the data collection zones* -- the current database utilizes the following geographic areas:

- *Land Use Districts from the OURHometown Vision 2040 Comprehensive Plan.* These geographic areas better conformed to the City's corporate boundaries, and were drafted with the OURHometown Vision 2040 Comprehensive Plan as the geographic regions intended to be used for all future long-range planning/data collection exercises.

- *Service Areas.* The Service Areas correlate to the Water, Wastewater and Roadway Service Areas identified in *Figures 3 & 4*. As previously stated, the corporate boundaries of the City of Rockwall serve as the limits for the Roadway Service Areas and the Water and Waste Water Service Areas include the corporate boundaries and the Extraterritorial Jurisdiction (ETJ) of the City.

Additionally, all databases and projections utilized the following variables:

- *Households (2019).* The *Residential Address Point* feature class in the City's Geographic Information Systems (GIS) software includes all residential addresses (i.e. *single-family, duplex, multi-family, group home/quarters, etc.*) existing as of January 1, 2019. The total number of residential address points (*i.e. households*) was queried from this layer to establish the base years' numbers.

FIGURE 2: CITY OF ROCKWALL CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)
NOTE: The City Limits of Rockwall are depicted in RED. The Extraterritorial Jurisdiction (ETJ) is depicted in BLUE.

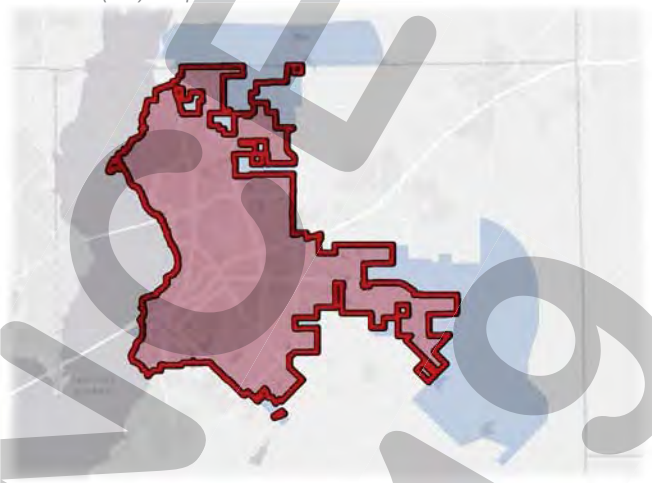


FIGURE 3: ROADWAY SERVICE AREAS
This is the derived service area structure for roadway facilities. These service areas conform to the current city limits of the City of Rockwall and are divided by John King Boulevard and Interstate Highway 30.
NOTE: RED: Service Area 1; BLUE: Service Area 2; GREEN: Service Area 3; YELLOW: Service Area 4

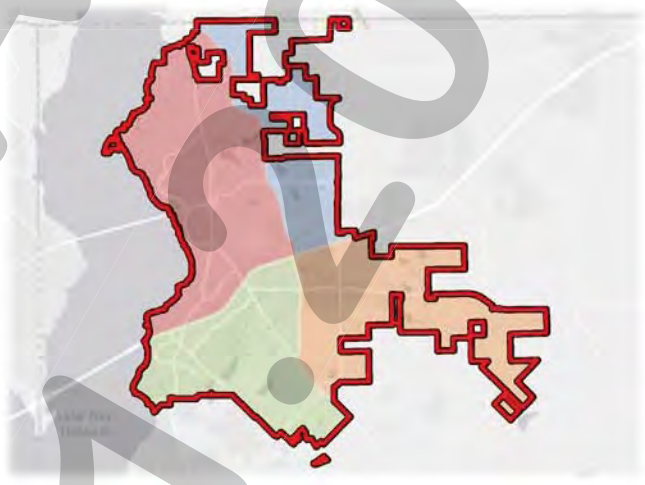
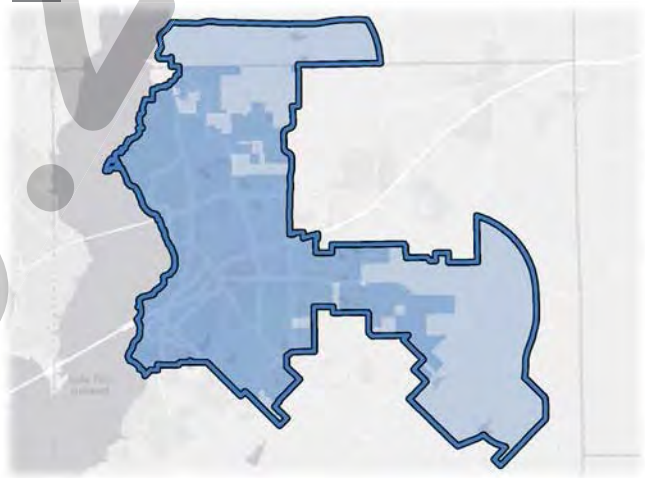


FIGURE 4: WATER/WASTE WATER SERVICE AREAS
This is the derived service area structure for water/wastewater facilities. These service areas conform to the current city limits and Extraterritorial Jurisdiction (ETJ).
NOTE: BLUE: Service Area



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- *Households (2029).* This is the projected household data by service area for the year 2029, which represents a ten (10) year growth projection. This information was derived by staff using the stated databases and proper projection techniques.
- *Population (2019)*. This is the existing population for the base year (i.e. *2019*). This information was calculated utilizing the number of households existing as of January 1, 2019, the occupancy, rate and the average household size as established by the United States Census Bureau for each Census Block.
- *Population (2029)*. This is the projected population by service area for the year 2029, which represents a ten (10) year growth projection. This information was derived by staff using the stated databases and proper projection techniques.
- *Employment (2019).* Employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the Business Analyst tool available from ESRI (*the City's provider for its geospatial database software*). These service sectors serve as the basis for non-residential trip generation. The following is a summary of these employment sectors followed by corresponding North American Industry Classification System (NAICS) code:
    - *Basic.* Land use activities that produce goods and services such as those that are exported outside the local economy. These include manufacturing, construction, transportation, wholesale trade, warehousing and other industrial uses (NAICS Code: *#210000 - #422999*).
    - *Retail.* Land use activities that provide for the retail sale of goods that primarily serve households and whose location choice is oriented toward the residential sector. These include uses such as grocery stores, restaurants, etc. (NAICS Code: *#440000 - #454390*).
    - *Service.* Land use activities that provide personal and professional services. These include such uses as financial, insurance, government, and other professional and administrative offices (NAICS Code *#520000 - #928199*).
- *Employment (2029).* The projected employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the Business Analyst tool available from ESRI. These service sectors were then projected by service area to the year 2029, which represents a ten (10) year growth projection. This information was derived by staff using the stated databases and proper projection techniques.

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BASE YEAR DATA

This section documents the methods used to derive the base year data for the City of Rockwall as of January 1, 2019. This *benchmark* information provides data for the corporate limits and Extraterritorial Jurisdiction (ETJ) of the City, and creates a starting point in which to extrapolate the ten (10) year growth projections that are depicted in the following section (*see Ten-Year Growth Projections*). This information was initially developed with the OURHometown Vision 2040 Comprehensive Plan, but has been updated to include the additional growth that has taken place since the original numbers were derived and the numbers for January 1, 2019.

HOUSEHOLDS

Utilizing the City's Geographic Information System (GIS) software, the residential addresses for each data collection zone (*i.e. Land Use Districts*) were queried. This provided the raw housing data that was then reviewed to remove any vacant lots or anomalies in the data set. Based on this process, the City of Rockwall was shown to have 16,690 households inside the City's corporate limits and 1,700 households in the City's Extraterritorial Jurisdiction (ETJ) as of January 1, 2019. The total number of households is 18,390. Staff should note that this query included all residential housing types (*i.e. multi-family, single-family, and group homes*) from the data sets.

POPULATION

The City of Rockwall generally uses the North Central Texas Council of Government's (NCTCOG) population estimates as the City's official population; however, for the purposes of this planning study it was necessary to calculate a baseline population that was specific to January 1, 2019. This was also necessary in order to estimate the population of the City's Extraterritorial Jurisdiction (ETJ).

To calculate the population as of January 1, 2019, the City's Geographic Information Systems (GIS) Division utilized the following formula to derive the population estimate for each of the data collection zones:

$$\sum_{d=1}^{20} POP = ((a * o) * f)$$

Where:

POP = Population as of January 1, 2019
d = Land Use District
a = Number of Residential Address Points in Each District
o = Occupancy Rate [per U.S. Census Bureau]
f = Density Factor per Census Block [U.S. Census Bureau]

Using this methodology the base year population as of January 1, 2019 was established to be 44,575 residents inside the corporate limits and 5,041 people residing in the Extraterritorial Jurisdiction (ETJ).

EMPLOYMENT

The base employment data was calculated using ArcGIS *Business Analyst*, which is software that provides location-based market information. Utilizing this tool, the City's Geographic Information Systems (GIS) Division was able to query employment and business information relating to each data collection zone (*i.e. Land Use District*). This information was then broken down into one (1) of the three (3) employment categories (*i.e. Basic, Service, or Retail*). Based on the analysis, the City's corporate limits were shown to have a total employment of 24,083 jobs on January 1, 2019. Of the total employment 2,505 jobs were classified as *Basic*, 12,403 jobs were classified as *Service*, and 9,175 jobs were classified as *Retail*. The Extraterritorial Jurisdiction (ETJ) was shown to have an additional 643 jobs, with 535 jobs being classified as *Service* and 108 jobs being classified as *Retail*. In addition, the GIS Division calculated the total non-residential building square footages (*i.e. improvements*) relating to all of these employment types at ~14,444,596 SF inside the City's corporate boundaries and Extraterritorial Jurisdiction (ETJ), with ~3,209,401 SF being classified as *Basic*, ~5,374,068 SF being classified as *Service*, and ~5,861,127 SF being classified as *Retail*. The total non-residential square footage of land area 139,424,433.67 (or 3,200.74-acres), with 11,967,581.81 SF being classified as *Basic*, 58,451,896.18 SF being classified as *Service*, and 69,004,955.68 SF being classified as *Retail*.

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TEN-YEAR GROWTH PROJECTIONS

GROWTH ASSUMPTIONS

In this planning study, growth is characterized in two (2) forms: 1) Population (*i.e. residential land use*), and 2) Employment (*i.e. non-residential land use*). To calculate a reasonable growth rate for population and employment it was necessary for staff to make a series of assumptions on which to base the ten (10) year growth projections. These assumptions are summarized as follows:

- Future growth identified within this study will conform to the *Future Land Use Plan* depicted in the OURHometown Vision 2040 Comprehensive Plan.
- Infrastructure will continue to be development driven, and the City will continue to be able to finance any other necessary improvements needed to accommodate future growth.
- School facilities will continue to be sufficient to accommodate any increases in population.
- Densities will generally conform to the land classifications and *District Strategies* identified within the OURHometown Vision 2040 Comprehensive Plan, and as depicted on the Future Land Use Map.
- The residential and non-residential carrying capacity for the City or its *build out* will occur simultaneously.

The ten (10) year projections for population are based on the growth rate, which was previously discussed and staff's consideration of past development trends. The ten (10) year projections for employment are based on the overall carrying capacity for non-residential development compared to the current non-residential development in the City. *Tables 1 & 2* detail the ten (10) year projections for households, population and employment for the service areas associated with roadway and water/wastewater impact fees.

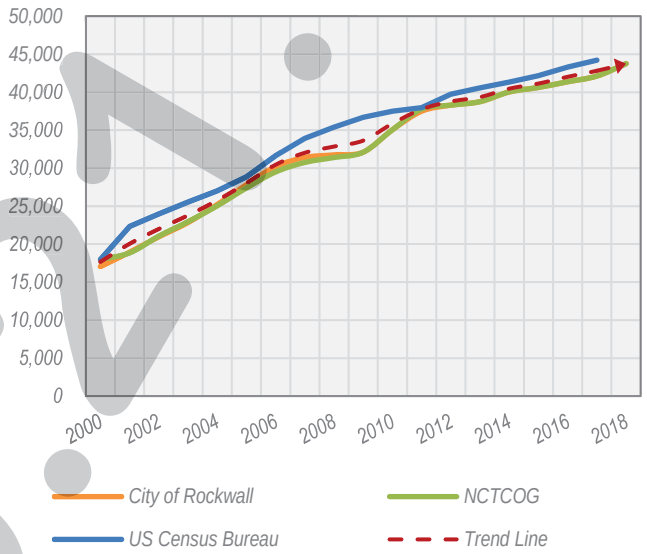
TABLE 1: SUMMARY OF TEN-YEAR GROWTH (ALL ROADWAY SERVICE AREAS)

	2019	2029	Increase
Households	16,690	22,135	24.60%
Population	44,575	59,898	25.58%
Total Employment	24,083	32,366	25.59%
Basic	2,505	3,367	25.60%
Service	12,403	16,669	25.59%
Retail	9,175	12,330	25.59%

TABLE 2: SUMMARY OF TEN-YEAR GROWTH (WATER/WASTE WATER SERVICE AREA)

	2019	2029	Increase
Households	18,390	26,609	30.89%
Population	49,616	73,228	32.24%
Total Employment	25,369	34,065	25.53%
Basic	2,505	3,367	25.60%
Service	13,473	18,082	25.49%
Retail	9,391	12,616	25.56%

FIGURE 5: POPULATION BY AGENCY, 2000-2018



POPULATION GROWTH RATE ANALYSIS

The City of Rockwall has experienced steady residential population growth (*see Figure 5*) over the last 18-years and -- *with the City being ~48.29% vacant and taking into account the City's current availability of water and wastewater infrastructure* -- staff anticipates that the population growth will continue to be fairly steady. It should be noted, however, that the City has seen a slight decline in the population growth percentage over the last five (5) years. From 2000 to 2018, the population growth percentage was 5.08%, but when looking at the last five (5) years this number drops to 1.79% (*see Table 3*).

To calculate the ten (10) year population projections, City staff utilized the *Compound Annual Growth Rate (CAGR)* method. CAGR allows for a general assessment of growth when considering periodic increases and decreases in residential

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population growths that coincide with changing economic conditions. The formula for CAGR is as follows:

$$CAGR = \left(\frac{x}{y}\right)^{\left(\frac{1}{n}\right)} - 1$$

Where:
CAGR = Compound Annual Growth Rate
x = End Value
y = Beginning Value
n = Number of Years

In 2007, a CAGR of four (4) percent was used to calculate the ten (10) year population projections; however, based on the five (5) year annual growth rate and the number depicted in *Table 3*, staff utilized a more conservative three (3) percent annual growth rate. In assessing the past growth rates, staff used several sources including the North Central Texas Council of Governments (NCTCOG), the U.S. Census Bureau, and the City of Rockwall. Based on a three (3) percent CAGR, the following chart shows the anticipated population growth over the next ten (10) years:

TABLE 4: TEN (10) YEAR POPULATION GROWTH
This table shows the projected ten (10) year population growth at a three (3) percent Compound Annual Growth Rate (CAGR).

Year	Population
2019	44,575
2020	45,907
2021	47,284
2022	48,703
2023	50,164
2024	51,669
2025	53,219
2026	54,815
2027	56,460
2028	58,154
2029	59,898

TABLE 3: CITY OF ROCKWALL GROWTH RATES

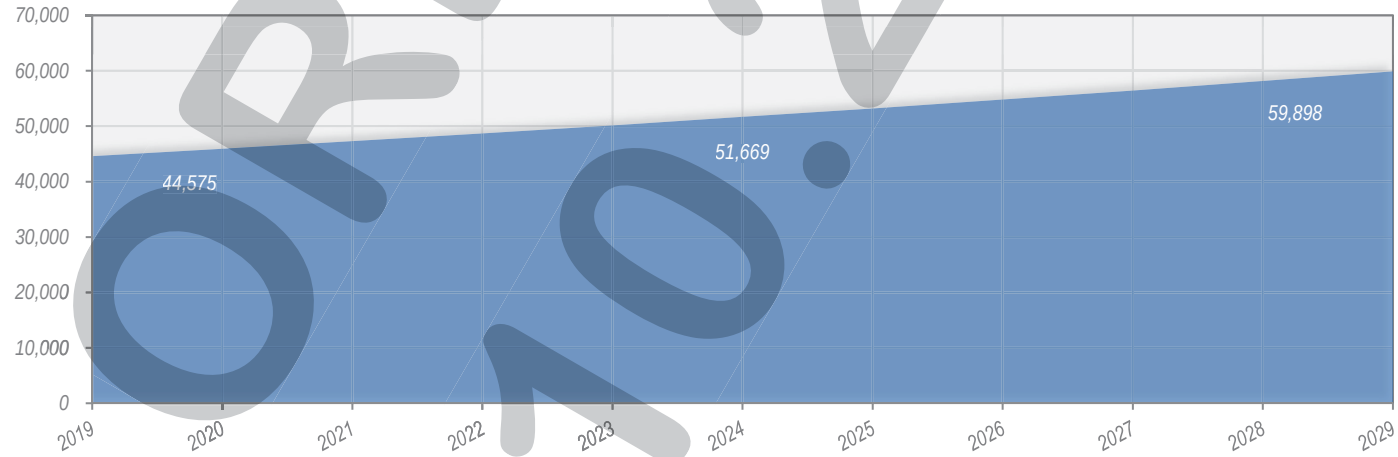
Data Source	Growth Rate
2014 – 2017 US Census	*1.70%*
2010 – 2017 US Census	*2.08%*
2000 – 2017 US Census	*5.13%*
2014 – 2018 Single Family Permits	*1.82%*
2010 – 2018 Single Family Permits	*4.80%*
2000 – 2018 Single Family Permits	*-2.93%*
Future Growth Projection	*3.0%*

PROJECTED POPULATION FOR 2029

Utilizing the three (3) percent Compound Annual Growth Rate (CAGR) established in the previous section, staff projects that the population for the City will be 59,898 in 2029 (*see Table 4 and Figure 6*). This estimate does appear to be consistent with trends that have been observed at the county and regional level (*see Figure 7 for a comparison of the City's population growth versus the County's population growth*). Although, the growth rate has slowed over the last five (5) years this is seen as a temporary trend and not a sign indicative of the City's future growth trend.

In determining this population projection, staff observed how this projection would relate to the City's projected building permits, and the additional population added to the City on an annual basis (*see Table 5*). Taking this into consideration, the estimated average annual building permits anticipated over this time period is approximately 522. This represents a decrease of approximately 121 permits annually from the estimates completed in 2014. This estimate -- *while still likely high in some years due to shifts in market demand* -- is a more conservative estimate than what was used in 2014. It should be noted that this estimate takes into consideration the type of development likely to occur in a given area (*i.e. single-family or multi-family*).

FIGURE 6: TEN (10) YEAR POPULATION GROWTH
This chart shows the projected ten (10) year population growth at a three (3) percent Compound Annual Growth Rate (CAGR).

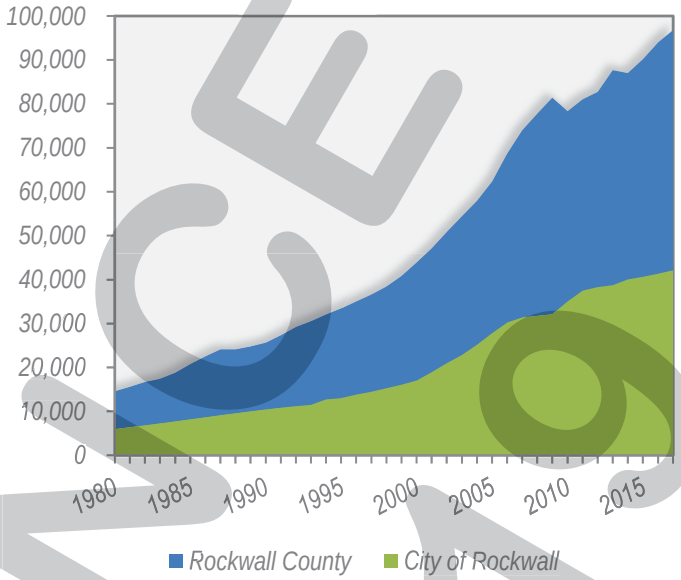


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TABLE 5: PROJECTED BUILDING PERMITS

Year	Population	New Residents	New Building Permits
2019	44,575	825	294
2020	45,907	1,332	474
2021	47,284	1,377	490
2022	48,703	1,419	505
2023	50,164	1,461	520
2024	51,669	1,505	536
2025	53,219	1,550	552
2026	54,815	1,597	568
2027	56,460	1,644	585
2028	58,154	1,694	603
2029	59,898	1,745	621
Average Number of Annual Permits:			522

FIGURE 7: CITY POPULATION VS COUNTY POPULATION, 1980-2017



PROJECTED EMPLOYMENT FOR 2029

Employment data for the year 2029 was calculated by taking the information established in the base year analysis -- *which was obtained through the ArcGIS Business Analyst tool* -- and the corresponding ratio of employment to population, and extrapolating this information out to January 1, 2029. These estimates are summarized in Appendix C, *Employment Breakdown by Roadway Service Area*, and Appendix D, *Employment Breakdown by Water/Wastewater Service Area*.

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BUILD OUT ANALYSIS

A *Build Out Projection* for a city (also referred to as the city's *Carrying Capacity*) is an estimate of the location and density of all potential development, employment and population that a city can support within its future corporate boundaries.

ESTABLISHING HOUSEHOLDS AND POPULATION AT THE CITY'S BUILD OUT

As part of the newly adopted OURHometown Vision 2040 Comprehensive Plan, City staff calculated the number of households and residents at *Build Out*. In establishing the City's households and population at *Build Out* staff made the following assumptions:

- All vacant or undeveloped land within the City's corporate boundaries will develop with the maximum density permitted for the current zoning per the Unified Development Code (UDC).
- All Agricultural (AG) District property is assumed to be vacant or undeveloped and will develop at the maximum density permitted in accordance to the property's' designation on the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan.
- All property within the Extraterritorial Jurisdiction (ETJ) is assumed to be vacant and will be developed in conformance with the Future Land Use Map at the maximum density permitted by the OURHometown Vision 2040 Comprehensive Plan.
- The City's ETJ is fixed and will not increase in the future.

Taking these assumptions into consideration, staff utilized Geographical Information Systems (GIS) software to calculate all the undeveloped land within the city's corporate boundaries, including the ETJ. Once calculated the acreages were broken down by land use and multiplied by the maximum density permitted for each of the land uses as established within the Unified Development Code (UDC) and the Comprehensive Plan. These totals were then multiplied by the average people per household [*i.e. 2.81 per the US Census Bureau*] to establish the unadjusted population at *Build Out*. Staff then reviewed the projected densities coupled with current land use patterns, and adjusted the numbers to account for known or anticipated development activity. Based on the final *Build Out* population (*i.e. 149,525*), staff projected the population forward using the previously established three (3) percent Compound Annual Growth Rate (CAGR) [*see the Ten-Year Growth Assumptions section*] until the build out population was reached (*see Table 6*). This established a build out year of 2060. The following formula lays out the methodology used to calculate these numbers:

TABLE 6: PROJECTED POPULATION @ 3% COMPOUND ANNUAL GROWTH (CAGR)

Year	Population	New Residents
2018	43,750	1,630
2019	44,570	820
2020	45,907	1,337
2021	47,284	1,377
2022	48,703	1,419
2023	50,164	1,461
2024	51,669	1,505
2025	53,219	1,550
2026	54,815	1,597
2027	56,460	1,644
2028	58,154	1,694
2029	59,898	1,745
2030	61,695	1,797
2031	63,546	1,851
2032	65,453	1,906
2033	67,416	1,964
2034	69,439	2,022
2035	71,522	2,083
2036	73,667	2,146
2037	75,877	2,210
2038	78,154	2,276
2039	80,498	2,345
2040	82,913	2,415
2041	85,401	2,487
2042	87,963	2,562
2043	90,602	2,639
2044	93,320	2,718
2045	96,119	2,800
2046	99,003	2,884
2047	101,973	2,970
2048	105,032	3,059
2049	108,183	3,151
2050	111,429	3,245
2051	114,771	3,343
2052	118,215	3,443
2053	121,761	3,546
2054	125,414	3,653
2055	129,176	3,762
2056	133,052	3,875
2057	137,043	3,992
2058	141,154	4,111
2059	145,389	4,235
2060	149,751	*BO:* 149,525

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$$BO = P + CP + EP$$

$$CP = (\sum[(LU_1 xD_1) \dots (LU_x xD_x)]\,)x\ AHS$$

$$EP = (LDR\ x\ 2.5) + (MDR\ x\ 3.5) + (HDR\ x\ 5)$$

Where:

BO = Build Out Population
P = Population as of January 1, 2019
CP = Population of Vacant or Undeveloped Land in the City Limits
EP = Population of Vacant or Undeveloped Land in the ETJ
LU = Vacant Available Land Inside the City Limits for a Land Use
D = Maximum Density Permitted for a Land Use per UDC
AHS = Average Household Size [2.81185 per US Census Bureau]
LDR = Low Density Residential Acreage Available in ETJ
MDR = Medium Density Residential Acreage Available in ETJ
HDR = High Density Residential Acreage Available in ETJ

ESTABLISHING EMPLOYMENT AT THE CITY'S BUILD OUT

To calculate employment at *Build Out*, staff utilized the employment numbers calculated with the base year analysis, and -- *based on the estimated current year population* -- calculated ratios between employment and population for the City and its Extraterritorial Jurisdiction (ETJ). These ratios were then used to extrapolate the number of employees for basic, service and retail sectors for the ten (10) year and build out projections.

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SUMMARY

The following is a summary of staff's findings when preparing the *Land Use Assumption Report* in preparation for the update of the Roadway, Water and Wastewater Impact Fees for 2019:

- The average annual growth rate as calculated by staff is three (3) percent. This growth rate was established based on data from the US Census, North Texas Council of Governments (NCTCOG), the City and County of Rockwall. Using this growth rate staff projected the following population numbers:
  - The population of the City of Rockwall as of January 1, 2019 was 44,691. This is expected to increase by 25.39% in the next ten (10) years to an estimated 59,898 by January 1, 2029.
  - The population for the City of Rockwall and its Extraterritorial Jurisdiction (ETJ) as of January 1, 2019 was 49,743. This is expected to increase by 32.07% in the next ten (10) years to an estimated 73,228 by January 1, 2029.
- The estimated employment for the City of Rockwall as of January 1, 2019 was 24,083 jobs, with another 1,286 jobs existing within its Extraterritorial Jurisdiction (ETJ). Staff estimates this number to climb to 32,366 jobs within the current city limits, and another 1,699 jobs within the current Extraterritorial Jurisdiction (ETJ) by January 1, 2029.
- Staff has established that there are currently 8,204.17 undeveloped acres of land within the city limits. This represents ~48.29% of the current land in the City. Additionally, the City of Rockwall has access to another 14,083.24-acres of land within its current Extraterritorial Jurisdiction (ETJ). Approximately 75.11% (10,577.67-acres) of the land within this area is vacant.
- According to staff's estimate, the City of Rockwall is expected to be built out in the year 2060, with a total population of 149,525.

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APPENDIX A: SUMMARY OF ROADWAY SERVICE AREAS

SERVICE AREA 1

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
Central District	216	455	2,332	427	899	3,134	816	1,714	4,331
Downtown District	971	2,332	3,105	1,056	2,519	4,173	1,060	2,531	5,767
IH-30 Corridor District	-	-	2,825	-	-	3,797	-	-	5,247
North Lakeshore District	3,884	11,081	944	4,318	12,324	1,269	4,326	12,350	1,753
Northern Estates District	3	9	4	12	34	5	184	513	7
Northwest Residential District	1,422	3,974	667	2,291	6,401	896	2,324	6,493	1,239
Scenic District	1,084	2,280	1,161	1,217	2,559	1,560	1,248	2,624	2,156
South Lakeshore District	1,578	3,317	968	1,578	3,317	1,301	1,595	3,352	1,798
	9,158	23,448	12,006	10,898	28,053	16,135	11,553	29,577	22,298

SERVICE AREA 2

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
IH-30 Corridor District	1	3	205	-	-	276	-	-	381
South Central Estates District	37	112	122	148	448	164	2,504	7,611	227
South Central Residential District	795	2,417	-	1,487	4,522	-	2,399	7,293	-
Technology District	47	100	824	162	367	1,107	1,748	4,760	1,530
	880	2,632	1,151	1,797	5,336	1,547	6,651	19,664	2,138

SERVICE AREA 3

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
Harbor District	552	1,255	2,766	1,040	2,364	3,717	1,713	3,893	5,137
IH-30 Corridor District	-	-	2,613	-	-	3,512	-	-	4,853
Marina District	1,423	3,441	630	1,525	3,702	847	1,537	3,734	1,170
Medical District	-	-	1,897	-	-	2,549	-	-	3,523
South Central Residential District	1,089	3,310	371	1,089	3,310	499	1,089	3,310	689
Southwest Residential District	2,257	7,260	1,900	3,695	11,847	2,553	3,943	12,509	3,529
Technology District	615	1,292	63	618	1,298	85	658	1,383	117
	5,936	16,558	10,240	7,966	22,520	13,762	8,940	24,829	19,018

SERVICE AREA 4

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
Central District	92	193	167	182	382	224	349	735	310
IH-30 Corridor District	-	-	71	-	-	95	-	-	132
Northeast Residential	361	1,009	438	762	2,129	589	1,786	4,988	813
Northern Estates District	263	735	10	529	1,478	13	1,066	2,984	19
	716	1,937	686	1,473	3,990	922	3,201	8,707	1,274

GRAND TOTAL	16,690	44,575	24,083	22,135	59,898	32,366	30,345	82,777	44,728

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APPENDIX B: SUMMARY OF WATER/WASTEWATER SERVICE AREA

	ESTIMATES (JANUARY 1, 2019)			PROJECTIONS (JANUARY 1, 2029)			BUILD OUT PROJECTIONS (2060)		
DISTRICTS	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
Central District	308	648	2,499	609	1,281	3,358	1,165	2,449	4,641
Downtown District	971	2,332	3,105	1,056	2,519	4,173	1,060	2,531	5,767
Employment District	314	971	880	532	1,645	1,162	630	1,952	5,538
Far North Estates District	230	674	96	676	1,980	127	4,426	12,950	-
Harbor District	552	1,255	2,766	1,040	2,364	3,717	1,713	3,893	5,741
IH-30 Corridor District	1	3	5,714	-	-	7,679	-	-	10,612
Innovation District	268	822	66	794	2,438	87	5,323	16,407	415
Marina District	1,423	3,441	630	1,525	3,701	847	1,537	3,734	1,170
Medical District	-	-	1,897	-	-	2,549	-	-	3,523
North Lakeshore District	3,884	11,081	944	4,317	12,324	1,269	4,326	12,350	1,753
Northeast Residential District	629	1,758	438	1,244	3,476	589	2,384	6,658	813
Northern Estates District	512	1,439	14	1,090	3,065	19	2,626	7,390	26
Northwest Residential District	1,422	3,974	667	2,291	6,401	896	2,324	6,493	1,239
Scenic District	1,084	2,280	1,161	1,217	2,558	1,560	1,248	2,624	2,156
South Lakeshore District	1,578	3,317	968	1,578	3,317	1,301	1,595	3,352	1,798
South Central Residential District	1,970	5,987	371	3,265	9,923	499	3,618	10,998	689
South Central Estates District	315	956	366	824	2,502	486	3,760	11,428	1,762
Southwest Residential District	2,267	7,286	1,900	3,772	12,068	2,553	4,229	13,344	3,529
Technology District	662	1,392	887	780	1,665	1,192	2,406	6,143	1,647
Southeast Estates District	-	-	-	-	-	-	8,168	24,829	441
	18,390	49,616	25,369	26,609	73,228	34,064	52,538	149,525	53,262

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APPENDIX C: EMPLOYMENT BREAKDOWN BY ROADWAY SERVICE AREAS

SERVICE AREA 1

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
Central District	973	633	726	1,308	851	976	1,807	1,176	1,348
Downtown District	608	1,104	1,393	817	1,484	1,872	1,129	2,050	2,587
IH-30 Corridor District	599	916	1,310	805	1,231	1,761	1,112	1,701	2,433
North Lakeshore District	-	608	336	-	817	452	-	1,129	624
Northern Estates District	-	4	-	-	5	-	-	7	-
Northwest Residential District	-	531	136	-	714	183	-	986	253
Scenic District	-	650	511	-	874	687	-	1,207	949
South Lakeshore District	-	572	396	-	769	532	-	1,062	735
	2,180	5,018	4,808	2,930	6,744	6,462	4,049	9,320	8,930

SERVICE AREA 2

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
IH-30 Corridor District	-	-	205	-	-	276	-	-	381
South Central Estates District	-	94	28	-	126	38	-	175	52
South Central Residential District	-	-	-	-	-	-	-	-	-
Technology District	298	283	243	400	380	327	553	526	451
	298	377	476	400	507	640	553	700	884

SERVICE AREA 3

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
Harbor District	27	2,456	283	36	3,301	380	50	4,561	526
IH-30 Corridor District	-	845	1,768	-	1,136	2,376	-	1,569	3,284
Marina District	-	267	363	-	359	488	-	496	674
Medical District	-	1,651	246	-	2,219	331	-	3,066	457
South Central Residential District	-	331	40	-	445	54	-	615	74
Southwest Residential District	-	924	976	-	1,242	1,312	-	1,716	1,813
Technology District	-	44	19	-	59	26	-	82	35
	27	6,518	3,695	36	8,760	4,966	50	12,105	6,862

SERVICE AREA 4

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
Central District	-	167	-	-	224	-	-	310	-
IH-30 Corridor District	-	-	71	-	-	95	-	-	132
Northeast Residential	-	313	125	-	421	168	-	581	232
Northern Estates District	-	10	-	-	13	-	-	19	-
	-	490	196	-	659	263	-	910	364

GRAND TOTAL	2,505	12,403	9,175	3,367	16,669	12,330	4,652	23,035	17,040

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APPENDIX D: EMPLOYMENT BREAKDOWN BY WATER/WASTEWATER SERVICE AREA

	ESTIMATES (JANUARY 1, 2019)			ESTIMATES (JANUARY 1, 2029)			BUILD OUT (2060)		
DISTRICTS	BASIC	SERVICE	RETAIL	BASIC	SERVICE	RETAIL	BASIC	SERVICE	RETAIL
Central District	973	800	726	1,308	1,075	976	1,807	1,486	1,348
Downtown District	608	1,104	1,393	817	1,484	1,872	1,129	2,050	2,587
Employment District	-	742	138	-	980	182	-	4,670	869
Far North Estates District	-	86	10	-	114	13	-	-	-
Harbor District	27	2,456	283	36	3,301	380	50	5,103	589
IH-30 Corridor District	599	1,761	3,354	805	2,367	4,507	1,112	3,271	6,229
Innovation District	-	54	12	-	71	16	-	340	76
Marina District	-	267	363	-	359	488	-	496	674
Medical District	-	1,651	246	-	2,219	331	-	3,066	457
North Lakeshore District	-	608	336	-	817	452	-	1,129	624
Northeast Residential District	-	313	125	-	421	168	-	581	232
Northern Estates District	-	14	-	-	19	-	-	26	-
Northwest Residential District	-	531	136	-	714	183	-	986	253
Scenic District	-	650	511	-	874	687	-	1,207	949
South Lakeshore District	-	572	396	-	769	532	-	1,062	735
South Central Residential District	-	331	40	-	445	54	-	615	74
South Central Estates District	-	282	84	-	375	112	-	1,358	404
Southwest Residential District	-	924	976	-	1,242	1,312	-	1,716	1,813
Technology District	298	327	262	400	439	352	553	607	487
Southeast Estates District	-	-	-	-	-	-	-	189	252
	2,505	13,473	9,391	3,367	18,082	12,616	4,652	29,958	18,651

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196



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197

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Exhibit 'C':
2019 Update of Rodway Impact Fees



2019 Update of Roadway Impact Fees

Final Report

Submitted By:



September 16, 2019

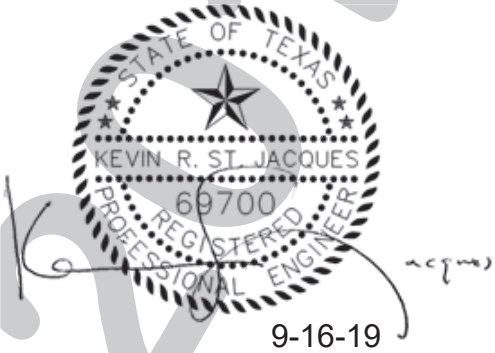
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199

City of Rockwall

2019 Update of Roadway Impact Fees

Final Report



FREESE AND NICHOLS, INC.
TEXAS REGISTERED
ENGINEERING FIRM
F-2144

Submitted By:

FREESE AND NICHOLS

September 16, 2019

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200

Table of Contents

LIST OF TABLES II

LIST OF FIGURES II

CHAPTER 1: INTRODUCTION 1

Study Methodology 2
Organization of Report 3

CHAPTER 2: ROADWAY IMPACT FEE SERVICE AREAS 4

CHAPTER 3: ROADWAY IMPACT FEE SERVICE UNITS 6

Service Units 6
Service Units for New Development 7

CHAPTER 4: EXISTING CONDITIONS ANALYSIS 12

Existing Conditions 12
Existing Volumes 12
Vehicle-Miles of Existing Capacity Supply 13
Vehicle-Miles of Existing Demand 13
Vehicle-Miles of Existing Excess Capacity and Deficiencies 13

CHAPTER 5: PROJECTED CONDITIONS ANALYSIS 15

Projected Growth 15
Projected Vehicle-Miles of New Demand 15
Capital Improvements Program 16
Projected Vehicle-Miles Capacity Available for New Growth 19
Cost of Roadway Improvements 19

CHAPTER 6: CALCULATION OF IMPACT FEES 21

Cost Per Service Unit 21
Calculation of Roadway Impact Fees 22

CHAPTER 7: CONCLUSIONS 23

APPENDICES 25

A. Roadway Impact Fee Definitions 26
B. Land Use Definitions 29
C. Calculation of Vehicle-Miles of New Demand 33
D. Existing Capital Improvements 35
E. Roadway Improvement Plan Projects 38
F. Roadway Improvements Plan Cost Analysis 45
G. Service Area Analysis Summary 48

DRAFT ORDINANCE 10.21.19

List of Tables

Table 1: Trip Reduction Estimates (PM Peak Hour) 9
Table 2: Average Trip Lengths 9
Table 3: Land-Use Vehicle-Mile Equivalency Table 11
Table 4: Roadway Facility Vehicle-Mile Lane Capacities 12
Table 5: Peak Hour Vehicle-Miles of Existing Capacity and Demand 14
Table 6: Peak Hour Vehicle-Miles of Excess Capacity and Deficiencies 14
Table 7: Vehicle-Miles of New Demand 16
Table 8: Roadway Impact Fee Capital Improvements Plan 18
Table 9: Vehicle-Miles of New Capacity Supplied 19
Table 10: Summary of Roadway Improvements Plan Cost Analysis 19
Table 11: Capital Improvements Plan Costs Attributable to New Development 20
Table 12: Cost Per Service Unit Summary 21

List of Figures

Figure 1: Service Areas for Roadway Impact Fees 5
Figure 2: Roadway Impact Fee Capital Improvement Project Locations 17

DRAFT ORDINANCE 10.21.2019

Chapter 1: Introduction

Shrinking funds available for transportation improvements on city thoroughfares limit many cities from upgrading infrastructure to meet increasing travel demands. To meet the needs of new growth, many cities collect "impact fees" from new development to help fund transportation improvements necessitated by such development. What is unique about impact fees is that they often finance roadway improvements that are considered "offsite" to new development. However, when considering the traffic implications created by new development on the roadway system, impact fees provide a means by which infrastructure may keep pace with new development.

Texas initially authorized the use of impact fees with the 1987 legislature. Now codified in Chapter 395 of the Texas Local Government Codes, the legislation authorizes cities to collect fees from new developments to finance new construction or expansion of capital improvements such as water treatment and distribution facilities, storm and wastewater facilities, and transportation facilities. The law stipulates that all fees collected from new development must not exceed the maximum amount calculated by the methodology described therein.

The law also mandates that impact fee systems be updated periodically to ensure that an appropriate cost per service unit is calculated commensurate with an impact fee capital improvements program. The law also mandates that as new transportation improvements are completed, actual costs are inserted into the cost per service unit calculation to reflect a more accurate reading of service area costs as opposed to estimated costs that were established at the onset of the impact fee system. Finally, new capital improvement projects may be added to the program, subject to meeting eligibility requirements.

In September 2001, Chapter 395 was amended which revised called for several technical and administrative changes of impact fee systems including:

- Expansion of the permissible service area structure for roadway facilities from three to six miles;
- A credit for the portion of ad valorem tax revenues generated by improvements over the program period, or the credit equal to 50% of the total projected cost of implementing the capital improvements plan;
- A city's share of costs on the federal or Texas highway system, including matching funds and costs related to utility line relocation, the establishment of curbs and gutters, sidewalks, drainage appurtenances, and rights-of-way;
- Increase in the time period of update of impact fee land use assumptions and capital improvements plan from a three to five-year period;
- Changes in compliance requirements as they relate to annual reporting; and
- Consolidation of the land use assumptions and capital improvements plan hearings.

The implementation and administration of roadway impact fee systems offers several advantages to both a city and new development among which include: 1) a systematic, structured approach to assessment of fees, 2) a clear, equitable distribution of costs associated with the impact of new development, 3) the ability to pool funds for project initiation within a service area, 4) assurance that fees collected will be spent in the area where new development is occurring, 5) up-front knowledge of fees to be imposed, 6)

DRAFT ORDINANCE NO. 20-09

credits for developer participation, and 7) ability for developers to demonstrate that, pursuant to city guidelines, specific unit equivalencies (service unit generation) may be different from those presented in the land use equivalency table.

Recognizing the need to provide adequate facilities and desiring to have equitable funding of transportation improvements, the City of Rockwall embarked in the development of a roadway impact fee system in January 2008 and is updating the program to comply with legislative requirements identified in Chapter 395. The program was updated in 2013. This update amends the roadway capital improvements program based on updated land use assumptions as well as, input by the designated impact fee Capital Improvements Advisory Committee. To assist with this study, the City of Rockwall retained Freese and Nichols, Inc. to update the roadway impact fee system.

Study Methodology

To update the roadway impact fee for the City of Rockwall, a series of work tasks were undertaken and are described below:

1. Meetings were held with the City of Rockwall Staff and the Capital Improvement Advisory Committee to discuss the approach and roadway methodology to be used in the study update.

2. Impact fee service areas were reviewed and amended for any city annexations. Roadway service areas are contained to the current city limits.

3. The vehicle-mile of travel (VMT) during the PM peak hour was retained as the unit of measure for the roadway impact fee system.

4. A roadway conditions inventory was conducted on Rockwall thoroughfares for lane geometries, roadway classifications and segment lengths. New arterial and/or collector streets not previously assessed were added to the program database.

5. The existing roadway network was evaluated based on traffic volume count data collected May 2019, to determine roadway capacity, current utilization, and if any capacity deficiencies exist within each impact fee service area.

6. Projected 10-year growth, in terms of vehicle-miles of demand, was calculated for the service areas based on updated land use assumptions (projections of population and employment growth) prepared by Rockwall City Staff in June 2019 and supplemented with the updated land use equivalency table. The Land Use Assumptions for Impact Fees report was reviewed and approved by the Capital Improvements Advisory Committee (CIAC) prior to development of VMT growth projections and capital improvements plan (CIP) update.

7. The existing impact fee CIP was evaluated with updated traffic count data to ensure that excess capacity remained within each impact fee project for retention in the system. The analysis of the existing impact fee CIP revealed excess capacity and therefore could remain in the impact fee program.

DRAFT ONLY 10.21.2019

8. A roadway impact fee CIP was reviewed and amended relative to projected growth from the updated land use assumptions, analysis of existing system deficiencies, likelihood of project initiation over the short-term, the Rockwall Comprehensive Plan, and input by the CIAC and City Staff. The CIP was amended for John King Boulevard to include portions of the roadway that were previously out of the city and the addition of several new projects to the program.

9. Roadway costs associated with construction, engineering, right-of-way, and project financing for recoupment projects were provided by the City. Cost estimates for new projects were prepared by Freese and Nichols. Costs for study updates are eligible for recovery and were included in the total project cost. Roadway cost data was compiled and distributed by service area.

10. The cost of capacity supplied, cost attributable to new development and the maximum cost per service unit was calculated for each service area. A credit of 50% was applied to the overall cost of the capital improvements program for use in the calculation of the cost per service unit.

11. This report was prepared to document the procedures, findings, and conclusions of the study.

Organization of Report

This report describes the background information, analysis, and findings of the study in six parts, with a chapter devoted to each:

- Roadway Impact Fee Service Areas (Chapter 2)
- Roadway Impact Fee Service Units (Chapter 3)
- Existing Conditions Analysis (Chapter 4)
- Projected Conditions Analysis (Chapter 5)
- Calculation of Impact Fees (Chapter 6)
- Conclusion (Chapter 7)

DRAFT ORDINANCE 10.21.2019

Chapter 2: Roadway Impact Fee Service Areas

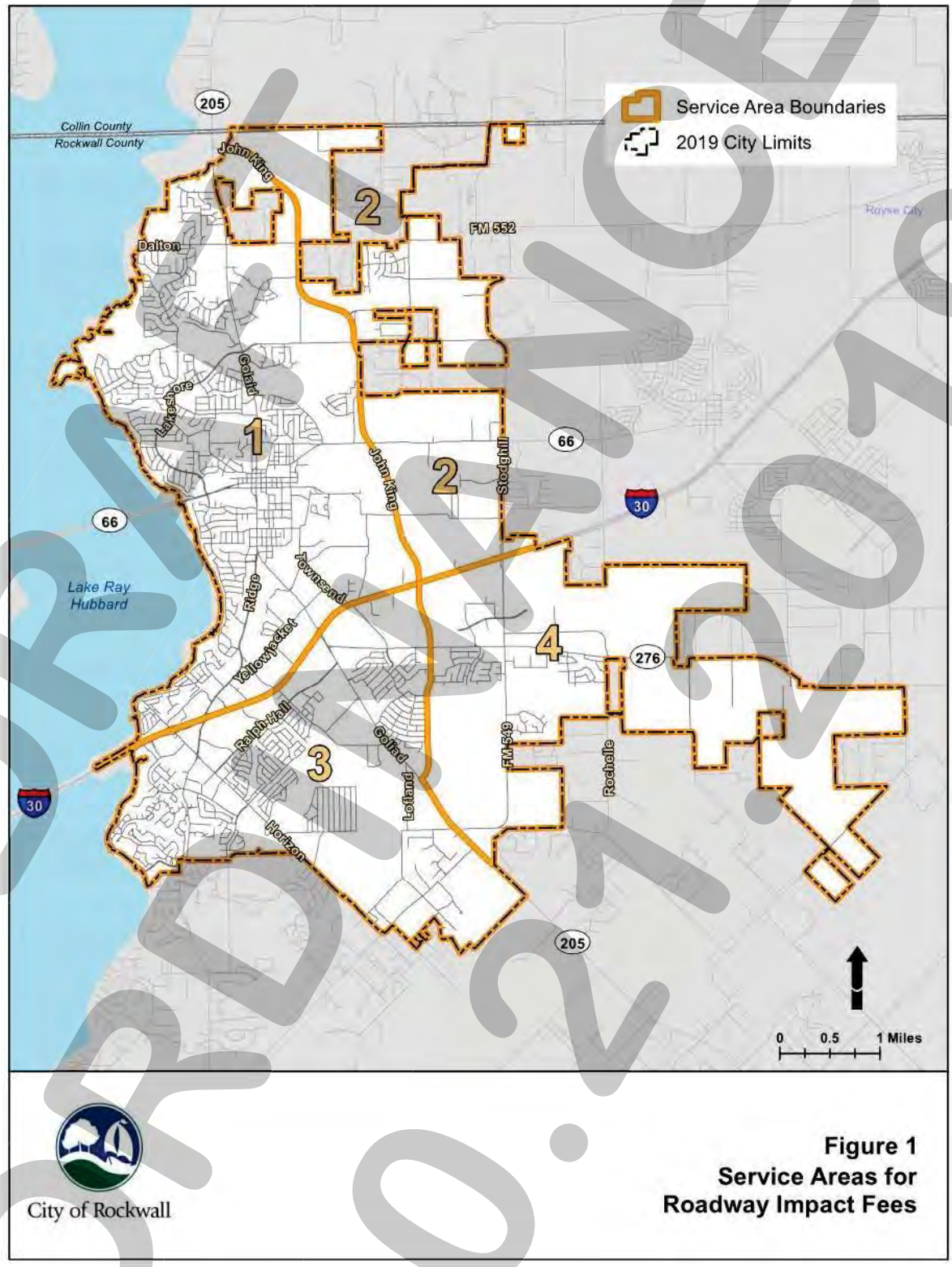
Chapter 395 requires that service areas be defined for impact fees to ensure that facility improvements are in proximity to the area that is generating the need. Legislation mandates that roadway service areas be limited to a six-mile maximum and must be located within the current city limits. Roadway service areas are different from other impact fee service areas, which can include the city limits and Extra-Territorial Jurisdiction (ETJ). This is primarily because roadway systems are "open" to both local and regional use as opposed to a defined limit of service that is provided with water and wastewater systems. The result is that new development can only be assessed an impact fee based on the cost of necessary capital improvements within that service area.

The service area structure was developed using the criteria defined in Chapter 395 as it relates to conformance with city limits and the six-mile boundary limits. Other considerations included use of physical or natural features, potential roadway projects and their relation to undeveloped areas of the community, and the planning areas used in long-range plan efforts (for consideration of service area expansion due to possible annexation).

Four service areas were initially developed for the program in 2007 and have been retained in each of the program updates and are generally delineated by John King Boulevard and IH-30. Changes to the service area structure include city annexations on the northern and southern sector of the city. The service area structure for Rockwall is illustrated in **Figure 1**.

DRAFT ORDINANCE 10.21.2019

Figure 1: Service Areas for Roadway Impact Fees



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Chapter 3: Roadway Impact Fee Service Units

An important aspect of the impact fee system is the determination of the proper service unit to be used to calculate and assess impact fees for new developments. As defined in Chapter 395, "Service unit means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development in accordance with generally accepted engineering or planning standards for a particular category of capital improvements or facility expansions."

To determine the roadway impact fee for a development, the service unit must accurately identify the impact that the development will have on the transportation system serving the development. This impact is a combination of the number of new trips generated by the development, the peaking characteristics of the land-use(s) within the development, and the length of each new trip on the transportation system.

The correct service unit must also reflect the supply, which is provided by the roadway system, and the demand placed on the system during the time in which peak, or design, conditions are present on the system. Transportation facilities are designed and constructed to accommodate volumes expected to occur during the peak hours (design hours). These volumes typically occur during the morning (AM) and evening (PM) rush hours as motorists travel to and from work.

The vehicle-mile was retained as the service unit for calculating and assessing transportation impact fees in Rockwall. The vehicle-mile as a service unit establishes a way to relate the intensity of land development to the demand on the system with published trip generation data. It also recognizes state legislation requirements with regards to trip length.

The PM peak hour was retained as the time period for assessing impacts because the greatest demand for roadway capacity occurs during this hour. Roadways are sized to meet this demand, and roadway capacity can more easily be defined on an hourly basis. Traffic volume data collected in May 2019 was used as the basis for the system update.

Service Units

Service units create a link between supply (roadway projects) and demand (development). Both can be expressed as a combination of the number of vehicles traveling during the peak hour and the distance traveled by these vehicles in miles.

Service Unit Supply

For roadway capital projects improvement, the number of service units provided during the peak hour is simply the product of the capacity of the roadway in one hour and the length of the project. For example:

> Given a four-lane divided roadway project with a 600 vehicle per hour per lane capacity and a length of two miles, the number of service units provided is:
>
> *600 vehicles per hour per lane x 4 lanes x 2 miles = 4,800 vehicle-miles*

DRAFT OF ORDINANCE 10-21-2019

Service Unit Demand

The demand placed on the system can be expressed in a similar manner. For example, a development generating 100 vehicle trips in the PM peak hour with an average trip length of two miles would generate:

100 vehicle-trips x 2 miles/trip = 200 vehicle-miles

Likewise, the existing demand placed on the roadway network is calculated in the same manner with a known traffic volume (peak hour roadway tube counts) on a street and a given segment length.

Service Units for New Development

An important objective in the development of the impact fee system is the development of a specific service unit equivalency for individual developments. The vehicle-miles generated by a new development are a function of the trip generation and average trip length characteristics of that development. The following describes the process used to develop the vehicle-equivalency table, which relates land use types and sizes to the resulting vehicle-miles of demand created by that development.

Travel characteristics were reviewed and deemed to be similar in nature to the previous system update, and therefore no changes were made to the resultant land use equivalency table.

Trip Generation

Trip generation information for the PM peak hour was based on data published in the Tenth Edition of *Trip Generation* by the Institute of Transportation Engineers (ITE). *Trip Generation* is a reference publication that contains travel characteristics of over 160 land uses across the nation and is based on empirical data gathered from over 4,600 studies that were reported to the Institute by public agencies, developers and consulting firms. Data contained in this publication is generally accepted for use in studies by transportation engineers throughout the nation. Data not available was drawn from other published information. Rates were established for specific land use types within the broader categories of residential, office, commercial, industrial and institutional land uses. Within each of the land use categories, a rate was also established for any land uses not specifically identified.

Adjustments

The actual "traffic impact" of a specific site for impact fee purposes is based on the amount of traffic added to the street system as a result of new development. To accurately estimate new trips generated, adjustments must be made to trip generation rates and equations to account for pass-by and diverted trips. The added traffic is adjusted so that each development is assigned only for a portion of trips associated with a specific development and thus reducing the possibility of over-counting by counting only primary trips generated. Trip generation rates were reduced by percentages presented in **Table 1** to isolate the primary trip purpose.

Pass-by trips are those trips that are already on a route for a different purpose and simply stop at a development on that route. For example, a stop at a convenience store on the way home from the office is a pass-by trip for the convenience store. A pass-by trip does not create an additional burden on the street system and therefore should not be counted in the assessment of impact fees of a convenience store.

DRAFT ORDINANCE 10-21-19

A diverted trip is a similar situation, except that a diversion is made from the regular route to make an interim stop. For example, a trip from work to home using Ridge Road (from IH-30) would be a diverted trip if the travel path were changed Yellow Jacket and Goliad for the purpose of stopping at a retail site. On a system-wide basis, this trip places a slightly additional burden on the street system but in many cases, this burden is minimal.

Table 1 contains the documented estimates of trip rate adjustments used in determining the appropriate rate to use in the impact fee calculation process. Adjustments were based on studies documented in the ITE trip generation manual.

The resulting recommended trip rates are illustrated as part of Table 3 Land Use/Vehicle Mile Equivalency Table illustrated later in this chapter. Rates were developed in lieu of equations to simplify the assessment of impact fees by the City and likewise, the estimation of impact fees by persons who may be required to pay an impact fee in conjunction with a development project.

A local study may also be conducted to confirm rates in *Trip Generation* or change rates to reflect local conditions. In such cases, a minimum of three sites should be counted. Selected sites should be isolated in nature with driveways that specifically serve the development and not other land uses. The results should be plotted on the scatter diagram of the selected land use contained in *Trip Generation* for comparison purposes. It is recommended that no change be approved unless the results show a variation of at least fifteen percent across the range of sample sizes surveyed. *Trip Generation* was used as the primary source of information for this study.

Trip Length

Trip lengths (in miles) are used in conjunction with site trip generation to estimate vehicle-miles of travel. Trip length data was based on information generated in the 1995 North Central Texas Council of Governments (NCTCOG) Workplace Survey and the National Workplace Survey. These travel characteristics were applied to Rockwall to determine average trips lengths for common land use types.

Table 2 summarizes the derived average trip lengths for major land use categories. These trip lengths represent the average distance that a vehicle will travel between an origin and destination of which either the origin or destination contains the land-use category identified below. Data compiled by the Workplace Survey represents the best available information on trip lengths for this area.

DRAFT ORDINANCE 10.21.2019

ROADWAY IMPACT FEE SERVICE UNITS

Table 1: Trip Reduction Estimates (PM Peak Hour) *

ITE Code	Land Use Category	Pass-by Trips	Diverted Trips
110	General Light Industrial	0	0
130	Industrial Park	0	0
150	Manufacturing	0	0
151	Mini-Warehousing	0	0
210	Single-Family Detached Housing	0	0
220	Apartment	0	0
250	Retirement Community	0	0
540	Junior/Community College	0	0
560	Church/Place of Worship	0	0
565	Day Care Center	0	0
610	Hospital	0	0
710	General Office Building	0	0
750	Office Park	0	0
760	Research Center	0	0
815	Discount Store	17%	35%
820	Shopping Center	34%	26%
831	Quality Restaurant	44	27
832	High-Turnover Restaurant (Sit-down)	43	26
834	Fast Food Restaurant w/Drive-thru	50	23
843	Auto Parts Sales	41	13
848	Tire Store	36	38
851	Convenience Market	66	22
862	Convenience Market w/Gas Pumps	63	26
862	Home Improvement Store	48	24
863	Electronics Superstore	40	33
880	Pharmacy with Drive-thru	49	13
881	Pharmacy without Drive-thru	49	13
912	Bank with Drive-thru	47	26

DU = Dwelling Unit, GFA = Gross Floor Area; (*) Expressed as percent of total PM peak hour trips generated.
Source: Trip Generation, ITE 10th Edition, 2018

Table 2: Average Trip Lengths

Land Use Category	Average Trip Length (miles)	Localized Trip Length (miles)	Adjusted Trip Length (miles)
General Office	12.06	6.81	3.41
General Retail/Shopping Center	4.12	2.33	1.16
Industrial	9.95	5.62	2.81
Residential	11.16	6.31	3.15
Warehousing	8.84	4.99	2.50
Drive-In Bank	2.62	1.48	0.74
Specialty Retail	2.86	1.62	0.81
Hospital	5.18	2.93	1.46
Medical Office/Clinic	9.63	5.44	2.72
School	4.12	2.33	1.16
Hotel	4.15	2.34	1.17
Restaurant	3.74	2.11	1.06
Fast-Food Restaurant	3.53	1.99	1.00
Day Care Center	1.64	0.93	0.46
Supermarket	1.84	1.04	0.52
Pharmacy without Drive-thru	1.93	1.09	0.55

Source: US Census Bureau, NCTCOG, and Freese and Nichols.

DRAFT ORDINANCE 10.21.2019

Adjustments

The assessment of an individual development's impact fee is based on the premise that each vehicle-trip has an origin and a destination and that the development end should pay for one-half of the cost necessary to complete each trip. Thus, the development is charged only for a portion of the vehicle-trip associated with that development.

To prevent double charging, and to fairly attribute the demand placed on the system to each trip end location, the trip length was adjusted to remove travel on the federal roadway system and then divided by two to reflect half of the vehicle trip to and from the development. Data from the NCTCOG travel forecast model was used to compare vehicle-miles of travel (VMT) by roadway functional class. Data revealed 43% of travel to use the federal system and thus the average trip length was reduced by this percentage to reflect localized travel on city streets (reflected in column 2). The average trip length, localized trip length, and adjustment for one-half trip length are illustrated in column 3 of Table 2. Where specific land uses were considered to exhibit different trip length characteristics than those identified in Table 3, engineering judgment was used to estimate the average trip length. Finally, as the service area structure was based on a six-mile boundary, those land uses that exhibited trip lengths greater than six miles were limited to this threshold.

Service Unit Equivalency Table

The result of combining the trip generation and trip length information is an equivalency table which establishes the service unit rate for various land uses. These service unit rates are based on an appropriate development unit for each land use. For example, a dwelling unit is the basis for residential uses, while 1,000 gross square feet of floor area is the basis for office, commercial, and retail uses. Other less common land uses are based on appropriate independent variables.

Separate rates have been established for specific land uses within the broader categories of residential, commercial, industrial and institutional to reflect the differences between land uses within the categories. However, even with these specific land use types, information is not available for every conceivable land use, so limitations do exist.

The updated equivalency table is illustrated in **Table 3**. Table 3 is reflective of adjusted trip rates (detailed in Table 1) and trip lengths (Table 2).

DRAFT ORDINANCE 10.21.19

Table 3: Land-Use Vehicle-Mile Equivalency Table

CATEGORY	LAND USE	DEVELOPMENT UNITS (X)	TRIP RATE	LOCAL TRIP LENGTH (mi.)	TOTAL SERVICE UNITS (VEH-MI / DEV UNIT)
RESIDENTIAL					
	SINGLE-FAMILY DETACHED	D.U.	0.99	3.15	3.12
	APARTMENT/TOWNHOUSE	D.U.	0.56	3.15	1.77
	RETIREMENT COMMUNITY	D.U.	0.16	2.27	0.36
	INDEPENDENT SR. LIVING FACILITY	D.U.	0.30	2.27	0.68
OFFICE					
	GENERAL OFFICE BLDG	1000 GFA	1.15	3.41	3.92
	CORPORATE HEADQUARTERS BLDG	1000 GFA	0.60	3.41	2.05
	MEDICAL-DENTAL OFFICE BLDG	1000 GFA	3.46	2.72	9.42
	U.S. POST OFFICE	1000 GFA	3.36	2.26	7.60
	BUSINESS PARK	1000 GFA	0.42	3.41	1.43
	RESEARCH AND DEVELOPMENT CENTER	1000 GFA	0.49	3.41	1.67
COMMERCIAL					
	RETAIL/SHOPPING CENTER	1000 GLA	1.52	1.16	1.77
	QUALITY RESTAURANT	1000 GFA	3.75	1.06	3.97
	FAST FOOD RESTAURANT WITH DRIVE-THROUGH	1000 GFA	8.82	1.00	8.79
	HIGH TURNOVER RESTAURANT	1000 GFA	3.03	1.10	3.33
	GAS STATION w/CONVENIENCE MARKET	1000 GFA	2.40	0.50	1.20
	CONVENIENCE MARKET WITH GASOLINE PUMPS	1000 GFA	5.42	0.50	2.71
	GROCERY/SUPERMARKET	1000 GFA	2.40	0.52	1.25
	DISCOUNT CLUB	1000 GFA	2.93	1.12	3.29
	AUTO SALES	1000 GFA	2.43	1.26	3.07
	BANK	1000 GFA	7.73	0.74	5.74
	PHARMACY/DRUGSTORE WITH DRIVE-THROUGH	1000 GFA	3.91	0.55	2.13
	APPAREL STORE	1000 GFA	2.88	0.96	2.76
	MOVIE THEATER	SCREENS	14.60	0.93	13.61
	FURNITURE STORE	1000 GFA	0.08	1.32	0.11
	HOME IMPROVEMENT SUPERSTORE	1000 GFA	0.65	1.16	0.76
	HARDWARE/PAINT STORE	1000 GFA	1.23	0.45	0.56
	BUILDING MATERIALS/LUMBER STORE	1000 GFA	1.55	0.45	0.70
	NURSERY (GARDEN CENTER)	1000 GFA	5.21	0.74	3.87
	NURSERY (WHOLESALE)	1000 GFA	3.89	0.74	2.89
	HOTEL	ROOMS	0.38	1.17	0.45
	MOTEL	ROOMS	0.38	1.17	0.45
	ALL SUITES HOTEL	ROOMS	0.36	1.17	0.42
	AUTO CARE CENTER	1000 GFA	3.75	0.81	3.03
	QUICK LUBE SHOP	1000 GFA	2.43	0.81	1.96
	AUTO PARTS SALES	1000 GFA	0.77	0.81	0.62
	TIRE STORE	1000 GFA	3.98	1.16	4.63
	MINI-WAREHOUSE/SELF STORAGE	1000 GFA	0.17	1.79	0.30
INDUSTRIAL					
	GENERAL LIGHT INDUSTRIAL	1000 GFA	0.63	2.81	1.77
	MANUFACTURING	1000 GFA	0.67	2.90	1.95
	INDUSTRIAL PARK	1000 GFA	0.40	2.82	1.13
	WAREHOUSING	1000 GFA	0.19	2.50	0.47
INSTITUTIONAL					
	PRIVATE SCHOOL (K-12)	STUDENTS	0.17	1.16	0.20
	JUNIOR/COMMUNITY COLLEGE	STUDENTS	0.11	1.19	0.13
	UNIVERSITY/COLLEGE	STUDENTS	0.15	1.41	0.21
	DAY CARE CENTER	STUDENTS	0.20	0.46	0.09
	HOSPITAL	BEDS	0.97	1.46	1.42
	NURSING HOME	BEDS	0.59	1.46	0.86
	ASSISTED LIVING CENTER	BEDS	0.26	1.46	0.38
	PLACE OF WORSHIP	1000 GFA	0.49	0.70	0.34

* THIS REPRESENTS TOTAL SERVICE UNIT EQUIVALENCY FOR LAND USES NOT SPECIFIED IN THIS CATEGORY. ACTUAL EQUIVALENCY MAY VARY AND MAY BE DEMONSTRATED BY PROPERTY OWNER TO BE DIFFERENT.

DU = Dwelling Unit
GFA = Gross Floor Area
GLA = Gross Leasable Area

DRAFT ORDINANCE 10.21.19

Chapter 4: Existing Conditions Analysis

Chapter 395 identifies specific requirements necessary in the capital improvements plan for impact fees. The existing conditions, including defining the existing roadway system, and analysis of the total capacity, the level of current usage, and commitments for usage of the existing roadway, are required as part of the capital improvements plan. This chapter discusses the existing conditions.

Existing Conditions

An inventory of the collector and arterial roadway facilities within the city limits was conducted to determine existing conditions throughout Rockwall. This analysis determines the capacity provided by the existing roadway system, the demand currently placed on the system, and the potential existence of deficiencies on the system. Updated data for the inventory was obtained from traffic volume counts conducted by the City and field reconnaissance of current roadway sections.

The roadways were divided into segments based on volume changes, major intersections, service area boundaries, and capacity changes. For each roadway segment, the length, number of lanes, cross-section, and PM peak hour volume data were obtained. Lane capacities were assigned to each segment based on functional street classification, associated roadway lane capacities and the present number of lanes. Lane capacities used in the analysis are shown in **Table 4.**

Table 4: Roadway Facility Vehicle-Mile Lane Capacities

Roadway Facility	Designation	Hourly Vehicle-Mile Capacity per Lane Mile of Roadway Facility
Divided Arterial	DA	600
Divided Collector	DC	500
Undivided Arterial	UA	575
Undivided Collector	UC	475
Special Arterial (with two-way left turn lane)	SA	450

Roadway hourly volume capacities are based on information reflecting Level-of-Service "C" operation, as identified in the transportation element of the Rockwall Comprehensive Plan.

Existing Volumes

Existing directional PM peak hour volumes were obtained from automated traffic counts conducted in May 2019 by the City. Automated traffic counts at 25 separate locations were collected on major roadways (as identified in the Thoroughfare Plan as arterial or collector status) throughout Rockwall. To minimize the total number of counts, data was collected at locations where traffic volumes would typify link volumes on the major segments within the immediate area. For segments not counted, existing volumes were used, or estimates were developed based on data from adjoining roadway counts.

Data was compiled for roadway segments throughout the city and entered into the database for use in calculations. A summary of volumes by roadway segment is included in **Appendix D** as part of the existing capital improvements database.

DRAFT OF ORDINANCE 10.21.2019

Vehicle-Miles of Existing Capacity Supply

An analysis of the total capacity for each service area was performed. For each roadway segment, the existing vehicle-miles of capacity supplied were calculated using the following equation:

Vehicle-Miles of Capacity = Link capacity per peak hour per lane x Number of lanes x Length of segment (miles)

A summary of the current capacity available on the roadway system is shown in **Table 5**. It is important to note that the roadway capacity depicted in Table 5 is system-wide for most major roadways and not restricted to those roadways proposed in the impact fee capital improvements plan. Directional calculations of capacity were performed separately. For a detailed listing of vehicle-miles of capacity by roadway segment, refer to Appendix D.

Vehicle-Miles of Existing Demand

The level of current usage in terms of vehicle-miles was calculated for each roadway segment. The vehicle-miles of existing demand were calculated by the following equation:

Vehicle-Miles of Demand = PM peak hour volume x Length of segment (miles)

Table 5 also lists total vehicle-miles of demand. Appendix D includes a detailed listing of vehicle-miles of demand by directional roadway segment.

Vehicle-Miles of Existing Excess Capacity and Deficiencies

For each roadway segment, the existing vehicle-miles of excess capacity and/or deficiencies were calculated. Each direction was evaluated to determine if vehicle demands exceeded the available capacity. If demand exceeded capacity in one or both directions, the deficiency is deducted from the supply associated with the impact fee capital improvement plan. A summary of peak hour excess capacity and deficiencies are shown in **Table 6**. A detailed listing of the existing excess capacity and deficiencies by roadway segment is also located in Appendix D.

DRAFT ORDINANCE 10.21.2019

Table 5: Peak Hour Vehicle-Miles of Existing Capacity and Demand

Service Area	Capacity (Veh-Mile)	Demand (Veh-Mile)
1	32,508	18,560
2	10,799	4,944
3	21,972	16,417
4	9,674	6,816
Total	74,952	46,738

Table 6: Peak Hour Vehicle-Miles of Excess Capacity and Deficiencies

Service Area	Excess Capacity (Veh-Mile)	Deficiencies (Veh-Mile)
1	15,085	1,137
2	5,854	0
3	6,480	925
4	3,666	808
Total	31,085	2,871

DRAFT ORDINANCE 10.21.2019

Chapter 5: Projected Conditions Analysis

Chapter 395 requires a description of all capital improvements or facility expansions and their costs necessitated by and attributable to new development within the service area. This chapter describes the projected growth, vehicle-miles of new demand, capital improvements program, vehicle-miles of new capacity supplied, and costs of the roadway improvements.

Projected Growth

The projected growth for each transportation service area is represented by the increase in the number of new vehicle-miles generated over the 10-year planning period. The basis for the calculation of new demand is the population and employment projections that were prepared as part of a technical report entitled Land Use Assumptions for Roadway Impact Fees by the Rockwall Planning Department in June 2019. Estimates of population and employment were prepared for the years 2019 and 2029.

Population data was provided in terms of the number of dwelling units, households and persons. Employment data is aggregated into three sectors of employees: basic, service and retail. These employment sectors serve as the typical components used in the traffic forecast modeling process. The employment grouping also correlate with the North American Industrial Classification (NAIC) system and include: basic employment (NAIC 210000-422999) generally encompasses the industrial and manufacturing uses; service employment (NAIC 520000-928199) encompasses government, office and professional uses; and retail employment (NAIC 440000-454390) generally includes commercial and retail use.

Projected Vehicle-Miles of New Demand

Projected vehicle-miles of demand were calculated based on the growth expected to occur during the 10-year planning period and the service unit generation for each of the population and employment data components (basic, service and retail). Separate calculations were performed for each data component and were then aggregated for the service area. Vehicle-miles of demand for population growth were based on dwelling units, and vehicle-miles of demand for employment were based on the number of employees and estimates of square footage per employee.

Land Use Equivalency for 10-Year Demand Estimate

Information extracted from the NCTCOG regional travel demand model, used for development of the Mobility 2040, provides information on average trip lengths for the residential and the three types of land uses. These are : 3.12 vehicle-miles per dwelling unit for residential, 1.77 vehicle-miles per thousand square feet for Basic and Retail employment, and 3.92 vehicle-miles per thousand square feet for Service employment.

Table 7 lists the projected vehicle-miles of demand over the 10-year planning period for Rockwall. **Appendix C** contains the projected demand calculation worksheet.

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ORDINANCE
10.21.2019

Table 7: Vehicle-Miles of New Demand

Service Area	Projected 10-Year Growth (Vehicle-Miles)
1	13,731
2	3,676
3	13,001
4	2,814
Total	33,222

Capital Improvements Program

Evaluation of Current Impact Fee CIP

At the outset of the update process, capacity of the CIP was evaluated to ensure that excess capacity remained in previously approved impact fee projects. Chapter 395 mandates that only CIP projects with excess capacity are eligible for consideration. The initial impact fee program contained only one project, John King Boulevard, which extended from the northern city limit to Goliad Street (SH205) just north of FM549. Traffic volume count data collected at several locations within this corridor was used to determine if excess capacity remains on this project. The analysis revealed all segments of John King Boulevard to contain excess capacity and therefore can be retained in the program.

New Impact Fee CIP – Recoupment & Future Projects

Recoupment Projects:

John King Boulevard was the lone project identified for the initial impact fee program in 2008 and 2013 update. At the time the impact fee system was initiated, not all portions of this roadway in the north were within the city limits. The segment between FM552 and SH205 was within the county and not eligible for impact fee consideration. With annexations in 2013, additional portions of the facility were included in the program.

Three of the added projects were recently implemented and are considered recoupment. Traffic counts were also conducted on these three to assess whether excess capacity remains in these projects.

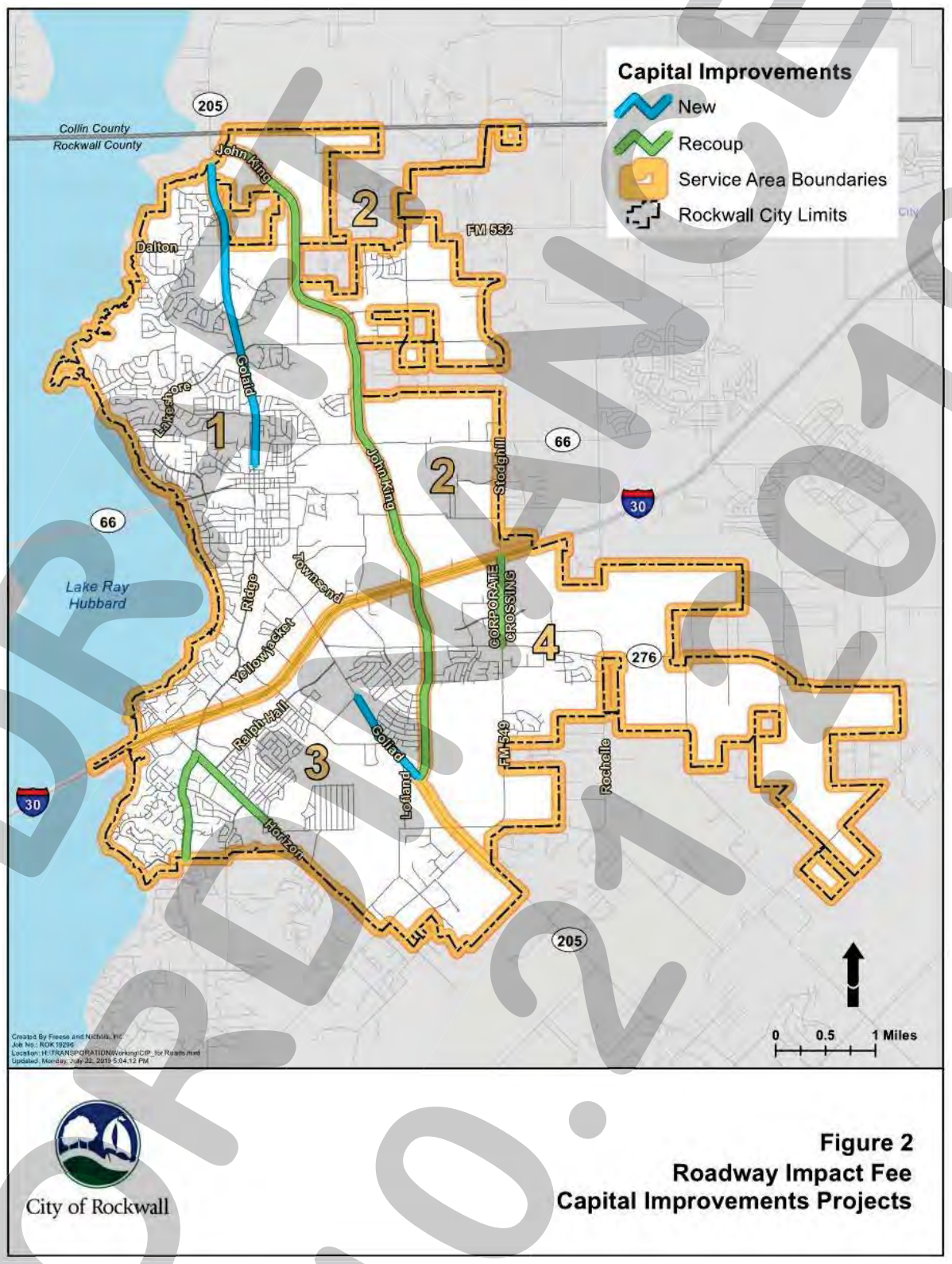
Future Projects:

Two new CIP projects are future projects planned for implementation within the next 10 years. Costs estimates for new project segments were prepared by Freese and Nichols.

Actual costs for project recoupment were provided by City Staff. **Figure 2** illustrates the location of this capital improvement in relation to the city and associated service areas. Project costs were broken into general categories of construction, engineering, right-of-way and finance (debt service). The breakout of costs among the various service areas are listed in **Table 8**. The cost of the impact fee program is $145.9 million. When considering the state mandated credit (50%), the cost eligible for impact fee consideration totals $72.9 million. The impact fee CIP also includes the cost of two five-year updates estimated at $40,000 each.

DRAFT ORDINANCE 10.21.19

Figure 2: Roadway Impact Fee Capital Improvement Plan



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Table 8: Roadway Impact Fee Capital Improvements Plan

2019 Rockwall Roadway Impact Fee Study Update

Serv Area Number	CIP Year	Roadway	From	To	Length (mi)	No. of Lanes	Rdwy. Type	Pct. in Serv. Area	Project Status	Roadway Costs				Project Cost
										Engineering	*ROW*	*Construction**	*Finance*	
1/2	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
1/2	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
1/2	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
1/2	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
1	2019	SH 205 (Goliad St)	Olive	Live Oak	0.33	4	SA	100%	N	$236,600	$17,300	$3,380,500	$0	$3,634,400
1	2019	SH 205 (Goliad St)	Olive	N. City Limit	2.98	4	DA	100%	N	$2,481,248	$314,700	$35,446,400	$0	$38,242,348
Sub-total SA 1					**8.39**					**$4,160,539**	**$3,876,160**	**$50,734,244**	**$14,748,559**	**$73,519,502**
2/1	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
2/1	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
2/1	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
2/1	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
Sub-total SA 2					**5.08**					**$1,442,691**	**$3,544,160**	**$11,907,344**	**$14,748,559**	**$31,642,754**
3/4	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
3/4	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
3	2019	SH 205 (Goliad St)	Sids	John King Blvd	0.96	6	DA	100%	N	$974,148	$101,900	$13,916,400	$0	$14,992,448
3	2019	FM3097/Horizon	Ridge Road	County Line Rd	1.13	4	DA	100%	R	$0	$0	$900,000	$0	$900,000
3	2019	FM740/Ridge Rd	Horizon	S. City Limit	1.10	4	DA	100%	R	$0	$0	$472,902	$0	$472,902
Sub-total SA 3					**5.42**					**$1,244,200**	**$684,694**	**$18,049,682**	**$6,171,201**	**$26,149,776**
4/3	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
4/3	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
4	2019	FM 549 (Corp Crossing)	IH30	SH276	0.87	4	DA	100%	R	$0	$0	$4,724,665	$0	$4,724,665
Sub-total SA 4					**3.09**					**$270,052**	**$582,794**	**$7,485,045**	**$6,171,201**	**$14,509,091**
Totals:					**13.80**					**$7,117,483**	**$8,687,808**	**$88,176,313**	**$41,839,518**	**$145,821,123**

City portion of construction of John King Blvd. (formerly 205 By-Pass):*	***100%***

Totals:

Engineering Cost	$7,117,483
Right-of-Way Cost	$8,687,808
Construction Cost	$88,176,313
Finance Cost	$41,839,518
TOTAL NET COST	$145,821,123
Future Impact Fee Update C	$80,000
TOTAL IMPLEMENTATION	$145,901,123

Notes: * City's portion of costs incurred. (No particiaption by other agencies.)
Cost figures provided by the City.

Notes:

DA- Divided Arterial

N- New Impact Fee Project

R- Impact Fee Recoupment Project

Projected Vehicle-Miles Capacity Available for New Growth

The vehicle-miles of new capacity supply were calculated similar to the vehicle-miles of existing capacity supplied. The equation used was:

Vehicle-Miles of New Capacity Supplied = Link capacity per peak hour per lane x Num. of lanes within Service Area x Length of segment (miles)

Vehicle-miles of new supply provided by the CIP are listed in **Table 9**. While the project has not been built, there are system deficiencies (by service area) that have been removed from the total supply to properly account for new "net" availability. Table 9 depicts net availability of supply by the CIP. **Appendix E** details capacity calculations provided by the CIP program.

Table 9: Vehicle-Miles of New Capacity Supplied

Service Area	Vehicle-Miles of New Capacity Supplied	Vehicle-Miles of Net New Capacity Supplied
1	13,836	5,869
2	6,096	3,114
3	11,489	4,476
4	4,751	2,405
Total	36,172	15,864

Cost of Roadway Improvements

The total and net cost to implement the roadway improvements plan projects by service area is shown in **Table 10**. If traffic exists on proposed CIP project roadways or there are any deficiencies present in each respective service area, the total system cost is adjusted to reflect the net capacity being made available by the impact fee program. In other words, only the unused portion of the CIP and its associated costs are considered eligible. A detailed listing by project segment in each service area can be found in **Appendix F**. **Appendix G** details system costs by service area.

Table 10: Summary of Roadway Improvements Plan Cost Analysis

Service Area	Actual Cost of Proposed Impact Fee Program	Adjusted Cost (50% Credit) of Proposed Impact Fee Program
1	$73,550,103	$36,775,052
2	$31,656,236	$15,828,118
3	$26,175,186	$13,087,593
4	$14,519,597	$7,259,799
Total	$145,901,123	$72,950,562

State law is specific in identifying that only the portion of the CIP necessitated and attributable to new development is eligible for cost recovery. For example, if only 60% of the net service units supplied by the CIP are needed in the next 10 years, only 60% of the cost (credited at 50% per legislative requirements) may be considered in the calculation of fees. All the capacity provided by the impact fee CIP will be necessitated to address future growth over the 10-year planning period. The cost attributable to new

DRAFT ORDINANCE 10.21.2019

growth is $31.9 million and represents the citywide cost to implement projects on the impact fee program. **Table 11** depicts CIP costs attributable to new growth by service area.

Table 11: Capital Improvements Plan Costs Attributable to New Development

Service Area	Adjusted Cost (50% Credit) of Net New Capacity	Adjusted Cost (50% Credit) Attributable to New Growth
1	$15,598,596	$15,598,596
2	$8,084,777	$8,084,777
3	$5,098,520	$5,098,520
4	$3,675,714	$3,675,714
Total	$31,993,304	$31,993,304

DRAFT ORDINANCE 10.21.2019

Chapter 6: Calculation of Impact Fees

This chapter discusses the calculation of the cost per service unit and the calculation of roadway impact fees. The transportation impact fee will vary by the land use, service area, and size of the development. Examples are included to better illustrate the method by which the transportation impact fees are calculated.

Cost Per Service Unit

The cost per service unit is calculated by dividing the cost of the CIP necessitated and attributable to new demand (net cost) by the projected service units of growth over the 10-year planning period.

Generally, the cost per service unit varies by service area because of variations in cost of CIP, projected growth and the number of service units necessitated by new growth between zones. Where net capacity supplied is greater than demand, the cost per service unit is simply the cost of the net capacity divided by the number of service units provided. In this case, only the portion of the CIP necessitated by new development is used in the calculation. If the net capacity supplied is *less* than projected new demand, then the cost per service unit is calculated by dividing the total cost of net supply by the portion of new demand attributable and necessary by development. The result is generally a decrease in the cost per service unit, because such cost is spread over the larger number of service units of growth.

Table 12 lists the results of the cost per service unit calculation by service area. The actual cost per service unit reflects the true burden to the City for the implementation of the roadway capital improvements program. As per state law, a credit for the portion of ad-valorem tax revenues generated by improvements over the program period, or a credit equal to 50% of the total projected cost of implementing the capital improvements plan must be given. Based on this analysis, the maximum collection rate reflects the maximum amount per service unit that can be charged to follow the state statute. **Appendix G** details the maximum fee per service unit calculation for each service area.

Table 12: Cost Per Service Unit Summary

Service Area	Actual Cost Per Service Unit	Maximum Fee per Service Unit (50% Credit)
1	$2,272.00	$1,136.00
2	$4,398.00	$2,199.00
3	$784.00	$392.00
4	$2,612.00	$1,306.00
Total	$1,926.00	$963.00

DRAFT ORDINANCE 10.21.2019

Calculation of Roadway Impact Fees

The calculation of roadway impact fees for new development involves a two-step process. Step one is the calculation of the total number of service units that will be generated by the development. Step two is the calculation of the impact fee due by the new development.

Step 1: Determine number of service units (vehicle-miles) generated by the development using the equivalency table.

No. of Development Units	x	Vehicle-miles per development unit	=	Development's Vehicle-miles

Step 2: Calculate the impact fee based on the fee per service unit for the service area where the development is located.

Development's Vehicle-miles	x	Fee per vehicle-mile	=	Impact Fee due from Development

Examples: The following fees would be assessed to new developments in Service Area 3 if the cost per service unit were retained at the current collection rate $256.00 (adopted in 2008, retained in 2013).

Single-Family Dwelling

1 dwelling unit x 3.12 vehicle-miles/dwelling unit = 3.12 vehicle-miles
3.12 vehicle-miles x $256.00 /vehicle-mile = $798.72

20,000 square foot (s.f.) Office Building

20 (1,000 s.f. units) x 3.92 vehicle-miles/1,000 s.f. units = 78.40 vehicle-miles
78.40 vehicle-miles x $256.00 /vehicle-mile = $20,070.40

100,000 s.f. Retail Center

100 (1,000 s.f. units) x 1.77 vehicle-miles/1,000 s.f. units = 177.00 vehicle-miles
177.00 vehicle-miles x $256.00 /vehicle-mile = 45,312.00

200,000 s.f. Industrial Development

200 (1,000 s.f. units) x 1.77 vehicle-miles/1,000 s.f. units = 354.00 vehicle-miles
354.00 vehicle-miles x $256.00 /vehicle-mile = $90,624.00.

DRAFT ORDINANCE 10.21.2019

Chapter 7: Conclusions

Chapter 395 authorizes the assessment and collection of impact fees in Texas for transportation related capital improvements that must be met in order to assess and collect impact fees. This study was conducted to fulfill the requirements of Chapter 395 in developing a transportation-related impact fee for the City of Rockwall.

Three service areas were created for Rockwall. This service area structure was configured so that no point is greater than the six-mile maximum set forth by law. The six-mile limit ensures that roadway improvements are near the development paying the fees that it serves.

Vehicle-miles of travel in the PM peak hour are used as the service unit for calculating and assessing impact fees. Vehicle-miles establish a relationship between the intensity of land development and the demand on the roadway system using published trip generation data and average trip length. The PM peak hour is used as the time period for assessment because typically the greatest demand for roadway capacity occurs during this hour. Additionally, roadways are sized to meet this demand and roadway capacity can more accurately be defined on an hourly basis.

The service units (vehicle-miles) for new development are a function of trip generation and the average trip length for specific land uses. Trip generation information was based on data published by the Institute of Transportation Engineers as reported in the initial study. Where appropriate, trip generation rates were adjusted to reflect the primary trip purpose. This ensures that new development is assigned for the portion of trips associated with that specific development. Average trip length data was based on information compiled by NCTCOG and based on data from a NCTCOG Workplace Survey, statistics from the US Census Bureau National Workplace Survey and tailored to Rockwall.

The result of combining trip generation and trip length information is an equivalency table that establishes a service unit rate for various land uses. Separate rates were established for specific land uses within the broader categories of residential, community, industrial and institutional uses.

An analysis of existing conditions revealed that the current roadway system provides over 74,952 vehicle-miles of capacity. The existing demand placed on the system was determined to be 46,738 vehicle-miles. Evaluation of the existing roadway system found 2,871 vehicle-miles of deficiencies on the existing roadway network.

Projected growth, in terms of vehicle-miles over the 10-year planning period, was based on population and employment data that was prepared in the Land Use Assumptions for Roadway Impact Fees dated August 2019 by the City Planning Department. Based on this growth, the projected vehicle-miles of demand calculated to be 33,222.

Rockwall City Staff identified the roadway impact fee capital improvements program for the 10-year planning period. Projects eligible for this CIP include arterial and collector streets that have been designated on the officially adopted Thoroughfare Plan of the City. Developer funded roadways are not eligible for inclusion in calculating impact fees. Projects totaling $145.9 million, was identified for impact fee consideration based on need, projected growth, project affordability and achievability, financial

DRAFT ORDINANCE NO. 20-19

considerations, jurisdictional issues, the Thoroughfare Plan, and staff recommendation. The credited (50%) cost attributable to new growth is $72.94 million and represents 100% of the net capacity made available for development by impact fee roadway projects. The recommended CIP program will provide 15,864 vehicle-miles of new net capacity.

The *actual* cost per service unit was calculated to be between $784.00 and $4,398.00 and was based on the total cost of net capacity supplied by the CIP and the demand attributable to new development over the 10-year planning period. State legislation requires that a credit for the portion of ad-valorem tax revenues generated by improvements over the program period, or a credit equal to 50% of the total projected cost of implementing a roadway impact fee capital improvements program be given. Based on a 50% credit, the cost per service unit ranges between $392.00 and $2,199.00.

The determination of fees due from new development is based upon the size of development, its associated service unit generation (equivalency table) and the cost per service unit derived or adopted for each service area.

DRAFT ORDINANCE 10.21.2019

APPENDICES

DRAFT ORDINANCE 10.21.2019

City of Rockwall

DRAFT ORDINANCE 10.21.2019

A. Roadway Impact Fee Definitions

ROADWAY IMPACT FEE DEFINITIONS

Average Trip Length - the average actual travel distance between two points. The average trip length by specific land use varies.

Diverted Trip - similar to pass-by trip, but a diversion is made from the regular route to make an interim stop.

Impact Fee - a charge or assessment imposed by a city against new development to generate revenue for funding or recouping roadway improvements necessitated and attributable to new development.

Land Use Equivalency – correlation of a land use to the rate of vehicle miles CIP of network capacity it would consume

Maximum Fee Per Service Unit - the highest impact fee that may be collected by the City per vehicle-mile of supply. Calculated by dividing the costs of the capital improvements by the total number of vehicle-miles of demand expected in the 10-year planning period.

Pass-by Trip - a trip made as an intermediate stop on the way from an origin to a primary trip destination. For example, a stop at a convenience store on the way to office from home.

PM Peak Hour - the hour when the highest volume of traffic typically occurs. Data collection (May 2019) revealed the peak hour of travel between 5:00 and 6:00 pm for Rockwall.

PM Peak Hour Traffic Counts - the number of vehicles passing a certain point during the peak hours of travel. Traffic counts are conducted during the PM peak hour because the greatest demand for roadway capacity occurs during this hour.

Primary Trip - a trip made for the specific purpose of visiting a destination; for example, from home to office.

Roadway Demand - the demand placed on the roadway network as a result of development. Determined by multiplying the trip generation of a specific land use by the average trip length.

Roadway Supply (or Capacity) - the number of service units provided by a segment of roadway over a period of time. Determined by multiplying the lane capacity by the roadway length.

Service Area - the area within the city boundaries to be served by capital improvements. Criteria for developing the service area structure include; 1) restricted to six-mile limit by legislation (to ensure proximity of roadway improvements to development), 2) conforms to census or forecast model boundaries, 3) projects on CIP as boundaries, 4) effort to match roadway supply with projected demand, or 5) city limit boundaries.

DRAFT ORDINANCE 10.21.2019

Service Unit - a measure of use or generation attributable to new development for roadway improvements. Also used to measure supply provided by existing and proposed roadway improvements.

Trip - a single, one-direction vehicle movement from an origin to a destination.

Trip Generation - the total trip ends for a land use over a given period or the total of all trips entering and exiting a site during that designated time. Used in the development of the land use equivalency table for Rockwall. Based primarily on data prepared by the Institute of Transportation Engineers (ITE).

Vehicle - for impact fee purposes, any motorized appurtenance that carries passengers and/or goods on the roadway system during peak periods of travel.

Vehicle-mile - a unit used to express both supply and demand provided by, and placed on, the roadway system. A combination of a number of vehicles traveling during a given time period and the distance in which these vehicles travel in miles.

DRAFT ORDINANCE 10.21.2019

DRAFT ORDINANCE 10.21.2019

B. Land Use Definitions

LAND USE DEFINITIONS

Residential

Single-Family Detached - Any single-family detached home on an individual lot is included in this category. A typical example of this land use is a home in a suburban subdivision. Also included are duplex residential units and manufactured homes and other residential land uses not specified above.

Multi-Family - This land use includes both low-rise ("walk-up" dwellings) and high-rise multi-family apartments. An apartment is defined as a dwelling unit that is located within the same building with three or more dwelling units. Also included in this land use are residential condominiums, townhomes, triplex and quadplex units. Residential condominiums and townhomes are defined as single-family units that have at least one other single-family unit within the same building structure.

Independent Senior Living Facility - Retirement communities - restricted to adults or senior citizens - contain residential units like apartments or condominiums and are usually self-contained villages. They may also contain special services such as medical facilities, dining facilities, and some limited supporting retail facilities.

Office (Service)

General Office Building - A general office building houses one or more tenants and is the location where affairs of a business, commercial or industrial organization, and professional activity are conducted. The building or buildings may be limited to one tenant or contain a mixture of tenants including professional services, insurance companies, investment brokers, company headquarters, and services for the tenants such as a bank or savings and loan, a restaurant or cafeteria, and several retail facilities. Also included in this category are office parks, and other office uses not specified above.

Medical Office Building – A building that provides diagnoses and outpatient care on a routine basis but is unable to provide prolonged in-house medical and surgical care. One or more private physicians or dentists generally operate this type of facility.

Commercial/Retail

General Retail – General retail includes a variety of land uses that include shopping centers, home improvement stores, hardware stores selling a complete assortment of food, household goods and materials, apparel, servicing items. A shopping center is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. It is related to its market area in terms of size, location, and type of store. Shopping centers provide on-site parking facilities. Some centers may include non-merchandising uses such as small office professional services, post offices, banks, health clubs, video rentals, and recreational facilities such as ice-skating rinks or video arcades.

DRAFT ORDINANCE 10-21-19

Restaurant - This land use consists of sit-down eating establishments. Quality and high-turnover (sit-down) restaurants are included in this category. Quality restaurants usually have a turnover rate of at least one hour or longer. The turnover rate for a high-turnover (sit-down) restaurant is usually less than one hour.

Fast Food Restaurant - This category includes fast food restaurants with or without drive-through windows, such as McDonalds, Burger King, Dunkin Donuts, and Taco Bell. Some establishments may include an indoor or outdoor playground.

Convenience Store/Gas Station - Any convenience market that sells convenience foods, newspapers, magazines, and often, beer and wine and may have gasoline pumps. Gas stations generally are located at intersections or freeway interchanges and may include facilities for servicing, repairing, fueling motor vehicles and may have convenience stores. Convenience stores/gas stations that have a fast-food restaurant contained within should be calculated on a separate basis based on the appropriate independent variable.

Bank - This land use includes walk-in and drive-in banks. Walk-in banks are generally free-standing buildings with their own parking lots. These banks do not have drive-in windows. Drive-in banks provide banking facilities for the motorist while in a vehicle; many also serve patrons who walk into the building. Savings and loan companies should also be included in this category.

Hotel/Motel – A place of lodging that provides sleeping accommodations, small restaurants, lounges, and meeting spaces. Some hotels or motels may provide banquet rooms or other retail and service shops.

Furniture and Appliance Sales - A store specializing in the sale of furniture, household appliances and goods and often, carpeting.

Theater – This land use consists of a movie or live theater and contains audience seating, single or multiple auditoriums, lobby, offices and refreshment stands.

Self-Storage Facilities - A self-serve storage unit or vault that is rented for the storage of goods. Each unit is physically separated from other units and access is usually provided through an overhead door or other common access point.

Industrial (Basic)

General Industrial – General industrial includes a variety of land uses such as light industrial, manufacturing, salvage, facilities for preparation/assembly and warehouse/distribution of goods. Other uses include materials testing laboratories, high-tech facilities and assemblers of technical equipment. Most facilities are free standing and devoted to a single use. Also included in this category are any other industrial uses not specified above.

Manufacturing – Facilities where the primary activity is the conversion or fabrication of raw materials to finished products. In addition to production of goods, manufacturing facilities may also have ancillary office, warehouse and associated functions.

DRAFT ORDINANCE 10.21.2019

Warehousing – These facilities are primarily devoted to the storage of materials. These facilities differ from mini warehouse in that they are generally not self-service in nature.

Institutional

Private School - Private schools serve students between the kindergarten and middle school or high school levels. Private schools are usually centrally located in residential communities in order to facilitate student access and have no student drivers.

Community College - Community college provides two and four-year advanced degrees. Vocational and technical schools are other uses that may fall under this category.

Day Care Center - A day care center is a facility where care for pre-school age children is provided, normally during the daytime hours. Day care facilities generally include classrooms, offices, eating areas, and playgrounds. Some centers also provide after-school care for older children.

Hospital - A hospital is any institution where medical or surgical care is given to non-ambulatory and ambulatory patients, and overnight accommodations are provided.

Nursing Home - A nursing home is any facility whose primary purpose is to care for persons who are unable to care for themselves. The term applies to rest homes, chronic care, and convalescent homes.

Religious Facilities – Churches, synagogues or houses of worship that provide public worship services, and generally house an assembly hall or sanctuary, meeting rooms, classrooms, and occasionally dining, catering, or party facilities.

Activity Centers – A recreational center or private club such as a YMCA that may offer classes and clubs for adults and children; a day care or a nursery school, meeting rooms, swimming pools and whirlpools; saunas, tennis, racquetball and handball courts, exercise classes, weightlifting equipment and locker rooms. Some may offer a small restaurant or snack bar within.

U.S. Post Office – A building that contains service windows for mailing packages and letters, post office boxes, offices, sorting and distributing facilities for mail and vehicle storage areas.

DRAFT ORDINANCE 10.21.19

City of Rockwall

DRAFT ORDINANCE 10.21.2019

C. Calculation of Vehicle-Miles of New Demand

2019-2029 Vehicle-Mile Trip Generation, Rockwall Roadway Impact Fee Study

Based on June 2019 Land Use Assumptions by City of Rockwall; ITE 10th-Trip Gen., NCTCOG Avg. Trip Lengths, FNI employee densities.

Estimated Residential Growth Vehicle-Mile Trip Generation (single family detached, typ.)

Service Area	Added Dwelling Units	Vehicle-Miles per DU	Total Vehicle-Miles
1	1,740	3.12	5,426
2	917	3.12	2,860
3	2,030	3.12	6,331
4	757	3.12	2,361

Estimated Basic Employment Growth Vehicle-Mile Generation (general light industrial, typ.)

Service Area	Added Employees	Square Feet per emp.	Total Square Feet	Vehicle-Miles Per 1000/SF	Total Vehicle-Miles
1	750	1500	1,125,000	1.77	1,992
2	102	1500	153,000	1.77	271
3	9	1500	13,500	1.77	24
4	0	1500	0	1.77	0

Estimated Service Employment Growth Vehicle-Mile Generation (general office building, typ.)

Service Area	Added Employees	Square Feet per emp.	Total Square Feet	Vehicle-Miles Per 1000/SF	Total Vehicle-Miles
1	1,726	500	863,000	3.92	3,384
2	130	500	65,000	3.92	255
3	2,242	500	1,121,000	3.92	4,396
4	169	500	84,500	3.92	331

Estimated Retail Employment Growth Vehicle-Mile Generation (retail/shopping center, typ.)

Service Area	Added Employees	Square Feet per emp.	Total Square Feet	Vehicle-Miles Per 1000/SF	Total Vehicle-Miles
1	1,654	1000	1,654,000	1.77	2,929
2	164	1000	164,000	1.77	290
3	1,271	1000	1,271,000	1.77	2,251
4	69	1000	69,000	1.77	122

2013-2023 Vehicle-mile Generation Summary

Service Area	Residential Growth Vehicle-Miles	Basic Growth Vehicle-Miles	Service Growth Vehicle-Miles	Retail Growth Vehicle-Miles	Total Growth Vehicle-Miles
1	5,426	1,992	3,384	2,929	**13,731**
2	2,860	271	255	290	**3,676**
3	6,331	24	4,396	2,251	**13,001**
4	2,361	0	331	122	**2,814**
Total	16,977	2,286	8,367	5,592	**33,222**

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D. Existing Capital Improvements

EXISTING CAPITAL IMPROVEMENTS

Definitions

LANES	The total number of lanes in both directions available for travel.
TYPE	The type of roadway (used in determining capacity): DA = divided arterial UA = undivided arterial UC = undivided collector
PK-HR VOLUME	The existing volume of cars on the roadway segment traveling during the afternoon (P.M.) peak hour of travel. A and B indicate the two directions of travel. Direction A is a northbound or eastbound and direction B is southbound or westbound. If only one half of the roadway is located within the service area (see % in service area), the opposing direction will have no volume in the service area.
% IN SERVICE AREA	If the roadway is located on the boundary of the service area (with the city limits running along the centerline of the roadway), then half of the roadway is inventoried in the service area and the other half is not. This value is either 50% or 100%.
VEH-MI SUPPLY PK-HR	The number of total service units (vehicle-miles) supplied within the service area, based on the length and established capacity of the roadway type.
VEH-MI TOTAL DEMAND PK-HR	The total service unit (vehicle-mile) demand created by existing traffic on the roadway segment in the afternoon peak hour.
EXCESS CAPACITY PK-HR VEH-MI	The number of service units supplied but unused by existing traffic in the afternoon peak hour.
EXISTING DEFICIENCIES PK-HR VEH-MI	The number of service units of demand in excess of the service units supplied.

NOTE: Excess capacity and existing deficiencies are calculated separately for each direction. It is possible to have excess capacity in one direction and an existing deficiency in the other. When both directions have excess capacity or deficiencies, the total for both directions are presented.

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2019 Rockwall Roadway Impact Fee Study Update
Existing Capital Improvements Analysis

Serv Area	Roadway	From	To	Length (mi)	No. of Lanes	Type	PM Pk Cap per Lane	Pct. in Serv. Area	IF on CIP	Peak Hour Volume A	B	Total	VMT Supply Pk Hr Total	VMT Demand Pk Hr Total	Excess VMT Capacity	Exist. VMT Deficiency
1	Goliad	N . City Limit	FM 552	0.57	2	UA	575	100%	N	300	300	600	656	342	314	0
1	Goliad	FM 552	Ridge Road W.	0.67	2	UA	575	100%	N	450	460	910	771	610	161	0
1	Goliad	Ridge Road W.	Quail Run	0.45	2	UA	575	100%	N	600	618	1218	518	548	0	31
1	Goliad	Quail Run	Caruth	0.48	2	UA	575	100%	N	830	804	1634	556	790	0	234
1	Goliad	Caruth	Heath	1.00	2	UA	575	100%	N	850	820	1670	1146	1664	0	518
1	Goliad	Heath	Olive	0.27	2	UA	575	100%	N	900	900	1800	311	486	0	176
1	Goliad	Olive	Washington	0.18	6	DA	600	100%	N	1135	1088	2223	650	401	249	0
1	Goliad	Washington	Ridge Road	0.65	6	DA	600	100%	N	1810	1040	2850	2355	1864	497	7
1	Goliad	Ridge Road	IH 30 WB FR	0.99	6	DA	600	100%	N	1158	642	1800	3554	1777	1777	0
1	Ridge Road	Goliad	Yellow Jacket	0.58	4	DA	600	100%	N	1275	900	2175	1384	1254	173	43
1	Ridge Road	Yellow Jacket	IH 30 WB FR	0.61	4	DA	600	100%	N	1371	1138	2509	1464	1530	38	104
1	John King	City Limit (near Goliad)	FM552	1.28	4	DA	600	50%	Y	0	275	275	1536	352	1184	0
1	John King	FM 552	Quail Run	1.29	4	DA	600	50%	Y	0	500	500	1548	645	903	0
1	John King	Quail Run	SH 66	1.04	4	DA	600	50%	Y	0	550	550	1248	572	676	0
1	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	Y	0	615	615	1764	904	860	0
1	Yellow Jacket	Ridge Road	Goliad	0.89	4	DC	500	100%	N	228	274	502	1780	447	1333	0
1	Yellow Jacket	Goliad	T.L. Townsend	0.28	4	DC	500	100%	N	126	87	213	560	60	500	0
1	Townsend	IH 30 WB FR	Yellow Jacket	0.27	4	DA	600	100%	N	160	142	302	648	82	566	0
1	FM 552	Goliad	E. City Limits	0.71	2	UA	575	100%	N	359	355	714	817	507	310	0
1	Lakeshore	Goliad	Lake Forest	0.95	4	DC	500	100%	N	391	319	710	1900	675	1226	0
1	Lakeshore	Lake Forest	Rusk	1.29	4	DC	500	100%	N	195	159	354	2580	457	2123	0
1	Quail Run	Goliad	John King Blvd	1.13	2	UA	575	100%	N	168	172	340	1300	384	915	0
1	Heath	Goliad	SH 66	0.60	2	UC	475	100%	N	176	101	277	567	165	402	0
1	Rusk	Lake Ray Hubbard	Cemetery	0.53	4	DA	600	100%	N	1161	675	1836	1277	977	300	0
1	Rusk	Cemetery	Goliad	0.22	6	DA	600	100%	N	1361	875	2236	802	498	304	0
1	Rusk	Goliad	Fanin	0.10	4	DA	600	100%	N	330	330	660	236	65	171	0
1	SH66	Heath	John King Blvd	0.51	2	UA	575	100%	N	623	371	994	584	505	104	24
Sub-Total SA1				*5.08*									*32,508*	*18,560*	*15,085*	*1,137*
2	Cornelius	FM 1141	FM 549	1.04	2	UC	475	100%	N	50	50	100	988	104	884	0
2	FM 1141	City Limit (Clem)	FM 552	0.64	2	UA	575	100%	N	61	60	121	736	77	659	0
2	FM 1141	John King Blvd	Cornelius	0.40	2	UA	575	100%	N	120	80	200	460	80	380	0
2	John King	City Limit (near Goliad)	FM552	1.28	4	DA	600	50%	Y	300	0	300	1536	384	1152	0
2	John King	FM 552	Quail Run	1.29	4	DA	600	50%	Y	550	0	550	1548	710	839	0
2	John King	Quail Run	SH 66	1.04	4	DA	600	50%	Y	650	0	650	1248	676	572	0
2	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	Y	825	0	825	1764	1213	551	0
2	SH66	John King Blvd	Stodghill (FM 549)	1.31	2	UA	575	100%	N	550	245	795	1507	1041	465	0
2	Stodghill (FM 549)	IH 30 WB FR	SH 66	0.88	2	UA	575	100%	N	449	300	749	1012	659	353	0
Sub-Total SA2				*9.35*									*10,799*	*4,944*	*5,854*	*0*
3	Ridge	IH 30 EB FR	Horizon	0.63	4	DA	600	100%	N	892	1031	1923	1512	1211	301	0
3	Ridge	Horizon	S. City Limit	1.24	4	DA	600	100%	N	880	955	1835	2976	2275	701	0
3	Horizon	IH 30 EB FR	Ridge	0.31	4	DA	600	100%	N	700	800	1500	744	465	279	0
3	Horizon	Ridge	Ralph Hall	0.23	4	DA	600	100%	N	719	816	1535	552	353	199	0
3	Horizon	Ralph Hall	Tubbs	0.48	4	DA	600	100%	N	611	775	1386	1152	665	487	0
3	Horizon	Tubbs	FM 549	1.85	2	UA	575	100%	N	411	494	905	2128	1674	453	0
3	Ralph Hall	Horizon	Market Center	0.68	4	DA	600	100%	N	890	950	1840	1632	1251	381	0
3	Ralph Hall	Market Center	Goliad	0.36	4	DA	600	100%	N	892	957	1849	864	666	198	0
3	Goliad	IH 30 EB FR	SH 276	0.13	6	DA	600	100%	N	1550	1700	3250	452	408	44	0
3	Goliad	SH 276	Ralph Hall	0.20	6	DA	600	100%	N	1355	1587	2942	713	582	130	0
3	Goliad	Ralph Hall	Sids	0.41	6	DA	600	100%	N	805	1089	1894	1473	775	698	0
3	Goliad	Sids	John King Blvd	1.01	2	UA	575	100%	N	680	807	1487	1162	1502	0	340
3	Goliad	John King Blvd	FM 549	0.88	2	UA	575	50%	N	0	825	825	504	723	0	219
3	Goliad	FM 549	S. City Limit	0.28	2	UA	575	50%	N	0	1025	1025	160	285	0	125
3	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	Y	0	871	871	1063	772	291	0
3	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	Y	0	225	225	1608	302	1307	0
3	S. FM549	Goliad	Horizon (FM3097)	1.28	2	UA	575	100%	N	398	413	811	1472	1038	434	0
3	SH 276	Goliad	John King Blvd	1.01	2	UA	575	100%	N	645	743	1388	1162	1402	0	240
3	T.L. Townsend	IH 30 EB FR	SH 276	0.56	2	UA	575	100%	N	33	86	119	644	67	577	0
Sub-Total SA 3				*2.23*									*21,972*	*16,417*	*6,480*	*925*
4	SH 276	John King Blvd	FM 549	0.74	2	UA	575	100%	N	600	820	1420	854	1055	0	201
4	SH 276	FM 549	Rochelle	1.01	2	UA	575	100%	N	545	969	1514	1162	1529	30	398
4	SH 276	Rochelle	E. City Limits	0.68	2	UA	575	100%	N	245	475	720	779	488	291	0
4	Goliad	John King Blvd	FM 549	0.88	2	UA	575	50%	N	805	0	805	504	706	0	202
4	Goliad	FM 549	S. City Limit	0.28	2	UA	575	50%	N	605	0	605	160	168	0	8
4	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	Y	656	0	656	1063	581	482	0
4	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	Y	225	0	225	1608	302	1307	0
4	FM 549	IH 30 EB FR	SH 276	0.89	2	UA	575	100%	N	346	409	755	1019	669	350	0
4	FM 549	SH 276	FM 1139	1.84	2	UA	575	100%	N	268	275	543	2116	999	1117	0
4	FM 1139	Goliad (SH205)	E. City Limits	0.43	2	UC	475	100%	N	368	375	743	409	320	89	0
Sub-Total SA 4				8.96746									*9674*	*6816*	*3666*	*808*
Total				**25.62**									**74,952**	**46,738**	**31,085**	**2,871**

Notes:
DA- Divided Arterial
UA- Undivided Arterial
UC- Undivided Collector

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E. Roadway Improvement Plan Projects

ROADWAY IMPROVEMENTS PLAN PROJECTS

Definitions

LANES	The total number of lanes in both directions available for travel.
TYPE	The type of roadway (used in determining capacity): DA = divided arterial SA = special arterial (similar to DA)
PK-HR VOLUME	the existing volumes of cars on the roadway segment traveling during the afternoon (P.M.) peak hour of travel.
% IN SERVICE AREA	If the roadway is located on the boundary of the service area (with the city limits running along the centerline of the roadway), then half of the roadway is inventoried in the service area and the other half is not. This value is either 50% or 100%.
VEH-MI SUPPLY TOTAL	The number of total service units (vehicle-miles) supplied within the service area, based on the length and established capacity of the roadway type.
VEH-MI TOTAL DEMAND PK-HR	The total service unit (vehicle-mile) demand created by existing traffic on the roadway segment in the afternoon peak hour.
EXCESS CAPACITY PK-HR VEH-MI	The number of service units supplied but unused by existing traffic in the afternoon peak hour.
FINANCE COST	Estimate of the cost of financing the cost of project development. Included for recoupment projects along John King Boulevard. Not applied for new recoupment and future projects added under this updated Impact Fee CIP
ROW	Estimated value of private owned right of way needed to be acquired for construction of the roadway improvements.

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Table 8
2019 Rockwall Roadway Impact Fee Study Update
Roadway Capital Improvements Plan

Serv Area Number	CIP Year	Roadway	From	To	Length (mi)	No. of Lanes	Rdwy. Type	Lane Capacity	Pct. in Serv. Area	VMT Supply Pk Hr Total	VMT Demand Pk Hr Total	Excess VMT Capacity	CIP VMT Deficiency	Project Status	Roadway Costs				Project Cost
															Engineering	*ROW*	*Construction**	*Finance*	
1/2	2007	John King	City Limit (near G	FM552	1.28	4	DA	600	50%	1536	352	1184	0	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
1/2	2007	John King	FM 552	Quail Run	1.29	4	DA	600	50%	1548	645	903	0	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
1/2	2007	John King	Quail Run	SH 66	1.04	4	DA	600	50%	1248	572	676	0	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
1/2	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	1764	904	860	0	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
1	2019	SH 205 (Goliad St)	Olive	Live Oak	0.33	5	SA	450	100%	588	567	21	0	N	$236,600	$17,300	$3,380,500	$0	$3,634,400
1	2019	SH 205 (Goliad St)	Live Oak	N. City Limit	2.98	4	DA	600	100%	7152	3791	3362	0	N	$2,481,248	$314,700	$35,446,400	$0	$38,242,348
Sub-total SA 1					**8.39**					**13836**	**6831**	**7006**	**0**		**$4,160,539**	**$3,876,160**	**$50,734,244**	**$14,748,559**	**$73,519,502**
2/1	2007	John King	City Limit (near G	FM552	1.28	4	DA	600	50%	1536	384	1152	0	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
2/1	2007	John King	FM 552	Quail Run	1.29	4	DA	600	50%	1548	710	839	0	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
2/1	2007	John King	Quail Run	SH 66	1.04	4	DA	600	50%	1248	676	572	0	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
2/1	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	1764	1213	551	0	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
Sub-total SA 2					**5.08**					**6096**	**2982**	**3114**	**0**		**$1,442,691**	**$3,544,160**	**$11,907,344**	**$14,748,559**	**$31,642,754**
3/4	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	1063	772	291	0	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
3/4	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	1608	302	1307	0	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
3	2019	SH 205 (Goliad St)	Sids	John King Blvd	0.96	6	DA	600	100%	3474	1435	2039	0	N	$974,148	$101,900	$13,916,400	$0	$14,992,448
3	2019	FM3097/Horizon	Ridge Road	County Line Rd	1.13	4	DA	600	100%	2705	1562	1143	0	R	$0	$0	$900,000	$0	$900,000
3	2019	FM740/Ridge Rd	Horizon	S. City Limit	1.10	4	DA	600	100%	2640	2019	622	0	R	$0	$0	$472,902	$0	$472,902
Sub-total SA 3					**5.42**					**11489**	**6088**	**5401**	**0**		**$1,244,200**	**$684,694**	**$18,049,682**	**$6,171,201**	**$26,149,776**
4/3	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	1063	581	482	0	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
4/3	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	1608	302	1307	0	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
4	2019	FM 549 (Corp Crossing)	IH30	SH276	0.87	4	DA	600	100%	2080	654	1425	0	R	$0	$0	$4,724,665	$0	$4,724,665
Sub-total SA 4					**3.09**					**4751**	**1537**	**3214**	**0**		**$270,052**	**$582,794**	**$7,485,045**	**$6,171,201**	**$14,509,091**
Totals:					**13.80**					**36,172**	**17,438**	**18,734**	**0**		**$7,117,483**	**$8,687,808**	**$88,176,313**	**$41,839,518**	**$145,821,123**

Notes:

DA- Divided Arterial
SA- Special Arterial with two-way left turn lane (TWLTL)
N- New Impact Fee Project
R- Impact Fee Recoupment Project
Red font = added in this Impact Fee CIP

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A

City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

Olive St to Live Oak St

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	5
Length (lf):	1,725		
Right-of-Way Width (ft.):	70		
Median Type:	TWLTL		
Pavement Width (BOC to BOC):	45		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	0	SF	$ 1.00	$ -
2	Right of Way Preparation	18	STA	$ 4,000.00	$ 72,000
3	Remove Existing Pavement	18	STA	$ 1,000.00	$ 18,000
4	Unclassified Street Excavation	3,200	CY	$ 20.00	$ 64,000
5	8" Lime Stabilized Subgrade	9,100	SY	$ 10.00	$ 91,000
6	Lime for Stabilization (48 lb/SY)	200	TON	$ 180.00	$ 36,000
7	10" Concrete Pavement w/ Integral Curb	8,700	SY	$ 75.00	$ 652,500
8	4" Concrete Sidewalk and Ramps	20,700	SY	$ 55.00	$ 1,138,500
9	Solid Sod	22,400	SY	$ 5.00	$ 112,000
				Paving Estimate Subtotal:	**$ 2,184,000**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 43,700
11	Traffic Control	4%	$ 87,400
12	Erosion Control	3%	$ 65,600
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 436,800
14	Utility Adjustments	5%	$ 109,200
	Other Components Estimate Subtotal:		**$ 742,700**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	None	$ -	$ -
16	Bridge Structures	None	$ -	$ -
17	Traffic Signals	None	$ -	$ -
		Special Components Estimate Subtotal:		**$ -**
		I, II, & III Construction Subtotal:		$ 2,926,700
		Mobilization	5%	$ 146,400
		Contingency	10%	$ 307,400
		Construction Cost Estimate Total:		**$ 3,380,500**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 3,380,500
Engineering/Survey/Testing		7.0%	$ 236,600
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 17,300	$ 17,300
	Impact Fee Project Cost Estimate Total:		**$ 3,634,400**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 432,400**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

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City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

Live Oak St to N. City Limit

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	4
Length (lf):	15,735		
Right-of-Way Width (ft.):	85		
Median Type:	Raised		
Pavement Width (BOC to BOC):	50		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	157,400	SF	$ 1.00	$ 157,400
2	Right of Way Preparation	158	STA	$ 4,000.00	$ 632,000
3	Remove Existing Pavement	158	STA	$ 1,000.00	$ 158,000
4	Unclassified Street Excavation	32,100	CY	$ 20.00	$ 642,000
5	8" Lime Stabilized Subgrade	94,500	SY	$ 10.00	$ 945,000
6	Lime for Stabilization (48 lb/SY)	1,990	TON	$ 180.00	$ 358,200
7	10" Concrete Pavement w/ Integral Curb	87,500	SY	$ 75.00	$ 6,562,500
8	4" Concrete Sidewalk and Ramps	188,820	SY	$ 55.00	$ 10,385,100
9	Solid Sod	361,900	SY	$ 5.00	$ 1,809,500
				Paving Estimate Subtotal:	**$ 21,492,300**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 429,900
11	Traffic Control	4%	$ 859,700
12	Erosion Control	3%	$ 644,800
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 4,298,500
14	Utility Adjustments	5%	$ 1,074,700
	Other Components Estimate Subtotal:		**$ 7,307,600**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	1 minor	$ 150,000	$ 150,000
16	Bridge Structures	175' long bridge south of Lakeshore Blvd	$ 1,139,600	$ 1,139,600
17	Traffic Signals	3 Existing Signals; 1 new @ N John King	$ 600,000	$ 600,000
		Special Components Estimate Subtotal:		**$ 1,889,600**

I, II, & III Construction Subtotal:		$ 30,689,500
Mobilization	5%	$ 1,534,500
Contingency	10%	$ 3,222,400
Construction Cost Estimate Total:		**$ 35,446,400**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 35,446,400
Engineering/Survey/Testing		7.0%	$ 2,481,200
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 314,700	$ 314,700
	Impact Fee Project Cost Estimate Total:		**$ 38,242,300**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 4,550,800**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

C

City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

Sids Rd to John King Blvd

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	6
Length (lf):	5,095		
Right-of-Way Width (ft.):	120		
Median Type:	Raised		
Pavement Width (BOC to BOC):	74		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	101,900	SF	$ 1.00	$ 101,900
2	Right of Way Preparation	51	STA	$ 4,000.00	$ 204,000
3	Remove Existing Pavement	51	STA	$ 1,000.00	$ 51,000
4	Unclassified Street Excavation	15,400	CY	$ 20.00	$ 308,000
5	8" Lime Stabilized Subgrade	44,200	SY	$ 10.00	$ 442,000
6	Lime for Stabilization (48 lb/SY)	930	TON	$ 180.00	$ 167,400
7	10" Concrete Pavement w/ Integral Curb	41,900	SY	$ 75.00	$ 3,142,500
8	4" Concrete Sidewalk and Ramps	61,140	SY	$ 55.00	$ 3,362,700
9	Solid Sod	173,200	SY	$ 5.00	$ 866,000
				Paving Estimate Subtotal:	**$ 8,543,600**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 170,900
11	Traffic Control	4%	$ 341,800
12	Erosion Control	3%	$ 256,400
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 1,708,800
14	Utility Adjustments	5%	$ 427,200
	Other Components Estimate Subtotal:		**$ 2,905,100**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	2 Minor crossings	$ 300,000	$ 300,000
16	Bridge Structures	None	$ -	$ -
17	Traffic Signals	1 Existing @ John King; 1 new @ Sids	$ 300,000	$ 300,000
		Special Components Estimate Subtotal:		**$ 600,000**

I, II, & III Construction Subtotal:		$ 12,048,700
Mobilization	5%	$ 602,500
Contingency	10%	$ 1,265,200
Construction Cost Estimate Total:		**$ 13,916,400**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 13,916,400
Engineering/Survey/Testing		7.0%	$ 974,100
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 101,900	$ 101,900
	Impact Fee Project Cost Estimate Total:		**$ 14,992,400**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 1,784,000**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

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City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

John King Blvd to S. City Limit

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	6
Length (lf):	13,358		
Right-of-Way Width (ft.):	120		
Median Type:	Raised		
Pavement Width (BOC to BOC):	74		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	267,200	SF	$ 1.00	$ 267,200
2	Right of Way Preparation	134	STA	$ 4,000.00	$ 536,000
3	Remove Existing Pavement	134	STA	$ 1,000.00	$ 134,000
4	Unclassified Street Excavation	40,300	CY	$ 20.00	$ 806,000
5	8" Lime Stabilized Subgrade	115,800	SY	$ 10.00	$ 1,158,000
6	Lime for Stabilization (48 lb/SY)	2,440	TON	$ 180.00	$ 439,200
7	10" Concrete Pavement w/ Integral Curb	109,900	SY	$ 75.00	$ 8,242,500
8	4" Concrete Sidewalk and Ramps	160,300	SY	$ 55.00	$ 8,816,500
9	Solid Sod	454,200	SY	$ 5.00	$ 2,271,000
				Paving Estimate Subtotal:	**$ 22,403,200**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 448,100
11	Traffic Control	4%	$ 896,200
12	Erosion Control	3%	$ 672,100
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 4,480,700
14	Utility Adjustments	5%	$ 1,120,200
	Other Components Estimate Subtotal:		**$ 7,617,300**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	1 Minor crossing, 2 major crossing	$ 750,000	$ 750,000
16	Bridge Structures	None	$ -	$ -
17	Traffic Signals	1 Existing Signal @ Lofland Cir	$ 150,000	$ 150,000
		Special Components Estimate Subtotal:		**$ 900,000**

I, II, & III Construction Subtotal:		$ 30,920,500
Mobilization	5%	$ 1,546,100
Contingency	10%	$ 3,246,700
Construction Cost Estimate Total:		**$ 35,713,300**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 35,713,300
Engineering/Survey/Testing		7.0%	$ 2,499,900
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 267,200	$ 267,200
	Impact Fee Project Cost Estimate Total:		**$ 38,480,400**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 4,579,100**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

City of Rockwall

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F. Roadway Improvements Plan Cost Analysis

ROADWAY IMPROVEMENTS PLAN COST ANALYSIS

Definitions

LANES	The total number of lanes in both directions available for travel.
TYPE	The type of roadway (used in determining capacity): DA = divided arterial SA = special arterial
% IN SERVICE AREA	If the roadway is located on the boundary of the service area (with the city limits running along the centerline of the roadway), then half of the roadway is inventoried in the service area and the other half is not. This value is either 50% or 100%.
TOTAL SEGMENT COST	The estimated cost (in dollars) of the entire segment of the proposed improvement.
TOTAL COST IN SERVICE AREA	The estimated cost (in dollars) of the portion of the proposed roadway improvement within the service area.

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2019 Rockwall Roadway Impact Fee Study Update
Roadway Capital Improvements Plan

Serv Area Number	CIP Year	Roadway	From	To	Length (mi)	No. of Lanes	Rdwy. Type	Pct. in Serv. Area	Roadway Costs				Project Cost
									Engineering	*ROW*	*Construction**	*Finance*	
1/2	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
1/2	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
1/2	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
1/2	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
1	2019	SH 205 (Goliad St)	Olive	Live Oak	0.33	5	SA	100%	$236,600	$17,300	$3,380,500	$0	$3,634,400
1	2019	SH 205 (Goliad St)	Live Oak	N. City Limit	2.98	4	DA	100%	$2,481,248	$314,700	$35,446,400	$0	$38,242,348
Sub-total SA 1					**8.39**				**$4,160,539**	**$3,876,160**	**$50,734,244**	**$14,748,559**	**$73,519,502**
2/1	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
2/1	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
2/1	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
2/1	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
Sub-total SA 2					**5.08**				**$1,442,691**	**$3,544,160**	**$11,907,344**	**$14,748,559**	**$31,642,754**
3/4	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
3/4	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
3	2019	SH 205 (Goliad St)	Sids	John King Blvd	0.96	6	DA	100%	$974,148	$101,900	$13,916,400	$0	$14,992,448
3	2019	FM3097/Horizon	Ridge Road	County Line Rd	1.13	4	DA	100%	$0	$0	$900,000	$0	$900,000
3	2019	FM740/Ridge Rd	Horizon	S. City Limit	1.10	4	DA	100%	$0	$0	$472,902	$0	$472,902
Sub-total SA 3					**5.42**				**$1,244,200**	**$684,694**	**$18,049,682**	**$6,171,201**	**$26,149,776**
4/3	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
4/3	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
4	2019	FM 549 (Corp Crossing)	IH30	SH276	0.87	4	DA	100%	$0	$0	$4,724,665	$0	$4,724,665
Sub-total SA 4					**3.09**				**$270,052**	**$582,794**	**$7,485,045**	**$6,171,201**	**$14,509,091**
Totals:					**13.80**				**$7,117,483**	**$8,687,808**	**$88,176,313**	**$41,839,518**	**$145,821,123**

Notes:

DA- Divided Arterial

SA- Special Arterial with two-way left turn lane (TWLTL)

N- New Impact Fee Project

R- Impact Fee Recoupment Project

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G. Service Area Analysis Summary

2019 Rockwall Roadway Impact Fee Study
Service Area Analysis Summary (John King @ 4D + Project Additions)

	1	2	3	4	5	6	7	8	9	10	11	12	13
Service Area	Capacity Supplied by CIP (veh-mi)	Existing Utilization	Existing Deficiencies	Net Capacity Supplied by CIP	Total Project Cost of CIP	Project Cost of CIP with 50% Credit	Cost of Net Capacity Supplied	Cost to Meet Existing Utilization	Projected 10yr Demand (veh-miles)	Pcnt. of CIP Attributable to New Dev. (10-yr)	Cost Attributable to New Dev.	Fee per Service Unit @ 50% Discount	*Actual Cost per Service Unit (veh-mi)*
1	13,836	6,831	1,137	5,869	$73,550,103	$36,775,052	$15,598,596	$21,176,456	13,731	100.0	$15,598,596	$1,136.00	*$2,272.00*
2	6,096	2,982	0	3,114	$31,656,236	$15,828,118	$8,084,777	$7,743,341	3,676	100.0	$8,084,777	$2,199.00	*$4,398.00*
3	11,489	6,088	925	4,476	$26,175,186	$13,087,593	$5,098,520	$7,989,073	13,001	100.0	$5,098,520	$392.00	*$784.00*
4	4,751	1,537	808	2,405	$14,519,597	$7,259,799	$3,675,714	$3,584,085	2,814	100.0	$3,675,714	$1,306.00	*$2,612.00*
Totals	36,172	17,438	2,871	15,864	$145,901,123	$72,950,562	$31,993,304	$40,957,258	33,222	100.0	$31,993,304	$963.00	*$1,926.00*

Dbase D + Project Additions

1. TOTAL VEH-MI OF CAPACITY SUPPLIED BY CIP (TVMCAP)
2. TOTAL VEH-MI OF EXISTING DEMAND (VMEXT)
3. TOTAL VEH-MI OF EXISTING DEFICENCIES (VMDEF)
4. NET AMOUNT OF ROADWAY CAPACITY SUPPLIED (NVMCAP) =
   NVMCAP =TVMCAP-VMEXT-VMDEF
5. TOTAL COST OF CIP WITHIN STUDY AREA (TVMCOST)
6. TOTAL COST OF CIP IN SERVICE AREA w/50% CREDIT (TVMCOST)
7. COST OF NET CAPACITY SUPPLIED (NCVMCAP) =
   NCVMCAP = (NVMCAP/TVMCAP)*TVMCOST
8. COST TO MEET EXISTING NEEDS AND USAGE (EXCOST) =
   EXCOST = TVMCOST-NCVMCAP
9. TOTAL VEH-MI OF NEW DEMAND OVER TEN YEARS (TNEWDEM)
10. PERCENT OF CIP ATTRIBUTABLE TO NEW DEVELOPMENT (NPCNT) =
    IF TNEWDEM > NVMCAP, NPCNT = 100%
    IF TNEWDEM < NVMCAP, NPCNT = (TNEWDEM / NVMCAP)*100
11. COST OF CIP ATTRIBUTABLE TO NEW DEVELOPMENT (NCVMDEM) =
    NCVMDEM = (TNEWDEM / NVMCAP) * NCVMCAP
12. MAXIMUM FEE PER SERVICE UNIT (50%) =
    MAX FEE = NCVMDEM / TNEWDEM
13. ACTUAL COST PER SERVICE UNIT (100%)

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Exhibit 'D':
2019 – 2029 Water & Wastewater Impact Fee Update

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2019 – 2029 WATER & WASTEWATER IMPACT FEE UPDATE

Submitted To

CITY OF ROCKWALL

Submitted By

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
TBPE Firm No. 526

September 2019

DRAFT ORDINANCE 10-21-2019

CITY OF ROCKWALL
2019 - 2029 WATER & WASTEWATER IMPACT FEE UPDATE

TABLE OF CONTENTS

Page No.

SECTION I - INTRODUCTION

A. General 1

B. Water & Wastewater Impact Fee Glossary 2

C. Land Use Assumptions 5

- Table No. 1: Residential and Non-Residential Growth from 2019 to 2029 6

SECTION II - WATER & WASTEWATER C.I.P. & IMPACT FEE ANALYSIS

A. Definition of a Service Unit – Water and Wastewater 7

- Table No. 2: Living Unit Equivalencies for Various Types & Sizes of Water Meters 7

B. Calculation of Water & Wastewater – Living Unit Equivalents 8

- Table No. 3: Water Living Unit Equivalents 2019 – 2029 8
- Table No. 4: Wastewater Living Unit Equivalents 2019 – 2029 9

C. Cost of Facilities 9

D. Water Distribution System 10

1. Existing Pump Stations, Ground Storage Reservoirs & Elevated Storage Tanks 10
   - Table No. 5: Water Distribution System – Existing Pump Station and Ground Storage 10
   - Table No. 6: Existing Elevated Storage Tanks 11
2. Distribution Lines 11
3. Water Supply 11
4. Water Distribution System Capital Improvement Projects for Impact Fees 12
   - Exhibit 1 10-Year Water Distribution System C.I.P. for Impact Fees 13
   - Table No. 7: 10-Year Water Distribution System C.I.P. for Impact Fees 14

DRAFT ORDINANCE 10-21-2019

5. Utilized Capacity 15

- Table No. 8: Summary of Eligible Water Distribution Project Cost and Utilized Capacity Cost 15
- Table No. 9: Water Pump Station Facilities 16
- Table No. 10: Ground Storage Reservoirs 17
- Table No. 11: Elevated Storage Tanks 18
- Table No. 12: Existing Impact Fee Water Lines 19
- Table No. 13: Proposed Impact Fee Water Lines 24
- Table No. 14: CCN Acquisition 26

E. Wastewater Collection System 27

1. Collection Lines 27

2. Treatment 27

3. Wastewater System Capital Improvement Projects for Impact Fees 28

- Exhibit 2 Wastewater Collection System 10-Year C.I.P. for Impact Fees 29
- Table No. 15: Wastewater Collection System 10-Year C.I.P. for Impact Fees 30

4. Utilized Capacity 32

- Table No. 16: Summary of Eligible Capital Cost & Utilized Capacity Cost 32
- Table No. 17: Existing Impact Fee Wastewater Lines 33
- Table No. 18: Proposed Impact Fee Wastewater Lines 37
- Table No. 19: Wastewater Facilities 40
- Table No. 20: Proposed NTMWD Facilities 41
- Table No. 21: Summary of Utilized Capacity Allocation between City of Rockwall & NTMWD Wastewater System 42

F. Calculation of Maximum Impact Fees – Water and Wastewater 43

- Table No. 22: Maximum Assessable Water & Wastewater Impact Fee 44



Matthew Hickey 9/16/19



09/16/19

CITY OF ROCKWALL
2019 – 2029 WATER & WASTEWATER IMPACT FEE UPDATE

SECTION I – INTRODUCTION

A. GENERAL

In accordance with the requirements of Chapter 395.052 of the Local Government Code, this report establishes the City of Rockwall's Capital Improvement Plan for water and wastewater impact fees and calculates the maximum allowable fee for each. Land use assumptions for impact fees were generated under a separate document prepared by the City of Rockwall's Planning Department.

Chapter 395, of the Local Government Code is an act that provides guidelines for financing capital improvements required by new development in municipalities, counties, and certain other local governments. The basis for determination of an impact fee requires the preparation and adoption of a land use plan and growth assumption, and the preparation of a 10-year capital improvement plan. The capital improvement plan requires an analysis of total capacity, the level of current usage and commitments of capacity of existing capital improvements. From these two phases, a maximum impact fee is calculated.

The Act allows the maximum impact fee to be charged if revenues from future ad valorem taxes, and water and sewer bills are included as a credit in the analysis. If not, the Act allows the maximum fee to be set at 50% of the calculated maximum fee. The following items were included in the impact fee calculation:

1. The portion of the cost of the new infrastructure that is to be paid by the City, including engineering, property acquisition and construction cost.

2. Existing excess capacity in lines and facilities that will serve future growth and which were paid for in whole or part by the City.

3. Engineering and quality control fees for construction projects.

4. Interest and other finance charges on bonds issued by the City to cover its portion of the cost. 5% is assumed for this analysis.

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The engineering analysis portion of the Water and Wastewater Fee determines utilized capacity cost of the major water distribution and wastewater collection facilities between the year 2019 and the year 2029. Facilities in this analysis include, water pump stations, water storage tanks, water transmission lines and wastewater collection lines. The North Texas Municipal Water District (NTMWD) water treatment, and water distribution components were excluded from this analysis. The study period is a ten-year period with 2019 as the base year. The impact fee calculations for the water and wastewater systems are based on land use assumptions prepared by the City of Rockwall. Prior to this impact fee update, the City's Water Distribution and Wastewater Collection hydraulic models were updated for 2019, 2029 and buildout conditions. The hydraulic model results are available for review from the City of Rockwall. The equivalency factors utilized in this analysis conform to the American Water Works Association Standards (C700 - C703).

B. WATER & WASTEWATER IMPACT FEE GLOSSARY

1. Advisory Committee means the capital improvements advisory committee established by the City for purposes of reviewing and making recommendations to the City Council on adoption of the City's impact fee program.

2. Area-Related Facility means a capital improvement or facility expansion which is designated in the impact fee capital improvements plan and which is not a site-related facility. Area-Related Facility may include capital improvements that are located off-site, or within or on the perimeter of the development site.

3. Assessment means the determination of the amount of the maximum impact fee per service unit that can be imposed on new development.

4. Capital Improvement means either a water facility or a wastewater facility with a life expectancy of three or more years, to be owned and operated by or on behalf of the City.

5. City means the City of Rockwall, Texas.

6. Credit means the amount of the reduction of an impact fee due, determined under this ordinance or pursuant to administrative guidelines that is equal to the value of area-related

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facilities provided by a property owner pursuant to the City's subdivision or zoning regulations or requirements, for the same type of facility.

7. Debt Service means the 20-year financing costs of projects applied to all eligible existing and proposed water and wastewater facilities.

8. Facility Expansion means either a water facility expansion or a sewer facility expansion.

9. Impact Fee means either a fee for water facilities or a fee for wastewater facilities, imposed on new development by the City pursuant to Chapter 395 of the Texas Local Government Code in order to generate revenue to fund or recoup the costs of capital improvements or facility expansion necessitated by and attributable to such new development. Impact fees do not include the dedication of rights-of-way or easements for such facilities, or the construction of such improvements, imposed pursuant to the City's zoning or subdivision regulations.

10. Impact Fee Capital Improvements Plan means either a water capital improvements plan or a wastewater capital improvement plan adopted or revised pursuant to the impact fee regulations.

11. Land Use Assumptions means the projections of population and growth, and associated changes in land uses, densities and intensities over at least a ten-year period, as adopted by the City and as may be amended from time to time, upon which the capital improvements plans are based.

12. Land Use Equivalency Table means a table converting the demands for capital improvements generated by various land uses to numbers of service units, as may be amended from time to time.

13. New Development means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

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14. Recoupment means the imposition of an impact fee to reimburse the City for capital improvements that the City had previously oversized to serve new development.

15. Service Area means either a water service area or wastewater service area which impact fees for capital improvements or facility expansion will be collected for new development occurring within such area, and within which fees so collected will be expended for those types of improvements or expansions identified in the type of capital improvements plan applicable to the service area.

16. Service Unit means the applicable standard units of measure shown on the land use equivalency table in the Impact Fees Capital Improvements Plan that can be converted to water meter equivalents, for water or for wastewater facilities, which serves as the standardized measure of consumption, use or generation attributable to the new unit of development.

17. Site-Related Facility means an improvement or facility which is for the primary use or benefit of a new development, and/or which is for the primary purpose of safe and adequate provision of water or wastewater facilities to serve the new development, and which is not included in the impact fees capital improvements plan and for which the property owner is solely responsible under subdivision or other applicable development regulations.

18. Utility Connection means installation of a water meter for connecting a new development to the City's water system, or connection to the City's wastewater system.

19. Wastewater Facility means a wastewater interceptor or main, lift station or other facility included within and comprising an integral component of the City's collection system for wastewater. Wastewater facility includes land, easements or structure associated with such facilities. Wastewater facility excludes site-related facilities.

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20. Wastewater Facility Expansion means the expansion of the capacity of any existing wastewater improvement for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing sewer facility to serve existing development.

21. Wastewater Capital Improvements Plan means the adopted plan, as may be amended from time to time, which identifies the wastewater facilities or wastewater expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.

22. Water Facility means a water main, pump station, storage tank or other facility included within and comprising an integral component of the City's water storage or distribution system. Water facility includes CCN acquisition, land, easements or structures associated with such facilities. Water facility excludes site-related facilities.

23. Water Facility Expansion means the expansion of the capacity of any existing water facility for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing water improvement to serve existing development.

24. Water Capital Improvements Plan means the adopted plan, as may be amended from time to time, which identifies the water facilities or water expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.

25. Water Meter means a device for measuring the flow of water to a development, whether for domestic or for irrigation purposes.

C. LAND USE ASSUMPTIONS *(Prepared By: City of Rockwall Planning Department)*

The impact fee land use assumptions utilized in this update were prepared by the City of Rockwall's Planning Department and are presented in a separate document. The land use assumptions projected an ultimate residential population of approximately 149,525 in the City of Rockwall's ultimate planning boundary.

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The residential and non-residential growth provided by the City for the year 2019 through 2029 is summarized in Table No. 1.

TABLE NO. 1

Residential and Non-Residential Growth from 2019 to 2029

Year	LUA Residential Population *	Residential Population Served **	Non-Residential Uses*** Employees	
2019	49,616	44,748	25,369	
2029	73,228	64,768	34,064	
Res. Growth Rate	**1.48**		**Non-Res. Growth Rate**	**1.34**

** Residential Population Inside Planning Boundary*
*** Residential Population Served Inside Existing City of Rockwall City Limit Boundary*
**** Basic – Industrial Land Uses*
**** Service – Office & Institutional Land Uses*
**** Retail – Commercial Land Uses*

As shown in Table No. 1, increases in the residential population and non-residential uses will occur during the 10-year capital recovery period. The water demand and wastewater flows from the residential and non-residential uses dictate the ultimate size of facilities, while the rate of growth is important to determine the timing of system improvements to meet the City's growing needs. The eligible water impact fee facilities are shown **on Exhibit 1**. The eligible wastewater facilities are shown on **Exhibit 2** in this report.

DRAFT ORDINANCE 10.21.19

SECTION II

WATER & WASTEWATER C.I.P. AND IMPACT FEE ANALYSIS

A. DEFINITION OF A SERVICE UNIT – WATER AND WASTEWATER

Chapter 395 of the Local Government Code requires that impact fees be based on a defined service unit. A "service unit" means a standardized measure of consumption, use generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards. This impact fee defines a water and wastewater service unit to be a *5/8-inch water meter* and has referred to this service unit as a Single Family Living Unit Equivalent (SFLUE). The SFLUE is based on the continuous duty capacity of a 5/8-inch water meter. This is the City of Rockwall's typical meter used for a single family detached dwelling, and therefore is considered to be equivalent to one "living unit". Other meter sizes can be compared to the 5/8-inch meter through a ratio of water flows as published by the American Water Works Association as shown in **Table No. 2** below. This same ratio is then used to determine the proportional water and wastewater impact fee amount for each water meter size.

TABLE NO. 2

Living Unit Equivalencies For Various Types and Sizes of Water Meters

Meter Type	Meter Size	Continuous Duty Maximum Rate (gpm) [a]	Ratio to 5/8" Meter
Simple	5/8"	10	1.0
Simple	1"	25	2.5
Simple	1-1/2"	50	5.0
Simple	2"	80	8.0
Compound	2"	80	8.0
Turbine (Irrigation)	2"	160	16.0
Compound	3"	160	16.0
Turbine (Irrigation)	3"	350	35.0
Compound	4"	250	25.0
Turbine (Irrigation)	4"	650	65.0
Compound	6"	500	50.0
Turbine (Irrigation)	6"	1,400	140.0
Compound	8"	800	80.0
Turbine (Irrigation)	8"	2,400	240.0
Turbine	10"	3,500	350.0
Turbine	12"	4,400	440.0

[a] *Source: AWWA Standard C700 - C703*

DRAFT ORDINANCE 10-21-2019

B. CALCULATION OF WATER & WASTEWATER - LIVING UNIT EQUIVALENTS

The City of Rockwall provided the existing water meter count by size category as of December 2018. In total, there are 15,680 domestic water and irrigation meters serving an existing population of 49,616 residents and business. **Table No. 3** shows the number of existing meters, the living unit equivalent factor and the total number of living unit equivalents for each sized water meter.

Similar, the City provided the number of wastewater accounts by corresponding water meter size. This number of wastewater accounts is 15,053. **Table No. 4** illustrates the existing wastewater accounts and the SFLUE's. The difference between the water and wastewater accounts is irrigation meters are not included in the wastewater accounts.

The residential growth rate of 1.48 in **Table 1** was applied to 5/8-inch through 1-1/2-inch meters. The non-residential growth rate of 1.34 in **Table 1** was applied to 2-inch through 12-inch meters. Utilizing these growth rates in a straight-line extrapolation of the existing water and wastewater accounts, the numbers of new accounts was calculated for the year 2029. City records indicate the historical growth of 5/8-inch and 1-inch meters is approximately 96% 5/8-inch meters and 4% 1-inch meters for the base meter sizes. These percentages were applied to the total growth of 5/8-inch and 1-inch meters. Living unit equivalents were then applied to the water meters and wastewater accounts for 2019 and 2029, resulting in a total number of living units. The difference in the total number of 2019 and 2029 living units results in the new living unit equivalents during the impact fee period. The calculation of living unit equivalents is summarized in **Table 3 and Table 4**.

TABLE NO. 3

Water Living Unit Equivalents 2019 – 2029

Meter Size	2019			2029			New Living Unit Equivalents During Impact Fee Period
	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	
5/8"	14,261	1.0	14,261	21,108	1.0	21,108	6,847
1"	597	2.5	1,493	882	2.5	2,205	712
1-1/2"	188	5.0	940	278	5.0	1,390	450
2"	617	8.0	4,936	827	8.0	6,616	1,680
3"	5	16.0	80	7	16.0	112	32
4"	10	25.0	250	13	25.0	325	75
6"	2	50.0	100	3	50.0	150	50
8"	0	80.0	0	0	80.0	0	0
10"	0	350.0	0	0	350.0	0	0
12"	0	440.0	0	0	440.0	0	0
Totals	**15,680**		**22,060**	**23,118**		**31,906**	**9,846**

DRAFT 10.21.19

TABLE NO. 4

Wastewater Living Unit Equivalents 2019 – 2029

Meter Size	2019			2029			New Living Unit Equivalents During Impact Fee Period
	Number of Wastewater Accounts	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	
5/8"	14,179	1.0	14,179	20,956	1.0	20,956	6,777
1"	377	2.5	943	587	2.5	1,468	525
1-1/2"	126	5.0	630	186	5.0	930	300
2"	358	8.0	2,864	480	8.0	3,840	976
3"	5	16.0	80	7	16.0	112	32
4"	6	25.0	150	8	25.0	200	50
6"	2	50.0	100	3	50.0	150	50
8"	0	80.0	0	0	80.0	0	0
10"	0	350.0	0	0	350.0	0	0
12"	0	440.0	0	0	440.0	0	0
Totals	**15,053**		**18,946**	**22,227**		**27,656**	**8,710**

C. COST OF FACILITIES

Unit costs for proposed water and wastewater lines larger than 12 inches in diameter that are anticipated to be constructed between 2019 and 2029 by private development include the City's oversize cost participation only. These water and wastewater lines are colored green on **Exhibits 1 and 2**. Oversize cost participation from City is based on availability of funds. For City participation, the developer must bid the 12-inch as a base and the oversize as an additive alternate. City initiated water and wastewater lines include the full cost of the proposed facility. These water and wastewater lines are colored red on **Exhibits 1 and 2**. Developer initiated water and wastewater line projects which are 12 inches or less in diameter are not included in this Impact Fee analysis, as the cost for these size lines are the responsibility of the developer. These water and wastewater lines are colored light blue (cyan) on **Exhibits 1 and 2**.

Actual construction costs of the various existing elements of the water and wastewater systems were utilized where the information was known. The existing cost of facilities was determined from Contractor's final pay requests, City purchase orders, bid tabulation forms and developer's agreements. Existing water and wastewater facilities included in the impact fee analysis are only those with excess capacity available for future growth are colored dark blue on **Exhibits 1 and 2**.

DRAFT ORDINANCE 10.24.2019

Cost data for existing water and wastewater facilities included in the impact fee analysis were provided by the City. A 5% debt service, over a period of 20-years, has been added to all projects. Actual costs were used for those existing projects where records were available.

D. WATER DISTRIBUTION SYSTEM

Computer hydraulic models for the years 2019, 2029 and Buildout were prepared and analyzed by Birkhoff, Hendricks & Carter, L.L.P. The models were developed and water demand distributed from residential population and non-residential land use projections prepared by the City of Rockwall's Planning Department. The projected developed land areas from the City's Land Use Assumptions follow closely to the construction of major facilities in the system. These facilities include pump stations, storage tanks, and major distribution lines. All computer models were run for the Maximum Hourly Demands in a three-day extended period simulation to ensure proper sizing of the facilities to meet peak demands.

1. Existing Pump Stations, Ground Storage Reservoirs & Elevated Storage Tanks

The existing water distribution system included in the impact fee analysis (As of December 2018) includes the facilities summarized in **Table No. 5** and **Table No. 6**.

TABLE NO. 5

Water Distribution System -- Existing Pump Stations & Ground Storage

Pump Station	Number of Pumps	Rated Capacity (MGD)	Number of Ground Storage Tanks	Total Ground Storage Available (Gallons)
Heath Street 698.75	6	17.7	1	3,000,000
Eastside 698.75	6	25.9	1	3,000,000
698.75 Subtotal:	**12**	**43.6**	**2**	**6,000,000**
Eastside 780	3	8.6	1	1,000,000
780 Subtotal:	**3**	**8.6**	**1**	**1,000,000**
Total:	**15**	**52.2**	**3**	**7,000,000**

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TABLE NO. 6

Existing Elevated Storage Tanks

Elevated Storage Tanks	Capacity in Million Gallons
Southside Elevated Storage Tank	1.0
Country Lane Elevated Storage Tank	2.0
Springer Elevated Storage Tank	2.0
Total	**5.0**

The pump stations and ground storage facilities were analyzed with the maximum daily demand, while elevated storage acts dynamically and therefore was analyzed utilizing the difference between the Maximum Hourly Demand and the Maximum Daily Demand.

2. Distribution Lines

The distribution lines consist of all lines within the Service Area planning boundary supplying water to customers in the City of Rockwall. Existing and proposed distribution lines vary in size from 5/8-inch services to 48-inch transmission lines and pump station piping. The cost of water lines includes construction cost, appurtenances (water valves, fire hydrants, taps and the like), utility relocations, purchase of easements and engineering costs. Financing cost over a 20-year term is included for each project.

Unit cost for proposed capital improvement water lines 12-inches and larger in diameter classified as City initiated, or City participation in oversize water lines. Developer's initiated water line projects, 12 inches or less in diameter were not included in this Impact Fee analysis, as the cost for these size lines are the responsibility of the developer.

3. Water Supply

The City of Rockwall currently receives all of its water supply from the North Texas Municipal Water District (NTMWD). Rockwall's allocation of the capital cost of services as a Member of the NTMWD was specifically excluded from the impact fee analysis.

If included, Rockwall's share of the NTMWD capital cost could include the original construction cost, expansion cost and financing cost of the following components:

a) Water Rights Cost in Lake Lavon and other Sources

DRAFT ORDINANCE 10.21.19

b) Raw Water Intake Structures

c) Raw Water Pump Stations

d) Treatment Plant and Expansion

e) High Service Pump Stations

f) Transmission Lines

g) NTMWD Owned Ground Storage Facilities

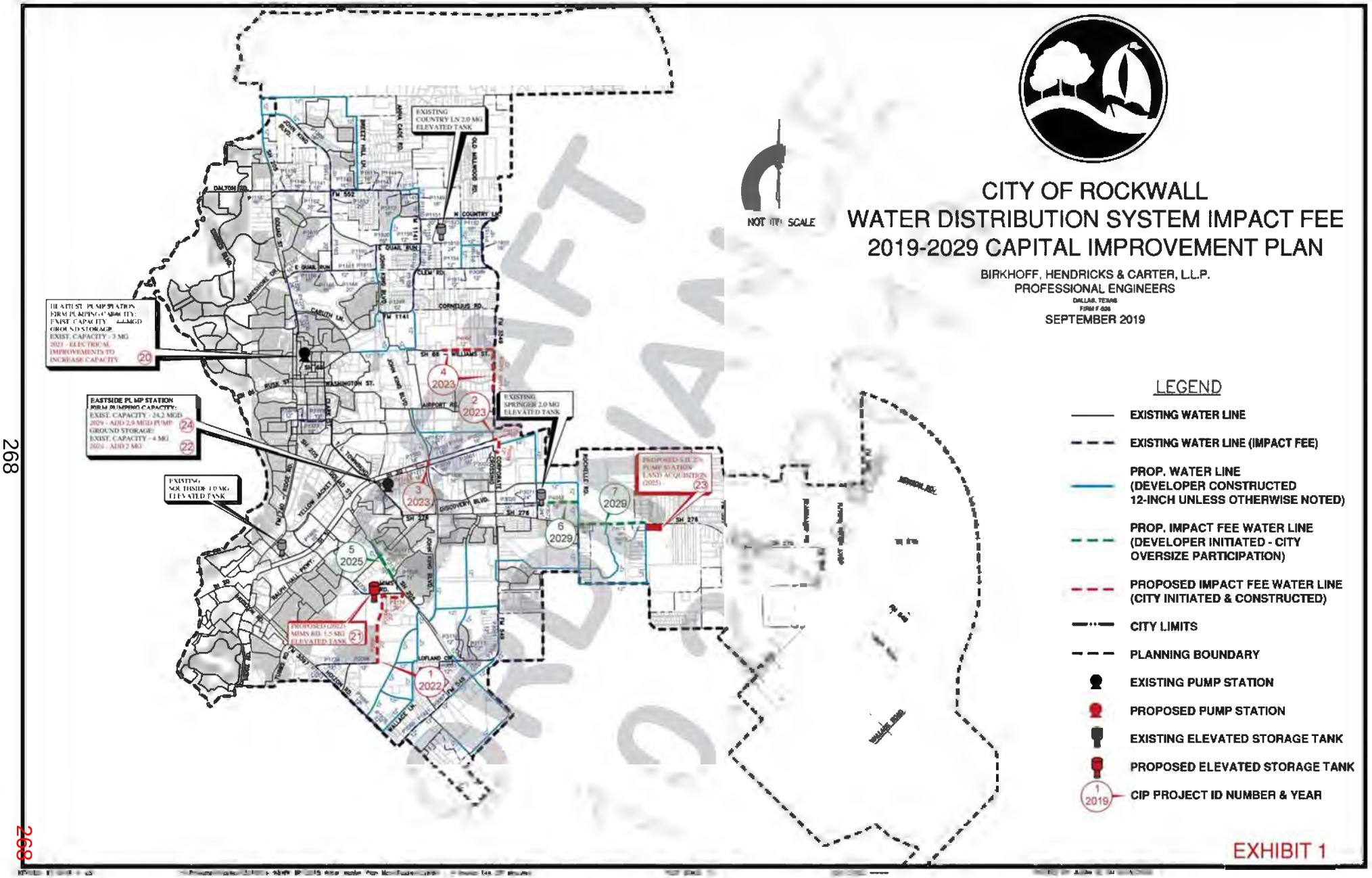
NTMWD has indicated that determining Rockwall's portion of cost for these items would not be possible, thus these costs have not been included in this analysis.

4. Water Distribution System Capital Improvement Projects for Impact Fees

In order to meet the demands of the anticipated growth over the next 10-years, as provided in the Land Use Assumptions prepared by the City of Rockwall, certain water distribution system improvements are required. **Exhibit 1** shows the recommended water system improvements and **Table No. 7** itemizes each project and the project cost in 2019 dollars. These recommended improvements form the basis for the water system impact fee calculation.

The capital improvement plan for impact fees provides for system improvements within the defined Service Area Planning Boundary. Most of the capital improvements are within the city limits, as requested by the City due to new State of Texas Annexation Laws.

DRAFT ORDINANCE 10.21.2019


NOT TO SCALE
CITY OF ROCKWALL
WATER DISTRICTION SYSTEM IMPACT FEE
2019-2029 CAPITAL IMPROVEMENT PLAN
BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS
FIRM # 526
SEPTEMBER 2019
LEGEND
EXISTING WATER LINE
EXISTING WATER LINE (IMPACT FEE)
PROP. WATER LINE (DEVELOPER CONSTRUCTED 12-INCH UNLESS OTHERWISE NOTED)
PROP. IMPACT FEE WATER LINE (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION)
PROPOSED IMPACT FEE WATER LINE (CITY INITIATED & CONSTRUCTED)
CITY LIMITS
PLANNING BOUNDARY
EXISTING PUMP STATION
PROPOSED PUMP STATION
EXISTING ELEVATED STORAGE TANK
PROPOSED ELEVATED STORAGE TANK
CIP PROJECT ID NUMBER & YEAR
EXISTING COUNTRY LN 2.0 MG ELEVATED TANK
EXISTING SPRINGER 2.0 MG ELEVATED TANK
EXISTING SOUTHSIDE 1.0 MG ELEVATED TANK
EASTSIDE PUMP STATION
PROPOSED (2022) MIMS RD. 1.5 MG ELEVATED TANK
PROPOSED SH 276 PUMP STATION LAND ACQUISITION (2025)
1 2022
2 2023
3 2023
4 2023
5 2025
6 2029
7 2029
20
21
22
23
24
EXHIBIT 1

DRAFT

268

Table No. 7

10-Year Water System Capital Improvement Plan for Impact Fees

PROPOSED WATER LINES

CIP #	Year	1=City Participation in Cost Oversize 2=City Initiated and Funded	Service Area	Water Line Projects (X) = Water Line CIP Project ID Number	Length (FT)	Size	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
1	2022	2	698.75	Mims Road / County Line Road Looping Water Lines (Pipes 2096, 2097, 2118)	6,151	20"	$ 1,402,428	$ 736,275	$ 2,138,703
2	2023	2	780	IH-30 - F.M. 3549/Corporate Crossing (Pipes 4039, 4124)	1,287	12"-16"	$ 531,800	$ 279,195	$ 810,995
3	2023	2	780	John King Blvd. 780 Water Lines North (Pipes 4123)	423	16"	$ 274,950	$ 144,349	$ 419,299
4	2023	2	780	S.H. 66 - F.M. 3549 780 Service Area Loop (Pipes 4007, 4008, 4009)	6,394	12"	$ 767,280	$ 402,822	$ 1,170,102
5	2025	1	698.75	S.H. 205 Water Lines (Pipes 2117, 2136)	2,496	16"	$ 149,760	$ 78,624	$ 228,384
6	2029	1	780	Springer Ln. 16" Water Line (Pipe 4043)	2,714	16"	$ 162,840	$ 85,491	$ 248,331
7	2029	1	780	S.H. 276 Pump Station Transmission Main West (Pipes 4071, 4072, 4073)	3,329	16"	$ 270,300	$ 141,908	$ 412,208
				Subtotal: Proposed Water Lines			**$ 3,559,358**	**$ 1,868,664**	**$ 5,428,022**

PROPOSED PUMPING AND STORAGE FACILITIES

CIP #	Year	Service Area	Pump Station, Ground Storage & Elevated Storage Project		Added Capacity	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
20	2021	698.75	Heath Street Pump Station Improvements		7.0 MGD	$ 2,730,000	$ 1,433,250	$ 4,163,250
21	2022	780	Mims 1.5 MG EST & Purchase 2-Acres		1.5 MG	$ 3,421,075	$ 1,796,064	$ 5,217,139
22	2024	698.75/780	Eastside Ground Storage Reservoir No. 3		2.0 MG	$ 2,855,600	$ 1,499,190	$ 4,354,790
23	2025	780	Proposed SH 276 Pump Station Land Acquisition		10 Acres	$ 590,340	$ 309,929	$ 900,269
24	2029	698.75/780	Eastside 780 Service Area 2.9 MGD Pump		2.9 MGD	$ 1,878,025	$ 985,963	$ 2,863,988
			Subtotal: Proposed Pumping and Storage Facilities			**$ 11,475,040**	**$ 6,024,396**	**$ 17,499,436**

PLANNING EXPENSES

Year		Project Description			Engineering Services	Debt Service (B)	Total Project Cost
2019		Water & Wastewater System Master Plan & Impact Fee Analysis			$ 74,675		$ 74,675
		Subtotal: Planning Expenses			**$ 74,675**	**$ -**	**$ 74,675**
		GRAND TOTAL: WATER DISTRIBUTION 10-YEAR CIP			**$ 15,109,073**	**$ 7,893,060**	**$ 23,002,133**

(A) Opinion of Cost includes:
a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%

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5. Utilized Capacity

Utilized capacity for the water distribution system was calculated based on the water line size required for each model year (2019, 2029 and buildout). Analysis of the water distribution system is based on the maximum daily demand, maximum hourly demand, and the minimum hourly demand. Pump station capacity is generally based on the maximum daily system demand while transmission and distribution facilities are sized based on either the maximum hourly demand or the minimum hourly demand, whichever demand is greater for a particular water line. Often times, the capacity of water lines are determined by the flows generated by the minimum hourly demand. The minimum hourly flows are usually higher in those lines that are used to refill elevated storage. For each line segment in the water distribution model, the maximum buildout flow rate in the line was compared to the flow rate in the same line segment for the 2019 and the 2029 models.

The percent utilized capacity was then calculated for each year based on the buildout capacity. The utilized capacity during the Impact Fee period is the difference between the year 2029 capacity and the year 2019 capacity. **Table No. 8** below summarizes the project cost and utilized capacity cost over the Capital Recovery Period (CRP) of 2019 - 2029 for each element of the Water Distribution System. The utilized capacity for each water distribution facility, both existing and proposed, is presented in detail in Impact Fee Capacity Calculation **Table Nos. 9, 10, 11, 12, 13 and 14.**

Table No. 8

Summary of Eligible Water Distribution Project Cost and Utilized Capacity Cost

Water System Facility	20-Year Project Cost	Utilized Capacity ($) In the CRP
Existing Pump Stations & Storage	$24,635,679	$8,804,864
Existing Transmission/Distribution Lines	$14,222,504	$2,863,156
Proposed Pump Stations & Storage	$17,499,436	$15,502,253
Proposed Transmission/Distribution Lines	$5,428,022	$3,005,499
CCN Acquisition	$5,048,042	$656,510
Planning Expenses	$74,675	$74,675
Total:	**$66,908,358**	**$30,906,957**

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TABLE NO. 9
Water Pump Station Facilities

Pump Station Improvements			Year Const.	Projected Capacity (MGD)	Pump Station Cost ($) Const.	Engineering & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2019	2029	In The CRF Period	Capacity Utilized ($) 2019	2029	In The CRF Period
PUMP STATIONS														
Existing Pump Station Facilities														
Heath Street Original Construction	[6]		Unknown	7.7	$ 1,363,700		$ 715,943	$ 2,079,643	49%	100%	51%	$ 1,013,029	$ 2,079,643	$ 1,066,614
Eastside 698.75 Original Pump Station	[5]		1992	8.0	$ 1,245,503		$ 653,889	$ 1,899,392	100%	100%	0%	$ 1,899,392	$ 1,899,392	$ -
Eastside 698.75 Replace Pump 1 & 2, Install Pump 4	[3]		1999	9.9	$ 357,909	$ 39,000	$ 208,377	$ 605,286	100%	100%	0%	$ 605,286	$ 605,286	$ -
Eastside 698.75 Install Pump 6	[1]		2004	7.5	$ 130,000	$ 143,080	$ 143,367	$ 416,447	100%	100%	0%	$ 416,447.0	$ 416,447.0	$ -
Eastside 780 Pump Station	[3]		2007	8.7	$ 1,629,000	$ 226,522	$ 974,149	$ 2,829,671	42%	96%	54%	$ 1,188,462	$ 2,716,484	$ 1,528,022
Existing Pump Station Subtotal:					**$ 4,726,112**	**$ 408,602**	**$ 2,695,725**	**$ 7,830,439**				**$ 5,122,616**	**$ 7,717,252**	**$ 2,594,636**
Proposed Pump Station Facilities														
Heath St. Electrical Improvements & Emergency Generators to Increase Pump Capacity	[1]	**	2021	+7	$ 2,481,818	$ 248,182	$ 1,433,250	$ 4,163,250	0%	100%	100%	$ -	$ 4,163,250	$ 4,163,250
Proposed SH 276 Land Acquisition (10-Acres)	[1]		2025		$ 550,340	$ 40,000	$ 309,929	$ 900,269	0%	100%	100%	$ -	$ 900,269	$ 900,269
Eastside 780 Install Pump 4	[1]	**	2029	+2.9	$ 1,707,295	$ 170,730	$ 985,963	$ 2,863,988	0%	96%	96%	$ -	$ 2,749,428	$ 2,749,428
Proposed Pump Station Subtotal:					**$ 4,739,454**	**$ 458,911**	**$ 2,729,142**	**$ 7,927,507**				**$ -**	**$ 7,812,947**	**$ 7,812,947**
Pump Station Grand Total					**$ 9,465,566**	**$ 867,513**	**$ 5,424,867**	**$ 15,757,946**				**$ 5,122,616**	**$ 15,530,199**	**$ 10,407,583**

* Includes Property Acquisition
** 10% of Construction Assumed for Engineering and Testing
(1) Estimated Cost in 2019 Dollars
[4] Number of Pumps

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TABLE NO. 10
Ground Storage Reservoirs

Pump Station		Year Const.	Capacity (MG)	Capital Cost ($) Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2019	2029	In the CRF Period	Capacity Utilized ($) 2019	2029	In the CRF Period
EXISTING GROUND STORAGE RESERVOIRS													
Eastside No. 2	1	2006	4.0	$ 2,420,695	$ 67,524	$ 1,306,315	$ 3,794,534	67.0%	78.0%	11.0%	$ 2,542,338	$ 2,959,737	$ 417,399
Heath St. No. 1	1	1986	3.0	$ 825,810		$ 433,550	$ 1,259,360	77.0%	100.0%	23.0%	$ 969,707	$ 1,259,360	$ 289,653
Existing Ground Storage Subtotal			**7.00**	**$ 3,246,505**	**$ 67,524**	**$ 1,739,865**	**$ 5,053,894**				**$ 3,512,045**	**$ 4,219,097**	**$ 707,052**
PROPOSED GROUND STORAGE RESERVOIRS													
Eastside No. 3 (Tank Buried)	2*	2024	2.0	$ 2,596,000	$ 259,600	$ 1,499,190	$ 4,354,790	0.0%	78%	78.3%	$ -	$ 3,411,252	$ 3,411,252
Proposed Ground Storage Subtotal			**2.00**	**$ 2,596,000**	**$ 259,600**	**$ 1,499,190**	**$ 4,354,790**				**$ -**	**$ 3,411,252**	**$ 3,411,252**
Ground Storage Grand Total			**9.00**	**$ 5,842,505**	**$ 327,124**	**$ 3,239,055**	**$ 9,408,684**				**$ 3,512,045**	**$ 7,630,349**	**$ 4,118,304**

* 10% of Construction Assumed for Engineering and Testing

(1) Actual Cost

(2) Estimated Cost in 2019 Dollars

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TABLE NO. 11
Elevated Storage Tanks

Elevated Storage	Pressure Divide	Year Const.	Storage Capacity (MGD)	Capital Cost ($)				Capacity Utilized (%)			Capacity Utilized ($)		
				Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	2019	2029	In the CRF Period	2019	2029	In the CRF Period
EXISTING ELEVATED STORAGE TANKS													
Southside 2	698.75	1992	1.0	$ 1,363,700	$ -	$ 715,943	$ 2,079,643	100.0%	100.0%	0.0%	$ 2,079,643	$ 2,079,643	$ -
Springer 1	698.75	2004	2.0	$ 2,158,000	$ 215,800	$ 1,246,245	$ 3,620,045	16.0%	51.0%	35.0%	$ 579,207	$ 1,846,223	$ 1,267,016
Country Ln. 1	780	2008	2.0	$ 3,863,300	$ 105,000	$ 2,083,358	$ 6,051,658	30.0%	100.0%	70.0%	$ 1,815,497	$ 6,051,658	$ 4,236,161
Existing Elevated Storage Subtotal			**5.0**	**$ 7,385,000**	**$ 320,800**	**$ 4,045,546**	**$ 11,751,346**				**$ 4,474,348**	**$ 9,977,524**	**$ 5,503,176**
PROPOSED ELEVATED STORAGE TANKS													
Mims 2*	698.75	2022	2.0	$ 3,110,068	$ 311,007	$ 1,796,064	$ 5,217,139	0.0%	82.0%	82.0%	$ -	$ 4,278,054	$ 4,278,054
Existing Elevated Storage Subtotal			**2.0**	**$ 3,110,068**	**$ 311,007**	**$ 1,796,064**	**$ 5,217,139**				**$ -**	**$ 4,278,054**	**$ 4,278,054**
Elevated Storage Grand Total			**5.0**	**$ 10,495,068**	**$ 631,807**	**$ 5,841,610**	**$ 16,968,485**				**$ 4,474,348**	**$ 14,255,578**	**$ 9,781,230**

* 10% of Construction Assumed for Engineering and Testing
(1) Actual Cost
(2) Estimated Cost in 2019 Dollars

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TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
											2019	2029	During Fee Period	2019	2029	During Fee Period
FM 552 WATER LINE (SH 205 TO MIDDLE SCHOOL)																
2	P1138	698.75	652	16		$82.70	$53,918		$28,307	$82,225	100%	100%	0%	$82,225	$82,225	$0
2	P1139	698.75	371	16		$82.70	$30,680		$16,107	$46,787	100%	100%	0%	$46,787	$46,787	$0
2	P1140	698.75	1,125	16		$82.70	$93,034		$48,843	$141,877	100%	100%	0%	$141,877	$141,877	$0
2	P1141	698.75	1,803	16		$82.70	$149,102		$78,278	$227,380	100%	100%	0%	$227,380	$227,380	$0
	Subtotal:		**3,951**		**2007**		**$326,734**	**5%**	**$171,535**	**$498,269**				**$498,269**	**$498,269**	**$0**
FM 552 WATER LINE (MIDDLE SCHOOL TO FM 1141)																
1	P1142	698.75	1,823	16		$3.98	$7,257		$3,810	$11,067	100%	100%	0%	$11,067	$11,067	$0
1	P1143	698.75	358	16		$3.98	$1,425		$748	$2,173	100%	100%	0%	$2,173	$2,173	$0
1	P1144	698.75	968	16		$3.98	$3,854		$2,023	$5,877	100%	100%	0%	$5,877	$5,877	$0
1	P1145	698.75	1,197	16		$3.98	$4,765		$2,502	$7,267	100%	100%	0%	$7,267	$7,267	$0
1	P1811	698.75	1,492	16		$3.98	$5,940		$3,119	$9,059	100%	100%	0%	$9,059	$9,059	$0
1	P1812	698.75	266	16		$3.98	$1,059		$556	$1,615	100%	100%	0%	$1,615	$1,615	$0
	Subtotal:		**6,104**		**2006**		**$24,300**	**5%**	**$12,758**	**$37,058**				**$37,058**	**$37,058**	**$0**
FM 1141 WATER LINE (FM 552 TO COUNTRY LANE)																
1	P1149	698.75	432	16		$19.92	$8,605		$4,518	$13,123	100%	100%	0%	$13,123	$13,123	$0
1	P1150	698.75	1,285	16		$19.92	$25,595		$13,437	$39,032	100%	100%	0%	$39,032	$39,032	$0
	Subtotal:		**1,717**		**2006**		**$34,200**	**5%**	**$17,955**	**$52,155**				**$52,155**	**$52,155**	**$0**
FM 1141 WATER LINE (COUNTRY LANE TO CLEM ROAD)																
2	P1155	698.75	1,674	16		$125.19	$209,566		$110,022	$319,588	100%	100%	0%	$319,588	$319,588	$0
2	P1156	698.75	724	16		$125.19	$90,637		$47,584	$138,221	23%	45%	22%	$31,791	$62,199	$30,409
2	P1157	698.75	1,063	16		$125.19	$133,076		$69,865	$202,941	22%	45%	23%	$44,647	$91,323	$46,676
	Subtotal:		**3,461**		**2008**		**$433,279**	**5%**	**$227,471**	**$660,750**				**$396,026**	**$473,110**	**$77,085**

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ORDINANCE
10.21.19

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
COUNTRY LANE WATER LINE (FM 1141 TO COUNTRY LANE ELEVATED STORAGE TANK)																
2	P1151	698.75	1,158	20		$109.56	$126,874		$66,609	$193,483	100%	100%	0%	$193,483	$193,483	$0
2	P1810	698.75	611	24		$109.56	$66,943		$35,145	$102,088	100%	100%	0%	$102,088	$102,088	$0
	Subtotal:		**1,769**		**2008**		**$193,817**	**5%**	**$101,754**	**$295,571**				**$295,571**	**$295,571**	**$0**
700 SERVICE AREA WATER LINE IMPROVEMENTS																
16" Country Ln. from Country Ln. EST to FM 549; 16" FM 549 from Country Ln. to Clem Road; 12" Clem Rd. from FM549 to FM 1141; 16" & 12" FM 1441 from Clem Rd. to SH 205 Bypass)																
2	P1152	698.75	2,128	16		$61.16	$130,142		$68,325	$198,467	100%	100%	0%	$198,467	$198,467	$0
2	P1153	698.75	2,026	16		$61.16	$123,904		$65,050	$188,954	100%	100%	0%	$188,954	$188,954	$0
2	P1154	698.75	3,019	12		$61.16	$184,633		$96,932	$281,565	84%	89%	5%	$236,515	$250,593	$14,078
2	P1158	698.75	2,686	16		$61.16	$164,268		$86,241	$250,509	41%	58%	17%	$102,709	$145,295	$42,587
2	P1249	698.75	1,965	12		$61.16	$120,174		$63,091	$183,265	94%	100%	6%	$172,269	$183,265	$10,996
2	P1814	698.75	242	12		$61.16	$14,800		$7,770	$22,570	100%	100%	0%	$22,570	$22,570	$0
2	P1822	698.75	221	16		$61.16	$13,516		$7,096	$20,612	100%	100%	0%	$20,612	$20,612	$0
2	P1823	698.75	1,509	16		$61.16	$92,286		$48,450	$140,736	54%	83%	29%	$75,997	$116,811	$40,813
2	P3099	780	1,486	12		$61.16	$90,879		$47,711	$138,590	100%	100%	0%	$138,590	$138,590	$0
2	P3100	780	1,382	16		$61.16	$84,519		$44,372	$128,891	100%	100%	0%	$128,891	$128,891	$0
	Subtotal:		**16,664**		**2008**		**$1,019,122**	**5%**	**$535,038**	**$1,554,159**				**$1,285,574**	**$1,394,048**	**$108,474**
HAYS ROAD WATER LINE (FM 552 TO QUAIL RUN ROAD)																
2	P1162	698.75	894	20		$210.52	$188,201		$98,806	$287,007	40%	45%	5%	$114,803	$129,153	$14,350
2	P1163	698.75	1,505	20		$210.52	$316,826		$166,334	$483,160	63%	65%	2%	$304,391	$314,054	$9,663
2	P1819	698.75	684	20		$210.52	$143,993		$75,596	$219,589	36%	39%	3%	$79,052	$85,640	$6,588
2	P1833	698.75	816	20		$210.52	$171,781		$90,185	$261,966	57%	63%	6%	$149,321	$165,039	$15,718
	Subtotal:		**3,899**		**2002**		**$820,800**	**5%**	**$430,921**	**$1,251,722**				**$647,567**	**$693,886**	**$46,319**
QUAIL RUN ROAD WATER LINE I (SH 205 (GOLIAD) TO HAYS ROAD)																
1	P1164	698.75	482	20		$15.88	$7,654		$4,018	$11,672	81%	85%	4%	$9,454	$9,921	$467
1	P1165	698.75	419	16		$15.88	$6,654		$3,493	$10,147	80%	85%	5%	$8,118	$8,625	$507
1	P1166	698.75	1,211	16		$15.88	$19,231		$10,096	$29,327	77%	84%	7%	$22,582	$24,635	$2,053
1	P1167	698.75	1,005	16		$15.88	$15,960		$8,379	$24,339	77%	84%	7%	$18,741	$20,445	$1,704
	Subtotal:		**3,117**		**2002**		**$49,500**	**5%**	**$25,986**	**$75,485**				**$58,895**	**$63,626**	**$4,731**
QUAIL RUN ROAD WATER LINE II (HAYS ROAD TO SH 205 BYPASS)																
2	P1161	698.75	1,541	12		$85.74	$132,122		$69,364	$201,486	100%	100%	0%	$201,486	$201,486	$0
2	P1815	698.75	1,394	12		$85.74	$119,518		$62,747	$182,265	100%	100%	0%	$182,265	$182,265	$0
	Subtotal:		**2,935**		**2008**		**$251,640**	**5%**	**$132,111**	**$383,751**				**$383,751**	**$383,751**	**$0**

275

275

DRAFT ORDINANCE 2021-05

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
QUAIL RUN ROAD WATER LINE III (SH 205 BYPASS TO FM 1141)																
2	P1159	698.75	1,888	12		$92.26	$174,185		$91,447	$265,632	100%	100%	0%	$265,632	$265,632	$0
2	P1160	698.75	1,582	12		$92.26	$145,954		$76,626	$222,580	50%	61%	11%	$111,290	$135,774	$24,484
2	P1820	698.75	985	16		$92.26	$90,875		$47,709	$138,584	100%	100%	0%	$138,584	$138,584	$0
	Subtotal:		**4,455**		**2008**		**$411,014**	**5%**	**$215,782**	**$626,796**				**$515,506**	**$539,990**	**$24,484**
SH 205 WATER LINE (DARRIN DRIVE TO QUAIL RUN ROAD)																
2	P1228	698.75	449	24		$132.11	$59,316		$31,141	$90,457	73%	85%	12%	$66,034	$76,888	$10,855
2	P1229	698.75	1,865	24		$132.11	$246,380		$129,349	$375,729	73%	85%	12%	$274,282	$319,370	$45,087
2	P1230	698.75	1,613	24		$132.11	$213,089		$111,872	$324,961	72%	90%	18%	$233,972	$292,465	$58,493
	Subtotal:		**3,927**		**2003**		**$518,785**	**5%**	**$272,362**	**$791,147**				**$574,288**	**$688,723**	**$114,435**
IH 30 EASTBOUND SERVICE ROAD WATER LINE (WEST OF SH 205 BYPASS TO FM 549)																
2	P1771	698.75	609	16		$153.22	$93,313		$48,989	$142,302	100%	100%	0%	$142,302	$142,302	$0
2	P1806	698.75	136	16		$153.22	$20,838		$10,940	$31,778	100%	100%	0%	$31,778	$31,778	$0
2	P3000	780	1,404	16		$153.22	$215,125		$112,941	$328,066	58%	100%	42%	$190,278	$328,066	$137,788
2	P3001	780	2,768	16		$153.22	$424,120		$222,663	$646,783	48%	100%	52%	$310,456	$646,783	$336,327
2	P3002	780	808	16		$153.22	$123,804		$64,997	$188,801	36%	59%	23%	$67,968	$111,393	$43,424
	Subtotal:		**5,725**		**2004**		**$877,200**	**5%**	**$460,530**	**$1,337,730**				**$742,782**	**$1,260,322**	**$517,539**
IH 30 WESTBOUND SERVICE ROAD WATER LINE (FM 549 TO ENTERPRISE)																
2	P1532	698.75	685	16		$115.23	$78,934		$41,440	$120,374	95%	100%	5%	$114,355	$120,374	$6,019
2	P1533	698.75	2,506	16		$115.23	$288,773		$151,606	$440,379	100%	100%	0%	$440,379	$440,379	$0
2	P1827	698.75	187	16		$115.23	$21,548		$11,313	$32,861	100%	100%	0%	$32,861	$32,861	$0
2	P3101	780	648	16		$115.23	$74,671		$39,202	$113,873	100%	100%	0%	$113,873	$113,873	$0
2	P3102	780	1,285	16		$115.23	$148,074		$77,739	$225,813	100%	100%	0%	$225,813	$225,813	$0
	Subtotal:		**5,311**		**2004**		**$612,000**	**5%**	**$321,300**	**$933,300**				**$927,281**	**$933,300**	**$6,019**
TOWNSEND DRIVE WATER LINE (EASTSIDE PS TO SH 276)																
2	P3091	780	2,646	20		$181.55	$480,393		$252,206	$732,599	43%	74%	31%	$315,018	$542,123	$227,106
	Subtotal:		**2,646**		**2007**		**$480,393**	**5%**	**$252,206**	**$732,599**				**$315,018**	**$542,123**	**$227,106**

276

276

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NOT FOR CONSTRUCTION

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
											2019	2029	During Fee Period	2019	2029	During Fee Period
SPRINGER ROAD WATER LINE (FM 549 TO SPRINGER ELEVATED STORAGE TANK)																
2	P3020	780	2,669	16		$76.53	$204,256		$107,234	$311,490	72%	76%	4%	$224,273	$236,732	$12,460
Subtotal:			**2,669**		**2004**		**$204,256**	**5%**	**$107,234**	**$311,490**				**$224,273**	**$236,732**	**$12,460**
SPRINGER ELEVATED STORAGE TANK WATER LINE (SPRINGER ROAD TO SH 276)																
2	P3071	780	225	24		$147.72	$33,238		$17,450	$50,688	32%	38%	6%	$16,220	$19,261	$3,041
2	P3072	780	861	24		$147.72	$127,189		$66,774	$193,963	57%	67%	10%	$110,559	$129,955	$19,396
Subtotal:			**1,086**		**2004**		**$160,427**	**5%**	**$84,224**	**$244,651**				**$126,779**	**$149,216**	**$22,437**
MIMS ROAD WATER LINE (SIDS ROAD TO SH 205)																
2	P1739	698.75	2,233	16		$100.71	$224,876		$118,060	$342,936	100%	100%	0%	$342,936	$342,936	$0
2	P1828	698.75	1,340	12		$100.71	$134,946		$70,847	$205,793	77%	100%	23%	$158,461	$205,793	$47,332
Subtotal:			**3,573**		**2008**		**$359,822**	**5%**	**$188,907**	**$548,729**				**$501,397**	**$548,729**	**$47,332**
FM 549 WATER LINE I (FONTANNA RANCH ADDITION TO OAKS OF BUFFALO WAY ADDITION)																
2	P3061	780	2,835	12		$90.67	$257,043		$134,948	$391,991	18%	59%	41%	$70,558	$231,275	$160,716
2	P3062	780	1,124	12		$90.67	$101,911		$53,503	$155,414	100%	100%	0%	$155,414	$155,414	$0
2	P3063	780	1,435	12		$90.67	$130,108		$68,307	$198,415	47%	50%	3%	$93,255	$99,208	$5,952
2	P3106	780	806	12		$90.67	$73,078		$38,366	$111,444	49%	61%	12%	$54,608	$67,981	$13,373
3	P3110	780	594	12		$90.67	$53,857		$28,275	$82,132	31%	48%	17%	$25,461	$39,423	$13,962
4	P3111	780	821	12		$90.67	$74,438		$39,080	$113,518	100%	100%	0%	$113,518	$113,518	$0
Subtotal:			**7,615**		**2008**		**$690,436**	**5%**	**$362,479**	**$1,052,914**				**$512,814**	**$706,819**	**$194,003**

277

277

DRAFT ORDINANCE 10.21.19

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
FM 549 WATER LINE II (STANDING OAK LANE TO JEFF BOYD DRIVE)															
2 P1821	698.75	475	12		$32.08	$15,238		$8,000	$23,238	13%	30%	17%	$3,021	$6,971	$3,950
2 P3067	780	1,260	12		$32.08	$40,422		$21,221	$61,643	10%	38%	28%	$6,164	$23,424	$17,260
2 P3068	780	2,252	12		$32.08	$72,246		$37,929	$110,175	14%	20%	6%	$15,425	$22,035	$6,611
Subtotal:		**3,987**		**2008**		**$127,907**	**5%**	**$67,150**	**$195,056**				**$24,610**	**$52,430**	**$27,821**
FM 3097 WATER LINE (BUFFALO CREEK WWTPP TO WALLACE LANE)															
2 P1663	698.75	2,324	12		$95.50	$221,938		$116,517	$338,455	22%	70%	48%	$74,460	$236,919	$162,458
2 P1664	698.75	2,335	12		$95.50	$222,988		$117,069	$340,057	5%	78%	73%	$17,003	$265,244	$248,242
2 P1829	698.75	1,457	12		$95.50	$139,141		$73,049	$212,190	0%	72%	72%	$0	$152,777	$152,777
Subtotal:		**6,116**		**2008**		**$584,067**	**5%**	**$306,635**	**$890,702**				**$91,463**	**$654,940**	**$563,477**
COUNTY LINE ROAD WATER LINE I (FM 3097 TO RANCH TRAIL)															
2 P1734	698.75	2,324	12		$95.79	$222,625		$116,878	$339,503	37%	81%	44%	$125,616	$274,997	$149,381
Subtotal:		**2,324**		**2008**		**$222,625**	**5%**	**$116,878**	**$339,503**				**$125,616**	**$274,997**	**$149,381**
JOHN KING / BREEZY HILL WATER LINE (FM 552 TO BREEZY HILL)															
1 P1868	698.75	2,632	16		$18.04	$47,493		$24,934	$72,427	21%	77%	56%	$15,210	$55,769	$40,559
1 P1869	698.75	2,662	16		$18.04	$48,035		$25,218	$73,253	16%	67%	51%	$11,720	$49,080	$37,359
Subtotal:		**5,294**		**2014**		**$95,528**	**5%**	**$50,152**	**$145,680**				**$26,930**	**$104,849**	**$77,918**
BOYDSTUN STREET WATER LINE (FROM GOLIAD STREET TO CLARK STREET)															
2 P1376	698.75	171	12		$225.86	$38,622		$20,277	$58,899	84%	100%	16%	$49,475	$58,899	$9,424
2 P1377	698.75	403	12		$225.86	$91,020		$47,786	$138,806	85%	100%	15%	$117,985	$138,806	$20,821
2 P1378	698.75	1,194	12		$225.86	$269,673		$141,579	$411,252	96%	100%	4%	$394,802	$411,252	$16,450
Subtotal:		**1,768**		**2018**		**$399,315**	**5%**	**$209,642**	**$608,957**				**$562,262**	**$608,957**	**$46,695**
COUNTY LINE ROAD WATER LINE II (FROM LYNNE DRIVE TO RENEE DRIVE)															
2 P2098	698.75	1,782	12		$240.78	$429,069		$225,261	$654,330	2%	93%	91%	$13,087	$608,527	$595,440
Subtotal:		**1,782**		**2019**		**$429,069**	**5%**	**$225,261**	**$654,330**				**$13,087**	**$608,527**	**$595,440**
EXISTING TOTAL:		**101,895**				**$9,326,237**		**$4,896,271**	**$14,222,504**				**$8,938,972**	**$11,802,128**	**$2,863,156**

278

278

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NOT FOR CONSTRUCTION
10.2.2019

TABLE NO. 13
Proposed Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

**Average Unit Costs are Based in 2019 Dollars Unless Otherwise Indicated and Includes 20% for Engineering and Easements.*

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
1 - MIMS ROAD / COUNTY LINE ROAD LOOPING WATER LINES															
Pipes P2096 & P2097 Along Future Thouroghfare and Renee Drive from Mims Road South to County Line Road; Pipe 2118 Along Mims Road to Goliad Street															
2 P2096 *	698.75	2,162	20		$228.00	$492,936		$258,792	$751,728	0%	97%	97%	$0	$729,176	$729,176
2 P2097 *	698.75	2,459	20		$228.00	$560,652		$294,342	$854,994	0%	95%	95%	$0	$812,244	$812,244
2 P2118 *	698.75	1,530	20		$228.00	$348,840		$183,141	$531,981	0%	71%	71%	$0	$377,707	$377,707
Subtotal:		**6,151**		**2022**		**$1,402,428**	**5%**	**$736,275**	**$2,138,703**				**$0**	**$1,919,127**	**$1,919,127**
2 - I.H.-30 - FM 3549/CORPORATE CROSSING															
Creating 780 Service Area North of IH-30 (*16" Diameter Cost Based on Bore Across IH-30 & FM549*)															
2 P4039 *	780	575	12		$120.00	$69,000		$36,225	$105,225	0%	28%	28%	$0	$29,463	$29,463
2 P4124 *	780	712	16		$650.00	$462,800		$242,970	$705,770	0%	33%	33%	$0	$232,904	$232,904
		1,287		**2023**		**$531,800**	**5%**	**$279,195**	**$810,995**				**$0**	**$262,367**	**$262,367**
3 - JOHN KING BLVD 780 WATER LINES NORTH															
Pipe P4123 is a Bore Across IH-30															
2 P4123 *	780	423	16		$650.00	$274,950		$144,349	$419,299	0%	21%	21%	$0	$88,053	$88,053
		423		**2023**		**$274,950**	**5%**	**$144,349**	**$419,299**				**$0**	**$88,053**	**$88,053**
4 - S.H. 66 - F.M. 3549 780 SA LOOP															
From the Termination of the Existing S.H. 66 12" Water Line East to F.M. 549, South Along F.M. 549 from S.H. 66 to Eastridge Church of Christ 16" Existing Water Line															
2 P4007 *	780	3,439	12		$120.00	$412,680		$216,657	$629,337	0%	38%	38%	$0	$239,148	$239,148
2 P4008 *	780	2,174	12		$120.00	$260,880		$136,962	$397,842	0%	11%	11%	$0	$43,763	$43,763
2 P4009 *	780	781	12		$120.00	$93,720		$49,203	$142,923	0%	12%	12%	$0	$17,151	$17,151
Subtotal:		**6,394**		**2023**		**$767,280**	**5%**	**$402,822**	**$1,170,102**				**$0**	**$300,062**	**$300,062**
5 - S.H. 205 WATER LINES															
Pipe P2117 southwest from Graystone Drive to S.H. 205. Pipe P2136 southeast along S.H. 205.															
1 P2117 *	698.75	846	16		$60.00	$50,760		$26,649	$77,409	0%	100%	100%	$0	$77,409	$77,409
1 P2136 *	698.75	1,650	16		$60.00	$99,000		$51,975	$150,975	0%	100%	100%	$0	$150,975	$150,975
Subtotal:		**2,496**		**2025**		**$149,760**	**5%**	**$78,624**	**$228,384**				**$0**	**$228,384**	**$228,384**

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ORDINANCE
NO. 2019

TABLE NO. 13
Proposed Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

**Average Unit Costs are Based in 2019 Dollars Unless Otherwise Indicated and Includes 20% for Engineering and Easements.*

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
6 - SPRINGER LN. 16" WATER LINE															
From Springer Elevated Storage Tank East to Rochelle Road															
1 P4043 *	780	2,714	16		$60.00	$162,840		$85,491	$248,331	0%	51%	51%	$0	$126,649	$126,649
Subtotal:		**2,714**		**2029**		**$162,840**	**5%**	**$85,491**	**$248,331**				**$0**	**$126,649**	**$126,649**
7 - S.H. 276 PUMP STATION TRANSMISSION MAIN WEST															
From Proposed S.H. 276 Pump Station West Along S.H. 276 to Proposed Subdivision															
1 P4071 *	780	1,906	16		$60.00	$114,360		$60,039	$174,399	0%	28%	28%	$0	$48,832	$48,832
1 P4072 *	780	1,906	16		$60.00	$114,360		$60,039	$174,399	0%	14%	14%	$0	$24,416	$24,416
1 P4073 *	780	693	16		$60.00	$41,580		$21,830	$63,410	0%	12%	12%	$0	$7,609	$7,609
Subtotal:		**4,505**		**2029**		**$270,300**	**5%**	**$141,908**	**$412,208**				**$0**	**$80,857**	**$80,857**
PROPOSED TOTAL:		**23,970**				**$3,559,358**		**$1,868,664**	**$5,428,022**				**$0**	**$3,005,499**	**$3,005,499**

DRAFT ORDINANCE 10.21.2019

TABLE NO. 14
CCN Acquisition

Elevated Storage		Year Acquired	Area (Ac.)	Capital Cost ($) Purchase Price				Capacity Utilized (%) 2019	2029	In the CRF Period	Capacity Utilized ($) 2019	2029	In the CRF Period
CCN Acquisition													
Aquasourse		2013	284.0	$ 3,402,318			$ 3,402,318	100.0%	100.0%	0.0%	$ 3,402,318	$ 3,402,318	$ -
RCH W.S.C.		2007-2009	803.0	$ 332,847			$ 332,847	29.0%	30.0%	1.0%	$ 96,526	$ 99,854	$ 3,328
Mt. Zion W.S.C.		2011	468.0	$ 325,725			$ 325,725	15.0%	64.0%	49.0%	$ 48,859	$ 208,464	$ 159,605
Blaclland W.S.C.		2005-2012	1,251.0	$ 987,152			$ 987,152	8.0%	58.0%	50.0%	$ 78,972	$ 572,548	$ 493,576
Total			**2,806.0**	**$ 5,048,042**	**$ -**	**$ -**	**$ 5,048,042**				**$ 3,626,675**	**$ 4,283,184**	**$ 656,510**

DRAFT ORDINANCE 10.21.19

281

E. WASTEWATER COLLECTION SYSTEM

Computer models for the years 2019, 2029 and Buildout were prepared by Birkhoff, Hendricks & Carter L.L.P. The models were developed and peak flows calculated from the residential population and non-residential land use projections prepared by the City of Rockwall's Planning Department. Computer models were run to determine peak wet weather flow to insure proper sizing of the collection system.

1. Collection Lines

The natural creeks, whose basins will collect wastewater through the installed system of collection lines that flow into the geographic treatment area serviced by the NTMWD.

The wastewater collection system analysis covered all of the drainage basins within the Service Area planning boundary. Each collection system was analyzed for line sizes 12-inches in diameter and larger. Eliminating line sizes smaller than 12-inches in diameter from the study leaves only the interceptor and trunk lines included in the study. The wastewater project costs include necessary appurtenances (manholes, lift stations, aerial crossings and the like), purchase of easements, utility relocation, pavement removal and replacement, and engineering costs. For existing Impact Fee projects, actual costs were utilized where known. Future project cost estimates were based on 2019 average unit cost per linear foot and includes engineering, easements, and construction cost.

All eligible wastewater collection line projects in the Service Area planning boundary were included in the impact fee analysis. Eligible existing and proposed wastewater facilities are shown on **Exhibit 2** and have capacity for future growth.

2. Treatment

The North Texas Municipal Water District (NTMWD) provides the City of Rockwall with the entirety of wastewater treatment. NTMWD owns and operates the Squabble Creek and Buffalo Creek Wastewater Treatment Plants (WWTP). Excess flows above the permit levels of the Squabble Creek and Buffalo Creek WWTP's are conveyed to the NTMWD Buffalo Creek Regional system. Rockwall pays NTMWD for the cost of this service according to the City's percentage of wastewater flow contributions in any given year.

DRAFT ORDINANCE 10.21.19

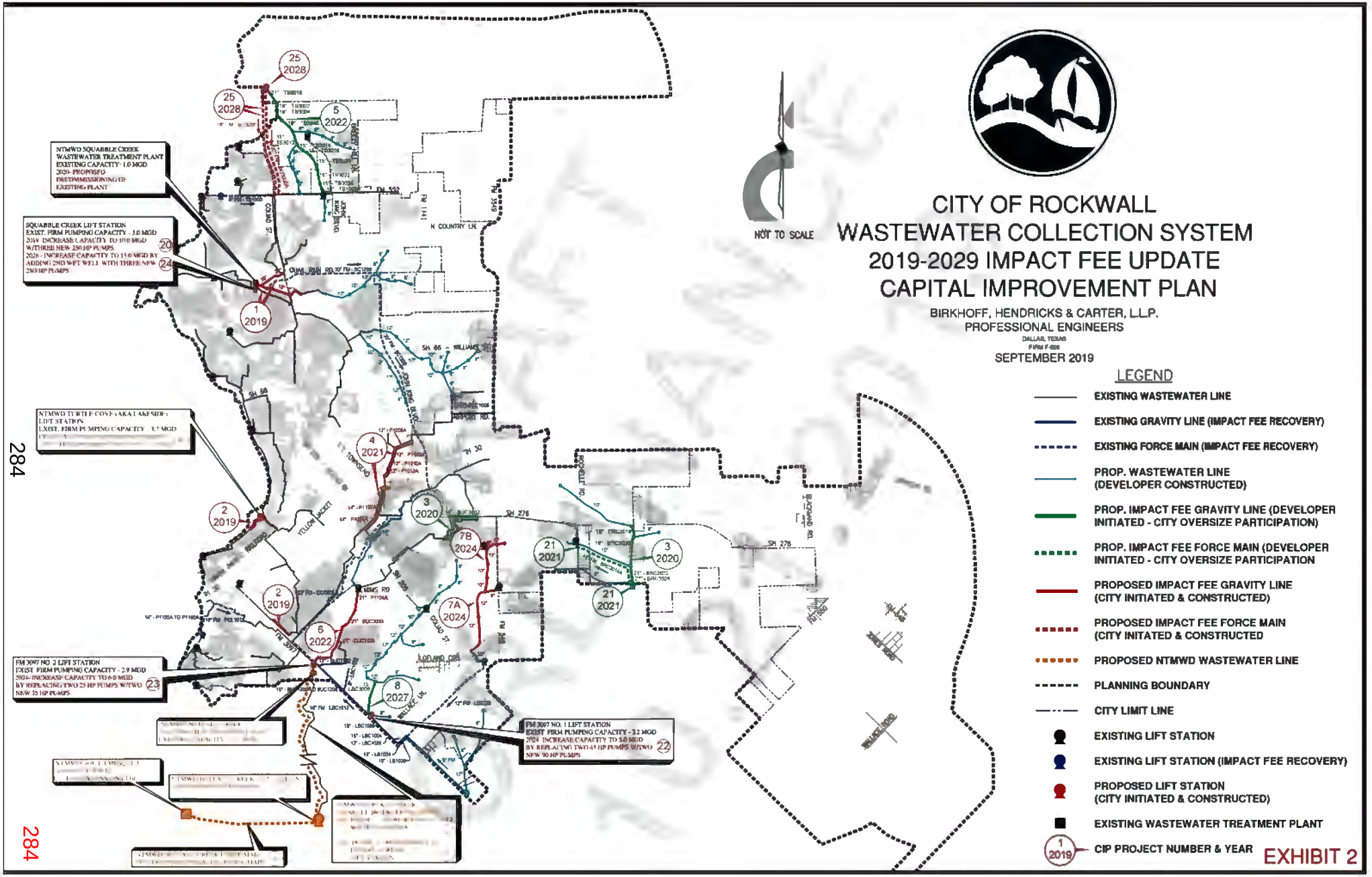
This Impact Fee study includes the cost of NTMWD regional collection and transportation, and facilities located within the City's Service Area planning boundary that were paid for by NTMWD. Existing treatment plant and future treatment plant expansion costs of NTMWD were included in this Impact Fee analysis.

3. Wastewater System Capital Improvement Projects for Impact Fees

The 10-year Wastewater System Capital Improvement Plan for Impact Fees was developed by Birkhoff, Hendricks & Carter L.L.P. **Exhibit 2** shows the recommended system improvements and **Table No. 15** itemizes each project and the project cost. These recommended improvements form the basis for the Wastewater System Impact Fee Calculation.

The capital improvement plan for impact fees provides for system improvements within the defined Service Area Planning Boundary.

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NOT TO SCALE

CITY OF ROCKWALL
WASTEWATER COLLECTION SYSTEM
2019-2029 IMPACT FEE UPDATE
CAPITAL IMPROVEMENT PLAN

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS
FIRM# F-526

SEPTEMBER 2019

LEGEND

- EXISTING WASTEWATER LINE
- EXISTING GRAVITY LINE (IMPACT FEE RECOVERY)
- EXISTING FORCE MAIN (IMPACT FEE RECOVERY)
- PROP. WASTEWATER LINE (DEVELOPER CONSTRUCTED)
- PROP. IMPACT FEE GRAVITY LINE (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION)
- PROP. IMPACT FEE FORCE MAIN (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION
- PROPOSED IMPACT FEE GRAVITY LINE (CITY INITIATED & CONSTRUCTED)
- PROPOSED IMPACT FEE FORCE MAIN (CITY INITATED & CONSTRUCTED
- PROPOSED NTMWD WASTEWATER LINE
- PLANNING BOUNDARY
- CITY LIMIT LINE
- EXISTING LIFT STATION
- EXISTING LIFT STATION (IMPACT FEE RECOVERY)
- PROPOSED LIFT STATION (CITY INITIATED & CONSTRUCTED)
- EXISTING WASTEWATER TREATMENT PLANT
- 1 2019 — CIP PROJECT NUMBER & YEAR

EXHIBIT 2

284

Table No. 15

10-Year Wastewater System Capital Improvement Plan for Impact Fees

PROPOSED WASTEWATER LINES

CIP #	Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Size (Diameter)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
1	2019	2	Quail Run & Memorial Lift Station Bypass Trunk Sewer	18"-30"	$ 2,159,050	$ 1,133,500	$ 3,292,550
2	2019	2	Turtle Cove & Windmill Ridge Sewer Improvements	8"-12"	$ 800,000	$ 420,000	$ 1,220,000
3	2020	1	Proposed Brushy Creek Trunk Sewer & Timber Creek Lift Station Abandonment	18"-21"	$ 285,896	$ 150,095	$ 435,991
4	2021	2	Buffalo Creek Existing Gravity Sewer - 12" & 14" Pipe Burst	12"-14"	$ 1,281,901	$ 672,997	$ 1,954,898
5	2022	1	Proposed Thompson Branch Trunk Sewer	15"-21"	$ 339,296	$ 178,131	$ 517,427
6	2022	2	Proposed Lower Buffalo Creek East Trunk Sewer & Mims Rd. Lift Station Abandonment	21"	$ 1,734,075	$ 910,389	$ 2,644,464
7A	2024	2	Fontana Ranch Lift Station Abandonment & Gravity Relief Sewer	8"-12"	$ 985,844	$ 517,568	$ 1,503,412
7B	2024	2	Lofland Farms Lift Station Abandonment & Gravity Relief Sewer	8"-10"	$ 510,375	$ 267,947	$ 778,322
8	2027	1	Proposed Little Buffalo Creek Trunk Sewer	15"	$ 52,223	$ 27,417	$ 79,640
			Subtotal: Proposed Wastewater Lines		**$ 8,148,660**	**$ 4,278,044**	**$ 12,426,704**

PROPOSED WASTEWATER FACILITIES

CIP #	Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Capacity (MGD)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
20	2019	2	Squabble Creek Lift Station Improvements - Install Three 250-HP Pumps, Electrical Upgrades & Standby Pump System	10.0 MGD	$ 2,800,769	$ 1,470,404	$ 4,271,173
21	2021	1	Proposed Brushy Creek Lift Station & 12" Force Main	3.3 MGD	$ 1,610,000	$ 845,250	$ 2,455,250
22	2024	2	FM 3097 No. 1 Lift Station Improvements - Replace Two 45-HP Pumps w/Two 90-HP Pumps	5.0 MGD	$ 575,000	$ 301,875	$ 876,875
23	2024	2	FM 3097 No. 2 Lift Station Improvements - Replace Two 25-HP Pumps w/Two 35-HP Pumps	6.0 MGD	$ 862,500	$ 452,813	$ 1,315,313
24	2026	2	Squabble Creek Lift Station Improvements - Add 2nd Wet Well w/Three New 250-HP Pumps	15.0 MGD	$ 4,600,000	$ 2,415,000	$ 7,015,000
25	2028	2	Proposed Bluff Creek Lift Station & Parallel Force Mains (14" & 20")	2.4 MGD	$ 5,865,000	$ 3,079,125	$ 8,944,125
			Subtotal: Proposed Wastewater Facilities		**$ 16,313,269**	**$ 8,564,467**	**$ 24,877,736**
Total City of Rockwall Proposed Wastewater System Improvements					**$ 24,461,929**	**$ 12,842,511**	**$ 37,304,440**

(A) Opinion of Cost includes:

a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%

DRAFT OF 10.2.19

Table No. 15 (Continued)

10-Year Wastewater System Capital Improvement Plan for Impact Fees

NTMWD REGIONAL SYSTEM

CIP #	Year	3=Funded by NTMWD, 100% City Responsibility 4=Part of NTMWD Buffalo Interceptor System, assumed 59% City Responsibility 5=Part of NTMWD Regional Systems, assumed 2.915% City Responsibility	NTMWD Wastewater Line & Facility Projects	Size/ Added Capacity	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
A1	2019	4	NTMWD Buffalo Creek Parallel Interceptor Sewer - Phase 1: From Buffalo Creek WWTP to Forney	TBD	$ 11,835,394	$ -	$ 11,835,394
A2	2020	3	NTMWD Turtle Cove (a.k.a. Lakeside) Lift Station Expansion/Replacement	+1.6 MGD	$ 4,600,000	$ -	$ 4,600,000
A3	2020	4	NTMWD Buffalo Creek Lift Station Expansion	TBD	$ 17,868,150	$ -	$ 17,868,150
A4	2020	4	NTMWD Buffalo Creek Parallel Force Main	TBD	$ 1,681,500	$ -	$ 1,681,500
A5	2026	4	NTMWD Buffalo Creek Parallel Interceptor - Phase 2: From Forney to Buffalo Creek Lift Station	TBD	$ 7,924,880	$ -	$ 7,924,880
A6	2019-2029	5	10-Year CIP for NTMWD Sewer System (Rockwall Responsibility Only)	N/A	$ 5,435,164	$ -	$ 5,435,164
A7	2019-2029	5	10-Year CIP for NTMWD Regional Wastewater System (Rockwall Responsibility Only)	N/A	$ 11,619,512	$ -	$ 11,619,512
			Total: NTMWD Wastewater System Improvements:		**$ 60,964,600**	**$ -**	**$ 60,964,600**

(A) Opinion of Cost includes:
a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

Notes: 1. City obligations estimated based on City of Rockwall's contracted proportion or historical usage of NTMWD Regional Systems.
2. 10-Year CIP for NTMWD Regional Systems based on project listings provided for "Summary of Sewer System CIP" and "Summary of Regional Wastewater System CIP", both dated May 11, 2018.

PLANNING EXPENSES

	Project Description	Engineering Services	Opinion of Project Cost (A)
2029	Wastewater Masterplan & Impact Fee Update	$ 59,850	$ 59,850
		Total: Planning Expenses:	**$ 59,850**
Grand Total, City of Rockwall & NTMWD Wastewater System Improvements:			**$ 98,328,890**

DRAFT ORDINANCE 10.21.19

4. Utilized Capacity

Utilized capacity for the wastewater collection system was calculated based on land use assumptions prepared by the City of Rockwall. The population and non-residential growth in each wastewater drainage basin was determined utilizing the City's growth projections. These growth rates were utilized to calculate 2019, 2029 and buildout peak design flows.

The percent-utilized capacity was calculated for the design flow of each study year based on the buildout capacity. The utilized capacity during the Impact Fee period is the difference between the year 2019 capacity and the year 2029 capacity. **Table No. 16** below summarizes the project cost and utilized cost over the impact fee period of 2019 – 2029. The utilized capacity for each eligible existing and proposed wastewater collection line is presented in detail in the Impact Fee Capacity Calculation **Table Nos. 17 and 18**. **Table No. 19** summarizes the utilized capacity of lift stations eligible for impact fee recovery. **Table 20** summarizes the utilized capacity of NTMWD facilities eligible for impact fee recovery. **Table 21** includes the summary of utilized capacity allocation between the City of Rockwall and NTMWD.

TABLE NO. 16

Summary of Eligible Wastewater System Project Cost and Utilized Capacity Cost

Wastewater System Facility	20-Year Project Cost	Utilized Capacity ($) in the CRP Period
Existing Wastewater Collection Line	$12,344,474	$3,863,647
Existing Wastewater Facilities	$6,402,514	$629,875
Proposed Wastewater Collection Line	$12,426,705	$9,608,437
Proposed Wastewater Facilities	$24,877,736	$18,193,334
NTMWD Facilities	$60,964,600	$9,627,128
Planning Expenses	$59,850	$59,850
Total:	**$117,075,879**	**$41,982,271**

DRAFT ORDINANCE 10.21.2019

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
SQUABBLE / CARUTH LAKE SEWER															
From the Squabble Creek Wastewater Treatment Plant to SH 205 to Caruth Lane															
2	SC1008	158	36		$74.89	$11,844		$6,218	$18,062	72%	89%	17%	$12,946	$15,994	$3,048
2	SC1112	663	36		$74.89	$49,676		$26,080	$75,756	72%	89%	17%	$54,307	$67,179	$12,872
2	SC1114	275	36		$74.89	$20,614		$10,822	$31,436	72%	89%	17%	$22,740	$27,999	$5,259
2	SC1116	125	36		$74.89	$9,382		$4,926	$14,308	72%	89%	17%	$10,346	$12,729	$2,383
2	SC1118	902	27		$74.89	$67,561		$35,469	$103,030	68%	87%	20%	$69,891	$90,065	$20,174
2	SC1120	293	24		$74.89	$21,927		$11,512	$33,439	68%	87%	20%	$22,683	$29,231	$6,548
2	SC1154	313	24		$74.89	$23,404		$12,287	$35,691	68%	87%	20%	$24,210	$31,198	$6,989
2	SC1290	1,345	36		$74.89	$100,702		$52,868	$153,570	72%	89%	17%	$110,598	$136,445	$25,847
2	SC1292	173	36		$74.89	$12,959		$6,803	$19,762	72%	89%	17%	$14,232	$17,558	$3,326
2	SC1294	389	36		$74.89	$29,123		$15,290	$44,413	72%	89%	17%	$31,917	$39,422	$7,505
2	SC1296	16	27		$74.89	$1,176		$617	$1,793	72%	89%	17%	$1,285	$1,590	$305
2	SC1298	170	27		$74.89	$12,761		$6,700	$19,461	72%	89%	17%	$13,945	$17,242	$3,297
2	SC1300	124	27		$74.89	$9,285		$4,875	$14,160	72%	89%	17%	$10,151	$12,556	$2,405
2	SC1302	464	24		$74.89	$34,759		$18,248	$53,007	68%	87%	20%	$35,958	$46,338	$10,380
2	SC1334	219	36		$74.89	$16,402		$8,611	$25,013	72%	89%	17%	$18,084	$22,281	$4,197
2	SC1336	541	36		$74.89	$40,481		$21,252	$61,733	72%	89%	17%	$44,626	$54,941	$10,315
	Subtotal:	**6,170**		**1997**		**$462,056**	**5%**	**$242,578**	**$704,634**				**$497,919**	**$622,768**	**$124,850**
DALTON ROAD FORCE MAIN															
Begins at the Intersection of Dalton Road and Beacon Hill Drive and Extends East to SH 205															
2	TB1000	155	8		$51.43	$7,959		$4,178	$12,137	100%	100%	0%	$12,137	$12,137	$0
2	TB1040	3,409	8		$51.43	$175,324		$92,046	$267,370	100%	100%	0%	$267,370	$267,370	$0
	Subtotal:	**3,564**		**2002**		**$183,283**	**5%**	**$96,224**	**$279,507**				**$279,507**	**$279,507**	**$0**

DRAFT ORDINANCE 10.21.2019

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
SH 205 GRAVITY SEWER															
	From Dalton Road / FM 522 to Quail Run Road														
2	SC1104	407	18		$78.32	$31,874		$16,734	$48,608	28%	42%	14%	$13,415	$20,355	$6,939
2	SC1106	347	18		$78.32	$27,185		$14,272	$41,457	26%	41%	15%	$10,978	$17,017	$6,039
2	SC1108	78	18		$78.32	$6,115		$3,210	$9,325	27%	41%	14%	$2,512	$3,828	$1,316
2	SC1316	233	18		$78.32	$18,218		$9,564	$27,782	27%	41%	14%	$7,425	$11,338	$3,912
2	SC1318	402	18		$78.32	$31,488		$16,531	$48,019	27%	42%	15%	$12,991	$20,070	$7,079
2	SC1320	778	18		$78.32	$60,918		$31,982	$92,900	26%	41%	15%	$24,601	$38,133	$13,532
2	SC1322	496	18		$78.32	$38,883		$20,414	$59,297	26%	40%	14%	$15,473	$23,794	$8,321
2	SC1324	281	18		$78.32	$22,037		$11,569	$33,606	26%	41%	15%	$8,798	$13,749	$4,951
2	SC1326	518	18		$78.32	$40,577		$21,303	$61,880	27%	41%	14%	$16,797	$25,442	$8,645
2	SC1328	277	18		$78.32	$21,720		$11,403	$33,123	29%	42%	13%	$9,680	$14,001	$4,322
2	SC1330	474	18		$78.32	$37,100		$19,477	$56,577	29%	42%	13%	$16,534	$23,916	$7,382
2	SC1332	329	18		$78.32	$25,754		$13,521	$39,275	29%	43%	14%	$11,543	$16,869	$5,326
2	TB1012	508	18		$78.32	$39,759		$20,873	$60,632	33%	43%	11%	$19,897	$26,375	$6,478
2	TB1028	174	18		$78.32	$13,593		$7,136	$20,729	32%	43%	11%	$6,629	$8,991	$2,362
	Subtotal:	**5,302**		**2003**		**$415,221**	**5%**	**$217,989**	**$633,210**				**$177,273**	**$263,878**	**$86,604**
SIGNAL RIDGE FORCE MAIN															
	From Signal Ridge Lift Station to Ridge Road														
2	BUC1210	4,662	10		$110.66	$515,915		$270,855	$786,770	93%	100%	7%	$730,029	$786,770	$56,741
	Subtotal:	**4,662**				**$515,915**	**5%**	**$270,855**	**$786,770**				**$730,029**	**$786,770**	**$56,741**
AMITY LANE FORCE MAIN															
	From Amity Lane Lift Station to Airport Road														
2	SC1002	1,193	6		$18.53	$22,103		$11,604	$33,707	35%	100%	65%	$11,848	$33,707	$21,859
	Subtotal:	**1,193**		**2007**		**$22,103**	**5%**	**$11,604**	**$33,707**				**$11,848**	**$33,707**	**$21,859**

DRAFT ORDINANCE 10.2.2019

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
FM 3097 SANITARY SEWER IMPROVEMENTS															
From FM 3097 LS No. 2 to FM549; 12" on County road from FM 3097 to Valerie Place; 8" on Ranch Trail from FM 3097 to 1,500-LF East															
2	BUC1040	441	15		$150.81	$66,506		$34,916	$101,422	39%	96%	58%	$39,193	$97,809	$58,617
2	BUC1042	299	24		$150.81	$45,039		$23,645	$68,684	43%	95%	51%	$29,805	$65,001	$35,196
2	BUC1044	109	24		$150.81	$16,380		$8,599	$24,979	47%	94%	46%	$11,847	$23,415	$11,568
2	BUC1162	1,788	12		$150.81	$269,645		$141,564	$411,209	99%	100%	0%	$408,380	$410,339	$1,958
2	BUC1200	390	15		$150.81	$58,764		$30,851	$89,615	42%	99%	57%	$37,573	$89,057	$51,484
2	BUC1202	109	18		$150.81	$16,366		$8,592	$24,958	42%	99%	57%	$10,464	$24,803	$14,339
2	BUC1204	200	18		$150.81	$30,190		$15,850	$46,040	41%	99%	58%	$18,983	$45,753	$26,770
2	BUC1206	200	15		$150.81	$30,097		$15,801	$45,898	39%	99%	60%	$18,012	$45,613	$27,602
2	BUC1208	433	15		$150.81	$65,269		$34,266	$99,535	38%	95%	57%	$37,709	$94,909	$57,200
2	LBC1002	250	12		$150.81	$37,774		$19,831	$57,605	16%	73%	56%	$9,497	$41,952	$32,455
2	LBC1004	1,193	15		$150.81	$179,972		$94,485	$274,457	14%	73%	58%	$39,787	$199,880	$160,094
2	LBC1006	1,282	18		$150.81	$193,280		$101,472	$294,752	13%	73%	60%	$39,070	$214,661	$175,591
2	LBC1016	539	15		$150.81	$81,324		$42,695	$124,019	34%	100%	66%	$42,323	$124,019	$81,696
2	LBC1022	1,506	8		$150.81	$227,061		$119,207	$346,268	52%	84%	32%	$180,397	$291,710	$111,312
Subtotal:		**8,738**		**2007**		**$1,317,667**	**5%**	**$691,774**	**$2,009,441**				**$923,040**	**$1,768,921**	**$845,882**

DRAFT ORDINANCE 10.21.2019

TABLE NO. 17
Existing Impact Fee Wastewater Lines

Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
SQUABBLE CREEK TO BUFFALO CREEK WASTEWATER TRANSFER FORCE MAIN From Squabble Creek Wastewater Treatment Plant to FM 3097														
2 SC1340	1,137	30		$124.90	$141,978		$74,538	$216,516	32%	67%	35%	$69,966	$144,751	$74,785
2 SC1259	20,471	30		$124.90	$2,556,676		$1,342,255	$3,898,931	32%	67%	35%	$1,259,918	$2,606,616	$1,346,699
2 SC1261	19,232	30		$124.90	$2,402,049		$1,261,076	$3,663,125	32%	67%	35%	$1,183,718	$2,448,969	$1,265,251
2 SC1260	623	30		$124.90	$77,792		$40,841	$118,633	32%	67%	35%	$38,336	$79,312	$40,976
Subtotal:	**41,463**		**2011**		**$5,178,495**	**5%**	**$2,718,710**	**$7,897,205**				**$2,551,938**	**$5,279,648**	**$2,727,711**
Existing Wastewater Line Total	**71,091**				**$8,094,740**		**$4,249,734**	**$12,344,474**				**$5,171,554**	**$9,035,199**	**$3,863,647**

Notes:

1 - City Participate in Cost Oversize

2 - City Initiated and Funded

DRAFT ORDINANCE 10.21.2019

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
1 - QUAIL RUN & MEMORIAL LIFT STATION BYPASS TRUNK SEWER															
2	SC1206	51	18		$436.24	$22,388		$11,754	$34,142	0%	97%	97%	$0	$33,057	$33,057
2	SC1208	414	18		$436.24	$180,565		$94,797	$275,362	0%	97%	97%	$0	$266,607	$266,607
2	SC1210	160	18		$436.24	$69,580		$36,529	$106,109	0%	97%	97%	$0	$102,735	$102,735
2	SC1212	197	18		$436.24	$86,014		$45,157	$131,171	0%	97%	97%	$0	$126,993	$126,993
2	SC1214	182	18		$436.24	$79,583		$41,781	$121,364	0%	97%	97%	$0	$117,485	$117,485
2	SC1216	42	18		$436.24	$18,204		$9,557	$27,761	0%	97%	97%	$0	$26,874	$26,874
2	SC1218	519	18		$436.24	$226,531		$118,929	$345,460	0%	97%	97%	$0	$334,399	$334,399
2	SC1220	510	18		$436.24	$222,300		$116,707	$339,007	0%	97%	97%	$0	$328,134	$328,134
2	SC1222	306	18		$436.24	$133,350		$70,009	$203,359	0%	97%	97%	$0	$196,814	$196,814
2	SC1224	37	18		$436.24	$16,311		$8,563	$24,874	0%	97%	97%	$0	$24,075	$24,075
2	SC1226	182	18		$436.24	$79,610		$41,795	$121,405	0%	97%	97%	$0	$117,497	$117,497
2	SC1228	446	18		$436.24	$194,542		$102,135	$296,677	0%	97%	97%	$0	$287,128	$287,128
2	SC1236	92	24		$436.24	$40,143		$21,075	$61,218	0%	41%	41%	$0	$24,896	$24,896
2	SC1238	40	24		$436.24	$17,402		$9,136	$26,538	0%	41%	41%	$0	$10,831	$10,831
2	SC1240	75	24		$436.24	$32,919		$17,282	$50,201	0%	44%	44%	$0	$22,211	$22,211
2	SC1242	85	24		$436.24	$36,902		$19,374	$56,276	0%	44%	44%	$0	$24,855	$24,855
2	SC1244	121	24		$436.24	$52,929		$27,788	$80,717	0%	44%	44%	$0	$35,660	$35,660
2	SC1246	161	30		$436.24	$70,113		$36,809	$106,922	0%	44%	44%	$0	$47,140	$47,140
2	SC1248	183	30		$436.24	$79,671		$41,827	$121,498	0%	43%	43%	$0	$52,727	$52,727
2	SC1252	224	30		$436.24	$97,766		$51,327	$149,093	0%	43%	43%	$0	$64,599	$64,599
2	SC1254	500	30		$436.24	$218,121		$114,513	$332,634	0%	43%	43%	$0	$143,599	$143,599
2	SC1256	240	30		$436.24	$104,711		$54,973	$159,684	0%	43%	43%	$0	$68,936	$68,936
2	SC1230	182	36		$436.24	$79,396		$41,683	$121,079	0%	50%	50%	$0	$61,124	$61,124
	Subtotal:	**4,949**		**2019**		**$2,159,050**	**5%**	**$1,133,500**	**$3,292,551**				**$0**	**$2,518,376**	**$2,518,376**
2 - TURTLE COVE & WINDMILL RIDGE SEWER IMPROVEMENTS															
2	BB1040A	1,553	8		$269.98	$419,263		$220,113	$639,376	0%	99%	99%	$0	$630,992	$630,992
2	LS1260A	1,410	12		$269.98	$380,737		$199,887	$580,624	0%	94%	94%	$0	$543,957	$543,957
	Subtotal:	**2,963**		**2019**		**$800,000**	**5%**	**$420,000**	**$1,220,000**				**$0**	**$1,174,949**	**$1,174,949**
3 - PROPOSED BRUSHY CREEK TRUNK SEWER															
1	BUC3002	3,382	15		$24.00	$81,174		$42,616	$123,790	0%	100%	100%	$0	$123,790	$123,790
1	BRC3018	724	18		$48.00	$34,748		$18,243	$52,991	0%	48%	48%	$0	$25,539	$25,539
1	BRC3020	1,948	18		$48.00	$93,513		$49,094	$142,607	0%	55%	55%	$0	$78,962	$78,962
1	BRC3022	1,045	21		$72.00	$75,242		$39,502	$114,744	0%	59%	59%	$0	$67,981	$67,981
1	BRC3026	17	21		$72.00	$1,219		$640	$1,859	0%	57%	57%	$0	$1,057	$1,057
	Subtotal:	**7,116**		**2020**		**$285,896**	**5%**	**$150,095**	**$435,991**				**$0**	**$297,329**	**$297,329**

DRAFT
10.2.2019

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
4 - BUFFALO CREEK EXISTING GRAVITY SEWER - 12" & 14" PIPE BURST															
Pipe Burst Exsiting 8" and 10" to 12" and Existing 12" to 14" from northwest of John King and IH 30 to S.H. 205 Goliad															
2	BUC1008A	1,314	12		$192.00	$252,369		$132,494	$384,863	0%	29%	29%	$0	$110,863	$110,863
2	BUC1010A	755	12		$192.00	$144,970		$76,109	$221,079	0%	34%	34%	$0	$75,022	$75,022
2	BUC1012A	660	12		$192.00	$126,802		$66,571	$193,373	0%	34%	34%	$0	$65,620	$65,620
2	BUC1148A	766	12		$192.00	$147,096		$77,225	$224,321	0%	34%	34%	$0	$76,115	$76,115
2	BUC1018A	188	14		$192.00	$36,073		$18,938	$55,011	0%	42%	42%	$0	$23,219	$23,219
2	BUC1094A	1,155	14		$192.00	$221,669		$116,376	$338,045	0%	46%	46%	$0	$156,886	$156,886
2	BUC1098A	1,838	14		$192.00	$352,922		$185,284	$538,206	0%	44%	44%	$0	$237,802	$237,802
	Subtotal:	**6,677**		**2021**		**$1,281,901**	**5%**	**$672,997**	**$1,954,898**				**$0**	**$745,527**	**$745,527**
5 - PROPOSED THOMPSON BRANCH TRUNK SEWER															
1	TB1002A	720	15		$24.00	$17,287		$9,076	$26,363	0%	93%	93%	$0	$24,620	$24,620
1	TB3012	899	15		$24.00	$21,582		$11,331	$32,913	0%	94%	94%	$0	$31,021	$31,021
1	TB3014	501	15		$24.00	$12,028		$6,315	$18,343	0%	96%	96%	$0	$17,633	$17,633
1	TB3018	644	15		$24.00	$15,457		$8,115	$23,572	0%	96%	96%	$0	$22,658	$22,658
1	TB3020	1,038	15		$24.00	$24,910		$13,078	$37,988	0%	96%	96%	$0	$36,632	$36,632
1	TB3022	982	15		$24.00	$23,572		$12,375	$35,947	0%	96%	96%	$0	$34,658	$34,658
1	TB3034	388	15		$24.00	$9,307		$4,886	$14,193	0%	96%	96%	$0	$13,558	$13,558
1	TB3002	544	18		$48.00	$26,114		$13,710	$39,824	0%	99%	99%	$0	$39,497	$39,497
1	TB3004	714	18		$48.00	$34,275		$17,994	$52,269	0%	99%	99%	$0	$51,840	$51,840
1	TB3040	1,089	18		$48.00	$52,276		$27,445	$79,721	0%	95%	95%	$0	$75,546	$75,546
1	BLC3016	1,312	21		$72.00	$94,494		$49,609	$144,103	0%	70%	70%	$0	$100,463	$100,463
1	BC3006	67	27		$120.00	$7,994		$4,197	$12,191	0%	28%	28%	$0	$3,397	$3,397
	Subtotal:	**8,899**		**2022**		**$339,296**	**5%**	**$178,131**	**$517,427**				**$0**	**$451,523**	**$451,523**
6 - PROPOSED LOWER BUFFALO CREEK EAST TRUNK SEWER															
2	BUC1104A	1,506	21		$264.00	$397,554		$208,716	$606,270	0%	100%	100%	$0	$606,270	$606,270
2	BUC1168	3,640	21		$264.00	$960,968		$504,508	$1,465,476	0%	100%	100%	$0	$1,465,476	$1,465,476
2	BUC3000	1,423	21		$264.00	$375,553		$197,165	$572,718	0%	100%	100%	$0	$572,718	$572,718
	Subtotal:	**6,568**		**2022**		**$1,734,075**	**5%**	**$910,389**	**$2,644,464**				**$0**	**$2,644,464**	**$2,644,464**
7A - FONTANA RANCH LIFT STATION ABANDONMENT & GRAVITY RELIEF SEWER															
2	LB1004A	1,238	8		$100.00	$123,764		$64,976	$188,740	0%	79%	79%	$0	$148,599	$148,599
2	LB3014	930	12		$192.00	$178,560		$93,744	$272,304	0%	81%	81%	$0	$219,938	$219,938
2	LB3016	740	12		$192.00	$142,080		$74,592	$216,672	0%	81%	81%	$0	$175,016	$175,016
2	LB3018	1,240	12		$192.00	$238,080		$124,992	$363,072	0%	74%	74%	$0	$268,153	$268,153
2	LB3020	815	12		$192.00	$156,480		$82,152	$238,632	0%	81%	81%	$0	$192,750	$192,750
2	LB3028	765	12		$192.00	$146,880		$77,112	$223,992	0%	81%	81%	$0	$180,921	$180,921
	Subtotal:	**5,728**		**2024**		**$985,844**	**5%**	**$517,568**	**$1,503,412**				**$0**	**$1,185,377**	**$1,185,377**

DRAFT 2019

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
7B - LOFTLAND FARMS LIFT STATION ABANDONMENT & GRAVITY RELIEF SEWER															
2	LB1000A	380	8		$100.00	$38,000		$19,950	$57,950	0%	69%	69%	$0	$40,142	$40,142
2	LB3002	1,238	8		$100.00	$123,775		$64,982	$188,757	0%	57%	57%	$0	$107,993	$107,993
2	LB3022	910	10		$120.00	$109,200		$57,330	$166,530	0%	73%	73%	$0	$121,185	$121,185
2	LB3024	935	10		$120.00	$112,200		$58,905	$171,105	0%	73%	73%	$0	$124,541	$124,541
2	LB3026	1,060	10		$120.00	$127,200		$66,780	$193,980	0%	64%	64%	$0	$124,690	$124,690
	Subtotal:	**4,523**		**2026**		**$510,375**	**5%**	**$267,947**	**$778,322**				**$0**	**$518,551**	**$518,551**
8 - PROPOSED LITTLE BUFFALO CREEK TRUNK SEWER															
1	LBC3006	2,176	15		$24.00	$52,223		$27,417	$79,640	0%	91%	91%	$0	$72,341	$72,341
	Subtotal:	**2,176**		**2027**		**$52,223**	**5%**	**$27,417**	**$79,640**				**$0**	**$72,341**	**$72,341**
Sewer Line CIP Total		**49,599**				**$8,148,660**		**$4,278,044**	**$12,426,705**				**$0**	**$9,608,437**	**$9,608,437**

Notes: 1 - City Participate in Cost Oversize
2 - City Initiated and Funded

DRAFT ORDINANCE 10.21.2019

TABLE NO. 19
Impact Fee Wastewater Facilities

Pump Station		Year Const.	Capacity (MGD)	Capital Cost ($) Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2019	2029	In the CRF Period	Capacity Utilized ($) 2019	2029	In the CRF Period
EXISTING LIFT STATIONS													
Dalton Road Lift Station & Force Main	1	2002	1.2	$ 272,178	$ 40,200	$ 163,998	$ 476,376	43%	43%	0%	$ 204,842	$ 204,842	$ -
Amity Lane Lift Station	1	2006	0.4	$ 167,009	$ 18,800	$ 97,550	$ 283,359	34%	35%	1%	$ 96,342	$ 99,176	$ 2,834
Chandlers Marina Lift Station	1	2007	0.4	$ 244,331	$ 16,500	$ 136,936	$ 397,767	72%	76%	4%	$ 286,392	$ 302,303	$ 15,911
FM 3097 No. 1 Lift Station & 16" Force Main	1	2007	2.2	$ 450,460	$ 21,000	$ 247,517	$ 718,977	15%	100%	85%	$ 107,847	$ 718,977	$ 611,130
FM 3097 No. 2 Lift Station	1	2007	2.9	$ 525,845	$ 25,000	$ 289,194	$ 840,039	100%	100%	0%	$ 840,039	$ 840,039	$ -
Chandlers Deep Lift Station	1	2012	0.7	$ 196,555	$ 61,000	$ 135,216	$ 392,771	70%	70%	0%	$ 274,940	$ 274,940	$ -
Squabble Creek Transfer Lift Station	1	2012	2.9	$ 1,500,346	$ 165,325	$ 874,477	$ 2,540,148	100%	100%	0%	$ 2,540,148	$ 2,540,148	$ -
Existing Wastewater Facility Subtotal			**13.20**	**$ 3,820,685**	**$ 377,685**	**$ 2,204,144**	**$ 6,402,514**				**$ 4,350,550**	**$ 4,980,425**	**$ 629,875**
PROPOSED WASTEWATER TREATMENT PLANT & LIFT STATION/FORCE MAIN IMPROVEMENTS													
Squabble Creek Lift Station Improvements (Install Three 250-HP Pumps & Electrical Upgrades)	1	2019	10.0	$ 2,690,519	$ 110,250	$ 1,470,404	$ 4,271,173	73.6%	100%	26%	$ 3,141,918	$ 4,271,173	$ 1,129,255
Proposed Brushy Creek Lift Station & 12" Force Main	2*	2021	3.3	$ 1,400,000	$ 210,000	$ 845,250	$ 2,455,250	0.0%	49%	49%	$ -	$ 1,196,674	$ 1,196,674
FM 3097 No. 1 Lift Station Improvements (Replace Two 45-HP Pumps w/Two 90-HP Pumps)	2*	2024	2.8	$ 500,000	$ 75,000	$ 301,875	$ 876,875	6.6%	75%	68%	$ 57,611	$ 656,306	$ 598,695
FM 3097 No. 2 Lift Station Improvements (Replace Two 25-HP Pumps w/Two 35-HP Pumps)	2*	2024	3.1	$ 750,000	$ 112,500	$ 452,813	$ 1,315,313	50.2%	99%	49%	$ 660,068	$ 1,304,571	$ 644,503
Squabble Creek Lift Station Improvements (Add 2nd Wet Well w/Three New 250-HP Pumps)	2*	2026	5.0	$ 4,000,000	$ 600,000	$ 2,415,000	$ 7,015,000	0.0%	95%	95%	$ -	$ 6,631,139	$ 6,631,139
Proposed Bluff Creek Lift Station & Parallel Force Main (14" & 20")	2*	2028	2.4	$ 5,100,000	$ 765,000	$ 3,079,125	$ 8,944,125	0.0%	89%	89%	$ -	$ 7,993,066	$ 7,993,066
Proposed Wastewater Facility Subtotal			**26.60**	**$ 14,440,519**	**$ 1,872,750**	**$ 8,564,467**	**$ 24,877,736**				**$ 3,859,596**	**$ 22,052,930**	**$ 18,193,334**
Total			**39.80**	**$ 18,261,204**	**$ 2,250,435**	**$ 10,768,611**	**$ 31,280,250**				**$ 8,210,146**	**$ 27,033,355**	**$ 18,823,209**

295

* 15% of Construction Assumed for Engineering and Testing
(1) Actual Cost
(2) Estimated Cost in 2019 Dollars

295

DRAFT FOR ORDINANCE 10.24.2019

TABLE NO. 20
WASTEWATER COLLECTION SYSTEM -- PROPOSED NTMWD FACILITIES

CIP #	Project Description		Year Const.	Length (FT)	Size/Added Capacity	Capital Cost ($)			Capacity Utilized			Capacity Utilized (%)			Capacity Utilized ($)		
						City of Rockwall Participation Cost	Eng. & Testing	Total Project Cost	2019	2029	In The CRF Period	2019	2029	In The CRF Period	2019	2029	In The CRF Period
North Texas Municipal Water District (NTMWD) Proposed Facility Improvements																	
A1	NTMWD Buffalo Creek Parallel Incerceptor Sewer - Phase 1: From Buffalo Creek WWTP to Forney	4	2019	TBD	TBD	$ 11,835,394		$ 11,835,394				33%	49%	16%	$ 3,927,269	$ 5,796,236	$ 1,868,967
A2	NTMWD Turtle Cove (a.k.a. Lakeside) Lift Station Expansion/Replacement	3	2020	TBD	+1.6 MGD	$ 4,600,000		$ 4,600,000				33%	49%	16%	$ 1,526,391	$ 2,252,793	$ 726,402
A3	NTMWD Buffalo Creek Lift Station Expansion	4	2020	TBD	TBD	$ 17,868,150		$ 17,868,150				33%	49%	16%	$ 5,929,083	$ 8,750,703	$ 2,821,620
A4	NTMWD Buffalo Creek Parallel Force Main	4	2020	TBD	TBD	$ 1,681,500	Included in Const. Cost	$ 1,681,500				33%	49%	16%	$ 557,962	$ 823,494	$ 265,532
A5	NTMWD Buffalo Creek Parallel Interceptor - Phase 2: From Forney to Buffalo Creek Lift Station	4	2026	TBD	TBD	$ 7,924,880		$ 7,924,880				33%	49%	16%	$ 2,629,666	$ 3,881,111	$ 1,251,445
A6	10-Year CIP for NTMWD Sewer System (Rockwall Responsibility Only)	5	2019-2029	N/A	N/A	$ 5,435,164		$ 5,435,164				33%	49%	16%	$ 1,803,518	$ 2,661,803	$ 858,285
A7	10-Year CIP for NTMWD Regional Wastewater System (Rockwall Responsibility Only)	5	2019-2029	N/A	N/A	$ 11,619,512		$ 11,619,512				33%	49%	16%	$ 3,855,634	$ 5,690,511	$ 1,834,877
Proposed NTMWD Facility Total						**$ 60,964,600**		**$ 60,964,600**							**$ 20,229,523**	**$ 29,856,651**	**$ 9,627,128**

Utilized Capacity for Regional NTMWD Treatment Facilities calculated using proportion of years 2019 & 2029 population to build-out population.

296

Notes: 1. City obligations estimated based on City of Rockwall's historical usage of NTMWD Regional Systems.
2. 10-Year CIP for NTMWD Regional Systems based on project listings provided for "Summary of Sewer System CIP" and "Summary of Regional Wastewater System CIP", both dated May 11, 2018.
3. Funded by NTMWD, 100% City Responsibility
4. Part of NTMWD Buffalo Interceptor System, assumed 59% City Responsibility
5. Part of NTMWD Regional Systems, assumed 2.915% City Responsibility
6. Utilized capacities for NTMWD facilities were determined using the proportion of the existing and projected 2029 population as compared to the build-out population.

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TABLE NO. 21

Summary of Utilized Capacity Allocation between City of Rockwall & NTMWD Wastewater System

	CITY OF ROCKWALL Utilized Capacity		NTMWD Utilized Capacity		TOTAL	
	($)	%	($)	%	($)	%
Existing Wastewater System	$ 4,493,522	100.00%	$ -	0.00%	$ 4,493,522	100%
Proposed Wastewater System & Planning Cost	$ 27,861,621	74.32%	$ 9,627,128	25.68%	$ 37,488,749	100%
TOTAL	**$ 32,355,143**	**77.07%**	**$ 9,627,128**	**22.93%**	**$ 41,982,271**	**100%**

DRAFT ORDINANCE 10.21.2019

F. CALCULATION OF MAXIMUM IMPACT FEES - WATER & WASTEWATER

Chapter 395, of the Local Government Code allows the maximum impact fee to be charged if revenues from Future Ad Valorem Taxes, and water and sewer bills are included as a credit in the analysis. If not, the Act allows the maximum assessable fee to be set at 50% of the calculated maximum fee. The maximum impact fees for the water and wastewater systems are calculated separately by dividing the cost of the capital improvements or facility expansions necessitated and attributable to new development in the Service Area within the ten year period by the number of living units anticipated to be added to City within the ten year period. To simplify collection, we recommend the fee remain fixed throughout the 5-year period, unless changed by Council.

The **Water System** impact fee for a 5/8" meter is calculated as follows:

$$\text{Maximum Impact Fee} = \frac{\text{Eligible Existing Facility Cost} + \text{Eligible Proposed Facility Cost}}{\text{Number of New Living Unit Equivalent over the Next 10-Years}}$$

$$= \frac{\$12,324,530 + \$18,582,427}{9,846} = \frac{\$30,906,957}{9,846}$$

Calculated Water Maximum Impact Fee = $3,139.04 *

* Maximum Allowable Water Impact Fee is 50% of the Calculated Water Maximum Impact Fee

Maximum Assessable Water Impact Fee = $3,139.04 X 50% = $1,569.52

The **Wastewater System** impact fee for a 5/8" water meter is calculated as follows:

$$\text{Maximum Impact Fee} = \frac{\text{Eligible Existing Facility Cost} + \text{Eligible Proposed Facility Cost}}{\text{Number of New Living Unit Equivalent over the Next 10-Years}}$$

$$= \frac{\$4,493,522 + \$37,488,749}{8,710} = \frac{\$41,982,271}{8,710}$$

Calculated Water Maximum Impact Fee = $4,820.01 *

* Maximum Allowable Water Impact Fee is 50% of the Calculated Water Maximum Impact Fee

Maximum Assessable Wastewater Impact Fee = $4,820.01 X 50% = $2,410.00

Table No. 22 summarizes the per service unit equivalent maximum assessable impact fee that can be charged based on the calculated 50% credit above.

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TABLE NO. 22

Maximum Assessable Water & Wastewater Impact Fee

Maximum Assessable Water Impact Fee per Living Unit Equivalent: $1,569.52

Maximum Assessable Wastewater Impact Fee per Living Unit Equivalent: $2,410.00

Typical Land Use	Meter Type	Meter Size	Living Unit Equivalent	Max. Assessable Impact Fee				
				Water	City of Rockwall Wastewater	NTMWD Wastewater	Wastewater Total	Grand Total
Single Family Residential	Simple	5/8"	1.0	$ 1,569.52	$ 1,855.70	$ 554.30	$ 2,410.00	$ 3,979.52
Single Family Residential	Simple	1"	2.5	$ 3,923.80	$ 4,639.25	$ 1,385.75	$ 6,025.00	$ 9,948.80
Single Family Residential	Simple	1-1/2"	5.0	$ 7,847.60	$ 9,278.50	$ 2,771.50	$ 12,050.00	$ 19,897.60
Single Family Residential	Simple	2"	8.0	$ 12,556.16	$ 14,845.60	$ 4,434.40	$ 19,280.00	$ 31,836.16
Comm./Retail	Compound	2"	8.0	$ 12,556.16	$ 14,845.60	$ 4,434.40	$ 19,280.00	$ 31,836.16
Comm./Retail/ Irrigation	Turbine	2"	16.0	$ 25,112.32	$ 29,691.20	$ 8,868.80	$ 38,560.00	$ 63,672.32
Comm./Retail/ Multi Family	Compound	3"	16.0	$ 25,112.32	$ 29,691.20	$ 8,868.80	$ 38,560.00	$ 63,672.32
Comm./Retail/ Irrigation/ Multi Family	Turbine	3"	35.0	$ 54,933.20	$ 64,949.50	$ 19,400.50	$ 84,350.00	$ 139,283.20
Comm./Retail/ Multi Family	Compound	4"	25.0	$ 39,238.00	$ 46,392.50	$ 13,857.50	$ 60,250.00	$ 99,488.00
Comm./Retail/ Irrigation/ Multi Family	Turbine	4"	65.0	$102,018.80	$120,620.50	$ 36,029.50	$156,650.00	$ 258,668.80
Industrial	Compound	6"	50.0	$ 78,476.00	$ 92,785.00	$ 27,715.00	$120,500.00	$ 198,976.00
Industrial/ Irrigation	Turbine	6"	140.0	$219,732.80	$259,798.00	$ 77,602.00	$337,400.00	$ 557,132.80
Industrial	Compound	8"	80.0	$125,561.60	$148,456.00	$ 44,344.00	$192,800.00	$ 318,361.60
Industrial/ Irrigation	Turbine	8"	240.0	$376,684.80	$445,368.00	$133,032.00	$578,400.00	$ 955,084.80

DRAFT ORDINANCE 10.21.2019

DRAFT
ORDINANCE
10.24.2019



2019-2029 WATER & WASTEWATER IMPACT FEE UPDATE

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS

SEPTEMBER 2019

300

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301

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	10/21/2019
APPLICANT:	Pat Atkins; *KPA Consulting, Inc.*
CASE NUMBER:	Z2019-021; *Amendment to Planned Development District 79 (PD-79)*

SUMMARY

Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of a zoning amendment to Planned Development District 79 (PD-79) [*Ordinance No. 16-39*] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

BACKGROUND

On January 4, 2016, the City Council approved Planned Development District 79 (PD-79) [*Case No. Z2015-034; Ordinance No. 16-07*], which rezoned a 45.292-acre portion of the subject property from an Agricultural (AG) District to a Planned Development District establishing an entitlement for a single-family residential subdivision consisting of 113 single-family lots. On May 16, 2019, the applicant voluntarily annexed an additional 11.121-acre tract of land [*A2016-001*] and amended Planned Development District 79 (PD-79) [*Z2016-015; Ordinance No. 16-39*], incorporating this property into the subdivision. The annexation created a 55.413-acre residential subdivision. The amendment to PD-79 also increased the lot count from 113 to 138 lots, and granted an increase in the maximum front entry garages from 0% to 50%. On January 22, 2019, the applicant voluntarily annexed an additional 14.995-acre tract of land [*A2018-004*] with the intent of incorporating it into Planned Development District 79 (PD-79).

PURPOSE

On September 13, 2019, the applicant submitted an application requesting to amend PD-79 [*Ordinance No. 16-39*] for the purpose of amending the development standards and concept plan by incorporating the additional 14.995-acre tract of land into the existing 55.413-acre tract of land to create an additional phase (*i.e. Phase III*) for the Saddle Star Estates Subdivision. This amendment would increase the total acreage of the subdivision to 70.408-acres.

ADJACENT LAND USES AND ACCESS

The subject property is located on the north side of John King Boulevard south of Featherstone Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the corporate boundaries of the City of Rockwall followed by two (2) single-family homes on large tracts of land situated within the City's Extraterritorial Jurisdiction (ETJ).

South: Directly south of the subject property is John King Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is a 67.50-acre tract of land (*i.e. Tracts 2-01, 2-04 & 2-05, of the P. B. Harrison Abstract No. 97*) zoned Agricultural (AG) District.

East: Directly east of the subject property is the corporate limits of the City of Rockwall followed by Park Ridge Estates and Windmill Valley Subdivisions. Both subdivisions are situated within the City's Extraterritorial Jurisdiction (ETJ).

West: Directly south of the subject property is John King Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this arterial is a vacant property zoned Planned Development District 70 (PD-70) for Single Family 10 (SF-10) District land uses. This is scheduled to be the final phase of the Stone Creek Subdivision.

CHARACTERISTICS OF THE REQUEST

Currently, Planned Development District 79 (PD-79) [*Ordinance No. 16-39*] allows the applicant to construct 138, 70' x 125' single-family lots on 55.413-acres. The proposed amendment would increase the size of the proposed subdivision to 70.408-acres (*i.e. adding an additional 14.995-acres*) and add an additional five (5), 70' x 125' lots and 33, 80' x 125' single family lots. The new lot product would be subject to all of the same standards as the existing lot type; however, the applicant would be incorporating 100% j-swing or traditional swing garages with the 80' x 125' as opposed to the 50% flat front entry currently permitted on 138, 70' x 125' lot product. As a note the applicant would be adding an addition five (5) lots of which 50% would be able to be flat front entry. A summary of the resulting lot mix and development standards is as follows:

Table 2: Lot Dimensional Requirements

Lot Type >	*A*	*B*
Minimum Lot Width [1]	70'	80'
Minimum Lot Depth	125'	125'
Minimum Lot Area	8,750 SF	10,000 SF
Minimum Front Yard Setback [2] & [5]	20'	20'
Minimum Side Yard Setback	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'	10'
Minimum Length of Driveway Pavement	25'	25'
Maximum Height [3]	30'	30'
Minimum Rear Yard Setback [4]	20'	20'
Minimum Area/Dwelling Unit (SF)	2,700 SF	2,700 SF
Maximum Lot Coverage	65%	65%
Permitted Encroachment into Required Setbacks [5]	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single-family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

INFRASTRUCTURE

Based on the applicant's request to rezone the subject property, the following infrastructure will be required to be constructed in order to provide adequate public services to the subject property:

Water: The City does not currently have the rights to serve the proposed 14.995-acre addition to Planned Development District 79 (PD-79). The applicant will need to work with Mt. Zion Water Supply Corporation to secure the right for the City of Rockwall to serve the additional acreage.

Wastewater: The lift station located at John King Boulevard and FM-552 is not currently sized to serve the proposed 14.995-acre addition to Planned Development District 79 (PD-79). The applicant will be required to perform an infrastructure study to determine the upgrades necessary to meet the required capacity.

All proposed infrastructure improvements must meet the Engineering Department's *Standards of Design and Construction*.

CONFORMANCE WITH THE CITY'S CODES

The changes to Planned Development District 79 (PD-79) do not change the conformance of the proposed subdivision with regards to the City's existing codes.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

Since the applicant's request does not change the underlying use of the majority of the property and the additional 14.995-acre tract of land being incorporated into the PD is being rezoned in conformance with the Future Land Use Map (*i.e. to a Low Density Residential designation*) the request does not change Planned Development District 79 (PD-79) conformance to the OURHometown Vision 2040 Comprehensive Plan. With regard to the goals and policies contained in this document, the following goals and policies apply to the applicant's request:

(1) *Chapter 8; Section 2.03; Goal 3; Policy 3:* In cases where flat front entry garages (*i.e. even with the front façade of the primary structure*) are requested as part of a development, no greater than 20% should be incorporated into the development. In addition, flat front entry garages should have a minimum of a 25-foot front yard building setback to allow vehicles to be parked in the driveway without overhanging public right-of-way. This type of garage may not be appropriate for all developments and should be generally discouraged.

In this case, Planned Development District 79 (PD-79) was approved with 50% flat front entry garages. The proposed amendment would actually reduce the number of flat front entry garages in the subdivision to 40.625% bringing it closer to conforming to the current goals and policies of the Comprehensive Plan. With this being said the applicant's request to amend the existing Planned Development District is a discretionary decision for the City Council.

NOTIFICATIONS

On September 20, 2019, staff mailed nine (9) notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stone Creek and Stoney Hollow Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property participating in the notification program. Additionally, staff posted a sign adjacent to the subject property along N. Goliad Street [*SH-205*] and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted, staff had received one (1) notice from the City's online portal opposed to the applicant's request.

CONDITIONS OF APPROVAL

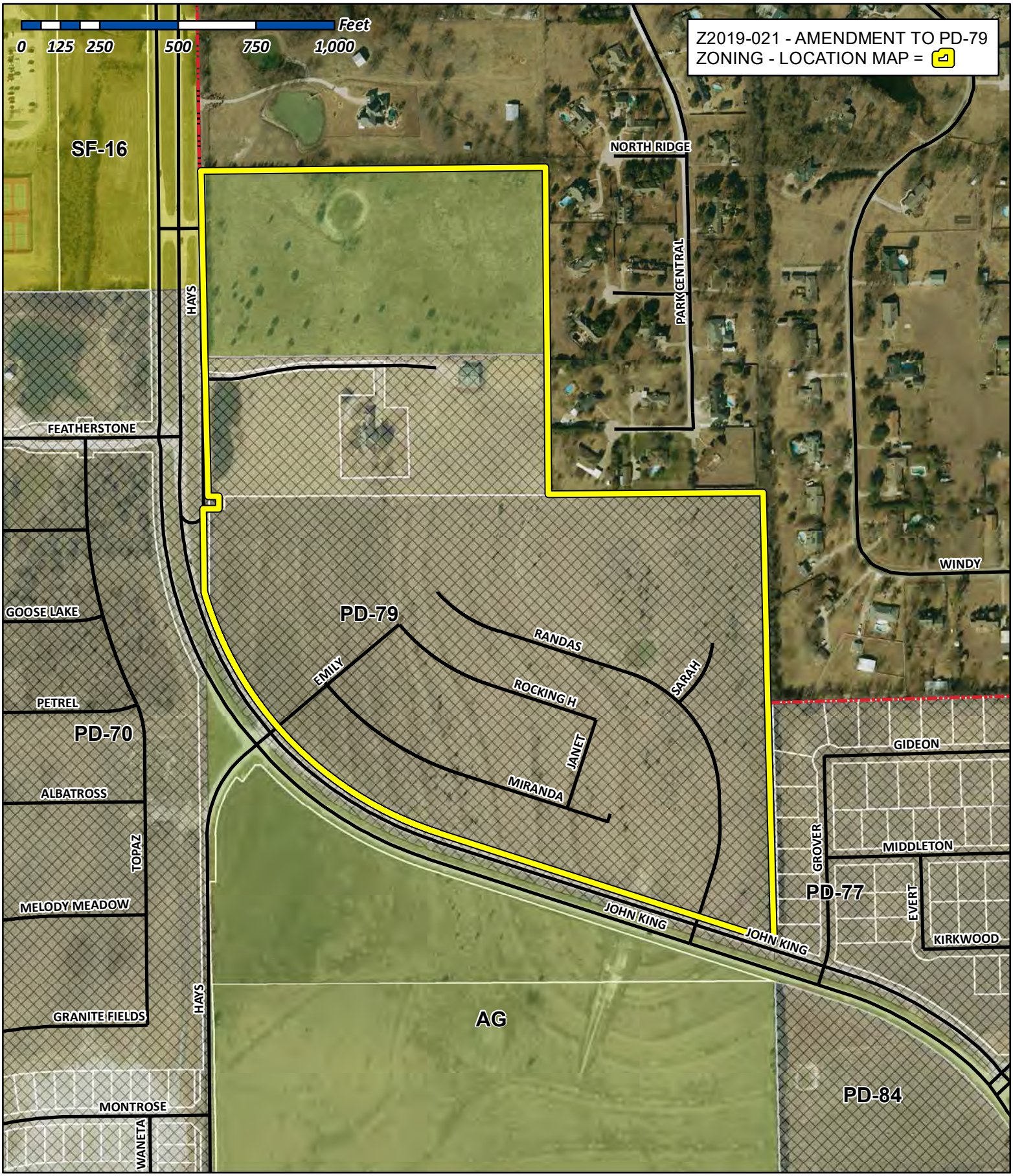
If the City Council chooses to approve the applicant's request to amend Planned Development District 79 (PD-79), then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

(2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On October 8, 2019, the Planning and Zoning Commission's motion to recommend approval of the amendment to Planned Development District 79 (PD-79) with staff conditions passed by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

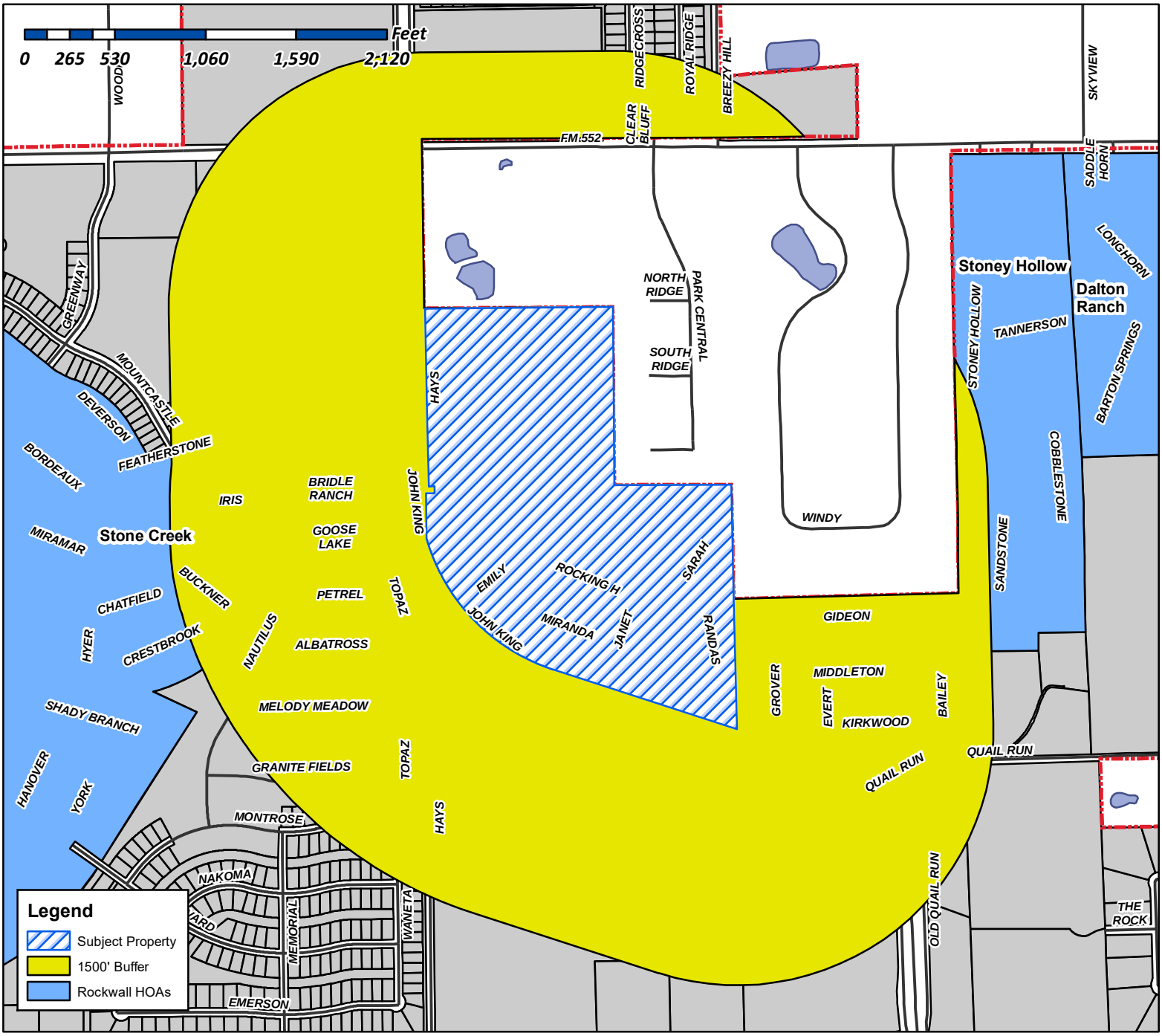
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

306

City of Rockwall

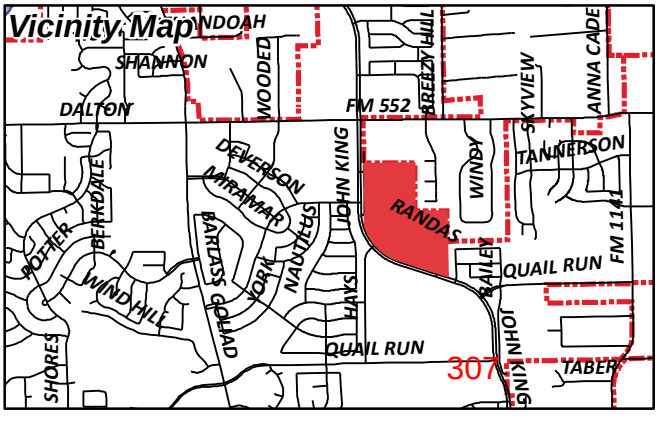
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-021
Case Name: Amendment to PD-79
Case Type: Zoning
Zoning: Planned Development District
Case Address: East of John King & South of FM 552

Date Created: *9/13/2019*
For Questions on this Case Call (972) 771-7745



From: Morales, Laura
To: [redacted]
Cc: Miller, Ryan; Gonzales, David; Brooks, Korey
Subject: Neighborhood Notification Program: Notice of zoning request
Date: Friday, September 20, 2019 4:36:24 PM
Attachments: HOA Map.pdf
PUBLIC NOTICE.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attach ed a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***September 20, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 10/8/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday 10/21/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-021- Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

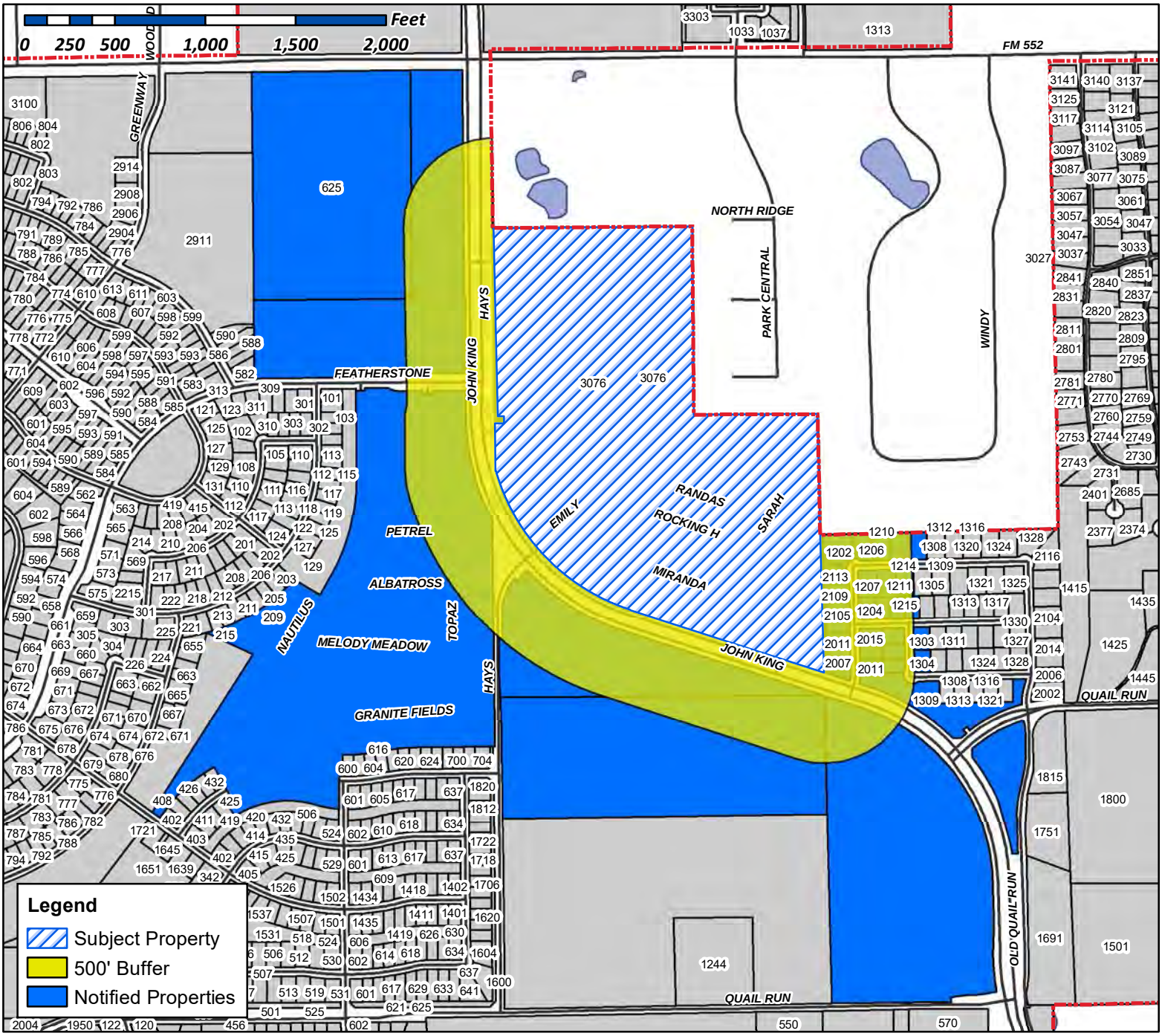
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com/planning/

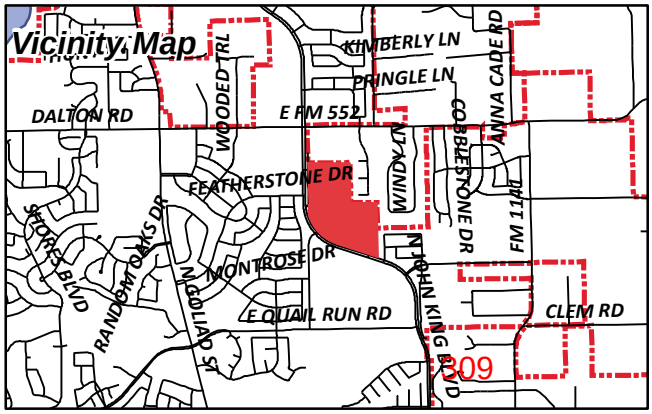
City of Rockwall

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(W): www.rockwall.com

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Case Number: Z2019-021
Case Name: Amendment to PD-79
Case Type: Zoning
Zoning: Planned Development District
Case Address: East of John King & South of FM 552



Date Created: ***9/13/2019***
For Questions on this Case Call (972) 771-7745

PACESETTER HOMES LLC
14400 THE LAKES BLVD BUILDING C, SUITE 200
AUSTIN, TX 78660

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

REED GWENDOLYN
3076 HAYS RD
ROCKWALL, TX 75087

REED GWENDOLYN
3076 HAYS LN
ROCKWALL, TX 75087

ROCKWALL I S D
625 FM552
ROCKWALL, TX 75087

CDT ROCKWALL/2017 LLC
6925 FM 2515
KAUFMAN, TX 75142

SKORBURG CO.
ATTN: JOHN ARNOLD
8214 WESTCHESTER DR SUITE 710
DALLAS, TX 75225

RANDA BARTON HANCE LIVING TRUST AND
LARRY HANCE
963 W YELLOW JACKET LN APT 107
ROCKWALL, TX 75087

R & R HANCE INVESTMENTS LP
963 W YELLOW JACKET LN
ROCKWALL, TX 75087

310

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-021: Saddle Star South

Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/8/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 10/21/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **10/21/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-021: Saddle Star South

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-024.

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Why are you allowing a developer to increase the development site up to 70 acres without a traffic study? John King was supposed to offer a way around the traffic mess created for residents living in the north part of the county due to runaway development you allowed along Hwy. 205. Also, it appears the city's water and sewer infrastructure won't support this increase in the number of houses either. So why the push for a large, unnecessary development that will likely lower the quality of life for existing residents?

Respondent Information

Please provide your information.

First Name *

Darlene

Last Name *

Sanchez

Address *

7144 Hunt Lane

City *

Rockwall

State *

Tx

Zip Code *

75087

Email Address *

darlenesanchez@charter.net

Phone Number

_____

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- ( ) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- (•) Other: I saw an online discussion where people were mainly opposed to this.

This content is neither created nor endorsed by Google.

Google Forms

314

SADDLE STAR LAND DEVELOPMENT L.L.C.

3076 HAYS LN.-ROCKWALL,TEXAS 75087-PAT ATKINS-DIRECTOR

9-13-19

RYAN C. MILLER AICP , DAVID GONZALES AICP

DIRECTOR OF PLANNING /CITY OF ROCKWALL

385 S. GOLIAD STREET

ROCKWALL,TEXAS 75087

LETTER OF EXPLANATION

RE: SADDLE STAR SOUTH-70.408 ACRES –OWNER - C.D.T-2017 L.L.C.-Saddle Star South Holdings, LLC And Gwendolyn Reed

ROCKWALL , ROCKWALL COUNTY , TEXAS

DEAR MR. MILLER ,GONZALES

WE ARE THE SAID AUTHORIZED REPRESENATIVES OF THE OWNERS OF THE 70.408 ACRE TRACT IN ROCKWALL, ROCKWALL COUNTY.

WE HEREBY AS AUTHORIZED AGENT, PAT ATKINS DIRECTOR OF SADDLE STAR LAND DEVELOPMENT L.L.C.,TO PURSUE APPROVAL OF OUR PLANNED DEVELOMENT REQUEST . OUR REQUEST IS ADDING THE ADDITIONAL 14.995 ACRES TO THE OVERALL SADDLE STAR SOUTH DEVELOPMENT .

THIS ADDITION WILL REPRESENT THE 80’X125’ PRODUCT ALL OTHER REQUIREMENTS WITHIN THE ORIGINAL PLANNED DEVELOPMENT WILL REMAIN THE SAME.

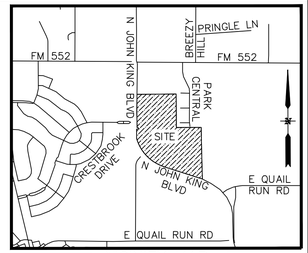
SINCERELY

Pat Atkins

PAT ATKINS-DIRECTOR-SADDLE STAR

315

LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	N 89°38'44" E	50.00'
L2	N 0°38'27" W	40.00'
L3	S 89°38'05" W	34.29'



VICINITY MAP
NOT TO SCALE

0' 50' 100' 200'
Graphic scale (in feet): 1" = 100'

NOTE:
DETENTION TO BE PROVIDED PER CITY OF ROCKWALL DRAINAGE SPECIFICATIONS AND STANDARDS

FEATHERSTONE DRIVE
98' R.O.W.
CABINET H, PAGE 33

CITY OF ROCKWALL
STONE CREEK PHASE VI
CABINET I, PAGE 161

STONE CREEK SF, LTD
VOLUME 5011, PAGE 9

JOHN KING BOULEVARD
(APPARENT 120' RIGHT-OF-WAY)

Monument Entry

10' Hike & Bike Trail

N 0°38'27" W 261.96'

N 1°19'17" W 442.88'

N 1°10'15" W 596.15'

L1 L2 L3

C.A. 5
(H.O.A./OPEN SPACE)

C.A. 6
(H.O.A./OPEN SPACE)

CITY OF ROCKWALL
ROCKWALL COUNTY

HAYS ROAD

Δ=56°09'19"
L=1117.31'
R=1140.00'
CB=N 44°02'06" W
CD=1073.12'

MIRANDA LANE
50' RIGHT-OF-WAY

RANDAS WAY
75' RIGHT-OF-WAY

PHASE ONE
PHASE TWO
PHASE THREE

EMILY DRIVE
50' RIGHT-OF-WAY

ROYS DRIVE
50' RIGHT-OF-WAY

C.A. 4
(H.O.A./OPEN SPACE)

AMENITY CENTER

C.A. 6
(H.O.A./OPEN SPACE)

N 89°38'05" E 1099.11'

MICHAEL & STACY
MILLER
CC #20170000011122

REMAINDER OF
R & R HANCE INVESTMENTS, L.P.
("FIRST TRACT")
VOLUME 5433, PAGE 49

10' Hike & Bike Trail

JANET DRIVE
50' RIGHT-OF-WAY

ROCKING H TRAIL
50' RIGHT-OF-WAY

C.A. 3
(H.O.A./OPEN SPACE)

JENNIFER LANE
75' RIGHT-OF-WAY

JUDITH DRIVE
50' RIGHT-OF-WAY

S 0°30'07" E 446.60'

S 0°32'13" E 596.04'

CITY OF ROCKWALL
ROCKWALL COUNTY

JOHN KING BOULEVARD
(120' RIGHT-OF-WAY)

N 72°06'44" W 1128.56'

LAUREL DRIVE
50' RIGHT-OF-WAY

PARK RIDGE ESTATES
CABINET A, PAGE 390

PARK RIDGE CENTRAL
60' RIGHT-OF-WAY

Monument Entry

C.A. 2
(H.O.A./OPEN SPACE)

RANDAS WAY
80' RIGHT-OF-WAY

SARAH DRIVE
50' RIGHT-OF-WAY

N 89°38'05" E 689.56'

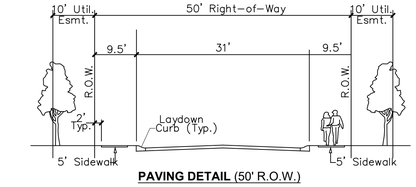
S 1°30'45" E 761.52'

S 1°17'27" E 669.75'

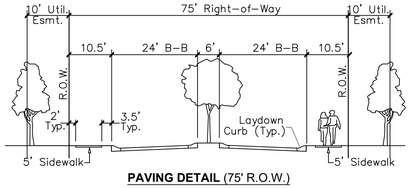
CITY OF ROCKWALL
ROCKWALL COUNTY

GIDEON GROVE LTD.
CC #20150000014609
Proposed GIDEON GROVE NORTH

BLOCK A
WINDMILL VALLEY
SUBDIVISION
CABINET A, PAGE 157



PAVING DETAIL (50' R.O.W.)
SECTION 'A - A'



PAVING DETAIL (75' R.O.W.)
SECTION 'B - B'

LAND USE DATA
TOTAL AREA ~ 70.408 ACRES / 3,066,972 SQ. FT.
TOTAL OPEN SPACE ~ 14.220 ACRE / 619,436 SQ. FT.
TYPICAL LOT SIZE ~ 70' x 125'
TOTAL LOTS ~ 176
DENSITY ~ 2.49 DWELLING UNITS / ACRE

CONCEPT PLAN

SADDLE STAR SOUTH

70.408 ACRES SITUATED IN THE
P.B. HARRISON SURVEY, ABSTRACT No. 97
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN L.P.
ENGINEERING / SURVEYING / PROJECT MANAGEMENT
201 WINDCO CIRCLE, SUITE 200 WYLIE, TX. 75098
(972) 941-8400

DEVELOPER
K P A CONSULTING, INC.
3076 HAYS LANE ROCKWALL, TEXAS 75087
PAT ATKINS: 972-388-6383

OWNERS

SADDLE STAR SOUTH HOLDINGS LLC.
2200 ROSS AVENUE
SUITE 4200W
DALLAS, TEXAS 75201

CDT ROCKWALL/2017 LLC
6925 F.M. 2515
KAUFMAN, TEXAS 75142

GWENDOLYN REED
3076 HAYS LANE
ROCKWALL, TEXAS 75087

CASE# Z2019-021

DATE: OCTOBER 01, 2019

SHEET 1 OF 1

EXHIBIT B
CONCEPT PLAN

TRACT ONE

BEING 44.292 acres of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being part of two tracts of land, the "First Tract" being a called 32.5 acres and the "Second Tract" being a called 32 acres, described in a Special Warranty Deed to R & R Hance Investments, L.P., recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 of the Deed Records of Rockwall County, Texas (DRRCT), SAVE AND EXCEPT the called "Parcel 16 (Parts 1 and 2)" conveyed to the City of Rockwall, recorded as Instrument No. 2007-00380919 and in Volume 5124, Page 210 (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" capped iron rod stamped, "6081," found for corner in the northeasterly right-of-way line of John Kind Boulevard (variable width right-of-way) at the common north corner of said "Part 1" of Parcel 16 and called "Parcel 15" conveyed to the City of Rockwall, recorded as Instrument No. 2009-00424601 and in Volume 5951, Page 84 (DRRCT), said point also being in the common line of said "First Tract" and a called 29.185 acre tract of land conveyed to Gideon Grove Ltd., recorded as Instrument No. 20150000014609 of the Official Public Records of Rockwall County, Texas;

THENCE North 72°06'44" West along the common northeasterly line of said John Kind Boulevard and said Part 1, a distance of 1,126.56 feet to a point for corner at the beginning of a tangent curve to the right, having a radius of 1,140.00 feet and a chord which bears North 44°02'06" West, a distance of 1,073.12 feet;

THENCE in the northwesterly direction along said curve to the right, and last mentioned common line, through a central angle of 56°09'19", an arc distance of 1,117.31 feet to a 1/2" iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the end of said curve and at the most northerly corner of said Part 1;

THENCE North 00°38'27" West continuing along the east right-of-way line of said John Kind Boulevard, a distance of 261.96 feet to a "PK" nail set for corner at the southwest corner of said Part 2;

THENCE North 89°38'44" East along the south line of said Part 2, a distance of 50.00 feet to a 1/2" iron rod with a yellow cap found for the southeast corner thereof;

317

THENCE North 00°38'27" West along the east line of said Part 2, a distance of 40.00 feet to a 1/2" iron rod with a yellow cap found for the northeast corner thereof in the north line of said Second Tract and being in the south line of a tract of land conveyed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 89°38'05" East along the common line of last mentioned tracts, at 1,051.89 feet passing a 1/2" iron rod found for the southeast corner of said Reed tract common to the southwest corner of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), and continuing along the north line of said Second Tract and the south line of said Park Ridge Estates, a total distance of 1,736.25 feet to a 3/8" iron rod found for the common east corner thereof, and being in the west line of Block A of Windmill Valley Subdivision, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 157 (PRRCT);

THENCE South 01°17'27" East along the common line of said Second Tract and said Block A, a distance of 669.75 feet to a 1/2" iron rod found for the southwest corner of said Block A, and being the northwest corner of said 29.185 acre tract;

THENCE South 01°30'45" East along the west line of said 29.185 acre tract and partially along the east lines of said First Tract and said Second Tract, a distance of 761.52 feet to the PLACE OF BEGINNING and Containing 44.292 acres, or 1,929,345 square feet, of land.

TRACT TWO

BEING 11.121 acres of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being all of a called 11.126 acre tract of land described in a Warranty Deed with Vendor's Lien to Randy Reed and wife, Gwen Reed, recorded in Volume 260, Page 1 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner near the edge of an asphalt surface in the east margin of Hays Road, said point also being the common west corner of said Reed tract and a tract of land conveyed to Stephen L. Branch and Judy C. Branch, recorded in Volume 234, Page 527 (DRRCT);

318

THENCE North 89°26'12" East along the common line of last mentioned tracts, a distance of 1,092.52 feet to a 1/2" iron rod found for the common east corner thereof, and being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT);

THENCE South 00°30'07" East along the common line of said Reed tract and said Park Ridge Estates, a distance of 446.60 feet to a 1/2" iron rod found for the common south corner thereof, and being in the north line of a called 32 acre tract described in a Special Warranty Deed to R & R Hance Investments, L.P., as "Second Tract," recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 (DRRCT);

THENCE South 89°38'05" West along the common line of said Second Tract and said Reed tract, a distance of 1,086.19 feet to a 1/2" iron rod found at the southwest corner of said Reed tract and being in the east margin of said Hays Road;

THENCE North 01°19'17" West along the west line of said Reed tract and the east line of said Hays Road, a distance of 442.88 feet to the PLACE OF BEGINNING and Containing 11.121 acres, or 484,450 square feet, of land.

319

TRACT THREE

BEING 14.955 acres of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and all of a called 15.00 acre tract of land described in a Warranty Deed to Steve L. Branch and wife Judy C. Branch, recorded in Volume 234, Page 527 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the original Hays Road at the common west corner of said 15.00 acre tract and a tract of land described in a deed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 01°10'15" West, continuing along and within Hays Road and with the west line of said 15.00 acre Branch tract, a distance of 596.15 feet, to a 1/2" iron rod found for corner at the northwest corner thereof, common to the southwest corner of a called 15.00 acre tract of land described in a deed to Gerald Glen Cox and wife Rosalba Cox, recorded in Volume 3295 Page 9, (DRRCT);

THENCE North 89°26'26" East, along the common line of last mentioned tracts, a distance of 1,099.11 feet, to a point for corner at the common east corner thereof, and also being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), from which a 1/2" iron rod with a yellow cap stamped "5034" bears South 68°26'26" West, a distance of 0.18 feet;

THENCE South 00°32'13" East, along the common line of said Branch tract and said Park Ridge Estates, a distance of 596.04 feet, to a 1/2" iron rod found for corner at the southeast corner thereof, common to the northeast corner of said Reed tract;

THENCE South 89°26'12" West, along the common line of last mentioned tracts, a distance of 1,092.52 feet to PLACE OF BEGINNING and Containing 653,191 square feet, or 14.995 acres of land.

320

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [*ORDINANCE NO. 16-39*] FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS AND CONCEPT PLAN ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the purpose of amending Planned Development District 79 (PD-79) [*Ordinance No. 16-39*] in order to change the development standards and concept plan for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located east of the intersection of Featherstone Drive and John King Boulevard, and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 79 [*Ordinance No. 16-39*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 16-39*;

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

DRAFT ORDINANCE 10.21.19

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(g) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Open Space Master Plan
(2) Master Plat
(3) PD Site Plan
(4) Preliminary Plat
(5) Final Plat

(c) *Open Space Master Plan.* An *Open Space Master Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, and shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

(d) *Master Plat.* A *Master Plat* for the *Subject Property* shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Open Space Master Plan* for the development.

(e) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat* application for the development.

(f) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat* application may be processed by the City concurrently with a *PD Site Plan* application for the development.

(g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

DRAFT ORDINANCE 2019

Section 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF NOVEMBER, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *October 21, 2019*

2nd Reading: *November 4, 2019*

DRAFT ORDINANCE 10.21.19

Exhibit 'A':
Legal Description and Survey

TRACT 1:

BEING 44.292 acres of land situated in the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being part of two tracts of land, the "*First Tract*" being a called 32.5 acres and the "*Second Tract*" being a called 32 acres, described in a Special Warranty Deed to R & R Hance Investments, LP., recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 of the Deed Records of Rockwall County, Texas (DRRCT), SAVE AND EXCEPT the called "Parcel 16 (Parts 1 and 2)" conveyed to the City of Rockwall, recorded as Instrument No. 2007-00380919 and in Vol u me 5124, Page 210 (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" capped iron rod stamped, "6081," found for corner in the northeasterly right-of-way line of John King Boulevard (120' right-of-way) at the com mon north corner of said "Part 1" of Parcel 16 and called "Parcel 15" conveyed to the City of Rockwall, recorded as Instrument No. 2009-00424601 and in Volume 5951, Page 84 (DRRCT), said point also being in the common line of said "First Tract" and a called 29.185 acre tract of land conveyed to Gideon Grove Ltd., recorded as Instrument No. 20150000014609 of the Official Public Records of Rockwall County, Texas;

THENCE North 72°06'44" West along the common northeasterly line of said John King Boulevard and said Part 1, a distance of 1,126.56 feet to a point for corner at the beginning of a tangent curve to the right, having a radius of 1,140.00 feet and a chord which bears North 44° 02' 06" West, a distance of 1,073.12-feet;

THENCE in the northwesterly direction along said curve to the right, and last mentioned common line, through a central angle of 56°09'19", an arc distance of 1,117.31-feet to a 1/2" iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the end of said curve and at the most northerly corner of said Part 1;

THENCE North 00°38'27" West continuing along the east right-of-way line of said John King Boulevard, a distance of 261.96 feet to a "PK" nail set for corner at the southwest corner of said Part 2;

THENCE North 89°38'44" East along the south line of said Part 2, a distance of 50.00 feet to a 1/2" iron rod with a yellow cap found for the southeast corner thereof;

THENCE North 00°38'27" West along the east line of said Part 2, a distance of 40.00 feet to a 1/2" iron rod with a yellow cap found for the northeast corner thereof in the north line of said Second Tract and being in the south line of a tract of land conveyed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 89°38'05" East along the common line of last mentioned tracts, at 1,051.89 feet passing a 1/2" iron rod found for the southeast corner of said Reed tract com mon to the southwest corner of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), and continuing along the north line of said Second Tract and the south line of said Park Ridge Estates, a total distance of 1,736.25 feet to a 3/8" iron rod found for the com mon east corner thereof, and being in the west line of Block A of Windmill Valley Subdivision, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 157 (PRRCT);

THENCE South 01°17'27" East along the common line of said Second Tract and said Block A, a distance of 669.75 feet to a 1/2" iron rod found for the southwest corner of said Block A, and being the northwest corner of said 29.185 acre tract;

THENCE South 01°30'45" East along the west line of said 29.185-acre tract and partially along the east lines of said First Tract and said Second Tract, a distance of 761.52 feet to the PLACE OF BEGINNING and Containing 44.292 acres, or 1,929,345 square feet, of land.

TRACT 2:

BEING 11.121 acres of land situated in the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being all of a called 11.126 acre tract of land described in a Warranty Deed with Vendor's Lien to Randy Reed and wife, Gwen Reed, recorded in Volume 260, Page 1 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner near the edge of an asphalt surface in the east margin of Hays Road, said point being the common west corner of said Reed tract and a tract of land conveyed to Stephen L. Branch and Judy C. Branch, recorded in Volume 234, Page 527 (DRRCT);

THENCE North 89°26'12" East along the common line of last mentioned tracts, a distance of 1,092.52-feet to a 1/2" iron rod found for the common east corner thereof, and being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT);

THENCE South 00°30'07" East along the common line of said Reed tract and said Park Ridge Estates, a distance of 446.60 feet to a 1/2" iron rod found for the common south corner thereof, and being in the north line of a called 32 acre tract described, in a Special Warranty Deed to R & R Hance Investments, L.P., as "*Second Tract*," recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 (DRRCT);

THENCE South 89°38'05" West along the common line of said Second Tract and said Reed tract, a distance of 1,086.19-feet to a 1/2" iron rod found at the southwest corner of said Reed tract and being in the east margin of said Hays Road;

THENCE North 01°19'17" West along the west line of said Reed tract and the east line of said Hays Road, a distance of 442.88-feet to the PLACE OF BEGINNING and Containing 11.121-acres, or 484,450 square feet, of land.

TRACT 3:

BEING 14.955 acres of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and all of a called 15.00 acre tract of land described in a Warranty Deed to Steve L. Branch and wife Judy C. Branch, recorded in Volume 234, Page 527 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the original Hays Road at the common west corner of said 15.00 acre tract and a tract of land described in a deed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 01°10'15" West, continuing along and within Hays Road and with the west line of said 15.00 acre Branch tract, a distance of 596.15 feet, to a 1/2" iron rod found for corner at the northwest corner thereof, common to the southwest corner of a called 15.00 acre tract of land described in a deed to Gerald Glen Cox and wife Rosalba Cox, recorded in Volume 3295 Page 9, (DRRCT);

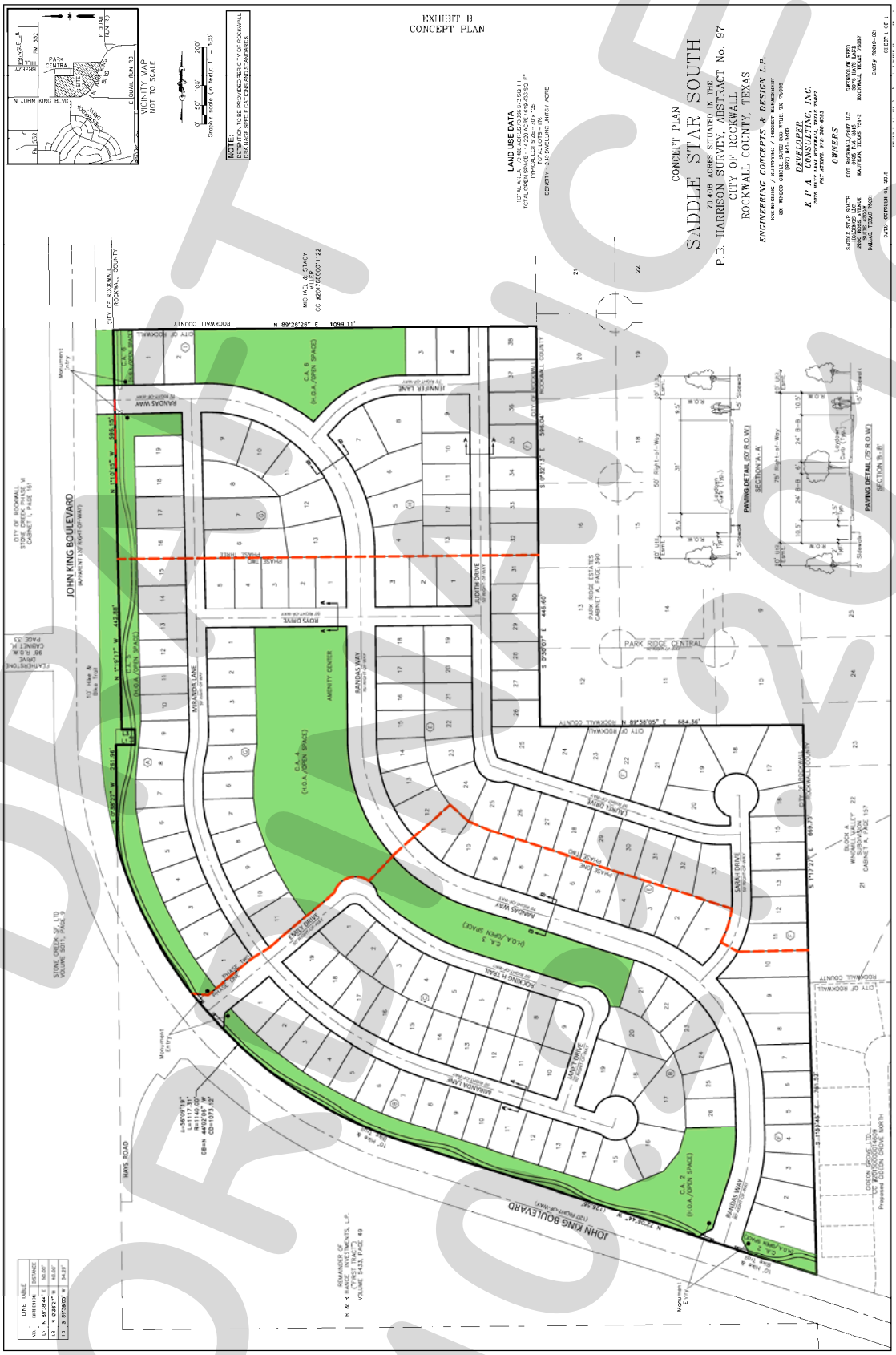
THENCE North 89°26'26" East, along the common line of last mentioned tracts, a distance of 1,099.11 feet, to a point for corner at the common east corner thereof, and also being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), from which a 1/2" iron rod with a yellow cap stamped "5034" bears South 68°26'26" West, a distance of 0.18 feet;

THENCE South 00°32'13" East, along the common line of said Branch tract and said Park Ridge Estates, a distance of 596.04 feet, to a 1/2" iron rod found for corner at the southeast corner thereof, common to the northeast corner of said Reed tract;

THENCE South 89°26'12" West, along the common line of last mentioned tracts, a distance of 1,092.52 feet to PLACE OF BEGINNING and Containing 653,191 square feet, or 14.995 acres of land.

DRAFT ORDINANCE 10.21.2019

Exhibit 'B':
Concept Plan



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Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 8.4 (SF-8.4) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	70' x 125'	8,750 SF	143	78.41%
B	80' x 125'	10,000 SF	33	21.59%
		Maximum Permitted Units:	*176*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 8.4 (SF-8.4) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *2.50* dwelling units per gross acre of land; however, in no case should the proposed development exceed *176* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type >	*A*	*B*
Minimum Lot Width [1]	70'	80'
Minimum Lot Depth	125'	125'
Minimum Lot Area	8,750 SF	10,000 SF
Minimum Front Yard Setback [2] & [5]	20'	20'
Minimum Side Yard Setback	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'	10'
Minimum Length of Driveway Pavement	25'	25'
Maximum Height [3]	30'	30'
Minimum Rear Yard Setback [4]	20'	20'
Minimum Area/Dwelling Unit (SF)	2,700 SF	2,700 SF
Maximum Lot Coverage	65%	65%
Permitted Encroachment into Required Setbacks [5]	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single-family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

4. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the masonry requirement; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only.

(b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation.* A minimum of 50% of the garages for the *Type A* lots and 100% of the *Type B* lots shall be oriented in a *traditional swing* (*or j-swing*) configuration. The remainder of garages maybe configured in a front entry configuration with a minimum setback of 20-feet (*i.e. allowing the garage to be flush with the front façade of the primary structure*). In this case the front façade of the primary structure does not include a permitted encroachment (*e.g. a porch, sunroom, etcetera*) allowed in *Table 2* above. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code.

5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (*for spacing requirements see the illustration below*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	70' x 125'	(1), (2), (3), (4)
B	80' x 125'	(1), (2), (3), (4)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on John King Boulevard shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(3) Permitted encroachments (*i.e. porch and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient

DRAFT 10.21.19

dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Illustration 1: Properties line up on the opposite side of the street. Where RED is the subject property.



Illustration 2: Properties do not line up on opposite side of the street. Where RED is the subject property.



6. *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

(a) Wood Fences. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

(c) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(d) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

7. *Landscape and Hardscape Standards.*

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

(a) *Canopy/Shade Trees*. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

(b) *Accent/Ornamental/Under-Story Trees*. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) *Landscape Buffer and Sidewalks (John King Boulevard)*. A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot curvilinear sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

(3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:

(i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.

DRAFT
ORDINANCE
10.21.19

(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

(4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association.

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.

8. *Street.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.

9. *Lighting*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks.* At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way line and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of *20%* open space (*or 14.082-acres*), and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

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DRAFT ORDINANCE 10.2019

13. *Trail Rest Area.* The developer shall be responsible for the construction of a *Trail Rest Area* that generally conforms to the rest area depicted in *Figure 1* (*below*).

Figure 1: *Trail Rest Area Concept*



14. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

15. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of Section 38-15 of the Subdivision Regulations contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

16. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

DRAFT ORDINANCE 10.21.19

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334

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller; *Director of Planning and Zoning*
DATE:	October 21, 2019
SUBJECT:	Z2019-022; SUP for Accessory Building

On October 15, 2019, the applicant, Marty Wright submitted a letter requesting to postpone the public hearing for this case until November 4, 2019. The applicant has stated that he will be attending a business trip and will be out of town on October 21, 2019. According to Subsection 2.03(C), *Postponement, Recess, and Continuation of a Public Hearing*, of Article XI, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), a public hearing may be postponed by announcing the postponement at the time and place of the notified public hearing. The public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. Attached to this memorandum is a copy of the applicant's letter.

335

From: Marty Wright
To: Brooks, Korey
Subject: Request to Postpone Hearing
Date: Tuesday, October 15, 2019 11:52:24 AM

Mr. Brooks.

I would like to request to postpone the City Council hearing set for October 21st at 6:00pm, Due to a business trip that takes me to Austin that entire week. Please let me know.
Thanks again for your time,

Marty Wright
2340 Saddlebrook Ln
Rockwall, Texas 75087
214 717 8203

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	October 21, 2019
APPLICANT:	Marty Wright
CASE NUMBER:	Z2019-022; *Specific Use Permit (SUP) for a Detached Garage*

SUMMARY

Hold a public hearing to discuss and consider a request by Marty Wright for the approval of a Specific Use Permit (SUP) for a detached garage on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary.

BACKGROUND

The subject property was annexed in 1999 [*Ordinance No. 99-33*], is zoned Single-Family 16 (SF-16) District, and is addressed as 2340 Saddlebrook Lane. On November 11, 2001, the City Council approved a change in zoning [*Case No. PZ2008-102; Ordinance No. 01-102*], from an Agricultural (AG) District to a Single-Family 16 (SF-16) District for the Saddlebrook Estates #2 Addition. On October 21, 2002, the City Council approved a replat [*Case No. PZ2002-71-01*] for the Saddlebrook Estates #2 Addition.

PURPOSE

The applicant is requesting approval of a Specific Use Permit (SUP) to allow a detached garage that exceeds the maximum allowable size for a property in a Single-Family 16 (SF-16) District.

ADJACENT LAND USES AND ACCESS

The subject property is located at 2340 Saddlebrook Lane. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property there are several single-family homes located within the Saddlebrook Estates #2 Addition, followed by the corporate limits of the City of Rockwall. These homes are zoned Single-Family 16 (SF-16) District. Beyond this is E. Quail Run Road, which is identified as a M4U (*major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan. Following this, there is a large vacant tract of land zoned Agricultural (AG) District.

South: Directly south of the subject property, are several single-family homes within the Saddlebrook Estates #2 Addition, which are zoned Single-Family 16 (SF-16) District, followed by the corporate limits of the City of Rockwall. Beyond this is FM-1141, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan.

East: Directly east of the subject property there are several single-family homes within the Saddlebrook Estates #2 Addition, which are zoned Single-Family 16 (SF-16) District. Beyond this is FM-1141, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan and delineates the corporate limits of the City of Rockwall.

West: Directly west of the subject property are several single-family homes within the Saddlebrook Estates #2 Addition, which are zoned Single-Family 16 (SF-16) District. Beyond this are several single-family homes zoned Agricultural (AG) District followed by John King Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting approval of a Specific Use Permit (SUP) for a detached garage that exceeds the maximum allowable size for properties located within a Single-Family 16 (SF-16) District. Currently situated on the subject property, there is a 3,397 SF brick single-family home and a 216 SF accessory building that is clad with wood. The proposed building will be situated behind the main structure, will be 13' 8" in height, and will be constructed of metal. The building will include a 24' x 40' (*i.e. 960 SF*) detached garage and a 6' x 40' (*i.e. 240 SF*) porch that will be on the front of the building. The total footprint of the building will be 1,200 SF (*i.e. 35% of the size of the home*). The porch will incorporate windows with shutters, double walk-in doors, and wooden posts. The applicant has stated that the purpose of the porch is to blend the building with the neighborhood by incorporating architectural elements that are typically seen on a single-family home. The building will have two (2) roll-up doors located on each of the side façades (*i.e. north and south façades*) and the applicant has stated that detached garage will be utilized to store several antique vehicles. The existing 12' x 18' (*i.e. 216 SF*) accessory building will be relocated and will be situated adjacent to the northern side façade of the proposed detached garage. The applicant has provided a site plan and proposed building elevations to be reviewed by the Planning and Zoning Commission and the City Council.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 7.04, *Accessory Structure Development Standards*, of Section 7, *District Development Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), in a Single-Family 16 (SF-16) District a detached garage is permitted provided that it is no larger than 625 SF. The detached garage shall include a minimum of one (1) garage bay door large enough to accommodate a standard size motor vehicle and shall be architecturally compatible with the primary structure. In this case, the proposed detached garage is 960 SF and the porch is 240 SF (*i.e. a total building footprint of 1,200 SF*), which exceeds the maximum allowable size of a detached garage. Although the proposed building exceeds the maximum allowable size, the applicant has provided additional architectural elements (*i.e. the front porch, windows and shutters, and the double walk-in doors*) on the building in order for the building to be consistent with the main structure. Additionally, the proposed building incorporates two (2) roll-up doors that are large enough to accommodate a standard passenger vehicle. Based on the proposed design of the building, the applicant's request appears to be in conformance with the requirements stipulated by the Unified Development Code (UDC) with regard to detached garages; however, the Planning and Zoning Commission and City Council are tasked with determining if the proposed building is architecturally compatible with the primary structure.

STAFF ANALYSIS

When looking at the applicant's request, it was observed that a large majority of property owners *(i.e. 26 of the 44 homes or roughly 60%*) currently have a detached garage and/or accessory building on their properties. Of the existing accessory buildings within the Saddlebrook Estates #2 Addition, several are roughly the same size or larger than (*i.e. 900-1,300 SF*) the proposed detached garage. It should be noted that most of the accessory buildings that are visible from the street utilize exterior materials similar to the main structure (*i.e. a combination of brick and cementitious lap siding*). Staff was able to determine that 30 building permits have been for accessory buildings within the Saddlebrook Estates #2 Addition and 27 of the permits are still active (*i.e. not expired, voided, or withdrawn*). A vast majority of the permits were issued between 2002 (*i.e. shortly after this area was annexed*) and 2009. In this case, the proposed detached garage is larger than the maximum allowable

detached garage; however, the design of the structure (*i.e. inclusion of a front entryway door, windows, shutters, and front porch*) appears to be architecturally compatible with the main house and would resemble a residential building. The building will sit more than 100-feet from the front property line and be approximately four (4)-feet higher than the street. Due to this, visibility of the garage bay doors will be limited from the front property line. Should the detached garage be visible from of the front of the property, the garage would likely resemble the existing detached garages on the surrounding properties (*i.e. the bay doors would be visible from the street*). Given that a majority of the surrounding homes have a detached garage, an accessory building, and/or a portable building approval of this request does not appear to negatively impact the subject property or surrounding properties. Staff should note, approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission. Should this request be approved, a total of two (2) accessory buildings will be located on the subject property.

NOTIFICATIONS

On September 20, 2019, staff sent 30 notices to all residents/property owners within 500-feet of the subject property. There are no Homeowner's Associations (HOA's)/Neighborhood Associations located within 1,500-feet of the subject property and are participating in the Neighborhood Notification Program. At the time this report was written, staff had received four (4) emails and one (1) notice in favor and one (1) email in opposition of this request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request then staff would propose the following conditions of approval:

(1) The following conditions pertain to the operation of a *detached garage* on the *Subject Property* and conformance to these conditions are required for continued operations:

(a) The detached garage shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B'* & *'C'* of the attached ordinance;

(b) The detached garage shall not exceed a maximum size of 1,200 SF;

(c) The detached garage shall not exceed an overall height of 15-feet;

(d) The subject property shall not have more than two (2) accessory buildings;

(2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On October 8, 2019, the Planning and Zoning Commission's motion to recommend denial of the applicant's request was approved by a vote of 7-0. According to Section 2.03(G), *Protest of a Zoning Change*, of Article XI, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-forths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

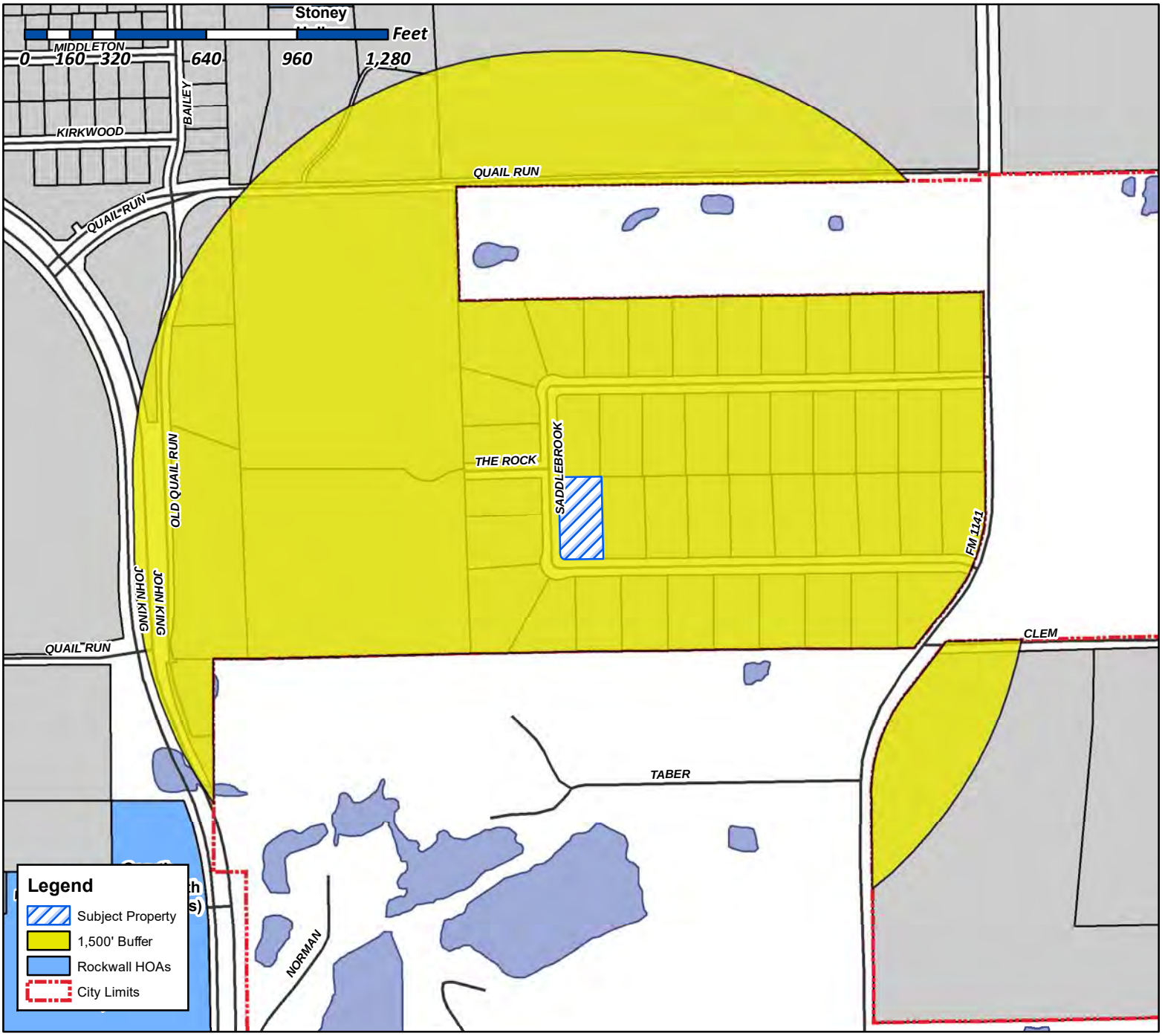
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

340

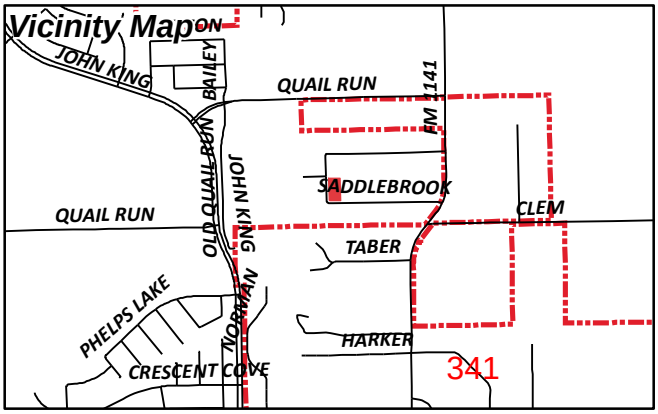
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-022
Case Name: SUP for an Accessory Building
Case Type: Zoning
Zoning: Single Family 16 (SF-16) District
Case Address: 2340 Saddlebrook Lane



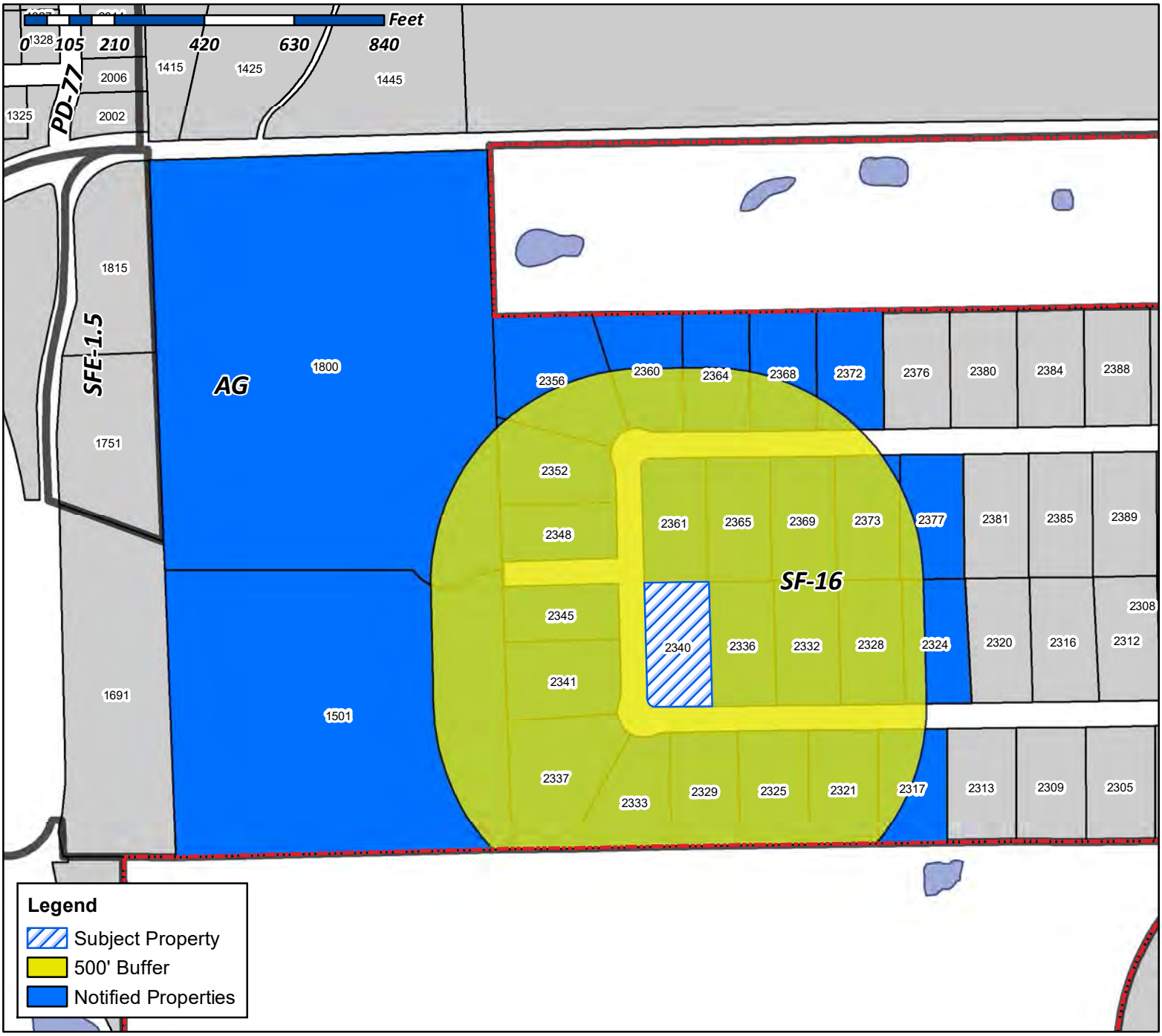
Date Created: ***9/17/2019***
For Questions on this Case Call (972) 771-7745

341

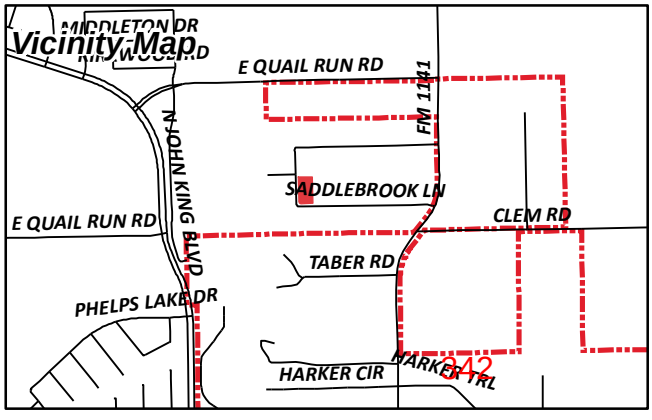
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-022
Case Name: SUP for an Accessory Building
Case Type: Zoning
Zoning: Single Family 16 (SF-16) District
Case Address: 2340 Saddlebrook Lane



Date Created: *9/17/2019*
For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT
1501 THE ROCK
ROCKWALL, TX 75087

TYLER WILLIAM L AND VANITA RAE
1501 THE ROCK
ROCKWALL, TX 75087

CURRENT RESIDENT
1800 E QUAIL RUN RD
ROCKWALL, TX 75087

MUGGEO THOMAS & PATRICIA M
2317 SADDLEBROOK LN
ROCKWALL, TX 75087

ROBINSON RONNIE D & VERONICA A
2321 SADDLEBROOK LANE
ROCKWALL, TX 75087

BARON JEFFREY MICHAEL & JEANNE MARIE
2324 SADDLEBROK LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2325 SADDLEBROOK LN
ROCKWALL, TX 75087

AMUNDSON DAVID O & ALICIA K
2328 SADDLEBROOK LN
ROCKWALL, TX 75087

BROWN CHRISTOPHER & SHELLEY
2329 SADDLEBROOK LN
ROCKWALL, TX 75087

WHITE JOHN C & PAMELA E
2332 SADDLEBROOK LN
ROCKWALL, TX 75087

YODER DEBRA AND BYRON M GILLORY JR
2333 SADDLEBROOK LANE
ROCKWALL, TX 75087

SHACK RANDY & JAMIE
2336 SADDLEBROOK LANE
ROCKWALL, TX 75087

THOMAS WILLARD L AND PEGGY J
2337 SADDLEBROOK LANE
ROCKWALL, TX 75087

WRIGHT MARTY ALLEN & DEBRA MAY
2340 SADDLEBROOK LN
ROCKWALL, TX 75087

TROISE GUTHRIE CHASE
2341 SADDLEBROOK LN
ROCKWALL, TX 75087

SCHALE WILLIAM AND CORTNEY
2345 SADDLEBROOK LN
ROCKWALL, TX 75087

GRIFFIN STEPHEN J
2348 SADDLEBROOK LN
ROCKWALL, TX 75087

HARVEY GARY G & KENETA L REVOCABLE LIVING TRUST
2352 SADDLEBROOK LN
ROCKWALL, TX 75087

COX ROBERT & BEVERLY
2356 SADDLEBROOK LN
ROCKWALL, TX 75087

OROZCO ARTHUR & SANDRA
2360 SADDLEBROOK LANE
ROCKWALL, TX 75087

HARVEY LEE L AND
MARIA J PEREIRA
2361 SADDLEBROOK LANE
ROCKWALL, TX 75087

BERGER KEVIN M & DEBBIE R
2364 SADDLEBROOK LN
ROCKWALL, TX 75087

PROCTOR CAROLYN
2365 SADDLEBROOK LN
ROCKWALL, TX 75087

STELZER WADE L & MISTY M
2368 SADDLEBROOK LN
ROCKWALL, TX 75087

CURRENT RESIDENT
2369 SADDLEBROOK LN
ROCKWALL, TX 75087

ELLIS MELISSA A AND CHIMA O
2372 SADDLEBROOK LN
ROCKWALL, TX 75087

CALDERON ALEJANDRO & ROSARIO
2373 SADDLEBROOK LN
ROCKWALL, TX 75087

ARENAS SEVERIANO & KRISTI L
2377 SADDLEBROOK LN
ROCKWALL, TX 75087

COX GERALD GLEN AND ROSALBA CARRASCO
3150 HAYS LN
ROCKWALL, TX 75087

GILKINSON DOYLE D & LORA A
PO BOX 8432
GREENVILLE, TX 75404

343

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-022: SUP for Accessory Building

Hold a public hearing to discuss and consider a request by Marty Wright for the approval of a Specific Use Permit (SUP) for an accessory building on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/8/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 10/21/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **10/21/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-022: SUP for Accessory Building

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-022
Date:	Tuesday, October 01, 2019 4:11:53 PM

From: Berger, Kevin [redacted]
Sent: Thursday, September 26, 2019 7:36 AM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-022

This is in regards to the above SUP request for 2340 Saddlebrook Lane.

First of all, we are 100% in favor of the request to build an accessory building in excess of 900 square feet which we assume is the reason for the SUP.

We know from building our own workshop in 2006 that at that time, the city required that the exterior cladding contains the same materials, excluding glass, as found on the main structure which in our case meant that we needed to brick the accessory building. I can think of at least 7 accessory buildings in Saddlebrook Estates that have been built and all of them comply with this requirement. From looking at the request and viewing the renderings, it appears that this structure is a 100% steel building.

Is this SUP just for the structure being greater than 900 square feet?

Is there an additional variance being applied for not using the same cladding material as the main residence?

Has the Rockwall UDC changed since 2006 that allows for a metal accessory building not allowed previously?

We know that bricking an accessory building is more expensive than not, but up to this point everyone in our neighborhood has had to comply. And honestly it has kept the neighborhood looking much better than if we had all built metal buildings.

Thanks for any clarification you can provide,

Kevin & Debbie Berger
2364 Saddlebrook Lane
Rockwall, TX 75087
214-534-6594

From: Planning
To: Brooks, Korey
Subject: FW: Case number Z2019022:SUP for accessory building
Date: Tuesday, October 01, 2019 4:10:08 PM

-----Original Message-----
From: Peggy Thomas [redacted]
Sent: Monday, September 30, 2019 2:08 PM
To: Planning <planning@rockwall.com>
Subject: Case number Z2019022:SUP for accessory building

Our names are Willard and Peggy Thomas and we are in favor of the request for the zoning change. It is our belief that the inhabitants of the home will build an appropriate structure for our neighborhood, as their home is one of the nicest ones in the neighborhood and so very well-kept thank you very much.

Willard and Peggy Thomas
2337Saddlebrook Ln., Rockwall, TX 75087

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346

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-022. Marty Wright
Date:	Tuesday, October 01, 2019 4:10:47 PM

From: [redacted]
Sent: Friday, September 27, 2019 2:12 PM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-022. Marty Wright

In reference to Case number Z2019-022 I am in favor of the request to build the new building on the property. I am Marty's neighbor and I have looked at his plans for the new building. I think its going to be a very nice building as proposed. If there are any questions just let me know.

Chris Brown
2329 Saddlebrook Ln.
Rockwall, TX 75087
214-926-6969
[redacted]

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From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-022
Date:	Thursday, October 10, 2019 9:45:51 AM

From: David Amundson [redacted]
Sent: Thursday, October 10, 2019 9:44 AM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-022

David Amundson
2328 Saddlebrook Lane Rockwall, TX 75087

Case No. Z2019-022
I am in favor of the request for SUP for Accessory Building to 2340 Saddlebrook Lane.

I also request that the Council consider the advantages of a Steel Building over conventional construction of wood and brick.
I have attached 2 sites that I have found listing the advantages.

Eco-friendly
Lower Cost
More efficient
Durability - Little to no maintenance
Noncombustible material - **lower risk of fire**
Insurance discounts
Increased resale value

http://armstrongsteel.com/network/future-first-time-builders/pros-and-cons-of-steel-buildings-and-traditional-timber-buildings/#.XZ86UUZKiUk

https://www.rhinobldg.com/10-reasons-metal-buildings-rule/

Thanks,

David Amundson

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-022: SUP for Accessory Building

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

While I recognize the fact that no one wants their neighborhood to become a warehouse district, I think Mr. Wright's request should be approved. If anyone will keep it looking nice, he will. He and his wife and son are always out doing yard work & landscaping. Best yard in the neighborhood! I'm sure it will be done tastefully to fit in and maintained to look great.

Name: Stephen Griffin

Address: 2348 Saddlebrook Ln Rockwall 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Planning
To: Brooks, Korey
Subject: FW: Case No. Z2019-022 Comment
Date: Monday, October 07, 2019 8:14:20 AM

-----Original Message-----
From: Bradley Jones [redacted]
Sent: Sunday, October 6, 2019 6:42 PM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-022 Comment

Bradley and Susan Jones
2352 Saddlebrook Lane
Rockwall, TX 75087

We are opposed to the request for the reasons listed below:

The size and construction type are not compatible with the neighborhood. We are considering building a detached garage and research indicates that the structure needs to be built with the same materials as the house…not a metal building. Also, the addition of a building that size would start to crowd the lot and not be consistent with the rest of the neighborhood. For these two reasons, I believe the construction of this structure would decrease home values in the future and lead potentially lead to other requests of this nature.

Regards, Brad Jones

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

350

Planning and zoning:

The situs address is 2340 Saddlebrook Ln. Rockwall, Texas 75087. We hope to build a storage building on our property. The property is 1 acre and currently has our home, pool, cabana, accessory building and all fence is wrought iron and a 8 foot wood fence on the east side that belongs to my neighbor.

What we plan to do is move our current accessory building to the north end of the property and add a storage building just of south of that structure. The proposed storage building will have a slab 30x40. The structure will include 24x40 of storage and a 6x40 porch on the west side. All windows and walk-in doors will be on the porch side and it will include overhead roll up door on the north and south end of the building. Maximun height will be 13 foot 8 inches. Colors will be Sandstone, Brown and wainscot trim on the bottom. No plumbing will be added and electricity will be added at a later time. A 90 foot driveway will be added to meet up with the proposed building at a later time.

We have a building quote from Eversafe Buildings for a total of $14,245.52 not including the slab. Eversafe has also included the concrete slab recommendations, which I have included in this packet. The slab cost is estimated to be approx. $9600.00, for a total project cost of approx. $23,850.00.

In our neighborhood we have other projects that also went past the maximum square footage and one having a second floor and going well above the 15-foot maximum height requirement.

Our use of this building to store several antique cars. The reason for the porch was my wife's idea.

I have included:

Site map of my property indicating proposed building site and feet between borders

Building quote

Recommendation of concrete slab

3D models of proposed storage building

Two photos of current accessory building to be moved

Two photos of proposed site of building

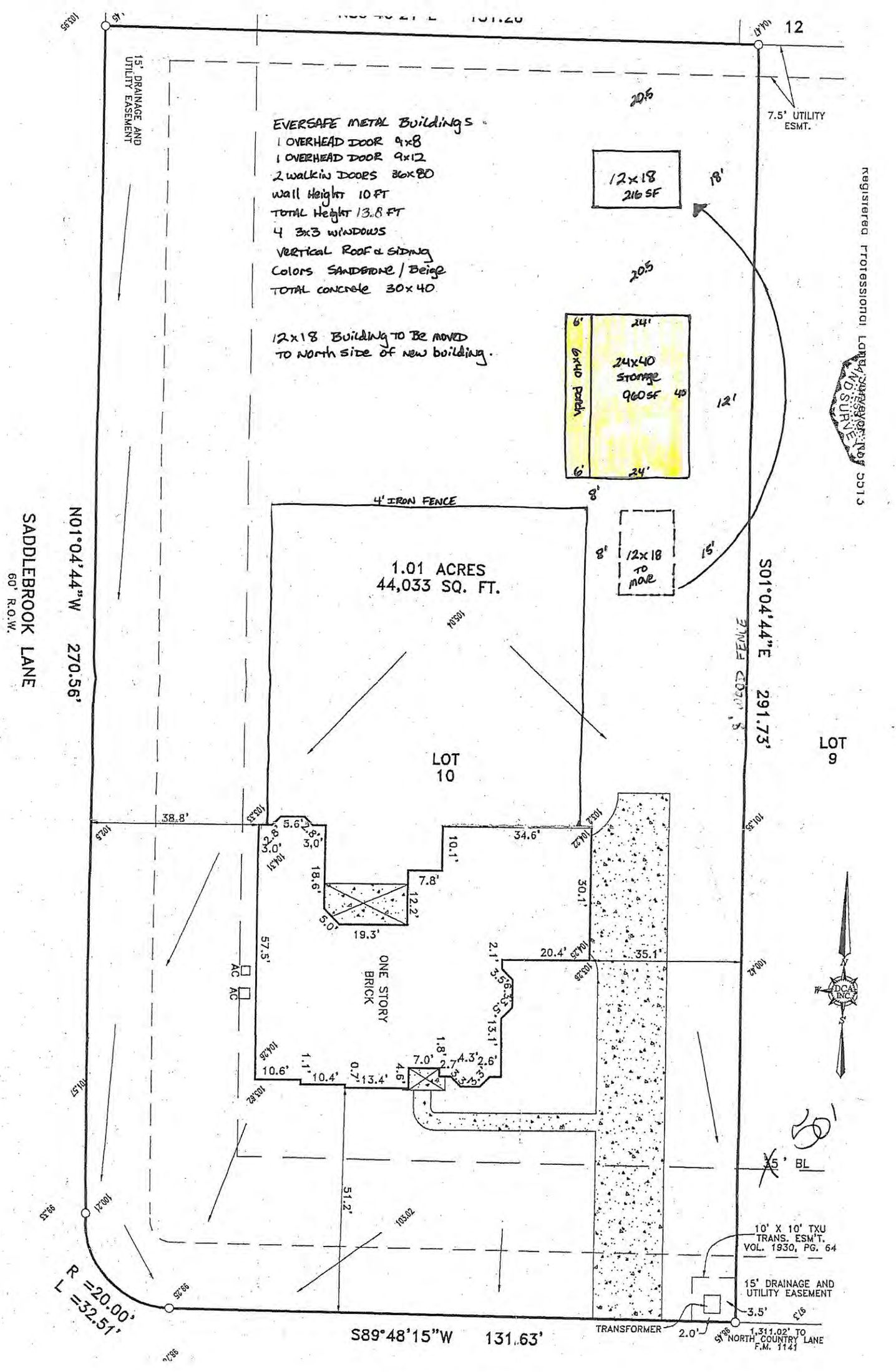
If you need any other information, please call me or email anytime.

Thanks for your time,

Marty and Debra Wright

(214) 717-8203

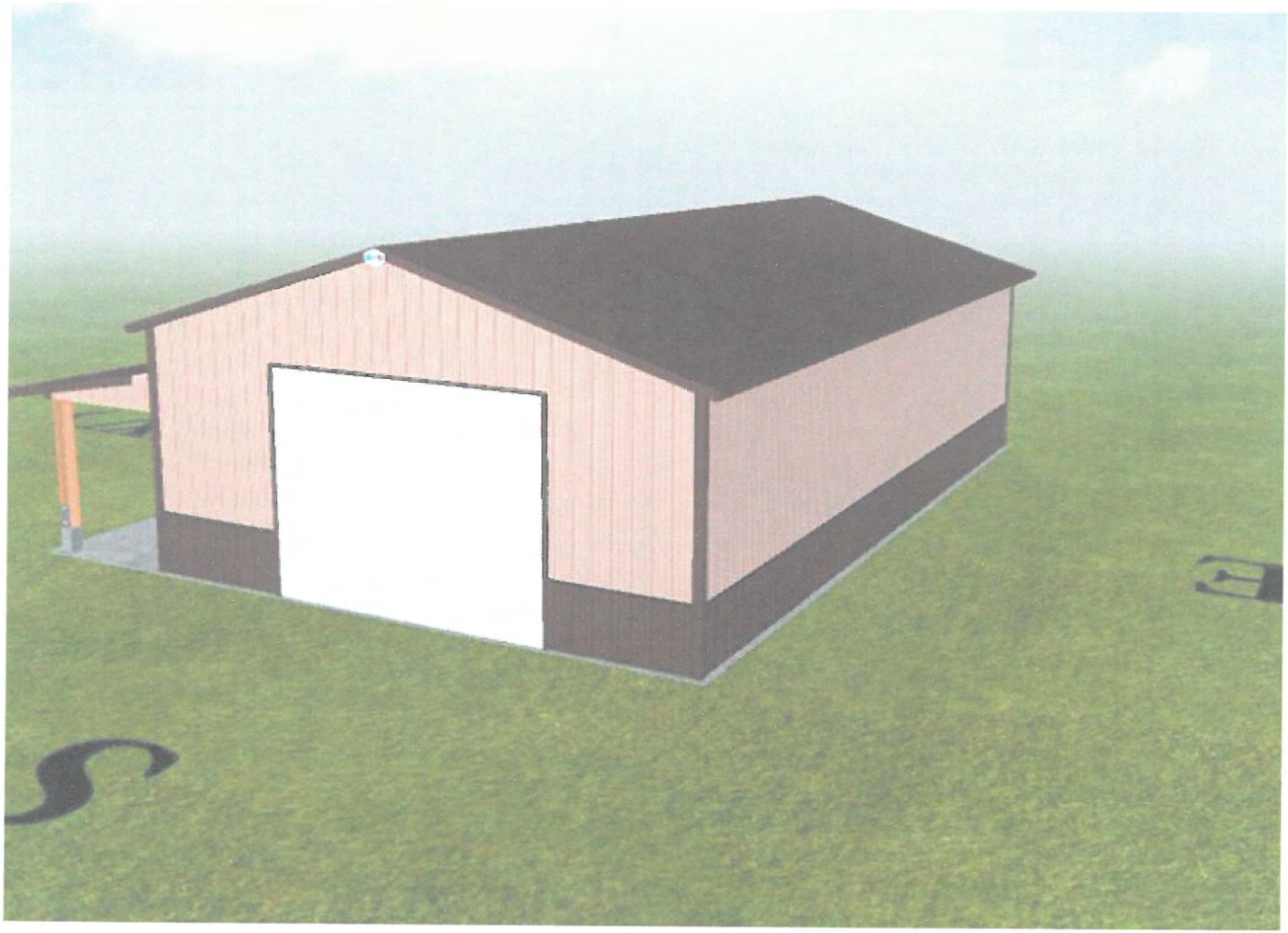
mwright-1@att.net


EVERSAFE METAL BUILDINGS
1 OVERHEAD DOOR 9x8
1 OVERHEAD DOOR 9x12
2 walk in DOORS 36x80
Wall Height 10 FT
TOTAL Height 13.8 FT
4 3x3 WINDOWS
VERTICAL ROOF & SIDING
Colors SANDSTONE / Beige
TOTAL CONCRETE 30x40
12x18 Building TO BE MOVED TO North side of new building.
12x18 216 SF
24x40 STORAGE 960 SF
6x40 Porch
12x18 TO MOVE
4' IRON FENCE
1.01 ACRES
44,033 SQ. FT.
LOT 10
LOT 9
ONE STORY BRICK
AC
AC
15' DRAINAGE AND UTILITY EASEMENT
7.5' UTILITY ESMT.
SADDLEBROOK LANE
60' R.O.W.
N01°04'44"W 270.56'
S01°04'44"E 291.73'
FENCE
S89°48'15"W 131.63'
R =20.00'
L =32.51'
10' X 10' TXU TRANS. ESM'T. VOL. 1930, PG. 64
15' DRAINAGE AND UTILITY EASEMENT
TRANSFORMER
1,311.02' TO NORTH COUNTRY LANE F.M. 1141
BL
12
205
18'
12'
15'
8'
38.8'
34.6'
30.1'
35.1'
20.4'
19.3'
57.5'
51.2'
10.6'
10.4'
13.4'
7.0'
4.3'
2.6'
13.1'
3.5'
2.0'
Registered Professional Land Surveyor
STATE OF TEXAS
DCA INC

352



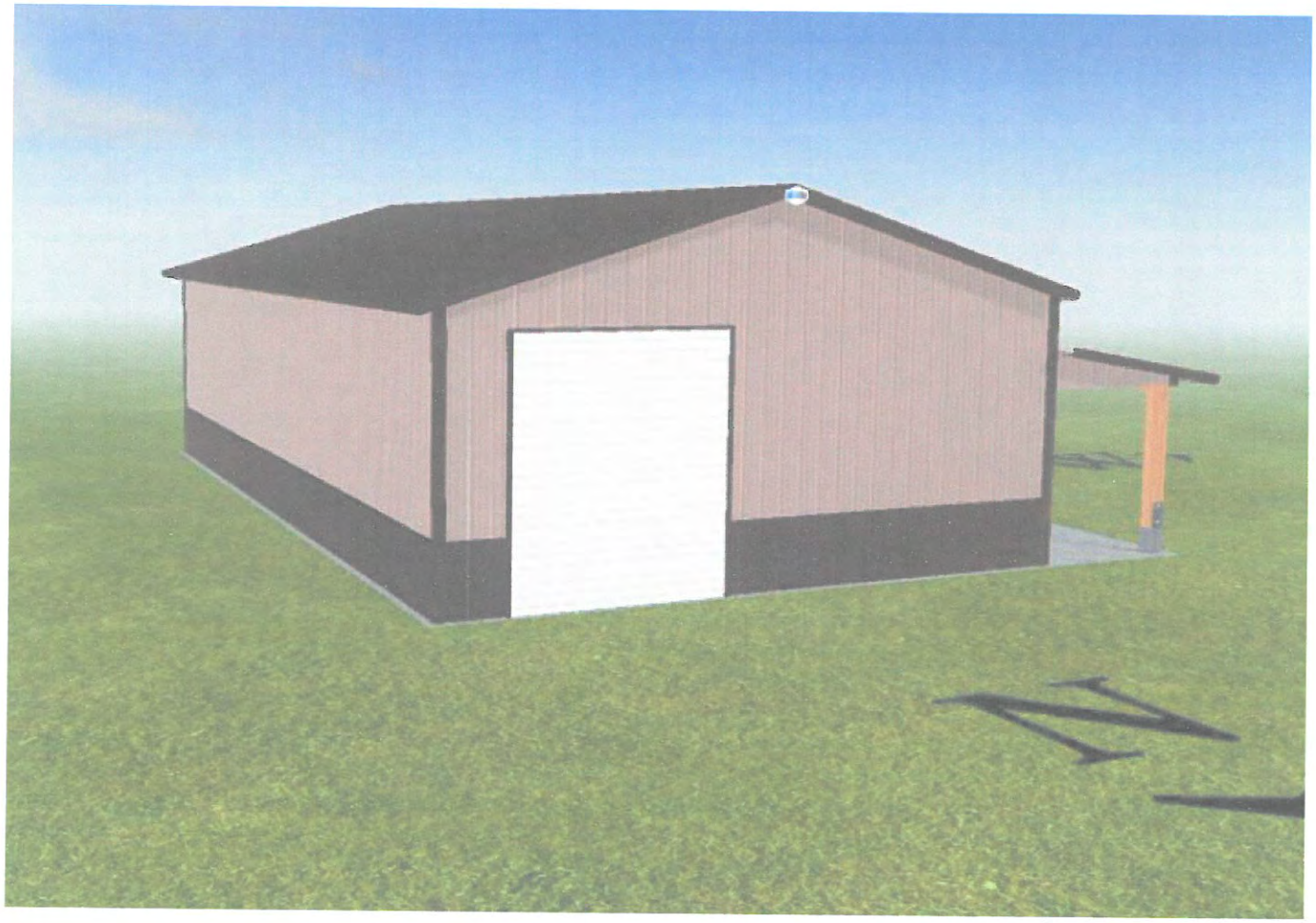
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363

Building Colors

Eversafe Steel Buildings offers a variety of standard colors for your steel building. You can select from 13 different colors for the roof, the sides and the trim. Make your choices from the selections below:



*Colors shown represent finish colors as accurately as possible, however color may vary slightly on actual building. Due to monitor and screen variations on different devices, digital depictions of colors may vary. Not all colors are available in every state and colors may vary by state. Non-standard colors, color matching and two-tone wall color wainscoting available in certain states. Please ask your representative for details.

364

Eversafe steel building quote

From: Bob Fuerstenau (bfuerstenau@eversafebuildings.com)

To: mwright-1@att.net

Date: Thursday, September 12, 2019, 9:44 AM CDT

Hi Marty,

Here is the updated quote for the new building size we spoke about. Let me know if you need anything else.

Thanks,

Bob Fuerstenau
Regional Account Manager

EVERSAFE

Eversafe Buildings
A Longlife Steel Buildings company
Phone 1-800-374-7106 x387
Fax 1-866-609-5390
bfuerstenau@eversafebuildings.com
http://www.eversafebuildings.com/



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Eversafe Steel Building Proposal (Marty Wright 24x40x10 with 6x40 lean to).pdf
167.9kB

image011.png
487.3kB

EVERSAFE
BUILT SAFE BUILT STRONG BUILT TO LAST
A Longlife Steel Buildings company

STEEL BUILDING PROPOSAL

EVERSAFE BUILDINGS | 3415 CUSTER RD. SUITE 101 | PLANO, TX 75023
PH: 1-800-374-7106 | FAX: 1-800-374-4694 | WWW.EVERSAFEBUILDINGS.COM

CUSTOMER:
Marty Wright

DATE:
9/12/2019

ADDRESS:
TBD

CITY/STATE:
Rockwall, TX

ZIP:
75087

COUNTY:
Rockwall

PHONE:
(214) 717-8203

E-MAIL:
mwright-1@att.net

BUILDING TYPE:
Garage

ROOF SIZE:
24' x 41'

BUILDING SIZE:
24' x 40'

WALL HEIGHT:
10'

ROOF PITCH:
3/12

ROOF TYPE:
Upgraded Vertical Roof With 6" Overhang

FRAME TYPE:
Heavy Duty 14 Gauge Galvanized Steel

FRAME SPACING:
5' On Center

SHEETING TYPE:
Heavy Duty 29 Gauge Galvanized Steel

CERTIFICATION:
140 mph/30 psf

PREPARED BY:
Bob Fuerstenau

QUANTITY	DESCRIPTION
	BUILDING DETAILS
	24' x 40' x 10' Garage
2	Upgraded Vertical Sidewalls
1	Full End - Upgraded Vertical Sheeting
1	Full End - Upgraded Vertical Sheeting
	Upgraded Vertical Roof With 6" Overhang (Vertical Roof Includes Hat Channels & Ridge Cap)
	LEAN-TO BUILDING DETAILS
1	6' x 40' x 8' Roof Only Lean-To (2/12 Pitch Roof)
1	Sidewall (No Sheeting) - Includes Sidewall Hat Channels
	Upgraded Vertical Roof With 6" Overhang
	ACCESSORIES
1	9' x 8' Heavy Duty Lockable Roll Up Door
1	12' x 9' Heavy Duty Lockable Roll Up Doors (With Chain Hoist)
2	Header Seal for Roll Up Door
2	Heavy Duty Walk Doors With Keyed Lock - 36" x 80" (Solid)
4	30" x 30" Single Hung Windows
	Concrete Anchors
Roof Only	1/4 Inch Double Bubble Insulation (R10.1) - $1,040.00 (Option-Not included in price below)
1	Fee to Connect Lean-To To Main Building
	Foam Enclosures - Ridge and Eaves
	MISCELLANEOUS
	Certified Building
	Generic Stamped Drawings
	FREE DELIVERY TO JOBSITE
	FREE INSTALLATION ON YOUR PAD

12 MONTH WORKMANSHIP WARRANTY ON BUILDING INSTALLATION
20 YEAR RUST THROUGH WARRANTY ON FRAMING MATERIALS
10 YEAR WARRANTY ON SHEETING

Note: Discount Good Until:
9/19/2019

Building Price (Before Discount)	$14,827.50
Discount	-$1,482.75
Miscellaneous	$0.00
BUILDING PRICE (AFTER DISCOUNT)	**$13,344.75**
Sales Tax (6.75%)	$900.77
Drawings	$0.00
Total	$14,245.52
Due Now**	$2,135.16
Remaining Balance after "Due Now" paid (COD)	$12,110.36

*Note: Roll up doors installed on the eave side of the building will require a header for an additional fee.

366

Concrete Specifications

From: Bob Fuerstenau (bfuerstenau@eversafebuildings.com)

To: mwright-1@att.net

Date: Friday, September 6, 2019, 10:41 AM CDT

Marty,

The concrete slab that we recommend should be/have:

- 4" thick ***(minimum)*** w/ a 12"x12" continuous footer
- same exact dimensions as your building frame (e.g. 24'x35')**
- 2,500 PSI concrete ***(minimum)***
- two #5 rebar continuous
- NO wet-set anchors (anchors will be provided at installation)

**If pulling a permit using our generic engineer-stamped drawings, foundation should be 5 5/8" wider than the building frame with a ¾" step down all around.

This e-mail is strictly for the purposes of budgeting and obtaining estimates. Please do not use the information herein as sole guidelines for pouring concrete slab.

Let me know if you have any questions or concerns.

Sincerely,

Bob Fuerstenau

Regional Account Manager

EVERSAFE

Eversafe Buildings

A Longlife Steel Buildings company

Phone 1-800-374-7106 x387

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *DETACHED GARAGE BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A ONE (1)-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 10, BLOCK B, SADDLEBROOK ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Marty Wright for the approval of a Specific Use Permit (SUP) to allow a *detached garage* that exceeds the maximum allowable size on a one (1)-acre parcel of land being described as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *detached garage* as stipulated by Subsection 7.04, *Accessory Structure Development Standards,* of Section 7, *District Development Standards*, of Article V, *District Development Standards*, the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 7.04, *Accessory Structure Development Standards*, of Section 7, *District Development Standards,* of Article V, *District Development Standards*, of the Unified

ORDINANCE 10-21-19

Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *detached garage* on the *Subject Property* and conformance to these conditions are required for continued operations:

1) The detached garage shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B'* & *'C'* of this ordinance;

2) The detached garage shall not exceed a maximum size of 1,200 SF;

3) The detached garage shall not exceed an overall height of 15-feet;

4) The subject property shall not have more than two (2) accessory buildings;

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 2.05, City *Council Action*, of Article XI, *Zoning Related Applications,* of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02.D(3) of Article XI, *Zoning Related Applications*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS ($2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF NOVEMBER, 2019.

DRAFT ORDINANCE 10.24.19

369

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *October 24, 2019*

2nd Reading: *November 4, 2019*

DRAFT ORDINANCE 10.21.2019

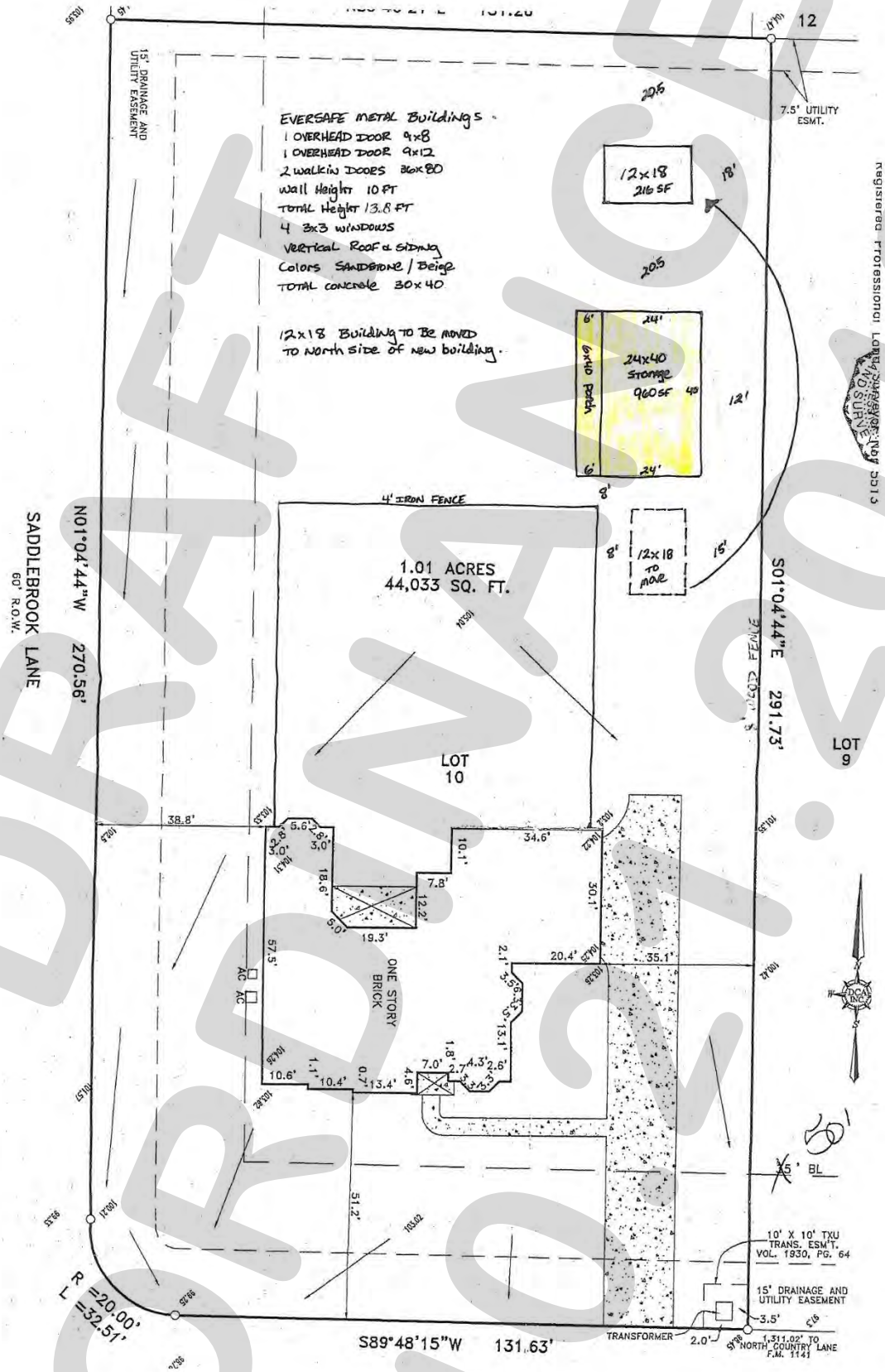
370

Address: *2340 Saddlebrook Lane*
Legal Description: *Lot 10, Block B, Saddlebrook Estates #2 Addition*



DRAFT 10.2.19

371



DRAFT ORDINANCE 10.21.19

372



DRAFT ORDER 10.2.16

373

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374

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	10/21/2019
APPLICANT:	Adam Buczek; *Stone Creek Balance, LTD*
CASE NUMBER:	Z2019-024; *Amendment to Planned Development District 70 (PD-70)*

SUMMARY

Hold a public hearing to discuss and consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the residential subdivision being a ~336.00-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [*N. Goliad Street*], and take any action necessary.

BACKGROUND

The subject property was annexed into the City by four (4) different ordinances: [*1*] *Ordinance No. 61-01* on February 6, 1961, [*2*] *Ordinance No. 61-02* on February 6, 1961, [*3*] *Ordinance No. 86-37* on May 19, 1986, and [*4*] *Ordinance No. 98-10* on March 16, 1998. On October 18, 2004, the City Council denied a preliminary plat [*Case No. P2004-046*] that proposed establishing 1,519 single-family lots on a 405.29-acre property situated within the City's extraterritorial jurisdiction, and that would later become the Breezy Hill Subdivision. After three (3) years of litigation over this case, Richard Skorburg of the Skorburg Company submitted two (2) development agreements covering both the subject property and the 405.29-acre property covered by the 2004 preliminary plat request. In addition, a request to rezone the subject property from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single Family 10 (SF-10) District land uses was submitted. This request [*i.e. Z2007-006 and the development agreements*] was approved by the City Council on April 2, 2007 by *Ordinance No. 07-13*, which established Planned Development District 70 (PD-70) in accordance with the approved development agreement. Planned Development District 70 (PD-70) would later be amended twice [*i.e. Ordinance No.'s 09-44 & 11-35*] both times to increase the amount of land zoned for General Retail (GR) District land uses at the southwestern corner of the Planned Development (PD) District (*i.e. adjacent to the Walgreens Pharmacy*).

At the time of establishment Planned Development District 70 (PD-70) permitted 918 single-family homes that had lot sizes that ranged from 50' x 120' to 100' x 200'. As of today, the Skorburg Co. has established 768 of the permitted 918 single-family lots, and has submitted a final plat (*i.e. P2019-035 -- which was withdrawn by the applicant with the intent of resubmitting the case at the conclusion of this zoning case*) proposing an additional 118 single-family lots. This means that the total development will include 886 single-family lots, or 32 lots less than the maximum permitted by Planned Development District 70 (PD-70). In addition, the original site plan included a location for a fire station (*i.e. presently Fire Station #7*), a school site (*i.e. Rockwall Elementary No. 15 -- currently under construction*), and private open space areas. In 2014, the Skorburg Co. and the City agreed to the establishment of a 11.35-acre public park at the northwest corner of Featherstone Drive and John King Boulevard.

PURPOSE

On September 13, 2019, the applicant submitted an application requesting to amend Planned Development District 70 (PD-70) [*Ordinance No.'s 09-44 & 11-35*] for the purpose of reducing the number of required hard edged retention ponds from four (4) ponds to three (3) ponds. Additionally, the applicant has submitted a letter stating an intent to provide an additional fountain feature for the existing retention pond located adjacent to York Street.

ADJACENT LAND USES AND ACCESS

The subject property is located at the southeast corner of the intersection of FM-552 and SH-205 [*N. Goliad Street*]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is FM-552, which is identified as TXDOT4D (*i.e. TXDOT, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is the corporate boundaries for the City of Rockwall.

South: Directly south of the *subject property* is E. Quail Run Road, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is Planned Development District 5 (PD-5), which is zoned for Single Family 7 (SF-7) District land uses and consists of ~539.00-acres.

East: Directly east of the *subject property* is J. W. Williams Middle School, which is situated on a 25.569-acre tract of land zoned Single-Family 16 (SF-16) District. Continuing along the eastern boundary of PD-70 are several parcels of land zoned Agricultural (AG) District, and Planned Development District 79 (PD-79) for Single-Family 10 (SF-10) District land uses. Beyond this is John King Boulevard, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan.

West: Directly west of the *subject property* is N. Goliad Street, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this are several properties that are zoned Single-Family 16 (SF-16) District, Planned Development District 37 (PD-37), Agricultural (AG) District, Single-Family Estate (SFE-1.5) District, and Planned Development District 3 (PD-3). These areas include a mix of land uses, but are primarily residential.

CHARACTERISTICS OF THE REQUEST

Planned Development District 70 (PD-70) [*Ordinance No. 09-44*] -- *in accordance with the original development agreement* -- requires the developer to provide a minimum of four (4) retention ponds with hard edges and fountain features. According to the ordinance, the location and configuration of the proposed ponds is to be determined at the time of development. Currently, the developer has constructed three (3) of the four (4) ponds required by Planned Development District 70 (PD-70): [*1*] the first pond is located at the northeast corner of the intersection of N. Goliad Street [*SH-205*] and Featherstone Drive (*i.e. at the entry to the subdivision*), [*2*] the second pond located south of and adjacent to homes along Crestbrook Drive, and [*3*] the third pond located within the public park located at the northwest corner of Featherstone Drive and John King Boulevard. The pond at the entryway to the subdivision is the only pond that incorporates both a hardedge and a fountain feature. The pond located south of and adjacent to Crestbrook Drive only incorporates a hardedge, and the pond in the public park does not incorporate either a hardedge or a fountain; however, this pond was exempted by the City to make the park eligible for matching grants through the State of Texas, which were applied to increase the amenity of the park. The applicant has requested to change the language in the Planned Development District 70 (PD-70) to reduce the number of ponds from three (3) to four (4) ponds, and has agreed to incorporate a fountain feature in the pond adjacent to Crestbrook Drive and another in a secondary pond along York Street. This means that the only thing the applicant is lacking to meet the

current requirements would be a hardedge along the pond located adjacent to York Street; however, staff should point out that this pond is located within the 100-year floodplain and is not highly visible from the street. The applicant has stated the reason for the request is tied to the lengthy and indefinite permitting process required by the Texas Commission on Environmental Quality (TCEQ), and a desire to *not* put an additional cost burden on the Stone Creek Homeowner's Association (HOA).

As has been done with past requests to amend Planned Development (PD) District ordinances, staff has consolidated the two (2) regulating ordinances into one (1) regulating ordinances; however, the only change made in the attached draft ordinance is to the verbiage relating to the number of retention ponds permitted within the development.

INFRASTRUCTURE

There are no infrastructure requirements associated with the proposed amendment. In addition, staff should point out that the additional retention pond is not needed to meet the stormwater detention requirements, as the retention ponds were not accounted for in the required detention for the subdivision (*i.e. the development was required to provide detention in other areas of the subdivision to meet the City's engineering requirements*).

CONFORMANCE WITH THE CITY'S CODES

Since the request is only tied to a requirement of Planned Development District 70 (PD-70), the request remains in compliance with all of the requirements of the City's codes.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The proposed request does not change any of the land uses permitted within Planned Development District 70 (PD-70), and as a result does not have an impact on the City's Future Land Use Map. In addition, the request does not relate to any of the specific goals, policies, or strategies contained within the OURHometown Vision 2040 Comprehensive Plan.

NOTIFICATIONS

On September 20, 2019, staff mailed 928 notices to property owners and residents within 500-feet of Planned Development District 70 (PD-70). Staff also emailed notices to the Quail Run Valley, Lakeview Summit, Random Oaks, and Rockwall Shores Homeowner's Associations (HOA's), which are the only HOA's located within 1,500-feet of Planned Development District 70 (PD-70) participating in the *Neighborhood Notification Program*. Additionally, staff posted a sign adjacent to the subject property along N. Goliad Street [*SH-205*], and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted, staff had received four (4) notices, three (3) online forms, & twelve (12) emails in favor of the request, and four (4) notices, one (1) online form, & five (5) emails opposed to the request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to amend Planned Development District 70 (PD-70), then staff would propose the following conditions of approval:

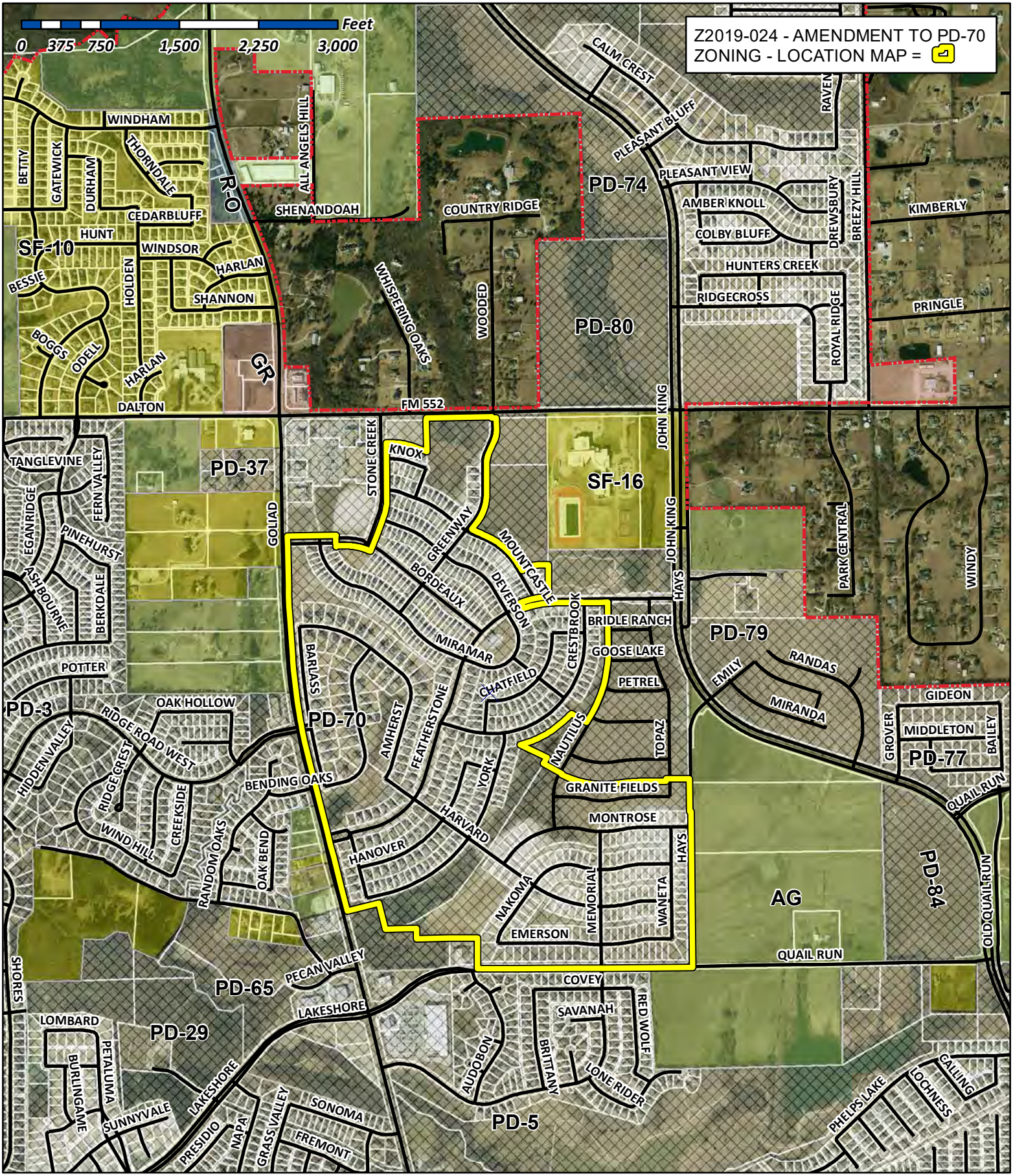
(1) The applicant shall be responsible for maintaining compliance with the conditions contained within the Planned Development District ordinance;

(2) Any construction resulting from the approval of this zoning amendment shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and

with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On October 8, 2019, the Planning and Zoning Commission's motion to recommend approval of the amendment to Planned Development District 70 (PD-70) with staff conditions passed by a vote of 5 to 2, with Commissioners Welch and Thomas dissenting.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

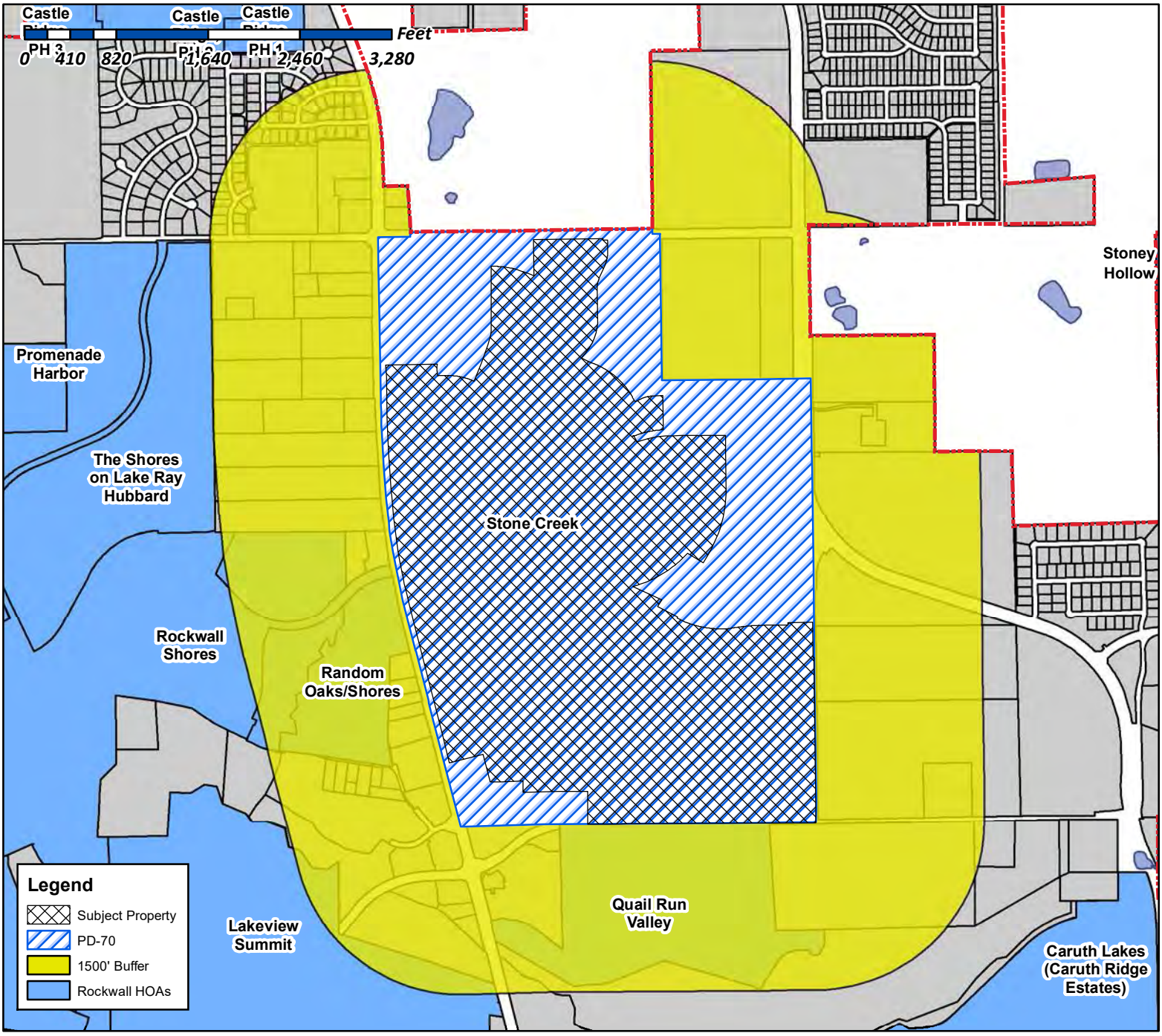
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

379

City of Rockwall

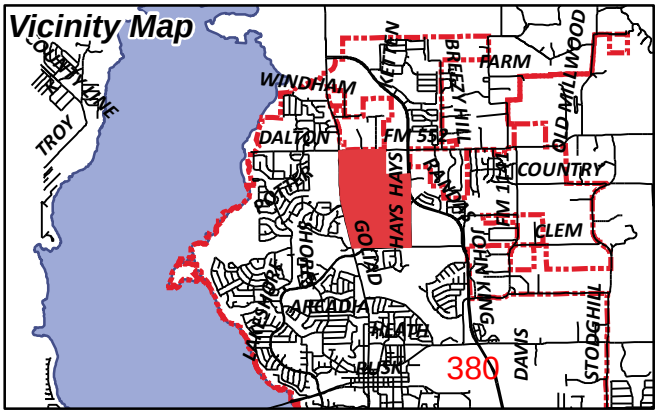
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-024
Case Name: Amendment to PD-70
Case Type: Zoning
Zoning: Amendment to PD-70
Case Address: S/E Corner of FM 552 & SH 205

Date Created: ***9/16/2019***
For Questions on this Case Call (972) 771-7745



Gonzales, David

From: Morales, Laura
Sent: Friday, September 20, 2019 4:47 PM
To: [redacted]
Cc: Miller, Ryan; Gonzales, David; Brooks, Korey
Subject: Neighborhood Notification Program: Notice of zoning request
Attachments: Z2019-024 HOA Map.pdf; PUBLIC NOTICE.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attach ed a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner ***September 20, 2019***. The Planning and Zoning Commission will hold a public hearing on ***Tuesday 10/8/2019 at 6:00 p.m.***, and the City Council will hold a public hearing on ***Monday 10/21/2019 at 6:00 p.m***. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development/development-cases

> **Z2019-024- Hold a public hearing to discuss and consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the residential subdivision being a ~336-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [N. Goliad Street], and take any action necessary.**

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

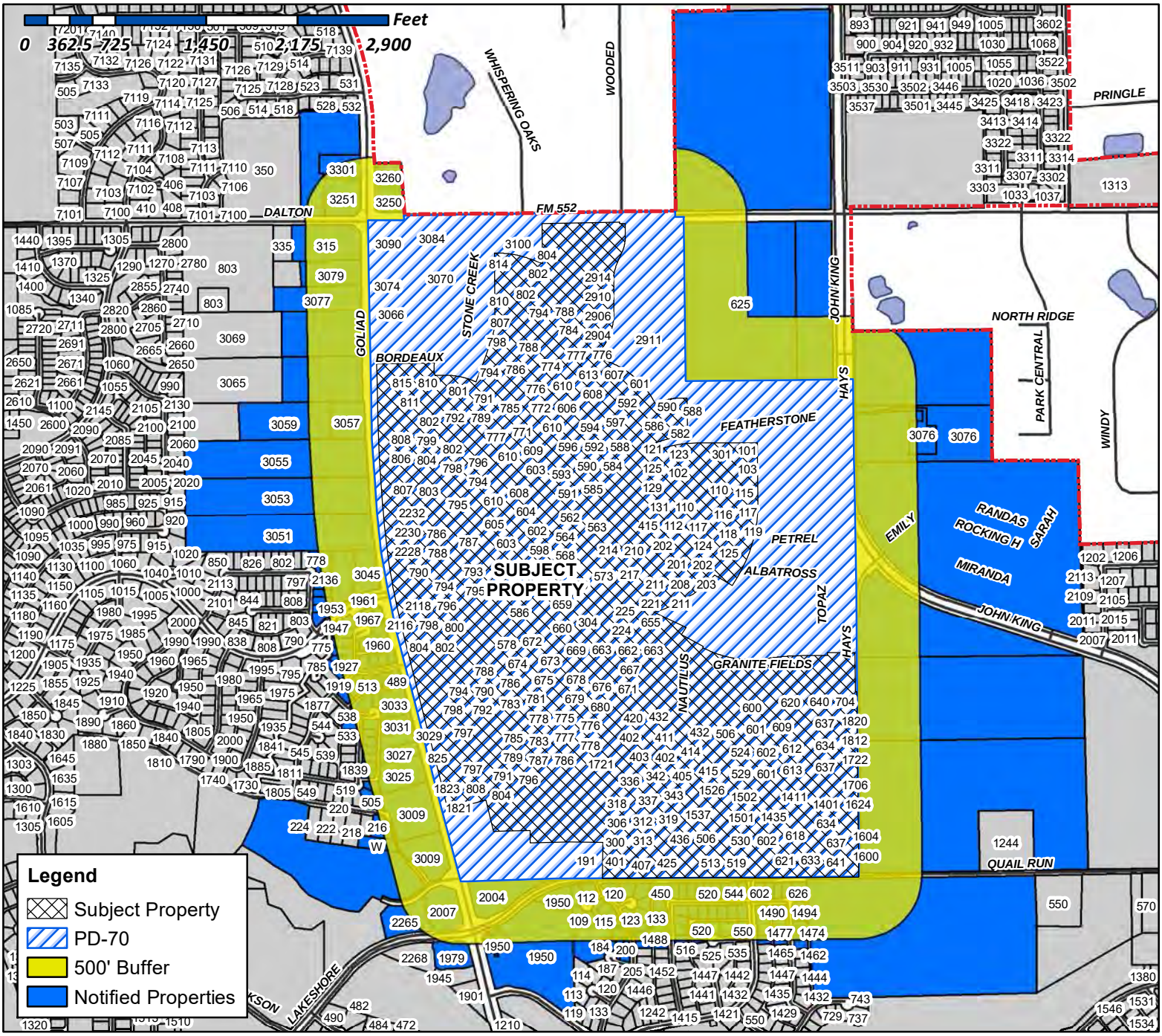
Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com/planning/

City of Rockwall

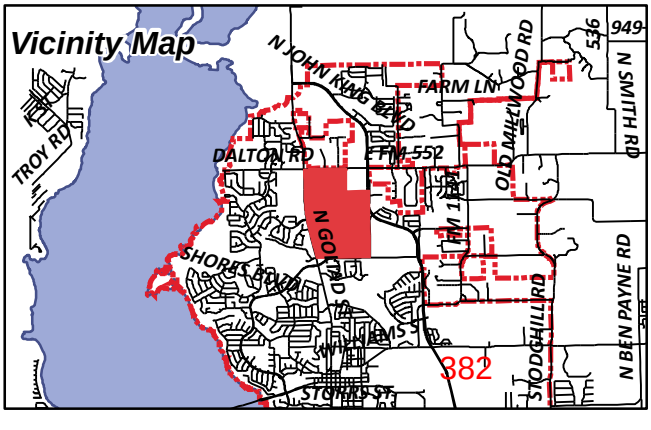
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-024
Case Name: Amendment to PD-70
Case Type: Zoning
Zoning: Amendment to PD-70
Case Address: Near S/E Corner of FM 552 & SH 205

Date Created: ***9/16/2019***
For Questions on this Case Call (972) 771-7745



CHIZZONITE CAROL AND RALPH
101 CRESTBROOK DR
ROCKWALL, TX 75087

KROGER TEXAS LP
1014 VINE STREET
CINCINNATI, OH 45202

PARKS ROBERT
102 CHATFIELD
ROCKWALL, TX 75087

ROCKWALL STONE CREEK ESTATES
HOMEOWNERS ASSOCIATION INC
C/O NEIGHBORHOOD MANAGEMENT INC
1024 S GREENVILLE AVE SUITE 230
ALLEN, TX 75002

SENSOY CENK AND MARNI
103 CRESTBROOK DR
ROCKWALL, TX 75087

CECIL CHARLES R & ASHLEY M
104 CHATFIELD DRIVE
ROCKWALL, TX 75087

SHAW KIM A & BETH ANN
105 CHATFIELD DRIVE
ROCKWALL, TX 75087

HERRON HOLLY AND JORDAN
105 CRESTBROOK DR
ROCKWALL, TX 75087

ROCKWALL INDEPENDENT SCHOOL DISTRICT
1050 WILLIAMS ST
ROCKWALL, TX 75087

GIDEON CHRISTOPHER M & KIM
106 CHATFIELD DR
ROCKWALL, TX 75087

WATTS KEVIN C & MELODIE
106 PECAN DRIVE
ROCKWALL, TX 75087

MOHOTTIGE SHAMANI CHAMPIKA
106 SUNBIRD LN
SUNNYVALE, TX 75182

CARRAZCO JUAN B & MIRIAN
107 CHATFIELD DRIVE
ROCKWALL, TX 75087

SATLER GARY THOMAS AND MICHELLE LYNN
107 CRESTBROOK DR
ROCKWALL, TX 75087

CAMPION THOMAS R
108 CHATFIELD DR
ROCKWALL, TX 75087

REEG STEPHEN A & AMY N
109 CHATFIELD DR
ROCKWALL, TX 75087

VO KIMBERLY TRAN AND ADAM
109 CRESTBROOK DR
ROCKWALL, TX 75087

TRAN KHANH-LINH
109 CRESTBROOK DRIVE
ROCKWALL, TX 75087

HAMPTON GEORGE T & BRENDA J
109 REGAL BLF
ROCKWALL, TX 75087

ZUBIK JASON FOSTER
110 CHATFIELD DRIVE
ROCKWALL, TX 75087

WANLESS ERIC & EILEEN
110 CRESTBROOK DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
111 CRESTBROOK DR
ROCKWALL, TX 75087

LEUGERS CHESTER THOMAS & DANI LYNN
111 CHATFIELD DRIVE
ROCKWALL, TX 75087

MACKEY EVA M
112 CHATFIELD DR
ROCKWALL, TX 75087

BOLES STEVEN LEE JR AND TINA R
112 CRESTBROOK DR
ROCKWALL, TX 75087

RHODES KYLE W AND REBECCA
112 REGAL BLUFF
ROCKWALL, TX 75087

STEPHENSON ROSS J
113 CHATFIELD DR
ROCKWALL, TX 75087

FREEMAN BENJAMIN AND DESIREE
113 CRESTBROOK DR
ROCKWALL, TX 75087

ZAHARA MARK WAYNE AND JENNIFER M
114 CRESTBROOK DR
ROCKWALL, TX 75087

NORWOOD BRYAN CLARK AND JENNIFER ANN
115 CHATFIELD DR
ROCKWALL, TX 75087

383

HAYNES ANTHONY
115 CRESTBROOK DR
ROCKWALL, TX 75087

HOWLETT NEVA RAE
115 REGAL BLUFF
ROCKWALL, TX 75087

THOMAS SAMSON N & LINDA R
1150 POTTER AVE
ROCKWALL, TX 75087

ERVIN RICHARD L
1155 W WALL ST STE 101
GRAPEVINE, TX 76051

KUMAR MINU & NITEN
116 CRESTBROOK DRIVE
ROCKWALL, TX 75087

REED RICHARD R AND LINDA S
117 CHATFIELD DR
ROCKWALL, TX 75087

WAGNER PHILLIP AND ALLISON
117 CRESTBROOK DR
ROCKWALL, TX 75087

REINHARDT JASON AND AMBER
118 CRESTBROOK DR
ROCKWALL, TX 75087

VASQUEZ FRANK EDWARD AND
JAMIE LEEANN LYNCH
119 CRESTBROOK DR
ROCKWALL, TX 75087

CONFIDENTIAL
120 CRESTBROOK DR
ROCKWALL, TX 75087

RAMOS RAMON A & DELMA P
120 IRELAND CT
ROCKWALL, TX 75087

HOEFER RUSSELL M & DIANE
121 CRESTBROOK DRIVE
ROCKWALL, TX 75087

JOHNS RUSSELL AND AMY
121 DEVERSON DR
ROCKWALL, TX 75087

MILLER MAX EDWARD AND KRISTINA R
122 CRESTBROOK DR
ROCKWALL, TX 75087

CULPEPPER DANNA JOHNSON
122 REGAL BLUFF
ROCKWALL, TX 75087

CURRENT RESIDENT
123 CRESTBROOK DR
ROCKWALL, TX 75087

REID DOUGLAS CHARLES AND ELIZABETH
123 DEVERSON DR
ROCKWALL, TX 75087

HEIDENREICH ERIN K AND ADAM
123 IRELAND COURT
ROCKWALL, TX 75087

M REA PROPERTIES 2 LLC
1234 TRALEE LN
GARLAND, TX 75044

MILLER TIMOTHY L AND DONNA K
124 CRESTBROOK DRIVE
ROCKWALL, TX 75087

BACHMAN GREGORY D AND DIANA L
125 CRESTBROOK DR
ROCKWALL, TX 75087

CORLEY SHARRON J
125 DEVERSON DRIVE
ROCKWALL, TX 75087

KNEE DANIEL AND SARAH
127 CRESTBROOK DR
ROCKWALL, TX 75087

2018 D ESTRADA & P GRAHAM-ESTRADA
REVOCABLE TRUST
DANIEL ESTRADA & PENELOPE CATHERINE
GRAHAM-ESTRADA- TRUSTEES
127 DEVERSON DRIVE
ROCKWALL, TX 75087

ADAMS JOHN R & DONNA M
129 CRESTBROOK DRIVE
ROCKWALL, TX 75087

WILKE LORETTA AND DAVID
129 DEVERSON DR
ROCKWALL, TX 75087

SCOTT MARK ALAN SR &
DOREEN
130 IRELAND CT
ROCKWALL, TX 75087

LAVALLEE EDWARD J
131 DEVERSON DR
ROCKWALL, TX 75087

CASTRICONE RICHARD & LEANNE
133 IRELAND CT
ROCKWALL, TX 75087

ARMET TED
136 IRELAND COURT
ROCKWALL, TX 75087

384

HARTMANN HOLDINGS LLC
1375 PEBBLE HILLS DRIVE
ROCKWALL, TX 75087

BURNETT CATHY J
139 IRELAND COURT
ROCKWALL, TX 75087

CURRENT RESIDENT
1401 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1402 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1405 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1406 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1408 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1409 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1410 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1411 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1414 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1415 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1418 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1419 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1422 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1423 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1426 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1427 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1430 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1431 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1434 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1435 HARVARD DR
ROCKWALL, TX 75087

PACESETTER HOMES LLC
14400 THE LAKES BLVD BUILDING C, SUITE 200
AUSTIN, TX 78660

HAYWORTH AMY AND
LYNN ROBINSON
1468 RED WOLF DR
ROCKWALL, TX 75087

FREEMAN TODD MICHAEL
1471 RED WOLF DR
ROCKWALL, TX 75087

STOLL ROBERT AND ANN
1472 MEMORIAL DR
ROCKWALL, TX 75087

BENSON LINWOOD AND NANCY
1474 RED WOLF DRIVE
ROCKWALL, TX 75087

REDMOND BRIAN AND NICOLE
1475 PLUMMER DR
ROCKWALL, TX 75087

ELLER DIANE ELIZABETH
1476 AUDOBON LN
ROCKWALL, TX 75087

LANNOYE RACHEL M & MARK C
1477 BRITTANY WAY
ROCKWALL, TX 75087

385

LOPEZ AURELIO A
1477 RED WOLF DR
ROCKWALL, TX 75087

WATTS KENNETH A & LISA
1478 MEMORIAL DR
ROCKWALL, TX 75087

CASTLEBERRY DANNY LEE & RUTH E
1480 BRITTANY WAY
ROCKWALL, TX 75087

TROUSDALE JOHN R
1480 RED WOLF DR
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
14801 QUORUM DR SUITE 160
DALLAS, TX 75254

CURRENT RESIDENT
1482 AUDOBON LN
ROCKWALL, TX 75087

VIEDA & GONZALEZ
1483 RED WOLF DR
ROCKWALL, TX 75087

BOTTOMS DEBRA E & CHARLES G
1484 MEMORIAL DR
ROCKWALL, TX 75087

MILLIGAN FAMILY TRUST
CHARLES E MILLIGAN AND CARLA A MILLIGAN
TRUSTEES
1485 BRITTANY WAY
ROCKWALL, TX 75087

BEYER ALFRED B & JANET M
1486 RED WOLF DR
ROCKWALL, TX 75087

VOLPE JOANN
1488 AUDOBON LN
ROCKWALL, TX 75087

ELLIS BRIAN & LAUREN
1488 BRITTANY WAY
ROCKWALL, TX 75087

TUTTLE DAVID & CAROLYN
1490 MEMORIAL DR
ROCKWALL, TX 75087

HAYNES GEORGE J & CAROLYN J
1491 AUDOBON LN
ROCKWALL, TX 75087

MAYO GARY M & LILIAN URBINA-MAYO
1491 RED WOLF DR
ROCKWALL, TX 75087

PADILLA OSCAR & MELISSA
1493 BRITTANY WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
1494 RED WOLF DR
ROCKWALL, TX 75087

CASAZZA ALBERT AND ALEXIS K
1496 BRITTANY WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
1501 HARVARD DR
ROCKWALL, TX 75087

HELMER KALENA AND BRIAN
1501 AUDOBON LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1502 HARVARD DR
ROCKWALL, TX 75087

BOYLES GLYN E & MARY F
1503 BRITTANY WAY
ROCKWALL, TX 75087

WILLIAMS THOMAS MICHAEL AND
PANSY ANITA WILLIAMS
1504 BRITTANY WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
1507 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1508 HARVARD DR
ROCKWALL, TX 75087

INGRAM AUDRA JOY
1509 AUDOBON LN
ROCKWALL, TX 75087

SCARBOROUGH AUDREY M
1511 BRITTANY WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
1513 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1514 HARVARD DR
ROCKWALL, TX 75087

HARRIS PATRICIA A
1517 AUDOBON LN
ROCKWALL, TX 75087

386

CURRENT RESIDENT
1519 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1520 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1525 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1526 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1531 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1537 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1600 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1604 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1608 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1612 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1616 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1620 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1624 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1639 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1645 HARVARD DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1651 HARVARD DR
ROCKWALL, TX 75087

HUDGENS GERALD FRANK & ROCHELLE
EAVONNE
1675 AVONLEA DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1702 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1706 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1710 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1714 WANETA DR
ROCKWALL, TX 75087

METROPLEX ACQUISITION FUND, LP
1717 WOODSTEAD CT STE 207
THE WOODLANDS, TX 77380

CURRENT RESIDENT
1718 WANETA DR
ROCKWALL, TX 75087

NOWELL PHILLIP RUSSELL AND
CASEY ELIZABETH O'HEARN
1721 HARVARD DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1722 WANETA DR
ROCKWALL, TX 75087

HPA TEXAS SUB 2018-1 ML LLC
180 N STETSON AVE SUITE 3650
CHICAGO, IL 60601

HP TEXAS I LLC DBA HPA TX LLC
180 NORTH STETSON AVENUE SUITE 3650
CHICAGO, IL 60601

MEGATEL HOMES LLC
1800 VALLEY VIEW LANE SUITE 400
FARMERS BRANCH, TX 75234

CURRENT RESIDENT
1804 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1808 WANETA DR
ROCKWALL, TX 75087

387

CURRENT RESIDENT
1812 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1816 WANETA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1820 WANETA DR
ROCKWALL, TX 75087

CHAPMAN BOBBY E II AND AMY L CHAMPMAN
1821 HAINSWORTH DRIVE
ROCKWALL, TX 75087

MOORE MICHAEL RAY JR & STEPHANIE
1823 HAINSWORTH DRIVE
ROCKWALL, TX 75087

MORGAN RAYMOND L JR AND STEPHANIE L
1825 HAINSWORTH DR
ROCKWALL, TX 75087

ESCOBEDO OMAR & MARIA C
1827 HAINSWORTH DRIVE
ROCKWALL, TX 75087

HUA ALEXANDER AND THU THUY
1829 HAINESWORTH DR
ROCKWALL, TX 75087

SLOAN CHRISTOPHER A & MISTI D
1830 OAK BEND DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1831 HAINSWORTH DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1833 HAINSWORTH DR
ROCKWALL, TX 75087

MONTGOMERY BARRY A AND MARY R
1838 OAK BEND DR
ROCKWALL, TX 75087

ESCOBEDO CARLOS DAVID
184 RAINTREE CT
ROCKWALL, TX 75087

MULLET STEPHEN PAUL
1844 OAK BEND DR
ROCKWALL, TX 75087

BELL JEFFREY A & LARISSA
1850 OAK BEND DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1856 OAK BEND DR
ROCKWALL, TX 75087

LEE THERESE M & GREGORY H
1862 OAK BEND DR
ROCKWALL, TX 75087

MAPENGO DERECK B AND TERI
1868 OAK BEND DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1875 OAK BEND DR
ROCKWALL, TX 75087

MYERS CHARLES & SHERRY
1876 OAK BEND DRIVE
ROCKWALL, TX 75087

NEDELCU MIHAI & AMY
190 RAINTREE CT
ROCKWALL, TX 75087

CURRENT RESIDENT
191 E QUAIL RUN RD
ROCKWALL, TX 75087

SCHULTZ JENNIFER S & ERIC
1910 RANDOM OAKS DRIVE
ROCKWALL, TX 75087

WEYGANDT DEBORA ANN
1918 RANDOM OAKS DRIVE
ROCKWALL, TX 75087

LAPP CALVIN MICHAEL AND REBECCA JEAN
1919 RANDOM OAKS DR
ROCKWALL, TX 75087

MURPHY ANYA ELLEN
1927 RANDOM OAKS DR
ROCKWALL, TX 75087

MENDENHALL SCOTT H & KENDRA W
1935 RANDOM OAKS DR
ROCKWALL, TX 75087

KELLEY ROBERT E & ERIN B
1941 RANDOM OAKS DR
ROCKWALL, TX 75087

MARSH JAMES C & JOANN
1947 RANDOM OAKS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1950 N GOLIAD
ROCKWALL, TX 75087

388

MICHAELS RICHARD A & AUDREY
1953 RANDOM OAKS DR
ROCKWALL, TX 75087

BROWN LARRY W & DIANE
1954 RANDOM OAKS DR
ROCKWALL, TX 75087

STORMER CLAYTON A
1960 RANDOM OAKS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1961 RANDOM OAKS DR
ROCKWALL, TX 75087

PEREZ JOHN & BRITANIE
1966 RANDOM OAKS DR
ROCKWALL, TX 75087

MANASCO KURT & COURTNEY C
1967 RANDOM OAKS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1979 N GOLIAD ST
ROCKWALL, TX 75087

KENNET TYLER D AND DONELLE M
200 RAINTREE COURT
ROCKWALL, TX 75087

CURRENT RESIDENT
2004 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
2007 N GOLIAD
ROCKWALL, TX 75087

CLARK KEVIN & MARY
201 CHATFIELD DRIVE
ROCKWALL, TX 75087

BARRICK JONATHAN T
202 CHATFIELD DR
ROCKWALL, TX 75087

CUMMINGS JIMMIE SCOTT & TRACI R
202 CRESTBROOK DRIVE
ROCKWALL, TX 75087

SIMEK JENNIFER L AND DOUGLAS R
203 CHATFIELD DR
ROCKWALL, TX 75087

MAGNESS PATRICK A & MELODY I
203 CRESTBROOK DRIVE
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC
203 E INTERSTATE 30
ROCKWALL, TX 75087

BROCK MARK E AND CARIN
204 CHATFIELD DRIVE
ROCKWALL, TX 75087

VAN HORN ANDREW J & ANDREA L
204 CRESTBROOK DRIVE
ROCKWALL, TX 75087

WALLER DAVID M & SORAYA E
205 CHATFIELD DRIVE
ROCKWALL, TX 75087

MUNDHENK CRAIG AND AYA
205 CRESTBROOK DR
ROCKWALL, TX 75087

LOVETT TERESA
206 CHATFIELD DRIVE
ROCKWALL, TX 75087

PARK KYOUNG WON
206 CRESTBROOK DRIVE
ROCKWALL, TX 75087

JANSSEN DENNIS R AND HOLLY E
20607 ORCHARD CT
FRANKFORT, IL 60423

BRYANT THOMAS HENRY AND LEA ANN
207 CHATFIELD DR
ROCKWALL, TX 75087

WHANNELL TAMMY AND DANIEL J
207 CRESTBROOK DR
ROCKWALL, TX 75087

CURRENT RESIDENT
208 CRESTBROOK DR
ROCKWALL, TX 75087

OCONNOR MICHAEL TYLER & ASHLEY ELISA
208 CHATFIELD DRIVE
ROCKWALL, TX 75087

WREN TIMOTHY J AND JENNIFER N
209 CHATFIELD DR
ROCKWALL, TX 75087

SMITH KYMBERLY D
209 CRESTBROOK DRIVE
ROCKWALL, TX 75087

SPEIGHT REBECCA L
210 CHATFIELD DRIVE
ROCKWALL, TX 75087

389

DODD TIMM & JAMIE C
210 CRESTBROOK DRIVE
ROCKWALL, TX 75087

MAZZUCA MICHAEL JR AND JULIE
2100 TWIN CREEK LN
ROCKWALL, TX 75087

WETMORE BRENT & CHELSEA
2106 TWIN CREEK LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
211 CRESTBROOK DR
ROCKWALL, TX 75087

PAULSEN GORGAS R & SHERRY C
211 CHATFIELD DR
ROCKWALL, TX 75087

WALLACE JONATHAN M & KAREN J
2112 TWIN CREEK LN
ROCKWALL, TX 75087

HARGIS JOHN EDWARD AND JESSICA
2114 BARLASS DRIVE
ROCKWALL, TX 75087

MILLER DANIEL J & CARLA M
2116 BARLASS DRIVE
ROCKWALL, TX 75087

BRAUN LISA AND BRIAN
2118 BARLASS DR
ROCKWALL, TX 75087

LAPARE DENNIS E & RENEE E
2118 TWIN CREEK LN
ROCKWALL, TX 75087

FISKNESS MICHAEL EDWARD AND TARAH CHRISTINE
212 CHATFIELD DR
ROCKWALL, TX 75087

FLOREZ CINDY ANN
212 CRESTBROOK DRIVE
ROCKWALL, TX 75087

CAVAZOS BRUNO
2120 BARLASS DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
2124 TWIN CREEK LN
ROCKWALL, TX 75087

WHITEHOUSE TIMOTHY B & HEIKE I
213 CHATFIELD DRIVE
ROCKWALL, TX 75087

JOHANNESEN TRACE AND AMY
213 CRESTBROOK DR
ROCKWALL, TX 75087

COLLINS KIT J
2130 TWIN CREEK LN
ROCKWALL, TX 75087

CURRENT RESIDENT
2136 TWIN CREEK LN
ROCKWALL, TX 75087

CURRENT RESIDENT
214 CRESTBROOK DR
ROCKWALL, TX 75087

PANG JOHN J & SUE W
214 CHATFIELD DR
ROCKWALL, TX 75087

VILLARREAL JOHN E AND KIMBERLY A
215 CHATFIELD DR
ROCKWALL, TX 75087

WALKER KEVIN W & CHRISTY D
215 CRESTBROOK DRIVE
ROCKWALL, TX 75087

HEWITT DEREK THOMAS & CAMERON ELISE
216 CRESTBROOK DR
ROCKWALL, TX 75087

DEAN LANTY W & MARY F
216 W QUAIL RUN RD
ROCKWALL, TX 75087

DEAN LANTY W & MARY F
216 W QUAIL RUN RD
ROCKWALL, TX 75087

HARPER ROBERT AND TARA
217 CHATFIELD DRIVE
ROCKWALL, TX 75087

EVANS RICHARD THOMAS AND TIFFANY DAWN
217 CRESTBROOK DR
ROCKWALL, TX 75087

CLIFTON JEROME
218 CRESTBROOK DRIVE
ROCKWALL, TX 75087

MCCOLLUM JACK F & JOAN R
219 CRESTBROOK DRIVE
ROCKWALL, TX 75087

BURROWS REBECCA
220 CRESTBROOK DRIVE
ROCKWALL, TX 75087

390

GLEASON JAMES AND ANGELA
221 CRESTBROOK DR
ROCKWALL, TX 75087

JONES BRADLEY K & SUSAN M
2215 HYER DRIVE
ROCKWALL, TX 75087

TYREE JEFF & AMBER
2217 HYER DR
ROCKWALL, TX 75087

SHOWS STEPHEN
2219 HYER DR
ROCKWALL, TX 75087

DUMAS DARRELL AND
JOHN CERVI
222 CRESTBROOK DRIVE
ROCKWALL, TX 75087

MULLEN SCOTT & KELSEY
2220 BARLASS DR
ROCKWALL, TX 75087

KIM DANIEL TAE HYUN AND WOOJUNG LEE
2221 HYER DR
ROCKWALL, TX 75087

CLARK BRADLEY EUGENE & TRACI DEANN
2223 HYER DRIVE
ROCKWALL, TX 75087

MYRICK CHASE AND CHRISTINA
2224 BARLASS DR
ROCKWALL, TX 75087

LARSON MELISSA AND
ROBERT BRYANT
2226 BARLASS DR
ROCKWALL, TX 75087

BOWMAN JOHN D AND BARBARA
2228 BARLASS DR
ROCKWALL, TX 75087

SARTAIN ROBBIE R AND KIM M
2230 BARLASS DR
ROCKWALL, TX 75087

BALLARD LINDA A
2232 BARLASS DRIVE
ROCKWALL, TX 75087

REBEL FRANCIS JOSEPH IV AND REGINA
224 SHADY BRANCH DRIVE
ROCKWALL, TX 75087

WALKER RODGER L AND DEBORAH D
225 CRESTBROOK DRIVE
ROCKWALL, TX 75087

FODGE MATTHEW AND KAILEE
226 SHADY BRANCH DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2265 NORTH LAKESHORE DR
ROCKWALL, TX 75087

PORTOFINO DRIVE LLC
2266 LAFAYETTE LANDING
HEATH, TX 75032

CURRENT RESIDENT
227 CRESTBROOK DR
ROCKWALL, TX 75087

MOOMJIAN ASHLEY L AND CHAD A
228 SHADY BRANCH DR
ROCKWALL, TX 75087

KYLE JOHN K & MARGARET E
2320 FAIRWAY CIRCLE
HEATH, TX 75032

KAMAND INVESTMENTS OF TEXAS
2380 DESERT FALLS LANE
ROCKWALL, TX 75087

QUAIL RUN VALLEY OWNERS ASSOC
C/O ASSURED MGT INC
2500 LEGACY DR STE 220
FRISCO, TX 75034

ALDI TEXAS LLC
2500 WESTCOURT ROAD
DENTON, TX 76207

COSLEY STEVEN M
25129 THE OLD ROAD STE 105
STEVENSON RANCH, CA 91381

YU YAOYANG AND ZHUE LU
2529 SCENIC DR
PLANO, TX 75025

SHORES ON LAKE RAY HUBBARD
HOME OWNERS ASSOCIATION
2650 CHAMPIONS
ROCKWALL, TX 75087

HUGHES CLIFTON A III & LADONNA F
2904 GREEN WAY DR
ROCKWALL, TX 75087

BUFF PAUL CHRISTOPHER AND STACEY
2906 GREENWAY DR
ROCKWALL, TX 75087

RUIZ JOHN R III & PATRICIA GREENE
2908 GREEN WAY DRIVE
ROCKWALL, TX 75087

391

BALLARD JUSTIN R AND MELODY K
2910 GREEN WAY DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
2911 GREENWAY DR
ROCKWALL, TX 75087

DEAN KIMBERLEE AND LARRY
2912 GREEN WAY DR
ROCKWALL, TX 75087

SHERMAN CHRISTOPHER ALLEN
2914 GREEN WAY DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
300 NAKOMA DR
ROCKWALL, TX 75087

KHAN ABDUL AND MAIMOONA REVOCABLE
LIVING TRUST
ABDUL RAHMAN KHAN AND MAIMOONA
RAHMAN KHAN CO TRUSTEES
3008 DOVE CREEK LN
RICHARDSON, TX 75082

CURRENT RESIDENT
3009 N GOLIAD ST
ROCKWALL, TX 75087

CHIU THOMAS C
301 CRESTBROOK DR
ROCKWALL, TX 75087

HARKRIDER MICHAEL & KELLI
301 FEATHERSONE DRIVE
ROCKWALL, TX 75087

DONALDSON MICHAEL J AND TARALYN K
302 IRIS DR
ROCKWALL, TX 75087

FREE METHODIST CHURCH
OF NORTH AMERICA
302 N GOLIAD ST
ROCKWALL, TX 75087

LEWIS THERESA GAYLE AND KEVIN RAY
302 SHADY BRANCH DR
ROCKWALL, TX 75087

CLARK TROY & JANICE
3025 N GOLIAD ST
ROCKWALL, TX 75087

ROSS JODY ALAN & KAREY
3027 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
3029 N GOLIAD ST
ROCKWALL, TX 75087

GUSSIE JEFFREY S AND JESSICA R
303 CRESTBROOK DRIVE
ROCKWALL, TX 75087

WHEELER KEITH AND TINA
303 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

GREER PATRICIA L
3031 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
3031 N GOLIAD ST
ROCKWALL, TX 75087

GREER TIMOTHY K
3033 N GOLIAD
ROCKWALL, TX 75087

STERN RANDY AND LISA
304 IRIS DRIVE
ROCKWALL, TX 75087

FORD RICHARD DAVID AND CLAUDIA
304 SHADY BRANCH DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
3045 N GOLIAD RD
ROCKWALL, TX 75087

CURRENT RESIDENT
305 FEATHERSTONE DR
ROCKWALL, TX 75087

THOMPSON BENJAMIN K AND JESSICA S
305 CRESTBROOK DR
ROCKWALL, TX 75087

LAM PROPERTY
3051 N GOLIAD ST
ROCKWALL, TX 75087

STONE DAVID
3053 N GOLIAD ST
ROCKWALL, TX 75087

FERGUSON DAVEY L & SHIRLEY C
DAVID W FERGUSON AS JOINT TENANTS
3055 N GOLIAD ST
ROCKWALL, TX 75087

WEST JEFFREY A & CHANTEL M
3059 N GOLIAD STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
306 NAKOMA DR
ROCKWALL, TX 75087

392

DRISCOLL SEAN T & SARAH E
306 IRIS DR
ROCKWALL, TX 75087

STEED JASON & NATALIE MARIE
3065 N GOLIAD STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
3066 N GOLIAD
ROCKWALL, TX 75087

LIU JOHN AND CONNIE Q
3069 N GOLIAD
ROCKWALL, TX 75087

YEH ALEX CHEN-CHU AND CATHERINE LIEW
307 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
3070 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
3074 N GOLIAD
ROCKWALL, TX 75087

REED GWENDOLYN
3076 HAYS LN
ROCKWALL, TX 75087

DIRKSE RICHARD & TAMERA
3077 N GOLIAD ST
ROCKWALL, TX 75087

FRENCH DONALD
3079 N GOLIAD ST
ROCKWALL, TX 75087

SWANK ANTHONY K & KELLI J
308 IRIS DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
3084 N GOLIAD
ROCKWALL, TX 75087

WACKER ROBERT W & KATHRYN
WACKER JOINT REVOCABLE LIV TRUST
309 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
3090 N GOLIAD
ROCKWALL, TX 75087

BAKER CHRISTOPHER D
310 IRIS DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
3100 STONECREEK DR
ROCKWALL, TX 75087

CRAWFORD SHAFEN AND KATY
311 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

HUFF ELLIOTT AND TOBIE
312 NAKOMA DRIVE
ROCKWALL, TX 75087

CARRILLO FRANCISCO JR & MELODY APRIL
313 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

CLARK ALLAN JR
313 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
315 DALTON RD
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC
C/O ROCKWALL REGIONAL HOSPITAL, LLC; ATTN
LEGAL DEPT.
3150 HORIZON RD
ROCKWALL, TX 75032

CARLSON CURT AND MARIA
318 NAKOMA DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
319 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
324 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
325 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
3250 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
3251 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
3260 N GOLIAD
ROCKWALL, TX 75087

WILLIAMS VICKI LYNN
330 NAKOMA DRIVE
ROCKWALL, TX 75087

393

CURRENT RESIDENT
3301 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
331 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
336 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
337 NAKOMA DR
ROCKWALL, TX 75087

LACOUR JENNIFFER AND RICHARD
342 NAKOMA DRIVE
ROCKWALL, TX 75087

TRAMMELL LANCE AND JENNIFER
343 NAKOMA DR
ROCKWALL, TX 75087

METROPLEX ACQUISITION FUND LP
C/O RONALD DRIBBEN
357 MARIAH BAY DRIVE
HEATH, TX 75032

GEISENDORFF ALBERT G AND ANN M
3O57 N GOLIAD ST
ROCKWALL, TX 75087

TYSON STEPHANIE AND CARY
401 EMERSON DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
402 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
402 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
403 MONTROSE DR
ROCKWALL, TX 75087

HENRY KIMI LINN
405 NAKOMA DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
407 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
408 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
408 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
411 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
413 EMERSON DR
ROCKWALL, TX 75087

LIU BIN AND
XIAORUI WEI
4132 NORMANDY AVENUE
DALLAS, TX 75087

LIU BIN AND XIAO QUN WEI AND
XIAORUI WEI
4132 NORMANDY AVENUE
DALLAS, TX 75205

CURRENT RESIDENT
414 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
414 NAKOMA DR
ROCKWALL, TX 75087

TAYLOR MATTHEW A & MELINDA M
415 MIRAMAR DRIVE
ROCKWALL, TX 75087

FUGLER SHANE L
415 NAKOMA DRIVE
ROCKWALL, TX 75087

ZIEGLER RENEE A
417 MIRAMAR DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
419 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
419 MONTROSE DR
ROCKWALL, TX 75087

DEFORD JAMES M & MICAELA
419 MIRAMAR DRIVE
ROCKWALL, TX 75087

JAVKER REALTY CORP
42 BOND ST
NEW YORK, NY 10012

CURRENT RESIDENT
420 MONTROSE DR
ROCKWALL, TX 75087

394

CURRENT RESIDENT
420 NAKOMA DR
ROCKWALL, TX 75087

CLARK MOLLYE N
421 MIRAMAR DRIVE
ROCKWALL, TX 75087

NEWTON KEEGAN B AND DIANA T
423 MIRAMAR DR
ROCKWALL, TX 75087

CURRENT RESIDENT
425 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
425 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
425 NAKOMA DR
ROCKWALL, TX 75087

MITCHELL JONATHAN & AMY
425 MIRAMAR DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
426 NAKOMA DR
ROCKWALL, TX 75087

BOLDING MARK AND JULIE
426 MONTROSE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
430 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
431 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
432 MONTROSE DR
ROCKWALL, TX 75087

HUTTON WILLIAM
432 NAKOMA DRIVE
ROCKWALL, TX 75087

ASONGWE DANIEL
435 NAKOMA DRIVE
ROCKWALL, TX 75087

JOBE BRYAN AND KAREN
436 EMERSON DRIVE
ROCKWALL, TX 75087

LITTLE GENIUS OF TEXAS LLC
436 QUAIL CREEK DR
MURPHY, TX 75094

BRINKMAN DANIEL
437 EMERSON DRIVE
ROCKWALL, TX 75087

SOLER JOSEPH
4462 VISTA MEADOW CT
MOORPARK, CA 93021

WILLIAMS HAROLD B & SHARON R
450 COVEY TRL
ROCKWALL, TX 75087

MAXWELL TRACY AND KASSIE
456 COVEY TR
ROCKWALL, TX 75087

CURRENT RESIDENT
489 BENDING OAKS TRL
ROCKWALL, TX 75087

NEIGHBORS LEONARD V AND LINDA L
490 BENDING OAKS
ROCKWALL, TX 75087

CONFIDENTIAL
495 BENDING OAKS TRL
ROCKWALL, TX 75087

TOWELL KEITH R AND MARTHA M
496 BENDING OAKS TRAIL
ROCKWALL, TX 75087

599 MIRAMAR LLC
4N650 HIGH MEADOW RD
ST CHARLES, IL 60175

CURRENT RESIDENT
500 EMERSON DR
ROCKWALL, TX 75087

CONFIDENTIAL
500 NAKOMA DRIVE
ROCKWALL, TX 75087

CURTIS JOSEPH & THERESA
500 SHADOW OAKS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
501 BENDING OAKS TR
ROCKWALL, TX 75087

CURRENT RESIDENT
501 EMERSON DR
ROCKWALL, TX 75087

395

ZOPP THOMAS M & MITZI ANN
502 BENDING OAKS TRL
ROCKWALL, TX 75087

KOLESNYK OKSANA
502 COVEY TRAIL
ROCKWALL, TX 75087

CURRENT RESIDENT
505 COVEY TRL
ROCKWALL, TX 75087

ARRIAGA HENRY
505 HIDDEN OAK LN
ROCKWALL, TX 75087

CURRENT RESIDENT
506 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
506 SHADOW OAKS CT
ROCKWALL, TX 75087

MUSTAPHA AHMAD
506 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
507 EMERSON DR
ROCKWALL, TX 75087

BORN MARK I & SHELLEY L
507 BENDING OAKS TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
508 COVEY TR
ROCKWALL, TX 75087

ADAMSON KEVIN AND BECKY
509 NAKOMA DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
510 BENDING OAKS TR
ROCKWALL, TX 75087

LEE KEKE AND
BAITING WU
5101 SETTLEMENT WAY
MCKINNEY, TX 75070

YERKS SHAWN AND LISA
512 EMERSON DRIVE
ROCKWALL, TX 75032

COLL JORGE GUTIERREZ AND LARA CUCURULL RUBIO
512 NAKOMA DRIVE
ROCKWALL, TX 75087

CAMPBELL ROBERT & PATRICIA
512 SANDPIPER LN
MESQUITE, TX 75149

CURRENT RESIDENT
513 COVEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
513 EMERSON DR
ROCKWALL, TX 75087

SARMIENTO FAMILY LIV REV TRUST
ALICIA SARMIENT TRUSTEE
513 BENDING OAKS TRL
ROCKWALL, TX 75087

MCMILLAN ROBERT
514 COVEY TRL
ROCKWALL, TX 75087

JOHNSON NATALIE K
514 SHADOW OAKS COURT
ROCKWALL, TX 75087

HARTSFIELD MELINDA ANN & BRADLEY GENE
516 SAVANAH CT
ROCKWALL, TX 75087

JAMES EDWARD PROBYN IV AND KERSTIN MARIE
517 NAKOMA DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
518 NAKOMA DR
ROCKWALL, TX 75087

BODINO LORI ANN
518 EMERSON DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
519 EMERSON DR
ROCKWALL, TX 75087

DUPRE EMILY JOY
520 COVEY TRAIL
ROCKWALL, TX 75087

HULTQUIST JON J & BETH L
520 SAVANAH COURT
ROCKWALL, TX 75087

CURRENT RESIDENT
521 COVEY TRL
ROCKWALL, TX 75087

BENNETT CANDACE N AND LIONEL
523 NAKOMA DRIVE
ROCKWALL, TX 75087

396

CURRENT RESIDENT
524 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
524 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
525 EMERSON DR
ROCKWALL, TX 75087

HUNT JUNE
526 COVEY TRL
ROCKWALL, TX 75087

FELKNER GEORGE K AND CAROLYN
526 SAVANAH COURT
ROCKWALL, TX 75087

HAMILTON LYNDSE K
529 COVEY TR
ROCKWALL, TX 75087

ANDERSON JERRY AND LEANNE
529 NAKOMA DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
530 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
531 EMERSON DR
ROCKWALL, TX 75087

SEATON JOSHUA A AND BETTY I EMELIANTSEV
532 COVEY TR
ROCKWALL, TX 75087

TAYLOR WILLIAM C & JENNIFER L
532 SAVANAH CT
ROCKWALL, TX 75087

GIBRALTER JEFFREY H & LACIE L
537 COVEY TRL
ROCKWALL, TX 75087

BOWEN JAMES R & CENIA
538 COVEY TRL
ROCKWALL, TX 75087

BURKART RICHARD G & DONNA D
540 SAVANAH CT
ROCKWALL, TX 75087

PAWLIK ROBERT
544 COVEY TR
ROCKWALL, TX 75087

MACK RYAN M SR & ROBIN L
545 COVEY TRL
ROCKWALL, TX 75087

BAKER JUSTIN T AND MORGAN CHAIVRE
550 SAVANAH CT
ROCKWALL, TX 75087

PATRICK JAIME A
562 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

WELLS RENEE LAMBERT & KEVIN M
563 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

DAVIS DEREK LINN & AMIE LYNN
564 FEATHERSTONE DR
ROCKWALL, TX 75087

HOPSON THOMAS WADE & JUDY ELAINE
565 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

BERENS TYLER JOSEPH AND SAMANTHA J
566 FEATHERSTONE DR
ROCKWALL, TX 75087

INGRAM CULLEN AND JERI
567 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

STEIGER CHRISTOPHER M & ALISHA N MOTL
568 FEATHERSTON DR
ROCKWALL, TX 75087

REED SHANNON AND HEATHER
569 FEATHERSTONE DR
ROCKWALL, TX 75087

KIEHL CHRISTINE MARIE
570 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

KIEHL CHRISTINE MARIE
570 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

MARTINEZ RAMIRO AND MARIA M
571 FEATHERSTONE DR
ROCKWALL, TX 75087

HEFNER ERICH J AND AMANDA F
572 FEATHERSTONE DR
ROCKWALL, TX 75087

MERFELD BRIAN R & MEGAN J
573 FEATHERSTONE DR
ROCKWALL, TX 75087

397

GILMORE PATRICK L AND TINA D
574 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

WARRINGTON JASON
575 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

PARKER BRADLEY J & JANA C SIMARD
576 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

PATTERSON RICHARD
578 AMHERST DR
ROCKWALL, TX 75087

JORDAN JAY A AND COURTNEY L
580 AMHERST DRIVE
ROCKWALL, TX 75087

ASHLEY MARGARET P
5805 YACHT CLUB
ROCKWALL, TX 75032

NGUYEN THIEN AN NGOC AND
VAN THUY DANG
582 AMHERST DRIVE
ROCKWALL, TX 75087

FINNEY JEFFERY SCOTT AND MARY KIM
ROBERTS
582 DEVERSON DR
ROCKWALL, TX 75087

MUSTAFA MUSTAFA & DIANA AQRABAWI AND
MOHAMMAD AQRABAWI
582 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

STEPHENSON KEVIN AND DIANA E HAYNES
583 MOUNTCASTLE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
584 MOUNTCASTLE DR
ROCKWALL, TX 75087

MITCHELL TERRY AND KRISTINE
584 AMHERST DRIVE
ROCKWALL, TX 75087

RIZKALLA MAGDY I AND ANGIE N
584 BORDEAUX DR
ROCKWALL, TX 75087

INGLE BRADY AND LAUREN
584 DEVERSON DR
ROCKWALL, TX 75087

PINTO ERIC & JENNIFER BUARD
584 MIRAMAR DR
ROCKWALL, TX 75087

WARREN JEREMY J AND ALYSE M
585 BORDEAUX DR
ROCKWALL, TX 75087

ALLEN JOHN D & AMY C
585 DEVERSON DR
ROCKWALL, TX 75087

SATERY JAMES RUSSELL
585 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

GOLD STAR PROS LLC
5853 FM 36 S
QUINLAN, TX 75474

ESPARZA EZEQUIEL JR AND ANGELA MARIE
586 AMHERST DR
ROCKWALL, TX 75087

AYERSMAN JAMES L AND WANDA E
586 BORDEAUX DR
ROCKWALL, TX 75087

ESCANDOR ROMMEL A
586 DEVERSON DRIVE
ROCKWALL, TX 75087

MCBROOM NICHOLAS & ANDREA
586 MIRAMAR DR
ROCKWALL, TX 75087

COOK STEPHEN & JO-ANN
586 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

SOUZA LEVY AND LILI
587 BORDEAUX DR
ROCKWALL, TX 75087

EVANS NATHAN EDWARD & ASHLEY TAYLOR
587 DEVERSON DR
ROCKWALL, TX 75087

RIDDLE DANNY R AND CAREN M
587 MOUNTCASTLE DR
ROCKWALL, TX 75087

MILLER STEVEN & AINE
588 AMHERST DR
ROCKWALL, TX 75087

VALLADARES ELIA AND YAN
588 BORDEAUX DR
ROCKWALL, TX 75087

SARTAIN BRANDON
588 DEVERSON DRIVE
ROCKWALL, TX 75087

398

CULLEN KEVIN M & SHARON T
588 MIRAMAR DR
ROCKWALL, TX 75087

HALE WILLIE & AMY
588 MOUNTCASTLE DR
ROCKWALL, TX 75087

CONNELLY ROBERT AND RACQUEL
589 BORDEAUX DRIVE
ROCKWALL, TX 75087

MCCURDY ALEXANDER AUSTIN AND ASHLEY CRAIG
589 DEVERSON DRIVE
ROCKWALL, TX 75087

BANKHEAD JAMES II & WENDY
589 MIRAMAR DRIVE
ROCKWALL, TX 75087

VONGUNDEN ERIC AND XIOMARA
589 MOUNTCASTLE DR
ROCKWALL, TX 75087

YOUSFI SHARIQ AND SHAZIA BASIT
590 AMHERST DR
ROCKWALL, TX 75087

MATTHEWS KRISTI LEIGH AND ROSS DANIEL III
590 BORDEAUX DR
ROCKWALL, TX 75087

JONES MURRAY A & TERRI L
590 DEVERSON DRIVE
ROCKWALL, TX 75087

NOEL MARY YVONNE
590 MIRAMAR DRIVE
ROCKWALL, TX 75087

SKAGGS JUSTIN & KELLY
590 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

WARREN ANDREW JAMES AND CHRISTINE
591 BORDEAUX DR
ROCKWALL, TX 75087

GRATES CHRISTOPHER J JR AND NICOLE
591 DEVERSON DRIVE
ROCKWALL, TX 75087

KEYS BRANDON E AND JENNIFER
591 MIRAMAR DRIVE
ROCKWALL, TX 75087

STALSBERG RANDY L & SHEILA R
591 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

PURCELL CLOYCE CHAD & RACHEL LYNNE
592 AMHERST DRIVE
ROCKWALL, TX 75087

VANPELT RAYMOND J AND PAMELA J
592 BORDEAUX DR
ROCKWALL, TX 75087

CRADY KEVIN & APRIL
592 DEVERSON DR
ROCKWALL, TX 75087

SCHERER PAMELA RINAY
592 MIRAMAR DRIVE
ROCKWALL, TX 75087

DENT VICKIE L
593 BORDEAUX DR
ROCKWALL, TX 75087

BRINKLEY RICKY L & LIANE M
593 DEVERSON DR
ROCKWALL, TX 75087

MCKINNEY KAREN DIANN
593 MIRAMAR DRIVE
ROCKWALL, TX 75087

GOODEN EDWARD EARL & ALEXA JO
593 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
594 AMHERST DR
ROCKWALL, TX 75087

ROBY GREGSON CARL AND KELLIE NICHOLE
594 BORDEAUX DR
ROCKWALL, TX 75087

HUPP RUSSELL A JR AND RACHELLE L
594 DEVERSON DR
ROCKWALL, TX 75087

ROWE PETER JAMES & SARAH ELISABETH WATSON
594 MIRAMAR DR
ROCKWALL, TX 75087

WHEELER BRADLEY Q AND BARBARA D
595 BORDEAUX DRIVE
ROCKWALL, TX 75087

DYER WILLIAM A AND MARIE E
595 DEVERSON DRIVE
ROCKWALL, TX 75087

LESSARD ANNA
595 MIRAMAR DR
ROCKWALL, TX 75087

399

CONFIDENTIAL
595 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

JOHNSON CHRISTOPHER P AND KELLI RENEE
596 AMHERST DR
ROCKWALL, TX 75087

FERGERSON SHIRLEY A AND JOE H
596 BORDEAUX DR
ROCKWALL, TX 75087

ZHANG QIAO
596 DEVERSON DR
ROCKWALL, TX 75087

GRADY ANJELA S
596 MIRAMAR DR
ROCKWALL, TX 75087

BRADFORD TODD D AND KARA R
597 BORDEAUX DR
ROCKWALL, TX 75087

WARD MATTHEW DAVID
597 DEVERSON DRIVE
ROCKWALL, TX 75087

HARDING ERIK LEE & KRISTINA
597 MIRAMAR DR
ROCKWALL, TX 75087

ANNOR ABIGAIL OSEI AND MICHAEL A ADJETEY
597 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

DELONG ERIC AND JENNIFER
598 AMHERST DR
ROCKWALL, TX 75087

BOBBITT CHARLES P III AND CHERYL J
598 BORDEAUX DR
ROCKWALL, TX 75087

TAYLOR MELISSA SUMMER & JOHN
598 DEVERSON DRVIE
ROCKWALL, TX 75087

SAGER DONALD W & MELISSA M
598 MIRAMAR DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
599 MIRAMAR DR
ROCKWALL, TX 75087

MIGLIACCIO JOSEPH AND KIMBERLY
599 BORDEAUX DR
ROCKWALL, TX 75087

ASH KRISTIN
599 DEVERSON DRIVE
ROCKWALL, TX 75087

WALTERS BART A AND TIKKA M
599 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
600 MONTROSE DR
ROCKWALL, TX 75087

REBAC OF ROCKWALL, LLC
6000 UNIVERSITY AVE STE 350
WEST DES MOINES, IA 50266

CURRENT RESIDENT
601 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
601 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
601 NAKOMA DR
ROCKWALL, TX 75087

ARAIZA RODOLFO A MARES AND KRISTA
KAYLEEN MARES
601 BORDEAUX DR
ROCKWALL, TX 75087

CLAUSSEN BRIAN L
601 DEVERSON DR
ROCKWALL, TX 75087

GERMER JOHN
601 MIRAMAR DR
ROCKWALL, TX 75087

DESAI PRANAV MAHESHBHAI AND MEGHANA
601 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
602 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
602 NAKOMA DR
ROCKWALL, TX 75087

BORTZ BRIAN R AND TIFFANY A
602 AMHERST DR
ROCKWALL, TX 75087

DAHAL PUSKAR AND ANJU DHITAL
602 BORDEAUX DR
ROCKWALL, TX 75087

400

GREAVES LARRY
602 COVEY TRL
ROCKWALL, TX 75087

KIGER GEORGE WESLEY ESTATE
GEORGE KIGER JR INDEPENDENT EXECUTOR
602 DEVERSON DR
ROCKWALL, TX 75087

TOUGAW RONALD LYNN JR & LAURA JEAN
602 MIRAMAR DRIVE
ROCKWALL, TX 75087

AYLOTT JASON M & SHERI L MAXWELL-AYLOTT
603 AMHERST DR
ROCKWALL, TX 75087

WELLS MICHAEL JR AND DAWN
603 BORDEAUX DR
ROCKWALL, TX 75087

VO KEVIN & GIANG KIEU PHAM
603 DEVERSON DR
ROCKWALL, TX 75087

SOLDATOVIC DRAGANA & CEDOMIR
603 MIRAMAR LN
ROCKWALL, TX 75087

TANG MINH AND HANG NGUYEN
603 MOUNTCASTLE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
604 MONTROSE DR
ROCKWALL, TX 75087

SAUER WAYNE & CARMEN MONIQUE
604 AMHERST DRIVE
ROCKWALL, TX 75087

BUCK ROBERT E AND HALEIGH V
604 BORDEAUX DR
ROCKWALL, TX 75087

GUNDERSON RICHARD M AND ROBYN R
604 DEVERSON DR
ROCKWALL, TX 75087

BERNHARDT KATHY K
604 MIRAMAR DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
605 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
605 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
605 NAKOMA DR
ROCKWALL, TX 75087

NGUYEN TRACY
605 AMHERST DRIVE
ROCKWALL, TX 75087

NEECE DAVID JR
605 BORDEAUX DR
ROCKWALL, TX 75087

FINNEY BYRON & ELIZABETH
605 DEVERSON DR
ROCKWALL, TX 75087

ASHMORE CHRIS AND JANELLE
605 MIRAMAR DR
ROCKWALL, TX 75087

PATTERSON MICHAEL AND ABBY
605 MOUNTCASTLE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
606 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
606 NAKOMA DR
ROCKWALL, TX 75087

WEIDEMAN RANDY L & DIANNE M
606 AMHERST DRIVE
ROCKWALL, TX 75087

KING BRYAN J AND SHELLY
606 BORDEAUX DR
ROCKWALL, TX 75087

BEASLEY COREY BRYAN AND ALICIA DIANE
606 DEVERSON DR
ROCKWALL, TX 75087

SAGRAVES TODD ANDREW & HEATHER AND
VIRGINIA CHERYL TALKINGTON
606 MIRAMAR DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
607 DEVERSON DR
ROCKWALL, TX 75087

KISTLER DANIEL & STACY
607 AMHERST DRIVE
ROCKWALL, TX 75087

CARVAJAL CARLOS H & CYNTHIA H
607 BORDEAUX DRIVE
ROCKWALL, TX 75087

401

MONTGOMERY ANDREW J & MAGDALENE G
607 MIRAMAR DRIVE
ROCKWALL, TX 75087

HENSON TIA & WILLIAM KENDALL
607 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
608 MONTROSE DR
ROCKWALL, TX 75087

HUNT ROBERT PRESTON
608 AMHERST DRIVE
ROCKWALL, TX 75087

DUDLEY DANIEL R AND SHELLEY L
608 BORDEAUX DR
ROCKWALL, TX 75087

OBIOMA CHIBO & BLOSSOM
608 COVEY TRL
ROCKWALL, TX 75087

KAUR KAMALJEET AND
AJEET SINGH
608 DEVERSON DR
ROCKWALL, TX 75087

MCMAHAN THOMAS H & SHANNON J
608 MIRAMAR DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
609 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
609 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
609 NAKOMA DR
ROCKWALL, TX 75087

SMITH JAMES M & SHIRLEY LYNN
609 AMHERST DRIVE
ROCKWALL, TX 75087

MCGUIRE DANIEL R AND JENNIFER
609 BORDEAUX DR
ROCKWALL, TX 75087

YAKEL DEREC AND KATARZYNA
609 DEVERSON DR
ROCKWALL, TX 75087

SUTER ANTHONY AND MELISSA
609 MIRAMAR DRIVE
ROCKWALL, TX 75087

LOYA MARK A AND SHIVON P
609 MOUNTCASTLE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
610 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
610 NAKOMA DR
ROCKWALL, TX 75087

WILCOX GRANTLEY & KELLY
610 AMHERST DRIVE
ROCKWALL, TX 75087

PRINCE ERVIN F AND PAMELA
610 BORDEAUX DRIVE
ROCKWALL, TX 75087

LACEY GARY & KIMBERLY ENGLE
610 DEVERSON DRIVE
ROCKWALL, TX 75087

BURGIEL BROOKE
610 MIRAMAR DR
ROCKWALL, TX 75087

CUNNINGHAM ELISA
611 MOUNTCASTLE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
612 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
612 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
612 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
613 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
613 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
613 NAKOMA DR
ROCKWALL, TX 75087

CONFIDENTIAL
613 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

402

CURRENT RESIDENT
614 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
614 NAKOMA DR
ROCKWALL, TX 75087

PEOPLES BILLY W JR
614 COVEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
616 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
617 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
617 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
617 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
618 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
618 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
620 COVEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
620 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
621 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
621 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
621 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
622 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
622 NAKOMA DR
ROCKWALL, TX 75087

DREES CUSTOM HOMES LP
6225 N ST HWY 161 #150
IRVING, TX 75038

CURRENT RESIDENT
624 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
625 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
625 FM552
ROCKWALL, TX 75087

CURRENT RESIDENT
625 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
625 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
626 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
626 NAKOMA DR
ROCKWALL, TX 75087

HASEGAWA TETSUYA & PATRICIA EMY AOKI
626 COVEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
628 MONTROSE DR
ROCKWALL, TX 75087

PUGH WILLIAM C AND DIANA L
628 PIPPIN LANE
KINGSVILLE, TX 78363

CURRENT RESIDENT
629 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
629 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
629 NAKOMA DR
ROCKWALL, TX 75087

403

CURRENT RESIDENT
630 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
630 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
632 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
633 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
633 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
633 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
634 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
634 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
636 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
637 EMERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
637 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
637 NAKOMA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
640 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
641 EMERSON DR
ROCKWALL, TX 75087

CAMPBELL KEN AND ROSE M
655 YORK DR
ROCKWALL, TX 75087

PICHA KEVIN KENNETH AND NANCY LYNN
657 YORK DR
ROCKWALL, TX 75087

CONFIDENTIAL
658 FEATHERSTONE DR
ROCKWALL, TX 75087

DANG TIET DINH & THANH THI VU DANG
659 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

WLODARCZAK MARCUS ANTHONY AND
DANIEL GRANT SHIRLEY
659 YORK DR
ROCKWALL, TX 75087

HALL ROBERT E AND PATRICIA A
660 FEATHERSTONE DR
ROCKWALL, TX 75087

BENNETT DANIELLE ACCARDO AND SEAN M
660 HANOVER DR
ROCKWALL, TX 75087

TEAGUE GREGORY CHARLES
661 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

CARTER FAMILY TRUST
RICHARD CARTER AND MARY CARTER TRUSTEES
661 YORK DR
ROCKWALL, TX 75087

LLOYD MARK S AND ANGIE L
662 FEATHERSTONE DR
ROCKWALL, TX 75087

BRITT MATTHEW THOMAS AND SARAH
REBECCA
662 HANOVER DR
ROCKWALL, TX 75087

GARCIA SANTIAGO DIAZ
662 YORK DR
ROCKWALL, TX 75087

BINDER TIMOTHY J AND LISSA A
663 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

BLAIR BRYNN FORBRICH AND CHRISTON
MICHAEL
663 HANOVER DR
ROCKWALL, TX 75087

OPITZ JEFF AND CAROL
663 YORK DR
ROCKWALL, TX 75087

JETER JAMES D AND CAROL L
664 FEATHERSTONE DR
ROCKWALL, TX 75087

404

MOSS MICHAEL ANDREW AND BETH ANN
664 HANOVER DR
ROCKWALL, TX 75087

RADICIONI WADE AND LISA R
664 YORK DR
ROCKWALL, TX 75087

BRAKSTAD BENGT AND THERESA KATHLEEN
665 FEATHERSTONE DR
ROCKWALL, TX 75087

HALL BRYAN PATRICK
665 HANOVER DR
ROCKWALL, TX 75087

IONITA MIHAI AND LAURA
665 YORK DR
ROCKWALL, TX 75087

GASTON DAVID LEE AND CARRIE ANN
667 FEATHERSTONE DR
ROCKWALL, TX 75087

OGLE JONATHAN A AND TONI L
667 HANOVER DR
ROCKWALL, TX 75087

MARKHAM BRUCE D AND DONNETTA P
667 YORK DR
ROCKWALL, TX 75087

CORL KIMBERLY BETH & JON DEREK
668 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

GLYNN JAMES T AND SALLY A
668 HANOVER DR
ROCKWALL, TX 75087

WEISS DANIEL HERMAN
668 YORK DR
ROCKWALL, TX 75087

CURRENT RESIDENT
669 YORK DR
ROCKWALL, TX 75087

WINCHEL TANYA M
669 FEATHERSTONE DR
ROCKWALL, TX 75087

POLEY JOHN R AND KATHRYNE L
669 HANOVER DR
ROCKWALL, TX 75087

CURLEE BRET A AND SUSAN L
670 FEATHERSTONE DR
ROCKWALL, TX 75087

RICKETTS GREGORY B & DANIELLE E
670 HANOVER DRIVE
ROCKWALL, TX 75087

MCLAUGHLIN PATRICK PARKER
670 YORK DR
ROCKWALL, TX 75087

BOWERS DON
671 FEATHERSTONE DR
ROCKWALL, TX 75087

LOFLAND WILLIAM CHRISTOPHER AND LYNDSEY NICOLE
671 HANOVER
ROCKWALL, TX 75087

ERICKSON JULIA A AND DAVID
671 YORK DR
ROCKWALL, TX 75087

WILLIAMS DONALD AND TAMMY
672 FEATHERSTONE DR
ROCKWALL, TX 75087

SPRADLING JOHN RYAN AND SARAH KIM
672 HANOVER DR
ROCKWALL, TX 75087

DRAKE VERNON EUGENE & TOYA YVETTE
672 YORK DRIVE
ROCKWALL, TX 75087

HUYNH TAN KHAH AND THUY THU
673 FEATHERSTONE DR
ROCKWALL, TX 75087

VILLARREAL CRAIG ALAN AND CHARLYN ROBIN HANNA
673 HANOVER DR
ROCKWALL, TX 75087

WRIGHT BOBBY PAUL AND MARY L
674 FEATHERSTONE DR
ROCKWALL, TX 75087

MILLER JAMES RYAN
674 HANOVER DRIVE
ROCKWALL, TX 75087

ECKROTE KENNETH R & LESLIE A
674 YORK DRIVE
ROCKWALL, TX 75087

ALBARELLI REBECCA & GEORGE
675 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

MARTINEZ CARLOS FERNANDO RODRIGUEZ
675 HANOVER DR
ROCKWALL, TX 75087

405

MUELLER BRYAN SCOTT
676 HANOVER DRIVE
ROCKWALL, TX 75087

DORTCH TOMMY C & ELLEN D
676 YORK DRIVE
ROCKWALL, TX 75087

WEBER ANDREW JOSEPH AND DANIELLE MARIE WEBER
677 HANOVER DRIVE
ROCKWALL, TX 75087

ENGLISH ERIC S AND TEREON DENISE MCCLARIN
678 HANOVER DR
ROCKWALL, TX 75087

TRAN VINCENT VINH & KATHERINE NGOC TU
678 YORK DR
ROCKWALL, TX 75087

HOPPER MICHAEL ERIC AND TINA CHERIEE
679 HANOVER DR
ROCKWALL, TX 75087

KANG MINCHUL AND MIYOUNG CHEONG
680 YORK DR
ROCKWALL, TX 75087

CDGT ROCKWALL/2016 LLC
6925 FM 2515
KAUFMAN, TX 75142

CDT ROCKWALL/2017 LLC
6925 FM 2515
KAUFMAN, TX 75142

CURRENT RESIDENT
700 MONTROSE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
704 MONTROSE DR
ROCKWALL, TX 75087

GREER PATRICIA L
710 BROOKFIELD DR
GARLAND, TX 75040

GOLIAD REAL ESTATE LLC
7700 EASTERN AVENUE SUITE 705
DALLAS, TX 75209

BOGERT WILLIAM PAUL AND RENEE
771 BORDEAUX DRIVE
ROCKWALL, TX 75087

LUPER JUSTIN GARRET
7718 VISTA RIDGE LANE
SACHSE, TX 75048

ERICKSON BRENT D AND JENNIFER
772 BORDEAUX DRIVE
ROCKWALL, TX 75087

HUNTER JEFFREY KYLE & RENEE MARIE
774 DEVERSON DRIVE
ROCKWALL, TX 75087

PURSELL NATHANIEL S AND NILAFE R
775 BORDEAUX DRIVE
ROCKWALL, TX 75087

ATINC MAHMUT GUCLU AND MURUVVET YASEMIN OCAL-
775 DEVERSON DR
ROCKWALL, TX 75087

SUN WEI AND
BAO AN LI
775 HANOVER DRIVE
ROCKWALL, TX 75087

MCDONALD SONDRA S
776 BORDEAUX DR
ROCKWALL, TX 75087

KERLEY KATHRYN LEE AND CHARLES VANCE
776 DEVERSON DR
ROCKWALL, TX 75087

ILLIG ANTHONY A & KRISTIN D
776 MIRAMAR DRIVE
ROCKWALL, TX 75087

COBB ARTHUR AND DEIDRA
776 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

CHEEK ASHLEY DAVID & CHRISTIN
776 YORK DRIVE
ROCKWALL, TX 75087

REED TREVOR LANCE & ADRIENNE
777 BORDEAUX DR
ROCKWALL, TX 75087

HACKNEY JAMES M AND KATHY Y
777 DEVERSON DR
ROCKWALL, TX 75087

PANAK DAVID LEO & LISA RENE
777 HANOVER DRIVE
ROCKWALL, TX 75087

CLEVENGER WANDA
777 MIRAMAR DR
ROCKWALL, TX 75087

BRYANT DENNIS A & ROBYN E
777 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

406

CURRENT RESIDENT
778 DEVERSON DR
ROCKWALL, TX 75087

GOTTLEABER STEVEN AND TERRI
778 BORDEAUX DR
ROCKWALL, TX 75087

CRUZ SANTIAGO & NINFA E
778 HANOVER DRIVE
ROCKWALL, TX 75087

BAILEY LANCE & KALI
778 MIRAMAR DRIVE
ROCKWALL, TX 75087

VELASQUEZ KRISTEN F AND
DAYAN I VELASQUEZ ESCUDERO
778 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

TAYLOR LAURA
778 OAK HOLLOW
ROCKWALL, TX 75087

YATES TERRY WILLIAM & CYNTHIA
778 YORK DRIVE
ROCKWALL, TX 75087

FREEMAN COLBY C AND NEISHA E
779 BORDEAUX DR
ROCKWALL, TX 75087

BUCKNER JUSTIN S AND ELAINE THOAI-ANH
NGUYEN
779 DEVERSON DR
ROCKWALL, TX 75087

BOYD STEPHEN & SUSAN
779 MIRAMAR
ROCKWALL, TX 75087

HASSAN AKRAM A AND AMAL
779 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

LEE NICHOLAS Q AND SABRINA BH PHUNG
780 BORDEAUX DR
ROCKWALL, TX 75087

CONFIDENTIAL
780 DEVERSON DRIVE
ROCKWALL, TX 75087

HAMPTON CHRISTOPHER T AND HEATHER M
780 HANOVER DR
ROCKWALL, TX 75087

COULMAN MICHAEL SCOTT & ANASTASIA V
780 MIRAMAR DRIVE
ROCKWALL, TX 75087

SOUTHAM MARK J AND LINDA D
780 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

BIESEL TROY H
780 YORK DRIVE
ROCKWALL, TX 75087

WILLIAMSON BRENNAN AND SARAH
781 BORDEAUX DR
ROCKWALL, TX 75087

DOBSON JASON M AND KIMBERLY
781 DEVERSON DR
ROCKWALL, TX 75087

JACKSON SHANNON D
781 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

HIESTER DAVID LIFE ESTATE AND
MADELEINE N HIESTER
781 HANOVER DRIVE
ROCKWALL, TX 75087

SAUNDERS RICHARD & STACI
781 MIRAMAR DRIVE
ROCKWALL, TX 75087

HOLLOWAY SHERYLL
781 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

PHELAN RYAN PATRICK
782 BORDEAUX DR
ROCKWALL, TX 75087

WING ABIGAIL E
782 DEVERSON DR
ROCKWALL, TX 75087

PATTERSON WILLIAM L JR AND DWAYLA L
REVOCABLE LIVING TRUST
782 HANOVER DR
ROCKWALL, TX 75087

GENTILE JOSEPH C
782 MIRAMAR DRIVE
ROCKWALL, TX 75087

SIMPSON CODY M & LESLIE
782 MOUNTCASTLE DR
ROCKWALL, TX 75087

MABRY AMY PEARCE & RUSSELL KYLE
782 YORK DRIVE
ROCKWALL, TX 75087

OLSON JAMES A AND JEAN V
783 BORDEAUX DR
ROCKWALL, TX 75087

407

BASSETT-FITTOS DENISE A
783 DEVERSON DR
ROCKWALL, TX 75087

DANG TANYA AND
BRYANT TRAN
783 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

MYERS SHELLI
783 HANOVER DRIVE
ROCKWALL, TX 75087

RENNER KEVIN AND CECILIA
783 MIRAMAR DR
ROCKWALL, TX 75087

GRISWOLD ADAM & ASHLEY
783 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

CONFIDENTIAL
HEATHER A CAMUNE
784 BARRYMORE DR
ROCKWALL, TX 75087

STANDEN DARREN JOSEPH AND KAREN BONNIE
784 BORDEAUX DR
ROCKWALL, TX 75087

HOLDEN CHRISTOPHER & SANDRA
784 DEVERSON DR
ROCKWALL, TX 75087

SLOAN JAMES R AND JUDY A GARZA
784 HANOVER DR
ROCKWALL, TX 75087

JOHNSON EMMA G
784 MIRAMAR DRIVE
ROCKWALL, TX 75087

BREYTSPRAAK DONALD JR & NONNIE
784 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

HALE B CALVIN & PHYLLIS A
784 YORK DR
ROCKWALL, TX 75087

WALSH DEREK AND MICHELLE
785 BORDEAUX DR
ROCKWALL, TX 75087

CALDWELL ERIC AND DEBBIE
785 DEVERSON DR
ROCKWALL, TX 75087

CUTLER CLAUDE K & VIVIAN M
785 FEATHERSTONE DR
ROCKWALL, TX 75087

WATTS WILLIAM MARK & LORI LYNN
785 HANOVER DRIVE
ROCKWALL, TX 75087

EMERSON JAIME
785 MIRAMAR DRIVE
ROCKWALL, TX 75087

MUELLER MICHAEL RAY AND MERRITT
785 MOUNTCASTLE DR
ROCKWALL, TX 75087

TBC FAMILY TRUST
TONY AND BRENDA CAMPAGNA TRUSTEES
786 BARRYMORE DRIVE
ROCKWALL, TX 75087

JOHNSON BART JACOB AND AMANDA DAWN
786 BORDEAUX DR
ROCKWALL, TX 75087

HARDWICK GLENDA
786 DEVERSON DR
ROCKWALL, TX 75087

VAUGHN JESSE & CARLA MICHELLE
786 FEATHERSTONE DR
ROCKWALL, TX 75087

BAILEY ALAN W & SHIRLEY Y
786 HANOVER DR
ROCKWALL, TX 75087

WENDEL PAUL AND TERRI
786 MIRAMAR DRIVE
ROCKWALL, TX 75087

PATTERSON MICHAEL WAYNE AND MICHELLE
KEHOE
786 MOUNTCASTLE DR
ROCKWALL, TX 75087

RUSSELL WILLIAM
786 YORK DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
787 BARRYMORE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
787 DEVERSON DR
ROCKWALL, TX 75087

CURRENT RESIDENT
787 FEATHERSTONE DR
ROCKWALL, TX 75087

ROBERTSON RYAN LYNDLE AND LYNETTE MARIE
787 BORDEAUX DRIVE
ROCKWALL, TX 75087

408

LAND GEOFFREY ALLISON & ERNANI MAXINE
787 HANOVER DR
ROCKWALL, TX 75087

COLLIER MELODEE
787 MIRAMAR DRIVE
ROCKWALL, TX 75087

OWUSU JOSEPH AND
FLAVIA FRIMPONG
787 MOUNTCASTLE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
788 DEVERSON DR
ROCKWALL, TX 75087

MCDONALD BRADLEY NEAL AND JULIE LYNN
788 BARRYMORE DR
ROCKWALL, TX 75087

PODINA STEVEN L
788 BORDEAUX DR
ROCKWALL, TX 75087

LAKIN RICHARD J & SUSAN C
788 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

CONFIDENTIAL
788 HANOVER DR
ROCKWALL, TX 75087

BURGIEL KEVIN THOMAS
788 MIRAMAR DR
ROCKWALL, TX 75087

THOMAS JOHN EARL & ADRIENNE CAPRI
788 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

BLACKETER LARRY M AND GWENDOLYN HILL
788 YORK DR
ROCKWALL, TX 75087

CURRENT RESIDENT
789 FEATHERSTONE DR
ROCKWALL, TX 75087

EVERHART RYAN M AND KARA M GILLILAND
789 BORDEAUX DR
ROCKWALL, TX 75087

CRUMP GUY AND MELISSA
789 DEVERSON DR
ROCKWALL, TX 75087

LORTS NANCY J
789 HANOVER DRIVE
ROCKWALL, TX 75087

MURRAY BRYAN A & SHANNON
789 MIRAMAR DR
ROCKWALL, TX 75087

DEAN SHELLY & ROBERT
789 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
790 HANOVER DR
ROCKWALL, TX 75087

MAGUIRE LINDSAY T & CHRISTOPHER M
790 BARRYMORE DRIVE
ROCKWALL, TX 75087

HAWKINSON JEFFREY S AND MADELINE N
790 BORDEAUX DR
ROCKWALL, TX 75087

GREEN MATTHEW DWAYNE AND TWILA
790 DEVERSON DRIVE
ROCKWALL, TX 75087

FOWLER DOUGLAS LYNN & ROBIN
790 FEATHERSTONE DR
ROCKWALL, TX 75087

HAVENS WILLIAM
790 MIRAMAR DRIVE
ROCKWALL, TX 75087

KARKHOFF MICHAEL AND JUDY
790 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

KELLY TIMOTHY
790 YORK DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
791 FEATHERSTONE DR
ROCKWALL, TX 75087

BAWCUM ROSS AND TIFFANY
791 BARRYMORE DR
ROCKWALL, TX 75087

HUGHES JACOB AUSTIN AND CANDICE
791 BORDEAUX DR
ROCKWALL, TX 75087

KINSEY SHEARON KAY
791 DEVERSON DR
ROCKWALL, TX 75087

ALBRITTON MICHAEL H & ELAINE W LIVING
TRUST
MICHAEL H & ELAINE W ALBRITTON TRUSTEES
791 HANOVER DRIVE
ROCKWALL, TX 75087

409

SCHWISTER TODD J AND APRIL D
791 MIRAMAR DR
ROCKWALL, TX 75087

TAYLOR SCOTTY LEE AND MEAGAN
791 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

PATEL BHAVIK & ASMINI
792 BARRYMORE DRIVE
ROCKWALL, TX 75087

MURPHY MICHAEL & VICKI
792 DEVERSON DR
ROCKWALL, TX 75087

MOMSEN KIMBERLY MICHELE
792 FEATHERSTONE DR
ROCKWALL, TX 75087

DAVISON CHARLES DAVID AND NANCY JOAN
792 HANOVER DR
ROCKWALL, TX 75087

KIESCHNICK ROGER
792 MIRAMAR DR
ROCKWALL, TX 75087

WOODLIFF JACK AND EMMA
792 MOUNTCASTLE DR
ROCKWALL, TX 75087

WILSON BRANDON CRAIG AND EMILY MARIE
792 YORK DR
ROCKWALL, TX 75087

CURRENT RESIDENT
793 MOUNTCASTLE DR
ROCKWALL, TX 75087

REEVES ERIC
793 BARRYMORE DR
ROCKWALL, TX 75087

WEBB CAROLYN K
793 DEVERSON DRIVE
ROCKWALL, TX 75087

SCHLADWEILER DEREK AND SARAH RENAE
793 FEATHERSTONE DRIVE
ROCKWALL, TX 75087

HARP CHRISTOPHER J AND PENNY
793 HANOVER DR
ROCKWALL, TX 75087

COSTELLO NICHOLAS D & MELISSA L
793 MIRAMAR DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
794 BORDEAUX DR
ROCKWALL, TX 75087

HALE ALAN LEE AND RITA M
794 AMHERST DR
ROCKWALL, TX 75087

LAMB CHANCE DUKE
794 BARRYMORE DR
ROCKWALL, TX 75087

SCHROEDER DAVID J & MARGARET D
794 DEVERSON DR
ROCKWALL, TX 75087

MULLIS RHETT DANIEL AND SUSAN
794 FEATHERSTONE DR
ROCKWALL, TX 75087

EVANS MARCUS EUGENE AND DEANN
794 HANOVER DR
ROCKWALL, TX 75087

VALK CATHLEEN A
794 MIRAMAR DRIVE
ROCKWALL, TX 75087

GORDON SCOTT AND MIRANDA
794 MOUNTCASTLE DR
ROCKWALL, TX 75087

THERRIEN MICHAEL AND VICTORIA
794 YORK DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
795 FEATHERSTONE DR
ROCKWALL, TX 75087

CHINN MARK & ELENA
795 AMHERST DR
ROCKWALL, TX 75087

DOPKINS DANIEL AND JENNIFER
795 BARRYMORE
ROCKWALL, TX 75087

LOTHSCHUTZ PAMELA
795 DEVERSON DR
ROCKWALL, TX 75087

NURMI DOUGLAS B & LISA R
795 HANOVER DRIVE
ROCKWALL, TX 75087

DAVIS BOYCE W & MISTY C
795 MIRAMAR DRIVE
ROCKWALL, TX 75087

410

DJUKIC-LUJAN NATALIE A AND
FEDERICO I FERREYRA
795 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

DACUS BRIAN & STACIE
796 AMHERST DRIVE
ROCKWALL, TX 75087

JAMES LANIER BALLARD & ELIZABETH SUTTER
BALLARD REVOCABLE LIVING TRUST
JAMES LANIER BALLARD & ELIZABETH SUTTER
BALLARD TRUSTEES
796 BARRYMORE DRIVE
ROCKWALL, TX 75087

MULLINS KEITH AND ROBIN
796 DEVERSON DR
ROCKWALL, TX 75087

TURNER JIMMIE L
796 FEATHERSTONE DR
ROCKWALL, TX 75087

CHAMBLESS WILLIAM AND HELEN GOMEZ-
SALVADOR
796 HANOVER DR
ROCKWALL, TX 75087

VOLL ANDREW W AND JOANNA
796 MIRAMAR DR
ROCKWALL, TX 75087

WEMPE MARK STEVEN AND SUSAN SPENCER
796 YORK DR
ROCKWALL, TX 75087

CURRENT RESIDENT
797 AMHERST DR
ROCKWALL, TX 75087

CURRENT RESIDENT
797 FEATHERSTONE DR
ROCKWALL, TX 75087

LIVINGSTON ERIKA S & JACK E
797 DEVERSON DRIVE
ROCKWALL, TX 75087

TUMULTY TIMOTHY M & KIM A
797 HANOVER DRIVE
ROCKWALL, TX 75087

ARMSTRONG JOHN N AND LAURA L
797 MIRAMAR DR
ROCKWALL, TX 75087

CURRENT RESIDENT
798 BARRYMORE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
798 FEATHERSTONE DR
ROCKWALL, TX 75087

LOGWOOD CLINTON G II & DANA C
798 AMHERST DR
ROCKWALL, TX 75087

GINGRAS BRIDGET KANDICE & ETHAN WILLIAM
798 DEVERSON DR
ROCKWALL, TX 75087

TINDALL JACOB
798 MIRAMAR DR
ROCKWALL, TX 75087

DAVIS JAN ANNETTE AND DARRYL WAYNE
798 YORK DR
ROCKWALL, TX 75087

MCCORMICK KEVIN & JULIA
799 MIRAMAR DRIVE
ROCKWALL, TX 75087

ROCHE CHRISTOPHER & MELANIE
800 BARRYMORE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
801 BORDEAUX DR
ROCKWALL, TX 75087

CAMUNE CHRISTOPHER
801 AMHERST DRIVE
ROCKWALL, TX 75087

SHULTZ ZACHARY
801 MIRAMAR DRIVE
ROCKWALL, TX 75032

HIGGINS SCOTT AND KERRIANNA KNIGHT
801 MOUNTCASTLE DR
ROCKWALL, TX 75087

LOFTIS JAMES D & CHRISTINE C
802 AMHERST DRIVE
ROCKWALL, TX 75087

JONES BRYAN M AND MERICHELLE E
802 BARRYMORE DR
ROCKWALL, TX 75087

COSS MARCUS H & KRISTIN N
802 KNOX DRIVE
ROCKWALL, TX 75087

CURRY CHRISTOPHER DALE & MICHELLE RENE
802 MIRAMAR DR
ROCKWALL, TX 75087

DURAN MARCO AND KATIE
802 MOUNTCASTLE DR
ROCKWALL, TX 75087

411

PODINA LAUREN ADRIA & MICHAEL
802 YORK DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
803 MIRAMAR DR
ROCKWALL, TX 75087

MURPHY MARK R AND BRANDI L
803 AMHERST DR
ROCKWALL, TX 75087

JOHNSON CHANDLER JASON AND AMBER DAWN
803 KNOX DR
ROCKWALL, TX 75087

SICILIANO LAURA EDITH
803 MOUNTCASTLE DR
ROCKWALL, TX 75087

SLAMONS JOSEPH LAWRENCE
804 AMHERST DR
ROCKWALL, TX 75087

KHAN MASROOR
804 BARRYMORE DRIVE
ROCKWALL, TX 75087

ANDERSON JEANETTE
804 KNOX DRIVE
ROCKWALL, TX 75087

KIM YUN HYUN & JIN HEE JUNG
804 MIRAMAR DRIVE
ROCKWALL, TX 75087

ZHAO WEIDONG AND XIAOLEI WANG
804 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

FLORES JORGE & NAOMI SHALIT
804 YORK DRIVE
ROCKWALL, TX 75087

ABOUCHEDID CHARLES A
805 KNOX DRIVE
ROCKWALL, TX 75087

GODINEZ DAVID R AND KAREN W
805 MIRAMAR DR
ROCKWALL, TX 75087

PENTON RYAN THOMAS AND JENNIFER ANN
805 MOUNTCASTLE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
806 MOUNTCASTLE DR
ROCKWALL, TX 75087

EVANS DOUGLAS E
806 AMHERST DRIVE
ROCKWALL, TX 75087

HENDERSON ERIC S & MEGAN A
806 KNOX DRIVE
ROCKWALL, TX 75087

CYPERT LYNDOL & JERE
806 MIRAMAR DRIVE
ROCKWALL, TX 75087

REY LUIS SR AND JUDY L
806 YORK DR
ROCKWALL, TX 75087

MOBLEY JANET
807 AMHERST DR
ROCKWALL, TX 75087

STEWART CHRISTOPHER & PRISCILLA
807 KNOX DRIVE
ROCKWALL, TX 75087

AGEE DANIEL B AND LEAH D KING AND STEPHEN C BEUCHAW AND KAREN L BEUCHAW
807 MIRAMAR DRIVE
ROCKWALL, TX 75087

RANKIN CARLA S
807 MOUNTCASTLE DR
ROCKWALL, TX 75087

2018 M J WIEBEL REVOCABLE TRUST
MICHAEL JUSTIN WIEBEL AND JAIME LAUREN WIEBEL- TRUSTEES
808 AMHERST DRIVE
ROCKWALL, TX 75087

FERNANDEZ TERESA SUAREZ AND LUIS OSVALDO
808 KNOX DRIVE
ROCKWALL, TX 75087

BAILEY JERRY SCOTT & KAREN RENEE
808 MIRAMAR DRIVE
ROCKWALL, TX 75087

CHEW CHRISTINA
808 MOUNTCASTLE DR
ROCKWALL, TX 75087

ODEYEMI ADETUNJI
808 YORK DR
ROCKWALL, TX 75087

CURRENT RESIDENT
809 KNOX DR
ROCKWALL, TX 75087

GREER KRISTEN N
809 MIRAMAR DR
ROCKWALL, TX 75087

412

WRIGHT EMILY ELIZABETH AND KEVIN MATTHEW
810 KNOX DR
ROCKWALL, TX 75087

SHING RICHARD L & IVEY D
810 MIRAMAR DR
ROCKWALL, TX 75087

MALONE VICKI MARLA
810 MOUNTCASTLE DRIVE
ROCKWALL, TX 75087

MOY BING
811 KNOX DRIVE
ROCKWALL, TX 75087

HASSAN ALAA E & PATRICIA ANN HASSAN IBRAHIM
811 MIRAMAR DRIVE
ROCKWALL, TX 75087

HERGERT KODY AND ADRIENNE MICHELLE
812 KNOX DRIVE
ROCKWALL, TX 75087

WRIGHT EMILY ELIZABETH AND KEVIN MATTHEW
810 KNOX DRIVE
ROCKWALL, TX 75087

413

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-024: PD Amendment to PD-70

Hold a public hearing to discuss and consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the residential subdivision being a ~336-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [N. Goliad Street], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/8/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 10/21/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **10/21/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-024: PD Amendment to PD-70

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

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Case No. Z2019-024: PD Amendment to PD-70

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

We need at lest three pond for this size of DeLopement for water Run off. (Leave The Pond)

Name: Bruce A. MacLeod

Address: 111 Crest Brook Dr. Rockwall Texas.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Please place a check mark on the appropriate line below:

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☑ I am opposed to the request for the reasons listed below.

I request the developer, Dick Scarborg, take care of the common areas consistent with Appendix "C" of PD-070 prior to any amendment to reduce anything. I now and have before questioned Mr. Scarborg's integrity towards us!

Name: Michael H. Albritton

Address: 791 Hanover Drive, Rockwall TX, 75087-7150

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Case No. Z2019-024: PD Amendment to PD-70

Please place a check mark on the appropriate line below:

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MAKE THE DEVELOPER MEET THE REQUIREMENTS AGREED TO ON THE APPROVED PD-70, PAGE #81. THE DEVELOPER HAS NOT COMPLIED WITH OTHER CRITERIA AND THIS IS THE LAST SECTION AVAILIABLE WITH APPROVED DEVELOPMENT PLAN. TO COMPLY

Name: RALPH CHIZZONITE

Address: 101 CRESTBROOK DRIVE, ROCKWALL, TX. 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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KEEP PD REQUIREMENTS FOR HARD EDGE PONDS, MODIFY EXISTING POND TO HARD EDGE, RETAIN SOME TREES AROUND THE POND TO PROVIDE A PLEASING & NATURAL DRAINAGE AREA.

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Case No. Z2019-024: PD Amendment to PD-70

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Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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Case No. Z2019-024: PD Amendment to PD-70

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

WE DON'T NEED A SMALL POND ACROSS THE STREET (FEATHERSTONE) FROM THE LARGE, NATURAL POND.

Name: Bob Wacker, Kathy Wacker

Address: 309 FEATHERSTONE DRIVE

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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Case No. Z2019-024: PD Amendment to PD-70

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: Carolyn K Webb

Address: 193 Devereson Dr, Rockwall, Tx 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-024

Please place a check mark on the appropriate line below: *

- [x] I am in favor of the request.
- [ ] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Bryant

Last Name *

Tran

Address *

783 Featherstone Drive

City *

Rockwall

State *

TX

Zip Code *

75087

Email Address *

bryant.tran@outlook.com

Phone Number

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

This content is neither created nor endorsed by Google.

Google Forms

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Z2019-024

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Elliott

Last Name *

Huff

Address *

312 nakoma dr

City *

Rockwall

State *

Texas

Zip Code *

75087

Email Address *

elliotthuff2001@yahoo.com

Phone Number

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
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Z2019-024

Please place a check mark on the appropriate line below: *

- [x] I am in favor of the request.
- [ ] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I have read the request and find it to be reasonable.

Respondent Information

Please provide your information.

First Name *

Richard

Last Name *

LaCour

Address *

342 Nakoma Dr

City *

Rockwall

State *

TX

Zip Code *

75087

Email Address *

rlacour2010@gmail.com

Phone Number

512-300-9357

427

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
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- ( ) Other: _____

This content is neither created nor endorsed by Google.

Google Forms

Miller, Ryan

From: Planning
Sent: Friday, October 4, 2019 9:14 AM
To: Miller, Ryan; Gonzales, David
Subject: FW: Case Z2019-024 PD Amendment to PD-70

From: SWANK, TONY [mailto:AS5191@att.com]
Sent: Friday, October 4, 2019 8:41 AM
To: Planning
Subject: Case Z2019-024 PD Amendment to PD-70

Good morning

I received a notice for this change in the mail. I will be out of town and will not be able to attend the hearing. I would like to express my opposition to the change. I feel that the developer needs to stick with the original plans for the neighborhood.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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Case No. Z2019-024: PD Amendment to PD-70

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Reduces HOA costs

Name: GREGSON ROBY
Address: 514 BORDEAUX DR, ROCKWALL, TX 75087

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Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-024: PD Amendment to PD-70

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

I AM NOT IN FAVOR OF REDUCING THE NUMBER OF PONDS FROM FOUR (4) TO TWO (2) PONDS. I THINK THAT TWO PONDS IS INADEQUATE FOR AN AREA OF THIS SIZE AND WILL NOT COPE WITH FLOODING

Name: WILLIAM R. HUTTON

Address: 432 NAKOMA DR., ROCKWALL, TEXAS 75032.

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Gonzales, David

From: [redacted]
[redacted]
Tuesday, October 8, 2019 2:31 PM
To: Planning
Cc: Miller, Ryan; Gonzales, David
Subject: Case No. Z2019-024 PD Amendment to PD-70

Importance: High

Although we are not opposed to the Developer not installing an additional pond, we are **opposed** to the existing amendment as we interpret it.

We have communicated with the Corp. of Engineers (CoE) and we have an email from the CoE stating that no permit is required to clean the banks of a waterway if the roots within the waterway are not disturbed.

Stone Creek already has four (4) ponds: Featherstone at Goliad, Crestbrook, York, and at the City Park. So, the number of ponds seems to have been met.

The main outstanding issue within the PD-070 is the number of "hard-edges" and the "fountain features" for the existing ponds.

Cleaning out the area around on both sides of the creek and pond along York Drive to the water's edge and installing a fountain feature to cut down on algae would go a long way to enhance the appearance of that area.

We would like for the Developer to consider having the PD amendment written to require four (4) ponds with a fountain feature, and omitting the "hard-edge" requirement. Additionally, to accomplish the goal of making the neighborhood aesthetically pleasing, which was the original purpose of this (PD-070) requirement, the Developer would commit to cleaning out the underbrush on our creeks and around both sides of the ponds on York Drive, at his expense. No one is expecting any additional plant material, irrigation, or anything else. Just a clean-up so that the areas may be mowed to the water's edge like in the picture in the PD. Actually, the areas remaining to be cleaned are not that large, but very visible!

The City Park pond has been exempted from the water feature, so our recommendation should result in a fountain feature on Featherstone-Goliad entrance (already provided), on Crestbrook, and on the York pond.

We could end up with a beautiful neighborhood and a plan that is cost effective for the Developer and our HOA.

I am hopeful that the result of this discussion is a "win-win". The Developer wins by not having to install another hard edge pond somewhere within the neighborhood, and the citizens win a community that both the homeowners and the Developer can be proud of.

James & Shirley Smith
609 Amherst Drive, Rockwall, TX 75087

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Gonzales, David

From: Planning
Sent: Wednesday, October 9, 2019 8:46 AM
To: Gonzales, David
Subject: FW: Case No. Z2019-024: PD Amendment to PD70

From: Judy Rey [redacted]
Sent: Tuesday, October 8, 2019 5:44 PM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-024: PD Amendment to PD70

My name is Luis Rey. I live at 806 York Dr. in Stone Creek Estates. I am opposed to the request for the change in Case No. Z2019-024. I want this plan to be followed as it was originally presented. This developer has a bad habit of not doing the things he was supposed to do in Stone Creek. Now he's ready to move on, and does not want to mess with us anymore. We will never again buy a home in any neighborhood that is developed by Skorburg. He is helping ruin the beauty of Rockwall, while whoever is in charge of Rockwall, allows him to do it.
Thank you.

Luis Rey
806 York Dr.

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Gonzales, David

From: Dann [redacted]
Sent: Sunday, October 6, 2019 10:17 PM
To: Gonzales, David
Subject: Z2019-024

This serves as my vote to allow Z2019-024 to pass, allowing the developer of Stone Creek Estates to reduce the number of hard-edges ponds from 4 to 3 IF the developer is held to his promise to add a fountain to the pond on York Drive. I live on York and the pond and creek in their current state are an eyesore and dangerous.

Dann Shirley
659 York Dr., Rockwall, TX 75087

●|||||||●

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Gonzales, David

From: Kevin Picha [redacted]
Sent: Monday, October 7, 2019 12:08 PM
To: Gonzales, David
Subject: Zoning Change proposal Z2019-024

I live in Stone Creek at 657 York Drive. Regarding the Zoning Change proposal Z2019-024, I would be in favor of the proposal, removing the hard-edge requirement, adding fountain features to existing ponds that don't have a fountain, and cleaning the areas around the York pond so that maintenance can be done.

--
Kevin Picha
[redacted]

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Gonzales, David

From: Ralph Chizzonite [redacted]
Sent: Saturday, September 28, 2019 3:27 PM
To: Gonzales, David
Subject: Case No. Z2019-024: Amendment to PD-70

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon David, I hope all is well with you.
I have completed the the public hearing response form and returned it to you.

I want to reiterate a previous conversation between the Planning Department and the Stone Creek Landscape Committee is as follows:

Of the 4 hard edge ponds referenced by PD-70, the only hard edged pond in existence is the pond located of of Featherstone Drive and Goliad (SH205). In a separate agreement, the pond that was dedicated with the public park land has been counted as the second of 4 hard edge ponds, even though that pond was not configured with a hard edge. The remaining 2 ponds are still a requirement and will be required to be provided; however the development still has future phases that these ponds could be provided.

Section 10 is the last phase available to the developer to provide the remaining hard edge pond. Therefore I request that the requirement for the hard edge not be waived.
I further suggest that the existing pond be modified to a hard edge and to retain some of the existing trees around the pond. This will provide a pleasing entry and a natural retention area.

Please fill free to contact me at 614-312-9192 with any questions or comments.
Thank you,
Ralph Chizzonite

Sent from my iPad
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Gonzales, David

From: Jack Woodliff [redacted]
Sent: Saturday, October 12, 2019 12:55 PM
To: Gonzales, David
Subject: FW: Stone Creek Estates - Please Vote
Attachments: Ponds city.jpg

Sent from Mail for Windows 10

From: Bob Wacker
Sent: Friday, October 11, 2019 10:00 PM
To: Stone Creek Estate Homeowners
Subject: Stone Creek Estates - Please Vote

The City has Planned Development (PD) 0rdinances that define the requirements for specific areas.

On October 21 the City Council will vote on a proposed change to ours (PD-70).
It involves the requirement for 4 ponds with hard-edges (not natural) and fountains.

The developer will comply with the current PD-70, but is requesting one waiver of the hard-edge
for pond #4. Here are the 4 ponds, with upgrades if PD-70 change is approved.:

#1 at main entrance, already has hard-edge and fountain
#2 at park, hard-edge and fountain were waived by city & parks
#3 behind Crestbrook, he will add fountain and it already has hard edge
#4 along York, he will add fountain, but wants the hard-edge waived.

If you are in favor or not in favor of the change, please forward the message below to

DGonzales@rockwall.com

Regards,
Bob Wacker
309 Featherstone Drive
Rockwall, TX 75089

To: David Gonzales (DGonzales@rockwall.com)
Rockwall Planning Engineer

Ref: Z2019-024 Change to PD-70

____ I am in favor of the proposed change.
_Yes___ I am not in favor of the proposed change.

Regards,

Name _Jack Woodliff_____

Address __792 Mountcastle Dr._____

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Gonzales, David

From: Abby Patterson [redacted]
Sent: Saturday, October 12, 2019 8:42 AM
To: Gonzales, David

To: David Gonzales

Rockwall Planning Engineer

Ref: Z2019-024 Change to PD-70

___x_ I am in favor of the proposed change.

____ I am not in favor of the proposed change.

Regards,

Name _____abby Patterson _____

Address _____605 Mountcastle dr_____

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Gonzales, David

From: David Hiester [redacted] >
Sent: Friday, October 11, 2019 11:09 PM
To: Gonzales, David
Cc: bobwacker@att.net
Subject: Fw: Stone Creek Estates - Please Vote YES
Attachments: Ponds city.jpg

We vote "In Favor."

David and Madeleine Hiester
781 Hanover Dr

----- Forwarded Message -----
From: Bob Wacker [redacted] >
To: Neighbors [redacted]
Sent: Friday, October 11, 2019, 10:10:46 PM CDT
Subject: Stone Creek Estates - Please Vote YES

I am in favor of the proposed change.

It will benefit our neighborhood and HOA.

I hope you will vote “in favor”

Bob Wacker

From: Bob Wacker [m[redacted]
Sent: Friday, October 11, 2019 10:00 PM
To: Stone Creek Estate Homeowners
Subject: Stone Creek Estates - Please Vote

The City has Planned Development (PD) 0rdinances that define the requirements for specific areas.

On October 21 the City Council will vote on a proposed change to ours (PD-70).

It involves the requirement for 4 ponds with hard-edges (not natural) and fountains.

The developer will comply with the current PD-70, but is requesting one waiver of the hard-edge for pond #4. Here are the 4 ponds, with upgrades if PD-70 change is approved.:

#1 at main entrance, already has hard-edge and fountain

#2 at park, hard-edge and fountain were waived by city & parks

#3 behind Crestbrook, he will add fountain and it already has hard edge

#4 along York, he will add fountain, but wants the hard-edge waived.

If you are in favor or not in favor of the change, please forward the message below to

DGonzales@rockwall.com

Regards,

Bob Wacker

309 Featherstone Drive

Rockwall, TX 75089

To: David Gonzales (DGonzales@rockwall.com)

Rockwall Planning Engineer

Ref: Z2019-024 Change to PD-70

____ I am in favor of the proposed change.

____ I am not in favor of the proposed change.

Regards,

Name _____

Address _____

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Gonzales, David

From: [redacted]
Sent: Sunday, October 13, 2019 1:34 PM
To: Gonzales, David
Subject: FW: Stone Creek Estates - Please Vote YES
Attachments: Ponds city.jpg

To: David Gonzales (DGonzales@rockwall.com)
Rockwall Planning Engineer

Ref: Z2019-024 Change to PD-70

_X___ I am in favor of the proposed change.
_____ I am not in favor of the proposed change.

Regards,

Name Jack McCollum_____

Address _219 Crestbrook Drive, Rockwall 75087_____

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Gonzales, David

From: Shelley Dudley [redacted]
Sent: Saturday, October 12, 2019 6:33 PM
To: Gonzales, David
Subject: Fwd: Stone Creek Estates - Please Vote

To: David Gonzales (DGonzales@rockwall.com)

Rockwall Planning Engineer

Ref: Z2019-024 Change to PD-70

_x___ I am in favor of the proposed change.

____ I am not in favor of the proposed change.

Regards,

Name _Shelley Dudley
__

Address _608 Bordeaux Dr Rockwall, Tx 75087

Shelley Dudley- Realtor
Sent from Mobil Via voice text
"D" Magazine Top Residential Realtors
Keller Williams Realty

Cell # 214-734-8850
[redacted]



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Gonzales, David

From: Shirley Fergerson [redacted]
Sent: Sunday, October 13, 2019 9:44 AM
To: Gonzales, David
Subject: FW: Stone Creek Estates - I Vote YES

Sent: Sunday, October 13, 2019 9:08 AM

Subject: Fwd: Stone Creek Estates - I Vote YES

David Gonzales
(DGonzales@rockwall.com)
Rockwall Planning Engineer

Ref: Z2019-024 Change to PD-70

YES, I am in favor of the proposed change.

Regards,
Joe & Shirley Fergerson
596 Bordeaux Drive
Rockwall TX 75087



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Gonzales, David

From: Tom Dortch [redacted]
Sent: Sunday, October 13, 2019 5:07 PM
To: Gonzales, David
Subject: Z2019-024 Change to PD70

To: David Gonzales (DGonzales@rockwall.com)
Rockwall Planning Engineer

Ref: Z2019-024 Change to PD-70

__X__ I am in favor of the proposed change.
____ I am not in favor of the proposed change.

Regards,

Name: Tommy
Dortch

Address: 676 York Dr, Rockwall, 75087

Sent from my iPad

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Gonzales, David

From: Vicki Williams [redacted]
Sent: Saturday, October 12, 2019 11:03 AM
To: Gonzales, David
Subject: Stone Creek Estates - I Vote YES

David Gonzales
(DGonzales@rockwall.com)
Rockwall Planning Engineer

Ref: Z2019-024 Change to PD-70

YES, I am in favor of the proposed change.

Regards,
Vicki Williams
330 Nakoma Drive
Rockwall TX 75087



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Changed to 'In Favor Of' rather than 'Opposed'

Gonzales, David

From: Judy Rey [redacted]
Sent: Wednesday, October 16, 2019 3:55 AM
To: Gonzales, David
Subject: Z2019-024 Change

Mr. Gonzales,
I now approve of the change in Z2019-024. Having a fountain in the York Street pond would greatly enhance our neighborhood.
Thank you,
Luis Rey
806 York Dr.
Stone Creek Estates

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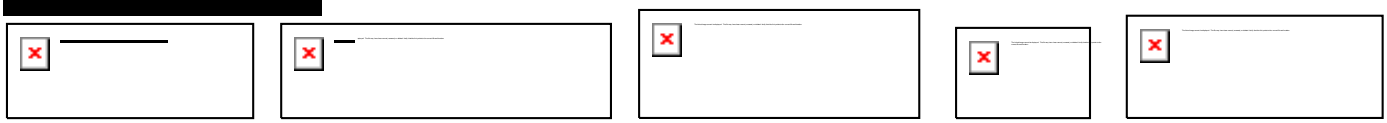
Gonzales, David

From: Michael Podina [redacted]
Sent: Wednesday, October 16, 2019 9:24 AM
To: Gonzales, David
Subject: Fountain

David, I approve of this change in adding a fountain to The York pond. My address is 802 York Dr.

Thank you,

Michael Podina | Luxury Travel Curator
972-974-8661
Lifetime Getaways an Affiliate of Travel Experts a "Virtuoso Agency"
[redacted]



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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2019-024: PD Amendment to PD-70

Please place a check mark on the appropriate line below: *

- [x] I am in favor of the request.
- [ ] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Luis

Last Name *

Fernandez

Address *

808 Knox Drive

City *

Rockwall

State *

Tx

Zip Code *

75087

Email Address *

fernandez.luis@sbcglobal.net

Phone Number

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

This content is neither created nor endorsed by Google.

Google Forms

PLEASE RETURN THE BELOW FORM

Case No. Z2019-024: PD Amendment to PD-70

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.



Name: Leah + Daniel Agee

Address: 9007 Miramar Drive, Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Gonzales, David

From: Jan Davis [redacted]
Sent: Wednesday, October 16, 2019 1:38 PM
To: Gonzales, David
Cc: Gonzales, David
Subject: Z2019-024Fountain in York pond, Stone Creek

Mr. Gonzales
Rockwall City Planner
Z2019-024,

I would most definitely approve the change to add a fountain on the York pond directly in front of my house. This would help tremendously with the algae and growth that has greatly increased since the bridge being installed.

PS if they would clean out the dead trees and debris that would be greatly appreciated as well.

Our address
Darryl and Jan Davis
798 York Dr.
Rockwall, TX

214-934-3801 Cell

Jan Davis

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Gonzales, David

From: me [redacted]
Sent: Wednesday, October 16, 2019 6:16 PM
To: Gonzales, David
Subject: Case No Z2019-024 PD Amendment to PD-70

I would to like to make known I oppose the request to amend PD-70. The developer knew the requirements going into to this development and he needs to stick to them. He has cut as many corners as possible. Hard edged retention ponds are needed to replace the natural areas that are no longer natural but have streets, sidewalks and roofs.

If I need to mail in the notice to be heard please let me know asap.

Thank you,

Alexis Casazza
1496 Brittany Way
Rockwall, TX 75087

Sent from Mail for Windows 10

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Gonzales, David

From: Lori Bodino [redacted]>
Sent: Thursday, October 17, 2019 2:12 PM
To: Gonzales, David
Subject: Ref: Z2019-024 Change to PD-70

To: David Gonzales (DGonzales@rockwall.com) Rockwall Planning Engineer Ref: Z2019-024 Change to PD-70

____ I am in favor of the proposed change.
_X_ I am not in favor of the proposed change.

Regards,

Name__Lori Ann Bodino_
Address__518 Emerson Drive, Rockwall, TX 75087__



Please do not hesitate to contact me if additional information is needed.

Regards,
Lori Ann

Lori Ann Bodino
Dallas County District Courts Administrator
600 Commerce Street, Suite 681
Dallas, Texas 75202
(214)653-6105 Office
(214)653-7202 Fax

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SKORBURG COMPANY

8214 Westchester Drive, Suite 710
Dallas, Texas 75225

Mr. Ryan Miller
Director of Planning & Zoning
385 S. Goliad Street
Rockwall, Texas 75087

September 12, 2019

Dear Mr. Miller:

Please accept this request for a zoning change to reduce the required number of hard edge retention ponds from four (4) to three (3) as described in Exhibit "C" (Planned Development District No. 70) to PD Ordinance No. 07-13 (as amended by Ordinance No. 09-44), more specifically contained in the last paragraph of Section C ("Standards for District Design and Connectivity"), Paragraph 6(d) (under "Parks and Open Space"). No other changes to the PD are being requested.

The original Stone Creek PD was approved in 2007 that included a requirement to have four (4) hard edge ponds built throughout Stone Creek Estates. The exact location and configuration of the ponds was to be determined at the time of development.

To date, three (3) ponds have been fulfilled: two (2) hard edge retention ponds were constructed with Phase I, and the third pond is located within the 11.3 acre City park that was dedicated to the City of Rockwall in January 2014. An exhibit showing the location of these three (3) existing ponds is included on the attached **Exhibit "A"**. While the pond located in the City park does not have a hard edge, it has been counted towards the PD requirement as it was the City's decision to not install a hard edge to be eligible for a State matching grant for the park. Hence, three (3) of the four (4) hard edge ponds as required by the existing PD have been satisfied.

For additional background on this request, Phase I was constructed in 2007-08, which included two (2) hard edge retention ponds. In 2012, we received notice from the City that the City's process for obtaining a Texas Commission on Environmental Quality ("TCEQ") permit for retention ponds had changed, which lengthened the permitting time period to up to a year, and due to water rights, there would be no guarantee if the permit would be approved after that time period.

To avoid the potential need for another TCEQ permit (that may or may not be approved) and adding more long-term maintenance cost burden on the HOA, we believe it is in the best interests of Stone Creek Estates not to construct an additional hard edge pond.

As such, we respectfully request the PD be modified per the attached **Exhibit "B"** to reduce the number of hard edge ponds from four (4) to three (3).

In lieu of installing a hard edge around the City park pond and a fourth hard edge pond somewhere that could pose potential future TCEQ issues in the future, we redirected value to Stone Creek residents and the City by enlarging the park dedication area (resulting in fewer lots), and will be finishing the build out of Stone Creek Estates with 32 fewer lots than allowed under the PD (the PD allows a maximum of 918 total SF lots, but the final phase of Stone Creek will result in the build out being only 886 SF lots based on the City approved preliminary plat for the final phase).

We look forward to visiting with the Planning and Zoning Commission and City Council on this proposed amendment to our master planned community.

Sincerely,

Adam J. Buczek
Skorburg Company, Development Partner
On behalf of Stone Creek Balance, Ltd, a Texas limited partnership (Owner and Applicant)

459

EXHIBIT "A"

Three (3) Existing Pond Locations

The single-family zoned land of Stone Creek Estates is outlined in yellow below.

The two (2) existing hard edge retention ponds are outlined in **BLUE.**

The one (1) existing City park pond (no hard edge, but counted toward PD hard edge pond requirement) is outlined in **ORANGE**.



460

EXHIBIT "B"

Requested Stone Creek PD Language Modification

With respect to Exhibit "C" (Planned Development District No. 70) to PD Ordinance No. 07-13 (as amended by Ordinance No. 09-44), this zoning application requests that the last paragraph of Section C ("Standards for District Design and Connectivity"), Paragraph 6(d) (under "Parks and Open Space") be modified to read as follows:

"The Developer shall provide retention ponds in the locations depicted on the Concept Plan in Exhibit "B" of this ordinance. Hardedges and fountain features shall be incorporated into Ponds 1 & 2, Pond 3 shall incorporate a natural edge, and Pond 4 shall incorporate a fountain feature and a natural edge. All retention pond hard edges shall be similar to the hard edge shown in Figure 5 below."



Figure 5: Retention Pond with Hardedge.

In addition to the above change, the Concept Plan included on Exhibit "B" of the ordinance would be updated accordingly.

Gonzales, David

From: Adam Buczek <abuczek@skorburgcompany.com>
Sent: Wednesday, October 2, 2019 10:03 AM
To: Miller, Ryan; Gonzales, David
Cc: Audrey Beard; Bryan Holland; John Arnold; Beverly
Subject: FW: Stone Creek Q&A / information on requested PD change

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning, Ryan and David.

I am forwarding you this e-mail exchange with Bob Wacker (Stone Creek resident) in which he has helped compile feedback from Stone Creek residents (on the HOA NextDoor website) about the zoning change request. I have provided responses to each on in red font below, and I want you to have this on record as we're going to install a fountain in the Crestbrook pond regardless of the outcome of this case so that pond is fully compliant with the existing PD (giving us 3 fully compliant ponds including the main entry pond (which has a fountain already) and the City Park pond – which counts even though it does not but that's with City direction.

Insofar as the 4th pond…….if this PD request gets approved, based on resident input below, we (developer) will also install an additional fountain in the pond along York (which does not have a hard edge). If not, then we'll just build the 4th pond and include a fountain in a TBD location within Stone Creek Estates while we develop the last phase of Stone Creek.

This will hopefully provide clarity and additional context for how 3 of the 4 ponds under the current PD conditions will be fully satisfied "as is", and if the PD is approved as requested – then we'll also install a fountain in the York pond (even though no hard edge) to help address the "aesthetics" comments below.

Best Regards,

Adam J. Buczek
Development Partner
Skorburg Company
8214 Westchester Drive, Suite 710
Dallas, Texas 75225
Ph: (214) 888-8843
Cell: (817) 657-5548
Fax: (214) 888-8861

From: Adam Buczek
Sent: Wednesday, October 02, 2019 9:52 AM
To: Bob Wacker <bobwacker@att.net>
Subject: Stone Creek Q&A / information on requested PD change

Good morning, Bob. Thanks for keeping me in the loop and helping me get resident feedback. I have typed responses to each comment below under "Against PD-70 Change" in **red font**. I also added some commentary / clarifying notes to your original email to make sure there's no confusion on certain facts. Feel free to share as you wish with homeowners as we want to be 100% transparent. The main things here are that we are going to install a fountain in the Crestbrook pond regardless to fulfill the PD requirement on that pond.

Also – if the PD amendment is approved, we will also install a fountain in the pond off York (which does not have a hard edge), but we'll do it anyway. If the PD amendment is not approved, then we will NOT install a fountain in the York pond – but instead, will plan to install a fountain in the 4th hard edge pond that we end up building to fulfill the existing requirements of the PD.

I will be sharing this correspondence with NMI and city staff so we are all in the loop. Questions let me know. Thanks.

Best Regards,

Adam J. Buczek
Development Partner
Skorburg Company
8214 Westchester Drive, Suite 710
Dallas, Texas 75225
Ph: (214) 888-8843
Cell: (817) 657-5548
Fax: (214) 888-8861

From: Bob Wacker <bobwacker@att.net>
Sent: Wednesday, October 02, 2019 3:25 AM
To: Adam Buczek <abuczek@skorburgcompany.com>
Subject: Status

I've summarized the key posts (Nextdoor and emails).

AGAINST PD-70 CHANGE

The City should hold the Developer accountable for the requirements (shall provide) stated in the PD?
It's the "aesthetic purpose" that we are concerned about that has not been met.

1. Why not consider a natural edge pond, with a water feature, in a different area within the neighborhood? If the City (and Stone Creek residents) prefer to leave the PD unchanged and have us install a 4th hard edge pond, we will do so. For reasons cited in our summary letter with the zoning application, the developer does not think it's the best use of HOA funds long-term – but we are happy to proceed either way.

2. Isn't the actual reason for finishing out the PD with fewer lots due to the fact that the PD requires an
average lot size of 8,000 s.f., and the Developer has to put in larger lots in Phase X to maintain that average? No. Our average lot size is voluntarily larger than what was required in the PD. For instance, we opted for a larger lot mix, dedicated a City park that is 45% larger than required by the PD, and sold additional land to the Rockwall ISD – all of which contributed to the planned build out of Stone Creek being 32 lots less than allowed by the PD.

3. Why should this pond (the one behind Crestbrook) be acceptable to the City or our neighborhood? Other than the fact that it does not currently have a fountain in it, the

pond meets the requirements of the PD. The developer will install a fountain in the Crestbrook pond in conjunction with the development of the last phase of Stone Creek to fully satisfy the PD with respect to the pond behind Crestbrook. A fountain was not previously installed due to it being a low visibility area, and therefore, we did not think it would be the best use of HOA funds in terms of directing maintenance dollars, but unless residents object, we're going to install a fountain in this pond to complete this PD element.

4. if the Developer were to agree to go back and clean-up some of these under-developed Common
Areas, perhaps the City/Developer (and residents of Stone Creek) might then be able to come to
a reasonable compromise. First and foremost, we want our residents to be happy. Open spaces in prior phases have been dedicated to the City of Rockwall and are to be maintained by the HOA pursuant to the PD and their respective recorded plats. If there are some specific areas or items that residents would like the developer to consider assisting with, they should send such items to NMI and ask them to pass on and share / discuss with the developer. One of the functions an HOA management company serves is to provide a path of communication between residents and the developer. The developer is happy to privately and in good faith review items that residents would like to be taken into consideration. Notwithstanding the foregoing, we respectfully ask residents and the City to take into account the following items in context with this zoning request:

A. Reducing the required number of hard edge ponds from 4 to 3 would help keep homeowners dues down via lower maintenance costs. A 4th pond for the HOA to maintain is not going to add value to the community, as this is an amenity that already exists in other locations. Ponds are not cheap to maintain – particularly long-term. In our view, HOA dues could be better spent / directed towards adding other types of assets in open space areas, if residents desire down the road. In turn, we have redirected value for the residents in Items B through D below.

B. With our current approved preliminary plat for the last phase of Stone Creek, we plan to finish the build out of Stone Creek with 32 fewer lots than allowed under the PD, which is significantly lower density than allowed under the PD. As stated in #2 above, we opted for a larger lot mix, dedicated a City park that is 45% larger than required, and sold additional land to the Rockwall ISD – all of which contributed to the planned build out of Stone Creek being 32 lots less than allowed by the PD.

C. Part of our plan in lieu of not doing a 4th pond was that we donated a 45% larger City park than required by the PD (and did so in a manner which got matching grant dollars to the City from the Texas Parks & Wildlife Foundation to help expedite and enhance the park improvements). The required City Park area per the PD was 7.8 acres of contiguous land. Our City Park dedication area was 11.3 acres – an increase of 3.5 acres.

D. The long-term value that is being enjoyed by the City and residents of Stone Creek is reflected in the fact that the price points of the homes throughout the community have far exceeded expectations from original projections / requirements of the original 212 agreement with the City.

5. Why not require that all the creeks and ponds be consistent with the picture that the Developer submitted as Appendix "C" in the original PD? The existing ponds are constructed in a manner consistent with the intent of the PD. The picture attached to the PD is conceptual, and as stated in the PD, the exact size/shape/configuration of ponds were to be determined at the time of development.

6. A reasonable solution would be for the Developer to clean all the Common Areas to be consistent with the picture in Appendix "C" (without a hard edge) so that all Common Areas could be mowed to the water line. Each pond has its own natural configuration, design, and maintenance needs. All common areas that have been completed to date have been timely turned over to the HOA in good condition as required. Once a common area is turned over to the HOA, the maintenance becomes the responsibility of the HOA.

7. A fountain feature needs to be added to the ponds on York Drive and maybe to the one on Crestbrook Drive to decrease algae and inhibit mosquito growth. As stated in #3 above, the developer will add a fountain to the Crestbrook pond so this pond will be 100% in compliant with the existing PD. The pond along York Drive is not one of the existing 3 ponds that have been counted towards the PD requirements; however, if this PD request gets approved, the developer will happily install an additional fountain in the pond along York Drive as well. If the zoning change request is not approved, then the 4th pond requirement will be satisfied with the construction of a separate 4th pond and fountain located elsewhere within Stone Creek Estates.

The City-owned land across from the new elementary school needs to be cleaned out for easy mowing. Then the Developer could proceed to finish out Phase X as he has initially presented with no additional pond. The City controls and maintains City-owned property.

If many of the features required by the city were not done by the developer, then this would be something he needs to complete. I feel there are many areas that are wasted and not taken advantage of due to the developer and if this is our chance to hold his feet to the fire, this is our last chance to do so. For purposes of this zoning request, the definition of "Many features…not done by the developer" means just 1 more pond and adding 2 more fountains to said ponds. All other requirements of the PD have been fulfilled to

date. On the flip, additional value has been added for the benefit of the community as described in #4 above.

I happen to view the existing pond in Phase X from my back yard, but that does afford me the ability to see the pond in active use by neighbors, and the wildlife that it facilitates. I would love to see it remain and to help future neighbors avoid future foundation issues. This pond is a stock tank pond – non-jurisdictional, and will be filled in with the development of the last phase of Stone Creek.

FOR PD-70 CHANGE

My initial posting on Nextdoor

When Stone Creek was started, the City's PD (Planned Development-70) ordinance required 4 hard-edge (stone, brick, concrete, etc) ponds. Two were built … #1 and #2. The HOA has to maintain them. The annual cost is typically $7k-$10k. Pond #3 was planned for the park, but the city waived that requirement. Its a natural area and they wanted it to stay that way.

The developer submitted the last plot of land (Phase 10) to the city for approval. The developer wants to finish Stone Creek ASAP and doesn't want to build the pond. The reason we don't want to build the pond is because we don't see it adding any value as an additional amenity to the HOA, and since we've redirected value via other avenues as stated above. Adding another pond will only add ongoing maintenance cost to the HOA, and while the location of a 4th pond is not yet determined – if we build it along the floodplain – it could require us to obtain another TCEQ permit, which we don't want to deal with. The only remaining location would be the 'pond' across from the park. Not true. We have a few options for the 4th pond location, so regardless – this stock tank pond is going to be filled in and go away with the development of the last phase of Stone Creek (Phase X). It is not a natural pond, nor a necessary retention or detention pond. It is a very old shallow stock pond. Correct. It's maintenance would be very expensive.
The park already has a large enough pond immediately across Featherstone Drive for adequate recreation. Agreed – no need for pond overkill. The HOA can accumulate $7K-$10K per year in funds and save up to add much more complimentary and other value-added amenities if it so chooses down the road rather than continually sink money into another pond.

If the PD change request is denied and a hard-edge pond must be built, it would take several

months of planning and approvals. Not true. This would only be true in the event we opted to pick a location that would require a TCEQ permit to construct the last pond. If the PD modification request is denied, we would then look for options to construct a 4th pond somewhere that would not require a TCEQ permit. And then be an extra annual maintenance cost to the HOA.

If the PD change is approved, then Phase 10 can be started quickly. Phase 10 can and is planned to start this fall regardless of the outcome of this zoning request, and the 4th pond can be built (if the PD change is not approved) anywhere within Stone Creek Estates. That will allow the homeowners to continue to take control of their HOA Board of Directors. We already have one on the Board, and the sale of the Phase 10 lots would let us replace the other two BOD members (i.e., the developer's officers) right away. Bob – the Developer will remain in control of the HOA until the last lot is sold to builders (so the homeowners will not take control of the HOA until that time – which will likely take a few more years).

I support the change and recommend that those who also agree, should read the notice we just received, check the appropriate box, sign it, and then mail it back to the City.

Another reply of mine….

1. **The existing ponds have been resolved with TCEQ and the City.**
2. **The differences in green spaces were approved at each Phase by the City. We should have raised any concerns then. WE SHOULD BE DOING THAT FOR PHASE 10 NOW.**
3. **The HOA is responsible for the existing ponds. We decide and pay for maintenance and whatever improvements we want to make.**

And another of mine …

The push to force Skorburg into building a 4th pond is also to try to get leverage on him for alternative actions … clean up the main pond, help fix the Amenity Center, etc. If he does build a 4th pond, his costs will be passed on to the new lot owners, but the HOA will have the cost of maintaining another pond. It likely would delay (TCEQ plans, approvals, construction) the homeowners takeover of the HOA BOD. The outcome of this zoning request will have no impact on the timing at which the homeowners take over the HOA BOD, as the timing of the last phase of Stone Creek will not be delayed over this item.

Approving the PD-70 amendment expedites build-out of Stone Creek Estates and our take-over..
That's why I'm in favor of it.

Bob Wacker

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

NEED PICTURE PROOF IF THERE IS A HARD EDGE AROUND THIS ENTIRE POND AREA.

Adam Buczek

From: Brandon Davidson <Bdavidson@corwinengineering.com>
Sent: Friday, September 06, 2019 2:01 PM
To: Adam Buczek
Subject: Stone Creek Phase 10
Attachments: Thumbs55.PDF

NEED 360° PICTURES SO WE SEE ALL EDGES.

Aerial of Phase 1 pond with hard edge. As-built is attached.



Brandon Davidson, P.E.













CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 70 (PD-70) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 09-44, BEING A 395.075-ACRE TRACT OF LAND SITUATED IN THE W. T. DEWEESE SURVEY, ABSTRACT NO. 71 AND THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Adam Buczek of Stone Creek Balance, LTD for the approval of a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the Stone Creek Subdivision being a 395.075-acre tract of land situated in the W. T. DeWeese Survey, Abstract No. 71 and the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District and Single Family 10 (SF-10) District land uses, located at the southwest corner of FM-552 and N. Goliad Street (*SH-205*), and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 70 [*Ordinance No.'s 07-13, 09-44 & 11-35*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 07-13, 09-44 & 11-35*;

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, contained in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a

DRAFT ORDINANCE 10-21-19

478

condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, contained in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 5. A PD Development Plan must be approved for the areas designated as *Retail* on the *Concept Plan* contained in *Exhibit 'B'*; however, the *PD Development Plan* application may be processed by the City of Rockwall concurrently with a preliminary plat application and *PD Site Plan* application.

Section 6. That the official zoning map of the City of Rockwall shall be corrected to reflect the changes in zoning as described herein.

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (*$2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 10. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF NOVEMBER, 2019.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

DRAFT ORDINANCE 10.21.19

479

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *October 21, 2019*

2nd Reading: *November 4, 2019*

DRAFT
ORDINANCE
10.21.2019

480

LEGAL DESCRIPTION

Being a 395.075-Acre tract of land situated in the W. T. DeWeese Survey, Abstract No. 71 and the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas and being all of a called 385.075-acre tract of land conveyed to W. W. Caruth Jr. by Deed recorded in *Volume 54, Page 22* Deed Records, Rockwall County, Texas (DRRCT) and also being all of a called 2.25-acre tract of land conveyed to Soden H. Harris and wife Adrine V. Harris by deed recorded in *Volume 50, Page 375* (DRRCT) being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron pipe found for a northeast corner of aforesaid 392.938-acre tract and being the northwest corner of Rockwall Middle School No. 4 Addition to the County of Rockwall by plat recorded in *Cabinet F, Page 67*, Plat Records, Rockwall County, Texas and being on the south right-of-way line of FM-552 (a variable width right-of-way).

THENCE South 00 Degrees 35 Minutes 35 Seconds East along a east line of aforesaid 392.938-acre tract and the common west line of aforesaid Rockwall Middle School No. 4 Addition a distance of 1,270.02-feet to a ½-inch capped iron rod found for the inside corner of said 382-938-acre tract and the southwest corner of said Rockwall Middle School No. 4 Addition.

THENCE North 69 Degrees 25 Minutes 13 Seconds East along a north line of aforesaid 392.938-acre tract and the common south line of aforesaid Rockwall Middle School No. 4 Addition a distance of 1,331.00-feet to a PK Nail set for a northeast corner of said 392.938-acre tract in the approximate centerline of Hayes Road (a variable width prescriptive right-of-way) and being on the west line of a called 15.00-acre tract of land conveyed to Steve L. Branch and wife Judy C. Branch by deed recorded in *Volume 234, Page 527 D*eed Records, Rockwall County, Texas a ½-inch capped iron rod found bears North 87 Degrees 58 Minutes 03 Seconds a distance of 22.82-feet.

THENCE South 00 Degrees 35 Minutes 35 Seconds East along the east line of aforesaid 392.938-acre tract and the approximate centerline of aforesaid Hayes Road and the west line of aforesaid 15.00-acre tract and the west line of a called 11.126-acre tract of land conveyed to Leon A. Smith by deed recorded in *Volume 160, Page 1,* Deed Records, Rockwall County, Texas and the west line of a called 32.00-acre and 35.5-acre tracts of land conveyed to Roy Lee Hance by deed recorded in *Volume 68, Page 73*, Deed Records, Rockwall County, Texas, a distance of 3,980.56-feet to a PK Nail set for the southeast corner of said 392.938-acre tract and being on the north line of a called 38.639-acre tract of land conveyed to Roy L. Hance and wife, Randa B. Hance by deed recorded in *Volume 91, Page 107* Deed Records, Rockwall County, Texas.

THENCE along the south line of aforesaid 392.938-acre tract and the common north line of aforesaid 30.033-acre tract and the north line of Quail Run Valley No. 2 an addition to the City of Rockwall by plat recorded in *Cabinet E, Page 185*, Plat Records, Rockwall County, Texas and the north line of Quail Run Valley, No. 1 an addition to the City of Rockwall by Plat Recorded in *Cabinet E, Page 57,* Plat Records, Rockwall County, Texas the following courses and distances:

South 89 Degrees 34 Minutes 36 Seconds West a distance of 2,364.65-Feet to a 5/8-inch iron rod with a yellow plastic cap stamped *Carter Burgress* set for corner.

South 88 Degrees 24 Minutes 39 Seconds West a distance of 650.72-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgress* set for a southwest corner of aforesaid 392.938-acre tract.

THENCE North 54 Degrees 44 Minutes 21 Seconds West a distance of 165.14-feet to a ½-inch iron pipe found for corner on the east right-of-way of State Highway 205 (a 100-foot right-of-way).

THENCE along the west line of aforesaid 392.938-acre tract and the common east right-of-way of aforesaid State Highway 205 the following courses and distances:

North 14 Degrees 18 Minutes 45 Seconds West a distance of 1,942.08-feet to a 5/8 inch iron rod with a

DRAFT ORDINANCE 10.21.19

481

yellow plastic cap stamped *Carter Burgess* set for corner and the beginning of a tangent curve to the right having a central angle of 10 Degrees 15 Minutes 35 Seconds a radius of 5,380.00-feet. A chord bearing of North 69 Degrees 11 Minutes 27 Seconds West and a chord length of 1,015.74-feet.

Along said tangent curve to the right an arc length of 1,017.09-feet to a concrete right-of-way monument found for corner.

North 04 Degrees 03 Minutes 51 Seconds West a distance of 379.29-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner, a concrete right-of-way monument found bears South 00 Degrees 29 Minutes 25 Seconds West a distance of 4.10-feet and being the beginning of a tangent curve to the right having a central angle of 03 Degrees 07 Minutes 00 Seconds a radius of 5,580.00-feet a cord bearing of North 02 Degrees 30 Minutes 27 Seconds West and a chord length of 305.93-feet.

Along said tangent curve to the right an arc length of 305.97-feet, to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner a concrete right-of-way monument found bears South 02 Degrees 45 Minutes 01 Seconds East a distance of 3.95-feet.

North 00 Degrees 56 Minutes 57 Seconds West a Distance of 1,499.13-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner a concrete right-of-way monument found bears South 10 Degrees 54 Minutes 38 Seconds East, a distance of 5.48-feet.

North 44 Degrees 58 Minutes 31 Seconds East a distance of 85.41-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner at the intersection of the east right-of-way of aforesaid State Highway 205 and the south right-of-way of aforesaid FM-552 a concrete right-of-way monument found bears South 83 Degrees 49 Minutes 06 Seconds West a distance of 16.86-feet.

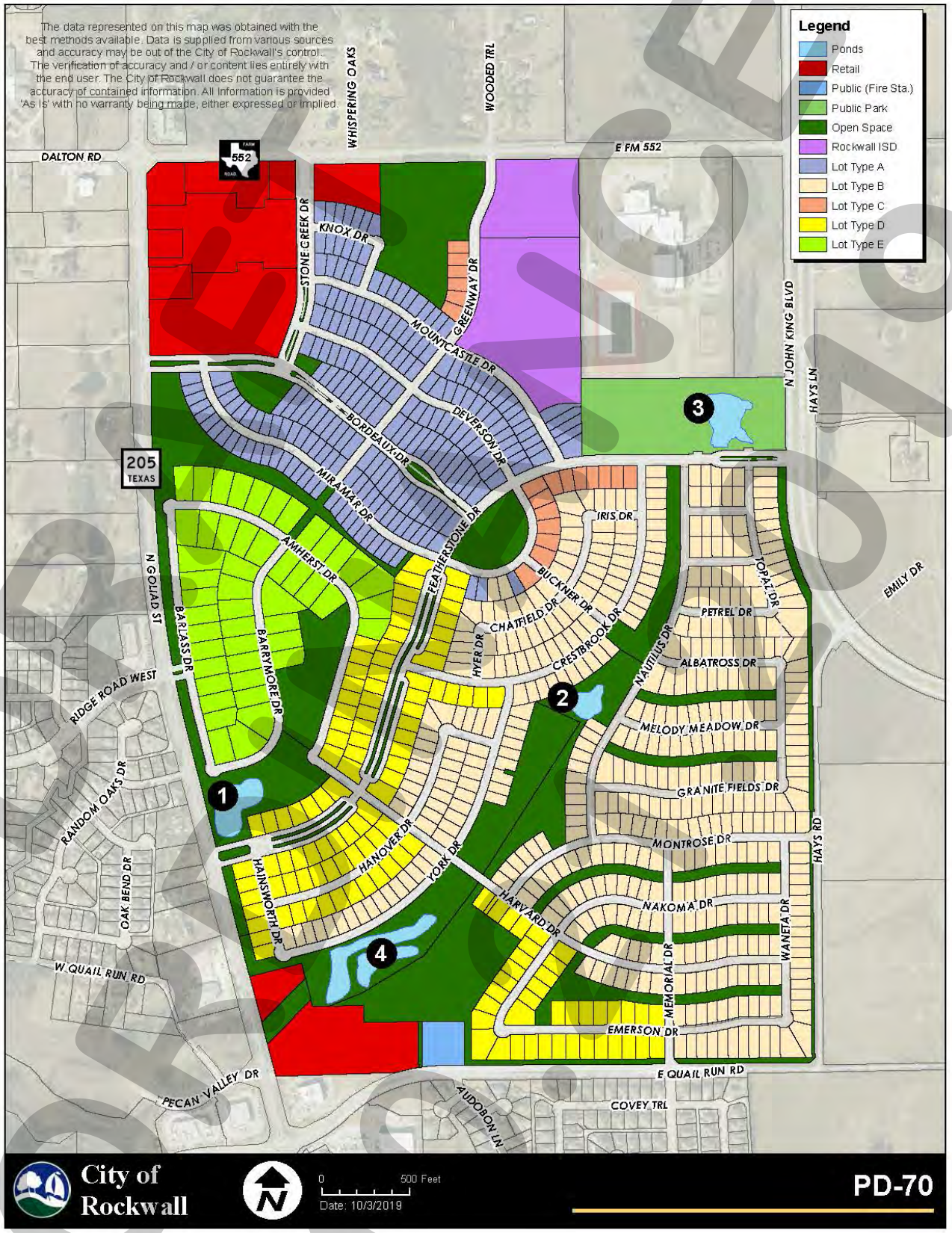
THENCE along the north line of aforesaid 392.938-acre tract and the common south right-of-way of aforesaid FM-552 the following courses and distances:

North 89 Degrees 09 Minutes 25 Seconds East a distance of 1,890.00-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner.

South 00 Degrees 50 Minutes 35 Seconds East, a distance of 10.00-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner.

North 89 Degrees 09 Minutes 25 Seconds East a distance of 521.43-feet to the *Point of Beginning* and containing 395.075-acres of land, more or less.

DRAFT
ORDINANCE
10.21.19



DRAFT 10/3/19

483

A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the *Subject Property*.

   a. *Residential Uses*. Uses permitted of right or by Specific Use Permit (SUP) for the Single Family 10 (SF-10) District, as set forth in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance 04-38*], shall be allowed for areas designated for single-family (*i.e. labeled as 50's, 60's, 70's, 80's & 100's*) on the *Concept Plan*, subject to approval of a Specific Use Permit (SUP) if required by the Single Family 10 (SF-10) District regulations.

   b. *Non-residential uses*. Non-residential uses shall be allowed only within the area designated as retail on the approved *Concept Plan* for the district, and are limited to those uses permitted of right or by special use permit for the General Retail (GR) District subject to approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Section 2 of Article X, *Planned Development Regulations*. of the Unified Development Code [*Ordinance No. 04-38*], and subject to approval of a Specific Use Permit (SUP) if required by the General Retail (GR) District regulations; provided, however, that the following uses are expressly prohibited:

   - ☑ Animal Hospital/Clinic
   - ☑ Animal Boarding/Kennel without Outside Pens
   - ☑ Convent or Monastery
   - ☑ Hotel or Motel
   - ☑ Hotel, Residence
   - ☑ Cemetery/Mausoleum
   - ☑ Mortuary of Funeral Chapel
   - ☑ Social Service Provider
   - ☑ Billiard Parlor or Pool Hall
   - ☑ Carnival, Circus, or Amusement Ride
   - ☑ Commercial Amusement/Recreation (*Outside*)
   - ☑ Gun Club, Skeet or Target Range (*Indoor*)
   - ☑ Astrologer, Hypnotist, or Psychic Art and Science
   - ☑ Garden Supply/Plant Nursery
   - ☑ Night Club, Discotheque, or Dance Hall
   - ☑ Secondhand Dealer
   - ☑ Auto Repair Garage (*Minor*)
   - ☑ Car Wash, Self Service*
   - ☑ Service Station*
   - ☑ Mining and Extraction (*Sand, Gravel, Oil & Other*)
   - ☑ Helipad
   - ☑ Railroad Yard or Shop
   - ☑ Transit Passenger Facility

   ** Not including a convenience store with an accessory car wash use or more than two (2) gas pumps, which accessory uses are permitted by SUP.*

   The following additional use shall be permitted of right in the PD District:

   - ☑ Grocery Store with a maximum building area of eighty thousand (80,000) square feet.

   c. *Design of Non-Residential Uses.* The retail areas shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the retail area shall be designed and constructed to be integrated with adjacent uses, not separated from them by screening walls or other physical barriers. This will be

DRAFT OR 21.2019

accomplished by creating paths from adjacent development into the retail area and through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

d. *Density and Lot Composition*. No more than 918 single-family residential dwelling units may be constructed within the *Subject Property*. Except as provided in subsection (e), single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

Lot Type	Lot Size Minimum	Lot SF Minimum	Driveway Access	Total Units	Total Dwelling Units (%)
A	50' x 120'	6,000	Front	180	19.6%
B	60' x 120'	7,200	Front	521	56.8%
C	70' x 120'	8,400	Front	36	03.9%
D	80' x 125'	10,000	Front	134	14.6%
E	100' x 200'	20,000	Front	47	05.1%
AVERAGE LOT SIZE:		8,000 SF			
			MAXIMUM ALLOWED TOTAL UNITS:	918	100%

e. *Variation in lot composition.* The allocation of single-family dwellings among lot types may deviate from that in subsection (d), provided that the maximum allowed total dwelling units does not exceed 918 units, the average lot size for the development is not less than 8,000 square feet, and the following rules are met:

(1) Lot types 'A', 'B', & 'C' may increase not more than 5% in aggregate number.

(2) Lot type 'D' shall not be decreased below 124 lots of the total lots developed on the *Subject Property*.

(3) Lot type 'E' shall not be decreased below 47 lots of the total lots developed on the *Subject Property*.

2. *Development Standards Applicable.*

(1) *Residential uses*. Except as may be modified by these *PD Development Standards*, areas designated for single-family (*i.e. labeled as 50's, 60's, 70's, 80's & 100's*) shall be subject to the development standards for the Single Family 10 (SF-10) District, as set forth in Subsection 3.07 of Article V, *District Development Standards*, of the Unified Development Code (UDC), to the development standards stipulated for the North SH-205 Overlay (N SH-205 OV) and the SH-205 Bypass Overlay (205 BY-OV) Districts, and to all supplemental standards contained in the Unified Development Code in effect on the effective date of this ordinance.

(2) *Non-residential uses.* Except as may be modified by these *PD Development Standards*, areas designed for *Retail* land uses shall be subject to the development standards for the General Retail (GR) District, as set forth in Subsection 4.04 of Article V, *District Development Standards*, of the Unified Development Code (UDC), to the development standards stipulated for the North SH-205 Overlay (N SH-205

DRAFT ORDINANCE 101.2019

485

OV) and the SH-205 Bypass Overlay (205 BY-OV) Districts, and to all supplemental standards contained in the Unified Development Code in effect on the effective date of this ordinance.

3. *Homeowner's Association (HOA).* A *Homeowner's Association* (*HOA*) shall be formed and duly incorporated in the State of Texas for the *Subject Property*. Membership shall be mandatory for the owner of each residential lot within these areas of the *Subject Property*. This HOA shall be established to ensure the proper maintenance of all common areas for which the HOA is either the owner or is the party designated as responsible for maintenance. The bylaws of this HOA shall establish a system of payment of dues, a system of enforcement of its rules and regulations; and an explanation of the responsibility of each member with regard to the common areas. The bylaws shall be submitted to the Director of Planning for review and approval, not to be unreasonably withheld, for conformity with this paragraph prior to the initial transfer to the HOA of ownership of any real property.

4. *Architectural Review.* All developments within the PD District shall be reviewed by an Architectural Review Committee (ARC) for the *Subject Property*, which will be composed of *Developer* representatives, throughout the completion of development. The ARC shall remain in effect until all new construction has concluded. City of Rockwall building permits shall not be issued prior to ARC approval. Certification of ARC approval shall be submitted with each building permit application, which shall comply with all anti-monotony standards as described in *Section B.4.*, *Anti-Monotony Features* of this document.

B. SPECIAL DEVELOPMENT STANDARDS

1. Dimensional Standards for Residential Uses.

Table 2: Lot Type Matrix

Lot Types	A	B	C	D	E
Maximum Building Height	36'	36'	36'	36'	36'
Minimum Air Conditioned Square Footage	1,800	2,200	2,400	2,600 [2]	3,000
Minimum Front Yard Building Setback	15'	20'	20'	20'	25'
Minimum Rear Yard Building Setback	10'	10'	15'	15'	15'
Minimum Side Yard (*Interior*)	5'	5'	5'	6'	7'
Minimum Side Yard Adjacent to a Street	15'	15'	15'	15'	15'
Minimum Distance of Driveway (*from Property Line*)	*N/A*	20'	20'	20'	25'
Minimum Lot Area (*Square Feet*)	6,000	7,200	8,400	10,000	20,000
Minimum Lot Frontage [1]	50'	60'	70'	80'	100'

Notes:

[1]: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by twenty percent (20%) in lot width measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10 percent (10%) but shall meet the minimum lot size for each lot type as referenced within Table 1.

[2]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

DRAFT ORDINANCE 10.21.2019

486

2. *Development Standards for Residential Uses by Lot Product/Type*

a. *Detached Single Family Lot Type A*

Development Standards	
Minimum Lot Size	6,000 SF
Minimum Lot Width (@ Front Building Line)	50’
Minimum Lot Depth	110’
Minimum Lot Width (Corner Lot)	55’
Minimum Side Yard Setback	5’
Minimum Front Yard Building Setback	15’
Minimum Rear Yard Building Setback	10’
Minimum Air Conditioned Square Footage	1,800 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco, cementitious siding with color palette*]	80%
Garage Orientation	Garages will be allowed to be accessed from the street; however, a minimum driveway length of 20-foot must be provided.
Maximum Lot Coverage	75%

b. *Detached Single Family Lot Type B*

Development Standards	
Minimum Lot Size	7,200 SF
Minimum Lot Width (@ Front Building Line)	60’
Minimum Lot Depth	110’
Minimum Lot Width (Corner Lot)	65’
Minimum Side Yard Setback	5’
Minimum Front Yard Building Setback	20’
Minimum Rear Yard Building Setback	10’
Minimum Air Conditioned Square Footage	2,200 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional “swing” or “J” drives. A second single garage door facing street is permitted behind (width) of double garage door in “swing” or “J” configuration only. A minimum of 33% of Type ‘B’ lots shall have 3 car garages.
Maximum Lot Coverage	65%

c. *Detached Single Family Lot Type C*

Development Standards	
Minimum Lot Size	8,400 SF
Minimum Lot Width (@ Front Building Line)	70’
Minimum Lot Depth	120’
Minimum Lot Width (Corner Lot)	75’
Minimum Side Yard Setback	6’
Minimum Front Yard Building Setback	20’
Minimum Rear Yard Building Setback	10’
Minimum Air Conditioned Square Footage	2,400 SF

DRAFT ORDINANCE 10.21.19

487

Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. A second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage	65%

d. *Detached Single Family Lot Type D*

Development Standards	
Minimum Lot Size	10,000 SF
Minimum Lot Width (@ Front Building Line)	80'
Minimum Lot Depth	125'
Minimum Lot Width (Corner Lot)	85'
Minimum Side Yard Setback	6'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	2,600 SF [1]
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Traditional "swing" or "J" drive required. A second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'D' lots shall have 3 car garages.
Maximum Lot Coverage	65%

Notes:

[1]: *A maximum of 20% of the lots may have homes not less than 2,500 SF.*

e. Detached Single Family Lot Type E

Development Standards	
Minimum Lot Size	20,000 SF
Minimum Lot Width (@ Front Building Line)	100'
Minimum Lot Depth	175'
Minimum Lot Width (Corner Lot)	100'
Minimum Side Yard Setback	7'
Minimum Front Yard Building Setback	25'
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	3,000 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Traditional "swing" or "J" drive required. A second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'E' lots shall have 3 car garages.
Maximum Lot Coverage	70%

DRAFT ORDINANCE 10.21.2019

3. *Fencing.*

   a. *Residential uses.* All individual residential fencing shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Tubular steel fencing is also acceptable for individual residential fencing, and shall be *required* on lots located along perimeter roadways, and/or abutting open spaces, greenbelts and parks. Corner lot fencing (adjacent to the street) shall provide masonry columns at 45-feet off center spacing that begins at the rear property line corner and terminates ten (10') feet behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5') feet. The property owner shall maintain that portion of the property outside the fence. Fencing shall be consistent with the language described above and *Figure 1* below.



Figure 1: *Fence Example.*

4. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	50' x 120'	i, iii, iv
B	60' x 120'	ii, iii, iv

DRAFT 10.1.2019

489

C	70’ x 120’	ii, iii, iv
D	80’ x 125’	ii, iii, iv
E	100’ x 200’	ii, iii, iv

i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, three-part stucco, cementitious siding). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least three (3) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street or two (2) intervening homes on the opposite side of the street. All chimneys shall be constructed of masonry materials, excluding cementitious siding.

ii. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). All chimneys shall be constructed of masonry materials, excluding cementitious siding.

iii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens and bathrooms.

iv. If the garage is accessed from the street a traditional “swing” or “J” drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in “swing” or “J” configuration only.

5. *Streetscape Landscape.* Prior to issuance of a Certificate of Occupancy, yards for all single-family lots on the *Subject Property* shall be landscaped with large canopy trees.

(1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.

(2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.

(3) For purposes of this section only, the term “front yard” includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot for properties in the areas identified as *Residential* on the *Concept Plan* in *Exhibit B* of this ordinance.

6. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

DRAFT ORDINANCE 10.21.19

490

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards as modified by *Street Buffer Strip Elevation and Street Cross-Section Elevations* below in *Figure 2*.

Figure 2: Illustration on next page

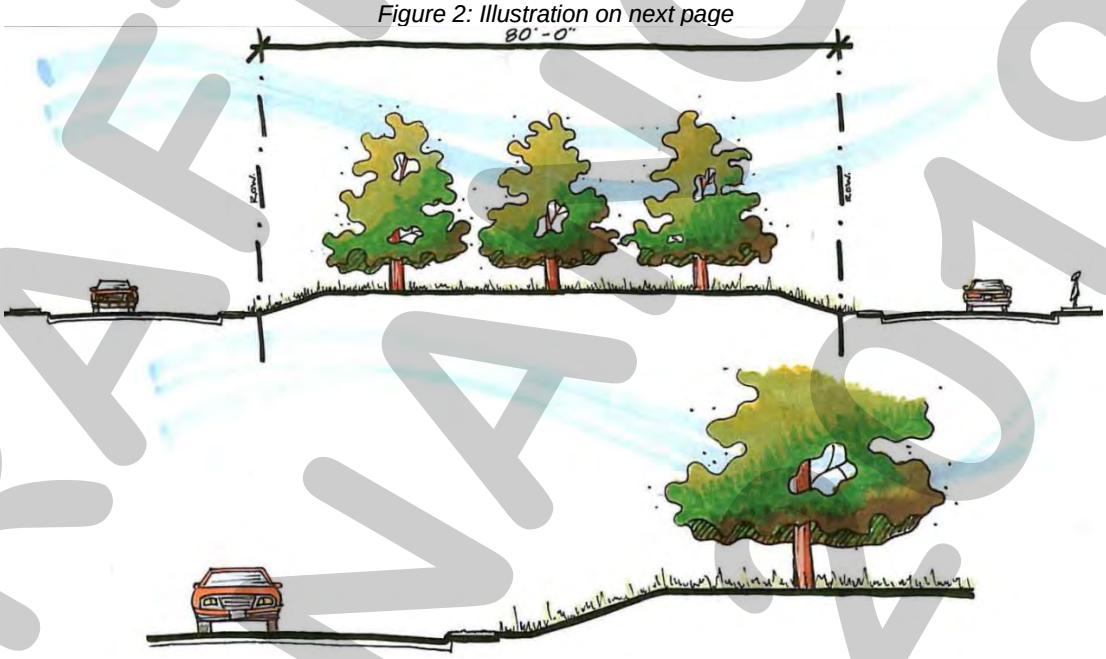


Figure 2: *Street Buffer Strip Elevation and Street Cross-Section Elevations.*

a. *Buffer-Strip for the North SH-205 Overlay (N. SH-205 OV) District.* The landscape buffer strip shall be as described in Section E, *Landscape Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), and be a minimum width of 60-feet as illustrated below in *Figures 3 & 4* and as indicated on the PD Concept Plan. Sidewalks and Hike & Bike Trails are to be placed according to city requirements and as set forth in the *Open Space Master Plan* for the District.

b. *Buffer-Strip for the SH-205 By-Pass Overlay (SH-205 BY-OV) District.* The landscape buffer strip shall be as described in Section E, *Landscape Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), and be a minimum width of 50-feet as illustrated below in *Figures 3 & 4* and as indicated on the PD Concept Plan. Sidewalks and Hike & Bike Trails are to be placed according to city requirements and as set forth in the *Open Space Master Plan* for the District.

DRAFT ORDINANCE 1021.10.19

491

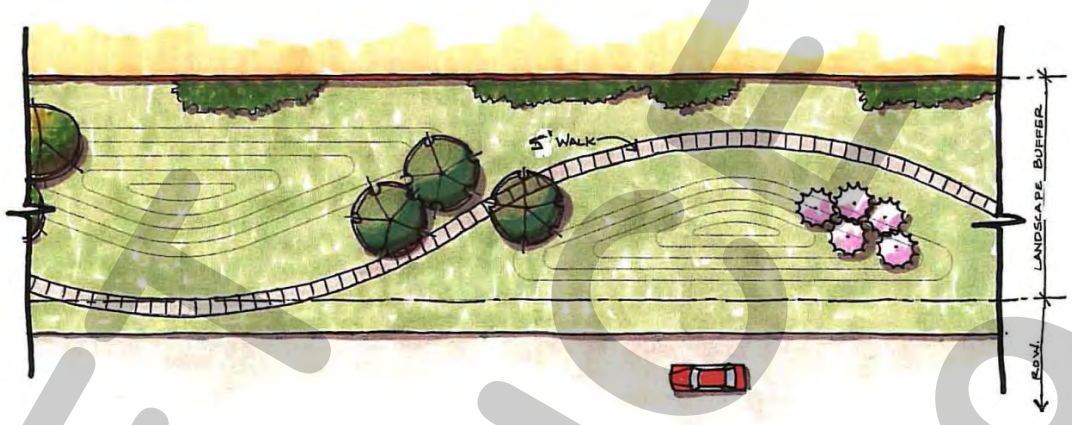


Figure 3: *Landscape Buffer Plan*

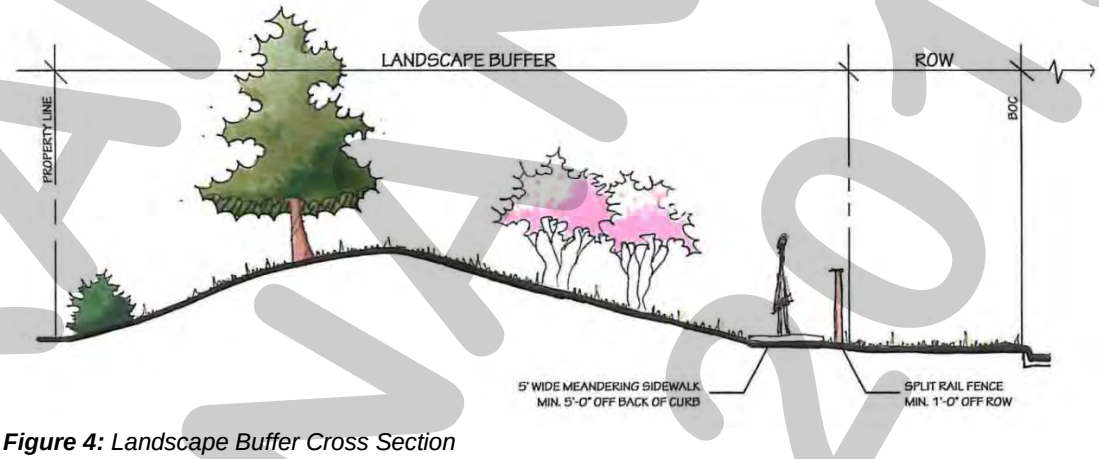


Figure 4: *Landscape Buffer Cross Section*

c. *Buffer-Strip (Outside of Overlay Districts).* The landscape buffer strip shall be a minimum of ten (10) feet on Hays Road and Quail Run Road. Sidewalks and Hike & Bike Trails are to be placed according to city requirements and as set forth in the *Open Space Master Plan* for the District.

d. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.

e. *HOA Maintained Fencing.* The Homeowner's Association (HOA) will maintain all common area and perimeter fencing surrounding the *Subject Property*. Such perimeter fencing shall be composed of a six (6) foot tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.

f. *Curvilinear Walks. Curvilinear Walks* are to be a minimum of five (5) feet in width and a maximum of six (6) feet in width (*i.e. Hike & Bike Trails*) consistent with the approved *Open Space Master Plan*. *Collector Streets*, with or without center medians, may incorporate sidewalks six (6) feet in width adjacent to or within the *front yard* landscape easements. *Curvilinear Walks* may meander within the

DRAFT ORDINANCE 2019

492

parkway and common areas; however, the edge of the walk shall be no closer than four (4) feet from the back-of-curb.

g. *Medians.* Any proposed median openings shall meet the City standards at the time of *PD Site Plan* approval.

2. *Lighting.* Light poles shall not exceed 20-feet in height, and all light fixtures shall direct light downward and be contained within the *Subject Property*.

3. *Sidewalks.* At a minimum, sidewalks located on streets shall begin four (4) feet behind the back of curb and shall be five (5) feet in overall width.

4. *Curbing.* Within *Lot Types A & B*, *roll-up-curbing* may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity. These *roll-up-curbs* shall be approved by the City of Rockwall Engineering Department with the approval of the final plat application.

5. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*i.e. 3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*, except along the SH-205 By-Pass (*i.e. John King Boulevard*). Additionally, if such above ground lines are installed along the perimeter of the *Subject Property* and adjacent to non-residential uses, then the lines shall be installed behind the non-residential buildings where the installation is possible. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.

6. *Parks and Open Space.* Allowing inclusion of approximately 50% of the school sites and floodplain shown on the *Concept Plan* and approximately 20.0% of the land on the *Subject Property* shall constitute open space, which is hereby deemed sufficient if supported by the following standards and conditions.

a. The *Subject Property* shall contain not less than 79-acres of open space including approximately 26.6-acres of floodplain as shown on *Exhibit B* of this ordinance.

b. Allowable open space may include but is not limited to public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (*including any HOA recreation center or similar facilities*) and other features depicted on the *Concept Plan*, as set forth in the *Open Space Master Plan* prepared in accordance with subparagraph (c) below. Street right-of-way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within 800-feet of a public or private open space. In

DRAFT ORDINANCE No. 19-XX

493

order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than 50-feet in width.

c. The *Developer* shall prepare the *Open Space Master Plan* to be consistent with the approved *Concept Plan*. The purpose of an *Open Space Master Plan* is to supplement the *Concept Plan* by providing an additional level of detail for public and private open space areas. The *Open Space Master Plan* shall identify the locations of and improvements to public parks, school sites and other public and private open space or common areas, taking into consideration the proximity of single-family dwellings, as required by subparagraph (a), and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the *Subject Property* to parks and open space within the *Subject Property* and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's *Master Park and Recreation Plan*. The *Open Space Master Plan* shall clearly differentiate public parks from private facilities and common lands to be maintained by the HOA. The locations of public parks, school sites and other public and private open space or common areas shown on the *Open Space Master Plan* shall be in conformance with the *Concept Plan*, except as otherwise provided in Section 7 of Article II of the *Capital Facilities Agreement* pertaining to school sites. The *Open Space Master Plan* shall include a phasing plan for construction of all trails and parks, and common open space and facilities. The *Open Space Master Plan* shall be considered for approval if it complies with this section, the applicable City regulations, the *Concept Plan*, and generally accepted park-planning practices.

d. The District shall contain not less than 7.8 acres of land to be used as public or private parkland. A minimum of 7.8 contiguous acres shall be dedicated to the City in accordance with the City's *Neighborhood Parkland Dedication Ordinance* on approval of the final plat for the first phase of the development. This dedication shall include the dedication of a five (5) foot wide parcel to connect the *City Park* within the *Subject Property* to the existing City property to the east of the middle school. The remaining area will be retained as a private park within the *District*. Park improvements shall be constructed in accordance with the approved *Open Space Master Plan*. The site plan incorporating the design of park improvements and hike /bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's *Neighborhood Parkland Dedication Ordinance* regarding land dedication. At the time of recordation of final plats for each phase, *Developer* shall pay park improvement fees to the City. These fees shall be held in an escrow account until the commencement of *Phase 3*, at which time the *Developer* shall inform the City if the *Developer* wishes to use the escrowed fees as well as future fees to construct park improvements. Said improvements shall be approved by *Parks Director*, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to *Parks Director* for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's *Neighborhood Parkland Dedication Ordinance* regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire *District*

DRAFT
ORDINANCE
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494

applicable at that time, or improvement fees are paid. Thereafter, the *Developer* shall not be responsible for additional parkland dedication or park development fees associated with the *Subject Property*, except as otherwise may be provided in a *Capital Facilities Agreement* approved by the City.

The *Developer* shall provide retention ponds in the locations depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. Hardedges and fountain features shall be incorporated into *Ponds 1 & 2*, *Pond 3* shall incorporate a natural edge, and *Pond 4* shall incorporate a fountain feature and a natural edge. All retention pond hardedges shall be similar to the hardedge shown in *Figure 5* below.



Figure 5: *Retention Pond with Hardedge.*

7. *Signage.* Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage elevations and plan shown below in *Figures 6 & 7*. Final design of entry features to be determined with the Planned Development Site Plan.

DRAFT
ORD 10.21.19

495



Figure 6: *Main Entry Subdivision Signage Elevations*

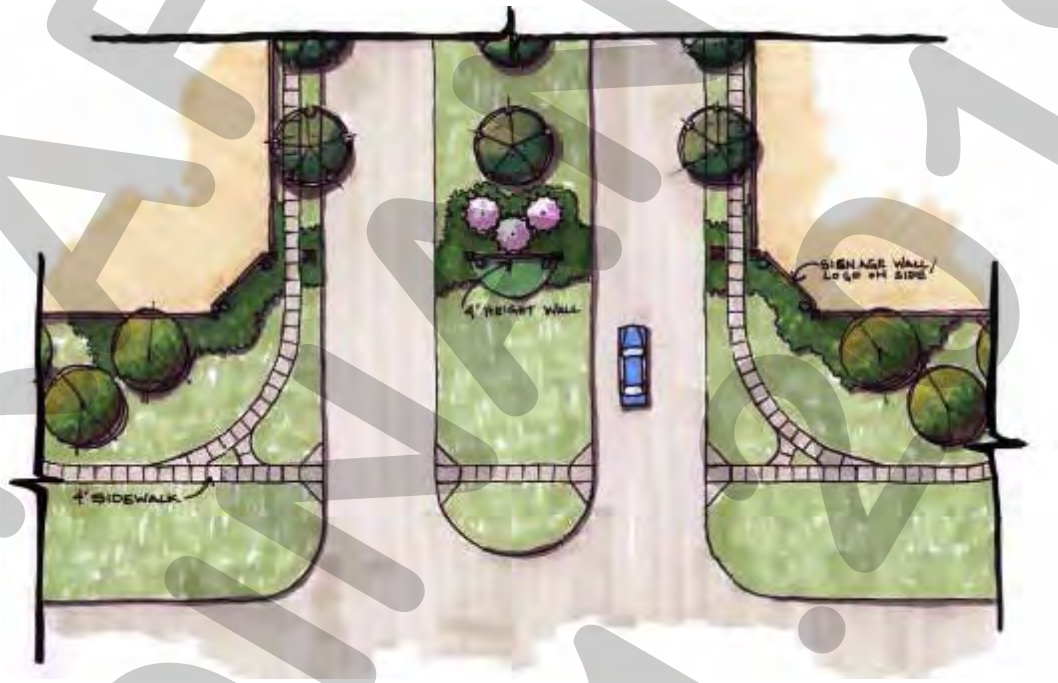


Figure 7: *Main Entry Subdivision Signage Plan*

8. *Variances.* The variance procedures and standards for approval set forth in the Unified Development Code (UDC) shall apply to any application for variance(s) to this ordinance.

9. *Amenity Center.* Developer shall construct an amenity center in approximate size and detail as shown below in *Figure 8*.

DRAFT ORDINANCE 10.21.19

496



Figure 8: *Amenity Center*

10. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper in size as measured six (6) inches above the root ball.

DRAFT ORDINANCE 10.21.2019

497

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498

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **October 21, 2019**

SUBJECT: **Variance request to reduce the required sign separation distance**

Doctor Michael Fisher and Doctor Marisa Zitterich of Fisher & Zitterich Dentistry located at 1306 Summer Lee Drive have requested to appear before the City Council to seek a variance from the required sign separation requirements for a new monument sign.

Our sign ordinance requires a minimum separation distance of 60' between free standing signs. The Applicants are currently constructing their new office building and desire to build a new monument sign with a separation distance of 44' from the nearest sign, due to very limited options for their sign placement.

The proposed monument sign complies with all other provisions within the sign code.

499

SIGN VARIANCE APPLICATION

Date: 10.17.19

Property Address of Subject: 1306 Summer Lee Dr.

Applicant Name: Zeke Bullock / Barnett Signs Day Phone #: (972) 362-8779

Address: 4250 Action Dr. Mesquite, TX 75150

Owner of Property: 1306 Summer Lee LLC Michael & Carla Fisher Day Phone #: (972) 771-4000

Address: 244 Harvest Ridge Dr. Rockwall, TX 75032

Legal Description of Property (Description may be attached):

Lot 6, Block A Temunovic Addition

Total Acreage: 1.082 Number of Lots: 1

Current Use of Property: New Construction

Proposed Use of Property: Medical Office

Requirement or Regulation for which a Variance is Requested:

We are requesting a variance to the sign ordinance for monument signs requiring 60' of separation between signs.

Reason For Variance Request: (Attach any necessary documents)

In addition to reasons stated on attached letter, there is only one other possible location in which this sign could be installed and that location also poses several hardships as well. The first being that the location would be confusing to the public as it would appear to be intended for the drive into the property to the east of this location. In addition, after meeting the required 20' adjoining property line setback, There would only be 5' of space in which to install this sign, resulting in customers unable to open their car doors without hitting their door on the sign.

Digitally signed by Zeke Bullock
Date: 2019.10.17 07:22:54 -05'00'

Signature of Applicant

500

FISHER & ZITTERICH
FAMILY | COSMETIC | IMPLANT
DENTISTRY

DR. MICHAEL FISHER DR. MARISA ZITTERICH

October 16, 2019

City of Rockwall, To Whom Concerned:

I am requesting a variance to the sign ordinance specifying 60' of separation between monument signs on adjoining properties for our new dental office currently under construction at 1306 Summer Lee Drive. Our proposed sign meets all requirements of the City sign code including size, height, masonry, electrical, front setback, and adjoining property line setback. However, due to site layout and easements on the property, the only location in which a monument sign can be constructed allows for 44' of separation between our proposed sign and the current Lakeside Allergy monument sign.

This is due to the fact that Lakeside Allergy only had to maintain a 20' adjoining property line setback as well. During the site planning phase and development of our project the City required us to use the shared access from the road with Lakeside Allergy. So we could not position our entrance farther away from that of Lakeside Allergy, and thus we cannot now position our sign farther away.

In order to meet the 60' of separation and stay out of all easements, our monument sign would have to be located far away from the entrance, and directly within several parking spaces that are now established in City-inspected and approved concrete. During the design, approval and permitting process with the City our sign position was never seen or presented as a concern, and all of our submitted site plans showed our currently requested position for our monument sign.

Please grant this request for the sign variance described above so our monument sign may have the same favorable position relative to our entrance as that of our neighbors, Lakeside Allergy and Lowrance Dental.

Gratefully,

Michael Fisher

Michael Fisher, DDS

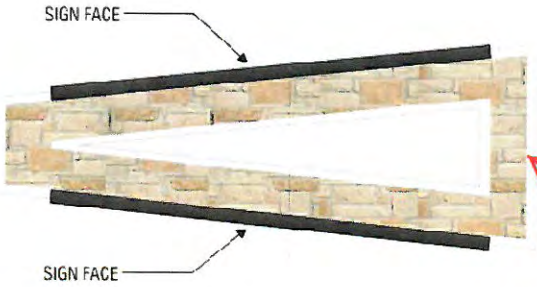
1020 W. RALPH HALL PARKWAY SUITE 101 ROCKWALL, TEXAS 75032
PHONE: 972-771-4000 FAX: 972-771-4700

501

Brick: Silver Creek Brick
- Stone: Leuders - 70% Smoke, 30% Buff
- Stucco: 66 Bright White with Semi-Textured finish
- Cast Stone: There is no actual color name for this, it's just #3 (See attached)
- Mortar: White

FABRICATED BOXED ALUMINUM CABINET PAINTED AS SHOWN
LOGO BACKGROUND AS SHOWN
LOGO LETTERS PAINTED AS SHOWN
PUSH THRU ACRYLIC COPY W/ OPAQUE VINYL OVERLAY
WHITE LED ILLUMINATION, FLUSH MOUNT TO SIGN FACE AS REQUIRED.

EXACT COLORS TO BE SPECIFIED PRIOR TO PRODUCTION.



PLAN VIEW
V-SHAPED SIGN
NTS

Disconnect to be installed on back side of sign structure.



END VIEW

SIGN C **FACE VIEW: V-SHAPED INT. ILLUM. MONUMENT SIGN**
SCALE: 3/4" = 1'-0"

Project Name:
Mike Fisher Dentist
1020 Summer Lee Drive
Rockwall, TX
75032

Date:
09.25.2019

Project Manager:
Zeke Bullock

Drawn By:
Robert Contreras

Design No.
S8

Proud Member of the following Associations

Print Verification:
PROOF
PROOF 2

48 Years BARNETT

Signs
Installation
Maintenance

BARNETT SIGNS

Barnett Signs, Inc.
4256 Action Drive
Mesquite, Texas 75150
972.681.8600 Phone
972.681.8824 Fax
barnettsigns.com

502



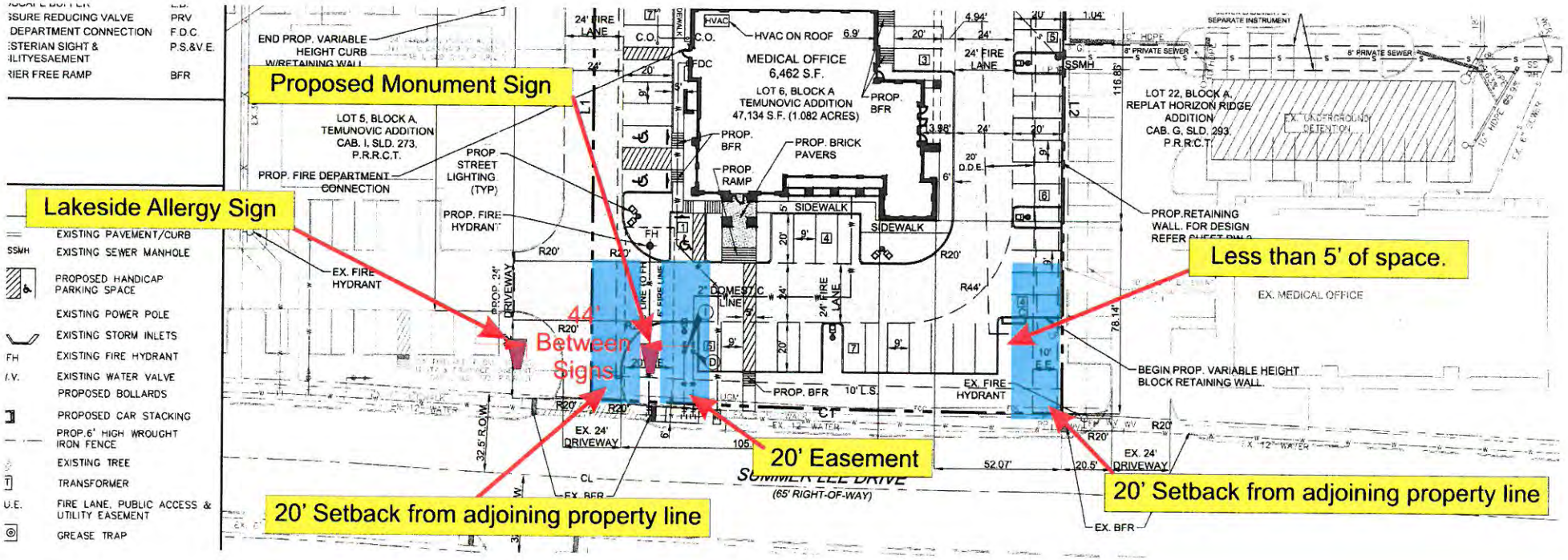
Approximate location of proposed sign

503

503


Approximate location of proposed sign
© 2018 Google
Google Earth

504


Proposed Monument Sign
Lakeside Allergy Sign
Less than 5' of space.
44' Between Signs
20' Easement
20' Setback from adjoining property line
20' Setback from adjoining property line
MEDICAL OFFICE 6,462 S.F.
LOT 6, BLOCK A TEMUNOVIC ADDITION 47,134 S.F. (1.082 ACRES)
LOT 5, BLOCK A, TEMUNOVIC ADDITION CAB. I, SLD. 273, P.R.R.C.T.
LOT 22, BLOCK A, REPLAT HORIZON RIDGE ADDITION CAB. G, SLD. 293, P.R.R.C.T.
EX. MEDICAL OFFICE
SUMMER LEE DRIVE
(65' RIGHT-OF-WAY)
END PROP. VARIABLE HEIGHT CURB W/RETAINING WALL
PROP. FIRE DEPARTMENT CONNECTION
PROP. STREET LIGHTING (TYP)
PROP. FIRE HYDRANT
EX. FIRE HYDRANT
PROP. BRICK PAVERS
PROP. RAMP
PROP. BFR
HVAC ON ROOF
PROP.RETAINING WALL. FOR DESIGN REFER
BEGIN PROP. VARIABLE HEIGHT BLOCK RETAINING WALL
EX. 24' DRIVEWAY
PROP. 24' DRIVEWAY
EX. BFR
EXISTING PAVEMENT/CURB
EXISTING SEWER MANHOLE
PROPOSED HANDICAP PARKING SPACE
EXISTING POWER POLE
EXISTING STORM INLETS
EXISTING FIRE HYDRANT
EXISTING WATER VALVE
PROPOSED BOLLARDS
PROPOSED CAR STACKING
PROP.6' HIGH WROUGHT IRON FENCE
EXISTING TREE
TRANSFORMER
FIRE LANE, PUBLIC ACCESS & UTILITY EASEMENT
GREASE TRAP

505

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506

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **October 15, 2019**

SUBJECT: **Boards & Commissions (re)Appointments**

Council is asked to consider the following reappointments and vacancies, terms of which expired back in August. The Council liaison(s) assigned to each board is listed next to the board title. Unless otherwise noted, each person listed below who is eligible for reappointment has given staff indication that he or she wishes to be reappointed.

Airport Advisory Board (Pruitt, Fowler and Macalik)

- Kellie Roby resigned - *VACANCY TO BE FILLED*

Board of Adjustments (full Council)

- David Lowrey
- Stuart Smith
- Shannon Bennett
- Peter Flores does NOT wish to be reappointed – *VACANCY TO BE FILLED*
- Todd White is termed out – *VACANCY TO BE FILLED*

Historic Preservation Advisory Board (Trowbridge)

- Carolyn Francisco
- Jay Odom
- Daniel Nichols does not wish to be reappointed - *VACANCY TO BE FILLED*
- Mike Mishler is termed out - *VACANCY TO BE FILLED*

Park Board (Johannesen)

- Fran Webb does NOT wish to be reappointed – *VACANCY TO BE FILLED*

507

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508

Cole, Kristy

Subject: Next Meeting Agenda Item

-----Original Message-----
From: Crowley, Rick <RCrowley@rockwall.com>
Sent: Tuesday, October 15, 2019 2:58 PM
To: Trowbridge, Patrick <PatrickTrowbridge@rockwall.com>
Cc: Council Group <CouncilGroup@rockwall.com>; Smith, Mary <MSmith@rockwall.com>; Boyd, Joey <JBoyd@rockwall.com>; Cole, Kristy <KCole@rockwall.com>
Subject: Re: Next Meeting Agenda Item

Sent from my iPhone

> On Oct 15, 2019, at 2:37 PM, Trowbridge, Patrick <PatrickTrowbridge@rockwall.com> wrote:
>
> I would like to talk about Water Billing at the next meeting if okay?
>
> Sent from my iPhone

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510

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	October 21, 2019
SUBJECT:	Comprehensive Plan Advisory Committee (CPAC)

At the October 7, 2019 City Council meeting, the City Council requested that staff contact the previous Comprehensive Plan Advisory Committee (CPAC) members to see if they would like to continue their service on the committee. Staff has contacted all members of the previous committee, and all seven (7) members have indicated that they would like to continue to serve on the new committee. Attached to this memorandum is a resolution that would reinstate the CPAC as a standing committee; however, the City Council may choose, at their discretion, to increase the size of the committee by appointing additional members. Should this be the case, staff will make any corrections to the resolution and bring it back before the City Council at the *November 4, 2019* City Council meeting. For general reference, staff has included the memorandum and supporting documents from the October 7, 2019 City Council meeting for the City Council's review. Should the City Council have any questions staff will be available at the October 21, 2019 City Council meeting.

511

CITY OF ROCKWALL

RESOLUTION NO. 19-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING THE COMPREHENSIVE PLAN ADVISORY COMMITTEE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a City's Comprehensive Plan -- *also known as a general plan or master plan* -- is a document intended to layout a 20-year vision for a city and guide a City Council's actions on policy decisions relating to land use and development regulations, and expenditures for capital improvements; and,

WHEREAS, the City Charter for the City of Rockwall states that "(t)he existing master plan [*Comprehensive Plan*] for the physical development of the City contains recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction … "; and,

WHEREAS, the City of Rockwall's Comprehensive Plan was originally drafted in 1966 with major updates being approved in 1986, 1995, and 2001; and,

WHEREAS, the City Council of the City of Rockwall adopted the OURHometown Vision 2040 Comprehensive Plan on December 3, 2018 by *Ordinance No. 18-48*; and,

WHEREAS, the OURHometown Vision 2040 Comprehensive Plan calls for the establishment of a standing Comprehensive Plan Advisory Committee (CPAC) that can review the Comprehensive Plan on an annual basis to account for changes to the physical development of the City, provide accountability for the progress of the plan, and to provide a clear vision for the future growth of the community; and,

WHEREAS, in an effort to ensure transparency and to further citizen involvement in the planning process, the City Council hereby establishes an appointed board of Rockwall citizens to serve as the Comprehensive Plan Advisory Committee (CPAC); and,

WHEREAS, the Comprehensive Plan Advisory Committee (CPAC) shall serve as an advisory and recommending body to ensure that the findings, recommendations and strategies identified by City staff are in alignment with the goals and vision of the community and the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. *Purpose.* The Comprehensive Plan Advisory Committee (CPAC) serves in an advisory role overseeing the preparation and annual review of the OURHometown Vision 2040 Comprehensive Plan for the purpose of achieve the following:

1) To provide advisory recommendations to City Staff, the City Council Development Review Committee (CCDC), and the City Council; and,

2) To ensure that all findings, recommendations and strategies prepared for the Comprehensive Plan are in alignment with the goals and vision of the Community and the City Council.

SECTION 2. *Members.* The Comprehensive Plan Advisory Committee (CPAC) shall consist of seven (7) members that are appointed by the City Council. These members should be

512

DRAFT RESOLUTION 10.21.19

representative of the community and may consist of members of the City's other boards and commissions, community leaders, stakeholder groups and development experts; however, all appointees shall be citizens of the City of Rockwall.

SECTION 3. *Term of Membership.* The members of the Comprehensive Plan Advisory Committee (CPAC) shall be appointed for a term of five (5) years with the ability to serve two (2) consecutive terms. Any member of the Comprehensive Plan Advisory Committee (CPAC) may be removed from office for any cause deemed by the City Council to be sufficient for removal. If a vacancy should exist on the committee due to removal from office, resignation, death, refusal or inability to serve, the City Council shall appoint a new member to fill the vacancy for a new term.

SECTION 4. *Attendance.* If a member of the Comprehensive Plan Advisory Committee (CPAC) has three (3) consecutive absences that are not excused by the Comprehensive Plan Advisory Committee (CPAC), or is absent from more than 25% of the meetings, that member may be removed from the committee; however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Comprehensive Plan Advisory Committee (CPAC).

SECTION 3. *Officers.* At the first Comprehensive Plan Advisory Committee (CPAC) meeting, the committee shall elect a Chairman and Vice-Chairman. These positions will serve for a term of three (3) years. The Vice-Chairman is to preside in the absence of the chair.

SECTION 4. *Voting.* All recommendations and decisions of the Comprehensive Plan Advisory Committee (CPAC) shall be decided by a simple majority vote.

SECTION 5. *Meetings.* The Comprehensive Plan Advisory Committee (CPAC) shall meet on an as needed basis. Since the Comprehensive Plan Advisory Committee (CPAC) is an advisory board and not a regulatory board, its meetings shall not be subject to the requirements of the Texas Open Meetings Act as stipulated by Chapter 551 of the *Texas Local Government Code*; however, the agenda for each meeting shall be posted on the City's bulletin board, in front of City Hall, a minimum of 24-hours prior to the meeting. The agenda shall indicate the time and place of each meeting. All Comprehensive Plan Advisory Committee (CPAC) meetings shall be open to the general public.

SECTION 6. *Dissolution Date [Sunset Clause].* The Comprehensive Plan Advisory Committee (CPAC) shall serve at the discretion of the City Council and may be dissolved by the City Council at any time. Upon the dissolution of the committee the members shall be released from any further obligations with respect to the Comprehensive Plan Advisory Committee (CPAC).

SECTION 7. *Effective Date.* This resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 21ST DAY OF OCTOBER, 2019.

APPROVED:

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

DRAFT RESOLUTION 10.21.19

513

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	October 7, 2019
SUBJECT:	Comprehensive Plan Advisory Committee (CPAC)

On December 3, 2018, the City Council approved *Ordinance No. 18-48*, which adopted the OURHometown Vision 2040 Comprehensive Plan. This document was the result of a two (2) year collaboration between the Comprehensive Plan Advisory Committee (CPAC), the City's boards and commissions, City staff, and the general public. The original resolution that established the CPAC in 2016 (*i.e. Resolution No. 16-17*) contained a sunset clause dissolving the committee upon the adoption of the Comprehensive Plan; however, one of the adopted implementation strategies approved with the plan calls for a standing CPAC committee that can assist staff with the required annual updates.

In response to this implementation strategy staff is requesting that the City Council appoint a standing CPAC that will function similar to the City's other advisory boards. To assist the City Council, staff has included the memorandum and guidelines presented to the City Council in 2016, and a list of the previous members of the CPAC. Staff should point out that while the previous CPAC consisted of seven (7) members, the City Council may establish a larger committee at their discretion. Staff anticipates that this committee will only meet two (2) to three (3) times a year during the annual update process, and potentially more during the five (5) and ten (10) year update process. Once the City Council has provided staff with direction concerning the committee and the number of members, staff will prepare a resolution outlining the responsibilities of the committee. Staff is currently preparing the annual update to the OURHometown Vision 2040 Comprehensive Plan for the committee's review. Should the City Council have any questions concerning this request, staff will be available at the *October 7, 2019* City Council meeting.

514

2016 CPAC Members:

1) Donna Dorman
   Personal: *Unknown*
   Boards/Committees: Rockwall Summer Musicals Member, Keep John King a Boulevard, Friends of Raymond Cameron Lake
   Address: 1093 Shady Lane Drive (Caruth Lakes, Phase 6)
   Phone: (972) 571-9855
   Email:donnadorman@swbell.net

2) Johnny Lyons
   Personal: Lyons Heating and Air (108 Interruban Street)
   Boards/Committees: Planning and Zoning Commission
   Address: 101 Becky Lane
   Phone: (214) 808-9029
   Email: jlyons@lyonsairandheat.com

3) Jerry Welch
   Personal: Ebby Halliday Realtors
   Boards/Committees: Architectural Review Board (ARB)
   Address: 1509 S. Lakeshore Drive
   Phone: (972) 800-3915
   Email: jerry@thewelchteam.com

4) Bob Wacker
   Personal: Retired
   Boards/Committees: N/A
   Address: 806 Miramar Drive (Stone Creek)
   Phone: (214) 801-9377
   Email: bobwacker@att.net

5) Shannon Nerren
   Personal: Civil Engineer
   Boards/Committees: N/A
   Address: 401 Forest Trace (599 Trout Street -- LRE)
   Phone: (409) 504-8769
   Email: swn@azb-engrs.com

6) Mike Larriviere
   Personal: Keystone Insurance & Bonds
   Volunteer: YMCA, Carter BloodCare, RISD, Lake Pointe Church
   Address: 1425 E. Quail Run Road
   Phone: (214) 649-3699
   Email: mike@kswins.com

7) Dale Cherry
   Personal: Civil Engineer
   Boards/Committees: REDC
   Address: 508 Highview Lane
   Phone: 972-978-3650
   Email: jdalecherry@gmail.com

515

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: October 3, 2016

SUBJECT: Comprehensive Plan Advisory Committee (CPAC) Resolution

As will be discussed in the work session on October 3, 2016, the City Council will need to appoint a citizen steering committee to assist staff through the proposed Comprehensive Plan update. In order to give the City Council the option of approving the resolution and/or appointing members at the October 3, 2016 meeting staff has placed this as an action item on the agenda; however, this item can be postponed to a future meeting date and does not require the Council to take action. Staff has attached the proposed resolution and a list of suggested criteria for selecting members that was provided to the City Council during the 2010 Comprehensive Plan update (*see Exhibits 'A'*). Should the City Council have any questions staff will be available at the meeting to discuss.

516

Suggestions for Comprehensive Plan Advisory Committee

- ☑ Former Planning and Zoning Commissioners;
- ☑ Current or past REDC Board Members;
- ☑ Former or Current County Commissioners;
- ☑ Independent local businessmen with interest in community;
- ☑ Representatives from the R.I.S.D. (could be a teacher);
- ☑ Real Estate individual involved in residential and commercial development;
- ☑ Local Corporate Business owner or CEO;
- ☑ Local Builder/Developer;
- ☑ Banking/Financial Investment representative involved in local development and business investment;
- ☑ Individuals that represent large neighborhoods/subdivisions or H.O.A. within the city;
- ☑ Local Civil Engineers involved in land use and development;
- ☑ Citizens that are large land owners or representatives of large land owners within the City; and,
- ☑ Representatives from non-profit organizations that affect large areas of the City.

The potential participants on the Committee should generally be individuals that:

- ☑ are interested in the growth of the City
- ☑ may have been involved in land use planning
- ☑ may have been involved in a land use conflict
- ☑ may have a considerable influence on land use planning
- ☑ may be affected by the outcome of land use planning

517

CITY OF ROCKWALL

RESOLUTION NO. 16-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING THE COMPREHENSIVE PLAN ADVISORY COMMITTEE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a City's Comprehensive Plan -- *also known as a general plan or master plan* -- is a document intended to layout a 20-year vision for a city and guide a City Council's actions on policy decisions relating to land use and development regulations, and expenditures for capital improvements; and,

WHEREAS, the City Charter for the City of Rockwall states that "(t)he existing master plan [*Comprehensive Plan*] for the physical development of the City contains recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction ... "; and,

WHEREAS, the City of Rockwall's Comprehensive Plan was originally drafted in 1966 with major updates being approved in 1986, 1995, and 2001; and,

WHEREAS, the City of Rockwall's last Comprehensive Plan update was adopted on March 5, 2012 by *Resolution No. 12-07*; and,

WHEREAS, the City Council of the City of Rockwall acknowledges that the Comprehensive Plan needs to be updated from *time-to-time* to account for changes to the physical development of the City and to provide a clear vision for the future growth of the community; and,

WHEREAS, in an effort to ensure transparency and to further citizen involvement in the planning process, the City Council hereby establishes an appointed board of Rockwall citizens to serve as the Comprehensive Plan Advisory Committee (CPAC); and,

WHEREAS, the Comprehensive Plan Advisory Committee (CPAC) shall serve as an advisory and recommending body to ensure that the findings, recommendations and strategies identified by City staff are in alignment with the goals and vision of the community and the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. *Purpose.* The Comprehensive Plan Advisory Committee (CPAC) serves in an advisory role overseeing the preparation of the Comprehensive Plan update to achieve the following:

1) To provide advisory recommendations to City Staff, the City Council Development Review Committee (CCDC), and the City Council; and,

2) To ensure that all findings, recommendations and strategies prepared for the Comprehensive Plan update are in alignment with the goals and vision of the Community and the City Council.

SECTION 2. *Members.* The Comprehensive Plan Advisory Committee (CPAC) shall consist of seven (7) members that are appointed by the City Council. These members should be representative of the community and may consist of members of the City's other boards and commissions, community leaders, stakeholder groups and development experts; however, all

appointees shall be citizens of the City of Rockwall.

SECTION 3. *Officers.* At the first Comprehensive Plan Advisory Committee (CPAC) meeting, the committee shall elect a Chairman and Vice-Chairman. These positions will serve for the duration of the committee [*i.e. until the dissolution date*].

SECTION 4. *Voting.* All recommendations and decisions of the Comprehensive Plan Advisory Committee (CPAC) shall be decided by a simple majority vote.

SECTION 5. *Meetings.* The Comprehensive Plan Advisory Committee (CPAC) shall meet on an as needed basis. Since the CPAC is an advisory board and not a regulatory board, its meetings shall not be subject to the requirements of the Texas Open Meetings Act as stipulated by Chapter 551 of the *Texas Local Government Code*; however, the agenda for each meeting shall be posted on the City's bulletin board, in front of City Hall, a minimum of 24-hours prior to the meeting. The agenda shall indicate the time and place of each meeting. All CPAC meetings shall be open to the general public.

SECTION 6. *Dissolution Date [Sunset Clause].* Upon the completion and adoption of the 2017 Comprehensive Plan Update, the Comprehensive Plan Advisory Committee (CPAC) shall be dissolved and its members shall be released from any further obligations with respect to the Committee.

SECTION 7. *Effective Date.* This resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 3RD DAY OF OCTOBER, 2016.

APPROVED:

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

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520

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **October 14, 2019**

SUBJECT: **2019 Update of the Standards of Design and Construction**

Over the course of the last year and half staff has updated the City's Standards of Design and Construction. The current Standards of Design and Construction were approved by City Council on November 7, 2016. Staff conducted several internal reviews of the Standards to address current gaps and additions.

Staff has attached a list of major changes to these standards that were made and the Updated 2019 Standards of Design and Construction. For reference the portions of the standards that have been changed are in "red". There are two of the major items that staff would like to discuss with City Council in detail. They are:

- Section 3.4: Detention
  - The addition of requiring storm water detention in the Buffalo Creek Watershed for all developments. A map has been attached for your reference as far as the extents of the Buffalo Creek Watershed within the City Limits along with a letter of recommendation from the Cities hydrologic and hydraulics engineering consultant.
- Section 6.2: Grading, Fill, Excavation and Earthwork Permit
  - The addition of the following language: *"An early fill, excavation and earthwork permit will not be issued to any development or re-development projects that are in actively being reviewed by the Engineering Division. Grading for the parcels/development will only be released after final construction plan release by the Engineering Division."*

Staff request consideration to proceed with the City Council adoption of the October 2019 update to the Standards of Design and Construction.

If you have any questions, please advise.

AJW

Attachment

Cc: Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
Rick Sherer, Water/Wastewater Manager
Billy Chaffin, Superintendent of Streets & Drainage
File

521

Major Changes to the Standards of Design and Construction

1. **General Requirements**
   - Standard Specifications: Adoption of the 5th Edition, November 2017, NCTCOG Standard Specifications for Public Works Construction.
   - Clarification of right-of-way and easement requirements
2. **Streets**
   - Addition of procedures for driveway construction and replacement on TxDOT Facilities.
   - Addition of sidewalk requirements for roadway reconstruction project. Result of the 2018 roadway bond project sidewalk policy decision from the September 3, 2019 Council Meeting.
   - Clarification of decorative sign poles and fixtures.
   - Clarification of requirements for Temporary Traffic Control.
   - Addition of Traffic Impact Analysis and Mitigation Requirements.
3. **Storm Drainage Facilities**
   - Clarification of requirements, definitions and procedures pertaining to the Unit Hydrograph Method.
   - Addition of requiring storm water detention for all developments within the Buffalo Creek Watershed.
   - Addition of requirements for determining local 100-year flood zones.
   - Clarifications and expansion of the Flood Studies, Reclamation and Modifications section to work to reduce problems staff has dealt with in past reviews.
4. **Vegetation**
   - Expanded definition of how close trees can be planted next to public utilities based on the size of the utility.
5. **Water System and Wastewater System**
   - Combined Water and Wastewater in to one section.
   - Addition of requirements for when a Infrastructure Capacity Study shall be performed.
   - Addition of procedures for water and wastewater line installation within TxDOT Right-of-Way
   - Clarification of requirements for Crossings (Culvert, Creek, TxDOT Highway, and Railroad)
   - Addition of requirements for sizing water and wastewater mains.
   - Clarification of requirements for design flow of wastewater system.
   - Addition of requirements for dead end water mains.
   - Addition of requirements on manholes for internal drop connections, corrosion protection and inflow prevention.
   - Addition of structural requirements for wastewater aerial creek crossings.
   - Addition of new sub-section for wastewater lift stations and force mains.
6. **Miscellaneous Requirements**
   - Addition of requirements allowing when grading permits are issued.
7. **Special Provisions to the NCTCOG's Standard Specifications for Public Works Construction Standards**
   - Updated to conform to the NCTCOG's 5th Edition, November 2017 and integrate City amendments.
8. **Special Provisions to the NCTCOG's Standard Drawings for Public Works Construction Standards**
   - Updated to conform to the NCTCOG's 5th Edition, November 2017 and integrate City amendments.
   - Addition of several new and updated standard details.

September 27, 2019

Amy Williams, P.E.
City Engineer
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Re: Detention Considerations for Buffalo Creek Watershed

Dear Ms. Williams:

Two of the largest watershed areas within the City of Rockwall are the Buffalo Creek watershed and the Squabble Creek watershed. Both watersheds have a long history of flooding problems, especially for areas located at the downstream portions of their drainage system. The City's stormwater management requirements for the Squabble Creek watershed have long been more stringent than those for the Buffalo Creek watershed, requiring detention and other mitigation measures for both non-residential and residential developments. In the Buffalo Creek watershed, detention has normally been a requirement for only non-residential development, although some residential developments have incorporated detention facilities or other mitigation measures for the purpose of preventing increases in flooding and flood damage potential.

As the City is well aware, one of the major flooding issues associated with the Buffalo Creek watershed is the ongoing flooding of homes along Rockwall Lake. These flooded homes, for whatever reason, were allowed to be constructed within flood prone areas prior to the City annexing the area. Although detention requirements for future development within the watershed will not prevent or partially mitigate any of the existing flooding conditions in the vicinity of Rockwall Lake, it is highly recommended that the City provide regulation to at least help prevent the flooding situation from becoming worse in the future. Therefore, it is recommended that the City adopt stormwater management standards for the Buffalo Creek watershed similar to those currently enforced in regulating stormwater within the Squabble Creek watershed. Such standards should include the requirement of providing forms of mitigation to include, but not be limited to, detention facilities to prevent any increases in flood peak discharges and flood elevations at all points downstream of any proposed development, extending downstream to include Rockwall Lake (and the discharges through Rockwall Lake Dam). Additionally, as it has been determined that homes around Rockwall Lake, as well as other structures along Buffalo Creek, begin to flood during storm events that produce less than the 100-year frequency rainfall, this standard should not be limited to just the 100-year flood event, but should also include lesser flood events, such as the 10-year, 25-year, and 50-year floods.

It is recognized that the City's ordinances related to stormwater management already requires that proposed construction not cause any unacceptable increases in flooding on other off-site

properties. However, requiring flood detention facilities for new developments within the Buffalo Creek watershed, that are properly designed, constructed, operated, and maintained, will help prevent the current flooding situation along Rockwall Lake from becoming worse, by helping to prevent faster-rising flood levels and helping to prevent increases in lake flood elevations (to levels more than would otherwise occur for any particular flood).

To be consistent with stormwater management requirements throughout the City, it is further recommended that the City consider similar standards for regulating stormwater in other watersheds. For example, similar flooding situations associated with Wallace Lake, located within the Little Buffalo Creek watershed, could benefit by these requirements for proposed construction within the upstream watershed.

Additionally, the City's Master Drainage Study for the Buffalo Creek watershed has become outdated in many respects. Therefore, it is further recommended that the hydrologic and hydraulic digital computer models for the watershed be updated as soon as possible. Providing such models to engineering consultants for their use in design and analyses of future development projects will help reduce the burden of complying with the City's requirements of proving that proposed construction will not cause increased flooding at Rockwall Lake and along streams downstream of their projects.

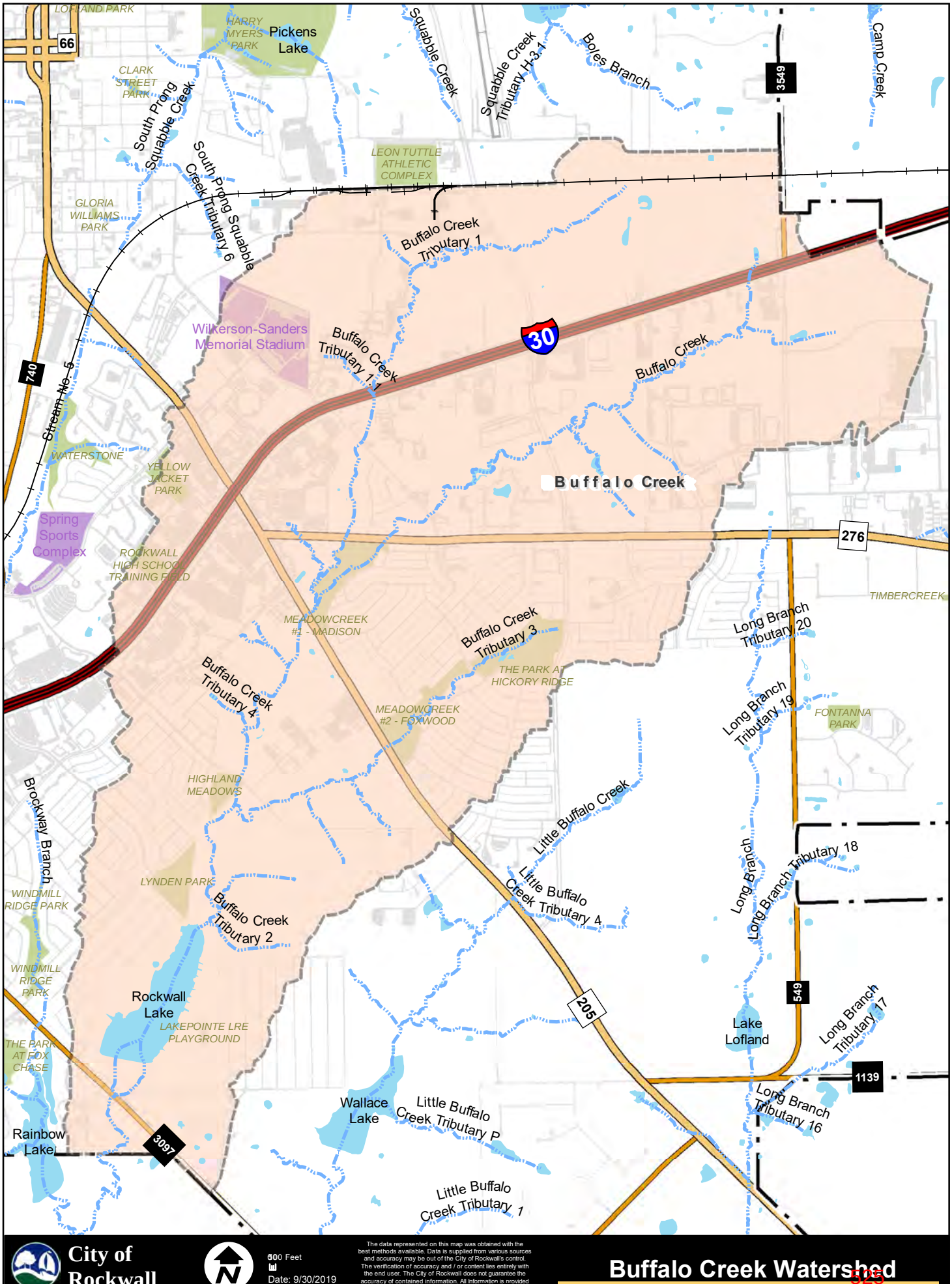
Please feel free to contact me if you have any questions or would like to discuss these recommendations.

Sincerely,

Dwayne Stubblefield

Dwayne Stubblefield, P.E., CFM
President
HydroLogical Support Services, LLC
[TBPE Firm No. F-13821]





City of Rockwall

600 Feet

Date: 9/30/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.

Buffalo Creek Watershed

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE ROCKWALL CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-23 STANDARDS FOR DESIGN OF DEVELOPMENTS WITHIN SUBDIVISIONS ADOPTED; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the governing body of the City of Rockwall, in the exercise of its legislative discretion, has concluded that the "Standards for Design of Development Within Subdivisions" should be updated in order to reflect certain amendments.

NOW, THEREFORE, **BE IT ORDAINED by the City Council of the City of Rockwall, Texas that:**

Section 1. Chapter 38. "Subdivisions;" Article I. "In General;" Section 38-23 "Standards for Design of Developments Within Subdivisions Adopted" of the Code of Ordinances is hereby amended so as to delete subsection "c" in its entirety and replace it with a new subsection "c" which shall hereafter read as follows:

~~(c) The October 2016 updated of the Standards for Design and Construction are adopted replacing the Standards of Design, Standard Construction Specifications, dated August 2003, a copy of which is on file for public inspection in the city secretary's office~~

(c) The October 2019 updated of the Standards for Design and Construction are adopted replacing the Standards of Design, Standard Construction Specifications, dated October 2016, a copy of which is on file for public inspection in the city secretary's office

Section 2. Chapter 38. "Subdivisions;" Article I. "In General;" Section 38-23 "Standards for Design of Developments Within Subdivisions Adopted" of the Code of Ordinances is hereby amended so as to delete subsection "d" in its entirety and replace it with a new subsection "d" which shall hereafter read as follows:

~~(d) The Public Works Construction Standards and Specifications, North Central Texas, 4th Edition, October 2004 as amended by the City of Rockwall are adopted replacing the Standard Specifications for Public Works Construction, North Central Texas, 3rd Edition, 1998.~~

(d) The Public Works Construction Standards and Specifications, North Central Texas, 5th Edition, November 2017 as amended by the City of Rockwall are adopted replacing the Standard Specifications for Public Works Construction, North Central Texas, 4th Edition, 2004.

526

Section 3. A new, 2019 version of the city's "Standards for Design of Developments Within Subdivisions Adopted" is hereby adopted as reflected in **"Exhibit A"** of this ordinance, a copy of which shall be kept on file for public inspection within the city secretary's office.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 6. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are specifically repealed or those in direct conflict with the provisions of this ordinance.

Section 7. This ordinance shall take effect immediately from and after its passage and approval and the publication of the caption of said ordinance as the law in such cases provides, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this the 4th day of November, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

1st Reading: 10-21-2019

2nd Reading: 11-4-2019

527

“EXHIBIT A”

(INSERT DOCUMENT HERE)

528

CITY OF ROCKWALL, TEXAS

STANDARDS OF DESIGN AND CONSTRUCTION

City of Rockwall

The New Horizon

ENGINEERING DEPARTMENT

October 2019

529

City of Rockwall
The New Horizon

TABLE OF CONTENTS

1. GENERAL REQUIREMENTS 1

1.1 Introduction 1
1.2 Standards of Design 1
1.3 Standard Specifications for Construction 2
1.4 Standard Details 2
1.5 Inspection of Construction by City Personnel 2
1.6 Franchise and Public Utilities to be Underground 3
1.7 Submittal to Utility Companies 3
1.8 Requirements of the Final Engineering Drawings 3
1.9 Engineering Plan Approval/Construction Permit Release 3
1.10 Easements and ROW 4
1.11 Final Acceptance 4
1.12 Changes in Standards of Design, Construction Specifications and this Document 5

2. STREETS 6

2.1 General 6
2.2 Street Arrangement 6
2.3 Thoroughfare and Street Geometry 6
2.4 Turn Lanes 11
2.5 Median Openings, Width, Location and Spacing 11
2.6 Driveway Locations 13
2.6.1 Driveways on TxDOT Facilities 13
2.7 Block Lengths 13
2.8 Street Intersections 15
2.9 Relation to Adjoining Streets 15
2.10 Dead End Streets, Cul-de-Sacs and Courts 16
2.11 Alleys and Alley Widths 16
2.12 Street Grades 16
2.13 Pavement Design 19
2.13.1 Subgrade 19
2.13.2 Steel Reinforced Concrete Pavement 19
2.14 Parkways, Grades and Sidewalks 22
2.14.1 Roadway Reconstruction 22
2.15 Driveways/Drive Aisles 23
2.15.1 Residential 23
2.15.2 Multi-Family and Non-Residential 23
2.15.3 Grades 23
2.16 Traffic Information and Control Devices 26
2.16.1 Regulatory Signage 26
2.16.2 Street Name Blades 27
2.16.3 Standard Street Sign Pole and Fixtures 28
2.16.4 Decorative Sign Poles and Fixtures 28
2.16.5 Miscellaneous 30
2.17 Temporary Traffic Control 30
2.18 Street Lighting 32
2.19 Barrier Free Ramps 32

2.20 Off-Street Parking 32
2.21 Traffic Impact Analysis and Mitigation 42
2.21.1 Purpose 42
2.21.2 Determination of Applicability 42
2.21.3 Applicability of TIA Requirements 42
2.21.4 Requirements for TIA Updates 45
2.21.5 Funding Resources 45
2.21.6 Responsibility of TIA Preparation and Review 46
2.21.7 TIA Standards 46
2.21.8 TIA Methodology 48
2.21.9 TIA Report Format 50
2.21.10 Traffic Impact Mitigation 51
2.21.11 Administration of the TIA 52
2.21.12 Cost of TIA Review 52

3. STORM DRAINAGE FACILITIES 53
3.1 Introduction 53
3.2 Storm Drainage Design Criteria 55
3.2.1 Rational Method 55
3.2.1.1 Runoff Coefficient (C) 55
3.2.1.2 Time of Concentration 55
3.2.1.3 Rainfall Intensity (I) 58
3.2.2 Unit Hydrograph Method 60
3.2.3 Design Storm Frequencies 66
3.2.4 Drainage Calculations Summary Tables 66
3.2.5 Flow in Streets 67
3.2.6 Flow in Alleys 67
3.2.7 Permissible Spread of Water (Ponding Width) 68
3.2.7.1 General 68
3.2.7.2 Major and Minor Arterials (P6D & M4D) – Divided 68
3.2.7.3 Collector Streets – (M4U, M3U & Minor Collector) 68
3.2.7.4 Residential Streets 68
3.2.7.5 Alleys 68
3.2.7.6 Parking Lots 69
3.2.8 Inlet Design 69
3.2.8.1 General 69
3.2.8.2 Types of Inlets 69
3.2.8.3 Location 71
3.2.8.4 Curb Inlets On-Grade 72
3.2.8.5 Curb Inlets at Sag/Low Point 78
3.2.9 Drop Inlets / 'Y' Inlet Design 80
3.2.1 Combination and Grate Inlet Design 80
3.2.2 Flow in Storm Drain Conduits and Their Appurtenances 92
3.2.2.1 Hydraulic Gradient of Conduits 92
3.2.2.2 Minor Head Losses 94
3.2.2.3 Minimum Grades 98
3.2.2.4 Maximum Velocities 98
3.2.2.5 Discharge of Storm Drain Pipe 98
3.2.2.6 Manholes 99
3.2.2.7 Lateral Lines 99
3.2.2.8 100-Year Flood Zones 101
3.2.2.9 Local 100-Year Flood Zones 101

3.2.2.10 Floodplain Markers 101
3.2.2.11 Inlet Markers 101
3.2.2.12 Dumpsters 101
3.2.2.13 Fueling Stations 101
3.2.2.14 Testing 101
3.2.3 Storm Sewer Design – Closed Conduit 102
3.2.3.1 General 102
3.2.4 Storm Sewer Design – Open Channels 104
3.2.4.1 General 104
3.2.5 Culvert Design 108
3.2.5.1 General 108
3.2.6 Bridge Design 118
3.2.7 Erosion Hazard Setback 118
3.2.7.1 Definition and Purpose 118
3.2.7.2 Determination 118
3.2.7.3 Non-Permitted Structures 119
3.2.7.4 Modifications 119
3.3 Minimum Freeboard Requirements 121
3.4 Detention 122
3.4.1 Intent 122
3.4.2 Where is Detention Required? 122
3.4.3 Type of Detention Facilities 122
3.4.3.1 Site of ½ Acre or Less 122
3.4.3.2 Site of Greater Than ½ Acre, On-site 122
3.4.3.3 Greater Than ½ Acre, Off-site Shared 123
3.4.3.4 Existing Ponds 124
3.4.4 Geometry, Restrictions and Appurtenances 124
3.4.5 Detention Calculations 126
3.4.5.1 Methodology 126
3.4.5.2 Outfall Structures 129
3.5 Floodplain Studies, Reclamation and Modification 130
3.6 Storm Drainage Management Plan 135
3.6.1 General 135
3.6.2 Site Drainage 135
3.6.3 Subdivision Development 136
3.6.4 Construction Erosion Controls 136
3.6.5 Lot Development 138

4. VEGETATION 140
4.1 General 140
4.2 Coverage 140
4.3 Planting Season 140
4.4 Additional Information 140

5. WATER AND WASTEWATER SYSTEMS 141
5.1 General Requirements 141
5.1.1 System Capacity Studies 141
5.1.2 Connections for Future Adjacent Developments 142
5.1.3 Easements 142
5.1.4 Separation of Water and Wastewater Lines 142
5.1.5 Water and Wastewater Lines within TxDOT Right-of-Way 142

5.1.6 Boring, Jacking and Tunneling 143
5.1.7 Crossings 144
5.1.7.1 Culvert Crossings 144
5.1.7.2 Creek Crossings 144
5.1.7.3 TxDOT Highway Crossing 144
5.1.7.4 Railroad Crossings 144
5.2 WATER SYSTEM 145
5.2.1 General 145
5.2.2 Connections to Existing Distribution System 145
5.2.3 Sizing of Water Mains 146
5.2.4 Water Mains Location/Alignment 148
5.2.5 Depth of Cover 148
5.2.6 Pipe Material and Embedment 148
5.2.7 Valves 148
5.2.7.1 Gate Valves 149
5.2.7.2 Butterfly Valves 149
5.2.7.3 Air Release, Air/Vacuum, and Combination Air Valves 149
5.2.8 Fittings 150
5.2.9 Connection to existing Water Mains 150
5.2.9.1 Tapping Sleeves and Valves 150
5.2.9.2 Cut-In Connection 150
5.2.10 Dead-End Mains 150
5.2.11 Fire Hydrants 151
5.2.12 Water Service Connections 152
5.2.13 Abandonment of Water Mains 153
5.3 WASTEWATER SYSTEM 155
5.3.1 General 155
5.3.2 Ownership and Maintenance 155
5.3.2.1 Ownership 155
5.3.2.2 Maintenance 155
5.3.3 Connections to Existing Wastewater Collection System 156
5.3.4 Design Flow 156
5.3.5 Sizing Wastewater Collection Mains 157
5.3.5.1 General 157
5.3.5.2 Average Daily Flow 157
5.3.5.3 Peak Flow Factor 158
5.3.5.4 Inflow and Infiltration 158
5.3.6 Wastewater Mains 159
5.3.6.1 Pipe Material 159
5.3.6.2 Minimum Grades 159
5.3.6.3 Curved Sewers 160
5.3.7 Wastewater Service Laterals 160
5.3.8 Manholes 161
5.3.8.1 Internal Drop Manholes 161
5.3.8.2 Corrosion Protection 162
5.3.8.3 Watertight Sealed Manholes 162
5.3.8.4 Inflow Prevention 162
5.3.9 Cleanouts 162
5.3.10 Testing 163
5.3.11 Abandoning Existing Wastewater Mains and Manholes 163
5.3.12 Creek Crossings 163
5.3.12.1 Aerial Creek Crossings 164

5.3.12.2 Inverted Siphon 164
5.4 WASTEWATER LIFT STATIONS AND FORCE MAINS 165
5.4.1 General 165
5.4.2 Design Report and Plans 166
5.4.2.1 Report 166
5.4.2.2 Plans 166
5.4.3 Site Selection 167
5.4.4 Site Requirements 167
5.4.4.1 Access 167
5.4.4.2 Security 170
5.4.4.3 Site Interior 171
5.4.5 Wet Well and Valve Vault Design 171
5.4.5.1 Wet Well Design 171
5.4.5.2 Wet Well Volume 172
5.4.5.3 Valve Vault 173
5.4.6 Pumps, Lift Station Piping, and Valves 173
5.4.6.1 Pumps 173
5.4.6.2 Pump Capacity 174
5.4.6.3 Lift Station Piping 174
5.4.6.4 Valves 175
5.4.7 Force Main 176
5.4.7.1 General 176
5.4.7.2 Embedment 176
5.4.8 Control Panel 177
5.4.8.1 General: 177
5.4.8.2 Enclosure: 177
5.4.8.3 Inner Dead Front Door: 177
5.4.8.4 Back Plate: 177
5.4.8.5 Power Distribution: 177
5.4.8.6 Circuit Breakers: 178
5.4.8.7 Motor Starters: 178
5.4.8.8 Transformers: 178
5.4.8.9 Lightning-Transient Protection: 179
5.4.8.10 Phase Monitor: 179
5.4.8.11 Alarm System: 179
5.4.8.12 24 VAC Regulator System: 179
5.4.8.13 Ancillary Equipment: 180
5.4.8.14 Miscellaneous: 180

6. MISCELLANEOUS REQUIREMENTS 182
6.1 Grading 182
6.2 Grading, Fill, Excavation and Earthwork Permit 182
6.3 Private Utility Construction 183
6.3.1 Trench Backfill – City Right-of-Way 183
6.3.2 Parkway Cleanup 184
6.4 Additional Permits or Approvals 184
6.5 Retaining Walls 184
6.6 Maintenance Bonds 185
6.7 Construction 185
6.7.1 Preliminary Site Preparation 185
6.7.2 Inspection Scheduling 187

6.7.3 Vertical Above Slab Construction Permit....188
6.7.4 Disposal of Excess Materials....188
6.7.5 Construction Site Safety....189

7. Special Provisions to the NCTCOG's Standard Specifications for Public Works Construction Standards....190
7.1 Division 100 General Provisions....190
7.2 Division 200 Site Protection & Preparation....200
7.3 Division 300 Roadway Construction....203
7.4 Division 400 Roadway Maintenance & Rehabilitation....212
7.5 Division 500 Underground Construction & Appurtenances....214
7.6 Division 600 Conduit & Appurtenance Rehabilitation....238
7.7 Division 700 Structures....240
7.8 Division 800 Miscellaneous Construction & Materials....242

8. Special Provisions to the NCTCOG's Standard Drawings for Public Works Construction Standards....247
8.1 Division 1000 Erosion and Sediment Control....247
8.2 Division 2000 Pavement Systems....255
8.3 Division 3000 General Underground Conduit....298
8.4 Division 4000 Water Distribution....309
8.5 Division 5000 Wastewater Collection....323
8.6 Division 6000 Storm Water Drainage....342
8.7 Division 7000 Rockwall Miscellaneous Details....359

APPENDIX....362
APPENDIX A – Engineering Plan Review Check List....363
APPENDIX B – Approved Water Materials List....375
APPENDIX C – Approved Wastewater Materials List....379
APPENDIX D – Example Checklist for Final Acceptance (Residential and Commercial)....382

City of Rockwall
The New Horizon

LIST OF FIGURES

Figure 2.1A: Typical Thoroughfare Cross Sections 8
Figure 2.1B: Typical Thoroughfare Cross Sections 9
Figure 2.1C: Typical Thoroughfare Cross Sections 10
Figure 2.2: Median Design Standards 12
Figure 2.3: Minimum Driveway Spacing & Corner Clearance 14
Figure 2.4: Driveway Profiles on an Upgrade 25
Figure 2.5: Driveway Profiles on a Downgrade 25
Figure 2.6a: 90° Parking – Double Row 34
Figure 2.6b: 90° Parking – Single Row 35
Figure 2.7a: 60° Parking – Double Row 36
Figure 2.7b: 60° Parking Single Row 37
Figure 2.8a: 45° Parking - Double Row 38
Figure 2.8b: 45° Parking – Single Row 39
Figure 2.9: Handicap Space Parking 40
Figure 3.1: IDF Curve 59
Figure 3.2: Thoroughfare Gutter Capacity based on Maximum Permissible Ponding Width 70
Figure 3.3: Gutter Cross-Section Diagram 73
Figure 3.4: Curb Inlet Capacity On-Grade Principal & Minor Arterial (P6D & M4D) 75
Figure 3.5: Curb Inlet Capacity On-Grade Major Collector (M4U) 76
Figure 3.6: Curb Inlet Capacity On-Grade Collector 2-Lane w. Continuous Left (M3U) 76
Figure 3.7: Curb Inlet Capacity On-Grade Minor Collector 77
Figure 3.8: Curb Inlet Capacity On-Grade Local (Residential) Street 77
Figure 3.9: Curb Inlet Capacity On-Grade Alley 78
Figure 3.10: Standard Curb Inlet Capacity Sag/Low Point 79
Figure 3.11: Recessed Curb Inlet Capacity Sag/Low Point 79
Figure 3.12: Drop/'Y' Inlet Capacity 80
Figure 3.13: Two Grate Combination Inlet Capacity Curves on Grade 84
Figure 3.14: Four Grate Combination Inlet Capacity Curves on Grade 85
Figure 3.15: Three Grate Inlet and Three Grate Combination Inlet Capacity Curves on Grade 86
Figure 3.16: Two Grate Inlet Capacity Curves on Grade 87
Figure 3.17: Four Grate Inlet Capacity Curves on Grade 88
Figure 3.18: Six Grate Inlet Capacity Curves on Grade 89
Figure 3.19: Grate Inlet Capacity Curves at Low Point 90
Figure 3.20: Combination Inlet Capacity Curves at Low Point 91
Figure 3.21: Capacity of Circular Pipes Flowing Full 93
Figure 3.22: Headwater Depth for Concrete Box Culvert with Inlet Control 112
Figure 3.23: Headwater Depth for Concrete Pipe Culvert with Inlet Control 113
Figure 3.24: Head for Concrete Box Culvert Flowing Full 114
Figure 3.25: Head for Concrete Pipe Culverts Flowing Full 115
Figure 3.26: Critical Depth of Flow for Rectangular Conduits 116
Figure 3.27: Critical Depth of Flow for Circular Conduits 117
Figure 3.28: Erosion Hazard Setbacks and Drainage Easements 120
Figure 5.1: Typical Lift Station Site Layout 169

City of Rockwall
The New Horizon

LIST OF TABLES

Table 2.1 Thoroughfare Geometric Design Standards 7
Table 2.2A: Crest Vertical Curves 17
Table 2.2B: Sag Vertical Curves 18
Table 2.3: Steel Reinforced Concrete Pavement Design 20
Table 2.4: Driveway Grades and Grade Change 24
Table 2.5: Vertical Curve Lengths for Driveways 24
Table 2.6: Criteria for Determining TIA Study Requirements 44
Table 2.7: Criteria for Determining TIA Update Requirements 45
Table 3.1: Drainage Easements – Minimum Width 53
Table 3.2: Runoff Coefficient for Types of Land Use 56
Table 3.3: Minimum Inlet Time of Concentration 56
Table 3.4: Sheet Flow 'n' Values 57
Table 3.5a: Precipitation Frequency Estimates (Inches) for Rockwall, Texas 64
Table 3.5b: NRCS Runoff Curve Numbers (AMC_{II}) for Various Land Use Classifications 65
Table 3.6: Storm Drain Inlets 71
Table 3.7: Entrance Loss Coefficients 95
Table 3.8: Velocity Head Loss Coefficients for Closed Conduits 97
Table 3.9: Minimum Grades for Storm Drain Pipelines 98
Table 3.10: Maximum Velocities in Closed Conduits 98
Form 3.4: Open Channel Calculations Table 105
Table 3.11: Roughness Coefficients for Open Channels and Maximum Velocity 107
Table 3.12: Culvert Discharge Velocities 109
Table 3.13: Minimum Freeboard Requirements 121
Table 5.1: Water & Wastewater Line Easements – Minimum Width 142
Table 5.2: Water Demand Rates 147
Table 5.3: Standard Water Main Sizes 147
Table 5.4: Depth of Cover to Top of Pipe 148
Table 5.5: Standard Wastewater Collection System Pipe Sizes 157
Table 5.6: Wastewater Per Capita and Usage Rates 158
Table 5.7: Pipe Materials for Wastewater Gravity Mains 159
Table 5.8: Minimum Grades for Wastewater Pipelines 160
Table 5.9: Minimum Manhole Sizes 161
Table 5.10: Minimum Pump Cycle Time 173
Table 8.1: Revisions to NCTCOG's Division 100 General Provisions 190
Table 8.2: Revisions to NCTCOG's Division 200 Site Protection & Preparation 200
Table 8.3: Revisions to NCTCOG's Division 300 Roadway Construction 203
Table 8.4: Revisions to NCTCOG's Division 400 Roadway Maintenance & Rehabilitation 212
Table 8.5: Revisions to NCTCOG's Division 500 Underground Construction & Appurtenances 214
Table 8.6: Revisions to NCTCOG's Division 600 Conduit & Appurtenance Rehabilitation 238
Table 8.7: Revisions to NCTCOG's Division 700 Structures 240
Table 8.8: Revisions to NCTCOG's Division 800 Miscellaneous Construction & Materials 242
Table 9.1: Revisions to NCTCOG's Division 1000 Erosion and Sediment Control 247
Table 9.2: Revisions to NCTCOG's Division 2000 Pavement Systems 255
Table 9.3: Revisions to NCTCOG's Division 3000 General Underground Conduit 298
Table 9.4: Revisions to NCTCOG's Division 4000 Water Distribution 309
Table 9.5: Revisions to NCTCOG's Division 5000 Wastewater Collection 323

Table 9.6: Revisions to NCTCOG's Division 6000 Storm Water Drainage 342
Table 9.7: Division 7000 Rockwall Miscellaneous Details 359

LIST OF FORMS

Form 3.1: Drainage Area Calculations Table 66
Form 3.2: Inlet Design Calculations Table 81
Form 3.3: Storm Sewer Calculations Table 102
Form 3.5: Culvert Design Calculations Table 111

City of Rockwall
The New Horizon

1. GENERAL REQUIREMENTS

1.1 Introduction

The "Standards of Design" are generated to implement the provisions of the Subdivision Ordinance and to provide for the orderly, safe, healthy and uniform development of the area within the corporate city limits and within the surrounding City, extraterritorial jurisdiction (ETJ).

The 5th Edition of the NCTCOG Standard Specifications for Public Works Construction dated November 2017 as modified by the City of Rockwall Special Provisions are supplemental and are made a part of these Standards of Design. These documents are to be considered as the minimum requirements of engineering design. The adherence to the requirements of these documents and/or the approval by the City of Rockwall and its agents in no way relieves the developer or their engineer of the responsibility for adequacy of design, which may require more stringent standards than these, the completeness of plans and specifications or the suitability of the completed facilities. In unusual circumstances, the City of Rockwall may determine that designs other than those of the Standards are necessary and will inform the developer of such requirements before final engineering review.

The developer and/or their representative shall obtain authorization from the City of Rockwall, in writing, for any deviations from the requirements set forth in the Standards of Design, Standard Specifications for Construction or Standard Details.

1.2 Standards of Design

The Standards of Design, as adopted by the City of Rockwall, are set forth herein. These standards shall be considered as the minimum requirements, and it shall be the responsibility of the developer to determine if more stringent requirements are necessary for a particular development. It is not intended that the Standards of Design cover all aspects of a development. For those elements omitted, the developer will be expected to provide designs and facilities in accordance with good engineering practice and to cause the facilities to be constructed utilizing first class workmanship and materials. The City Engineer reserves the right to request additional information not covered within these Standards of Design to be included in the design plans by the developer/design engineer in order to validate the intent, safety, constructability, readability and competency of the design plans.

Developer/Engineer must ensure that all design and construction is in accordance with all Federal, State and local regulations and must provide certification on final plans. A copy of all determinations, permits, and approvals

received from Federal, State, and local agencies must be provided to the Engineering Department prior to approval.

Engineering design and plans submitted to the Engineering Department by the developer/design engineer shall be in conformance with the adopted Standards of Design and Construction that are in affect when the 1st submittal is received by the Engineering Department. If subsequent submittals have not been received within one (1) year of the previous submittal, any subsequent submittals must conform to the current adopted Standards of Design and Construction. Approved construction plans will expire within one (1) year of approval date, and must be reviewed and revised to meet the current adopted Standards of Design and Construction.

1.3 Standard Specifications for Construction

The City of Rockwall Special Provisions to the NCTCOG Standard Specifications for Public Works Construction, 5th Edition, November 2017, as adopted by the City of Rockwall is referenced in this document. The Standard Specifications for construction set forth the minimum requirements for materials and workmanship for streets, parking lots, sidewalks, drainage, water and wastewater systems.

1.4 Standard Details

In an effort to have uniformity and to facilitate maintenance, the City has adopted the North Central Texas Council of Governments (NCTCOG) Standard Drawings as modified by the City of Rockwall Special Provisions for certain facilities such as manholes, street sections, sidewalks, water, wastewater, storm water, curb inlets, barrier free ramps, etc. The City of Rockwall Special Provisions can be obtained from the City Engineering Department. The NCTCOG Standard Specifications can be obtained from the North Central Texas Council of Governments, Regional Information Center 817-695-9140.

1.5 Inspection of Construction by City Personnel

Inspection of construction and verification of compliance to the plans and specifications shall be conducted by the City of Rockwall staff under the direction of the City Engineer. The facilities included in this inspection requirement are streets, sidewalks, parking lots, alleys, storm drainage facilities, water distribution systems, wastewater collection system, etc. The developer shall advise all of his construction contractors of this requirement. No development will be accepted by the City until all construction has been approved by the City of Rockwall's staff. The developer shall be responsible for any additional expense to the City at a rate established by the City at that time when inspection is done after normal business hours of the City. The date of acceptance will be when all items have been accepted by the City. Twenty months from the date of acceptance the City will determine any failures or defects and repairs will be made by the contractor.

The accepted method of inspection for underground utilities shall be videoed and the City will require a copy of such inspection. The developer or contractor shall be responsible for the cost of the videoed inspection.

1.6 Franchise and Public Utilities to be Underground

All franchise and public utilities within a residential development shall be placed underground. Utilities are defined for this purpose as water pipelines, wastewater pipelines, storm water pipelines, natural gas pipelines, telephone wires, cable TV wires and electric wires. In case of special or unique circumstances, the City may grant variances or exceptions to this requirement. Any request for variance or exception should be submitted in writing to the City of Rockwall setting forth the justification for an exception. The granting of a variance or exception by the City will be in writing. No work will be accepted without written approval from the City Engineer or in the case of franchise utilities, the Planning Director. Commercial developments may have overhead utilities as approved by the City Council.

1.7 Submittal to Utility Companies

The developer shall be responsible for submittal of information needed to design private utilities for the development. This information shall be submitted to the franchise (gas, electric, phone, and cable) companies. Written confirmation from the franchise companies shall be submitted to the Engineering Department, verifying that the affected utility companies have installed their respective utilities prior to engineering acceptance of project.

1.8 Requirements of the Final Engineering Drawings

The final engineering drawings shall conform to the established “Engineering Drawings Requirements” and these Standards of Design. The Engineering Drawings Requirements can be found the Appendix.

The final engineering drawings will consist of drawings showing all information necessary to completely review the engineering design of improvements proposed for or affected by the site and sealed by a Registered Professional Engineer within the State of Texas.

1.9 Engineering Plan Approval/Construction Permit Release

All review fees (plan, flood study, TIA, Lift station, etc.) shall be paid prior to engineering construction permit release and submittal of building permit.

1.10 Easements and ROW

All easements and right-of-way required for construction of a proposed project must be approved and accepted for filing prior to the approval or release of the final design/construction drawings.

A. Requirements for On-Site Easements and Right-of-Way Dedication to the City:
   1. All easements and right-of-way shall be dedicated on a plat. No separate instruments will be allowed.
   2. No structures (buildings, walls, fences, decks, swimming pools, signage/monuments, etc.) are allowed in or over any easements or right-of-ways. No trees shall be planted within 10' of any public water or sewer line 10" in diameter or larger. No trees shall be planted within 5' of any public water and sewer line less than 10" in diameter. No trees shall be planted within 5' of any public storm system.
   3. All drainage and detention easements shall be maintained, repaired, and replaced by the property owner. This statement is to be noted on the plat.
   4. No public utilities allowed in detention easements.
   5. All right-of-ways shall have a minimum 10' utility easement dedicated adjacent to them.
   6. Easement dimensions and other special requirements can be found in the utility's respective section of these Standards.

B. Requirements for Off-Site Easements Dedicated to the City:
   1. All easement and right-of-way documents shall be written by the City.
   2. Owner/Developer shall furnish the City a current title report and, metes and bounds description, and exhibit that is signed and sealed by a Texas Registered Professional Land Surveyor that shows the easements' or right-of-way, location, and current ownership information.
   3. All easements shall be reviewed and approved by the City prior to releasing the documents for signatures by the property owners.
   4. The individual or entity requesting the easement shall pay all filing fees required by the County.
   5. The individual or entity shall return, to the City, all originally signed documents and a check for filing fees made out to Rockwall County for filing.
   6. All filing information for all easements must be shown on all plats.
   7. After recordation, a copy of the filed document will be forwarded to the property owner.

1.11 Final Acceptance

Final Acceptance shall occur when all the items on the Checklist for Final Acceptance have been completed and signed-off by the City. An example of the

checklist for final acceptance has been included in the Appendix. Items on the checklist for final acceptance will vary per project and additional items not shown on the check list may be required. After improvements have been constructed, the developer shall be responsible for providing to the City "As Built" or "Record Drawings". The Design Engineer shall furnish all digital files of the project formatted in Auto Cad 14, or 2000 format or newer **and** Adobe Acrobat (.pdf) format with a CD-ROM disk or flash drive. The disk or drive shall include a full set of plans along with any landscaping, wall plans, and details sheets.

Submit 1-set of printed drawings of the "Record Drawings" containing copies of all sheets. The printed sheets will be reviewed by the construction inspector **PRIOR** to producing the "Record Drawing" digital files on disk or flash drive. This will allow any revisions to be addressed prior to producing the digital files.

Record Drawing Disk drawings shall have the Design Engineers seal, signature and must be stamped and dated as "Record Drawings" or "As Built Drawings" on all sheets.

The City of Rockwall will not accept any Record Drawing disk drawings which include a disclaimer with the like or similar verbiage. A disclaimer shall not directly or indirectly state or indicate that the design engineer or the design engineer's surveyor/surveyors did not verify grades after construction, or that the Record Drawings were based solely on information provided by the construction contractor/contractors. Any Record Drawings which include like or similar disclaimer verbiage will not be accepted by the City of Rockwall.

Example of Acceptable Disclaimer:

To the best of our knowledge ABC Engineering, Inc., hereby states that this plan is As-Built. This information provided is based on surveying at the site and information provided by the contractor.

1.12 Changes in Standards of Design, Construction Specifications and this Document

These Standards of Design, Construction Specifications and this document can be modified by City Council through ordinance or resolution. This document can also be updated time to time to reflect changes in City requirements. It is the responsibility of the user to obtain the latest revisions of the City's requirements.

2. STREETS

2.1 General

The street system, including the street layout, shall be in accordance with generally accepted engineering practices and in compliance with the Comprehensive Plan, the latest Thoroughfare Plan, the Zoning Ordinances, the Subdivision Regulations and other applicable regulations. The drainage system, as incorporated into the street system, shall comply with Section 3 of this document. The plans and specifications, design computations, if required, and other applicable data shall be submitted to the City for review. Construction shall not commence prior to approval of the plans and specifications by the City. All changes during construction shall be submitted to the Engineering Department for approval prior to any construction modifications.

2.2 Street Arrangement

Unless otherwise approved by the City, provisions shall be made for the extension of existing major arterials, collector streets and local streets in accordance with the Thoroughfare Plan and any specific street alignments as adopted by the City Council.

Off-center intersections will be considered for approval only for minor collector and local streets and only when there is a minimum property line separation of 125’ unless otherwise approved by the City Engineer.

Within residential areas, the following design elements are encouraged: (A) Developing only a limited number of access points to arterial streets bordering the subdivision; (B) More than one point of access; (C) Incorporate curvilinear streets into the plan and (D) Incorporating a discontinuous residential street network, which utilizes three-way intersections in lieu of four-way intersections. When these factors are incorporated into a residential street plan, the result is enhanced character and traffic safety.

2.3 Thoroughfare and Street Geometry

Geometric design standards are presented in two formats within this section. Table 2.1 identifies specific design criteria for each standard roadway type. Figure 2.1A and 2.1B shows the typical cross-section for each standard roadway type. It is noted that dimensions shown are to the face of curb, unless specifically identified otherwise.

Each roadway type is keyed to the City Thoroughfare Plan, with the exception of local streets. The reader is referred to this document for information as to the locations where these roadways are to be used.

City of Rockwall
The New Horizon

Table 2.1 Thoroughfare Geometric Design Standards

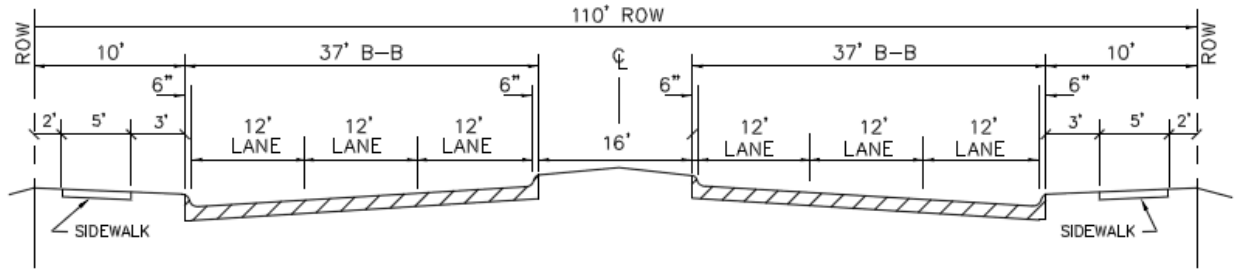
Thoroughfare Designation	P6D	M4D	M4U	Minor Collector	M3U		
Thoroughfare Type	Principal Arterial Divided 6-Lane	Minor Arterial Divided 4-Lane	Major Collector Undivided 4-Lane	Minor Collector/ Local Commercial Undivided	Minor Collector w/ Continuous Left Turn Lane	Local (Residen -tial)	Alley
Number Traffic Lanes	6	4	4	2	2	2	1
Minimum Lane Width (feet)	12	12	11	11 + 2 Parking	12	14.5	12
Minimum R.O.W. * Width (feet)	110	85	65	60	70	50	20
Design speed (m.p.h.)	45	40	35	30	30	30	20
Posted Speed (m.p.h.)	40	35	30	25	30		
Stopping sight distance (feet)	400	325	275	200	200	200	125
Median Width ** (feet)	16	14	—	—	Left Turn Lane Width 14’	—	—
Minimum Lateral Clearance (feet)	6	6	6	6	6	—	—
Parking Permitted	NO	NO	NO	COM.-SOME RES.-YES	NO	RES.-YES	NO
Minimum Horizontal Centerline Curvature (feet)	1200	850	Com.-700 Res.-600	Com.-500 Res.-350	Com.-500 Res.-350	Res.-250 Elbow - 50’	See Details
Crest Vertical Curve Minimum K Value	120	80	50	30	30	30	10
Sag Vertical Curve Minimum K Value	90	70	50	40	40	40	20
Maximum Grade (%)	7.5 (For max length of 200’)	7.5 (For max length of 200’)	7.5	7.5	7.5	10.0	10.0
Minimum Grade (%)	0.7	0.7	0.7	0.7	0.7	0.7	0.7

* **RIGHT-OF-WAY REQUIREMENTS FOR STATE HIGHWAYS AND/OR THE PROVISION OF RIGHT TURN LANES OR OTHER INTERSECTION IMPROVEMENTS MAY EXCEED THIS MINIMUM R.O.W. STANDARD.**

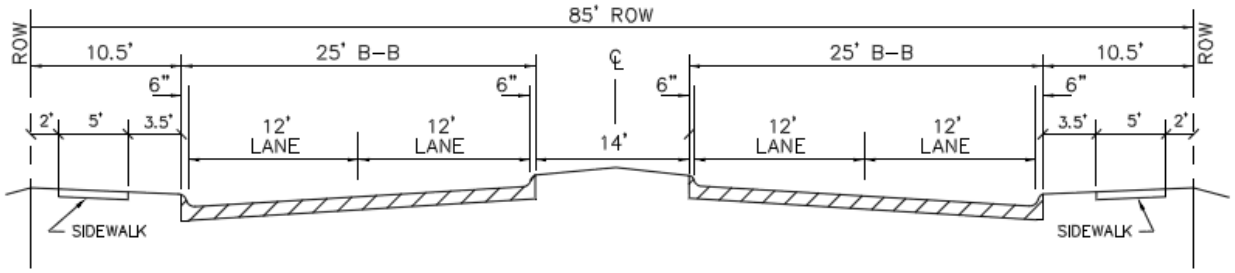
** **LARGER MEDIANS MAY BE REQUIRED TO PROVIDE FOR MULTIPLE TURN LANES.**

*** **LOCAL RESIDENTIAL CUL-DE-SACS SHALL HAVE A MINIMUM R.O.W. RADIUS OF FIFTY-SEVEN AND HALF FEET (57.5’).**

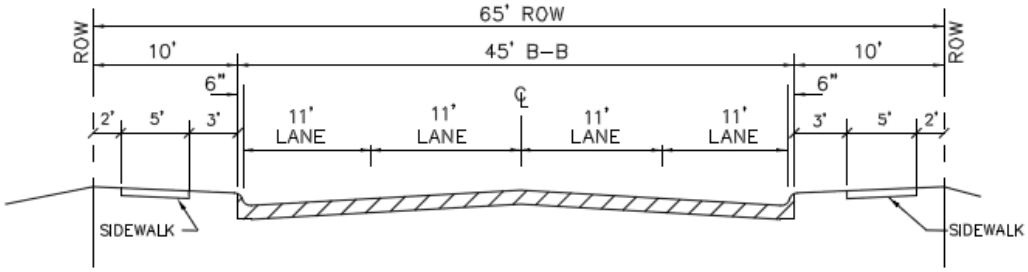
**** **CROSS-SLOPE VARIANCE NEEDS APPROVAL FROM CITY ENGINEER.**



PRINCIPAL ARTERIAL DIVIDED 6-LANE
P6D

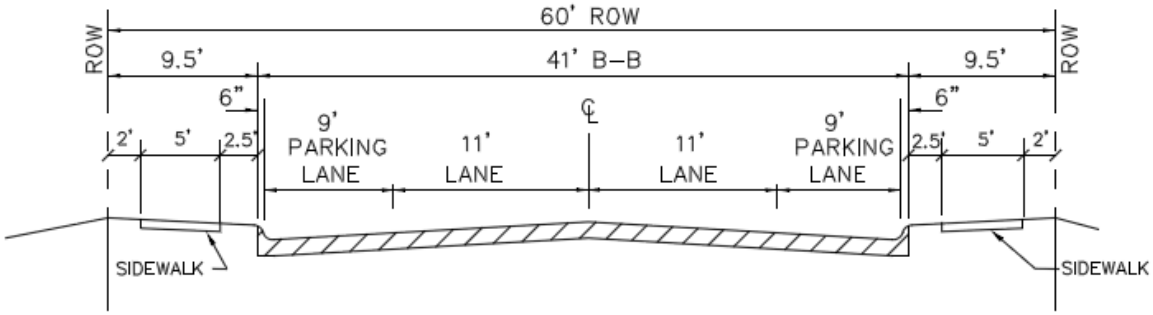


MINOR ARTERIAL DIVIDED 4-LANE
M4D

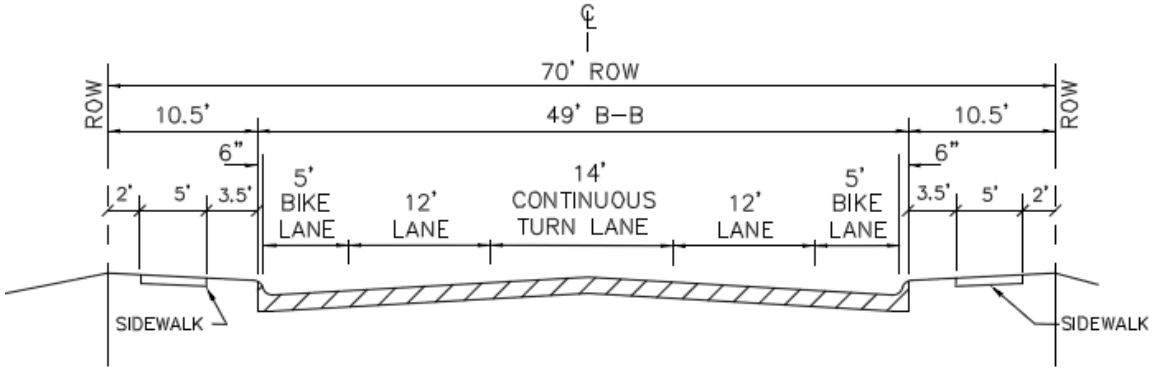


MAJOR UNDIVIDED COLLECTOR 4-LANE
M4U

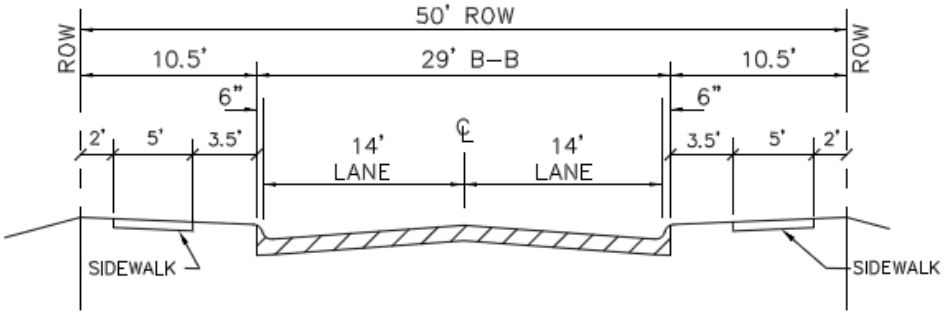
Figure 2.1A: Typical Thoroughfare Cross Sections



MINOR COLLECTOR AND/OR LOCAL COMMERCIAL UNDIVIDED

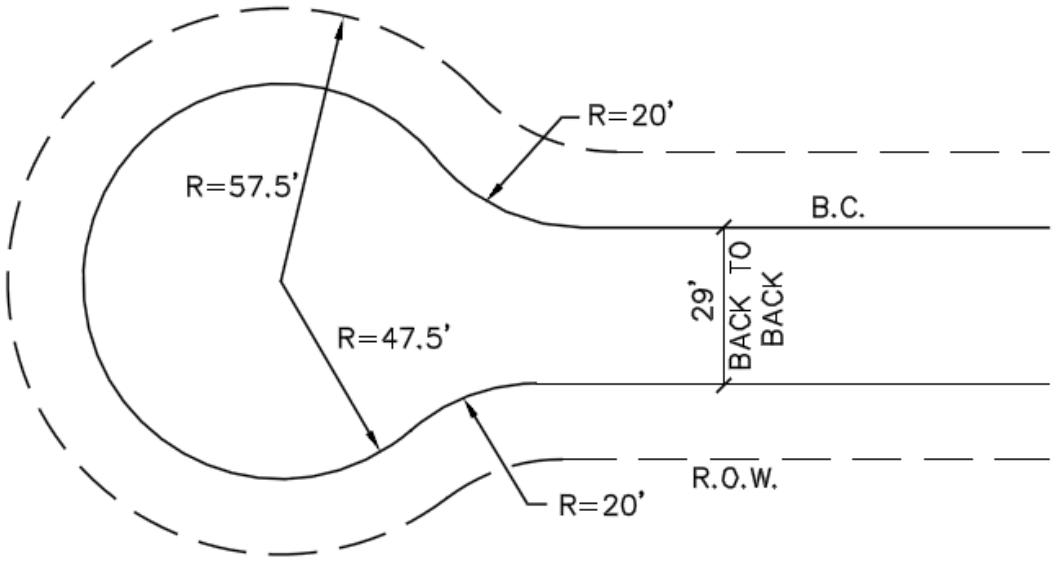


MINOR COLLECTOR – 2 LANE WITH CONTINUOUS LEFT TURN LANE
M3U

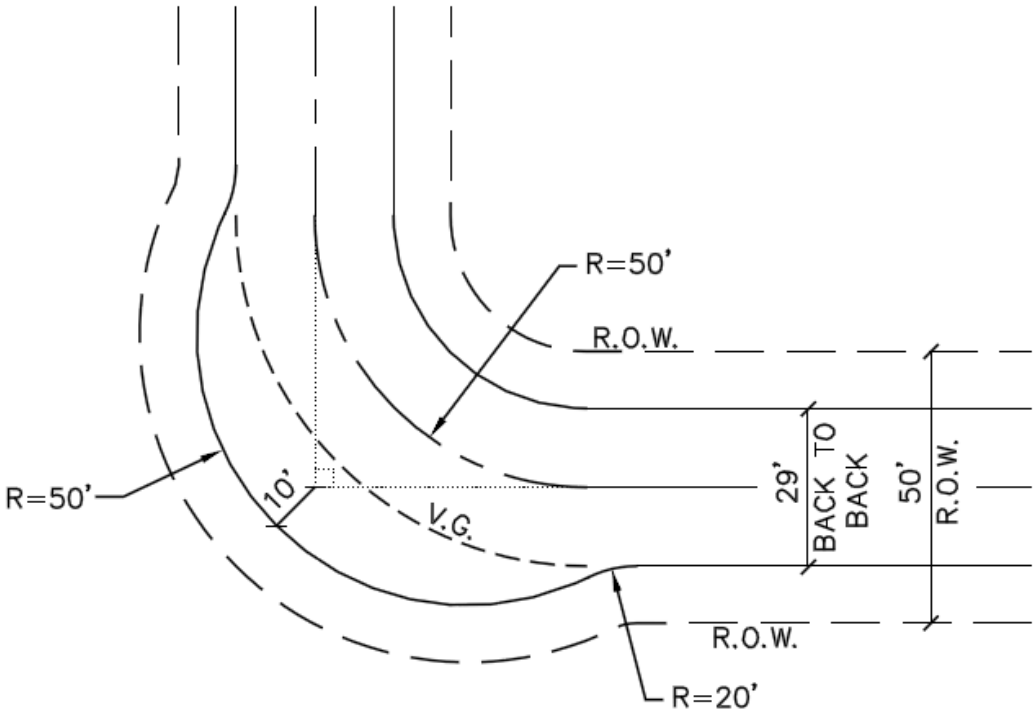


LOCAL (RESIDENTIAL STREET)

Figure 2.1B: Typical Thoroughfare Cross Sections



TYPICAL CUL-DE-SAC



TYPICAL EYEBROW

Figure 2.1C: Typical Thoroughfare Cross Sections

2.4 Turn Lanes

All left turn storage areas shall be eleven (11) feet wide with minimum storage requirements for left-turn lanes as in Figure 2.2. The transition curves used in left-turn lanes shall be two (2), 250-foot radius reverse curves with a total transition length of 100 feet. Medians less than seven (7') feet wide (face to face) are required to be constructed of reinforced integral stained and stamped color concrete a minimum of six (6") inch thick median pavement. All median noses are to be constructed of City approved integral stained and stamped color concrete. The color and pattern to be approved by the City. The paver system shall be installed a distance of ten (10') feet from the end of the nose.

2.5 Median Openings, Width, Location and Spacing

Arterial thoroughfares in Rockwall have raised medians. Arterials having continuous two-way left turn lanes are discouraged and may be utilized only in special circumstances with the approval of the City Council.

Median openings at intersections shall be from right-of-way to right-of-way of the intersecting street, unless otherwise approved by the City Engineer.

The width of mid-block median openings shall not be less than 60 feet, but no greater than 70 feet.

Using the above requirements, examples of the minimum distance between median openings on a divided street where left-turn storage is provided in both directions are:

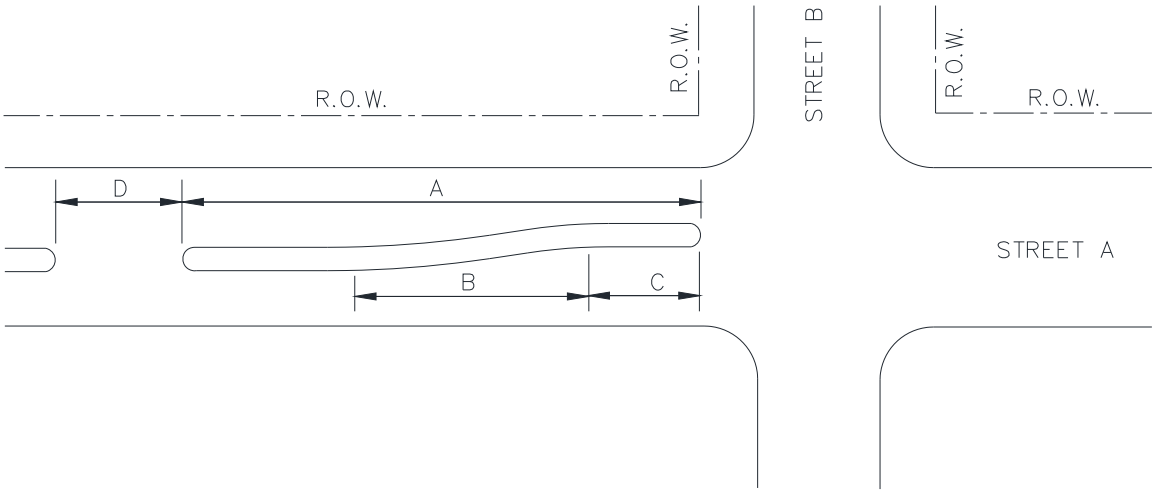
A. 310 feet from nose to nose of the median from the intersection of two major thoroughfares to a street or drive (see Figure 2.2);

B. 260 feet from nose to nose of the median from the intersection of two secondary thoroughfares or a secondary thoroughfare and a major thoroughfare to a residential street or a drive, and;

C. 220 feet from nose to nose of the median for intersection combinations of drives and/or residential streets.

Medians less than seven (7') feet wide are required to be constructed of a City approved paver or stamped concrete system. All median noses are to be constructed of City approved paver or stamped concrete system, a distance of ten (10') feet from the end of the nose. Any median that has landscaping requires a mow ramp to be installed for access. Noses shall be a solid poured steel reinforced concrete bullet nose.

Figure 2.2: Median Design Standards



INTERSECTING STREET TYPE		MINIMUM LENGTH (FEET)			
STREET A	STREET B	A	B	C*	D**
Principal Arterial (6 Lanes)	Principal Arterial (6 Lanes)	310	100	150	60
Principal Arterial (6 Lanes)	Minor Arterial (4 Lanes)	260	100	100	60
Principal Arterial (6 Lanes)	Major Collector (4 Lanes) Minor Collector (2 Lanes)	260	100	100	60
Principal Arterial (6 Lanes)	Local/Private (2 Lanes)	220	100	60	60
Minor Arterial (4 Lanes)	Principal Arterial (6 Lanes)	310	100	150	60
Minor Arterial (4 Lanes)	Minor Arterial (4 Lanes)	260	100	100	60
Minor Arterial (4 Lanes)	Major Collector (4 Lanes) Minor Collector (2 Lanes)	260	100	100	60
Minor Arterial (4 Lanes)	Local/Private	220	100	60	60

LEFT-TURN STORAGE AREA WIDTH 11' MINIMUM

MEDIAN WIDTH (SEE GEOMETRIC DESIGN STANDARD FOR PRINCIPAL AND MINOR ARTERIAL).

***MINIMUM LENGTH – ACTUAL LENGTH DEPENDENT UPON ANTICIPATED TURN VOLUME**

** **OR STREET WIDTH + 8 FEET – WHICHEVER IS GREATER. A VARIANCE MAYBE GRANTED BY CITY COUNCIL ON A CASE BY CASE BASIS.**

2.6 Driveway Locations

Minimum standards for driveway separation accessing the same site are shown in Figure 2.3. This standard applies to all non-residential uses.

There is a minimum distance upstream and downstream from adjacent intersections within which driveways should not be located. This separation distance varies with the classification of street and is shown in Figure 2.3. This standard applies to all non-residential users.

At mid-block access points, there is a minimum distance from a median nose, within which driveways should not be located. This is shown in Figure 2.3 and is equally applicable along both major and minor arterials for non-residential uses. All proposed paving connections to existing paving requires a longitudinal butt joint connection.

2.6.1 Driveways on TxDOT Facilities

Driveways on TxDOT facilities shall be placed in accordance to City Standards set forth in this section and the requirements of the current TxDOT's Access Management Manual and require TxDOT Driveway Permit approval. TxDOT Driveway Permits shall be processed through the City Engineering Department. TxDOT Permit Plan sets shall be 11"x17" in size and signed and sealed by a licensed professional engineer with the State of Texas. Permit plan sets shall include: typical sections, paving plan and profile, all applicable TxDOT standard details, traffic control plans sheets, striping plans, demo plans, drainage plans (drainage area map, storm sewer plans and profiles, culvert plans and profiles), and any other items required by TxDOT or City Engineer to construct the driveway. A Traffic Impact Analysis shall be submitted to the Engineering Department with all TxDOT Driveway Permits.

2.7 Block Lengths

In general, streets shall be provided at such intervals as to serve cross traffic adequately and to intersect with existing streets. Where no existing plats control, the blocks shall be not more than 1,600 feet in length. Block arrangements must provide access to all lots, and in no case, shall a block interfere with traffic circulation.

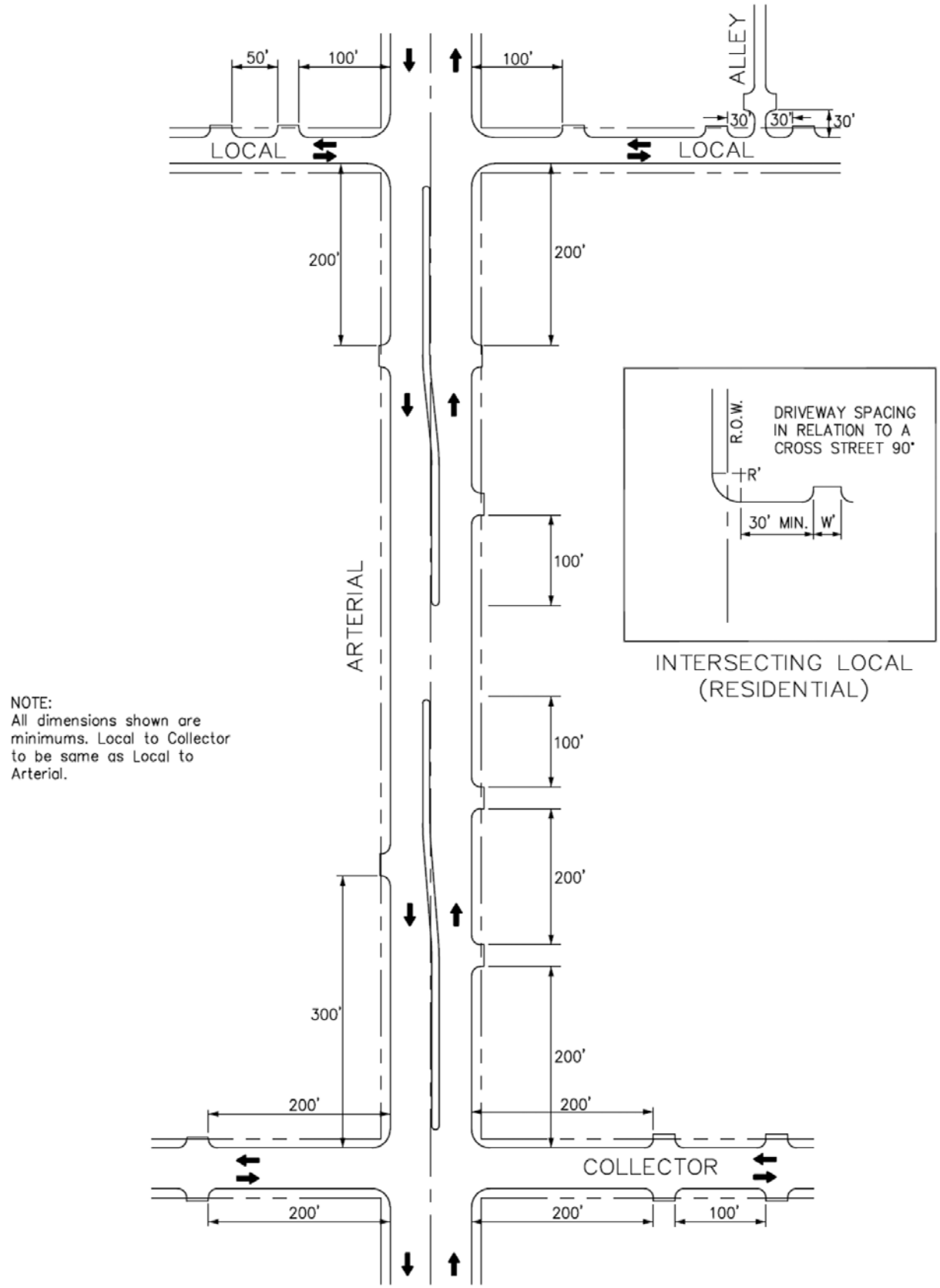


Figure 2.3: Minimum Driveway Spacing & Corner Clearance

2.8 Street Intersections

More than two streets intersecting at one point shall be avoided. All streets and thoroughfares should intersect other streets and thoroughfares at an angle of ninety (90) degrees unless otherwise approved by the City Engineer.

Arterial and collector street intersections shall have property line corner clips with a minimum tangent distance of thirty (30) feet. Residential streets shall not normally be required to have a ROW corner clip at their intersection with other streets or thoroughfares, but a 10-foot by 10-foot sidewalk corner easement will be required.

Visibility easements will be required for all ninety (90°) degree intersections. For all intersections that are not ninety (90°) degrees, an engineered visibility easement is required by the design engineer.

A. Arterial/Collector street intersections - thirty (30) foot by thirty (30) foot easement
B. Residential street intersections - twenty (20) foot by twenty (20) foot easement
C. Alley to street intersections - ten (10) foot by ten (10) foot easement

Curb radii at intersections shall have a minimum radius of thirty (30) feet along arterials, twenty-five (25) feet along collectors and twenty (20) feet along residential streets.

In any case where streets intersect at an angle of other than ninety (90) degrees, the City may require non-standard right-of-way corner clips and curb return radii.

All proposed paving connections to existing paving requires a longitudinal butt joint connection.

2.9 Relation to Adjoining Streets

The system of streets designed for the development, except in unusual cases, must connect with streets already dedicated in adjacent developments. Where no adjacent connections are platted, the streets must be the reasonable projection of streets in the nearest subdivided tracts and must be continued to the boundaries of the tract development, so that other developments may eventually connect with the proposed development. Strips of land controlling access to or egress from other property or any street or alley or having the effect of restricting or damaging the adjoining property for development or subdivision purposes or which will not be taxable or accessible for special improvements shall not be permitted in any development unless such reserve strips are conveyed to the City on fee simple. This determination is made by the City

Planning Director or City Engineer. When such access is needed to maintain permanent City owned utilities, the roadway will be an improved right-of-way. If the utilities are temporary, an improved easement may be approved.

2.10 Dead End Streets, Cul-de-Sacs and Courts

Cul-de-sacs are permitted and encouraged within residential subdivisions. Use of this design shall provide proper access to all lots and shall not exceed six hundred (600) feet in length, measured from the center of the cul-de-sac to the center of the intersecting street (not a dead end street). Cul-de-sac shall have a minimum paving radius of forty-seven and half (47 ½) feet and a minimum right-of-way radius of fifty-seven and half (57 ½) feet. Specific aspects of the standard cul-de-sac design are given in Figure 2.1C. In lieu of the typical design shown, the City may approve alternative concepts for a specific application.

2.11 Alleys and Alley Widths

Alleys shall be provided in all residential areas and shall be paved with steel reinforced concrete. No alley may be over 1,000 feet long. The City Council may waive the residential alley requirement, if it is in the best interest of the City. Alleys may be required in commercial and industrial districts. The City may waive this requirement where other definite and assured provisions are made for service access such as off-street loading, unloading and parking consistent with and adequate for the uses proposed. The minimum right-of-way width of an alley shall be twenty (20) feet. Dead-end alleys shall not be permitted. The City may waive this requirement where such dead-end alleys are unavoidable and where adequate turnaround facilities have been provided. Adequate provisions shall be made at all intersections in order that equipment, such as garbage collection vehicles and maintenance vehicles, can maneuver the corners. The interior edge of the pavement, at the corners, shall have a minimum radius of thirty (30) feet. The exterior edge of the pavement, at the corners, shall have a minimum radius of twenty (20) feet. The alley paving is to be flared at the street intersection. The right-of-way limits shall be expanded, if necessary, beyond the minimum requirement in order to include all of the paved section and utilities within the right-of-way of the alley. Alley turnouts shall be paved to the property line and shall be fifteen (15) feet wide at that point. All alleys shall have a minimum of twelve (12) feet of steel reinforced paved concrete roadway. Alley shall have a minimum thickness of seven (7) inches on the exterior edges and five (5) inches in the center sections.

2.12 Street Grades

Arterial streets may have a maximum grade of seven and one-half (7 ½) percent, for a maximum continuous distance of two hundred (200) feet. Collector streets may have a maximum grade of seven and one-half (7 ½) percent. Residential streets may have a maximum grade of ten (10) percent, unless otherwise

approved by the City, where the natural topography is such as to require steeper grades. All streets must have a minimum grade of at least seven-tenths (0.7) of one (1) percent. Centerline grade changes with an algebraic difference of more than one (1) percent shall be connected with vertical curves in compliance with the minimum length requirements set forth in Table 2.2.

Table 2.2A: Crest Vertical Curves

Design Speed (MPH)	Coeff. of Friction (a)	Stopping Sight Dist. (Ft.)	Stopping Sight Dist. Rounded for Design (Ft.)	K	K Rounded for Design
15	0.42	72.98	75	4.01	5
20	0.40	106.83	125	8.59	10
25	0.38	146.70	150	16.19	20
30	0.36	193.58	200	28.20	30
35	0.34	248.72	250	46.55	50
40	0.32	313.67	325	74.03	80
45	0.31	383.12	400	110.44	120

(a) AASHTO, p. 316

ROUNDED
MINIMUM LENGTH OF VERTICAL CURVE IN FEET
For Speeds and K Values Shown Below
(L = KA)

Algebraic Grade Diff. (%) (A)	MPH	15	20	25	30	35	40	45
	K	5	10	20	30	50	80	120
1		5	10	20	30	50	80	120
2		10	20	40	60	100	160	240
3		15	30	60	90	150	240	360
4		20	40	80	120	200	320	480
5		25	50	100	150	250	400	600
6		30	60	120	180	300	480	720
7		35	70	140	210	350	560	840
8		40	80	160	240	400	640	960
9		45	90	180	270	450	720	1080
10		50	100	200	300	500	800	1200
11		55	110	220	330	550	880	1320
12		60	120	240	360	600	960	1440
13		65	130	260	390	650	1040	1560
14		70	140	280	420	700	1120	1680
15		75	150	300	450	750	1200	1800

City of Rockwall
The New Horizon

Table 2.2B: Sag Vertical Curves

Design Speed (MPH)	Coeff. of Friction (a)	Stopping Sight Dist. (Ft.)	Stopping Sight Dist. Rounded for Design (Ft.)	K	K Rounded for Design
15	0.42	72.98	75	8.13	10
20	0.40	106.83	125	14.75	20
25	0.38	146.70	150	23.56	30
30	0.36	193.58	200	34.78	40
35	0.34	248.72	250	48.69	50
40	0.32	313.67	325	65.69	70
45	0.31	383.12	400	84.31	90

(a) AASHTO, p. 316
(b) AASHTO. p. 312

ROUNDED
MINIMUM LENGTH OF VERTICAL CURVE IN FEET
For Speeds and K Values Shown Below
(L = KA)

Algebraic Grade Diff. (%) (A)	MPH	15	20	25	30	35	40	45
	K	10	20	30	40	50	70	90
1		10	20	30	40	50	70	90
2		20	40	60	80	100	140	180
3		30	60	90	120	150	210	270
4		40	80	120	160	200	280	360
5		50	100	150	200	250	350	450
6		60	120	180	240	300	420	540
7		70	140	210	280	350	490	630
8		80	160	240	320	400	560	720
9		90	180	270	360	450	630	810
10		100	200	300	400	500	700	900
11		110	220	330	440	550	770	990
12		120	240	360	480	600	840	1080
13		130	260	390	520	650	910	1170
14		140	280	420	560	700	980	1260
15		150	300	450	600	750	1050	1350

2.13 Pavement Design

Traffic projections for next 30 years, engineered paving designs, and sub-grade conditions are required for the pavement design section determinations of all collector and arterial streets.

2.13.1 Subgrade

Subgrades shall be compacted and finished to a smooth uniform surface. Subgrades of native material which have a Plasticity Index (P.I.) of fifteen (15) or more shall be lime stabilized to a minimum depth of six (6) inches. The lime stabilization shall be used for the full width of the street, back of curb to back of curb, plus twelve (12) inches on outside of the curb. The minimum lime content shall be six (6) percent of the dry weight of the material (at least 27 lbs. per square yard). Lime stabilization or concrete stabilization may be required for soils showing a P.I. of 15 or less. Type of stabilization and paving design will be determined prior to pavement construction by a certified geotechnical testing lab. The subgrade materials will be tested in accordance to the Standard Specifications for Construction, unless otherwise approved by the City. In general, the soils testing will include the testing of Atterburg limits and testing of sulfates to determine if lime stabilization is infeasible. Laboratory tests must be submitted to the Engineering Department for approval to determine amount of lime required. Subgrades should be compacted to ninety-five (95) percent standard densities. No sand is allowed under any paving.

2.13.2 Steel Reinforced Concrete Pavement

All pavement shall be steel reinforced size and spacing shall conform to Table 2.3 below. All non-structural cracks in paving shall be routed and sealed as determined by the City. All reinforcing steel placed within the public right-of-way shall be grade 60 steel and comply with Texas Department of Transportation specifications.

Fly ash may be used in concrete pavement locations provided that the maximum cement reduction does not exceed 20% by weight per cubic yard of concrete. The fly ash replacement shall be 1.25 pounds per 1.0 pound of cement reduction.

At a minimum all concrete pavement shall conform to Table 2.3.

Table 2.3: Steel Reinforced Concrete Pavement Design

Street/Pavement Type	Minimum Thick-ness (inches)	Strength 28-Day (psi)	Minimum Cement (sacks / CY)		Steel Reinforcement	
			Machine placed	Hand Placed	Bar #	Spacing (O.C.E.W.)
Arterial *	10”	3,600	6.0	6.5	#4 bars”	18”
Collector *	8”	3,600	6.0	6.5	#4 bars	18”
Residential	6”	3,600	6.0	6.5	#3 bars	24”
Alley	7”-5”-7”	3,600	6.0	6.5	#3 bars	24”
Fire Lane	6”	3,600	6.0	6.5	#3 bars	24”
Driveways	6”	3,600	6.0	6.5	#3 bars	24”
Barrier Free Ramps	6”	3,600	N/A	6.5	#3 bars	24”
Sidewalks	4”	3,000	N/A	5.5	#3 bars	24”
Parking Lot/Drive Aisles	5”	3,000	5.0	5.5	#3 bars	24”
Dumpster Pads	7”	3,600	6.0	6.5	#3 bars	24”

* Paving section designs for arterials and collectors shall be based off 30 year projected traffic volumes and geotechnical analysis/report. (Paving section design shall include but not limited to the following: pavement thickness, reinforcing size and spacing, pavement strength, subgrade thickness, subgrade treatment type (lime or cement))

Concrete batch designs for all paving, sidewalks, and sewer/storm structures are to be reviewed and approved by the Engineering Department. All batch designs shall be submitted with history of recent cylinder breaks for each separate strength requirement (machine placement and hand placed). All batch designs shall have the current date, project name, and use labeled on each design. Submit batch designs to the Engineering Department a minimum of ten (10) days prior to the projected placement date for review and approval.

During construction the contractor shall furnish the following at his own expense:

- Batch plant control from a qualified commercial laboratory. Laboratory personnel shall be competent to determine free moisture in aggregates and make needed adjustments in control of the mix and slump.

- Prepare a minimum four compression cylinders for each 150 cubic yards of concrete or fraction thereof, with one cylinder break at 7 days, one at 14 days, and a minimum of two cylinders broken at 28 days. Note* No averaging on cylinder breaks.

- Testing labs are to submit copies of any and all concrete cylinder breaks that do not meet 28 day break specifications. Cores are to be taken within ten (10) days of any 28 day cylinder break failures.

- Test data and copies of all laboratory reports for site work are to be directed to the attention of the designated engineering construction inspector that is assigned to the project.

The City of Rockwall may suspend concreting operations if the quality of the concrete being placed is not acceptable or due to adverse climate conditions. Concrete placement shall cease if the concrete temperature meets or exceeds ninety-five (95) degree Fahrenheit. If in the opinion of the owner or the City of Rockwall concrete placement operations shall cease a combination of temperature, wind, and humidity create conditions which are adversely affecting the condition of the concrete. Concrete placement shall also cease if concrete temperature is below forty (40) degrees Fahrenheit and falling. Except by specific written authorization of the owner/City of Rockwall, no concrete shall be placed when the air temperature is less than forty (40) degrees Fahrenheit and falling but may be placed when the air temperature is above thirty-five (35) degrees Fahrenheit and rising, "Pending No Freezing Weather is Imminent" with the temperature being taken in the shade away from artificial heat. When and if such permission is granted, the contractor shall furnish sufficient protective material and devices to enclose and protect the fresh concrete in such a way as to maintain the temperature of fifty (50) degree Fahrenheit for a period of at least five (5) days. No concrete shall be placed on frozen subgrades. If in the opinion of the owner or the City of Rockwall concrete operations shall cease if a combination of temperature, wind, and humidity create conditions which are adversely affecting the condition of the concrete, then concrete placement shall cease. It is to be distinctly understood that the contractor is responsible for the quality and strength of the concrete placed under any weather conditions.
Maximum time intervals between the addition of mixing water and/or cement to the batch, and the placing of concrete in the forms shall not exceed the following:

Air or Concrete Temperature Which Ever is Higher	Maximum Time From Addition Of Water To Placement
Non-Agitated Concrete	
Up to 80° F	30 Minutes
Above 80° F	15 Minutes
Agitated Concrete	
Up to 75° F	90 Minutes
75° to 89° F	60 Minutes
Over 89° F	45 Minutes

The use of an approved set-retarding admixture will permit the extension of the above time maximums, by thirty (30) minutes for agitated concrete only.

2.14 Parkways, Grades and Sidewalks

All parkways shall be constructed to conform to top of curb grades with a standard transverse slope of one-quarter (1/4) inch per foot rise from top of curb to right-of-way. All City right-of-way shall be sodded if disturbed.

Where the natural topography is such as to require steeper grades, transverse slopes (except for sidewalk) up to three-quarter (¾) inch per foot may be used with approval of the City of Rockwall.

Sidewalks shall be provided for all residential streets in subdivisions zoned for one or two family dwellings and on all streets designated on the adopted Master Thoroughfare Plan. Barrier free ramps and sidewalks along screening walls, landscaped areas, trails, parks, open space, greenbelts, and/or drainage ways, shall be installed by the Developer with street construction and the sidewalks in front of residential lots shall be installed by the home builder. The City may require sidewalks in other locations. Sidewalks shall be five (5) feet in width and shall have two (2) feet of green space between the Right of Way line and the outside edge of sidewalk. Sidewalks shall be located wholly within the street Right of Way, sidewalk corner clip easement, or road easement. If a fire hydrant is too close to the sidewalk, swerve sidewalk toward the right-of-way line to maintain five (5) feet clear path. If sidewalk has to be built outside the right-of-way, a sidewalk easement is required. This requirement may be waived by the City Council as provided for in Section 24-17 of the Code of Ordinances.

Sidewalks/Trails wider than 5’ will be required to have engineered details.

Sidewalks placed adjacent to the back of the curb must be six (6) feet wide and lugged in to the curb. Sidewalks to be place against the back of curb shall be approved by the City Engineer.

2.14.1 Roadway Reconstruction

During a roadway reconstruction project if a block of a street to be reconstructed does not currently have sidewalks in place, a six (6) foot sidewalk against/adjacent to the curb shall be required on both sides of the roadway within that street block if the following criteria are met:

1. The roadway is above a residential/local classification or on the currently adopted Thoroughfare Plan. (i.e. Minor Collector, Major Collector, Minor Arterial and Major Arterial) and has an Average Daily Traffic (ADT) of 750 vehicles or more per day; or,
2. Any portion of the street block is located within 1,000 feet of a school, city park, or church. In cases where the street block is located within this 1,000 foot buffer the street block shall have a direct connection to another street block or sidewalk system that is also located within the 1,000 foot

buffer. Any street block or sidewalk system that is inhibited from connecting to an existing street block or sidewalk system by a physical barrier (e.g. bridges) may be exempted from this requirement at the discretion of the City Engineer.

For the purpose of this section a street block shall be defined as the section of the road that extends from one (1) street intersection to another, or from a street intersection to the end of a cul-de-sac or dead-end.

This section shall only apply to City initiated reconstruction projects.

2.15 Driveways/Drive Aisles

2.15.1 Residential

Steel reinforced concrete residential driveways to serve single car garages shall not be less than twelve (12) feet in width. Two car garages, carports and/or storage areas shall not be less than eighteen (18) feet nor more than twenty four (24) feet in width at the property line. The width of the driveway for a three car garage shall be twenty eight (28) feet or larger on a case by case basis.

Residential driveways shall be separated from one another by a distance of at least ten (10) feet. The radii of all residential driveway returns shall be a minimum of five (5) feet and shall not extend past the adjoining property line. The driveway approaches devoted to one use shall not occupy more then sixty percent (60%) of the frontage abutting the roadway or alley.

2.15.2 Multi-Family and Non-Residential

Steel reinforced concrete driveways providing access to multi-family or non-residential uses shall have a minimum width of twenty four (24) feet and a maximum width of forty five (45) feet when measured at their narrowest point near, or at, the property line. The minimum radius for these uses shall be twenty-five (25) feet. Larger radii are encouraged. Limitations on permissible locations for these driveways are addressed in Section 2.6, Driveway Locations. Driveway radii returns shall not extend across abutting property lines. The drive aisles shall have a minimum width of twenty four (24) feet.

2.15.3 Grades

The change in grade between the roadway cross slope and the slope of the driveway apron is important to ensure a smooth, low speed turning maneuver. The maximum algebraic change in grade is shown in Table 2.4. An abrupt change in grade will cause the front bumper to drag on the surface of the street and driveway.

Table 2.4: Driveway Grades and Grade Change

Type	Max Grade	Max Algebraic Change in Grade
Residential	14%	12%
Non-Residential	8%	8%

When an algebraic change in grade occurs within a driveway of more than 4% vertical curve will be required. The minimum recommended lengths of vertical curve for the corresponding change in grade for driveway profiles are shown in Table 2.5. It is recommended to put a 2 foot vertical curve where ever the algebraic change in grade is less than 4%.

Table 2.5: Vertical Curve Lengths for Driveways

Algebraic Change in Grade	Minimum Length (ft)	
	Crest Curve	Sag Curve
< 4%	2	2
4% - 5%	5	6
6% - 8%	5	7
9% – 12%	6	8

All driveway profiles should be designed to accommodate a sidewalk crossing at a maximum allowable cross-slope of 2% in order to meet ADA requirements. A sidewalk crossing grade of 2% shall be incorporated into the driveway even if a sidewalk is not to be constructed at the same time.

Reference Figure 2.4 for driveway profiles on an upgrade and Figure 2.5 for driveway profiles on a downgrade. No downgrade driveways will be allowed for new development or construction. If an existing driveway with a downgrade already exists it shall be reconstructed to conform to Figure 2.5. All down grade driveways shall have a raise that must be equal to or above the top of curb elevation.

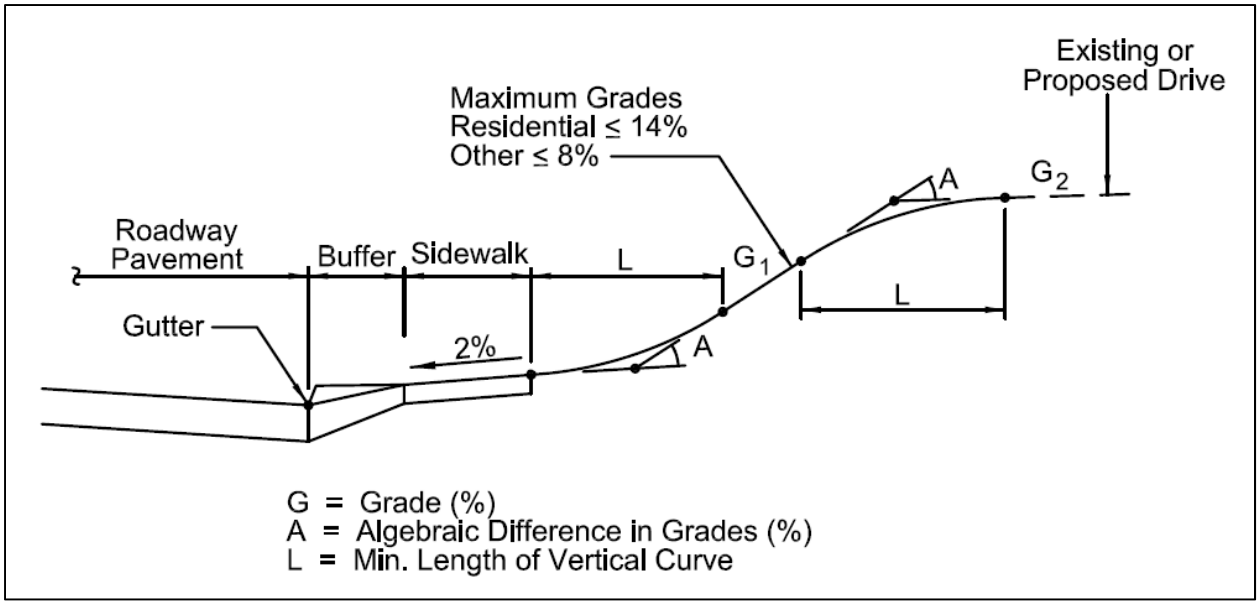


Figure 2.4: Driveway Profiles on an Upgrade

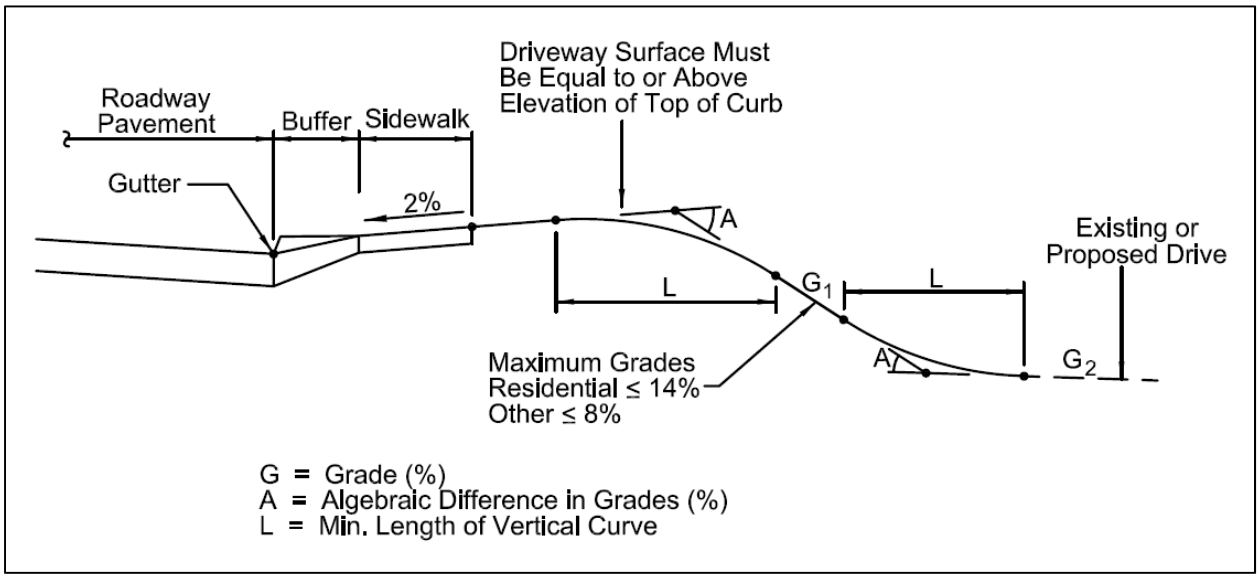


Figure 2.5: Driveway Profiles on a Downgrade

2.16 Traffic Information and Control Devices

Any work disturbing traffic on City streets shall require a signed and sealed traffic control plan by a Registered Professional Engineer in the State of Texas. All signage in City right-of-way shall conform to the Texas Manual of Uniform Traffic Control Devices.

The developer shall be responsible for and arrange for the installation of all pavement striping, regulatory, warning, guide, and school zone signs including posts, as shown on the plans or as directed by the City. Street name signs shall be installed at each intersection. Examples of regulatory, warning, information and guide signs are as follows:

A. Regulatory signs shall include, but are not limited to, STOP, 4-WAY, YIELD, KEEP RIGHT and speed limit signs.

B. Warning signs shall include, but are not limited to, DEAD END, NO OUTLET, DIVIDED ROAD, DIP, and PAVEMENT ENDS.

C. Guide signals shall include, but are not limited to, street name signs, DETOUR, direction arrow and advance arrow.

D. Traffic striping and buttons shall be provided by the developer as shown on plans or as directed by the City.

All signage within medians shall be break away pole bases.

2.16.1 Regulatory Signage

Regulatory signs should be used only where justified by engineering judgment. All signage plans shall be reviewed and approved by the City of Rockwall Engineering Department and be designed in accordance with the principles described in the current Texas Manual on Uniform Traffic Control Devices (TMUTCD).

All street and regulatory signage shall be installed, inspected and approved, prior to final acceptance of the project. This inspection typically takes place as part of the Engineering Department's final walkthrough. Any sign related issue/issues will be noted on the projects final punch list.

A. A detailed street and regulatory signage plan is to be submitted to the City of Rockwall Engineering Department. All signs shall be shown in the engineering plans for review and approval. The signage plan shall be shown on a separate signage & pavement marking layout sheet or as a part of the plan & profile sheet. The plan shall identify the specific sign

designation, size and location for each sign. Sign standards shall also be included in the engineering plans.

B. All signage installed shall comply with the current "*Texas Manual on Uniform Traffic Control Devices*" and the "*Standard Highway Sign Designs for Texas."* The sign layout drawings shall show the color and dimensions of all sign face legend components including background color, legend color, borders, symbols, letter size and style.

C. The developer shall be responsible for furnishing and installing all regulatory signage, warning signage and street name signage along with all necessary sign mounts in accordance with the approved engineering plans. A sample production sign shall be submitted to the Traffic Signs & Pavement Markings Supervisor for review and approval. The sample shall be directed to the City of Rockwall Service Center located at 1600 Airport Road, Rockwall Texas 75087. The sample sign must be submitted at least 10 days prior to the scheduled installation date.

D. For a street with a cul-de-sac end, a standard W 14-2a shall be mounted over the street name blade, if the cul-de-sac is not clearly visible from the adjoining roadway, or is located in excess of 400 linear feet from the adjoining roadway.

2.16.2 Street Name Blades

A. Street name sign blades shall be double-sided with rounded corners.

B. Street Name Blades shall be nine-inch (9") tall flat aluminum. The blades shall be 0.080 inches thick and be a minimum of 36" long.

C. The lettering for the street signs shall be 3M 3930 high Intensity prismatic material sheeting for street, regulatory and warning signs and shall be high intensity diamond grade type III prismatic. The street sign background shall be green and the legend shall be white.

D. The street sign blade must incorporate the current City of Rockwall logo. The logo shall consist of white Scotchlite Series 3930 high intensity prismatic material. (Product Code 3930)

E. Block Numbers are required on all street name blades and shall be located on the top right corner of the street blade.

F. The lettering for the street blades shall be composed of a combination of lower-case letters with initial upper-case letters. The Clearview TCAD-1W font shall be used. The lettering shall be composed of initial upper-case letters of at least 6 inches in height and lower case letters of at least 4.5

inches in height. For supplementary lettering to indicate the type of street (such as Street, Avenue or Road) shall be composed of initial upper-case letters at least 3-inches in height and lower-case letters at least 2.25 inches in height. Abbreviations may be used (for example St., Ave., or Rd) except the street name itself. The supplementary lettering shall be located at the lower right corner of the street blade, under the block number.

G. The street blade sign shall consist of green Scotchlite 3930 high intensity prismatic material background (product code 3937) and white Scotchlite 3930 high intensity prismatic material for the lettering (product code – 3930). The background sheeting shall be white 3M 390 high intensity prismatic material. The background material shall be applied to the full width and height of the sign blank leaving no metal exposed. The background material shall be one continuous piece of material. Patching of background material is not allowed and any sign with patching material of any type will be rejected by the City.

   Alternative Option:
   As an alternative, the foreground color may be green transparent Scotchlite ElectroCut1177 film (E.C. film). Lettering shall be cut out and removed producing a single continuous piece of green transparent film material.

2.16.3 Standard Street Sign Pole and Fixtures

A. Standard Street Sign Post – shall be 12’ long - minimum (2-3/8”) galvanized steel round post with a minimum of 60 mil wall thickness.

B. Standard Post Installation Depth – sign post shall be installed into solid ground to a minimum depth of 24-inches and anchored with a minimum of 60lbs of concrete.

C. Standard Post Bracket – shall be (18”) cast aluminum round post bracket street sign mount for bottom street blade.

D. Standard Top Crossing Bracket – shall be (12”) cast aluminum top crossing street sign bracket mount for top street blade.

E. Standard Mounting Bracket Assemblies – shall be (2-2/8”) diameter aluminum round post interlocking bracket x 2 per pole.

2.16.4 Decorative Sign Poles and Fixtures

The City of Rockwall will allow the installation of decorative signs and posts or other non-standard items by Developers/Homeowners Associations on a case-by-case basis provided that their installation does not result in an adverse

impact to the public safety and that there is no cost to the City for installation or maintenance. Residential developer requesting such installations will be required to give the recorded documentation of an incorporated Homeowner's Association (HOA) to the City. The City of Rockwall maintains only standard street and regulatory signs/post installed on public streets within its designated right-of-ways. The City of Rockwall does not maintain decorative sign poles and fixtures installed by developers or HOA.

If the developer elects to install non-standard decorative signs, sign poles and fixtures, the designated HOA must enter into a maintenance agreement with the City covering the hold harmless provisions. These provisions shall be noted on the approved final plat for the subdivision. The platted maintenance provisions will serve as the agreement and applies to all non-standard decorative signs, poles/post, hardware, or any other attachments. The City of Rockwall has no maintenance or other responsibility to these items. The ownership and maintenance of all such signs, poles and fixtures become the maintenance responsibility of the designated HOA.

Decorative Sign Pole/Fixture Submittals:

A detail of the decorative sign poles, pole fixtures and base mounting shall be included with the submittal of the civil engineering construction plans. The submittal shall also include a street/site plan indicating the location and identification of all proposed signage and post to scale.

HOA Maintenance - Responsibilities and Provisions:

A. The HOA is responsible for maintaining all non-standard decorative signs, poles/post, hardware, attachments or other approved non-standard items under this agreement. The City of Rockwall has no maintenance or other responsibility to these items. The City of Rockwall and the HOA agree the Association will bear any and all maintenance cost related to the said improvements. The City has the statutory authority to install and maintain traffic control devices for vehicular traffic on public streets/roads within the city limits of the City of Rockwall, Texas. This agreement in no way constitutes a change in that authority and does not constitute any delegation of this authority to the Association.

B. The City of Rockwall reserves the right to install temporary replacement signs using standard sign post mounting or alternate temporary mounting when decorative sign posts and signs are damaged. Routine maintenance/replacement of damaged signs, posts and any sign mounting backboard/trim/hardware or other fixtures is the sole responsibility of the HOA and must be repaired within 4 weeks of reporting to the HOA.

C. The City of Rockwall will not handle, store or be responsible for any decorative non-standard sign, post or associated fixtures installed under this agreement.

D. All signs (regulatory and warning) shall be in conformance with the "Texas Manual on Uniform Traffic Control Devices" (Texas MUTCD) and the "Standard Highway Sign Designs for Texas."

E. Sign posts must be of sufficient height to mount the sign in conformance with the current (Texas MUTCD) requirements. Most typical installations require a vertical clearance of 7 feet from the bottom edge of the sign to the ground surface. Overhead signs must conform to all required standards.

F. Signs/posts must be installed in locations as provided in the approved engineering/construction plans or as otherwise approved by the City of Rockwall. On occasion, it may be necessary to re-locate signage/poles based engineering judgment, study or when otherwise deemed necessary by the City.

G. The City of Rockwall reserves the right to approve or disapprove any sign/pole design and/or location. The City of Rockwall must approve the color of signposts and any requested sign mounting/trim.

2.16.5 Miscellaneous

Street address markers shall be installed for each lot in the subdivision. The markers shall be located at the center of the lot on the face of the curbs. The address markers shall have a deep green background with reflective white numbers. The number size shall be four (4) inches in height. The background of the address marker shall be eighteen (18) inches in length and from the top of curb to the gutter flow line. The address marker shall show the full numerical portion of the address of the lot.

All signage for multifamily, commercial, retail and industrial developments are required to have a separate permit from the building department. Signs, including any overhangs, are not allowed in any right-of-ways and/or easements. Location of any signage is not approved on engineering plans

2.17 Temporary Traffic Control

When the normal function of the roadway is suspended through closure of any portion of the right-of-way, temporary construction work zone traffic control devices shall be installed to effectively guide the motoring public through the

area. Consideration for road user safety, worker safety, and the efficiency of road user flow is an integral element of every traffic control zone.

All traffic control plans shall be prepared and submitted to the Engineering Department in accordance with the standards identified in Part VI of the most recent edition of the TMUTCD. Lane closures will not occur on roadways without an approved traffic control plan. Traffic control plans shall be required on all roadways as determined by the City Engineer or the designated representative.

All traffic control plans must be prepared and signed and sealed by an individual that is licensed as a professional engineer in the State of Texas. All traffic control plans and copies of work zone certification must be submitted for review and approval a minimum of three (3) weeks prior to the anticipated temporary traffic control.

The contractor executing the traffic control plan shall notify all affected property owners two (2) weeks prior to any the closures.

Any deviation from an approved traffic control plan must be reviewed by the City Engineer or the designated representative. If an approved traffic control plan is not adhered to, the contractor will first receive a verbal warning and be required to correct the problem immediately. If the deviation is not corrected, all construction work will be suspended, the lane closure will be removed, and the roadway opened to traffic.

All temporary traffic control devices shall be removed as soon as practical when they are no longer needed. When work is suspended for short periods of time at the end of the workday, temporary traffic control devices that are no longer appropriate shall be removed or covered. The first violation of this provision will result in a verbal warning to the construction foreman. Subsequent violations will result in suspension of all work at the job site for a minimum of 48 hours. All contractors working on City funded projects will be charged one working day for each 24 hour closure.

Lane closures on any major or minor arterial will not be permitted between the hours of 6:00 am to 9:00 am and 4:00 pm to 7:00 pm. Where lane closures are needed in a school area, they will not be permitted during peak hours of 7:00 am – 9:00 am and 3:00 pm to 5:00 pm. Closures may be adjusted according to the actual start-finish times of the actual school with approval by the City Engineer. The first violation of this provision will result in a verbal warning to the construction foreman. Subsequent violations will result in suspension of all work at the job site for a minimum of 48 hours. All contractors working on City funded projects will be charged one working day for each 24 hour closure of a roadway whether they are working or not.

2.18 Street Lighting

All developments shall provide streetlights. In general, lights should be located at street intersections and at intervals no greater than four hundred (400) feet apart. Street lights shall be centered one and half (1 ½) feet off the back of curb.

2.19 Barrier Free Ramps

Barrier free ramps shall be provided in all commercial areas and in residential areas which have sidewalks. Ramps shall be located to provide access in accordance with the standards set by the Texas Department of Licensing and Regulation (TDLR) at all pedestrian sidewalks. Laydown curbs and ramps shall be constructed at all street intersections and driveways whether or not sidewalks are being installed. Laydown curbs and ramps shall be constructed by the developer. Barrier free ramps shall have truncated dome plates in the color approved by the City. No truncated dome pavers or ridges allowed.

2.20 Off-Street Parking

All parking areas and spaces shall be designed and constructed of steel reinforced concrete in accordance with the following requirements:

1. All parking areas and spaces shall be designed and constructed of steel reinforced concrete so as to have free ingress and egress at all times.

2. No parking space or parking area shall be designed so as to require a vehicle to back into a public street or across a public sidewalk, except in the case of one and two family dwelling units.

3. Minimum Dimensions for Off-Street Parking:

   a) Ninety-degree parking (Figures 2.6a and 2.6b) – All parking spaces shall be a minimum of nine (9) feet in width. Each parking space adjacent to a building shall not be less than twenty (20) feet in length. Dual head in parking spaces should be a minimum of twenty (20) feet in length. Parking spaces not adjacent to a building or dual head may be eighteen (18) feet in length with two (2) feet of clear (no obstruction including landscaping, lighting, wheel stops, and/or signage) over hang between curb and sidewalk or property line. Maneuvering space shall not be less than twenty-four (24) feet.

   b) Sixty-degree angle parking (Figures 2.7a and 2.7b) – Each parking space shall be not less than nine (9) feet wide perpendicular to the parking angle nor less than twenty and one tenth (20.1) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than fourteen and one half (14 ½)

feet for one way traffic or twenty two (22) feet for two way traffic perpendicular to the building or parking line.

c) Forty-five degree angle parking (Figures 2.8a and 2.8b) – Each parking space shall not be less than nine (9) feet wide perpendicular to the parking angle nor less than nineteen (19) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be not less than twelve (12) feet for one way traffic or twenty-one (21) feet for two-way traffic perpendicular to the building or parking line.

d) Parallel Parking – Each parking space shall not be less than nine (9) feet in width and twenty-two (22) feet in length. Maneuvering space will not be less than twenty (20) feet.

e) Handicap Space Parking – Where handicapped parking is required or installed, the design shall be as in Figure 2.9.

f) When off-street parking facilities are provided in excess of minimum amounts herein specified, or when off-street parking facilities are provided, but not required by this chapter, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space herein specified.

g) Each parking space/stall shall be striped to the minimum dimension detailed out above in this section.

h) No dead-end parking shall be allowed for more than six (6) parking spaces. A minimum turnaround of a 15 feet wide by 64 feet long or a cul-de-sac shall be provide and striped off as “No Parking”. If there are less than six (6) parking spaces a 24 feet by 15 feet would be allowed and would need to be signed as “No Parking”.

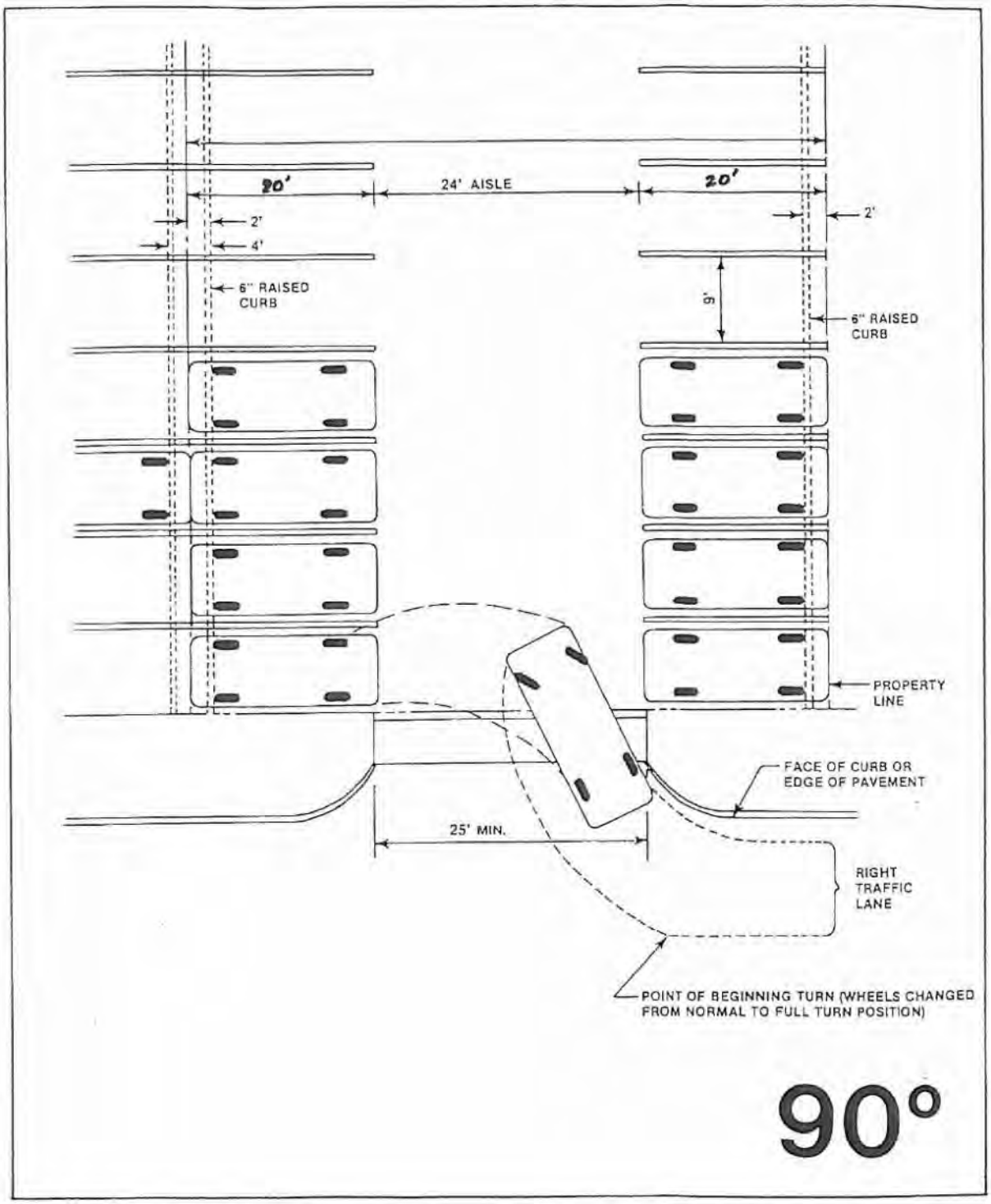


Figure 2.6a: 90° Parking – Double Row

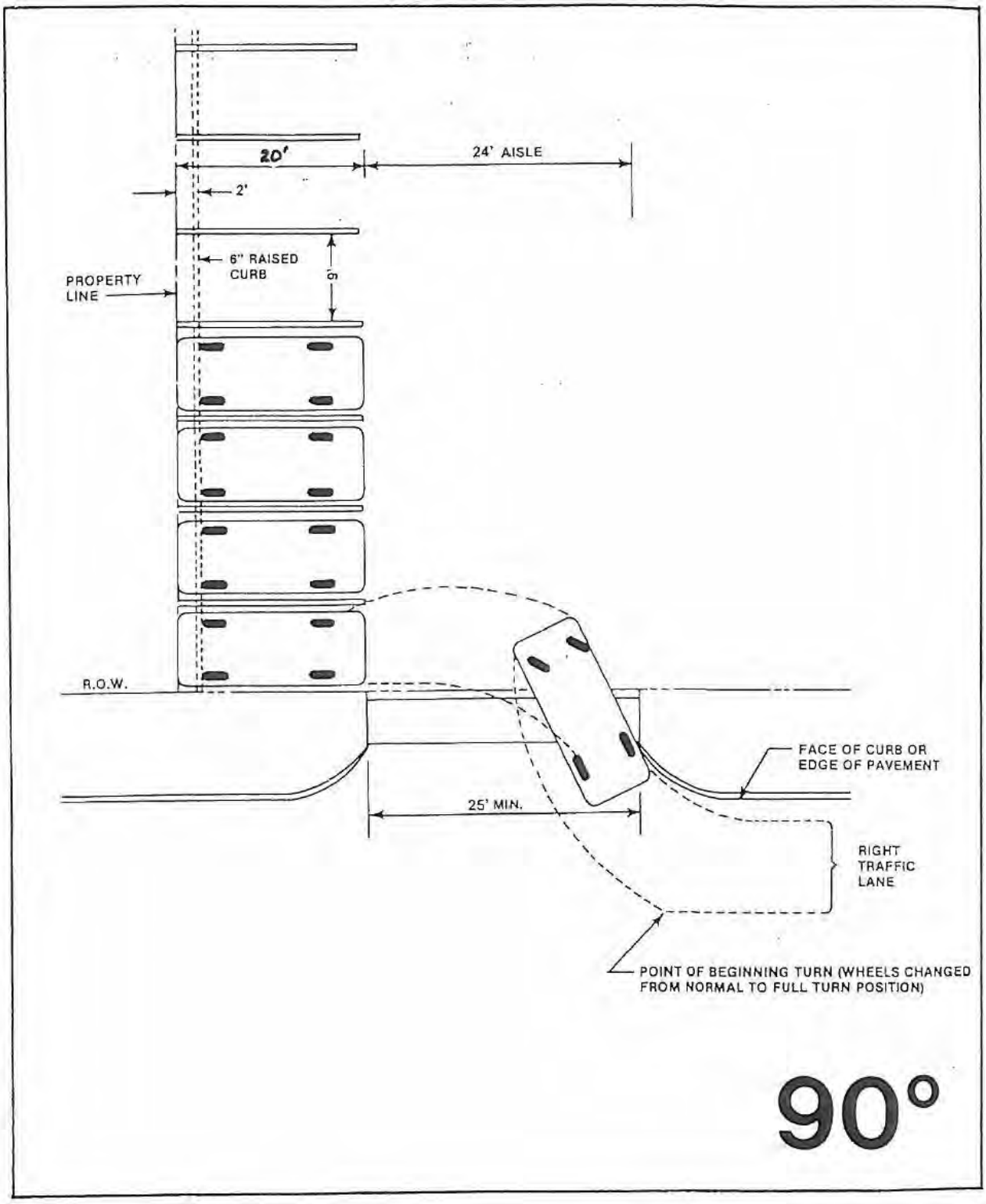


Figure 2.6b: 90° Parking – Single Row

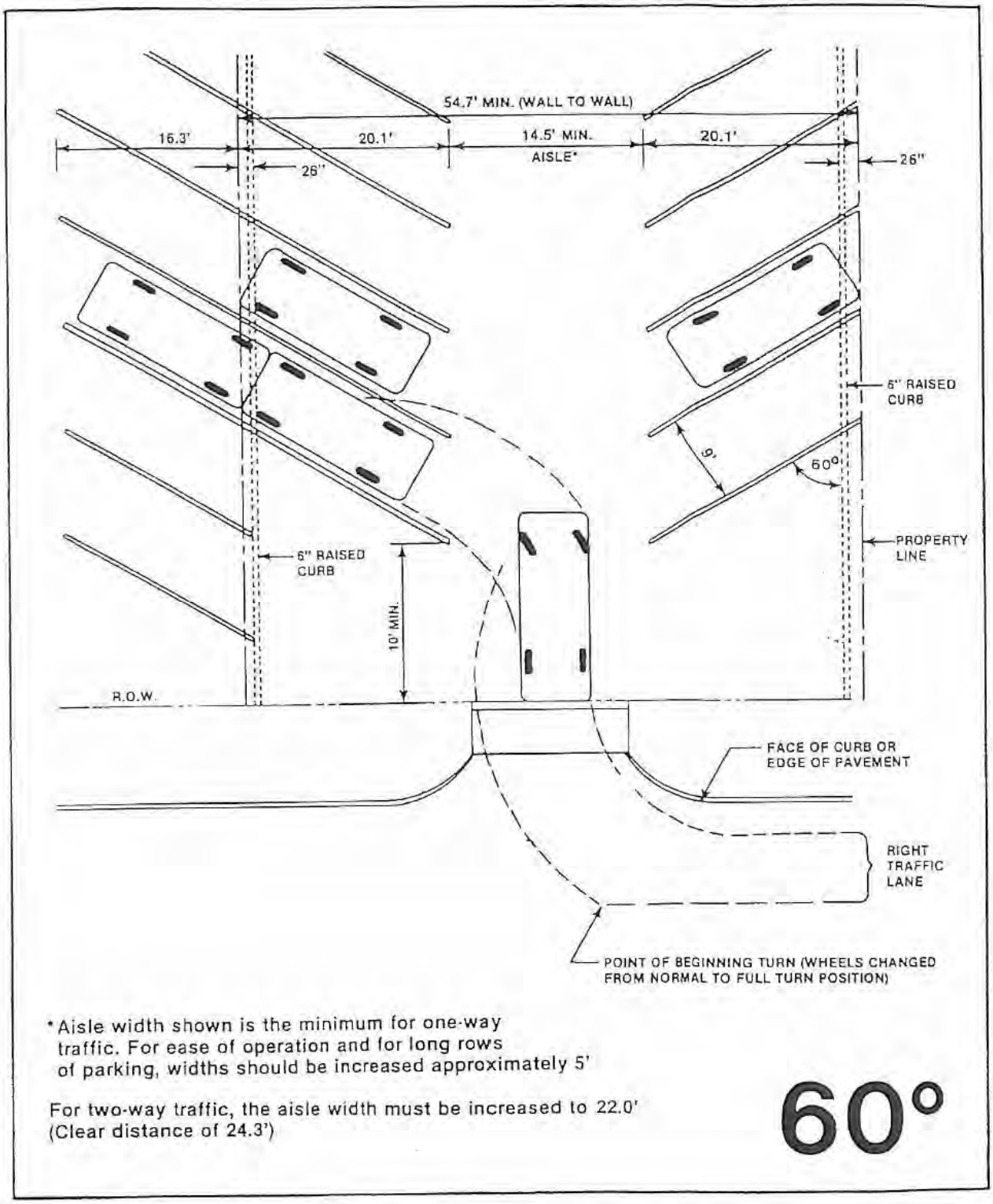


Figure 2.7a: 60° Parking – Double Row

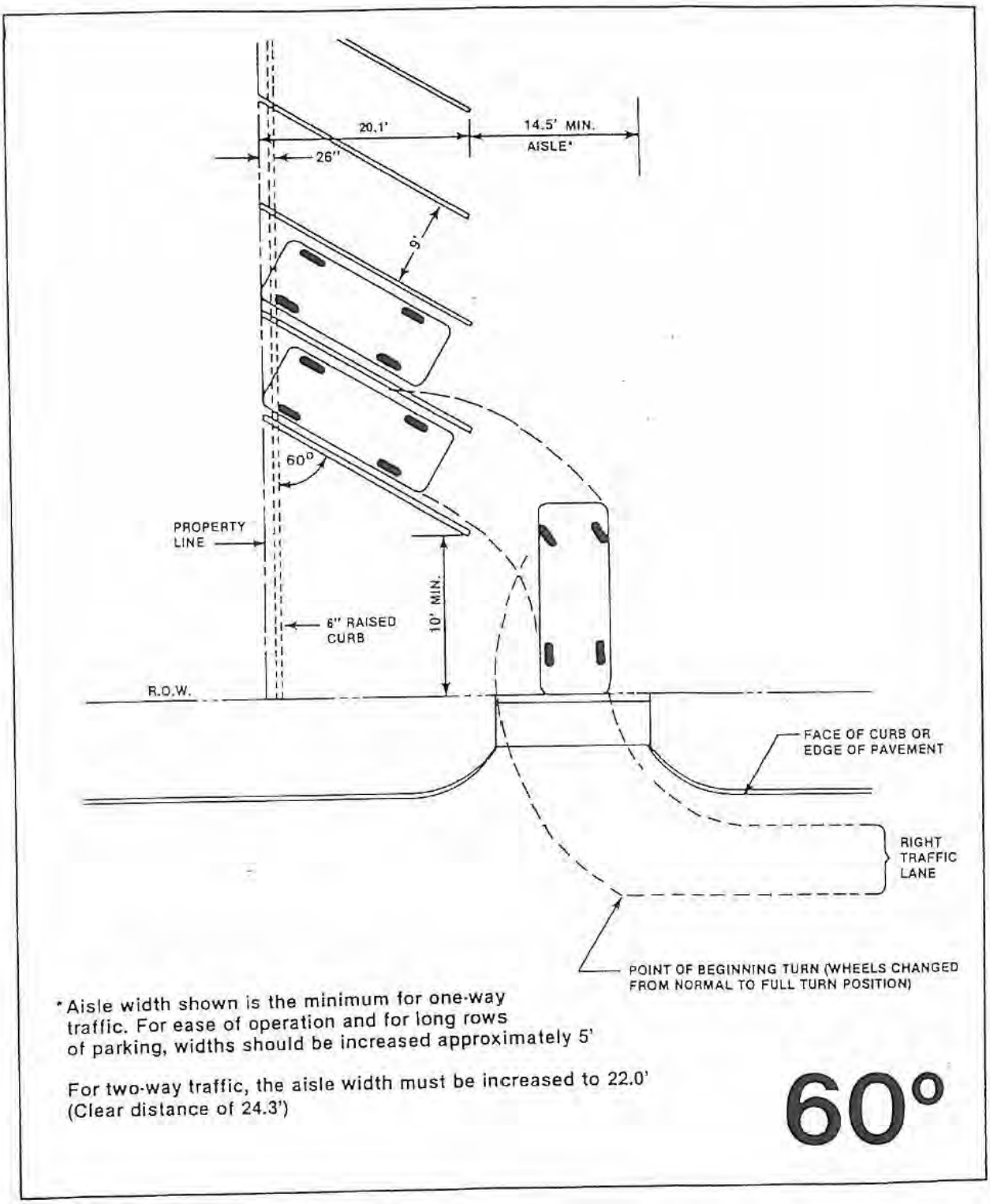


Figure 2.7b: 60° Parking Single Row

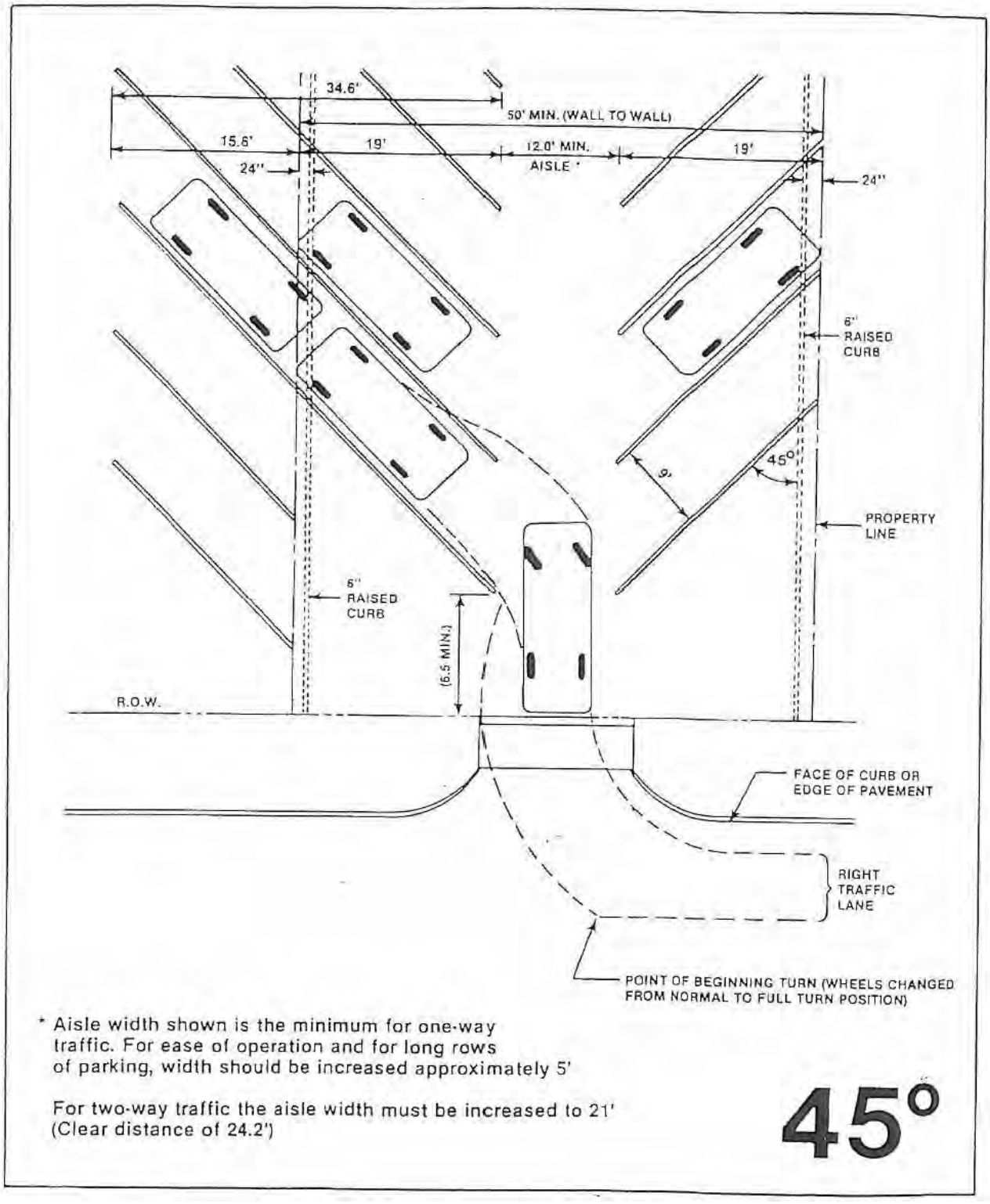


Figure 2.8a: 45° Parking - Double Row

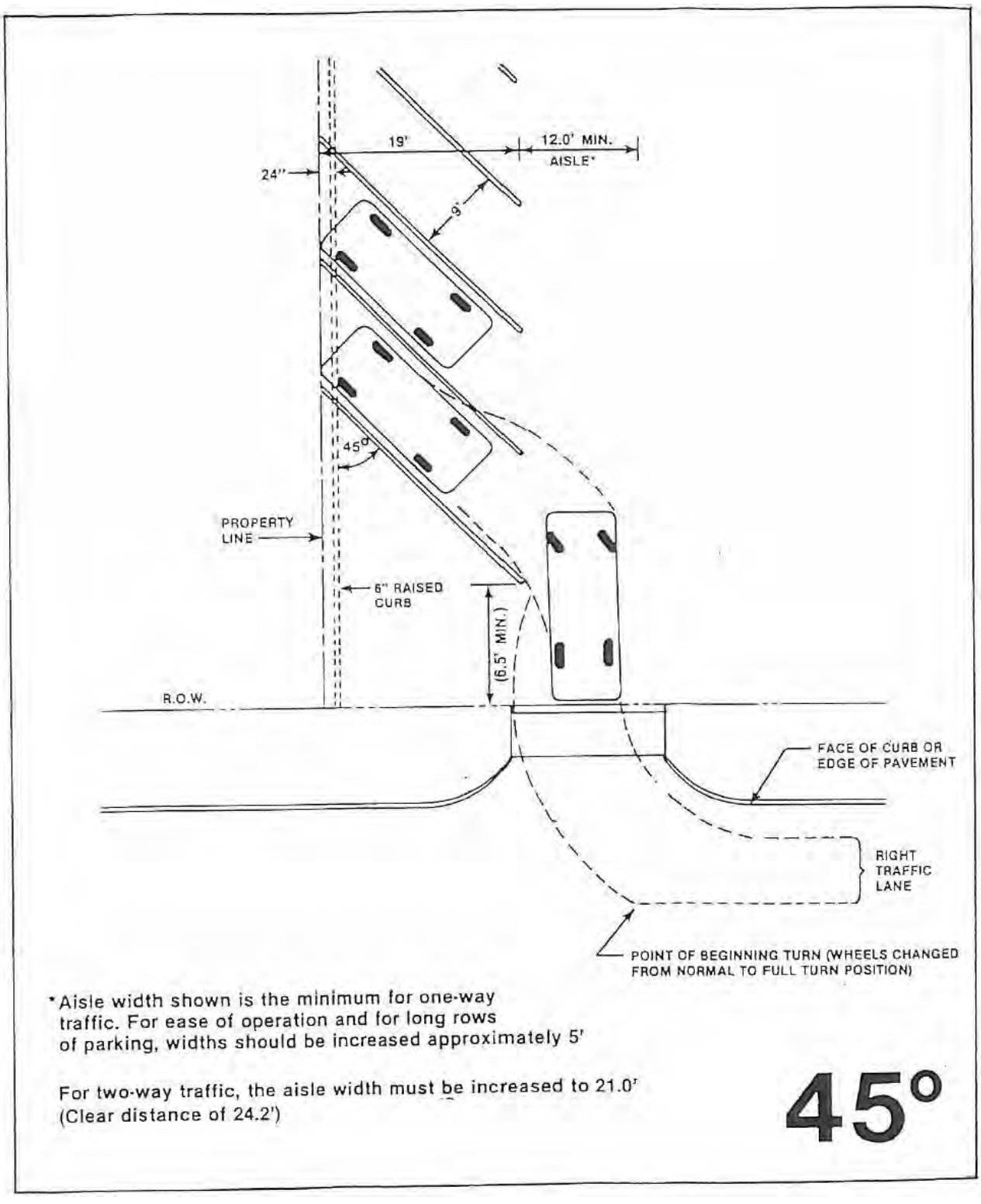


Figure 2.8b: 45° Parking – Single Row

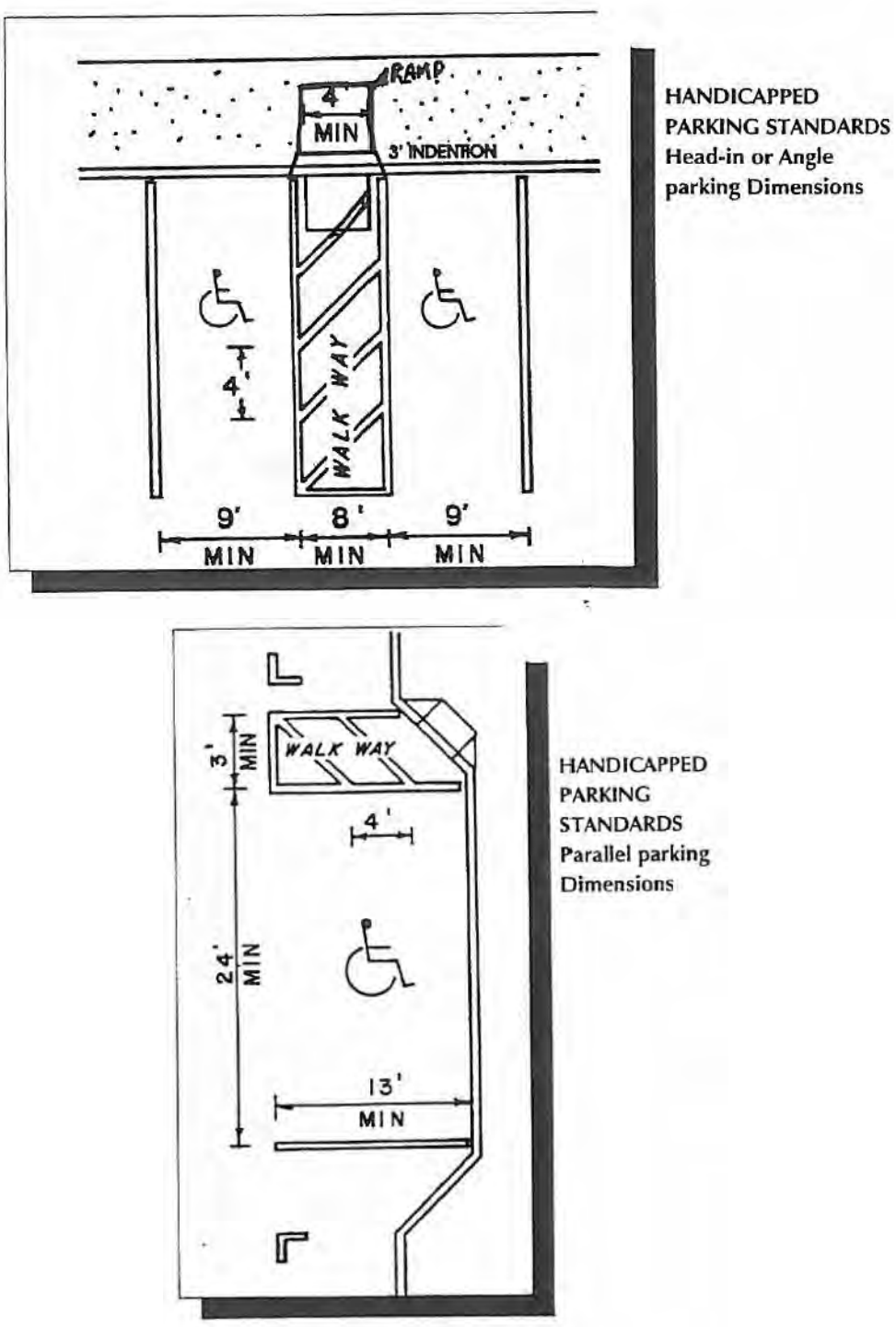


Figure 2.9: Handicap Space Parking

4. Paving Standards:

   a) Unless otherwise approved by the City Council or as specified in these standards, all parking lots shall be paved with steel reinforced concrete and designed according to City standards and specifications. The parking lanes must be clearly marked by approved paint, buttons or other material.

   b) All driveway approaches shall be constructed of steel reinforced concrete in the same strength, thickness, and reinforcing as the adjacent street and shall be curbed per City standards.

   c) All parking lot pavement and drive aisles shall be steel reinforced concrete except for existing asphalt parking lots being rehabilitated. A steel reinforced concrete or asphalt pavement (rehabilitated parking lots) design shall be provided to the City Engineer for review and approval.

   d) Industrial and commercial parking lot pavement shall be steel reinforced concrete and designed by a Professional Engineer. Pavement design shall be submitted to the City for approval.

   e) The pavement within a designated loading area shall be designed and constructed to carry the additional loading of merchandise, goods, sanitation pick-up, etc., in order to prevent any unnecessary failure in the pavement itself. The pavement design shall be included in the engineering construction plans and specifications and submitted to the City Engineer for approval. The pavement design is shall designed by a Geotechnical Engineer.

   f) Fire lane shall have a maximum running slope of ten (10) percent and a cross slope of five (5) percent. A vertical curve is required for grade breaks greater than one (1) percent.

5. Dead end parking shall be designed and constructed with a minimum length of fifteen (15) feet and width of twenty-four (24) feet turnaround space provided at the end of the dead end parking area.

6. If a portion of an existing street is removed for construction, the entire concrete panel must be removed and replaced with the same strength steel reinforced concrete and one (1”) inch thicker than the existing thickness.

7. All entrances or exits in a parking lot shall be a minimum of thirty (30) feet from the beginning point of any corner radius.

8. All entrances or exits in a parking lot shall be a minimum of twenty-four (24) feet and a maximum of forty-five (45) feet in width, unless one-way, in which

case they shall both be a minimum of twelve (12) feet, or as approved by the City Council.

9. No parking areas or parking spaces shall be allowed to pave over or utilize public right-of-way, with the exception of approved entrances and exits, unless the City Council grants an exception and/or a facilities agreement.

10. All multi-family and commercial parking areas and parking spaces shall be designed and constructed to protect adjacent residences from the direct glare of headlights of vehicles using the parking area.

11. No City street curb, alley or street pavement may be cut without a permit from the City.

12. If required, the contractor shall submit a traffic control design to the City of Rockwall Engineering Department prepared by a registered professional engineer prior to beginning of construction. The contractor shall provide signs and barricades in construction areas and comply with the Texas Department of Transportation standard of work zone traffic control. Employees exposed to public vehicular traffic, shall be provided with and wear warning vest or other suitable garments marked with or made of reflective or high visibility material. The contractor shall provide flagman when working inside an active street right-of-ways where necessary.

2.21 Traffic Impact Analysis and Mitigation

2.21.1 Purpose

The purpose of a Traffic Impact Analysis (TIA) is to assess the effects of specific development activity on the existing and planned thoroughfare system. Development activity may include, but is not limited to, rezoning, preliminary site plans, site plans, preliminary plats, driveway permits, certificates of occupancy, and Thoroughfare Plan amendments.

2.21.2 Determination of Applicability

The need for a TIA shall be determined by the City based upon the results and recommendation from a pre-development meeting. It shall be the responsibility of the applicant to demonstrate that a TIA should not be required. If a TIA is required, the level of effort for a TIA submission shall be determined based on the criteria set forth in Table 2.6.

2.21.3 Applicability of TIA Requirements

A. Zoning, Site Plan and Platting – These TIA requirements shall apply to all requests for land use changes which will establish a land use that is deemed to be more intense than the land use depicted on the Land Use

Plan contained within the Comprehensive Plan for a particular property. Applicable requests will also include zoning, site plan, and platting cases, Thoroughfare Plan amendments, and/or where deemed necessary by the City Engineer, Director of Planning and Zoning, the Planning and Zoning Commission, or the City Council. Special circumstances -- *including but not limited to development with no case history* -- may also require a TIA.

B. Development – These TIA requirements shall apply to all development requests for land uses, except single-family residential developments, which will generate over 100 total trips during the AM or PM peak hour. Applicable development requests include all development related applications. Special cases, in which site generated peak hour trip activity is different from that of the adjacent street (weekdays 7:00-9:00 a.m. and 4:00-6:00 p.m.), may require an additional separate analysis. Such circumstances may include, but are not limited to, the establishment of commercial/retail, entertainment or institutional developments or activity. The TIA requirement may be waived for a development request if a TIA was performed previously with the zoning request and the conditions listed in the report are still current.

    I. Single-Family Residential Exception – A TIA for single-family residential development will not be required if the development contains fewer than six (6) dwelling units unless special circumstances exist, as determined by the City Engineer and/or Director of Planning and Zoning. These special circumstances may include, but are not limited to, impacts to other residential developments from cut-through traffic, inadequate site accessibility, the construction or delay of construction of a thoroughfare prior to or after the anticipated date of construction resulting from a proposed development, or the street or access system not being anticipated to accommodate the expected traffic generation.

C. Depending upon the specific site characteristics of the proposed development, one or more of the following elements may also be required as part of the TIA: an accident analysis, sight distance analysis, traffic simulation, traffic signal warrant analysis, queuing analysis, right/left-turn lane analysis, access spacing analysis, link capacity analysis, and/or traffic circulation plan.

City of Rockwall
The New Horizon

Table 2.6: Criteria for Determining TIA Study Requirements

Analysis Category	Criteria	TIA Analysis Periods[1]	Study Area[4]
I	Projected site generated ADT of 750 OR Projected site generated peak hour trips of 100 per hour AND No significant modification of traffic signals or roadway geometry proposed	1. Existing year 2. Opening year[2]	1. All driveway access points, adjacent roadways, and major intersections 2. All signalized intersections on each street serving the site within ¼ mile of the site boundary
II	Projected site generated ADT of 751-2,000 OR Projected site generated peak hour trips of 101-250 per hour OR Installation or modification a traffic signal or roadway geometry proposed, regardless of project size	1. Existing year 2. Opening year[3] 3. Five years after completion	1. All driveway access points, adjacent roadways, and major intersections 2. All signalized intersections and major unsignalized intersections on each street serving the site within ½ mile of the site boundary
III	Projected site generated ADT exceeds 2,000 OR Projected site generated peak hour trips exceeds 250 per hour OR Installation or modification of two or more traffic signals, addition of travel lanes, or modification of interchange proposed, regardless of project size	1. Existing year 2. Opening year[3] 3. Five years after completion	1. All driveway access points, adjacent roadways, and major intersections 2. All signalized intersections and major unsignalized intersections on each street serving the site within 1 mile of the site boundary

1. Analysis periods shall include build and no-build scenarios. Assume full occupancy for each phase as they open.
2. Assume full build-out and occupancy.
3. Additional analysis periods relating to completion of interim phases may be considered for phased developments to support delaying construction of planned mitigations until future phases are constructed. Assume full build-out and occupancy of each particular phase
4. The City may enlarge or reduce the study area depending on the project. This is meant to provide general guidance to the developer. Land uses within the study area should include recently approved or pending development adjacent to the site.

2.21.4 Requirements for TIA Updates

A TIA shall be updated when the time or circumstances of the original study fall within the parameters presented in Table 2.7. The applicant is responsible for the preparation and submittal of appropriate documentation in order for City staff to process the zoning or development application. A TIA for site development requests must be updated if two (2) years have passed since the original submittal and/or approval, or if existing or assumed conditions have changed within the defined study area.

Table 2.7: Criteria for Determining TIA Update Requirements

Original TIA Report was based on:	Changes to the Originally Proposed Development:	
	Access Changed[1] OR Trip Generation Increased by more than 10%	Access Not Changed AND Trip Generation Increased by less than 10%
Zoning; or Preliminary Site Plan or Site Plan that is less than 2 years old	Letter Amendment Required: Identify and report only analysis conditions that have changed	Letter Documenting Change (No analysis is required)
Preliminary Site Plan or Site Plan that is more than 2 years old	Prepare New Study. Must meet all current TIA requirements	Prepare New Study. Must meet all current TIA requirements.

1. Changed access includes proposed new access or refinement of general access locations not specifically addressed in original proposed development.

2.21.5 Funding Resources

A. The Developer will be responsible for all costs related to the design, construction and implementation of all recommended mitigations that have been accepted and deemed required by the City Engineer, not otherwise funded by other government agencies. The City Engineer may require consideration of alternative mitigation options that may not have been included in the TIA.

B. The TIA may take into account the city/state/county approved traffic improvements with dedicated funding. Prior to issuance of a Certificate of Occupancy (CO) permit, the Developer shall complete any required traffic improvements approved by the City as a result of the development which have not been funded or otherwise completed by government agencies. The City may approve delaying the construction of required improvements based on the development's phasing.

2.21.6 Responsibility of TIA Preparation and Review

A. A TIA shall be prepared in accordance with all of the guidelines in this section and submitted in accordance with the Development Review Schedule set by the City. The responsibility for TIA preparation shall rest with the applicant and must be performed by a Professional Engineer (P.E.) licensed in the State of Texas with experience in traffic and transportation engineering. The final TIA report must be signed and sealed by the P.E. responsible for the analysis to be considered for review by the City. Application and review fees are due at the time of each submittal. City staff and consultants shall serve primarily in a review and advisory capacity and will only provide data to the applicant when available.

B. It shall be the responsibility of the applicant to submit two (2) printed and one (1) electronic PDF draft TIA reports and executive summaries prior to the zoning and/or development request submission. The proper number of reports, the timing for submission, and the review of these reports shall be based on standard City development review procedures. Incomplete TIAs or failure to submit a TIA prior to the submission shall delay consideration of zoning and development requests. Should it be determined during the review of any zoning and/or development plans that a TIA is required, consideration shall be deferred until the applicant submits a completed TIA, the TIA has been reviewed, and the City has approved the TIA.

C. The City and/or the City's consultant shall review the TIA and provide comments to the applicant. It shall be the responsibility of the applicant to submit two (2) printed and one (1) electronic PDF finalized TIA reports and executive summaries once all review comments have been addressed. Electronic submission may substitute for the required hard copies only with written authorization of the City Engineer.

2.21.7 TIA Standards

A. Capacity Analysis – A capacity analysis for appropriate peak periods shall be conducted for all driveways, intersections, and streets identified during the pre-development meeting. Capacity calculations shall include both near term and long-term projections. Capacity calculations must be based on the operational analysis technique contained in the most current edition of the Highway Capacity Manual (HCM). Alternative calculations must be approved by the City Engineer.

B. Design Level of Service – The minimum acceptable level of service (LOS) within the City shall be defined as LOS "D" in the peak hour for all critical movements/intersections and links. All development impacts on both thoroughfare and intersection operations must be measured against

this standard.

C. Trip Generation Resources – The City's standard for trip generation rates for various land use categories shall be those found in the latest edition of *Trip Generation Manual* published by the Institute of Transportation Engineers (ITE) or other published or recognized sources applicable to the region. Alternate trip generation rates may be accepted on a case-by-case basis if the applicant can provide current supporting data substantiating that their development significantly differs from the ITE rates. The City and/or City's consultant must approve alternative trip generation rates in writing in advance of the TIA submission.

D. Trip Reductions – Trip reductions for pass-by trips and mixed-use developments will be permitted, subject to analytical support provided by the applicant and approved by the City and/or the City's consultant on a case-by-case basis. Assumptions relative to automobile occupancy, transit mode share, or percentage of daily traffic to occur in the peak hour must be documented and will be considered subject to analytical support provided by the applicant.

E. Study Horizon Years – The TIA must evaluate the impact of the proposed development on both existing traffic conditions and future traffic conditions for the horizon year(s) as specified in Table 2.6. Horizon year(s) are defined as any analysis year beyond the existing year. These applications should take into account the Master Thoroughfare Plan or pending amendments.

F. Traffic Data Collection – Appropriate traffic counts shall be collected. These shall include weekday/weekend daily and peak-hour traffic counts at all locations as directed by the City, Weekday counts shall be taken on a typical Tuesday, Wednesday or Thursday unless other days are required/approved. Peak-hour intersection turning movement counts shall include 15-minute increments. Traffic counts used in a TIA shall be less than one (1) year old and should occur outside of holiday time periods and when public schools are in session unless otherwise approve by the City Engineer. The City Engineer may request additional counts based on specific conditions. The existing counts shall be presented in figures/exhibits for each intersection counted with original data sheets provided in the Appendix.

G. Design Standards – The TIA must evaluate site access characteristics including, access spacing requirements, left/right-turn lane requirements, visibility and sight distance requirements, as needed, relative to City of Rockwall and Texas Department of Transportation (TxDOT) requirements, as appropriate. Any TIA with access to a TxDOT facility must meet TxDOT minimum standards and requirements.

H. Traffic Signal Timing and Phasing – The analysis of all existing traffic signals shall be based on the most current signal timing plans, if available. When signal timing plans are not available the assumed signal timing shall be based on field observations, actuation/detection capabilities and corridor coordination and offsets.

2.21.8 TIA Methodology

A. Site Location/Study Area – A brief description of the size, general features, and location of the site, including a map of the site in relation to the study area and surrounding vicinity. The description should include all existing and proposed traffic control devices within the study area, posted speed limits on all existing, adjoining or impacted roads, pedestrian facilities, intersection layout, and lane usages. If applicable to the project, information may also include lane widths and right of way widths for all existing roads impacted by the development. Photographs may be included to document existing transportation conditions;

B. Existing Zoning – A description of the existing zoning for the site and adjacent property, including land area by zoning classification and density by Floor Area Ration (FAR), square footage, number of hotel rooms, and dwelling units, etc. (as applicable);

C. Existing Development – A description of any existing development on the site and adjacent to the site. If applicable, include impacts to existing development.

D. Site Access – A description or illustration of the existing and proposed site access points and associated turn lanes and/or median openings, including cross-section, lane assignment, turn restrictions, throat width, curb radii, turn-lane requirements, sight distance calculations and access spacing conditions;

E. Proposed Zoning/Site Development – A description of the proposed zoning/development for the site, including land area by zoning classification and density by FAR, square footage, number of hotel rooms, and dwelling units, etc. (as applicable); identify recently approved or pending land uses within the area;

F. Thoroughfare System – A description and/or map of existing planned/proposed thoroughfares and traffic signals for horizon year(s) within the study area;

G. Model Assumptions and Design Factors – The roadway network must be modeled as accurately as possible using field data measurements, industry standards and engineering judgement. This includes, but is not limited to, intersection/roadway segment geometries, traffic flow characteristics and traffic signal phasing and operations;

H. Existing Traffic Volumes – Recent traffic counts for the study area including pedestrian and bike volumes where appropriate;

I. Projected Traffic Volumes – Background traffic projections within the study area for the horizon year(s). Background traffic projections shall include the growth in regional traffic as well as the traffic that will be generated by the undeveloped land adjacent to the site and/or within the study area that is likely to develop by the horizon year(s), as determined by the City Engineer and/or City's Consultant. These traffic projections shall be based upon recently approved development applications, the current zoning on the undeveloped land, the City's Future Land Use Plan or the requested future land use of the development;

J. Density of Development – A table displaying the amount of development assumed for existing zoning and/or the proposed development (using gross floor area, dwelling units, occupied beds, etc., as required by the trip generation methodology);

K. Existing Site Trip Generation – A table displaying trip generation rates and total trips generated by land use category for the appropriate peak hours and on a daily basis for each phase and full development based on existing zoning (if applicable), and including all appropriate trip reductions (as approved by the City and/or City's consultant);

L. Proposed Site Trip Generation – A table displaying trip generation rates and total trips generated by land use category for the appropriate peak hours and on a daily basis for each phase and full development based on existing zoning (if applicable) and/or proposed development, and including all appropriate trip reductions (as approved by the City and/or City's consultant);

M. Net Change in Trip Generation (for rezoning cases) – Proposed trip generation minus existing trip generation (if applicable); the net increase in trips to be added to base volumes for the design year;

N. Trip Distribution and Traffic Assignment – Tables and/or figures/exhibits of trips generated by the proposed development (or net change in trips, if applicable) added to the existing and projected volumes, as appropriate, with distribution and assignment assumptions, unless computer modeling has been performed. Each step of the procedure should be clearly shown in enough detail so that all calculations can be verified;

O. Level of Service Evaluations – Capacity analyses for appropriate peak hours for both existing conditions and horizon year(s) projections for intersections, thoroughfare links, median openings and turn lanes associated with the site, as applicable. Results of the capacity analyses must be summarized in exhibits and/or tables for each analysis period

and scenario providing the level of service designation and average control delay for each intersection overall and for each major lane group as applicable. Volume-to-capacity ratio and 95th percentile queues should be provided for all movements found to operate at a deficient level of service;

P. Intersection Control Evaluations – The need for new intersection controls (i.e. traffic signals, all-way stop control) shall be based on warrants and include their impact on the performance of the transportation system;

Q. Evaluation of Proposed/Necessary Mitigation – Capacity analyses for appropriate peak hours for intersections, thoroughfare links, median openings and turn lanes associated with the site under proposed/necessary traffic mitigation measures;

R. Conclusions – Identification of all thoroughfares, driveways, intersections, and individual movements that exceed LOS D or and any operational problems likely to occur;

S. Recommendations – Identify and summarize any necessary roadway improvements and time frames for improvements to occur. Include any intersections, turn lanes, etc which will not be improved to LOS D or better and support for why improvements are not provided. Mitigation measures should be consistent with Traffic Impact Mitigation section below;

T. Other information required for proper review – As requested by the City Engineer and/or the City's consultant.

2.21.9 TIA Report Format

A. The TIA report must be prepared on 8½" x 11" sheets of paper. However, it may contain figures/exhibits on larger sheets, provided they are folded to this size. All text and map products shall be computer-based and provided in both published format and computer file format (PDF). In addition, all electronic files used as part of the traffic analysis (i.e., Synchro, HCS, Passer II/III, CORSIM, VISSIM, ARCADY, etc.) shall be provided.

B. Traffic volumes must be illustrated on prepared figures/exhibits depicting appropriate movements at each study intersection. This includes, existing and horizon year(s) (i.e. projected background traffic volumes, site generated traffic volumes, background + site generated).

C. The sections of the TIA report should be categorized according to the outline shown below:

I. Executive Summary
II. Introduction
    a. Purpose & Overview of Study
III. Existing Conditions
    a. Site Location/Study Area
    b. Existing Zoning/Development
    c. Study roads/streets and intersections
    d. Traffic Volumes
IV. Proposed Development
    a. Zoning, phasing, densities, etc.
    b. Site Trip Generation
    c. Net Change in Trip Generation (if applicable)
    d. Trip Distribution and Traffic Assignment
V. Projected Volumes
    a. Background Volumes
    b. Background + Site Volumes
VI. Analysis
    a. Level of Service Evaluations
    b. Warrant studies (as applicable)
    c. Link Capacity (as applicable)
    d. Sight Distance (as applicable)
    e. Access Spacing (as applicable)
    f. Left-turn/Right-turn Lanes (as applicable)
    g. Accident (as applicable)
    h. Queuing (as applicable)
    i. Mitigations
VII. Summary/Conclusions
VIII. Recommendations
IX. Appendices

2.21.10 Traffic Impact Mitigation

A. Mitigation of traffic impacts shall be required if the proposed development would cause a facility or traffic movement (if applicable) to exceed LOS D, or where it already exceeds LOS D and the development would contribute five percent (5%) or more of the total traffic during any projected horizon year. If mitigation is required, the applicant must only mitigate the impact of the proposed development, and would not be responsible for alleviating any deficiencies in the thoroughfare system that may occur without the proposed development.

B. Mitigation is not required if it can be shown that the traffic impacts of the project are fully mitigated ten (10) years after the final opening with any improvements that are already programmed to be implemented within five (5) years of the initial opening.

2.21.11 Administration of the TIA

Based on the results of the TIA and actions recommended by the City staff, the City's consultant, the Planning & Zoning Commission and/or the City Council, as appropriate, the City shall take one or more of the following actions:

A. Approve the zoning or development request, if the project has been determined to have no significant impact or where the impacts can be adequately mitigated;

B. Approve the development request, subject to a phasing plan;

C. Recommend study of the City Thoroughfare Plan to determine amendments required to increase capacity;

D. Recommend amendment of the Capital Improvement Program (CIP) to expedite construction of needed improvements; or

E. Deny the zoning or development request, where the impacts cannot be adequately mitigated.

2.21.12 Cost of TIA Review

The City may utilize an engineering consulting firm to assist City staff in the review of a TIA. The cost of this consultant review shall be borne by the developer, engineer, or property owner submitting the TIA. The City shall first obtain a cost estimate from the engineering consultant for the TIA review at time of the initial TIA submittal. Before the review begins, the developer, engineer, or property owner submitting the TIA shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the review progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting the TIA shall be informed of the shortage and a new estimate made by the consultant engineer to complete the TIA review. Additional funds will then be deposited with the City by the developer, engineer or property owner submitting the TIA to cover the estimated shortfall before the review of the study resumes. Any unused funds to be reimbursed to the developer, engineer or property owner submitting the TIA. If review process is performed by City staff, the City will submit a cost estimate for TIA review at time of the initial engineering submittal.

3. STORM DRAINAGE FACILITIES

3.1 Introduction

Drainage facilities shall be designed and constructed at such locations and of such size and dimensions to adequately serve the development and the contributing drainage area upstream of the development. The developer shall provide all the necessary easements and rights-of-ways required for drainage structures including, but not limited to, storm drains and open channels, (lined or unlined), flood detention facilities, and stormwater diversion or containment facilities (such as levees, dams, berms and stream diversions). The minimum easement widths for drainage facilities shall be per Table 3.1. For detention pond easements, water lines and wastewater lines will not be allowed in the easement. A variance to allow retaining walls in detention easement will require approval by the Planning and Zoning Commission with appeals being heard by the City Council.

Table 3.1: Drainage Easements – Minimum Width

		Minimum Easement Width (ft)
Conduit Size	18” – 48” RCP	20’
	48” – 72”RCP	25’
	Box 3’ – 4’ span, RCB	20’
	Box 5’ – 8’ span, RCB	25’
	Box 9’ – 12’ span, RCB	30’
Depth of Conduit	< 14’	20’
	14’ - 16’	25’
	17’ – 20’	30’
	21’ – 23’	35’
	> 23’	40’
Open Channel		15’ wider than top width of channel
Emergency Overflow Flume		20’
Creeks/Stream/Floodplains		Reference Erosion Hazard Setback Section
Detention Ponds		Set at 100-YR freeboard elevation. (Ref. Minimum Freeboard Requirements Section)

The design flows for the drainage system shall be calculated by the Rational Method in accordance with the requirements set forth in this document unless otherwise noted within these Standards (such as where the unit hydrograph methods are required). Curbs, inlets, manholes, etc. shall be designed and constructed in accordance to the Standard Details. Materials and construction procedures shall conform to the requirements of the Standard Specifications for Construction.

The developer shall provide plans, specifications, and design calculations for all drainage structures. All open channels that are not concrete lined shall be designed to prevent erosion (Table 3.11). The City shall specifically approve the type of methods used for prevention of erosion.

The design, size, type and location of all storm drainage facilities shall be subject to the approval of the Engineering Department. The requirements set forth herein are considered minimum requirements. **The developer and their engineers shall bear the total responsibility for the adequacy of design. The approval of the facilities by the City in no way relieves the developer and their engineer of this responsibility.**

The design factors, formulas, graphs and procedures described shall serve as means to prove that adequate conveyance of storm water and adequate flood prevention within the City is being provided. Responsibility for the actual design remains with the developers and design engineer of record. Deviation from the requirements of these standards shall require the approval of the City Engineer.

The City, as a participant in the National Flood Insurance Program (NFIP), must enforce all parts of its adopted Flood Hazard Damage Prevention and Erosion Control Ordinance, as approved by the Federal Emergency Management Agency (FEMA). Therefore, the requirements of that ordinance are adopted and included as a part of the City's Standards of Design and Construction.

The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the overall watershed, whether upstream or downstream of the development, are not adversely affected by storm drainage from facilities on the development. These are outlined in the Storm Drainage Management Plan Section 3.4.

The storm drainage management plan provided as part of the final engineering drawings shall address how storm water on the proposed development and affected adjoining properties will be controlled during phased and completed development. Off-site improvements may be required to carry the additional flows caused by the proposed development. If the downstream system is insufficient to carry the proposed flow without causing potentially increased flood damages, detention will be required to release only the flow amount capable of being carried in the existing system.

Storm drainage released from the site will be discharged to a natural water course or storm sewer system of an adequate size to convey the 100-year storm runoff expected after development.

All storm drainage structures shall be constructed with a minimum of 4,200 psi concrete in 28 days with a cement content of not less than 6.5 sack per cubic yard for machine placed and not less than 7.0 sack per cubic yard for hand

place. All batch designs shall be reviewed and approved by the Engineering Department. All batch designs shall have the current date, project name, and use labeled on each design. Submit batch designs to the Engineering Department a minimum of ten (10) days prior to the projected placement date for review and approval. If pre-cast structures are being utilized, shop drawings must be submitted to the City Engineer for approval along with the batch design which is provided by the manufacturer. All drainage structures shall be double formed. No earth forms will be allowed.

3.2 Storm Drainage Design Criteria

3.2.1 Rational Method

For all drainage areas less than 160 acres, the rational method of computing runoff may be used for design of small drainage facilities (such as storm sewer systems, inlets, street gutter, and small detention facilities. The rational method is expressed by the following equation:

$$Q = CIA$$

Equation 3.1

where:

Q = The storm flow rate at a given point (cfs)
C = runoff coefficient (the ratio of rainfall to peak runoff) as indicated in Table 3.2
I = The average intensity of rainfall, for a period equal to the time of flow from the farthest point of the drainage area to the point of design and is obtained from Figure 3.1. (inches/hr)
A = The area that is contributing to the point of design (acres)

3.2.1.1 Runoff Coefficient (C)

For design of proposed drainage facilities using the Rational Method, runoff coefficients shall be based on the future land use. The runoff coefficients for different land uses should be taken from Table 3.2. A weighted runoff coefficient shall be used if different land uses are contributing to a discharge design point.

3.2.1.2 Time of Concentration

The time of concentration is defined as the longest time, without unreasonable delay, that will be required for water to flow from the upper limit of a drainage area to the point of concentration. The time of concentration to any point in a storm drainage system is a combination of the “inlet time” and the time of flow in the storm drain. The inlet time is the period of time required for water to flow over the surface of the ground to the storm drain inlet. The time of concentration for any one design point shall not exceed ten (10) minutes for storm drain designs.

Using the Rational Method for small drainage acres under average conditions, the minimum time of concentration from the upstream end of a drainage system will coincide with Table 3.3.

Table 3.2: Runoff Coefficient for Types of Land Use

TYPE OF AREA OR LAND USE	ADOPTED RUNOFF COEFFICIENT
Parks or Open Areas	0.35
Single Family Residential or Duplex	0.50
School	0.70
Apartments	0.75
Townhouse	0.80
Churches	0.80
Industrial	0.90
Commercial Business	0.90
Mercantile District	0.90
Retail	0.90
Parking Lot	0.90
Major and Minor Arterials – R.O.W.	0.90

Table 3.3: Minimum Inlet Time of Concentration

TYPE OF AREA OR LAND USE	MINIMUM INLET TIME (minutes)
Parks or Open Areas	20
Single Family Residential or Duplex	10
School	10
Apartments	10
Townhouse	10
Churches	10
Industrial	10
Commercial Business	10
Mercantile District	10
Retail	10
Parking Lot	10
Major and Minor Arterials – R.O.W.	10

Under circumstances which will produce times of concentration in excess of those shown in Table 3.3 the following NRCS TR55 methodology shall be used to determine the time of concentration (Tc). This method separates the flow through the drainage area into sheet flow, shallow concentrated flow, and open channel flow. The Tc is the sum of travel times for sheet flow, concentrated shallow flow and open channel flow. The time of concentration flow path and sheet flow path and following calculations shall be shown in the plans.

A. Sheet Flow: The maximum allowable length for sheet flow shall be no more than 100 feet, if not prior to 100 feet. Guidelines for determining the maximum allowable sheet flow length are provided in Unit Hydrograph Method Section. The T_t in minutes for sheet flow is determined using the following equation:

$$T_t = \frac{0.007(nl)^{0.8}}{(P_2)^{0.5}S^{0.4}}$$

Equation 3.2

where:
T_t = travel time, (hr)
n = Manning's roughness coefficient, (Table 3.4)
l = flow length, (ft)
P_2 = 2-year, 24-hour rainfall, (Table 3.5a)
S = land slope of hydraulic grade line (ft/ft)

Table 3.4: Sheet Flow 'n' Values

Surface Description	n (1)
Smooth surfaces (concrete, asphalt, gravel, or bare soil)	0.011
Fallow (no residue)	0.05
Cultivated soils:	
Residue cover less than 20%	0.06
Residue cover greater than 20%	0.17
Grass:	
Short Prairie Grass	0.15
Dense grasses	0.24
Bermuda grass	0.41
Range (natural)	0.13
Woods:	
Light underbrush	0.40
Dense underbrush	0.80

(1) These "n" values are only applicable for flow depths of approximately 0.1 foot or less where sheet flow occurs. For greater flow depths, typically concentrated shallow overland flow or channel flow occurs, with lower "n" values typical of those generally used in open-channel flow.

B. Shallow concentrated flow travel time is computed as:

$$t_{SC} = \frac{L_{SC}}{3600 K {S_{SC}}^{0.5}}$$

Equation 3.3

where:
t_{sc} = shallow concentrated flow time, (hr)
L_{sc} = shallow concentrated flow length, (ft)
K = 16.13 for unpaved surface, 20.32 for paved surface
S_{sc} = shallow concentrated flow slope, (ft/ft)

C. Channel Flow travel time shall be computed by dividing the channel length by the flow rate obtained from Manning's Equation. This is shown by Equation 3.4.

$$t_{ch} = \frac{L_{ch}}{3600 \frac{1.49}{n} R^{\frac{2}{3}} {S_{ch}}^{\frac{1}{2}}}$$

Equation 3.4

where:
t_{ch} = channel flow time, (hr.)
L_{ch} = channel flow length, (ft)
S_{ch} = channel flow slope, (ft/ft)
n = Manning's roughness coefficient (Table 3.11)
R = channel hydraulic radius (ft), $R = \frac{a}{p_w}$
where: a = cross sectional area (ft^2)
p_w = wetted perimeter (ft)

Since urbanization is anticipated on all drainage areas, all drainage improvements shall be designed for the case of fully developed watersheds. It is generally not practical to design improvements to gravity drainage systems in stages to match development, except in the case of unlined ditches, and then, it is essential that ultimate rights-of-way be obtained at the outset. When the watershed in question is basically undeveloped, the developer shall attempt to anticipate future fully developed conditions and storm water drainage patterns and flow characteristics when determining the time of concentration.

3.2.1.3 Rainfall Intensity (I)

The Rainfall intensity shall be taken from Figure 3.1 below for the minimum inlet time above.

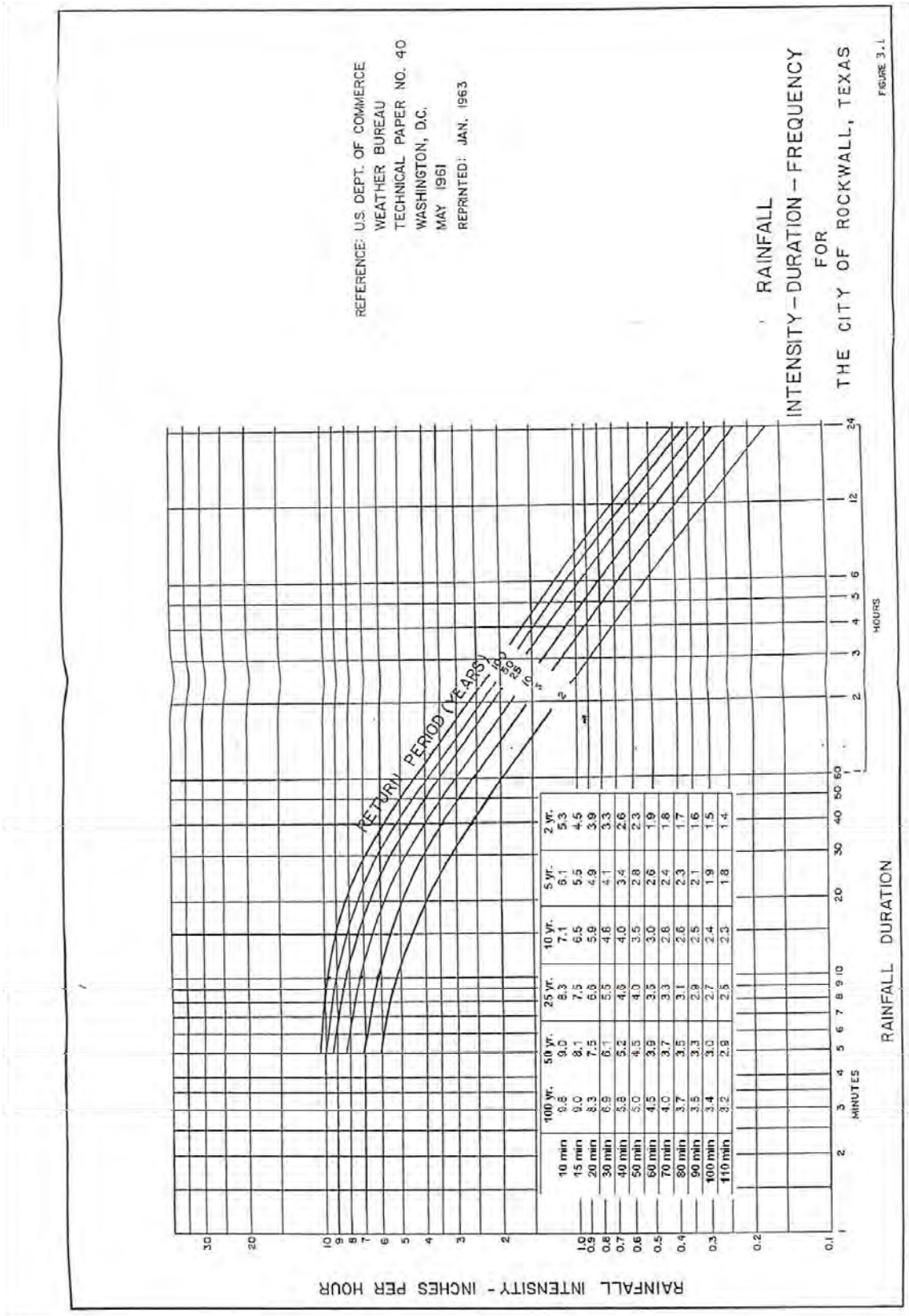


Figure 3.1: IDF Curve

3.2.2 Unit Hydrograph Method

For contributing drainage areas greater than 160 acres, the unit hydrograph method, shall be used to determine the peak storm discharge quantities. This method shall also be used for verification of adequacy of stormwater detention facilities with contributing drainages areas that are equal to or greater than 20 acres.

The City will utilize an engineering consulting firm to assist City staff in the review of a flood and detention studies that utilize the Unit Hydrograph Method. The cost of this consultant review shall be borne by the developer, engineer, or property owner submitting the study. The City shall first obtain a cost estimate from the engineering consultant for the study review at time of the initial study submittal. Before the review begins, the developer, engineer, or property owner submitting the study shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the review progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting the study shall be informed of the shortage and a new estimate made by the consultant engineer to complete the study review. Additional funds will then be deposited with the City by the developer, engineer or property owner submitting the study to cover the estimated shortfall before the review of the study resumes. Any unused funds to be reimbursed to the developer, engineer or property owner submitting the study. If review process is performed by City staff, the City will submit a cost estimate for study review at time of the initial engineering submittal.

The use of a unit hydrograph method shall be based upon standard and accepted engineering principles used in the profession. Acceptable methods include the Natural Resources Conservation Service (NRCS) Technical Release Number 55 (TR-55) for drainage areas 160 acres to 2,000 acres and NRCS's Technical Release Number 20 (TR-20), or the United States Army Corps of Engineers HEC-HMS models for drainage areas 160 acres or more. When the flood study involves a watershed that does not already have any available hydrology model, or in the case where conversion of an existing model to a later version hydrology model is desired, the City's preference is the latest version of HEC-HMS model available.

When the unit hydrograph method is used, a flood study report shall be prepared and provided to the City Engineer, documenting the methodology, assumptions, derivation of all data used, and results of the study. In order to maintain consistency of all hydrologic studies within the City, the following requirements/conditions shall be used when preforming the unit hydrograph method. These requirements/conditions shall be included in the plan set and the flood study report:

1. Use the NRCS 24-hour Type III Rainfall Distribution.
2. Use wet antecedent soil moisture conditions (AMC-III).
   a. Storm runoff/loss parameter calculations, such as NRCS runoff curve numbers (CN). CN values should first be computed based on average antecedent soil moisture conditions (AMC-II) to the nearest 0.1 value (CN2), based on hydrologic soil group, land cover and treatment practices. Then compute the CN3 value for AMC-III conditions, to the nearest 0.1 value, using the NRCS conversion equation as follows:

$$CN_3 = \frac{23CN_2}{10 + 0.13CN_2}$$

Equation 3.4a

3. Compute both pre-construction conditions (based on existing off-site watershed conditions) and post-construction conditions and show comparison in summary table of results.
4. In addition to No. 3 compute projected future fully developed conditions to determine design elevations and erosion protection.
5. 24-hour rainfall storm totals, (See Table 3.5a)
6. Time of Concentration (Tc) and Lag Time Calculations, computed to the nearest 0.01 hour: The lag time is generally considered to be 0.6 x Tc. The Tc calculations should include sheet flow travel time, shallow concentrated flow travel time, channel flow travel time, and travel time associated with any storm sewer system pipes, street gutter flow, and other travel times. Storm sewer pipe travel time may be derived based on design velocities and pipe flow lengths from available or proposed sewer pipe plans. General guidelines pertaining to NRCS TR-55 methodology for determining flow times for sheet flow, concentrated shallow flow, channel flow, and other flow types are included in the section above. The length of sheet flow used with the unit hydrograph method should be determined based on the following procedures to determine where sheet flow ends:
   a. Field investigations, where possible, to detect overland drainage patterns and where sheet flow transitions to other types of overland or pipe flow (such as observation of beginning of overland flow rill erosion patterns or entrance to a storm water inlet).
   b. Information from topographic maps, such as deflections in elevation contours indicating where sheet flow ends and shallow concentrated flow or channel flow may begin.
   c. For areas where previous construction has occurred, review of as-built drainage plans.
   d. High-resolution photography, which may indicate locations where overland flow begins to form shallow concentrated flow as evidenced by erosion patterns.
   e. If the length of sheet flow cannot be determined by the above procedures, or if it is determined by the above procedures to be

greater than 100 feet, the maximum length to be used shall be the lesser of 100 feet or the length computed by the following equation [as taken from the NRCS National Engineering Handbook, Part 630 – Hydrology, Chapter 15]:

$$L = \frac{100S^{0.5}}{n}$$

Equation 3.4b

where:
L = limiting sheet flow length, (ft)
S = land slope over length L, (ft/ft)
n = Manning's roughness coefficient over length L

7. When using a unit hydrograph procedure, mixing the hydrology modeling data with data based on differing procedures is not acceptable:
   a. The time of concentration should be calculated using actual travel time computations. [Do not assume a 10-minute inlet time as assumed in Rational Method].
   b. Use total storm precipitations (inches) listed in Table 3.5a. [Do not use rainfall intensities (inches/hour) or derive total storm precipitation based on the Rational Method rainfall intensities].
   c. For detention ponds with drainage areas greater than 20 acres, if a proposed pond and dam is first designed based on Modified Rational Method, but is found to be inadequate when checked with the unit hydrograph method, then it should be re-designed to safely pass the maximum required design storm using the unit hydrograph method, without flow passing over the top of the dam (and with required freeboard) and without increased discharges being passed downstream from the project site.
8. Drainage areas shall be rounded to the nearest 0.01 acre (0.000001 sq. mi.) in hydrology models, as well as for areas of land use and soil categories when computing composite runoff curve numbers.
9. Impervious areas of a drainage basin should be included within the computed composite runoff curve number calculations used in the hydrology models (instead of using a percentage of impervious area in combination with a weighted curve number in hydrology models that contain that option).
10. Stream reach hydrograph routing computations within hydrology models must be performed using a procedure that accounts for the effects of channel and floodplain storage (such as Modified Puls method), so that impacts on flood discharges due to loss of flood valley storage within the reach, whether caused by currently proposed construction or due to future development, can be determined.

11. NRCS runoff curve numbers listed in NRCS's Technical Release 55 (TR-55) for urban and residential districts are generally inappropriate for typical developments in the City of Rockwall, due to the indicated low percentage of impervious areas indicated with the values. Therefore, curve numbers typical of conditions in the City of Rockwall are included in Table 3.5b. These values should be used in most cases; however, other curve numbers for conditions not listed in Table 3.5b may be derived and used if reasonably justified and documented.
12. Options available in hydrology models to automatically compute pond spillway discharges, based on spillway or outlet type or configuration, are sometimes limited and often do not adequately represent the designed spillway. In such cases, pond water surface elevations versus discharges may need to be computed by other methods and entered into the hydrology model as user defined paired data.

Table 3.5a: Precipitation Frequency Estimates (Inches) for Rockwall, Texas

ARI* (Years)	Duration														
	5 min	10 min	15 min	30 min	60 min	2 hr	3 hr	6 hr	12 hr	24 hr	2 days	3 days	4 days	7 days	10 days
1	---	---	---	1.23	1.60	1.85	2.03	2.44	2.88	3.30	---	---	---	---	---
2	0.495	0.83	1.06	1.47	1.90	2.31	2.54	3.03	3.52	4.09	4.76	---	5.53	6.35	7.09
5	0.58	0.97	1.24	1.79	2.36	3.08	3.35	4.02	4.77	5.48	6.21	---	7.22	8.39	9.24
10	0.64	1.07	1.37	2.02	2.69	3.62	3.95	4.75	5.64	6.57	7.39	---	8.40	9.83	10.90
25	0.73	1.22	1.57	2.35	3.17	4.25	4.65	5.73	6.59	7.67	8.80	---	10.12	11.56	12.87
50	0.80	1.34	1.72	2.61	3.53	4.75	5.20	6.35	7.50	8.70	9.91	---	11.54	13.25	14.53
100	0.87	1.47	1.88	2.87	3.90	5.25	5.77	7.02	8.50	9.75	11.32	---	13.09	14.60	16.25
500	---	---	---	---	---	---	---	---	---	12.0	---	---	---	---	---
PMP*	---	---	---	---	---	---	---	30.8	36.4	41.5	46.80	49.2	---	---	---

* ARI = Average Recurrence Interval

* PMP = Probable Maximum Precipitation

References: U.S. Department of Commerce / National Oceanic and Atmospheric Administration / National Weather Service and U.S. Department of the Army:

1. Technical Memorandum NWS HYDRO-35, *Five- to 60-Minute Precipitation Frequency for the Eastern and Central United States*, June 1977.
2. Technical Paper No. 40, *Rainfall Frequency Atlas of the United States for Durations from 30 Minutes to 24 Hours and Return Periods from 1 to 100 Years*, May 1961.
3. Technical Paper No. 49, *Two- to Ten-Day Precipitation for Return Periods of 2 to 100 Years in the Contiguous United States*, 1961
4. Hydrometeorogical Report No. 51, *Probable Maximum Precipitation Estimates, United States East of the 105th Meridian*, June 1978.

Note: For rainfall durations of 5 minutes through 60 minutes, rainfall frequency estimates for ARI's of 2 years through 100 years are based on Technical Memorandum NWS HYDRO-35, which supersedes values presented in Technical Paper No. 40.

City of Rockwall
The New Horizon

Table 3.5b: NRCS Runoff Curve Numbers (AMC_{II}) for Various Land Use Classifications

Land Use Classification	Hydrologic Soil Group			
	A	B	C	D
Wooded (Wf)	36	60	73	79
Wooded (Wg)	30	55	70	77
Open Space/Range/Pasture (OSf)	49	69	79	84
Open Space/Range/Pasture (OSg)	39	61	74	80
Cultivated, Straight Row (Csr)	72	81	88	91
Cultivated, Contoured w/o Terracing (Cc)	70	79	84	88
Cultivated, Contoured and Terraced (Cct)	66	74	80	82
Residential (R20) **	59	74	82	86
Residential (R30) **	60	75	83	87
Residential (R40) **	66	78	85	88
Residential (R50) **	69	80	86	89
Residential (R60) **	74	83	88	91
Residential (R70) **	80	87	91	93
Bare Soil	77	86	91	94
Commercial/Business/Multifamily (CBM)	89	92	94	95
Industrial	81	88	91	93
Dirt or Gravel Roads, R.O.W. (Rd)	76	85	89	91
Paved Roads, R.O.W. (Rp)	83	89	92	93
Inundated (W)	100	100	100	100
Urban High Runoff Equivalent *	83	89	92	94

* Urban high runoff equivalent is used only for projected fully-developed watershed conditions.
** Residential coding refers to percent impervious (for example, R60 is for 60% impervious) (For areas that fall between listed Values, Please round to the nearest coding.)
Note: Curve numbers listed above are for average antecedent moisture conditions (AMC_{II}).

3.2.3 Design Storm Frequencies

The design storm frequencies shall be the 100-year storm.

For the Rational Method the relationship between rainfall intensity, duration and frequency is set forth in Figure 3.1. These curves have been developed using Technical Paper No. 40, “Rainfall Frequency Atlas of the United States” by the U.S. Weather Bureau.

For the Unit Hydrograph Method the total rainfall for the 24-hour duration storm is used. See Table 3.5a.

3.2.4 Drainage Calculations Summary Tables

The calculations of the storm water discharge shall be provided to the City. As a minimum, the engineering plans shall include:

- Existing and Proposed Drainage Area Calculations Table using Form 3.1,
- Inlet Calculations Table using Form 3.2
- Storm Sewer Calculations Table using Form 3.3.
- Open Channel Calculations Table using Form 3.4
- Culvert Design Calculations Table using Form 3.5

Form 3.1: Drainage Area Calculations Table

Areas Drained					Weighted Runoff Coeff. C	C*A
Area ID	Total Drainage Area	Parks or Open Area (C=0.35)	Residential (C=0.5)	Comm. (C=0.9)		
	(acres)	(acres)	(acres)	(acres)	(acres)	(acres)
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Time of Concentration T_C	Design Storm Frequency	Intensity I	Storm Runoff Q	Drains To/ Remarks
(min)	(yrs)	(in/hr)	(cfs)	
(8)	(9)	(10)	(11)	(12)

Instructions for Form 3.1: Drainage Area Calculation Table

Column (1)	Drainage area identification number or designation
Column (2)	Total Drainage area in acres
Column (3 to 5)	Area drained for each land use type in acres (add additional columns for different land use areas as needed) Runoff Coefficient taken from Table 3.2
Column (6)	Weighted Runoff Coefficient calculated from Columns 2 to 5
Column (7)	Product of Column (2) and Column (6)
Column (8)	Minimum inlet time of concentration taken from Table 3.3
Column (9)	Design Storm Frequency, shall be 100-yr for all areas
Column (10)	Using the time of concentration and design storm frequency, the rainfall intensity is taken from Figure 3.1
Column (11)	Solution of Equation 3.1
Column (12)	A detailed description of where the drainage area drains to including but not limited to Inlet ID, Street Location, Creek Name, Detention Pond Designation, etc.

3.2.5 Flow in Streets

Capacity of Arterials, Collectors and Residential streets shall be calculated using a straight crown: Storm water flow in streets having a straight crown shall be calculated as follows:

$$Q = \frac{0.56}{n} S_x^{\frac{5}{3}} S^{\frac{1}{2}} T^{\frac{8}{3}}$$

Equation 3.5

where:
Q = gutter flow rate, (cfs)
n = Manning's roughness coefficient; value = 0.0175
S = the longitudinal slope of the street gutter, (ft/ft)
S_x = pavement cross slope, (ft/ft)
T = ponded width, (ft)

3.2.6 Flow in Alleys

Capacity of alleys should be taken from Manning's Equation:

$$Q = \frac{1.49}{n} AR^{2/3} S^{1/2}$$

Equation 3.6

where:
Q = alley flow rate, (cfs)
n = Manning's roughness coefficient; value = 0.0175
A = cross sectional area of flow, (ft^2)
R = hydraulic radius, (ft)
S = the longitudinal slope of the alley, (ft/ft)

3.2.7 Permissible Spread of Water (Ponding Width)

3.2.7.1 General

Spread of water refers to the amount of water that may be allowed to collect in streets during a storm of specific design frequency. The following Equation 3.7, a re-arranging of Equation 3.5, shall be used to determine the ponding width "T" for straight crowned streets. (Arterials, Collectors and Residential).

$$T = 1.24\left(\frac{Qn}{{S_x}^{5/3}S^{1/2}}\right)^{\frac{8}{3}}$$

Equation 3.7

where:
Q = gutter flow rate, (cfs)
n = Manning's roughness coefficient; value = 0.0175
S = the longitudinal slope of the street gutter, (ft/ft)
S_x = pavement cross slope, (ft/ft)
T = ponded width, (ft)

In order that excess storm water will not collect in streets during a storm of the design frequency, the following spread of water values shall be used for the various types of streets. Figure 3.2 provided below shows the relationship between thoroughfare type, gutter flow capacity and street slope based on maximum permissible ponding width described in the next sub-sections.

3.2.7.2 Major and Minor Arterials (P6D & M4D) – Divided

Based on pavement cross-slope of 2.0%, the 100-year Design Frequency flow shall not exceed the elevation of the lowest top of curb. The design engineer shall verify that one lane of traffic in each direction shall remain free of ponding in the 100-year storm event.

3.2.7.3 Collector Streets – (M4U, M3U & Minor Collector)

Based on a straight cross-slope with a roof top crown of six (6) inches, the 100-year storm event flows shall not exceed the top of curb, six (6) inches.

3.2.7.4 Residential Streets

Based on a straight cross-slope with a roof top crown of six (6) inches, the 100-year storm event flows shall not exceed the top of curb, six (6) inches.

3.2.7.5 Alleys

The 100-year Design Frequency shall not exceed the capacity of the alley pavement, a depth of five (5) inches. No ponding will be allowed beyond the pavement edge. Alley paving to be warped to drain the paving toward the inlet.

3.2.7.6 Parking Lots

The 100-yr design frequency shall not exceed a depth of six (6) inches except where on pavement detention is occurring where one (1) foot in depth is permissible.

3.2.8 Inlet Design

3.2.8.1 General

Determination of the required size of the storm drain inlets will be based on the calculations called out in this section and the instructions for FORM 3.2: Inlet Design Calculations Table.

3.2.8.2 Types of Inlets

City requires the use of depressed curb inlets. A depressed curb inlet is more efficient than a non-depressed inlet because a depressed inlet induces a greater cross-flow toward the inlet allowing less water to flow past it. Also, the transition out of the depression causes a backwater effect, which further increases the capacity of the storm drain. A gutter depression for all curb inlets shall be six (6) inches, as shown in the Standard Details. Inlets shall be sized in multiplier of five (5) feet (5, 10, 15 and 20). Construction of inlets shall be in accordance with the Standard Details. Use Table 3.6 for the selection of inlets to be used within the City. No grate inlets are allowed without approval from the City Engineer.

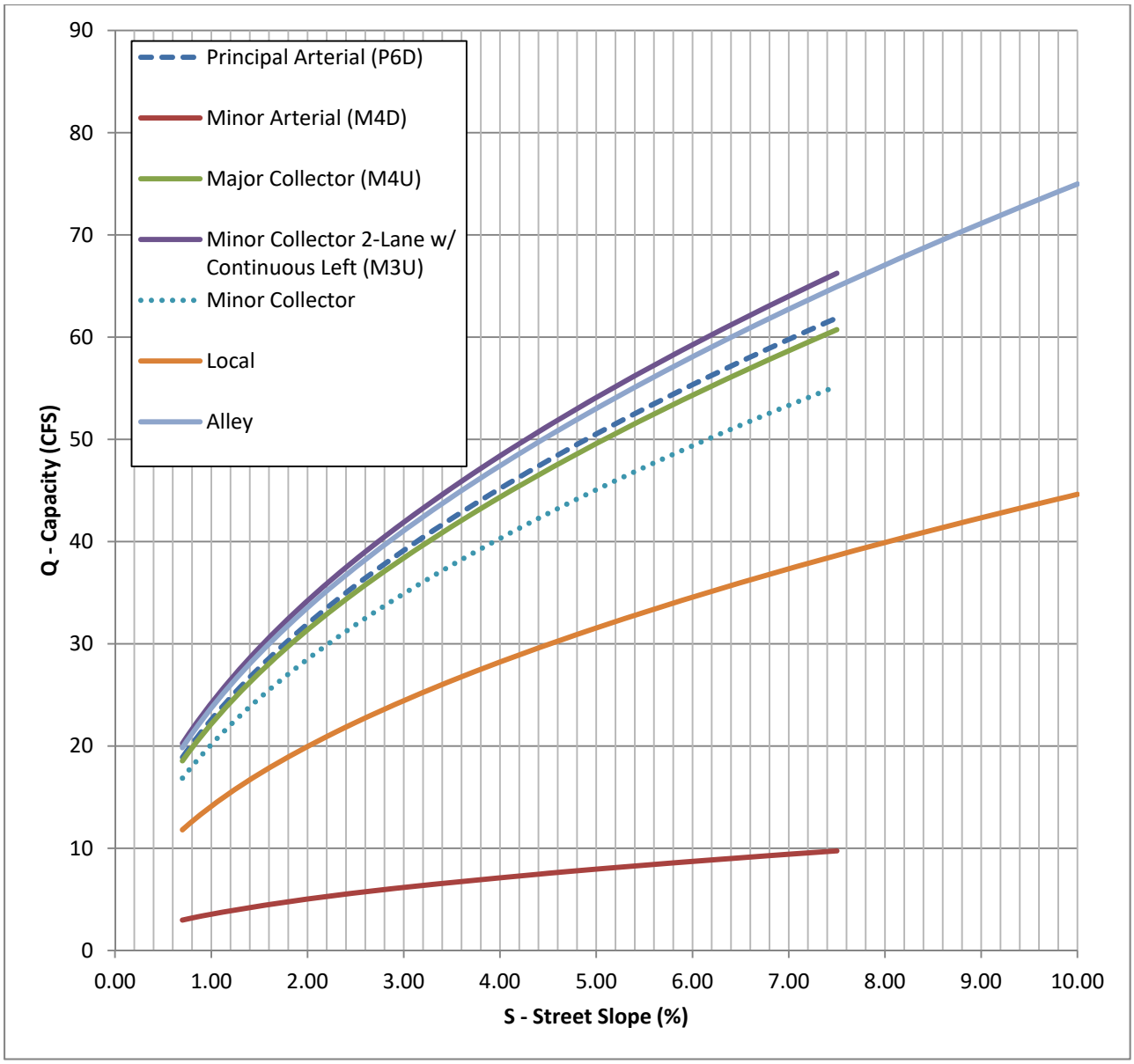


Figure 3.2: Thoroughfare Gutter Capacity based on Maximum Permissible Ponding Width

Table 3.6: Storm Drain Inlets

INLET DESCRIPTION	AVAILABLE INLET SIZES	WHERE USED	DESIGN EQUATIONS
Standard Curb Opening Inlet on Grade	5' 10' 15' 20'	Arterials (P6D & M4D) Collectors (M4U, Minor & M3U) Local (Residential) Alley	Equation 3.8 through 3.16
Standard Curb Opening Inlet at Low Point	5' 10' 15' 20'	Arterials (P6D & M4D) Collectors (M4U, Minor & M3U) Local (Residential) Alley	Equation 3.17 & 3.18
Recessed Curb Opening Inlet on Grade	5' 10' 15' 20'	**Street Grade 6% or Greater** Arterials (P6D & M4D) Collectors (M4U, Minor & M3U)	Equation 3.8 through 3.16
Combination Inlet on Grade	4' 6' 8'	Combination Inlets to be Used Where Space Behind Curb Prohibits Other Inlet Types and Alleys **City Engineer Approval Required**	
Combination Inlet at Low Grade	4' 6' 8'	Combination Inlets to be Used Where Space Behind Curb Prohibits Other Inlet Types and Alleys **City Engineer Approval Required**	
Grate Inlet	2 Grate 3 Grate 4 Grate 6 Grate	**No grate inlets are allowed without approval from the City Engineer**	
Drop Inlet	2'x2' 3'x3' 4'x4' 5'x5'	Open Channels/Area Drain	Equation 3.19 & 3.20

3.2.8.3 Location

All inlets (edge of opening) shall be a minimum of ten (10) feet from street or driveway curb return. Recessed inlets will be required to be installed at all inlet locations where the street grade is to be 6% or greater except on residential streets. At locations where depressed inlets are expected to interfere with pedestrian activity, usually at crosswalks or interior spans of the block used for parking, a depression of less than six (6) inches may be required. These locations may require additional inlet width to compensate for the reduced depression. The City will consider all variances from a standard six- (6) inch gutter on an individual basis.

A. Major and Minor Arterials (Divided): Inlets shall be located at street intersections, at low points of grade or where the gutter flow exceeds the permissible spread of water criteria. Inlets shall be located, when possible, on lesser traveled streets or alleys when grades permit. Inlets located on arterials and where street grade is 6% or greater shall be recessed in order to minimize interference of the gutter depression with travel lanes. In super-elevated sections, inlets placed against the

center medians shall have no gutter depression and shall intercept gutter flow at the point of vertical curvatures to prevent flow from crossing the arterial. Unless expressly approved by the City Engineer, storm waters will not be allowed to cross arterials on the surface in valley gutters or otherwise. All sag inlets will require a reinforced concrete emergency overflow flume. The capacity of the emergency overflow flume shall equal or exceed the 100-yr design storm flow coming to the sag point.

B. Collector Streets: Inlets shall be located at street intersections, low points of grade or where the gutter flow exceeds the permissible spread of water criteria. Inlets shall be located, when at all possible, on lesser traveled streets or alleys where grade permits. All sag inlets will require a reinforced concrete emergency overflow flume. The capacity of the emergency overflow flume shall equal or exceed the 100-yr design storm flow coming to the sag point.

C. Residential Streets: Inlets shall be located at street intersections, low points of grade or where the gutter flow exceeds the permissible spread of water criteria. All sag inlets will require a reinforced concrete emergency overflow flume unless the design engineer calculates that the street will carry the overflow above the crest of the roadway without the water surface elevation exceeding the top of curb. The capacity of the emergency overflow flume shall equal or exceed the 100-yr design storm flow coming to the sag point.

D. Alleys: Inlets shall be located before intersections with streets, alley to alley intersections, change in alley directions, low points of grade or where the gutter flow exceeds the permissible spread of water criteria. All sag inlets will require a reinforced concrete emergency overflow flume. The capacity of the emergency overflow flume shall equal or exceed the 100-yr design storm flow coming to the sag point.

E. Parking Lots: Inlets shall be located at all sag points and before ponding exceeds six (6) in depth except when on pavement detention is occurring.

3.2.8.4 Curb Inlets On-Grade

The sizing of curb inlets on-grade shall be done based on the following Equations 3.8 through 3.16 and Figure 3.3. Figures 3.4 through 3.9 are provided as reference for On-Grade Curb Inlet Capacities on the City Thoroughfares.

$$L_r = 0.6Q^{0.42}S^{0.3}\left(\frac{1}{nS_e}\right)^{0.6}$$

Equation 3.8

where:
Lr = length of curb inlet required (ft)
Q = flow rate in gutter (cfs)
S = longitudinal slope (ft./ft)
n = Manning's roughness coefficient, value = 0.0175
Se = equivalent cross slope (ft./ft.)

$$S_e = S_x + \frac{a}{W}E_0$$

Equation 3.9

where:
S_e = equivalent cross slope (ft/ft)
S_x = cross slope of the road (ft/ft)
a = gutter depression depth (ft), all inlet depressions shall be 0.50 feet (6 inches)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft
E_o = ratio of depression flow to total flow

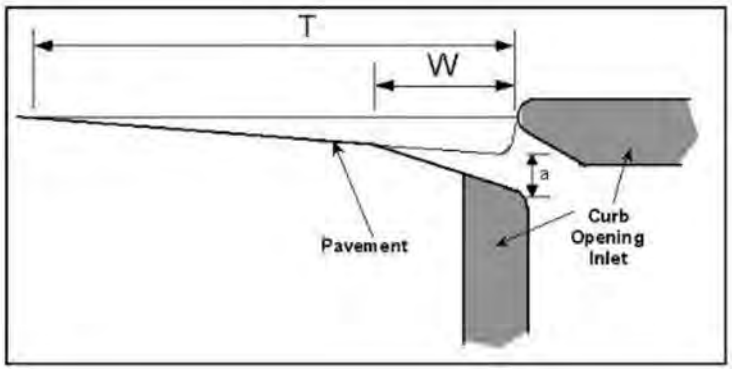


Figure 3.3: Gutter Cross-Section Diagram

$$E_0 = \frac{K_W}{K_W + K_0}$$

Equation 3.10

where:
E_0 = ratio of depression flow to total flow
K_W = conveyance of the depressed gutter section (cfs)
K_0 = conveyance of the gutter section beyond the depression (cfs)

$$K = \frac{1.486A^{5/3}}{nP^{2/3}}$$

Equation 3.11

where:
K = conveyance of cross section (cfs)
A = area of cross section (ft^2)
n = Manning's roughness coefficient, value = 0.0175
P = wetted perimeter (ft)

$$A_W = WS_X\left(T - \frac{W}{2}\right) + \frac{1}{2}aW$$

Equation 3.12

where:
A_W = area of depressed gutter section (ft^2)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft
S_X = cross slope (ft/ft)
T = calculated ponded width (ft)
a = gutter depression depth (ft), all inlet depressions shall be 0.50 feet (6 inches)

$$P_W = \sqrt{(WS_X + a)^2 + W^2}$$

Equation 3.13

where:
P_W = wetted perimeter of depressed gutter section (ft)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft
S_X = cross slope (ft./ft)
a = gutter depression depth (ft), all inlet depressions shall be 0.50 feet (6 inches)

$$A_0 = \frac{S_X}{2}(T - W)^2$$

Equation 3.14

A_0 = area of gutter/road section beyond the depression width (ft^2)
S_X = cross slope (ft/ft)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft
T = calculated ponded width

$$P_0 = T - W$$

Equation 3.15

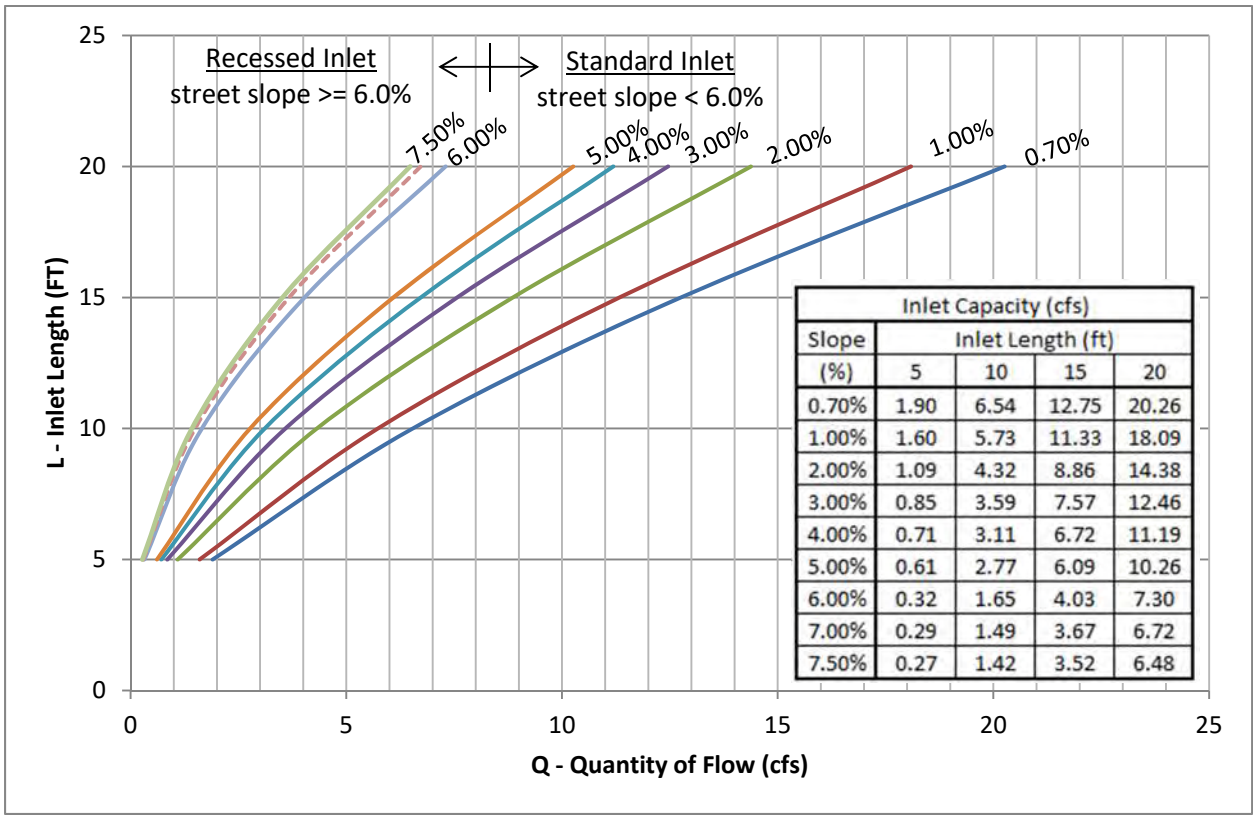
P_0 = wetted perimeter of the depressed gutter section (ft)
T = calculated ponded width (ft)
W = gutter depression width (ft)
(standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft)

For determining the bypass of an curb inlet on grade use the following Equation 3.13 which factors in the ratio of the actual length of curb inlet (L_a) to the length of inlet required (L_r)

$$Q_{bypass} = Q\left(1 - \frac{L_a}{L_r}\right)^{1.8}$$

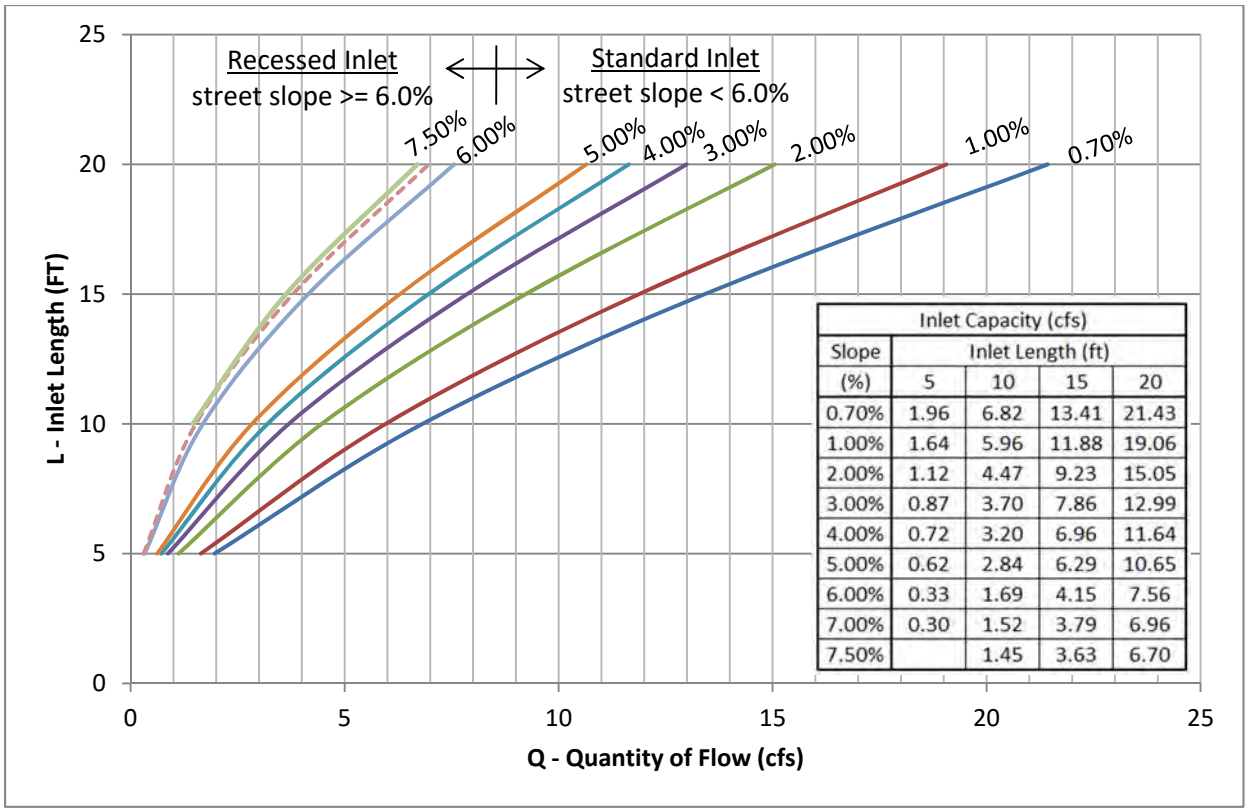
Equation 3.16

where:
Q_{bypass} = carryover discharge (cfs)
Q = total discharge (cfs)
L_a = design length of the curb opening inlet (ft)
L_r = length of curb opening inlet required to intercept the total flow (ft)



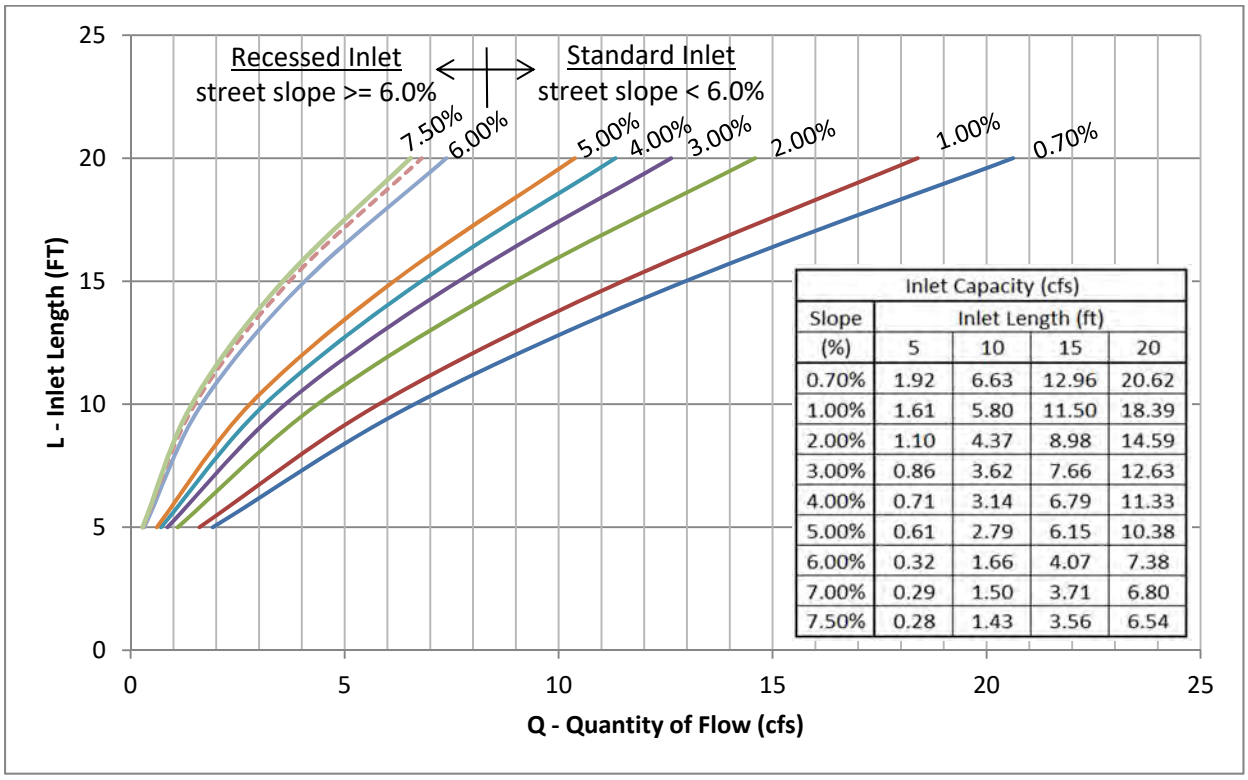
Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	1.90	6.54	12.75	20.26
1.00%	1.60	5.73	11.33	18.09
2.00%	1.09	4.32	8.86	14.38
3.00%	0.85	3.59	7.57	12.46
4.00%	0.71	3.11	6.72	11.19
5.00%	0.61	2.77	6.09	10.26
6.00%	0.32	1.65	4.03	7.30
7.00%	0.29	1.49	3.67	6.72
7.50%	0.27	1.42	3.52	6.48

Figure 3.4: Curb Inlet Capacity On-Grade Principal & Minor Arterial (P6D & M4D)



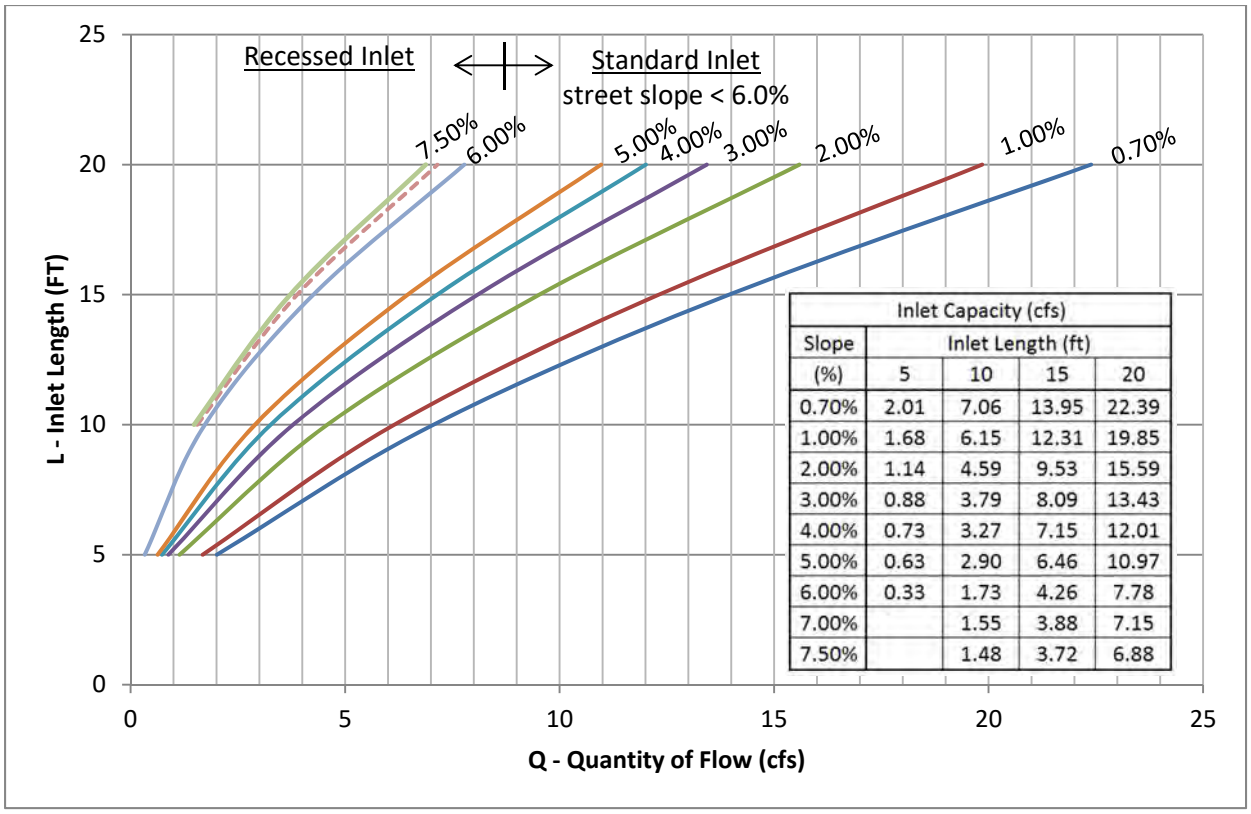
Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	1.96	6.82	13.41	21.43
1.00%	1.64	5.96	11.88	19.06
2.00%	1.12	4.47	9.23	15.05
3.00%	0.87	3.70	7.86	12.99
4.00%	0.72	3.20	6.96	11.64
5.00%	0.62	2.84	6.29	10.65
6.00%	0.33	1.69	4.15	7.56
7.00%	0.30	1.52	3.79	6.96
7.50%		1.45	3.63	6.70

Figure 3.5: Curb Inlet Capacity On-Grade Major Collector (M4U)



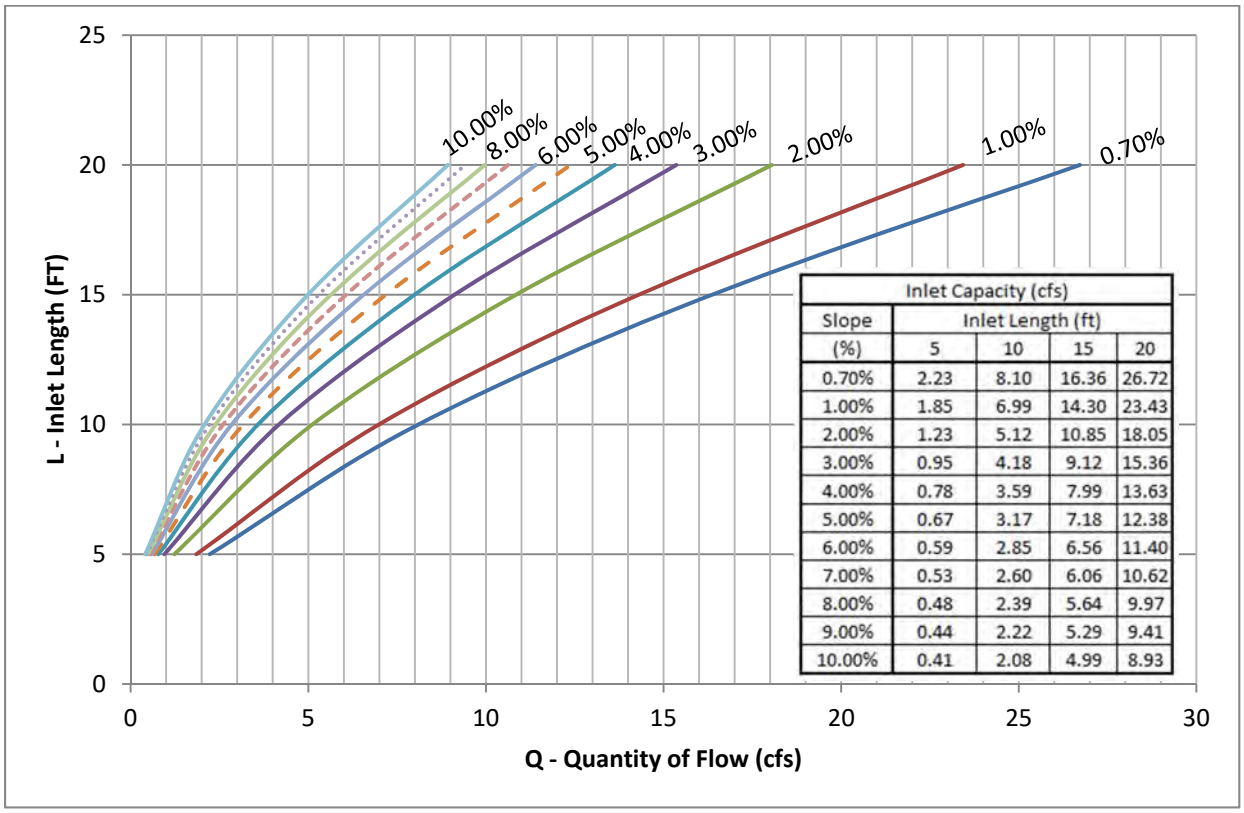
Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	1.92	6.63	12.96	20.62
1.00%	1.61	5.80	11.50	18.39
2.00%	1.10	4.37	8.98	14.59
3.00%	0.86	3.62	7.66	12.63
4.00%	0.71	3.14	6.79	11.33
5.00%	0.61	2.79	6.15	10.38
6.00%	0.32	1.66	4.07	7.38
7.00%	0.29	1.50	3.71	6.80
7.50%	0.28	1.43	3.56	6.54

Figure 3.6: Curb Inlet Capacity On-Grade Collector 2-Lane w. Continuous Left (M3U)



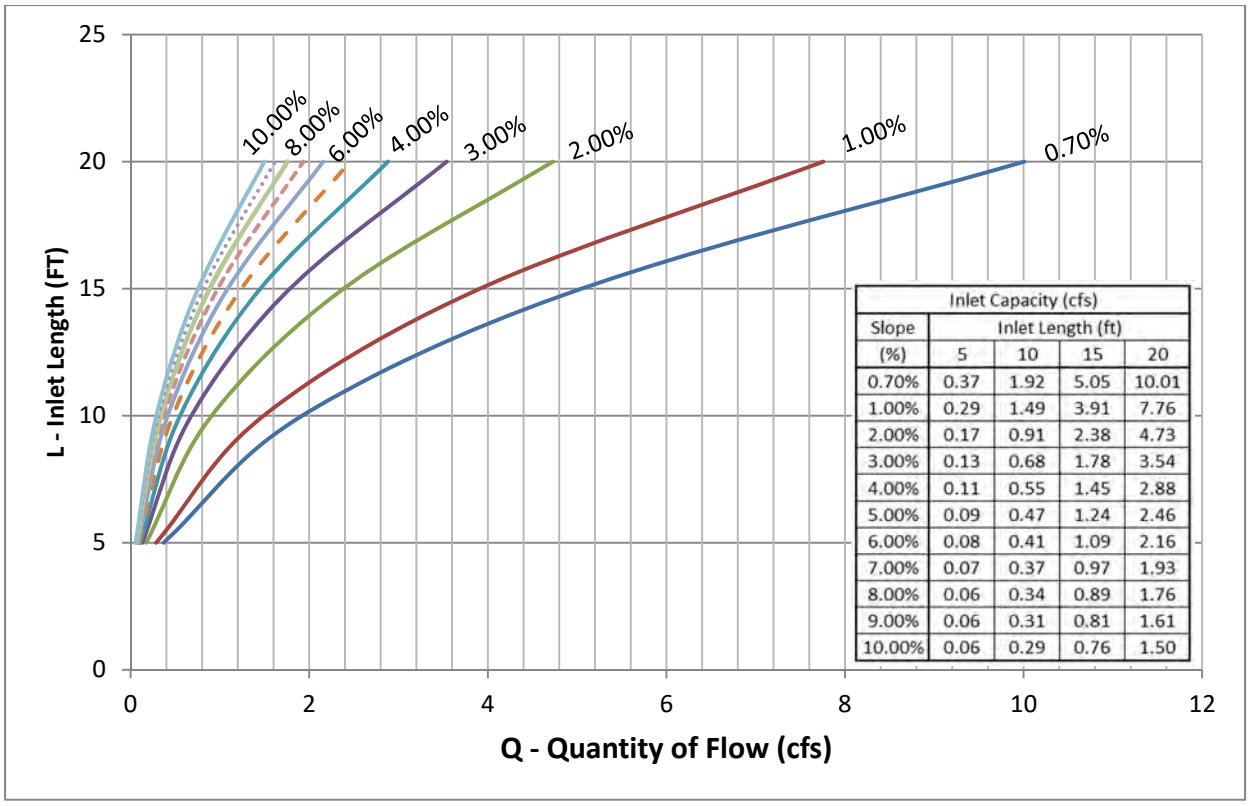
Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	2.01	7.06	13.95	22.39
1.00%	1.68	6.15	12.31	19.85
2.00%	1.14	4.59	9.53	15.59
3.00%	0.88	3.79	8.09	13.43
4.00%	0.73	3.27	7.15	12.01
5.00%	0.63	2.90	6.46	10.97
6.00%	0.33	1.73	4.26	7.78
7.00%		1.55	3.88	7.15
7.50%		1.48	3.72	6.88

Figure 3.7: Curb Inlet Capacity On-Grade Minor Collector



Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	2.23	8.10	16.36	26.72
1.00%	1.85	6.99	14.30	23.43
2.00%	1.23	5.12	10.85	18.05
3.00%	0.95	4.18	9.12	15.36
4.00%	0.78	3.59	7.99	13.63
5.00%	0.67	3.17	7.18	12.38
6.00%	0.59	2.85	6.56	11.40
7.00%	0.53	2.60	6.06	10.62
8.00%	0.48	2.39	5.64	9.97
9.00%	0.44	2.22	5.29	9.41
10.00%	0.41	2.08	4.99	8.93

Figure 3.8: Curb Inlet Capacity On-Grade Local (Residential) Street



Inlet Capacity (cfs)				
Slope	Inlet Length (ft)			
(%)	5	10	15	20
0.70%	0.37	1.92	5.05	10.01
1.00%	0.29	1.49	3.91	7.76
2.00%	0.17	0.91	2.38	4.73
3.00%	0.13	0.68	1.78	3.54
4.00%	0.11	0.55	1.45	2.88
5.00%	0.09	0.47	1.24	2.46
6.00%	0.08	0.41	1.09	2.16
7.00%	0.07	0.37	0.97	1.93
8.00%	0.06	0.34	0.89	1.76
9.00%	0.06	0.31	0.81	1.61
10.00%	0.06	0.29	0.76	1.50

Figure 3.9: Curb Inlet Capacity On-Grade Alley

3.2.8.5 Curb Inlets at Sag/Low Point

Determining the capacity of curb inlets at sag/low point shall be taken from Equation 3.17 while the inlet operates as a weir until the water depth approaches 1.4 times the curb opening height.

$$Q = 2.3(L + 1.8W)y^{1.5}$$

Equation 3.17

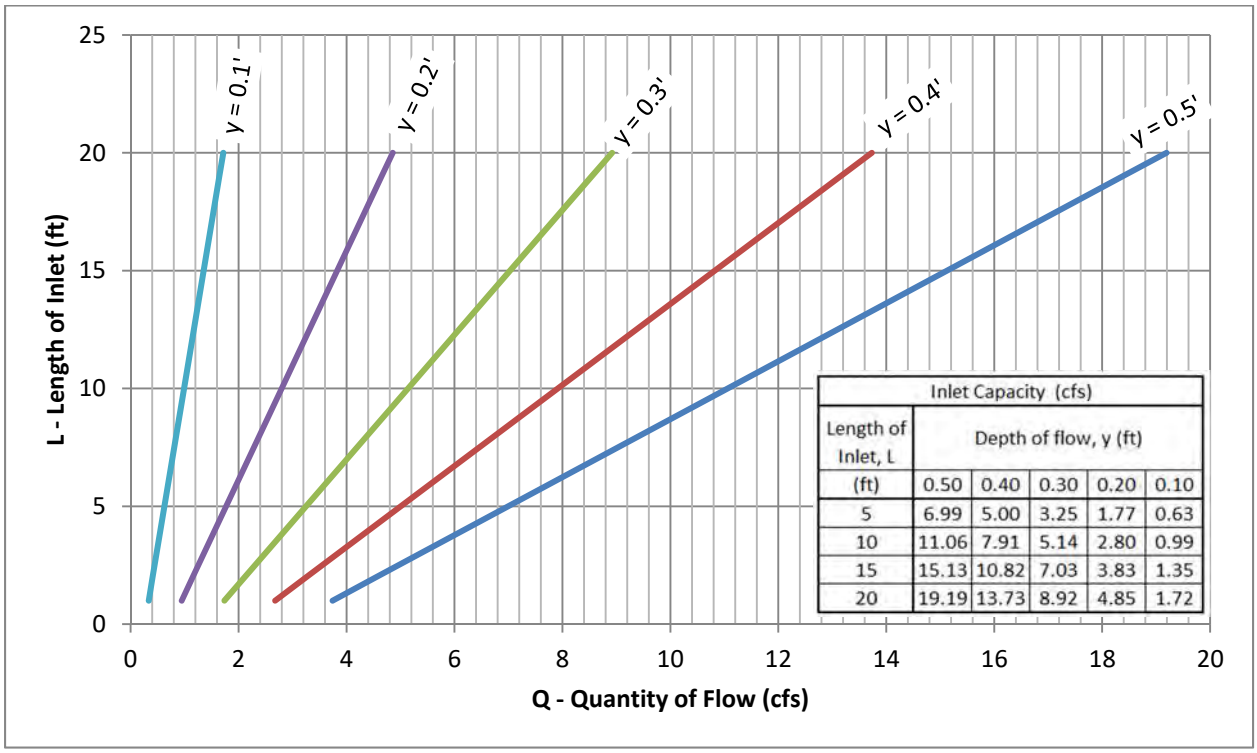
Equation 3.14 can be rearranged to find the required curb inlet length at a sag point as shown in Equation 3.18.

$$L = \frac{Q}{2.3y^{1.5}} - 1.8W$$

Equation 3.18

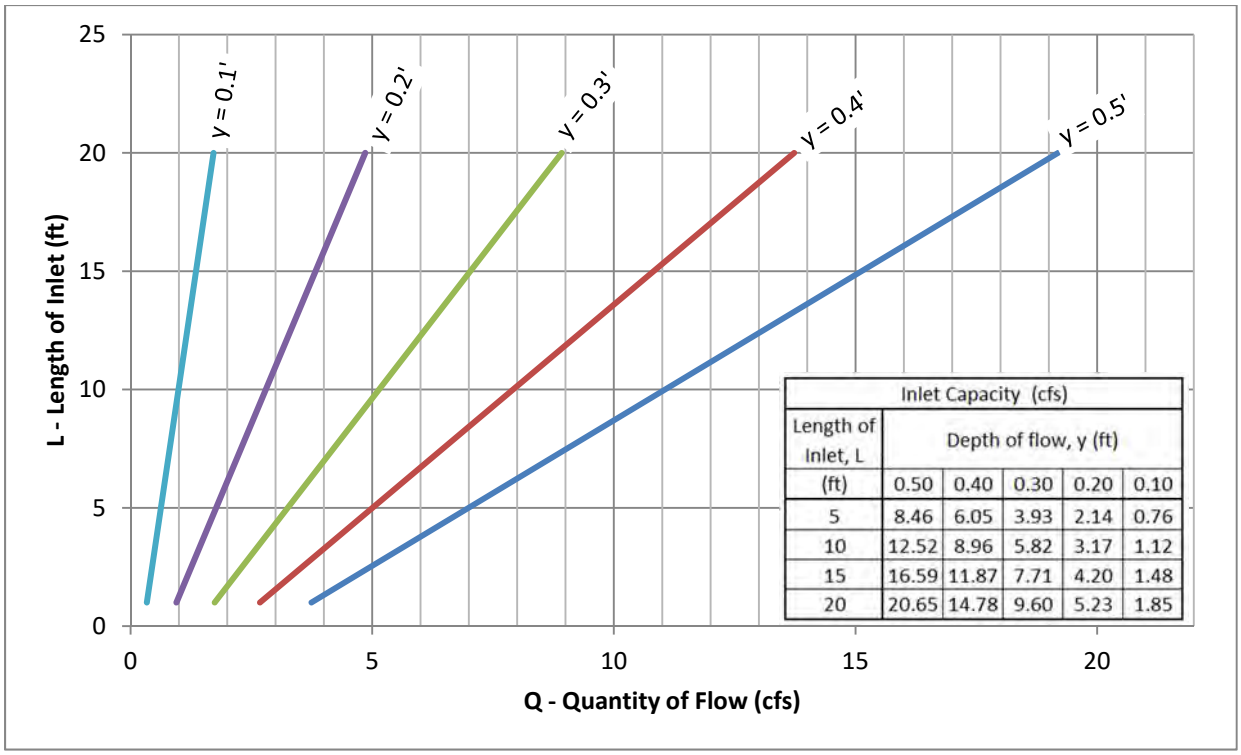
where:
Q = total flow reaching inlet (cfs)
y = depth of flow (ft)
L = length of curb inlet opening (ft)
W = gutter depression width (ft)
standard inlets W = 2.0 ft, recessed inlets W = 3.0 ft

Figures 3.10 through 3.11 are provided as reference for Standard and Recessed Sag Curb Inlet Capacities.



Inlet Capacity (cfs)					
Length of Inlet, L	Depth of flow, y (ft)				
(ft)	0.50	0.40	0.30	0.20	0.10
5	6.99	5.00	3.25	1.77	0.63
10	11.06	7.91	5.14	2.80	0.99
15	15.13	10.82	7.03	3.83	1.35
20	19.19	13.73	8.92	4.85	1.72

Figure 3.10: Standard Curb Inlet Capacity Sag/Low Point



Inlet Capacity (cfs)					
Length of Inlet, L	Depth of flow, y (ft)				
(ft)	0.50	0.40	0.30	0.20	0.10
5	8.46	6.05	3.93	2.14	0.76
10	12.52	8.96	5.82	3.17	1.12
15	16.59	11.87	7.71	4.20	1.48
20	20.65	14.78	9.60	5.23	1.85

Figure 3.11: Recessed Curb Inlet Capacity Sag/Low Point

3.2.9 Drop Inlets / 'Y' Inlet Design

The capacity of drop inlets shall be taken from the Equation 3.19. All drop inlets shall be sized to have a maximum allowable head (depth of water) on the inlet to be six (6) inches.

$$Q = 3.087Ly^{3/2}$$

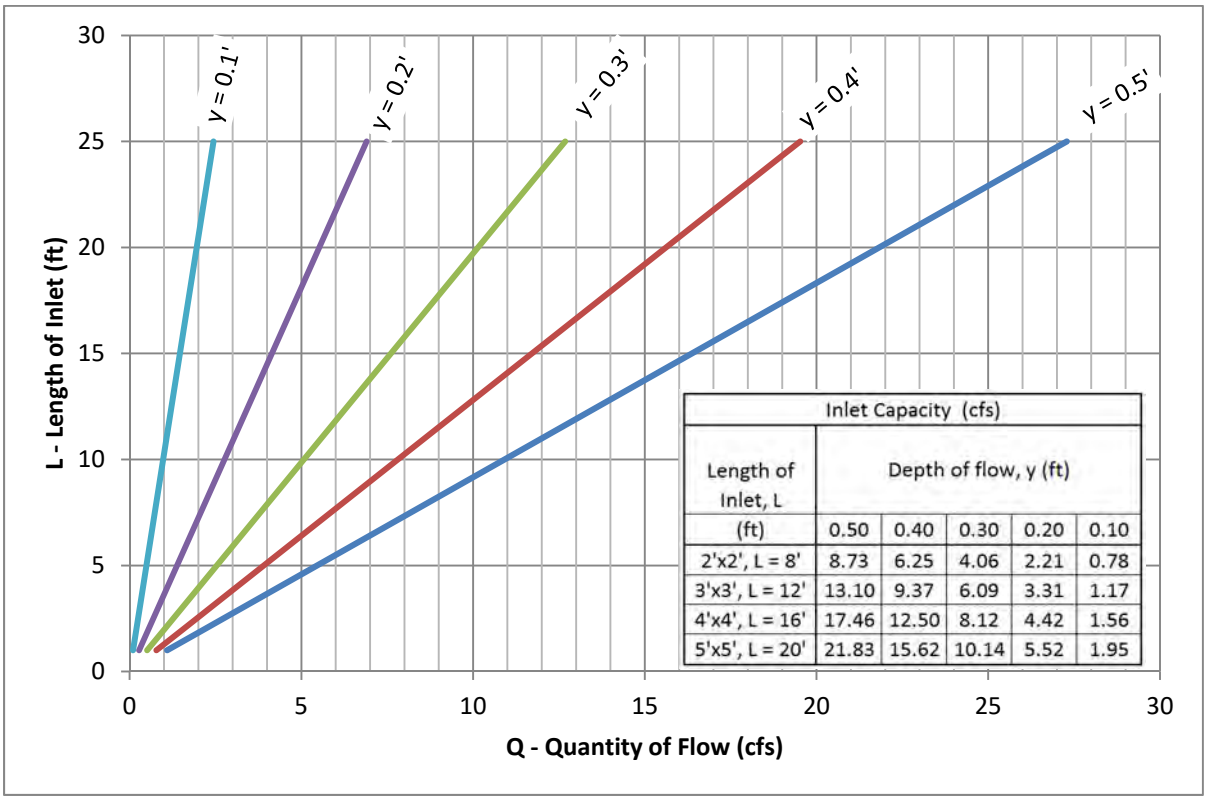
Equation 3.19

The equation can be rearranged to find the length of Drop Inlet opening as shown in Equation 3.20.

$$L = \frac{Q}{3.087y^{3/2}}$$

Equation 3.20

where:
Q = flow to inlet (cfs)
L = length of inlet opening (ft)
y = depth of water (head) at inlet (ft)



Inlet Capacity (cfs)					
Length of Inlet, L	Depth of flow, y (ft)				
(ft)	0.50	0.40	0.30	0.20	0.10
2'x2', L = 8'	8.73	6.25	4.06	2.21	0.78
3'x3', L = 12'	13.10	9.37	6.09	3.31	1.17
4'x4', L = 16'	17.46	12.50	8.12	4.42	1.56
5'x5', L = 20'	21.83	15.62	10.14	5.52	1.95

Figure 3.12: Drop/'Y' Inlet Capacity

3.2.1 Combination and Grate Inlet Design

When allowed by the City Engineer combination and grate Inlets shall be sized using Figures 3.13 through Figure 3.20.

City of Rockwall
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Form 3.2: Inlet Design Calculations Table

Inlet ID	Location				Area Runoff					
	Alignment	Station	Offset	Design Freq.	C	Area ID	Time of Concen-tration Tc	Intensity I	Area A	Runoff Q
				(yr)			(min)	(in/hr)	(acres)	(cfs)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

	Upstream Bypass C*A	Total Gutter Flow Q_a	Gutter Flow								
			Thorough-fare Type	On-Grade/ Sag	Manning's n	Long Slope S	Crown Type	Cross Slope S_X	Depression		
									Depth a	Width W	
	(cfs)	(cfs)				(ft/ft)		(ft/ft)	(ft)	(ft)	
	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	

Gutter Flow					Inlets Capacity			
Ponding Width/ Spread		Depth of Gutter Flow		Max. Allowable Flow based on Max. Allowable Ponding Width $Q_{allow\ gutter}$	Depressed Gutter Section		Section Beyond Depression	
(allow) T_{allow}	(actual) T_{actual}	(allow) y_{allow}	(actual) y_{actual}		Area	Wetted Perimeter	Area	Wetted Perimeter
					A_W	P_W	A_0	P_0
(ft)	(ft)	(ft)	(ft)	(cfs)	(ft^2)	(ft)	(ft^2)	(ft)
(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)

Inlets Capacity							Inlet By-pass			
Conveyance		Ratio of Depression flow to Total Flow E_0	Equivalent Cross-slope, S_e	Inlet Length		Inlet Capacity Q_C	Flow Q_{bypass}	C*A	To Inlet ID	Remarks
Depression Section Kw	Section Beyond Depression K_0			Required $L_{Req'd}$	Actual L_{actual}					
(cfs)	(cfs)		(ft/ft)	(ft)	(ft)	(cfs)	(cfs)			
(31)	(32)	(33)	(34)	(35)	(36)	(37)	(38)	(39)	(40)	(41)

City of Rockwall
The New Horizon

Instructions for Form 3.2: Inlet Design Calculation Table

Column (1)	Inlet number or designation, starting with the most upstream inlet.
Column (2)	Street Alignment/ Name in which the inlet is located.
Column (3)	Station along the alignment in which the inlet is located.
Column (4)	Offset distance and side (RT/LT) inlet is located.
Column (5)	Design Storm Frequency, shall be 100-yr for all inlets.
Column (6)	Runoff coefficient taken from Table 3.2.
Column (7)	Contributing drainage area ID.
Column (8)	Minimum inlet time of concentration taken from Table 3.3.
Column (9)	Using the time of concentration and design storm frequency, the rainfall intensity is taken from Figure 3.1.
Column (10)	Runoff area to inlet in acres.
Column (11)	Solution of Equation 3.1.
Column (12)	Taken from Column (39) of the upstream inlet.
Column (13)	$= Column\ (9)\left\{\begin{matrix} Column(12) + \\ \{Column(6) * Column(10)\} \end{matrix}\right\}$
Column (14)	Thoroughfare Type Taken from Section 2 Streets, (P6D, M4D, M4U, M3U, Minor Collector, Local, Alley, Parking).
Column (15)	Determined by location of inlet (On-Grade or Sag).
Column (16)	Manning's n value.
Column (17)	Street longitudinal gutter slope of the street taken in (feet/feet).
Column (18)	Street crown type on which the inlet is located.
Column (19)	Street cross-slope in feet/feet .
Column (20)	Gutter depression depth, reference Figure 3.3.
Column (21)	Gutter depression width, reference Figure 3.3.
Column (22)	Determined by the type of thoroughfare in the permissible spread width section.
Column (23)	Solution of Equation 3.7.
Column (24)	The product of Column (22) and Column (19).
Column (25)	The product of Column (23) and Column (19).
Column (26)	Solution of Equation 3.5 using the maximum allowable pond width from Column (22).
Column (27)	Solution of Equation 3.12.
Column (28)	Solution of Equation 3.13.
Column (29)	Solution of Equation 3.14.
Column (30)	Solution of Equation 3.15.
Column (31)	Solution of Equation 3.11 using Columns (27) and (28).
Column (32)	Solution of Equation 3.11 using Columns (29) and (30).
Column (33)	Solution of Equation 3.10.
Column (34)	Solution of Equation 3.9.
Column (35)	Solution of Equation 3.8 for on-grade curb inlets, Equation 3.18 for sag curb inlet, or Equation 3.20 for drop inlets.
Column (36)	Selected Inlet Size.
Column (37)	The capacity of the selected inlet size of Column (35), solution found by

	iteratively solving for capacity based on Equation 3.8 for curb inlets, Equation 3.17 for sag curb inlets, Equation 3.19 for drop inlets.
Column (38)	For on-grade inlets the solution of Equation 3.16.
Column (39)	Equal Column (38) divided by Column (9).
Column (40)	Next downstream inlet to which by the by-pass is going.
Column (41)	Special design comments are entered here.

EXAMPLE

Known:

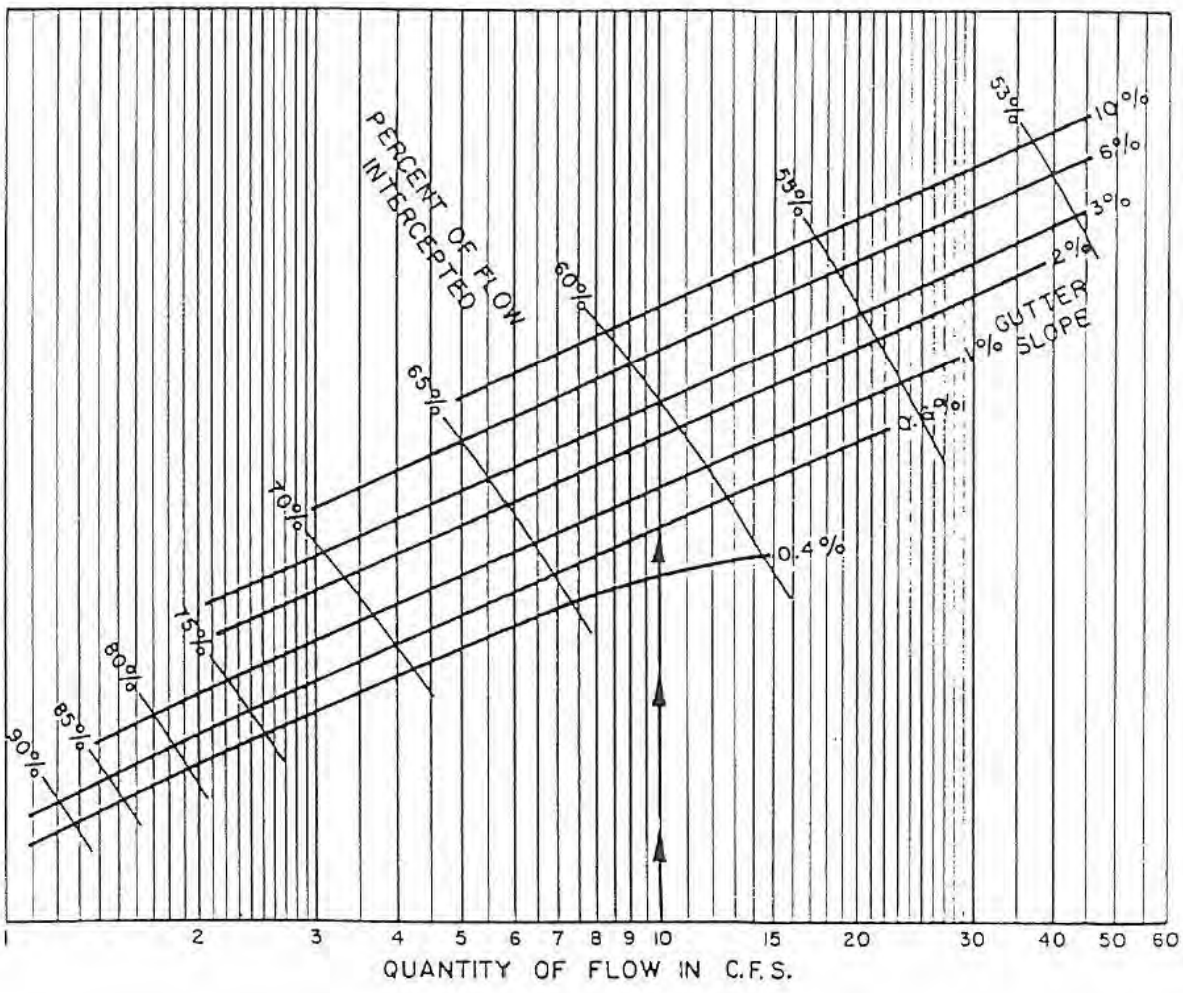
Quantity of Flow = 10.0 c.f.s.
Gutter Slope = 0.6 %

Find:

Capacity of Two Grate Combination Inlet

Solution:

Enter Graph at 10.0 c.f.s.
Intersect Slope = 0.6 %
Read Percent of Flow Intercepted = 62 %
62 % of 10.0 c.f.s. = 6.2 c.f.s. as Capacity of Two Grate Combination Inlet
Remaining Gutter Flow = 10.0 c.f.s – 6.2 c.f.s. = 3.8 c.f.s.



TWO GRATE COMBINATION INLET CAPACITY CURVES ON GRADE

Figure 3.13: Two Grate Combination Inlet Capacity Curves on Grade

EXAMPLE

Known:

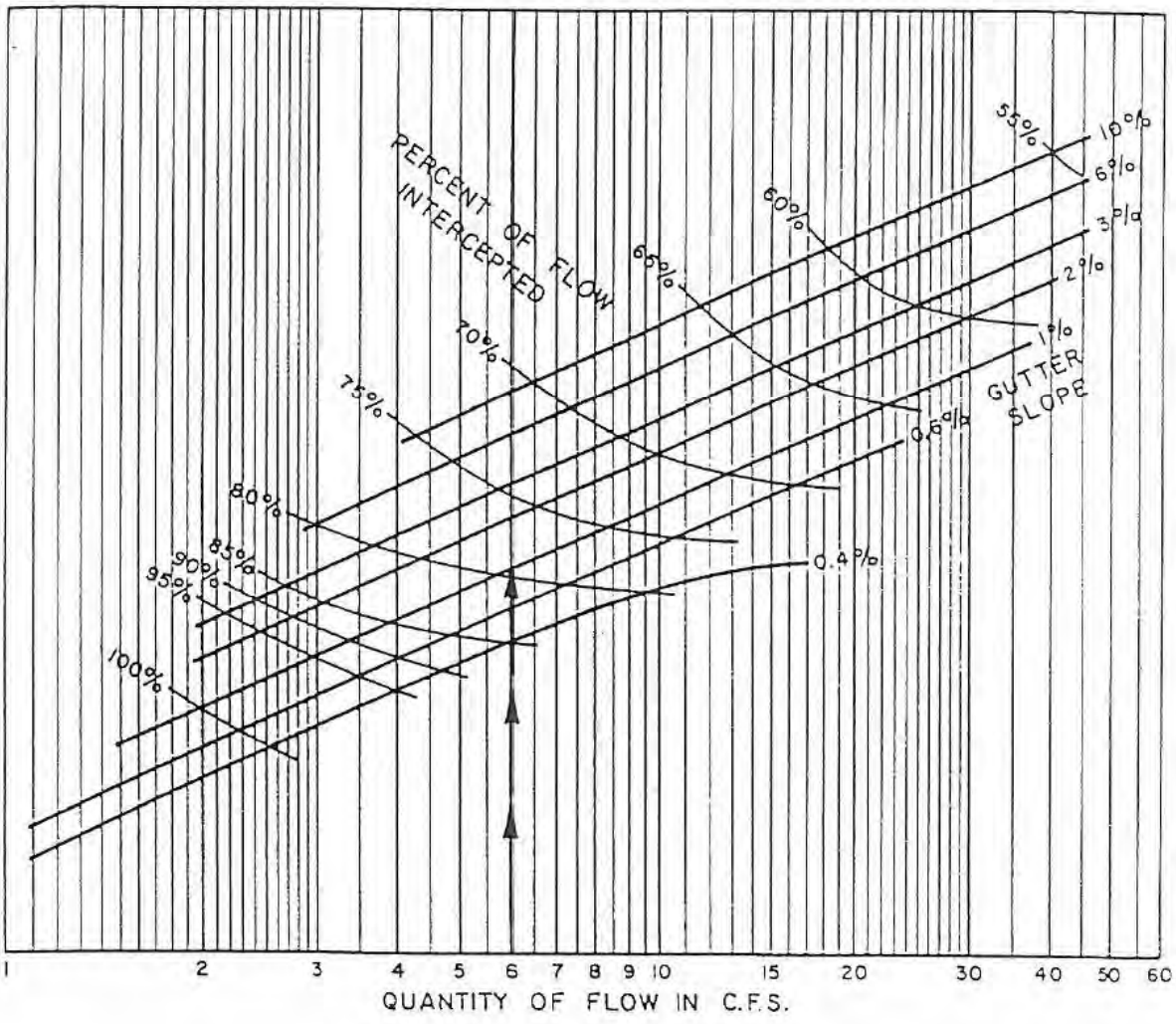
Quantity of Flow = 6.0 c.f.s.
Gutter Slope = 1.0 %

Find:

Capacity of Four Grate Combination Inlet

Solution:

Enter Graph at 6.0 c.f.s.
Intersect Slope = 1.0 %
Read Percent of Flow Intercepted = 79 %
79 % of 6.0 c.f.s. = 4.7 c.f.s.
as Capacity of Four Grate Combination Inlet
Remaining Gutter Flow =
6.0 c.f.s. – 4.7 c.f.s. = 1.3 c.f.s.



FOUR GRATE COMBINATION INLET
CAPACITY CURVES
ON GRADE

Figure 3.14: Four Grate Combination Inlet Capacity Curves on Grade

EXAMPLE

Known:

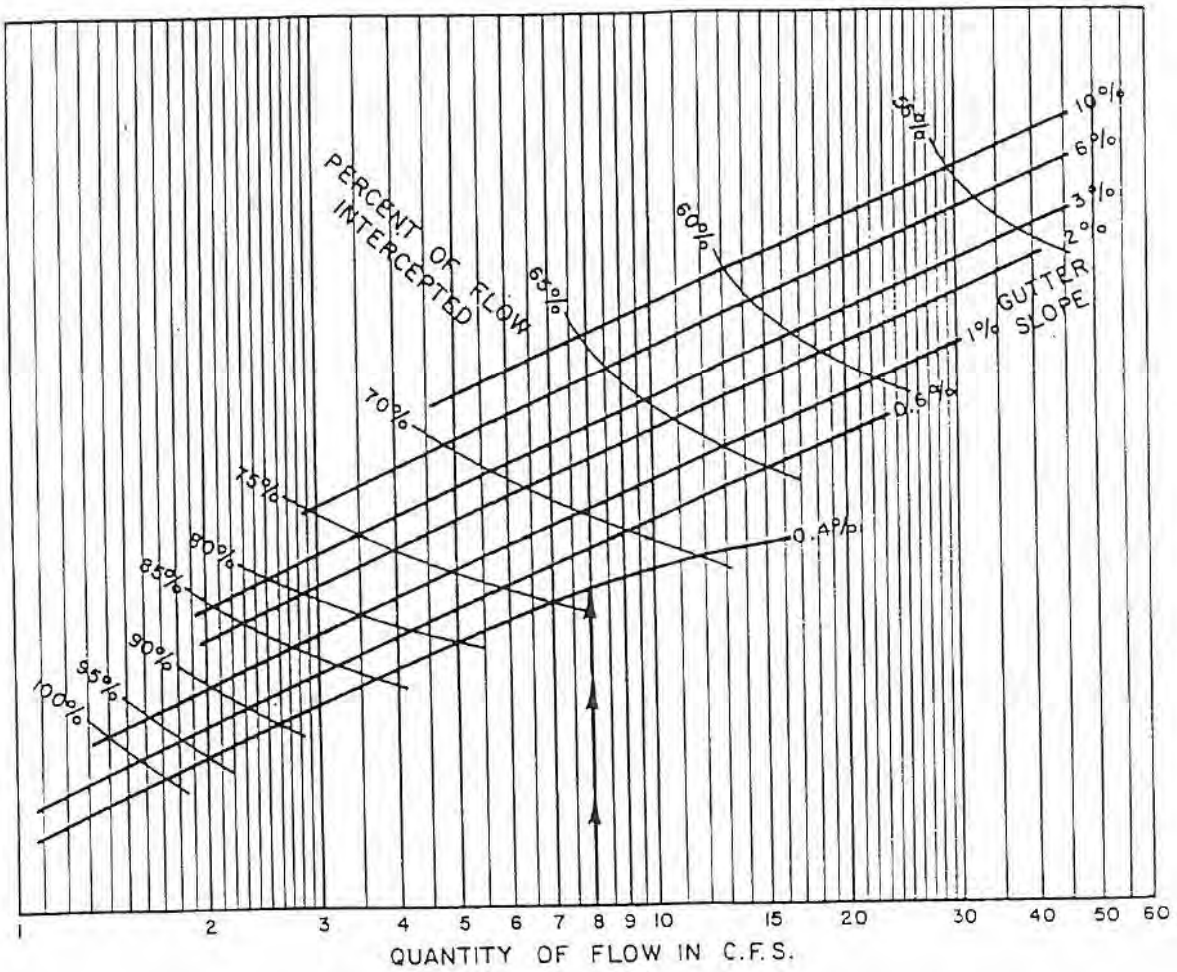
Quantity of Flow = 8.0 c.f.s.
Gutter Slope = 0.4%

Find:

Capacity of Three Grate Inlet

Solution:

Enter Graph at 8.0 c.f.s.
Intersect Slope = 0.4%
Read Percent of Flow
Intercepted = 74%
74% of 8.0 c.f.s. = 5.9 c.f.s.
as Capacity of Three Grate Inlet
Remaining Gutter Flow =
8.0 c.f.s. – 5.9 c.f.s. = 2.1 c.f.s.



THREE GRATE INLET AND
THREE GRATE COMBINATION INLET
CAPACITY CURVES
ON GRADE

Figure 3.15: Three Grate Inlet and Three Grate Combination Inlet Capacity Curves on Grade

EXAMPLE

Known:

Quantity of Flow = 6.0 c.f.s.
Gutter Slope = 1.0%

Find:

Capacity of Two Grate Inlet

Solution:

Enter Graph at 6.0 c.f.s.
Intersect Slope = 1.0%
Read Percent of Flow
Intercepted = 66%
66% of 6.0 c.f.s. = 4.0 c.f.s.
as Capacity of Two Grate Inlet
Remaining Gutter Flow =
6.0 c.f.s. – 4.0 c.f.s. = 2.0 c.f.s.

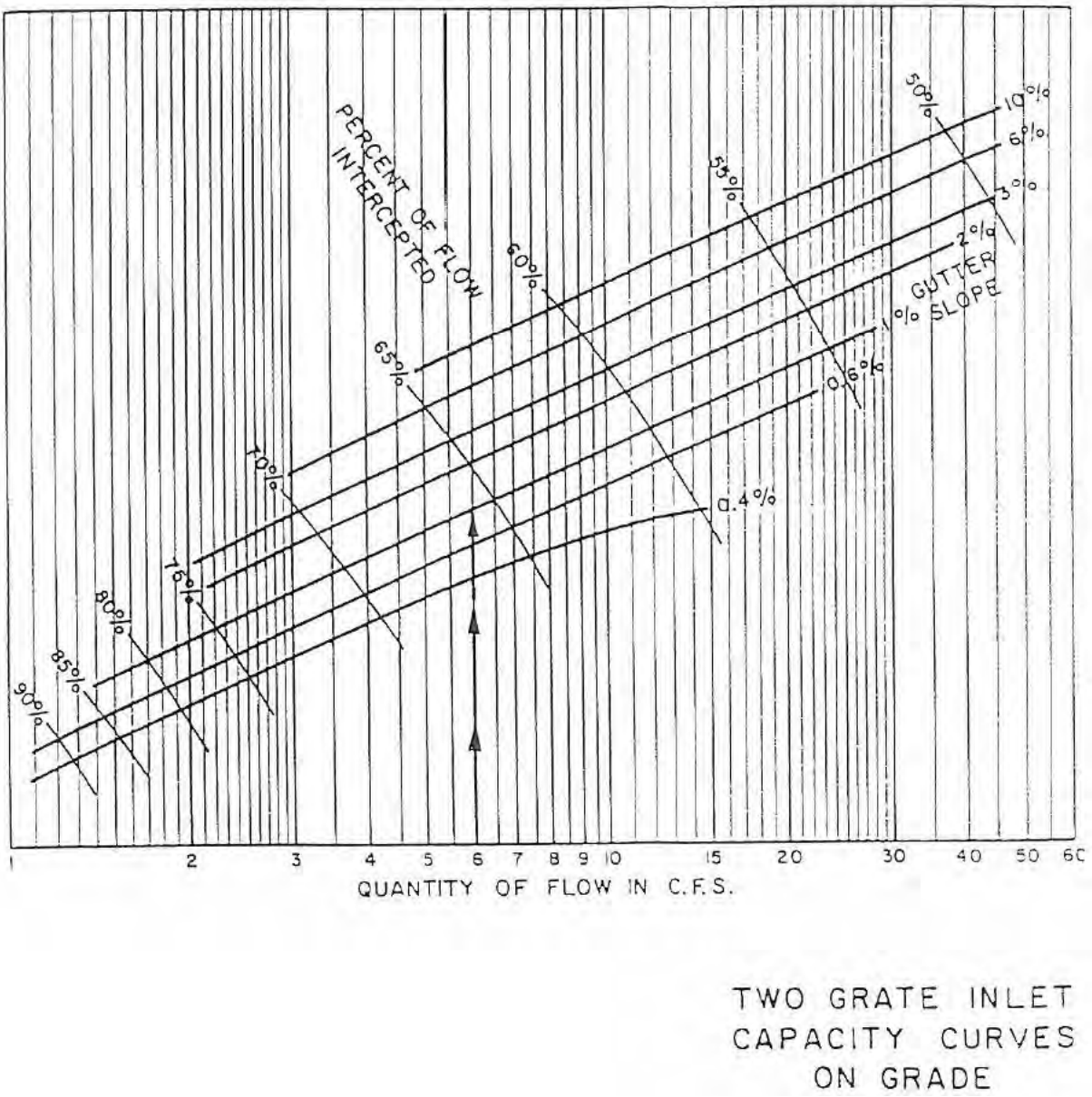


Figure 3.16: Two Grate Inlet Capacity Curves on Grade

EXAMPLE

Known:

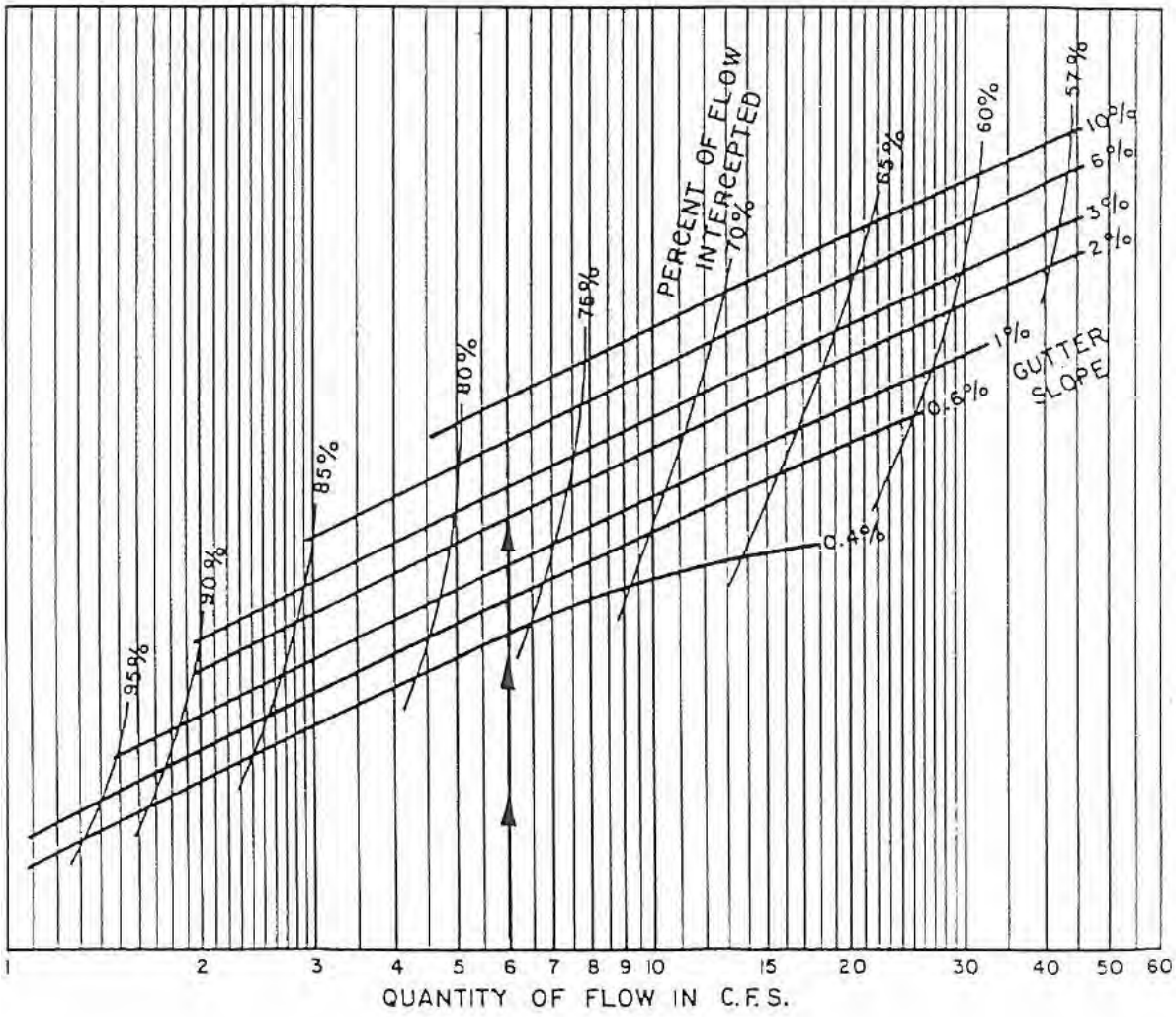
Quantity of Flow = 6.0 c.f.s.
Gutter Slope = 1.0%

Find:

Capacity of Four Grate Inlet

Solution:

Enter Graph at 6.0 c.f.s.
Intersect Slope = 1.0%
Read Percent of Flow
Intercepted = 77%
77% of 6.0 c.f.s. = 4.6 c.f.s.
as Capacity of Four Grate Inlet
Remaining Gutter Flow =
6.0 c.f.s. – 4.6 c.f.s. = 1.4 c.f.s.



FOUR GRATE INLET
CAPACITY CURVES
ON GRADE

Figure 3.17: Four Grate Inlet Capacity Curves on Grade

EXAMPLE

Known:

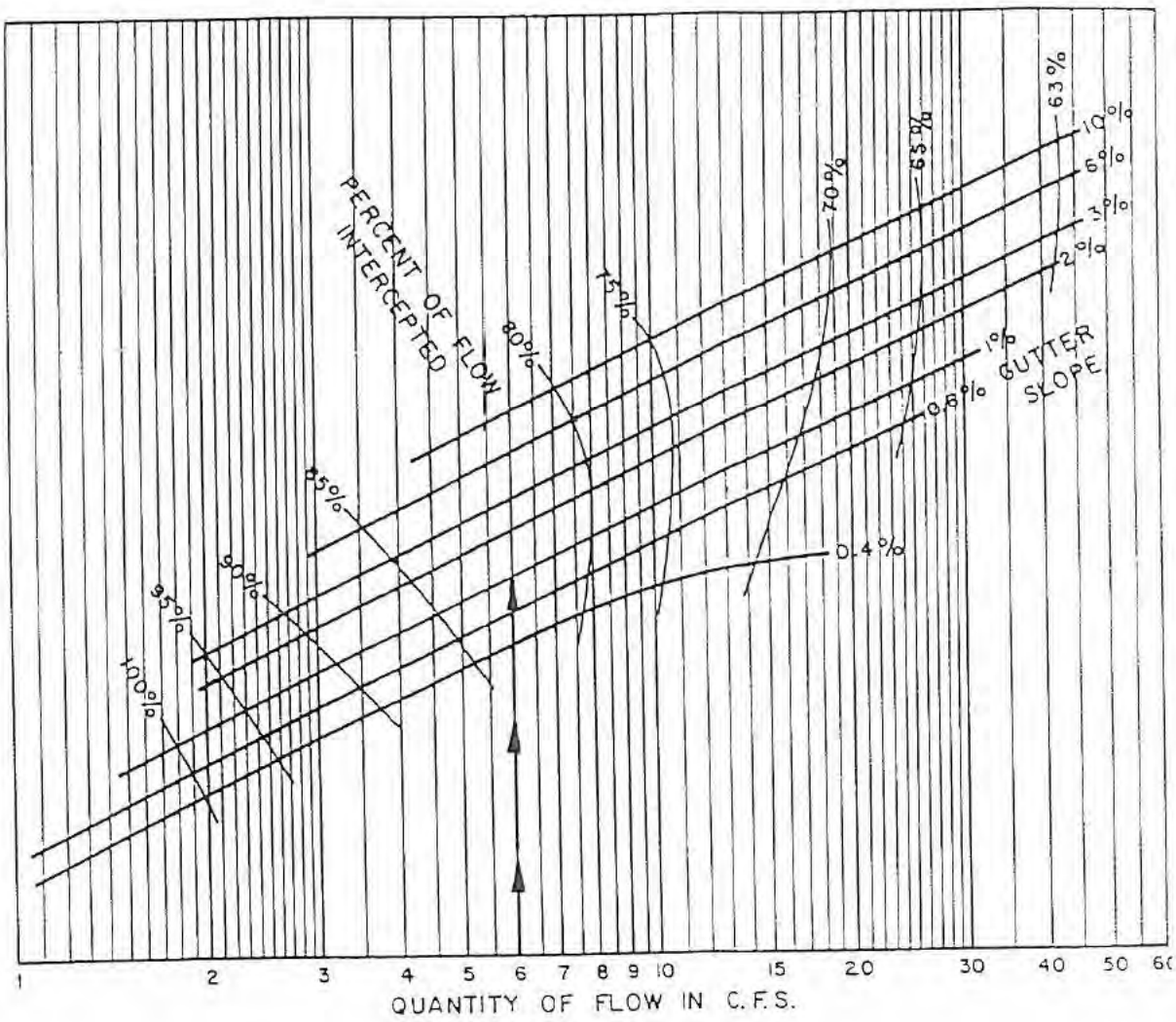
Quantity of Flow = 6.0 c.f.s.
Gutter Slope = 1.0%

Find:

Capacity of Six Grate Inlet

Solution:

Enter Graph at 6.0 c.f.s.
Intersect Slope = 1.0%
Read Percent of Flow
Intercepted = 82%
82% of 6.0 c.f.s. = 4.9 c.f.s.
as Capacity of Six Grate Inlet
Remaining Gutter Flow =
6.0 c.f.s. − 4.9 c.f.s. = 1.1 c.f.s.



SIX GRATE INLET
CAPACITY CURVES
ON GRADE

Figure 3.18: Six Grate Inlet Capacity Curves on Grade

EXAMPLE

Known:

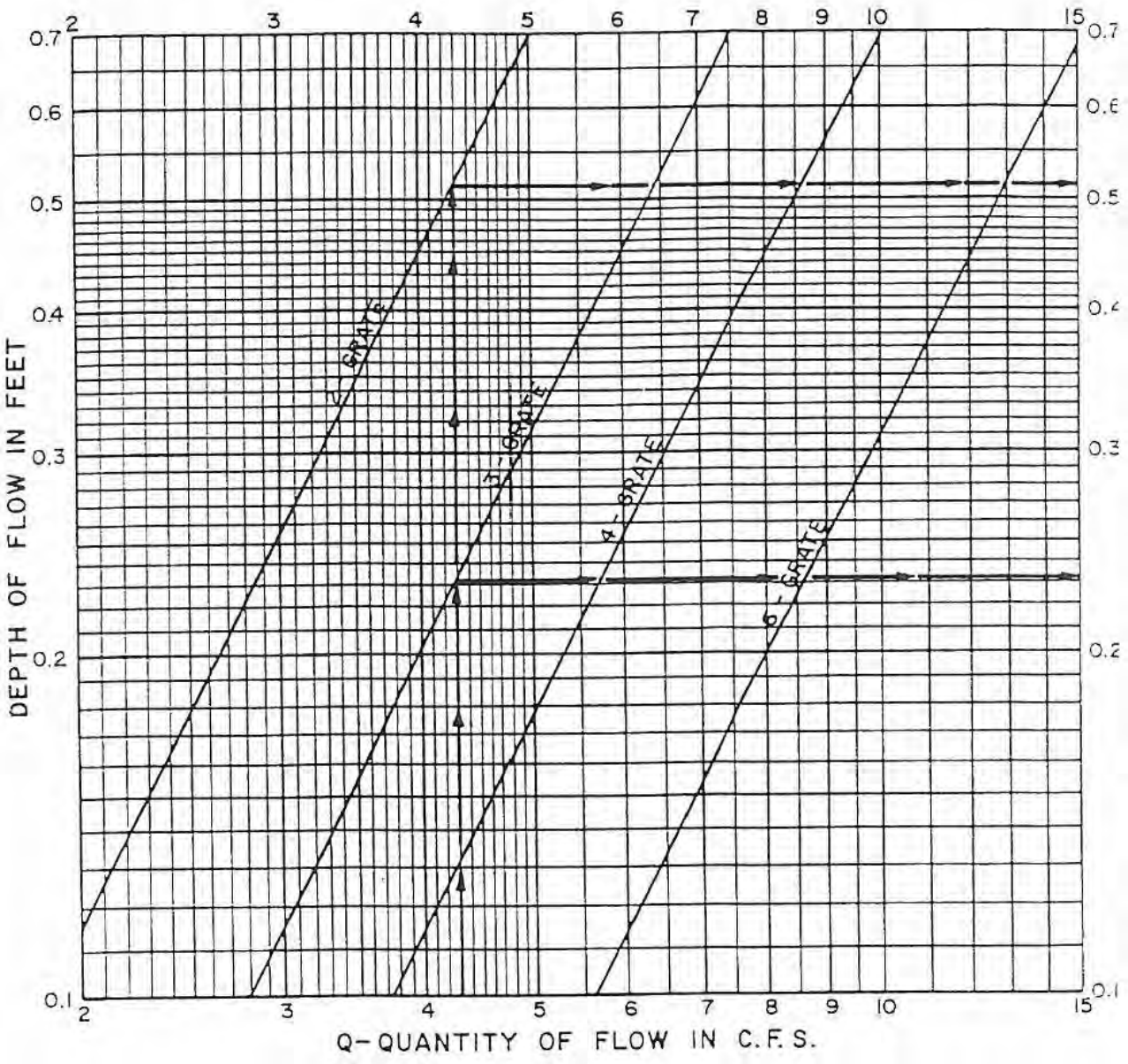
Quantity of Flow = 4.3 c.f.s.
Maximum Depth of Flow Desired at Low Point = 0.3'

Find:

Inlet Required

Solution:

Enter Graph at 4.3 c.f.s.
Intersect 3 - Grate at 0.23'
Intersect 2 - Grate at 0.51'
Use 3 - Grate



GRATE INLET
CAPACITY CURVES
AT LOW POINT

Figure 3.19: Grate Inlet Capacity Curves at Low Point

EXAMPLE

Known:

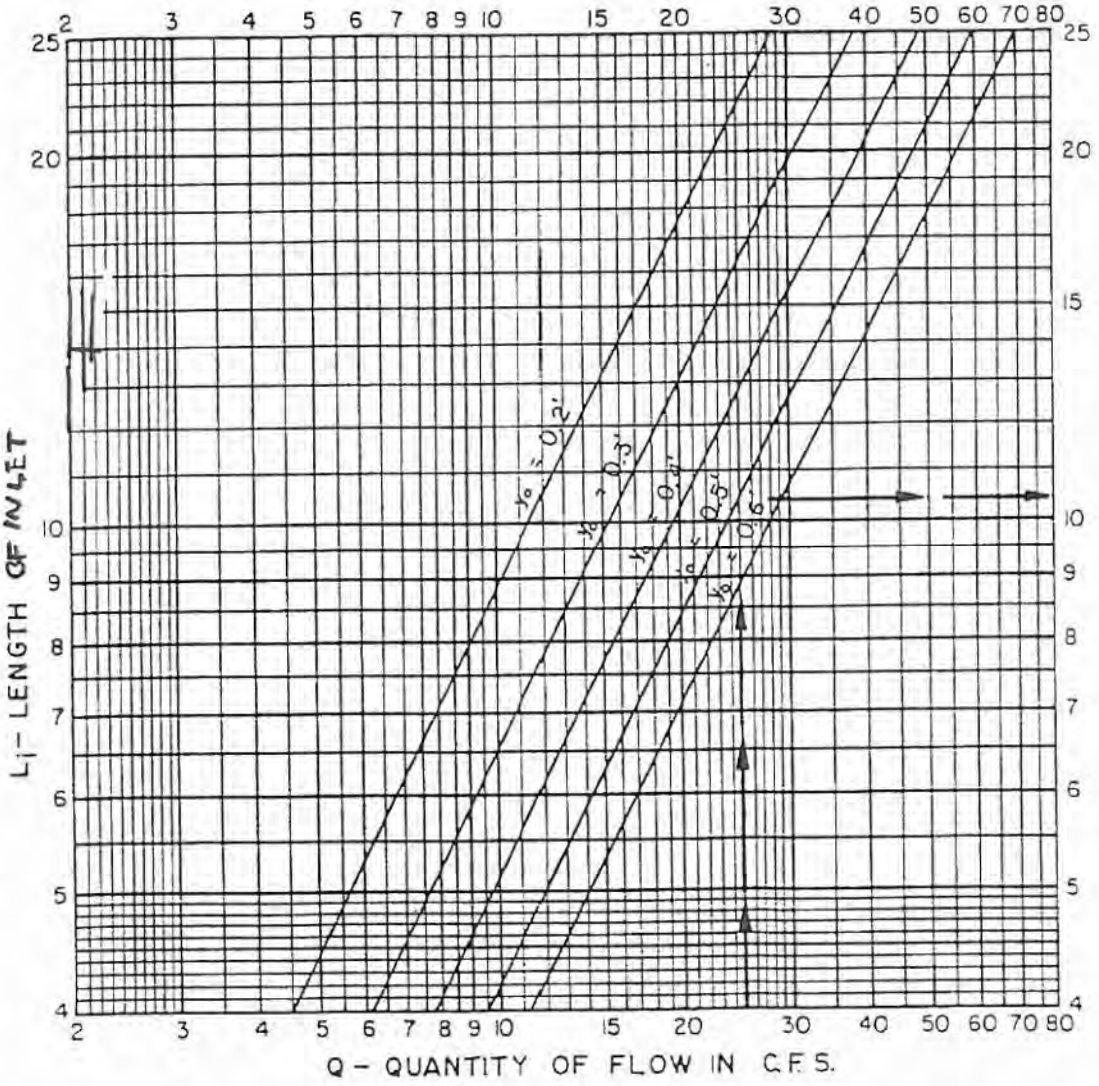
Quantity of Flow = 25.0 c.f.s.
Maximum Depth of Flow Desired
At Low Point (y_o) = 0.5'

Find:

Length of Inlet Required (L_i)

Solution:

Enter Graph at 25.0 c.f.s.
Intersect y_o = 0.5'
Read L_i = 10.4'
Use 12' Inlet



ROUGHNESS COEFFICIENT n = .0175	
STREET WIDTH	CROWN TYPE
ALL	Straight and Parabolic

COMBINATION INLET CAPACITY CURVES AT LOW POINT

Figure 3.20: Combination Inlet Capacity Curves at Low Point

3.2.2 Flow in Storm Drain Conduits and Their Appurtenances

3.2.2.1 Hydraulic Gradient of Conduits

A storm drainage conduit must have sufficient capacity to discharge a design storm with a minimum of interruption and inconvenience to the public using streets and thoroughfares. The size of the conduit is determined by accumulating runoff from contributing inlets and calculating the slope of a hydraulic gradient from Manning's Equation:

$$S_f = \frac{Qn^2}{1.49AR^{2/3}}$$

Equation 3.21

where:
Q = flow in conduit, (cfs)
n = Manning's roughness coefficient; value = 0.013
A = cross sectional area of flow, (ft^2)
R = hydraulic radius, (ft)
S_f = hydraulic friction slope, (ft/ft)

Hydraulic gradient for the selected conduit size shall be 1.50' below gutter (2.0' below top of curb) for each contributing inlet to insure that the selected conduit will carry the design flow at an elevation below the gutter profile. As the conduit size is selected and the hydraulic gradient is plotted between each inlet pickup point, a head loss due to a change in velocity and pipe size must be incorporated in the gradient profile.

At an outfall/headwall the starting hydraulic grade line (HGL) for a conduit system shall be set to the greater of the following: the conduit soffit or the 100yr water surface elevation for the receiving channel or detention pond.

Concrete pipe conduit shall be used to carry the storm water, and flow chart, FIGURE 3.21, based on Manning's Equation may be used to determine the various hydraulic elements including the pipe size, the hydraulic gradient and the velocity. Special hydraulic calculators are also available for solution of Manning's Equation.

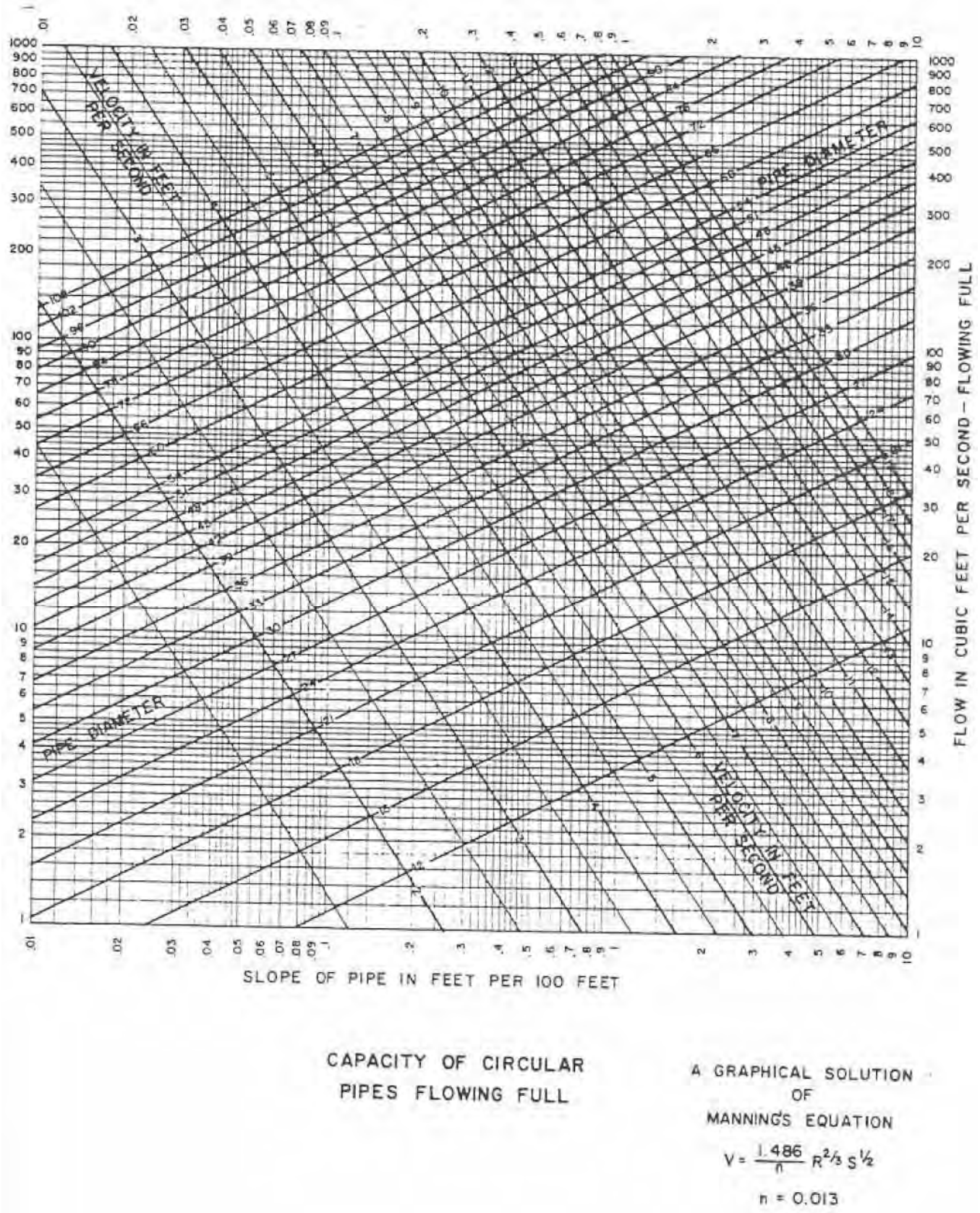


Figure 3.21: Capacity of Circular Pipes Flowing Full

The roughness coefficient 'n' for storm sewer conduit shall be 0.013.

With the hydraulic gradient established, considerable latitude is available for establishment of the conduit flow line. The inside top of the conduit must be at or below the hydraulic gradient thus allowing the conduit to be lowered where necessary. The hydraulic gradient at every inlet should be plotted directly on the construction plan profile worksheet and adjusted as necessary.

There will be hydraulic conditions, which cause the conduits to flow partially full, and where this occurs, the hydraulic gradient should be shown at the inside crown (soffit) of the conduit. This procedure will provide a means for conservatively selecting a conduit size, which will carry the flood discharge.

All public storm sewer systems shall be reinforced concrete pipe. Storm sewer pipe, with two (2) feet or less of cover, are required to be Class IV reinforced concrete pipe. All storm pipes and laterals are required to have a plan and profile on engineering plans. All flow data (Q_{100}, Q_{cap}, velocity, hydraulic slope) is required at every change in pipe size, slope and/or change in flow rate.

3.2.2.2 Minor Head Losses

When establishing the hydraulic gradeline of a storm sewer, minor head losses at points of turbulence shall be calculated and included in the computation of the hydraulic gradeline.

Entrance Losses

Entrance losses to a closed storm sewer system from an open channel or lake shall be calculated using Equation 3.22.

$$H_L = K_E \frac{{V_1}^2}{2g}$$

Equation 3.22

where:
H_L = head loss (ft)
K_E = head loss coefficient (see Table 3.7).
V_1 = velocity in the downstream conduit (ft/s)
g = the acceleration of gravity (32.3 ft/s^2)

Table 3.7: Entrance Loss Coefficients

Type of Structure and Design of Entrance	Coeff. K_E
Pipe (Concrete)	
Projecting from fill, socket end (groove-end)	0.2
Projecting from fill, square cut end	0.5
Headwall or headwall and wingwalls	
Socket end of pipe (groove-end)	0.2
Square-edge	0.5
Rounded (radius = 1/12D)	0.2
Mitered to conform to fill slope	0.7
End-section conforming to fill slope	0.5
Beveled edges, 33.7- or 45-degree bevels	0.2
Side- or slope-tapered inlet	0.2
Pipe, or Pipe-Arch, (Corrugated Metal)	
Projecting from fill (no headwall)	0.9
Headwall or headwall and wingwalls square-edge	0.5
Mitered to conform to fill slope, paved or unpaved slope	0.7
End-section conforming to fill slope	0.5
Beveled edges, 33.7- or 45-degree bevels	0.2
Side- or slope-tapered inlet	0.2
Box (Reinforced Concrete)	
Headwall parallel to embankment (no wingwalls)	
Square-edged on 3 edges	0.5
Rounded on 3 edges to radius of 1/12 barrel dimension or beveled edges on 3 sides	0.2
Wingwalls at 30- to 75-degrees to barrel	
Square-edged at crown	0.4
Crown edge rounded to radius of 1/12 barrel dimension dimension, or beveled top edge	0.2
Wingwall at 10- to 25-degrees to barrel	
Square-edged at crown	0.5
Wingwall parallel (extension of sides)	
Square-edged at crown	0.7
Side- or slope-tapered inlet	0.2

Inlet Losses

Inlet losses shall be calculated using Equation 3.23.

$$H_L = 1.25 \frac{V_{Lat}{}^2}{2g}$$

Equation 3.23

where:
H_L = head loss (ft)
V_{LAT} = velocity in the lateral (ft/s)
g = the acceleration of gravity (32.2 ft/s^2)

Expansion Losses

For pipe size expansions, head loss shall be calculated using the following Equation 3.24.

$$H_L = \left(1 - \left(\frac{D_1}{D_2}\right)^2\right)\frac{V_1{}^2}{2g}$$

Equation 3.24

Where:
H_L = head loss (ft)
V_1 = upstream velocity (ft/s)
D_1 = upstream conduit diameter (ft)
D_2 = downstream conduit diameter (ft)
g = the acceleration of gravity (32.2 ft/s^2)

Manhole and Bend Losses

Head losses associated with manholes for pipe direction changes and bends in pipes of equal diameter shall be calculated using Equation 3.25.

$$H_L = K_j\frac{V_2{}^2}{2g}$$

Equation 3.25

Where:
H_L = Head loss (ft)
K_j = Head loss coefficient (see Table 3.8).
V_2 = Downstream velocity (ft/s)
g = the acceleration of gravity (32.2 ft/s^2)

Junction Losses

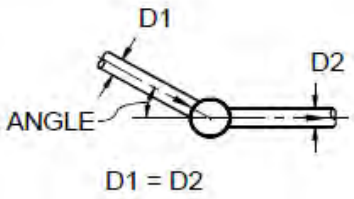
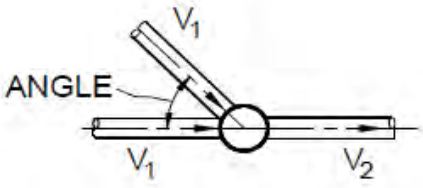
Head losses associated with wye connections or manholes with branch laterals entering the main line shall be calculated by using Equation 3.26.

$$H_L = \frac{V_2{}^2}{2g} - K_j\frac{V_1{}^2}{2g}$$

Equation 3.26

Where:
H_L = Head loss (ft)
V_1 = Velocity in the upstream conduit (ft/s)
V_2 = Velocity in the downstream conduit (ft/s)
K_j = Head loss coefficient from Table 3.8.
g = the acceleration of gravity (32.2 ft/s^2)

Table 3.8: Velocity Head Loss Coefficients for Closed Conduits

MANHOLE AT CHANGE IN PIPE DIRECTION		
DESCRIPTION	ANGLE	HEAD LOSS COEFFICIENT Kj
	90°	0.55
	60°	0.48
	45°	0.42
	30°	0.3
	0°	0.05
BENDS IN PIPES		
DESCRIPTION	ANGLE	HEAD LOSS COEFFICIENT Kj
	90°	0.5
	60°	0.43
	45°	0.37
	30°	0.25
JUNCTION		
DESCRIPTION	ANGLE	HEAD LOSS COEFFICIENT Kj
	0°	1
	22 1/2°	0.75
	45°	0.5
	60°	0.35
	90°	0.25

3.2.2.3 Minimum Grades

Storm drains should operate with flow velocities sufficient to prevent excessive deposits of solid materials; otherwise objectionable clogging may result. The controlling velocity with regard to sediment deposition is near the bottom of the conduit and considerably less than the mean velocity of the storm. Storm drains shall be designed to have a minimum mean velocity flowing full of 2.5 feet per second (f.p.s.). Table 3.9 indicates the minimum grades for concrete pipe with "Manning's "n" = 0.013 and flowing at 2.5 f.p.s.

Table 3.9: Minimum Grades for Storm Drain Pipelines

Pipe Dia. (Inches)	Slope (foot/foot)	Pipe Dia. (Inches)	Slope (foot/foot)
18	0.0018	48	0.0005
21	0.0015	54	0.0005
24	0.0013	60	0.0004
27	0.0011	66	0.0004
30	0.0009	72	0.0003
33	0.0008	78	0.0003
36	0.0007	84	0.0003
39	0.0006	90	0.0002
42	0.0006	96	0.0002
45	0.0005	102	0.0002

3.2.2.4 Maximum Velocities

The slope of a storm sewer should also be such that excessive velocities will not damage the pipeline or drainage structures. Table 3.10 delineates the maximum desirable velocities for storm sewer.

Table 3.10: Maximum Velocities in Closed Conduits

Type of Conduit	Maximum Velocity
Culverts	15 f.p.s.
Inlet Laterals	15 f.p.s.
Storm Sewer Pipe	12.5 f.p.s.

* The maximum velocities shall be the actual velocity – full flow or partial flow.

3.2.2.5 Discharge of Storm Drain Pipe

Storm drain pipes discharging into Lake Ray Hubbard shall be set such that the top of the pipe shall be set at elevation 435.5 or otherwise approved by the City Engineer. Discharge into Lake Ray Hubbard will require approval from the City of Dallas. Pipes discharging into the lake

shall run to the lake to prevent erosion of the shoreline (City of Dallas detail, see Exhibit 3A). Where storm drain pipes discharge into water courses, the invert of the pipe shall be at the same grade as the low point of the water course and angled a maximum of sixty (60) degrees to flow downstream. Adequate grouted rock riprap or other erosion protection shall be provided. Storm sewers shall discharge into open channels at a maximum velocity of eight (8) feet per second.

3.2.2.6 Manholes

Storm drain manholes shall be located at intervals not to exceed five hundred (500) feet for all underground storm conduit systems. Manholes shall also be placed at locations where CCTV and Vac-con equipment can inspect/clean entire system without getting stuck or unable to make bends/wye connection turns. Therefore manholes shall also be placed where there is no more than one (1) bend or wye connection between manholes or inlets. Inlet and manhole lids shall be twenty-four (24) inches with locking lids.

3.2.2.7 Lateral Lines

The minimum size of reinforced concrete storm sewer line from the inlet box to the collector lines shall be eighteen (18) inches in diameter for a discharge of less than 10 cfs. Where discharge exceeds 10 cfs and/or connects to a ten (10) foot inlet, lateral lines shall be a minimum of twenty-one (21) inches in diameter.

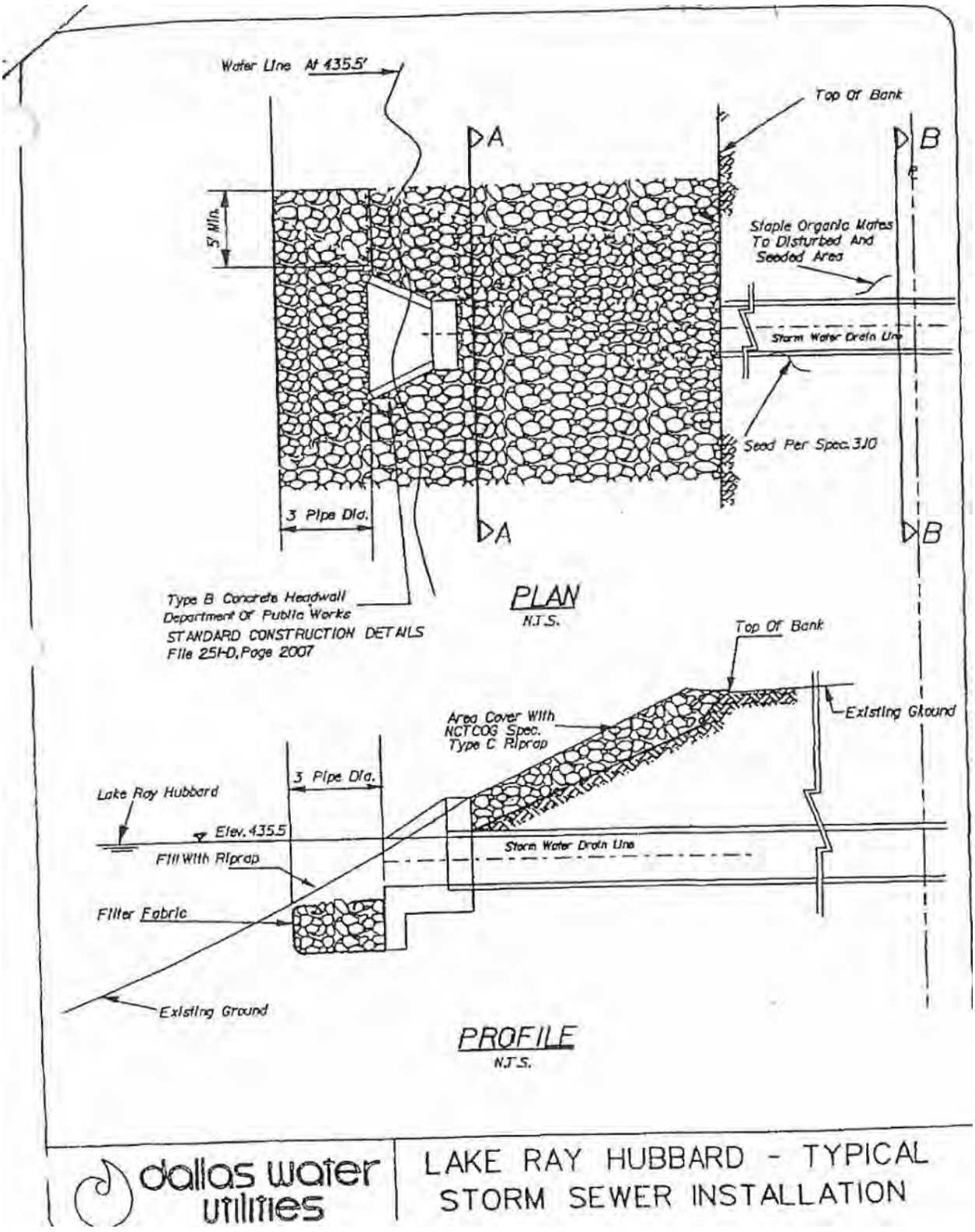

Water Line At 435.5'
Top Of Bank
A
B
5' Min.
Staple Organic Mates To Disturbed And Seeded Area
Storm Water Drain Line
Seed Per Spec. 310
3 Pipe Dia.
A
B
Type B Concrete Headwall
Department Of Public Works
STANDARD CONSTRUCTION DETAILS
File 25HD, Page 2007
PLAN
N.T.S.
Top Of Bank
Existing Ground
Area Cover With NCTCOG Spec. Type C Riprap
3 Pipe Dia.
Lake Ray Hubbard
Elev. 435.5
Fill With Riprap
Storm Water Drain Line
Filter Fabric
Existing Ground
PROFILE
N.T.S.
dallas water utilities
LAKE RAY HUBBARD - TYPICAL STORM SEWER INSTALLATION

Exhibit 3A

3.2.2.8 100-Year Flood Zones

Where the Federal Emergency Management Administration (FEMA) has defined a flood hazard area with regard to a drainage course as shown on the effective Flood Insurance Rate Maps (FIRMs), the flood hazard zone and the floodplain, floodway, cross-section lines and water surface elevations at each cross-section, if available, shall be shown on the plat and engineering plans.

3.2.2.9 Local 100-Year Flood Zones

Where flood information has not been determined for streams, creeks, channels, or impoundments located within or adjacent to a proposed development, the 100-year fully developed flood elevations and flood boundaries shall be determined by the developers' engineers. The local floodplain, cross-section lines and water surface elevations at each cross-section shall be shown on the plat and engineering plans.

3.2.2.10 Floodplain Markers

The City will provide floodplain markers to be installed by the developer which shall be placed at the property corner of each lot adjacent to the flood plain and a maximum distance apart of 300 feet along the floodplain line.

3.2.2.11 Inlet Markers

The City will provide "No Dumping, Drains to Waterway" inlet markers to be installed on each inlet by the developer.

3.2.2.12 Dumpsters

If a dumpster is to facilitate any type of food, food by-product, or oil/grease based product disposal, the dumpster site area shall drain through a private oil/water separator prior to connecting to the storm water system. All dumpster surface area must drain into a private slot or area drain to prevent any drainage from leaving the dumpster area. This private system shall discharge into a storm system and cannot discharge into a wastewater system.

3.2.2.13 Fueling Stations

If there is a fueling station on the site the storm line serving the fueling station drainage area shall have an oil/water separator installed before leaving the site. This private system shall discharge into a storm system and cannot discharge into a wastewater system.

3.2.2.14 Testing

All storm sewers and laterals shall be visually inspected by photographic means (television and DVD) at the contractor's expense prior to final acceptance by the City of Rockwall. Any sags, open joints, cracked pipes, etc. shall be repaired or removed by the contractor at the

contractor's expense. Pipes shall be cleaned prior to televising the pipe. The contractor shall furnish a DVD to the Engineering Department inspector for review.

3.2.3 Storm Sewer Design – Closed Conduit

3.2.3.1 General

To facilitate the design of closed conduit storm sewers, design will be based on the calculations called out in this section and the instructions for Form 3.3: Storm Sewer Calculations. Form 3.3 in its entirety shall be included in the plans and calculations shall be provided for each system including laterals.

Form 3.3: Storm Sewer Calculations Table

SYSTEM ID	Conduit Properties								
	Collection Point Station		Length	# of Barrels	Pipe Size	Box		Type	Area
	U/S	D/S				Span	Rise		
			(ft)		(inches)	(ft)	(ft)		(ft^2)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Conduit Properties						Incremental Drainage Area			
Wetted Perimeter P_W	Hydraulic Radius	Manning's n	Flowline Elevation		Slope	Inlet ID	Area	Runoff Coeff. C	Incre-mental C*A
			Up-stream	Down-stream					
(ft)	(ft)				(ft/ft)		(acres)		
(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)

Accum-ulated C*A	Up-stream T_C	Design Storm Freq.	Intensity I	Runoff Q	Conduit Capacity Q_C	Partial Flow	Velocity V	Time in Conduit
	(min)	(yr)	(in/hr)	(cfs)	(cfs)	(Yes/No)	(ft/s)	(min)
(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)

Friction Slope S_f	Friction Head-loss	HGL		Headloss Calculations					Design HGL	Top of Curb Elev.	HGL Depth Below T/C	Remarks
		U/S	D/S	$\frac{V_1^2}{2g}$	$\frac{V_2^2}{2g}$	Jct. Type	Coeff. K_J	Head-loss H_L				
(ft/ft)	(ft)			(ft)	(ft)			(ft)			(ft)	
(30)	(31)	(32)	(33)	(34)	(35)	(36)	(37)	(38)	(39)	(40)	(41)	(42)

City of Rockwall
The New Horizon

Instructions for Form 3.3: Storm Sewer Calculation Table

Column (1)	System ID, if private label (ex. Line-A, Line-B, ….; Lat-A1, Lat-A2, ….)
Column (2)	Storm sewer line station at the upstream end of conduit section
Column (3)	Storm sewer line station at the downstream end of conduit section
Column (4)	Length of Conduit segment, equal to Column (2) minus Column (3)
Column (5)	Number of barrels of conduit
Column (6)	Size of Pipe in inches
Column (7)	Span of Box Conduit
Column (8)	Rise of Box Conduit
Column (9)	Conduit Type (ex. RCP, RCB, PVC, HDPE, ….)
Column (10)	Conduit area
Column (11)	Wetted Perimeter
Column (12)	Equal to Column (10) divided by Column (11)
Column (13)	Manning's Roughness Coefficient
Column (14)	Conduit flowline elevation at the upstream end of conduit section
Column (15)	Conduit flowline elevation at the downstream end of conduit section
Column (16)	Conduit slope in feet/feet
Column (17)	The incremental drainage area ID contributing to the conduit section
Column (18)	The incremental drainage area in acres contributing to the conduit section
Column (19)	The incremental drainage area runoff coefficient contributing to the conduit section
Column (20)	Equal to Column (18) multiplied by Column (19)
Column (21)	Equal to Column (20) plus Column (21) of the upstream conduit section
Column (22)	Equal to inlet Tc if most upstream conduit section, or the sum of previous conduit section Column (22) and Column (29)
Column (23)	Design Storm Frequency shall be 100-yr
Column (24)	Shall be taken from Figure 3.1 using Columns (22) and (23)
Column (25)	Solution of Equation 3.1 using Columns (21) and (24)
Column (26)	Solution of Manning's Equation 3.6 where the conduit is flowing full (depth of flow is equal to height of conduit)
Column (27)	Yes, if Column (25) < Column (26). No, if Column (25) ≥ Column (26)
Column (28)	The actual velocity within the conduit
Column (29)	Equal to Column (4) divided by Column (28) divided by 60 sec/min
Column (30)	Solution of Equation 3.21
Column (31)	Equal to Column (4) multiplied by Column (30)
Column (32)	Upstream Hydraulic Grade Line. Equal to Column (33) plus Column (31)
Column (33)	This is the beginning hydraulic gradient of the line. It is equal to the Design HGL Column (38) for the next downstream segment, or the beginning HGL of the system.
Column (34)	Velocity Head of the incoming pipe at the wye, junction, inlet or manhole.
Column (35)	Velocity Head of the outgoing pipe (the pipe segment being analyzed) at the wye, junction, inlet or manhole.
Column (36)	Upstream junction type (ex. Inlet, 60° Wye, 30° Bend, Jct. Box, ….)

Column (37)	Taken from Tables 3.8
Column (38)	Taken for Equations 3.23 through 3.26 depending on Junction Type
Column (39)	Upstream Hydraulic Grade Line design point of the conduit segment. Column (24) plus Column (32)
Column (40)	The top of curb elevation at which the inlet is located
Column (41)	Equal to the Column (40) minus Column (39)
Column (42)	Special design comments are entered here.

3.2.4 Storm Sewer Design – Open Channels

3.2.4.1 General

All channels shall be designed to have a minimum bottom width of six (6) feet and based on a maximum flow and a minimum flow line slope of one (1) percent. Side slopes of channels shall not be steeper than one (1) foot rise to four (4) feet horizontal distance. Where slopes are steeper than 4 to 1, the slopes shall be concrete lined for slope protection. In unlined open channels, the side slopes and channel slopes shall be such that erosion is controlled and the channel is stable. Channels discharging into Lake Ray Hubbard must have City of Dallas approval and shall have inverts a minimum of two (2) feet below normal conservation pool level (435.5). Channels discharging into water courses shall have the same invert level as the water course.

The instructions for Form 3.4: Open Drainage Channel Calculations Table, have been included in this section to facilitate the hydraulic design of an open channel.

OPEN CHANNEL CALCULATIONS

PROJECT NAME _____ BY _____

LINE NAME _____ DATE _____

CHANNEL STATION		Channel Type	Flow "Q" (c.f.s.)	Roughness Coeff. "n"	Slope "S" (ft./ft.)	$S^{1/2}$	$\frac{Q \times n}{1.486 S^{1/2}}$	Width "b" (feet)	Depth "d" (feet)	Side Slope	Area "A" (sq.ft.)	Wetted Perimeter "WP" (feet)	Hydraulic Radius "R" = $\frac{A}{WP}$	$R^{2/3}$	$A \times R^{2/3}$	Velocity $V = \frac{Q}{A}$	Velocity Head $\frac{V^2}{2g}$ (ft.)	REMARKS
From	To																	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

City of Rockwall
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INSTRUCTIONS FOR FORM 3.4:
OPEN DRAINAGE CHANNEL CALCULATIONS

Column (1)	Downstream limit of the section of channel under consideration.
Column (2)	Upstream limit of the section of channel under consideration.
Column (3)	Type of channel as shown shall be either Type I natural unimproved channel, Type II unlined with maintenance section, (concrete pilot channel) or Type III, concrete lined channel.
Column (4)	Flow in the section of channel under consideration.
Column (5)	Roughness coefficient of the channel cross-section taken from TABLE 3.11.
Column (6)	Slope of the channel which is most often parallel to slope of the hydraulic gradient.
Column (7)	Square root of Column (6).
Column (8)	Calculation is made using the values in Columns (4), (5) and (7).
Column (9)	Assumed width of the bottom width of the channel.
Column (10)	Assumed depth of flow.
Column (11)	Assumed slope of the sides of the channel.
Column (12)	Area of flow which is calculated based on Columns (9), (10) and (11).
Column (13)	Wetter perimeter calculated from Columns (9), (10) and (11).
Column (14)	Value is calculated from Columns (12) and (13).
Column (15)	Column (14) raised to 2/3 power.
Column (16)	Product of Column (13) times Column (15).
When the value of Column (16) equals the value of Column (8) the channel has been adequately sized. When the value of Column (16) exceeds the value of Column (8) by more than five percent, the channel width or depth should be decreased and another trial section analyzed.	
Column (17)	Calculation is based on the values of Columns (4) and (12)
Column (18)	Calculation is based on Column (17)
Column (19)	Remarks concerning the channel section analyzed may be entered.

Table 3.11: Roughness Coefficients for Open Channels and Maximum Velocity

Channel Description	Roughness Coefficient Minimum	Roughness Coefficient Normal	Roughness Coefficient Maximum	Maximum Velocity
Minor Natural Streams - Type I Channel				
Moderately Well Defined Channel				
Grass and Weeds, Little Brush	0.025	0.030	0.033	8
Dense Weeds, Little Brush	0.030	0.035	0.040	8
Weeds, Light Brush on Banks	0.030	0.035	0.040	8
Weeds, Heavy Brush on Banks	0.035	0.050	0.060	8
Weeds, Dense Willows on Banks	0.040	0.060	0.080	8
Irregular Channel with Pools and Meanders				
Grass and Weeds, Little Brush	0.030	0.036	0.042	8
Dense Weeds, Little Brush	0.036	0.042	0.048	8
Weeds, Light Brush on Banks	0.036	0.042	0.048	8
Weeds, Heavy Brush on Banks	0.042	0.060	0.072	8
Weeds, Dense Willows on Banks	0.048	0.072	0.096	8
Flood Plain, Pasture				
Short Grass, No Brush	0.025	0.030	0.035	8
Tall Grass, No Brush	0.030	0.035	0.050	8
Flood Plain, Cultivated				
No Crops	0.025	0.030	0.035	8
Mature Crops	0.030	0.040	0.050	8
Flood Plain, Uncleared				
Heavy Weeds, Light Brush	0.035	0.050	0.070	8
Medium to Dense Brush	0.070	0.100	0.160	8
Trees with Flood State below Branches	0.080	0.100	0.120	8
Major Natural Streams - Type I Channel				
The roughness coefficient is less than that for minor streams of similar description because banks offer less effective resistance.				
Moderately Well Defined Channel	0.025	---	0.060	8
Irregular Channel	0.035	---	0.100	8
Unlined Vegetated Channels - Type II Channel				
Mowed Grass, Clay Soil	0.025	0.030	0.035	8
Mowed Grass, Sandy Soil	0.025	0.030	0.035	6
Unlined Non-Vegetated Channels - Type II Channel				
Clean Gravel Section	0.022	0.025	0.030	8
Shale	0.025	0.030	0.035	10
Smooth Rock	0.025	0.030	0.035	15
Lined Channels - Type II				
Smooth Finished Concrete	0.013	0.015	0.020	15
Riprap (Rubble)	0.030	0.040	0.050	12

3.2.5 Culvert Design

3.2.5.1 General

The design of culverts shall be sized to convey the discharge of the design flood frequency of 100-yr fully-developed watershed. The hydraulic calculations shall be entered into Form 3.5, which is further described herein. If computer modeling software is used in culvert design such as HY-8, HEC-RAS, etc. all input and output parameters shall be included in the plans, or in a certified report referenced in the plans.

Where a parallel culvert is to be placed in a roadside ditch the culvert headwalls shall start at the end of the curb return and extend beyond the return.

1. Information in the upper right of form:

- Culvert Location – This is a word description of the physical location.
- Length – The actual length of the culvert.
- Total Discharge, Q – This is the flow computed on FORM 3.1.
- Design Storm Frequency – 100-year storm
- Roughness Coefficient, n – value = 0.013.
- Maximum Discharge Velocity – Obtained from TABLE 3.12.
- Tailwater – This is the design depth of water in the downstream channel and is obtained in connection with the channel design performed on FORM 3.4.
- D.S. Channel Width – This is the bottom width of the downstream channel. The culvert should be sized to approximate this width whenever possible.
- Entrance Description – This is a listing of the actual condition as shown in the “Culvert Entrance Data” shown on the calculation sheet.
- Roadway Elevation – The elevation of the top of curb at the upstream end of culvert.
- U.S. Culvert F.L. – The flow line of the culvert at the upstream end.
- Difference – The difference in elevations of the roadway and the upstream flow line.
- Required Freeboard – The vertical distance required for safety between the upstream design water surface and the roadway elevation or such other requirements, which may occur because of particular physical conditions.
- Allowable Headwater – This is obtained by subtracting the freeboard from the difference shown immediately above.
- D.S. Culvert F.L. – The flow line elevation of the downstream end of the culvert.

- Culvert Slope, S – This is the physical slope of the structure calculated as indicated.

The instructions for FORM 3.5: Culvert Design Calculations Table have been included in this section to facilitate the hydraulic design of a culvert.

Table 3.12: Culvert Discharge Velocities

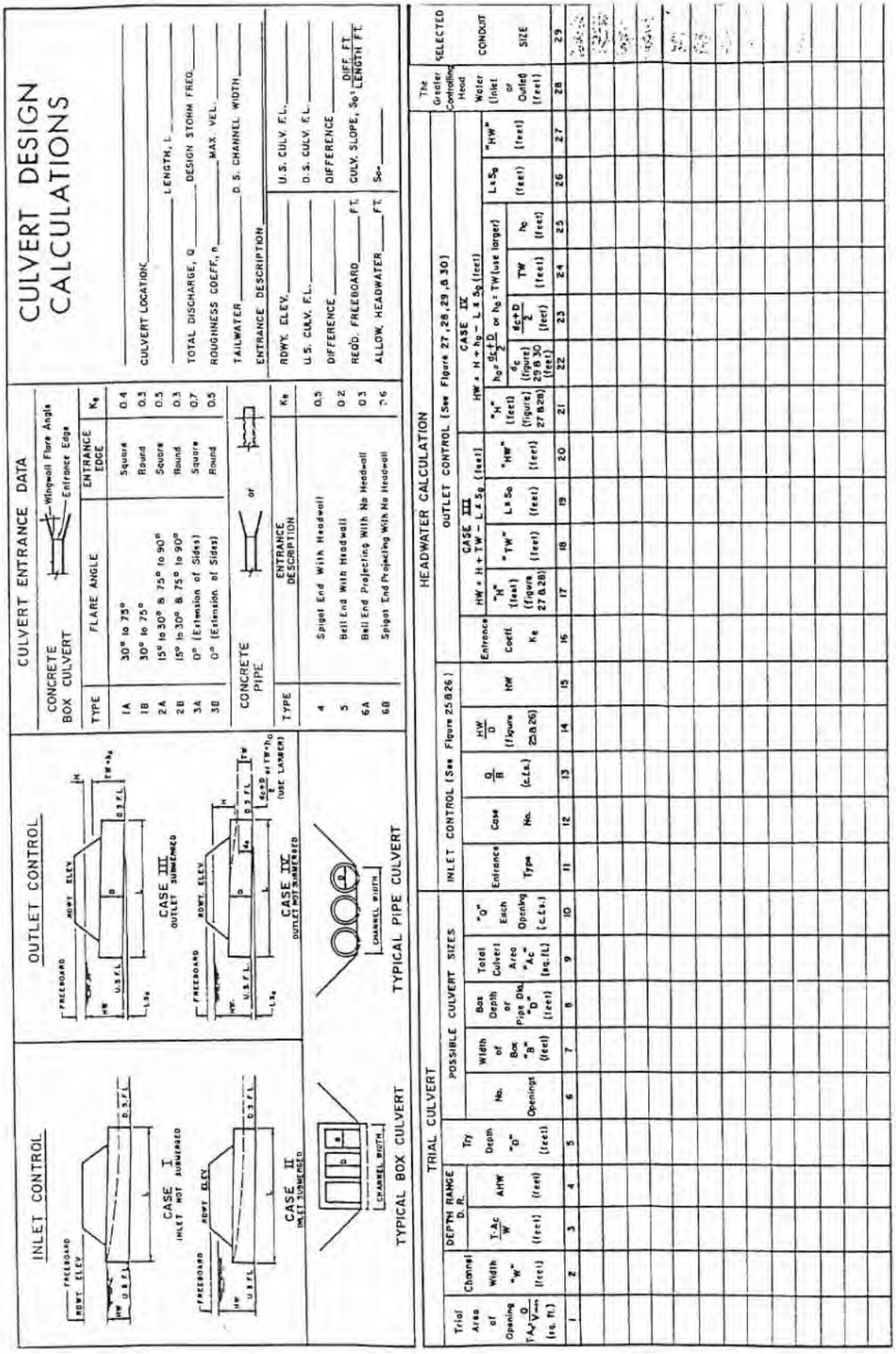
Culvert Discharges On	Maximum Allowable Velocity (f.p.s.)
Earth (Sandy)	6
Earth (Clay)	8
Sodded Earth	8
Concrete	15
Shale	10
Rock	15

*Velocities are based on actual velocity – partial or full flow

INSTRUCTIONS FOR FORM 3.5:
CULVERT DESIGN CALCULATONS

Columns 1 through 10 deal with selection of trial culvert size and are explained as follows:	
Column 1	Total design discharge, Q, passing through the culvert divided by the allowable maximum velocity gives trial total area of culvert opening.
Column 2	Culvert width should be reasonably close to the channel bottom width, W, downstream of the culvert.
Column 3	Lower range for choosing culvert depth is trial area of culvert opening, Column 1 divided by channel width, Column 2.
Column 4	Allowable headwater obtained from upper right of sheet.
Column 5	Trial depth, D, of culvert corresponding to available standard sized and between the numerical values of Columns 3 and 4.
Columns 6, 7 and 8 are solved simultaneously based on providing a total area equivalent to the trial area of opening in Column 1.	
Column 6	Number of culvert openings.
Column 7	Inside width of one opening.
Column 8	Inside depth of one opening if culvert is box structure or diameter if culvert is pipe.
Column 9	Column 6 multiplied by Column 7 and Column 8.
Column 10	Total discharge divided by number of openings shown in Column 6.
Columns 11 through 15 (Inlet Control) and 16 through 27 (Outlet Control) deal with headwater calculations which verify hydraulics of trial culvert selected and are explained as follows.	
Column 11	Obtained from upper right of sheet.

Column 12	When the allowable headwater is equal to or less than the value in Column 8, enter Case I. When the allowable headwater is more than the value in Column 8, enter Case II.
Column 13	Column 10 divided by Column 7.
Column 14	Obtained from FIGURE 3.22 for box culverts or FIGURE 3.23 for pipe culverts.
Column 15	Column 14 multiplied by Column 8.
Column 16	Obtained from upper part of sheet.
Column 17	Obtained from FIGURE 3.24 for box culverts and FIGURE 3.25 for pipe culverts.
Column 18	Tailwater depth from upper right of sheet.
Column 19	Culvert slope, S, multiplied by culvert length, both obtained from upper right of sheet.
Column 20	Sum of Columns 17 and 18, minus Column 19.
Column 21	Obtained from FIGURE 3.24 for box culverts and FIGURE 3.25 for pipe culverts.
Column 22	Critical depth obtained from FIGURE 3.26 for box culverts and FIGURE 3.27 for pipe culverts.
Column 23	Sum of Columns 22 and 8 divided by 2.
Column 24	Tailwater depth from upper right of sheet.
Column 25	Enter the larger of the two values shown in Column 23 or Column 24.
Column 26	Previously calculated in Column 19 and may be transposed.
Column 27	The sum of Columns 21 and 25 minus Column 26.
Column 28	Enter the larger of the values from either Column 15, Column 20 or Column 27. This determines the controlling hydraulic conditions of the particular size culvert investigated.
Column 29	When the Engineer is satisfied with the hydraulic investigations of various culverts and has determined which would be the most economical selection; the description should be entered.



Form 3.5: Culvert Design Calculations Table

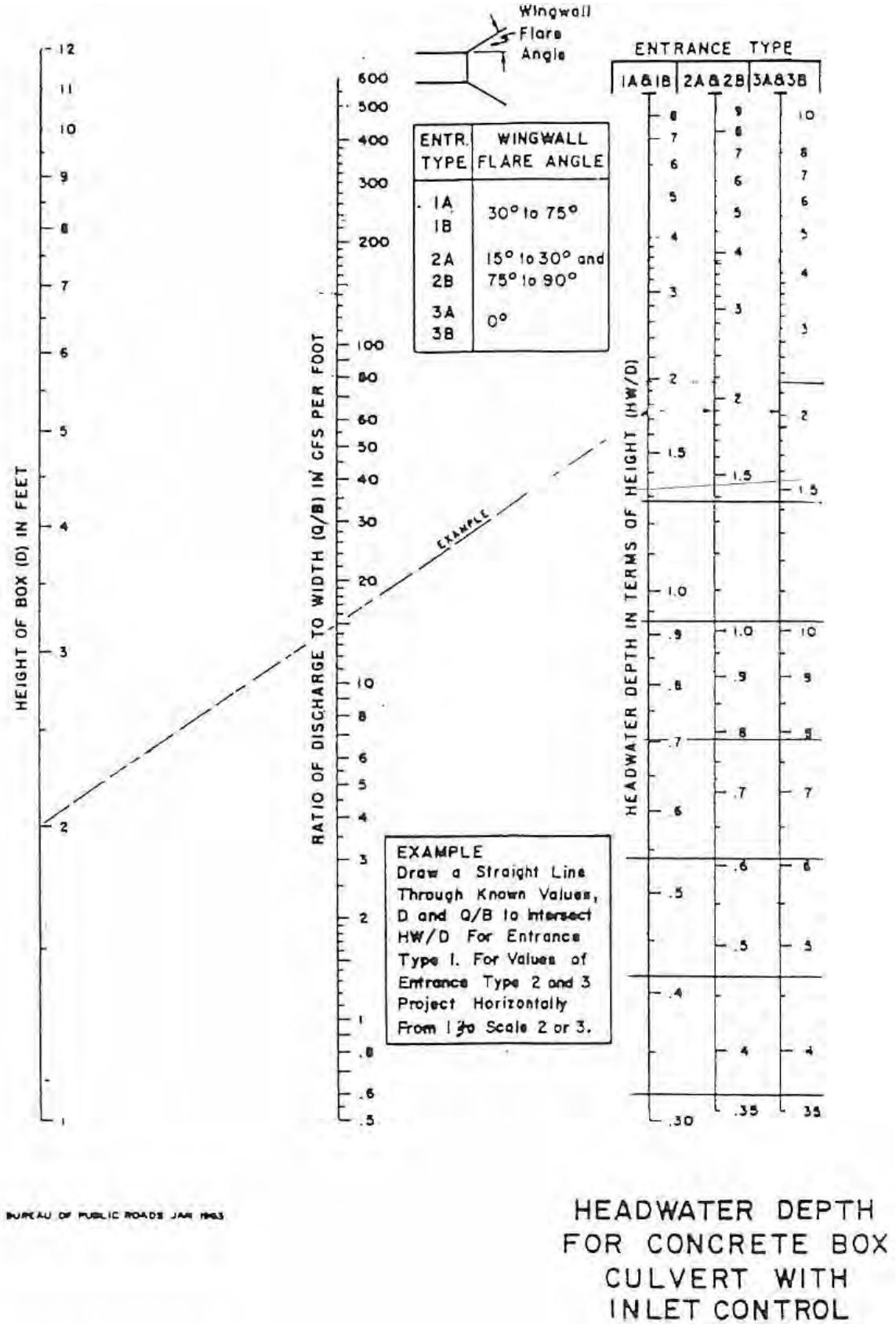


Figure 3.22: Headwater Depth for Concrete Box Culvert with Inlet Control

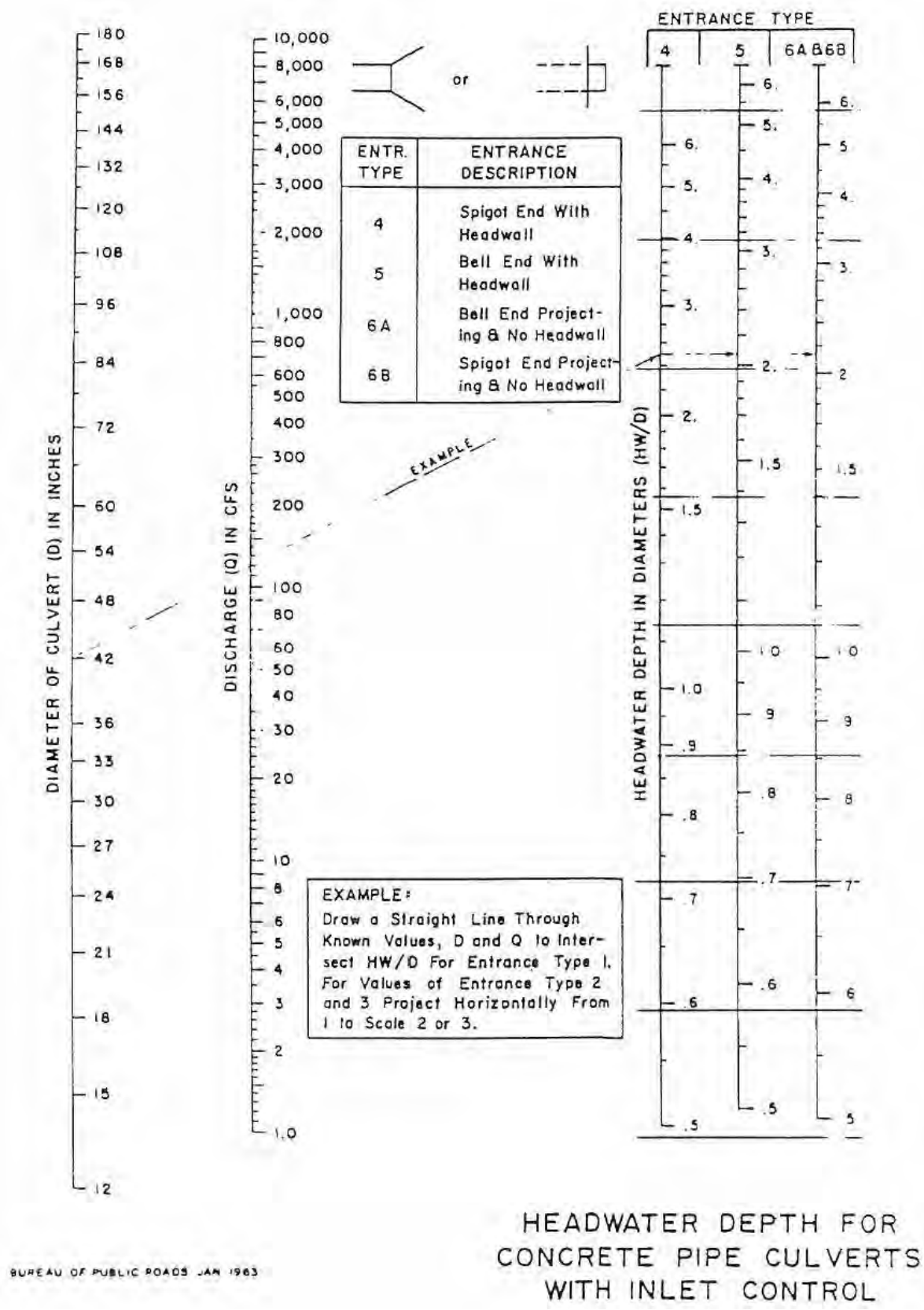


Figure 3.23: Headwater Depth for Concrete Pipe Culvert with Inlet Control

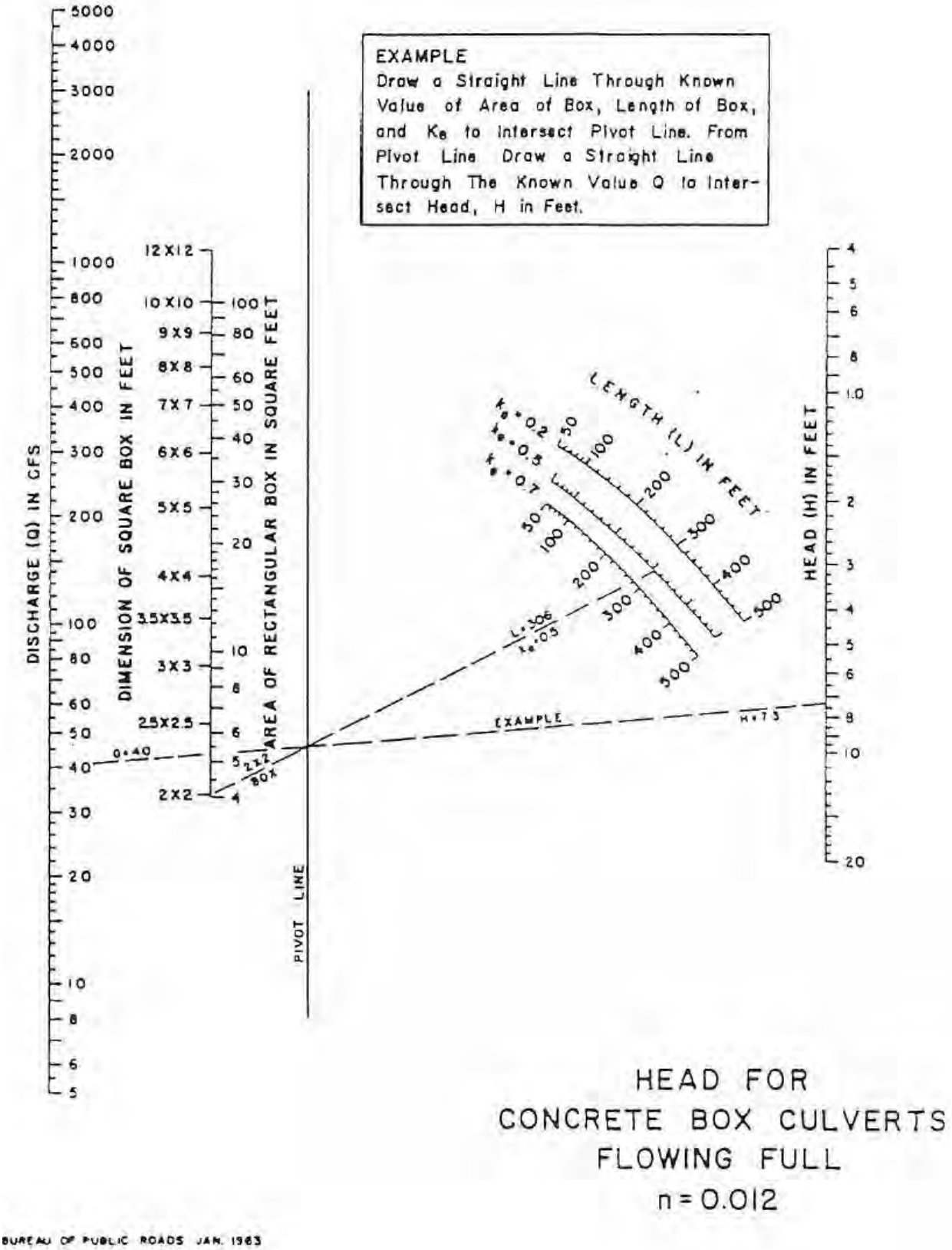


Figure 3.24: Head for Concrete Box Culvert Flowing Full

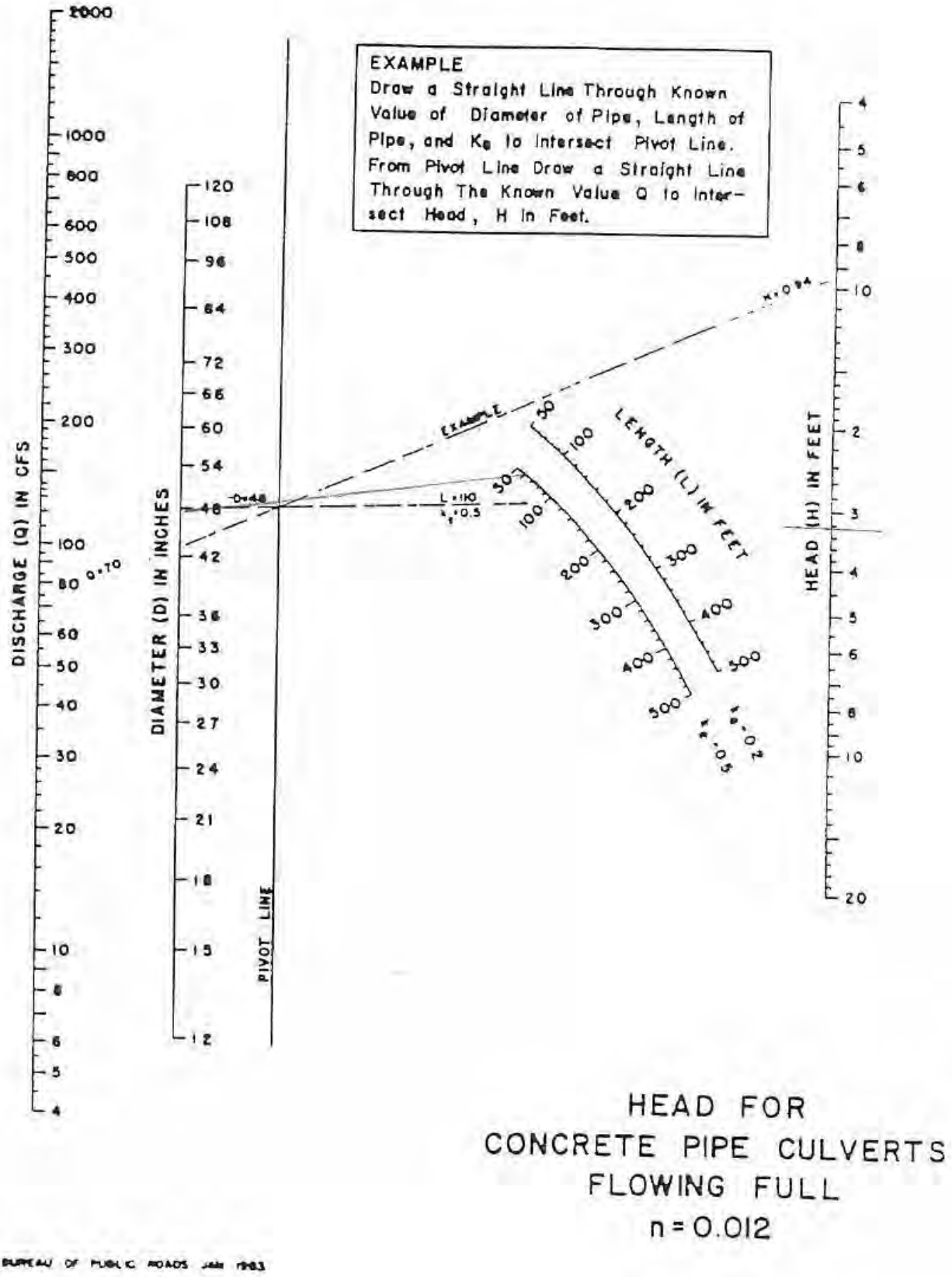


Figure 3.25: Head for Concrete Pipe Culverts Flowing Full

EXAMPLE

Known:

Discharge = 200 c.f.s.

Width of Conduit = 5'

Q/B = 40

Find:

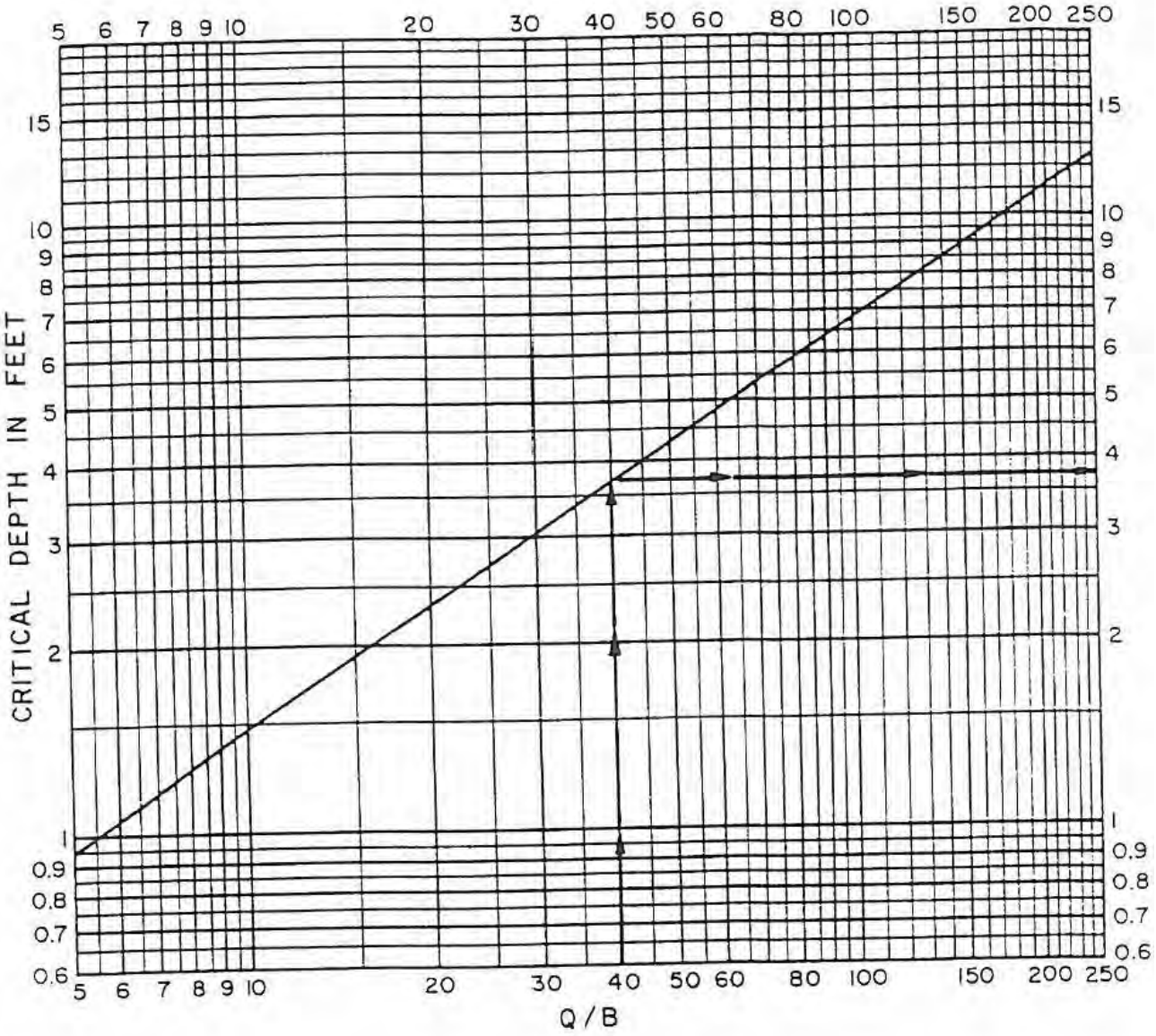
Critical Depth

Solution:

Enter Graph at Q/B = 40

Intersect Critical Depth

at 3.7



CRITICAL DEPTH
OF FLOW FOR
RECTANGULAR CONDUITS

Figure 3.26: Critical Depth of Flow for Rectangular Conduits

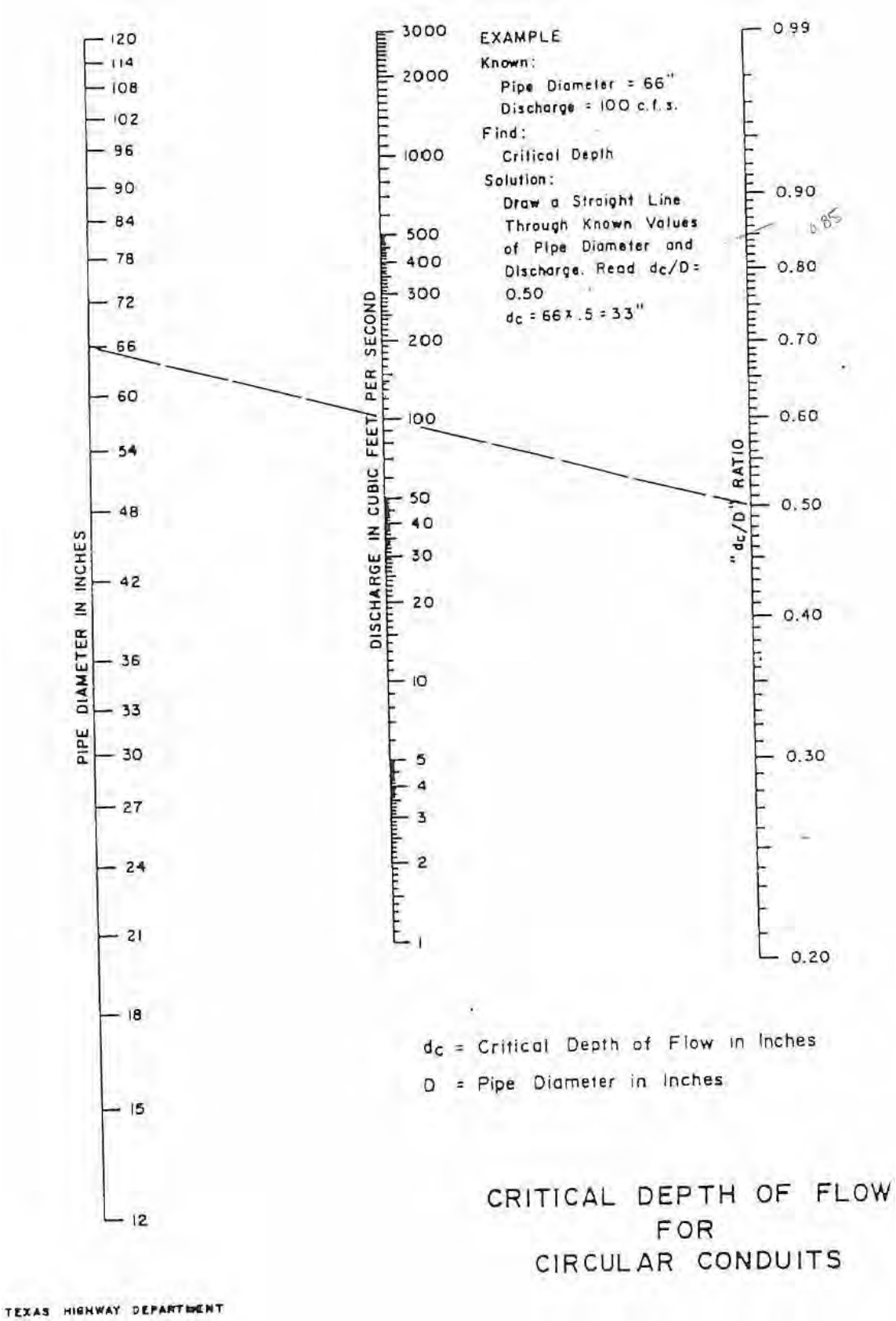


Figure 3.27: Critical Depth of Flow for Circular Conduits

3.2.6 Bridge Design

A. A scour analysis shall be performed and submitted in or with the design plans.

B. For all bridges a flood study report shall be prepared and provided to the City Engineer, documenting the methodology, assumptions, derivation of all data used, and results of the study.

C. The 100-yr projected fully developed water surface elevation shall not be increased upstream or downstream of the bridge.

3.2.7 Erosion Hazard Setback

3.2.7.1 Definition and Purpose

Erosion hazard setbacks shall be determined for every stream and creek (flowing or not) in which natural channels are to be preserved. The purpose of this erosion hazard setback is to reduce the potential for any damage to a private lot, building, utilities or street right-of-way caused by the natural erosion of the creek bank and to minimize the expenditure of public funds for stream bank stabilization projects. The erosion hazard setback shall be included within the drainage easement and its own lot and block that is maintained by the property owner for the stream/creek for any property plat or re-plat.

3.2.7.2 Determination

The erosion hazard setback shall be determined by the following steps:

- Locate the toe of the natural stream bank. The toe may be located outside of the low flow channel.
- Project at a 4(H):1(V) line sloping away from the center of the creek/stream until it intersects natural ground or the new proposed elevation, whichever results in the greater setback.
- From this intersecting point continue an additional 15 feet horizontally away from bank. This shall set the limit of the erosion hazard setback.
- In certain scenarios the calculated erosion hazard setback is within the 100-yr fully developed floodplain. In these scenarios, the erosion hazard setback shall be set to 10 feet beyond the 2 foot of freeboard elevation for the 100-yr fully developed floodplain.

The typical erosion hazard setback established by steps above is shown in Figure 3.28.

Proof of determination of the above shall be included in the Engineering Plan set. It shall include the following:

- Locating and labeling of the toe of the natural stream bank. If trapezoidal in nature both toes shall be identified.
- Existing one-foot topographic contours of the entire site.
- Projected hypothetical one-foot contours representing the 4(H):1(V) line sloping away from the center of the creek/stream until it intersects natural ground or the new proposed elevation
- Show and label hypothetical projected intersecting point/top of 4:1 slope line.
- Show and label Erosion Hazard Setback (15 foot offset away from bank of intersecting point/top of 4:1 slope line)
- Show and label 100-yr fully developed floodplain.
- Show and label 2 foot freeboard line.
- Show and label 10 foot offset of the 2 foot freeboard line.
- Show and label the required Drainage Easement that encompasses the Erosion Hazard Setback and Floodplain.

3.2.7.3 Non-Permitted Structures

The following are non-permitted structures within the erosion hazard setback: building, wall, parking lot, driveway, fences, decks, swimming pools, signage, monumentation, detention structures/ponds or other structures. Water and wastewater lines shall be placed beneath the projected 4:1 slope line. The pipe shall be concrete encased when there is less than 4 foot of cover from the 4:1 slope line.

3.2.7.4 Modifications

Any modifications to the erosion hazard setback will require the following items and approval by the City Engineer:

- A geotechnical and stream geomorphological stability analysis signed and sealed by a licensed professional geotechnical engineer within the State of Te xas.
- Structural plans, calculations and report of the permanent stream bank stabilization measures signed and sealed by a licensed professional structural engineer within the State of Texas.
- Grading permit.
- Adequate access to maintain the stream bank stabilization measures indefinitely.

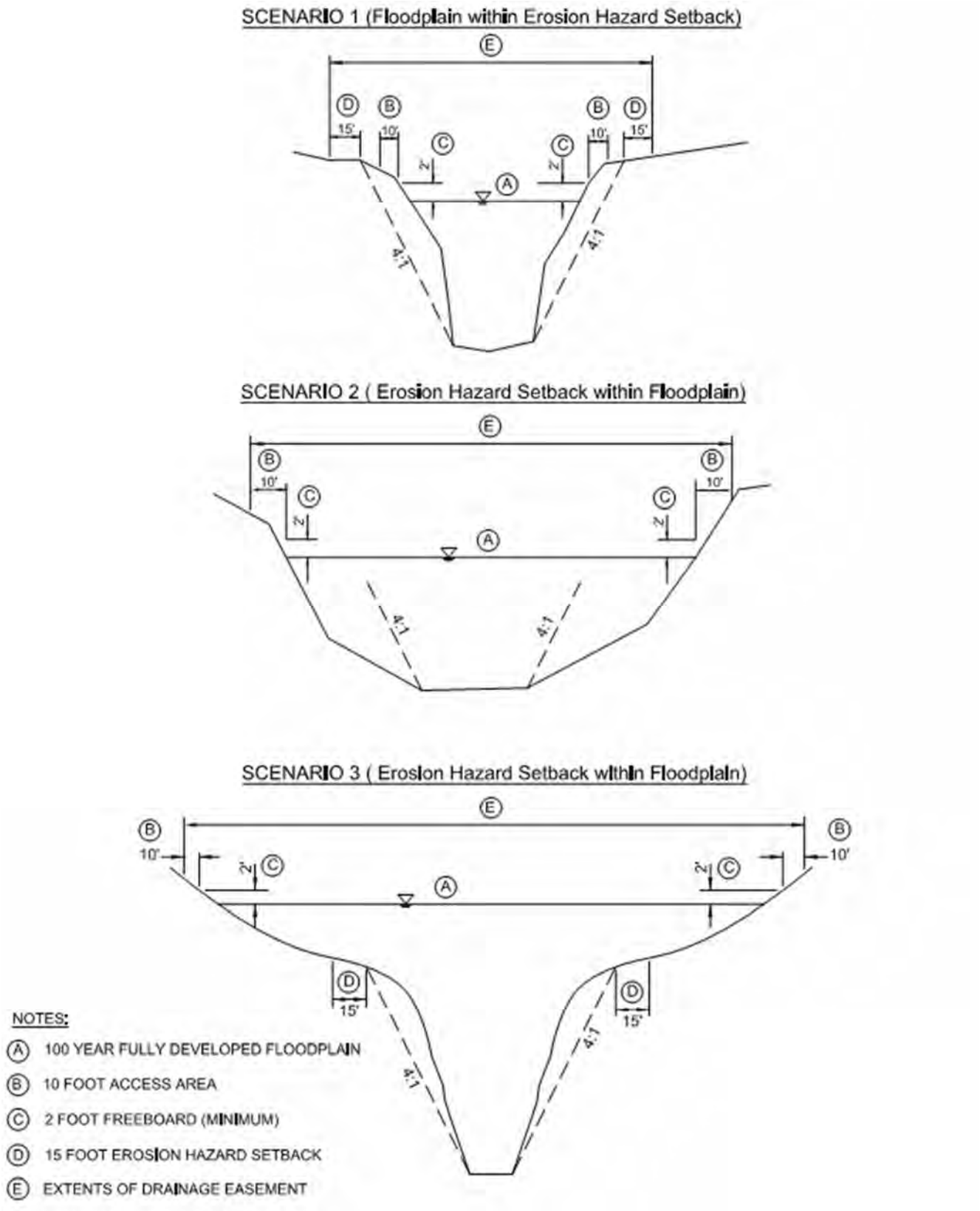


Figure 3.28: Erosion Hazard Setbacks and Drainage Easements

3.3 Minimum Freeboard Requirements

To help prevent flood damages and protect public safety, all design elevation requirements related to water surface elevations and flood elevations shall be based, at a minimum, on the 100-year flood, fully-developed watershed conditions. The difference between a minimum design elevation above the 100-year flood is commonly referred to as minimum freeboard. Table 3.13 provides a summary of absolute minimum freeboard requirements for design and construction in the City of Rockwall. However, prudent engineering in setting design elevations should be incorporated into any design. In some situations, a greater freeboard than those listed in Table 3.13 may be required by the City, at the discretion of the City Engineer, or as required by State and Federal regulations and guideline, depending of flood hazard potential in relation to property damages and public safety. The City's minimum freeboard requirements are not intended to take precedence over State and Federal regulations (except when the City's requirements exceed those set by State and Federal regulations). The minimum elevations of all flood protection levees and all dams must meet requirements of all State and Federal regulations and guidelines.

Table 3.13: Minimum Freeboard Requirements

Description	Minimum Freeboard above 100-year Flood Elevation (ft)*
Minimum Floor Elevations (including basements and sunken floor areas):	
Residential	2.0
Non-Residential (unless flood proofed; see flood damage prevention ordinance	2.0
Building Pad Elevations for Structures (at lowest adjacent structure grade)	1.0
Dams (freeboard above effective crest elevation of dam, after allowing for settlement and consolidation of embankment):	
Less than or equal to 5-ft maximum height	1.0
More than 5-ft maximum height (must meet State and Federal Requirements)	2.0
Dams with entire embankment having overflow protection (such as concrete)	1.0
Detention and Retention Ponds (freeboard along all shoreline areas around the pond):	
Per dam height:	
With Dams less than or equal to 5-ft maximum height	1.0
With Dams more than 5-ft maximum height	2.0
Incised Ponds (no dam)	1.0
Per area draining to pond:	
1 acre or less drainage area	0.0
5 acres to 1 acre drainage area	1.0
Greater than 5 acres	2.0
Flood Protection Levees, Dikes, or Walls (City Engineer Approval Required):	
Significant or High Hazard Flood Damage or Public Safety Potential	3.0
Low Hazard Flood Damage Potential or Public Safety Potential	2.0
Public Roadways, Alleys, and Parking Lots (as measured from edge of pavement/top of curb)	1.0

Channels	1.0
Bridges (as measured from lowest point of low chord)	1.0
Culverts (as measured from edge of pavement/top of curb)	1.0
Sanitary Sewer and Water Manhole Covers	2.0

*The 100-year flood elevations as determined based on discharges resulting from a fully-developed watershed. Greater freeboard may be required, at discretion of City Engineer (depending on flood hazard potential) or by State and Federal Regulations.

3.4 Detention

3.4.1 Intent

It is the City's intent to utilize detention (or detention/retention) of storm water runoff as a solution towards control of potential hazards created by storm water runoff including; reduction in the impact on downstream storm water drainage facilities; prevention of erosive conditions in water drainage ways; protection against downstream and adjacent property damage; and preservation of existing floodplains along major creeks. Detention basins may also improve water quality by allowing some sediment to settle out.

3.4.2 Where is Detention Required?

A. All non-residential development (or other redevelopment areas that will not impact the storm water flow) shall construct detention facilities.

B. Residential developments shall construct detention facilities if it is determined that the downstream system does not have adequate hydraulic capacity for the developed flow and the capacity of the downstream system cannot be increased to allow the conveyance of the developed flows.

C. All development within the Squabble Creek, Buffalo Creek and Little Buffalo Creek watersheds will construct detention facilities and provide a flood study using hydrology and hydraulic models, to prove that the proposed development will not cause any increase in peak flood discharge rates and flood elevations at all computed points downstream of the proposed development. For Squabble Creek this study shall extend downstream to Lake Ray Hubbard, for Buffalo Creek it shall extend downstream through Rockwall Lake Dam, for Little Buffalo Creek it shall extend downstream to the crossing of Horizon Road(FM 3097)..

3.4.3 Type of Detention Facilities

The following detention facilities are to be utilized for detention.

3.4.3.1 Site of ½ Acre or Less

A. Underground
B. On concrete Parking Surface (max 1-foot water depth)

3.4.3.2 Site of Greater Than ½ Acre, On-site

A. Underground

B. On concrete Parking Surface (max 1-foot water depth)
C. Detention Basin
- Side Slopes 4 to 1, or Less (no fencing allowed)
- Area to be Landscaped
- Maintained by Developer
- Additional Amenities Preferred
- Ownership Stays With Property Owner
- Dams Over 5-foot to be approved by State. Dam must meet state dam safety guidelines.

3.4.3.3 Greater Than ½ Acre, Off-site Shared

A. Detention Basin Shared with Other Developments
- May Expand Existing Pond
- No Increase in 100-year Flood Plain Elevation
- Capacity Expanded Above Existing Water Surface
- Need Engineering Study

B. Flow to Regional Detention Basin
- Regional Facility Manager (owner of facility) Must Approve Improvements
- Developer/s Funds Improvements to Regional Basin
- Developer/s Improves Storm Water Conveyance System to Basin (based on fully-developed 100-year flow)
- Dams Over 5-foot to be approved by State. Dam must meet state dam safety guidelines.
- Dam Cannot be Over 15-feet tall
- Basins with Water Retention to have Stored Water Depth of at Least 4-feet
- Need Landscaping and Amenity Features (Approved by Planning Dept.)
- Facility Manager to Assure Good Retained Water Quality
- Trash Collectors Required at Outfall Structures
- Side Slopes to be 4 to 1 or Less
- Developer/Owner Owns and Maintains Basin
- Facility Manager to Develop and Perform Maintenance Program
- Underground (preferred); Natural Open Channel (existing creek with 100-year developed capacity); Developer/s to Obtain Additional Drainage Easement for 100-year Developed Flow Area; No Concrete or Gabion Sidewalls
- Possible Pro-rata from Other Developments that Utilize Basin

C. Existing Lake
- Lake Manager Must Approve
- Developer/s Fund Improvements to Lake
- Developer/s Improves Storm Water Conveyance System to Lake (developed 100-year flow): Underground (preferred); Natural Open Channel (existing creek with developed 100-year capacity);

Developers to Obtain Additional Drainage Easement for 100-year Developed Flow Area; No Concrete or Gabion Channel Sidewalls
- Additional Storage Out of 100-year Storage

3.4.3.4 Existing Ponds

A. Developer/s Improve Existing Undesirable Detention Facilities
   - Remove Fencing Where Possible
   - Provide Concrete Flume in Bottom
   - Provide Landscaping
   - Improve Maintenance Access
   - Reconstruct with Underground System
   - Remove Pond by Conveying Storm Water Flow to Shared Detention Facility without adverse impacts to other properties.

3.4.4 Geometry, Restrictions and Appurtenances

A. Detention ponds shall have a side slope 4:1 or flatter.

B. The detention pond bottom grade shall be at a minimum of 1% slope. A 4-inch thick concrete low flow flume shall be installed from the ponds inlet structure/structures to the outfall structure.

C. All detention ponds and reserved shoreline shall have the appropriate amount of freeboard as called out in Table 3.13 – Minimum Freeboard Requirements from the 100-year water surface, based on flood inflows determined assuming fully-developed watershed conditions (without consideration of any future upstream detention), including incised ponds (without embankment/dams), or a higher design criteria if required by the State.

D. The State of Texas has jurisdiction of all dams, regardless of dam height or impoundment storage size, if they are classified by State regulations and guidelines with hazard classifications as “high – or significant-hazard”. [Reference: Texas Administrative Code, Title 30, Part 1, Chapter 299, Subchapter A, (a)(3)]. Dams with maximum height of over 5 feet must be approved by the State, unless the dam maximum height is less than 15 feet and a registered professional engineer licensed in Texas adequately shows, with an engineering study using the State of Texas Dam Safety guidelines and regulations, that a sudden breach of the dam during and a major flood event, as specified and determined by the State’s procedures, would not cause any significant increase in flooding or significant increase is flood damages as compared to a non-breach of the dam during a non-breach flood event. For dams permanently impounding water, the study should also determine the extent of additional flooding that would be caused by a sudden breach of the dam during non-flooding events. If the breach of the dam can be proven to not cause any significant flood

damages (other than to the dam embankment), then it can be proven to be classified as a "low-hazard" dam by State definition, and the dam may be exempt, at the City Engineer's discretion, from requiring State review and approval. However, regardless of whether the dam design is reviewed by the State, all dams, regardless of size, must have an emergency spillway and be designed, constructed, maintained, and operated per State Dam Safety Guidelines, including emergency action management. The maximum height of the dam, hazard classifications, and "significant" increased flooding (as related to embankment breach analyses) are determined based on the State's definitions and regulations.

E. No detention is allowed in the FEMA 100-yr and local 100-yr fully developed floodplain.

F. No detention pond is allowed with outlet elevation below a receiving stream's or channel's 100-yr fully developed flood elevation.

G. No franchise utilities (Gas, Electric, Cable, Telephone, Communications, etc.), water lines and wastewater lines (except storm systems) are allowed in detention ponds, and detention easements.

H. Underground detention systems must be a fully enclosed pipe system.

I. The detention pond shall have an emergency overflow in case the main outfall structure gets clogged. The emergency overflow shall be sized to pass the fully-developed 100-year flood at a minimum, or greater based on State Dam Safety requirements. City-approved erosion protection shall be placed along the length of the emergency overflow to the flowline of the receiving structure, creek or channel, and extended as necessary to prevent erosion of the dam structure.

J. The detention systems are to be installed and verified for design compliance along with the associated storm sewer and outfall structures and drainage channels, prior to any paving operations. All constructed detention ponds, drainage ways, and open channels shall have the sides and bottom stabilized with sod or anchored seeded matting prior to any paving construction (including building slab). The matting or sod shall be anchored at high velocity locations if deemed necessary. Erosion protection is to be placed at the pond's outflow structure along with any associated erosion BMP's noted on the erosion control plan

K. Sometimes a detention facility will be utilized by several developments, and then a pro-rata agreement/detention masterplan may be entered into with the development constructing the facility and the other developments utilizing the facility Without a pro-rata agreement/detention master plan of all parties in advance of construction of all combined developments, no

new proposed development will be allowed to take credit for any "over detention" of a previous development or the reduction of discharges from a previous development within the watershed in the determination of detention requirements.

L. Detention pond outfall structures shall be fitted with a trash rack.

3.4.5 Detention Calculations

The detention design calculations and outfall rating curves shall be included in the plans and flood study. Increased peak discharges from the detention basin are not allowed for the 5-year, 10-year, 25-year and 100-yr frequency floods based on existing off-site conditions.

3.4.5.1 Methodology

Detention facilities that have a drainage area of less than 20 acres shall be sized using the Modified Rational Method. If the drainage area is equal to or greater than 20 acres then the Unit Hydrograph Method shall be used. The Modified Rational method may be used for drainage areas more than 20 acres but the Unit Hydrograph Method must be performed as a comparison. The more conservative of the two methods shall be used to design the pond (and technical documentation of both methods should be provided to the City for review and verification of the most conservative method selected).

The following conditions shall be used when implementing the Modified Rational Method.

A. The proposed development will construct detention facilities to detain the increase in runoff between the existing 100-year flows (C-undeveloped, T_C = 20 minute) and the fully developed flows (C – depends on zoning, T_C = 10 minute). The "C" value is based on zoning, not pervious/impervious areas. Large area of dedicated open space dedicated to City can be considered by City in this value.

B. Storm rainfall intensity (in/hr) for different storm years shall be as follows:

	100 year	50 year	25 year	10 year	5 year	2 year
10 min	9.8	9.0	8.3	7.1	6.1	5.3
15 min	9.0	8.1	7.5	6.5	5.5	4.5
20 min	8.3	7.5	6.6	5.9	4.9	3.9
30 min	6.9	6.1	5.5	4.8	4.1	3.3
40 min	5.8	5.2	4.6	4.0	3.4	2.6
50 min	5.0	4.5	4.0	3.5	2.8	2.3
60 min	4.5	3.9	3.5	3.0	2.6	1.9
70 min	4.0	3.7	3.3	2.8	2.4	1.8
80 min	3.7	3.5	3.1	2.6	2.3	1.7

90 min	3.5	3.3	2.9	2.5	2.1	1.6
100 min	3.4	3.0	2.7	2.4	1.9	1.5
110 min	3.2	2.9	2.5	2.3	1.8	1.4

C. The following is an example calculation on how the Modified Rational Method is performed to determine detention volume:

MODIFIED RATIONAL METHOD DETENTION BASIN DESIGN

Given: A 10-acre site, currently agricultural use, is to be developed for townhouses. The entire area is the drainage area of the proposed detention basin.

Determine: Maximum release rate and required detention storage.

Solution:

1. Determine 100-year peak runoff rate prior to site development. This is the maximum release rate from site after development.

NOTE: Where a basin is being designed to provide detention for both its drainage area and a by-pass area; the maximum release rate is equal to the peak runoff rate prior to site development for the total of the areas minus the peak runoff rate after development for the by-pass area. This rate for the by-pass area will vary with the duration being considered.

2. Determine inflow hydrograph for storms of various durations in order to determine maximum volume required with release rate determined in Step 1.

NOTE: Incrementally increase durations by 10 minutes to determine maximum required volume. The duration with a peak inflow less than maximum release rate or where required storage is less than storage for the prior duration is the last increment.

PROCEDURE

STEP 1. Present Conditions (Agricultural)

$Q = C*I*A$
$C = 0.35$
$T_c = 20$ minutes
$I_{100} = 8.3$ in/hr
$Q_{100} = (0.35)(8.3)(10 \text{ acres}) = 29.05$ cfs (Maximum release rate)

STEP 2. Future Conditions (Townhouses)

C = 0.80
T_c = 10 minutes
I_{100} = 9.8 in/hr
Q_{100} = (0.80)(9.8)(10 acres) = 78.40 cfs

Check various duration storms:

15 minutes	I = 9.0 Q = (0.80)(9.0)(10 acres) = 72.0 cfs
20 minutes	I = 8.3 Q = (0.80)(8.3)(10 acres) = 66.4 cfs
30 minutes	I = 6.9 Q = (0.80)(6.9)(10 acres) = 55.2 cfs
40 minutes	I = 5.8 Q = (0.80)(5.8)(10 acres) = 46.4 cfs
50 minutes	I = 5.0 Q = (0.80)(5.0)(10 acres) = 40.0 cfs
60 minutes	I = 4.5 Q = (0.80)(4.5)(10 acres) = 36.0 cfs
70 minutes	I = 4.0 Q = (0.80)(4.0)(10 acres) = 32.0 cfs
80 minutes	I = 3.7 Q = (0.80)(3.7)(10 acres) = 29.6 cfs
90 minutes	I = 3.5 Q = (0.80)(3.5)(10 acres) = 28.0 cfs
100 minutes	I = 3.4 Q = (0.80)(3.4)(10 acres) = 27.2 cfs
110 minutes	I = 3.2 Q = (0.80)(3.2)(10 acres) = 25.6 cfs

Maximum Storage Volume is determined by deducting the volume of runoff released during the time of inflow from the total inflow for each storm duration.

10 min Storm	Inflow = (10)(78.4 cfs)(60 sec/min)	= 47,040 cf
	Outflow=(0.5)(20 min)(29.05 cfs)(60 sec/min)	= 17,430 cf
		= 29,610 cf
15 min Storm	Inflow = (15)(72.0 cfs)(60 sec/min)	= 64,800 cf
	Outflow = (0.5)(25 min)(29.05 cfs)(60 sec/min)	= 21,788 cf
		= 43,012 cf
20 min Storm	Inflow= (20)(66.4 cfs)(60 sec/min)	= 79,680 cf
	Outflow= (0.5)(30 min)(29.05 cfs)(60 sec/min)	= 26,145 cf
		= 53,535 cf
30 min Storm	Inflow = (30)(55.2 cfs)(60 sec/min)	= 99,360 cf
	Outflow = (0.5)(40 min)(29.05 cfs)(60 sec/min)	= 34,860 cf
		= 64,500 cf
40 min Storm	Inflow = (40)(46.4 cfs)(60 sec/min)	= 111,360 cf
	Outflow = (0.5)(50 min)(29.05 cfs)(60 sec/min)	= 43,575 cf
		= 67,785 cf
50 min Storm	Inflow = (50)(40.0 cfs)(60 sec/min)	= 120,000 cf
	Outflow = (0.5)(60 min)(29.05 cfs)(60 sec/min)	= 52,290 cf
		= 67,710 cf

60 min Storm	Inflow = (60)(36.0 cfs)(60 sec/min)	= 129,600 cf
	Outflow = (0.5)(70 min)(29.05 cfs)(60 sec/min)	= 61,005 cf
		= **68,595 cf**
70 min Storm	Inflow = (70)(32.0 cfs)(60 sec/min)	= 134,400 cf
	Outflow =(0.5)(80 min)(29.05 cfs)(60 sec/min)	= 69,720 cf
		= 64,680 cf
80 min Storm	Inflow = (80)(29.6 cfs)(60 sec/min)	= 142,080 cf
	Outflow = (0.5)(90 min)(29.05 cfs)(60 sec/min)	= 78,435 cf
		= 63,645 cf
90 min Storm	Inflow = (90)(28.0 cfs)(60 sec/min)	= 151,200 cf
	Outflow = (0.5)(100 min)(29.05 cfs)(60 sec/min)	= 87,150 cf
		= 64,050 cf
100 min Storm	Inflow = (100)(27.2 cfs)(60 sec/min)	= 163,200 cf
	Outflow = (0.5)(110 min)(29.05 cfs)(60 sec/min)	= 95,865 cf
		= 67,335 cf
110 min Storm	Inflow = (110)(25.6 cfs)(60 sec/min)	= 168,960 cf
	Outflow = (0.5)(120 min)(29.05 cfs)(60 sec/min)	= 104,580 cf
		= 64,380 cf

Maximum volume required is **68,595 cf** at the 60 min. storm duration.

3.4.5.2 Outfall Structures

Detention out fall structures shall be multi-staged and designed to detain the 5-yr, 10-yr, 25yr and 100-yr storm events without increasing the peak discharge. A chart shall be furnished by the design engineer showing the allowable flows verses the actual flows through the detention pond outflow structure for 5-yr, 10-yr, 25-yr, and 100-yr storm events.

When the design is based on the Modified Rational Method, outfall structures shall be designed in accordance to the equations established in Hydraulic Engineering Circular No. 22, Urban Drainage Design Manual (HEC-22). The Engineer shall include all calculations/ equations for the outfall structure in the plans, including each stage of the structure (5-yr, 10-yr, 25-yr, and 100-yr storm events).

When the detention pond and outfall structure is designed using a Unit Hydrograph Method (hydrology model) and a hydraulic model is being prepared (such as for a detention pond with dam located across a stream for which flood elevations will be determined), the outfall structure discharges may be determined with the hydraulic model. All

flow characteristics and conditions of the outfall structure should be adequately represented in the hydraulic model or other calculations to account for orifice flow conditions, weir flow conditions, and full-pipe and partially-full pipe flow conditions for all discharge openings, pipes, and overflow areas of both the discharge structure and the dam. The resulting discharge versus pond flood elevation data should be adequately represented in the hydrology model to ensure that the flood elevations computed with the hydrology model reasonably agree with those computed by the hydraulic model for all ranges of discharges.

City approved erosion protection shall be placed around the outfall structure and shall extend downstream the entire flow path length to the flowline of the receiving structure, creek or channel. The erosion protection shall extend to 2 feet above the 100-yr water surface elevation.

3.5 Floodplain Studies, Reclamation and Modification

All floodplain studies, reclamation, modification, flood boundary delineations and design of structures within or adjacent to creeks or streams shall meet the following guidelines set forth in this section and the most current Flood Hazard Damage Prevention and Control Ordinance.

A. The qualified professional engineer licensed in the State of Texas shall prepare a flood study report documenting all data, methodology, and assumptions used in the study. The study report shall be properly signed and sealed, and include a concluding statement certifying that the hydrologic and hydraulic study is based on standard engineering practice, that the project is constructed, or proposed to be constructed, as shown in certified engineering plans used in the study such that there will be no adverse increases in flooding or flood damages on other properties and that the project meets the requirements of all parts of the City's current Flood Hazard Damage Prevention and Control Ordinance.

B. Flood studies shall follow the general procedures set by FEMA for applying for a LOMR or CLOMR, including hydrologic and hydraulic modeling; drainage area workmap; floodplain workmap; annotated FIRM; FEMA forms; and complete technical documentation of all data used in the study, including, but not limited to, calculations of times of concentrations or lag times and calculations of other runoff parameters such as NRCS curve numbers. For hydrology models, drainage areas should be determined to the nearest 0.01 acre (0.000015 sq. mi.); times of concentration and lag times should be computed to the nearest 0.01 hour (6 min.); and NRCS composite runoff curve numbers should be computed to the nearest 0.1 value. Other requirements are contained in Unit Hydrograph Method Section of these standards. These

procedures shall be performed even for flood studies not being submitted to FEMA.

C. Floodplains and watersheds shall be modeled using standard practice engineering models that are public domain. The use of computer modeling software that is not public domain will require approval by the City Engineer. [The most recent versions of HEC-HMS and HEC-RAS are currently the City's preferred hydrology and hydraulic models for flood studies. The use of these models is highly encouraged in cases where a conversion from older models is desired or in previously-unstudied areas where new models are to be created].

D. All design elevations shall be based on computed flood elevations using flood discharges for 100-year projected fully-developed watershed conditions, including the effects of changes in storm water runoff and effects of encroachment and changes in flood valley storage caused by the proposed project.

E. All flood study models shall utilize the most current available models from the City or FEMA as base models (if available) and shall incorporate all additional modifications that have occurred since the last update of these models. Conversion of base models to newer approved digital models is allowed, as noted below.

F. Results of hydrology and floodplain hydraulic computer models shall be summarized in tabular form, to show differences in computed 100-year flood discharges and flood elevations. The computer model results to be included in the comparison tables include:

    a. The original effective base hydrology and hydraulic models, if available, as provided by the City or FEMA.

    b. Improved modeling procedures may be allowed and included, such as conversion of original models to newer versions of computer modeling software, such as conversion of HEC-2 models to HEC-RAS and conversion of TR-20 or HEC-1 models to HEC-HMS. Conversion to computer software that is not free public domain software and that is not on FEMA's approved list of computer modeling software must receive approval by the City Engineer. Results of conversion to improved modeling should be performed prior to any updates or corrections to the model data and compared in tabular form with the original base model results.

    c. Corrected hydrologic and hydraulic models (commonly referred to as "corrected effective" models by FEMA procedures) to include any improved data or needed corrections, such as new surveyed floodplain cross sections, inclusion of additional cross sections, or improved

topographic mapping, but should not include and man-made changes to the watershed or floodplain.

d. Pre-project hydrologic and hydraulic models, to update the computer models by adding man-made changes that have occurred in the watershed and floodplain since the date of the original effective base models. [If there are no updates based on man-made changes, then the "corrected effective" and "pre-project" models are the same].

e. Post-project hydrologic and hydraulic models, to include all changes that are included in the pre-project models, plus hydrologic and hydraulic characteristics that are representative of changes based on the project's proposed final completed construction. The post-project hydrology should include changes in runoff conditions related to modifications of land cover and grading, changes in times of concentration or lag times, alteration of stream channels and floodplain areas (including changes in floodplain valley storage and changes in flow velocities), changes in drainage areas and drainage patterns, and any proposed mitigation to prevent increases in flood discharges. The post-project hydraulic models should include effects to floodplain hydraulic characteristics, including changes in floodplain and channel configuration, such as encroachments, excavations, channelization, proposed hydraulic structures, clearing of areas that will be continually maintained, and changes in hydrology (flood discharges). The effects of temporary clearing of vegetation in areas that will not be maintained should not be included.

Hydrologic and hydraulic computer modeling must be provided for both existing watershed conditions (both pre-project and post-project conditions), with summary comparisons of various steps ("a" through "e", above) shown in tabular form, to include computed 100-year discharges and flood elevations. The results of hydrology and hydraulic post-project models will be compared with results of pre-project models to verify compliance of City Standards requiring no increased flooding on other properties. Additionally, hydrology and hydraulic models must be provided based on fully-developed watershed conditions with the proposed project. The results of the fully-developed condition models, will be used to determine compliance with the City's design elevation standards. When construction of a project will be in phases, the City Engineer may require flood studies to be submitted for each phase.

G. When transferring discharges computed by the hydrology models as input data entered into the hydraulic models, round-off of discharges is allowed only to the nearest one (1) cfs. All hydrology models should be set to compute discharges to the nearest one (1) cfs and flood elevations (such as in ponds) to the nearest 0.01 ft. All hydraulic models should be set to compute flood elevations to the nearest 0.01 ft. Locations of flow changes in the hydraulic

model should be carefully determined to avoid undue under-calculation of flood elevations. For example, in order to prevent unreasonable under-calculations of flood elevations along portions streams, discharges computed at sub-basin outlets along a stream should normally be used in the hydraulic model for a reasonable extended portion of the upstream floodplain reach, in order to avoid neglecting all of the lateral inflow within the upper stream reach in the hydraulic model computations.

H. The completed flood study, including detailed technical documentation; printed hydraulic and hydrological model input data and output results, digital model files (as listed in "F", above, for both existing and projected future fully-developed watershed conditions), supporting calculations, drainage area maps, floodplain boundary maps, and certification statement (as noted in "A.", above) shall be submitted to the City for review.

I. The watershed work map(s) should include the following:

a. Multiple watershed work maps may be submitted for pre-project and proposed project conditions, as long as all of the following items are provided.

b. Total watershed drainage area and sub-basin drainage delineation boundaries, including those representative of the original base hydrology model, the corrected drainage delineations (if any), and proposed project changes in drainage delineations and any added sub-basins. All sub-areas should be labeled in agreement with sub-area labels used in the hydrology models.

c. Topography overlaid on high-resolution aerial photography, with elevation contour labeling.

d. Delineation of hydrologic soil groups and land cover conditions (these may be included on a separate map, with drainage delineations).

e. Property boundaries of the tract of land where the proposed project is located, including any proposed division lines for the current and future project phases.

f. Proposed project, with proposed grading and changes in land cover.

g. Stream channel centerline flow path, with flow direction indicated.

h. Flow path used in determining times-of-concentration or lag times (both pre-project and modifications based on proposed construction).

i. Title block, legend, north arrow, and bar scale.

J. The floodplain work map(s) should include the following:

a. Multiple floodplain work maps may be submitted, as long as all of the following items are provided.

b. Floodplain cross sections, with location and orientation relative to the floodplain, with labels in agreement with the stations referenced in the hydraulic models. If the study involves a stream that has been previously studied, stream stationing should be in general agreement with stationing used in the previous study. For streams with no previous flood studies, the stream stationing should be based on channel distance upstream from the stream's point of termination (downstream location of where the stream enters a larger receiving stream or major lake (such as Lake Ray Hubbard).

c. Topography overlaid on high-resolution aerial photography, with elevation contour labeling.

d. Floodplain boundaries and flood elevations for the 100-year flood using discharges for both pre-project existing watershed conditions and modifications based on proposed project discharges.

e. Floodplain boundaries identified on the Flood Insurance Rate Maps as Special Flood Hazard Areas, and floodplain boundaries from previous studies (if available from the City) with 100-year flood elevations.

f. Floodplain boundaries and flood elevations for the 100-year flood based on projected fully-developed watershed conditions, with the proposed project.

g. Stream channel centerline (invert) with direction of flow indicated (for both pre-project and any changes in stream channel centerline based on the proposed construction).

h. Property boundaries of the tract of land where the proposed project is located, including any proposed division lines for the current and future project phases.

i. Title block, legend, north arrow, and bar scale.

K. In order for the City to maintain and update their hydrology and hydraulic computer models, after construction is completed, the developer's engineer must update and submit to the City their final certified flood study report, with hydrology and hydraulic models, along with all supporting calculations, maps,

report, AutoCAD (.dwg files), and GIS files and other exhibits to adequately represent as-built conditions. If the project has been submitted to FEMA, the updated models and revisions to flood study reports should include all modifications that were approved by FEMA.

L. The City Engineer will determine whether the proposed development will require a LOMR or CLOMR. All documentation prepared for submitting to FEMA (LOMRs/CLOMRs) will be reviewed by the City. The City will not approve the flood study prepared for a LOMR, nor sign a LOMR application form, until construction grading associated with the LOMR has been completed, certified "as-built" plans are submitted to the City, construction has been verified by onsite inspection(s), and all required Local, Federal, and State permits and approvals have been received.

M. The City will utilize an engineering consulting firm to assist City staff in the review of a flood study. The cost of this consultant review shall be borne by the developer, engineer, or property owner submitting the flood study. The City shall first obtain a cost estimate from the engineering consultant for the flood study review at time of the initial flood study submittal. Before the review begins, the developer, engineer, or property owner submitting the flood study shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the review progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting the flood study shall be informed of the shortage and a new estimate made by the consultant engineer to complete the flood study review. Additional funds will then be deposited with the City by the developer, engineer or property owner submitting the flood study to cover the estimated shortfall before the review of the study resumes. Any unused funds to be reimbursed to the developer, engineer or property owner submitting the flood study. If review process is performed by City staff, the City will submit a cost estimate for flood study review at time of the initial engineering submittal.

3.6 Storm Drainage Management Plan

3.6.1 General

Storm drainage facilities shall include all elements of a drainage system consisting of streets, alleys, storm drains, channels, culverts, bridges, swales and any other facility through which or over which storm water flows, all of which the City must have a right in, either in the form of a dedicated right-of-way, floodway or drainage easements.

3.6.2 Site Drainage

All new subdivisions shall provide as part of the subdivision review process a complete storm drainage management plan. This plan will include, but not be limited to, the following: a complete review of all on-site, upstream and downstream drainage within the impacted watershed; determine all on-

site and downstream drainage facility improvements due to the increased runoff from the proposed development and future upstream and downstream developments; and contain calculations necessary to determine compliance with the Standards of Design herein. Detention will be required if the downstream storm system is not capable of handling the proposed drainage flows. The plan shall be done, using current zoning conditions or land use prescribed by the City's Land Use Plan (whichever creates the greatest storm water runoff), with maximum development considered throughout the watershed. The storm drainage plan shall show all necessary improvements with flow data provided at each point of interception of water. As part of the storm drainage plan, the developer shall show a lot grading plan to direct all water to proper intersection points avoiding cross flow of water from lot to lot. All upstream discharge shall be intercepted and carried through the proper intersection points avoiding cross flow of water from lot to lot. All upstream discharge shall be intercepted and carried through the proposed development in compliance with the Standards of Design herein. All discharge from the proposed development shall be designed in accordance with the Standards of Design herein with all necessary improvements being installed by the developer to protect downstream property and adjacent properties from damage. The determination of necessary improvements to existing drainage facilities downstream of a proposed development shall be reviewed by the City Engineer for compliance and adequacy. Deviations from the City Engineer's recommendations and the Standards of Design herein may be approved through the requesting and granting of a variance by the City Council. If a storm drainage plan has been completed prior to new proposed development in question, the developer may use this plan if the City Engineer deems the existing plan is adequate.

3.6.3 Subdivision Development

All subdivision developments shall be built in complete compliance with a storm drainage plan as outlined herein. All lots shall be graded at the time of development in accordance with the plan. All grading shall not exceed a slope of 4 to 1 unless approved by the City Engineer. Approved erosion control shall be provided as part of the development construction on any or all lots within the development to protect the drainage, lot development and adjacent property.

The finish building pad for all subdivision developments shall be elevated to a minimum of 1.0 foot above the crown of the road. In no circumstance shall a building pad and finish floor of any structure be placed below street grade.

3.6.4 Construction Erosion Controls

Construction Erosion Controls shall follow the guidelines set out in NCTCOG's iSWM™ Technical Manual: Construction Controls April 2010, Revised 9/2014 or more recent revision.

In order to address the requirements of pollution reduction at construction sites, a variety of controls should be employed to reduce soil erosion, reduce sediment loss from the site, and manage construction-generated waste and construction related toxic materials. Controls consist of both temporary and permanent methods to reduce pollution from a construction site. The majority of controls address loss of soil from the site. Soil loss in the form of erosion and sediment due to storm events and wind constitute the majority of pollution generated from construction sites. Controls that address erosion and sediment are typically more site specific than waste and toxics management. Erosion and sediment controls are dependent on site slopes, drainage patterns and drainage quantities along with other site-specific conditions. Materials and waste management consists primarily of "good housekeeping" practices which are dependent on the type of construction and the quantity and type of building materials.

Control measures shall follow the control selection guide set forth in the iSWM manual. Control measures from each of the three categories; Erosion Controls, Sediment Controls and the Material and Waste Controls shall be used in the design of an Erosion Control Plan for a site. Standard details called out in Division 1000 of NCTCOG's Standard Specifications and Standard drawing shall be utilizes as well in the development of an erosion control plan.

Control Measures such are Silt Fences, Inlet Protection, rock berms, etc. shall be removed from the site once grass cover has been established. Grass cover shall be determined by the Vegetation section of these Standards.

1. Construction Entrance:

   No crushed concrete is allowed and rock must be a minimum of twelve (12) inches thick using well graded rock with minimum diameters of four (4) to six (6) inches.

2. Silt Fence:

   No wooden stakes to be allowed on any erosion control device.

3. Performance:

   Erosion from construction sites can be a significant water quality problem. Developing areas are cleared of vegetation during

construction leaving the soil exposed and susceptible to erosion. Runoff then transports eroded sediment from these areas and deposits it downstream. The accumulation of silt in streams and ponds is a form of water pollution that is unattractive and impedes drainage.

Prevention is a key aspect of erosion control. Many of the control methods presented herein can be placed in a manner that will protect highly erodible areas such as steep slopes. The prevention of erosion requires prior planning to ascertain the placement of selected control methods. The rewards of this planning will be a significant reduction in soil loss. Not only can soil loss be prevented, but eroded soil can be recovered on the construction site and used for fill.

The particulate material in construction site runoff is generally heavier and larger than particulates in urban runoff. These attributes facilitate the removal of the material whether the removal is by settling in a sediment trap or by filtration through a filter fence. Temporary sediment traps, filters and routing devices an effectively control erosion for construction sites if properly applied. These methods are even more effective when permanent management techniques are used in an effort to control temporary increases in sediment loads.

3.6.5 Lot Development

All lot developments shall include a drainage plan preventing all diversion of water from the approved path of discharge. The builder at the time of permit application shall furnish a grading plan in compliance with the appropriate chapter of the building code adopted by the City, the grading plan for the development and the storm drainage plan approved for that particular development. If the re-grading of a lot is necessary, the builder shall be required to furnish a new drainage plan indicating the diversion and rerouting of the affected storm water. When the re-grading of a lot prevents the drainage from flowing to the proper structures as designated in the drainage plan, then the builder will furnish a registered engineer's review for adequacy of existing structures to which the water is diverted. If improvements are necessary to provide for adequate drainage due to re-grading of a lot, then the improvement must be made at the builder's expense before a grading permit or other permits for construction will be issued by the City. The City Engineer will review the information submitted for compliance with the approved grading and drainage management plan. Accepted City streets are not to be used as an erosion control. No inlet protection is allowed in an accepted City street.

A. Off-Site Cost Sharing: The developer shall be fully responsible for the construction of off-site drainage improvements necessary for his subdivision and the surrounding area, unless other provisions are approved by the City Council. Provisions for reimbursement of cost in excess of those necessary to serve his subdivision, and any other provisions, shall be made a part of a facilities agreement. For any subsequent subdivision utilizing such facilities, any cost due prior developers shall be pro-rated based on the increased contribution of storm water runoff. Such pro-rated amounts shall be made a part of any subsequent agreement, collected by the City and repaid to the original developer making such improvements.

   The original developer shall provide the City with acceptable documentation of actual construction cost from which calculation of reimbursable amounts will be made for inclusion in the facilities agreement.

B. Exemptions: when a development is of two lots or less and in the City Engineer's opinion does not affect existing drainage facilities or affect the adjacent property, the City Engineer may allow the developer to waive any off-site pro-rata costs.

C. All City right-of-ways shall be sodded if disturbed. No artificial grass is allowed in any City right-of-way and/or easements.

D. Before Acceptance of Streets and Alleys silt fencing shall be placed at the back of curb/edge of all pavement.

City of Rockwall
The New Horizon

4. VEGETATION

4.1 General

All seeding, sodding and fertilizer requirements are to be done in accordance with the North Central Texas Council of Governments (NCTCOG) Standards and Specifications (Under Item 202) as modified by the City of Rockwall – Item 202

4.2 Coverage

The developer shall establish grass and maintain the seeded area, including watering, until a "Permanent Stand of Grass" is obtained at which time the project will be accepted by the City. A "Stand of Grass" shall consist of 75% to 80% coverage and a minimum of one-inch (1") in height as determined by the City. Re-seeding will be required in all washed areas and areas that don't grow.

All City right-of-ways shall be sodded if disturbed. No artificial grass is allowed in any City right-of-way and/or easements.

4.3 Planting Season

Type I Bermuda Grass – Hulled
50 lbs./acre, April through June

Type II Annual Rye Grass
40 lbs./acre, September through March

Type III Bermuda Grass – Unhulled
50 lbs./acre, January through March and July through August

A mix of seed shall be used in overlapping planting seasons.

4.4 Additional Information

For a public utility less than 10 inches in size no tree shall be planted within 5 feet of the utility and for a utility greater than or equal to 10 inches in size no tree shall be planted within 10 feet of the utility.

If trees are approved by Zoning to be within the right-of-way then a City approved root barrier will be required to be installed in order to keep roots from degrading the pavement structure.

Vegetation over two feet in height shall not be planted in any visibility easement or potential sight visibility (including medians).

5. WATER AND WASTEWATER SYSTEMS

5.1 General Requirements

The design and construction of the water and wastewater system to serve the development shall be in accordance with good engineering principles, with these Standards of Design, the Standard Specifications for Construction and the Standard Details and with the requirements of the Texas Commission on Environmental Quality (TCEQ).

All materials to be permanently incorporated for use on projects in the City of Rockwall shall be produced in the United States of America, alternate products must be approved in writing prior to installation by the City Engineer. Therefore, "Domestically produced in the United States of America" means all manufacturing processes must occur in the United States of America, to mean, in one of the 50 States, the District of Columbia, Puerto Rico or in the territories and possessions of the United States.

All on-site and off-site water and wastewater mains shall be sized and located to conform to projected demands in accordance with the current Water Master Plan and Wastewater Master Plan and the computer model with regard to the impact of each development on the existing and proposed water system. No construction shall commence prior to the approval of the plans and specifications by the City.

5.1.1 System Capacity Studies

A Water and Wastewater System Capacity Study shall be performed for all developments or re-developments that propose a change in existing land use (change in density) that does not conform to the City's current Water and Wastewater System Master Plan.

The City will utilize an engineering consulting firm to assist City staff in performing Water and Wastewater System Capacity Studies. The cost of this study, by the consultant, shall be borne by the developer, engineer, or property owner requesting the proposed change in land use. The City shall first obtain a cost estimate from the engineering consultant for the study at time of the initial submittal. Before the study begins, the developer, engineer, or property owner submitting for a change in land use shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the study progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting for the change in land use shall be informed of the shortage and a new estimate made by the consultant engineer to complete the study. Additional funds will then be deposited with the City by the developer, engineer or property owner to cover the estimated shortfall before the study is complete. Any unused funds to be

reimbursed to the developer, engineer or property owner submitting for a change in land use. If review process is performed by City staff, the City will submit a cost estimate for the study at time of the initial submittal.

5.1.2 Connections for Future Adjacent Developments

All development shall accommodate future adjacent and upstream/downstream developments by extending water and wastewater lines across the proposed development in order to create water and wastewater systems connectivity. This connectivity will provided for an ease of future development and limited disturbance to existing developments. These extensions of the water and wastewater facilities shall match the City's Water Master Plan and Wastewater Master Plan.

5.1.3 Easements

If a water or wastewater main is located on private property the mains shall be within an easement that conforms to the minimum width in Table 5.1.

Table 5.1: Water & Wastewater Line Easements – Minimum Width

		Minimum Easement Width (ft)
Conduit Size	<= 48" diameter	20'
	> 48" diameter	Approval City Engineer
Depth of Conduit	< 14'	20'
	14' - 16'	25'
	17' – 20'	30'
	21' – 23'	35'
	> 23'	40'

5.1.4 Separation of Water and Wastewater Lines

All water lines and wastewater lines shall be separated 10 foot horizontally and per TCEQ Rules and Regulations. Refer to the following:

- Chapter 290 - Public Drinking Water SUBCHAPTER D: RULES AND REGULATIONS FOR PUBLIC WATER SYSTEMS §§290.38 - 290.47
- Chapter 217 - Design Criteria for Domestic Wastewater Systems SUBCHAPTER C: CONVENTIONAL COLLECTION SYSTEMS §§217.51 - 217.70

For separation between storm lines, a spacing of 5 foot horizontal shall be maintained from outside dimension of storm pipe to the water or wastewater line.

5.1.5 Water and Wastewater Lines within TxDOT Right-of-Way

Water and wastewater lines within or crossing a TxDOT right-of-way shall meet the requirements of the TxDOT District Office and the TxDOT Utility Manual. Utility permits for lines within or crossing TxDOT rights-of-way shall be processed through the City's Engineering Department. TXDOT permit plan

sets shall be 11”x17” in size and signed and sealed by a licensed professional engineer with the State of Texas. Plan sets shall include all applicable TxDOT standard details and traffic control plans sheets to construct the lines.

5.1.6 Boring, Jacking and Tunneling

All water and wastewater mains to be installed in steel casing under existing roadways, railroads, and creeks and shall be installed by a method other than open cut, unless otherwise approved by the City Engineer. All boring of existing water lines mains shall be shall be by dry bore methods. All boring of water and wastewater lines shall be by dry bore methods. No wet bores will be allowed.

Steel casing thickness and diameter size shall be designed by the engineer of record for construction and maintenance of the carrier pipe per the requirements below. Raci patented casing spacers, or approved equal, shall be used. No bends and/or curves are permitted with casing pipes. Casings may also be required where deemed necessary by the City Engineer. The construction bore and receiving pit shall be located at a minimum distance of 4 feet behind the back of curb. The engineer of record shall provide a distance greater than 4 feet where there is no curb or barrier protection at the edge of pavement. Additional bore setback distances or shoring shall be required to maintain roadway integrity and the safety of construction personnel. When bore and receiving pits are located on private property, permanent water and wastewater easements for the pits will be required for the installation and future maintenance of the line.

The engineer of record shall design the pipe casing for the following loading conditions and/or applicable combinations thereof:

- Cooper's E-80 Railway loading or AASHTO HS20 loading, as applicable.
- Earth loading with the height of fill above the casing as shown on the plans as existing or finish grade whichever is greater.
- All other applicable loading conditions, including loads applied during transportation and handling.
- Max casing deflection of ½-inch from the above loading conditions.

Engineer of records shall consider the location, size, and depth of bore and receiving pits relative to existing utilities when establishing the beginning and ending stations.

Manufacturers: Paint Manufacturers for pipe casing shall be 46-465 H.B. Tnemecol – Tnemec Inc. or approved equal.

5.1.7 Crossings

5.1.7.1 Culvert Crossings

A steel encasement pipe shall be used to encase the carrier pipe with a minimum vertical clearance of two (2) feet from the bottom of the culvert and casing pipe. The encasement pipe shall be extended a minimum of five (5) feet from the outside edge of a box culvert or the outside diameter edge of the storm sewer for future maintenance of the carrier pipe. All culvert crossing shall be profiled.

5.1.7.2 Creek Crossings

Water and wastewater lines at creek crossing shall be design to go under the flowline of the crossing. The lines shall be in steel encasement pipe with a minimum vertical clearance of four (4) feet from the encasement pipe and the flowline of the creek to protect from future creek undercutting. The encasement pipe shall be extended to the creeks erosion hazard set back line for future maintenance of the carrier pipe. Where an erosion hazard set back does not exist due to a shallow creek the encasement pipe shall extend 15 feet on either side of the main channel of the creek. All creek crossings shall be profiled and shall show the erosion hazard set back line along with the projected 4(H):1(V) sloping line and 15 foot buffer from the intersecting point of the ground.

Aerial crossing of water lines are not allowed.

Aerial crossings for wastewater lines may be used only when all other alternatives have been evaluated and determined not to be feasible. Aerial crossings of wastewater lines require approval of the City Engineer. If an aerial crossing is to be installed, reference additional requirements in the Wastewater System Section.

5.1.7.3 TxDOT Highway Crossing

A steel encasement pipe shall be used to encase the carrier pipe at all TxDOT highway crossings. The crossing shall be at 90 degree (perpendicular) to the highway. All boring of water and wastewater lines shall be by dry bore methods. No wet bores will be allowed unless approved in writing by the TxDOT District Office.

5.1.7.4 Railroad Crossings

Prior to the design of any railroad crossing, the engineer of record shall contact the railroad and the appropriate regulatory agency to determine if there are any special design and/or construction requirements and shall copy the City Engineer on all correspondence with each regulatory agency.

5.2 WATER SYSTEM

5.2.1 General

All facilities shall be sufficient size to provide adequate capacity for ultimate development as called out in the latest copy of the Water Master Plan. The water mains shall be sized to meet the maximum instant domestic requirements plus an appropriate allowance for fire protection water. The design criteria for water demand shall be submitted to the City with the plans and specifications. The City reserves the right to require larger water mains than required for the proposed development in order to provide capacities for areas outside the development. The developer will be responsible to construct water mains adjacent to his property in accordance with the latest Water Master Plan or as required by the City Engineer.

5.2.2 Connections to Existing Distribution System

Preliminary discussions concerning take-off points in the water system should be conducted with the City of Rockwall Engineering Department or its designated representative prior to finalizing the preliminary designs of the water system, which will serve the development. Connections to the City's existing water system will be allowed only at locations where the City believes that sufficient quantity and pressures are available to meet the projected requirements of the development. In general, the connections to the existing water system shall be made in such a manner to keep "shut-downs" to a minimum. Preference should be given to a tapping valve connection.

In a proposed development where City water is not adjacent to the property but is accessible, the developer shall provide, at their expense, a minimum of eight (8") inch water main, an off-site water main of sufficient size to serve his development or as shown on the City's Water Master Plan, whichever is larger. The City can participate (if funds are available) or collect pro-rata for the oversize of the required line. The City participation must be approved by the City Council. The proposed development may require a loop into the existing water system in order to provide adequate water pressure. The loop will be at the developer's expense. All water main shall be extended to the property lines for future connections.

In general, the City will not approve a development, which cannot be served by extensions to the City water system. Some areas in the City are served by public water supply corporations. The Developer shall contact these public water supply corporations for notification of future development. The Developer shall still be responsible to construct water facilities that meet City requirements and as shown on the City's water master plan. The City will inspect the water facilities.

Under unusual circumstances, the City may consider approval of a private water system, which will supply an adequate quantity of potable water to every lot in a residential development. Such systems must meet the approval of the City, the TCEQ, the State Board of Insurance and other appropriate regulatory agencies. In addition, an agreement between the City and the developer must be executed whereby the City may acquire the system at such time as it can be connected into the City's owned and operated distribution network. In all cases, the engineering drawings shall show the source of water for the development.

5.2.3 Sizing of Water Mains

A. Water mains shall be sized to have maximum velocities of 7 feet per second for maximum daily demands and maximum velocities of 10 feet per second for combined maximum daily demand and fire flow demands.
B. Table 5.2 provides the water demand for residential land uses and non-residential land uses and shall apply for any development where the lot layout has not been finalized. Land uses not listed shall be classified by the land use they most nearly resemble in Table 5.2 or calculated by the engineer in accordance with the anticipated use. The engineer shall submit the maximum daily demand and the maximum hourly demand to the City Engineer for review and approval. The City reserves the right to assign a higher water usage rate, population per unit, and/or units per acre to be used for developments anticipated to generate higher than typical usage rates.
C. The engineer shall sufficiently size all water mains to provide adequate capacity for ultimate development as called out in the latest copy of the City's water master plan. For all developments, re-developments, and any type of facility tying into the City's water distribution system, the following guidelines shall be used:
    i. The engineer shall obtain the available record drawings. When record drawings are not available, field investigations and verifications shall be required prior to construction.
    ii. The standard water main sizes that shall be used are noted in the Table 5.3.
    iii. The minimum water main size to serve residential areas shall be eight inches (8") in diameter
    iv. The minimum water main size serving commercial, business, industrial, etc. shall be eight inches (8").
    v. Fire Flow Demands for all districts shall be calculated with a minimum residual pressure of 20 psi under combined fire and domestic (Maximum Daily Demand) water flow conditions and/or the latest requirement by the TCEQ. The developer shall provide facilities sufficient for fire flows in accordance with the minimum criteria set for by the City's Fire Marshal Office.
    vi. Mains are to be sized to ensure less than 1 foot of head loss per 1000 feet of water main using a Hazen Williams coefficient of C = 110 for the

Maximum Hourly Demand flow rates within the subdivision internal distribution system.

vii. Mains shall be sized to provide service to adjacent properties.

Table 5.2: Water Demand Rates

Land Use	Units Per Acre	Population per Unit	Max Day per Capita (gpcd)	Max Hour per Capita (gpcd)	Max Day per Acre (gpad)	Max Hour per Acre (gpad)
Residential						
Single Family - Low Density	3.5	2.87	350	700		
Single Family - Medium Density	8.0	2.87	350	700		
Single Family - High Density	18.0	2.87	350	700		
Townhome	4.0	2.50	350	700		
Multi Family	12.0-16.0	2.00	350	700		
Mobile Home Park	8.7	2.87	200	360		
Non-Residential						
Mixed Use / Live Work / Downtown			350	700		
Commercial Retail / Business Center					1,500	3,000
Public / Quasi-Public					1,500	2,000
Commercial Industrial					2,000	3,000
Special Commercial Corridor / Technology Employment Center					3,000	3,900
Light Manufacturing *					2,000	3,000
Heavy Manufacturing *					2,500	3,000
Schools (Elementary)			39 per student	52 per student		
Schools (Middle / High Schools / Colleges)					1,500	2,000
Hospitals			720 gpd per bed	864 gpd per bed		
Nursing Homes / Assisted Living			240 gpd per bed	288 gpd per bed		
Restaurants					1,500	3,000
Parks and Open Space					1,500	1,500
Golf Course **					1,000	1,000

* Engineer shall provide the maximum daily demand and maximum hourly demand flows and/or the number and size of water meters proposed for the particular land use for review by the City.

** Engineer shall provide the number and size of water and irrigation meters proposed for the golf course for review by the City.

Table 5.3: Standard Water Main Sizes

8 inch	12 inch	16inch	18 inch	20 inch
24 inch	30 inch	36 inch	42 inch	48 inch
54 inch	60 inch	66 inch	72 inch	-----

5.2.4 Water Mains Location/Alignment

Water pipelines shall be located in the parkways between the back of the curb and the street right-of-way. The location shall be six feet (6') from the back of curb on the north side of east-west streets and on the west side of north-south streets. When horizontal curvature is used the minimum radius of curvature shall be equal to that recommended by the pipe manufacturer.

A blue EMS Locator Pad will be located as shown in the Standard Drawings. Water mains shall have blue EMS locator pads at every two hundred fifty (250') feet, change in direction, valve, curb stop, and service connection to the main water main.

5.2.5 Depth of Cover

The minimum depth of cover for water mains are indicated in Table 5.4.

Table 5.4: Depth of Cover to Top of Pipe

Pipe Size	Minimum Depth of Cover
6 inch through 8 inch	4.0 feet
12 inch through 18 inch	5.0 feet
20 inch and larger	6.0 feet

The engineer shall consider the ultimate roadway elevations in determining the depth of cover. Additional depth of cover shall be required for future development and as directed by the City Engineer. Depths of cover greater than 8 feet shall be approved by the City Engineer.

5.2.6 Pipe Material and Embedment

Water mains shall be PVC pipe conforming to the Standard Specifications for Construction. In general, the water pipelines shall be AWWA C900-16 PVC Pipe (blue in color) for all sizes, DR 14 (PC 305) for pipeline sizes 12-inch and smaller, and DR 18 (PC 235) for 14-inch and larger water pipelines. All pipes shall be installed in embedment material as shown on the Standard Drawings and in conformance with the Standard Specifications for Construction.

5.2.7 Valves

Valves shall be installed to isolate pipe at a minimum of every other fire hydrant and on both sides of all public roadways. All gate valves shall comply with the approved list or an approved equal with resilient seat only and shall conform to and shall be installed according to the Standard Specifications for Construction.

A. Valves shall be placed in straight run sections at spacing no greater than 500 feet.
B. All valve boxes shall be encased in a concrete pad that shall be twelve inches by twelve inches by six inches (24”x24”x6”) and reinforced with No. 3 steel bars.
C. Valve extensions shall be 316 stainless steel.
D. Unless otherwise requested by the developer and approved by the City, valves shall be located in the northwest quadrant of the street intersection.
E. Valves shall be placed at or near the ends of mains in such a manner that a shutdown can be made for a future main extension without causing loss of service on the existing main. A minimum of 20 feet of main shall be installed past the valve and mechanical pipe thrust restraints shall be used to anchor it.
F. Where fire lines are connected to the water main, valves shall be installed on one side of the connection to provide the ability to isolate the main line and continue to provide water to the fire line. The fire line shall be provided with a valve at the connection with the main line.
G. Valve boxes shall be provided for buried valves. They shall be three-piece screw-type cast iron boxes of the extension type. The three pieces shall consist of the top section, bottom section, and cover.
H. Two inch square nuts that would be over 4 feet deep shall have stainless steel valve stem extensions. In these cases, the 2 inch square valve operating nut shall be no greater than 2 feet from the finish grade. Valve box extensions may be cast iron or C-900 PVC.

5.2.7.1 Gate Valves

Valves 12 inches and under shall be Resilient Wedge Gate Valves (RWGV). Valves are required to have 316 Stainless Steel hardware. Gate valves shall be located outside the paved streets and shall be six feet (6’) from back of curb of the intersecting street. In general, gate valves shall be located at street intersections (except for fire hydrant leads).

5.2.7.2 Butterfly Valves

Valves greater than 12 inches shall be flanged butterfly type spaced at a maximum of 1,000 foot intervals. All valves shall have horizontal mounted actuators with a manhole for access to the actuators.

5.2.7.3 Air Release, Air/Vacuum, and Combination Air Valves

A. Air release valves, air/vacuum, and combination air valves shall be required on 16 inch and larger water mains and as necessary for proper system operation. There are three primary functions of the valves that the engineer shall consider as follows:

i. To vent large volumes of air during filling of the line;
ii. To allow air into the pipe during emptying for maintenance and/or repairs; and,
iii. To vent small volumes of air that come out of solution during service.

B. Typically these are installed at high points where the pipeline has a vertical change in gradient. Additional installation locations may be requested by the City Engineer.
C. A fire hydrant shall be required at high points on 12 inch water mains for air relief and flushing maintenance operations. When a fire hydrant cannot be used, an air release valve may be approved by the City Engineer.

5.2.8 Fittings

Mega-lugs or approved equal shall be installed. No compaction fittings allowed. Fittings shall be ductile iron in accordance with AWWA C110 or AWWA C153. All buried metal shall be wrapped in polyethylene tube wrap.

5.2.9 Connection to existing Water Mains

5.2.9.1 Tapping Sleeves and Valves

A. Size on size tapping sleeves are not allowed. The largest allowable tapping sleeve shall be the main line size less one standard pipe size (Example: 16 inch x 12 inch, 8 inch x 6 inch, etc.). If a size on size connection is required, then a cut-in connection shall be used.
B. Connections to an existing line shall be made with full body stainless steel tapping sleeve and valve. A resilient wedge gate valve shall be flanged to the tapping sleeve.

5.2.9.2 Cut-In Connection

When connecting to an existing main, it may be required to provide a cut-in connection with a tee and valve being installed into the existing main in lieu of a tapping sleeve and valve where there is not an existing main line valve between proposed water connection locations as directed by the City Engineer. A test shut down of the existing water main(s) shall be conducted by the Water Department. The requirement for a test shut-down may be waived with approvals of the City Engineer.

5.2.10 Dead-End Mains

A. Dead-end mains shall be avoided and may only be considered when a looped or interconnected water main system is not available. The design of all water

distribution systems should include the opportunity for future looping or interconnect of any approved or proposed dead-end line.

B. All dead-end lines shall only be installed upon approval from the City Engineer and at a maximum length of 150 feet.
C. Dead-end non-residential water mains shall only have one fire hydrant or service without looping the water main.
D. Where dead-end mains are approved, the engineer shall provide flush point at the end of the dead end main.

5.2.11 Fire Hydrants

In general, fire hydrants shall be located at each street intersection and at intervals on the interior of each block.

A. Residential and Duplex
Residential and duplex areas shall have a fire hydrant at each street intersection and at four hundred foot (400') intervals on the interior of each block.

B. Multi Family
Multi-Family areas shall have a fire hydrant at each street intersection and at four hundred foot (400') intervals on the interior of each block and along fire lanes.

C. Commercial, Retail and Industrial
Commercial, retail and industrial areas shall have a fire hydrant at each street intersection and at a maximum of four hundred foot (400') intervals on the interior of each block and along fire lanes

Fire hydrants shall be installed a minimum of three feet (3') and no greater than six feet (6') behind curb of a fire lane, driveway, access, and/or street as measured from the centerline of the fire hydrant to back of curb, edge of pavement, or fire lane. All fire hydrants shall have five feet (5') of clearance around, including parking stall curbs.

The spacing of fire hydrants shall be measured along the street frontage or fire lanes. The City Fire Marshal and Engineering Department shall review all fire hydrant spacing. When a special condition exists due to land use, the Fire Marshal or City Engineer may require additional hydrants for fire protection. All existing fire flows and pressure tests shall be obtained from a private company (City does not perform this test).

Fire hydrants shall comply with the approved list or an approved equal conforming to the requirements set forth in the Standard Specifications for Construction. All fire hydrants shall be installed with a six-inch (6") gate valve on the hydrant lead. The installation shall be as set forth in the

Standard Specifications for Construction. Fire hydrants shall be painted to meet the City's requirements for color code as set forth in the Standard Specifications. In general, the fire hydrant will be reflective silver with differing cap color, which corresponds to the size of hydrant feeder line, as detailed in Approved Water Materials List in the Appendix. Fire hydrants shall be installed at the end of each dead end line. Minimum main size for a fire hydrant shall be eight inches (8") if main is fifty feet (50') or longer. Fire hydrants are not to be powder coated. Fire hydrants are to be a minimum of nineteen (19) inches to a maximum of twenty-eight (28) inches above final grade. All fire hydrants to have five (5) feet of clearance from any structure or parked vehicle. Nozzle diameter shall be two hose nozzles measuring two and one-half (2 ½) inches nominal inner diameter and one pumper nozzle measuring for and one-half (4 ½) inches nominal inner diameter. All nozzles are to have National Standard Hose Threads. The operating nut and nozzle nuts shall be 1 ½ inch pentagon-point to flat size/shape.

A. Standard fire hydrant barrel shoe depth where ever practical shall be 5 feet. The fire hydrant lead line shall be adjusted to meet the standard fire hydrant depth.
B. The connection to the main line shall include a flanged tee connected to a flange by mechanical joint gate valve. The mechanical joint shall be restrained so that the fire hydrant is anchored to the valve.
C. Specifications – Fire hydrants shall be three-way breakaway type no less than 5- 1/4 inch size. Mechanical joint connection is required.

5.2.12 Water Service Connections

Service connections shall be in accordance with the designs shown on the Standard Drawings. The materials shall comply with approved list or approved equal and shall be installed in accordance with the Standard Specifications for Construction.

A. All service pipelines shall be constructed of SDR-9 (Polytube) having a minimum size of one-inch (1"). All connections shall be compression type or approved equal.
B. Detector pads embedded in sand shall be installed above all service connections.
C. All meter boxes shall be set between the sidewalk and the back of curb. Meter box tops shall be set one-half inch to one and one-half inch (1/2" to 1 ½") above the curb, and an angle meter stop shall be set six inches (6") below the meter box top. Meter boxes shall have a one-inch (1") wide slot from five inches (5") below the top of the box to the bottom of the box on the side facing the lot for service connection.
D. A domestic and/or irrigation service connection shall not be allowed on fire hydrant leads.

E. Service saddle shall be double bronze flattened straps (no banded straps shall be allowed) with brass body. Minimum size tap shall be 1 inch diameter.
F. All meters two-inch (2") and under shall be supplied by the City and will be at developer's/contractor's expense. All meters greater than two inches shall be furnished and paid for by the developer/contractor.
G. Concrete meter vaults are required for meter sizes 3 inches and larger, meters and vaults shall be provided by the contractor. Meter vault and meter requirements are shown in the Standard Drawing section.
H. Residential Water Meters
    a. In single family residential developments, the nearest edge of the water meter box shall be a minimum of 6 inches behind the back of curb, and the water service shall be no more than 12 inches deep, covered with a meter box in place at grade. If no curb is present, the water meter shall be located at the right-of-way line, no more than 12 inches deep, covered with a meter box in place at grade. Along roadways without a curb, the water service line shall be constructed at a minimum of 24 inches below the ditch flowline. Meter boxes shall not be placed in the invert of a ditch.
    b. For multi-family, condominium and townhouse developments installation of multiple meter boxes: may only be installed at approved locations. Each service box shall service one (1) lot. Installation on multiple meters per water service will not be allowed. Only one meter per service will be allowed.
I. Non-Residential Water Meters
    a. Installation of non-residential 3-inches and larger meters will include two mainline valves, one bypass valve with chain and lock, and bypass line, all located inside the vault. Clearances between fasteners on valves, strainers, and meters to interior surfaces shall provide adequate room for maintenance.
    b. Non-residential water meters will be located in a water easement and clear of high traffic areas.
    c. Water meter vaults shall be sized according to the size of the water meter and to allow for a minimum of a 12 inch clear working area for maintenance and operation. Minimum water meter vault sizes are shown in the City of Rockwall Standard Details.
    d. Non-residential domestic irrigation meters shall have a testable double check backflow preventer at the meter.

5.2.13 Abandonment of Water Mains

A. The engineer is to note the limits and appropriate conditions for abandoning existing water mains that are being replaced. For lines being abandoned, the engineer should note and locate points of cut and plug at the junction with the line that remains in service.

B. The engineer shall make allowances to permit the existing and proposed mains to remain in service simultaneously thereby providing a means for transferring customer's services from the old main to the new main with minimum interruption. If the construction of a proposed main necessitates the abandoning of the existing main prior to the new main's placement into service, then provisions for a temporary water main with services must be addressed with the design.
C. Abandoned water lines to remain in place shall be cut and plugged and all void spaces within the abandoned line shall be filled with grout, flowable fill or an expandable permanent foam product. Valves, to be abandoned, in place shall have any extensions and the valve box removed and shall be capped in concrete.
D. Existing fire hydrants and valves located on mains being abandoned are to be removed and delivered to the Water Department.

5.3 WASTEWATER SYSTEM

5.3.1 General

All facilities shall be sufficient size to provide adequate capacity for the ultimate development. The wastewater lines shall be sized to meet the peak-day dry weather flow plus an appropriate allowance for infiltration of storm water. The minimum wastewater main size (other than service lines) for all developments shall be eight inches (8") in diameter. The design criteria and calculation shall be submitted to the City with the plans and specifications. The City reserves the right to require a wastewater main of a larger size than that required by the development in order to provide capacities for areas outside of the development. Wastewater systems shall be designed so that all wastewater mains will be gravity flow. The use of a wastewater lift station can only be allowed with written approval by the City Engineer.

Connections to substandard mains and manholes shall not be allowed. Substandard mains shall be determined by the City Engineer based on criteria including, but not limited to: size, material, condition, flow rate, capacity, etc. Offsite improvements may be necessary to provide adequate wastewater service to the site.

All wastewater mains shall be installed at a depth sufficient to permit all water mains to be above the wastewater when the water main has a minimum cover of four feet (4'). In such cases where water mains either cross or otherwise come within 10 feet (10') of a wastewater main, the wastewater main may be PVC pressure pipe with a minimum working pressure class of 150 psi or encased in concrete.

5.3.2 Ownership and Maintenance

5.3.2.1 Ownership

Ownership of wastewater systems shall conform to the following:

- Wastewater mains within right-of-way or easements shall be owned by the City. This shall include the manholes and cleanouts on those lines.
- Wastewater service laterals shall be owned by the property being serviced, from the wastewater main connection to the structure being serviced. This includes any and all manholes and cleanouts on the service lateral.

5.3.2.2 Maintenance

Maintenance of wastewater system shall conform to the following:

- Wastewater mains within right-of-way or easements shall be maintained by the City. This shall include the manholes and cleanouts on those lines.

- Wastewater service lateral shall be maintained by the property owner being served from the structure to the right-of-way line and the City shall maintain from the right-of-way line to the wastewater main.

5.3.3 Connections to Existing Wastewater Collection System

Preliminary discussion concerning entrance points in the wastewater system should be conducted with the City of Rockwall Engineering Department or its designated representative prior to finalizing the preliminary designs of the collection system to serve the development. In a proposed development where City wastewater facilities are not adjacent to the property but are accessible, the developer shall provide, at his expense, an off-site wastewater interceptor of sufficient size to serve his development and the contributing service area (using fully developed flows), or as shown on the City's Wastewater Master Plan, whichever is larger. Developers can request a pro-rata agreement for wastewater over-size above ten (10") inch to be executed with the City, where the City collects a pro-rated amount as other developments connect to the system. This money would be distributed back to the developer that constructed the over-sized system. The pro-rata agreement requires approval by City Council.

Connections to Existing Wastewater Mains – When connecting a 6 inch or larger new line to an existing wastewater main the engineer shall provide a new manhole at the point of connection. Prior to breaking into the existing line the new manhole and upstream pipe segment shall pass inspection by the City Engineer or designated representative. Connections in residential locations shall be completed after the preliminary walk through has been performed by the Engineering Department and approval is granted.

In general, the City will not approve a development which cannot be served by extensions to the City's wastewater collection system unless the development has received an approved variance granted by City Council.

5.3.4 Design Flow

All wastewater collection systems shall be designed in accordance with the current City's Wastewater Master Plan.

Where possible, all collection systems will be laid out so that all lines will be gravity flow unless approved by the City Engineer.

All wastewater collection systems must be designed to covey the peak wet weather flow from the entire service area including offsite areas through the system. The basin delineation shall be provided by using the latest LIDAR and surveyed contours. Contours shall be provided on 2 foot or less intervals.

Flow calculations must include the specifics of the average daily flows, peak factor (ratio of peak to average flows) and the allowance for inflow and infiltration.

5.3.5 Sizing Wastewater Collection Mains

5.3.5.1 General

A. The engineer shall reference the Wastewater Master plan to determine the size of wastewater mains required in order to serve the development. For all developments or re-developments that propose a change in existing land use (change in density) that does not conform to the City's current Wastewater System Master Plan a Wastewater System Capacity Study shall be performed. This shall be done as per Section 5.1.1 – System Capacity Studies.
B. The standard wastewater pipe sizes that shall be used are noted in the Table 5.5.

Table 5.5: Standard Wastewater Collection System Pipe Sizes

8 inch	10 inch	12 inch	15 inch	18 inch
21 inch	24 inch	27 inch	30 inch	33 inch
36 inch	39 inch	42 inch	48 inch	54 inch
60 inch	------	------	------	------

5.3.5.2 Average Daily Flow

A. Table 5.6 shall be used to calculate the average daily wastewater flow. The collection system shall be designed based on the peak flow calculations, plus an allowance for Inflow and Infiltration.
B. For replacement of existing sewer for additional capacity, wastewater flow data will be provided by the City Engineer and the City's wastewater modeling consultant from data generated by the City's Wastewater Master Plan computer model.
C. Wastewater mains with direct connections to service lines shall be designed to be no more than 70% full and interceptors shall be designed for 100% full.
D. Table 5.6 summarizes the residential and non-residential land use wastewater usage rates. Land uses not listed shall be classified by the land use they most nearly resemble in Table 5-8 or calculated by the engineer in accordance with the anticipated use. The engineer shall submit the average daily flow and peak flow calculations including off-site flows within the drainage basin to the City Engineer for review and approval. The City reserves the right to assign a higher wastewater usage rate and/or population per unit to be used for developments anticipated to generate higher than typical usage rates.

Table 5.6: Wastewater Per Capita and Usage Rates

Land Use	Units per Acre	Population per Unit	Average Daily Flow (gallons per person or unit /day)	Average Daily Flow per Acre (gpad)
Residential				
Single Family - Low Density	3.5	2.87	90	
Single Family - Medium Density	8.0	2.87	90	
Single Family - High Density	18.0	2.87	90	
Townhome	4.0	2.5	90	
Multi Family	12.0-16.0	2.00	80	
Mobile Home Park	8.7	2.87	150	
Non-Residential				
Mixed Use / Live Work / Downtown				800
Commercial Retail / Business Center				800
Public / Quasi-Public				1,000
Commercial Industrial				1,500
Special Commercial Corridor / Technology Employment Center				1,200
Light Manufacturing *				1,500
Heavy Manufacturing *				3,000
Schools (Elementary)			30 per student	
Schools (Middle / High Schools / Colleges)			30 per student	
Hospitals			400 per bed	
Nursing Homes / Assisted Living			300 per bed	
Restaurants			50 per seat	
Hotels			200 per room	
Parks and Open Space				0
Golf Course**				100

5.3.5.3 Peak Flow Factor

Peak flow factors are as follows:

A. For average daily flow less than 0.05 MGD – Peak Flow Factor = 5.
B. For average daily flow between 0.05 MGD and 1.0 MGD – Peak Flow Factor = 4.
C. For average daily flow between 1.0 MGD and 2.0 MGD – Peak Flow Factor = 3.5.
D. For average daily flow greater than 2.0 MGD – Peak Flow Factor = 3.

5.3.5.4 Inflow and Infiltration

After determining the peak flow amount, the engineer shall add an average daily inflow and infiltration rate of 400 gpad. The inflow and infiltration amount calculated shall be added to the peak flow calculated, with the resultant being the peak wet weather flow, the basis for design.

5.3.6 Wastewater Mains

Wastewater pipelines shall be located in the parkways between the back of the curb and the street right-of-way. The location shall be six feet (6') from the back of the curb on the south side of east-west streets and on the east side of north-south streets. A green EMS Locator Pad is to be installed at every manhole, cleanout, and service connection to the wastewater main. If a wastewater line is to be constructed greater than 10 feet in depth and services are required than a parallel line is to be constructed at a depth shallower than 10 feet. The deeper line shall be 6' from the back of curb in the pavement side and the shallower line with services shall be 6 feet from the back of curb toward the right of way.

5.3.6.1 Pipe Material

Allowable for gravity wastewater mains shall be per Table 5.7.

Table 5.7: Pipe Materials for Wastewater Gravity Mains

Pipe Size	Pipe Material
4 inch through 15 inch	Green PVC – SDR 35 (ASTM D3034) [less 10 ft cover] Green PVC – SDR 26 (ASTM D3034) [10 ft or more cover]
18 inch and Lager	Green PVC – PS 46 (ASTM F679) [less 10 ft cover] Green PVC – PS 115 (ASTM F679) [10 ft or more cover]

Pipe shall have a minimum earth cover of four (4') feet. All pipes shall be installed in embedment material as shown on the Standard Details and in conformance for the Standard Specification for Construction. Any main with less than minimum cover shall be encased in concrete and is subject to approval by the City Engineer. Depth of cover greater than 20 feet must be approved by the City Engineer. All pipelines shall be tested for infiltration.

5.3.6.2 Minimum Grades

Wastewater lines should operate with velocities of flow sufficient to prevent excessive deposits of solid materials, otherwise objectionable clogging may result. The controlling velocity with regard to sediment deposition is near the bottom of the conduit and considerably less than the mean velocity flowing full of 2.5 feet per second (f.p.s.). Table 5.8 indicates the minimum grades for wastewater pipe with a Manning's "n" = 0.013 and flowing at 2.4 f.p.s.

Table 5.8: Minimum Grades for Wastewater Pipelines

Pipe Size (Inches)	Slope (n = 0.013) (Foot/Foot)	Pipe Size (Inches)	Slope (n = 0.013) (Foot/Foot)
6	0.0050	39	0.0006
8	0.0033	42	0.0006
10	0.0025	45	0.0005
12	0.0023	48	0.0005
15	0.0023	54	0.0004
18	0.0018	60	0.0004
21	0.0015	66	0.0004
24	0.0013	72	0.0003
27	0.0011	78	0.0003
30	0.0009	84	0.0003
33	0.0008	96	0.0002
36	0.0007		

5.3.6.3 Curved Sewers

No vertical curves will be allowed. Horizontal curvature may be allowed by joint deflection or pipe flexure but not both. The Engineer must specify on the plans the method of deflection allowed and the allowable radius or joint deflection for each pipe size.

When pipe flexure is used, the minimum radius of curvature shall be equal to that recommended by the pipe manufacturer or $300*D_0$, where D_0 is the average outside diameter of the pipe in inches, whichever is greater. The Engineer shall note on the plans that when using pipe flexure, all joints are to remain fully seated.

If a joint deflection will be used to provide horizontal curvature, the allowable deflection shall be 5° or 80% of the Manufacturer's recommended maximum joint deflection, or 80% of the National Reference Standard maximum recommended joint reflection, whichever is less. When joint reflection is used, the Engineer must specify the size of mandrel used for reflection testing. The mandrel shall be sized to verify that the maximum joint deflection has not been exceeded.

Horizontal curves shall match change in street direction as near as possible.

5.3.7 Wastewater Service Laterals

Wastewater service pipelines shall be laid to each lot. The service pipelines shall be plastic pipe having a minimum diameter of four inches (4") and shall extend to the property line. Wastewater service pipelines shall be located on the lower side of each lot and as approved on the final construction plans by the City. In general, a service pipeline shall serve only one lot. Special wastewater service sizing may be required in some instances. Where water

and wastewater pipelines pass within nine feet (9') of each other, the method of construction shall be specified in order to meet TCEQ criteria. No wastewater main shall be located nearer than five feet (5') from any tree. Service lines cannot connect to wastewater mains that are over ten feet (10') deep.

Service laterals shall have a minimum horizontal separation of 10 feet downstream from the water service.

Retail and Commercial – Service lateral size shall be 6 inch minimum at a 2 percent minimum grade.

5.3.8 Manholes

In general, manholes shall be located at all intersections of wastewater pipelines, changes in grade, changes in alignment and at distances not to exceed five hundred feet (500'). All manholes will be hydrostatically or vacuum tested. For manholes that have an epoxy coating after constructed, a spark test will be required prior to acceptance. Manhole sizing shall be per Table 5.9 with a thirty inch (30") lid. If a manhole exceeds ten (10') feet in depth, increase the diameter by one (1') foot from the sizes given in Table 5.9.

Table 5.9: Minimum Manhole Sizes

Wastewater Main Size	Minimum Manhole Diameter
6", 8" and 10"	4.0 foot *
12", 15", 18", 21", 24" and 27"	5.0 foot *
30" and 36"	6.0 foot *

* Internal Drop Manholes shall be 6.0 foot minimum

Manholes shall be a minimum of 4,200 psi pre-cast concrete (minimum 6.5 sack mix) or cast-in-place (minimum 7.0 sack mix) and shall conform to Standard Details and the Standard Specifications for Construction. Existing brick manholes shall be replaced. All private manholes shall have covers with the label "Private" forged into the cover.

5.3.8.1 Internal Drop Manholes

Internal drop manholes shall be required when the inflow elevation is more than 18 inches above the outflow elevation. New internal drop manholes shall be constructed with inside drops with a 6 foot minimum diameter. Depending on the depth of the drop manhole and inside clearances between drop bowl apparatus and the manhole, the City Engineer may increase the minimum diameter above 6 feet. Drop manholes shall increase in diameter as necessary to accommodate the pipe for an internal drop connection as necessary to provide 48 inches of clear space for construction and maintenance operations. Within the manhole the inverts shall be sloped to maintain a smooth transition

through the manhole connecting all inlets and outlets. Outside drop connections will not be allowed.

5.3.8.2 Corrosion Protection

All Manholes shall have Raven Liner 405 epoxy coating, ConShield, or approved equal, shall be installed in all new manholes and in existing manholes being modified. Consheild must have terracotta color dye mixed in the precast and cast-in-place concrete. Where connections to existing manholes are made the contractor shall rehab manhole as necessary and install a 125 mil thick coating of Raven Liner 405 or approved equal. Manhole shall be replaced at the developer's/contractor's expense if it cannot be rehabilitated.

5.3.8.3 Watertight Sealed Manholes

All manholes shall be sealed if located in an area of storm water flow (paving, creek, drain way, etc.). When manholes are placed within the limits of the fully developed 100-year floodplain watertight sealed manholes (Type S) shall be used to prevent the entrance of stormwater and properly vent manhole. Manholes installed in the floodplain shall be a minimum of (60") diameter with a concentric flat top that has a rim elevation (2') above the limits of the fully developed 100-year floodplain. When allowed by the City Engineer, manholes may be below the 100-year floodplain but must be bolted and gasketed. Every third manhole shall be vented (2') feet above the fully developed 100-year floodplain elevation or 4 feet above the adjacent ground line, whichever is higher. Manhole rim shall be a minimum of 2 feet above ground line. The engineer shall obtain and provide the elevation of the fully developed 100-year floodplain.

5.3.8.4 Inflow Prevention

In order to reduce the size of wastewater system main trunk lines and reduce the cost of wastewater treatment, efforts to reducing inflow and infiltration into the wastewater collection system shall be taken. All manholes (public or private) shall be fitted with inflow prevention. The inflow prevention shall conform to the measures called out in standard detail R-5031.

5.3.9 Cleanouts

Cleanouts shall be constructed on the end of all lines. The maximum distance between a manhole and an upstream cleanout is two hundred fifty feet (250'). Cleanouts may be located at the end of the line only.

Double clean outs shall be installed for non-residential services at the right-of-way line, property line, or easement line where a public line changes to a private service.

Cleanouts shall conform to the Standard Details and the Standard Specifications for Construction.

5.3.10 Testing

All wastewater lines shall be tested for infiltration in accordance with the procedures set forth in the Standard Specifications for Construction. In general, all wastewater pipes shall be installed so that the completed wastewater will have a maximum exfiltration of one hundred fifty (150) gallons per inch of internal diameter, per mile of pipe, per 24 hours, where the maximum hydrostatic head at the centerline of the pipe does not exceed twenty-five (25) feet. All wastewater pipes shall be inspected by photographic means (television or DVD) prior to final acceptance. The contractor shall furnish a DVD to the Engineering Department Construction Inspector for review. Any sags, open joints, cracked pipes, etc. shall be repaired or removed by the contractor at the contractor's expense. A television survey will be performed as part of the final testing in the twentieth (20^{th}) month of the maintenance period. The City's representative shall be present at all testing. All expenses for this work shall be the developer's responsibility.

5.3.11 Abandoning Existing Wastewater Mains and Manholes

When an existing wastewater line is to be abandoned all services and laterals on the main to be abandoned shall connect back into the system. All existing wastewater mains that are to be abandoned shall be videotaped to determine the location of the services and laterals. A copy of the videos shall be given to the Cities Construction Inspector for review before the line is fully abandoned.

All abandoned wastewater and force main lines shall be cut and plugged and all void spaces within the abandoned line shall be filled with grout, flowable fill or an expandable permanent foam product.

Wastewater manholes shall be abandoned per Standard Drawing No. 5170.

5.3.12 Creek Crossings

Wastewater lines constructed under or over any flowing stream or semi-permanent body of water, such as a marsh or pond, shall be installed inside a separate watertight encasement pipe. Wastewater lines shall have manholes on each side of the crossing.

The engineer of record shall determine the type and limits of any special embedment, and specify the limits for specialized backfills to prevent soil erosion at the areas of trench backfill as approved by the City Engineer.

5.3.12.1 Aerial Creek Crossings

Aerial crossings for wastewater lines may be used only when all other alternatives have been evaluated and determine not to be feasible. Aerial crossings of wastewater lines require approval of the City Engineer.

Aerial crossing shall meet the following requirements:

- The design of all piers, bents, restraints, abutments, steel casing, etc. for the aerial crossing shall be performed and signed and sealed by a Professional Structural Engineer licensed in the State of Texas.
- The engineer of record shall use steel encasement pipe around all aerial carrier pipes. The carrier pipe shall be restrained or welded all around joints or be a monolithic pipe between a span section.
- The pier spacing for the aerial crossing supports must maintain adequate grade, and span the 100-year floodway.
- A span section must withstand the hydraulic forces applied by the occurrence of a 100-year flood including buoyancy. Both the aerial crossing encasement pipe and the supporting structure shall be capable of withstanding impacts from debris and water.
- A scour analysis report prepared by a geotechnical professional engineer shall be submitted to the City Engineer for review.
- A Hydrologic and Hydraulics Study of the aerial crossing shall be performed. The aerial crossing shall not increase the 100-year floodplain water surface elevations or velocities.
- Geotechnical borings at the creek crossing and report shall be prepared by a Professional Geotechnical Engineer licensed in the State of Texas.
- Wastewater lines shall have manholes on each side of the crossing.
- The upstream bent/abutment section of the aerial crossing shall be designed with a minimum 2-inch underdrain at the flowline of the embedment to collect infiltration that is travel within the upstream embedment of the aerial crossing. This shall day light at the aerial crossing current day slope to prevent erosion of the aerial crossing at the upstream end.
- The aerial crossing shall be designed to extend to the erosion hazard setback line with piers and bents.

5.3.12.2 Inverted Siphon

Inverted siphons at creek crossings for wastewater lines are not allowed.

5.4 WASTEWATER LIFT STATIONS AND FORCE MAINS

5.4.1 General

All lift station design plans and specifications shall be submitted to the City Engineer and TCEQ for review and approval prior to construction. Developments which increase the flow to existing lift stations will be subject to a pro-rata charge if sufficient capacity is available in the existing lift station or will be required to increase the capacity of the existing facility. Lift stations and force mains shall be designed and built for the upstream drainage area using a fully developed condition. This will include off-site areas if applicable. Developers are responsible for the construction of regional lift stations and force mains, per the Wastewater Master Plan. Developers can request a pro-rata agreement be executed with the City, where the City collects a pro-rated amount as other developments connect to the system. This money would be distributed back to the developer that constructed the oversized system. The pro-rata agreement requires approval by City Council.

The City will utilize an engineering consulting firm to assist City staff in the review of a report and plans for wastewater lift stations and force mains. The cost of this consultant review shall be borne by the developer, engineer, or property owner submitting the report and plans for wastewater lift stations and force mains. The City shall first obtain a cost estimate from the engineering consultant for the review at time of the initial engineering submittal. Before the review begins, the developer, engineer, or property owner submitting the report and plans for wastewater lift stations and force mains shall deposit with the City funds equal to the cost estimate. The City shall disburse the funds to the consulting engineer as the review progresses. Should the consultant fees exceed the initial estimate, the developer, engineer or property owner submitting the report and plans for wastewater lift stations and force mains shall be informed of the shortage and a new estimate made by the consultant engineer to complete the review. Additional funds will then be deposited with the City by the developer, engineer or property owner submitting the report and plans for wastewater lift stations and force mains to cover the estimated shortfall before the review resumes. Any unused funds to be reimbursed to the developer, engineer or property owner submitting the report and plans for wastewater lift stations and force mains. If review process is performed by City staff, the City will submit a cost estimate for the review at time of the initial engineering submittal.

5.4.2 Design Report and Plans

A typed lift station and force main design report shall be prepared and signed and sealed by a register professional engineer licensed in the State of Texas.

5.4.2.1 Report

The typed report shall include the following information at a minimum:

- A brief summary of project scope that includes:
  - General description of proposed development
  - General explanation on circumstances that warrant a lift station including other options considered.
  - Description of any potential phasing of lift station until sewer basin is built-out, if City Engineer approves lift station size less than fully developed conditions.
- Influent hydraulic calculations showing:
  - Area in acres of the sewer basin and the development.
  - The area of each proposed use for the development and the ultimate projected use for the basin per City Future Land Use.
  - The average design flow and the maximum peak flow for the basin and the development.
  - Elevation of the proposed lift station site.
  - The elevation of the proposed discharge point of the force main.
- Wet well volume calculations
- Force main size with proposed velocities in pipe.
- Power outage records on electric provider letterhead for power outages in area for the past 24 months.
- Opinion of probable costs for lift station, force main, and annual operating and maintenance costs.
- Ground water levels in proposed site area.
- Proposed system's effect on existing system's capacity.
- Odor control methods shall be submitted to the City Engineer for review and approval. The potential odor determination must include the estimated flows immediately following construction and throughout a system's 50-year expected life cycle.

5.4.2.2 Plans

The plan or plans submitted shall contain the following information:

- Scale
- North Arrow
- Vicinity map
- Delineation of the boundary of the proposed development and offsite areas of the sewer basin (service area) in which the development lies. Basin delineation shall be provided using NCTCOG, LIDAR or surveyed contours. Contours shall be provided on 2 foot or less intervals. USGS topo is not permissible.

- Area in acres of the development and of the sewer basin contributing to the lift station.
- Proposed use or uses for the development and service area.
- The proposed lift station location.
- The proposed force main routing.
- Delineation of the 100-year Fully Developed flood plain, FEMA 100-year flood plain and Erosion Hazard setbacks.
- The location and size of the existing collection system at the tie-in point.
- Property lines, easement lines, and right-of-way lines.

5.4.3 Site Selection

The following are the minimum criteria that shall be met for a lift station site.

The station should be located as remotely as possible from populated areas. The lift station site shall not be located within 150 feet of an existing or proposed residential dwelling and 100 feet from a residential lot.

The station shall be protected from the 100-year flood and shall be accessible during a 100-year flood. The elevation of the site shall be a minimum of 1 feet above both the Fully Developed 100-year flood plain.

The station site and its access shall be dedicated to the City as a wastewater easement. The fencing set back shall be 5 feet from the easement line to allow for a landscape and drainage buffer.

The station site shall be located so it may serve as much of the entire sewer drainage basin as possible. This may require that the station be located off-site of the development. When a station serves a larger area than the proposed development, the developer can request a pro-rata agreement with the City to be reimbursed the cost of excess capacity as other developments connect to the system.

5.4.4 Site Requirements

The lift station site shall conform to the requirements in these subsections and Typical Lift Station Site Layout - Figure 5.1.

5.4.4.1 Access

Access drive will be provided by a reinforced concrete pavement from a public street and/or dedicated access easement. Concrete shall be a minimum 8 inches thick, 3,600 psi (6.5 sack/CY) with #4 bars at 18” O.C.E.W. -reinforced concrete pavement with a minimum of 20 feet in width and 40 feet in length (within fenced area of lift station) to allow maintenance vehicles to park fully outside of the right-of-way.

When an access drive for the lift station connects to a City Thoroughfare or TxDOT designated highway a “T” shaped turnaround shall be provided with applicable turning radii. The alignment of the drive shall allow maintenance vehicles the ability to back up straight to the wet well.

Access shall be functional during a 100-year flood. All area within the lift station fencing and access drive shall be a minimum of 1 foot above the water level caused by a 100-year fully developed floodplain.

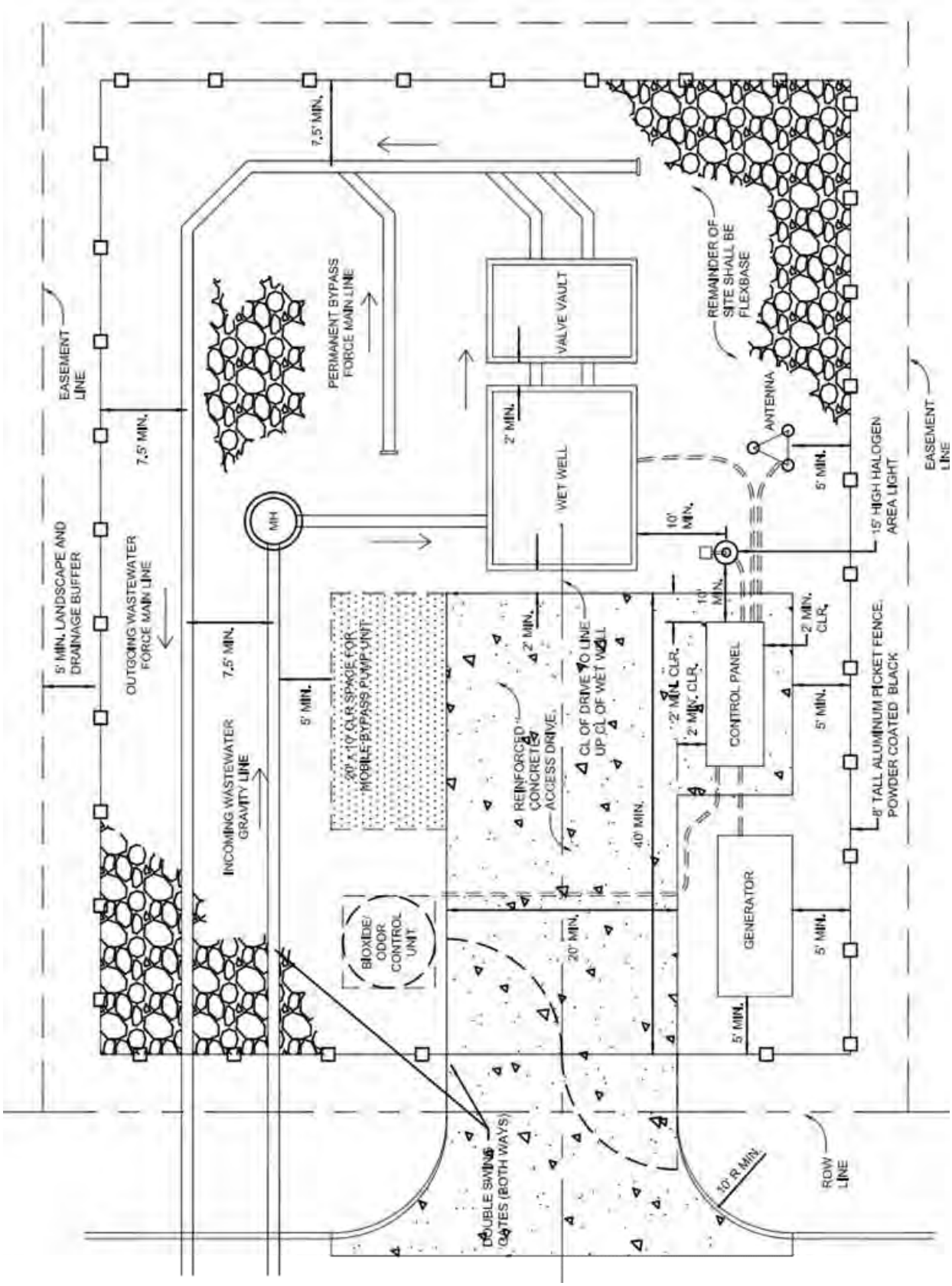


Figure 5.1: Typical Lift Station Site Layout

5.4.4.2 Security

At a minimum, security of the lift station site shall be provided by an intruder-resistant fence (IRF) to restrict access by an unauthorized person(s). The IRF shall be placed around the perimeter of the site encompassing all interior structures and appurtenances shall maintain a minimum 5 foot clearance from all lift station components and 7.5 foot off of lift station piping.

The IRF shall be a minimum of 8 feet aluminum picket fence with a 20 foot wide minimum double swing gate for access. All components shall be manufactured from aluminum extrusions having a minimum ultimate strength of 35,000 psi, using 6005 T5 alloy. The fence, post and gates shall be powder coated black with a minimum cure film thickness of 2.0 mils.

Technical Data

Pickets: The hollow pickets shall pass through the rails and are to be attached using stainless steel screws allowing the pickets to be always parallel to the terrain. Screws shall be on one side of rail only. Pickets shall be 1" square x 0.062" thick.

Horizontal Rails: Rails shall be C-Channels with ribbed reinforced side walls. Square holes shall be punched in the top of the rails to allow the pickets to pass through.

- Four rails are required.
- Heavy Industrial Rails shall be 1-5/8" x 1-5/8" with a side thickness of 0.100", top wall thickness 0.070" and bottom wall thickness of 0.062", which snaps into the top allowing all screws to be enclosed inside the rail.

Posts: Posts shall be hollow square extrusion with holes pre-punched to allow the rails from the fence sections to slide into them. All posts shall include aluminum post caps. Posts can be placed no more than 6 feet apart.

- Line Posts and End Posts are 3" square x 0.125" thick
- Gate Posts are 4" square x 0.125" thick weighing 9.00 pounds per foot

Gates: Gates shall be fabricated with 2" or 2½" square ends, 1-5/8" x 1-5/8" rails and 1" square pickets. The gate shall be a double swing gate. Gate shall match appearance of fence panel. The gate shall have a double rail that allows for hidden fasteners and no exposed cavities under the rail. Gate shall be designed and manufactured by the fence manufacturer.

- Each gate shall have a hasp for chain locking welded to the frame as detailed in the construction plans.
- Gates shall be designed and manufactured by the fence manufacturer.
- Assembled section shall be able to support 500-pounds of vertical load at the mid-point of any horizontal frame rail.

- Swing gates shall include cane-bolts for each gate panel. The cane-boll shall have a stop to hold it in the up position for operating the gate.
- Hinges shall have minimum 3/8" stainless steel pins.

Post Installation: The post shall be set 36" in the concrete footing. The gate post shall set a minimum of 48" into the concrete footing.

There should be a minimum of a 5ft landscape and drainage buffer from the easement line to the Lift Station fencing. The 5 ft buffer shall have red tip photinias place within the buffer to screen the lift station site.

5.4.4.3 Site Interior

Interior of the site that is not part of the access drive shall be a minimum 6 inches thick flex base. Site shall be graded to drain away from the station to prevent storm water inflow or infiltration into the wet well, valve vault and manholes. The wet well and valve vault top elevation shall be a minimum of 12 inches higher that interior concrete and flex base.

Control panel shall have a 2 foot minimum clear reinforced concrete working area away from face, sides and back of cabinet. Electrical and instrumentation panels shall be located where they do not obstruct vehicle access to the wet well or the dry well. They shall be placed at an elevation so that they are easily accessible.

A 15 foot high halogen area light with photometric cell on an aluminum pole shall be placed within 10 feet of wet well and control panel without obstructing daily operations.

5.4.5 Wet Well and Valve Vault Design

5.4.5.1 Wet Well Design

Wet well shall be cast in place or pre-cast watertight and gas tight walls with watertight joint meeting ASTM C478-90. Steel, HDPE and RCP are not acceptable materials. The tops may be pre-cast with the hatches built in. All wall penetrations through the wet well wall shall be gas tight. The wet well shall be hydrostatically tested to the top of the wet well for 48 hours prior to putting the lift station into service. Only losses due to evaporation will be tolerated.

Additional design requirements are as follows:

A. Orientation
- Orientation shall consider the routing of incoming sewer and force main for ease of maintenance and to minimize effluent turbulence.
- Orientation shall allow a 5 ton vehicle to pull in forwards or backwards directly to the wet well or the dry well.

- All influent gravity mains discharging into the wet well shall be located so that the invert/flowline is above the “on” setting liquid level of the pumps.

B. Level Sensors
- Level control system shall use a pressure transducer with built in surge protection for pump operation with Off and High Level Floats as back-up in case transducer fails.
- Sensors shall be provided for “All Pumps Off,” “Lead Pump On,” “Lag Pump On,” and “High Level Alarm” levels as well as additional “Lag-Lag Pump On” for lift stations with more than two pumps.
- Level Sensors shall be placed in the wet well.

C. Wet Well and Valve Vault Separation
- Wet wells and valve vaults shall be separated by a minimum of 2.0 feet.

D. Liner and Coatings
- Wet wells shall have a minimum of 10 percent sloped bottoms to thepump intakes and shall have a smooth finish to avoid excess sludge deposits.
- Wet wells shall be Con-sheild, Raven Lining or approved equal to protect against hydrogen sulfide gases.

E. Hatches
- The wet well shall have a lockable odor suppressing aluminum door with an aluminum frame and safety grate. The minimum opening size shall be 4 feet x 6 feet with 2 doors large enough to adequately maintain the wet well.
- All hatches shall have accommodations for locking above grade with 3/8” shaft padlocks provided by the City.

F. Ventilation
- The design of a wet well must reduce odor potential in a populated area or as directed by the City Engineer.
- Passive ventilation structures shall be provided and must include screening to prevent the entry of birds and insects to the wet well. An air vent pipe shall have a minimum diameter of 4 inches with outlet located 1 foot above wet well top.
- Continuous mechanical ventilation structures shall be provided with ventilation equipment providing a minimum capacity of 12 air exchanges per hour and be constructed of corrosion resistant material.

G. Cable Strain Relief – A stainless steel cable holder shall be provided for all cables in the wet well for cable strain relief purposes.

5.4.5.2 Wet Well Volume

A. Wet well volume for a submersible pump station is the volume contained above the top of the motor, or as specified by the pump manufacturer.

B. High level alarm elevation shall be a minimum of 60 inches below the top of the wet well or 48 inches below the flowline elevation of the lowest service tap, whichever elevation is lower.
   - Alarm shall be sent when both pumps are running on a duplex station or when the level is 6 inches to 12 inches over all pumps running. The City Engineer shall approve all situations and levels that need to trigger an alarm.
   - Wet well volume shall be calculated by the following method:

$$V = \frac{TQ}{4(7.48)}$$

where:
V = active volume, (cubic feet)
Q = pump capacity, (gallons per minute)
T = cycle time, (minutes)
7.48 = conversion factor, (gallons per cubic foot)

C. Pump cycle time, based on Peak Flow, must equal or exceed the criteria shown in Table 5.10.

Table 5.10: Minimum Pump Cycle Time

Pump Horsepower	Minimum Cycle Times
< 50 6 minutes	6 minutes
50-100 10 minutes	10 minutes
> 100 15 minutes	15 minutes

D. The operation cycle "T" shall not be less than 10 minutes for Average flow and not more than 60 minutes for minimum flow conditions. The operation cycle time must exceed the manufacturer's requirements.

5.4.5.3 Valve Vault

A. Valve vaults shall have sloped bottoms towards a floor drain to remove liquid build up. The floor drain line from the valve vault connecting to the wet well must prevent gas and liquids from entering valve vault.
B. The valve vault shall have a lockable aluminum door with an aluminum frame. The minimum opening size shall be 2 feet x 3 feet or large enough to adequately maintain the valve vault.

5.4.6 Pumps, Lift Station Piping, and Valves

5.4.6.1 Pumps

A. Stations shall contain a minimum of two pumps and shall be capable of handling peak flows with one pump out of service.

B. All pumps shall be explosion proof, non-clog, submersible type capable of passing a 2-1/2 inch diameter sphere or greater. Vortex impellers shall be used to prevent clogging.
C. Pumps shall be sized to operate at optimum efficiency. Minimum acceptable efficiency at the operating point will be 60 percent. The minimum required horsepower for the motor must be capable of handling the entire range as shown in the pump curve. Where necessary, a higher horsepower pump will be required to prevent any damage to the motor as a result of loss of hydraulic head situation.
D. All submersible pumps shall be equipped with an automatic flush valve attached to the pump volute using the hydraulic energy created by the pump operation to temporary suspend settled materials.
E. The pump rail system shall be MTM Sch 40 stainless steel with supports on 8 feet maximum spacing.

5.4.6.2 Pump Capacity

A. The firm pumping capacity shall be greater than the peak flow for the entire fully developed drainage basin. If the fully developed drainage basin is significantly larger than the proposed development and it is not feasible to design for this flow, the firm capacity may be designed to handle a portion of the basin with the ability to expand for the ultimate basin capacity with approval from the City Engineer.
B. The pump curves shall be selected so that during normal operating conditions the pumps will run near the best efficiency point. The curves shall not approach shut off head when the pumps are running together.
C. System head curves, pump curves, and head calculations shall be submitted. Calculations and pump curves at both minimum (all pumps off) and maximum (last normal operating pump on) static heads, and for a C value of both 100 and 140 must be provided for each pump and for the combination of pumps with modified pump curves. Head calculations shall be the sum of static head, friction head in force main and lift station piping, and a fittings head.
D. Flow calculations, system curves, and head calculations shall be shown in the construction drawings as well as in a final design report. Final design report shall include all of the preliminary design submittal requirements with the exception of the replacement of final design information.

5.4.6.3 Lift Station Piping

A. Piping inside the lift station shall be ductile iron Class 200 psi, AWWA C151-75, C171-76, or latest edition thereof. Pipe shall be centrifugally cast with rubber gasket type joint. All fittings shall be ductile iron Class 250 meeting AWWA C110-77 or latest revision for sizes 12 inches and smaller or Class150 on sizes 14 inches and larger. All pipe and fittings shall have a prime coat on the outside surface and shall have an interior lining of 40-mils nominal dry film thickness of Protecto 401

Ceramic Epoxy Lining or approved equal, applied in accordance to the manufacturer's recommendations.

B. All nut and bolt assemblies inside the wet well shall be ASTM 316 stainless steel.

C. Lift station piping shall be designed with an additional emergency by-pass pump connection, allowing the station to be operated with the primary pump(s) out of service for an extended period of time. The by-pass pump connection shall be fitted with a CamLock fitting and cap. Bypass piping shall be supported by a strut type pipe support set in a reinforced concrete pad. By-pass piping and valves shall maintain a minimum of a 24 inch clear from the ground.

5.4.6.4 Valves

(Isolation valves, check valves, and air release/vacuum valves shall be located in the valve vault)

A. Isolation Valves
- Each pump shall have one isolation valve downstream of the pump and check valve, including a discharge pressure gauge between the pump and isolation valve. Isolation valves shall be resilient seated gate valves meeting the City Standard Specifications. The discharge pressure gauge shall be a minimum of 4 inch diameter within the appropriate pressure ranges for the design.
- All external nuts and bolts shall be ASTM 316 stainless steel.

B. Check Valves
- Check valves shall be a controlled closing swing check valve with a lever and spring.
- Check valves shall be located upstream of the isolation valve.
- All external nuts and bolts shall be ASTM 316 stainless steel.

C. Air Release/Vacuum Valves
- Air release valves of a type suitable for wastewater service shall be installed along the force main where the force main would be prone to trapped air.
- The type of valve shall be air release or a combination of air release and vacuum breaker. Valves shall be fitted with blow off valves, quick disconnect coupling and hose to permit back flushing after installation without dismantling the valve.
- All external nuts and bolts shall be ASTM 316 stainless steel.
- The engineer shall determine the valve type and location. The calculations for valve type and valve sizing shall be provided to the City Engineer.
- Isolation valves for 3 inch and smaller air release valves shall be all bronze or brass. Isolation valves 4 inch and larger shall meet standard specifications for resilient wedge gate valve.
- Locations of the air release/vacuum valves shall be shown on the plan and profile sheets for the force main.

5.4.7 Force Main

5.4.7.1 General

A. Force main capacity shall be sized to meet the pump capacity. The force main shall be sized to handle the ultimate basin capacity. The force main may be designed to handle a portion of the basin with the ability to expand for the ultimate basin capacity if approved by the City Engineer. The minimum force main size shall be 4 inch diameter except for grinder pump lift stations. The minimum recommended velocity is 3 feet per second, and the velocity shall not be less than 2.5 feet per second when only the smallest pump is in operation.
B. Force main sewer pipe shall be designed to meet the working pressure requirements of the particular application. Design calculations and pipe selection shall be submitted to the City Engineer in report format.
C. A force main must be designed to abate any anticipated odor.
D. Force main pipe materials shall AWWA C900-16 PVC Pipe (green in color) for all sizes, DR 14 (PC 305) for pipeline sizes 12-inch and smaller, and DR 18 (PC 235) for 14-inch and larger wastewater pipelines.
E. For trench depths greater than 12 feet or other dead and/or live loading considerations, the engineer shall provide a pipe with the appropriate DR rating which shall exceed the minimum requirements.
F. All fittings shall be wrapped ductile iron in accordance with AWWA C110 or AWWA C153. Fittings shall have a prime coat on the outside surface and shall have an interior lining of 40-mils nominal dry film thickness of Protecto 401 Ceramic Epoxy Lining or approved equal, applied in accordance to the manufacturer's recommendations
G. All valves and fittings shall be restrained with Mega-lug or approved equal. Joint material for PVC shall conform to ASTM F471.
H. Plans shall include plan and profile for the force main.
I. Force main shall have a minimum of 4 feet of cover and be laid to standard specifications for potable waterline.
J. Force main separation and design criteria from water mains and all other utility lines shall meet the minimum requirements from TCEQ.
K. All force mains shall have green EMS locator pads at every two hundred fifty (250') feet, change in direction, valve, manhole, etc.

5.4.7.2 Embedment

A. All force main pipes shall be installed in embedment material as shown on the Standard Details and in conformance for the Standard Specification for Construction

5.4.8 Control Panel

5.4.8.1 General:

The control system shall be designed to operate the required number of pumps specified on the drawing at the power characteristics shown on the plans.

The control function shall provide for the operation of the pumps in Hand (manual) and Auto (controlled by PLC). See "24VAC Regulator System" for further information. The control shall function as described below. The equipment listed below is a guide and does not relieve the supplier from providing a system that will function as required.

5.4.8.2 Enclosure:

The enclosure shall be a NEMA 4x rated stainless steel. The enclosure shall be a wall mount type with a minimum depth of 8" sized to adequately house all the components. The door gasket shall be rubber composition with a retainer to assure a positive weatherproof seal. **The door shall operate with a single action handle that accepts a 3/8" shaft padlock** and opens a minimum of 180 degrees.

5.4.8.3 Inner Dead Front Door:

A polished aluminum dead front shall be mounted on a continuous aircraft type hinge, contain cutouts for mounted equipment, and provide protection of personnel from live internal wiring. Cutouts for breaker handles shall be provided to allow operation of breakers without entering the compartment. **No door mounted operating mechanisms allowed for breaker operation.** All control switches, indicator pilot lights, ONE general purpose GFI duplex receptacle and other operational devices shall be mounted on the external surface of the dead front. The dead front shall open a minimum of 150 degrees to allow access to equipment for maintenance. A ¾" break shall be formed around the perimeter of the dead front to provide rigidity.

5.4.8.4 Back Plate:

The back plate shall be manufactured of 12-gauge sheet steel and be finished with a primer coat and two (2) coats of baked on white enamel. All devices shall be permanently identified.

5.4.8.5 Power Distribution:

The panel power distribution shall include all necessary components and be wired with stranded copper conductors rated at a minimum of 90 degrees C.

System shall be equipped with an **Emergency Generator** with an automatic transfer switch **capable of programmable test dates and times. Inputs shall be provided to PLC to indicate Generator**

Running, Generator Alarm, and Generator Low Fuel Level OR a Stand Alone Manual Double Throw Safety Switch to allow hard wiring to a portable generator. Emergency Generator shall meet the requirements of the most recently adopted noise ordinance.

No door mounted operating mechanisms allowed for breaker operation in control panel. All conductor terminations shall be as recommended by the device manufacturer.

5.4.8.6 Circuit Breakers:

All circuit breakers shall be heavy-duty thermal magnetic or motor circuit protectors similar and equal to Square D type FAL. Each motor breaker shall be adequately sized to meet the pump motor operating characteristics and shall have a minimum of 10,000 amps interrupting capacity for 230 VAC and 14,000 amps at 480 VAC. The control circuit and the duplex receptacles shall be individually controlled by heavy-duty breakers.

Circuit breakers shall be indicating type, providing "ON-OFF-TRIP" positions of the operating handle. When the breaker is tripped automatically, the handle shall assume a middle position indicating "TRIP". Thermal magnetic breakers shall be quick-made and quick-break on both manual and automatic operation and have inverse time characteristics secured through the use of bimetallic tripping elements supplemented by a magnetic trip.

Breakers shall be designed so that an overload on one pole automatically trips and opens all legs. Field installed handled ties shall not be acceptable.

5.4.8.7 Motor Starters:

Motor starters shall be open frame, across the line; NEMA rated with individual overload protection in each leg. Motor starter contact and coil shall be replaceable from the front of the starter without being removed from its mounted position. **Overload heaters shall be solid state motor logic type** with the following features: 3 to 1 adjustment for trip current, phase loss and unbalance protection, LED power indication, ambient insensitive and self-powered, and shall have availability of electrical remote reset. Overloads shall be sized for the full load amperage draw of the pumps. Definite purpose contactors, fractional size starters and horsepower rated contactors or relays shall not be acceptable.

5.4.8.8 Transformers:

Control transformers shall provide the 120 VAC and/or 24 VAC for control circuits. Transformers shall be fused on the primary and secondary circuits. The secondary shall be grounded.

5.4.8.9 Lightning-Transient Protection:

A lightning-transient protector with tell-tale warning lights on each phase to indicate loss of protection on the individual phases shall be provided. The device shall be solid state with a response time of less than 5 nanoseconds withstanding surge capacity of 6500 amperes. Unit shall be instant recovery, long life and have no holdover currents.

5.4.8.10 Phase Monitor:

A line voltage rated, adjustable phase monitor shall be installed to sense low voltage, loss of power, reversed phasing and loss of a phase. Control circuit shall de-energize upon sensing any of the faults and shall automatically restore service upon return to normal power.

5.4.8.11 Alarm System:

The alarm light shall be a weatherproof, shatterproof, red light fixture with 500 lumens minimum to indicate alarm conditions. The alarm light shall be turned on by the alarm level.

The alarm light shall be mounted on the exterior of the cabinet. The alarm horn shall provide an audio signal of not less than 90 db at 10 feet. An **alarm silence switch** shall be **mounted on the exterior of the cabinet** and deactivate the alarm horn; however, the alarm light shall flash until the alarm condition ceases to exist. **An Input shall be provided to PLC to indicate High Wet Well Condition.**

5.4.8.12 24 VAC Regulator System:

SCADA:
Equipment for SCADA shall consisting of a **PLC, Radio, Antenna, etc**. to operate the system. Control cabinet **components shall be installed when the panel is built**.

Engineer shall contact the Pump Department at 972-771-7730 for current requirements for SCADA system and contact for Cities current SCADA supplier.

The control system shall provide for both automatic and manual control and alternation of the pumps to maintain a pumped down condition of the wet well.

Wet well levels shall be sensed by a pressure transducer. **Float regulators shall be installed as back up for HIGH and LOW levels only.** The transducer shall sense the “OFF”, “LEAD”, “LAG”, and “HIGH” levels as given on the plans. As the level in the wet well raises the lead pump, as determined by the alternator, shall start and pump the station to the “OFF” position. In the event the incoming flow exceeds the capacity of

the lead pump, the lag pump shall start and both pumps shall run to the off level. If the wet well level continues to rise, high well alarm functions shall be activated. The alternator shall switch when the off level is reached.

All inputs and outputs shall be wired to a terminal strip at bottom of cabinet.

5.4.8.13 Ancillary Equipment:

HOA Switches: A three position HOA switch shall be provided on the inner dead front for each pump. **Inputs shall be provided to PLC to indicate position of HOA.**

Run Indicators: A run pilot indicator shall be provided on the inner dead front. All indicator lights shall be push to test. **Inputs shall be provided to PLC to indicate pump running.**

Elapsed Time: Elapse time meter shall be mounted on the dead front door.

Cabinet Temperature Control: The cabinet shall be equipped with a panel heater controlled by a thermostat and a vent fan controlled by a thermostat.

Receptacles: One duplex receptacle located on inner dead front door for general purpose use. This receptacle shall be of the ground fault type, 120volt, and protected by a 20 amp breaker. A second single receptacle shall be located on the back panel to provide power for UPS back up system. This receptacle shall be 120 volt and protected by a separate 20 amp breaker.

UPS Back Up System: Will provided **120 Volt power** to SCADA communication equipment and all low voltage power transformers. This must be installed in the control panel. UPS shall be APC 650VA 120 Volt or equivalent.

The System must be able to transmit all alarms and wet well levels when on backup power.

Motor Protection: A control and status module shall sense either motor over temperature or seal leakage, and shall turn off the pump, lock out the pump, and send an alarm. **Inputs shall be provided to PLC to indicate Pump Fail, Seal Fail and Temp Fail individually for each pump.**

5.4.8.14 Miscellaneous:

Panel Racks:
Posts supporting racks shall be **3" minimum rigid conduit capped** and **bolted directly to channel framework supporting the panels.**

Panels shall have a **"rain shield" structure using ¼" minimum aluminum plating** providing a **solid back plate** behind panels **continuous to overhead plate** to protect panel from rain. Provide lighting mounted on structure with switch mounted on exterior of panel to light up panel area.
Contact City of Rockwall at 972-771-7730 for location of existing type structure.

Each pump must have its own conduit for power cord and a separate conduit for all float wires.

Drawings: Control panel schematic drawings shall be submitted for approval with the submittal plans.
Final control panel wire schematic drawings including a list of all legends (2 sets total) shall be provided. One set shall be encapsulated in Mylar and attached to the inside of the front door of the control cabinet. A second set shall be delivered to the City of Rockwall Wastewater Department.

Panel Markings: All component parts in the control panel shall be permanently marked and identified as they are indicated on the drawing. Marking shall be on the back plate adjacent to the component. All control conductors shall be identified with wire markers as close as practical to each end of conductors.

Panel Wiring: All wiring in panel shall maintain a **minimum of 1 1/2"** spacing between components and wire ways.

Testing: All panels shall be tested to the power requirements as shown on the plans to assure proper operation of all the components. Each control function shall be activated to check for proper operation and indication.

Guarantee: All equipment shall be guaranteed for a period of three (3) years from date of acceptance. The guarantee is effective against all defects in workmanship and/or defective components. The warranty is limited to replacement or repair of the defective equipment.

6. MISCELLANEOUS REQUIREMENTS

6.1 Grading

The backfill material shall be placed in layers not to exceed eight (8) inches loose thickness. The moisture content shall be uniform and near the optimum moisture content for the material. In cases, where the materials being placed do not have the proper moisture, the material shall be dried out or additional moisture shall be added by satisfactory methods such that the additional water is distributed uniformly throughout the material being placed. The layers of the backfill shall be reduced in thickness when satisfactory compaction cannot be obtained with the equipment being used. In all cases a density of not less than ninety-five (95) percent of the standard proctor density must be obtained. The contractor shall arrange for the necessary laboratory testing, at their expense, to determine the density of the material. All franchise utility companies (phone, gas, electrical, cable, internet, and any utility that isn't supplied by the City) working within the right-of-ways of streets or alleys shall also comply with the above noted specifications with laboratory testing results provided to the City of Rockwall. Easement locations under pavement shall also have a density control backfill to ninety-five (95) percent of the standard proctor density. All densities are to be within the acceptable moisture range of (-2 to +4) percent of optimum moisture unless otherwise approved by the City Engineer.

A sheeps-foot roller shall be utilized for compaction of all fill material. Mechanical tamping is allowed for trench backfill.

It shall be the responsibility of the Developer to adjust all City and franchise utilities the final grades of the development.

All slopes should be a maximum of 4:1 and a minimum of 1%. In locations where a 4:1 slope is not possible, retaining walls, gabion baskets, concrete slope protection or other approved retaining methods may be required. Retaining methods must be approved by the City Engineer.

At the beginning of the project the Developer will provide offset stakes at intervals of fifty (50) feet. The stakes will be offset from the back of the outside curb, a convenient distance to permit all operations, to be completed without disturbing these stakes. Information that shall be included on the stakes includes the station number, offset distance from back of curb, and elevations of hub. It will be the contractors responsibility to maintain these stakes, and use the information for all other horizontal and vertical control required. The contractor will set all forms using the data shown on the approved plans.

6.2 Grading, Fill, Excavation and Earthwork Permit

A grading, fill, excavation and earthwork permit shall be obtained prior to stockpiling or filling property within the City limits. No filling in drainage swales, creeks, wetlands, etc. is allowed without a flood study approval. Erosion protection shall be installed around stockpiled or stored material until grass is established. If fill is placed for use other than stockpiling or storage, a grading plan shall be prepared by a Professional Engineer and submitted with the grading, fill, excavation and earthwork permit. Temporary stockpiles have a maximum time limit of six (6) months. Densities shall be taken and proper compaction techniques used when placing the fill. In all cases a Professional Engineer shall certify that the proposed fill location is not within a stream or creek (flowing or not) flood plain. If the City Engineer determines the fill is to be placed near a creek or stream or possible drainage way, the 100-year floodplain shall be staked by a registered surveyor.

An early fill, excavation and earthwork permit will not be issued to any development or re-development projects that are in actively being reviewed by the Engineering Department. Grading for the parcels/development will only be released after final construction plan release by the Engineering Department.

The City of Rockwall requires that the design engineer provide a letter of concurrence. The letter is to verify that the drainage patterns, grade to drains locations, detention systems including outfall structures, detention pond volume, pad elevations, and drainage structures located within the project scope were installed to the general elevations as shown on the approved plans. The letter shall also verify that the project was constructed to meet the approved design requirements or is within acceptable design tolerances (max 0.2 feet for residential pad elevations). The design engineer or their designated representative shall direct all survey work necessary to verify elevations and design compliance. The letter of concurrence is to have the seal and signature of the design engineer.

6.3 Private Utility Construction

6.3.1 Trench Backfill – City Right-of-Way

1. No concrete streets shall be open cut by utility companies without City approval. Utilities crossing concrete streets shall be tunneled or bored.

2. Asphalt streets may be open cut. Backfill above utilities shall be concrete stabilized sand or cement. The asphalt pavement shall be repaired per City detail.

3. All trench backfill is to be compacted to 95% Standard Proctor Density within City rights-of-ways. The compaction may be obtained by mechanical tamping, rolling, etc. No water jetting is allowed. In the parkway, the backfill material may be from the excavated trench, except

no rocks larger than two inches (2") shall be used. Material from rock or shale excavation cannot be used. The contractor for the utility company or the utility company shall furnish density reports from a materials testing company verifying the densities. Densities shall be taken at each twelve-inch (12") lift at a maximum spacing of 150 feet. The moisture content shall be uniform and near the optimum moisture content for the material. In cases, where the materials being placed do not have the proper moisture, the material shall be dried out or additional moisture shall be added by satisfactory methods such that the additional water is distributed uniformly throughout the material being placed.

6.3.2 Parkway Cleanup

The contractor for the utility company or utility company shall remove any rocks or excess trench material from the parkway and replace any disturbed areas with grass sod.

6.4 Additional Permits or Approvals

Developer or developer's representative is responsible for obtaining any other approvals or permits needed for their development, for example: TCEQ, TXDOT, City of Dallas, FEMA, USACOE etc. prior to start of construction. Copies of the permits/approvals shall be furnished to the City.

6.5 Retaining Walls

A. Retaining walls or concrete slope protection shall be installed where lot slope is greater than 4:1.

B. No railroad tie retaining walls shall be constructed in public or private property.

C. No retaining walls including the footing shall be placed in the right-of-way, easements or overlapping property lines.

D. All retaining walls shall be stone, masonry or reinforced concrete with a stone face or form liner. No smooth concrete retaining walls to be installed.

E. Retaining walls three feet (3') and higher shall be designed and inspected by a professional licensed engineer in the State of Texas. Property lines and right-of-ways shall be noted on the wall plans. The City requires a verification letter (signed/sealed) from the design engineer stating that the retaining walls installed with the site/subdivision were inspected by the engineer or their designated representative and that the walls were installed to the engineered design and general construction standards. The

verification letter shall be delivered to the Engineering Department prior to the project acceptance by the City.

F. Retaining walls over 30" in height that have sidewalk, trail or other walking surface on the top side of the wall will require railing.

G. Traffic rated guard rail or barrier will be required when roadway, parking lot or alley is within 10 feet of a retaining wall that is over 30" in height.

H. Gabion retaining walls may be used only with City Engineer's approval for walls less than three feet (3') along drainage ways.

I. All retaining walls shall be placed according to offset hubs set by certified professional surveyors noting grade cuts, wall elevations and stop points for each wall end. Wall locations and elevations shall match those shown on the approved site grading plans.

6.6 Maintenance Bonds

The City requires ten (10%) percent-two (2) year maintenance bond for paving, paving improvements, water systems, wastewater systems, storm sewer systems including detention systems, and associated fixtures and structures which are located within the right-of-ways or defined easements. The two (2) year maintenance bond is to state "from date of City acceptance" as the starting time.

A review of the site shall be conducted at twenty (20) months into the two (2) year maintenance period. The design engineer or their designated representative shall be present to walk the site with the City of Rockwall Engineering Inspection personnel.

6.7 Construction

6.7.1 Preliminary Site Preparation

Site Preparation - The below noted site preparation items are to be in place, inspected and approved by the City, prior to the start of any clearing, grubbing or grading operations.

1. Protected trees which are designated to remain on site - are to be identified, tagged and banded with bright orange or red bands.

2. Protected trees which are designated to be removed from the site are to be identified tagged and banded with blue bands or blue paint markings.

3. Tree identification tags – are to consist of metal tags which have the tree identification number stenciled or stamped or engraved on the tag. The

numbers used to identify the protected trees shall correspond to the tree identification number noted on the approved treescape plans.

4. Protected Tree - Barrier Fencing:

   - o Chain link barrier fencing – shall be placed around the drip lines of the individual protected trees or groups of protected trees, which are designated to remain at the site if they are located within 10-feet of any cut/fill grading location.

   - o Plastic mesh barrier fencing - shall be placed around the drip lines of individual protected trees or groups of protected trees, which are located over 10-feet or more outside a cut/fill grading location.

5. Silt fence along with construction entrance and any other designated erosion BMP's must be installed and inspected. No silt fencing may be installed at the site until the trees have been identified, banded, tagged, fenced and inspected by the City.

6. Portable toilet facilities will be required on all construction sites or as otherwise deemed necessary by the City of Rockwall. It is essential that adequate on-site restroom facilities be available for all construction workers. It will be the responsibility of the contractor to install and maintain the facilities through the completion of the project. These facilities must be on site and verified prior to moving personnel on site and before construction can begin.

7. Portable trash receptacle is to remain on the job site through the course of construction. The site is to remain free of construction litter and debris. Construction workers shall place all lunch trash in the "trash containers" immediately after lunch. Trash receptacle must be on site and verified prior to moving personnel on site and before construction can begin.

8. Construction Site Working Hours and Noise Control Signage – Construction and construction related activities are limited to the hours of 7:00 am to 7:00 pm Monday through Friday and 8:00 am to 7:00 pm on Saturday. No Sunday construction allowed. The City of Rockwall requires that a sign be posted at each Commercial/Residential development construction site. The sign must be installed at the site and verified prior to moving personnel on site and before construction can begin. The construction related activities are to include but not be limited to the following:

   - o Maintenance, servicing and fueling of construction equipment.
   - o The delivery of construction related materials and/or construction equipment.

At locations where compliance to Ordinance 05-45 is not being observed, the City of Rockwall may issue written orders to stop work or further regulate the site construction work hours. The City may also issue citations if it is determined that a violation of the construction ordinance exist.

(Construction Site Sign - Example)

Ordinance # 05-45
Construction Site Working Hours and Noise Control

City Ordinance – No. 05-45 limits construction and construction related activities to the hours of 7:00 a.m. - 7:00 p.m. Monday through Friday, and 8:00 a.m. - 7:00 p.m. on Saturday. (No Sunday construction allowed).

ORDENANZA #05-45
HORAS DE TRABAJO EN EL SITIO DE CONSTRUCCION Y EL CONTROL DE RUIDO

La Ordenanza de la Ciudad – No. 05-45 limita la construcción y las actividades relacionadas con la construcción a las horas de 7:00 a.m. – 7:00 p.m. de Lunes a Viernes, y de 8:00 a.m. – 7:00 p.m. los Sábados. (No se permitirá construcción los Domingo).

Noise Ordinance Sign
(Sign Size – 3' wide x 2' tall)

6.7.2 Inspection Scheduling

It is the responsibility of the contractor to schedule inspections prior to construction. Inspections may be scheduled and coordinated in the field or by cell phone directly with the Engineering Department Construction Inspector. Inspection of construction and verification of compliance to plans and specifications shall be conducted by the City of Rockwall Engineering Construction Inspector. The general contractor shall notify all of his construction contractors of this requirement. Items to be inspected must be sufficiently ready for inspection at the time of your requested inspection appointment as inspector's time is limited. Failure to be ready for inspections may result in inspection rescheduling to the following day. No development will be accepted by the City of Rockwall until all construction has been approved by the City of Rockwall inspectors.

1. Saturday Inspections: The contractor will be charged a minimum 2 hours inspection charge for all Saturday inspections. All Saturday inspections must be scheduled in writing to the Engineering Department by noon on the Thursday before the inspection date. A signed Saturday Engineering Inspection Request form must be emailed to the City Engineer and

Construction Inspector Supervisor. Approval/disapproval will be emailed back to the requesting contractor with the Saturday inspector's information. All cancellations must be given verbally and in writing to the Saturday inspector no later than 8 am on day of inspection. Two hours of overtime inspection will be charged to the contractor if no cancellation is given prior to the inspector arriving at the project site. Contractor must sign Engineering Inspector's Report of Overtime form to finalize the inspection. No acceptance and/or certification of occupancy will be given until all overtime engineering inspection fees are paid in full.

2. Before/After Weekday Hours Inspections: Contractor will be charged on 15 minute intervals for any before/after hour's inspections. Contractor must sign Engineering Inspector's Report of Overtime form to finalize the inspection. No acceptance and/or certification of occupancy will be given until all overtime engineering inspection fees are paid in full.

6.7.3 Vertical Above Slab Construction Permit

No vertical (above slab) construction will be allowed until such time as the following minimum site requirements have been addressed at the site and a vertical above slab construction permit has been issued. Minimum requirements for vertical construction are subject to but not necessarily limited to the below noted items:

- Fire lane pavement is installed, tested, and approved for use
- Fire lane pavement is painted and marked to Fire Department specifications
- Water lines for the site are installed, tested, and approved for use
- All fire hydrants are installed and approved for use
- Fire hydrant nozzles and bonnets are painted as per line size color code
- Reflective fire hydrant locator buttons are in place at hydrant pavement locations
- Fire hydrants are flow tested to verify flow at designated hydrant locations
- Fire hydrant nozzle diameters, proper height above final grade, and clearance are verified and approved
- Silt fence is placed above the fire lane if it is deemed necessary at positive flow areas
- Exterior building materials are approved by the Planning and Zoning Department.

6.7.4 Disposal of Excess Materials

The contractor shall properly dispose of all excess material by removing from the job site all the brush, trash, debris, etc. upon completion of construction. All material shall be properly disposed.

6.7.5 Construction Site Safety

Construction site safety measures are to be in place at all construction projects located within the City of Rockwall. All necessary measures required to ensure that safe work zones exist for the protection of construction workers and general public living in or near such construction zones. Construction zones shall comply with work zone traffic control specifications and requirements. Occupational Health and Safety Administration requirements and regulations must be in compliance. Temporary construction fencing is to be places around open trenches, pits, or other locations deemed necessary by the City of Rockwall. Any miscellaneous items that may pose direct or potential hazard to workers or the general public that is known by the contractor or brought to the attention of the contractor shall be addressed immediately.

It is the responsibility of the contractor(s) to establish and maintain construction site safety measures. However, the City of Rockwall will temporarily suspend work at a construction site if it is deemed necessary due to unsafe or hazardous conditions until such conditions have been corrected.

In each circumstance where it is deemed that proper safety measures are not being followed, a warning will be issued by the engineering construction inspector. Construction may be temporarily suspended if deemed necessary until items responsible for issuance of the safety warning have been properly addressed. Issuance of three (3) or more safety warnings will require that the designated construction be suspended until such time that a safety meeting is scheduled with contractor personnel along with City of Rockwall representatives to discuss the appropriate measures to correct the identified problems and determine any further possible actions which may be necessary.

City of Rockwall
The New Horizon

7. Special Provisions to the NCTCOG's Standard Specifications for Public Works Construction Standards

All work included as a part of this contract shall be performed in accordance with the Standard Specifications for Public Works Construction, North Central Texas, November 2017, Fifth Edition, except where noted otherwise in the City of Rockwall's Supplemental Special Provisions, the Special Conditions included in the Specifications and Contract Documents.

The North Central Texas Standard Specifications shall be modified and clarified by the addition to the following requirements to the various items. Except when specifically stated, none of the requirements of the North Central Texas Standard Specifications shall be deleted.

7.1 Division 100 General Provisions

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.1: Revisions to NCTCOG's Division 100 General Provisions

Revised	Standard Specification Item No.	Description
	101	**DEFINITIONS AND ABBREVIATIONS**
	101.1	Definitions
	101.2	Abbreviations and Acronyms
	102	**PROPOSAL PROCEDURES**
	102.1	Proposal Form
	102.2	Quantities in Proposal Form
	102.3	Examination of Plans, Specifications and Site of the Work
	102.4	Preparation of Proposal
	102.5	Proposal Guaranty
	102.6	Filing of Proposals
	102.7	Withdrawing Proposals
	102.8	Opening Proposals
	102.9	Consideration of Proposal
	102.10	Irregular Proposals
	102.11	Rejection of Proposals

	102.12	Disqualification of Bidders
	102.13	Return of Proposal
	103.	**AWARD AND EXECUTION CONTRACT**
	103.1	Contractor's Warranties and Understanding
(1)	103.2	Award of Contract
	103.3	Surety Bonds
(1)	103.4	Insurance
	103.5	Execution of Contract
	103.6	Notice to Proceed and Commencement of Work
	103.7	Delay of Contract
	103.8	Order of Work to be Performed
	104.	**SCOPE OF WORK**
	104.1	Intent of contract Documents
	104.2	Change of Modification of Contract
	104.3	Disrupted Work and Claims for Additional Compensation
	104.4	Performance of Extra Disputed Work
	105.	**CONTROL OF WORK**
(1)	105.1	Contract of Documents
(1)	105.2	Workmanship, Warranties and Guarantees
(1)	105.3	Shop Drawings, Product Data and Samples
(1)	105.4	Construction Stakes
(1)	105.5	Means and Methods of Construction
	105.6	Supervision by Contractor
(1)	105.7	Owner's Representatives
	105.8	Service of Notices
	105.9	Inspection
(1)	105.10	Acceptance
	106	**CONTROL OF MATERIAL**
	106.1	Substitution of Materials
	106.2	Materials and Equipment
	106.3	Salvageable Material
	106.4	Off-Site Storage
	106.5	Samples and Tests of Materials
	106.6	Surplus Material
	107	**LEGAL RELATIONS AND CONTRACT RESPONSIBITIES**
	107.1	Contractor Independence
	107.2	No Third Party Contractual Rights
(1)	107.3	Indemnification

	107.4	Owner's Officers, Employees or Agents
	107.5	Venue and Governing Law
	107.6	No Waiver of Legal Rights
	107.7	Severability
	107.8	Headings
	107.9	Obligation to Perform Functions
(1)	107.10	Performance of the Work
	107.11	Successors and Assigns
	107.12	Supervision and Construction of Procedures
	107.13	Labor and Materials
(1)	107.14	Equal Employment Opportunity
(1)	107.15	State and Local Sales and Use Taxes
	107.16	Patents
(1)	107.17	Compliance with Laws
	107.18	Sanitary Provisions
	107.19	Public Convenience and Safety
(1)	107.20	Protection of Work and Persons and Property
	107.21	Project Signs
	107.22	Working Area
	107.23	Railway Crossings
	107.24	Existing Structures, Facilities and Appurtenances
	107.25	Project Clean-Up
	107.26	Disposal of Materials
	107.27	Restoration of Property
	107.28	Environmental Compliance
	108.	**PROSECTUTION AND PROGRESS**
	108.1	Progress Schedule
	108.2	Prosecution of the Work
	108.3	Other Contractors; Obligation to Cooperate
	108.4	Employees
	108.5	Subcontracts
	108.6	Assignments
	108.7	Owner's Right to Temporarily Suspend Work
	108.8	Delays; Extension of time; Liquidated Damages
	108.9	Contractor Default: Owner's Right to Suspend Work and Annul Contract
	108.10	Suspension by Court Order Against The Owner
	108.11	Termination For Convenience of the Owner
	108.12	Claims Against Owner and Action Theron
	108.13	Use of Completed Portions of Work
	109	**MEASUREMENT AND PAYMENT**

	109.1	Payment for Labor and Material; No Liens
	109.2	Payment for Materials
	109.3	Payment for Extra Work
	109.4	Payment Withheld
(1)	109.5	Monthly Estimate, Partial Payments, Retainage, Final Inspection, Acceptance and final Payment
	109.6	Wire Transfers
	110	**AIR QUALITY REQUIREMENTS FOR EQUIPMENT**
	110.1	Equipment Requirements
	110.2	Operational Requirements
	110.3	Reporting to Owner
	110.4	Enforcement

ITEM 103 AWARD AND EXECUTION CONTRACT

103.2 Award of Contract

Delete Item 103.2 in its entirety and substitute therefore the following:

It is the intention of the Owner to award a contract for the work included in this project on the basis of the lowest acceptable bid submitted by a qualified bidder, as determined by the Owner.

Within five (5) working days after the bid opening, the low bidder shall submit such evidence as the Owner may require establishing the bidder's qualifications to satisfactorily perform the work included in this project. Information that may be required shall include the following:

(1) Current Financial Statement.
(2) Letter of Auditor's opinion.
(3) Previous years Balance Sheet, Income Statement and Change of Financial Position.
(4) List of projects that have been satisfactorily completed by the Bidder that are of the same general type as included in this contract, together with names, addresses and phone numbers or persons familiar with this work.
(5) Other information that may be pertinent to the Bidder's Qualifications.

Should the bidder fail to produce evidence satisfactory to the Owner on any of the foregoing points he may be disqualified and the work awarded to the next bidder so qualifying.

The Owner will notify the successful bidder, in writing, within sixty (60) days after the date of receiving bids, of the acceptance of the proposal. The Contractor or Contractors shall complete execution of the required bonds and Contract within ten (10) days of such notice.

103.4 Insurance

Add the following sub-item:

103.4.6 Bonds and Insurance

103.4.6.1 Performance, Payment and Other Bonds

Contractor shall furnish Performance and Payment Bonds as security for the faithful performance and payment of all his obligations under the Contract Documents. These Bonds shall be, at all times, in amounts equal to the total Contract Price, and in such form as set forth in the Contract Documents and with such corporate sureties as are licensed to conduct business in the state where the Project is located and are named in the current list of "Surety Companies Acceptable on Federal Bonds" as published in the Federal Register by the Audit Staff Bureau of Accounts, U.S. Treasury Department. The Performance and Payment Bonds shall be expanded to include any extension of the Contract Period of total Price.

If the surety on any Bond furnished by Contractor is declared bankrupt or becomes insolvent or its right to do business in terminated in any state where any part of the Project is located in revoked, Contractor shall within five (5) days thereafter substitute another Bond and surety, both of which may be acceptable to the City.

103.4.6.2 Additional Bonds and Insurance

Prior to delivery of the executed Contract by City to the Contractor, City may require CONTRACTOR to furnish such other Bonds and such additional insurance in such form and with such sureties or insurers as the City may require.

ITEM 105 CONTROL OF WORK

105.1 Contract of Documents

105.1.1 Priority of Contract Documents

Change the first sentence of Item 105.1.1 to read:

In case of conflict between contract documents, priority of interpretation shall be in the following order: signed agreement, performance and payment bonds, addenda, special conditions, project (or contract) drawings and specifications, City of Rockwall Special Provisions to the Standard Specifications for Public Works Construction – North Central Texas, standard drawings, advertisement for bids, contractor's bid proposal and bid form.

105.1.3 Contract Drawings and Specifications

Add the following:

In general, the number of copies of the plans and specifications furnished to the Contractor shall be limited to five (5). Additional copies may be obtained at cost of reproduction.

105.2 Workmanship, Warranties and Guarantees

105.2.2 Special Warranty

Add the following:

The Contractor shall provide a Maintenance Bond in the amount of ten percent (10%) of the total amount of the contract guaranteeing the work in accordance with the plans and specifications for a period of two (2) years after acceptance by the City of Rockwall. This bond shall provide for repair and/or

replacement of all defects due to faulty material and workmanship that appear within a period of two (2) years from the date of completion and acceptance of the improvements by the City of Rockwall.

105.3 Shop Drawings, Product Data and Samples

Add the following:

Review of Shop Drawings by the Engineer shall be of the sole purpose of determining the sufficiency of the said drawings or schedules to result in finished improvements in conformance with the plans and specifications, and shall not relieve the Contractor of his duty as an independent contractor. It being understood and agreed that the Engineer does not assume any duty to pass upon the propriety or adequacy of such drawings or schedules or any means or methods reflected thereby in relation to the safety of either person or property during the contractors performance hereunder.

105.4 Construction Stakes

Add the following to the first paragraph:

The Contractor shall be required to utilize the control monuments provided in the plans to set horizontal and vertical control and construction staking with the contractor's own surveyor.

105.5 Means and Methods of Construction

Add the following:

105.5.1 Water for Construction

The Contactor shall make the necessary arrangements for securing and transporting all water required in the construction, including water required for mixing of concrete, sprinkling, testing, flushing, flooding or jetting. The Contactor shall provide water as required at his own expenses.

Any party requesting the use of a temporary meter on a fire hydrant in the City of Rockwall shall execute an agreement with the City of Rockwall and shall deposit with the City of Rockwall the amount required by ordinance. Such deposit shall be returned upon payment of all charges for water use, and upon return of the meter, fittings, and wrench in their original condition.

Stationary meters shall be locked to fire hydrants at all times. Installation, set up and service fees shall be in the amounts established by ordinance.

It shall be unlawful for any person to open or close any fire hydrant used to obtain water for any purpose with any tool or device other than a standard accepted fire hydrant wrench, which can be supplied by the City of Rockwall.

All stationary fire hydrant meters shall be read monthly at their location in the field. All mobile fire hydrant meters are to be brought to the Utility Maintenance Department, Rockwall, Texas, between the 1st and 10th of each month to be read.

Temporary fire hydrant meters shall be read monthly by representatives of the City of Rockwall, and bills rendered at the current rates for all consumption. Customers using such meters shall comply with the written procedures implemented by the City with regard to making the meters

available to be read by representatives of the Rockwall Water Department. It shall be unlawful for any person to fail to make such meter available to be read by representatives of the Rockwall Utilities Department, as required by written procedures issued by the City.

Upon conviction of violation of the above requirements punishment shall be by fine not to exceed Two Hundred Dollars ($200.00). Each day on which a violation exists shall constitute a separate offense.

105.7 Owner's Representatives

Add the following:

105.7.3 Observation of Work by Engineer

The Engineer shall make periodic visits to the site to familiarize himself/herself generally with the progress of the executed work and to determine if such work generally meets the essential performance and design features and the technical and functional engineering requirements of the Contract Documents; provided and except, however, that the Engineer shall not be responsible for making any detailed, exhaustive, comprehensive or continuous on-site inspection of the quality or quantity of the work or be in any way responsible, directly or indirectly, for the construction means, methods, techniques, sequences, quality, procedures, programs, safety precautions or lack of same incident thereto or in connection therewith. Notwithstanding any other provision of this agreement or any other Contract Document, the Engineer shall not be in any way responsible or liable for any acts, errors, omissions or negligence of the Contractor, any subcontractor or any of the Contractor's or subcontractor's agents, servants or employees or any other person, firm or corporation performing or attempting to perform any of the work.

105.10 Acceptance

Add the following:

Once the work is satisfactory to the City of Rockwall and in accordance with the plans, specifications, contract documents, and the City has received; the Contractor's Affidavit of Final Payment and Release, Maintenance Bond, and Contractor's redlines/markups plans of actual work performed by the Contractor will the City issue a certificate of acceptance.

ITEM 107 LEGAL RELATIONS AND CONTRACT RESPONSIBILITIES

107.3 Indemnification

Delete Item 107.2 in its entirety and substitute therefore the following:

The Contractor and his sureties shall indemnify, defend and save harmless the OWNER and all of its officers, agents and employees, ENGINEER and all of its officers and employees from all suits, actions or claims of any character, name and description brought for or on account of any injuries, including death or damages received or sustained by any person, persons or property on account of the operations of the Contractor, his agents, employees or subcontractors; or on account

of any negligent act or fault of the Contractor, his agents, employees or subcontractors in the execution of said contract; or on account of the failure of the Contractor to provide the necessary barricades, warning lights or signs; and shall be required to pay any judgment, with cost, which may be obtained against the Owner or Engineer growing out of such injury, including death or damage.

107.14 Equal Employment Opportunity
Delete Item 107.14.5 Reports in this item in its entirety.

107.15 State and Local Sales and use Taxes
Delete in its entirety and substitute therefore the following;

Recent legislation has removed the sales tax exemption previously provided by Section 151.311 of the Tax Code covering tangible personal property purchased by a contractor for use in the performance of a contract for the improvement of City–owned realty.

It is still possible, however, for a contractor to make tax-free purchases of tangible personal property that will be incorporated into and become part of a City construction project through the use of a “separated contract” with the City. A “separated contract” is one, which separates charges for materials from charges for labor. Under such a contract, the contractor becomes a “seller” of those materials, which are incorporated into the project, such as bricks, lumber, concrete, paint, etc. The contractor issues a resale certificate in lieu of paying the sales tax at the time such items are purchased. The contractor then receives an exemption certificate from the City for those materials. (This procedure may not be used, however, for materials, which do not become a part of the finished product. For example, equipment rentals, form materials, etc. are not considered as becoming “incorporated” into the project.)

Utilization of this “separated contract” approach eliminates the need for bidders to figure in sales tax for materials, which are to be incorporated into the project. Bid items, which contain non-taxable materials, are identified in the Bid Schedule or this project. The successful bidder will be required to complete a Contract Form provided by the Owner identifying and separating non-taxable materials from the labor and taxable materials which are not incorporated into the finished project. The completed contractor form will be used to develop the “separated contract” and will determine the extent of the tax exemption.

107.17 Compliance with Laws
Add the following sub item:

107.17.2 Antitrust

The Contractor hereby assigns to the Owner any and all claims for over-charges associated with this contract which arise under the Antitrust Laws of the United States, 15 U.S.C.A. Section 1, et seq., (1973).

Add the following sub item:

107.17.3 Wage Rate

All employees of the Contractor on the work to be performed under this contract shall be paid the prevailing wage scale in this locality for work of a

similar character, and in no event less than the rates shown in the Special conditions to the Specifications.

107.20 Protection of Work and Persons and Property

107.20.2 Protection of Persons and Property

Add the following:

The Contractor shall at all times exercise reasonable precautions for the safety of employees and others on or near the work and shall comply with all applicable provisions of Federal, State, and Municipal Safety laws and building and construction codes. All machinery equipment and other physical hazards shall be guarded in accordance with the "Manual of Accident Prevention in Construction" of the Associated General Contractors of America except where incompatible with Federal, State and Municipal laws or regulations. The Contractor shall provide such machinery, guards, safe walkways, ladders, bridges, gangplanks and other safety devices. The safety precautions actually taken and their adequacy shall be the sole responsibility of the Contractor, acting at his discretion as an independent contractor.

Add the following sub item:

107.20.4 Small Claims for Damages or Injury

If any person files a claim against the OWNER or CONTRACTOR for personal injury or property damage resulting from, arising out of, or caused by the operations of the Contactor, or any work within the limits of the project, the Contractor must either submit to the Owner a duly executed full release within thirty (30) days from the date of written claim, or immediately report the claim to his liability insurance carrier for their action in adjusting the claim. If the Contractor fails to comply with this provision within the stipulated time limit, it will be Automatically deemed that the Contractor has appointed the Owner as its irrevocable Attorney in Fact authorizing the Owner to report the claim directly with the liability insurance carrier. This provision is in and of itself a Power of Attorney from the Contractor to the Owner which authorizes the Owner to take said action on behalf of the Contactor without the necessity of the execution of any other document. If the Contractor fails to comply with the provisions of this item the Owner, at its own discretion, may terminate this contract or take any other actions it deems appropriate. Any payment or portion thereof due the Contractor, whether it is a final payment, progress payment, payment out of retainage or refund payment may be withheld by the Owner as is authorized by item 109.4. Bankruptcy, insolvency or denial of liability by the insurance carrier shall not exonerate the Contractor from liability.

ITEM 109 MEASUREMENT AND PAYMENT

109.5 Monthly Estimate, Partial Payments, Retainage, Final Inspection, Acceptance and Final Payment

109.5.2 Retainage

Add the following:

(4) On projects where the contract price, at the time of execution, is greater than $400,000.00 the Owner may retain 10 percent of the amount due the Contractor, with the retainage above 5 percent deposited in an interest bearing account and interest earned on such 5 percent retained funds shall be paid to the Contractor upon completion of the contract.

109.5.3 Final Inspection and Acceptance

Add the following:

Within ten (10) days after the Contractor has given the Engineer written notice that the work has been completed, or substantially completed, the Engineer and the Owner shall inspect the work and within said time, if the work be found to be completed or substantially completed in accordance with the Contract Documents, the Engineer shall issue to the Owner and the Contractor his Certificate of Completion, and there upon it shall be the duty of the Owner within ten (10) days to insure a Certificate of acceptance of the work to the Contractor or to advise the Contractor in writing of the reason for non-acceptance.

Definition of Substantially Complete: The date of substantial completion of a project or specified area of a project is the date when the construction is sufficiently completed, in accordance with the contract documents, as modified by any change order agreed to by the parties, so that the Owner can occupy or utilize the project or specified area of the project for the use for which it was intended.

7.2 Division 200 Site Protection & Preparation

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.2: Revisions to NCTCOG's Division 200 Site Protection & Preparation

Revised	Standard Specification Item No.	Description
	201.	**SITE PROTECTION**
	201.1.	Removal, Protection, and Replacement of Trees, Shrubbery, Plants, Sod and Other Vegetation
	201.2.	Determining Location and Protection of Existing Structures and Utilities
	201.3.	Maintenance of Streets and Rights of Way During Construction
	202.	**TEMPORARY EROSION, SEDIMENTATION, AND WATER POLLUTION PREVENTION AND CONTROL**
	202.1.	Description
	202.2.	Items of Work and Materials
	202.3.	Pre-construction Submittals
	202.4.	Construction Requirements
(1)	202.5.	Silt Fence
	202.6.	Interceptor Swale
	202.7.	Diversion Dike
	202.8.	Triangular Sediment Filter Dike
	202.9.	Check Dam (Rock)
	202.10.	Check Dam (Filter Tube)
(1)	202.11.	Stabilized Construction Exit
	202.12.	Stop Outlet Sediment Trap
	202.13.	Pipe Slope Drain
	202.14.	Inlet Protection
	202.15.	Erosion Control Blankets
	202.16.	Section Held for Future Use
	202.17.	Section Held for Future Use
	202.18.	Filter Tubes
	202.19.	Measurement and Payment
	203.	**SITE PREPARATION**
	203.1.	General Site Preparation

(1)	203.2.	Unclassified Street Excavation
	203.3.	Section Held for Future Use
	203.4.	Borrow & Spoil
(1)	203.5.	Embankment
	203.6.	Dust Control
	204.	**LANDSCAPING**
	204.1.	Removal, Protection, and Replacement of Trees, Shrubbery, Plants, Sod and Other Vegetation
(1)	204.2.	Topsoil
	204.3.	Soil Amendments
	204.4.	Fertilizer
	204.5.	Sodding
(1)	204.6.	Seeding Turf-grass
	204.7.	Rejection

ITEM 201 TEMPORARY EROSION, SEDIMENTATION, AND WATER POLLUTION PREVENTION AND CONTROL

202.5. Silt Fence

202.5.2. Materials

202.5.2.2. Posts

Delete the last sentence in its entirety and replace with the following:

No wood stakes shall be allowed.

202.11. Stabilized Construction Exit

202.11.2. Materials

202.11.2.1 Stone

Delete the following subsection in its entirety and replace with the following:

Stone material shall consist of 4 to 6-inch minimum course aggregate riprap and shall be place in a layer 12-inch thick. No crushed concrete shall be allowed.

ITEM 203 SITE PREPERATION

203.2. Unclassified Street Excavation

203.2.3. General

Add to the following as the third paragraph:

Unless otherwise approved in writing by the City of Rockwall, where excavation to grade established in the field by the Owner terminates in loose or solid rock, the Contractor shall excavate 6 inches below the required subgrade elevations for the entire roadbed width and shall backfill with suitable selected materials as indicated on the plans. Suitable selected material shall include lime treated subgrade or a base material having a plasticity index not

greater than 12. Payment for such work will be made under the items of unclassified street excavation, lime treated subgrade and hydrated lime. The 6-inch lime treated subgrade or base shall be compacted to 95% standard proctor density.

ITEM 204 LANDSCAPING

204.2. Topsoil

204.2.3. Construction Methods

Add the following:

A minimum of four (4) inches of topsoil shall be provided on all major thoroughfare medians and rights-of-way and on all earthen channel slopes to the lines and grades established by the construction plans. This will be material imported from off site. The City will approve material prior to placement.

204.6 Seeding Turfgrass

204.6.1. General

Add the following:

The Contractor shall maintain the seeded areas including watering until a "Stand of Grass" is obtained. A "Permanent Stand of Grass" shall consist of **75% to 80%** coverage, a minimum of one (1) inch in height. Re-seeding will be required in washed areas.

204.6.3. Planting Season and Application Rate

Delete the mixture, rate, and planting dates in Table 204.6.3.(a) Seeding Turfgrass and substitute:

Type I: Bermuda Grass - Hulled
50 lbs/acre April - June

Type II: Annual Rye Grass
40 lbs/acre September - March

Type III Bermuda Grass - Unhulled
January - March/July - August - 50 lbs/acre

A mix of seed shall be used in overlapping seasons.

City of Rockwall
The New Horizon

7.3 Division 300 Roadway Construction

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.3: Revisions to NCTCOG's Division 300 Roadway Construction

Revised	Standard Specification Item No.	Description
	301.	**SUBGRADE, SUBBASE AND BASE PREPARATION**
	301.1.	General
(1)	301.2.	Lime Treatment
(1)	301.3.	Portland Cement Treatment
	301.4.	Asphalt Emulsion Treatment
(1)	301.5.	Flexible Sub-base or Base (Crushed Stone/Concrete)
	301.6.	Geo-textiles Used in Paving applications
	302.	**ASPHALT PAVEMENT**
	302.1.	Description
	302.2.	Aggregates for Hot-Mix Asphalt Pavement
	302.3.	Bituminous Materials
	302.4.	Section Held for Future Use
	302.5.	Storage, Heating and Application Temperature of Bituminous Materials
	302.6.	Emulsified Asphalt Treatment
	302.7.	Prime Coat
	302.8.	Asphalt Base Course
	302.9.	Hot-Mix Asphalt Pavement
	302.10.	Measurement and Payment
	303.	**PORTLAND CEMENT CONCRETE PAVEMENT**
	303.1.	Description
(1)	303.2.	Portland Cement Concrete Pavement Materials
(1)	303.3.	Mix Design and Mixing Concrete
	303.4.	Equipment
(1)	303.5.	Construction Methods
	303.6.	Alley Paving
	303.7.	Pavement Leave-outs
(1)	303.8.	Pavement Testing and Evaluation
	303.9.	Measurement and Payment

	304.	**PAVING UNITS**
(1)	304.1.	Solid Concrete Interlocking Paving Units
	305.	**MISCELLANEOUS ROADWAY CONSTRUCITON**
(1)	305.1.	Concrete Curb and Gutter
(1)	305.2.	Concrete Sidewalks, Driveway Approaches, and Barrier Free Ramps
(1)	305.3.	Concrete Medians
	305.4.	Reinforced Concrete Headers

ITEM 301. SUBGRADE, SUBBASE AND BASE PREPERATION

301.2 Lime Treatment

Add the following sentences:

Quick Lime shall not be used in the construction of roadway work in the City. Dry hydrated lime shall not be used for treating subgrade or base material unless specified on the plans

301.2.1. Materials

301.2.1.2. Quicklime

301.2.1.2.1. General

Add to the beginning of the first paragraph:

Quicklime (dry) shall not be used in the City without written approval from the City.

301.2.3. Lime Treatment Construction Methods

301.2.3.3. General Construction

301.2.3.3.1. Treatment for Materials in Place

Add the following:

Prior to final compaction of subgrade, samples of the subgrade material shall be collected by a testing laboratory approved by the City, and laboratory tests made to determine the amount of lime required.

The application rate for hydrated lime shall be selected to obtain at least the optimum lime percentage indicated by test method ASTM C977-83a, Appendix XI; however, not less than 27 lbs. per S.Y. shall be applied. A Geotechnical Engineer's report reflecting the recommended application rate and including supporting test data shall be submitted in writing to the City, for approval prior to beginning any lime treatment. Laboratory test may be waived provided a minimum of 36 lbs. per S.Y. is applied. Testing shall look for sulfates to see if Lime Treatment will cause and adverse effect on the subgrade.

301.2.3.7. Maintenance

Add the following to the first paragraph:

The lime treated subgrade shall be moist cured until covered by other base or pavement up to fourteen (14) days after final compaction.

After 14 days without covering an application of 0.10 to 0.20 gallons per square yard emulsified asphalt shall be applied at the Contractor's expense. Reapplication of emulsified asphalt may be required if lime treated subgrade is not covered shortly after first application. Lime treated subgrade may be covered by other base or pavement when density of 95% of maximum at optimum moisture content is obtained.

301.3 Portland Cement Treatment

Add the following:

Portland cement modification of subgrade soils is not approved in Rockwall. Subgrade soils means natural ground or embankment encountered in the construction.

301.5 Flexible Subbase or Base (Crushed Stone/Concrete)

301.5.1. Material

301.5.1.1. General

Add the sentence:

No local limestone material shall be used as flexible base (crushed limestone) on Rockwall paving projects, unless otherwise shown on the plans.

301.5.1.2 Tests and Physical Requirements

After the first sentence add the sentence:

Samples of crushed limestone shall be submitted to the engineer testing laboratory employed by the City for testing and conformance with the specifications.

ITEM 303 PORTLAND CEMENT PAVEMENT

303.2. Portland Cement Concrete Pavement Materials

303.2.1. Aggregates for Portland Cement Concrete

303.2.1.3. Coarse Aggregates

Gradation: Add the sentence: For Rockwall paving projects, the coarse aggregate's gradation shall meet the requirements of Size No. 4 shown in the table.

303.3 Mix Design and Mixing Concrete for Pavement

303.3.5. Mixing and Delivery

303.3.5.3. Central Mixing Plant

Add the following:

When a fly ash admixture is used with Type I cement in the production of portland cement concrete, separate silos shall be provided for fly ash and cement and provisions shall be made for individual measurements.

303.5 Construction Methods

303.5.6.Finishing

Delete 303.5.6. and add the following:

The finished concrete pavement construction under these specifications is expected to meet certain quality standards for surface of the concrete including the durability, texture, riding surface and appearance. The surface must be durable, firm, dense and well bonded to the aggregate to maintain an appearance and texture which is satisfactory to the Owner. Concrete pavement having a poor surface which has spalled (exposed aggregate) due to poor quality paste, high water-cement ratio, over-vibration, improper curing, extreme weather or any other reason, or does not have a satisfactory riding surface shall be removed and replaced at the Contractor's expense. It is extremely important that the pavement have a good rideable surface, free from undulations and rough joints. The City Engineer shall determine the acceptability of the pavement.

303.5.6.1. Machine Finishing

Machine finishing of pavement shall include the use of power-driven spreaders, reciprocating type power-driven vibrators, power-driven transverse strike-off, and screed.

The concrete pavement shall be consolidated by a reciprocating type mechanical vibrator. As soon as the concrete has been spread between the forms, the mechanical vibrator shall be operated to consolidate the concrete and remove all voids. Hand manipulated vibrators shall be used for areas not covered by the mechanical vibratory unit.

The transverse finishing machine shall first be operated to compact and finish the pavement to the required section and grade, without surface voids. The machine shall be operated over each area as many times and at such intervals as directed. At least two trips will be required and the last trip over a given area shall be a continuous run of not less than 40 feet. After completion of finishing with the transverse finishing machine a transverse drag float may be used.

After the floating has been completed and the excess water removed, but while the concrete is still plastic, the surface of the concrete shall be tested for trueness with an approved 10-foot steel straightedge furnished by the Contractor. The straightedge shall be operated from the side of the pavement, placed parallel to the pavement centerline and passed across the slab to reveal any high sports or depressions. The straightedge shall be advanced along the pavement in successive stages of not more than one-half its length. Practically perfect contact of the straightedge with surface will be required, and the pavement shall be leveled to this condition, in order to insure conformity with the surface test required below after the pavement has fully hardened and to insure a smooth rideable surface. Any correction of the surface required shall be accomplished by adding

concrete if required and by operating the longitudinal float over the area. The surface test with the straightedge shall then be repeated.

After completion of the straightedge testing and surface correction the surface of the pavement shall be finished by an approved method. Methods available for pavement surface finish including a burlap drag finish, a broom finish or a belt finish. Unless otherwise shown on the plans, the pavement surface shall be finished with the burlap drag.

303.5.6.1.1. Burlap Drag Finish

If the surface texture is to be a drag finish, a drag shall be used; it shall consist of a seamless strip of damp burlap or cotton fabric, and it shall produce a uniform surface of gritty texture after dragging it longitudinally along the full width of pavement. For pavement 16 feet or more in width, the drag shall be mounted on a bridge which travels on the forms. The diameter of the drag shall be such that a strip of burlap or fabric at least 3 feet wide is in contact with the full width of pavement surface while the drag is used. The drag shall consist of not less than two layers of burlap with the bottom layer approximately 6 inches wider than the upper layer. The drag shall be maintained in such a condition that the resultant surface is of uniform appearance and reasonably free from gravels over 1/16-inch in depth. Drags shall be maintained clean and free from encrusted mortar. Drags that cannot be cleaned shall be discarded and new drags substituted.

303.5.6.1.2. Broom Finish

If the surface texture is to be broom finished, it shall be applied when the water sheen has practically disappeared. The broom shall be drawn from the center to the edge of the pavement with adjacent strokes slightly overlapping. The broom operation shall be so executed that the corrugation produced in the surface shall be uniform in appearance and not more than 1/16-inch in depth. Brooming shall be completed before the concrete is in such condition that the surface will be torn or unduly roughened by the operation. The surface thus finished shall be free from rough and porous areas, irregularities, and depressions resulting from improper handling of the broom. Brooms shall be of the quality, size, and construction and shall be operated to produce a surface finish meeting the approval of the Owner. Subject to the approval of the Owner, the Contractor may be permitted to substitute mechanical brooming in lieu of the manual brooming as herein described.

303.5.6.1.3. Belt Finish

If the surface texture is to be belt finish, when straightedging is completed and after sheen has practically disappeared and just before the concrete becomes non-plastic,

the surface shall be belted with a 2-ply canvas belt not less than 8 inches wide and at least 3 feet longer than the pavement width. Hand belts shall have suitable handles to permit controlled, uniform manipulation. The belt shall be operated with short strokes transverse to the centerline and with a rapid advance parallel to the centerline.

303.5.6.2. Hand Finishing

Hand finishing of concrete pavement will be permitted in areas where it is not practical or possible to construct with finishing machines. These areas include, but are not limited to, intersections, left turn lanes, crossovers, transition areas and where the pavement width is not uniform. In all hand finished areas, one-half (1/2) extra sack of cement per cubic yard of concrete shall be used in the mix. In hand finished areas, the concrete shall be struck off with an approved strike-off screed to such elevation that when consolidated and finished the surface of the pavement shall conform to the required section and grade. The strike template shall be moved forward with a combined transverse and longitudinal motion in the direction the work is progressing, maintaining a slight excess of material in front of the cutting edge. The concrete shall then be tamped with an approved tamping template to compact the concrete thoroughly and eliminate surface voids and the surface screeded to required section. After completion of a strike-off, consolidation and transverse screeding, a hand-operated longitudinal float shall be operated to test and level the surface to the required grade.

Workmen shall operate the float from approved bridges riding on the forms and spanning the pavement. The longitudinal float shall be held in contact with the surface and parallel to the centerline and operated with short longitudinal strokes while being passed from one side of the pavement to the other. If contact with the pavement is not made at all points, additional concrete shall be placed, if required, and screeded, and the float shall be used to produce a satisfactory surface. Care shall be exercised to keep the ends of the float from digging into the surface of the pavement. After a section has been smoothed so that the float maintains contact with the surface at all points in being passed from one side to the other, the bridges may be moved forward half the length of the float and the operation repeated. Other operations and surfaces tests shall be as required for machine finishing.

303.5.6.3. Edging at Forms and Joints

After the final finish, but before the concrete has taken its initial set, the edges of the pavement along each side of each slab, and on each side of transverse expansion joints, formed joints, transverse construction joints, and emergency construction joints shall be worked with an approved tool and rounded to the radius required by the plans. A well-defined and continuous radius shall be produced and a smooth,

dense mortar finish obtained. The surface of the slab shall not be unduly disturbed by tilting of the tool during use.

At all joints, any tool marks appearing on the slap adjacent to the joints shall be eliminated by brooming the surface. In doing this, the rounding of the edge shall not be disturbed. All concrete on top of the joint filler shall be completely removed.

All joints shall be tested with a straightedge before the concrete has set, and correction shall be made if one side of the joint is higher than the other or if they are higher or lower than the adjacent slabs.

303.8 Pavement Testing and Elevation

303.8.2. Pavement Thickness Test

Delete in its entirety and substitute therefore the following:

Upon completion of the work and before final acceptance and final payment shall be made, pavement thickness tests shall be made by the Contractor. Tests shall be made at 400-foot spacings along the length of the pavement. In the event a deficiency in the thickness of pavement is revealed, two (2) subsequent sets necessary to isolate the deficiency shall be made - one at a jointed section prior to the deficient station and one at a jointed section following the deficient station. Additional tests shall be obtained as necessary, at jointed section intervals to isolate the deficient area. Removal and replacement of concrete shall extend to joint boundaries, the full width of pavement section. If the average thickness of pavement in a particular section is less than called for on the plans, the pavement section shall be removed and replaced with the correct thickness, extending to joint boundaries, the full width of the pavement section, at the Contractor's entire expense. No additional payment over the contract unit price shall be made for any pavement of a thickness exceeding that required on the plans.

303.8.3. Pavement Strength Test

303.8.3.1 For Standard Classes of Concrete

Revise the first paragraph to read:

During the progress of the work, the Inspector or a commercial laboratory shall cast test cylinders or beams to maintain a check on the strengths of the concrete being placed. Add the following sentence and table: A table titled "PAVEMENT STRENGTH REQUIREMENTS", is provided showing the required pavement thickness, 7-day strength, 28-day strength, minimum cement factor and maximum slump for each street type to be constructed in Rockwall.

Add to the 5th paragraph:

Test cores shall be obtained within ten (10) working days after the 28-day test results have been provided by the commercial laboratory. All test cores shall be obtained by a commercial laboratory, at the Contractors expense. One (1) core shall be obtained in the immediate area of the deficiency and two (2) additional cores shall be obtained - one at a jointed section prior to the deficient station and one

at a jointed section following the deficient station. Additional cores shall be obtained as necessary, at jointed section intervals to isolate the deficient area. Removal and replacement of concrete shall extend to joint boundaries, the full width of pavement section.

Amend the second sentence of the 7th paragraph to read:

"Pavement not meeting the minimum specified 28-day strength after cores have been tested shall be removed and replaced at the Contractor's expense."

Delete the table 303.8.3.1.(a) and the paragraph below it.

Add the following table:

Pavement Strength Requirements

Street Type	Minimum Thick-ness (inches)	Compr. 7-Day (psi)	Strength 28-Day (psi)	Minimum Cement (sacks / CY)		Slump (inches)
				Machine placed	Hand Placed	
* Arterial	10”	2,500	3,600	6.0	6.5	3” to 5”
* Collector	8”	2,500	3,600	6.0	6.5	3” to 5”
Residential	6”	2,500	3,600	6.0	6.5	3” to 5”
Alley	7”-5”-7”	2,500	3,600	6.0	6.5	3” to 5”
Fire Lane	6”	2,500	3,600	6.0	6.5	3” to 5”
Driveways	6”	2,500	3,600	6.0	6.5	3” to 5”
Barrier Free Ramps	5”	2,500	3,600	N/A	6.5	3” to 5”
Sidewalks	4”	2,100	3,000	N/A	5.5	3” to 5”
Parking Lot/ Drive Aisles	5”	2,100	3,000	5.0	5.5	3” to 5”
Dumpster Pads	7”	2,500	3,600	6.0	6.5	3” to 5”

* Paving section designs for arterials and collectors shall be based off 30 year projected traffic volumes and geotechnical analysis/report. (Paving section design shall include but not limited to the following: pavement thickness, reinforcing size and spacing, pavement strength, subgrade thickness, subgrade treatment type (lime or cement))

ITEM 304 PAVING UNITS

304.1. Solid Concrete Interlocking Paving Units

304.1.2. Materials

304.1.2.2. Base

Delete in its entirety and replace with the following:

The base shall be constructed of 3,600 psi reinforced concrete meeting the requirements of Item 303 of the Standard Specifications.

#4 reinforcing bars shall be placed 18 inches on center, both ways, in all concrete.

304.1.3. Construction Methods

304.1.3.3. Construction Procedures

304.1.3.3.3 Paving Units and Joints

Delete paragraph two in its entirety and replace with the following:

Joints between paving units shall have a spacing of (1/8”).

304.1.4. Measurement and Payment

Delete in its entirety and replace with the following:

Interlocking Concrete Paving Stone shall be measured and paid for by the square foot of stone, sand and concrete base furnished and installed, which price shall include all labor, including excavation, materials, equipment, tools and incidentals necessary to complete the work. No separate payment shall be made for 6" concrete base or washed sand. Payment for removal and disposal of existing concrete median pavement, if required, shall be made by the square foot. Payment shall include all labor, equipment, materials, tools, and incidentals necessary to complete the work.

ITEM 305. MISCELLANEOUS ROADWAY CONSTRUCTION

305.1. Concrete Curb and Gutter

305.1.3. Construction Methods

305.1.3.2. Reinforcing Steel

The third sentence, first paragraph shall be revised to read:

All bars at splices shall be lapped a minimum of 30 diameters of the bar or 12-inches, whichever is greater.

305.2 Concrete Sidewalks, Driveway Approaches, and Barrier Free Ramps

305.2.2. Materials

305.2.2.2. Reinforcement

Revise the first sentence to read:

Driveway approaches and walk reinforcing shall be No. 3 bars on 24-inch centers.

305.2.3. Construction Methods

305.2.3.1. General

Add to end of first paragraph:

The drive approach shall have a minimum thickness equal to the thickness of the adjacent street or 6 inches, whichever is greater.

305.2.3.7. Joints

Revise second sentence to read:

Expansion joints shall be placed in the sidewalk at 20-foot intervals or as otherwise specified by the Owner.

305.3. Concrete Medians

Delete in entirety.

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7.4 Division 400 Roadway Maintenance & Rehabilitation

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.4: Revisions to NCTCOG's Division 400 Roadway Maintenance & Rehabilitation

Revised	Standard Specification Item No.	Description
	401.	**CRACK SEALING**
	401.1.	General
	401.2.	Materials
	401.3.	Methods
	401.4	Measurement and Payment
	402.	**PAVEMENT CUT, EXCAVATION AND REPAIR**
	402.1.	General Requirements
	402.2.	Minimum Size of Repair
(1)	402.3.	Sawing
	402.4.	Replacing Paved Surfaces
	403.	**ASPHALTIC PAVEMENT REPAIR**
	403.1.	Description
	403.2.	Materials and Mixing
	403.3.	Methods
	403.4.	Measurement and Payment
	404.	**SURFACE TREATMENT**
	404.1.	Description
	404.2.	General
	404.3.	Slurry Seals and Micro-(Re)Surfacing
	404.4.	Bituminous Surface Treatment (Chip Seal)
	405.	**ULTRA THIN CONCRETE PAVING (WHITETOPPING)**
	405.1.	Description
	405.2.	Materials
	405.3.	Construction Methods
	405.4.	Measurements
	405.5.	Payment

City of Rockwall
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ITEM 402 PAVEMENT CUT, EXCAVATION AND REPAIR

402.3 Sawing

402.3.2. Equipment

Revise second paragraph to read:

Saw blades shall make a clean, smooth cut, producing a grove a minimum of 3/8-inch wide and to the full depth required by these specifications or as shown on the plans.

7.5 Division 500 Underground Construction & Appurtenances

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.5: Revisions to NCTCOG's Division 500 Underground Construction & Appurtenances

Revised	Standard Specification Item No.	Description
	501.	**UNDERGROUND CONDUIT MATERIALS**
	501.1.	General
	501.2.	Clay Wastewater Pipe
	501.3.	Vitrified Clay Pipe for Micro-tunneling, Slip-lining, Pipe Bursting and Tunnels
(1)	501.4.	Concrete Pressure Pipe and Fittings
(1)	501.5.	Reinforced Concrete Wastewater Pipe With Rubber Gasket Joints
	501.6.	Reinforced Concrete Culvert, Storm Drain, Pipe and Box Section
(1)	501.7.	Ductile-Iron Pressure Pipe and Fittings
	501.8.	Ductile-Iron Pipe for Pipe Rehabilitation
(1)	501.9.	Steel Pipe and Fittings
	501.10.	Seamless Copper Tubing
	501.11.	Corrugated Metal Pipe or Arch Shapes
	501.12.	Structural Plate Structures
	501.13.	Tunnel Liner Plates
(1)	501.14.	Polyvinyl Chloride (PVC) Water Pipe
	501.15.	Polyvinyl Chloride (PVC) Pressure-Rated (SDR Series)
	501.16.	Molecularly Oriented Polyvinyl Chloride (PVCO) Water Pipe
	501.17.	Polyvinyl Chloride (PVC) Wastewater Pipe & Fittings with Dimension Control
	501.18.	Polyvinyl Chloride (PVC) Profile Gravity Wastewater Pipe and Fittings-For Direct Bury and Slip-lining Applications
	501.19.	PVC Composite Pipe for Wastewater Conduits
	501.20.	Polyvinyl Chloride (PVC) Corrugated Storm Water Pipe with Smooth Interior and Fittings
	501.21.	Solid Wall Polyethylene Plastic Pipe for Water, Wastewater and Pipe Rehabilitation
	501.22.	Polyethylene (PE) Large Diameter Wastewater Pipe with

		Modified Wall Profiles and Performance Standards
	501.23.	Polyethylene (PE) Corrugated Drainage Tubing and Corrugated Smooth Lined Storm Water Pipe and Fittings
	501.24.	Fiberglass (Glass-Fiber-Reinforced Thermosetting-Resin) Wastewater Pipe
	501.25.	Fiberglass (Glass-Fiber-Reinforced Thermosetting-Resin) Water Pipe
	502.	**APPURTENANCES**
(1)	502.1.	Manholes
	502.2.	Wastewater Main Cleanouts
(1)	502.3.	Fire Hydrants
	502.4.	Thrust Restraint
(1)	502.5.	Fittings
(1)	502.6.	Valves
	502.7.	Performed Flexible Conduit Joint Sealant
	502.8.	Polyethylene Wrap for Metal Pipe Fittings
	502.9.	Corrosion-Resistant Coatings and Liners for Wastewater Conduit and Appurtenances
	502.10.	Connections to Conduit for Service
	502.11.	Miscellaneous Conduit Connections
	502.12.	Structures
	503.	**TRENCHLESS INSTALLATION**
	503.1.	Conduit Materials
	503.2.	Tunnel/Chasing Pipe Spacers
	503.3.	Methods of Jacking, Boring or Tunneling
	503.4.	Measurement and Payment
	504.	**OPEN CUT - BACKFILL**
	504.1.	General
(1)	504.2.	Materials
(1)	504.3.	Excavation and Foundation
(1)	504.4.	Backfill-General Requirements
(1)	504.5.	Embedment
(1)	504.6.	Final Backfill
	504.7.	Measurement and Payment of Backfill
	505.	**OPEN CUT – GENERAL CONDUIT INSTALLATION**
	505.1.	General
	505.2.	General Installation Requirements for Pipe Types
	506.	**OPEN CUT – WATER CONDUIT INSTALLATION**

	506.1.	Description
	506.2.	Materials
(1)	506.3.	Laying Water Conduit
	506.4.	Pipe Joints
(1)	506.5.	Hydrostatic Test
	506.6.	Connections to Existing Water Conduits
	506.7.	Purging and Disinfection of Water Conduits
	506.8.	Plugs
	506.9.	Measurements and Payments
	507.	**OPEN CUT- WASTEWATER CONDUIT INSTALLATION**
	507.1.	Description
	507.2	Materials
	507.3.	Laying Wastewater Conduit
	507.4.	Wastewater Conduit Joints
(1)	507.5.	Test and Inspections
	507.6.	Measurement and Payment for Wastewater Conduit Installation
	508.	**OPEN CUT – STORM WATER CONDUIT INSTALLATION**
	508.1.	Description
	508.2.	General
	508.3.	Reinforced Concrete Pipe for Storm Water
	508.4.	Corrugated Metal Pipe
	508.5.	Structural Plate Conduit
	508.6	Measurement and Payment for Strom Water Conduit Installation
(1)	508.7	Storm Sewer Conduit Inspection
	509.	**CROSSINGS**
	509.1.	General
	509.2.	State Highway Crossings
	509.3.	Street and Alley Crossings
	509.4.	Railroad Crossing
(1)	509.5.	Creek and River Crossings
	509.6.	Measurement and Payment of Crossings

ITEM 501.UNDERGROUND CONDUIT MATERIALS

501.4 Concrete Pressure Pipe and Fittings

Add the following:

C302 Reinforced Concrete Pressure Pipe, Non Cylinder Type, for Water and Other Liquids, and C300 Reinforced Concrete Pressure Pipe, Steel Cylinder Type, for

Water and Other Liquids are not approved for use in the City, unless otherwise shown in the plans or approved in writing. Reinforced concrete cylinder pipe in sizes 16 inches through 21 inches shall be Bar-Wrapped Concrete Cylinder Pipe AWWA Type C303. For pipe 42 inches in diameter and above the pipe shall be Prestressed Concrete Pressure Pipe, Steel Cylinder Type, AWWA Type C301. Between 24 inches and 36 inches the pipe furnished may be either type. All pipe shall be designed to withstand the working pressure and external load as shown in the plans.

501.5 Reinforced Concrete Wastewater Pipe With Rubber Gasket Joints

501.5.1. General

Add the following:

All reinforced concrete pipe used in the sanitary sewer system shall conform to ASTM Designation C76 and shall be of the Thick Wall Pipe design with aggregates consisting of limestone aggregate in the proportion of at least 75 percent by weight of the total aggregates, unless otherwise provided in the Special Conditions to the Specifications.

501.7 Ductile-Iron Pressure Pipe and Fittings

501.7.1. General

Add the following:

Minimum design thickness for all Ductile-Iron Pipe installed shall be Class 51 on sizes 12 inches and smaller, and Class 52 on sizes 14 inches and larger.

501.9 Steel Pipe and Fittings

501.9.3. Pipe and Fitting Requirements

Substitute the second to last sentence with the following:

All steel pipe to be furnished for this project shall be designed in accordance with AWWA M11 for the most critical application of internal pressures and external loads. The following design conditions shall apply:

Internal Pressure (Design to account for working and surge together)

1) Working Pressure of 200 psi
2) Surge allowance of 250 psi

External Loading for Buried Pipe

1) External loads shall be comprised of the weight of the backfill together with live and impact loads. Earth loads shall be calculated based on ditch and positive projecting conduit. The earth load for the pipe design shall be the greater of the above two conditions.
2) External live loads shall be at least equivalent to AASHTO HS-20 loading.
3) Modulus of soil reaction (E') < 1000 psi
4) Unit weight of fill (w) > 120 pcf
5) Deflection lag factor (D1) (1.0)
6) Bedding constant (K) = 0.100
7) hw = h = depth of cover above top of pipe

8) Maximum deflection in percent of pipe diameter shall be as determined by AWWA M11, latest edition, as calculated using moment of inertia of steel cross section of pipe wall. Moment of inertia of cement mortar shall not be included in calculation of maximum deflection.

Available Deflections

Mortar-lined and coated = 2 percent of pipe diameter

Maximum Working Stress

The maximum combined stress based on working pressure shall be no greater than 50 percent of the minimum yield strength or 18,000 psi, whichever is less.

The maximum combined stress based on test pressure shall be no greater than 75 percent of the minimum yield strength or 24,000 psi, whichever is less.

501.9.4. Joints

Add the following:

In general, pipe joints shall be as follows, as indicated on the Drawings or as specified.

1) Flanged joints shall be provided as a minimum at all flanged valves, meters and other equipment.
   a. Flanges: Unless otherwise noted, flanges shall conform to the requirements of AWWA C207, Table D, E or F as required.
   b. Flange Bolts and Nuts: Shall be furnished in size and numbers stipulated in AWWA C207. Unless otherwise indicated, bolts shall be carbon steel to meet the requirements of ASTM Designation A307, Grade B for regular joints.
2) Restrained Lap-Welded slip joints (expanded bell) with a single fillet weld.
3) Carnegie-Shape Rubber Gasket Joint: Bell and spigot rubber gasket joint will be furnished with the bell end of the pipe mechanically expanded to the required internal diameter and the spigot end furnished as a sized Carnegie shape welded to the opposite end of the pipe. The expanded bell and Carnegie spigot shall be designed such that when the pipe is laid and jointed, it will be self centered, and the O-ring rubber gasket will be enclosed tightly on all four sides and confined under compression adequate to ensure watertightness. Gaskets to be full-face for use with flat face flanges and ring type for use with raised face flanges. Gasket material for water service pipe shall be cloth inserted rubber sheet, 1/8-inch thick or red rubber, ASTM D1330, Grade 1. Gasket material for air piping shall be as above, but of EPDM.
4) Mechanical Couplings: Mechanical couplings designed to provide a stress relieving flexible joint shall consist of a cylindrical sleeve, two gaskets, two follower rings and a set of bolts and nuts.
   a. Sleeves: Manufactured of ASTM A53 steel for sizes 10-inches and smaller. ASTM A36 steel for sizes 12-inches and larger. Minimum sleeve length shall be five inches for pipe 12-inches and smaller,

7-inches for pipe 14-inches through 24-inches, and 10-inches for pipe larger than 24-inches.

b. Follower Rings: Ductile Iron ASTM A536 or AISI C1020 Steel.
c. Bolts and Nuts: High strength low alloy steel with heavy semi-finished hexagon nuts.
d. Gaskets: Shall be of synthetic rubber suitable for operating conditions.
e. Shop Finish: Manufacturer's standard unless otherwise noted.
f. Manufacturer: Baker 200, Dresser Style 39, Rockwell Series 411 or approved equal.

501.14 Polyvinyl Chlorine (PVC) Water Pipe

Add the following:

All PVC water pipelines shall be AWWA C900-16 PVC Pipe (blue in color), DR 14 (PC 305) for pipeline sizes 12-inch and smaller, and DR 18 (PC 235) for 14-inch and larger water pipelines. All PVC water pipe shall be extruded PVC pipe of the rubber gasket type joint and shall be furnished in 20-foot nominal laying lengths.

All fittings shall be ductile-iron of bell and spigot or mechanical joint, Class 250, in accordance with AWWA Specification C 110, C 111 or C 153 (Compact), and shall be tar coated on the outside surface and shall have an interior cement lining with seal coat per AWWA Specification C104, unless otherwise shown in the plans.

502 APPURTENANCES

502.1 Manholes

502.1.1. Manhole Materials

502.1.1.1. Precast Reinforced Manhole Sections

502.1.1.1.1. Joints

Add the following:

All sanitary sewer manholes installed in the City of Rockwall, shall have "O" ring joints conforming with ASTM Designation C443

502.1.4. Manhole Construction

502.1.4.1. Manhole Types and Requirements

502.1.4.1.1. Cast-In-Place Concrete Manholes

Add the following:

502.1.4.1.1.1. Forms

Manholes shall be constructed in place in accordance with the details shown in the plans and using forms as market by Improved Construction Methods, Inc., Jacksonville, Arkansas or Symons Corp., DePlaines, Illinois, or an approved equal.

502.1.4.1.1.2. Base

The base shall be cast monolithically with the rest of the manhole. The invert and flow channel shall be formed during or immediately after the placing of the

concrete and trowel-finished as soon as the concrete has set sufficiently. The concrete must set for 24 hours before any pipe inside the manhole is trimmed. Concrete shall be minimum 4200 psi.

The base concrete shall be 4200 psi, maximum slump 4 inches vibrated or tamped on undisturbed bearing. The base shall have a minimum diameter or width of at least 1'-0" greater than the outside diameter of the manhole, and a minimum thickness including the area under the pipe as follows:

0' to 12' manhole…….	12"
12’ to 20' manhole……..	15"
20' and above…….	18"

502.1.4.1.1.3. Invert

All invert channels shall be smooth and accurately shaped to a semi-circular bottom conforming to the inside of the adjacent sewer section. Inverts shall be formed directly in the concrete of the manhole base or may be constructed by laying full section sewer pipe through the manhole and breaking out the top half after the base is constructed. Inverts shall extend up at least half of the diameter of the pipe. Changes in the direction of the sewer and entering branches shall have a true curve of as large a radius as the size of the manhole will permit. Where the pipe is laid through the manhole, the invert shall be finished to 1/4-inch below the center of the pipe. The pipe shall be trimmed down to 1/4-inch below the surface of the invert, and the edges of the pipe along the invert and at the walls of the manhole shall be plastered and brush-finished. Plaster shall be 2-parts of masonry sand to 1-part of Portland cement, or an approved non-shrink grout.

502.1.4.1.1.4. Manhole Barrel Section

The vertical forms, wall spaces, and placing cone must be carefully positioned and firmly clamped in place before any placement is made. The wall spacers must be located 90 degrees from each other. The manhole shall be cast of 4200 psi concrete with a maximum slump of 4 inches. The first placement shall consist of approximately 1/2 yard of concrete evenly around the walls and vibrated until there is a minimum slump of 60 degrees from the bottom of the forms to the bearing surface both inside and outside of the manhole. When this is complete and before additional concrete is added, the concrete must be carefully vibrated on each side of each pipe. Additional concrete must be deposited in evenly distributed layers of

about 18 inches with each layer vibrated to bond it to the preceding layer. The wall spacers must be raised as the placements are made with the area from which the spacer is withdrawn being carefully vibrated. Excessive vibration is to be avoided. A maximum of 2% calcium chloride may be added to the concrete, at the Contractor's option, to speed the set. The forms may be removed as soon as the concrete has sufficiently set (approximately 2 hours after placement depending on field conditions).

Form marks and offsets up to 1-inch will be permitted on the outside surface of the manhole. Form marks and offsets up to 1/2-inch will be permitted inside the manhole. All offsets on the inside surface of the manhole will be smoothed and plastered so there is no projection or irregularity capable of scratching a worker or catching and holding water or solid materials. Honeycomb will be plastered with a mortar consisting of 3 parts of masonry sand and 1-part Portland cement upon removal of the forms. Manholes deemed to be structurally unsound shall be replaced.

502.1.4.1.1.5. Backfilling

Will be performed evenly and carefully around the manhole 24 hours or more after the placement of concrete is completed and shall conform to these specifications.

502.1.4.1.1.6. Cold Joints:

Should circumstances make a cold joint necessary, a formed groove or reinforcing dowels will be required in the top of the first placement for shear protection. Immediately before the second placement is made, the surface of the cold joint shall be thoroughly cleaned and wetted with a 1-1/2 inch layer of mortar (2 parts sand and 1-part cement) being deposited on the surface. Cold joints below the natural water table or in the bottom 4 feet of the manhole shall include an approved waterstop material. Waterstops shall be heavy duty polyvinyl conforming to Corps of Engineers Specification CRD-572, latest edition, as manufactured by Servicised Products Division of W.R. Grace and Co.; B.F. Goodrich Company; Electrovert, Inc.; W.R. Meadows, Inc.; or approved equal.

502.3 Fire Hydrants

302.3.1. Materials

Delete all parts of Item 502.3.1 in its entirety except sub items 502.3.1.3, 502.3.1.4., 502.3.1.10, and 502.3.1.14.

Add the following:

All fire hydrants furnished shall conform strictly with the latest specification C-502 of the American Water Works Association Standards for dry barrel fire hydrants and must comply with the following supplementary details and changes or addition.

a) Inlet Connection:

Unless otherwise specified the inlet connection shall be a six (6) inch standard mechanical joint complete with all joint accessories. The inlet shoe shall be cast of the same or stronger metal than the lower barrel to prevent impact damage of the shoe. The interior of the shoe, including the lower valve plate and/or cap nut shall have a protective epoxy coating of at least 4 mils applied in the shop. If a cap nut is utilized it must be locked in place with a stainless steel lock washer or similar non-corrosive device and all machined surfaces must be protected from water intrusion to prevent corrosion and assure ease of field teardown or maintenance.

b) Main Valve:

The main valve shall be reversible compression type, closing with the pressure and shall be not less than 5-1/4" in diameter. Composition of the main valve shall be molded rubber or neoprene having a durometer hardness of 90 ± 5 and shall be not less than 1" thick to protect against hydrant chatter and give long term durability.

c) Outlet Nozzles:

All hydrants shall be "three way", equipped with two hose nozzles and one pumper nozzle.

d) Diameter Outlet Nozzles:

The hydrant shall have two hose nozzles, two and one-half (2-1/2") inches nominal I.D., and one pumper nozzle four and one-half (4-1/2") inches nominal I.D. with Natural Standard Hose Threads.

e) Nozzle Attachment:

All nozzles shall be mechanically connected into the barrel and have "O" Ring pressure seals to provide a positive seal between nozzles and hydrant barrel. A suitable nozzle lock shall be provided and shall be stainless steel or bronze. Nozzles shall not be caulked in.

Nozzle caps shall be furnished with pentagon nut the same size as the operating nut. They shall be furnished with interior rubber gaskets that will seat against bronze nozzles. All caps shall be secured to hydrant barrel by heavy duty non-kinking chains with a chain loop on each cap that permits free turning of the cap, for speed and ease of removal by fire fighters.

f) Operating Nut:

The operating nut shall be non-rising, pentagonal shape, measuring 1-1/4" at the top and 1-1/2" at the base from point to flat. Pentagon shall have a depth of at least one and one-quarter inch (1-1/4"). The hydrant shall be constructed in such a manner that the operating nut, "O" Rings and washers can be removed and replaced

without removing the bonnet. All bearing surfaces of the operating nut shall be bronze.

g) Holddown Nut:

Holddown nut must have integral weather seal. Resilient seal between holddown nut and operating nut shall prevent debris entry to protect operating nut from damage.

h) Lubrication Reservoir:

The hydrant shall have a completely "O" Ring sealed oil reservoir with a minimum of two (2) "O" Ring pressure seals to prevent contamination of the oil around the operating parts of the hydrant. The oil reservoir shall be cast in such a manner that all operating parts shall be repairable without removal of the bonnet to facilitate repairs and shall be of a design that all bearing surfaces and threaded parts will be automatically lubricated upon each operation of the hydrant. If bearing surfaces are not lubricated, the design shall keep operating friction to a minimum. A high wear resistant thermoset plastic anti-friction washer shall be in place above the thrust collar to minimize operation torque and facilitate long term ease of operation. The operating threads must be sealed against contact with water to all times regardless of open or closed position of main valve. The hydrant shall have the capability of field personnel to visually check oil level and add additional oil if needed. Filler and inspection plug shall be recessed or flush type.

i) Traffic Feature:

Hydrants shall be "traffic model" having upper and lower barrel joined approximately two inches (2") above the ground line by a breakable "swivel" flange providing 360 degree rotation of the upper barrel for nozzle positioning and must be capable of rotating barrel with line pressure on. The ground line shall not be less than eighteen inches (18") below the centerline of the lowest nozzle and shall be clearly marked in a permanent manner on the lower barrel. A breakable stainless steel stem coupling shall join the two-piece stem adjacent to the ground line flange. Screws, clevis pins, fasteners or bolts used in the coupling shall be Series 300 stainless steel. The weakened portion of the stem coupling shall be located to divert pressure from the stem coupling directly to the upper and lower stems when torque is applied in seat ring removal.

Design of the coupling shall be such that when the coupling is broken, no part of the coupling will shatter or come loose and fall into hydrant and the break will not occur through the pins or bolts holding the coupling to the stem.

j) Drain Valve Assembly:

Hydrants shall be equipped with two drain valves which drain the barrel when the hydrant is closed and seal shut when the hydrant is in the open position. The upper valve plate, seat ring and drain ring (shoe bushing) must be bronze and work in conjunction to form an all bronze drainway. Upper valve plate if not bronze, must be epoxy coated.

The bronze seat ring shall be a minimum 5-1/4" inside diameter and shall thread into a bronze drain ring forming an all bronze drainway with two (2) drain outlets for double protection against drain clogging and corrosive damage. All bronze components shall have less than 16% zinc alloy, Grade A to give high corrosion resistance as recommended in Section 2.1, Table I of American Water Works Association Standard C-502. Seat ring seals shall be "O" Rings. Hydrant shall be designed so that during opening and closing operation(s), water pressure force flushes the drain valve and drain openings to prevent clogging, thus allowing barrel drainage.

k) Repair:

All internal operating parts shall be removable from above ground level with a lightweight stem wrench.

l) Provisions for Extension:

All hydrants shall be capable of being extended to accommodate future grade changes without excavation. Extension of the hydrant shall be made by adding at the groundline flange a new coupling and stem section equal to the length of the extension. This must facilitate easy field grade adjustment.

Stem extensions made by adding new section of stem to the threaded section of the stem at the top of the hydrant will not be accepted.

Extension kits must be available from manufacturer in six-inch (6") increments.

m) Pressure Loss and Working Pressure

Pressure loss through one (1) four and one-half inch (4-1/2") nozzle at 1000 GPM shall not be more than 5.0 psi.

n) Nuts and Bolts

Body Bolts, studs and nuts shall be 316 stainless steel.

Add the following:

502.3.4. Paint and Protective Coatings

All fire hydrants furnished under these specifications shall have paint and protective coatings applied at the factory or in the field as specified herein.

a) Factory Coating:

All hydrants shall be cleaned at the factory by shot blasting and shall be painted above the groundline (at the factory) with two (2) coats of neutral orange rust-prohibitive primer which shall be compatible with the finished coating.

All continuously wetted ferrous metal surfaces in the hydrant shoe shall be protected with a two-part thermoset epoxy coating to a nominal thickness of 4 mils of corrosion protection and shall be of a color that is easily identified as an epoxy coating. All other exposed exterior surfaces below ground level shall be coated with asphalt varnish as specified in American Water Works Association Standard C-502, Section 4.2 or as otherwise outlined in these specifications. All

remaining interior surfaces above the main valve, except machined surfaces such as the threaded portion of the operating stem or nut, shall be coated with asphalt varnish.

The thermoset epoxy coating shall be a two-part epoxy and shall function as a physical, chemical and electrical barrier between the base metal to which it is applied and the surroundings. The coating shall be non-toxic and shall not impart taste to water. The coating must be formulated from materials deemed acceptable per the Food & Drug Administration Document Title 21 of the Federal Regulations of Food Additives, Section 121.2514 entitled Resins & Polymeric Coatings. The coating shall have a satin finish and shall be suitable for field overcoating and touch-up with the same coating material without sanding or special surface preparation, or application of heat in excess of room temperatures.

b) Field Coatings:

All hydrants shall be field painted at the time the Contractor is instructed by the Public Works Inspector and shall be painted above ground with two (2) coats of aluminum paint, Mobil 11-A-19 or Tnemec 2-color, Tnemec-Gloss or approved equal according to the following color schedule:

Water Main Size	Bonnet and Caps Color
6”	Silver
8”	Blue
10” & Larger	Yellow

Add the following:

502.3.5. Experience and Certification

Fire hydrants, furnished under these specifications, shall be manufactured by a firm that has been producing hydrants of this general type continuously for the past five (5) years. Each company or manufacturer supplying hydrants under these specifications shall have on file, at the City of Rockwall, approved records of experience and detailed drawings of the proposed hydrants. Drawings shall cover the specific hydrant to be furnished for installation in the City and shall show all dimensions including metal thickness, construction details and materials used in all parts of the hydrant together with ASTM Designation and structural properties of these materials.

For ease of identification, all hydrants shall have "City of Rockwall, Texas" stenciled on the lower barrel. This stencil shall be applied at the factory. The manufacturer shall furnish to the City of Rockwall, a Certification that the fire hydrant complies with the specifications without any exceptions. This certification shall apply to specific hydrants being installed within the City water distribution system. The certification shall state (1) the number of hydrants covered by the certification, (2) the Addition where hydrants are being installed or the Project Name and (3) name of Contractor installing hydrants.

The City may require the Manufacturer, Supplier or Contractor to dismantle hydrants at any time to determine compliance with these specifications. Location of any hydrant within the City system, installed after adoption of these specifications, that does not meet the specifications completely shall be cause for prohibiting the future use of any hydrants from the same manufacturer.

502.5 Fittings

502.5.1. Brass Stops, Cocks and Fittings for Water Works Service

Add the following:

502.5.1.2. Physicals

All pressure holding components of brass stops or fittings shall be certifiably pressure tested before assembly as specified herein, including meter coupling tailpieces, flared nuts, compression nuts, etc.

502.5.1.3. Design Features of Stop and Cocks

The stem end of the key, prestaked key nut and the "D" washer shall be so designed that they turn in unison and if tightened to the failure point, the stem will not break causing the key to blow out.

Corporation, curb and angle stop bodies shall be of one-piece construction to provide optimum resistance to installation, operating and earth-load stresses. The operating head and checks of these stops shall be integrally cast with the plug or cap of the stop for maximum resistance to torque feature.

Angle valves shall have a lockwing and shall be "O" ring sealed at the top of the key to prevent leakage during operation and to act as a secondary protection against external top leakage. Meter swivel nuts shall be of the saddle nut construction to support the meter during installation. Inlet flare and compression parts for angle valves shall be field interchangeable on 3/4-inch and 1-inch sizes to make repairs easier and more economical.

502.5.1.4. Design Features of Fittings

Add the following to the third paragraph of this item:

Flare joints shall have curved metal to metal seating surfaces and flare nuts shall meet the following overall minimum length to insure that the flare nut will give adequate pipe support to this type of joint.

Flare Nut - Minimum	Overall Length
¾”……	1-1/2"
1"……..	2"
1-1/2"……..	3"
2"……..	3-1/2"

Add the following to the sixth paragraph of this item:

All stops and fitting joints shall be of the compression type for copper pipe unless otherwise noted. Compression coupling nuts shall be designed to "bottom out" on a machined shoulder on the fitting to

provide a visual check for proper assembly and eliminate field judgment errors of the installation. The coupling nut shall house the compression gasket in a smooth machined area and shall be internally coated with a fluorocarbon (Teflon) lubricant to prevent gasket damage and reduce installation torques. The compression gasket shall be a heavy armored gasket to provide electrical continuity through the fitting and prevent gasket cold flow and shall house a concave hardened stainless steel overlapping gripper band that is automatically activated and set by shouldering out the fitting properly.

Minimum pullout (or tensile strength) required of these fittings after installation to protect against earthloads are as follows:

3/4 "	2,000 lbs.
1"	3,000 lbs.
1-1/2"	3,500 lbs.
2"	4,000 lbs.

All outlet threads on compression connections shall be compatible with the City's present drilling and tapping machine equipment.

502.6 Valves

502.6.1. Metal-Seated Gate Valves for Ordinary Water Works Service

502.6.1.2. Bonnet Bolting

Delete in its entirety and replace with the following:

Body Bolts, studs and nuts shall be 316 stainless steel.

502.6.2. Resilient-Seated Gate Valves for Ordinary Water Works Service

502.6.2.1. General Description

Add the following:

Unless otherwise approved in writing, all Gate Valves for direct buried service in the City's distribution system, 6 inches through 12 inches in diameter, shall be Resilient Seated Gate Valves that conform strictly with the latest specification C-509 of the American Water Works Association Standards and must comply with the following supplementary details, changes or additions. Gate valves shall be iron body designed for a working pressure of 250 psi. All valves shall be hydrostatically tested at 200 psi and shell tested at 500 psi. Any leakage during testing shall be cause for rejection. For ease of repair the body, bonnet and stuffing box shall be flanged together with ASTM Grade B bolts and nuts. Each valve shall have the maker's initials, pressure rating, and year in which manufactured cast in the body.

502.6.2.2. Bonnet Bolting

Delete in its entirety and replace with the following:

Body Bolts, studs and nuts shall be 316 stainless steel.

502.6.2.5. Valve Stem and Nuts

Add the following:

Stems shall be machined from manganese bronze rod with an integral forged thrust collar machined to size. The stems shall be non-rising and equipped for nut operation, which shall be opened by turning to the left. The seals shall consist of two "O" rings above and one "O" ring below the thrust collar. An anti-friction washer shall be located above and below the thrust collar for operating torque. The stem nut shall be ASTM B-62 bronze.

502.6.2.17. Resilient Wedge

Add the following:

The wedge shall be cast iron, fully encapsulated in molded rubber complying with ASTM D2000. Wedge must have molded wedge guides preventing the disc from tilting downstream during operation. Protective guide cap bearings made of polymer bearing material to provide a bearing interface between the wedge guide and valve interior.

502.6.2.18. Paint and Protective Coatings:

Add the following:

All valves furnished under these specifications shall be painted on the exterior as specified in AWWA C-509 with asphalt varnish.

All ferrous metal surfaces in the internal part of the valve shall be protected with a fusion epoxy coating to a nominal thickness of 10 mils for corrosion protection and shall be of a color that is easily identified as an epoxy coating.

The proguard fusion epoxy coating shall fully comply with AWWA C550 and certified NSF 61. The coating shall be non-toxic and shall not impart taste to water. The coating must be formulated from materials deemed acceptable per the Food & Drug Administration Document Title 21 of the Federal Regulations of Food Additives, Section 121.2514 entitled Resins and Polymeric Coatings. The coating shall have a satin finish and shall be suitable for field overcoating and touchup with the same coating material without sanding or special surface preparation, or application of heat in excess of room temperature.

502.6.2.19. Experience and Certification

Add the following:

Valves, furnished under these specifications, shall be manufactured by a firm that has been producing valves of this general type continuously for the past five (5) years. Each company or manufacturer supplying valves under these specifications shall have on file, with the City of Rockwall, approved records of experience and detailed drawings of the proposed valves. Drawings shall cover the specific valve to be furnished for installation and shall show all dimensions including metal thickness, construction details and materials used in all parts of the valve together with ASTM Designation and Structural properties of these materials.

The manufacturer shall furnish to the City of Rockwall, a Certification that the valve complies with the specifications without any

exceptions. This certification shall apply to specific valves being installed within the City water distribution system. The certification shall state (1) the number of valves covered by the certifications, (2) the Addition where valves are being installed or the Project Name, and (3) name of Contractor installing valves.

The City may require the Manufacturer, Supplier or Contractor to dismantle valves at any time to determine compliance with these specifications. Location of any valve within the City system, installed after adoption of these specifications, that does not meet the specifications completely shall be cause for prohibiting the future use of any valves from the same manufacturer.

502.6.2.20. Tapping Sleeves:

Add the following:

The materials for tapping sleeve bodies shall be cast-iron or ductile-iron in accordance with AWWA Standard C110 (ANSI 21.10), in two sections, or halves to be bolted together with high-strength, corrosion resistant, low alloy steel bolts conforming to AWWA Standard C111 (ANSI 21.11).

Cast iron and ductile-iron sleeve shall be mechanical joint, or as specified, or dimensions to secure proper fit on the type and class of pipe on which they are to be used. Each sleeve shall be furnished with a 3/8-inch test opening so that tests can be made prior to tapping. Opening shall be provided with a 3/8-inch bronze plug.

502.6.5. Butterfly Valves

Add the following:

All Butterfly Valves for installation underground in the City's distribution system 16 inches through 48 inches shall be in accordance with this specification.

All butterfly valves furnished shall conform strictly with the latest specification C-504 of the American Water Works Association Standard for rubber-seated butterfly valves and must comply with the following supplementary details and changes or addition.

a) Body:

The body shall be cast-iron ASTM A126, Class B and shall have face to face dimensions in accordance with AWWA Standards for short body, Class 150-B. All butterfly valves shall have a floating body seat ring to compensate for change in direction of flow to assure bottle-tight seal in either direction.

b) Shaft:

Valve shafts shall be an 18-8, Type 316 stainless steel. Valve disc and shaft shall be standard self adjusting Chevron “V” type packing. Shaft seals shall be of a design allowing replacement without removing the valve shaft.

c) Disc and Seat:

The valve disc shall be cast iron ASTM A126, Class B. The valve seat shall be Buna-N located on the valve body. Valves 20” and smaller

shall have a bonded seat that meets test procedures in ASTM D429, Method B. Valves 24" and larger shall be retained in the valve body by mechanical means without the use of metal retainers or other devices located in the flow stream.

d) Operator:

Butterfly valve operators shall be of the traveling nut design. All operators shall have adjustable mechanical stop limiting devices to prevent over travel of the disc. The operator shall have a mechanical stop which will withstand an input torque of 450 Ft. lbs. against the stop. The traveling nut shall engage alignment grooves in the housing.

e) Operation:

Unless otherwise shown in the plans, all valves shall open counter clockwise.

f) Valve Ends:

Valve ends shall be Mechanical Joint End, or Flanged Ends. Mechanical joint valves shall come complete with bolts, nuts, gaskets and glands. It shall be the responsibility of the Contractor to coordinate the ends of the adjoining pipe with the type valve end he/she proposes to use.

g) Testing:

All valves seats shall be tested at 150 psi as described in AWWA C-504 and in addition shall have a shell test of 300 psi. Any leakage shall be cause for rejection.

h) Paint and Protective Coatings:

All butterfly valves furnished under these specifications shall be painted on exterior as specified in AWWA C-504, with asphalt varnish.

All ferrous metal surfaces in the internal part of the valve shall be protected with a two-part thermoset epoxy coating to a nominal thickness of 4 mils for corrosion protection and shall be of a color that is easily identified as an epoxy coating. This shall be applied in shop.

The thermoset epoxy coating shall be a two-part epoxy and shall function as a physical, chemical and electrical barrier between the base metal to which it is applied and the surroundings. The coating shall be non-toxic and shall not impart taste to water. The coating must be formulated from materials deemed acceptable per the Food & Drug Administration Document Title 21 of the Federal Regulations of Food Additives, Section 121.2514 entitled Resins & Polymeric Coatings. The coating shall have a satin finish and shall be suitable for field overcoating and touchup with the same coating material without sanding or special surface preparation, or application of heat in excess of room temperatures.

i) Experience and Certification:

Butterfly valves, furnished under these specifications, shall be manufactured by a firm that has been producing valves of this general type continuously for the past five (5) years. Each company or manufacturer supplying valves under these specifications shall have on

file, at the City of Rockwall, approved records of experience and detailed drawings of the proposed valves. Drawings shall cover the specific valve to be furnished for installation in the City of Rockwall and shall show all dimensions including metal thickness, construction details and materials used in all parts of the valve together with ASTM Designation and structural properties of these materials.

The manufacturer shall furnish to the City, a Certification that the valve complies with the specifications without any exceptions. This certification shall apply to specific valve being installed with the City water distribution system. The certification shall state (1) the number of valves covered by the certification, (2) the Addition where valves are being installed or the Project Name and (3) name of Contractor installing valves.

The City may require the Manufacturer, Supplier or Contractor to dismantle valves at any time to determine compliance with these specifications. Location of any valve with the City system, installed after adoption of these specifications, that does not meet the specifications completely shall be cause for prohibiting the future use of any valves from the same manufacturer.

ITEM 504. OPEN CUT – BACKFILL

504.2 Materials

504.2.2. Pipe Bedding Material for Storm, Water and Sanitary Sewer Mains

Add the following:

Unless otherwise indicated, storm sewer pipe shall be bedded with Class "C" bedding in accordance with the details shown on the plans.

504.2.2.1. Crushed Stone Embedment

Add the following:

Where stone is called out for pipe embedment, Standard Crushed Rock-Aggregate, Grade 4, shall be used unless otherwise approved in writing.

504.3. Excavation and Foundation

Add the Following:

504.3.1 Excavation

Add the following:

Prior to start of excavation the Contractor shall remove and stockpile the Topsoil and protect the Topsoil from contamination during construction.

504.5 Embedment

Add the following:

Rock Cuttings or Sand will not be permitted in the pipe bedding for sanitary sewer or water lines in the City of Rockwall.

504.5.2. Embedment Classes

504.5.2.9. Class "C" Embedment

Replace the last sentence in its entirety with the following sentence:

Density shall be at least 95% of maximum density under paving, 90% of maximum density elsewhere, as determined by ASTM D698.

504.5.2.15. Class "H" Embedment

Class "H" Embedment shall be used on the P.V.C. Sanitary Sewer Pipe installed within the City of Rockwall.

On PVC Pipe 18 inches through 27 inches in diameter the crushed stone shall be brought up in uniform layers to a point nine inches over the top of the pipe when compacted.

504.6. Final Backfill

Add the following:

After the trench has been refilled, topsoil shall be replaced to the extent that rock, excavated from the trench, will be completely covered and the area is returned to its original condition, except that in cultivated areas a minimum of 12 inches of top soil shall be replaced.

504.6.1. Excavated Material

Add the following:

The material used in the backfill shall be pulverized to the extent necessary to produce a free flowing material free of clay balls larger than 6-inch diameter.

506. OPEN CUT - WATER CONDUIT INSTALLATION

506.3. Laying Water Conduit

Add the following:

Valves for installation in the City's distribution system shall be installed by direct burial as shown on the standard detail sheets and shall be provided with valve boxes for operation of the valve.

506.5 Hydrostatic Test

Delete first paragraph and table and replace with:

All hydrostatic tests shall be maintained over a period of not less than four hours.

"Before being accepted, all ductile iron, C-900 PVC or concrete cylinder water mains shall be tested with a hydraulic test pressure of not less than four hours. Concrete pressure pipe shall be tested with a hydraulic test pressure of 120 percent of the design pressure. Steel pressure pipe shall be tested with a hydraulic test pressure not to exceed 150 percent and not less than 120 percent of the designed working pressure. The rate of leakage of all pipe tested shall not exceed the amounts shown in the tables titled "Hydrostatic Test-C-900 PVC, Steel or Ductile Iron Water Mains" or "Hydrostatic Test-Concrete Cylinder Water Mains". Water lines of material in combination shall be tested for the type of pipe (material) with the least stringent hydraulic test pressure and maintained over a period of not less than four hours."

City of Rockwall
The New Horizon

HYDROSTATIC TEST
C900-16 PVC, STEEL OR DUCTILE-IRON WATER MAINS

GALLONS ALLOWED									
L.F. PIPE	Pipe Diameter								
	4"	6"	8"	10"	12"	14"	16"	18"	20"
5	0.016	0.024	0.032	0.039	0.047	0.055	0.063	0.071	0.079
10	0.032	0.047	0.063	0.079	0.095	0.110	0.126	0.142	0.158
20	0.063	0.095	0.126	0.158	0.189	0.221	0.253	0.284	0.316
30	0.095	0.142	0.189	0.237	0.284	0.331	0.379	0.426	0.473
40	0.126	0.189	0.253	0.316	0.379	0.442	0.505	0.568	0.631
50	0.158	0.239	0.316	0.395	0.473	0.552	0.631	0.710	0.789
60	0.189	0.284	0.379	0.473	0.568	0.663	0.758	0.852	0.947
70	0.221	0.331	0.442	0.552	0.663	0.773	0.884	0.994	1.105
80	0.253	0.379	0.505	0.631	0.756	0.884	1.010	1.136	1.263
90	0.284	0.426	0.568	0.710	0.852	0.994	1.136	1.278	1.420
100	0.316	0.473	0.631	0.789	0.947	1.105	1.263	1.420	1.578
200	0.631	0.947	1.263	1.578	1.894	2.210	2.525	2.841	3.157
300	0.947	1.420	1.894	2.367	2.841	3.314	3.788	4.261	4.735
400	1.263	1.894	2.525	3.157	3.788	4.419	5.051	5.682	6.313
500	1.578	2.367	3.157	3.946	4.735	5.524	6.313	7.102	7.891
600	1.894	2.841	3.788	4.735	5.682	6.629	7.576	8.523	9.470
700	2.210	3.314	4.419	5.524	6.629	7.734	8.838	9.943	11.048
800	2.525	3.788	5.051	6.313	7.576	8.838	10.101	11.364	12.626
900	2.841	4.261	5.682	7.102	8.523	9.943	11.364	12.784	14.205
1000	3.157	4.735	6.313	7.891	9.470	11.048	12.626	14.205	15.783

Maximum allowable water loss in 4 hours at 180 pounds per square inch of pressure for a rate of 25 gallons per inch diameter of pipe per mile over a 24-hour period

EQUATION THE ABOVE CHART IS BASED ON:

$$Maximum\ Loss\ (Gal.) = 25\ \times Diameter\ of\ Pipe\ (inches) \times \frac{L.F.\ of\ Pipe}{5280\ Pipe} \times \frac{4}{24}$$

City of Rockwall
The New Horizon

HYDROSTATIC TEST
CONCRETE CYLINDER WATER MAINS

GALLONS ALLOWED									
L.F. PIPE	Pipe Diameter								
	4"	6"	8"	10"	12"	14"	16"	18"	20"
5	0.031	0.047	0.063	0.078	0.095	0.110	0.126	0.142	0.158
10	0.063	0.095	0.126	0.158	0.189	0.221	0.253	0.284	0.315
20	0.126	0.189	0.253	0.316	0.379	0.442	0.505	0.568	0.631
30	0.188	0.284	0.379	0.473	0.568	0.663	0.758	0.852	0.947
40	0.253	0.379	0.505	0.631	0.758	0.884	1.010	1.136	1.263
50	0.316	0.473	0.631	0.789	0.947	1.105	1.263	1.420	1.578
60	0.379	0.568	0.758	0.947	1.136	1.326	1.515	1.704	1.894
70	0.442	0.663	0.884	1.105	1.326	1.547	1.768	1.989	2.210
80	0.505	0.758	1.010	1.263	1.515	1.768	2.020	2.273	2.525
90	0.568	0.852	1.136	1.420	1.704	1.989	2.273	2.557	2.841
100	0.631	0.947	1.263	1.578	1.894	2.209	2.525	2.841	3.156
200	1.263	1.894	2.525	3.156	3.788	4.419	5.050	5.682	6.313
300	1.894	2.841	3.788	4.735	5.682	6.628	7.575	8.522	9.470
400	2.525	3.788	5.050	6.313	7.575	8.838	10.100	11.363	12.626
500	3.158	4.735	6.313	7.891	9.470	11.047	12.626	14.204	15.782
600	3.788	5.682	7.575	9.469	11.363	13.257	15.151	17.045	18.938
700	4.419	6.628	8.838	11.047	13.257	15.468	17.676	19.885	22.095
800	5.050	7.575	10.100	12.626	15.152	17.676	20.201	22.726	25.251
900	5.682	8.522	11.363	14.204	17.044	19.886	22.726	25.567	28.405
1000	6.313	9.469	12.626	15.782	18.939	22.096	25.253	28.408	31.564

Maximum allowable water loss in 4 hours at 180 pounds per square inch of pressure for a rate of 50 gallons per inch diameter of pipe per mile over a 24-hour period

EQUATION THE ABOVE CHART IS BASED ON:

$$Maximum\ Loss\ (Gal.) = 50\ \times Diameter\ of\ Pipe\ (inches) \times \frac{L.F.\ of\ Pipe}{5280\ Pipe} \times \frac{4}{24}$$

507 OPEN CUT – WASTEWATER CONDUIT INSTALLATION

507.5. Tests and Inspections

507.5.2. Television Inspection

Add the following to this section:

All sanitary sewer pipe construction in this contract shall be visually inspected by photographic means (television and video taped) prior to final acceptance by the Owner. No separate measurement or payment shall be provided for the video inspection. All labor, materials and equipment required are subsidiary to the appropriate bid items as established in the Proposal and Bid Schedule.

ITEM 508 OPEN CUT – STORM WATER CONDUIT INSTALLATION

Add the following:

508.8 Inspection

All storm sewers shall be visually inspected by photographic means (television and video taped) , at Contractor's expense, prior to final acceptance by the City. Any sags, open joints, cracked pipes, etc. shall be repaired or removed by the Contractor at Contractor's expense. Pipes will be cleaned prior to televising the pipe. The contractor shall furnish a DVD formatted video to the City.

ITEM 509 CROSSINGS

509.5. Creek and River Crossings

Add the following:

509.5.1. Aerial Crossings

509.5.1.1. General

Piers for aerial crossings will be drilled piers and columns of the diameter shown on the plans. Piers shall be founded at least 6'-0" into firm gray limestone and 8'-0" into undisturbed material, unless otherwise directed by the Owner.

Materials and workmanship required to construct piers and cap shall conform to Reinforced Concrete Structures, of the specifications. Concrete of piers shall be Class A, 3000 psi.

Anchor straps and bolts shall be installed as shown on the plans, and shall be hot dipped galvanized after fabrication.

After installing the aerial crossing, including the junction collars with the main sewer pipe, an approved coal tar mastic jointing compound shall be installed the full inside circumference of the pipe at each joint to produce a smooth surface with no sharp flow transitions.

509.5.1.2. Steel Pipe

Steel pipe used of Aerial Crossings shall be of the diameter and wall thickness shown on the plans and shall be line pipe manufactured in accordance with the following specifications:

1) AWWA C200-75 Mill Type Steel Water Pipe, Grade B
2) ASTM A139, Grade B

Pipe shall be designed for a clear span as shown on the plans. Couplings shall be Dresser Type 38, or approved equal and shall be located as shown on the plans. Bolts shall be stainless steel or galvanized.

The steel pipe sizes shown on the plans are the nominal diameters of the minimum size steel pipe which may be furnished and installed. Pipe of a larger size may be furnished at the Contractor's option, but no extra payment will be allowed. If larger pipe is utilized, it shall be set so as to retain the flow lines designated on the plans.

All steel pipe shall receive an interior shop-applied Liquid Epoxy Coating System in conformance with AWWA C-210, latest revision.

509.5.1.3. Exterior Painting

Exterior painting for aerial crossings shall conform to Item 804.2.

All surface prepared in the field shall be inspected by the City of Rockwall for adequate surface preparation as defined above prior to application of paint coating. All surfaces to be painted in the field shall have their readiness for painting approved by the City of Rockwall before work is started.

Paint shall be applied to all ferrous material part of the aerial crossing including but not limited to pipe, couplings, straps, nuts, bolts, etc.

509.5.1.3.1. Paints

Paints for aerial crossings shall be:

1) TNEMEC Series 66, or Mobile 78 Series, or Koppers 200 HB, 5.0 mil dry film thickness each coat.
2) TNEMEC Series 66, or Mobile 78 Series, or Koppers 200 HB, 6.0 mil dry film thickness each coat.

Approved material of other manufacturers which are equivalent in all respects to the brands named above, may be substituted upon approval. All paint applied must be by the same manufacturer. The color on the final coat shall be selected by the City of Rockwall.

509.5.1.4. Measurement of Payment

Aerial crossings will be measured for payment per each between the limits shown on the plans and will be paid for at the lump sum bid price for each crossing in the Bid Schedule.

Concrete piers and collars to the elevations shown in the plans will be measured and paid for in the lump sum price for aerial crossings. Payment in vertical feet for additional depth of reinforced concrete piers as approved by the City of Rockwall, shall be as provided in the Proposal and Bid Schedule.

Payment of the unit or lump sum prices shall be full compensation for furnishing all labor, supervisions, materials, tools, equipment, and incidentals, and for performing all work necessary in construction the aerial crossings and piers, including excavation, dewatering, backfilling, disposal of surplus material, painting, testing,

concrete encasement, hauling, transportation costs, disposal costs, salvaging, and any other work required in accordance with the Plans and Specifications.

7.6 Division 600 Conduit & Appurtenance Rehabilitation

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.6: Revisions to NCTCOG's Division 600 Conduit & Appurtenance Rehabilitation

Revised	Standard Specification Item No.	Description
	601.	**PIPELINE REHABILITATION**
	601.1.	Description
	601.2.	General
	601.3.	General Materials
	601.4.	General Methods
	601.5.	Section Held for Future Use
	601.6.	Section Held for Future Use
	601.7.	Cured-In-Place Pipe Liner (CIPP Liner)
	601.8.	Pipe Bursting With Polyethylene
	601.9.	Pipe Bursting With Rigid Place
	601.10.	Polyvinyl Chloride (PVC) Profile Gravity Liner Pipe (Segmental Sliplining)
	601.11.	Measurement and Payment
	602.	**REHABILITATION OF MANHOLES OR UNDERGROUND VAULTS**
	602.1	General
	602.2.	Submittals
	602.3.	Quality Assurance
	602.4.	Delivery, Storage and Handling
	602.5.	Rehabilitation
	602.7.	Inspection and Testing
	602.8.	Measurement and Payment
	603.	**ABATEMENT OF COATINGS CONTAINING HEAVY METALS**
	603.1.	General
	603.2.	Job Plan
	603.3.	Testing
	603.4.	Monitoring
	603.5.	Protection

	603.6.	Lead-Based Coating Removal
	603.7.	Lead-Based Coating Encapsulation
	603.8.	Clean-Up and Disposal
	603.9.	Payment
	604.	**REMOVAL OF ASBESTOS-CEMENT PIPE (ACP)**
	604.1	General
	604.2	Job Plan
	604.3	Procedures
	604.4	Disposal
	604.5	Payment

7.7 Division 700 Structures

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.7: Revisions to NCTCOG's Division 700 Structures

Revised	Standard Specification Item No.	Description
	701.	**GENERAL STRUCTURES**
	701.1.	Structural Wood Products
	701.2.	Structural Excavation
	701.3.	Structural Bolting
	702.	**CONCRETE STRUCTURES**
	702.1.	Description
	702.2.	Concrete Structure Materials
(1)	702.3.	Mix Design and Mixing Concrete for Structures
	702.4.	Mix Design and Mixing Lightweight Concrete for Structures
	702.5.	Constructing Concrete Structures
	702.6.	Pre-stressed Concrete for Structures
	702.7.	Pneumatically Placed Concrete (Gunite)
	702.8.	Drilled Shaft Foundations
	702.9.	Pre-cast and Cast-In-Place Concrete Units
	703.	**STEEL STRUCTURES**
	703.1.	Description
	703.2.	Materials for Steal Structures
	703.3.	Steel Structure Construction
	703.4.	Painting Metal Structures
	703.5.	Measurement and Payment
	704.	**PILING**
	704.1.	Piling Materials
	704.2.	Driving Piling
	704.3.	Penetration
	704.4.	Bearing Resistance
	704.5.	Constructing Cast-In-Place, Pre-stressed Concrete Piling
	704.6.	Measurement and Payment

City of Rockwall
The New Horizon

ITEM 702 CONCRETE STRUCTURES

702.3. Mix Design and Mixing Concrete for Structures

702.3.4. Quality of Concrete

702.3.4.2. Standard Classes

Add the following:

Type "G" Concrete: Min.- Sacks Cement per C.Y. – 7.0; min. 28-day Comp. Strength - 5,000 psi; Min. 7-day Strength 3600 psi; Max. Water Cement Ratio - 5.0; Course Aggregate 1-1/2”.

7.8 Division 800 Miscellaneous Construction & Materials

NOTE: The ***(1)*** symbol specifies that this item is also covered in the City of Rockwall's "Special Provisions" to the "Standard Specifications for Public Works Construction, North Central Texas". These Special Provisions are additional and modify the "Standard Specification"

Table 8.8: Revisions to NCTCOG's Division 800 Miscellaneous Construction & Materials

Revised	Standard Specification Item No.	Description
	801.	**BARRIERS, WARNING & DEOUR SIGNS AND FENCES**
	801.1.	Barriers and Warning and Detour Signs
(1)	801.2.	Metal Beam Guard Fence
	801.3.	Railing
	801.4.	Chain Link Fence
(1)	801.5.	Wire Fence
	802.	**STEPS AND RETAINING WALLS**
	802.1.	Concrete Steps
	802.2.	Concrete Retaining Walls
	802.3.	Segmental Retaining Wall Systems
	802.4.	Cofferdams
	803.	**SLOPE AND CHANNEL PROTECTION**
	803.1.	Articulating Concrete Block
(1)	803.2.	Gabion Structures
(1)	803.3.	Riprap
	803.4.	Geotextiles Used in Drainage and Stabilization Applications
	804.	**PAINTING AND OTHER PROTECTIVE TREATMENTS; PAVEMENT MARKING**
	804.1.	Description
(2)	804.2.	Painting and Marking
	804.3.	Galvanizing
	804.4.	Measurement and Payment
	804.5.	Specialty Coatings
	805.	**ELECTRICAL COMPONENTS AND CONDUIT**
	805.1.	Description
	805.2.	General Requirements for Electrical Components

(1)	805.3.	Conduit Construction Methods
(1)	805.4.	Measurement and Payment
	806.	**METALS MATERIALS**
	806.1.	General
	806.2.	Structural Steel
	806.3.	Forgings
	806.4.	Castings
	806.5.	Copper
	806.6.	Bolts, Nuts and Washers
	806.7.	Measurement and Payment

801 BARRIERS, WARNING & DETOUR SIGNS, AND FENCES

801.1. Barriers and Warning And Detour Signs

Add the Following

Reflectorized marking for guard rail and other traffic control used shall meet the requirements of 3M Scotchlite Brand Reflective Sheeting Grade, Series 2800, 3800 or 5800, or equal. The marking shall conform to U.S. Department of Transportation, Federal Highway Administration, STANDARD SPECIFICATIONS FOR CONSTRUCTION OF ROADS AND BRIDGES ON FEDERAL HIGHWAY PROJECTS, 1979 FP-79, Type III A, Sections 633.36 and 718.01 and Federal Supply Service, General Services Administration, LS-300 C, SHEETING AND TAPE REFLECTIVE NON-EXPOSED LENS, Reflectivity 2, Class 4.

801.2. Metal Beam Guard Fence

Add the following:

Reflectorized Marking shall be applied to metal beam guardrail at locations shown on the plans. To apply properly, the following equipment and accessories are recommended:

a. Heat Activated Adhesive

(1) Heat lamp vacuum applicator with temperature control.

(2) Remove protective liner from adhesive and place glossy side of liner over the sign face. Sheeting and liner may require perforation to aid in air evaluation.

b. Pressure Sensitive Adhesive

(1) 48" Interstate Squeeze Roll Applicator.

(2) Hand application. To obtain maximum initial adhesion use firm pressure with 2" (5 cm) rubber roller or plastic squeeze. Multiple, heavy overlapping strokes should be used. Resqueeze all edges.

801.5. Wire Fencing

801.5.2. Material

Add the following:

801.5.2.1. Wire Fencing Fabric:

All chain link fencing shall be No. 9 gage copper bearing open-hearth steel wire.

801.5.2.2. Posts

801.5.2.2.1 Metal Posts

All posts shall be heavily galvanized by the hot-dip process after fabrication and shall be fitted with watertight malleable iron caps. All posts shall be of the following size and shape:

801.5.2.2.2. Line Posts

"H" Section hot rolled weighing not less than 4.10 pounds per linear foot or 3-1/2-inch O.D. pipe weighing not less than 3.65 pounds per linear foot.

801.5.2.2.3. Terminal Posts

Three inch (3") steel pipe weighing not less than 5.79 pounds per linear foot.

801.5.2.2.4. Gate Posts

Four inch (4") O.D. steel pipe weighing not less than 9.11 pounds per linear foot.

801.5.2.3. Rails, Gates, Braces and Fittings

Shall be 1-5/8 inch steel pipe weighing not less than 2.27 pounds per linear foot.

ITEM 803 SLOPE AND CHANNEL PROTECTION

803.2. Gabion Structures

803.2.2. Materials

803.2.2.1. Baskets

Add the sentence:

All wire used, including tie and connecting wire, shall be certified by Mill Test Reports showing compliance with specification requirements.

803.2.2.2. Stone

Add the following:

Facing stone shall be hand selected, large stone and shall be selected for best appearance. Facing stone shall be an off-white color and prior to laying the stone, samples shall be delivered to the site and shall be approved by the Engineer for gradation and appearance.

803.2.3. Gabion Construction

803.2.3.1. Geotextile Filter Layer

Add the following:

High strength permeable barrier fabric for use as a filter media, shall be placed along the earth side of the Gabion Structures. The permeable barrier fabric to be used shall be TREVIRA S1115 as manufactured by Hoechst Fibers Industries, Spartenburg, South Carolina; MIRAFI 140 Fabric, produced by Fiber Industries, Inc.; Bidim

U-14 as distributed by Quline Corporation, Houston, Texas, or approved equal.

803.3. Riprap

803.3.2. Riprap Materials

803.3.2.2. Stone

803.3.2.2.1. Types

Broken Concrete.

Delete this sub-section and replace with the following wording:

Broken concrete shall not be used for riprap.

ITEM 804 PAINTING AND OTHER PROTECTIVE TREATMENTS, PAVEMENT MARKINGS

804.2 Painting and Marking

804.2.3. Preparing Structures for Paint

804.2.3.1.Descaling, Cleaning and Preparation of Surfaces

Add the following:

Prior to painting concrete or masonry screening walls the concrete must be thoroughly cured and dry for proper adhesion of paint. Preparation of work shall include either of the following:

(1) The concert surface shall be thoroughly washed with a solution of one (1) gallon Muriatic Acid to ten (10) gallons H_2O (Caution: Always add acid to H_2O rather than H_2O to acid). Rinse thoroughly with clear water and paint while damp.

(2) Treatment of surface with masonry conditioner such as a clear alkali-resistant soya alkyd binder type sealer or as recommended by paint manufacturer.

804.2.5. Painting New Structures

804.2.5.5. Finish Coats

Add the following:

On masonry walls which are painted, the total dry film thickness shall be 6 mils (2 coats applied at 8 mils wet and spreading rate = 200 square feet per gallon based on 36% $\pm$ 2% Volume Solids). The thickness shall be tested using a Wet Film Thickness Gage.

804.2.6. Cleaning and Painting Existing Structures

Add the following:

Masonry walls which require repainting shall be sand blasted or cleaned with a power brush, removing all mastic, powdery, thick layered, peeling or heavily chalked old paint. Spot prime all bare areas with Masonry Conditioner. If old paint is a cement-based paint, apply Masonry Conditioner to entire surface and apply 2 coats of paint in accordance with 8.9.3 (k) above.

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ITEM 805 ELECTRICAL COMPONENTS AND CONDUIT

805.3. Material

Add the following:

In the City of Rockwall, conduit for street lighting shall be 2 inch PVC pipe and for traffic control shall be 3-inch PVC pipe, meeting the requirements of Item 2.10, Electrical Components.

Add the following:

805.3.7. Pull Box.

All pull boxes shall be #36 supplied by Traffic Signal Equipment Company, Fort Worth, Texas or approved equal. Boxes shall be approximately 10 1/2"x17"x12" and shall be furnished with a concrete cover.

805.4 Conduit Construction Methods

Revise first sentence, third paragraph to read as follows:

All conduit shall be placed a minimum of thirty-six (36) inches below finish grade. Conduit in median shall be placed a minimum of thirty-six (36) inches below inside of curb as shown on plans.

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8. Special Provisions to the NCTCOG's Standard Drawings for Public Works Construction Standards

All work within the City of Rockwall shall conform to the standard drawings called out within this section. The City of Rockwall's Standard Drawing for Construction shall conform to Section II – Standard Drawings for North Central Texas Council of Governments Standard Specifications and Standard Drawings, November 2004, Fifth Edition.

The North Central Texas Standard Drawings shall be modified and clarified by the deletion, revision, and/or addition of the following drawings. Except when specifically stated, none of the standard drawings of the North Central Texas Standard Specifications shall be deleted.

8.1 Division 1000 Erosion and Sediment Control

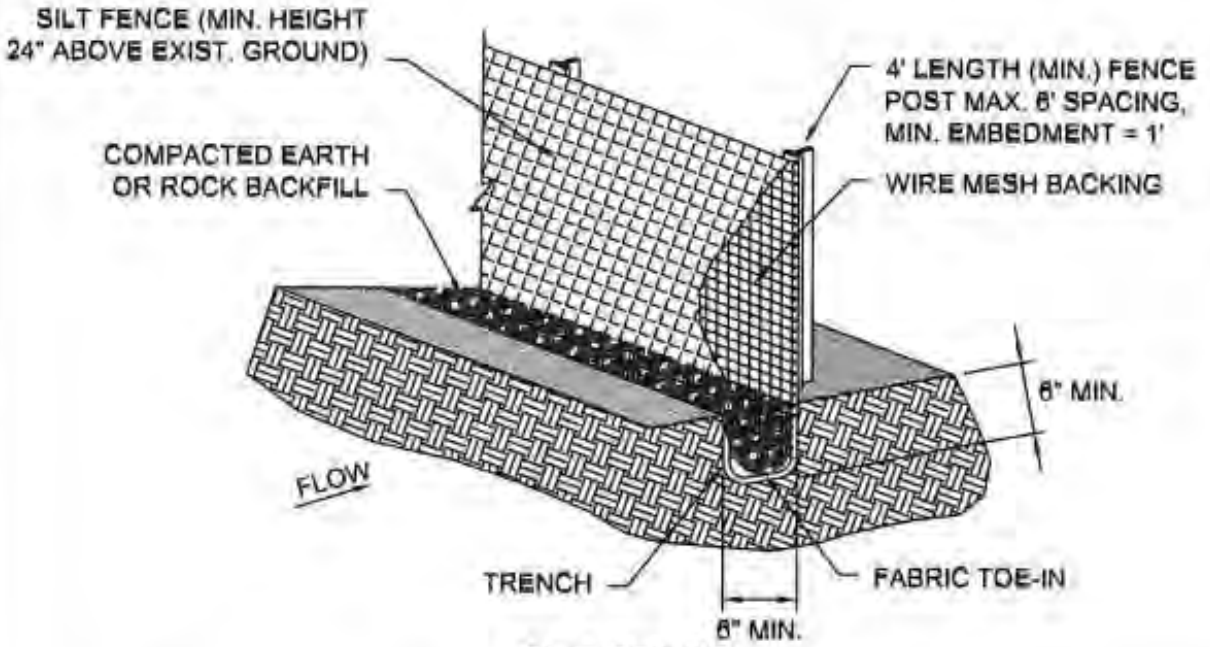
NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

Table 9.1: Revisions to NCTCOG's Division 1000 Erosion and Sediment Control

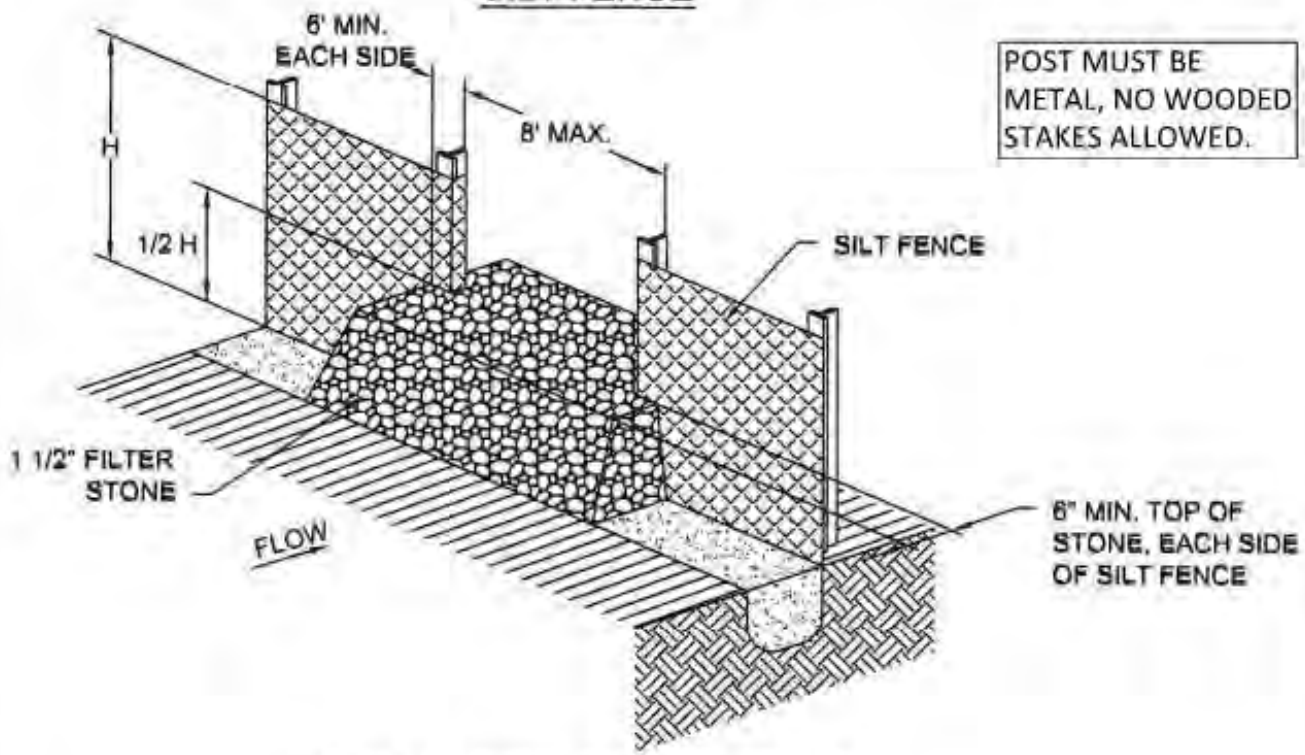
Revised	Drawing No.	Subject
	1010	RESERVED
(1)	~~1020A~~	~~Silt Fence~~
(3)	**R-1020A**	**Silt Fence**
(1)	~~1020B~~	~~Silt Fence – General Notes~~
(3)	**R-1020B**	**Silt Fence – General Notes**
	1030A	Interceptor Swale
	1030B	Interceptor Swale
	1040A	Diversion Dike
	1040B	Diversion Dike
	1050A	Triangular Sediment Filter Dike
	1050B	Triangular Sediment Filter Dike
	1060A	Rock Check Dam
(1)	~~1060B~~	~~Rock Check Dam~~
(3)	**R-1060B**	**Rock Check Dam**
(1)	~~1070A~~	~~Stabilized Construction Entrance~~
(3)	**R-1070A**	**Stabilized Construction Entrance**
(1)	~~1070B~~	~~Stabilized Construction Entrance~~
(3)	**R-1070B**	**Stabilized Construction Entrance**

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Revised	Drawing No.	Subject
	1080A	Sandbag Check Dam
	1080B	Sandbag Check Dam
(1)	~~1090~~	~~Stone Outlet – Sediment Trap~~
(3)	**R-1090**	**Stone Outlet – Sediment Trap**
	1100	Pipe Outlet – Sediment Basin
	1110	Pipe Slope Drain
	1120	Inlet Protection – Filter Barrier
(1)	~~1130~~	~~Inlet Protection-Drop – Block and Gravel~~
(1)	~~1140~~	~~Inlet Protection-Curb – Block and Gravel~~
	1150	Inlet Protection – Excavated Impoundment
	1160A	Erosion Control Blankets
	1160B	Erosion Control Blankets



SILT FENCE



POST MUST BE METAL, NO WOODED STAKES ALLOWED.

STONE OVERFLOW STRUCTURE

SILT FENCE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 202.5 *	
		DATE Mar. 2018	STANDARD DRAWING NO. R-1020A

SILT FENCE GENERAL NOTES:

1. POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POST MUST BE EMBEDDED A MINIMUM OF ONE FOOT.

2. THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. WHERE FENCE CANNOT BE TRENCHED IN (e.g. PAVEMENT), WEIGHT FABRIC FLAP WITH ROCK ON UPHILL SIDE TO PREVENT FLOW FROM SEEPING UNDER FENCE.

3. THE TRENCH MUST BE A MINIMUM OF 6 INCHES DEEP AND 6 INCHES WIDE TO ALLOW FOR THE SILT FENCE FABRIC TO BE LAID IN THE GROUND AND BACKFILLED WITH COMPACTED MATERIAL.

4. SILT FENCE SHOULD BE SECURELY FASTENED TO EACH SUPPORT POST OR TO WIRE BACKING, WHICH IN TURN IS ATTACHED TO THE FENCE POST. THERE SHALL BE A 3 FOOT OVERLAP, SECURELY FASTENED WHERE ENDS OF FABRIC MEET.

5. INSPECTION SHALL BE AS SPECIFIED IN THE SWPPP. REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.

6. SILT FENCE SHALL BE REMOVED WHEN FINAL STABILIZATION IS ACHIEVED OR ANOTHER EROSION OR SEDIMENT CONTROL DEVICE IS EMPLOYED.

7. ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF HALF THE HEIGHT OF THE FENCE. THE SILT SHALL BE DISPOSED OF AT AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CONTRIBUTE TO ADDITIONAL SILTATION.

8. FILTER STONE SHALL BE WRAPPED IN FILTER FABRIC AND BURIED SIX (6") INCHES MINIMUM.

SILT FENCE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE: 202.5 *	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-1020B

ROCK CHECK DAM GENERAL NOTES:

1. STONE SHALL BE WELL GRADED WITH SIZE RANGE FROM 1½ TO 3½ INCHES IN DIAMETER DEPENDING ON EXPECTED FLOWS.

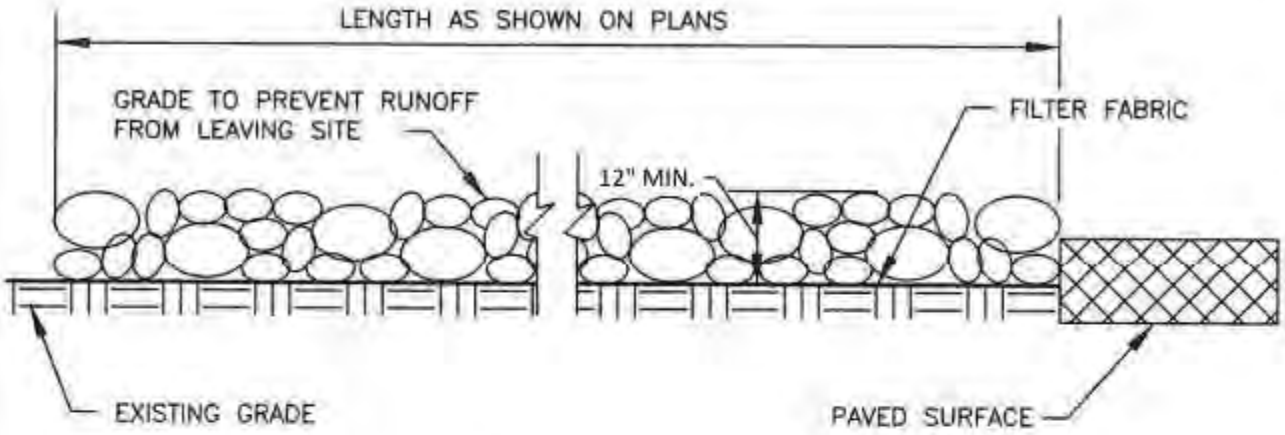
2. THE CHECK DAM SHALL BE INSPECTED AS SPECIFIED IN THE SWPPP AND SHALL BE REPLACED WHEN THE STRUCTURE CEASES TO FUNCTION AS INTENDED DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.

3. WHEN SILT REACHES A DEPTH EQUAL TO ONE-THIRD OF THE HEIGHT OF THE CHECK DAM OR ONE FOOT, WHICHEVER IS LESS, THE SILT SHALL BE REMOVED AND DISPOSED OF PROPERLY.

4. WHEN THE SITE HAS ACHIEVED FINAL STABILIZATION OR ANOTHER EROSION OR SEDIMENT CONTROL DEVICE IS EMPLOYED, THE CHECK DAM AND ACCUMULATED SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED MANNER.

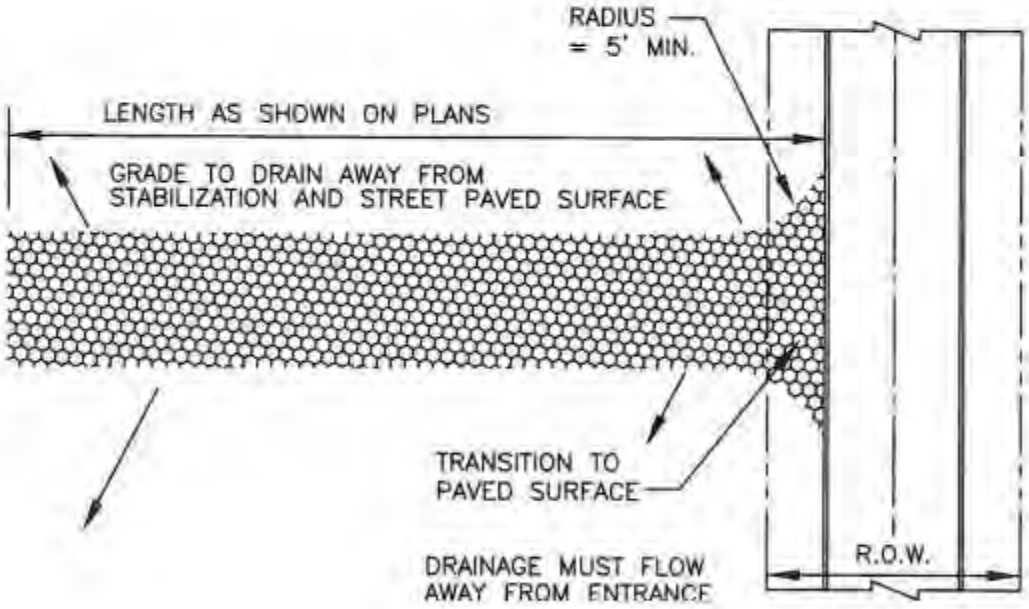
5. FILTER STONE SHALL BE WRAPPED IN APPROPRIATE SIZED WIRE MESH TO CONTAIN STONE AND BURIED SIX (6") INCHES MINIMUM.

ROCK CHECK DAM	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 202.9 *	
		DATE Mar. 2018	STANDARD DRAWING NO. R-1060B



PROFILE VIEW

N.T.S.



PLAN VIEW

N.T.S.

Note: No crushed concrete or recycled concrete allowed.

STABILIZED CONSTRUCTION ENTRANCE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 202.11*	
		DATE Mar. 2018	STANDARD DRAWING NO. R-1070A

STABILIZED CONSTRUCTION ENTRANCE GENERAL NOTES:

1. STONE SHALL BE 4 TO 6 INCH DIAMETER COARSE AGGREGATE.

2. MINIMUM LENGTH SHALL BE 50 FEET AND WIDITH SHALL BE 20 FEET.

3. THE THICKNESS SHALL NOT BE LESS THAN 12 INCHES.

4. THE WIDTH SHALL BE NO LESS THAN THE FULL WIDTH OF ALL POINTS OF INGRESS OR EGRESS.

5. WHEN NECESSARY, VEHICLES SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO A PUBLIC ROADWAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE WITH DRAINAGE FLOWING AWAY FROM BOTH THE STREET AND THE STABILIZED ENTRANCE. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING ANY STORM DRAIN, DITCH OR WATERCOURSE USING APPROVED METHODS.

6. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PAVED SURFACES. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND. ALL SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO PAVED SURFACES MUST BE REMOVED IMMEDIATELY.

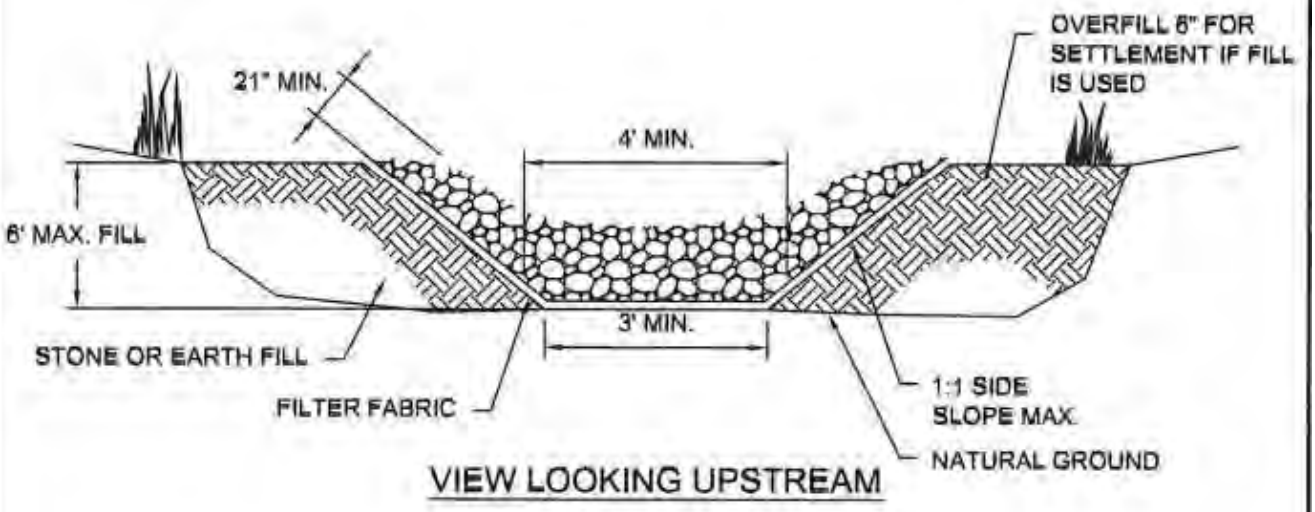
7. THE ENTRANCE MUST BE PROPERLY GRADED OR INCORPORATE A DRAINAGE SWALE TO PREVENT RUNOFF FROM LEAVING THE CONSTRUCTION SITE.

8. PREVENT SHORTCUTTING OF THE FULL LENGTH OF THE CONSTRUCTION ENTRANCE BY INSTALLING BARRIERS AS NECESSARY.

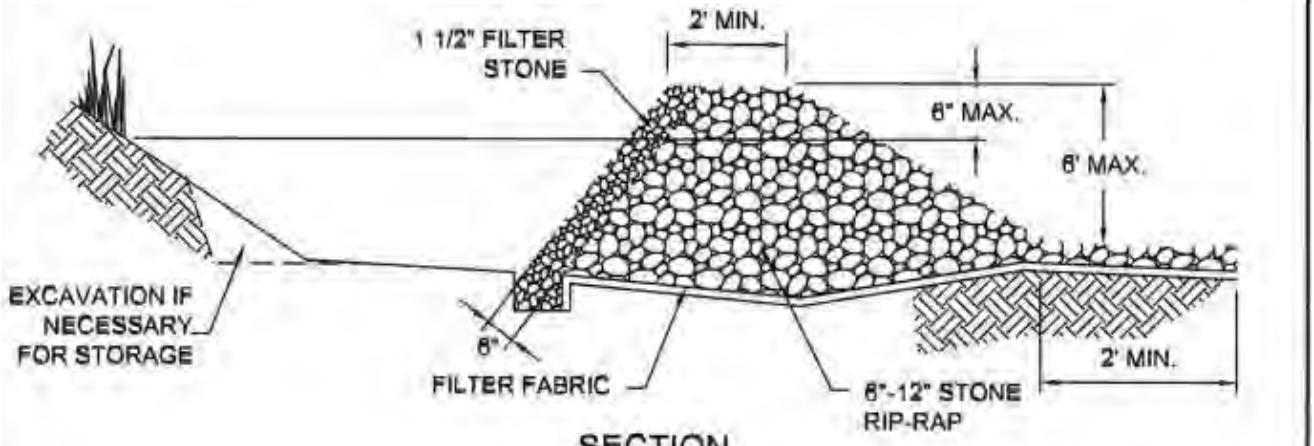
9. INSPECTION SHALL BE AS SPECIFIED IN THE SWPPP.

10. NO CRUSHED OR RECYCLED CONCRETE ALLOWED.

STABILIZED CONSTRUCTION ENTRANCE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 202.II *	
		DATE Mar. 2018	STANDARD DRAWING NO. R-1070B



VIEW LOOKING UPSTREAM



SECTION

NOTE: FILTER STONE SHALL BE WRAPPED IN APPROPRIATE SIZED WIRE MESH TO CONTAIN STONE.

STONE OUTLET SEDIMENT TRAP	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE: 202.12 *	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-1090

City of Rockwall
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8.2 Division 2000 Pavement Systems

NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

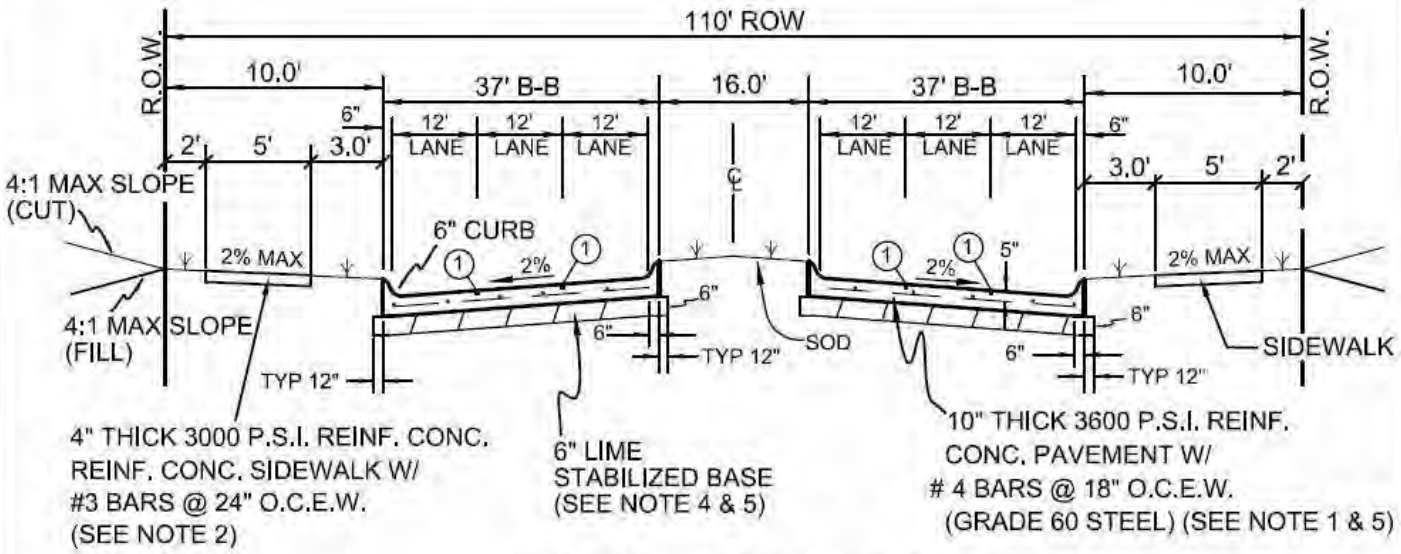
Table 9.2: Revisions to NCTCOG's Division 2000 Pavement Systems

Revised	Drawing No.	Subject
(1)	~~*2010*~~	~~*Reinforced Concrete Pavement – Six Lane Divided Thoroughfare*~~
(3)	**R-2010**	**Reinforced Concrete Pavement – (P6D) Principal Arterial Divided 6-Lane**
(1)	~~*2020*~~	~~*Reinforced Concrete Pavement – Four Lane Divided Thoroughfare*~~
(3)	**R-2020**	**Reinforced Concrete Pavement – (M4D) Minor Arterial Divided 4-Lane**
(1)	~~*2030*~~	~~*Reinforced Concrete Pavement – 2- & 4- Undivided Thoroughfare*~~
(3)	**R-2030**	**Reinforced Concrete Pavement – (M4U) Major Collector Undivided 4-Lane**
(3)	**R-2031**	**Reinforced Concrete Pavement – Minor Collector/Local Commercial**
(3)	**R-2032**	**Reinforced Concrete Pavement – (M3U) Minor Collector – 2 Lane with Continuous Left Turn Lane**
(3)	**R-2033**	**Reinforced Concrete Pavement – Local Residential Street**
(1)	~~*2040*~~	~~*Reinforced Concrete Pavement - Alleys*~~
(3)	**R-2040**	**Reinforced Concrete Pavement – Alleys**
(3)	**R-2041**	**Reinforced Concrete Pavement – Fire Lane**
(1)	~~2050~~	~~Reinforced Concrete Pavement - Joints~~
(3)	**R-2050**	**Reinforced Concrete Pavement - Joints**
(3)	**R-2051**	**Reinforced Concrete Pavement – Longitudinal Butt Joint**
	2060	Reinforced Concrete Pavement – Transverse Joint Spacing
(1)	~~2070~~	~~Reinforced Concrete Pavement – Street Headers~~
(3)	**R-2070**	**Reinforced Concrete Pavement – Street Headers**
	2080	Reinforced Concrete Pavement – Bridge Approach Slab
(1)	~~2090~~	~~Hot Mix Asphalt Pavement – Six Lane Divided Thoroughfare~~
(1)	~~2100~~	~~Hot Mix Asphalt Pavement – Four Lane Divided Thoroughfare~~
(1)	~~2110~~	~~Hot Mix Asphalt Pavement – 2- & 4- Undivided Thoroughfare~~

Revised	Drawing No.	Subject
	2120	Concrete Curb and Gutter – Integral, Separate, and Doweled
(1)	~~*2125A-2125B*~~	~~*Curb Ramps*~~
(3)	**R-2125A-R-2125D**	**Directional Curb Ramp**
(4)		**TxDOT: PED-18: Pedestrian Facilities – Curb Ramps**
(1)	~~2130~~	~~Median Island Pavement – Nose & Left Turn Lane~~
(3)	**R-2130**	**Median Island Pavement – Nose & Left Turn Lane**
(1)	~~2140~~	~~Median Island Pavement – Monolithic Concrete Nose~~
(3)	**R-2140**	**Median Island Pavement – Monolithic Concrete Nose**
(1)	~~*2150A-2150B*~~	~~*Driveway Approach – Flared Return Type*~~
(1)	~~*2155*~~	~~*Driveway Approach – Radius Return Type*~~
(3)	**R-2150**	**Driveway Detail – Residential Driveway**
(1)	~~2160~~	~~Alley Approach – Radius Return Type~~
(3)	**R-2160**	**Alley Approach – Radius Return Type**
(1)	~~2170~~	~~Reinforced Concrete Sidewalks – Joints and Spacing~~
(3)	**R-2170**	**Reinforced Concrete Sidewalks – Joints and Spacing**
(1)	~~2180~~	~~Reinforced Concrete Retaining Wall - Integral With Sidewalk~~
(3)	**R-2180**	**Reinforced Concrete Retaining Wall - Integral With Sidewalk**
(1)	~~2190~~	~~Pavement Systems – General Notes~~
(3)	**R-2190**	**Pavement Systems – General Notes**
	2200	Subdrains – Pavement Subgrade
(1)	~~2210~~	~~Alley Geometrics – Type "A": & Type "B"~~
(3)	**R-2210**	**Alley Geometrics – Type "A": & Type "B"**
(1)	~~2220~~	~~Alley Geometrics - Type "C": & Type "D"~~
(3)	**R-2220**	**Alley Geometrics - Type "C": & Type "D"**
(1)	~~2230~~	~~Alley Geometrics - Type "E": & Type "F"~~
(3)	**R-2230**	**Alley Geometrics - Type "E": & Type "F"**
(1)	~~2240~~	~~Alley Geometrics - Type "G": & Type "H"~~
(3)	**R-2240**	**Alley Geometrics - Type "G": & Type "H"**
(1)	~~2250~~	~~Alley Geometrics - Type "J"~~
(3)	**R-2250**	**Alley Geometrics - Type "J"**
(3)	**R-2251**	**Alley Geometrics – Alley Warping at Inlet**
	2260	Alley Intersection – Proposed to Existing
(3)	**R-2270**	**Left Turn Lane – Concrete Removal & Replacement**
(1)	~~*2270A*~~	~~*Metal Beam Guard Fence – Roadside Placement & Beam Elements*~~
(1)	~~*2270B*~~	~~*Metal Beam Guard Fence – Line Post & Connections*~~
(1)	~~*2270C*~~	~~*Metal Beam Guard Fence – End Section & Angle Anchor Post*~~
(1)	~~*2270D*~~	~~*Metal Beam Guard Fence – Special End Shoe & Anchor*~~

City of Rockwall
The New Horizon

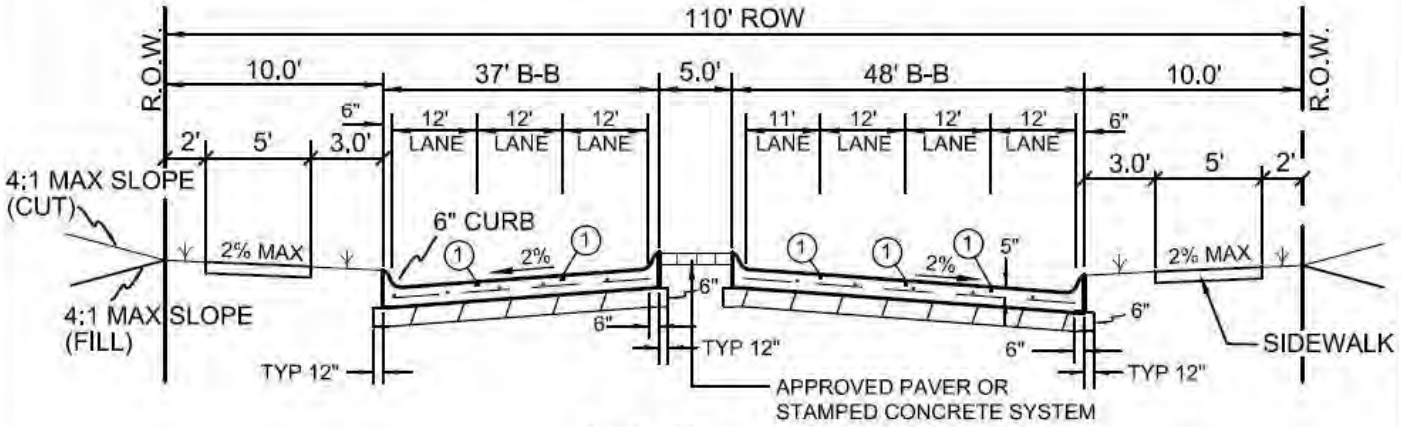
Revised	Drawing No.	Subject
		~~*Post*~~
(1)	~~*2270E*~~	~~*Metal Beam Guard Fence – General Notes*~~
(1)	~~*2280A*~~	~~*Metal Beam Guard Fence – Two-Way Traffic Bridge End*~~
(1)	~~*2280B*~~	~~*Metal Beam Guard Fence – Two-Way Traffic Bridge End*~~
(4)		**TxDOT: Metal Beam Guard Fence**
	2290	Metal Beam Guard Fence – End of Road
(3)	**R-2300**	**Street Regulatory Sign - Street Name Blades**
(3)	**R-2310**	**Illuminated Street Name Sign – ILSN Sign Detail**
(3)	**R-2320**	**Raised Pavement Markings – Lane Lines**
(3)	**R-2330**	**Raised Pavement Markings – Chevron and Crosshatch**
(3)	**R-2340**	**Raised Pavement Markings – Intersection Approach**
(3)	**R-2350**	**Type C Intersection – Right Lane Drop Markings**
(3)	**R-2360**	**Typical Thoroughfare Layouts**
(3)	**R-2370**	**Typical Crosswalk Layouts**
(3)	**R-2380**	**Typical Crosswalk and Dashed Markings**
(3)	**R-2390**	**Chevron Striping**
(3)	**R-2400**	**Diagonal Crosshatch Striping**



110' ROW – Principal 6 Lane Divided Arterial Regular Section

(Not to Scale)

① SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT



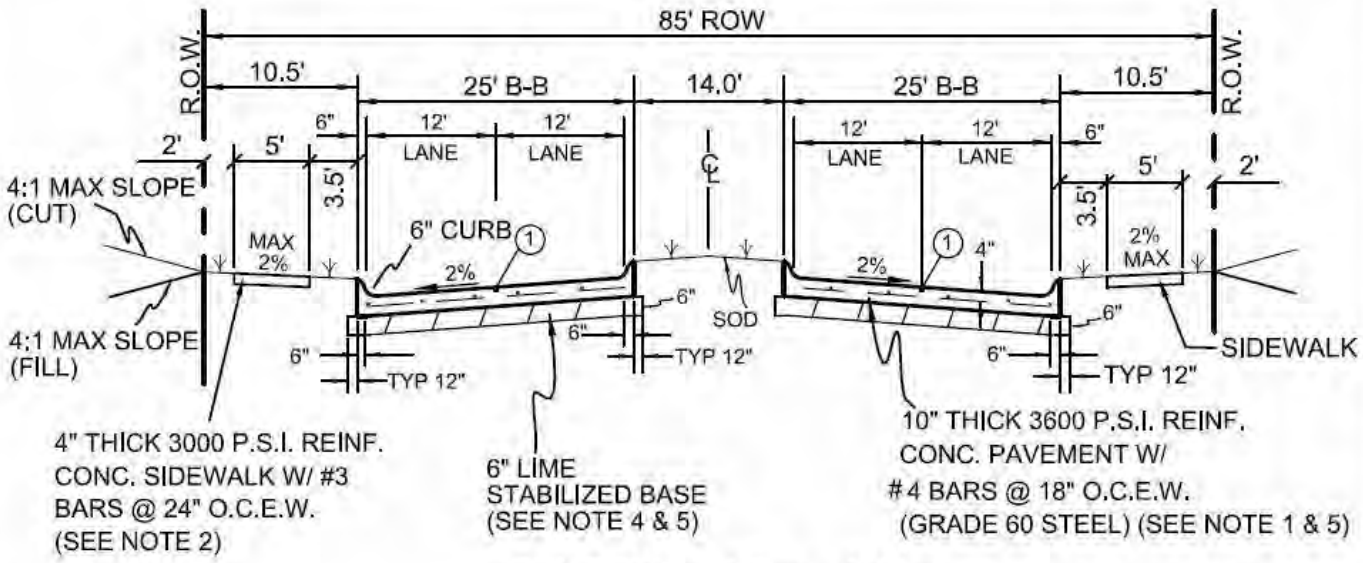
Left Turn Section

(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6.0 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compact to 95% standard density.
5. Paving Section design shall be based off the 30 year projected traffic volumes and geotechnical analysis/report.

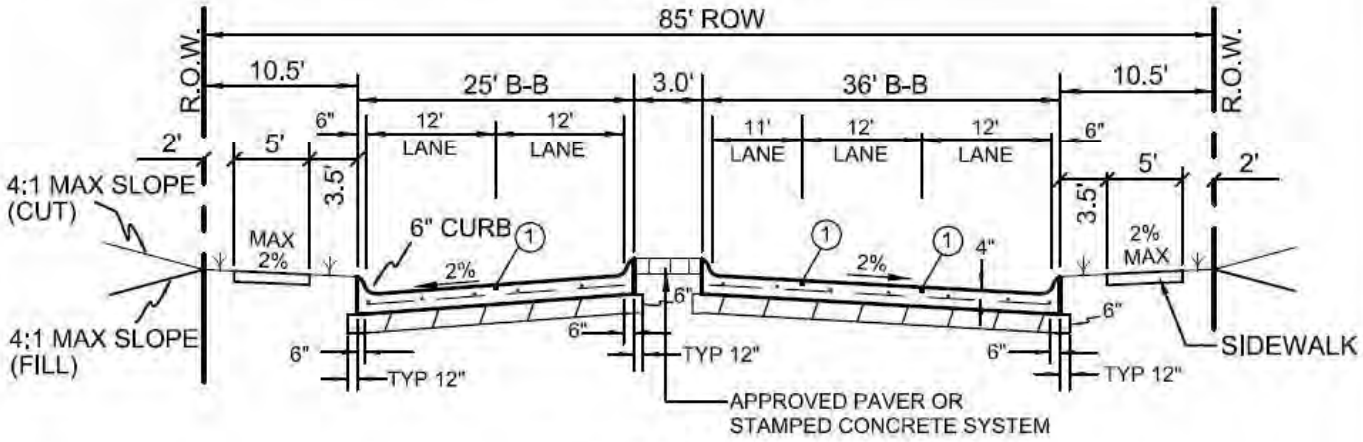
REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
(P6D) PRINCIPAL ARTERIAL DIVIDED 6-LANE		DATE AUG. '15 / DRAWING NO. R-2010



1 SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT

85' ROW – Minor 4 Lane Divided Arterial Regular Section

(Not to Scale)



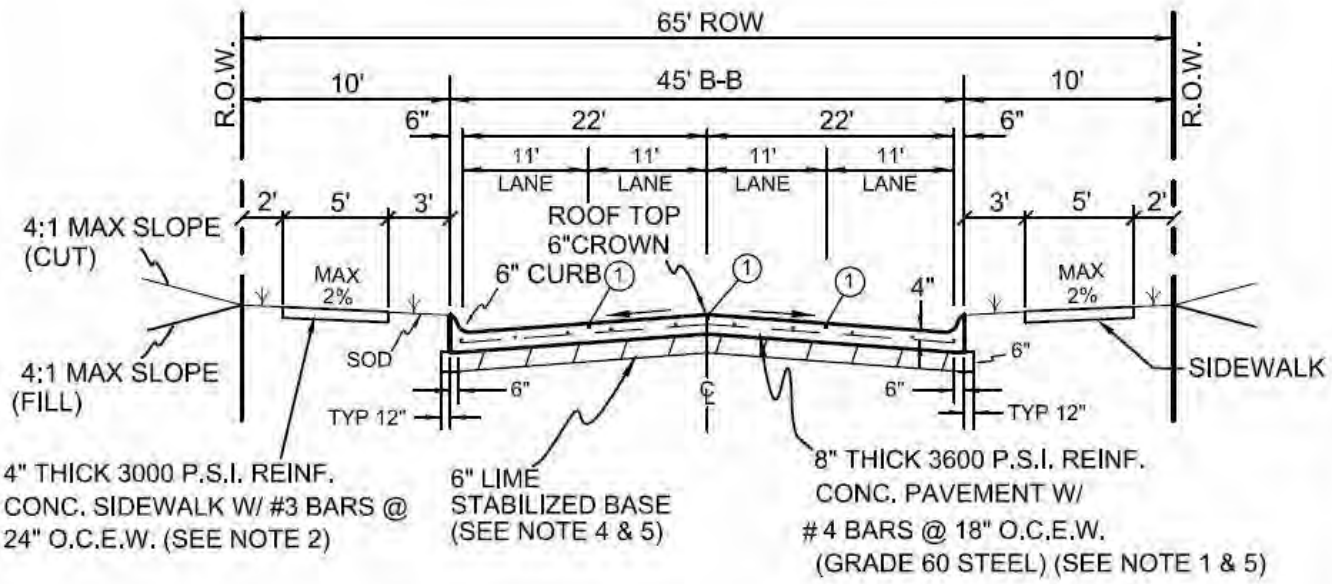
Left Turn Section

(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.
5. Paving Section design shall be based off the 30 year projected traffic volumes and geotechnical analysis/report.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
(M4D) MINOR ARTERIAL DIVIDED 4–LANE		DATE AUG. '15 / DRAWING NO. R–2020



(1) SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT

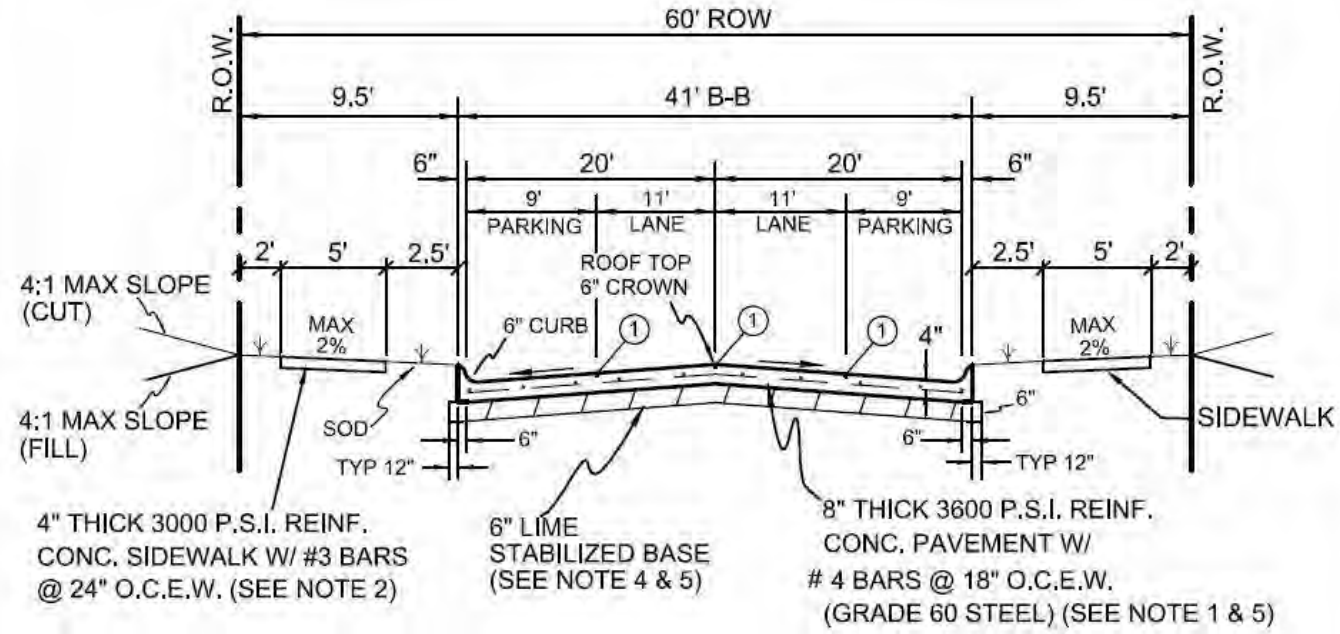
65' ROW – Major 4 Lane Undivided Collector

(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.
5. Paving Section design shall be based off 30 year projected traffic volumes and geotechnical analysis/report.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
(M4U) MAJOR COLLECTOR UNDIVIDED 4–LANE		DATE AUG. '15 / DRAWING NO. R–2030



(1) SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT

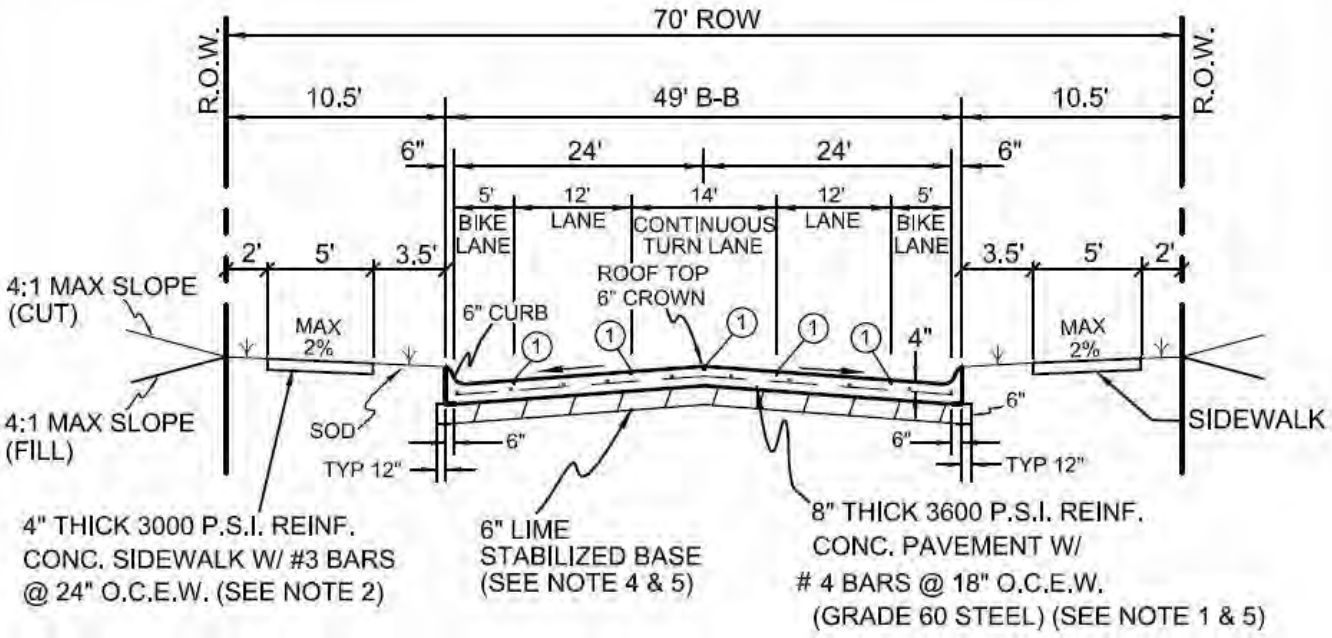
60' ROW – Minor Collector and or Local Commercial

(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.
5. Paving Section design shall be based off the 30 year traffic volumes and geotechnical analysis/report.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
MINOR COLLECTOR/LOCAL COMMERCIAL		DATE AUG. '15 / DRAWING NO. R-2031

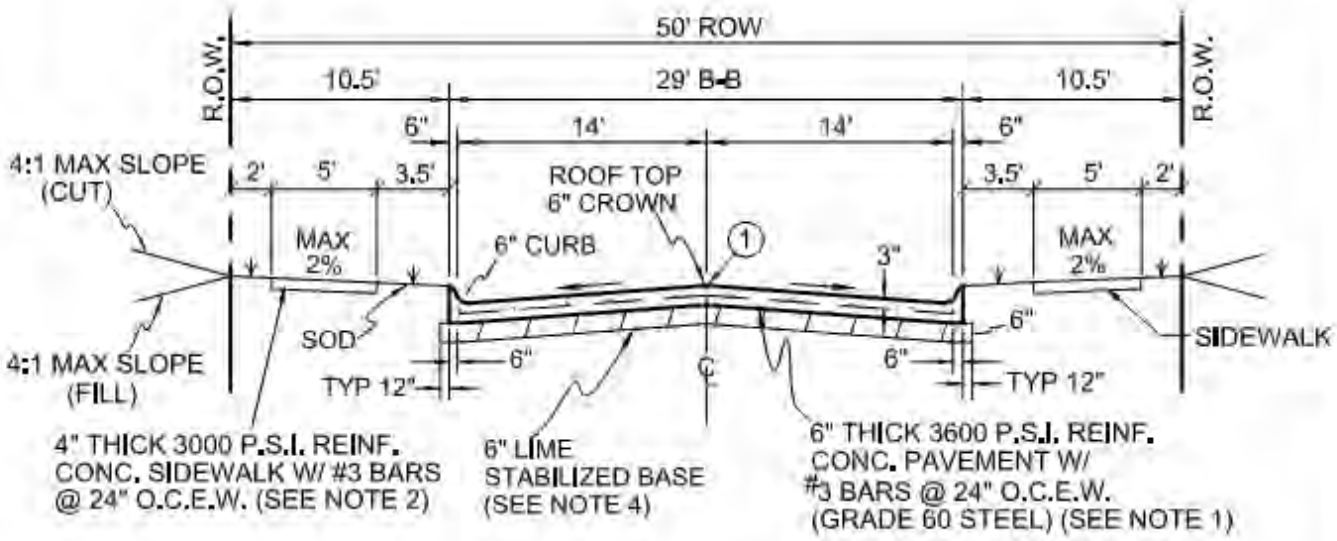


70' ROW – Minor Collector
2 Lane with Continuous Left Turn Lane
(Not to Scale)

NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.
5. Paving Section design shall be based off the 30 year projected traffic volumes and geotechnical analysis/report.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL		
(M3U) MINOR COLLECTOR – 2 LANE WITH CONTINUOUS LEFT TURN LANE		DATE AUG. '15	DRAWING NO. R–2032



(1) SAWED LONGITUDINAL CONTRACTION, OR CONSTRUCTION JOINT

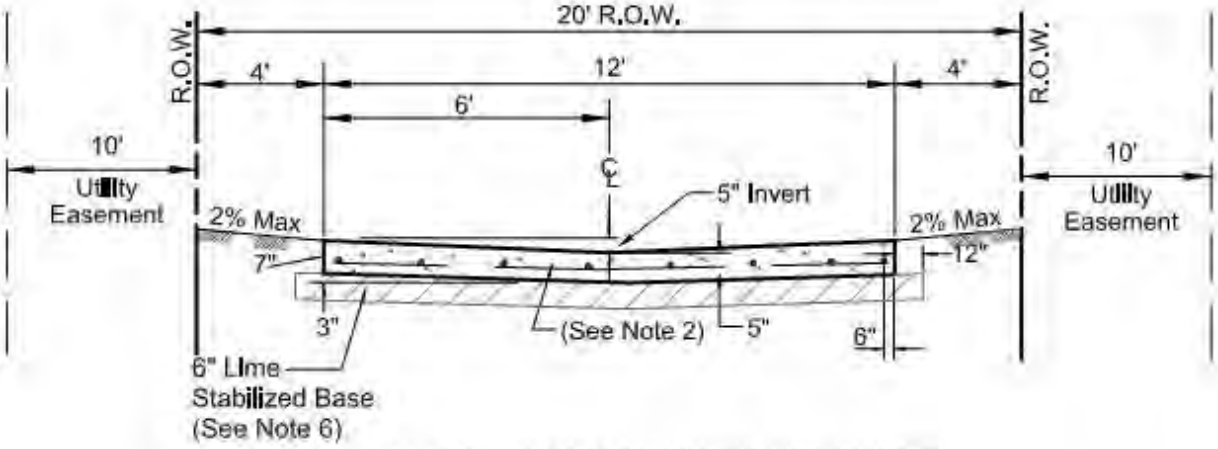
50' R.O.W. Residential Street

(Not to Scale)

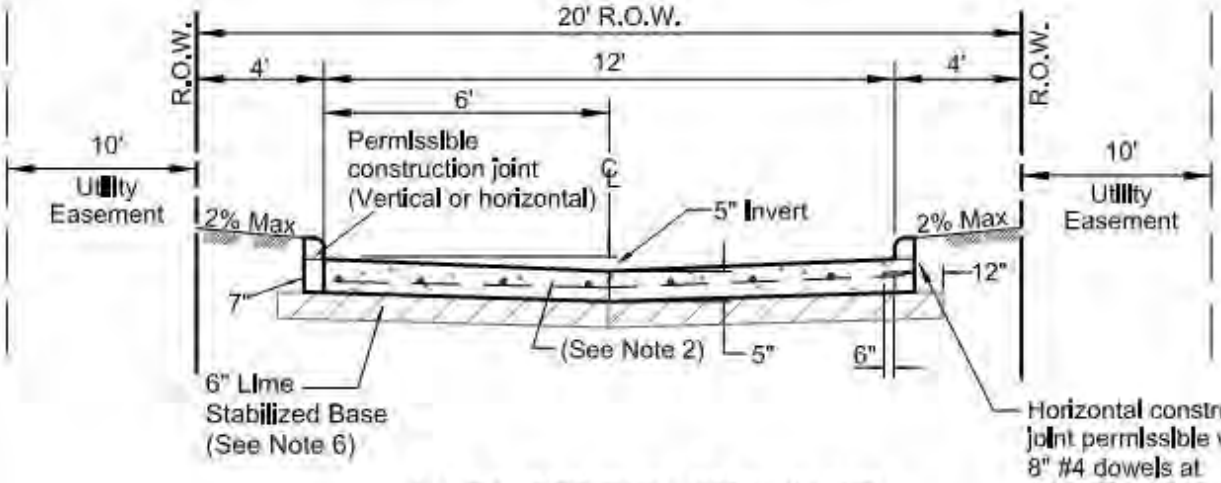
NOTES:

1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.
4. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
LOCAL RESIDENTIAL STREET		DATE: AUG. '19 / DRAWING NO: R-2033



ALLEY SECTION WITHOUT CURB
(Not to Scale)

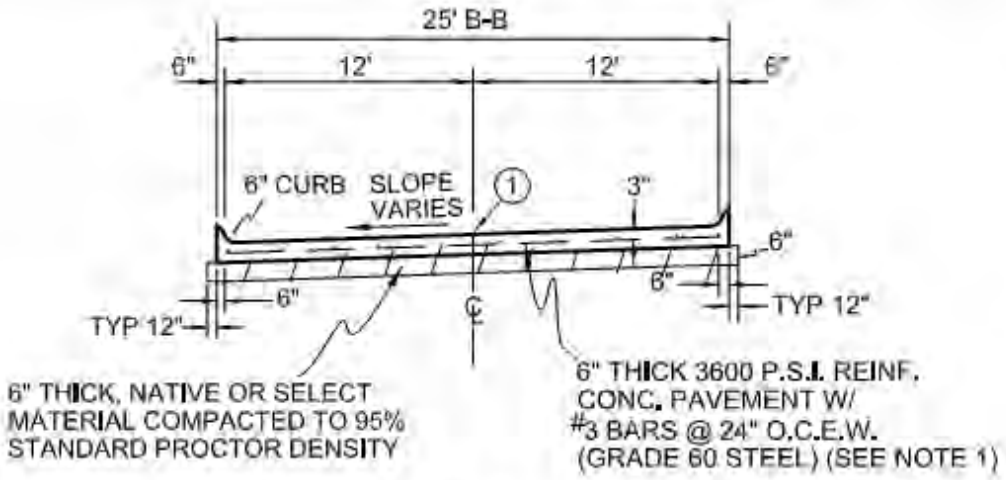


ALLEY SECTION WITH CURB
(Not to Scale)

NOTES:

1. Provide sawed transverse contraction joints not more than 20' C-C.
2. Reinforced with no. 3 bars at 24" C-C both ways.
3. Expansion joints to be placed at all intersections and not to exceed 600' between joints.
4. Concrete shall be 7"-5"-7" Thick 3,600 P.S.I., Alley cement content shall be min. 6.0 sack for machine placed and 6.5 sack mix for hand placed.
5. No sand allowed under pavement.
6. Minimum lime content shall be 6% of dry weight of material (at least 27 lbs/SY) compacted to 95% standard density.

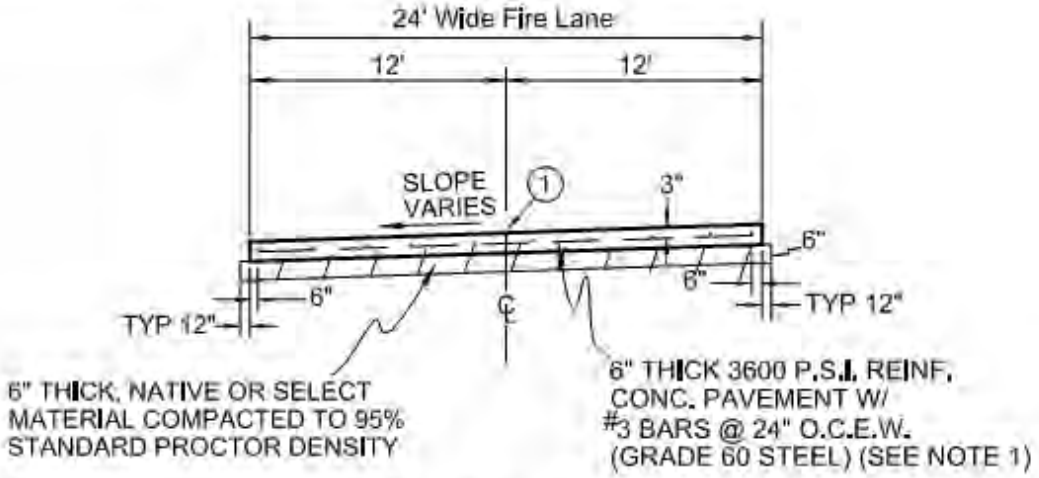
REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
ALLEYS		DATE: AUG '19 / DRAWING NO.: R-2040



24' Wide Fire Lane with Curbs

(Not to Scale)

(1) SAWED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT



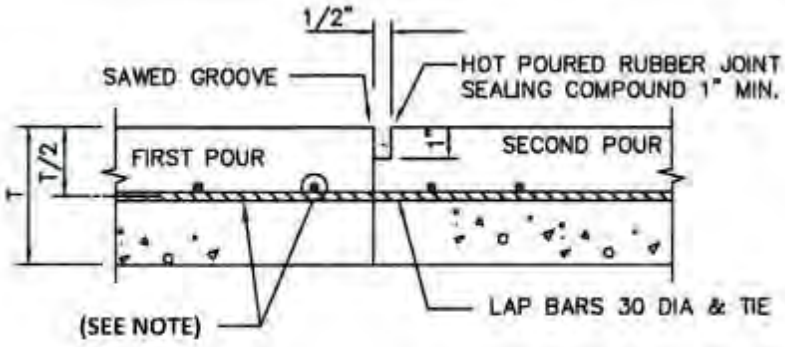
24' Wide Fire Lane

(Not to Scale)

NOTES:

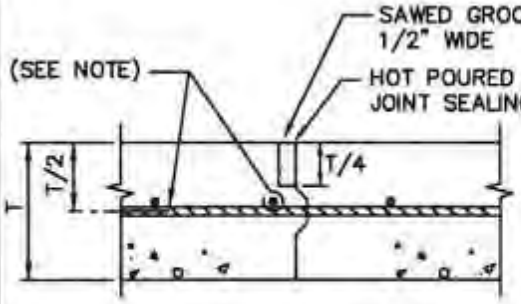
1. Street pavement cement content to be no less than 6 sacks per cubic yard for machine placed and not less than 6.5 sacks per cubic yard for hand placed.
2. Sidewalk Cement content of not less than 5.5 sack per cubic yard.
3. No sand allowed under pavement or sidewalks.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
FIRE LANE		DATE: AUG. '19 / DRAWING NO.: R-2041



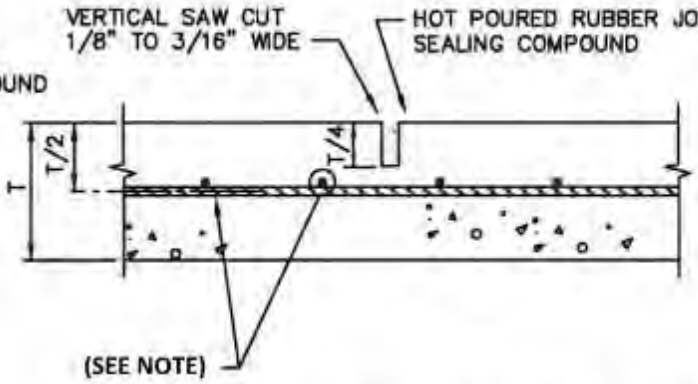
CONSTRUCTION JOINT

N.T.S.



KEYWAY JOINT

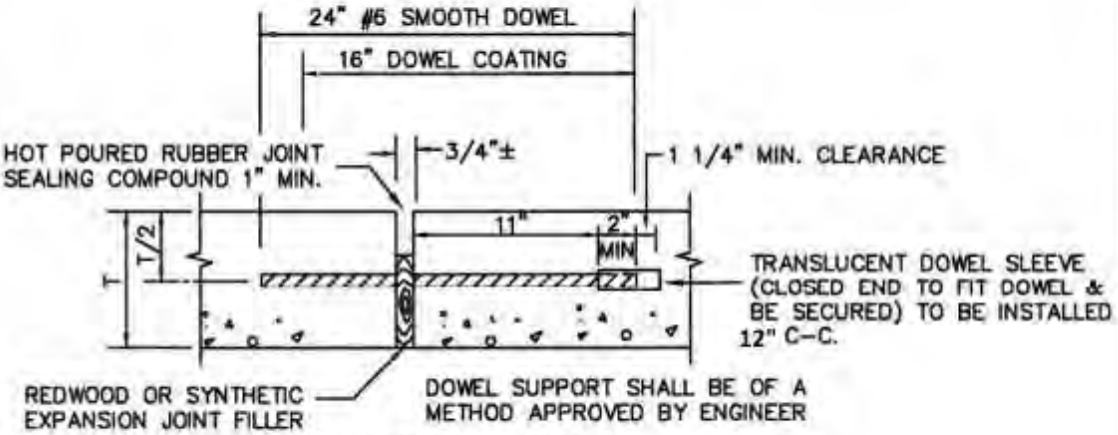
(FOR PAVEMENT THICKNESS > 6")
N.T.S.



SAWED CONTRACTION JOINT

N.T.S.

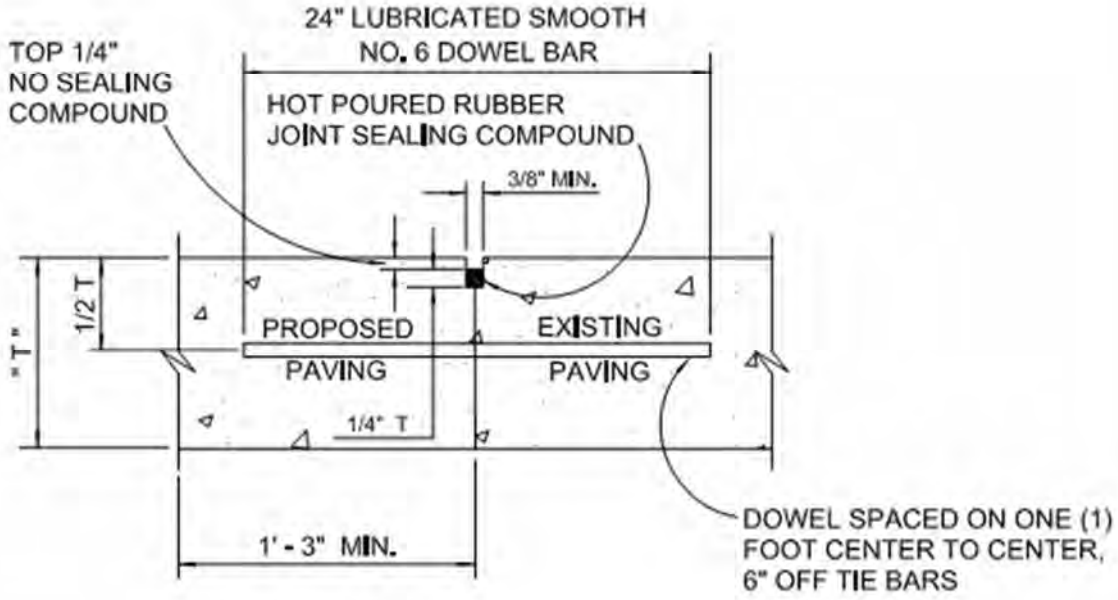
NOTE:
REINFORCING SHALL BE - #3 BARS AT 24" FOR 6" THICK PAVEMENT AND LESS. #4 BARS AT 18" FOR 8" THICK PAVEMENT AND GREATER.



EXPANSION JOINT

(SPACED 600 FT. MAXIMUM; LOCATE AT STRUCTURES AND AT INTERSECTION P.C.'S & P.T.'S)
N.T.S.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5.4.	
JOINTS		DATE Mar. 2018	STANDARD DRAWING NO. R-2050

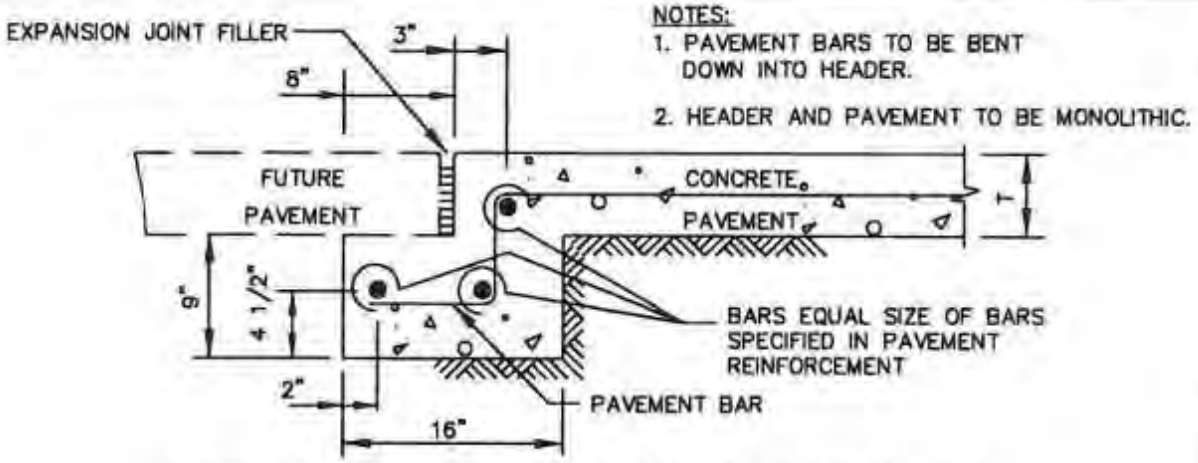


NOTES: T = PAVEMENT

1. LONGITUDINAL BUTT CONSTRUCTION MAY BE UTILIZED IN PLACE OF LONGITUDINAL HINGED (KEYWAY) JOINT AT CONTRACTORS OPTION.
2. DOWEL BARS SHALL BE DRILLED INTO PAVEMENT HORIZONTALLY BY USE OF A MECHANICAL RIG.
3. DRILLING BY HAND IS NOT ACCEPTABLE, PUSHING DOWEL BARS INTO GREEN CONCRETE NOT ACCEPTABLE.

LONGITUDINAL BUTT JOINT
NOT TO SCALE

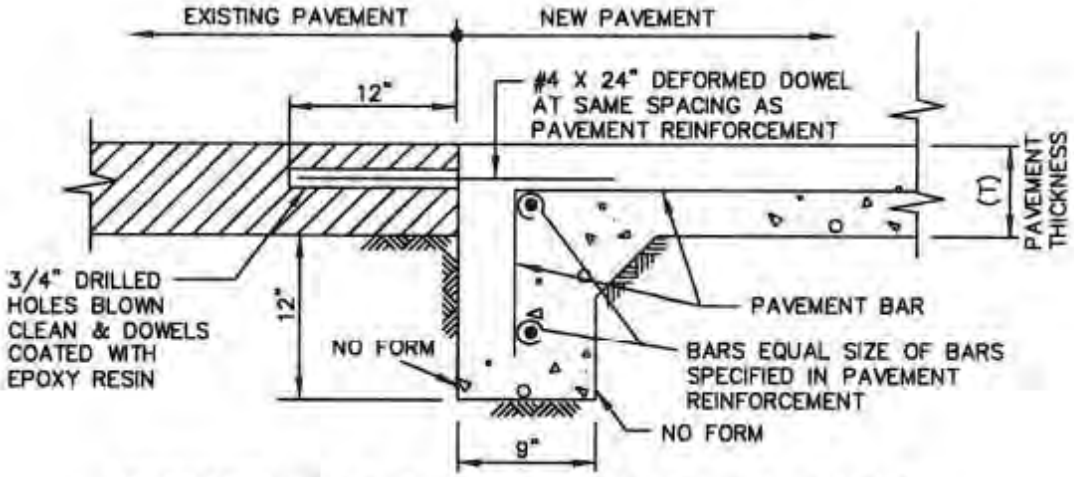
REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	
LONGITUDINAL BUTT JOINT		DATE: OCT. '17 / DRAWING NO.: R-2051



NOTES:
1. PAVEMENT BARS TO BE BENT DOWN INTO HEADER.
2. HEADER AND PAVEMENT TO BE MONOLITHIC.

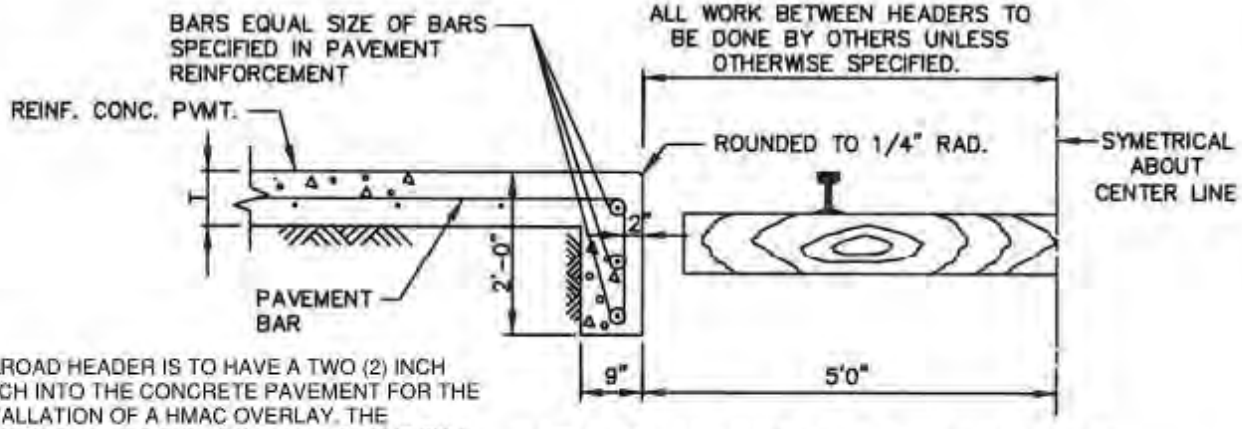
STREET HEADER FOR FUTURE PAVEMENT

N.T.S.



STREET HEADER AT EXISTING PAVEMENT

N.T.S.



RAILROAD HEADER IS TO HAVE A TWO (2) INCH NOTCH INTO THE CONCRETE PAVEMENT FOR THE INSTALLATION OF A HMAC OVERLAY. THE CONCRETE UNDER THE HMAC IS TO BE THE FULL STREET THICKNESS. THE NOTCH SHOULD START AT THE END OF THE PAVEMETN AND GO TWENTY (20) FEET UP THE ROAD AWAY FROM THE CROSSING.

STREET HEADER AT RAILROAD

N.T.S.

REINFORCED CONCRETE PAVEMENT	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 305.4	
STREET HEADERS		DATE Mar. 2018	STANDARD DRAWING NO. R-2070

EJ – Expansion Joint *(See 2170MA for more details)*

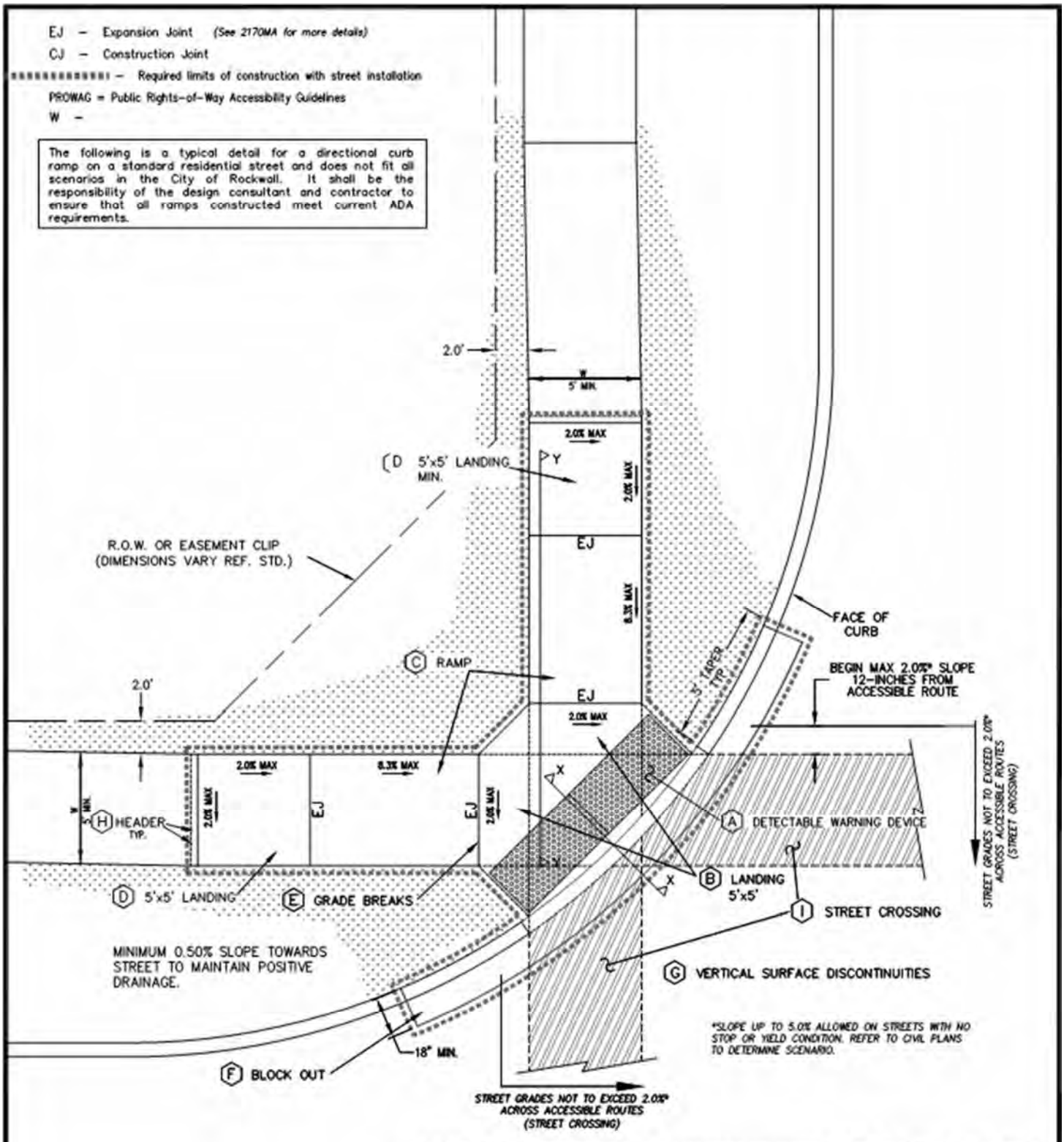
CJ – Construction Joint

▪▪▪▪▪▪▪▪▪▪▪▪▪▪ – Required limits of construction with street installation

PROWAG = Public Rights-of-Way Accessibility Guidelines

W –

The following is a typical detail for a directional curb ramp on a standard residential street and does not fit all scenarios in the City of Rockwall. It shall be the responsibility of the design consultant and contractor to ensure that all ramps constructed meet current ADA requirements.



NOTES: All newly constructed sidewalks, curb ramps and crosswalks installed within City of Rockwall public rights-of-way shall be considered a pedestrian access route and shall conform to the most current "Draft" Guidelines for Public Rights-of-Way created by the United States Access Board.

1. SEE DETAIL R-2125B FOR RAMP FEATURE DESCRIPTIONS
2. SEE DETAIL R-2125C FOR SECTIONS X-X AND Y-Y
3. SEE DETAIL R-2125D FOR ADDITIONAL NOTES

DIRECTIONAL CURB RAMP	CITY OF ROCKWALL	DATE	DRAWING NO.
		MAR. '17	R-2125A

A. Detectable Warning Devices (DWD) shall be pre-manufactured cast-in-place truncated dome plates installed to the manufacturer's specifications, and shall meet all ADA requirements. No Brick Pavers allowed. Color to be approved by the City. DWD shall be 24 inches in length for the full width of the street connection starting at the back of curb. A maximum 2-inch border shall be allowed on the sides of the DWD for proper installation.

B. Also known as "Clear Space" per ADA PROWAG, the City requires a minimum landing space of 5-foot by 5-foot at the bottom of every ramp. This landing space shall have a cross slope in both directions that does not exceed 2.0% and shall be wholly outside the parallel vehicular travel path.

C. The ramp component of the directional curb ramp shall have a continuous longitudinal slope more than 5% and less than 8.3%. The ramp shall also have a cross slope of no more than 2.0%. Length of ramp can vary, but shall not exceed 15 feet to achieve desired elevation change.

D. Also known as "Turning Space" per ADA PROWAG, a minimum landing space of 5-foot by 5-foot shall be at the top of every ramp. This landing (turning) space shall have a cross slope in both directions that does not exceed 2.0%. Landing must match width of sidewalk and length shall be the same distance ("Squared" Landing).

E. All curb ramps shall have grade breaks at the top and bottom that are perpendicular to the direction of the ramp run. Where the ends of the bottom grade break are less than or equal to 5 feet, the DWD shall be placed within the ramp at the bottom grade break. Where either end of the bottom grade break is greater than 5 feet, the DWD shall be placed behind the back of the curb.

F. Paving contractor shall leave block out with a keyway joint installed, minimum of 18 inches measured from back of curb. Block out shall be poured monolithically with Curb Ramp. Concrete shall tie to street paving with a keyway joint per NCTCOG detail 2050. No curb shall be constructed where a DWD is provided. The curb on either side shall have a typical 5 foot taper to transition from the standard 6-inch curb height to be flush with ramp.

G. All work associated with accessible routes shall be installed flush with all features to minimize vertical surface discontinuities. Each segment along accessible route shall be flush with no more (zero tolerance) than a ¼-inch grade separation (elevation difference), or ½-inch grade separation if beveled (bevel slope shall not be steeper than 50%).

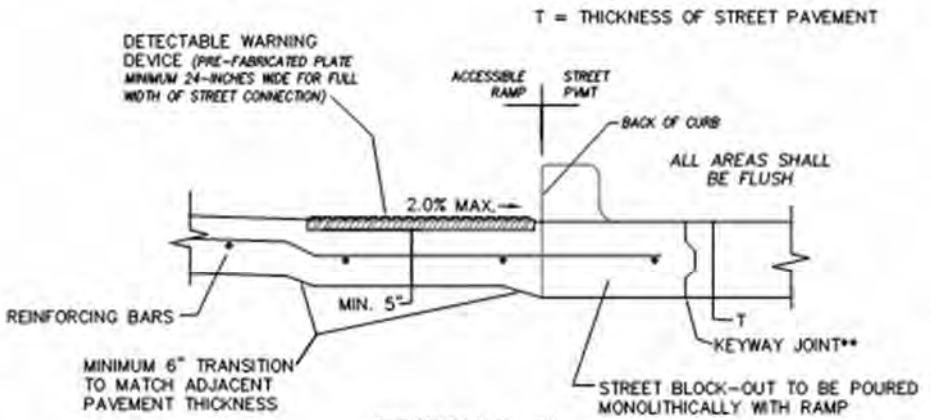
H. A sidewalk header shall be constructed at ends of all work performed.

I. Street crossings shall adhere to same guidelines as other accessible routes within public right-of-way, and shall be for the full width of the in-line accessible route. Cross slope shall not exceed 2%*. New street construction shall incorporate all ADA design requirements. It shall be the responsibility of the Design Professional and Contractor to ensure all street crossings meet the requirements of PROWAG. Street alterations on existing streets to bring to compliance shall be at the City Engineer's discretion.

J. All curbs constructed as part of an ADA Ramp shall match City curb standards.

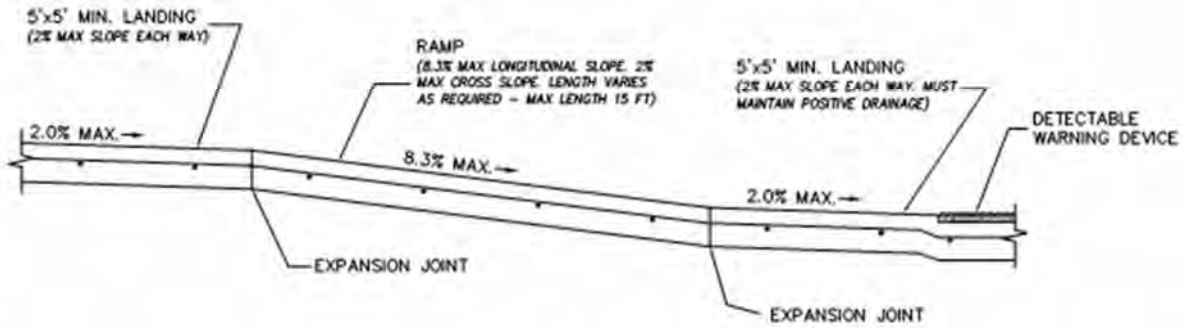
** See PROWAG special design considerations when street crossing has no stop or yield condition.*

DIRECTIONAL CURB RAMP	CITY OF ROCKWALL	DATE	DRAWING NO.
		MAR. '17	R-2125B



SECTION X-X
N.T.S.

**KEYWAY JOINT FOR NEW CONSTRUCTION. STREET CONNECTION SHALL BE LONGITUDINAL BUTT JOINT FOR CONNECTIONS TO EXISTING ROADWAYS.



SECTION Y-Y
N.T.S.

NOTE: ALL SIDEWALK CURB RAMPS WILL BE 3,600 PSI (6.5 SACK/CY) CONCRETE.

DIRECTIONAL CURB RAMP	CITY OF ROCKWALL	
		DATE: MAR. '17 / DRAWING NO.: R-2125C

PEDESTRIAN ACCESSIBILITY (WITHIN PUBLIC R.O.W.)

All newly constructed sidewalks, curb ramps and crosswalks installed within City of Rockwall public rights-of-way shall be considered a pedestrian access route and shall conform to the most current Guidelines for Public Rights-of-Way created by the United States Access Board.

CURB RAMPS

1. All slopes shown are MAXIMUM ALLOWABLE. Lesser slopes that will still drain properly should be used. Adjust curb ramp length or grade of approach sidewalks as directed.
2. Landings shall be 5'x 5' minimum with a maximum 2% slope in the transverse and longitudinal directions..
3. Clear space at the bottom of curb ramps shall be a minimum of 5'x 5' wholly contained within the crosswalk and wholly outside the parallel vehicular travel path.
4. Maximum allowable cross slope on sidewalk and curb ramp surfaces is 2%.
5. Additional information on curb ramp location, design, light reflective value and texture may be found in the most current edition of the Texas Accessibility Standards (TAS) and 16 TAC 68.102. Federal guidelines shall supersede any conflicts.
6. Crosswalk dimensions, crosswalk markings and stop bar locations shall be as shown elsewhere in the plans. At intersections where crosswalk markings are not required, curb ramps and accessible routes shall align with theoretical crosswalks unless otherwise directed.
7. Handrails are not required on curb ramps.
8. Provide a flush transition where the curb ramps connect to the street.
9. Accessible routes are considered "ramps" when longitudinal slopes are between 5% and 8.3% (maximum allowable). Sidewalks under 5% longitudinal slope are deemed accessible routes and must follow all applicable guidelines.

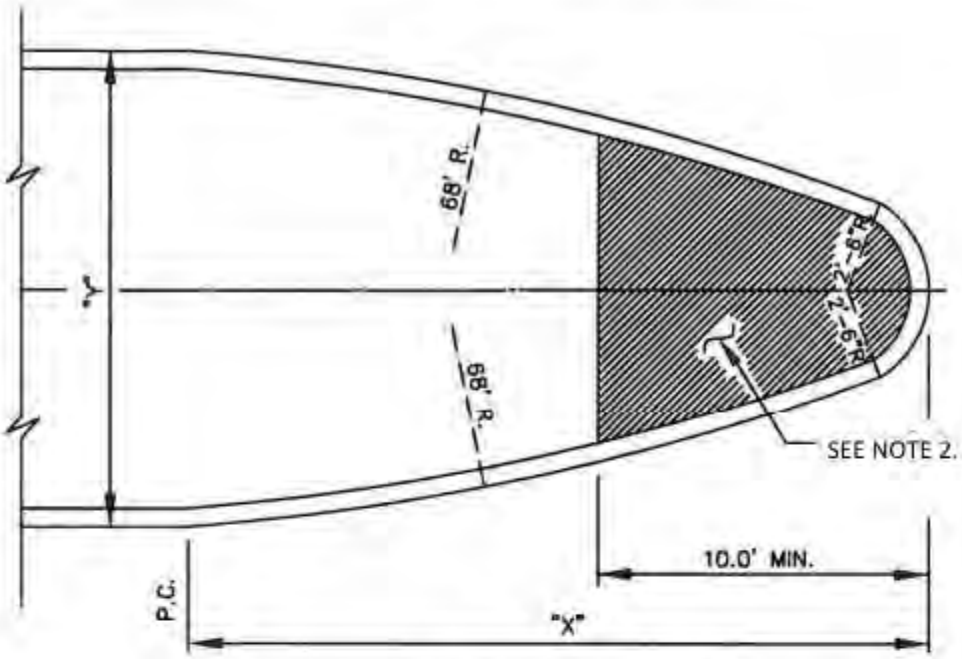
DETECTABLE WARNING DEVICE

10. Curb ramps must contain a detectable warning surface that consists of raised truncated domes complying with Section 705 of the TAS. The surface must contrast visually with adjoining surfaces. Furnish and install an approved cast-in-place dark red detectable warning surface material adjacent to uncolored concrete, unless specified elsewhere in the plans.
11. Detectable Warning Materials shall be truncated dome plates in the color approved by the City. Install products in accordance with manufacturer's specifications.
12. Detectable warning surfaces must be slip resistant and not allow water to accumulate.
13. Detectable warning surfaces shall be a minimum of 24" in depth in the direction of pedestrian travel, and extend the full width of the curb ramp or landing where the pedestrian access route enters the street.
14. Detectable warning surfaces shall be located so that the edge nearest the curb line is at the back of curb. When placed on the ramp, align the rows of domes to be perpendicular to the grade break between the ramp run and the street. Where detectable warning surfaces are provided on a surface with a slope that is less than 5 percent, dome orientation is less critical. Detectable warning surfaces may be curved along the corner radius.

SIDEWALKS

15. Provide clear ground space at operable parts, including pedestrian push buttons. Operable parts shall be placed within one or more reach ranges specified in TAS 308.
16. Place traffic signal or illumination poles, ground boxes, controller boxes, signs, drainage facilities and other items so as not to obstruct the pedestrian access route or clear ground space.
17. Street grades and cross slopes shall be as shown elsewhere in the plans.
18. Changes in level greater than 1/4 inch are not permitted (1/2 inch with bevel).
19. The least possible grade should be used to maximize accessibility. The running slope of sidewalks and crosswalks within the public right of way may follow the grade of the parallel roadway. Where a continuous grade greater than 5% must be provided, handrails may be desirable to improve accessibility. Handrails may also be needed to protect pedestrians from potentially hazardous conditions. If provided, handrails shall comply with TAS 505.
20. Handrail extensions shall not protrude into the usable landing area or into intersecting pedestrian routes.

DIRECTIONAL CURB RAMP	CITY OF ROCKWALL	
		DATE: MAR. '17 / DRAWING NO.: R-2125D



DIMENSIONS OF MEDIAN NOSE

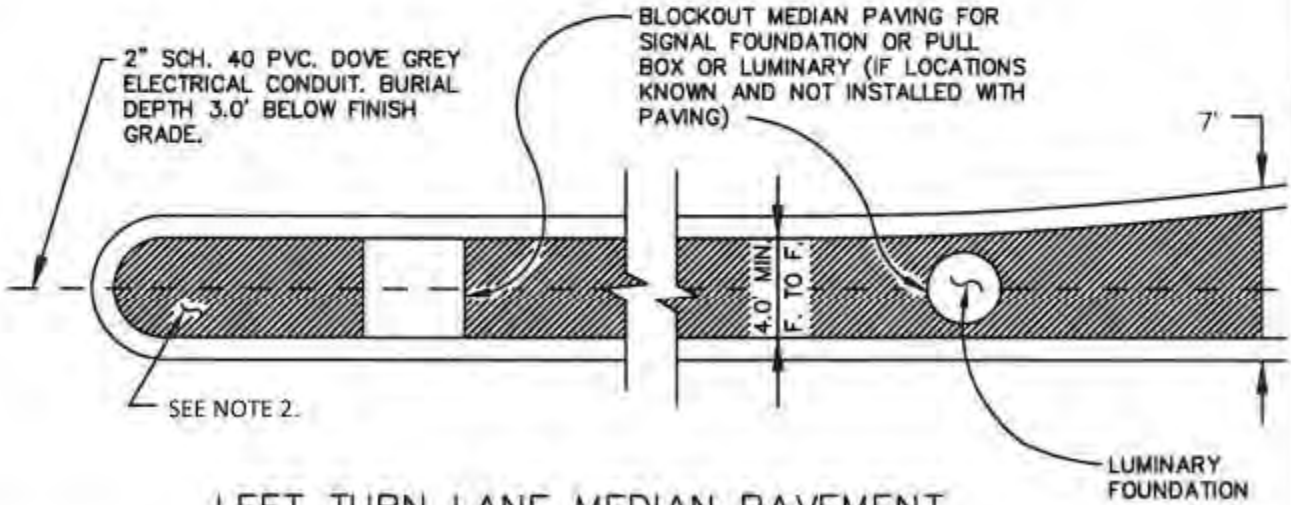
Y = 15'	X = 27.6'
Y = 16'	X = 28.8'
Y = 17'	X = 29.9'
Y = 18'	X = 30.9'

CONCRETE NOSE FOR MEDIAN ISLAND

N.T.S.

NOTES

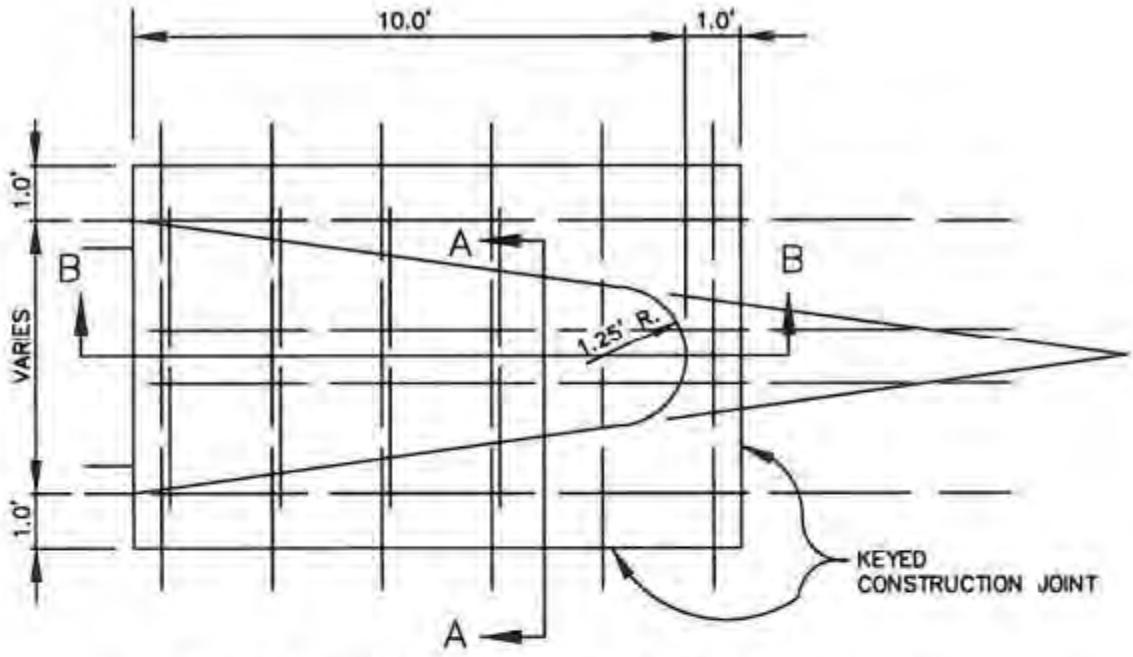
1. LEFT TURN LANE SHALL HAVE A MOWER ACCESS RAMP.
2. MEDIAN PAVING TO BE CONSTRUCTED OF INEGRAL STAMPED & STAINED REINFORCED CONCRETE, COLOR AND PATTERN TO BE APPROVED BY THE CITY. CONCRETE TO BE MINIMUM SIX (6") INCH 3600PSI (6.5 SACK/CY) WITH #4 BARS ON 18" CENTERS.
3. STREET LIGHT POLE BASES IN MEDIAN ARE TO HAVE THIRTY-SIX (36") INCH BY THIRTY-SIX (36") INCH, FOUR (4") INCH THICK, 3000PSI REINFORCED CONCRETE MOW STRIP.



LEFT TURN LANE MEDIAN PAVEMENT

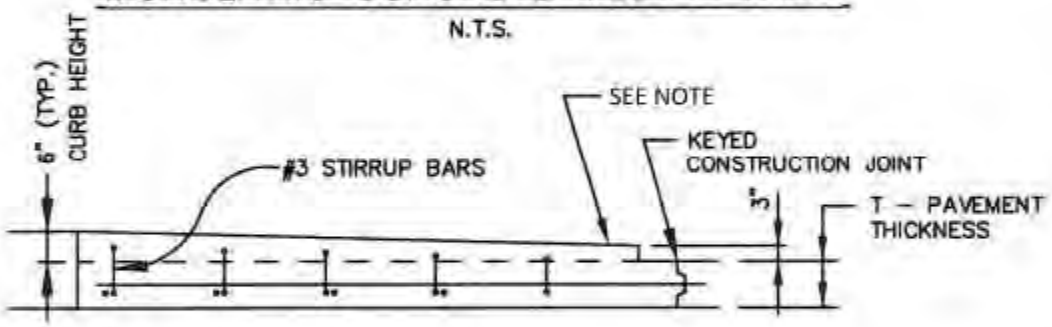
N.T.S.

MEDIAN ISLAND PAVEMENT	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 305.3	
NOSE & LEFT TURN LANE		DATE AUG. '19	STANDARD DRAWING NO. R-2130



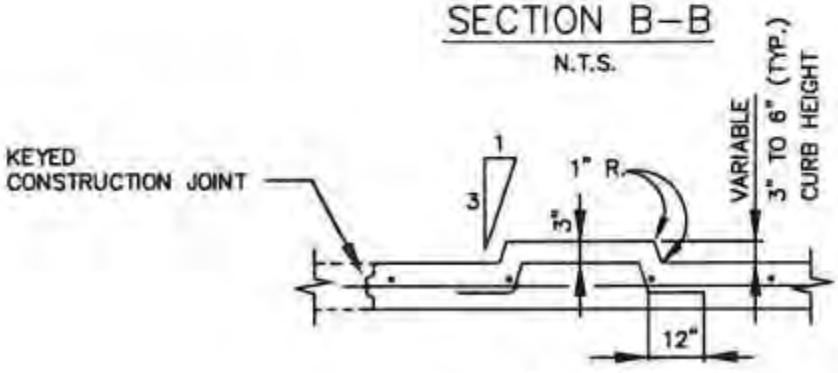
MONOLITHIC CONCRETE MEDIAN NOSE

N.T.S.



SECTION B–B

N.T.S.

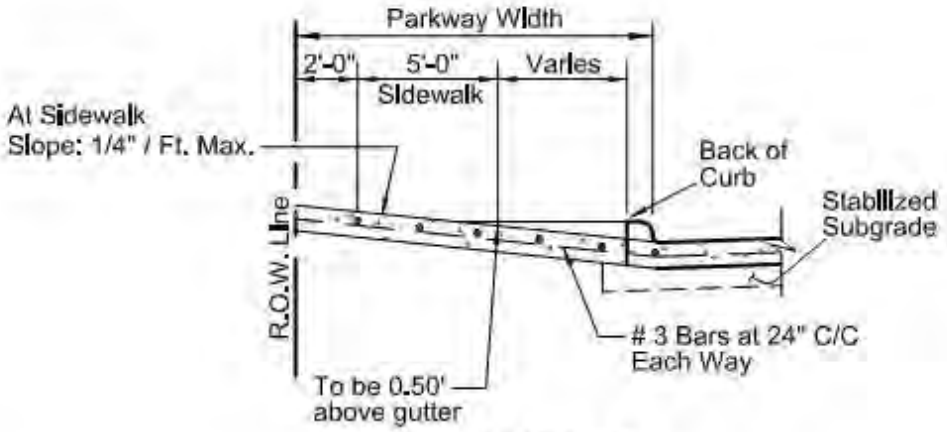


SECTION A–A

N.T.S.

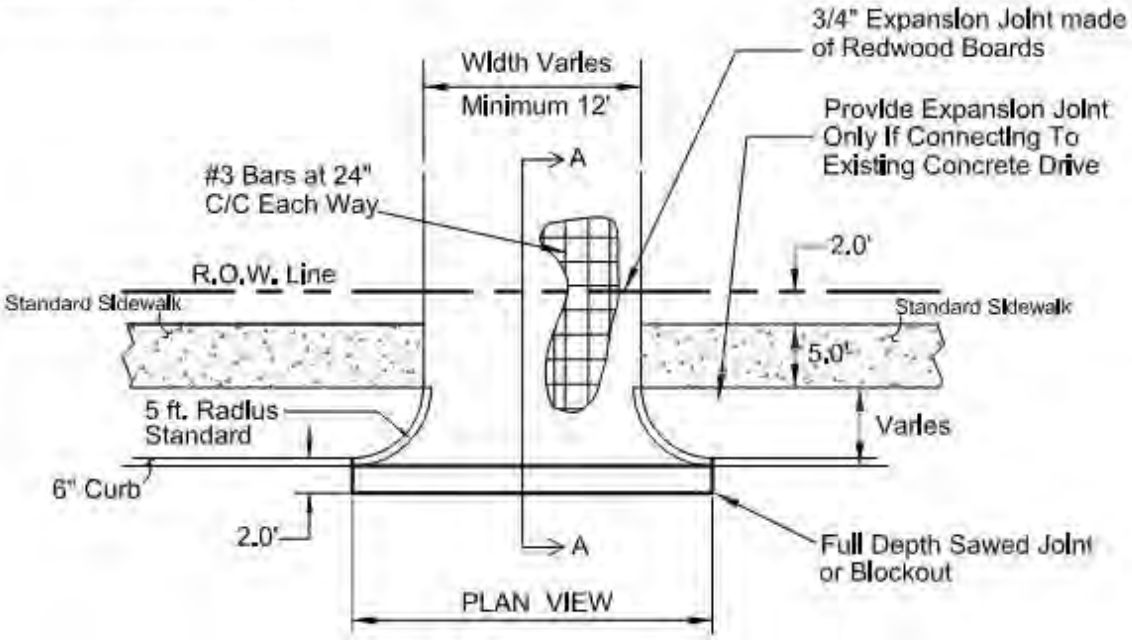
NOTE
1. MEDIAN NOSE PAVEMENT STRENGTH SHALL MATCH THAT OF STREET PAVING.
2. MONOLITHIC NOSE REQUIRED WHEN LESS THAN 6.0' FACE TO FACE.
3. REINFORCEMENT BARS SHALL MATCH THOSE IN PAVEMENT.

MEDIAN ISLAND PAVEMENT	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 305.3	
MONOLITHIC CONCRETE NOSE		DATE AUG. '19	STANDARD DRAWING NO. R-2140



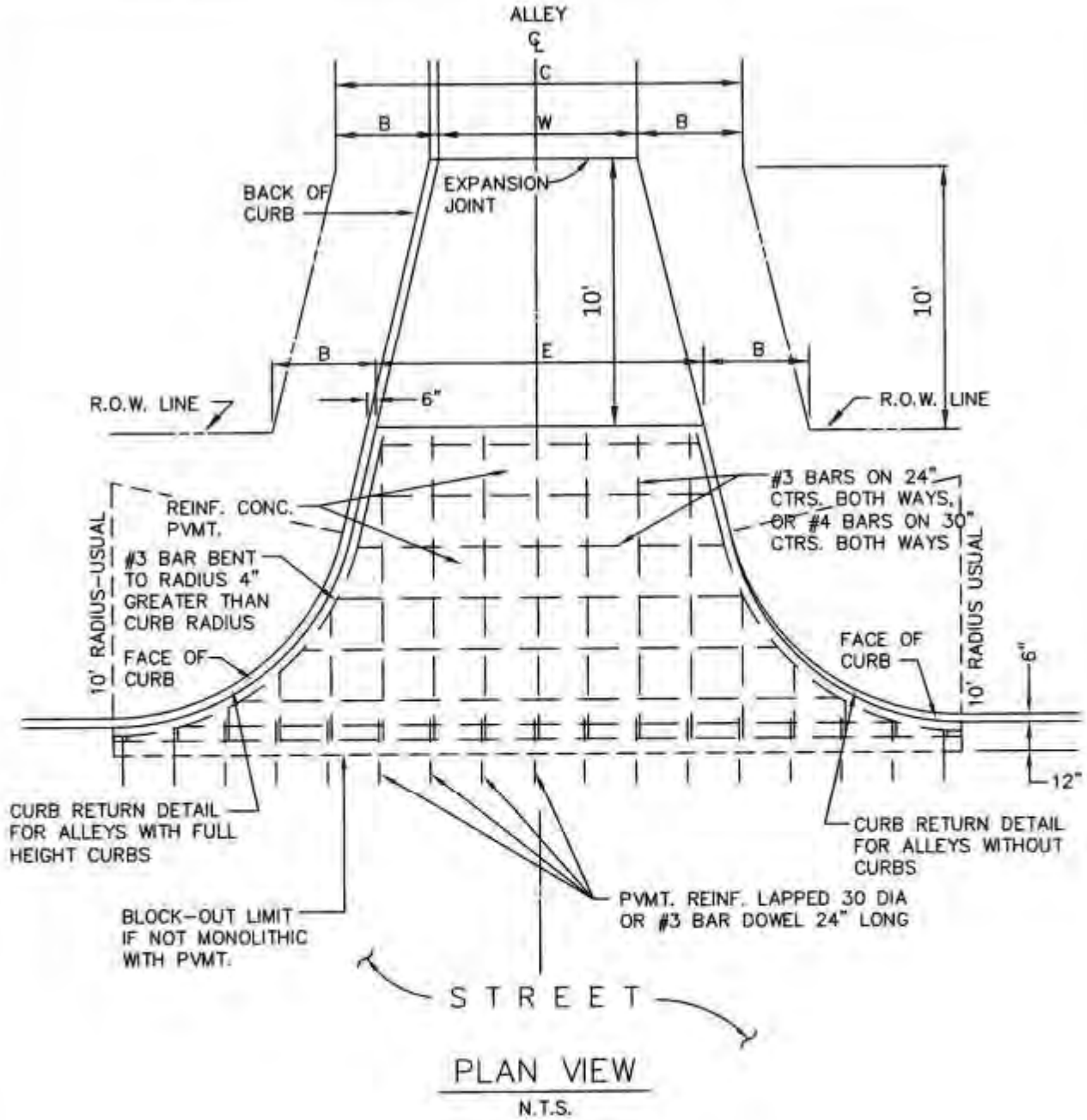
SECTION A-A

NOTE:
Sidewalk section thru driveway to be poured same thickness as driveway - 6" Thick 3,600 P.S.I. Reinf. Conc. Pvmt. w/ #3 Bars @ 24" O.C.E.W. (Grade 60 Steel)



DRIVEWAY DETAILS
(Not to Scale)

DRIVEWAY DETAIL	CITY OF ROCKWALL	
RESIDENTIAL DRIVEWAY		DATE: AUG '19 / DRAWING NO.: R-2150

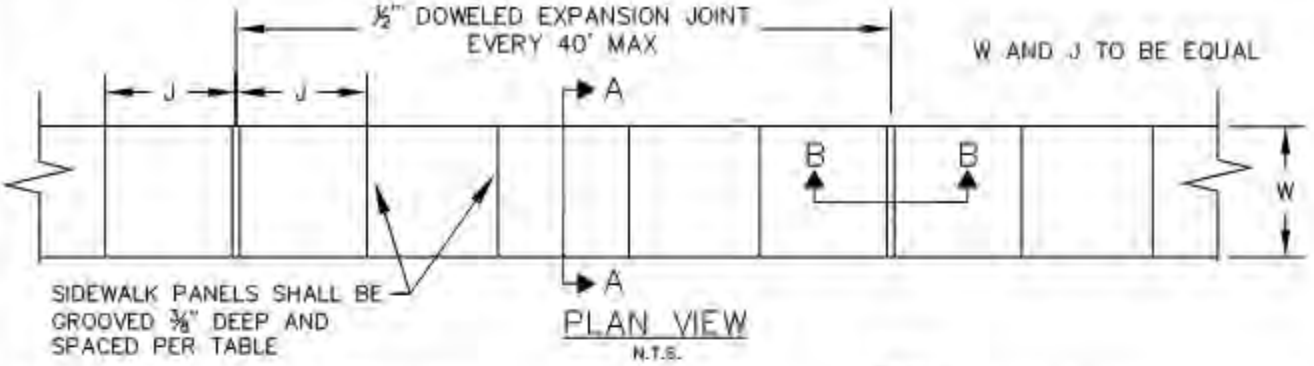


PLAN VIEW

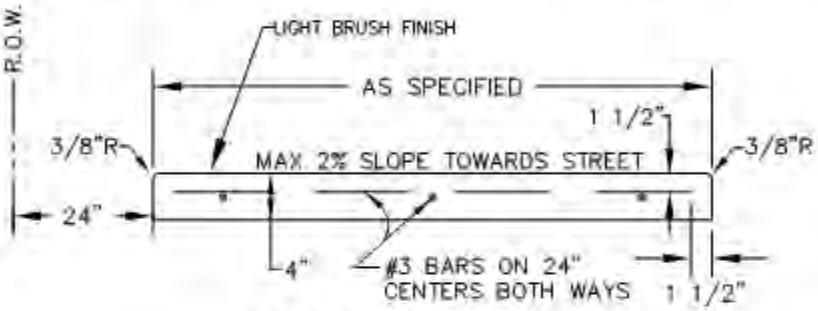
N.T.S.

ALLEY WIDTH (W)	R.O.W. WIDTH (C)	B	E
12'	20'	4'	14'

ALLEY APPROACH RADIUS RETURN TYPE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 305.2	
		DATE Mar. 2018	STANDARD DRAWING NO. R-2160

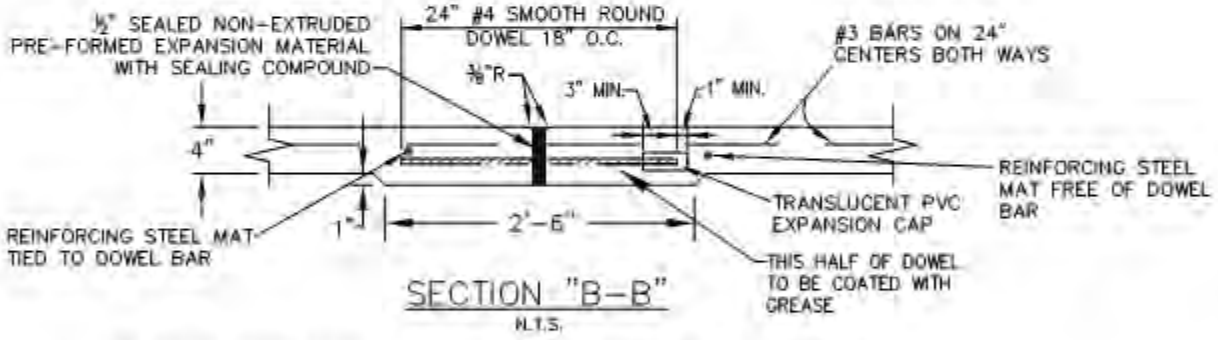


PLAN VIEW
N.T.S.

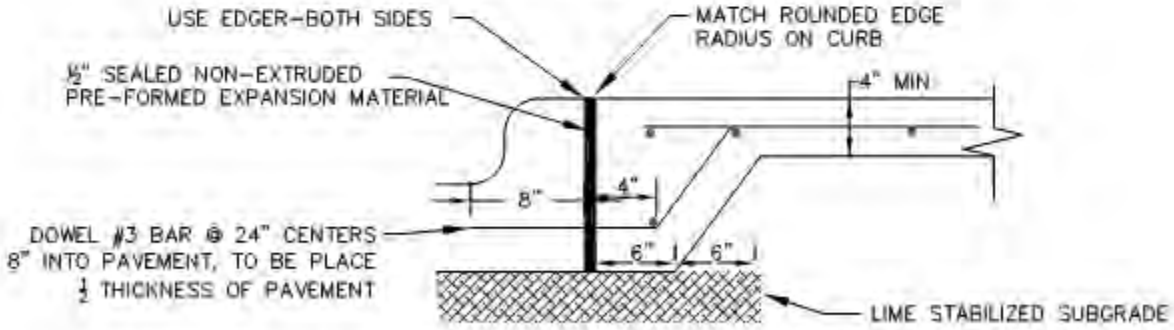


SECTION "A–A"
N.T.S.

NOTES:
1. CROSS SLOPE OF SIDEWALK SHALL BE NO GREATER THAN 2%
2. SIDEWALK CONCRETE WITHIN CITY R.O.W. SHALL BE MINIMUM 3,000 PSI (5.5 SACK/C.Y.) CONCRETE.
3. ALL SIDEWALKS SHALL MAINTAIN POSITIVE DRAINAGE.
4. ALL HONEYCOMB IN BACK OD CURB TO BE TROWEL–PLASTERED BEFORE POURING SIDEWALK.
5. MINIMUM WIDTH OF 6' IF SIDEWALK ADJACENT TO CURB A LUGGED INTO THE CURB.
6. STEEL WIRE MESH IS NOT ACCEPTABLE.

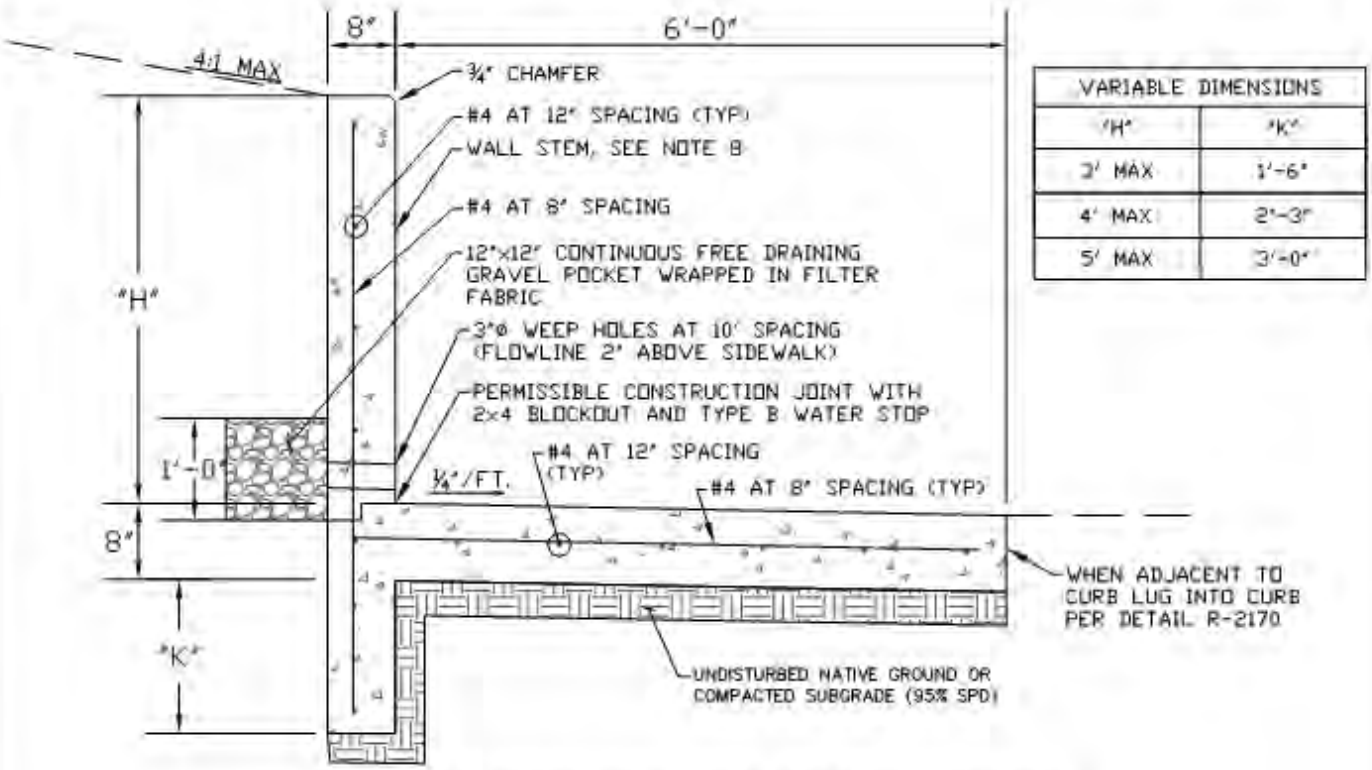


SECTION "B–B"
N.T.S.



JOINT LUG DETAIL FOR MEDIAN PAVEMENT
LEAD WALK CONNECTIONS OR SIDEWALK ADJACENT TO CURB
N.T.S.

REINFORCED CONCRETE SIDEWALKS	CITY OF ROCKWALL		
JOINTS AND SPACING		DATE AUG '19	DRAWING NO. R–2170



VARIABLE DIMENSIONS	
"H"	"K"
3' MAX	1'-6"
4' MAX	2'-3"
5' MAX	3'-0"

RETAINING WALL WITH INTEGRAL SIDEWALK

N.T.S.

NOTES:

1. FOR USE OF THIS STANDARD DETAIL, THE FOLLOWING GEOTECHNICAL SITE CONDITIONS MUST BE MET:
   - -MINIMUM ALLOWABLE BEARING PRESSURE: 1,500 PSF
   - -MINIMUM COEFFICIENT OF FRICTION: 0.3
   - -MAXIMUM ACTIVE PRESSURE COEFFICIENT (Ka): 0.65
2. ALL MATERIALS SHALL BE SUBMITTED FOR APPROVAL PRIOR TO CONSTRUCTION.
3. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI.
4. ALL REINFORCING STEEL SHALL BE GRADE 60.
5. ALL CLEAR COVER SHALL BE 2" WHERE FORMED AND 3" WHERE CAST AGAINST EARTH.
6. IF ANY SURCHARGE LOAD IS ANTICIPATED AN ENGINEERING DESIGN IS REQUIRED, SEALED BY A REGISTERED ENGINEER IN THE STATE OF TEXAS. THIS INCLUDES DEAD LOAD SURCHARGES AND LIVE LOAD SURCHARGES SUCH AS TRAFFIC LOADS.
7. JOINT LOCATIONS SHALL MATCH ON SIDEWALK AND WALL. JOINT SPACING SHALL BE EVERY 30 FEET FOR CONTROL JOINTS AND EVERY 90 FEET FOR EXPANSION JOINTS. TYPE B WATERSTOP SHALL BE APPLIED ON THE FILL SIDE OF ALL EXPANSION AND CONSTRUCTION JOINTS.
8. WALL FACE SHALL BE FORM LINER OR STONE VENEER WITH RANDOM ROCK ASHLAR PATTERN, NO SMOOTH CONCRETE SURFACE ALLOWED

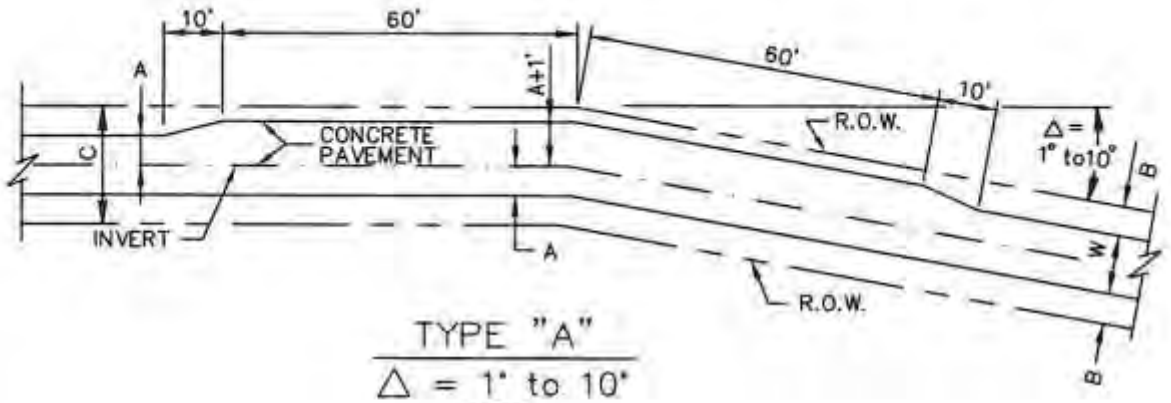
REINFORCED CONCRETE RETAINING WALL	CITY OF ROCKWALL	
INTEGRAL WITH SIDEWALK		DATE: AUG '19 / DRAWING NO.: R-2180

GENERAL NOTES:

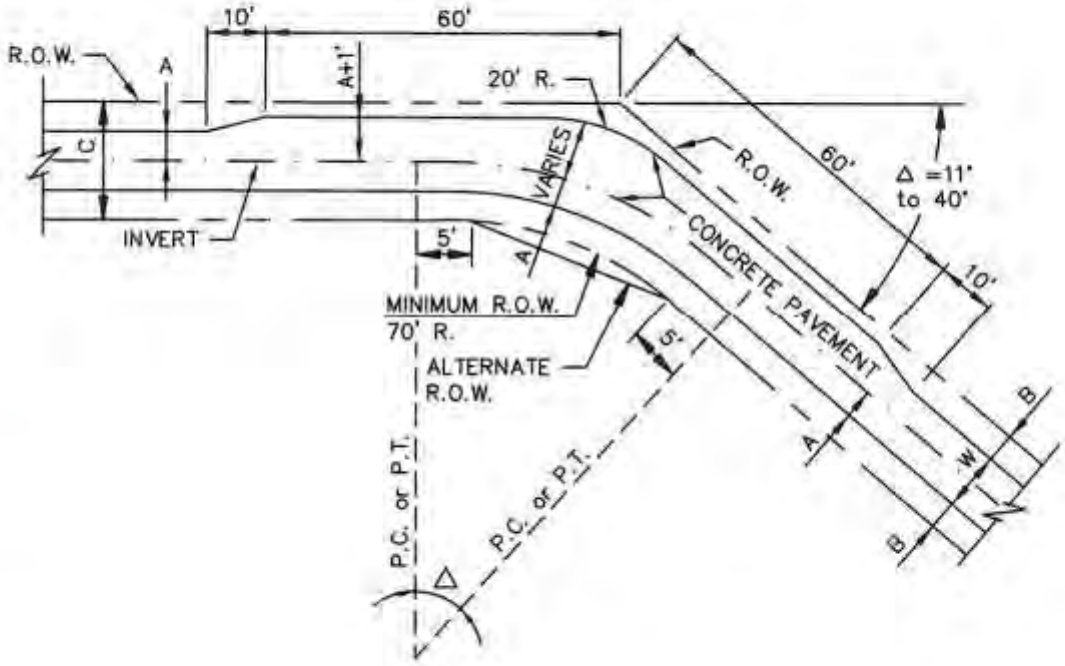
1. REINFORCED CONCRETE PAVEMENT:
   A. ALL CURBS SHALL BE PLACED INTEGRAL WITH PAVEMENT UNLESS OTHERWISE APPROVED BY THE OWNER.
   B. CURBS SHALL MEET THE SAME COMPRESSIVE STRENGTH AS SPECIFIED FOR THE PAVEMENT.
   C. BAR LAPS SHALL BE 30 DIAMETERS.
   D. REINFORCING BARS SHALL BE SUPPORTED BY CHAIRS OR OTHER DEVICES APPROVED BY THE OWNER.

2. SUBGRADE: (UNLESS OTHERWISE SPECIFIED BY OWNER)
   A. SUBGRADE UNDER ALL PAVEMENTS SHALL BE STABILIZED TO A MINIMUM DEPTH OF SIX (6") INCHES WITH HYDRATEDLIME CEMENT. LABORATORY TESTS WILL BE PERFORMED TO DETERMINE THE AMOUNT OF LIME OR CEMENT TO USE.

PAVEMENT SYSTEMS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 302,303	
GENERAL NOTES		DATE Mar. 2018	STANDARD DRAWING NO. R-2190



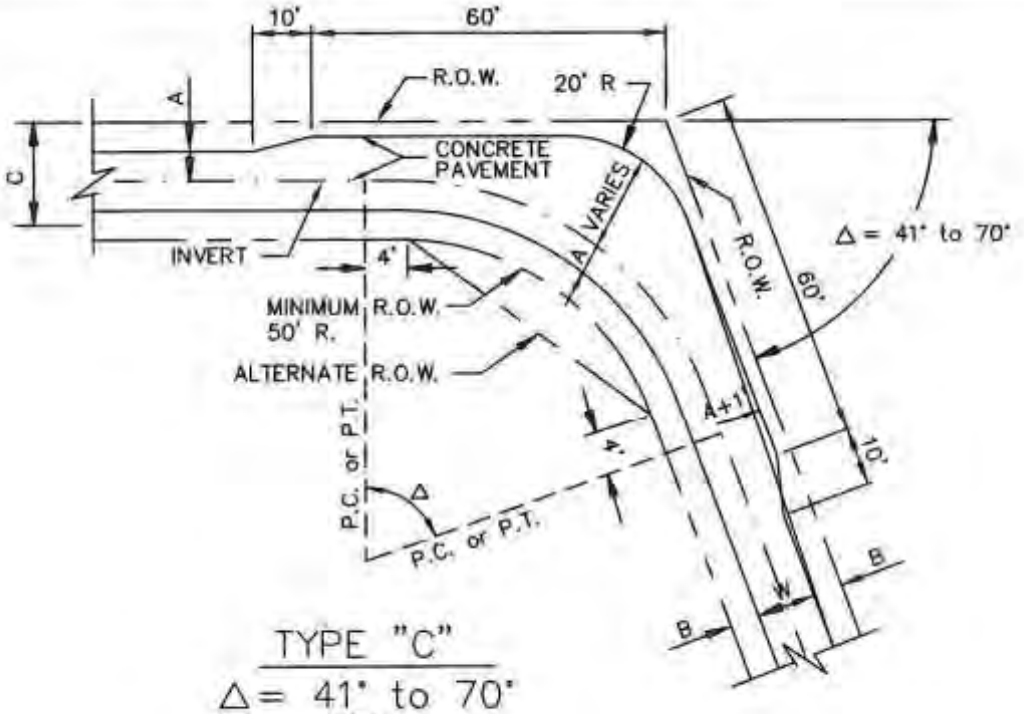
TYPE "A"
Δ = 1° to 10°
N.T.S.



TYPE "B"
Δ = 11° to 40°
N.T.S.

NOTES:
1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

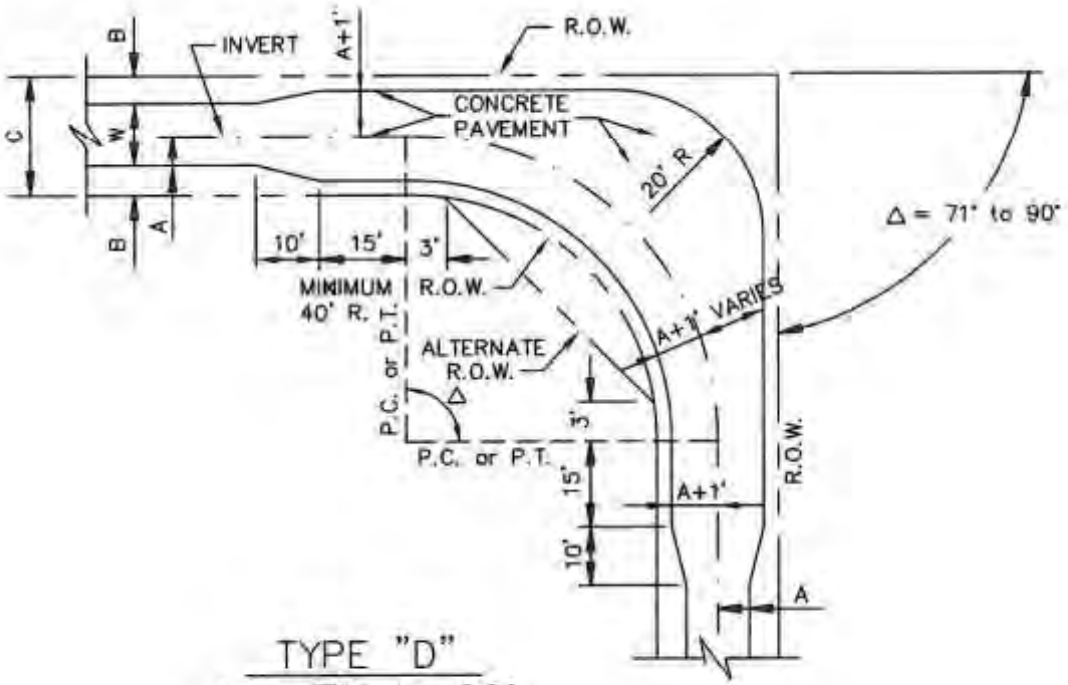
ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "A" & TYPE "B"		DATE Mar. 2018	STANDARD DRAWING NO. R-2210



TYPE "C"

Δ = 41° to 70°

N.T.S.



TYPE "D"

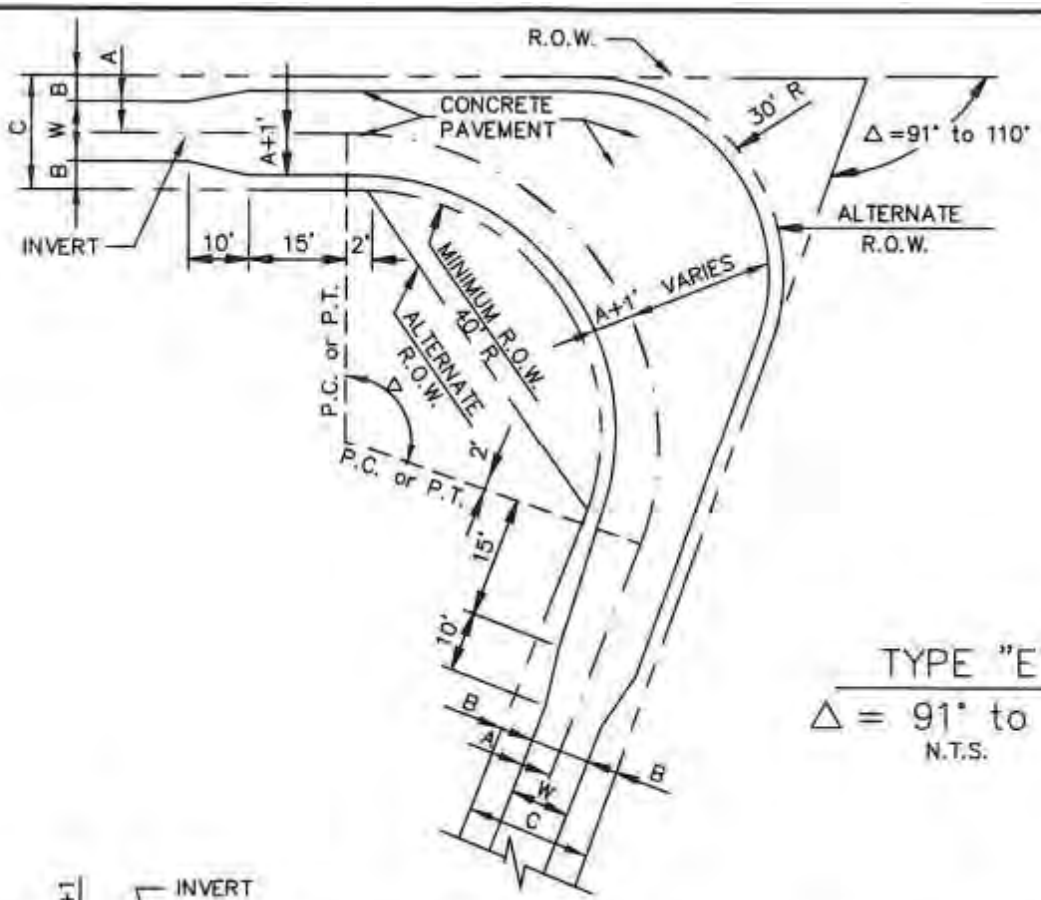
Δ = 71° to 90°

N.T.S.

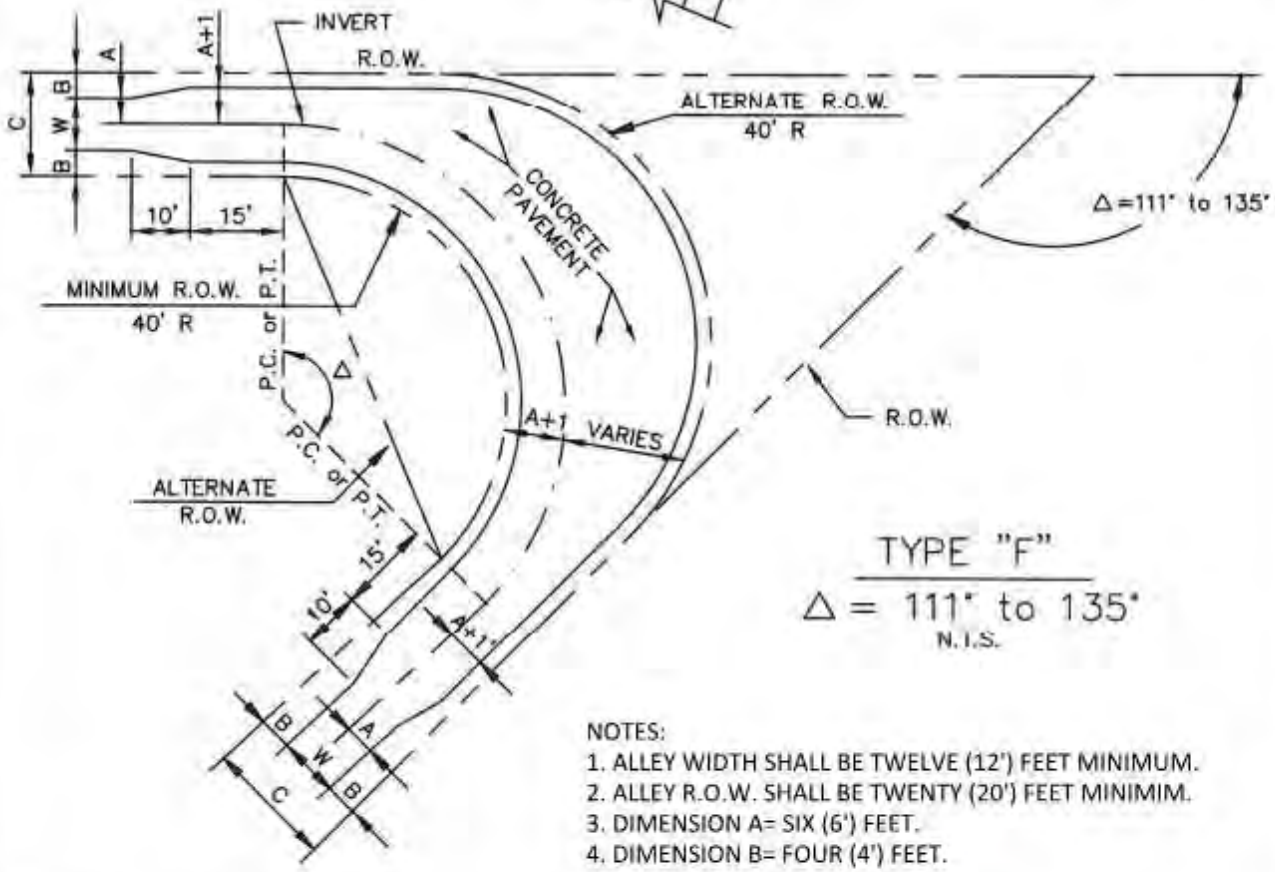
NOTES:

1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "C" & TYPE "D"		DATE Mar. 2018	STANDARD DRAWING NO. R-2220



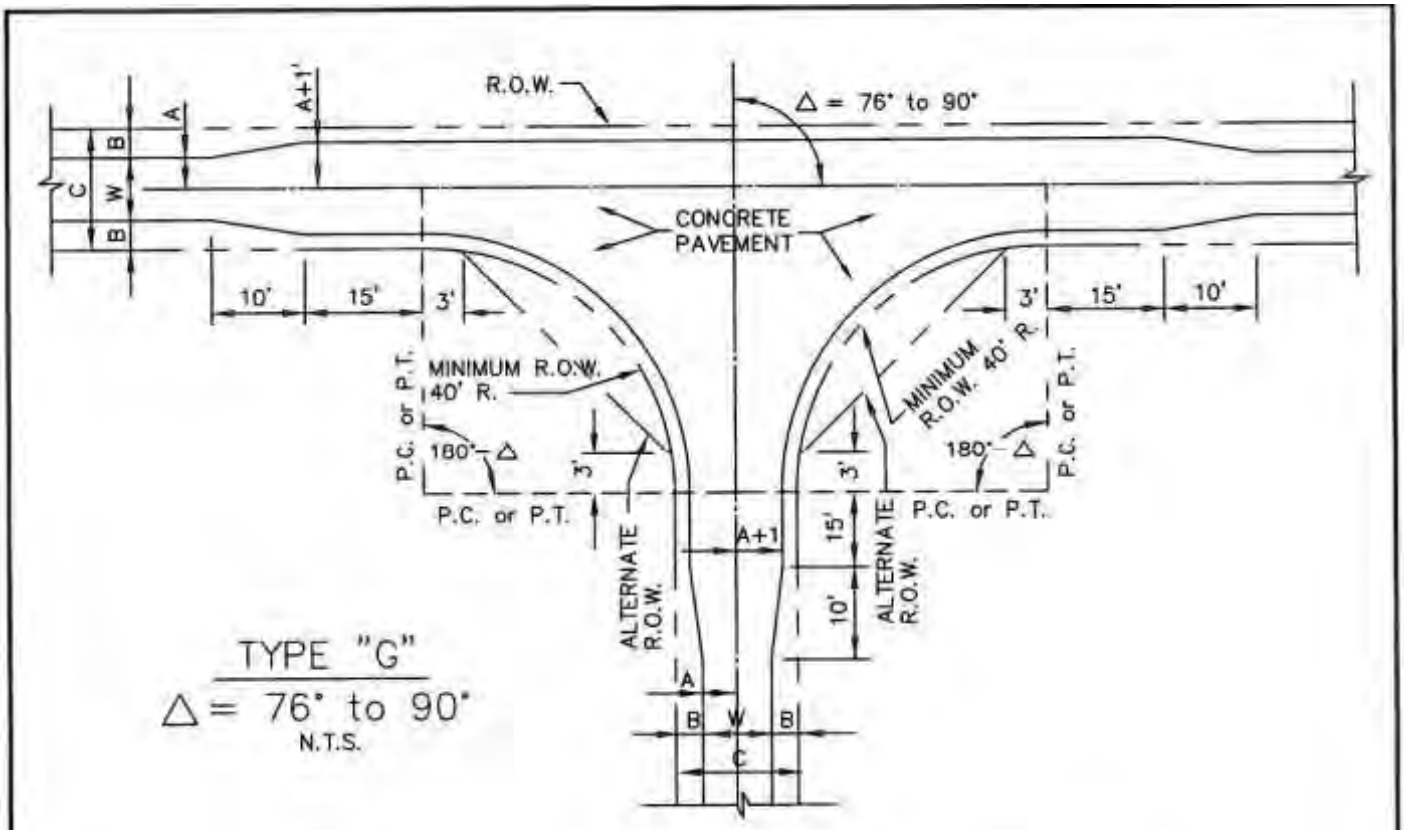
TYPE "E"
Δ = 91° to 110°
N.T.S.



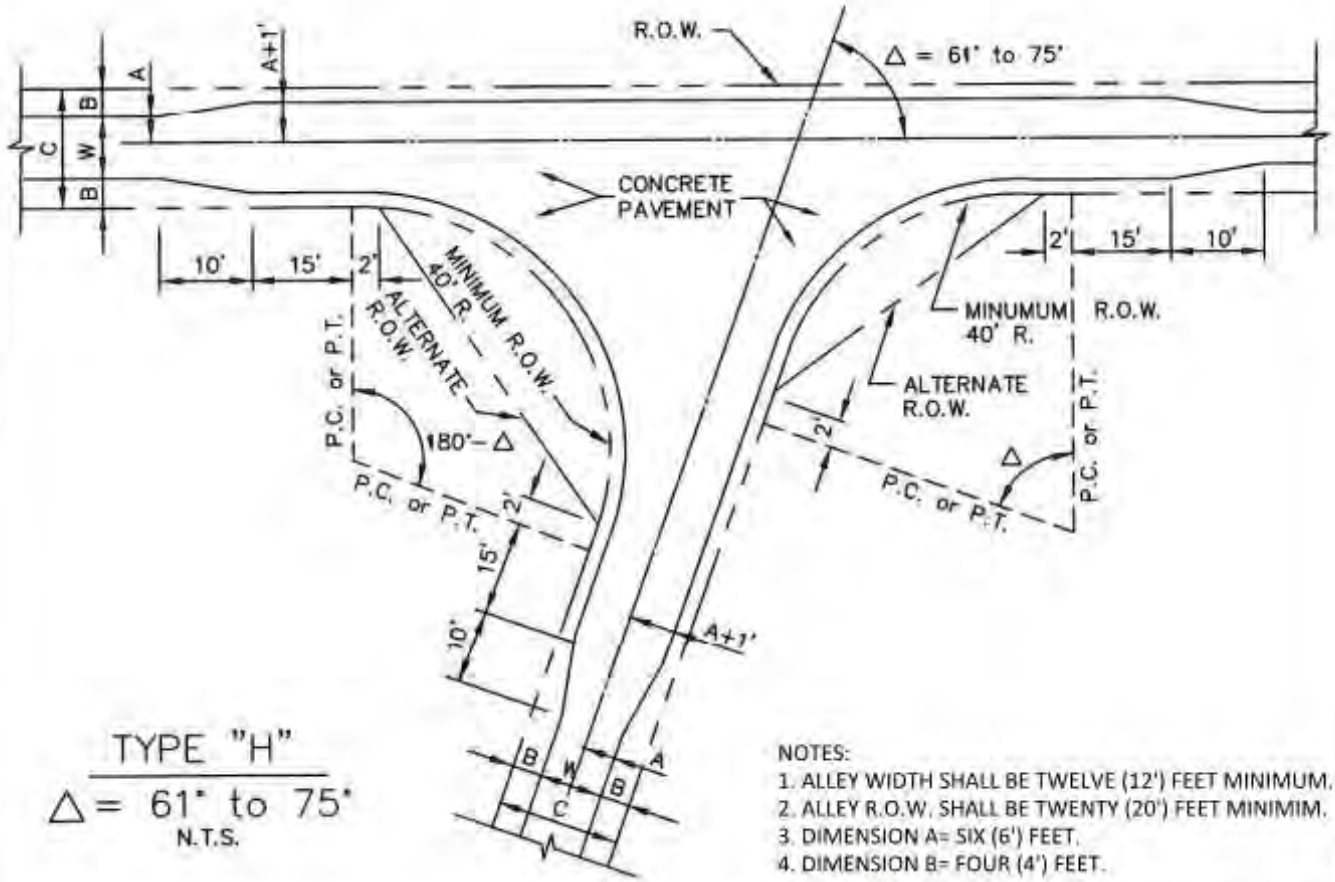
TYPE "F"
Δ = 111° to 135°
N.T.S.

NOTES:
1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "E" & TYPE "F"		DATE Mar. 2018	STANDARD DRAWING NO. R-2230



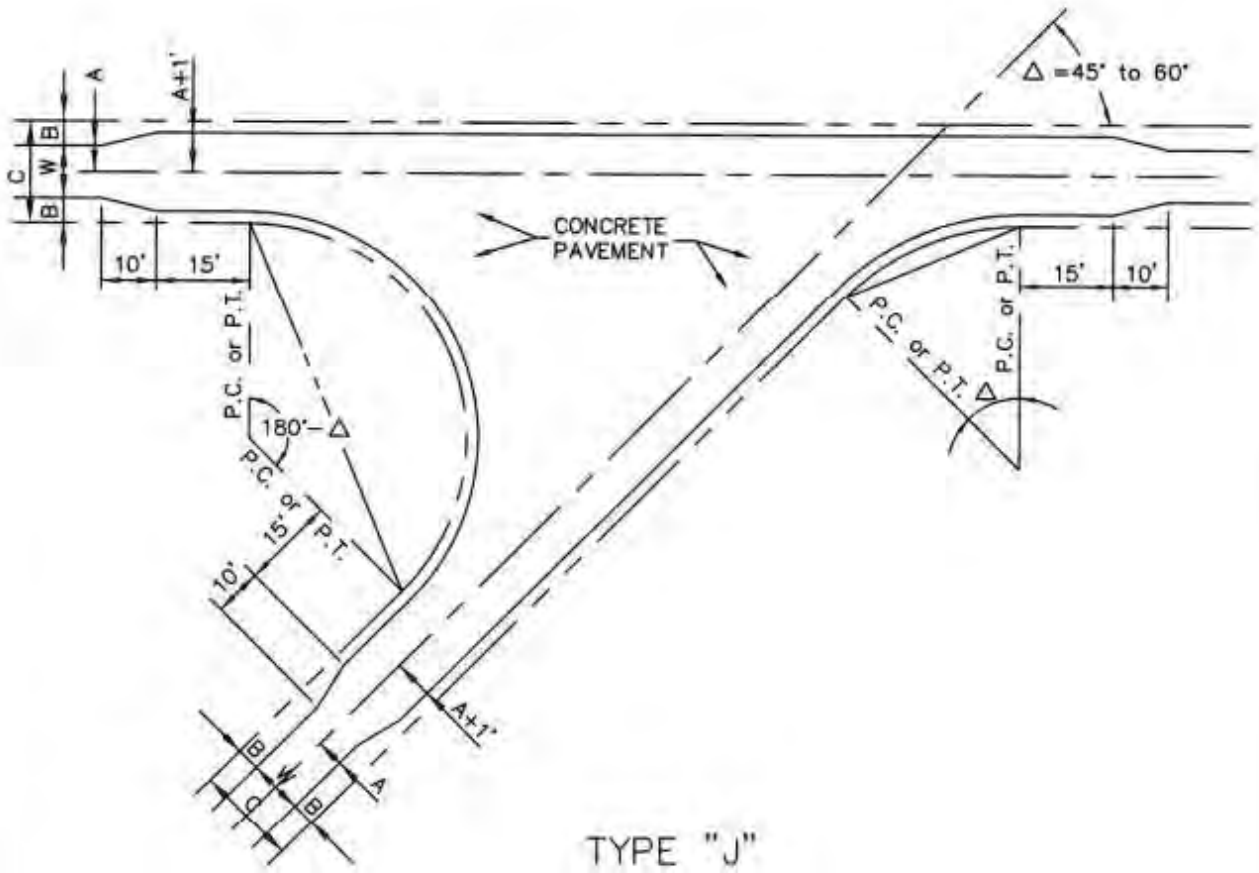
TYPE "G"
Δ = 76° to 90°
N.T.S.



TYPE "H"
Δ = 61° to 75°
N.T.S.

NOTES:
1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "G" & TYPE "H"		DATE Mar. 2018	STANDARD DRAWING NO. R-2240



TYPE "J"

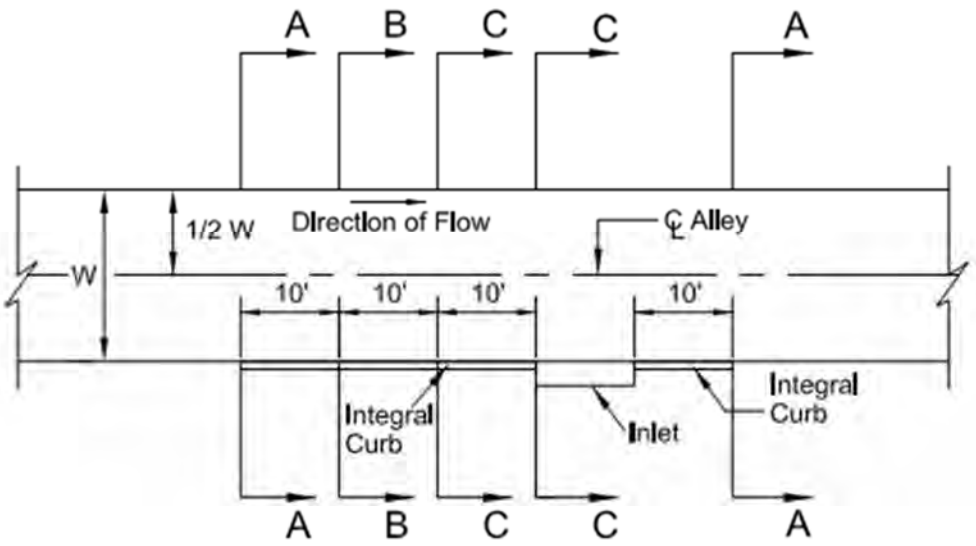
Δ = 45° to 60°

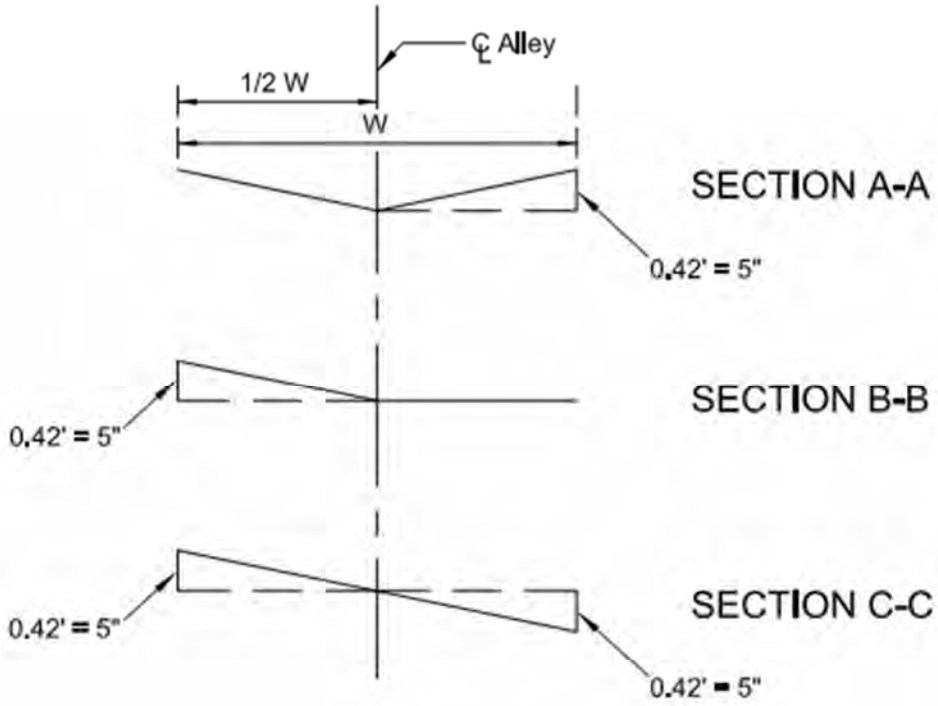
N.T.S.

NOTES:

1. ALLEY WIDTH SHALL BE TWELVE (12') FEET MINIMUM.
2. ALLEY R.O.W. SHALL BE TWENTY (20') FEET MINIMIM.
3. DIMENSION A= SIX (6') FEET.
4. DIMENSION B= FOUR (4') FEET.

ALLEY GEOMETRICS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 303.5	
TYPE "J"		DATE Mar. 2018	STANDARD DRAWING NO. R-2250

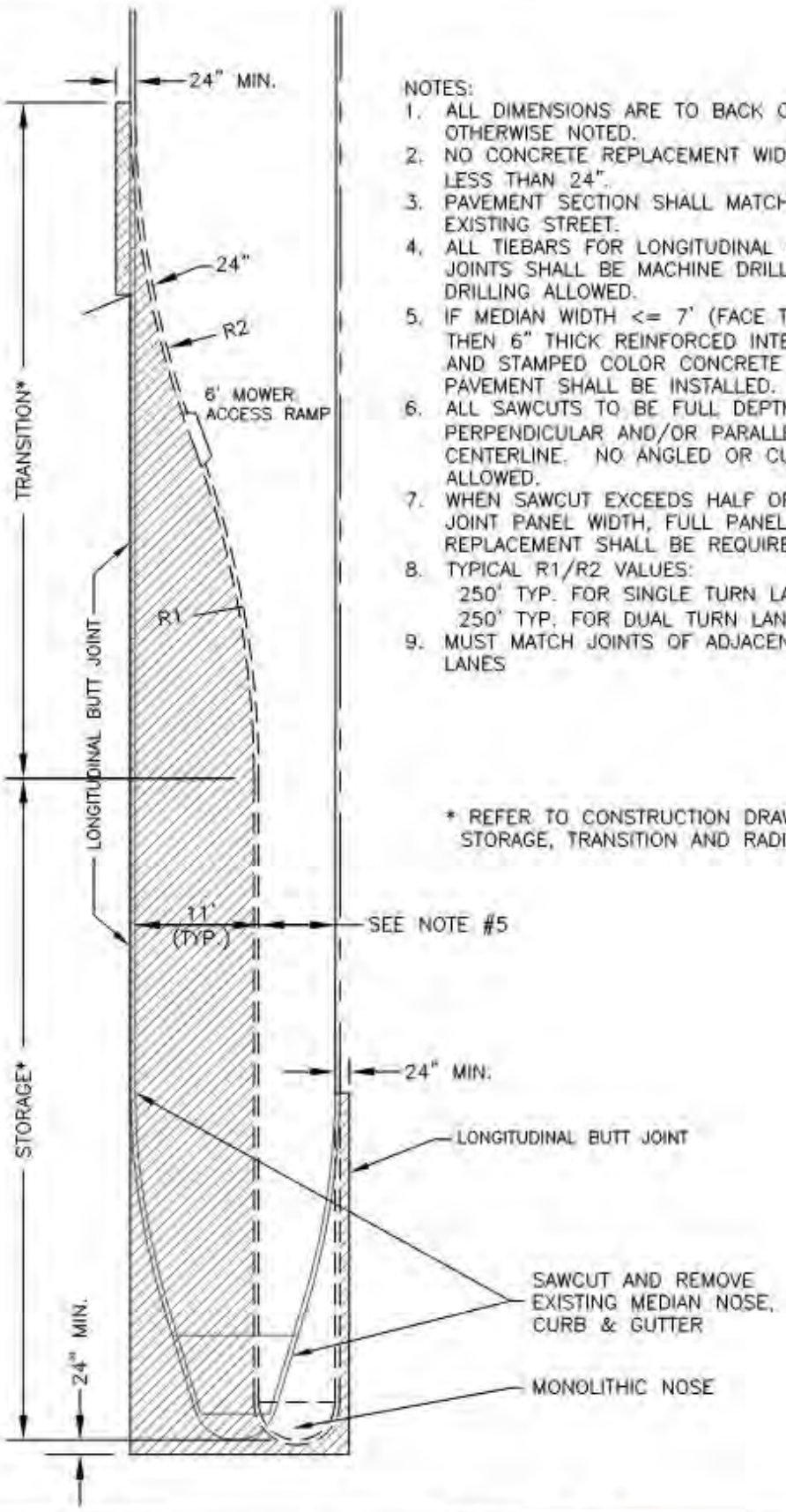




TYPICAL ALLEY WARPING AT INLET

(Not to Scale)

ALLEY GEOMETRICS	CITY OF ROCKWALL		
ALLEY WARPING AT INLET		DATE OCT. '17	DRAWING NO. R-2251

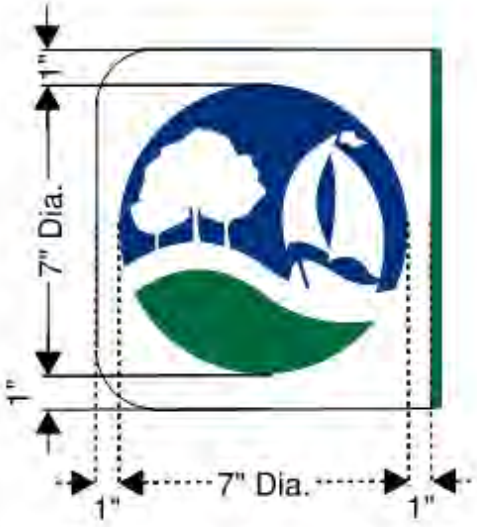


NOTES:
1. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
2. NO CONCRETE REPLACEMENT WIDTH SHALL BE LESS THAN 24".
3. PAVEMENT SECTION SHALL MATCH THAT OF EXISTING STREET.
4. ALL TIEBARS FOR LONGITUDINAL CONSTRUCTION JOINTS SHALL BE MACHINE DRILLED. NO HAND DRILLING ALLOWED.
5. IF MEDIAN WIDTH <= 7' (FACE TO FACE) THEN 6" THICK REINFORCED INTEGRAL STAINED AND STAMPED COLOR CONCRETE MEDIAN PAVEMENT SHALL BE INSTALLED.
6. ALL SAWCUTS TO BE FULL DEPTH AND EITHER PERPENDICULAR AND/OR PARALLEL WITH STREET CENTERLINE. NO ANGLED OR CURVED SAWCUTS ALLOWED.
7. WHEN SAWCUT EXCEEDS HALF OF CONSTRUCTION JOINT PANEL WIDTH, FULL PANEL REMOVAL AND REPLACEMENT SHALL BE REQUIRED.
8. TYPICAL R1/R2 VALUES:
   250' TYP. FOR SINGLE TURN LANE
   250' TYP. FOR DUAL TURN LANE
9. MUST MATCH JOINTS OF ADJACENT TRAFFIC LANES

* REFER TO CONSTRUCTION DRAWINGS FOR STORAGE, TRANSITION AND RADII DIMENSIONS.

LEFT TURN LANE	CITY OF ROCKWALL	
CONCRETE REMOVAL & REPLACEMENT		DATE: AUG. '19 / DRAWING NO.: R-2270





Rockwall Logo Detail

NOT TO SCALE

Notes:
1. Street name blades shall consist of white SCOTCHLITE 3930 High Intensity Prismatic Material, digitally printed using HP Latex 360 or higher.
Green: Pantone 335C with overlay CMYK 100-0-20-0 set to darken.
Blue: Pantone 287C.

2. Lettering to be composed of a combination of upper and lowercase letters, with initial uppercase letters. Font to be Clearview TCAD-1w with uppercase to be 6" Min. height and lowercase to be 4.5" Min. height. No more than 65% compression on font width.

3. Lettering for street designations and block numbers to be composed of initial uppercase letters at least 3" Min. height and lower-case letters at least 2.25" Min. height.

4. Sign post to be 2 3/8" O.D. galvanized steel tube sign pole.

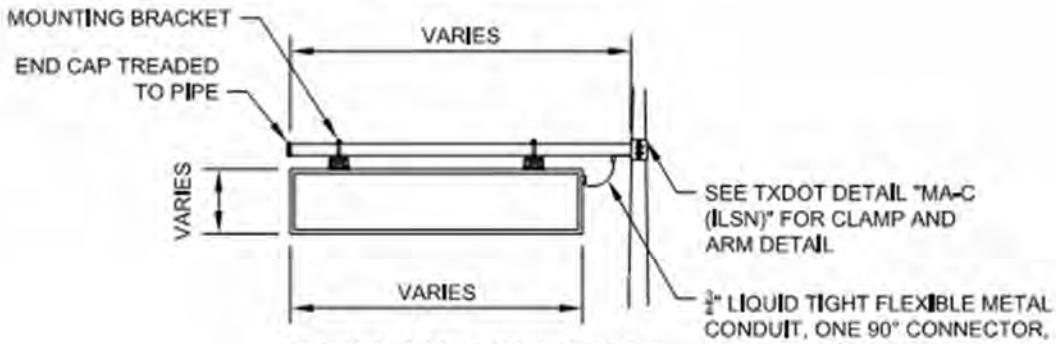
STREET SIGN DETAIL

NOT TO SCALE

STREET REGULATORY SIGNAGE	CITY OF ROCKWALL	
TYPICAL STREET SIGN DETAIL		DATE: May 2018 / DRAWING NO.: R-2300



EXAMPLE SINGLE STREET NAME DETAIL



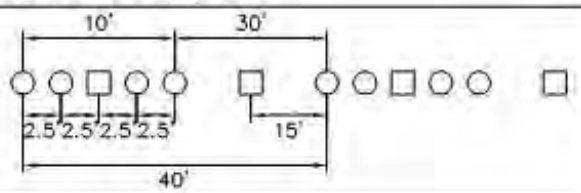
ILSN MOUNTING DETAIL

NOTES:

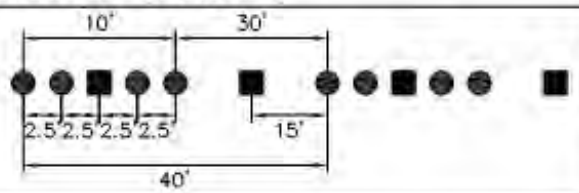
1. UNLESS OTHERWISE SPECIFIED, ALL LETTER SPACING AND WIDTH SHALL BE 100% OF THE US DOT MINIMUM RECOMMENDATION.
   A. LEGENDS REQUIRING LENGTHS GREATER THAN THE 96" WIDTH OF THE SIGN USING STANDARD SPACING, MAY BE ADJUSTED TO FIT.
2. ILSNS UP TO 6' IN LENGTH MAY BE PLACED ON A 7' ILSN CLAMP-ON ARM. ILSNS UP TO 8' IN LENGTH MAY BE PLACED ON A 9' ILSN CAMP-ON ARM.
3. LETTERING SIZE AND SPACING BETWEEN THE VARIOUS SIGN ELEMENTS SHALL FOLLOW THE CURRENT VERSION OF THE *STANDARD HIGHWAY SIGN DESIGNS FOR TEXAS* MANUAL FOR D3-1.
   A. DESIRED LETTER HEIGHT FOR STREET NAME SIGNS SHALL BE 12" FOR UPPER CASE LETTERS. STREET NAME LETTER HEIGHT MAY BE REDUCED TO 10" TO REDUCE THE SIZE OF THE SIGN AS NEEDED.
4. THE CITY LOGO HEIGHT SHALL MATCH MAXIMUM TEXT SIZE HEIGHT ON SIGN LEGEND. THE LOGO SHALL BE PLACED ON THE LEFT SIDE OF EACH SIDE OF THE SIGN ON A WHITE BACKGROUND.
5. THE ILSN LEGEND MAY BE COMPOSED OF ONE LINE OR TWO LINES OF TEXT. CONTRACTOR TO VERIFY WITH CITY BEFORE SUBMITTING SHOP DRAWINGS FOR SIGNS WITH TWO LINES OF TEXT.
6. SIGNS SHALL BE EDGELIT LED ILLUMINATED
7. FACE COLOR/MATERIAL: GREEN EC FILM OVER HIGH-INTENSITY TRANSLUCENT REFLECTIVE WHITE SHEETING ON UV LEXAN.
8. FRAME WIDTH TO BE PROVIDED BY MANUFACTURER.
9. SIGN BODIES AND DOORS ARE TO BE POWDER COATED GLOSSY BLACK.
10. SIGNS SHALL BE SINGLE SIDED EXCEPT UNDER THE FOLLOWING CONDITION:
    SIGN SHALL BE DOUBLE SIDED IF BOTH APPROACHES FACING THE SIGN ARE UNDIVIDED(NO MEDIAN).
11. SIGNS SHALL BE TOP MOUNTED USING STANDARD TXDOT DETAILS.
12. ILSN SHALL BE MOUNTED ON A STANDARD TXDOT ILSN CLAMP-ON ARM UNLESS OTHERWISE DIRECTED IN THE PLANS
13. ILSN SHALL BE FULLY GASKETED AND WATERTIGHT.
14. TRAFFIC SIGNAL POLE SHALL BE AT LEAST 24' HEIGHT. (SEE TXDOT TRAFFIC SIGNAL POLE STANDARDS)
15. A SEPARATE PHOTOCELL FOR ILSN/120 VOLT CIRCUIT WILL BE REQUIRED.
16. TWO #8 XHHW CONDUCTORS SHALL BE INSTALLED FROM SERVICE TO TERMINAL BLOCK OF EACH POLE WITH ILSN UNLESS OTHERWISE SHOWN IN THE PLANS. (CONDUCTORS FROM SERVICE TO TERMINAL BLOCK OF EACH POLE SHALL BE PAID FOR SEPARATELY FROM THE ILSN PAY ITEM.)
    A. DAISY CHAIN ALL ILSNS UNLESS OTHERWISE DIRECTED IN THE PLANS.
17. TWO # 12 XHHW CONDUCTORS SHALL BE INSTALLED FROM TERMINAL BLOCK OF POLE TO ILSN UNLESS OTHERWISE SHOWN IN THE PLANS. (CONDUCTORS FROM THE TERMINAL BLOCK OF EACH POLE TO ILSN SHALL BE PAID FOR SEPARATELY FROM THE ILSN PAY ITEM.)
18. CONTRACTOR TO SUBMIT SHOP DRAWINGS OF THE LED ILSNS TO CITY OF ROCKWALL FOR APPROVAL PRIOR TO FABRICATION.
19. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EQUIPMENT NECESSARY TO INSTALL THE ILSN SIGN.
20. ALL ISLNS SHALL FOLLOW ALL RULES AND GUIDELINES AS SPECIFIED IN THE MOST RECENT EDITIONS OF THE *STANDARD HIGHWAY SIGN DESIGNS FOR TEXAS* AND THE *TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES*. SHOULD ANY CONFLICTS BETWEEN THE ABOVE NOTES AND THESE DOCUMENTS, THESE DOCUMENTS SHALL GOVERN.

ILLUMINATED STREET NAME SIGN	CITY OF ROCKWALL	
ILSN SIGN DETAIL		DATE: JUN '17 / DRAWING NO.: R-2310

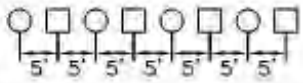
BROKEN WHITE LANE LINE



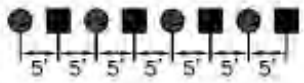
BROKEN YELLOW LANE LINE



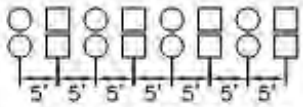
SINGLE WHITE LINE



SINGLE YELLOW LINE



TURN LANE LINE/WIDE WHITE LINE



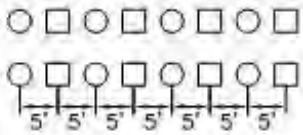
(NO SPACE BETWEEN ADJACENT BUTTONS)

WIDE YELLOW LINE



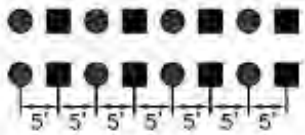
(NO SPACE BETWEEN ADJACENT BUTTONS)

DOUBLE WHITE LINE



(4" SPACE BETWEEN ADJACENT BUTTONS)

DOUBLE YELLOW CENTERLINE



(4" SPACE BETWEEN ADJACENT BUTTONS)

NOTES:

UNLESS OTHERWISE NOTED, THE FOLLOWING BUTTON TYPES SHALL BE USED:

- ● = 4" ROUND YELLOW CERAMIC NON-REFLECTIVE BUTTON
- ■ = 4" SQUARE YELLOW/YELLOW ACRYLIC REFLECTIVE BUTTON
- ○ = 4" ROUND WHITE CERAMIC NON-REFLECTIVE BUTTON
- □ = 4" SQUARE CLEAR/RED ACRYLIC REFLECTIVE BUTTON

RAISED PAVEMENT MARKINGS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
LANE LINES		DATE: Mar. 2018	STANDARD DRAWING NO.: R-2320

RAISED PAVEMENT MARKINGS

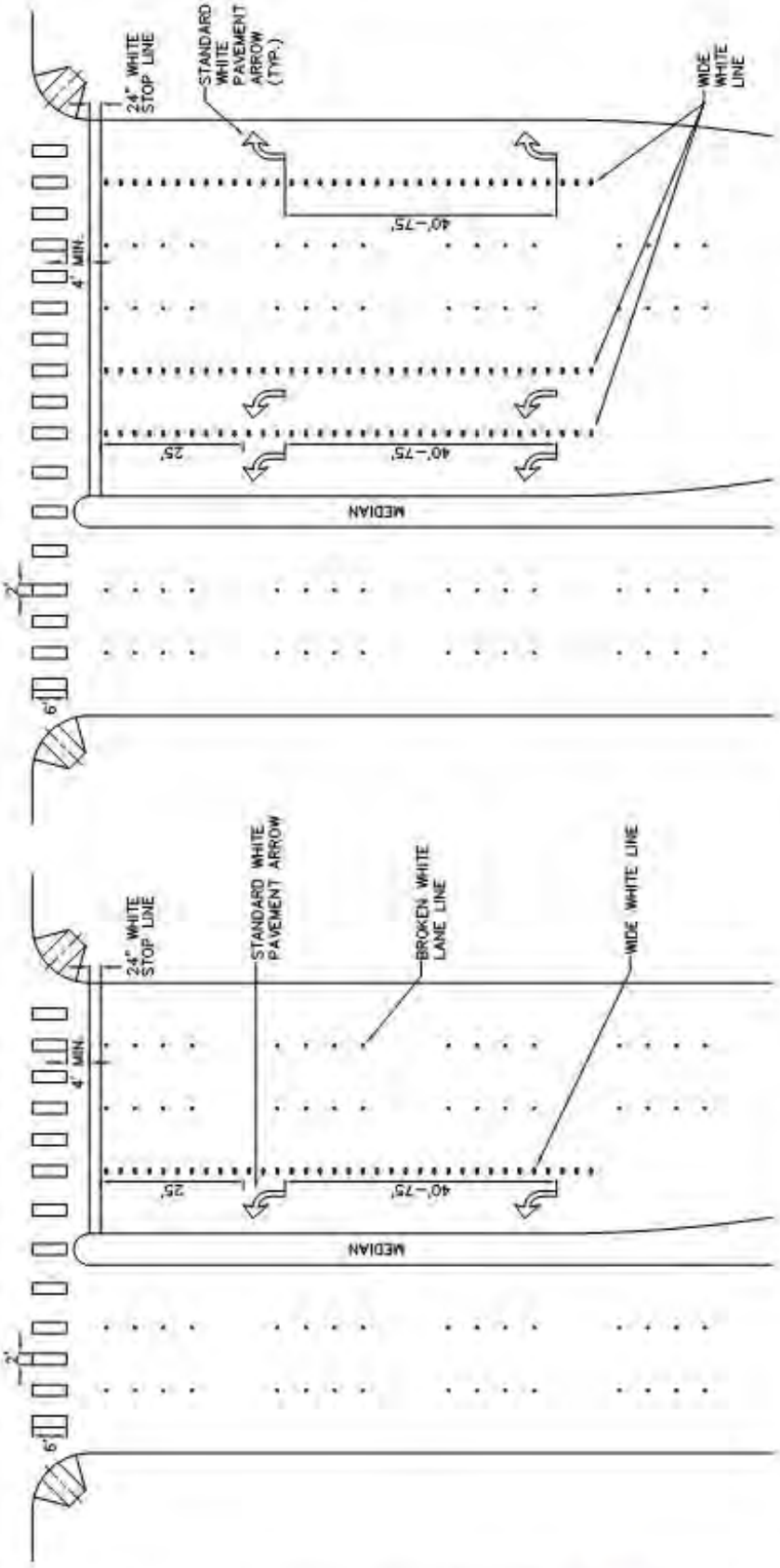
CHEVRON AND CROSSHATCH

CITY OF ROCKWALL

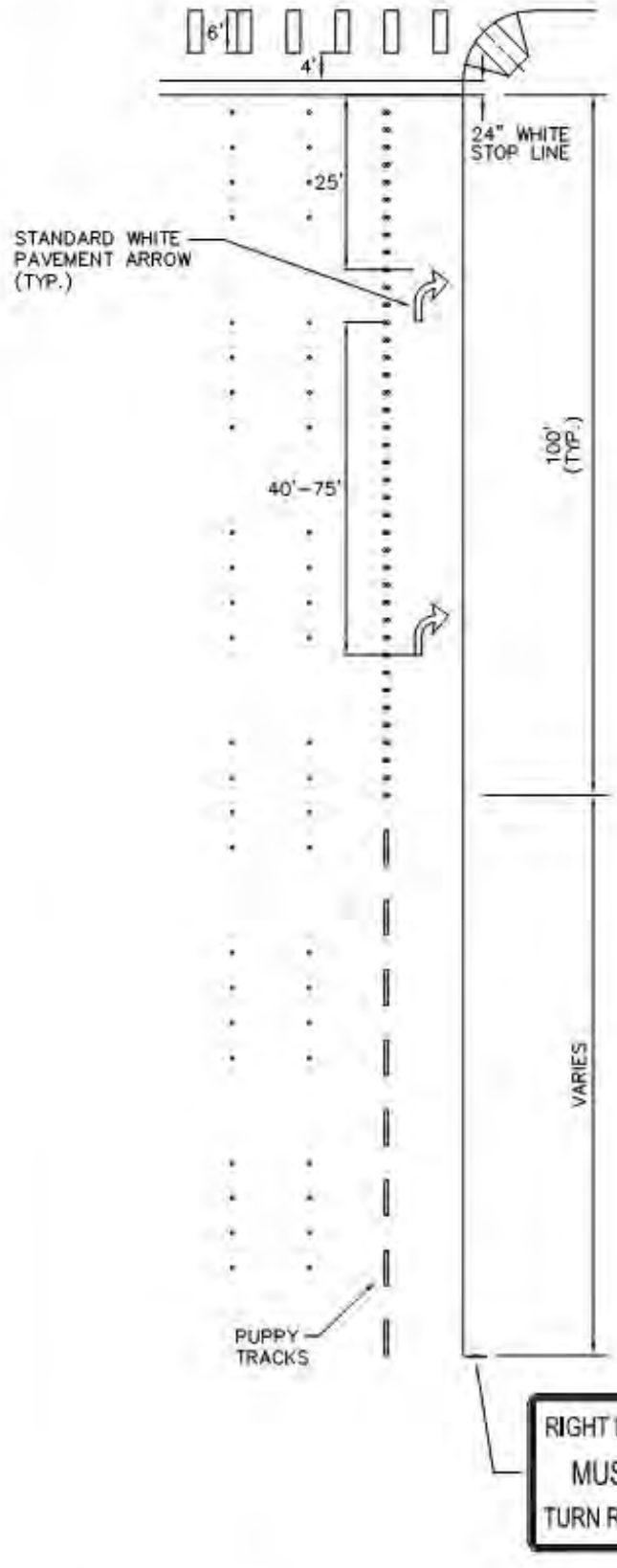
STANDARD SPECIFICATION REFERENCE

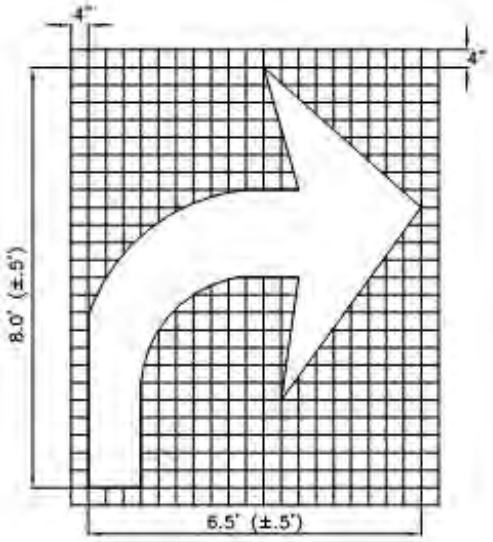
DATE: Mar. 2018

STANDARD DRAWING NO.: R-2330



RAISED PAVEMENT MARKINGS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
INTERSECTION APPROACH		DATE Mar. 2018	STANDARD DRAWING NO. R-2340





TURN ARROW

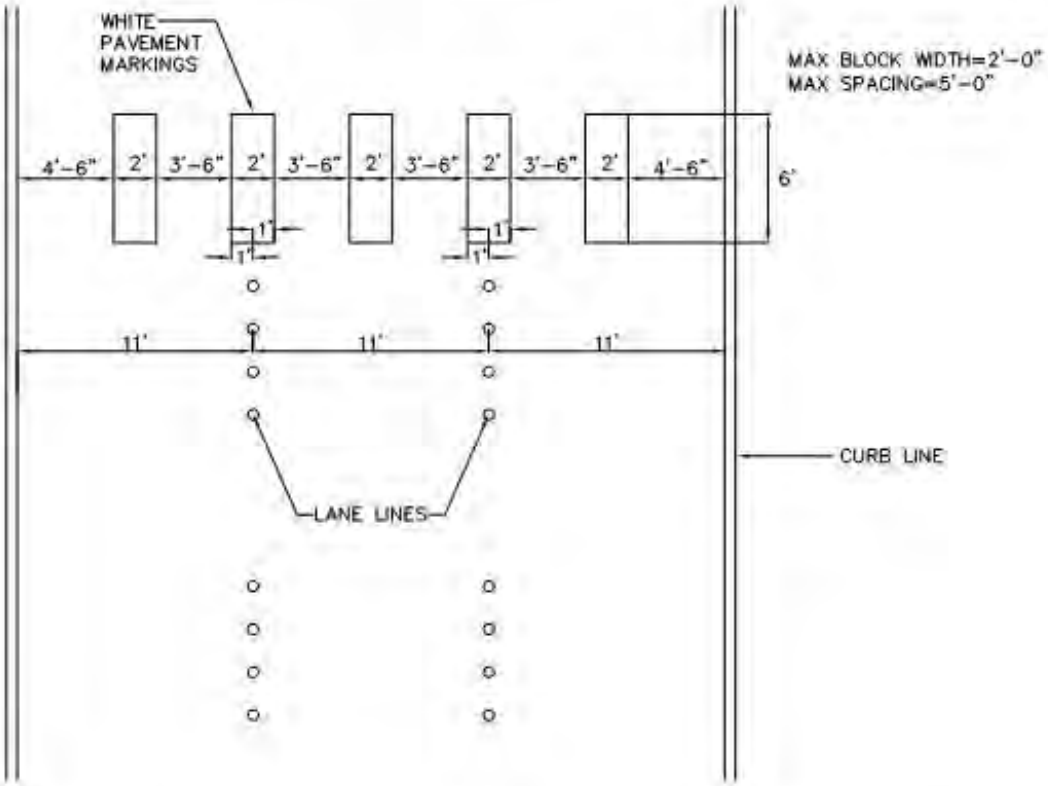
TYPE C INTERSECTION	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
RIGHT LANE DROP MARKINGS		DATE Mar. 2018	STANDARD DRAWING NO. R-2350

TYPICAL LAYOUT
TYPE D THOROUGHFARE
STOP LINE WITH CROSSWALK

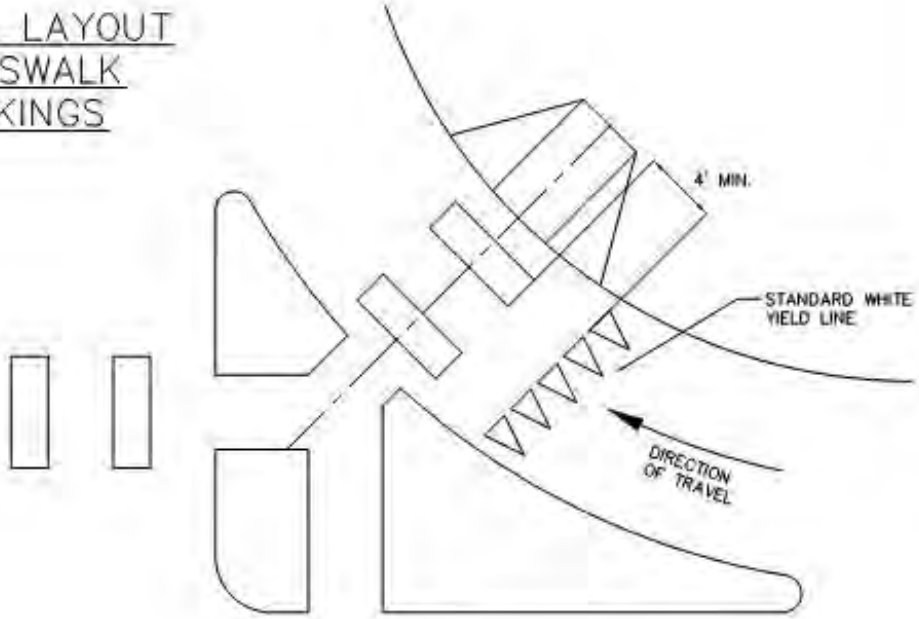
TYPICAL LAYOUT
TYPE F&G THOROUGHFARE
STOP LINE WITHOUT CROSSWALK

TYPICAL LAYOUT
TYPE F&G THOROUGHFARE
CROSSWALK WITH STOP LINE

TYPICAL THOROUGHFARE LAYOUTS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-2360

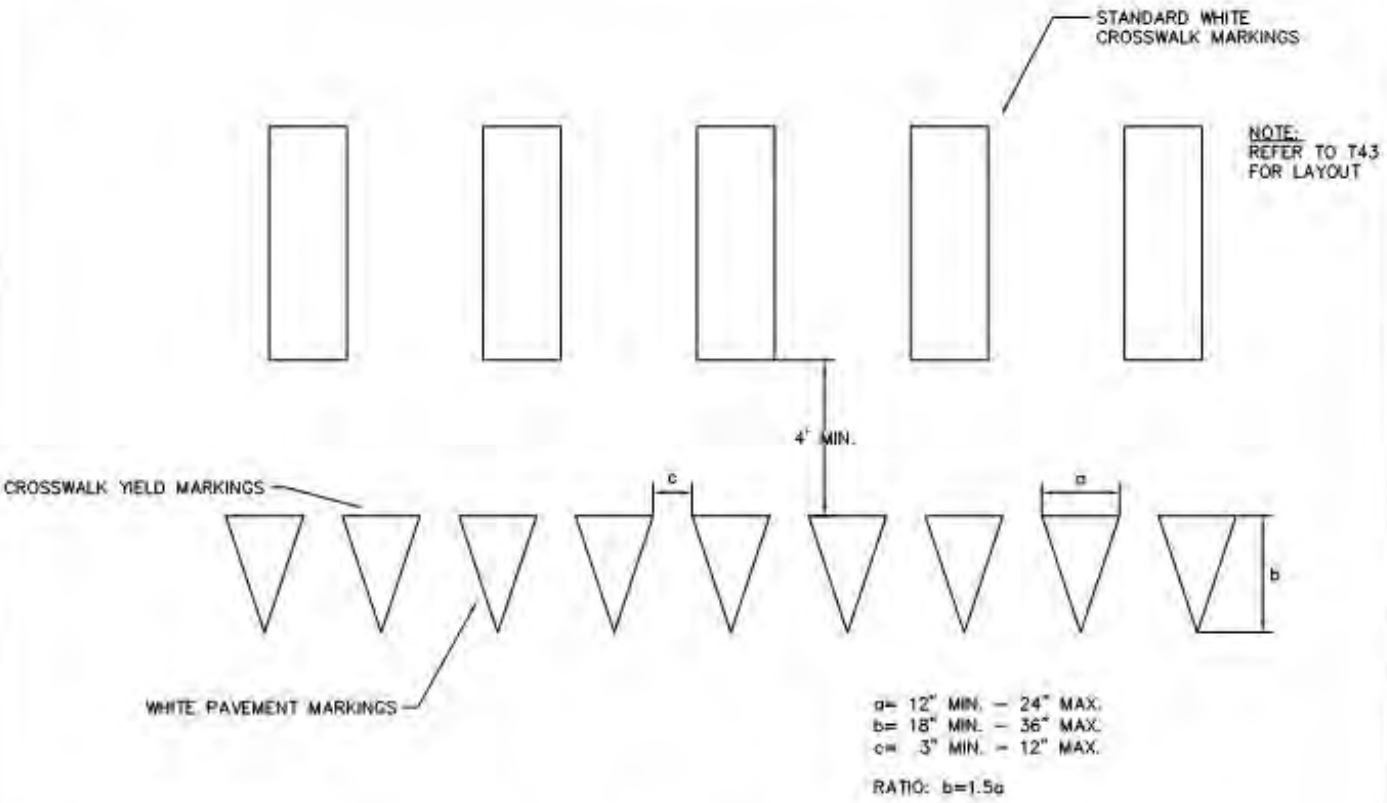


TYPICAL LAYOUT
CROSSWALK
MARKINGS

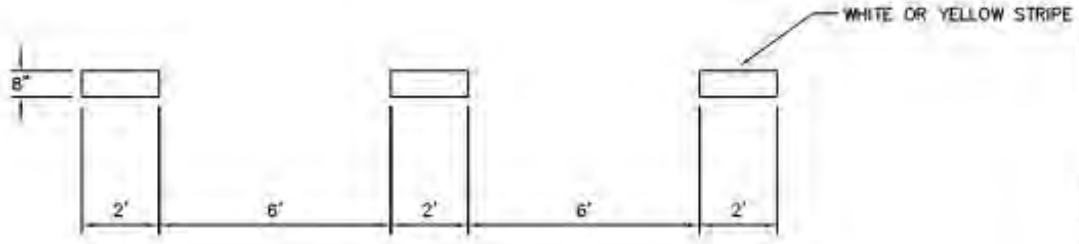


TYPICAL LAYOUT
CHANNELIZING ISLAND
YIELD LINE WITH CROSSWALK

TYPICAL CROSSWALK LAYOUTS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-2370

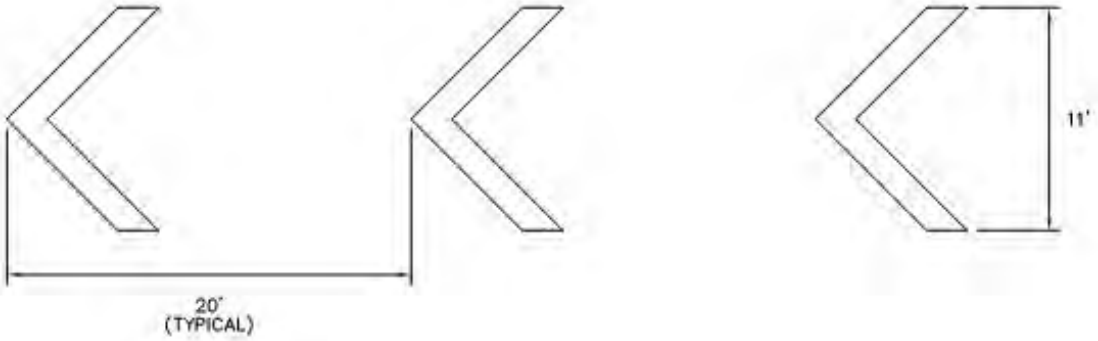


CROSSWALK MARKINGS

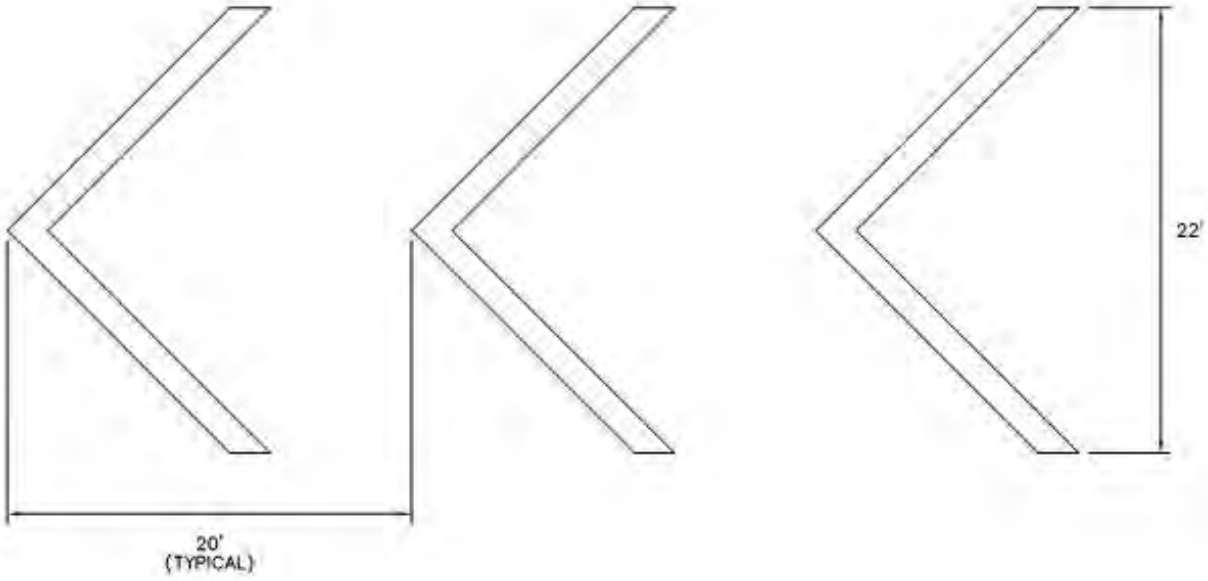


DASH LINE ("PUPPY TRACK") MARKINGS

TYPICAL CROSSWALK AND DASHED MARKINGS	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
		DATE: Mar. 2018	STANDARD DRAWING NO.: R-2380

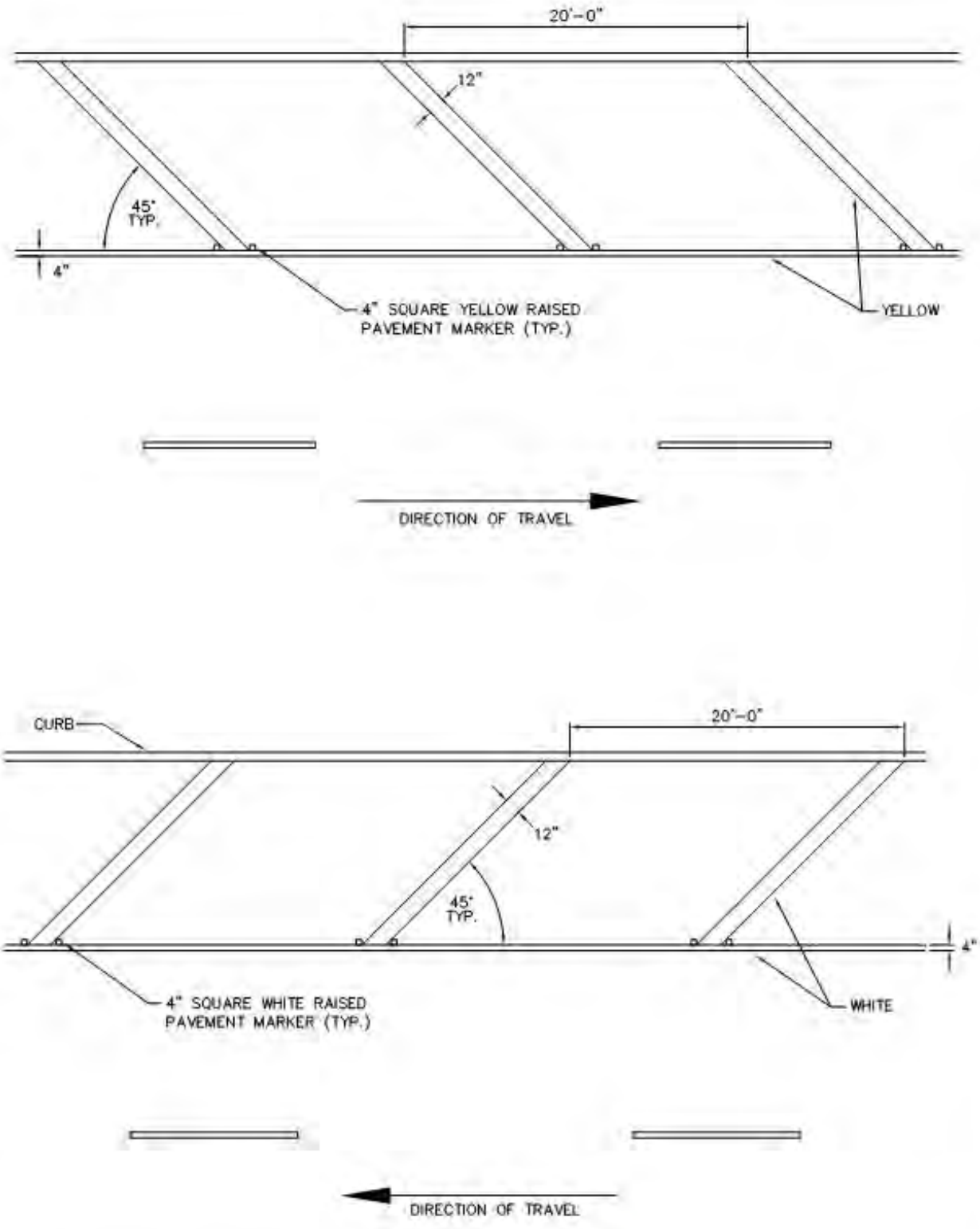


11' WIDE CHEVRON STRIPE



22' WIDE CHEVRON STRIPE

CHEVRON STRIPING	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
		DATE Mar. 2018	STANDARD DRAWING NO. R-2390



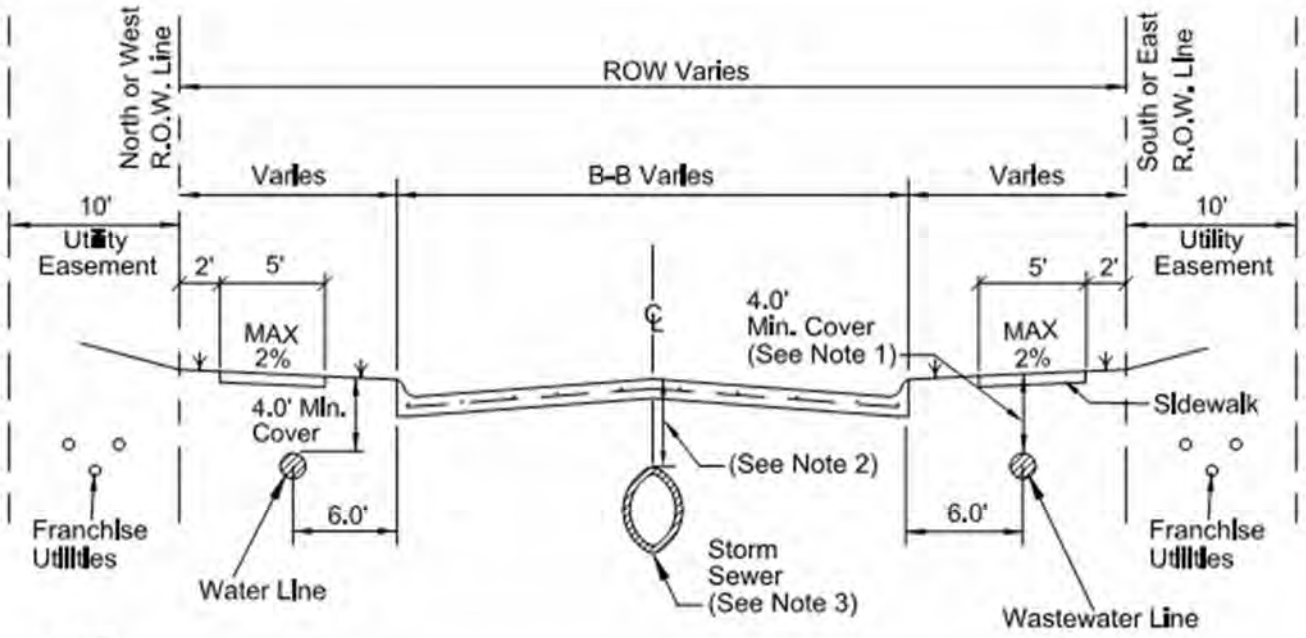
DIAGONAL CROSSHATCH STRIPING	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE	
		DATE Mar. 2018	STANDARD DRAWING NO. R-2400

8.3 Division 3000 General Underground Conduit

NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

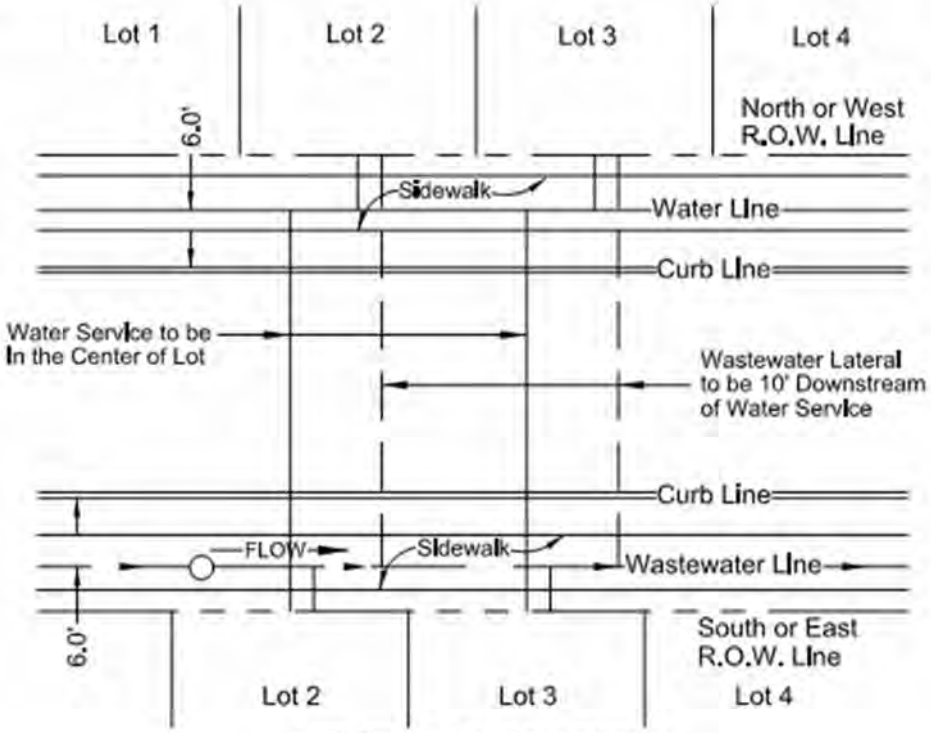
Table 9.3: Revisions to NCTCOG's Division 3000 General Underground Conduit

Revised	Drawing No.	Subject
(3)	**R-3000**	**Utilities Location Detail**
(1)	~~3010~~	~~Embedment – Class "A" & "A-1"~~
(3)	**R-3010**	**Embedment – Class "A" & "A-1"**
(1)	~~3020~~	~~Embedment – Class "B", "B+" & "B-1"~~
(3)	**R-3020**	**Embedment – Class "B", "B+" & "B-1"**
(1)	~~3030~~	~~Embedment – Class "B-2", "B-3" & "B-4"~~
(3)	**R-3030**	**Embedment – Class "B-2", "B-3" & "B-4"**
(1)	~~3040~~	~~Embedment – Class "C", "C+" & "C-1"~~
(3)	**R-3040**	**Embedment – Class "C", "C+" & "C-1"**
(1)	~~3050~~	~~Embedment – Class "D+" & "G"~~
(3)	**R-3050**	**Embedment – Class "D+" & "G"**
(1)	~~3060~~	~~Embedment – Class "G-1" & "H"~~
(3)	**R-3060**	**Embedment – Class "G-1" & "H"**
(1)	~~3070A~~	~~Pavement Cut and Repair – Concrete and Parkway~~
(3)	**R-3070A**	**Pavement Cut and Repair – Concrete and Parkway**
(1)	~~3070B~~	~~Pavement Cut and Repair – Asphalt~~
(3)	**R-3070B**	**Pavement Cut and Repair – Asphalt**
(1)	~~3070C~~	~~Pavement Cut and Repair – Extent - Residential~~
(1)	~~3070D~~	~~Pavement Cut and Repair – Extent - Multiple Lanes~~
(1)	~~*3080*~~	~~*Infiltration Protection – Conduit Under Channel*~~
(3)	*R-3090*	*Underground Conduit – Steel Encased Bore*



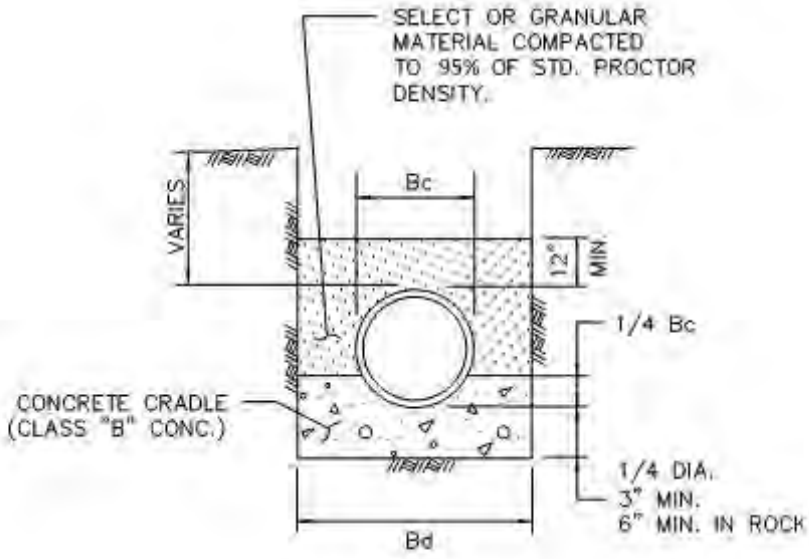
NOTE:

1. If wastewater line has a cover greater than ten feet (10') than pipe shall be minimum SDR 26 and no services allowed.
2. If cover is two (2) feet or less than Class IV RCP is required.
3. Horizontal location of storm sewer for divided roads to be determined by design engineer. Not to be placed in the parkway.



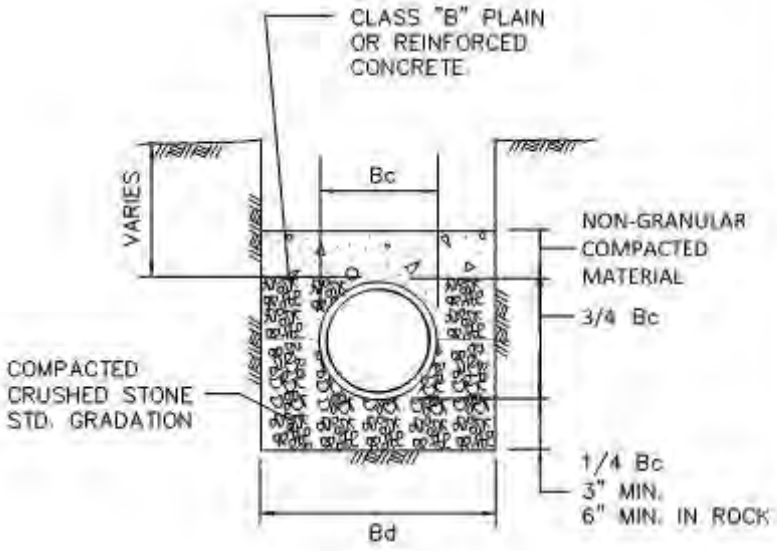
UTILITY SERVICE DETAIL

GENERAL UNDERGROUND CONDUIT	CITY OF ROCKWALL	
UTILITIES LOCATION DETAIL		DATE: OCT. '17 / DRAWING NO.: R-3000



CLASS "A"

CLASS "B" CONCRETE CRADLE N.T.S.
PLAIN CONC. LF 2.8
REINF. CONC. LF 3.4 P=0.4%



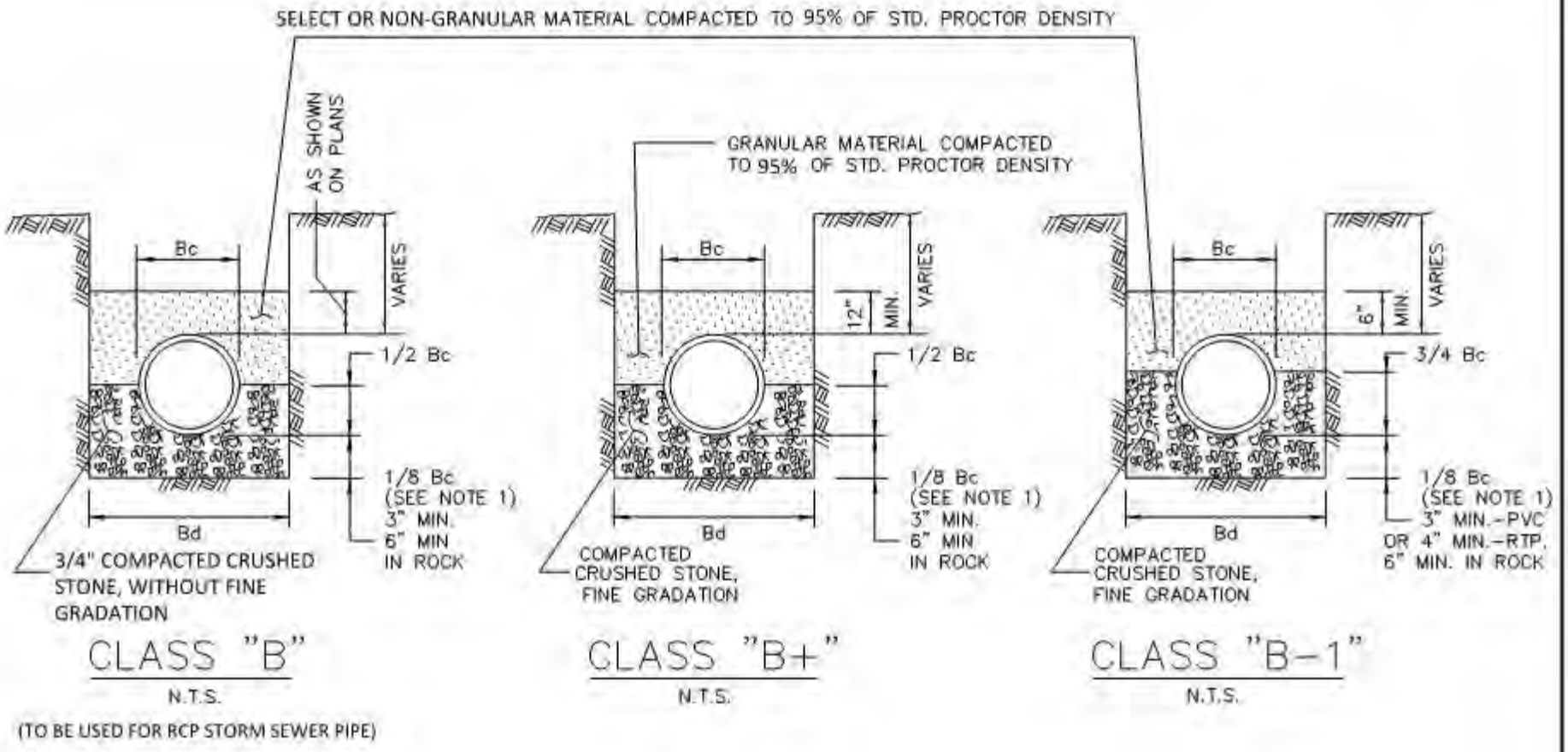
CLASS "A-1"

CLASS "B" CONCRETE CAP N.T.S.
PLAIN CONC. LF 2.8
REINF. CONC. LF 3.4 P=0.4%
REINF. CONC. LF 4.8 P=1.0%

NOTES:

1. LF. = LOAD FACTOR TO BE USED TO DETERMINE 3 EDGE BEARING BASED ON TYPE OF EMBEDMENT.
2. FREE-FALL OF CONCRETE NOT TO EXCEED 5 FT. MAXIMUM.
3. P = Rho FOR STEEL %
4. Bc = OUTSIDE DIAMETER OF PIPE
5. Bd = TRENCH WIDTH

STANDARD DRAWING NO. 3010	EMBEDMENT CLASS "A" & "A-1"	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 504.5	
			DATE Mar. 2018	STANDARD DRAWING NO. R-3010



NOTES:

1. FOR MAINS 42" DIAMETER AND LARGER LARGER, 1/8 Bc SHALL BE TAKEN AS 6".
2. Bc = OUTSIDE DIAMETER OF PIPE
3. Bd = TRENCH WIDTH

STANDARD DRAWING NO. R-3020

EMBEDMENT

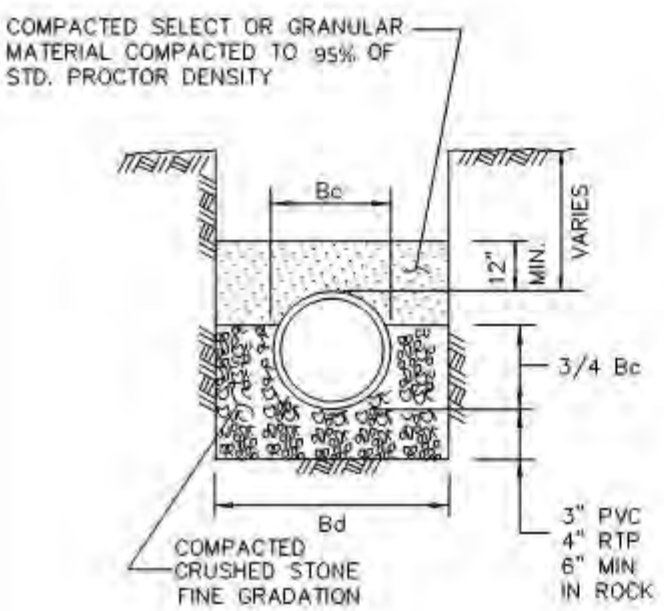
CLASS "B", "B+", & "B-1"

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 504.5

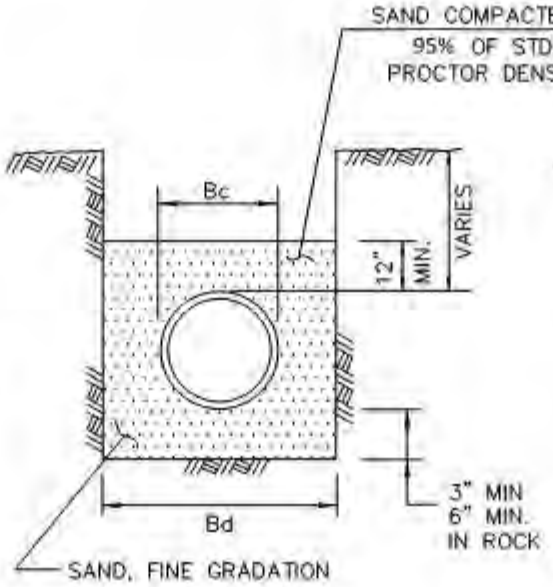
DATE Mar. 2018

STANDARD DRAWING NO. R-3020



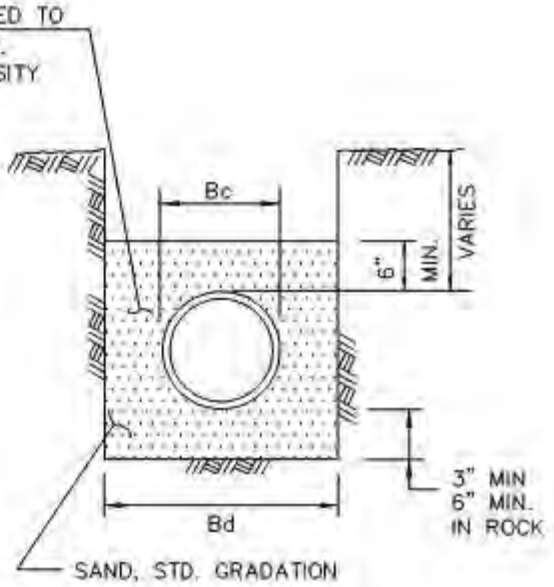
CLASS "B-2"

N.T.S.



CLASS "B-3"

N.T.S.



CLASS "B-4"

N.T.S.

(TO BE USED FOR PVC WATER PIPE AND PVC WASTE WATER FORCE MAIN PIPE)

NOTES:

1. Bc = OUTSIDE DIAMETER OF PIPE
2. Bd = TRENCH WIDTH
3. NO GRANULAR MATERIAL ABOVE ROCK OR STONE EMBEDMENT

STANDARD DRAWING NO. 3030

EMBEDMENT

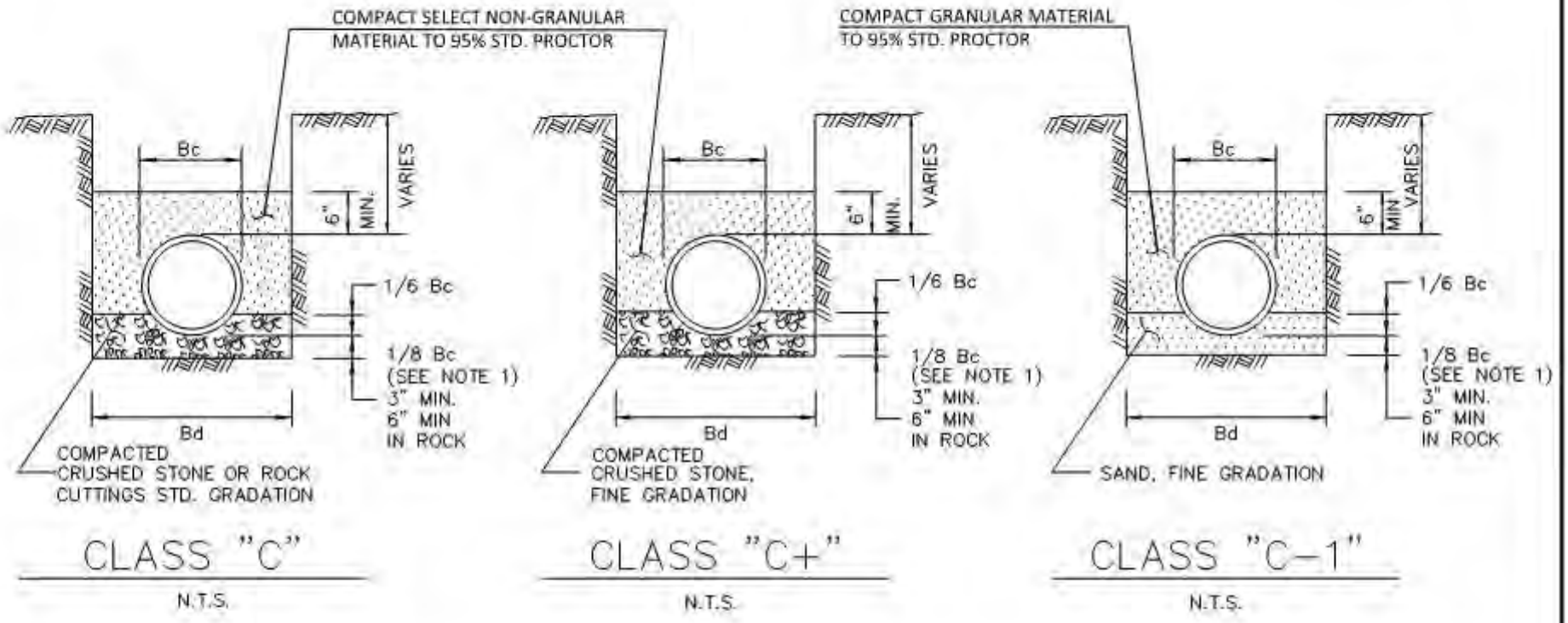
CLASS "B-2","B-3", & "B-4"

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 504.5

DATE AUG. '19

STANDARD DRAWING NO. R-3030



NOTES:

1. FOR MAINS 42" DIAMETER AND LARGER, 1/8 Bc SHALL BE TAKEN AS 6".
2. Bc = OUTSIDE DIAMETER OF PIPE
3. Bd = TRENCH WIDTH

STANDARD DRAWING NO. R-3040

EMBEDMENT

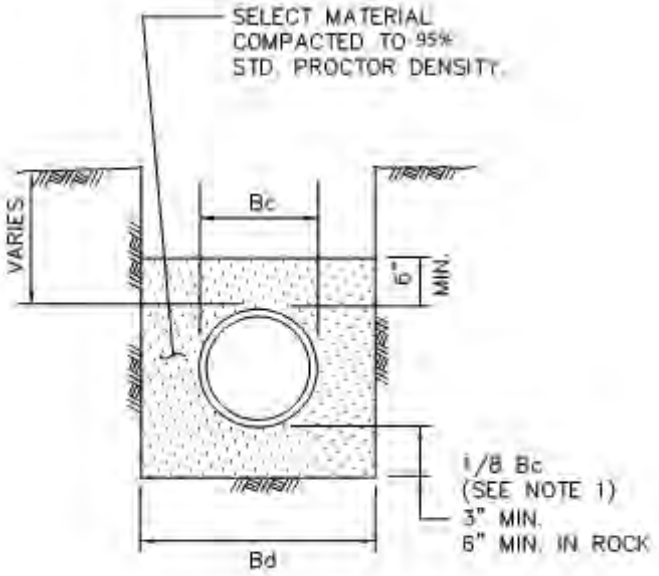
CLASS "C", "C+", & "C-1"

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 504.5

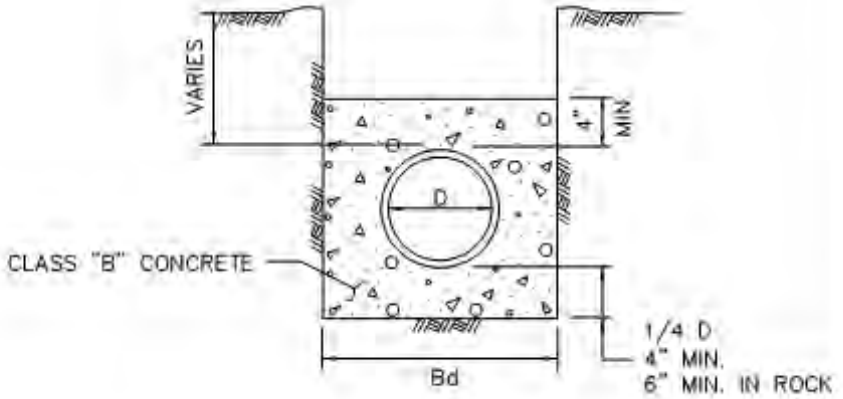
DATE Mar. 2018

STANDARD DRAWING NO. R-3040



CLASS "D+"

N.T.S.



CLASS "G"

N.T.S.

NOTES:

1. FOR MAINS 42" DIAMETER AND LARGER, 1/8 Bc SHALL BE TAKEN AS 6".
2. Bc = OUTSIDE DIAMETER OF PIPE
3. Bd = TRENCH WIDTH
4. D = INSIDE DIAMETER OF PIPE

STANDARD DRAWING NO. R-3050

EMBEDMENT

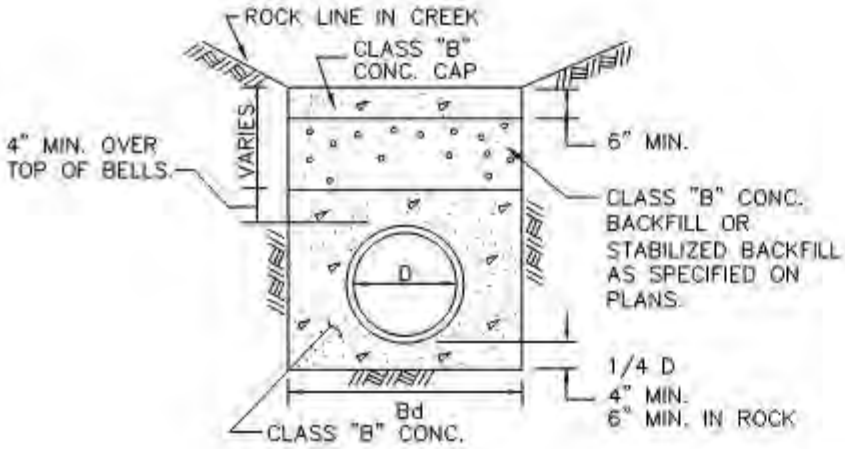
CLASS "D+" & "G"

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 504.5

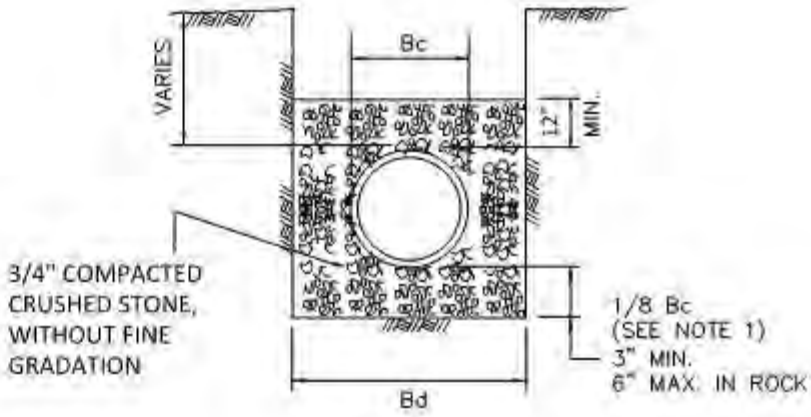
DATE Mar. 2018

STANDARD DRAWING NO. R-3050



CLASS "G-1"

(FOR ROCK DITCHES IN CREEKS)
N.T.S.



CLASS "H"

N.T.S.

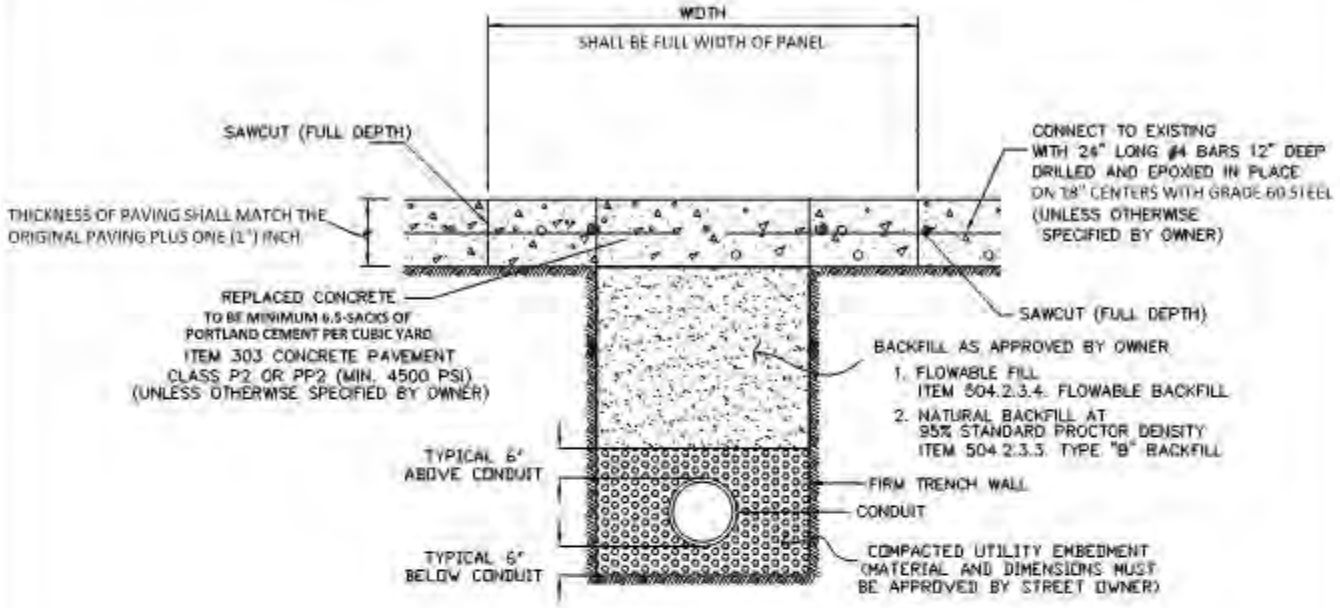
(TO BE USED FOR PVC WASTEWATER PIPE)

NOTES:

1. FOR MAINS 42" DIAMETER AND LARGER, 1/8 Bc SHALL BE TAKEN AS 6".
2. Bd = TRENCH WIDTH
3. Bc = OUTSIDE DIAMETER OF PIPE
4. D = INSIDE DIAMETER OF PIPE

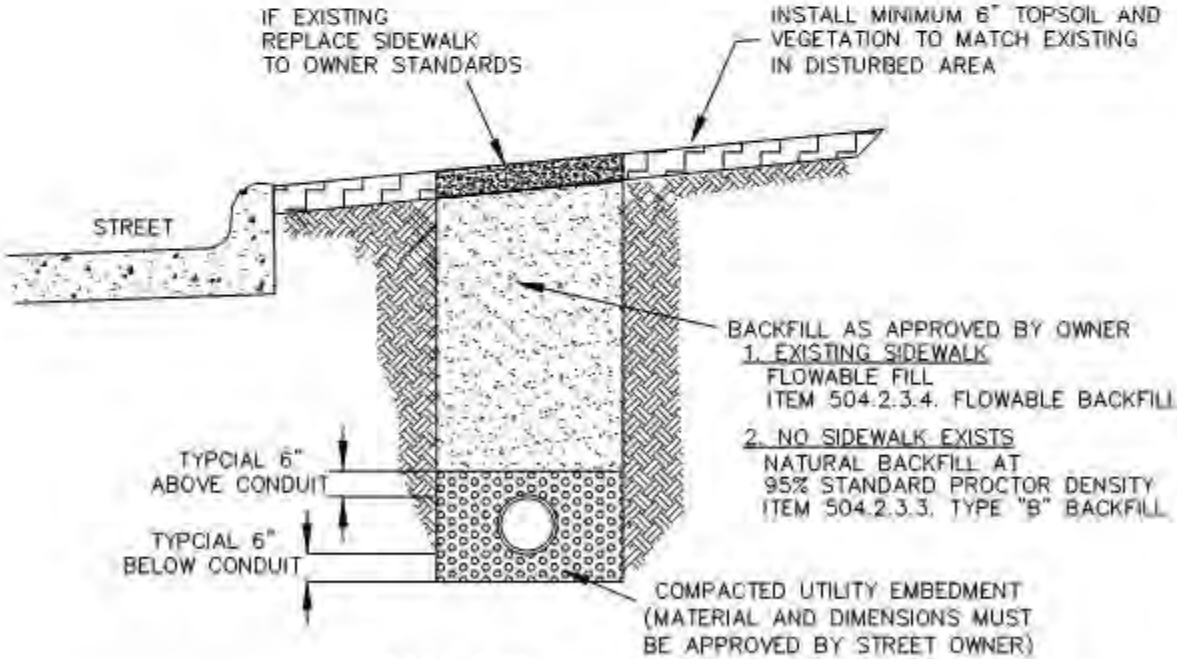
STANDARD DRAWING NO. R-3060	EMBEDMENT CLASS "G-1" & "H"	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 504.5 DATE AUG. '19 / STANDARD DRAWING NO. R-3060

GENERAL NOTE: CHECK WITH STREET OWNER FOR SPECIFIC REQUIREMENTS NOT CONTAINED HEREIN



CONCRETE PAVEMENT

N.T.S.

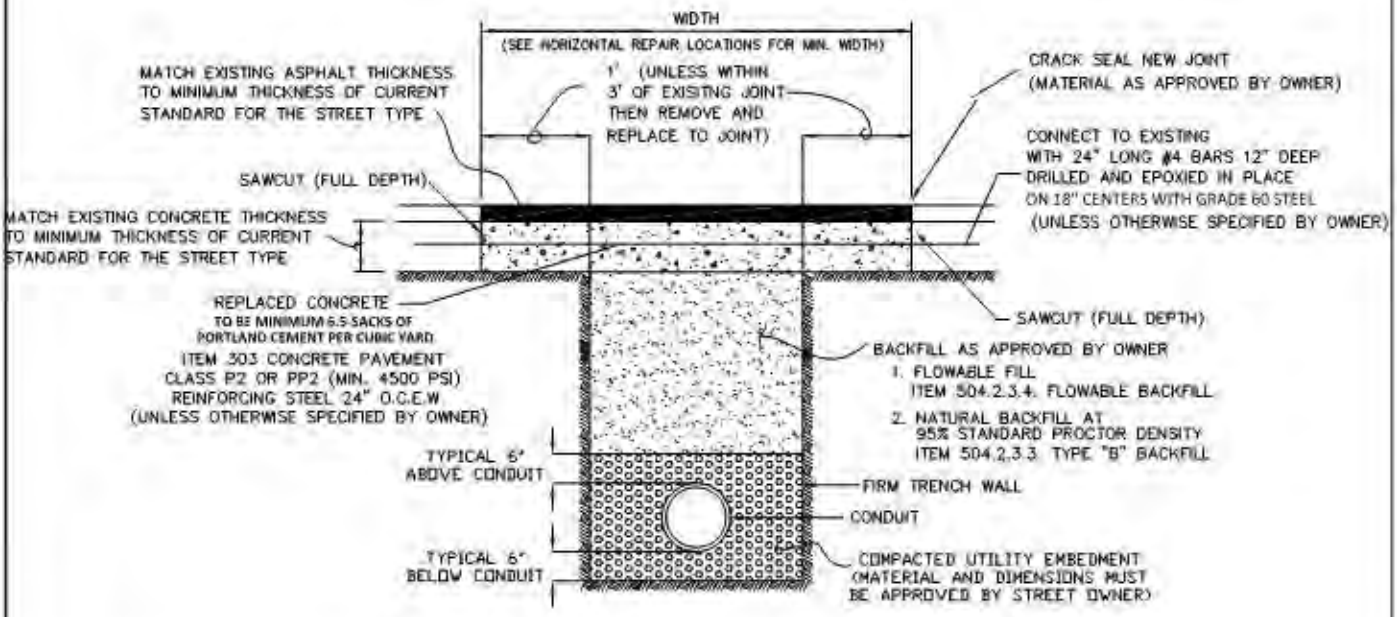


STREET PARKWAY

N.T.S.

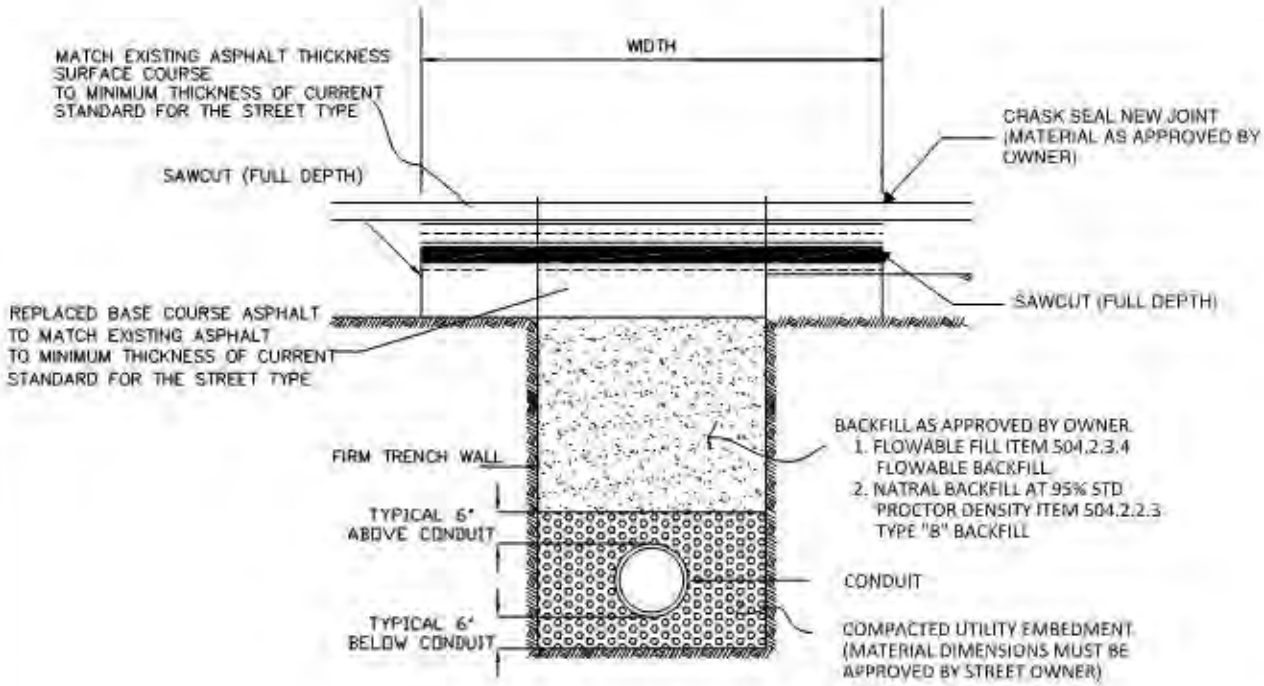
PAVEMENT CUT AND REPAIR	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 402	
CONCRETE AND PARKWAY		DATE Mar. 2018	STANDARD DRAWING NO. R-3070A

GENERAL NOTE: CHECK WITH STREET OWNER FOR SPECIFIC REQUIREMENTS NOT CONTAINED HEREIN



CONCRETE PAVEMENT WITH ASPHALT OVERLAY

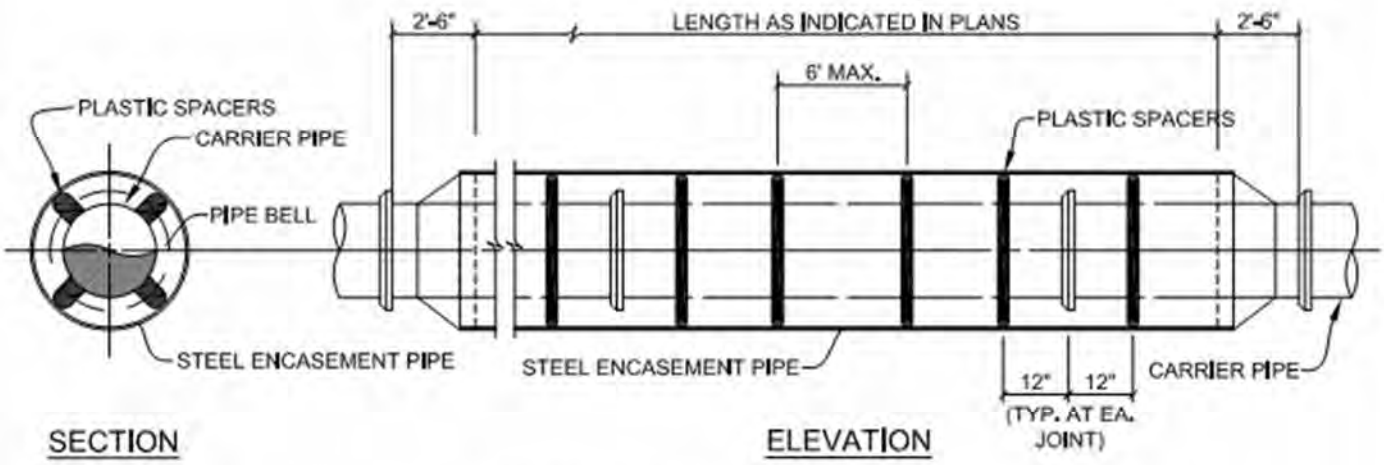
N.T.S.



FULL DEPTH ASPHALT PAVEMENT

N.T.S.

PAVEMENT CUT AND REPAIR	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 402	
ASPHALT		DATE Mar. 2018	STANDARD DRAWING NO. R-3070B



ENCASED ROAD BORE

NO SCALE

NOTES:

1) ALL BORES BY CONTRACTOR SHALL BE DRY BORES.
2) PREFABRICATED PLASTIC SPACERS SHALL BE RACI NORTH AMERICA OR APPROVED EQUAL. FOR THE SPECIFIC APPLICATION AS RECOMMENDED BY THE MANUFACTURER.
3) CONTRACTOR SHALL PROVIDE SUPPORT UNDER CARRIER PIPE TO HAVE A MIN. 1" CLEARANCE BETWEEN PIPE BELL AND ENCASEMENT PIPE.
4) ENDS OF ENCASEMENT PIPE SHALL HAVE END SEALS INSTALLED PER MANUFACTURER'S REQUIREMENTS. END SEALS SHALL BE CCI MODEL ESW WRAP-AROUND BY CCI PIPELINE SYSTEMS OR APPROVED EQUAL.
5) THE DESIGN ENGINEER SHALL DESIGN THE MINIMUM THICKNESS OF THE ENCASEMENT PIPE. DESIGN WILL NEED TO INCLUDE DEAD LOADING BASED ON THE HEIGHT OF COVER AND HS-20 LOADINGS FOR ROADWAY CROSSINGS AND E-80 LOADINGS FOR RAILROAD CROSSINGS.
6) STEEL ENCASEMENT PIPE SHALL CONFORM TO AWWA C-200. PIPE SHALL BE FABRICATED IN ACCORDANCE WITH ASTM A-570 FROM STEEL PLATES HAVING MINIMUM YIELD STRENGTH 36,000 PSI.
7) STEEL ENCASEMENT PIPE SHALL BE PAINTED INSIDE AND OUTSIDE WITH TWO COATS OF TNEMEC, HB TNEMECOL, SERIES 46+465 COAL TAR, OR CITY APPROVED EQUIVALENT PRIOR TO DELIVERY TO THE JOB SITE. MINIMUM COATING INSIDE AND OUTSIDE SHALL BE 12+MILS DRY FILM THICKNESS (DFT) PER EACH COAT.
8) ENCASEMENT PIPE SHALL BE FEILD WELDED IN ACCORDANCE WITH AWWA C-206. WELDED JOINTS SHALL BE WIRE BRUSHED AND PAINTED WITH ONE COAT OF TNEMEC, OMNITHANE SERIES 530, 2.5-MILS DRY FILM THICKNESS 9DFT) OR CITY APPROVED EQUIVALENT.

UNDERGROUND CONDUIT	CITY OF ROCKWALL	
STEEL ENCASED BORE		DATE: OCT. '17 / DRAWING NO.: R-3090

City of Rockwall
The New Horizon

8.4 Division 4000 Water Distribution

NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

Table 9.4: Revisions to NCTCOG's Division 4000 Water Distribution

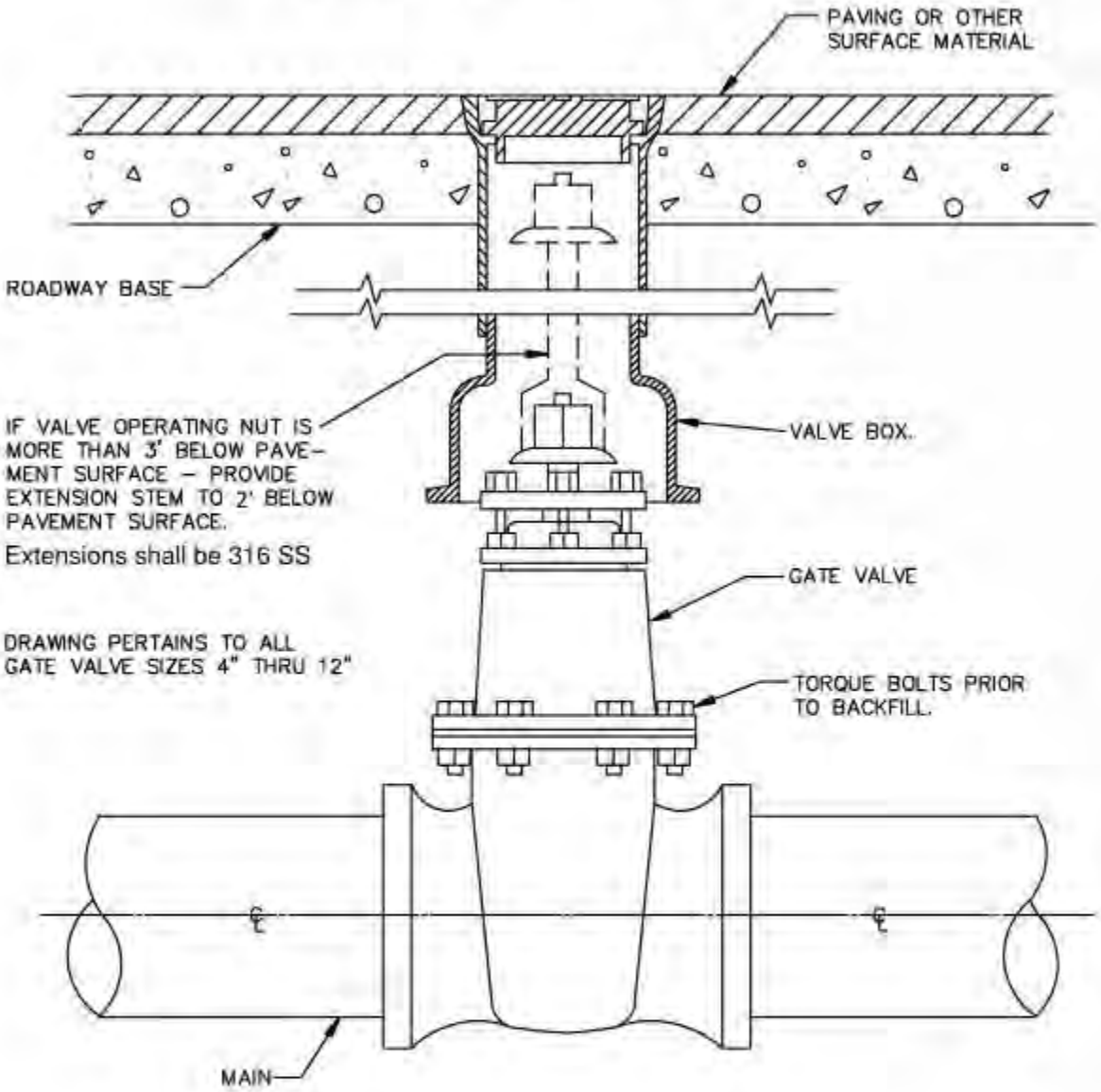
Revised	Drawing No.	Subject
	4010A	Horizontal Thrust Blocking – At Pipe Bend
	4010B	Horizontal Thrust Blocking – At Pipe Bend
	4010C	Horizontal Thrust Blocking – At Pipe Bend
	4020	Horizontal Thrust Blocking – At Tees and Plugs
	4030	Vertical Thrust Blocking – At Pipe Bend
	4040	Thrust Block – General Notes
(1)	~~4050~~	~~Gate Valve 4" to 12" – Box & Extension Stem~~
(3)	**R-4050**	**Gate Valve 4" to 12" – Box & Extension Stem**
(1)	~~4060A~~	~~Vault Construction – Horizontal Gate Valve ≥ 16"~~
(1)	~~4060B~~	~~Vault Construction – Horizontal Gate Valve ≥ 16"~~
(3)	**R-4060**	**16" Thru 21" – Horizontal Butterfly Valves**
(1)	~~4070A~~	~~Vault Construction – Vertical Gate Valve ≥ 16"~~
(1)	~~4070B~~	~~Vault Construction – Vertical Gate Valve ≥ 16"~~
	4080A	Vault Construction – Butterfly Valve ≥ 48"
	4080B	Vault Construction – Butterfly Valve ≥ 48"
(1)	~~4090~~	~~Combination Air Vacuum Valve – Type "1"~~
(3)	**R-4090**	**Combination Air Vacuum Valve – Type "1"**
	4100A	Combination Air Vacuum Valve – Type "2"
	4100B	Air Release Valve – Type "2"
(1)	~~4110~~	~~Flush Point Installation – Type "1"~~
(3)	**R-4110**	**Flush Point Installation – Type "1"**
(1)	~~4120~~	~~Fire Hydrant - Installation~~
(3)	**R-4120**	**Fire Hydrant - Installation**
(1)	~~4130~~	~~Water Service Installation – ¾" or 1" Line~~
(3)	**R-4130**	**Water Service Installation – ¾" or 1" Line**
(1)	~~4140~~	~~Water Service Installation – 1 ½" or 2" Line~~
(3)	**R-4140**	**Water Service Installation – 1 ½" or 2" Line**
(3)	**R-4145**	**Single Service Meter Tail Connection**
(1)	~~4150~~	~~4" Combination Service – With 4" Meter~~
(3)	**R-4150**	**4" Combination Service – With 4" Meter**
(1)	~~4160~~	~~8" Detector Check – Service with 8" Meter~~
(3)	**R-4060**	**Domestic Meter Vault – 3", 4" or 6" Line**
(3)	~~4170~~	~~8" Fire Line Standpipe – Service with 8" Meter~~
(3)	**R-4070**	**Irrigation Meter Vault – 3", 4" or 6" Line**
(1)	~~4180~~	~~4" Domestic Service – With 3" Meter~~
(1)	~~4190A~~	~~Large Service Meter – Vault Installation~~

City of Rockwall
The New Horizon

Revised	Drawing No.	Subject
(1)	~~4190B~~	~~Large Service Meter – Precast Vault~~
(1)	~~4200~~	~~Water Main Lowering – Below Wastewater Main~~
(3)	**R-4200**	**Water Main Lowering – Below Wastewater Main**

NOTE:

IN UNPAVED AREAS, INSTALL 2' x 2' x 6" CONCRETE VALVE PAD FLUSH WITH THE TOP OF VALVE BOX. REINFORCE WITH #3 BARS ON 6" CENTERS BOTH WAYS.



GATE VALVE BOX AND EXTENSION STEM

N.T.S.

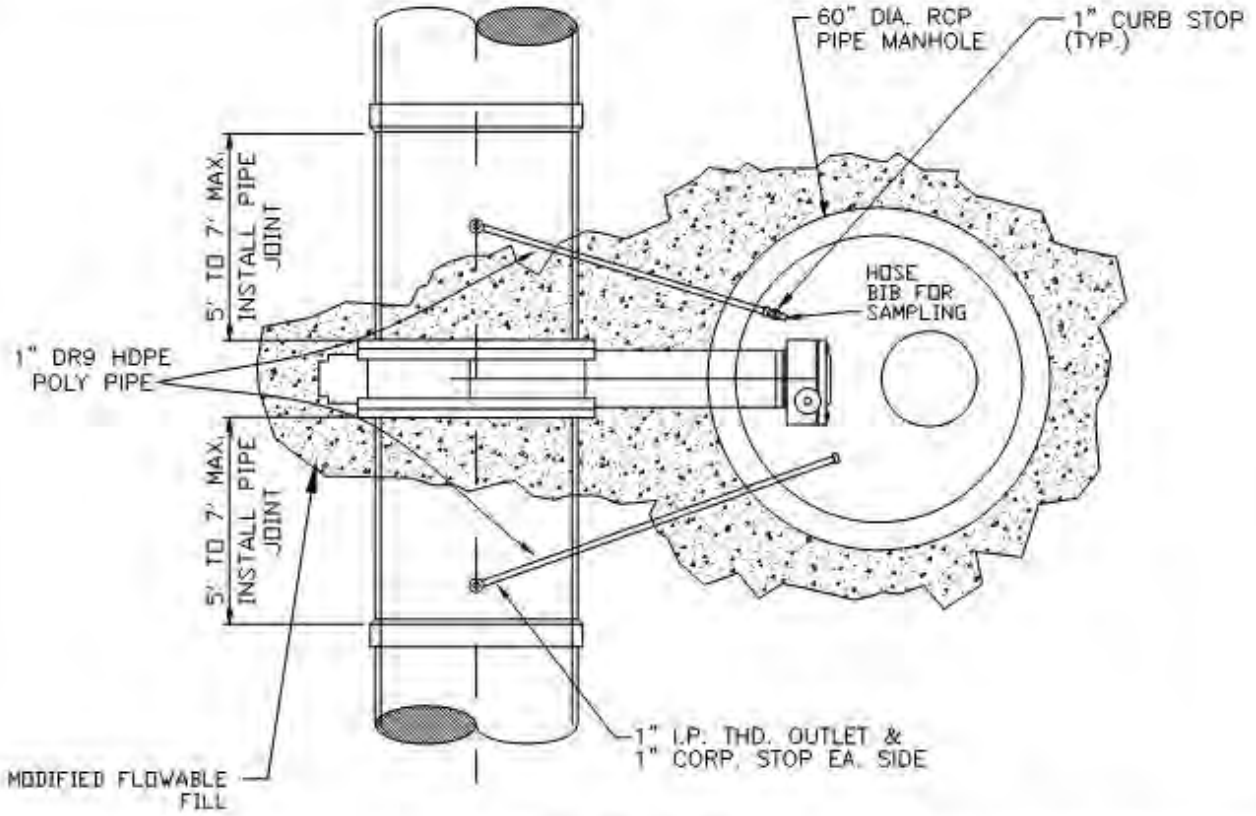
GATE VALVE 4" TO 12" BOX & EXTENSION STEM	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.6.6*	
		DATE AUG. '19	STANDARD DRAWING NO. R-4050

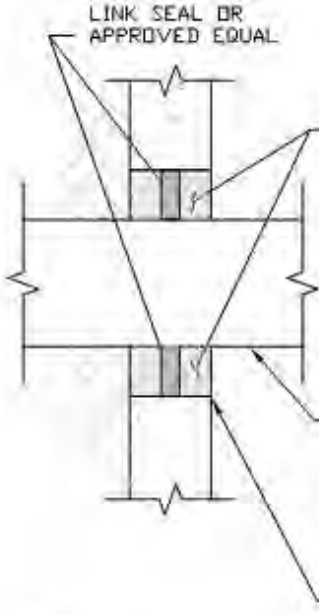
NOTES:

1. VALVE OPERATOR EXTENSION STEM SHALL BE 1" SOLID STEEL WITH WELDED CONNECTIONS. EXTENSION STEM SHALL NOT UTILIZE CLIPS AND SHALL NOT BE PERMANENTLY CONNECTED TO ACTUATOR.
2. WAX TAPE ALL BURIED FLANGES, BOLTS, AND MECHANICAL JOINTS.
3. WRAP VALVE IN 8 MIL POLYETHYLENE SHEET FOR BOND BREAKER PRIOR TO PLACEMENT OF MODIFIED FLOWABLE FILL.
4. DURING THE WATER LINE TESTING PROCESS, THE 1" HDPE DR9 POLY PIPE SHALL BE EXTENDED AND SUPPORTED TO 3 FEET ABOVE THE RIM ELEVATION OF THE VAULT FOR USE AS A WATER SAMPLING TEST STATION.
5. POLY PIPE SHALL BE SEAMLESS 250 PSI BLUE COLORED POLYETHYLENE ASTM D2737, DR 9, CTS WATER PIPE.
6. CONTRACTOR SHALL VERIFY VALVE BONNET, ACTUATOR, AND STEM EXTENSION DIMENSIONS WITH VALVE MANUFACTURER. COORDINATE LOCATION OF THE 2-INCH SQUARE NUT WITH VALVE BOX CAST IN MANHOLE ROOF SLAB. SUBMIT SHOP DRAWINGS CLEARLY SHOWING DIMENSIONS AND LOCATION OF THE ALL SLAB OPENINGS. ENSURE ADEQUATE CLEARANCE FOR ACTUATOR AND HATCH OPENING.
7. FOR SIZES ABOVE 20-INCH, THE ENGINEER OF RECORD SHALL SUBMIT A STRUCTURAL DESIGN TO THE CITY FOR REVIEW AND APPROVAL FOR CONSTRUCTION. THE STRUCTURAL DESIGN AND DETAIL SHALL FOLLOW THE GENERAL CONFIGURATION AND LAYOUT ILLUSTRATED IN STD. DWG. NO. R-4060

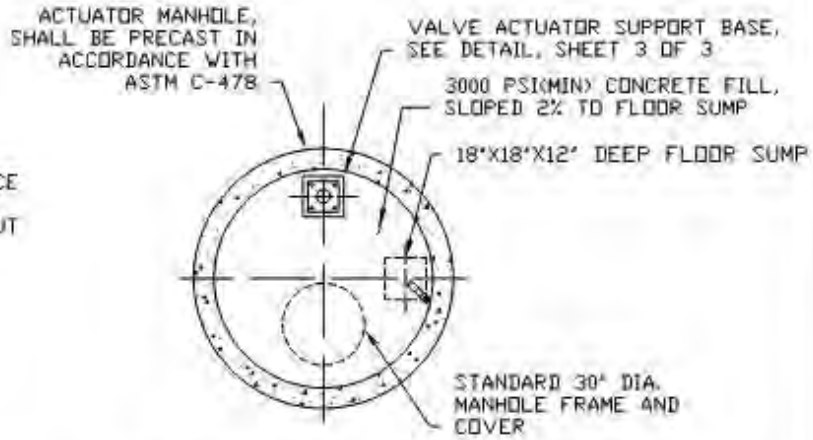
SHEET 1 OF 3

16" THRU 21"	CITY OF ROCKWALL	
HORIZONTAL BUTTERFLY VALVES		DATE: AUG '19 / DRAWING NO.: R-4060





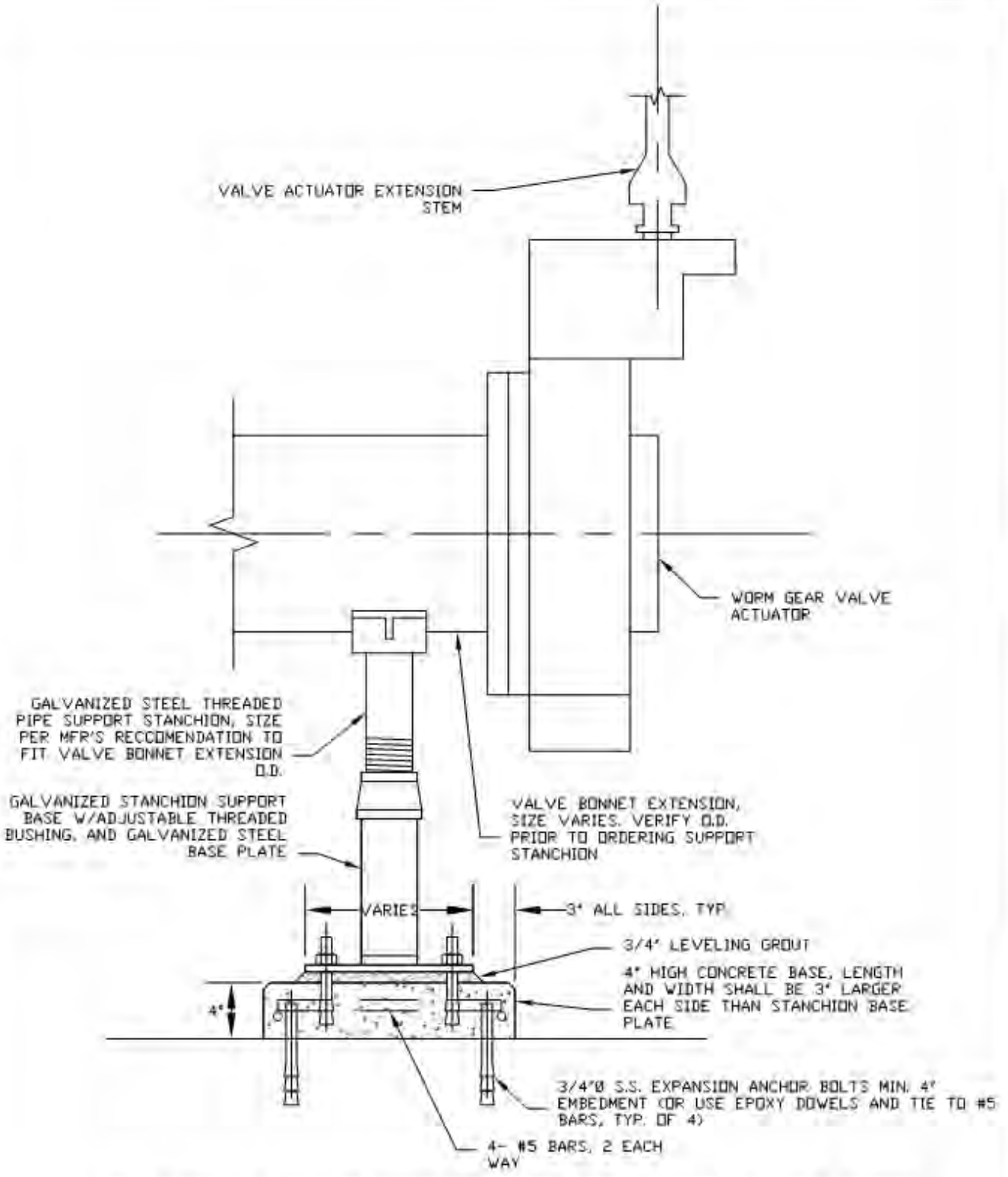
MANHOLE WALL PENETRATION DETAIL
N.T.S.



BFV SUPPORT & ACTUATOR MANHOLE
STANDARD DETAIL-MANHOLE INTERIOR PLAN
N.T.S.

SHEET 2 OF 3

16" THRU 21"	CITY OF ROCKWALL	
HORIZONTAL BUTTERFLY VALVES		DATE: AUG '19 / DRAWING NO.: R-4060



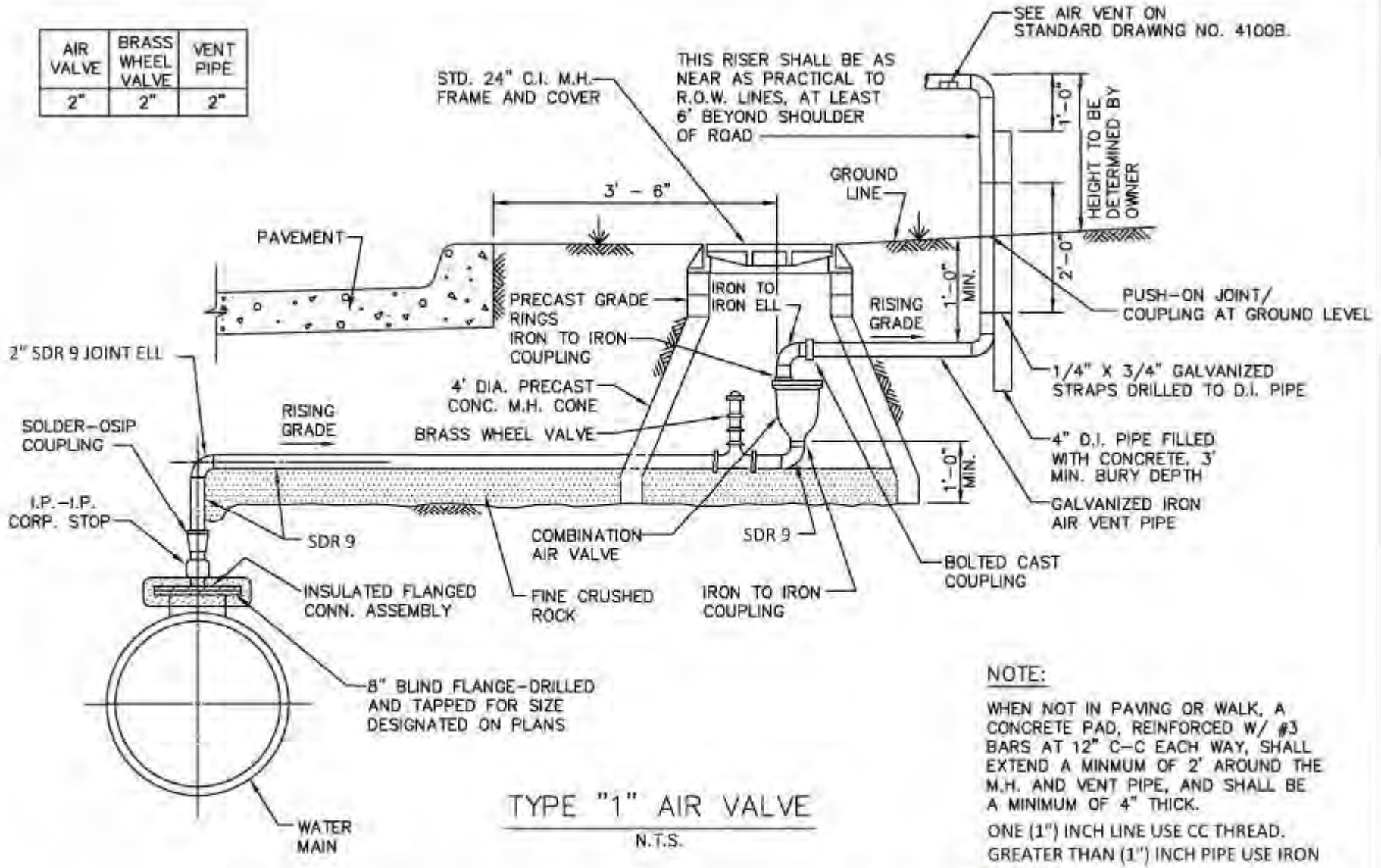
BFV SUPPORT & ACTUATOR MANHOLE STANDARD DETAIL - VALVE ACTUATOR SUPPORT

N.T.S.

SHEET 3 OF 3

16" THRU 21"	CITY OF ROCKWALL		
HORIZONTAL BUTTERFLY VALVES		DATE AUG '19	DRAWING NO R-4060

AIR VALVE	BRASS WHEEL VALVE	VENT PIPE
2"	2"	2"



TYPE "1" AIR VALVE

N.T.S.

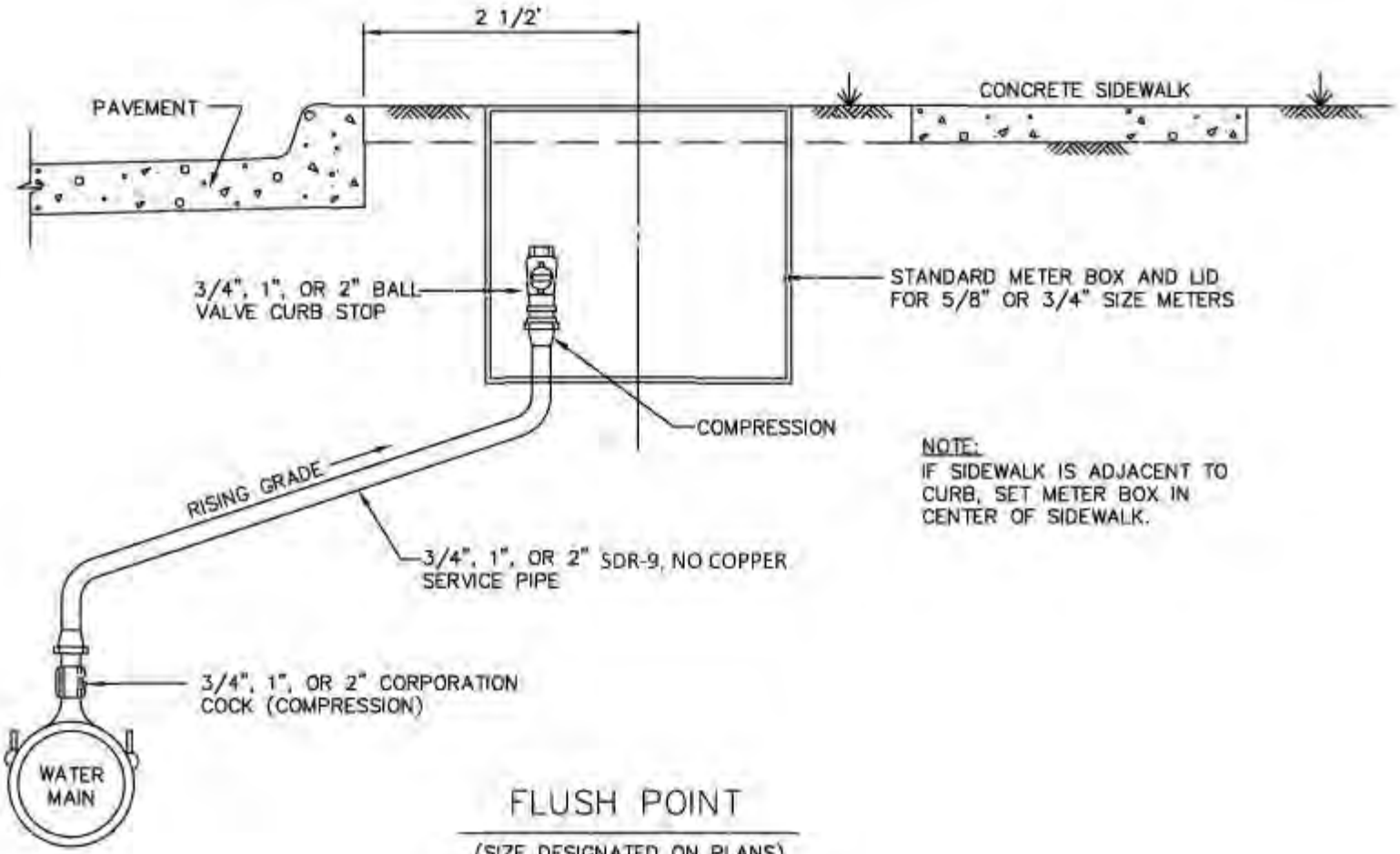
NOTE:

WHEN NOT IN PAVING OR WALK, A CONCRETE PAD, REINFORCED W/ #3 BARS AT 12" C-C EACH WAY, SHALL EXTEND A MINMUM OF 2' AROUND THE M.H. AND VENT PIPE, AND SHALL BE A MINIMUM OF 4" THICK.

ONE (1") INCH LINE USE CC THREAD. GREATER THAN (1") INCH PIPE USE IRON THREAD.

COMBINATION AIR VACUUM VALVE TYPE "1"	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.6.6*	
		DATE Mar. 2018	STANDARD DRAWING NO. R-4090

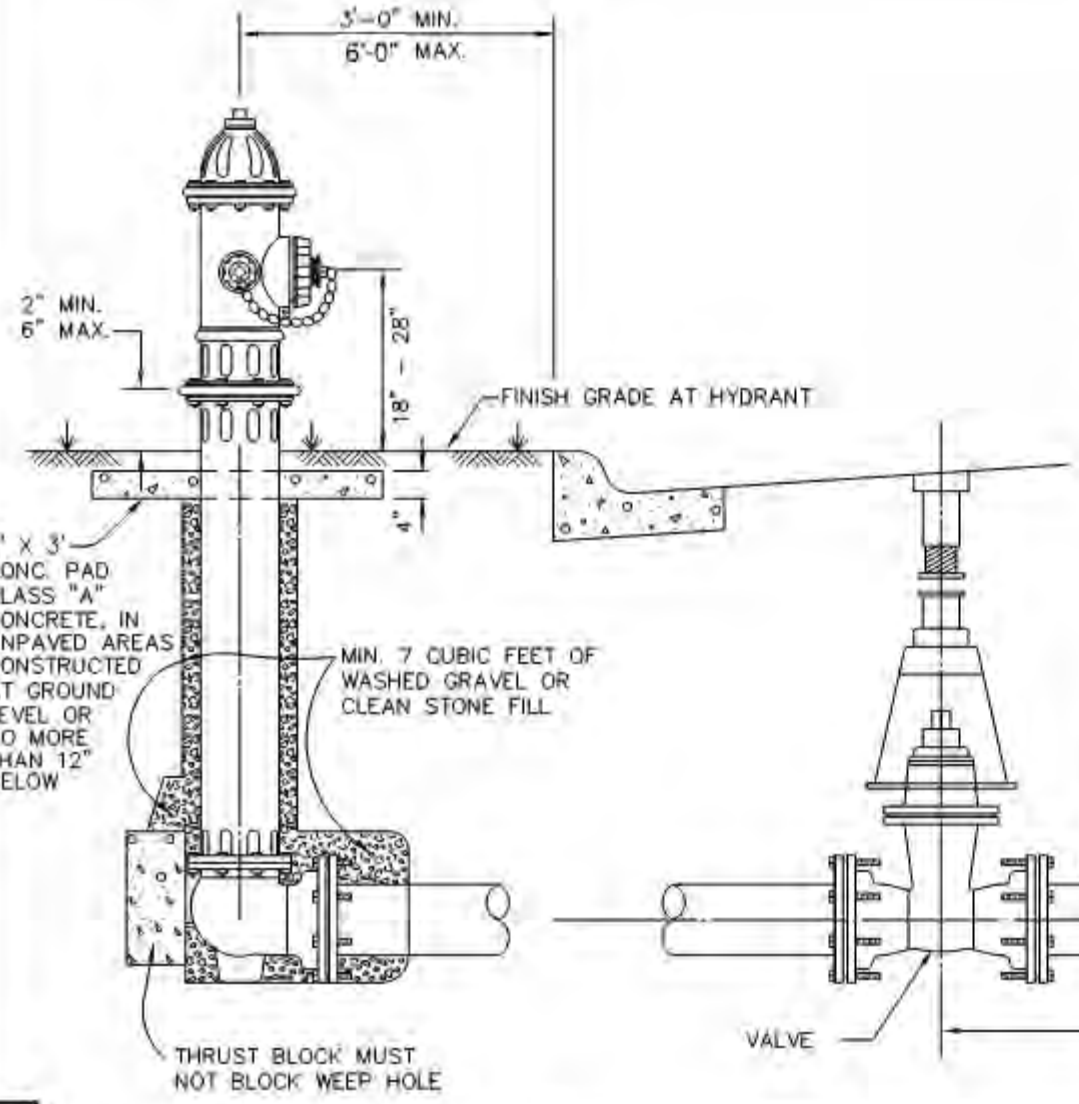
STANDARD DRAWING NO. R-4090

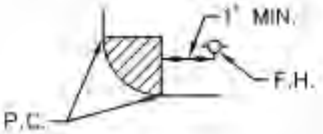


FLUSH POINT

(SIZE DESIGNATED ON PLANS)
N.T.S.

STANDARD DRAWING NO.	FLUSH POINT INSTALLATION	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE
R-4110	TYPE "1"		502.10.3*
			DATE: Mar. 2018 / STANDARD DRAWING NO.: R-4110





PLAN VIEW
N.T.S.

NOTES:

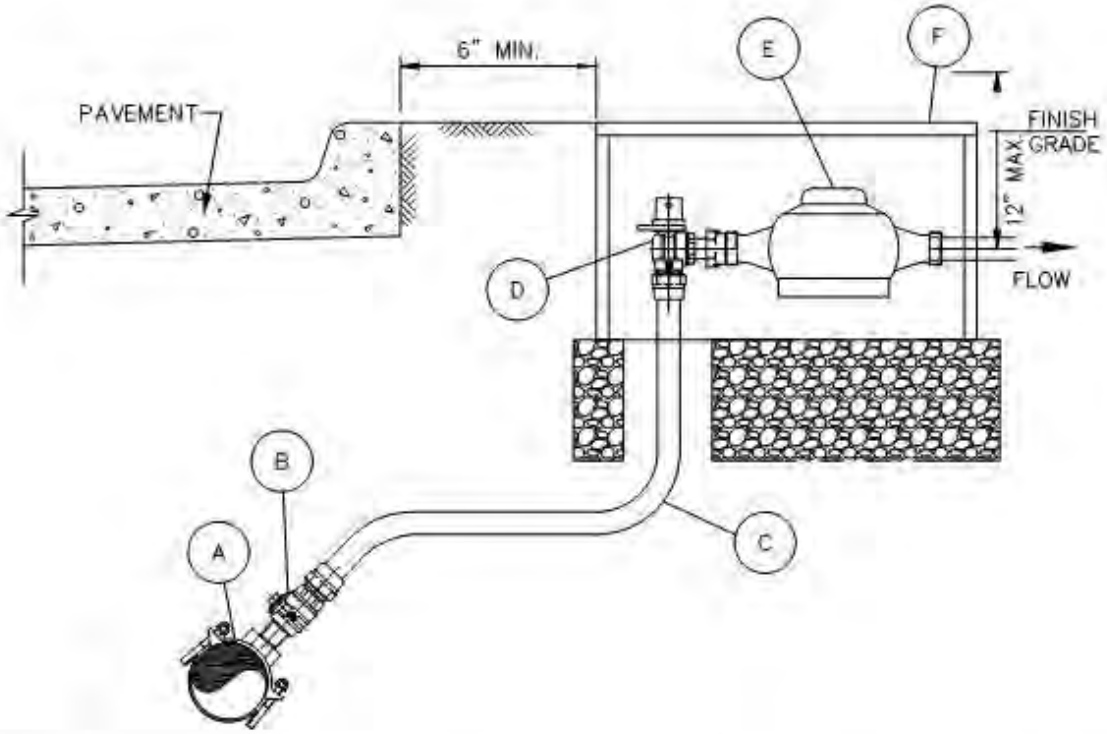
1. IN GENERAL, ALL FIRE HYDRANTS SHALL CONFORM TO AWWA STANDARD SPECIFICATIONS FOR FIRE HYDRANTS FOR ORDINARY WATER WORKS SERVICE, C-502. FIRE HYDRANTS SHALL HAVE A 5 1/4" MIN. VALVE OPENING AND A BARREL APPROXIMATELY 7" INSIDE DIAMETER. ALL HYDRANTS SHALL BE EQUIPPED WITH A BREAKAWAY FLANGE.
2. ALL JOINTS TO BE RESTRAINED JOINTS. MEGA-LUG OR APPROAVED EQUAL.
3. TYPICAL VALVE: ACTUAL VALVE LOCATION WILL DEPEND ON LOCATION OF WATER MAIN.
4. F.H. NO CLOSER THAN 18" TO EXISTING OR PROPOSED SIDEWALKS. (USUAL)
5. STANDARD BURY DEPTH 4' FEET
6. SET FIRE HYDRANT ON THE LOT LINE EXTENDED WHEN POSSIBLE.
7. F.H. SHALL BE LOCATED MINIMUM 1 FT. OUTSIDE OF THE AREA BETWEEN THE P.C.'S OF THE CORNER TURNING RADII AT INTERSECTIONS. (SEE PLAN VIEW)
8. PLACEMENT OF F.H. SHALL BE WHERE PUMPER NOZZLE IS PERPENDICULAR TO AND FACING THE NEAREST CURB.

STANDARD DRAWING NO. R-4120

FIRE HYDRANT INSTALLATION

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE	
502.3	
DATE	STANDARD DRAWING NO
Aug. 2019	R-4120



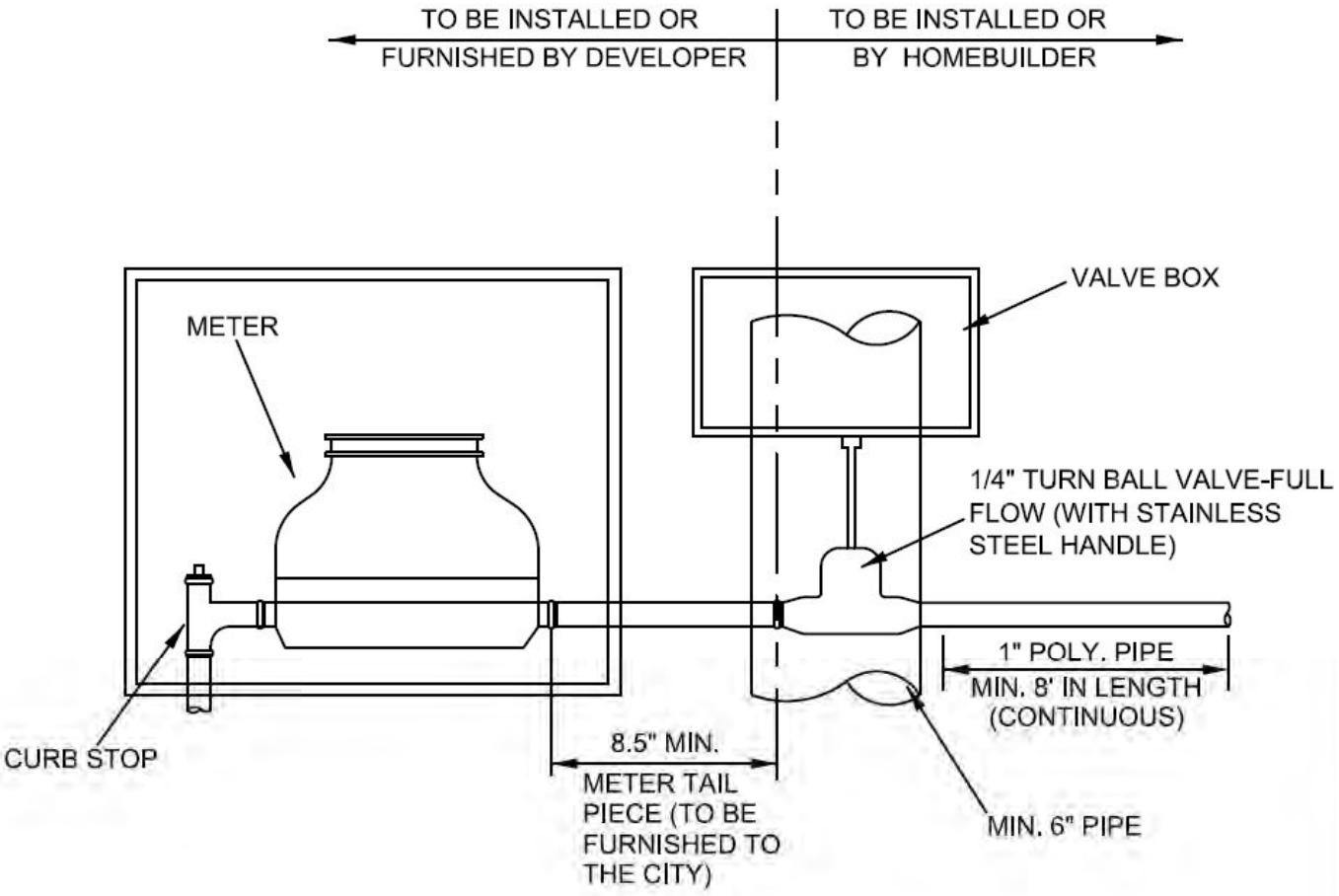
NOTES:

1. SERVICE PIPE SHALL BE 1" OR 2" SEAMLESS 250 PSI BLUE COLORED POLYETHYLENE ASTM D2737, SDR 9, CTS WATER SERVICE PIPE, NSF61 APPROVED.
2. TOP OF METER BOXES SHALL BE 1" ABOVE FINISHED GRADE.
3. METER BOX SHALL HAVE A MINIMUM OF 6" OF GRAVEL BENEATH METER BOX AS ILLUSTRATED.
4. LOCATION OF THE METER BOX SHALL BE LOCATED TO ALLOW 6" CLEARANCE FROM CURB.

MATERIAL LIST:

A. SERVICE SADDLE SHALL BE BRASS WITH DOUBLE BRONZE FLATTENED STRAPS OR STAINLESS STEEL DOUBLE BOLT WIDE STRAPS. NO BANDED OR HINGED STRAPS SHALL BE ALLOWED. SERVICE SADDLES SHALL MEET AWWA/CC TAPPING OUTLET (TAPERED THREADS) REQUIREMENTS. ALL SERVICE SADDLES SHALL BE PER APPROVED WATER MATERIALS LIST.
B. 1" OR 2" CORPORATION STOP PER APPROVED WATER MATERIALS LIST.
C. 1" OR 2" SERVICE PIPE SHALL BE SEAMLESS 250 PSI BLUE COLORED POLYETHYLENE ASTM D2737, SDR9, CTS WATER SERVICE PIPE, NSF61 APPROVED.
D. 1" OR 2" LOCKING ANGLE METER VALVE (STOP) PER APPROVED WATER MATERIALS LIST.
E. WATER METERS CENTERED IN BOX AS ILLUSTRATED.
F. ROUND METER BOX PER APPROVED WATER MATERIALS LIST.

WATER SERVICE INSTALLATION	CITY OF ROCKWALL		
1" OR 2" LINE		DATE AUG '19	DRAWING NO. R-4130



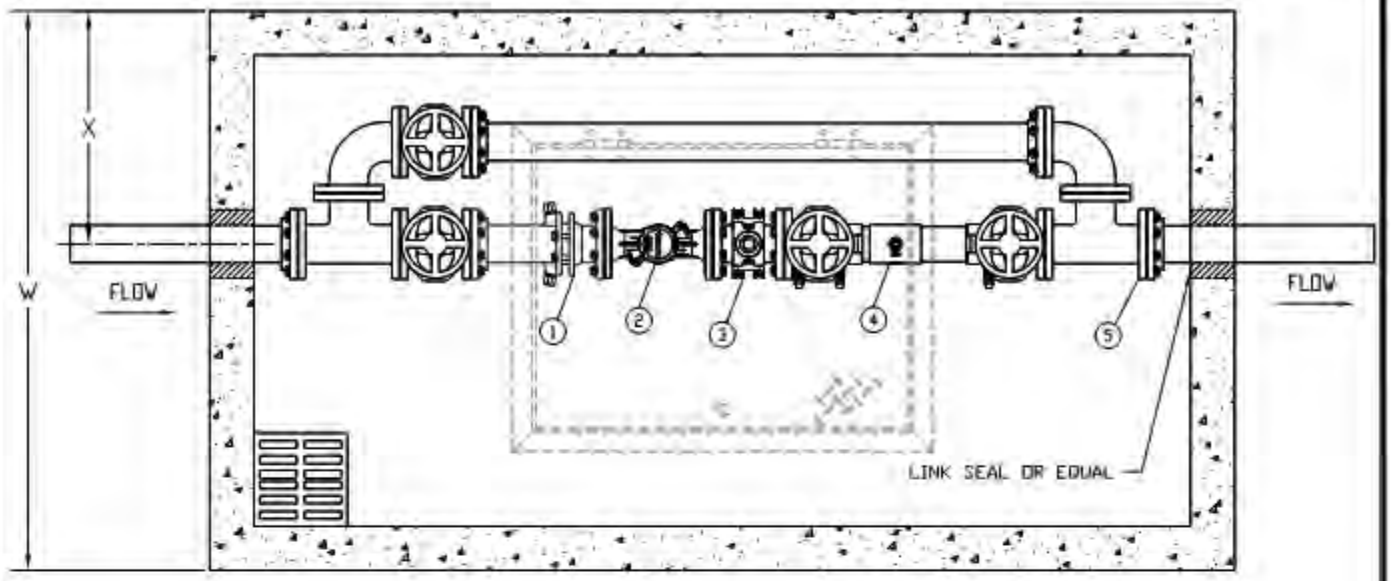
NOTE:

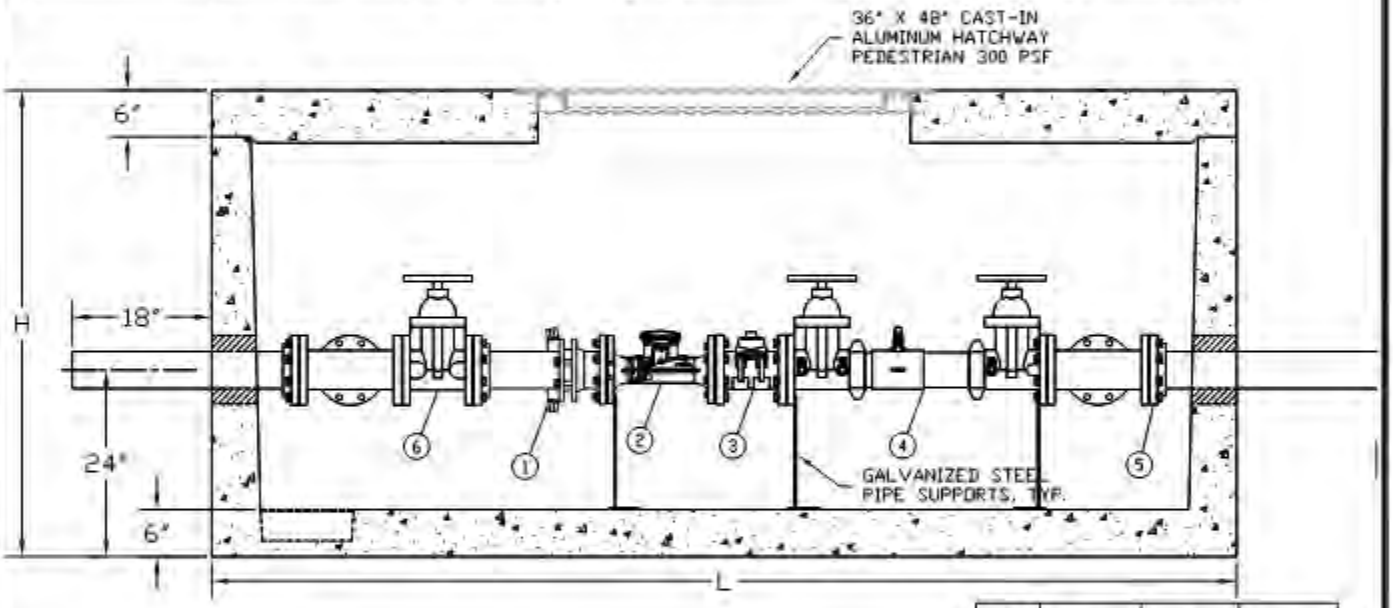
VALVE BOX TO BE TRAFFIC RATED IF UNDER PAVING.

SINGLE SERVICE METER TAIL CONNECTION

NOT TO SCALE

WATER METER DETAIL	CITY OF ROCKWALL	
SINGLE SERVICE		DATE AUG. '15 / DRAWING NO. R-4145





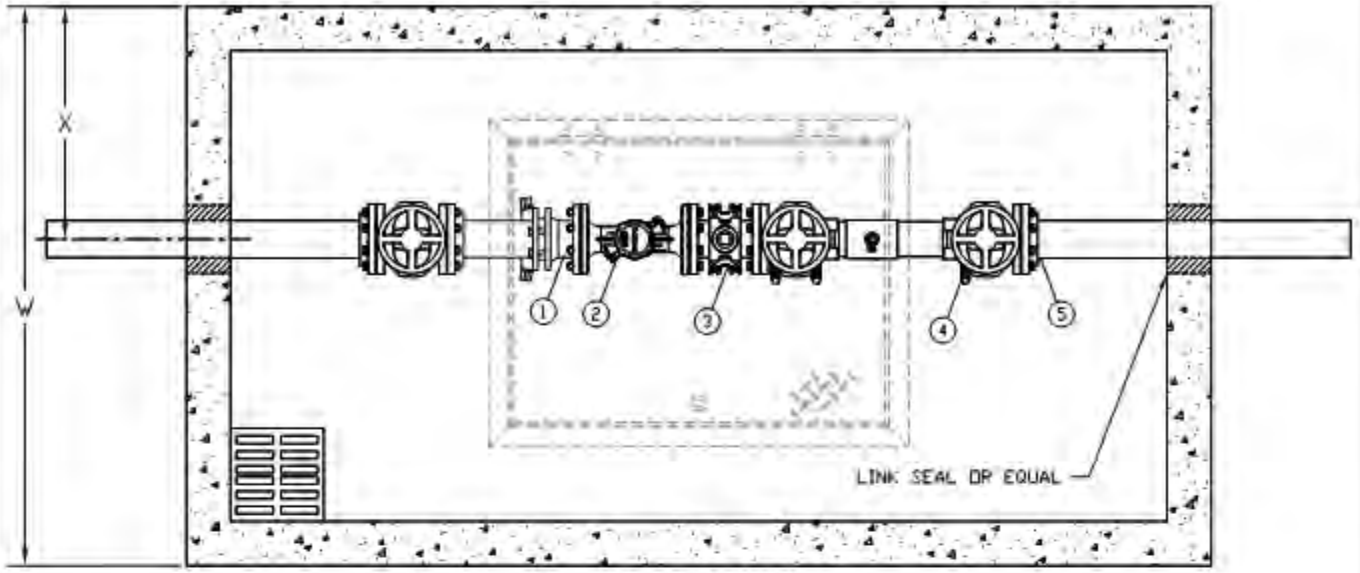
SIZE	L	W	H
3"	11'- 0"	6'- 0"	5'- 0"
4"	8'- 8"	5'- 0"	5'- 0"
6"	11'- 0"	6' 0"	5'- 0"

NOTES:

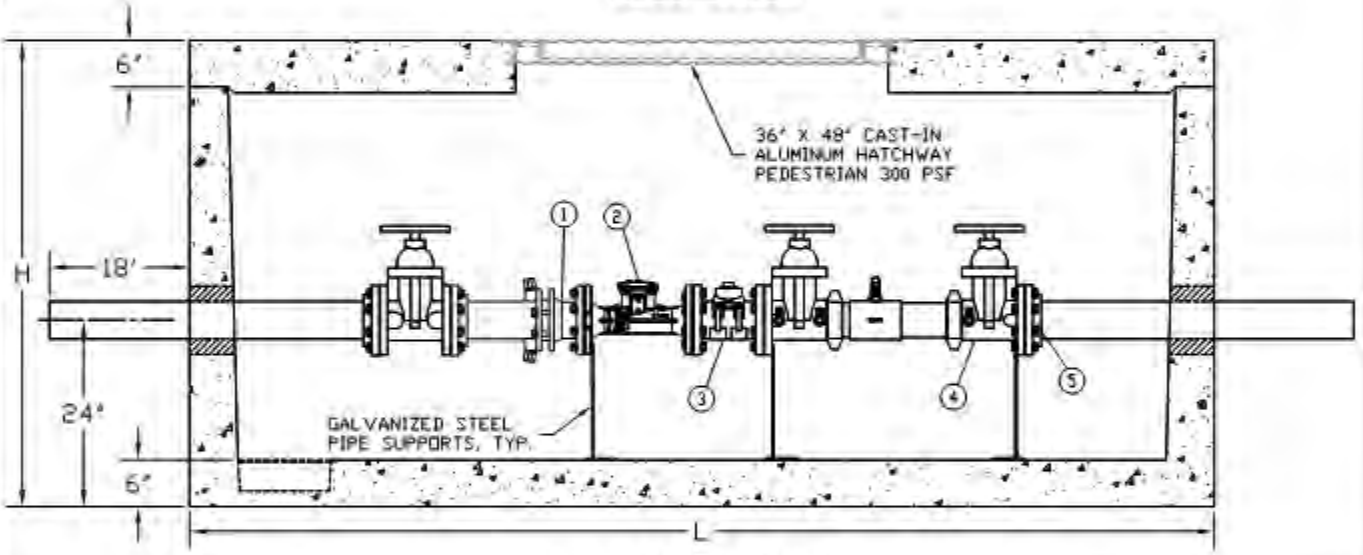
1. CONCRETE SHALL HAVE MIN STRENGTH OF 4200 PSI AT 28 DAYS. NO CAST IN PLACE VAULTS SHALL BE ALLOWED.
2. REINFORCEMENT SHALL BE GRADE 60. STEEL BAR SHALL CONFORM TO ASTM A615 ON REQUIRED CENTERS OR EQUALS.
3. ACCESS IS 1/4" ALUMINUM DIAMOND PLATE COVER WITH ALUMINUM FRAME. HATCH TO BE FURNISHED WITH 316 STAINLESS STEEL SLAM LOCK & HINGES.

ITEM	DESCRIPTION
1	FLANGE COUPLING ADAPTER
2	MASTER METER OCTAVE METER
3	STRAPPING SADDLE W/2" NPT PLUG
4	DOUBLE CHECK ASSEMBLY
5	FLG X P.E. SPOOL, D.I.
6	FLG NRS GATE VALVE

IRRIGATION WATER METER VAULT	CITY OF ROCKWALL	
3", 4" OR 6" LINE		DATE: AUG '19 / DRAWING NO.: R-4160



PLAN VIEW



ELEVATION VIEW

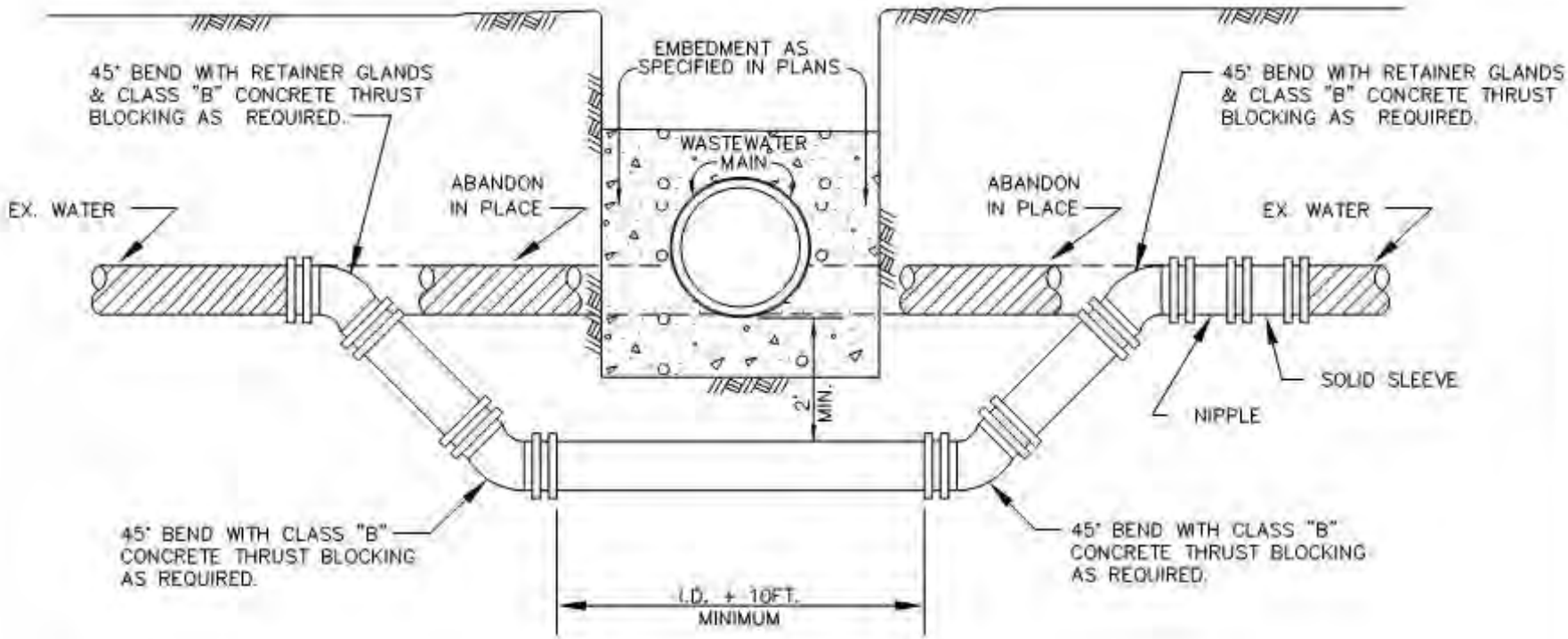
SIZE	L	W	H
3"	11'- 0"	6'- 0"	5'- 0"
4"	11'- 0"	6'- 0"	5'- 0"
6"	11'- 0"	6'- 0"	5'- 0"

NOTES:

1. CONCRETE SHALL HAVE MIN STRENGTH OF 4200 PSI AT 28 DAYS. NO CAST IN PLACE VAULTS SHALL BE ALLOWED.
2. REINFORCEMENT SHALL BE GRADE 60. STEEL BAR SHALL CONFORM TO ASTM A615 ON REQUIRED CENTERS OR EQUALS.
3. ACCESS IS 1/4" ALUMINUM DIAMOND PLATE COVER WITH ALUMINUM FRAME. HATCH TO BE FURNISHED WITH 316 STAINLESS STEEL SLAM LOCK & HINGES.

ITEM	DESCRIPTION
1	FLANGE COUPLING ADAPTER
2	MASTER METER OCTAVE METER
3	STRAPPING SADDLE W/2" NPT PLUG
4	DOUBLE CHECK ASSEMBLY
5	FLG X P.E. SPOOL, D.I.

IRRIGATION WATER METER VAULT	CITY OF ROCKWALL	
3", 4" OR 6" LINE		DATE: AUG '19 / DRAWING NO.: R-4170



CONCRETE ENCASEMENT SHALL ENCASE ENTIRE WASTEWATER MAIN. DEFLECT WATER LINE WHEN POSSIBLE

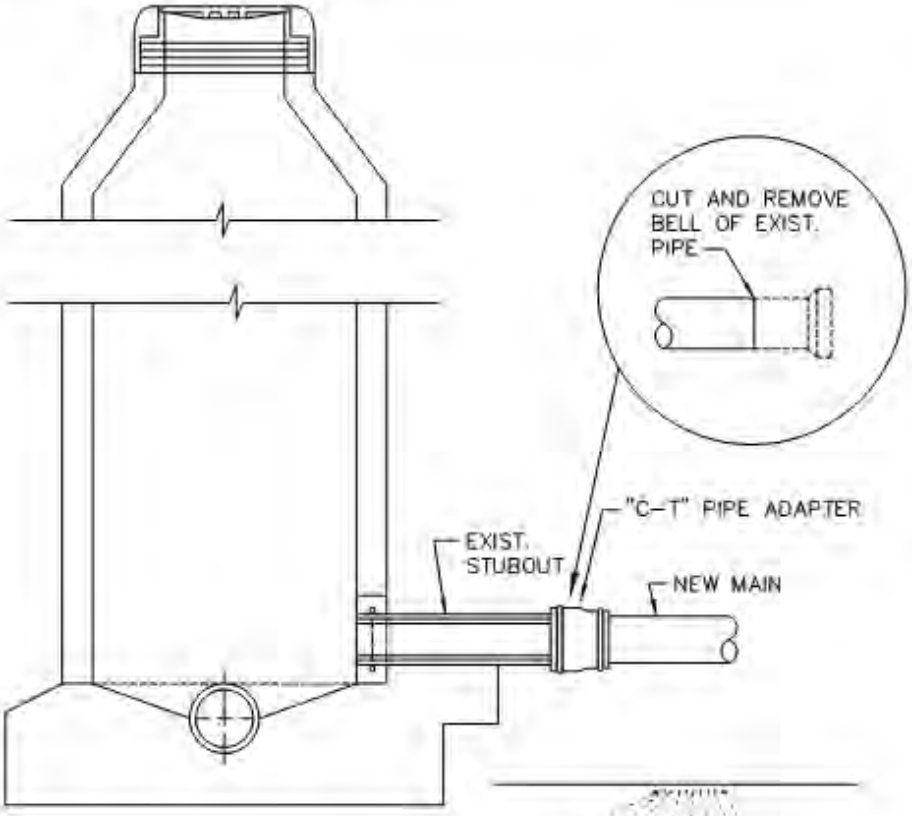
STANDARD DRAWING NO. R-4200	WATER MAIN LOWERING BELOW WASTEWATER MAIN	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 506.6	
			DATE Mar. 2018	STANDARD DRAWING NO R-4200

8.5 Division 5000 Wastewater Collection

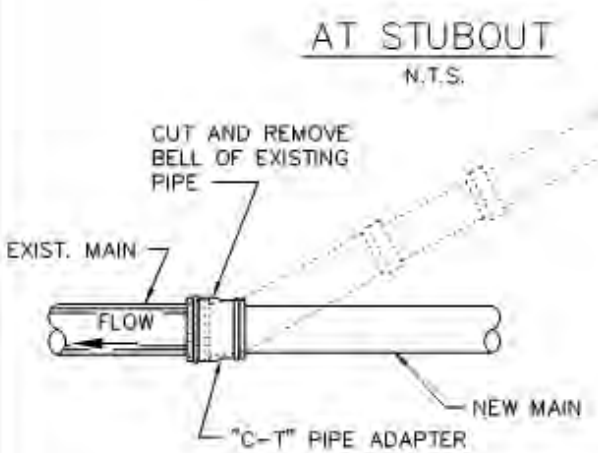
NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

Table 9.5: Revisions to NCTCOG's Division 5000 Wastewater Collection

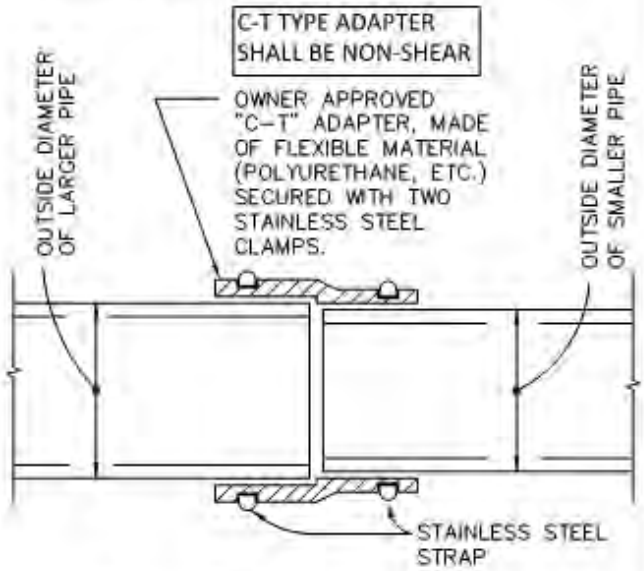
Revised	Drawing No.	Subject
(1)	~~*5010*~~	~~*Wastewater Main Tie-In – At Cleanout or M.H. Stubout*~~
(3)	***R-5010***	***Wastewater Main Tie-In – At Cleanout or M.H. Stubout***
(1)	~~*5020*~~	~~*Wastewater Manhole – Precast*~~
(3)	***R-5020***	***Wastewater Manhole – Precast***
(1)	~~*5030*~~	~~*Wastewater Manhole – Cast-In-Place*~~
(3)	***R-5030***	***Wastewater Manhole – Cast-In-Place***
(1)	~~*5040*~~	~~*Wastewater Manhole – Fiberglass*~~
(1)	~~*5050*~~	~~*Wastewater Manhole – Pressure Type*~~
(3)	***R-5050***	***Wastewater Manhole – Pressure Type***
(1)	~~*5060*~~	~~*Wastewater Manhole – Vented*~~
(3)	***R-5060***	***Wastewater Manhole – Vented***
(1)	~~*5070*~~	~~*Wastewater Manhole – Outside Drop Connections*~~
(1)	~~*5080*~~	~~*Wastewater Manhole – Inside Drop Connection*~~
(3)	***R-5080***	***Wastewater Manhole – Inside Drop Connection***
	5090	Wastewater Manhole – Line Intersection
	5100	Wastewater Manhole – False Bottom
(3)	**R-5101**	**Wastewater Manhole – Hinged Rim & Cover**
(3)	**R-5102**	**Wastewater Manhole – Bolt and Gasket Rim & Cover**
(3)	**R-5103**	**Wastewater Manhole – Private Rim & Cover**
(1)	~~5110~~	~~Wastewater Main – Cleanout~~
(3)	**R-5110**	**Wastewater Main – Cleanout**
(1)	~~5120~~	~~Wastewater Laterals – With & Without Cleanout~~
(3)	**R-5120**	**Wastewater Lateral Connections – Residential**
(1)	~~5130~~	~~Wastewater Lateral Connections – In Earth & In Rock~~
	5140	Wastewater Lateral Connections – Cleanout Frame & Cover
(1)	~~5150~~	~~Wastewater Lateral Stubout – In Advance of Paving~~
(3)	**R-5150**	**Wastewater Lateral Stubout – In Advance of Paving**
(1)	~~5160~~	~~Wastewater Lateral Replacement – In Advance of Paving~~
(3)	**R-5160**	**Wastewater Lateral Replacement – In Advance of Paving**
(1)	~~5170~~	~~Abandonment of Manhole – In or Out of Pavement~~
(3)	**R-5170**	**Abandonment of Manhole – In or Out of Pavement**
(3)	**R-5180**	**Manhole and Valve Vault – Mow Strip**



AT STUBOUT
N.T.S.



AT CLEANOUT
N.T.S.



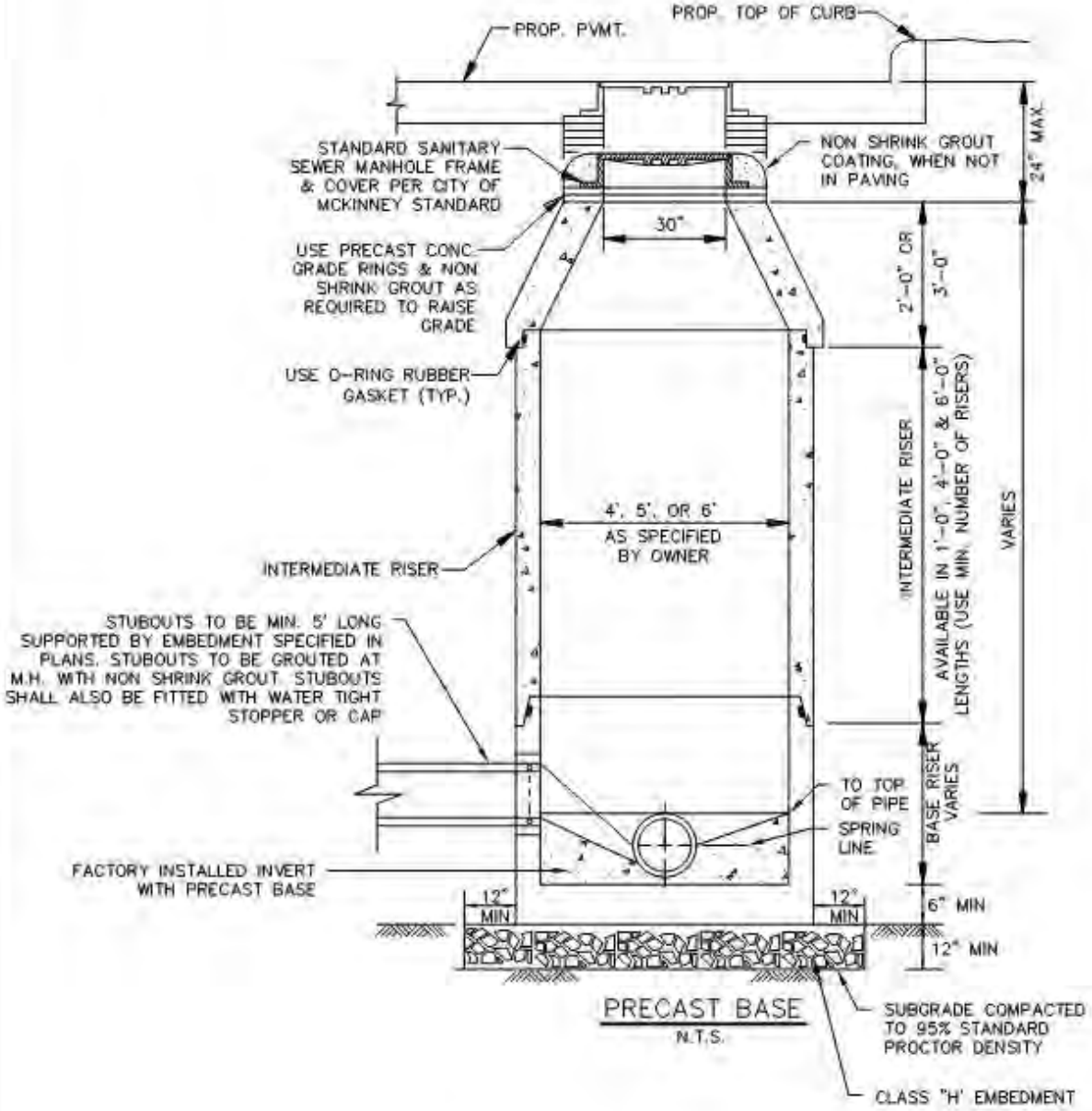
"C-T" PIPE ADAPTER
N.T.S.

NOTE:
THIS DETAIL FOR USE ONLY WHEN NEW MAIN WILL NOT MATE WITH EXISTING MAIN JOINT DUE TO DIFFERENT DIMENSIONS OR MATERIALS AND A MANHOLE IS NOT REQUIRED.

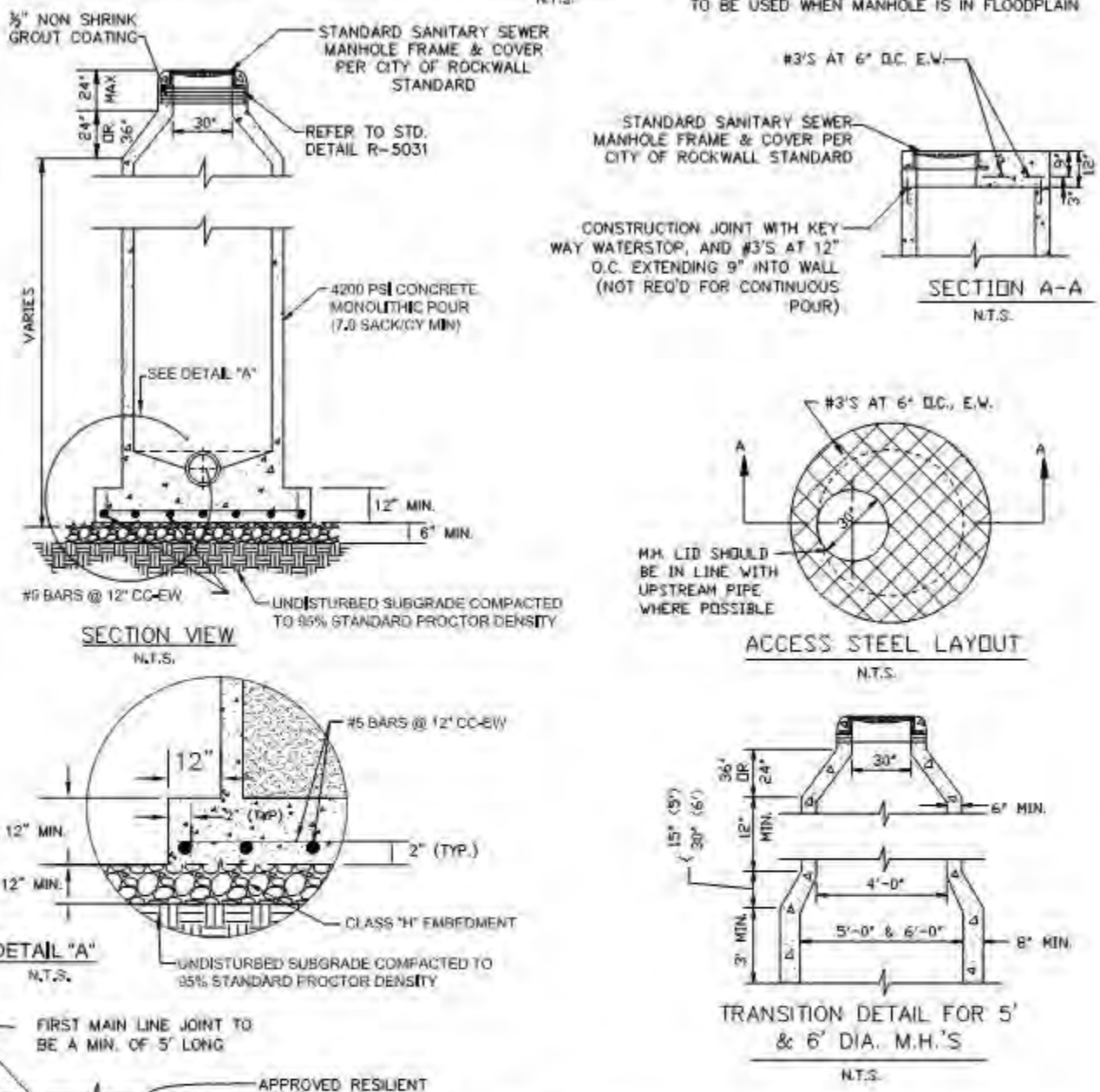
WASTEWATER MAIN TIE-IN	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.10	
AT CLEANOUT OR M.H. STUBOUT		DATE Mar. 2018	STANDARD DRAWING NO. R-5010

NOTES:

1. FIRST MAIN LINE JOINT TO BE A MIN. OF 5' LONG.
2. IF FALSE M.H. ARE REQUIRED, THEY SHALL BE CONSTRUCTED, INSTALLED AND REMOVED PER STD. DWG. NO. 5100.
3. M.H.'S LOCATED OUTSIDE OF PAVING SHALL BE CONSTRUCTED WITH A CONCRETE MOW STRIP PER STD. DWG. NO. R-7005.
4. REFER TO STD. DWG. NO. R-5031 FOR INFLOW PROTECTION AT MANHOLE GRADE RINGS, MANHOLE JOINTS AND ON OUTSIDE OF STRUCTURE.
5. REFER TO STD. DWG. NO. R-5032 FOR CORROSION PROTECTION.
6. CONCRETE SHALL BE 4,200 PSI (7.0 SACK/CY) 28 DAY STRENGTH.
7. REINFORCING SHALL MEET OR EXCEED ASTM C478 REQUIREMENTS.
8. INSTALL GREEN EMS DISK AT ALL MANHOLES.
9. LIP TO BE PRECAST.



WASTEWATER MANHOLE	CITY OF ROCKWALL		
PRECAST		DATE AUG '19	DRAWING NO. R-5020

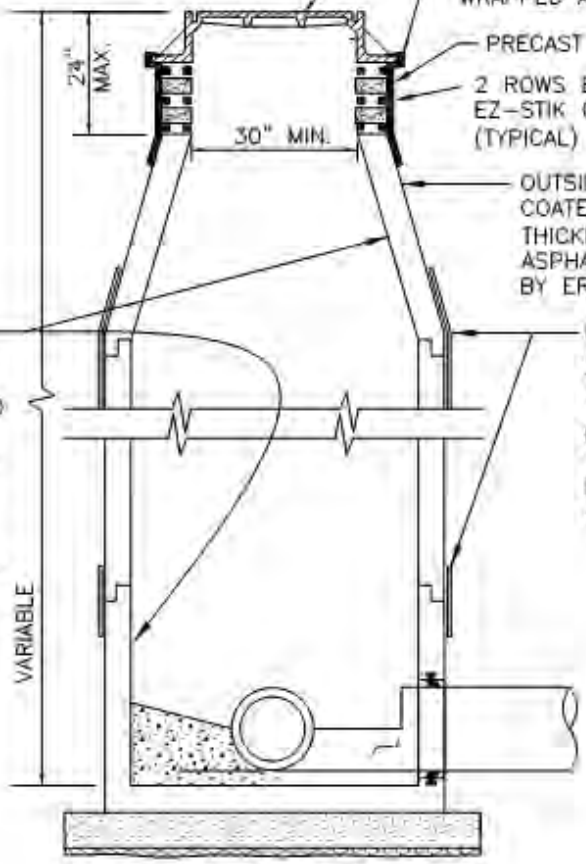


NOTES:

1. IF FALSE M.H. BOTTOMS ARE REQUIRED THEY SHALL BE CONSTRUCTED, INSTALLED AND REMOVED PER STD. DWG. NO. 5100
2. M.H.'S LOCATED OUTSIDE OF PAVING SHALL BE CONSTRUCTED WITH A CONCRETE MOW STRIP PER STANDARD DETAIL R-7005.
3. REFER TO STD. DWG. NO. R-5031 FOR INFLOW PROTECTION AT MANHOLE GRADE RINGS AND ON THE OUTSIDE OF MANHOLE STRUCTURE.
4. CAST IN PLACE BASE MUST BE A MINIMUM 12" THICK WITH #5 BARS @ 12" OC-EW (EACH WAY) AND SHALL EXTEND 1' BEYOND MANHOLE.
6. CONCRETE SHALL BE 4,200 PSI (7.0 SACK/CY) 28 DAY STRENGTH.
7. REINFORCING SHALL MEET OR EXCEED ASTM C478 REQUIREMENTS.
8. INSTALL GREEN EMS DISK AT ALL MANHOLES.

WASTEWATER MANHOLE	CITY OF ROCKWALL	
CAST-IN-PLACE		DATE: AUG '19 / DRAWING NO.: R-5030

CORROSION PROTECTION ⇦ ⇨ INFLOW PREVENTION



STANDARD SANITARY SEWER MANHOLE FRAME & COVER PER CITY OF ROCKWALL STANDARD

THE OUTSIDE OF THE JOINTS AND ADJUSTMENT RINGS NEED TO BE WRAPPED AS NOTED ON THIS DETAIL.

PRECAST ADJUSTING RINGS

2 ROWS BITUMASTIC JOINT SEALANT, EZ-STIK OR APPROVED EQUAL (TYPICAL)

OUTSIDE OF MANHOLE TO BE COATED WITH 62.5 MILS WET FILM THICKNESS (WFT) ERTECH 2100 ASPHALT EMULSION MANUFACTURED BY ERTECH OR APPROVED EQUAL

MANHOLES SHALL HAVE CORROSION PROTECTION APPLIED TO ALL MANHOLES. CORROSION PROTECTION SHALL BE CONSHEILD (TERRA COTTA COLOR), RAVEN 405 LINER OR APPROVED EQUAL. COATING SHALL BE APPLIED TO ALL EXPOSED CONCRETE AND GROUTED SURFACES. SURFACE PREPARATION PRIOR TO MATERIAL APPLICATION SHALL FOLLOW MANUFACTURERS RECOMMENDATIONS.

MANHOLE JOINTS SHALL BE WRAPPED WITH A HEAT SHRINK THERMO PLASTIC MATERIAL "WRAPIDSEAL" MANUFACTURED BY CANUSA COATING SYSTEMS, "GATOR WRAP" MANUFACTURED BY SEALING SYSTEMS, INC. OR APPROVED EQUAL.

ELEVATION
N.T.S.

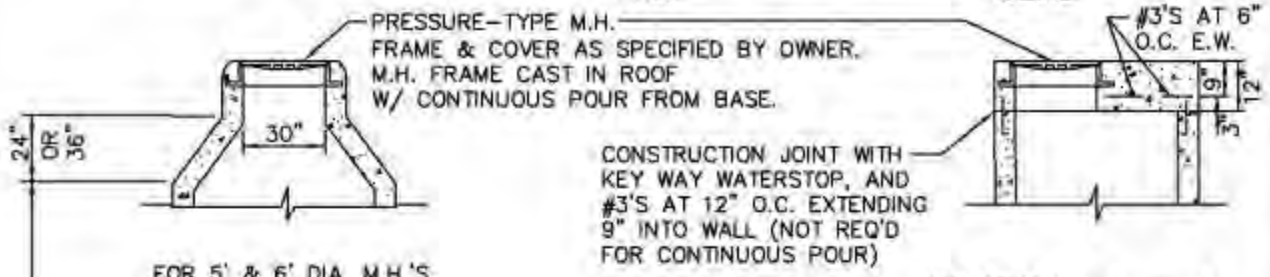
INFLOW PREVENTION NOTES:
1. REQUIRED ON ALL SANITARY SEWER MANHOLES AND LIFT STATION WET WELLS AND VALVE VAULTS.

CORROSION PREVENTION NOTES:
1. TO CORROSION PROTECTIVE COATING PROCESS, PRESSURE WASH AND CLEAN STRUCTURE. FILL BUG HOLES, JOINTS, HONEYCOMBS AND AROUND PIPE PENETRATIONS WITH A CEMENTITOUS REPAIR MATERIAL (CRM) AS NEEDED. USE STRONG SEAL MS2C MANUFACTURED BY THE STRONG COMPANY, INC. OR APPROVED EQUAL. THEN APPLY A MINIMUM OF 125 MILS ($\frac{1}{8}$ INCH) THICKNESS OF A POLYURETHANE COATING MATERIAL (EXISTING MANHOLES REQUIRE A MINIMUM OF 250 MILS THICKNESS OF POLYURETANE COATING MATERIAL). FOR THE POLYURETHANE COATING MATERIAL USE RAVEN 405 LINER OR APPROVED EQUAL.
2. ADDITIONAL CLEANING, PREPARATION, AND REPAIR METHODS MAY BE REQUIRED FOR EXISTING MANHOLES DEPENDING ON CONDITION ASSESSMENT OF THE MANHOLE. CONTACT ENGINEERING DIVISION FOR ADDITIONAL SPECIFICATIONS.
3. SPARK TESTING IS REQUIRED FOR COATINGS. COST FOR TESTING IS SUBSIDIARY TO OTHER BID ITEMS. CITY INSPECTOR TO BE PRESENT FOR SPARK TESTING. CONTRACTOR TO PROVIDE WRITTEN SPARK TEST RESULTS TO CITY.
4. EXISTING BRICK MANHOLES SHALL BE REPLACED.
5. REQUIRED ON ALL WASTEWATER MANHOLES AND LIFT STATION WET WELLS.

WASTEWATER MANHOLE	CITY OF ROCKWALL		
INFLOW PREVENTION & CORROSION PROTECTION		DATE AUG '19	DRAWING NO. R-5031

CONCRETE CONE ⇦ ROOF OPTIONS ⇨ REINFORCED CONCRETE SLAB

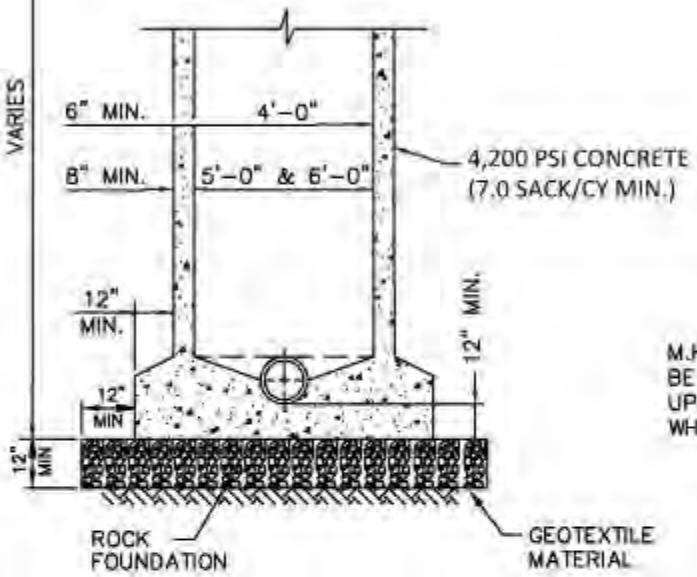
N.T.S.

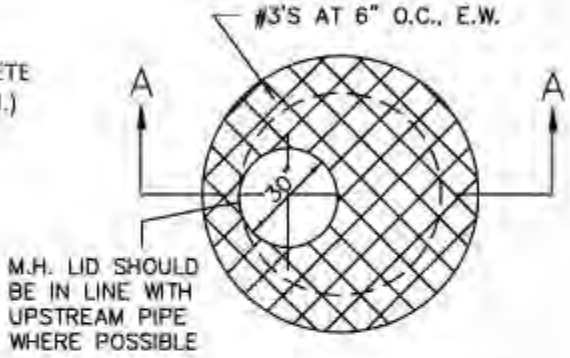


FOR 5' & 6' DIA. M.H.'S SEE TRANSITION DETAIL

SECTION A – A

N.T.S.

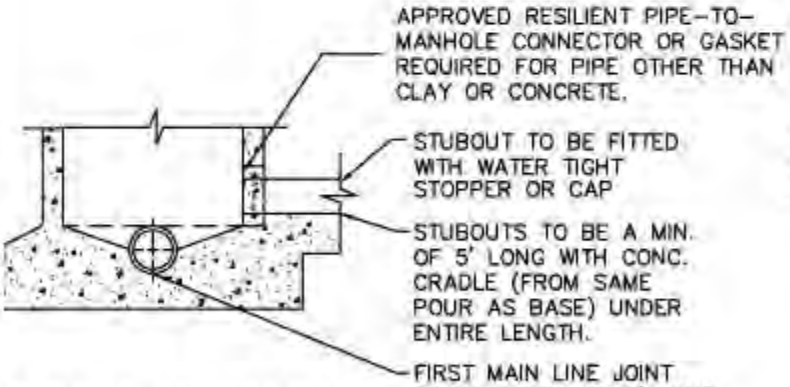




ROOF STEEL LAYOUT

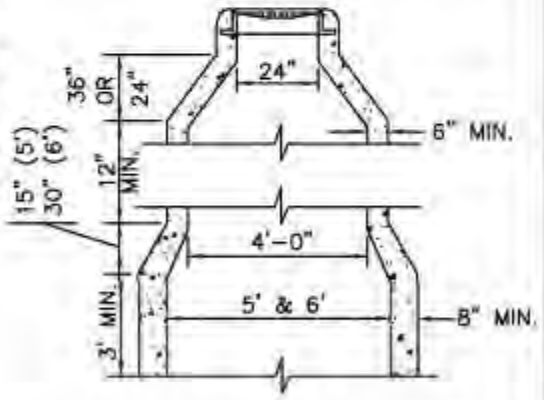
N.T.S.

INSTALL GREEN EMS DISKS AT ALL MANHOLES.



STUBOUT CONNECTION

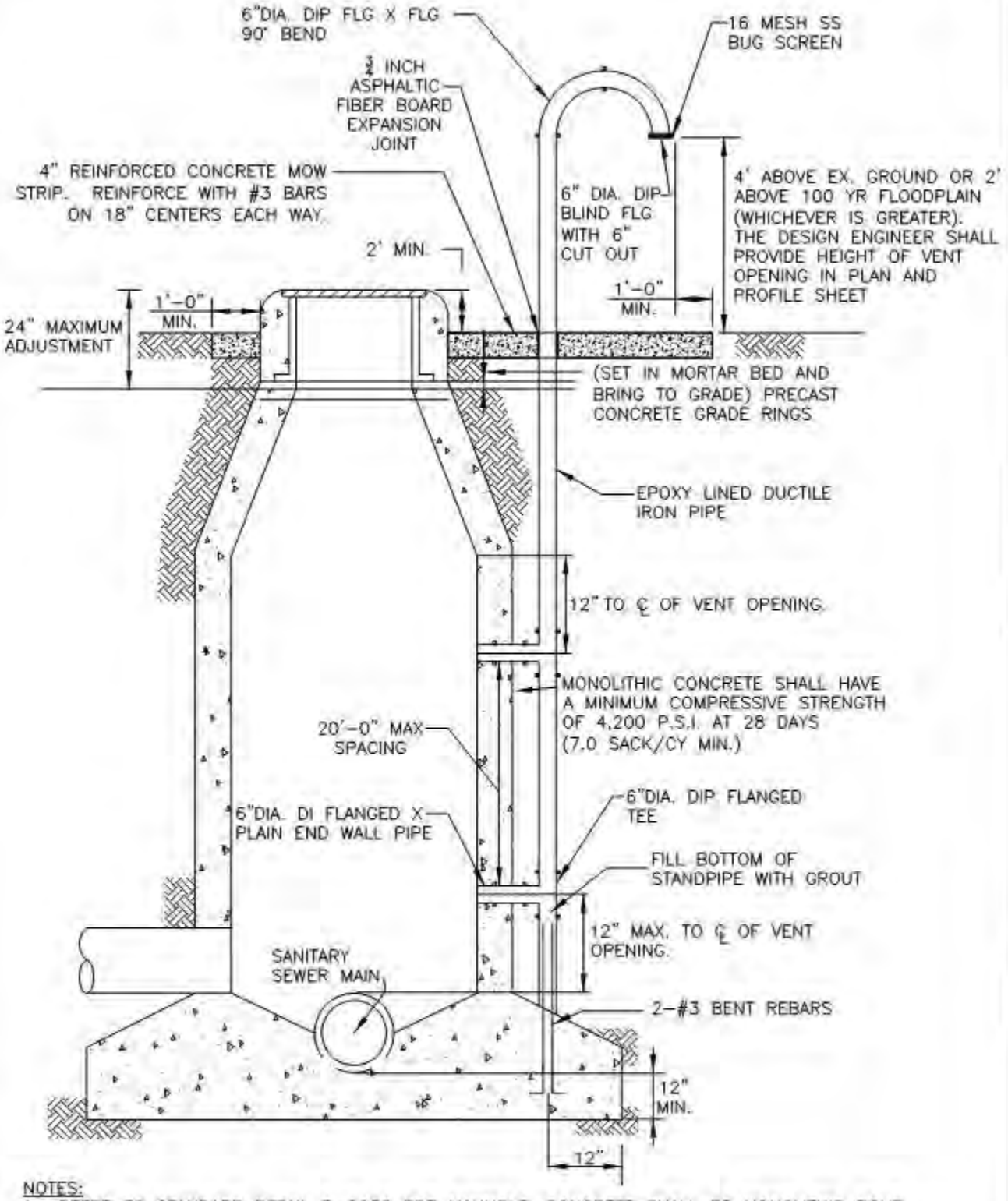
N.T.S.



TRANSITION DETAIL FOR 5' & 6' DIA. M.H.'S

N.T.S.

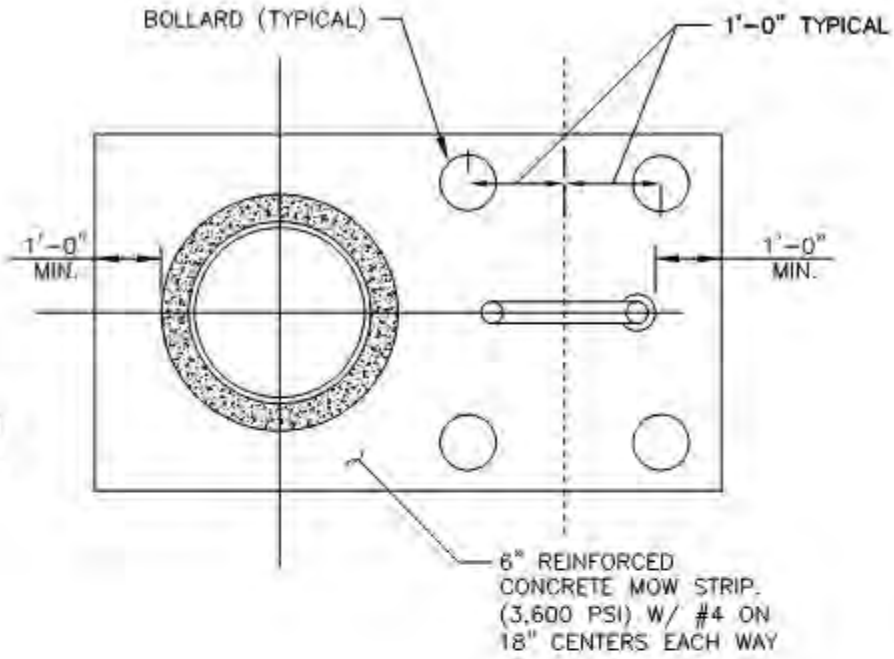
WASTEWATER MANHOLE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.1.4.1.5*	
PRESSURE-TYPE		DATE Mar. 2018	STANDARD DRAWING NO. R-5050



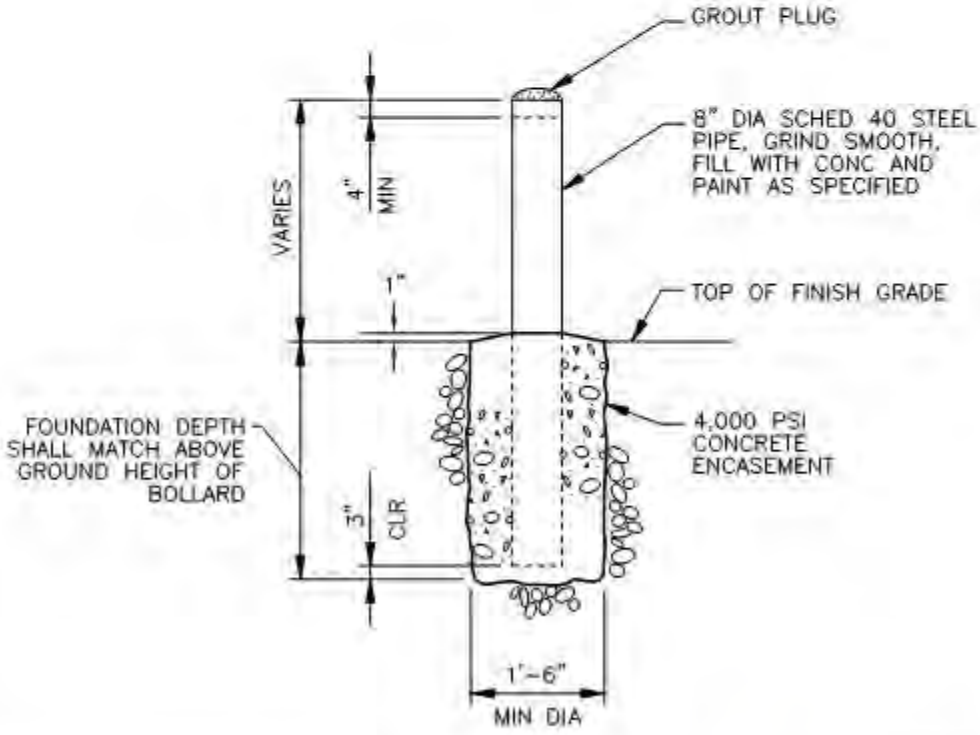
NOTES:
1. REFER TO STANDARD DETAIL R-5030 FOR MANHOLE. CONCRETE SHALL BE MONOLITHIC POUR.
2. REFER TO STD. DWG. NO. R-5031 FOR INFLOW PROTECTION AT MANHOLE GRADE RINGS, MANHOLE JOINTS, AND ON OUTSIDE OF STRUCTURE.

SHEET 1 OF 2

WASTEWATER MANHOLE	CITY OF ROCKWALL	
VENTED		DATE: AUG '19 / DRAWING NO.: R-5060

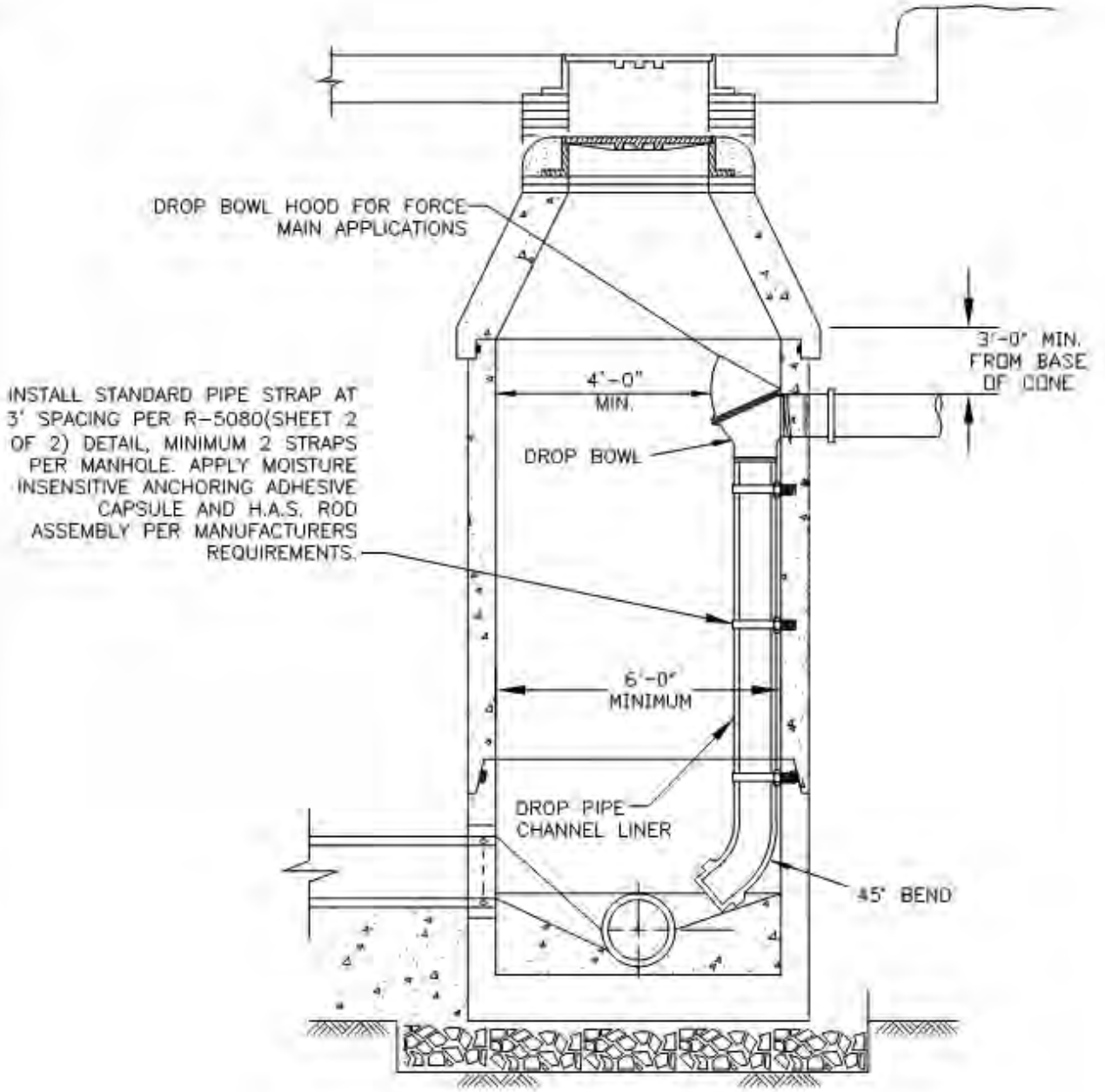


NOTES:
1. BOLLARD HEIGHT SHALL EXTEND TO 1 FOOT ABOVE THE OVERALL HEIGHT OF THE VENT PIPE.



SHEET 2 OF 2

WASTEWATER MANHOLE	CITY OF ROCKWALL		
VENTED		DATE AUG '19	DRAWING NO. R-5060



ELEVATION
N.T.S.

NOTE:
1. DROP BOWL, DROP PIPE CHANNEL LINER AND STAINLESS STEEL PIPE CLAMPS AS MANUFACTURED BY RELINER/DURAN INC. OR APPROVED EQUAL.

SHEET 1 OF 2

WASTEWATER MANHOLE	CITY OF ROCKWALL		
DROP CONNECTIONS		DATE AUG '19	DRAWING NO R-5080

HVA ADHESIVE CAPSULE ANCHOR

A. DRILL HOLES WITH ANSI B212.15 MATCHED TOLERANCE CARBIDE TIPPED DRILL BITS WITH DRILL IN ROTO-HAMMER MODE OR USE A MATCHED TOLERANCE DIAMOND CORE DRILL BIT OF DIAMETER SPECIFIED BY HILTI.
B. DRILLED HOLE SPECIFICATIONS (DIAMETER & DEPTH) SHALL COMPLY WITH HILTI SPECIFICATION OR ICC ESR 1582.
C. ALLOWABLE LOADS MAY BE INCREASED BY 33-1/3% FOR SHORT-TERM WIND OR SEISMIC LOAD RESISTANCE (W ICC ESR 1682 UNLESS NOT PERMITTED BY THE APPLICABLE BUILDING CODE.
D. WHEN CONDUCTED, PROOF TEST ANCHORS IN THE FIELD TO 150-200% OF HILTI PUBLISHED ALLOWABLE TENSION LOAD UNLESS NOTED OTHERWISE IN A PROOF TEST LOAD TABLE. TORQUE TESTING IS NOT PERMITTED.
E. ANCHORS SHALL BE TIGHTENED WITH A CALIBRATED TORQUE WRENCH. USE OF AN IMPACT WRENCH IS NOT PERMITTED.
F. CONTACT HILTI TECHNICAL SUPPORT AT 1-800-879-8000 FOR INSTALLATION INSTRUCTIONS IN SUBMERGED WATER CONDITIONS.
G. CONTACT HILTI TECHNICAL SUPPORT AT 1-800-879-8000 FOR ADDITIONAL ASSISTANCE WITH HVA ADHESIVE ANCHOR INSTALLATIONS.
H. INSTALLATION INSTRUCTIONS:

*1. FOR HVA ADHESIVE CAPSULES WITH H.A.S. THREADED RODS:

1. DRILL ANCHOR HOLE WITH A CARBIDE BIT (SEE NOTE 1 ABOVE), TO SPECIFIED EMBEDMENT DEPTH.
2. CLEAN HOLE WITH COMPRESSED AIR OR BLOW OUT PUMP. INSERT NOZZLE TO BOTTOM OF HOLE.
3. IF USING MATCHED TOLERANCE CORE BIT, REMOVE STANDING WATER FROM HOLE.
4. INSERT APPROPRIATE HVU CAPSULE INTO HOLE WITH POINTED END FIRST. CAPSULE LENGTH IS LONGER THAN STANDARD EMBEDMENT AND WILL PROTRUDE FROM HOLE. DO NOT CUT OFF ANY PART OF THE HVU CAPSULE.
5. THREAD NUT ONTO ROD.
6. PLACE A WASHER ON FIRST NUT AND THREAD BLACK SETTING NUT DOWN ON WASHER.
7. TIGHTEN NUTS TOGETHER SO THAT BLACK SETTING WASHER IS AT TOP OF ROD.
8. INSERT SQUARE DRIVE SHAFT INTO HAMMER DRILL AND ATTACH PROPER IMPACT SOCKET.
9. WITH HAMMER DRILL ON ROTARY HAMMER, ENGAGE TOP NUT OF HAS ROD ASSEMBLY AND ROTOHAMMER ROD THROUGH CAPSULE(S) INTO THE HOLE. STOP DRILL ROTATION IMMEDIATELY UPON REACHING BOTTOM OF HOLE.
10. DO NOT DISTURB OR LOAD ANCHOR BEFORE CURING TIME ELAPSES.

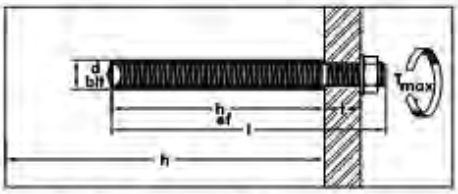
HVA INSTALLATION SPECIFICATION TABLE FOR H.A.S. RODS

DETAILS / HAS Rod Size			3/8	1/2	5/8	3/4	7/8	1	1-1/4
d_{bit} : nominal bit diameter		in.	15/32	9/16	11/16	7/8	1	1-1/8	1-3/8
h_{nom} = std. depth of embed. = capsule length		in.	3-1/2	4-1/4	5	6-5/8	8-5/8	9-3/4	12
t: max. thickness fastened		in.	1	1-1/2	1-3/4	2	2-1/4	2-1/2	2-3/4
T_{max} : max. tightening torque	All HAS Rods	ft-lb	15	30	75	150	175	235	400
h_1 minimum base material thickness	h_1 of = h_{nom}	in.	5-1/4	6-3/8	7-1/2	10	10	13-3/8	18
	h_1 of < h_{nom}	in.	$1.0h_{ef}+2$	$1.0h_{ef}+2$	$1.0h_{ef}+2$	$1.0h_{ef}+2$	$1.0h_{ef}+2$	$1.0h_{ef}+2\ 1/4$	$1.0h_{ef}+2$
Recommended HILTI Rotary Hammer Drill			TE-5,15, 15M,25	TE-15M,25,55,75		TE-55, 75		TE-75	

For SI: 1 inch = 25.4mm, 1ft-lb = 1.4 Nm.

Curing Time Table (Approximate)

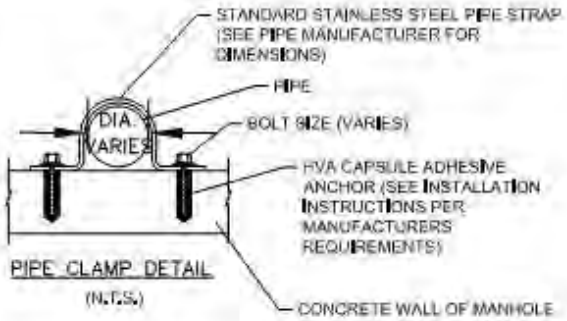
Approx. Curing Time	Base Material Temperature
20 Minutes	ABOVE 68° F/20° C
30 Minutes	50° F/10° C
1 Hour	32° F/0° C
5 Hour	23° F/-5° C



HILTI HVA ADHESIVE CAPSULE ANCHOR
OR APPROVED EQUAL

INSTALLATION INSTRUCTIONS:

1. SET THE DRILL DEPTH GAUGE AND DRILL A HOLE TO THE REQUIRED HOLE DEPTH. IMPORTANT: CLEAN OUT DUST AND DEBRIS. USE COMPRESSED AIR OR VACUUM AT BOTTOM OF THE HOLE. WHEN USING THE HILTI MATCHED TOLERANCE DIAMOND CORE BIT, IMMEDIATELY REMOVE STANDING WATER.
2. INSERT APPROPRIATE DIAMETER HVU ADHESIVE CAPSULE INTO PRE-DRILLED HOLE IN BASE MATERIAL. NOTE: THE BEST METHOD FOR SETTING MULTIPLE CAPSULES IS TO CRUSH THE FIRST CAPSULES(S) INTO THE HOLE AND THEN INSERT THE NEXT CAPSULE. DO NOT CUT OFF CAPSULES PARTIALLY PROTRUDING FROM THE HOLE.
3. CAPSULE LENGTH IS LONGER THAN STANDARD EMBED. DEPTH AND WILL PROTRUDE FROM THE HOLE.
4. THREAD A H.A.S. NUT ON THE H.A.S. ROD. PLACE A WASHER ON TOP OF THE FIRST NUT AND THEN THREAD A BLACK SETTING NUT DOWN ON TOP OF THE WASHER. TIGHTEN THE TWO NUTS TOGETHER "LOCKING" THE WASHER BETWEEN THEM. THE TOP NUT SHOULD BE FLUSH WITH THE TOP OF THE ROD.
5. INSERT A SQUARE DRIVE SHAFT INTO THE HAMMER DRILL AND ATTACH THE PROPER IMPACT SOCKET. AT THE ROTARY HAMMER DRILL SETTING, ENGAGE THE TOP NUT OF THE HAS ROD ASSEMBLY WITH THE SOCKET AND DRIVE THE ROD DOWN THROUGH THE CAPSULE(S). STOP DRILL ROTATION IMMEDIATELY UPON REACHING BOTTOM OF HOLE.
6. DO NOT DISTURB OR LOAD THE SET ANCHOR BEFORE THE SPECIFIED CURING TIME ELPASES.

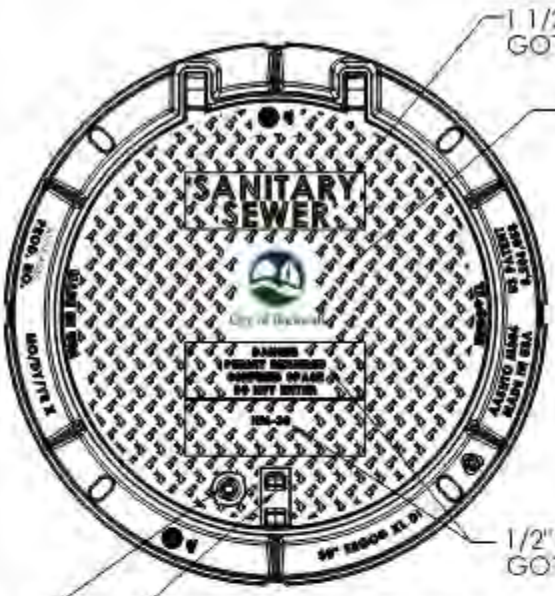


PIPE CLAMP DETAIL
(N.T.S.)

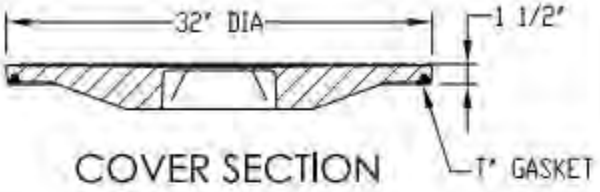
DROP FIXTURE ANCHOR
(N.T.S.)

SHEET 2 OF 2

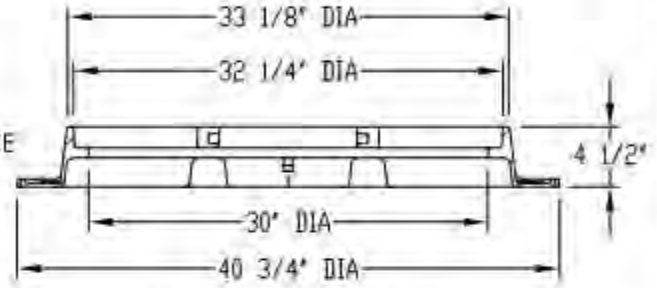
WASTEWATER MANHOLE	CITY OF ROCKWALL	
DROP CONNECTIONS		DATE: AUG '19 / DRAWING NO.: R-5080



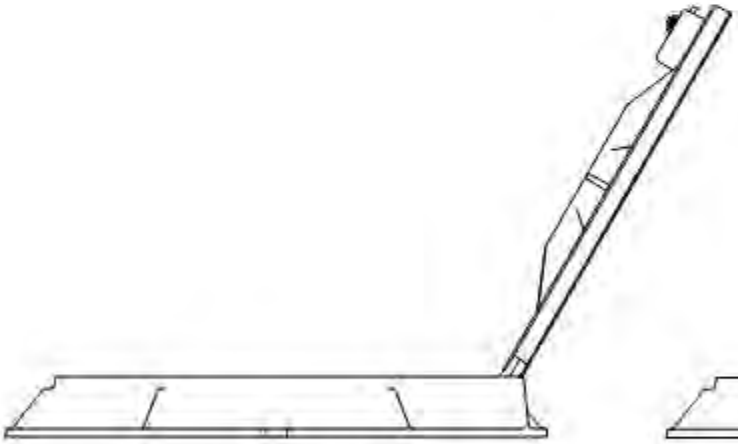
PLAN VIEW



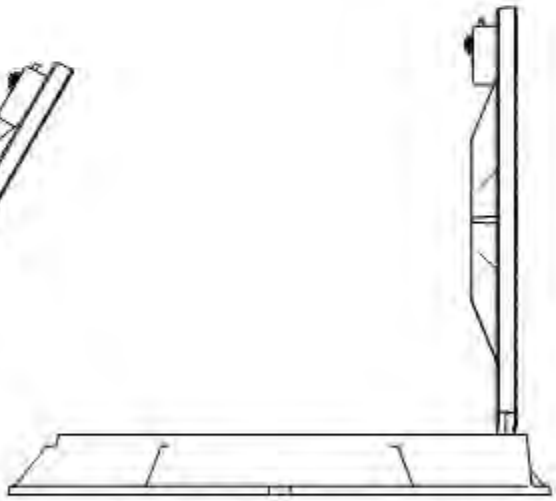
COVER SECTION



FRAME SECTION

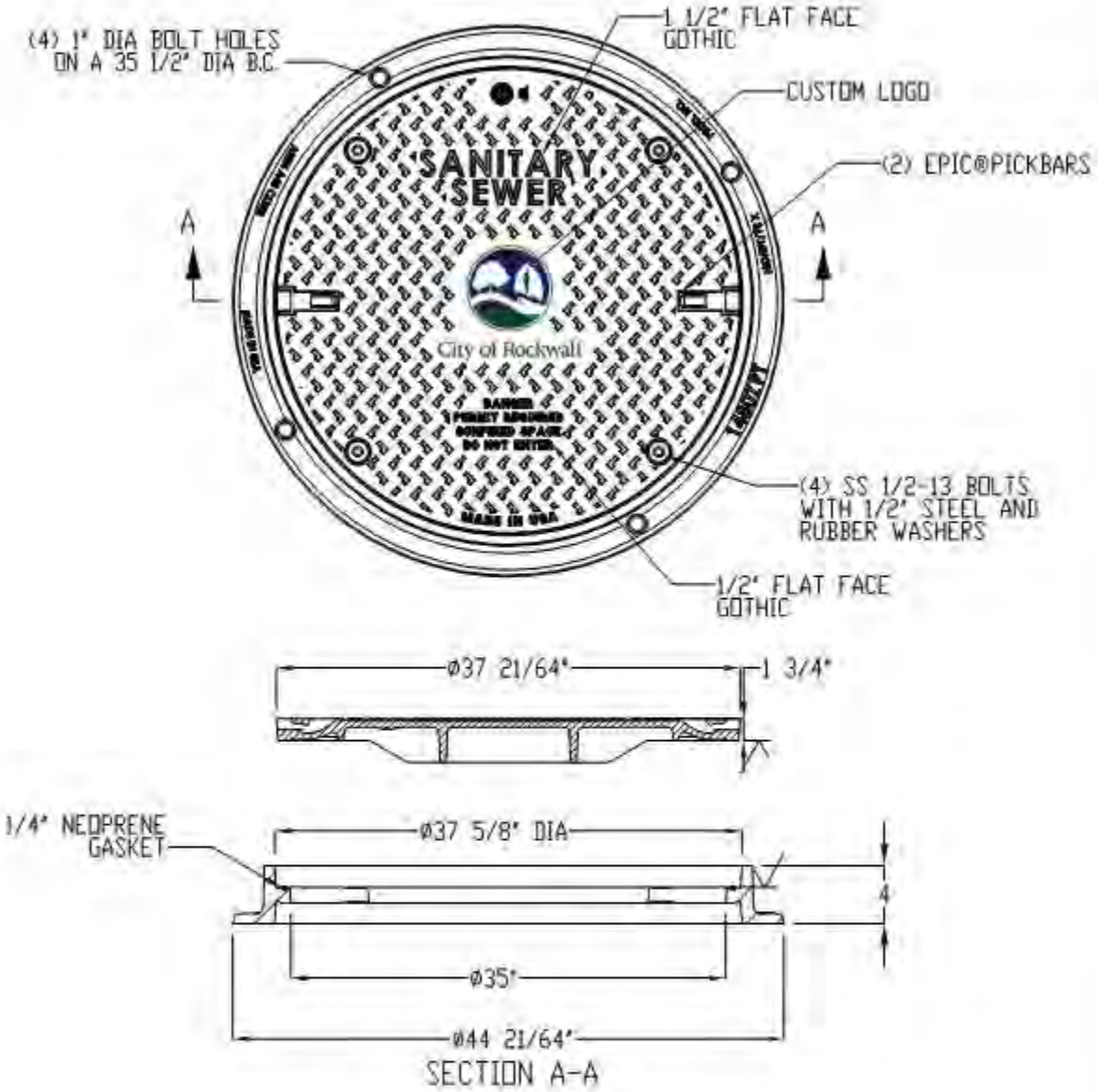


FULLY OPENED POSITION AT 120°

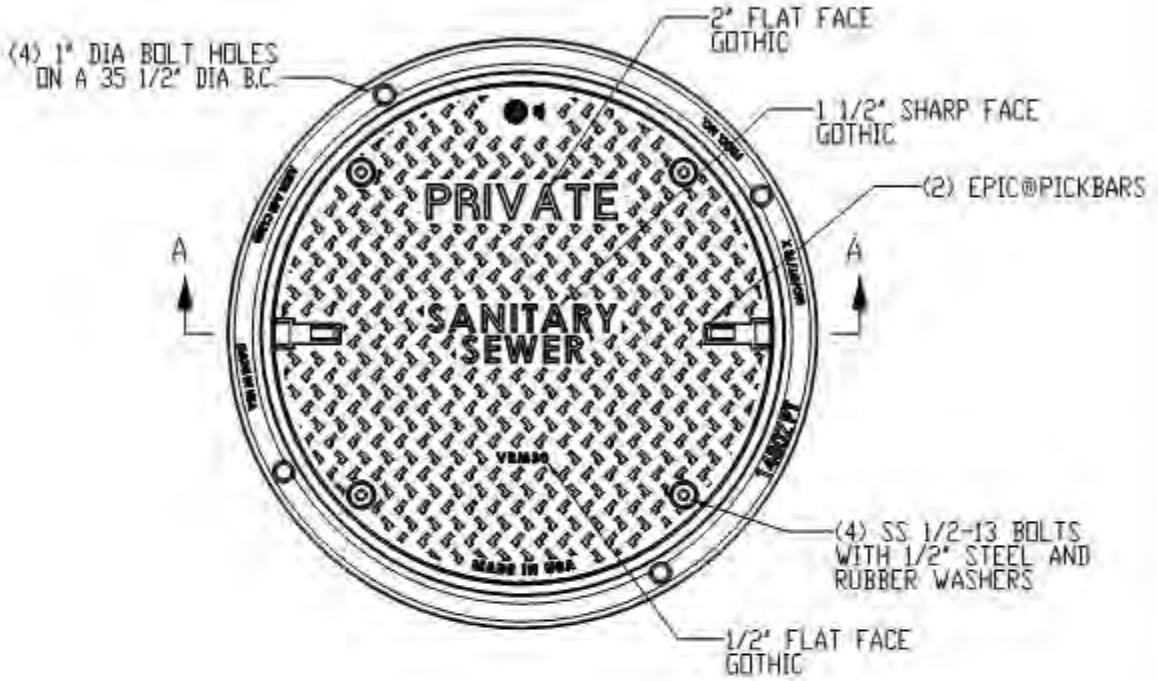


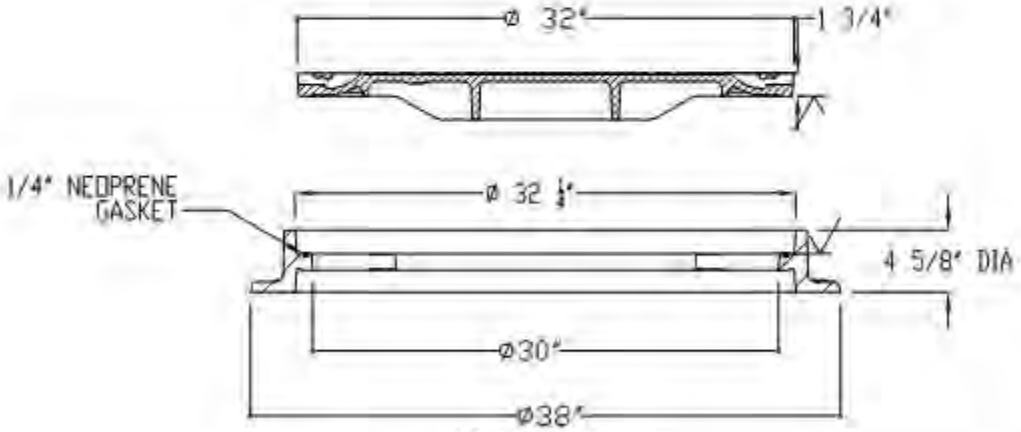
SAFETY LOCK & REMOVAL POSITION AT 90°

WASTEWATER MANHOLE	CITY OF ROCKWALL		
HINGED RIM AND COVER		DATE AUG '19	DRAWING NO. R-5101



WASTEWATER MANHOLE	CITY OF ROCKWALL		
BOLT AND GASKET RIM AND COVER		DATE AUG '19	DRAWING NO. R-5102

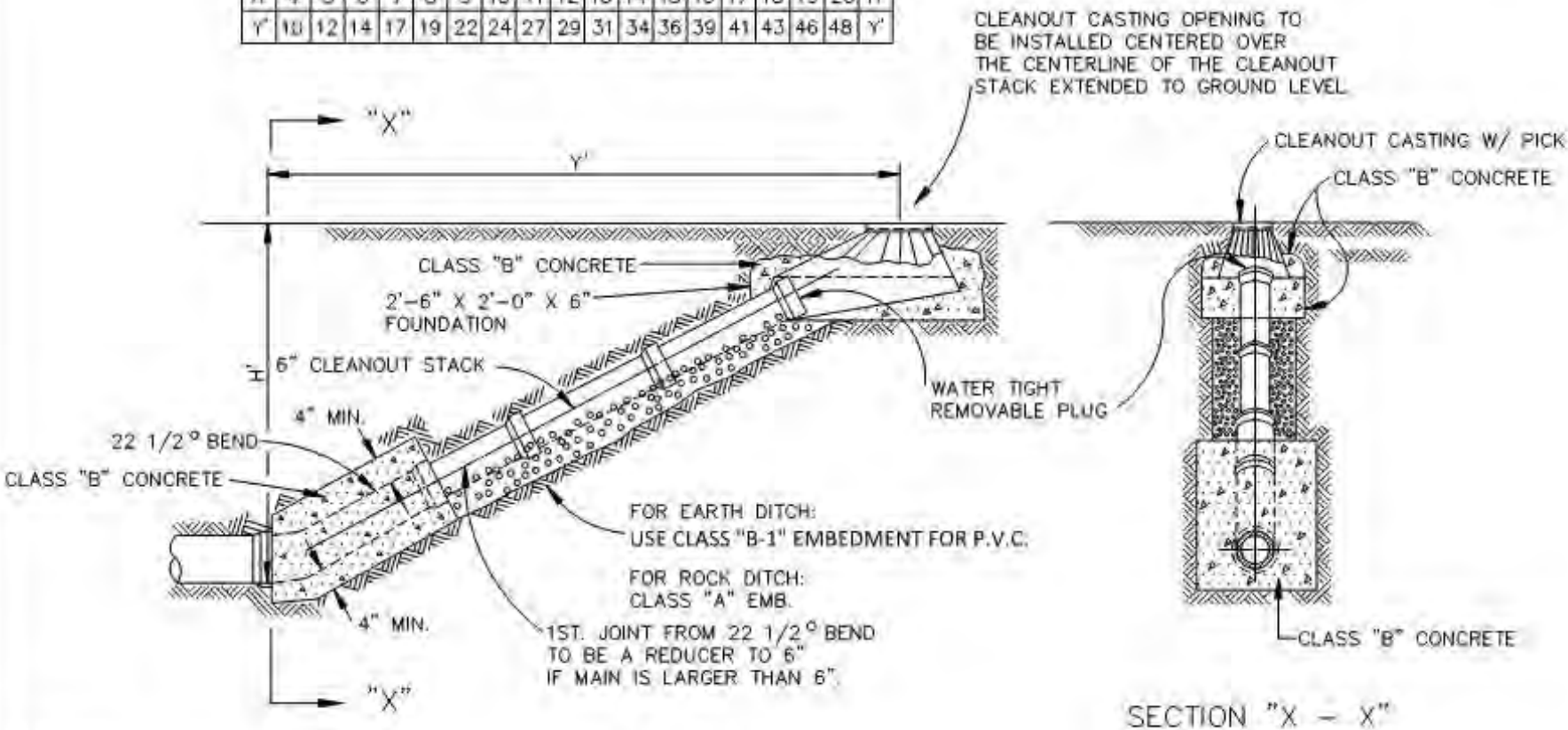




SECTION A-A

WASTEWATER MANHOLE	CITY OF ROCKWALL		
PRIVATE RIM AND COVER		DATE AUG '19	DRAWING NO. R-5103

H'	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	H'
Y'	10	12	14	17	19	22	24	27	29	31	34	36	39	41	43	46	48	Y'



PROFILE VIEW
N.T.S

SECTION "X - X"
N.T.S

NOTES:
1. IF CLEANOUT IS PLACED IN ADVANCE OF PAVEMENT PLACE SAND AROUND CLEANOUT CASTING IN LIEU OF CLASS "B" CONCRETE.
2. IF CLEANOUT IS OUTSIDE OF PAVEMENT, CENTER CASTING IN 15"x15" CLASS "A" CONCRETE PAD "4" THICK.

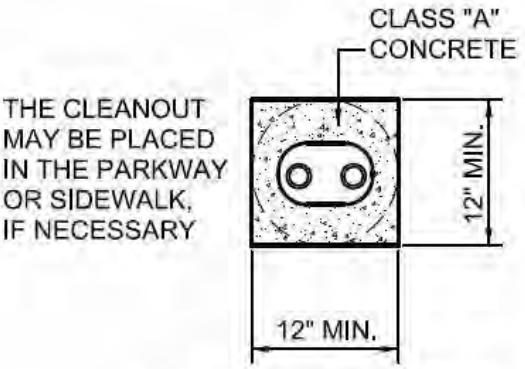
STANDARD DRAWING NO. R-5110

WASTEWATER MAIN
CLEANOUT

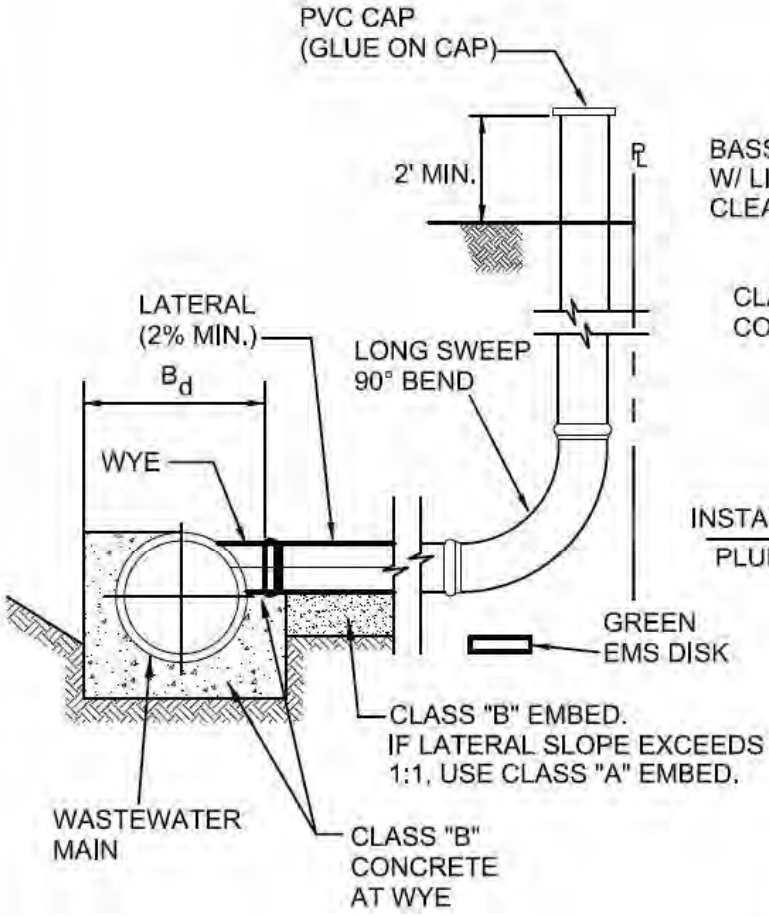
CITY OF ROCKWALL

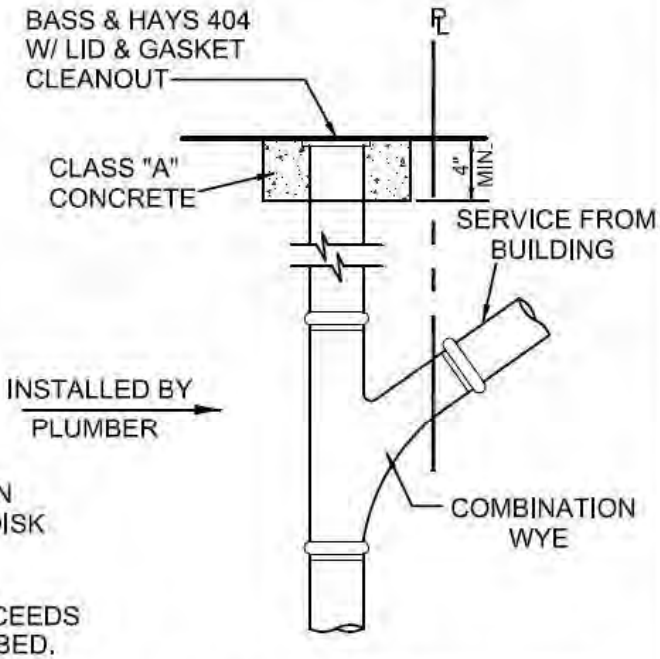
STANDARD SPECIFICATION REFERENCE	
502.2	
DATE	STANDARD DRAWING NO.
Mar. 2018	R-5110

CLASS CONCRETE	BAGS CEMENT PER C.Y.	MIN. STRENGTH 28 - DAY PSI
A	5.5	3000
B	4	2000



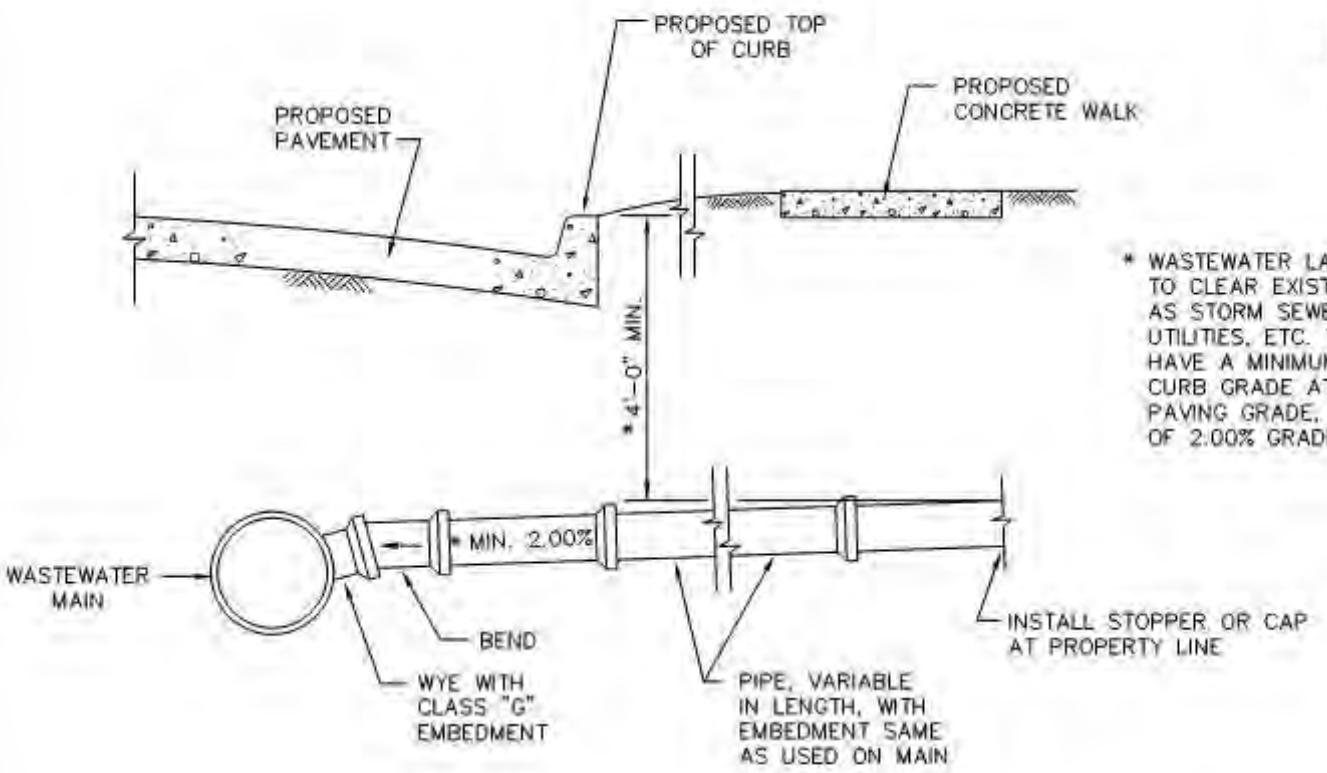
TOP VIEW OF CLEANOUT





PLUMBER TO CUT CLEANOUT RISER TO INSTALL COMBINATION WYE TO CORRESPOND W/ GRADE OF THE PIPE LEADING FROM BUILDING. AFTER INSTALLATION OF THE WYE, INSERT CLEANOUT INTO THE TOP OF THE RISOR.

WASTEWATER LATERAL	CITY OF ROCKWALL	
CONNECTIONS – RESIDENTIAL		DATE AUG. '15 / DRAWING NO. R-5120



INSTALL GREEN EMS DISKS AT END OF LATERAL.

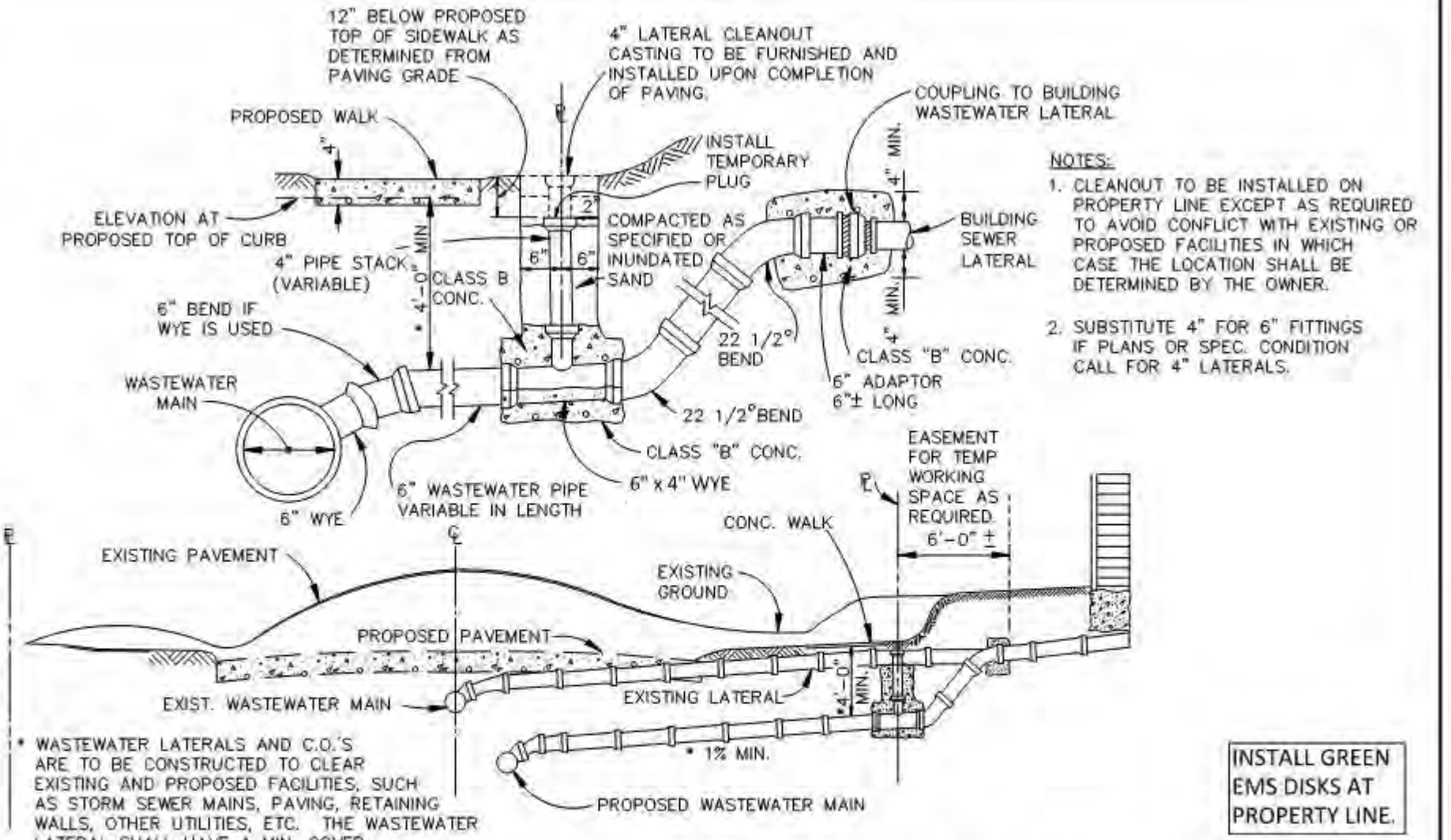
* WASTEWATER LATERALS ARE TO BE CONSTRUCTED TO CLEAR EXISTING AND PROPOSED FACILITIES, SUCH AS STORM SEWER MAINS, RETAINING WALLS, OTHER UTILITIES, ETC. THE WASTEWATER LATERAL SHALL HAVE A MINIMUM COVER OF 4'-0" BELOW THE PROPOSED CURB GRADE AT THE PROPERTY LINE, DETERMINED FROM PAVING GRADE, OR AS REQUIRED TO MAINTAIN A MINIMUM OF 2.00% GRADE, OR AS DIRECTED BY THE OWNER.

WASTEWATER LATERAL STUBOUT

(FOR FUTURE CONNECTION, 4" OR 6" AS SPECIFIED)

N.T.S.

STANDARD DRAWING NO. R-5150	WASTEWATER LATERAL STUBOUT IN ADVANCE OF PAVING	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.10
			DATE Mar. 2018 / STANDARD DRAWING NO. R-5150

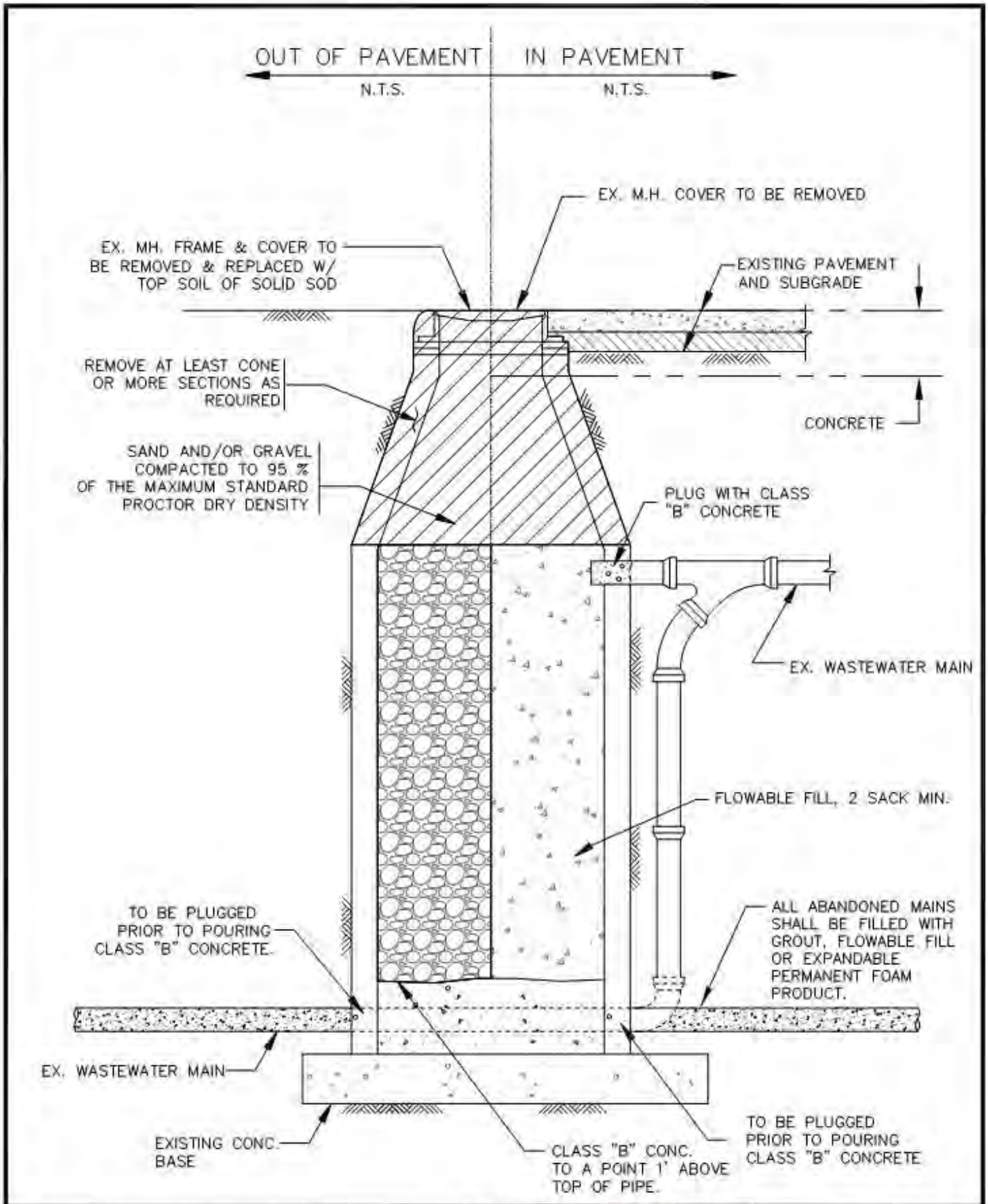


WASTEWATER LATERAL REPLACEMENT

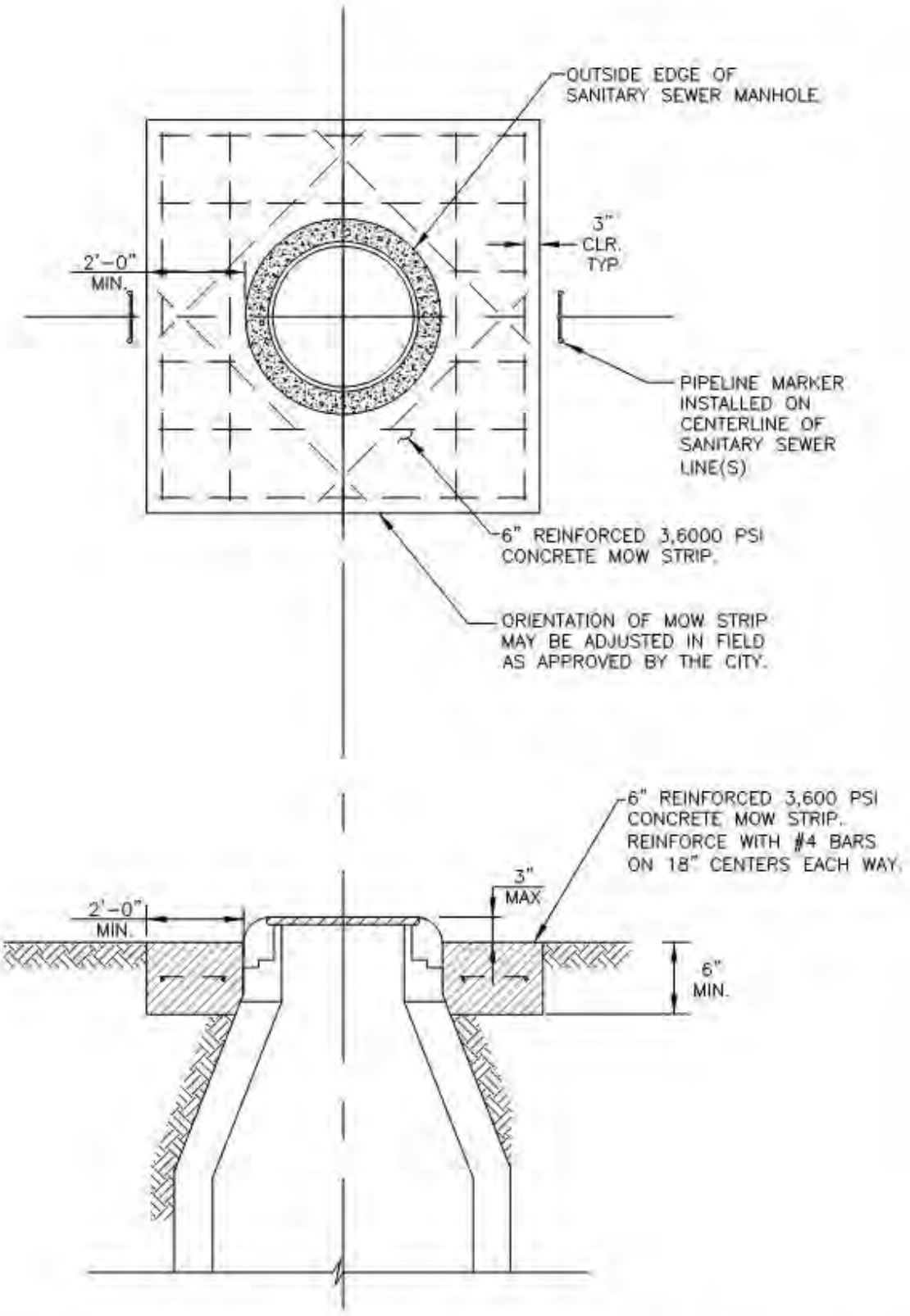
N.T.S.

WASTEWATER LATERAL REPLACEMENT IN ADVANCE OF PAVING	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.10	
		DATE Mar. 2018	STANDARD DRAWING NO R-5160

STANDARD DRAWING NO R-5160



ABANDONMENT OF MANHOLE	CITY OF ROCKWALL	
INSIDE AND OUTSIDE OF PAVEMENT		DATE: AUG '19 / DRAWING NO.: R-5170



MANHOLE AND VALVE VAULT	CITY OF ROCKWALL		
MOW STRIP		DATE AUG '19	DRAWING NO. R-5180

City of Rockwall
The New Horizon

8.6 Division 6000 Storm Water Drainage

NOTE: *(1) Deleted NCTCOG Drawing*
(2) Revised NCTGOG Drawing (see revisions below)
(3) Added Rockwall Standard Drawing (see drawing below)
(4) Added Current TxDOT Standards

Table 9.6: Revisions to NCTCOG's Division 6000 Storm Water Drainage

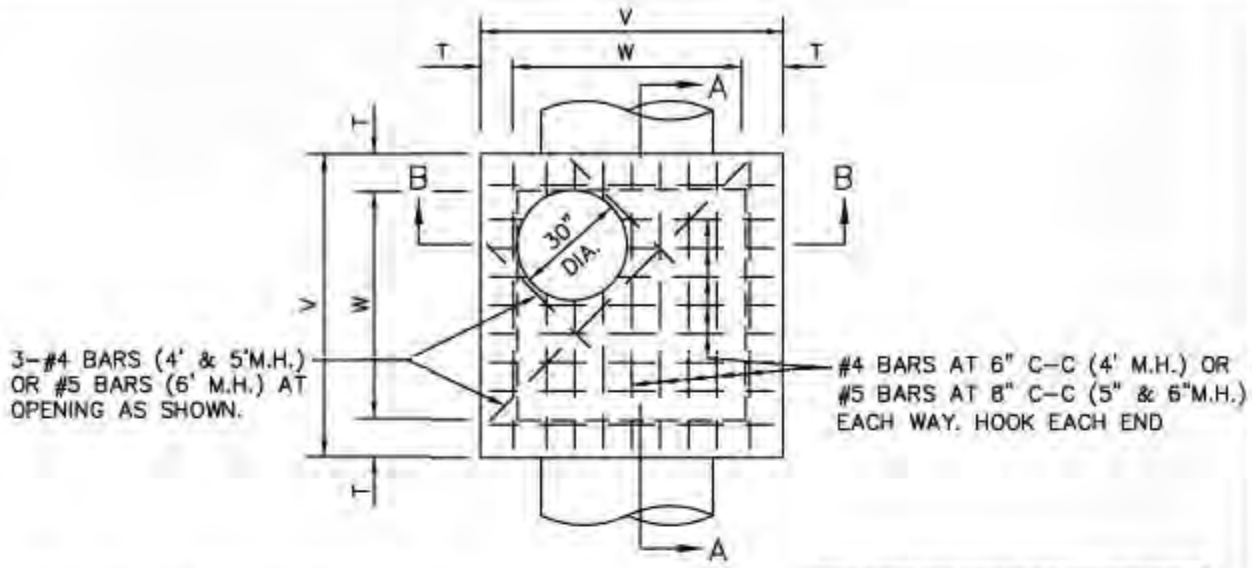
Revised	Drawing No.	Subject
(1)	~~6010A~~	~~Storm Water Manhole – 4', 5', 6' Square~~
(3)	**R-6010A**	**Storm Water Manhole – 4', 5', 6' Square**
(1)	~~6010B~~	~~Storm Water Manhole – 4', 5', 6' Square~~
(3)	**R-6010B**	**Storm Water Manhole – 4', 5', 6' Square**
(1)	~~6020A~~	~~Curb Inlet – 5', 10' 15' or 20' Opening~~
(3)	**R-6020A**	**Curb Inlet – 5', 10' 15' or 20' Opening**
(1)	~~6020B~~	~~Curb Inlet – Cross Section & Inlet Throat~~
(3)	**R-6020B**	**Curb Inlet – Cross Section & Inlet Throat**
(1)	~~6020C~~	~~Curb Inlet – Rebar & M.H. Frame & Cover~~
(3)	**R-6020C**	**Curb Inlet – Rebar & M.H. Frame & Cover**
(1)	~~6020D~~	~~Curb Inlet – Bill of Reinforcing Steel~~
(3)	**R-6020D**	**Curb Inlet – Bill of Reinforcing Steel**
(1)	~~6020E~~	~~Curb Inlet – Summary of Quantities~~
(3)	**R-6020E**	**Curb Inlet – Summary of Quantities**
(1)	~~6030A~~	~~Curb Inlet Recessed – 5', 10' 15' or 20' Opening~~
(3)	**R-6030A**	**Curb Inlet Recessed – 5', 10' 15' or 20' Opening**
(1)	~~6030B~~	~~Curb Inlet Recessed – Cross Section & Center Beam~~
(3)	**R-6030B**	**Curb Inlet Recessed – Cross Section & Center Beam**
(1)	~~6030C~~	~~Curb Inlet Recessed – Inlet Throat & M.H. Frame & Cover~~
(3)	**R-6030C**	**Curb Inlet Recessed – Inlet Throat & M.H. Frame & Cover**
(1)	~~6030D~~	~~Curb Inlet Recessed – General Notes~~
(3)	**R-6030D**	**Curb Inlet Recessed – General Notes**
(1)	~~6040~~	~~Drop Inlet – 2', 4', 5', or 6' Square~~
(3)	**R-6040**	**Drop Inlet – 2', 4', 5', or 6' Square**
(1)	~~6050~~	~~Full Channel Lining – Concrete Reinforced~~
(3)	**R-6050**	**Full Channel Lining – Concrete Reinforced**
(1)	~~6060~~	~~Concrete Apron – Vertical Headwall~~
(3)	**R-6060**	**Concrete Apron – Vertical Headwall**
(1)	~~6070~~	~~Concrete Apron - Sloping Headwall~~
(3)	**R-6070**	**Concrete Apron - Sloping Headwall**
(4)		TxDOT: Single Box Culvert – Cast-in-place and Precast
(4)		TxDOT: Multiple Box Culvert – Cast-in-place
(4)		TxDOT: Wingwalls for Single & Multi-Box Culverts
(4)		TxDOT: Concrete Headwalls for Pipe Culverts
(4)		TxDOT: Safety End Treatment for Box Culverts
(4)		TxDOT: Safety End Treatment For Pipe Culverts

Note: Storm sewer headwalls, wingwalls, box culverts and safety pipe runners shall be per Texas Department of Transportation Standard Details and made part of the City of Rockwall Standard Details.

TxDOT Standard Drawings

Drawings shall be modified as follows:

1. All concrete for structures shall be Class F (4200 psi, minimum 6.5 sack cement).
2. No fly ash is allowed in concrete for structures.

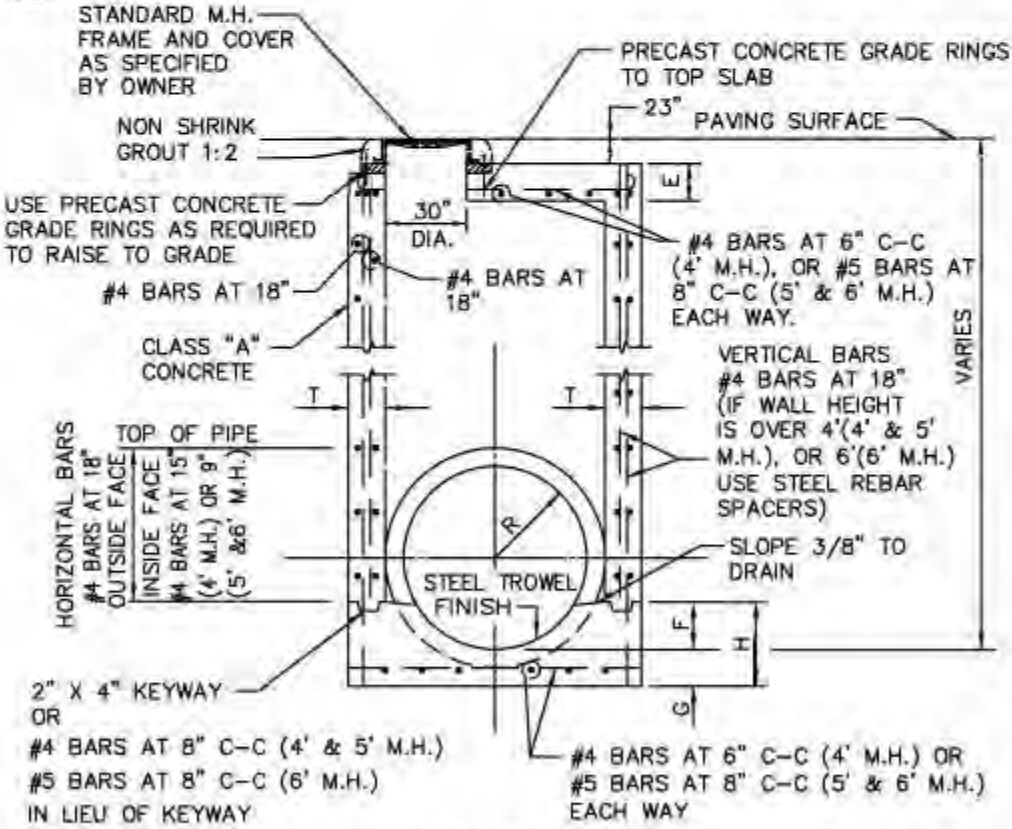


PLAN
N.T.S.

M.H. SIZE(W)	V	T	E	F	G	H
4'	5'-4"	8"	6"	9"	6"	1'-3"
5'	6'-4"	8"	6"	12"	8"	1'-8"
6'	7'-6"	9"	9"	16"	10"	2'-2"

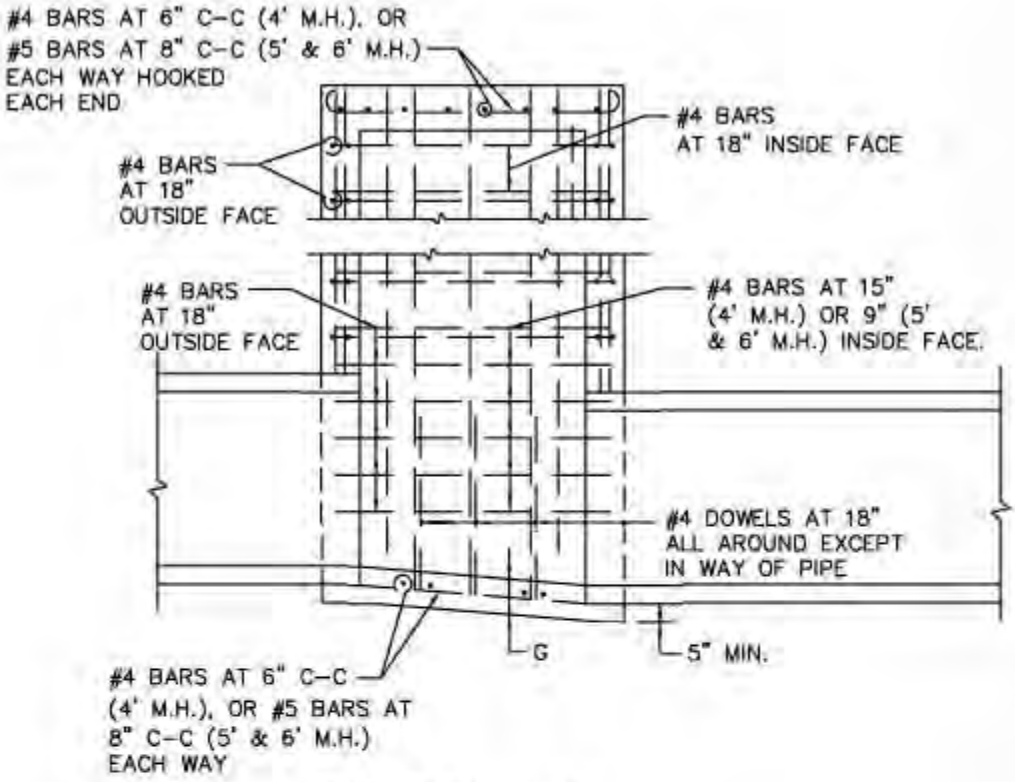
TABLE OF DIMENSIONS
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

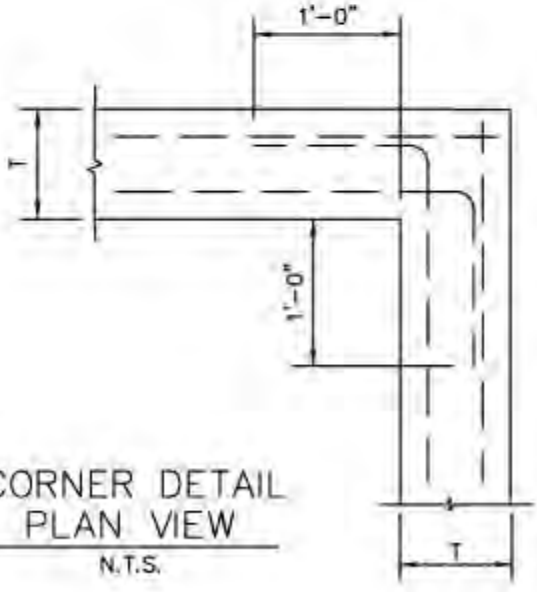


SECTION B-B
N.T.S.

STORM WATER MANHOLE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.1.4.1*	
4', 5', OR 6' SQUARE		DATE Mar. 2018	STANDARD DRAWING NO. R-6010A



SECTION A-A
N.T.S.

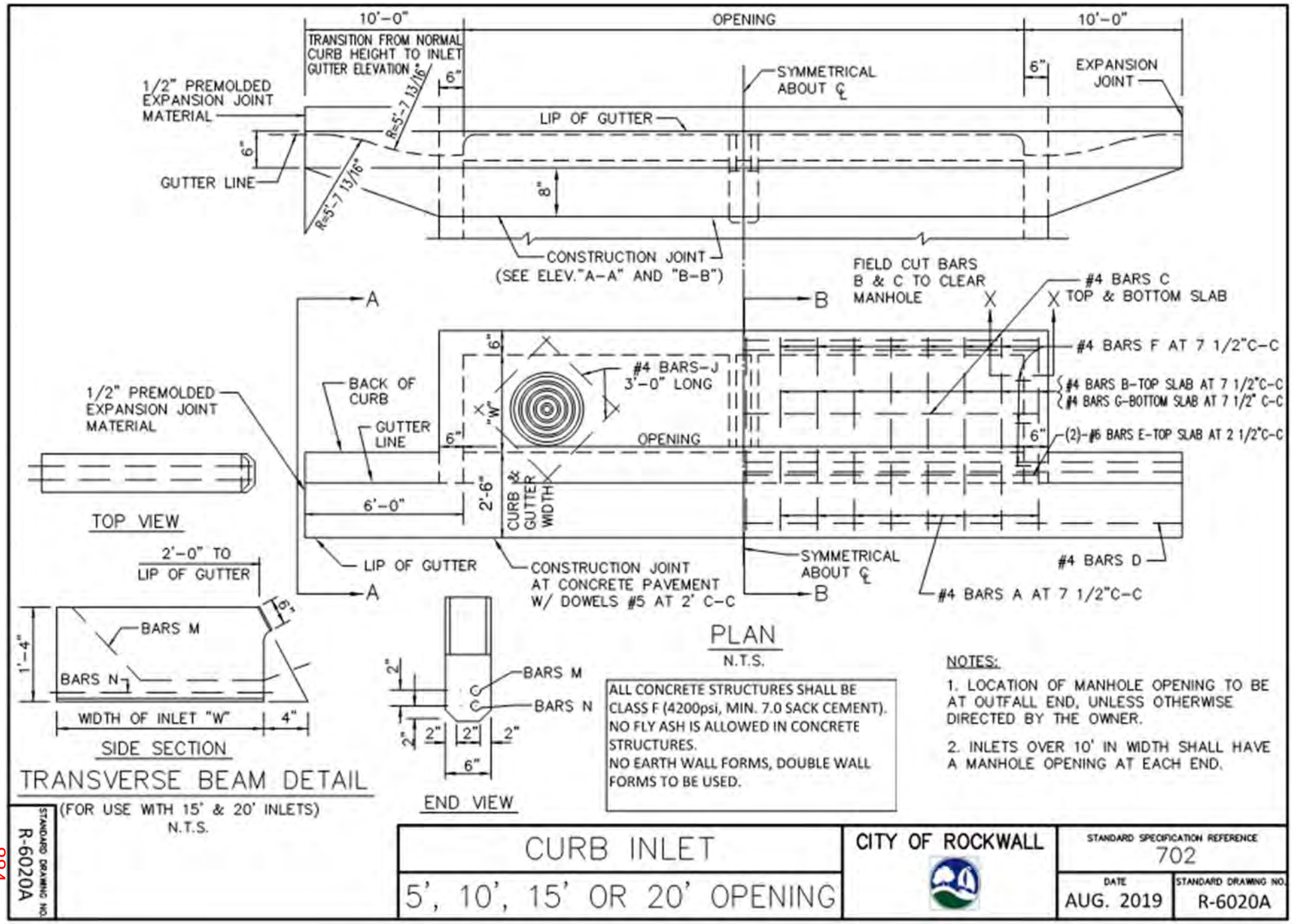


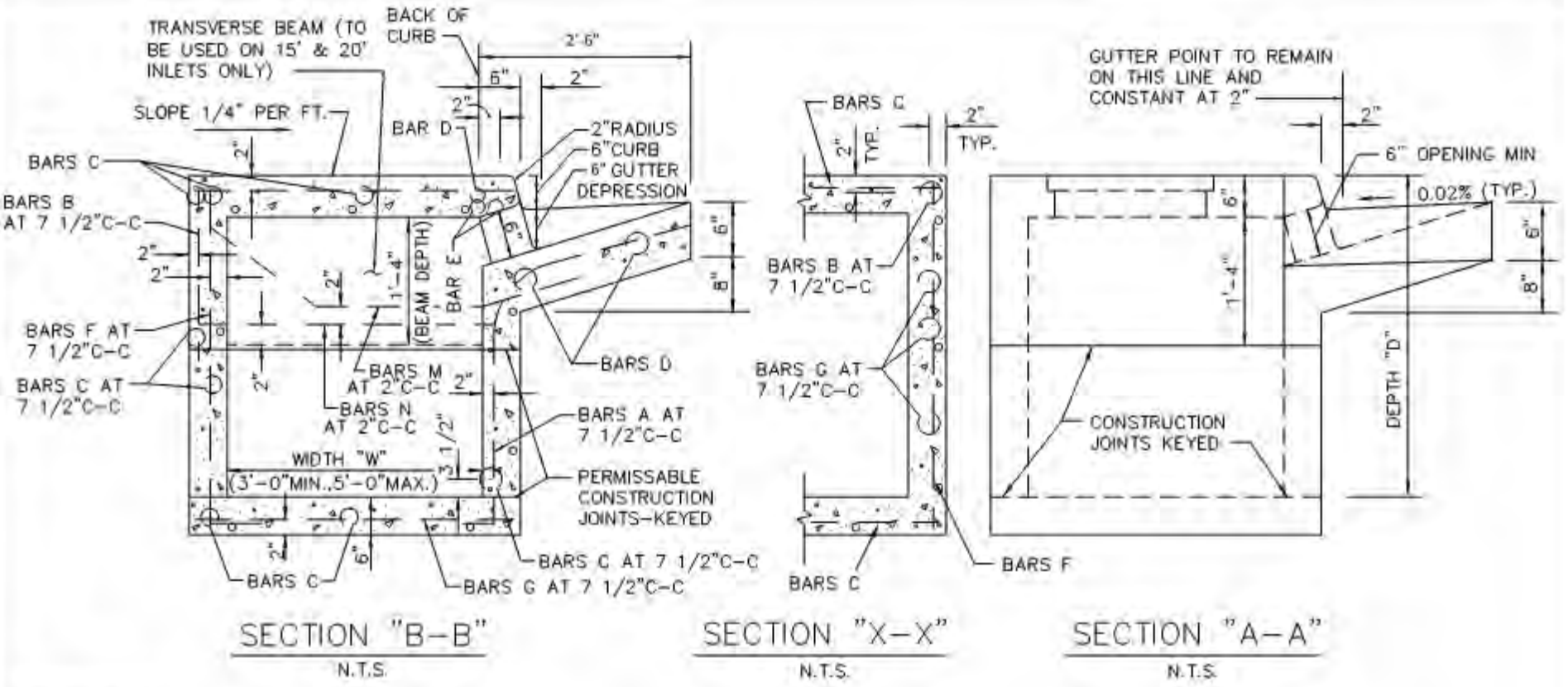
CORNER DETAIL
PLAN VIEW
N.T.S.

NOTES:

1. SLOPE INVERT OF MANHOLE AS INDICATED ON PLAN-PROFILE SHEET.
2. LAYERS OF REINFORCING STEEL NEAREST THE INTERIOR AND EXTERIOR SURFACE SHALL HAVE A COVER OF 2" TO THE CENTER OF BARS, UNLESS OTHERWISE NOTED.
3. ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT).
4. NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

STORM WATER MANHOLE	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 502.1.4.1*	
4', 5', OR 6' SQUARE		DATE Mar. 2018	STANDARD DRAWING NO. R-6010B


10'-0"
TRANSITION FROM NORMAL CURB HEIGHT TO INLET GUTTER ELEVATION
OPENING
10'-0"
1/2" PREMOLDED EXPANSION JOINT MATERIAL
R=5'-7 13/16"
6"
SYMMETRICAL ABOUT ℄
EXPANSION JOINT
LIP OF GUTTER
GUTTER LINE
8"
CONSTRUCTION JOINT
(SEE ELEV."A-A" AND "B-B")
FIELD CUT BARS B & C TO CLEAR MANHOLE
#4 BARS C TOP & BOTTOM SLAB
#4 BARS F AT 7 1/2"C-C
#4 BARS B-TOP SLAB AT 7 1/2"C-C
#4 BARS G-BOTTOM SLAB AT 7 1/2" C-C
(2)-#6 BARS E-TOP SLAB AT 2 1/2"C-C
#4 BARS-J 3'-0" LONG
BACK OF CURB
GUTTER LINE
"W"
OPENING
CURB & GUTTER WIDTH
2'-6"
6'-0"
#4 BARS D
#4 BARS A AT 7 1/2"C-C
LIP OF GUTTER
CONSTRUCTION JOINT AT CONCRETE PAVEMENT W/ DOWELS #5 AT 2' C-C
SYMMETRICAL ABOUT ℄
A
B
TOP VIEW
2'-0" TO LIP OF GUTTER
BARS M
BARS N
1'-4"
WIDTH OF INLET "W"
4"
SIDE SECTION
TRANSVERSE BEAM DETAIL
(FOR USE WITH 15' & 20' INLETS)
N.T.S.
END VIEW
PLAN
N.T.S.
ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT).
NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.
NOTES:
1. LOCATION OF MANHOLE OPENING TO BE AT OUTFALL END, UNLESS OTHERWISE DIRECTED BY THE OWNER.
2. INLETS OVER 10' IN WIDTH SHALL HAVE A MANHOLE OPENING AT EACH END.
STANDARD DRAWING NO. R-6020A
CURB INLET
5', 10', 15' OR 20' OPENING
CITY OF ROCKWALL
STANDARD SPECIFICATION REFERENCE 702
DATE AUG. 2019
STANDARD DRAWING NO. R-6020A



GENERAL NOTES:

1. ALL CONCRETE SHALL BE CLASS "A" CONCRETE.
2. REINFORCING BARS SHALL BE STANDARD GRADE STEEL, DEFORMED REINFORCING BARS OF A DIAMETER AND LENGTH AS SHOWN.
3. CHAMFER ALL EXPOSED CORNERS 3/4" EXCEPT WHERE OTHERWISE NOTED.
4. DIMENSIONS RELATING TO REINFORCING STEEL ARE TO CENTERS OF BARS.
5. FIELD CUT AND BEND BARS AS NECESSARY TO ACCOMODATE STORM SEWER PIPE.
6. RING AND COVER SHALL BE APPROVED BY THE OWNER AND INSTALLED BY THE CONTRACTOR.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.

STANDARD DRAWING NO. R-6020B

CURB INLET

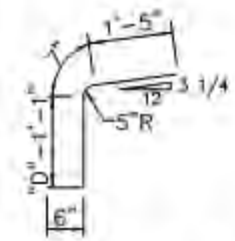
CROSS SECTION & INLET THROAT

CITY OF ROCKWALL

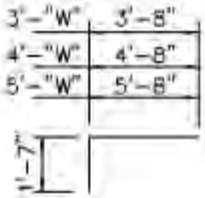
STANDARD SPECIFICATION REFERENCE 702

DATE AUG. 2019

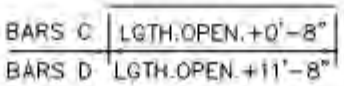
STANDARD DRAWING NO. R-6020B



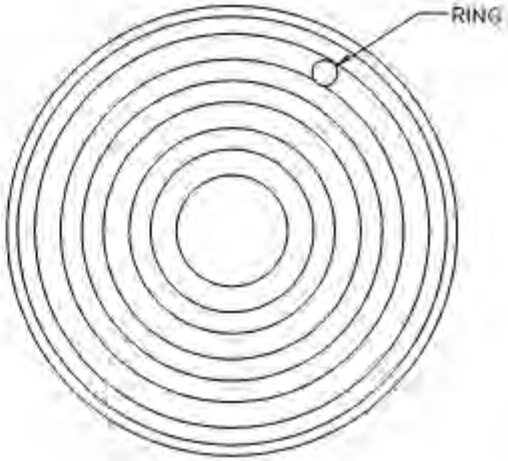
#4 BARS A
N.T.S.

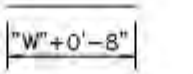


#4 BARS B
N.T.S.



#4 BARS C & D
N.T.S.

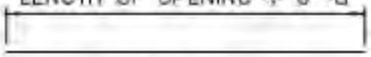




#4 BARS G
N.T.S.

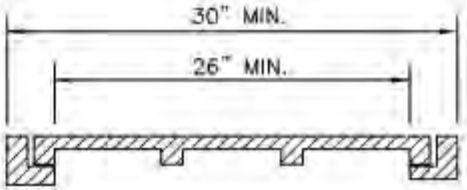


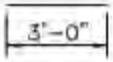
#4 BARS F
N.T.S.



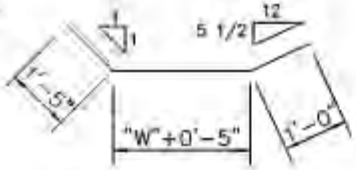
#4 BARS E
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES. INLET LID TO BE LOCKING.

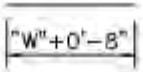




#4 BARS J
N.T.S.



#3 BARS M
N.T.S.



#5 BARS N
N.T.S.

CAST IRON
FRAME AND COVER
N.T.S

STANDARD DRAWING NO. 6020C

CURB INLET
REBAR & M.H. FRAME & COVER

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 702

DATE Mar. 2018

STANDARD DRAWING NO. R-6020C

BILL OF REINFORCING STEEL

DEPTH "D"	ALL WIDTHS AND LENGTHS				OPENING LENGTH "L" = 5ft						OPENING LENGTH "L" = 10ft						OPENING LENGTH "L" = 15 ft								OPENING LENGTH "L" = 20 ft							
					Widths "W"						Widths "W"						Widths "W"								Widths "W"							
					3ft	4ft	5ft				3ft	4ft	5ft				3ft	4ft	5ft						3ft	4ft	5ft					
	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS	BARS
	C	D	E	J	F	F	F	A	B	G	F	F	F	A	B	G	F	F	F	A	B	G	M	N	F	F	F	A	B	G	M	N
3'-6"	17	3	2	4	20	24	28	10	10	20	28	32	36	18	18	28	36	40	44	26	26	36	2	2	44	48	52	34	34	44	2	2
3'-9"	18	"	"	"	"	"	"	"	"	20	"	"	"	"	"	28	"	"	"	"	"	36	"	"	"	"	"	"	"	44	"	"
4'-0"	19	"	"	"	"	"	"	"	"	24	"	"	"	"	"	32	"	"	"	"	"	40	"	"	"	"	"	"	"	48	"	"
4'-3"	19	"	"	"	"	"	"	"	"	24	"	"	"	"	"	32	"	"	"	"	"	40	"	"	"	"	"	"	"	48	"	"
4'-6"	21	"	"	"	"	"	"	"	"	26	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	"	"	50	"	"
4'-9"	21	"	"	"	"	"	"	"	"	26	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	"	"	50	"	"
5'-0"	21	"	"	"	"	"	"	"	"	26	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	"	"	50	"	"
5'-3"	23	"	"	"	"	"	"	"	"	28	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	"	"	52	"	"
5'-6"	23	"	"	"	"	"	"	"	"	28	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	"	"	52	"	"
5'-9"	25	"	"	"	"	"	"	"	"	30	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	"	"	54	"	"
6'-0"	25	"	"	"	"	"	"	"	"	30	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	"	"	54	"	"
6'-3"	26	"	"	"	"	"	"	"	"	30	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	"	"	54	"	"
6'-6"	27	"	"	"	"	"	"	"	"	32	"	"	"	"	"	40	"	"	"	"	"	48	"	"	"	"	"	"	"	56	"	"
6'-9"	27	"	"	"	"	"	"	"	"	32	"	"	"	"	"	40	"	"	"	"	"	48	"	"	"	"	"	"	"	56	"	"
7'-0"	29	"	"	"	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	"	"	58	"	"
7'-3"	29	"	"	"	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	"	"	58	"	"
7'-6"	30	"	"	"	"	"	"	"	"	34	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	"	"	58	"	"
7'-9"	31	"	"	"	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	52	"	"	"	"	"	"	"	60	"	"
8'-0"	31	"	"	"	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	52	"	"	"	"	"	"	"	60	"	"
8'-3"	32	"	"	"	"	"	"	"	"	36	"	"	"	"	"	44	"	"	"	"	"	52	"	"	"	"	"	"	"	60	"	"
8'-6"	33	"	"	"	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	54	"	"	"	"	"	"	"	62	"	"
8'-9"	34	"	"	"	"	"	"	"	"	38	"	"	"	"	"	46	"	"	"	"	"	54	"	"	"	"	"	"	"	62	"	"
9'-0"	35	"	"	"	"	"	"	"	"	40	"	"	"	"	"	48	"	"	"	"	"	56	"	"	"	"	"	"	"	64	"	"
9'-3"	36	"	"	"	"	"	"	"	"	40	"	"	"	"	"	48	"	"	"	"	"	56	"	"	"	"	"	"	"	64	"	"
9'-6"	37	"	"	"	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	58	"	"	"	"	"	"	"	66	"	"
10'-0"	38	"	"	"	"	"	"	"	"	42	"	"	"	"	"	50	"	"	"	"	"	58	"	"	"	"	"	"	"	66	"	"

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

NOTE:
FOR CONVENIENCE, DEPTHS OF INLETS SHOWN IN ABOVE TABLES ARE IN INCREMENTS OF 3 INCHES BUT ANY DEPTHS OTHER THAN THOSE SHOWN ABOVE MAY BE USED WHEREVER DEEMED NECESSARY. QUANTITIES FOR OTHER DEPTHS FALLING WITHIN THE LIMITS OF THE TABLE MAY BE FOUND BY INTERPOLATION.

STANDARD DRAWING NO. R-6020D

CURB INLET

BILL OF REINFORCING STEEL

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE: 702

DATE: Mar. 2018

STANDARD DRAWING NO: R-6020D

SUMMARY OF QUANTITIES FOR CURB INLETS

DEPTH "D"	5'–0" OPENING						10'–0" OPENING						15'–0" OPENING						20'–0" OPENING					
	WIDTH 3'–0"		WIDTH 4'–0"		WIDTH 5'–0"		WIDTH 3'–0"		WIDTH 4'–0"		WIDTH 5'–0"		WIDTH 3'–0"		WIDTH 4'–0"		WIDTH 5'–0"		WIDTH 3'–0"		WIDTH 4'–0"		WIDTH 5'–0"	
	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.	CONC C.Y.	STEEL LBS.
3'–6"	2.62	306	2.95	332	3.28	373	4.12	479	4.64	521	5.20	564	5.69	667	6.40	721	7.10	775	7.20	846	8.11	909	9.03	976
3'–9"	2.70	309	3.04	341	3.39	373	4.25	494	4.78	536	5.34	579	5.87	687	6.58	741	7.30	796	7.42	874	8.34	937	9.27	1010
4'–0"	2.78	328	3.14	364	3.49	399	4.38	518	4.92	565	5.49	610	6.05	718	6.77	776	7.49	835	7.64	909	8.58	976	9.51	1046
4'–3"	2.87	334	3.23	370	3.59	406	4.51	526	5.06	573	5.64	619	6.22	729	6.95	787	7.69	847	7.87	922	8.81	990	9.75	1061
4'–6"	2.95	356	3.32	394	3.69	431	4.64	558	5.20	607	5.79	656	6.40	770	7.14	830	7.88	891	8.09	973	9.04	1043	9.99	1115
4'–9"	3.03	361	3.41	410	3.79	438	4.77	566	5.34	616	5.94	665	6.57	780	7.32	841	8.07	903	8.31	986	9.27	1056	10.23	1129
5'–0"	3.12	367	3.51	416	3.90	445	4.90	574	5.47	624	6.09	674	6.75	791	7.51	853	8.27	915	8.53	999	9.50	1070	10.47	1144
5'–3"	3.20	383	3.60	424	4.00	465	5.03	600	5.61	652	6.23	704	6.93	827	7.69	890	8.46	955	8.76	1044	9.73	1118	10.71	1194
5'–6"	3.28	389	3.69	430	4.10	472	5.16	608	5.75	661	6.38	713	7.11	837	7.88	901	8.66	967	8.98	1057	9.97	1131	10.95	1208
5'–9"	3.37	405	3.78	451	4.20	495	5.29	635	5.89	690	6.53	744	7.28	874	8.07	940	8.85	1007	9.20	1102	10.20	1178	11.19	1258
6'–0"	3.45	415	3.88	460	4.30	504	5.42	646	6.03	702	6.68	757	7.45	888	8.25	954	9.05	1022	9.42	1119	10.43	1196	11.43	1276
6'–3"	3.53	425	3.97	470	4.41	515	5.55	661	6.17	718	6.83	773	7.63	908	8.44	975	9.24	1044	9.64	1147	10.66	1223	11.67	1305
6'–6"	3.62	437	4.06	486	4.51	532	5.68	681	6.31	739	6.97	797	7.81	935	8.62	1005	9.43	1057	9.87	1178	10.89	1258	11.92	1340
6'–9"	3.70	441	4.15	490	4.61	537	5.81	688	6.45	747	7.12	806	7.98	945	8.81	1015	9.63	1066	10.09	1191	11.12	1272	12.15	1355
7'–0"	3.78	460	4.25	510	4.71	560	5.94	716	6.59	777	7.27	837	8.16	981	8.99	1053	9.82	1126	10.31	1237	11.35	1319	12.40	1404
7'–3"	3.86	465	4.34	516	4.81	567	6.07	724	6.72	785	7.42	846	8.33	992	9.18	1065	10.02	1138	10.53	1249	11.59	1333	12.64	1418
7'–6"	3.95	477	4.43	529	4.91	570	6.20	742	6.86	804	7.57	866	8.51	1016	9.36	1089	10.21	1163	10.75	1290	11.82	1365	12.88	1451
7'–9"	4.03	491	4.53	544	5.02	597	6.33	762	7.00	826	7.71	890	8.67	1040	9.55	1116	10.41	1193	10.98	1313	12.05	1399	13.12	1498
8'–0"	4.12	496	4.62	550	5.12	604	6.46	770	7.14	834	7.86	899	8.86	1051	9.73	1129	10.60	1205	11.20	1325	12.28	1412	13.36	1510
8'–3"	4.20	504	4.71	559	5.22	613	6.59	784	7.28	849	8.01	915	9.04	1069	9.92	1149	10.80	1228	11.42	1353	12.51	1440	13.60	1529
8'–6"	4.28	519	4.80	576	5.32	632	6.71	804	7.42	871	8.16	938	9.21	1107	10.10	1176	10.99	1257	11.64	1385	12.74	1474	13.84	1565
8'–9"	4.37	528	4.90	586	5.42	643	6.84	819	7.56	886	8.31	954	9.39	1119	10.29	1199	11.18	1280	11.87	1410	12.97	1500	14.08	1592
9'–0"	4.45	545	4.99	605	5.53	664	6.97	842	7.70	912	8.46	982	9.56	1148	10.47	1231	11.38	1313	12.09	1447	13.21	1539	14.32	1631
9'–3"	4.53	554	5.08	614	5.63	674	7.10	858	7.84	929	8.60	999	9.74	1169	10.66	1252	11.57	1335	12.31	1474	13.44	1563	14.56	1660
9'–6"	4.62	568	5.17	630	5.73	692	7.23	878	7.97	950	8.75	1022	9.92	1195	10.84	1280	11.77	1365	12.53	1505	13.67	1600	14.80	1696
10'–0"	4.78	582	5.36	645	5.93	708	7.49	900	8.11	974	9.05	1048	10.27	1227	11.21	1312	12.16	1399	12.98	1546	14.13	1642	15.29	1739

NOTE:
FOR CONVENIENCE, DEPTHS OF INLETS SHOWN IN ABOVE TABLES ARE IN INCREMENTS OF 3 INCHES BUT ANY DEPTHS OTHER THAN THOSE SHOWN ABOVE MAY BE USED WHEREVER DEEMED NECESSARY. QUANTITIES FOR OTHER DEPTHS FALLING WITHIN THE LIMITS OF THE TABLE MAY BE FOUND BY INTERPOLATION.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT).
NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

STANDARD DRAWING NO. R-6020E

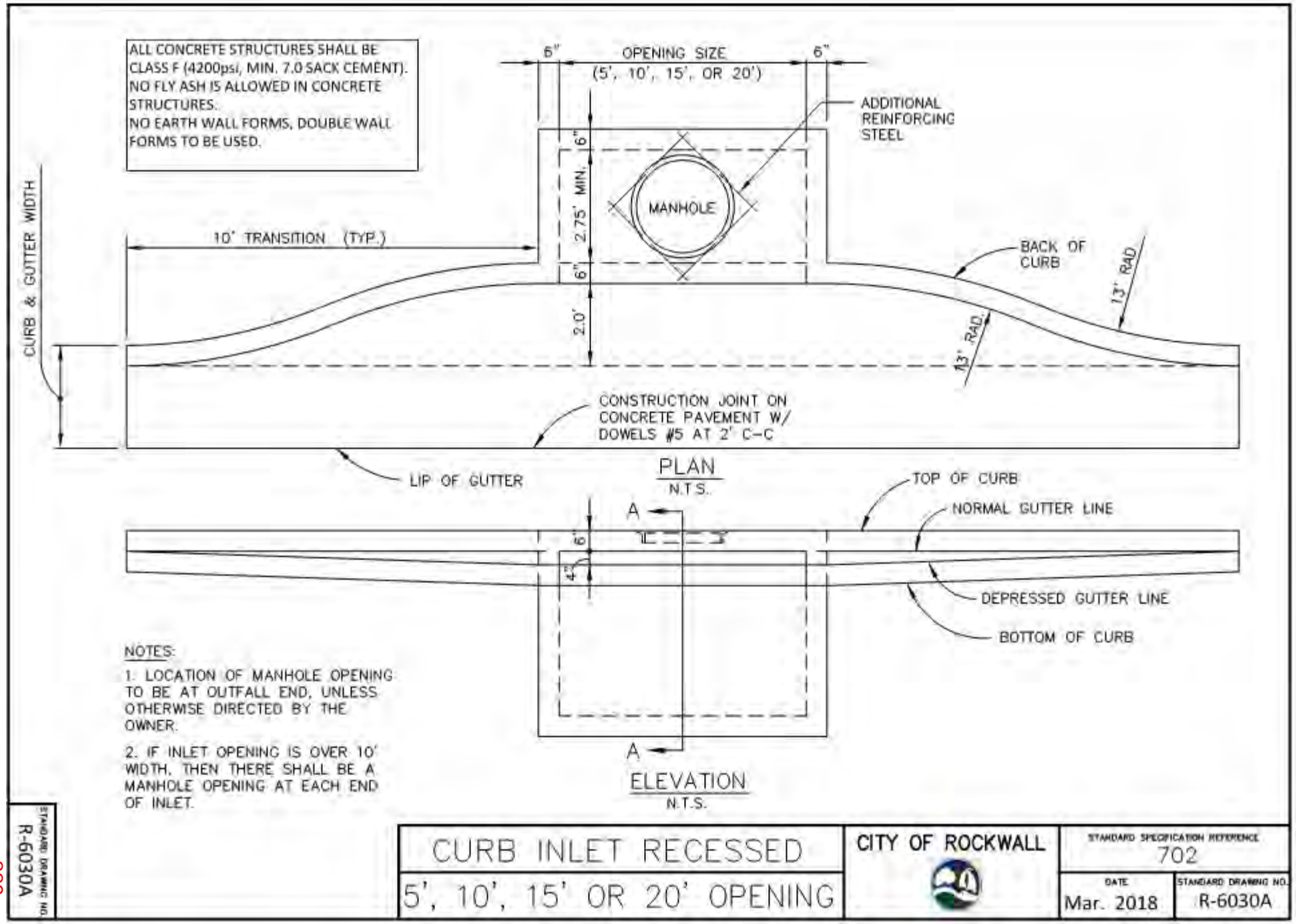
CURB INLET
SUMMARY OF QUANTITIES

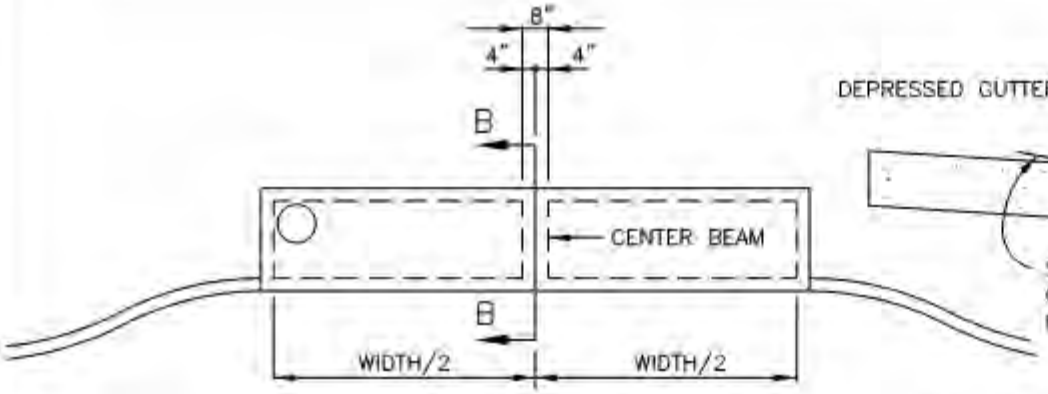
CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 702

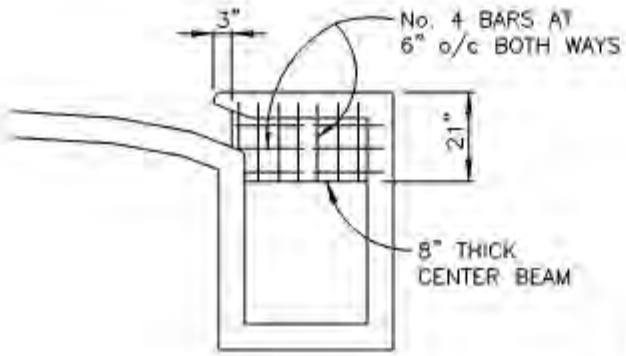
DATE Mar. 2018

STANDARD DRAWING NO. R-6020E

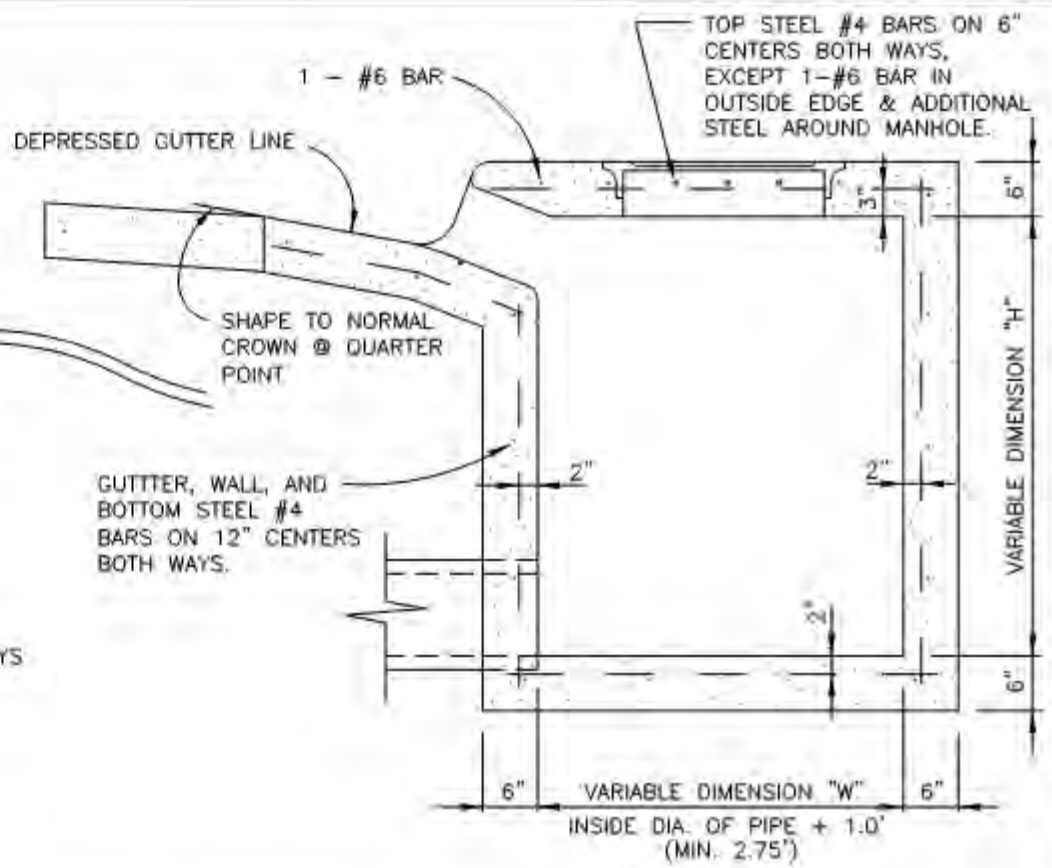

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT).
NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.
6"
OPENING SIZE
(5', 10', 15', OR 20')
6"
ADDITIONAL REINFORCING STEEL
6"
2.75' MIN.
6"
2.0'
MANHOLE
CURB & GUTTER WIDTH
10' TRANSITION (TYP.)
BACK OF CURB
13' RAD.
13' RAD.
CONSTRUCTION JOINT ON CONCRETE PAVEMENT W/ DOWELS #5 AT 2' C-C
LIP OF GUTTER
PLAN
N.T.S.
A
A
6"
4"
TOP OF CURB
NORMAL GUTTER LINE
DEPRESSED GUTTER LINE
BOTTOM OF CURB
ELEVATION
N.T.S.
NOTES:
1. LOCATION OF MANHOLE OPENING TO BE AT OUTFALL END, UNLESS OTHERWISE DIRECTED BY THE OWNER.
2. IF INLET OPENING IS OVER 10' WIDTH, THEN THERE SHALL BE A MANHOLE OPENING AT EACH END OF INLET.
STANDARD DRAWING NO.
R-6030A
CURB INLET RECESSED
5', 10', 15' OR 20' OPENING
CITY OF ROCKWALL
STANDARD SPECIFICATION REFERENCE
702
DATE
Mar. 2018
STANDARD DRAWING NO.
R-6030A



CENTER BEAM FOR
15' AND 20' INLETS
N.T.S.



SECTION B–B
N.T.S.

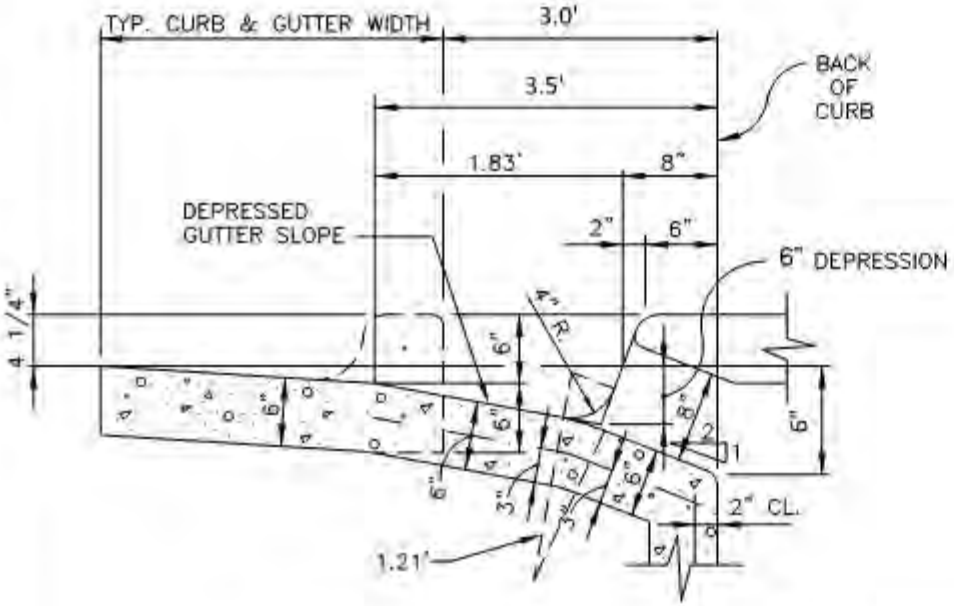


SECTION A–A
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT) NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.

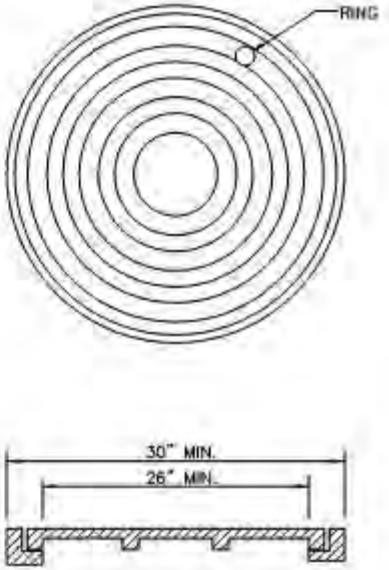
STANDARD DRAWING NO. R-6030B

CURB INLET RECESSED CROSS SECTION & CENTER BEAM	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 702
		DATE Mar. 2018 / STANDARD DRAWING NO. R-6030B



INLET THROAT
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.



MANHOLE FRAME & COVER
N.T.S.

INLET LID OF BE LOCKING

STANDARD DRAWING NO. R-6030C

CURB INLET RECESSED

INLET THROAT & M.H. FRAME & COVER

CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE 702

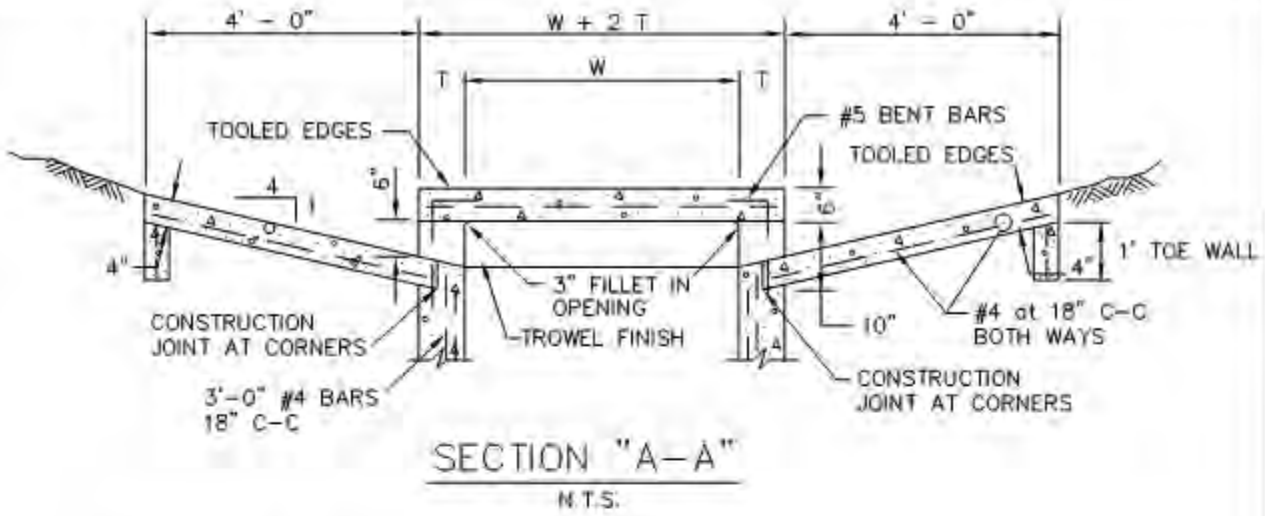
DATE Mar. 2018

STANDARD DRAWING NO. R-6030C

GENERAL NOTES:

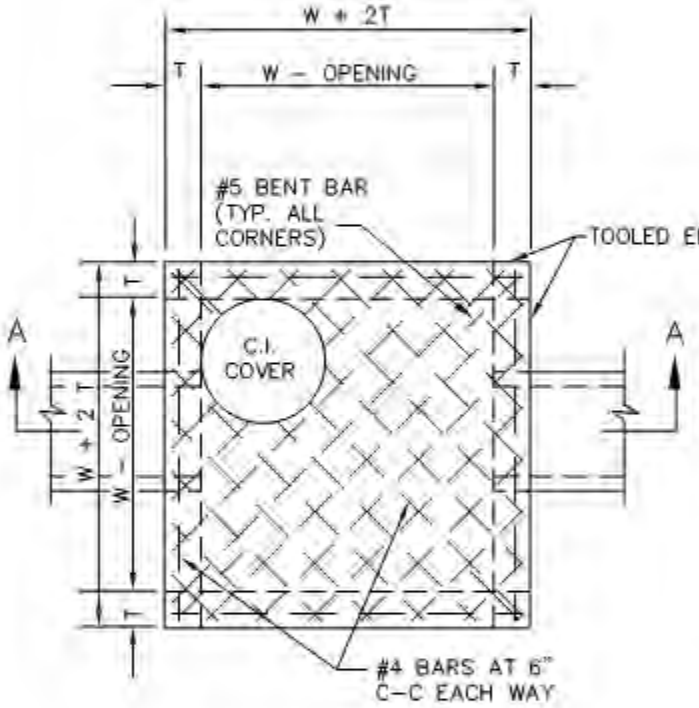
1. IN GENERAL, REINFORCING STEEL SHALL BE #4 BARS ON 12" CENTERS BOTH WAYS FOR GUTTER, BOTTOM SLAB ENDS, FRONT AND BACK WALLS, AND #4 BARS ON 6" CENTERS BOTH WAYS FOR TOP SLAB. AN ADDITIONAL #6 BAR SHALL BE PLACED IN THE FRONT EDGE OF THE TOP SLAB IN THE INLETS AND ADDITIONAL REINFORCING STEEL SHALL BE PLACED AROUND MANHOLES AS SHOWN.
2. ALL REINFORCING STEEL SHALL BE GRADE 60.
3. ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). ALL EXPOSED CORNERS SHALL BE CHAMFERED 3/4".
4. ALL REINFORCING STEEL SHALL HAVE A MINIMUM COVER OF 2" TO THE CENTERS OF THE BARS.
5. 10'-0" OF EXISTING CURB AND GUTTER UPSTREAM AND 10'-0" OF EXISTING CURB AND GUTTER DOWNSTREAM SHALL BE REMOVED AND REPOURED INTEGRALLY WITH EACH INLET.
6. ALL BACK FILLING SHALL BE PERFORMED BY MECHANICAL TAMPING TO 95% STANDARD PROCTOR DENSITY
7. NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.

STANDARD DRAWING NO.				
R-6030D	CURB INLET RECESSED GENERAL NOTES	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 702	
			DATE Mar. 2018	STANDARD DRAWING NO. R-6030D



SECTION "A-A"

N.T.S.



PLAN OF TOP SLAB

N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.
NO EARTH WALL FORMS, DOUBLE WALL FORMS TO BE USED.

INLET SIZE	T	W
2' SQUARE	7"	2'-0"
4' SQUARE	7"	4'-0"
5' SQUARE	8"	5'-0"
6' SQUARE	9"	6'-0"

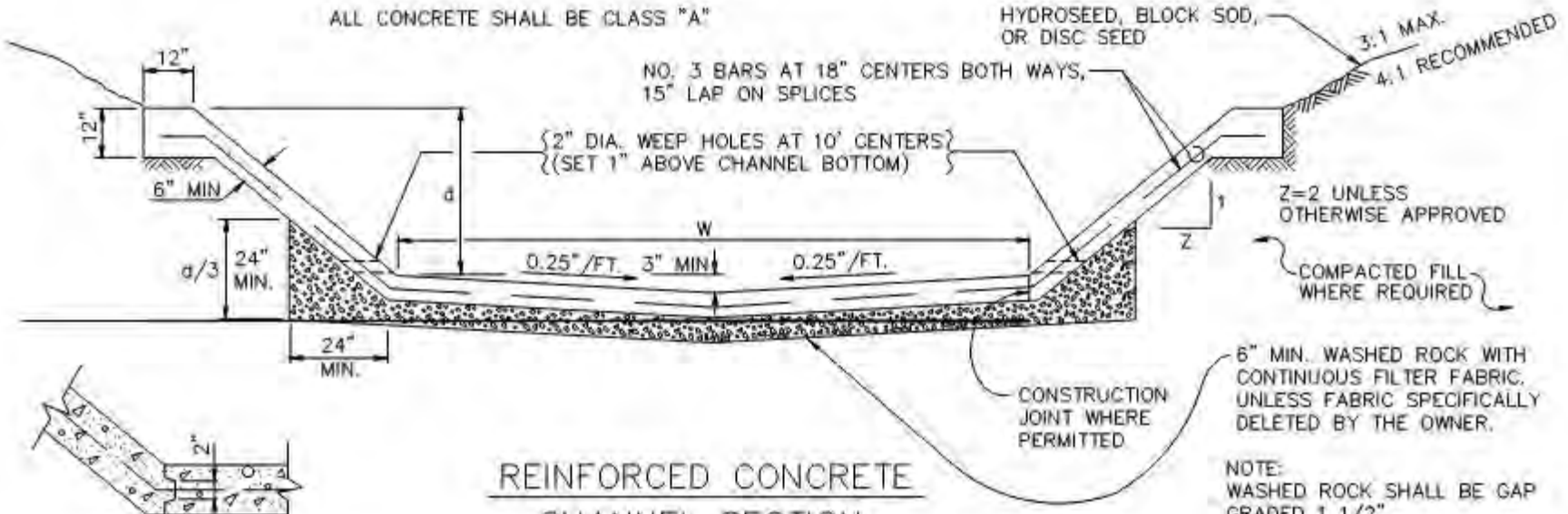
NOTES:

1. MATERIAL AND WORKMANSHIP SHALL CONFORM WITH THE REQUIREMENTS OF NCTCOG STANDARD SPECIFICATIONS FOR STANDARD CONCRETE MANHOLES. MINIMUM CLASS "A" CONCRETE.
2. LAYERS OF REINFORCING STEEL NEAREST THE INTERIOR AND EXTERIOR SURFACES SHALL HAVE A COVER OF 2" TO THE CENTER OF BARS, UNLESS OTHERWISE NOTED.
3. FOR DETAILS OF REINFORCING OF LOWER PORTIONS OF INLET SEE APPROPRIATE SQUARE MANHOLE DETAILS.
4. DEPTH OF DROP INLET FROM FINISHED GRADE TO FLOW LINE OF INLET IS VARIABLE. APPROXIMATE DEPTH WILL BE SHOWN ON PLANS AT LOCATION OF INLET.
5. ALL STANDARD DROP INLETS SHALL HAVE ONE OPENING ON EACH SIDE UNLESS OTHERWISE SHOWN ON PLANS.
6. DECK MAY BE REINFORCED SAME AS 4' SQUARE MANHOLE.

DROP INLET	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 702	
2', 4', 5' OR 6' SQUARE		DATE Mar. 2018	STANDARD DRAWING NO. R-6040

FILL AREAS SHALL BE COMPACTED TO 95% STD. PROCTOR DENSITY AT OPTIMUM MOISTURE CONTENT PRIOR TO CHANNEL EXCAVATION.

ALL CONCRETE SHALL BE CLASS "A"



NOTE:
WASHED ROCK SHALL BE GAP GRADED 1 1/2".

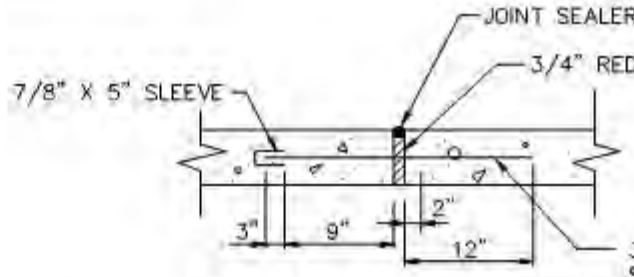
REINFORCED CONCRETE CHANNEL SECTION

N.T.S.

CONSTRUCTION JOINT

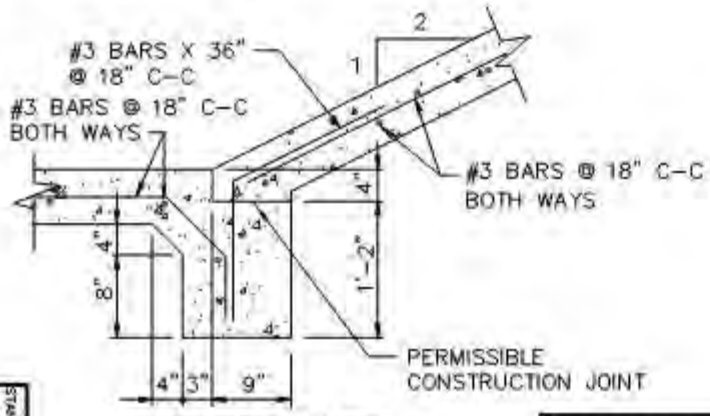
N.T.S.

ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.



TRANSVERSE EXPANSION JOINT

SPACE 100' C-C AND USE AT ENDS OF CURVES – P.C. AND P.T.
N.T.S.



ALTERNATE CONSTRUCTION JOINT

N.T.S.

STANDARD DRAWING NO. R-6050

FULL CHANNEL LINING

CONCRETE REINFORCED

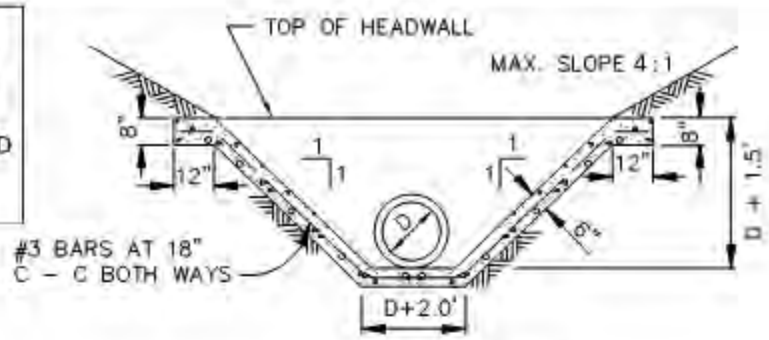
CITY OF ROCKWALL

STANDARD SPECIFICATION REFERENCE: 803.3

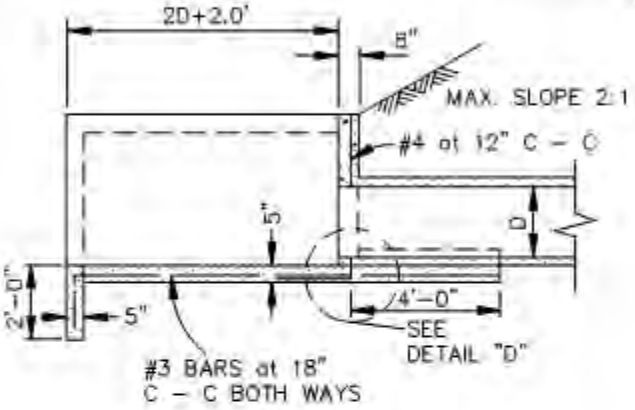
DATE: Mar. 2018

STANDARD DRAWING NO.: R-6050

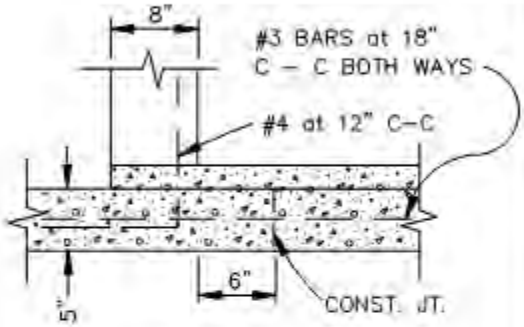
ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.



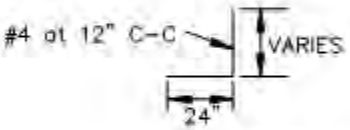
SECTION "B-B"
N.T.S.



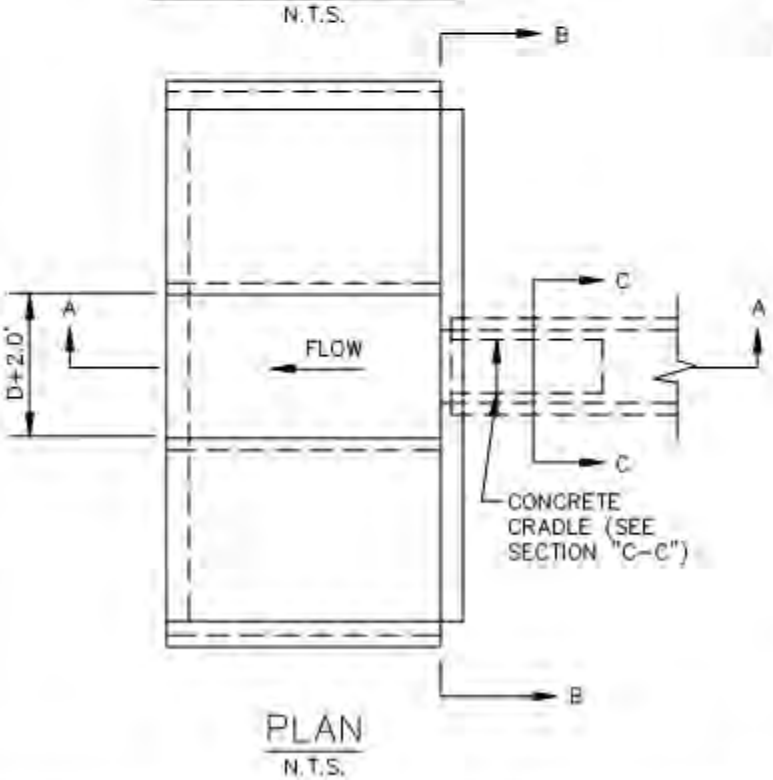
SECTION "A-A"
N.T.S.



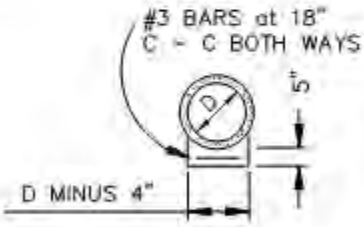
DETAIL "D"
N.T.S.



BAR DETAIL
N.T.S.



PLAN
N.T.S.

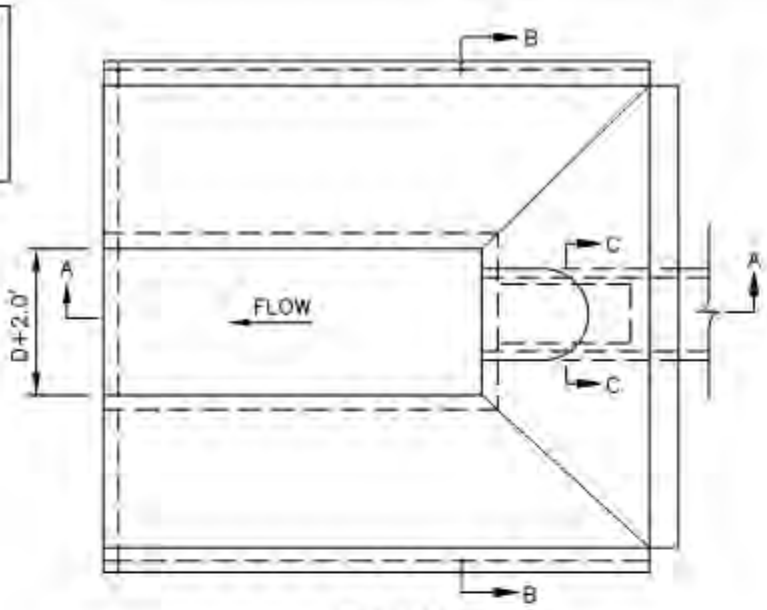


SECTION "C-C"
N.T.S.

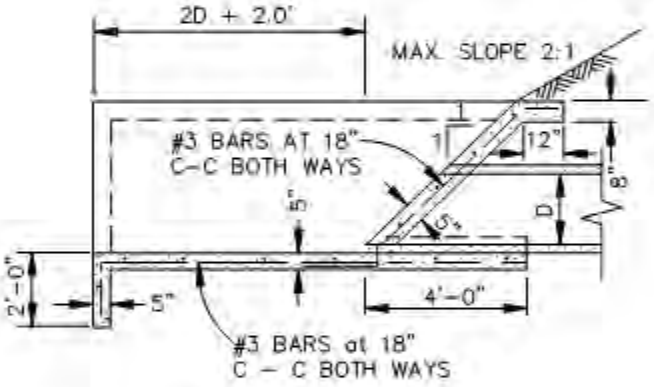
NOTE:
CONCRETE SHALL BE CLASS "A"

CONCRETE APRON VERTICAL HEADWALL	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 803.3	
		DATE Mar. 2018	STANDARD DRAWING NO. R-6060

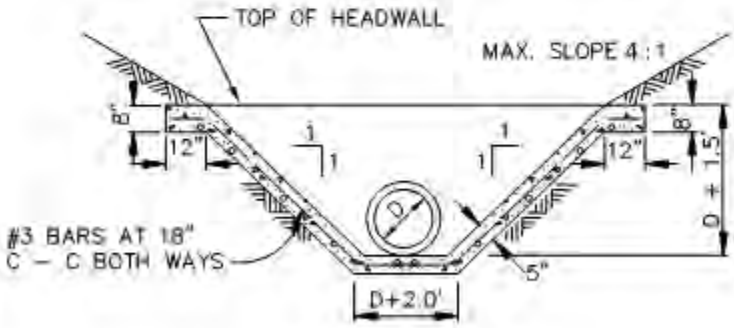
ALL CONCRETE STRUCTURES SHALL BE CLASS F (4200psi, MIN. 7.0 SACK CEMENT). NO FLY ASH IS ALLOWED IN CONCRETE STRUCTURES.



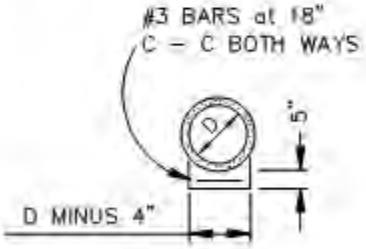
PLAN
N.T.S.



SECTION A–A
N.T.S.



SECTION B–B
N.T.S.



SECTION C–C
N.T.S.

NOTE:
CONCRETE SHALL BE CLASS "A".

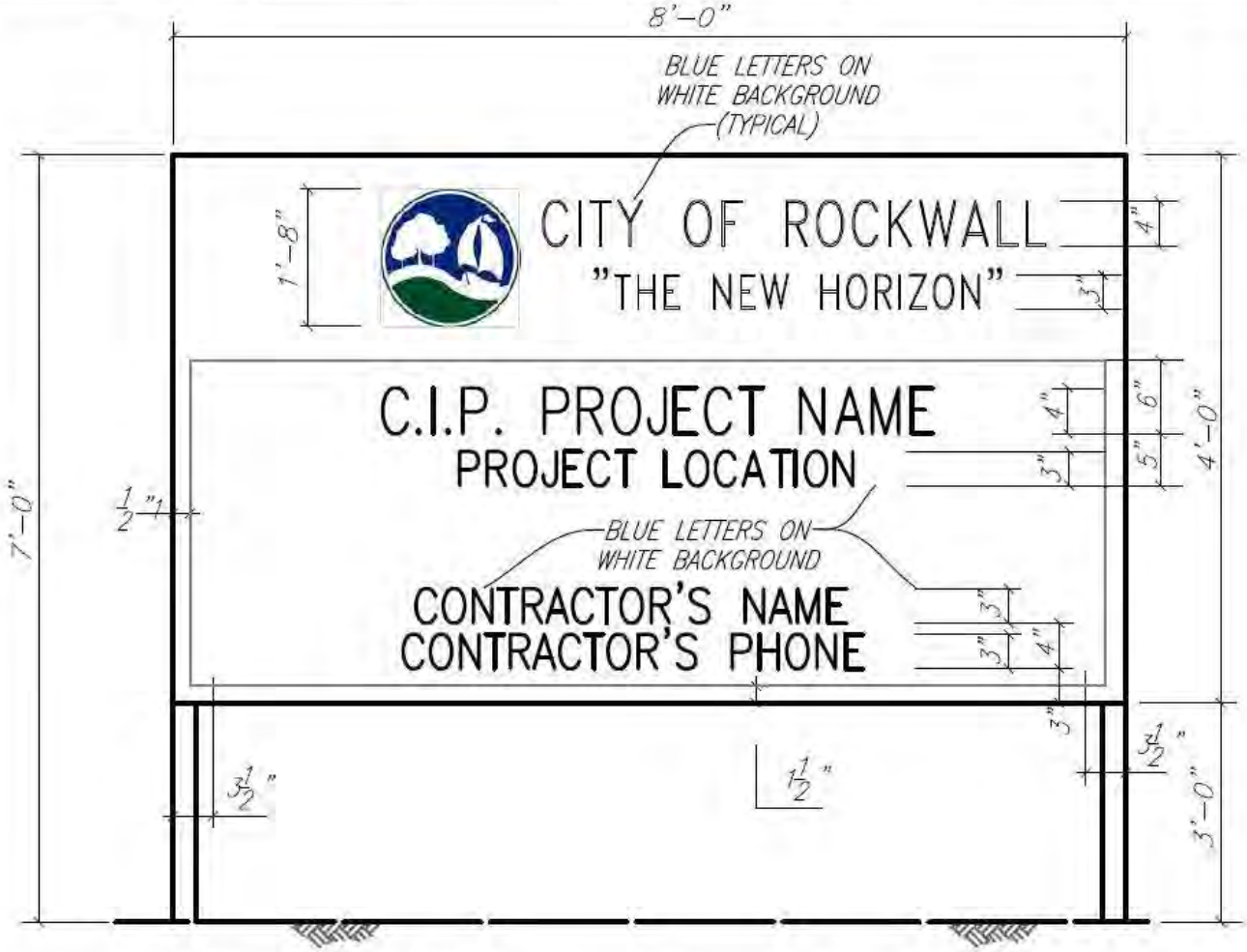
CONCRETE APRON	CITY OF ROCKWALL	STANDARD SPECIFICATION REFERENCE 803.3	
SLOPING HEADWALL		DATE Mar. 2018	STANDARD DRAWING NO. R-6070

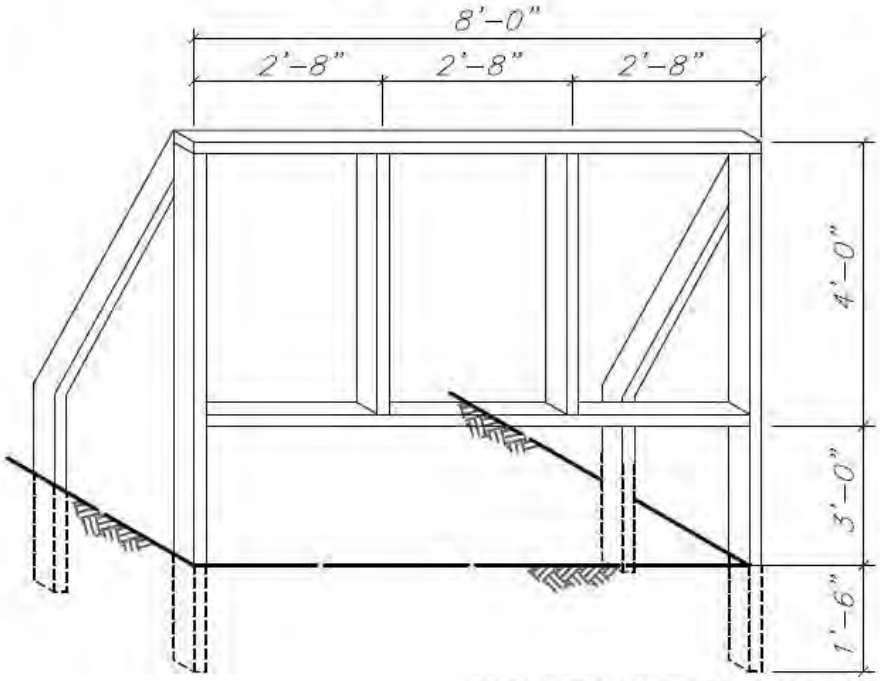
8.7 Division 7000 Rockwall Miscellaneous Details

This Division 7000 is to be added to the NCTCOG's Standard Drawings for Public Works Construction Standards. Division 7000 contains miscellaneous standard details added by the City. The following Table 9.7 contains a list of the miscellaneous standards being added.

Table 9.7: Division 7000 Rockwall Miscellaneous Details

Drawing No.	Subject
R-7010	**Miscellaneous Details – Construction Sign Detail**
R-7020	**Miscellaneous Details – Residential Lot Typical Wall & Swale Detail**





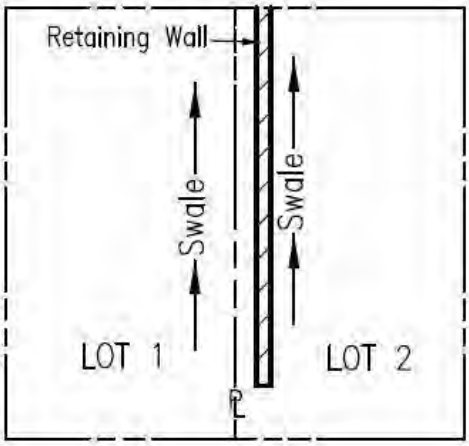
SIGN FRAME ELEVATION

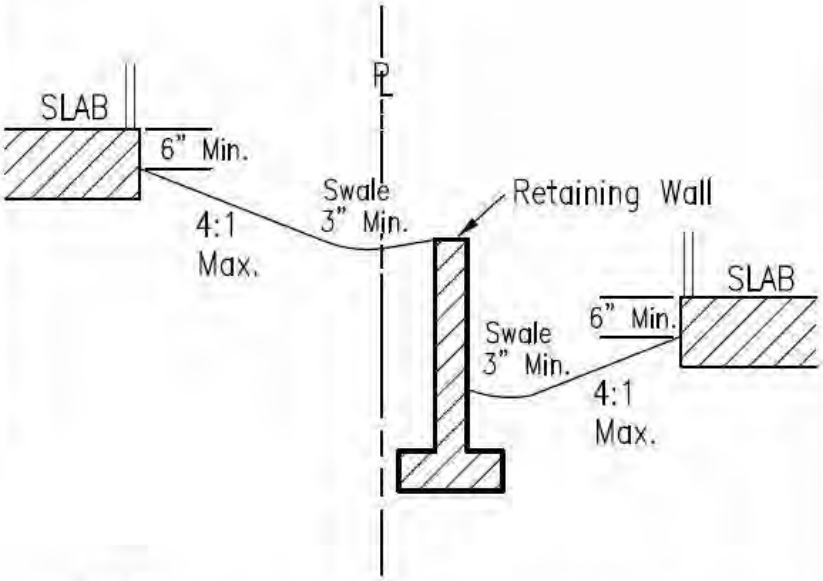
SIGN PANEL 3/4" EXTERIOR PLYWOOD PAINT AS SHOWN ON DETAIL ABOVE

FRAME 2"x4" STOCK FRAME TO BE PAINTED WHITE

ALL PAINT TO BE "EXTERIOR GRADE"

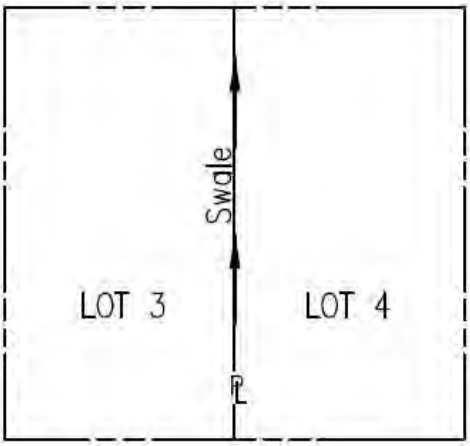
MISCELLANEOUS DETAILS	CITY OF ROCKWALL	
CONSTRUCTION SIGN DETAIL		DATE AUG. '15 / DRAWING NO. R-7010

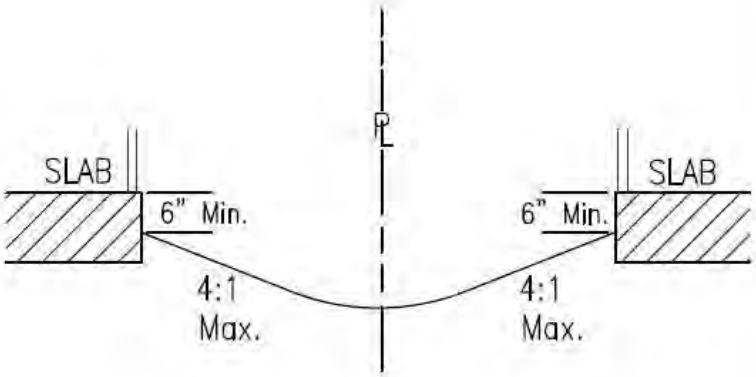




NOTE:

No Retaining Walls including the footing shall be placed in the right-of-way, easements, or overlapping property lines.





NO WALL

MISCELLANEOUS DETAILS	CITY OF ROCKWALL	
RESIDENTIAL LOT TYPICAL WALL & SWALE DETAIL		DATE: AUG. '15 / DRAWING NO.: R-7020

APPENDIX

City of Rockwall
The New Horizon

APPENDIX A – Engineering Plan Review Check List

City of Rockwall
The New Horizon

Engineering Plan Review Check List

Item Description
Administrative Items
Engineering Plan Submission Application with submittal checklist
Engineering-Plan Review Checklist
Four Complete Copies of Engineering Plans Initial Submittal; Three Complete Copies of Engineering Plans Re-Submittal; Two additional sets each submittal is proposed lift station.
Markups from Previous Submittals, if subsequent submittal
Annotated Review Comments, if applicable
Two copies of any Study or Report Completed in Support of the Project
Submission of Required Fire Flows Form to Fire Marshal
Submission of Fire Hydrant Flow Form to Fire Marshal
Floodplain Administrator Development Permit Application
Storm Drainage Management Plan
TxDOT preliminary letter of approval for Drive Approach Connections
TxDOT permits obtained
Franchised Utility Approval Obtained (specify)
Other Agency or Land Owner Approval Obtained (specify)
Corps of Engineers (COE) Wetland Permit Obtained (if applicable) or letter of determination
Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR)
Other Agreements (explain)
Studies - If Required
Geotechnical Report
Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) Flood Study
Wetland Determination
Lift Station Report
Hydraulic Study Submitted
Water Study Submitted
Sanitary Sewer Capacity Study Submitted
Traffic Impact Analysis
Flood Study (100 year-fully developed) (Local or FEMA)
Sight Visibility Determination for easements
All Sheets
Sheet Size 24" x 36"
Title Block with Subdivision Name, Project Name and Sheet Description
Revision Block - Filled Out
North Arrow

City of Rockwall
The New Horizon

Item Description
Vertical and Horizontal Scale Listed and Accurate
Benchmarks Listed and Described
Legend of All Drawing Symbols and Line Types Used
Engineer's Seal, Signature and Date per Texas Engineering Practices Act
Responsibility Note Required on All Sheets except site plan and standard details: "ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN."
Provide Key Map for Large Projects Showing Sheet Locations
Clear Drafting with Proper Line Weights for Ease of Reading
No Overlapping Text
Drafting at Adequate Scale to Obtain Ease of Reading and Scanning
Cover Sheet
Project Name
Official Plat Name as Assigned by the Planning and Zoning Department (including Block & Lot)
Official Project Address Assigned by the City Planning and Zoning Department
Mapsco Grid Reference
Month and Year of Probable Start of Project Construction
Revision Table
Engineer Contact Information (Name, Address, Phone Number, email address)
Owner Contact Information (Name, Address, Phone Number, email address)
Sheet Index - List ALL sheets included in plan set including details
Location Map with North Arrow
Side Bar - Plat Subdivision Name & Project Name
Title of type of sheet (i.e. Grading, Utility, Water,….)
Approved Site Plan
Approved Site Plan
Approved Landscape/Treescape Plan
Approved Landscape and Treescape Plan
Proposed Final Plat
Plat Included
Correct Plat Name
Plat Closure Calculations (Sealed by Registered Surveyor or Engineer)
GPS Grid Coordinates Shown for the Property Corners Properly Into City Monumentation System (x, y coordinates on 2 property corners)
Location map
Street Names with Right-of-Ways Widths Identified

City of Rockwall
The New Horizon

Item Description
Benchmark (if near drainage feature or flood zone)
Basis of bearing
Metes and Bounds of Tract
Adjacent Land Ownership Information
List Corners Found or Set
Property Pins Shown for tracts across ROW with verification of existing ROW Widths
Building Setback Lines Shown
Recording Volume and Page Information for all separate easements and ROW dedications within platted area or adjacent tracts
100-Year Floodplain for Fully Developed Conditions showing cross sections and elevations
Minimum Finished Floor Elevations Shown (if near drainage feature or flood zone)
Drainage & Drainage Maintenance Easements Shown and annotated
Required Utility Easements Shown (20' minimum width) and annotated
Access Easements Shown and annotated
ROW. Dedication Shown and annotated
ROW Corner Clips and annotated
All Existing easements (on-site) shown and annotated
Visibility Easements Shown and annotated
Surveyor Seal, Signature and Date
Demolition Plan
All existing topographic features including but not limited to: pavement, curbs sidewalks, barrier-free-ramps, light poles, driveways, storm sewer inlets, manholes, junction boxes headwalls retaining walls, fences , mailboxes landscape planters, trees, etc.
All wet utilities (water lines, wastewater lines and storm sewer) including sizes
All franchise utilities (electric, cable, communications, gas, etc.)
Pavement removals with full depth pavement sawcut locations
Water line, wastewater line and storm sewer removals
Dimensional Control & Paving Plan
Lot Boundary with Dimensions and Bearings
Street Names Shown
Existing ROW
ROW. Dedication and ROW Corner Clips Shown with Dimensions
Verification of public rights-of-way width ("variable width" is not acceptable) (When Required)
Visibility Easements Shown as Required by City Code
Building Setback Lines Shown
Dimensions (thickness, width, length, radius) for all paved areas (parking areas, driveways, fire lanes, turn lanes, drive aisles, sidewalks, etc)
Driveways Location, Spacing and Width Meet City Code and TxDOT Requirements

Item Description
Driveways- Width, Radius, Distance to Adjacent Drives, Alignment with other Drives Across Street Shown
Fire Lane - Width, Radius & Distance from Building Shown and Detailed including turn-arounds and dead-ends
All Pavement Thickness, Concrete Strength, Reinforcing, Subgrade Detailed Per City Requirements
Location of Fire Sprinkler Fire Department Connection (FDC) Shown
Location of Electrical Transformers Shown
Dumpster Location, Access and Construction Requirements Met and approved by Planning and Zoning Department (Backing Distance and Maneuver - Accessible by SU-30 Turning Template)
All Existing and Proposed Utility and Drainage Easements Shown
Existing and Required Access Easements Shown
Screening Wall Location, Foundation, Height, Start/End of Wall
Retaining Wall Location, Foundation, Height, Start/End of Wall
Existing and Required Sidewalks and Trails Shown with Dimensions
Show Location of Required ADA Ramps
Limits of 100-Year Ultimate Flood Plain Shown (FEMA and local)
Note Identifying Reference for 100-Year Floodplain and WSE Information with cross section with elevations
New/Relocating Left Turn Lane and/or deceleration lanes complies with City and TxDOT Requirements (Spacing, Length, Construction)
Existing and Proposed Infrastructure within Median Modifications Shown (Trees, Street Lights, Conduit, Irrigation, pavers, etc)
Street Lighting and Street Sign Plan
Roadway Paving Plan and Profile
Street Name and Cross Street Names
Block, Lot, and Address Labels
All existing and proposed easements
Dimensions labels of roadway width, ROW width, sidewalk widths, curb return radius, etc.
Show and label all storm sewer inlets with roadway stationing
Legend showing type of pavements, thickness, strength, reinforcing, etc.
Roadway centerline stationing every 100 ft, al labels for all Start, PC, PT, PI, PRC, etc.
Driveway centerline stationing location off roadway
Label Cross-slope (At cross-slope transitions the cross-slope shall be labeled every 25 ft and at critical design points)
Show and Label Proposed Profile station and elevation (All Slopes, VPI, PI, Vertical Curves, LP, HP, K, e, PC, PT,VPRC, etc.)
Show and Label Existing ground Centerline, Left ROW, Right ROW, and any other critical profiles
Show in Profile an Major Utility Crossing (Culverts, Water/Wastewater Transmission Lines, Gas Transmission Lines, Electric and Communication Duct Banks)
Existing and Proposed Ground lines elevation in profile every 50 ft
100-Year floodplain line and WSEL

City of Rockwall
The New Horizon

Item Description
Cross-Sections
Cross sections shall be provided for all Arterial and Collector Roadways
Cross-Sections shall be taken every 50 feet, driveway centerline, intersecting streets, and other critical points or features.
Include Existing and Proposed ROW lines
Existing Ground Line
Proposed Pavement thickness, and subgrade depths, and sidewalks
Proposed Slopes
Cross-sections at Driveways shall have all slope and VC Labeled
Grading Plan
Benchmarks
Exist Lot Lines & Corners (lot lines screened if being changed)
Proposed Lot Lines
Existing (screened) & Proposed ROW
Street Names Shown
Drainage Easements for Drainage Features and Structures Shown
Existing & Proposed Improvements (paving and building footprints)
Minimum Finished Floor (FF) Elevations for Structures meet Requirements of Drainage Ordinance
Minimum Finished Floor (FF) Elevation Shown for each Structure
Existing & Proposed Contours for Site and Minimum of 50' Beyond Property Lines (with appropriate contour interval) with all ponds and waterways labeled
Existing & Proposed Spot Elev. Showing Grade; High & Low Points; Swales, Inverts & Ridges with Flow Arrows
Label Lot Area and Disturbed Land Area
Adjacent Property Improvements Within Minimum 25' of site
Existing & Proposed On-site and Off-site Drainage Features (Design Info Shown)
Maximum Cross Slope 4H:1V (H=Horizontal, V=Vertical) Min Running Slope 1% for unpaved areas
Ditches Adjacent to Site Cleared, Cleaned & Regraded (only with permission from property owner)
Positive Overflow Routes with elevations (All public roads that have a sag require an overflow route)
Lot grading to be above street elevation (Residential Only)
Limits of 100-Year Ultimate Floodplain Shown
Ultimate (Fully Developed) 100-Year Floodplain Water Surface Elevations (WSE's) shown on cross sections
Note Identifying Reference for 100-Year Floodplain and WSE Information
Cross sections to scale with hydraulic calculations
Location of Cross-Sections With Stationing Shown
Cut or Fill Areas shown on Cross-Sections

Item Description
Existing and Proposed Retaining Walls with Top & Bottom Spot Elevations and calculations as required
No Residential Cross Lot Drainage
Grading Plan Matches Drainage Area Map
Does Grading Plan Address Impacts to Adjacent Properties Requiring Easements or Letters of Permission
All Detention Areas with Flumes with Elevations and Side Slopes Labeled
Retaining Wall Plan and Profiles
Label Beginning and Ending of Wall
Label Top of Wall, Bottom of Wall, Bottom of Footing
Railing type and limits
Detailed Structural Sections for each differing section type
Flume locations shown in plan and sections (no water allowed to overtop retaining walls)
Show locations of all Water, Sanitary Sewer, Storm Sewer, Franchise Utility Crossings in Plan
Show locations of all Water, Sanitary Sewer, Storm Sewer, Franchise Utility Crossings in Profile along with elevations
Profile Existing Natural Ground Line, Proposed Ground Line at Bottom and Top of Wall
Drainage Area Map
Existing Drainage Area Map (Pre-Project Conditions), Proposed Drainage Area Map (Current proposed phase of development conditions) and Ultimate Drainage Area Map (Built-out conditions of development)
Storm Drainage Analysis and design shall comply with the Drainage Ordinance and the Flood Hazard Damage Prevention and Control Ordinance.
Existing and Proposed Drainage System and Structures Shown (pipe, inlets, etc)
Current Zoning or Anticipated Ultimate Development Shown and Correct For Off-Site Areas
Ensure Site Drainage is Collected on Site
Design for a Ultimate (Fully Developed) 100 Year Storm Event
Design showing Elevation Contours for the Entire Off-Site Drainage Basin and 50' beyond Property
Design with most recent surveyed Contour Information
Drainage Area Map shows Subbasins For Each Collection Point and Inlet
Each Drainage Area has ID, Q100, Acres and Direction of Flow to the Outfall Shown
Each Outfall labeled with an Identification, direction of flow and Total Flow
Drainage Direction Arrows for Both On-site and Off-site Drainage Basins
Indicate all Sags and Crests With Flow Arrows
City Standard Drainage Area Map Calculation Table for Current and Future Conditions With Outfall Summary Included
I - Values Meet City Requirements
C - Values Meet City Requirements (based on Zoning)
Time of Concentration Values Used Meet City Requirements
Q - Calculated Flow in cfs

Item Description
Provide a Subtotal for each Major Drainage Line
Drainage Area Map & Calculations for all Offsite Drainage
Limits of 100-Year Ultimate Floodplain Shown
Ultimate (Fully Developed) 100-Year Floodplain Water Surface Elevations (WSE's) shown (FEMA and local)
Note Identifying Reference for 100 Year Floodplain and WSE Information (FEMA and local)
Show Limits of Each Plan Sheet (Tile)
Show Detention
Show Existing Drainage Areas (lighter line type)
Label where each drainage area drains (inlet number, swale, etc.)
Storm Drainage Plans and Profiles *(Storm Drainage Structures including Pipe, Inlets, Etc.)*
Benchmark Location and Elevation
Flood Study / FEMA FIRM Map Reference Information Listed by Note
Storm Sewer Alignment Logical, Sharp Bends Eliminated
Collecting On-Site Drainage with Storm Sewer/Inlets
Profile Given for all Storm Sewer Mains and Laterals (shall be along the centerline of pipe)
Pipe Size, Material and Class Identified on Plan and Profile
Hydraulic Grade Line Shown on all Storm Sewer Profiles for Mains/Laterals, in both full and partial flow conduit conditions
Hydraulic Grade Line Elevations labeled on Storm Sewer Profiles at every change in flow, change in pipe size, horizontal bend, vertical bend, wye, manhole, inlet, headwall, etc.
Other Hydraulic Info Shown on Storm Sewer Profiles for all Mains/Laterals (Q100, Qcap, Velocity, V2/2g) on every conduit section between every junction and/or increase in flow
Vertical and Horizontal Alignment and Slope Shown for all Mains/Laterals on Plan and Profile
Hydraulic Grade Line Meets City Design Requirements
Starting Hydraulic Grade Line Calculations/Assumptions Listed
Starting Hydraulic Grade Line Meets City Design Requirements
Pipe Velocity Within Ordinance Requirements and Limitations
Elevation Information on Plan View (Flowlines, Top-of-Curb, Hgl or 100 yr water surface (partial flow) at every inlet, etc) Matches Profile View
Show Crossings of Existing and Proposed Water and Sanitary Sewer on Storm Sewer Profile
Note minimum Cover for Pipes and Culverts
Drainage System Reviewed for Constructability - Depth and Clearance From Streets, Structures, Other Utilities (dimensions)
Inlet Capacity Calculations Provided In City Standard Tabular Form
Inlets Placed to Capture Runoff Before It Enters Street or Major Thoroughfare
Storm Sewer Calculations Provided In City Standard Tabular Form
If Street Drainage, Calculations Showing Curb & Street Capacity
If Street Drainage, Show Nearest Inlet & all Upstream Drainage
Inlet Construction Layout Information Shown (Top of Curb, Flowline, Throat Elevation, Type, Size, Hgl, Q100, Etc)

Item Description
Storm Sewer Inlet Location, Size, Type, and Construction Detail Per City Requirements
Storm Sewer Manhole Location, Size, Type, and Construction Detail Per City Requirements
Outfall, Headwall, and Other Structure Location, Type, Velocity and Erosion/Scouring Protection Per City Standards
Positive Overflow Route Through Site with grades
Sag Points Identified and Paved Positive Overflow Designed
Outfall/Headwall Locations No Greater Than 1' Above Creek Flowline and Pointed Down Stream
Outfalls Discharge into Existing Drainage Features or Provide Easements as Required
Outfall Velocity Meets City Requirements
Outfall Protection / Energy Dissipation When Required
Appropriate Details are Included for Structures, Junction Boxes, Headwalls and Inlets (if different than NCTCOG 4th Ed. or City details)
Connection Details Provided for Non-Standard Connections
Limits of 100-Year Ultimate Floodplain Shown (FEMA and local)
Ultimate (Fully Developed) 100-Year Floodplain Water Surface Elevations (WSE's) shown (FEMA and local)
Note Identifying Reference for 100 Year Floodplain and WSE Information
Drainage Easements for Drainage Features and Structures Shown (15' minimum width)
Storm Drainage Plans and Profiles *(Ditches, Swales, and Open Channels)*
Direction of Flow Indicated for Ditches, Swales and Open Channels
Ditches, Swales and Open Channels have 100 year Ultimate Water Surface Shown on Profile (min 1% Running Slope)
Ditches, Swales and Open Channels have 100 year Ultimate Water Surface Shown on Cross Sections
Ditches, Swales and Open Channels Armored with Approved Material in Areas Where Average & Localized Velocities are Above 6 fps
Ditches, Swales and Open Channels can Carry 100-year Ultimate Storm with required Freeboard
Ditches, Swales and Open Channels Hydraulic Information Shown On Plans
Ditches, Swales and Open Channels Hydraulic Information Shown On Plans Matches Hydraulic Report or Flood Study Submitted
Ditches, Swales and Open Channels Side Slopes Less Than 4H:1V for Grassed/Un-Armored Sections
Ditch, Swale and Open Channel Width, Depth, Running and Side Slopes and Capacity Per City Requirements
Drainage Easements for Drainage Features and Structures Shown
Storm Drainage Plans *(Detention and Ponds)*
Required Detention Shown
Detention Calculation Shown and Correct
Outfall discharge curves for required storm events
Detention/Retention Pond Location, Size, Depth, Capacity, and Material Per City Requirements, 100 year Water Surface Elevations
Provide Access and Structures that Contribute to Long Term Maintenance of Detention Pond

Item Description
Drainage Easements for Drainage Features and Structures Shown (15' minimum width)
Provide chart showing flow allowable vs. flow actual for Q_5, Q_{10}, Q_{25}, and Q_{100}
Utility Plans *(Water & Wastewater)*
Water
Water Main Sized In Compliance with Water System Master Plan
Water Mains Provided to Front Property Along all Street Frontages or Otherwise Extended to Serve Adjacent Properties
Water Main Extension Required By Code Shown
Water Mains Looped to Provide Circulating and Redundant Feed
Water Main Size, Material and Class Called Out
Existing Water Mains and Valves Shown; Show Valves on both sides of Tap in Case Area Needs to be Isolated
Existing & Proposed Fire Hydrants Shown
Utility Easements for Water Mains Shown
Proposed and Existing Fire Lanes Shown
Fire Hydrant Spacing Meets Requirements of Adopted International Fire Code (IFC)
Fire Sprinkler Fire Department Connection (FDC) Location Shown
Water Main Fittings, Valves, etc Identified
Water Mains 16" and Larger Profiled
All Water Main Bores Profiled
All Crossings Identified on Appropriate Profile
Bore complies with Bore and Utility Crossing General Design Standards and TxDOT Standards if in TxDOT ROW
Existing Water Meters Shown
Proposed Water Meters Shown (Both Domestic and Irrigation)
Domestic and Irrigation Water Meters on Looped/Circulating Main
All Water Meters on Separate Service - No Water Meter "Bullheads" or Manifolds Allowed
Water Meters Location, Preferred to be in Unpaved Area
Water Meter Sizes Identified
Appropriate Double Check/Backflow Prevention Shown on Private Side of All Meters
Water System Reviewed for Constructability and Maintenance - Depth and Clearance From Streets, Structures, Other Utilities (Dimensions)
Water Mains Identified as Either Public or Private with Lines of Demarcation
Utility Crossings Shown in All Profiles and Bore Profiles including Franchise Utilities and Street Light Utilities
If Fire Sprinkler Line is Shown, Add Note to Plans to Indicated the Requirement for Separate Permit from the Fire Department and label min 10-foot separation distance from all other utilities
Wastewater
Wastewater Mains Provided to Front Property or Otherwise Extended to Serve Upstream Property
Existing Wastewater Mains, Manholes, Cleanouts and Services Shown

Item Description
Proposed Wastewater Mains, Manholes, Cleanouts and Services Shown
Sanitary Sewer Mains Profiled along centerline of pipe
Bore complies with Bore and Utility Crossing General Design Standards and TxDOT Standards if in TxDOT ROW
Wastewater Main Size, Material and Class Identified on Plan and Profile
Wastewater Main Depth, Slope, Service Locations, Cleanouts and Manholes shown in all Profiles
Wastewater Rim, Flow Line In & Flow Line Out Elevations for All Manholes (min 2% drop between manhole flow-in and flow-out)
Utility Crossings Shown in All Profiles and Bore Profiles including Franchise Utilities and Street Light Utilities
Wastewater System Reviewed for Constructability and Maintainability - Depth and Clearance From Streets, Structures, Other Utilities (Dimensions)
All Existing and Proposed Public and Private Easements and Rights of Way Shown
Wastewater Mains Identified as Either Public or Private with Lines of Demarcation and Private Utility Note
Private Utility Note: "ALL WASTEWATER WORK DESIGNATED AS “PRIVATE” IN THIS SET OF PLANS SHALL BE INSTALLED IN ACCORDANCE WITH THE INTERNATIONAL PLUMBING CODE, PERMITTED AND INSPECTED BY THE CITY BUILDING INSPECTION DEPARTMENT AND INSTALLED BY A LICENSED PLUMBER."
Lift Station
Lift Station Report
Dimension and Site Plans
Grading Plan
Force Main Plan and Profile
Landscape Plan
Electrical and Control Plans
Detail Sheets
Erosion Control *(For Sites Greater 1- Acre or Larger)* / SWP3 *(If Required by TCEQ Regulations)*
Owners Name , Address & Phone No.
Developers Name Address & Phone No.
Engineers Name Address & Phone No.
Site Acreage Listed
Disturbed Acreage Listed (Acres)
Limits of Construction and Disturbed Areas Shown
Existing Ground Contours, Drainage Features and Structures
100-Yr Flood Plain with Elevations (FEMA and local)
Limits of Trees/Shrubs to Remain
Grades to Match Grading Plan
Proposed Storm Drainage, Structures & Pavement
Borrow & Spoil Area Identified

Item Description
BMP Locations, details, Calculations, and Maintenance Schedule
Sediment Basin, required if disturbed area greater than 10 acres
Standard Details
All Standard Details that are required for construction from Standard Specifications for Public Works Construction, North Central Texas, Fifth Edition, or the City of Rockwall Standards of Design and Construction shall be included in all plan sets.
TXDOT Details
Include all Pertinent Details called out in plans

City of Rockwall
The New Horizon

APPENDIX B – Approved Water Materials List

City of Rockwall
The New Horizon

Approved Water Materials List

All materials on this list do not require separate submittals. All materials must be new and in good condition.

Fire Hydrants

- Mueller "Super Centurion 250-A423"
- American Darling "B-84B-5"
- Waterous "Pacer WB67"
- Clow "Medallion"
- M&H "Model 129 & 929"
- WaterMaster 5CD250

Valves (all bolts, nuts and washers for valves to be type 316 stainless steel)

- Mueller Resilient Seat
- Mueller Resilient Wedge
- Mueller Butterfly
- American Darling Resilient Wedge
- American Darling Butterfly
- U.S. Pipe & Foundry "Metro-Seal" Resilient Wedge
- American Flow Control – Series 2500 Resilient Wedge Valve
- Clow Resilient Wedge
- Pratt Butterfly
- American AVK Resilient Seated Gate Valve Series 25, 4"-12"

Valves – Air Release / Combination Air & Vacuum

- Vent-O-Mat 025 RBX 2521 – 1"
- Vent-O-Mat 050 RBX 2521 – 2"

Tapping Sleeves and Valves (all bolts, nuts and washers to be type 316 stainless steel)

- All require ¾" NPT brass test plug.

Sleeves (all bolts, nuts and washers to be type 316 stainless steel)

- Mueller H-304 Stainless Steel Tapping Sleeve w/Stainless Steel Flange
- Tyler Traverse Tapping Sleeve
- Clow Traverse Tapping Sleeve
- Dresser Style 630 Heavy Stainless Steel Tapping Sleeve
- PowerSeal Model 3490 Stainless Steel Tapping Sleeve
- Ford All Stainless Tapping Sleeve Style FTSS
- Ford All Stainless Tapping Sleeve Style FTSS-MJ
- Smith-Blair 665 Stainless Steel Tapping Sleeve with Stainless Steel Flange
  Smith-Blair 665MJ Stainless Steel Tapping Sleeve with Stainless Steel Flange
  Romac Industries, SST III

Service Saddles

Service Saddles (for PVC, DI or CI)				
Size/Manufacturer	Mueller	Jones	Ford	A.Y. McDonald
¾-inch, 2 Strap	BR-2B, BR-2S	J-979, J-969	202B, 202BS	3825, 3845
1-inch, 2 Strap	BR-2B, BR-2S	J-979, J-969	202B, 202BS	3825, 3845
1 ½ -inch, 2 Strap	BR-2B, BR-2S	J-979, J-969	202B, 202BS	3825, 3845
2-inch, 2 Strap	BR-2B, BR-2S	J-979, J-969	202B, 202BS	3825, 3845

All of the above service saddles are to be cc thread. Saddles must be supplied with stainless steel bolt/nut/washer, with the exception of a double strap bronze saddle.

Restraint (Retainer) Glands (all bolts, nuts and washers to be type 316 stainless steel)

- Uni-Flange Series 1400 for 4" thru 12" (Ductile Iron)
- Uni-Flange Series 1500 for 4" thru 12" (C900 PVC)
- EBAA Iron 1100 Series Megalug (Ductile Iron)
- EBAA Iron 2000PV Series Megalug (C900 PVC)
- Stargrip Series 4000 (C900 PVC)
- Stargrip Series 3000 (Ductile Iron)
- Sigma – One Lok (C900/905 PVC)
- Tyler Union Field Lock (Ductile Iron)
- Tyler Union Tufgrip 1000 (Ductile Iron)
- Tyler Union Tufgrip 2000 (PVC)

Restraint (Internal Joint Restrained) (all bolts, nuts and washers to be type 316 stainless steel)

- Eagle LOC 900 for 4" thru 12" C900 DR14 PVC Pipe
- Diamond Lok-21 for 4" thru 12" C900 DR14 PVC Pipe

Corporation Valve (Stops)

Corporation Valves				
Size/Manufacturer	Mueller	Jones	Ford	A.Y. McDonald
¾-inch	B-25008	J-1937-SG	FB-1000-3-Q	4701BQ
1-inch	B-25008	J-1937-SG	FB-1000-4-Q	4701BQ
1 ½ -inch	B-25008	J-1937-SG	FB-1000-6-Q	4701BQ
2-inch	B-25008	J-1937-SG	FB-1000-7-Q	4701BQ

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Angle Valves (Stops)

Angle Meter Valves				
Size/ Manufacturer	Mueller	Jones	Ford	A.Y. McDonald
¾-inch	B-24258	J-1963W-SG	BA43-332-WQ	4602BQ 3/4
1-inch	B-24258	J-1963W-SG	BA43-444-WQ	4602BQ 1
1 ½ -inch	B-24276	J-1975W-SG	BFA43-666-WQ	4602BQ 1 ½
2-inch	B-24276	J-1975W-SG	BFA43-777-WQ	4602BQ 2

Ductile Iron Fittings (Compact Only -C153)

- American Pipe
- Tyler Pipe Products
- Clow Products
- Star Pipe Products (tees, bends & anchor nipples)
- Sigma/Nappco Products (tees, bends & anchor nipples)
- Griffin Pipe Products

Valve Stacks and Boxes

- Bass & Hays adjustable valve box Model No. 2436S

Fire Hydrant Paint

Main Size	Color	Paint
6”	Silver – Top & Bottom	Sherwin Williams Silver-Brite Heavy Duty Rust Resistant Aluminum Paint B59S11
8”	Safety Blue Top – Aluminum Bottom	Sherwin Williams Heavy Duty Rust Resistant Aluminum Paint-Safety Blue B54T104
10” or larger	Yellow Top – Aluminum Bottom	Sherwin Williams Heavy Duty Rust Resistant Aluminum Paint-Safety Yellow B54Y37

Meter Boxes

< 1 inch Service	DFW1814F-1BA DFW Plastics, Inc Not Traffic Rated
1-1/2-inch, 2-inch Service	DFW2818F-1BA DFW Plastics, Inc Not Traffic Rated
Traffic Rated Meter Box	DFW65C-14-10BA DFW65C-1BA - Can DFW65C-Overlay-Lid DFW Plastics
Lids	DFW 18-AMRL-lid E Series

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APPENDIX C – Approved Wastewater Materials List

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Approved Wastewater Materials List

Note: All specified materials on this list do not require separate submittals. All materials must be new and in good condition.

Wastewater Main and Service Pipe (Gravity Flow Only)

- ASTM D3034 SDR-35 PVC 4" to 15" Diameter (Green in color)
- ASTM D3034 SDR-26 PVC 18" to 30" Diameter and for any wastewater installed 10' and deeper (Green in color)
- ASTM D3262 Fiberglass Sewer Pipe 18" to 54" and ASTM 4161 Fiberglass Fittings (must submit thickness design for wall thickness calculations) Approved Manufactures for Fiberglass Pipe and fitting are Hobas Pipe, US Composite Pipe South and Ameron International.

Manhole Pipe Connectors

- Link-Seal
- A-LOC
- KOR-N-SEAL – 306 Series By National Pollution Control Systems Inc.
- PS (Press-Seal) – PSX: Direct Drive

Wastewater Manhole Lids and Rings

- Pamrex with Lock
- East Jordan Iron Works 30" ERGO XL with Camlock Security closing device, MPIC Pick slot, elastomer T-Gasket in lid and infiltration plugs at the hinges. – Product No. 00148026L01
- East Jordan Iron Works 24" ERGO with Camlock Security closing device, MPIC Pick slot, elastomer T-Gasket in lid and infiltration plugs at the hinges – Product No. NPR10-1213A (for retrofit work only).

Manhole Coatings (No dark colors allowed)

- Raven 405 (125 mils thick)-light blue colored only
- ConShield-terra cotta colored only (must be spark tested per NACE International Standard)

Geotextile Material (installed under precast manholes)

- Mirafi 140N
- Geotex 401

Manhole Grade Rings

- HDPE Adjustment Rings by Ladtech Inc.
- ARPRO Expanded Polypropylene, ASTM D3575, by Cretex Seals
- East Jordan Iron Works Infra-Riser.

Pre-Cast Manhole Gaskets

- Hanson – CR 097
- Hydroconduit – Profile

Manhole Chimney Seals and Ring & Cover Sealing Systems

- Cretex with stainless steel self locking bands. (interior & exterior)
- Riser Wrap by PSI

Manhole Drop Bowl

- Reliner / Duran Inc., Inside Drop Bowl with Stainless Steel anchor assemblies
- Approved Equal

Cleanout

- Bass & Hays 404 Lateral Cleanout with lid and gasket
- Bass & Hays 339 Wastewater Cleanout Boot

Double Cleanout Meter Box

- Bass & Hays 3-LID2 (Sewer)
- Approved Equal

Threaded Anchor

- Hilti – KB3-SS304 5/8" anchor bolts or equal
- Stainless Steel all thread 5/8" (embedded min 4-1/2" into cone with a epoxy or Wedge-it)
- Simpson Strong Tie – Strong-Bolt 5/8"

Force Main Pipe

- AWWA C-905 pipe, green colored

Air Release Valve

- Vent-O-Mat Anti-Shock Air Release and Vacuum Break Valves
- Approved Equal

Isolation Gate Valve

- American-Series 2500 2"-12" Resilient Wedge Gate Valves with Flanged Ends
- Approved Equal

All exposed Stainless Steel Bolts and Nuts must be coated with approved anti-seize compound: Permatex Nickel Anti-Seize or approved equal.

Materials not on this list will need to be submitted for review

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APPENDIX D – Example Checklist for Final Acceptance (Residential and Commercial)

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EXAMPLE – CHECKLIST FOR FINAL ACCEPTANCE (RESIDENTIAL)

(DATE)

(ENGINEER'S NAME)
(ENGINEERING COMPANY)
(ADDRESS)
(CITY, TX ZIP)

Re. *(PROJECT NAME)* – Checklist for final acceptance

Dear *(ENGINEER'S NAME)*,

The following items are to be completed at the above mentioned site to bring the project into compliance with City specifications and to meet specific project requirements. The listed items are items identified during the walkover of the site and are to be addressed prior to final acceptance of the project. The City will conduct daily site visits (during daily rounds) at the project until completion of the noted items. A copy of this list will also be directed to the developer/owner and general contractor. The below listed items are to be directed to the appropriate responsible parties for completion.

-Required Documentation-

1. The City of Rockwall requires that the design engineer provide a letter of concurrence. The letter is to verify that the drainage flow patterns, grade to drain locations, pad elevations, and drainage structures, including the volume of the surface and/or subsurface detention system and detention outlet structure located at the project were installed to the general elevations as shown on the approved plans. The letter shall also verify that the project was constructed to meet the approved design requirements or is within acceptable design tolerances. **The Design Engineer or his designated representative shall direct all "survey-work"** necessary to **verify** elevations and design compliance. The letter of concurrence is to have the **seal and signature** of the design engineer.

Example of Letter of Concurrence verbiage which will not be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, the final grading and site drainage comply with the City approved plans and details".

Example of Letter of Concurrence verbiage which will be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, that based on my observations along with survey work conducted at the site, the final grading, site drainage, and detention outfall with required volume comply with the City approved plans and details".

2. The Design Engineer shall furnish a digital file of the project formatted in Auto Cad 14, or 2000 format or newer **and** Adobe Acrobat (pdf.) format with a CD-ROM. The disk shall include a full set of plans along with any landscaping, wall plans, and details sheets.

- Submit 1-set of blue line drawings of the "Record Drawings" containing copies of all sheets. The blue line copy will be reviewed by the construction inspector **PRIOR** to producing the "Record Drawing" disk. This will allow any revisions to be addressed prior to producing the disk.

Record Drawing Disk drawings shall have the Design Engineers seal, signature and must be stamped and dated as "Record Drawings" or "As Built Drawings" on all sheets.

The City of Rockwall will not accept any Record Drawing disk drawings which include a disclaimer with the like or similar verbiage. A disclaimer shall not directly or indirectly state or indicate that the design engineer or the design engineers, surveyor/surveyors did not verify or grades after construction, or that the Record Drawings were based solely on information provided by the construction contractor/contractors. Any Record Drawings which include like or similar disclaimer verbiage will not be accepted by the City of Rockwall.

Example of Acceptable Disclaimer:

To the best of our knowledge Smith Engineering, Inc., hereby states that this plan is As-Built. This information provided is based on surveying at the site and information provided by the contractor.

3. 4% Engineering Inspection Fee (Final As-Built Adjustments) – Prior to the start of construction at the project, engineering inspection fees for the project were established. The preliminary inspection fee amounts were based upon the projected contract quantity and unit price amounts which were submitted to the City. A fee based on 4% of the projected quantity cost was paid to the City. The final fee amounts are to be adjusted if necessary to match the unit quantity and unit price amounts based on the as-built contract unit quantity amounts. Please provide a copy of the as-built quantity amounts with total amounts for each item. The as built amounts should be noted or stamped as "as-built contract quantity and unit price amounts". The engineering inspection fee charged by the City will be adjusted to match these amounts if necessary. The City is to receive payment on the adjusted cost amounts prior to project acceptance. As-built contract **unit quantity and unit price** amounts for the pavement, drive approaches, sidewalks, barrier free ramps, wastewater, storm sewer, drainage structures (including underground detention), water lines, along with all associated fixtures which are located within the defined right-of-ways and easements of the project.

4. All weekday and weekend overtime engineering inspections fees are to be paid.

5. Flood study review fees to be paid if there is an excess due over the initial review fee. If all of the initial fees were not utilized for the flood study review, those monies will be refunded.

6. Gas and Electric facilities are to be installed at the site and be ready to provide service to each lot. A letter of installation verification and operation will be required from electric and gas project managers and will need to be directed to the City of Rockwall prior to project acceptance or any early lot releases. The letter may be from the above noted parties or their designated representatives.

7. Storm Sewer Outfall Coordinates - It is now necessary to tie down all the storm sewer outfall pipes to our state plane Coordinate System. The design engineer will be required to provide the following coordinate information which is to be submitted in letterform showing the x, y, and z coordinates at the end of all storm sewer outfalls of the project.

8. The City of Rockwall – Elevation Survey Monuments which are to be installed at the project shall be tied to the City of Rockwall monument coordinates both horizontally and vertically. The information shall be transferred to the City of Rockwall. **Elevations and monument locations are to be shown on the as built mylars on both the paving plans and the storm sewer plans and shall also be submitted to the City in letter-form.** The monuments are to be supplied by the City of Rockwall and installed by the utility contractor. The monument locations are as follows:

   A. *(LOCATION)*
   B. *(LOCATION)*

9. Right-of-way Compaction and Density Reports – Final grade densities are to be conducted at approximately each 500 – foot intervals on both sides of each street in the general fill areas of the right-of-ways. Full Depth trench densities are to be taken at all utility trenching locations where trenching operations consisted of cutting trench 10-inches wide or wider. All final grade right-of-way and easement compaction density tests are to be a minimum of 95% of the standard proctor density. Copies of the compaction tests performed for the developer's contractors as well as by the franchise utility company's contractors shall be provided to the City prior to project acceptance.

10. Maintenance bonds are to be submitted to the City of Rockwall for the paving and utilities installed at the project. The bonds shall be **two-year** 10% maintenance bonds to cover maintenance, for a two-year timeline starting from the **"Date of City of Rockwall's Acceptance"** for the project. There is to be no date in the starting timeline only the above wording.

    A. The utility bond shall cover the following utility systems and their associated fixtures.

       - Water
       - Wastewater
       - Storm sewer (including detention systems)

    B. The paving bond shall cover the following:

       - Street Pavement.
       - Driveway Approaches
       - Side walks.
       - Barrier free ramps.

11. Engineered Retaining Wall Inspection & Letter of Concurrence – The City requires the design engineer for any retaining wall which is three-feet in height or taller, to periodically inspect, or make arrangements for his designated representative to periodically inspect the retaining wall/walls during the construction process. The design engineer is to submit letter of concurrence for the retaining wall/walls to the City prior to project acceptance. The letter shall contain the **seal and signature** of the retaining wall design engineer.

12. City Council approved and owner signed final/replat plat mylars and tax certificates to be submitted to Planning Department for filing.

- Site Items -

1. Site Working Hours and Noise Control Signage **- Ordinance No. 05-45 –** signs are to be placed at all

entrances, which provides an access entry way into the subdivision. The signs are to note allowed hours of construction as mandated by the City Ordinance. The signs must be installed prior to project acceptance or prior to the start of any early lot release construction. The signs may be placed in the City right-of-way provided that it is not placed within the 30-feet visibility easement clips, which are located at all street intersections. Each posted sign shall contain the following ordinance work-hours information and contain both the English and the Spanish version of the ordinance. The face of the sign shall be a minimum of 4-feet wide by 3-feet tall with the sign post being approximately 4-feet tall when measured from the top of the ground to the bottom of the sign face. The maximum height of the sign shall not exceed a height of 7-feet, 6 inches when measured from the top of the ground to the top of the sign. The sign face shall consist of a white background with blue or black lettering. The letters shall be of sufficient size so as to be readily visible to all vehicular traffic entering the subdivision.

City of Rockwall - Ordinance

Ordinance # 05-45
Construction Site Working Hours and Noise Control

City Ordinance – No. 05-45 limits construction and construction related activities to the hours of 7:00 a.m. - 7:00 p.m. Monday through Friday, and 8:00 a.m. - 7:00 p.m. on Saturday. (No Sunday construction allowed).

ORDENANZA # 05-45
HORAS DE TRABAJO EN EL SITIO DE CONSTRUCCION Y EL CONTROL DE RUIDO

La Ordenanza de la Ciudad – No. 05-45 limita la construcción y las actividades relacionadas con la construcción a las horas de 7:00 a.m. – 7:00 p.m. de Lunes a Viernes, y de 8:00 a.m. – 7:00 p.m. los Sábados. (No se permitirá construcción los Domingo).

(Sign size to be approximately 4-feet wide x 3-feet tall)

2. The maximum slope allowed by the City will be a 4:1 slope, however this slope will only be allowed when it is not possible or feasible to achieve a slope of 4:1 or less. Retaining walls or other City approved retaining methods will be required where it is not possible or feasible to comply with the 4:1 maximum slope requirement. All slopes are to be compacted to 95% of the standard proctor density.

3. Install floodway monument markers. The City will furnish the marker cap, which is to be set in concrete as directed by the City of Rockwall. The developers designated representative shall install the marker prior to project acceptance. Monument installation shall meet City of Rockwall specifications.

   A. **The monument marker location is to be shown on the Record Drawing Mylar's on the grading plan.**

B. The City of Rockwall will furnish the marker cap.

C. Install "No Dumping, Drains to Waterway" inlet markers to be installed on each inlet by the developer

4. Street Address Marker Blocks – shall be painted on the curbs in the center of each lot and comply with the City of Rockwall specifications. The street address markers are to be installed at each lot in the subdivision. The markers shall be located at the center of the lot on the face of the street curb. The address markers shall have a Forest green background with **reflective** white numbers. The number size shall be four-inches in height. The background of the address marker shall be eighteen-inches in length and be located from the top of the curb to the gutter flow line. The address marks shall show the full numerical portion of the address of the lot.

5. Interior Erosion Protection – install reinforced silt fencing which complies with (NCTCOG) standard drawing (1020A) Third Addition. Silt fencing is to be installed at the back of the street pavement curbs and at 1-foot off the outside pavement edge of the alleys. The silt fence should contain the entire perimeter of the disturbed lot areas.

6. When installing the silt fence at the street (back of curb) and alley (edge of paving) locations take care to address the following issues:

   A. Allow for a clearance radius of 5-feet around each hydrant.

   B. Block the silt fence around and to the backside of each water meter.

   C. When placing the silt fence at an alley intersection be sure to transition the silt fence to allow a turning radius for vehicles.

   D. Do place the silt fence within the sight visibility easements which are located at the street and alley intersections.

7. Maintain existing or install additional construction site erosion BMP's as necessary, to stabilize the disturbed soil or contain silt migration.

8. All street and alley parkways and right-of-way locations are to be graded so as to obtain a 2% grade (1/4-inch per foot) slope. All parkways and right-of-way locations are to have positive drainage flow towards the street or alley to the right-of-way. The transitional grading from the right-of-way to the existing natural grade is to match the approved grading plans.

9. Final Site Grading – all grading is to be completed and verified to meet the approved grading plans. All graded areas including slopes are to be brought to a final grade surface that is smooth and uniform being relatively free of erosion washouts, tire ruts, dirt clods, silt deposits, etc, care should be taken to re-grade any rough surface areas prior to the application of grass seed, sod or erosion matting.

10. Remove and dispose any miscellaneous construction related debris, trash rocks etc from the job-site and properly dispose.

11. Rout and seal all miscellaneous random cracks which are located in the street and alley locations.

12. Provide the construction inspector with electronic copies of all testing reports for the project. These

shall include but not be limited to soils reports, utility densities, utility videos along with supporting documents, subgrade test reports and all concrete related reports for utilities and paving.

13. Conduct a video survey of the public sanitary and storm lines to the construction inspector assigned to the project. Videos shall be taken after the franchise utilities on the project have been completed.

14. Complete the installation of all barrier free ramps.

15. Construct all sidewalks that are located in the common open areas.

16. Clean and sweep all roadways to remove all of the dirt and debris that has accumulated during construction.

17. Random Pavement Depth Checks – random depth core test are to be conducted at various street and alley locations, as directed by the engineering inspector. The location of the test and the number of test necessary will be left to the discretion of the engineering inspector.

18. Complete the landscaping per the approved landscaping plans.

19. Fire hydrants are required to have a nozzle height of 19-inches to 28-inches above the final grade elevation. Hydrant nozzles that do not meet this specification are to be raised or lowered as necessary to obtain compliance.

20. All fire hydrants are to have a clearance radius of 5-feet in all directions. No structures, traffic bollards, silt fencing, landscaping etc, are to be placed within the clearance area.

21. Paint all fire hydrants located at the site to City specifications. A minimum of two coats of aluminum paint, Mobile 11-A-19 or Tnemec 2-color Tnemec-Gloss or approved equal are to be applied to each hydrant. The fire hydrant body shall be painted silver. The hydrant nozzle and bonnet are to be painted to comply with the following line size color code. The color indicating the line size shall be as follows:

    A. Solid silver for 6-inch water mains.

    B. Blue for 8-inch lines water mains.

    C. Yellow for 10-inch water mains and above.

22. Water Valve and Waste Water Manhole Curb Cut Marks – The pavement curbs are to be marked at all water valve and waste water manhole locations. The curb cut marks are to be sawn into the pavement curb. The curb cut marks are to consist of the following :

    A. Valves – place a (V) mark on the curb to note the valve locations, (blue paint for general, white paint for stub outs or dead ends, and red paint for fire hydrants and or fire lines).

    B. Manholes – place a (M-H) mark on the pavement curb to indicate manhole locations (green paint).

    C. Curb stops – place a (I) mark on the pavement curb to indicate curb stop locations (blue paint).

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D. Cleanouts – place a (II) mark on the pavement curb to indicate sewer clean out locations (green paint).

23. Seal and vacuum test all manholes. All manholes which require grade adjustments are to be re-tested.

24. Perform a television camera inspection of all sanitary sewer and storm sewers, along with the associated storm sewer laterals. Copies of the inspection tapes which are to be on a thumb drive or DVD format are to be submitted to *Engineering Inspector* with the City of Rockwall Engineering Department. Videos shall be taken after the franchise utilities on the project have been completed. Also forward the results of all air and mandrel test to *Engineering Inspector*.

25. The lift station is to be operational and approved for use, by the design engineer and the City of Rockwall.

26. Install guard rail at all locations as noted on the approved plans.

27. Ryan Miller - Director of Planning and Zoning or his designated representative shall conduct an inspection of the landscaping and project screening upon completion.

28. Information (Future Item) – Twenty-Month Maintenance Review – The City of Rockwall requires a twenty-month maintenance review of every project. This review is to be conducted at twenty-months into the two-year maintenance warranty. The Design Engineer or his designated representative along with the contractors designated representatives shall be present to perform a walkover of the project with the City of Rockwall. A second T.V. camera of sanitary sewer main shall be done at this time with a thumb drive or DVD formatted copy provided to the City of Rockwall

29. Grass is to be established in all disturbed areas. Grass shall be at least 1'' in height with 75%-80% coverage of all disturbed areas.

For additional information, regarding this check list or site work status please contact – *Engineering Inspector* who is the designated Construction Inspector for the site-work on this project for the City of Rockwall, regarding this list. Project acceptance is subject to but not necessarily limited to the above listed punch list items. *Engineering Inspector* may be reached at telephone no. 972-771-7746.

Sincerely,

Engineering Inspector
Construction Inspector
City of Rockwall Engineering Department

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EXAMPLE – CHECKLIST FOR FINAL ACCEPTANCE (COMMERCIAL)

(DATE)

(ENGINEER'S NAME)
(ENGINEERING COMPANY)
(ADDRESS)
(CITY, TX ZIP)

Re: *(PROJECT NAME)* – Checklist for final acceptance

Dear *(ENGINEER'S NAME)*,

The following items are to be completed at the above mentioned site to bring the project into compliance with City specifications and to meet specific project requirements. The listed items are items identified during the walkover of the site and are to be addressed prior to final acceptance of the project. The City will conduct daily site visits (during daily rounds) at the project until completion of the noted items. A copy of this list will also be directed to the developer/owner and general contractor. The below listed items are to be directed to the appropriate responsible parties for completion.

-Required Documentation-

1. The City of Rockwall requires that the design engineer provide a letter of concurrence. The letter is to verify that the drainage flow patterns, grade to drain locations and drainage structures, including the volume of the surface and/or subsurface detention system and detention outlet structure located at the project were installed to the general elevations as shown on the approved plans. The letter shall also verify that the project was constructed to meet the approved design requirements or is within acceptable design tolerances. **The Design Engineer or his designated representative shall direct all "survey-work"** necessary to **verify** elevations and design compliance. The letter of concurrence is to have the **seal and signature** of the design engineer.

Example of Letter of Concurrence verbiage which will not be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, the final grading and site drainage comply with the City approved plans and details".

Example of Letter of Concurrence verbiage which will be accepted by the City:

"A representative of this company visited the site and has visually verified to the best of the engineer's professional opinion, knowledge and belief, that based on my observations along with survey work conducted at the site, the final grading, site drainage, and detention outfall with required volume comply with the City approved plans and details".

2. The Design Engineer shall furnish a digital file of the project formatted in Auto Cad 14, or 2000 format or newer **and** Adobe Acrobat (pdf.) format with a CD-ROM. The disk shall include a full set of plans along with any landscaping, wall plans, and details sheets.

City of Rockwall
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- Submit 1-set of blue line drawings of the "Record Drawings" containing copies of all sheets. The blue line copy will be reviewed by the construction inspector **PRIOR** to producing the "Record Drawing" disk. This will allow any revisions to be addressed prior to producing the disk.

Record Drawing Disk drawings shall have the Design Engineers seal, signature and must be stamped and dated as "Record Drawings" or "As Built Drawings" on all sheets.

The City of Rockwall will not accept any Record Drawing disk drawings which include a disclaimer with the like or similar verbiage. A disclaimer shall not directly or indirectly state or indicate that the design engineer or the design engineers, surveyor/surveyors did not verify or grades after construction, or that the Record Drawings were based solely on information provided by the construction contractor/contractors. Any Record Drawings which include like or similar disclaimer verbiage will not be accepted by the City of Rockwall.

Example of Acceptable Disclaimer:

To the best of our knowledge Smith Engineering, Inc., hereby states that this plan is As-Built. This information provided is based on surveying at the site and information provided by the contractor.

3. 4% Engineering Inspection Fee (Final As-Built Adjustments) – Prior to the start of construction at the project, engineering inspection fees for the project were established. The preliminary inspection fee amounts were based upon the projected contract quantity and unit price amounts which were submitted to the City. A fee based on 4% of the projected quantity cost was paid to the City. The final fee amounts are to be adjusted if necessary to match the unit quantity and unit price amounts based on the as-built contract unit quantity amounts. Please provide a copy of the as-built quantity amounts with total amounts for each item. The as built amounts should be noted or stamped as "as-built contract quantity and unit price amounts". The engineering inspection fee charged by the City will be adjusted to match these amounts if necessary. The City is to receive payment on the adjusted cost amounts prior to project acceptance. As-built contract **unit quantity and unit price** amounts for the pavement (including fire lane if applicable), drive approaches, sidewalks, barrier free ramps, wastewater, storm sewer, drainage structures (including underground detention), water lines, along with all associated fixtures which are located within the defined right-of-ways and easements of the project.

4. All weekday and weekend overtime engineering inspections fees are to be paid.

5. Flood study review fees to be paid if there is an excess due over the initial review fee. If all of the initial fees were not utilized for the flood study review, those monies will be refunded.

6. Storm Sewer Outfall Coordinates - It is now necessary to tie down all the storm sewer outfall pipes to our state plane Coordinate System. The design engineer will be required to provide the following coordinate information which is to be submitted in letterform showing the x, y, and z coordinates at the end of all storm sewer outfalls of the project.

7. Maintenance bonds are to be submitted to the City of Rockwall for the paving and utilities installed at the project. The bonds shall be **two-year** 10% maintenance bonds to cover maintenance, for a two-year timeline starting from the **"Date of City of Rockwall's Acceptance"** for the project. There is to be no date in the starting timeline only the above wording.

A. The utility bond shall cover the following utility systems and their associated fixtures.
   - Water
   - Wastewater
   - Storm sewer (including detention systems)

B. The paving bond shall cover the following:
   - Street Pavement.
   - Driveway Approaches
   - Fire Lane.
   - Side walks.
   - Barrier free ramps.

8. Engineered Retaining Wall Inspection & Letter of Concurrence – The City requires the design engineer for any retaining wall which is three-feet in height or taller, to periodically inspect, or make arrangements for his designated representative to periodically inspect the retaining wall/walls during the construction process. The design engineer is to submit letter of concurrence for the retaining wall/walls to the City prior to project acceptance. The letter shall contain the **seal and signature** of the retaining wall design engineer.

9. City Council approved and owner signed final/replat plat mylars and tax certificates to be submitted to Planning Department for filing.

- Site Items -

1. Grass is to be established at all of the disturbed areas. The grass is to be maintained until such time that a general coverage density of 75-80% of the disturbed area has been established with a minimum grass stand height of one-inch.

2. Maintain existing or install additional construction site erosion BMP's as necessary, to stabilize the disturbed soil or contain silt migration.

3. All fire lanes are to be sawn and crack sealed. All miscellaneous random cracks are to be routed and sealed. All expansion joints are to be sealed in the fire lane.

4. The fire lane is to be re-painted where necessary if there are locations where the fire lane is scuffed or is flaking. The locations which require re-painting shall be sandblasted, prior to re-painting.

5. Wipe the inside ring and cover of the sanitary sewer manhole, using "Non-Shrink" grout and seal if necessary.

6. Repair all gouges, cracks, and other deformities on the curbs.

7. Adjust meter cans and valve stacks to final grade elevation.

8. Adjust fire hydrants to grade. All fire hydrants must have the operating nut between 19 and 28 inches above the final grade elevation around them.

9. All fire hydrants are to have a clearance radius of 5-feet in all directions. No structures, traffic bollards, barricades, guardrail, landscaping etc, are to be placed within the clearance area.

10. All valve stacks located outside of paving are to have a 2'x2' four inch thick reinforced concrete pad

around them.

11. Water Valve and Waste Water manhole curb cut marks- The pavement curbs are to be marked at all water valve and waste water manhole locations. The curb cut marks are to be sawn into the pavement curb. The curb cut marks are to consist of the following:

    A. Valves - Place a (V) mark on the curb to note the valve locations, (blue paint for general, white paint for sub outs or dead ends, and red paint for fire hydrants and or fire lines).

    B. Curb stops – Place a (I) mark on the pavement curb to indicate curb stop locations, (blue paint).

    C. Clean outs – Place a (II) mark on the pavement curb to indicate sewer clean-out locations, (green paint).

12. Cut an invert in the sanitary sewer connection into the existing manhole at station 0+00, and re-seal the bottom of the manhole.

13. Clean mud from concrete flume in detention pond.

14. Install floodway monument markers. The City will furnish the marker cap, which is to be set in concrete as directed by the City of Rockwall. The developers designated representative shall install the marker prior to project acceptance. Monument installation shall meet City of Rockwall specifications.

    A. **The monument marker location is to be shown on the Record Drawing Mylar's on the grading plan.**

    B. The City of Rockwall will furnish the marker cap.

    C. Install "No Dumping, Drains to Waterway" inlet markers to be installed on each inlet by the developer

15. All parking lot and handicap striping along with all associated signs must be installed.

16. All construction related trash material and miscellaneous debris is to be removed from the site and properly disposed.

17. Maximum slopes allowed by the City of Rockwall shall be a 3:1 slope. All slope areas which exceed the above noted slope requirements are to be re-graded or retained unless otherwise approved by the City Engineer. All slopes are to be graded so as to achieve the most gradual slope possible, unless otherwise noted on the approved construction plans.

18. Final Grading – re-establish all drainage swales, as necessary to achieve conformance to the drainage patterns shown on the approved grading plans. Grade to drain any locations which may hold water or obstruct approved drainage flow patterns. All graded areas, including slopes are to be brought to a final grade surface that is smooth and uniform being relatively free of erosion washouts, tire ruts, dirt clods, silt deposits etc, care should be taken to re-grade any rough surface areas prior to the application of erosion matting or grass seeding.

19. All required landscaping is to be installed at the site and comply with the approved landscape plan.

City of Rockwall
The New Horizon

The site landscaping is to be inspected by Ryan Miller- Director of Planning and Zoning, or his designated representative prior to project acceptance.

For additional information, regarding this check list or site work status please contact – *(Inspector's Name)*, who is the designated Construction Inspector for the site-work on this project for the City of Rockwall, regarding this list. Project acceptance is subject to but not necessarily limited to the above listed punch list items. *(Inspector's Name)* may be reached at telephone no. 972-771-7746.

Sincerely,

Construction Inspector
City of Rockwall, Engineering Department

Table of Contents

Agenda 5

Consider approval of the minutes from the October 21, 2019 regular city council meeting, and take any action necessary.

10/21 Mins 9

Blank Page 19

Z2019-021 - Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of an ordinance for a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary (2nd Reading).

Ord (2nd Reading) 20

Blank Page 33

Z2019-024 - Consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of an ordinance for a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the residential subdivision being a ~336.00-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [N. Goliad Street], and take any action necessary (2nd Reading).

Ord (2nd Reading) 34

Blank Page 54

Consider approval of an ordinance amending the Rockwall Code of Ordinances in Chapter 38. Subdivisions; Article I. In General; Sec. 38-23 Standards for Design of Developments within Subdivisions Adopted to reflect updates to these standards, and take any action necessary. [2nd reading]

Memo 55

Ord (2nd Reading) 56

Blank Page 59

P2019-039 - Consider a request by Steven Homeyer of Homeyer Engineering, Inc. on behalf of Julia McKinney for the approval of a replat for Lot 8, Block A, Ellis Centre Phase 2 Addition being a 1.21-acre parcel of land identified as Lot 4, Block A, Ellis Centre Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located west of the intersection of Alpha Drive and Sigma Court, and take any action necessary.

P2019-039 . . . 60
Blank Page . . . 64

P2019-041 - Consider a request by David Raines for the approval of a replat for Lot 35, Block A, Chandler's Landing, Phase 18, Section 2 being a 0.19-acre tract of land identified as Lot 12, Block A, Chandler's Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary.

P2019-041 . . . 65
Blank Page . . . 69

Consider approval of a resolution terminating American United Life Insurance Company of Indianapolis, Indiana, a OneAmerica Company, as the city's 457(b) plan administrator's agent, and instead appointing International City Management Association Retirement Corporation (ICMA-RC) as investment advisory with respect to the City of Rockwall's 457(b) Plan, and take any action necessary.

Memo_457b Plan Switch . . . 70
Resolution . . . 71
Blank Page . . . 72

Consider approval of the professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the engineering design services for the Squabble Creek Lift Station Wastewater Sludge Grinders project in an amount not to exceed $34,790.00, to funded by the Wastewater Operations Budget, and take any action necessary.

Memo . . . 73
Contract . . . 74
Blank Page . . . 89

Consider awarding a bid to WPI and authorizing the City Manager to execute a contract for on site fixed generators at three lift stations totaling $229,380 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

Memo . . . 90
Blank Page . . . 91

Consider approval of a purchase from the Debt Service fund for two (fire truck) pumpers in lieu of issuing debt in the amount of $1,250,633, and take any action necessary.

FIRETRUCK Lone Star pumper . . . 92
THIS PAGE INTENTIONALLY LEFT BLANK . . . 93

Appointment with Melody Mayer of Renew Fence & Construction to hear request and discuss and consider the possibility of changing the city's regulations pertaining to residential retaining walls, including material and height restrictions, and take any action necessary.

Emailed Appt Item Request . . . 94
Letter from Neighbor . . . 95
Blank Page . . . 96

Appointment with Brad Helmer of Heritage Christian Academy to provide an update on the progress of their capital campaign in accordance with the requirements of Specific Use Permit No. S-200 (Ordinance No. 19-02).

Memorandum . . . 97
Blank Page . . . 101

Appointment with Scott Mommer of Lars, Anderson & Associates, Inc. on behalf of the Home Depot to discuss amending the Unified Development Code (UDC) to allow the "Rental, Sales, and Service of Heavy Machinery and Equipment" land use in the Commercial (C) District by a Specific Use Permit (SUP), and take any action necessary.

Memorandum . . . 102
Blank Page . . . 109

Z2019-022 - Hold a public hearing to discuss and consider a request by Marty Wright for the approval of an ordinance for a Specific Use Permit (SUP) allowing an accessory building on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary (1st Reading).

Z2019-022 . . . 110
Blank Page . . . 147

Hold a public hearing to discuss and consider imposing a moratorium on accepting and reviewing subdivision plats for commercial and residential property situated within the City’s Extraterritorial Jurisdiction (ETJ), and take any action necessary.

Memorandum . . . 148
Blank Page . . . 156

MIS2019-001 - Discuss and consider approval of an ordinance adopting updated impact fees for water, wastewater, and roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary. (2nd Reading)

MIS2019-001 . . . 157
Draft Ordinance [1] . . . 158
Draft Ordinance [2] . . . 184
Draft Ordinance [3] . . . 238
Blank Page . . . 287

Discuss and consider the revised median openings for Texas Department of Transportation (TXDOT) roadway FM 552, and take any action necessary.
Memo . . . 288
Exhibit . . . 289
Blank Page . . . 290
Discuss and consider appointments to fill vacancies on the city's Airport Advisory Board, Historic Preservation Advisory Board, and Park Board, and take any action necessary.
Memo_Boards . . . 291
Blank Page . . . 292
Building Inspection Monthly Report - September 2019
BI Report . . . 293
Blank Page . . . 306
Finance Department Report - September 2019
Report . . . 307
THIS PAGE INTENTIONALLY LEFT BLANK . . . 318
GIS Division Monthly Report - September 2019
GIS Monthly Report (September 2019) . . . 319
Blank Page . . . 320
Harbor PD Monthly Report - September 2019
Harbor PD - Sep 2019 . . . 321
Blank Page . . . 322
Internal Operations Department Monthly Report - September 2019
IO report . . . 323
F46 Aviation Services . . . 324
Blank Page . . . 332
Recreation Monthly Report - September 2019
Recreation Monthly - Sep 2019 . . . 333
Blank Page . . . 338
Rockwall Animal Adoption Center Monthly Report - September 2019
Stats 2019 . . . 339
September 2019 RAAC P&L . . . 340
Blank Page . . . 341
Rockwall Fire Department Monthly Report - September 2019
Rockwall Fire Dept Sept Monthly Report . . . 342
Blank Page . . . 348
Rockwall Police Department Monthly Report - September 2019
PD Monthly Report . . . 349
Blank Page . . . 351
STAR Transit Monthly Report - September 2019
STAR Report . . . 352
Blank Page . . . 354

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, November 04, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding lease of real property in the vicinity of the downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding employee personnel policies pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding reappointment(s) to the Rockwall Economic Development Corporation (REDC) Board pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

VI. OPEN FORUM

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VIII. CONSENT AGENDA

p.9 1. Consider approval of the minutes from the October 21, 2019 regular city council meeting, and take any action necessary.

p.20 2. **Z2019-021** - Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of an **ordinance** for a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary **(2nd Reading).**

p.34 3. **Z2019-024** - Consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of an **ordinance** for a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the residential subdivision being a ~336.00-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [N. Goliad Street], and take any action necessary **(2nd Reading).**

p.55 4. Consider approval of an **ordinance** amending the Rockwall Code of Ordinances in Chapter 38. Subdivisions; Article I. In General; Sec. 38-23 Standards for Design of Developments within Subdivisions Adopted to reflect updates to these standards, and take any action necessary. **[2nd reading]**

p.60 5. **P2019-039** - Consider a request by Steven Homeyer of Homeyer Engineering, Inc. on behalf of Julia McKinney for the approval of a replat for Lot 8, Block A, Ellis Centre Phase 2 Addition being a 1.21-acre parcel of land identified as Lot 4, Block A, Ellis Centre Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located west of the intersection of Alpha Drive and Sigma Court, and take any action necessary.

p.65 6. **P2019-041** - Consider a request by David Raines for the approval of a replat for Lot 35, Block A, Chandler's Landing, Phase 18, Section 2 being a 0.19-acre tract of land identified as Lot 12, Block A, Chandler's Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary.

p.70 7. Consider approval of a resolution terminating American United Life Insurance Company of Indianapolis, Indiana, a OneAmerica Company, as the city's 457(b) plan administrator's agent, and instead appointing International City Management Association Retirement Corporation (ICMA-RC) as investment advisory with respect to the City of Rockwall's 457(b) Plan, and take any action necessary.

p.73 8. Consider authorizing the City Manager to execute a professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the engineering design services for the Squabble Creek Lift Station Wastewater Sludge Grinders project in an amount not to exceed $34,790.00, to be funded by the Wastewater Operations Budget, and take any action necessary.

p.90 9. Consider awarding a bid to WPI and authorizing the City Manager to execute a contract for on site fixed generators at three lift stations totaling $229,380 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

p.92 10. Consider approval of a purchase from the Debt Service fund for two (fire truck) pumpers in lieu of issuing debt, in the amount of $1,250,633, and take any action necessary.

IX. APPOINTMENT ITEMS

p.94 1. Appointment with Melody Mayer of Renew Fence & Construction to hear request and discuss and consider the possibility of changing the city's regulations pertaining to residential retaining walls, including material and height restrictions, and take any action necessary.

p.97 2. Appointment with Brad Helmer of Heritage Christian Academy to provide an update on the progress of their capital campaign in accordance with the requirements of Specific Use Permit No. S-200 (Ordinance No. 19-02).

p.102 3. Appointment with Scott Mommer of Lars, Anderson & Associates, Inc. on behalf of the Home Depot to discuss amending the Unified Development Code (UDC) to allow the "Rental, Sales, and Service of Heavy Machinery and Equipment" land use in the Commercial (C) District by a Specific Use Permit (SUP), and take any action necessary.

X. PUBLIC HEARING ITEMS

p.110 1. **Z2019-022** - Hold a public hearing to discuss and consider a request by Marty Wright for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing an accessory building on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary **(1st Reading).**

p.148 2. Hold a public hearing to discuss and consider imposing a moratorium on accepting and reviewing subdivision plats for commercial and residential property situated within the City's Extraterritorial Jurisdiction (ETJ), and take any action necessary.

XI. ACTION ITEMS

p.157 1. **MIS2019-001** - Discuss and consider approval of an **ordinance** adopting updated impact fees for water, wastewater, and roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary. **(2nd Reading)**

p.288 2. Discuss and consider the revised median openings for Texas Department of Transportation (TXDOT) roadway FM 552, and take any action necessary.

p.291 3. Discuss and consider appointments to fill vacancies on the city's Airport Advisory Board, Historic Preservation Advisory Board, and Park Board, and take any action necessary.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.293 Building Inspection Monthly Report - September 2019

p.307 Finance Department Report - September 2019

p.319 GIS Division Monthly Report - September 2019

p.321 Harbor PD Monthly Report - September 2019

p.323 Internal Operations Department Monthly Report - September 2019
p.333 Recreation Monthly Report - September 2019
p.339 Rockwall Animal Adoption Center Monthly Report - September 2019
p.342 Rockwall Fire Department Monthly Report - September 2019
p.349 Rockwall Police Department Monthly Report - September 2019
p.352 STAR Transit Monthly Report - September 2019

2. **City Manager's Report**

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding lease of real property in the vicinity of the downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding employee personnel policies pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding reappointment(s) to the Rockwall Economic Development Corporation (REDC) Board pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 1st day of November, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, October 21, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler and Trace Johannesen. Also present were Assistant City Manager Joey Boyd, Assistant City Manager Mary Smith, and City Attorney Frank Garza. Councilmember Bennie Daniels and City Manager Rick Crowley were absent from the entire meeting.

Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session (at 5:01 p.m.).

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discuss the Texas State Soil and Water Conservation Board Dam Improvement Program. Section 551.071 (Consultation with Attorney).
2. Discuss contract negotiations with wholesale utility customers pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding TXDOT program for exchange of right-of-way pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
5. Discussion regarding possible sale/purchase/lease of real property in the vicinity of downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
6. Discussion regarding sale/exchange of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
7. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:52 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNESEN

Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.

VI. PROCLAMATIONS

1. Domestic Violence Awareness Month

Connie Pettitt, Executive Director of Women in Need, Inc., came forth.

2. First Presbyterian Church of Rockwall Day

Cheryl Taylor of First Presbyterian Church of Rockwall came forth. Mayor Pruitt then read and presented her the proclamation, in recognition of the church's 165th year anniversary.

3. National Community Planning Month

Ryan Miller, Planning Director and members of the city's Comprehensive Planning Advisory Committee (CPAC) came forth. Mayor Pruitt then read and presented this proclamation in celebration of National Community Planning Month.

4. Texas Chamber of Commerce Week

Darby Burkey from the Rockwall Chamber came forth at this time. Mayor Pruitt then read and presented her with this proclamation.

VII. OPEN FORUM

Carolyn Francisco
272 Victory Lane
Rockwall, TX 75032

Mrs. Francisco came forth and thanked the Council for their recent approval of a hotel occupancy tax funding (HOT funding) request on behalf of the Rockwall County Historical Foundation.

Mr. Nicholas Grant
1569 E. Old Quail Run Road
Rockwall, TX

Mr. Grant came forth and generally expressed concerns pertaining to the 'roadway swap' with TXDOT pertaining to SH-205 / John King Boulevard.

Kim Cook
2830 Stoney Hollow Lane
Rockwall, TX

Mrs. Cook came forth and shared that she has some concerns about the city's water system. She knows that there have been some improvements to pipelines and other improvements; however, she would like some additional explanation about what funds are going towards and why residents' water bills are so high. She thanked Councilman Trowbridge for placing an item on tonight's agenda to discuss city water.

There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Macalik made a motion to move forward with the 380 real estate agreement on real property in the vicinity of downtown. Councilman Trowbridge seconded the motion, which passed unanimously of those present (6 ayes with 1 absence (Daniels).

Mayor Pro Tem Macalik made a motion to direct staff to negotiate the sale or exchange of real property in the vicinity of John King Blvd. Councilman Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence (Daniels).

Macalik moved to reappoint to the Board of Adjustments David Lowrey, Stuart Smith, and Shannon Bennett for an additional term (through August of 2021) and newly appoint Kevin Hadawi to replace Peter Flores (for a term to expire in August of 2021). Councilmember Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 absence (Daniels).

Regarding the Historic Preservation Advisory Board, Councilman Trowbridge moved to reappoint Carolyn Francisco and Jay Odom to serve an additional term (thru Aug. 2021) and newly appoint Brad Adams to replace Mike Mishler, whose term has expired, through August 2021.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the October 7, 2019 regular city council meeting, and take any action necessary.
2. Consider approving cooperative purchasing agreement with the City of Cleburne and authorizing the City Manager to execute the Interlocal Cooperative Agreement, and take any action necessary.
3. Consider approving cooperative purchasing agreement with the City of Royse City and authorizing the City Manager to execute the Interlocal Cooperative Agreement, and take any action necessary.
4. Consider awarding a bid to Musco Sports Lighting and authorizing the City Manager to execute a Purchase Order for adding lights at the Myers Park Pickle Ball Court in the amount of $42,612 to be funded out of General Fund Reserves, and take any action necessary.
5. Consider awarding a bid to Caldwell Country Chevrolet and Rockdale Country Ford and authorizing the City Manager to execute Purchase Orders for new 2020 model vehicles in the amount of $301,502 to be funded out of General Fund Reserves and Water Sewer Fund, and take any action necessary.
6. Consider authorizing the City Manager to execute a maintenance and services agreement with RLC Controls, Inc. for the 2020 fiscal year to provide maintenance and service for Supervisory Control and Data Acquisition computer systems (SCADA) for the Water, Wastewater, and Street Divisions of Public Works, to be funded by the 2019-2020 budget, and take any action necessary.

Councilmember Trowbridge moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, and 6). Councilman Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absent (Daniels).

X. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Jerry Welch with the city's Planning & Zoning Commission came forth and briefed the Council on recommendations of the Commission, relative to planning-related items on tonight's meeting agenda. Following brief questions and answers, Council took no action pertaining to this particular agenda item.

XI. PUBLIC HEARING ITEMS

1. **MIS2019-001** - Hold a public hearing to discuss and consider approval of an **ordinance** adopting updated impact fees for water, wastewater, and roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary. **(1st Reading)**

Planning Director Ryan Miller introduced Eddie Haas with Freese and Nichols, the city's consultant pertaining to this matter. Mr. Haas came forth and delivered a detailed briefing to Council on the study pertaining to the impact fee analysis and associated impact fee calculations. In summary, the city's Capital Improvements Advisory Committee (CIAC) (with is the Planning & Zoning Commission) has recommended a review of benchmark city data, an increase of 25% to the current collection rate, carrying that rate for all roadway service areas and maintaining one collection rate for all land use types.

Another representative from Freese and Nichols then came forth and presented to Council an overview of the water and wastewater impact fees study / analysis and associated recommendation for the impact fee calculations.

Mr. Chaney with Birkhoff, Hendricks and Carter came forth and briefed Council on the wastewater impact fees analysis and associated recommendation for the impact fee calculation.

Following Mr. Haas' presentation, Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forth and expressed concern about there not currently being sufficient impact fees to pay off the bonds for John King Blvd. He shared that he has calculated that his water bill will go out 29% in the next three years, and his wastewater bill will go up by about 70%. Staff indicated that this topic is concerning impact fees, not individual water / wastewater bills.

There being no one else wishing to come forth and speak during the public hearing, Mayor Pruitt then closed the public hearing.

Councilmember Trowbridge clarified his understanding that impact fees are related to outside developer contributions funding city roadway, water and wastewater improvements, essentially having developers bear the cost burden.

Councilmember Johannesen moved to approve the ordinance for MIS2019-001 as written. Following additional comments, Councilmember Trowbridge seconded the motion.

Councilmember Hohenshelt moved to amend the main motion on the floor to set the rate within the ordinance at 350. Councilmember Trowbridge seconded the amendment to the motion, which passed by a vote of 4 ayes with 2 against (Macalik and Pruitt).

The amended ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, FOR THE PURPOSE OF AMENDING THE IMPACT FEES FOR WATER, WASTEWATER, AND ROADWAY FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR SAID FACILITIES; ESTABLISHING UPDATED SERVICE AREAS FOR SUCH FACILITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR COLLECTION AND ASSESSMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The vote on the amended motion failed by a vote of 3 ayes, 3 nays (Macalik, Pruitt and Fowler), and 1 absence (Daniels).

Councilmember Fowler moved to accept the impact fee study, as presented and recommended by the CIAC. Mayor Pro Tem Macalik seconded the motion. Following brief discussion, the motion passed by a vote of 5 ayes, 2 nays (Trowbridge and Pruitt), and 1 absence (Daniels).

Mayor Pruitt called for a break and recessed the meeting at 7:44 p.m.

Mayor Pruitt called the meeting back to order at 7:54 p.m.

2. **Z2019-021** - Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of an **ordinance** for a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners located within 500' of the subject property (only those w/in the city limits). One response has been received back in opposition of the request. The P&Z Commission has unanimously recommended approval of this request.

Pat Atkins
Saddlestar Land Development, Inc.
3076 Hays Lane
Rockwall, TX

Mr. Atkins came forth and provided a brief overview of his request to Council.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilman Trowbridge moved to approve Z2019-021. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [*ORDINANCE NO. 16-39*] FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS AND CONCEPT PLAN ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Daniels).

3. **Z2019-022** - Hold a public hearing to discuss and consider a request by Marty Wright for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing an accessory building on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary **(1st Reading).**

Indication was given that the applicant would like to postpone action on this item until the Nov. 4, 2019 city council meeting. Since the case was advertised for public hearing this evening, Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, the mayor then closed the public hearing.

Councilman Trowbridge then moved to accept the applicant's request to postpone action on this item until the November 4 city council meeting. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with one absence (Daniels).

4. **Z2019-024** - Hold a public hearing to discuss and consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of an **ordinance** for a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged

retention ponds required for the residential subdivision being a ~336.00-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [N. Goliad Street], and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information pertaining to this agenda item. 928 notices were sent out to residents and property owners located within 500' of the subject property. Thus far, 27 notices have been received back in favor and 12 have been received back in opposition. Also, the P&Z has voted 5-2 to recommend approval of this request.

Adam Buczek
Skorburg Co.
8214 Westchester drive, Suite 710
Dallas, TX 75225

Mr. Buczek came forth and briefed the Council on the nature of his request, showing an extensive Power Point presentation.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Michael Podina
802 York Drive
Rockwall, TX 75087

Mr. Podina shared that he and his wife live directly across the street from an existing pond (on York). He shared that he and his wife moved in about two years ago, and – at that time – if was looking significantly better than it does currently. Also, algae is taking over, snakes are getting bad, and nutria are beginning to multiply, and they carry diseases. He does not feel that it is necessary for Stone Creek to have an additional pond, and he agrees that it will be better for the HOA and homeowners for there to NOT be any additional ponds. The maintenance of the neighborhood and the existing ponds is currently lacking.

Bob Wacker
309 Featherstone
Rockwall, TX 75087

He believes Stone Creek has enough ponds already. Cattails, weeds and snakes have taken over the main entrance pond. He went on to show photographs of each of the existing ponds within the neighborhood, providing details regarding if each one does or does not have a hard edge and fountain. He believes that everyone, in general, agrees that additional ponds are not needed. Mr. Wacker went on to indicate that he agrees with Mr. Buczek, the developer, and he supports what is being requested this evening.

Nick Grant
1569 Old E. Quail Run Rd.
Rockwall, TX

Mr. Grant suggested that the developer provide to the HOA the cost of hardscaping the pond.

There being no one else wishing to come forth and speak, Mayor Pruitt then closed the public hearing.

Councilman Johannesen shared that he lives in Stone Creek, and his home backs up to one of the ponds within the subdivision. He provided various comments pertaining to the existing York Pond, which is an Army Corps. Of Engineers Pond.

Councilman Johannesen moved to approve Z2019-024. Mayor Pro Tem Macalik seconded the motion, which – following brief questions and answers – passed by a vote of 6 ayes with 1 absence (Daniels).

XII. ACTION ITEMS

1. Discuss and consider a request for a variance from the sign separation requirement for a new monument sign to be located at 1306 Summer Lee Drive, and take any action necessary.

Building Official Jeffrey Widmer came forth and briefed the Council on the nature of this variance request. He generally explained that there are limited options for placement of the sign, and that is why the applicant is requesting a variance.

Zeke Bullock
Barnett Signs
4250 Action Drive
Mesquite, TX 75150

Mike Fisher
244 Harvest Ridge
Rockwall, TX

Mr. Bullock and Fisher came forth and introduced themselves, indicating they are happy to answer any questions of Council.

Councilman Hohenshelt moved to grant the variance request on the sign. Councilman Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Daniels).

2. Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, and Park Board, and take any action necessary.

Council addressed this item, along with Ex. Session action above.

3. Discuss and consider trends in water consumption, and take any action necessary.

Councilmember Trowbridge shared with the council a spreadsheet that he's created to evaluate water usage (total gallons, daily average, maximum day, etc.) and what the average Rockwall citizen uses and what his / her fees are like as a result of their consumption. The point of his presentation, in part, was to point out that variances in water bills are cyclical, and they are especially more expensive in the summer months. Following Trowbridge's comments, Mrs. Smith shared that it will cost at least $3.5 million to convert the remainder of the city to "smart meters" (radio read meters). Currently, about 40% of the city is operating on radio-read meters. The city annually budgets for trading out a certain number of old meters for smart meters. This year, about 2k meters out of 16k will be changed out. So,

in approximately five years, just about all – if not all - of the city should be operating on the new, radio read (smart) meters. Council took no action pertaining to this agenda item.

4. Discuss and consider appointing a Comprehensive Plan Advisory Committee (CPAC) to assist staff in the annual update to the Comprehensive Plan, and take any action necessary.

Mayor Pruitt moved to approve the resolution. Councilman Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 absent (Daniels).

5. Discuss and consider approval of an **ordinance** amending the Rockwall Code of Ordinances in Chapter 38. Subdivisions; Article I. In General; Sec. 38-23 Standards for Design of Developments within Subdivisions Adopted to reflect the 2016 update to these standards, and take any action necessary. **[1st reading]**

Councilman Hohenshelt moved to approve the ordinance as presented. Councilman Trowbridge seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE ROCKWALL CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-23 STANDARDS FOR DESIGN OF DEVELOPMENTS WITHIN SUBDIVISIONS ADOPTED; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of those present (Daniels absent).

XIII. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discuss the Texas State Soil and Water Conservation Board Dam Improvement Program. Section 551.071 (Consultation with Attorney).
2. Discuss contract negotiations with wholesale utility customers pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding TXDOT program for exchange of right-of-way pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
5. Discussion regarding possible sale/purchase/lease of real property in the vicinity of downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

6. Discussion regarding sale/exchange of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
7. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. Adjournment

Mayor Pruitt adjourned the meeting at 8:58 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4th DAY OF NOVEMBER, 2019.

_____

ATTEST: **JIM PRUITT, MAYOR**

_____

KRISTY COLE, CITY SECRETARY

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CITY OF ROCKWALL

ORDINANCE NO. 19-40

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [*ORDINANCE NO. 16-39*] FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS AND CONCEPT PLAN ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the purpose of amending Planned Development District 79 (PD-79) [*Ordinance No. 16-39*] in order to change the development standards and concept plan for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located east of the intersection of Featherstone Drive and John King Boulevard, and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 79 [*Ordinance No. 16-39*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 16-39*;

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(g) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Open Space Master Plan
(2) Master Plat
(3) PD Site Plan
(4) Preliminary Plat
(5) Final Plat

(c) *Open Space Master Plan.* An *Open Space Master Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, and shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

(d) *Master Plat.* A *Master Plat* for the *Subject Property* shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Open Space Master Plan* for the development.

(e) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat* application for the development.

(f) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat* application may be processed by the City concurrently with a *PD Site Plan* application for the development.

(g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

Section 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF NOVEMBER, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 10-21-2019

2nd Reading: 11-04-2019

Exhibit 'A':
Legal Description and Survey

TRACT 1:

BEING 44.292 acres of land situated in the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being part of two tracts of land, the "*First Tract*" being a called 32.5 acres and the "*Second Tract*" being a called 32 acres, described in a Special Warranty Deed to R & R Hance Investments, LP., recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 of the Deed Records of Rockwall County, Texas (DRRCT), SAVE AND EXCEPT the called "Parcel 16 (Parts 1 and 2)" conveyed to the City of Rockwall, recorded as Instrument No. 2007-00380919 and in Vol u me 5124, Page 210 (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" capped iron rod stamped, "6081," found for corner in the northeasterly right-of-way line of John King Boulevard (120' right-of-way) at the com mon north corner of said "Part 1" of Parcel 16 and called "Parcel 15" conveyed to the City of Rockwall, recorded as Instrument No. 2009-00424601 and in Volume 5951, Page 84 (DRRCT), said point also being in the common line of said "First Tract" and a called 29.185 acre tract of land conveyed to Gideon Grove Ltd., recorded as Instrument No. 20150000014609 of the Official Public Records of Rockwall County, Texas;

THENCE North 72°06'44" West along the common northeasterly line of said John King Boulevard and said Part 1, a distance of 1,126.56 feet to a point for corner at the beginning of a tangent curve to the right, having a radius of 1,140.00 feet and a chord which bears North 44° 02' 06" West, a distance of 1,073.12-feet;

THENCE in the northwesterly direction along said curve to the right, and last mentioned common line, through a central angle of 56°09'19", an arc distance of 1,117.31-feet to a 1/2" iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the end of said curve and at the most northerly corner of said Part 1;

THENCE North 00°38'27" West continuing along the east right-of-way line of said John King Boulevard, a distance of 261.96 feet to a "PK" nail set for corner at the southwest corner of said Part 2;

THENCE North 89°38'44" East along the south line of said Part 2, a distance of 50.00 feet to a 1/2" iron rod with a yellow cap found for the southeast corner thereof;

THENCE North 00°38'27" West along the east line of said Part 2, a distance of 40.00 feet to a 1/2" iron rod with a yellow cap found for the northeast corner thereof in the north line of said Second Tract and being in the south line of a tract of land conveyed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 89°38'05" East along the common line of last mentioned tracts, at 1,051.89 feet passing a 1/2" iron rod found for the southeast corner of said Reed tract com mon to the southwest corner of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), and continuing along the north line of said Second Tract and the south line of said Park Ridge Estates, a total distance of 1,736.25 feet to a 3/8" iron rod found for the com mon east corner thereof, and being in the west line of Block A of Windmill Valley Subdivision, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 157 (PRRCT);

THENCE South 01°17'27" East along the common line of said Second Tract and said Block A, a distance of 669.75 feet to a 1/2" iron rod found for the southwest corner of said Block A, and being the northwest corner of said 29.185 acre tract;

THENCE South 01°30'45" East along the west line of said 29.185-acre tract and partially along the east lines of said First Tract and said Second Tract, a distance of 761.52 feet to the PLACE OF BEGINNING and Containing 44.292 acres, or 1,929,345 square feet, of land.

TRACT 2:

BEING 11.121 acres of land situated in the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being all of a called 11.126 acre tract of land described in a Warranty Deed with Vendor's Lien to Randy Reed and wife, Gwen Reed, recorded in Volume 260, Page 1 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner near the edge of an asphalt surface in the east margin of Hays Road, said point being the common west corner of said Reed tract and a tract of land conveyed to Stephen L. Branch and Judy C. Branch, recorded in Volume 234, Page 527 (DRRCT);

THENCE North 89°26'12" East along the common line of last mentioned tracts, a distance of 1,092.52-feet to a 1/2" iron rod found for the common east corner thereof, and being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT);

THENCE South 00°30'07" East along the common line of said Reed tract and said Park Ridge Estates, a distance of 446.60 feet to a 1/2" iron rod found for the common south corner thereof, and being in the north line of a called 32 acre tract described, in a Special Warranty Deed to R & R Hance Investments, L.P., as "*Second Tract*," recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 (DRRCT);

THENCE South 89°38'05" West along the common line of said Second Tract and said Reed tract, a distance of 1,086.19-feet to a 1/2" iron rod found at the southwest corner of said Reed tract and being in the east margin of said Hays Road;

THENCE North 01°19'17" West along the west line of said Reed tract and the east line of said Hays Road, a distance of 442.88-feet to the PLACE OF BEGINNING and Containing 11.121-acres, or 484,450 square feet, of land.

TRACT 3:

BEING 14.955 acres of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and all of a called 15.00 acre tract of land described in a Warranty Deed to Steve L. Branch and wife Judy C. Branch, recorded in Volume 234, Page 527 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the original Hays Road at the common west corner of said 15.00 acre tract and a tract of land described in a deed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 01°10'15" West, continuing along and within Hays Road and with the west line of said 15.00 acre Branch tract, a distance of 596.15 feet, to a 1/2" iron rod found for corner at the northwest corner thereof, common to the southwest corner of a called 15.00 acre tract of land described in a deed to Gerald Glen Cox and wife Rosalba Cox, recorded in Volume 3295 Page 9, (DRRCT);

THENCE North 89°26'26" East, along the common line of last mentioned tracts, a distance of 1,099.11 feet, to a point for corner at the common east corner thereof, and also being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), from which a 1/2" iron rod with a yellow cap stamped "5034" bears South 68°26'26" West, a distance of 0.18 feet;

THENCE South 00°32'13" East, along the common line of said Branch tract and said Park Ridge Estates, a distance of 596.04 feet, to a 1/2" iron rod found for corner at the southeast corner thereof, common to the northeast corner of said Reed tract;

THENCE South 89°26'12" West, along the common line of last mentioned tracts, a distance of 1,092.52 feet to PLACE OF BEGINNING and Containing 653,191 square feet, or 14.995 acres of land.

Exhibit 'B':
Concept Plan

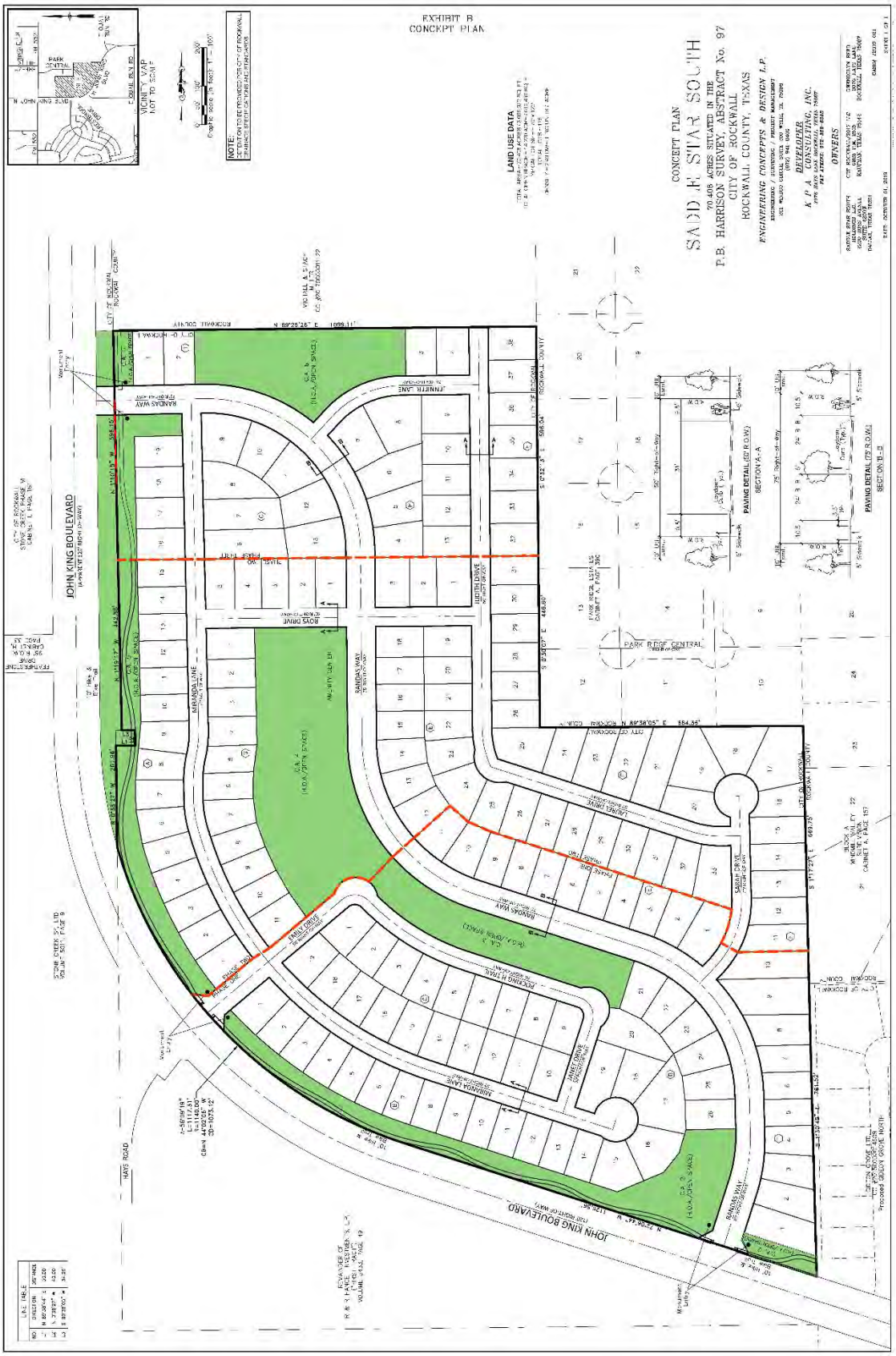


Exhibit 'C':
Development Standards

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 8.4 (SF-8.4) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	70' x 125'	8,750 SF	143	78.41%
B	80' x 125'	10,000 SF	33	21.59%
		Maximum Permitted Units:	*176*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 8.4 (SF-8.4) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *2.50* dwelling units per gross acre of land; however, in no case should the proposed development exceed *176* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type >	*A*	*B*
Minimum Lot Width [1]	70'	80'
Minimum Lot Depth	125'	125'
Minimum Lot Area	8,750 SF	10,000 SF
Minimum Front Yard Setback [2] & [5]	20'	20'
Minimum Side Yard Setback	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'	10'
Minimum Length of Driveway Pavement	25'	25'
Maximum Height [3]	30'	30'
Minimum Rear Yard Setback [4]	20'	20'
Minimum Area/Dwelling Unit (SF)	2,700 SF	2,700 SF
Maximum Lot Coverage	65%	65%
Permitted Encroachment into Required Setbacks [5]	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single-family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

4. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the masonry requirement; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only.

(b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation.* A minimum of 50% of the garages for the *Type A* lots and 100% of the *Type B* lots shall be oriented in a *traditional swing* (*or j-swing*) configuration. The remainder of garages maybe configured in a front entry configuration with a minimum setback of 20-feet (*i.e. allowing the garage to be flush with the front façade of the primary structure*). In this case the front façade of the primary structure does not include a permitted encroachment (*e.g. a porch, sunroom, etcetera*) allowed in *Table 2* above. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code.

5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (*for spacing requirements see the illustration below*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	70' x 125'	(1), (2), (3), (4)
B	80' x 125'	(1), (2), (3), (4)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on John King Boulevard shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(3) Permitted encroachments (*i.e. porch and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Illustration 1: Properties line up on the opposite side of the street. Where RED is the subject property.

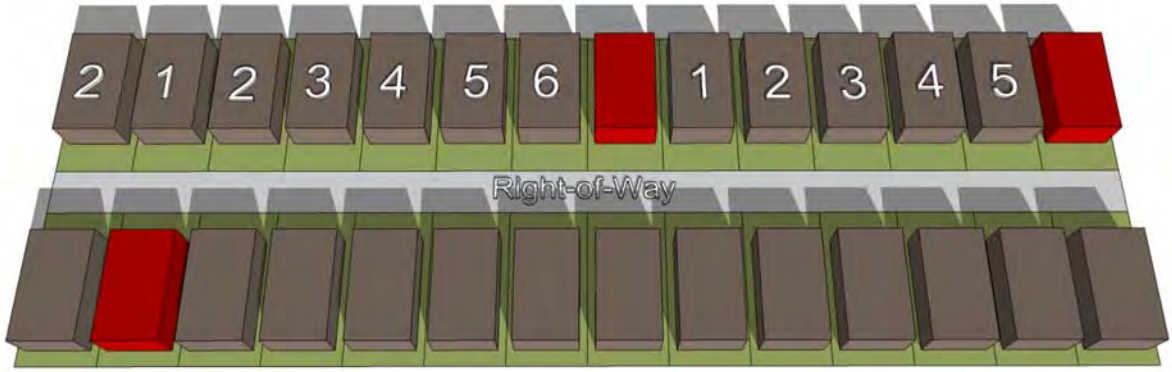
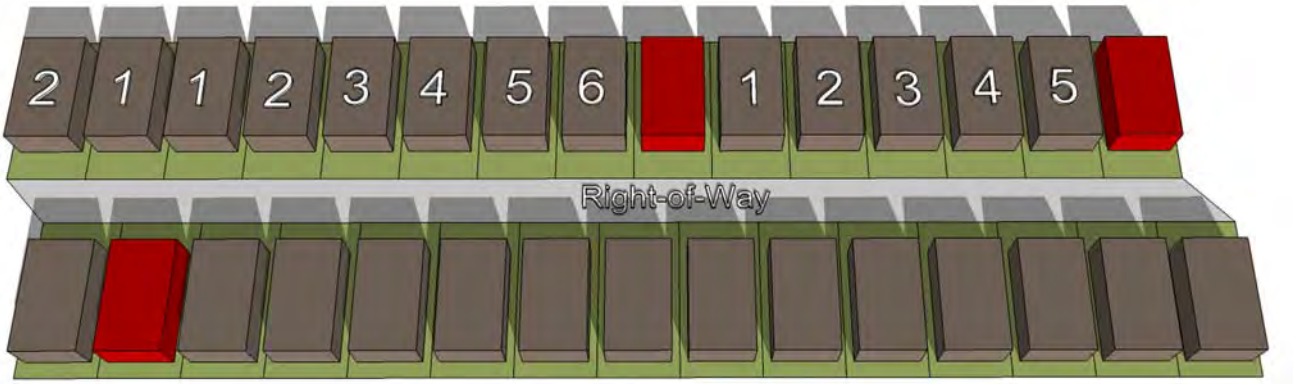


Illustration 2: Properties do not line up on opposite side of the street. Where RED is the subject property.



6. *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

(a) Wood Fences. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

(c) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar

fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(d) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

7. Landscape and Hardscape Standards.

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

(a) Canopy/Shade Trees. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

(b) Accent/Ornamental/Under-Story Trees. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (John King Boulevard). A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot curvilinear sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

(3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:

(i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.

(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

(4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association.

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.

8. *Street.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.

9. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks.* At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way line and be five (5) feet in overall width.

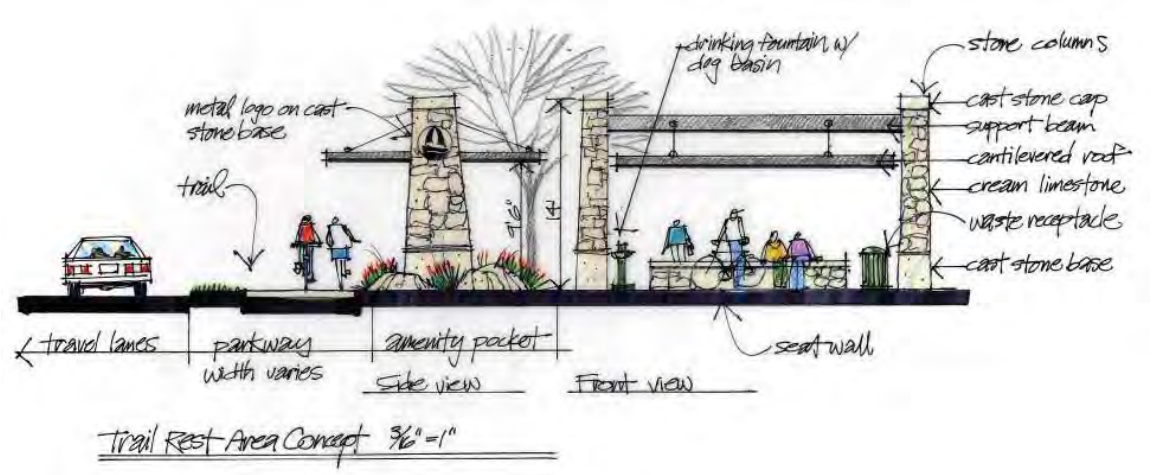
11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of *20%* open space (*or 14.082-acres*), and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

Continued on Next Page …

13. *Trail Rest Area.* The developer shall be responsible for the construction of a *Trail Rest Area* that generally conforms to the rest area depicted in *Figure 1* (*below*).

Figure 1: *Trail Rest Area Concept*



14. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

15. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of Section 38-15 of the Subdivision Regulations contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

16. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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CITY OF ROCKWALL

ORDINANCE NO. 19-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 70 (PD-70) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 09-44, BEING A 395.075-ACRE TRACT OF LAND SITUATED IN THE W. T. DEWEESE SURVEY, ABSTRACT NO. 71 AND THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Adam Buczek of Stone Creek Balance, LTD for the approval of a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the Stone Creek Subdivision being a 395.075-acre tract of land situated in the W. T. DeWeese Survey, Abstract No. 71 and the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District and Single Family 10 (SF-10) District land uses, located at the southwest corner of FM-552 and N. Goliad Street (*SH-205*), and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 70 [*Ordinance No.'s 07-13, 09-44 & 11-35*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 07-13, 09-44 & 11-35*;

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, contained in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a

condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, contained in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 5. A PD Development Plan must be approved for the areas designated as *Retail* on the *Concept Plan* contained in *Exhibit 'B'*; however, the *PD Development Plan* application may be processed by the City of Rockwall concurrently with a preliminary plat application and *PD Site Plan* application.

Section 6. That the official zoning map of the City of Rockwall shall be corrected to reflect the changes in zoning as described herein.

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (*$2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 10. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF NOVEMBER, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____

Frank J. Garza, City Attorney

1st Reading: 10-21-2019

2nd Reading: 11-04-2019

Exhibit 'A':
Legal Description

LEGAL DESCRIPTION

Being a 395.075-Acre tract of land situated in the W. T. DeWeese Survey, Abstract No. 71 and the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas and being all of a called 385.075-acre tract of land conveyed to W. W. Caruth Jr. by Deed recorded in *Volume 54, Page 22* Deed Records, Rockwall County, Texas (DRRCT) and also being all of a called 2.25-acre tract of land conveyed to Soden H. Harris and wife Adrine V. Harris by deed recorded in *Volume 50, Page 375* (DRRCT) being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron pipe found for a northeast corner of aforesaid 392.938-acre tract and being the northwest corner of Rockwall Middle School No. 4 Addition to the County of Rockwall by plat recorded in *Cabinet F, Page 67*, Plat Records, Rockwall County, Texas and being on the south right-of-way line of FM-552 (a variable width right-of-way).

THENCE South 00 Degrees 35 Minutes 35 Seconds East along a east line of aforesaid 392.938-acre tract and the common west line of aforesaid Rockwall Middle School No. 4 Addition a distance of 1,270.02-feet to a ½-inch capped iron rod found for the inside corner of said 382-938-acre tract and the southwest corner of said Rockwall Middle School No. 4 Addition.

THENCE North 69 Degrees 25 Minutes 13 Seconds East along a north line of aforesaid 392.938-acre tract and the common south line of aforesaid Rockwall Middle School No. 4 Addition a distance of 1,331.00-feet to a PK Nail set for a northeast corner of said 392.938-acre tract in the approximate centerline of Hayes Road (a variable width prescriptive right-of-way) and being on the west line of a called 15.00-acre tract of land conveyed to Steve L. Branch and wife Judy C. Branch by deed recorded in *Volume 234, Page 527 D*eed Records, Rockwall County, Texas a ½-inch capped iron rod found bears North 87 Degrees 58 Minutes 03 Seconds a distance of 22.82-feet.

THENCE South 00 Degrees 35 Minutes 35 Seconds East along the east line of aforesaid 392.938-acre tract and the approximate centerline of aforesaid Hayes Road and the west line of aforesaid 15.00-acre tract and the west line of a called 11.126-acre tract of land conveyed to Leon A. Smith by deed recorded in *Volume 160, Page 1,* Deed Records, Rockwall County, Texas and the west line of a called 32.00-acre and 35.5-acre tracts of land conveyed to Roy Lee Hance by deed recorded in *Volume 68, Page 73*, Deed Records, Rockwall County, Texas, a distance of 3,980.56-feet to a PK Nail set for the southeast corner of said 392.938-acre tract and being on the north line of a called 38.639-acre tract of land conveyed to Roy L. Hance and wife, Randa B. Hance by deed recorded in *Volume 91, Page 107* Deed Records, Rockwall County, Texas.

THENCE along the south line of aforesaid 392.938-acre tract and the common north line of aforesaid 30.033-acre tract and the north line of Quail Run Valley No. 2 an addition to the City of Rockwall by plat recorded in *Cabinet E, Page 185*, Plat Records, Rockwall County, Texas and the north line of Quail Run Valley, No. 1 an addition to the City of Rockwall by Plat Recorded in *Cabinet E, Page 57,* Plat Records, Rockwall County, Texas the following courses and distances:

South 89 Degrees 34 Minutes 36 Seconds West a distance of 2,364.65-Feet to a 5/8-inch iron rod with a yellow plastic cap stamped *Carter Burgress* set for corner.

South 88 Degrees 24 Minutes 39 Seconds West a distance of 650.72-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgress* set for a southwest corner of aforesaid 392.938-acre tract.

THENCE North 54 Degrees 44 Minutes 21 Seconds West a distance of 165.14-feet to a ½-inch iron pipe found for corner on the east right-of-way of State Highway 205 (a 100-foot right-of-way).

THENCE along the west line of aforesaid 392.938-acre tract and the common east right-of-way of aforesaid State Highway 205 the following courses and distances:

North 14 Degrees 18 Minutes 45 Seconds West a distance of 1,942.08-feet to a 5/8 inch iron rod with a

yellow plastic cap stamped *Carter Burgess* set for corner and the beginning of a tangent curve to the right having a central angle of 10 Degrees 15 Minutes 35 Seconds a radius of 5,380.00-feet. A chord bearing of North 69 Degrees 11 Minutes 27 Seconds West and a chord length of 1,015.74-feet.

Along said tangent curve to the right an arc length of 1,017.09-feet to a concrete right-of-way monument found for corner.

North 04 Degrees 03 Minutes 51 Seconds West a distance of 379.29-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner, a concrete right-of-way monument found bears South 00 Degrees 29 Minutes 25 Seconds West a distance of 4.10-feet and being the beginning of a tangent curve to the right having a central angle of 03 Degrees 07 Minutes 00 Seconds a radius of 5,580.00-feet a cord bearing of North 02 Degrees 30 Minutes 27 Seconds West and a chord length of 305.93-feet.

Along said tangent curve to the right an arc length of 305.97-feet, to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner a concrete right-of-way monument found bears South 02 Degrees 45 Minutes 01 Seconds East a distance of 3.95-feet.

North 00 Degrees 56 Minutes 57 Seconds West a Distance of 1,499.13-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner a concrete right-of-way monument found bears South 10 Degrees 54 Minutes 38 Seconds East, a distance of 5.48-feet.

North 44 Degrees 58 Minutes 31 Seconds East a distance of 85.41-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner at the intersection of the east right-of-way of aforesaid State Highway 205 and the south right-of-way of aforesaid FM-552 a concrete right-of-way monument found bears South 83 Degrees 49 Minutes 06 Seconds West a distance of 16.86-feet.

THENCE along the north line of aforesaid 392.938-acre tract and the common south right-of-way of aforesaid FM-552 the following courses and distances:

North 89 Degrees 09 Minutes 25 Seconds East a distance of 1,890.00-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner.

South 00 Degrees 50 Minutes 35 Seconds East, a distance of 10.00-feet to a 5/8 inch iron rod with a yellow plastic cap stamped *Carter Burgess* set for corner.

North 89 Degrees 09 Minutes 25 Seconds East a distance of 521.43-feet to the *Point of Beginning* and containing 395.075-acres of land, more or less.

Exhibit 'B':
Concept Plan



Exhibit 'C':
PD Development Standards

A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the *Subject Property*.

    a. *Residential Uses*. Uses permitted of right or by Specific Use Permit (SUP) for the Single Family 10 (SF-10) District, as set forth in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance 04-38*], shall be allowed for areas designated for single-family (*i.e. labeled as 50's, 60's, 70's, 80's & 100's*) on the *Concept Plan*, subject to approval of a Specific Use Permit (SUP) if required by the Single Family 10 (SF-10) District regulations.

    b. *Non-residential uses*. Non-residential uses shall be allowed only within the area designated as retail on the approved *Concept Plan* for the district, and are limited to those uses permitted of right or by special use permit for the General Retail (GR) District subject to approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Section 2 of Article X, *Planned Development Regulations*. of the Unified Development Code [*Ordinance No. 04-38*], and subject to approval of a Specific Use Permit (SUP) if required by the General Retail (GR) District regulations; provided, however, that the following uses are expressly prohibited:

    ☑ Animal Hospital/Clinic
    ☑ Animal Boarding/Kennel without Outside Pens
    ☑ Convent or Monastery
    ☑ Hotel or Motel
    ☑ Hotel, Residence
    ☑ Cemetery/Mausoleum
    ☑ Mortuary of Funeral Chapel
    ☑ Social Service Provider
    ☑ Billiard Parlor or Pool Hall
    ☑ Carnival, Circus, or Amusement Ride
    ☑ Commercial Amusement/Recreation (*Outside*)
    ☑ Gun Club, Skeet or Target Range (*Indoor*)
    ☑ Astrologer, Hypnotist, or Psychic Art and Science
    ☑ Garden Supply/Plant Nursery
    ☑ Night Club, Discotheque, or Dance Hall
    ☑ Secondhand Dealer
    ☑ Auto Repair Garage (*Minor*)
    ☑ Car Wash, Self Service*
    ☑ Service Station*
    ☑ Mining and Extraction (*Sand, Gravel, Oil & Other*)
    ☑ Helipad
    ☑ Railroad Yard or Shop
    ☑ Transit Passenger Facility

    ** Not including a convenience store with an accessory car wash use or more than two (2) gas pumps, which accessory uses are permitted by SUP.*

    The following additional use shall be permitted of right in the PD District:

    ☑ Grocery Store with a maximum building area of eighty thousand (80,000) square feet.

    c. *Design of Non-Residential Uses.* The retail areas shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the retail area shall be designed and constructed to be integrated with adjacent uses, not separated from them by screening walls or other physical barriers. This will be

accomplished by creating paths from adjacent development into the retail area and through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

d. *Density and Lot Composition*. No more than 918 single-family residential dwelling units may be constructed within the *Subject Property*. Except as provided in subsection (e), single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

Lot Type	Lot Size Minimum	Lot SF Minimum	Driveway Access	Total Units	Total Dwelling Units (%)
A	50' x 120'	6,000	Front	180	19.6%
B	60' x 120'	7,200	Front	521	56.8%
C	70' x 120'	8,400	Front	36	03.9%
D	80' x 125'	10,000	Front	134	14.6%
E	100' x 200'	20,000	Front	47	05.1%
AVERAGE LOT SIZE:		8,000 SF			
			MAXIMUM ALLOWED TOTAL UNITS:	918	100%

e. *Variation in lot composition.* The allocation of single-family dwellings among lot types may deviate from that in subsection (d), provided that the maximum allowed total dwelling units does not exceed 918 units, the average lot size for the development is not less than 8,000 square feet, and the following rules are met:

(1) Lot types 'A', 'B', & 'C' may increase not more than 5% in aggregate number.

(2) Lot type 'D' shall not be decreased below 124 lots of the total lots developed on the *Subject Property*.

(3) Lot type 'E' shall not be decreased below 47 lots of the total lots developed on the *Subject Property*.

2. *Development Standards Applicable.*

(1) *Residential uses*. Except as may be modified by these *PD Development Standards*, areas designated for single-family (*i.e. labeled as 50's, 60's, 70's, 80's & 100's*) shall be subject to the development standards for the Single Family 10 (SF-10) District, as set forth in Subsection 3.07 of Article V, *District Development Standards*, of the Unified Development Code (UDC), to the development standards stipulated for the North SH-205 Overlay (N SH-205 OV) and the SH-205 Bypass Overlay (205 BY-OV) Districts, and to all supplemental standards contained in the Unified Development Code in effect on the effective date of this ordinance.

(2) *Non-residential uses.* Except as may be modified by these *PD Development Standards*, areas designed for *Retail* land uses shall be subject to the development standards for the General Retail (GR) District, as set forth in Subsection 4.04 of Article V, *District Development Standards*, of the Unified Development Code (UDC), to the development standards stipulated for the North SH-205 Overlay (N SH-205 OV) and the SH-205 Bypass Overlay (205 BY-OV) Districts, and to all supplemental standards

contained in the Unified Development Code in effect on the effective date of this ordinance.

3. *Homeowner's Association (HOA).* A *Homeowner's Association* (*HOA*) shall be formed and duly incorporated in the State of Texas for the *Subject Property*. Membership shall be mandatory for the owner of each residential lot within these areas of the *Subject Property*. This HOA shall be established to ensure the proper maintenance of all common areas for which the HOA is either the owner or is the party designated as responsible for maintenance. The bylaws of this HOA shall establish a system of payment of dues, a system of enforcement of its rules and regulations; and an explanation of the responsibility of each member with regard to the common areas. The bylaws shall be submitted to the Director of Planning for review and approval, not to be unreasonably withheld, for conformity with this paragraph prior to the initial transfer to the HOA of ownership of any real property.

4. *Architectural Review.* All developments within the PD District shall be reviewed by an Architectural Review Committee (ARC) for the *Subject Property*, which will be composed of *Developer* representatives, throughout the completion of development. The ARC shall remain in effect until all new construction has concluded. City of Rockwall building permits shall not be issued prior to ARC approval. Certification of ARC approval shall be submitted with each building permit application, which shall comply with all anti-monotony standards as described in *Section B.4.*, *Anti-Monotony Features* of this document.

B. SPECIAL DEVELOPMENT STANDARDS

1. Dimensional Standards for Residential Uses.

Table 2: Lot Type Matrix

Lot Types	A	B	C	D	E
Maximum Building Height	36'	36'	36'	36'	36'
Minimum Air Conditioned Square Footage	1,800	2,200	2,400	2,600 [2]	3,000
Minimum Front Yard Building Setback	15'	20'	20'	20'	25'
Minimum Rear Yard Building Setback	10'	10'	15'	15'	15'
Minimum Side Yard (*Interior*)	5'	5'	5'	6'	7'
Minimum Side Yard Adjacent to a Street	15'	15'	15'	15'	15'
Minimum Distance of Driveway (*from Property Line*)	*N/A*	20'	20'	20'	25'
Minimum Lot Area (*Square Feet*)	6,000	7,200	8,400	10,000	20,000
Minimum Lot Frontage [1]	50'	60'	70'	80'	100'

NNotes:

[1]: *Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by twenty percent (20%) in lot width measured at the front property line provided that the lot width will be met at the front building*

line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10 percent (10%) but shall meet the minimum lot size for each lot type as referenced within Table 1.

[2]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

2. Development Standards for Residential Uses by Lot Product/Type

a. Detached Single Family Lot Type A

Development Standards	
Minimum Lot Size	6,000 SF
Minimum Lot Width (@ Front Building Line)	50'
Minimum Lot Depth	110'
Minimum Lot Width (Corner Lot)	55'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	15'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	1,800 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco, cementitious siding with color palette*]	80%
Garage Orientation	Garages will be allowed to be accessed from the street; however, a minimum driveway length of 20-foot must be provided.
Maximum Lot Coverage	75%

b. Detached Single Family Lot Type B

Development Standards	
Minimum Lot Size	7,200 SF
Minimum Lot Width (@ Front Building Line)	60'
Minimum Lot Depth	110'
Minimum Lot Width (Corner Lot)	65'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,200 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. A second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'B' lots shall have 3 car garages.
Maximum Lot Coverage	65%

c. Detached Single Family Lot Type C

Development Standards	
Minimum Lot Size	8,400 SF
Minimum Lot Width (@ Front Building Line)	70'

Minimum Lot Depth	120'
Minimum Lot Width (Corner Lot)	75'
Minimum Side Yard Setback	6'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,400 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. A second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage	65%

d. *Detached Single Family Lot Type D*

Development Standards	
Minimum Lot Size	10,000 SF
Minimum Lot Width (@ Front Building Line)	80'
Minimum Lot Depth	125'
Minimum Lot Width (Corner Lot)	85'
Minimum Side Yard Setback	6'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	2,600 SF [1]
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Traditional "swing" or "J" drive required. A second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'D' lots shall have 3 car garages.
Maximum Lot Coverage	65%

Notes:
[1]: *A maximum of 20% of the lots may have homes not less than 2,500 SF.*

e. Detached Single Family Lot Type E

Development Standards	
Minimum Lot Size	20,000 SF
Minimum Lot Width (@ Front Building Line)	100'
Minimum Lot Depth	175'
Minimum Lot Width (Corner Lot)	100'
Minimum Side Yard Setback	7'
Minimum Front Yard Building Setback	25'
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	3,000 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Traditional "swing" or "J" drive required. A second single garage door facing street is

	permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'E' lots shall have 3 car garages.
Maximum Lot Coverage	70%

3. *Fencing.*

   a. *Residential uses.* All individual residential fencing shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Tubular steel fencing is also acceptable for individual residential fencing, and shall be *required* on lots located along perimeter roadways, and/or abutting open spaces, greenbelts and parks. Corner lot fencing (adjacent to the street) shall provide masonry columns at 45-feet off center spacing that begins at the rear property line corner and terminates ten (10') feet behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5') feet. The property owner shall maintain that portion of the property outside the fence. Fencing shall be consistent with the language described above and *Figure 1* below.



Figure 1: *Fence Example.*

4. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	50' x 120'	i, iii, iv
B	60' x 120'	ii, iii, iv
C	70' x 120'	ii, iii, iv
D	80' x 125'	ii, iii, iv
E	100' x 200'	ii, iii, iv

i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, three-part stucco, cementitious siding). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least three (3) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street or two (2) intervening homes on the opposite side of the street. All chimneys shall be constructed of masonry materials, excluding cementitious siding.

ii. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). All chimneys shall be constructed of masonry materials, excluding cementitious siding.

iii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens and bathrooms.

iv. If the garage is accessed from the street a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.

5. *Streetscape Landscape.* Prior to issuance of a Certificate of Occupancy, yards for all single-family lots on the *Subject Property* shall be landscaped with large canopy trees.

(1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.

(2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.

(3) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot for properties in the areas identified as *Residential* on the *Concept Plan* in *Exhibit B* of this ordinance.

6. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards as modified by *Street Buffer Strip Elevation and Street Cross-Section Elevations* below in *Figure 2*.

Figure 2: Illustration on next page

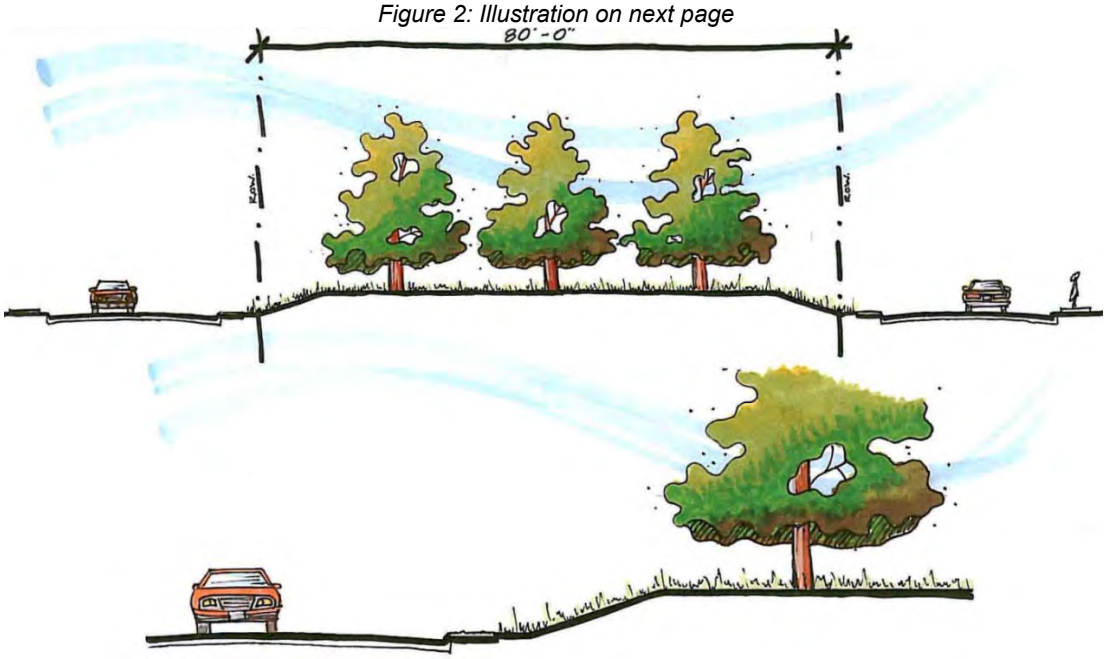


Figure 2: *Street Buffer Strip Elevation and Street Cross-Section Elevations.*

a. *Buffer-Strip for the North SH-205 Overlay (N. SH-205 OV) District.* The landscape buffer strip shall be as described in Section E, *Landscape Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), and be a minimum width of 60-feet as illustrated below in *Figures 3 & 4* and as indicated on the PD Concept Plan. Sidewalks and Hike & Bike Trails are to be placed according to city requirements and as set forth in the *Open Space Master Plan* for the District.

b. *Buffer-Strip for the SH-205 By-Pass Overlay (SH-205 BY-OV) District.* The landscape buffer strip shall be as described in Section E, *Landscape Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), and be a minimum width of 50-feet as illustrated below in *Figures 3 & 4* and as indicated on the PD Concept Plan. Sidewalks and Hike & Bike Trails are to be placed according to city requirements and as set forth in the *Open Space Master Plan* for the District.

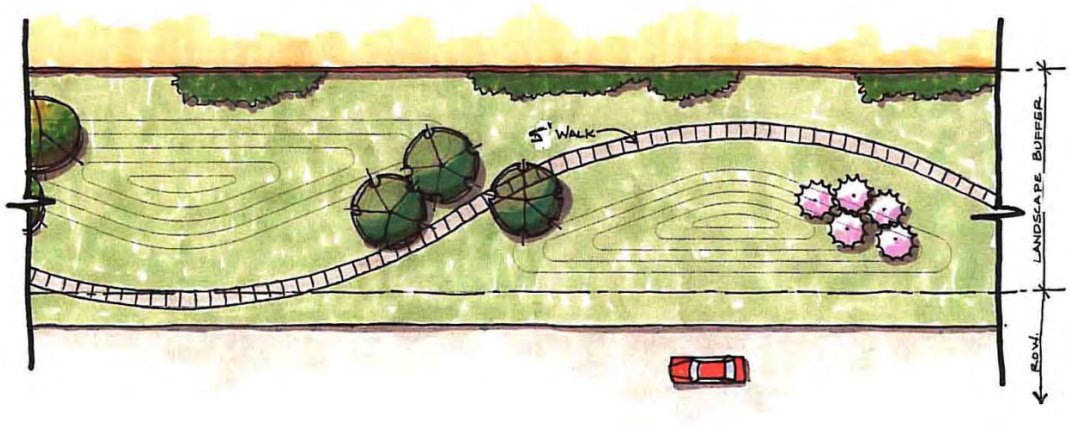


Figure 3: *Landscape Buffer Plan*

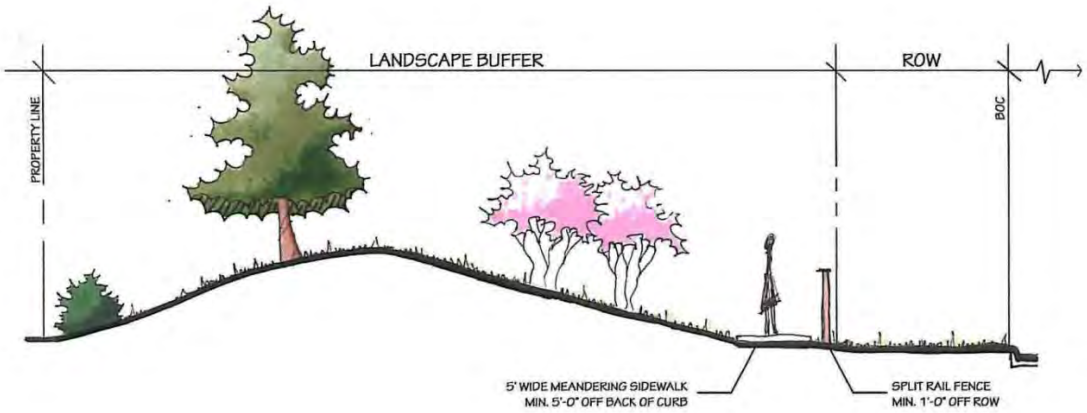


Figure 4: *Landscape Buffer Cross Section*

c. *Buffer-Strip (Outside of Overlay Districts).* The landscape buffer strip shall be a minimum of ten (10) feet on Hays Road and Quail Run Road. Sidewalks and Hike & Bike Trails are to be placed according to city requirements and as set forth in the *Open Space Master Plan* for the District.

d. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.

e. *HOA Maintained Fencing.* The Homeowner's Association (HOA) will maintain all common area and perimeter fencing surrounding the *Subject Property*. Such perimeter fencing shall be composed of a six (6) foot tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.

f. *Curvilinear Walks. Curvilinear Walks* are to be a minimum of five (5) feet in width and a maximum of six (6) feet in width (*i.e. Hike & Bike Trails*) consistent with the approved *Open Space Master Plan*. *Collector Streets*, with or without center medians, may incorporate sidewalks six (6) feet in width adjacent to or within the *front yard* landscape easements. *Curvilinear Walks* may meander within the

parkway and common areas; however, the edge of the walk shall be no closer than four (4) feet from the back-of-curb.

g. *Medians.* Any proposed median openings shall meet the City standards at the time of *PD Site Plan* approval.

2. *Lighting.* Light poles shall not exceed 20-feet in height, and all light fixtures shall direct light downward and be contained within the *Subject Property*.

3. *Sidewalks.* At a minimum, sidewalks located on streets shall begin four (4) feet behind the back of curb and shall be five (5) feet in overall width.

4. *Curbing.* Within *Lot Types A & B*, *roll-up-curbing* may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity. These *roll-up-curbs* shall be approved by the City of Rockwall Engineering Department with the approval of the final plat application.

5. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*i.e. 3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*, except along the SH-205 By-Pass (*i.e. John King Boulevard*). Additionally, if such above ground lines are installed along the perimeter of the *Subject Property* and adjacent to non-residential uses, then the lines shall be installed behind the non-residential buildings where the installation is possible. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.

6. *Parks and Open Space.* Allowing inclusion of approximately 50% of the school sites and floodplain shown on the *Concept Plan* and approximately 20.0% of the land on the *Subject Property* shall constitute open space, which is hereby deemed sufficient if supported by the following standards and conditions.

a. The *Subject Property* shall contain not less than 79-acres of open space including approximately 26.6-acres of floodplain as shown on *Exhibit B* of this ordinance.

b. Allowable open space may include but is not limited to public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (*including any HOA recreation center or similar facilities*) and other features depicted on the *Concept Plan*, as set forth in the *Open Space Master Plan* prepared in accordance with subparagraph (c) below. Street right-of-way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within 800-feet of a public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than 50-feet in width.

c. The *Developer* shall prepare the *Open Space Master Plan* to be consistent with the approved *Concept Plan*. The purpose of an *Open Space Master Plan* is to supplement the *Concept Plan* by providing an additional level of detail for public and private open space areas. The *Open Space Master Plan* shall identify the locations of and improvements to public parks, school sites and other public and private open space or common areas, taking into consideration the proximity of single-family dwellings, as required by subparagraph (a), and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the *Subject Property* to parks and open space within the *Subject Property* and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's *Master Park and Recreation Plan*. The *Open Space Master Plan* shall clearly differentiate public parks from private facilities and common lands to be maintained by the HOA. The locations of public parks, school sites and other public and private open space or common areas shown on the *Open Space Master Plan* shall be in conformance with the *Concept Plan*, except as otherwise provided in Section 7 of Article II of the *Capital Facilities Agreement* pertaining to school sites. The *Open Space Master Plan* shall include a phasing plan for construction of all trails and parks, and common open space and facilities. The *Open Space Master Plan* shall be considered for approval if it complies with this section, the applicable City regulations, the *Concept Plan*, and generally accepted park-planning practices.

d. The District shall contain not less than 7.8 acres of land to be used as public or private parkland. A minimum of 7.8 contiguous acres shall be dedicated to the City in accordance with the City's *Neighborhood Parkland Dedication Ordinance* on approval of the final plat for the first phase of the development. This dedication shall include the dedication of a five (5) foot wide parcel to connect the *City Park* within the *Subject Property* to the existing City property to the east of the middle school. The remaining area will be retained as a private park within the *District*. Park improvements shall be constructed in accordance with the approved *Open Space Master Plan*. The site plan incorporating the design of park improvements and hike /bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's *Neighborhood Parkland Dedication Ordinance* regarding land dedication. At the time of recordation of final plats for each phase, *Developer* shall pay park improvement fees to the City. These fees shall be held in an escrow account until the commencement of *Phase 3*, at which time the *Developer* shall inform the City if the *Developer* wishes to use the escrowed fees as well as future fees to construct park improvements. Said improvements shall be approved by *Parks Director*, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to *Parks Director* for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's *Neighborhood Parkland Dedication Ordinance* regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire *District* applicable at that time, or improvement fees are paid. Thereafter, the *Developer* shall not be responsible for additional parkland dedication or park development fees associated with the *Subject*

Property, except as otherwise may be provided in a *Capital Facilities Agreement* approved by the City.

The *Developer* shall provide retention ponds in the locations depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. Hardedges and fountain features shall be incorporated into *Ponds 1 & 2*, *Pond 3* shall incorporate a natural edge, and *Pond 4* shall incorporate a fountain feature and a natural edge. All retention pond hardedges shall be similar to the hardedge shown in *Figure 5* below.



Figure 5: *Retention Pond with Hardedge.*

7. *Signage.* Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage elevations and plan shown below in *Figures 6 & 7*. Final design of entry features to be determined with the Planned Development Site Plan.

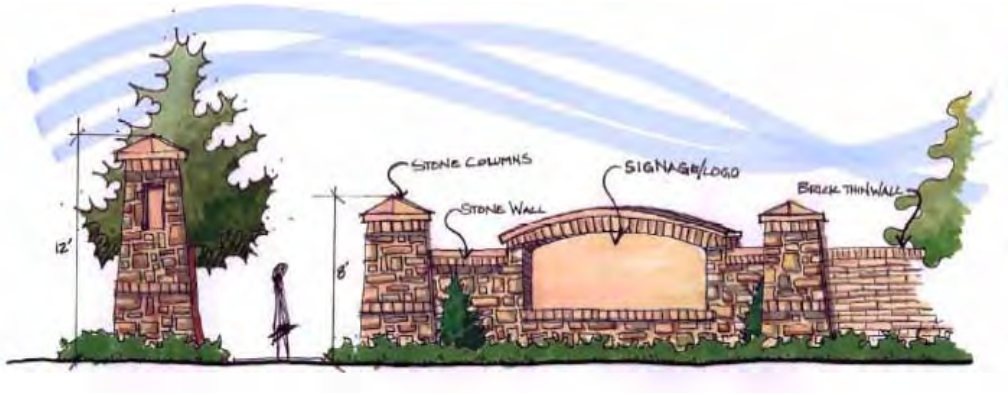


Figure 6: *Main Entry Subdivision Signage Elevations*



Figure 7: *Main Entry Subdivision Signage Plan*

8. *Variances.* The variance procedures and standards for approval set forth in the Unified Development Code (UDC) shall apply to any application for variance(s) to this ordinance.

9. *Amenity Center.* Developer shall construct an amenity center in approximate size and detail as shown below in *Figure 8*.



Figure 8: *Amenity Center*

10. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper in size as measured six (6) inches above the root ball.

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54

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

Cc: **Rick Crowley, City Manager**

FROM: **Kristy Cole, City Secretary/Assistant to the City Manager**

DATE: **October 30, 2019**

SUBJECT: **2nd reading of Ord. re: "Standards for Design of Developments w/in Subdivisions"**

In the interest of saving space within the Nov. 4 meeting packet, I am omitting "EXHIBIT A" as an attachment within the packet, as it is over 400 pages long. Council did, however, receive the attachment (the actual "Standards") at both a previous work session and at the Oct. 21 meeting. Staff will be available to answer any questions Council may have concerning this Consent Agenda item, if necessary.

CITY OF ROCKWALL

ORDINANCE NO. 19-42

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE ROCKWALL CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-23 STANDARDS FOR DESIGN OF DEVELOPMENTS WITHIN SUBDIVISIONS ADOPTED; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the governing body of the City of Rockwall, in the exercise of its legislative discretion, has concluded that the "Standards for Design of Development Within Subdivisions" should be updated in order to reflect certain amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. Chapter 38. "Subdivisions;" Article I. "In General;" Section 38-23 "Standards for Design of Developments Within Subdivisions Adopted" of the Code of Ordinances is hereby amended so as to delete subsection "c" in its entirety and replace it with a new subsection "c" which shall hereafter read as follows:

~~(c) The October 2016 updated of the Standards for Design and Construction are adopted replacing the Standards of Design, Standard Construction Specifications, dated August 2003, a copy of which is on file for public inspection in the city secretary's office~~

(c) The October 2019 updated of the Standards for Design and Construction are adopted replacing the Standards of Design, Standard Construction Specifications, dated October 2016, a copy of which is on file for public inspection in the city secretary's office.

Section 2. Chapter 38. "Subdivisions;" Article I. "In General;" Section 38-23 "Standards for Design of Developments Within Subdivisions Adopted" of the Code of Ordinances is hereby amended so as to delete subsection "d" in its entirety and replace it with a new subsection "d" which shall hereafter read as follows:

~~(d) The Public Works Construction Standards and Specifications, North Central Texas, 4th Edition, October 2004 as amended by the City of Rockwall are adopted replacing the Standard Specifications for Public Works Construction, North Central Texas, 3rd Edition, 1998.~~

(d) The Public Works Construction Standards and Specifications, North Central Texas, 5th Edition, November 2017 as amended by the City of Rockwall are adopted replacing the Standard Specifications for Public Works Construction, North Central Texas, 4th Edition, 2004.

Section 3. A new, 2019 version of the city's "Standards for Design of Developments Within Subdivisions Adopted" is hereby adopted as reflected in **"Exhibit A"** of this ordinance, a copy of which shall be kept on file for public inspection within the city secretary's office.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 6. This ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are specifically repealed or those in direct conflict with the provisions of this ordinance.

Section 7. This ordinance shall take effect immediately from and after its passage and approval and the publication of the caption of said ordinance as the law in such cases provides, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF NOVEMBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 10-21-2019

2nd Reading: 11-4-2019

“EXHIBIT A”

(INSERT DOCUMENT HERE)

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59

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	November 4, 2019
APPLICANT:	Steven Homeyer; *Homeyer Engineering, Inc.*
CASE NUMBER:	P2019-039; *Lot 8, Block A, Ellis Centre, Phase Two Addition*

SUMMARY

Consider a request by Steven Homeyer of Homeyer Engineering, Inc. on behalf of Julia McKinney for the approval of a replat for Lot 8, Block A, Ellis Centre Phase 2 Addition being a 1.21-acre parcel of land identified as Lot 4, Block A, Ellis Centre Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located west of the intersection of Alpha Drive and Sigma Court, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a replat for a 1.21-acre parcel of land [i.e. *Lot 8, Block A, Ellis Centre, Phase 2 Addition*] that will establish firelane, public access, utility, and detention easements for the purpose of developing the *subject property*. The *subject property* is zoned Light Industrial (LI) District and is addressed as 1920 Alpha Drive.

☑ On May 17, 2019, Steven Homeyer of Homeyer Engineering, Inc. submitted a site plan [*i.e. Case No. SP2019-017*] proposing the construction of a ~6,042 SF single-story, animal boarding/kennel facility. On June 11, 2019, the Planning and Zoning Commission approved the site plan and all exceptions requested.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for replats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the replat for *Lot 8, Block A, Ellis Centre, Phase 2 Addition,* staff would propose the following conditions of approval:

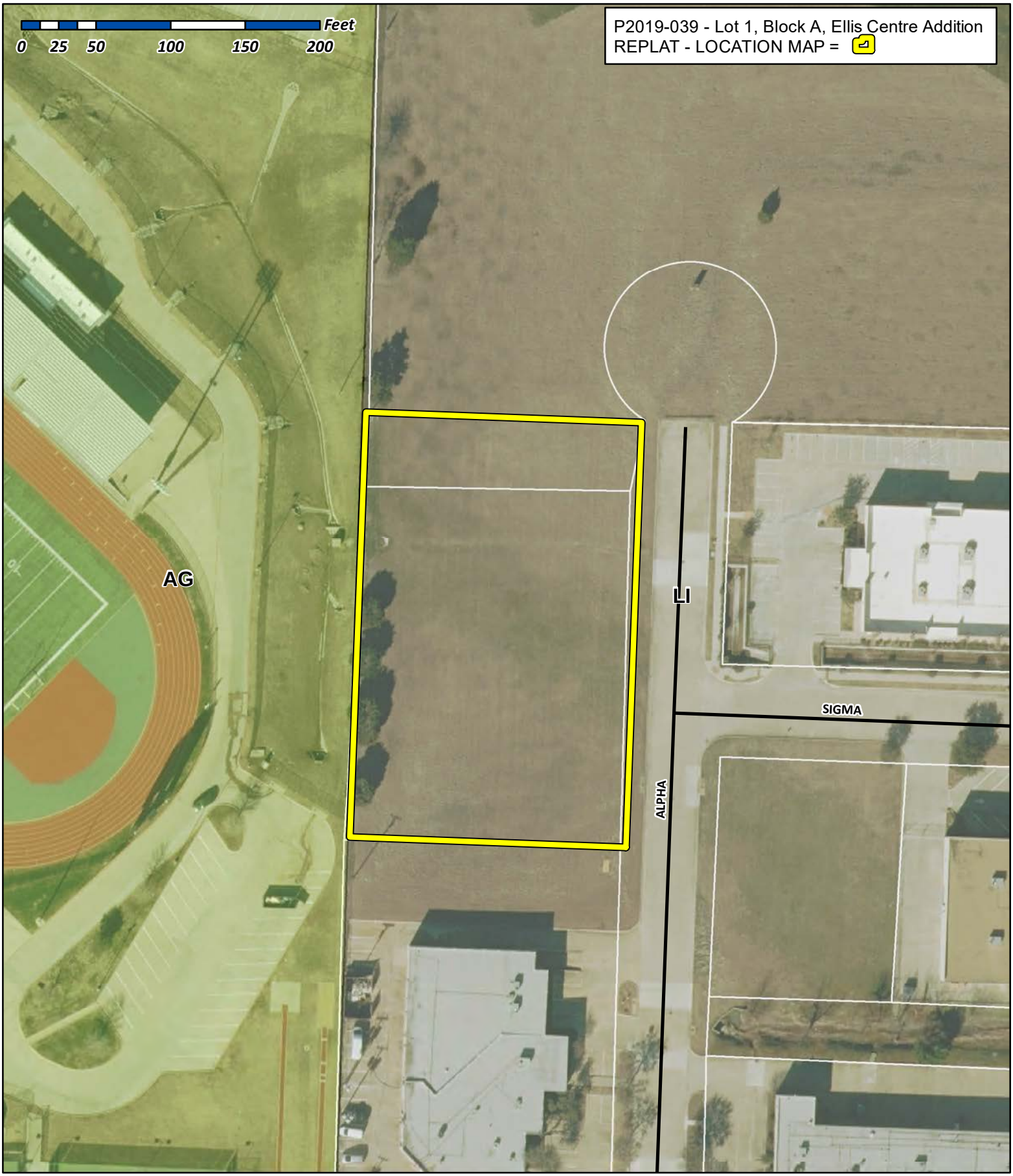
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall

Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

CONDITIONS OF APPROVAL

On October 29, 2019, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 7-0.

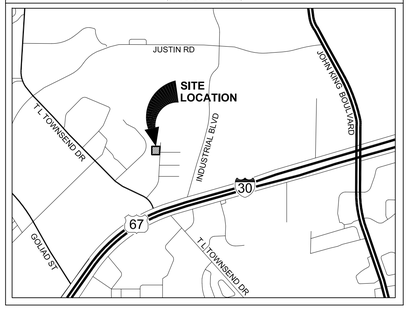


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

VICINITY MAP
(NOT TO SCALE)





GENERAL NOTES

1.) The purpose of this plat is to dedicate easements for site development.

2.) This property is located in "Non-shaded Zone X" and "Zone AE" according to the F.E.M.A. Flood Insurance Rate Map dated September 26, 2008 as shown on Map Number 48397C0040L.

3.) The grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011) State Plane Coordinate System (Texas North Central Zone - 4202).

4.) Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and/or withholding of utilities and building permits.

5.) All interior property corners are marked with a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless noted otherwise.

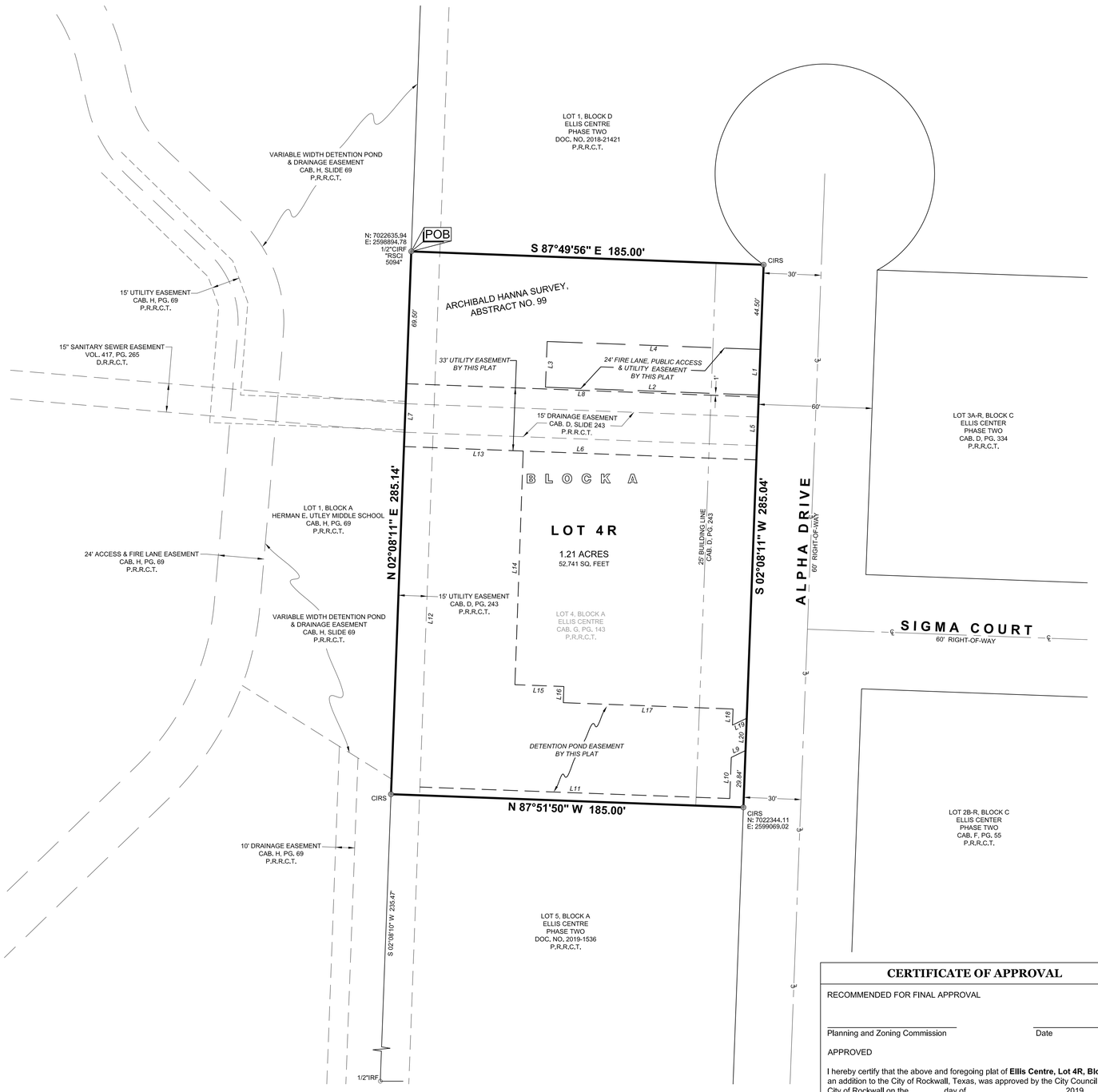
6.) The bearings shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011) Datum.

7.) Property owner is responsible for repair, replacement, and maintenance off all detention and drainage systems in easements on-site.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 02°08'11" W	24.00'
L2	N 87°51'49" W	112.00'
L3	N 02°08'11" E	24.00'
L4	S 87°51'49" E	112.00'
L5	S 02°08'11" W	33.00'
L6	N 87°49'56" W	185.00'
L7	N 02°08'11" E	33.00'
L8	S 87°49'56" E	185.00'
L9	S 64°16'48" W	8.29'
L10	S 02°08'10" W	21.60'
L11	N 87°52'27" W	162.67'
L12	N 02°08'11" E	178.30'
L13	S 87°49'56" E	47.59'
L14	S 02°02'15" W	122.72'
L15	S 87°51'49" E	25.74'
L16	S 02°08'11" W	8.50'
L17	S 87°51'49" E	89.13'
L18	S 02°08'10" W	8.45'
L19	N 64°16'48" E	8.29'
L20	S 02°08'11" W	16.97'

LEGEND

PG	= PAGE
CAB	= CABINET
POB	= POINT OF BEGINNING
CIRS	= CAPPED IRON ROD SET
CIRF	= CAPPED IRON ROD FOUND
DOC. NO.	= DOCUMENT NUMBER
D.R.R.C.T.	= DEED RECORDS, ROCKWALL COUNTY, TEXAS
P.R.R.C.T.	= PLAT RECORDS, ROCKWALL COUNTY, TEXAS



CERTIFICATE OF APPROVAL

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission — Date

APPROVED

I hereby certify that the above and foregoing plat of **Ellis Centre, Lot 4R, Block A**, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, Texas, within one hundred eighty (180) days from the said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____, 2019.

Mayor, City of Rockwall — City Secretary, City of Rockwall

City Engineer — Date

OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS, **CANINE PROPERTIES, LLC**, is the owner of a 1.21 acre tract of land situated in the ARCHIBALD HANNA SURVEY, ABSTRACT NUMBER 99, City of Rockwall, Rockwall County, Texas, being all of Lot 4, Block A of Ellis Centre, an addition to the City of Rockwall, Texas, recorded in Cabinet G, Page 143, Plat Records of Rockwall County, Texas, and being conveyed by General Warranty Deed to Canine Properties, LLC, recorded in Document Number 20190000012843, Official Public Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with plastic cap stamped "RSCI 5094" found at the Northwest corner of said Lot 4, Block A, being in the East line of Lot 1, Block A of Herman E. Utley Middle School, an addition to the City of Rockwall, Texas, recorded in Cabinet H, Page 69, Plat Records of Rockwall County, Texas, and being at the Southwest corner of Lot 1, Block D of Ellis Centre, Phase Two, an addition to the City of Rockwall, Texas, recorded in Document Number 2018-21421, Plat Records of Rockwall County, Texas;

THENCE South 87°49'56" East, with the North line of said Lot 4, Block A and the common South line of said Lot 1, Block D, a distance of 185.00 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the Northeast corner of said Lot 4, Block A, and being in the West right-of-way line of Alpha Drive (a 60-foot right-of-way);

THENCE South 02°08'11" West, with the East line of said Lot 4, Block A and the West right-of-way line of said Alpha Drive, a distance of 285.04 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the Southeast corner of said Lot 4, Block A and being at the Northeast corner of Lot 5, Block A of said Ellis Centre, an addition to the City of Rockwall, Texas, recorded in Document Number 2019-1536, Plat Records of Rockwall County, Texas;

THENCE North 87°51'50" West, with the South line of said Lot 4, Block A and the common North line of said Lot 5, Block A, a distance of 185.00 feet to a 1/2-inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the Southwest corner of said Lot 4, Block A, being at the Northwest corner of said Lot 5, Block A and being in the East line of said Lot 1, Block A;

THENCE North 02°08'11" East, with the West line of said Lot 4, Block A and the common East line of said Lot 1, Block A, a distance of 285.14 feet to the **POINT OF BEGINNING**, and containing 1.21 acres of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, **CANINE PROPERTIES, LLC,** does hereby adopt this plat, designating herein described property as **ELLIS CENTRE, LOT 4R, BLOCK A,** an addition to the City of Rockwall, Rockwall County, Texas, and does hereby dedicate to public use forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the drainage and utility easements as shown. Said drainage and utility easements being hereby reserved for the mutual use and accommodation of all public utilities desiring to use same. All and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the drainage and utility easement and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said drainage and utility easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone.

OWNER: **CANINE PROPERTIES, LLC**, a Texas limited liability company

BY: _____ _____
Julia R. McKinney — Date
Manager

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared **JULIA R. McKINNEY**, Manager of CANINE PROPERTIES, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2019.

_____
Notary Public in and for the State of Texas

CERTIFICATE OF SURVEYOR

STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, **MATTHEW RAABE**, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods with green plastic caps stamped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the City of Rockwall, Rockwall County, Texas.

PRELIMINARY
this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

Matthew Raabe, R.P.L.S. # 6402 — Date

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared **MATTHEW RAABE**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2019.

John Cox, Notary Public in and for the State of Texas

Project	1903.017-02
Date	09/18/2019
Drafter	JDC

EAGLE SURVEYING, LLC
210 S. Elm Street, Suite: 104
Denton, TX 76201
(940) 222-3009
TX Firm #10194177

SURVEYOR
Eagle Surveying, LLC
Contact: John Cox
210 S. Elm Street, Suite: 104
Denton, TX 76201
(940) 222-3009

ENGINEER
Homeyer Engineering, Inc.
Contact: Steve Homeyer
P.O. Box 294527
Lewisville, TX 75029
(972) 906-9985

OWNER
Canine Properties, LLC
Contact: Julia R. McKinney
1920 Alpha Drive
Rockwall, TX 75087
(214) 608-3118

REPLAT
ELLIS CENTRE
LOT 4R, BLOCK A
1.21 ACRES

A REPLAT OF LOT 4, BLOCK A OF ELLIS CENTRE, RECORDED IN CABINET G, PAGE 143, P.R.R.C.T., ARCHIBALD HANNA SURVEY, ABSTRACT No. 99, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

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64

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	November 4, 2019
APPLICANT:	David Rains
CASE NUMBER:	P2019-041; *Lot 35, Block A, Chandler's Landing, Phase 18, Section 2*

SUMMARY

Consider a request by David Raines for the approval of a replat for Lot 35, Block A, Chandler's Landing, Phase 18, Section 2 being a 0.19-acre tract of land identified as Lot 12, Block A, Chandler's Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) District for single-family land uses, addressed as 5808 Constellation Circle, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting to replat one (1) lot (*i.e. Lot 12, Block A, Chandler's Landing, Phase 18, Section 2 Addition*) into Lot 35, Block A, Chandler's Landing Phase 18, Section 2 for the purpose of abandoning a portion of a sanitary sewer easement.
- ☑ The subject property was annexed in 1973 [*Ordinance No. 73-42*], is zoned as Planned Development District 8 (PD-8) for single-family land uses, and is addressed as 5808 Constellation Circle.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 35, Block A, Chandler's Landing, Phase 18, Section 2*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

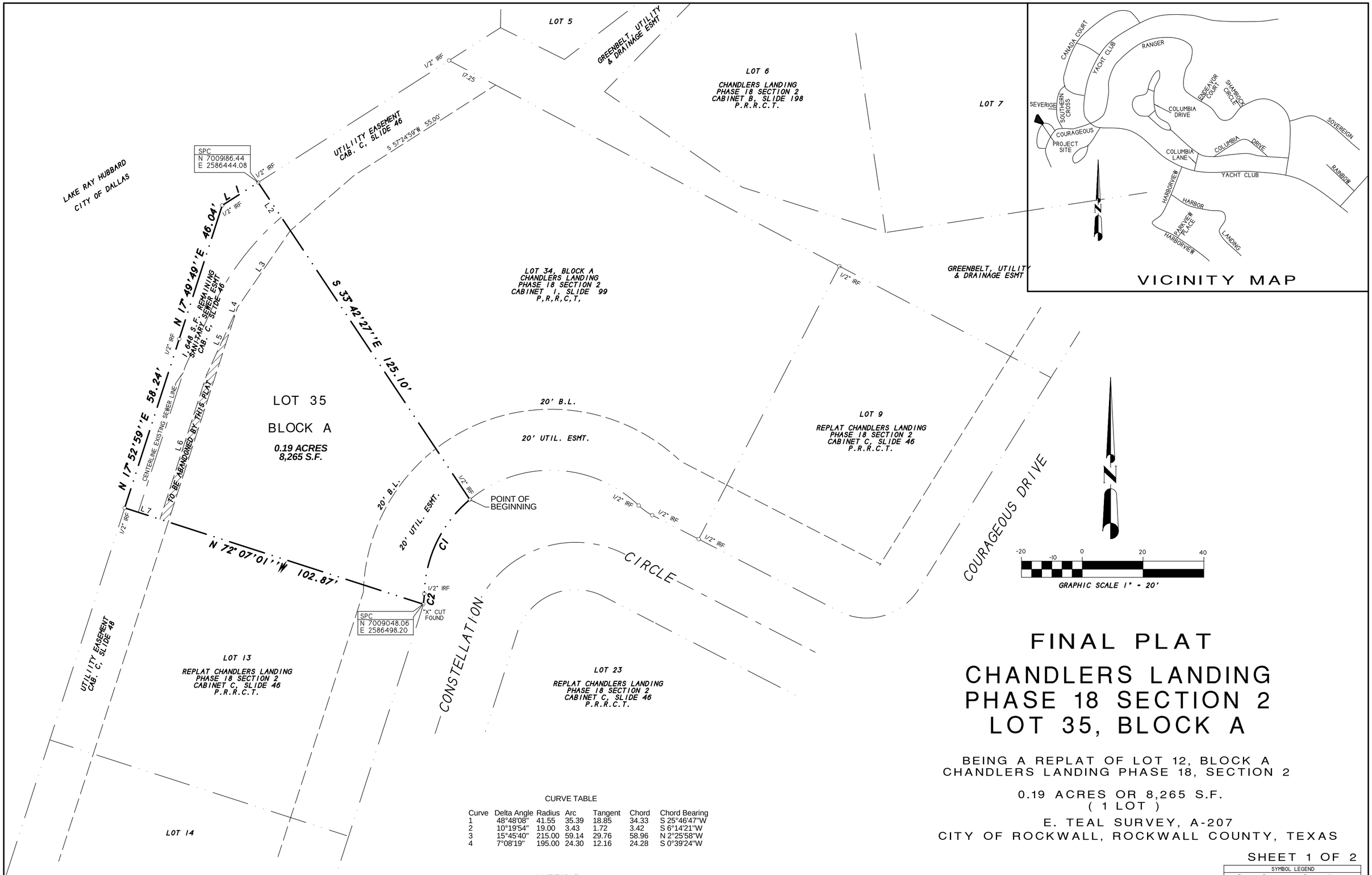
PLANNING AND ZONING COMMISSION

On October 29, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff's conditions of approval passed by a vote of 7-0.



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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CURVE TABLE

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	48°48'08"	41.55	35.39	18.85	34.33	S 25°46'47"W
2	10°19'54"	19.00	3.43	1.72	3.42	S 6°14'21"W
3	15°45'40"	215.00	59.14	29.76	58.96	N 2°25'58"W
4	7°08'19"	195.00	24.30	12.16	24.28	S 0°39'24"W

LINE TABLE

Line	Bearing	Distance
1	N 57°24'55"E	14.00'
2	S 33°42'27"E	19.00'
3	S 34°32'14"W	30.56'
4	S 17°52'59"W	0.54'
5	S 24°46'54"W	23.73'
6	S 17°51'32"W	49.90'
7	N 72°07'01"W	12.17'

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

CHANDLERS LANDING PHASE 18 SECTION 2 LOT 35, BLOCK A

BEING A REPLAT OF LOT 12, BLOCK A
CHANDLERS LANDING PHASE 18, SECTION 2

0.19 ACRES OR 8,265 S.F.
(1 LOT)

E. TEAL SURVEY, A-207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
DAVID RAINS
5808 CONSTELLATION CIRCLE
ROCKWALL, TEXAS 75032

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC ELEC. SERV. SUBSURFACE JUNCTION BOX	WV WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND 1 CORNER
FENCE	EASEMENT LINE / PROPERTY LINES		AIR COND. UNIT	PROPANE TANK

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE APRIL 23, 2019
SCALE 1" = 20' FILE # 20061421-RP
CLIENT RAINS

CITY CASE NO. P2019-

67

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, DAVID RAINS, BEING the Owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING all of Lot 12, Block A, REPLAT CHANDLERS LANDING, PHASE 18, SECTION 2 an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet C, Slide 46, of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the curving right-of-way line of Constellation Circle, a variable width right-of-way, said point being at the east corner of said Lot 12 and the southwest corner of said Lot 34, Block A;

THENCE in a southwesterly direction along a curve to the left having a central angle of 48 deg. 48 min. 08 sec., a radius of 41.55 feet, a tangent of 18.85 feet, a chord of S. 25 deg. 46 min. 47 sec. W., 34.33 feet, along said right-of-way line, an arc distance of 35.39 feet to a 1/2" iron rod found for corner;

THENCE in a southwesterly direction along a curve to the right having a central angle of 10 deg. 19 min. 54 sec., a radius of 19.00 feet, a tangent of 1.72 feet, a chord of S. 06 deg. 14 min. 21 sec. W., 3.42 feet, along said right-of-way line, an arc distance of 3.43 feet to an "X" found chiseled in concrete for corner at the southeast corner of Lot 12 and northeast corner of Lot 13;

THENCE N. 72 deg. 07 min. 01 sec. W. along the northeast boundary line of Lot 13, a distance of 102.87 feet to a 1/2" iron rod found for corner in the take line of the City of Dallas for Lake Ray Hubbard and being the northwest corner of said Lot 13;

THENCE N. 17 deg. 52 min. 59 sec. E. along said take line and the northwest line of Lot 12, a distance of 58.24 feet to a 1/2" iron rod found for corner;

THENCE N. 17 deg. 49 min. 49 sec. E. along said take line and the northwest line of Lot 12, a distance of 46.04 feet to a 1/2" iron rod found for corner;

THENCE N. 57 deg. 24 min. 55 sec. E. along said take line and north line of Lot 12, a distance of 14.00 feet to a 1/2" iron rod found for corner at the north corner of Lot 12 and the northwest corner of Lot 34;

THENCE S. 33 deg. 42 min. 27 sec. E. a distance of 125.10 feet to the POINT OF BEGINNING and containing 8,265 square feet or 0.19 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as CHANDLERS LANDING, PHASE 18, SECTION 2, LOT 35, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

_____
DAVID RAINS

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared DAVID RAINS known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared CAROL INMAN known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III · 5034 · PROFESSIONAL · LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

APPROVED

I hereby certify that the above and foregoing plat of CHANDLERS LANDING, PHASE 18, SECTION 2, LOT 35, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

CHANDLERS LANDING PHASE 18 SECTION 2 LOT 35, BLOCK A

BEING A REPLAT OF LOT 12, BLOCK A
CHANDLERS LANDING PHASE 18, SECTION 2

0.19 ACRES OR 8,265 S.F.
(1 LOT)

E. TEAL SURVEY, A-207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
DAVID RAINS
5808 CONSTELLATION CIRCLE
ROCKWALL, TEXAS 75032

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND 1 CORNER
FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE APRIL 23, 2019
SCALE 1" = 20' FILE # 20061421-RP
CLIENT RAINS

CITY CASE NO. P2019-

68

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69

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

Cc: **Cheryl Dunlop, Director of Administrative Services (HR)**

FROM: **Shawn Yerks, Organizational Development & Training Administrator**

DATE: **October 30, 2019**

SUBJECT: **City of Rockwall's 457(b) Plan**

Human Resources is proposing to change the City of Rockwall's 457 Deferred Compensation Plan provider to ICMA-RC. For more than 45 years, ICMA-RC has focused exclusively on helping public sector employees build a financial security toward a well-deserved retirement. Their knowledge of local and state government deferred compensation and defined contribution plans makes the City's job easier, and ensures that participants are on track to build retirement security.

ICMA-RC is a non-profit organization focused on serving with a consistent, demonstrated focus on quality services and high retention rates, which are among the highest of any public sector retirement plan provider.

In addition, ICMA-RC has local representatives focused on educating participants and engaging them to make informed decisions about their retirement goals. This is done through their comprehensive, targeted participant education program using a combination of on-site training, financial planning services, and mobile and online services to help employees understand and fully utilize their retirement plan benefit.

We believe this proposed change will be beneficial to the City and its employees. This mutually beneficial partnership will ease the administrative burden and help the City better serve its employees by actively engaging them in retirement programs, to realize their retirement goals.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 19-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, TERMINATING AMERICAN UNITED LIFE INSURANCE COMPANY OF INDIANAPOLIS, INDIANA, A ONEAMERICA COMPANY AS THE CITY OF ROCKWALL 457(b) PLAN ADMINISTRATOR'S AGENT; APPOINTING INTERNATIONAL CITY MANAGEMENT ASSOCIATION RETIREMENT CORPORATION (ICMA-RC) AS INVESTMENT ADVISOR, WITH RESPECT TO THE CITY OF ROCKWALL 457(b) PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the **CITY OF ROCKWALL** (the "City") sponsors the **City of Rockwall 457(b) Plan** (the "Plan") for the benefit of its employees, which is intended to be qualified under Section 401(a), 403(b) or 457 of the Internal Revenue Code of 1986 (the "Code") and its related trust to be tax exempt under section 501(a) of the Code; and

WHEREAS, the City currently engages Fiduciary Consulting Group, Inc. as a professional independent fiduciary for the Plan to undertake fiduciary responsibility for the administration and management of the Plan; and

WHEREAS, the City recently received recommendations from Fiduciary Consulting Group, Inc. to move the City's 457 Plan away from OneAmerica as the Plan Administrator's Agent to ICMA-RC as the preferred provider of the City's 457 Plan; and

WHEREAS, the City believes it is prudent to appoint ICMA-RC as the Administrator of the Plan and to act as investment advisor to Vantage Trust Company, LLC, the Trustee of Vantage Trust, in place of Reliance Trust.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

Section 1. American United Life Insurance Company of Indianapolis, Indiana, a OneAmerica Company**,** is hereby terminated as the Plan Administrator's Agent of the City of Rockwall 457(b) Plan; and

Section 2. ICMA-RC is hereby appointed as Administrator of the Plan with respect to the City of Rockwall 457(b) Plan; and

Section 3. This change in the Administrator of the Plan designation is considered to have been in effect as of October 3, 2019, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 4TH DAY OF NOVEMBER, 2019.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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72

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E, Public Works Director/City Engineer**

DATE: **October 30, 2019**

SUBJECT: **Squabble Creek Lift Station Wastewater Sludge Grinders Project**

Squabble Creek Lift Station is the largest lift station in the City of Rockwall's wastewater collection system. This lift station currently receives around 3 million gallons per day. The Squabble Creek Lift Station consists of submersible pumps that have the ability to pass 3 to 4 inch solids. A modern day challenge with wastewater is the introduction of "flushables" such as disposable wipes, diapers, etc. into the City's collection system. These "flushables" do not degrade when they enter the collection system. As disposables travel through the system, they tend to cling together and form long strands that are called rags. These rags tend to clog submersible pumps.

When clogged, there is the chance of a Sanitary Sewer Overflow (SSO) into Squabble Creek which flows to Lake Ray Hubbard. An overflow from a lift station this size would be a very costly and an environmental burden on the City. The operating and maintenance costs related to these modern day 'flushables" has become of concern to the City's Public Works Department. The proposed wastewater sludge grinders will chop the rags and other large debris into small squares that can be passed through the submersible pumps. This reduces the down-time of the lift station and the possibility of overflows if the pumps are down. The cutters will also extend the life of the pump impellers.

Staff requests City Council consider approving the professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the engineering design services for the Squabble Creek Lift Station Wastewater Sludge Grinders project in an amount not to exceed $34,790.00, to be paid for out of Water and Sanitary Sewer Funds, and take any action necessary.

AJW:jmw
Attachments

Cc:
Mary Smith, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
Rick Sherer, Water/Wastewater Manager
File

STATE OF TEXAS ♦
♦
COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, L.L.P., ("ENGINEER"), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the Squabble Creek Lift Station Wastewater Sludge Grinders project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed Thirty-Four Thousand Seven-Hundred Ninety dollars ($34,790.00) and billed in accordance with the payment schedule provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at re-user's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. INDEMNIFICATION

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Matt Hickey, P.E.
Partner
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., #600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 31st day of October 2019.

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
A Texas Limited Liability Partnership
TPBE Firm No. 526
TBPLS Firm No. 100318-00

By: _____
Name: Matt Hickey, P.E.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall,

Texas

_____
Richard Crowley
City Manager

ATTACHMENT "A"
Squabble Creek Lift Station Wastewater Sludge Grinders
For
City of Rockwall

Scope of Services

Project Understanding:

The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter (Consultant) to provide engineering design, bidding and construction administration services for the installation of four submersible wastewater sludge grinders at the Squabble Creek Lift Station. The grinders are to be installed in combinations of two into the two 8-foot diameter manholes upstream of the Squabble Creek Lift Station wet well inlet pipe. The existing 8-ft diameter manhole cones, ring and covers will be replaced to a flat top section capable of allowing for hatches to open above the grinder units along with the installation of rails to lift and lower the units in and out of the manholes. Electrical design will include mounting the grinder control panels in the existing Squabble Creek Lift Station electrical room along with power and SCADA conduits from the manholes to the electrical room.

It is our understanding the design phase will occur in the 2019/2020 fiscal year and bidding and construction may occur in the 2020/2021 fiscal year.

PART I BASIC SERVICES

A Design Phase:

1. Conduct project kickoff meeting with Consultant Project Manager and City Staff.
2. Prepare cover sheet, location map and sheet index.
3. Prepare site plan at a Scale of not less than 1-inch = 20-feet showing existing manholes and lift station wet wells, piping and valves.
4. Prepare existing manhole sections based on the Squabble Lift Station shop drawings for the exiting manholes
5. Prepare structural details to modify 8-foot dimeter manhole tops. Structural design to be completed by Ronald A. Roberts Associates, Inc. (Texas Firm 511).
6. Obtain wastewater sludge grinder support rack and grinder details from manufacturer if available and include the details in the plans, if available.
7. Prepare electrical site plan at a scale of not less than 1-inch = 20-feet. Electrical plans to include a one line diagram and details.
8. Complete a quantity take off and prepare proposal and bid schedule.
9. Prepare Technical Specifications for the wastewater sludge grinders.

10. Preparation of specifications and contract documents utilizing the City of Rockwall standard specifications as the basis of the documents. Contract Documents will include the following:

    (a) City of Rockwall standard construction contract forms
    (b) Rockwall Notice to bidders
    (c) Rockwall Special instructions to bidders
    (d) Bid Schedule
    (e) Rockwall Standard construction contract
    (f) Performance bond
    (g) Payment bond
    (h) Maintenance bond
    (i) Certificate of insurance
    (j) Rockwall General conditions
    (k) Rockwall Special conditions
    (l) Technical specifications

11. Develop opinion of probable construction cost at 90% and 100% milestones.
12. Submit two sets of 11-inch X 17-inch 90% construction plans and specifications to the City for review and comment.
13. Revise construction plans and specifications from the City's 90% review comments.
14. Submit two 11-inch X 17-inch 100% final construction plans for bidding

B Bidding Phase:

1. The City will handle all notices to publish in the newspaper. The Engineer will upload to Civcastusa.com (online service) non-modifiable copies of the Engineer's sealed, signed and dated plan sheets and specifications. In the event that the electronic copies are modified, the original file at Birkhoff, Hendricks & Carter, LLP's office will govern in all cases.
2. The Engineer will prepare addenda to answer questions of the plans and specifications. The Engineer will provide the City with sealed, signed and dated addenda. The Engineer will upload the addenda to Civcastusa.com (online service) to respond to all questions. Questions must be submitted by potential bidders a minimum of 72-hours before the bid opening. All addenda shall be posted a minimum of 24-hours before the bid opening.
3. Attend Pre-Bid Meeting, if requested by City.

4. Obtain experience record and references from the lowest bidder. Check references of apparent low bidder. Formulate opinion from information received and provide a letter of recommendation for award of a construction contract.

C Construction Phase:

1. Attend the Pre-Construction Conference. City will prepare agenda.
2. Attend coordination meetings with contractor, quality control personnel, and City representatives as required to discuss strategy, problem areas, progress, and other coordination matters (Two meetings are included).
3. Review shop drawings and submittal information which the Contractor submits. This review is for the benefit of the Owner and covers only general conformance with information given by the Contract Documents. The contractor is to review and stamp their approval on submittals prior to submitting to the Engineer. Review by the Engineer does not relieve the Contractor of any responsibilities, safety measures or the necessity to construct a complete and workable facility in accordance with the Contract Documents. Review of shop drawings will be completed by review of electronic PDF files provided by the Contractor to the Engineer's email system.
4. Provide written responses to requests for information or clarification to City or Contractor.
5. Prepare and process routine change orders for this project as they pertain to the original scope of work.
6. Prepare monthly pay request from information obtained from Contractor and/or City Inspector, if requested by the City.
7. Accompany the City during their final inspection of the project.
8. Recommend final acceptance of work based on information from the on-site representative.

PART II ADDITIONAL SERVICES

For the following scope items defined as additional services are those anticipated to be necessary to facilitate design of the project. These services will be performed on an as-need basis and invoiced based on effort and expenses incurred.

Design Surveys:

A. Topographic and Design Survey:

1. Establish horizontal control points temporary vertical control benchmarks in the vicinity of the proposed improvements.
2. Perform field survey to identify and locate existing lift station wet well, valve vault, electrical room, horizontal and vertical location of manholes, valves, and new topographic features recently constructed with the Squabble Creek Lift Station and Permanent Bypass projects.

B. Reproduction:

1. Provide four 11-inch X 17-inch plan sets during design for City reviews. For construction:

(a)Half Size 11 X 17 Plans (15 Total)

- 7 - City (File, Engineering, Inspector, Sub-Inspector, Water, Wastewater, Streets/Drainage)
- 4 - Franchise Utilities (AT&T, Atmos, TXU/Oncor, Charter)
- 3 – Contractor / Subcontractors
- 1 – Testing Lab.

(b) Full Size 22 X 34 Plans (5 Total)

- 2 - City (File and Inspector)
- 3 – Contractor / Subcontractors

(c)Specification Books (7 Total)

- 3 – City (Engineering Project Manager, Inspector and Sub Inspector)
- 3 – Contractor / Subcontractors
- 1 – Testing Lab

C. Record Drawings:

Utilizing City's on-site representative and Contractor construction record information, Engineer will prepare one set of reproducible 11-inch X 17-inch record drawings and provide an electronic copy in PDF format on a CD for City records. Engineer will include a tabular inventory of the storm sewer and inlets installed for City records.

PART III EXCLUSIONS

The intent of this scope of services is to include only the services specifically listed herein and none others. Services specifically excluded from this scope of services include, but are not necessarily limited to the following:

A. Certification that work is in accordance with plans and specifications.
B. Consulting services by others not included in Scope of Services.
C. Contractor's means and methods.
D. Environmental impact statements and assessments.
E. Fees for permits.
F. Fees for publicly advertising the construction project.
G. Fiduciary responsibility to the Client.
H. On-site construction safety precautions, programs and responsibility (Contractor's responsibility).
I. Phasing of Contractor's work.
J. Preliminary engineering report.
K. Revisions and/or change orders as a result of revisions after completion of original design (unless to correct error on plans).
L. Trench safety designs.

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Part I shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee
	PART 1 - BASIC SERVICES	
A.	Design Phase	$ 16,750.00
B.	Bidding Phase	$3,900.00
C.	Construction Administration Phase	$ 9,850.00
	Basic Services Subtotal:	**$ 30,500.00**
Compensation for special services under Additional Services shall be on an hourly basis of salary cost times a multiplier of 2.4 for time expended on the task. Field survey crew shall be based on $170.00 per hour, inclusive of all equipment rentals and software licensing; plus, mileage charge at the IRS established rate. Expenses shall be at invoice cost times a multiplier of 1.15.		
	PART II - ADDITIONAL SERVICES	
A.	Design Surveys	$ 1,050.00
B.	Reproduction of Construction plans & Specifications	$ 2,000.00
C.	Record drawings	$ 1,240.00
	Additional Services Subtotal*	**$4,290.00**
	Project Total*	**$ 34,790.00**

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT "C"

Project Schedule

Complete Field Surveys	1 Week from Notice to Proceed
Submit 90% Plans to City for Review	2 Months from Notice to Proceed
Receive 90% Review Comments from City	2 Weeks from Submittal
Complete 100% (Final) Plans & Specifications	1 Month from City Return of 90%

Note: This schedule will be converted to dates once the City provides a Notice to proceed

ATTACHMENT "D"

Sub-Consultants

The Sub-Consultants anticipated for the work included in the scope of services for this project are as follows.

Structural Design:

Ronald A Roberts Associates, Inc.
Mr. Andrew Lloret, P.E.
Chief Structural Engineer
2948 N. Stemmons Freeway
Dallas, Texas 75247
Office: 214-637-6299
alloret@rara.net | www.rara.net

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89

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 29, 2019**

SUBJECT: **Purchase of onsite fixed generators at three Lift Stations**

Approved in the Sewer Operating budget is the purchase of fixed generators for stand-by power at Northshore, Lakeview Summit and Williams lift stations. The Generac generators are available for purchase from WPI (Waukesha-Pearce) including installation for a total amount of $229,380 through the Buy Board purchasing cooperative contract #577-18. Budget of $259,700 is adequate to cover the cost of this project.

As a member and participant in the BuyBoard cooperative program, the City has met all formal bidding requirements pertaining to the purchase and install of these new generators.

For Council consideration is this generator bid award to WPI for $229,380 and authorize the City Manager to execute a contract for this project.

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91

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **November 1, 2019**

SUBJECT: **Purchase of New Fire Apparatus**

Briefly discussed during the 2020 budget work session on August 27th was the arrival of our two new Fire Pumpers. In the FY18 budget Council approved the purchase of one pumper and in the FY19 budget approved a second pumper. We originally budgeted $1,365,000 for the two trucks and were able to get them at state contract pricing which brought the total down to $1,250,633. The pumpers replace a 1999 and a 2007 model truck and the trucks have taken more than one year to build.

We originally anticipated issuing debt amortized over 10 years to finalize the purchase of the pumpers. As we discussed during the budget process we have accumulated a fund balance in the debt service fund well in excess of our financial policies. We would propose to amend the FY2020 budget to provide for payment of these two pumpers from the debt service fund rather than issue new debt.

The Debt Service fund balance is projected to be $4,979,357 by the end of the fiscal year. This is more than 49% of our annual debt service payments and will still be 36% of our annual payments if the payment is approved by Council.

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93

Cole, Kristy

From: Melody Mayer <melody@renewfence.com>
Sent: Wednesday, October 30, 2019 9:25 AM
To: Cole, Kristy
Subject: City Council Agenda

Good-morning Kristi,

My name is Melody Mayer I would like to get on the City Councils upcoming agenda to discuss the possibility of changing the rules as it relates to residential retaining walls the material and height restrictions. I am a contractor and would like to discuss why I feel the rules should be adjusted to accept wood. Please let me know what all you need from me to proceed.

Best regards,

Melody Mayer
469-628-2283
Renew Fence & Construction

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

November 1, 2019

Rockwall City Council

Subject: Retaining wall located at 506 Shoretrail Dr., Rockwall

My name is Jeff Shellito. I have filed for a code compliance inspection with the Rockwall Building Inspections office against the resident at 506 Shoretrail Dr. for improper construction of a retaining wall.

The city codes are a necessity for now and our future. We need to maintain these standards that our current and past city officials have set forth.

If this structure is approved:

1. Home owners and contractors will see this and start duplicating this in other parts of the city. Can you say yes to this home owner and no to another?

2. What will be the next code violation? The use of railroad ties?

3. This approval would be a step back for Rockwall and its residents. Let's protect our current and our future home owners.

Thank you,

Jeff Shellito

Jeff Shellito
505 Ridgeview Dr.
Rockwall, Texas 75087

95

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96

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	November 4, 2019
SUBJECT:	Appointment with Brad Helmer of Heritage Christian Academy (HCA)

Brad Helmer of Heritage Christian Academy (HCA) has requested an appointment with the City Council to update them on HCA's capital campaign.

From: Brooks, Korey
To: Miller, Ryan
Subject: FW: CC mtg
Date: Wednesday, October 30, 2019 8:31:13 AM

From: Brad Helmer [mailto:bhelmer@hcarockwall.org]
Sent: Monday, October 14, 2019 10:30 AM
To: Brooks, Korey <kbrooks@rockwall.com>
Subject: CC mtg

Mr. Brooks, I would like to request to be added to the CC agenda for 11/4. I only need a few minutes to honor the CC's request for an update on our capital campaign. I will send you a copy of the agreed upon plan with updates in the next week.

Thank you,

Brad C. Helmer, Ed.D.
Head of School

1408 S. Goliad
Rockwall, Texas 75087
972.772.3003
bhelmer@hcarockwall.org

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HCA Gymnasium/Classroom Project Timeline

2016 Q3	2016 Q4	2017 Q1	2017 Q2
Building Committee Formed	Capital Campaign Consultant Selected	Begin Logic Narrative	Continued Resource Mapping Interviews
Capital Campaign Committee Formed	Preliminary Information to CC Consultant	Donor Screening and Planning	Top 10% Donor Meetings
Capital Campaign Consultant Interviews		Campaign Organization Development	Foundation Request Applications Begin
		Leadership Enlistment	Campaign Marketing Strategies/Logo Dev.
		Gantt Chart Discussion	CCC Board Updates
		Initial (Family) Donor Meetings Held	
		Resource Mapping Meetings by CCC	
		CCC Updates at Board Meetings	
		CCC Training with HCA Development Dir.	

% of Goal	4%

2017 Q3	2017 Q4	2018 Q1	2018 Q2
Continue Resource Mapping Interviews	Top 20% Donor Meetings	Contiune Donor Meetings	Contiune Donor Meetings
Top 20% Donor Planning	Preliminary Meetings with Architect	Present Preliminary Architect Drawings	
Continue Foundation Request Applications	Continue CCC Training of HCA Dev. Dir.	Continue CCC Training of HCA Dev. Dir.	
Continue CCC Training of HCA Dev. Dir.	Continue CCC Board Updates	Continue CCC Board Updates	
Continue CCC Board Updates			

% of Goal	8%	12%

2018 Q3	2018 Q4	2019 Q1	2109 Q2
Contiune Donor Meetings	Contiune Donor Meetings	Contiune Donor Meetings	Contiune Donor Meetings
	City Council Meetings Regarding SUP	Reengage Architect for New Plans	Board Approval of New Plans/Cost
		Gen Contractor Due Diligence for New Cost	

% of Goal	15%

2019 Q3	2019 Q4	2020 Q1	2020 Q2
Contiune Donor Meetings	Contiune Donor Meetings	Contiune Donor Meetings	Contiune Donor Meetings
Update Rockwall CC - given 90 Day SUP		Explore Financing Options	Present Financing Options to Board
Mtg. w/Mr. Johannesen for Timeline Planning			Pre Development Meeting with City
Submit New Timeline to CC			Zoning/Master Plat
In-Kind Donor Meeting			Public Appeal to Entire HCA Community

% of Goal	18%	22%

2020 Q3	2020 Q4	2021 Q1
Board Approves Financing	Building Permits Process	Construction Begins
Site Plan/Engineering/Final Plat		

% of Goal

100

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101

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, Director of Planning and Zoning
DATE:	November 4, 2019
SUBJECT:	Appointment with Scott Mommer, PE on Behalf of the Home Depot

Scott Mommer of Lars Anderson & Associates, Inc. is requesting that the *Land Use Schedule* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) be amended to allow the *Rental, Sales, and Service of Heavy Machinery and Equipment* land use with a Specific Use Permit (SUP) in a Commercial (C) District. This request is in response to staff's comments regarding a submitted site plan [*Case No. SP2019-036*], which proposed expanding an existing hardware store (*i.e. Home Depot*) to add a *Tool Rental Center*. When communicating with the applicant before the submittal, staff was under the impression that the expansion would only operate as a tool rental center (*i.e. power drills, saws, electric sanders*), which is permitted *by-right* in a Commercial (C) District; however, while reviewing the submitted site plan staff noticed that the proposed plan included an outside storage area and a *Rental, Sales, and Service of Heavy Machinery and Equipment* component in conjunction with the *Tool Rental Center*. Based on this, staff notified the applicant that the *Rental, Sales, and Service of Heavy Machinery* land use is not a permitted land use within the Commercial (C) District. In response to this, the applicant requested that the use be allowed in a Commercial (C) District on a *case-by-case* basis (*i.e. through a Specific Use Permit [SUP]*).

Should the City Council choose to direct staff to make changes to the ordinance, staff would proceed based on the following schedule:

Planning and Zoning Work Session: November 26, 2019
Planning and Zoning Public Hearing: December 10, 2019
City Council Public Hearing/First Reading: December 16, 2019
City Council Public Hearing/Second Reading: January 6, 2019

Should the City Council ultimately grant the requested amendment, staff should point out that the applicant would not be permitted to provide the proposed *Rental, Sales, and Service of Heavy Machinery and Equipment* land use on-site until a Specific Use Permit (SUP) is approved by the City Council pending a recommendation from the Planning and Zoning Commission. Approval of a Specific Use Permit (SUP) would be a separate discretionary process. In the attached packet staff has placed a copy of the applicant's request.

LARS ANDERSEN & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
ADA COMPLIANCE • LEED ACCREDITED • STORM WATER QUALITY
4694 W JACQUELYN AVENUE
FRESNO, CA 93722
PH (559) 276-2790 FX (559) 276-0850
TEXAS REGISTERED ENGINEERING FIRM F-18450

SCOTT A. MOMMER, PE, QSD
PRESIDENT

DANIEL J. ZOLDAK, PE, PLS
CASp, LEED AP, QSD/P
VICE PRESIDENT

September 10, 2019

Korey Brooks, AICP
Senior Planner
City of Rockwall
385 S. Goliad
Rockwall, TX 75087
O: 972-772-6434
E: kbrooks@rockwall.com

RE: Home Depot – Amended Site Plan – Tool Rental Center (TRC) & THD Rental Equipment
765 E-I30, Rockwall, TX 75087

Korey,

On behalf of Home Depot, our Firm is submitting for an Amended Site Plan to Permit a proposed Tool Rental Center (TRC) and THD Rental Equipment Display. The general operations for the TRC is the rental of tools associated with general construction, which could range from a drill to a larger power equipment. This operation is utilized by both our general customers and contractors. In conjunction with the TRC, Home Depot is requesting to utilize approximately 10 parking stalls identified on the proposed Site Plan to store and display compact power rental equipment that can be rented through the TRC. Such equipment are items like small trailers, see the attached file for a list of example compact power equipment. It should be noted that the HD Rental equipment is owned and operated by Home Depot and there are no Third-Party Entities involved with this accessory use. In addition, no service, repairs, or maintenance or done on THD Rental equipment at the store, as Home Depot owns various locations where they are serviced by Home Depot at their maintenance facility throughout the region.

Attached you will find the following submittal items:

- Application signed by Home Depot
- Four (4) full size (24” x 36”) proposed Site Plan
- Four (4) full size (24” x 36”) proposed Building Elevation/Colored Rendering
- Check # 1238 for $100.00

In advance, we greatly appreciate the City’s review of the proposed project and feel free to contact me with any questions by email at smommer@larsandersen.com or by cell at 559-978-7060.

Sincerely,
LARS ANDERSEN & ASSOCIATES, INC.

Scott A. Mommer

Scott A. Mommer, PE
President



LARS ANDERSEN & ASSOCIATES, INC.
CIVIL ENGINEERS – LAND SURVEYORS – PLANNERS
4694 WEST JACQUELYN AVENUE – FRESNO CALIFORNIA 93722
TEL: 559 276-2790 FAX: 559 276-0850 WWW.LARSANDERSEN.COM



VICINITY MAP
NOT TO SCALE

PROJECT INFORMATION

ZONING INFORMATION

APN:	47567
ZONING:	C COMMERCIAL
LAND USE:	COMMERCIAL

BUILDING ELEVATION & COLOR RENDERING

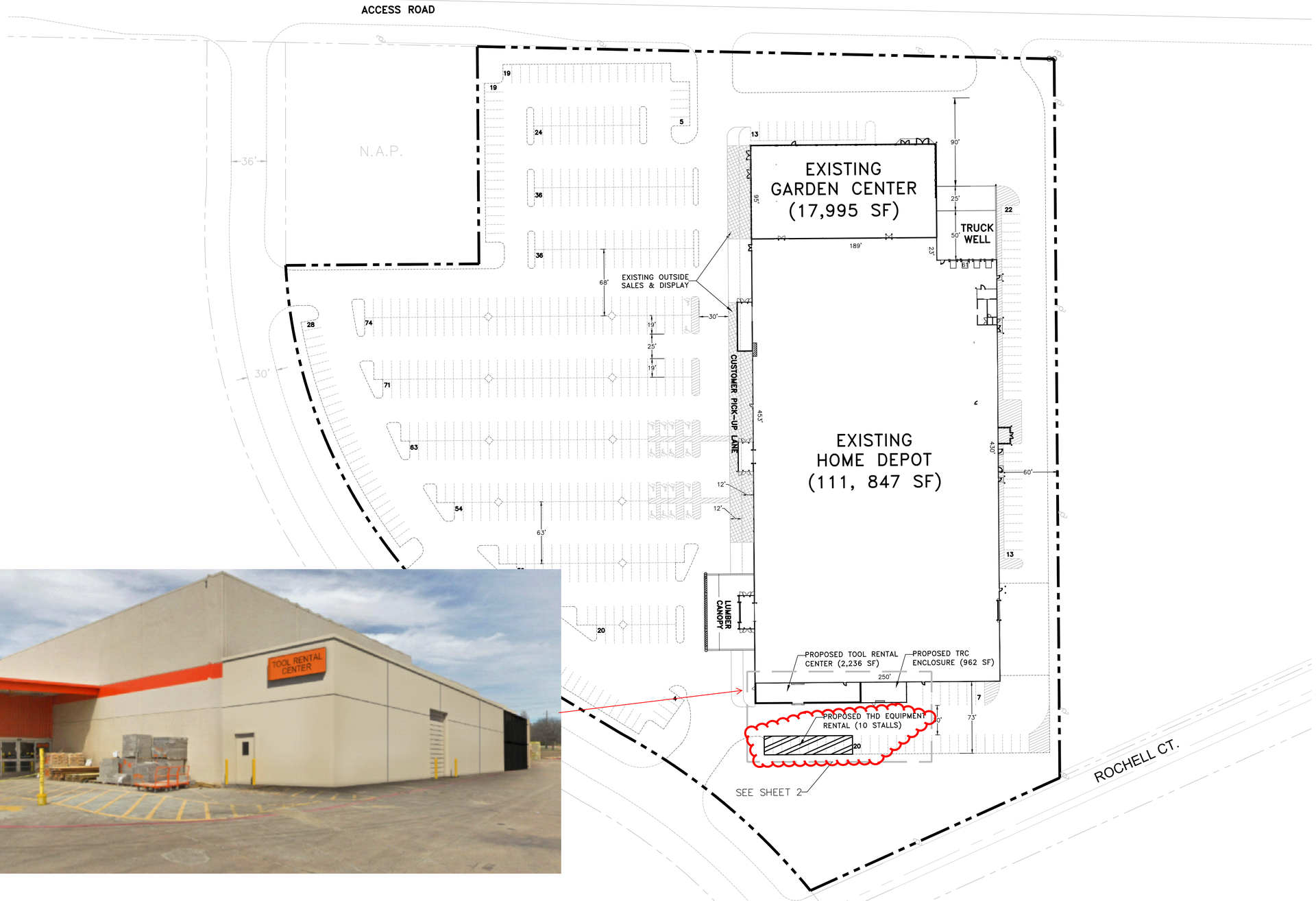
DATE:	9/10/2019
REVISION DATES:	
SITE PLANNER	LUIS REBELO
SITE DEV. COORDINATOR	SCOTT MOMMER
R. E. MARKET	
R. E. AGENDA NAME	
R. E. MANAGER	

TX - ROCKWALL
STORE #0531

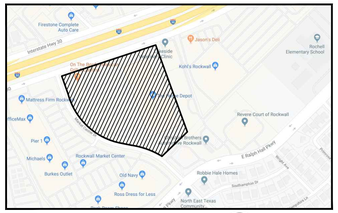
ADDRESS:	765 E I-30 ROCKWALL, TX 75087
LA PROJECT NUMBER	18085.00

SHEET 1 OF 1

104



LARS ANDERSEN & ASSOCIATES, INC.
CIVIL ENGINEERS – LAND SURVEYORS – PLANNERS
4694 WEST JACQUELYN AVENUE – FRESNO CALIFORNIA 93722
TEL: 559 276-2790 FAX: 559 276-0850 WWW.LARSANDERSEN.COM



VICINITY MAP
NOT TO SCALE

PROJECT INFORMATION

ZONING INFORMATION	
APN:	47567
ZONING:	C COMMERCIAL
LAND USE:	COMMERCIAL
HOME DEPOT SITE DATA	
HOME DEPOT AREA	11.39 AC
HOME DEPOT BUILDING AREAS	
EXISTING HOME DEPOT BUILDING	111,847 SF
PROPOSED TOOL RENTAL CENTER	2,236 SF
EXISTING GARDEN CENTER	+ 17,955 SF
TOTAL HD BUILDING AREA	132,038 SF
PARKING REQUIRED PER CITY CODE	
HOME DEPOT (@ 1/250 SF) GFA (INCLUDING GARDEN CENTER)	528 STALLS
PARKING PROVIDED	
CUSTOMER	504 STALLS
OVERFLOW	+ 89 STALLS
TOTAL PROVIDED	593 STALLS
INCLUDED WITHIN PARKING PROVIDED	
ACCESSIBLE PARKING	18 STALLS
NOT INCLUDED WITHIN PROVIDED PARKING	
EQUIPMENT RENTAL	10 STALLS

TRC SITE PLAN

DATE:	8/20/2019
REVISION DATES:	
SITE PLANNER	LUIS REBELO
SITE DEV. COORDINATOR	SCOTT MOMMER
R. E. MARKET	
R. E. AGENDA NAME	
R. E. MANAGER	

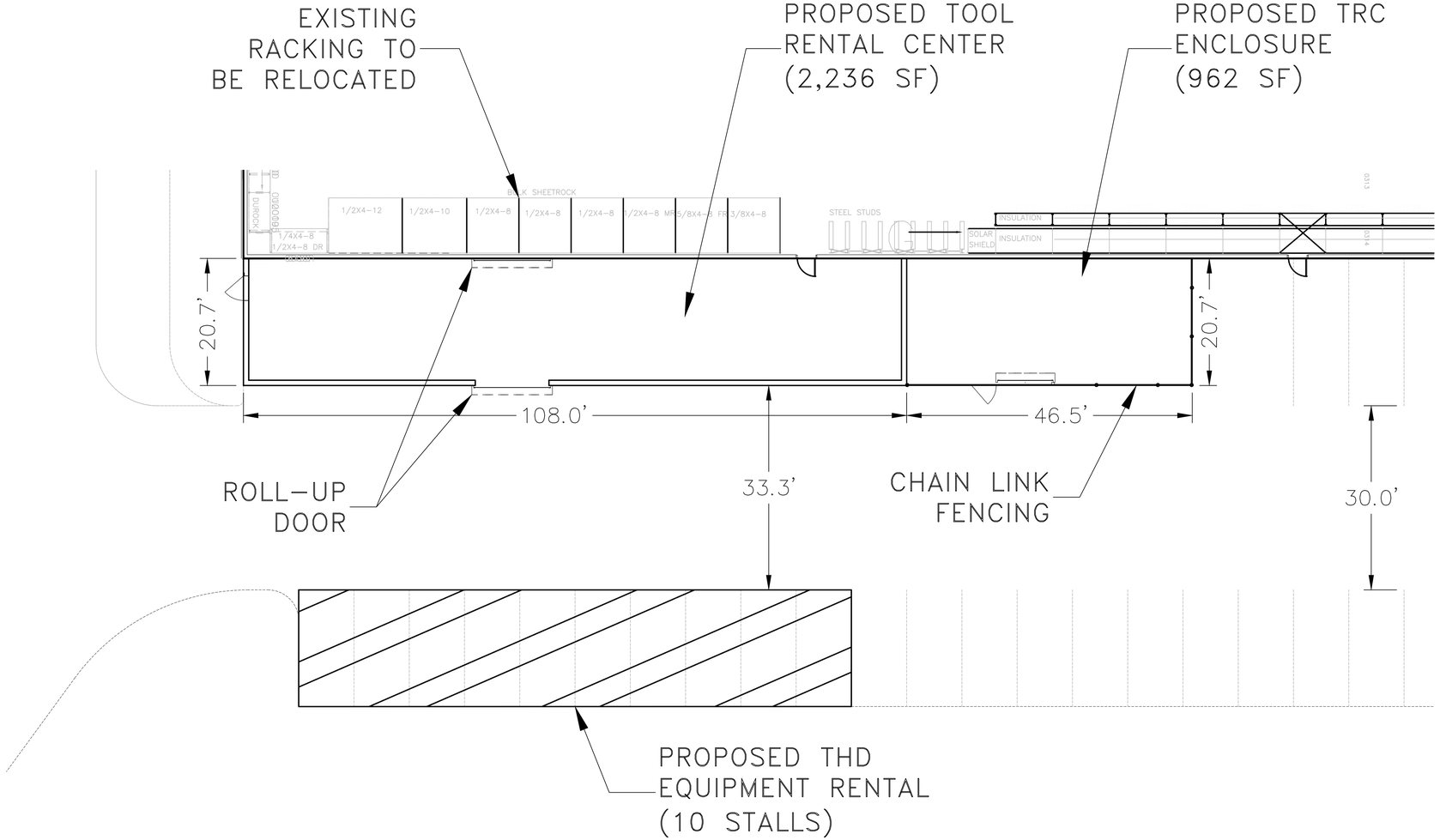
TX - ROCKWALL
STORE #0531

ADDRESS:	765 E I-30 ROCKWALL, TX 75087
LA PROJECT NUMBER	18085.00

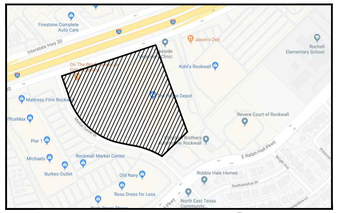
0' 50' 100'
SCALE 1"=50'

PLAN VIEW
SHEET 1 OF 2

105



LARS ANDERSEN & ASSOCIATES, INC.
CIVIL ENGINEERS – LAND SURVEYORS – PLANNERS
4694 WEST JACQUELYN AVENUE – FRESNO CALIFORNIA 93722
TEL: 559 276-2790 FAX: 559 276-0850 WWW.LARSANDERSEN.COM



VICINITY MAP
NOT TO SCALE

PROJECT INFORMATION

TRC SITE PLAN

DATE:	8/20/2019
REVISION DATES:	
SITE PLANNER	LUIS REBELO
SITE DEV. COORDINATOR	SCOTT MOMMER
R. E. MARKET	
R. E. AGENDA NAME	
R. E. MANAGER	

TX - ROCKWALL
STORE #0531

ADDRESS:	765 E I-30 ROCKWALL, TX 75087
LA PROJECT NUMBER	18085.00

0' 10' 20'
SCALE 1"=10'

PLAN VIEW
SHEET 2 OF 2

106

Compact Power Rental Equipment

Tractor Loader Backhoe

- Used for loading, carrying, and transporting materials
- Electrical, plumbing, and irrigation installation or repairs
- Grading and leveling



Skid Steer

- Grading and leveling
- Load, carry and spread materials
- Landscaping, construction and property improvement
- Light demolition work



Mini Excavator

- Property improvement and landscape projects
- Irrigation installation and drainage projects
- Plumbing and electrical installation or repairs



Aerial Equipment

- Tree care and maintenance
- Facility maintenance, painting, HVAC, electrical
- Sign and lighting repair



Light Tower

- Job site illumination
- Sports activities
- Event setups



Material Handling

- Transport concrete, stone, materials and aggregate
- Construction and demo site clean up



Dump Trailer

- Demolition removal and yard maintenance
- Carrying landscape materials
- Hauling aggregate



Tree Care (Chipper Rental/Stump Grinder)

- Tree care and maintenance
- Landscaping and property improvements



Mini Skid Steer

- Load, carry and spread materials
- Landscape and property improvement
- Grading and leveling



Trencher

- Installing irrigation and drainage projects
- Landscape and property improvement

Tractor Loader Backhoe

- Load, carry and transport materials
- Electrical, plumbing, and irrigation installation or repairs
- Grading and leveling



Skid Steer

- Grading and leveling
- Load, carry and spread materials
- Landscaping, construction and property improvement
- Light demolition work





108

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109

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	October 21, 2019
APPLICANT:	Marty Wright
CASE NUMBER:	Z2019-022; *Specific Use Permit (SUP) for a Detached Garage*

SUMMARY At the request of the applicant, this item was postponed at the 10/21 mtg. until 11/04.

Hold a public hearing to discuss and consider a request by Marty Wright for the approval of a Specific Use Permit (SUP) for a detached garage on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary.

BACKGROUND

The subject property was annexed in 1999 [*Ordinance No. 99-33*], is zoned Single-Family 16 (SF-16) District, and is addressed as 2340 Saddlebrook Lane. On November 11, 2001, the City Council approved a change in zoning [*Case No. PZ2008-102; Ordinance No. 01-102*], from an Agricultural (AG) District to a Single-Family 16 (SF-16) District for the Saddlebrook Estates #2 Addition. On October 21, 2002, the City Council approved a replat [*Case No. PZ2002-71-01*] for the Saddlebrook Estates #2 Addition.

PURPOSE

The applicant is requesting approval of a Specific Use Permit (SUP) to allow a detached garage that exceeds the maximum allowable size for a property in a Single-Family 16 (SF-16) District.

ADJACENT LAND USES AND ACCESS

The subject property is located at 2340 Saddlebrook Lane. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property there are several single-family homes located within the Saddlebrook Estates #2 Addition, followed by the corporate limits of the City of Rockwall. These homes are zoned Single-Family 16 (SF-16) District. Beyond this is E. Quail Run Road, which is identified as a M4U (*major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan. Following this, there is a large vacant tract of land zoned Agricultural (AG) District.

South: Directly south of the subject property, are several single-family homes within the Saddlebrook Estates #2 Addition, which are zoned Single-Family 16 (SF-16) District, followed by the corporate limits of the City of Rockwall. Beyond this is FM-1141, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan.

East: Directly east of the subject property there are several single-family homes within the Saddlebrook Estates #2 Addition, which are zoned Single-Family 16 (SF-16) District. Beyond this is FM-1141, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan and delineates the corporate limits of the City of Rockwall.

West: Directly west of the subject property are several single-family homes within the Saddlebrook Estates #2 Addition, which are zoned Single-Family 16 (SF-16) District. Beyond this are several single-family homes zoned Agricultural (AG) District followed by John King Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting approval of a Specific Use Permit (SUP) for a detached garage that exceeds the maximum allowable size for properties located within a Single-Family 16 (SF-16) District. Currently situated on the subject property, there is a 3,397 SF brick single-family home and a 216 SF accessory building that is clad with wood. The proposed building will be situated behind the main structure, will be 13' 8" in height, and will be constructed of metal. The building will include a 24' x 40' (*i.e. 960 SF*) detached garage and a 6' x 40' (*i.e. 240 SF*) porch that will be on the front of the building. The total footprint of the building will be 1,200 SF (*i.e. 35% of the size of the home*). The porch will incorporate windows with shutters, double walk-in doors, and wooden posts. The applicant has stated that the purpose of the porch is to blend the building with the neighborhood by incorporating architectural elements that are typically seen on a single-family home. The building will have two (2) roll-up doors located on each of the side façades (*i.e. north and south façades*) and the applicant has stated that detached garage will be utilized to store several antique vehicles. The existing 12' x 18' (*i.e. 216 SF*) accessory building will be relocated and will be situated adjacent to the northern side façade of the proposed detached garage. The applicant has provided a site plan and proposed building elevations to be reviewed by the Planning and Zoning Commission and the City Council.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 7.04, *Accessory Structure Development Standards*, of Section 7, *District Development Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), in a Single-Family 16 (SF-16) District a detached garage is permitted provided that it is no larger than 625 SF. The detached garage shall include a minimum of one (1) garage bay door large enough to accommodate a standard size motor vehicle and shall be architecturally compatible with the primary structure. In this case, the proposed detached garage is 960 SF and the porch is 240 SF (*i.e. a total building footprint of 1,200 SF*), which exceeds the maximum allowable size of a detached garage. Although the proposed building exceeds the maximum allowable size, the applicant has provided additional architectural elements (*i.e. the front porch, windows and shutters, and the double walk-in doors*) on the building in order for the building to be consistent with the main structure. Additionally, the proposed building incorporates two (2) roll-up doors that are large enough to accommodate a standard passenger vehicle. Based on the proposed design of the building, the applicant's request appears to be in conformance with the requirements stipulated by the Unified Development Code (UDC) with regard to detached garages; however, the Planning and Zoning Commission and City Council are tasked with determining if the proposed building is architecturally compatible with the primary structure.

STAFF ANALYSIS

When looking at the applicant's request, it was observed that a large majority of property owners *(i.e. 26 of the 44 homes or roughly 60%*) currently have a detached garage and/or accessory building on their properties. Of the existing accessory buildings within the Saddlebrook Estates #2 Addition, several are roughly the same size or larger than (*i.e. 900-1,300 SF*) the proposed detached garage. It should be noted that most of the accessory buildings that are visible from the street utilize exterior materials similar to the main structure (*i.e. a combination of brick and cementitious lap siding*). Staff was able to determine that 30 building permits have been for accessory buildings within the Saddlebrook Estates #2 Addition and 27 of the permits are still active (*i.e. not expired, voided, or withdrawn*). A vast majority of the permits were issued between 2002 (*i.e. shortly after this area was annexed*) and 2009. In this case, the proposed detached garage is larger than the maximum allowable

detached garage; however, the design of the structure (*i.e. inclusion of a front entryway door, windows, shutters, and front porch*) appears to be architecturally compatible with the main house and would resemble a residential building. The building will sit more than 100-feet from the front property line and be approximately four (4)-feet higher than the street. Due to this, visibility of the garage bay doors will be limited from the front property line. Should the detached garage be visible from of the front of the property, the garage would likely resemble the existing detached garages on the surrounding properties (*i.e. the bay doors would be visible from the street*). Given that a majority of the surrounding homes have a detached garage, an accessory building, and/or a portable building approval of this request does not appear to negatively impact the subject property or surrounding properties. Staff should note, approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission. Should this request be approved, a total of two (2) accessory buildings will be located on the subject property.

NOTIFICATIONS

On September 20, 2019, staff sent 30 notices to all residents/property owners within 500-feet of the subject property. There are no Homeowner's Associations (HOA's)/Neighborhood Associations located within 1,500-feet of the subject property and are participating in the Neighborhood Notification Program. At the time this report was written, staff had received four (4) emails and one (1) notice in favor and one (1) email in opposition of this request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request then staff would propose the following conditions of approval:

(1) The following conditions pertain to the operation of a *detached garage* on the *Subject Property* and conformance to these conditions are required for continued operations:

  (a) The detached garage shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B'* & *'C'* of the attached ordinance;

  (b) The detached garage shall not exceed a maximum size of 1,200 SF;

  (c) The detached garage shall not exceed an overall height of 15-feet;

  (d) The subject property shall not have more than two (2) accessory buildings;

(2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On October 8, 2019, the Planning and Zoning Commission's motion to recommend denial of the applicant's request was approved by a vote of 7-0. According to Section 2.03(G), *Protest of a Zoning Change*, of Article XI, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-forths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

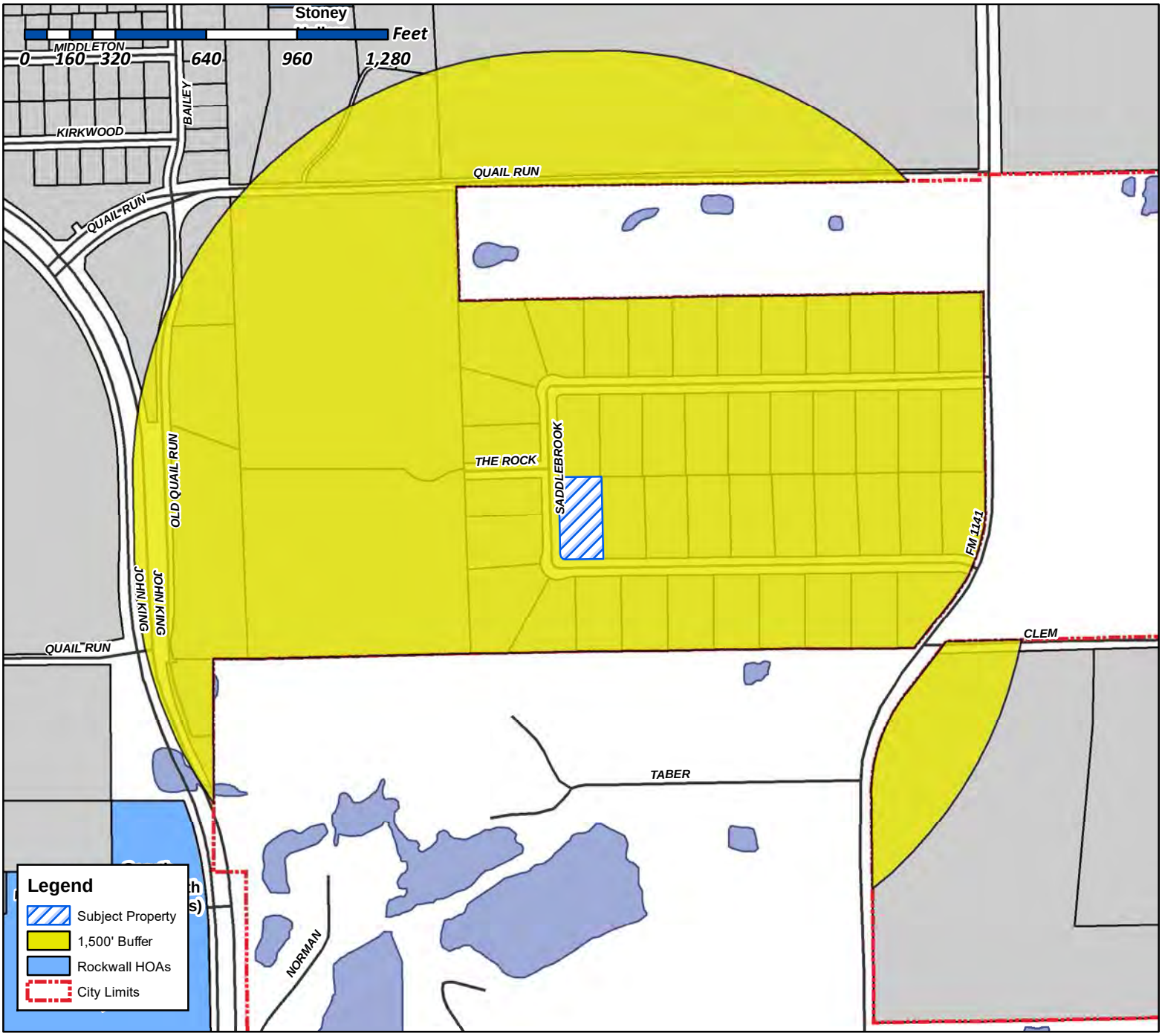
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

113

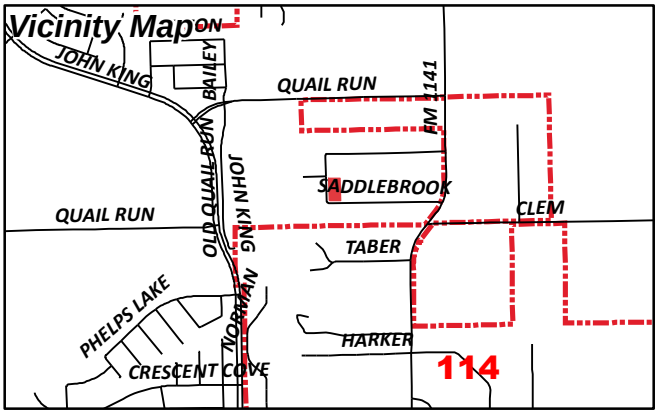
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2019-022
Case Name: SUP for an Accessory Building
Case Type: Zoning
Zoning: Single Family 16 (SF-16) District
Case Address: 2340 Saddlebrook Lane

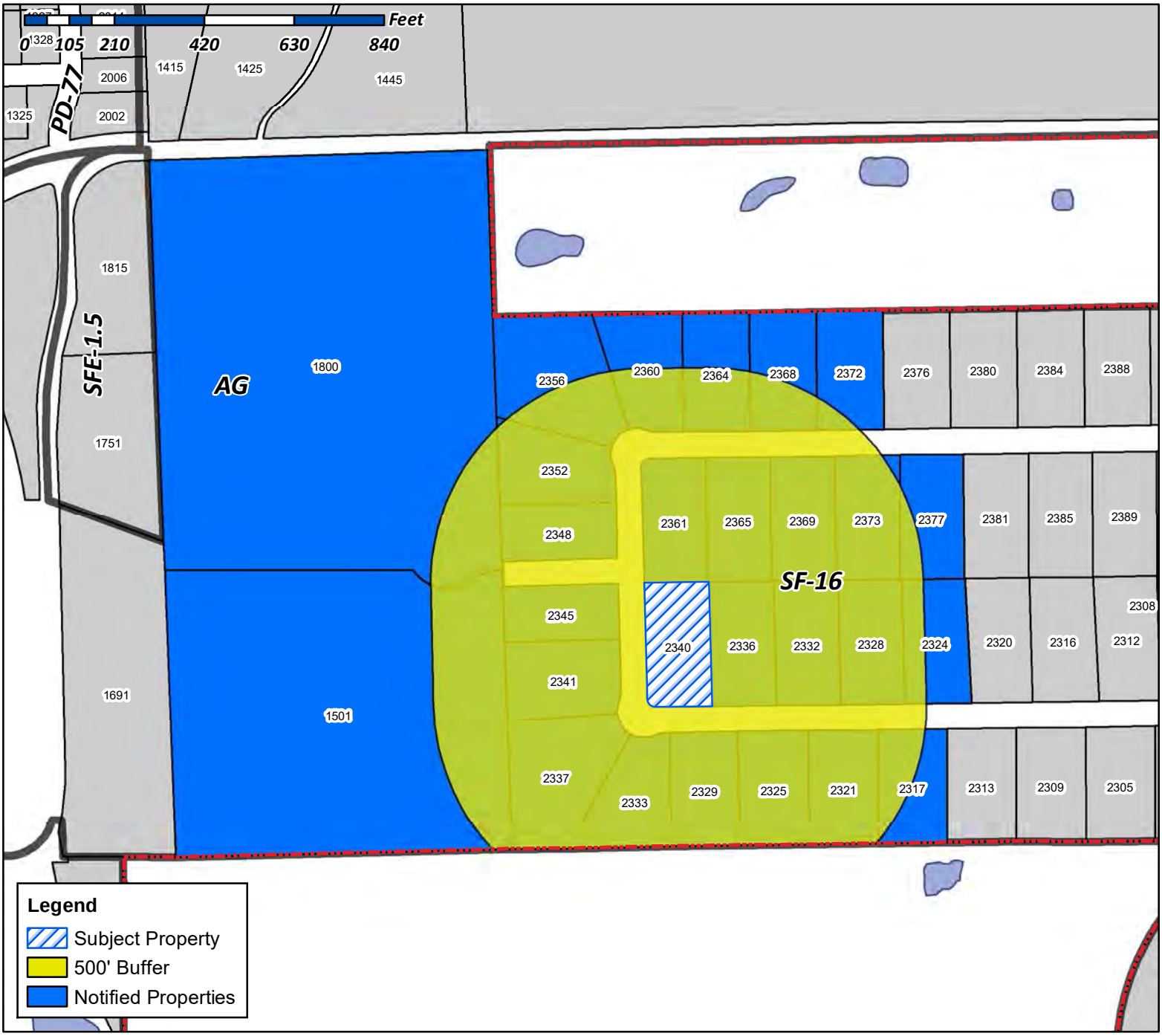


Date Created: ***9/17/2019***
For Questions on this Case Call (972) 771-7745

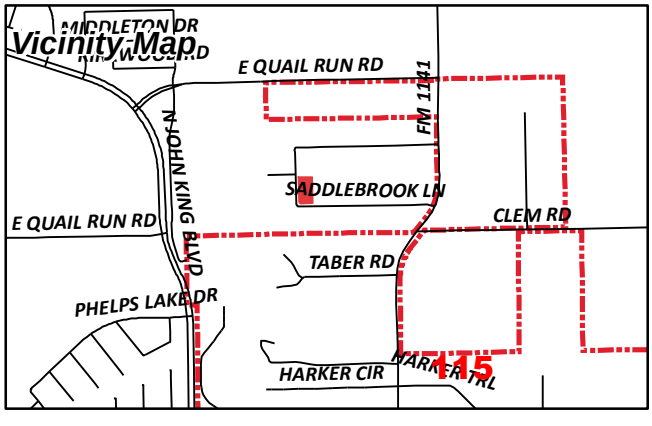
City of Rockwall

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385 S. Goliad Street
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Case Number: Z2019-022
Case Name: SUP for an Accessory Building
Case Type: Zoning
Zoning: Single Family 16 (SF-16) District
Case Address: 2340 Saddlebrook Lane



Date Created: ***9/17/2019***
For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT
1501 THE ROCK
ROCKWALL, TX 75087

TYLER WILLIAM L AND VANITA RAE
1501 THE ROCK
ROCKWALL, TX 75087

CURRENT RESIDENT
1800 E QUAIL RUN RD
ROCKWALL, TX 75087

MUGGEO THOMAS & PATRICIA M
2317 SADDLEBROOK LN
ROCKWALL, TX 75087

ROBINSON RONNIE D & VERONICA A
2321 SADDLEBROOK LANE
ROCKWALL, TX 75087

BARON JEFFREY MICHAEL & JEANNE MARIE
2324 SADDLEBROK LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2325 SADDLEBROOK LN
ROCKWALL, TX 75087

AMUNDSON DAVID O & ALICIA K
2328 SADDLEBROOK LN
ROCKWALL, TX 75087

BROWN CHRISTOPHER & SHELLEY
2329 SADDLEBROOK LN
ROCKWALL, TX 75087

WHITE JOHN C & PAMELA E
2332 SADDLEBROOK LN
ROCKWALL, TX 75087

YODER DEBRA AND BYRON M GILLORY JR
2333 SADDLEBROOK LANE
ROCKWALL, TX 75087

SHACK RANDY & JAMIE
2336 SADDLEBROOK LANE
ROCKWALL, TX 75087

THOMAS WILLARD L AND PEGGY J
2337 SADDLEBROOK LANE
ROCKWALL, TX 75087

WRIGHT MARTY ALLEN & DEBRA MAY
2340 SADDLEBROOK LN
ROCKWALL, TX 75087

TROISE GUTHRIE CHASE
2341 SADDLEBROOK LN
ROCKWALL, TX 75087

SCHALE WILLIAM AND CORTNEY
2345 SADDLEBROOK LN
ROCKWALL, TX 75087

GRIFFIN STEPHEN J
2348 SADDLEBROOK LN
ROCKWALL, TX 75087

HARVEY GARY G & KENETA L REVOCABLE LIVING TRUST
2352 SADDLEBROOK LN
ROCKWALL, TX 75087

COX ROBERT & BEVERLY
2356 SADDLEBROOK LN
ROCKWALL, TX 75087

OROZCO ARTHUR & SANDRA
2360 SADDLEBROOK LANE
ROCKWALL, TX 75087

HARVEY LEE L AND
MARIA J PEREIRA
2361 SADDLEBROOK LANE
ROCKWALL, TX 75087

BERGER KEVIN M & DEBBIE R
2364 SADDLEBROOK LN
ROCKWALL, TX 75087

PROCTOR CAROLYN
2365 SADDLEBROOK LN
ROCKWALL, TX 75087

STELZER WADE L & MISTY M
2368 SADDLEBROOK LN
ROCKWALL, TX 75087

CURRENT RESIDENT
2369 SADDLEBROOK LN
ROCKWALL, TX 75087

ELLIS MELISSA A AND CHIMA O
2372 SADDLEBROOK LN
ROCKWALL, TX 75087

CALDERON ALEJANDRO & ROSARIO
2373 SADDLEBROOK LN
ROCKWALL, TX 75087

ARENAS SEVERIANO & KRISTI L
2377 SADDLEBROOK LN
ROCKWALL, TX 75087

COX GERALD GLEN AND ROSALBA CARRASCO
3150 HAYS LN
ROCKWALL, TX 75087

GILKINSON DOYLE D & LORA A
PO BOX 8432
GREENVILLE, TX 75404

116

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-022: SUP for Accessory Building

Hold a public hearing to discuss and consider a request by Marty Wright for the approval of a Specific Use Permit (SUP) for an accessory building on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/8/2019 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 10/21/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **10/21/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

PLEASE RETURN THE BELOW FORM

Case No. Z2019-022: SUP for Accessory Building

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-022
Date:	Tuesday, October 01, 2019 4:11:53 PM

From: Berger, Kevin [redacted]
Sent: Thursday, September 26, 2019 7:36 AM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-022

This is in regards to the above SUP request for 2340 Saddlebrook Lane.

First of all, we are 100% in favor of the request to build an accessory building in excess of 900 square feet which we assume is the reason for the SUP.

We know from building our own workshop in 2006 that at that time, the city required that the exterior cladding contains the same materials, excluding glass, as found on the main structure which in our case meant that we needed to brick the accessory building. I can think of at least 7 accessory buildings in Saddlebrook Estates that have been built and all of them comply with this requirement. From looking at the request and viewing the renderings, it appears that this structure is a 100% steel building.

Is this SUP just for the structure being greater than 900 square feet?

Is there an additional variance being applied for not using the same cladding material as the main residence?

Has the Rockwall UDC changed since 2006 that allows for a metal accessory building not allowed previously?

We know that bricking an accessory building is more expensive than not, but up to this point everyone in our neighborhood has had to comply. And honestly it has kept the neighborhood looking much better than if we had all built metal buildings.

Thanks for any clarification you can provide,

Kevin & Debbie Berger
2364 Saddlebrook Lane
Rockwall, TX 75087
214-534-6594

From: Planning
To: Brooks, Korey
Subject: FW: Case number Z2019022:SUP for accessory building
Date: Tuesday, October 01, 2019 4:10:08 PM

-----Original Message-----
From: Peggy Thomas [redacted]
Sent: Monday, September 30, 2019 2:08 PM
To: Planning <planning@rockwall.com>
Subject: Case number Z2019022:SUP for accessory building

Our names are Willard and Peggy Thomas and we are in favor of the request for the zoning change. It is our belief that the inhabitants of the home will build an appropriate structure for our neighborhood, as their home is one of the nicest ones in the neighborhood and so very well-kept thank you very much.

Willard and Peggy Thomas
2337Saddlebrook Ln., Rockwall, TX 75087

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-022. Marty Wright
Date:	Tuesday, October 01, 2019 4:10:47 PM

From: [redacted]
Sent: Friday, September 27, 2019 2:12 PM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-022. Marty Wright

In reference to Case number Z2019-022 I am in favor of the request to build the new building on the property. I am Marty's neighbor and I have looked at his plans for the new building. I think its going to be a very nice building as proposed. If there are any questions just let me know.

Chris Brown
2329 Saddlebrook Ln.
Rockwall, TX 75087
214-926-6969
[redacted]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From:	Planning
To:	Brooks, Korey
Subject:	FW: Case No. Z2019-022
Date:	Thursday, October 10, 2019 9:45:51 AM

From: David Amundson [redacted]
Sent: Thursday, October 10, 2019 9:44 AM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-022

David Amundson
2328 Saddlebrook Lane Rockwall, TX 75087

Case No. Z2019-022
I am in favor of the request for SUP for Accessory Building to 2340 Saddlebrook Lane.

I also request that the Council consider the advantages of a Steel Building over conventional construction of wood and brick.
I have attached 2 sites that I have found listing the advantages.

Eco-friendly
Lower Cost
More efficient
Durability - Little to no maintenance
Noncombustible material - **lower risk of fire**
Insurance discounts
Increased resale value

http://armstrongsteel.com/network/future-first-time-builders/pros-and-cons-of-steel-buildings-and-traditional-timber-buildings/#.XZ86UUZKiUk

https://www.rhinobldg.com/10-reasons-metal-buildings-rule/

Thanks,

David Amundson

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PLEASE RETURN THE BELOW FORM

Case No. Z2019-022: SUP for Accessory Building

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

While I recognize the fact that no one wants their neighborhood to become a warehouse district, I think Mr. Wright's request should be approved. If anyone will keep it looking nice, he will. He and his wife and son are always out doing yard work & landscaping. Best yard in the neighborhood! I'm sure it will be done tastefully to fit in and maintained to look great.

Name: Stephen Griffin

Address: 2348 Saddlebrook Ln Rockwall 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Planning
To: Brooks, Korey
Subject: FW: Case No. Z2019-022 Comment
Date: Monday, October 07, 2019 8:14:20 AM

-----Original Message-----
From: Bradley Jones [redacted]
Sent: Sunday, October 6, 2019 6:42 PM
To: Planning <planning@rockwall.com>
Subject: Case No. Z2019-022 Comment

Bradley and Susan Jones
2352 Saddlebrook Lane
Rockwall, TX 75087

We are opposed to the request for the reasons listed below:

The size and construction type are not compatible with the neighborhood. We are considering building a detached garage and research indicates that the structure needs to be built with the same materials as the house…not a metal building. Also, the addition of a building that size would start to crowd the lot and not be consistent with the rest of the neighborhood. For these two reasons, I believe the construction of this structure would decrease home values in the future and lead potentially lead to other requests of this nature.

Regards, Brad Jones

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning and zoning:

The situs address is 2340 Saddlebrook Ln. Rockwall, Texas 75087. We hope to build a storage building on our property. The property is 1 acre and currently has our home, pool, cabana, accessory building and all fence is wrought iron and a 8 foot wood fence on the east side that belongs to my neighbor.

What we plan to do is move our current accessory building to the north end of the property and add a storage building just of south of that structure. The proposed storage building will have a slab 30x40. The structure will include 24x40 of storage and a 6x40 porch on the west side. All windows and walk-in doors will be on the porch side and it will include overhead roll up door on the north and south end of the building. Maximun height will be 13 foot 8 inches. Colors will be Sandstone, Brown and wainscot trim on the bottom. No plumbing will be added and electricity will be added at a later time. A 90 foot driveway will be added to meet up with the proposed building at a later time.

We have a building quote from Eversafe Buildings for a total of $14,245.52 not including the slab. Eversafe has also included the concrete slab recommendations, which I have included in this packet. The slab cost is estimated to be approx. $9600.00, for a total project cost of approx. $23,850.00.

In our neighborhood we have other projects that also went past the maximum square footage and one having a second floor and going well above the 15-foot maximum height requirement.

Our use of this building to store several antique cars. The reason for the porch was my wife's idea.

I have included:

Site map of my property indicating proposed building site and feet between borders

Building quote

Recommendation of concrete slab

3D models of proposed storage building

Two photos of current accessory building to be moved

Two photos of proposed site of building

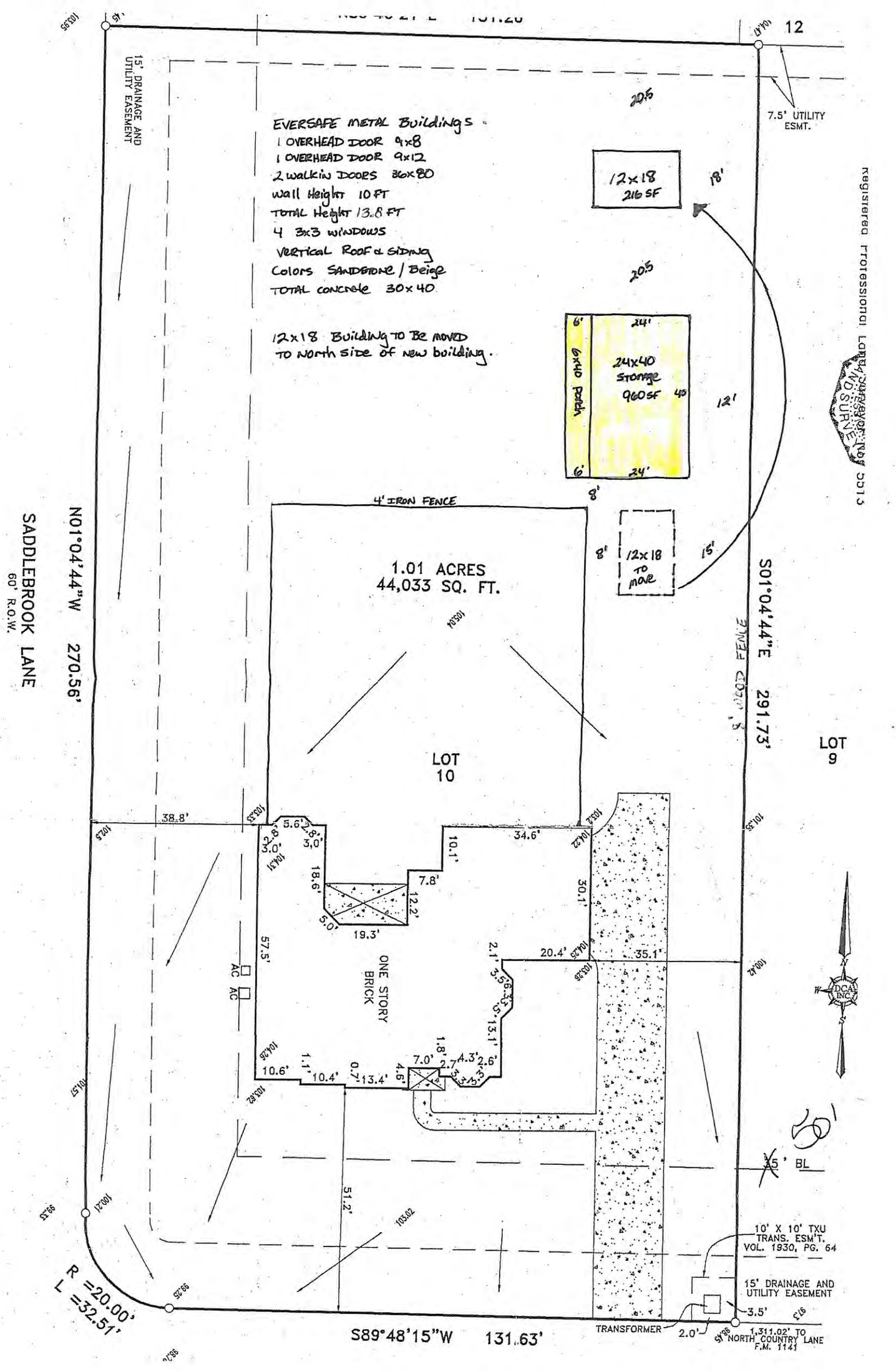
If you need any other information, please call me or email anytime.

Thanks for your time,

Marty and Debra Wright

(214) 717-8203

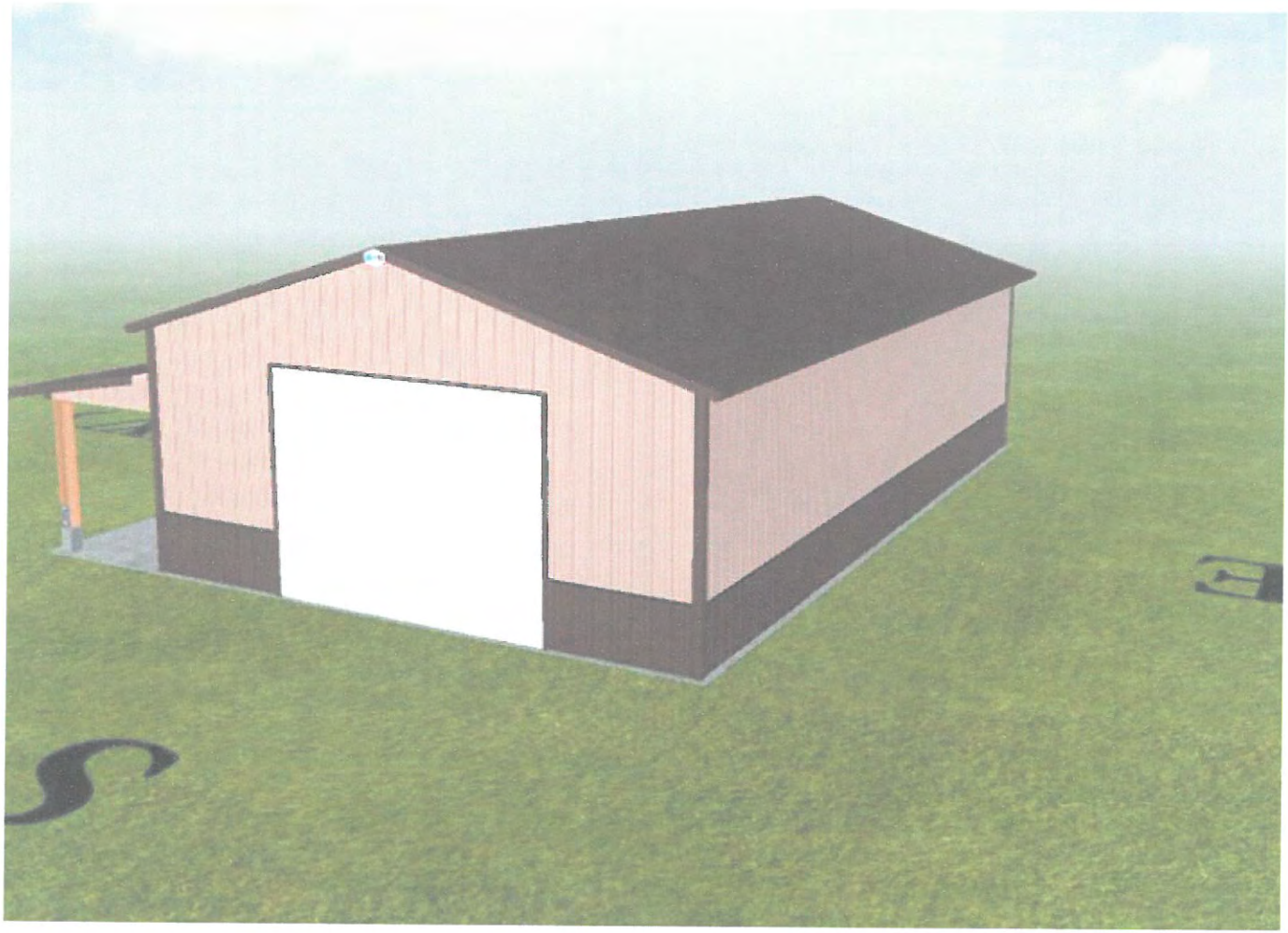
mwright-1@att.net


EVERSAFE METAL BUILDINGS
1 OVERHEAD DOOR 9x8
1 OVERHEAD DOOR 9x12
2 walkin DOORS 36x80
Wall Height 10 FT
TOTAL Height 13.8 FT
4 3x3 WINDOWS
VERTICAL ROOF & SIDING
Colors SANDSTONE / Beige
TOTAL CONCRETE 30x40
12x18 Building TO BE MOVED TO North side of new building.
12x18 216 SF
6x40 Porch
24x40 Storage 960 SF
12x18 TO MOVE
4' IRON FENCE
1.01 ACRES
44,033 SQ. FT.
LOT 10
LOT 9
ONE STORY BRICK
AC
AC
15' DRAINAGE AND UTILITY EASEMENT
7.5' UTILITY ESMT.
SADDLEBROOK LANE
60' R.O.W.
N01°04'44"W 270.56'
S01°04'44"E 291.73'
S89°48'15"W 131.63'
R =20.00'
L =32.51'
10' X 10' TXU TRANS. ESM'T. VOL. 1930, PG. 64
15' DRAINAGE AND UTILITY EASEMENT
TRANSFORMER
1,311.02' TO NORTH COUNTRY LANE F.M. 1141
BL
FENCE
38.8'
34.6'
30.1'
35.1'
20.4'
19.3'
57.5'
51.2'
10.6'
10.4'
13.4'
7.0'
4.3'
2.6'
13.1'
12'
18'
15'
8'
24'
40'

125



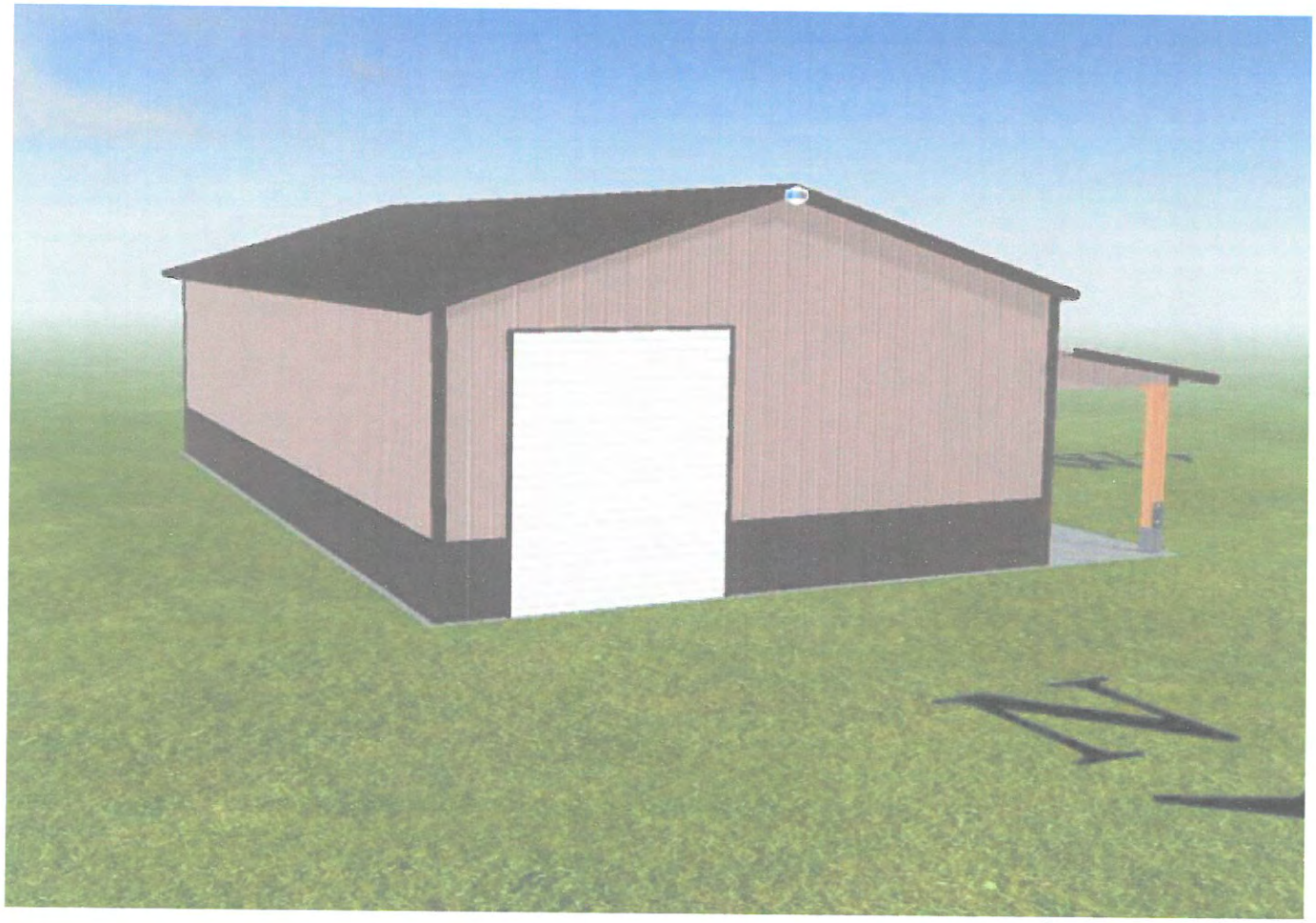
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127



128





130



131









135



Building Colors

Eversafe Steel Buildings offers a variety of standard colors for your steel building. You can select from 13 different colors for the roof, the sides and the trim. Make your choices from the selections below:



*Colors shown represent finish colors as accurately as possible, however color may vary slightly on actual building. Due to monitor and screen variations on different devices, digital depictions of colors may vary. Not all colors are available in every state and colors may vary by state. Non-standard colors, color matching and two-tone wall color wainscoting available in certain states. Please ask your representative for details.

137

Eversafe steel building quote

From: Bob Fuerstenau (bfuerstenau@eversafebuildings.com)

To: mwright-1@att.net

Date: Thursday, September 12, 2019, 9:44 AM CDT

Hi Marty,

Here is the updated quote for the new building size we spoke about. Let me know if you need anything else.

Thanks,

Bob Fuerstenau
Regional Account Manager

EVERSAFE

Eversafe Buildings
A Longlife Steel Buildings company
Phone 1-800-374-7106 x387
Fax 1-866-609-5390
bfuerstenau@eversafebuildings.com
http://www.eversafebuildings.com/



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Eversafe Steel Building Proposal (Marty Wright 24x40x10 with 6x40 lean to).pdf
167.9kB

image011.png
487.3kB

EVERSAFE
BUILT SAFE BUILT STRONG BUILT TO LAST
A Longlife Steel Buildings company

STEEL BUILDING PROPOSAL

EVERSAFE BUILDINGS | 3415 CUSTER RD. SUITE 101 | PLANO, TX 75023
PH: 1-800-374-7106 | FAX: 1-800-374-4694 | WWW.EVERSAFEBUILDINGS.COM

CUSTOMER:
Marty Wright

DATE:
9/12/2019

ADDRESS:
TBD

CITY/STATE:
Rockwall, TX

ZIP:
75087

COUNTY:
Rockwall

PHONE:
(214) 717-8203

E-MAIL:
mwright-1@att.net

BUILDING TYPE:
Garage

ROOF SIZE:
24' x 41'

BUILDING SIZE:
24' x 40'

WALL HEIGHT:
10'

ROOF PITCH:
3/12

ROOF TYPE:
Upgraded Vertical Roof With 6" Overhang

FRAME TYPE:
Heavy Duty 14 Gauge Galvanized Steel

FRAME SPACING:
5' On Center

SHEETING TYPE:
Heavy Duty 29 Gauge Galvanized Steel

CERTIFICATION:
140 mph/30 psf

QUANTITY	DESCRIPTION
	BUILDING DETAILS
	24' x 40' x 10' Garage
2	Upgraded Vertical Sidewalls
1	Full End - Upgraded Vertical Sheeting
1	Full End - Upgraded Vertical Sheeting
	Upgraded Vertical Roof With 6" Overhang (Vertical Roof Includes Hat Channels & Ridge Cap)
	LEAN-TO BUILDING DETAILS
1	6' x 40' x 8' Roof Only Lean-To (2/12 Pitch Roof)
1	Sidewall (No Sheeting) - Includes Sidewall Hat Channels
	Upgraded Vertical Roof With 6" Overhang
	ACCESSORIES
1	9' x 8' Heavy Duty Lockable Roll Up Door
1	12' x 9' Heavy Duty Lockable Roll Up Doors (With Chain Hoist)
2	Header Seal for Roll Up Door
2	Heavy Duty Walk Doors With Keyed Lock - 36" x 80" (Solid)
4	30" x 30" Single Hung Windows
	Concrete Anchors
Roof Only	1/4 Inch Double Bubble Insulation (R10.1) - $1,040.00 (Option-Not included in price below)
1	Fee to Connect Lean-To To Main Building
	Foam Enclosures - Ridge and Eaves
	MISCELLANEOUS
	Certified Building
	Generic Stamped Drawings
	FREE DELIVERY TO JOBSITE
	FREE INSTALLATION ON YOUR PAD

12 MONTH WORKMANSHIP WARRANTY ON BUILDING INSTALLATION
20 YEAR RUST THROUGH WARRANTY ON FRAMING MATERIALS
10 YEAR WARRANTY ON SHEETING

Note: Discount Good Until:
9/19/2019

Building Price (Before Discount)	$14,827.50
Discount	-$1,482.75
Miscellaneous	$0.00
BUILDING PRICE (AFTER DISCOUNT)	**$13,344.75**
Sales Tax (6.75%)	$900.77
Drawings	$0.00
Total	$14,245.52
Due Now**	$2,135.16
Remaining Balance after "Due Now" paid (COD)	$12,110.36

PREPARED BY:
Bob Fuerstenau

*Note: Roll up doors installed on the eave side of the building will require a header for an additional fee.

Concrete Specifications

From: Bob Fuerstenau (bfuerstenau@eversafebuildings.com)

To: mwright-1@att.net

Date: Friday, September 6, 2019, 10:41 AM CDT

Marty,

The concrete slab that we recommend should be/have:

- 4" thick ***(minimum)*** w/ a 12"x12" continuous footer
- same exact dimensions as your building frame (e.g. 24'x35')**
- 2,500 PSI concrete ***(minimum)***
- two #5 rebar continuous
- NO wet-set anchors (anchors will be provided at installation)

**If pulling a permit using our generic engineer-stamped drawings, foundation should be 5 5/8" wider than the building frame with a ¾" step down all around.

This e-mail is strictly for the purposes of budgeting and obtaining estimates. Please do not use the information herein as sole guidelines for pouring concrete slab.

Let me know if you have any questions or concerns.

Sincerely,

Bob Fuerstenau

Regional Account Manager

EVERSAFE

Eversafe Buildings

A Longlife Steel Buildings company

Phone 1-800-374-7106 x387

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *DETACHED GARAGE BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A ONE (1)-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 10, BLOCK B, SADDLEBROOK ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Marty Wright for the approval of a Specific Use Permit (SUP) to allow a *detached garage* that exceeds the maximum allowable size on a one (1)-acre parcel of land being described as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *detached garage* as stipulated by Subsection 7.04, *Accessory Structure Development Standards,* of Section 7, *District Development Standards*, of Article V, *District Development Standards*, the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 7.04, *Accessory Structure Development Standards*, of Section 7, *District Development Standards,* of Article V, *District Development Standards*, of the Unified

EXHIBIT A ORD. 19-XX

Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *detached garage* on the *Subject Property* and conformance to these conditions are required for continued operations:

1) The detached garage shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B'* & *'C'* of this ordinance;

2) The detached garage shall not exceed a maximum size of 1,200 SF;

3) The detached garage shall not exceed an overall height of 15-feet;

4) The subject property shall not have more than two (2) accessory buildings;

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 2.05, City *Council Action*, of Article XI, *Zoning Related Applications,* of the Unified Development Code (UDC) will require compliance to the following:

1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02.D(3) of Article XI, *Zoning Related Applications*, of the Unified Development Code (UDC).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS ($2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF NOVEMBER, 2019.

DRAFT ORDINANCE 10.24.19

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *October 24, 2019*

2nd Reading: *November 4, 2019*

DRAFT ORDINANCE 10.21.2019

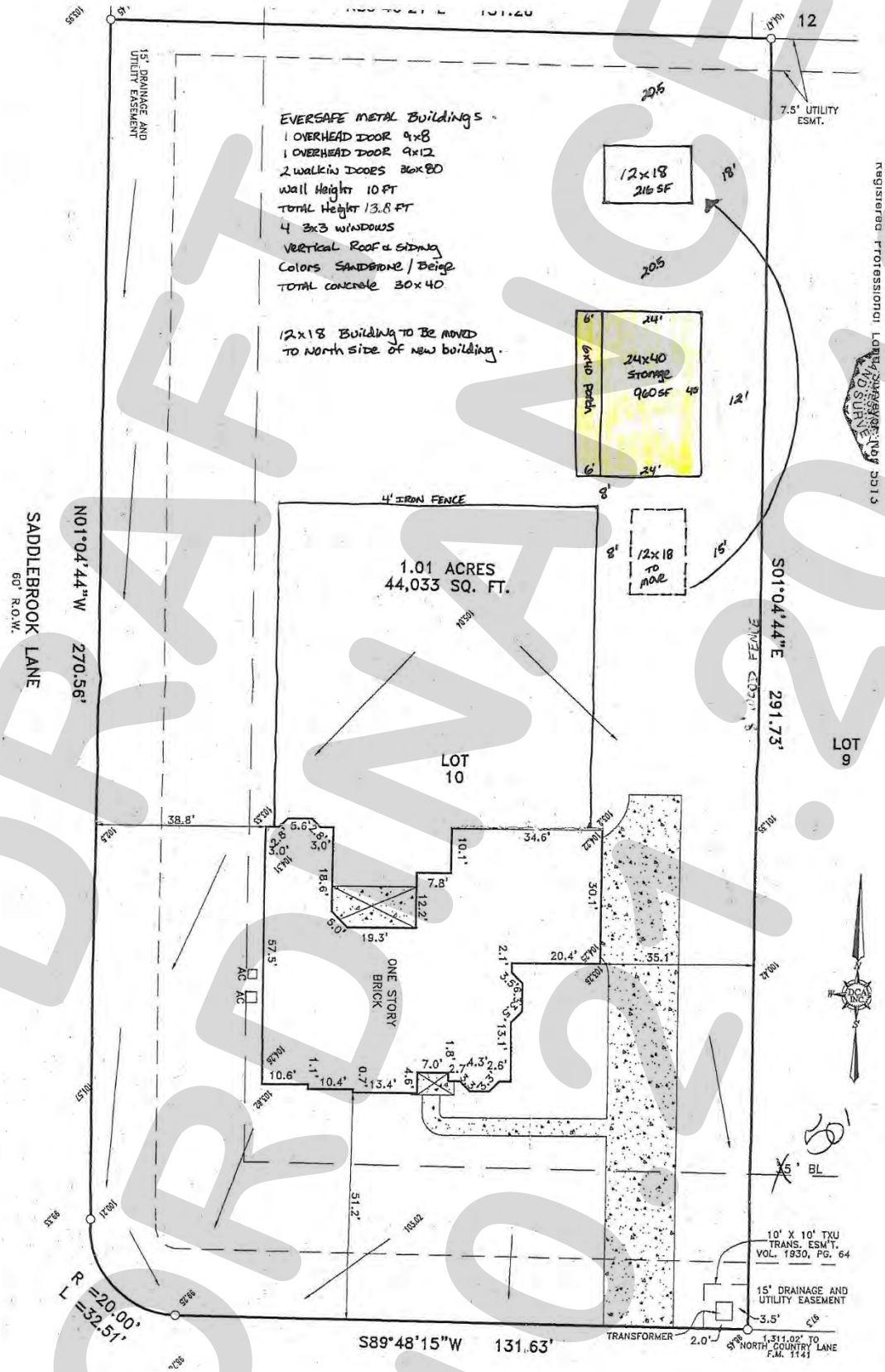
Exhibit 'A'
Zoning Exhibit

Address: *2340 Saddlebrook Lane*
Legal Description: *Lot 10, Block B, Saddlebrook Estates #2 Addition*



PRELIMINARY 10.2.19

Exhibit 'B':
Concept Plan



DRAFT ORDINANCE 10.21.2019

Exhibit 'C':
Conceptual Building Elevations



DRAFT
ORDINANCE

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147

CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	October 29, 2019
SUBJECT:	Temporary Moratorium on the Acceptance and Processing of Subdivision Plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ)

In conformance with Chapter 242 of the Texas Local Government Code (TLGC), the City of Rockwall and Rockwall County entered into an *Interlocal Agreement* on November 12, 2013 requiring the City of Rockwall to process and review subdivision plats within the City's Extraterritorial Jurisdiction (ETJ). The City was required to enforce its *Subdivision Regulations* and the *Unified Regulations*, which were contained in the *Interlocal Agreement* as *Exhibit 'A'*. On October 22, 2019, the Rockwall County Commissioner's Court approved a motion to notify all cities in Rockwall County that the interlocal agreements would need to be amended to account for changes in the *Subdivision Regulations* of Rockwall County, which would affect the *Unified Regulations* contained in the *Interlocal Agreement* agreed to be enforced in the City's Extraterritorial Jurisdiction (ETJ). This motion was in response to the County's work with their consultant -- *Freese & Nichols, Inc.* -- on revising their *Subdivision Regulations*, and based on a lawsuit challenging certain requirements contained in the current County *Subdivision Regulations* and which are also contained in *Unified Regulations* of the *Interlocal Agreement* between Rockwall and Rockwall County and which are required to be enforced by the City.

As the City Council is aware, subdivision plats are an important way that the City ensures that proper public facilities, infrastructure, drainage, and fire protection are being provided to support development of property in the City's Extraterritorial Jurisdiction (ETJ); and, with the uncertainty of how the changes to the *Unified Regulations* will impact the review criteria contained in the *Interlocal Agreement*, the City of Rockwall is proposing to impose a moratorium on the acceptance and processing of subdivision plats for residential and commercial property in the City's Extraterritorial Jurisdiction (ETJ). The power to invoke a moratorium is granted to the City by Chapter 212, *Municipal Regulation of Subdivisions and Property Development*, of the Texas Local Government Code. This section of the code lays out the specific procedures for imposing a moratorium, and staff has included a memorandum prepared by the City Attorney outlining the circumstances and procedures involved with imposing a moratorium. The attached draft ordinance would impose a moratorium of 90-days on commercial development and 120-days on residential development, which would allow staff to work with the County to prepare a revised *Interlocal Agreement* without undermining the effectiveness of the revised review criteria by approving applications that may or may not meet this new criterion. The moratorium is not expected to be in place for the entire duration allowed under the law, just until the new *Unified Regulations* are adopted by the County and agreed to by the City.

Until the new *Unified Regulations* are adopted, it is clear that applying the existing development ordinances and/or regulations, that have been stricken down by the court, is inadequate to prevent any new development from possibly causing the overcapacity of infrastructure or being detrimental to the public's health, safety, and general welfare in the City's Extraterritorial Jurisdiction (ETJ).

A calendar for the proposed temporary moratorium is as follows:

- ✓ *October 25, 2019*: 1st Notice of Public Hearing Published in the Dallas Morning News
- ✓ *October 29, 2019*: Planning and Zoning Commission Public Hearing
- ✓ *October 31, 2019*: 2nd Notice of Public Hearing Published in the Dallas Morning News
- ✓ *November 1, 2019*: Temporary Moratorium Take Effect
- ✓ *November 4, 2019*: City Council Public Hearing and 1st Reading of the Ordinance
- ✓ *November 5, 2019*: Agenda Posted for Special City Council Meeting
- ✓ *November 8, 2019*: Special City Council Meeting, 2nd Reading of the Ordinance, and the Effective Date of the Moratorium
- ✓ *February 6, 2020*: Expiration of the Commercial Moratorium
- ✓ *March 7, 2020*: Expiration of the Residential Moratorium

At the Planning and Zoning Commission meeting on *October 29, 2019*, the Planning and Zoning Commission held a public hearing and approved a motion to recommend approval of the moratorium by a vote of 7-0. At the meeting on *November 4, 2019*, the City Council will need to hold a public hearing on the moratorium before acting on the moratorium ordinance.

MEMORANDUM

TO: Rick Crowley, City Manager

COPY: Ryan Miller, Director of Planning and Development

FROM: Frank J. Garza, City Attorney

DATE: October 21, 2019, 2019

Re: Moratorium of Development

There is a process under state law that allows a city to adopt a moratorium on development; however, before the City can approve a moratorium, it must follow very precise procedures that are outlined in Chapter 212 of the Texas Local Government Code.

The state law on moratoriums was adopted by the Texas Legislature in 2001 but was significantly amended in 2005 making it more difficult for cities to adopt a moratorium on development. Under Section 212.133 of the Texas Local Government Code, **a city may not adopt a moratorium unless it complies with strict notice and hearing procedures and makes written findings required by law**. Specifically, state law requires the following steps before a developmental moratorium can be adopted:

Public Hearing and Notice Requirements

Section 212.134 of the Texas Local Government Code

- Before a moratorium on property development may be imposed, the city must conduct two public hearings, one before the Planning and Zoning Commission and one before the City Council.
- The city must publish notice of the time and place of the hearings in a newspaper of general circulation on the **fourth day before the date of each hearing**. (Requires daily newspaper).
- A public hearing must provide residents and individuals affected by the proposed moratorium an opportunity to be heard.
- On the fifth business day after the date a notice is published, **a temporary moratorium takes effect**. During the period of the temporary moratorium, the city may stop accepting permits, authorizations, and approvals necessary for the subdivision of, site planning of, or construction on real property.
- Within 12 days after the date of the Council public hearing, the city shall make a final determination on the imposition of a moratorium. Before an ordinance adopting a moratorium may be imposed, the ordinance must be given at least two readings by the City Council. The readings must be separated by at least four days. If the City fails to adopt an ordinance within the period required by law, an ordinance imposing a moratorium may not be adopted, and the temporary moratorium expires.

Written Findings Requirement

Section 212.135 of the Texas Local Government Code

City must issue written findings that include evidence demonstrating the estimated capacity of **existing essential public facilities is insufficient to support new property development**. City must identify the following:

- Any essential public facilities currently operating near, at, or beyond capacity. Essential public facilities is defined by state law as **water, sewer, drainage facilities or street improvements**;
- The portion of that capacity committed to the development subject to the moratorium; and
- Evidence demonstrating that the moratorium is reasonably limited to areas of the city or ETJ where a shortage of essential public facilities would otherwise occur; and property that has not been approved for development because of the lack of existing essential public facilities.

A moratorium that is not based on a shortage of essential public facilities is justified only by **demonstrating a significant need for other public facilities**, including police and fire facilities. A significant need for public facilities is established if the failure to provide those public facilities would be detrimental to the health, safety, and welfare of the residents of the City. Written findings must be issued by the City which includes:

- Evidence demonstrating that applying existing development ordinances or regulations is inadequate to prevent the new development from causing the overcapacity of municipal infrastructure or being detrimental to the public health, safety, and welfare in an affected geographical area;
- Evidence demonstrating that alternative methods of achieving the objectives of the moratorium are unsatisfactory; and
- Evidence demonstrating that the city has a **Council approved** plan and time schedule for achieving the objectives of the moratorium.

If the City were to adopt a moratorium after complying with the above stated procedures, the moratorium would **not apply to any existing developments that were submitted to the City prior to the temporary moratorium going into effect.** Once the moratorium goes into effect, the duration cannot exceed 120 days unless extended by holding an additional public hearing and making additional written findings as to why the moratorium should be extended. Moreover, state law also requires the city to allow for a waiver process for any applicant who wishes to proceed with development once the moratorium is adopted.

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ENACTING A TEMPORARY MORATORIUM STAYING THE ACCEPTANCE AND PROCESSING OF SUBDIVISION PLAT APPLICATIONS IN THE CITY OF ROCKWALL'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DEFINITIONS; PROVDING FOR APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION, AND APPEALS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in conformance with Chapter 242, *Authority of Municipality and County to Regulate Subdivisions In and Outside Municipality's Extraterritorial Jurisdiction*, of the Texas Local Government Code the City of Rockwall has entered into an agreement (the *Interlocal Agreement*) with Rockwall County for the processing and review of subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ); and

WHEREAS, *Exhibit 'A'*, *Unified Regulations for Review of Plats in ETJ of City of Rockwall*, of the *Interlocal Agreement* provides the review criteria for subdivision plats in the Extraterritorial Jurisdiction (ETJ); and

WHEREAS, in accordance with the *Terms of Agreement* of the *Interlocal Agreement*, Rockwall County notified the City of Rockwall in writing on October 23, 2019 requesting to make changes to *Exhibit 'A'* of the *Interlocal Agreement* for the purpose of addressing changes in the *Subdivision Regulations* of Rockwall County; and

WHEREAS, the City of Rockwall finds that subdivision plats are a necessary mechanism to ensure that proper public facilities, infrastructure, drainage, and fire protection can be provided to support future development within the City's Extraterritorial Jurisdiction (ETJ), and to protect the health, safety, natural environment, quality of life, and general welfare of Rockwall County residents; and

WHEREAS, the City of Rockwall finds that the issues identified by Rockwall County contained in the *Interlocal Agreement* leave the City without sufficient review criteria to effectively review subdivision plats for property in the City's Extraterritorial Jurisdiction (ETJ), and that the agreement no longer adequately addresses the subdivision of land and the provision of adequate public facilities needed by citizens of Rockwall County; and

WHEREAS, in order for the City of Rockwall and Rockwall County to have adequate and reasonable time to review, evaluate, and revise and approve the *Interlocal Agreement*, and to consider the impact of the review criteria for subdivision plats -- *contained in Exhibit 'A' of the agreement* -- on the provision of adequate public facilities, infrastructure, drainage, and fire protection for future developments within the City's Extraterritorial Jurisdiction (ETJ), the City intends on imposing a temporary moratorium lasting for a period of 90-days for commercial property and 120-days for residential property, during which no applications for subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ) will be accepted; and

WHEREAS, the purpose of prohibiting subdivision plat applications for commercial and residential property in the City's Extraterritorial Jurisdiction (ETJ) during this temporary moratorium is to preserve the *status quo*, facilitate thoughtful and consistent planning, avoid exploitation of the delays inherent in the municipal legislative process, and prevent applications from undermining the effectiveness of the revised review criteria by submitting a subdivision plat to avoid the application of new -- *and possibly more restrictive -- Interlocal Agreement*.

DRAFT 10.28.19

WHEREAS, in recognition of the importance of subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ) to property owners in this area, the City desires to implement this moratorium for a stated and fixed time period, and to include an exception and exemption clause -- *in accordance with Subchapter E of Chapter 212 of the Texas Local Government Code* -- to facilitate subdivision plat approval in cases of necessity and undue hardship; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the City Council of the City of Rockwall, in compliance with the laws of the State of Texas have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all persons interested in and situated in the affected area and in the vicinity thereof, the City Council in the exercise of its legislative discretion has concluded that a moratorium on residential and commercial development for property in the City's Extraterritorial Jurisdiction (ETJ) is necessary and in the interest of good governance, and ultimately in the best interest of the City of Rockwall;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. ***Findings of Fact.*** The foregoing recitals are incorporated into this ordinance by reference as legislative findings of fact as if expressly set forth herein.

SECTION 2. ***Definitions.*** As used in this ordinance, the following terms are defined. Any term appearing in this ordinance that is not specifically defined below shall have the meanings provided in the Municipal Code of Ordinances for the City of Rockwall, or if not defined in this document then the common meaning of the word shall apply.

(1) *Commercial Property.* Commercial property is defined as any property that is being platted for the purpose of authorizing any land use other than single-family or agricultural land uses (*e.g. multi-family, industrial, commercial, etc.*).

(2) *Proper Public Facilities.* Unless otherwise indicated in this ordinance, proper public facilities shall be defined as meaning water, wastewater or sewer, drainage facilities, street improvements, and fire and police protection.

(3) *Residential Property.* Residential property is defined as any property that is being platted for the purpose of authorizing single-family and agricultural land uses.

SECTION 3. ***Applicability.*** The City of Rockwall hereby enacts this ordinance in order to impose a temporary moratorium on the acceptance and processing of subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ).

SECTION 4. ***Purpose.*** This temporary moratorium is being enacted to allow the City of Rockwall and Rockwall County to evaluate the *Interlocal Agreement* and to update the review criteria for subdivision plats contained in *Exhibit 'A'* of the agreement.

SECTION 5. ***Enactment.*** The City of Rockwall hereby enacts this ordinance implementing a temporary moratorium on the City of Rockwall acceptance, review, and approval of subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ).

SECTION 6. ***Duration.*** The initial duration of this temporary moratorium shall be for a period not to exceed 90-days for commercial properties and not to exceed 120-days for residential properties after the approval and adoption of this ordinance, or the repeal of this ordinance by the City Council of the City of Rockwall, whichever occurs first.

SECTION 7. ***Exceptions and Exemptions.*** The following projects shall be considered for exceptions and exemptions from the moratorium:

(1) Exceptions.

DRAFT ORDINANCE 04.2019

(A) *No Impact Projects.* The temporary moratorium implemented by this ordinance does not apply to subdivision plat applications proposing to assemble or subdivide residential property into two (2) or less lots where each lot is a minimum of 1½-acres gross area and has a minimum of 150-feet of frontage on a public right-of-way.

(B) *Ongoing Projects.* The temporary moratorium implemented by this ordinance does not apply to any commercial or residential property that has an active subdivision plat application with the City of Rockwall or Rockwall County that has not expired in accordance with the rules and requirements of Rockwall County, the City of Rockwall, or the Texas Local Government Code.

(C) *Vested Projects.* The temporary moratorium implemented by this ordinance does not apply to any commercial or residential property that are vested under Chapter 245, *Issuance of Local Permits*, of the Texas Local Government Code. Property owners asserting vested rights shall submit an application claiming an exception to this temporary moratorium to the Planning and Zoning Department of the City of Rockwall for review in accordance with the requirements of the current *Interlocal Agreement*.

(2) *Exemptions.* Any property owner who does not assert rights under Chapter 245, *Issuance of Local Permits*, of the Texas Local Government Code, but who seeks authorization to proceed with a subdivision plat outside of the exceptions listed in this ordinance and during the temporary moratorium can request the following alternative forms of approval:

(A) *212 Development Agreement.* Property owners with a negotiated approval granted by the City Council that provides for construction standards, platting and development rules pursuant to Subchapter G, *Agreement Governing Certain Land in a Municipality's Extraterritorial Jurisdiction*, Chapter 212, *Regulations of Subdivisions*, of the Texas Local Government Code may apply for an exemption from the temporary moratorium.

SECTION 8. ***Determination and Appeals.***

(1) *Determinations.* The Director of Planning and Zoning or his/her designee shall make all initial determinations regarding the status of all projects seeking to submit a subdivision plat application during this temporary moratorium concerning the status of a project as provided for above in the *Exceptions and Exemptions* section of this ordinance.

(2) *Appeals.* Property owners seeking to challenge a determination made by the Director of Planning and Zoning may appeal that initial determination to the City Manager. Secondary determinations of the City Manager may be appealed to the City Council. The City Council's decision shall be final.

(3) Exemptions. The decision to approve an *Exemption* as provided for above in the *Exceptions and Exemptions* section of this ordinance shall rest solely with the City Council.

SECTION 9. ***Ordinances Cumulative.*** All ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby superseded to the extent of that conflict.

SECTION 10. ***Severability.*** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Subdivision Regulations of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 11. ***Effective Date.*** This ordinance shall take effect immediately.

DRAFT ORDINANCE 10-04-2019

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 8TH DAY OF NOVEMBER, 2019.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *November 4, 2019*

2nd Reading: *November 8, 2019*

DRAFT ORDINANCE 11.04.2019

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156

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	November 4, 2019
SUBJECT:	MIS2019-001; *Water, Wastewater, and Roadway Impact Fee Study*

On October 21, 2019, the City Council voted to approve the impact fee update by a vote of 4-2, with Mayor Pruitt and Councilman Trowbridge dissent and Councilman Daniels absent. This will be the second reading of the ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 19-43

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, FOR THE PURPOSE OF AMENDING THE IMPACT FEES FOR WATER, WASTEWATER, AND ROADWAY FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR SAID FACILITIES; ESTABLISHING UPDATED SERVICE AREAS FOR SUCH FACILITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR COLLECTION AND ASSESSMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall adopted its impact fee program for roadway impact fees by *Ordinance No. 08-21*, and its impact fee program for water and wastewater impact fees by *Ordinance No. 90-22*; and

WHEREAS, the City of Rockwall has prepared studies updating its land use assumptions (*see Exhibit 'B'*), capital improvements plan (*see Exhibits 'C' & 'D'*) and impact fees for water, wastewater, and roadway facilities and associated service areas and equivalency tables; and

WHEREAS, the City of Rockwall has recalculated the maximum impact fee for water, wastewater, and roadway facilities that may be assessed against new development based on such land use assumptions and capital improvements plan; and

WHEREAS, a public hearing, following written endorsement of the impact fee update study by the Capital Improvements Advisory Committee (CIAC) [*Planning & Zoning Commission*], was held before the City Council and testimony was taken on *October 21, 2019*, to consider proposed amendments to land use assumptions, capital improvements plan and impact fees for water, wastewater, and roadway facilities and associated service areas and equivalency tables, and corresponding changes to rates of assessment and collection for impact fees; and

WHEREAS, the City published notice of such public hearing in a newspaper of general circulation within the City in accordance with the requirements of Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City Council finds that the collection of impact fees for new developments at revised rates in order to fund water, wastewater, and roadway improvements to serve such developments substantially furthers the public health, safety and general welfare; and

WHEREAS, the City Council finds that changes to the land use assumptions, capital improvements plan and impact fee assessment and collection rates are fully warranted, as presented in the impact fee update studies prepared by the City's engineering consultants; and

WHEREAS, the City Council further finds that the collection rates for water, wastewater, and roadway impact fees are reasonable and further the public health, safety and general welfare;

WHEREAS, the City Council further finds that the collection rates for water, wastewater, and roadway facilities are substantially less than the City's actually costs of mitigating the impacts from new development on the City's water, wastewater, and roadway systems;

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. ***Municipal Code of Ordinances.*** *Sections 38-360 & 38-361* of Chapter 38, *Subdivisions*,

of the City of Rockwall's Municipal Code of Ordinances are hereby repealed in their entirety replaced with the provisions contained in *Exhibit 'A'* of this ordinance; and

SECTION 2. ***Land Use Assumptions.*** The land use assumptions for water, wastewater, and roadway impact fees are hereby updated and amended, as set forth in *Exhibit 'B': Land Use Assumptions for Impact Fees* of this ordinance, which herein after shall be referred to as *Exhibit 'B'*, and incorporated herein by reference; and

SECTION 3. ***Service Areas.*** The service areas for roadway impact fees hereby is updated and amended as depicted in *Figure 3: Roadway Service Area* of *Exhibit 'B'* of this ordinance, and the service areas for water and wastewater impact fees hereby are updated and amended as depicted in *Figure 4: Water/Wastewater Service Area* of *Exhibit 'B'* of this ordinance.

SECTION 4. ***Capital Improvements Plans.*** The capital improvements plan for roadway impact fees hereby is updated and amended as set forth in *Exhibit 'C': 2019 Update of Roadway Impact Fees* of this ordinance -- *which herein after shall be referred to as Exhibit 'C', and incorporated herein by reference* --, and the capital improvements plan for water and wastewater impact fees hereby are updated and amended, as set forth in *Exhibit 'D': 2019-2029 Water & Wastewater Impact Fee Update* of this ordinance -- *which herein after shall be referred to as Exhibit 'D', and incorporated herein by reference* --; and

SECTION 5. ***Land Use Equivalency Tables.*** The land use equivalency table that converts land uses into the total service units for roadway impact fees hereby is updated and amended as set forth in *Table 3: Land-Use Vehicle Mile Equivalency Table* of *Exhibit 'C'* of this ordinance; and, the land use equivalency table that coverts land uses into number of living unit equivalents (*service units*) for water and wastewater impact fees, hereby is updated and amended, as set forth in *Table No. 22: Maximum Assessable Water & Wastewater Impact Fee* of *Exhibit 'D'* of this ordinance.

SECTION 6. ***Impact Fee Assessment.*** The amount of the roadway impact fees to be assessed per roadway service area hereby is established as set forth in *Schedule 1* of *Section 361.(a)(1)* of *Exhibit 'A'* of this ordinance, and the amount of the water and wastewater impact fees to be assessed per living unit equivalent hereby is established as set forth in *Schedule 1* of *Section 361.(b)(1)* of *Exhibit 'A'* of this ordinance.

SECTION 7. ***Impact Fee Collection.*** The amount of the roadway impact fees to be collected per roadway service area hereby is established as set forth in *Schedule 2* of *Section 361.(a)(2)* of *Exhibit 'A'* of this ordinance, and the water and wastewater impact fees to be collected per living unit equivalent hereby is established as set forth in *Schedule 2* of *Section 361.(b)(2)* of *Exhibit 'A'* of this ordinance.

SECTION 8. ***Ordinances Cumulative.*** All ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby superseded to the extent of that conflict.

SECTION 9. ***Severability.*** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Subdivision Regulations of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 10. ***Effective Date.*** This ordinance shall take effect immediately.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF NOVEMBER, 2019.

DRAFT ORDINANCE 11.4.2019

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *October 21, 2019*

2nd Reading: *November 4, 2019*

DRAFT ORDINANCE 11.04.2019

SECTION 38-360: LAND USE ASSUMPTIONS REPORT

See *Ordinance No. 19-43* for the 2019 Land Use Assumptions Report.

SECTION 38-361: SCHEDULES FOR IMPACT FEES

(a) *Roadway Impact Fees.*

(1) *Schedule 1: Roadway Impact Fee Assessment*. The following schedule is for roadway impact fee assessment.

Service Area	Cost Per Service Unit
1	$2,272.00
2	$4,398.00
3	$784.00
4	$2,612.00

(2) *Schedule 1: Roadway Impact Fee Collection*. The following schedule is for roadway impact fee collection.

Service Area	Cost Per Service Unit
1	$320.00
2	$320.00
3	$320.00
4	$320.00

(b) *Water & Wastewater Impact Fees.*

(1) *Schedule 1: Maximum Water & Wastewater Impact Fees*. The following schedule is the maximum impact fees per single-family/living unit equivalent for water and wastewater facilities. The below impact fees per service unit depicted in each column also apply to new developments that were unplatted and which did not require platting at the time of development within the period listed.

	Land Platted or Replatted between 07/16/1990 & 06/02/2008 [1]	Land Platted or Replatted between 06/02/2008 & 10/20/2014	Land Platted or Replatted between 10/20/2014 & 11/04/2019	Land Platted after 11/04/2019
Water (per SFLUE)	$848.00	$4,229.03	$3,111.05	$3,139.04
Wastewater (per SFLUE)	$3,340.00	$783.49	$2,472.58	$4,820.01

Notes:
[1]: For nonresidential uses, assessment was expressed as SFLUEs per acre: 2.11 SFLUE/acre for water impact fees and 2.17 SFLUE/acre for wastewater impact fees, within the period listed.

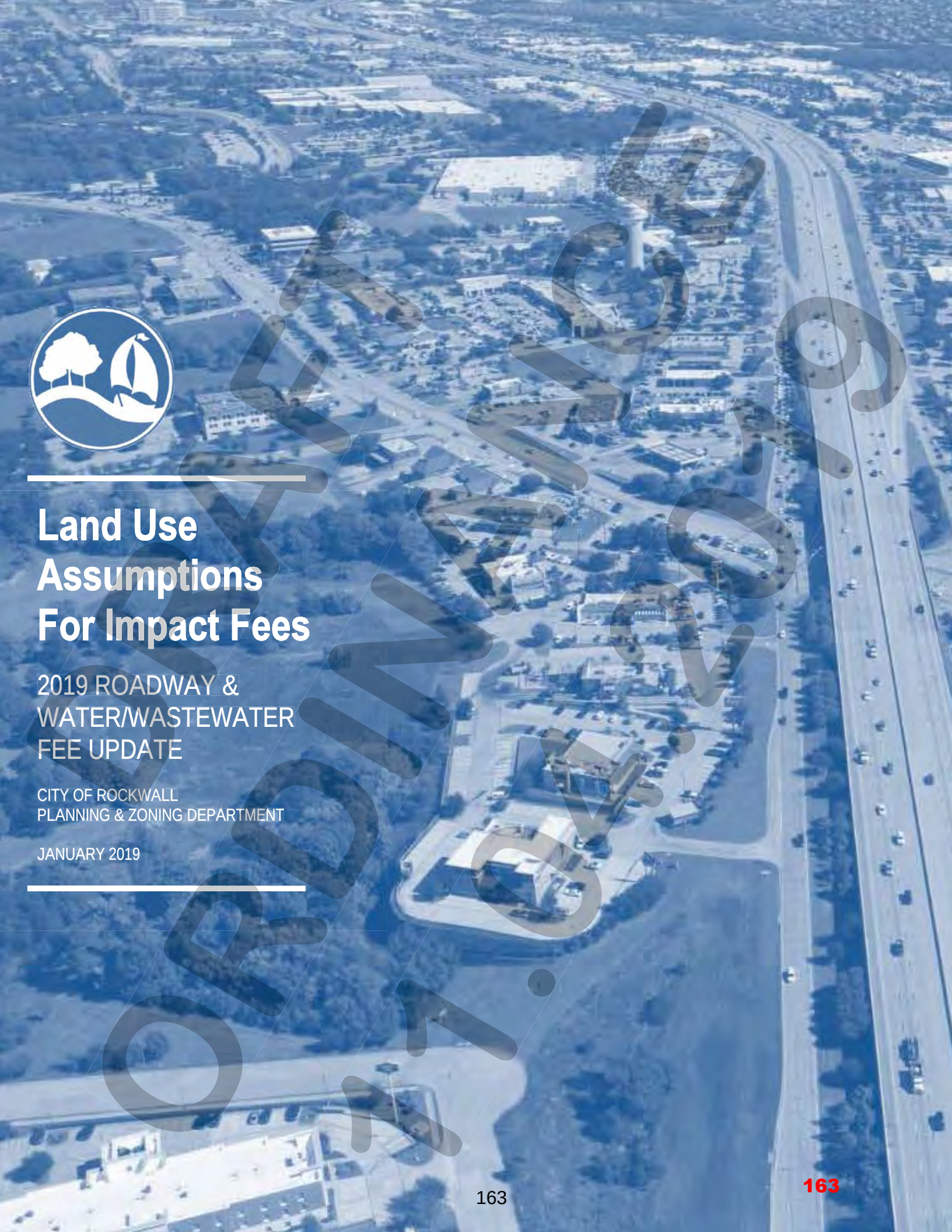
(2) *Schedule 2: Impact Fees to be Paid Per Service Unit for Water and Wastewater Facilities.*

	Per Living Unit Equivalent (5/8" Water Meter)
Water Facilities	$1,569.52
Wastewater Facilities	$2,410.00

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Exhibit 'B':
Land Use Assumptions for Impact Fees
2019 Roadway & Water/Wastewater Fee Update



Land Use Assumptions For Impact Fees

2019 ROADWAY & WATER/WASTEWATER FEE UPDATE

CITY OF ROCKWALL
PLANNING & ZONING DEPARTMENT

JANUARY 2019

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163

ACKNOWLEDGEMENTS

CITY COUNCIL

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- SARAH HAGER, *EIT*

BUILDING INSPECTIONS DEPARTMENT

- JEFFERY WIDMER, *CHIEF BUILDING OFFICIAL*

ADDITIONAL ACKNOWLEDGEMENTS

- BIRKHOFF, HENDRICKS & CARTER, LLP
- FREESE & NICHOLS, INC.



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ORDINANCE
11.04.2019

TABLE OF CONTENTS

FOREWORD 2
PURPOSE 2
Elements of the Land Use Assumptions Report 2
METHODOLOGY 3
Land Use Assumptions Report Methodology 3
DATA COLLECTION ZONES AND SERVICE AREAS 4-6
Data Collection Zones 4
Service Areas 5
Summary of Data 5
BASE YEAR DATA 7
Households 7
Population 7
Employment 7
TEN-YEAR GROWTH PROJECTIONS 8-10
Growth Assumptions 8
Population Growth Rate Analysis 8
Projected Population for 2029 9
Projected Employment for 2029 10
BUILD OUT ANALYSIS 11-12
Establishing Households and Population at the City's Build Out 11
Establishing Employment at the City's Build Out 12
SUMMARY 13

APPENDIX A 14
Housing, Population, & Employment Data
By Roadway Fee Service Area 14
APPENDIX B 15
Housing, Population, & Employment Data
By Water/Wastewater Impact Fee Service Area 15
APPENDIX C 16
Employment Breakdown Data
By Roadway Impact Fee Service Areas 16
APPENDIX D 17
Employment Breakdown Data
By Roadway Impact Fee Service Areas 17

DRAFT ORDINANCE 11.04.2016



DRAFT ORDINANCE 11.04.2019

166

FORWARD

What are *Impact Fees? Impact Fees* are charges that are imposed by local governments against new development for the purpose of generating revenue for or to recoup the cost of capital facilities (*i.e. infrastructure*) that are necessitated by and attributable to new development. These fees are generally implemented to reduce the economic burden of a municipality and its taxpayers when addressing the need for adequate capital improvements to accommodate growth. Impact fees are typically paid to a municipality in advance of the completion of a particular development project, and are based on a defined methodology and calculation that is derived from the cost of the facility and the scope/impact of the development.

PURPOSE

Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code outlines the process for adopting and updating impact fees for political subdivisions. On October 20, 2014, the City of Rockwall adopted roadway and water/wastewater impact fees through *Ordinance No. 14-47*. According to the statutory requirements stipulated by the Texas Local Government Code impact fees are required to be updated at a minimum of every five (5) years [*§395.052*].

In approaching an update to existing impact fees it is important for a city to assess its growth and employment potential, and establish land use assumptions that will guide development for a ten (10) year planning period (*i.e. 2019-2029*) [*§395.001(5)*]. These land use assumptions form the basis for the preparation of the *Impact Fee Capital Improvement Plan* for water, wastewater, and roadway facilities.

In order to determine the need and timing of capital improvements to serve future development, a rational estimate of the future growth of the City is required. The purpose of this report is to formulate growth and employment projections based upon assumptions pertaining to the type, location, quantity and timing of future development within the City, and to establish and document the methodology used for preparing these land use assumptions.

ELEMENTS OF THE LAND USE ASSUMPTIONS REPORT

This report contains the following components:

- *Methodology*: This component of the report contains the systematic and theoretical analysis of the methods and principals used to prepare the projections and land use assumptions contain within this report.
- *Data Collection Zones and Service Areas*: This component provides an explanation of the data collection zones (*i.e. Land Use Districts established in the OURHometown 2040 Comprehensive Plan*) and the Roadway, Water and Wastewater Impact Fee Service Areas for capital facilities.
- *Base Year Data*: This component provides information on population, housing and employment in the City of Rockwall as of January 1, 2019 for each capital facility service area.
- *Ten-Year Growth Projections*: This component provides assumptions with respect to the population, housing and employment data for the City of Rockwall in ten (10) years (*i.e. 2029*). This information is broken out by the capital facility service area.
- *Build Out Analysis:* This component provides projections for population, housing and employment under the assumption that the City and its Extraterritorial Jurisdiction (ETJ) are developed to their carrying capacity, or their *Built Out*.
- *Summary*: This component provides a synopsis of the land use assumptions contained within this report.
- *Appendices:* This component contains information that was important in deriving the population, housing and employment projections for 2019-2029.

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METHODOLOGY

Building off the base year and build out projections contained in the OURHometown Vision 2040 Comprehensive Plan, and the growth assumptions and capital improvement needs estimated to support future growth, it is possible to develop an impact fee structure that fairly allocates improvement cost to growing areas of the City with relation to the growths' potential impact on the entire infrastructure system. The data contained in this report has been formulated using reasonable and generally accepted planning principles.

These land use assumptions and future growth projections take into consideration several factors influencing development patterns, including:

- The character, type, density and quantity of existing development.
- The current zoning patterns as documented on the City's zoning map and the anticipated future land uses as established in the OURHometown Vision 2040 Comprehensive Plan, which contains the City's Future Land Use Plan.
- The availability of land and infrastructure to support future expansion of development.
- The current and historical growth trends of both population and employment within the City.
- The location and configuration of vacant parcels of land and their ability to support development.
- The growth of employment utilizing previously established and generally accepted data from ESRI's ArcGIS *Business Analyst*.
- Local knowledge concerning future development projects or anticipated development within the city.

LAND USE ASSUMPTIONS REPORT METHODOLOGY

The following is the general methodology that was used for the preparation of this report:

(1) Population, housing and employment data was collected from the United States Census Bureau, North Central Texas Council of Governments (*NCTCOG*), the City of Rockwall's Geographic Information Systems (GIS) Division, the City of Rockwall's Building Inspection Department and other acceptable sources. This information was then analyzed and used to provide base information for all service areas from which projections could be extrapolated [see *Service Areas and Data Collection Zones*].

(2) The base year (*i.e. January 1, 2019*) estimates for housing, population and employment were calculated based on the information collected [see *Base Year Data*].

(3) From the base year and the information gathered from various sources a growth rate was established by examining recent growth trends experienced by the City over the last ten (10) years. This growth rate was then applied to each of the impact fee service areas to project the base year data over the ten (10) year planning period (*i.e. 2019-2029*) [see *Ten Year Growth Assumptions*].

(4) After the projections for housing, population and employment were prepared for the ten (10) year planning period, city staff made adjustments to account for known or anticipated development activity within the planning periods. In making these adjustments city staff took into consideration the recommendations made within the newly adopted OURHometown Vision 2040 Comprehensive Plan, existing public works data, and demographic information provided by the GIS Division and the Building Inspections Department.

(5) Finally, the City's *Build Out* projections for housing, population and employment were calculated by establishing the City's carrying capacity in terms of developable acres and projecting population forward using the previously established Compound Annual Growth Rate (CAGR) to establish a *Build Out Year*. The housing and employment information were then projected to the *Build Out Year* [see *Build Out Projections*].

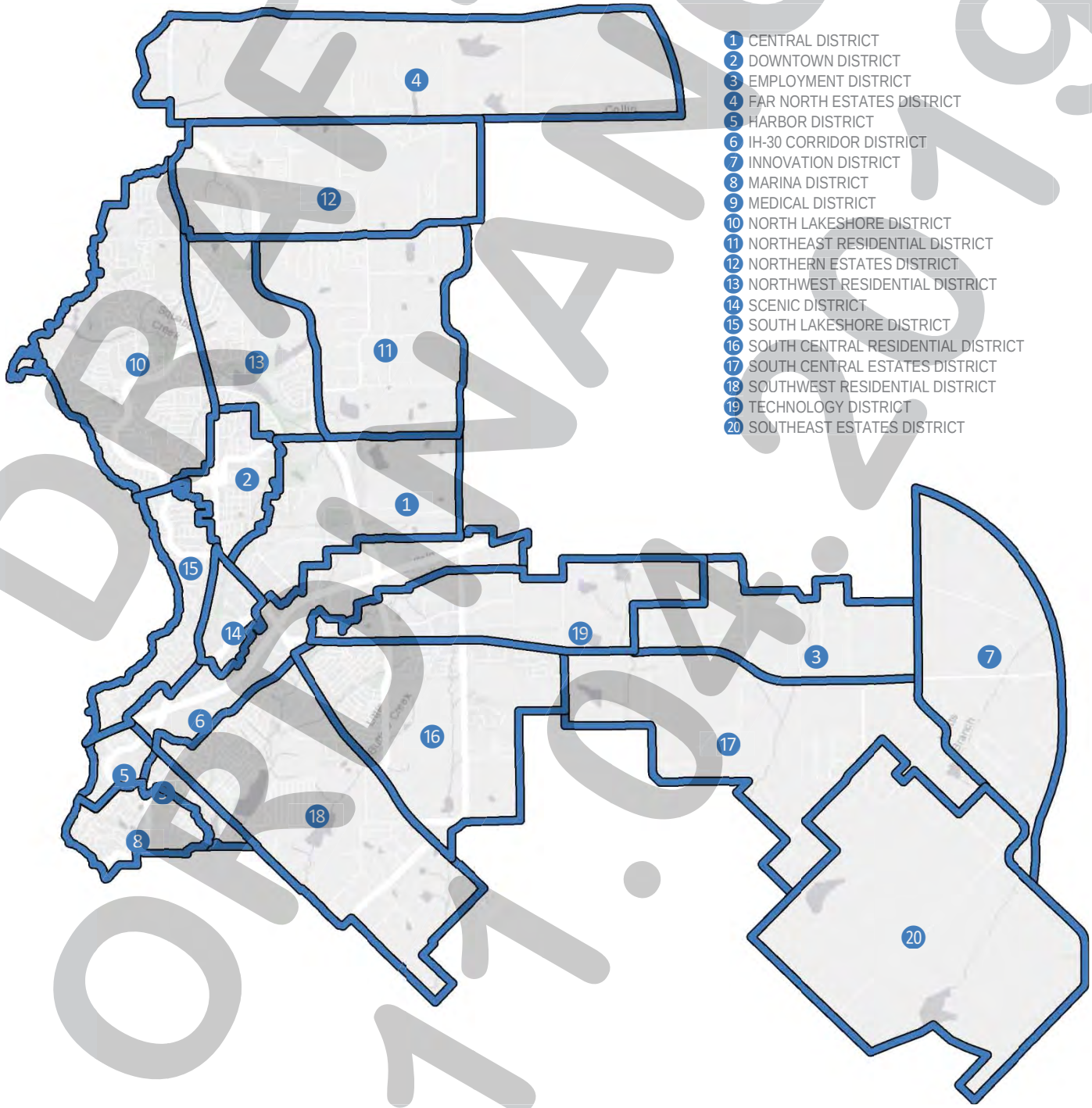
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DATA COLLECTION ZONES AND SERVICE AREAS

DATA COLLECTION ZONES

The *Data Collection Zones* used for this study were taken from the OURHometown Vision 2040 Comprehensive Plan, which breaks the City down into 20 *Land Use Districts* (*see Figure 1*). These districts were created as a way of breaking down the overall *Future Land Use Plan* to create strategies to help manage growth and land uses in the future. They were also intended to be used as a tool by the City's various boards, commissions and the City Council when contemplating policy changes that could affect certain areas of the City.

FIGURE 1: DATA COLLECTION ZONES
NOTE: The Data Collection Zones are the Land Use Districts contained in the OURHometown Vision 2040 Comprehensive Plan.



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SERVICE AREAS

The Texas Local Government Code (TLGC) requires that service areas be established within the corporate boundaries of a political subdivision for the purpose of ensuring that capital improvements service the areas generating need. The boundaries for impact fees are defined as follows:

- *Roadway Impact Fees* refers to a service area that is limited to the corporate boundaries of a political subdivision or city, and cannot extend into the Extraterritorial Jurisdiction (ETJ) or for a distance exceeding more than six (6) miles. The City of Rockwall is divided into four (4) service areas that are depicted in *Figure 3*.

- *Water and Wastewater Impact Fees* refers to a service area that includes a city's corporate boundaries and Extraterritorial Jurisdiction (ETJ), which is depicted in *Figure 2*. This service area is depicted in *Figure 4*.

SUMMARY OF DATA

As opposed to the databases calculated in 2007 and 2013 -- *which utilized Traffic Survey Zones (TSZ) as the data collection zones* -- the current database utilizes the following geographic areas:

- *Land Use Districts from the OURHometown Vision 2040 Comprehensive Plan.* These geographic areas better conformed to the City's corporate boundaries, and were drafted with the OURHometown Vision 2040 Comprehensive Plan as the geographic regions intended to be used for all future long-range planning/data collection exercises.

- *Service Areas.* The Service Areas correlate to the Water, Wastewater and Roadway Service Areas identified in *Figures 3 & 4*. As previously stated, the corporate boundaries of the City of Rockwall serve as the limits for the Roadway Service Areas and the Water and Waste Water Service Areas include the corporate boundaries and the Extraterritorial Jurisdiction (ETJ) of the City.

Additionally, all databases and projections utilized the following variables:

- *Households (2019).* The *Residential Address Point* feature class in the City's Geographic Information Systems (GIS) software includes all residential addresses (i.e. *single-family, duplex, multi-family, group home/quarters, etc.*) existing as of January 1, 2019. The total number of residential address points (*i.e. households*) was queried from this layer to establish the base years' numbers.

FIGURE 2: CITY OF ROCKWALL CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)
NOTE: The City Limits of Rockwall are depicted in RED. The Extraterritorial Jurisdiction (ETJ) is depicted in BLUE.

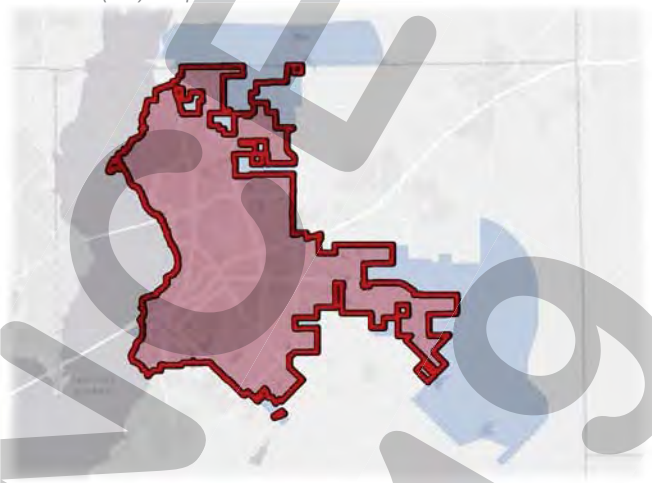


FIGURE 3: ROADWAY SERVICE AREAS
This is the derived service area structure for roadway facilities. These service areas conform to the current city limits of the City of Rockwall and are divided by John King Boulevard and Interstate Highway 30.
NOTE: RED: Service Area 1; BLUE: Service Area 2; GREEN: Service Area 3; YELLOW: Service Area 4

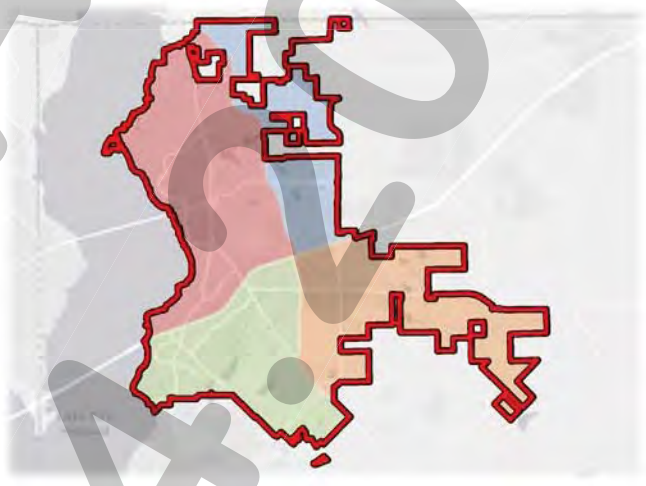
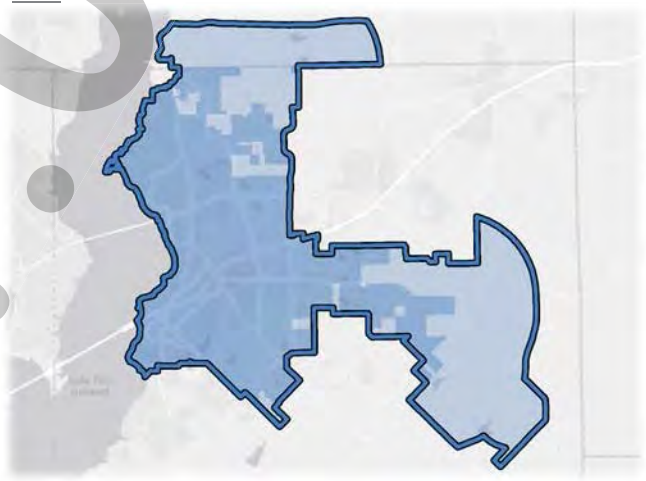


FIGURE 4: WATER/WASTE WATER SERVICE AREAS
This is the derived service area structure for water/wastewater facilities. These service areas conform to the current city limits and Extraterritorial Jurisdiction (ETJ).
NOTE: BLUE: Service Area



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- *Households (2029).* This is the projected household data by service area for the year 2029, which represents a ten (10) year growth projection. This information was derived by staff using the stated databases and proper projection techniques.
- *Population (2019)*. This is the existing population for the base year (i.e. *2019*). This information was calculated utilizing the number of households existing as of January 1, 2019, the occupancy, rate and the average household size as established by the United States Census Bureau for each Census Block.
- *Population (2029)*. This is the projected population by service area for the year 2029, which represents a ten (10) year growth projection. This information was derived by staff using the stated databases and proper projection techniques.
- *Employment (2019).* Employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the Business Analyst tool available from ESRI (*the City's provider for its geospatial database software*). These service sectors serve as the basis for non-residential trip generation. The following is a summary of these employment sectors followed by corresponding North American Industry Classification System (NAICS) code:
    - *Basic.* Land use activities that produce goods and services such as those that are exported outside the local economy. These include manufacturing, construction, transportation, wholesale trade, warehousing and other industrial uses (NAICS Code: *#210000 - #422999*).
    - *Retail.* Land use activities that provide for the retail sale of goods that primarily serve households and whose location choice is oriented toward the residential sector. These include uses such as grocery stores, restaurants, etc. (NAICS Code: *#440000 - #454390*).
    - *Service.* Land use activities that provide personal and professional services. These include such uses as financial, insurance, government, and other professional and administrative offices (NAICS Code *#520000 - #928199*).
- *Employment (2029).* The projected employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the Business Analyst tool available from ESRI. These service sectors were then projected by service area to the year 2029, which represents a ten (10) year growth projection. This information was derived by staff using the stated databases and proper projection techniques.

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BASE YEAR DATA

This section documents the methods used to derive the base year data for the City of Rockwall as of January 1, 2019. This *benchmark* information provides data for the corporate limits and Extraterritorial Jurisdiction (ETJ) of the City, and creates a starting point in which to extrapolate the ten (10) year growth projections that are depicted in the following section (*see Ten-Year Growth Projections*). This information was initially developed with the OURHometown Vision 2040 Comprehensive Plan, but has been updated to include the additional growth that has taken place since the original numbers were derived and the numbers for January 1, 2019.

HOUSEHOLDS

Utilizing the City's Geographic Information System (GIS) software, the residential addresses for each data collection zone (*i.e. Land Use Districts*) were queried. This provided the raw housing data that was then reviewed to remove any vacant lots or anomalies in the data set. Based on this process, the City of Rockwall was shown to have 16,690 households inside the City's corporate limits and 1,700 households in the City's Extraterritorial Jurisdiction (ETJ) as of January 1, 2019. The total number of households is 18,390. Staff should note that this query included all residential housing types (*i.e. multi-family, single-family, and group homes*) from the data sets.

POPULATION

The City of Rockwall generally uses the North Central Texas Council of Government's (NCTCOG) population estimates as the City's official population; however, for the purposes of this planning study it was necessary to calculate a baseline population that was specific to January 1, 2019. This was also necessary in order to estimate the population of the City's Extraterritorial Jurisdiction (ETJ).

To calculate the population as of January 1, 2019, the City's Geographic Information Systems (GIS) Division utilized the following formula to derive the population estimate for each of the data collection zones:

$$\sum_{d=1}^{20} POP = ((a * o) * f)$$

Where:

POP = Population as of January 1, 2019
d = Land Use District
a = Number of Residential Address Points in Each District
o = Occupancy Rate [per U.S. Census Bureau]
f = Density Factor per Census Block [U.S. Census Bureau]

Using this methodology the base year population as of January 1, 2019 was established to be 44,575 residents inside the corporate limits and 5,041 people residing in the Extraterritorial Jurisdiction (ETJ).

EMPLOYMENT

The base employment data was calculated using ArcGIS *Business Analyst*, which is software that provides location-based market information. Utilizing this tool, the City's Geographic Information Systems (GIS) Division was able to query employment and business information relating to each data collection zone (*i.e. Land Use District*). This information was then broken down into one (1) of the three (3) employment categories (*i.e. Basic, Service, or Retail*). Based on the analysis, the City's corporate limits were shown to have a total employment of 24,083 jobs on January 1, 2019. Of the total employment 2,505 jobs were classified as *Basic*, 12,403 jobs were classified as *Service*, and 9,175 jobs were classified as *Retail*. The Extraterritorial Jurisdiction (ETJ) was shown to have an additional 643 jobs, with 535 jobs being classified as *Service* and 108 jobs being classified as *Retail*. In addition, the GIS Division calculated the total non-residential building square footages (*i.e. improvements*) relating to all of these employment types at ~14,444,596 SF inside the City's corporate boundaries and Extraterritorial Jurisdiction (ETJ), with ~3,209,401 SF being classified as *Basic*, ~5,374,068 SF being classified as *Service*, and ~5,861,127 SF being classified as *Retail*. The total non-residential square footage of land area 139,424,433.67 (or 3,200.74-acres), with 11,967,581.81 SF being classified as *Basic*, 58,451,896.18 SF being classified as *Service*, and 69,004,955.68 SF being classified as *Retail*.

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TEN-YEAR GROWTH PROJECTIONS

GROWTH ASSUMPTIONS

In this planning study, growth is characterized in two (2) forms: 1) Population (*i.e. residential land use*), and 2) Employment (*i.e. non-residential land use*). To calculate a reasonable growth rate for population and employment it was necessary for staff to make a series of assumptions on which to base the ten (10) year growth projections. These assumptions are summarized as follows:

- Future growth identified within this study will conform to the *Future Land Use Plan* depicted in the OURHometown Vision 2040 Comprehensive Plan.
- Infrastructure will continue to be development driven, and the City will continue to be able to finance any other necessary improvements needed to accommodate future growth.
- School facilities will continue to be sufficient to accommodate any increases in population.
- Densities will generally conform to the land classifications and *District Strategies* identified within the OURHometown Vision 2040 Comprehensive Plan, and as depicted on the Future Land Use Map.
- The residential and non-residential carrying capacity for the City or its *build out* will occur simultaneously.

The ten (10) year projections for population are based on the growth rate, which was previously discussed and staff's consideration of past development trends. The ten (10) year projections for employment are based on the overall carrying capacity for non-residential development compared to the current non-residential development in the City. *Tables 1 & 2* detail the ten (10) year projections for households, population and employment for the service areas associated with roadway and water/wastewater impact fees.

POPULATION GROWTH RATE ANALYSIS

The City of Rockwall has experienced steady residential population growth (*see Figure 5*) over the last 18-years and -- *with the City being ~48.29% vacant and taking into account the City's current availability of water and wastewater infrastructure* -- staff anticipates that the population growth will continue to be fairly steady. It should be noted, however, that the City has seen a slight decline in the population growth percentage over the last five (5) years. From 2000 to 2018, the population growth percentage was 5.08%, but when looking at the last five (5) years this number drops to 1.79% (*see Table 3*).

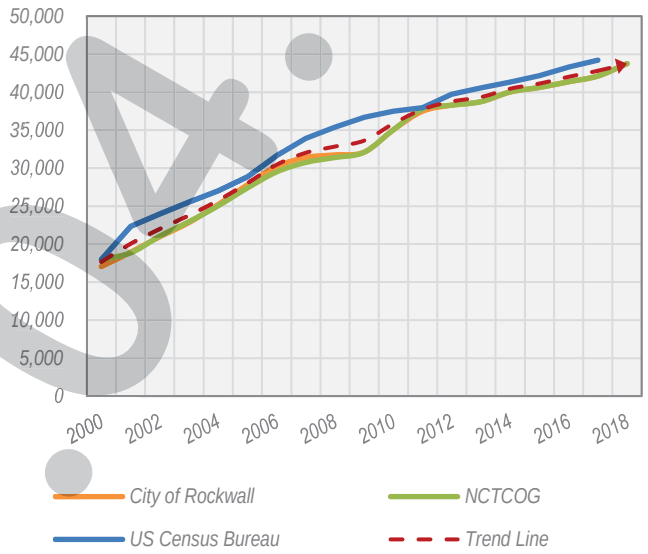
TABLE 1: SUMMARY OF TEN-YEAR GROWTH (ALL ROADWAY SERVICE AREAS)

	2019	2029	Increase
Households	16,690	22,135	24.60%
Population	44,575	59,898	25.58%
Total Employment	24,083	32,366	25.59%
Basic	2,505	3,367	25.60%
Service	12,403	16,669	25.59%
Retail	9,175	12,330	25.59%

TABLE 2: SUMMARY OF TEN-YEAR GROWTH (WATER/WASTE WATER SERVICE AREA)

	2019	2029	Increase
Households	18,390	26,609	30.89%
Population	49,616	73,228	32.24%
Total Employment	25,369	34,065	25.53%
Basic	2,505	3,367	25.60%
Service	13,473	18,082	25.49%
Retail	9,391	12,616	25.56%

FIGURE 5: POPULATION BY AGENCY, 2000-2018



To calculate the ten (10) year population projections, City staff utilized the *Compound Annual Growth Rate (CAGR)* method. CAGR allows for a general assessment of growth when considering periodic increases and decreases in residential

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population growths that coincide with changing economic conditions. The formula for CAGR is as follows:

$$CAGR = \left(\frac{x}{y}\right)^{\left(\frac{1}{n}\right)} - 1$$

Where:
CAGR = Compound Annual Growth Rate
x = End Value
y = Beginning Value
n = Number of Years

In 2007, a CAGR of four (4) percent was used to calculate the ten (10) year population projections; however, based on the five (5) year annual growth rate and the number depicted in *Table 3*, staff utilized a more conservative three (3) percent annual growth rate. In assessing the past growth rates, staff used several sources including the North Central Texas Council of Governments (NCTCOG), the U.S. Census Bureau, and the City of Rockwall. Based on a three (3) percent CAGR, the following chart shows the anticipated population growth over the next ten (10) years:

TABLE 4: TEN (10) YEAR POPULATION GROWTH
This table shows the projected ten (10) year population growth at a three (3) percent Compound Annual Growth Rate (CAGR).

Year	Population
2019	44,575
2020	45,907
2021	47,284
2022	48,703
2023	50,164
2024	51,669
2025	53,219
2026	54,815
2027	56,460
2028	58,154
2029	59,898

TABLE 3: CITY OF ROCKWALL GROWTH RATES

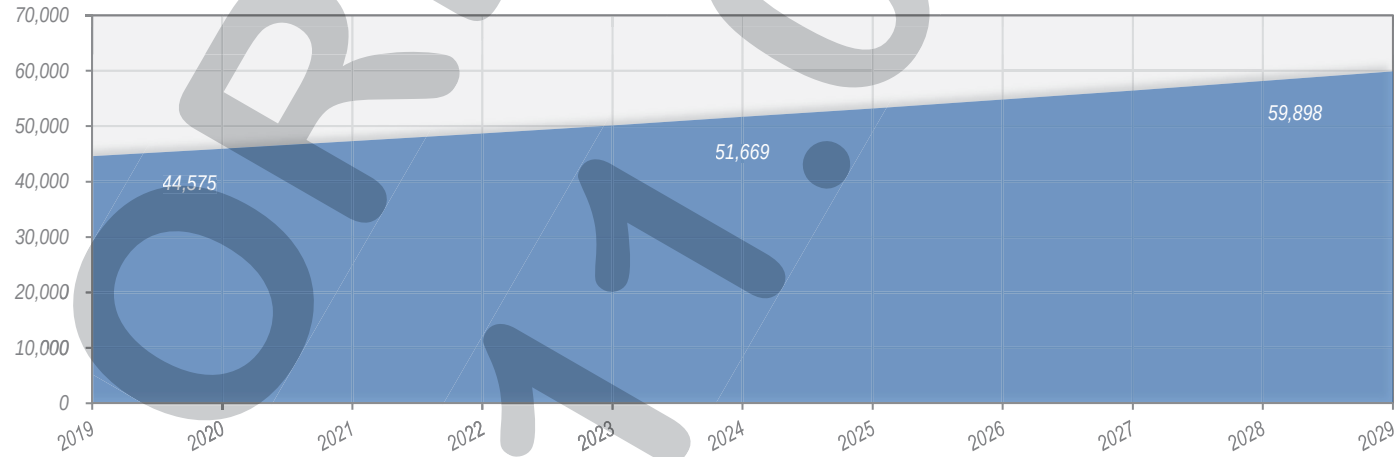
Data Source	Growth Rate
2014 – 2017 US Census	1.70%
2010 – 2017 US Census	2.08%
2000 – 2017 US Census	5.13%
2014 – 2018 Single Family Permits	1.82%
2010 – 2018 Single Family Permits	4.80%
2000 – 2018 Single Family Permits	-2.93%
Future Growth Projection	3.0%

PROJECTED POPULATION FOR 2029

Utilizing the three (3) percent Compound Annual Growth Rate (CAGR) established in the previous section, staff projects that the population for the City will be 59,898 in 2029 (*see Table 4 and Figure 6*). This estimate does appear to be consistent with trends that have been observed at the county and regional level (*see Figure 7 for a comparison of the City's population growth versus the County's population growth*). Although, the growth rate has slowed over the last five (5) years this is seen as a temporary trend and not a sign indicative of the City's future growth trend.

In determining this population projection, staff observed how this projection would relate to the City's projected building permits, and the additional population added to the City on an annual basis (*see Table 5*). Taking this into consideration, the estimated average annual building permits anticipated over this time period is approximately 522. This represents a decrease of approximately 121 permits annually from the estimates completed in 2014. This estimate -- *while still likely high in some years due to shifts in market demand* -- is a more conservative estimate than what was used in 2014. It should be noted that this estimate takes into consideration the type of development likely to occur in a given area (*i.e. single-family or multi-family*).

FIGURE 6: TEN (10) YEAR POPULATION GROWTH
This chart shows the projected ten (10) year population growth at a three (3) percent Compound Annual Growth Rate (CAGR).

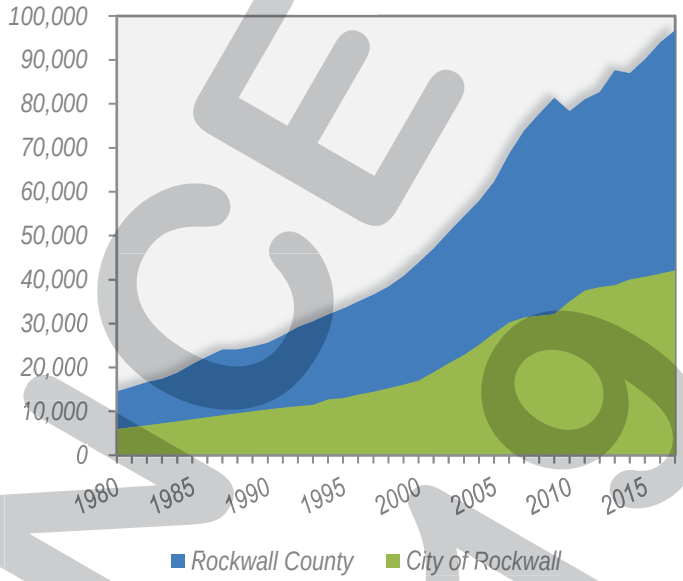


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TABLE 5: PROJECTED BUILDING PERMITS

Year	Population	New Residents	New Building Permits
2019	44,575	825	294
2020	45,907	1,332	474
2021	47,284	1,377	490
2022	48,703	1,419	505
2023	50,164	1,461	520
2024	51,669	1,505	536
2025	53,219	1,550	552
2026	54,815	1,597	568
2027	56,460	1,644	585
2028	58,154	1,694	603
2029	59,898	1,745	621
Average Number of Annual Permits:			522

FIGURE 7: CITY POPULATION VS COUNTY POPULATION, 1980-2017



PROJECTED EMPLOYMENT FOR 2029

Employment data for the year 2029 was calculated by taking the information established in the base year analysis -- *which was obtained through the ArcGIS Business Analyst tool* -- and the corresponding ratio of employment to population, and extrapolating this information out to January 1, 2029. These estimates are summarized in Appendix C, *Employment Breakdown by Roadway Service Area*, and Appendix D, *Employment Breakdown by Water/Wastewater Service Area*.

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BUILD OUT ANALYSIS

A *Build Out Projection* for a city (also referred to as the city's *Carrying Capacity*) is an estimate of the location and density of all potential development, employment and population that a city can support within its future corporate boundaries.

ESTABLISHING HOUSEHOLDS AND POPULATION AT THE CITY'S BUILD OUT

As part of the newly adopted OURHometown Vision 2040 Comprehensive Plan, City staff calculated the number of households and residents at *Build Out*. In establishing the City's households and population at *Build Out* staff made the following assumptions:

- All vacant or undeveloped land within the City's corporate boundaries will develop with the maximum density permitted for the current zoning per the Unified Development Code (UDC).
- All Agricultural (AG) District property is assumed to be vacant or undeveloped and will develop at the maximum density permitted in accordance to the property's' designation on the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan.
- All property within the Extraterritorial Jurisdiction (ETJ) is assumed to be vacant and will be developed in conformance with the Future Land Use Map at the maximum density permitted by the OURHometown Vision 2040 Comprehensive Plan.
- The City's ETJ is fixed and will not increase in the future.

Taking these assumptions into consideration, staff utilized Geographical Information Systems (GIS) software to calculate all the undeveloped land within the city's corporate boundaries, including the ETJ. Once calculated the acreages were broken down by land use and multiplied by the maximum density permitted for each of the land uses as established within the Unified Development Code (UDC) and the Comprehensive Plan. These totals were then multiplied by the average people per household [*i.e. 2.81 per the US Census Bureau*] to establish the unadjusted population at *Build Out*. Staff then reviewed the projected densities coupled with current land use patterns, and adjusted the numbers to account for known or anticipated development activity. Based on the final *Build Out* population (*i.e. 149,525*), staff projected the population forward using the previously established three (3) percent Compound Annual Growth Rate (CAGR) [*see the Ten-Year Growth Assumptions section*] until the build out population was reached (*see Table 6*). This established a build out year of 2060. The following formula lays out the methodology used to calculate these numbers:

TABLE 6: PROJECTED POPULATION @ 3% COMPOUND ANNUAL GROWTH (CAGR)

Year	Population	New Residents
2018	43,750	1,630
2019	44,570	820
2020	45,907	1,337
2021	47,284	1,377
2022	48,703	1,419
2023	50,164	1,461
2024	51,669	1,505
2025	53,219	1,550
2026	54,815	1,597
2027	56,460	1,644
2028	58,154	1,694
2029	59,898	1,745
2030	61,695	1,797
2031	63,546	1,851
2032	65,453	1,906
2033	67,416	1,964
2034	69,439	2,022
2035	71,522	2,083
2036	73,667	2,146
2037	75,877	2,210
2038	78,154	2,276
2039	80,498	2,345
2040	82,913	2,415
2041	85,401	2,487
2042	87,963	2,562
2043	90,602	2,639
2044	93,320	2,718
2045	96,119	2,800
2046	99,003	2,884
2047	101,973	2,970
2048	105,032	3,059
2049	108,183	3,151
2050	111,429	3,245
2051	114,771	3,343
2052	118,215	3,443
2053	121,761	3,546
2054	125,414	3,653
2055	129,176	3,762
2056	133,052	3,875
2057	137,043	3,992
2058	141,154	4,111
2059	145,389	4,235
2060	149,751	*BO:* 149,525

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$$BO = P + CP + EP$$

$$CP = (\sum[(LU_1 xD_1) \dots (LU_x\, xD_x)]\,)x\ AHS$$

$$EP = (LDR\ x\ 2.5) + (MDR\ x\ 3.5) + (HDR\ x\ 5)$$

Where:

BO = Build Out Population
P = Population as of January 1, 2019
CP = Population of Vacant or Undeveloped Land in the City Limits
EP = Population of Vacant or Undeveloped Land in the ETJ
LU = Vacant Available Land Inside the City Limits for a Land Use
D = Maximum Density Permitted for a Land Use per UDC
AHS = Average Household Size [2.81185 per US Census Bureau]
LDR = Low Density Residential Acreage Available in ETJ
MDR = Medium Density Residential Acreage Available in ETJ
HDR = High Density Residential Acreage Available in ETJ

ESTABLISHING EMPLOYMENT AT THE CITY'S BUILD OUT

To calculate employment at *Build Out*, staff utilized the employment numbers calculated with the base year analysis, and -- *based on the estimated current year population* -- calculated ratios between employment and population for the City and its Extraterritorial Jurisdiction (ETJ). These ratios were then used to extrapolate the number of employees for basic, service and retail sectors for the ten (10) year and build out projections.

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SUMMARY

The following is a summary of staff's findings when preparing the *Land Use Assumption Report* in preparation for the update of the Roadway, Water and Wastewater Impact Fees for 2019:

- The average annual growth rate as calculated by staff is three (3) percent. This growth rate was established based on data from the US Census, North Texas Council of Governments (NCTCOG), the City and County of Rockwall. Using this growth rate staff projected the following population numbers:
  - The population of the City of Rockwall as of January 1, 2019 was 44,691. This is expected to increase by 25.39% in the next ten (10) years to an estimated 59,898 by January 1, 2029.
  - The population for the City of Rockwall and its Extraterritorial Jurisdiction (ETJ) as of January 1, 2019 was 49,743. This is expected to increase by 32.07% in the next ten (10) years to an estimated 73,228 by January 1, 2029.
- The estimated employment for the City of Rockwall as of January 1, 2019 was 24,083 jobs, with another 1,286 jobs existing within its Extraterritorial Jurisdiction (ETJ). Staff estimates this number to climb to 32,366 jobs within the current city limits, and another 1,699 jobs within the current Extraterritorial Jurisdiction (ETJ) by January 1, 2029.
- Staff has established that there are currently 8,204.17 undeveloped acres of land within the city limits. This represents ~48.29% of the current land in the City. Additionally, the City of Rockwall has access to another 14,083.24-acres of land within its current Extraterritorial Jurisdiction (ETJ). Approximately 75.11% (10,577.67-acres) of the land within this area is vacant.
- According to staff's estimate, the City of Rockwall is expected to be built out in the year 2060, with a total population of 149,525.

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APPENDIX A: SUMMARY OF ROADWAY SERVICE AREAS

SERVICE AREA 1

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
Central District	216	455	2,332	427	899	3,134	816	1,714	4,331
Downtown District	971	2,332	3,105	1,056	2,519	4,173	1,060	2,531	5,767
IH-30 Corridor District	-	-	2,825	-	-	3,797	-	-	5,247
North Lakeshore District	3,884	11,081	944	4,318	12,324	1,269	4,326	12,350	1,753
Northern Estates District	3	9	4	12	34	5	184	513	7
Northwest Residential District	1,422	3,974	667	2,291	6,401	896	2,324	6,493	1,239
Scenic District	1,084	2,280	1,161	1,217	2,559	1,560	1,248	2,624	2,156
South Lakeshore District	1,578	3,317	968	1,578	3,317	1,301	1,595	3,352	1,798
	9,158	23,448	12,006	10,898	28,053	16,135	11,553	29,577	22,298

SERVICE AREA 2

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
IH-30 Corridor District	1	3	205	-	-	276	-	-	381
South Central Estates District	37	112	122	148	448	164	2,504	7,611	227
South Central Residential District	795	2,417	-	1,487	4,522	-	2,399	7,293	-
Technology District	47	100	824	162	367	1,107	1,748	4,760	1,530
	880	2,632	1,151	1,797	5,336	1,547	6,651	19,664	2,138

SERVICE AREA 3

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
Harbor District	552	1,255	2,766	1,040	2,364	3,717	1,713	3,893	5,137
IH-30 Corridor District	-	-	2,613	-	-	3,512	-	-	4,853
Marina District	1,423	3,441	630	1,525	3,702	847	1,537	3,734	1,170
Medical District	-	-	1,897	-	-	2,549	-	-	3,523
South Central Residential District	1,089	3,310	371	1,089	3,310	499	1,089	3,310	689
Southwest Residential District	2,257	7,260	1,900	3,695	11,847	2,553	3,943	12,509	3,529
Technology District	615	1,292	63	618	1,298	85	658	1,383	117
	5,936	16,558	10,240	7,966	22,520	13,762	8,940	24,829	19,018

SERVICE AREA 4

DISTRICTS	ESTIMATES (JANUARY 1, 2019) HU	POP	EMP	PROJECTIONS (JANUARY 1, 2029) HU	POP	EMP	BUILD OUT PROJECTIONS (2060) HU	POP	EMP
Central District	92	193	167	182	382	224	349	735	310
IH-30 Corridor District	-	-	71	-	-	95	-	-	132
Northeast Residential	361	1,009	438	762	2,129	589	1,786	4,988	813
Northern Estates District	263	735	10	529	1,478	13	1,066	2,984	19
	716	1,937	686	1,473	3,990	922	3,201	8,707	1,274

GRAND TOTAL	16,690	44,575	24,083	22,135	59,898	32,366	30,345	82,777	44,728

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APPENDIX B: SUMMARY OF WATER/WASTEWATER SERVICE AREA

DISTRICTS	ESTIMATES (JANUARY 1, 2019)			PROJECTIONS (JANUARY 1, 2029)			BUILD OUT PROJECTIONS (2060)		
	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
Central District	308	648	2,499	609	1,281	3,358	1,165	2,449	4,641
Downtown District	971	2,332	3,105	1,056	2,519	4,173	1,060	2,531	5,767
Employment District	314	971	880	532	1,645	1,162	630	1,952	5,538
Far North Estates District	230	674	96	676	1,980	127	4,426	12,950	-
Harbor District	552	1,255	2,766	1,040	2,364	3,717	1,713	3,893	5,741
IH-30 Corridor District	1	3	5,714	-	-	7,679	-	-	10,612
Innovation District	268	822	66	794	2,438	87	5,323	16,407	415
Marina District	1,423	3,441	630	1,525	3,701	847	1,537	3,734	1,170
Medical District	-	-	1,897	-	-	2,549	-	-	3,523
North Lakeshore District	3,884	11,081	944	4,317	12,324	1,269	4,326	12,350	1,753
Northeast Residential District	629	1,758	438	1,244	3,476	589	2,384	6,658	813
Northern Estates District	512	1,439	14	1,090	3,065	19	2,626	7,390	26
Northwest Residential District	1,422	3,974	667	2,291	6,401	896	2,324	6,493	1,239
Scenic District	1,084	2,280	1,161	1,217	2,558	1,560	1,248	2,624	2,156
South Lakeshore District	1,578	3,317	968	1,578	3,317	1,301	1,595	3,352	1,798
South Central Residential District	1,970	5,987	371	3,265	9,923	499	3,618	10,998	689
South Central Estates District	315	956	366	824	2,502	486	3,760	11,428	1,762
Southwest Residential District	2,267	7,286	1,900	3,772	12,068	2,553	4,229	13,344	3,529
Technology District	662	1,392	887	780	1,665	1,192	2,406	6,143	1,647
Southeast Estates District	-	-	-	-	-	-	8,168	24,829	441
	18,390	49,616	25,369	26,609	73,228	34,064	52,538	149,525	53,262

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APPENDIX C: EMPLOYMENT BREAKDOWN BY ROADWAY SERVICE AREAS

SERVICE AREA 1

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
Central District	973	633	726	1,308	851	976	1,807	1,176	1,348
Downtown District	608	1,104	1,393	817	1,484	1,872	1,129	2,050	2,587
IH-30 Corridor District	599	916	1,310	805	1,231	1,761	1,112	1,701	2,433
North Lakeshore District	-	608	336	-	817	452	-	1,129	624
Northern Estates District	-	4	-	-	5	-	-	7	-
Northwest Residential District	-	531	136	-	714	183	-	986	253
Scenic District	-	650	511	-	874	687	-	1,207	949
South Lakeshore District	-	572	396	-	769	532	-	1,062	735
	2,180	5,018	4,808	2,930	6,744	6,462	4,049	9,320	8,930

SERVICE AREA 2

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
IH-30 Corridor District	-	-	205	-	-	276	-	-	381
South Central Estates District	-	94	28	-	126	38	-	175	52
South Central Residential District	-	-	-	-	-	-	-	-	-
Technology District	298	283	243	400	380	327	553	526	451
	298	377	476	400	507	640	553	700	884

SERVICE AREA 3

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
Harbor District	27	2,456	283	36	3,301	380	50	4,561	526
IH-30 Corridor District	-	845	1,768	-	1,136	2,376	-	1,569	3,284
Marina District	-	267	363	-	359	488	-	496	674
Medical District	-	1,651	246	-	2,219	331	-	3,066	457
South Central Residential District	-	331	40	-	445	54	-	615	74
Southwest Residential District	-	924	976	-	1,242	1,312	-	1,716	1,813
Technology District	-	44	19	-	59	26	-	82	35
	27	6,518	3,695	36	8,760	4,966	50	12,105	6,862

SERVICE AREA 4

DISTRICTS	ESTIMATES (JANUARY 1, 2019) BASIC	SERVICE	RETAIL	PROJECTIONS (JANUARY 1, 2029) BASIC	SERVICE	RETAIL	BUILD OUT PROJECTIONS (2060) BASIC	SERVICE	RETAIL
Central District	-	167	-	-	224	-	-	310	-
IH-30 Corridor District	-	-	71	-	-	95	-	-	132
Northeast Residential	-	313	125	-	421	168	-	581	232
Northern Estates District	-	10	-	-	13	-	-	19	-
	-	490	196	-	659	263	-	910	364

GRAND TOTAL	2,505	12,403	9,175	3,367	16,669	12,330	4,652	23,035	17,040

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APPENDIX D: EMPLOYMENT BREAKDOWN BY WATER/WASTEWATER SERVICE AREA

	ESTIMATES (JANUARY 1, 2019)			ESTIMATES (JANUARY 1, 2029)			BUILD OUT (2060)		
DISTRICTS	BASIC	SERVICE	RETAIL	BASIC	SERVICE	RETAIL	BASIC	SERVICE	RETAIL
Central District	973	800	726	1,308	1,075	976	1,807	1,486	1,348
Downtown District	608	1,104	1,393	817	1,484	1,872	1,129	2,050	2,587
Employment District	-	742	138	-	980	182	-	4,670	869
Far North Estates District	-	86	10	-	114	13	-	-	-
Harbor District	27	2,456	283	36	3,301	380	50	5,103	589
IH-30 Corridor District	599	1,761	3,354	805	2,367	4,507	1,112	3,271	6,229
Innovation District	-	54	12	-	71	16	-	340	76
Marina District	-	267	363	-	359	488	-	496	674
Medical District	-	1,651	246	-	2,219	331	-	3,066	457
North Lakeshore District	-	608	336	-	817	452	-	1,129	624
Northeast Residential District	-	313	125	-	421	168	-	581	232
Northern Estates District	-	14	-	-	19	-	-	26	-
Northwest Residential District	-	531	136	-	714	183	-	986	253
Scenic District	-	650	511	-	874	687	-	1,207	949
South Lakeshore District	-	572	396	-	769	532	-	1,062	735
South Central Residential District	-	331	40	-	445	54	-	615	74
South Central Estates District	-	282	84	-	375	112	-	1,358	404
Southwest Residential District	-	924	976	-	1,242	1,312	-	1,716	1,813
Technology District	298	327	262	400	439	352	553	607	487
Southeast Estates District	-	-	-	-	-	-	-	189	252
	2,505	13,473	9,391	3,367	18,082	12,616	4,652	29,958	18,651

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183

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Exhibit 'C':
2019 Update of Rodway Impact Fees

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City of Rockwall

2019 Update of Roadway Impact Fees

Final Report

Submitted By:

FREESE AND NICHOLS

September 16, 2019

City of Rockwall

2019 Update of Roadway Impact Fees

Final Report



FREESE AND NICHOLS, INC.
TEXAS REGISTERED
ENGINEERING FIRM
F-2144

Submitted By:

FREESE AND NICHOLS

September 16, 2019

DRAFT ORDINANCE 11.04.19

186

Table of Contents

LIST OF TABLES II

LIST OF FIGURES II

CHAPTER 1: INTRODUCTION 1

Study Methodology 2
Organization of Report 3

CHAPTER 2: ROADWAY IMPACT FEE SERVICE AREAS 4

CHAPTER 3: ROADWAY IMPACT FEE SERVICE UNITS 6

Service Units 6
Service Units for New Development 7

CHAPTER 4: EXISTING CONDITIONS ANALYSIS 12

Existing Conditions 12
Existing Volumes 12
Vehicle-Miles of Existing Capacity Supply 13
Vehicle-Miles of Existing Demand 13
Vehicle-Miles of Existing Excess Capacity and Deficiencies 13

CHAPTER 5: PROJECTED CONDITIONS ANALYSIS 15

Projected Growth 15
Projected Vehicle-Miles of New Demand 15
Capital Improvements Program 16
Projected Vehicle-Miles Capacity Available for New Growth 19
Cost of Roadway Improvements 19

CHAPTER 6: CALCULATION OF IMPACT FEES 21

Cost Per Service Unit 21
Calculation of Roadway Impact Fees 22

CHAPTER 7: CONCLUSIONS 23

APPENDICES 25

A. Roadway Impact Fee Definitions 26
B. Land Use Definitions 29
C. Calculation of Vehicle-Miles of New Demand 33
D. Existing Capital Improvements 35
E. Roadway Improvement Plan Projects 38
F. Roadway Improvements Plan Cost Analysis 45
G. Service Area Analysis Summary 48

DRAFT ORDINANCE 11.04.2019

City of Rockwall

List of Tables

Table 1: Trip Reduction Estimates (PM Peak Hour) 9
Table 2: Average Trip Lengths 9
Table 3: Land-Use Vehicle-Mile Equivalency Table 11
Table 4: Roadway Facility Vehicle-Mile Lane Capacities 12
Table 5: Peak Hour Vehicle-Miles of Existing Capacity and Demand 14
Table 6: Peak Hour Vehicle-Miles of Excess Capacity and Deficiencies 14
Table 7: Vehicle-Miles of New Demand 16
Table 8: Roadway Impact Fee Capital Improvements Plan 18
Table 9: Vehicle-Miles of New Capacity Supplied 19
Table 10: Summary of Roadway Improvements Plan Cost Analysis 19
Table 11: Capital Improvements Plan Costs Attributable to New Development 20
Table 12: Cost Per Service Unit Summary 21

List of Figures

Figure 1: Service Areas for Roadway Impact Fees 5
Figure 2: Roadway Impact Fee Capital Improvement Project Locations 17

DRAFT ORDINANCE 11.04.2019

Chapter 1: Introduction

Shrinking funds available for transportation improvements on city thoroughfares limit many cities from upgrading infrastructure to meet increasing travel demands. To meet the needs of new growth, many cities collect "impact fees" from new development to help fund transportation improvements necessitated by such development. What is unique about impact fees is that they often finance roadway improvements that are considered "offsite" to new development. However, when considering the traffic implications created by new development on the roadway system, impact fees provide a means by which infrastructure may keep pace with new development.

Texas initially authorized the use of impact fees with the 1987 legislature. Now codified in Chapter 395 of the Texas Local Government Codes, the legislation authorizes cities to collect fees from new developments to finance new construction or expansion of capital improvements such as water treatment and distribution facilities, storm and wastewater facilities, and transportation facilities. The law stipulates that all fees collected from new development must not exceed the maximum amount calculated by the methodology described therein.

The law also mandates that impact fee systems be updated periodically to ensure that an appropriate cost per service unit is calculated commensurate with an impact fee capital improvements program. The law also mandates that as new transportation improvements are completed, actual costs are inserted into the cost per service unit calculation to reflect a more accurate reading of service area costs as opposed to estimated costs that were established at the onset of the impact fee system. Finally, new capital improvement projects may be added to the program, subject to meeting eligibility requirements.

In September 2001, Chapter 395 was amended which revised called for several technical and administrative changes of impact fee systems including:

- Expansion of the permissible service area structure for roadway facilities from three to six miles;
- A credit for the portion of ad valorem tax revenues generated by improvements over the program period, or the credit equal to 50% of the total projected cost of implementing the capital improvements plan;
- A city's share of costs on the federal or Texas highway system, including matching funds and costs related to utility line relocation, the establishment of curbs and gutters, sidewalks, drainage appurtenances, and rights-of-way;
- Increase in the time period of update of impact fee land use assumptions and capital improvements plan from a three to five-year period;
- Changes in compliance requirements as they relate to annual reporting; and
- Consolidation of the land use assumptions and capital improvements plan hearings.

The implementation and administration of roadway impact fee systems offers several advantages to both a city and new development among which include: 1) a systematic, structured approach to assessment of fees, 2) a clear, equitable distribution of costs associated with the impact of new development, 3) the ability to pool funds for project initiation within a service area, 4) assurance that fees collected will be spent in the area where new development is occurring, 5) up-front knowledge of fees to be imposed, 6)

DRAFT ORDINANCE NO. 20-09

credits for developer participation, and 7) ability for developers to demonstrate that, pursuant to city guidelines, specific unit equivalencies (service unit generation) may be different from those presented in the land use equivalency table.

Recognizing the need to provide adequate facilities and desiring to have equitable funding of transportation improvements, the City of Rockwall embarked in the development of a roadway impact fee system in January 2008 and is updating the program to comply with legislative requirements identified in Chapter 395. The program was updated in 2013. This update amends the roadway capital improvements program based on updated land use assumptions as well as, input by the designated impact fee Capital Improvements Advisory Committee. To assist with this study, the City of Rockwall retained Freese and Nichols, Inc. to update the roadway impact fee system.

Study Methodology

To update the roadway impact fee for the City of Rockwall, a series of work tasks were undertaken and are described below:

1. Meetings were held with the City of Rockwall Staff and the Capital Improvement Advisory Committee to discuss the approach and roadway methodology to be used in the study update.

2. Impact fee service areas were reviewed and amended for any city annexations. Roadway service areas are contained to the current city limits.

3. The vehicle-mile of travel (VMT) during the PM peak hour was retained as the unit of measure for the roadway impact fee system.

4. A roadway conditions inventory was conducted on Rockwall thoroughfares for lane geometries, roadway classifications and segment lengths. New arterial and/or collector streets not previously assessed were added to the program database.

5. The existing roadway network was evaluated based on traffic volume count data collected May 2019, to determine roadway capacity, current utilization, and if any capacity deficiencies exist within each impact fee service area.

6. Projected 10-year growth, in terms of vehicle-miles of demand, was calculated for the service areas based on updated land use assumptions (projections of population and employment growth) prepared by Rockwall City Staff in June 2019 and supplemented with the updated land use equivalency table. The Land Use Assumptions for Impact Fees report was reviewed and approved by the Capital Improvements Advisory Committee (CIAC) prior to development of VMT growth projections and capital improvements plan (CIP) update.

7. The existing impact fee CIP was evaluated with updated traffic count data to ensure that excess capacity remained within each impact fee project for retention in the system. The analysis of the existing impact fee CIP revealed excess capacity and therefore could remain in the impact fee program.

DRAFT
ORDINANCE
11.04.2019

8. A roadway impact fee CIP was reviewed and amended relative to projected growth from the updated land use assumptions, analysis of existing system deficiencies, likelihood of project initiation over the short-term, the Rockwall Comprehensive Plan, and input by the CIAC and City Staff. The CIP was amended for John King Boulevard to include portions of the roadway that were previously out of the city and the addition of several new projects to the program.

9. Roadway costs associated with construction, engineering, right-of-way, and project financing for recoupment projects were provided by the City. Cost estimates for new projects were prepared by Freese and Nichols. Costs for study updates are eligible for recovery and were included in the total project cost. Roadway cost data was compiled and distributed by service area.

10. The cost of capacity supplied, cost attributable to new development and the maximum cost per service unit was calculated for each service area. A credit of 50% was applied to the overall cost of the capital improvements program for use in the calculation of the cost per service unit.

11. This report was prepared to document the procedures, findings, and conclusions of the study.

Organization of Report

This report describes the background information, analysis, and findings of the study in six parts, with a chapter devoted to each:

- Roadway Impact Fee Service Areas (Chapter 2)
- Roadway Impact Fee Service Units (Chapter 3)
- Existing Conditions Analysis (Chapter 4)
- Projected Conditions Analysis (Chapter 5)
- Calculation of Impact Fees (Chapter 6)
- Conclusion (Chapter 7)

DRAFT ORDINANCE 11.04.2019

Chapter 2: Roadway Impact Fee Service Areas

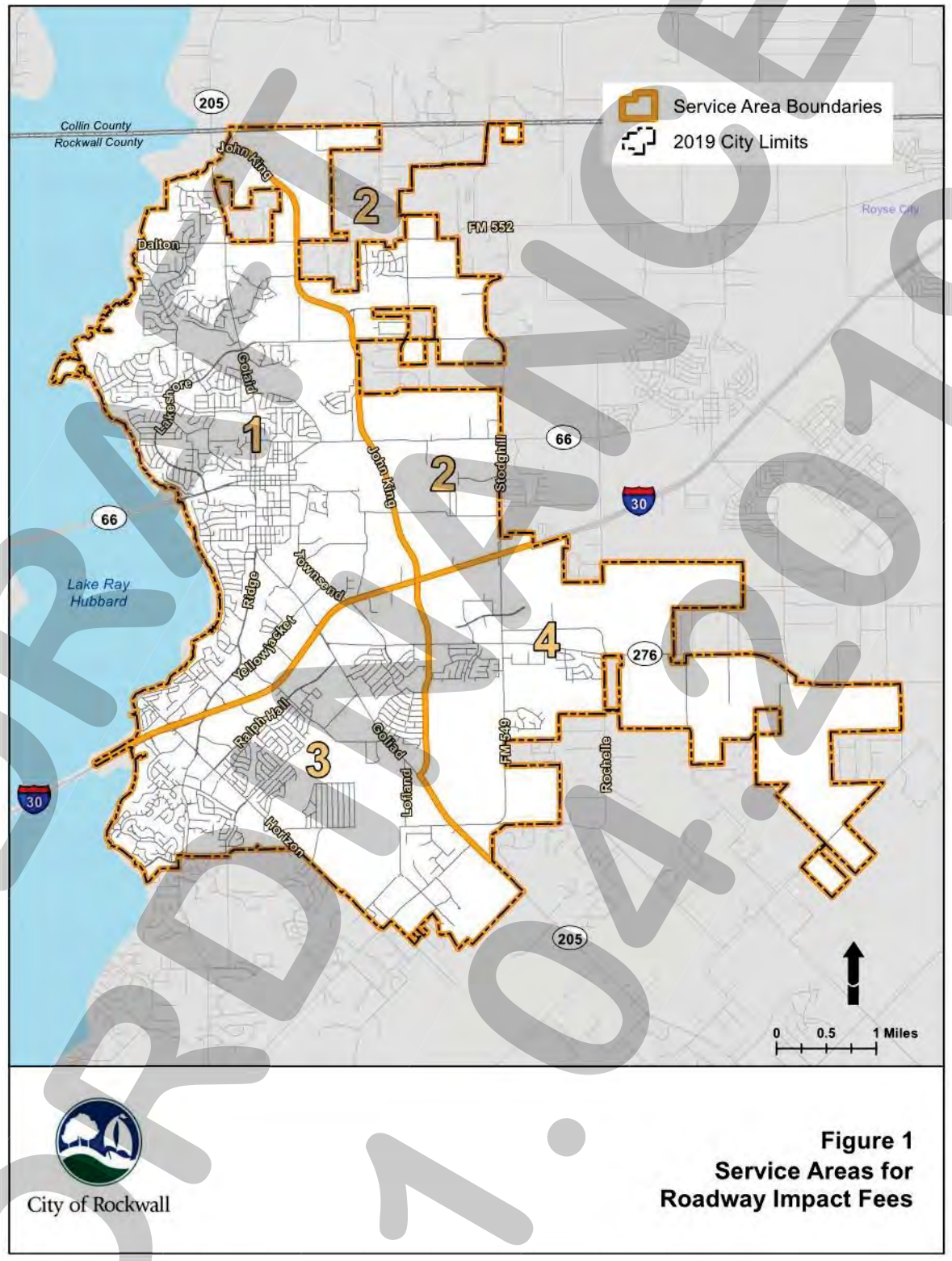
Chapter 395 requires that service areas be defined for impact fees to ensure that facility improvements are in proximity to the area that is generating the need. Legislation mandates that roadway service areas be limited to a six-mile maximum and must be located within the current city limits. Roadway service areas are different from other impact fee service areas, which can include the city limits and Extra-Territorial Jurisdiction (ETJ). This is primarily because roadway systems are "open" to both local and regional use as opposed to a defined limit of service that is provided with water and wastewater systems. The result is that new development can only be assessed an impact fee based on the cost of necessary capital improvements within that service area.

The service area structure was developed using the criteria defined in Chapter 395 as it relates to conformance with city limits and the six-mile boundary limits. Other considerations included use of physical or natural features, potential roadway projects and their relation to undeveloped areas of the community, and the planning areas used in long-range plan efforts (for consideration of service area expansion due to possible annexation).

Four service areas were initially developed for the program in 2007 and have been retained in each of the program updates and are generally delineated by John King Boulevard and IH-30. Changes to the service area structure include city annexations on the northern and southern sector of the city. The service area structure for Rockwall is illustrated in **Figure 1**.

DRAFT ORDINANCE 11.04.2019

Figure 1: Service Areas for Roadway Impact Fees



DRAFT ORDINANCE 11.04.2019

Chapter 3: Roadway Impact Fee Service Units

An important aspect of the impact fee system is the determination of the proper service unit to be used to calculate and assess impact fees for new developments. As defined in Chapter 395, "Service unit means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development in accordance with generally accepted engineering or planning standards for a particular category of capital improvements or facility expansions."

To determine the roadway impact fee for a development, the service unit must accurately identify the impact that the development will have on the transportation system serving the development. This impact is a combination of the number of new trips generated by the development, the peaking characteristics of the land-use(s) within the development, and the length of each new trip on the transportation system.

The correct service unit must also reflect the supply, which is provided by the roadway system, and the demand placed on the system during the time in which peak, or design, conditions are present on the system. Transportation facilities are designed and constructed to accommodate volumes expected to occur during the peak hours (design hours). These volumes typically occur during the morning (AM) and evening (PM) rush hours as motorists travel to and from work.

The vehicle-mile was retained as the service unit for calculating and assessing transportation impact fees in Rockwall. The vehicle-mile as a service unit establishes a way to relate the intensity of land development to the demand on the system with published trip generation data. It also recognizes state legislation requirements with regards to trip length.

The PM peak hour was retained as the time period for assessing impacts because the greatest demand for roadway capacity occurs during this hour. Roadways are sized to meet this demand, and roadway capacity can more easily be defined on an hourly basis. Traffic volume data collected in May 2019 was used as the basis for the system update.

Service Units

Service units create a link between supply (roadway projects) and demand (development). Both can be expressed as a combination of the number of vehicles traveling during the peak hour and the distance traveled by these vehicles in miles.

Service Unit Supply

For roadway capital projects improvement, the number of service units provided during the peak hour is simply the product of the capacity of the roadway in one hour and the length of the project. For example:

> Given a four-lane divided roadway project with a 600 vehicle per hour per lane capacity and a length of two miles, the number of service units provided is:
>
> *600 vehicles per hour per lane x 4 lanes x 2 miles = 4,800 vehicle-miles*

DRAFT ORDINANCE 1.04.2019

Service Unit Demand

The demand placed on the system can be expressed in a similar manner. For example, a development generating 100 vehicle trips in the PM peak hour with an average trip length of two miles would generate:

100 vehicle-trips x 2 miles/trip = 200 vehicle-miles

Likewise, the existing demand placed on the roadway network is calculated in the same manner with a known traffic volume (peak hour roadway tube counts) on a street and a given segment length.

Service Units for New Development

An important objective in the development of the impact fee system is the development of a specific service unit equivalency for individual developments. The vehicle-miles generated by a new development are a function of the trip generation and average trip length characteristics of that development. The following describes the process used to develop the vehicle-equivalency table, which relates land use types and sizes to the resulting vehicle-miles of demand created by that development.

Travel characteristics were reviewed and deemed to be similar in nature to the previous system update, and therefore no changes were made to the resultant land use equivalency table.

Trip Generation

Trip generation information for the PM peak hour was based on data published in the Tenth Edition of *Trip Generation* by the Institute of Transportation Engineers (ITE). *Trip Generation* is a reference publication that contains travel characteristics of over 160 land uses across the nation and is based on empirical data gathered from over 4,600 studies that were reported to the Institute by public agencies, developers and consulting firms. Data contained in this publication is generally accepted for use in studies by transportation engineers throughout the nation. Data not available was drawn from other published information. Rates were established for specific land use types within the broader categories of residential, office, commercial, industrial and institutional land uses. Within each of the land use categories, a rate was also established for any land uses not specifically identified.

Adjustments

The actual "traffic impact" of a specific site for impact fee purposes is based on the amount of traffic added to the street system as a result of new development. To accurately estimate new trips generated, adjustments must be made to trip generation rates and equations to account for pass-by and diverted trips. The added traffic is adjusted so that each development is assigned only for a portion of trips associated with a specific development and thus reducing the possibility of over-counting by counting only primary trips generated. Trip generation rates were reduced by percentages presented in **Table 1** to isolate the primary trip purpose.

Pass-by trips are those trips that are already on a route for a different purpose and simply stop at a development on that route. For example, a stop at a convenience store on the way home from the office is a pass-by trip for the convenience store. A pass-by trip does not create an additional burden on the street system and therefore should not be counted in the assessment of impact fees of a convenience store.

DRAFT ORDINANCE No. 19-04

A diverted trip is a similar situation, except that a diversion is made from the regular route to make an interim stop. For example, a trip from work to home using Ridge Road (from IH-30) would be a diverted trip if the travel path were changed Yellow Jacket and Goliad for the purpose of stopping at a retail site. On a system-wide basis, this trip places a slightly additional burden on the street system but in many cases, this burden is minimal.

Table 1 contains the documented estimates of trip rate adjustments used in determining the appropriate rate to use in the impact fee calculation process. Adjustments were based on studies documented in the ITE trip generation manual.

The resulting recommended trip rates are illustrated as part of Table 3 Land Use/Vehicle Mile Equivalency Table illustrated later in this chapter. Rates were developed in lieu of equations to simplify the assessment of impact fees by the City and likewise, the estimation of impact fees by persons who may be required to pay an impact fee in conjunction with a development project.

A local study may also be conducted to confirm rates in *Trip Generation* or change rates to reflect local conditions. In such cases, a minimum of three sites should be counted. Selected sites should be isolated in nature with driveways that specifically serve the development and not other land uses. The results should be plotted on the scatter diagram of the selected land use contained in *Trip Generation* for comparison purposes. It is recommended that no change be approved unless the results show a variation of at least fifteen percent across the range of sample sizes surveyed. *Trip Generation* was used as the primary source of information for this study.

Trip Length

Trip lengths (in miles) are used in conjunction with site trip generation to estimate vehicle-miles of travel. Trip length data was based on information generated in the 1995 North Central Texas Council of Governments (NCTCOG) Workplace Survey and the National Workplace Survey. These travel characteristics were applied to Rockwall to determine average trips lengths for common land use types.

Table 2 summarizes the derived average trip lengths for major land use categories. These trip lengths represent the average distance that a vehicle will travel between an origin and destination of which either the origin or destination contains the land-use category identified below. Data compiled by the Workplace Survey represents the best available information on trip lengths for this area.

DRAFT ORDINANCE 11.04.2019

Table 1: Trip Reduction Estimates (PM Peak Hour) *

ITE Code	Land Use Category	Pass-by Trips	Diverted Trips
110	General Light Industrial	0	0
130	Industrial Park	0	0
150	Manufacturing	0	0
151	Mini-Warehousing	0	0
210	Single-Family Detached Housing	0	0
220	Apartment	0	0
250	Retirement Community	0	0
540	Junior/Community College	0	0
560	Church/Place of Worship	0	0
565	Day Care Center	0	0
610	Hospital	0	0
710	General Office Building	0	0
750	Office Park	0	0
760	Research Center	0	0
815	Discount Store	17%	35%
820	Shopping Center	34%	26%
831	Quality Restaurant	44	27
832	High-Turnover Restaurant (Sit-down)	43	26
834	Fast Food Restaurant w/Drive-thru	50	23
843	Auto Parts Sales	41	13
848	Tire Store	36	38
851	Convenience Market	66	22
862	Convenience Market w/Gas Pumps	63	26
862	Home Improvement Store	48	24
863	Electronics Superstore	40	33
880	Pharmacy with Drive-thru	49	13
881	Pharmacy without Drive-thru	49	13
912	Bank with Drive-thru	47	26

DU = Dwelling Unit, GFA = Gross Floor Area; (*) Expressed as percent of total PM peak hour trips generated.
Source: Trip Generation, ITE 10th Edition, 2018

Table 2: Average Trip Lengths

Land Use Category	Average Trip Length (miles)	Localized Trip Length (miles)	Adjusted Trip Length (miles)
General Office	12.06	6.81	3.41
General Retail/Shopping Center	4.12	2.33	1.16
Industrial	9.95	5.62	2.81
Residential	11.16	6.31	3.15
Warehousing	8.84	4.99	2.50
Drive-In Bank	2.62	1.48	0.74
Specialty Retail	2.86	1.62	0.81
Hospital	5.18	2.93	1.46
Medical Office/Clinic	9.63	5.44	2.72
School	4.12	2.33	1.16
Hotel	4.15	2.34	1.17
Restaurant	3.74	2.11	1.06
Fast-Food Restaurant	3.53	1.99	1.00
Day Care Center	1.64	0.93	0.46
Supermarket	1.84	1.04	0.52
Pharmacy without Drive-thru	1.93	1.09	0.55

Source: US Census Bureau, NCTCOG, and Freese and Nichols.

DRAFT ORDINANCE 1.04.2019

Adjustments

The assessment of an individual development's impact fee is based on the premise that each vehicle-trip has an origin and a destination and that the development end should pay for one-half of the cost necessary to complete each trip. Thus, the development is charged only for a portion of the vehicle-trip associated with that development.

To prevent double charging, and to fairly attribute the demand placed on the system to each trip end location, the trip length was adjusted to remove travel on the federal roadway system and then divided by two to reflect half of the vehicle trip to and from the development. Data from the NCTCOG travel forecast model was used to compare vehicle-miles of travel (VMT) by roadway functional class. Data revealed 43% of travel to use the federal system and thus the average trip length was reduced by this percentage to reflect localized travel on city streets (reflected in column 2). The average trip length, localized trip length, and adjustment for one-half trip length are illustrated in column 3 of Table 2. Where specific land uses were considered to exhibit different trip length characteristics than those identified in Table 3, engineering judgment was used to estimate the average trip length. Finally, as the service area structure was based on a six-mile boundary, those land uses that exhibited trip lengths greater than six miles were limited to this threshold.

Service Unit Equivalency Table

The result of combining the trip generation and trip length information is an equivalency table which establishes the service unit rate for various land uses. These service unit rates are based on an appropriate development unit for each land use. For example, a dwelling unit is the basis for residential uses, while 1,000 gross square feet of floor area is the basis for office, commercial, and retail uses. Other less common land uses are based on appropriate independent variables.

Separate rates have been established for specific land uses within the broader categories of residential, commercial, industrial and institutional to reflect the differences between land uses within the categories. However, even with these specific land use types, information is not available for every conceivable land use, so limitations do exist.

The updated equivalency table is illustrated in **Table 3**. Table 3 is reflective of adjusted trip rates (detailed in Table 1) and trip lengths (Table 2).

DRAFT ORDINANCE 11.04.19

ROADWAY IMPACT FEE SERVICE UNITS

Table 3: Land-Use Vehicle-Mile Equivalency Table

CATEGORY	LAND USE	DEVELOPMENT UNITS (X)	TRIP RATE	LOCAL TRIP LENGTH (mi.)	TOTAL SERVICE UNITS (VEH-MI / DEV UNIT)
RESIDENTIAL					
	SINGLE-FAMILY DETACHED	D.U.	0.99	3.15	3.12
	APARTMENT/TOWNHOUSE	D.U.	0.56	3.15	1.77
	RETIREMENT COMMUNITY	D.U.	0.16	2.27	0.36
	INDEPENDENT SR. LIVING FACILITY	D.U.	0.30	2.27	0.68
OFFICE					
	GENERAL OFFICE BLDG	1000 GFA	1.15	3.41	3.92
	CORPORATE HEADQUARTERS BLDG	1000 GFA	0.60	3.41	2.05
	MEDICAL-DENTAL OFFICE BLDG	1000 GFA	3.46	2.72	9.42
	U.S. POST OFFICE	1000 GFA	3.36	2.26	7.60
	BUSINESS PARK	1000 GFA	0.42	3.41	1.43
	RESEARCH AND DEVELOPMENT CENTER	1000 GFA	0.49	3.41	1.67
COMMERCIAL					
	RETAIL/SHOPPING CENTER	1000 GLA	1.52	1.16	1.77
	QUALITY RESTAURANT	1000 GFA	3.75	1.06	3.97
	FAST FOOD RESTAURANT WITH DRIVE-THROUGH	1000 GFA	8.82	1.00	8.79
	HIGH TURNOVER RESTAURANT	1000 GFA	3.03	1.10	3.33
	GAS STATION w/CONVENIENCE MARKET	1000 GFA	2.40	0.50	1.20
	CONVENIENCE MARKET WITH GASOLINE PUMPS	1000 GFA	5.42	0.50	2.71
	GROCERY/SUPERMARKET	1000 GFA	2.40	0.52	1.25
	DISCOUNT CLUB	1000 GFA	2.93	1.12	3.29
	AUTO SALES	1000 GFA	2.43	1.26	3.07
	BANK	1000 GFA	7.73	0.74	5.74
	PHARMACY/DRUGSTORE WITH DRIVE-THROUGH	1000 GFA	3.91	0.55	2.13
	APPAREL STORE	1000 GFA	2.88	0.96	2.76
	HEALTH / FITNESS CLUB	1000 GFA	3.45	1.12	3.88
	MOVIE THEATER	SCREENS	14.60	0.93	13.61
	FURNITURE STORE	1000 GFA	0.08	1.32	0.11
	HOME IMPROVEMENT SUPERSTORE	1000 GFA	0.65	1.16	0.76
	HARDWARE/PAINT STORE	1000 GFA	1.23	0.45	0.56
	BUILDING MATERIALS/LUMBER STORE	1000 GFA	1.55	0.45	0.70
	NURSERY (GARDEN CENTER)	1000 GFA	5.21	0.74	3.87
	NURSERY (WHOLESALE)	1000 GFA	3.89	0.74	2.89
	HOTEL	ROOMS	0.38	1.17	0.45
	MOTEL	ROOMS	0.38	1.17	0.45
	ALL SUITES HOTEL	ROOMS	0.36	1.17	0.42
	AUTO CARE CENTER	1000 GFA	3.75	0.81	3.03
	QUICK LUBE SHOP	1000 GFA	2.43	0.81	1.96
	AUTO PARTS SALES	1000 GFA	0.77	0.81	0.62
	TIRE STORE	1000 GFA	3.98	1.16	4.63
	MINI-WAREHOUSE/SELF STORAGE	1000 GFA	0.17	1.79	0.30
INDUSTRIAL					
	GENERAL LIGHT INDUSTRIAL	1000 GFA	0.63	2.81	1.77
	MANUFACTURING	1000 GFA	0.67	2.90	1.95
	INDUSTRIAL PARK	1000 GFA	0.40	2.82	1.13
	WAREHOUSING	1000 GFA	0.19	2.50	0.47
INSTITUTIONAL					
	PRIVATE SCHOOL (K-12)	STUDENTS	0.17	1.16	0.20
	JUNIOR/COMMUNITY COLLEGE	STUDENTS	0.11	1.19	0.13
	UNIVERSITY/COLLEGE	STUDENTS	0.15	1.41	0.21
	DAY CARE CENTER	STUDENTS	0.20	0.46	0.09
	HOSPITAL	BEDS	0.97	1.46	1.42
	NURSING HOME	BEDS	0.59	1.46	0.86
	ASSISTED LIVING CENTER	BEDS	0.26	1.46	0.38
	PLACE OF WORSHIP	1000 GFA	0.49	0.70	0.34

* THIS REPRESENTS TOTAL SERVICE UNIT EQUIVALENCY FOR LAND USES NOT SPECIFIED IN THIS CATEGORY. ACTUAL EQUIVALENCY MAY VARY AND MAY BE DEMONSTRATED BY PROPERTY OWNER TO BE DIFFERENT.

DU = Dwelling Unit
GFA = Gross Floor Area
GLA = Gross Leasable Area

DRAFT ORDINANCE 1.04.2019

Chapter 4: Existing Conditions Analysis

Chapter 395 identifies specific requirements necessary in the capital improvements plan for impact fees. The existing conditions, including defining the existing roadway system, and analysis of the total capacity, the level of current usage, and commitments for usage of the existing roadway, are required as part of the capital improvements plan. This chapter discusses the existing conditions.

Existing Conditions

An inventory of the collector and arterial roadway facilities within the city limits was conducted to determine existing conditions throughout Rockwall. This analysis determines the capacity provided by the existing roadway system, the demand currently placed on the system, and the potential existence of deficiencies on the system. Updated data for the inventory was obtained from traffic volume counts conducted by the City and field reconnaissance of current roadway sections.

The roadways were divided into segments based on volume changes, major intersections, service area boundaries, and capacity changes. For each roadway segment, the length, number of lanes, cross-section, and PM peak hour volume data were obtained. Lane capacities were assigned to each segment based on functional street classification, associated roadway lane capacities and the present number of lanes. Lane capacities used in the analysis are shown in **Table 4.**

Table 4: Roadway Facility Vehicle-Mile Lane Capacities

Roadway Facility	Designation	Hourly Vehicle-Mile Capacity per Lane Mile of Roadway Facility
Divided Arterial	DA	600
Divided Collector	DC	500
Undivided Arterial	UA	575
Undivided Collector	UC	475
Special Arterial (with two-way left turn lane)	SA	450

Roadway hourly volume capacities are based on information reflecting Level-of-Service "C" operation, as identified in the transportation element of the Rockwall Comprehensive Plan.

Existing Volumes

Existing directional PM peak hour volumes were obtained from automated traffic counts conducted in May 2019 by the City. Automated traffic counts at 25 separate locations were collected on major roadways (as identified in the Thoroughfare Plan as arterial or collector status) throughout Rockwall. To minimize the total number of counts, data was collected at locations where traffic volumes would typify link volumes on the major segments within the immediate area. For segments not counted, existing volumes were used, or estimates were developed based on data from adjoining roadway counts.

Data was compiled for roadway segments throughout the city and entered into the database for use in calculations. A summary of volumes by roadway segment is included in **Appendix D** as part of the existing capital improvements database.

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Vehicle-Miles of Existing Capacity Supply

An analysis of the total capacity for each service area was performed. For each roadway segment, the existing vehicle-miles of capacity supplied were calculated using the following equation:

Vehicle-Miles of Capacity = Link capacity per peak hour per lane x Number of lanes x Length of segment (miles)

A summary of the current capacity available on the roadway system is shown in **Table 5**. It is important to note that the roadway capacity depicted in Table 5 is system-wide for most major roadways and not restricted to those roadways proposed in the impact fee capital improvements plan. Directional calculations of capacity were performed separately. For a detailed listing of vehicle-miles of capacity by roadway segment, refer to Appendix D.

Vehicle-Miles of Existing Demand

The level of current usage in terms of vehicle-miles was calculated for each roadway segment. The vehicle-miles of existing demand were calculated by the following equation:

Vehicle-Miles of Demand = PM peak hour volume x Length of segment (miles)

Table 5 also lists total vehicle-miles of demand. Appendix D includes a detailed listing of vehicle-miles of demand by directional roadway segment.

Vehicle-Miles of Existing Excess Capacity and Deficiencies

For each roadway segment, the existing vehicle-miles of excess capacity and/or deficiencies were calculated. Each direction was evaluated to determine if vehicle demands exceeded the available capacity. If demand exceeded capacity in one or both directions, the deficiency is deducted from the supply associated with the impact fee capital improvement plan. A summary of peak hour excess capacity and deficiencies are shown in **Table 6**. A detailed listing of the existing excess capacity and deficiencies by roadway segment is also located in Appendix D.

DRAFT ORDINANCE 11.04.2019

Table 5: Peak Hour Vehicle-Miles of Existing Capacity and Demand

Service Area	Capacity (Veh-Mile)	Demand (Veh-Mile)
1	32,508	18,560
2	10,799	4,944
3	21,972	16,417
4	9,674	6,816
Total	74,952	46,738

Table 6: Peak Hour Vehicle-Miles of Excess Capacity and Deficiencies

Service Area	Excess Capacity (Veh-Mile)	Deficiencies (Veh-Mile)
1	15,085	1,137
2	5,854	0
3	6,480	925
4	3,666	808
Total	31,085	2,871

DRAFT ORDINANCE 11.04.2019

Chapter 5: Projected Conditions Analysis

Chapter 395 requires a description of all capital improvements or facility expansions and their costs necessitated by and attributable to new development within the service area. This chapter describes the projected growth, vehicle-miles of new demand, capital improvements program, vehicle-miles of new capacity supplied, and costs of the roadway improvements.

Projected Growth

The projected growth for each transportation service area is represented by the increase in the number of new vehicle-miles generated over the 10-year planning period. The basis for the calculation of new demand is the population and employment projections that were prepared as part of a technical report entitled Land Use Assumptions for Roadway Impact Fees by the Rockwall Planning Department in June 2019. Estimates of population and employment were prepared for the years 2019 and 2029.

Population data was provided in terms of the number of dwelling units, households and persons. Employment data is aggregated into three sectors of employees: basic, service and retail. These employment sectors serve as the typical components used in the traffic forecast modeling process. The employment grouping also correlate with the North American Industrial Classification (NAIC) system and include: basic employment (NAIC 210000-422999) generally encompasses the industrial and manufacturing uses; service employment (NAIC 520000-928199) encompasses government, office and professional uses; and retail employment (NAIC 440000-454390) generally includes commercial and retail use.

Projected Vehicle-Miles of New Demand

Projected vehicle-miles of demand were calculated based on the growth expected to occur during the 10-year planning period and the service unit generation for each of the population and employment data components (basic, service and retail). Separate calculations were performed for each data component and were then aggregated for the service area. Vehicle-miles of demand for population growth were based on dwelling units, and vehicle-miles of demand for employment were based on the number of employees and estimates of square footage per employee.

Land Use Equivalency for 10-Year Demand Estimate

Information extracted from the NCTCOG regional travel demand model, used for development of the Mobility 2040, provides information on average trip lengths for the residential and the three types of land uses. These are : 3.12 vehicle-miles per dwelling unit for residential, 1.77 vehicle-miles per thousand square feet for Basic and Retail employment, and 3.92 vehicle-miles per thousand square feet for Service employment.

Table 7 lists the projected vehicle-miles of demand over the 10-year planning period for Rockwall. **Appendix C** contains the projected demand calculation worksheet.

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ORDINANCE
11.04.2019

Table 7: Vehicle-Miles of New Demand

Service Area	Projected 10-Year Growth (Vehicle-Miles)
1	13,731
2	3,676
3	13,001
4	2,814
Total	33,222

Capital Improvements Program

Evaluation of Current Impact Fee CIP

At the outset of the update process, capacity of the CIP was evaluated to ensure that excess capacity remained in previously approved impact fee projects. Chapter 395 mandates that only CIP projects with excess capacity are eligible for consideration. The initial impact fee program contained only one project, John King Boulevard, which extended from the northern city limit to Goliad Street (SH205) just north of FM549. Traffic volume count data collected at several locations within this corridor was used to determine if excess capacity remains on this project. The analysis revealed all segments of John King Boulevard to contain excess capacity and therefore can be retained in the program.

New Impact Fee CIP – Recoupment & Future Projects

Recoupment Projects:

John King Boulevard was the lone project identified for the initial impact fee program in 2008 and 2013 update. At the time the impact fee system was initiated, not all portions of this roadway in the north were within the city limits. The segment between FM552 and SH205 was within the county and not eligible for impact fee consideration. With annexations in 2013, additional portions of the facility were included in the program.

Three of the added projects were recently implemented and are considered recoupment. Traffic counts were also conducted on these three to assess whether excess capacity remains in these projects.

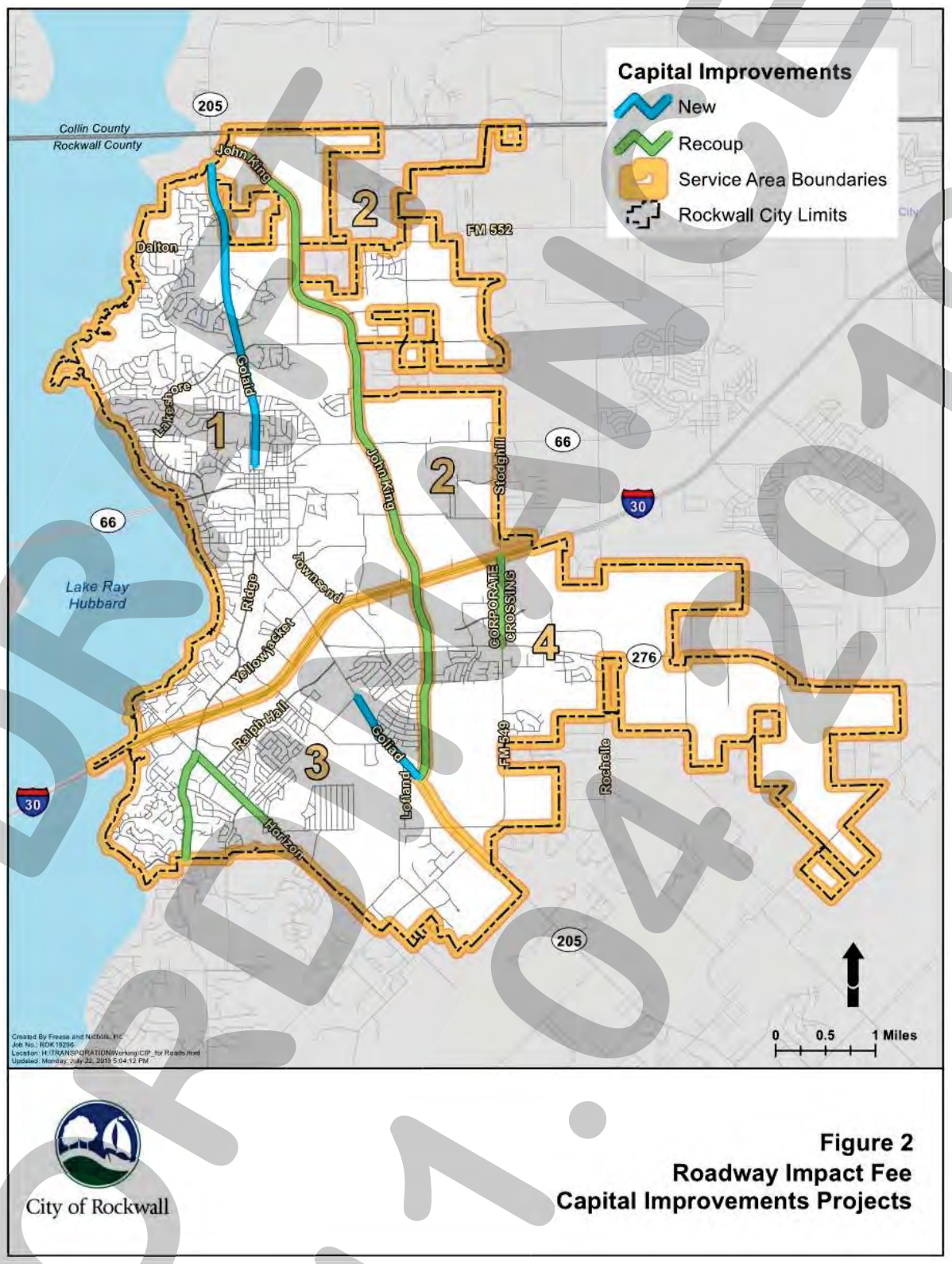
Future Projects:

Two new CIP projects are future projects planned for implementation within the next 10 years. Costs estimates for new project segments were prepared by Freese and Nichols.

Actual costs for project recoupment were provided by City Staff. **Figure 2** illustrates the location of this capital improvement in relation to the city and associated service areas. Project costs were broken into general categories of construction, engineering, right-of-way and finance (debt service). The breakout of costs among the various service areas are listed in **Table 8**. The cost of the impact fee program is $145.9 million. When considering the state mandated credit (50%), the cost eligible for impact fee consideration totals $72.9 million. The impact fee CIP also includes the cost of two five-year updates estimated at $40,000 each.

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Figure 2: Roadway Impact Fee Capital Improvement Plan



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Table 8: Roadway Impact Fee Capital Improvements Plan

2019 Rockwall Roadway Impact Fee Study Update

Serv Area Number	CIP Year	Roadway	From	To	Length (mi)	No. of Lanes	Rdwy. Type	Pct. in Serv. Area	Project Status	Roadway Costs				Project Cost
										Engineering	*ROW*	*Construction**	*Finance*	
1/2	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
1/2	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
1/2	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
1/2	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
1	2019	SH 205 (Goliad St)	Olive	Live Oak	0.33	4	SA	100%	N	$236,600	$17,300	$3,380,500	$0	$3,634,400
1	2019	SH 205 (Goliad St)	Olive	N. City Limit	2.98	4	DA	100%	N	$2,481,248	$314,700	$35,446,400	$0	$38,242,348
Sub-total SA 1					**8.39**					**$4,160,539**	**$3,876,160**	**$50,734,244**	**$14,748,559**	**$73,519,502**
2/1	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
2/1	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
2/1	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
2/1	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
Sub-total SA 2					**5.08**					**$1,442,691**	**$3,544,160**	**$11,907,344**	**$14,748,559**	**$31,642,754**
3/4	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
3/4	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
3	2019	SH 205 (Goliad St)	Sids	John King Blvd	0.96	6	DA	100%	N	$974,148	$101,900	$13,916,400	$0	$14,992,448
3	2019	FM3097/Horizon	Ridge Road	County Line Rd	1.13	4	DA	100%	R	$0	$0	$900,000	$0	$900,000
3	2019	FM740/Ridge Rd	Horizon	S. City Limit	1.10	4	DA	100%	R	$0	$0	$472,902	$0	$472,902
Sub-total SA 3					**5.42**					**$1,244,200**	**$684,694**	**$18,049,682**	**$6,171,201**	**$26,149,776**
4/3	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
4/3	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
4	2019	FM549 (Corp Crossing)	IH30	SH276	0.87	4	DA	100%	R	$0	$0	$4,724,665	$0	$4,724,665
Sub-total SA 4					**3.09**					**$270,052**	**$582,794**	**$7,485,045**	**$6,171,201**	**$14,509,091**
Totals:					**13.80**					**$7,117,483**	**$8,687,808**	**$88,176,313**	**$41,839,518**	**$145,821,123**

	City portion of construction of John King Blvd. (formerly 205 By-Pass):*	***100%***

Totals:

Engineering Cost	$7,117,483
Right-of-Way Cost	$8,687,808
Construction Cost	$88,176,313
Finance Cost	$41,839,518
TOTAL NET COST	$145,821,123
Future Impact Fee Update C	$80,000
TOTAL IMPLEMENTATION	$145,901,123

Notes: * City's portion of costs incurred. (No particiaption by other agencies.)
Cost figures provided by the City.

Notes:

DA- Divided Arterial

N- New Impact Fee Project

R- Impact Fee Recoupment Project

Projected Vehicle-Miles Capacity Available for New Growth

The vehicle-miles of new capacity supply were calculated similar to the vehicle-miles of existing capacity supplied. The equation used was:

Vehicle-Miles of New Capacity Supplied = Link capacity per peak hour per lane x Num. of lanes within Service Area x Length of segment (miles)

Vehicle-miles of new supply provided by the CIP are listed in **Table 9**. While the project has not been built, there are system deficiencies (by service area) that have been removed from the total supply to properly account for new "net" availability. Table 9 depicts net availability of supply by the CIP. **Appendix E** details capacity calculations provided by the CIP program.

Table 9: Vehicle-Miles of New Capacity Supplied

Service Area	Vehicle-Miles of New Capacity Supplied	Vehicle-Miles of Net New Capacity Supplied
1	13,836	5,869
2	6,096	3,114
3	11,489	4,476
4	4,751	2,405
Total	36,172	15,864

Cost of Roadway Improvements

The total and net cost to implement the roadway improvements plan projects by service area is shown in **Table 10**. If traffic exists on proposed CIP project roadways or there are any deficiencies present in each respective service area, the total system cost is adjusted to reflect the net capacity being made available by the impact fee program. In other words, only the unused portion of the CIP and its associated costs are considered eligible. A detailed listing by project segment in each service area can be found in **Appendix F**. **Appendix G** details system costs by service area.

Table 10: Summary of Roadway Improvements Plan Cost Analysis

Service Area	Actual Cost of Proposed Impact Fee Program	Adjusted Cost (50% Credit) of Proposed Impact Fee Program
1	$73,550,103	$36,775,052
2	$31,656,236	$15,828,118
3	$26,175,186	$13,087,593
4	$14,519,597	$7,259,799
Total	$145,901,123	$72,950,562

State law is specific in identifying that only the portion of the CIP necessitated and attributable to new development is eligible for cost recovery. For example, if only 60% of the net service units supplied by the CIP are needed in the next 10 years, only 60% of the cost (credited at 50% per legislative requirements) may be considered in the calculation of fees. All the capacity provided by the impact fee CIP will be necessitated to address future growth over the 10-year planning period. The cost attributable to new

DRAFT ORDINANCE 04-2019

growth is $31.9 million and represents the citywide cost to implement projects on the impact fee program. **Table 11** depicts CIP costs attributable to new growth by service area.

Table 11: Capital Improvements Plan Costs Attributable to New Development

Service Area	Adjusted Cost (50% Credit) of Net New Capacity	Adjusted Cost (50% Credit) Attributable to New Growth
1	$15,598,596	$15,598,596
2	$8,084,777	$8,084,777
3	$5,098,520	$5,098,520
4	$3,675,714	$3,675,714
Total	$31,993,304	$31,993,304

DRAFT OF ORDINANCE 11.04.2019

Chapter 6: Calculation of Impact Fees

This chapter discusses the calculation of the cost per service unit and the calculation of roadway impact fees. The transportation impact fee will vary by the land use, service area, and size of the development. Examples are included to better illustrate the method by which the transportation impact fees are calculated.

Cost Per Service Unit

The cost per service unit is calculated by dividing the cost of the CIP necessitated and attributable to new demand (net cost) by the projected service units of growth over the 10-year planning period.

Generally, the cost per service unit varies by service area because of variations in cost of CIP, projected growth and the number of service units necessitated by new growth between zones. Where net capacity supplied is greater than demand, the cost per service unit is simply the cost of the net capacity divided by the number of service units provided. In this case, only the portion of the CIP necessitated by new development is used in the calculation. If the net capacity supplied is *less* than projected new demand, then the cost per service unit is calculated by dividing the total cost of net supply by the portion of new demand attributable and necessary by development. The result is generally a decrease in the cost per service unit, because such cost is spread over the larger number of service units of growth.

Table 12 lists the results of the cost per service unit calculation by service area. The actual cost per service unit reflects the true burden to the City for the implementation of the roadway capital improvements program. As per state law, a credit for the portion of ad-valorem tax revenues generated by improvements over the program period, or a credit equal to 50% of the total projected cost of implementing the capital improvements plan must be given. Based on this analysis, the maximum collection rate reflects the maximum amount per service unit that can be charged to follow the state statute. **Appendix G** details the maximum fee per service unit calculation for each service area.

Table 12: Cost Per Service Unit Summary

Service Area	Actual Cost Per Service Unit	Maximum Fee per Service Unit (50% Credit)
1	$2,272.00	$1,136.00
2	$4,398.00	$2,199.00
3	$784.00	$392.00
4	$2,612.00	$1,306.00
Total	$1,926.00	$963.00

DRAFT ORDINANCE 11.04.2019

Calculation of Roadway Impact Fees

The calculation of roadway impact fees for new development involves a two-step process. Step one is the calculation of the total number of service units that will be generated by the development. Step two is the calculation of the impact fee due by the new development.

Step 1: Determine number of service units (vehicle-miles) generated by the development using the equivalency table.

No. of Development Units	x	Vehicle-miles per development unit	=	Development's Vehicle-miles

Step 2: Calculate the impact fee based on the fee per service unit for the service area where the development is located.

Development's Vehicle-miles	x	Fee per vehicle-mile	=	Impact Fee due from Development

Examples: The following fees would be assessed to new developments in Service Area 3 if the cost per service unit were retained at the current collection rate $256.00 (adopted in 2008, retained in 2013).

Single-Family Dwelling

1 dwelling unit x 3.12 vehicle-miles/dwelling unit = 3.12 vehicle-miles
3.12 vehicle-miles x $256.00 /vehicle-mile = $798.72

20,000 square foot (s.f.) Office Building

20 (1,000 s.f. units) x 3.92 vehicle-miles/1,000 s.f. units = 78.40 vehicle-miles
78.40 vehicle-miles x $256.00 /vehicle-mile = $20,070.40

100,000 s.f. Retail Center

100 (1,000 s.f. units) x 1.77 vehicle-miles/1,000 s.f. units = 177.00 vehicle-miles
177.00 vehicle-miles x $256.00 /vehicle-mile = 45,312.00

200,000 s.f. Industrial Development

200 (1,000 s.f. units) x 1.77 vehicle-miles/1,000 s.f. units = 354.00 vehicle-miles
354.00 vehicle-miles x $256.00 /vehicle-mile = $90,624.00.

DRAFT ORDINANCE 11.04.2019

Chapter 7: Conclusions

Chapter 395 authorizes the assessment and collection of impact fees in Texas for transportation related capital improvements that must be met in order to assess and collect impact fees. This study was conducted to fulfill the requirements of Chapter 395 in developing a transportation-related impact fee for the City of Rockwall.

Three service areas were created for Rockwall. This service area structure was configured so that no point is greater than the six-mile maximum set forth by law. The six-mile limit ensures that roadway improvements are near the development paying the fees that it serves.

Vehicle-miles of travel in the PM peak hour are used as the service unit for calculating and assessing impact fees. Vehicle-miles establish a relationship between the intensity of land development and the demand on the roadway system using published trip generation data and average trip length. The PM peak hour is used as the time period for assessment because typically the greatest demand for roadway capacity occurs during this hour. Additionally, roadways are sized to meet this demand and roadway capacity can more accurately be defined on an hourly basis.

The service units (vehicle-miles) for new development are a function of trip generation and the average trip length for specific land uses. Trip generation information was based on data published by the Institute of Transportation Engineers as reported in the initial study. Where appropriate, trip generation rates were adjusted to reflect the primary trip purpose. This ensures that new development is assigned for the portion of trips associated with that specific development. Average trip length data was based on information compiled by NCTCOG and based on data from a NCTCOG Workplace Survey, statistics from the US Census Bureau National Workplace Survey and tailored to Rockwall.

The result of combining trip generation and trip length information is an equivalency table that establishes a service unit rate for various land uses. Separate rates were established for specific land uses within the broader categories of residential, community, industrial and institutional uses.

An analysis of existing conditions revealed that the current roadway system provides over 74,952 vehicle-miles of capacity. The existing demand placed on the system was determined to be 46,738 vehicle-miles. Evaluation of the existing roadway system found 2,871 vehicle-miles of deficiencies on the existing roadway network.

Projected growth, in terms of vehicle-miles over the 10-year planning period, was based on population and employment data that was prepared in the Land Use Assumptions for Roadway Impact Fees dated August 2019 by the City Planning Department. Based on this growth, the projected vehicle-miles of demand calculated to be 33,222.

Rockwall City Staff identified the roadway impact fee capital improvements program for the 10-year planning period. Projects eligible for this CIP include arterial and collector streets that have been designated on the officially adopted Thoroughfare Plan of the City. Developer funded roadways are not eligible for inclusion in calculating impact fees. Projects totaling $145.9 million, was identified for impact fee consideration based on need, projected growth, project affordability and achievability, financial

DRAFT ORDINANCE 1.0A 2019

considerations, jurisdictional issues, the Thoroughfare Plan, and staff recommendation. The credited (50%) cost attributable to new growth is $72.94 million and represents 100% of the net capacity made available for development by impact fee roadway projects. The recommended CIP program will provide 15,864 vehicle-miles of new net capacity.

The *actual* cost per service unit was calculated to be between $784.00 and $4,398.00 and was based on the total cost of net capacity supplied by the CIP and the demand attributable to new development over the 10-year planning period. State legislation requires that a credit for the portion of ad-valorem tax revenues generated by improvements over the program period, or a credit equal to 50% of the total projected cost of implementing a roadway impact fee capital improvements program be given. Based on a 50% credit, the cost per service unit ranges between $392.00 and $2,199.00.

The determination of fees due from new development is based upon the size of development, its associated service unit generation (equivalency table) and the cost per service unit derived or adopted for each service area.

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11.04.2019

APPENDICES

DRAFT ORDINANCE 11.04.2019

City of Rockwall

DRAFT ORDINANCE 11.04.2019

A. Roadway Impact Fee Definitions

ROADWAY IMPACT FEE DEFINITIONS

Average Trip Length - the average actual travel distance between two points. The average trip length by specific land use varies.

Diverted Trip - similar to pass-by trip, but a diversion is made from the regular route to make an interim stop.

Impact Fee - a charge or assessment imposed by a city against new development to generate revenue for funding or recouping roadway improvements necessitated and attributable to new development.

Land Use Equivalency – correlation of a land use to the rate of vehicle miles CIP of network capacity it would consume

Maximum Fee Per Service Unit - the highest impact fee that may be collected by the City per vehicle-mile of supply. Calculated by dividing the costs of the capital improvements by the total number of vehicle-miles of demand expected in the 10-year planning period.

Pass-by Trip - a trip made as an intermediate stop on the way from an origin to a primary trip destination. For example, a stop at a convenience store on the way to office from home.

PM Peak Hour - the hour when the highest volume of traffic typically occurs. Data collection (May 2019) revealed the peak hour of travel between 5:00 and 6:00 pm for Rockwall.

PM Peak Hour Traffic Counts - the number of vehicles passing a certain point during the peak hours of travel. Traffic counts are conducted during the PM peak hour because the greatest demand for roadway capacity occurs during this hour.

Primary Trip - a trip made for the specific purpose of visiting a destination; for example, from home to office.

Roadway Demand - the demand placed on the roadway network as a result of development. Determined by multiplying the trip generation of a specific land use by the average trip length.

Roadway Supply (or Capacity) - the number of service units provided by a segment of roadway over a period of time. Determined by multiplying the lane capacity by the roadway length.

Service Area - the area within the city boundaries to be served by capital improvements. Criteria for developing the service area structure include; 1) restricted to six-mile limit by legislation (to ensure proximity of roadway improvements to development), 2) conforms to census or forecast model boundaries, 3) projects on CIP as boundaries, 4) effort to match roadway supply with projected demand, or 5) city limit boundaries.

DRAFT ORDINANCE 11.04.2019

Service Unit - a measure of use or generation attributable to new development for roadway improvements. Also used to measure supply provided by existing and proposed roadway improvements.

Trip - a single, one-direction vehicle movement from an origin to a destination.

Trip Generation - the total trip ends for a land use over a given period or the total of all trips entering and exiting a site during that designated time. Used in the development of the land use equivalency table for Rockwall. Based primarily on data prepared by the Institute of Transportation Engineers (ITE).

Vehicle - for impact fee purposes, any motorized appurtenance that carries passengers and/or goods on the roadway system during peak periods of travel.

Vehicle-mile - a unit used to express both supply and demand provided by, and placed on, the roadway system. A combination of a number of vehicles traveling during a given time period and the distance in which these vehicles travel in miles.

DRAFT ORDINANCE 11.04.2019

DRAFT ORDINANCE 11.04.2019

B. Land Use Definitions

LAND USE DEFINITIONS

Residential

Single-Family Detached - Any single-family detached home on an individual lot is included in this category. A typical example of this land use is a home in a suburban subdivision. Also included are duplex residential units and manufactured homes and other residential land uses not specified above.

Multi-Family - This land use includes both low-rise ("walk-up" dwellings) and high-rise multi-family apartments. An apartment is defined as a dwelling unit that is located within the same building with three or more dwelling units. Also included in this land use are residential condominiums, townhomes, triplex and quadplex units. Residential condominiums and townhomes are defined as single-family units that have at least one other single-family unit within the same building structure.

Independent Senior Living Facility - Retirement communities - restricted to adults or senior citizens - contain residential units like apartments or condominiums and are usually self-contained villages. They may also contain special services such as medical facilities, dining facilities, and some limited supporting retail facilities.

Office (Service)

General Office Building - A general office building houses one or more tenants and is the location where affairs of a business, commercial or industrial organization, and professional activity are conducted. The building or buildings may be limited to one tenant or contain a mixture of tenants including professional services, insurance companies, investment brokers, company headquarters, and services for the tenants such as a bank or savings and loan, a restaurant or cafeteria, and several retail facilities. Also included in this category are office parks, and other office uses not specified above.

Medical Office Building – A building that provides diagnoses and outpatient care on a routine basis but is unable to provide prolonged in-house medical and surgical care. One or more private physicians or dentists generally operate this type of facility.

Commercial/Retail

General Retail – General retail includes a variety of land uses that include shopping centers, home improvement stores, hardware stores selling a complete assortment of food, household goods and materials, apparel, servicing items. A shopping center is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. It is related to its market area in terms of size, location, and type of store. Shopping centers provide on-site parking facilities. Some centers may include non-merchandising uses such as small office professional services, post offices, banks, health clubs, video rentals, and recreational facilities such as ice-skating rinks or video arcades.

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Restaurant - This land use consists of sit-down eating establishments. Quality and high-turnover (sit-down) restaurants are included in this category. Quality restaurants usually have a turnover rate of at least one hour or longer. The turnover rate for a high-turnover (sit-down) restaurant is usually less than one hour.

Fast Food Restaurant - This category includes fast food restaurants with or without drive-through windows, such as McDonalds, Burger King, Dunkin Donuts, and Taco Bell. Some establishments may include an indoor or outdoor playground.

Convenience Store/Gas Station - Any convenience market that sells convenience foods, newspapers, magazines, and often, beer and wine and may have gasoline pumps. Gas stations generally are located at intersections or freeway interchanges and may include facilities for servicing, repairing, fueling motor vehicles and may have convenience stores. Convenience stores/gas stations that have a fast-food restaurant contained within should be calculated on a separate basis based on the appropriate independent variable.

Bank - This land use includes walk-in and drive-in banks. Walk-in banks are generally free-standing buildings with their own parking lots. These banks do not have drive-in windows. Drive-in banks provide banking facilities for the motorist while in a vehicle; many also serve patrons who walk into the building. Savings and loan companies should also be included in this category.

Hotel/Motel – A place of lodging that provides sleeping accommodations, small restaurants, lounges, and meeting spaces. Some hotels or motels may provide banquet rooms or other retail and service shops.

Furniture and Appliance Sales - A store specializing in the sale of furniture, household appliances and goods and often, carpeting.

Theater – This land use consists of a movie or live theater and contains audience seating, single or multiple auditoriums, lobby, offices and refreshment stands.

Self-Storage Facilities - A self-serve storage unit or vault that is rented for the storage of goods. Each unit is physically separated from other units and access is usually provided through an overhead door or other common access point.

Industrial (Basic)

General Industrial – General industrial includes a variety of land uses such as light industrial, manufacturing, salvage, facilities for preparation/assembly and warehouse/distribution of goods. Other uses include materials testing laboratories, high-tech facilities and assemblers of technical equipment. Most facilities are free standing and devoted to a single use. Also included in this category are any other industrial uses not specified above.

Manufacturing – Facilities where the primary activity is the conversion or fabrication of raw materials to finished products. In addition to production of goods, manufacturing facilities may also have ancillary office, warehouse and associated functions.

DRAFT ORDINANCE 04.2019

Warehousing – These facilities are primarily devoted to the storage of materials. These facilities differ from mini warehouse in that they are generally not self-service in nature.

Institutional

Private School - Private schools serve students between the kindergarten and middle school or high school levels. Private schools are usually centrally located in residential communities in order to facilitate student access and have no student drivers.

Community College - Community college provides two and four-year advanced degrees. Vocational and technical schools are other uses that may fall under this category.

Day Care Center - A day care center is a facility where care for pre-school age children is provided, normally during the daytime hours. Day care facilities generally include classrooms, offices, eating areas, and playgrounds. Some centers also provide after-school care for older children.

Hospital - A hospital is any institution where medical or surgical care is given to non-ambulatory and ambulatory patients, and overnight accommodations are provided.

Nursing Home - A nursing home is any facility whose primary purpose is to care for persons who are unable to care for themselves. The term applies to rest homes, chronic care, and convalescent homes.

Religious Facilities – Churches, synagogues or houses of worship that provide public worship services, and generally house an assembly hall or sanctuary, meeting rooms, classrooms, and occasionally dining, catering, or party facilities.

Activity Centers – A recreational center or private club such as a YMCA that may offer classes and clubs for adults and children; a day care or a nursery school, meeting rooms, swimming pools and whirlpools; saunas, tennis, racquetball and handball courts, exercise classes, weightlifting equipment and locker rooms. Some may offer a small restaurant or snack bar within.

U.S. Post Office – A building that contains service windows for mailing packages and letters, post office boxes, offices, sorting and distributing facilities for mail and vehicle storage areas.

DRAFT ORDINANCE 11.04.2019

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C. Calculation of Vehicle-Miles of New Demand

2019-2029 Vehicle-Mile Trip Generation, Rockwall Roadway Impact Fee Study

Based on June 2019 Land Use Assumptions by City of Rockwall; ITE 10th-Trip Gen., NCTCOG Avg. Trip Lengths, FNI employee densities.

Estimated Residential Growth Vehicle-Mile Trip Generation (single family detached, typ.)

Service Area	Added Dwelling Units	Vehicle-Miles per DU	Total Vehicle-Miles
1	1,740	3.12	5,426
2	917	3.12	2,860
3	2,030	3.12	6,331
4	757	3.12	2,361

Estimated Basic Employment Growth Vehicle-Mile Generation (general light industrial, typ.)

Service Area	Added Employees	Square Feet per emp.	Total Square Feet	Vehicle-Miles Per 1000/SF	Total Vehicle-Miles
1	750	1500	1,125,000	1.77	1,992
2	102	1500	153,000	1.77	271
3	9	1500	13,500	1.77	24
4	0	1500	0	1.77	0

Estimated Service Employment Growth Vehicle-Mile Generation (general office building, typ.)

Service Area	Added Employees	Square Feet per emp.	Total Square Feet	Vehicle-Miles Per 1000/SF	Total Vehicle-Miles
1	1,726	500	863,000	3.92	3,384
2	130	500	65,000	3.92	255
3	2,242	500	1,121,000	3.92	4,396
4	169	500	84,500	3.92	331

Estimated Retail Employment Growth Vehicle-Mile Generation (retail/shopping center, typ.)

Service Area	Added Employees	Square Feet per emp.	Total Square Feet	Vehicle-Miles Per 1000/SF	Total Vehicle-Miles
1	1,654	1000	1,654,000	1.77	2,929
2	164	1000	164,000	1.77	290
3	1,271	1000	1,271,000	1.77	2,251
4	69	1000	69,000	1.77	122

2013-2023 Vehicle-mile Generation Summary

Service Area	Residential Growth Vehicle-Miles	Basic Growth Vehicle-Miles	Service Growth Vehicle-Miles	Retail Growth Vehicle-Miles	Total Growth Vehicle-Miles
1	5,426	1,992	3,384	2,929	**13,731**
2	2,860	271	255	290	**3,676**
3	6,331	24	4,396	2,251	**13,001**
4	2,361	0	331	122	**2,814**
Total	16,977	2,286	8,367	5,592	**33,222**

DRAFT NOT FOR ORDINANCE 04.2019

City of Rockwall

DRAFT ORDINANCE 11.04.2019

D. Existing Capital Improvements

EXISTING CAPITAL IMPROVEMENTS

Definitions

LANES	The total number of lanes in both directions available for travel.
TYPE	The type of roadway (used in determining capacity): DA = divided arterial UA = undivided arterial UC = undivided collector
PK-HR VOLUME	The existing volume of cars on the roadway segment traveling during the afternoon (P.M.) peak hour of travel. A and B indicate the two directions of travel. Direction A is a northbound or eastbound and direction B is southbound or westbound. If only one half of the roadway is located within the service area (see % in service area), the opposing direction will have no volume in the service area.
% IN SERVICE AREA	If the roadway is located on the boundary of the service area (with the city limits running along the centerline of the roadway), then half of the roadway is inventoried in the service area and the other half is not. This value is either 50% or 100%.
VEH-MI SUPPLY PK-HR	The number of total service units (vehicle-miles) supplied within the service area, based on the length and established capacity of the roadway type.
VEH-MI TOTAL DEMAND PK-HR	The total service unit (vehicle-mile) demand created by existing traffic on the roadway segment in the afternoon peak hour.
EXCESS CAPACITY PK-HR VEH-MI	The number of service units supplied but unused by existing traffic in the afternoon peak hour.
EXISTING DEFICIENCIES PK-HR VEH-MI	The number of service units of demand in excess of the service units supplied.

NOTE: Excess capacity and existing deficiencies are calculated separately for each direction. It is possible to have excess capacity in one direction and an existing deficiency in the other. When both directions have excess capacity or deficiencies, the total for both directions are presented.

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City of Rockwall

2019 Rockwall Roadway Impact Fee Study Update
Existing Capital Improvements Analysis

Serv Area	Roadway	From	To	Length (mi)	No. of Lanes	Type	PM Pk Cap per Lane	Pct. in Serv. Area	IF on CIP	Peak Hour Volume A	B	Total	VMT Supply Pk Hr Total	VMT Demand Pk Hr Total	Excess VMT Capacity	Exist. VMT Deficiency
1	Goliad	N . City Limit	FM 552	0.57	2	UA	575	100%	N	300	300	600	656	342	314	0
1	Goliad	FM 552	Ridge Road W.	0.67	2	UA	575	100%	N	450	460	910	771	610	161	0
1	Goliad	Ridge Road W.	Quail Run	0.45	2	UA	575	100%	N	600	618	1218	518	548	0	31
1	Goliad	Quail Run	Caruth	0.48	2	UA	575	100%	N	830	804	1634	556	790	0	234
1	Goliad	Caruth	Heath	1.00	2	UA	575	100%	N	850	820	1670	1146	1664	0	518
1	Goliad	Heath	Olive	0.27	2	UA	575	100%	N	900	900	1800	311	486	0	176
1	Goliad	Olive	Washington	0.18	6	DA	600	100%	N	1135	1088	2223	650	401	249	0
1	Goliad	Washington	Ridge Road	0.65	6	DA	600	100%	N	1810	1040	2850	2355	1864	497	7
1	Goliad	Ridge Road	IH 30 WB FR	0.99	6	DA	600	100%	N	1158	642	1800	3554	1777	1777	0
1	Ridge Road	Goliad	Yellow Jacket	0.58	4	DA	600	100%	N	1275	900	2175	1384	1254	173	43
1	Ridge Road	Yellow Jacket	IH 30 WB FR	0.61	4	DA	600	100%	N	1371	1138	2509	1464	1530	38	104
1	John King	City Limit (near Goliad)	FM552	1.28	4	DA	600	50%	Y	0	275	275	1536	352	1184	0
1	John King	FM 552	Quail Run	1.29	4	DA	600	50%	Y	0	500	500	1548	645	903	0
1	John King	Quail Run	SH 66	1.04	4	DA	600	50%	Y	0	550	550	1248	572	676	0
1	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	Y	0	615	615	1764	904	860	0
1	Yellow Jacket	Ridge Road	Goliad	0.89	4	DC	500	100%	N	228	274	502	1780	447	1333	0
1	Yellow Jacket	Goliad	T.L. Townsend	0.28	4	DC	500	100%	N	126	87	213	560	60	500	0
1	Townsend	IH 30 WB FR	Yellow Jacket	0.27	4	DA	600	100%	N	160	142	302	648	82	566	0
1	FM 552	Goliad	E. City Limits	0.71	2	UA	575	100%	N	359	355	714	817	507	310	0
1	Lakeshore	Goliad	Lake Forest	0.95	4	DC	500	100%	N	391	319	710	1900	675	1226	0
1	Lakeshore	Lake Forest	Rusk	1.29	4	DC	500	100%	N	195	159	354	2580	457	2123	0
1	Quail Run	Goliad	John King Blvd	1.13	2	UA	575	100%	N	168	172	340	1300	384	915	0
1	Heath	Goliad	SH 66	0.60	2	UC	475	100%	N	176	101	277	567	165	402	0
1	Rusk	Lake Ray Hubbard	Cemetery	0.53	4	DA	600	100%	N	1161	675	1836	1277	977	300	0
1	Rusk	Cemetery	Goliad	0.22	6	DA	600	100%	N	1361	875	2236	802	498	304	0
1	Rusk	Goliad	Fanin	0.10	4	DA	600	100%	N	330	330	660	236	65	171	0
1	SH66	Heath	John King Blvd	0.51	2	UA	575	100%	N	623	371	994	584	505	104	24
Sub-Total SA1				*5.08*									*32,508*	*18,560*	*15,085*	*1,137*
2	Cornelius	FM 1141	FM 549	1.04	2	UC	475	100%	N	50	50	100	988	104	884	0
2	FM 1141	City Limit (Clem)	FM 552	0.64	2	UA	575	100%	N	61	60	121	736	77	659	0
2	FM 1141	John King Blvd	Cornelius	0.40	2	UA	575	100%	N	120	80	200	460	80	380	0
2	John King	City Limit (near Goliad)	FM552	1.28	4	DA	600	50%	Y	300	0	300	1536	384	1152	0
2	John King	FM 552	Quail Run	1.29	4	DA	600	50%	Y	550	0	550	1548	710	839	0
2	John King	Quail Run	SH 66	1.04	4	DA	600	50%	Y	650	0	650	1248	676	572	0
2	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	Y	825	0	825	1764	1213	551	0
2	SH66	John King Blvd	Stodghill (FM 549)	1.31	2	UA	575	100%	N	550	245	795	1507	1041	465	0
2	Stodghill (FM 549)	IH 30 WB FR	SH 66	0.88	2	UA	575	100%	N	449	300	749	1012	659	353	0
Sub-Total SA2				*9.35*									*10,799*	*4,944*	*5,854*	*0*
3	Ridge	IH 30 EB FR	Horizon	0.63	4	DA	600	100%	N	892	1031	1923	1512	1211	301	0
3	Ridge	Horizon	S. City Limit	1.24	4	DA	600	100%	N	880	955	1835	2976	2275	701	0
3	Horizon	IH 30 EB FR	Ridge	0.31	4	DA	600	100%	N	700	800	1500	744	465	279	0
3	Horizon	Ridge	Ralph Hall	0.23	4	DA	600	100%	N	719	816	1535	552	353	199	0
3	Horizon	Ralph Hall	Tubbs	0.48	4	DA	600	100%	N	611	775	1386	1152	665	487	0
3	Horizon	Tubbs	FM 549	1.85	2	UA	575	100%	N	411	494	905	2128	1674	453	0
3	Ralph Hall	Horizon	Market Center	0.68	4	DA	600	100%	N	890	950	1840	1632	1251	381	0
3	Ralph Hall	Market Center	Goliad	0.36	4	DA	600	100%	N	892	957	1849	864	666	198	0
3	Goliad	IH 30 EB FR	SH 276	0.13	6	DA	600	100%	N	1550	1700	3250	452	408	44	0
3	Goliad	SH 276	Ralph Hall	0.20	6	DA	600	100%	N	1355	1587	2942	713	582	130	0
3	Goliad	Ralph Hall	Sids	0.41	6	DA	600	100%	N	805	1089	1894	1473	775	698	0
3	Goliad	Sids	John King Blvd	1.01	2	UA	575	100%	N	680	807	1487	1162	1502	0	340
3	Goliad	John King Blvd	FM 549	0.88	2	UA	575	50%	N	0	825	825	504	723	0	219
3	Goliad	FM 549	S. City Limit	0.28	2	UA	575	50%	N	0	1025	1025	160	285	0	125
3	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	Y	0	871	871	1063	772	291	0
3	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	Y	0	225	225	1608	302	1307	0
3	S. FM549	Goliad	Horizon (FM3097)	1.28	2	UA	575	100%	N	398	413	811	1472	1038	434	0
3	SH 276	Goliad	John King Blvd	1.01	2	UA	575	100%	N	645	743	1388	1162	1402	0	240
3	T.L. Townsend	IH 30 EB FR	SH 276	0.56	2	UA	575	100%	N	33	86	119	644	67	577	0
Sub-Total SA 3				*2.23*									*21,972*	*16,417*	*6,480*	*925*
4	SH 276	John King Blvd	FM 549	0.74	2	UA	575	100%	N	600	820	1420	854	1055	0	201
4	SH 276	FM 549	Rochelle	1.01	2	UA	575	100%	N	545	969	1514	1162	1529	30	398
4	SH 276	Rochelle	E. City Limits	0.68	2	UA	575	100%	N	245	475	720	779	488	291	0
4	Goliad	John King Blvd	FM 549	0.88	2	UA	575	50%	N	805	0	805	504	706	0	202
4	Goliad	FM 549	S. City Limit	0.28	2	UA	575	50%	N	605	0	605	160	168	0	8
4	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	Y	656	0	656	1063	581	482	0
4	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	Y	225	0	225	1608	302	1307	0
4	FM 549	IH 30 EB FR	SH 276	0.89	2	UA	575	100%	N	346	409	755	1019	669	350	0
4	FM 549	SH 276	FM 1139	1.84	2	UA	575	100%	N	268	275	543	2116	999	1117	0
4	FM 1139	Goliad (SH205)	E. City Limits	0.43	2	UC	475	100%	N	368	375	743	409	320	89	0
Sub-Total SA 4				8.96746									*9674*	*6816*	*3666*	*808*
Total				**25.62**									**74,952**	**46,738**	**31,085**	**2,871**

Notes:

DA- Divided Arterial
UA- Undivided Arterial
UC- Undivided Collector

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City of Rockwall

DRAFT ORDINANCE 11.04.2019

E. Roadway Improvement Plan Projects

ROADWAY IMPROVEMENTS PLAN PROJECTS

Definitions

LANES	The total number of lanes in both directions available for travel.
TYPE	The type of roadway (used in determining capacity): DA = divided arterial SA = special arterial (similar to DA)
PK-HR VOLUME	the existing volumes of cars on the roadway segment traveling during the afternoon (P.M.) peak hour of travel.
% IN SERVICE AREA	If the roadway is located on the boundary of the service area (with the city limits running along the centerline of the roadway), then half of the roadway is inventoried in the service area and the other half is not. This value is either 50% or 100%.
VEH-MI SUPPLY TOTAL	The number of total service units (vehicle-miles) supplied within the service area, based on the length and established capacity of the roadway type.
VEH-MI TOTAL DEMAND PK-HR	The total service unit (vehicle-mile) demand created by existing traffic on the roadway segment in the afternoon peak hour.
EXCESS CAPACITY PK-HR VEH-MI	The number of service units supplied but unused by existing traffic in the afternoon peak hour.
FINANCE COST	Estimate of the cost of financing the cost of project development. Included for recoupment projects along John King Boulevard. Not applied for new recoupment and future projects added under this updated Impact Fee CIP
ROW	Estimated value of private owned right of way needed to be acquired for construction of the roadway improvements.

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Table 8
2019 Rockwall Roadway Impact Fee Study Update
Roadway Capital Improvements Plan

Serv Area Number	CIP Year	Roadway	From	To	Length (mi)	No. of Lanes	Rdwy. Type	Lane Capacity	Pct. in Serv. Area	VMT Supply Pk Hr Total	VMT Demand Pk Hr Total	Excess VMT Capacity	CIP VMT Deficiency	Project Status	Roadway Costs				Project Cost
															Engineering	*ROW*	*Construction**	*Finance*	
1/2	2007	John King	City Limit (near G	FM552	1.28	4	DA	600	50%	1536	352	1184	0	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
1/2	2007	John King	FM 552	Quail Run	1.29	4	DA	600	50%	1548	645	903	0	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
1/2	2007	John King	Quail Run	SH 66	1.04	4	DA	600	50%	1248	572	676	0	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
1/2	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	1764	904	860	0	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
1	2019	SH 205 (Goliad St)	Olive	Live Oak	0.33	5	SA	450	100%	588	567	21	0	N	$236,600	$17,300	$3,380,500	$0	$3,634,400
1	2019	SH 205 (Goliad St)	Live Oak	N. City Limit	2.98	4	DA	600	100%	7152	3791	3362	0	N	$2,481,248	$314,700	$35,446,400	$0	$38,242,348
Sub-total SA 1					**8.39**					**13836**	**6831**	**7006**	**0**		**$4,160,539**	**$3,876,160**	**$50,734,244**	**$14,748,559**	**$73,519,502**
2/1	2007	John King	City Limit (near G	FM552	1.28	4	DA	600	50%	1536	384	1152	0	R	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
2/1	2007	John King	FM 552	Quail Run	1.29	4	DA	600	50%	1548	710	839	0	R	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
2/1	2007	John King	Quail Run	SH 66	1.04	4	DA	600	50%	1248	676	572	0	R	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
2/1	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	600	50%	1764	1213	551	0	R	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
Sub-total SA 2					**5.08**					**6096**	**2982**	**3114**	**0**		**$1,442,691**	**$3,544,160**	**$11,907,344**	**$14,748,559**	**$31,642,754**
3/4	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	1063	772	291	0	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
3/4	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	1608	302	1307	0	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
3	2019	SH 205 (Goliad St)	Sids	John King Blvd	0.96	6	DA	600	100%	3474	1435	2039	0	N	$974,148	$101,900	$13,916,400	$0	$14,992,448
3	2019	FM3097/Horizon	Ridge Road	County Line Rd	1.13	4	DA	600	100%	2705	1562	1143	0	R	$0	$0	$900,000	$0	$900,000
3	2019	FM740/Ridge Rd	Horizon	S. City Limit	1.10	4	DA	600	100%	2640	2019	622	0	R	$0	$0	$472,902	$0	$472,902
Sub-total SA 3					**5.42**					**11489**	**6088**	**5401**	**0**		**$1,244,200**	**$684,694**	**$18,049,682**	**$6,171,201**	**$26,149,776**
4/3	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	600	50%	1063	581	482	0	R	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
4/3	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	600	50%	1608	302	1307	0	R	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
4	2019	FM 549 (Corp Crossing)	IH30	SH276	0.87	4	DA	600	100%	2080	654	1425	0	R	$0	$0	$4,724,665	$0	$4,724,665
Sub-total SA 4					**3.09**					**4751**	**1537**	**3214**	**0**		**$270,052**	**$582,794**	**$7,485,045**	**$6,171,201**	**$14,509,091**
Totals:					**13.80**					**36,172**	**17,438**	**18,734**	**0**		**$7,117,483**	**$8,687,808**	**$88,176,313**	**$41,839,518**	**$145,821,123**

Notes:

DA- Divided Arterial

SA- Special Arterial with two-way left turn lane (TWLTL)

N- New Impact Fee Project

R- Impact Fee Recoupment Project

Red font = added in this Impact Fee CIP

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A

City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

Olive St to Live Oak St

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	5
Length (lf):	1,725		
Right-of-Way Width (ft.):	70		
Median Type:	TWLTL		
Pavement Width (BOC to BOC):	45		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	0	SF	$ 1.00	$ -
2	Right of Way Preparation	18	STA	$ 4,000.00	$ 72,000
3	Remove Existing Pavement	18	STA	$ 1,000.00	$ 18,000
4	Unclassified Street Excavation	3,200	CY	$ 20.00	$ 64,000
5	8" Lime Stabilized Subgrade	9,100	SY	$ 10.00	$ 91,000
6	Lime for Stabilization (48 lb/SY)	200	TON	$ 180.00	$ 36,000
7	10" Concrete Pavement w/ Integral Curb	8,700	SY	$ 75.00	$ 652,500
8	4" Concrete Sidewalk and Ramps	20,700	SY	$ 55.00	$ 1,138,500
9	Solid Sod	22,400	SY	$ 5.00	$ 112,000
				Paving Estimate Subtotal:	**$ 2,184,000**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 43,700
11	Traffic Control	4%	$ 87,400
12	Erosion Control	3%	$ 65,600
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 436,800
14	Utility Adjustments	5%	$ 109,200
	Other Components Estimate Subtotal:		**$ 742,700**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	None	$ -	$ -
16	Bridge Structures	None	$ -	$ -
17	Traffic Signals	None	$ -	$ -
		Special Components Estimate Subtotal:		**$ -**
		I, II, & III Construction Subtotal:		$ 2,926,700
		Mobilization	5%	$ 146,400
		Contingency	10%	$ 307,400
		Construction Cost Estimate Total:		**$ 3,380,500**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 3,380,500
Engineering/Survey/Testing		7.0%	$ 236,600
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 17,300	$ 17,300
	Impact Fee Project Cost Estimate Total:		**$ 3,634,400**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 432,400**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

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B

City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

Live Oak St to N. City Limit

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	4
Length (lf):	15,735		
Right-of-Way Width (ft.):	85		
Median Type:	Raised		
Pavement Width (BOC to BOC):	50		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	157,400	SF	$ 1.00	$ 157,400
2	Right of Way Preparation	158	STA	$ 4,000.00	$ 632,000
3	Remove Existing Pavement	158	STA	$ 1,000.00	$ 158,000
4	Unclassified Street Excavation	32,100	CY	$ 20.00	$ 642,000
5	8" Lime Stabilized Subgrade	94,500	SY	$ 10.00	$ 945,000
6	Lime for Stabilization (48 lb/SY)	1,990	TON	$ 180.00	$ 358,200
7	10" Concrete Pavement w/ Integral Curb	87,500	SY	$ 75.00	$ 6,562,500
8	4" Concrete Sidewalk and Ramps	188,820	SY	$ 55.00	$ 10,385,100
9	Solid Sod	361,900	SY	$ 5.00	$ 1,809,500
				Paving Estimate Subtotal:	**$ 21,492,300**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 429,900
11	Traffic Control	4%	$ 859,700
12	Erosion Control	3%	$ 644,800
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 4,298,500
14	Utility Adjustments	5%	$ 1,074,700
	Other Components Estimate Subtotal:		**$ 7,307,600**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	1 minor	$ 150,000	$ 150,000
16	Bridge Structures	175' long bridge south of Lakeshore Blvd	$ 1,139,600	$ 1,139,600
17	Traffic Signals	3 Existing Signals; 1 new @ N John King	$ 600,000	$ 600,000
		Special Components Estimate Subtotal:		**$ 1,889,600**

I, II, & III Construction Subtotal:		$ 30,689,500
Mobilization	5%	$ 1,534,500
Contingency	10%	$ 3,222,400
Construction Cost Estimate Total:		**$ 35,446,400**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 35,446,400
Engineering/Survey/Testing		7.0%	$ 2,481,200
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 314,700	$ 314,700
	Impact Fee Project Cost Estimate Total:		**$ 38,242,300**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 4,550,800**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

C

City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

Sids Rd to John King Blvd

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	6
Length (lf):	5,095		
Right-of-Way Width (ft.):	120		
Median Type:	Raised		
Pavement Width (BOC to BOC):	74		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	101,900	SF	$ 1.00	$ 101,900
2	Right of Way Preparation	51	STA	$ 4,000.00	$ 204,000
3	Remove Existing Pavement	51	STA	$ 1,000.00	$ 51,000
4	Unclassified Street Excavation	15,400	CY	$ 20.00	$ 308,000
5	8" Lime Stabilized Subgrade	44,200	SY	$ 10.00	$ 442,000
6	Lime for Stabilization (48 lb/SY)	930	TON	$ 180.00	$ 167,400
7	10" Concrete Pavement w/ Integral Curb	41,900	SY	$ 75.00	$ 3,142,500
8	4" Concrete Sidewalk and Ramps	61,140	SY	$ 55.00	$ 3,362,700
9	Solid Sod	173,200	SY	$ 5.00	$ 866,000
				Paving Estimate Subtotal:	**$ 8,543,600**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 170,900
11	Traffic Control	4%	$ 341,800
12	Erosion Control	3%	$ 256,400
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 1,708,800
14	Utility Adjustments	5%	$ 427,200
	Other Components Estimate Subtotal:		**$ 2,905,100**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	2 Minor crossings	$ 300,000	$ 300,000
16	Bridge Structures	None	$ -	$ -
17	Traffic Signals	1 Existing @ John King; 1 new @ Sids	$ 300,000	$ 300,000
		Special Components Estimate Subtotal:		**$ 600,000**

I, II, & III Construction Subtotal:		$ 12,048,700
Mobilization	5%	$ 602,500
Contingency	10%	$ 1,265,200
Construction Cost Estimate Total:		**$ 13,916,400**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 13,916,400
Engineering/Survey/Testing		7.0%	$ 974,100
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 101,900	$ 101,900
	Impact Fee Project Cost Estimate Total:		**$ 14,992,400**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 1,784,000**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

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City of Rockwall

Impact Fee Engineer's Opinion of Probable Construction Cost Estimate

SH 205

John King Blvd to S. City Limit

Roadway Information:			
Functional Classification:	Arterial	No. of Lanes:	6
Length (lf):	13,358		
Right-of-Way Width (ft.):	120		
Median Type:	Raised		
Pavement Width (BOC to BOC):	74		
Description:	Widen existing roadway to thoroughfare standard		

Roadway Construction Cost Estimate:

I. Paving Construction Cost Estimate

Item No.	Item Description	Quantity	Unit	Unit Cost	Item Cost
1	Acquire ROW	267,200	SF	$ 1.00	$ 267,200
2	Right of Way Preparation	134	STA	$ 4,000.00	$ 536,000
3	Remove Existing Pavement	134	STA	$ 1,000.00	$ 134,000
4	Unclassified Street Excavation	40,300	CY	$ 20.00	$ 806,000
5	8" Lime Stabilized Subgrade	115,800	SY	$ 10.00	$ 1,158,000
6	Lime for Stabilization (48 lb/SY)	2,440	TON	$ 180.00	$ 439,200
7	10" Concrete Pavement w/ Integral Curb	109,900	SY	$ 75.00	$ 8,242,500
8	4" Concrete Sidewalk and Ramps	160,300	SY	$ 55.00	$ 8,816,500
9	Solid Sod	454,200	SY	$ 5.00	$ 2,271,000
				Paving Estimate Subtotal:	**$ 22,403,200**

II. Non-Paving Construction Components

Item No.	Item Description	Pct. Of Paving	Item Cost
10	Pavement Markings & Signage	2%	$ 448,100
11	Traffic Control	4%	$ 896,200
12	Erosion Control	3%	$ 672,100
13	Drainage Improvements (RCP, Inlets, MH, Outfalls)	20%	$ 4,480,700
14	Utility Adjustments	5%	$ 1,120,200
		Other Components Estimate Subtotal:	**$ 7,617,300**

III. Special Construction Components

Item No.	Item Description	Notes	Allowance	Item Cost
15	Drainage Structures	1 Minor crossing, 2 major crossing	$ 750,000	$ 750,000
16	Bridge Structures	None	$ -	$ -
17	Traffic Signals	1 Existing Signal @ Lofland Cir	$ 150,000	$ 150,000
		Special Components Estimate Subtotal:		**$ 900,000**

I, II, & III Construction Subtotal:		$ 30,920,500
Mobilization	5%	$ 1,546,100
Contingency	10%	$ 3,246,700
Construction Cost Estimate Total:		**$ 35,713,300**

Impact Fee Cost Estimate Summary

Item Description	Notes	Allowance	Item Cost
Construction		-	$ 35,713,300
Engineering/Survey/Testing		7.0%	$ 2,499,900
Right-of-Way Acquisition	Cost per sq. ft.: $ 1.00	$ 267,200	$ 267,200
	Impact Fee Project Cost Estimate Total:		**$ 38,480,400**
	Estimated Finance Cost (11.9%; i.e. 3% over 10 years)		**$ 4,579,100**

2019 Roadway Impact Fee
City of Rockwall

Freese and Nichols, Inc.
Updated: 7/2019

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City of Rockwall

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F. Roadway Improvements Plan Cost Analysis

ROADWAY IMPROVEMENTS PLAN COST ANALYSIS

Definitions

LANES	The total number of lanes in both directions available for travel.
TYPE	The type of roadway (used in determining capacity): DA = divided arterial SA = special arterial
% IN SERVICE AREA	If the roadway is located on the boundary of the service area (with the city limits running along the centerline of the roadway), then half of the roadway is inventoried in the service area and the other half is not. This value is either 50% or 100%.
TOTAL SEGMENT COST	The estimated cost (in dollars) of the entire segment of the proposed improvement.
TOTAL COST IN SERVICE AREA	The estimated cost (in dollars) of the portion of the proposed roadway improvement within the service area.

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2019 Rockwall Roadway Impact Fee Study Update
Roadway Capital Improvements Plan

Serv Area Number	CIP Year	Roadway	From	To	Length (mi)	No. of Lanes	Rdwy. Type	Pct. in Serv. Area	Roadway Costs				Project Cost
									Engineering	*ROW*	*Construction**	*Finance*	
1/2	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
1/2	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
1/2	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
1/2	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
1	2019	SH 205 (Goliad St)	Olive	Live Oak	0.33	5	SA	100%	$236,600	$17,300	$3,380,500	$0	$3,634,400
1	2019	SH 205 (Goliad St)	Live Oak	N. City Limit	2.98	4	DA	100%	$2,481,248	$314,700	$35,446,400	$0	$38,242,348
Sub-total SA 1					**8.39**				**$4,160,539**	**$3,876,160**	**$50,734,244**	**$14,748,559**	**$73,519,502**
2/1	2007	John King	City Limit (near G	FM552	1.28	4	DA	50%	$363,513	$893,017	$3,000,276	$3,716,172	$7,972,977
2/1	2007	John King	FM 552	Quail Run	1.29	4	DA	50%	$366,353	$899,994	$3,023,715	$3,745,205	$8,035,266
2/1	2007	John King	Quail Run	SH 66	1.04	4	DA	50%	$295,354	$725,576	$2,437,724	$3,019,390	$6,478,044
2/1	2007	John King	SH 66	IH 30 WB FR	1.47	4	DA	50%	$417,472	$1,025,574	$3,445,629	$4,267,792	$9,156,466
Sub-total SA 2					**5.08**				**$1,442,691**	**$3,544,160**	**$11,907,344**	**$14,748,559**	**$31,642,754**
3/4	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
3/4	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
3	2019	SH 205 (Goliad St)	Sids	John King Blvd	0.96	6	DA	100%	$974,148	$101,900	$13,916,400	$0	$14,992,448
3	2019	FM3097/Horizon	Ridge Road	County Line Rd	1.13	4	DA	100%	$0	$0	$900,000	$0	$900,000
3	2019	FM740/Ridge Rd	Horizon	S. City Limit	1.10	4	DA	100%	$0	$0	$472,902	$0	$472,902
Sub-total SA 3					**5.42**				**$1,244,200**	**$684,694**	**$18,049,682**	**$6,171,201**	**$26,149,776**
4/3	2007	John King Blvd	IH 30 EB FR	SH 276	0.89	4	DA	50%	$107,472	$231,933	$1,098,543	$2,455,941	$3,893,889
4/3	2007	John King Blvd	SH 276	Goliad	1.34	4	DA	50%	$162,580	$350,860	$1,661,837	$3,715,260	$5,890,537
4	2019	FM 549 (Corp Crossing)	IH30	SH276	0.87	4	DA	100%	$0	$0	$4,724,665	$0	$4,724,665
Sub-total SA 4					**3.09**				**$270,052**	**$582,794**	**$7,485,045**	**$6,171,201**	**$14,509,091**
Totals:					**13.80**				**$7,117,483**	**$8,687,808**	**$88,176,313**	**$41,839,518**	**$145,821,123**

Notes:

DA- Divided Arterial

SA- Special Arterial with two-way left turn lane (TWLTL)

N- New Impact Fee Project

R- Impact Fee Recoupment Project

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G. Service Area Analysis Summary

2019 Rockwall Roadway Impact Fee Study
Service Area Analysis Summary (John King @ 4D + Project Additions)

	1	2	3	4	5	6	7	8	9	10	11	12	13
Service Area	Capacity Supplied by CIP (veh-mi)	Existing Utilization	Existing Deficiencies	Net Capacity Supplied by CIP	Total Project Cost of CIP	Project Cost of CIP with 50% Credit	Cost of Net Capacity Supplied	Cost to Meet Existing Utilization	Projected 10yr Demand (veh-miles)	Pcnt. of CIP Attributable to New Dev. (10-yr)	Cost Attributable to New Dev.	Fee per Service Unit @ 50% Discount	*Actual Cost per Service Unit (veh-mi)*
1	13,836	6,831	1,137	5,869	$73,550,103	$36,775,052	$15,598,596	$21,176,456	13,731	100.0	$15,598,596	$1,136.00	*$2,272.00*
2	6,096	2,982	0	3,114	$31,656,236	$15,828,118	$8,084,777	$7,743,341	3,676	100.0	$8,084,777	$2,199.00	*$4,398.00*
3	11,489	6,088	925	4,476	$26,175,186	$13,087,593	$5,098,520	$7,989,073	13,001	100.0	$5,098,520	$392.00	*$784.00*
4	4,751	1,537	808	2,405	$14,519,597	$7,259,799	$3,675,714	$3,584,085	2,814	100.0	$3,675,714	$1,306.00	*$2,612.00*
Totals	36,172	17,438	2,871	15,864	$145,901,123	$72,950,562	$31,993,304	$40,957,258	33,222	100.0	$31,993,304	$963.00	*$1,926.00*

Dbase D + Project Additions

1. TOTAL VEH-MI OF CAPACITY SUPPLIED BY CIP (TVMCAP)
2. TOTAL VEH-MI OF EXISTING DEMAND (VMEXT)
3. TOTAL VEH-MI OF EXISTING DEFICENCIES (VMDEF)
4. NET AMOUNT OF ROADWAY CAPACITY SUPPLIED (NVMCAP) =
   NVMCAP =TVMCAP-VMEXT-VMDEF
5. TOTAL COST OF CIP WITHIN STUDY AREA (TVMCOST)
6. TOTAL COST OF CIP IN SERVICE AREA w/50% CREDIT (TVMCOST)
7. COST OF NET CAPACITY SUPPLIED (NCVMCAP) =
   NCVMCAP = (NVMCAP/TVMCAP)*TVMCOST
8. COST TO MEET EXISTING NEEDS AND USAGE (EXCOST) =
   EXCOST = TVMCOST-NCVMCAP
9. TOTAL VEH-MI OF NEW DEMAND OVER TEN YEARS (TNEWDEM)
10. PERCENT OF CIP ATTRIBUTABLE TO NEW DEVELOPMENT (NPCNT) =
    IF TNEWDEM > NVMCAP, NPCNT = 100%
    IF TNEWDEM < NVMCAP, NPCNT = (TNEWDEM / NVMCAP)*100
11. COST OF CIP ATTRIBUTABLE TO NEW DEVELOPMENT (NCVMDEM) =
    NCVMDEM = (TNEWDEM / NVMCAP) * NCVMCAP
12. MAXIMUM FEE PER SERVICE UNIT (50%) =
    MAX FEE = NCVMDEM / TNEWDEM
13. ACTUAL COST PER SERVICE UNIT (100%)

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Exhibit 'D':
2019 – 2029 Water & Wastewater Impact Fee Update

2019 – 2029 WATER & WASTEWATER IMPACT FEE UPDATE

Submitted To

CITY OF ROCKWALL

Submitted By

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
TBPE Firm No. 526

September 2019

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CITY OF ROCKWALL
2019 - 2029 WATER & WASTEWATER IMPACT FEE UPDATE

TABLE OF CONTENTS

Page No.

SECTION I - INTRODUCTION

A. General 1

B. Water & Wastewater Impact Fee Glossary 2

C. Land Use Assumptions 5

- Table No. 1: Residential and Non-Residential Growth from 2019 to 2029 6

SECTION II - WATER & WASTEWATER C.I.P. & IMPACT FEE ANALYSIS

A. Definition of a Service Unit – Water and Wastewater 7

- Table No. 2: Living Unit Equivalencies for Various Types & Sizes of Water Meters 7

B. Calculation of Water & Wastewater – Living Unit Equivalents 8

- Table No. 3: Water Living Unit Equivalents 2019 – 2029 8
- Table No. 4: Wastewater Living Unit Equivalents 2019 – 2029 9

C. Cost of Facilities 9

D. Water Distribution System 10

1. Existing Pump Stations, Ground Storage Reservoirs & Elevated Storage Tanks 10
   - Table No. 5: Water Distribution System – Existing Pump Station and Ground Storage 10
   - Table No. 6: Existing Elevated Storage Tanks 11
2. Distribution Lines 11
3. Water Supply 11
4. Water Distribution System Capital Improvement Projects for Impact Fees 12
   - Exhibit 1 10-Year Water Distribution System C.I.P. for Impact Fees 13
   - Table No. 7: 10-Year Water Distribution System C.I.P. for Impact Fees 14

DRAFT ORDINANCE 11.04.2019

5. Utilized Capacity 15

- Table No. 8: Summary of Eligible Water Distribution Project Cost and Utilized Capacity Cost 15
- Table No. 9: Water Pump Station Facilities 16
- Table No. 10: Ground Storage Reservoirs 17
- Table No. 11: Elevated Storage Tanks 18
- Table No. 12: Existing Impact Fee Water Lines 19
- Table No. 13: Proposed Impact Fee Water Lines 24
- Table No. 14: CCN Acquisition 26

E. Wastewater Collection System 27

1. Collection Lines 27
2. Treatment 27
3. Wastewater System Capital Improvement Projects for Impact Fees 28

- Exhibit 2 Wastewater Collection System 10-Year C.I.P. for Impact Fees 29
- Table No. 15: Wastewater Collection System 10-Year C.I.P. for Impact Fees 30

4. Utilized Capacity 32

- Table No. 16: Summary of Eligible Capital Cost & Utilized Capacity Cost 32
- Table No. 17: Existing Impact Fee Wastewater Lines 33
- Table No. 18: Proposed Impact Fee Wastewater Lines 37
- Table No. 19: Wastewater Facilities 40
- Table No. 20: Proposed NTMWD Facilities 41
- Table No. 21: Summary of Utilized Capacity Allocation between City of Rockwall & NTMWD Wastewater System 42

F. Calculation of Maximum Impact Fees – Water and Wastewater 43

- Table No. 22: Maximum Assessable Water & Wastewater Impact Fee 44



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CITY OF ROCKWALL
2019 – 2029 WATER & WASTEWATER IMPACT FEE UPDATE

SECTION I – INTRODUCTION

A. GENERAL

In accordance with the requirements of Chapter 395.052 of the Local Government Code, this report establishes the City of Rockwall's Capital Improvement Plan for water and wastewater impact fees and calculates the maximum allowable fee for each. Land use assumptions for impact fees were generated under a separate document prepared by the City of Rockwall's Planning Department.

Chapter 395, of the Local Government Code is an act that provides guidelines for financing capital improvements required by new development in municipalities, counties, and certain other local governments. The basis for determination of an impact fee requires the preparation and adoption of a land use plan and growth assumption, and the preparation of a 10-year capital improvement plan. The capital improvement plan requires an analysis of total capacity, the level of current usage and commitments of capacity of existing capital improvements. From these two phases, a maximum impact fee is calculated.

The Act allows the maximum impact fee to be charged if revenues from future ad valorem taxes, and water and sewer bills are included as a credit in the analysis. If not, the Act allows the maximum fee to be set at 50% of the calculated maximum fee. The following items were included in the impact fee calculation:

1. The portion of the cost of the new infrastructure that is to be paid by the City, including engineering, property acquisition and construction cost.

2. Existing excess capacity in lines and facilities that will serve future growth and which were paid for in whole or part by the City.

3. Engineering and quality control fees for construction projects.

4. Interest and other finance charges on bonds issued by the City to cover its portion of the cost. 5% is assumed for this analysis.

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The engineering analysis portion of the Water and Wastewater Fee determines utilized capacity cost of the major water distribution and wastewater collection facilities between the year 2019 and the year 2029. Facilities in this analysis include, water pump stations, water storage tanks, water transmission lines and wastewater collection lines. The North Texas Municipal Water District (NTMWD) water treatment, and water distribution components were excluded from this analysis. The study period is a ten-year period with 2019 as the base year. The impact fee calculations for the water and wastewater systems are based on land use assumptions prepared by the City of Rockwall. Prior to this impact fee update, the City's Water Distribution and Wastewater Collection hydraulic models were updated for 2019, 2029 and buildout conditions. The hydraulic model results are available for review from the City of Rockwall. The equivalency factors utilized in this analysis conform to the American Water Works Association Standards (C700 - C703).

B. WATER & WASTEWATER IMPACT FEE GLOSSARY

1. Advisory Committee means the capital improvements advisory committee established by the City for purposes of reviewing and making recommendations to the City Council on adoption of the City's impact fee program.

2. Area-Related Facility means a capital improvement or facility expansion which is designated in the impact fee capital improvements plan and which is not a site-related facility. Area-Related Facility may include capital improvements that are located off-site, or within or on the perimeter of the development site.

3. Assessment means the determination of the amount of the maximum impact fee per service unit that can be imposed on new development.

4. Capital Improvement means either a water facility or a wastewater facility with a life expectancy of three or more years, to be owned and operated by or on behalf of the City.

5. City means the City of Rockwall, Texas.

6. Credit means the amount of the reduction of an impact fee due, determined under this ordinance or pursuant to administrative guidelines that is equal to the value of area-related

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facilities provided by a property owner pursuant to the City's subdivision or zoning regulations or requirements, for the same type of facility.

7. Debt Service means the 20-year financing costs of projects applied to all eligible existing and proposed water and wastewater facilities.

8. Facility Expansion means either a water facility expansion or a sewer facility expansion.

9. Impact Fee means either a fee for water facilities or a fee for wastewater facilities, imposed on new development by the City pursuant to Chapter 395 of the Texas Local Government Code in order to generate revenue to fund or recoup the costs of capital improvements or facility expansion necessitated by and attributable to such new development. Impact fees do not include the dedication of rights-of-way or easements for such facilities, or the construction of such improvements, imposed pursuant to the City's zoning or subdivision regulations.

10. Impact Fee Capital Improvements Plan means either a water capital improvements plan or a wastewater capital improvement plan adopted or revised pursuant to the impact fee regulations.

11. Land Use Assumptions means the projections of population and growth, and associated changes in land uses, densities and intensities over at least a ten-year period, as adopted by the City and as may be amended from time to time, upon which the capital improvements plans are based.

12. Land Use Equivalency Table means a table converting the demands for capital improvements generated by various land uses to numbers of service units, as may be amended from time to time.

13. New Development means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

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14. Recoupment means the imposition of an impact fee to reimburse the City for capital improvements that the City had previously oversized to serve new development.

15. Service Area means either a water service area or wastewater service area which impact fees for capital improvements or facility expansion will be collected for new development occurring within such area, and within which fees so collected will be expended for those types of improvements or expansions identified in the type of capital improvements plan applicable to the service area.

16. Service Unit means the applicable standard units of measure shown on the land use equivalency table in the Impact Fees Capital Improvements Plan that can be converted to water meter equivalents, for water or for wastewater facilities, which serves as the standardized measure of consumption, use or generation attributable to the new unit of development.

17. Site-Related Facility means an improvement or facility which is for the primary use or benefit of a new development, and/or which is for the primary purpose of safe and adequate provision of water or wastewater facilities to serve the new development, and which is not included in the impact fees capital improvements plan and for which the property owner is solely responsible under subdivision or other applicable development regulations.

18. Utility Connection means installation of a water meter for connecting a new development to the City's water system, or connection to the City's wastewater system.

19. Wastewater Facility means a wastewater interceptor or main, lift station or other facility included within and comprising an integral component of the City's collection system for wastewater. Wastewater facility includes land, easements or structure associated with such facilities. Wastewater facility excludes site-related facilities.

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20. Wastewater Facility Expansion means the expansion of the capacity of any existing wastewater improvement for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing sewer facility to serve existing development.

21. Wastewater Capital Improvements Plan means the adopted plan, as may be amended from time to time, which identifies the wastewater facilities or wastewater expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.

22. Water Facility means a water main, pump station, storage tank or other facility included within and comprising an integral component of the City's water storage or distribution system. Water facility includes CCN acquisition, land, easements or structures associated with such facilities. Water facility excludes site-related facilities.

23. Water Facility Expansion means the expansion of the capacity of any existing water facility for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing water improvement to serve existing development.

24. Water Capital Improvements Plan means the adopted plan, as may be amended from time to time, which identifies the water facilities or water expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.

25. Water Meter means a device for measuring the flow of water to a development, whether for domestic or for irrigation purposes.

C. LAND USE ASSUMPTIONS *(Prepared By: City of Rockwall Planning Department)*

The impact fee land use assumptions utilized in this update were prepared by the City of Rockwall's Planning Department and are presented in a separate document. The land use assumptions projected an ultimate residential population of approximately 149,525 in the City of Rockwall's ultimate planning boundary.

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The residential and non-residential growth provided by the City for the year 2019 through 2029 is summarized in Table No. 1.

TABLE NO. 1

Residential and Non-Residential Growth from 2019 to 2029

Year	LUA Residential Population *	Residential Population Served **	Non-Residential Uses*** Employees	
2019	49,616	44,748	25,369	
2029	73,228	64,768	34,064	
Res. Growth Rate	**1.48**		**Non-Res. Growth Rate**	**1.34**

** Residential Population Inside Planning Boundary*
*** Residential Population Served Inside Existing City of Rockwall City Limit Boundary*
**** Basic – Industrial Land Uses*
**** Service – Office & Institutional Land Uses*
**** Retail – Commercial Land Uses*

As shown in Table No. 1, increases in the residential population and non-residential uses will occur during the 10-year capital recovery period. The water demand and wastewater flows from the residential and non-residential uses dictate the ultimate size of facilities, while the rate of growth is important to determine the timing of system improvements to meet the City's growing needs. The eligible water impact fee facilities are shown **on Exhibit 1**. The eligible wastewater facilities are shown on **Exhibit 2** in this report.

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SECTION II

WATER & WASTEWATER C.I.P. AND IMPACT FEE ANALYSIS

A. DEFINITION OF A SERVICE UNIT – WATER AND WASTEWATER

Chapter 395 of the Local Government Code requires that impact fees be based on a defined service unit. A "service unit" means a standardized measure of consumption, use generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards. This impact fee defines a water and wastewater service unit to be a *5/8-inch water meter* and has referred to this service unit as a Single Family Living Unit Equivalent (SFLUE). The SFLUE is based on the continuous duty capacity of a 5/8-inch water meter. This is the City of Rockwall's typical meter used for a single family detached dwelling, and therefore is considered to be equivalent to one "living unit". Other meter sizes can be compared to the 5/8-inch meter through a ratio of water flows as published by the American Water Works Association as shown in **Table No. 2** below. This same ratio is then used to determine the proportional water and wastewater impact fee amount for each water meter size.

TABLE NO. 2

Living Unit Equivalencies For Various Types and Sizes of Water Meters

Meter Type	Meter Size	Continuous Duty Maximum Rate (gpm) [a]	Ratio to 5/8" Meter
Simple	5/8"	10	1.0
Simple	1"	25	2.5
Simple	1-1/2"	50	5.0
Simple	2"	80	8.0
Compound	2"	80	8.0
Turbine (Irrigation)	2"	160	16.0
Compound	3"	160	16.0
Turbine (Irrigation)	3"	350	35.0
Compound	4"	250	25.0
Turbine (Irrigation)	4"	650	65.0
Compound	6"	500	50.0
Turbine (Irrigation)	6"	1,400	140.0
Compound	8"	800	80.0
Turbine (Irrigation)	8"	2,400	240.0
Turbine	10"	3,500	350.0
Turbine	12"	4,400	440.0

[a] *Source: AWWA Standard C700 - C703*

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B. CALCULATION OF WATER & WASTEWATER - LIVING UNIT EQUIVALENTS

The City of Rockwall provided the existing water meter count by size category as of December 2018. In total, there are 15,680 domestic water and irrigation meters serving an existing population of 49,616 residents and business. **Table No. 3** shows the number of existing meters, the living unit equivalent factor and the total number of living unit equivalents for each sized water meter.

Similar, the City provided the number of wastewater accounts by corresponding water meter size. This number of wastewater accounts is 15,053. **Table No. 4** illustrates the existing wastewater accounts and the SFLUE's. The difference between the water and wastewater accounts is irrigation meters are not included in the wastewater accounts.

The residential growth rate of 1.48 in **Table 1** was applied to 5/8-inch through 1-1/2-inch meters. The non-residential growth rate of 1.34 in **Table 1** was applied to 2-inch through 12-inch meters. Utilizing these growth rates in a straight-line extrapolation of the existing water and wastewater accounts, the numbers of new accounts was calculated for the year 2029. City records indicate the historical growth of 5/8-inch and 1-inch meters is approximately 96% 5/8-inch meters and 4% 1-inch meters for the base meter sizes. These percentages were applied to the total growth of 5/8-inch and 1-inch meters. Living unit equivalents were then applied to the water meters and wastewater accounts for 2019 and 2029, resulting in a total number of living units. The difference in the total number of 2019 and 2029 living units results in the new living unit equivalents during the impact fee period. The calculation of living unit equivalents is summarized in **Table 3 and Table 4**.

TABLE NO. 3

Water Living Unit Equivalents 2019 – 2029

Meter Size	2019			2029			New Living Unit Equivalents During Impact Fee Period
	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	
5/8"	14,261	1.0	14,261	21,108	1.0	21,108	6,847
1"	597	2.5	1,493	882	2.5	2,205	712
1-1/2"	188	5.0	940	278	5.0	1,390	450
2"	617	8.0	4,936	827	8.0	6,616	1,680
3"	5	16.0	80	7	16.0	112	32
4"	10	25.0	250	13	25.0	325	75
6"	2	50.0	100	3	50.0	150	50
8"	0	80.0	0	0	80.0	0	0
10"	0	350.0	0	0	350.0	0	0
12"	0	440.0	0	0	440.0	0	0
Totals	**15,680**		**22,060**	**23,118**		**31,906**	**9,846**

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TABLE NO. 4

Wastewater Living Unit Equivalents 2019 – 2029

Meter Size	2019			2029			New Living Unit Equivalents During Impact Fee Period
	Number of Wastewater Accounts	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	
5/8"	14,179	1.0	14,179	20,956	1.0	20,956	6,777
1"	377	2.5	943	587	2.5	1,468	525
1-1/2"	126	5.0	630	186	5.0	930	300
2"	358	8.0	2,864	480	8.0	3,840	976
3"	5	16.0	80	7	16.0	112	32
4"	6	25.0	150	8	25.0	200	50
6"	2	50.0	100	3	50.0	150	50
8"	0	80.0	0	0	80.0	0	0
10"	0	350.0	0	0	350.0	0	0
12"	0	440.0	0	0	440.0	0	0
Totals	**15,053**		**18,946**	**22,227**		**27,656**	**8,710**

C. COST OF FACILITIES

Unit costs for proposed water and wastewater lines larger than 12 inches in diameter that are anticipated to be constructed between 2019 and 2029 by private development include the City's oversize cost participation only. These water and wastewater lines are colored green on **Exhibits 1 and 2**. Oversize cost participation from City is based on availability of funds. For City participation, the developer must bid the 12-inch as a base and the oversize as an additive alternate. City initiated water and wastewater lines include the full cost of the proposed facility. These water and wastewater lines are colored red on **Exhibits 1 and 2**. Developer initiated water and wastewater line projects which are 12 inches or less in diameter are not included in this Impact Fee analysis, as the cost for these size lines are the responsibility of the developer. These water and wastewater lines are colored light blue (cyan) on **Exhibits 1 and 2**.

Actual construction costs of the various existing elements of the water and wastewater systems were utilized where the information was known. The existing cost of facilities was determined from Contractor's final pay requests, City purchase orders, bid tabulation forms and developer's agreements. Existing water and wastewater facilities included in the impact fee analysis are only those with excess capacity available for future growth are colored dark blue on **Exhibits 1 and 2**.

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Cost data for existing water and wastewater facilities included in the impact fee analysis were provided by the City. A 5% debt service, over a period of 20-years, has been added to all projects. Actual costs were used for those existing projects where records were available.

D. WATER DISTRIBUTION SYSTEM

Computer hydraulic models for the years 2019, 2029 and Buildout were prepared and analyzed by Birkhoff, Hendricks & Carter, L.L.P. The models were developed and water demand distributed from residential population and non-residential land use projections prepared by the City of Rockwall's Planning Department. The projected developed land areas from the City's Land Use Assumptions follow closely to the construction of major facilities in the system. These facilities include pump stations, storage tanks, and major distribution lines. All computer models were run for the Maximum Hourly Demands in a three-day extended period simulation to ensure proper sizing of the facilities to meet peak demands.

1. Existing Pump Stations, Ground Storage Reservoirs & Elevated Storage Tanks

The existing water distribution system included in the impact fee analysis (As of December 2018) includes the facilities summarized in **Table No. 5** and **Table No. 6**.

TABLE NO. 5

Water Distribution System -- Existing Pump Stations & Ground Storage

Pump Station	Number of Pumps	Rated Capacity (MGD)	Number of Ground Storage Tanks	Total Ground Storage Available (Gallons)
Heath Street 698.75	6	17.7	1	3,000,000
Eastside 698.75	6	25.9	1	3,000,000
698.75 Subtotal:	**12**	**43.6**	**2**	**6,000,000**
Eastside 780	3	8.6	1	1,000,000
780 Subtotal:	**3**	**8.6**	**1**	**1,000,000**
Total:	**15**	**52.2**	**3**	**7,000,000**

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TABLE NO. 6

Existing Elevated Storage Tanks

Elevated Storage Tanks	Capacity in Million Gallons
Southside Elevated Storage Tank	1.0
Country Lane Elevated Storage Tank	2.0
Springer Elevated Storage Tank	2.0
Total	**5.0**

The pump stations and ground storage facilities were analyzed with the maximum daily demand, while elevated storage acts dynamically and therefore was analyzed utilizing the difference between the Maximum Hourly Demand and the Maximum Daily Demand.

2. Distribution Lines

The distribution lines consist of all lines within the Service Area planning boundary supplying water to customers in the City of Rockwall. Existing and proposed distribution lines vary in size from 5/8-inch services to 48-inch transmission lines and pump station piping. The cost of water lines includes construction cost, appurtenances (water valves, fire hydrants, taps and the like), utility relocations, purchase of easements and engineering costs. Financing cost over a 20-year term is included for each project.

Unit cost for proposed capital improvement water lines 12-inches and larger in diameter classified as City initiated, or City participation in oversize water lines. Developer's initiated water line projects, 12 inches or less in diameter were not included in this Impact Fee analysis, as the cost for these size lines are the responsibility of the developer.

3. Water Supply

The City of Rockwall currently receives all of its water supply from the North Texas Municipal Water District (NTMWD). Rockwall's allocation of the capital cost of services as a Member of the NTMWD was specifically excluded from the impact fee analysis.

If included, Rockwall's share of the NTMWD capital cost could include the original construction cost, expansion cost and financing cost of the following components:

a) Water Rights Cost in Lake Lavon and other Sources

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b) Raw Water Intake Structures

c) Raw Water Pump Stations

d) Treatment Plant and Expansion

e) High Service Pump Stations

f) Transmission Lines

g) NTMWD Owned Ground Storage Facilities

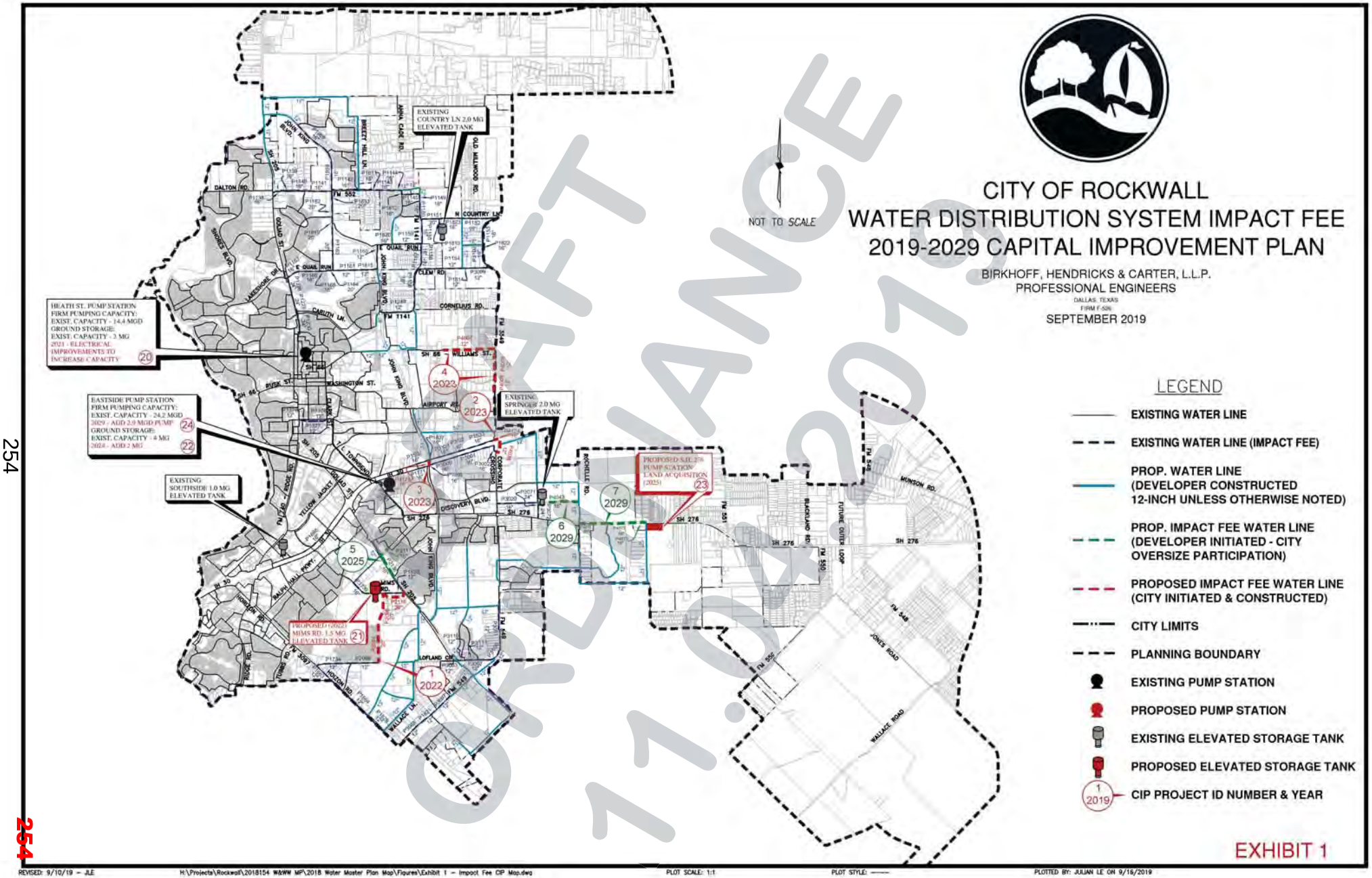
NTMWD has indicated that determining Rockwall's portion of cost for these items would not be possible, thus these costs have not been included in this analysis.

4. Water Distribution System Capital Improvement Projects for Impact Fees

In order to meet the demands of the anticipated growth over the next 10-years, as provided in the Land Use Assumptions prepared by the City of Rockwall, certain water distribution system improvements are required. **Exhibit 1** shows the recommended water system improvements and **Table No. 7** itemizes each project and the project cost in 2019 dollars. These recommended improvements form the basis for the water system impact fee calculation.

The capital improvement plan for impact fees provides for system improvements within the defined Service Area Planning Boundary. Most of the capital improvements are within the city limits, as requested by the City due to new State of Texas Annexation Laws.

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DRAFT ORDINANCE 11.04.2019

254

Table No. 7

10-Year Water System Capital Improvement Plan for Impact Fees

PROPOSED WATER LINES

CIP #	Year	1=City Participation in Cost Oversize 2=City Initiated and Funded	Service Area	Water Line Projects	Length (FT)	Size	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
1	2022	2	698.75	Mims Road / County Line Road Looping Water Lines (Pipes 2096, 2097, 2118)	6,151	20"	$ 1,402,428	$ 736,275	$ 2,138,703
2	2023	2	780	IH-30 - F.M. 3549/Corporate Crossing (Pipes 4039, 4124)	1,287	12"-16"	$ 531,800	$ 279,195	$ 810,995
3	2023	2	780	John King Blvd. 780 Water Lines North (Pipes 4123)	423	16"	$ 274,950	$ 144,349	$ 419,299
4	2023	2	780	S.H. 66 - F.M. 3549 780 Service Area Loop (Pipes 4007, 4008, 4009)	6,394	12"	$ 767,280	$ 402,822	$ 1,170,102
5	2025	1	698.75	S.H. 205 Water Lines (Pipes 2117, 2136)	2,496	16"	$ 149,760	$ 78,624	$ 228,384
6	2029	1	780	Springer Ln. 16" Water Line (Pipe 4043)	2,714	16"	$ 162,840	$ 85,491	$ 248,331
7	2029	1	780	S.H. 276 Pump Station Transmission Main West (Pipes 4071, 4072, 4073)	3,329	16"	$ 270,300	$ 141,908	$ 412,208
				Subtotal: Proposed Water Lines			**$ 3,559,358**	**$ 1,868,664**	**$ 5,428,022**

PROPOSED PUMPING AND STORAGE FACILITIES

CIP #	Year	Service Area	Pump Station, Ground Storage & Elevated Storage Project		Added Capacity	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
20	2021	698.75	Heath Street Pump Station Improvements		7.0 MGD	$ 2,730,000	$ 1,433,250	$ 4,163,250
21	2022	780	Mims 1.5 MG EST & Purchase 2-Acres		1.5 MG	$ 3,421,075	$ 1,796,064	$ 5,217,139
22	2024	698.75/780	Eastside Ground Storage Reservoir No. 3		2.0 MG	$ 2,855,600	$ 1,499,190	$ 4,354,790
23	2025	780	Proposed SH 276 Pump Station Land Acquisition		10 Acres	$ 590,340	$ 309,929	$ 900,269
24	2029	698.75/780	Eastside 780 Service Area 2.9 MGD Pump		2.9 MGD	$ 1,878,025	$ 985,963	$ 2,863,988
			Subtotal: Proposed Pumping and Storage Facilities			**$ 11,475,040**	**$ 6,024,396**	**$ 17,499,436**

PLANNING EXPENSES

Year		Project Description			Engineering Services	Debt Service (B)	Total Project Cost
2019		Water & Wastewater System Master Plan & Impact Fee Analysis			$ 74,675		$ 74,675
		Subtotal: Planning Expenses			**$ 74,675**	$ -	**$ 74,675**
		GRAND TOTAL: WATER DISTRIBUTION 10-YEAR CIP			**$ 15,109,073**	**$ 7,893,060**	**$ 23,002,133**

(A) Opinion of Cost includes:
a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%

DRAFT ORDINANCE 11.04.20

5. Utilized Capacity

Utilized capacity for the water distribution system was calculated based on the water line size required for each model year (2019, 2029 and buildout). Analysis of the water distribution system is based on the maximum daily demand, maximum hourly demand, and the minimum hourly demand. Pump station capacity is generally based on the maximum daily system demand while transmission and distribution facilities are sized based on either the maximum hourly demand or the minimum hourly demand, whichever demand is greater for a particular water line. Often times, the capacity of water lines are determined by the flows generated by the minimum hourly demand. The minimum hourly flows are usually higher in those lines that are used to refill elevated storage. For each line segment in the water distribution model, the maximum buildout flow rate in the line was compared to the flow rate in the same line segment for the 2019 and the 2029 models.

The percent utilized capacity was then calculated for each year based on the buildout capacity. The utilized capacity during the Impact Fee period is the difference between the year 2029 capacity and the year 2019 capacity. **Table No. 8** below summarizes the project cost and utilized capacity cost over the Capital Recovery Period (CRP) of 2019 - 2029 for each element of the Water Distribution System. The utilized capacity for each water distribution facility, both existing and proposed, is presented in detail in Impact Fee Capacity Calculation **Table Nos. 9, 10, 11, 12, 13 and 14.**

Table No. 8

Summary of Eligible Water Distribution Project Cost and Utilized Capacity Cost

Water System Facility	20-Year Project Cost	Utilized Capacity ($) In the CRP
Existing Pump Stations & Storage	$24,635,679	$8,804,864
Existing Transmission/Distribution Lines	$14,222,504	$2,863,156
Proposed Pump Stations & Storage	$17,499,436	$15,502,253
Proposed Transmission/Distribution Lines	$5,428,022	$3,005,499
CCN Acquisition	$5,048,042	$656,510
Planning Expenses	$74,675	$74,675
Total:	**$66,908,358**	**$30,906,957**

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TABLE NO. 9
Water Pump Station Facilities

Pump Station Improvements			Year Const.	Projected Capacity (MGD)	Pump Station Cost ($) Const.	Engineering & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2019	2029	In The CRF Period	Capacity Utilized ($) 2019	2029	In The CRF Period
PUMP STATIONS														
Existing Pump Station Facilities														
Heath Street Original Construction	[6]		Unknown	7.7	$ 1,363,700		$ 715,943	$ 2,079,643	49%	100%	51%	$ 1,013,029	$ 2,079,643	$ 1,066,614
Eastside 698.75 Original Pump Station	[5]		1992	8.0	$ 1,245,503		$ 653,889	$ 1,899,392	100%	100%	0%	$ 1,899,392	$ 1,899,392	$ -
Eastside 698.75 Replace Pump 1 & 2, Install Pump 4	[3]		1999	9.9	$ 357,909	$ 39,000	$ 208,377	$ 605,286	100%	100%	0%	$ 605,286	$ 605,286	$ -
Eastside 698.75 Install Pump 6	[1]		2004	7.5	$ 130,000	$ 143,080	$ 143,367	$ 416,447	100%	100%	0%	$ 416,447.0	$ 416,447.0	$ -
Eastside 780 Pump Station	[3]		2007	8.7	$ 1,629,000	$ 226,522	$ 974,149	$ 2,829,671	42%	96%	54%	$ 1,188,462	$ 2,716,484	$ 1,528,022
		Existing Pump Station Subtotal:			**$ 4,726,112**	**$ 408,602**	**$ 2,695,725**	**$ 7,830,439**				**$ 5,122,616**	**$ 7,717,252**	**$ 2,594,636**
Proposed Pump Station Facilities														
Heath St. Electrical Improvements & Emergency Generators to Increase Pump Capacity	[1]	**	2021	+7	$ 2,481,818	$ 248,182	$ 1,433,250	$ 4,163,250	0%	100%	100%	$ -	$ 4,163,250	$ 4,163,250
Proposed SH 276 Land Acquisition (10-Acres)	[1]		2025		$ 550,340	$ 40,000	$ 309,929	$ 900,269	0%	100%	100%	$ -	$ 900,269	$ 900,269
Eastside 780 Install Pump 4	[1]	**	2029	+2.9	$ 1,707,295	$ 170,730	$ 985,963	$ 2,863,988	0%	96%	96%	$ -	$ 2,749,428	$ 2,749,428
		Proposed Pump Station Subtotal:			**$ 4,739,454**	**$ 458,911**	**$ 2,729,142**	**$ 7,927,507**				**$ -**	**$ 7,812,947**	**$ 7,812,947**
Pump Station Grand Total					**$ 9,465,566**	**$ 867,513**	**$ 5,424,867**	**$ 15,757,946**				**$ 5,122,616**	**$ 15,530,199**	**$ 10,407,583**

* Includes Property Acquisition
** 10% of Construction Assumed for Engineering and Testing
(1) Estimated Cost in 2019 Dollars
[4] Number of Pumps

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TABLE NO. 10
Ground Storage Reservoirs

Pump Station		Year Const.	Capacity (MG)	Capital Cost ($) Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2019	2029	In the CRF Period	Capacity Utilized ($) 2019	2029	In the CRF Period
EXISTING GROUND STORAGE RESERVOIRS													
Eastside No. 2	1	2006	4.0	$ 2,420,695	$ 67,524	$ 1,306,315	$ 3,794,534	67.0%	78.0%	11.0%	$ 2,542,338	$ 2,959,737	$ 417,399
Heath St. No. 1	1	1986	3.0	$ 825,810		$ 433,550	$ 1,259,360	77.0%	100.0%	23.0%	$ 969,707	$ 1,259,360	$ 289,653
Existing Ground Storage Subtotal			**7.00**	**$ 3,246,505**	**$ 67,524**	**$ 1,739,865**	**$ 5,053,894**				**$ 3,512,045**	**$ 4,219,097**	**$ 707,052**
PROPOSED GROUND STORAGE RESERVOIRS													
Eastside No. 3 (Tank Buried)	2*	2024	2.0	$ 2,596,000	$ 259,600	$ 1,499,190	$ 4,354,790	0.0%	78%	78.3%	$ -	$ 3,411,252	$ 3,411,252
Proposed Ground Storage Subtotal			**2.00**	**$ 2,596,000**	**$ 259,600**	**$ 1,499,190**	**$ 4,354,790**				**$ -**	**$ 3,411,252**	**$ 3,411,252**
Ground Storage Grand Total			**9.00**	**$ 5,842,505**	**$ 327,124**	**$ 3,239,055**	**$ 9,408,684**				**$ 3,512,045**	**$ 7,630,349**	**$ 4,118,304**

258

* 10% of Construction Assumed for Engineering and Testing

(1) Actual Cost

(2) Estimated Cost in 2019 Dollars

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TABLE NO. 11
Elevated Storage Tanks

Elevated Storage	Pressure Divide	Year Const.	Storage Capacity (MGD)	Capital Cost ($)				Capacity Utilized (%)			Capacity Utilized ($)		
				Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	2019	2029	In the CRF Period	2019	2029	In the CRF Period
EXISTING ELEVATED STORAGE TANKS													
Southside 2	698.75	1992	1.0	$ 1,363,700	$ -	$ 715,943	$ 2,079,643	100.0%	100.0%	0.0%	$ 2,079,643	$ 2,079,643	$ -
Springer 1	698.75	2004	2.0	$ 2,158,000	$ 215,800	$ 1,246,245	$ 3,620,045	16.0%	51.0%	35.0%	$ 579,207	$ 1,846,223	$ 1,267,016
Country Ln. 1	780	2008	2.0	$ 3,863,300	$ 105,000	$ 2,083,358	$ 6,051,658	30.0%	100.0%	70.0%	$ 1,815,497	$ 6,051,658	$ 4,236,161
Existing Elevated Storage Subtotal			**5.0**	**$ 7,385,000**	**$ 320,800**	**$ 4,045,546**	**$ 11,751,346**				**$ 4,474,348**	**$ 9,977,524**	**$ 5,503,176**
PROPOSED ELEVATED STORAGE TANKS													
Mims 2*	698.75	2022	2.0	$ 3,110,068	$ 311,007	$ 1,796,064	$ 5,217,139	0.0%	82.0%	82.0%	$ -	$ 4,278,054	$ 4,278,054
Existing Elevated Storage Subtotal			**2.0**	**$ 3,110,068**	**$ 311,007**	**$ 1,796,064**	**$ 5,217,139**				**$ -**	**$ 4,278,054**	**$ 4,278,054**
Elevated Storage Grand Total			**5.0**	**$ 10,495,068**	**$ 631,807**	**$ 5,841,610**	**$ 16,968,485**				**$ 4,474,348**	**$ 14,255,578**	**$ 9,781,230**

* 10% of Construction Assumed for Engineering and Testing
(1) Actual Cost
(2) Estimated Cost in 2019 Dollars

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TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
											2019	2029	During Fee Period	2019	2029	During Fee Period
FM 552 WATER LINE (SH 205 TO MIDDLE SCHOOL)																
2	P1138	698.75	652	16		$82.70	$53,918		$28,307	$82,225	100%	100%	0%	$82,225	$82,225	$0
2	P1139	698.75	371	16		$82.70	$30,680		$16,107	$46,787	100%	100%	0%	$46,787	$46,787	$0
2	P1140	698.75	1,125	16		$82.70	$93,034		$48,843	$141,877	100%	100%	0%	$141,877	$141,877	$0
2	P1141	698.75	1,803	16		$82.70	$149,102		$78,278	$227,380	100%	100%	0%	$227,380	$227,380	$0
	Subtotal:		**3,951**		**2007**		**$326,734**	**5%**	**$171,535**	**$498,269**				**$498,269**	**$498,269**	**$0**
FM 552 WATER LINE (MIDDLE SCHOOL TO FM 1141)																
1	P1142	698.75	1,823	16		$3.98	$7,257		$3,810	$11,067	100%	100%	0%	$11,067	$11,067	$0
1	P1143	698.75	358	16		$3.98	$1,425		$748	$2,173	100%	100%	0%	$2,173	$2,173	$0
1	P1144	698.75	968	16		$3.98	$3,854		$2,023	$5,877	100%	100%	0%	$5,877	$5,877	$0
1	P1145	698.75	1,197	16		$3.98	$4,765		$2,502	$7,267	100%	100%	0%	$7,267	$7,267	$0
1	P1811	698.75	1,492	16		$3.98	$5,940		$3,119	$9,059	100%	100%	0%	$9,059	$9,059	$0
1	P1812	698.75	266	16		$3.98	$1,059		$556	$1,615	100%	100%	0%	$1,615	$1,615	$0
	Subtotal:		**6,104**		**2006**		**$24,300**	**5%**	**$12,758**	**$37,058**				**$37,058**	**$37,058**	**$0**
FM 1141 WATER LINE (FM 552 TO COUNTRY LANE)																
1	P1149	698.75	432	16		$19.92	$8,605		$4,518	$13,123	100%	100%	0%	$13,123	$13,123	$0
1	P1150	698.75	1,285	16		$19.92	$25,595		$13,437	$39,032	100%	100%	0%	$39,032	$39,032	$0
	Subtotal:		**1,717**		**2006**		**$34,200**	**5%**	**$17,955**	**$52,155**				**$52,155**	**$52,155**	**$0**
FM 1141 WATER LINE (COUNTRY LANE TO CLEM ROAD)																
2	P1155	698.75	1,674	16		$125.19	$209,566		$110,022	$319,588	100%	100%	0%	$319,588	$319,588	$0
2	P1156	698.75	724	16		$125.19	$90,637		$47,584	$138,221	23%	45%	22%	$31,791	$62,199	$30,409
2	P1157	698.75	1,063	16		$125.19	$133,076		$69,865	$202,941	22%	45%	23%	$44,647	$91,323	$46,676
	Subtotal:		**3,461**		**2008**		**$433,279**	**5%**	**$227,471**	**$660,750**				**$396,026**	**$473,110**	**$77,085**

DRAFT ORDINANCE 1.04.2019

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
COUNTRY LANE WATER LINE (FM 1141 TO COUNTRY LANE ELEVATED STORAGE TANK)															
2 P1151	698.75	1,158	20		$109.56	$126,874		$66,609	$193,483	100%	100%	0%	$193,483	$193,483	$0
2 P1810	698.75	611	24		$109.56	$66,943		$35,145	$102,088	100%	100%	0%	$102,088	$102,088	$0
Subtotal:		**1,769**		**2008**		**$193,817**	**5%**	**$101,754**	**$295,571**				**$295,571**	**$295,571**	**$0**
700 SERVICE AREA WATER LINE IMPROVEMENTS															
16" Country Ln. from Country Ln. EST to FM 549; 16" FM 549 from Country Ln. to Clem Road; 12" Clem Rd. from FM549 to FM 1141; 16" & 12" FM 1441 from Clem Rd. to SH 205 Bypass)															
2 P1152	698.75	2,128	16		$61.16	$130,142		$68,325	$198,467	100%	100%	0%	$198,467	$198,467	$0
2 P1153	698.75	2,026	16		$61.16	$123,904		$65,050	$188,954	100%	100%	0%	$188,954	$188,954	$0
2 P1154	698.75	3,019	12		$61.16	$184,633		$96,932	$281,565	84%	89%	5%	$236,515	$250,593	$14,078
2 P1158	698.75	2,686	16		$61.16	$164,268		$86,241	$250,509	41%	58%	17%	$102,709	$145,295	$42,587
2 P1249	698.75	1,965	12		$61.16	$120,174		$63,091	$183,265	94%	100%	6%	$172,269	$183,265	$10,996
2 P1814	698.75	242	12		$61.16	$14,800		$7,770	$22,570	100%	100%	0%	$22,570	$22,570	$0
2 P1822	698.75	221	16		$61.16	$13,516		$7,096	$20,612	100%	100%	0%	$20,612	$20,612	$0
2 P1823	698.75	1,509	16		$61.16	$92,286		$48,450	$140,736	54%	83%	29%	$75,997	$116,811	$40,813
2 P3099	780	1,486	12		$61.16	$90,879		$47,711	$138,590	100%	100%	0%	$138,590	$138,590	$0
2 P3100	780	1,382	16		$61.16	$84,519		$44,372	$128,891	100%	100%	0%	$128,891	$128,891	$0
Subtotal:		**16,664**		**2008**		**$1,019,122**	**5%**	**$535,038**	**$1,554,159**				**$1,285,574**	**$1,394,048**	**$108,474**
HAYS ROAD WATER LINE (FM 552 TO QUAIL RUN ROAD)															
2 P1162	698.75	894	20		$210.52	$188,201		$98,806	$287,007	40%	45%	5%	$114,803	$129,153	$14,350
2 P1163	698.75	1,505	20		$210.52	$316,826		$166,334	$483,160	63%	65%	2%	$304,391	$314,054	$9,663
2 P1819	698.75	684	20		$210.52	$143,993		$75,596	$219,589	36%	39%	3%	$79,052	$85,640	$6,588
2 P1833	698.75	816	20		$210.52	$171,781		$90,185	$261,966	57%	63%	6%	$149,321	$165,039	$15,718
Subtotal:		**3,899**		**2002**		**$820,800**	**5%**	**$430,921**	**$1,251,722**				**$647,567**	**$693,886**	**$46,319**
QUAIL RUN ROAD WATER LINE I (SH 205 (GOLIAD) TO HAYS ROAD)															
1 P1164	698.75	482	20		$15.88	$7,654		$4,018	$11,672	81%	85%	4%	$9,454	$9,921	$467
1 P1165	698.75	419	16		$15.88	$6,654		$3,493	$10,147	80%	85%	5%	$8,118	$8,625	$507
1 P1166	698.75	1,211	16		$15.88	$19,231		$10,096	$29,327	77%	84%	7%	$22,582	$24,635	$2,053
1 P1167	698.75	1,005	16		$15.88	$15,960		$8,379	$24,339	77%	84%	7%	$18,741	$20,445	$1,704
Subtotal:		**3,117**		**2002**		**$49,500**	**5%**	**$25,986**	**$75,485**				**$58,895**	**$63,626**	**$4,731**
QUAIL RUN ROAD WATER LINE II (HAYS ROAD TO SH 205 BYPASS)															
2 P1161	698.75	1,541	12		$85.74	$132,122		$69,364	$201,486	100%	100%	0%	$201,486	$201,486	$0
2 P1815	698.75	1,394	12		$85.74	$119,518		$62,747	$182,265	100%	100%	0%	$182,265	$182,265	$0
Subtotal:		**2,935**		**2008**		**$251,640**	**5%**	**$132,111**	**$383,751**				**$383,751**	**$383,751**	**$0**

DRAFT ORDINANCE 04.10.19

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
QUAIL RUN ROAD WATER LINE III (SH 205 BYPASS TO FM 1141)																
2	P1159	698.75	1,888	12		$92.26	$174,185		$91,447	$265,632	100%	100%	0%	$265,632	$265,632	$0
2	P1160	698.75	1,582	12		$92.26	$145,954		$76,626	$222,580	50%	61%	11%	$111,290	$135,774	$24,484
2	P1820	698.75	985	16		$92.26	$90,875		$47,709	$138,584	100%	100%	0%	$138,584	$138,584	$0
	Subtotal:		**4,455**		**2008**		**$411,014**	**5%**	**$215,782**	**$626,796**				**$515,506**	**$539,990**	**$24,484**
SH 205 WATER LINE (DARRIN DRIVE TO QUAIL RUN ROAD)																
2	P1228	698.75	449	24		$132.11	$59,316		$31,141	$90,457	73%	85%	12%	$66,034	$76,888	$10,855
2	P1229	698.75	1,865	24		$132.11	$246,380		$129,349	$375,729	73%	85%	12%	$274,282	$319,370	$45,087
2	P1230	698.75	1,613	24		$132.11	$213,089		$111,872	$324,961	72%	90%	18%	$233,972	$292,465	$58,493
	Subtotal:		**3,927**		**2003**		**$518,785**	**5%**	**$272,362**	**$791,147**				**$574,288**	**$688,723**	**$114,435**
IH 30 EASTBOUND SERVICE ROAD WATER LINE (WEST OF SH 205 BYPASS TO FM 549)																
2	P1771	698.75	609	16		$153.22	$93,313		$48,989	$142,302	100%	100%	0%	$142,302	$142,302	$0
2	P1806	698.75	136	16		$153.22	$20,838		$10,940	$31,778	100%	100%	0%	$31,778	$31,778	$0
2	P3000	780	1,404	16		$153.22	$215,125		$112,941	$328,066	58%	100%	42%	$190,278	$328,066	$137,788
2	P3001	780	2,768	16		$153.22	$424,120		$222,663	$646,783	48%	100%	52%	$310,456	$646,783	$336,327
2	P3002	780	808	16		$153.22	$123,804		$64,997	$188,801	36%	59%	23%	$67,968	$111,393	$43,424
	Subtotal:		**5,725**		**2004**		**$877,200**	**5%**	**$460,530**	**$1,337,730**				**$742,782**	**$1,260,322**	**$517,539**
IH 30 WESTBOUND SERVICE ROAD WATER LINE (FM 549 TO ENTERPRISE)																
2	P1532	698.75	685	16		$115.23	$78,934		$41,440	$120,374	95%	100%	5%	$114,355	$120,374	$6,019
2	P1533	698.75	2,506	16		$115.23	$288,773		$151,606	$440,379	100%	100%	0%	$440,379	$440,379	$0
2	P1827	698.75	187	16		$115.23	$21,548		$11,313	$32,861	100%	100%	0%	$32,861	$32,861	$0
2	P3101	780	648	16		$115.23	$74,671		$39,202	$113,873	100%	100%	0%	$113,873	$113,873	$0
2	P3102	780	1,285	16		$115.23	$148,074		$77,739	$225,813	100%	100%	0%	$225,813	$225,813	$0
	Subtotal:		**5,311**		**2004**		**$612,000**	**5%**	**$321,300**	**$933,300**				**$927,281**	**$933,300**	**$6,019**
TOWNSEND DRIVE WATER LINE (EASTSIDE PS TO SH 276)																
2	P3091	780	2,646	20		$181.55	$480,393		$252,206	$732,599	43%	74%	31%	$315,018	$542,123	$227,106
	Subtotal:		**2,646**		**2007**		**$480,393**	**5%**	**$252,206**	**$732,599**				**$315,018**	**$542,123**	**$227,106**

DRAFT
10.04.2019

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
											2019	2029	During Fee Period	2019	2029	During Fee Period
SPRINGER ROAD WATER LINE (FM 549 TO SPRINGER ELEVATED STORAGE TANK)																
2	P3020	780	2,669	16		$76.53	$204,256		$107,234	$311,490	72%	76%	4%	$224,273	$236,732	$12,460
Subtotal:			**2,669**		**2004**		**$204,256**	**5%**	**$107,234**	**$311,490**				**$224,273**	**$236,732**	**$12,460**
SPRINGER ELEVATED STORAGE TANK WATER LINE (SPRINGER ROAD TO SH 276)																
2	P3071	780	225	24		$147.72	$33,238		$17,450	$50,688	32%	38%	6%	$16,220	$19,261	$3,041
2	P3072	780	861	24		$147.72	$127,189		$66,774	$193,963	57%	67%	10%	$110,559	$129,955	$19,396
Subtotal:			**1,086**		**2004**		**$160,427**	**5%**	**$84,224**	**$244,651**				**$126,779**	**$149,216**	**$22,437**
MIMS ROAD WATER LINE (SIDS ROAD TO SH 205)																
2	P1739	698.75	2,233	16		$100.71	$224,876		$118,060	$342,936	100%	100%	0%	$342,936	$342,936	$0
2	P1828	698.75	1,340	12		$100.71	$134,946		$70,847	$205,793	77%	100%	23%	$158,461	$205,793	$47,332
Subtotal:			**3,573**		**2008**		**$359,822**	**5%**	**$188,907**	**$548,729**				**$501,397**	**$548,729**	**$47,332**
FM 549 WATER LINE I (FONTANNA RANCH ADDITION TO OAKS OF BUFFALO WAY ADDITION)																
2	P3061	780	2,835	12		$90.67	$257,043		$134,948	$391,991	18%	59%	41%	$70,558	$231,275	$160,716
2	P3062	780	1,124	12		$90.67	$101,911		$53,503	$155,414	100%	100%	0%	$155,414	$155,414	$0
2	P3063	780	1,435	12		$90.67	$130,108		$68,307	$198,415	47%	50%	3%	$93,255	$99,208	$5,952
2	P3106	780	806	12		$90.67	$73,078		$38,366	$111,444	49%	61%	12%	$54,608	$67,981	$13,373
3	P3110	780	594	12		$90.67	$53,857		$28,275	$82,132	31%	48%	17%	$25,461	$39,423	$13,962
4	P3111	780	821	12		$90.67	$74,438		$39,080	$113,518	100%	100%	0%	$113,518	$113,518	$0
Subtotal:			**7,615**		**2008**		**$690,436**	**5%**	**$362,479**	**$1,052,914**				**$512,814**	**$706,819**	**$194,003**

DRAFT ORDINANCE 1.042019

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize
2 - City Initiated and Funded

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
FM 549 WATER LINE II (STANDING OAK LANE TO JEFF BOYD DRIVE)															
2 P1821	698.75	475	12		$32.08	$15,238		$8,000	$23,238	13%	30%	17%	$3,021	$6,971	$3,950
2 P3067	780	1,260	12		$32.08	$40,422		$21,221	$61,643	10%	38%	28%	$6,164	$23,424	$17,260
2 P3068	780	2,252	12		$32.08	$72,246		$37,929	$110,175	14%	20%	6%	$15,425	$22,035	$6,611
Subtotal:		**3,987**		**2008**		**$127,907**	**5%**	**$67,150**	**$195,056**				**$24,610**	**$52,430**	**$27,821**
FM 3097 WATER LINE (BUFFALO CREEK WWTPP TO WALLACE LANE)															
2 P1663	698.75	2,324	12		$95.50	$221,938		$116,517	$338,455	22%	70%	48%	$74,460	$236,919	$162,458
2 P1664	698.75	2,335	12		$95.50	$222,988		$117,069	$340,057	5%	78%	73%	$17,003	$265,244	$248,242
2 P1829	698.75	1,457	12		$95.50	$139,141		$73,049	$212,190	0%	72%	72%	$0	$152,777	$152,777
Subtotal:		**6,116**		**2008**		**$584,067**	**5%**	**$306,635**	**$890,702**				**$91,463**	**$654,940**	**$563,477**
COUNTY LINE ROAD WATER LINE I (FM 3097 TO RANCH TRAIL)															
2 P1734	698.75	2,324	12		$95.79	$222,625		$116,878	$339,503	37%	81%	44%	$125,616	$274,997	$149,381
Subtotal:		**2,324**		**2008**		**$222,625**	**5%**	**$116,878**	**$339,503**				**$125,616**	**$274,997**	**$149,381**
JOHN KING / BREEZY HILL WATER LINE (FM 552 TO BREEZY HILL)															
1 P1868	698.75	2,632	16		$18.04	$47,493		$24,934	$72,427	21%	77%	56%	$15,210	$55,769	$40,559
1 P1869	698.75	2,662	16		$18.04	$48,035		$25,218	$73,253	16%	67%	51%	$11,720	$49,080	$37,359
Subtotal:		**5,294**		**2014**		**$95,528**	**5%**	**$50,152**	**$145,680**				**$26,930**	**$104,849**	**$77,918**
BOYDSTUN STREET WATER LINE (FROM GOLIAD STREET TO CLARK STREET)															
2 P1376	698.75	171	12		$225.86	$38,622		$20,277	$58,899	84%	100%	16%	$49,475	$58,899	$9,424
2 P1377	698.75	403	12		$225.86	$91,020		$47,786	$138,806	85%	100%	15%	$117,985	$138,806	$20,821
2 P1378	698.75	1,194	12		$225.86	$269,673		$141,579	$411,252	96%	100%	4%	$394,802	$411,252	$16,450
Subtotal:		**1,768**		**2018**		**$399,315**	**5%**	**$209,642**	**$608,957**				**$562,262**	**$608,957**	**$46,695**
COUNTY LINE ROAD WATER LINE II (FROM LYNNE DRIVE TO RENEE DRIVE)															
2 P2098	698.75	1,782	12		$240.78	$429,069		$225,261	$654,330	2%	93%	91%	$13,087	$608,527	$595,440
Subtotal:		**1,782**		**2019**		**$429,069**	**5%**	**$225,261**	**$654,330**				**$13,087**	**$608,527**	**$595,440**
EXISTING TOTAL:		**101,895**				**$9,326,237**		**$4,896,271**	**$14,222,504**				**$8,938,972**	**$11,802,128**	**$2,863,156**

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PRELIMINARY
10.01.2019

TABLE NO. 13
Proposed Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

**Average Unit Costs are Based in 2019 Dollars Unless Otherwise Indicated and Includes 20% for Engineering and Easements.*

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
1 - MIMS ROAD / COUNTY LINE ROAD LOOPING WATER LINES															
Pipes P2096 & P2097 Along Future Thouroghfare and Renee Drive from Mims Road South to County Line Road; Pipe 2118 Along Mims Road to Goliad Street															
2 P2096 *	698.75	2,162	20		$228.00	$492,936		$258,792	$751,728	0%	97%	97%	$0	$729,176	$729,176
2 P2097 *	698.75	2,459	20		$228.00	$560,652		$294,342	$854,994	0%	95%	95%	$0	$812,244	$812,244
2 P2118 *	698.75	1,530	20		$228.00	$348,840		$183,141	$531,981	0%	71%	71%	$0	$377,707	$377,707
Subtotal:		**6,151**		**2022**		**$1,402,428**	**5%**	**$736,275**	**$2,138,703**				**$0**	**$1,919,127**	**$1,919,127**
2 - I.H.-30 - FM 3549/CORPORATE CROSSING															
Creating 780 Service Area North of IH-30 (*16" Diameter Cost Based on Bore Across IH-30 & FM549*)															
2 P4039 *	780	575	12		$120.00	$69,000		$36,225	$105,225	0%	28%	28%	$0	$29,463	$29,463
2 P4124 *	780	712	16		$650.00	$462,800		$242,970	$705,770	0%	33%	33%	$0	$232,904	$232,904
		1,287		**2023**		**$531,800**	**5%**	**$279,195**	**$810,995**				**$0**	**$262,367**	**$262,367**
3 - JOHN KING BLVD 780 WATER LINES NORTH															
Pipe P4123 is a Bore Across IH-30															
2 P4123 *	780	423	16		$650.00	$274,950		$144,349	$419,299	0%	21%	21%	$0	$88,053	$88,053
		423		**2023**		**$274,950**	**5%**	**$144,349**	**$419,299**				**$0**	**$88,053**	**$88,053**
4 - S.H. 66 - F.M. 3549 780 SA LOOP															
From the Termination of the Existing S.H. 66 12" Water Line East to F.M. 549, South Along F.M. 549 from S.H. 66 to Eastridge Church of Christ 16" Existing Water Line															
2 P4007 *	780	3,439	12		$120.00	$412,680		$216,657	$629,337	0%	38%	38%	$0	$239,148	$239,148
2 P4008 *	780	2,174	12		$120.00	$260,880		$136,962	$397,842	0%	11%	11%	$0	$43,763	$43,763
2 P4009 *	780	781	12		$120.00	$93,720		$49,203	$142,923	0%	12%	12%	$0	$17,151	$17,151
Subtotal:		**6,394**		**2023**		**$767,280**	**5%**	**$402,822**	**$1,170,102**				**$0**	**$300,062**	**$300,062**
5 - S.H. 205 WATER LINES															
Pipe P2117 southwest from Graystone Drive to S.H. 205. Pipe P2136 southeast along S.H. 205.															
1 P2117 *	698.75	846	16		$60.00	$50,760		$26,649	$77,409	0%	100%	100%	$0	$77,409	$77,409
1 P2136 *	698.75	1,650	16		$60.00	$99,000		$51,975	$150,975	0%	100%	100%	$0	$150,975	$150,975
Subtotal:		**2,496**		**2025**		**$149,760**	**5%**	**$78,624**	**$228,384**				**$0**	**$228,384**	**$228,384**

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ORDINANCE
1.04.2019

TABLE NO. 13
Proposed Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

**Average Unit Costs are Based in 2019 Dollars Unless Otherwise Indicated and Includes 20% for Engineering and Easements.*

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
6 - SPRINGER LN. 16" WATER LINE															
From Springer Elevated Storage Tank East to Rochelle Road															
1 P4043 *	780	2,714	16		$60.00	$162,840		$85,491	$248,331	0%	51%	51%	$0	$126,649	$126,649
Subtotal:		**2,714**		**2029**		**$162,840**	**5%**	**$85,491**	**$248,331**				**$0**	**$126,649**	**$126,649**
7 - S.H. 276 PUMP STATION TRANSMISSION MAIN WEST															
From Proposed S.H. 276 Pump Station West Along S.H. 276 to Proposed Subdivision															
1 P4071 *	780	1,906	16		$60.00	$114,360		$60,039	$174,399	0%	28%	28%	$0	$48,832	$48,832
1 P4072 *	780	1,906	16		$60.00	$114,360		$60,039	$174,399	0%	14%	14%	$0	$24,416	$24,416
1 P4073 *	780	693	16		$60.00	$41,580		$21,830	$63,410	0%	12%	12%	$0	$7,609	$7,609
Subtotal:		**4,505**		**2029**		**$270,300**	**5%**	**$141,908**	**$412,208**				**$0**	**$80,857**	**$80,857**
PROPOSED TOTAL:		**23,970**				**$3,559,358**		**$1,868,664**	**$5,428,022**				**$0**	**$3,005,499**	**$3,005,499**

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TABLE NO. 14
CCN Acquisition

Elevated Storage		Year Acquired	Area (Ac.)	Capital Cost ($) Purchase Price				Capacity Utilized (%) 2019	2029	In the CRF Period	Capacity Utilized ($) 2019	2029	In the CRF Period
CCN Acquisition													
Aquasourse		2013	284.0	$ 3,402,318			$ 3,402,318	100.0%	100.0%	0.0%	$ 3,402,318	$ 3,402,318	$ -
RCH W.S.C.		2007-2009	803.0	$ 332,847			$ 332,847	29.0%	30.0%	1.0%	$ 96,526	$ 99,854	$ 3,328
Mt. Zion W.S.C.		2011	468.0	$ 325,725			$ 325,725	15.0%	64.0%	49.0%	$ 48,859	$ 208,464	$ 159,605
Blaclland W.S.C.		2005-2012	1,251.0	$ 987,152			$ 987,152	8.0%	58.0%	50.0%	$ 78,972	$ 572,548	$ 493,576
Total			**2,806.0**	**$ 5,048,042**	**$ -**	**$ -**	**$ 5,048,042**				**$ 3,626,675**	**$ 4,283,184**	**$ 656,510**

DRAFT ORDINANCE 1.04.2019

E. WASTEWATER COLLECTION SYSTEM

Computer models for the years 2019, 2029 and Buildout were prepared by Birkhoff, Hendricks & Carter L.L.P. The models were developed and peak flows calculated from the residential population and non-residential land use projections prepared by the City of Rockwall's Planning Department. Computer models were run to determine peak wet weather flow to insure proper sizing of the collection system.

1. Collection Lines

The natural creeks, whose basins will collect wastewater through the installed system of collection lines that flow into the geographic treatment area serviced by the NTMWD.

The wastewater collection system analysis covered all of the drainage basins within the Service Area planning boundary. Each collection system was analyzed for line sizes 12-inches in diameter and larger. Eliminating line sizes smaller than 12-inches in diameter from the study leaves only the interceptor and trunk lines included in the study. The wastewater project costs include necessary appurtenances (manholes, lift stations, aerial crossings and the like), purchase of easements, utility relocation, pavement removal and replacement, and engineering costs. For existing Impact Fee projects, actual costs were utilized where known. Future project cost estimates were based on 2019 average unit cost per linear foot and includes engineering, easements, and construction cost.

All eligible wastewater collection line projects in the Service Area planning boundary were included in the impact fee analysis. Eligible existing and proposed wastewater facilities are shown on **Exhibit 2** and have capacity for future growth.

2. Treatment

The North Texas Municipal Water District (NTMWD) provides the City of Rockwall with the entirety of wastewater treatment. NTMWD owns and operates the Squabble Creek and Buffalo Creek Wastewater Treatment Plants (WWTP). Excess flows above the permit levels of the Squabble Creek and Buffalo Creek WWTP's are conveyed to the NTMWD Buffalo Creek Regional system. Rockwall pays NTMWD for the cost of this service according to the City's percentage of wastewater flow contributions in any given year.

DRAFT ORDINANCE 04-19

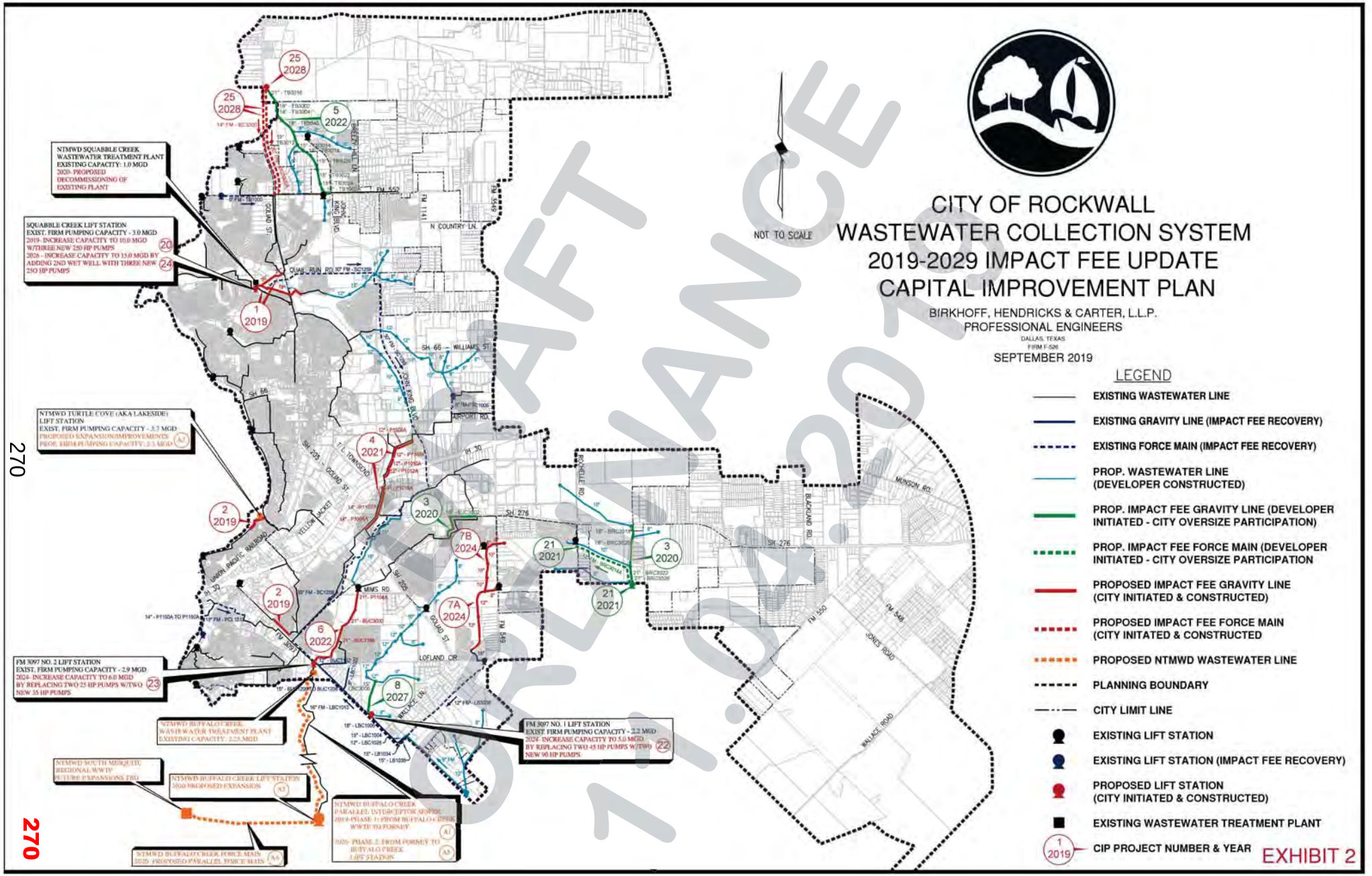
This Impact Fee study includes the cost of NTMWD regional collection and transportation, and facilities located within the City's Service Area planning boundary that were paid for by NTMWD. Existing treatment plant and future treatment plant expansion costs of NTMWD were included in this Impact Fee analysis.

3. Wastewater System Capital Improvement Projects for Impact Fees

The 10-year Wastewater System Capital Improvement Plan for Impact Fees was developed by Birkhoff, Hendricks & Carter L.L.P. **Exhibit 2** shows the recommended system improvements and **Table No. 15** itemizes each project and the project cost. These recommended improvements form the basis for the Wastewater System Impact Fee Calculation.

The capital improvement plan for impact fees provides for system improvements within the defined Service Area Planning Boundary.

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NTMWD SQUABBLE CREEK WASTEWATER TREATMENT PLANT
EXISTING CAPACITY: 1.0 MGD
2020- PROPOSED DECOMMISSIONING OF EXISTING PLANT
SQUABBLE CREEK LIFT STATION
EXIST. FIRM PUMPING CAPACITY - 3.0 MGD
2019- INCREASE CAPACITY TO 10.0 MGD W/THREE NEW 250 HP PUMPS
2026 - INCREASE CAPACITY TO 15.0 MGD BY ADDING 2ND WET WELL WITH THREE NEW 250 HP PUMPS
NTMWD TURTLE COVE (AKA LAKESIDE) LIFT STATION
EXIST. FIRM PUMPING CAPACITY - 3.7 MGD
PROPOSED EXPANSION/IMPROVEMENTS
PROP. FIRM PUMPING CAPACITY: 2.3 MGD
FM 3097 NO. 2 LIFT STATION
EXIST. FIRM PUMPING CAPACITY - 2.9 MGD
2024- INCREASE CAPACITY TO 6.0 MGD BY REPLACING TWO 25 HP PUMPS W/TWO NEW 35 HP PUMPS
NTMWD BUFFALO CREEK WASTEWATER TREATMENT PLANT EXISTING CAPACITY: 3.25 MGD
NTMWD SOUTH MESQUITE REGIONAL WWTP FUTURE EXPANSIONS TBD
NTMWD BUFFALO CREEK LIFT STATION 2030 PROPOSED EXPANSION
NTMWD BUFFALO CREEK FORCE MAIN 2025- PROPOSED PARALLEL FORCE MAIN
NTMWD BUFFALO CREEK PARALLEL INTERCEPTOR SEWER 2019- PHASE 1: FROM BUFFALO CREEK WWTP TO FORNEY
2026- PHASE 2: FROM FORNEY TO BUFFALO CREEK LIFT STATION
FM 3097 NO. 1 LIFT STATION
EXIST. FIRM PUMPING CAPACITY - 2.3 MGD
2024- INCREASE CAPACITY TO 5.0 MGD BY REPLACING TWO 45 HP PUMPS W/TWO NEW 90 HP PUMPS
NOT TO SCALE
CITY OF ROCKWALL
WASTEWATER COLLECTION SYSTEM
2019-2029 IMPACT FEE UPDATE
CAPITAL IMPROVEMENT PLAN
BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS
FIRM F-526
SEPTEMBER 2019
LEGEND
EXISTING WASTEWATER LINE
EXISTING GRAVITY LINE (IMPACT FEE RECOVERY)
EXISTING FORCE MAIN (IMPACT FEE RECOVERY)
PROP. WASTEWATER LINE (DEVELOPER CONSTRUCTED)
PROP. IMPACT FEE GRAVITY LINE (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION)
PROP. IMPACT FEE FORCE MAIN (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION
PROPOSED IMPACT FEE GRAVITY LINE (CITY INITIATED & CONSTRUCTED)
PROPOSED IMPACT FEE FORCE MAIN (CITY INITATED & CONSTRUCTED
PROPOSED NTMWD WASTEWATER LINE
PLANNING BOUNDARY
CITY LIMIT LINE
EXISTING LIFT STATION
EXISTING LIFT STATION (IMPACT FEE RECOVERY)
PROPOSED LIFT STATION (CITY INITIATED & CONSTRUCTED)
EXISTING WASTEWATER TREATMENT PLANT
CIP PROJECT NUMBER & YEAR
EXHIBIT 2
DRAFT
ORDINANCE
11-04-2019

270

Table No. 15

10-Year Wastewater System Capital Improvement Plan for Impact Fees

PROPOSED WASTEWATER LINES

CIP #	Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Size (Diameter)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
1	2019	2	Quail Run & Memorial Lift Station Bypass Trunk Sewer	18"-30"	$ 2,159,050	$ 1,133,500	$ 3,292,550
2	2019	2	Turtle Cove & Windmill Ridge Sewer Improvements	8"-12"	$ 800,000	$ 420,000	$ 1,220,000
3	2020	1	Proposed Brushy Creek Trunk Sewer & Timber Creek Lift Station Abandonment	18"-21"	$ 285,896	$ 150,095	$ 435,991
4	2021	2	Buffalo Creek Existing Gravity Sewer - 12" & 14" Pipe Burst	12"-14"	$ 1,281,901	$ 672,997	$ 1,954,898
5	2022	1	Proposed Thompson Branch Trunk Sewer	15"-21"	$ 339,296	$ 178,131	$ 517,427
6	2022	2	Proposed Lower Buffalo Creek East Trunk Sewer & Mims Rd. Lift Station Abandonment	21"	$ 1,734,075	$ 910,389	$ 2,644,464
7A	2024	2	Fontana Ranch Lift Station Abandonment & Gravity Relief Sewer	8"-12"	$ 985,844	$ 517,568	$ 1,503,412
7B	2024	2	Lofland Farms Lift Station Abandonment & Gravity Relief Sewer	8"-10"	$ 510,375	$ 267,947	$ 778,322
8	2027	1	Proposed Little Buffalo Creek Trunk Sewer	15"	$ 52,223	$ 27,417	$ 79,640
			Subtotal: Proposed Wastewater Lines		**$ 8,148,660**	**$ 4,278,044**	**$ 12,426,704**

PROPOSED WASTEWATER FACILITIES

CIP #	Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Capacity (MGD)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
20	2019	2	Squabble Creek Lift Station Improvements - Install Three 250-HP Pumps, Electrical Upgrades & Standby Pump System	10.0 MGD	$ 2,800,769	$ 1,470,404	$ 4,271,173
21	2021	1	Proposed Brushy Creek Lift Station & 12" Force Main	3.3 MGD	$ 1,610,000	$ 845,250	$ 2,455,250
22	2024	2	FM 3097 No. 1 Lift Station Improvements - Replace Two 45-HP Pumps w/Two 90-HP Pumps	5.0 MGD	$ 575,000	$ 301,875	$ 876,875
23	2024	2	FM 3097 No. 2 Lift Station Improvements - Replace Two 25-HP Pumps w/Two 35-HP Pumps	6.0 MGD	$ 862,500	$ 452,813	$ 1,315,313
24	2026	2	Squabble Creek Lift Station Improvements - Add 2nd Wet Well w/Three New 250-HP Pumps	15.0 MGD	$ 4,600,000	$ 2,415,000	$ 7,015,000
25	2028	2	Proposed Bluff Creek Lift Station & Parallel Force Mains (14" & 20")	2.4 MGD	$ 5,865,000	$ 3,079,125	$ 8,944,125
			Subtotal: Proposed Wastewater Facilities		**$ 16,313,269**	**$ 8,564,467**	**$ 24,877,736**
Total City of Rockwall Proposed Wastewater System Improvements					**$ 24,461,929**	**$ 12,842,511**	**$ 37,304,440**

(A) Opinion of Cost includes:

a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%

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ORDINANCE
11.04.20

Table No. 15 (Continued)

10-Year Wastewater System Capital Improvement Plan for Impact Fees

NTMWD REGIONAL SYSTEM

CIP #	Year	3=Funded by NTMWD, 100% City Responsibility 4=Part of NTMWD Buffalo Interceptor System, assumed 59% City Responsibility 5=Part of NTMWD Regional Systems, assumed 2.915% City Responsibility	NTMWD Wastewater Line & Facility Projects	Size/ Added Capacity	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
A1	2019	4	NTMWD Buffalo Creek Parallel Interceptor Sewer - Phase 1: From Buffalo Creek WWTP to Forney	TBD	$ 11,835,394	$ -	$ 11,835,394
A2	2020	3	NTMWD Turtle Cove (a.k.a. Lakeside) Lift Station Expansion/Replacement	+1.6 MGD	$ 4,600,000	$ -	$ 4,600,000
A3	2020	4	NTMWD Buffalo Creek Lift Station Expansion	TBD	$ 17,868,150	$ -	$ 17,868,150
A4	2020	4	NTMWD Buffalo Creek Parallel Force Main	TBD	$ 1,681,500	$ -	$ 1,681,500
A5	2026	4	NTMWD Buffalo Creek Parallel Interceptor - Phase 2: From Forney to Buffalo Creek Lift Station	TBD	$ 7,924,880	$ -	$ 7,924,880
A6	2019-2029	5	10-Year CIP for NTMWD Sewer System (Rockwall Responsibility Only)	N/A	$ 5,435,164	$ -	$ 5,435,164
A7	2019-2029	5	10-Year CIP for NTMWD Regional Wastewater System (Rockwall Responsibility Only)	N/A	$ 11,619,512	$ -	$ 11,619,512
			Total: NTMWD Wastewater System Improvements:		**$ 60,964,600**	**$ -**	**$ 60,964,600**

(A) Opinion of Cost includes:
a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

Notes: 1. City obligations estimated based on City of Rockwall's contracted proportion or historical usage of NTMWD Regional Systems.
2. 10-Year CIP for NTMWD Regional Systems based on project listings provided for "Summary of Sewer System CIP" and "Summary of Regional Wastewater System CIP", both dated May 11, 2018.

PLANNING EXPENSES

	Project Description	Engineering Services	Opinion of Project Cost (A)
2029	Wastewater Masterplan & Impact Fee Update	$ 59,850	$ 59,850
		Total: Planning Expenses:	**$ 59,850**
Grand Total, City of Rockwall & NTMWD Wastewater System Improvements:			**$ 98,328,890**

DRAFT ORDINANCE 11.04.19

4. Utilized Capacity

Utilized capacity for the wastewater collection system was calculated based on land use assumptions prepared by the City of Rockwall. The population and non-residential growth in each wastewater drainage basin was determined utilizing the City's growth projections. These growth rates were utilized to calculate 2019, 2029 and buildout peak design flows.

The percent-utilized capacity was calculated for the design flow of each study year based on the buildout capacity. The utilized capacity during the Impact Fee period is the difference between the year 2019 capacity and the year 2029 capacity. **Table No. 16** below summarizes the project cost and utilized cost over the impact fee period of 2019 – 2029. The utilized capacity for each eligible existing and proposed wastewater collection line is presented in detail in the Impact Fee Capacity Calculation **Table Nos. 17 and 18**. **Table No. 19** summarizes the utilized capacity of lift stations eligible for impact fee recovery. **Table 20** summarizes the utilized capacity of NTMWD facilities eligible for impact fee recovery. **Table 21** includes the summary of utilized capacity allocation between the City of Rockwall and NTMWD.

TABLE NO. 16

Summary of Eligible Wastewater System Project Cost and Utilized Capacity Cost

Wastewater System Facility	20-Year Project Cost	Utilized Capacity ($) in the CRP Period
Existing Wastewater Collection Line	$12,344,474	$3,863,647
Existing Wastewater Facilities	$6,402,514	$629,875
Proposed Wastewater Collection Line	$12,426,705	$9,608,437
Proposed Wastewater Facilities	$24,877,736	$18,193,334
NTMWD Facilities	$60,964,600	$9,627,128
Planning Expenses	$59,850	$59,850
Total:	**$117,075,879**	**$41,982,271**

DRAFT ORDINANCE 11.04.2019

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
SQUABBLE / CARUTH LAKE SEWER															
From the Squabble Creek Wastewater Treatment Plant to SH 205 to Caruth Lane															
2	SC1008	158	36		$74.89	$11,844		$6,218	$18,062	72%	89%	17%	$12,946	$15,994	$3,048
2	SC1112	663	36		$74.89	$49,676		$26,080	$75,756	72%	89%	17%	$54,307	$67,179	$12,872
2	SC1114	275	36		$74.89	$20,614		$10,822	$31,436	72%	89%	17%	$22,740	$27,999	$5,259
2	SC1116	125	36		$74.89	$9,382		$4,926	$14,308	72%	89%	17%	$10,346	$12,729	$2,383
2	SC1118	902	27		$74.89	$67,561		$35,469	$103,030	68%	87%	20%	$69,891	$90,065	$20,174
2	SC1120	293	24		$74.89	$21,927		$11,512	$33,439	68%	87%	20%	$22,683	$29,231	$6,548
2	SC1154	313	24		$74.89	$23,404		$12,287	$35,691	68%	87%	20%	$24,210	$31,198	$6,989
2	SC1290	1,345	36		$74.89	$100,702		$52,868	$153,570	72%	89%	17%	$110,598	$136,445	$25,847
2	SC1292	173	36		$74.89	$12,959		$6,803	$19,762	72%	89%	17%	$14,232	$17,558	$3,326
2	SC1294	389	36		$74.89	$29,123		$15,290	$44,413	72%	89%	17%	$31,917	$39,422	$7,505
2	SC1296	16	27		$74.89	$1,176		$617	$1,793	72%	89%	17%	$1,285	$1,590	$305
2	SC1298	170	27		$74.89	$12,761		$6,700	$19,461	72%	89%	17%	$13,945	$17,242	$3,297
2	SC1300	124	27		$74.89	$9,285		$4,875	$14,160	72%	89%	17%	$10,151	$12,556	$2,405
2	SC1302	464	24		$74.89	$34,759		$18,248	$53,007	68%	87%	20%	$35,958	$46,338	$10,380
2	SC1334	219	36		$74.89	$16,402		$8,611	$25,013	72%	89%	17%	$18,084	$22,281	$4,197
2	SC1336	541	36		$74.89	$40,481		$21,252	$61,733	72%	89%	17%	$44,626	$54,941	$10,315
	Subtotal:	**6,170**		**1997**		**$462,056**	**5%**	**$242,578**	**$704,634**				**$497,919**	**$622,768**	**$124,850**
DALTON ROAD FORCE MAIN															
Begins at the Intersection of Dalton Road and Beacon Hill Drive and Extends East to SH 205															
2	TB1000	155	8		$51.43	$7,959		$4,178	$12,137	100%	100%	0%	$12,137	$12,137	$0
2	TB1040	3,409	8		$51.43	$175,324		$92,046	$267,370	100%	100%	0%	$267,370	$267,370	$0
	Subtotal:	**3,564**		**2002**		**$183,283**	**5%**	**$96,224**	**$279,507**				**$279,507**	**$279,507**	**$0**

DRAFT ORDINANCE 1.04.2019

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
SH 205 GRAVITY SEWER															
	From Dalton Road / FM 522 to Quail Run Road														
2	SC1104	407	18		$78.32	$31,874		$16,734	$48,608	28%	42%	14%	$13,415	$20,355	$6,939
2	SC1106	347	18		$78.32	$27,185		$14,272	$41,457	26%	41%	15%	$10,978	$17,017	$6,039
2	SC1108	78	18		$78.32	$6,115		$3,210	$9,325	27%	41%	14%	$2,512	$3,828	$1,316
2	SC1316	233	18		$78.32	$18,218		$9,564	$27,782	27%	41%	14%	$7,425	$11,338	$3,912
2	SC1318	402	18		$78.32	$31,488		$16,531	$48,019	27%	42%	15%	$12,991	$20,070	$7,079
2	SC1320	778	18		$78.32	$60,918		$31,982	$92,900	26%	41%	15%	$24,601	$38,133	$13,532
2	SC1322	496	18		$78.32	$38,883		$20,414	$59,297	26%	40%	14%	$15,473	$23,794	$8,321
2	SC1324	281	18		$78.32	$22,037		$11,569	$33,606	26%	41%	15%	$8,798	$13,749	$4,951
2	SC1326	518	18		$78.32	$40,577		$21,303	$61,880	27%	41%	14%	$16,797	$25,442	$8,645
2	SC1328	277	18		$78.32	$21,720		$11,403	$33,123	29%	42%	13%	$9,680	$14,001	$4,322
2	SC1330	474	18		$78.32	$37,100		$19,477	$56,577	29%	42%	13%	$16,534	$23,916	$7,382
2	SC1332	329	18		$78.32	$25,754		$13,521	$39,275	29%	43%	14%	$11,543	$16,869	$5,326
2	TB1012	508	18		$78.32	$39,759		$20,873	$60,632	33%	43%	11%	$19,897	$26,375	$6,478
2	TB1028	174	18		$78.32	$13,593		$7,136	$20,729	32%	43%	11%	$6,629	$8,991	$2,362
	Subtotal:	**5,302**		**2003**		**$415,221**	**5%**	**$217,989**	**$633,210**				**$177,273**	**$263,878**	**$86,604**
SIGNAL RIDGE FORCE MAIN															
	From Signal Ridge Lift Station to Ridge Road														
2	BUC1210	4,662	10		$110.66	$515,915		$270,855	$786,770	93%	100%	7%	$730,029	$786,770	$56,741
	Subtotal:	**4,662**				**$515,915**	**5%**	**$270,855**	**$786,770**				**$730,029**	**$786,770**	**$56,741**
AMITY LANE FORCE MAIN															
	From Amity Lane Lift Station to Airport Road														
2	SC1002	1,193	6		$18.53	$22,103		$11,604	$33,707	35%	100%	65%	$11,848	$33,707	$21,859
	Subtotal:	**1,193**		**2007**		**$22,103**	**5%**	**$11,604**	**$33,707**				**$11,848**	**$33,707**	**$21,859**

DRAFT ORDINANCE 1.04.2019

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
FM 3097 SANITARY SEWER IMPROVEMENTS															
From FM 3097 LS No. 2 to FM549; 12" on County road from FM 3097 to Valerie Place; 8" on Ranch Trail from FM 3097 to 1,500-LF East															
2	BUC1040	441	15		$150.81	$66,506		$34,916	$101,422	39%	96%	58%	$39,193	$97,809	$58,617
2	BUC1042	299	24		$150.81	$45,039		$23,645	$68,684	43%	95%	51%	$29,805	$65,001	$35,196
2	BUC1044	109	24		$150.81	$16,380		$8,599	$24,979	47%	94%	46%	$11,847	$23,415	$11,568
2	BUC1162	1,788	12		$150.81	$269,645		$141,564	$411,209	99%	100%	0%	$408,380	$410,339	$1,958
2	BUC1200	390	15		$150.81	$58,764		$30,851	$89,615	42%	99%	57%	$37,573	$89,057	$51,484
2	BUC1202	109	18		$150.81	$16,366		$8,592	$24,958	42%	99%	57%	$10,464	$24,803	$14,339
2	BUC1204	200	18		$150.81	$30,190		$15,850	$46,040	41%	99%	58%	$18,983	$45,753	$26,770
2	BUC1206	200	15		$150.81	$30,097		$15,801	$45,898	39%	99%	60%	$18,012	$45,613	$27,602
2	BUC1208	433	15		$150.81	$65,269		$34,266	$99,535	38%	95%	57%	$37,709	$94,909	$57,200
2	LBC1002	250	12		$150.81	$37,774		$19,831	$57,605	16%	73%	56%	$9,497	$41,952	$32,455
2	LBC1004	1,193	15		$150.81	$179,972		$94,485	$274,457	14%	73%	58%	$39,787	$199,880	$160,094
2	LBC1006	1,282	18		$150.81	$193,280		$101,472	$294,752	13%	73%	60%	$39,070	$214,661	$175,591
2	LBC1016	539	15		$150.81	$81,324		$42,695	$124,019	34%	100%	66%	$42,323	$124,019	$81,696
2	LBC1022	1,506	8		$150.81	$227,061		$119,207	$346,268	52%	84%	32%	$180,397	$291,710	$111,312
	Subtotal:	**8,738**		**2007**		**$1,317,667**	**5%**	**$691,774**	**$2,009,441**				**$923,040**	**$1,768,921**	**$845,882**

DRAFT ORDINANCE 1.04.2019

TABLE NO. 17
Existing Impact Fee Wastewater Lines

Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
SQUABBLE CREEK TO BUFFALO CREEK WASTEWATER TRANSFER FORCE MAIN From Squabble Creek Wastewater Treatment Plant to FM 3097														
2 SC1340	1,137	30		$124.90	$141,978		$74,538	$216,516	32%	67%	35%	$69,966	$144,751	$74,785
2 SC1259	20,471	30		$124.90	$2,556,676		$1,342,255	$3,898,931	32%	67%	35%	$1,259,918	$2,606,616	$1,346,699
2 SC1261	19,232	30		$124.90	$2,402,049		$1,261,076	$3,663,125	32%	67%	35%	$1,183,718	$2,448,969	$1,265,251
2 SC1260	623	30		$124.90	$77,792		$40,841	$118,633	32%	67%	35%	$38,336	$79,312	$40,976
Subtotal:	**41,463**		**2011**		**$5,178,495**	**5%**	**$2,718,710**	**$7,897,205**				**$2,551,938**	**$5,279,648**	**$2,727,711**
Existing Wastewater Line Total	**71,091**				**$8,094,740**		**$4,249,734**	**$12,344,474**				**$5,171,554**	**$9,035,199**	**$3,863,647**

Notes:

1 - City Participate in Cost Oversize

2 - City Initiated and Funded

277

DRAFT ORDINANCE 1.04.2019

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2019	2029	During Fee Period	2019	2029	During Fee Period
1 - QUAIL RUN & MEMORIAL LIFT STATION BYPASS TRUNK SEWER															
2	SC1206	51	18		$436.24	$22,388		$11,754	$34,142	0%	97%	97%	$0	$33,057	$33,057
2	SC1208	414	18		$436.24	$180,565		$94,797	$275,362	0%	97%	97%	$0	$266,607	$266,607
2	SC1210	160	18		$436.24	$69,580		$36,529	$106,109	0%	97%	97%	$0	$102,735	$102,735
2	SC1212	197	18		$436.24	$86,014		$45,157	$131,171	0%	97%	97%	$0	$126,993	$126,993
2	SC1214	182	18		$436.24	$79,583		$41,781	$121,364	0%	97%	97%	$0	$117,485	$117,485
2	SC1216	42	18		$436.24	$18,204		$9,557	$27,761	0%	97%	97%	$0	$26,874	$26,874
2	SC1218	519	18		$436.24	$226,531		$118,929	$345,460	0%	97%	97%	$0	$334,399	$334,399
2	SC1220	510	18		$436.24	$222,300		$116,707	$339,007	0%	97%	97%	$0	$328,134	$328,134
2	SC1222	306	18		$436.24	$133,350		$70,009	$203,359	0%	97%	97%	$0	$196,814	$196,814
2	SC1224	37	18		$436.24	$16,311		$8,563	$24,874	0%	97%	97%	$0	$24,075	$24,075
2	SC1226	182	18		$436.24	$79,610		$41,795	$121,405	0%	97%	97%	$0	$117,497	$117,497
2	SC1228	446	18		$436.24	$194,542		$102,135	$296,677	0%	97%	97%	$0	$287,128	$287,128
2	SC1236	92	24		$436.24	$40,143		$21,075	$61,218	0%	41%	41%	$0	$24,896	$24,896
2	SC1238	40	24		$436.24	$17,402		$9,136	$26,538	0%	41%	41%	$0	$10,831	$10,831
2	SC1240	75	24		$436.24	$32,919		$17,282	$50,201	0%	44%	44%	$0	$22,211	$22,211
2	SC1242	85	24		$436.24	$36,902		$19,374	$56,276	0%	44%	44%	$0	$24,855	$24,855
2	SC1244	121	24		$436.24	$52,929		$27,788	$80,717	0%	44%	44%	$0	$35,660	$35,660
2	SC1246	161	30		$436.24	$70,113		$36,809	$106,922	0%	44%	44%	$0	$47,140	$47,140
2	SC1248	183	30		$436.24	$79,671		$41,827	$121,498	0%	43%	43%	$0	$52,727	$52,727
2	SC1252	224	30		$436.24	$97,766		$51,327	$149,093	0%	43%	43%	$0	$64,599	$64,599
2	SC1254	500	30		$436.24	$218,121		$114,513	$332,634	0%	43%	43%	$0	$143,599	$143,599
2	SC1256	240	30		$436.24	$104,711		$54,973	$159,684	0%	43%	43%	$0	$68,936	$68,936
2	SC1230	182	36		$436.24	$79,396		$41,683	$121,079	0%	50%	50%	$0	$61,124	$61,124
	Subtotal:	**4,949**		**2019**		**$2,159,050**	**5%**	**$1,133,500**	**$3,292,551**				**$0**	**$2,518,376**	**$2,518,376**
2 - TURTLE COVE & WINDMILL RIDGE SEWER IMPROVEMENTS															
2	BB1040A	1,553	8		$269.98	$419,263		$220,113	$639,376	0%	99%	99%	$0	$630,992	$630,992
2	LS1260A	1,410	12		$269.98	$380,737		$199,887	$580,624	0%	94%	94%	$0	$543,957	$543,957
	Subtotal:	**2,963**		**2019**		**$800,000**	**5%**	**$420,000**	**$1,220,000**				**$0**	**$1,174,949**	**$1,174,949**
3 - PROPOSED BRUSHY CREEK TRUNK SEWER															
1	BUC3002	3,382	15		$24.00	$81,174		$42,616	$123,790	0%	100%	100%	$0	$123,790	$123,790
1	BRC3018	724	18		$48.00	$34,748		$18,243	$52,991	0%	48%	48%	$0	$25,539	$25,539
1	BRC3020	1,948	18		$48.00	$93,513		$49,094	$142,607	0%	55%	55%	$0	$78,962	$78,962
1	BRC3022	1,045	21		$72.00	$75,242		$39,502	$114,744	0%	59%	59%	$0	$67,981	$67,981
1	BRC3026	17	21		$72.00	$1,219		$640	$1,859	0%	57%	57%	$0	$1,057	$1,057
	Subtotal:	**7,116**		**2020**		**$285,896**	**5%**	**$150,095**	**$435,991**				**$0**	**$297,329**	**$297,329**

DRAFT ORDINANCE 1.0 2019

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
4 - BUFFALO CREEK EXISTING GRAVITY SEWER - 12" & 14" PIPE BURST															
Pipe Burst Exsiting 8" and 10" to 12" and Existing 12" to 14" from northwest of John King and IH 30 to S.H. 205 Goliad															
2	BUC1008A	1,314	12		$192.00	$252,369		$132,494	$384,863	0%	29%	29%	$0	$110,863	$110,863
2	BUC1010A	755	12		$192.00	$144,970		$76,109	$221,079	0%	34%	34%	$0	$75,022	$75,022
2	BUC1012A	660	12		$192.00	$126,802		$66,571	$193,373	0%	34%	34%	$0	$65,620	$65,620
2	BUC1148A	766	12		$192.00	$147,096		$77,225	$224,321	0%	34%	34%	$0	$76,115	$76,115
2	BUC1018A	188	14		$192.00	$36,073		$18,938	$55,011	0%	42%	42%	$0	$23,219	$23,219
2	BUC1094A	1,155	14		$192.00	$221,669		$116,376	$338,045	0%	46%	46%	$0	$156,886	$156,886
2	BUC1098A	1,838	14		$192.00	$352,922		$185,284	$538,206	0%	44%	44%	$0	$237,802	$237,802
	Subtotal:	**6,677**		**2021**		**$1,281,901**	**5%**	**$672,997**	**$1,954,898**				**$0**	**$745,527**	**$745,527**
5 - PROPOSED THOMPSON BRANCH TRUNK SEWER															
1	TB1002A	720	15		$24.00	$17,287		$9,076	$26,363	0%	93%	93%	$0	$24,620	$24,620
1	TB3012	899	15		$24.00	$21,582		$11,331	$32,913	0%	94%	94%	$0	$31,021	$31,021
1	TB3014	501	15		$24.00	$12,028		$6,315	$18,343	0%	96%	96%	$0	$17,633	$17,633
1	TB3018	644	15		$24.00	$15,457		$8,115	$23,572	0%	96%	96%	$0	$22,658	$22,658
1	TB3020	1,038	15		$24.00	$24,910		$13,078	$37,988	0%	96%	96%	$0	$36,632	$36,632
1	TB3022	982	15		$24.00	$23,572		$12,375	$35,947	0%	96%	96%	$0	$34,658	$34,658
1	TB3034	388	15		$24.00	$9,307		$4,886	$14,193	0%	96%	96%	$0	$13,558	$13,558
1	TB3002	544	18		$48.00	$26,114		$13,710	$39,824	0%	99%	99%	$0	$39,497	$39,497
1	TB3004	714	18		$48.00	$34,275		$17,994	$52,269	0%	99%	99%	$0	$51,840	$51,840
1	TB3040	1,089	18		$48.00	$52,276		$27,445	$79,721	0%	95%	95%	$0	$75,546	$75,546
1	BLC3016	1,312	21		$72.00	$94,494		$49,609	$144,103	0%	70%	70%	$0	$100,463	$100,463
1	BC3006	67	27		$120.00	$7,994		$4,197	$12,191	0%	28%	28%	$0	$3,397	$3,397
	Subtotal:	**8,899**		**2022**		**$339,296**	**5%**	**$178,131**	**$517,427**				**$0**	**$451,523**	**$451,523**
6 - PROPOSED LOWER BUFFALO CREEK EAST TRUNK SEWER															
2	BUC1104A	1,506	21		$264.00	$397,554		$208,716	$606,270	0%	100%	100%	$0	$606,270	$606,270
2	BUC1168	3,640	21		$264.00	$960,968		$504,508	$1,465,476	0%	100%	100%	$0	$1,465,476	$1,465,476
2	BUC3000	1,423	21		$264.00	$375,553		$197,165	$572,718	0%	100%	100%	$0	$572,718	$572,718
	Subtotal:	**6,568**		**2022**		**$1,734,075**	**5%**	**$910,389**	**$2,644,464**				**$0**	**$2,644,464**	**$2,644,464**
7A - FONTANA RANCH LIFT STATION ABANDONMENT & GRAVITY RELIEF SEWER															
2	LB1004A	1,238	8		$100.00	$123,764		$64,976	$188,740	0%	79%	79%	$0	$148,599	$148,599
2	LB3014	930	12		$192.00	$178,560		$93,744	$272,304	0%	81%	81%	$0	$219,938	$219,938
2	LB3016	740	12		$192.00	$142,080		$74,592	$216,672	0%	81%	81%	$0	$175,016	$175,016
2	LB3018	1,240	12		$192.00	$238,080		$124,992	$363,072	0%	74%	74%	$0	$268,153	$268,153
2	LB3020	815	12		$192.00	$156,480		$82,152	$238,632	0%	81%	81%	$0	$192,750	$192,750
2	LB3028	765	12		$192.00	$146,880		$77,112	$223,992	0%	81%	81%	$0	$180,921	$180,921
	Subtotal:	**5,728**		**2024**		**$985,844**	**5%**	**$517,568**	**$1,503,412**				**$0**	**$1,185,377**	**$1,185,377**

DRAFT
Oct. 1, 2019

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2019	(%) Utilized Capacity 2029	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2019	($) Utilized Capacity 2029	($) Utilized Capacity During Fee Period
7B - LOFTLAND FARMS LIFT STATION ABANDONMENT & GRAVITY RELIEF SEWER															
2	LB1000A	380	8		$100.00	$38,000		$19,950	$57,950	0%	69%	69%	$0	$40,142	$40,142
2	LB3002	1,238	8		$100.00	$123,775		$64,982	$188,757	0%	57%	57%	$0	$107,993	$107,993
2	LB3022	910	10		$120.00	$109,200		$57,330	$166,530	0%	73%	73%	$0	$121,185	$121,185
2	LB3024	935	10		$120.00	$112,200		$58,905	$171,105	0%	73%	73%	$0	$124,541	$124,541
2	LB3026	1,060	10		$120.00	$127,200		$66,780	$193,980	0%	64%	64%	$0	$124,690	$124,690
	Subtotal:	**4,523**		**2026**		**$510,375**	**5%**	**$267,947**	**$778,322**				**$0**	**$518,551**	**$518,551**
8 - PROPOSED LITTLE BUFFALO CREEK TRUNK SEWER															
1	LBC3006	2,176	15		$24.00	$52,223		$27,417	$79,640	0%	91%	91%	$0	$72,341	$72,341
	Subtotal:	**2,176**		**2027**		**$52,223**	**5%**	**$27,417**	**$79,640**				**$0**	**$72,341**	**$72,341**
Sewer Line CIP Total		**49,599**				**$8,148,660**		**$4,278,044**	**$12,426,705**				**$0**	**$9,608,437**	**$9,608,437**

Notes: 1 - City Participate in Cost Oversize
2 - City Initiated and Funded

DRAFT ORDINANCE 1.04.2019

TABLE NO. 19
Impact Fee Wastewater Facilities

Pump Station		Year Const.	Capacity (MGD)	Capital Cost ($) Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2019	2029	In the CRF Period	Capacity Utilized ($) 2019	2029	In the CRF Period
EXISTING LIFT STATIONS													
Dalton Road Lift Station & Force Main	1	2002	1.2	$ 272,178	$ 40,200	$ 163,998	$ 476,376	43%	43%	0%	$ 204,842	$ 204,842	$ -
Amity Lane Lift Station	1	2006	0.4	$ 167,009	$ 18,800	$ 97,550	$ 283,359	34%	35%	1%	$ 96,342	$ 99,176	$ 2,834
Chandlers Marina Lift Station	1	2007	0.4	$ 244,331	$ 16,500	$ 136,936	$ 397,767	72%	76%	4%	$ 286,392	$ 302,303	$ 15,911
FM 3097 No. 1 Lift Station & 16" Force Main	1	2007	2.2	$ 450,460	$ 21,000	$ 247,517	$ 718,977	15%	100%	85%	$ 107,847	$ 718,977	$ 611,130
FM 3097 No. 2 Lift Station	1	2007	2.9	$ 525,845	$ 25,000	$ 289,194	$ 840,039	100%	100%	0%	$ 840,039	$ 840,039	$ -
Chandlers Deep Lift Station	1	2012	0.7	$ 196,555	$ 61,000	$ 135,216	$ 392,771	70%	70%	0%	$ 274,940	$ 274,940	$ -
Squabble Creek Transfer Lift Station	1	2012	2.9	$ 1,500,346	$ 165,325	$ 874,477	$ 2,540,148	100%	100%	0%	$ 2,540,148	$ 2,540,148	$ -
Existing Wastewater Facility Subtotal			**13.20**	**$ 3,820,685**	**$ 377,685**	**$ 2,204,144**	**$ 6,402,514**				**$ 4,350,550**	**$ 4,980,425**	**$ 629,875**
PROPOSED WASTEWATER TREATMENT PLANT & LIFT STATION/FORCE MAIN IMPROVEMENTS													
Squabble Creek Lift Station Improvements (Install Three 250-HP Pumps & Electrical Upgrades)	1	2019	10.0	$ 2,690,519	$ 110,250	$ 1,470,404	$ 4,271,173	73.6%	100%	26%	$ 3,141,918	$ 4,271,173	$ 1,129,255
Proposed Brushy Creek Lift Station & 12" Force Main	2*	2021	3.3	$ 1,400,000	$ 210,000	$ 845,250	$ 2,455,250	0.0%	49%	49%	$ -	$ 1,196,674	$ 1,196,674
FM 3097 No. 1 Lift Station Improvements (Replace Two 45-HP Pumps w/Two 90-HP Pumps)	2*	2024	2.8	$ 500,000	$ 75,000	$ 301,875	$ 876,875	6.6%	75%	68%	$ 57,611	$ 656,306	$ 598,695
FM 3097 No. 2 Lift Station Improvements (Replace Two 25-HP Pumps w/Two 35-HP Pumps)	2*	2024	3.1	$ 750,000	$ 112,500	$ 452,813	$ 1,315,313	50.2%	99%	49%	$ 660,068	$ 1,304,571	$ 644,503
Squabble Creek Lift Station Improvements (Add 2nd Wet Well w/Three New 250-HP Pumps)	2*	2026	5.0	$ 4,000,000	$ 600,000	$ 2,415,000	$ 7,015,000	0.0%	95%	95%	$ -	$ 6,631,139	$ 6,631,139
Proposed Bluff Creek Lift Station & Parallel Force Main (14" & 20")	2*	2028	2.4	$ 5,100,000	$ 765,000	$ 3,079,125	$ 8,944,125	0.0%	89%	89%	$ -	$ 7,993,066	$ 7,993,066
Proposed Wastewater Facility Subtotal			**26.60**	**$ 14,440,519**	**$ 1,872,750**	**$ 8,564,467**	**$ 24,877,736**				**$ 3,859,596**	**$ 22,052,930**	**$ 18,193,334**
Total			**39.80**	**$ 18,261,204**	**$ 2,250,435**	**$ 10,768,611**	**$ 31,280,250**				**$ 8,210,146**	**$ 27,033,355**	**$ 18,823,209**

* 15% of Construction Assumed for Engineering and Testing
(1) Actual Cost
(2) Estimated Cost in 2019 Dollars

DRAFT FOR ORDINANCE 1.04.2019

TABLE NO. 20
WASTEWATER COLLECTION SYSTEM -- PROPOSED NTMWD FACILITIES

CIP #	Project Description		Year Const.	Length (FT)	Size/Added Capacity	Capital Cost ($)			Capacity Utilized			Capacity Utilized (%)			Capacity Utilized ($)		
						City of Rockwall Participation Cost	Eng. & Testing	Total Project Cost	2019	2029	In The CRF Period	2019	2029	In The CRF Period	2019	2029	In The CRF Period
North Texas Municipal Water District (NTMWD) Proposed Facility Improvements																	
A1	NTMWD Buffalo Creek Parallel Incerceptor Sewer - Phase 1: From Buffalo Creek WWTP to Forney	4	2019	TBD	TBD	$ 11,835,394		$ 11,835,394				33%	49%	16%	$ 3,927,269	$ 5,796,236	$ 1,868,967
A2	NTMWD Turtle Cove (a.k.a. Lakeside) Lift Station Expansion/Replacement	3	2020	TBD	+1.6 MGD	$ 4,600,000		$ 4,600,000				33%	49%	16%	$ 1,526,391	$ 2,252,793	$ 726,402
A3	NTMWD Buffalo Creek Lift Station Expansion	4	2020	TBD	TBD	$ 17,868,150		$ 17,868,150				33%	49%	16%	$ 5,929,083	$ 8,750,703	$ 2,821,620
A4	NTMWD Buffalo Creek Parallel Force Main	4	2020	TBD	TBD	$ 1,681,500	Included in Const. Cost	$ 1,681,500				33%	49%	16%	$ 557,962	$ 823,494	$ 265,532
A5	NTMWD Buffalo Creek Parallel Interceptor - Phase 2: From Forney to Buffalo Creek Lift Station	4	2026	TBD	TBD	$ 7,924,880		$ 7,924,880				33%	49%	16%	$ 2,629,666	$ 3,881,111	$ 1,251,445
A6	10-Year CIP for NTMWD Sewer System (Rockwall Responsibility Only)	5	2019-2029	N/A	N/A	$ 5,435,164		$ 5,435,164				33%	49%	16%	$ 1,803,518	$ 2,661,803	$ 858,285
A7	10-Year CIP for NTMWD Regional Wastewater System (Rockwall Responsibility Only)	5	2019-2029	N/A	N/A	$ 11,619,512		$ 11,619,512				33%	49%	16%	$ 3,855,634	$ 5,690,511	$ 1,834,877
Proposed NTMWD Facility Total						**$ 60,964,600**		**$ 60,964,600**							**$ 20,229,523**	**$ 29,856,651**	**$ 9,627,128**

Utilized Capacity for Regional NTMWD Treatment Facilities calculated using proportion of years 2019 & 2029 population to build-out population.

Notes: 1. City obligations estimated based on City of Rockwall's historical usage of NTMWD Regional Systems.
2. 10-Year CIP for NTMWD Regional Systems based on project listings provided for "Summary of Sewer System CIP" and "Summary of Regional Wastewater System CIP", both dated May 11, 2018.
3. Funded by NTMWD, 100% City Responsibility
4. Part of NTMWD Buffalo Interceptor System, assumed 59% City Responsibility
5. Part of NTMWD Regional Systems, assumed 2.915% City Responsibility
6. Utilized capacities for NTMWD facilities were determined using the proportion of the existing and projected 2029 population as compared to the build-out population.

DRAFT ORDINANCE 1.04.2019

TABLE NO. 21

Summary of Utilized Capacity Allocation between City of Rockwall & NTMWD Wastewater System

	CITY OF ROCKWALL Utilized Capacity		NTMWD Utilized Capacity		TOTAL	
	($)	%	($)	%	($)	%
Existing Wastewater System	$ 4,493,522	100.00%	$ -	0.00%	$ 4,493,522	100%
Proposed Wastewater System & Planning Cost	$ 27,861,621	74.32%	$ 9,627,128	25.68%	$ 37,488,749	100%
TOTAL	**$ 32,355,143**	**77.07%**	**$ 9,627,128**	**22.93%**	**$ 41,982,271**	**100%**

DRAFT ORDINANCE 11.04.2019

F. CALCULATION OF MAXIMUM IMPACT FEES - WATER & WASTEWATER

Chapter 395, of the Local Government Code allows the maximum impact fee to be charged if revenues from Future Ad Valorem Taxes, and water and sewer bills are included as a credit in the analysis. If not, the Act allows the maximum assessable fee to be set at 50% of the calculated maximum fee. The maximum impact fees for the water and wastewater systems are calculated separately by dividing the cost of the capital improvements or facility expansions necessitated and attributable to new development in the Service Area within the ten year period by the number of living units anticipated to be added to City within the ten year period. To simplify collection, we recommend the fee remain fixed throughout the 5-year period, unless changed by Council.

The **Water System** impact fee for a 5/8" meter is calculated as follows:

$$\text{Maximum Impact Fee} = \frac{\text{Eligible Existing Facility Cost} + \text{Eligible Proposed Facility Cost}}{\text{Number of New Living Unit Equivalent over the Next 10-Years}}$$

$$= \frac{\$12,324,530 + \$18,582,427}{9,846} = \frac{\$30,906,957}{9,846}$$

Calculated Water Maximum Impact Fee = $3,139.04 *

* Maximum Allowable Water Impact Fee is 50% of the Calculated Water Maximum Impact Fee

Maximum Assessable Water Impact Fee = $3,139.04 X 50% = $1,569.52

The **Wastewater System** impact fee for a 5/8" water meter is calculated as follows:

$$\text{Maximum Impact Fee} = \frac{\text{Eligible Existing Facility Cost} + \text{Eligible Proposed Facility Cost}}{\text{Number of New Living Unit Equivalent over the Next 10-Years}}$$

$$= \frac{\$4,493,522 + \$37,488,749}{8,710} = \frac{\$41,982,271}{8,710}$$

Calculated Water Maximum Impact Fee = $4,820.01 *

* Maximum Allowable Water Impact Fee is 50% of the Calculated Water Maximum Impact Fee

Maximum Assessable Wastewater Impact Fee = $4,820.01 X 50% = $2,410.00

Table No. 22 summarizes the per service unit equivalent maximum assessable impact fee that can be charged based on the calculated 50% credit above.

DRAFT OF ORDINANCE 11.04.2019

TABLE NO. 22

Maximum Assessable Water & Wastewater Impact Fee

Maximum Assessable Water Impact Fee per Living Unit Equivalent: $1,569.52

Maximum Assessable Wastewater Impact Fee per Living Unit Equivalent: $2,410.00

Typical Land Use	Meter Type	Meter Size	Living Unit Equivalent	Max. Assessable Impact Fee				
				Water	City of Rockwall Wastewater	NTMWD Wastewater	Wastewater Total	Grand Total
Single Family Residential	Simple	5/8"	1.0	$ 1,569.52	$ 1,855.70	$ 554.30	$ 2,410.00	$ 3,979.52
Single Family Residential	Simple	1"	2.5	$ 3,923.80	$ 4,639.25	$ 1,385.75	$ 6,025.00	$ 9,948.80
Single Family Residential	Simple	1-1/2"	5.0	$ 7,847.60	$ 9,278.50	$ 2,771.50	$ 12,050.00	$ 19,897.60
Single Family Residential	Simple	2"	8.0	$ 12,556.16	$ 14,845.60	$ 4,434.40	$ 19,280.00	$ 31,836.16
Comm./Retail	Compound	2"	8.0	$ 12,556.16	$ 14,845.60	$ 4,434.40	$ 19,280.00	$ 31,836.16
Comm./Retail/ Irrigation	Turbine	2"	16.0	$ 25,112.32	$ 29,691.20	$ 8,868.80	$ 38,560.00	$ 63,672.32
Comm./Retail/ Multi Family	Compound	3"	16.0	$ 25,112.32	$ 29,691.20	$ 8,868.80	$ 38,560.00	$ 63,672.32
Comm./Retail/ Irrigation/ Multi Family	Turbine	3"	35.0	$ 54,933.20	$ 64,949.50	$ 19,400.50	$ 84,350.00	$ 139,283.20
Comm./Retail/ Multi Family	Compound	4"	25.0	$ 39,238.00	$ 46,392.50	$ 13,857.50	$ 60,250.00	$ 99,488.00
Comm./Retail/ Irrigation/ Multi Family	Turbine	4"	65.0	$102,018.80	$120,620.50	$ 36,029.50	$156,650.00	$ 258,668.80
Industrial	Compound	6"	50.0	$ 78,476.00	$ 92,785.00	$ 27,715.00	$120,500.00	$ 198,976.00
Industrial/ Irrigation	Turbine	6"	140.0	$219,732.80	$259,798.00	$ 77,602.00	$337,400.00	$ 557,132.80
Industrial	Compound	8"	80.0	$125,561.60	$148,456.00	$ 44,344.00	$192,800.00	$ 318,361.60
Industrial/ Irrigation	Turbine	8"	240.0	$376,684.80	$445,368.00	$133,032.00	$578,400.00	$ 955,084.80

DRAFT ORDINANCE 11.04.2019

DRAFT
ORDINANCE
11.04.2019

2019-2029 WATER & WASTEWATER IMPACT FEE UPDATE

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS

SEPTEMBER 2019

286

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287

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, Director of Public Works/City Engineer**

DATE: **October 30, 2019**

SUBJECT: **FM 552 Roadway Reconstruction Project**

Rockwall County and the Texas Department of Transportation (TxDOT) are partnering on the engineering design and construction of FM 552 from SH 205 to SH 66. The existing roadway is a two-lane asphalt roadway that will be expanded to a four-lane divided concrete reinforced roadway. The roadway will be designed and constructed to TxDOT standards including the drainage improvements.

On November 6, 2017, City Council approved the preliminary alignment and median openings for FM 552. Since this time, the TxDOT design engineers have revised the median openings from State Highway 205 east to John King to account for the Whispering Oaks residents and Williams Middle School. These revisions were due to comments received during TxDOT Public Hearing that was held at J.W. Williams Middle School on May 30, 2019. The attached exhibit shows the revised median openings.

Staff requests City Council please review the revised median openings and provide staff feedback.

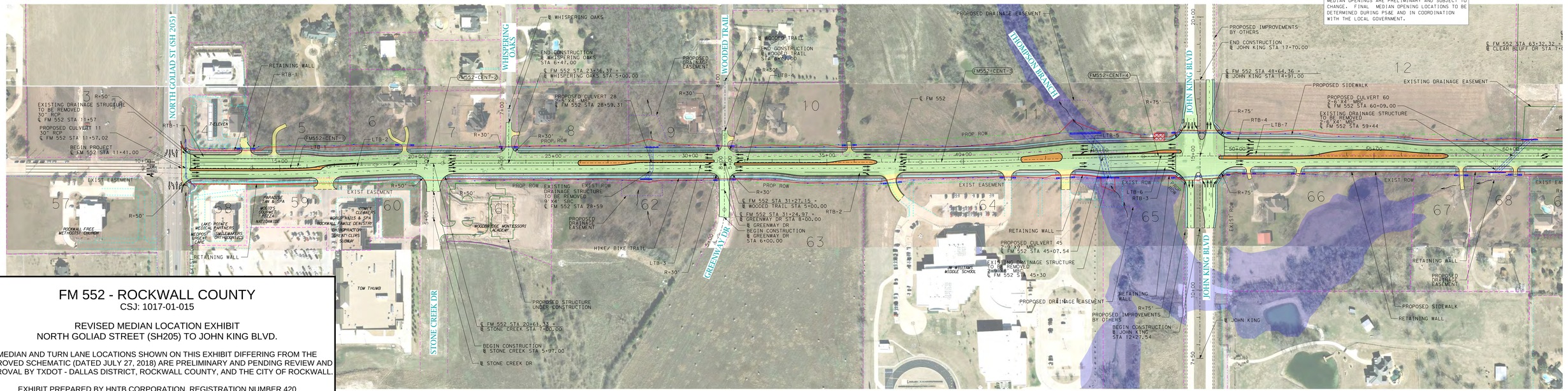
If you have any questions, please advise.

AJW:ajw

Attachment

Cc:
Jeremy White, Civil Engineer
Sarah Hager, Civil Engineer
File

288



FM 552 - ROCKWALL COUNTY

CSJ: 1017-01-015

REVISED MEDIAN LOCATION EXHIBIT
NORTH GOLIAD STREET (SH205) TO JOHN KING BLVD.

MEDIAN AND TURN LANE LOCATIONS SHOWN ON THIS EXHIBIT DIFFERING FROM THE APPROVED SCHEMATIC (DATED JULY 27, 2018) ARE PRELIMINARY AND PENDING REVIEW AND APPROVAL BY TXDOT - DALLAS DISTRICT, ROCKWALL COUNTY, AND THE CITY OF ROCKWALL.

EXHIBIT PREPARED BY HNTB CORPORATION, REGISTRATION NUMBER 420
FOR INTERIM REVIEW ONLY. NOT FOR PERMITTING, BIDDING, OR CONSTRUCTION.
PREPARED BY OR UNDER THE DIRECT SUPERVISION OF:
JOSIAH F. BELVEAL PE# 122828 10/30/2019

289

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290

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **November 1, 2019**

SUBJECT: **Boards & Commissions (re)Appointments**

Council is asked to consider the following vacancies, terms of which expired back in August. The Council liaison(s) assigned to each board is listed next to the board title.

Airport Advisory Board (Pruitt, Fowler and Macalik)

- Kellie Roby resigned - *VACANCY TO BE FILLED*

Historic Preservation Advisory Board (Trowbridge)

- Daniel Nichols does not wish to be reappointed - *VACANCY TO BE FILLED*

Park Board (Johannesen)

- Fran Webb does NOT wish to be reappointed – *VACANCY TO BE FILLED*

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292

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

September 2019

Permits

Total Permits Issued: 309
Building Permits: 35 Contractor Permits: 274

Total Commercial Permit Values: $ 581,098.40
Building Permits: $442,950.00 Contractor Permits: $138,148.40

Total Fees Collected: $123,811.68
Building Permits: $100,917.41 Contractor Permits: $22,894.27

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 9/1/2019 thru 9/30/2019

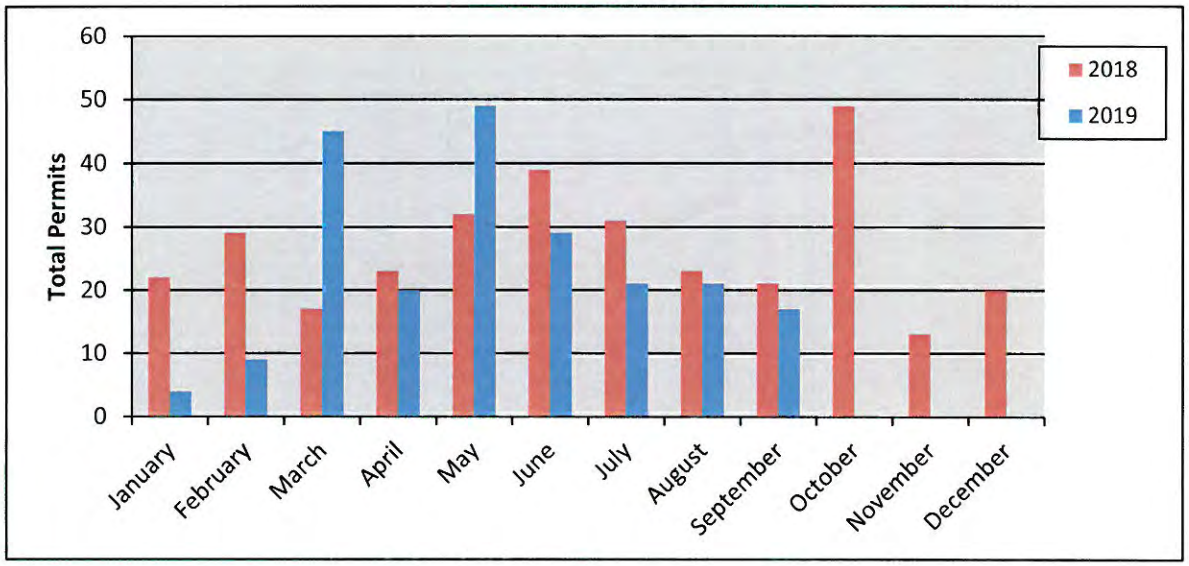
Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	8	$0.00	$404.50
	1	$0.00	$51.50
30 DAY BANNER	6	$0.00	$303.00
COMING SOON	1	$0.00	$50.00
CLEAN SHOW	4	$0.00	$304.50
	4	$0.00	$304.50
CO	9	$0.00	$682.50
BUSINESS	8	$0.00	$606.00
SHELL	1	$0.00	$76.50
COMM	13	$500,337.00	$6,537.68
ELECTRICAL	2	$27,000.00	$1,250.27
INTERIOR COMP	1	$17,000.00	$290.75
MECHANICAL	3	$29,887.00	$604.11
MISCELLANEOUS	1	$0.00	$76.50
PLUMBING	1	$500.00	$50.00
REMODEL	4	$425,950.00	$4,191.05
ROOF	1	$0.00	$75.00
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	15	$80,761.40	$1,296.00
DEVELOPMENT	1	$537.40	$76.50
DIRECTORY	3	$4,500.00	$229.50
MONUMENT	1	$0.00	$75.00
POLE	3	$49,500.00	$228.00
TEMP REAL ESTATE	1	$700.00	$76.50
WALL	6	$25,524.00	$610.50
SINGLE FAMILY	216	$471,019.00	$112,766.00
	1	$0.00	$127.50
ACC BLDG	1	$0.00	$2,306.25
CONCRETE	6	$0.00	$573.48
DECK	1	$0.00	$51.00
DEMO	1	$0.00	$50.00
ELECTRICAL	11	$0.00	$2,013.71
FENCE	38	$0.00	$1,918.20
IRRIGATION	35	$0.00	$2,674.50
MECHANICAL	19	$0.00	$2,320.50
MISCELLANEOUS	1	$0.00	$50.00
NEW	17		$92,564.02
PATIO COVER	6		$606.24
PERGOLA	1	$0.00	$125.00
PLUMBING	32	$0.00	$2,805.00
REMODEL	3	$0.00	$734.10
REPAIR	1	$0.00	$127.50
RETAINING WALL	4	$0.00	$201.00
ROOF	27	$0.00	$2,055.00
SEAWALL	1	$0.00	$50.00
SWIM POOL	9	$0.00	$1,362.00
WINDOWS	1	$0.00	$51.00
SPECIAL EVENT	43	$0.00	$1,820.50
	43	$0.00	$1,820.50

City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 9/1/2019 thru 9/30/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
Totals:	309	581,098.40	$123,811.68

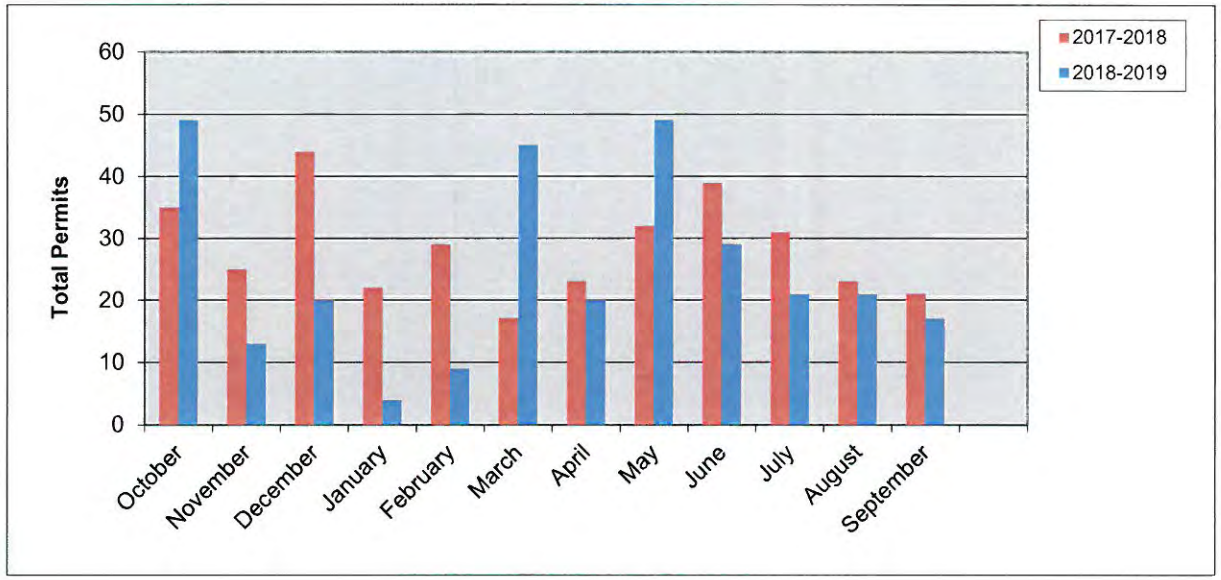
New Residential Permits Calendar Year

	Year	
	2018	2019
January	22	4
February	29	9
March	17	45
April	23	20
May	32	49
June	39	29
July	31	21
August	23	21
September	21	17
October	49	
November	13	
December	20	
Totals	**319**	215



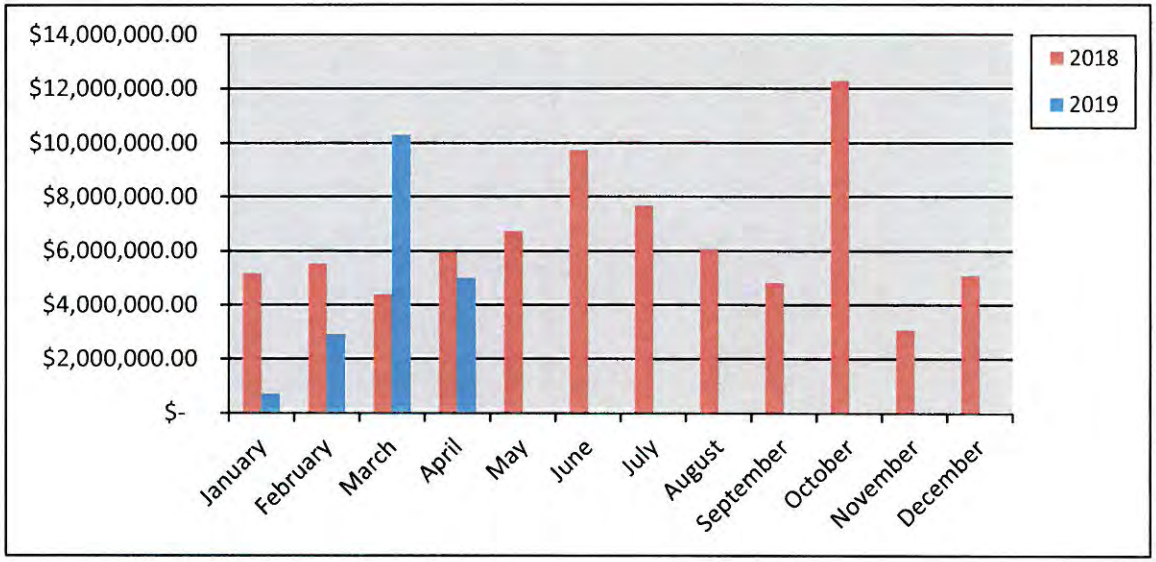
New Residential Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	9
March	17	45
April	23	20
May	32	49
June	39	29
July	31	21
August	23	21
September	21	17
Totals	**341**	**297**



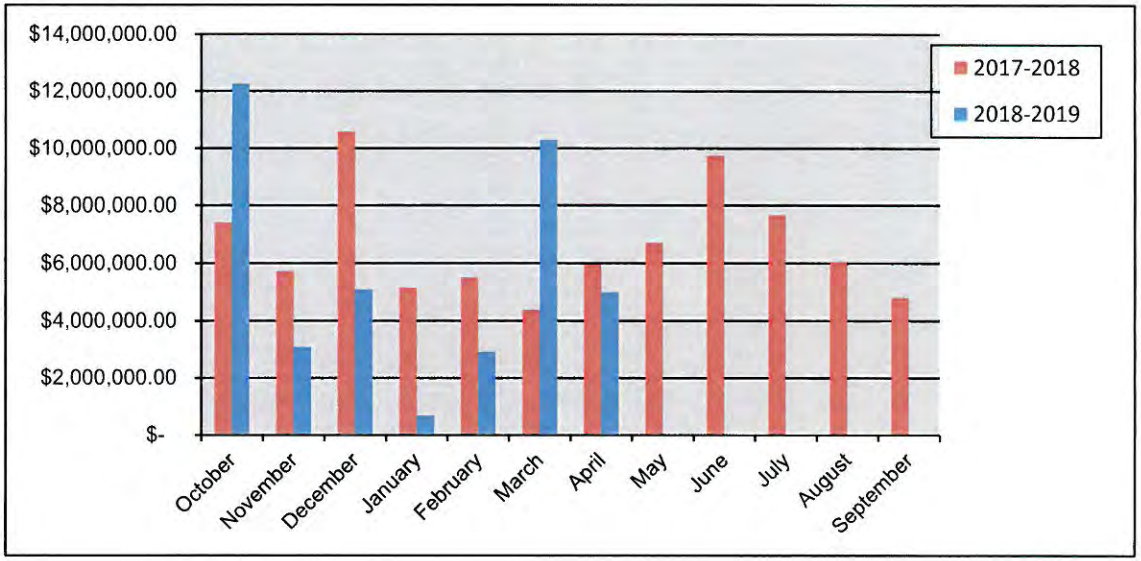
New Residential Value Calendar Year

Year	2018	2019
January	$ 5,145,624.00	$ 681,618.00
February	$ 5,505,704.00	$ 2,897,344.85
March	$ 4,374,886.00	$ 10,294,717.00
April	$ 5,946,813.00	$ 4,977,668.00
May	$ 6,706,301.00	
June	$ 9,728,069.00	
July	$ 7,660,917.00	
August	$ 6,049,208.00	
September	$ 4,799,404.00	
October	$ 12,263,973.00	
November	$ 3,064,499.00	
December	$ 5,072,758.00	
Totals	**$ 76,318,156.00**	**$ 18,851,347.85**



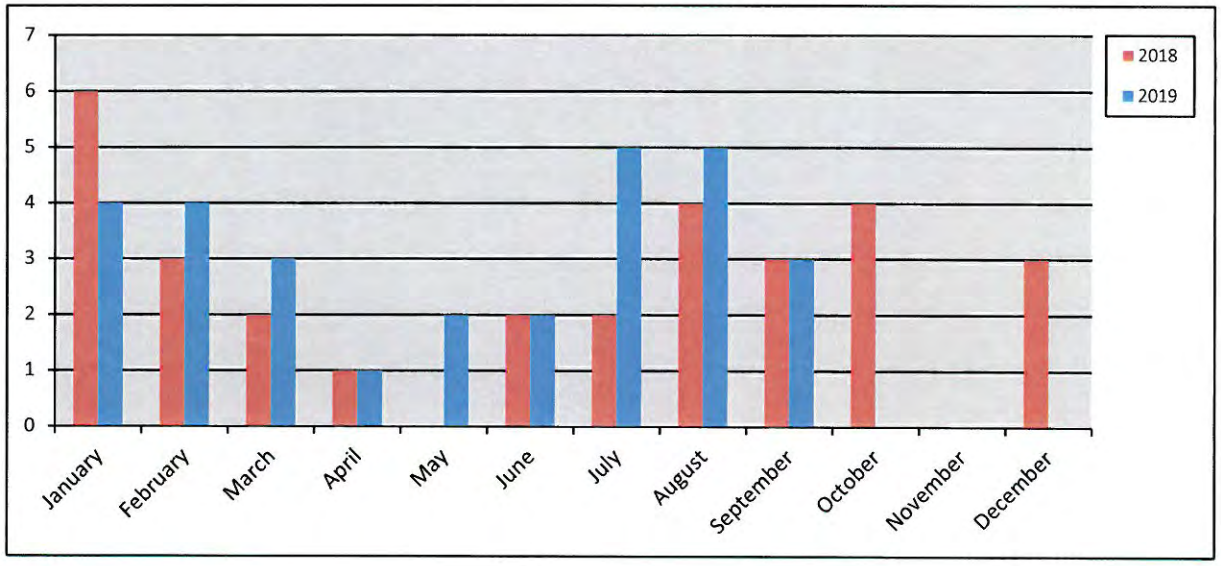
New Residential Value Fiscal Year

Year	2017-2018	2018-2019
October	$ 7,402,565.06	$ 12,263,973.00
November	$ 5,722,063.00	$ 3,064,499.00
December	$ 10,576,719.30	$ 5,072,758.00
January	$ 5,145,624.00	$ 681,618.00
February	$ 5,505,704.00	$ 2,897,344.85
March	$ 4,374,886.00	$ 10,294,717.00
April	$ 5,946,813.00	$ 4,977,668.00
May	$ 6,706,301.00	-
June	$ 9,728,069.00	-
July	$ 7,660,917.00	-
August	$ 6,049,208.00	-
September	$ 4,799,404.00	-
Totals	**$79,618,273.36**	**$ 39,252,577.85**



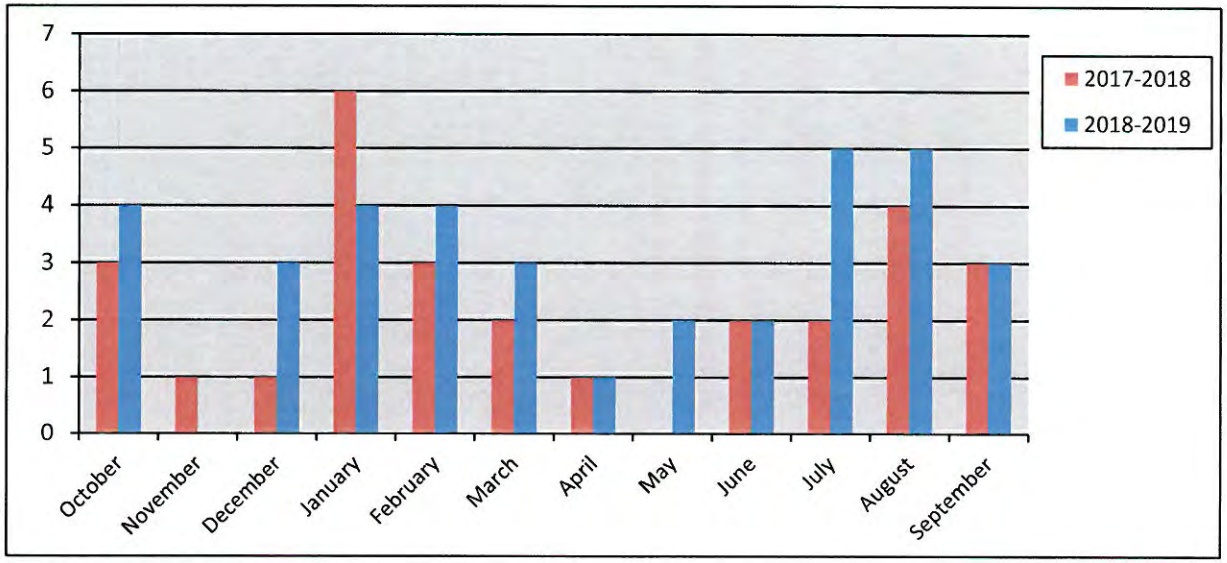
Residential Remodel Permits Calendar Year

	Year	
	2018	2019
January	6	4
February	3	4
March	2	3
April	1	1
May	0	2
June	2	2
July	2	5
August	4	5
September	3	3
October	4	
November	0	
December	3	
Totals	**30**	29



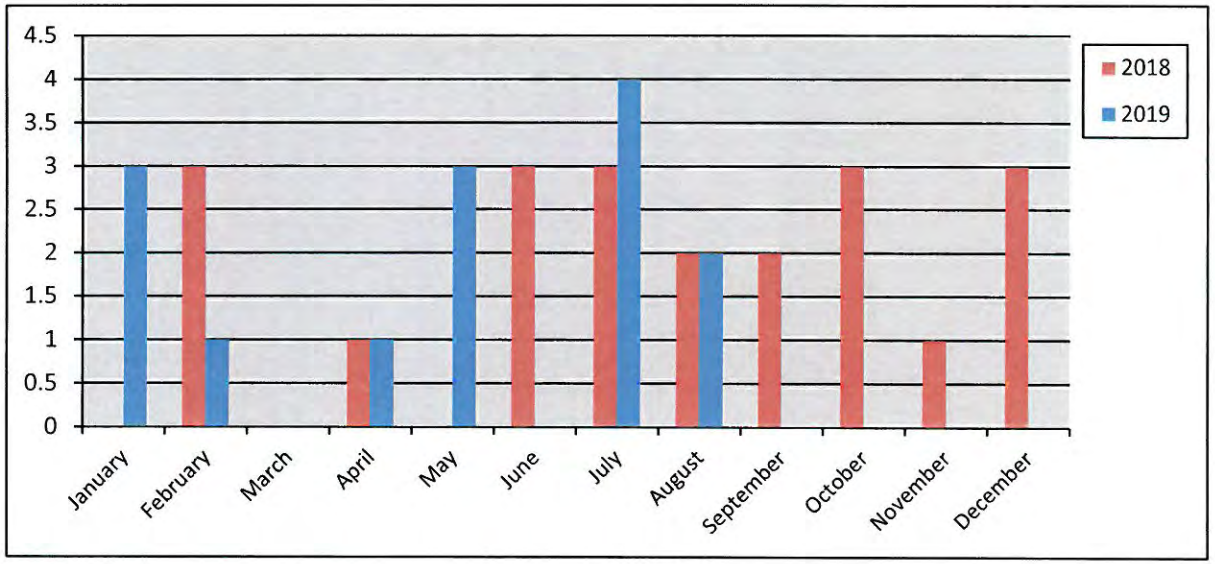
Residential Remodel Permits Fiscal Year

	Year	
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	4
March	2	3
April	1	1
May	0	2
June	2	2
July	2	5
August	4	5
September	3	3
Totals	**28**	**36**



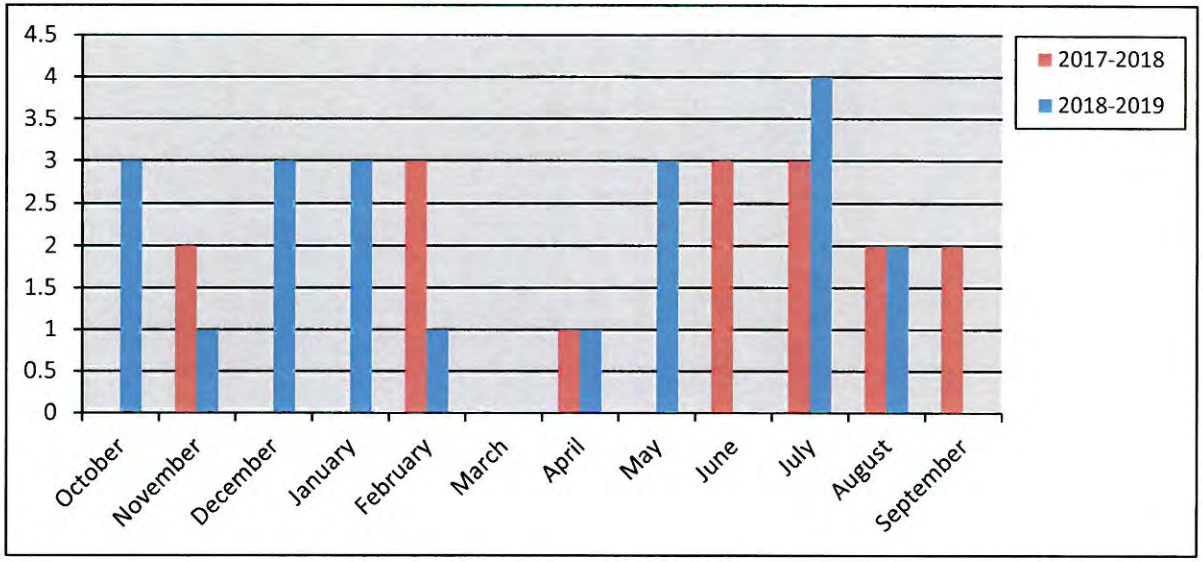
New Commercial Permits Calendar Year

	Year	
	2018	2019
January	0	3
February	3	1
March	0	0
April	1	1
May	0	3
June	3	0
July	3	4
August	2	2
September	2	0
October	3	
November	1	
December	3	
Totals	**21**	**14**



New Commercial Permits Fiscal Year

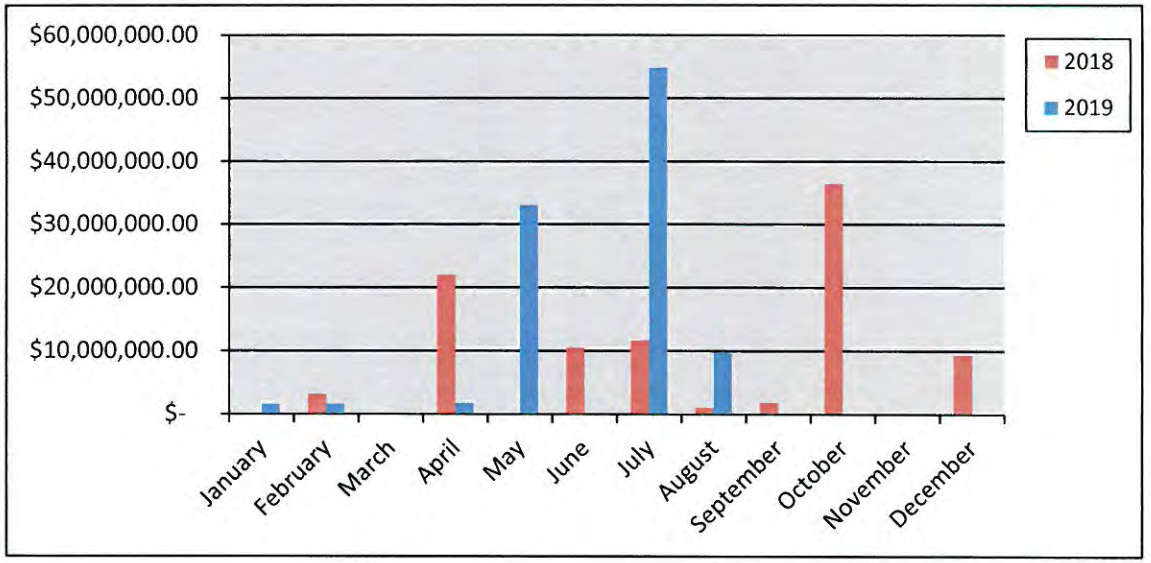
	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	1
March	0	0
April	1	1
May	0	3
June	3	0
July	3	4
August	2	2
September	2	0
Totals	**16**	**21**



299

New Commercial Value Calendar Year

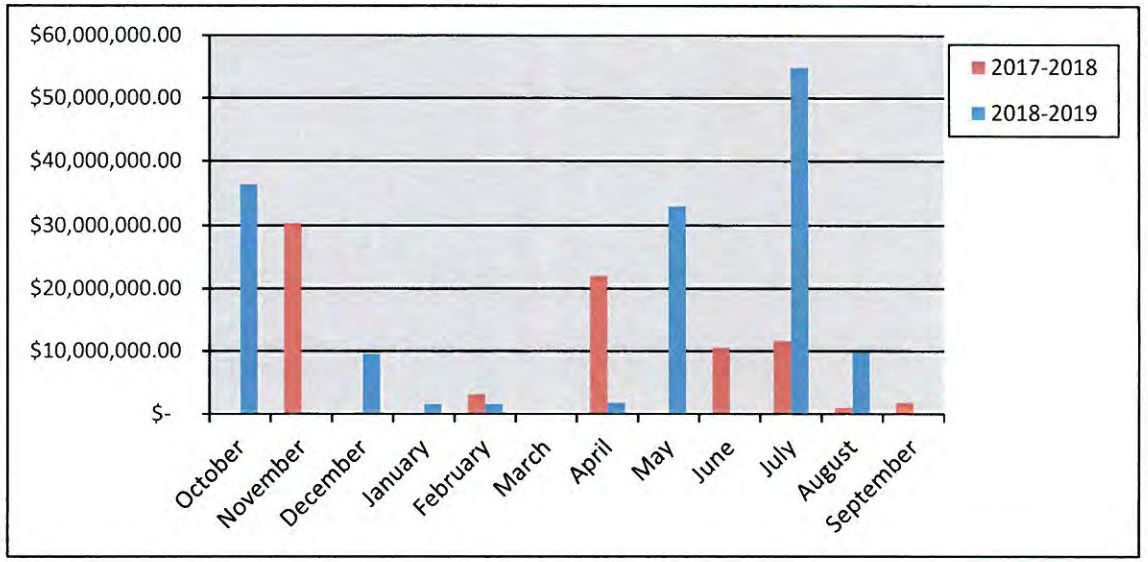
Year	2018	2019
January	-	$ 1,530,000.00
February	$ 3,221,771.00	$ 1,500,000.00
March	-	$ -
April	$ 22,000,000.00	$ 1,700,000.00
May	-	$ 32,969,700.00
June	$ 10,602,430.88	$ -
July	$ 11,712,500.00	$ 54,900,000.00
August	$ 1,111,950.00	$ 9,736,987.00
September	$ 1,930,813.00	$ -
October	$ 36,425,000.00	
November	$ 180,000.00	
December	$ 9,427,800.00	
Totals	**$ 96,612,264.88**	**$ 102,336,687.00**



300

New Commercial Value Fiscal Year

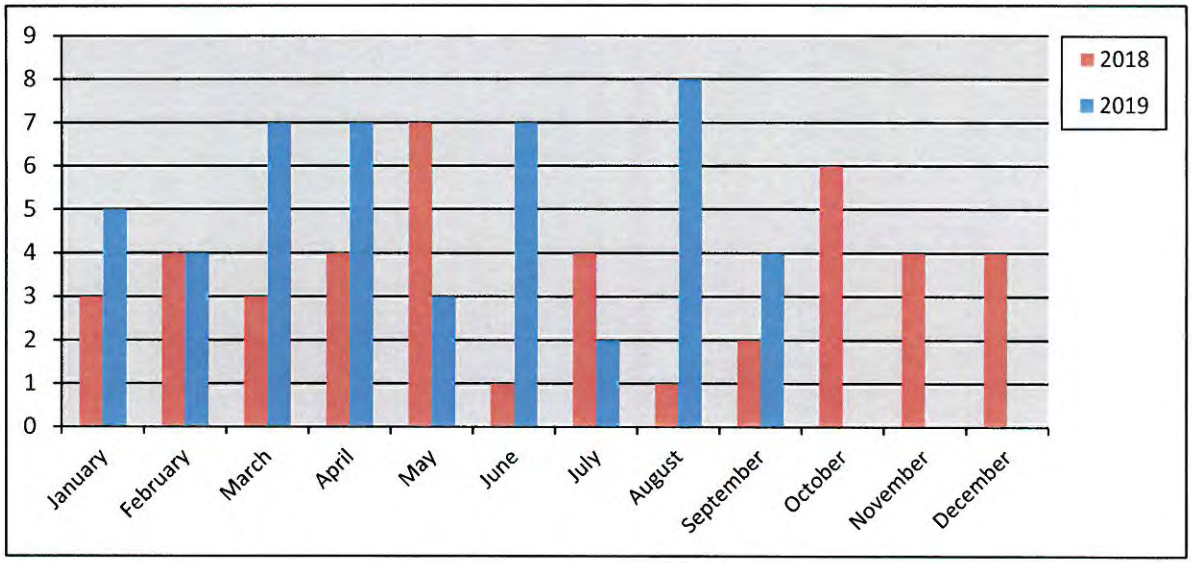
Year	2017-2018	2018-2019
October	-	$ 36,425,000.00
November	$ 30,390,000.00	$ 180,000.00
December	-	$ 9,427,800.00
January	-	$ 1,530,000.00
February	$ 3,221,771.00	$ 1,500,000.00
March	-	-
April	$ 22,000,000.00	$ 1,700,000.00
May	-	$ 32,969,700.00
June	$ 10,602,430.88	-
July	$ 11,712,500.00	$ 54,900,000.00
August	$ 1,111,950.00	$ 9,736,987.00
September	$ 1,930,813.00	-
Totals	**$ 80,969,464.88**	**$ 148,369,487.00**



300

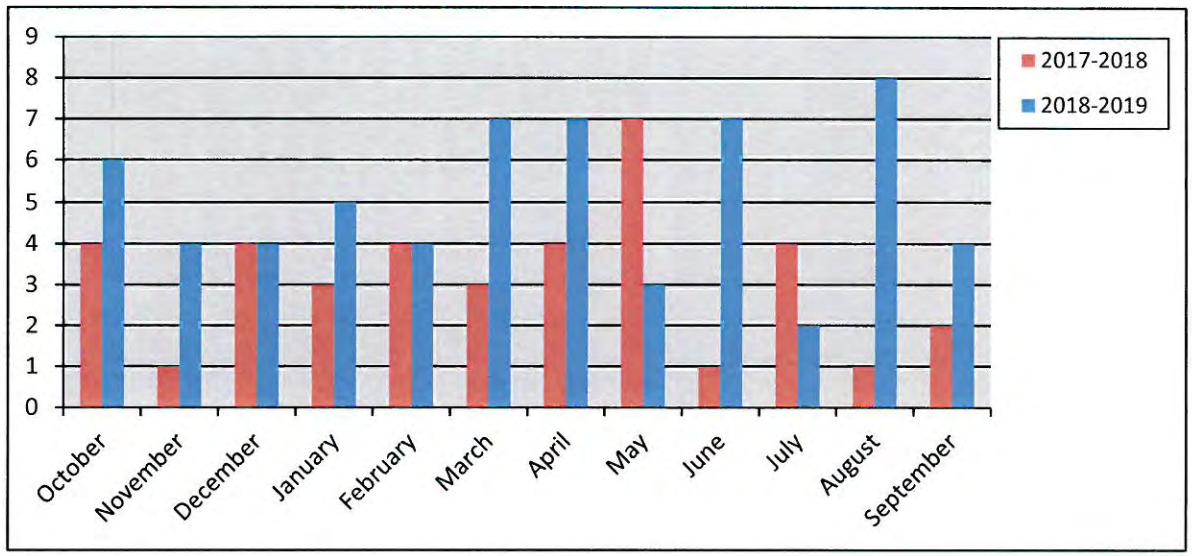
Commercial Remodel Permits Calendar Year

	Year	
	2018	2019
January	3	5
February	4	4
March	3	7
April	4	7
May	7	3
June	1	7
July	4	2
August	1	8
September	2	4
October	6	
November	4	
December	4	
Totals	**43**	**47**



Commercial Remodel Permits Fiscal Year

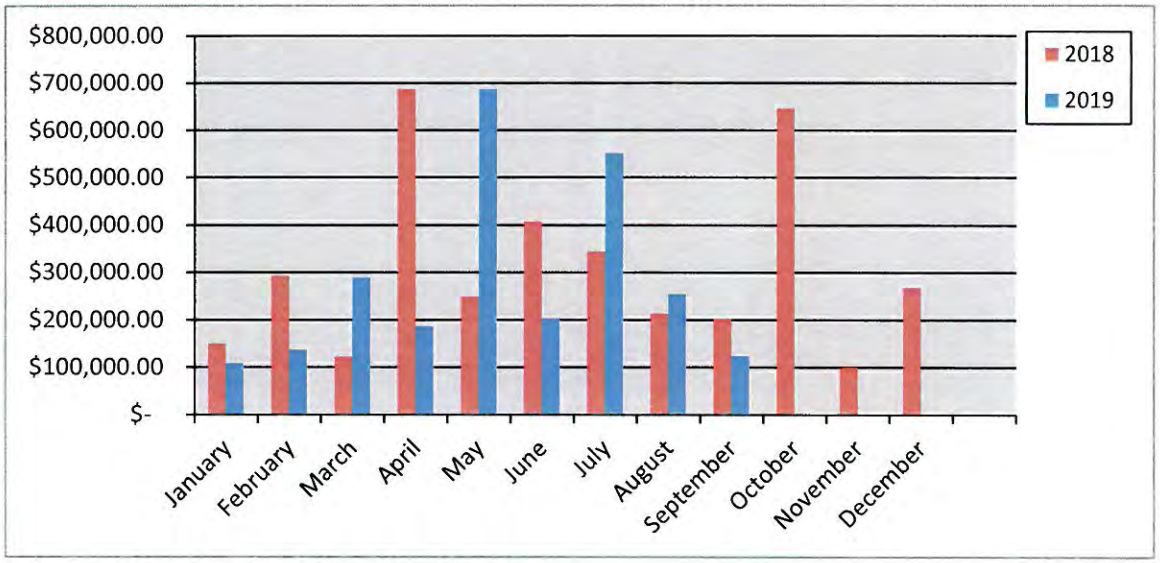
	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	4
March	3	7
April	4	7
May	7	3
June	1	7
July	4	2
August	1	8
September	2	4
Totals	**38**	**61**



301

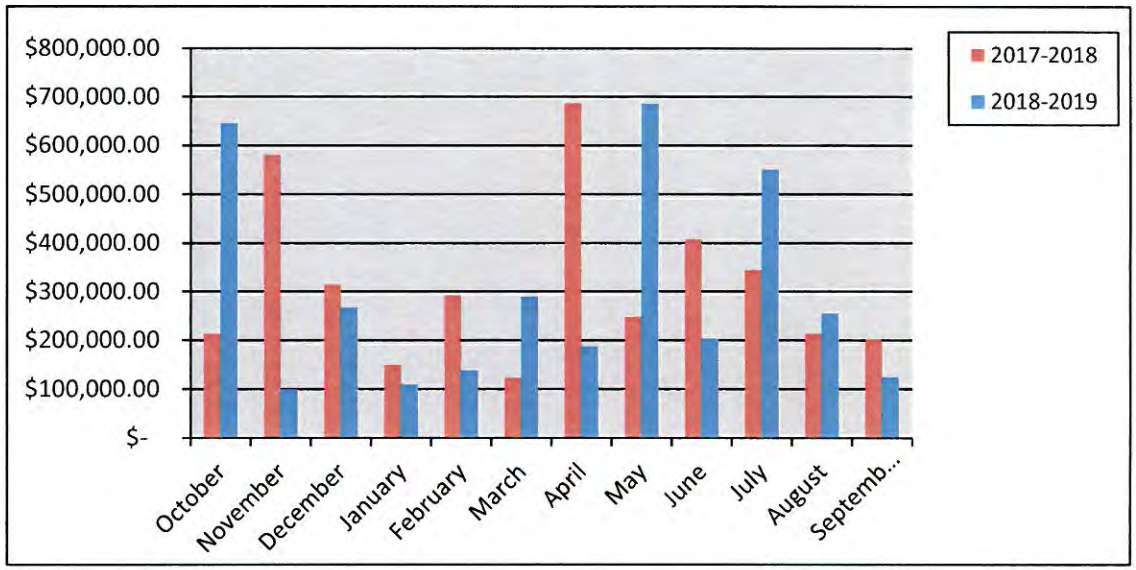
Total Fees Collected Calendar Year

	Year	
	2018	2019
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	$ 137,260.79
March	$ 122,271.28	$ 288,576.03
April	$ 686,154.89	$ 186,555.47
May	$ 247,465.55	$ 685,938.85
June	$ 406,799.91	$ 203,335.14
July	$ 343,682.23	$ 551,248.76
August	$ 212,643.16	$ 254,601.49
September	$ 201,855.47	$ 123,811.68
October	$ 645,511.95	
November	$ 99,983.92	
December	$ 266,328.43	
Totals	**$ 3,673,110.11**	**$ 2,539,653.44**



Total Fees Collected Fiscal Year

	Year	
	2017-2018	2018-2019
October	$ 212,560.59	$ 645,511.95
November	$ 579,208.80	$ 99,983.92
December	$ 313,423.19	$ 266,328.43
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	$ 137,260.79
March	$ 122,271.28	$ 288,576.03
April	$ 686,154.89	$ 186,555.47
May	$ 247,465.55	$ 685,938.85
June	$ 406,799.91	$ 203,335.14
July	$ 343,682.23	$ 551,248.76
August	$ 212,643.16	$ 254,601.49
September	$ 201,855.47	$ 123,811.68
Totals	**$ 3,766,478.39**	**$ 3,551,477.74**



City of Rockwall
PERMITS ISSUED
For the Period 9/1/2019 thru 9/30/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0082 08/01/2019 09/04/2019	CO BUSINESS Active	203 S Fannin St 4820-000T-0001-00-0R PR22 Holdings LLC	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	PR22 Holdings (dba LONES'	203 S. Fannin St, Rockwall, TX 75087	(469) 745-9698
BUS OWNER	Mike Rapier	203 S. Fannin St, Rockwall, TX 75087	(469) 745-9698
BUSINESS	PR22 Holdings	203 S. Fannin St, Rockwall, TX 75087	(469) 745-9698
MANAGER	Kevin Potts (Main Contact)	203 S. Fannin St, ,	(469) 576-5162
OWNER	Mike Rapier	203 S. Fannin St, Rockwall, TX 75087	(469) 745-9698
OWNER 2		, ,	
PROP OWNER	Divine Peace Lutherun Churc	305 S. Fannin St, ROCKWALL, TX 75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0083 08/05/2019 09/30/2019	CO BUSINESS Active	109 N Goliad 4820-000J-006A-00-0R Coral & Calypso	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Priscilla Willess	109 N Goliad, ROCKWALL, TX 75087	(972) 741-3156
BUS OWNER	Priscilla Willess	109 N Goliad, ROCKWALL, TX 75087	(972) 741-3156
BUSINESS	Cora & Calypso	109 N Goliad, ROCKWALL, TX 75087	(972) 741-3156
OWNER	K's Advertising/Kerry Smith	PO Box 1238, ROCKWALL, TX 75087	(214) 809-8774

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0084 08/07/2019 09/16/2019	CO BUSINESS Active	955 W RALPH HALL 105 & 107 4009-000B-0006-09-0R Melange Beauty LLC	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Cheryl LeClaire	955 W. Ralph Hall Pkwy. # 105&107, Rockwall, TX 75032	(903) 495-2935
BUS OWNER	Cheryl LeClaire	955 W. Ralph Hall Pkwy. # 105&107, Rockwall, TX 75032	(903) 495-2935
BUSINESS	Melange Beauty LLC	955 W. Ralph Hall Pkwy. #105&107, Rockwall, TX 75032	(214) 734-0024
OWNER	Kris Sharp	3021 Ridge Road #160, Rockwall, TX 75032	(972) 772-7411

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0087 08/14/2019 09/03/2019	CO BUSINESS Active	1810 E I-30 0134-0000-0009-01-0R Rockwall's Auto Auction/Dealers Auction Xchange of Rockwall	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Chase Ford	, ,	(817) 470-0664
BUS OWNER	Overwatch Ventures/EQ Auto	P.O. Box 775, Royce City, TX 75189	(817) 470-0664
BUSINESS	Rockwall's Auto Auction LLC	dba Dealers Auction Xchange of Rockwall, Rockwall, TX 75087	(972) 771-9919
OWNER	Rockwall AA RE LLC	P.O. Box 775, Royce City, TX 75189	(817) 470-0664

City of Rockwall
PERMITS ISSUED
For the Period 9/1/2019 thru 9/30/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0089 08/27/2019 09/16/2019	CO BUSINESS Active	2918 Ridge Rd 4476-000A-0001-00-0R Rockwall Dental Care	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Gezi Mebratu	1524 Timber Ridge Dr, Rockwall, TX 75032	(913) 206-3822
BUS OWNER	Gezi Mebratu, DDS, PA	1524 Timber Ridge Dr, Rockwall, TX 75032	(913) 206-3822
BUSINESS	Rockwall Dental Care	2918 Ridge Rd, Rockwall, TX 75032	
OWNER	Selma Hospitality, Inc	2560 Royal Ln. #210, Dallas, TX 75229	(214) 223-3709

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0093 08/30/2019 09/19/2019	CO SHELL Active	1505 AIRPORT RD 4296-000A-0003-00-0R Zaph & Ath Properties LLC-SHELL ONLY	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Kyle Sanford	, ,	
BUS OWNER	Zaph & Ath Properties LLC	1125 Waterside Cir, ROCKWALL, TX 75087	(832) 906-0746
BUSINESS	Zaph & Ath Properties LLC	1125 Waterside Cir, ROCKWALL, TX 75087	(832) 906-0746
OWNER	Zaph & Ath Properties LLC	1125 Waterside Cir, ROCKWALL, TX 75087	(832) 906-0746
PROP OWNER	Zaph & Ath Properties LLC	1125 Waterside Cir, ROCKWALL, TX 75087	(832) 906-0746

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0096 09/12/2019 09/19/2019	CO BUSINESS Active	1505 Airport Rd 200 4296-000A-0003-00-0R A Dance to Remember	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Malgorzata Kochan	308 Paint Brush Trail, Rockwall, TX 75032	(903) 456-4717
BUS OWNER	Malgorzata Kochan	308 Paint Brush Trail, Rockwall, TX 75032	(903) 456-4717
BUSINESS	A Dance to Remember	1505 Airport Rd, Suite 200, Rockwall, TX 75087	(903) 456-4717
MANAGER	Kyle Samford	Facilities Manager, ,	(832) 906-0746
OWNER	Malgorzata Kochan	308 Paint Brush Trail, Rockwall, TX 75032	(903) 456-4717
PROP OWNER	Steven Arze, MD	929 Anna Cade Rd, Rockwall, TX 75087	(469) 834-6757

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0097 09/12/2019 09/19/2019	CO BUSINESS Active	1505 Airport Rd 300 4296-000A-0003-00-0R Texas International Fencing Center LLC	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Hector Florencia & Andrew C	P.O. Box 1563, Rockwall, TX 75087	(903) 345-2744
BUS OWNER	Hector Florencia & Andrew C	P.O. Box 1563, Rockwall, TX 75087	(903) 345-2744
BUSINESS	Texas International Fencing C	1505 Airport Rd, Suite 300, Rockwall, TX 75087	
MANAGER	Kyle Samford	Facilities Manager, ,	(832) 906-0746
OWNER	Hector Florencia & Andrew C	P.O. Box 1563, Rockwall, TX 75087	(903) 345-2744
PROP OWNER	Steven Arze, MD	929 Anna Cade Rd, Rockwall, TX 75087	(469) 834-6757

City of Rockwall
PERMITS ISSUED
For the Period 9/1/2019 thru 9/30/2019

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0098	CO	2071 Summer Lee Dr 103	0.00	76.50	76.50
09/13/2019	BUSINESS	3809-000A-0002-00-0R			
09/26/2019	Active	Cyclebar Rockwall			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Kendra Nottingham	1015 Woodbridge Pl, Heath, TX 75032	(903) 517-4759
BUS OWNER	Kendra Nottingham	2071 Summer Lee Dr #103, Rockwall, TX 75032	(903) 517-4759
BUSINESS	The Teal Tulip dba Cyclebar I	2071 Summer Lee Dr, Suite 103, Rockwall, TX	
OWNER	Kendra Nottingham	1015 Woodbridge Pl, Heath, TX 75032	(903) 517-4759
PERMIT TECH	Levi Dahl, GC 972-567-39	, ,	
PROP OWNER	PA Harbor Retail LLC	PO Box 369, Dallas, TX 75225	(469) 232-3470

Total Valuation: **0.00**
Total Fees: **682.50**
Total Fees Paid: **682.50**

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306

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **November 1, 2019**

SUBJECT: **FY 2019 Budget Report**

The following analysis is offered for the fiscal year ended September 30, 2019 budget report. The budget is established in broad categories with line item estimates. In each category actual expenses as a whole should be considered rather than at the line item level.

Please keep in mind the figures in the accompanying report are not final. Staff will continue to accrue expenses for the year ended September 30, until at least late- November as part of preparing for Audit. Some invoices will come in during this period for services rendered prior to September 30.

General Fund Revenues

Total revenues for the year exceeded amended budget projections and should allow the fund balance to be increased by about 8 days.

- Sales tax increased by 3.1% for the month of September (July sales) as compared to the prior year, same month. Overall for the year, sales tax increased 7.14% over the prior fiscal year's collections.

General Fund Expenditures

All individual departments and divisions are within their appropriated budgets as amended during the budget process. We have accrued a large number of invoices as is typical for a year's end and know that we have numerous other expenses such as electricity, water, paving repairs, and other routine expenses incurred late in September and for which invoices are outstanding. With that said we should increase the General fund reserves by at least $900,000 or 9.25 days and likely more.

Water / Sewer Revenues

- Water sales – for the fiscal year sales were sales were down when compared to the prior year due in large part to the very wet spring and early summer.

Water / Sewer Expenditures

- Water Operations – we have received our rebate for using less than our annual take or pay amount and it has been netted against water purchases in the water operations budget.

- Sewer Operations – we just received the credit memos from NTMWD for the various sewer services they provide us. The credits are just over $800,000 and will be applied against the corresponding expense in the budget.

307

CITY OF ROCKWALL
REPORT OF REVENUES
FOR THE PERIOD ENDED SEPTEMBER 30, 2019
WITH COMPARATIVE TOTAL FROM PRIOR YEAR

GENERAL FUND

	Fiscal Year 2018			Fiscal Year 2019		
	Amended	Actual	Percentage	Amended	Actual	Percentage
00 REVENUES						
311 - PROPERTY TAXES						
4100 - CURRENT PROPERTY TAXES	12,214,700	12,292,079	100.63%	12,275,000	12,187,755	99.29%
4105 - DELIQUENT PROPERTY TAX	80,000	89,180	111.47%	80,000	77,188	96.48%
4110 - PENALTY AND INTEREST	60,000	73,008	121.68%	60,000	91,542	152.57%
311 - PROPERTY TAXES Total	**12,354,700**	**12,454,268**	**100.81%**	**12,415,000**	**12,356,485**	**99.53%**
313 - SALES TAXES						
4150 - CITY SALES TAX	17,250,000	17,010,227	98.61%	17,870,400	18,224,405	101.98%
4155 - BEVERAGE TAXES	295,000	246,327	83.50%	300,000	333,344	111.11%
4160 - SALES TAX REBATES	(11,000)	(20,246)	184.05%	-	(13,242)	0.00%
313 - SALES TAXES Total	**17,534,000**	**17,236,307**	**98.30%**	**18,170,400**	**18,544,506**	**102.06%**
315 - FRANCHISE FEES						
4201 - ELECTRIC FRANCHISE FEES	1,795,000	1,883,743	104.94%	1,960,000	1,924,571	98.19%
4203 - TELEPHONE FRANCHISE FEES	150,000	145,673	97.12%	140,000	141,297	100.93%
4205 - GAS FRANCHISE FEES	497,500	497,529	100.01%	619,500	620,183	100.11%
4207 - CABLE TV FRANCHISE FEE	505,000	430,262	85.20%	400,000	442,103	110.53%
4209 - GARBAGE FRANCHISE FEE	290,000	298,438	102.91%	305,000	307,748	100.90%
315 - FRANCHISE FEES Total	**3,237,500**	**3,255,645**	**100.56%**	**3,424,500**	**3,435,903**	**100.33%**
318 - FEES						
4250 - BALLFIELD RENTALS	-	5,578	0.00%	4,000	5,721	143.03%
4250 - PARK & RECREATION FEES	35,000	44,639	127.54%	35,000	34,543	98.69%
4251 - MUNICIPAL POOL FEES	22,000	17,680	80.36%	22,000	16,166	73.48%
4253 - CENTER RENTALS-7%	39,500	41,203	104.31%	44,500	48,398	108.76%
4255 - HARBOR RENTALS	10,000	3,180	31.80%	2,000	1,035	51.75%
4260 - TAX CERTIFICATE FEE	250	-	0.00%	-	-	0.00%
4270 - CODE ENFORCEMENT FEES	25,000	32,608	130.43%	40,000	47,909	119.77%
4280 - PLANNING AND ZONING FEES	65,000	65,071	100.11%	60,000	67,272	112.12%
4283 - CONSTRUCTION INSPECTION	425,000	463,805	109.13%	600,000	803,557	133.93%
4295 - FIRE-PLAN REVIEW FEES	4,500	4,125	91.67%	4,500	4,610	102.44%
318 - FEES Total	**626,250**	**677,888**	**108.25%**	**812,000**	**1,029,211**	**126.75%**
321 - PERMITS						
4288 - MIXED BEVERAGE PERMIT FEE	12,000	13,740	114.50%	15,000	16,355	109.03%
4300 - BUILDING PERMITS	1,000,000	1,039,228	103.92%	1,060,000	1,158,043	109.25%
4302 - FENCE PERMITS	20,000	22,480	112.40%	20,000	19,350	96.75%
4304 - ELECTRICAL PERMITS	30,000	26,902	89.67%	20,000	29,572	147.86%
4306 - PLUMBING PERMITS	50,000	54,936	109.87%	50,000	54,129	108.26%
4308 - MECHANICAL PERMITS	65,000	77,715	119.56%	55,000	57,479	104.51%
4310 - DAY CARE CENTER PERMITS	5,500	6,720	122.18%	5,500	5,820	105.82%
4312 - HEALTH PERMITS	124,000	117,696	94.92%	122,000	117,878	96.62%
4314 - SIGN PERMITS	20,000	16,325	81.63%	20,000	19,575	97.88%
4320 - MISC. PERMITS	90,000	111,170	123.52%	70,000	75,737	108.20%
321 - PERMITS Total	**1,416,500**	**1,486,911**	**104.97%**	**1,437,500**	**1,553,938**	**108.10%**

322 - MUNICIPAL COURT						
4400 - COURT FINES	475,000	438,218	92.26%	350,000	353,914	101.12%
4402 - COURT FEES	115,000	123,971	107.80%	90,000	83,000	92.22%
4404 - WARRANT FEES	45,000	41,740	92.76%	40,000	40,261	100.65%
4406 - COURT DEFERRAL FEES	205,000	209,764	102.32%	195,000	156,068	80.04%
4408 - ANIMAL REGISTRATION FEE	5,000	4,397	87.94%	5,000	4,947	98.94%
4414 - ALARM FEES AND FINES	60,000	66,102	110.17%	64,000	55,649	86.95%
322 - MUNICIPAL COURT Total	**905,000**	**884,192**	**97.70%**	**744,000**	**693,840**	**93.26%**
323 - MISCELLANEOUS REVENUE						
4001 - INTEREST EARNINGS	85,000	134,818	158.61%	215,000	313,072	145.62%
4007 - SALE OF SUPPLIES	500	258	51.54%	500	252	50.35%
4010 - AUCTION /SCRAP PROCEEDS	30,000	28,443	94.81%	40,000	64,750	161.87%
4019 - MISCELLANEOUS REVENUE	20,000	112,574	562.87%	30,000	49,602	165.34%
4480 - TOWER LEASES	51,000	25,710	50.41%	22,000	21,378	97.17%
4680 - DEVELOPER CONTRIBUTIONS	45,000	44,793	99.54%	35,500	35,500	100.00%
323 - MISCELLANEOUS REVENUE Total	**231,500**	**346,595**	**203.76%**	**343,000**	**484,554**	**141.27%**
330 - INTERGOVERNMENTAL REVENUES						
4500 - GRANT PROCEEDS	-	17,434	0.00%	70,000	74,392	106.27%
4510 - SCHOOL PATROLS	405,000	424,879	104.91%	603,750	605,790	100.34%
4520 - COUNTY CONTRACTS	1,000	960	96.00%	1,000	960	96.00%
4530 - CITY CONTRACTS	491,600	455,568	92.67%	466,150	466,125	99.99%
330 - INTERGOVERNMENTAL REVENUES Total	**897,600**	**898,842**	**100.14%**	**1,140,900**	**1,147,266**	**100.56%**
391 - OPERATING TRANSFERS						
4911 - TRANSFER IN - POLICE INV	25,000	25,000	100.00%	37,500	37,500	100.00%
391 - OPERATING TRANSFERS TOTAL	**25,000**	**25,000**	**0.00%**	**37,500**	**37,500**	**100.00%**
00 REVENUES Total	**37,228,050**	**37,265,647**	**100.10%**	**38,524,800**	**39,285,849**	**101.98%**

CITY OF ROCKWALL
REPORT OF EXPENDITURES
FOR THE PERIOD ENDED SEPTEMBER 30, 2019
WITH COMPARATIVE TOTAL FROM PRIOR YEAR

GENERAL FUND

	Fiscal Calendar 2018			Fiscal Calendar 2019		
	Amended Budget	Actual	Percentage	Amended Budget	Actual	Percentage
10 GENERAL GOVERNMENT						
01 MAYOR/COUNCIL						
10 - PERSONNEL SERVICES	24,200	24,221	100.09%	24,200	24,221	100.09%
20 - CONTRACTUAL	41,150	41,316	100.40%	41,150	37,751	92.87%
30 - SUPPLIES	900	854	94.92%	1,100	153	13.95%
40 - OPERATIONS	59,150	60,731	102.67%	58,000	37,397	64.48%
01 MAYOR/COUNCIL Total	**125,400**	**127,123**	**101.37%**	**124,450**	**99,522**	**79.97%**
05 ADMINISTRATION						
10 - PERSONNEL SERVICES	1,069,650	1,042,498	97.46%	1,181,850	1,174,243	99.36%
20 - CONTRACTUAL	788,700	741,624	94.03%	763,900	733,997	96.09%
30 - SUPPLIES	28,300	28,434	100.48%	18,000	18,846	104.70%
391 - OPERATING TRANSFERS	3,215,500	3,215,500	100.00%	3,198,000	3,198,000	100.00%
40 - OPERATIONS	74,750	73,942	98.92%	74,750	65,332	87.40%
50 - UTILITIES	5,600	6,778	121.04%	8,050	5,850	72.67%
05 ADMINISTRATION Total	**5,182,500**	**5,108,776**	**98.58%**	**5,244,550**	**5,196,268**	**99.08%**
06 ADMINISTRATIVE SERVICES						
10 - PERSONNEL SERVICES	496,350	496,446	100.02%	514,550	495,411	96.28%
20 - CONTRACTUAL	7,050	591	8.38%	12,850	13,071	101.72%
30 - SUPPLIES	3,000	2,133	71.10%	3,000	2,186	72.87%
40 - OPERATIONS	53,700	48,036	89.45%	59,900	55,895	93.31%
50 - UTILITIES	3,100	3,016	97.29%	3,100	3,016	97.29%
06 ADMINISTRATIVE SERVICES Tot	**563,200**	**550,222**	**97.70%**	**593,400**	**569,580**	**95.99%**
09 INTERNAL OPERATIONS						
10 - PERSONNEL SERVICES	1,090,600	1,090,653	100.00%	1,043,650	1,038,111	99.47%
20 - CONTRACTUAL	568,100	580,765	102.23%	697,700	623,715	89.40%
30 - SUPPLIES	97,400	81,042	83.21%	99,900	79,539	79.62%
40 - OPERATIONS	14,600	16,048	109.92%	14,600	7,748	53.07%
50 - UTILITIES	362,800	361,406	99.62%	346,800	352,204	101.56%
60 - CAPITAL	69,400	60,520	87.21%	204,750	115,002	56.17%
09 INTERNAL OPERATIONS Total	**2,202,900**	**2,190,434**	**99.43%**	**2,407,400**	**2,216,320**	**92.06%**

15 FINANCE						
11 FINANCE						
10 - PERSONNEL SERVICES	415,800	323,432	77.79%	444,650	335,488	75.45%
20 - CONTRACTUAL	292,750	301,980	103.15%	319,300	297,498	93.17%
30 - SUPPLIES	62,250	56,588	90.90%	64,750	53,650	82.86%
40 - OPERATIONS	9,000	7,055	78.39%	9,000	5,678	63.09%
50 - UTILITIES	1,250	1,222	97.76%	1,250	1,269	101.52%
11 FINANCE Total	**781,050**	**690,277**	**88.38%**	**838,950**	**693,583**	**82.67%**
15 MUNICIPAL COURT						
10 - PERSONNEL SERVICES	337,350	338,636	100.38%	318,950	304,314	95.41%
20 - CONTRACTUAL	93,900	84,433	89.92%	93,900	79,126	84.27%
30 - SUPPLIES	7,250	2,774	38.26%	7,250	6,488	89.49%
40 - OPERATIONS	5,500	4,019	73.07%	5,500	2,571	46.74%
15 MUNICIPAL COURT Total	**444,000**	**429,862**	**96.82%**	**425,600**	**392,499**	**92.22%**
20 FIRE						
25 OPERATIONS						
10 - PERSONNEL SERVICES	3,425,450	3,434,397	100.26%	3,903,600	3,641,332	93.28%
20 - CONTRACTUAL	208,800	183,332	87.80%	272,700	219,707	80.57%
30 - SUPPLIES	103,400	95,754	92.61%	126,800	95,855	75.60%
40 - OPERATIONS	32,000	28,468	88.96%	63,700	39,831	62.53%
50 - UTILITIES	2,800	2,678	95.64%	4,300	3,806	88.51%
60 - CAPITAL	-	-		70,900	70,888	99.98%
25 OPERATIONS Total	**3,772,450**	**3,744,630**	**99.26%**	**4,442,000**	**4,071,419**	**91.66%**
29 FIRE MARSHAL						
10 - PERSONNEL SERVICES	433,000	422,419	97.56%	525,450	511,532	97.35%
20 - CONTRACTUAL	16,500	12,844	77.84%	63,900	57,593	90.13%
30 - SUPPLIES	78,200	69,085	88.34%	75,300	61,288	81.39%
40 - OPERATIONS	23,000	17,811	77.44%	23,000	18,430	80.13%
50 - UTILITIES	5,000	4,136	82.72%	5,000	5,076	101.52%
60 - CAPITAL	-	-	0.00%	13,500	13,421	99.41%
29 FIRE MARSHAL Total	**555,700**	**526,296**	**94.71%**	**706,150**	**667,340**	**94.50%**

30 POLICE						
31 POLICE ADMINISTRATION						
10 - PERSONNEL SERVICES	1,094,600	1,109,045	101.32%	1,127,650	1,134,888	100.64%
20 - CONTRACTUAL	52,000	50,915	97.91%	61,800	50,091	81.05%
30 - SUPPLIES	19,800	18,438	93.12%	19,400	17,056	87.92%
40 - OPERATIONS	32,150	25,228	78.47%	33,150	26,133	78.83%
50 - UTILITIES	8,600	7,470	86.86%	8,600	8,077	93.92%
60 - CAPITAL	205,050	179,131	87.36%	35,000	34,554	98.73%
31 POLICE ADMINISTRATION Tota	**1,412,200**	**1,390,227**	**98.44%**	**1,285,600**	**1,270,800**	**98.85%**
32 COMMUNICATIONS						
10 - PERSONNEL SERVICES	916,550	940,652	102.63%	964,650	941,170	97.57%
20 - CONTRACTUAL	269,500	233,818	86.76%	265,000	233,825	88.24%
30 - SUPPLIES	5,950	2,623	44.09%	5,950	1,403	23.58%
40 - OPERATIONS	11,550	6,284	54.41%	11,550	4,573	39.59%
50 - UTILITIES	3,700	1,222	33.03%	3,700	2,303	62.24%
32 COMMUNICATIONS Total	**1,207,250**	**1,184,600**	**98.12%**	**1,250,850**	**1,183,274**	**94.60%**
33 PATROL						
10 - PERSONNEL SERVICES	4,948,000	4,796,543	96.94%	5,111,750	4,933,796	96.52%
20 - CONTRACTUAL	117,800	137,936	117.09%	142,800	132,788	92.99%
30 - SUPPLIES	308,400	303,266	98.34%	331,600	314,706	94.91%
40 - OPERATIONS	36,800	33,373	90.69%	46,800	47,036	100.50%
50 - UTILITIES	9,000	10,118	112.42%	10,000	8,824	88.24%
60 - CAPITAL	250,900	263,160	104.89%	293,000	218,488	74.57%
33 PATROL Total	**5,670,900**	**5,544,396**	**97.77%**	**5,935,950**	**5,655,638**	**95.28%**
34 CRIMINAL INVESTIGATIONS						
10 - PERSONNEL SERVICES	1,237,200	1,228,591	99.30%	1,294,900	1,210,866	93.51%
20 - CONTRACTUAL	25,300	23,917	94.53%	36,700	27,094	73.83%
30 - SUPPLIES	48,300	39,903	82.61%	53,350	43,538	81.61%
40 - OPERATIONS	14,000	11,123	79.45%	13,700	7,825	57.11%
50 - UTILITIES	15,050	14,595	96.98%	15,050	13,162	87.45%
60 - CAPITAL	-	-	0.00%	84,500	73,622	87.13%
34 CRIMINAL INVESTIGATIONS Tot	**1,339,850**	**1,318,129**	**98.38%**	**1,498,200**	**1,376,107**	**91.85%**

35 COMMUNITY SERVICES						
10 - PERSONNEL SERVICES	952,400	942,942	99.01%	1,309,750	1,280,796	97.79%
20 - CONTRACTUAL	29,650	28,850	97.30%	36,450	37,340	102.44%
30 - SUPPLIES	64,950	43,577	67.09%	79,550	60,297	75.80%
40 - OPERATIONS	9,900	4,900	49.49%	9,900	6,149	62.11%
50 - UTILITIES	3,700	2,894	78.22%	4,900	2,738	55.88%
35 COMMUNITY SERVICES Total	**1,060,600**	**1,023,163**	**96.47%**	**1,440,550**	**1,387,320**	**96.30%**
36 WARRANTS						
10 - PERSONNEL SERVICES	236,250	241,036	102.03%	254,700	245,580	96.42%
20 - CONTRACTUAL	2,600	907	34.90%	2,600	900	34.62%
30 - SUPPLIES	2,700	1,138	42.15%	2,700	2,034	75.34%
50 - UTILITIES	900	782	86.94%	900	622	69.08%
36 WARRANTS Total	**242,450**	**243,864**	**100.58%**	**260,900**	**249,136**	**95.49%**
37 POLICE RECORDS						
10 - PERSONNEL SERVICES	528,400	509,116	96.35%	457,750	454,537	99.30%
20 - CONTRACTUAL	7,350	7,717	105.00%	7,350	3,913	53.24%
30 - SUPPLIES	1,450	1,342	92.53%	1,950	1,713	87.84%
40 - OPERATIONS	7,600	6,949	91.43%	7,600	8,406	110.61%
50 - UTILITIES	3,400	3,666	107.82%	4,200	3,807	90.64%
37 POLICE RECORDS Total	**548,200**	**528,790**	**96.46%**	**478,850**	**472,377**	**98.65%**
40 COMMUNITY DEVELOPMENT						
41 PLANNING						
10 - PERSONNEL SERVICES	669,150	641,648	95.89%	696,000	670,435	96.33%
20 - CONTRACTUAL	60,600	58,573	96.65%	121,600	90,417	74.36%
30 - SUPPLIES	2,750	2,203	80.11%	4,400	4,273	97.11%
40 - OPERATIONS	23,550	18,721	79.50%	26,050	25,048	96.15%
50 - UTILITIES	1,350	1,222	90.52%	1,350	1,269	94.00%
60 - CAPITAL	-	-	0.00%	202,500	110,868	54.75%
41 PLANNING Total	**757,400**	**722,367**	**95.37%**	**1,051,900**	**902,310**	**85.78%**

42 NEIGHBORHOOD IMPROVEMEI						
10 - PERSONNEL SERVICES	345,200	344,463	99.79%	320,800	314,748	98.11%
20 - CONTRACTUAL	162,150	162,644	100.30%	159,750	137,513	86.08%
30 - SUPPLIES	21,550	13,233	61.41%	18,900	12,121	64.13%
40 - OPERATIONS	9,650	5,308	55.00%	9,650	5,590	57.92%
50 - UTILITIES	2,950	3,003	101.81%	4,100	3,591	87.58%
60 - CAPITAL	-	-	0.00%	50,450	45,796	90.78%
42 NEIGHBORHOOD IMPROVEMEI	**541,500**	**528,651**	**97.63%**	**563,650**	**519,358**	**92.14%**
43 BUILDING INSPECTIONS						
10 - PERSONNEL SERVICES	634,750	639,347	100.72%	651,800	642,634	98.59%
20 - CONTRACTUAL	68,600	50,858	74.14%	74,900	37,510	50.08%
30 - SUPPLIES	13,850	11,836	85.46%	13,600	7,893	58.03%
40 - OPERATIONS	10,050	7,802	77.63%	9,750	4,481	45.96%
50 - UTILITIES	4,600	4,505	97.93%	6,400	5,522	86.29%
60 - CAPITAL	-	-	0.00%	53,450	50,241	94.00%
43 BUILDING INSPECTIONS Total	**731,850**	**714,347**	**97.61%**	**809,900**	**748,281**	**92.39%**
45 PARKS AND RECREATION						
45 PARKS						
10 - PERSONNEL SERVICES	1,017,550	992,315	97.52%	1,097,250	1,096,423	99.92%
20 - CONTRACTUAL	665,500	659,488	99.10%	695,000	636,948	91.65%
30 - SUPPLIES	418,200	443,587	106.07%	442,250	441,417	99.81%
40 - OPERATIONS	11,750	12,982	110.48%	17,500	22,144	126.54%
50 - UTILITIES	328,400	331,131	100.83%	335,500	269,898	80.45%
60 - CAPITAL	191,000	171,685	89.89%	219,150	169,408	77.30%
45 PARKS Total	**2,632,400**	**2,611,187**	**99.19%**	**2,806,650**	**2,636,238**	**93.93%**
46 HARBOR O & M						
10 - PERSONNEL SERVICES	117,300	120,647	102.85%	104,050	99,340	95.47%
20 - CONTRACTUAL	168,800	191,253	113.30%	224,300	189,077	84.30%
30 - SUPPLIES	70,000	53,628	76.61%	79,000	68,488	86.69%
40 - OPERATIONS	4,650	520	11.17%	4,550	113	2.47%
50 - UTILITIES	165,700	179,939	108.59%	150,200	108,663	72.35%
60 - CAPITAL	16,000	13,426	83.91%	-	-	0.00%
46 HARBOR O & M Total	**542,450**	**559,412**	**103.13%**	**562,100**	**465,681**	**82.85%**
47 RECREATION						
10 - PERSONNEL SERVICES	683,750	697,633	102.03%	743,150	736,717	99.13%
20 - CONTRACTUAL	38,550	33,346	86.50%	41,550	28,378	68.30%
30 - SUPPLIES	57,550	55,695	96.78%	64,250	53,698	83.58%
40 - OPERATIONS	76,700	77,645	101.23%	78,700	76,779	97.56%
50 - UTILITIES	77,700	76,677	98.68%	77,700	70,113	90.24%
60 - CAPITAL	22,000	19,775	89.89%	33,700	33,658	99.88%
47 RECREATION Total	**956,250**	**960,771**	**100.47%**	**1,039,050**	**999,343**	**96.18%**

48 ANIMAL SERVICES						
10 - PERSONNEL SERVICES	202,900	200,225	98.68%	197,050	201,904	102.46%
20 - CONTRACTUAL	425,500	422,555	99.31%	425,500	421,674	99.10%
30 - SUPPLIES	16,900	9,165	54.23%	15,400	9,408	61.09%
40 - OPERATIONS	2,550	2,500	98.02%	3,750	1,275	33.99%
50 - UTILITIES	3,800	3,239	85.25%	7,500	5,489	73.18%
60 - CAPITAL	-	-	0.00%	56,150	56,546	100.71%
48 ANIMAL SERVICES Total	**651,650**	**637,684**	**97.86%**	**705,350**	**696,296**	**98.72%**
50 PUBLIC WORKS						
53 ENGINEERING						
10 - PERSONNEL SERVICES	809,400	801,118	98.98%	827,900	818,260	98.84%
20 - CONTRACTUAL	214,450	205,842	95.99%	285,200	286,341	100.40%
30 - SUPPLIES	23,450	18,599	79.31%	21,850	16,749	76.65%
40 - OPERATIONS	23,800	20,080	84.37%	23,700	13,796	58.21%
50 - UTILITIES	10,050	7,790	77.51%	10,050	9,420	93.73%
60 - CAPITAL	7,500	6,500	86.67%	-	-	0.00%
53 ENGINEERING Total	**1,088,650**	**1,059,929**	**97.36%**	**1,168,700**	**1,144,566**	**97.93%**
59 STREETS						
10 - PERSONNEL SERVICES	742,150	749,601	101.00%	749,500	738,702	98.56%
20 - CONTRACTUAL	227,050	163,038	71.81%	270,750	231,515	85.51%
30 - SUPPLIES	1,638,350	1,479,057	90.28%	2,765,550	2,745,747	99.28%
40 - OPERATIONS	11,300	7,636	67.57%	11,500	7,849	68.25%
50 - UTILITIES	522,700	495,471	94.79%	525,700	447,473	85.12%
60 - CAPITAL	218,650	202,401	92.57%	87,800	39,614	45.12%
59 STREETS Total	**3,360,200**	**3,097,203**	**92.17%**	**4,410,800**	**4,210,899**	**95.47%**
Grand Total	**36,371,000**	**35,492,339**	**97.58%**	**40,051,500**	**37,824,153**	**94.44%**

CITY OF ROCKWALL
REPORT OF REVENUES
FOR THE PERIOD ENDED SEPTEMBER 30, 2019
WITH COMPARATIVE TOTAL FROM PRIOR YEAR

WATER & SEWER

	Fiscal Year 2018			Fiscal Year 2019		
	Amended Budget	Actual	Percentage	Amended Budget	Actual	Percentage
00 REVENUES						
00 REVENUES						
323 - MISCELLANEOUS REVENUE						
4001 - INTEREST EARNINGS	85,000	122,799	144.47%	255,000	197,591	77.49%
4010 - AUCTION /SCRAP PROCEEDS	5,000	7,198	143.97%	15,000	13,293	88.62%
323 - MISCELLANEOUS REVENUE Total	**90,000**	**129,997**	**144.44%**	**270,000**	**210,884**	**78.11%**
340 - UTILITY SALES						
4601 - RETAIL WATER SALES	14,901,350	14,994,386	100.62%	14,640,000	13,580,329	92.76%
4603 - SEWER CHARGES	7,708,400	7,347,007	95.31%	8,400,000	8,328,535	99.15%
4605 - PRETREATMENT CHARGES	44,000	46,492	105.66%	53,000	52,844	99.71%
4609 - HOUSE HAZARDOUS WASTE FEE	121,000	119,350	98.64%	125,000	121,730	97.38%
4610 - PENALTIES	330,000	289,358	87.68%	250,000	333,743	133.50%
4611 - PORTABLE METER WATER SALES	97,000	120,480	124.21%	125,000	124,048	99.24%
340 - UTILITY SALES Total	**23,201,750**	**22,917,074**	**98.77%**	**23,593,000**	**22,541,229**	**95.54%**
CONT - TOTAL CONTRACT SALES						
4622 - RCH WATER CORP-WATER SALE	1,182,350	1,471,491	124.45%	1,360,500	1,202,263	88.37%
4632 - BLACKLAND-WATER SALES	821,450	723,312	88.05%	841,000	731,657	87.00%
4640 - MCLENDON CHISHOLM SEWER	14,000	83,039	593.14%	345,000	187,346	54.30%
4650 - CITY OF HEATH-WATER SALES	1,664,050	1,526,999	91.76%	2,100,000	2,083,978	99.24%
CONT - TOTAL CONTRACT SALES Total	**3,681,850**	**3,804,842**	**103.34%**	**4,646,500**	**4,205,245**	**90.50%**
NON - NON-OPERATING REVENUES						
4480 - TOWER LEASES	238,200	346,380	145.42%	215,000	259,137	120.53%
4670 - WATER IMPACT FEES	825,000	930,383	112.77%	675,000	707,659	104.84%
4672 - SEWER IMPACT FEES	450,000	476,655	105.92%	425,000	452,058	106.37%
4676 - WATER PRO RATA	-	-	0.00%	-	16,942	0.00%
4678 - SEWER PRO RATA	-	6,682	0.00%	-	2,709	0.00%
NON - NON-OPERATING REVENUES Total	**1,513,200**	**1,760,101**	**116.32%**	**1,315,000**	**1,438,505**	**109.39%**
OTHE - TOTAL OTHER RECEIPTS						
4660 - WATER TAPS	120,000	135,782	113.15%	140,000	146,265	104.47%
4662 - SEWER TAPS	35,000	26,038	74.39%	25,000	24,016	96.07%
4665 - METER RENTAL FEES	22,000	28,981	131.73%	82,000	62,203	75.86%
OTHE - TOTAL OTHER RECEIPTS Total	**177,000**	**190,801**	**107.80%**	**247,000**	**232,484**	**94.12%**
00 REVENUES Total	**28,663,800**	**28,802,814**	**100.48%**	**30,071,500**	**28,628,347**	**95.20%**
Grand Total	**28,663,800**	**28,802,814**	**100.48%**	**30,071,500**	**28,628,347**	**95.20%**

CITY OF ROCKWALL
REPORT OF EXPENDITURES
FOR THE PERIOD ENDED SEPTEMBER 30, 2019
WITH COMPARATIVE TOTAL FROM PRIOR YEAR

WATER & SEWER FUND

	Fiscal Year 2018			Fiscal Year 2019		
	Amended Budget	Actual	Percentage	Amended Budget	Actual	Percentage
10 GENERAL GOVERNMENT						
05 ADMINISTRATION						
391 - OPERATING TRANSFERS	1,015,050	1,015,050	100.00%	1,023,100	1,023,100	100.00%
05 ADMINISTRATION Total	**1,015,050**	**1,015,050**	**100.00%**	**1,023,100**	**1,023,100**	**126.20%**
60 UTILITY SERVICES						
61 BILLING SERVICES						
10 - PERSONNEL SERVICES	439,100	443,016	100.89%	498,250	501,315	100.62%
20 - CONTRACTUAL	491,250	467,938	95.25%	493,200	483,970	98.13%
30 - SUPPLIES	90,800	89,010	98.03%	90,800	92,303	101.66%
40 - OPERATIONS	154,300	346,853	224.79%	154,300	61,190	39.66%
61 BILLING SERVICES Total	**1,175,450**	**1,346,817**	**114.58%**	**1,236,550**	**1,138,779**	**92.09%**
62 DEBT SERVICE						
70 - DEBT SERVICE	3,765,200	2,821,042	74.92%	4,185,800	4,141,187	98.93%
62 DEBT SERVICE Total	**3,765,200**	**2,821,042**	**74.92%**	**4,185,800**	**4,141,187**	**98.93%**
63 WATER OPERATIONS						
10 - PERSONNEL SERVICES	887,850	884,090	99.58%	986,300	989,162	100.29%
20 - CONTRACTUAL	9,700,600	9,794,023	100.96%	11,705,650	11,807,146	100.87%
30 - SUPPLIES	457,200	334,531	73.17%	561,000	508,223	90.59%
40 - OPERATIONS	16,400	11,347	69.19%	15,900	12,097	76.08%
50 - UTILITIES	280,550	301,790	107.57%	267,050	259,620	97.22%
60 - CAPITAL	79,000	66,135	83.72%	30,000	26,958	89.86%
63 WATER OPERATIONS Total	**11,421,600**	**11,391,916**	**99.74%**	**13,565,900**	**13,517,374**	**99.64%**
67 SEWER OPERATIONS						
10 - PERSONNEL SERVICES	854,700	880,519	103.02%	987,450	961,922	97.41%
20 - CONTRACTUAL	6,002,250	4,782,213	79.67%	6,737,150	6,182,914	91.77%
30 - SUPPLIES	202,950	184,172	90.75%	222,500	152,340	68.47%
40 - OPERATIONS	15,800	15,286	96.74%	15,050	9,910	65.85%
50 - UTILITIES	106,400	85,517	80.37%	109,900	91,998	83.71%
60 - CAPITAL	548,450	434,897	79.30%	246,100	236,778	96.21%
67 SEWER OPERATIONS Total	**7,730,550**	**6,382,603**	**82.56%**	**8,318,150**	**7,639,507**	**91.84%**
Grand Total	**25,107,850**	**22,957,428**	**91.44%**	**28,329,500**	**27,459,947**	**96.93%**

317

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318

Key Projects:

(1) **Outside Agencies / Citizens**. Various RCAD Addressing Questions, City of Rowlett Data Request, NCTCOG 2019 Aerial Images Final Review, Hutson Land Planners

(2) **Engineering / Public Works**. SH205 @ JK Road Alignments (Lofland Area), Mail out Boydstun, ETJ Road Maintenance Map, Construction Mail out

(3) **Planning Department**. Stone Creek PD Exhibits, TXDOT - City Owned Property (I30), Turtle Cove @ RR New Road/Building Study, Subdivision Housing / Facility Calculations, FM1141 @ N John King Blvd Land Exhibit, Annexation Study (Northeast), REDC No Parking Areas, Cornelius Rd MHP Exhibits, I30 Corridor Maps Resized, Overlay District Hyperlink Update, PD-70 Mail outs & Maps, Dimension Diagrams for Folding P&Z Documents

(4) **GIS**. 911 Addressing, New GIS Open Data Portal Site (Build), Cellular Node Tracking / Map Site, Data Request Prep, Address Locators (Rebuild), Cityworks PLL Map Services, Saddle Star Est. Addressing, Update Brochures, Update Restaurant SDE Layer, Update Retail SDE Layer, Cityworks AMS Updates, Sketchup Training & Models, Update Online Apps (Restaurant & Harbor), Update GIS Brochure, Water Meter SDE Layer Update

(5) **Police.** PD - NWS Update X2, Heath Reporting Research, Subdivision Map, Stadium Map, 193 Russell Dr Sex Offender Map

(6) **Fire.** Fire Department Hydrant Inspection Set Up, Residential Population Calc, Fire Department ETJ Calc's

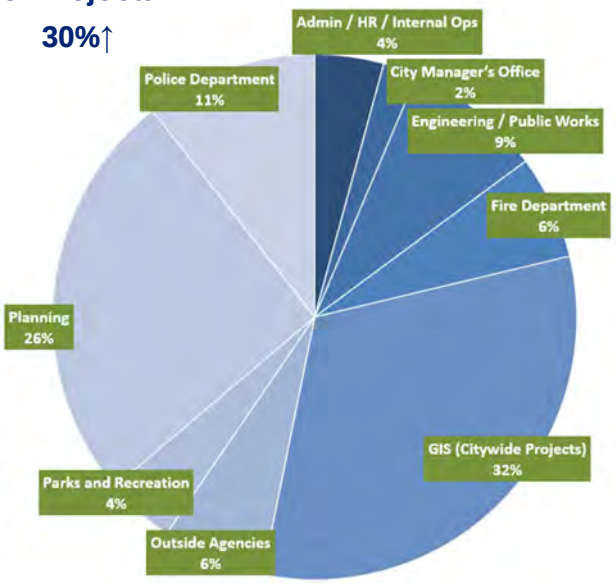
(7) **Parks and Rec**. Rib Rub COP, Volunteer and Police Staging Area Maps, Rib Rub Layout Map

(8) **City Manager's/Admin.** Flag Pole Study (TXDOT Exhibits), Scare on the Square, 4th of July Fireworks Mini Locations

Monthly Project Request by Department:

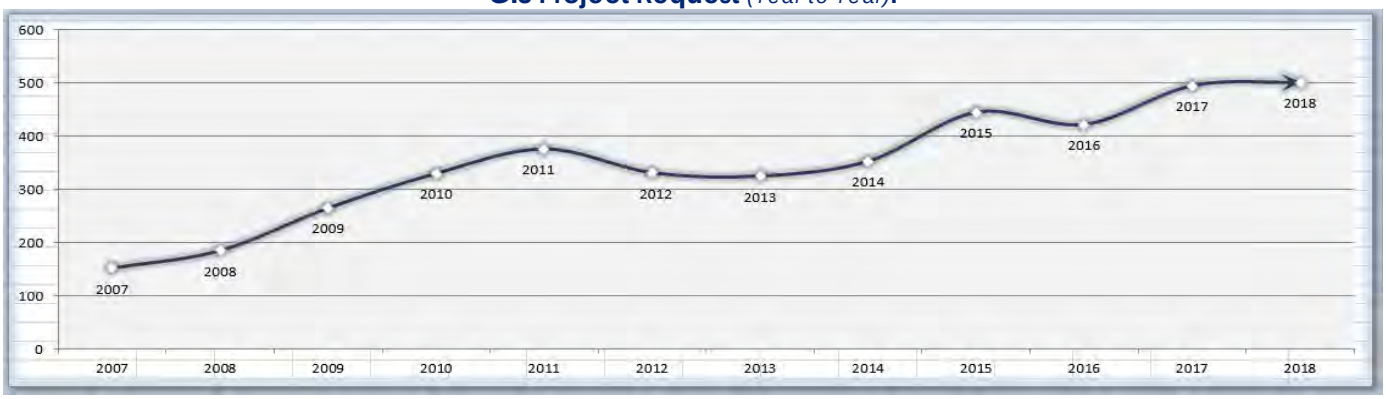
52 Projects

30%↑



Admin / HR / Internal Ops	2
Building Inspections	0
Citizen Request	3
City Council	0
City Manager's Office	1
Neighborhood Improvement Services	0
Engineering / Public Works	4
Finance / Utility Billing	0
Fire Department	3
GIS (Citywide Projects)	14
IT	0
Main Street Program	0
Outside Agencies	4
Parks and Recreation	2
Planning	12
Police Department	5
REDC	0
Total	**52**

GIS Project Request *(Year to Year)*:



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320

Rockwall Police Department
Harbor District Call For Service
September 2019

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2019-00027588	9/11/2019	19:10:50	The Harbor	Assault	Report
2019-00004860	9/7/2019	1:00:04	Hilton Hotel	Assault	Report
2019-00027062	9/7/2019	1:00:04	Hilton Hotel	Assault	Report
2019-00029462	9/28/2019	22:11:03	Hilton Hotel	Disorderly Conduct	No Report
2019-00028839	9/22/2019	20:14:21	The Harbor	Disturbance	Unable To Locate
2019-00026522	9/2/2019	21:07:52	Dodies Seafood Café	Disturbance	No Report
2019-00028862	9/23/2019	2:19:35	Hilton Hotel	Fraud	Arrest
2019-00027448	9/10/2019	19:17:06	Glorias Restaurant	General Complaint	No Report
2019-00026763	9/4/2019	21:49:30	Hilton Hotel	Intoxicated	No Report
2019-00028708	9/21/2019	2:53:40	The Harbor	Investigation	No Report
2019-00029020	9/24/2019	15:06:15	The Harbor	Investigation	No Report
2019-00027101	9/7/2019	11:50:11	Cinemark Movies 12	Investigation	Report
2019-00027776	9/13/2019	0:18:07	Cinemark Movies 12	Investigation	No Report
2019-00028180	9/16/2019	12:24:12	Cinemark Movies 12	Investigation	No Report
2019-00027016	9/6/2019	17:17:44	The Harbor	Meet Complainant	Report
2019-00027510	9/11/2019	10:38:03	The Harbor	Meet Complainant	No Report
2019-00029612	9/30/2019	12:01:18	Cinemark Movies 12	Meet Complainant	No Report
2019-00027180	9/8/2019	0:49:11	Cinemark Movies 12	Missing Person	No Report
2019-00028597	9/20/2019	0:46:48	Hilton Hotel	Ordinance Violation	No Report
2019-00028086	9/15/2019	12:46:19	The Harbor	Suspicious Activity	No Report
2019-00029108	9/25/2019	9:27:38	Campisi's	Suspicious Activity	No Report
2019-00027060	9/7/2019	0:41:46	Cinemark Movies 12	Welfare Concern	No Report

Common Name	
Campisi's	1
Cinemark Movies 12	6
Dodies Seafood Café	1
Glorias	1
Hilton Hotel	6
The Harbor	7
Total	**22**

321

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322

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
SEPTEMBER 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	10	10	0	100%
ADMINISTRATIVE SERVICES	0	0	0	0%
AIRPORT	7	7	0	100%
ANIMAL SERVICES	7	7	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	2	2	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	36	36	0	100%
INTERNAL OPERATIONS	135	135	0	100%
MUNICIPAL COURT	7	7	0	100%
PARKS & RECREATION	2	2	0	100%
PLANNING & ZONING	3	3	0	100%
POLICE DEPARTMENT	36	36	0	100%
PUBLIC WORKS	8	8	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	255	255	0	100%

323

F46 Ralph M Hall Rockwall Municipal Airport

Operations Report JUNE 2019

Fuel Sales

		Gallons Sold	Gross Sales
Jet - A Sales		0	$0.00
100LL	Full	645.2	$2,742.10
100LL	Self	3366.2	$12,724.23
Total	AVGas Sales	4011.4	$15,466.33

Hangar Rental Revenue

Overnight Tiedown	$70.00
Covered Overnight Tiedown	$42.00
Open T Hangar	$3,485.00
Enclosed Hangar	$300.00
Community Hangar	$580.00
Total Hangar Rentals	$4,477

Hangar Occupancy

	Total Hangars	Qty Rentable	Quantity Leased	Occupancy Rate
Open T Hangars	46	43	41	89%
Enclosed Hangars	2	2	2	100%
Community Hangar	1	1	1	100%
Total Hangar Occupancy				96%

City Revenue	Fee Rate	Hangar Rental	Fuel Flowage	Total Due
Fuel Sales (Gallons Sold)	$0.10		645.20	$64.52
Hangars	5.00%	$4,477.00		$223.85
Total Fees Due				$288.37

2019

June

Day		Piston			Turbo Prop			JET	
		Single Engine	Multi-Engine	Helicopter	Single Engine	Multi-Engine	Helicopter		
Sat	1	46		12					
Sun	2	22							
Mon	3	53	2	1					
Tues	4	68	1	8					
Wed	5	7							rain
Thurs	6	21					3		
Fri	7	31		2					
Sat	8	56							
Sun	9	27							
Mon	10	36		9					
Tues	11	19		1					
Wed	12	41		11			2		
Thurs	13	35		4	1	1			
Fri	14	28							
Sat	15	21							
Sun	16	15							
Mon	17	31	1	4				1	
Tues	18	32		9					
Wed	19	25		4					
Thurs	20	28		4	1				windy
Fri	21	11		3				1	windy
Sat	22	16		1					
Sun	23	15							
Mon	24	11	1	12		1			
Tues	25	39		17					
Wed	26	17		20					
Thurs	27	14		14					
Fri	28	16		14					
Sat	29	29		5					
Sun	30	15		1					
TOTALS:		825	5	156	2	2	5	2	

325

F46 Ralph M Hall Rockwall Municipal Airport

Operations Report JULY 2019

Fuel Sales

		Gallons Sold	Gross Sales
Jet - A Sales**		608	$2,280.00
100LL	Full **	1261.6	$5,361.80
100LL	Self	3906.5	$14,766.57
Total	**AVGas Sales**	5776.1	$22,408.37

Hangar Rental Revenue

Overnight Tiedown	$42.00	6
Covered Overnight Tiedown	$42.00	3
Open T Hangar	$3,315.00	
Enclosed Hangar	$300.00	
Community Hangar	$580.00	
Total Hangar Rentals	$4,279	

Hangar Occupancy

	Total Hangars	Qty Rentable	Quantity Leased	Occupancy Rate
Open T Hangars	46	43	39	89%
Enclosed Hangars	2	2	2	100%
Community Hangar	1	1	1	100%
Total Hangar Occupancy				96%

City Revenue	Fee Rate	Hangar Rental	Fuel Flowage	Total Due
Fuel Sales (Gallons Sold)	$0.10		1,869.60	$186.96
Hangars	5.00%	$4,279.00		$213.95
Total Fees Due				$400.91

326

2019

July

Day		Piston			Turbo Prop			JET
		Single Engine	Multi-Engine	Helicopter	Single Engine	Multi-Engine	Helicopter	
Mon	1	24		8				
Tues	2	4						
Wed	3	9						
Thurs	4	6						
Fri	5	19	1	2				
Sat	6							
Sun	7							
Mon	8	18		19	5			
Tues	9			6				
Wed	10	15		7				
Thurs	11	21			1			
Fri	12	29		3				
Sat	13	21		6				
Sun	14							
Mon	15	41		6				
Tues	16							
Wed	17	24		5		1		
Thurs	18	28					1	
Fri	19	31		7				
Sat	20	43		9				
Sun	21	30						
Mon	22	13		3				
Tues	23	21	1	4				
Wed	24	13		4				
Thurs	25	5		2				
Fri	26	23		8				
Sat	27	19		4				
Sun	28	31						
Mon	29	28		8				
Tues	30			5				
Wed	31	14		5				
TOTALS:		530	2	121	6	1	1	0

327

F46 Ralph M Hall Rockwall Municipal Airport

Operations Report AUG 2019

Fuel Sales

		Gallons Sold	Gross Sales
Jet - A Sales**		63	$236.25
100LL	Full **	506.7	$2,150.50
100LL	Self	3601.3	$13,612.91
Total	**AVGas Sales**	4171	$15,999.66

Hangar Rental Revenue

Overnight Tiedown	$21.00	3
Covered Overnight Tiedown	$0.00	
Open T Hangar	$3,400.00	
Enclosed Hangar	$300.00	
Community Hangar	$580.00	
Total Hangar Rentals	$4,301	

Hangar Occupancy

	Total Hangars	Qty Rentable	Quantity Leased	Occupancy Rate
Open T Hangars	46	43	40	89%
Enclosed Hangars	2	2	2	100%
Community Hangar	1	1	1	100%
Total Hangar Occupancy				96%

City Revenue	Fee Rate	Hangar Rental	Fuel Flowage	Total Due
Fuel Sales (Gallons Sold)	$0.10		569.70	$56.97
Hangars	5.00%	$4,301.00		$215.05
Total Fees Due				$272.02

2019 August

Day		Piston			Turbo Prop			JET
		Single Engine	Multi-Engine	Helicopter	Single Engine	Multi-Engine	Helicopter	
Thurs	1	23						
Fri	2	26					1	
Sat	3	43						
Sun	4	15						
Mon	5	14		5				
Tues	6	20		7				
Wed	7	19	1	5				
Thurs	8	25		1				
Fri	9	31		3				
Sat	10	27		9			1	
Sun	11	5						
Mon	12	15	1	5				
Tues	13	16		2				
Wed	14	18		6				
Thurs	15	19		5				
Fri	16	23		1				
Sat	17	26		6				
Sun	18							
Mon	19	18		4				
Tues	20	12		3				
Wed	21	27		5				
Thurs	22	21	2	13				
Fri	23	24		15				
Sat	24	17		6				
Sun	25	21						
Mon	26	8		5				
Tues	27	9						
Wed	28	17		5				1
Thurs	29	20	1	7				
Fri	30	8						
Sat	31	6		5				
TOTALS:		573	5	123	0	0	2	1

F46 Ralph M Hall Rockwall Municipal Airport

Operations Report Sept 2019

Fuel Sales

		Gallons Sold	Gross Sales
Jet - A Sales**		160	$236.25
100LL	Full **	769.3	$2,150.50
100LL	Self	3166.8	$13,612.91
Total **AVGas Sales**		4096.1	$15,999.66

Hangar Rental Revenue

Overnight Tiedown	$91.00	13
Covered Overnight Tiedown	$0.00	
Open T Hangar	$3,485.00	
Enclosed Hangar	$300.00	
Community Hangar	$580.00	
Total Hangar Rentals	$4,456	

Hangar Occupancy

	Total Hangars	Qty Rentable	Quantity Leased	Occupancy Rate
Open T Hangars	46	43	41	89%
Enclosed Hangars	2	2	2	100%
Community Hangar	1	1	1	100%
Total Hangar Occupancy				96%

City Revenue	Fee Rate	Hangar Rental	Fuel Flowage	Total Due
Fuel Sales (Gallons Sold)	$0.10		929.30	$92.93
Hangars	5.00%	$4,456.00		$222.80
Total Fees Due				$315.73

2019

September

Day		Piston			Turbo Prop			JET
		Single Engine	Multi-Engine	Helicopter	Single Engine	Multi-Engine	Helicopter	
Sun	1							
Mon	2	18		1				
Tues	3	14		4			1	
Wed	4	12		3				
Thurs	5	19		8			1	
Fri	6	16		8			2	
Sat	7	21	1					
Sun	8							
Mon	9	16	1	1				
Tues	10	24		3			2	
Wed	11	16		5				
Thurs	12	23		1				
Fri	13	21		3	1			
Sat	14	18						
Sun	15							
Mon	16	15		2			2	
Tues	17	27	1	4				
Wed	18	16		2				
Thurs	19	1	1	2				
Fri	20		1		1			
Sat	21							
Sun	22							
Mon	23	15	1	3				
Tues	24	15		3		1		
Wed	25	23	1	12				
Thurs	26	5		6				
Fri	27	22		8				
Sat	28							
Sun	29							
Mon	30	16		4				
TOTALS:		373	7	83	2	1	8	0

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332



SEPTEMBER 2019 MONTHLY REPORT

ROCKWALL PARKS & RECREATION

PARTICIPATION



MOTHER SON DATE KNIGHT: 131 PARTICIPANTS



SENIOR HEALTH FAIR:
APPROXIMATELY 175 PARTICIPANTS



FAMILY FUN FRIDAY:
APPROXIMATELY 125 ATTENDEES

MONTHLY OVERVIEW	SEPT '19
Part Time Labor Hours	41.5
Program Offerings	15
Program Participants	501
Resident Participants	389
Non-Resident Participants	112
Programs that Made	11
Cancelled Programs	4
% of Programs Cancelled	27%

FEE BASED RESIDENT VS NON-RESIDENT

11 programs

78% 22%

ANIMAL SERVICES



SEPTEMBER

TOTAL # OF HOURS

# OF VOLUNTEERS	N/A
# OF HOURS	N/A

N/A



HMCC	SEP '19
Time Blocks Rented	57
Monthly Revenue	$1400

HMCC RENTAL ACTIVITY BY TIME BLOCK

57 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM

6 - 11 AM	11 AM - 5 PM	5 - 11 PM
25%	33%	42%



PAVILIONS	SEP '19
Time Blocks Rented	45
Monthly Revenue	$1720

PAVILION RENTAL ACTIVITY BY TIME BLOCK

45 Rentals

6 AM - 3 PM | 3 - 11 PM

6 AM - 3 PM	3 - 11 PM
42%	58%

PARKS



FACILITY REPAIR:

Breezy Hill Pavilion Storm Damage repair



FACILITY UPGRADES:

New Butterfly Garden signs at Emerald Bay and Shores Park



FACILITY MAINTENANCE:

The Park at Northshore drainage and The Park Stone Creek Trail Accents



MARKETING

FACEBOOK PAGE LIKES

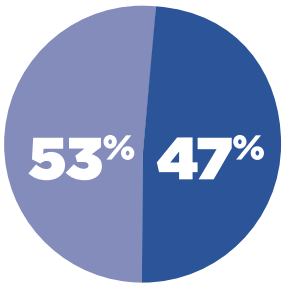
	GAIN OR LOSS
AUG	+60
SEP	+62

TOTAL LIKES THRU 9/30/2019

Like **13,798**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
AUG	8891	+34
SEP	9044	+58



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

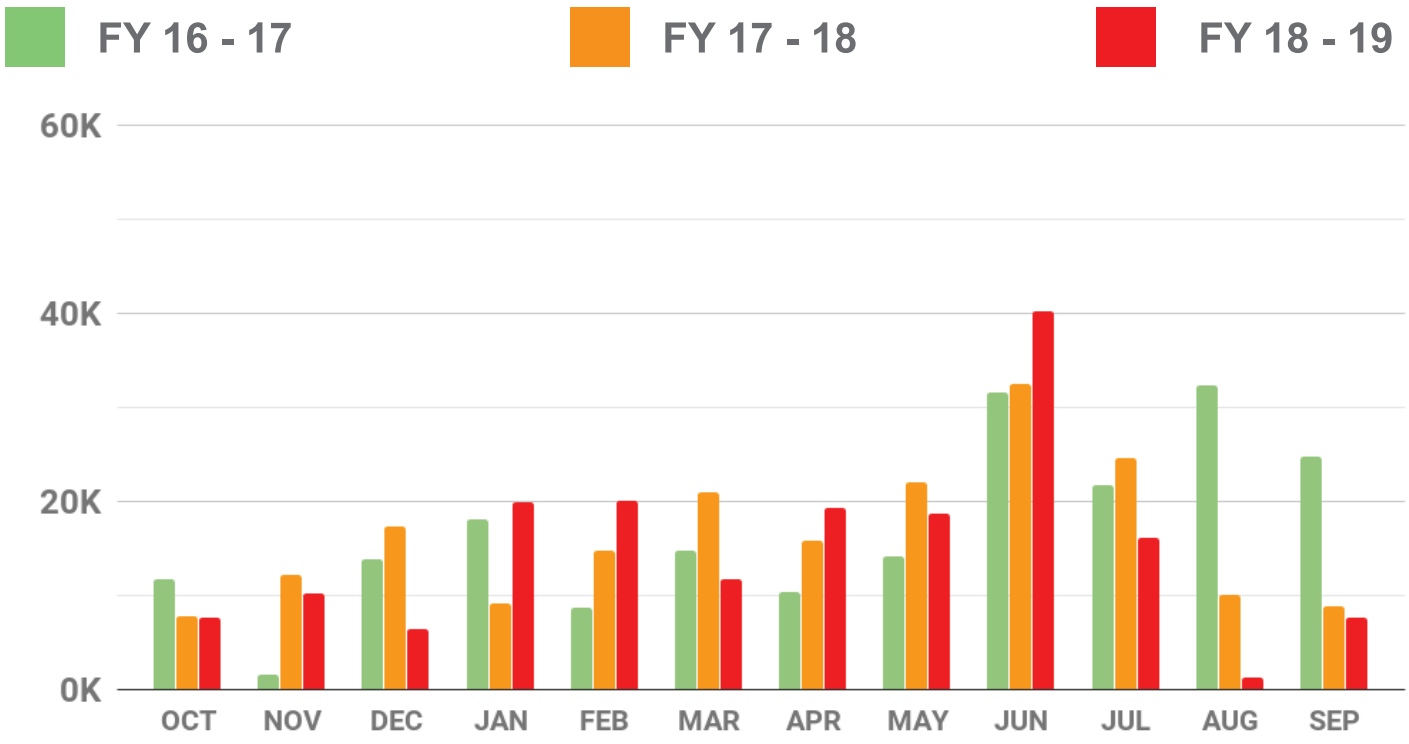
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of September 2019.	59,831
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	12,540
USERS Visitors to playrockwall.com	8,680

REVENUE

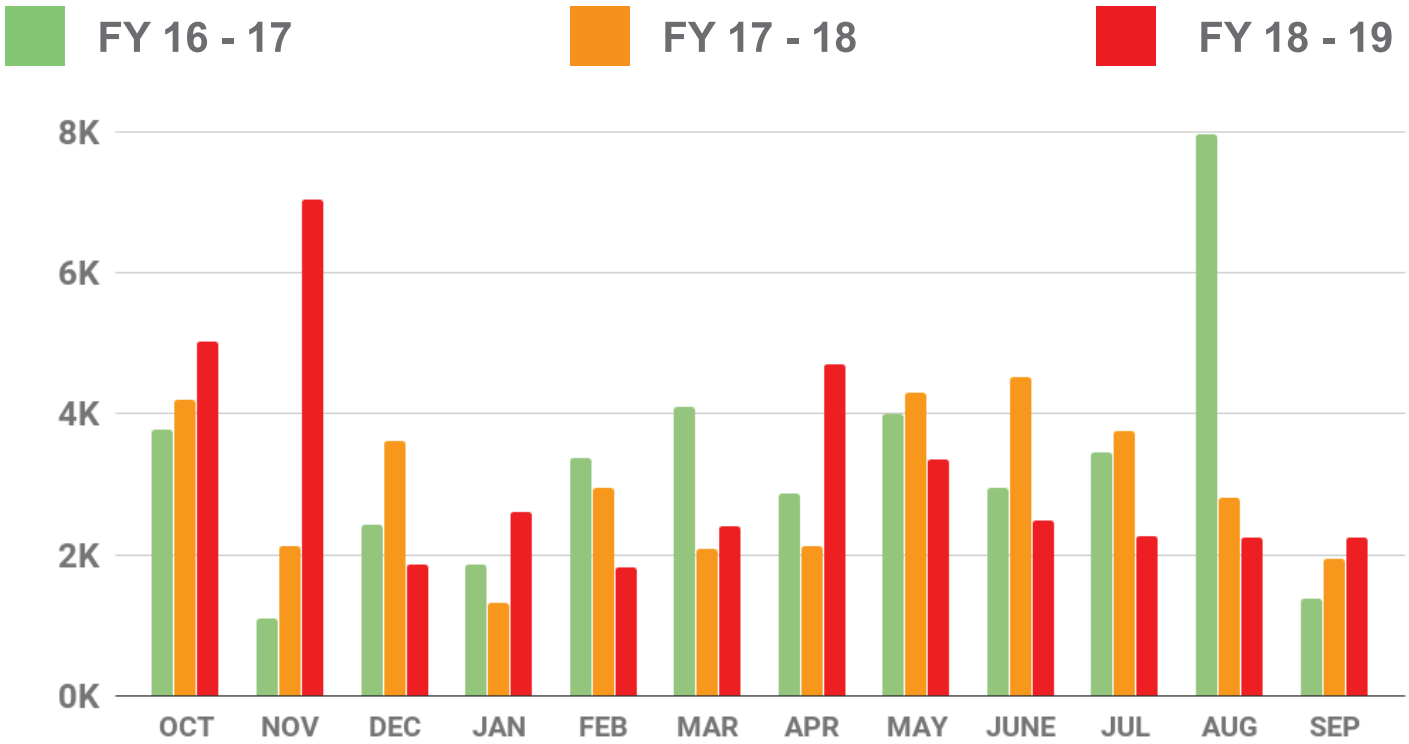
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



337

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338

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	**96%**
March '19	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	**100%**
April '19	38-56%	5-7%	22-32%	1-1%	2-3%	76	68	**95%**
May '19	74-65%	14-12%	18-16%	6-5%	3-3%	135	115	**92%**
June '19	69-60%	18-16%	26-25%	1-1%	1-1%	109	115	**99%**
July '19	62-60%	18-17%	21-20%	2-2%	1-1%	97	104	**97%**
August '19	64-65%	10-10%	24-24%	1-1%	0-0%	114	99	**99%**
September '19	37-50%	12-16%	15-20%	2-3%	8-11%	76	74	**86%**
October '19								
November '19								
December '19								

339

Rockwall Animal Adoption Center

PROFIT AND LOSS

September 2019

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	1,350.00
4112 Adoption Fee - Cat	1,455.00
Total 4100 Adoption Fee	**2,805.00**
4200 Impound Fee	360.00
4300 Owner Surrender	610.00
4350 Quarantine Fee	190.00
4650 Medical	495.00
4700 General Donations	2,604.50
Total Income	**$7,064.50**
GROSS PROFIT	**$7,064.50**
Expenses	
5200 - Shelter Expense	
5203 Medication	2,336.98
5209 - Shelter Supplies	781.38
5210 - Cleaning	170.00
5220 - Truck Maintenance	223.02
Total 5200 - Shelter Expense	**3,511.38**
5300 - Veterinary Expense	5,365.53
5400 - Professional Services	2,083.34
65000 5000 - Administative Expense	
5002 - Website	111.00
5004 - Paypal/Intuit fee	279.36
5005 - Postage	21.69
5006 - Bank Fees	133.00
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	25,387.95
5055 - Payroll Tax	1,874.81
5056 - 401K Employer/Healthcare	1,143.44
5099 - Misc	85.50
65040 5001 - Supplies	601.44
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**30,142.69**
Total Expenses	**$41,102.94**
NET OPERATING INCOME	**$ -34,038.44**
NET INCOME	**$ -34,038.44**

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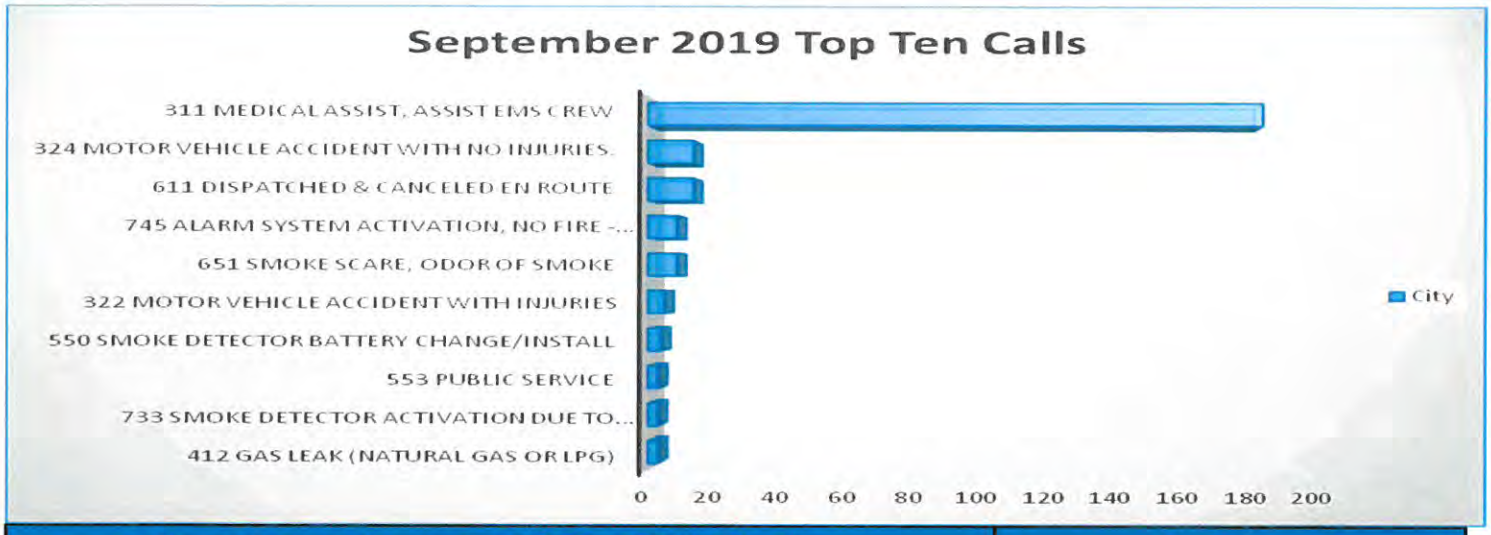
341

ROCKWALL FIRE DEPARTMENT

Monthly Report

September 2019

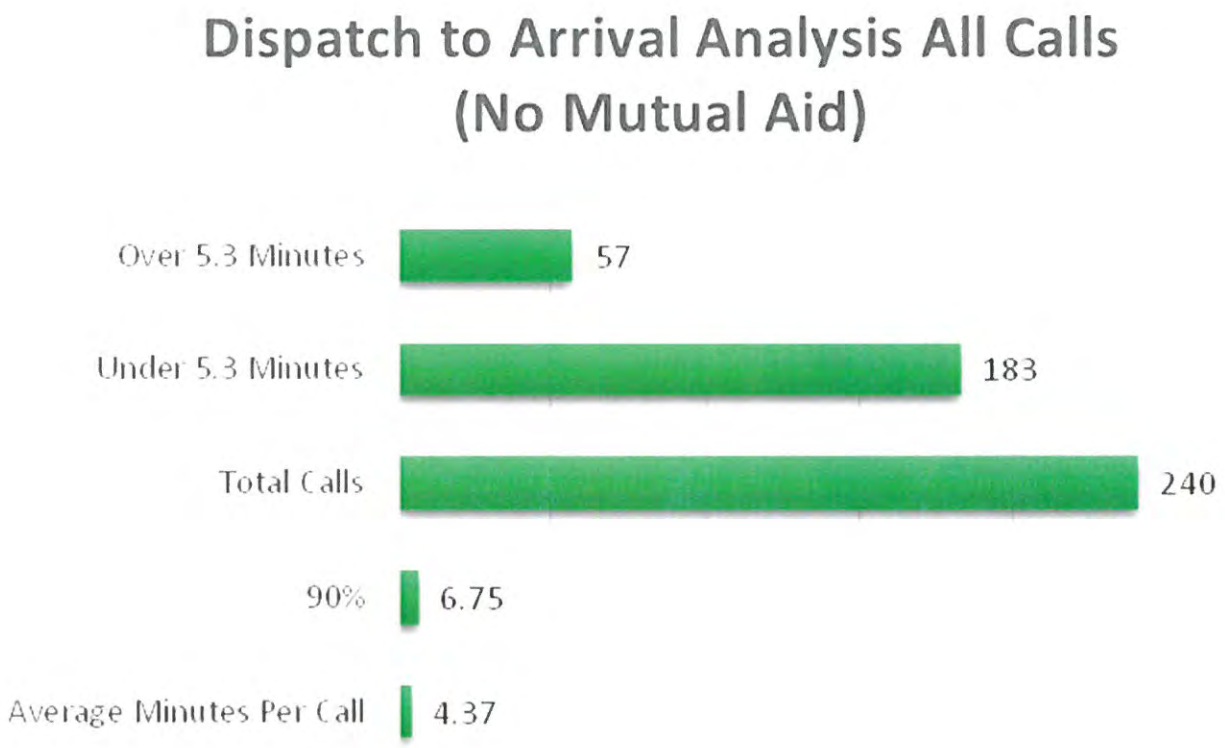
342



September 2019- All Calls	
Situation Type	City
311 Medical assist, assist EMS crew	187
611 Dispatched & canceled en route	14
324 Motor vehicle accident with no injuries.	14
651 Smoke scare, odor of smoke	9
745 Alarm system activation, no fire - unintentional	9
322 Motor vehicle accident with injuries	5
550 Smoke Detector Battery Change/Install	4
553 Public service	3
733 Smoke detector activation due to malfunction	3
412 Gas leak (natural gas or LPG)	3
160 Special outside fire, other	2
622 No incident found on arrival at dispatch address	2
342 Search for person in water	2
743 Smoke detector activation, no fire - unintentional	2
652 Steam, vapor, fog or dust thought to be smoke	2
550 Public service assistance, other	2
131 Passenger vehicle fire (cars, pickups, SUV's)	2
740 Unintentional transmission of alarm, other	2
730 System malfunction, other	1
143 Grass fire	1
554 Assist invalid	1
744 Detector activation, no fire - unintentional	1
150 OTHER Outside rubbish fire	1
736 CO detector activation due to malfunction	1
735 Alarm system sounded due to malfunction	1
154 Dumpster or other outside trash receptacle fire	1
555 Defective elevator, no occupants	1
542 Animal rescue	1
411 Gasoline or other flammable liquid spill	1
352 Extrication of victim(s) from vehicle	1
113 Cooking fire, confined to container	1
353 Removal of victim(s) from stalled elevator	1
440 Electrical wiring/equipment problem, other	1
551 Assist police or other governmental agency	1
445 Arcing, shorted electrical equipment	1
365 Watercraft rescue	1
746 Carbon monoxide detector activation, no CO	1
151 Outside rubbish, trash or waste fire	1
522 Water or steam leak	1
520 Water problem, other	1
111 Building fire	1
521 Water evacuation	1
Totals	**291**

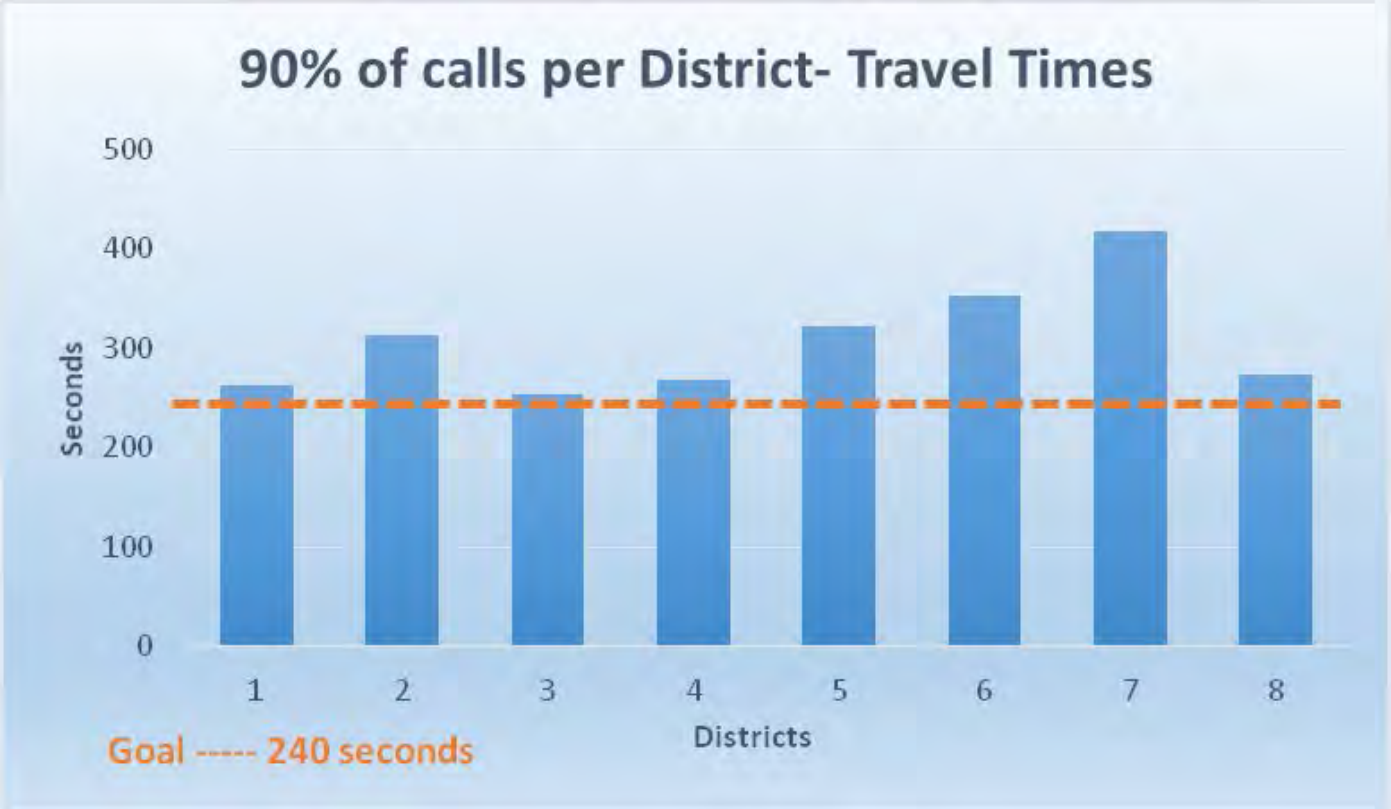
343

Dispatch to Arrival Analysis
September 2019



Dispatch to Arrival Analysis-(No Mutual Aid)					Total Calls
74.58%	On Scene in	5.3	minutes or less		183
83.75%	On Scene in	6.0	minutes or less		201
91.25%	On Scene in	7.0	minutes or less		219
95.83%	On Scene in	8.0	minutes or less		230
99.58%	On Scene in	9.0	minutes or less		239
100.00%	On Scene in	13.0	minutes or less		240
	Total Calls		240		

Travel Time Analysis
September 2019



Travel Time Analysis-*By District* ALL CALLS- (No Mutual Aid) % in 4 min or less	All Code 3 Calls-No Cancelled enroute calls			Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
	100s					
81%	On Scene in	4.0	minutes or less	75	2.78	31.25%
	200s					
67%	On Scene in	4.0	minutes or less	76	3.23	31.67%
	300s					
86%	On Scene in	4.0	minutes or less	28	2.63	11.67%
	400s					
84%	On Scene in	4.0	minutes or less	43	3.18	17.92%
	500s					
20%	On Scene in	4.0	minutes or less	5	4.56	2.08%
	600s					
0%	On Scene in	4.0	minutes or less	1	5.88	0.42%
	700s					
9%	On Scene in	4.0	minutes or less	11	5.26	4.58%
	800s					
0%	On Scene in	4.0	minutes or less	1	4.55	0.42%
	900s					
	On Scene in	4.0	minutes or less	0		
			Total Calls	240		345

Total Dollar Losses

September 2019

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 10/23/2019 16:46
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$0.00	$50,000.00	$136,215.00	$572,248.00
Total Content Loss:	$0.00	$0.00	$1,000.00	$50,500.00	$170,216.80
Total Property Pre-Incident Value:	$0.00	$0.00	$50,000.00	$5,164,756.92	$1,903,230.00
Total Contents Pre-Incident Value	$0.00	$0.00	$1,000.00	$636,576.35	$696,573.00
Total Losses:	$.00	$.00	$51,000.00	$186,715.00	$.00
Total Value:	$.00	$.00	$51,000.00	$5,801,333.27	$2,599,803.00

Fire Marshal Division

Monthly Report - September 2019

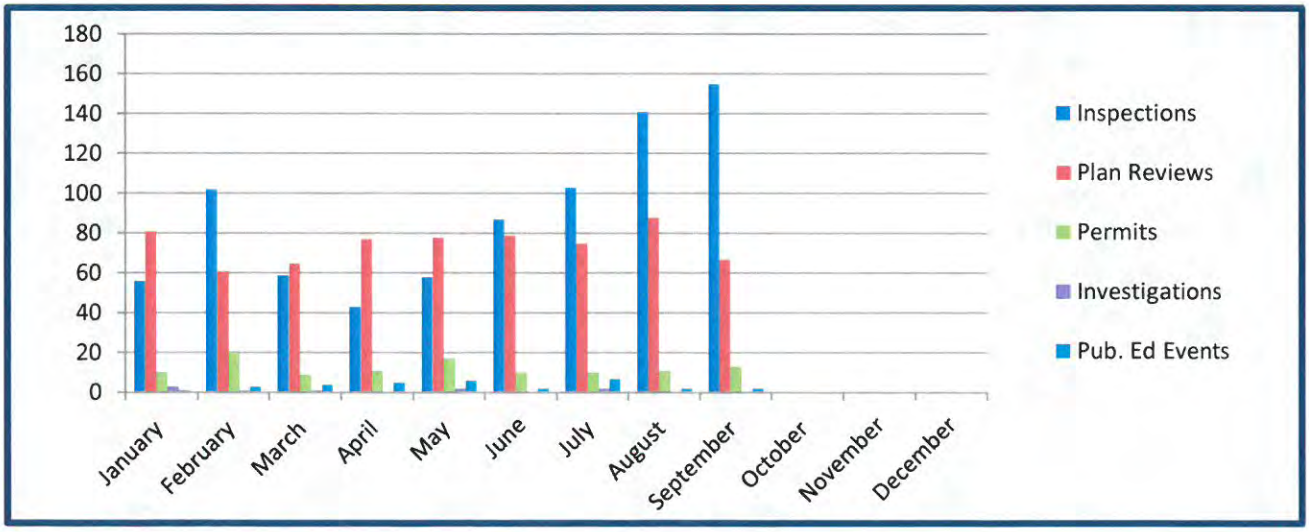
Inspection Status Report	
Total for the Month	**155**

Public Education Events	
Total for the Month	**2**

Fire Permit Report	
Doors - Access Control	2
Dry Chem	2
Fire Alarm	2
Fire Sprinkler	2
Fire Sprinkler Monitoring System	1
Temp Aboveground Tank	2
Underground Sprinkler	2
Total for the Month	**13**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	0
Total for the Month	**0**

Plan Review Report	
CO	11
COMM	29
Engineering	9
Plat	2
Site Plan	6
Single Family	1
Special Event	3
TCO	2
Zoning	4
Total for the Month	**67**



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348

Rockwall Police Department

Monthly Activity Report

September-2019

ACTIVITY	CURRENT MONTH SEPTEMBER	PREVIOUS MONTH AUGUST	YTD 2019	YTD 2018	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	**-100.00%**
Sexual Assault	3	0	14	7	**100.00%**
Robbery	1	0	8	5	**60.00%**
Aggravated Assault	1	3	20	14	**42.86%**
Burglary	3	6	41	27	**51.85%**
Larceny	52	60	477	505	**-5.54%**
Motor Vehicle Theft	1	11	40	38	**5.26%**
TOTAL PART I	**61**	**80**	**600**	**597**	**0.50%**
TOTAL PART II	**173**	**122**	**1238**	**1337**	**-7.40%**
TOTAL OFFENSES	**234**	**202**	**1838**	**1934**	**-4.96%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	14	22	151	152	**-0.66%**
D.W.I.	18	22	150	193	**-22.28%**
ARRESTS					
FELONY	39	30	293	259	**13.13%**
MISDEMEANOR	67	67	563	663	**-15.08%**
WARRANT ARREST	14	12	98	118	**-16.95%**
JUVENILE	9	5	38	42	**-9.52%**
TOTAL ARRESTS	**129**	**114**	**992**	**1082**	**-8.32%**
DISPATCH					
CALLS FOR SERVICE	1433	1696	13601	12380	**9.86%**
ACCIDENTS					
INJURY	4	8	89	104	**-14.42%**
NON-INJURY	55	68	550	480	**14.58%**
FATALITY	0	0	0	2	**-200.00%**
TOTAL	**59**	**76**	**639**	**586**	**9.04%**
FALSE ALARMS					
RESIDENT ALARMS	48	47	494	587	**-15.84%**
BUSINESS ALARMS	109	145	1173	1141	**2.80%**
TOTAL FALSE ALARMS	**157**	**192**	**1667**	**1728**	**-3.53%**
Estimated Lost Hours	**103.62**	**126.72**	**1100.22**	**1140.48**	**-3.53%**
Estimated Cost	**$2,464.90**	**$3,014.40**	**$26,171.90**	**$27,129.60**	**-3.53%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**5**
Arrests	**4**
Arrest Warrants	**2**
Search Warrants	**2**
Seized	
Cocaine	12.5Kg
Heroin	100Kg
Methamphetamine	7.6Kg

Rockwall Police Department

Dispatch and Response Times

September 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**94**
Call to Dispatch	0:02:00		
Call to Arrival	0:07:23		
% over 7 minutes	36%		

	Average Response Time		
Priority 2		Number of Calls	**270**
Call to Dispatch	0:03:24		
Call to Arrival	0:15:06		
% over 7 minutes	55%		

	Average Response Time		
Priority 3		Number of Calls	**50**
Call to Dispatch	0:08:28		
Call to Arrival	0:16:26		
% over 7 minutes	64%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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351

STAR TRANSIT
Phone: 877-631-5278 | **Fax:** 972-563-0048 | **Website:** STARtransit.org
PO Box 703 | Terrell | TX 75160

October 4, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: September 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
SEPTEMBER	20	1,841

Non-Service Days: September 2nd

NO. OF TRIPS	PURPOSE
1,074	Contract Service
26	Education
0	Government
13	Medicaid
255	Medical
13	Nutrition (Senior Center)
210	Other (adult-day care, beauty salon, friend's homes, etc.)
64	Shopping
186	Work

SEPTEMBER UNDUPLICATED PASSENGERS
86
YEAR TO DATE UNDUPLICATED PASSENGERS
86

Adjusted Trip Total	800

*Trip Totals without Contracts or Medicaid

> = 60	450
DIS >60	155
	605
% E & D Trip Total	76%

FY 2020 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **1,841**
(FY 2020-SEPTEMBER 1, 2019 -AUGUST 31, 2020)

PRIOR YEAR SEPTEMBER TRIP TOTAL= 1,413 (30% INCREASE)

D/R-ROCKWALL COUNTY	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
(UPT) Unlinked Passenger Trips	**2,417**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**2,417**
ROCKWALL (City)	1,841												**1,841**
FATE	262												**262**
HEATH	58												**58**
MCLENDON- CHISHOLM	0												**0**
MOBILE CITY	0												**0**
ROYSE CITY	256												**256**
	2,417	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*2,417*

CONTRACTED SERVICES	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
Medicaid	32												**32**
Lakepointe Church	1,028												**1,028**
Nursing Home Contracts	0												**0**
AAA- Title III B	92												**92**
Charter	0												**0**
CONTRACTED SERVICES	*1,152*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	***1,152***

	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
Adjusted Trip Total	1,265	0	0	0	0	0	0	0	0	0	0	0	**1,265**

*Trip Totals without Contracted Services

E & D Total	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
> = 60	616												**616**
DIS <60	271												**271**
E & D Total	*887*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	**887**
% of Adjusted Trip Total	70%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	

	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
GENERAL PUBLIC	378	0	0	0	0	0	0	0	0	0	0	0	**378**
% of Adjusted Total	30%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	

CANCELATIONS AND DENIALS	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
No Show/ Cancel	138												138
Denials	42												**42**

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354

AGENDA

ROCKWALL CITY COUNCIL SPECIAL MEETING

Friday, November 8, 2019 - 3:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. **CALL PUBLIC MEETING TO ORDER**

II. **HOLD A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE IMPOSING A MORATORIUM ON ACCEPTING AND REVIEWING SUBDIVISION PLATS FOR COMMERCIAL AND RESIDENTIAL PROPERTY SITUATED WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ), AND TAKE ANY ACTION NECESSARY. (2ND READING)**

III. **ADJOURNMENT**

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 5th day of November, 2019 at 2:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 19-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ENACTING A TEMPORARY MORATORIUM STAYING THE ACCEPTANCE AND PROCESSING OF SUBDIVISION PLAT APPLICATIONS IN THE CITY OF ROCKWALL'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DEFINITIONS; PROVDING FOR APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION, AND APPEALS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in conformance with Chapter 242, *Authority of Municipality and County to Regulate Subdivisions In and Outside Municipality's Extraterritorial Jurisdiction*, of the Texas Local Government Code the City of Rockwall has entered into an agreement (the *Interlocal Agreement*) with Rockwall County for the processing and review of subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ); and

WHEREAS, *Exhibit 'A'*, *Unified Regulations for Review of Plats in ETJ of City of Rockwall*, of the *Interlocal Agreement* provides the review criteria for subdivision plats in the Extraterritorial Jurisdiction (ETJ); and

WHEREAS, in accordance with the *Terms of Agreement* of the *Interlocal Agreement*, Rockwall County notified the City of Rockwall in writing on October 23, 2019 requesting to make changes to *Exhibit 'A'* of the *Interlocal Agreement* for the purpose of addressing changes in the *Subdivision Regulations* of Rockwall County; and

WHEREAS, the City of Rockwall finds that subdivision plats are a necessary mechanism to ensure that proper public facilities, infrastructure, drainage, and fire protection can be provided to support future development within the City's Extraterritorial Jurisdiction (ETJ), and to protect the health, safety, natural environment, quality of life, and general welfare of Rockwall County residents; and

WHEREAS, the City of Rockwall finds that the issues identified by Rockwall County contained in the *Interlocal Agreement* leave the City without sufficient review criteria to effectively review subdivision plats for property in the City's Extraterritorial Jurisdiction (ETJ), and that the agreement no longer adequately addresses the subdivision of land and the provision of adequate public facilities needed by citizens of Rockwall County; and

WHEREAS, in order for the City of Rockwall and Rockwall County to have adequate and reasonable time to review, evaluate, and revise and approve the *Interlocal Agreement*, and to consider the impact of the review criteria for subdivision plats -- *contained in Exhibit 'A' of the agreement* -- on the provision of adequate public facilities, infrastructure, drainage, and fire protection for future developments within the City's Extraterritorial Jurisdiction (ETJ), the City intends on imposing a temporary moratorium lasting for a period of 90-days for commercial property and 120-days for residential property, during which no applications for subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ) will be accepted; and

WHEREAS, the purpose of prohibiting subdivision plat applications for commercial and residential property in the City's Extraterritorial Jurisdiction (ETJ) during this temporary moratorium is to preserve the *status quo*, facilitate thoughtful and consistent planning, avoid exploitation of the delays inherent in the municipal legislative process, and prevent applications from undermining the effectiveness of the revised review criteria by submitting a subdivision plat to avoid the application of new -- *and possibly more restrictive -- Interlocal Agreement*.

WHEREAS, in recognition of the importance of subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ) to property owners in this area, the City desires to implement this moratorium for a stated and fixed time period, and to include an exception and exemption clause -- *in accordance with Subchapter E of Chapter 212 of the Texas Local Government Code* -- to facilitate subdivision plat approval in cases of necessity and undue hardship; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the City Council of the City of Rockwall, in compliance with the laws of the State of Texas have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all persons interested in and situated in the affected area and in the vicinity thereof, the City Council in the exercise of its legislative discretion has concluded that a moratorium on residential and commercial development for property in the City's Extraterritorial Jurisdiction (ETJ) is necessary and in the interest of good governance, and ultimately in the best interest of the City of Rockwall;

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. ***Findings of Fact*.** The foregoing recitals are incorporated into this ordinance by reference as legislative findings of fact as if expressly set forth herein.

SECTION 2. ***Definitions.*** As used in this ordinance, the following terms are defined. Any term appearing in this ordinance that is not specifically defined below shall have the meanings provided in the Municipal Code of Ordinances for the City of Rockwall, or if not defined in this document then the common meaning of the word shall apply.

(1) *Commercial Property.* Commercial property is defined as any property that is being platted for the purpose of authorizing any land use other than single-family or agricultural land uses (*e.g. multi-family, industrial, commercial, etc.*).

(2) *Proper Public Facilities.* Unless otherwise indicated in this ordinance, proper public facilities shall be defined as meaning water, wastewater or sewer, drainage facilities, street improvements, and fire and police protection.

(3) *Residential Property.* Residential property is defined as any property that is being platted for the purpose of authorizing single-family and agricultural land uses.

SECTION 3. ***Applicability.*** The City of Rockwall hereby enacts this ordinance in order to impose a temporary moratorium on the acceptance and processing of subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ).

SECTION 4. ***Purpose.*** This temporary moratorium is being enacted to allow the City of Rockwall and Rockwall County to evaluate the *Interlocal Agreement* and to update the review criteria for subdivision plats contained in *Exhibit 'A'* of the agreement.

SECTION 5. ***Enactment.*** The City of Rockwall hereby enacts this ordinance implementing a temporary moratorium on the City of Rockwall acceptance, review, and approval of subdivision plats in the City of Rockwall's Extraterritorial Jurisdiction (ETJ).

SECTION 6. ***Duration.*** The initial duration of this temporary moratorium shall be for a period not to exceed 90-days for commercial properties and not to exceed 120-days for residential properties after the approval and adoption of this ordinance, or the repeal of this ordinance by the City Council of the City of Rockwall, whichever occurs first.

SECTION 7. ***Exceptions and Exemptions.*** The following projects shall be considered for exceptions and exemptions from the moratorium:

(1) Exceptions.

(A) *No Impact Projects.* The temporary moratorium implemented by this ordinance does not apply to subdivision plat applications proposing to assemble or subdivide residential property into two (2) or less lots where each lot is a minimum of 1½-acres gross area and has a minimum of 150-feet of frontage on a public right-of-way.

(B) *Ongoing Projects.* The temporary moratorium implemented by this ordinance does not apply to any commercial or residential property that has an active subdivision plat application with the City of Rockwall or Rockwall County that has not expired in accordance with the rules and requirements of Rockwall County, the City of Rockwall, or the Texas Local Government Code.

(C) *Vested Projects.* The temporary moratorium implemented by this ordinance does not apply to any commercial or residential property that are vested under Chapter 245, *Issuance of Local Permits*, of the Texas Local Government Code. Property owners asserting vested rights shall submit an application claiming an exception to this temporary moratorium to the Planning and Zoning Department of the City of Rockwall for review in accordance with the requirements of the current *Interlocal Agreement*.

(2) *Exemptions.* Any property owner who does not assert rights under Chapter 245, *Issuance of Local Permits*, of the Texas Local Government Code, but who seeks authorization to proceed with a subdivision plat outside of the exceptions listed in this ordinance and during the temporary moratorium can request the following alternative forms of approval:

(A) *212 Development Agreement.* Property owners with a negotiated approval granted by the City Council that provides for construction standards, platting and development rules pursuant to Subchapter G, *Agreement Governing Certain Land in a Municipality's Extraterritorial Jurisdiction*, Chapter 212, *Regulations of Subdivisions*, of the Texas Local Government Code may apply for an exemption from the temporary moratorium.

SECTION 8. ***Determination and Appeals.***

(1) *Determinations.* The Director of Planning and Zoning or his/her designee shall make all initial determinations regarding the status of all projects seeking to submit a subdivision plat application during this temporary moratorium concerning the status of a project as provided for above in the *Exceptions and Exemptions* section of this ordinance.

(2) *Appeals.* Property owners seeking to challenge a determination made by the Director of Planning and Zoning may appeal that initial determination to the City Manager. Secondary determinations of the City Manager may be appealed to the City Council. The City Council's decision shall be final.

(3) Exemptions. The decision to approve an *Exemption* as provided for above in the *Exceptions and Exemptions* section of this ordinance shall rest solely with the City Council.

SECTION 9. ***Ordinances Cumulative.*** All ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby superseded to the extent of that conflict.

SECTION 10. ***Severability.*** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Subdivision Regulations of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 11. ***Effective Date.*** This ordinance shall take effect immediately.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 8TH DAY OF NOVEMBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: November 4, 2019

2nd Reading: November 8, 2019

Table of Contents

Agenda 3

Consider approval of the minutes from the November 4, 2019 regular city council meeting, and take any action necessary.

11-04-19 Mins 6

Blank Page 16

Consider approval of the minutes from the November 8, 2019 special city council meeting, and take any action necessary.

11-08-19 Special Mtg Mins 17

Blank Page 19

P2019-040 - Consider a request by Perry Bowen on behalf of Kyle Bryan and Haley Brook Bowen for the approval of a replat for Lots 1 & 2, Block A, Haley & Kyle Addition being a 0.97-acre parcel of land currently identified as Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, being zoned Single-Family 7 (SF-7) District, addressed as 501 S. Clark Street, and take any action necessary.

P2019-040 20

Blank Page 25

Consider approval of an Interlocal Purchasing Agreement with the City of Texarkana and authorizing the City Manager to execute such agreement, and take any action necessary.

Memo 26

Agreement 27

Blank Page 30

Consider approval of Engineering Service Agreement with Pipeline Analysis, LLC, to provide engineering services for Sanitary Sewer Condition Assessments and authorize the City Manager to execute a contract for $156,600, to be funded by the Sewer Operations budget, and take any action necessary.

Memo 31

Contract 32

Blank Page 53

Consider approval of the St. Mary Street, Bost Street, and Sherman Street Water Line and Wastewater Line Replacement Project and authorize the City Manager to execute a contract with Pittard Construction Company, Inc. in an amount of $827,282, to be funded by Water/Wastewater bonds, and take any action necessary.

Memo 54

Recommendation Letter 55

Bid Tab 56

Blank Page 60

MIS2019-014 - Hold a public hearing to discuss and consider approving an ordinance amending the OURHometown Vision 2040 Comprehensive Plan for the purpose of updating the water and wastewater master plans, and take any action necessary (1st Reading).

MIS2019-014 61

Blank Page 68
Discuss and consider approval of a resolution approving a resolution of the Rockwall Economic Development Corporation, authorizing the issuance of the Corporation's Sales Tax Revenue Refunding and Improvement Bonds, confirming a sales tax collection resolution, enacting other provisions relating to the subject, and taking any action necessary.
Staff memo 69
Resolution 70
Blank page 72

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, November 18, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

V. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM MACALIK

VI. INTRODUCTION OF ROCKWALL YOUTH ADVISORY COUNCIL (YAC) MEMBERS

VII. OPEN FORUM

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

IX. CONSENT AGENDA

p.6 **1.** Consider approval of the minutes from the November 4, 2019 regular city council meeting, and take any action necessary.

p.17 **2.** Consider approval of the minutes from the November 8, 2019 special city council meeting, and take any action necessary.

p.20 3. **P2019-040** - Consider a request by Perry Bowen on behalf of Kyle Bryan and Haley Brook Bowen for the approval of a replat for Lots 1 & 2, Block A, Haley & Kyle Addition being a 0.97-acre parcel of land currently identified as Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, being zoned Single-Family 7 (SF-7) District, addressed as 501 S. Clark Street, and take any action necessary.

p.26 4. Consider approval of an Interlocal Purchasing Agreement with the City of Texarkana and authorizing the City Manager to execute such agreement, and take any action necessary.

p.31 5. Consider approval of Engineering Service Agreement with Pipeline Analysis, LLC, to provide engineering services for Sanitary Sewer Condition Assessments and authorize the City Manager to execute a contract for $156,600, to be funded by the Sewer Operations budget, and take any action necessary.

p.54 6. Consider approval of the St. Mary Street, Bost Street, and Sherman Street Water Line and Wastewater Line Replacement Project and authorize the City Manager to execute a contract with Pittard Construction Company, Inc. in an amount of $827,282, to be funded by Water/Wastewater bonds, and take any action necessary.

X. Public Hearing Items

p.61 1. **MIS2019-014** - Hold a public hearing to discuss and consider approving an **ordinance** amending the OURHometown Vision 2040 Comprehensive Plan for the purpose of updating the water and wastewater master plans, and take any action necessary **(1st Reading)**.

XI. Action Items

p.69 1. Discuss and consider approval of a resolution approving a resolution of the Rockwall Economic Development Corporation, authorizing the issuance of the Corporation's Sales Tax Revenue Refunding and Improvement Bonds, confirming a sales tax collection resolution, enacting other provisions relating to the subject, and taking any action necessary.

XII. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of November, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, November 04, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Jim Pruitt called the meeting to order at 5:05 p.m. Present were Mayor Jim Pruitt and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Mayor Pro Tem Macalik arrived and joined the meeting at 5:08 p.m.

Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:06 p.m.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding lease of real property in the vicinity of the downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding employee personnel policies pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding reappointment(s) to the Rockwall Economic Development Corporation (REDC) Board pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:47 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all council members being present.

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

Councilman Trowbridge delivered the invocation and led the Pledge of Allegiance.

VI. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Del Wendt
1841 Kelly Lane
Rockwall, TX 75087

Mr. Wendt thanked Councilmember Trowbridge for shining a light on the meter reading topic that results in longer cycles and larger bills a couple of times per year. He encouraged the City to address this issue to rectify it. He thanked the Council for lowering the tax rate, sharing that the city portion of his tax bill did decrease for about $10. Regarding impact fees, Mr. Wendt thanked Trowbridge for his comments at the last city council meeting. He feels the taxpayer was left out of the discussion at the last meeting. He pointed out that if impact fees are not paid for by developers, then the taxpayer has to pick up the cost. He shared the belief that, even if the council decides to go higher than what was previously discussed, it will not be heavily felt by / will not heavily impact the developer. He wonders what the impact of the Council's decision will ultimately be on tax payers. He urged Council to revisit this, bearing in mind the impact on the taxpayer.

Janice Morchower
144 Westwood
Rockwall, TX 75032

Ms. Morchower spoke about the condos that are being built at The Harbor, which she pointed out are essentially apartments. She shared that she had a phone conversation with Mayor Pruitt a while back, and she is wondering if there are any updates regarding this forthcoming development. She wonders how this transitioned from individually deeded condominiums to 'apartments.' She also spoke briefly on impact fees, sharing that she supports impact fees and believes they should be higher on developers. She does not believe that the taxpayers should have to pay for new development. Mrs. Morchower spoke briefly about a building moratorium that will be on the agenda this evening. She understands that this will be a short moratorium and it will be in the ETJ. She believes a longer moratorium is ideal in order to allow time for infrastructure development to catch up with growth. She is specifically concerned about existing and worsening traffic congestion. She suggested that a couple of traffic lights be evaluated for their timing; however, the mayor pointed out that both signal lights she has pointed out are TXDOT owned and operated.

There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Macalik moved to approve the parking lease for police vehicles in the downtown area. Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the October 21, 2019 regular city council meeting, and take any action necessary.
2. **Z2019-021** - Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Gwen Reed, Saddle Star South Holdings, LLC, and CDT Rockwall/2017, LLC for the approval of an **ordinance** for a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards and concept plan on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No.

97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary **(2nd Reading).**

3. **Z2019-024** - Consider a request by Adam Buczek of Stone Creek Balance, LTD for the approval of an **ordinance** for a zoning amendment to Planned Development District 70 (PD-70) for the purpose of changing the number of hard-edged retention ponds required for the residential subdivision being a ~336.00-acre tract of land identified as the Stone Creek Subdivision and being situated within the W. T. Deweese Survey, Abstract No. 71 and the S. King Survey, Abstract No 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) and SH-205 By-Pass Overlay (SH-205 BY-OV) Districts, generally located at the southeast corner of the intersection of FM-552 and SH-205 [N. Goliad Street], and take any action necessary **(2nd Reading).**
4. Consider approval of an **ordinance** amending the Rockwall Code of Ordinances in Chapter 38. Subdivisions; Article I. In General; Sec. 38-23 Standards for Design of Developments within Subdivisions Adopted to reflect updates to these standards, and take any action necessary. **[2nd reading]**
5. **P2019-039** - Consider a request by Steven Homeyer of Homeyer Engineering, Inc. on behalf of Julia McKinney for the approval of a replat for Lot 8, Block A, Ellis Centre Phase 2 Addition being a 1.21-acre parcel of land identified as Lot 4, Block A, Ellis Centre Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located west of the intersection of Alpha Drive and Sigma Court, and take any action necessary.
6. **P2019-041** - Consider a request by David Raines for the approval of a replat for Lot 35, Block A, Chandler's Landing, Phase 18, Section 2 being a 0.19-acre tract of land identified as Lot 12, Block A, Chandler's Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary.
7. Consider approval of a resolution terminating American United Life Insurance Company of Indianapolis, Indiana, a OneAmerica Company, as the city's 457(b) plan administrator's agent, and instead appointing International City Management Association Retirement Corporation (ICMA-RC) as investment advisory with respect to the City of Rockwall's 457(b) Plan, and take any action necessary.
8. Consider authorizing the City Manager to execute a professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the engineering design services for the Squabble Creek Lift Station Wastewater Sludge Grinders project in an amount not to exceed $34,790.00, to be funded by the Wastewater Operations Budget, and take any action necessary.
9. Consider awarding a bid to WPI and authorizing the City Manager to execute a contract for on site fixed generators at three lift stations totaling $229,380 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.
10. Consider approval of a purchase from the Debt Service fund for two (fire truck) pumpers in lieu of issuing debt, in the amount of $1,250,633, and take any action necessary.

Councilmember Johannesen moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10). Councilmember Hohenshelt seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-40

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [*ORDINANCE NO. 16-39*] FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS AND CONCEPT PLAN ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 70 (PD-70) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 09-44, BEING A 395.075-ACRE TRACT OF LAND SITUATED IN THE W. T. DEWEESE SURVEY, ABSTRACT NO. 71 AND THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 19-42

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE ROCKWALL CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-23 STANDARDS FOR DESIGN OF DEVELOPMENTS WITHIN SUBDIVISIONS ADOPTED; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Following brief comments, the motion passed by a vote of 7 ayes to 0 nays.

IX. APPOINTMENT ITEMS

1. Appointment with Melody Mayer of Renew Fence & Construction to hear request and discuss and consider the possibility of changing the city's regulations pertaining to residential retaining walls, including material and height restrictions, and take any action necessary.

Mayor Pruitt indicated that this item will be postponed until the next, regular city council meeting, as Ms. Mayer was unable to attend the meeting this evening due to a death in her family.

2. Appointment with Brad Helmer of Heritage Christian Academy to provide an update on the progress of their capital campaign in accordance with the requirements of Specific Use Permit No. S-200 (Ordinance No. 19-02).

Brad Helmer
2917 Chuckwagon Drive
Rockwall, TX

Mr. Helmer came forth and indicated that his fundraising is currently at about 22%, and they are continuing to work on the fundraising efforts. He thanked the Council for working well with him on this SUP. Mayor Pruitt shared that he looks forward to seeing Mr. Helmer for an additional update on this in February. Council took no action pertaining to this agenda item.

3. Appointment with Scott Mommer of Lars, Anderson & Associates, Inc. on behalf of the Home Depot to discuss amending the Unified Development Code (UDC) to allow the "Rental, Sales, and Service of Heavy Machinery and Equipment" land use in the Commercial (C) District by a Specific Use Permit (SUP), and take any action necessary.

Jason Pyka
12225 Greenville Ave., Ste. 1000
Dallas, TX 75243

Mr. Pyka shared that he is appearing this evening on behalf of Mr. Mommer. Discussion took place pertaining to how much heavy equipment may be visible. Mr. Miller shared that the applicant will be required to build a masonry wall that is one foot higher than the equipment that is being screened. The applicant may request an alternate screening, which will consist of trees, shrubs and a wrought iron fence around it. This will be by the building expansion that will be at one end of the building and will be near 10 parking spaces.

The city attorney clarified that Council is deciding this evening whether or not to allow this type of use in a commercial district. If the council does decide to allow this use, then Home Depot would have to apply for an SUP thereafter and go through the standard SUP approval process.

Following the discussion, Councilmember Daniels moved to approve moving forward with amending the UDC to allow this land use. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

X. PUBLIC HEARING ITEMS

1. **Z2019-022** - Hold a public hearing to discuss and consider a request by Marty Wright for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing an accessory building on a one (1) acre tract of land identified as Lot 10, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2340 Saddlebrook Lane, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller provided background information concerning this agenda item. The applicant is requesting approval of a Specific Use Permit (SUP) for a detached garage that exceeds the maximum allowable size for properties located within a Single-Family 16 (SF-16) District. Currently situated on the subject property, there is a 3,397 SF brick single-family home and a 216 SF accessory building that is clad with wood. The proposed building will be situated behind the main structure, will be 13' 8" in height, and will be constructed of metal. The building will include a 24' x 40' (i.e. 960 SF) detached garage and a 6' x 40' (i.e. 240 SF) porch that will be on the front of the building. The total footprint of the building will be 1,200 SF (i.e. 35% of the size of the home). The porch will incorporate windows with shutters, double walk-in doors, and wooden posts. The applicant has stated that the purpose of the porch is to blend the building with the neighborhood by incorporating architectural elements that are typically seen on a single-family home. The building will have two (2) roll-up doors located on each of the side façades (i.e. north and south façades) and the applicant has stated that detached garage will be utilized to store several antique vehicles. The existing 12' x 18' (i.e. 216 SF) accessory building will be relocated and will be situated adjacent to the northern side façade of the proposed detached garage. The applicant has provided a site plan and proposed building elevations to be reviewed by the Planning and Zoning Commission and the City Council. Thirty notices were sent out to adjacent property owners. Four emails and one notice in favor were received back, and 1 was received back in opposition. The Planning & Zoning Commission recommended denial of the applicant's request by a vote of 7-0.

Mayor Pruitt opened up the public hearing, asking if anyone would like to come forth and speak.

Greg Givens
2308 Saddlebrook Lane
Rockwall, TX

Mr. Givens came forth and spoke in favor of approval of this SUP.

Steve Griffin
2348 Saddlebrook Lane
Rockwall, TX

Mr. Griffin spoke in favor of approval of this SUP.

Mr. Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker came forth and generally spoke in favor of this item.

There being no one else wishing to come forth and speak, Mayor Pruitt then closed the public hearing.

Councilmember Fowler moved to approve Z2019-022. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *DETACHED GARAGE BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A ONE (1)-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 10, BLOCK B, SADDLEBROOK ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion failed by a vote of 4 ayes with 3 against because it required a ¾ majority vote of council in order to be approved (Trowbridge, Hohenshelt and Pruitt voted against).

2. Hold a public hearing to discuss and consider imposing a moratorium on accepting and reviewing subdivision plats for commercial and residential property situated within the City's Extraterritorial Jurisdiction (ETJ), and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Janice Morchower
144 Westwood
Rockwall, TX 75032

Ms. Morchower came forth and said she is strongly in favor of this moratorium.

There being no one else wishing to come forth and speak, Mayor Pruitt then closed the public hearing.

Councilmember Trowbridge moved to approve the moratorium. Councilmember Fowler seconded the motion. Following brief discussion, the motion passed unanimously of those present.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ENACTING A TEMPORARY MORATORIUM STAYING THE ACCEPTANCE AND PROCESSING OF SUBDIVISION PLAT APPLICATIONS IN THE CITY OF ROCKWALL'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DEFINITIONS; PROVDING FOR

APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION, AND APPEALS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

XI. ACTION ITEMS

1. **MIS2019-001** - Discuss and consider approval of an **ordinance** adopting updated impact fees for water, wastewater, and roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary. **(2nd Reading)**

Mr. Miller provided brief comments concerning this agenda item, indicating that this did not receive a unanimous approval at the last city council meeting. Mayor Pro Tem Macalik moved to approve the ordinance for MIS2019-001. Councilmember Hohenshelt seconded the motion. Hohenshelt proceeded to provide lengthy comments pertaining to this topic, generally indicating that there may be a misnomer that if impact fees are in place and adequate, then citizens' taxes will decrease. Mayor Pruitt expressed concern about residential roadway impact fees, as he believes they will adversely impact someone who, for example, is wanting to build on his or her acre or acre-and-a-half lot.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-43

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, FOR THE PURPOSE OF AMENDING THE IMPACT FEES FOR WATER, WASTEWATER, AND ROADWAY FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR SAID FACILITIES; ESTABLISHING UPDATED SERVICE AREAS FOR SUCH FACILITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR COLLECTION AND ASSESSMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 4 ayes with 3 against (Trowbridge, Pruitt and Daniels).

2. Discuss and consider the revised median openings for Texas Department of Transportation (TXDOT) roadway FM 552, and take any action necessary.

City Engineer/Director of Public Works, Amy Williams, provided background information pertaining to this agenda item. Mayor Pruitt moved to approve the revised median openings. Councilman Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider appointments to fill vacancies on the city's Airport Advisory Board, Historic Preservation Advisory Board, and Park Board, and take any action necessary.

Councilmember Johannesen moved to appoint Anna Dodd to the city's Park Board (to replace former member, Fran Webb). Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspection Monthly Report - September 2019
Finance Department Report - September 2019
GIS Division Monthly Report - September 2019
Harbor PD Monthly Report - September 2019
Internal Operations Department Monthly Report - September 2019
Recreation Monthly Report - September 2019
Rockwall Animal Adoption Center Monthly Report - September 2019
Rockwall Fire Department Monthly Report - September 2019
Rockwall Police Department Monthly Report - September 2019
STAR Transit Monthly Report - September 2019

2. City Manager's Report

Mr. Crowley, City Manager, shared that he would like to begin exploring possible dates with council members in order to schedule a city council / staff retreat sometime after the first of the year.

Councilmember Fowler and Fire Chief Cullins briefly discussed EMS related calls.

Mayor Pruitt shared that there will be a Veterans appreciation event at The Harbor from 1-6 PM this Saturday. Also, the City is hosting a Veterans appreciation lunch for city, county and school district employees this Thursday, and the Council is invited to attend.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding lease of real property in the vicinity of the downtown, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding employee personnel policies pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding reappointment(s) to the Rockwall Economic Development Corporation (REDC) Board pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Councilmember Hohenshelt moved to approve reappointing the following members to the Rockwall Economic Development Corporation (REDC) board for additional two year terms (expiring Dec. 2021): Rick Carroll, Rick Johnson and Matthew Neyland. Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XV. ADJOURNMENT

Pruitt adjourned the meeting at 7:23 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th DAY OF NOVEMBER, 2019.

ATTEST: **_____**
JIM PRUITT, MAYOR

_____
KRISTY COLE, CITY SECRETARY

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16

MINUTES

ROCKWALL CITY COUNCIL SPECIAL MEETING
Friday, November 8, 2019 - 3:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER (AND OPEN FORUM HELD)

Mayor Pruitt called the meeting to order at 3:02 p.m. Present were Mayor Jim Pruitt, Councilmembers Patrick Trowbridge, Kevin Fowler, Bennie Daniels and Trace Johannesen, City Manager Rick Crowley, and Assistant City Managers Joey Boyd and Mary Smith.

Mayor Pruitt indicated that an Open Forum would be held at this time, asking if anyone would like to come forth and speak.

David Booth
D.R. Horton
11655 Caddo Creek Drive
Rockwall, TX 75166

Mr. Booth came forth and spoke, indicating that he just became aware of the item being considered today. He explained that his company has a residential development project in the ETJ that has been ongoing for about the past six months. A lot of consultants are working on the project. He went on to explain that in the ETJ, a developer does full blown engineering plans and goes straight to the 'final plat' stage. He shared that at a "pre-development meeting" that was held on Oct. 24 with city staff, a moratorium was not discussed or indicated at all, even though the city's discussions concerning imposing a moratorium started the next day, on Oct. 25. Mr. Booth went on to ask for an exception for his particular project, indicating that they will build their own water / sewer lines and streets. He explained that their project will not tie into any city streets, only state owned and maintained roads. He understands the reasoning for the moratorium; however, he does not believe his project will impact the City from the standpoint of maintenance and consumption of public facilities. Therefore, he would like to be able to continue his project, but this moratorium will really disrupt the process associated with his project. He shared that his project will abide by any / all City of Rockwall standards, which are all 'above and beyond' those that are in place in the county.

There being no one else wishing to come forth and speak, Mayor Pruitt closed the "Open Forum" / public input part of the meeting.

II. HOLD A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE IMPOSING A MORATORIUM ON ACCEPTING AND REVIEWING SUBDIVISION PLATS FOR COMMERCIAL AND RESIDENTIAL PROPERTY SITUATED WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ), AND TAKE ANY ACTION NECESSARY. (2ND READING)

Mayor Pruitt asked staff why 1.5 acre tracts are being exempted. Mr. Miller shared that the reason for this exemption is because those typically provide onsite sewage systems, and they don't pose issues for infrastructure. Anything larger than that, however, does impact infrastructure.

Mr. Miller indicated that, if they are required to subdivide, the city would review a property that does not create more than 2 lots, that each lot is greater than 1.5 acres and that they provide onsite sewage facilities. Mayor Pruitt expressed concern, indicating he does not understand why these types of properties should be exempted out.

Councilman Johannesen asked for staff to explain what a moratorium practically means. Mr. Miller shared that this particular moratorium only applies to the submission of plans/subdivision plat applications to the City for residential properties in the ETJ. This particular moratorium will be for 120 days. However, he pointed out that the Council does have the ability to possibly remove the moratorium sooner if the City signs an updated 'interlocal agreement' with the County to spell out how development(s) in the ETJ will be handled.

Mayor Pruitt moved to approve the ordinance imposing a moratorium, expressing that no properties will be exempted from the moratorium until the County gives the city plans regarding how subdivision plats and developments will be handled in the County (within the city's ETJ) so that it is fair to everyone concerned. Councilmember Daniels seconded the motion.

The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ENACTING A TEMPORARY MORATORIUM STAYING THE ACCEPTANCE AND PROCESSING OF SUBDIVISION PLAT APPLICATIONS IN THE CITY OF ROCKWALL'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR DEFINITIONS; PROVDING FOR APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION, AND APPEALS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 absences (Macalik and Hohenshelt).

III. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 3:13 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th DAY OF NOVEMBER, 2019.

ATTEST: **JIM PRUITT, MAYOR**

KRISTY COLE, CITY SECRETARY

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19

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	November 18, 2019
APPLICANT:	Perry Bowen
CASE NUMBER:	P2019-040; *Lots 1 & 2, Block A, Haley & Kyle Addition*

SUMMARY

Discuss and consider a request by Perry Bowen on behalf of Kyle Bryan and Haley Brook Bowen for the approval of a replat for Lots 1 & 2, Block A, Haley & Kyle Addition being a 0.97-acre parcel of land currently identified as Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, being zoned Single-Family 7 (SF-7) District, addressed as 501 S. Clark Street, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting to replat one (1) lot (*i.e. Lot A, Block 107, B. F. Boydstun Addition*) into two (2) lots (*i.e. Lots 1 & 2, Block A, Haley & Kyle Addition*) for the purpose of subdividing the property in order to construct two (2) single-family homes.

☑ The subject property was annexed prior to 1959, is zoned Single-Family 7 (SF-7) District, and is addressed as 501 S. Clark Street.

☑ On November 5, 2019, the Parks and Recreation Board reviewed the proposed *replat* and made the following recommendations:

1) The developer shall pay pro-rata equipment fees for Park District No. 21 in the amount of $516.00 for Lot 2. This will need to be paid at time of final plat; and

2) The developer shall pay cash-in-lieu of land fees for Park District No. 21 in the amount of $499.00 for Lot 2 to be paid at the time of final plat.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lots 1 & 2, Block A, Haley & Kyle Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On November 12, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff's conditions of approval passed by a vote of 5-0 with Commissioners Fishman and Welch absent.

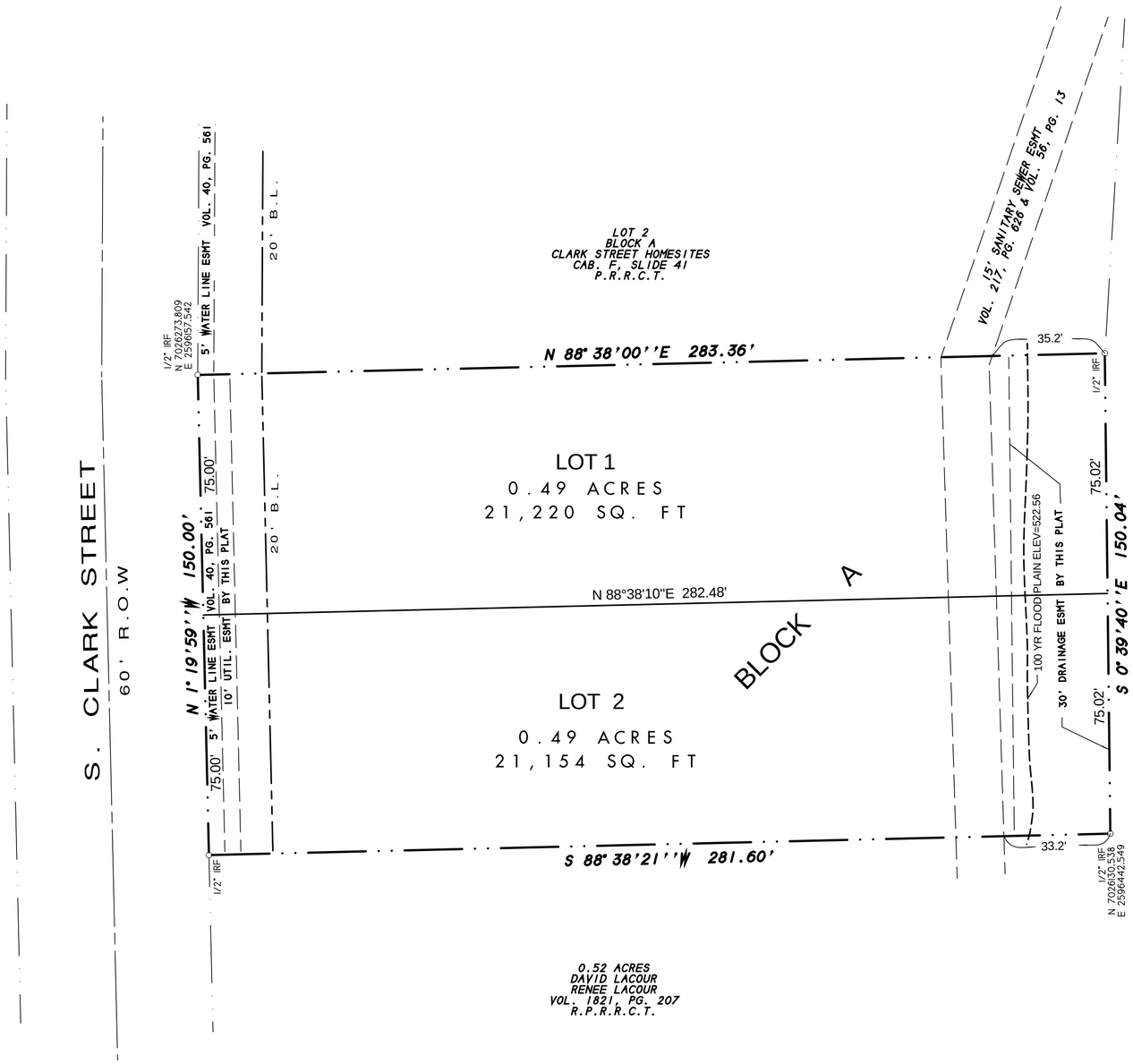


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

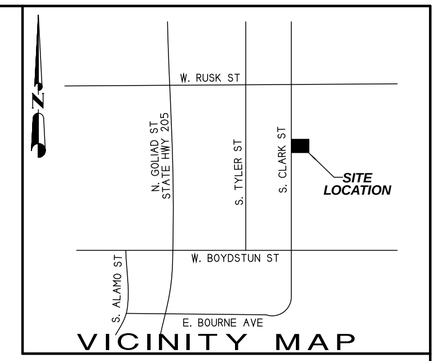
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

22



3.98 ACRES
CLARENCE SAMPLES
VOL. 1116, PG. 198
R.P.R.R.C.T.

0.52 ACRES
DAVID LACOUR
RENEE LACOUR
VOL. 1821, PG. 207
R.P.R.R.C.T.



VICINITY MAP

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

FINAL PLAT

HALEY & KYLE ADDITION
LOTS 1 & 2, BLOCK A

0.97 ACRES OR 42,375 S.F.
(2 LOTS)
B.F. BOYSTON SURVEY
ABSTRACT NO. 14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:
KYLE BRYAN &
HALEY BROOKE BOWEN
401 E. KAUFMAN STREET
ROCKWALL, TEXAS 75087

SHEET 1 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND \ CORNER \
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE OCTOBER 18, 2019
SCALE 1" = 30' FILE # 20190322-FP
CLIENT BOWEN

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS KYLE BRYAN and HALEY BROOKE BOWEN, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being all of that 0.97 acres tract of land as described in a Warranty deed from Mario Del Bosque to Kyle Bryan and Haley Brooke Bowen, dated May 19, 2019 and being recorded in Document no. 20190000007530 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the East right-of-way line of Clark Street (60' R.O.W.) at the Southwest corner of the above cited tract of land, said point also being at the Northwest corner of a 0.52 acres tract of land as described in a Contract for deed to David Lecour and Renee Lecour, dated January 15, 1999 and being recorded in Volume 1821, Page 207 of the Real Property Records of Rockwall County, Texas;

THENCE N. 01 deg. 19 min. 59 sec. W. along said right-of-way line, a distance of 150.00 feet to a 1/2" iron rod found for corner at the Northwest corner of said Bryan and Bowen tract and at the southwest corner of Lot 2, Block 1, Clark Street Homesites Addition, an Addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet F, Slide 41 of the Plat Records of Rockwall County, Texas;

THENCE N. 88 deg. 38 min. 00 sec. E. a distance of 283.36 feet to a 1/2" iron rod found for corner at the Northeast corner of said Bryan and Bowen tract;

THENCE S. 00 deg. 39 min. 40 sec. E. a distance of 150.04 feet to a 1/2" iron rod found for corner at the Northeast corner of said Lecour tract;

THENCE S. 88 deg. 38 min. 21 sec. W. a distance of 281.60 feet to the POINT OF BEGINNING and containing 42,375 square feet or 0.97 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as HALEY & KYLE ADDITION, LOTS 1 & 2, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We , our successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

_____
KYLE BRYAN

_____
HALEY BROOKE BOWEN

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared KYLE BRYAN known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared HALEY BROOKE BOWEN known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III · 5034 · PROFESSIONAL · LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of KYLE & HALEY ADDITION, LOTS 1 & 2, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

HALEY & KYLE ADDITION
LOTS 1 & 2, BLOCK A

0.97 ACRES OR 42,375 S.F.
(2 LOTS)
B.F. BOYSTON SURVEY
ABSTRACT NO. 14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
KYLE BRYAN &
HALEY BROOKE BOWEN
401 E. KAUFMAN STREET
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WTR WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR. COND. UNIT	PROPANE TANK

SURVEY DATE OCTOBER 18, 2019
SCALE 1" = 30' FILE # 20190322-FP
CLIENT BOWEN

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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25

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **November 15, 2019**

SUBJECT: **Cooperative Purchasing Agreement with the City of Texarkana**

An Interlocal Purchasing Agreement for participation in a cooperative purchasing program with the City of Texarkana is attached for City Council consideration.

The interlocal agreement provides for cooperative purchasing between the Cities of Rockwall and Texarkana for goods, materials and services. By participating in this cooperative program, cities realize additional savings through economies of scale when utilizing the coop contracts. Another benefit is by piggybacking other cities' contracts we would meet all the formal bidding requirements pertaining to contract purchases and eliminate the cost of the competitive bidding process for the contracted materials and services. The interlocal agreement would remain in effect until terminated by either the City of Rockwall or Texarkana.

The City of Texarkana wishes to piggyback our police motorcycle bid.

Staff asks City Council to consider joining this purchasing cooperative by authorizing the City Manager to execute the cooperative agreement.

STATE OF TEXAS	§
	§
COUNTY OF BOWIE	§

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement ("Agreement") is by and between the City of Texarkana, Texas ("Texarkana"), and the City of Rockwall, Texas ("Rockwall"), acting by and through their authorized officers.

RECITALS:

WHEREAS, this Agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code; and

WHEREAS, Section 271.102 of the TEX. LOC. GOV'T CODE authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization; and

WHEREAS, a local government that purchases goods and services pursuant to a Cooperative Purchasing Program with another local government satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and materials; and

WHEREAS, each party has and will on an annual basis obtain competitive bids for the purchase of goods and services; and

WHEREAS, the parties desire to enter into a cooperative purchasing program, which will allow each party to purchase goods and services under each other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE;

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

ARTICLE I
PURPOSE

The purpose of this Agreement is to establish a cooperative purchasing program between the parties, which will allow each party to purchase goods and services under each other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE.

ARTICLE II
TERM

The term of this Agreement shall be for a period of one (1) year commencing on the last date of execution hereof ("Effective Date"). Thereafter this Agreement shall automatically renew for successive periods of one (1) year each under the terms and conditions stated herein, unless sooner terminated as provided herein.

ARTICLE III
TERMINATION

Either party may terminate this Agreement by providing thirty (30) days prior written notice to the other party.

ARTICLE IV
PURCHASING

The City Manager or designee for each of party is authorized to act on behalf of the respective party in all matters relating to this cooperative purchasing program. Each party shall make payments to the other party or directly to the vendor under the contract made pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE. Each party shall be responsible for the respective vendor's compliance with provisions relating to the quality of items and terms of delivery.

ARTICLE V
MISCELLANEOUS

5.1 **Relationship of Parties**: This Agreement is not intended to create, nor should it be construed as creating, a partnership, association, joint venture or trust.

5.2 **Notice**: Any notice required or permitted to be delivered hereunder shall be deemed received when sent in the United States Mail, Postage Prepaid, Certified Mail, Return Receipt Requested, or by hand-delivery or facsimile transmission addressed to the respective party at the address set forth below the signature of the party.

5.3 **Amendment**: This Agreement may be amended by the mutual written agreement of both parties hereto.

5.4 **Severability**: In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

5.5 **Governing Law**: The validity of this Agreement and any of its terms and provisions as well as the rights and duties of the parties shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in the State District Court of Bowie County, Texas.

5.6 **Entire Agreement**: This Agreement represents the entire agreement among the parties with respect to the subject matter covered by this Agreement. There is no other collateral, oral or written agreement between the parties that in any manner relates to the subject matter of this Agreement.

5.7 **Recitals**: The recitals to this Agreement are incorporated herein.

5.8 **Counterparts**: This Agreement may be executed in any number of counterparts, each of whom shall be deemed an original and constitute one and the same instrument.

EXECUTED this 5th day of November, 2019.

CITY OF TEXARKANA, TEXAS

By: Shirley Jaster

SHIRLEY JASTER, CITY MANAGER
220 Texas Blvd
Texarkana, TX 75503

ATTEST:

By: _____

JENNIFER EVANS, CITY SECRETARY

EXECUTED this _____ day of _____, 2019.

CITY OF ROCKWALL, TEXAS

By: _____

_____

ATTEST:

By: _____

_____

29

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30

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, Director of Public Works/City Engineer**

DATE: **November 14, 2019**

SUBJECT: **Proposed 2019 Sanitary Sewer Condition Assessment**

The strategic plan associated with the City's Capacity, Management, Operations, and Maintenance (CMOM) Plan presented to the EPA requires that the City must complete a condition assessment of the sewer system within ten years. To develop this strategic initiative, staff and the firm that worked on the CMOM took the information provided through the flow monitoring study conducted in the spring of 2015. The study was divided into 37 basins that were ranked depending on how much inflow and infiltration was detected in rain events.

The strategic initiative consists of a condition assessment of evaluating of the basins that scored the lowest score in the study first. In 2019-2020, the wastewater division proposes to complete condition assessment of five basins that have a total of 134,200 feet of pipe with 407 manholes. The Professional Services Contract for the sanitary sewer condition assessment cost $156,600.00. The funds are available in the water and sewer operating budget, sewer line repair and replacement. Assessments of these basins will include:

- Manhole inspections
- Smoke testing
- Dye flooding
- Cleaning (City)
- CCTV (City)
- Analysis of any defects
- Mapping
- Cost estimates for repair or rehab
- Data collecting
- Final report

Included in this document is the contract for council considerations for engineering services through Pipeline Analysis, LLC for $156,600.00, and to authorize the City Manager to execute the contract.

Professional Services Contract

City of Rockwall

Phase 3

Sanitary Sewer Condition Assessment

Flow Meter Basin

BC08, BC38 and BC46

City of Rockwall

November 11, 2019

PIPELINE ANALYSIS LLC
WASTEWATER COLLECTION ENGINEERS

PIPELINE ANALYSIS LLC
1115 Main Street
Garland, Texas 75040
800-637-0164
TBPE Firm No. F-6538

CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES

THIS CONTRACT made and entered into on the date last stated below between the City of Rockwall, hereinafter called "City", and Pipeline Analysis, LLC hereinafter called "ENGINEER", acting by and through James H. Forbes, Jr., P.E. (Project Manager) duly authorized to so act on behalf of the ENGINEER.

WHEREAS, the CITY desires professional engineering services in connection with the Sanitary Sewer Condition Assessment of sewer on a specified portion of the City of Rockwall, Texas, hereinafter called "the PROJECT"; and

WHEREAS, the CITY has determined that the ENGINEER has experience in the area involved in the Project and is qualified to perform the work, and the ENGINEER is willing to enter into a contract with CITY to perform the engineering services desired by CITY in connection with the PROJECT.

THE CITY AND ENGINEER AGREE AS FOLLOWS:

The CITY hereby retains the ENGINEER to perform engineering services in connection with the PROJECT described above.

1. SCOPE OF SERVICES

The scope of Professional Engineering Services to be performed by the ENGINEER shall be as follows:

1.1 Approach to Project

This project will perform various field testing and inspection of the wastewater collection system within the Study Area as defined on the map included in Exhibit A and prepare a final report that recommend system repairs and estimated costs.

1.2 Detailed Scope of Services

See Exhibit A attached.

2. CITY'S RESPONSIBILITIES

So as not to delay the services of ENGINEER, the CITY shall do the following in a timely manner:

2.1 Provide Existing Data

CITY will provide to ENGINEER at no cost those sewer maps and any applicable previous reports. Existing data delivered to the ENGINEER by the CITY remains

the property of the CITY and must be returned to the CITY after completion of the PROJECT.

2.2 Provide Access

Arrange for access to, and make all provisions for, ENGINEER to perform services under this AGREEMENT.

2.3 CITY Representative

CITY designates the following person as the project representative to act as the contact person on behalf of the CITY.

Rick Sherer
Water/ Wastewater Manager
City of Rockwall
1600 Airport Road
Rockwall, TX 75087
972.772.6337

2.4 Cleaning and CCTV Inspection

CITY desires to perform the cleaning and CCTV inspection of sanitary sewers identified by Pipeline Analysis LLC. Pipeline Analysis LLC shall prepare a listing of line segments requiring internal cleaning and CCTV inspection based on field testing and inspection within the study areas. City will perform the cleaning and CCTV of the designated gravity sewers and provide Pipeline Analysis LLC the resulting database and digital video of the inspections where possible and incorporate these findings into the final report. Should the City elect not to perform these work tasks, then Pipeline Analysis LLC will undertake the required cleaning and CCTV inspection at the unit prices presented in Exhibit A Compensation.

3. SCHEDULE

3.1 Schedule

The ENGINEER'S services shall be performed in a timely manner consistent with sound professional practices. The ENGINEER will complete the work according to the schedule presented in Exhibit A.

The time limits set forth in the schedule shall include allowances for reasonable and expected review time by the CITY and approval by authorities having jurisdiction over the PROJECT, and shall not be allowed as cause for delay or adjustments to the

schedule. Delays in the project critical path caused by review times by the CITY or a permitting agency exceeding those anticipated by the ENGINEER'S schedule are cause for adjustments in the schedule. Any adjustments made to the agreed upon schedule shall be made in writing and acceptable to both parties.

The ENGINEER shall begin work immediately upon receipt of the executed CONTRACT and/or written Notice to Proceed.

3.2 Completion of Services

ENGINEER'S services under each item of the finalized Scope of Work shall be considered complete on the date when the submissions for that item have been accepted by CITY.

3.3 Changes

If the CITY requests significant modifications or changes in the Scope of Services, general scope, extent or character of the PROJECT, the time of performance of ENGINEER'S services, the various rates of compensation and schedule shall be adjusted equitably.

3.4 Written Authorization for Additional Work

Any provision in this CONTRACT notwithstanding, it is specifically understood and agreed that the ENGINEER shall not authorize or undertake any work pursuant to this CONTRACT which would require the payment of any fee, expense or reimbursement in addition to the fees stipulated in Section 4 (Payment for Services) of this CONTRACT, without first having obtained the specific written authority to do so from CITY.

4. PAYMENT FOR SERVICES

4.1 Terms

Terms used in describing the applicable method of payment for services provided by the ENGINEER shall have the meaning indicated below:

Basic Engineering Fee:

Basic Engineering Fee shall mean those expenses incurred by the ENGINEER in prosecuting the PROJECT Scope of Services.

Reimbursable Expenses

Not applicable

Additional Services

Additional services **not** covered under the Scope of Services, will be provided to the CITY on a unit price or lump sum basis. A revised written detailed scope of services for additional services will be provided with the pricing summary. Additional services must be approved by City along with a written notice to proceed.

4.2 Basis and Amount of Compensation for Basic Services

Compensation for basic services will be as shown in Exhibit A. These services will be billed monthly based on a percentage completed and will not exceed the total presented.

4.3 Basis and Amount of Compensation for Additional Services

Not applicable. No additional services are anticipated.

4.4 Partial Payments for Services

Partial fee payments may be applied for at monthly intervals, based upon statements which reflect the percentage of work completed for the various items listed under Scope of Services. These statements shall be prepared by the ENGINEER and must be verified and approved by CITY.

4.5 Delay

If ENGINEER'S design services or service during construction of the PROJECT are delayed or suspended in whole or in part by the CITY for more than one year for reasons beyond ENGINEER'S control the various rates of compensation, including Additional Services, provided for elsewhere in this CONTRACT shall be subject to equitable adjustment.

5. TERMINATION, SUSPENSIONS OR ABANDONMENT

5.1 Termination

The CITY or the ENGINEER may terminate this CONTRACT for reasons identified elsewhere in this CONTRACT. In the event such termination becomes necessary, the party effecting termination shall so notify the other party, and termination will become effective thirty (30) calendar days after receipt of the termination notice. Irrespective of which party shall effect termination or the cause therefore, CITY shall within thirty (30) calendar days of termination remunerate ENGINEER for services rendered and costs incurred, in accordance with the ENGINEER'S prevailing fee schedule (Exhibit A).

Services shall include those rendered up to the time of termination. All plans, field survey, and other data related to the PROJECT shall become the property of CITY upon termination of the CONTRACT and shall be promptly delivered to CITY in a reasonably organized form. Should CITY subsequently contract with a new Engineer for continuation of services on the PROJECT, ENGINEER shall cooperate in providing information. No amount shall be due for lost or anticipated profits.

5.2 Suspension

If the Project is suspended by CITY for more than 30 consecutive days, the ENGINEER shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the ENGINEER'S compensation shall be equitably adjusted to provide for expenses incurred in the interruption and resumption of the ENGINEER'S services.

5.3 Abandonment

This CONTRACT may be terminated by CITY upon not less than seven (7) days written notice to the ENGINEER in the event that the Project is permanently abandoned. If the Project is abandoned by CITY for more than ninety (90) consecutive days, the ENGINEER or CITY may terminate this CONTRACT by giving written notice.

5.4 Failure to Pay

Failure of CITY to make payments to the ENGINEER in accordance with this CONTRACT shall be considered substantial nonperformance and cause for termination.

If CITY fails to make payment to ENGINEER within thirty (30) days of a statement for services properly performed, the ENGINEER may, upon fourteen (14) days written notice to CITY, suspend performance of services under this CONTRACT. Unless ENGINEER receives payment in full within fourteen (14) days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services under this section, the ENGINEER shall have no liability to CITY for delay or damage caused CITY because of such suspension of services.

6. GENERAL CONSIDERATIONS

6.1 Professional Standards

Services performed by the ENGINEER under this CONTRACT will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. The ENGINEER shall comply with the applicable laws and rules of the current "Texas Engineering Practice Act". CITY's approval, acceptance, use of or payment for all or any part of the ENGINEER'S services herein under or of the project itself shall in no

way alter the ENGINEER'S obligations or CITY'S rights thereunder.

6.2 Progress and Performance

The provisions of this CONTRACT and the compensation to ENGINEER have been agreed to in anticipation of continuous and orderly progress through the completion of the ENGINEER'S services. Time for performance shall be extended to the extent necessary for delays due to circumstances over which the ENGINEER has no control. If the ENGINEER'S services are suspended or delayed the times of performance shall be extended to the extent of such delay or suspension. A delay or suspension shall not terminate this CONTRACT unless ENGINEER elects to terminate in accordance with the provisions of Section 5 of this CONTRACT. If a delay or suspension extends for a period of greater than one year for reasons beyond the control of the ENGINEER, the fees and rates of compensation set forth in Section 4 shall be subject to re-negotiating.

6.3 CITY Control

It is understood and agreed that CITY shall have complete control of the services to be rendered, and that no work shall be done under this CONTRACT until the ENGINEER is instructed to proceed with the work.

6.4 Independent Agent

ENGINEER and CITY agreed that ENGINEER and any officer, employee or agent of ENGINEER, in the performance of this CONTRACT shall act in an independent capacity and not as an officer, agent or employee of CITY.

6.5 Compliance with Laws

ENGINEER shall comply with all Federal, State, and local laws and ordinances in the execution of all work in connection with this PROJECT.

6.6 No Additional Work Without Authorization

Any provision in the CONTRACT notwithstanding, it is specifically understood and agreed that the ENGINEER shall not authorize or undertake any work pursuant to this CONTRACT, which would require the payment of any fee, expense or reimbursement in addition to the fee stipulated in Article 4 of this CONTRACT, without having first obtained specific written authority therefore from CITY.

6.7 Assignment & Subcontracting

This CONTRACT shall not be assigned or subcontracted in whole or part without the written consent of CITY.

6.8 Indemnification

ENGINEER, its officers, agents and employees agree to indemnify, hold harmless, and defend CITY, at ENGINEER'S cost, its officers, agents, and employees from and against any and all claims or suits for injuries, damages, loss, or liability of whatever kind of character, arising out of or in connection with the performance by the ENGINEER of those services contemplated by the CONTRACT, based upon negligent acts or omissions of ENGINEER, its officers, agents, employees, consultants and subcontractors, whether or not caused solely by the ENGINEER, its officers, agents, employees, consultants or subcontractors or jointly with any other party.

ENGINEER agrees that he is solely responsible for the safety of himself and his employees in the performance of this CONTRACT and agrees to indemnify and hold harmless CITY, its officers and agents from and against any liability arising from the personal injury or death of the ENGINEER or the employees of the ENGINEER arising out of or in connection with this CONTRACT.

6.9 Insurance

ENGINEER shall secure and maintain insurance that will protect him from claims under the Worker's Compensation Act (statutory amounts).

ENGINEER shall secure and maintain Commercial General Liability Insurance that will protect him from claims for bodily injury, death or property damage which may arise from the performance of his services under this CONTRACT, written on an occurrence basis, in the following amounts:

> For engineering design contracts for more than $10,000.00, insurance in an amount not less than $500,000 per occurrence and $1,000,000 annual aggregate for bodily injury or death and property damage. ENGINEER shall maintain Comprehensive Automobile Liability Insurance covering all owned, non-owned, and hired vehicles with combined single limit coverage of $1,000,000 for bodily injury, death or property damage.

ENGINEER shall maintain, at no expense to CITY, a professional liability (errors and omissions) insurance policy placed with a company rated at least A-/VII by Best's Key Rating Guide, authorized to do business in Texas. This coverage must be maintained for at least two (2) years after the PROJECT is completed. Coverage must be written on an occurrence basis. However, at its sole discretion, the CITY may accept coverage written on a claims-made basis if the policy provides for a retroactive date equivalent to the inception date of the CONTRACT or earlier, maintained during the full term of the CONTRACT. The minimum limits of coverage shall be in the following amounts:

All policies, except Worker's Compensation and Professional Liability, shall name the CITY as additional insured. All policies shall contain a waiver of subrogation in favor of the CITY and shall require the giving of written notice to CITY at least thirty (30) days

prior to cancellation, non-renewal or material modification of any policies, evidenced by return receipt of United States Certified Mail. ENGINEER shall furnish CITY with copies of said policies or certificates evidencing such coverage.

6.10 Property

All documents, including drawings, field notes, surveys, tracings, calculations, computer input and output, digital or computer files, etc., prepared by the ENGINEER pursuant to this contract shall become the property of CITY. The ENGINEER may retain copies of all documents. Any reuse of the documents shall conform to The Texas Engineering Practice Act.

6.11 Governing Law

This CONTRACT has been made under and shall be governed by the laws of the State of Texas. The parties agree that the performance and all matters related thereto shall be in Rockwall, Texas.

7. DOCUMENT EXECUTION

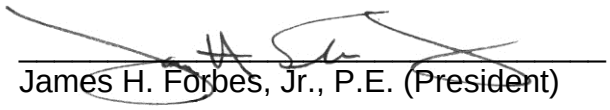
IN WITNESS WHEREOF, the parties have executed this CONTRACT the _____ day of _____, 2019.

City of Rockwall, Texas
Rockwall City Hall
385 South Goliad
Rockwall, Texas 75087

By: _____

Date: _____

ENGINEER
Pipeline Analysis, LLC
1115 Main Street
Garland, Texas 75040
(800)637-0164
(972)479-0659 FAX

By: 
_____
James H. Forbes, Jr., P.E. (President)

Date: November 11, 2019

Exhibit A
Detailed Scope of Services

The purpose of this project is to perform a condition assessment on a portion of the City of Rockwall wastewater collection system and identity system defects that contribute to wet weather infiltration/inflow. The following summarizes the project tasks and approach to the project:

TASK 100 MOBILIZATION

Mobilize project team and coordinate startup. Establish personnel assignments and responsibilities. Inventory equipment needs and order expendable supplies. Review all relevant existing materials, previous reports, etc. developed for or by the City of Rockwall.

Deliverable:

1. Delivery of equipment and personnel
2. Work maps with delineated boundaries

To Be Provided by City:

1. Previous studies for the service area to be investigated
2. Sewer maps
3. Previous inspection data where available
4. Access for placement of equipment and personnel
5. Copies of all applicable reports, maps and historical data for the study area at no cost to ENGINEER
6. As-built drawings, sewer key maps, street plans, electronic aerial photographs if available and if requested at no cost to ENGINEER

TASK 200 MANHOLE/PIPE INSPECTION

Manholes can be a significant source of extraneous infiltration/inflow and thereby reduce system wet weather capacity. For this reason, each manhole within the study area is inspected. For the study area designated, field inspection crews will perform an inspection of manholes. The data gathered during this phase of the project will be used to prioritize manholes for rehabilitation and establish the base data necessary to accurately determine mainline sewer rehabilitation alternatives and costs. Other important deliverables resulting from this work task are the updating of the collection system map, determination of debris levels in pipes and verification of pipe sizes. This information is critical in preparing subsequent rehabilitation plans, cleaning requirements to restore capacity and updating of the system maps.

Inspection personnel will use digital cameras during the inspection of all manholes on this project. All

photographs will be included in the field inspection computer database so that a permanent electronic record can be maintained. During inspection, each of the following types of information will be obtained to establish the condition and prioritize least cost repairs:

1. Study Area Designation
2. Manhole/Cleanout ID
3. Inspection Status (buried, could not locate, no access, etc.)
4. Address and Sub-meter GPS coordinate (x,y) of manhole
5. Surface cover, grade, type of cover (paved, yard, etc.)
6. Material of construction – brick, concrete, etc.
7. Area and Internal photo of manhole
8. All incoming and outgoing pipe depths from rim to invert
9. All incoming and outgoing pipe digital photographs
10. Outgoing pipe length
11. Defects – Active, Evidence or No Infiltration/Inflow with digital photographs
12. Field corrections to collection system map

Upon completion of the manhole inspection, a condition assessment will be prepared for inclusion in the final report that will include:

1. Documentation with summary of field observations
2. List of manholes/lines requiring repair/rehabilitation
3. Digital photos
4. Documentation for preparing manhole rehabilitation quantities
5. Field updated map(s)
6. Prioritized Manhole Repair Recommendations and Cost Estimates

To Be Provided by City:

1. Current collection system map
2. Access (if requested) to manholes that are buried or could not be opened.
3. Assistance in locating assets (if requested)

Measurement of Payment:

Payment for this work task shall be a unit price for each manhole documented. Those manholes that are located, but buried or could not be opened will be noted and a list provided to the City. Manholes that could not be located using metal detectors or probes will be listed as Could Not Located (CNL). CNL manholes will not be billed. The City will provide replacement covers at no cost should a cover be broken while attempting opening.

TASK 300 SMOKE TESTING/PUBLIC AWARENESS/DATA ENTRY & ANALYSIS

Smoke testing will provide detailed information on wet weather inflow sources for the study area. In order to identify defects in the lines, a non-toxic smoke will be forced into the sewer by high capacity blowers. Data documentation includes measurements from two permanent points and will be sufficient to establish the location of each defect and determine the best repair method and priority. Color digital photographs will be taken to document each defect during the smoke test.

Forty-eight (48) hours prior to testing, door hangers will be used to notify residents. A local telephone number will be provided for those individuals with questions or for anyone requiring special assistance. Each day the fire department will be notified of the crew location since smoke may enter homes through defective plumbing.

To Be Provided by City:

1. Review and approval of Notice to Residents
2. Letter of introduction to be carried by field crews
3. Previous City smoke testing data, if any

Deliverables:

1. Defects listing and database
2. Defect location sketch
3. Digital photographs
4. Smoke Notification Flyers and Notification of Residents
5. Priority ranking of defects (both private and public sector)
6. Repair methods and estimated costs

Review Draft

City of Rockwall

For the next few days, inspection crews will conduct a physical survey of the wastewater collection system. Pipeline Analysis will perform this study, which involves opening manholes in the streets and backyard utility easements. Information gained from this study will be used to repair and improve the wastewater collection system.

One important task of the survey will be **smoke testing** of sewer lines to locate breaks and defects in the system. During this testing, white smoke will exit through vent pipes on the roofs of homes and through sewer line breaks. **The smoke is non-toxic, leaves no residue, and creates no fire hazard.** The smoke should not enter your home unless defective plumbing exists or drain traps are dry.

If you have seldom-used drains, please pour a gallon of water in the drain to fill the drain trap. This procedure will help prevent the possibility of smoke entering your living areas through those drains.

Field crews will perform testing of all sewers in the area. **At no time will field crews have to enter your business or residence.**

Your cooperation is appreciated. Should you have any additional questions concerning this study or if you desire special assistance, please phone:

800-637-0164

PIPELINE ANALYSIS LLC
WASTEWATER COLLECTION SYSTEM ENGINEERS

Review Draft

City of Rockwall

PRUEBAS DE HUMO
AVISO A LOS RESIDENTES

Para los próximos días, los equipos de inspección llevará a cabo una inspección física de la red de alcantarillado. El Análisis de Pipeline Company, LLC llevará a cabo este estudio bajo contrato con la ciudad de Rockwall. El proyecto consiste en la apertura de pozos en las calles y servidumbres domésticas de servicios públicos. La información obtenida de este estudio se utilizarán para reparar y mejorar el sistema de recolección de aguas residuales.

Una tarea importante de la encuesta serán las pruebas de humo de líneas de alcantarillado para localizar roturas y defectos en el sistema. Durante esta prueba, el humo blanco saldrá a través de tubos de ventilación en los techos de las casas y por medio de saltos de línea de alcantarillado. El humo no es tóxico, no deja ningún residuo, y no crea ningún peligro de incendio. El humo no debe entrar a su casa a menos que exista o plomería defectuosa sifones están secos.

Si ha utilizado muy pocas veces-piso, lavabo, bañera o ducha desagües, por favor, vierta un litro de agua en el desagüe para llenar el sifón. Este procedimiento le ayudará a prevenir la posibilidad de humo introducción de sus áreas vivas a través de los desagües.

El personal de campo se realizan pruebas de todos los desagües de la zona. En ningún momento desplegar los equipos tiene que introducir su negocio o residencia.

Su cooperación es apreciada. Si tiene alguna pregunta adicional sobre este estudio o si desea recibir asistencia especial, por favor llame al:

972-479-0655

PIPELINE ANALYSIS LLC
WASTEWATER COLLECTION SYSTEM ENGINEERS

Task 400 Dye Flooding

Pipeline Analysis staff will provide a listing of recommended location(s) for dye water flooding. Dye water flooding can be anticipated to assist in the locating of specific defects during CCTV inspection of specific defects. Non-toxic dye may be introduced as a powder or liquid. Cross-connections, roof drains and area drains that are suspected of being connected to the sanitary sewer may be positively identified using the dye tracer procedure. Internal CCTV inspection, while the dye flooding is taking place, will determine the exact source of the 'cross-connection'.

To Be Provided by City:

1. Cleaning and CCTV crew
2. Water for dye flooding
3. Coordination with Pipeline Analysis

To Be Provided by Pipeline Analysis:

1. Locations for dye water flooding
2. Liquid or powder dye for use by the City
3. Field Forms to be used to document results
4. Documentation of results

TASK 500 & 600 PREPARATORY CLEANING AND CCTV INSPECTION

Task 500 and 600 will be performed by City crews. Pipeline Analysis staff will prepare a detailed listing of line segments recommended for cleaning and CCTV inspection. Preparatory cleaning shall consist of hydraulic jet cleaning to facilitate the internal CCTV inspection. The City of Rockwall staff will perform this phase of the work in coordination with Pipeline Analysis.

To Be Provided by City:

1. Preparatory cleaning of CCTV pipe segments
2. CCTV inspection of recommended pipe segments
3. Provide CCTV video including:
    a. Date inspected
    b. Line segment inspected
    c. Location (Address) and Asset ID
    d. Digital video of inspection and written logs of work performed

To Be Provided by Pipeline Analysis:

1. Review video and logs not to exceed 15% of study area linear footage
2. Summary of line segments cleaned and CCTV'd
3. Prepare prioritized mainline rehabilitation plan and estimated costs
4. Incorporate Cleaning and CCTV inspection results into final report

TASK 700 ADMINISTRATION AND PROJECT MANAGEMENT

This task includes internal project administration and oversight including scheduling, budget, quality assurance and control meetings and reporting. The project schedule will be reviewed and milestones for the completion of each task will be assigned. The project schedule will be reviewed and updated monthly to ensure that all tasks are completed in a timely and organized fashion.

Management work items include:

1. Field crew supervision and project planning
2. Obtain initial maps for field use and verification
3. Prepare cleaning, CCTV and dye flooding documentation for City
4. Prepare monthly billings
5. Schedule equipment and order supplies

Major system deficiencies that are identified during the field inspections that if corrected would result in significant reduction in I/I or is deemed to be of a safety concern will be recorded and forwarded as soon as possible to City's designated project manager. Likewise, should City undertake a major repair within the study area, they will immediately notify ENGINEER to determine the impact on data analysis.

Deliverables:

1. Monthly invoice
2. Status reports
3. Project schedule and updates

To Be Provided by City:

1. All reports or materials deemed necessary by ENGINEER and identified during the course of the project that is not specifically stated above will be provided at no additional cost to the ENGINEER

TASK 800 DEFECT ANALYSIS/ REHABILITATION PLAN/FINAL REPORT

This project will generate a considerable amount of data that will require proper entry and quality control. Data collection will include the following:

1. All collected defect data will be correlated between sources to address duplicate defects that were identified by different testing methods. Identify duplicate defects to ensure multiple rehabilitation methods are not recommended for the same defect.
2. Much of the baseline data required for rehabilitation decision is gathered during the normal course of field investigations. For example, "area photos" are taken of each manhole in the direction of the outgoing pipe. This photograph not only shows the location of the manhole but also provide data on the line cover and easement conditions.
3. Rehabilitation recommendations will consider the best repair for the particular asset (manhole, pipeline, etc.) being rehabilitated. A long-term least-cost solution may have an initial higher cost, but provide a higher level of service and lower operating and maintenance cost. The supporting data will be provided in electronic format.

To Be Provided by City:

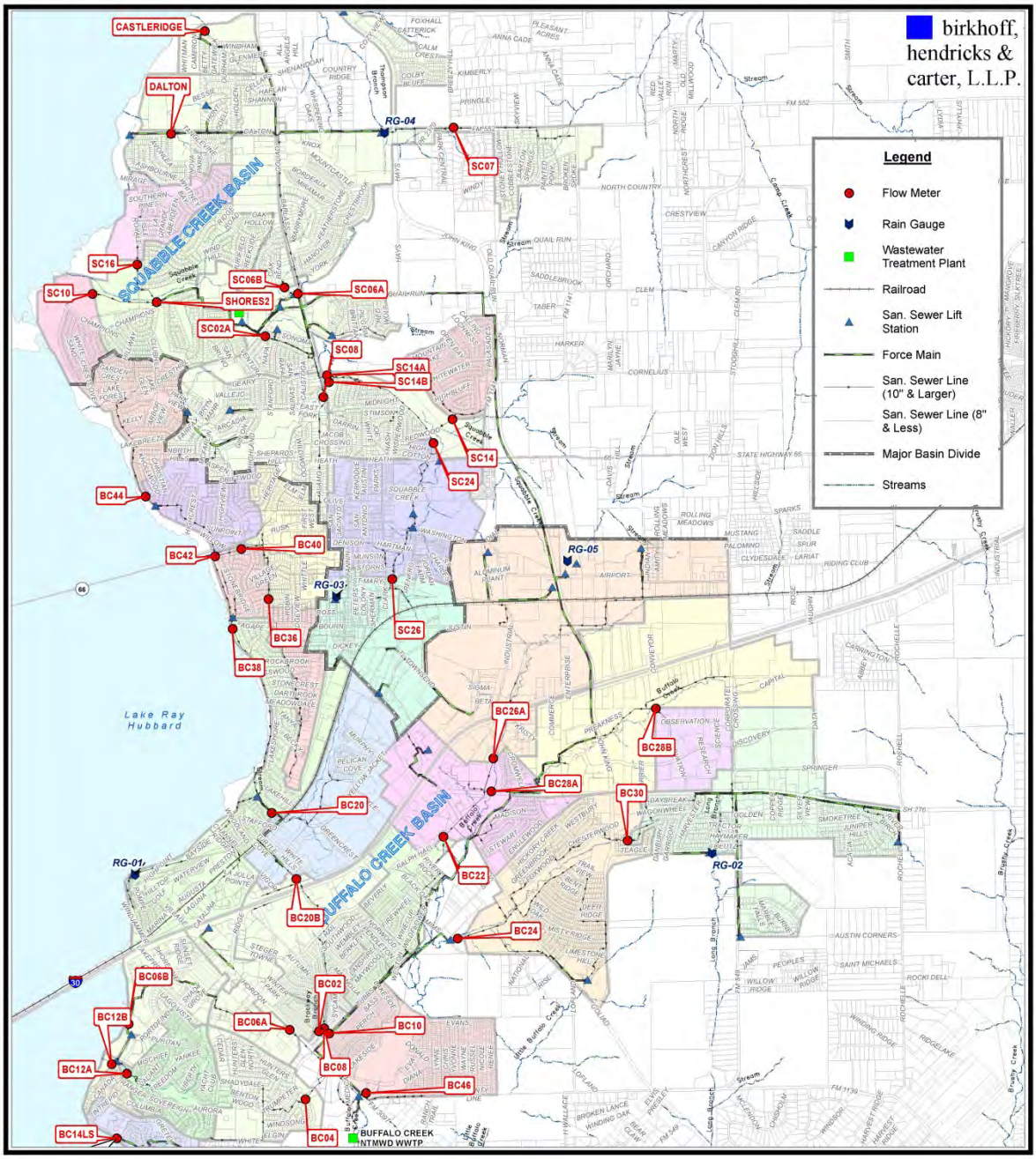
- Complaint records and SSO database
- Review and comments on rehabilitation methods, cost estimates, and alternatives
- Engineer will provide electronic files of the City corrected GIS maps in ArcGIS. The City will have the final authority to accept the changes and update their master GIS map files.

Prepare and submit a Final Report that includes the following:

- Executive Summary
- Description of all tasks
- Manhole and pipe inspection summary/inventory
- Manhole defect summary
- Pipeline defect summary
- Service lateral defect summary
- Smoke test data summary
- Dye Flooding and CCTV data summary
- Recommendations and Cost Estimates for Private and Public sector repairs

Prepare and submit three (3) Final Reports and electronic database.

Study Area Map
Flow Meter Basin
BC08, BC38 AND BC46



C:\Projects\Rockwall\2015113 WW Flow Monitoring\Report Figures.mxd

50

Condition Assessment Priority Ranking

City of Rockwall

Proposed
Complete
Pending

10 Year Condition Assessment CMOM Program
Priority Ranking of Meter Basins
2015 Wastewater Flow Monitoring Study - Birkhoff, Hendricks & Carter, LLP

PIPELINE ANALYSIS

Meter Basin	RDII (mg)	Pipe (l.f.)	Manholes	RDII/Linear Foot	RDII Ranking	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
SC26	0.51	21,915	66	23.27	1	21915										
BC20B	1.76	119,423	362	14.74	2			119,423								
BC06A	0.33	22,548	232	14.64	3		22,548									
SC06B	0.11	8,527	26	12.90	4		8,527									
BC10	0.49	42,097	128	11.64	5		42,097									
BC08	0.48	45,259	137	10.61	6				45,259							
BC46	0.50	48,992	148	10.21	7				48,992							
BC38	0.39	39,947	121	9.76	8				39,947							
BC42	0.25	26,060	79	9.59	9		26,060									
SC08	0.46	48,246	146	9.53	10					48,246						
SC14AB	0.31	33,192	101	9.34	11					33,192						
SC24	0.37	45,123	137	8.20	12					45,123						
BC28A	0.22	27,135	82	8.11	13						27,135					
BC28B	0.06	7,920	24	7.58	14						7,920					
SC14	0.11	14,724	45	7.47	15						14,724					
BC04	0.18	24,305	74	7.41	16						24,305					
BC40	0.22	30,832	93	7.14	17						30,832					
BC20	0.15	22,751	69	6.59	18						22,751					
BC44	0.21	32,812	99	6.40	19							32,812				
SC02A	0.31	48,943	148	6.33	20							48,943				
BC02	0.12	19,463	59	6.17	21							19,463				
SC10	0.06	11,174	34	5.37	22							11,174				
BC26A	0.29	59,525	180	4.87	23								59,525			
BC30	0.31	72,994	221	4.25	24								72,994			
SC16	0.08	20,323	62	3.94	25									20,323		
BC12B	0.05	13,290	40	3.76	26										13,290	
SHORES2	0.20	55,232	167	3.62	27									55,232		
BC12A	0.16	46,198	140	3.46	28									46,198		
BC24	0.16	52,277	158	3.06	29										52,277	
BC06B	0.06	20,108	61	2.98	30										20,108	
BC14	0.10	34,103	103	2.93	31										34,103	
DALTON	0.05	18,598	56	2.69	32										18,598	
BC22	0.11	45,170	137	2.44	33											45,170
SC06A	0.10	43,218	131	2.31	34											43,218
BC36	0.05	22,340	68	2.24	35											22,340
SC07	0.05	23,299	71	2.15	36											23,299
CRIDGE	0.02	11,551	35	1.73	37											11,551
Total		1,279,614	4,042			21,915	99,232	119,423	134,198	126,561	127,667	112,392	132,519	121,753	138,376	145,578

Study Area Quantities

407 Manholes
134,200 Liner Feet Mainline

Compensation
Sewer System Evaluation Survey

Sanitary Sewer Evaluation Survey
Year 3 Condition Assessment Basins BC08, BC38 and BC46

Task	Description	Estimated Quantity	Unit Price	Total
100	Mobilization	L.S.	L.S.	$ 1,684
200	Manhole/Pipe Inspection -(100%)	407	$ 108	$ 43,956
300	Smoke Testing, Public Awareness, Data Entry & Analysis (100%)	134,200	$ 0.60	$ 80,520
400	Dye Flooding	13	$ 260	$ 3,380
500*	Preparatory Cleaning	0	$ 2.92	$ -
600	CCTV Inspection	0	$ 2.12	$ -
700	Admin.,Project Mgt.	L.S.	L.S.	$ 4,260
800	Defect Analysis/Rehab.	L.S.	L.S.	$ 4,800
900	Database, Cost Estimates, Mapping, Final Reports	L.S.	L.S.	$ 18,000
Total Not To Exceed (City performs Cleaning & CCTV)				$ 156,600

Project Schedule
Sewer System Evaluation Survey

Task	Description	Month									
		1	2	3	4	5	6	7	8	9	10
100	Mobilization										
200	Manhole/Pipe Inspection -(100%)										
300	Smoke Testing, Public Awareness, Data Entry & Analysis (100%)										
400*	Dye Flooding										
500*	Preparatory Cleaning										
600*	CCTV Inspection										
700	Admin.,Project Mgt.										
800	Defect Analysis/Rehab.										
900	Database, Cost Estimates, Mapping, Final Reports										

**Note: By City of Rockwall*

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53

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E., Director of Public Works/City Engineer**

DATE: **November 12, 2018**

SUBJECT: **Construction Contract for St. Mary Street, Bost Street, and Sherman Street Water Line and Wastewater Line Replacement Project**

The existing water and sanitary sewer pipes in St. Mary's Street, Bost Street, and Sherman Street were installed prior to 1970 and are in need of replacement. The existing water lines in these streets consist of one-inch (1") poly lines and two-inch (2") cast iron lines that do not have any fire hydrants installed on them. The proposed replacement water lines will be constructed using a minimum of eight-inch (8") PVC pipe and have fire hydrants installed every four hundred feet (400') and at each street intersection. This proposed design will meet the current engineering standards. The eight-inch (8") water line with fire hydrants will improve water circulation, assist with the water quality, and provide better fire protection. The proposed eight-inch (8") sanitary sewer lines will be replacing existing four-inch (4") cast iron pipes. St. Mary's Street, Bost Street, and Sherman Street are asphalt roadways in need of repair and are on schedule to be rehabilitated after this project is to be complete as part of this fiscal year's Street Department's rehabilitation projects.

The City hired BW2 Engineers, Inc. to provide the engineering design and specifications for St. Mary Street, Bost Street, and Sherman Street Water Line and Wastewater Line Replacement Project. Ten (10) bids for construction were received and opened on November 5, 2019. The low bidder is Pittard Construction Company, Inc. with a Bid of $827,282.00. The engineering consultants have verified Pittard Construction Company, Inc. references and provided a letter of recommendation. Funding will be provided through the the Water / Sewer Fund.

Staff requests City Council consider approval of the St. Mary Street, Bost Street, and Sherman Street Water Line and Wastewater Line Replacement Project and authorize the City Manager to execute a contract with Pittard Construction Company, Inc. in an amount of $827,282.00, to be funded by the Water / Sewer Fund, and take any action necessary.

AW:jw

Attachments

Cc: Joey Boyd, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
Billy Chaffin, Manager Streets and Drainage
Rick Sherer, Manager Water/Wastewater
File

BW2 ENGINEERS, INC.

November 11, 2019

Mr. Jeremy M. White, P.E., CFM
Civil Engineer
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

Re: St. Mary Street, Bost Street, and Sherman Street
Water Line and Wastewater Line Replacement Project
Letter of Recommendation

Dear Jeremy:

Bids were received by the City for the above-referenced project on Tuesday, November 5, 2019. There were ten responsive bids submitted. Several very good bids were received. Pittard Construction Company, Inc. submitted the low bid, with a bid amount of $827,282.00. The engineer's construction cost estimate, based on the plans as bid, was $1,071,779.

Pittard Construction provided some background information on their firm. The information provided included a list of equipment owned and operated by the company, some recent projects worked on by the company, and references associated with those projects. Based on the information provided, we were able to confirm that Pittard Construction has done a substantial amount of work for the cities in the area. We contacted several of the references and received positive responses from all of the references contacted.

Based on the information received from Pittard Construction, their experience working on similar projects in the area, and the positive comments received from references, it is recommended that the above-referenced project be awarded to Pittard Construction Company, Inc.

If you have any questions or need anything further, please let us know.

Sincerely,

Michael R. Burge

Michael R. Burge, P.E.
Project Manager

MRB:mrb

1919 S. Shiloh Road, Suite 500, LB 27, Garland, Texas 75042
972-864-8200 (Tel) 972-864-8220 (Fax)
www.bw2inc.com

CITY OF ROCKWALL
WATER LINE AND WASTEWATER LINE REPLACEMENT PROJECT
(ST. MARY STREET, BOST STREET AND SHERMAN STREET)

Bid Opening: Tuesday, November 5, 2:00 p.m.

ITEM NO.	DESCRIPTION	UNIT	BID TOTAL	Pittard Construction		Reytech Services, LLC		Aushill Construction, LLC		KIK Underground, LLC		Atkins Bros. Equip. Co, Inc	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
SCHEDULE "A" - DEMOLITION/PREPARATION/CONTROLS													
1	Mobilization, Bonds, Insurance and Permitting	L.S.	1	$ 40,000.00	$ 40,000.00	$ 63,480.00	$ 63,480.00	$ 30,000.00	$ 30,000.00	$ 24,000.00	$ 24,000.00	$ 15,000.00	$ 15,000.00
2	All Traffic Control Measures	L.S.	1	$ 8,000.00	$ 8,000.00	$ 16,732.50	$ 16,732.50	$ 15,000.00	$ 15,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
3	Temporary Erosion Control	L.S.	1	$ 20,000.00	$ 20,000.00	$ 31,326.00	$ 31,326.00	$ 10,000.00	$ 10,000.00	$ 6,500.00	$ 6,500.00	$ 5,000.00	$ 5,000.00
4	Unclassified Excavation	C.Y.	450	$ 35.00	$ 15,750.00	$ 34.68	$ 15,606.00	$ 25.00	$ 11,250.00	$ 25.00	$ 11,250.00	$ 40.00	$ 18,000.00
5	Sawcut, Remove and Dispose Existing Asphalt Street Pavement	S.Y.	2,010	$ 10.00	$ 20,100.00	$ 5.26	$ 10,572.60	$ 10.00	$ 20,100.00	$ 10.00	$ 20,100.00	$ 7.00	$ 14,070.00
6	Sawcut, Remove and Replace Existing 6" Asphalt Street Pvmnt and Subgrade	S.Y.	110	$ 150.00	$ 16,500.00	$ 63.64	$ 7,000.40	$ 80.00	$ 8,800.00	$ 100.00	$ 11,000.00	$ 7.00	$ 770.00
7	Sawcut, Remove and Replace Existing 6" Concrete Driveway Pavement	S.Y.	10	$ 200.00	$ 2,000.00	$ 77.07	$ 770.70	$ 100.00	$ 1,000.00	$ 100.00	$ 1,000.00	$ 7.00	$ 70.00
8	Furnish and Install 12" Flex Base	S.Y.	2,010	$ 12.50	$ 25,125.00	$ 25.26	$ 50,772.60	$ 20.00	$ 40,200.00	$ 25.00	$ 50,250.00	$ 25.00	$ 50,250.00
9	Sawcut, Remove and Replace Existing Concrete Curb, Gutter and Subgrade	L.F.	28	$ 95.00	$ 2,660.00	$ 41.84	$ 1,171.52	$ 100.00	$ 2,800.00	$ 60.00	$ 1,680.00	$ 64.00	$ 1,792.00
10	Remove and Dispose of Existing Sanitary Sewer Pipe	L.F.	200	$ 10.00	$ 2,000.00	$ 7.07	$ 1,414.00	$ 10.00	$ 2,000.00	$ 8.00	$ 1,600.00	$ 10.00	$ 2,000.00
11	Remove and Replace Existing Road Sign	EA.	1	$ 500.00	$ 500.00	$ 255.30	$ 255.30	$ 1,000.00	$ 1,000.00	$ 915.00	$ 915.00	$ 200.00	$ 200.00
12	Furnish and Install Trench Safety System	L.F.	4,070	$ 1.50	$ 6,105.00	$ 1.37	$ 5,575.90	$ 1.00	$ 4,070.00	$ 1.00	$ 4,070.00	$ 1.00	$ 4,070.00
13	Remove and Replace Existing Post Mailbox	EA.	4	$ 300.00	$ 1,200.00	$ 405.38	$ 1,621.52	$ 500.00	$ 2,000.00	$ 350.00	$ 1,400.00	$ 200.00	$ 800.00
14	Perform Potholing on Exisiting Water Line	EA.	8	$ 1,500.00	$ 12,000.00	$ 957.38	$ 7,659.04	$ 2,000.00	$ 16,000.00	$ 2,000.00	$ 16,000.00	$ 600.00	$ 4,800.00
15	Perform Potholing on Existing Sanitary Sewer Line	EA.	2	$ 2,500.00	$ 5,000.00	$ 1,276.50	$ 2,553.00	$ 2,000.00	$ 4,000.00	$ 2,000.00	$ 4,000.00	$ 600.00	$ 1,200.00
16	Perform Potholing on Existing Storm Sewer Line	EA.	4	$ 2,500.00	$ 10,000.00	$ 765.90	$ 3,063.60	$ 2,000.00	$ 8,000.00	$ 2,000.00	$ 8,000.00	$ 600.00	$ 2,400.00
17	Furnish and Install Block Sodding	S.Y.	4,000	$ 7.50	$ 30,000.00	$ 6.19	$ 24,760.00	$ 12.00	$ 48,000.00	$ 8.00	$ 32,000.00	$ 17.00	$ 68,000.00
	SCHEDULE "A" TOTAL:				**$ 216,940.00**		**$ 244,334.68**		**$ 224,220.00**		**$ 203,765.00**		**$ 198,422.00**
SCHEDULE "B" - WATER													
18	Cut/Remove Exist 8" WL to install 1-8"x 8" Tee and 2-8"Valves	EA.	1	$ 4,500.00	$ 4,500.00	$ 6,853.22	$ 6,853.22	$ 3,500.00	$ 3,500.00	$ 4,893.00	$ 4,893.00	$ 2,000.00	$ 2,000.00
19	Cut/Remove Exist 8" WL to install 1-8'x 8' Tee and 1-8" Valve	EA.	1	$ 3,500.00	$ 3,500.00	$ 3,245.28	$ 3,245.28	$ 2,500.00	$ 2,500.00	$ 3,450.00	$ 3,450.00	$ 2,000.00	$ 2,000.00
20	Cut/Remove Exist 6" WL to install 1-6" 90 Degree Bend	EA.	1	$ 1,500.00	$ 1,500.00	$ 1,024.72	$ 1,024.72	$ 1,200.00	$ 1,200.00	$ 812.00	$ 812.00	$ 2,000.00	$ 2,000.00
21	Remove Exist 8" Plug to install 1-8" 11 1/4 Degree Bend, Connect to Exist 8"WL	EA.	1	$ 2,000.00	$ 2,000.00	$ 2,182.33	$ 2,182.33	$ 1,200.00	$ 1,200.00	$ 857.00	$ 857.00	$ 500.00	$ 500.00
22	Connect to Exist 8" WL @ Location of Exisitng 8" Valve	EA.	2	$ 2,000.00	$ 4,000.00	$ 1,935.04	$ 3,870.08	$ 1,500.00	$ 3,000.00	$ 1,007.00	$ 2,014.00	$ 4,000.00	$ 8,000.00
23	Furnish/Install 8" AWWA C900 DR-14 (with Class "B-3" Embedment)	L.F.	2,370	$ 45.00	$ 106,650.00	$ 40.16	$ 95,179.20	$ 55.00	$ 130,350.00	$ 77.00	$ 182,490.00	$ 75.00	$ 177,750.00
24	Furnish/Install 8" AWWA C900 DR-14 (by Wet Bore)	L.F.	72	$ 60.00	$ 4,320.00	$ 161.15	$ 11,602.80	$ 300.00	$ 21,600.00	$ 202.00	$ 14,544.00	$ 190.00	$ 13,680.00
25	Furnish/Install 8" AWWA C900 Dr-14 (with 14" Steel Casing) by Open Cut	L.F.	40	$ 90.00	$ 3,600.00	$ 131.70	$ 5,268.00	$ 150.00	$ 6,000.00	$ 117.55	$ 4,702.00	$ 115.00	$ 4,600.00
26	Furnish/Install 6" AWWA C900 DR-14 (with Class "B-3" Embedment	L.F.	36	$ 40.00	$ 1,440.00	$ 23.53	$ 847.08	$ 50.00	$ 1,800.00	$ 54.00	$ 1,944.00	$ 71.00	$ 2,556.00
27	Furnish/Install 8" Mechanical Joint Plug	EA.	1	$ 300.00	$ 300.00	$ 544.96	$ 544.96	$ 500.00	$ 500.00	$ 230.00	$ 230.00	$ 200.00	$ 200.00
28	Furnish/Install 8"x8" Cross	EA.	2	$ 1,500.00	$ 3,000.00	$ 1,289.02	$ 2,578.04	$ 750.00	$ 1,500.00	$ 885.00	$ 1,770.00	$ 300.00	$ 600.00
29	Furnish/Install 8"x8"Tee	EA.	1	$ 1,000.00	$ 1,000.00	$ 1,017.34	$ 1,017.34	$ 500.00	$ 500.00	$ 657.00	$ 657.00	$ 350.00	$ 350.00
30	Furnish/Install 8"x 6" Tee	EA.	5	$ 1,000.00	$ 5,000.00	$ 935.90	$ 4,679.50	$ 600.00	$ 3,000.00	$ 588.00	$ 2,940.00	$ 350.00	$ 1,750.00
31	Furnish/Install 8" 45 Degree Bend	EA.	2	$ 1,000.00	$ 2,000.00	$ 755.79	$ 1,511.58	$ 350.00	$ 700.00	$ 500.00	$ 1,000.00	$ 175.00	$ 350.00
32	Furnish/Install 8" 22 1/2 Degree Bend	EA.	2	$ 750.00	$ 1,500.00	$ 751.44	$ 1,502.88	$ 300.00	$ 600.00	$ 500.00	$ 1,000.00	$ 200.00	$ 400.00
33	Furnish/Install 8" 11 1/4 Degree Bend	EA.	12	$ 750.00	$ 9,000.00	$ 734.66	$ 8,815.92	$ 300.00	$ 3,600.00	$ 500.00	$ 6,000.00	$ 200.00	$ 2,400.00
34	Furnish/Install 8" x 6" Reducer	EA.	1	$ 750.00	$ 750.00	$ 671.03	$ 671.03	$ 300.00	$ 300.00	$ 500.00	$ 500.00	$ 200.00	$ 200.00
35	Furnich/Install 8" Gate Valve	EA.	9	$ 2,000.00	$ 18,000.00	$ 1,952.10	$ 17,568.90	$ 1,500.00	$ 13,500.00	$ 1,517.00	$ 13,653.00	$ 2,000.00	$ 18,000.00
36	Furnish/Install 6" Gate Valve	EA.	1	$ 1,500.00	$ 1,500.00	$ 1,470.87	$ 1,470.87	$ 1,200.00	$ 1,200.00	$ 1,300.00	$ 1,300.00	$ 1,000.00	$ 1,000.00
37	CutOut/Remove Exist 2"WL to install 2" 90 Degree Bend and 1-8"x 2" Reducer	EA.	5	$ 750.00	$ 3,750.00	$ 2,087.14	$ 10,435.70	$ 1,000.00	$ 5,000.00	$ 902.00	$ 4,510.00	$ 500.00	$ 2,500.00
38	Cut and Plug Exist 2" WL	EA.	1	$ 500.00	$ 500.00	$ 291.25	$ 291.25	$ 500.00	$ 500.00	$ 200.00	$ 200.00	$ 500.00	$ 500.00
39	Cut and Plug Exist 8" WL	EA.	2	$ 750.00	$ 1,500.00	$ 821.69	$ 1,643.38	$ 750.00	$ 1,500.00	$ 600.00	$ 1,200.00	$ 1,000.00	$ 2,000.00
40	Close Existing Valve, Remove Riser and Bury Valve	EA.	2	$ 500.00	$ 1,000.00	$ 276.00	$ 552.00	$ 500.00	$ 1,000.00	$ 200.00	$ 400.00	$ 300.00	$ 600.00
41	Furnish/Install 1" Water Service, Meter Box and Meter (Short)	EA.	15	$ 1,200.00	$ 18,000.00	$ 1,204.17	$ 18,062.55	$ 1,500.00	$ 22,500.00	$ 1,080.00	$ 16,200.00	$ 1,000.00	$ 15,000.00

56

CITY OF ROCKWALL
WATER LINE AND WASTEWATER LINE REPLACEMENT PROJECT
(ST. MARY STREET, BOST STREET AND SHERMAN STREET)

ITEM NO.	DESCRIPTION	UNIT	BID TOTAL	Pittard Construction		Reytech Services, LLC		Aushill Construction, LLC		KIK Underground, LLC		Atkins Bros. Equip. Co, Inc	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
42	Furnish/Install 1" Water Service, Meter Box and Meter (Long)	EA.	9	$ 1,750.00	$ 15,750.00	$ 1,366.60	$ 12,299.40	$ 1,600.00	$ 14,400.00	$ 1,091.00	$ 9,819.00	$ 1,200.00	$ 10,800.00
43	Furnish/Install 1" Water Service and Meter Box (Long)	EA.	2	$ 2,000.00	$ 4,000.00	$ 1,374.38	$ 2,748.76	$ 1,000.00	$ 2,000.00	$ 1,250.00	$ 2,500.00	$ 1,100.00	$ 2,200.00
	SCHEDULE "B" TOTAL:				**$ 218,060.00**		**$ 216,466.77**		**$ 243,450.00**		**$ 279,585.00**		**$ 271,936.00**
SCHEDULE "C" - WASTEWATER													
44	Furnish/Install 4' Diameter Manhole over Existing SS Line (0' to 6' Depth)	EA.	2	$ 6,500.00	$ 13,000.00	$ 5,614.74	$ 11,229.48	$ 7,000.00	$ 14,000.00	$ 3,478.00	$ 6,956.00	$ 7,000.00	$ 14,000.00
45	Furnish/Install 4' Diameter Manhole (0 to 6' Depth)	EA.	6	$ 5,500.00	$ 33,000.00	$ 4,799.74	$ 28,798.44	$ 5,000.00	$ 30,000.00	$ 2,641.00	$ 15,846.00	$ 7,000.00	$ 42,000.00
46	Furnish/Install 6' Dia. Manhole with Drop Connect. (Internal) (0' to 6' Depth)	EA.	2	$ 10,500.00	$ 21,000.00	$ 10,033.67	$ 20,067.34	$ 8,000.00	$ 16,000.00	$ 4,555.00	$ 9,110.00	$ 13,000.00	$ 26,000.00
47	Furnish/Install Add. Height to Body of Manhole for Adj. of 4' Dia. Manhole over 6' in Depth	V.F.	21	$ 500.00	$ 10,500.00	$ 844.40	$ 17,732.40	$ 500.00	$ 10,500.00	$ 300.00	$ 6,300.00	$ 300.00	$ 6,300.00
48	Furnish/Install Add. Height to Body of Manhole for Adj. of 6' Dia. Manhole over 6' in Depth	V.F.	12	$ 750.00	$ 9,000.00	$ 1,112.37	$ 13,348.44	$ 750.00	$ 9,000.00	$ 600.00	$ 7,200.00	$ 400.00	$ 4,800.00
49	Furnish/Install 8" SDR 26 PVC SS (with Class H Embedment)	L.F.	431	$ 75.00	$ 32,325.00	$ 40.79	$ 17,580.49	$ 65.00	$ 28,015.00	$ 70.00	$ 30,170.00	$ 115.00	$ 49,565.00
50	Furnish/Install 8" SDR 26 PVC SS (with 14" Steel Casing)	EA.	20	$ 275.00	$ 5,500.00	$ 1,113.01	$ 22,260.20	$ 400.00	$ 8,000.00	$ 260.00	$ 5,200.00	$ 220.00	$ 4,400.00
51	Furnish/Install 8" SDR 35 PVC SS (with Class H Embedment)	L.F.	1,076	$ 75.00	$ 80,700.00	$ 38.49	$ 41,415.24	$ 55.00	$ 59,180.00	$ 73.25	$ 78,817.00	$ 135.00	$ 145,260.00
52	Furnish/Install 8" SDR 35 PVC SS (with Class G Embedment)	L.F.	17	$ 125.00	$ 2,125.00	$ 57.69	$ 980.73	$ 200.00	$ 3,400.00	$ 99.00	$ 1,683.00	$ 175.00	$ 2,975.00
53	Furnish/Install 8" SDR 35 PVC SS (by Wet Bore)	L.F.	15	$ 75.00	$ 1,125.00	$ 301.26	$ 4,518.90	$ 300.00	$ 4,500.00	$ 246.00	$ 3,690.00	$ 220.00	$ 3,300.00
54	Cut and Plug Existing 8" San Sew. Line	EA.	1	$ 1,000.00	$ 1,000.00	$ 1,515.38	$ 1,515.38	$ 500.00	$ 500.00	$ 800.00	$ 800.00	$ 200.00	$ 200.00
55	Connect New 8" PVC Sew to Exist 6" VCP Sew, including Non-Shear Couplling and Concrete Collar	EA.	1	$ 2,500.00	$ 2,500.00	$ 1,608.11	$ 1,608.11	$ 500.00	$ 500.00	$ 1,000.00	$ 1,000.00	$ 1,500.00	$ 1,500.00
56	Abandon Sewer Manhole	EA.	4	$ 1,500.00	$ 6,000.00	$ 2,214.90	$ 8,859.60	$ 1,000.00	$ 4,000.00	$ 1,000.00	$ 4,000.00	$ 500.00	$ 2,000.00
57	Furnish/Install 4" San Sew Service (Long), including One Way Cleanout and Connection to Main Line	EA.	15	$ 1,500.00	$ 22,500.00	$ 977.65	$ 14,664.75	$ 900.00	$ 13,500.00	$ 1,000.00	$ 15,000.00	$ 1,700.00	$ 25,500.00
58	Furnish/Install 4" San Sew Service (Long), including Double Way Cleanout and Connection to Main Line	EA.	4	$ 1,750.00	$ 7,000.00	$ 1,205.15	$ 4,820.60	$ 900.00	$ 3,600.00	$ 1,250.00	$ 5,000.00	$ 1,800.00	$ 7,200.00
59	Furnish/Install 4" San Sew Service (Short), including One Way Cleanout and Connection to Main Line	EA.	12	$ 1,000.00	$ 12,000.00	$ 749.69	$ 8,996.28	$ 800.00	$ 9,600.00	$ 775.00	$ 9,300.00	$ 1,600.00	$ 19,200.00
	SCHEDULE "C" TOTAL:				**$ 259,275.00**		**$ 218,396.38**		**$ 214,295.00**		**$ 200,072.00**		**$ 354,200.00**
SCHEDULE "D" - CONTINGENCY													
60	Construction Contingency	L.S.	1	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00
	SCHEDULE "D" TOTAL:				**$ 75,000.00**		**$ 75,000.00**		**$ 75,000.00**		**$ 75,000.00**		**$ 75,000.00**
	BASE BID TOTALS:				**$ 769,275.00**		**$ 754,197.83**		**$ 756,965.00**		**$ 758,422.00**		**$ 899,558.00**
Add Alternate No. 1													
1-A-1	Additional Cost for Furnish/Install 4' Dia Polymer Concrete Manhole over Exist San Sew Line (0' to 6' in Depth)	EA.	2	$ 4,295.00	$ 8,590.00	$ 5,960.00	$ 11,920.00	$ 12,000.00	$ 24,000.00	$ 10,865.00	$ 21,730.00	$ 2,000.00	$ 4,000.00
1-A-2	Additional Cost for Furnish/Install 4' Dia Polymer Concrete Manhole (0' to 6' in Depth)	EA.	6	$ 4,072.00	$ 24,432.00	$ 5,210.00	$ 31,260.00	$ 10,000.00	$ 60,000.00	$ 10,512.00	$ 63,072.00	$ 2,000.00	$ 12,000.00
1-A-3	Additional Cost for Furnish/Install 6' Dia Polymer Concrete Manhole with Drop Connection (Internal) (0' to 6' in Depth)	EA.	2	$ 5,120.00	$ 10,240.00	$ 12,100.00	$ 24,200.00	$ 17,500.00	$ 35,000.00	$ 21,615.00	$ 43,230.00	$ 4,000.00	$ 8,000.00
1-A-4	Furnish/Install Additional Height to Body of Manhole for Adjustment of 4' Dia Manhole over 6' in Depth	V.F.	21	$ 385.00	$ 8,085.00	$ 410.00	$ 8,610.00	$ 500.00	$ 10,500.00	$ 1,261.00	$ 26,481.00	$ 400.00	$ 8,400.00
1-A-5	Furnish/Install Additional Height to Body of Manhole for Adjustment of 6' Dia Manhole over 6' in Depth	V.F.	12	$ 555.00	$ 6,660.00	$ 655.00	$ 7,860.00	$ 750.00	$ 9,000.00	$ 1,800.00	$ 21,600.00	$ 300.00	$ 3,600.00
	Total Add Alternate No. 1				**$ 58,007.00**		**$ 83,850.00**		**$ 138,500.00**		**$ 176,113.00**		**$ 36,000.00**
	Base Bid and Add Alternate No. 1 Total				**$ 827,282.00**		**$ 838,047.83**		**$ 895,465.00**		**$ 934,535.00**		**$ 935,558.00**

57

CITY OF ROCKWALL
WATER LINE AND WASTEWATER LINE REPLACEMENT PROJECT
(ST. MARY STREET, BOST STREET AND SHERMAN STREET)

ITEM NO.	DESCRIPTION	UNIT	BID TOTAL	Quality Excavation, LTD		ANA Site Construction		Joe Funk Construction		Moss Utilities, LLC		Canary Construction, Inc	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
SCHEDULE "A" - DEMOLITION/PREPARATION/CONTROLS													
1	Mobilization, Bonds, Insurance and Permitting	L.S.	1	$ 75,000.00	$ 75,000.00	$ 45,800.00	$ 45,800.00	$ 52,000.00	$52,000.00	$ 42,500.00	$42,500.00	$ 60,000.00	$60,000.00
2	All Traffic Control Measures	L.S.	1	$ 36,000.00	$ 36,000.00	$ 19,780.00	$ 19,780.00	$ 24,375.00	$24,375.00	$ 9,000.00	$9,000.00	$ 5,600.00	$5,600.00
3	Temporary Erosion Control	L.S.	1	$ 29,750.00	$ 29,750.00	$ 18,980.00	$ 18,980.00	$ 19,175.00	$19,175.00	$ 20,091.00	$20,091.00	$ 7,500.00	$7,500.00
4	Unclassified Excavation	C.Y.	450	$ 28.70	$ 12,915.00	$ 22.00	$ 9,900.00	$ 38.47	$17,311.50	$ 34.00	$15,300.00	$ 90.00	$40,500.00
5	Sawcut, Remove and Dispose Existing Asphalt Street Pavement	S.Y.	2,010	$ 10.50	$ 21,105.00	$ 11.00	$ 22,110.00	$ 38.47	$77,324.70	$ 16.00	$32,160.00	$ 95.00	$190,950.00
6	Sawcut, Remove and Replace Existing 6" Asphalt Street Pvmnt and Subgrade	S.Y.	110	$ 11.50	$ 1,265.00	$ 100.00	$ 11,000.00	$ 96.97	$10,666.70	$ 86.00	$9,460.00	$ 110.00	$12,100.00
7	Sawcut, Remove and Replace Existing 6" Concrete Driveway Pavement	S.Y.	10	$ 47.30	$ 473.00	$ 400.00	$ 4,000.00	$ 227.50	$2,275.00	$ 300.00	$3,000.00	$ 155.00	$1,550.00
8	Furnish and Install 12" Flex Base	S.Y.	2,010	$ 25.35	$ 50,953.50	$ 22.00	$ 44,220.00	$ 26.00	$52,260.00	$ 27.00	$54,270.00	$ 50.00	$100,500.00
9	Sawcut, Remove and Replace Existing Concrete Curb, Gutter and Subgrade	L.F.	28	$ 15.00	$ 420.00	$ 100.00	$ 2,800.00	$ 15.60	$436.80	$ 65.00	$1,820.00	$ 65.00	$1,820.00
10	Remove and Dispose of Existing Sanitary Sewer Pipe	L.F.	200	$ 14.60	$ 2,920.00	$ 30.00	$ 6,000.00	$ 26.00	$5,200.00	$ 10.00	$2,000.00	$ 55.00	$11,000.00
11	Remove and Replace Existing Road Sign	EA.	1	$ 706.00	$ 706.00	$ 690.00	$ 690.00	$ 455.00	$455.00	$ 1,500.00	$1,500.00	$ 900.00	$900.00
12	Furnish and Install Trench Safety System	L.F.	4,070	$ 1.50	$ 6,105.00	$ 3.00	$ 12,210.00	$ 6.50	$26,455.00	$ 1.50	$6,105.00	$ 2.00	$8,140.00
13	Remove and Replace Existing Post Mailbox	EA.	4	$ 180.00	$ 720.00	$ 1,200.00	$ 4,800.00	$ 325.00	$1,300.00	$ 75.00	$300.00	$ 400.00	$1,600.00
14	Perform Potholing on Exisiting Water Line	EA.	8	$ 750.00	$ 6,000.00	$ 1,400.00	$ 11,200.00	$ 2,405.00	$19,240.00	$ 350.00	$2,800.00	$ 1,250.00	$10,000.00
15	Perform Potholing on Existing Sanitary Sewer Line	EA.	2	$ 1,000.00	$ 2,000.00	$ 2,800.00	$ 5,600.00	$ 2,600.00	$5,200.00	$ 350.00	$700.00	$ 1,250.00	$2,500.00
16	Perform Potholing on Existing Storm Sewer Line	EA.	4	$ 1,000.00	$ 4,000.00	$ 1,400.00	$ 5,600.00	$ 1,950.00	$7,800.00	$ 350.00	$1,400.00	$ 1,250.00	$5,000.00
17	Furnish and Install Block Sodding	S.Y.	4,000	$ 11.50	$ 46,000.00	$ 4.00	$ 16,000.00	$ 6.50	$26,000.00	$ 7.50	$30,000.00	$ 8.00	$32,000.00
	SCHEDULE "A" TOTAL:				**$ 296,332.50**		**$ 240,690.00**		**$347,474.70**		**$232,406.00**		**$491,660.00**
SCHEDULE "B" - WATER													
18	Cut/Remove Exist 8" WL to install 1-8"x 8" Tee and 2-8"Valves	EA.	1	$ 5,800.00	$ 5,800.00	$ 6,210.00	$ 6,210.00	$ 845.00	$845.00	$ 4,362.00	$4,362.00	$ 9,500.00	$9,500.00
19	Cut/Remove Exist 8" WL to install 1-8'x 8' Tee and 1-8" Valve	EA.	1	$ 3,090.00	$ 3,090.00	$ 4,765.00	$ 4,765.00	$ 975.00	$975.00	$ 3,053.00	$3,053.00	$ 8,000.00	$8,000.00
20	Cut/Remove Exist 6" WL to install 1-6" 90 Degree Bend	EA.	1	$ 700.00	$ 700.00	$ 1,715.00	$ 1,715.00	$ 260.00	$260.00	$ 1,701.00	$1,701.00	$ 2,900.00	$2,900.00
21	Remove Exist 8" Plug to install 1-8" 11 1/4 Degree Bend, Connect to Exist 8"WL	EA.	1	$ 1,600.00	$ 1,600.00	$ 3,080.00	$ 3,080.00	$ 260.00	$260.00	$ 2,678.00	$2,678.00	$ 1,600.00	$1,600.00
22	Connect to Exist 8" WL @ Location of Exisitng 8" Valve	EA.	2	$ 2,050.00	$ 4,100.00	$ 2,415.00	$ 4,830.00	$ 1,105.00	$2,210.00	$ 1,723.00	$3,446.00	$ 1,250.00	$2,500.00
23	Furnish/Install 8" AWWA C900 DR-14 (with Class "B-3" Embedment)	L.F.	2,370	$ 46.50	$ 110,205.00	$ 41.00	$ 97,170.00	$ 64.47	$152,793.90	$ 88.00	$208,560.00	$ 75.00	$177,750.00
24	Furnish/Install 8" AWWA C900 DR-14 (by Wet Bore)	L.F.	72	$ 108.00	$ 7,776.00	$ 221.00	$ 15,912.00	$ 207.47	$14,937.84	$ 236.00	$16,992.00	$ 250.00	$18,000.00
25	Furnish/Install 8" AWWA C900 Dr-14 (with 14" Steel Casing) by Open Cut	L.F.	40	$ 304.00	$ 12,160.00	$ 144.00	$ 5,760.00	$ 298.47	$11,938.80	$ 313.00	$12,520.00	$ 350.00	$14,000.00
26	Furnish/Install 6" AWWA C900 DR-14 (with Class "B-3" Embedment	L.F.	36	$ 84.00	$ 3,024.00	$ 49.00	$ 1,764.00	$ 57.97	$2,086.92	$ 101.00	$3,636.00	$ 180.00	$6,480.00
27	Furnish/Install 8" Mechanical Joint Plug	EA.	1	$ 794.00	$ 794.00	$ 810.00	$ 810.00	$ 650.00	$650.00	$ 1,046.00	$1,046.00	$ 500.00	$500.00
28	Furnish/Install 8"x8" Cross	EA.	2	$ 2,000.00	$ 4,000.00	$ 2,220.00	$ 4,440.00	$ 780.00	$1,560.00	$ 1,623.00	$3,246.00	$ 950.00	$1,900.00
29	Furnish/Install 8"x8"Tee	EA.	1	$ 725.00	$ 725.00	$ 2,655.00	$ 2,655.00	$ 650.00	$650.00	$ 1,309.00	$1,309.00	$ 800.00	$800.00
30	Furnish/Install 8"x 6" Tee	EA.	5	$ 1,100.00	$ 5,500.00	$ 1,700.00	$ 8,500.00	$ 650.00	$3,250.00	$ 965.00	$4,825.00	$ 750.00	$3,750.00
31	Furnish/Install 8" 45 Degree Bend	EA.	2	$ 650.00	$ 1,300.00	$ 790.00	$ 1,580.00	$ 520.00	$1,040.00	$ 985.00	$1,970.00	$ 350.00	$700.00
32	Furnish/Install 8" 22 1/2 Degree Bend	EA.	2	$ 650.00	$ 1,300.00	$ 785.00	$ 1,570.00	$ 520.00	$1,040.00	$ 890.00	$1,780.00	$ 350.00	$700.00
33	Furnish/Install 8" 11 1/4 Degree Bend	EA.	12	$ 650.00	$ 7,800.00	$ 770.00	$ 9,240.00	$ 520.00	$6,240.00	$ 881.00	$10,572.00	$ 350.00	$4,200.00
34	Furnish/Install 8" x 6" Reducer	EA.	1	$ 650.00	$ 650.00	$ 715.00	$ 715.00	$ 650.00	$650.00	$ 753.00	$753.00	$ 250.00	$250.00
35	Furnich/Install 8" Gate Valve	EA.	9	$ 1,600.00	$ 14,400.00	$ 2,920.00	$ 26,280.00	$ 2,340.00	$21,060.00	$ 2,062.00	$18,558.00	$ 1,650.00	$14,850.00
36	Furnish/Install 6" Gate Valve	EA.	1	$ 1,050.00	$ 1,050.00	$ 2,375.00	$ 2,375.00	$ 1,560.00	$1,560.00	$ 1,743.00	$1,743.00	$ 1,250.00	$1,250.00
37	CutOut/Remove Exist 2"WL to install 2" 90 Degree Bend and 1-8"x 2" Reducer	EA.	5	$ 850.00	$ 4,250.00	$ 1,705.00	$ 8,525.00	$ 780.00	$3,900.00	$ 1,454.00	$7,270.00	$ 980.00	$4,900.00
38	Cut and Plug Exist 2" WL	EA.	1	$ 250.00	$ 250.00	$ 780.00	$ 780.00	$ 390.00	$390.00	$ 450.00	$450.00	$ 300.00	$300.00
39	Cut and Plug Exist 8" WL	EA.	2	$ 1,000.00	$ 2,000.00	$ 1,605.00	$ 3,210.00	$ 780.00	$1,560.00	$ 2,555.00	$5,110.00	$ 950.00	$1,900.00
40	Close Existing Valve, Remove Riser and Bury Valve	EA.	2	$ 300.00	$ 600.00	$ 660.00	$ 1,320.00	$ 520.00	$1,040.00	$ 310.00	$620.00	$ 600.00	$1,200.00
41	Furnish/Install 1" Water Service, Meter Box and Meter (Short)	EA.	15	$ 1,000.00	$ 15,000.00	$ 1,405.00	$ 21,075.00	$ 1,560.00	$23,400.00	$ 2,100.00	$31,500.00	$ 2,650.00	$39,750.00

58

CITY OF ROCKWALL
WATER LINE AND WASTEWATER LINE REPLACEMENT PROJECT
(ST. MARY STREET, BOST STREET AND SHERMAN STREET)

ITEM NO.	DESCRIPTION	UNIT	BID TOTAL	Quality Excavation, LTD		ANA Site Construction		Joe Funk Construction		Moss Utilities, LLC		Canary Construction, Inc	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
42	Furnish/Install 1" Water Service, Meter Box and Meter (Long)	EA.	9	$ 1,200.00	$ 10,800.00	$ 1,710.00	$ 15,390.00	$ 1,755.00	$15,795.00	$ 2,345.00	$21,105.00	$ 3,500.00	$31,500.00
43	Furnish/Install 1" Water Service and Meter Box (Long)	EA.	2	$ 1,200.00	$ 2,400.00	$ 1,860.00	$ 3,720.00	$ 1,755.00	$3,510.00	$ 2,255.00	$4,510.00	$ 2,500.00	$5,000.00
	SCHEDULE "B" TOTAL:				**$ 220,674.00**		**$ 253,391.00**		**$273,602.46**		**$373,315.00**		**$354,180.00**
SCHEDULE "C" - WASTEWATER													
44	Furnish/Install 4' Diameter Manhole over Existing SS Line (0' to 6' Depth)	EA.	2	$ 5,200.00	$ 10,400.00	$ 6,090.00	$ 12,180.00	$ 8,450.00	$16,900.00	$ 6,324.00	$12,648.00	$ 10,500.00	$21,000.00
45	Furnish/Install 4' Diameter Manhole (0 to 6' Depth)	EA.	6	$ 6,300.00	$ 37,800.00	$ 6,070.00	$ 36,420.00	$ 5,850.00	$35,100.00	$ 6,587.00	$39,522.00	$ 9,500.00	$57,000.00
46	Furnish/Install 6' Dia. Manhole with Drop Connect. (Internal) (0' to 6' Depth)	EA.	2	$ 10,500.00	$ 21,000.00	$ 10,655.00	$ 21,310.00	$ 8,905.00	$17,810.00	$ 8,529.00	$17,058.00	$ 15,000.00	$30,000.00
47	Furnish/Install Add. Height to Body of Manhole for Adj. of 4' Dia. Manhole over 6' in Depth	V.F.	21	$ 375.00	$ 7,875.00	$ 685.00	$ 14,385.00	$ 455.00	$9,555.00	$ 351.00	$7,371.00	$ 500.00	$10,500.00
48	Furnish/Install Add. Height to Body of Manhole for Adj. of 6' Dia. Manhole over 6' in Depth	V.F.	12	$ 435.00	$ 5,220.00	$ 1,200.00	$ 14,400.00	$ 455.00	$5,460.00	$ 700.00	$8,400.00	$ 750.00	$9,000.00
49	Furnish/Install 8" SDR 26 PVC SS (with Class H Embedment)	L.F.	431	$ 69.00	$ 29,739.00	$ 56.00	$ 24,136.00	$ 70.97	$30,588.07	$ 83.00	$35,773.00	$ 90.00	$38,790.00
50	Furnish/Install 8" SDR 26 PVC SS (with 14" Steel Casing)	EA.	20	$ 269.00	$ 5,380.00	$ 482.00	$ 9,640.00	$ 337.47	$6,749.40	$ 241.00	$4,820.00	$ 390.00	$7,800.00
51	Furnish/Install 8" SDR 35 PVC SS (with Class H Embedment)	L.F.	1,076	$ 61.00	$ 65,636.00	$ 55.00	$ 59,180.00	$ 77.47	$83,357.72	$ 94.00	$101,144.00	$ 85.00	$91,460.00
52	Furnish/Install 8" SDR 35 PVC SS (with Class G Embedment)	L.F.	17	$ 260.00	$ 4,420.00	$ 222.00	$ 3,774.00	$ 96.97	$1,648.49	$ 135.00	$2,295.00	$ 180.00	$3,060.00
53	Furnish/Install 8" SDR 35 PVC SS (by Wet Bore)	L.F.	15	$ 420.00	$ 6,300.00	$ 341.00	$ 5,115.00	$ 395.97	$5,939.55	$ 600.00	$9,000.00	$ 250.00	$3,750.00
54	Cut and Plug Existing 8" San Sew. Line	EA.	1	$ 250.00	$ 250.00	$ 2,780.00	$ 2,780.00	$ 975.00	$975.00	$ 943.00	$943.00	$ 300.00	$300.00
55	Connect New 8" PVC Sew to Exist 6" VCP Sew, including Non-Shear Couplling and Concrete Collar	EA.	1	$ 250.00	$ 250.00	$ 2,865.00	$ 2,865.00	$ 1,332.50	$1,332.50	$ 980.00	$980.00	$ 1,200.00	$1,200.00
56	Abandon Sewer Manhole	EA.	4	$ 650.00	$ 2,600.00	$ 1,550.00	$ 6,200.00	$ 1,950.00	$7,800.00	$ 1,180.00	$4,720.00	$ 900.00	$3,600.00
57	Furnish/Install 4" San Sew Service (Long), including One Way Cleanout and Connection to Main Line	EA.	15	$ 1,450.00	$ 21,750.00	$ 1,485.00	$ 22,275.00	$ 1,722.50	$25,837.50	$ 1,129.00	$16,935.00	$ 2,100.00	$31,500.00
58	Furnish/Install 4" San Sew Service (Long), including Double Way Cleanout and Connection to Main Line	EA.	4	$ 1,500.00	$ 6,000.00	$ 1,650.00	$ 6,600.00	$ 1,787.50	$7,150.00	$ 1,253.00	$5,012.00	$ 2,500.00	$10,000.00
59	Furnish/Install 4" San Sew Service (Short), including One Way Cleanout and Connection to Main Line	EA.	12	$ 780.00	$ 9,360.00	$ 1,570.00	$ 18,840.00	$ 1,657.50	$19,890.00	$ 961.00	$11,532.00	$ 2,000.00	$24,000.00
	SCHEDULE "C" TOTAL:				**$ 233,980.00**		**$ 260,100.00**		**$276,093.23**		**$278,153.00**		**$342,960.00**
Schedule "D" Construction Contingency													
60	Construction Contingency	L.S.	1	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$75,000.00	$ 75,000.00	$75,000.00	$ 75,000.00	$75,000.00
	SCHEDULE "D" TOTAL:				**$ 75,000.00**		**$ 75,000.00**		**$75,000.00**		**$75,000.00**		**$75,000.00**
	BASE BID TOTALS:				**$ 825,986.50**		**$ 829,181.00**		**$ 972,170.39**		**$ 958,874.00**		**$ 1,263,800.00**
Add Alternate No. 1													
1-A-1	Additional Cost for Furnish/Install 4' Dia Polymer Concrete Manhole over Exist San Sew Line (0' to 6' in Depth)	EA.	2	$ 9,730.00	$ 19,460.00	$ 12,000.00	$ 24,000.00	$ 15,600.00	$31,200.00	$ 14,872.00	$29,744.00	$ 10,000.00	$20,000.00
1-A-2	Additional Cost for Furnish/Install 4' Dia Polymer Concrete Manhole (0' to 6' in Depth)	EA.	6	$ 7,878.00	$ 47,268.00	$ 12,000.00	$ 72,000.00	$ 2,600.00	$15,600.00	$ 11,872.00	$71,232.00	$ 10,000.00	$60,000.00
1-A-3	Additional Cost for Furnish/Install 6' Dia Polymer Concrete Manhole with Drop Connection (Internal) (0' to 6' in Depth)	EA.	2	$ 12,000.00	$ 24,000.00	$ 20,000.00	$ 40,000.00	$ 18,200.00	$36,400.00	$ 21,040.00	$42,080.00	$ 20,000.00	$40,000.00
1-A-4	Furnish/Install Additional Height to Body of Manhole for Adjustment of 4' Dia Manhole over 6' in Depth	V.F.	21	$ 538.72	$ 11,313.12	$ 1,200.00	$ 25,200.00	$ 2,600.00	$54,600.00	$ 625.00	$13,125.00	$ 800.00	$16,800.00
1-A-5	Furnish/Install Additional Height to Body of Manhole for Adjustment of 6' Dia Manhole over 6' in Depth	V.F.	12	$ 716.81	$ 8,601.72	$ 2,400.00	$ 28,800.00	$ 1,105.00	$13,260.00	$ 1,604.00	$19,248.00	$ 1,200.00	$14,400.00
	Total Add Alternate No. 1				**$ 110,642.84**		**$ 190,000.00**		**$151,060.00**		**$175,429.00**		**$151,200.00**
	Base Bid and Add Alternate No. 1 Total				**$ 936,629.34**		**$ 1,019,181.00**		**$ 1,123,230.39**		**$ 1,134,303.00**		**$ 1,415,000.00**

59

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CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	November 18, 2019
SUBJECT:	MIS2019-014; *Master Water/Wastewater Plan Update*

Recently, the City's consultant -- *Birkhoff, Hendricks & Carter LLP* -- finished revising the water and wastewater master plans. These plans were incorporated into the OURHometown Vision 2040 Comprehensive Plan on December 3, 2018 by *Ordinance No. 18-48*. As a result of their incorporation, staff is bringing forward an amendment to the Comprehensive Plan to incorporate the revisions identified by the City's consultants. According to Section 213.003 of the Texas Local Government Code, "*(a) comprehensive plan may be adopted or amended by ordinance following:*

(1) A hearing at which the public is given the opportunity to give testimony and present written evidence; and

(2) Review by the municipality's planning commission or department, if one exists."

Additionally, Section 9.03 of the City's Home Rule Charter states that "(r)ecommended changes to the Master Plan shall be submitted to the City Manager after the Planning and Zoning Commission holds at least one public hearing on the proposed change." Furthermore, Section 9.04 states that the "City Manager shall submit the proposed changes to the Council, together with any recommendations. The Council, after a public hearing, shall adopt or reject such proposed revision or any part thereof as submitted within sixty (60) days following its submission by the City Manager. If the proposed revision or part thereof should be rejected by the Council, the Planning and Zoning Commission may make modifications and again forward it to the City Manager for submission to the Council."

The meeting dates for this case are as follows:

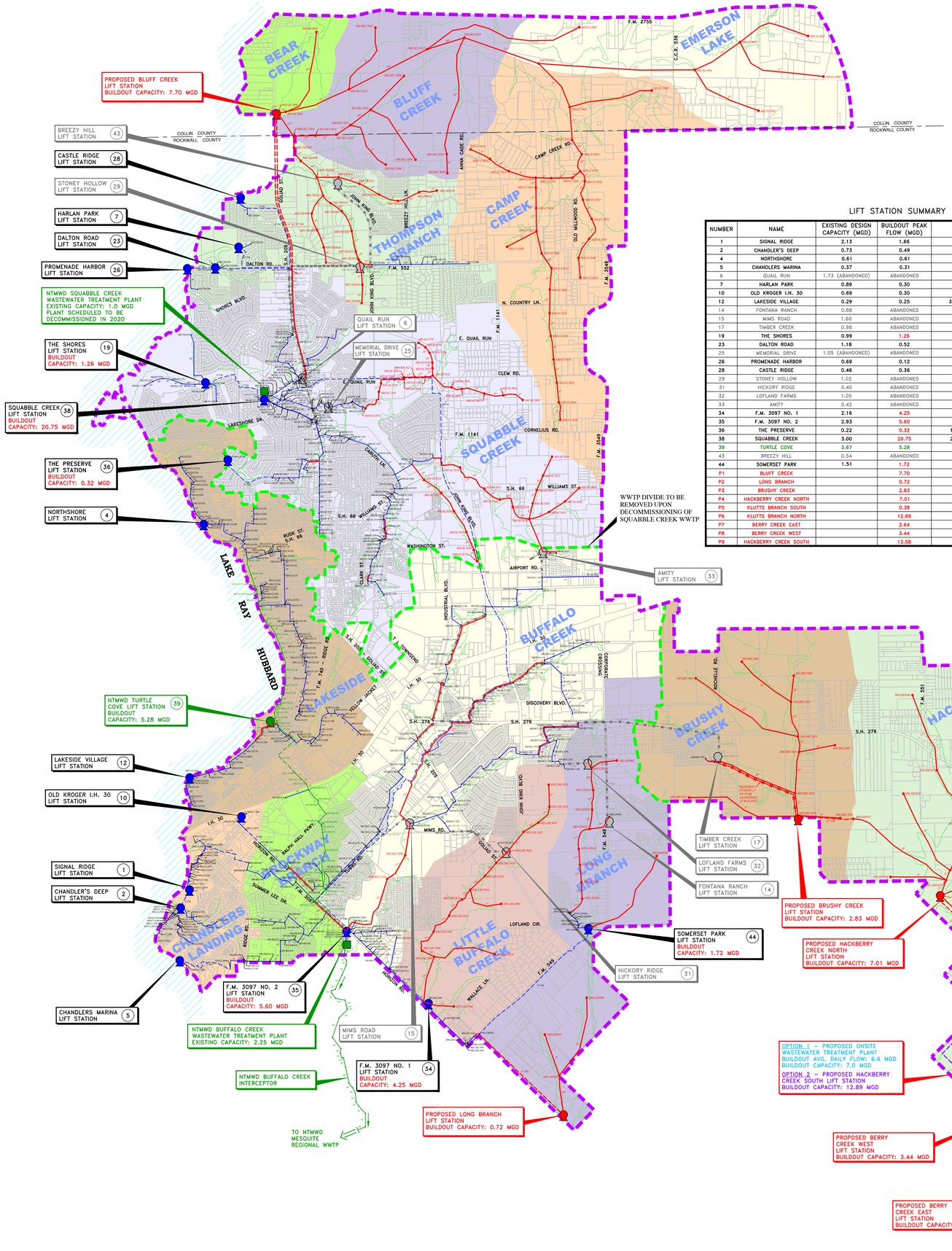
~~Planning and Zoning Commission Work Session: October 29, 2019~~
~~Planning and Zoning Commission Public Hearing: November 12, 2019~~
City Council Public Hearing/1st Reading: November 18, 2019
City Council 2nd Reading: December 2, 2019.

On November 12, 2019, the Planning and Zoning Commission held a public hearing and approved a motion to recommend approval of the amendment by a vote of 5-0, with Commissioners Fishman and Welch absent. Should the City Council have any question concerning the amendment, staff will be available at the *November 18, 2019* work session meeting.

CITY OF ROCKWALL, TEXAS
WASTEWATER COLLECTION SYSTEM
2019 MASTER PLAN UPDATE

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

OCTOBER 2019



LIFT STATION SUMMARY

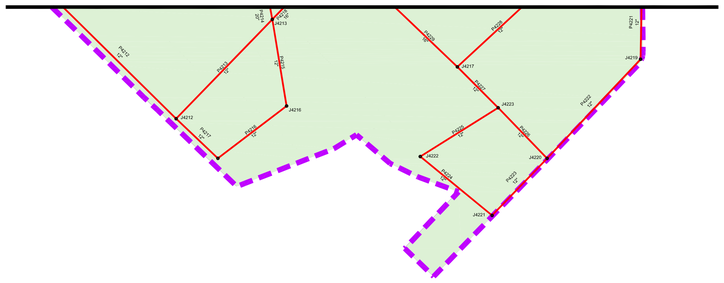
NUMBER	NAME	EXISTING DESIGN CAPACITY (MGD)	BUILDOUT PEAK FLOW (MGD)	ADDRESS	YEAR INSTALLED
1	SIGNAL RIDGE	2.13	1.66	1818 SIGNAL RIDGE PL.	1999
2	CHANDLER'S DEEP	0.73	0.49	5500 CANADA CT.	1992
4	NORTHSHORE	0.61	0.61	601 SUNSET HILL DR.	1999
5	CHANDLERS MARINA	0.37	0.31	427 HARBORVIEW DR.	2006
6	QUAIL RUN	1.73 (ABANDONED)	ABANDONED	501 QUAIL RUN RD.	1996
7	HARLAN PARK	0.89	0.30	505 BOGGS CIRCLE CT.	1999
10	OLD KROGER I.H. 30	0.69	0.30	405 I.H. 30	1998
12	LAKESIDE VILLAGE	0.29	0.25	3702 MEDITERRANEAN DR.	2001
14	FONTANA RANCH	0.88	ABANDONED	2035 S. F.M. 549	2007
15	MIMS ROAD	1.60	ABANDONED	3200 MIMS RD.	2001
17	TIMBER CREEK	0.98	ABANDONED	2814 ROCHELLE RD.	2002
19	THE SHORES	0.99	1.26	1400 CHAMPIONS DR.	2002
23	DALTON ROAD	1.18	0.52	1695 DALTON RD.	2003
25	MEMORIAL DRIVE	1.05 (ABANDONED)	ABANDONED	1131 MEMORIAL DR.	2003
26	PROMENADE HARBOR	0.69	0.12	2823 PROMENADE PL.	2003
28	CASTLE RIDGE	0.46	0.36	4008 OAKHURST CT.	2008
29	STONEY HOLLOW	1.02	ABANDONED	697 F.M. 552	2003
31	HICKORY RIDGE	0.40	ABANDONED	3500 POST OAK DR.	2004
32	LOFLAND FARMS	1.05	ABANDONED	2837 MASSEY LN.	2004
33	AMITY	0.42	ABANDONED	8 B INDIAN TR.	2005
34	F.M. 3097 NO. 1	2.16	4.25	6211 F.M. 3097	2008
35	F.M. 3097 NO. 2	2.93	5.60	5282 F.M. 3097	2008
36	THE PRESERVE	0.22	0.32	1890 N. LAKESHORE DR.	2008
38	SQUABBLE CREEK	3.00	20.75	2219 N. LAKESHORE DR.	2011
39	TURTLE COVE	5.67	5.28	1927 GULLWING DR.	1981
43	BREEZY HILL	0.54	ABANDONED	4300 JOHN KING BLVD.	2014
44	SOMERSET PARK	1.51	1.72	3350 S F.M. 549	2017
P1	BLUFF CREEK		7.70		
P2	LONG BRANCH		0.72		
P3	BRUSHY CREEK		2.83		
P4	HACKBERRY CREEK NORTH		7.01		
P5	KLUTTS BRANCH SOUTH		0.38		
P6	KLUTTS BRANCH NORTH		12.69		
P7	BERRY CREEK EAST		2.64		
P8	BERRY CREEK WEST		3.44		
P9	HACKBERRY CREEK SOUTH		13.58		

CITY OF ROCKWALL, TEXAS
WATER DISTRIBUTION SYSTEM MASTER PLAN

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
Dallas, Texas
(972) 2[illegible]

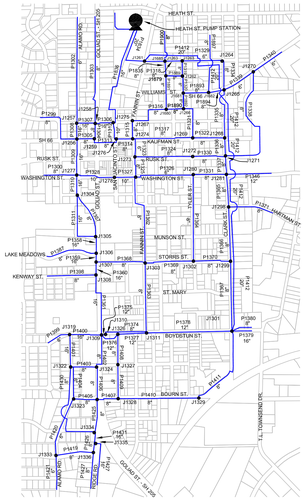
OCTOBER 2019

MATCH LINE



0 1500 3000 4500
HORIZONTAL SCALE IN FEET

INSET 'A'



INSET 'B'



MATCH LINE

LEGEND

- FLOODPLAIN BOUNDARY
- JUNCTION NODE & NO. — J7001
- 2019 EXISTING WATER LINE NO. & SIZE — P1328, 16"
- EXISTING WATER LINE NO. & SIZE (CLOSED IN MODEL FOR BUILDOUT PRESSURE DIVIDES) — P1343, 12"
- EXISTING WATER LINE NO. & SIZE (TO BE ABANDONED IN FUTURE) — P5297, 16"
- BUILDOUT PROPOSED WATER LINE NO. & SIZE — P4023, 36"
- EXISTING NTMWD SUPPLY LINE
- PLANNING BOUNDARY
- EXISTING PUMP STATION
- PROPOSED PUMP STATION
- PROPOSED PRESSURE REDUCING VALVE
- EXISTING ELEVATED STORAGE TANK
- PROPOSED ELEVATED STORAGE TANK
- 698.75 SERVICE AREA BOUNDARY (AT BUILDOUT)
- 717 SERVICE AREA BOUNDARY (AT BUILDOUT)
- 740 SERVICE AREA BOUNDARY (AT BUILDOUT)
- 780 SERVICE AREA BOUNDARY (AT BUILDOUT)

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER WATER PLAN AND THE MASTER WASTEWATER PLAN CONTAINED IN THE OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

WHEREAS, the *Home Rule Charter* of the City of Rockwall, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development and beautification of the City and its Extraterritorial Jurisdiction (ETJ); and

WHEREAS, the City Council of the City of Rockwall has previously authorized a study to update the Comprehensive Plan, also referred to as the Master Plan; and

WHEREAS, the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in a citizen action committee (*i.e. the Comprehensive Plan Advisory Committee [CPAC]*) and public meetings; and

WHEREAS, the OURHometown Vision 2040 Comprehensive Plan was adopted by the City Council of the City of Rockwall on December 3, 2019 by *Ordinance No. 18-43*; and

WHEREAS, the Comprehensive Plan shall serve as a guide to all future City Council action concerning land use and development regulations, and expenditures for capital improvements; and

WHEREAS, the Water/Wastewater Master Plans are updated on a five (5) year basis and the City Council of the City of Rockwall authorized Brickoff, Hendricks & Cater, LLP to perform the update; and

WHEREAS, Section 213.003, *Adoption or Amendment of Comprehensive Plan*, of Chapter 213, *Municipal Comprehensive Plans*, of the *Texas Local Government Code* states that the adoption of or amendment to a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence, and as required by the *Home Rule Charter of the City of Rockwall* a public hearing has been held on the proposed revisions to the Comprehensive Plan, and the governing body -- *in the exercise of its legislative discretion* -- has concluded that the Comprehensive Plan should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Master Water Plan and Master Wastewater Plan contained within *Appendix 'C'* of the OURHometown Vision 2040 Comprehensive Plan be amended as depicted in *Exhibit 'A'* of this ordinance; and

Section 2. The Comprehensive Plan shall be used by City Staff in planning and as a guide for future development of the City of Rockwall; and,

Section 3. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF DECEMBER, 2019.

DRAFT ORDINANCE 12.2.19

_____

Jim Pruitt, *Mayor*

ATTEST:

_____

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

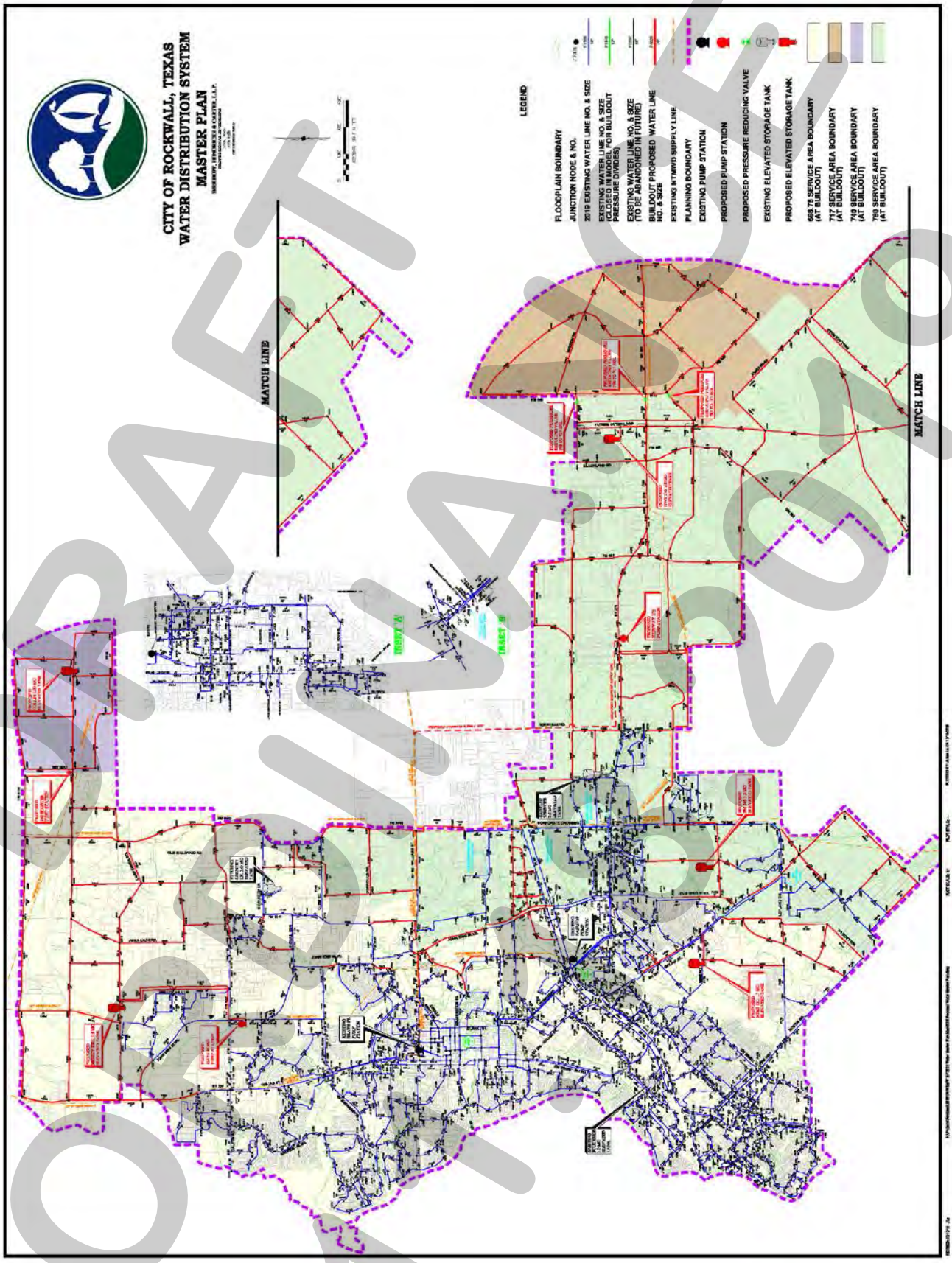
_____

Frank J. Garza, *City Attorney*

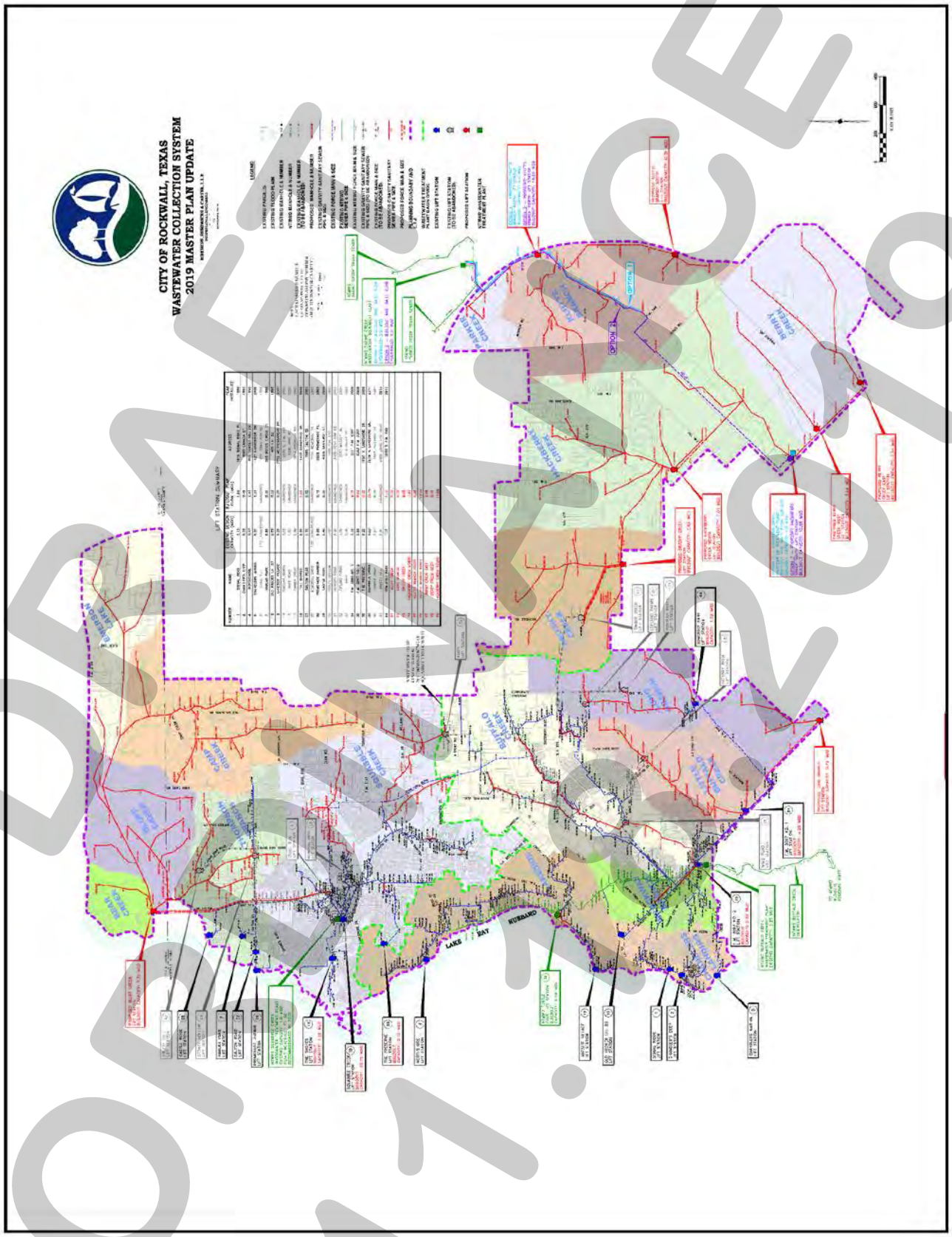
1st Reading: *November 18, 2019*

2nd Reading: *December 2, 2019*

DRAFT ORDINANCE 11.18.2019



DRAFT
OCTOBER 2019



DRAFT
10.1.2019

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68

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager/Director of Finance**

DATE: **November 15, 2019**

SUBJECT: **REDC Debt Refinancing and New Money for Land Purchase**

In 2013, the REDC issued Sales Tax Revenue Bonds to purchase land adjacent to the Rockwall Technology Park. At that time the bonds sold at interest rates ranging from 5.2% to 5.8%. When the EDC issues debt for land purchases it is taxable debt and the rates are a bit higher than traditional tax-exempt city bond issues. Since this issuance in 2013, rates have dropped significantly and it is now advantageous to partially refinance (refund is the bond terminology) to lower the interest rate on the bonds which are still outstanding at this time. Hilltop Securities (the City's financial advisor for debt issuances) is estimating these bonds will sell with an interest rate in the 2.45% to 3.56% range. The balance to be refunded is $2,870,000. The bonds were sold with a call provision allowing the REDC to take advantage of lower municipal bond interest rates now available. The present value savings of the issuance is estimated to be 3.19% or approximately $175,474 over the remaining term of the bonds.

The REDC has had an "A" rating from Standard and Poor's. S&P did review this bond sale and determined to maintain the EDC's current bond rating.

In addition, the REDC Board is moving ahead with land acquisition in the vicinity of the park and has voted to approve the issuance of $6.7 million in new money bonds for this purpose. The Board voted 6-0 (Nielsen absent) at their November meeting to move forward with the issuance of these bonds. Pending Council approving of the Resolution the sale is scheduled for December 3rd if the market is advantageous at that time with closing on the bonds tentatively scheduled for January 7, 2020.

The par amount of the 2019 bonds - $9,515,000 will include the refunding, new money for the land purchase, and the mandatory reserve fund (1X the average annual principal and interest payment) which will have to be maintained by the EDC for the life of the issue. The bonds will be issued with the city's standard 20-year amortization period.

A Council Resolution approving the REDC's Resolution is included for consideration at the Council meeting on Monday November 18th. Staff will be available at the meeting to answer any questions.

CITY OF ROCKWALL

RESOLUTION NO. 19-25

A RESOLUTION OF THE CITY OF ROCKWALL, TEXAS APPROVING A RESOLUTION OF THE ROCKWALL ECONOMIC DEVELOPMENT CORPORATION; AUTHORIZING THE ISSUANCE OF THE CORPORATION'S SALES TAX REVENUE REFUNDING AND IMPROVEMENT BONDS; CONFIRMING A SALES TAX COLLECTION RESOLUTION; ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Rockwall Economic Development Corporation (the "Corporation") is a non-profit industrial development corporation created, existing and governed by the Development Corporation Act, Chapters 501, 502 and 504, Texas Local Government Code, formerly Section 4A of Article 5190.6, Tex. Rev. Civ. Stat. Ann., as amended (the "Act").

WHEREAS, there has been presented to this City Council a resolution (the "Bond Resolution") adopted by the Board of Directors of the Corporation authorizing the issuance and sale of the Corporation's sales tax revenue refunding and improvement bonds for the purposes of refunding the Corporation's outstanding Sales Tax Revenue Bonds, Taxable Series 2013, in order to reduce debt service payments made by the Corporation and acquiring additional land for the Rockwall Technology Park;

WHEREAS, there has been previously approved by this City Council a Sales Tax Collection Resolution pursuant to which sales taxes collected by the City for the benefit of the Corporation pursuant to the Act shall be transferred and deposited into a fund for the use by the Corporation in the furtherance of its authorized powers and purposes;

WHEREAS, this City Council finds and determines that it is necessary and appropriate to approve the Bond Resolution for the purposes hereinabove provided; Now, Therefore

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

Section 1. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The Bond Resolution, attached hereto as Exhibit A, is hereby approved and the issuance by the Corporation of sales tax revenue refunding bonds in the principal amount not to exceed $9,950,000 (the "Bonds"), for the purpose of refunding all or a portion of the Corporation's outstanding Sales Tax Revenue Bonds, Taxable Series 2013, acquiring additional land for the Rockwall Technology Park, funding the reserve fund requirement for the Bonds and to pay costs of issuance of the Bonds, is hereby approved; and said Bond Resolution, the Bonds and the expenditure of funds of the Corporation in connection therewith are hereby approved.

Section 2. The Sales Tax Collection Resolution previously approved by the City and the Corporation, the appointment of the members of the Board of Directors of the Corporation and the adoption and amendments of the bylaws of the Corporation are hereby ratified, approved and confirmed.

Section 3. This Resolution shall be effective immediately upon adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of November, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

[CITY SEAL]

APPROVED AS TO FORM:

Frank Garza, City Attorney

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72

Table of Contents

Agenda 4

Consider approval of the minutes from the November 18, 2019 regular city council meeting, and take any action necessary.

Minutes 7

Blank Page 11

MIS2019-014 - Consider approving an ordinance amending the OURHometown Vision 2040 Comprehensive Plan for the purpose of updating the water and wastewater master plans, and take any action necessary (2nd Reading).

Ord (2nd Reading) 12

Blank Page 16

P2019-044 - Consider a request by Arlyn Samuelson of Westwood Professional Services on behalf of Carolina Molina of SPR Packaging for the approval of Lot 3, Block A, SPR Packaging Addition being a replat of a 10.189-acre parcel of land identified as Lot 2, Block A, SPR Packaging Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1480 Justin Road, and take any action necessary.

P2019-044 17

Blank Page 22

P2019-047 - Consider a request by Matt Lucas, PE of Kimley Horn on behalf of Kevin J. Lloyd of 2424 MTA Realty, LLC for the approval of Lots 1, 2, & 3, Block A, MTA Andrews Addition being a final plat of a 9.6990-acre tract of land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, addressed as 2424 Ridge Road, and take any action necessary.

P2019-047 23

Blank Page 29

MIS2019-015 - Consider a request by Michael Guerrero of Atticus Harbor Village, LLC for the approval of an alternative tree mitigation plan for a 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

MIS2019-015 30

Blank Page 34

Consider approval of a proposal from Ramco Rugged Portables in the amount of $67,845.95 for the Getac cloud storage solution and annual maintenance, appropriating Seizure Funds for this purpose, and take any action necessary.

Memo 35

Quote 36

Blank Page . . . 37
Discussion and consider a resolution providing for the casting of votes and submission of the official voting ballot associated with appointments to the Rockwall Central Appraisal District Board for the year 2020-2021, and take any action necessary.
Resolution . . . 38
Blank Page . . . 40
A2019-001 - Discuss and consider the approval of a resolution stating an intention to commence annexation proceedings by Petition per Chapter 43, Subchapter C-4 of the Texas Local Government Code for a 41.49-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and generally located on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [FM-3549], and take any action necessary.
A2019-001 . . . 41
Blank Page . . . 53
Discuss and consider approval of a facilities agreement with 549/I-30 Partners, L.P. for the construction of the Justin Road and FM-3549 intersection, and take any action necessary.
Memo . . . 54
Request Letter . . . 55
Facilities Agreement . . . 56
Blank Page . . . 67
Building Inspections Monthly Report - October 2019
October Report . . . 68
Blank Page . . . 79
GIS Division Monthly Report - October 2019
GIS Monthly Report (October 2019) . . . 80
Blank Page . . . 81
Harbor PD Monthly Report - October 2019
Harbor - Oct 2019 . . . 82
Blank Page . . . 83
Internal Operations Department Report - October 2019
IO report . . . 84
Blank Page . . . 85
Recreation Monthly Report - October 2019
Monthly Report - Oct . . . 86
Blank Page . . . 91
Rockwall Animal Adoption Center Monthly Report - October 2019
RAAC-Oct 2019 . . . 92
October 2019 RAAC P&L . . . 93
Blank Page . . . 94
Rockwall Fire Department Monthly Report - October 2019
Rockwall Fire Department October Monthly Report . . . 95
Blank Page . . . 101
Rockwall Police Department Monthly Report - October 2019

10October Rockwall Police Monthly Activity Report 2019 - External 102
Blank Page 104
STAR Transit Monthly Report - October 2019
STAR Report 105
Blank Page 107

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, December 02, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding potential litigation concerning a franchise utility provider (Spectrum Cable) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

VI. OPEN FORUM

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VIII. CONSENT AGENDA

pg.7 1. Consider approval of the minutes from the November 18, 2019 regular city council meeting, and take any action necessary.

pg.12 2. **MIS2019-014** - Consider approving an **ordinance** amending the OURHometown Vision 2040 Comprehensive Plan for the purpose of updating the water and wastewater master plans, and take any action necessary **(2nd Reading).**

pg.17 3. **P2019-044** - Consider a request by Arlyn Samuelson of Westwood Professional Services on behalf of Carolina Molina of SPR Packaging for the approval of Lot 3, Block A, SPR Packaging Addition being a replat of a 10.189-acre parcel of land identified as Lot 2, Block A, SPR

Packaging Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1480 Justin Road, and take any action necessary.

pg.23 4. **P2019-047** - Consider a request by Matt Lucas, PE of Kimley Horn on behalf of Kevin J. Lloyd of 2424 MTA Realty, LLC for the approval of Lots 1, 2, & 3, Block A, MTA Andrews Addition being a final plat of a 9.6990-acre tract of land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, addressed as 2424 Ridge Road, and take any action necessary.

pg.30 5. **MIS2019-015** - Consider a request by Michael Guerrero of Atticus Harbor Village, LLC for the approval of an alternative tree mitigation plan for a 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

pg.35 6. Consider approval of a proposal from Ramco Rugged Portables in the amount of $67,845.95 for the Getac cloud storage solution and annual maintenance, appropriating Seizure Funds for this purpose, and take any action necessary.

IX. Action Items

pg.38 1. Discussion and consider a resolution providing for the casting of votes and submission of the official voting ballot associated with appointments to the Rockwall Central Appraisal District Board for the year 2020-2021, and take any action necessary.

pg.41 2. **A2019-001** - Discuss and consider the approval of a resolution stating an intention to commence annexation proceedings by Petition per Chapter 43, Subchapter C-4 of the Texas Local Government Code for a 41.49-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and generally located on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [FM-3549], and take any action necessary.

pg.54 3. Discuss and consider approval of a facilities agreement with 549/I-30 Partners, L.P. for the construction of the Justin Road and FM-3549 intersection, and take any action necessary.

X. City Manager's Report, Departmental Reports and related discussions pertaining to current city activities, upcoming meetings, future legislative activities, and other related matters.

1. Departmental Reports

pg.68 Building Inspections Monthly Report - October 2019

pg.80 GIS Division Monthly Report - October 2019

pg.82 Harbor PD Monthly Report - October 2019

pg.84 Internal Operations Department Report - October 2019

pg.86 Recreation Monthly Report - October 2019
pg.92 Rockwall Animal Adoption Center Monthly Report - October 2019
pg.95 Rockwall Fire Department Monthly Report - October 2019
pg.102 Rockwall Police Department Monthly Report - October 2019
pg.105 STAR Transit Monthly Report - October 2019

2. **City Manager's Report**

XI. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding potential litigation concerning a franchise utility provider (Spectrum Cable) pursuant to Section §551.071 (Consultation with Attorney).
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4. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 27th day of November, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, November 18, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, and Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Students from the city's Youth Advisory Council (YAC) were also present.

Mayor Pruitt then read the below listed items into the public record before recessing the meeting to go into Executive Session at 5:03 p.m.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
2. Discussion regarding legal matters pertaining to Breezy Hill pavilion pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:18 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pro Tem Macalik called the public meeting to order at 6:05 p.m. Mayor Pruitt joined the meeting at 6:07 p.m. (following the prayer and pledge).

V. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM MACALIK

Mayor Pro Tem Macalik delivered the invocation and led the Pledge of Allegiance.

VI. INTRODUCTION OF ROCKWALL YOUTH ADVISORY COUNCIL (YAC) MEMBERS

The mayor and council members introduced the nine YAC students who were guests in attendance this evening.

VII. PROCLAMATION

Mayor Pruitt called forth Marilyn King from the Daughters of the American Revolution (DAR) and read and presented her with a (surprise) proclamation, naming the month of November as "Marilyn King Appreciation Day" in the City of Rockwall.

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

X. CONSENT AGENDA

1. Consider approval of the minutes from the November 4, 2019 regular city council meeting, and take any action necessary.
2. Consider approval of the minutes from the November 8, 2019 special city council meeting, and take any action necessary.
3. **P2019-040** - Consider a request by Perry Bowen on behalf of Kyle Bryan and Haley Brook Bowen for the approval of a replat for Lots 1 & 2, Block A, Haley & Kyle Addition being a 0.97-acre parcel of land currently identified as Lot A, Block 107, B. F. Boydstun Addition, City of Rockwall, Rockwall County, Texas, being zoned Single-Family 7 (SF-7) District, addressed as 501 S. Clark Street, and take any action necessary.
4. Consider approval of an Interlocal Purchasing Agreement with the City of Texarkana and authorizing the City Manager to execute such agreement, and take any action necessary.
5. Consider approval of Engineering Service Agreement with Pipeline Analysis, LLC, to provide engineering services for Sanitary Sewer Condition Assessments and authorize the City Manager to execute a contract for $156,600, to be funded by the Sewer Operations budget, and take any action necessary.
6. Consider approval of the St. Mary Street, Bost Street, and Sherman Street Water Line and Wastewater Line Replacement Project and authorize the City Manager to execute a contract

with Pittard Construction Company, Inc. in an amount of $827,282, to be funded by Water/Wastewater bonds, and take any action necessary.

Councilmember Johannesen moved to approve the Consent Agenda, as presented. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. PUBLIC HEARING ITEMS

1. **MIS2019-014** - Hold a public hearing to discuss and consider approving an **ordinance** amending the OURHometown Vision 2040 Comprehensive Plan for the purpose of updating the water and wastewater master plans, and take any action necessary **(1st Reading)**.

Planning Director Ryan Miller provided background information pertaining to this agenda item. The Planning & Zoning Commission has recommended approval of this ordinance.

Mayor Pruitt opened the public hearing for MIS2019-014, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the Public Hearing.

Councilmember Trowbridge moved to approve MIS2019-014. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER WATER PLAN AND THE MASTER WASTEWATER PLAN CONTAINED IN THE OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

The motion passed by a vote of 7 ayes to 0 nays.

XII. ACTION ITEMS

1. Discuss and consider approval of a resolution approving a resolution of the Rockwall Economic Development Corporation, authorizing the issuance of the Corporation's Sales Tax Revenue Refunding and Improvement Bonds, confirming a sales tax collection resolution, enacting other provisions relating to the subject, and taking any action necessary.

Assistant City Manager Mary Smith indicated that the REDC did approve a motion on Friday to move forward with the bond refinancing. Councilmember Fowler moved to approve the resolution approving the REDC resolution. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
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4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

Mayor Pruitt thanked the members of the Youth Advisory Council (YAC) for their attendance this evening and for their ongoing participation in YAC.

The meeting was adjourned at 6:27 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 2nd DAY OF DECEMBER, 2019.

ATTEST: **JIM PRUITT, MAYOR**

KRISTY COLE, CITY SECRETARY

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11

CITY OF ROCKWALL

ORDINANCE NO. 19-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER WATER PLAN AND THE MASTER WASTEWATER PLAN CONTAINED IN THE OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

WHEREAS, the *Home Rule Charter* of the City of Rockwall, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development and beautification of the City and its Extraterritorial Jurisdiction (ETJ); and

WHEREAS, the City Council of the City of Rockwall has previously authorized a study to update the Comprehensive Plan, also referred to as the Master Plan; and

WHEREAS, the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in a citizen action committee (*i.e. the Comprehensive Plan Advisory Committee [CPAC]*) and public meetings; and

WHEREAS, the OURHometown Vision 2040 Comprehensive Plan was adopted by the City Council of the City of Rockwall on December 3, 2019 by *Ordinance No. 18-43*; and

WHEREAS, the Comprehensive Plan shall serve as a guide to all future City Council action concerning land use and development regulations, and expenditures for capital improvements; and

WHEREAS, the Master Water Plan and Master Wastewater Plan contained in the Comprehensive Plan are updated on a five (5) year basis; and

WHEREAS, the City Council of the City of Rockwall authorized Birkhoff, Hendricks & Cater, LLP to perform the update of the Master Water Plan and Master Wastewater Plan; and

WHEREAS, Section 213.003, *Adoption or Amendment of Comprehensive Plan*, of Chapter 213, *Municipal Comprehensive Plans*, of the *Texas Local Government Code* states that the adoption of or amendment to a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence, and as required by the *Home Rule Charter of the City of Rockwall* a public hearing has been held on the proposed revisions to the Comprehensive Plan, and the governing body -- *in the exercise of its legislative discretion* -- has concluded that the Comprehensive Plan should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Master Water Plan and Master Wastewater Plan contained within *Appendix 'C'* of the OURHometown Vision 2040 Comprehensive Plan be amended as depicted in *Exhibit 'A'* of this ordinance; and

Section 2. The Comprehensive Plan shall be used by City Staff in planning and as a guide for future development of the City of Rockwall; and,

Section 3. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF DECEMBER, 2019.

_____
Jim Pruitt, Mayor

ATTEST:

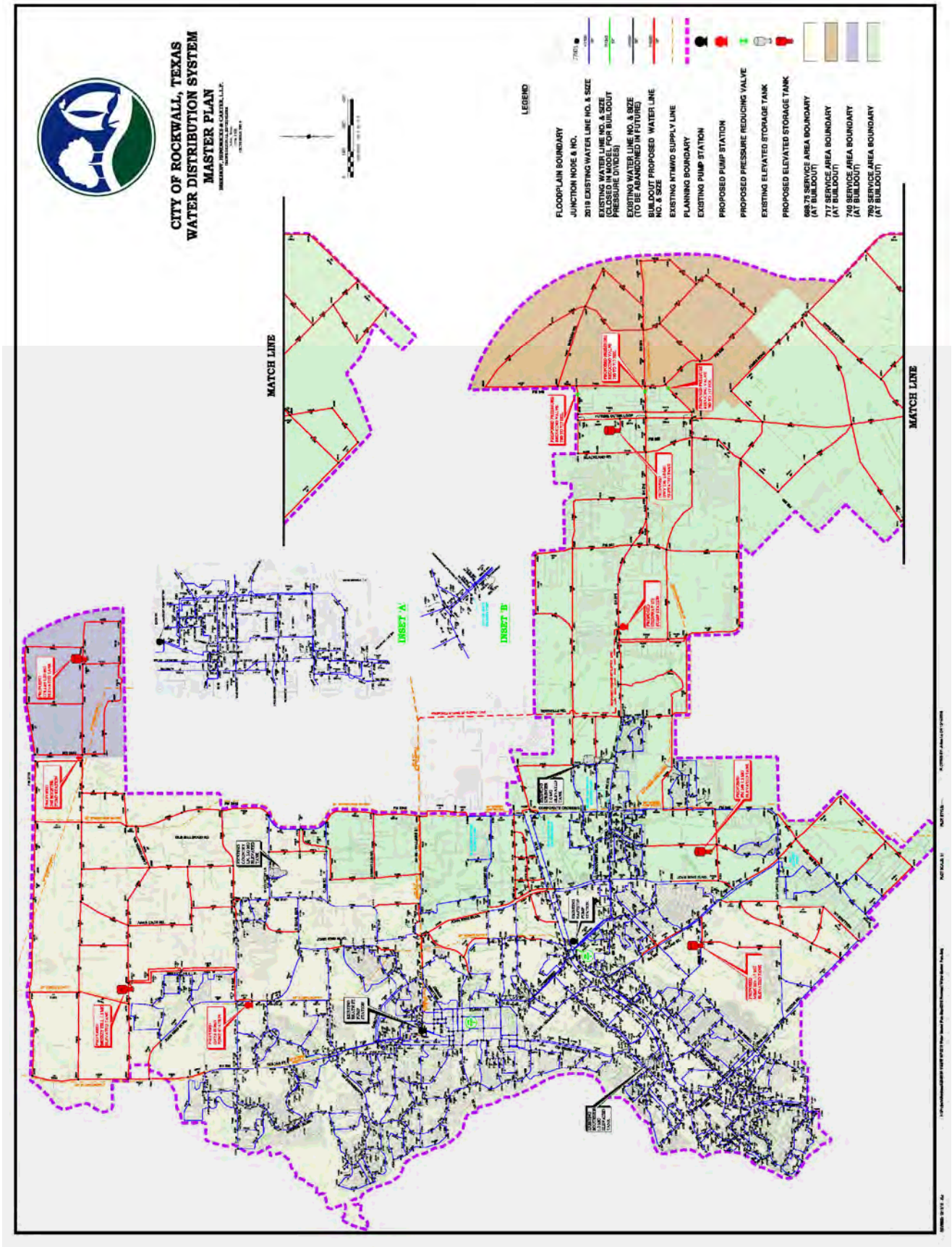
_____
Kristy Cole, City Secretary

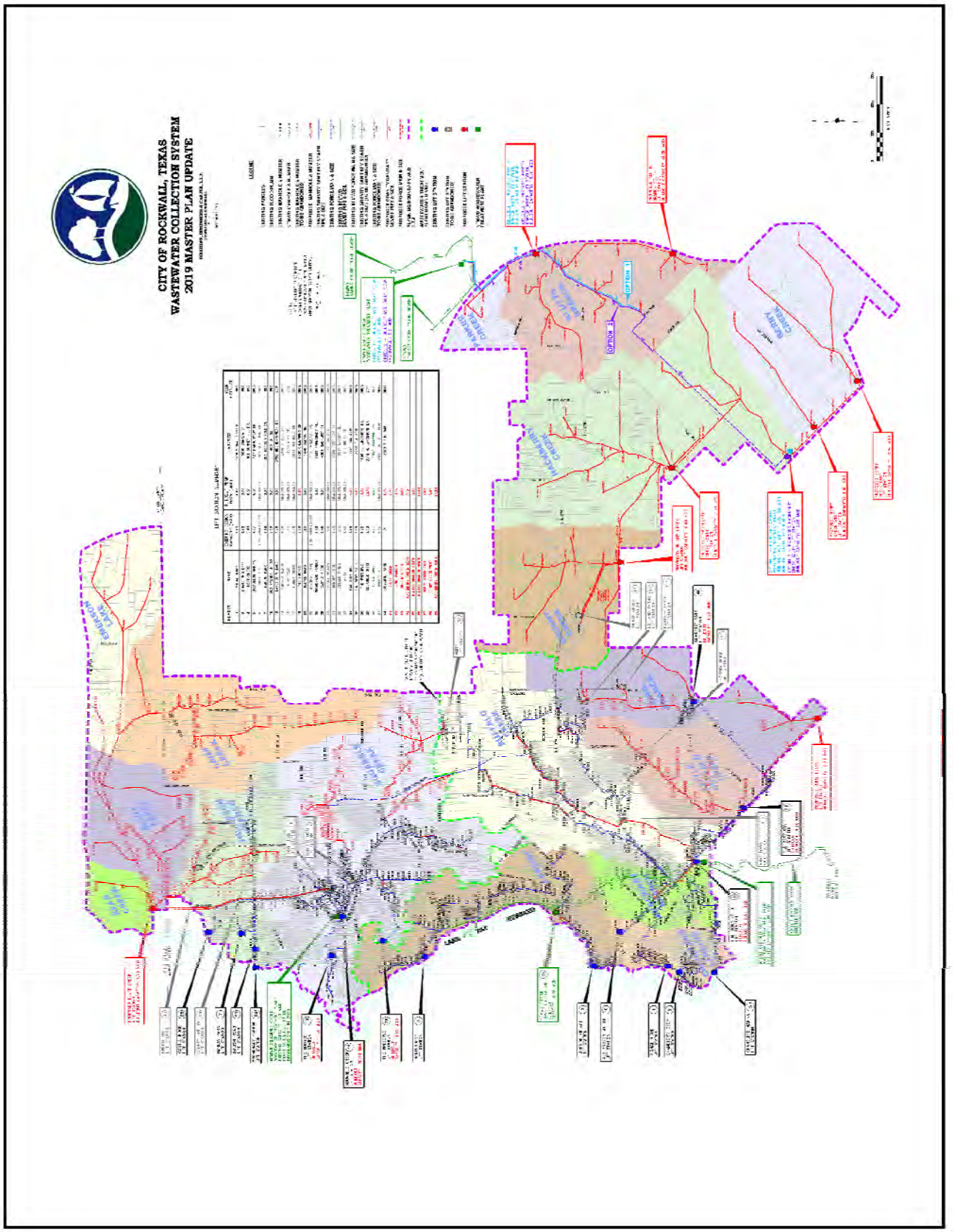
APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: November 18, 2019

2nd Reading: December 2, 2019


CITY OF ROCKWALL, TEXAS
WATER DISTRIBUTION SYSTEM
MASTER PLAN
LEGEND
FLOODPLAIN BOUNDARY
JUNCTION NODE & NO.
2019 EXISTING WATER LINE NO. & SIZE
EXISTING WATER LINE NO. & SIZE (CLOSED IN MODEL FOR BUILDOUT PRESSURE DIVIDES)
EXISTING WATER LINE NO. & SIZE (TO BE ABANDONED IN FUTURE)
BUILDOUT PROPOSED WATER LINE NO. & SIZE
EXISTING NTMWD SUPPLY LINE
PLANNING BOUNDARY
EXISTING PUMP STATION
PROPOSED PUMP STATION
PROPOSED PRESSURE REDUCING VALVE
EXISTING ELEVATED STORAGE TANK
PROPOSED ELEVATED STORAGE TANK
668.75 SERVICE AREA BOUNDARY (AT BUILDOUT)
717 SERVICE AREA BOUNDARY (AT BUILDOUT)
740 SERVICE AREA BOUNDARY (AT BUILDOUT)
780 SERVICE AREA BOUNDARY (AT BUILDOUT)
MATCH LINE
MATCH LINE
INSET 'A'
INSET 'B'


CITY OF ROCKWALL, TEXAS
WASTEWATER COLLECTION SYSTEM
2019 MASTER PLAN UPDATE

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	December 2, 2019
APPLICANT:	Arlyn Samuelson; *Westwood Professional Services*
CASE NUMBER:	P2019-044; *Lot 3, Block A, SPR Packaging Addition*

SUMMARY

Consider a request by Arlyn Samuelson of Westwood Professional Services on behalf of Carolina Molina of SPR Packaging for the approval of Lot 3, Block A, SPR Packaging Addition being a replat of a 10.189-acre parcel of land identified as Lot 2, Block A, SPR Packaging Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1480 Justin Road, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a replat for a 10.189-acre parcel of land [i.e. *Lot 3, Block A, SPR Packaging Addition*] that will abandon a portion of a 24-foot firelane, drainage, and utility easement and a water easement for the purpose of constructing an office addition to the existing office/warehouse/manufacturing facility. The *subject property* is zoned Light Industrial (LI) District and is addressed as 1480 Justin Road.

☑ On August 15, 2019, David A. Morales of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) submitted a site plan [*i.e. Case No. SP2019-030*] proposing the construction of a ~22,564 SF, two (2) story office addition to the existing office/warehouse/manufacturing facility. Additionally, the site will incorporate a ~7,046 SF, one (1) story ink/locker room that is located on the south facing façade. On September 10, 2019, the Planning and Zoning Commission approved the site plan and all exceptions requested.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

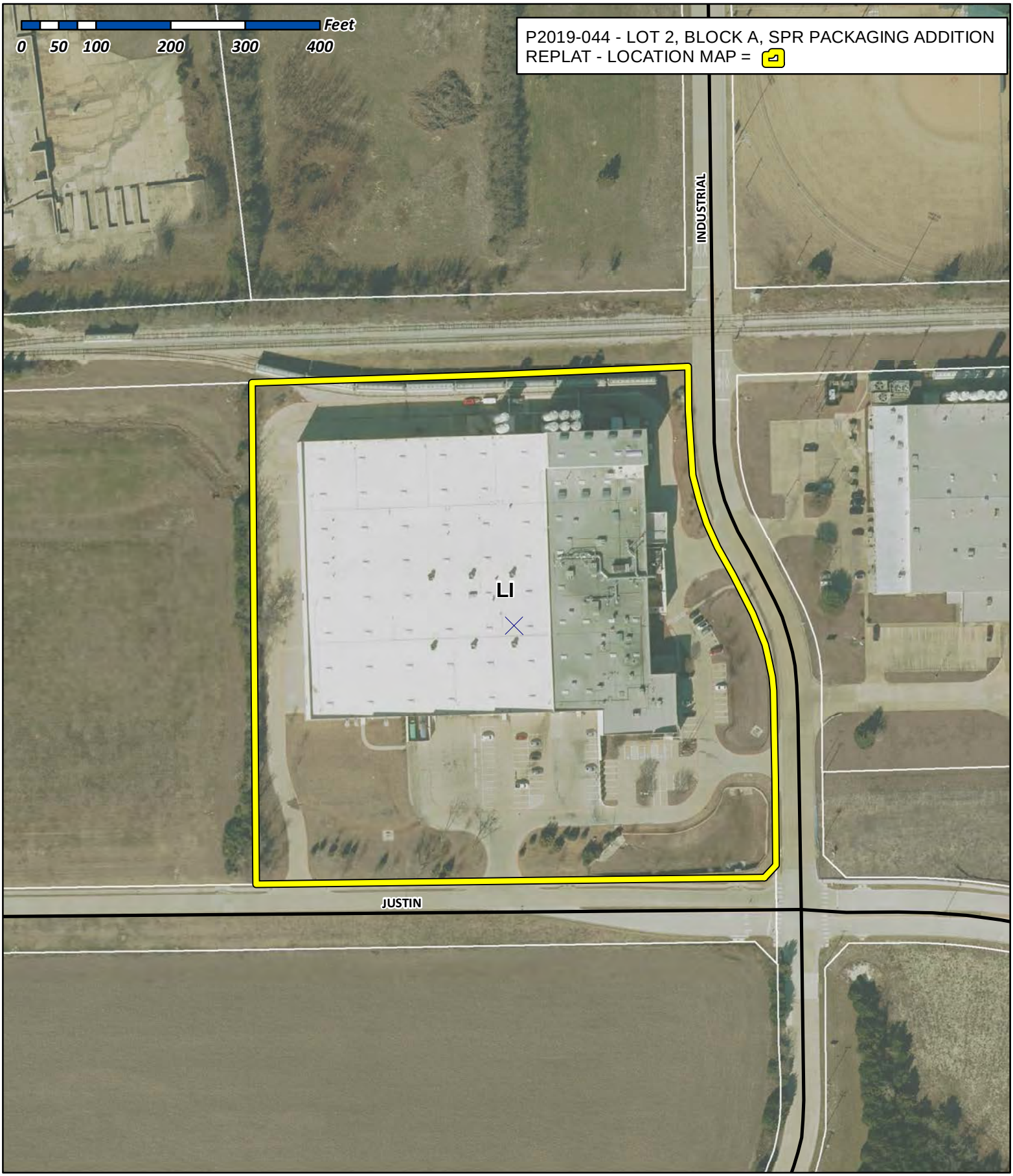
If the City Council chooses to approve the replat for *Lot 3, Block A, SPR Packaging Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On November 26, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 4-0, with Commissioners Chodun, Logan, and Fishman absent.



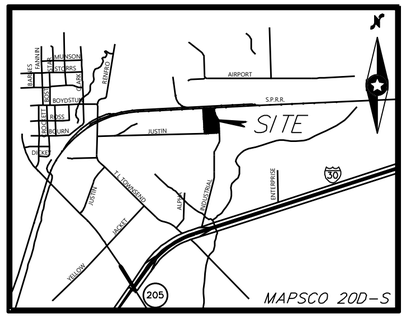
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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UP/DALLAS GARLAND N.E. RAILROAD
(FORMERLY M.K. & T RAILROAD)
(100' R.O.W.)
(PLAT: S88°52'39"E)
N88°04'51"E
584.53
556.83'
954.59'
CIRS
CIRF
674.79
81.19
S00°45'22"E
(PLAT: S02°17'09"W)
GRID COORDINATES:
N: 7,025,128.31
E: 2,600,010.77
"+" CUT IN CONC. FOUND
65.02'
82.55'
WATER ESMT. (CAB. H, SLIDE 155)
UTILITY ESMT. (CAB. G, SLIDE 107)
15' UTILITY ESMT. (VOL. 507, PG. 196)
10' UTILITY ESMT. (VOL. 305, PG. 112)
24.0' FIRELANE, ACCESS, DRAINAGE & UTILITY ESMT. (CAB. G, SLIDE 107)
DRAINAGE & UTILITY ESMT. (CAB. G, SLIDE 107)
ELECTRICAL ESMT. (CAB. H, SLIDE 155)
ONCOR UTILITY ESMT. (VOL. 5394, PG. 155)
DRAINAGE ESMT. (CAB. H, SLIDE 155)
WATER ESMT. (CAB. H, SLIDE 155)
24' FIRELANE, ACCESS, DRAINAGE & UTILITY EASEMENT (CAB. H, SLIDE 155)
FIRELANE, ACCESS, DRAINAGE & UTILITY EASEMENT (DOC. NO. 2011-00451101)
LOT 3, BLOCK A
WHITMORE MANUFACTURING ADDITION
(CAB. H, SLIDE 237)
R. BALLARD SURVEY – ABST. 29
N. BUTLER SURVEY – ABST. 20
LOT 2, BLOCK A
SPR PACKAGING ADDITION
(CAB. H, SLIDE 155)
LOT 2R, BLOCK A
SPR PACKAGING ADDITION
10.189 ACRES
(443,847 SF)
ROCKWALL INDUSTRIAL EAST
(CAB. C, SLIDE 72)
CHB=S14°25'36"E
CH=157.17
Δ=27°20'30"
R=332.50
L=158.67
(PLAT: S21°23'07"E)
L=127.65'
87.64'
24.0' FIRELANE, ACCESS, DRAINAGE & UTILITY ESMT. (CAB. G, SLIDE 107)
"PK" NAIL FOUND
S28°05'51"E 87.64'
(PLAT: S24°03'22"E)
65'
DRAINAGE & UTILITY EASEMENT (CAB. G, SLIDE 107)
UTILITY ESMT. (CAB. G, SLIDE 107)
CHB=S14°36'15"E
CH=124.83'
Δ=26°59'12"
R=267.50'
L=125.99'
(PLAT: S13°36'49"E)
DRAINAGE ESMT. (CAB. G, SLIDE 107)
230.71'
INDUSTRIAL BLVD.
(65-FOOT WIDE R.O.W.)
115.91'
65.00'
S01°06'39"E
(PLAT: S01°55'50"W)
111.87'
LOT 2, BLOCK A
CHANNELL SUBDIVISION
(CAB. I, SLIDE 397)
POINT OF BEGINNING
(C.M.)
CIRF
GRID COORDINATES:
N: 7,024,466.13
E: 2,600,128.22
42.68'
70.14'
(PLAT: N00°29'20"W)
N00°29'20"W
24' FIRELANE, ACCESS, DRAINAGE & UTILITY EASEMENT (CAB. H, SLIDE 155) EASEMENT TO BE ABANDONED (SHADED) (BY THIS PLAT)
DRAINAGE & UTILITY EASEMENT (CAB. H, SLIDE 155)
WATER ESMT. (BY THIS PLAT)
WATER ESMT. (SHADED) (CAB. H, SLIDE 155) EASEMENT TO BE ABANDONED (SHADED) (BY THIS PLAT)
S86°37'43"W 183.42
24' FIRELANE & ACCESS ESMT. (BY THIS PLAT)
N86°37'43"E 177.24
15' DRAINAGE & UTILITY ESMT. (CAB. G, SLIDE 107)
10'x10' WATER EASEMENT (CAB. H, SLIDE 155)
FIRELANE, ACCESS, DRAINAGE & UTILITY ESMT. (CAB. G, SLIDE 107)
EASEMENT TO BE ABANDONED (SHADED) (BY THIS PLAT)
UTILITY ESMT. (CAB. G, SLIDE 107)
WATER ESMT. (BY THIS PLAT)
10'UTILITY ESMT. (VOL. 305, PG. 112)
DRAINAGE ESMT. (CAB. G, SLIDE 107)
24.0' FIRELANE, ACCESS, DRAINAGE & UTILITY ESMT. (CAB. G, SLIDE 107)
DRAINAGE ESMT. (CAB. G, SLIDE 107)
UTILITY ESMT. (CAB. G, SLIDE 107)
583.41'
32.85
81.71
CIRF (C.M.)
S89°05'40"W
(PLAT: N87°51'50"W)
510.83
147.58
CIRS
CIRF
86.95
N89°20'30"W
(PLAT: N86°18'00"W)
73.95
S89°36'19"W
(PLAT: N87°21'11"W)
34.53
S44°36'19"W
(PLAT: S47°38'49"W)
R. BALLARD SURVEY – ABST. 29
A. HANNA SURVEY – ABST. 99
N. BUTLER SURVEY – ABST. 20
A. HANNA SURVEY – ABST. 99
JUSTIN ROAD
(VARIABLE WIDTH R.O.W.)
1096.05'
666.65'
42.43'
C1 C2 C3 C4 C5 C6 C7 C8 C9 C10 C11 C12 C13
L1 L2 L3 L4 L5 L6 L7 L8 L9 L10 L11 L12 L13



VICINITY MAP
NOT TO SCALE

0' 60' 120'

GENERAL NOTES:

1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 TEXAS NORTH CENTRAL ZONE (4202) (2011).
2. COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

Line Table		
Line #	Length	Direction
L1	25.86	N01°55'54"W
L2	10.00	S43°34'53"W
L3	20.00	N46°25'07"W
L4	20.20	N43°34'53"E
L5	8.25	N01°55'54"W
L6	17.68	N00°54'20"W
L7	5.92	N05°38'33"E
L8	35.33	S88°04'06"W
L9	3.16	N00°54'20"W
L10	9.37	N88°04'51"E
L11	11.44	S01°55'09"E
L12	20.00	S88°04'51"W
L13	10.00	N01°55'09"W

Curve Table			
Curve #	Length	Radius	Delta
C1	32.21	40.00	046°07'59"
C2	45.20	150.00	017°16'00"
C3	32.43	40.00	046°26'53"
C4	38.64	25.00	088°33'38"
C5	3.95	39.00	005°48'12"
C6	58.99	39.00	086°39'42"
C7	40.00	350.00	006°32'53"
C8	2.97	39.00	004°21'54"
C9	6.38	63.00	005°48'12"
C10	32.77	25.00	075°06'01"
C11	32.44	40.00	046°28'08"
C12	62.12	40.00	088°59'11"

LEGEND

O	PROPERTY CORNER
CIRS	5/8" IRON ROD "WESTWOOD PS" CAP SET
CIRF	5/8" IRON ROD "POGUE ENG & DEV" CAP FOUND
FIR	FOUND IRON ROD
(CM)	CONTROLLING MONUMENT
ESMT.	EASEMENT
VOL. PG.	VOLUME, PAGE
CAB.	CABINET
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
ABST.	ABSTRACT

OWNER
FLEXLAND, L.P.
1480 JUSTIN ROAD,
ROCKWALL, TEXAS 75087
(469) 252-1070

Westwood
Phone (214) 473-4640 2740 Dallas Parkway, Suite 280
Toll Free (888) 937-5150 Plano, TX 75093
westwoodps.com
Westwood Professional Services, Inc.
TBPE FIRM REGISTRATION NO. F-11756
TBPLS FIRM REGISTRATION NO. 10074301

REPLAT
LOT 2R, BLOCK A SPR PACKAGING ADDITION

BEING A REPLAT OF LOT 2, BLOCK A, SPR PACKAGING ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS AND BEING OUT OF THE N. BUTLER SURVEY, ABSTRACT NO. 20 AND R. BALLARD SURVEY, ABSTRACT NO. 29 ROCKWALL COUNTY, TEXAS

OCTOBER 28, 2019 JOB NO. 0014830.20 SPR PACKAGING ADDITION

1/2

N:\0014830.01\1 PROJECT DATA\DWG\SURVEY\0014830FP.DWG

20

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Flexland, L.P. is the owner of a 10.189 acre tract of land situated in the N. Butler Survey, Abstract No. 20 and the R. Ballard Survey, Abstract No. 29, Rockwall County, Texas; said tract being all of Lot 2, Block A, SPR Packaging Addition, an addition to the City of Rockwall, Texas according to the plat recorded in Cabinet H, Slide 155 of the Plat Records of Rockwall County, Texas; said 10.189 acre tract being more particularly described as follows:

BEGINNING, at a 5/8-inch iron rod with "Pogue Eng & Dev" cap found for corner at the north end of a right-of-way corner clip at the intersection of the northerly right-of-way line of Justin Road (a variable width right-of-way) and the westerly right-of-way line of Industrial Boulevard (a 65-foot right-of-way);

THENCE, South 44 degrees, 36 minutes, 19 seconds West, along the said right-of-way corner clip, a distance of 34.53 feet to a 5/8-inch iron rod with "Pogue Eng & Dev" cap found for corner in the said northerly line of Justin Road; said point also being at the south end of said corner clip;

THENCE, along the said northerly line of Justin Road, the following three (3) calls:

South 89 degrees, 36 minutes, 19 seconds West, a distance of 73.95 feet to a 5/8-inch iron rod with "Pogue Eng & Dev" cap found at an angle point;

North 89 degrees, 20 minutes, 30 seconds West, a distance of 86.95 feet to a 5/8-inch iron rod with "WESTWOOD PS" cap set at an angle point;

South 89 degrees, 05 minutes, 40 seconds West, a distance of 510.83 feet to a 5/8-inch iron rod with "Pogue Eng & Dev" cap found at the southwest corner of said Lot 2, Block A; said point also being the southeast corner of Lot 3, Block A, Whitmore Manufacturing Addition, an addition to the City of Rockwall, Texas according to the plat recorded in Cabinet H, Slide 237 of the said Plat Records;

THENCE, North 00 degrees, 29 minutes, 20 seconds West, departing the said northerly line of Justin Road and along the west line of said Lot 2, Block A and the east line of the said Lot 3, Block A, a distance of 674.79 feet to a 5/8-inch iron rod with "WESTWOOD PS" cap set in the southerly right-of-way line of UP/Dallas Garland N.E. Rail Road (a 100-foot wide right-of-way); said point being the northwest corner of said Lot 2, Block A and also being the northeast corner of said Lot 3, Block A;

THENCE, North 88 degrees, 04 minutes, 51 seconds East, departing the said west line of Lot 2, Block A and the said east line of Lot 3, Block A and along the north line of said Lot 2, Block A and the said southerly line of UP/Dallas Garland N.E. Rail Road, a distance of 584.53 feet to a "+" cut in concrete found at the intersection of said southerly line of UP/Dallas Garland N.E. Rail Road and the said westerly line of Industrial Boulevard; said point being the northeast corner of said Lot 2, Block A;

THENCE, departing the said north line of Lot 2, Block A and the said southerly line of UP/Dallas Garland N.E. Rail Road and along the said westerly line of Industrial Boulevard, the following five (5) calls:

South 00 degrees, 45 minutes, 22 seconds East, a distance of 81.19 feet to a 5/8-inch iron rod with "Pogue Eng & Dev" cap found at the beginning of a tangent curve to the left;

In a southeasterly direction, along said curve to the left, having a central angle of 27 degrees, 20 minutes, 30 seconds, a radius of 332.50 feet, a chord bearing and distance of South 14 degrees, 25 minutes, 36 seconds East, 157.17 feet, an arc distance of 158.67 feet to a "PK" nail found at the end of said curve;

South 28 degrees, 05 minutes, 51 seconds East, a distance of 87.64 feet to a 5/8-inch iron rod with "Pogue Eng & Dev" cap found at the beginning of a tangent curve to the right;

In a southeasterly direction, along said curve to the right, having a central angle of 26 degrees, 59 minutes, 12 seconds, a radius of 267.50 feet, a chord bearing and distance of South 14 degrees, 36 minutes, 15 seconds East, 124.83 feet, an arc distance of 125.99 feet to a 5/8-inch iron rod with "Pogue Eng & Dev" cap found at the end of said curve;

South 01 degrees, 06 minutes, 39 seconds East, a distance of 230.71 feet to the POINT OF BEGINNING;

CONTAINING, 443,847 square feet or 10.189 acres of land, more or less.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Roman L. Groysman, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY PLAT
NOT FOR RECORDING

Roman L. Groysman
Registered Professional Land Surveyor
No. 5864

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL
I the undersigned owner of the land shown on this plat, and designated herein as the ***SPR PACKAGING ADDITION, LOT 2R, BLOCK A****, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the SPR PACKAGING ADDITION have been notified and signed this plat.*

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. *No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.*
2. *Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.*
3. *The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.*
4. *The developer and subdivision engineer shall bear total responsibility for storm drain improvements.*
5. *The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.*
6. *No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or*

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; Our successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

_____
NAME

_____
TITLE:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____day of _____, 2019.

_____
Notary Public in and for the State of Texas
My Commission Expires:_____

_____
Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____day of _____, 2019.

_____
Notary Public in and for the State of Texas
My Commission Expires:_____

RECOMMENDED FOR FINAL APPROVAL

_____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2011.

WITNESS OUR HANDS, this _____ day of _____ 2019.

_____
Mayor, City of Rockwall

_____
City Secretary City of Rockwall

_____
City of Rockwall Engineer

OWNER
FLEXLAND, L.P.
1480 JUSTIN ROAD,
ROCKWALL, TEXAS 75087
(469) 252-1070

Westwood
Phone (214) 473-4640 2740 Dallas Parkway, Suite 280
Toll Free (888) 937-5150 Plano, TX 75093
westwoodps.com
Westwood Professional Services, Inc.
TBPE FIRM REGISTRATION NO. F-11756
TBPLS FIRM REGISTRATION NO. 10074301

REPLAT
LOT 2R, BLOCK A
SPR PACKAGING ADDITION
BEING A REPLAT OF LOT 2, BLOCK A, SPR PACKAGING ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS AND BEING OUT OF THE N. BUTLER SURVEY, ABSTRACT NO. 20 AND R. BALLARD SURVEY, ABSTRACT NO. 29
ROCKWALL COUNTY, TEXAS

OCTOBER 28, 2019 JOB NO. 0014830.20 SPR PACKAGING ADDITION

2/2

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21

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	December 2, 2019
APPLICANT:	Matt Lucus, PE; *Kimley Horn*
CASE NUMBER:	P2019-047; *Lots 1, 2, & 3, Block A, MTA Andrews Addition*

SUMMARY

Consider a request by Matt Lucas, PE of Kimley Horn on behalf of Kevin J. Lloyd of 2424 MTA Realty, LLC for the approval of Lots 1, 2, & 3, Block A, MTA Andrews Addition being a final plat of a 9.6990-acre tract of land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, addressed as 2424 Ridge Road, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a final plat for a 9.6990-acre tract of land [i.e. Lots 1, 2, & 3, Block A, MTA Andrews Addition] for the purpose of establishing firelane, public access, drainage, and utility easements for the purpose of constructing a four (4) story office complex. The subject property is zoned Commercial (C) District and is addressed as 2424 Ridge Road.

☑ On November 19, 2018, Andrew Bennett of BOKA, LLC submitted a request for a Specific Use Permit (SUP) [i.e. Z2018-054] to allow for a building to exceed 36-feet in height within the Scenic Overlay (SOV) District. On January 7, 2019, the City Council approved the Specific Use Permit (SUP) [i.e. Ordinance No. 19-05, SUP No. S-203].

☑ On June 14, 2019, Matt Lucas, PE of Kimley Horn on behalf of Kevin Lloyd of 2424 MTA Realty, LLC submitted a site plan [*i.e. Case No. SP2019-025*] proposing the construction of a four (4) story, 80,236 SF office complex. On September 10, 2019, the Planning and Zoning Commission approved the site plan and all exceptions requested.

☑ The applicant is dedicating a 0.925-acre [*i.e. 40,299 SF*] portion as right-of-way for the purpose of constructing a two (2) lane roadway that will provide connection from Turtle Cove Boulevard to La Jolla Pointe Drive. The proposed roadway will be built to the *Minor Collector* specification; however, the paving width of this roadway will be reduced to a 37-foot back-to-back roadway. This will be done in conjunction with an existing facilities agreement that was approved by the City Council and signed by the adjacent property owner on June 22, 1994.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

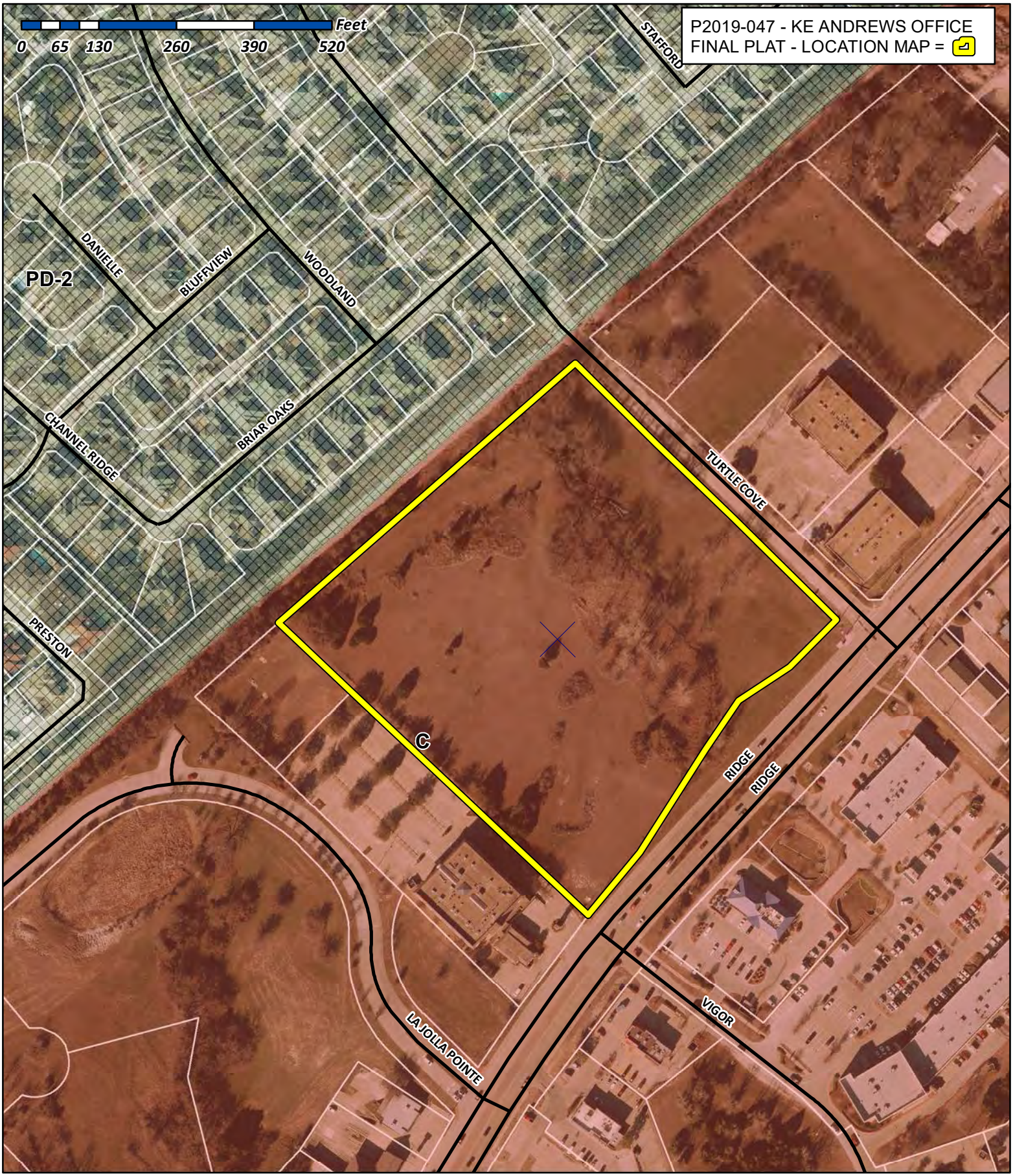
If the City Council chooses to approve the final plat for *Lots 1, 2, & 3, Block A, MTA Andrews Addition*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

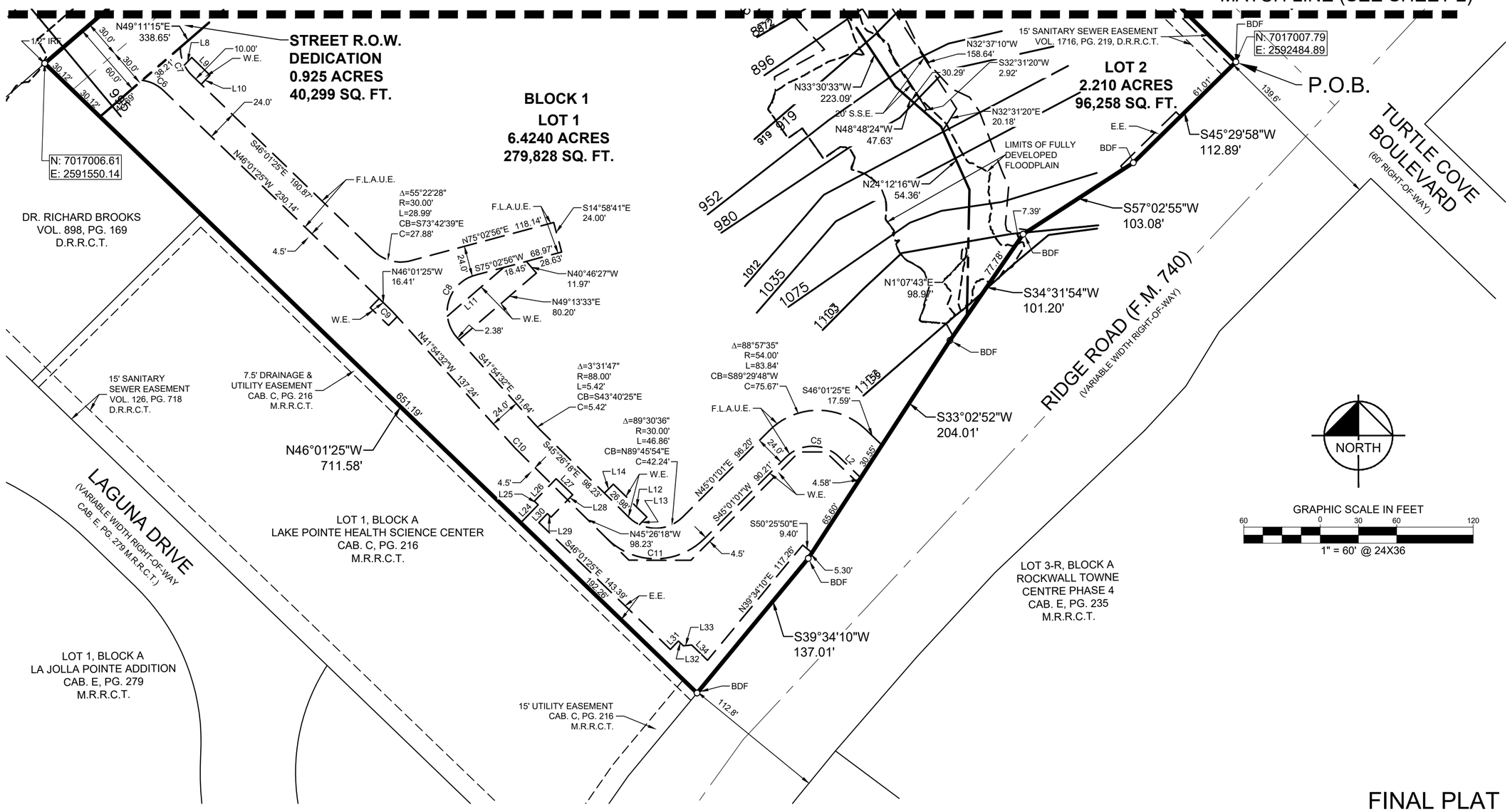
On November 26, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 4-0, with Commissioners Chodun, Logan, and Fishman absent.



City of Rockwall

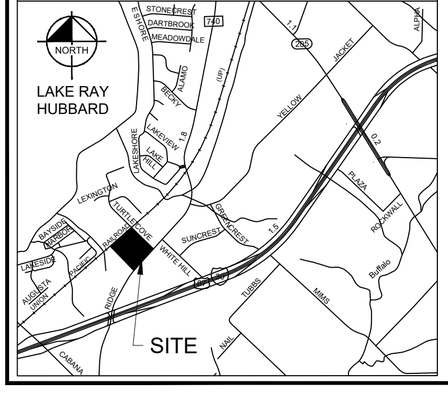
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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VICINITY MAP

NOT TO SCALE



NOTES:

1. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

3. The coordinates shown hereon are grid values of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

4. The distances shown hereon are surface values. The combined scale factor for this plat is 0.999855936.

5. Property owner shall be responsible for all maintenance, repairs, and reconstruction of drainage and detention easements on site.

LEGEND:

P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/CAP FOUND
IRF = IRON ROD FOUND
BDF = BRASS DISK FOUND
D.R.R.C.T. = DEED RECORDS OF ROCKWALL COUNTY,TEXAS
M.R.R.C.T. = MAP RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. = OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
D.E. = DRAINAGE EASEMENT
E.E. = ELECTRIC EASEMENT
F.L.A.U.E. = FIRE LANE, ACCESS AND UTILITY EASEMENT
F.E.H.S. = FLOODPLAIN AND EROSION HAZARD SETBACK
S.S.E. = SANITARY SEWER EASEMENT
W.E. = WATER EASEMENT
500' = BASE FLOOD ELEVATION

FINAL PLAT

MTA ANDREWS ADDITION

LOTS 1, 2 & 3, BLOCK 1

BEING 9.6990 ACRES SITUATED IN THE
E.P. GAINS CHISM SURVEY
ABSTRACT NO. 64
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER/APPLICANT:

PHONE:
CONTACT:

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PHONE: 972-770-1300
CONTACT:

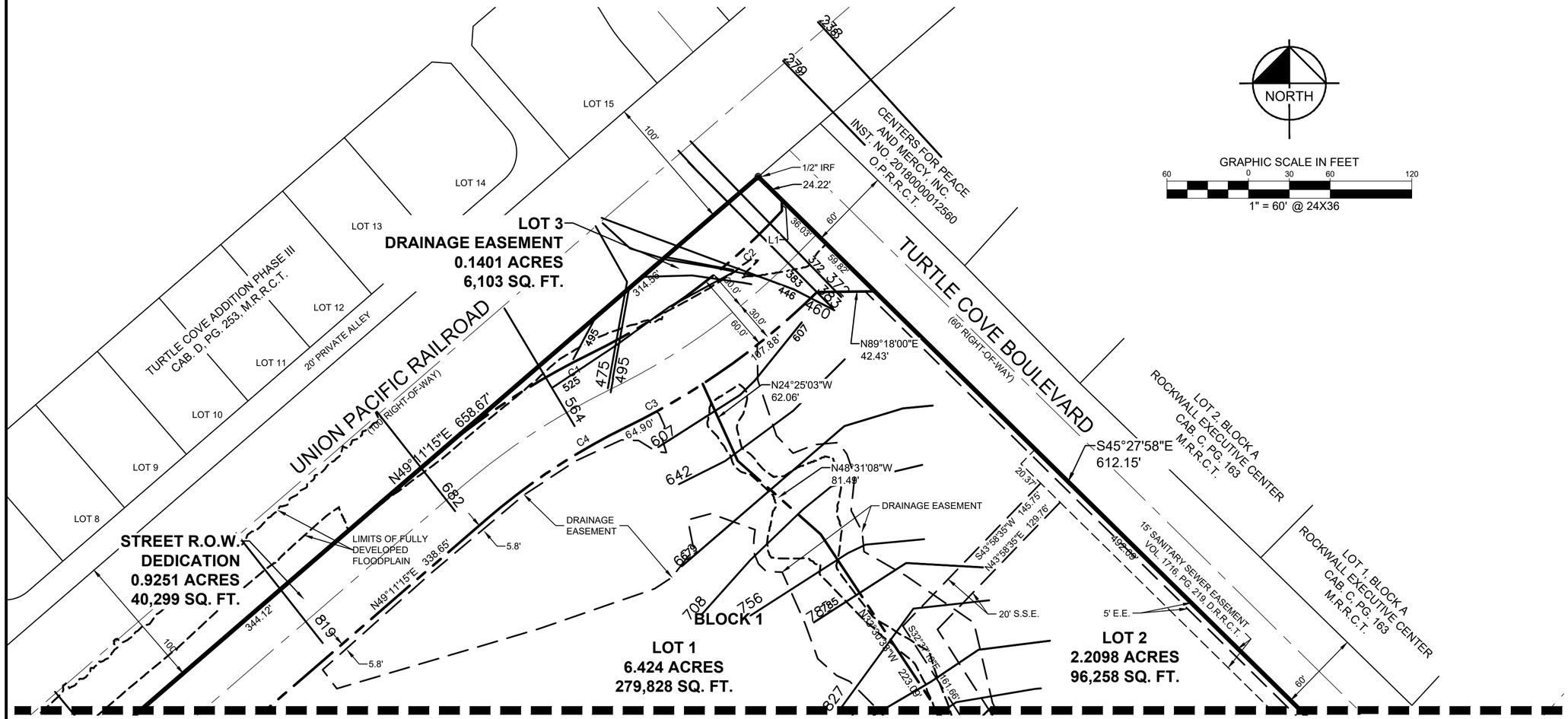
Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SRD	MCB	AUG. 2019	064539200	1 OF 3

DWG NAME: Z:\064539200-KE ANDREWS OFFICE - ROCKWALL\DWG\064539200-KE ANDREWS OFFICE - ROCKWALL_FP.DWG PLOTTED BY BILLINGSLEY, MICHAEL 11/20/2019 10:11 AM LAST SAVED 11/20/2019 10:13 AM BILLINGSLEY, MICHAEL

26



LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°52'25"W	8.05'
L2	N46°01'25"W	23.49'
L8	S43°58'35"W	8.28'
L9	N46°01'25"W	20.00'
L10	N43°58'35"E	10.00'
L11	S49°13'33"W	58.32'
L12	N45°26'18"W	36.85'
L13	N44°33'42"E	8.29'
L14	S45°01'01"W	10.00'
L24	N43°58'35"E	19.49'
L25	N46°01'25"W	4.08'
L26	N43°58'35"E	24.50'
L27	S46°01'25"E	18.08'
L28	S43°58'35"W	24.50'
L29	N46°01'25"W	4.00'
L30	S43°58'35"W	9.65'
L31	N43°58'35"E	9.18'
L32	S46°01'25"E	5.41'
L33	N84°34'10"E	6.58'
L34	S46°01'25"E	17.29'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	14°52'22"	530.00'	137.58'	S56°37'26"W	137.19'
C2	21°33'14"	470.00'	176.81'	N53°17'00"E	175.77'
C3	7°00'57"	530.00'	64.90'	N60°33'09"E	64.86'
C4	14°52'22"	470.00'	122.00'	S56°37'26"W	121.66'
C5	88°57'11"	30.00'	46.58'	S89°30'00"W	42.04'
C6	36°35'58"	30.00'	19.16'	N64°19'23"W	18.84'
C7	47°01'17"	30.00'	24.62'	S22°30'46"E	23.94'
C8	118°53'34"	30.00'	62.25'	S17°30'08"W	51.67'
C9	4°06'53"	88.00'	6.32'	N43°57'58"W	6.32'
C10	3°31'47"	112.00'	6.90'	S43°40'25"E	6.90'
C11	89°30'36"	54.00'	84.37'	N89°46'33"E	76.05'

NOTES:

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4. The distances shown hereon are surface values. The combined scale factor for this plat is 0.999855936.

5. Property owner shall be responsible for all maintenance, repairs, and reconstruction of drainage and detention easements on site.

FINAL PLAT

MTA ANDREWS ADDITION

LOTS 1, 2 & 3, BLOCK 1

BEING 9.6990 ACRES SITUATED IN THE
E.P. GAINS CHISM SURVEY
ABSTRACT NO. 64
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER/APPLICANT:

PHONE:
CONTACT:

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PHONE: 972-770-1300
CONTACT:

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
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Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SRD	MCB	AUG. 2019	064539200	2 OF 3

DWG NAME: Z:\064539200-KE ANDREWS OFFICE - ROCKWALL\DWG\064539200-KE ANDREWS OFFICE - ROCKWALL_FP.DWG PLOTTED BY BILLINGSLEY, MICHAEL 11/20/2019 10:14 AM LAST SAVED 11/20/2019 10:11 AM

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS

COUNTY OF ROCKWALL

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the **MTA Andrews Addition** to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the **MTA Andrews Addition** have been notified and signed this plat. I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

   Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

   Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

By: 2424 MTA Realty, LLC

By: MTAA, LLC, its Sole Manager

By: _____
Mark Andrews, its Sole Manager

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Mark Andrews, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 2019.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, Michael C. Billingsley, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying.

Dated this the _____ day of _____, 2019.

_____
Michael C. Billingsley
Registered Professional Land Surveyor No. 6558
Kimley-Horn and Associates, Inc.
801 Cherry Street, Unit 11, Suite 1300
Fort Worth, Texas 76102
Ph. 817-770-6511
michael.billingsley@kimley-horn.com

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

STATE OF TEXAS

COUNTY OF ROCKWALL

WHEREAS, 2424 MTA REALTY, LLC, is the owner of a tract of land in situated in the situated in the E. P. Gains Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas and being all of a tract of land described in Special Warranty Deed to 2424 MTA Realty, LLC, recorded in Instrument No. 20190000003297, Official Public Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with 3" brass disk found stamped "TxDOT RIGHT-OF-WAY" found (hereafter called brass disk found) at the intersection of the southwest right-of-way line of Turtle Cove Boulevard (a 60-foot wide right-of-way) and the northwest right-of-way line of Ridge Road (F.M. 740, a variable width right-of-way);

THENCE with said northwest right-of-way line, the following courses and distances to wit:
South 45°29'58" West, a distance of 112.89 feet (Deed: 113.22 feet) to a brass disk found for corner;
South 57°02'55" West, a distance of 103.08 feet (Deed: 103.07 feet) to a brass disk found for corner;
South 34°31'54" West, a distance of 101.20 feet (Deed: 101.12 feet) to a brass disk found for corner;
South 33°02'52" West, a distance of 204.01 feet (Deed: 204.12 feet) to a brass disk found for corner;
South 39°34'10" West, a distance of 137.01 feet (Deed: 136.97 feet) to a brass disk found at the easternmost corner of Lot 1, Block A, Lake Pointe Health Science Center, an addition to the City of Rockwall County, Texas according to the plat thereof recorded in Cabinet C, Page 216, Map Records of Rockwall, Texas;

THENCE departing said northwest right-of-way line and with the northeast line of said Lot 1, Block A and the northeast line of a tract of land described in Warranty Deed to Dr. Richard Brooks, recorded in Volume 898, Page 169, Deed Records of Rockwall County, Texas, North 46°01'25" West, at a distance of 711.44 feet (Deed: 711.59 feet) to a 1/2" iron rod found in the southeast right-of-way line of the Union Pacific Railroad (a 100-foot wide right-of-way), at the northernmost corner of said Brooks tract;

THENCE with said southeast right-of-way line, North 49°11'15" East, a distance of 658.67 feet (Deed: 658.84 feet) to a 1/2" iron rod found at the intersection of said southeast right-of-way line and said southwest right-of-way line of Turtle Cove Boulevard;

THENCE with said southwest right-of-way line, South 45°27'58" East, a distance of 612.15 feet (Deed: 612.21 feet) to the **POINT OF BEGINNING** and containing 9.6990 acres or 422,488 square feet of land.

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

FINAL PLAT

MTA ANDREWS ADDITION
LOTS 1, 2 & 3, BLOCK 1

BEING 9.6990 ACRES SITUATED IN THE E.P. GAINS CHISM SURVEY ABSTRACT NO. 64 CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS

OWNER/APPLICANT:

PHONE:
CONTACT:

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PHONE: 972-770-1300
CONTACT: MATT LUCAS, P.E.

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	MCB	AUG. 2019	064539200	3 OF 3

DWG NAME: Z:\064539200-KE ANDREWS OFFICE - ROCKWALL\DWG\064539200-KE ANDREWS OFFICE - ROCKWALL_FP.DWG PLOTTED BY BILLINGSLEY, MICHAEL 11/20/2019 10:11 AM
LAST SAVED 11/20/2019 10:15 AM BY BILLINGSLEY, MICHAEL

28

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29

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	December 2, 2019
SUBJECT:	MIS2019-015; *Alternative Tree Mitigation Settlement Agreement*

The applicant, Michael Guerrero of Atticus Harbor Village, LLC, is requesting approval of an *Alternative Tree Mitigation Settlement Agreement* for the subject property. On December 13, 2016, the Planning and Zoning Commission approved two (2) site plans for the subject property laying out a 228-unit condominium development and a 48-unit townhome development [*i.e. SP2016-030 & SP2016-031*]. At the time of approval, the treescape plans for these cases indicated a total of 3,561 caliper-inches of trees would be removed from the subject property. The approved landscape plans for these cases indicated a total of 1,032 caliper inches would be added back to the subject property. This left an outstanding mitigation balance of 2,529-inches.

To address the outstanding balance the applicant has provided an invoice to staff indicating the cost of providing the City with 843, three (3) caliper inch trees (*i.e. 596 Cedar Elms & 247 Eastern Red Cedars x 3" = 2,529"*). The invoice includes the cost of the trees and a delivery fee for a total of $125,000. According to Section 5.6 of Article IX, *Tree Preservation*, of the *Unified Development Code* (UDC), the mitigation balance may be satisfied by one (1) or a combination of the following:

(1) The developer can provide trees on site to off-set the mitigation balance.
(2) The developer may petition the Parks and Recreation Department to accept the required number of trees to off-set the mitigation balance.
(3) Tree preservation credits may be purchased at a rate of $200.00 per inch for up to 20 percent of the total replacement inches. Additionally, if the developer plants a tree on the property, the developer would be eligible for a reduction in the cost of tree preservation credits of up to 50 percent (*i.e. $100.00 per inch*).

Based on these choices, the applicant could purchase 20% of the total replacement inches (*i.e. 505" = $50,580.00*), which would leave a mitigation balance of 2,023-inches. The remaining mitigation balance would translate to 674, three (3)-caliper inch trees, which would need to be provided to the Parks and Recreations Department for off-site planting. In lieu of providing the trees the applicant has submitted an offer indicating they would like to settle the mitigation balance through an alternative tree mitigation settlement agreement.

According to Section 5.7, *Alternative Tree Mitigation Settlement Agreements,* of Article IX, *Tree Preservation*, of the Unified Development Code (UDC), this gives the City Council the ability to approve alternative tree mitigation plans on a case-by-case basis -- *pending a recommendation from the Planning and Zoning Commission.* Should this request be approved, the applicant is proposing to satisfy the mitigation balance by providing a check in the amount of $125,000. These funds will be deposited in the City's tree mitigation fund and will be used for planting trees in the city's parks, medians, and other similar areas. If the City Council does not approve an alternative tree mitigation settlement agreement, the applicant intends to provide the full balance to the Parks Department to be used in other areas of the City.

On November 26, 2019, the Planning and Zoning Commission made a motion to recommend approval of the proposed *Alternative Tree Mitigation Settlement Agreement*. The motion was approved by a vote of 4-0, with Commissioners Chodun, Logan, and Fishman absent. The approval of the applicant's request is a discretionary decision for the City Council. Staff will be available at the *December 2, 2019* meeting.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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LMI LANDSCAPES
DALLAS · AUSTIN · DENVER

October 28, 2019

FLORANCE - ROCKWALL TREE MITIGATION
Take Off Date: NA
Per Landscape Plans Dated: NA

Quantity	*UOM*	*Description*	*Size*	*Price*	*Total*
		TREE MITIGATION			
596		CEDAR ELM	3" CAL	$160.00	$95,360.00
247		EASTERN RED CEDAR	3" CAL	$120.00	$29,640.00

PROJECT TOTAL $125,000.00

GENERAL NOTES:
* ALL TREES PROPOSED AS B&B UNLESS OTHERWISE NOTED ABOVE
* PRICING INCLUDES 2,529 CALIPER INCHES OF TREES FOR MITIGATION PURPOSES
* PRICING IS FOR DELIVERY ONLY, NO GUARANTEE, NO INSTALLATION.
* ALL TAXES ASSOCIATED WITH NEW CONSTRUCTION
* PRICE GUARANTEED FOR 30 DAYS FROM DATE OF PROPOSAL

AUSTIN OFFICE
1901 FLEISCHER DRIVE
AUSTIN, TX 78728

CORPORATE OFFICE
1437 HALSEY WAY
CARROLLTON, TX 75007

DENVER OFFICE
8501 QUEBEC STREET
COMMERCE CITY, CO 80022

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34

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Chief Kirk Aldridge**

FROM: **John Bader – Police Department IT Manager**

DATE: **November 22, 2019**

SUBJECT: **Police Department Getac Cloud Storage Request**

The City Council authorized the purchase of the Getac in-car and body-worn camera system in 2018. When the new system was put into production in August 2018, it was planned for 20 to 25 Terabytes of total storage over 5 years based on the storage needs of the previous Coban video system. The initial storage has filled up and has been expanded twice to its maximum storage capacity of 30 Terabytes. This is the maximum amount of storage that can be achieved without adversely affecting other city servers. The IT Department has developed a long-term solution for storage of Police Department videos by using cloud-based storage instead of a physical hardware appliance. This will be a more sustainable long-term solution for future growth. Getac cloud storage also provides more data redundancy as we currently are unable to perform file-level data backups due to the large volume of data.

Attached for the City Council's consideration is a quote in the amount of $67,845.95 that includes the first-year costs of cloud storage, the cost of configuring the service, moving the Police Department's existing videos, and testing. The cloud storage solution cost includes annual software maintenance for which the City currently pays $17,857.40.

The request is to increase the budget by $49,988.55 to implement a cloud-based storage solution for the Getac video system and amend the budget using Seizure Funds. If approved, there will be an ongoing cost for cloud storage for approximately $62,000 annually that includes the cost of the storage and maintenance. This amount will be requested in the next fiscal year budget. Staff will be available at the meeting to answer any questions.

35

Ramco Rugged Portables
3894 Mannix Drive #208
Phone - 877-878-5943
Email - jeremy@ramcorugged.com

QUOTATION

Account # CIT208
Quote # 1480905
Date 01-Nov-19
Page 1

City of Rockwall
385 S. Goliad
Rockwall, TX 75087

Terms Net 30 Days
Ship Via UPS Ground Coll
FOB Abacus
Reference # 60GB PLAN YR 1
Contact John Bader
Phone # 972-772-6489

Salesperson Jeremy Putnam (R)

Ln #	Item # / Customer Item # / Description	Mfg / DC	Ship Date / Request Date	Quantity	Unit Price	Ext Price
1	OZX04X MSRP - $1400.00 GETAC VIDEO SOLUTIONS INC. : Getac Video Solution - Remote Setup, Configuration, or Pre-Testing - Per day	GETAC		5	1,324.39000	6,621.95
2	OUA031 MSRP - $738.00 GETAC VIDEO SOLUTIONS INC. : Getac Cloud - Yearly Plan 3 (Cloud 60G/Month, SW maintenance) ** ANNUAL MAINTENANCE IS INCLUDED **	GETAC		120	510.20000	61,224.00

60GB PLAN YEAR 1
** ANNUAL MAINTENANCE IS INCLUDED **

Subtotal: 67,845.95
Order Total: 67,845.95

QUOTE VALID FOR 7 DAY(S)

Authorized Signature

Please note effective July 6th, 2018, predicated on the rules dictated by The Office of the U.S. Trade Representative (USTR) Section 301 investigation into Chinese intellectual property and technology transfer issues. Section 301Tariff, COO China products may be subject to the applicable tariff up to 25%.

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37

CITY OF ROCKWALL

RESOLUTION NO. 19-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE CASTING OF VOTES AND SUBMISSION OF THE OFFICIAL VOTING BALLOT TO THE ROCKWALL CENTRAL APPRAISAL DISTRICT (CAD) FOR THE 2020-2021 APPRAISAL DISTRICT BOARD OF DIRECTORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Texas Property Code Sec. 6.03 (a) provides that a board of directors governs the central appraisal district (CAD); and

WHEREAS, state law requires board of director appointments to the Rockwall CAD Board every odd numbered year to take office in even numbered years; and

WHEREAS, the City of Rockwall, an eligible taxing unit, has participated in the appointment process by nominating up to five candidates for service consideration; and

WHEREAS, the chief appraiser then prepared a ballot of all nominees and mailed it to the City of Rockwall and other taxing units for voting; and

WHEREAS, the City of Rockwall's entitlement has been determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taking unit entitled to vote, by multiplying the quotient by 1,000; and

WHEREAS, according to information provided to the City of Rockwall by the appraisal district, the City of Rockwall has 450 votes to cast for 2020-2021.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

Section 1. the Rockwall City Council, as a result of the Executive Session held at its regular city council meeting on the 2nd day of December, 2019 hereby casts and submits its ballot to the Rockwall Central Appraisal District Board as specified in and attached hereto as "Exhibit A;"

Section 2. this Resolution shall become effective from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2nd DAY OF DECEMBER, 2019.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

"EXHIBIT A"

2019 Board of Directors Ballot

2020-2021 Rockwall Central Appraisal District Board of Directors		
Nominee	**Name of Voting Entity**	**Number of Votes Cast**
Caleb Baucom	City of Rockwall	
David Billings	City of Rockwall	
John Hohenshelt	City of Rockwall	
Lorne Liechty	City of Rockwall	
Mark Moeller	City of Rockwall	
Russell Summers	City of Rockwall	
Patrick Trowbridge	City of Rockwall	
Ballots must be returned before December 15, 2019		

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40

CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	December 2, 2019
SUBJECT:	Request for Voluntary Annexation on Cornelius Road

On November 19, 2019, Barbara Lee submitted a petition requesting annexation of ~41.49-acres adjacent to Cornelius Road (*see Exhibit A*). Situated within the ~41.49-acres of land are 23 tracts of land owned by 22 property owners. The petition was not signed by all 22 property owners and therefore the annexation must proceed under the requirements of the newly adopted annexation law. According to Subchapter C-4, *Annexation of Areas with Population of Less than 200 by Petition*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code, "(a) municipality may annex an area with a population of less than 200 only if the following conditions are met, as applicable:

(1) the municipality obtains consent to annex the area through a petition signed by more than 50 percent of the registered voters of the area; and

(2) if the registered voters of the area do not own more than 50 percent of the land in the area, the petition described by Subdivision (1) is signed by more than 50 percent of the owners of land in the area."

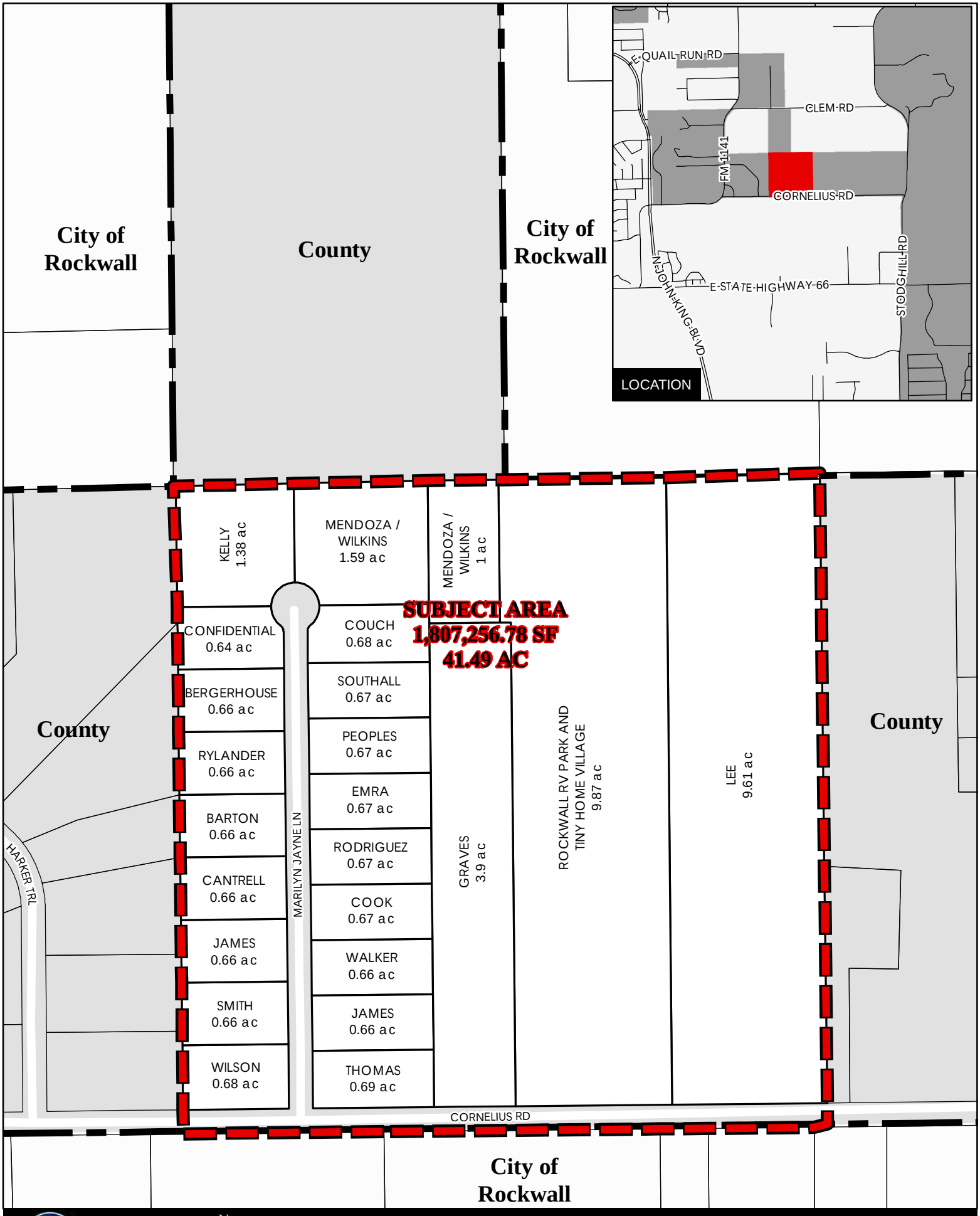
In this case, the registered voters in the area do *not* own more than 50% of the area. As a result, Ms. Lee has submitted a petition signed by 12 of the property owners who own approximately 22.07-acres or ~53.19% of the land area. Based on this petition, staff is bringing Ms. Lee's request forward for consideration by the City Council. Should the City Council vote to approve the request and the attached resolution directing staff to commence with annexation, the schedule (*per the requirements of Chapter 43 of the Texas Local Government Code*) would be as follows:

- *December 2, 2019*: A Resolution declaring an intent to annex the area is adopted by the City Council.
- *December 3, 2019 – December 9, 2019*: Staff is required to mail notification to all effected property owners indicating the time and date of the public hearing, an explanation of the 180-day petition period. Staff will also be required to provide notice to the school district and public entities in the area including the County.
- *December 23, 2019 – January 1, 2020*: The City Council will be required to hold a special meeting to hold a public hearing on the annexation.
- *January 2, 2020*: 31-days after the resolution is adopted the municipality may start to collect signatures for the annexation petition from property owners within the annexation area.
- *May 30, 2020*: 180-days after the resolution is adopted the window for the municipality to collect signatures from property owners within the annexation area ends. If the City obtains the number of signatures on the petition required to annex the area, the City may annex the area after notifying the residents and property owners of the area proposed to be annexed of the results of the petition.

- *June 1, 2020*: The City Council will be required to hold a public hearing and the first reading of the annexation ordinance.
- *June 15, 2020*: The City Council will be required to hold a second public hearing and the second reading of the annexation ordinance.

If a petition protesting the annexation of an area is signed by a number of registered voters proposing the annexation equal to at least 50 percent of the number of voters who voted in the most recent municipal election and is received by the City Secretary before the date the petition period above ends, the City may not complete the annexation of the area without approval of a majority of the voters of the city voting at an election called and held for that purpose.

It should be noted that per the new annexation rules adopted with the last legislative session, no newspaper notice will be required. Attached to this memorandum is a resolution containing a preliminary service plan and stating an intent to annex the ~41.49-acre area. Should the City Council have any questions staff will be available at the December 2, 2019 City Council meeting.


City of Rockwall
County
City of Rockwall
LOCATION
E QUAIL RUN RD
CLEM RD
FM 1141
CORNELIUS RD
E STATE HIGHWAY 66
JOHN KING BLVD
STODGHILL RD
KELLY 1.38 ac
MENDOZA / WILKINS 1.59 ac
MENDOZA / WILKINS 1 ac
SUBJECT AREA
1,807,256.78 SF
41.49 AC
CONFIDENTIAL 0.64 ac
BERGERHOUSE 0.66 ac
RYLANDER 0.66 ac
BARTON 0.66 ac
CANTRELL 0.66 ac
JAMES 0.66 ac
SMITH 0.66 ac
WILSON 0.68 ac
COUCH 0.68 ac
SOUTHALL 0.67 ac
PEOPLES 0.67 ac
EMRA 0.67 ac
RODRIGUEZ 0.67 ac
COOK 0.67 ac
WALKER 0.66 ac
JAMES 0.66 ac
THOMAS 0.69 ac
MARILYN JAYNE LN
HARKER TRL
GRAVES 3.9 ac
ROCKWALL RV PARK AND TINY HOME VILLAGE 9.87 ac
LEE 9.61 ac
County
County
CORNELIUS RD
City of Rockwall
City of Rockwall
N
0
300
Feet
Date: 11/13/2019
GEOGRAPHIC INFORMATION SYSTEMS
CORNELIUS RD POTENTIAL VOLUNTARY ANNEXATION

PROPERTY OWNER CONSENT PETITION

PETITION FOR ANNEXATION OF LAND INTO THE CITY OF ROCKWALL

To the Mayor and City Council of Rockwall, Texas:

We the undersigned owners of the properties located within the boundary of the area depicted in *Exhibit 'A'* of this petition hereby request annexation of our land into the City of Rockwall. We understand that our request does not necessarily mean that the area depicted in *Exhibit 'A'* will be annexed, but that the City will consider our request based upon the requirements of Chapter 43, Municipal Annexations, of the Texas Local Government Code. Furthermore, we certify and swear that:

(1) We are the owners of the tracts of land depicted in the area described in *Exhibit 'A'* and we own more than 50% of the area to be annexed;

(2) All of the tracts are currently located within the City's Extraterritorial Jurisdiction (ETJ) and the area depicted in *Exhibit 'A'* is contiguous and adjacent to the current city limits of the City of Rockwall;

(3) The tracts are not located within the corporate limits or Extraterritorial Jurisdiction (ETJ) of any other municipality or other special district; and

(4) This request for inclusion of the area depicted in *Exhibit 'A'* into the Rockwall city limits is made voluntarily.

#	NAME ON THE CERTIFIED TAX ROLL	ADDRESS	PROPERTY ACREAGE	SIGNATURE
1	Stephen & Sharon Thomas	1200 Marilyn Jayne Lane	0.69	
2	Randy & Kay Wilson Revocable Trust	1201 Marilyn Jayne Lane	0.68	
3	Brian & Kimberly James	1202 Marilyn Jayne Lane	0.66	
4	Daniel T. Smith	1203 Marilyn Jayne Lane	0.66	
5	Gracie & Leon Walker	1204 Marilyn Jayne Lane	0.66	
6	David L. James	1205 Marilyn Jayne Lane	0.66	
7	Robert Cook	1206 Marilyn Jayne Lane	0.67	
8	Carl Dean Cantrell	1207 Marilyn Jayne Lane	0.66	
9	Conrado Rodriguez Jr.	1208 Marilyn Jayne Lane	0.67	
10	Forris & Dixie Barton	1209 Marilyn Jayne Lane	0.66	
11	John & Sheryl Emra	1210 Marilyn Jayne Lane	0.67	
12	Gregory & Pamela Rylander	1211 Marilyn Jayne Lane	0.66	
13	Donnie Peoples	1212 Marilyn Jayne Lane	0.67	
14	Phillip & Kerri Bergerhouse	1213 Marilyn Jayne Lane	0.66	
15	Mark & Kathy Southall	1214 Marilyn Jayne Lane	0.67	
16	(Confidential) Gonzales	1215 Marilyn Jayne Lane	0.64	
17	Mitchell E. & Patricia M. Couch	1216 Marilyn Jayne Lane	0.68	
18	James B. & Dea S. Kelly	1217 Marilyn Jayne Lane	1.38	

44

19	Robert Mendoza & Sandra Wilkins	1217 Marilyn Jayne Lane	2.59	
20	Bryan & Lauren Graves	520 Cornelius Road	3.90	
21	Rockwall RV Park and Tiny Home Village	588 Cornelius Road	9.87	
22	James & Barbara Lee	688 Cornelius Road	9.61	

I certify and swear that this petition is signed and acknowledged by each and every person and corporation owning said tract, or having an interest in any part thereof.

Barbara Lee

Barbara Lee

Address: 688 Cornelius Road
Rockwall, TX 75087

Date: 11-19-19

STATE OF TEXAS §
COUNTY OF ROCKWALL §

This instrument was sworn to, signed and acknowledged before me by on this, the 19th day of November, 2019.

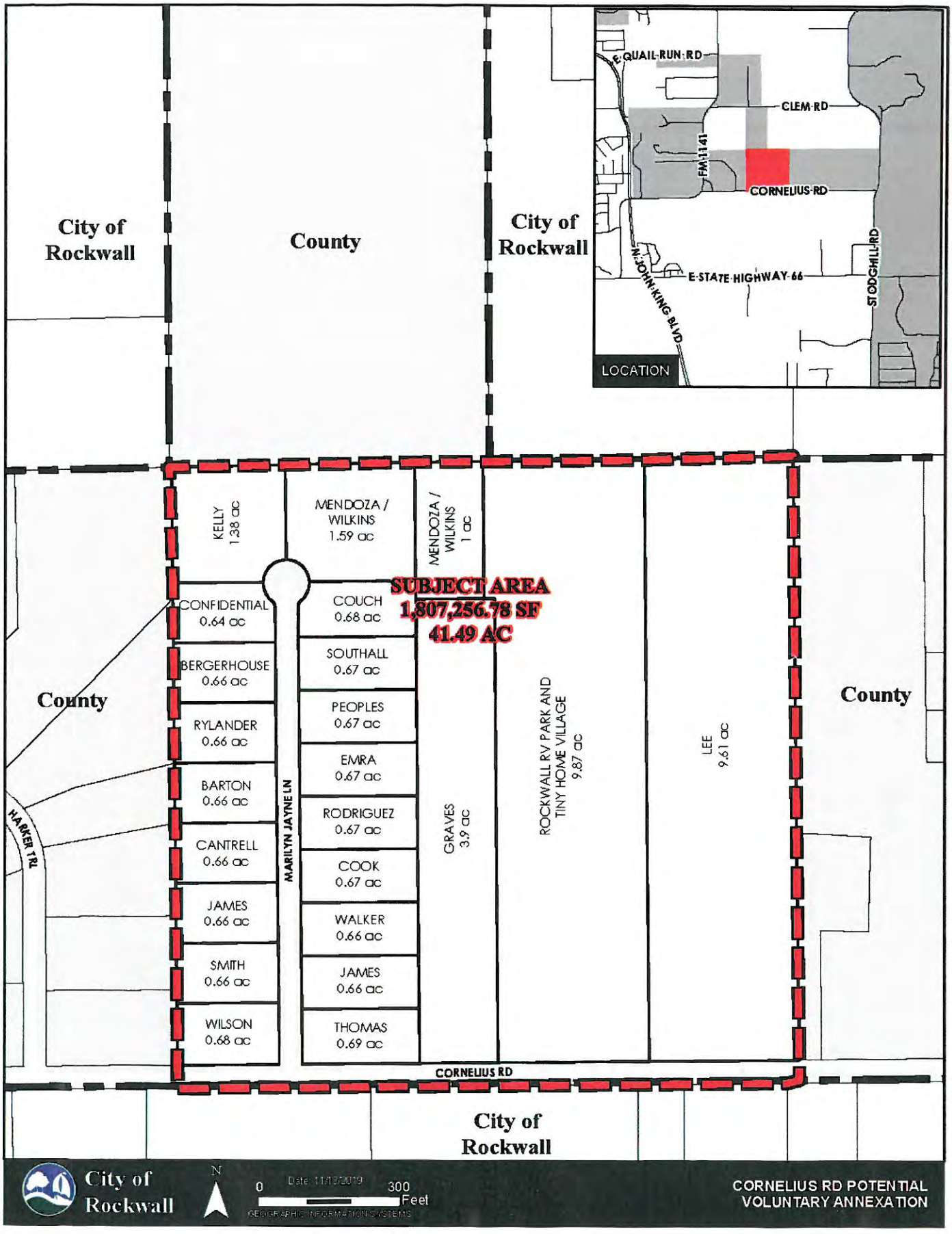
NOTARY PUBLIC STATE OF TEXAS
VICKY MORTON
My Notary ID # 126778218
Expires March 8, 2023

Vicky Morton

Notary Public, State of Texas

My Commission Expires: March 8, 2023

Exhibit 'A': Area of Proposed Voluntary Annexation



46

CITY OF ROCKWALL

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, STATING AN INTENT TO ANNEX A ~41.49-ACRE TRACT OF LAND, WHICH IS MORE SPECIFCIALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS RESOLUTION AND WHICH IS AN AREA THAT IS ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; AUTHORIZING AND DIRECTING CITY STAFF TO NOTIFY THE EFFECTED PROPERTY OWNERS; AND PROVIDING FOR A DESCRIPTION OF THE SERVICES THAT WILL BE PROVIDED TO THE AREA UPON ANNEXATION.

WHEREAS, in accordance with the requirements of Subchapter C-4, *Annexation of Areas with Population of less than 200 by Petition*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code the City of Rockwall is adopting this *Resolution* to state an intention to commence annexation proceedings to annex a ~41.49-acre tract of land identified as Lots 1-19, Maytona Ranch Estates Addition and Tracts 22-01, 22-02, 22-6 & 22-07 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas -- *which herein after shall be referred to as the "Annexation Area"* --, generally located on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [*FM-3549*], and depicted and described in *Exhibit 'A'* of this *Resolution*; and

WHEREAS, the City Rockwall has received a petition from the majority of the property owners within the *Annexation Area* requesting the area be annexed by the City of Rockwall; and

WHEREAS, the City Council of the City of Rockwall finds that the annexation of the *Annexation Area* is in the best interests of the property owners within the *Annexation Area* and of the residents of the City of Rockwall; and

WHEREAS, the City Council of the City of Rockwall finds that -- *since the petition was not signed by all property owners in the Annexation Area* -- the *Annexation Area* is subject to the newly adopted annexation requirements outlined in Subchapter C-4, *Annexation of Areas with Population of less than 200 by Petition*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code; and

WHEREAS, the *Annexation Area* is found to be situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and is adjacent to and adjoining the present boundaries of the City of Rockwall;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. RECITALS. The above recitals are found to be true and correct and they are incorporated as findings of the City Council for all purposes.

SECTION 2. INTENT. The City of Rockwall intends to annex the *Annexation Area* being a ~41.49-acre tract of land identified as Lots 1-19, Maytona Ranch Estates Addition and Tracts 22-01, 22-02, 22-6 & 22-07 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas.

DRAFT RESOLUTION 1-21-2019

SECTION 3. ANNEXATION AREA. The *Annexation Area* is more specifically depicted and described in *Exhibit 'A'* of this resolution.

SECTION 4. NOTIFICATION. The Director of Planning and Zoning is hereby directed to provide notice to all property owners within the *Annexation Area* within seven (7) days of the adoption of this resolution. Said notices shall include:

(1) Notice of the public hearing required by V.T.C.A., Local Government Code §43.0684.
(2) An explanation of the 180-day petition period described by V.T.C.A., Local Government Code §43.0685.
(3) A signed copy of this resolution with contains description, list, and schedule of services to be provided by the municipality in the area on or after annexation as provided by V.T.C.A., Local Government Code §43.0682.

SECTION 5. SERVICES. A description of the services that will be provided by the City of Rockwall upon annexation is outlined in Exhibit 'B' of this resolution.

SECTION 6. EFFECTIVE DATE. This *Resolution* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 2ND DAY OF DECEMBER, 2019.

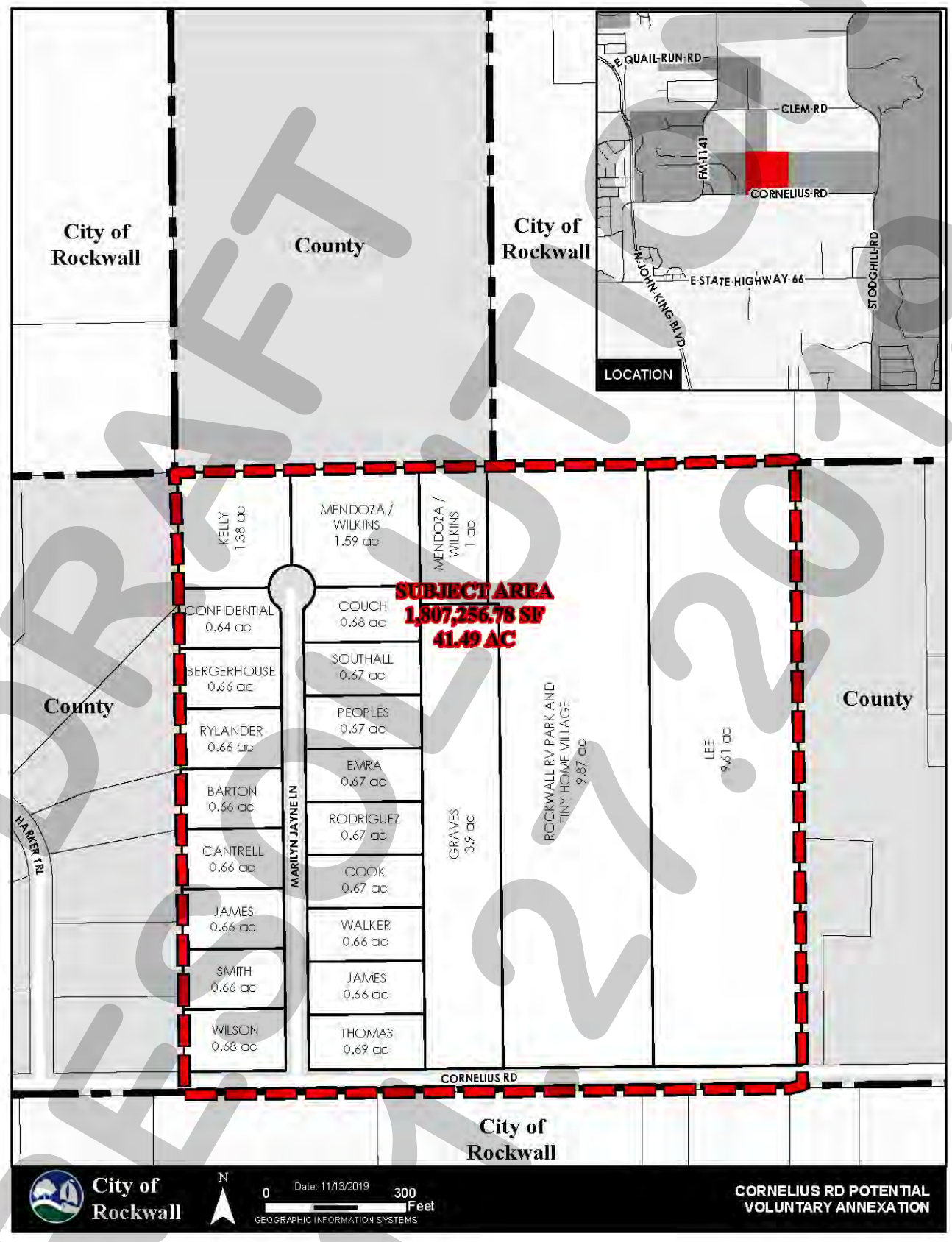
APPROVED:

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

DRAFT RESOLUTION 11.27.2019



DRAFT
REVISION
12.27.19

49

Municipal Services. Municipal services to the acreage described above shall be furnished by or on behalf of the City of Rockwall, Texas, at the following levels and in accordance with the following schedule:

(A) *Police Services.*

(1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60-days of the effective date of annexation.

(2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) *Fire Services.*

(1) Fire protection by the present personnel and the present equipment of the Fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60-days of the effective date of annexation.

(2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) *Health and Code Compliance Services.*

(1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.

(2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

(3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

(4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

(5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code

DRAFT RESOLUTION 2019

compliance services as are furnished throughout the City.

(D) *Planning and Zoning Services*

(1) The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Plan, Unified Development Code (UDC) [*i.e. Zoning Ordinance*], and Municipal Code of Ordinances.

(E) *Recreation and Leisure Services*

(1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.
(2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) *Solid Waste Collection*

(1) Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately-owned solid waste management service provider. Such properties will be allowed to continue private service for a period of two (2) years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.

(G) *Streets*

(1) The City of Rockwall's existing policies with regard to streets, roads and street/roadway lighting maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.
(2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
(3) The same level of maintenance shall be provided to public streets and roadways within this property that have been accepted by the City of Rockwall as is provided to like City streets and roadways throughout the City.

(H) *Water Services*

(1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
(2) Water mains of the City will be extended in accordance with provisions of the Municipal Code of Ordinances and other applicable ordinances and regulations. City

DRAFT RESOLUTION XX-19

participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.

(3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) *Sanitary Sewer Services*

(1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.

(2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Municipal Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

(4) Previously granted exceptions to the requirements of connections to the City's sanitary sewer treatment system or Off-Site Sanitary Sewer Facilities (OSSF) constructed prior to annexation shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception or for systems installed prior to annexation.

(J) *Public Utilities.*

(1) Other public utilities will be provided by the City's franchisee or a provider holding a Certificate of Convenience and Necessity (CCN) issued by the state to serve that area.

(K) *Miscellaneous.*

(1) General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

DRAFT RESOLUTION 11.27.19

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53

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, Director of Public Works/City Engineer**

DATE: **November 26, 2019**

SUBJECT: **Facilities Agreement for the Intersection of Justin and FM 3549**

The Texas Department of Transportation (TXDOT) began the improvements to FM-3549 in December 2018. The existing roadway was a two-lane asphalt roadway and is now being upgraded to a four-lane divided concrete roadway that will include left turn lanes and median openings at existing street intersections. Per the City's Master Thoroughfare Plan, the developer funded and constructed Justin Road is to be a four-lane divided roadway in an eighty-five (85') foot right-of-way from John King Boulevard terminating at FM-3549. Since the Justin Road intersection at FM-3549 wasn't constructed at the time that TXDOT designed the FM-3549 project, TXDOT would not construct a median opening and left turn lane for the future intersection at Justin Road.

549/I-30 Partners, L.P. is currently designing the intersection of FM-3549 and Justin Road to facilitate the development of their adjacent tracts of land. This design and construction cost estimate for this intersection has been approved by TXDOT. TXDOT is willing to construct the intersection and median opening with their current FM-3549 project, but cannot enter into a financial agreement with a private developer. The funding agreement for this intersection is required to be between TXDOT and the City of Rockwall. Therefore, Randy McCuistion, an authorized agent of 549/I-30 Partners, L.P., has requested (see attached letter) that the City of Rockwall enter into the attached facilities agreement to accept the funds for the construction of the intersection of FM-3549 and Justin Road and pass these funds through the City to TXDOT after the City and TXDOT execute a local funding agreement. The City will not be responsible for providing any additional funding, above and beyond the money provided by the developer, for the construction of this intersection.

Based on this, staff requests City Council consider approving the Facilities Agreement with 549/I-30 Partners, L.P. for the construction of the Justin Road and FM-3549 intersection.

AJW:ajw

Attachments

Cc: Jeremy White, Civil Engineer
Sarah Hager, Civil Engineer
File

549/ I-30 Partners, L.P.

November 21, 2019

The City of Rockwall
c/o: Amy Williams
385 S. Goliad
Rockwall, Tx. 75087

RE: Intersection Improvements Agreement for FM 3549 near Justin Road

Dear Mrs. Williams:

The purpose of this letter is to request that the City of Rockwall enter into an agreement with our partnership to fund the construction of the intersection of FM 3549 and Justin Road. We also respectfully request that the City of Rockwall enter into a separate agreement with Texas Department of Transportation to have their contractor construct this intersection.

We look forward to and appreciate your efforts on this project. Please let me know if there are further questions with regards to this contract or the completion of this project.

Randy McCuistion, **P.E.**
The Cambridge Companies, Inc.
Vice President of Construction
972-762-2627 cell
randy@cambridgecos.com

FACILITIES IMPROVEMENT AGREEMENT

This Facilities Improvement Agreement ("Agreement") is entered as of the Effective Date indicated below, by and between the **CITY OF ROCKWALL**, a Texas municipal corporation ("City") and ROCKWALL **549/I-30 PARTNERS, L.P.**, a Texas limited partnership ("Developer") as follows:

RECITALS

WHEREAS, Developer and the City are sometimes collectively referenced in this Agreement as the "Parties," or, each individually, as "Party"; and

WHEREAS, Developer is the owner and developer of a 93.654 acre tract of land out of the E.M. Elliott Survey, Abstract No. 77, John Lockhart Survey, Abstract No. 134, and described as Lot 1, Block A; Lot 1, Block B; Lot 1R, Block C; and Lot 1R, Block D, Rockwall Commercial Park Subdivision, Rockwall County, Texas, (the "Property") located entirely within the corporate limits of the City of Rockwall and depicted in the plat attached as **Exhibit A**; and

WHEREAS, Developer has submitted an application to City to replat the Property and has requested certain off-site roadway improvements to accommodate the anticipated improvements on the Property; and

WHEREAS, this Agreement is intended to memorialize Developer's agreement to reimburse city and Texas Department of Transportation ("TXDOT") for certain roadway improvements to FM 3549 near Justin Road, including the addition of a turn lane, driveway, median cut, etc. ("Justin Road Improvements") as described in preliminary engineering plans included in **Exhibit B**; and

WHEREAS, the Justin Road Improvements will be constructed by TXDOT to satisfy traffic flow requirements arising from Developer's anticipated improvements on the Property; and

WHEREAS, Developer understands and acknowledges that acceptance of this Agreement is not an exaction or a concession demanded by the City but rather is an undertaking of Developer's voluntary design to ensure consistency, quality, and adequate infrastructure that will benefit Developer's development of the Property.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties agree as follows:

SECTION 1. RECITALS INCORPORATED

The recitals set forth above are incorporated herein as if set forth in full to further describe the Parties' intent under this Agreement and said recitals constitute representations by Owner and the City.

SECTION 2. JUSTIN ROAD IMPROVEMENTS

(a) Developer's Obligations.

(1) Developer is responsible for all costs for the Justin Road Improvement, including:

a. engineering and design;
b. permit fees paid to third parties, if any, for crossing of gas pipelines, creeks, roadways, etc.;
c. construction costs;
d. inspection; and
e. testing, sampling and other costs relating to obtaining governmental or regulatory approvals required to construct the roadway improvements.

(2) Developer acknowledges that it has received the estimated costs for the Justin Road Improvements attached hereto as **Exhibit C**, and which is incorporated herein for all purposes. Developer further acknowledges that the actual construction costs may be greater than those included in estimated costs in **Exhibit C**.

(3) Developer agrees to pay City within thirty (30) days of receipt of an invoice from City for the Justin Road Improvements.

(b) City's Obligations.

(1) City agrees to seek such agreement(s) with TXDOT to undertake construction the Justin Road Improvements.

(2) City agrees to provide documentation to Developer demonstrating the amounts paid by City to TXDOT for the actual construction costs for the Justin Road Improvements. The Parties shall cooperate in the review of the cost reports and documentation provided by TXDOT.

(3) In no event will the City be required to undertake the actual construction of the Justin Road Improvements. City will not be responsible for any direct and/or indirect costs for constructing the Justin Road Improvements.

SECTION 3. EFFECTIVE DATE

(a) The Effective Date of this Agreement is the date that the last of the Parties' signatures to this Agreement is fully and properly affixed to this Agreement and acknowledged by a public notary. The City's duties and obligations hereunder shall not arise unless and until the City Council has duly adopted this Agreement and Developer has duly executed same. In no event will the City's obligations set forth in Sections 2 hereinabove will terminate twenty (20) years after the Effective Date.

(b) In the event TXDOT should default and/or terminate its agreement(s) with City for construction of the Justin Road Improvements, then City shall have the right to terminate this Agreement upon written notice to Developer and City shall be relieved of all of its obligations under this Agreement. Developer agrees to pay for such pre-construction costs and any construction costs for the partially completed portions of the Justin Road Improvements as may be required by TXDOT. Upon such payment(s) Developer will also be relieved of its obligations under this Agreement.

SECTION 4. REPRESENTATIONS AND WARRANTIES

(a) Owner shall be deemed in default if its ad valorem taxes on the Property become delinquent during the Term of this Agreement. Delinquent does not include the process of protesting the assessment of taxes on the Property.

(b) Owner makes the following covenants and warranties to the City:

(1) Owner is authorized to do business and is in good standing in the State of Texas and shall remain in good standing in the State of Texas and the United States of America during any Term of this Agreement.

(2) The execution of this Agreement has been duly authorized by the Owner, and the individual signing this Agreement on behalf of the Owner is empowered to execute such Agreement and bind the company.

(3) The Owner is not a party to any bankruptcy proceedings currently pending or contemplated, and Owner has not been informed of any potential involuntary bankruptcy proceedings.

SECTION 5. DEFAULT AND REMEDIES

(a) Owner shall be deemed in default under this Agreement (which shall be deemed a breach hereunder) if Developer fails to perform, observe or comply with any of its covenants, agreements or obligations hereunder or breaches or violates any of its representations contained in this Agreement.

(b) In the event of default and/or breach by Owner under this Agreement, the City shall, after providing Owner written notice and a thirty (30) day opportunity to cure, have the right to terminate this Agreement. In addition, the shall have the following remedies:

(1) The recovery of direct and indirect damages and remedies in law and equity;

(2) The right to place a lien on the Property for any amounts owed and due by Developer under the terms of this Agreement;

(3) The right to deny the issuance of building and/or construction permits for development of improvements on the Property; and

(4) The right to disconnect and/or discontinue municipal utility services to the Property.

City's above-listed remedies are in addition to any other relief provided under the terms of this Agreement and are cumulative and not exclusive.

(c) In the event of City's default and after providing City's written notice and a thirty (30) day opportunity to cure, Developer may, as its sole and exclusive remedy, terminate this Agreement or seek injunctive relief of other equitable relief, including, without limitation, specific performance, to enforce the terms of this Agreement. Notwithstanding the foregoing, if injunctive or other equitable relief is barred by governmental immunity, then the Developer may pursue all other legal and equitable remedies that are not barred by governmental immunity; however, in no event shall Developer be entitled to an award of damages or any other monetary relief.

SECTION 6. SUCCESSORS AND ASSIGNS

(a) Without limiting the generality of the foregoing, and except as otherwise provided in this paragraph, Developer has the right (from time to time upon delivery of 21 days' prior written note to the City) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of Developer under this Agreement, to any person or entity (an "Assignee") that is or will become a developer of any portion of the Property or that is an entity that is controlled by or under common control with Developer.

(b) Each assignment shall be in writing executed by Developer and the Assignee and shall obligate the Assignee to be bound by this Agreement to the extent this Agreement applies or relates to the obligations, rights, title, or interests being assigned. From and after such assignment, the City agrees to look solely to the Assignee for the performance of all obligations assigned to the Assignee and agrees that Developer shall be released from subsequently performing the assigned obligations and from any liability that results from the Assignee's failure to perform the assigned obligations; provided, however, Developer shall not be released until the City receives an executed copy of such assignment. Further, no assignment by Developer shall release Owner from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment unless the City approves the release in writing. Owner shall maintain written records of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's Notice information as required by this Agreement, and, upon written request from any Party or Assignee, shall provide a copy of such records to the requesting person or entity.

SECTION 7. MISCELLANEOUS PROVISIONS

(a) Authority to execute contract. The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto, and each party hereby certifies to the other that

any necessary resolutions or other act extending such authority have been duly passed and are now in full force and effect.

(b) Notice. All notices, demands or other communications required or provided hereunder shall be in writing and shall be deemed to have been given on the earlier to occur of actual receipt or three (3) days after the same are deposited in the United States mail, certified or registered, postage prepaid, return receipt requested, addressed to the parties at the addresses set forth below or at such other addresses as such parties may designate by written notice to the other parties in accordance with this notice provision.

If to the City:
Rick Crowley
City Manager
c/o Rockwall City Hall
385 S. Goliad Street
Rockwall, Texas 75087

If to Developer:
James J. Melino
Rockwall 549/I-30 Partners, L.P
8750 N. Central Expressway, Suite 1735
Dallas, Texas 75231

(c) Sovereign Immunity. Developer acknowledges that City is performing a governmental function. City has not waived its sovereign immunity as to suit and liability with respect to its performance of this Agreement.

(d) Complete Agreement. This Agreement embodies the entire Agreement between the Parties and cannot be varied or terminated except as set forth in this Agreement, or by written agreement of the Parties amending the terms of this Agreement.

(e) Applicable Law and Venue. This Agreement shall be performable and all compensation payable in Rockwall County, Texas. Venue and exclusive jurisdiction under this Agreement lies in a court of competent jurisdiction in Rockwall County, Texas.

(f) Severability. If any clause, paragraph, section or portion of this Agreement shall be found to be illegal, unlawful, unconstitutional or void for any reason, the balance of the Agreement shall remain in full force and effect and the parties shall be deemed to have contracted as if said clause, section, paragraph or portion had not been in the Agreement initially.

(g) Representation. Each signatory representing this Agreement has been read by the party for which this Agreement is executed and that such Party has had an opportunity to confer with its counsel.

(h) Attorney's Fees. In the event that the Developer and the City fail to resolve a dispute and become involved in litigation with regard to breach of or dispute arising out of this

Agreement, the prevailing Party shall be entitled to be paid its reasonable attorneys' fees and court costs.

(i) Consideration. This Agreement is executed by the Parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is hereby acknowledged.

(j) Waiver. Waiver by either Party or any breach of this Agreement, or the failure of either Party to enforce any of the provisions of this Agreement, at any time, shall not in any way affect, limit or waive such Party's right thereafter to enforce and compel strict compliance of the Agreement.

(k) Miscellaneous Drafting Provisions. This Agreement was drafted equally by the Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply. Headings in this Agreement are for the convenience of the Parties and are not intended to be used in construing this document.

(l) No Other Parties. This Agreement is exclusively between the City and Developer and is not intended to and shall not confer any rights or benefits on any third party not a signatory hereto.

(m) Binding Effect. This Agreement shall bind and inure to the benefit of the City and Developer and to any successor owner/developer of the property, may be recorded in the Collin County property records, and runs with the land.

(n) Counterparts. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes.

ROCKWALL 549/I-30 PARTNERS, L.P.,
A Texas limited partnership

By: Rockwall 549/I-30 GP Partners,
A Texas general partnership,
Its General Partner

By: _____
James J. Melino,
Authorized Representative

IN WITNESS WHEREOF:

STATE OF TEXAS §
§
COUNTY OF DALLAS §

Before me, the undersigned notary public, on the 21st day of November, 2019, personally appeared James J. Melino, known to me (or proved to me) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in his capacity as Authorized Representative for Rockwall 549/I-30 GP Partners, general partner of Rockwall 549/I-30 Partners, L.P.

_____
Notary Public, State of Texas

KRISTIN PAYNE
My Notary ID # 128899441
Expires October 18, 2023

CITY OF ROCKWALL

By: _____
Rick Crowley, City Manager

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

Before me, the undersigned notary public, on the _____day of _____, 2019, personally appeared Rick Crowley, known to me (or proved to me) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in his capacity as City Manager of the City of Rockwall and on behalf of the City of Rockwall.

_____
Notary Public, State of Texas

EXHIBIT "A"
Property Sketch

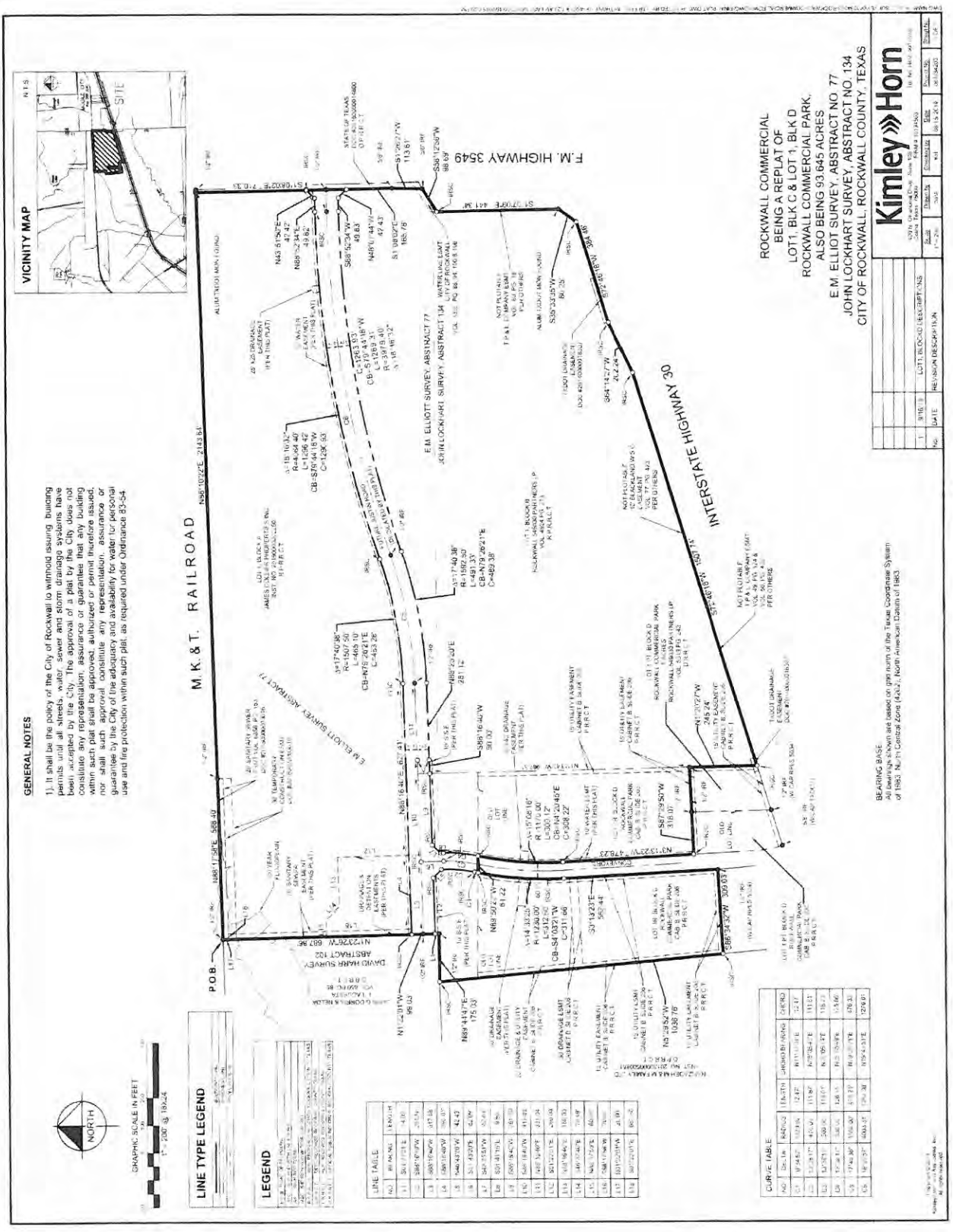


EXHIBIT "B"
Preliminary Engineering Plans
Justin Road Improvements

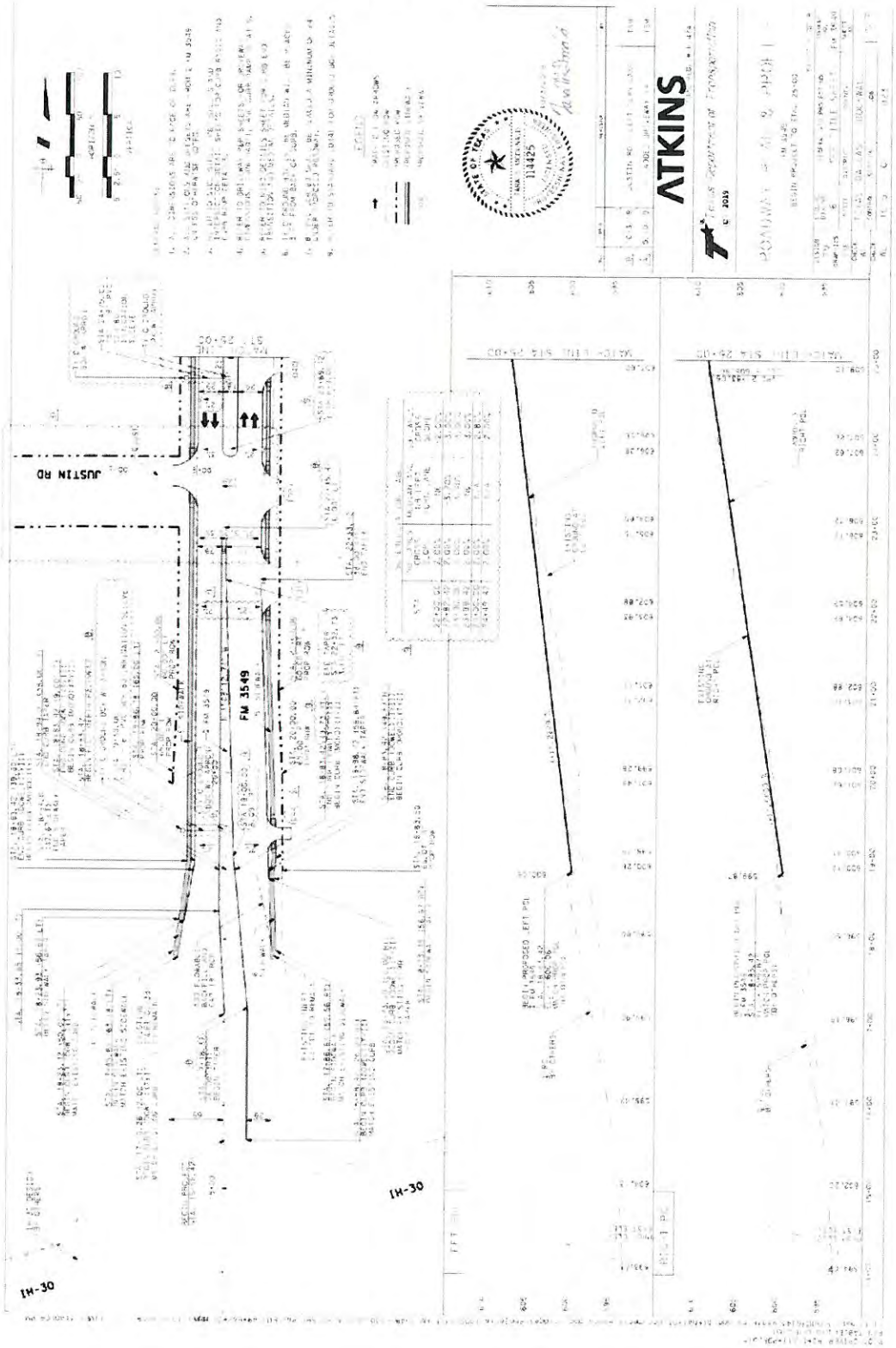


EXHIBIT "C"

Cost Estimate
Justin Road Improvements

3-Oct-19

COST ESTIMATE
FM 3549 ROCKWALL COUNTY / JUSTIN RD

ITEM & DESCR	DESCRIPTION	UNIT	PREVIOUS QUANTITY	NEW QUANTITY	CHANGE IN QUANTITY	UNIT PRICE	TOTAL
100 ITEMS							
104 6001	REMOVING CONC (PAV)	SY	3034	3062	28	$9.20	$257.60
110 6001	EXCAVATION (ROADWAY)	CY	27248	27273	25	$10.50	$262.50
132 6025	EMBANKMENT (FINAL) (DENS CONT) (TY C1)	CY	5772	5555	-217	$10.50	-$2,278.50
164 6051	DRILL SEED (TEMP)(WARM OR COOL)	SY	17838	17909	71	$0.15	$10.65
168 6001	VEGETATIVE WATERING	MG	2658	2708	50	$26.00	$1,300.00
200 ITEMS							
260 6009	LIME TRT (EXST MATL)(10")	SY	46264	47067	803	$1.85	$1,485.55
260 6016	LIME (HYD, COM, OR QK)(SLURRY))	TON	1387	1411	24	$213.15	$5,115.60
300 ITEMS							
344 6011	SUPERPAVE MIXTURES SP-B PG64-22	TON	17592	17769	177	$76.65	$13,567.05
360 6002	CONC PVMT (CONT REINF - CRCP) (8")	SY	41373	42202	829	$41.90	$34,735.10
400 ITEMS							
481 6024	PIPE (PVC) (SCH 80) (8 IN)	LF	175	220	45	$50.00	$2,250.00
500 ITEMS							
506 6038	TEMP SEDMT CONT FENCE (INSTALL)	LF	7941	7911	-30	$1.60	-$48.00
506 6039	TEMP SEDMT CONT FENCE (REMOVE)	LF	7941	7911	-30	$0.50	-$15.00
528 6002	COLORED TEXTURED CONC (6")	SY	1349	1413	64	$87.50	$5,600.00
529 6005	CONC CURB (MONO) (TY II)	LF	19801	19577	-224	$2.00	-$448.00
529 6022	CONC CURB (DOWEL) (TY II)	LF	569	570	1	$15.00	$15.00
531 6001	CONC SIDEWALKS (4")	SY	6054	6011	-43	$42.30	-$1,818.90
531 6010	CURB RAMPS (TY 7)	EA	55	57	2	$1,400.00	$2,800.00
536 6006	CONC MEDIAN(MONO NOSE)	SY	99	111	12	$114.00	$1,368.00
600 ITEMS							
624 6008	GROUND BOX TY C (162911)W/APRON	EA	8	10	2	$840.00	$1,680.00
666 6036	REFL PAV MRK TY I (W)8"(SLD)(100MIL)	LF	4881	5261	380	$1.00	$380.00
666 6054	REFL PAV MRK TY I (W)(ARROW)(100MIL)	EA	30	32	2	$142.00	$284.00
666 6078	REFL PAV MRK TY I (W)(WORD)(100MIL)	EA	30	32	2	$164.00	$328.00
666 6224	PAVEMENT SEALER 4"	LF	29074	28925	-149	$0.20	-$29.80
666 6226	PAVEMENT SEALER 8"	LF	3925	4305	380	$0.55	$209.00
666 6231	PAVEMENT SEALER (ARROW)	EA	30	32	2	$35.00	$70.00
666 6232	PAVEMENT SEALER (WORD)	EA	30	32	2	$58.00	$116.00
666 6315	RE PM W/RET REQ TY I (Y)4"(SLD)(100MIL)	LF	15762	15613	-149	$1.05	-$156.45
672 6007	REFL PAV MRKR TY I-C	EA	137	157	20	$4.00	$80.00
678 6001	PAV SURF PREP FOR MRK (4")	LF	29074	28925	-149	$0.10	-$14.90
678 6004	PAV SURF PREP FOR MRK (8")	LF	3925	4305	380	$0.20	$76.00
678 6009	PAV SURF PREP FOR MRK (ARROW)	EA	30	32	2	$24.00	$48.00
678 6016	PAV SURF PREP FOR MRK (WORD)	EA	30	32	2	$35.00	$70.00
						TOTAL =	$67,298.50

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67

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

October 2019

Permits

Total Permits Issued: 299

Building Permits: 39 Contractor Permits: 260

Total Commercial Permit Values: $ 11,410,885.62

Building Permits: $11,200,088.57 Contractor Permits: $210,797.05

Total Fees Collected: $274,121.49

Building Permits: $249,444.88 Contractor Permits: $24,676.61

Board of Adjustment

Board of Adjustment Cases 0

68

City of Rockwall

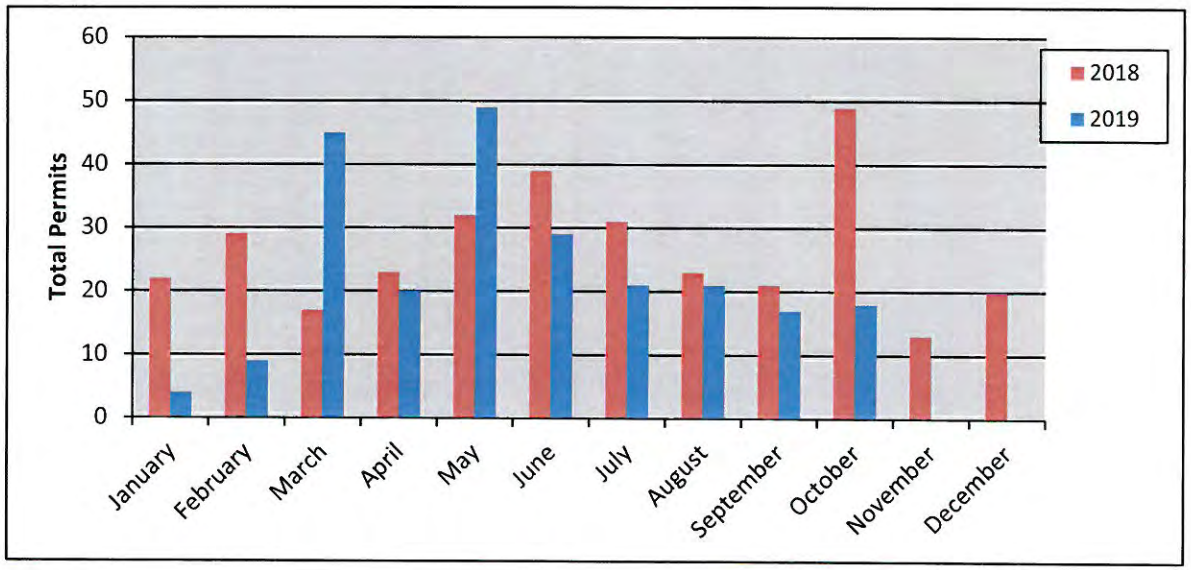
PERMITS ISSUED - Summary by Type and Subtype

For the Period 10/1/2019 thru 10/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	3	$0.00	$153.00
	1	$0.00	$50.00
30 DAY BANNER	2	$0.00	$103.00
CLEAN SHOW	1	$0.00	$76.50
	1	$0.00	$76.50
CO	6	$0.00	$456.00
	1	$0.00	$76.50
BUSINESS	4	$0.00	$303.00
INTERIOR	1	$0.00	$76.50
COMM	24	$11,371,910.62	$144,811.99
ALTERATION	2	$22,206.50	$433.24
CONCRETE	2	$6,940.00	$221.85
CONST TRAILER	1	$0.00	$100.00
ELECTRICAL	3	$3,000.00	$164.22
FENCE	2	$42,304.00	$128.00
INTERIOR COMP	1	$177,882.07	$1,470.89
IRRIGATION	5	$5,000.00	$4,627.89
MECHANICAL	4	$62,590.05	$823.39
NEW	1	$11,000,000.00	$135,986.88
PLUMBING	3	$51,988.00	$855.63
SIGNAGE	16	$38,975.00	$1,294.50
DIRECTORY	1	$4,000.00	$76.50
MONUMENT	4	$13,100.00	$304.50
WALL	11	$21,875.00	$913.50
SINGLE FAMILY	224	$0.00	$126,650.50
ACC BLDG	1	$0.00	$96.00
ADDITION	3	$0.00	$1,284.78
CONCRETE	5	$0.00	$571.86
DEMO	1	$0.00	$50.00
ELECTRICAL	4	$0.00	$643.77
FENCE	47	$0.00	$2,388.50
IRRIGATION	56	$0.00	$4,284.00
MECHANICAL	10	$0.00	$1,275.00
MISCELLANEOUS	4	$0.00	$203.00
NEW	18	$0.00	$106,680.67
PATIO COVER	5	$0.00	$483.00
PERGOLA	1	$0.00	$75.00
PLUMBING	39	$0.00	$3,280.50
REMODEL	3	$0.00	$2,731.42
RETAINING WALL	2	$0.00	$101.00
ROOF	13	$0.00	$990.00
SWIM POOL	9	$0.00	$1,359.00
WINDOWS	3	$0.00	$153.00
SPECIAL EVENT	24	$0.00	$679.00
	24	$0.00	$679.00
TCO	1	$0.00	$0.00
	1	$0.00	$0.00
Totals:	299	$11,410,885.62	$274,121.49

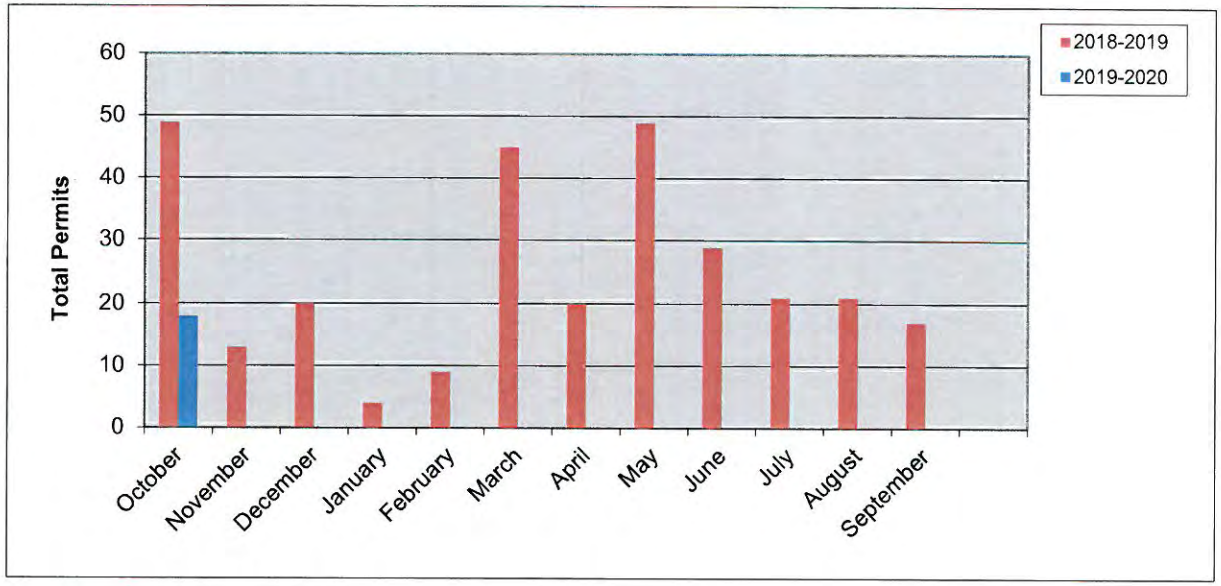
New Residential Permits Calendar Year

Year		
	2018	2019
January	22	4
February	29	9
March	17	45
April	23	20
May	32	49
June	39	29
July	31	21
August	23	21
September	21	17
October	49	18
November	13	
December	20	
Totals	**319**	233



New Residential Permits Fiscal Year

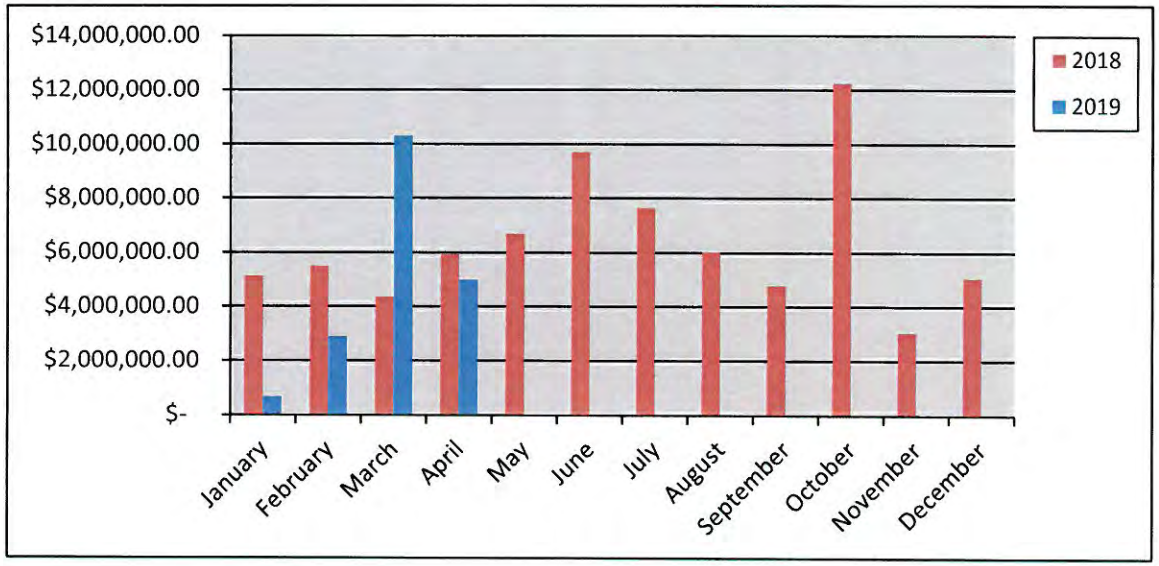
Year		
	2018-2019	2019-2020
October	49	18
November	13	
December	20	
January	4	
February	9	
March	45	
April	20	
May	49	
June	29	
July	21	
August	21	
September	17	
Totals	**297**	**18**



70

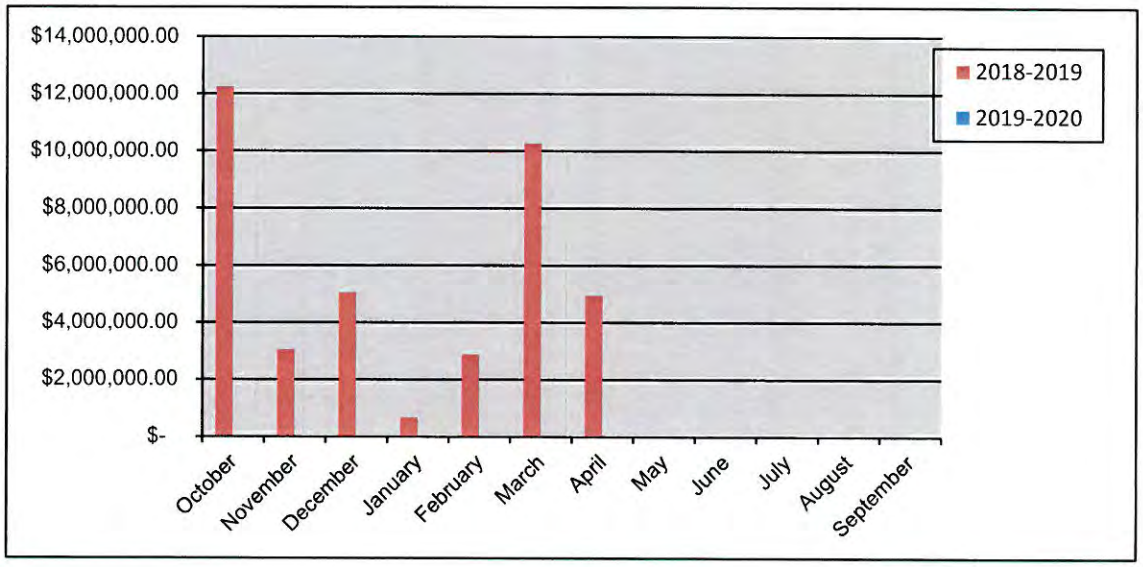
New Residential Value Calendar Year

Year	2018	2019
January	$ 5,145,624.00	$ 681,618.00
February	$ 5,505,704.00	$ 2,897,344.85
March	$ 4,374,886.00	$ 10,294,717.00
April	$ 5,946,813.00	$ 4,977,668.00
May	$ 6,706,301.00	$ -
June	$ 9,728,069.00	$ -
July	$ 7,660,917.00	$ -
August	$ 6,049,208.00	$ -
September	$ 4,799,404.00	$ -
October	$ 12,263,973.00	$ -
November	$ 3,064,499.00	$ -
December	$ 5,072,758.00	
Totals	**$ 76,318,156.00**	**$ 18,851,347.85**



New Residential Value Fiscal Year

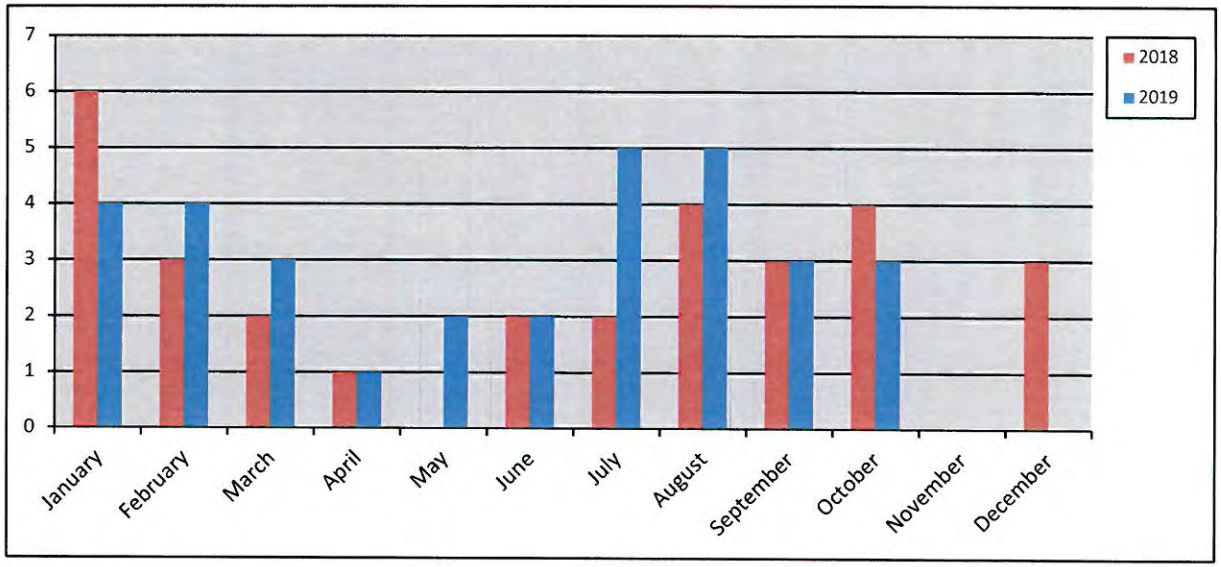
Year	2018-2019	2019-2020
October	$ 12,263,973.00	$ -
November	$ 3,064,499.00	$ -
December	$ 5,072,758.00	$ -
January	$ 681,618.00	$ -
February	$ 2,897,344.85	$ -
March	$ 10,294,717.00	$ -
April	$ 4,977,668.00	$ -
May	$ -	$ -
June	$ -	$ -
July	$ -	$ -
August	$ -	$ -
September	$ -	$ -
Totals	**$39,252,577.85**	**$ -**



71

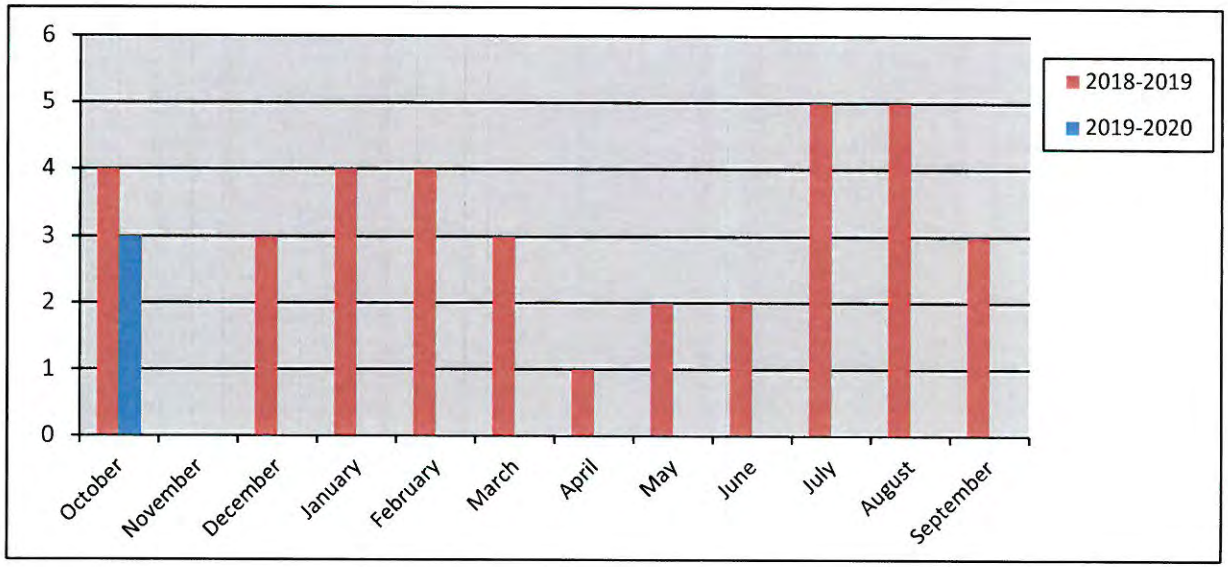
Residential Remodel Permits Calendar Year

Year		
	2018	2019
January	6	4
February	3	4
March	2	3
April	1	1
May	0	2
June	2	2
July	2	5
August	4	5
September	3	3
October	4	3
November	0	
December	3	
Totals	**30**	32



Residential Remodel Permits Fiscal Year

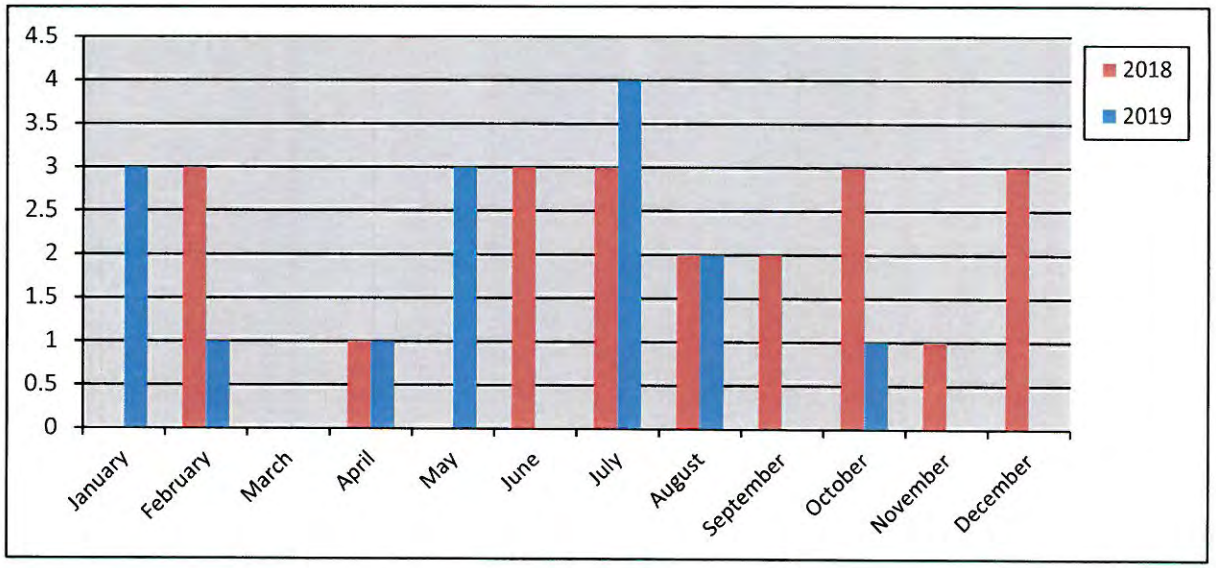
Year		
	2018-2019	2019-2020
October	4	3
November	0	
December	3	
January	4	
February	4	
March	3	
April	1	
May	2	
June	2	
July	5	
August	5	
September	3	
Totals	**36**	**3**



72

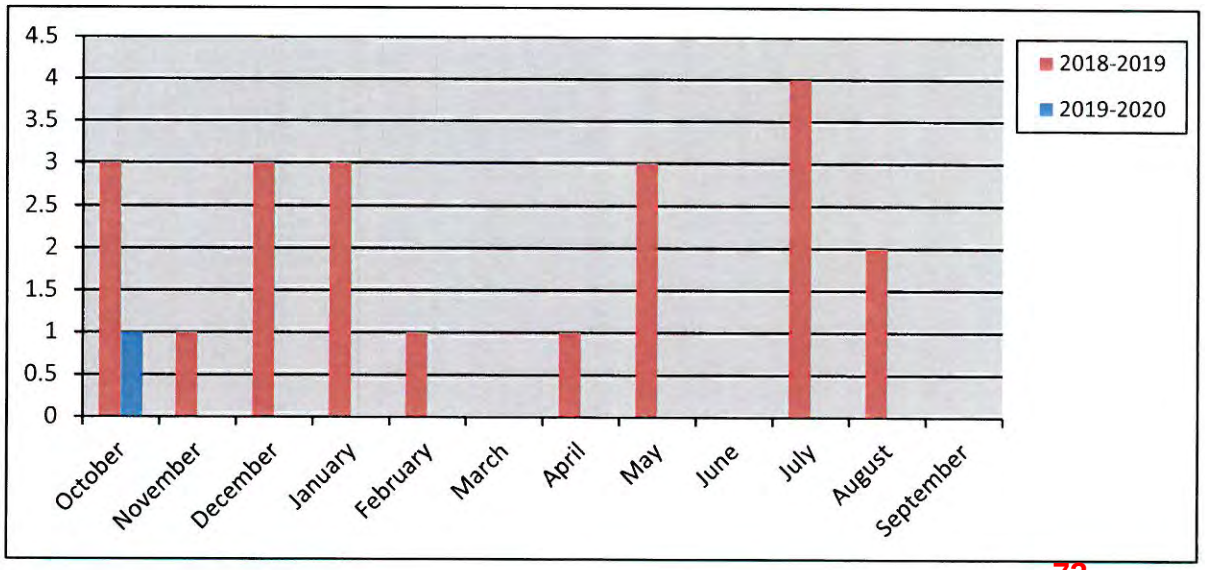
New Commercial Permits Calendar Year

Year		
	2018	2019
January	0	3
February	3	1
March	0	0
April	1	1
May	0	3
June	3	0
July	3	4
August	2	2
September	2	0
October	3	1
November	1	
December	3	
Totals	**21**	**15**



New Commercial Permits Fiscal Year

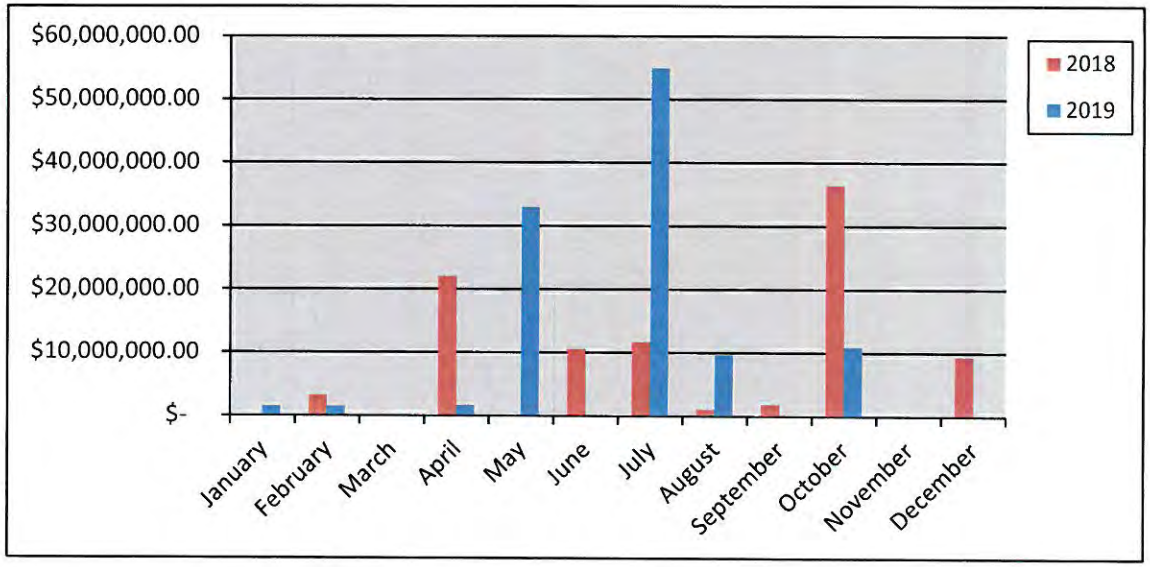
Year		
	2018-2019	2019-2020
October	3	1
November	1	
December	3	
January	3	
February	1	
March	0	
April	1	
May	3	
June	0	
July	4	
August	2	
September	0	
Totals	**21**	**1**



73

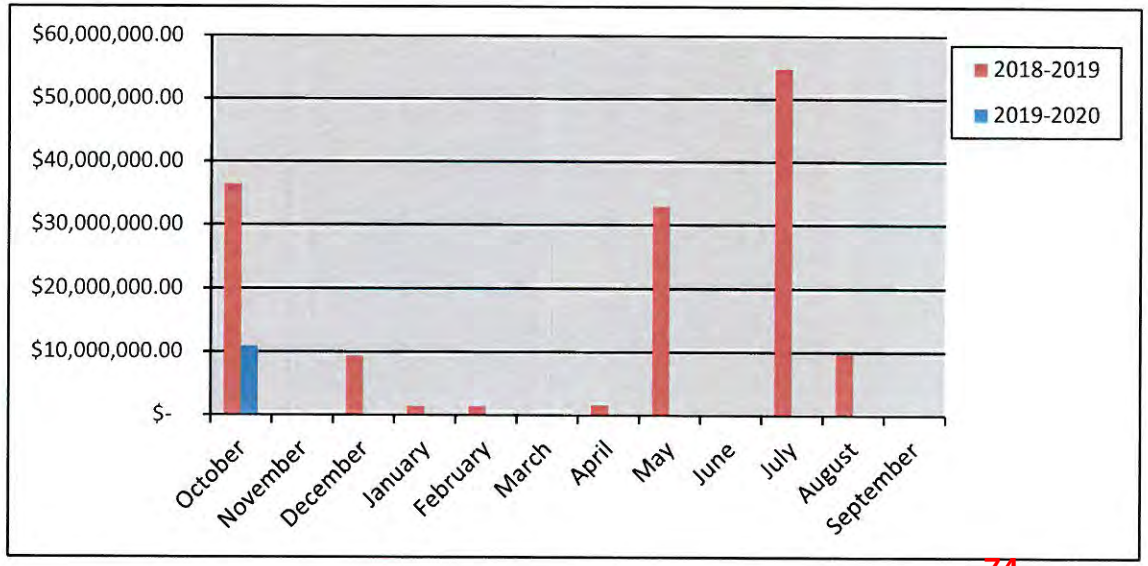
New Commercial Value Calendar Year

Year	2018	2019
January	-	$ 1,530,000.00
February	$ 3,221,771.00	$ 1,500,000.00
March	-	$ -
April	$ 22,000,000.00	$ 1,700,000.00
May	-	$ 32,969,700.00
June	$ 10,602,430.88	$ -
July	$ 11,712,500.00	$ 54,900,000.00
August	$ 1,111,950.00	$ 9,736,987.00
September	$ 1,930,813.00	$ -
October	$ 36,425,000.00	$ 11,000,000.00
November	$ 180,000.00	
December	$ 9,427,800.00	
Totals	**$ 96,612,264.88**	**$ 113,336,687.00**



New Commercial Value Fiscal Year

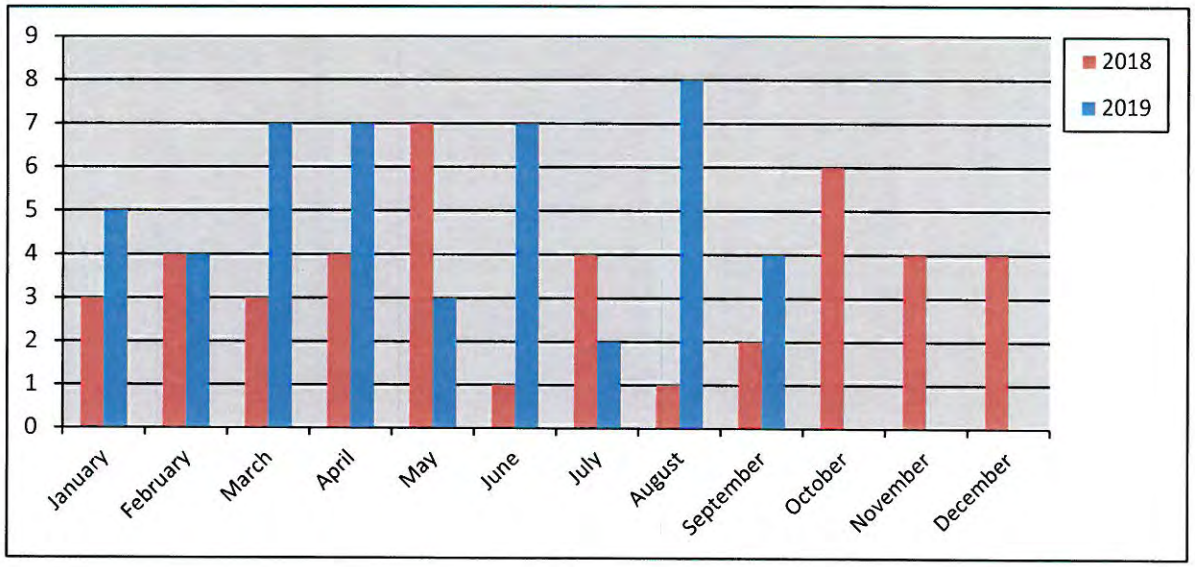
Year	2018-2019	2019-2020
October	$ 36,425,000.00	$ 11,000,000.00
November	$ 180,000.00	
December	$ 9,427,800.00	
January	$ 1,530,000.00	
February	$ 1,500,000.00	
March	-	
April	$ 1,700,000.00	
May	$ 32,969,700.00	
June	$ -	
July	$ 54,900,000.00	
August	$ 9,736,987.00	
September	$ -	
Totals	**$ 148,369,487.00**	**$ 11,000,000.00**



74

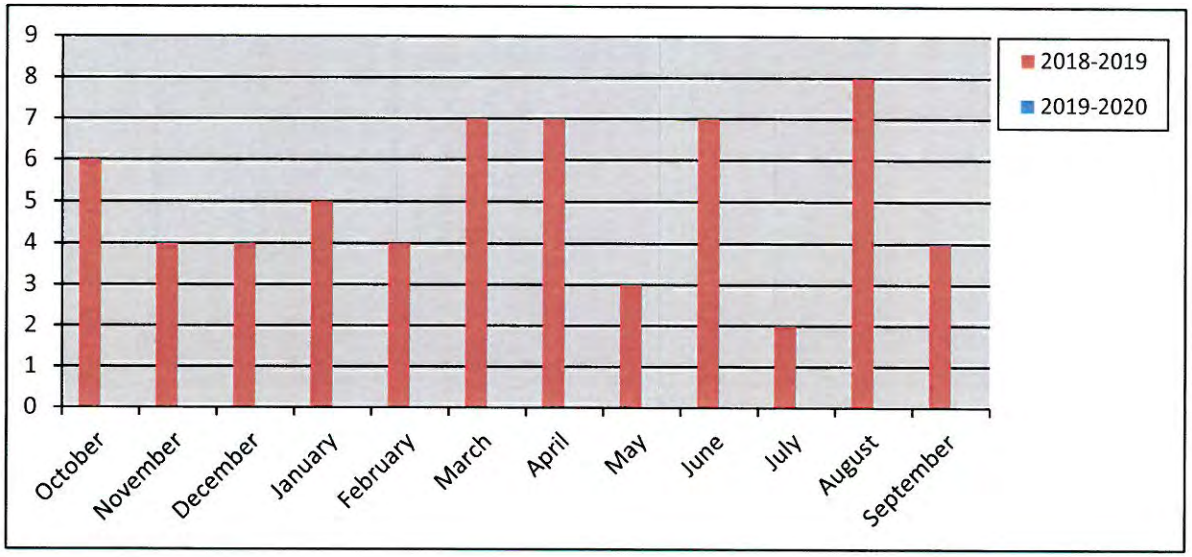
Commercial Remodel Permits Calendar Year

	Year	
	2018	2019
January	3	5
February	4	4
March	3	7
April	4	7
May	7	3
June	1	7
July	4	2
August	1	8
September	2	4
October	6	0
November	4	
December	4	
Totals	**43**	**47**



Commercial Remodel Permits Fiscal Year

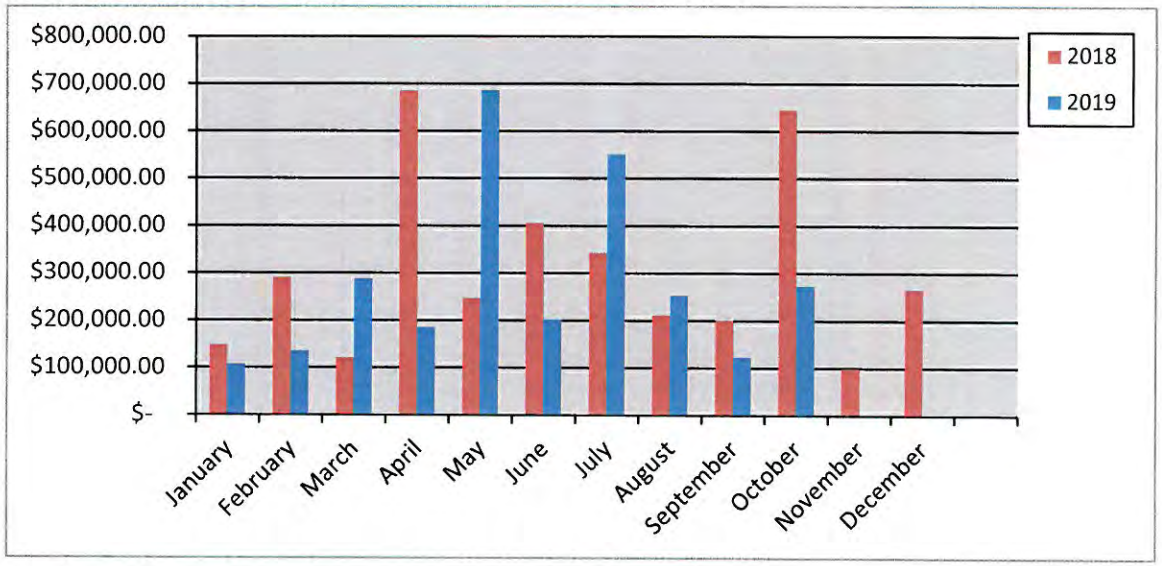
	Year	
	2018-2019	2019-2020
October	6	0
November	4	
December	4	
January	5	
February	4	
March	7	
April	7	
May	3	
June	7	
July	2	
August	8	
September	4	
Totals	**61**	**0**



75

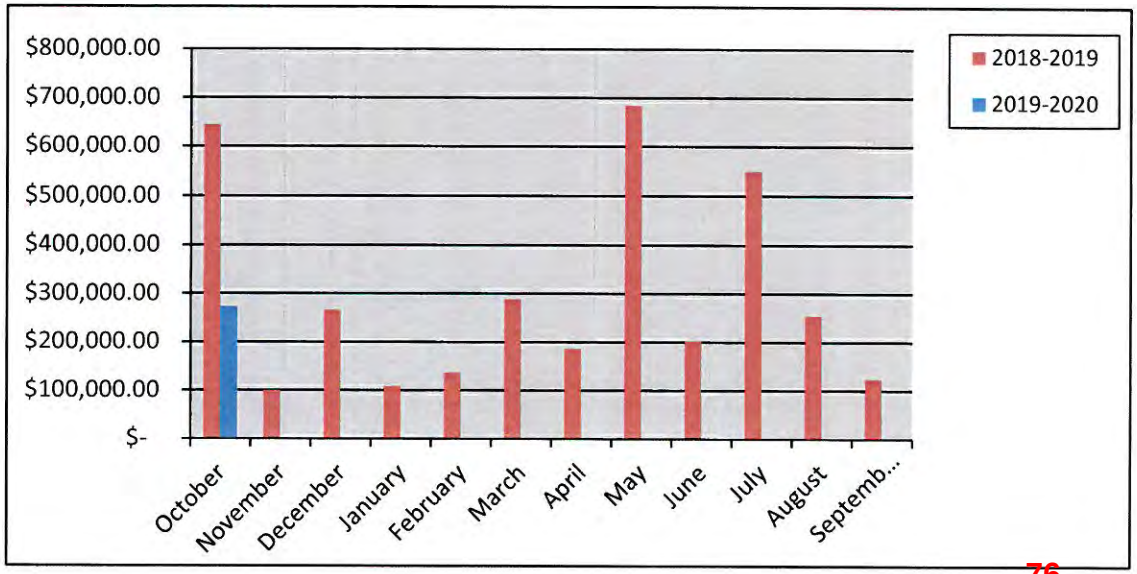
Total Fees Collected Calendar Year

Year	2018	2019
January	$ 149,088.54	$ 108,325.23
February	$ 291,324.78	$ 137,260.79
March	$ 122,271.28	$ 288,576.03
April	$ 686,154.89	$ 186,555.47
May	$ 247,465.55	$ 685,938.85
June	$ 406,799.91	$ 203,335.14
July	$ 343,682.23	$ 551,248.76
August	$ 212,643.16	$ 254,601.49
September	$ 201,855.47	$ 123,811.68
October	$ 645,511.95	$ 274,121.49
November	$ 99,983.92	
December	$ 266,328.43	
Totals	**$ 3,673,110.11**	**$ 2,813,774.93**



Total Fees Collected Fiscal Year

Year	2018-2019	2019-2020
October	$ 645,511.95	$ 274,121.49
November	$ 99,983.92	
December	$ 266,328.43	
January	$ 108,325.23	
February	$ 137,260.79	
March	$ 288,576.03	
April	$ 186,555.47	
May	$ 685,938.85	
June	$ 203,335.14	
July	$ 551,248.76	
August	$ 254,601.49	
September	$ 123,881.68	
Totals	**$ 3,551,547.74**	**$ 274,121.49**



76

City of Rockwall
PERMITS ISSUED
For the Period 10/1/2019 thru 10/31/2019

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0076	CO	991 E I-30 105	0.00	75.00	75.00
06/26/2019	BUSINESS	4831-0000-0006-00-0R			
10/15/2019	Active	Apple Nails & Spa			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Nghia Leong	9701 Terra Lago Ct, Apt A212, ROWLETT, TX 75089	(747) 344-6934
BUS OWNER	Nghia Leong	9701 Terra Lago Ct, Apt A212, ROWLETT, TX 75089	(747) 344-6934
BUSINESS	Apple Nails & Spa	991 Interstate 30, Suite 105, ROCKWALL, TX 75087	(972) 722-7774
OWNER	Shopcore Pro	1065 E Southlake Blvd, Southlake, TX 76092	(682) 225-9007

CO2019-0091	CO	2455 Ridge Rd 120	0.00	76.50	76.50
08/28/2019	BUSINESS	4854-000A-0009-00-0R			
10/22/2019	Active	Play Q Studio			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Chris & Monica Baker	1031 Starlight Pl, Rockwall, TX 75087	(469) 999-6372
BUS OWNER	Chris & Monica Baker	2455 Ridge Rd. 120, Rockwall, TX 75087	(469) 999-6372
BUSINESS	Play Q Studio	2455 Ridge Rd, Suite 120, Rockwall, TX 75087	(469) 769-1544
INSP RPT EMAIL	Chris & Monica Baker	1031 Starlight Pl, Rockwall, TX 75087	(469) 999-6372
OWNER	Rockwall Oceanhill LLC	P.O. Box 1495, Rockwall, TX 75087	

CO2019-0094	CO	1005 W Ralph Hall Pkw 227	0.00	76.50	76.50
09/09/2019		4009-000B-0011-00-0R			
10/16/2019	Active	Multigroup Physician Practice of Texas - Rockwall			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Jacob Balkey, General Contra	SIRIUS BUILDING COMPANY, -	(972) 333-1769
BUS OWNER	Ellen Davis	1626 Cole Blvd, Suite 225, Lakewood, TX 80401	(720) 465-5030
BUSINESS	Multigroup Physician Practic	, ,	
OWNER	Ellen Davis	1626 Cole Blvd, Suite 225, Lakewood, TX 75	(720) 465-5030
PROP OWNER	SPT Ivey Rockwall MOB LL	1550 Marekt St, Suite 200, Denver, CO 80202	(972) 366-7732

CO2019-0100	CO	807 N Goliad St	0.00	75.00	75.00
09/18/2019	BUSINESS	3050-024C-0038-00-0R			
10/25/2019	Active	Travis Barton State Farm			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Travis Barton State Farm	807 N. Goliad St, Rockwall, TX 75087	(972) 961-4187
BUS OWNER	Travis Barton	807 N. Goliad St, Rockwall, TX 75087	(972) 961-4187
BUSINESS	Travis Barton State Farm	807 N. Goliad St, Rockwall, TX 75087	(972) 961-4187
OWNER	Travis Barton	807 N. Goliad St, ROCKWALL, TX 75087	(972) 961-4187
PROP OWNER	Double T Ventures LLC	1500 S. Kreymer Ln, Wylie, TX 75098	(972) 467-5433

City of Rockwall
PERMITS ISSUED
For the Period 10/1/2019 thru 10/31/2019

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0104 09/24/2019 10/10/2019	CO BUSINESS Active	801 S Goliad 4900-000L-0001-00-0R Rockwall Aesthetic	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Janet Blaha	303 Stonebridge Dr, Rockwall, TX 75087	(214) 923-1989
BUS OWNER	Janet Blaha	801 S Goliad St, Rockwall, TX 75087	(214) 923-1989
BUSINESS	Rockwall Aesthetic	801 S Goliad St, Rockwall, TX 75087	(972) 722-9911
OWNER	Victoria Delgadillo	8306 Lighthouse Dr, ROWLETT, TX 75089	(214) 791-5941

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2019-0108 10/08/2019 10/28/2019	CO INTERIOR Active	819 IH 30 E 120 4817-000A-0002-00-0R My Eyelab	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Now Optical	3801 S. Congress Ave., Palm Springs, FL 33461	(561) 275-2020
BUSINESS	My Eyelab	819 IH 30 E #120, ROCKWALL, TX 75087	(260) 557-5033
OWNER	Dynamic Rockwall Investmer	1725 21st Street, Santa Monica, CA 33461	(310) 315-5411

Total Valuation: 0.00
Total Fees: 456.00
Total Fees Paid: 456.00

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79

Key Projects:

(1) **Outside Agencies / Citizens**. RCAD Addressing Questions, ETJ Request - Rockwall County, NextGen911 Schema Meeting (NCTCOG), Broker - Information Request, Kaufman County 911 Address Issue

(2) **Engineering / Public Works**. Basin Feasibility Study (Calc's), CAD File Conversion, Wastewater Export, Street Maintenance - Rockwall Downes, Grease Trap GPS, Utility GPS

(3) **Planning Department**. Existing Conditions Plan Updates, UDC Graphics, Legal Case Exhibits, Stone Creek Ponds Map

(4) **GIS**. 911 Addressing, 2019 Aerial Imagery Rcvd / Load, Parcel Update & Import Tool, Operations Dashboard Test Site, GIS Analyst Interviews, New Edge / Cityworks on-site meeting

(5) **Police.** City of Fate & Heath PD and FD NWS Changes, Sex Offender Location / Zone Checks, Parade Route Planning Map, Police Beat – NWS, Police Department Map Request, Sex Offender Map, 212 St Mary's St, Dobbs to Football Stadium; Bike Tyke Route Maps

(6) **Fire.** Fire Department Set Up in Cityworks, Tornado Damage Maps, FD NWS Updates

(7) **Parks and Rec**. Christmas Parade Route 2019 Map Update

(8) **City Manager's/Admin.** 109 E Washington St Exhibit, FM1141 & John King, City Property, Airport Trees (Lidar)

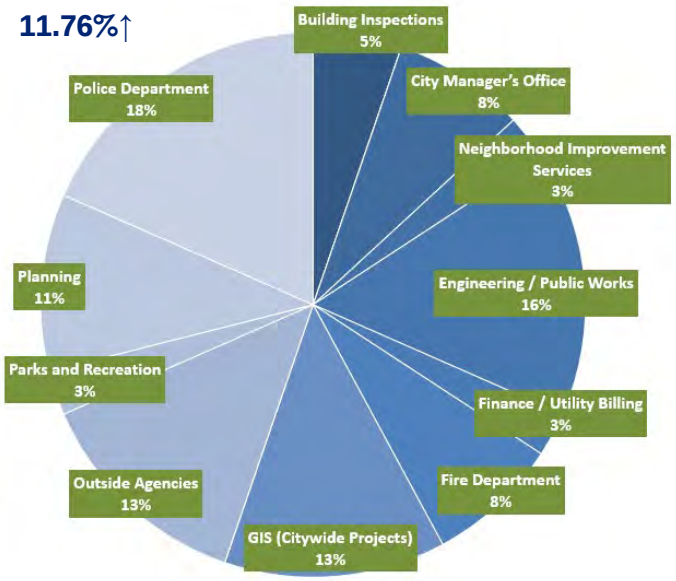
(9) **Bldg. Inspections/NIS.** Flag Poles-Monuments / FAA Height Checks, Tornado Damage Assessments, Requested Map; NIS District Map

(10) **Finance/Utility Billing.** New LRE Addressing Map w/ Meters

Monthly Project Request by Department:

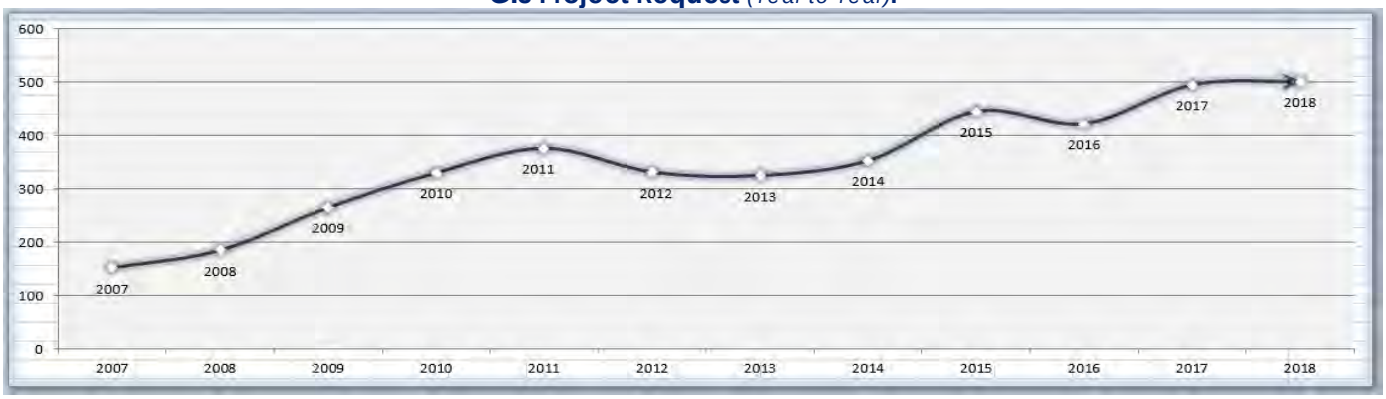
38 Projects

11.76%↑



Admin / HR / Internal Ops	0
Building Inspections	2
Citizen Request	0
City Council	0
City Manager's Office	3
Neighborhood Improvement Services	1
Engineering / Public Works	6
Finance / Utility Billing	1
Fire Department	3
GIS (Citywide Projects)	5
IT	0
Main Street Program	0
Outside Agencies	5
Parks and Recreation	1
Planning	4
Police Department	7
REDC	0
Total	**38**

GIS Project Request *(Year to Year)*:



80

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81

Rockwall Police Department

Harbor District Call For Service

October 2019

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2019-00032765	10/26/2019	19:01:08	The Harbor	Civil Matter	No Report
2019-00031921	10/19/2019	9:04:31	The Harbor	Criminal Mischief	Report
2019-00030302	10/5/2019	22:58:08	Cinemark Movies 12	Disturbance	Arrest
2019-00032652	10/25/2019	19:24:55	Cinemark Movies 12	Disturbance	Report
2019-00032684	10/25/2019	19:24:55	Cinemark Movies 12	Disturbance	Report
2019-00031144	10/12/2019	23:43:43	Hilton Hotel	Disturbance	No Report
2019-00031751	10/18/2019	0:11:52	Sideways BBQ	Disturbance	No Report
2019-00031985	10/19/2019	20:38:00	Cinemark Movies 12	Investigation	No Report
2019-00032940	10/28/2019	13:37:18	Hilton Hotel	Investigation	No Report
2019-00032315	10/22/2019	22:03:58	The Harbor	Investigation	Arrest
2019-00031448	10/15/2019	17:14:00	The Harbor	Investigation	No Report
2019-00032109	10/20/2019	23:35:56	Hilton Hotel	Meet Complainant	No Report
2019-00030382	10/6/2019	20:36:22	The Harbor	Missing Person	No Report
2019-00032751	10/26/2019	16:26:54	En Fuego Tobacco Shop	Narcotics	No Report
2019-00030679	10/9/2019	9:16:12	The Harbor	Ordinance Violation	Warning
2019-00031856	10/18/2019	20:33:44	The Harbor	Suspicious Activity	Unable To Locate
2019-00031026	10/11/2019	21:55:39	Cinemark Movies 12	Theft	Report
2019-00030018	10/3/2019	14:50:39	Glorias Restaurant	Theft	Report
2019-00032052	10/20/2019	12:38:56	The Harbor	Welfare Concern	No Report

Common Name	
Cinemark Movies 12	5
En Fuego Tobacco Shop	1
Glorias Restaurant	1
Hilton Hotel	3
Sideways BBQ	1
The Harbor	8
Total	**19**

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83

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
OCTOBER 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	9	9	0	100%
ADMINISTRATIVE SERVICES	4	4	0	100%
AIRPORT	10	10	0	100%
ANIMAL SERVICES	7	5	2	71%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	3	3	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	59	59	0	100%
INTERNAL OPERATIONS	113	113	0	100%
MUNICIPAL COURT	9	9	0	100%
PARKS & RECREATION	21	21	0	100%
PLANNING & ZONING	2	2	0	100%
POLICE DEPARTMENT	51	51	0	100%
PUBLIC WORKS	3	3	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	292	290	2	99%

84

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85



OCTOBER 2019 MONTHLY REPORT

ROCKWALL PARKS & RECREATION

PARTICIPATION



RIB RUB : 45 TEAMS, 300+ RUNNERS



FALL BASEBALL: 50 TEAMS



HALLOWEEN EXTRAVAGANZA:
250 KIDS IN THE COSTUME CONTEST

MONTHLY OVERVIEW	OCT '19
Part Time Labor Hours	107
Program Offerings	8
Program Participants	560
Resident Participants	421
Non-Resident Participants	139
Programs that Made	7
Cancelled Programs	1
% of Programs Cancelled	13%

FEE BASED RESIDENT VS NON-RESIDENT

7 programs

75%	25%

86

ANIMAL SERVICES



OCTOBER

TOTAL # OF HOURS

# OF VOLUNTEERS	N/A
# OF HOURS	N/A

N/A



HMCC	OCT '19
Time Blocks Rented	63
Monthly Revenue	$1040

HMCC RENTAL ACTIVITY BY TIME BLOCK

63 Rentals

6 - 11 AM | 11 AM - 5 PM | 5 - 11 PM

22% | 30% | 48%



PAVILIONS	OCT '19
Time Blocks Rented	36
Monthly Revenue	$1280

PAVILION RENTAL ACTIVITY BY TIME BLOCK

36 Rentals

6 AM - 3 PM | 3 - 11 PM

42% | 58%

PARKS



FACILITY INSTALLATION:

Butterfly Garden installation at Northshore Park with Lynn Pesta Butterfly Brigade

FACILITY UPGRADES:

Dog Park Turf Renovation



DEPARTMENT PERFORMANCE:

TRAPs Park Maintenance Rodeo: Rockwall Park and Recreation Team takes 1st Place at Rodeo



88

MARKETING

FACEBOOK PAGE LIKES

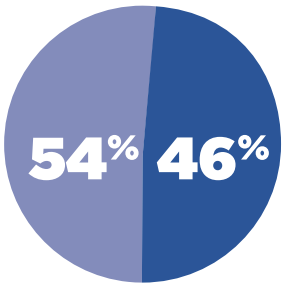
	GAIN OR LOSS
SEP	+62
OCT	+68

TOTAL LIKES THRU 10/31/2019

Like **13,851**

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

	ACCOUNTS	GAIN OR LOSS
SEP	9044	+58
OCT	9142	+80



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

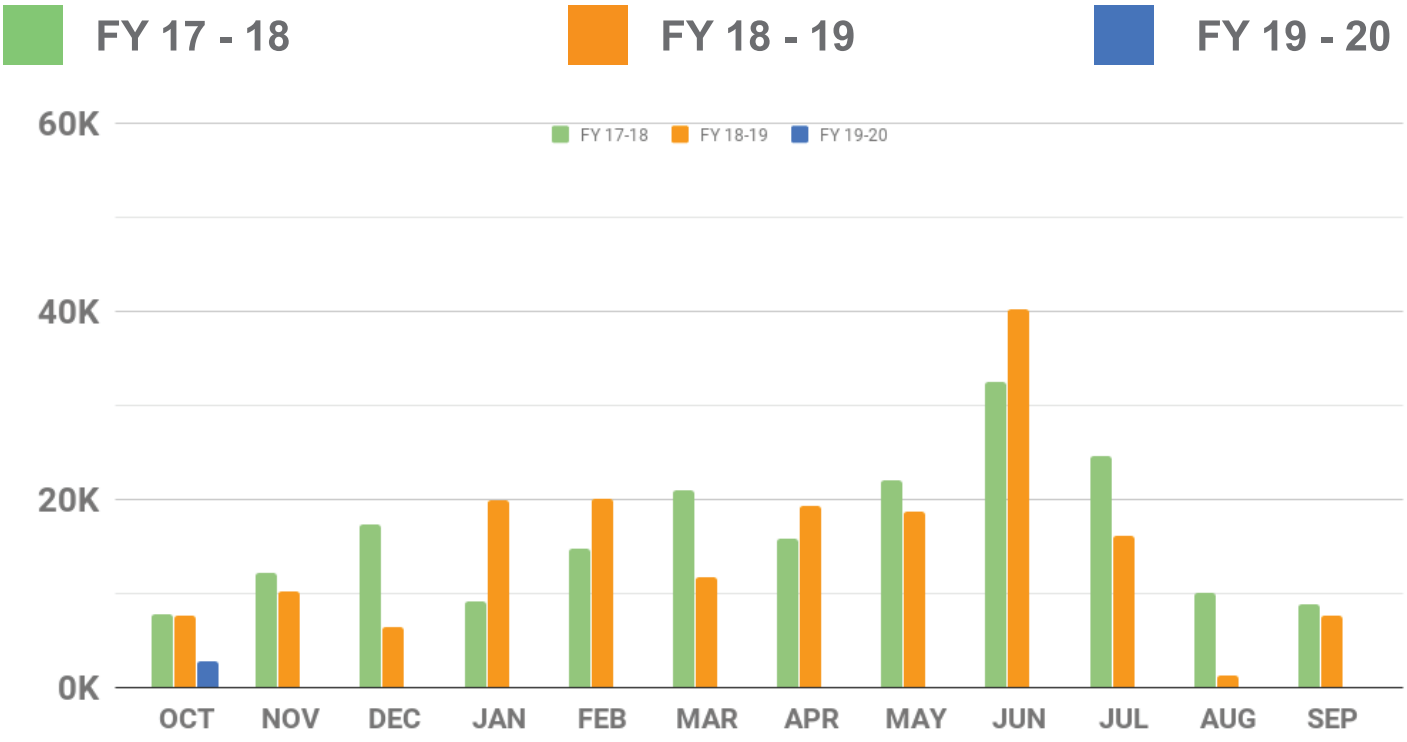
PLAYROCKWALL.COM

PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of October 2019.	59,055
SESSIONS Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com	12,764
USERS Visitors to playrockwall.com	9,077

REVENUE

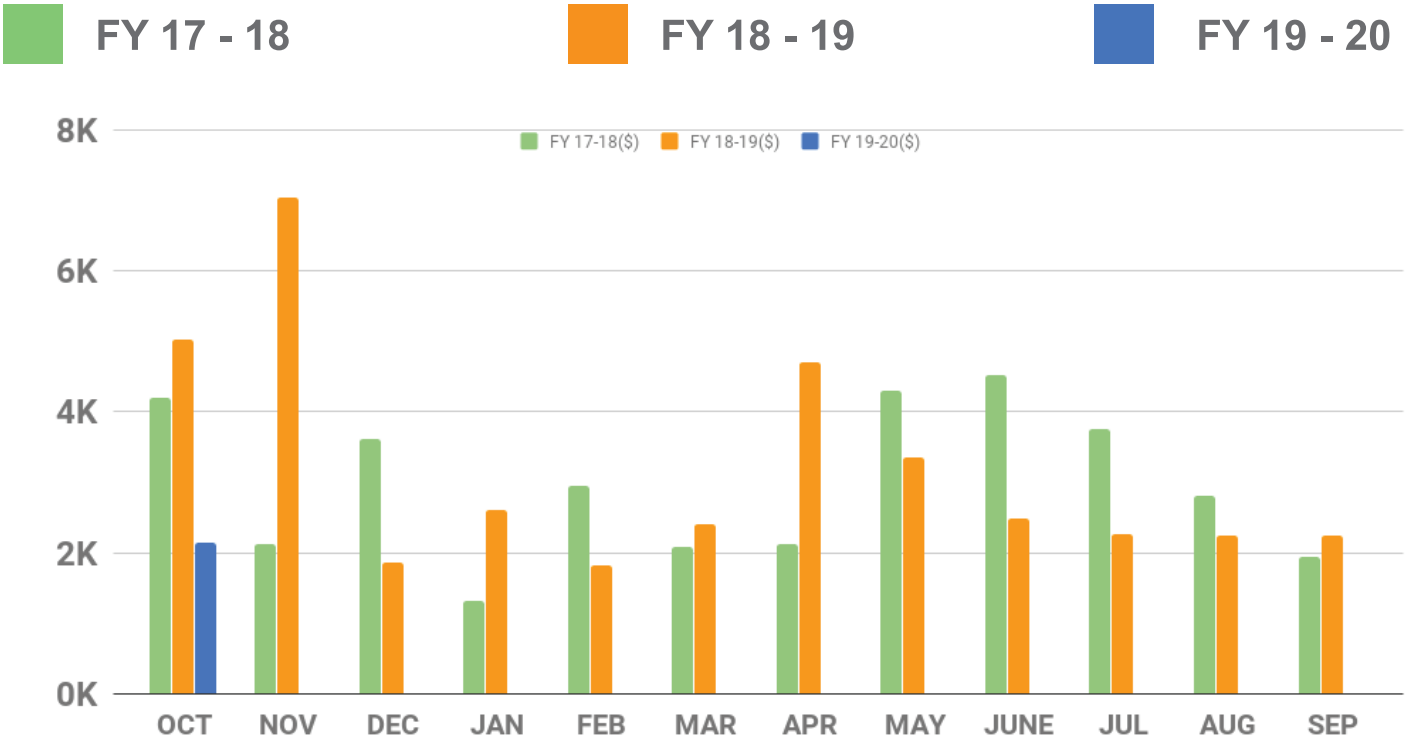
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



90

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91

Rockwall Adoption Center

2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	**97%**
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	**96%**
March '19	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	**100%**
April '19	38-56%	5-7%	22-32%	1-1%	2-3%	76	68	**95%**
May '19	74-65%	14-12%	18-16%	6-5%	3-3%	135	115	**92%**
June '19	69-60%	18-16%	26-25%	1-1%	1-1%	109	115	**99%**
July '19	62-60%	18-17%	21-20%	2-2%	1-1%	97	104	**97%**
August '19	64-65%	10-10%	24-24%	1-1%	0-0%	114	99	**99%**
September '19	37-50%	12-16%	15-20%	2-3%	8-11%	76	74	**86%**
October '19	68-63%	12-11%	26-24%	1-1%	1-1%	100	108	**98%**
November '19								
December '19								

92

Rockwall Animal Adoption Center

PROFIT AND LOSS

October 2019

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	2,975.00
4112 Adoption Fee - Cat	2,205.00
Total 4100 Adoption Fee	**5,180.00**
4200 Impound Fee	840.00
4300 Owner Surrender	885.00
4350 Quarantine Fee	300.00
4650 Medical	755.00
4700 General Donations	6,822.76
47200 Program Income	
47230 Membership Dues	150.00
Total 47200 Program Income	**150.00**
Total Income	**$14,932.76**
GROSS PROFIT	**$14,932.76**
Expenses	
5200 - Shelter Expense	
5201 - Canine Food	395.11
5202 - Micro Chip	999.99
5203 Medication	6,528.63
5209 - Shelter Supplies	664.59
Total 5200 - Shelter Expense	**8,588.32**
5300 - Veterinary Expense	2,296.07
5400 - Professional Services	2,083.34
65000 5000 - Administative Expense	
5004 - Paypal/Intuit fee	195.62
5005 - Postage	37.25
5006 - Bank Fees	113.00
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	25,302.26
5055 - Payroll Tax	1,857.22
5056 - 401K Employer/Healthcare	1,308.88
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	**29,318.73**
Total Expenses	**$42,286.46**
NET OPERATING INCOME	**$ -27,353.70**
NET INCOME	**$ -27,353.70**

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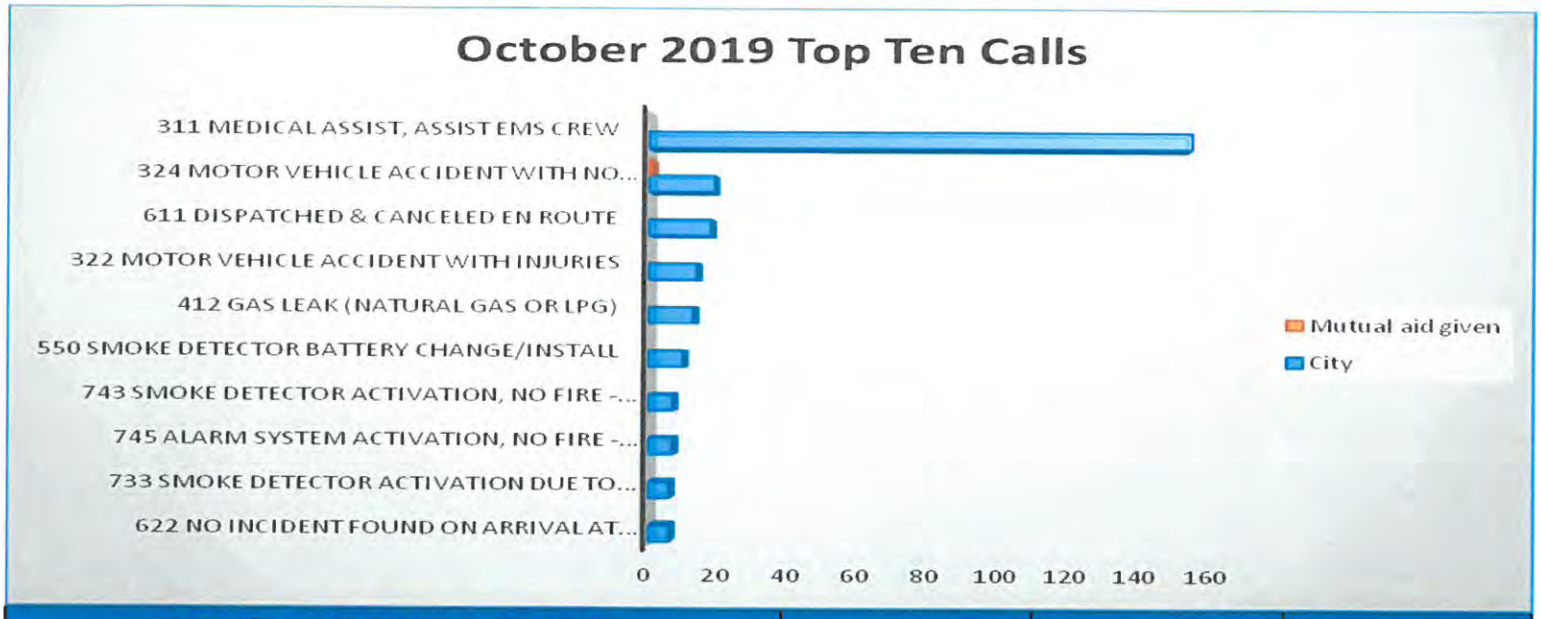
94

ROCKWALL FIRE DEPARTMENT

Monthly Report

October 2019

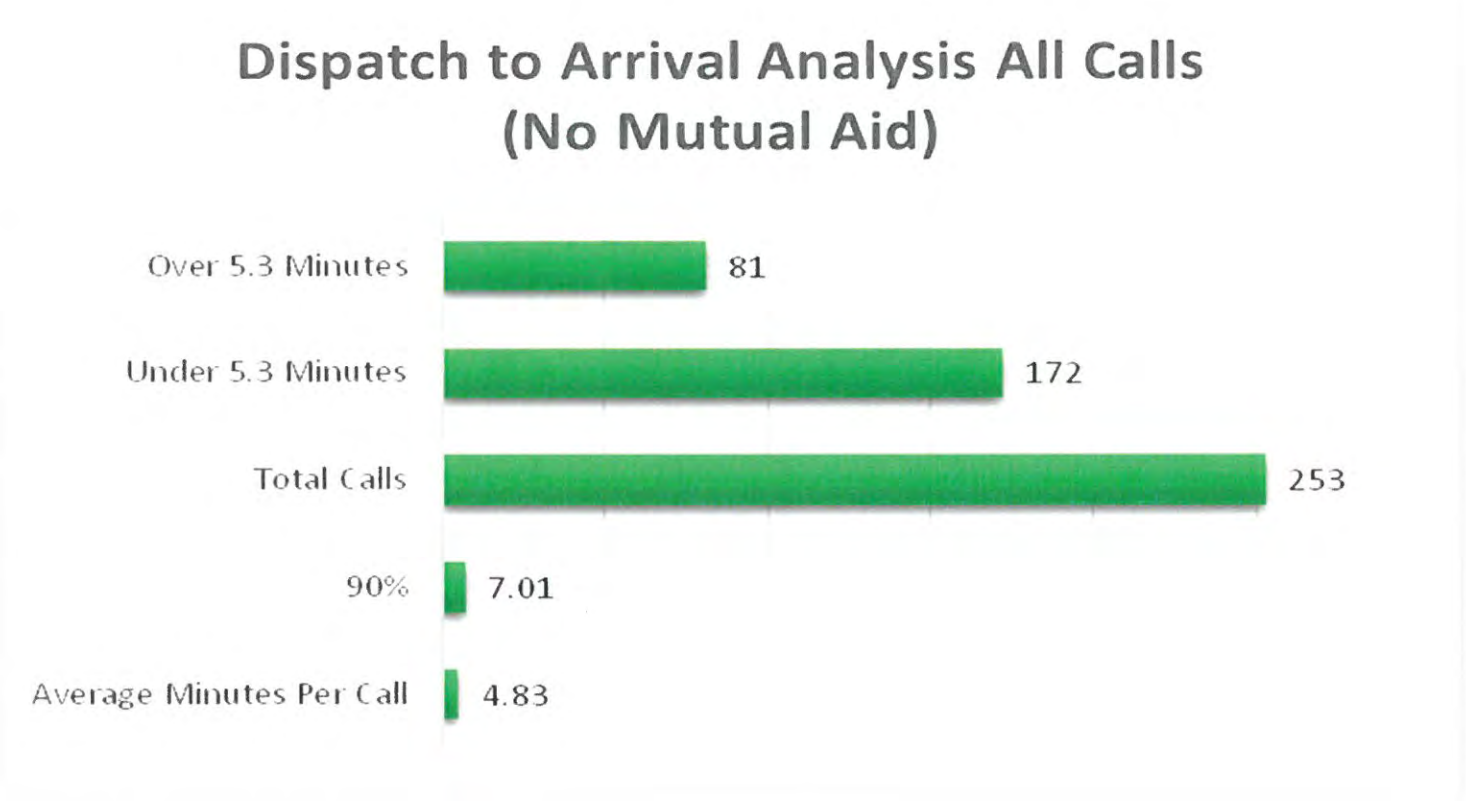
95



October 2019- All Calls			
Situation Type	Mutual aid given	Mutual aid received	City
324 Motor vehicle accident with no injuries.	1		19
131 Passenger vehicle fire (cars, pickups, SUV's)			3
551 Assist police or other governmental agency			2
900 Special type of incident, other			1
143 Grass fire			1
652 Steam, vapor, fog or dust thought to be smoke			1
150 OTHER Outside rubbish fire			1
743 Smoke detector activation, no fire - unintentional			7
311 Medical assist, assist EMS crew			157
531 Smoke or odor removal			1
322 Motor vehicle accident with injuries			14
622 No incident found on arrival at dispatch address			6
323 Motor vehicle/pedestrian accident (MV Ped)			1
700 False alarm or false call, other			2
715 Local alarm system, malicious false alarm			2
733 Smoke detector activation due to malfunction			6
736 CO detector activation due to malfunction			2
352 Extrication of victim(s) from vehicle			1
746 Carbon monoxide detector activation, no CO			1
353 Removal of victim(s) from stalled elevator			1
111 Building fire		1	3
360 Water & ice-related rescue, other			1
550 Smoke Detector Battery Change/Install			10
365 Watercraft rescue			2
611 Dispatched & canceled en route			18
411 Gasoline or other flammable liquid spill			2
651 Smoke scare, odor of smoke			3
412 Gas leak (natural gas or LPG)			13
653 Smoke from barbecue, tar kettle			1
413 Oil or other combustible liquid spill			2
711 Municipal alarm system, malicious false alarm			1
421 Chemical hazard (no spill or leak)			1
731 Sprinkler activation due to malfunction			1
424 Carbon monoxide incident			1
735 Alarm system sounded due to malfunction			3
441 Heat from short circuit (wiring), defective/worn			1
741 Sprinkler activation, no fire - unintentional			2
442 Overheated motor			1
745 Alarm system activation, no fire - unintentional			7
444 Power line down			3
813 Wind storm, tornado/hurricane assessment			2
445 Arcing, shorted electrical equipment			5
911 Citizen complaint			1
520 Water problem, other			1
522 Water or steam leak			1
Totals	**1**	**1**	**315**

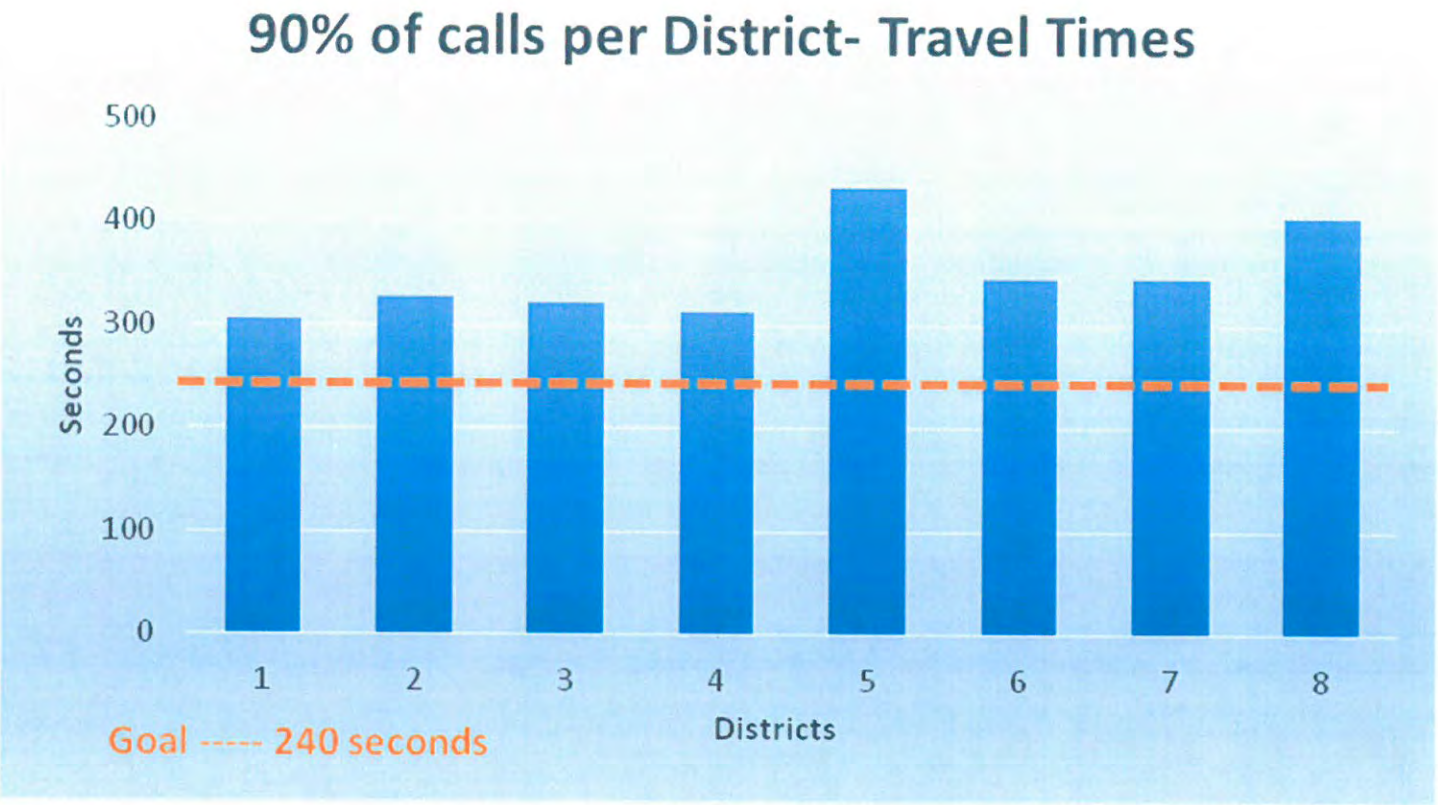
96

Dispatch to Arrival Analysis
October 2019



Dispatch to Arrival Analysis-(No Mutual Aid)					Total Calls
65.49%	On Scene in	5.3	minutes or less		172
76.86%	On Scene in	6.0	minutes or less		196
89.80%	On Scene in	7.0	minutes or less		229
94.51%	On Scene in	8.0	minutes or less		241
96.08%	On Scene in	9.0	minutes or less		245
99.61%	On Scene in	13.0	minutes or less		253
	Total Calls		253		

Travel Time Analysis
October 2019



Travel Time Analysis-*By District* ALL CALLS- (No Mutual Aid)					Total Number of Calls	Average Travel Time Minutes	Percent of Runs per District
% in 4 min or less	All Code 3 Calls-No Cancelled enroute calls						
	100s						
79%	On Scene in	4.0	minutes or less		71	3.28	28.17%
	200s						
69%	On Scene in	4.0	minutes or less		75	3.26	29.76%
	300s						
74%	On Scene in	4.0	minutes or less		35	3.46	13.89%
	400s						
66%	On Scene in	4.0	minutes or less		47	3.36	18.65%
	500s						
0%	On Scene in	4.0	minutes or less		6	5.80	2.38%
	600s						
25%	On Scene in	4.0	minutes or less		4	4.79	1.59%
	700s						
17%	On Scene in	4.0	minutes or less		12	5.16	4.76%
	800s						
0%	On Scene in	4.0	minutes or less		1	6.75	0.40%
	900s						
0%	On Scene in	4.0	minutes or less		1	0.00	0.40%
				Total Calls	252		98

Total Dollar Losses

October 2019

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 11/19/2019 10:27
Login ID: rck\sdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$370,000.00	$0.00	$36,000.00	$506,215.00	$608,248.00
Total Content Loss:	$115,000.00	$0.00	$0.00	$165,500.00	$170,216.80
Total Property Pre-Incident Value:	$610,773.00	$0.00	$6,233,940.00	$5,775,529.92	$8,137,170.00
Total Contents Pre-Incident Value	$180,000.00	$0.00	$1,000,000.00	$816,576.35	$1,696,573.00
Total Losses:	$485,000.00	$.00	$36,000.00	$671,715.00	$485,000.00
Total Value:	$790,773.00	$.00	$7,233,940.00	$6,592,106.27	$9,833,743.00

ROCKWALL FIRE

Fire Marshal Division

Monthly Report - October 2019

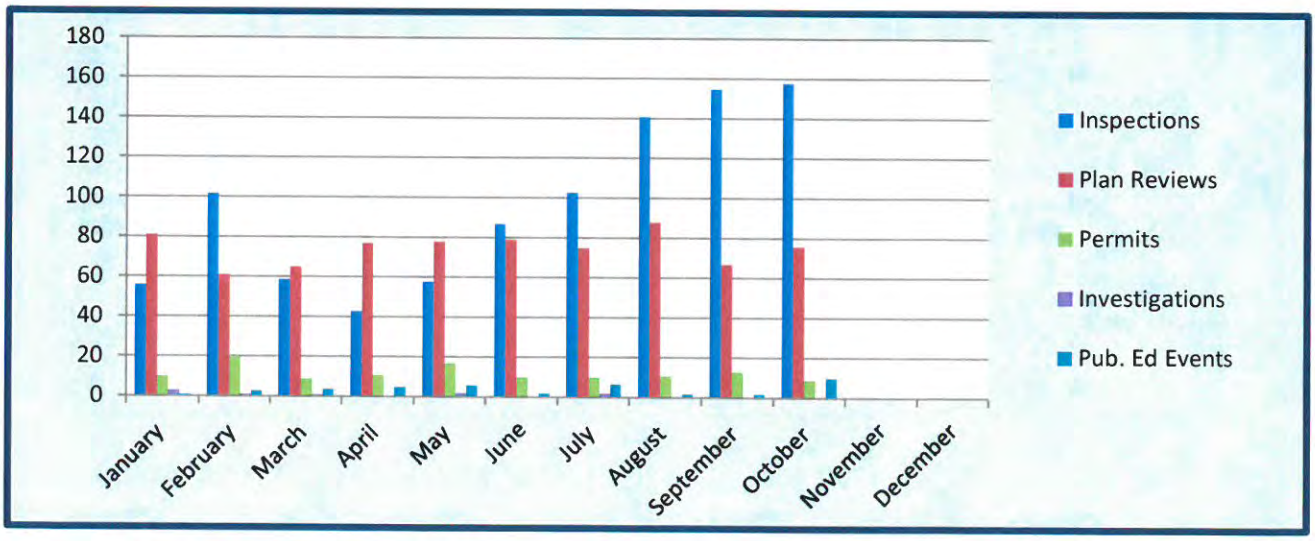
Inspection Status Report	
Total for the Month	**158**

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	0
Total for the Month	**0**

Fire Permit Report	
Doors - Access Control	1
Fire Alarm	3
Fire Sprinkler	4
Underground Sprinkler	1
Total for the Month	**9**

Public Education Events	
Total for the Month	**10**

Plan Review Report	
CO	7
COMM	37
Engineering	4
Plat	5
Signage	1
Single Family	2
Site Plan	5
Special Event	13
TCO	2
Total for the Month	76



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101

Rockwall Police Department

Monthly Activity Report

October-2019

ACTIVITY	CURRENT MONTH OCTOBER	PREVIOUS MONTH SEPTEMBER	YTD 2019	YTD 2018	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	**-100.00%**
Sexual Assault	1	3	15	11	**36.36%**
Robbery	0	1	8	6	**33.33%**
Aggravated Assault	1	1	21	17	**23.53%**
Burglary	5	3	46	29	**58.62%**
Larceny	51	52	528	557	**-5.21%**
Motor Vehicle Theft	5	1	45	39	**15.38%**
TOTAL PART I	**63**	**61**	**663**	**660**	**0.45%**
TOTAL PART II	**129**	**173**	**1367**	**1476**	**-7.38%**
TOTAL OFFENSES	**192**	**234**	**2030**	**2136**	**-4.96%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	16	14	167	170	**-1.76%**
D.W.I.	19	18	169	210	**-19.52%**
ARRESTS					
FELONY	23	39	316	301	**4.98%**
MISDEMEANOR	59	67	622	730	**-14.79%**
WARRANT ARREST	11	14	109	129	**-15.50%**
JUVENILE	10	9	48	51	**-5.88%**
TOTAL ARRESTS	**103**	**129**	**1095**	**1211**	**-9.58%**
DISPATCH					
CALLS FOR SERVICE	1589	1433	15190	13824	**9.88%**
ACCIDENTS					
INJURY	10	4	99	108	**-8.33%**
NON-INJURY	74	55	624	562	**11.03%**
FATALITY	0	0	0	2	**-200.00%**
TOTAL	**84**	**59**	**723**	**672**	**7.59%**
FALSE ALARMS					
RESIDENT ALARMS	53	48	547	624	**-12.34%**
BUSINESS ALARMS	142	109	1315	1276	**3.06%**
TOTAL FALSE ALARMS	**195**	**157**	**1862**	**1900**	**-2.00%**
Estimated Lost Hours	**128.7**	**103.62**	**1228.92**	**1254**	**-2.00%**
Estimated Cost	**$3,061.50**	**$2,464.90**	**$29,233.40**	**$29,830.00**	**-2.00%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**4**
Arrests	**2**
Arrest Warrants	**1**
Search Warrants	**2**
Seized	
Cocaine	120 Grams
Heroin	.5 Kg
Marijuana	34 lbs
Methamphetamine	7.5 Kg

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Rockwall Police Department

Dispatch and Response Times

October 2019

Police Department

	Average Response Time		
Priority 1		Number of Calls	**117**
Call to Dispatch	0:01:54		
Call to Arrival	0:06:38		
% over 7 minutes	31%		

	Average Response Time		
Priority 2		Number of Calls	**306**
Call to Dispatch	0:05:32		
Call to Arrival	0:12:58		
% over 7 minutes	59%		

	Average Response Time		
Priority 3		Number of Calls	**54**
Call to Dispatch	0:05:22		
Call to Arrival	0:11:55		
% over 7 minutes	56%		

Average dispatch response time goals are as follows:

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

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104

November 6, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: October 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
OCTOBER	23	1,563

Non-Service Days: None

NO. OF TRIPS	PURPOSE
721	Contract Service
20	Education
3	Government
26	Medicaid
308	Medical
14	Nutrition (Senior Center)
175	Other (adult-day care, beauty salon, friend's homes, etc.)
97	Shopping
199	Work

OCTOBER UNDUPLICATED PASSENGERS
84
YEAR TO DATE UNDUPLICATED PASSENGERS
109

Adjusted Trip Total	880

*Trip Totals without Contracts or Medicaid

> = 60	542
DIS >60	148
	690
% E & D Trip Total	78%

FY 2020 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: **3,404**
(FY 2020-SEPTEMBER 1, 2019 -AUGUST 31, 2020)

PRIOR YEAR OCTOBER TRIP TOTAL= 1,225 (28% INCREASE)

ROCKWALL CITY	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
(UPT) Unlinked Passenger Trips	1,841	1,563											**3,404**
CONTRACT	1,074	721											**1,795**
EDU	26	20											**46**
GOV	0	3											**3**
MDE	13	26											**39**
MED	255	308											**563**
NUT	13	14											**27**
OTH	210	175											**385**
SHP	64	97											**161**
WORK	186	199											**385**
TOTAL DR TRIPS	**1,841**	**1,563**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**3,404**

0

	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
Medicaid	13	26	0	0	0	0	0	0	0	0	0	0	**39**
Lakepointe Church Contract	1,028	657											**1,685**
Nursing Home Contracts	0	0											**0**
Charters	0	0											
	1,041	*683*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	***1,724***

	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
Adjusted Trip Total	800	880	0	0	0	0	0	0	0	0	0	0	**1,680**
	*Trip Totals without Contracts or Medicaid												

Rockwall E & D Ridership	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
Elderly (&/or Disabled) Trips	450	542											**992**
Disabled Trips	155	148											**303**
E &D Total Rides	*605*	*690*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	***1,295***
E & D Percent of Total	76%	78%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	

	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
GENERAL PUBLIC	195	190	0	0	0	0	0	0	0	0	0	0	**385**
% of Adjusted Total	24%	22%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	

DAY OF SERVICE	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
DOS	20	23											43

UNDULPICATED	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
MONTH to MONTH (M2M)	86	84											170
YEAR TO DATE (YTD)		109											109

SUBSCRIPTION TRIPS	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
SUBSCRIPTION TRIPS	388	402											790
% OF TOTAL DR	21%	26%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	
SUBS Can/NoShow	203	194											397

NS, CAN, ADV CAN	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	TOTALS
DENIALS	42	72											114
NO SHOW, CANCELED AT DOOR	138	372											510
ADVANCE CANCELLATION	278	252											530

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107

Table of Contents

Agenda 3

Consider approval of the minutes from the December 2, 2019 regular city council meeting, and take any action necessary.

12.02.19 CC Mtg Mins 6

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Consider approval the professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the engineering design services for the Buffalo Creek Tributary 1 Sanitary Sewer Interceptor Capacity Improvements Project in an amount not to exceed $164,780., to be funded by Sanitary Sewer Bonds, and take any action necessary.

Memo 11

Map 1 12

Map 2 13

Contract 14

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Consider authorizing the City Manager to execute an interlocal agreement with Rockwall County regarding Municipal Judge Services for upcoming "No Refusal Weekends," and take any action necessary.

ILA 34

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Consider authorizing the City Manager to execute an agreement with MHS Planning & Design, LLC to update the Parks, Recreation & Open Space Master Plan for 2020-2030 in amount of $38,150 to be funded by Recreation Development Fund reserves, and take any action necessary.

Memo 39

Master Plan Proposal 40

Master Plan 47

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P2019-045 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 10, LTD for the approval of a final plat for Stone Creek, Phase X containing 118 single-family residential lots on a 36.428-acre tract of land identified as a portion of Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single Family-10 (SF-10) District land uses, located at the southwest corner of John King Boulevard and Featherstone Drive, and take any action necessary.

P2019-045 80

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P2019-046 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 11, LTD for the approval of a final plat for the Breezy Hill, Phase XI containing 78 single-family lots on a 23.849-acre tract of land identified as a portion of Tract 7 and all of Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses, generally located adjacent to Breezy Hill Road north of the intersection of Breezy Hill Road and FM-552, and take any action necessary.

P2019-046 . . . 87
Blank Page . . . 92

Z2019-025 - Hold a public hearing to discuss and consider a request for the approval of an ordinance for a text amendment amending the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for the purpose of allowing the Rental, Sales, and Service of Heavy Machinery and Equipment land use by Specific Use Permit (SUP) in the Commercial (C) District, and take any action necessary. (1st Reading)

Z2019-025 . . . 93
Blank Page . . . 98

Discuss and consider adoption of a resolution setting solid waste collection rates, and take any action necessary

Staff Memo . . . 99
Resolution . . . 100
Blank page . . . 102

Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020 Census and take any action necessary.

Census Item . . . 103
Blank Page . . . 107

Discuss an update regarding the South Lakeshore/Summit Ridge reconstruction project, and take any action necessary.

Memo_LS Summit Ridge . . . 108
Blank Page . . . 109

Discuss and consider (re)appointments to the city's Historic Preservation Advisory Board and Main Street Advisory Board, and take any action necessary.

MSAB and HPAB . . . 110
Blank Page . . . 111

AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, December 16, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Facilities Agreement litigation pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding Breezy Hill Road pursuant to Section § 551.071 (Consultation with Attorney)
3. Discussion regarding possible purchase/acquisition of real property for park land in the north portion of the city, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

VI. OPEN FORUM

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VIII. CONSENT AGENDA

p.6 **1.** Consider approval of the minutes from the December 2, 2019 regular city council meeting, and take any action necessary.

p.11 **2.** Consider approval the professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the engineering design services for the Buffalo Creek Tributary 1 Sanitary Sewer Interceptor Capacity Improvements Project in an amount not to exceed $164,780., to be funded by Sanitary Sewer Bonds, and take any action necessary.

p.34 3. Consider authorizing the City Manager to execute an interlocal agreement with Rockwall County regarding Municipal Judge Services for upcoming "No Refusal Weekends," and take any action necessary.

p.39 4. Consider authorizing the City Manager to execute an agreement with MHS Planning & Design, LLC to update the Parks, Recreation & Open Space Master Plan for 2020-2030 in amount of $38,150 to be funded by Recreation Development Fund reserves, and take any action necessary.

p.80 5. **P2019-045** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 10, LTD for the approval of a final plat for Stone Creek, Phase X containing 118 single-family residential lots on a 36.428-acre tract of land identified as a portion of Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single Family-10 (SF-10) District land uses, located at the southwest corner of John King Boulevard and Featherstone Drive, and take any action necessary.

p.87 6. **P2019-046** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 11, LTD for the approval of a final plat for the Breezy Hill, Phase XI containing 78 single-family lots on a 23.849-acre tract of land identified as a portion of Tract 7 and all of Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses, generally located adjacent to Breezy Hill Road north of the intersection of Breezy Hill Road and FM-552, and take any action necessary.

IX. PUBLIC HEARING ITEMS

p.93 1. **Z2019-025** - Hold a public hearing to discuss and consider a request for the approval of an **ordinance** for a text amendment amending the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for the purpose of allowing the Rental, Sales, and Service of Heavy Machinery and Equipment land use by Specific Use Permit (SUP) in the Commercial (C) District, and take any action necessary. **(1st Reading)**

X. ACTION ITEMS

p.99 1. Discuss and consider adoption of a resolution setting solid waste collection rates, and take any action necessary

p.103 **2.** Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020 Census and take any action necessary.

p.108 **3.** Discuss and consider an update regarding the South Lakeshore/Summit Ridge reconstruction project, and take any action necessary.

p.110 **4.** Discuss and consider (re)appointments to the city's Historic Preservation Advisory Board and Main Street Advisory Board, and take any action necessary.

XI. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Facilities Agreement litigation pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding Breezy Hill Road pursuant to Section § 551.071 (Consultation with Attorney)
3. Discussion regarding possible purchase/acquisition of real property for park land in the north portion of the city, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of December, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, December 02, 2019 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Dana Macalik called the meeting to order at 5:00 p.m. Present were Mayor Pro Tem Dana Macalik, Councilmembers Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen as well as City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Jim Pruitt was absent from the entirety of the council meeting.

Mrs. Macalik read the following discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding potential litigation concerning a franchise utility provider (Spectrum Cable) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:36 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pro Tem Macalik reconvened the public meeting at 6:00 p.m. with 6 of the 7 council members being present (Pruitt absent).

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

VI. Open Forum

Mayor Pro Tem Macalik explained how Open Forum is conducted, asking if anyone in the audience would like to come forth and address the Council at this time. There being no one indicating such, she then closed Open Forum.

VII. Take Any Action as a Result of Executive Session

Indication was given that no action was needed as a result of Executive Session.

VIII. Consent Agenda

1. Consider approval of the minutes from the November 18, 2019 regular city council meeting, and take any action necessary.
2. **MIS2019-014** - Consider approving an **ordinance** amending the OURHometown Vision 2040 Comprehensive Plan for the purpose of updating the water and wastewater master plans, and take any action necessary **(2nd Reading).**
3. **P2019-044** - Consider a request by Arlyn Samuelson of Westwood Professional Services on behalf of Carolina Molina of SPR Packaging for the approval of Lot 3, Block A, SPR Packaging Addition being a replat of a 10.189-acre parcel of land identified as Lot 2, Block A, SPR Packaging Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1480 Justin Road, and take any action necessary.
4. **P2019-047** - Consider a request by Matt Lucas, PE of Kimley Horn on behalf of Kevin J. Lloyd of 2424 MTA Realty, LLC for the approval of Lots 1, 2, & 3, Block A, MTA Andrews Addition being a final plat of a 9.6990-acre tract of land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, addressed as 2424 Ridge Road, and take any action necessary.
5. **MIS2019-015** - Consider a request by Michael Guerrero of Atticus Harbor Village, LLC for the approval of an alternative tree mitigation plan for a 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.
6. Consider approval of a proposal from Ramco Rugged Portables in the amount of $67,845.95 for the Getac cloud storage solution and annual maintenance, appropriating Seizure Funds for this purpose, and take any action necessary.

Councilman Hohenshelt moved to approve the Consent Agenda as presented (#s 1, 2, 3, 4, 5, and 6). Councilmember Trowbridge seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER WATER PLAN AND THE MASTER WASTEWATER PLAN CONTAINED IN THE OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

The motion passed by a vote of 6 ayes with 1 absent (Pruitt).

IX. ACTION ITEMS

1. Discussion and consider a resolution providing for the casting of votes and submission of the official voting ballot associated with appointments to the Rockwall Central Appraisal District Board for the year 2020-2021, and take any action necessary.

Councilmember Fowler moved to approve the resolution, assigning 449 votes to John Hohenshelt and 1 vote to Patrick Trowbridge. Councilmember Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

2. **A2019-001** - Discuss and consider the approval of a resolution stating an intention to commence annexation proceedings by Petition per Chapter 43, Subchapter C-4 of the Texas Local Government Code for a 41.49-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and generally located on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [FM-3549], and take any action necessary.

Councilmember Trowbridge moved to approve A2019-001 (and the associated resolution). Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

3. Discuss and consider approval of a facilities agreement with 549/I-30 Partners, L.P. for the construction of the Justin Road and FM-3549 intersection, and take any action necessary.

City Engineer / Director of Public Works, Amy Williams provided brief background information concerning this agenda item. Following brief questions and answers, Councilmember Fowler moved to approve the facilities agreement. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes to 0 nays with 1 absent (Pruitt).

X. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

Building Inspections Monthly Report - October 2019
GIS Division Monthly Report - October 2019
Harbor PD Monthly Report - October 2019
Internal Operations Department Report - October 2019

Recreation Monthly Report - October 2019
Rockwall Animal Adoption Center Monthly Report - October 2019
Rockwall Fire Department Monthly Report - October 2019
Rockwall Police Department Monthly Report - October 2019
STAR Transit Monthly Report - October 2019

2. City Manager's Report

Brief announcements were made, including a reminder about the City's upcoming Christmas Tree Lighting, Christmas parade and associated downtown events on Saturday, December 7.

XI. Executive Session

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding potential litigation concerning a franchise utility provider (Spectrum Cable) pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding sale of real property in the vicinity of John King Boulevard pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XII. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council did not convene in Executive Session following the close of the public meeting agenda.

XIII. Adjournment

Mayor Pro Tem Macalik adjourned the meeting at 6:13 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16th DAY OF DECEMBER, 2019.

ATTEST: **_____**
JIM PRUITT, MAYOR

_____
KRISTY COLE, CITY SECRETARY

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10

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Amy Williams, P.E, Public Works Director/City Engineer**

DATE: **December 11, 2019**

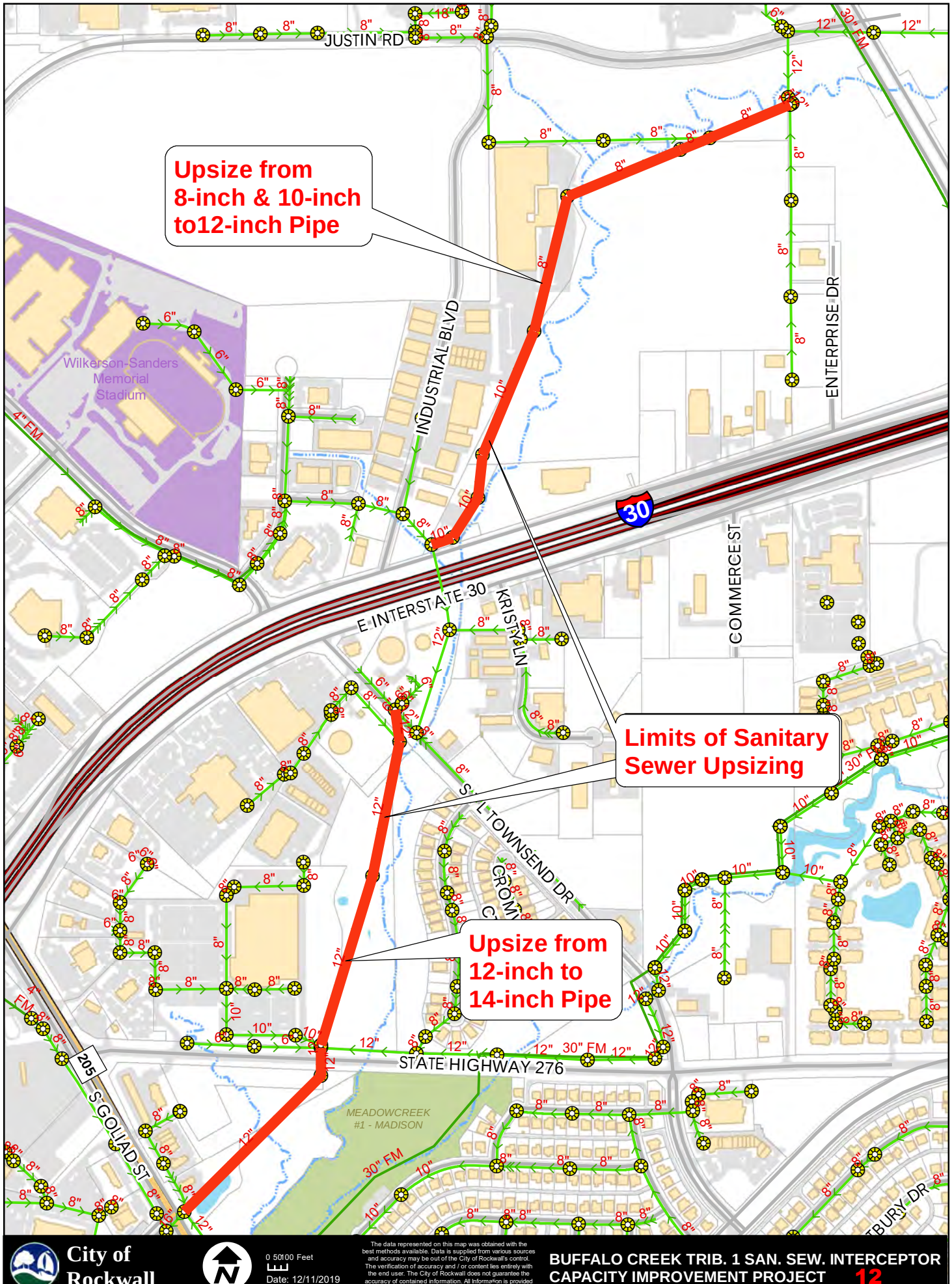
SUBJECT: **Buffalo Creek Tributary 1 Sanitary Sewer Interceptor Capacity Improvements Project**

The Buffalo Creek Tributary 1 Sanitary Sewer Interceptor currently services approximately 1,200-acres of residential, commercial, and industrial property, and is generally located between the intersections of S. Goliad Street and Ralph Hall Parkway and John King Boulevard and Justin Road (see attached map). Due to the growth of the community, the interceptor -- which was constructed between 1982 and 1997 - is currently experiencing flows beyond the design capacities of the line. Recently, the City of Rockwall Sewer Department attempted to inspect the line, but was only able to inspect 1,200 of the 6,500-linear feet of sewer pipe due to the inceptor's current capacity deficiencies. Approximately 80% of the length of the interceptor is under capacity for the existing sanitary sewer flows. For more information regarding the capacity deficiencies, please reference the Scope of Services in the attached engineering contract. The proposed capacity improvements would look to correct this issue by upsizing the existing line north of IH-30 from an eight (8) and ten (10) inch pipe to a 12-inch pipe, and south of IH-30 from a 12-inch pipe to a 14-inch pipe. Staff anticipates that the proposed improvements will also support future development in the basin based on the Future Land Use Map. As part of the scope of this project, different construction methods will be evaluated (e.g. open cut, trenches, etc.) to determine which method is the most advantageous to the City and the adjacent property owners.

Based on the aforementioned issues, staff requests that the City Council consider approving the professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the engineering design services for the Buffalo Creek Tributary 1 Sanitary Sewer Interceptor Capacity Improvements Project in an amount not to exceed $164,780.00, to be paid for out of Water and Sanitary Sewer Funds.

AJW:jmw
Attachments

Cc: Mary Smith, Assistant City Manager
Joey Boyd, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
Rick Sherer, Water/Wastewater Manager
File



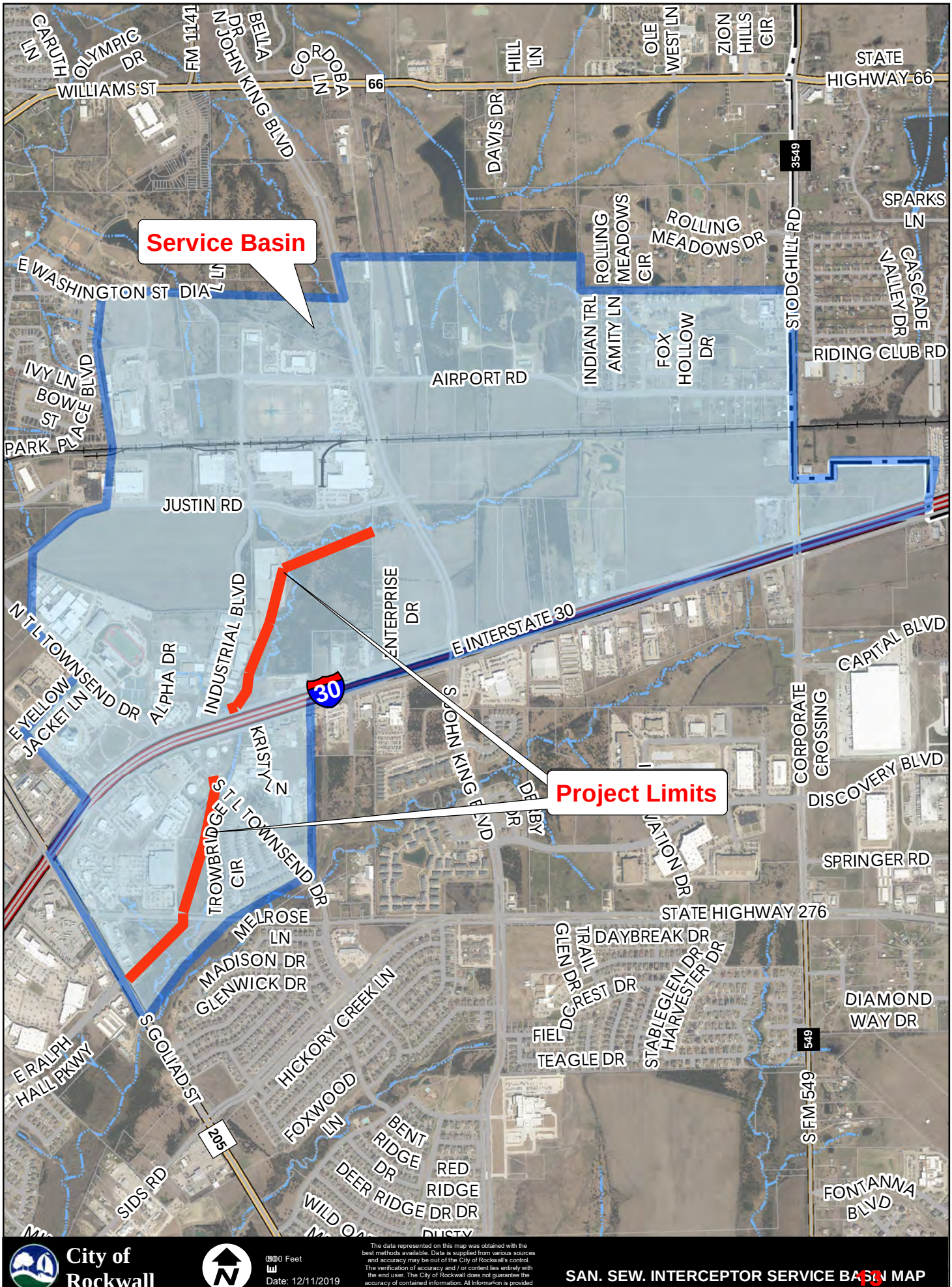
City of Rockwall

0 50100 Feet

Date: 12/11/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.

BUFFALO CREEK TRIB. 1 SAN. SEW. INTERCEPTOR CAPACITY IMPROVEMENT PROJECT 12


Service Basin
Project Limits
CARUTH LN
OLYMPIC DR
FM 1141
N JOHN KING BLVD
BELLA
CORDOBA LN
WILLIAMS ST
66
HILL LN
OLE WEST LN
ZION HILLS CIR
STATE HIGHWAY 66
DAVIS DR
3549
SPARKS LN
ROLLING MEADOWS CIR
ROLLING MEADOWS DR
STODGHILL RD
CASCADE VALLEY DR
E WASHINGTON ST
DIA L LN
INDIAN TRL
AMITY LN
FOX HOLLOW DR
RIDING CLUB RD
IVY LN
BOWIE BLVD
ST
PARK PL
ACE
AIRPORT RD
JUSTIN RD
N T L TOWNSEND DR
ALPHA DR
INDUSTRIAL BLVD
ENTERPRISE DR
E INTERSTATE 30
30
CAPITAL BLVD
E YELLOW JACKET LN
KRISTYL N
S JOHN KING BLVD
CORPORATE CROSSING
DISCOVERY BLVD
S T L TOWNSEND DR
TROWBRIDGE CIR
SPRINGER RD
JUSTIN DR
STATE HIGHWAY 276
MELROSE LN
MADISON DR
GLENWICK DR
DAYBREAK DR
GLEN TRL
DC REST DR
STABLEGLEN DR
HARVESTER DR
DIAMOND WAY DR
549
HICKORY CREEK LN
E RALPH HALL PKWY
S GOLIAD ST
205
FOXWOOD LN
BENT RIDGE DR
RED RIDGE DR
DEER RIDGE DR
SIDS RD
S FM 549
FONTANNA BLVD
City of Rockwall
Date: 12/11/2019
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.
SAN. SEW. INTERCEPTOR SERVICE BASIN MAP
18

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, L.L.P., ("ENGINEER"), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the Buffalo Creek Tributary 1 Sanitary Sewer Interceptor Improvements project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed One Hundred Sixty-Four Thousand Seven Hundred and Eighty dollars ($164,780.00) and billed in accordance with the payment schedule provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of

providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. INDEMNIFICATION

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Derek B. Chaney, P.E., R.P.L.S.
Partner
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., #600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 11th day of December 2019.

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
A Texas Limited Liability Partnership
TPBE Firm No. 526
TBPLS Firm No. 100318-00

By: _____
Name: Derek B. Chaney, P.E., R.P.L.S.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley
City Manager

ATTACHMENT "A"

Scope of Services

Buffalo Creek Tributary 1 Sanitary Sewer Interceptor Improvements

Project Description:

The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter (Consultant) to provide engineering design, bidding, and construction administration services in connection with the Buffalo Creek Tributary 1 Sanitary Sewer Interceptor Improvements Project.

These improvements are required to address capacity deficiencies identified as part of the City's 2015 Wastewater Flow Monitoring Study and to provide additional capacity to support future development growth in the basin. The proposed improvements are separated into Section 1 and Section 2 as summarized below.

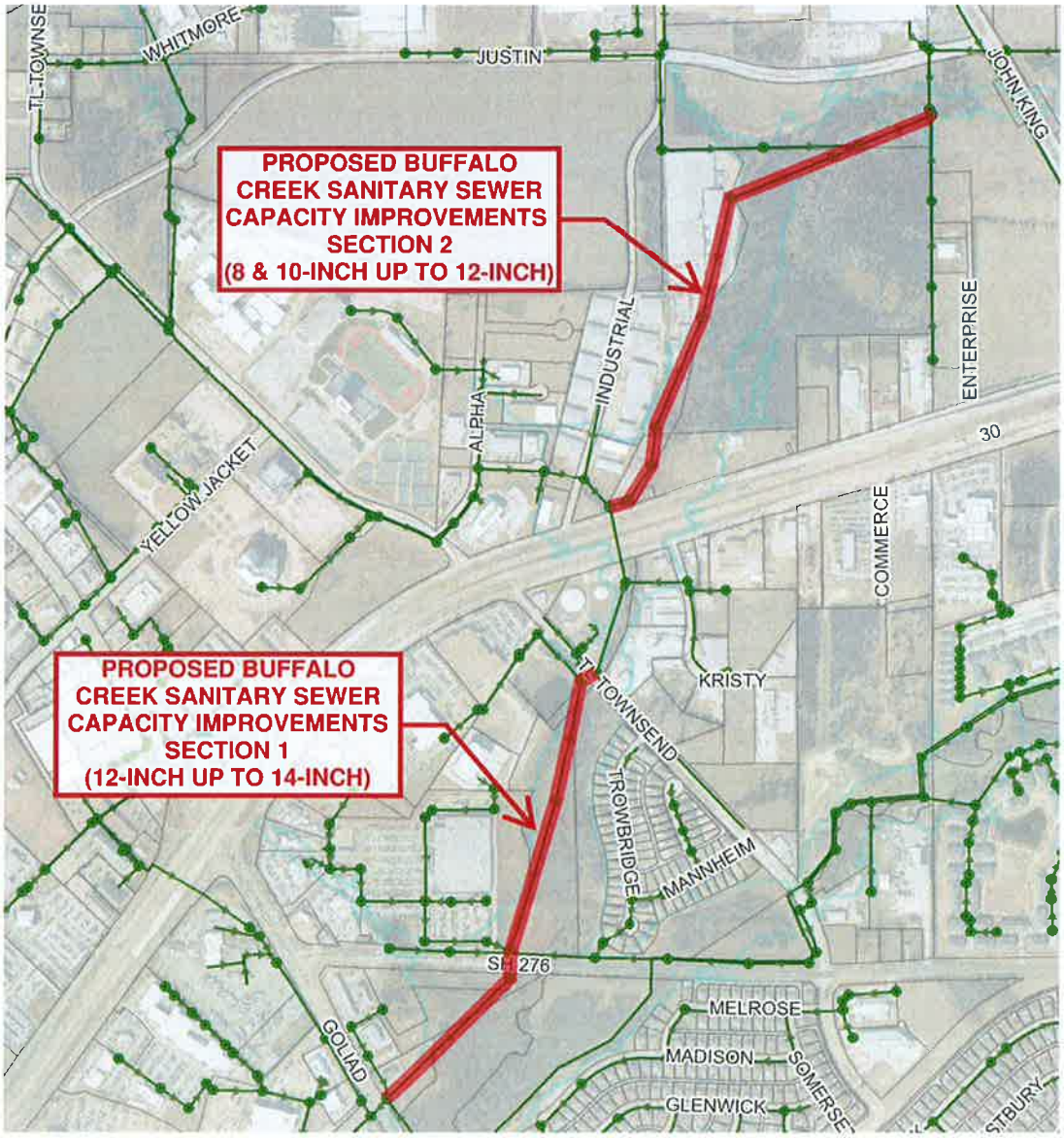
Section 1: The existing 12-inch diameter sanitary sewer (from S.H. 205 (Goliad) to TL Townsend) has a conveyance capacity in the range of 1.32 million gallons per day (MGD) compared to an existing peak wastewater flow in the range of 2.30 MGD. This represents a 74% deficiency in capacity, which results in the pipe operating in a surcharged state (water level above the top of pipe) under peak flow conditions.

The proposed capacity improvements include approximately 3,200 linear feet of proposed 14-inch diameter sanitary sewer.

Section 2: The existing 8-inch and 10-inch diameter sanitary sewer (from I.H. 30 to John King) have a conveyance capacity in the range of 0.68 MGD compared to a peak wastewater flow in the range of 0.96 MGD. This represents a 41% deficiency in capacity, which results in the pipe operating in a surcharged state under peak flow conditions.

The proposed capacity improvements include approximately 3,300 linear feet of proposed 12-inch diameter sanitary sewer.

The proposed improvements are consistent with the vision of the City's 10-Year (2019-2029) Wastewater System Capital Improvement Plan (CIP). A project location map is provided on the following page.



PROJECT LOCATION MAP

BASIC SERVICES

1. Preliminary Design Phase

1.1. Project Management

1.1.1. Conduct project kickoff meeting with Consultant Project Manager and City Staff.

1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a Project schedule update. PSU will be attached to the monthly invoice.

1.1.3. Prepare and submit project schedule to City staff.

1.2. Preliminary Design

1.2.1. Review record documents, and other pertinent information related to proposed project provided by the City.

1.2.2. Review City master plans, design standards, specifications, construction details, that may impact the design. Review of documents will include, but not limited to, the following:

(a) City of Rockwall Master Thoroughfare Plan
(b) City of Rockwall Water/Wastewater Master Plan
(c) City of Rockwall Standards of Design and Construction
(d) City of Rockwall Trail Master Plan

1.2.3. Develop AutoCAD base map showing existing Right-of-Way (ROW), property lines, known easements, and known utilities in the vicinity of the proposed improvements.

1.2.4. Reference the most current update to the City of Rockwall Wastewater Collection System Hydraulic Model (maintained by Consultant) to confirm existing and buildout design flow requirements at major design points along the proposed improvements.

1.2.5. Obtain and review as built or final design construction plans for the East Buffalo Creek Trunk Sewer Project (prepared by others in association with proposed SWBC Apartment Development) currently under construction to verify any interception of wastewater flows currently conveyed by existing Buffalo Creek Sanitary Sewer.

1.2.6. Coordinate with the City Staff to obtain video footage of CCTV camera pipe inspection of the existing sanitary sewer lines proposed for improvement. Results will be used to determine suitability of existing sanitary sewer lines for trenchless improvement methods (e.g. pipe bursting). CCTV pipe inspection to be performed by City of Rockwall Staff.

1.2.7. Based on evaluation of available information, including relevant construction plans, CCTV inspection reports, and preliminary survey data, develop recommended size, limits, and installation method for proposed improvements.

1.2.8. Prepare design memo summarizing findings from preliminary design, including an updated location map and engineers' opinion of project budget based on the proposed improvements.

1.2.9. Conduct meeting with City Staff to review and present findings from preliminary design.

2. Final Design Phase

2.1. Project Management

2.1.1. Conduct progress meetings at 60% and 90% completion to monitor the development of the project regarding project status, coordination issues and discuss City review comments of the plans.

2.1.2. Prepare and send PSU to City's Project Manager on monthly basis. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a project schedule update. Invoice will be sent at end of the month with PSU.

2.1.3. Conduct up to two (2) project site visits.

2.2. Submittals

2.2.1. Submit 60% and 90% progress submittals to the City for review and comment. The following will be required for each submittal:

(a) Construction Plans
- i. Two (2) Full Size copies – 22-inch x 34-inch
- ii. Two (2) Half Size copies – 11-inch x 17-inch
- iii. Electronic PDF copy
- iv. Electronic PDF copy– Scanned City comments previous submittal

(b) Engineer's Opinion of Probable Construction Cost
- i. Two (2) Copies and electronic PDF copy

(c) 90% only – Project Specifications and Bidding Documents
- i. Two (2) Copies and electronic PDF copy

2.3 Construction Plans

(a) Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall's Standards of Design and Construction.

(b) Plan sheets will include additional documentation, notation, and clarification required by the City's Project Manager.

(c) Each stage of the construction plan review process will address City comments from previous submittals.

(d) Below is a table of the required construction plan sheets and at which submittals they are required.

Plan Sheets	**60%**	**90%**
Cover Sheet w/ Location Map and Sheet Index	X	X
Legend Sheet	X	X
General Notes Sheet	X	X
Horizontal/Vertical Coordinate Control Sheet (1"=40' scale)	X	X
Erosion Control Plan (1"=40' scale)		X
Sanitary Sewer Plan/Profiles (1"=20'H, 1'=5'V scale)	X	X
Temporary Bypass Pumping Plan (no greater than 1"=100' scale)		X
Site Access Plan (no greater than 1"=100'scale)		X
Construction Details		X

(e) Establish the location of existing public utilities based upon information provided by the City, and field survey information. (60%)

(f) Design and prepare proposed sanitary sewer plans and profiles. (60%)
(g) Design and prepare plan and profile for open cut installations as required at roadway crossings, including sizing of steel encasement pipe, if necessary. (60%)
(h) Review FEMA flood plain mapping to determine approximate elevation of 100-year floodplain along the route. If necessary, design improvements to raise existing manhole rim elevations above flood plain elevation.
(i) Show approximate horizontal and vertical location of utility crossings along the proposed route from record drawings and field surveys of manholes. (90%)
(j) Design required lateral and service connections to the existing sanitary sewer system. (90%)
(k) Identify location of insertion and receiving pits for pipe bursting. (90%)
(l) Identify required limits of pavement repair and revegetation in disturbed areas. (90%)
(m) Prepare sanitary sewer details as required to clarify intent of design. (90%)
(n) Compile applicable City Standard details and modify standard details as needed. (90%)
(o) Prepare erosion control plan. (90%)
(p) Develop temporary sewage bypassing plan based on existing average daily and peak wastewater flows reported by the City's model. (90%)

2.4 Franchise Utility Coordination

(a) Obtain list of franchise utility contacts from the City. (60%)
(b) Provide electronic PDF set of preliminary construction plans adequate for franchise utility relocation via email to each franchise utility for their review. Request each franchise utility to mark up the plans to show the size, type and location of their utilities. (60%)
(c) Attend up to two (2) franchise utility coordination meetings hosted by the City.
(d) Notify the City if any relocations are required. (90%)
(e) Conduct coordination with the franchise utilities if any relocations are required. (90%)

2.5 Specifications/Construction Contracts (90%)

Prepare general notes, specifications, and bidding documents in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare proposal and bid schedule of applicable items.

2.5.1 Contract documents will include the following:

(a) City of Rockwall standard construction contract forms
(b) Notice to bidders
(c) Special instructions to bidders
(d) Bid Schedule (Bid-Tab) – Electronic for Bidding
(e) Standard construction contract
(f) Performance bond
(g) Payment bond
(h) Maintenance bond
(i) Certificate of insurance
(j) General conditions
(k) Special conditions

(l) Technical specifications
(m) Permits for work as may be required from the TxDOT

2.6 Engineer's Opinion of Construction Cost (60% and 90%)
Generate tabulation of proposed quantities of work and formulate an engineer's opinion of probable construction cost based on historic bidding data of similar projects.

2.7 Agency Permitting/Coordination (City to coordinate with those not listed as applicable)

2.7.1 TxDOT - Consultant to coordinate with TxDOT on items related to the project crossing or being adjacent to the TxDOT right-of-way (IH-30, S.H. 276 & S.H. 205). If necessary, provide one construction plan submittal at 60% and assist City with permit submittals as required to achieve acceptance of proposed improvements.

3 Bidding Phase

3.1 Furnish the City with one 11-inch x 17-inch set of final construction plans, and one set of final Bidding Documents and Specifications for use during the bidding phase. Documents shall also be provided to the City in electronic PDF format.

3.2 City will be responsible for advertisement of the project in the Local Paper

3.3 Consultant will upload plans and specifications to the project bidding distribution site CivCast.

3.4 Respond to contractor questions and provide design clarifications in Addenda format.

3.5 Attendance at the pre-bid meeting, if requested by the City.

3.6 The Consultant will prepare addenda to answer questions of the plans and specifications. The Consultant will provide the City with sealed, signed and dated addenda. The Consultant will upload the addenda to CivCast. All addenda will be posted a minimum of 24-hours before the bid opening.

3.7 The Consultant will respond to questions submitted from potential bidders and provided by the City to the Consultant a minimum of 72-hours before the bid opening.

3.8 Attendance of Bid Opening

3.9 Complete tabulation of bids; checking for mathematical errors and unbalanced bids. (Bid documents to be provided to Consultant by the City).

3.10 Provide bid tabulation, in PDF format, to City via email and to Contractors who submitted bids via CivCast.

3.11 Obtain experience record and references from the apparent lowest bidder. Check references of apparent low bidder. Formulate opinion from information received and provide a letter of recommendation for award of a construction contract.

3.12 Return Bid Bonds to bidders.

4 Construction Phase

4.1 Pre-Construction Meeting: Prepare for and attend the Pre-Construction Meeting prior to commencement of Work at the Site. Consultant to provide the following quantities of plans and specifications for distribution at the Pre-Construction Meeting.

a) Half-size plans (11-inch x 17-inch) plans – (15 Total)
7 – City (File, Engr. Dept. PM, Inspector, Sub-Inspector, Water, Wastewater, Streets/Drainage)
4 – Franchise Utility Company Reps. (AT&T, Atmos, TXU/ONCOR, Charter)
3 – Contractor/Sub-contractors
1 – Geotech/Materials Testing Lab

b) Full-size plans (24-inch x 36-inch) plans – (5 Total)
2 – City (File and Inspector)
3 – Contractor/Subcontractors

c) Specification Books – (7 Total)
3 – City (Engr. PM, Inspector, Sub Inspector)
3 – Contractor/Subcontractors
1 – Geotech/Materials Testing Lab

d) Plan Set "Approved for Construction" on CD.

4.2 Attend on-site construction observation meetings to observe progress, clarify design concepts and/or assist with solutions needed to overcome obstacles in construction (as applicable to scope of work) or to study and evaluate possible practical alternative solutions. Three (3) site visits are included in the budget. Consultant is not responsible for Contractor means and methods, phasing including but, not limited to the Project Safety Program or adherence to Safety Practices per any and all local jurisdictions and/or OSHA regulations.

4.3 When requested by the City, provide a memo of the site visit observations to the City.

4.4 Clarifications and Interpretations. Issue clarifications and interpretations of the Contract documents to City as appropriate. Field Orders authorizing variations from the requirements of the Contract Documents will be made by City from clarifications and interpretations made by the Consultant.

4.5 Shop Drawings and Samples. Review and take appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to Submit. Review of shop drawings will be completed by review of electronic PDF files provided by the Contractor. Consultant review and appropriate action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs. Such appropriate action of the Consultant is limited to the following:

(a) No exceptions taken,
(b) Revise and resubmit,
(c) Make corrections noted, and
(d) Rejected.

4.6 Substitutes and "or-equal". Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract documents, but subject to the provisions of applicable standards of state or local government entities. "Or-equal" acceptance by the Consultant will only be provided if the Consultant has experience with the substitution.

4.7 Limitation of Responsibilities. The Consultant shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work.

4.8 Final Construction Walk Through. Consultant shall be present at the City's final construction walk through and will prepare a "punch/checklist" for the contractor to use to achieve final project acceptance.

4.9 Record Drawings: Prepare project "Record Drawings" based on information provided by the Contractor, and/or City as to the actual field placement of the work including any changes or deletions. Consultant will provide the following deliverables:

(a) Electronic copy of the record drawings shall be submitted on CD/DVD or flash drive in the following formats.

i. AutoCAD (.dwg) format

ii. Portable Document File (PDF) 400 dpi (min) (22-inch x 34-inch paper size)

(b) If applicable, an electronic copy of geotechnical reports, survey data, photographs, and exhibits used for the project, in .PDF or jpg format.

(c) Electronic copy of project specifications in Microsoft Word (.doc) and PDF format.

(d) Record drawings shall be sealed, dated and signed by the Engineer of Record in accordance with the Texas Board of Professional Engineers Policy Advisory Opinion Regarding Record Drawings.

(e) All documented field changes and revisions provided shall be shown and noted in the revision block.

(f) Revisions shall be drawn using accepted drafting standards and shall be clear and legible.

(g) Line work and notes related to work deleted or changed shall be omitted from the Record Drawing.

ADDITIONAL SERVICES

The following scope items defined as additional services are those anticipated to be necessary to facilitate design of the project. These services will be performed on an as-need basis, and invoiced based on effort and expenses incurred.

5 Design Surveys

5.1 Consultant will prepare and send a "Request for Right of Entry for Surveying" and "Start of Engineering Design Notice" documents to property owners immediately adjacent to the proposed project route via regular U.S. Postal Service. Templates for documents and information for property owners will be provided by the City

5.2 Complete Property Research using Rockwall County records

5.2.1 Obtain plat information from County records or as provided by the City

5.2.2 Gather existing ROW (right-of-way) and easement information from Rockwall County records, and other records provided by the City.

5.3 Consultant will submit request to Texas 811 for location of franchise utilities.

5.4 Topographic and Design Survey

5.4.1 The intended scope of field survey includes a swath of approximately 40-feet centered on the City's existing 8-inch through 12-inch sanitary sewer generally located adjacent to Buffalo Creek. The limits of the survey generally begin near the north right-of-way for S.H. 205

(Goliad Road) and extend northeasterly to a point approximately 500-feet southwest of John King Boulevard and Justin Road intersection, excepting that portion between TL Townsend and I.H. 30 as shown by the location map included herein.

5.4.2 Establish horizontal control points and temporary vertical control benchmarks in the vicinity of the proposed improvements.

5.4.3 Perform field survey to identify and tie the horizontal and vertical location of relevant topographic elements. The field survey shall include, but is not limited to the following:

(a) Property boundary corner monumentation (that can be located)
(b) Sanitary sewer manholes (including flow line measure-down)
(c) Pavement, driveways, curbs, sidewalks, barrier free ramps, and signs.
(d) Storm sewer inlets, culverts, manholes, junction boxes and headwalls (including culvert sizes and flow line elevations)
(e) Top of bank, toe of bank and flow line of drainage channels/tributary.
(f) Utility vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, utility poles, utility markers, and franchise utilities and markings
(g) Trees, including species and caliper (2-inch caliper and larger)
(h) Landscape features, including planters, shrubs, rocks and borders
(i) Buildings and permanent structures
(j) Retaining walls, fences and screening walls (including material type)

5.5 Perform up to one site visit for the purposes of reviewing the results of field survey and determining the need for any additional surveys.

6 Easement Document Preparation

6.1 Prepare easement documents (metes and bounds description and graphic exhibits) for proposed utility or temporary construction easements if required by the project. Preparation of up to ten (10) easement documents are included in the budget.

6.2 Individual parcel easement documents shall be prepared on 8.5-inch x 11-inch paper size, and both an electronic PDF copy and two (2) set of originals sealed, dated, and signed by a Registered Professional Land Surveyor shall be provided to the City.

6.2.1 Graphic exhibits shall contain the following:

(a) Parcel number
(b) Area required
(c) Area remaining
(d) Legal description
(e) Current owner
(f) Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
(g) All physical features

6.2.2 Metes and bounds descriptions of the easement parcel will be prepared and provided on a separate sheet from the graphic exhibit, and each type of easement shall be described separately.

6.3 The Consultant shall provide easement documents to the City and/or their assigned Land Rights Acquisition Agent.

7 Geotechnical Evaluation

7.1 If necessary, up to two (2) soil borings will be collected from the project site and analyzed to provide soil profile logs summarizing the subsurface soil properties.

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Tasks 1-4 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Task	Fee
	BASIC SERVICES	
1.	Preliminary Design Phase	$ 16,600.00
2.	Final Design Phase	$ 57,700.00
3.	Bidding Phase	$ 7,100.00
4.	Construction Administration Phase	$ 15,000.00
	Basic Services Subtotal:	**$ 96,400.00**
Compensation for special services under Tasks 5-7 shall be on an hourly basis of salary cost times a multiplier of 2.45 for time expended on the task. Field survey crew shall be based on $170.00 per hour, inclusive of all equipment rentals and software licensing; plus, mileage charge at the IRS established rate. Expenses shall be at invoice cost times a multiplier of 1.15.		
	ADDITIONAL SERVICES	
5.	Design Surveys	$ 19,700.00
6.	Easement Document Preparation (10 sets of plat and field notes included)	$ 29,700.00
7.	Geotechnical Evaluation	$ 4,000.00
	Additional Services Subtotal*	**$ 53,400.00**
	ENGINEERING SERVICES CONTINGENCY (To be 10% of Services)**	**$ 14,980.00**
	***(This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)*	
	Project Total*	**$ 164,780.00**

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT "C"

Project Schedule

Notice to Proceed	December 16, 2019
Survey Right-of-Entry Forms	January 6, 2020
Begin Field Surveys	January 27, 2020
Complete Field Surveys	February 10, 2020
Submit 60% Plans to City for Review	April 6, 2020
Receive 60% Review Comments from City	April 20, 2020
Submit 90% Plans & Specifications to City for Review	May 25, 2020
Receive 90% Review Comments from City	June 8, 2020
Complete 100% (Final) Plans & Specifications	June 29, 2020
Advertise Project	July 6 & July 13, 2020
Receive Bids	July 20, 2020
Award Construction Contract	August 3, 2020
Construction (3 months)	September – November, 2020

ATTACHMENT "D"

Sub-Consultants

The Sub-Consultants anticipated for the work included in the scope of services for this project are as follows.

Geotechnical Evaluation:

Henley-Johnson and Associates, Inc.
James F. Phipps, P.E. l Vice President
235 Morgan Avenue Dallas, Texas 75203
Office: 214-941-3808 l Cell: 214-536-0212
jphipps@hja-eng.com l www.hja-eng.com

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33

INTERLOCAL COOPERATION AGREEMENT BETWEEN ROCKWALL COUNTY AND THE CITY OF ROCKWALL REGARDING MUNICIPAL JUDGE SERVICES

THIS INTERLOCAL COOPERATION AGREEMENT is made and entered into by and between Rockwall County, Texas, a political subdivision of the State of Texas (*hereinafter referred to as "COUNTY")*, and the City of Rockwall, a municipal corporation of the State of Texas (*hereinafter referred to as "CITY."*)

WHEREAS, the CITY is located within the COUNTY and its citizens are represented by the Rockwall County Criminal District Attorney in criminal matters; and

WHEREAS, both the CITY and the COUNTY seek to protect their citizens from harm and damage to property; and

WHEREAS, the COUNTY through the Rockwall County Criminal District Attorney intends to hold multiple "No Refusal Weekends" during the course of the year wherein warrants will be sought to draw blood from individuals suspected of driving while intoxicated who have refused to provide a breath or blood sample; and

WHEREAS, the CITY through its municipal court has the authority to issue evidentiary warrants in the State of Texas under certain conditions; and

WHEREAS, the CITY desires to make a municipal judge available to review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals in Rockwall County suspected of driving while intoxicated during the periods set forth in this Agreement; and

WHEREAS, it is in the best interest of the citizens of Rockwall County to hold "No Refusal Weekends"; and

WHEREAS, both the COUNTY and CITY desire to enter into an Interlocal Cooperation Agreement, pursuant to chapter 791 of the Texas Government Code, whereby the COUNTY and the CITY will agree upon the terms of said written agreement;

NOW, THEREFORE, the COUNTY and the CITY mutually agree as follows:

I.
TERM OF AGREEMENT

A. The COUNTY and the CITY mutually agree that the term of this Agreement shall be for one (1) year commencing on the date it is formally and duly executed by both the COUNTY and the CITY.

B. During the term of this Agreement the COUNTY shall perform the "No Refusal Weekend" on four occasions as follows:

(1) New Year's Day – 12:01 a.m. December 27, 2019 through 5:00 p.m. January 2, 2020;
(2) Memorial Day – 12:01 a.m. May 22, 2020 through 5:00 p.m. May 26, 2020;
(3) Independence Day – 12:01 a.m. July 3, 2020 through 5:00 p.m. July 6, 2020; and
(4) Labor Day – 12:01 a.m. September 4, 2020 through 5:00 p.m. September 8, 2020.

C. Notwithstanding the foregoing, this Agreement may be terminated by either party by giving thirty (30) days' written notice of intent to terminate this Agreement to the other party. Any notice of intent to terminate must be delivered by deposit in the United States mail, certified, return mail receipt requested, to the other party at the addresses set out herein. Upon termination of this Agreement, neither party will have any obligations to the other party under this Agreement, except with respect to payment for services already rendered under this Agreement, but not yet paid.

II.
COUNTY RESPONSIBILITIES

The COUNTY will pay the CITY at a rate of $120.00 an hour for a total amount not to exceed $2500.00 for each of the aforementioned "No Refusal Weekend" periods, for the services of Associate Judge David Mallard to review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals suspected of driving while intoxicated during the "No Refusal Weekend" periods. Payment of the judge's fee is specifically not made contingent upon approval of the warrant by the judge.

III.
CITY RESPONSIBILITIES

The CITY through Associate Municipal Judge David Mallard shall review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals suspected of driving while intoxicated during the "No Refusal Weekend" periods. The CITY agrees that Judge Mallard will be available to provide these services at times to be scheduled at a later date during the "No Refusal Weekend" periods. The CITY further agrees to submit an invoice to the COUNTY (c/o the Rockwall County Auditor) for the services provided by the Judge. Payment shall be made 30 days after receipt of the invoice by the Rockwall County Auditor.

IV.
GENERAL PROVISIONS

A. **General Administration:**
The COUNTY and the CITY will designate their respective representatives for the general administration of this Agreement.

B. **Alteration, Amendment or Modification:**
This Agreement may not be altered, amended, or modified except in writing signed by all parties to this Agreement.

C. **Notice:**
All notices sent pursuant to this Agreement will be in writing and must be sent by registered or certified mail, postage prepaid, return-receipt requested.

Notices sent pursuant to this Agreement will be sent to the Rockwall County Judge's Office at the following address:

County Judge
Rockwall County Judge's Office
101 East Rusk, Room 202
Rockwall, Texas 75087

Notices sent pursuant to this Agreement may be delivered or sent to the City at the following address:

Rick Crowley
City Manager of Rockwall
385 South Goliad Street
Rockwall, Texas 75087

When notices sent pursuant to this Agreement are mailed by registered or certified mail, notices will be deemed effective three (3) days after deposit in a U.S. mail box or at a U.S. postal office.

D. **Severability:**
If any provision of this Agreement is found to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability will not affect the remaining provisions of this Agreement.

E. **Breach:**
The failure of either party to comply with the terms and conditions of this Agreement will constitute a breach of this Agreement. Either party will be entitled to any and all rights and remedies allowed under Texas law for any breach of this Agreement by the other party.

F. **Non-Waiver:**
The waiver by either party of a breach of this Agreement will not constitute a continuing waiver of such breach or of a subsequent breach of the same or a different provision. Nothing in this Agreement is intended by either party to constitute a waiver of any immunity from suit or liability to which it is entitled under applicable law.

G. **Entire Agreement:**
This Interlocal Cooperative Agreement constitutes the entire Agreement between the COUNTY and the CITY. No other agreement, statement, or promise relating to the subject matter of this Agreement and which is not contained in this Agreement or incorporated by reference in this Agreement will be valid or binding.

H. **Terms used in Document:**
As used in this Agreement, the terms "Interlocal Cooperation Agreement", "Interlocal Agreement", "Agreement", and "Contract" are synonymous.

I. **Non-Defined Terms:**
If not specifically defined in this Agreement, words and phrases used in this Agreement will have their ordinary meaning as defined by common usage.

EXECUTED THIS 26th day of November 2019.

Rockwall County

By: _____
Honorable David Sweet
Rockwall County Judge

Attest:

_____ Date: 11/26/19

EXECUTED THIS _____ day of _____ 2019.

City of Rockwall

By: _____
Mayor Jim Pruitt
City of Rockwall

Attest:

_____ Date: _____

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38

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor and City Council**

CC: **Rick Crowley, City Manager**
Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager

FROM: **Travis E. Sales, Director of Parks and Recreation**

DATE: **December 16, 2019**

SUBJECT: **Parks, Recreation & Open Space Master Plan Update 2020-2030**

The Park, Recreation & Open Space Master Plan 2010-2020 is set to expire in 2020. Staff has started initial planning discussions with MHS Planning and Design, LLC to update and provide the City of Rockwall with a Parks, Recreation & Open Space Master Plan 2020-2030. Not only does the master plan play a significant role in qualifying the City of Rockwall for Texas Parks and Wildlife grants in the future, it also provides direction for Parks and Recreation programming and development for the future. This process will take approximately 8-months to complete at a cost of $38,150.00. Attached in your packet is the time-line and cost associated with the project. Staff is requesting use of funds from the Recreational Development account to complete this project. We anticipate the project time line to be January to September of 2020. This project for unknown reasons was not originally budgeted during the 2019-2020 budget process. We are also requesting the council to amend the budget in the Rec Development fund as well.

Park Board voted unanimously to recommend to the City Council to proceed with the Master Plan update. The City Council is asked to authorize the City Manager to execute the agreement with MHS Planning and Design, LL. Staff will be available to answer any questions.

MHS
PLANNING & DESIGN, LLC

25 November 2019

Mr. Travis Sales, Parks & Recreation Director
City of Rockwall
108 East Washington
Rockwall, Texas 75087

RE: Letter Agreement between the City of Rockwall, Texas and MHS Planning & Design for the development of the City of Rockwall Parks, Recreation and Open Space Master 2020 - 2030

Dear Travis:

MHS Planning & Design is pleased to have the opportunity to submit this proposal for the above referenced project. Based upon our understanding of the City's desires for the Parks, Recreation and Open Space Master Plan, we have prepared the following scope of services for your consideration:

I Basic Services of the Consultant:

A. Service Area: The service area for the plan will be the corporate limits of Rockwall, Texas.

B. Time Frame: The Master Plan will cover a time period from 2020-2030.

C. Data Collection:

1. Obtain most recent maps of the service area including street maps, topography maps, and aerial photography, if available. Photograph all parks and park improvements that have been completed since January 2020. (See Section II for City's responsibility.)

2. Obtain relevant planning documents and produce an updated inventory of parks, recreation and open space facilities within the service area.

3. Obtain the most recent population projections and demographic data for the service area.

4. Meet with City staff to discuss achievements completed since the update was adopted, future park projects, desires, programming and maintenance of parks and public places.

D. Analysis of Supply and Demand:

1. Prepare "Needs Analysis" based on current and future supply and user demand.

2. Conduct two input workshops with special interest groups to further determine recreational needs. (See Attached Schedule)

3. Conduct a workshop with the City staff, Park Board members and the general public to identify special park issues and desires. (See Attached Schedule)

NOTE: The above listed workshops will be scheduled in two groups to reduce the cost of the Master Plan to the City.

D. Preparation of Preliminary Master Plan

1. Develop sketch plans to identify future land acquisition and proposed facilities for parks, open space and recreation.

2. Prepare preliminary cost projections for park and recreation improvements proposed for the next five (5) year planning increment and prepare financing alternatives for consideration. Future bond programs and potential partnerships will be discussed as alternative financial tools to help fund the implementation program.

3. Prepare draft written report detailing the Master Plan.

4. Submit the preliminary plan update and sketches to City Staff for comment. (One meeting)

5. Submit the draft master plan update to Texas Parks and Wildlife for review and comment.

F. Preparation of Final Master Plan

1. Incorporate review comments and prepare final written report including updated cost projections, proposed phasing plan for park and recreation improvements, full color exhibits, and financing alternatives.

G. Presentation of Final Plan

1. Make presentation of the final Parks, Recreation and Open Space Master Plan to the Park Board for approval and recommendation to the City Council for adoption, or

2. Make presentation of the final Parks, Recreation and Open Space Plan to the City Council for adoption.

3. Present five (5) copies of the final bound plan to the City. Product will be in full color bound format. The Consultant will also deliver to the City the final plan in PDF format.

H. Cost Containment:

1. In order to contain the cost of the plan, not more than six trips to Rockwall will be made by the Consultant. The City and the Consultant will make all reasonable efforts to group the scheduling of work tasks and meetings in order to take full advantage of each trip.

II The City's Responsibilities:

The City of Rockwall will:

A. Provide full information as to his requirements for the Project.

B. Provide to the Consultant all reasonably available information pertinent to the Project including a City base map in digital form, topography, aerial photography and all previous reports and any other data relative to planning of the Project.

C. Make all provisions for the Consultant to enter upon public and private lands as required for the Consultant to perform his work under this Agreement.

212 W. 9th Street Tyler, Texas 75701 903.597.6606 mhs@mhsplanning.com
41

D. Examine all studies, reports, sketches, estimates, drawings, specifications, proposals, and other documents presented by the Consultant and shall render in writing decisions pertaining thereto within reasonable time so as not to delay the work of the Consultant.

E. Advertise for, coordinate and arrange public meetings, board meetings, and focus group meetings, and pay for all costs incident thereto.

F. Provide such legal, accounting, and insurance counseling services as may be required for the Project.

III Additional Services

A. General: In addition to the basic services to be furnished by the Consultant under this proposal for which the payment of the standard consulting fee shall be made, the Consultant shall furnish additional services of the following types, if AUTHORIZED BY THE OWNER IN WRITING.

1. Additional services due to significant changes in general scope of the project including, but not limited to, changes in size, complexity, or character when such changes are requested by the Owner.

2. Revising at Owner's request studies, reports, design documents, drawings or specifications which were previously approved by the Owner except the Owner shall not be obliged to pay when:

   a. The changes are required by regulating authorities or to bring the plan into compliance with applicable codes, ordinances, or standards, or

   b. The changes are required as a result of some error or omission on the part of the Consultant.

B. Furnishing of additional copies of reports and additional prints of drawings.

C. Additional services and costs necessitated by out-of-town travel required by the Consultant other than visits to the Project and consultation in the Owner's office as required by Section I.

D. Serving as expert witness or giving counsel for the Owner in any litigation, real or potential, or other legal proceeding involving the Project where the Consultant is not a party to the litigation.

E. Additional services in connection with the Project not otherwise provided for in this agreement.

F. Preparation of boundary survey, wetland delineation survey, lake permitting, flood studies, geotechnical investigations, plats, legal descriptions, or deeds, record search, abstracting of ownership or other related surveyor work.

IV Fees

A. The total fee for the work outlined in Section I will be $34,400.00 plus reimbursable expenses including travel & reproduction.

V Billing

A. Billing shall be monthly based on the actual work completed. Invoices will be submitted to the City of Rockwall and shall be due upon receipt. Within ten (10) days of receipt of monthly bill, City shall review and accept the fees charged or notify MHS of any discrepancies. MHS Planning & Design, LLC reserves the right to charge the amount of interest allowable under the current laws of the State of Texas on any accepted invoices not paid within thirty (30) days.

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42

VI General Conditions

A. Termination: This Agreement may be terminated with or without cause by either party by giving ten (10) days written notice. If this Agreement is so terminated the Consultant shall be paid for work completed plus reimbursable expenses. Reimbursable expenses include actual expense for subcontracted services, transportation, and subsistence of personnel when traveling in connection with the Project; reproduction of reports, drawings, specifications, and similar Project related items.

B. Estimates: Since the Consultant has no control over the cost of labor and materials, or other competitive bidding and market conditions, the estimates of construction are to be made on the basis of his experience and qualifications but the Consultant does not guarantee the accuracy of such estimates as compared to the Contractor's bid, or the final contract cost.

C. **LIMITED LIABILITY: THE LIMIT OF LIABILITY OF THE CONSULTANT FOR THIS PROJECT SHALL NOT EXCEED THE TOTAL COMPENSATION OUTLINED IN SECTION IV OF THIS CONTRACT.**

D. Successors and Assigns: The Owner and the Consultant each binds himself and his officers, successors, executors, administrators and assigns to the other party of this Agreement in respect to all covenants of this Agreement; except as above, neither the Owner nor the Consultant shall assign, or transfer his interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any office or agent of any public body which may be a part hereto.

E. Findings Confidential: All reports, information, and data prepared or assembled by the Consultant under this contract are confidential and the Consultant agrees that they shall not be made available to any individual or organization without the prior written approval of the Owner or unless required by state law or court order.

F. Interest of Members of City: No member of the governing body of the City, and no officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this contract; and the Consultant shall take appropriate steps to assure compliance.

G. Interest in Other Local Public Officials: No member of the governing body of the locality and no other public official of such locality, who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this contract; and the Consultant shall take appropriate steps to assure compliance.

H. Interest of Consultant and Employees: The Consultant covenants that he presently has no interest and shall not acquire interest, direct or indirect, in the study area or any parcels therein or any other interest which would conflict in any manner or degree with the performance of his services hereunder. The Consultant further covenants that in the performance of this contract, no person having any such interest shall be employed.

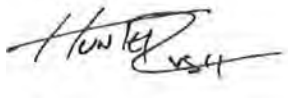
I. Personnel: The Consultant represents that he has, or will secure at his own expense, all personnel required in performing the services under this contract. Such personnel shall not be employees of the City. The Consultant further represents that although his staff does not include full time registered architects, that all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under the Texas Engineering Practice Act, State Law and local law to perform such services which may be a part hereto.

212 W. 9th Street Tyler, Texas 75701 903.597.6606 mhs@mhsplanning.com
43

J. Governing Law. The laws of the State of Texas govern this Agreement and all obligations of the parties under this Agreement are performable in Rockwall County, Texas and venue shall lie therein

If this Agreement meets with your approval, please have the contract executed in the appropriate place below and return one original to us. I appreciate the opportunity to submit this proposal to you and look forward to working with you.

Sincerely,



Hunter N Rush

APPROVED

By:_____

Date:_____

Attest:_____

MHS
PLANNING & DESIGN, LLC

ROCKWALL PARKS, RECREATION & OPEN SPACE MASTER PLAN
PROCESS, TIMELINE & ASSOCIATED COST

PLANNING STRUCTURE – Month 1 **$3,300**
- Master Plan Process Overview Staff
- Discuss Park Classification System
- Discuss Level of Service Concept

DATA COLLECTION – Month 2 **$4,150**
- Obtain Current Aerial Photography & Related GIS Data
- Inventory, Walk & Photograph New Parks & Facilities
- Obtain Current Population & Projected Population

PUBLIC INPUT – Month 3 **$5,250**
- Conduct Focus Group Meetings
- Conduct Input Meetings with the General Public

GOALS & OBJECTIVES – Month 3 **$3,100**
- Review & Modify Goals for Parks & Open Space
- Review & Modify Objectives
- Review & Modify Targeted Level of Service
- Identify Active/Passive Recreational Needs

SCHEMATIC PLAN – Month 4 **$4,800**
- Existing Parks - Service Area Map
- Potential Park Projects Map
- Potential Open Space Projects Map
- Park Network Map

PRIORITIES – Month 4 **$2,700**
- Establish Priority Listing of Facilities & Projects

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45

PRELIMINARY PLAN – Month 5 **$5,550**

– Easy to Understand Format
– Descriptive Narrative
– Color Photos
– Maps
– Illustrations to Convey Concepts
– Meet All Requirements for Texas Parks & Wildlife Approval

REVIEW PERIOD – Month 6-7 **$1,300**

– Staff Review
– Park Board Review
– Citizen Review
– Texas Parks & Wildlife Review

FINAL PLAN & PLAN ADOPTION – Month 8 **$4,250**

– Staff Review

ACTION / IMPLEMENTATION

TOTAL PLAN – 8 Months **$34,400**

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46

CITY OF ROCKWALL

PARKS, RECREATION & OPEN SPACE MASTER PLAN UPDATE



MAY 2017

MHS PLANNING & DESIGN, LLC

GO OUTSIDE AND PLAY
ROCKWALL PARKS & RECREATION

City of Rockwall
The New Horizon

47

City of Rockwall, Texas

Parks, Recreation & Open Space Master Plan Update 2017

Table of Contents

I.	Introduction	Page 3
II.	Goals & Objectives	Page 4
III.	Park Standards & Inventory	Page 7
IV.	Accomplishments	Page 14
V.	Citizen Input	Page 21
VI.	Needs & Priorities	Page 23
VII.	Implementation Schedule	Page 29
VIII.	Summary	Page 32

I. INTRODUCTION

The purpose for updating the 2010 Parks, Recreation and Open Space Master Plan is to ensure the goals, objectives and proposed developments outlined in the 2010 plan still coincide with the parks and open space needs of the community.

The 2017 Parks, Recreation and Open Space Master Plan Update includes summaries of the following:

- 2017 demographics & projections
- goals and objectives
- park standards
- park inventory
- parks and open space accomplishments since 2010
- new citizen input
- updated needs and priorities
- revised implementation schedule for future developments



Fox Chase Park

COMMUNITY

The City of Rockwall is the county seat for Rockwall County and is located east of Dallas on the eastern shore of Lake Ray Hubbard.

2020 Population Projection

- **47,474**

(Texas Water Development Board)

DEMOGRAPHICS

Estimated 2016 Population – 41,370

Population – 35,050 (2010 Census)

- 72.0 % - White
- 16.8 % - Hispanic
- 05.8 % - Black
- 02.4 % - Asian
- 03.0 % - Other

II. GOALS AND OBJECTIVES

Goals and Objectives are provided to give direction for future community decisions regarding parks, recreation and open spaces specifically in the City of Rockwall. The following goals and objectives were established in the 2010 master plan based on input from the City of Rockwall residents. These goals and objectives were reaffirmed in the 2016 public input process and remain valid.

GENERAL PARK AND RECREATION GOAL:

Rockwall's most significant outdoor features – its floodplains, woodlots, shorelands, sensitive habitats and rare ecosystems – should be woven with existing and future parks, greens and commons into a city-wide, comprehensive parks and open space system designed to serve the wide range of ages, abilities and interests of Rockwall's current and future citizenry. This parks and open space system should reflect a level of character, quality and care that communicates responsible stewardship and pride of place.



GENERAL PARK AND RECREATION OBJECTIVES:

- Encourage the creation of small, private greens and commons in new neighborhoods to enhance their character, desirability and the quality of social interaction within them.

- Research the viability of any opportunities to acquire and preserve areas of the native Blackland Prairies and surrounding areas, as important natural and historical landscape feature.

- Ensure that ultimately every Rockwall resident lives within ½ mile of a Neighborhood Park for their use.

- Ensure that ultimately every Rockwall resident lives within 2 miles of a Community Park for their use.

LAKE RAY HUBBARD GOAL:

Actively explore the potential for public waterfront use of the Lake Ray Hubbard shorelands and preserve those areas for use by the pubic.

LAKE RAY HUBBARD OBJECTIVES:

- Preserve areas identified in this plan (and the 2010 – 2020 Master Plan) for public use and enjoyment.
- Develop a lakeside park to provide a broad array of recreational opportunities along the shores of Lake Ray Hubbard.
- Explore potential for parks and passive greenway trails at appropriate locations along the shoreline.
- Explore potential for future private waterfront development that could include a public access component.



GREENWAYS GOAL:

Incorporate floodplains into an interconnected greenway network that preserves their natural flood water storage functions while providing trails, open spaces and conservation of natural areas.



GREENWAYS OBJECTIVES:

- Allow no significant filling of the 100 – year floodplain.
- Incorporate other significant natural areas, such as steep slopes and sensitive habitats, into the greenway network.
- Develop parks containing quality natural open spaces sensitively with the preservation of the natural environment as a high priority.

DESIGN DEVELOPMENT GOAL:

Design parks and open space improvements as first-class facilities, as they represent the public face or "front yard," of Rockwall.

DESIGN DEVELOPMENT OBJECTIVES:

- Ensure that park development reflects a high level of quality and a strong design ethic.

- Design park improvements for durability, long life and low maintenance requirements.

- Maintain high maintenance standards for development and maintenance of all Rockwall public land.

- Environmental stewardship measures, including the use of energy conserving components, the use of green building materials, preservation of existing habitat and vegetation and the use of native plant material should be included into the parks and open space network at every opportunity.

- Park design should consider and provide handicapped accessibility to park spaces and ensure meaningful usefulness of park facilities for user groups with varying degrees of abilities.



III. PARK STANDARDS AND INVENTORY

PARK STANDARDS

The Rockwall Parks network is made up of nine different park types – each having a role in satisfying the recreational needs of the community. It is important to note that the development costs of parkland have significantly increased over the past five years due to increased costs of materials and construction. The following chart defines the characteristics of each park type within the City.

CLASSIFICATION	SERVICE AREA	SIZE (ACRES)	POPULATION SERVED	TYPICAL FACILITIES	DEVELOPMENT COSTS
Mini – Park	¼ Mile	1 – 3 acres	500 - 2,500	Landscaping, drinking fountains, sidewalks, & benches	$75,000 - $125,000 per acre
Neighborhood Oriented Park (Public Parks associated with school properties)	¼ Mile	1 acre	500 - 2,500	Playground apparatus, landscaping, sidewalks, drinking fountains, lawn area, & benches	$100,000 - $150,000 per acre
Neighborhood Park	½ Mile	10 – 12 acres	2,000 - 10,000	Playground apparatus, picnic area(s), pavilion, play courts, play fields, multi-use trails, natural open space, landscaping, & parking	$150,000 - $175,000 per acre
Community Park	2 Miles	40 – 150 acres	10,000 - 50,000	Tennis courts, sports fields, playground apparatus, picnic area(s), pavilions, walking/jogging trails, swimming pools, open space, landscaping, recreation centers, restrooms, & parking	$70,000 - $200,000 per acre
Regional Park	10 Miles	200 – 1,000 acres	Entire Urban Area	Sports fields, tennis courts, swimming complexes, lakes, hike/bike trails, bridle paths, golf courses, campgrounds, nature areas, play structures, restrooms, & ample parking	$2,000,000 & Up (Total Cost)

CLASSIFICATION	SERVICE AREA	SIZE (ACRES)	POPULATION SERVED	TYPICAL FACILITIES	DEVELOPMENT COSTS
Natural Area	Varies	Determined by resource	Entire urban area	Nature trails, multi-purpose trails, benches, picnic areas, wildlife viewing stations, educational components, information kiosks, interpretive signs, exercise courses, & drinking fountains	Varies
Greenways	Varies	Varies	5,000 to entire community	Landscaping, multi-purpose trails, benches, information kiosks, exercise courses, & drinking fountains	$225,000 - $750,000 per mile
Special Use Park	Varies	Determined by Primary User	Varies – Dependent on Primary Use	Concentration of one or two of the following: Baseball/softball complex, soccer fields, tennis centers, sports stadiums, golf courses, performing arts parks, boat ramps, amphitheaters, & ornamental gardens	Varies
Sports Complex	Entire City	40 – 150 acres	Entire community	Sports fields, tennis courts, multi-purpose trails, concessions, spectator plazas, nature areas, play structures, restrooms, & ample parking	$5,000,000 - $8,000,000

* All costs exclude land and are based on 2017 dollars.

ROCKWALL PARK INVENTORY

The existing parks in Rockwall are classified in the Existing Parks and Open Space Inventory shown in the following table. Ideally, all developed residential areas of the city of Rockwall should fall within the service area of a neighborhood park and a community park.

	NAME	TYPE OF PARK	TOTAL ACRES	DEVELOPED ACRES	FACILITIES
1	Gloria Williams	Mini Park	.5	.5	• Basketball Court • Picnic Tables • Bar-B-Que Grill • Benches • Playground • Pool
2	Lofland	Mini Park	1.2	1.2	• Picnic Tables • Bar-B-Que Grills • Playground • Parking Lot
3	Clark Street	Mini Park	1.3	0	
4	Dalton Ranch	Neighborhood Oriented	2	0	
5	Foxwood	Mini Park	.25	.25	• Benches • Playground
6	Northshore	Neighborhood	10	1	• Basketball Court • Picnic Tables • Playground • Open Lawn Area
7	The Park at Emerald Bay	Neighborhood	11.85	10.3	• Picnic Tables • Benches • Multi-Purpose Trails • Pond • Playground • Open Lawn Area • Parking Lot
8	The Park at Foxchase	Neighborhood	10	10	• Basketball Court • Picnic Tables • Benches • Multi-Purpose Trails • Pavilion • Pond • Playground • Sprayground • Parking Lot

	NAME	TYPE OF PARK	TOTAL ACRES	DEVELOPED ACRES	FACILITIES
9	The Shores Park	Neighborhood	11.9	11.9	• Basketball Court • Picnic Tables • Benches • Multi-Purpose Trails • Pavilion • Playground
10	Windmill Ridge	Neighborhood	8.5	7.5	• Picnic Tables • Bar-B-Que Grills • Benches • Playground • Parking Lot
11	Jewel Park	Neighborhood	3.5	3.5	• Volleyball Court • Picnic Tables • Bar-B-Que Grills • Benches • Playground • Parking Lot
12	Meadowcreek	Neighborhood	16.5	3.5	• Benches • Playground
13	Henry Chandler	Neighborhood	4.2	2.5	• Baseball / Softball Fields • Soccer Fields • Parking Lot
14	Hickory Ridge	Neighborhood	25.4	12	• Basketball Court • Picnic Tables • Benches • Multi-Purpose Trails • Pavilion • Pond • Playground • Sprayground • Open Lawn Area
15	Fontana	Neighborhood Oriented	5.2	1	• Playground
16	The Park at Stone Creek	Neighborhood	12.4	6	• Picnic Tables • Bar-B-Que Grill • Benches • Multi-Purpose Trails • Pavilion • Open Lawn Area • Pond • Playground • Parking Lot
17	The Park at Breezy Hill	Neighborhood	61.5	11.5	• Picnic Tables • Bar-B-Que Grill • Benches • Multi-Purpose Trails • Pavilion • Open Lawn Area • Pond • Playground

	NAME	TYPE OF PARK	TOTAL ACRES	DEVELOPED ACRES	FACILITIES
18	Alma Williams Howard	Community	46.23	8.0	• Open Lawn Area
19	Harry Myers	Community	67	60	• Basketball Court • Volleyball Court • Picnic Tables • Bar-B-Que Grills • Benches • Restroom • Multi-Purpose Trails • Pavilion • Ponds • Playground • Community Building • Pool • Baseball / Softball Fields • Concession Stand • Sprayground • Parking Lot
20	Rockwall County YMCA	Community	22	22	• Basketball Court • Volleyball Court • Picnic Tables • Restroom • Ponds • Playground • Community Building • Pool • Baseball / Softball Fields • Soccer Fields • Parking Lot
21	The Lakes of Squabble Creek	Neighborhood / Community	168	80	• Pond • Fishing Pier • Kayak Launch • Natural Open Space • Multi-Purpose Trails
22	Leon Tuttle	Sports Complex	18.6	18.6	• Baseball / Softball Fields • Soccer Fields • Concession • Restroom • Parking Lot
23	Yellow Jacket	Sports Complex	7.6	6.0	• Baseball / Softball Fields • Concession • Restroom • Parking Lot

	NAME	TYPE OF PARK	TOTAL ACRES	DEVELOPED ACRES	FACILITIES
24	Highway 66 Boat Ramp	Special-Use	.5	.5	• Picnic Tables • Shade Structure • Multi-Purpose Trails
25	Squabble Creek Mountain Bike Trails	Special-Use	59.74	59.74	• Mountain Bike Trails • Hiking / Jogging Trails
26	The Harbor	Special-Use	7	7	• Benches • Multi-Purpose Trails • Sprayground • Parking Lot
27	The Trails at Squabble Creek	Greenway	11.8	11.8	• Multi-Purpose Trails
28	Timber Creek	Greenway	8.3	0	
29	Lago Vista	Greenway	7	0	
30	Waterstone	Greenway	12.88	0	
31	Highland Meadows	Greenway	5.9	0	
32	Lynden Park	Greenway	11.3	0	
33	Lakeview Summit	Greenway	33	0	
34	Meadowcreek - Madison	Greenway	17.4	9	• Multi-Purpose Trails • Playground
35	Lakeside Park	Regional	420	0	
	Total Park Acres		**1,110.45**		
	Total Developed Park Acres			**365.29**	
LEVEL OF SERVICE				**8.83 ACRES / 1,000 RESIDENTS**	

COLLIN COUNTY
ROCKWALL COUNTY
DALLAS COUNTY
ROCKWALL COUNTY
HUNT COUNTY
ROCKWALL COUNTY

City of Rockwall

0 1 Miles

Date: 11/8/2016
City of Rockwall Geographic Information Systems

EXISTING PARKS
W/ PARK DISTRICTS

IV. ACCOMPLISHMENTS

One of the main objectives of this master plan update is to address the accomplishments within the existing park system made since the 2010 plan. The City of Rockwall has successfully completed several projects addressed in the 2010 Master Plan and continues to make progress developing the City's parks and recreational opportunities. It is important to address the City's accomplishments in order to focus on what the city needs to accomplish in the upcoming years.

The additional parks that have been acquired and developed has increased the City's developed park acreage and thus increased the Level of Service (number of developed park acres per 1,000 residents) from 8.24 acres per 1,000 residents to 8.83 acres per 1,000 residents.

In order to keep up with the rapidly growing population, the City must develop a large piece of property, such as the Sports Complex or Lakeside Park, in order to further increase and exceed the level of service from past years.

TEXAS RECREATION AND PARK SOCIETY AWARDS



The City of Rockwall was awarded the GOLD MEDAL AWARD in 2017 which is given to honor departments in for excellence in the field of recreation and park management for the past three years. In addition, the city won the PROMOTIONAL AWARD which honors the most outstanding promotional efforts of a park, recreation and leisure agency for the past year.

CITIZEN INVOLVEMENT

To help the City of Rockwall move closer to its vision, volunteers have provided many hours of work improving the City's parks and natural areas. Eagle Scouts, Girl Scouts, civic organizations and churches, to name just a few, have contributed numerous projects and amenities that people desire and value.

The Butterfly Brigade was created as part of the nation wide Mayor's Monarch Pledge program. This passionate group of volunteers have helped create new butterfly way-stations and meadows as well as education and awareness to encourage residents to create their own habitat.



RENOVATIONS AT LEON TUTTLE ATHLETIC COMPLEX

The City of Rockwall has considered developing a Sports Complex for the past several years in order to meet the growing demands of youth athletics in the area. After the failed Sports Complex Bond, the City decided that the renovation of Leon Tuttle Park met the current demand in 2012 and was the most economical choice to best suite the citizens of Rockwall. Leon Tuttle Athletic Complex includes a total of eight renovated baseball / softball fields (six lighted fields), a playground and restroom facilities.



CONSTRUCTION OF THE ALL-INCLUSIVE PLAYGROUND AT YELLOW JACKET PARK



Shadesystemsinc.com

One of the Park Design Objectives for the City of Rockwall is to provide recreational opportunities for all abilities and ages for the residents and surrounding populations. In 2015, the City of Rockwall developed and constructed a playground specifically designed to allow children of all abilities to fully participate in outdoor recreation. The all-inclusive playground is located in Yellow Jacket Park and includes: a barrier free playground, shade canopies, music play, interactive panels and classic recreational playground elements.



Planetrockwall.com

CONSTRUCTION OF THE PHELPS LAKE TRAIL HEAD



The City developed the Raymond Cameron/Phelps Lake Master Plan in 2006 and has continually made improvements around the lakes to develop a large trail network. Since 2006, the City has renamed the lake property to The Lakes at Squabble Creek. In 2015, the City constructed the trail head at Phelps Lake. The trail head consists of a fishing pier / wildlife viewing area, a kayak launch, multi-purpose trails, natural open space, sitting areas and an area for a future native plant garden.



CONSTRUCTION OF THE PARK AT STONE CREEK



The City has strived to develop a park system that provides a neighborhood park ½ mile of every home. As Rockwall continues to grow, the City has committed to developing neighborhood parks in growing areas of the community. In 2016, the City completed the construction of an 11 acre park, The Park at Stone Creek, which includes: a playground, pavilion, multi-purpose trails, an open lawn area, fishing area / lake overlook, picnic area, benches, a drinking fountain and a parking lot. In the public input sessions of the design process, the nearby residents requested that emphasis be placed on the playground element of the park. The park now contains 9,400 sq.ft. devoted to play elements.



DESIGN OF THE PARK AT BREEZY HILL

As the City continues to develop and grow, the City has continued to acquire and develop park land. During the development of this Master Plan Update, the design and construction documents have been completed for an additional neighborhood park in northern Rockwall. The Park at Breezy Hill will consist of a pavilion, playground, walking trail, open lawn area, fishing pier / pond overlook landscaping and social gathering area. The project completion date is slated for November 2017.




THE PARK AT BREEZY HILL
CONSTRUCTION PLANS
CITY OF ROCKWALL, TEXAS
TPWD PROJECT #50-000462
ROCKWALL COUNTY
MARCH 2017

NOTICE TO CONTRACTORS

LOCATION

PROJECT LOCATION

MHS
PLANNING & DESIGN, LLC

STOP! CALL BEFORE YOU DIG

TITLE	SHEET NO.
COVER SHEET	1
SITE PLAN	2
EROSION CONTROL PLAN	3
SWPPP NOTES	4
DRAINAGE PLAN	5
DRAINAGE PROFILES	6
GRADING PLAN	7-8
PAVING AND HORIZONTAL CONTROL PLAN	9-10
INTERSECTION DETAILS	11
PAVING DETAILS	12
LAKE OVERLOOK DETAIL	13
PLAYGROUND PLAN AND DETAILS	14
PAVILION DETAIL	15
UTILITY & IRRIGATION PLAN	16
GRASSING AND LANDSCAPE PLAN	17
MISCELLANEOUS DETAILS	18
ELECTRICAL	E1-E2
STRUCTURAL	S1-S4

MHS
CONSTRUCTION PLANS
THE PARK AT BREEZY HILL
CITY OF ROCKWALL, TEXAS
1 of 18

DEVELOPMENT OF NORTHSHORE PARK

The development of Northshore Park was the number one priority on the Implementation Schedule in the 2010 master plan. Northshore Park was completed in 2011 and consists of: natural open spaces, a playground with swings, a basketball court, picnic stations and benches.



DEVELOPMENT OF TRAIL CONNECTIONS

Trails is and has been the number one priority in the City of Rockwall for several years. The City has been very successful constructing trail and sidewalk connections throughout the community. The construction of small sections of trail can connect miles and miles of trail, thus creating a city-wide trail network. The city has successfully completed three trail sections that have connected several miles of trails throughout neighborhoods and the city.



- The trail section at the intersection of John King Boulevard and CR 1141.

- The trail section at the intersection of John King Boulevard and Quail Run.

- The trail section at Dalton Park

V. CITIZEN INPUT

In order to develop a park system that will be used and highly supported by the citizens of Rockwall, the City has committed to using a citizen-driven needs based approach to park planning. In order to better understand the needs of the community, the City conducted a focus group meeting with local community leaders and a largely attended city-wide public meeting.



Overall, it is apparent that the City of Rockwall has a highly successful park system and is continually progressing. Many of the citizens feel that the City needs to continue moving in the same direction as identified in the 2010 master plan.

The following is a summary of the key responses regarding the City of Rockwall's park system.

FOCUS GROUP INPUT

The focus group consisted of several different community leaders from the City of Rockwall. The discussion primarily focused on the positive aspects of the current park system in Rockwall. In addition, the conversation lead to a handful of suggestions, such as: providing additional recreational opportunities, upgrading existing properties and enhancing the trail system. The group was asked collectively to come up with a the top three recreational priorities in the community and they are:

1 – Athletic Fields
2 – Lakeside Park Development
3 – Indoor Community / Recreation Center

PUBLIC MEETING – November 15th, 2016

The City hosted a public meeting in November in order to better understand the needs and desires of the residents of Rockwall. The meeting was well attended with approximately 35 people sharing their likes and dislikes about the park system. In addition, many of the participants shared their visions for the existing and future park system.

The following is a list of the input obtained from the public input meeting.

- The existing park system is highly maintained
- Additional trails are needed throughout the City to create more connectivity
- Construct a new sports complex
- The city has great programing
- Construct a public archery range
- Construct a community center
- Develop Lake Shore Park property
- Additional boating access is needed on Lake Ray Hubbard
- Trails do not need to be located on or through privately owned land
- Additional Special Needs playgrounds are needed throughout the community
- Construct an outdoor aquatic center
- Continue to maintain the park system at high level
- Construct bike lanes throughout city



VI. NEEDS AND PRIORITIES

The needs and priorities of the City of Rockwall are based on the goals and objectives, focus group input, citizens input, city staff recommendations and professional opinion. The following needs and priorities have been identified as important areas of focus for the City of Rockwall through 2020.

NEW PARK NEEDS

The City of Rockwall has been successful in the past six years by acquiring and developing additional new parks and open spaces within the city. As the city continues to develop, it is imperative the city focus on acquiring vacant land and greenways for additional parks to serve areas of the community that are not currently served. After conducting meetings with the general public, community leaders and key staff members it is apparent that the City of Rockwall needs to develop the Lakeside Park property in northwest Rockwall. The development of Lakeside Park would provide the residents of Rockwall with a Regional Park that should include:

- Multi-Purpose Trails
- Nature Trails
- Open Lawn Areas
- Sports Fields
- Pavilions
- Picnic Areas
- Bench Stations
- Water Features
- Nature Areas
- Playgrounds
- Restrooms
- Parking Lot



EXISTING PARK NEEDS

As the City of Rockwall continues to grow, it is essential that the city maintains, updates and renovates existing parks. As noted in the 2010 Master Plan, the level of maintenance of the existing parks is high and pleasing to the general public. There is a need to continue to update and improve existing parks to meet the ever changing demands of the residents of Rockwall.





NEIGHBORHOOD PARK NEEDS

Neighborhood Parks have been and will continue to be the backbone of the park system. The City of Rockwall has developed a parks districts map that represents different areas of growth and needs throughout the community. As part of the development process, residential developers are required by ordinance to dedicate land and monies to the city for parks and open spaces.

The districts map was recently reviewed and modified to better suite the needs of the community as it continues to grow and develop. It is imperative that the city continues to develop neighborhood parks, especially in the districts that are lacking neighborhood parks. (See Parks District Map)

City of Rockwall

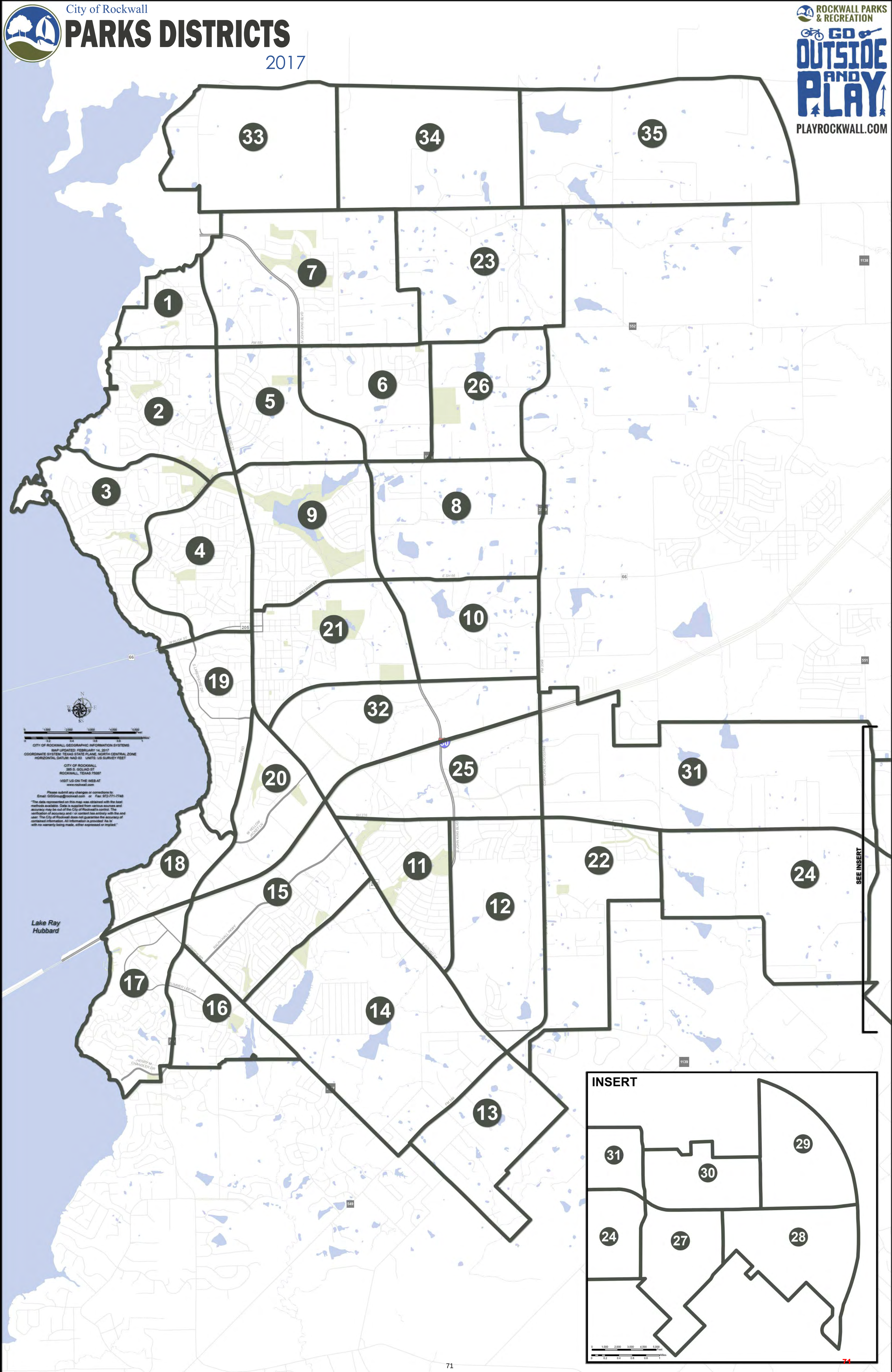
PARKS DISTRICTS

2017

ROCKWALL PARKS & RECREATION

GO OUTSIDE AND PLAY

PLAYROCKWALL.COM



INSERT

71

NATURAL OPEN SPACE NEEDS

As the City of Rockwall and surrounding communities continue to grow and develop, the amount of natural open space diminishes. The need for acquisition and preservation of natural open space was evident in the focus group meetings. Many of the citizens expressed the need for open spaces, creek corridors and preservation of existing trees. In addition, open spaces and nature trails are both ranked within the top five recreational priorities for the city. It is imperative, especially as the city continues to grow, to focus on preserving the most valuable environmental assets, such as wooded lots, natural open spaces, creek corridors and riparian areas.

Many of the creek corridors throughout the community are located in the floodplain and commercial and residential developments are not permitted. These key areas need to be preserved as natural open spaces and developed as trail corridors throughout the city.

ATHLETIC FACILITY NEEDS

Organized sports, especially youth sports are popular in the City of Rockwall and have continually grown in participation over the past five years.

As the population continues to grow and the field space becomes less and less available for practices, the city needs to consider a new sports complex that provides fields for practices as well as tournament quality fields.

Since the City has taken over the baseball and softball program approximately three years ago, the amount of teams have doubled and created a high demand for additional organized youth athletic fields.





PRIORITIES

The following Parks and Recreational Facility Priorities are based on results from the focus group meeting, public meeting, city staff, the needs analysis and professional opinion. The following list is depicted in order of priority, has been adopted and should be pursued as recreational priorities within the city.

RANK	FACILITY
1	Athletic Fields (Baseball, Softball, Soccer, Etc.)
2	Multi-Use Trails / Greenway Corridors
3	Playgrounds
4	Pavilions / Picnic Areas
5	Natural Open Space
6	Water Features (i.e. small lakes, ponds, creeks)
7	Open Areas for General Play / Sports Practice
8	Swimming Pool / Water Sprayground
9	Skate Parks
10	Tennis Courts
11	Disc Golf
12	Volleyball Courts

In 2016, the Rockwall City Council adopted the Parks and Recreation Department Strategic Plan in order to better guide and direct the needs of the Parks and Recreation Department. It is a priority for the department to review and implement the plan. The strategic plan focuses on the following priorities:

- Focus on the field space needs and requirements for youth baseball and softball
- Develop existing neighborhood parks to the fullest extent (+/- $1,250,000 for 11 acres of developed park land)
- Acquire and develop +/- 50 acre community park in south Rockwall
- Focus on the development and funding sources of the Lakeside Park Project
- Develop Master Plan for Alma Williams Howard Park
- Continue to develop the Lakes of Squabble Creek
- Focus on non-resident sales tax revenue
- Operate and maintain the existing and future park system at a high level

RECOMMENDATIONS

New Parks:
- Develop Lakeside Park Phase I in north west Rockwall
- Develop Master Plan for Alma Williams Howard Park
- Acquire and develop a sports complex (See Athletics below)
- Acquire and develop +/- 50 acres of land for a community park in south Rockwall
- Acquire and develop neighborhood parks in the growing areas of the community

Existing Park Upgrades:
- Continue to renovate existing neighborhood parks throughout the community. As neighborhoods continue to grow and develop, it is imperative that the neighborhood parks are updated and renovated to meet the needs of the neighborhood.
- Continue to update and renovate Harry Myers Park

Athletics:
- Develop a fully lighted, multi-purpose field sports complex that includes all the necessary athletic fields for tournaments, games and practices facilities as the participation rate and population continues to grow.

Trails:
- Continue to construct trails throughout the community to connect parks, schools, residential areas, commercial areas and employment centers. It is critical to construct trail segments that result in meaningful connectivity. Emphasis should be given to providing trails along creek corridors and other natural resources.

Natural Open Space:
- Acquire, preserve and develop key remaining natural areas for passive recreational opportunities as well as for natural habitats and trail corridors.

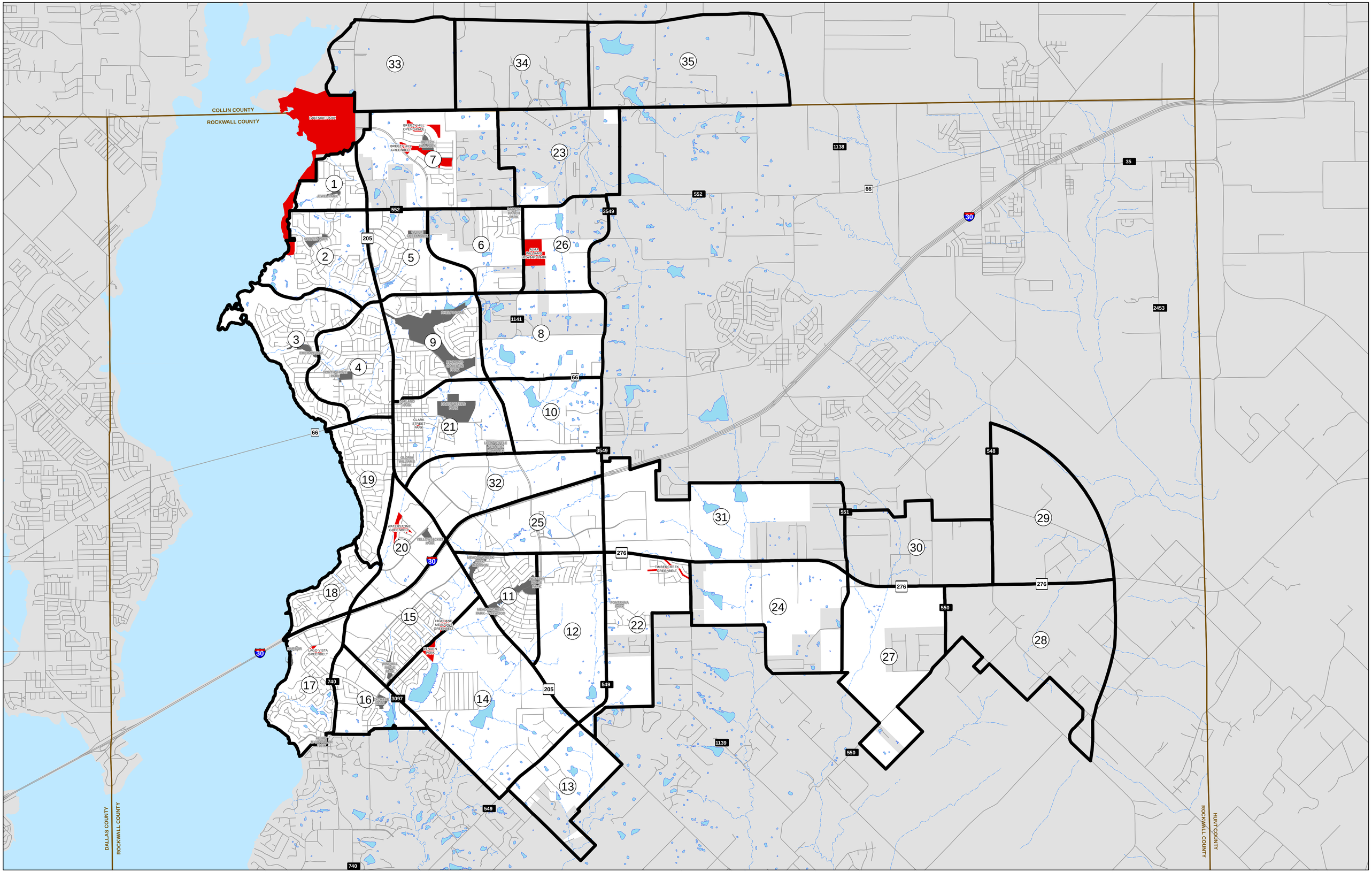
Park Operations & Maintenance:
- In order to maintain the park system and public spaces at a high level that is expected and appreciated by the residents, the city needs to continually review and update the parks operations and maintenance budget as the city continues to grow and develop additional properties.

In order to provide the best recreational opportunities for the residents of Rockwall at the best price, it is important that the City be creative in land acquisition, design and development of parks. The City should consider constructing the much needed sports complex on the Lakeside Park property. The combination of a sports complex and community park recreational amenities has proven to be successful in several other communities throughout Texas.

VII. IMPLEMENTATION SCHEDULE

The following table depicts the updated project list for the City of Rockwall for the next five years and beyond. It is important to note that the following schedule is intended to be a flexible guide for the development of parks, recreational facilities and open spaces over the next five years. The city should evaluate and take advantage of any unforeseen opportunities that may arise that are not identified in this implementation schedule as long it meets the goals and objectives of this plan. The city should continually and actively pursue partnerships and non-traditional funding sources to expedite implementation where possible to alleviate some of the burden of implementation expenses on residents.

PROJECT	DATE	ESTIMATED COST	POTENTIAL FUNDING SOURCES
Develop the Alma Williams Howard Community Park Master Plan	2018	$50,000 - $75,000	General Fund General Obligation Bond
Acquire 50 acres in South Rockwall for the development of a community park	2019	Market Price / Donation / Dedication	Donation General Fund General Obligation Bond
Develop Lakeside Park – Phase I	2019	$10,000,000 - $18,000,000	TPWD Grants General Fund General Obligation Bond
Acquire & Develop a Sports Complex with community park amenities	2020	$8,000,000 - $15,000,000	TPWD Grants General Fund General Obligation Bond
Develop Trail Linkages	2017 – 2020	$250,000 - $550,000 per mile	TPWD Grants TxDOT Enhancement Grant General Fund General Obligation Bond
Acquire & develop additional neighborhood parks throughout the community	2017 – 2020	Approximately $150,000 per acre	Developer Fees Land Dedication TPWD Outdoor Grant General Fund General Obligation Bond



City of Rockwall

FUTURE PARKS
W/ PARK DISTRICTS

TRAILS MAP



TRAILS LEGEND

PARKS

- A HARRY MYERS PARK
- B THE LAKES OF SQUABBLE CREEK
- C ALMA WILLIAMS HOWARD PARK
- D GLORIA WILLIAMS PARK
- E LOFLAND PARK
- F FOXWOOD PARK
- G1 LYNDEN PARK
- G2 LAGO VISTA
- G3 WATERSTONE
- G4 TIMBERCREEK
- G5 HIGHLANDS MEADOWS
- G6 LAKEVIEW SUMMIT
- G7 MEADOW CREEK - MADISON
- G8 MEADOW CREEK
- H CLARK STREET PARK
- I DALTON RANCH PARK
- J THE PARK AT STONE CREEK
- K THE PARK AT BREEZY HILL
- L WINDMILL RIDGE PARK
- M HICKORY RIDGE PARK
- N HENRY M CHANDLER PARK
- O JEWEL PARK
- P SHORES PARK
- Q FONTANNA PARK
- R EMERALD BAY PARK
- S THE PARK AT FOX CHASE
- T NORTHSHORE PARK
- U SH-66 BOAT RAMP PARK
- V SQUABBLE CREEK MOUNTAIN BIKE TRAIL
- W THE HARBOR
- X LEON TUTTLE ATHLETIC COMPLEX
- Y YELLOW JACKET PARK

SCHOOLS

- A ROCHELL ELEM
- B HAYS ELEM
- C JONES ELEM
- D HARTMAN ELEM
- E HERITAGE CHRISTIAN ACADEMY
- F UTLEY MIDDLE
- G DOBBS ELEM
- H WILLIAMS MIDDLE
- I N WILLIAMS ELEM
- J SPRINGER ELEM
- K ROCKWALL HIGH
- L QUEST ACADEMY / ADMIN
- M SHANNON ELEM
- N REINHARDT ELEM
- O CAIN MIDDLE (HEATH)
- P PULLEN ELEM (HEATH)

LANDMARKS

- 1 TEXAS DPS
- 2 REDC OFFICE
- 3 ANIMAL SHELTER & GUN RANGE
- 4 ROCKWALL CO JUSTICE CENTER
- 5 ROCKWALL CO COURTHOUSE
- 6 ROCKWALL CO APPRAISAL DISTRICT
- 7 THE CENTER
- 8 PARKS & RECREATION
- 9 COMMUNITY CENTER
- 10 ROCKWALL CO MAINTENANCE
- 11 CITY HALL
- 12 CITY SERVICE CENTER
- 13 FOOTBALL STADIUM / AQUATICS
- 14 LIBRARY
- 15 HISTORIC COURTHOUSE
- 16 ROCKWALL MUNICIPAL COURTS
- 17 PUBLIC BOAT RAMP
- 18 CITY CEMETERY
- 19 POLICE
- 20 RALPH HALL MUNICIPAL AIRPORT
- 21 ROCKWALL CO ANNEX
- 22 POLICE COMMUNNITY CENTER

FIRE STATIONS

- 1 305 BOYDSTUN AV
- 2 920 ROCKWALL PKWY
- 3 191 E QUAIL RUN DR
- 4 2915 S GOLIAD ST

ROCKWALL CO EMS STATIONS
HOSPITAL

CEMETERY

- 1 BUTLER CEMETERY
- 2 CHANDLER CEMETERY
- 3 CLARK CEMETERY
- 4 COLORED BURIAL CLUB CEMETERY
- 5 GLEN HILLS CEMETERY
- 6 LAWHORN CEMETERY
- 7 PARKER CEMETERY
- 8 REST HAVEN MEMORIAL PARK
- 9 ROCKWALL MEMORIAL CEMETERY
- 10 WADE-MCCOULSKEY CEMETERY
- 11 GARDENHIRE CEMETERY

0 500 1,000 1,500 2,000 2,500 3,000 Feet
0 0.1 0.2 0.3 0.4 0.5 Miles

CITY OF ROCKWALL GEOGRAPHIC INFORMATION SYSTEMS

MAP UPDATED: JANUARY 13, 2016
COORDINATE SYSTEM: TEXAS STATE PLANE, NORTH CENTRAL ZONE
HORIZONTAL DATUM: NAD 83 UNITS: US SURVEY FEET

CITY OF ROCKWALL
385 S. GOLIAD ST
ROCKWALL, TEXAS 75087

VISIT US ON THE WEB AT
www.rockwall.com

Please submit any changes or corrections to:
Email: GISGroup@rockwall.com or Fax: 972-771-7748

"The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied."

Lake Ray Hubbard

SH276 EAST INSET
0 750 1,500 2,250 3,000 Feet

VIII. SUMMARY

Based on all the input received from the focus group input, public meetings, City Staff and professional opinion, it is apparent that the citizens of Rockwall are very satisfied and invested in the existing park system. The City of Rockwall has made significant progress in the parks system with the addition of new parks, renovations of existing parks, planning and design of future parks and the continual development of the overall trail system. In addition, the city has continually maintained the existing park system at a high level. It is imperative to continue this high level of maintenance as the city acquires and develops additional park land.

The main objectives of this updated plan are to:

- Develop Lakeside Park in northwest Rockwall
- Acquire and develop a tournament quality sports complex
- Continue to acquire and develop land as it becomes available
- Focus on the preservation of natural open spaces
- Continue to renovate and upgrade existing parks
- Acquire and develop Neighborhood Parks throughout the city
- Continue to develop multi-use and nature trails that create a larger trail network to connect residential areas with commercial areas, parks and schools.

This master plan update is to be utilized as a guideline which should be reviewed annually and updated every five years to reflect the unique recreational needs of the changing population and demographics of the city. The city should take advantage of any unforeseen opportunities not identified in the plan that may arise, such as donations of land and/or facilities as long as the actions meet the intent of the goals, objectives and recommendations of this plan

The proposed improvements contained in this plan will enhance the quality of life throughout the entire community. The resulting benefits include tourism potential, economic value, increasing property values, civic pride and most importantly, an increased quality of life for the residents of the City of Rockwall.

GO OUTSIDE AND PLAY
ROCKWALL PARKS & RECREATION

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79

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	December 16, 2019
APPLICANT:	Chase Finch; *Corwin Engineering, Inc.*
CASE NUMBER:	P2019-045; *Final Plat for Stone Creek, Phase X*

SUMMARY

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 10, LTD for the approval of a final plat for Stone Creek, Phase X containing 118 single-family residential lots on a 36.428-acre tract of land identified as a portion of Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single Family-10 (SF-10) District land uses, located at the southwest corner of John King Boulevard and Featherstone Drive, and take any action necessary.

PLAT INFORMATION

☑ The applicant is requesting the approval of a final plat for a 36.428-acre tract of land identified as a portion of Tract 3 of the S. King Survey, Abstract No. 131. The purpose of the final plat is to establish 118 single-family residential lots as part of the Stone Creek Subdivision. It should be noted this is the final phase of the Stone Creek Subdivision, which upon completion will consist of a total of 886 single-family lots (*i.e. 32 lots less than the maximum permitted by Planned Development District 70 [PD-70]0*.

☑ The proposed final plat conforms to the approved Preliminary Plat (*i.e. P2007-021*) and Master Plat (*i.e. P2007-017*) approved in conformance with Planned Development District (PD-70).

☑ The subject property was annexed into the City with the remainder of the Stone Creek Subdivision, which was annexed by four (4) different ordinances: [*1*] *Ordinance No. 61-01* on February 6, 1961, [*2*] *Ordinance No. 61-02* on February 6, 1961, [*3*] *Ordinance No. 86-37* on May 19, 1986, and [*4*] *Ordinance No. 98-10* on March 16, 1998.

☑ On April 2, 2007, the City Council approved *Ordinance No. 07-13* [*Case No. Z2007-006 and the development agreements*] establishing *Planned Development District 70* (PD-70) for Single-Family 10 (SF-10) District and General Retail (GR) District land uses. Planned Development District 70 (PD-70) would later be amended three (3) times [*i.e. Ordinance No.'s 09-44, 11-35, & 19-41*], two (2) of which increased the amount of land zoned for General Retail (GR) District land uses, and the third to redefine the number of hard-edged ponds required within the residential subdivision.

☑ On December 3, 2019, the Parks and Recreation Board reviewed the final plat and made the following recommendations:

(1) The developer shall pay pro-rata equipment fees of $83,898.00 (*i.e. $711.00 x 118 lots*) to be paid at the time of final plat.

(2) The developer shall install a 10-foot wide curvilinear trail along John King Boulevard right-of-way with landscaping, and connecting to the existing trail system.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the final plat for *Phase X of the Stone Creek Subdivision*, staff would propose the following conditions of approval:

(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

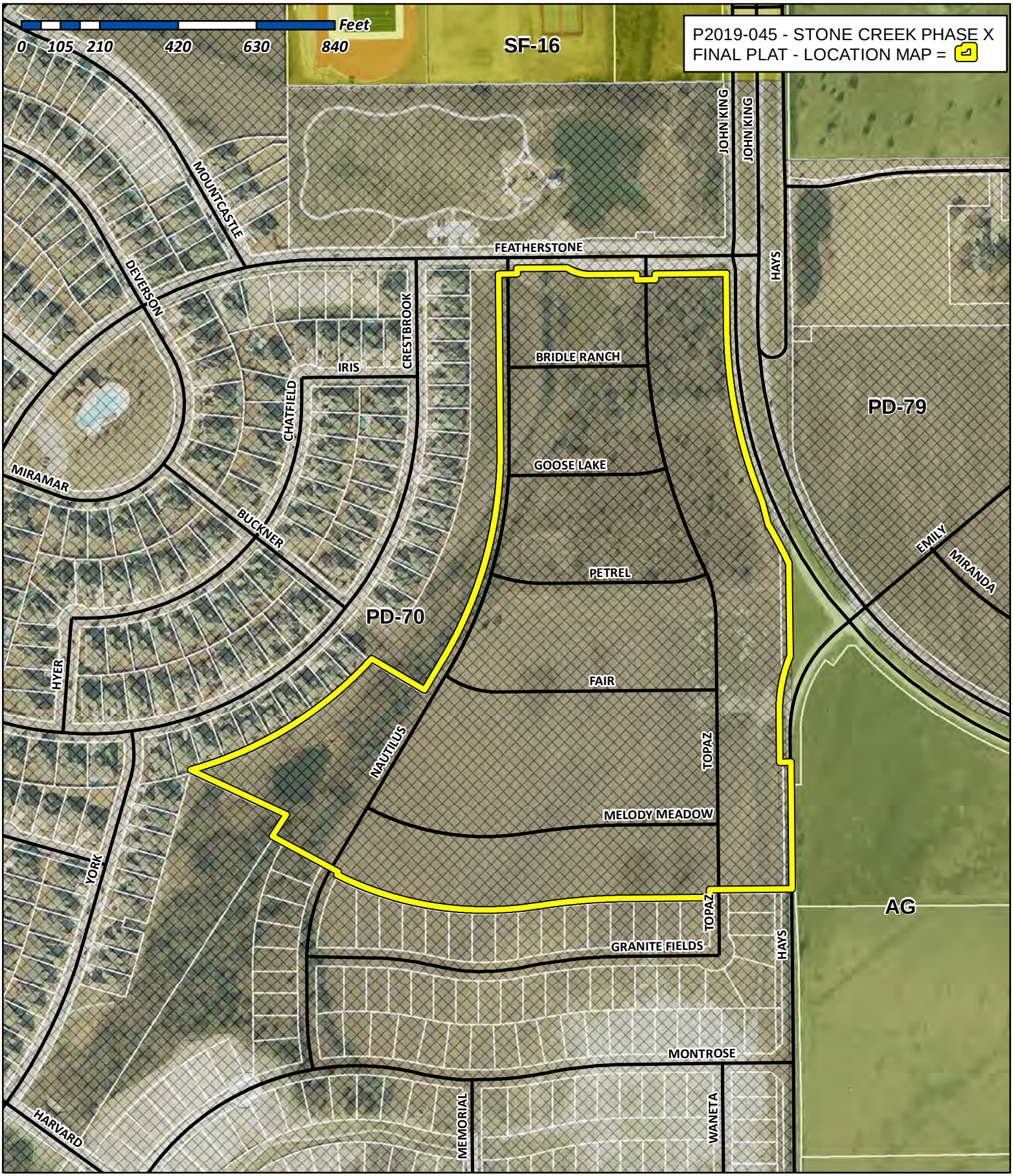
(2) That the pro-rata equipment fees shall be paid prior to filing the final plat. These fees are subject to change from the time of approval by the Parks and Recreations Board at their December 3, 2019 meeting;

(3) The developer shall be responsible for constructing a ten (10) foot curvilinear trail along the right-of-way of John King Boulevard, and provide the required landscaping as stipulated by the SH-205 By-Pass Overlay (SH-205 BY-OV) District; and,

(4) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On December 10, 2019, the Planning and Zoning Commission's motion to recommend approval of the final plat passed by a vote of 6-0, with Commission Moeller absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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82

FINAL PLAT
OF

STONE CREEK PHASE X

TOTAL LOTS 118 TOTAL ACRES 36.428

OUT OF THE

S. KING SURVEY, ABSTRACT NO. 131
W.T. DeWEESE SURVEY, ABSTRACT NO. 71

IN THE

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER

STONE CREEK PHASE 10, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY

CORWIN ENGINEERING, INC.
TBPLS #10031700
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

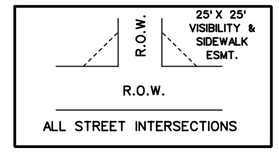
JULY 2019 SCALE 1" = 100'

CASE NO. P2019-045

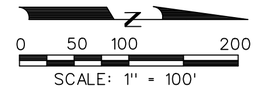
SHEET 1 OF 3

NOTES

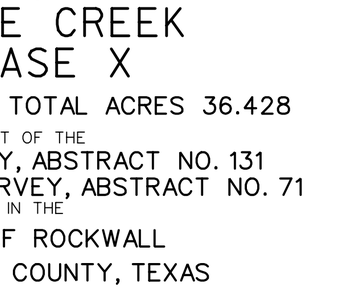
1. Bearing are referenced to Stone Creek Phase I (Cab. G, Slide 359-365).
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangancy, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   C.M. - Controlling Monument.
   D.E. - Drainage Easement
   V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
5. The HOA will be responsible for maintaining the open space/drainage easement lots. (Lot 19 Block F, Lot 72 Block FF, Lot 17 Block GG & Lot 25 Block HH)
6. All non-standard decorative street signs, poles/post, hardware, attachments, foundations, etc. shall be owned, maintained, repaired and replaced by the HOA.



VISIBILITY & SIDEWALK EASEMENT DETAIL
N.T.S.



CITY OF ROCKWALL GRID SYSTEM COORDINATES	
X	Y
2565184.44	7036989.48
ELEV = 514.0	



LOCATION MAP
N.T.S.

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
We the undersigned owners of the land shown on this plat, and designated herein as the STONE CREEK PHASE X, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the STONE CREEK PHASE X, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. The detention drainage system is to be maintained, repaired and owend by the subdivision. Property owner shall be responsible for maintaining, repairing, and replacing all systems within the drainage and detention easements.

7. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

Stone Creek Phase 10, Ltd.
an Texas limited partnership
By: Stone Creek Phase 10 GP Corporation,
a Texas corporation, its General Partner

_____

John Arnold
Director

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared JOHN ARNOLD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this _____ day of _____, 2019.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

_____ _____
Planning & Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 89°25'13" E	50.00'
2.	N 00°35'35" W	15.00'
3.	S 00°35'35" E	15.00'
4.	S 19°17'03" E	34.76'
5.	S 15°03'48" E	61.67'
6.	N 89°38'02" E	30.11'
7.	N 67°57'38" E	10.99'
8.	N 74°35'09" E	28.68'
9.	S 80°07'39" W	37.73'
10.	N 73°13'30" W	36.04'
11.	N 59°19'11" W	25.00'
12.	S 45°35'11" E	42.44'

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING
1.	08°38'43"	1560.00'	235.39'	235.16'	S85°05'03"W
2.	36°03'38"	880.00'	553.85'	544.75'	N81°12'30"W
3.	34°10'49"	110.00'	65.62'	64.65'	S73°29'23"E
4.	20°22'32"	1260.00'	448.08'	445.72'	S10°46'51"E
5.	05°21'14"	1271.00'	118.77'	118.72'	S27°58'51"E
6.	22°31'28"	380.00'	149.39'	148.43'	S10°53'46"W
7.	21°26'47"	325.00'	121.65'	120.94'	N11°18'59"W
8.	21°26'47"	250.00'	93.58'	93.03'	S78°41'01"W
9.	04°14'57"	325.00'	24.10'	24.10'	N24°09'51"W
10.	10°52'59"	1475.00'	279.95'	279.53'	N20°51'05"W
11.	14°49'15"	250.00'	64.67'	64.49'	S81°59'47"W
12.	10°49'06"	1475.00'	278.50'	278.09'	N10°00'18"W
13.	04°00'09"	1475.00'	103.04'	103.02'	N02°35'40"W
14.	03°59'21"	1150.00'	80.07'	80.05'	N01°24'05"E
15.	13°22'44"	1150.00'	268.53'	267.92'	N10°05'08"E
16.	17°22'05"	350.00'	106.10'	105.69'	N81°54'33"W
17.	13°54'19"	1150.00'	279.10'	278.41'	S23°43'40"W
18.	31°16'25"	225.00'	122.81'	121.29'	N74°57'23"W
19.	32°46'07"	470.00'	268.80'	265.15'	S82°51'15"E
20.	08°38'43"	1970.00'	297.25'	296.97'	N85°05'03"E
21.	08°38'43"	1910.00'	288.20'	287.93'	S85°05'03"W
22.	33°34'54"	530.00'	310.64'	306.21'	N82°26'52"W
23.	37°04'26"	675.00'	436.77'	429.19'	N80°42'05"W
24.	08°38'43"	1765.00'	266.32'	266.07'	S85°05'03"W
25.	08°38'43"	1620.00'	244.44'	244.21'	S85°05'03"W
26.	35°49'40"	820.00'	512.76'	504.44'	N81°19'29"W
27.	02°07'18"	500.00'	18.52'	18.51'	S29°37'10"W
28.	02°07'18"	645.00'	23.88'	23.88'	N29°37'10"E

FINAL PLAT
OF
STONE CREEK PHASE X

TOTAL LOTS 118 TOTAL ACRES 36.428

OUT OF THE
S. KING SURVEY, ABSTRACT NO. 131
W.T. DeWEESE SURVEY, ABSTRACT NO. 71
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
STONE CREEK PHASE 10, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
TBPLS #10031700
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JULY 2019

CASE NO. P2019-045 SHEET 2 OF 3

LEGAL DESCRIPTION

BEING, a tract of land situated in the W.T. DeWeese Survey, Abstract No. 71 and the S. King Survey, Abstract No. 131 in the City of Rockwall, Rockwall County, Texas, being part of a tract of land as described in Stone Creek Balance LTD., Clerks File No. 2007-00375394 and Stone Creek SF, LTD., Clerks File No. 2007-00375398 in said Deed Records, and being more particularly described as follows:

BEGINNING, at a 1/2 inch iron rod found at the northeast corner of Stone Creek Phase IX, an addition to the City of Rockwall, as described in Cab._Pg,_in the Plat Records of Rockwall County, Texas, and being in Hays Road;

THENCE, South 89° 24'25" West, along the north line of said Stone Creek Phase IX, for a distance of 222.00 feet, to a 1/2 inch iron rod found;

THENCE, South 00° 35'35" East, continuing along said north line, for a distance of 21.11 feet, to a 1/2 inch iron rod found;

THENCE, South 89° 24'25" West, continuing along said north line, for a distance of 226.33 feet, to a 1/2 inch iron rod found at the point of curvature of a curve to the left, having a radius of 1560.00 feet, a central angle of 08° 38'43";

THENCE, continuing along said north line and with said curve to the left for an arc distance of 235.39 feet (Chord Bearing South 85° 05'03" West - 235.16 feet), to a 1/2 inch iron rod found at the point of reverse curvature of a curve to the right, having a radius of 880.00 feet, a central angle of 36° 03'38";

THENCE, continuing along said north line and with said curve to the right for an arc distance of 553.85 feet (Chord Bearing North 81° 12'30" West - 544.75 feet), to a 1/2 inch iron rod found on a non-tangent curve to the right, having a radius of 475.00 feet, a central angle of 01° 01'09";

THENCE, continuing along said north line and with said curve to the right for an arc distance of 8.45 feet (Chord Bearing North 28° 02'57" East - 8.45 feet), to a 1/2 inch iron rod found;

THENCE, North 61° 26'29" West, continuing along said north line, for a distance of 201.15 feet, to a 1/2 inch iron rod found in the east line of Stone Creek Phase IV, an addition to the City of Rockwall, as described in Cab. H, Pgs. 317-318, in said Plat Records and being the northwest corner of said Stone Creek Phase IX;

THENCE, North 32° 48'57" East, along the east line of said Stone Creek Phase IV, for a distance of 68.38 feet, to a 1/2 inch rod found at the most easterly northeast corner of said Stone Creek Phase IV;

THENCE, North 65° 00'04" West, along the north line of said Stone Creek Phase IV, for a distance of 283.02 feet, to a 1/2 inch iron rod found, being in a south line of Stone Creek Phase I, an addition to the City of Rockwall, as described in Cabinet G, Pages 359-365 in said Plat Records, being on a non-tangent curve to the left, having a radius of 1030.00 feet, a central angle of 37° 07'00";

THENCE, departing the north line of said Stone Creek Phase IV and along the south line of said Stone Creek Phase I and with said curve to the left for an arc distance of 577.36 feet (Chord Bearing North 58° 24'09" East - 569.83 feet), to a 1/2 inch iron rod found, being the southeast corner of Lot 10 Block I out of said Stone Creek Phase I, same being the south line of Stone Creek Phase IIA, an addition to the City of Rockwall, as described in Cabinet H, Pages 293-294 in said Plat Records;

THENCE, South 59° 19'11" East, departing the south line of said Stone Creek Phase I and along the south line of said Stone Creek Phase IIA, for a distance of 164.69 feet, to a 1/2 inch iron rod found being the southwest corner of said Stone Creek Phase IIA;

THENCE, North 30° 40'49" East, along the east line of said Stone Creek Phase IIA, for a distance of 90.28 feet, to a 1/2 inch iron rod found being the point of curvature of a curve to the left, having a radius of 1125.00 feet, a central angle of 24° 31'11";

THENCE, continuing along said east line and with said curve to the left for an arc distance of 481.44 feet (Chord Bearing North 11° 40'00" East 477.78 feet), to a 1/2 inch iron rod found at the point of tangency;

THENCE, North 00° 35'35" West, continuing along said east line, for a distance of 460.08 feet, to a 1/2 inch iron rod found being in the south line of Featherstone Drive, an addition to the City of Rockwall, as described in Cab. H, Pgs. 33-34, in said Plat Records;

THENCE, North 89° 25'13" East, departing said east line and with said south line, for a distance of 50.00 feet, to a 1/2 inch iron rod found;

THENCE, North 00° 35'35" West, continuing along said south line, for a distance of 15.00 feet, to a 1/2 inch iron rod found;

THENCE, North 89° 25'13" East, continuing along said south line, for a distance of 133.20 feet, to a 1/2 inch iron rod found, being on a curve to the left, having a radius of 110.00 feet, a central angle of 34° 10'49";

THENCE, continuing along said south line and with said curve to the left for an arc distance of 65.62 feet (Chord Bearing South 73° 29'23" East - 64.65 feet), to a 1/2 inch iron rod found, being the point of tangency;

THENCE, North 89° 25'13" East, continuing along said south line, for a distance of 125.01 feet, to a 1/2 inch iron rod found;

THENCE, South 00° 35'35" East, continuing along said south line, for a distance of 15.00 feet, to a 1/2 inch iron rod found;

THENCE, North 89° 25'13" East, continuing along said south line, for a distance of 50.00 feet, to a 1/2 inch iron rod found;

THENCE, North 00° 35'35" West, continuing along said south line, for a distance of 15.00 feet, to a 1/2 inch iron rod found;

THENCE, North 89° 25'13" East, continuing along said south line, for a distance of 190.00 feet, to a ½ inch iron rod found at the most easterly southeast corner of said Featherstone Drive and being in the west line of John King Boulevard (120' R.O.W.), as described in Doc. No. 2007-0038477 in said Deed Records;

THENCE, South 00° 35'35" East, along the west line of said John King Boulevard, for a distance of 142.99 feet, to a 1/2 inch iron rod found being the point of curvature of a curve to the left, having a radius of 1260.00 feet, a central angle of 20° 22'32";

THENCE, continuing along said west line and with said curve to the left for an arc distance of 448.08 feet (Chord Bearing South 10° 46'51" East - 445.72 feet), to a 1/2 inch iron rod found;

THENCE, South 19° 17'03" East, continuing along said west line, for a distance of 34.76 feet, to a nail found;

THENCE, South 15° 03'48" East, continuing along said west line, for a distance of 61.67 feet, to a nail found on a non-tangent curve to the left, having a radius of 1271.00 feet, a central angle of 05° 21'14";

THENCE, continuing along said west line and with said curve to the left for an arc distance of 118.77 feet (Chord Bearing South 27° 58'51" East - 118.72 feet), to a nail found in the east line of said Stone Creek Balance, being in said Hays Road;

THENCE, South 00° 35'35" East, departing said west line and along the east line of said Stone Creek Balance and with said Hays Road, for a distance of 191.20 feet, to a 1/2 inch iron rod found at the most northerly corner of Part 2, R.O.W. Dedication, as described in Doc. No. 2007-00384711, in said Deed Records being on a curve to the left, having a radius of 380.00 feet, a central angle of 22° 31'28";; THENCE, South 89° 24'25" West, along the north line of said Stone Creek Phase IX, for a distance of 222.00 feet,to a 1/2 inch iron rod found;

THENCE, departing the east line of said Stone Creek Balance Tract and continuing along Hays Road with the west line of said Part 2 tract and along said curve to the left having an arc distance of 149.39 feet (Chord Bearing South 10° 53'46" West 148.43 feet), to a 1/2 inch iron rod found;

THENCE, South 00° 21'58" East, continuing along said lines, for a distance of 136.79 feet, to a nail found at the southwest corner of said Part 2 tract;

THENCE, North 89° 38'02" East, along the south line of said Part 2 tract, for a distance of 30.11 feet, to a 1/2 inch iron rod found at the southeast corner of said Part 2 tract, being in east line of said Stone Creek Balance tract and said Hays Road;

THENCE, South 00° 35'35" East, along the east line of said Stone Creek Balance tract and with Hays Road, for a distance of 339.01 feet, to the POINT OF BEGINNING and containing 36.428 acres of land.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of _____, 2019.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

FINAL PLAT
OF

STONE CREEK PHASE X

TOTAL LOTS 118 TOTAL ACRES 36.428

OUT OF THE
S. KING SURVEY, ABSTRACT NO. 131
W.T. DeWEESE SURVEY, ABSTRACT NO. 71
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
STONE CREEK PHASE 10, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
TBPLS #10031700
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JULY 2019

CASE NO. P2019-045 SHEET 3 OF 3

85

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86

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	December 16, 2019
APPLICANT:	Chase Finch; *Corwin Engineering, Inc.*
CASE NUMBER:	P2019-046; *Breezy Hill, Phase XI*

SUMMARY

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 11, LTD for the approval of a final plat for the Breezy Hill, Phase XI containing 78 single-family lots on a 23.849-acre tract of land identified as a portion of Tract 7 and all of Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses, generally located adjacent to Breezy Hill Road north of the intersection of Breezy Hill Road and FM-552, and take any action necessary.

PLAT INFORMATION

☑ The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 750 single-family lots on 371.45-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows.

Lot Types	*A*	*B*	*C*	*D*	*E*	*F*	*G*
Typical Lot Frontage (Feet)	*60'*	*70'*	*80'*	*100'*	*60'*	*100'*	*70'*
Typical Lot Depth (Feet)	*120'*	*120'*	*125'*	*200'*	*110'*	*180'*	*120'*
Minimum Lot Size (Sq. Ft.)	*7,200 SF*	*8,400 SF*	*10,000 SF*	*20,000 SF*	*7,200 SF*	*18,000 SF*	*8,400 SF*
Number of Units	*164*	*131*	*137*	*140*	*40*	*44*	*94*
Dwelling Unit %	*21.86%*	*17.46%*	*18.27%*	*18.67%*	*5.34%*	*5.87%*	*12.53%*

☑ The applicant is requesting to *final plat* Phase XI of the Breezy Hill Subdivision for the purpose of laying out 78 lots on a ~23.849-acre portion of the 371.45-acre subdivision. The 78 proposed lots will be constructed to the *Type 'G'* standards (*all standards are displayed in the table above*).

☑ On December 3, 2019 the Parks and Recreation Board reviewed the *final plat* and made a recommendation to approve the plat with the following conditions:

- The developer is to pay the pro-rata equipment fees required in the amount of $19,890 [*i.e. 78 Lots @ $255.00 Per Lot*].

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the*

Municipal Code of Ordinances -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the final plat for *Breezy Hill, Phase XI*, staff would propose the following conditions of approval:

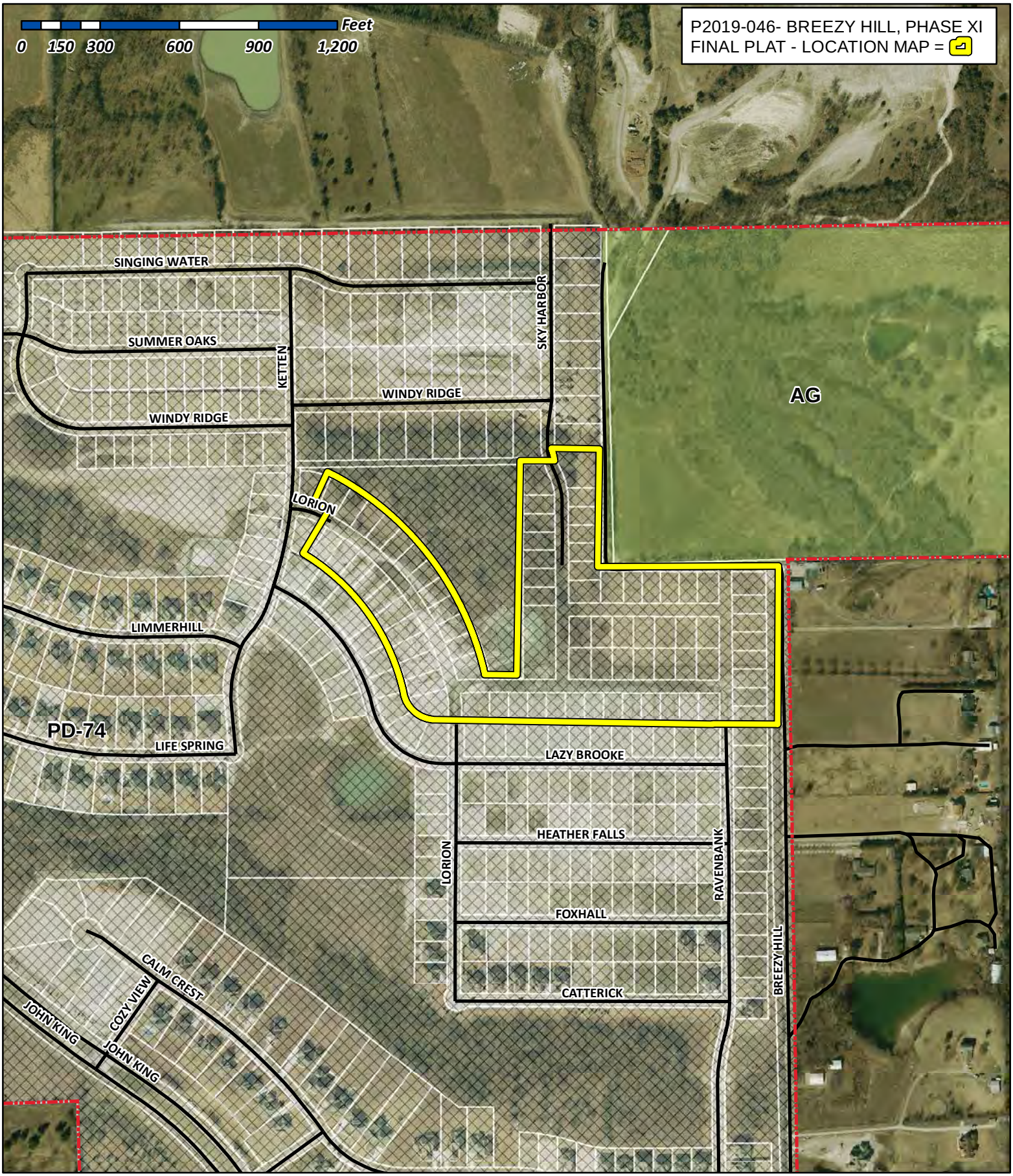
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

(2) The development shall adhere to the recommendations of the Parks and Recreation Board;

(3) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On December 10, 2019, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commission Moeller absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

89

FINAL PLAT OF BREEZY HILL PHASE XI

78 LOTS, BEING 23.849 ACRES
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER

BH PHASE 11, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

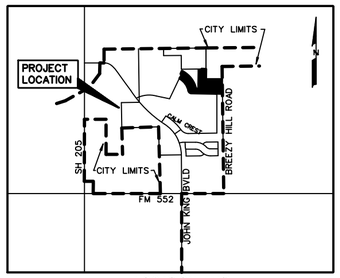
PREPARED BY

CORWIN ENGINEERING, INC.
TBPLS #10031700
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

NOVEMBER 2019 SCALE 1" = 100'

CASE NO. FP2019-XXX

SHEET 1 OF 2



LOCATION MAP
N.T.S.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING
1.	12°08'07"	275.00'	58.25'	58.14'	N05°06'58"W
2.	00°59'43"	991.00'	17.21'	17.21'	N11°40'53"W
3.	13°07'50"	295.00'	67.61'	67.46'	S84°23'11"W
4.	46°53'50"	991.00'	811.14'	788.69'	N35°37'39"W
5.	01°19'11"	1025.00'	23.61'	23.61'	N00°17'31"E
6.	00°14'22"	1025.00'	4.28'	4.28'	N00°29'16"W
7.	01°33'49"	1025.00'	27.97'	27.97'	N00°10'28"E
8.	27°07'36"	250.00'	118.36'	117.26'	N12°36'25"W
9.	08°03'59"	250.00'	35.20'	35.17'	N22°08'14"W
10.	179°32'14"	50.00'	157.48'	100.00'	S44°23'24"E
11.	63°13'48"	320.00'	353.14'	335.49'	N31°19'31"W
12.	24°13'20"	380.00'	160.65'	159.45'	N36°36'19"W
13.	40°20'34"	300.00'	211.23'	206.90'	S40°55'16"E

0 50 100 200
SCALE: 1" = 100'

CITY OF ROCKWALL GRID SYSTEM COORDINATES

X	Y
2596451.71	7045535.31
ELEV = 490.00	

30.728 ACRE TRACT
CLERKS FILE NO. 20170000023682
BREEZY HILL PHASE 8
(UNDER CONSTRUCTION)

Δ= 12°28'10"
R= 225.00'
L= 48.97'
C= 48.87'
B= N14°00'23"W

S89°02'37"E 182.39'

S89°39'37"E 130.28'

SKY HARBOR DRIVE (50' R.O.W.)

2.64 ACRE TRACT
VOL. 4341, PG. 2426

R.O.W. 25'X 25' VISIBILITY ESMT.
R.O.W.
ALL STREET INTERSECTIONS

VISIBILITY EASEMENT DETAIL
N.T.S.

N

HELEN JOY RIGGS AND WILLIAM AUDY RIGGS
VOLUME 54, PAGE 456
D.R.R.C.T.

60' R.O.W. FUTURE

Δ= 04°19'35"
R= 400.00'
L= 30.20'
C= 30.20'
B= S63°42'20"E

Δ= 04°19'35"
R= 275.00'
L= 20.77'
C= 20.76'
B= N63°42'20"W

Δ= 02°27'58"
R= 1016.00'
L= 43.73'
C= 43.73'
B= N60°18'33"W

Δ= 49°01'03"
R= 1141.00'
L= 976.14'
C= 946.65'
B= S37°02'01"E

6.705 ACRE TRACT
CLERKS FILE NO. 20150000004156

N24°07'53"E 125.00'

N30°55'26"E 191.00'

S00°57'23"W 446.89'

N00°57'06"E 813.56'

LOT 99 BLOCK D
OPEN SPACE/LANDSCAPE BUFFER
0.700 AC.

LOT 100 BLOCK D
TO BE DEDICTATED TO
CHUCK SINK
0.120 AC.

N89°40'58"E 686.22'

DRAINAGE & DETENTION ESMT.
DOC. NO. 20160000018054

DRAINAGE & DETENTION ESMT.
DOC. NO. 20160000018053

LOT 17 BLOCK Q
OPEN SPACE TO BE
MAINTAINED BY HOA
0.817 AC.

S89°02'54"E 121.36'

KETTEN DRIVE (50' R.O.W.)

LORION DRIVE (50' R.O.W.)

LAZY BROOKE DRIVE (50' R.O.W.)

SKY HARBOR DRIVE (50' R.O.W.)

CASCADING CREEK DRIVE (50' R.O.W.)

SABLE GLEN DRIVE (50' R.O.W.)

RAVENBANK DRIVE (50' R.O.W.)

BREEZY HILL ROAD

Δ= 46°53'29"
R= 825.00'
L= 675.19'
C= 656.50'
B= N35°37'50"W

Δ= 76°51'49"
R= 125.00'
L= 167.69'
C= 155.40'
B= N50°36'59"W

N89°02'54"W 1054.06

S00°16'06"W 1.16'

N89°43'54"W 244.79'

S00°17'23"W 601.42'

20' NORTH TEXAS MUNICIPAL WATER DISTRICT ESMT.
VOL. 812, PG. 23

OPEN SPACE/LANDSCAPE BUFFER - 0.700 AC.
LOT 99 BLOCK D
TO BE MAINTAINED BY HOA

FUTURE 60' R.O.W.
25' R.O.W. DEDICATION

CITY OF ROCKWALL GRID SYSTEM COORDINATES

X	Y
2598133.40	7044598.13
ELEV = 535.3	

DOUGLAS D. MORRIS AND WIFE, LYNDA J. MORRIS
VOLUME 99, PAGE 880
D.R.R.C.T.

TRACT 1 (LOT 1)
DONALD E. BENNETT AND WIFE, LINDA H. BENNETT
VOLUME 121, PAGE 997
D.R.R.C.T.

TRACT 2 (LOT 2)
DONALD E. BENNETT AND WIFE, LINDA H. BENNETT
VOLUME 121, PAGE 997
D.R.R.C.T.

JAMES L. KLEIN AND MARY F. KLEIN
VOLUME 2081, PAGE 133
D.R.R.C.T.

BREEZY HILL PHASE V
CAB. J, PG. 27

NOTES

1. Bearings are referenced to Breezy Hill Phase III, an addition to the City of Rockwall, as described in Cab. I, Slides 159-160, in the Plat Records of Rockwall County, Texas.
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. 2/2 iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   C.M. - Controlling Monument.
   D.E. - Drainage Easement
   W.E. - Water line Easement
   S.S.E. - Sanitary Sewer Easement
   V.A.M.S. - Visibility, Maintenance & Sidewalk Easement
   H.O.A. - Homeowners Association
   ◊ - Street Name Change
5. All open spaces, drainage easements, detention easements and other common areas shall be repaired, replaced, and maintained by property owner and/or Homeowners Association.
6. No building permits will be issued until all public improvements are accepted by the City.
7. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer, and storm drainage system have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 27°51'45" E	20.00'
2.	S 31°24'44" W	29.00'
3.	N 77°49'16" E	13.50'

90

LEGAL DESCRIPTION

BEING, a tract of land situated in the J. Strickland Survey, Abstract No. 187 in the City of Rockwall, Rockwall County, Texas, being out of a 39.298 acre tract, as described in Clerks File No. 20130000498882 in the Deed Records of Rockwall County, Texas and being all of a 2.944 acre tract, as described in Clerks File No. 20180000010717 and being more particularly described as follows:

BEGINNING, at a 1/2 inch iron rod found at the northeast corner of Breezy Hill Phase V, as addition to the City of Rockwall, as described in a Cab. J, Pg. 27 in the Plat Records of Rockwall County, Texas and being in the east line of said 39.298 acre tract same being in Breezy Hill Road (Variable R.O.W.);

THENCE, North 89° 43'54" West, along the north line of said Breezy Hill Phase V, for a distance of 244.79 feet, to a 1•2 inch iron rod found;

THENCE, South 00° 16'06" West, continuing along said north line, for a distance of 1.16 feet, to a 1•2 inch iron rod found;

THENCE, North 89° 02'54" West, continuing along said north line, for a distance of 1054.06 feet, to a 1/2 inch iron rod found at the point of curvature of a curve to the right, having a radius of 125.00 feet, a central angle of 76° 51'49";

THENCE, continuing along said north line and with said curve to the right for an arc distance of 167.69 feet (Chord Bearing North 50° 36'59" West 155.40 feet), to a 1/2 inch iron rod found at the point of reverse curvature of a curve to the left, having a radius of 825.00 feet, a central angle of 46° 53'29";

THENCE, continuing along said north line and said with curve to the left for an arc distance of 675.19 feet (Chord Bearing North 35° 37'50" West 656.50 feet), to a 1/2 inch iron rod found at the most southerly southeast corner of Breezy Hill Phase VI, an addition to the City of Rockwall, as described in Cab. J Pg. 291 in said Plat Records;

THENCE, North 30° 55'26" East, departing said north line and along the east line of said Breezy Hill Phase VI, for a distance of 191.00 feet, to a 1/2 inch iron rod found on a curve to the left, having a radius of 1016.00 feet, a central angle of 02° 27'58";

THENCE, continuing along said east line and with curve to the left for an arc distance of 43.73 feet (Chord Bearing North 60° 18'33" West 43.73 feet), to a 1/2 inch iron rod found at the point of compound curvature of a curve to the left, having a radius of 275.00 feet, a central angle of 04° 19'35";

THENCE, continuing along said east line and with said curve to the left for an arc distance of 20.77 feet (Chord Bearing North 63° 42'20" West 20.76 feet), to a 1/2 inch iron rod found;

THENCE, North 24° 07'53" East, continuing along said east line, for a distance of 125.00 feet, to a 1/2 inch iron rod found in the south line of a 6.705 acre tract, as described in Clerks File No. 20150000004156 in said Deed Records and being in the north line of said 39.298 acre tract being on a curve to the right, having a radius 400.00 feet, a central angle of 04° 19'35";

THENCE, along the south line of said 6.705 acre tract and north line of said 39.298 acre tract with said curve to the right for an arc distance of 30.20 feet (Chord Bearing South 63° 42'20" East 30.20 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of compound curvature of a curve to the right, having a radius of 1141.00 feet, a central angle of 49° 01'03";

THENCE, continuing along said lines and with said curve to the right for an arc distance of 976.14 feet (Chord Bearing South 37° 02'01" East 946.65 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the most southerly southwest corner of said 6.705 acre tract;

THENCE, South 89° 02'54" East, continuing along said lines, for an arc distance of 121.36 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the most southerly southeast corner of said 6.705 acre tract and being an interior ell corner of said 39.298 acre tract;

THENCE, North 00° 57'06" East, along the east line of said 6.705 acre tract and a west line of said 39.298 acre tract, at 390.00 feet, passing the southwest corner of said 2.944 acre tract and a northwest corner of said 39.298 acre tract, continuing for a total distance of 813.56 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the northeast corner of said 6.705 acre tract and being in the south line of a 30.728 acre tract, as described Clerks File No. 20170000023682, in said Deed Records same being the northwest corner of said 2.944 acre tract;

THENCE, South 89° 39'37" East, along the south line of said 30.728 acre tract and the north line of said 2.944 acre tract, for a distance of 130.28 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", on a non-tangent curve to the right, having a radius of 225.00 feet, a central angle of 12° 28'10";

THENCE, continuing along said north and south lines and with said curve to the right for an arc distance of 48.97 feet (Chord Bearing North 14° 00'23" West 48.87 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 89° 02'37" East, continuing along said lines, for a distance of 182.39 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the northeast corner of said 2.944 acre tract and being an ell corner of said 30.728 acre tract being in the west line of a 2.64 acre tract, as described in Vol. 4341, Pg. 2426, in the Deed Records of Collin County, Texas;

THENCE, South 00° 57'23" West, along east line of said 2.944 acre tract, at 430.02 feet, passing the southeast corner of said 2.944 acre tract and an ell corner of said 39.298 acre tract and continuing with the west line of said 2.64 acre tract, for a total distance of 446.89 feet, to a 5/8 inch iron rod found at the southwest corner of said 2.64 acre tract;

THENCE, North 89° 40'58" East, along the south line of said 2.64 acre tract, for a distance of 686.22 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." at the southeast corner of said 2.64 acre tract being in said Breezy Hill Road same being in the east line of said 39.298 acre tract;

THENCE, South 00° 17'23" West, along the east line of said 39.298 acre tract and Breezy Hill Road, for a distance of 601.42 feet, to the POINT OF BEGINNING and containing 23.849 acres of land.

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
We the undersigned owner"s" of the land shown on this plat, and designated herein as the BREEZY HILL PHASE XI, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration thereinexpressed. We further certify that all other parties who have a mortgage or lien interest in the BREEZY HILL PHASE XI, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements asdescribed herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

7. The Homeowners Association is responsible for maintaining all non-standard decorative signs, poles/post, hardware or other non standard items. The City of Rockwall has no maintenance or other responsibility related to these items. The City of Rockwall and the Homeowners Association agree the association will bear any and all maintenance cost related the said improvements. The City has the statutory authority to install and maintain Traffic Control Devices for Vehicular traffic on public Streets/Roads within the public right-of-way. This agreement in no way constitutes a change in that authority and does not constitute any delegation of that authority of the Association.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

Breezy Hill Phase 11
a Texas limited partnership
By: Breezy Hill Phase 11 GP Corporation,
a Texas corporation, its General Partner

_____ _____
John Arnold Mortgage or Lien Interest
Director

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared JOHN ARNOLD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this _____day of _____, 2019.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this _____day of _____, 2019.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

Recommended for Final Approval:

_____ _____
Planning & Zoning Commission Date

APPROVED
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____day of_____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____day of_____, 2019.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of_____, 2019.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____day of _____, 2019.

_____
Notary Public in and for the State of Texas

FINAL PLAT
OF
BREEZY HILL PHASE XI
78 LOTS, BEING 23.849 ACRES
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
BH PHASE 11, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
TBPLS #10031700
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

NOVEMBER 2019 SCALE 1" = 100'

CASE NO. FP2019-XXX

SHEET 1 OF 2

91

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92

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	December 16, 2019
SUBJECT:	Z2019-025; *Amendment to Article IV, Permissible Uses, of the UDC to allow the Rental, Sales, and Service of Heavy Machinery in a Commercial (C) District*

On November 4, 2019, the City Council directed staff to amend the *Land Use Standards* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) to allow the *Rental, Sales, and Service of Heavy Machinery* land use with a Specific Use Permit (SUP) in a Commercial (C) District. This direction came in response to a request submitted by Scott Mommer of Lars Anderson & Associates, Inc. to amend the code to allow the *Rental, Sales and Service of Heavy Machinery* in conjunction with an existing hardware store (*i.e. Home Depot*). The proposed facility will operate as a tool rental center (*i.e. power drills, saws, electric sanders*), which is permitted by-right in a Commercial (C) District. In addition to the rental of tools, the facility will also offer the rental of heavy equipment. Currently, the Unified Development Code (UDC) only permits *Rental, Sales, and Service of Heavy Machinery* in a Heavy Commercial (HC) or Heavy Industrial (HI) District by-right and in a Light Industrial (LI) District with a Specific Use Permit (SUP). Based on the City Council's direction staff proposes to change the code as follows (with the *highlighted, italics* areas indicating the changes):

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~

SECTION 01: LAND USE SCHEDULE

SUBSECTION 01.01: USE OF LAND AND BUILDINGS

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)																							
Rental, Sales and Service of Heavy Machinery and Equipment	(10)	(5)																	S	P	S	P			

SECTION 2: CONDITIONAL LAND USE STANDARDS AND DEFINITIONS

SUBSECTION 2.03: CONDITIONAL LAND USE STANDARDS.

(G) *Commercial and Business Services Land Uses.*

(5) *Rental, Sales, and Service of Heavy Machinery*

(a) In the Commercial (C) District, the *Rental, Sales, and Service of Heavy Machinery* land use is only permitted as an ancillary use to a *General Retail Store* (*i.e. a business whose primary purpose is to sell finished goods*) by Specific Use Permit (SUP).

(b) All outside storage of equipment and machinery shall be visibly screened from all adjacent properties utilizing one of the screening alternatives outlined in Subsection 05.02.(A), *Loading Docks and Outside Storage Areas*, of Article VIII, *Landscape and Fence Standards*, of the Unified Development Code (UDC).

(c) The storage area for equipment and machinery shall not occupy any required parking spaces. Excess parking spaces may be used if all other requirements are met.

(d) The storage and/or display of equipment and machinery shall be in a stowed position so as to not extend any part of the equipment or machinery in an upward or outward manner.

(e) The conditions above shall not be construed to permit the outside storage of equipment and machinery for outside display, and does not permit additional outside storage of other materials that are not associated with the *Rental, Sales, and Service of Heavy Machinery* land use.

(f) Maintenance or service of any equipment and machinery shall not be performed on-site.

In accordance, with Section 2.04 of Article XI, *Development Applications and Review Procedures,* of the UDC staff brought the proposed text amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. On December 10, 2019, the Planning and Zoning Commission approved a recommendation to recommend approval of the amendment by a vote of 6-0, with Commissioner Moeller absent. The approval of the proposed amendment is a discretionary decision for the City Council.

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Subsection 2.03(A)(3) of Article XI, *Development Applications and Review Procedures*, of the UDC. Should the City Council have any questions staff will be available at the meeting on *December 16, 2019*.

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV, *PERMISSIBLE USES*, OF THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*], PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article IV, *Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*]; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] and Municipal Code of Ordinances should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That Article IV, *Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

SECTION 2. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars ($2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 4. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JANUARY, 2020.

_____

Jim Pruitt, *Mayor*

ATTEST:

DRAFT ORD. 12.16.19

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *December 16, 2019*

2nd Reading: *January 6, 2020*

DRAFT ORDINANCE 12.16.2019

Exhibit 'A'
Article IV, Permissible Uses

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~

SECTION 01: LAND USE SCHEDULE

SUBSECTION 01.01: USE OF LAND AND BUILDINGS

LAND USE SCHEDULE

LEGEND:

	Land Use *NOT* Permitted
P	Land Use Permitted *By-Right*
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

			RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS						OVERLAY DISTRICTS		
LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)																							
Rental, Sales and Service of Heavy Machinery and Equipment	(10)	(5)																	S	P	S	P			

SECTION 2: CONDITIONAL LAND USE STANDARDS AND DEFINITIONS

SUBSECTION 2.03: CONDITIONAL LAND USE STANDARDS.

(G) *Commercial and Business Services Land Uses.*

(5) *Rental, Sales, and Service of Heavy Machinery*

(a) In the Commercial (C) District, the *Rental, Sales, and Service of Heavy Machinery* land use is only permitted as an ancillary use to a *General Retail Store* (*i.e. a business whose primary purpose is to sell finished goods*) by Specific Use Permit (SUP).

(b) All outside storage of equipment and machinery shall be visibly screened from all adjacent properties utilizing one of the screening alternatives outlined in Subsection 05.02.(A), *Loading Docks and Outside Storage Areas*, of Article VIII, *Landscape and Fence Standards*, of the Unified Development Code (UDC).

(c) The storage area for equipment and machinery shall not occupy any required parking spaces. Excess parking spaces may be used if all other requirements are met.

(d) The storage and/or display of equipment and machinery shall be in a stowed position so as to not extend any part of the equipment or machinery in an upward or outward manner.

(e) The conditions above shall not be construed to permit the outside storage of equipment and machinery for outside display, and does not permit additional outside storage of other materials that are not associated with the *Rental, Sales, and Service of Heavy Machinery* land use.

(f) Maintenance or service of any equipment and machinery shall not be performed on-site.

DRAFT ORDINANCE 2019

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98

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **December 11, 2019**

SUBJECT: **Republic Waste Request for Rate Increase**

The solid waste contract with Republic Waste sets periodic points in the contract term for an increase to the collection rates. The increase for 2019 is 3% on all residential and commercial collection rates.

The current contract expires in 2020. The accompanying resolution if adopted by the City Council will set the new rates to be effective 1/1/20.

The new residential rate in the proposal reflects an increase of $.51 per month including applicable sales tax.

Rick Bernas will be here to represent Republic Waste if the Council has any questions regarding this matter.

99

CITY OF ROCKWALL, TEXAS

RESOLUTION #

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS FIXING THE COLLECTION RATE TO BE CHARGED FOR GARBAGE COLLECTION SERVICES FURNISHED BY THE CITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 34. Solid Waste, Article I. In General, Sec. 34-5 Collection Charges, of the City of Rockwall Code of Ordinances provides that the rates for garbage service within the city shall be established from time to time by city council resolution; and

WHEREAS, the City Council finds that, due to increasing costs, it is necessary to increase the rates charged for garbage collection services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the following monthly rates are hereby established and adopted and shall be collected for garbage collection services billed by the City:

Residential Rates	
Twice per week collection **Twice per month brush/bulky** **Once per week recycle collection**	$16.21
Polycart Rental	$4.08 per month
Household Hazardous Waste collection	$.70 per month (retained by City for HHW Day)

Commercial Rates	
Twice per week hand collection	$16.96

	1X	2X	3X	4X	5X	6X	Extra
2 yard	$ 83.78	$154.99	n/a	n/a	n/a	n/a	$ 47.27
3 yard	$ 94.38	$174.57	n/a	n/a	n/a	n/a	$ 52.42
4 yard	$117.98	$218.24	$303.82	n/a	n/a	n/a	$ 58.24
6 yard	$141.56	$261.91	$364.19	$451.16	n/a	n/a	$ 68.89
8 yard	$176.96	$327.39	$455.34	$563.90	$656.29	$734.78	$ 81.53

Roll Off		***Compactors***	
20 yard	$492.19	**30 yard compactor**	$551.83
30 yard	$517.53	**35 yard compactor**	$595.10
40 yard	$536.92	**42 yard compactor**	$595.10
Del / Exc	$171.53		
Daily rental	$ 4.49		

Rentals range from $1.00 to $600.00 per month (determined by age, type, size of compactor). Installation is not included.

Rates include street use fees as described in the contract.

SECTION 2. That these rates and charges shall become effective and be in full force and effect starting January 1, 2020.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 16th DAY OF DECEMBER, 2019.

APPROVED:

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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102

City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Assistant City Manager

DATE: December 12, 2019

SUBJECT: Census 2020 – Complete Count Committee Update

At the October 7, 2019 meeting, the City Council approved a resolution establishing a complete count committee related to the 2020 US Census. Councilmember Bennie Daniels was appointed to lead the effort for the City of Rockwall. Since then, Rockwall County has hosted representatives from the US Census Bureau to provide training. The Committee includes elected officials, city management, service organizations, local churches, school district administration, and other civic and community leaders interested in participating in the census effort.

There are 4 ways to respond to the 2020 Census: online, by phone, by mail, and in-person interviews. The Complete Count Committee will strive to promote the importance of completing the census throughout the City and County as well as providing local assistance in known Hard To Count areas. Hard To Count populations include those who are hard to locate, those that lack trust in government, non-English speaking individuals, or those with disabilities. The map included shows an area in Rockwall identified as a Hard To Count area in the previous census that is estimated to have 2,396 residential homes with an estimated population of 8,200 people. Areas such as these will be a primary focus for the committee to conduct targeted community outreach and education events.

The committee will be using a community-based strategy that will begin with a public information campaign and likely will include community outreach meetings in neighborhoods known to have a historically lower level of response. Grants are available to local groups through the US Census. The Committee is developing strategies that may be eligible for grant funds to compliment other local efforts.

Key Facts / Dates:

- $675 Billion in funding is tied back to the census
- Funding of 132 programs are affected by the census. Some notable programs include nutritional assistance programs like Meals on Wheels, Head Start, school funding, national school lunch programs, and many more
- There are 9 questions on the census form
- Information provided is confidential
- The Committee will be able to use technology to track the response progress through the Response Outreach Area Mapper (ROAM), which is an interactive web mapping application. This will allow for the Committee to plan its outreach, marketing, and promotions more effectively based on response rates in specific areas of the City / County.
- Advertising and marketing for the 2020 Census will begin in January
- An initial notification from the US Census will be delivered by mail in March 2020
- March 13th will be the first day the census will be available for completion
- Census forms are available in 13 separate languages in addition to English
- April 1, 2020 is Census Day
- July 31, 2020 is the last day the census can be submitted
- Counts will be sent to the President by December 31, 2020
- Redistricting counts will be sent to the states by March 31, 2021

The Committee will provide regular updates to the City Council. Councilmember Daniels and city staff will be available to answer any question during the meeting.

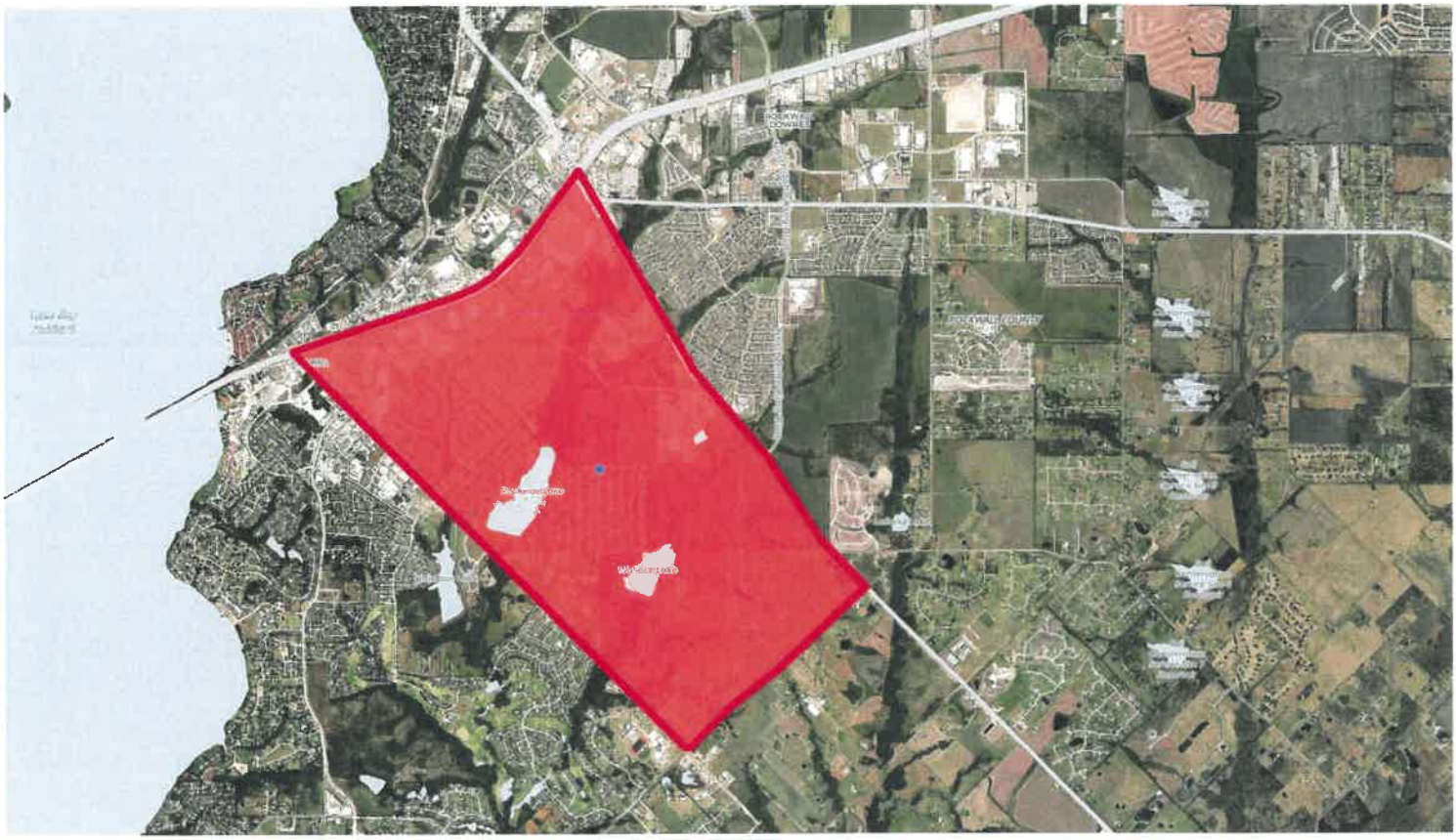
CENSUS 2020

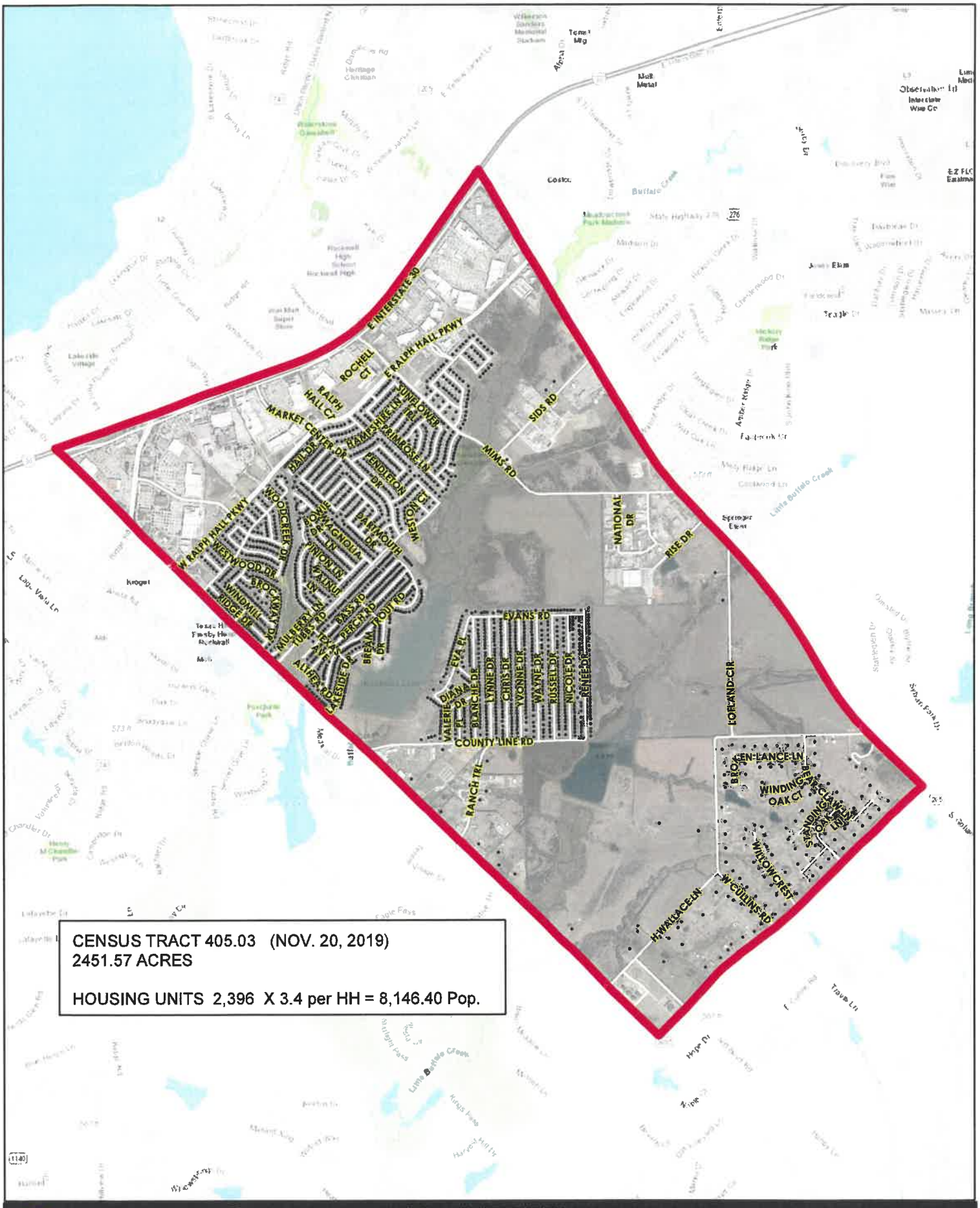
Hard To Count Communities

www.censushardtocountmaps2020.us

DIRECT LINK TO THIS MAP https://www.censushardtocountmaps2020.us/?latlng=32.89036%2C-96.43644&z=14&query=coordinates%3A%3A32.88672%2C-96.44812&promotedfeaturetype=censusTracts&arp=arpRaceEthnicity&layers=population%20in%20htc%20tracts%2Cmajor%20roads%2Ccounties&infotab=info-ifac

For more information about this map, please contact the CUNY Mapping Service at the Center for Urban Research, CUNY Graduate Center at *CUNYmapping @ gc.cuny.edu* (mailto:cunymapping@gc.cuny.edu)





CENSUS TRACT 405.03 (NOV. 20, 2019)
2451.57 ACRES

HOUSING UNITS 2,396 X 3.4 per HH = 8,146.40 Pop.

City of Rockwall

0 250500 1,000 Feet

Date: 11/20/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and the correctness entirely with the end-user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided "As Is" with no warranty being made, either expressed or implied.

CENSUS TRACT 405.03

106

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107

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **December 13, 2019**

SUBJECT: **S. Lakeshore / Summit Ridge Reconstruction Project**

Mayor Pruitt has requested this agenda item for the Dec. 16 meeting. City Engineer/Director of Public Works, Amy Williams, will provide an update concerning the status and timing associated with this reconstruction project and will answer any questions Council may have.

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109

Cole, Kristy

From: Browning, Bethany
Sent: Wednesday, December 11, 2019 10:38 AM
To: Cole, Kristy; Delaney, Margaret
Subject: Man Street Advisory Board

Councilman Trowbridge would like to recommend the following individuals for MS/HPAB at the Monday, December 16 City Council Meeting (pending their boards & commissions application submittal). I emailed the link this morning and asked that they get them submitted today if possible.

Main Street Advisory Board:

1. Stacy Fuqua
2. Craig Stoddart
3. Jennifer Hoffman
4. Geoffrey Lyons

HPAB:

1. Jennifer Hoffman

Bethany Browning
Main Street/Art in Public Places
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087
972-771-7700
bbrowning@rockwall.com
www.rockwall.com/mainstreet
https://www.facebook.com/downtownrockwall/

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111

Table of Contents

Agenda 2

Consider approval of the minutes from the December 16, 2019 regular city council meeting, and take any action necessary.

12.16 CC Mtg Mins 4

Blank Page 10

Z2019-025 - Consider a request for the approval of an ordinance for a text amendment amending the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for the purpose of allowing the Rental, Sales, and Service of Heavy Machinery and Equipment land use by Specific Use Permit (SUP) in the Commercial (C) District, and take any action necessary. (2nd Reading)

Ord_(2nd Reading) 11

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Consider subcommittee recommendation for Hotel Occupancy Tax funding grant for the 2020 Texas Juvenile Chief's Summit in the amount of $30,000 and take any action necessary.

Staff memo 15

Application 16

Blank page 82

A2019-001 - Hold a public hearing to discuss and consider commencing annexation proceedings by petition per Chapter 43, Subchapter C-4 of the Texas Local Government Code for a 41.49-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and generally located on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [FM-3549], and take any action necessary.

A2019-001 83

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AGENDA

ROCKWALL CITY COUNCIL SPECIAL MEETING

Thursday, December 26, 2019 - 6:00 PM
City Hall – 385 S. Goliad St., Rockwall, TX 75087

I. **CALL PUBLIC MEETING TO ORDER**

II. **OPEN FORUM**

III. **CONSENT AGENDA ITEMS**

p.4 **1.** Consider approval of the minutes from the December 16, 2019 regular city council meeting, and take any action necessary.

p.11 **2.** **Z2019-025** - Consider a request for the approval of an **ordinance** for a text amendment amending the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for the purpose of allowing the Rental, Sales, and Service of Heavy Machinery and Equipment land use by Specific Use Permit (SUP) in the Commercial (C) District, and take any action necessary. **(2nd Reading)**

p.15 **3.** Consider subcommittee recommendation for Hotel Occupancy Tax funding grant for the 2020 Texas Juvenile Chief's Summit in the amount of $30,000 and take any action necessary.

IV. **PUBLIC HEARING ITEMS**

p.83 **1.** **A2019-001** - Hold a public hearing to discuss and consider commencing annexation proceedings by petition per Chapter 43, Subchapter C-4 of the Texas Local Government Code for a 41.49-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and generally located on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [FM-3549], and take any action necessary.

V. **EXECUTIVE SESSION**

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS, AS AUTHORIZED BY CHAPTER 551 OF THE TX GOVERNMENT CODE:

1. Discussion regarding possible purchase/acquisition of real property for park land in the north portion of the city, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

VI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 23rd day of December, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Cole

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

_____
Date Removed

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, December 16, 2019 - 5:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pruitt read the discussion items below into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

II. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matters as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding Facilities Agreement litigation pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding Breezy Hill Road pursuant to Section § 551.071 (Consultation with Attorney)
3. Discussion regarding possible purchase/acquisition of real property for park land in the north portion of the city, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. Adjourn Executive Session

Council adjourned from Executive Session at 5:52 p.m.

Reconvene Public Meeting (6:00 p.m.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with 6 of the 7 council members being present (Johannesen stepped out of the meeting and was absent for its entirety).

IV. Invocation and Pledge of Allegiance – Councilmember Hohenshelt

Councilman Hohenshelt delivered the invocation and led the Pledge of Allegiance.

V. Open Forum

Kristin and David Bota

840 Lazy Brooke Drive
Rockwall, TX 75087

Mr. and Mrs. Bota came forth and expressed concern about commercial utilization of drones, especially flying over residential neighborhoods. She wanted to encourage the City Council to consider enacting an ordinance to regulate their use within the City of Rockwall. She generally expressed her belief that footage obtained by drones is intrusive to personal privacy and can pose a safety risk to those residents who are videoed (i.e. break ins, robberies, etc.).

Following Mrs. Bota's comments, Bob Wacker (lives on Featherstone) came forth and provided follow-up comments pertaining to drones. He then briefly spoke about the last plat associated with Stone Creek Estates. He thanked the staff and Council for its work on this development and wished everyone a Merry Christmas.

VI. Take Any Action as a Result of Executive Session

Mayor Pro Tem Macalik moved to approve a reciprocal development agreement between the City of Rockwall and the following parties: Cory Knowlton, Charles W. Sinks and Sandra Sinks. Councilmember Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 absent (Johannesen).

VII. Consent Agenda

1. Consider approval of the minutes from the December 2, 2019 regular city council meeting, and take any action necessary.
2. Consider approval the professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the engineering design services for the Buffalo Creek Tributary 1 Sanitary Sewer Interceptor Capacity Improvements Project in an amount not to exceed $164,780., to be funded by Sanitary Sewer Bonds, and take any action necessary.
3. Consider authorizing the City Manager to execute an interlocal agreement with Rockwall County regarding Municipal Judge Services for upcoming "No Refusal Weekends," and take any action necessary.
4. Consider authorizing the City Manager to execute an agreement with MHS Planning & Design, LLC to update the Parks, Recreation & Open Space Master Plan for 2020-2030 in amount of $38,150 to be funded by Recreation Development Fund reserves, and take any action necessary.
5. **P2019-045** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 10, LTD for the approval of a final plat for Stone Creek, Phase X containing 118 single-family residential lots on a 36.428-acre tract of land identified as a portion of Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned

Planned Development District 70 (PD-70) for Single Family-10 (SF-10) District land uses, located at the southwest corner of John King Boulevard and Featherstone Drive, and take any action necessary.

6. **P2019-046** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 11, LTD for the approval of a final plat for the Breezy Hill, Phase XI containing 78 single-family lots on a 23.849-acre tract of land identified as a portion of Tract 7 and all of Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses, generally located adjacent to Breezy Hill Road north of the intersection of Breezy Hill Road and FM-552, and take any action necessary.

Regarding the Consent Agenda, Councilmember Trowbridge moved to approve all items, as presented (#s 1, 2, 3, 4, 5, and 6). Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).

VIII. PUBLIC HEARING ITEMS

1. **Z2019-025** - Hold a public hearing to discuss and consider a request for the approval of an **ordinance** for a text amendment amending the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for the purpose of allowing the Rental, Sales, and Service of Heavy Machinery and Equipment land use by Specific Use Permit (SUP) in the Commercial (C) District, and take any action necessary. **(1st Reading)**

Planning Director Ryan Miller provided background information pertaining to this agenda item. He explained that this text amendment is in response to a request that was previously made to Council by a representative of Home Depot. Staff has made the amendment and is proposing some land use standards and regulations that Council may wish to consider as part of this proposed text amendment. This issue was taken before the Planning & Zoning Commission, and the Commission has recommended approval by a vote of 6-0. Proper public notice has been given as well regarding this public hearing.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing. Councilmember Hohenshelt moved to approve Z2019-025. Councilman Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV,

***PERMISSIBLE USES*, OF THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*], PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

The motion passed by a vote of 6 ayes with 1 absence (Johannesen).

IX. ACTION ITEMS

1. Discuss and consider adoption of a resolution setting solid waste collection rates, and take any action necessary

Mr. Bernas came forth and shared that, per the contract, there is a 3% cost of living increase annually. It was explained that, per the City Charter, the Council must fix the garbage rates by resolution. Following brief discussion, Councilmember Fowler moved to comply with the contract by adopting the proposed resolution setting the solid waste collection rates. Councilmember Trowbridge seconded the motion. One, small needed change to the resolution was pointed out. The motion to approve the resolution with the small correction being made then passed by a vote of 6 ayes with 1 absence (Johannesen).

2. Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020 Census and take any action necessary.

Councilman Daniels explained that this is a voluntary committee made up of representatives throughout the county and from the County itself. This committee has met two times so far. The purpose of the committee is to decrease the undercount of the census within Rockwall County. The objective is to have as complete a count as possible. Historically, we have had pretty good compliance; however, there is a certain tract of land that has traditionally been undercounted in each census. He explained that, in general, the undercounted area is in and around the Lake Rockwall Estates subdivision. The number one reason for undercounts is distrust of the government. He went on to explain that those who perform the Census are sworn to a strict, lifetime confidentiality Oath. He stressed that the Census is directly associated with Congressional representation, and that is very important to the State of Texas at the Federal government level. Last, the Census is very important because many Federal grants are given out based on population, and we want to be sure we get our fair share of those grant monies. He pointed out that jobs are available, part time, this summer for those who might be interested in working on the Census count.

Mr. Boyd, Assistant City Manager, provided follow up comments after Councilman Daniels spoke, sharing some of the upcoming expectations as far as 'next steps' associated with the Census. April 1 is Census Day, and the counts will be presented to the President of the U.S. on or before Dec. 31, 2020.

People will be able to participate in the Census by the internet, by phone, at a Census center, or in person (with a Census rep. showing up at one's door).

Council took no action pertaining to this agenda item.

3. Discuss and consider an update regarding the South Lakeshore/Summit Ridge reconstruction project, and take any action necessary.

Mayor Pruitt shared that this is the largest bond project to date, and we are 10 months into a 2 year long project. He explained that his neighbors recently met; however, they did not invite him to the meeting. The mayor explained that staff has met with him and provided him with the huge contracts associated with this bond project, and he has reviewed those. He shared that some residents have concerns that there are many days when it appears as though no construction work is taking place, or very little work and progress is being made. He believes that two years is a very long time for a neighborhood to be torn up. He believes that the city needs a better way of communicating with residents about what is going on with the progress of construction. Also, he believes that city notifications should be expanded beyond those who only live in that immediate area. He shared that the contractor is responsible for ensuring the roadways are passable and that potholes stay filled. The contractor is required to clean up the job sites every day (i.e. after it rains). He would like to see the City limit a project like this to about a year (rather than 2 years). Also, he thinks that incentives should be built into the contract to encourage contractors to finish the job(s) just as soon as possible. Discussion took place related to a subcontractor of the general contractor who was negligent and accidentally damaged the bridge deck by cutting through it. The bridge repair should take place sometime after the first of the year.

Council took no action pertaining to this agenda item.

4. Discuss and consider (re)appointments to the city's Historic Preservation Advisory Board and Main Street Advisory Board, and take any action necessary.

Councilman Trowbridge explained that our city's Main Street Advisory Board has been pretty solidly in place for the last ten years. Now, however, three people are rolling off due to term limits, and there is one person who is resigning due to time constraints. He mentioned that candidate Jennifer Hoffman needs to get registered to vote and that she is working on that now. So, pending her doing so, he'd like to recommend her along with a few other candidates. Mayor Pruitt then moved to appoint the following individuals to the city's Main Street Advisory Board: Stacy Fuqua, Craig Stoddart, Geoffrey Lyons and Jennifer Hoffman and also appoint Jennifer Hoffman to the Historic Preservation Advisory Board. Councilmember Trowbridge seconded the motion, which passed by a vote of 6 ayes with 1 absence (Johannesen).

(Note: terms for the four new Main Street Advisory Board members will be from Jan. 2020 thru Jan. 2022 and the initial (partial) term for Ms. Hoffman on the Historic Preservation Advisory Board will run thru Aug. of 2021).

X. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Facilities Agreement litigation pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding Breezy Hill Road pursuant to Section § 551.071 (Consultation with Attorney)
3. Discussion regarding possible purchase/acquisition of real property for park land in the north portion of the city, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XI. Reconvene Public Meeting & Take Any Action as Result of Executive Session

Council did not reconvene in Executive Session following the close of the public meeting agenda. See the start of the 6:00 p.m. meeting above for action taken at the beginning of this meeting.

XII. Adjournment

Mayor Pruitt adjourned the meeting at 6:58 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 26th DAY OF DECEMBER, 2019.

ATTEST: _____
JIM PRUITT, MAYOR

_____
KRISTY COLE, CITY SECRETARY

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10

CITY OF ROCKWALL

ORDINANCE NO. 19-46

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV, *PERMISSIBLE USES*, OF THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*], PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article IV, *Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*]; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] and Municipal Code of Ordinances should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That Article IV, *Permissible Uses,* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

SECTION 2. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars ($2,000.00*) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 4. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 26TH DAY OF DECEMBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: December 16, 2019

2nd Reading: December 26, 2019

Exhibit 'A'
Article IV, Permissible Uses

Additions: Highlighted
Deletions: ~~Highlighted, Strikeout~~

SECTION 01: LAND USE SCHEDULE

SUBSECTION 01.01: USE OF LAND AND BUILDINGS

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article XIII, *Definitions*]	CONDITIONAL USE REFERENCE Reference Article IV, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
LEGEND:																									
Land Use *NOT* Permitted																									
P Land Use Permitted *By-Right*																									
P Land Use Permitted with Conditions																									
S Land Use Permitted Specific Use Permit (SUP)																									
X Land Use Prohibited by Overlay District																									
A Land Use Permitted as an Accessory Use																									
LAND USES																									
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)																							
Rental, Sales and Service of Heavy Machinery and Equipment	(10)	(5)																	S	P	S	P			

SECTION 2: CONDITIONAL LAND USE STANDARDS AND DEFINITIONS

SUBSECTION 2.03: CONDITIONAL LAND USE STANDARDS.

(G) *Commercial and Business Services Land Uses.*

(5) *Rental, Sales, and Service of Heavy Machinery*

(a) In the Commercial (C) District, the *Rental, Sales, and Service of Heavy Machinery* land use is only permitted as an ancillary use to a *General Retail Store* (*i.e. a business whose primary purpose is to sell finished goods*) by Specific Use Permit (SUP).

(b) All outside storage of equipment and machinery shall be visibly screened from all adjacent properties utilizing one of the screening alternatives outlined in Subsection 05.02.(A), *Loading Docks and Outside Storage Areas*, of Article VIII, *Landscape and Fence Standards*, of the Unified Development Code (UDC).

(c) The storage area for equipment and machinery shall not occupy any required parking spaces. Excess parking spaces may be used if all other requirements are met.

(d) The storage and/or display of equipment and machinery shall be in a stowed position so as to not extend any part of the equipment or machinery in an upward or outward manner.

(e) The conditions above shall not be construed to permit the outside storage of equipment and machinery for outside display, and does not permit additional outside storage of other materials that are not associated with the *Rental, Sales, and Service of Heavy Machinery* land use.

(f) Maintenance or service of any equipment and machinery shall not be performed on-site.

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14

City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council Members

FROM: Hotel Occupancy Tax Sub-committee Members
Mary Smith, Assistant City Manager

DATE: December 17, 2019

SUBJECT: 2020 Texas Juvenile Chiefs Summit

The City received an application for hotel occupancy taxes for the 2020 Texas Juvenile Chief's Summit to be held at the Hilton Rockwall in February 2020. The summit is attended by Juvenile Probation officials from across Texas from Sunday through mid-day Wednesday. The organization does work on a pretty small budget for the event so they have asked for all expenses not covered by their registration fees - $32,360 was the request. Last year's event included 175 room nights booked.

Prior to Council action on the above, the Hotel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 363,500**
Budgeted Revenues	**1,009,000**
Previously Allocated Funding	**(658,870)**
Projected Fund Balance	**$ 713,630**

Subcommittee members Kevin Fowler, Bennie Daniels, and Dana Macalik met to discuss the request and are recommending a $30,000 award from hotel occupancy taxes. Council is asked to consider approving the funding as recommended by the subcommittee.

Application

16

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2020

Application

MUST BE TYPED or PRINTED

DELIVER TO:
City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name:	Northeast Texas Juvenile Chiefs' Association
Name of Event:	2020 Texas Juvenile Chiefs Summit
Date(s) of Event:	February 23-26, 2020
Funding Request	$32,360
Website Address:	N/A
Mailing Address:	915 Whitmore Dr., Rockwall, Texas 75087
Physical Address:	915 Whitmore Dr., Rockwall, Texas 75087
Telephone:	972-204-7450 Fax: 972-204-7459
Primary Contact Name: (Project Director)	Angie Scalf
Mailing Address:	915 Whitmore Dr. Rockwall, Texas 75087
Email Address:	ascalf@rockwallcountytexas.com
Telephone:	214-244-2930 Fax: 972-204-7459
Secondary Contact Name: (President/Board Chairman)	Emily Lane President of Northeast Texas Juvenile Chiefs' Association
Mailing Address:	1120 E. Crawford St. Palestine, Texas 75801
Email Address:	elane@co.anderson.tx.us
Telephone:	903-731-8201 Fax: 903-729-0290

- ► COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- ► INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

1. **Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.**

☒ **Advertising/Tourism** **Requested funding amount $32,360**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. **Describe the program or event for the upcoming fiscal year (Oct. 1 2019 – Sept. 30, 2020) that you are requesting Hotel Tax funding. What is your event and why are you having it?**

The 2020 Texas Juvenile Chiefs Summit will host approximately 150 Juvenile Probation Chiefs/Directors around the state of Texas for professional networking and training. Attendees arrive on Sunday for the registration and Opening Session. Monday, Tuesday and ½ day on Wednesday consists of a total of 16.25 training hours with 9.5 approved management training hours. Training topics include leadership, employment, missing and exploited children, sex trafficking, generational differences, state standards and the monitoring process.

This conference is hosted annually by alternating regions across the state. It is the only conference dedicated solely to Juvenile Probation Chiefs and as such is consistently well attended by Juvenile Justice professionals as well as industry related guest speakers and exhibitors.

3. **How does the event/program meet the definition of the categories listed in Item No.1 above (promotion of tourism and the hotel industry in the City of Rockwall)?**

The 2020 Texas Juvenile Chiefs Summit promotes tourism and the hotel and convention industry in Rockwall by attracting approximately 150 conference attendees from around the state. The target audience is the Juvenile Probation Director/Chief of every county in Texas. Often, Assistant Directors attend as well as the Executive Director from the Texas Juvenile Justice Department and staff. In addition, we plan to host 17 speakers and approximately 25 vendors, the majority of whom work and reside outside of the Rockwall area.

The convention site is the Hilton Dallas/Rockwall Lakefront at the Harbor. Approximately 135 rooms will be reserved at the Hilton Harbor and 15 rooms at the

Spring Hill Suites. (See Attached Contracts) Area restaurants and a variety of businesses will also directly benefit from the 4 day event. **It is not the intent of the Northeast Texas Juvenile Chiefs' Association to profit from hosting this conference. All revenue will be will be returned to the Hilton or local businesses to enhance the conference.**

This request for funding relates to the following statutory expenditure categories:

#2 Administrative costs for facilitating convention registration (materials)
Registration related expenditures include the cost of registration bags, nametags, lanyards, registration table signage, and miscellaneous paper supplies and printing. The total estimated registration materials expense is $1,030.00

#3 Advertising, solicitations, and promotions that attract tourists and convention delegate to the City
We will be using a marketing tool called Mailchimp to send out E-blasts to every probation department in the state of Texas, promoting conference details, hotel accommodations and general tourist information related to their stay in Rockwall.
The cost of Mailchimp for 3 months is $29.97

#9. Signage directing the public to sights and attractions frequently visited by hotel guests in the City

We plan to utilize Eventscase, a fully integrated event management software application, which can be designed to include a "Community" feature within the app. This tab will invite conference attendees to explore the Rockwall area by providing easy access to a directory of restaurants, entertainment venues and local businesses, including URL links to their websites, through the user's IOS or Android mobile device. This puts Rockwall's wealth of community resources at the fingertips of every visitor wherever they may travel during their four day stay.
The cost of the Eventscase application is $1489.00

4. **Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?**
Yes Name location: Hilton Dallas/Rockwall Lakefront, at the Harbor

5. **Will your organization provide special event insurance coverage for the event/program if held on City property?**
No Name of Insurance Company: N/A

6. **Provide 3 years attendance history for the above listed programs, activities, exhibits or event described in Item No. 2 above.**

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
Juvenile Chiefs Summit - San Marcos	2019	4	131	155
Juvenile Chiefs Summit – Kerrville	2018	4	153	175
Juvenile Chiefs Summit - Austin	2017	4	103	120

7. **What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).**

Our target market group/readership is approximately 161 Juvenile Probation Chiefs/Directors representing the 164 departments in the 254 counties within the state of Texas. We are marketing the event thru a variety of communication channels including:

- Distribution of Save the Date flyers at past juvenile conferences
- Posting conference information, registration and hotel links on the statewide Texas Juvenile Justice Department website http://www.tjjd.texas.gov
- Emails from the TJJD Training Director to Juvenile Probation Chiefs
- Weekly email blasts from the conference committee promoting vendors, training topics, keynote speakers, hotel information, registration updates etc.
- Newsletter articles from Juvenile Probation Consultants

Additional conference attendees include the approximately 17 guest speakers and approximately 25 vendors who will be featured guests at the event. Potential vendors were invited to participate through personal telephone calls and targeted emails with detailed information promoting exhibitor and sponsorship opportunities. Guest speakers were also recruited through phone calls and emails.

8. **The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.**

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Yes

9. **Provide all of the following documentation with this application and label each as outlined below.**

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number
Exhibit E	W-9 Form https://www.irs.gov/pub/irs-pdf/fw9.pdf?
Exhibit F	Form 1295 https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a/ result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman: Emily Lane
11/22/19
Date

Emily Lane
Signature

Event/Program Director: Angie Scalf
11/22/19
Date

Angie Scalf
Signature

Both signatures are required for application to be considered complete.

Exhibit A

22

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2020

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Northeast Texas Juvenile Chiefs' Association
Event/Program Name: 2020 Juvenile Chiefs Summit
Requested Funding: $ $32,360

Expenses (for this project only)	Total Expenses	HOT Funds Request
1. Personnel	0	0
Administrative		
Artistic	0	0
Technical	0	0
Other personnel	0	0
2. Fees for outside professional service		
Administrative	1,500	1,500
Artistic	500	500
Technical	5,680	5,680
3. Space Rental	0	0
4. Equipment Rental	0	0
5. Travel/Transportation	0	0
6. Promotion/Printing	1,730	1,730
7. Costumes/Royalties	0	0
8. Other (supplies, postage etc.)	24,012	22,950
9. Sub -Totals	33,422	
10. Total Expenses	33,422	32,360

Revenues (for this project only)	Total Revenues
1. Total Amount of HOT fund request	
2. Admissions (Registration $150 X 150 attendees)	22,500
3. Donations	0
4. Organizational funds budgeted	0
5. Grants (State)	0
6. Other (list):estimated sponsors	8,400
7. Other (list):estimated exhibitors	5,250
8. Other (list):	
9. Other (list):	
10. Total income and contributions	36,150
11. Total In-Kind	0
12. Total Revenues	36,150

Financial Information (for this project only)

Fiscal Year (Oct 1st – Sept 30th)	2017 actual	2018 actual	2019 actual	2020 Projected
Total Revenues		22,158	26,770	36,150
Total Expenses		19,579	19,729	32,422
Total Hotel funds awarded		0	0	

CONFERENCE EXPENSES	$ Per Category	Total Amount
Venue charges due to Hilton		
Food and Beverage (min. $12,000)	21500	
(Sunday Dinner, 2 Breakfast, 2 Afternoon Snack)		
Technology	5680	
		27180
Sponsorship expenses		
Floor Decals (4 decals @ $40.00 each)	160	
Water Station (300 cups @ $ 0.79 + table signage) $236 X 2=	472	
Breakfast & Afternoon (Sleeves, cups, napkins, tent cards, floor banner)	430	
		1062
Event Management /Communication (Agenda, App Directions, Community info)		
Eventscase App $1,489 vs Paper booklet $1,459.50	1500	
Mailchimp subscription December - February @ $9.99 mo	30	
Foamboard posters with agenda - 36 X 48 @71.99 each (2)	144	
Cardstock for application directions $15.99 for 100 65lb sheets (2)	31	
Table Tents fpr App Directions	25	
		1730
Speaker Fees		
Kelly Jameson	500	
Damon West	1000	
		1500
Entertainment		
DJ for Opening Session Dinner	500	
		500
Additional Registration Supplies		
Name Tags 200 @ $.03	60	
Ribbons for Name Tags (Speakers, Vendors, Committee) 75 @ .32	24	
Lanyards 200 @ 1.59 + 30 set up fee	348	
Registration (200 Bags @ 2.99 + table signage)	598	
		1030
Appreciation gifts		
Speaker Gifts 17 @ $10.00 each	170	
Vendor Table Gifts 25 @ 10.00 each	250	
		420
Total Expenses	**33422**	**33422**

24

REVENUE SOURCE	INCOME PER ATTENDEE	# OF ATTENDEES	ESTIMATED REVENUE
Conference Registration Fees	$150	150	$22,500
Exhibitor Table Fees	$250	21	$5,250
Estimated Sponsorship Revenue		4	$8,400
HOT Grant Funds Requested			$32,360
Total Estimated Revenue			$68,510

Exhibit B

26

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ **Go to *www.irs.gov/FormW9* for instructions and the latest information.**

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Northeast Texas Juvenile Chiefs Association

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☑ Other (see instructions) ▶ **Exempt Organization 509(a)(2)**

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) **N/A**

Exemption from FATCA reporting code (if any) **N/A**

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

301 West Madison Street

Requester's name and address (optional)

6 City, state, and ZIP code

Clarksville, Texas 75426

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			–			–				

or

Employer identification number

8	0	–	0	4	6	2	0	0	3

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person ▶** Sherry Dunn **Date ▶** 2/19/2019

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

Exhibit C

28

Exhibit C

See Attached:

Item 1: Save the Date flyer distributed at previous conferences

Item 2: Conference registration page from the (TJJD) Texas Juvenile Justice Department website

Item 3: Exhibitor / Sponsor invitation

Item 4: Email from TJJD Training Director to all Juvenile Probation Departments

Item 5: Newsletter Article MBA Dispatch from Juvenile Probation Consultant to

6: Email Blasts that will be distributed weekly starting mid –December

Save the Date

2020

TEXAS JUVENILE CHIEFS SUMMIT

February 23 -26, 2020

At the Hilton Dallas/Rockwall Lakefront in

Rockwall, Texas

24-HOUR ACCESS RESERVATIONS: TELEPHONE:

Call toll free 1-866-235-1108 and ask for the group rate with the group code of JCC



Hosted by the Northeast Texas Juvenile Chiefs Association

2020
Texas Juvenile Chief's Summit
February 23-26, 2020

Sunday- February 23, 2020

3:00 to 5:00 pm	**Registration**
6:00 to 7:30 pm	**Welcoming Remarks and Opening Speakers** **President, Northeast Texas Juvenile Chief's Association** **TJJD** **Representative Justin Holland with District 33**

Monday –February 24, 2020

7:45 to 8:15 am	**Registration**
8:30 to 9:30 am	**How Big Are Your Arms? A Discussion of Confidence, Competence & Risk** **Dr. Kelly Jameson**
9:30 to 10:00 am	**Break**
10:00 to 11:30 pm	**Robert Duckworth, LPC-S Transformative Leadership Creating an Environment that Inspires Growth & Change**
11:30 to 1:00 pm	**Lunch on your Own**
1:00 to 2:30 pm	**Diana Cecil- TAC Representative Covering Employment Topics**
2:30 to 3:00 pm	**Break**
3:00 to 4:30 pm	**Elyse E. Kusse, MSEd Outreach Manager** **National Association for Missing & Exploited Children**

Tuesday-February 25, 2020

8:30 to 9:30 am	Damon West- Inspiration Speaker
9:30 to 10:00 am	Break
10:00 to 11:00am	"The Gatekeeper" Qualities of a 21st Century Leader !" Marlin Suell
11:00 to 12:00 pm	Systems of Care: The Integral Role of Juvenile Probation in State and Local Efforts-Cory Morris-MSW
12:00 to 1:15 pm	Lunch on Your Own
1:15 to 2:15 pm	TJJD Erica Leos- Monitoring Updates (common errors, etc.)
2:15 to 2:30 pm	Break
2:30 to 4:00 pm	TJJD- Chris Ellison- Generational Differences in Workforce
4:00 to 5:00 pm	ETCIL-Hiring Employees with Disabilities

Wednesday February 26, 2020

8:00 to 9:30 am	Traffick 911---Human Trafficking
9:30 to 9:45 am	Break
9:45 to 11:00 am	Closing Remarks-TJJD



2020 JUVENILE CHIEFS' SUMMIT
February 23 – 26, 2020
Exhibitor and Sponsorship Information

The Northeast Texas Juvenile Chiefs' Association (NETJCA) invites you to join us for the 2020 Texas Juvenile Chiefs' Summit, located at the beautiful, lakefront Hilton Bella Harbor in Rockwall, Texas. This year's event runs from February 23-26 and is packed with exciting new opportunities to showcase our vendors.

The annual Juvenile Chiefs' Summit offers a unique forum to build and strengthen partnerships that will ultimately benefit youth in the Texas juvenile justice system. Your company's active participation provides an opportunity to launch new initiatives, build brand awareness, and advance your company's product or service profile to a targeted audience of interested juvenile justice professionals.

Attendees include key decision makers in a wide range of juvenile justice professions:

- Chiefs & management staff from statewide juvenile probation departments
- Professionals from the Texas Juvenile Justice Department
- Members of juvenile justice associations throughout the state
- A variety of juvenile justice service providers and vendors

Your success is key to our success !

EXHIBITOR PACKAGE (Please see the attached Exhibitor Floor Plan)

Each registered Exhibitor receives the following benefits:

- Exhibition space at the venue including one 6' skirted table and chairs
- One ¼ page ad in the Conference Agenda Booklet
- A comprehensive list of each conference attendee's name and email address.
- The opportunity to meet and socialize with Juvenile Probation Chiefs from around the state, including 18 new Chiefs since 2018, who are eager to learn about your valuable products and services.

EXCITING NEW SPONSORSHIP OPPORTUNITIES!

Attached is an overview of our new exclusive sponsorship opportunities to highlight your company. We invite you to contact us for more detailed information about how we can assist you in best promoting your business.
For questions on all Sponsorship opportunities, please call Angie Scalf at 214-244-2930.

IMPORTANT DETAILS FOR EXHIBITORS AND SPONSORS

A limited number of Exhibitor Packages are available due to event space. In addition, each Sponsorship opportunity is exclusive and awarded on a first-come, first-served basis. Once you have selected the Exhibitor Package and / or Sponsorship opportunities you are interested in, please complete the attached registration form and email it to Angie Scalf at ascalf@rockwallcountytexas.com to reserve your space.

In order to best accommodate your needs, we ask that all information (such as corporate logo artwork, registration bag materials, Conference Agenda Booklet ads etc.) regarding your sponsorship be received no later than December 1, 2019. This will allow the Conference Committee time to make necessary arrangements for printing your custom products, banners etc. and to include your company's advertisement, logos and links in conference promotional materials and emails as included in your package.

Exhibitors are responsible for any shipping and handling costs incurred to ship directly to the event venue. Please call the Hilton Bella Harbor directly for shipping instructions.

Hilton Bella Harbor
2055 Summer Lee Drive
Rockwall, TX 75032
214-771-3700

Exhibitor set-up for the conference will begin on Sunday, February 23, 2020 at 3 p.m. General exhibiting hours are Sunday 5-8 p.m., Monday and Tuesday 8 a.m.– 6 p.m., and Wednesday 8 a.m. to 12 noon. Signage is the responsibility of each exhibitor. You may use table signs or place one floor easel adjacent to your table. Please bring extension / multi-outlet cords or surge protectors if needed.

Payment information is provided on the registration form. Please note:
Payment for Exhibitor Packages is due by January 31, 2020.
Payment for Sponsorship opportunities is due by December 15, 2019

We appreciate your support and look forward to seeing you in Rockwall in 2020 !

Angie Scalf

From: John Kinsey <John.Kinsey@tjjd.texas.gov>
Sent: Monday, November 18, 2019 10:31 AM
To: Juvenile Probation Counties
Cc: Lou Serrano; Amy Miller; tsneed@smith-county.com; rwmiller@zapatatx.com; avery.thompson@mctx.org; dberry@co.kerr.tx.us; pchavez@dallascounty.org; crystal.relf@cen-texjpd.com; brodi.green@us.g4s.com; haylee.dill@cornerstoneprograms.com; Hunt County; linda.amaro@bexar.org; dberry@co.kerr.tx.us; keino.berry@hcjpd.hctx.net; michelle.amrine@dallascounty.org; scalzada@brazoscountytx.gov; estevan.saucedo@jpd.co.hidalgo.tx.us; pchavez@dallascounty.org; MDavila@co.cameron.tx.us; GARY.DYER@CO.LIMESTONE.TX.US; monroes@co.grayson.tx.us; GFLORES@WEBBCOUNTYTX.GOV; jerri.henry@nuecesco.com; dberry@co.kerr.tx.us; Thomas.Johnson@hcjpd.hctx.net; leonard.llorens@hcjpd.hctx.net; pamela.ramirez@hcjpd.hctx.net; jerri.henry@nuecesco.com; rwmiller@zapatatx.com; Caroline.davila@hcjpd.hctx.net; dsaenz@co.starr.tx.us; juvprobation@suddenlinkmail.com; tstanton@bexar.org; joshua.such@co.mclennan.tx.us; pamela.glauser@mctx.org; atarango@epcounty.com; MMBlackshear@tarrantcounty.com; annie.villavicencio@hcjpd.hctx.net; juvprobation@suddenlinkmail.com; eyohn@gcjpd.com; czuniga@bexar.org; cmalott@johnsoncountytx.org; eroney_jpo@yahoo.com; KRodriguez@co.lubbock.tx.us; linda.amaro@bexar.org; caroline.davila@hcjpd.hctx.net; Veronica.Henderson@hcjpd.hctx.net; Avargas@vctx.org
Subject: FW: 2020 Texas Juvenile Chiefs Summit/ agenda/ registration
Attachments: chiefsummit2020agenda.docx; chiefsummit2020registrationform.pdf

Good Morning All:
Please consider passing along the information related to this upcoming training opportunity. Please email or call Chief Anderson with any questions related to this event. Thank you all for considering this opportunity.

From: Tracy Anderson <tanderson@co.panola.tx.us>
Sent: Monday, November 18, 2019 8:43 AM
To: John Kinsey <John.Kinsey@tjjd.texas.gov>
Subject: 2020 Texas Juvenile Chiefs Summit/ agenda/ registration

Good morning John,

Can you add these attachments to our Conference info page on the the TJJD website?

Thanks,

Tracy Anderson, Chief JPO
Panola County Juvenile Probation
315 West Panola St.
Carthage, Texas 75633
(903)693-0352 (Tel)
(903)693-0357 (Fax)



2020

Texas Juvenile Chiefs Summit

February 23-26, 2020

At the Hilton Dallas/Rockwall Lakefront in

Rockwall, Texas

Hosted By The

Northeast Texas Juvenile Chiefs Association

We invite you to

Come Rock with us in Rockwall

Hotel and Registration

Regular Registration

Registration is now open

Hotel Accomodations:

Hilton Dallas/ Lakefront Rockwall
2055 Summer Lee Drive
Rockwall, Texas 75032
1-214-771-3701
24-HOUR ACCESS RESERVATIONS:
TELEPHONE: Call toll free 1-866-235-1108 and ask for the group rate with the group code of JCC

or

https://secure3.hilton.com/en_US/hi/reservation/book.htm?inputMod-ule=HOTEL&ctyhocn=DALRWHF&spec_plan=JCC&arrival=20200223&departure=20200226&cid=OM,WW,HILTONLINK,EN,DirectLink&fromId=HILTONLINKDIRECT

Standard—King or 2 Queens Rate—$ 120.00

Hotel Reservations need to be made by January 31, 2020.

Hotel Cancelations must be received at least 3 days/72 hours prior to arrival date.

Registration by E-mail:

Please e-mail registration forms to -

Sherry Edwards at sherry.edwards@co.red-river.tx.us

Registration by Mail:

You may mail registration forms to:

Northeast Texas Juvenile Chiefs Association

301 W . Madison Street

Clarksville, TX 75426

Registration Refund Policy:

Full refunds will be given to those who cancel in writing a minimum of ten (10) working days prior to the conference.

Written cancellations should be e-mailed to:

sherry.edwards@co.red-river.tx.us

Training hours are pending approval by TJJD

Registration:

If you wish to register via mail or e-mail, please complete the form below:

Name: _____

Title: _____

Agency: _____

Address: _____

City: _____ Zip: _____

Telephone: _____

E-mail: _____

Registration Fees

Registration is $150 per person

Check #: _____

P.O. #: _____

Amount Enclosed: _____

Please make payments to:

"NETJCA" or

Northeast Texas Juvenile Chiefs Association

Mail Registration and Payments to:

Northeast Texas Juvenile Chiefs Association

301 W Madison Street

Clarksville, TX 75426

2020
Texas Juvenile Chief's Summit
February 23-26, 2020

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	TJJD
	Representative Justin Holland with District 33

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The MBA Dispatch

A Publication of Mel Brown and Associates

www.melbrown.org "Quality Service is Our Only Product" December 2019

MBA Requesting Assistance in Planning 2020 Projects

Since December is usually a slow month as far as MBA's training and consulting services are concerned, a significant part of the month is spent on developing new training topics as well as trying to schedule training dates for both the new topics and other topics clients have requested.

MBA President/CEO Dr. Mel Brown said, "we are requesting that our current clients as well as potential clients help us in four ways: (1) by suggesting training topics they would like for us to develop and offer, (2) by agreeing to serve as training sites for the regional training events which we offer, (3) by submitting questions regarding leadership and management they would like to see addressed in the 'Contemplation Corner' of our monthly newsletter (*The MBA Dispatch),* and

See Assistance on Page 5

2020 Texas Juvenile Chiefs Summit to be Held in Rockwall

The 2020 Texas Juvenile Chiefs Summit, which is being hosted by the Northeast Texas Juvenile Chief Association (NETJCA), has been scheduled for February 23-26 at the Hilton Dallas/Rockwall Lakefront Hotel in Rockwall, Texas.

There is no state wide juvenile chiefs Association and the responsibility for hosting the annual summit rotates among the four regional juvenile chiefs' associations. The theme for the summit is "Rocking and Rolling into the 20's."

See Summit on Page 3

Murderer Claims His Sentence Ended Because He Died and was Resuscitated

Benjamin Schreiber, who has been behind bars since 1996 when he was charged in the death of John Dale Terry, a 39-yr-old whose bludgeoned body was found near an abandoned trailer in rural Agency, Iowa, claims his life sentence was completed when he died and was resuscitated.



Benjamin Schreiber

Prosecutors contended that Schreiber, then 43, had plotted with Terry's girlfriend before clubbing the man to death with the wooden handle of a pickax. A jury found him guilty of first-degree murder, and in 1997 he was sentenced to life without parole.

On March 30, 2015, Schreiber fell unconscious and was rushed to the University of Iowa Hospitals & Clinics where doctors brought him back to life by administering epinephrine through an IV. Doctors restarted his heart five times.

See Sentence on Page 5

Brown to Speak at Texas Plant Protection Association Conference

MBA President/CEO is scheduled to speak during the 31st Annual Conference of the Texas Plant Protection Association (TPPA) which is one of the leading agricultural conferences in Texas. The theme for this year's conference, which is being held at the Brazos Center in Bryan, Texas, December 10-11, 2019, is "Artificial Intelligence's Impact on Texas Agriculture."

Texas Plant Protection Association

See TPPA on Page 6

Steward Named Co-Chair of Illinois Juvenile Detention Center Workgroup

William Steward, Deputy Executive Director of Cook County Juvenile Temporary Detention Center (JTDC) in Chicago, Illinois has been named Co-Chair of the Illinois Juvenile Justice Leadership Council's Juvenile Detention Center Workgroup.

Steward holds an Associate of Arts degree (Social Sciences) from City Colleges of Chicago – Kennedy – King College, Bachelor of Arts degree (African-American/Black Studies) from University of Illinois at Chicago, and Master of Divinity and Master of Social Justice and Community Development Degrees from Loyola University Chicago. He is working toward a Doctor of Education in Organizational Leadership at Grand Canyon University.

See Steward on Page 6

Carol Cramer Brooks Joins NCCHC Board of Directors

The National Commission on Correctional Health Care (NCCHC) and the National Partnership for Juvenile Services (NPJS) has announced that Carol Cramer Brooks has been appointed to the NCCHC board of directors. Brooks serves as the NPJS liaison to the NCCHC board of directors. She replaces Dr. David W. Roush, who retired from the board after 28 years of service.



Carol Cramer Brooks

According to the announcement, "Brooks' career focus includes training, technical assistance and program and curriculum development. Currently a consultant, her previous positions include director of training and confinement education for the National Juvenile Detention Association and director of the Office of Juvenile Justice and Delinquency Prevention's National Center for Youth in Custody."

See NCCHC on Page 6



Contemplation Corner

By

Mel Brown, Ph.D.

Leaders Are Still Readers

Last year, as I was seeking a topic for December's Contemplation Corner, I was reminded of President Harry S Truman's statement, "Not all readers are leaders, but all leaders are readers." What brought the quote to mind was someone saying, "Mel, you teach a lot of seminars and workshops on leadership. If I wanted to start a collection of the best books on leadership, what books would you suggest I get?"

I gave a lot of thought to that question over the next few weeks and decided that the answer would be beneficial to the readers of this column. I reviewed the titles of the books on shelves in my office and shared with our readers a list of books which I thought would prove valuable to any student of leadership.

A few weeks ago, while in Midland, Texas, facilitating an MBA Regional Training Event entitled, "Effective Leadership Skills for the Workplace," Midland County Community Supervision and Corrections Department Director Allen Bell shared with me that he had bought those books. He also shared with me the titles of some other books he was reading. Knowing that someone found that list of books helpful, I have decided, once again, to share with our readers some books I think would be beneficial for leaders or aspiring leaders to read.



The books I am recommending, some of which are repeats from last year, are listed in alphabetical order by author to avoid the appearance of a preference for one book over another. They each have their own type of value.

- **Bennis, Warren : *On Becoming a Leader***

  Bennis seeks to redefine leadership and analyzes what actually goes into making a true leader. He separates management from leadership, defines some of the core qualities required for leadership, and explains how anyone can embark on the journey to become a leader with a determined effort in the right direction. He opines that people often tend to confuse 'managing' for 'leading' when in fact these are two completely separate domains. As subjective as the subject might seem, he adopts more of a methodical approach for the readers to be able to follow the advice with relative ease. An interesting and inspiring leadership book which offers valuable insights on how leaders are "made" rather than "born."

- **Collins, Jim C: *Good to Great: Why Some Companies Make the Leap and Others Don't.***

  This book is based upon the findings of a study Collins and his research team conducted to answer two questions: Are there companies that defy gravity and convert long-term

See Contemplation on Page 3

PDS PERSONAL DEVELOPMENT SEMINARS
Evidence-based behavior change programs

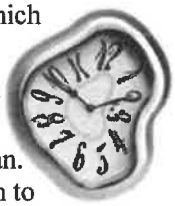
Professionally Facilitated, Live, Local, Offender Paid Classes
Call for class details or to bring classes to your county
1-800-775-3220
www.pdsprograms.com

Alcohol & Drug Awareness
Driving While License Invalid
Marijuana Awareness
Readiness To Change
Theft Intervention
Violence Intervention



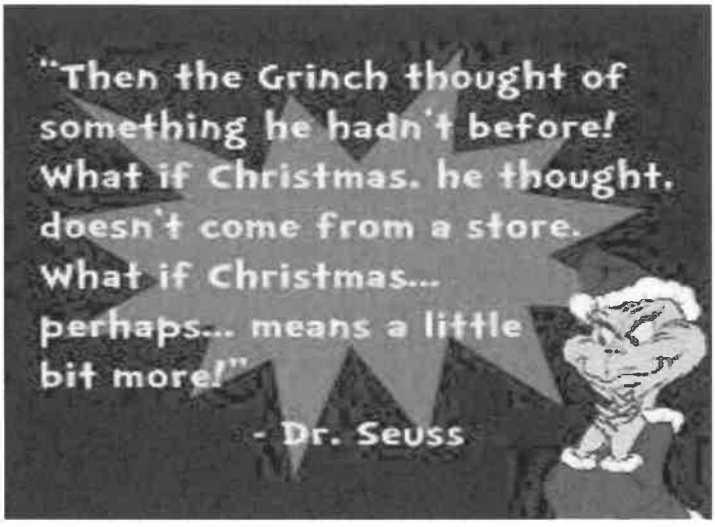

Worth the Time

Realizing that busy executives and mid-managers do not always have the time to peruse the Internet or issues of magazines and journals in search of that elusive article containing information well worth the reading, this column provides a brief introduction and a hyperlink to material which we think is "Worth the Time" to read.



This month's featured article, "6 Ways to Reduce Employees Stress During the Holidays" is by author, consultant and speaker Kevin Sheridan. The title itself provides an adequate introduction to article so there is no need to add anything further.

Click here **to read the article**



Contemplation (Continued from Page 2)

mediocrity or worse into long-term superiority? And if so, what are the universal distinguishing characteristics that cause a company to go from good to great?

The findings of the study will surprise many readers and shed light on virtually every area of management strategy and practice. The findings include:

- Level 5 Leaders: The research team was shocked to discover the type of leadership required to achieve greatness.
- The Hedgehog Concept: (Simplicity within the Three Circles): To go from good to great requires transcending the curse of competence.
- A Culture of Discipline: When you combine a culture of discipline with an ethic of entrepreneurship, you get the magical alchemy of great results. Technology Accelerators: Good-to-great companies think differently about the role of technology.
- The Flywheel and the Doom Loop: Those who launch radical change programs and wrenching restructurings will almost certainly fail to make the leap.

Collins says, "Some of the key concepts discerned in the study fly in the face of our modern business culture and will, quite frankly, upset some people."

Even if Collins is correct in his statement, who can afford to ignore these findings?

➢ ***Kouzes, James M. and Posner, Barry Z: The Leadership Challenge***

This book presents a practical, evidence-based resource on how to mobilize people around a common goal and uses case studies to examine "The Five Fundamental Practices of Exemplary Leadership," as researched and developed by Kouzes and Posner.

These five practices are the foundation of leadership. They provide a road map that helps us understand what it takes to inspire those we are privileged to lead. The practices also teach us how to lead with empathy, conviction, and authenticity.

➢ **Lencioni, Patrick: *The Ideal Team Player***

Lencioni's latest page-turning fable is the story of a leader desperate to save his company by cracking the code on the virtues that define a true team player. Jeff Shanley takes over

See Contemplation on Page 4

Quote to Remember

"The best of all gifts around any Christmas tree: the presence of a happy family all wrapped up in each other." ~~ Burton Hills



Summit (Continued from Page 1)

District 33 State Representative Justin Holland will serve as the speaker for the opening session and according to Emily Lane, Chief Juvenile Probation Officer for Anderson County and NETJCA President, "Many different presenters are coming to add their expertise to inspire the leaders in the Juvenile Justice field. Topics will be covering hiring practices, human trafficking, monitoring updates, generational differences in the workforce and inspirational speakers to fire up the field. The speakers are varied from presenters with TJJD, counselors, authors, TAC specialists, and those with expertise in missing and exploited children."

"It looks like we can get 16.25 hours of credit for the conference with 9.5 being management hours. Management hours could go up based on what TJJD presents on Wednesday."

For additional information regarding the 2020 Texas Juvenile Chiefs Summit, contact Sherry Edwards, Chief Juvenile Probation Officer, Red River Co. Juvenile Probation Department at 903-427-5761 or sherry.edwards@co.red-river.tx.us.

Contemplation (Continued from Page 3)

his family's locally revered construction firm and realizes that the only way to deliver on the two biggest projects in the company's history is to rapidly build a culture of hiring and development around those virtues.

Beyond the fable, Lencioni presents a powerful framework and easy to use tools for identifying, hiring, and developing ideal team players in any kind of organization. Whether you are a leader striving to create a culture of teamwork, a human resources professional looking to hire real team players, or an employee wanting to make yourself an invaluable team member, The Ideal Team Player will prove to be as practical as it is compelling.

- **Lencioni, Patrick:** ***The Five Dysfunctions of a Team***

Lencioni blends a number of important leadership concepts into one readable business fable that is enthralling and instructive. The book distills the problems that keep even the most talented teams from realizing their full potential. Even more importantly, it outlines in prose that is crisp, clear, and fun to read, a powerful model and actionable steps that can be used to overcome common hurdles and build a cohesive, effective team.

- **Maxwell, John C:** ***The Five Levels of Leadership***

New York Times bestselling author John C. Maxwell explains how true leadership works and makes it accessible to everyone. Leadership does not come from your title. In fact, being named to a position is only the first and lowest of the five levels every effective leader achieves. To become more than a boss people are required to follow, you must master the ability to inspire and build a team that produces not only results, but also future leaders.

The 5 Levels of Leadership are:

- Position - People follow because they have to.
- Permission - People follow because they want to.
- Production - People follow because of what you have done for the organization.
- People Development - People follow because of what you have done for them personally.
- Pinnacle - People follow because of who you are and what you represent.

By combining the advice contained in these pages with work and a willingness to learn, anyone can rise to a higher and more effective level of leadership and thus make a greater impact.

- **Maxwell, John C:** ***The 21 Irrefutable Laws of Leadership: Follow Them and People Will Follow You***

This book gets down to the task straightaway and lays down specific principles one can apply diligently and consistently to

See Contemplation in Right Hand Column

Contemplation (Continued from Left Hand Column)

excel as a leader. Maxwell shares the accumulated wisdom of nearly decades of experience in the field and most of it is rather unconventional as compared with commonly held views on leadership.

Maxwell suggests that "leaders add value by serving others" as they acquire greater value from others by being of value to them. His Law of Process is based on the fundamental idea that "leadership develops daily, not in a day." The book lays out a complete philosophy of leadership which is simple yet highly effective, but rarely ever spelled out with such clarity. In short, a recommended read for leaders and managers who are faced with new challenges every day and are looking for a fresh perspective.

- **Sinek, Simon:** ***Leaders Eat Last: Why Some Teams Pull Together and Others Don't***

Imagine a world where almost everyone wakes up inspired to go to work, feels trusted and valued during the day, then returns home feeling fulfilled. This is not a crazy, idealized notion. Today, in many successful organizations, great leaders create environments in which people naturally work together to do remarkable things.

In his work with organizations around the world, Simon Sinek noticed that some teams trust each other so deeply that they would literally put their lives on the line for each other. Other teams, no matter what incentives are offered, are doomed to infighting, fragmentation and failure. Why?

The answer became clear during a conversation with a Marine Corps general. "Officers eat last," he said. Sinek watched as the most junior Marines ate first while the most senior Marines took their place at the back of the line. What's symbolic in the chow hall is deadly serious on the battlefield: Great leaders sacrifice their own comfort - even their own survival - for the good of those in their care.

Too many workplaces are driven by cynicism, paranoia, and self-interest. But the best ones foster trust and cooperation because their leaders build what Sinek calls a "Circle of Safety" that separates the security inside the team from the challenges outside.

Sinek illustrates his ideas with fascinating true stories that range from the military to big business, from government to investment banking.

Merry Christmas and Happy Reading.

Quote to Remember

"He who has not Christmas in his heart will never find it under a tree." ~~ Roy L. Smith

Sentence (Continued from Page 1)

According to Schreiber's petition, when he lost consciousness a staff member called his brother, who told the hospital that although they could give Mr. Schreiber medicine to ease his pain, "otherwise you are to let him pass." Schreiber said he was resuscitated despite his brother's directions and his own do-not-resuscitate order on file with the Iowa Department of Corrections.

While recovering at the Iowa State Penitentiary, Schreiber filed a novel legal appeal claiming that because he died before he was resuscitated, he had technically fulfilled his life sentence.

According to court records, Schreiber argued that he was sentenced to life without parole, "but not to life plus one day."

Judges, however, did not buy his argument. A district court previously denied Schreiber's motion and on Wednesday, November 6, 2019, the Iowa Court of Appeals upheld the lower court's decision, calling Schreiber's request "unpersuasive and without merit." The court ruled that dying for a brief amount of time does not amount to a get-out-of-jail-free card and said the 66-year-old will remain in prison until a medical examiner determines that he is dead for good. "Schreiber is either still alive, in which case he must remain in prison, or he is actually dead, in which case this appeal is moot," Judge Amanda Potterfield wrote in the court of appeals opinion. "Life" is not defined by the state's code, the judges had given the term "its plain meaning," which they took to prescribe that Mr. Schreiber must spend the rest of his natural life incarcerated, regardless of whether he had been revived.

"We do not find his argument persuasive," Judge Potterfield wrote, adding that the judges found it unlikely the Legislature would have wanted "to set criminal defendants free whenever medical procedures during their incarceration lead to their resuscitation by medical professionals."

Court records show the district court did not address Schreiber's additional claim that his due process rights were violated when the doctors failed to follow his "do not resuscitate" request. Because of this, the court of appeals in its ruling said it could not address it either, because the lower court had not made any judgment on it.

Assistance (Continued from Page 1)

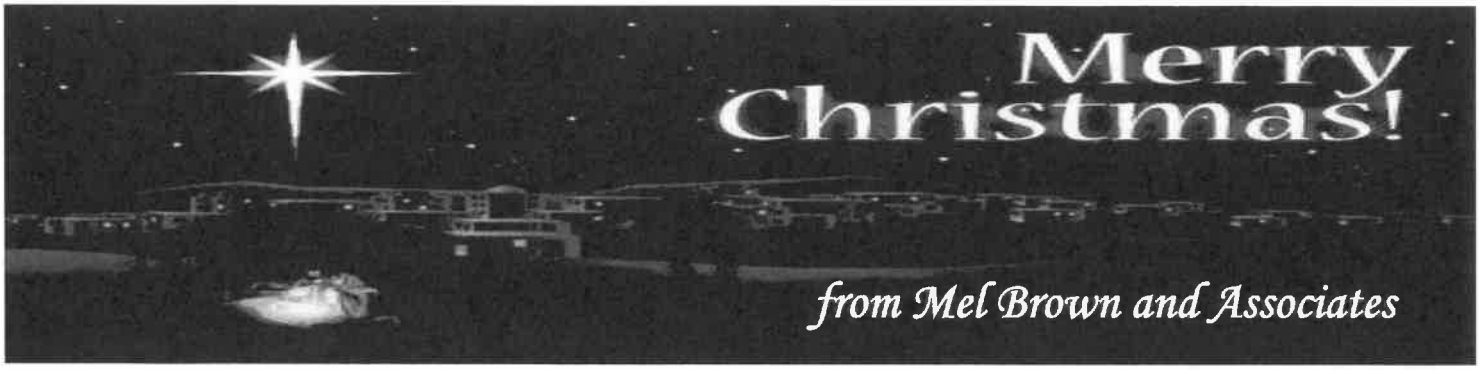
(4) by allowing us to assist you with any organizational or leadership development activities you might be planning."

Brown pointed out, "There are a number of advantages of serving as a host of an MBA Regional Training Event. First of all, the host county determines what training will be offered at their site by selecting from workshops MBA already offers or by suggesting topics for MBA to develop for the training they are hosting. Secondly, it is definitely less expensive to do the training in-house than it is to send people across the state for training. Serving as the host for the training means there are no travel costs associated with the training -- no hotel cost, no meal cost, no mileage reimbursement, or any other cost associated with traveling. Tertiary, the host agency gets to register their people at the early registration fee rate regardless of when they register, and the host agency gets one free registration for each five paid registrations from their department. Serving as a host agency is especially helpful to departments who have to send people a long way to training."

"While we are interested in developing new workshops based upon the needs identified by local departments, we are also interested in finding hosts for the following workshops: a three-day workshop on 'The 21 Irrefutable Laws of Leadership' which we began offering in 2018, a two-day workshop entitled, 'Conquering the Leadership Challenge,' which is currently scheduled to be offered for the first time in March, 2020, and a variety of workshops we will be offering which focus on mental health and/or behavioral health, therapeutic interventions with offenders and human growth and development."

Brown is encouraging those who have topics they would like to see MBA develop and those interested in serving as a host for an MBA Regional Training Event to email him at ceo@melbrown.org.

In addition to contacting MBA regarding training issues, Brown said, "we would also love to hear from people who have technical assistance needs, such as program evaluations, organizational needs assessments, management studies, strategic planning, analysis of staffing needs, or facilitation of processes, such as vision and mission development or policy and procedure development."



Mel Brown and Associates: Equipping Individuals and Organizations to Accomplish Their Visions, Missions and Goals

Steward (Continued from Page 1)

In the letter to Steward thanking him for agreeing to serve as co-chair, Illinois Justice Project Program Director Garien Gatewood wrote, "your guidance and experience will be invaluable" and informed him that the initial meetings of the group will be designed to have members do three things: "first, discuss the goals of the workgroup; second, decide what additional people we should have join the group; and third, suggest to staff what data and research should be prepared for the group to make it successful."

Gatewood also stated, "The Administrative Office of Illinois Courts (AOIC) and the Illinois Department of Juvenile Justice (IDJJ) are in the process of updating detention standards. The standards will include housing, medical and health care, security, safety, and several other areas. Our workgroup can work in partnership with both the AOIC and IDJJ to help review some of the standards, definitions, collect data and offer the opportunity to collaborate on potential policy solutions."

"Like the workgroups in the past, we want to make the best use of the time we spend together, benefit from the expertise at each table and accomplish the tasks we set as a group. In preliminary discussions, Council and Workgroup members have expressed interest in understanding what is happening in Illinois, and nationally, concerning oversight. Specifically, questions have been raised about education, solitary confinement, treatment, and programs among other topics. We want to bring members to the table to share their knowledge and thoughts to set goals, outcomes and action steps for the group in order to get the best outcomes for youth."



"Christmas is not as much about opening our presents as opening our hearts."
~~ Janice Maeditere

Quote to Remember

"Christmas is not about the presents, but about His presence." ~~ Anonymous

NCCHC (Continued from Page 1)

"She is also a former director of program development and support services for the State of Michigan's Department of Human Services, Bureau of Juvenile Justice. Ms. Cramer Brooks co-authored the National Training Curriculum for Educators of Youth in Confinement and the Detention Careworker Training Curriculum, 3rd Edition."

Brooks' academic credentials include Master of Public Administration and Bachelor of Science in Special Education degrees from Western Michigan University.

Brooks, who as a juvenile justice expert, has a special appreciation for NCCHC's mission, stated, "Youth in the juvenile justice system present issues with complex medical and behavioral health care needs, and NCCHC has historically been a leader in addressing those needs. I look forward to the opportunity to learn, inform, exchange information and make connections."

TPPA (Continued from Page 1)

Attendees at TPPA conferences include individuals from 1. Agribusiness [dealers, distributors, manufacturers, applicators, consultants, ag lenders, farmers and ranchers], 2. researchers in the field of agriculture [Texas A&M AgriLife Research, graduate students, United States Department of Agriculture (USDA) crop protection and seed company researchers and contract researchers], 3. Extension and Education [Texas A & M AgriLife Extension Service, university faculty, USDA, graduate students], 4. the press [both agricultural related and local newspapers], and 5. regulatory agencies [Texas Commission on Environmental Quality (TCEQ), Texas Department of Agriculture (TDA), USDA, United States Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TDEQ)].

The topic for Brown's presentation is "Wrapping it Up and Putting it All Together."

Quote to Remember

"Peace on earth will come to stay, When we live Christmas every day."
~~ Helen Steiner Rice

MBA Regional Training Opportunities

See Page 8 for registration information and location

Conquering the Leadership Challenge, March 17-18, 2020, (Hosted by Denton County CSCD). For additional information contact us at info@melbrown.org or 936-273-0919. For a detailed description of the course, click here.

March 17, 2020

8:30 – Noon The Leadership Challenge
1:30 – 5 pm The Leadership Challenge (Continued)

March 18, 2020

8:30 – Noon The Leadership Challenge (Continued)
1:30 – 5 pm The Leadership Challenge (Continued)

Conquering the Leadership Challenge, March 23-24, 2020, (Hosted by Midland County CSCD). For additional information contact us at info@melbrown.org or 936-273-0919. For a detailed description of the course, click here.

March 23, 2020

8:30 – Noon The Leadership Challenge
1:30 – 5 pm The Leadership Challenge (Continued)

March 24, 2020

8:30 – Noon The Leadership Challenge (Continued)
1:30 – 5 pm The Leadership Challenge (Continued)

Conquering the Leadership Challenge, March 30-31, 2020, (Hosted by Nueces County CSCD). For additional information contact us at info@melbrown.org or 936-273-0919. For a detailed description of the course, click here.

March 30, 2020

8:30 – Noon The Leadership Challenge
1:30 – 5 pm The Leadership Challenge (Continued)

March 31, 2020

8:30 – Noon The Leadership Challenge (Continued)
1:30 – 5 pm The Leadership Challenge (Continued)

Conquering the Leadership Challenge, June 17-18, 2020, (Hosted by Smith County CSCD). For additional information contact us at info@melbrown.org or 936-273-0919. For a detailed description of the course, click here.

June 17 , 2020

8:30 – Noon The Leadership Challenge
1:30 – 5 pm The Leadership Challenge (Continued)

June 18, 2020

8:30 – Noon The Leadership Challenge (Continued)
1:30 – 5 pm The Leadership Challenge (Continued)

'tis the Season

Associational Conferences

Texas Corrections Association

2020 Annual Conference, San Antonio, Texas, June 7-10, 2020.

Contact Ashley Koonce at 936-294-1706 or koonce@shsu.edu.

Juvenile Justice Association of Texas



2020 Spring Conference, El Paso, Texas, April 26-29, 2020.

2020 Fall Conference, Corpus Christi, Texas, October 18-21, 2020.

Contact Jessica Carter at jjattx@gmail.com or 512-415-6717 or

Texas Probation Association



2020 Annual Conference, Houston, Texas, April 5-8, 2020.

2020 Legislative Conference, San Antonio, Texas, August 16-19,2020

Contact Angela Semar at asemar@shsu.edu or 936-294-640.

Texas Juvenile Chiefs Summit

2020 Texas Juvenile Chiefs Summit, Rockwall, Texas, February 23-26, 2020.

Contact Sherry Edwards at sherry.edwards@co.red-river.tx.us

Conquering the Leadership Challenge
March 17-18, 2020
Training Site
650 S. Mayhill Rd
Denton, TX
Hosted by Denton County CSCD
Early Registration Ends
February 17, 2020

Conquering the Leadership Challenge
March 30-31, 2020
Training Site
745 North Padre Drive
Corpus Christi, TX
Hosted by Nueces County CSCD
Early Registration Ends
February 27, 2020



Conquering the Leadership Challenge
March 23-24, 2020
Training Site
215 W Industrial Ave
Midland, TX
Hosted by Midland County CSCD
Early Registration Ends
February 27, 2020

Conquering the Leadership Challenge
June 17-18, 2020
Training Site
304 East Ferguson Street
Tyler, TX
Hosted by Smith County CSCD
Early Registration Ends
May 18, 2020

To qualify for early registration fee, registration form must be received by MBA prior to 5 pm on the expiration date listed for the training!

MBA Regional Training Events

Early Registration	Regular Registration
$255.00	$299.00

Training for which you are registering: _____ / _____
Location Dates

Name: _____ **Title:** _____

Organization: _____

Street Address _____

City: _____ **State:** ___ **Zip** _____ **E-Mail Address:** _____

Business Telephone _____ **Fax Number:** _____

Complete Form and Submit with Check or Purchase Order Number to:
Mel Brown and Associates
490 Charleston Park
Conroe, Texas 77302
Email info@melbrown.org or Fax # 936.273.0919

Cancellation Policy: Full refunds will be given to those who cancel in writing more than ten (10) days prior to the training. A refund of 60% of the fees paid will be authorized when a written request for refund is submitted less than ten (10) working days prior to the scheduled start of the training. Mel Brown and Associates reserves the right to retain or collect fees in full for those who fail to cancel prior to the training or for those who fail to attend. Substitutions are permitted at any time.

Mel Brown and Associates: Equipping Individuals and Organizations to Accomplish Their Visions, Missions and Goals

Exhibit D

48

EXHIBIT D

Northeast Texas Juvenile Chief's Association				
Governing Board Members				
Emily Lane	President /Board Chair /Chief	Anderson County	1120 E. Crawford Street, Palestine, TX 75801	903-731-8201
Tracy Anderson	Vice President / Chief JPO	Panola County	315 West Panola Street, Carthage, TX 75633	903-693-0352
Sherry Edwards	Treasurer / Chief JPO	Red River County	301 W. Madison Street, Clarksville, TX 75426	903-427-5761
2020 Texas Juvenile Chiefs Summit Planning Committee				
Angie Scalf	Event Director / Chief JPO	Rockwall County	915 Whitmore Drive, Rockwall, TX 75087	972-204-7450
Emily Lane	President /Board Chair /Chief	Anderson County	1120 E. Crawford Street, Palestine, TX 75801	903-731-8201
Tracy Anderson	Vice President / Chief JPO	Panola County	315 West Panola Street, Carthage, TX 75633	903-693-0352
Sherry Edwards	Treasurer / Chief JPO	Red River County	301 W. Madison Street, Clarksville, TX 75426	903-427-5761
Phil Hayes	Chief Probation Officer	Cass County	P.O. Box 301, Linden, TX 75563-5563	903-756-7551
Melanie Ramsey	Chief Probation Officer	Nacogdoches County	2723 Center Road, Nacogdoches, TX 75961	936-560-7710
Additional Association Members				
Harland Jones	Chief Probation Officer	Bowie County	601 Main Street, Suite B, Texarkana, TX 75501	903-791-1707
Marie Page	Chief Probation Officer	Cherokee County	P.O. Box 502, Rusk, TX 75785	903-586-7570
Bing Canion	Chief Probation Officer	Gregg County	310 Turk Street, Longview, TX 75601	903-758-0121
Darron Forehand	Chief Probation Officer	Harrison County	1401 Warren Drive, Marshall, Texas 75672	903-935-4871
Jeffery Blu Nicholson	Chief Probation Officer	Henderson County	201 J East Larkin, Athens, TX 75751-2020	903-677-7250
John Perry	Chief Probation Officer	Hopkins, Franklin, Delta & Rains Counties	228 Hinnant Street, Sulphur Springs, TX 75482	903-885-8041
Laura Sandlin	Chief Probation Officer	Hunt County	2700 Johnson Street, Greenville, TX 75401	903-455-8555
Darrell W. Bruce	Chief Probation Officer	Lamar County	4315 Bonham Street, Suite B, Paris, TX 75460	903-737-2460
Brian Swick	Chief Probation Officer	Limestone & Freestone Counties	908 N. Tyus Street, Groesbeck, TX 76642	254-729-3569
Melanie Hyder	Chief Probation Officer	Navarro County	315 W. 3rd Avenue, Corsicana, TX 75110	903-654-3070
Fay Terry	Chief Probation Officer	Rusk County	122 N. Calhoun Street, Henderson, TX 75652	903-657-0372
Veronica Berry	Chief Probation Officer	Shelby County	200 San Augustine Street, Center, TX 75935	936-598-4587
Ross Worley	Chief Probation Officer	Smith County	P.O. Box 1257, Tyler, TX 75710	903-535-0850
Brian Clayton	Chief Probation Officer	Titus, Camp, Morris & Marion County	100 West 1st Street, Suite 400, Mt. Pleasant, TX 75455	903-577-6737
William McGee	Chief Probation Officer	Upshur County	P.O. Box 637, Gilmer, TX 75644-5644	903-680-8116
Robert Colacino	Chief Probation Officer	Van Zandt County	323 E. Garland Street, Grand Saline, TX 75140	903-962-6292
Melanie Whitehurst	Chief Probation Officer	Wood County	P.O. Box 727, Quitman, TX 75783-0727	903-763-5772

49

Exhibit E

50

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ **Go to *www.irs.gov/FormW9* for instructions and the latest information.**

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Northeast Texas Juvenile Chiefs Association

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☑ Other (see instructions) ▶ **Exempt Organization 509(a)(2)**

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) **N/A**

Exemption from FATCA reporting code (if any) **N/A**

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
301 West Madison Street

6 City, state, and ZIP code
Clarksville, Texas 75426

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
☐☐☐ - ☐☐ - ☐☐☐☐

or

Employer identification number
8 0 - 0 4 6 2 0 0 3

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person ▶** Sherry Edwards **Date ▶** 8/19/2019

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

Hilton Contract

52

Hilton
DALLAS/ROCKWALL LAKEFRONT

2055 Summer Lee Drive
Rockwall TX 75032
214-771-3700 (T)
214-771-3701 (F)

The following represents an agreement between **Northeast Texas Juvenile Chiefs Association** and **Hilton Dallas/ Rockwall Lakefront:**

DESCRIPTION OF GROUP AND EVENT

ORGANIZATION:	**Northeast Texas Juvenile Chiefs Association**
NAME OF EVENT:	**2020 Annual Juvenile Chief's Conference**
CONTACT:	**Angie Scalf**
TITLE:	**Director**
ADDRESS:	**Rockwall, TX, 75087**
PHONE:	**972-204-7450**
EMAIL:	**ascalf@rockwallcountytexas.com**

IDENTIFICATION

The **Hilton Dallas/ Rockwall Lakefront** will be identified as **"Hotel"** and **Northeast Texas Juvenile Chiefs Association** will be identified as **"Group"** hereunder.

GUEST ROOM COMMITMENT

The Hotel agrees that it will provide, and the Group agrees that it will be responsible for utilizing, a minimum of **390** ("Total Room Nights") as follows:

Date of Room Block	Standard King or Double Queen Rooms
Saturday 02/22/2020	30
Sunday 02/23/2020	120
Monday 02/24/2020	120
Tuesday 02/25/2020	120

GROUP ROOM RATES

Hotel's non-commissionable rates are as follows:

Room Type	Room Rate
Standard King or Double Queen Rooms	$120.00

KS Initial

Hotel room rates are subject to applicable state and local taxes (currently 13%) in effect at the time of check in. All guestrooms are non-smoking and a $250.00+ fee is assessed for smoking in a non-smoking room. Group room rates are available for Saturday, February 22, 2020 - Thursday, February 27, 2020.

CONCESSIONS

Hotel agrees to provide Group with the following concessions:
(Concessions supersede the standard agreement)

- 80% Attrition
- 10% discount off A/V pricing when using onsite vendor PSAV (excludes labor)
- Meeting room rental waived with met food and beverage minimum of $12,000++
- Complimentary King Suite for dates of 2/23- 2/25
- Guaranteed 2019 menu pricing
- Guaranteed 24% service charge
- Complimentary self-parking at the hotel ; 50% discount off of valet parking services
- 1 per 50 comp rooms

PARKING SPECIAL SERVICES

Valet parking is available for $15.00+ per car overnight or $7.00+ per day for day meeting attendees.

HILTON HONORS POINTS

Hilton Honors Meeting Planner Event Points can be awarded to any designated Hilton Honors Member. The program awards one point per dollar spent, before tax and service charge, for contracted food and beverage and guest rooms that are billed to the master account. Please fill in the information below appointing the member that will be receiving the points for this contracted program.

The hotel will provide HHonors® Meeting Planner points to:

Name of Hilton Honors Member	[redacted]
Hilton Honors Number	[redacted]

Hilton Honors Meeting Planner Event Points are posted once the program is complete and the programs final balance had been paid. Please allow up to 8 weeks from the date of submission for the points to reflect on the Hilton Honors account. Hilton Honors Meeting Planner Event Points do not apply guest rooms that are billed individually. They also are not awarded for AV charges, meeting room rental or to any food or beverage that is purchased from the hotel outlets.

Initial

METHOD OF RESERVATIONS & PAYMENT

Reservations for the Event will be made by individual call in.

- Individuals are responsible for their own room, tax and incidental charges*.

Our check-in time is **3:00 PM**; check-out time is **12:00 PM**. All guests arriving before **3:00 PM** will be accommodated as rooms become available. We can arrange to check baggage for those arriving early when rooms are unavailable and for guests attending functions on departure day.

*Please note that individuals who are responsible for their own incidental charges will be required to provide a credit card at check in which will be authorized for up to $50.00 per night. Individuals who use a Debit Card should ensure they have sufficient funds in their account to cover the $50.00 per night hold.

GUARANTEED RESERVATIONS

For groups that are Individual Call In, reservations must be accompanied by a first room night deposit or guaranteed with a major credit card. For groups that provide a rooming list, reservations will be guaranteed to the master account. Cancellations will be accepted up to 24 hours prior to arrival. If the reservation is no longer required and is not cancelled prior to this time, the reservation will be released and subsequent room and tax charges will be billed to the form of payment on file.

CUT OFF DATE

Reservations by attendees must be received on or before **Friday, January 31, 2020** (the "Cut-Off date").
At the Cut-off date, Hotel will review the reservation pick up for the Event, release the unreserved rooms for general sale, and determine whether or not it can accept reservations based on a space-and-rate available basis at the group rate after this date.

Release of rooms for general sale following the Cut-off date does not affect the Group obligation, as discussed elsewhere in this Agreement, to utilize guest rooms.

GUEST ROOM ATTRITION

The Total Sleeping Room Nights Reserved under this Agreement will generate **$46,800.00** in revenue for Hotel (**"Anticipated Sleeping Room Revenue"**). If you do not use all of the sleeping rooms in your Room Block, you agree that the Hotel will suffer damages. Such damages will occur because Hotel will have lost the opportunity to offer your unused rooms to others either individually or as part of another block and will incur additional costs in attempting to resell inventory that was already sold. The parties agree that the exact amount of such damages will be difficult to determine.

The parties agree that the liquidated damages clauses provided for in this Agreement are a reasonable effort by the parties to agree in advance on the damages that the Hotel will suffer due to your lack of performance. Therefore, the parties agree that if the contracted Event is held

AK Initial

as scheduled, Hotel will not seek damages for Group's failure to use and pay for the Total Sleeping Room Nights Reserved if Group achieves a minimum of **80%** of the Anticipated Sleeping Room Revenue. Should Group achieve less than this amount, Group agrees to pay to Hotel, as reasonable liquidated damages and not a penalty, the difference between **80%** of the Anticipated Sleeping Room Revenue and the actualized guest room revenue received by Hotel for rooms used and paid for as part of the official Room Block, plus any applicable state and local taxes as required by law, as a reasonable estimate of the Hotel's losses on sleeping rooms, ancillary revenue, costs of sale and other losses.

CREDIT CARD PAYMENT

All master account charges are to be paid by credit card. Hotel accepts American Express, Master Card, Visa, Diners Club or Discover Card, for master account payments. Upon Contract signature, Group will provide Hotel with a credit card to which all master account charges will be charged. **Full pre-payment of all estimated charges will be posted to the credit card 72 hours prior to the first day of the function. Any remaining balance or overpayment will be charged or refunded within 3 business days after receipt of the final bill.** In the event any charges are disputed, you agree that Hotel may charge the undisputed charges to the account immediately and the remainder will be charged upon resolution.

DIRECT BILLING

Direct Billing may be established with us for this event. Please complete the enclosed Direct Billing application and return it along with the signed contract. Processing of Direct Bill applications takes 30 days. If your event takes place within 30 days of contract signature, Direct Billing privileges will not be available. If the application is not approved, you agree that the bill is to be paid by company check, certified check or wire transfer for the entire estimated charges 5 days in advance of arrival. The **Hotel** reserves the right to require advance payments or deposits of all or part of your estimated charges if your credit status changes after initial credit approval.

On receipt and approval of the Direct Billing application, a master account will be set up for this event. All charges posted to your master account should be approved in writing by you or your authorized designee. 25% of the master account will be due as a deposit with the signed contract. We accept all major credit cards and company checks as payment for advanced deposits.

With Direct Billing approval, you agree that the master account will be fully paid within 30 days after receipt of the bill. In the event any charges are disputed, all undisputed amounts will be paid within 30 days. All undisputed charges not paid within 30 days will be subject to interest accruing at the rate of 1 ½ % per month, or the highest rate permitted by law, until paid.

ADVANCED PAYMENT/DEPOSIT POLICY

Whether Group elects to pay by Direct Bill or Credit Card, a non-refundable advance deposit of **$3,000.00** will be required at the time of a signed contract. Deposit is payable via company check, credit card or certified funds.

Initial

A valid credit card is required with the signed contract, please fill out the authorization form on the last page of this document.

TAX EXEMPTION

Hotel will honor any available tax exemptions for which Group qualifies, provided that Group properly completes and provides all documentation required by the applicable jurisdiction to substantiate said exemption, group to provide these documents a week before the first day of the conference . Indicate Group's tax exemption status below by checking the appropriate box:

☐ Group is not exempt from taxes

☒ Group is exempt from taxes. Please indicate which tax or taxes Group is exempt from:

It is the Group's sole responsibility to provide tax exemption documentation at the time of contract signature. Failure to do so will result in all applicable taxes being charged to Group. Hotel cannot make any adjustments to taxes once they have been posted.

FUNCTION SPACE

Date	Start Time	End Time	Function	Room	Setup	Agr
2/23/2020	5:30 PM	7:00 PM	General Session	The Pergola	Crescent Rounds	150
2/23/2020	7:00 PM	10:00 PM	Reception	The Pergola	Flow	150
2/24/2020	8:30 AM	4:30 PM	General Session	Parlor A-B-C-D	Crescent Rounds	150
2/24/2020	8:30 AM	4:30 PM	Exhibits	Compass Rose		
2/24/2020	8:30 AM	4:30 PM	Exhibits	Prefunction North		
2/24/2020	8:30 AM	4:30 PM	Office	Clipper		
2/25/2020	8:30 AM	4:30 PM	Office	Clipper		
2/25/2020	8:30 AM	4:30 PM	Exhibits	Prefunction North		
2/25/2020	8:30 AM	4:30 PM	Exhibits	Compass Rose		
2/25/2020	8:30 AM	4:30 PM	General Session	Parlor A-B-C-D	Crescent Rounds	150
2/26/2020	8:30 AM	12:00 PM	General Session	Parlor A-B-C-D	Crescent Rounds	150
2/26/2020	8:30 AM	12:00 PM	Exhibits	Compass Rose		
2/26/2020	8:30 AM	12:00 PM	Exhibits	Prefunction North		
2/26/2020	8:30 AM	12:00 PM	Office	Clipper		

Initial

Function rooms are assigned according to the estimated attendance. Times, setup, and attendance are estimates. Final details will be determined while coordinating the event closer to the event date and confirmed within the Banquet Event Orders.

Room rental is subject to 6.00 % tax and 24.00% taxable service charge.
Audio Visual prices are subject to 8.25% sales tax and 24.00% taxable service charge.
Food and Beverage and all miscellaneous fees are subject to 8.25% tax and 24.00 % taxable service charge.

FOOD AND BEVERAGE MINIMUM

The guestroom rates and concessions outlined are based on Company's guaranteed expenditure of a minimum of **$12,000.00** in organized food and beverage, excluding taxes, gratuities and service charges (Minimum Food and Beverage Revenue).

Should you fall short of this Minimum Food and Beverage Revenue whether due to reduction in size of your meeting, drop in attendance, change in food and beverage events or otherwise, you agree that the Hotel will suffer damages that will be difficult to determine. Therefore, you agree that you will pay the Hotel the amount equal to the difference between the guaranteed Minimum Food and Beverage Revenue and the actual amount achieved as liquidated damages, plus applicable taxes. You agree that this charge is a reasonable estimate of the Hotel's losses on food and beverage.

FOOD & BEVERAGE DATES TO REMEMBER

- Final Menu Due Date **Saturday, February, 1, 2020**
- Signed Banquet Event Orders due **Saturday, February, 8, 2020**
- Final Count Due Date **Monday, February, 17, 2020 (5 business** days prior to event)

BANQUET EVENT ORDER/GUARANTEE

A final Banquet Event Order outlining all details of your event will be finalized no later than **Saturday, February, 8, 2020**. A guarantee with final guest count is due (5) **five business** days prior to your scheduled event. If no guarantee is received, your expected number will become your guarantee. **Once the guarantee is given, the number is no longer subject to reduction.**

ALCOHOLIC BEVERAGES

When special requests are honored for liquor, beer or wine items not carried as regular stock at the Hilton, the guest is then responsible for the total purchased amount of all items not consumed at the function.

The Hotel will require that beverages be dispensed only by the Hotel servers and bartenders. The Hotel's alcoholic beverage license requires the Hotel to (1) request proper identification (photo ID) of any person of questionable age. Hotel reserves the right to refuse alcoholic beverage service if the person is 1) underage 2) proper identification cannot be produced 3) appears intoxicated. The Hilton strictly adheres to the above polices without exception.

Initial

BANQUET ROOM LIABILITY

The Hotel reserves the right to inspect and control all private functions. Liability for damages to the premises will be charged accordingly. Please adhere to the following: No posters or signs can be located in the Hotel Lobby. No Silly String or Confetti may be used. Hotel reserves the right to inspect and control all private functions. Liability for damages to the premises will be charged accordingly to the client. All signs located outside the meeting space must be professionally printed. No handwritten signs will be allowed. Scotch tape, nails, pushpins or potentially damaging fasteners may not be used to hang signs.

THE HOTEL WILL NOT ASSUME ANY RESPONSIBILITY FOR THE DAMAGE OR LOSS OF ANY MERCHANDISE OR ARTICLES LEFT IN THE HOTEL PRIOR TO, DURING AND FOLLOWING YOUR FUNCTION. Guest agrees to be responsible for any damages done to the premises during the period of time the premises are under guest's control or for any independent contractor hired by the guest.

NOISE MITIGATION

Outdoor areas and open spaces where excessive noise may affect other guests have limits regarding the type of entertainment or hours of entertainment allowed. The Pre-function space, Patios and The Pergola are subject to these limitations. Your Conference Services Manager will approve the vendors for these areas and discuss the policy in place.

FOOD AND BEVERAGE

No food or beverage of any kind will be permitted to be brought into the Hotel by the guest, or any other guests or invitees from the outside without prior consent of the Convention Services Department. Food and beverage provided by the Hotel may not leave the premises. All prices are subject to a 24.00% service charge, which is not included in any of the banquet menu pricing unless otherwise stated. A fee of $125.00++ per chef will apply to any food station in which the Group has requested the services of a chef. A fee of $125.00++ per bartender (minimum of two required) will be applied for cash bars. A labor charge will be added to all food functions when less required guests (outlined in our menus) is guaranteed.

All banquet checks must be signed by the person in charge or a designated representative at the completion of each function. Any discrepancies in counts or charges should be identified and resolved at that time. In the event the Group vacates premises prior to signing the banquet check, all charges will be charged to the credit card on file or will be billed to guest. Food and beverage provided by the Hotel may not leave the premises.

It is necessary that your menu selection and all detailed arrangements be confirmed no later than three weeks prior to the function. The food and beverage menu items suggested are only a guide to assist us in planning your function, our culinary team will be happy to customize a menu to fit the needs of your guests.

Initial

ASSIGNMENT/CONFIRMATION OF SPACE

The Client agrees to confirm with us the assigned function space prior to printing any materials listing specific event locations. The schedule of events listed indicates space that is held upon signing of this contract by both parties. If for any reason the reserved is not available for your event, you agree to the substitution of space based on comparable, appropriate available space.

Please contact the Hotel at least three weeks prior to the scheduled event to confirm menus, space and details including but not limited to: decorations, entertainment, audio visual needs, beverage service, possible security needs, shipping/mailing and valet requirements. Upon review and approval of your event requirements the Banquet Event Orders (BEO's) will be sent to you to confirm all final arrangements and pricing. These BEO'S must be signed and returned prior to the event and will serve as a part of this agreement.

AUDIO VISUAL NEEDS

All audio visual services will be provided by Presentation Services Audio Visual (PSAV) The Hotel's onsite audio visual provider. Any outside equipment or vendor brought into the Hotel will be subject to fees based on the event space and scope of equipment and labor.

PRICE INCREASES

Menu price increases fees and service fees are subject to industry price increases annually. Unforeseen changes in market conditions may also affect menu price increases.

SHIPPING AND RECEIVING

If it is necessary for you to ship materials to the Hotel, please observe the following instructions to ensure proper handling of your event meeting materials. Each item should be clearly marked with the following:

- **Organization name and name of event planner**
- **Date of event and the name of your Hotel catering contact**

Boxed packages and display materials will be accepted no earlier than one day prior to your scheduled event. Please advise your Hotel contact of any special arrangements or requirements concerning your materials. The following shipping and receiving fees will apply:

- $10.00++ handling fee per box, 0-49lbs (incoming and outgoing)
- $50.00++ handling fee per box, 50+lbs (incoming and outgoing)
- $125.00++ handling fee per pallet (incoming and outgoing)
- $5.00++ storage fee, per box or pallet, per day
- $3.00+ guestroom delivery fee per item for generic amenity room drops
- $5.00+ guestroom delivery fee per item for personalized amenity room drops
- $25.00++ per hour labor charge will be assessed if the Hotel's assistance is required in unloading vehicles and/or moving items to storage areas.

Initial

The Hotel should be advised of any items over 100 pounds that will be displayed in any function room. All fees will be charged to the Master Account to be paid upon departure. All shipping/postage materials and account information will be the responsibility of the Client and must be arranged prior to the Clients arrival.

Arrangements must be made for prompt return or shipping of material upon conclusion of Event. A $50.00+ per day storage fee will be assessed for any items remaining in the Hotel's possession 48 hours after the conclusion of event

CANCELLATION

Hotel has offered the favorable sleeping room rates and other concessions in this Agreement based upon the total anticipated revenues for your Event. If this Agreement is cancelled by Group, the parties agree that the Hotel will have lost the opportunity to offer your unused facilities to others either individually or as part of another block and will incur additional costs in attempting to resell inventory that was already sold. The parties agree that the exact amount of such damages will be difficult to determine. The parties agree that the liquidated damage clauses provided for in this Agreement are a reasonable effort by the parties to agree in advance on the damages that the Hotel will suffer due to a cancellation. Therefore, Group agrees that should it cancel its Event for any reason, including changing its meeting site to another hotel, that Group will pay as liquidated damages to the Hotel immediately upon notice of cancellation a percentage of the total minimum revenues anticipated by the Hotel for your Event plus any applicable state and local taxes as required by law, as follows:

Date of Hotel's Receipt of Cancellation Notice	Amount of Cancellation Damages
Cancellation between: **date of signing** and **date of arrival**	(100% of rooms revenue + 100% of F&B revenue) **$ $58,800.00**

Total Minimum Anticipated Revenue for this Event is **$58,800.00**
Room Revenue: **$46,800.00**
Banquet Food and Beverage Revenue: **$12,000.00**

IMPOSSIBILITY

Neither party shall be responsible for failure to perform this Agreement if circumstances beyond their control, including, but not limited to: acts of God; governmental authority; or declared war in the United States; make it illegal or impossible for Hotel to hold the Event. The affected party may terminate this Agreement without liability upon providing written notice to the other party within ten (10) days of the occurrence.

Initial

DISPUTE RESOLUTION

The parties agree that, subject to the exclusion of intellectual property matters as set forth below, any dispute in any way arising out of or relating to this Agreement will be resolved by arbitration using one arbitrator before JAMS or American Arbitration Association in the state and city in which Hotel is located, or the closest available location; provided, however, a dispute relating to patents, trademarks, trade dress, copyrights, trade secrets, and/or infringement of intellectual property rights shall not be subject to this provision.

The parties further agree that in any arbitration proceeding, they may conduct reasonable discovery pursuant to the arbitration rules, that the law of the state in which Hotel is located will be the governing law, and any arbitration award will be enforceable in State or Federal court.

ATTORNEY'S FEES/ COSTS

The parties agree that the prevailing party in any arbitration or court proceeding arising out of or related to this Agreement will be entitled to recover an award of its attorney's fees and expert witness fees, costs and pre and post judgment interest at the highest available legal rate.

The parties further agree that if Hotel must retain counsel or initiate arbitration or legal action to collect of any monies owed to Hotel by Group under this Agreement, whether or not an arbitration or court action is filed, Hotel will be entitled to recover its attorney's fees incurred in such efforts to collect.

COMPLIANCE WITH LAW

This Agreement is subject to all applicable federal, state, and local laws, including health and safety codes, alcoholic beverage control laws, disability laws and the like. Hotel and Group agree to cooperate with each other to ensure compliance with such laws.

INDEMNIFICATION

To the fullest extent permitted by law, you agree to protect, indemnify, defend and hold harmless the Hotel, Hilton Worldwide, Inc. and the Hotel's Owner, and their respective owners, managers, partners, subsidiaries, affiliates, officers, directors, employees and agents (collectively, the "Hotel Indemnified Parties"), from and against any and all claims, losses or damages to persons or property, governmental charges or fines, penalties, and costs (including reasonable attorney's fees) (collectively, "Claim(s)"), in any way arising out of or relating to the Event that is the subject of this Agreement, and regardless of negligence, including, but not limited to, Claims arising out of the negligence, gross negligence or intentional misconduct of Group's employees, agents, contractors, and attendees; provided, however, that nothing in this indemnification shall require you to indemnify the Hotel Indemnified Parties for that portion of any Claim arising out of the sole negligence, gross negligence or intentional misconduct of the Hotel Indemnified Parties.

Initial

PROMOTIONAL CONSIDERATIONS

Hotel has the right to review and approve any advertisements or promotional materials in connection with Group's Event that specifically reference the name of the Hotel or a name or logo owned by a subsidiary of Hilton Worldwide, Inc., including, but not limited to: Hilton, Hilton Hotels & Resorts, Home2 Suites by Hilton, Hilton Grand Vacations, Hampton Inn, Hampton Inn & Suites, Doubletree, Conrad, Homewood Suites by Hilton, Embassy Suites Hotels and the Waldorf Astoria Collection. You agree that we may share your meeting and meeting planner information with our third party providers who offer support services to groups holding events at our Hotel, including audio/visual services, decorators, florists, and others.

ACCEPTANCE

Please sign and return a copy of this Agreement by July 19, 2019. This Agreement will constitute a binding contract between the parties. The individuals signing below represent that each is authorized to bind his or her party to this agreement.

If this agreement is not received by the date above, all rooms and space referred to herein will be released, and neither party will have any further obligations under this Agreement. The Hotel and **Northeast Texas Juvenile Chiefs Association** have agreed to and have executed this agreement by their authorized representatives as of the dates indicated below.

Organization: Northeast Texas Juvenile Chiefs Association	**Hotel:** Hilton Dallas/ Rockwall Lakefront	**Hotel:** Hilton Dallas/ Rockwall Lakefront
Name: Angie Scalf	**Name:** Cristina Garcia	**Name:** Kristine Anagnostis
Title: Director	**Title:** Sales Manager	**Title:** Director of Sales & Marketing
Date: 7/19/19	**Date:** 7/19/19	**Date:** 7-19-19
Signature:	**Signature:**	**Signature:**

Initial

11

Marriott Contract

64

SpringHill Suites Dallas Rockwall

2601 Lakefront Trail ♦ Rockwall, TX 75032
Phone: (972) 961-5100◆ Fax: (972) 961-5101

Group Accommodations (Rooms, F&B and Meeting Space Combined) Contract

GROUP INFORMATION

Account Name:	Rockwall County Juvenile Services	Sales Coordinator:	Darcy Gildon
Group Name:	Rockwall County Juvenile Services	Address:	2601 Lakefront Trail Rockwall, TX 75032
Group Contact:	Angie Scalf		
Address:	915 Whitmore Drive Rockwall, TX 750877		
Phone:	(972) 204-7450	Phone:	(972) 961-5106
Fax:		Fax:	(972) 961-5101
Email:	ascalf@rockwallcountytexas.com	Email:	darcy.gildon@marriott.com

GROUP'S DATES

Sunday, February 23, 2020 - Wednesday, February 26, 2020

ROOM AND RATE INFORMATION

SpringHill Suites Dallas Rockwall - Texas Juvenile Chief's Summit - USD

Room Type	Date	Rate	Agreed
Standard King Suite	2/23/2020	120.00	7
Standard Double Queen Suite	2/23/2020	120.00	8
Standard King Suite	2/24/2020	120.00	7
Standard Double Queen Suite	2/24/2020	120.00	8
Standard King Suite	2/25/2020	120.00	7
Standard Double Queen Suite	2/25/2020	120.00	8

Total Room Nights: 45 Rate: + 13% tax.

TAX EXEMPT STATUS

In order to qualify for tax exemption you must provide the HOTEL with a "Texas Hotel Occupancy Tax Exemption Certificate". This exemption applies only to guest room taxes, not taxes on food and beverage, audiovisual or meeting room rental. A "Texas Sales and Use Tax Exemption Certification" is required for exemption to taxes on food and beverage, audiovisual or meeting room rental. Also note that when paying the charges, tax exemption only applies when the charges are paid for with a check or credit card issued to the tax exempt organization. All other transactions not meeting this payment requirement are taxable.

Reservation Method: Individual Call In. To make reservations, your guests must phone in their reservation requests, to the following number: 888-287-9400. A reservation link will be provided by the hotel. Hotel reserves right to change email address and method of reservation.

PG 65

FORCE MAJEURE: No damages shall be due for a failure of performance occurring due to Acts of God, war, terrorist act, government regulation, riots, disaster, or strikes, any one of which make performance impossible. The Hotel shall have no liability for power disruptions of any kind.

INSURANCE AND INDEMNIFICATION:
Hotel and Rockwall County Juvenile Services each agree to carry and maintain and provide evidence upon request of liability and other insurance in amounts sufficient to provide coverage against any claims arising from any activities arising out of or resulting from the respective obligations pursuant to this contract. Group's insurance policy shall name the Hotel as an additional insured. Damage to the Hotel premises by the Group or appointed contractors will be the Group's responsibility. Group will accept full responsibility for any damages resulting from any action or omission of their individual attendees in conjunction with organized group activities.

The Hotel must pre-approve all outside contractors and vendors hired for use by the Group in the Hotel, and may have a list of approved contractors and vendors. The Hotel reserves the right to advance approval of all specifications, including electrical requirements, from all outside contractors, and to charge a fee for outside services brought into the Hotel. The Group and/or outside contractors must provide proof of worker's compensation insurance for employees who will work on Hotel premises and proof of adequate general liability coverage for the Group and/or outside contractors' activities while on Hotel's premises, and must comply with all other requirements the Hotel deems appropriate, in its sole discretion. Group's contracts with its contractors will all specify that contractor and the group will indemnify and hold the Hotel harmless from any and all damages or liabilities which may arise by such Contractors or through their use. Group agrees to conduct the Event in an orderly manner in full compliance with applicable laws, regulations, and Hotel rules, copies of which are available from the Catering Department. Group assumes full responsibility for the conduct of all persons in attendance at the Event and for any damage done to any part of Hotel's premises during any time the premises are under control of Group.

The Group shall indemnify, defend and hold harmless the Hotel and its officers, directors, partners, agents, members and employees from and against any and all demands, claims, damages to persons or property, losses and liabilities, including reasonable attorney's fees (collectively "Claims") arising out of or caused by the Group's negligence and/or its members', agents', employees', independent contractors' or Exhibitors' negligence in connection with the use of the Hotel facilities. The Group shall not have waived or be deemed to have waived, by reason of this paragraph, any defense which it may have with respect to such claims.

MISCELLANEOUS PROVISIONS: In the event of litigation, Texas law will apply; prevailing party shall recover attorneys' fees and all litigation costs and expenses, charges and costs incurred, including pre- and post-litigation fees related to collection and judgment enforcement efforts; parties consent to exercise of personal jurisdiction of Texas courts, which will have exclusive jurisdiction. This contract is the entire agreement between the parties, superseding all prior proposals, negotiations, representations, and other communications, whether oral and written. This agreement may be amended ONLY in writing, signed by representative of Group and Hotel's General Manager. Group may not assign any benefits associated in any way with this contract without consent of Hotel. No food and beverage of any kind may be brought into Hotel or any hospitality suite by group or its guests.

HOTEL POLICIES: (1) Group agrees that Hotel's Destination Management Department will be permitted to bid on any destination management services which may be part of your program (2) Hotel recommends its in-house A/V department (3) Hotel cannot store materials for group (4) Signs and banners are not allowed in public areas; signs in meeting space must be professionally printed and placement and posting approved by Hotel; nothing may be posted, attached or stuck to walls without permission. Gummed stickers or labels are strictly prohibited.

66

Technology Contract

67

Hilton Dallas/Rockwall Lakefront
2055 Summer Lee Dr
Rockwall, TX 75032
Tel: 214-771-3700 5129 Fax: 214-734-9917

Currency: **USD**

Quote # 1702-4781

Rockwall County Juvenile Services
Attn: Angie Scalf
915 Whitmore Drive
Rockwall, TX 75087

Contact Name:	Angie Scalf	Show Date(s):	**02/23/2020 - 02/26/2020**
Contact Phone:	972-204-7450	Show Name:	**Texas Juvenile Chiefs Summit**
Email:	ascalf@rockwallcountytexas.com	Show Location:	**Hilton Dallas/Rockwall Lakefront 2055 Summer Lee Dr Rockwall, TX 75032**
Quote No:	1702-4781		
Hotel CS Manager:	Sonja Avramov		
Hotel Sales Manager:	Christina Garcia		
		Delivery:	02/23/2020 11:00 PM
		Pickup:	02/26/2020 11:59 PM
		Conveyance Method:	Pickup
		Billing Method:	Master

	Gross	Discount	Complimentary	Ext. Price
Equipment Rental	$4,840.00	$1,397.55	$847.00	$2,595.45
Setup Charges	$1,650.00			$1,650.00
Subtotal	$6,490.00	$1,397.55	$847.00	$4,245.45
Service Charge*				$918.39
Loss Damage Waiver				$79.86
Tax				$432.62
Total Estimate				**$5,676.32**

*Service Charges are NOT gratuities and are not paid in whole or in part to employees of PSAV or employees of any other party.

Labor (02/23/2020 12:00AM - 02/26/2020 11:59PM)
Billing Ref: JH - Job# 1702-10656

Labor

Qty	Item Description	Rate	OT Rate	DT Rate Days	Reg Hrs	OT Hrs	DT Hrs	Subtotal
	Pergola							
	Sunday, February 23, 2020							
1	Technician To Set/Strike	$80.00	$120.00	$160.00	1.00	0.00	0.00	$80.00
				Pergola Subtotal				**$80.00**
	General Session							
	Sunday, February 23, 2020							
2	Technician To Set	$80.00	$120.00	$160.00	4.00	0.00	0.00	$640.00
	Wednesday, February 26, 2020							
2	Technician To Strike	$80.00	$120.00	$160.00	3.00	0.00	0.00	$480.00
	Monday, February 24, 2020							
1	On-Site Support	$75.00	$112.50	$150.00	2.00	0.00	0.00	$150.00
	Tuesday, February 25, 2020							
1	On-Site Support	$75.00	$112.50	$150.00	2.00	0.00	0.00	$150.00
	Wednesday, February 26, 2020							
1	On-Site Support	$75.00	$112.50	$150.00	2.00	0.00	0.00	$150.00
				General Session Subtotal				**$1,570.00**
	Labor (02/23/2020 12:00AM - 02/26/2020 11:59PM) Subtotal:							**$1,650.00**

The Pergola - Welcome Reception (02/23/2020 5:00PM - 9:00PM)
Billing Ref: JH - Job# 1702-10654

Equipment And Sales

Qty	Item Description	Days Billed	Rate	Ext. Price	Discount %	Subtotal
1	**Audio Package with Speakers**	1	$473.00	$473.00	58.22%	$197.60
2	*12" 2-Way Powered Speaker*					
2	*Tripod Speaker Stand*					
1	*10 Channel (4) XLR Compact Mixer*					
1	*Gooseneck Microphone*					
	The Pergola - Welcome Reception (02/23/2020 5:00PM - 9:00PM) Subtotal:					**$197.60**

Parlor A,B,C&D - Lighting (02/24/2020 12:00AM - 02/26/2020 11:59PM)
Billing Ref: JH - Job# 1702-10945

Equipment And Sales

Qty	Item Description	Days Billed	Rate	Ext. Price	Discount %	Subtotal
10	LED Accent Light	1	$52.00	$520.00	35.00%	$338.00
Parlor A,B,C&D - Lighting (02/24/2020 12:00AM - 02/26/2020 11:59PM) Subtotal:						**$338.00**

Parlor A,B,C&D - General Session (02/24/2020 8:00AM - 02/26/2020 1:00PM)
Billing Ref: JH - Job# 1702-10655

Equipment And Sales

Qty	Item Description	Days Billed	Rate	Ext. Price	Discount %	Subtotal
2	**7'6"x13'4" Fast Fold Screen - Front Projection**	1	$399.00	$798.00	48.68%	$409.50
1	*7'6"x13'4" Dress Kit Black*					
1	*7'6"x13'4" Screen Frame*					
1	*7'6"x13'4" Front Projection Surface*					
2	LCD Event Proj 4000-6500 Lumen	1	$675.00	$1,350.00	35.00%	$877.50
2	.79-1.1:1 Zoom Lens for PA550W	1	$170.00	$340.00		~~$340.00~~
1	Lenovo E585 Laptop Computer	1	$200.00	$200.00	35.00%	$130.00
1	**Audio Package with Speakers**	1	$809.00	$809.00	48.66%	$415.35
4	*12" 2-Way Powered Speaker*					
4	*Tripod Speaker Stand*					
1	*10 Channel (4) XLR Compact Mixer*					
1	*Gooseneck Microphone*					
1	*Passive Direct Box*					
1	**Wireless Handheld Microphone**	1	$175.00	$175.00	35.00%	$113.75
1	*Beta 58 Wireless Handheld Mic*					
1	*UHF Wireless Mic Receiver*					
1	**Wireless Lavaliere Microphone**	1	$175.00	$175.00	35.00%	$113.75
1	*UHF Wireless Mic Receiver*					
1	*UHF Wireless BeltPack & Lav Mic*					
Parlor A,B,C&D - General Session (02/24/2020 8:00AM - 02/26/2020 1:00PM) Subtotal:						**$2,059.85**

Job Note:

Client to provide walk in/out music during breaks.

	Gross	Discount	Complimentary	Ext. Price
Subtotal	$6,490.00	$1,397.55	$847.00	$4,245.45
Service Charge*				$918.39
Loss Damage Waiver				$79.86
Tax				$432.62

Total Estimate **$5,676.32**

*Service Charges are NOT gratuities and are not paid in whole or in part to employees of PSAV or employees of any other party.

Thank you for your business.

GENERAL TERMS AND CONDITIONS

1.**ACCEPTANCE.** This Event Quote will be valid for a period of thirty (30) days from the Quote Date, or until December 31 of the calendar year in which the Event Quote was issued, whichever is earlier ("Acceptance Period").These terms and conditions ("Terms") govern the provision of equipment, labor, and services to be provided by Audio Visual Services Group, LLC ("PSAV") to the undersigned customer ("Customer") for the event ("Event") at the venue ("Venue") each as specified in the Event Quote (or similar ordering document) to which these Terms are attached. In the event this Event Quote is not accepted, signed and returned to PSAV within the Acceptance Period, it will be void. All prices are subject to change without notice following the Acceptance Period. PSAV agrees to provide and Customer agrees to pay for, the charges for equipment, labor, and services specified in the Event Quote.

2. **ESTIMATE.** PSAV developed this Event Quote based upon information provided by the Customer. This Event Quote is only an estimate of equipment and services PSAV will provide in connection with the Event. In the case where Customer requests and PSAV provides, equipment, services, or labor in connection with the Event that is in excess of what is specified in the Event Quote, the parties will execute updated/amended forms or change orders as needed to indicate approval of these additional terms. Customer will be charged and pay for all such additional equipment, services, or labor (including rental fees and freight) at PSAV's prevailing standard rates, whether or not any additional forms are executed. Unless otherwise itemized on the Event Quote, all pricing excludes sales tax, freight, shipping/handling, and electrical charges (if applicable to the Event), which will be charged to, and payable by, Customer upon final invoice. Sales tax-exempt entities must submit sales tax exemption certificates prior to the commencement of the Event. If Customer does not send tax exemption certificates to PSAV prior to billing the Event, sales tax will be charged to, and payable by, the Customer, and will be included in the final invoice.

3. **LABOR RATES.** Hourly labor rates, minimum calls, overtime labor rates, daily labor rates, and per diems apply, and PSAV bases them upon prevailing rates and practices at the Venue and of the PSAV business division providing the equipment and services. PSAV developed labor estimates based on information provided by the Customer. All labor calls are subject to a minimum charge period based on the Venue rules, PSAV servicing division policies, and union rules, as they may apply. In the event that a labor resource works more hours than priced in the Event Quote, PSAV will bill the Customer and will pay for the appropriate prevailing or premium rate for the additional hours worked.

4. **SERVICE CHARGES.** Service Charges are billed in association with an Event. Service Charges are NOT gratuities that are paid in whole or in part to PSAV (or other) employees in connection with the event and amounts comprising Service Charges are NOT otherwise shared with PSAV employees.

5. **EQUIPMENT RATES.** Unless otherwise noted, PSAV bases all rates upon per-room, per-day calculations with the minimum rental period being one calendar day. A day rental period consists of all or any portion of each 24-hour period starting at 12:00 AM to 11:59 PM. Customer agrees to pay the rental fees described in the Event Quote for the stipulated period. Any equipment that is used or retained by Customer for a longer period will be subject to PSAV's prevailing rates until Customer returns the equipment.

6. **EQUIPMENT HANDLING.** PSAV personnel must handle all equipment. Customer may not move, store, or service the equipment or any other party. Customer may not operate the equipment unless authorized in writing by PSAV. Customer will incur additional charges if Customer violates this requirement. Customer permits PSAV free access to the equipment at any time before, during, or after the Event for purposes of set/strike, maintenance, and routine checks. PSAV retains all title and rights in and to the equipment and all related accessories.

7. **DAMAGE & SECURITY.** Customer will be responsible for all equipment that is damaged, lost, or stolen (whether by use, misuse, accident, or neglect), unless caused by PSAV's negligence. In addition to amounts due to PSAV in connection with the Event Quote, Customer agrees to pay PSAV, upon demand, all amounts incurred by PSAV on account of lost, damaged and stolen equipment, based upon repair costs for reparable equipment or full replacement cost for lost or irreparable equipment. In addition, Customer will be responsible for rental fees while a PSAV-authorized company repairs or replaces equipment as required. If Customer requires security or PSAV deems security necessary during an event, Customer will be responsible for all costs in connection with the provision of security.

8. **EQUIPMENT FAILURE.** PSAV maintains and services its equipment in accordance with the manufacturer's specifications and standard industry practice. However, PSAV does not warrant or guarantee that the equipment or services PSAV provides will be free of defect, malfunction, or operator error. If the equipment malfunctions or does not operate properly during the Event for any reason, Customer agrees to immediately notify a PSAV representative. PSAV will attempt to remedy the problem as soon as possible so that no problems interrupt the Event. Customer agrees and acknowledges that PSAV assumes no responsibility or liability for any loss, cost, damage, or injury to persons or property in connection with the Event because of inoperable equipment or other service issues.

9. **PAYMENT.** (a) **Master Account** Following the Event, PSAV may issue Customer an "Event Order" which summarizes all actual charges. If the Venue requires Customer to establish a "Master Account" with the Venue, the Venue will be PSAV's agent for payment. PSAV will invoice the Venue, and the Venue will invoice Customer. Customer will pay the Venue. Customer must notify PSAV prior to the Event if Customer did not secure a Master Account with the Venue in order to confirm direct billing arrangements. If Customer has established a Master Account, then Customer will make full and final payment to PSAV through such Master Account with the Venue in accordance with the Venue's payment terms; (b) **Direct Bill** – If the Venue is not invoicing Customer through a Master Account with the Venue, Customer will be direct billed for all equipment rental, labor, or services provided by PSAV, and must establish credit with PSAV by completing a credit application based on PSAV Credit Terms Approval SOP at least 30 days prior to the first day of the Event or at signing of the Event Quote if that date is within 30 days of the Event start date. Based on the results of the credit application, PSAV may require Customer to make a deposit payment of up to the full amount at least 30 days prior to the first day of the Event, or at signing of the Event Quote if such date is within 30 days of the first day of the Event. PSAV will credit the deposit received to the final invoice for the Event. PSAV requires Customer to make full and final payment to PSAV within the terms determined by PSAV from Customer's credit application; and (c) **Late Payment** – If Customer fails to make payment by the specified payment date outstanding balances will be subject to late payment charges in an amount equal to one and a half percent (1.5%) per month or a lesser amount as required by law.

10. **CREDIT CARDS.** PSAV accepts credit cards (Visa, Master Card, American Express, or Discover) as payment for invoices in certain situations, such as COD orders and orders under $50,000. For non-COD orders and orders over $50,000, Customer will pay by ACH or by check as directed by PSAV. There may be circumstances in which Customer may pay orders over $50,000 by credit card, but PSAV must approve such payment arrangements in writing in advance.

11. **CREDIT CHECK.** PSAV reserves the right to run a credit check on Customer before this Agreement is signed and at any time after the Agreement is signed, so long as this Agreement is in effect or Customer has outstanding funds due to PSAV. Should PSAV determine that Customer's credit history is such that PSAV must modify the payment terms included above, Customer agrees to work with PSAV reasonably and in good faith to update the payment terms. Customer specifically authorizes PSAV to prepare and file without Customer's signature any Uniform Commercial Code ("UCC") financing statement amendments to Customer's existing UCC financing statements and any other filings or recordings in all jurisdictions where PSAV determines necessary or desirable, and authorizes PSAV to describe the collateral in such filings in any manner as PSAV determines appropriate. If Customer fails to make payment by the specified payment date, outstanding balances will be subject to late payment charges in an amount equal to one and a half percent (1.5%) per month or a lesser amount as required by law.

12. **EVENT CANCELLATION.** If Customer cancels the Event or the provision of audiovisual equipment, labor, or services by PSAV **30 days or more** before the first day of the

Event, no cancellation charges will apply, except for any expenses actually incurred by PSAV, which will be payable by Customer. Cancellations received **29 to 15 days before** the first day of the Event will be subject to a cancellation charge equal to **50%** of the charges contained in the Event Quote. Cancellations received **14 to 3 days before** the first day of the Event will be subject to a cancellation charge of **75%** of the charges contained in the Event Quote. Cancellations received **less than 3 days (72 hours) before** the first day of the Event or after equipment has departed from its storage facility, will be subject to a cancellation charge equal to **100%** of the total charges set out in the Event Quote. Customer agrees and acknowledges that the cancellation charges described in this paragraph are reasonable and appropriate under the circumstances if Customer cancels the Event or cancels the provision of audiovisual equipment, labor, or services by PSAV, and that such charges are not a penalty. Cancellation fees, including fees to cover any incurred PSAV costs, will be due immediately upon any such cancellation by Customer. ALL CANCELLATION NOTICES MUST BE IN WRITING AND RECEIVED BY PSAV'S ONSITE REPRESENTATIVES BEFORE BECOMING EFFECTIVE. IF ANY CUSTOM SETS, GOBOS, OR OTHER CUSTOM MATERIALS HAVE BEEN ORDERED FOR AN EVENT, AN ADDITIONAL CANCELLATION FEE WILL BE APPLICABLE AND DUE TO PSAV REGARDLESS OF THE DATE OF CANCELLATION IN AN AMOUNT EQUAL TO THE DIRECT AND INDIRECT COSTS INCURRED BY PSAV OR ITS AFFILIATES IN SECURING OR CONSTRUCTING SUCH CUSTOM MATERIALS PLUS A 15% RESTOCKING FEE.

13. **CHANGES TO EVENT QUOTE.** Customer may request changes to equipment, labor, or services specified in the Event Quote, and the cancellation charges in Section 12 will not apply if Customer signs a revised Event Quote within 24 hours of the first day of the Event and provided that the total charges in the revised Event Quote are not less than ninety percent (90%) of the charges in the original Event Quote. PSAV will use commercially reasonable efforts to accommodate all such Customer requests but will not be liable to Customer for any failure to do so.

14. **INDEMNIFICATION.** Customer and PSAV each hereby forever agree to indemnify, defend, and hold harmless the other for any and all claims, losses, costs (including reasonable attorneys' fees and costs), damages, or injury to property and persons (including death) as a result of the negligent acts, errors, or omissions of the indemnifying party and its respective employees, agents, representatives, and contractors. Customer also agrees to indemnify, defend, and hold harmless PSAV against all claims for copyright, patent, or other intellectual property infringement including claims for licenses and royalties, as a result of PSAV's use of any and all Customer-provided materials such as images, recordings, transmissions, videos, software, hardware, or any other form of intellectual property, etc., in connection with the Event.

15. **LIMITATION OF LIABILITY.** Under no circumstances will either party be liable to each other for any indirect, exemplary, reliance, special, or consequential damages (including, but not limited to, loss of revenues or profits, interest, use, or other consequential economic loss) howsoever caused, whether arising in contract, tort, or otherwise, and even if such damages are foreseeable to such party or such party has been advised of the possibility of such damages. EACH PARTY'S TOTAL LIABILITY IN THE AGGREGATE FOR ANY AND ALL CLAIMS ARISING OUT OF OR IN CONNECTION WITH AN EVENT QUOTATION AND THE EVENT ITSELF WITH RESPECT TO ANY EXPENSE, DAMAGE, LOSS, INJURY, OR LIABILITY OF ANY KIND (INCLUDING INDEMNIFICATION OBLIGATIONS) WILL BE LIMITED TO AND WILL NOT EXCEED AN AMOUNT THAT IS EQUIVALENT TO THE CHARGES TO BE PAID BY CUSTOMER IN RESPECT OF THE APPLICABLE EVENT.

16. **COOPERATION IN INVESTIGATIONS**. PSAV and Customer each agree to promptly notify the other of any incidents, physical injuries, property damage, claims, demands, losses, causes of action, general damages, and expenses that may arise during PSAV's performance of the services for Customer. PSAV and Customer further agree to work together on the investigation of any such matters unless its own legal counsel, any law enforcement, or any other authority otherwise instructs either party.

17. **INTELLECTUAL PROPERTY.** Customer allows PSAV to use the trademarks, trade names, service marks, and other intellectual property of Customer given by Customer to PSAV for the strict purposes of carrying out PSAV's duties under the Agreement and as otherwise requested by Customer. Further, Customer permits PSAV to include event photos and renderings of set designs and other elements of Customer's event(s) as PSAV may reasonably require in showing current or prospective customers examples of PSAV's work.

18. **NO OTHER WARRANTY**. EXCEPT AS EXPRESSLY SET FORTH IN THESE TERMS, THE EQUIPMENT, LABOR, AND SERVICES ARE PROVIDED BY PSAV ON AN "AS IS" AND "AS AVAILABLE" BASIS, AND PSAV DISCLAIMS ALL OTHER WARRANTIES, REPRESENTATIONS, OR CONDITIONS OF ANY KIND, WHETHER EXPRESS OR IMPLIED.

19. **FORCE MAJEURE.** In no event will either party be liable to the other or any third party for any delay or failure in performance under this Agreement due to governmental actions, applicable law, ordinances, or regulations; acts of God, hurricanes, earthquakes, other adverse weather conditions; war or terrorism; strikes or other labor disputes; third party failures; or other causes outside of a party's control. The affected party will give notice of the delay and its cause to the other party as soon as practicable following the commencement of such delay.

20. **LOSS DAMAGE WAIVER (LDW).** If LDW is quoted in the Event Order and is accepted by Customer, then PSAV will waive charges for loss or damage to PSAV-owned equipment provided that: (1) if any loss or damage occurs, Customer agrees it will be required to participate in any investigation by PSAV, facility security, insurers, or other authorities; and (2) if PSAV determines that the loss or damage was intentionally caused by Customer or its representatives, the LDW will not apply and Customer will be fully responsible for all such loss or damage.

21. **MISCELLANEOUS.** This Event Quote (including the Terms) will be governed and interpreted in accordance with the laws of the state in which the Event is located. These Terms and the Event Quote (as may be subsequently amended or supplemented as mutually-agreed) are the entire agreement between the parties and supersede any prior agreements, amendments, purchase orders, written communications of any kind, or other terms previously entered into by the parties for the same services, and may only be modified by written agreement signed between the parties. For the avoidance of doubt, handwritten changes to these Terms or an Event Quote are expressly rejected unless signed or initialed by both parties. The terms of any purchase order or other document issued by Customer will not bind PSAV unless otherwise expressly agreed to by PSAV in a signed writing. Customer agrees that the Event Quote and related documents may be digitally scanned and transmitted to Customer following signing by Customer, and that on acceptance by PSAV of such signed Event Quote in digital, facsimile, or other form, such signed Event Quote in PSAV's possession will be deemed for all purposes to be an executed original.

22. **ADDITIONAL TERMS AND CONDITIONS.** From time to time, PSAV may also include additional Event-specific terms in an updated Event Quote. When Customer requests additional services, Customer understands and agrees to any additional provisions contained within the updated Event Quote.

*REVISED 5.31.19

Approved By: _____

Printed On: 11/04/2019 03:37 PM

Prepared By: Justin Hinton

Prepared For: Rockwall County Juvenile Services (Angie Scalf)

Signed Acceptance must be received prior to delivery of equipment to Customer/show site.

_____ _____

Signature as Acceptance of the Proposal and Terms *Date of Acceptance*

Conference App

75

eventscase

Quote

To: Angie Scalf

G1-31119 for Rockwall County Juvenile Services

18th November, 2019

Valid Until: 31st November, 2019

eventscase *Quote*

QUOTE OVERVIEW

Product	Description	Total
Website	Create fully branded websites with zero coding skills through our modular website editor. Choose from more than 80 available modules-with possibilities for customization to create bespoke and event-centric pages.	**NOT INCLUDED**
Registration	Easily take new registrations for both free-to-attend and paid events. Create custom registration forms, delegate categories, tickets, invoices, credit notes, and automatic emails in one place.	**NOT INCLUDED**
Event App	Provide native apps for Android and iOS to your attendees and boost event engagement. The EventsCase "event app" is an all-time best seller as it allows attendees to view event information, network with other attendees, and even participate in live polling and games among many others.	**$975.00**
Exhibitors Area	. Assign spaces to your exhibitors and allow them to manage their company participation through this tool. Set some parameters depending on the exhibitor type including the number of staff and meetings each exhibitor can have. All company information introduced to the Exhibitor's Area will be synced to other EventsCase products such as the 1-2-1 meeting scheduler and the website	**NOT INCLUDED**
Onsite Registration	Help your attendees become self-sufficient during events by allowing them to print their own badges. EventsCase provides an "Onsite Box" which contains a tablet with the pre-installed kiosk app, a printer, and a router. Through the kiosk app, attendees can look for their profiles, and print off sticker labels or badges. The entire kit is preconfigured and ready for immediate use	**NOT INCLUDED**
Support Packages	*included: Full access to the Help Center. Additional: Onboarding recommended for your first event. Training (On-line training and On-site training). Additional support on Call Service on out of office hours or Full Service: Set up of all purchased products. Training (during and post set up) and content upload of the first two drafts	***$375**

Product	Description	Total
E-Mail Marketing	Send multi-purpose emailing campaigns to your lists before, during and after your event. Our e-mail marketing tool also syncs with the registration process so you can target non-responsive leads and encourage them to register to your events.	**NOT INCLUDED**
Badges	You can easily design your own badges with our editor and generate them for different types of attendees using filters and send them multiple times via email to all your attendees, to yourself, or to a unique email address. QR codes can be found on the attendee ticket/badge or on the event app upon arrival. They can be scanned for check in/out to the entire event as well as for specific sessions. You can make a post-event follow up regarding their activity.	**NOT INCLUDED**
1-2-1 meetings	Maximise attendee networking through the 1-2-1 meeting scheduler and matchmaker. Configure time slots, meeting spaces, and table reservations to make the meeting request process as seamless as possible for your attendees. Get full reporting and analytics	**$475**
Abstracts	Take full control of your call for papers (CFP) or nominations. This tool supports multiple tracks or submission stages. Achieve intended results by providing flexible tools for reviewers with a custom criteria and multiple weighted scores	**NOT INCLUDED**
Check-in App	Check people in and out of the entire event or specific sessions and easily generate reports from the backend. With a scanner that scans QR codes in less than a second, and with the possibility to install the app in multiple devices, queues can altogether be avoided.	**$75**
White Label & Security	Your automatic e-mails will be sent from your own company e-mail address domain. Your own web domain for the registration link. Your own branding within your internal EventsCase CMS. Server upgrade and additional security tests.	**NOT INCLUDED**

Customisations: Only available upon request. If tailored features are required technical analysis and additional development fees will be applied. Timing and customisations required must be approved by EventsCase technical team. Exempt of VAT

QUOTE TOTAL: $1,900.00
50% Non-for-Profit Discount Authorised

About Us

Contract

eventscase *Quote*

EVENT APP

PACKAGE	PRICE	FEE	QUANTITY	TOTAL
Set up: Support in the Developer Account creation process	Included	-	-	-
One Event App: Your One Event App with your own branding				
<350 attendees	$1,950		1	975
~~350 – 1,000 attendees~~	~~$3,500~~		-	-
~~1,000 – 3,000 attendees~~	~~$5,750~~	One-off	-	-
~~>3,000 attendees~~	~~Upon request~~		-	-
			-	-
			Subtotal	$975
			VAT	Exempt
			Total	$975

ONSITE CHECK-IN APP

PACKAGE	PRICE	FEE	QUANTITY	TOTAL
EventsCase Onsite Check-in App Works off-line and syncs multiple devices Available for Android and iOS Search attendees easily by any data QR ticket scanner Import/export attendee list through the platforms	$150	Per event	1	75
			Subtotal	75
			VAT	Exempt
			Total	$75

1-2-1 MEETING SCHEDULER

PACKAGE	PRICE	FEE	QUANTITY	TOTAL
0 - 500 delegates	$950			
~~500 – 1500 delegates~~	~~$1,695~~	~~One-off~~	1	475
~~>1,500 delegates~~	Contact us			
			Subtotal	475
			VAT	Exempt
			Total	$475

Back to
Quote Overview

eventscase *Quote*

SUPPORT PACKAGES

PACKAGE	PRICE	FEE	QUANTITY	TOTAL
Onboarding Recommended for your first event. Your Project Manager will assist you setting up your event products to your specifications. **Fee varies depending on the number of contracted products*	From$600	Per event	1	375
Support Additional Super Users: Full access to the Help Center	$250	Monthly	1	0
			Subtotal	375
			VAT	Exempt
			Total	$375

Back to
Quote Overview

79

eventscase *Quote*

About Eventscase

Eventscase is the truly "all in one" software for all types of events. A tool designed from birth to make the work of events organizers much easier. When we tal about events, we mean any meeting of people. Not only large fairs and congresses but also internal meetings, press conferences or technical conferences, among many others. A visual, intuitive and self-managed solution for which no type of technical training is necessary

From a deep knowledge of the event organization sector, we solve the most demanding professionals requirements with a modular and scalable platform adapted to the event and not on the contrary. We achieve our goal through events sites and apps, on-line and on-site registration and one-to-one networking, among many other features. And all this is possible from a single virtual worksepace

Our clients are the owners of our platform, that's why we are a white label software, that is, once we launch the project, our brand disappears completely because it is your project and we understand like this. In addition, eventscase's own multicultural philosophy, with staff and partners from more than 10 nationalities with offices in Spain, UK, US, Saudi Arabia and Colombia, makes us firmly bet on multilanguage. An example of this is that our platform is already adapted to Arabic writing. Faithful to our commitment to the client, security is one of our main concerns. We comply with the General Data Protection Regulation (GDPR).

Our Story

The history of eventscase begins in September 2012, in London, when the founders gave birth to the first community of event professionals in the world. There are more than 30,000 corporate events a year in London that attract more than 100 million professionals. These data became an obsession for both. They knew that the market was still untapped, so they wanted to create an online platform where attendees, organizer, speakers, and sponsors could work together

It was not easy especially considering that the team shared a one bedroom flat in London.

The road to success was not always easy but working tirelessly managed to connect with a significant number of prominent members of the events industry. They launched an Alpha and Beta version of their community and the software developers managed to create an Artificial Intelligence that allowed attendees to find events base on their interests and networking groups. The platform was very useful for event organizers because it made possible to track the generated data in their events and, therefore, increase the benefits

The original idea of the community was successful but the needings of the events industry were growing, especially in relation to technology. This led them to monetize their solution and transform it into what it is now: an all-in-one events management software capable of generation work networks and a "white label" version that customers can use under their own brand. The technological investors in the UK detected the potential of the software and they did not take long to arrive, supporting from the beginning of the company until reaching a very favorable situation.

Today, eventscase is a fully developed and implemented software that helps small firms such as Southbank and China Investors Club and large corporations such as BBVA, Telefonica, Santander (UK), Danone and Johnson & Johnson, among others. Is already working in Europe, America, and Asia its portfolio is growing in all markets around the world.

Some of our clients

Back to
Quote Overview
80

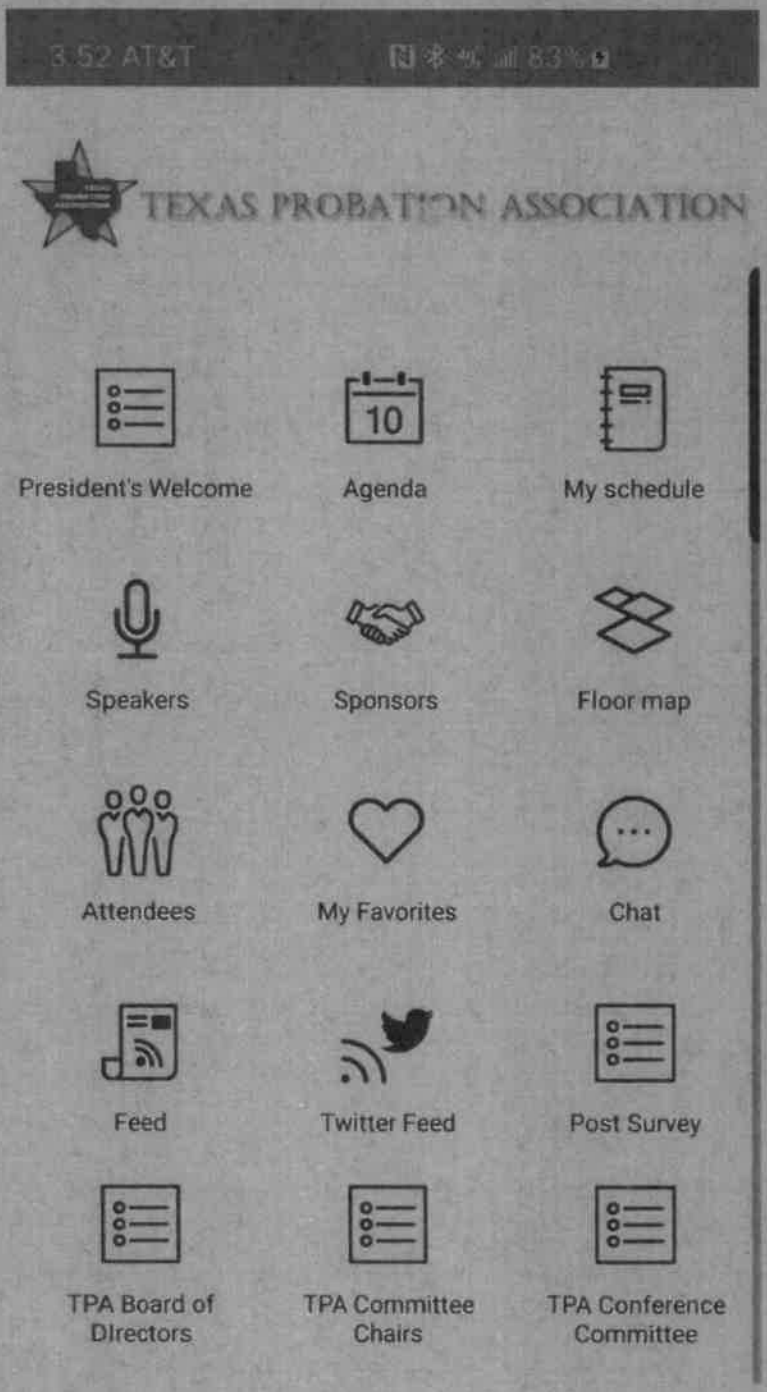
SAMPLE OF APP INSTRUCTONS

TPA Legislative Conference App Reference Guide

Installation

1. App can be downloaded from the App Store (Apple) or from Google Play (Android). If you search for Texas Probation Association Conference, you will find the App.
2. After installation, login to the app with the username (your email) and password that was emailed to you earlier this week. After logging in the first time, you should not have to enter credentials again. If you did not receive this email, contact Jeremy Tipton at jtipton@taylorcscd.org to get this setup.

Reference Guide



Agenda
- Complete agenda for the conference.
- To see more info about a session, click on it. This will bring up the session description and speaker information. The speaker's Bio can also be accessed from here. Also any speaker provided handouts and the session survey can be found here.
- Click on the heart (Favorite button) to add the session to your "My Favorites".

My Schedule
- All sessions that you have favorited (by clicking the heart button) will show up here.

Speakers
- Alphabetized listing of all speakers.
- To see more info about a speaker, click on it. This will bring up the speaker's Bio. You can also see which sessions they are speaking at.
- Click on the heart (Favorite button) to add the speaker to your "My Favorites".

Sponsors
- See sponsors of the conference.

Floor Map
- Floor map of the conference center.

Attendees
- Listing of all Attendees.
- Click on the heart (Favorite button) to add the attendee to your "My Favorites".
- Click on Chat button to send message to attendee.

My Favorites
- Any attendee, speaker or sponsor that you marked "favorite" will show up here.

Chat
- Direct message any conference attendee.
- Any push notifications can be accessed here as well.

Feed
- Internal social media "wall" for the conference. Feel free to post to this wall.

Twitter Feed
- Tweets with #texasprobation2019 hashtag will show up here.

Post Survey
- Conference Survey. Please enter the survey here or complete the paper version (but please do not do both).

My Profile
- Update your Name, Department, Role (position), etc. from this screen.

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82

CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

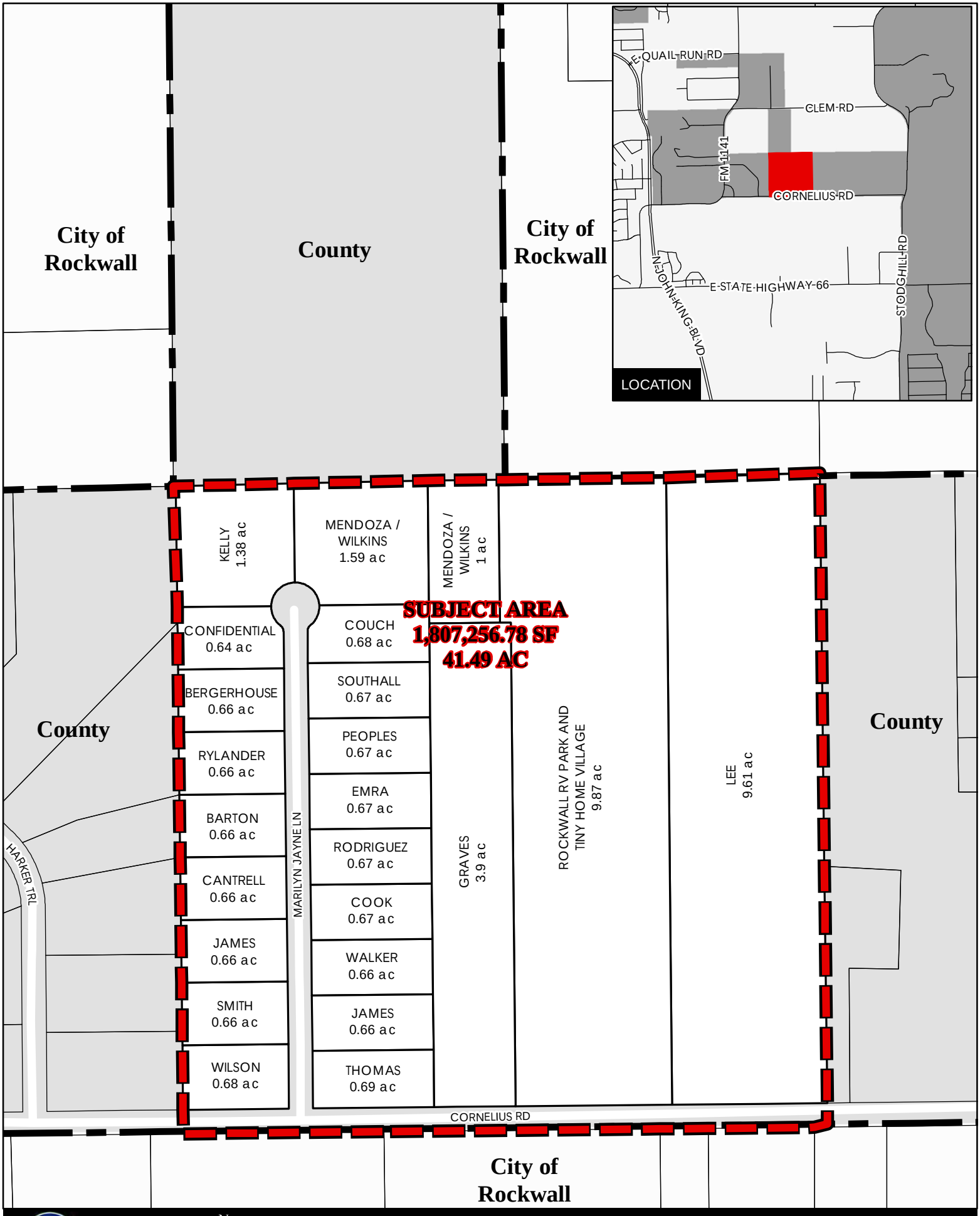
TO:	Mayor and City Council
CC:	Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	December 26, 2019
SUBJECT:	Request for Voluntary Annexation on Cornelius Road

On December 2, 2019, the City Council adopted *Resolution No. 19-27* directing staff to proceed with the annexation process for a ~41.49-acre tract of land adjacent to Cornelius Road (*see Exhibit A*). This direction came in response to a petition submitted on November 19, 2019 by Barbara Lee (*a resident in the ~41.49-acre tract of land*) indicating that a majority of the property owners in the annexation area supported annexation.

The next step in the annexation process will be for the City Council to hold a public hearing at the special City Council meeting on *December 26, 2019*. In preparation for this public hearing and based on the annexation requirements outlined in Subchapter C-4, *Annexation of Areas with Population of Less than 200 by Petition*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code, City staff sent a letter to all properties within the annexation area notifying the property owners of the time and date of the public hearing. Staff also included a copy of the *Resolution No. 19-27* with the letter. This resolution outlines the City services that will be provided if the annexation effort is successful. Staff has included a copy of the letter that was sent out on December 4, 2019 in the attached packet for the City Council's review. Once this public hearing is complete the following steps will need to be completed:

- *January 2, 2020*: 31-days after the resolution is adopted the municipality may start to collect signatures for the annexation petition from property owners within the annexation area.
- *May 30, 2020*: 180-days after the resolution is adopted the window for the municipality to collect signatures from property owners within the annexation area ends. If the City obtains the number of signatures on the petition required to annex the area, the City may annex the area after notifying the residents and property owners of the results of the petition.
- *June 1, 2020*: The City Council will be required to hold a public hearing and the first reading of the annexation ordinance.
- *June 15, 2020*: The City Council will be required to hold a second public hearing and the second reading of the annexation ordinance.

Staff should note that *no action* is required by the City Council at the *December 26, 2019* public hearing. Staff will be available at this public hearing to answer any questions.


City of Rockwall
County
City of Rockwall
LOCATION
E QUAIL RUN RD
CLEM RD
FM 1141
CORNELIUS RD
E STATE HIGHWAY 66
N JOHN KING BLVD
STODGHILL RD
KELLY 1.38 ac
MENDOZA / WILKINS 1.59 ac
MENDOZA / WILKINS 1 ac
SUBJECT AREA
1,807,256.78 SF
41.49 AC
CONFIDENTIAL 0.64 ac
BERGERHOUSE 0.66 ac
RYLANDER 0.66 ac
BARTON 0.66 ac
CANTRELL 0.66 ac
JAMES 0.66 ac
SMITH 0.66 ac
WILSON 0.68 ac
COUCH 0.68 ac
SOUTHALL 0.67 ac
PEOPLES 0.67 ac
EMRA 0.67 ac
RODRIGUEZ 0.67 ac
COOK 0.67 ac
WALKER 0.66 ac
JAMES 0.66 ac
THOMAS 0.69 ac
MARILYN JAYNE LN
HARKER TRL
GRAVES 3.9 ac
ROCKWALL RV PARK AND TINY HOME VILLAGE 9.87 ac
LEE 9.61 ac
County
County
CORNELIUS RD
City of Rockwall
City of Rockwall
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0
300
Feet
Date: 11/13/2019
GEOGRAPHIC INFORMATION SYSTEMS
CORNELIUS RD POTENTIAL VOLUNTARY ANNEXATION

City of Rockwall
The New Horizon

December 4, 2019

TO: James and Barbara Lee
668 Cornelius Road
Rockwall, TX 75087

FROM: Ryan Miller, AICP, *Director of Planning and Zoning*
City of Rockwall
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: Annexation of a ~41.49-Acre Tract of Land Identified as Lots 1-19, Maytona Ranch Estates Addition and Tracts 22-01, 22-02, 22-6 & 22-07 of the W. M. Dalton Survey Abstract No. 72, Rockwall County, Texas

To Whom It May Concern:

The purpose of this letter is to notify you that in response to the City receiving a preliminary petition for voluntary annexation, the City Council of the City of Rockwall, Texas adopted *Resolution No. 19-27* on December 2, 2019 stating an intent to annex a ~41.49-acre tract of land, which is depicted in the attached map. According to the Rockwall Central Appraisal District (RCAD) you own one or more of the properties located inside the proposed annexation area. According to state law, the City is required to notify you of [*1*] the process for annexation, [*2*] provide you notice of the first public hearing, and [*3*] provide you a list/schedule of City services that will be provided by the City on or after annexation. For your reference, I have included a copy of *Resolution No. 19-27*, which contains a list/schedule of City services that will be provided if a petition for annexation is successful. The City of Rockwall will hold an initial *public hearing at 6:00 PM on December 26, 2019 in the City Council Chambers at City Hall, which is located at 385 S. Goliad Street, Rockwall, Texas*. Should you not be able to attend this public hearing, two (2) subsequent public hearings will be scheduled after the petition period in accordance with state law.

State law requires all municipalities proposing to annex an area with a population of less than 200 people be subject to the annexation petition requirements of Subchapter C-4, *Annexation of Areas with Population of Less than 200 by Petition*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code. Based on this law, in order to annex the area located within the ~41.49-acre tract of land, the City will need to obtain a petition signed by more than 50% of the owners of land in the area. The period that the petition maybe signed will start on *January 2, 2020* and run until *May 30, 2020*, or until the City has obtained the required consent from 50% of the owners of land in the area. If the City is able to secure the necessary consent, the City will be required to [*1*] provide notice of the results of the petition, and [*2*] hold two (2) public hearings a minimum of ten (10) days apart prior to adopting an ordinance annexing the area. For reference staff has included a copy of Subchapter C-4 of Chapter 43 of the Texas Local Government Code attached to this letter.

If you have questions concerning this letter, the potential annexation, the petition, or City services please feel to contact me at your convenience by phone at (972) 772-6441 or by email at rmiller@rockwall.com.

Sincerely,

Ryan Miller, AICP
Director of Planning and Zoning
City of Rockwall, Texas

CITY OF ROCKWALL

RESOLUTION NO. 19-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, STATING AN INTENT TO ANNEX A ~41.49-ACRE TRACT OF LAND, WHICH IS MORE SPECIFCIALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS RESOLUTION AND WHICH IS AN AREA THAT IS ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; AUTHORIZING AND DIRECTING CITY STAFF TO NOTIFY THE EFFECTED PROPERTY OWNERS; AND PROVIDING FOR A DESCRIPTION OF THE SERVICES THAT WILL BE PROVIDED TO THE AREA UPON ANNEXATION.

WHEREAS, in accordance with the requirements of Subchapter C-4, *Annexation of Areas with Population of less than 200 by Petition*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code the City of Rockwall is adopting this *Resolution* to state an intention to commence annexation proceedings to annex a ~41.49-acre tract of land identified as Lots 1-19, Maytona Ranch Estates Addition and Tracts 22-01, 22-02, 22-6 & 22-07 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas -- *which herein after shall be referred to as the "Annexation Area"* --, generally located on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [*FM-3549*], and depicted and described in *Exhibit 'A'* of this *Resolution*; and

WHEREAS, the City Rockwall has received a petition from the majority of the property owners within the *Annexation Area* requesting the area be annexed by the City of Rockwall; and

WHEREAS, the City Council of the City of Rockwall finds that the annexation of the *Annexation Area* is in the best interests of the property owners within the *Annexation Area* and of the residents of the City of Rockwall; and

WHEREAS, the City Council of the City of Rockwall finds that -- *since the petition was not signed by all property owners in the Annexation Area* -- the *Annexation Area* is subject to the newly adopted annexation requirements outlined in Subchapter C-4, *Annexation of Areas with Population of less than 200 by Petition*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code; and

WHEREAS, the *Annexation Area* is found to be situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and is adjacent to and adjoining the present boundaries of the City of Rockwall;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

SECTION 1. RECITALS. The above recitals are found to be true and correct and they are incorporated as findings of the City Council for all purposes.

SECTION 2. INTENT. The City of Rockwall intends to annex the *Annexation Area* being a ~41.49-acre tract of land identified as Lots 1-19, Maytona Ranch Estates Addition and Tracts 22-01, 22-02, 22-6 & 22-07 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas.

SECTION 3. ANNEXATION AREA. The *Annexation Area* is more specifically depicted and described in *Exhibit 'A'* of this resolution.

SECTION 4. NOTIFICATION. The Director of Planning and Zoning is hereby directed to provide notice to all property owners within the *Annexation Area* within seven (7) days of the adoption of this resolution. Said notices shall include:

(1) Notice of the public hearing required by V.T.C.A., Local Government Code §43.0684.
(2) An explanation of the 180-day petition period described by V.T.C.A., Local Government Code §43.0685.
(3) A signed copy of this resolution with contains description, list, and schedule of services to be provided by the municipality in the area on or after annexation as provided by V.T.C.A., Local Government Code §43.0682.

SECTION 5. SERVICES. A description of the services that will be provided by the City of Rockwall upon annexation is outlined in Exhibit 'B' of this resolution.

SECTION 6. EFFECTIVE DATE. This Resolution shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 2ND DAY OF DECEMBER, 2019.

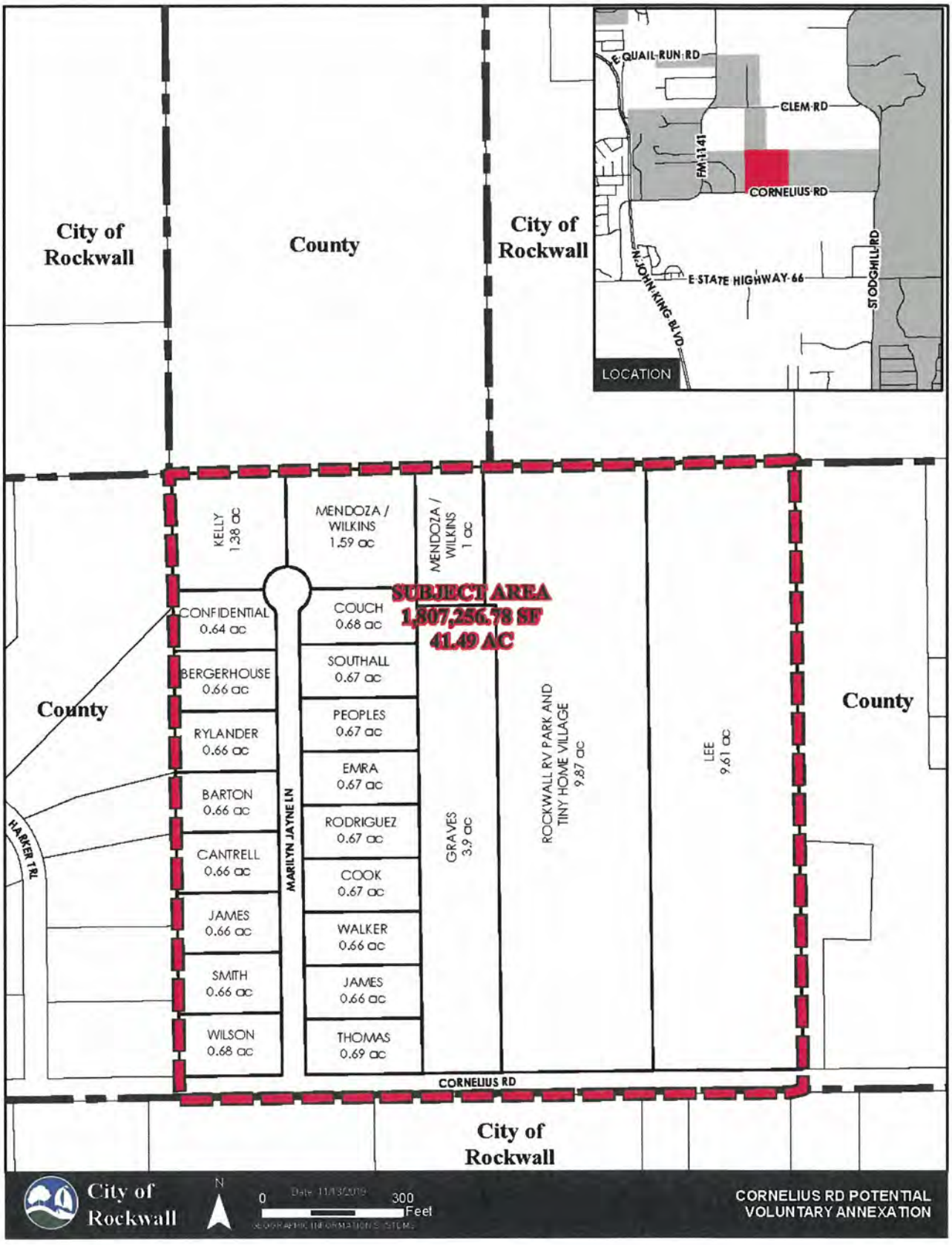
APPROVED:

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

CITY OF ROCKWALL TEXAS
SEAL


City of Rockwall
County
City of Rockwall
E QUAIL RUN RD
CLEM RD
FM 1141
CORNELIUS RD
N JOHN KING BLVD
E STATE HIGHWAY 66
STODGHILL RD
LOCATION
KELLY 1.38 ac
MENDOZA / WILKINS 1.59 ac
MENDOZA / WILKINS 1 ac
SUBJECT AREA
1,807,256.78 SF
41.49 AC
CONFIDENTIAL 0.64 ac
COUCH 0.68 ac
SOUTHALL 0.67 ac
BERGERHOUSE 0.66 ac
PEOPLES 0.67 ac
RYLANDER 0.66 ac
EMRA 0.67 ac
BARTON 0.66 ac
RODRIGUEZ 0.67 ac
CANTRELL 0.66 ac
COOK 0.67 ac
JAMES 0.66 ac
WALKER 0.66 ac
SMITH 0.66 ac
JAMES 0.66 ac
WILSON 0.68 ac
THOMAS 0.69 ac
GRAVES 3.9 ac
ROCKWALL RV PARK AND TINY HOME VILLAGE 9.87 ac
LEE 9.61 ac
County
County
HARKER TRL
MARILYN JAYNE LN
CORNELIUS RD
City of Rockwall
City of Rockwall
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Feet
CORNELIUS RD POTENTIAL VOLUNTARY ANNEXATION

Municipal Services. Municipal services to the acreage described above shall be furnished by or on behalf of the City of Rockwall, Texas, at the following levels and in accordance with the following schedule:

(A) *Police Services.*

(1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60-days of the effective date of annexation.
(2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) *Fire Services.*

(1) Fire protection by the present personnel and the present equipment of the Fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60-days of the effective date of annexation.
(2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) *Health and Code Compliance Services.*

(1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.
(2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
(3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.
(4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.
(5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) *Planning and Zoning Services*

(1) The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Plan, Unified Development Code (UDC) [*i.e. Zoning Ordinance*], and Municipal Code of Ordinances.

(E) *Recreation and Leisure Services*

(1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.
(2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) *Solid Waste Collection*

(1) Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately-owned solid waste management service provider. Such properties will be allowed to continue private service for a period of two (2) years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.

(G) *Streets*

(1) The City of Rockwall's existing policies with regard to streets, roads and street/roadway lighting maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.
(2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
(3) The same level of maintenance shall be provided to public streets and roadways within this property that have been accepted by the City of Rockwall as is provided to like City streets and roadways throughout the City.

(H) *Water Services*

(1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
(2) Water mains of the City will be extended in accordance with provisions of the Municipal Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those

reasonably contemplated or projected in the annexed area.

(3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) *Sanitary Sewer Services*

(1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.

(2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.

(3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Municipal Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

(4) Previously granted exceptions to the requirements of connections to the City's sanitary sewer treatment system or Off-Site Sanitary Sewer Facilities (OSSF) constructed prior to annexation shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception or for systems installed prior to annexation.

(J) *Public Utilities.*

(1) Other public utilities will be provided by the City's franchisee or a provider holding a Certificate of Convenience and Necessity (CCN) issued by the state to serve that area.

(K) *Miscellaneous.*

(1) General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

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92